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FEDERAL REGISTER

VOLUME 8 NUMBER 1

Washington, Friday, January 1, 1943

Regulations

TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of Alien Property Custodian

PART 505—REGULATIONS ISSUED UNDER GENERAL ORDER No. 13

LICENSING TRANSACTIONS INVOLVING COPYRIGHTS

§ 505.3 *Regulation No. 3 under General Order No. 13.* (a) A general license is hereby granted authorizing the following transactions:

(1) The making and filing in the United States Copyright Office of applications for registration or renewal of copyrights in which a designated foreign country or a national thereof has at any time on or since the effective date of Executive Order No. 8389, as amended, had any interest, and the receipt of registration or renewal certificates granted pursuant to any such applications, *Provided:*

(i) That the person making or filing such application shall attach to the application a report on Form APC–23,[1] which is hereby adopted and made a part of this regulation, setting forth the information called for therein; and

(ii) That the making or filing of such application involves no communication, direct or indirect, with an enemy national.

(2) The execution and recording of any instrument recordable in the United States Copyright Office which affects title to or grants any interest in any copyright or renewal thereof, if such instrument constitutes or evidences a transaction made by, or on behalf of, or pursuant to the direction of, or with a designated foreign country or a national thereof, on or since the effective date of Executive Order No. 8389, as amended, *Provided:*

(i) That such instrument be recorded in the United States Copyright Office within six months of the execution thereof, or within such further time as may be allowed by the Alien Property Custodian; and

(ii) That the person presenting such instrument for recording shall attach thereto and record therewith a copy of Form APC–22,[1] which is hereby adopted and made a part of this regulation, and shall file therewith a report on Form APC–21,[1] which is hereby adopted and made a part of this regulation, setting forth under oath the information called for therein; and

(iii) That the transaction involves neither trade or communication with an enemy national nor is carried out as the result of such trade or communication; and

(iv) That such instrument may be set aside by the Alien Property Custodian upon notice mailed to the person recording the instrument at the address given on the form filed with the instrument and the interests thereunder so transferred may be vested by the Alien Property Custodian at any time within a period of three years from the date of recording, except that the Alien Property Custodian may in his discretion reduce such period of time with respect to any such instrument after the recording thereof.

(3) The recording in the United States Copyright Office of any instrument recordable therein which was executed prior to the effective date of Executive Order No. 8389, as amended, *Provided:*

(i) That any person presenting such instrument for recording shall file with such instrument a report on Form APC–21, setting forth under oath the information called for therein; and

(ii) That the transaction involves no trade or communication with an enemy national nor is carried out as the result of such trade or communication.

(b) Where applications for copyrights or renewals thereof are made or filed under paragraph (a) (1) of this regulation, such copyrights and renewals will be subject to the power of the Alien Property Custodian to take such action as he deems necessary in the national interest. Nothing contained in this regulation

(Continued on next page)

[1] Form filed as part of the original document. Copies may be obtained by addressing the Alien Property Custodian.

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shall be deemed to limit the authority of the Alien Property Custodian to direct, manage, supervise, control or vest any copyright or renewal thereof.

(c) This general license does not authorize:

(1) Any transactions not specifically enumerated herein, such transactions being permitted only upon specific authorization from the Alien Property Custodian; or

(2) The receipt of any funds or credits with respect to the transactions licensed herein except as such receipt may be permitted by the Treasury Department; or

(3) The payment of any funds or credits to any party to an instrument recorded hereunder with respect to the property affected by such instrument as long as such instrument is subject to being set aside in accordance with the conditions of paragraph (a) (2) (iv) hereof, except into a special account from which withdrawals can be made only upon the approval of the Alien Property Custodian.

(d) Nothing contained in this regulation shall be deemed to limit the authority of the Office of Censorship to cause to be censored in its absolute discretion, any communications by mail, cable, radio, or other means of transmission, passing between the United States and any foreign country.

(e) The term "designated foreign country" shall mean foreign country designated in section 3 of Executive Order No. 8389, as amended; and the terms "person" and "national" shall have the meanings defined in sections 5C and 5E respectively, of such order, except that any person within the categories of Regulation No. 1 under General Order No. 13 shall not be considered for the purposes of this regulation to be a national of a designated foreign county.

(f) The terms "enemy national" and "trade or communication with an enemy national" shall have the meanings defined in Treasury General Ruling No. 11 under Executive Order No. 8389, as amended.

(g) The term "interest" with respect to a copyright shall include, but not by way of limitation, ownership, part ownership, or claim of ownership, in whole or in part, of any subsisting copyright or claim of copyright, and any right, license, privilege or property in or to or with respect to such work; and any right, title or interest in, to or under any contract or other instrument relating to copyright, and any royalty, share of profits, license fees, or other emolument or compensation reserved with respect thereto. Such interest shall also include, but not by way of limitation, any interest as hereinbefore described which is held or claimed as trustee, agent, representative or nominal proprietor.

(40 Stat. 411; 55 Stat. 839; E.O. 9193, 7 F.R. 5205)

Executed at Washington, D. C., on December 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–14177; Filed, December 31, 1942; 10:50 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Administrator of Civil Aeronautics, Department of Commerce

[Amendment 22]

PART 601—DESIGNATION OF AIRWAY TRAFFIC CONTROL AREAS, CONTROL ZONES OF INTERSECTION, CONTROL AIRPORTS, AND RADIO FIXES

DESIGNATION OF CERTAIN CONTROL AIRPORTS

DECEMBER 29, 1942.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and § 60.21 of the Civil Air Regulations, I hereby amend Part 601 of the Regulations of the Administrator of Aeronautics as follows:

By amending § 601.3 so as to include in the proper alphabetical order the following airports as control airports:

City:	*Name of airport*
Abilene, Texas	Municipal Airport
Big Spring, Texas	Municipal Airport
Tucson, Arizona	Municipal No. 2
Palmdale, California	Municipal Airport
Daggett, California	Municipal Airport
Santa Barbara (Goleta), California.	Municipal Airport

This amendment shall become effective 0001 E. W. T., December 30, 1942.

C. I. STANTON,
Administrator.

[F. R. Doc. 42–14166; Filed, December 30, 1942; 2:29 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A–1749]

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 2 for a change of shipping points for certain mines in District No. 2.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting a change of shipping points for the coals of certain mines in District 2; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 322.7 *(Alphabetical list of code members)* is amended by adding thereto Supplement R–I, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate, or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: December 17, 1942.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 2

Note: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 322.7 *Alphabetical list of code members*—Supplement R–I

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine Index No.	Code member	Mine name	Seam	Sub-dist. No.	Shipping point	Size group Nos.														
						Railroad	Freight origin group No.	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
219	Carbon Gas Coal Company, Inc	Sun	L. Freeport	1	Conemaugh, Pa	B&LE	11	E	E	D	D	C	D	D	D	D	(1)	(1)	(1)	(1)	(1)	(1)
198	Culmerville Coal Company	Mutual #8	U. Freeport	8	Culmerville, Pa	B&LE	11	E	E	D	D	C	D	D	D	D	(1)	(1)	(1)	(1)	(1)	(1)
287	Dalsue Davis G	Dale	Pittsburgh	3	Point Marion, Pa	B&O	9	(1)	(1)	(1)	E	E	E	E	E	E	(1)	(1)	(1)	(1)	(1)	(1)
372	Johnson, C. W	Jay Bee #79	Pittsburgh	3	Rich Hill Siding, Pa Jay Bee Siding, Pa	B&O	114	(1)	(1)	(1)	E	E	E	E	E	E	(1)	(1)	(1)	(1)	(1)	(1)
463	Marshall Mining Company	Ramsay (Strip)	Kittanning	1	Ramsay, Pa	T&R	50	E	E	E	E	E	E	F	F	F	(1)	(1)	(1)	(1)	(1)	(1)
351	North Union Coal Company	North Union #2	Pittsburgh	3	Lemont #1, Pa	B&O, P&R	111	E	E	C	E	E	E	E	E	E	(1)	(1)	(1)	(1)	(1)	(1)

(1) Indicates no classification effective for this size group.
NOTE: The above prices are applicable only via the respective Freight Origin Groups, shipping point and Railroads shown for the respective mines. Freight Origin groups, Shipping Points, and Railroads previously assigned to these mines are hereby deleted

§ 322.9 *Special prices—(c) Railroad fuel*—Supplement R–II. In § 322.9 (c) in Minimum Price Schedule No. 1, add the mine index numbers in groups shown. Group No. 6, 351, 372; Group No. 9, 158, 219; Group No. 7, 287; Group No. 15, 463.

[F. R. Doc. 42–14143; Filed, December 30, 1942; 11:18 a. m.]

[Docket No. A–1772]

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 2; and

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment of price classifications and minimum prices for the coals of certain mines in District No. 2; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 322.7 *(Alphabetical list of code members)* is amended by adding thereto Supplement R–I, and § 322.9 *(Special prices—(c) Railroad fuel)* is amended by adding thereto Supplement R–II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: December 17, 1942.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 2

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 322.7 *Alphabetical list of code members*—Supplement R–I

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
2214	Slater & Hegenbarger (Sam Slater)	S & H (D)	Sewickley	3	Poland, Pa	Monph	30	J	J	H	H	H	H	J	J	J	(1)	(1)	(1)	(1)	(1)	(1)	(1)
2606	Victory Coal Co. (J. W. O. Pahel)	Victory	Redstone	9	Mt. Pleasant, Pa	B&O	89	G	G	G	G	G	(*)	F	F	G	(1)	(1)	(1)	(1)	(1)	(1)	(1)
1421	Washington Coal Company (Joseph R. Marco)	Washington (D)	U. Freeport	2	Apollo, Pa	PRR	90	F	F	E	E	E	F	F	F	F	(1)	(1)	(1)	(1)	(1)	(1)	(1)

[1] Indicates no classification effective for this size group.
[*] Indicates this size group previously classified.

§ 322.9 *Special prices*—(c) *Railroad fuel*—Supplement R–II. In § 322.9 (c) in Minimum Price Schedule, add the mine index numbers in groups shown. Group No. 2, 2606; Group No. 8, 2214; Group No. 21, 1421.

FOR TRUCK SHIPMENTS

§ 322.23 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

[1] Code member index	Mine index No.	Mine	Seam	Base sizes: Lumpover 4"	Lump 4"	Lump 3"	Egg 3" x 1½"	Stove 1½" x ¾"	Pea ¾" x ⅜"	Run of mine	2" x ⅜"	1½" x ⅜"	⅜" x 0
				1	2	3	4	5	6	7	8	9	10	11
ALLEGHENY COUNTY														
Boes, Edward J.	2595	Warden Mine Slate dump	Pittsburgh	305	295	285	260	240	240	240	240	210	200	190
BUTLER COUNTY														
Harper, William K.	2594	Domhoff	L. Kittanning	320	310	300	275	270	260	245	245	205	195	185
FAYETTE COUNTY														
Ainsley, Jas. & Geo. (James Ainsley)	2595	Sunshine	Pittsburgh	310	300	290	270	240	240	235	240	225	220	195
Basinger, William	2600	Wash Run	U. Freeport	305	295	285	265	250	240	235	240	225	225	220
Curry, Thomas J.	2599	Cutlip-Fite	Sewickley	295	285	275	260	250	250	250	250	215	210	195
Long, John William	2598	Long	Freeport	285	275	265	255	235	225	225	225	210	205	190
WESTMORELAND COUNTY														
Atlantic Crushed Coke Company	6	Atlantic #2	Pittsburgh	300	290	280	270	250	240	240	235	215	205	195
Latrobe Construction Co. (B. Ferrari)	2597	Ferrari	Pittsburgh	300	290	280	265	260	250	250	245	215	205	(1)
Victory Coal Co. (J. W. O. Pahel)	2606	Victory	Redstone	285	275	265	250	245	235	215	220	200	190	(1)

[1] Omitted on original document.

[F. R. Doc. 42–14142; Filed, December 30, 1942; 11:17 a. m.]

[Dockets Nos. A–1715, A–1721, and A–1724]

PART 327—MINIMUM PRICE SCHEDULE, DISTRICT NO. 7

ORDER GRANTING RELIEF, ETC.

Order of consolidation and order granting temporary relief and conditionally providing for final relief in the matters of the petitions of District Board No. 7 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 7, for an additional shipping point for the coals of the Little Sewell Mine of the Jones Smokeless Coal Company and for a change in the shipping point for the coals of the Amick Mine of I. R. Thompson in District No. 7.

Original petitions, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 7, and for an additional shipping point for the coals of the Little Sewell Mine of the Jones Smokeless Coal Company (Mine Index No. 561) in District No. 7, and for a change in the shipping point for the coals of the Amick Mine of I. R. Thompson (Mine Index No. 508) in District No. 7, and

It appearing that said petitions should be consolidated; and

It further appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in any of the above-named matters; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That the above-named matters be, and the same hereby are, consolidated.

It is further ordered, That, pending final disposition of the above-entitled matters, temporary relief is granted as follows: Commencing forthwith, § 327.11 (*Low volatile coals: Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 327.34 (*General prices in cents per net ton for shipment into any market area*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof; commencing forthwith, the shipping point, railroad and freight origin group appearing in the aforesaid Supplement R for the coal produced at the mine designated as Mine Index No. 561 shall be as herein shown instead of the shipping point, railroad and freight origin group number heretofore applicable to this mine; and commencing forthwith, the shipping point appearing in aforesaid Supplement R for the coal produced at the mine designated as Mine Index No. 508 shall be as herein shown instead of the shipping point heretofore applicable for this mine.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: December 11, 1942.

[SEAL] DAN H. WHEELER, *Director*.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 7

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 327, Minimum Price Schedule for District No. 7 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 327.11 *Low volatile coals: Alphabetical list of code members*—Supplement R

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	Subdistrict No.	Low volatile seam	Shipping point	Railroad	Freight origin group No.	Price classification by size group Nos. 1	2	3	4	5	6	7	8	9	10
326	Vera Pocahontas Coal Co.	Vera #1	3	Poca. #12	Landgraff, W. Va.	N. & W.	20	D	D	C	A	A	B	B	D	D	D
508	Thompson, I. R.	Amick	1	Fire Creek	Rupert, W. Va.[1]	N. F. & G.	19	(*)	(†)	(†)	(†)	(†)	(*)	(*)	(*)	(*)	(*)
561	Jones Smokeless Coal Co., Inc., c/o S. E. Jones.	Little Sewell	1	Poca. 6	Rupert, W. Va.; Rainelle Jct., W. Va.[1]	N. F. & G.	19	(*)	(†)	(†)	(†)	(†)	(*)	(*)	(*)	(*)	(*)

[*] When shown under a Size Group Number, this symbol indicates coals previously classified in this Size Group.
[†] When shown under a Size Group Number this symbol indicates no classification effective for this Size Group.
[1] Denotes new shipping point and railroad. Shipping point at Rainelle Jct., W. Va., on the C&O–NYC shall no longer be applicable.
[2] Denotes change in railroad Freight Origin Group, and additional shipping point. Freight Origin Group 17 shall no longer be applicable.

FOR TRUCK SHIPMENTS

§ 327.34 *General prices in cents per net ton for shipment into any market area*—Supplement T

Code member index	Mine	Mine index No.	Subdistrict No.	County	Seam	All lump 3" or larger, all egg and all stove	All nut or pea 1½" top size or smaller	Screened M R	Straight mine run	1¼" screenings	¾" screenings
						1	2	3	4	5	6
Carter Coal Company	Seaboard	163	4	Tazewell	L. Seaboard	310	260	(*)	(*)	210	(*)
Mahoney, B. P. (Mahoney Soft Coal Company).	Mahoney	325	2	Fayette	L. Eagle	335	270	280	235	210	205
Vera Pocahontas Coal Co.	Vera #1	326	3	McDowell	Poca. #12	335	270	300	235	205	200

[*] When shown under a Size Group Number, this symbol indicates coals previously classified in this Size Group.

[F. R. Doc. 42–14141; Filed, December 30, 1942; 11:17 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1010—SUSPENSION ORDERS

[Suspension Order S–190]

STANDARD PRESSED STEEL CO.

Standard Pressed Steel Company is a corporation with a principal place of business in Jenkintown, Pennsylvania, and is engaged in the business of manufacturing various ordnance and military equipment, industrial benches and parts thereof. Subsequent to August 3, 1942, the Company put in process, assembled, and delivered approximately 6,700 steel shop stools for other than Army, Navy and Maritime Commission orders, as defined in Conservation Order M–126. The responsible officers of the Company had full knowledge of the provisions of Conservation Order M–126 and these activities were the result of an unjustifiable misinterpretation of Order M–126.

The manufacture, assembly and deliveries of steel shop stools constituted a wilful violation of Conservation Order M–126 which has impeded and hampered the war effort by diverting critical material to uses unauthorized by the War Production Board. In view of the foregoing facts, *It is hereby ordered:*

§ 1010.190 *Suspension Order S–190.* (a) Standard Pressed Steel Company, its successors and assigns, shall not put in process, manufacture or assemble any iron or steel to make industrial work benches, bench legs or parts thereof, and Standard Pressed Steel Company shall not deliver any industrial work benches, bench legs or parts thereof containing iron or steel except as specifically authorized by the Director General for Operations.

(b) Nothing contained in this order shall be deemed to relieve Standard Pressed Steel Company, its successors or assigns, from any restriction, prohibition or provision contained in any order or regulation of the Director of Industry Operations or the Director General for Operations, whether now in force or hereafter issued, except insofar as the same may be inconsistent with the provisions hereof.

(c) The provisions of this order shall not apply to any item manufactured, assembled or delivered on an Army, Navy or Maritime Commission order, as such orders are defined in Conservation Order M–126.

(d) This order shall take effect on January 2, 1943, and shall expire on April 2, 1943, at which time the restrictions contained in this order shall be of no further effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of December 1942.

ERNEST KANZLER, *Director General for Operations.*

[F. R. Doc. 42–14171; Filed, December 30, 1942; 4:40 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–192]

UNITED WIRE NOVELTY CO.

United Wire Novelty Company, Philadelphia, Pennsylvania, a co-partner-

ship, composed of Isadore Kreiskoff and Fred Kreiskoff, is engaged in the manufacture of steel wire racks and baskets and steel wall brackets of various types. During the period from September 30, 1942 to November 5, 1942, the company put into process and processed iron and steel to make wire racks and baskets or parts thereof, assembled wire racks and baskets or parts thereof containing iron or steel, and delivered such items which it knew, or had reason to know, were fabricated or assembled in violation of the provisions of General Conservation Order M–126. These acts constituted violations of General Conservation Order M–126. During the entire period the company was aware of the restrictions contained in General Conservation Order M–126 and its violations thereof were wilful.

These violations of said order have hampered and impeded the war effort of the United States by diverting scarce materials to uses not authorized by the War Production Board. In view of the foregoing, *It is hereby ordered* That:

§ 1010.192 *Suspension Order No. S–192.* (a) Isadore Kreiskoff and Fred Kreiskoff, their successors and assigns, and the partnership known as United Wire Novelty Company, its successors and assigns, shall not use any iron or steel or products made therefrom, now in their possession or hereafter acquired, in the manufacture, assembly or fabrication of any articles whatsoever, except as specifically authorized by the Director General for Operations.

(b) Deliveries of material to Isadore Kreiskoff and Fred Kreiskoff, their successors and assigns, and the partnership known as United Wire Novelty Company, its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned or applied to such deliveries to Isadore Kreiskoff and Fred Kreiskoff, their successors and assigns, and to the partnership known as United Wire Novelty Company, its successors and assigns, by means of preference rating certificates, preference rating orders, general preference orders and any other order or regulation of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) No allocation shall be made to Isadore Kreiskoff and Fred Kreiskoff, their successors and assigns, or to the partnership known as United Wire Novelty Company, its successors and assigns, of any material the supply or distribution of which is governed by any order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(d) Nothing contained in this order shall be deemed to relieve Isadore Kreiskoff and Fred Kreiskoff or the partnership known as United Wire Novelty Company from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect January 1, 1943, and shall expire April 1, 1943, at which time the restrictions contained in this order shall be of no further effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of December 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc 42–14172; Filed, December 30, 1942; 4.40 p. m.]

PART 3133—PRINTING AND PUBLISHING

[Limitation Order L–240]

The fulfillment of requirements for the defense of the United States has created a shortage of the supply of print paper for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3133.6 Limitation Order L–240—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons, whether incorporated or not.

(2) "Newspaper" shall include any publication usually recognized as a newspaper in the newspaper industry regardless of the frequency of issuance.

(3) "Printing" means the act or process of printing, impressing or otherwise transferring onto print paper any ink, color, pigment, mark, character or delineation.

(4) "Publisher" shall include, but not by way of limitation, any person issuing a newspaper.

(5) "Print paper" means any grade or quality of paper used in the printing of a newspaper, or used in the printing of material physically incorporated into a newspaper.

(6) "Net paid circulation" means the sales of a publisher's newspaper or newspapers audited, or otherwise verified, in accordance with the standards of the Audit Bureau of Circulations of January 1, 1942.

(7) "Base period" means the year 1941.

(8) "Director" means the Director General for Operations.

(b) *General restrictions.* On and after January 1, 1943:

(1) No publisher, or any person for his account, shall purchase, acquire or in any manner accept delivery of print paper except for the printing of the publisher's newspaper or newspapers.

(2) No publisher shall use, or cause to be used for his account, print paper for the printing of any newspaper or newspapers during any calendar quarter in excess of 100% of the amount of print paper used by him, or for his account, in the printing of the net paid circulation of his said newspaper or newspapers during the corresponding calendar quarter of the base period.

(3) To compensate for the amount of print paper lost to a publisher in the publication of his newspaper or newspapers in the form of wrappers covering print paper delivered to him by his supplier, and that lost to him through damage in transit and in printing spoilage, the publisher may add to the total quarterly amount of print paper authorized by subparagraphs (1) and (2) of this paragraph, 3% of the total amount of print paper used by him in the printing of the net paid circulation of his said newspaper or newspapers during the corresponding calendar quarter of the base period.

(c) *Exceptions.* The provisions of paragraph (b) (1) and (2) hereof, are inapplicable to:

(1) Any publisher who shall use on and after January 1, 1943, 25 tons or less of print paper in any calendar quarter for the printing of any of his newspaper or newspapers. Any such publisher is authorized, in addition, to deduct from the tonnage of print paper used by him in any calendar quarter after January 1, 1943, the amount of print paper represented by copies of his newspaper or newspapers which he shall furnish to the armed services of the United States.

(2) Any newspaper of eight pages or less which is authorized to be admitted to the mails as second class matter under the provisions of section 521 of the Postal Laws and Regulations of 1940 (Title 39 U.S.C. sec. 229), pertaining to the publications of benevolent, fraternal, trades-unions, professional, literary, historical, and scientific organizations or societies.

(d) *Loans of print paper.* Any loan of print paper made by a publisher shall be reported by addressing a letter in triplicate to the War Production Board on or before the 30th day following the date of said loan.

(e) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as the Director shall from time to time require.

(3) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records of their inventory, use and sales of print paper, subject to the inspection of the duly authorized representative of the War Production Board.

(4) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from, and stating fully the grounds of the appeal.

(5) *Communications to the War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Printing and Publishing Division, Washington, D. C. Ref: L–240.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42–14188; Filed, December 31, 1942; 11:48 a. m.]

PART 3133—PRINTING AND PUBLISHING

[Limitation Order L–244]

The fulfillment of requirements for the defense of the United States has created a shortage of the supply of print paper for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3133.15 *Limitation Order L–244*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons, whether incorporated or not.

(2) "Magazine" means any periodical recognized as a magazine in the magazine industry, regardless of frequency of issue.

(3) "Printing" means the act or process of printing, impressing or otherwise transferring onto print paper any ink, color, pigment, mark, character or delineation.

(4) "Publisher" shall include, but not by way of limitation, any person issuing one or more magazines.

(5) "Print paper" means any grade or quality of paper used in the printing of a magazine, or used in the printing of material physically incorporated into a magazine.

(6) "Base period" means the year 1942.

(7) "Director" means the Director General for Operations.

(b) *General restrictions.* On and after January 1, 1943:

(1) No publisher shall use, or cause to be used for his account, print paper for the printing of his magazine or magazines, during any calendar quarter in excess of 22½% of the amount of print paper used by him or for his account, for such purpose, during the base period: *Provided,* That a publisher may, in any calendar quarter, use up to 15% more than his quarterly quota for such purpose, the excess to be deducted from the quota of the succeeding calendar quarter: *And provided further,* That a publisher may, in any calendar quarter, use additional print paper for such purpose, equivalent to the less-than-quota usage of any preceding calendar quarters.

(c) *Exceptions.* The restrictions of paragraph (b) hereof shall not apply to any publisher who shall use, on and after January 1, 1943, 25 tons or less of print paper in any calendar quarter for the printing of his mazagine or magazines.

(d) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as the Director shall from time to time require.

(3) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning their inventory, use and sales of print paper, subject to the inspection of the duly authorized representative of the War Production Board.

(4) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from, stating fully the grounds of the appeal.

(5) *Communications to the War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Printing & Publishing Division, Washington, D. C. Ref: L–244.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day December 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42–14194; Filed, December 31, 1942; 11 49 a. m.]

PART 921—ALUMINUM

[Supplementary Order M–1–g as Amended Dec. 31, 1942]

Whereas national defense requirements have created a shortage of aluminum for defense, private account, and export; and

Whereas the restrictions and requirements hereinafter set forth are necessary to conserve the supply and direct the distribution thereof in the interests of national defense;

Now, therefore, it is ordered, That:

§ 921.9 *Supplementary Order M–1–g*—(a) *Definitions.* For the purposes of this order:

(1) "Aluminum" means any material the principal ingredient of which by either weight or volume is metallic aluminum in powder, paste, or other form.

(2) "Aluminum pigment" means any aluminum or any material containing aluminum which is manufactured, acquired or disposed of for use, or which is used, in the manufacture of paint or other coating or as a liquid welding compound.

(3) "Aluminum paint" means any paint in the manufacture of which aluminum pigment is used.

(4) "Paint formulator" means any person engaged in the business of manufacturing paint for sale.

(5) "Jobber" means any person engaged in the business of buying and selling aluminum paint or aluminum pigment, otherwise than in the capacity of retail distributor whose business is confined to over-the-counter transactions with the general public.

(b) *Restrictions upon manufacture, use, acquisition, and disposition of aluminum pigment.* No aluminum pigment shall be manufactured, used in manufacture, acquired, or disposed of, except as the Director General for Operations may specifically authorize.

(c) *Restrictions upon acquisition and disposition of aluminum paint.* No aluminum paint shall be manufactured, acquired, or disposed of except as the Director General for Operations may specifically authorize.

(d) *Scope of order.* The provisions of paragraphs (b) and (c) of this order shall not apply to the sale and purchase of aluminum pigment or aluminum paint in the course of normal over-the-counter retail distribution to the general public, or to the use of aluminum pigment or aluminum paint by the ultimate consumer. Supplementary Order M–1–e shall not apply to the manufacture or use of aluminum pigment.

(e) *Application for special authorization.* Application for special authorization as required by paragraphs (b) and (c) of this order shall be made on Form PD–312.

(f) *Reporting.* Each manufacturer of aluminum pigment and each paint formulator and jobber shall, on or before the 15th of April, 1942, and of each succeeding month, report on Form PD–313, his stocks, as of the end of the preceding month, of aluminum pigment and aluminum paint.

(g) *Communications.* All reports required to be filed hereunder, and all communications shall, unless otherwise directed, be addressed to the War Production Board, Ref: M-1-g.

(h) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision may be inconsistent therewith, in which case the provisions of this order shall govern.

(i) *Violations.* Any person who wilfully violates any section of this order, or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order, may be prohibited from receiving further deliveries of any material subject to allocation, and such further action may be taken as is deemed appropriate, including a recommendation for prosecution under section 35 (A) of the Criminal Code (18 U.S.C. 80).

(j) *Effective date.* This order shall take effect on December 31, 1942, and shall continue in existence until revoked by the Director General for Operations.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-14189, Filed, December 31, 1942; 11:49 a. m.]

PART 922—MAGNESIUM

[General Preference Order M-2-b as Amended Dec. 31, 1942]

Section 922.3 *General Preference Order M-2-b* is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of magnesium for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 922.3 *General Preference Order M-2-b*—(a) *Definitions.* For the purposes of this order:

(1) "Magnesium" means any metal in ingot or other raw form the principal ingredient of which is the element magnesium.

(2) "Magnesium products" means any basic forms, such as, but not limited to, castings, extrusions, sheet, strip, plate, forgings and powder, the principal ingredient of which is magnesium.

(3) "Magnesium scrap" means any scrap material the principal ingredient of which is magnesium, generated in the course of any industrial process, or any discarded magnesium products, which must be remelted to be of value for further use. The term "magnesium scrap" also includes any dross resulting from melting magnesium or magnesium scrap.

(4) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(5) "Producer" means any person who makes magnesium, in whole or in part, from a non-metallic raw material.

(6) "Approved smelter" means the American Magnesium Corporation, Apex Smelting Company, National Smelting Company, Aluminum and Magnesium, Inc. and the Federated Metals Division, American Smelting and Refining Company, and any other person who may be so designated by the Director.

(7) "Fabricator" means any person, including pattern shops, foundries and powder grinders, who makes magnesium products.

(8) "Director" means Director General for Operations.

(b) *Delivery and use.* Except as specifically authorized by the Director pursuant to an allocation on Forms PD-603 and PD-26M (1) no producer, approved smelter or other smelter shall deliver any magnesium or use any magnesium to make magnesium base alloys, and (2) no person shall accept the delivery of any magnesium from a producer, approved smelter or other smelter, and (3) no fabricator shall use magnesium or deliver any magnesium products.

(c) *Prohibition of alloying, contamination and debasement.* No person shall alloy, contaminate or debase magnesium except as the Director shall specifically authorize.

(d) *Collection, segregation and use of scrap.* (1) Except as provided in paragraph (d) (2) below, any person owning or generating any magnesium scrap, shall collect, segregate, place in suitable containers, label, identify and otherwise prepare for reprocessing all such scrap. Such scrap shall be segregated by alloys in accordance with the alloy designations of the American Society for Testing Materials, except that alloys #4 and #17 may be mixed with each other. Commercially pure magnesium and magnesium scrap of each alloy not described by such designations shall be kept segregated. All magnesium scrap shall be kept free of contamination by other metals and materials and otherwise handled in such manner that it will be of acceptable quality for reprocessing.

(2) Any fabricator may use any magnesium scrap generated in his plant in the course of fabrication, but only if such scrap is remelted and refabricated in such plant into products for the production of which such fabricator is currently obtaining deliveries of magnesium in conformity with this order, and if, in estimating, applying for, and ordering such magnesium, such fabricator reduced his requirements by an amount which, under the circumstances, represented a reasonable anticipation of the amount of magnesium scrap which would be recoverable for re-use as above authorized.

(e) *Disposition of all scrap.* Except as provided in paragraph (d) above or as the Director may, upon application, specifically authorize or direct, any person, other than a producer or approved smelter, owning any magnesium scrap shall promptly sell all such scrap to a producer or approved smelter and shall not use or dispose of such scrap in any way except by such a sale. Except as specifically authorized by the Director, no producer or approved smelter shall mix two or more alloys during the remelting of scrap.

(f) *Tolling prohibited.* Except as the Director may specifically authorize pursuant to an application filed on Form PD-114, no scrap shall be delivered for processing or returned under any toll, repurchase or similar arrangement.

(g) *Dead stock.* All magnesium which is not being used in, or which is in excess of reasonable needs for, the manufacture of items approved by specific authorization of the Director, shall be promptly disposed of pursuant to Priorities Regulation No. 13.

(h) *Request for authorizations and communications.* Any person who seeks the specific authorization of the Director to do anything under this order where no form is prescribed for the purpose, may request such authorization by letter in duplicate addressed to the War Production Board, Aluminum and Magnesium Division, Washington, D. C., Reference: M-2-b. All other applications, statements or other communications concerning the subject matter of this order should be addressed in the same manner.

(i) *Report of operations.* Any producer, smelter or fabricator who, in any calendar month, has had in inventory any magnesium, magnesium product or magnesium scrap, shall, on or before the fifteenth day of the month following each month in which any such material was held, file a report on Form PD-173 or, in the case of a powder grinder, on Form PD-174, or on such other form as may be prescribed for this purpose. Any other person who, in any calendar month has had in inventory a total of 100 pounds or more of magnesium, magnesium products and magnesium scrap shall on or before the fifteenth day of the month following any month in which such material was held, file a report on Form PD-40M or such other form as may be prescribed for this purpose.

(j) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of priorities regulations of the War Production Board, as amended from time to time.

(k) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priorities control.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1942.

ERNEST KANZLER,
Director General for Operations.

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PART 962—IRON AND STEEL

[Supplementary Order M-21-b as Amended December 31, 1942]

WAREHOUSES AND DEALERS

§ 962.3 *Supplementary Order M-21-b*—(a) *Definitions.* For the purpose of this supplementary order:

(1) "Warehouse" means any person who receives physical delivery of iron or steel from a producer for sale or resale in the form received; but does not include any structural shape, plate, or sheet fabricator unless his warehouse sales during 1940 represented at least 25 percent of the total tonnage of iron or steel products handled by him during that year.

(2) "Dealer" means any person who receives physical delivery of iron or steel from a warehouse for sale or resale in the form received.

(3) "Delivery" includes deliveries on consignment.

(b) *Schedule A products.* With respect to the iron or steel products listed in Schedule A hereto:

(1) *Quota restrictions.* No warehouse shall accept from any person during any calendar quarter deliveries except within the limits of the quota established for such warehouse by the Director General for Operations. Application for such quota shall be made on Form PD-83-a. Such quota shall be computed on the base tonnage herein described. The base tonnage of any Schedule A product classification is the tonnage of such product classification shipped by the warehouse from stock during the first calendar quarter of 1941. Beginning July 1, 1942, the quota of the warehouse in each calendar quarter is the percentage of such base tonnage shown in Columns 2 or 3 of Schedule A. The quota of the warehouse for the second calendar quarter of 1942 is that previously assigned by Amendment No. 3 to Supplementary Order M-21-b. No warehouse which, during 1940, purchased more than 25 percent of its tonnage of any product classification in a grade invoiced as less than prime quality may, during any calendar quarter, purchase prime quality iron or steel products of the same classification from a producer in an amount greater than one-fourth of the tonnage of such prime quality material purchased from such producer during 1940. The base tonnage or the quota may be changed from time to time by the Director General for Operations.

(2) *Preference rating.* On or before July 1, 1942, the Director General for Operations will issue to each warehouse for which a quota may be established pursuant to paragraph (b) (1), and who has reported monthly on Form PD-83, a certificate assigning a preference rating of A-1-k to deliveries of iron or steel to such Warehouse, within the limits of such quota. On or after July 1, 1942, no person may deliver Schedule A products to any warehouse, and no warehouse may accept such deliveries, unless such warehouse shall have filed with such person a copy of its A-1-k preference rating certificate. Effective May 4, 1942 and prior to July 1, 1942, a preference rating of A-1-k is hereby assigned to deliveries of iron or steel to each warehouse now holding an uncancelled A-9 preference rating certificate. Such preference rating may be changed from time to time by the Director General for Operations.

(3) *Reports.* Each warehouse unless specifically exempted shall file with the Bureau of the Census, Washington, D. C., on or before the 15th day of each month, a report on Form PD-83 Revised, or in such other form as may from time to time be prescribed by the Director General for Operations.

(4) *Supplementary quota.* In addition to the quarterly quota provided for in paragraph (b) (1), any warehouse may, subject to the inventory limitations set forth in paragraph (e),

(i) During the calendar quarter ending December 31, 1942, accept deliveries of any steel product classification in an amount which, when added to its total previous receipts of such product classification during 1942, will not exceed the total quota assigned for such product classification for the year 1942.

(ii) During the calendar quarter ending March 31, 1943, accept deliveries of any steel product classification in an amount which, when added to its total previous receipts of such product classification during the period January 1, 1942-March 31, 1943, inclusive, will not exceed the total quota assigned for such product classification for such period.

(c) *Schedule B products.* With respect to the iron and steel products listed in Schedule B hereto:

(1) *Quota restrictions.* No producer shall make to a warehouse stock, and no warehouse shall accept from any producer during any calendar quarter, deliveries for stock except within the limits of the quota which such warehouse is entitled to receive from such producer. Such quota shall be computed on the base tonnage herein described. Except for wire and wire products, the base tonnage of all Schedule B product classifications is the tonnage of such product classification shipped by the producer to the warehouse stock during the corresponding calendar quarter of 1940. The base tonnage for wire and wire products is the tonnage shipped by the producer to the warehouse stock during the corresponding calendar quarter of the period July 1, 1940-June 30, 1941. By written notice delivered to the producer on or before July 1, 1942, for wire and wire products or on or before February 1, 1942 for all other Schedule B products, the warehouse may change the base tonnage of any Schedule B product classification to one-fourth of the annual base tonnage provided for above; but the base tonnage cannot thereafter be changed for any subsequent calendar quarter. The quota which each producer may deliver to each warehouse during the second calendar quarter of 1942 and the proportion thereof to which the rating assigned by paragraph (c) (2) applies are the same as provided by Amendment No. 3 to Supplementary Order M-21-b. The quota which each producer may deliver to each warehouse in each calendar quarter following June 30, 1942, is the percentage of such base tonnage shown in column 4 of Schedule B herein. The base tonnage or the quota may be changed from time to time by the Director General for Operations. Any warehouse whose base tonnage of all Schedule B products with any producer for the calendar year is 120,000 pounds or less may accept its annual quota from such producer at any time during the calendar year, provided that not more than two minimum carloads are accepted in any calendar quarter. After approval by the Iron and Steel Division, War Production Board, on Form PD-83-e, Revised, the base tonnage and quota of a warehouse for any product classification may be transferred from one producer to another.

(2) *Preference rating.* Effective May 4, 1942, and until July 1, 1942, a preference rating of A-3 is assigned to deliveries of each product classification from any producer to a warehouse up to the percentage of the base tonnage shown in Column 2 of Schedule B appearing in Amendment No. 3 to Supplementary Order M-21-b. On and after July 1, 1942, a preference rating of A-3 is assigned to deliveries of each product classification from any producer to a warehouse up to the percentage of the base tonnage shown in Columns 2 or 3 of Schedule B herein. Shipment of Schedule B products to any warehouse may be increased to the percentage shown in Column 4 of Schedule B only if the warehouse through the use of Form PD-83-g is able to develop ratings higher than A-3 for additional tonnage. Where the amount of all Schedule B products assigned the A-3 rating in any calendar quarter is less than one minimum carload for the haul in question but more than one-half of such minimum carload, such rating may be applied up to one minimum carload.

(3) *Reports.* Each producer making deliveries of Schedule B products to a warehouse shall file with the Iron and Steel Division, War Production Board, on or before July 15, 1942, and quarterly thereafter, a report on Form PD–83–f Revised, or in such other form as may from time to time be authorized by the Director General for Operations.

(4) *Deliveries to warehouses and dealers by persons other than producers.* Effective May 4, 1942, a preference rating of A–3 is assigned to deliveries of Schedule B products from persons other than producers and their agents to warehouses and dealers who handled such products in 1940: *Provided, however,* That a dealer may not use this rating to purchase any Schedule B product from a warehouse stock during a calendar quarter in quantities greater than would be obtained by applying the percentage shown in Column 3 of Schedule B herein to his total purchases of such product from such warehouse stock during the corresponding calendar quarter of the base period established for such product in paragraph (c) (1) above. To apply such rating the warehouse or dealer must endorse on the purchase order or contract a statement in the following form, signed manually or as provided in Priorities Regulation No. 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned hereby certifies to the War Production Board and to the seller that an A–3 rating is assigned to the purchase of the Schedule B products listed hereon pursuant to paragraph (c) (4) of Supplementary Order M–21–b, as amended, with the terms of which I am familiar.

(Name of Warehouse or Dealer)

(Authorized Official)

(d) *Limitations on deliveries by warehouses and dealers.* (1) Except as hereinafter provided, no warehouse or dealer shall deliver steel or iron products except on an order bearing a preference rating of AA–5 or higher: *Provided, however,* That:

(i) A warehouse or dealer may deliver steel or iron products on an order certified for essential repair or maintenance purposes and bearing in the case of alloy steel or alloy iron products a preference rating of A–1–k or higher, or in the case of other steel or iron products a preference rating of A–10 or higher; provided that deliveries of the following types of steel or iron products in this manner by any warehouse or dealer during any calendar quarter do not exceed the amounts indicated below:

Stainless steel products.	3% of quarterly quota for such products.
Tool steel products.	3% of quarterly quota for such products.
Other alloy steel products.	3% of quarterly quota for such products.
All other steel or iron products.	Whichever is the greater of (A) 5% of the quarterly quota for all such products, or (B) an aggregate of 150 tons of all such products (but not more than the quarterly quota for all such products).

(ii) A warehouse or dealer may deliver flat rolled carbon steel or iron products which were received by him, or which have been accumulated from warehouse shearings, in sizes not greater than those specified below on an order bearing a preference rating of A–1–k or higher:

PLATES

Gauge	Width	Length
¾" and lighter	Under 72"	Under 120".
Over ¾" but under 1"	Under 48"	Under 120".

SHEETS

Gauge	Width	Length
7/16" through 16 gauge	Under 60"	Under 90".
Lighter than 16 gauge	Any	Under 72".

(iii) A warehouse or dealer may deliver cast iron pipe, black or galvanized welded pipe up to and including 3½" O.D. standard pipe size, wrought iron pipe, oil country tubular goods rated under Order P–98–b, pressure tubing, or wire rope and strand on an order bearing a preference rating of A–10 or higher.

(iv) A warehouse or dealer may deliver nails, staples, or bale ties on lower rated or unrated orders; and may deliver woven or welded wire fence, poultry netting, and barbed wire on lower rated or unrated orders when accompanied by a purchase certificate issued by a county farm rationing committee pursuant to Rationing Order C of the United States Department of Agriculture; and may deliver wire (except stainless or alloy wire), water well casing, posts and gates, and formed roofing and siding on lower rated or unrated orders for maintenance or repair purposes only.

(2) No warehouse or dealer shall make a delivery to any one customer to one destination at any one time from warehouse stock in quantities representing 40,000 lbs. or more except with the specific approval of the Director General for Operations, unless such delivery includes ten or more different items, each item to be of a specific quality, length, and cross-section, and no item of which shall weigh more than 8,000 lbs.: *Provided, however,* That the provisions of this paragraph (d) (2) do not apply to deliveries of oil country tubular goods rated under Order P–98–b.

(3) A warehouse or dealer called upon under the terms of Priorities Regulation No. 1, as amended, to deliver from stock at any one time one or more items weighing 8,000 lbs. each or more, which delivery would seriously deplete the warehouse inventory of such item or items, thereby impairing the service which the warehouse or dealer must render to all other buyers, may appeal to the Director General for Operations for relief from any part of such delivery.

(e) *Inventory limitations.* On and after July 1, 1942, no warehouse may accept a delivery of Product Classification 20 (Tool Steel Bars) if such delivery, when added to its existing inventory of the same product classification, will result in an inventory at the end of any calendar quarter greater than twice its quarterly tool steel bar quota. On and after July 1, 1942, no warehouse may accept a delivery of any other product classification if such delivery, when added to its existing inventory of the same product classification, will result in an inventory at the end of any calendar quarter greater than one and one-third times its quarterly quota of such product classification.

(f) *Special instructions.* The Director General for Operations may from time to time issue specific directions to warehouses or dealers requiring them to earmark stocks or to make deliveries during specified periods in fulfillment of contracts, commitments, or purchase orders for particular purposes or to particular persons. Such directions will be made primarily to insure satisfaction of all war requirements of the United States, both direct and indirect, and they may be made, in the discretion of the Director General for Operations without regard to any preference ratings assigned to particular contracts, commitments, or purchase orders, and without regard to any quota established under paragraphs (b) or (c).

(g) *Canadian warehouses.* The Director General for Operations may establish quotas for warehouses located in the Dominion of Canada and may assign ratings to deliveries to such warehouses.

(h) *Applications of higher ratings.* The provisions of any preference rating certificate or order heretofore or hereafter issued to the contrary notwithstanding, no rating higher than A–1–k on Schedule A products or higher than A–3 on Schedule B products shall be applied by a warehouse for deliveries to stock except on Form PD–83–g and in accordance with the following:

(1) *For deliveries of Schedule A products to warehouses having a quarterly quota of Schedule A products amounting to 500 tons or less.* (i) For the purposes of extension, preference ratings received on the sale of one or more product classifications representing the same type of steel (carbon, stainless or alloy) may be grouped.

(ii) Except as permitted by paragraph (h) (3), extension of a rating higher than A–1–k for any type of steel shall be made only when the warehouse has within 90 days prior to such extension, shipped from stock on ratings higher than A–1–k an accumulated total weight of such type of steel not less than the following:

	Pounds
Carbon steel, all products	40,000
Stainless steel, all products	6,000
Alloy steels, all products	20,000

(2) *For deliveries of Schedule A products to all other warehouses and for deliveries of all Schedule B products to warehouses.* (i) For the purposes of extension, the rating received by the warehouse for each product classification and type of steel as shown in Schedule C shall be separately accumulated.

(ii) Except as permitted by paragraph (h) (3), extension of a rating higher than A–1–k for any Schedule A product classification or higher than A–3 for any Schedule B product classification shall be made only when the warehouse has within 90 days prior to such extension, shipped from stock on ratings higher than A–1–k or A–3 as the case may be, an accumulated total weight of such product classification and type not less than the minimum shown in Schedule C.

(3) As to iron or steel specialty products (such as spring wire, manufacturers' wire, and music wire) extension of a rating higher than A–1–k for any Schedule A product classification or higher than A–3 for any Schedule B product classification shall be made only when the warehouse has within 90 days prior to such extension shipped from stock on ratings higher than A–1–k or A–3, as the case may be, 1,000 pounds or more of such specialty item.

(4) The rating to be extended to the delivery of any product classification shall be the lowest rating received on shipments within the accumulated total.

(5) An amount of each product classification equal to the amount obtained through the use of preference ratings higher than A–1–k shall be reserved for a period of 90 days following the date of receipt by the warehouse for delivery on orders rated higher than A–1–k, except when otherwise specifically ordered by the Director General for Operations. If such material is not sold at the end of 90 days on ratings higher than A–1–k, it may then be sold on other orders, subject to the provisions of this or other orders.

(6) Consolidated ratings established pursuant to this paragraph (h) must be based solely on deliveries from one location, and deliveries pursuant to such consolidated ratings must be made to the same location.

(i) *Extension of preference rating.* The preference rating assigned by this order, or any higher rating applied by a warehouse pursuant thereto, may be applied by a producer to deliveries of material to be physically incorporated into material to be delivered by the producer to a warehouse under any rating assigned above, or to be used within the limitations of this paragraph to replace in the producer's inventory material so delivered. Such application of the rating shall be subject to the following:

(1) No producer may apply the rating to obtain material in greater quantities or on earlier dates than required to enable him to make on schedule a delivery rated hereunder, or to replace in his inventory material so delivered. He shall not be deemed to require such material if he can make his rated delivery and still retain a practicable working minimum inventory thereof; and if, in making such delivery, he reduces his inventory below such minimum, he may apply the rating only to the extent necessary to restore his inventory to such minimum.

(2) To extend such rating a producer must endorse on each purchase order or contract to be covered by a rating assigned hereunder, a statement in the following form, signed manually or as provided in Priorities Regulation No. 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned hereby certifies that the iron and steel products herein ordered are required to complete purchase order Nos. ____ received from a steel warehouse, Preference Rating ------.

(Name of Producer)

By ---
(Authorized Official)

Such endorsement shall constitute a representation to the War Production Board and to the person with whom the purchase order or contract is placed that such purchase order or contract is duly rated in accordance herewith. The seller shall be entitled to rely on such representation unless he knows or has reason to believe it to be false. Any such purchase order or contract shall be restricted to material the delivery of which is rated in accordance herewith.

(3) Each producer extending any rating in accordance with this paragraph (i) shall file such reports as may be required from time to time by the War Production Board.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1942.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A

[Base tonnage—sales from warehouse stock, first calendar quarter of 1941, as approved on Form PD–83–a]

Product classification	Quota percent of base tonnage	
	States of California, Oregon, and Washington.	All other states
(Column 1)	(Column 2)	(Column 3)
1. Ingots, blooms, billets, slabs, tube rounds, sheet and tin bars	120	100
2. Structural shapes and piling	120	100
3. Plates (universal and sheared)	100	100
4. Rails—over 60 lbs	100	100
5. Rails—all other	100	100
6. Tie plates and track accessories, including track spikes	100	100
7. Hot rolled bars, carbon, including hoops and bands	130	110
9. Hot rolled bars, alloy	120	100
10. Cold finished bars, carbon and alloy	130	110
11b. Tubes (mechanical and pressure)	130	110
12. Wire rods (for wire drawing only)	100	100
14. Black plate	80	60
16. Sheets and strip, hot rolled	120	100
17. Sheets and strip, cold reduced	80	60
19. Sheets and strip, all other (including long ternes)	80	60
20. Tool steel bars, including drill rod	130	110
21. Wheels and axles	100	100
22. Forgings, armor plate, and ordnance	100	100
23. Forgings, all other (rough forgings only)	100	100
24. Steel castings (rough castings only)	100	100
25. Skelp	100	100
26. All other	100	100

SCHEDULE B

[*Base tonnage.* For all products except Classification 13, shipments from producers to warehouse stock during corresponding calendar quarter of 1940. For Classification 13, shipments from producers to warehouse stock during corresponding calendar quarter of the period July 1, 1940–June 30, 1941. On specific election of the warehouse pursuant to paragraph (c) (1) of the order, the quarterly base tonnage may be changed to one-fourth of total shipments to stock during the base period provided above.]

Product classification	Percent of base tonnage rated A–3		Quota as % of base tonnage maximum which may be shipped
	Warehouse having annual base tonnage of all products totaling 120,000 lbs. or less	Warehouse having annual base tonnage of all products over 120,000 lbs.	
(Column 1)	(Column 2)	(Column 3)	(Column 4)
8. Hot rolled bars, concrete reinforcing	50	20	120
11a. Pipe and tubes (all kinds except mechanical and pressure tubing)	100	100	120
13. Wire and wire products:			
a. Wire rope and strand, bale ties, nails, staples	140	140	140
b. Wire, woven fence wire, poultry netting, barbed wire	100	100	120
15. Tin and terne plate (short ternes)	0	0	0
18. Galvanized sheets and strip (including formed roofing and siding)	100	100	120

SCHEDULE C

[Minimum size orders of steel for warehouse stock to which a rating higher than A-1-k may be extended]

Schedule A products	Type of steel (pounds)		
	Carbon	Alloy	Stainless
1. Ingots, blooms, billets, slabs, tube rounds, and sheet and tin bars	40,000	20,000	.....
2. Structural shapes and piling	40,000	20,000	.....
3. Plates (universal and sheared)	40,000	20,000	6,000
4. (Rails—over 60 lbs.			
5. (Rails—all other)			
6. Tie plates and track accessories, including track spikes	40,000	.....	.....
7. Hot rolled bars, carbon, including hoops and bands	40,000	.....	.....
9. Hot rolled bars, alloy	.....	20,000	6,000
10. Cold finished bars, carbon and alloy	20,000	10,000	6,000
11b. Tubing (mechanical and pressure)	40,000	10,000	2,000
12. Wire rods (for wire drawing only)	40,000	.....	.....
14. Black plate	40,000	.....	.....
16. Sheets and strip, hot rolled	40,000	20,000	6,000
17. Sheets and strip, cold reduced	20,000	10,000	6,000
19. Sheets and strip, all other (including long ternes)	20,000	10,000	.....
20. Tool steel bars, including drill rod	1,000	1,000	.....
21. Wheels and axles	40,000	20,000	.....
22. Forgings, armor plate and ordnance	20,000	20,000	.....
23. Forgings, all other (rough forgings only)	20,000	20,000	.....
24. Steel castings (rough castings only)	20,000	20,000	2,000
25. Skelp	40,000	.....	.....
26. All other	40,000	20,000	6,000

[Minimum size orders of steel for warehouse stock to which a rating higher than A-3 may be extended

Schedule B products	Type of steel (pounds)		
	Carbon	Alloy	Stainless
8. Hot rolled bars, concrete reinforcing	40,000	.....	.....
11a. Pipe and Tubes (All kinds except mechanical and pressure tubing)	40,000	.....	.....
13. Wire and wire products			
a. Wire rope and strand, bale ties, nails and welding rod (uncoated)	40,000	.....	2,000
b. Wire, woven fence wire, poultry netting, tinco netting, welded wire fabric in rolls (building fabric), barbed wire, staples, fence posts and gates			
15. Tin and terne plate (short ternes)	No quotas	.....	.....
18. Galvanized sheet and strip (including corrugated)	40,000	.....	.....

[F. R. Doc. 42-14191; Filed December 31, 1942; 11:49 a. m.]

PART 1041—PRODUCTION, TRANSPORTATION, REFINING AND MARKETING OF PETROLEUM

[Preference Rating Order P-98-b, as Amended Dec. 31, 1942]

Section 1041.2 *Preference Rating Order P-98-b* is hereby amended to read as follows:

§ 1041.2 *Preference Rating P-98-b.* For the purpose of facilitating the acquisition of material for the production, transportation, refining and marketing of petroleum, preference ratings are hereby assigned to deliveries of necessary material upon the terms hereinafter set forth:

(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Operator" means:

(i) Any person located in the United States, its territories or possessions, engaged in the petroleum industry; or

(ii) Any person located in the Dominion of Canada engaged in the petroleum industry to whom and in whose name a copy of this order or of Preference Rating Order P-98, Extended and Amended, is or has been specifically issued and to whom a serial number has been assigned.

(3) "Supplier" means any person with whom a contract or purchase order has been placed for delivery of material to the operator or to another supplier.

(4) "Petroleum" means petroleum, petroleum products and associated hydrocarbons, including but not limited to natural gas.

(5) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(6) "Petroleum industry" means any operation directly incident to:

(i) The discovery, development or depletion of petroleum pools (production);

(ii) The extraction or recovery of natural gasoline and associated hydrocarbons (natural gasoline production);

(iii) The transportation, movement, loading or unloading of petroleum other than natural gas (transportation);

(iv) The processing, refining or compounding of finished or unfinished petroleum products (refining);

(v) The distribution or dispensing of petroleum products (other than natural gas) and the storing of petroleum products incident thereto (marketing).

(7) "Research laboratory material" means material used exclusively for the purpose of carrying out by means of an existing research laboratory investigations into more efficient or more effective methods of conducting petroleum industry operations, except that such material shall not include material for use in the construction of laboratory buildings or other structures.

(b) *Scope of order.* (1) No operator may apply any preference rating assigned by this order to obtain delivery of material:

(i) Unless such material is research laboratory material, or is to be used in effecting an alteration which when completed has involved the use of additional material having a total value of less than $500.00, or is to be used for maintenance or repair purposes or as operating supplies; or

(ii) Unless such rating is applied to obtain delivery of material to be used in any operation directly incident to the discovery, development or depletion of petroleum pools.

(2) The Director General for Operations may from time to time issue supplementary orders or specific directions with respect to the application of preference ratings or the use of material obtained under this order.

(c) *Assignment of preference ratings.* Subject to the terms of this order, a preference rating of A-2, A-1-a or AA-2X is hereby assigned to deliveries of material to an operator for use in the petroleum industry.

(d) *Restrictions on the application of preference ratings by an operator.* (1) No operator may apply any preference rating assigned by this order to obtain delivery of material unless the material cannot otherwise be obtained on the date when such material is required, and no operator may apply a preference rating assigned by this order in any case where a lower preference rating assigned by this order will enable such operator to secure the material on the date when such material is required.

(2) No operator may apply a rating assigned by this order to obtain material the use of which may be eliminated by substitution of less scarce material or by change of design without serious loss of efficiency.

(3) No operator may apply a rating assigned by this order to obtain material in excess of a 90 day supply thereof: *Provided*, That the Director General for Operations may determine and direct that any operator or class of operators is exempt, in whole or in part, from the restrictions contained in this paragraph.

(4) No operator as defined in paragraph (a) (2) (i) may apply a rating assigned by this order to obtain material for any use which is restricted, prohibited or in any way limited by any order or regulation issued by the War Production Board, other than material to be used in conformity with the provisions of such order or regulation.

(5) No operator as defined in paragraph (a) (2) (ii) may apply a rating assigned by this order to obtain material for any use which is restricted, prohibited, or in any way limited by any applicable order or equivalent authority issued by the Government of the Dominion of Canada, other than material to be used in conformity with the provisions of such order or equivalent authority.

(e) *Method of application of preference ratings.* In order to apply a preference rating assigned by this order:

(1) The operator must endorse on, or attach to, each contract or purchase order placed by him which includes such a preference rating, a certification in the following form, signed manually or as provided in Priorities Regulation No. 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply or extend the preference ratings indicated opposite the item shown on this purchase order and that such application or extension is in accordance with Priorities Regulation No. 3, as amended, with the terms of which the undersigned is familiar.

(Name of purchaser)	(Address)
By	
(Signature and title of duly authorized official)	(Date)

and

(2) The operator shall obtain the approval of the Director General for Operations before the rating is applied in any case:

(i) Where the delivery of an item which has a cost to the operator of $500.00 or more requires the application of an A-1-a preference rating; or

(ii) Where, except as provided in paragraph (e) (3) (iii), the delivery of an item requires the application of an AA-2X preference rating.

In order to obtain such approval, the operator shall communicate to the Petroleum Administration for War, Washington, D. C., Ref: P-98-b, the information set forth in paragraph (f).

(3) The operator shall obtain a countersignature on the purchase order or contract before the rating is applied in any case:

(i) Where the delivery of an item which has a cost to the operator of $100.00 or more requires the application of an A-2 preference rating; or

(ii) Where the delivery of an item which has a cost to the operator of less than $500.00 but more than $5.00 requires the application of an A-1-a preference rating; or

(iii) Where there has been an actual breakdown or a suspension of operations and where the delivery of an item which has a cost to the operator of less than $500.00 requires the application of an AA-2X preference rating.

In order to obtain such a countersignature the operator as defined in paragraph (a) (2) (i) shall submit the purchase order or contract to the District Director of Material of a District Office of the Petroleum Administration for War, and the operator as defined in paragraph (a) (2) (ii) shall submit the purchase order or contract to the Oil Controller, Dominion of Canada. In order to obtain a countersignature pursuant to paragraphs (e) (3) (ii) and (e) (3) (iii) such operator shall communicate to the District Director of Material or to the Oil Controller the information set forth in paragraph (f).

(4) In the event that the material specified in Exhibit A is to be used in service station operations, the operator shall obtain the countersignature of the District Director of Materials or of the Oil Controller on the purchase order or contract before the rating is applied in any case:

(i) Where the delivery of an item, which has a cost to the operator of less than $100.00, requires the application of an A-2 preference rating, or

(ii) Where the delivery of an item, which has a cost to the operator of $5.00 or less, requires the application of an A-1-a preference rating.

Provided, That in applying a preference rating assigned by this order, no operator shall alter the customary designation of any item or subdivide an ordinary purchase of any item for the purpose of making it appear that the item costs less than $500.00, or that the item costs less than $100.00, or that the item costs $5.00 or less.

(f) *Information.* Wherever required by this order the following information shall be submitted by an operator:

(1) Date of actual breakdown or suspension of operations and exact explanation as to what extent operations are affected (if applicable);

(2) The equipment to be repaired and its function in maintaining continuous operation (if applicable);

(3) Price, quantity, approximate weight and detailed description of necessary material; if such material in finished form weighs twenty-five pounds or less, the weight need not be shown but a statement must be made that the weight is not over twenty-five pounds (detailed description of material must be given even though it is set forth in purchase order or contract);

(4) A general description of the metals contained in the material applied for, and the full justification as to necessity for any material containing metals adjudged critical by the War Production Board, including copper, nickel, chromium, zinc, tin, aluminum and molybdenum;

(5) The supply of the necessary material which the operator has on hand;

(6) The name and address of the supplier (or suppliers) and the earliest delivery dates assured by him for the delivery of the minimum necessary quantity of material on (i) the preference rating for which approval is requested, and (ii) the next lower preference rating assigned by this order;

(7) The purchase order or contract shall not be sent to the Petroleum Administration for War, Washington, D. C., but in every instance the number and date of the purchase order or contract must be transmitted to the Petroleum Administration for War, Washington, D. C.; and

(8) Any other data or information which will help to determine the importance or urgency of the material for which application for rating is made.

(g) *Additional preference rating assistance.* (1) If the preference ratings assigned by this order will not enable an operator to obtain material on the date when such material is required, the operator may file a PD-1A application for an improvement of the ratings assigned by this order.

(2) If there has been an actual breakdown or a suspension of operations and if the preference ratings assigned by this order or the method specified in paragraph (e) for applying these ratings will not permit an operator to obtain material on the date when such material is required, the operator in order to obtain material for this emergency may communicate by letter or telegram with the Petroleum Administration for War, Washington, D. C., Ref.: P-98-b, supplying the information set forth in paragraph (f).

(h) *Exception of operators from provisions of Preference Rating Orders P-43, P-46, and P-100.* No operator to the extent that he is engaged in the petroleum industry and is covered by this order shall be entitled to apply the preference rating or ratings assigned by Preference Rating Orders P-43, P-46 or P-100, and no operator to the extent that he is engaged in the petroleum industry and is covered by this order shall be subject to the provisions of Preference Rating Orders P-43, P-46, or P-100.

(i) *Communications.* All reports which may be required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed:

(1) By any person located in the United States, its territories or possessions to: Petroleum Administration for War, South Interior Building, Washington, D. C., Ref.: P-98-b.

(2) By any person located in the Dominion of Canada to: Office of Oil Controller, Dominion of Canada, Toronto, Canada, Ref.: P-98-b.

(j) *Violations.* Any person who wilfully violates any provision of this order or who wilfully furnishes false information to the Director General for Operations in connection with this order is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(k) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the applicable provisions of any priorities regulation issued by the War Production Board, as amended from time to time.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1942.

ERNEST KANZLER,
Director General for Operations.

EXHIBIT A

1. Drills, reamers, and taps manufactured of high speed steel as defined in Supplementary Order M-21-h.
2. Hacksaw blades manufactured of high speed steel as defined in Supplementary Order M-21-h.
3. Hand service operating tools.
4. Precision measuring hand tools.
5. Portable electric tools.

[F. R. Doc. 42-14195; Filed, December 31, 1942; 11:51 a. m.]

PART 1041—PRODUCTION, TRANSPORTATION, REFINING AND MARKETING OF PETROLEUM

[Amendment 1 to Preference Rating Order P-98-c]

1. Section 1041.3 *Preference Rating Order P-98-c*, paragraph (b) is hereby amended to read as follows:

(b) *Sales of material between operators.* (1) Any operator may sell to any other operator material from the seller's stocks or inventories, and any such sale shall be expressly permitted within the terms of paragraph (c) (3) of Priorities Regulation No. 13, as amended from time to time.

(2) Notwithstanding the provisions of Priorities Regulation No. 13, as amended from time to time, any operator may sell to any supplier for direct resale to an-

other operator material from the stocks or inventories of the operator.

2. Section 1041.3 *Preference Rating Order P-98-c* is hereby amended by the elimination of paragraph (f) entitled "*Effective date*".

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1942.

ERNEST KANZLER,
Director General for Operations.

[F R Doc. 42-14196; Filed, December 31, 1942; 11:51 a. m.]

PART 1072—SOLE LEATHER

[Supplementary Order M-80-f]

§ 1072.7 *Supplementary Order M-80-f.* Pursuant to paragraph (b) (1) of Order M-80 as amended to August 5, 1942, which this order supplements, each person tanning sole leather for his own account or causing sole leather to be tanned for his account by others shall set aside during the period from January 1, 1943, to January 31, 1943, inclusive, at least 20% of the quantity of manufacturers bends produced by him for his own account, or produced for his account by others, during that period. The weight and quality of said portion set aside shall be proportionately equal, as nearly as can be, to those of the manufacturers bends not so set aside.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1942.

ERNEST KANZLER,
Director General for Operations.

[F R Doc 42-14192; Filed, December 31, 1942; 11:49 a. m.]

PART 1081—ELECTRIC POWER

[Extension 1 to Limitation Order L-46, as Amended March 30, 1942]

CURTAILMENT OF ELECTRIC POWER IN THE NIAGARA FRONTIER AREA

Section 1081.1 *Limitation Order L-46*, amended, is hereby extended and shall remain in effect until terminated by the Director General for Operations. This extension shall be effective December 31, 1942.

(P.D Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1942.

ERNEST KANZLER,
Director General for Operations.

[F R Doc. 42-14185; Filed December 31, 1942; 11:47 a. m.]

PART 1144—GOATSKINS, KIDSKINS, AND CABRETTAS

[Conservation Order M-114 as Amended December 31, 1942]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of goatskins, kidskins and cabrettas for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1144.1 *Conservation Order M-114*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Goatskin" means the skin of the goat or leather made from it, other than a kidskin or India tanned goatskin.

(2) "Kidskin" means the skin of the young goat or leather made from it.

(3) "Cabretta" means the skin of a hair sheep or leather made from it.

(4) "Raw skin" means a skin in its original condition when imported, and before depilation.

(5) "India tanned goatskin" means an imported goatskin that has been tanned in Asia.

(6) "Put in process" means to soak in water or solution before depilation.

(7) "Semi-processed or finished" includes all skins that have already been put in process within the United States.

(8) "Tanner" means any person who puts in process raw goatskins, raw kidskins or raw cabrettas.

(9) "Basic monthly wettings" shall mean one-twelfth of the sum total of raw goatskins, raw kidskins, and raw cabretta skins put into process by a tanner during the period from January 1, 1941, to December 31, 1941, both inclusive.

(10) "Military order" means an order for leather to be delivered to, or for the account of, the Army or Navy of the United States, the Marine Corps, the Coast Guard, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, or any foreign government pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or for leather to be physically incorporated into products to be so delivered.

(11) "Footwear" includes house slippers but does not include foot covering designed to be worn over shoes.

(c) *Restrictions on processing.* (1) No person shall put in process during November and December, 1942, and January 1943, to fill his military orders and other orders a sum total of raw goatskins, kidskins and cabrettas equal to more than 220% (total for three months) of his basic monthly wettings, and no person shall put in process during subsequent months a greater percentage of his basic monthly wettings of such raw goatskins, raw kidskins and raw cabrettas than is permitted by orders supplementary to this order.

(2) No person shall hereafter put in process any raw goatskins or raw kidskins except to make leather for incorporation into some product referred to in paragraph (f) (1) below.

(3) The restrictions in this paragraph shall not apply to any person who puts into process only domestic goatskins or domestic kidskins and who processes fewer than 200 skins per month.

(d) *Prohibitions against sales or deliveries.* No person shall, after August 7, 1942, sell or deliver any raw goatskins, raw kidskins, or raw cabretta skins if he knows or has reason to believe such material is to be processed or delivered in violation of this order.

(e) *Fair distribution of products.* In making sales or deliveries of semi-processed or finished goatskins, kidskins, or cabrettas, no tanner shall make discriminatory cuts in amounts or quantities in acceptance of orders or deliveries between former customers who meet such tanner's regularly established prices, terms and credit requirements. Reduction in sales or deliveries proportionate with any curtailment of input established in paragraph (c) hereof shall not constitute a discriminatory cut.

(f) *Restrictions on use of leather made from goatskins and kidskins.* (1) After December 31, 1942, no person shall utilize any leather made from goatskins or kidskins for the manufacture of any article other than the following:

Any article covered by a military order,
Footwear,
Trusses,
Surgical supports,
Orthopedic products (including arch supports),
Garments or gloves (made only from leather produced unavoidably in tanning for specific military orders but rejected as not meeting specifications) (but not exceeding an amount equal to 12½% of the leather produced by any tanner to fill military orders).

Provided, however, That until March 31, 1943, leather finished prior to January 14, 1943, may be used to manufacture other products.

(2) The restrictions in paragraph (f) (1) above shall not apply to:

(i) The manufacture of any article out of pieces of scrap which cannot be used to make any of the articles specified in said sub-section. Any tanner selling any such scrap pieces for such purpose shall show such sales in his report to the War Production Board on Form PD-373.

(ii) Persons who utilize only leather made from domestic goatskins or domestic kidskins and who use fewer than 200 skins per month.

(3) No tanner shall sell or deliver any leather made from goatskins or kidskins if he knows or has reason to believe that such leather is to be used in violation of this paragraph (f).

NOTE: Paragraphs (g), (h), (i), (j), and (k) were formerly designated (f), (g), (h), (i), and (j).

(g) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of goatskins, kidskins or cabrettas conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board, Reference M-114, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(h) *Reports.* Any person who puts in process goatskins, kidskins, or cabrettas shall file with the War Production Board, monthly, beginning April 30, 1942, one copy of report form PD-373; and shall file any additional reports and forms prescribed by the War Production Board, from time to time.

(i) *Records.* Any person who puts in process goatskins, kidskins or cabrettas shall preserve such records for not less than two years as will clearly and adequately indicate his compliance with this order.

(j) *Communications to the War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall unless otherwise directed, be addressed to: "War Production Board, Textile, Leather and Clothing Division, Washington, D. C., Ref: M-114".

(k) *Violations.* Any person who wilfully violates any provision of this order, or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order, may be prohibited from receiving further deliveries of any material subject to allocation, and such further action may be taken as is deemed appropriate, including a recommendation for prosecution under section 35 (a) of the Criminal Code (18 U.S.C. 80).

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-14193; Filed, December 31, 1942; 11:50 a. m.]

PART 3008—ELECTRIC FUSES

[Limitation Order L-161 as Amended Dec. 31, 1942]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of copper, zinc, iron, steel and other materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the war effort:

§ 3008.1 *General Limitation Order L-161*—(a) *Definitions.* For the purposes of this order:

(1) "Electric fuse" means a thermal device used in an electrical circuit to prevent the flow of electricity in excess of a stated capacity in amperes. "Electric fuse" shall not include an electric fuse of 2300 volt size or larger or a "circuit breaker".

(2) "Manufacturer" means any person who makes, fabricates, assembles, casts or in any way processes material for the manufacture of electric fuses.

(3) "Copper" means unalloyed copper metal.

(4) "Copper base alloy" means any alloy in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the metal.

(b) *General restrictions.* Notwithstanding any contract, agreement or preference rating to the contrary:

(1) No manufacturer shall on or after 15 days subsequent to August 25, 1942 use in the manufacture, casting or processing of a component part of an electric fuse any copper or copper base alloy except as a conductor of electric current;

(2) No manufacturer shall on or after 30 days subsequent to August 25, 1942 use in the assembly of an electric fuse or in the assembly of a component part of an electric fuse any copper or copper base alloy except as a conductor of electric current;

(3) No manufacturer shall on or after the 31st day of December, 1942, ship or sell any electric fuse or component part of an electric fuse except:

(i) Pursuant to a preference rating of A-10 or better, provided that on and after January 21, 1943, no manufacturer may ship or sell an electric fuse or component part of an electric fuse except pursuant to a preference rating of A-1-j or better; or

(ii) To another manufacturer; or

(iii) As a replacement part as defined in General Limitation Order L-158.

The provisions of paragraph (b) (3) of this order shall neither limit nor prohibit a sale or shipment of any electric fuse or component part of an electric fuse by any person other than a manufacturer.

(c) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(d) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection, by duly authorized representatives of the War Production Board.

(e) *Reports.* Each person to whom this order applies shall file with the War Production Board such reports and questionnaires as said Board shall from time to time prescribe.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(g) *Appeal.* Any appeal from the provisions of this order shall be filed on Form PD-500 with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(h) *Applicability of other orders.* Insofar as any other order heretofore or hereafter issued by the Director General for Operations limits the use of any material in the production of electric fuses to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

(i) *Routing of correspondence.* All communications concerning this order should be addressed to the War Production Board, Building Materials Division, Washington, D. C., Ref: L-161.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1942.

ERNEST KANZLER,
Director General for Operations.

[F.R. Doc. 42-14186; Filed, December 31, 1942; 11:48 a. m.]

PART 3032—FILM

[General Limitation Order L-178, as amended Dec. 31, 1942]

Section 3032.1 *General Limitation Order L-178* is hereby amended to read as follows:

§ 3032.1 *General Limitation Order L-178*—(a) *Definitions.* For the purposes of this order:

(1) "35 mm. film" means unexposed film 35 mm. wide with a nitrate or safety base, whether negative or positive, other than film packaged for use in 35 mm. still cameras and other than film in strips of less than 100 linear feet.

(2) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation

or agency, or any organized group of persons whether incorporated or not.

(3) "Transfer" means the exposure of 35 mm. film by one person for the account of any other person and in addition the sale, lease, trading, loan, delivery, shipment or transfer of 35 mm. film by one person to any other person, but shall not include:

(i) Transfers of 35 mm. film from one branch, division, or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control;

(ii) Transfers of title merely for security purposes;

(iii) Transfers of 35 mm. film to and from warehouses where no substantial change in right, title or ownership to such 35 mm. film is affected;

(iv) Transfers to and from carriers in order to effect the transfers specified in this paragraph;

(v) Transfers of 35 mm. film by:

(a) Eastman Kodak Company to J. E. Brulatour, Inc.

(b) Du Pont, E. I. de Nemours & Company to Smith & Aller, Ltd.

(c) Agfa Ansco to Agfa Raw Film Corporation.

(4) "Class A producer" means any of the following producing companies and their subsidiaries:

Columbia Pictures Corporation, Hollywood Square, Hollywood, California
Metro-Goldwyn-Mayer, Culver City, California
Paramount Pictures, Inc., 5451 Marathon Street, Hollywood, California
Radio-Keith-Orpheum Corporation, 780 North Gower Street, Hollywood, California
Republic Pictures Corporation, 4024 Radford Avenue, North Hollywood, California
Universal Pictures Company, Inc., Universal City, California
Twentieth Century Fox Film Corporation, 10201 West Pico Boulevard, Los Angeles, California
Warner Brothers Pictures, Inc., 400 West Olive Street, Burbank, California

(5) "Class B producer" means any person other than a Class A producer who exposes 35 mm. picture negative film for the purpose of producing an entertainment motion picture for exhibition in theaters, at least one of whose motion pictures produced during 1941 was distributed by any Class A or Class B distributor.

(6) "Class C producer" means any person other than a Class A or Class B producer who exposes 35 mm. picture negative film for the purpose of producing an entertainment motion picture for exhibition in theaters.

(7) "Class A distributor" means any of the following distributing companies and their subsidiaries:

Columbia Pictures Corporation, 729 Seventh Avenue, New York, New York.
Loew's Inc. (Metro-Goldwyn-Mayer), 1540 Broadway, New York, New York.
Paramount Pictures, Inc., 1501 Broadway, New York City.
Radio-Keith-Orpheum Corp., 1270 Sixth Avenue, New York, New York.
Republic Pictures Corporation, 1790 Broadway, New York, New York.
Twentieth Century Fox Film Corporation, 444 West 56th Street, New York, New York.
Universal Pictures Company, Inc., 1250 Sixth Avenue, New York, New York.
Vitagraph, Inc. (Warner Brothers), 321 West 44th Street, New York, New York.

(8) "Class B distributor" means any of the following distributing companies and their subsidiaries:

Monogram Productions, Inc., 4376 Sunset Drive, Hollywood, California.
Producers Releasing Corporation, 1501 Broadway, New York, New York.
United Artists Corporation, 729 Seventh Avenue, New York, New York.

(9) "Class C distributor" means any person other than a Class A or Class B distributor who distributes 35 mm. prints of entertainment, factual, or special pictures for exhibition.

(10) "Expose", "exposing" or "exposed" includes in addition to its normal meaning, to process by an imbibition method, such as technicolor.

(11) "Entertainment picture" means any picture other than a factual or special picture, including newsreels and trailers for entertainment pictures.

(12) "Factual picture" means any picture whose main function is informational or instructional. It does not include special pictures or pictures whose main function is entertainment, but it includes advertising and sales promotion pictures.

(13) "Special picture" means any picture:

(i) Produced for scientific research purposes, such as recording and measuring;

(ii) Produced for micro-filming purposes;

(iii) Produced for identification picture purposes;

(iv) Produced for such other special purposes as the Director General for Operations may from time to time specify.

(b) *Restrictions upon exposure of 35 mm. film for entertainment pictures.* (1) Except as provided in paragraph (b) (5) of this order, during the three months period beginning January 1, 1943, no Class A producer and its Class A distributor shall expose or have exposed for their account or for the account of any other person whatsoever, in the production and distribution of entertainment pictures a greater combined total of 35 mm. film than the amount specified in Schedule A, attached to this order, opposite the names of such Class A producer and its Class A distributor.

(2) Except as provided in paragraph (b) (5) of this order, during the three months period beginning January 1, 1943, no Class B distributor shall expose or have exposed for its account or for the account of any other person whatsoever, in the production and distribution of entertainment pictures a greater total of 35 mm. film than the amount specified in Schedule A attached to this order, opposite the name of such Class B distributor.

(3) Except as provided in paragraph (b) (5) of this order, on and after January 1, 1943, no Class B producer shall expose or have exposed for its account or for the account of any other person whatsoever in the production and distribution of entertainment pictures any 35 mm. film except pursuant to a specific authorization of the Director General for Operations, except such 35 mm. film which any Class A or B distributor exposes for the account of such Class B producer within the quota established for such Class A or Class B distributor pursuant to paragraphs (b) (1) and (b) (2) of this order.

(4) Except as provided in paragraph (b) (5) of this order, during the three months period beginning January 1, 1943, no Class C producer or Class C distributor shall expose or have exposed for its respective account or for the account of any other person whatsoever in the production and distribution of entertainment pictures, more 35 mm. film than 22% of the 35 mm. film exposed by or for the respective account of such Class C producer or Class C distributor during the calendar year 1941.

(5) In addition to the amounts of 35 mm. film which may be exposed in the production and distribution of entertainment pictures pursuant to other provisions contained in this paragraph (b), the following additional amounts of film may be exposed:

(i) Any Class A, B or C distributor may expose or have exposed for its account or for the accounts of other persons during the three months period beginning January 1, 1943, and during any three months period thereafter, amounts of 35 mm. film equal to 50% of the linear feet of 35 mm. film contained in positive prints of entertainment pictures which such distributor turned over to the Army of the United States for distribution and exhibition by the Army of the United States in the preceding calendar quarter, and 100% of the linear feet of 35 mm. film contained in positive prints of entertainment pictures which such distributor turned over to the Navy of the United States for distribution and exhibition by the Navy of the United States in the preceding calendar quarter.

(ii) Such amounts of film as the Director General for Operations shall from time to time authorize Class A, B, and C producers and Class A, B, and C distributors to expose during the period beginning January 1, 1943, and ending June 30, 1943. During the period specified the Director General for Operations will not grant authorizations pursuant to this subparagraph in excess of 57,000,000 linear feet of 35 mm. film.

(c) *Restrictions upon exposure of 35 mm. film for factual pictures.* On and after January 1, 1943, no person (including government agencies) shall expose or have exposed for its account or for the account of any other person whatsoever any 35 mm. film for the production and distribution of factual pictures except pursuant to the specific authorization of the Director General for Operations. During the period beginning January 1, 1943, and ending June 30, 1943, the Director General for Operations will not authorize the exposure of more 35 mm. film for factual pictures than 44,300,000 linear feet.

(d) *Restrictions upon exposure of 35 mm. film for special pictures.* On and after January 1, 1943, no person (including government agencies) shall expose or have exposed for its account or for the account of any other person whatsoever any 35 mm. film for the production and distribution of special pictures except pursuant to the specific authorization of the Director General for Operations.

(e) *Special exemptions affecting restrictions upon exposure.* The restrictions affecting exposure of 35 mm. film contained in paragraphs (b), (c), and (d) of this order shall not apply to:

(1) The Army and Navy of the United States, and

(2) The Office of Strategic Services.

(f) *Restrictions upon transfers of 35 mm. film on and after December 31, 1942.* (1) On and after December 31, 1942, no person shall transfer any 35 mm. film to any other person whatsoever, except:

(i) Motion picture laboratories and other service organizations processing 35 mm. film may transfer 35 mm. film to or for the account of Class A and B distributors, the Army and Navy of the United States, or the Office of Strategic Services, or

(ii) With specific authorization of the Director General for Operations.

(g) *Applications for authorizations to expose or transfer 35 mm. film.* Any person may apply to the Director General for Operations for a specific authorization to expose or transfer 35 mm. film by executing and filing Form PD–763 with the Motion Picture and Photographic Section of the Consumer Durable Goods Division of the War Production Board, Washington, D. C. The following additional information must be filed with Form PD–763 if the application relates to factual pictures:

(1) The extent to which the picture is planned in conjunction with an organized picture program of a specific federal government department in furtherance of the war effort;

(2) The extent to which the picture duplicates pictures already produced or in production;

(3) The extent to which the picture is to be used in connection with a national or regional campaign;

(4) The extent of the applicant's activities in producing similar films during 1941;

(5) The extent to which the film is to be used for class room instruction, if it is an educational film.

(h) *Reports.* (1) All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(2) Every motion picture laboratory and other service organization processing 35 mm. film shall execute and file with the War Production Board, Washington, D. C., Ref.: L–178, on or before the 10th day following the close of each calendar month, Form PD–764.

(i) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(j) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(l) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumer Durable Goods Division, Washington, D. C., Ref: L–178.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1942.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A

	Linear feet
Columbia Pictures Corporation	30,168,738
Metro-Goldwyn-Mayer and Loew's, Inc	51,237,449
Monogram Productions, Inc	5,617,180
Paramount Pictures, Inc	40,664,577
Producers Releasing Corporation	3,052,332
Radio-Keith-Orpheum Corporation	32,005,224
Republic Pictures Corporation	17,653,771
Twentieth Century Fox Film Corporation	41,282,295
United Artists Corporation	14,234,304
Universal Pictures Company, Inc.	32,950,758
Warner Brothers Pictures, Inc., and Vitagraph, Inc	33,152,212

[F. R. Doc. 42–14187; Filed, December 31, 1942; 11:48 a. m.]

PART 3108—MATERIAL FOR REPAIR, MAINTENANCE AND OPERATION OF METAL MILLS WORKING COPPER, ZINC, COPPER-BASE ALLOYS OR ZINC ALLOYS

[Preference Rating Order P–134]

§ 3108.1 *Preference Rating Order P–134*—(a) *Definitions.* For the purpose of this order:

(1) "Metal mill" means a plant which actually makes copper, zinc, copper-base alloy, or zinc alloy castings, ingots or shot in its plant.

(2) "Maintenance" means minimum upkeep necessary to continue the working condition of the metal mill at its present rate of operations.

(3) "Repair" means restoration of the metal mill's plant to a sound working condition after wear and tear, damage, destruction of parts or the like have made it unsafe or unfit for service.

(4) "Material for repair, maintenance, and operation" means material (including any commodity, equipment, accessories, parts, assemblies, or products of any kind) which is generally carried as metal mill's stores and charged to operating expense accounts and which is required for repair or maintenance of the metal mill's plant, or operating supplies which must be consumed in the amounts required to sustain the metal mill's level of operation. The term does not include raw materials which enter into or form part of a product produced by the metal mill.

(b) *Assignment of preference ratings.* Subject to the restriction of paragraph (d) below and of all the terms of this order, the following preference ratings are hereby assigned to deliveries to the metal mill of material for repair, maintenance and operation, but nothing herein contained shall prevent the use of any other or higher rating to which any person may be entitled by reason of any other preference rating certificate or order:

(1) AA–2x to deliveries of material consisting of all metals in any form appearing on Materials List No. 1, Revised, of Form PD–25A, all fabricated metal parts and all lumber.

(2) AA–5 to deliveries of all other material.

(c) *Application and extension of rating.* The rating assigned by paragraph (b) of this order shall be applied and extended in accordance with Priorities Regulation No. 3, as amended from time to time.

(d) *Restriction on application of rating.* No metal mill which can qualify as a Class I producer under the Production Requirements Plan (Priorities Regulation No. 11) nor any person securing priorities assistance under the Production Requirements Plan for the materials covered by this order may apply the rating hereby assigned to any material.

(e) *Records.* In addition to the records required to be kept under Priorities Regulation No. 1, the metal mill placing any purchase order or contract rated hereunder, shall retain, for a period of two years, for inspection by representatives of the War Production Board, endorsed copies of all such purchase orders or contracts, whether accepted or rejected, segregated from all other purchase orders or contracts or filed in such manner that they can be readily segregated for such inspection.

(f) *Reports.* Each metal mill, not operating under the Production Requirements Plan and using more than $300 per quarter of material needed for repair, maintenance, and operating supplies, applying the preference rating assigned hereunder in any month, shall, within ten days after the close of each quarter, file Form PD 742 with the War Production Board and such other reports as may be required by the Director General for Operations from time to time.

(g) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of priorities regulations of the War Production Board, as amended from time to time.

(h) *Communications to War Production Board.* All reports required to be

filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: Copper Division, War Production Board, Washington, D. C. Ref: P–134.

(j) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using, material under priority control and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc 42-14197, Filed, December 31, 1942; 11.50 a. m.]

PART 3146—GARMENT LEATHER

[Conservation Order M-265 as Amended Dec. 31, 1942]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of leather for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3146.1 *Conservation Order M–265*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of priorities regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Cattlehide" means the hide or skin of bulls, steers and cows, whether native or branded, foreign or domestic, including calf and kipskins (but excluding slunks) and shall also include buffalo hides.

(2) [Revoked Dec. 31, 1942]

(3) [Revoked Dec. 31, 1942]

(4) "Garment leather" means leather to be incorporated into jackets, jerkins, doublets, vests, coats and other similar articles of apparel.

(5) "Military order" means an order for, products to be delivered to, or for the account of, the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, the Marine Corps, the War Shipping Administration, the governments of Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies and Protectorates, or Yugoslavia, or the governments of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(6) "Civilian order" means any order except a military order.

(c) *Restriction on processing of garment leather.* No tanner shall put into process for garment leather, or continue to process, any cattlehides, (other than cattlehide splits) except to the extent required to fill military orders.

This restriction shall not apply to any cattlehides which have reached a stage in the process on November 28, 1942 where they cannot be made into leather suitable for any other purpose.

(d) *Restriction upon sales and deliveries of garment leather made from cattlehides.* No tanner or converter shall sell or deliver any leather made from cattlehides (other than cattlehide splits) against any civilian order for garment leather if such leather is suitable for filling any of his military orders.

(e) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(f) *Reports.* Each person affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be required by said Board from time to time.

(g) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, purchases, production and sales.

(h) *Communications to the War Production Board.* All reports, applications, forms or communications required under or referred to in this order, and all communications concerning this order, shall, unless otherwise directed, be addressed to War Production Board, Textile, Clothing and Leather Division, Washington, D. C. Ref: M–265

(i) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or who furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority assistance.

(j) *Expiration date.* This order shall expire on February 15, 1943.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc 42-14198, Filed, December 31, 1942; 11:50 a. m.]

Chapter XI—Office of Price Administration

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[Ration Order 2A,[1] Amendment 21]

NEW PASSENGER AUTOMOBILE RATIONING REGULATIONS

A rationale for the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sections 1360.310 (h), 1360.339 and 1360.340 are amended to read as set forth below; a new § 1360.374 is added:

Definitions

§ 1360.310 *Definitions.* * * *

(h) "Pool car" means:

(1) Any hard top new passenger automobile which has a list price of less than $2,500, according to OPA Revised Price Schedule No. 85[2] or any of its Amendments, and which on January 16, 1942, was in the physical possession of a manufacturer or of a person owned or controlled by a manufacturer, except that any new passenger automobile which was set aside by a manufacturer for export on or before March 2, 1942, shall not be deemed a pool car; and

(2) Any new passenger automobile substituted for a pool car on authorization of the Office of Price Administration, Washington, D. C., except the following:

(i) Any car which has a list price of $2,500 or more according to OPA Revised Price Schedule No. 85 or any of its amendments; or

(ii) Any car with a convertible or soft top.

Persons Eligible to Acquire New Passenger Automobiles by Transfer With Certificates

§ 1360.374 *Eligibility, applications and certificates for obtaining automobiles with list price of $2,500 or more or 1941 and earlier model new passenger automobiles.* (a) This paragraph describes those persons who are eligible to acquire any new passenger automobile which has a list price of $2,500 or more according to OPA Revised Price Schedule No. 85 or any of its amendments, or any 1941 or earlier model passenger automobile which has been driven less than 1,000 miles. This section does not permit the issuance of a certificate for any other model passenger automobile.

A certificate may be issued to a person regularly engaged in a gainful occupation or to a person engaged in work which contributes to the war effort or to the public welfare. The certificate may not be issued unless it is established that the applicant has satisfied the need provisions of § 1360.371 of these regulations and that the automobile will be used at least three days a week for travel related to the applicant's occupation or work.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1542, 1647, 1756, 2108, 2242, 2305, 2903, 3097, 3482, 4343, 5484, 6049, 6082, 6424, 6601, 6775, 6964, 7149, 8808, 8895, 9316, 10228.

[2] 7 F.R. 1364, 1675, 2134, 2132, 6048, 6897, 7100, 7436, 7942, 8948, 9899.

(b) Application for a certificate shall be made on OPA Form R–213. Information regarding eligibility under this section shall be supplied in answer to question 6 of the Form.

(c) Upon being satisfied that the applicant is eligible under this section and has established his need under § 1360.371 of these regulations, the Board shall issue a certificate to him on OPA Form R–202. Prior to issuing the certificate, the Board shall strike the words "purchased on or before January 1, 1942" from the title of the certificate. The Board shall then fill in the necessary information required on the certificate, and in answer to question 8 it shall insert the following: "Any new passenger automobile which has a list price of $2,500 or more or any 1941 or earlier model new passenger automobile." A certificate issued under this section may not be used to acquire any other new passenger automobile.

No certificate issued under this section shall be charged against the quota of the issuing Board.

Prohibitions

§ 1360.339 *Removal of pool stickers.* (a) Pool stickers on any of the following types of new passenger automobiles may be removed without specific authorization:

(1) Any car which has a list price of $2,500 or more according to OPA Revised Price Schedule No. 85 or any of its amendments; or

(2) Any car with a convertible or soft top.

(b) A pool sticker on any other new passenger automobile may not be removed except upon authorization of the Office of Price Administration, Washington, D. C. Authorization will be granted in those cases in which it is determined that the automobile is not a pool car and improperly bears a pool sticker. Application for an authorization may be made by letter addressed to the Office of Price Administration, Washington, D. C.

§ 1360.340 *Removal of pool sticker does not authorize transfers.* No authorization of removal from the pool and no authorization or permission for the removal of a pool sticker shall constitute authority for the transfer of any new passenger automobile.

Effective Dates

§ 1360.442 *Effective dates of amendments.* * * *

(u) Amendment No. 21 (§§ 1360.310, 1360.339, 1360.340, 1360.374) to Rationing Order No. 2A shall become effective January 5, 1943.

(Pub. Law 421, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1A; 7 F.R. 562, 698, 1493)

Issued this 30th day of December 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-14158; Filed, December 30, 1942; 12:17 p. m.]

PART 1381—SOFTWOOD LUMBER

[MPR 290]

SITKA SPRUCE LUMBER

In the judgment of the Price Administrator it is necessary and proper to establish specific maximum prices for the sale of Sitka spruce lumber. The Price Administrator has ascertained and given due consideration to the prices of these items and species prevailing between October 1 and October 15, 1941. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 290 is hereby issued.

Sec.

1381.451 Sales of Sitka spruce lumber at higher than maximum prices prohibited.
1381.452 To what transactions, products, and persons this regulation applies.
1381.453 Direct-mill retail sales.
1381.454 How to figure delivered prices, including imports.
1381.455 What the invoice must contain.
1381.456 Prohibited practices.
1381.457 Grades, specifications, and extras not specifically priced.
1381.458 Petitions for adjustment and amendment.
1381.459 Records and reports.
1381.460 Enforcement and licensing.
1381.461 Relation to other regulations.
1381.462 Effective date.
1381.463 Appendix A: Maximum prices for Sitka spruce lumber.
1381.464 Appendix B: Permitted estimated weights.

AUTHORITY: §§ 1381.451 to 1381.464, inclusive issued under Pub. Laws 421 and 729, 77th Cong.; E. O. 9250, 7 F. R. 7871.

§ 1381.451 *Sales of Sitka spruce lumber at higher than maximum prices prohibited.* (a) On and after January 5, 1943, regardless of any contract or other obligation, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business, any Sitka spruce lumber for direct-mill shipment at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things. Maximum f. o. b. mill prices are set forth in Appendix A.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

§ 1381.452 *To what transactions, products, and persons this regulation applies*—(a) *What transactions are covered*—(1) *Only direct-mill shipments covered.* This regulation applies to all shipments originating at a mill, no matter who the seller is, and no matter whether he usually is known as a mill, wholesaler, retailer or anything else. It does not apply to sales out of distribution yard stock. A shipment is regarded as originating at a mill if the lumber reaches the purchaser without ever becoming an integral part of the stock of a distribution yard. A sale is considered a sale out of distribution yard stock only if the lumber was a part of regular yard stock at the time the sale was made.

(2) *How to tell a mill from a distribution yard*—(i) *General tests.* The term "mill", as used here, covers what are known in the trade as sawmills, planing mills, and concentration yards. Three types of establishments are described below: the first, (*a*), a typical sawmill or planing mill; the second, (*b*), a typical concentration yard; and the third (*c*), a typical distribution yard. An establishment which resembles a typical sawmill or planing mill or a typical concentration yard more than it does a typical distribution yard is considered a mill; and one which resembles a typical distribution yard more than it does a typical sawmill or planing mill or a typical concentration yard is considered a distribution yard.

(*a*) "A typical sawmill or planing mill" is an establishment which is chiefly engaged in manufacturing lumber from logs or rough lumber by sawing or planing; which is located in or near a lumber producing area; and which makes and sells chiefly Sitka spruce or other West Coast lumber.

(*b*) "A typical concentration yard" is an establishment which concentrates and prepares lumber for commercial shipment; which keeps in stock mostly Sitka spruce or other West Coast lumber; which has its lumber brought in chiefly in rough green form by truck from small local sawmills and sells chiefly for rail shipment; and which has been located at its particular site to be near the lumber producing area.

(*c*) "A typical distribution yard" is a wholesale or retail lumber yard which gets lumber from mills or other yards; unloads, sorts, stores, and resells or redistributes it; which regularly maintains a varied stock of lumber from different regions; which gets its lumber mostly by rail and sells mostly for truck shipment; which is equipped to make quick deliveries of many different items of lumber; and which has been located at its particular site in order to be near a lumber consuming area.

(ii) *New Yards.* In order to prevent violation of this regulation by unnecessary routing through yards, the Office of Price Administration will not recognize distribution yards set up after January 5, 1943, unless the new yard writes to the Office of Price Administration, Washington, D. C., and proves that it satisfies the requirements of the definition and that the purpose is not to get around this regulation by means of unnecessary yard business. Until approval is received, the new yard cannot consider itself a dis-

*Copies may be obtained from the Office of Price Administration.

tribution yard for the purpose either of this regulation or of any other regulation issued by the Office of Price Administration.

(3) *No quantity limits.* There are no quantity limits on the transactions covered by this regulation. All direct-mill sales, large or small, are covered.

(b) *What products are covered.* This regulation covers all Sitka spruce (*Picea sitchensis*) lumber, except aircraft grades as defined in Revised Maximum Price Regulation No. 109, Aircraft Lumber,[1] whether the grades, sizes, and specifications are specifically named in the price tables in Appendix A or not. Sitka spruce lumber produced in all parts of the United States and in Canada, but not in Alaska, is covered. All grade terms have the meaning given in the Standard Grading and Dressing Rules, Number 11, issued by the West Coast Lumbermen's Association, effective April 1, 1942.

(c) *What persons are covered.* Any person who makes the kind of sale or purchase covered by this regulation is subject to it. The term "person" includes: an individual, corporation, partnership, association, or any other organized groups; their legal successors or representatives; the United States, or any government, or any of its political subdivisions; or any agency of any of the foregoing.

§ 1381.453 *Direct-mill retail sales.* In the case of "direct-mill retail sales," a mark-up of not more than $3.50 per 1000 feet board measure may be added to the maximum prices set forth herein. A "direct-mill retail sale" is a sale which meets all of the following provisions as to use, quantity, and services:

(a) "A direct-mill retail sale" means a sale of lumber direct from the mill to a consumer or contractor for use in building, construction, remodeling, repair, maintenance or fabrication. It does not mean a sale to a wholesaler or other person for resale in substantially the same form.

(b) It includes only sales of less than 20,000 feet board measure. The size of the sale is determined by the size of the entire order.

(c) The sale must be accompanied by the following services: delivery to the job site or other place specified by the purchaser and at such time and in such quantity as the purchaser specifies; the privilege of exchanging the goods and returning unused material and the right to have the seller replace deficiencies and adjust complaints from stock kept on hand for such purposes.

§ 1381.454 *How to figure delivered prices, including imports*—(a) *Transportation addition.* The transportation charges set forth below may be added to the maximum f. o. b. mill prices.

(1) *Common or contract carrier.* When delivery is by contract or common carrier, the following rules govern:

(i) When the estimated weights in Appendix B are used, the rate times the estimated weight is the proper transportation charge, even if the estimated weights are higher than actual weights. Higher estimated weights than those in Appendix B may not be used. The estimated weight must be the weight for the exact kind of lumber actually shipped; for example, green weights cannot be used if dry lumber is shipped. The transportation charge may be evened out to the nearest quarter-dollar per 1,000 feet board measure.

(ii) When estimated weights are not used, the amount added for transportation must not be more than the amount actually paid to the common or contract carrier, evened out to the nearest quarter-dollar per 1,000 feet board measure.

(2) *Private truck.* When shipment is by truck owned or controlled by the seller, the amount added for transportation may not be more than the actual cost to the seller of delivery by truck; and, no matter what the actual cost is, the amount added may not be more than the railroad charge at the carload rate for the most similar haul. However, if this railroad charge is less than $1.50, and if the actual cost of delivery is more than $1.50, a transportation charge of $1.50 may be made.

(3) *Trucking to railhead.* When a truck haul precedes rail shipment, as when a mill located away from a railhead hauls lumber by truck to the railhead, no addition may be made for the truck haul. However, in the following three cases a mill may apply for special permission to make an addition:

(i) Where the mill was located away from rail connections because it specialized in water-borne lumber, and where shortage of shipping has forced it to operate by rail;

(ii) Where the mill prior to the shortage of tires and gasoline shipped lumber to the particular final destination principally by all-truck haul, and now wishes to convert to truck-and-rail haul to save tires and gasoline;

(iii) Where a mill's rail connection has been abandoned since September 5, 1941.

The application should be made by letter to the Lumber Branch of the Office of Price Administration, Washington, D. C., and may be acted upon by letter. The addition may not be made on quotations or sales until permission has been received.

(4) *Truck delivery after rail haul.* When truck delivery follows a rail haul, the actual cost of truck delivery may be added.

(5) *All-truck haul.* When an all-truck haul ends in delivery to the job site, no special addition may be made above the charges provided in subparagraphs (1) and (2) of this paragraph, since in this case delivery to the job site involves no extra expense.

(6) *"Averaging-out"* (i) When a single order, for which a single flat delivered price was quoted and accepted, is shipped from two or more mills to a single destination on varying freight rates, the seller may average-out the transportation charges. For example, if a wholesaler bids $33.00 on a single order of a hundred thousand feet of lumber, the ceiling price being $30.00 and the estimated freight $3.00, he can ship half of it on a rate resulting in a $1.00 freight charge and half on a rate resulting in a $5.00 freight charge.

(ii) In order that no single invoice shall appear to be false or over the ceiling, the seller must write on each invoice that the particular shipment is part of a larger order. Then, when shipment has been completed, he must render a final invoice which shows the individual f. o. b. mill prices separately, the amount shipped from each mill, the freight charge for each shipment, and a reconciliation of the total amount so figured with the agreed delivered sale price and also with the maximum price permitted by this regulation.

(iii) In order that it may be determined within a reasonable length of time whether or not a seller has complied with the regulation, this privilege of "averaging-out" shall extend only to shipments delivered to a common carrier within three months of the date of the contract.

(b) *Imports from Canada.* The transportation addition on shipments originating in Canada shall not be greater than if the shipment had originated at Bellingham, Washington.

§ 1381.455 *What the invoice must contain*—(a) *General.* Because of the large number of possible additions to the basic f. o. b. mill prices, it is necessary that some of them be separately shown on the invoice. Otherwise the purchaser and the Office of Price Administration could not tell in many cases whether a price which appeared to be above the ceiling was legal or not.

Failure to invoice properly is just as much a violation of this regulation as charging an excessive price.

(b) *Basic price.* All invoices must contain a sufficiently complete description of the lumber to show whether the price is proper or not. Any working, specification, or extra which affects the maximum price must be mentioned in the description. The amount added for these does not have to be separately shown, except in a few special cases which are specifically mentioned later.

(c) *Transportation charges.* In delivered sales, the invoice must contain the:

(1) Point of origin of shipment,
(2) Destination,
(3) Rail or truck rate (or, if delivery is by private truck, the amount added for transportation), and
(4) The words "Direct-mill shipment".

(d) *Delivery and related charges.* Any separate charge which the seller is permitted to make for the following must be separately shown on the invoice:

(1) Trucking from mill to railhead;
(2) Truck delivery after rail haul.

(e) *Direct-mill retail sale.* If the price exceeds the basic mill price because of the "direct-mill retail sale" mark-up authorized by § 1381.453, the invoice should show the amount of the mark-up, separately labeled "Direct-mill retail sale".

[1] 7 F.R. 10100.

(f) *Average price on different items.* When specified amounts or percentages of different grades, classes, or sizes of lumber are sold at an average price, it is permissible to invoice at an average price, but only if all of the following conditions are observed:

(1) The footage of each item must be shown separately. For example, if an order of 20 percent No. 1, 60 percent No. 2, and 20 percent No. 3 has been sold at an average price, the exact tally of each grade must appear on the invoice.

(2) If the order is shipped in more than one carload or truckload, the invoice for each carload or truckload must show that it is part of a larger order, and identify the order. For example, the invoice might state: "Shipment No. 3 of our order No. 4444 for 3,000,000 ft."

(3) The average price for the lumber actually shipped must not be higher than the average, weighted by quantity, of the individual maximum prices of the items shipped. In other words, the final price must not be higher than it would have been if all the individual grades, classes, and sizes shipped had been sold separately at the individual ceiling prices.

§ 1381.456 *Prohibited practices*—(a) *General.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, service transportation arrangements, premiums, special privileges, tying-in agreements, trade understandings and the like.

(b) *Specific practices.* The following are among the specific practices prohibited:

(1) Getting the effect of a higher price by changing credit practices from what they were in October 1941. This includes decreasing credit periods or making greater charges for extension of credit In any case on sales made through the Office of the Chief of Engineers, War Department, terms of 30 days net may be used. In all other sales if cash is paid, the maximum price must be reduced by the same amount as the sale price would have been reduced for a similar cash payment if the same sale had been made on October 1, 1941. For example, if the maximum price without the cash discount is $10.00 and if in sales of this item on October 1, 1941, to purchasers of a certain class the seller reduced sales prices 2 percent for cash within 10 days, the ceiling price in that kind of sale when cash is paid within 10 days is $9.80.

(2) Refusing, without good reason, to ship except in specified or restricted random lengths, or under other circumstances which bring the seller an extra return.

(3) Selling as specified lengths or widths a shipment of lumber which is substantially equivalent to standard or random lengths or widths; or reselling as specified lengths or widths a shipment bought by the seller as standard or random lengths or widths.

(4) Grading as a special grade lumber which can be graded as a standard grade; or wrongly grading lumber in any other way.

(5) Refusing to sell on an f. o. b. mill basis, and insisting on selling on a delivered basis.

(6) Unnecessarily routing lumber through a distribution yard.

(7) Quoting a gross price above the maximum price, even if accompanied by a discount the effect of which is to bring the net price below the maximum.

(8) Making the buyer take something he does not want in order to get what he does want; for example, making a buyer who orders No. 2 box take all the upper grades that develop.

(c) *Purchasing commissions.* A purchasing commission based on the quantity or value of lumber purchased may not be charged or paid, if the commission plus the purchase price is higher than the maximum price permitted by this regulation.

(d) *Combination grades.* Lumber sold on combination grades may not be sold above the maximum price for the lowest grade actually named in the combination. For example, the maximum price for No. 2 box and better is that set for No. 2 box. Of course, the amount of the different grades included can be quoted and invoiced separately at the individual prices for those grades. Also, it is permissible to sell on the basis of a stated percentage of better grades, such as No. 2 with 15 percen No. 1. In this case the price of 15 percent of the footage may be the No. 1 price, if the tally of the lumber actually shipped runs at least 15 percent No. 1. It is also permissible to quote a grade at that grade's price, with higher grades developing to be included at the grade differential. For example, when a seller quotes No. 2 at the No. 2 price, with No. 1 developing to be included at the No. 1 price, this is proper, since no actual dollars-and-cents quotation above the No. 2 price is made. Again, the final price must be based on actual tally. Note, however, that it is a violation to insist on the buyer's taking grades he does not want in order to get the grade he does want.

(e) *Adjustable pricing.* A price may not be made adjustable to a maximum price which will be in effect at some time after delivery of the lumber has been completed. But the price may be adjustable to the maximum price in effect at the time of delivery.

§ 1381.457 *Grades, specifications, and extras not specifically priced.* Grades and classes of Sitka spruce lumber not specifically priced in Appendix A, including export grades, are nevertheless subject to this regulation.

Their maximum price is a price which bears the October 1941 relation to the price of the appropriate "yardstick" grade. The yardstick for upper grades is 10–20′ random length green ladder stock, rough, and for common grades is 5/4 No. 1 box, rough, green. The seller should find the difference between the price received for the grade being priced and the yardstick grade in October 1941, or the first month before that in which he had sales of both grades. This difference is then added to or subtracted from the maximum price for the yardstick grade. The result is the seller's maximum price. This price, with a complete description of the grade and the way the price was computed must be reported to the Office of Price Administration, Washington, D. C. The price may be ordered reduced, if it is found excessive. But if the price is not disapproved within 30 days of the receipt of the report, it is approved. If the seller cannot figure a maximum price under this paragraph, or if he wants to make an addition for a working, specification, service, or other extra which is not specifically provided for, he should write to the Lumber Branch of the Office of Price Administration, Washington, D. C., giving a complete description of the thing to be priced, and his requested price, and any facts supporting the request. The Office of Price Administration will then by letter give him either a specific maximum price or instructions on how to compute it.

A seller using this pricing paragraph can go ahead with delivery of the lumber and collection of the price he has computed or requested. But he must tell the buyer that the price is subject to revision within the thirty-day period, and, if the price is ordered reduced, must refund any excess over the final approved price.

§ 1381.458 *Petitions for adjustment and amendment*—(a) *Government contracts.* (1) The term "government contracts" is here used to include any contract with the United States or any of its agencies, or with the government or any governmental agency of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States". It also includes any subcontract under this kind of contract.

(2) Any person who has made or intends to make a "government contract" and who thinks that a maximum price in this regulation is impeding or threatens to impede production of lumber which is essential to the war program and which is or will be the subject of the contract, may file an application for adjustment in accordance with Procedural Regulation No. 6,[1] issued by the Office of Price Administration.

As soon as the application is filed, contracts, deliveries, and payments may be made at the requested price, subject to refund if the requested price is disapproved or lowered. The seller must tell the buyer that the delivery is made subject to this refund.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Proce-

[1] 7 F.R. 5087, 5664.

dural Regulation No. 1,[3] issued by the Office of Price Administration.

§ 1381.459 *Records and reports*—(a) *Records.* All sellers of Sitka spruce lumber must keep records which will show a complete description of the item of lumber sold, the name and address of the buyer, the date of the sale and the price. Buyers must keep similar records, including the name and address of the seller. These records must be kept for any month in which the seller or buyer sold or bought 20,000 feet board measure or more of Sitka spruce lumber. They must be kept for two years, for inspection by the Office of Price Administration. Any records which the Office of Price Administration later requires must also be kept.

(b) *Reports.* Any reports that the Office of Price Administration requires must be submitted.

§ 1381.460 *Enforcement and licensing.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this regulation or of any other regulation or order issued by the Office of Price Administration are urged to communicate with the nearest field, state, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

(c) War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this regulation. Persons who make sales covered by this regulation to war procurement agencies are, however, subject to all the liabilities imposed by this regulation. "War procurement agencies" include the War Department, the Navy Department, the United States Maritime Commission and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any of their agencies.

(d) All sellers under this regulation, except mills, are licensed by Supplementary Order 18. This order, in brief, provides that a license is necessary, except for mills, to make sales under this regulation. A license is automatically granted to all sellers making these sales. It is not necessary to apply specially for the license, but a registration may later be required. The Emergency Price Control Act of 1942, as amended, and Supplementary Order 18 tell the circumstances under which licenses may be suspended. The license cannot be transferred.

§ 1381.461 *Relation to other regulations*—(a) *General Maximum Price Regulation.* Any sale or delivery covered by this Maximum Price Regulation is not subject to the General Maximum Price Regulation.[4]

(b) *Maximum Export Price Regulation.* The maximum price for export sales of Sitka spruce lumber is governed by the Revised Maximum Export Price Regulation.[5]

§ 1381.462 *Effective date.* (a) This regulation (§§ 1381.451 to 1381.464, inclusive) shall become effective January 5, 1943.

(b) If lumber has been received before January 5, 1943, by a carrier, other than one owned or controlled by the seller, for shipment to a buyer, that shipment is not subject to this regulation. It remains subject to the terms of the General Maximum Price Regulation.

§ 1381.463 *Appendix A: Maximum prices for Sitka spruce lumber.* The maximum prices for Sitka spruce lumber, f. o. b. mill per one thousand feet board measure, shall be as follows:

TABLE 1—SITKA SPRUCE FLOORING *

R/L Dry	B and better	C	D	E
1 x 3" and 1 x 4" V. G.	$66.00	$60.00	$47.00	
1 x 3" and 1 x 4" F. G.	51.00	47.00	40.00	$25.00
1 x 6" V. G.	73.00	64.00		
1 x 6" and 1 x 8" F. G.	56.00	52.00	42.00	27.00
5/4 x 3" V. G.	68.00	61.00		
5/4 x 3" F. G.	55.00	49.00	39.00	
5/4 x 4" V. G.	68.00	61.00		
5/4 x 4" F. G.	53.00	49.00	39.00	
5/8 x 4" F. G.	43.00	39.00	30.00	20.00

NOTES ON FLOORING

Lengths. 1. Random lengths as set forth in Standard Grading and Dressing Rules No. 11, par. 30.

2. Omitting short lengths in R/L loading add to R/L price of the same size and grade.

5' and shorter	$0.50
7' and shorter	1.00
9' and shorter	2.00
10' and shorter	3.00
12' and shorter	4.00

3. Specifying lengths add to random lengths price of the same size and grade.

12' and shorter, no addition except $2.00 per M' for 1 x 4" and 5/4 x 4"—12' in B and better and "C" V. G. or F. G.

14'	$3.00
16', 18' and/or 20'	$5.00

Working Charges. 4. For square edge B and better and "C" worked to the same overall size as standard flooring, add $2.00 per M' to the T & G price of the same size and grade. To include up to 20% "C" deduct $3.00 per M' from the B and better price of the same size. Weight 200 pounds more than flooring of the same size.

Miscellaneous. 5. For clear all heart V. G. add $5.00 per M' to the B and better price of the same size and grade.

TABLE 2—SITKA SPRUCE DROP SIDING, ALL PATTERNS, RUSTIC SIDING AND SHIPLAP

R/L dry	B and better	C	D	E
1 x 4"	$50.00	$46.00	$30.00	$22.00
5/8 x 6"	51.00	47.00	38.00	22.00
1 x 6"	56.00	52.00	42.00	27.00
1 x 8"	59.00	54.00	45.00	30.00

NOTES FOR SIDING, ETC.

Grain. 1. For V. G. add $10.00 per M' to same grade and size.

Lengths. 2. Random lengths as set forth in Standard Grading and Dressing Rules No. 11, par. 30.

3. Omitting short lengths in R/L loading add to R/L price of the same size and grade.

5' and shorter	$0.50
7' and shorter	1.00
9' and shorter	2.00
10' and shorter	3.00
12' and shorter	4.00

4. Specifying lengths add to R/L price of the same size and grade.

12' and shorter	No addition
14'	$3.00
16', 18' and/or 20'	5.00

TABLE 3—SITKA SPRUCE CEILING—ALL PATTERNS

R/L dry	B and better	C	D	E
1/2 x 4"	$43.00	$39.00	$30.00	
5/8 x 4"	43.00	39.00	30.00	$22.00
5/8 x 6"	51.00	47.00	38.00	22.00
1 x 4"	51.00	47.00	40.00	27.00
1 x 6"	56.00	52.00	42.00	27.00

NOTES ON CEILING

Grain. 1. No addition for grain specifications.

Lengths. 2. Random lengths as set forth in Standard Grading and Dressing Rules No. 11, Par. 30.

3. Omitting short lengths in R/L loading add to R/L price of the same size and grade:

5' and shorter	$0.50
7' and shorter	1.00
9' and shorter	2.00
10' and shorter	3.00
12' and shorter	4.00

4. Specifying lengths add to R/L price of the same size and grade:

12' and shorter	No addition.
14'	$3.00
16', 18' and/or 20'	5.00

TABLE 4—SITKA SPRUCE CASING AND BASE, ALL PATTERNS

R/L Dry S4S and R. E.	B and better V. G.	B and better F. G.	C
1 x 3"	$74.00	$64.00	$60.00
1 x 4"	70.00	58.00	53.00
1 x 5"	78.00	66.00	60.00
1 x 6"	73.00	62.00	57.00
1 x 8"	74.00	62.00	57.00
1 x 10"	80.00	66.00	59.00
1 x 12"	85.00	68.00	61.00

5/8" Casing and base same price as 4/4.

NOTES ON CASING AND BASE

Lengths. 1. Random lengths as set forth in Standard Grading and Dressing Rules No. 11, Par. 30.

2. Omitting short lengths in R/L loading add to R/L price of the same size and grade:

5' and shorter	$0.50
7' and shorter	1.00
9' and shorter	2.00
10' and shorter	3.00
12' and shorter	4.00

3. Specifying lengths add to R/L price of the same size and grade:

12' and shorter	No addition except $5.00 per M' addition to random lengths price on 7' and/or 10' of the same grade and size in casing only.
14'	$5.00
16', 18', and/or 20'	5.00

4. Specified fractional and odd lengths not listed: Add $3.00 per M' to the price of, and compute on the next longer listed length, of the same size and grade.

Widths. 5. Fractional and odd widths not listed; same price as next wider listed width, footage computed on and using weight for next wider listed width.

6. Wider than 12"; for V.G. add $5.00 per M' to 12" price for each additional 2"; for F.G. add $2.50 per M' to 12" price for each additional 2".

Working Charges. 7. Sanding add $10.00 per M'.

8. For less than 2 M board measure add set-up charge of $3.00 for casing only.

TABLE 5—SITKA SPRUCE FINISH AND CLEARS REGULAR LOADING

R/L rough dry	B and better		C		D	
	V. G.	F. G.	V. G.	F. G.	V. G.	F. G.
1 x 2"	$65.00	$60.00	$55.00	$50.00	$45.00	$40.00
1 x 3"	70.00	65.00	60.00	55.00	50.00	45.00
1 x 4"	65.00	60.00	55.00	50.00	45.00	40.00
1 x 5"	78.00	73.00	68.00	63.00	58.00	53.00
1 x 6"	74.00	69.00	64.00	59.00	54.00	49.00
1 x 8"	78.00	73.00	68.00	63.00	58.00	53.00
1 x 10"	83.00	78.00	73.00	68.00	63.00	58.00
1 x 12"	95.00	85.00	85.00	75.00	75.00	65.00
4" & wider	75.00	69.00	65.00	59.00	55.00	49.00
6" & wider	78.00	70.00	68.00	60.00	58.00	50.00
5/4, 6/4 & 8/4 x 2"	67.00	62.00	57.00	52.00	47.00	42.00
5/4, 6/4 & 8/4 x 3"	72.00	67.00	62.00	57.00	52.00	47.00
5/4, 6/4 & 8/4 x 4"	67.00	62.00	57.00	52.00	47.00	42.00
5/4, 6/4 & 8/4 x 5"	80.00	75.00	70.00	65.00	60.00	55.00
5/4, 6/4 & 8/4 x 6"	76.00	71.00	66.00	61.00	56.00	51.00
5/4, 6/4 & 8/4 x 8"	80.00	75.00	70.00	65.00	60.00	55.00
5/4, 6/4 & 8/4 x 10"	85.00	75.00	75.00	65.00	65.00	55.00
5/4, 6/4 & 8/4 x 12"	97.00	87.00	87.00	77.00	77.00	67.00
4" & wider	77.00	71.00	67.00	61.00	57.00	51.00
6" & wider	80.00	72.00	70.00	62.00	60.00	52.00

NOTES ON FINISH AND CLEARS

Condition. 1. Green: Deduct $10.00 from the dry price.

Lengths. 2. Random lengths as set forth in Standard Grading and Dressing Rules No. 11 par. 30.

3. Specified lengths:

Less than 14'	No addition to R/L price
14', 16', 18', or 20'	Add $10.00 to R/L price
22', or 24'	Add $12.00 to R/L price
26', 28', 30', or 32'	Add $15.00 to R/L price
34', 36', 38', or 40'	Add $25.00 to R/L price

4 Odd or fractional lengths not listed: Price of and compute footage on next longer even specified length.

5 Omitting short lengths in R/L loading add to R/L price of the same size and grade:

5' and shorter	$0.50 per M'
7' and shorter	0.75 per M'
9' and shorter	1.00 per M'
10' and shorter	2.00 per M'
12' and shorter	4.00 per M'

6 Restricted Random Lengths, add to R/L price of the same size and grade:

22' to 30'	$10.00 per M'
32' to 40'	20.00 per M'

7. For Surplus Shorts in quantities of 5 M' or more deduct from the R/L price of the same size and grade:

5' and shorter	$30.00 per M'
6' to 9'	20.00 per M'

Widths. 8. Specified widths wider than listed add to the price of the same size and grade.

V. G. Add $10.00 for each 2" wider than 12".

F. G. Add $5.00 for each 2" wider than 12"

9 Odd or fractional widths add $2.00 to price of and compute footage on next wider width listed.

Working Charges. 10. Standard surfacing: add $2.00 per M to rough price same size and grade.

11. Sanding: Add $10.00 per M'.

12. Nosing or special patterns not covered: Add $5.00 to surfaced price same length, grade and size.

13. T. & G, S2S and CM; add $1.00 to surfaced price.

Miscellaneous. 14. Door stock (1. E. graded from poor side): Add $4.00 per M'.

15. Stepping; use V. G. Rough Dry Price.

16. Tank and pipe stave stock; add $4.00 per M'.

17. Cut Stock; special cut-up stock cut to specified sizes, use R/L price of grade specified.

18 Shims rough or surfaced 5/8" thick or less deduct $10.00 per M'.

TABLE 6—SITKA SPRUCE HEAVY CLEARS—ROUGH GREEN

B and better R/L	8' to 20'		22' to 30'		32' to 40'	
	V. G.	F. G.	V. G.	F. G.	V. G.	F. G.
3" & 4" x 3" & 4"	59.00	54.00	73.00	66.00	84.00	74.00
3" & 4" x 6"	68.00	63.00	82.00	75.00	93.00	83.00
3" & 4" x 8"	70.00	65.00	84.00	77.00	95.00	85.00
3" & 4" x 10"	80.00	70.00	94.00	82.00	105.00	90.00
3" & 4" x 12"	94.00	82.00	108.00	94.00	119.00	102.00
5" x 5" to 8" x 12"	80.00	70.00	94.00	82.00	105.00	90.00
9" x 9" to 12" x 12"	87.00	77.00	101.00	89.00	112.00	97.00
3" & thicker 4" & Wider	75.00	65.00	87.00	77.00	95.00	85.00

NOTES ON HEAVY CLEARS

Grade Differentials. 1. "C" Deduct $10.00 from "B and better."

2. Turning squares: Add $5.00 per M' to the B and better price.

Condition. 3 Dry: Add to green price:

3" and 4" thickness	
6' to 20'	$10.00
22' to 30'	15.00
32' to 40'	20.00
6" thickness	
6' to 20'	15.00
22' to 30'	20.00
32' to 40'	25.00
8" and thicker	
6' to 20'	20.00
22' to 30'	25.00
32' to 40'	30.00

Lengths. 4 Specified Lengths:

6' to 20'. Add $3.00 to R/L price.

22' to 30'. Add $5.00 to R/L price.

32' to 40'. Add $7.50 to R/L price.

5. Odd and fractional lengths not listed: Use same price as and compute footage on next longer even specified length

6. Longer than 40 feet: Add $5.00 for each 2 feet to 40 foot specified length price.

Widths. 7. Wider than listed:

V. G. add $10.00 for each 2" wider than 12" to V. G. 12" price.

F. G. add $5.00 for each 2" wider than 12" to F. G. 12" price.

8 Odd, and or fractional: Price of and compute footage on next wider listed width.

Thickness. 9. Odd and/or fractional thickness not listed: Add $5.00 to price of next less listed size.

Working Charges. 10. Surfacing S2S or S4S ALS.

Dry: Add $3.00 per M' to rough price.

Green: Add $2.00 per M' to rough price.

11. Workings not provided for: Add $5.00 per M' to rough price.

TABLE 7—SITKA SPRUCE LADDER STOCK PARAGRAPH 582

Rough R/L odd and even 10' to 20'	Green MG	Dry MG	Green VG	Dry VG
4/4 & 8/4 x 3" and wider	$100.00	$110.00	$110.00	$120.00
5/4 & 6/4 x 3" and wider	110.00	120.00	120.00	130.00

NOTES ON LADDER STOCK

Lengths. Specified lengths. 1. 10 to 20 feet: Add $10.00 to R/L price.

2. Over 20 feet: Add differentials shown in footnote 6, table 5, under finish and clears.

Widths. Specified widths. 3 Even and 3" and 5" widths: Add $5.00 per M'.

4. Odd (other than 3" and 5") and fractional widths: Add $10.00 per M'

Thickness. 5 Fractional thicknesses: Add $5.00 to 5/4 price.

6. Full inch: Same as 4/4 price.

Working charges. 7. Surfaced: Add $5.00 to rough price.

TABLE 8—SITKA SPRUCE BEVEL AND BUNGALOW SIDING

R/L dry regular loading and bundling	B and better	C	D	E
1/2 x 4"—R/L	$28.00	$26.00	$23.00	$16.00
1/2 x 6"—R/L	34.00	32.00	29.00	20.00
1/2 x 8"—R/L	43.00	41.00	37.00	25.00
5/8 x 8"—R/L	58.00	54.00	50.00	30.00
1 x 10"—R/L	61.00	60.00	56.00	36.00

NOTES ON BEVEL AND BUNGALOW SIDING

Grain. 1. V.G. Add $2.00 per M feet to the F. G price same size and grade.

Lengths. 2. Random lengths, regular loading and bundling as set forth in Standard Grading and Dressing Rules No. 11, paragraphs Nos. 540 and 543.

[3] 7 F.R. 8961.

[4] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8831, 8942, 9004, 9435, 9615, 9616, 9732, 10155, 10454.

[5] 7 F.R. 5059, 7242, 8829, 9000, 10530.

TABLE 9—SITKA SPRUCE SHOP

Rough F. G. and/or V. G. R/W and R/L	4/4 x 5 & wider		5/4, 6/4 & 8/4 x 5 & wider		10/4 & 12/4 x 5 & wider	
	Green	Dry	Green	Dry	Green	Dry
For straight grade of:						
Select	$38.00	$48.00	$40.00	$47.00	$54.00	$62.00
No. 1	32.00	42.00	36.00	44.00	41.00	49.00
No. 2		30.00	26.00	34.00	31.00	39.00
No. 3				28.00		33.00

NOTES ON SITKA SPRUCE SHOP

Grade differentials. 1. Basket spruce and other special grades that contain a preponderance of shop cuttings shall be priced on a basis of not more than 5/4 No. 1 green shop.

2. 4/4 shop when shipped in mixed grades of No. 1 and select; each grade to be invoiced separately: Deduct $2.00 per M from price of straight grades of both No. 1 and select.

3. 5/4 and thicker when shipped in mixed grades of No. 2, No. 1, and select; each grade to be invoiced separately: Deduct $5.00 per M from price of straight grade of select, and $2.00 per M from straight grades of both No. 1 and No. 2.

Widths. 4. Specified widths: Add $2.00 per M to R/W and R/L price.

Working charges. 5. Surfaced: Add $2.00 per M to rough price.

Miscellaneous. 6. If rough shop is ordered 1/8" thicker than standard compute footage on actual measure.

TABLE 10—SITKA SPRUCE BOX

4/4 and thicker R/W and R/L rough dry:	
No. 1	$25.50
No. 2	20.50
No. 3	18.50

NOTES ON SITKA SPRUCE BOX

Condition. 1. Green: Deduct 10% from rough dry price.

Widths. 2. Specified widths add to the random widths price:

8" and under; no addition.

10" and 12"; add $1.00 per M' to R/W price.

14" and wider; add $2.00 per M' to R/W price.

Thickness. 3. Less than 4/4, price of 4/4 but compute on net size.

Working charges. 4. Surfaced S2S; add $1.00 per M' to rough price.

TABLE 11—SITKA SPRUCE LATH

4' green or dry	1½" wide	No. 1	No. 2
Per M pieces	$6.25	$5.00	$4.00

TABLE 12—SITKA SPRUCE DUNNAGE OR NO. 4 COMMON

Rough or surfaced, green or dry:	
1 x AW-AL	$14.50
Thicker than 1" x AW-AL	12.50
Green or dry at green weights.	

TABLE 13—SITKA SPRUCE NO. 1 COMMON BOARDS AND SHIPLAP

Green surfaced S4S A. L. S.	R/L 6' to 20'	6'	8'	10'	12'	14'	16'	18'	20'	Add for dry	For select merch. par. 586 add to No. 1 green
1 x 2"	$33.00	$33.00	$33.00	$33.00	$33.00	$34.50	$35.50	$35.50	$35.50	$4.00	$4.00
1 x 3"	33.00	33.00	33.00	33.00	33.00	34.50	35.50	35.50	35.50	4.00	4.00
1 x 4"	29.00	29.00	29.00	29.00	29.00	30.50	31.50	31.50	31.50	4.00	4.00
1 x 6"	29.00	29.00	29.00	29.00	29.00	30.50	31.50	31.50	31.50	4.00	5.00
1 x 8"	29.00	29.00	29.00	29.00	29.00	30.50	31.50	31.50	31.50	4.00	6.00
1 x 10"	28.00	28.00	28.00	28.00	28.00	29.50	30.50	30.50	30.50	4.00	7.00
1 x 12"	30.00	30.00	30.00	30.00	30.00	31.50	32.50	32.50	32.50	4.00	8.00

NOTES ON NO. 1 COMMON BOARDS AND SHIPLAP

Grade differentials. 1. No. 2, dry or green: Deduct $2.00 per M from price of No. 1 of same size, length and condition of seasoning.

2. No. 3, green: Deduct $8.00 per M from price of No. 1 common green of the same size and length.

3. No. 3, dry: Deduct $10.00 per M from price of No. 1 common dry of the same size and length.

4. For No. 1 common permitting up to 15% of No. 2 deduct $0.50 per M from price of No. 1 common of the same size, length and condition of seasoning.

Lengths: Omitting short lengths in R/L loading add to R/L price of the same size and grade.

5. Omitting 6': Add $0.50 to R/L price.

6. Omitting 6' and 8': Add $0.50 to R/L price.

7. Omitting 10' and shorter: Add $1.00 to R/L price.

8. Omitting 12' and shorter: Add $2.00 to R/L price.

Long lengths. 9. For specified lengths longer than 20': Add $1.00 per foot to specified 20' price.

10. For rough, S1S or S1E specified lengths: Add to the surfaced specified price—$2.00 per M for 12 feet and shorter; $3.50 per M for 14 feet and $5.00 per M for 16, 18 and 20 feet lengths.

Widths. 11. Widths wider than 12": Add to the price of 12" of the same grade and length $2.00 per M for each 2" wider than 12".

12. For odd or fractional widths: Add $1.00 and compute footage on next wider listed width.

Thickness. 13. For 5/4 and 6/4 No. 1 and select merchantable: Add $5.00 per M to 1" price of same grade and width; 5/4 and 6/4 No. 2 same as 4/4 No. 1.

Working charges. 14. For surfacing ¼" off: Add $1.00 per M feet to the price of the same grade, width, and length.

15. For S1E, S1S or rough random lengths: Add $1.50 per M to R/L surfaced price.

16. For center matched, flooring, drop siding and other patterns. The following working charges contemplate first adding grade differentials and then specified working charges.

	Green		Dry	
	S2S and C/M	Flooring, drop siding, beaded, and other patterns [1]	S2S and C/M	Flooring, drop siding, beaded, and other patterns [1]
1" thickness—no droppings allowed	$1.00	$2.00	$1.00	$2.00
1" thickness—droppings included at no reduction in price [2]	.50	1.00	.50	1.00

[1] For amounts 1 M feet or less: Add $5.00 set up charge.
[2] "Droppings" contemplate up to 15% in green and up to 20% in dry.

17. For ripping or resawing: Add $1.00 per M product of the piece to be shipped.

TABLE 14—SITKA SPRUCE NO. 1 COMMON DIMENSION

Green rough or S4S A. L. S.	R/L 6' to 20'	6'	8'	9'	10'	12'	14'	16'	18'	20'	22' and 24'	Add for dry
2 x 2"	$33.50	$26.00	$32.00	$35.50	$34.00	$34.00	$34.00	$36.50	$36.50	$36.50	$40.00	$3.50
2 x 3"	30.50	23.00	29.00	32.50	31.00	31.00	31.00	33.50	33.50	33.50	37.00	3.50
2 x 4"	30.50	23.00	30.50	31.00	30.00	30.50	30.50	31.50	31.50	31.50	34.00	3.50
2 x 6"	30.50	23.00	28.50	30.50	29.00	30.50	30.50	31.00	31.00	31.00	33.00	3.50
2 x 8"	29.50	22.00	28.00	29.00	28.00	29.50	29.50	29.50	29.50	29.50	31.50	3.50
2 x 10"	29.50	22.00	28.00	30.00	28.50	30.00	30.00	30.50	30.50	30.50	32.50	4.00
2 x 12"	29.50	22.00	28.00	30.00	29.00	30.00	30.00	30.50	30.50	30.50	32.50	5.50

NOTES ON NO. 1 COMMON DIMENSION

Grade differentials. 1. Select merchantable par. 594: Add $3.00 per M ft. to No. 1 price for same width and length.

2. Scaffold plank par. 598: Add $20.00 per M ft. to No. 1 price for same width and length.

3. No. 2 green all widths and lengths 24' and shorter: Deduct $2.00 per M feet from No. 1 green price of same width and length.

4. No. 3, green 24' and shorter, 2 x 2, 2 x 3, 2 x 4, 2 x 6, and 2 x 8" deduct $8.00 per M ft.; 2 x 10 and 2 x 12" deduct $9.00 per M ft. from No. 1 green price of same width and length.

5. No. 2 dry, all widths and lengths, 24' and shorter: Deduct $4.00 per M ft. from the No. 1 dry price of the same width and length.

6. No. 3 dry, 24' and shorter; 2 x 2, 2 x 3, 2 x 4, 2 x 6, and 2 x 8" deduct $10.00 per M ft.; and 2 x 10 and 2 x 12" deduct $11.00 per M ft. from the No. 1 dry price of the same width and length.

7. For No. 1 permitting up to 15% of No. 2: Deduct $0.50 per M ft. from the No. 1 price of the same width and length.

Condition. 8. For rough dry: Add $1.00 per M to surfaced dry price.

Lengths. 9. Lengths over 24': Add $2.00 to the 24' price of the same grade and width for each 2' longer than 24'.

10. Odd or fractional lengths: Add $1.00 to and compute footage on next longer even length.

Widths. 11. Wider than 12": Add $1.00 per M for each 2" wider than 12" to price of 12" width, of the same grade and length.

12. Odd or fractional widths: Add $1.00 to and compute footage on next wider listed width.

Thickness. 13. Odd or fractional thicknesses over 2" and under 3": add $3.00 per M to the 3" price of the same width in all grades and lengths from plank and small timber table. Compute footage on actual rough measure.

Working charges. 14. For dimension surfaced ¾" of: Add $1.00 per M ft. to the price of the same grade, width and length.

15. For center matched, flooring, outgauged and other patterns: the following working charges contemplate first: Adding grade differentials and then the specified working charges:

	Green		Dry	
	S2S and C/M, or shiplap	Flooring, outgauged and other patterns	S2S and C/M, or shiplap	Flooring, outgauged and other patterns
2" thickness, no droppings allowed	$1.00	$2.00	$1.50	$2.50
2" thickness, droppings included at no reduction in price [1]	.50	1.00	.50	1.00

[1] "Droppings" contemplate up to 15% in green and up to 20% in dry.

16. For ripping or resawing, not diagonal or tapered; for 2 x 4" add $2.00 per M; for 2 x 6" and wider add $1.00 per M. For diagonal or tapered resawing, add $5.00 per M, in either instance the product of the strip to be shipped.

TABLE 15—SITKA SPRUCE PLANK AND SMALL TIMBERS

Green rough or S4S A. L. S.	No. 1 common				Select Merchantable par. 594			
	20' and shorter	22' to 24'	26' to 32'	34' to 40'	20' and shorter	22' to 24'	26' to 32'	34' to 40'
3 x 3	$35.00	$37.50	$40.50	$45.50	$39.00	$41.50	$43.50	$48.50
3 x 4	33.50	36.50	39.50	43.50	37.50	40.50	42.50	46.50
3 x 6 & 3 x 8	32.00	34.00	35.50	38.50	36.00	38.00	39.50	42.50
3 x 10 & 3 x 12	31.50	33.50	35.00	37.50	34.50	36.50	38.00	40.50
4 x 4	33.00	35.00	37.00	40.50	37.00	39.00	41.00	44.50
4 x 6 & 4 x 8	32.00	34.00	35.50	38.50	36.00	38.00	39.50	42.50
4 x 10 & 4 x 12	31.50	33.50	35.00	38.00	34.50	36.50	38.00	41.00
6 x 6 & 6 x 8	31.50	33.00	34.50	35.00	35.50	37.00	38.50	41.50
8 x 8	31.50	33.00	34.00	34.50	35.50	37.00	38.00	41.00

NOTES ON PLANK AND SMALL TIMBERS

Grade differentials. 1. For scaffold plank paragraph 598: Add $15.00 per M to No. 1 price for same width and length.

2. For No. 1 permitting up to 15% of No. 2: Deduct $0.50 per M ft. from No. 1 price of the same width and length.

3. For No. 2: Deduct $4.00 per M ft. from No. 1 price of the same width and length.

4. For No. 3: Deduct $7.00 per M ft. from No. 1 price of the same width and length.

Condition. 5. For dry: Add $10.00 per M ft. to the green price of the same grade, size and length.

Lengths. 6 Regular loading: Random lengths is 8-20'.

7. For specified lengths up to 40': Select merchantable add $2.00 per M; other grades add $1.00 per M ft. to the length group price in which the specified length falls.

8. Longer lengths than listed: For specified length 41' to 50' add $1.00 per foot to the specified 40' price. 51' to 70' add $2.00 per foot to the 50' specified length price. 71' and longer add $3.00 per foot to the 70' specified length price.

9. For odd or fractional lengths: Add $1.00 per M feet to, and compute footage on the next longer even length.

Widths. 10 Widths wider than listed: Add $1.00 per M feet for each additional 2" to the widest listed width. This applies only to thicknesses less than 6 inches. For 6 inches and thicker and wider than listed use prices covered by timber schedule.

Thickness. 11. For odd or fractional thickness and/or widths not covered: Add maximum of $3.00 per M feet to the next less listed size for one or both conditions. Compute footage on actual rough size.

Working charges. 12 For surfacing ¼" off: Add $1.00 per M feet to the price of the same grade, width and length.

13. Shiplap, T & G, grooved for splines: 3" add $3.00; 4" add $4.00; 5" & thicker add $5.00 per M feet to the surfaced price.

14. For outgauged: Add $2.50 per M feet to the surfaced price.

15. For diagonal or taper resawing: Add $5.00 per M feet.

TABLE 16—SITKA SPRUCE TIMBERS

Green rough or S4S A. L. S.	#1 common			Select merchantable par. 504		
	20' and shorter	22' to 30'	32' to 40'	20' and shorter	22' to 30'	32' to 40'
6 x 6 & 6 x 8	$31.50			$35.50		
6 x 10 & 6 x 12	29.50	$30.50	$31.00	31.50	$32.50	$33.00
8 x 10 & 8 x 12	29.50	30.50	31.00	31.50	32.50	33.00
10 x 10 & 10 x 12	29.50	31.50	30.50	31.50	33.50	34.00
12 x 12	29.50	31.50	30.50	31.50	33.50	34.00
6 x 14 & 8 x 14	30.00	32.00	31.00	33.00	36.00	35.00
6 x 16 & 8 x 16	31.75	33.75	32.75	34.75	37.75	37.25
6 x 18 & 8 x 18	34.00	36.00	35.00	37.00	40.00	39.50
10 x 14 & 12 x 16	29.50	31.50	30.50	32.50	35.50	35.00
10 x 16	31.50	33.50	32.50	34.50	37.50	37.00
10 x 18	33.75	35.75	34.75	36.75	39.75	39.25
12 x 14 & 14 x 14	30.00	32.00	31.00	33.00	36.00	35.50
14 x 16 & 16 x 16	29.50	31.50	30.50	32.50	35.50	35.00

NOTES ON TIMBERS

Grade differentials. 1. For scaffold plank paragraph 598: Add $15.00 per M to the price of No. 1 of the same width and length.

2. For No. 1 permitting up to 15% of No. 2: Deduct $0.50 per M feet from the No. 1 price of the same width and length.

3. For No. 2: Deduct $5.00 per M feet from the No. 1 price of the same width and length.

4. For No. 3: Deduct $10.00 per M feet from the No. 1 price of the same width and length.

Lengths. 5 Regular loading: Random length is 8-20'.

6. For specified lengths: In select merchantable add $2.00 per M feet, other grades add $1.00 to the length group price in which the specified length falls.

7. For lengths longer than listed: Specified lengths 41' to 50' add $1.00 per foot to the 40' specified length price; 51' to 70' add $2.00 per foot to the 50' specified length price; 71' and longer, add $3.00 per foot to the 70' specified length price.

8. Specified odd or fractional lengths: Add $1.00 per M to, and compute footage on next longer even length.

9. For 6 x 6 and 6 x 8, 22' and longer refer to Plank and Small Timber Table.

Width. 10. For widths wider than listed up to and including 24": Add $1.00 per M feet for each additional 2" to widest listed width of the same grade thickness and length; wider than 24": Add $2.00 per M for each additional 2" to the 24" price of the same grade, thickness and length.

11. Odd or fractional widths or odd or fractional thicknesses or both: Add $1.50 per M feet to next less even size. Compute footage on actual rough measure.

Thickness. 12 For thicker than listed sizes up to and including 24": Add $1.00 per M for each additional 2" to thickest listed size of the same grade, width, and length; thicker than 24" add $2.00 per M feet for each additional 2" to 24" price of the same grade, width and length.

Working charges. 13 For surfacing 1/4" off: Add $1.00 per M ft. to the price for the same grade width and length

14. For surfacing 6" x 10" to 12" x 12", no charge; 6 x 14 to 16 x 16, add $2.00 per M feet; for sizes larger than listed, add $5.00 per M feet.

15. For surfacing lengths longer than 40 feet, add $0.25 per lineal foot to 40 foot price.

GENERAL NOTES

APPLICABLE TO ENTIRE APPENDIX

1. Log cabin siding: Add to price of same grade, size, and seasoning 1" and 2", $5.00 per M and 3" $6.00 per M. Machine droppings up to 15% to be included at $5.00 per M less. For less than 1,000 ft. B.M., add set-up charge of $5.00

2. All prices are based on 1,000 feet board measure, except lath. No lumber is sold on less than 1" count

3. In the case of random length groups other than those listed, the price shall be computed by determining the quantity falling into each of the listed groups and pricing each quantity at the random price listed for the group into which each such quality falls

4. All grade, size, and paragraph references contained herein refer to the Standard Grading and Dressing Rules No. 11 (1942), effective April 1, 1942, as published by the West Coast Lumbermen's Association.

5. For bundling: Add $1.00 per M.

6. Ripping and or resawing not otherwise provided: Add $1.00 per M; for diagonal or tapered add $5.00 per M.

§ 1381.464 *Appendix B: Permitted estimated weights.* The following estimated weights for dry lumber may be used in computing freight charges even though higher than actual weights.

When shipped with a moisture content greater than 19%, the estimated green weights may be used in quoting a delivered price, even though higher than actual weights.

SITKA SPRUCE WEIGHT SCHEDULE

Sitka spruce flooring	Finished thickness	Weight per MBM dry, lbs.
1 x 3 & 4"	25/32"	1,800
1 x 6"	25/32"	1,900
2 x 3 & 4"	1 5/16"	2,000
2 x 4"	1 5/16"	1,400

Square edge flooring—Add 200 lb.

Sitka spruce ceiling, all patterns	Finished thickness	Weight per MBM dry, lbs.
1 x 4"	7/16"	1,000
1 x 4"	9/16"	1,200
1 x 6"	9/16"	1,300
1 x 4"	13/16"	1,500
1 x 6"	23/32"	1,700

Ceiling worked 25/32" net—deduct 100 lb. from flooring wt.

Sitka spruce drop siding, rustic, clear shiplap	Finished thickness	Weight per MBM dry, lbs.
1 x 4", pat. 119, 121	3/4"	1,300
1 x 4", pat. 120, 122	3/4"	1,400
1 x 4", pat. 106	3/4"	1,500
5/8 x 6", pat. 105, 108, 115, 117, and rustic	9/16"	1,300
1 x 6", pat. 107, 113, 115, 117, 121	3/4"	1,500
1 x 6", pat. 103, 108, 111, 114, 118	3/4"	1,600
1 x 6", pat. 101, 104, 105, 106, 112, and rustic	3/4"	1,700
1 x 6", pat. 102, 109, 110, 116, and V-rustic	3/4"	1,800
1 x 8", pat. 116 and shiplap	3/4"	1,900

8" width—Add 100 lb. to 6" pat.

Sitka spruce stepping	Finished thickness	Weight per MBM dry, lbs.
4/4 x 10 & 12"	1 1/16"	2,200
5/4 x 10 & 12"	1 5/16"	2,400

Sitka spruce casing and base	Finished thickness	Weight per MBM dry, lbs.
1 x 3 to 12"	25/32"	1,800
5/8 x 4, 5, 6, and 8"	5/16"	1,900

Sitka spruce bevel and bungalow siding	Finished thickness	Weight per MBM dry, lbs.
1/2" x 4" & 6"	1/2" x 1 1/16"	800
3/4" x 8" & 10"	3/4" x 1 5/16"	1,400

Sitka spruce lath	Finished thickness	Weight per MBM lbs.
4' green		750
4' dry		500

Spruce factory lumber	Weight MBM S2S Dry, Lbs.	Weight MBM rough	
		Dry, Lbs.	Green, Lbs.
4 x 5 & wider	13 1/16", 2,000	2,800	3,500
4 x 5 & wider	1 1/32", 2,200	2,800	3,500
4 x 5 & wider	1 3/32", 2,500	2,800	3,500
3 x 5 & wider	1 3/32", 2,400	2,800	3,500
4 x 5 & wider	1 3/32", 2,700	2,500	3,500
3 x 5 & wider	2 3/16", 2,500	2,400	3,500

Spruce log cabin siding	Clear or Common	
	Weight per MBM Dry Lbs.	Weight per MBM Green, Lbs.
2"	1,700	2,100
3"	2,000	2,300

Spruce clears and shipdecking	Weight MBM Dry S4S Std., Lbs.	Weight MBM Green S4S Std., Lbs.
1 x 2"	1,700	2,200
1 x 3 & 4"	1,800	2,400
1 x 5" & wider	1,900	2,600
1 1/4" x 2"	1,800	2,400
1 1/4" x 3 & 4"	2,000	2,600
1 1/4" x 5" & wider	2,100	2,800
1 1/2" x 2"	2,000	2,700
1 1/2" x 3 & 4"	2,100	2,800
1 1/2" x 5" & wider	2,200	3,000
2 x 2"	1,900	2,500
2 x 3 & 4"	1,900	2,500
2 x 5" & wider	2,000	2,700
x 3 & 4"	2,100	2,800
x 10, & 3 x 12"	2,200	3,000
4 x 4, 4 x 5, 4 x 6, & 4 x 8"	2,600	3,500
4 x 10, & 4 x 12"	2,700	3,600
6 x 6"	2,700	3,600
6 x 8"	2,800	3,700
6 x 10"	2,800	3,700
6 x 12"	2,800	3,700
8 x 8"	2,800	3,700
8 x 10"	2,900	3,800
8 x 12"	2,900	3,800
10 x 10"	2,900	3,800
10 x 12"	3,000	3,900
12 x 12"	3,000	3,900

Spruce Clears	Weight MBM Dry S1S Or S2S Only Lbs.	Weight MBM Green S1S Or S2S Only Lbs.
1" surf. to 7/8"	1,200	1,550
1" surf. to 1"	1,200	1,750
1" surf. to 1 1/16"	1,500	2,000
1" surf. to 1 1/8"	1,700	2,200
1" surf. to 1 3/16"	1,850	2,400
1" surf. to 1 1/4"	2,000	2,650
1" surf. to 1 5/32"	2,100	2,750
1" surf. to 1 3/16"	2,200	2,850
1" surf. to 1 1/4"	2,300	3,000
1 1/4" surf. to 1 1/2"	2,250	2,950
1 1/2" surf. to 1 3/4"	2,350	3,100
1 3/4" surf. to 1 13/16"	2,321	3,050
2" surf. to 1 7/8"	2,200	2,850
2" surf. to 1 13/16"	2,400	3,150
2 1/4" surf. to 1 7/8"	2,250	2,950
2 1/4" surf. to 2 1/16"	2,300	3,000
2 1/4" surf. to 2 1/8"	2,350	3,050
3" surf. to 2 1/2"	2,750	3,650
4" surf. to 3 1/2"	2,900	3,200

Spruce boards and shiplap	Finished thickness	Weight per MBM dry, lbs.	Weight per MBM green, lbs.
4/4 x 2 & wider Rough or S1E		2,800	3,300
5/4, 6/4 x 2 & wider Rough or S1E		2,800	3,300
1 x 2" S4S	25/32"	1,800	2,200
1 x 3 & 4" S4S	25/32"	2,000	2,400
1 x 6" & wider S4S, S1S or S2S	25/32"	2,100	2,500
		2,200	2,600

5/4 & 6/4" S4S Standard—Add 200 lbs. to weight of 1" of same width.
S1L—D&M or C.M.—100 lbs. less than S4S.
Surfaced to 1 3/16"—100 lbs. less than 2 5/32".
Surfaced to 1 5/16"—add 100 lbs. to 2 5/32".

Spruce—Dimension, plank and small timbers	Weight MBM S4S standard		Weight MBM CM & S1S or S2S standard	
	Dry	Green	Dry	Green
2 x 2"	1,800	2,200		
2 x 3"	2,000	2,400		
2 x 4"	2,100	2,500	1,800	2,150
2 x 6"	2,150	2,550	1,950	2,300
2 x 8"	2,150	2,550	2,000	2,400
2 x 10"	2,200	2,600	2,050	2,450
2 x 12"	2,200	2,600	2,050	2,500
3 x 3"	2,300	2,600		
3 x 4"	2,300	2,600	1,950	2,250
3 x 6"	2,500	2,800	2,250	2,500
3 x 8"	2,500	2,800	2,300	2,600
3 x 10"	2,500	2,800	2,350	2,650
3 x 12"	2,500	2,800	2,400	2,700
4 x 4"	2,400	2,700		
4 x 6"	2,500	2,800	2,300	2,600
4 x 8"	2,500	2,800	2,400	2,700
4 x 10"	2,600	2,900	2,450	2,750
4 x 12"	2,600	2,900	2,500	2,800
5 x 5"	2,600	2,900		
5 x 6"	2,600	2,900	2,350	2,650
5 x 8"	2,600	2,900	2,450	2,750
5 x 10"	2,600	2,900	2,500	2,800
5 x 12"	2,600	2,900	2,550	2,850

Spruce timbers:	Weight MBM S1S or S4S standard green, lbs.
6 x 6 to 6 x 16"	2900
6 x 18 to 6 x 24"	3000
8 x 8 to 8 x 16"	3000
8 x 18 to 8 x 24"	3100
10 x 10 to 10 x 16"	3000
10 x 18 to 10 x 24"	3100
12 x 12 to 12 x 24"	3100
14 x 14 to 14 x 24"	3100
16 x 16 to 16 x 24"	3100
18 x 18 to 18 x 24"	3200
20 x 20 to 20 x 24"	3200
22 x 22 to 22 x 24"	3200
24 x 24"	3200
Rough green	3300

Spruce dimension, surfaced:	Weight MBM S4S 1/4" off by indicated width green
2 x 2"—1/4" off each way	2550
2 x 3"—1/4" off each way	2650
2 x 4"—1/4" off each way	2750
2 x 6"—1/4" off each way	2800
2 x 8"—1/4" off each way	2850
2 x 8"—1/4" off by 1/2" off in width	2750
2 x 10"—1/4" off each way	2850
2 x 10"—1/4" off by 1/2" off in width	2750
2 x 12"—1/4" off each way	2850
2 x 12"—1/4" off by 1/2" off in width	2800

Spruce plank and timbers, surfaced:	Weight MBM green, 1/4" off each way
3 x 3	2800
3 x 4	2350
3 x 6, 3 x 8, and 3 x 10	2950
3 x 12	3000
4 x 4	2950
4 x 6	3000
4 x 8, 4 x 10, and 4 x 12	3050
6 x 6	3050
6 x 8 and 6 x 10	3100
6 x 12	3150
8 x 8, 8 x 10 and 8 x 12	3150
10 x 10 and 10 x 12	3150
12 x 12	3200

SHIPPING WEIGHT FORMULA FOR SIZES NOT LISTED

Where surfacing is specified other than standard or where weights are not provided in this list, weight is computed by applying the following weights:

Sitka Spruce Rough Green Clears	3500 lbs.
Sitka Spruce Rough Dry 1" Clears	2700 lbs.
Sitka Spruce Rough Dry, Clears over 1" and under 3" in thickness	2800 lbs.
Sitka Spruce Rough Dry, Clears thicker than 3" deduct 200 lbs from corresponding Green weight	
Sitka Spruce Rough Green, all other grades	3300 lbs.
Sitka Spruce Rough Dry, all other grades under 3" in thickness	2800 lbs.

Sitka Spruce Rough or Surfaced Dry 3" and over in thickness, deduct 200 lbs. from corresponding green weight.

Issued this 30th day of December 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-14160; Filed, December 30, 1942; 12.18 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 144 Under § 1499.18 (b) of GMPR]

D. J. KELMAN AND CO.

Order No. 144 under § 1499.18 (b) of the General Maximum Price Regulation.

D. J. Kelman and Co., 785 Flushing Avenue, Brooklyn, New York—Docket No. GF3–2622.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1405 *Denial of petition for adjustment of maximum prices of cellophane garlands, cellophane wreaths and paper garlands sold by D. J. Kelman and Co.* (a) The petition of D. J. Kelman and Co. of 785 Flushing Avenue, Brooklyn, New York, filed November 4, 1942, and assigned Docket No. GF3–2622, requesting permission to increase the maximum prices of cellophane garlands, cellophane wreaths and paper garlands is denied.

(b) This Order No. 144 (§ 1499.1405) shall become effective December 30, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of December 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–14159; Filed, December 30, 1942; 12:16 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 12,[1] Amendment 4]

COFFEE RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new item is added to § 1407.1091 and paragraph (d) of § 1407.1090a is added, as set forth below:

Schedules

§ 1407.1091 *Designation of ration periods and of coffee stamps valid therein.*

Ration period	Coffee stamp valid during ration period
. . .	. . .
January 4, 1943, to February 7, 1943, inclusive.	Coffee Stamp No. 28.

Effective Date

. . . . . .

§ 1407.1090a *Effective dates of amendments.* . . .

(d) Amendment No. 4 (§§ 1407.1091 and 1407.1090a (d)) to Ration Order No. 12 shall become effective December 30, 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 729, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1–R)

*Copies may be obtained from the Office of Price Administration

[1] 7 F.R. 9710, 10380, 11071, 11072.

Issued this 30th day of December 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–14168; Filed, December 30, 1942; 4:04 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 288, Amendment 1]

SPECIFIC MAXIMUM PRICES IN ALASKA

Correction

The caption of the document appearing on page 11012 of the issue of Tuesday, December 29, 1942, Amendment 1," should read "MPR 288, Amendment 1."

Chapter XIII—Petroleum Administration for War

[Petroleum Directive 62]

PART 1525—MARKETING MOTOR FUEL

PROHIBITING USE OF SALES DEVICES IN EXTENDING CREDIT

The use of certain sales devices in connection with the sale of motor fuel by or through retail outlets impairs the most effective utilization of petroleum, and the following operating directive is deemed necessary for the prosecution of the war:

§ 1525.1 *Petroleum Directive 62*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(2) "Retail outlet" means any place of business where motor fuel is sold at retail, including, but not limited to, any place of business where motor fuel is delivered into the fuel supply tanks of motor vehicles or motor boats.

(b) *Use of sales devices in extending credit prohibited.* (1) Commencing January 1, 1943, no person engaged in the marketing of motor fuel shall distribute or use credit cards, courtesy cards, identification cards, receipt books or any other similar sales devices for the purpose of effecting or fostering, directly or indirectly, the extension of credit in the sale of motor fuel to any ultimate consumer by or through any retail outlet: *Provided,* (i) That such use or distribution shall not be prohibited if the deliveries so to be obtained on credit by any customer are limited to a single retail outlet, (ii) that nothing in this paragraph shall be deemed to prohibit the use of requisition books by governmental agencies in making purchases of motor fuel, and (iii) that nothing in this paragraph shall be deemed to prohibit the use before February 1, 1943 of presently issued credit cards for the purpose of effecting or fostering the extension of credit in the sale of motor fuel by or through any retail outlet to motor vehicles displaying "T" Ration stickers or to motor vehicles operated by governmental agencies.

(2) Commencing January 1, 1943, no person engaged in the marketing of motor fuel shall make unusual or abnormal advances of money, credit or merchandise to any person operating a retail outlet for the purpose of enabling or influencing such person to extend credit in the sale of motor fuel by or through such retail outlet.

(E.O. 9276, 7 F.R. 10091)

Issued this 29th day of December 1942.

HAROLD L. ICKES,
Petroleum Administrator for War.

[F. R. Doc. 42–14167; Filed, December 30, 1942; 2:34 p. m.]

PART 1545—PETROLEUM SUPPLY

[Amendment 2 to Petroleum Administrative Order 1[1]]

Section 1545.1 *Petroleum Administrative Order 1,* Schedule A is hereby amended to read as follows:

SCHEDULE A

DISTRICT ONE—ZONE ONE

[January 1943 (1st to 31st inclusive) quotas expressed in barrels per day]

Supplier	Gasoline	Kerosene	Distillate fuel oil	Residual fuel oil
American Bitumuls Co.	.....	.....	514	.....
American Minerals Sprits Co.	.....	.....	.....	.....
Atlantic Refining Co.	2,668	2,620	4,407	.....
Cities Service Oil Co.	3,066	4,389	6,712	2,632
Crown Central Petroleum Corp.	146	37	170	.....
First National Corp.	.....	.....	192	.....
Gulf Oil Corp.	5,539	8,035	11,943	6,161
Hartol Products Corp.	948	3,437	2,381	.....
Jones & Co.	.....	.....	.....	5,826
Maritime Petroleum Corp.	.....	479	678	.....
Pacific Oil Co.	.....	787	961	.....
Pan-American Petroleum and Transport Co.	4,284	8,488	6,961	16,783
Petrol Corp.	302	.....	.....	.....
Petroleum Heat & Power Co.	.....	.....	1,248	.....
Quincy Oil Co.	230	1,026	613	.....
Richfield Oil Corp.	1,504	1,490	2,289	.....
Royal Petroleum Corp.	46	410	450	281
Shell Oil Co.	3,867	4,498	5,746	2,693
Sinclair Refining Co.	884	1,414	1,937	.....
Socony-Vacuum Oil Corp.	12,465	10,415	15,702	4,833
Standard Oil Co of N. J.	5,691	9,303	15,187	11,971
State Fuel Co.	.....	2,013	503	.....
Sun Oil Co.	4,252	52	2,606	301
Texas Co.	5,294	7,581	99	4,520
Tidewater Associated Oil Co.	4,737	4,647	2,839	2
United Refining Co.	.....	2	.....	.....
Valvoline Oil Co.	.....	11	.....	.....
White Fuel Corp.	.....	6,209	4,655	.....

DISTRICT ONE—ZONE TWO

Allegheny Refiners Co.	29	85	7	.....
American Mineral Spirits Co.	.....	1,448	2,941	2,361
Asiatic Petroleum Co.	.....	.....	838	1,165
Atlantic Refining Co.	11,136	3,249	13,039	11,781
Crown Central Petroleum Co.	477	485	1,857	417
Cities Service Oil Co.	3,940	2,033	7,410	6,109
Continental Oil Co.	1,210	80	202	4
First National Oil Corp.	16	1,150	6,954	44
Frontier Fuel Oil Corp.	.....	.....	.....	22
Gulf Oil Corp.	16,820	3,009	17,431	22,735
Hamilton Terminal Corp.	78	36	.....	.....
Hartol Products Corp.	1,274	2,708	3,415	42
Hess Brothers	.....	.....	.....	.....
Home Fuel Oil Co.	.....	1,767	3,304	.....
Jones & Co.	.....	.....	.....	81
Kendall Refining Co.	.....	7	.....	.....
Maritime Petroleum Corp.	.....	1,193	2,754	.....

DISTRICT ONE—ZONE THREE

American Bitumuls Co.	.....	.....	889	150
American Mineral Spirits Co.	.....	48	.....	.....
Arkansas Fuel Oil Corp.	494	528	.....	.....
Atlantic Refining Co.	1,218	695	274	570
Cantelou (S. D.) Petroleum Products	.....	.....	.....	59
Cities Service Oil Co.	340	102	118	.....
Continental Oil Co.	1,084	58	531	1,022
Elk Refining Co.	85	33	.....	.....
Gulf Oil Corp.	3,075	497	2,386	3,152
Martol Products Corp.	.....	.....	.....	.....
Pan-American Petroleum and Transport Co.	5,685	785	3,083	1,213
Patterson & Co., Inc.	.....	.....	.....	77
Petrol Corp.	916	332	1,180	858
Petroleum Heat and Power Co., Inc.	.....	.....	121	.....
Pure Oil Co.	980	262	648	4
Quaker State Oil Refining Corp. of Penn.	.....	.....	.....	.....
Republic Oil Refining Co.	389	181	282	.....
Richfield Oil Corp.	2,366	229	1,410	.....
Shell Oil Co., Inc.	1,626	621	1,839	744
Sinclair Refining Co.	1,372	441	1,083	2,372
Standard Oil Co. of N. J.	10,559	2,449	9,160	18,888
Sun Oil Co.	1,152	11	615	317
Texas Co.	4,285	1,211	205	245
Tide Water Associated Oil Co.	539	63	26	.....
Valvoline Oil Co.	28	8	34	.....
The Ashland Oil & Refining Co.	193	40	410	.....

DISTRICT ONE—ZONE FOUR

Arkansas Fuel Oil Corp.	849	356	60	.....
Atlantic Refining Co.	1,084	344	51	.....
Continental Oil Co.	345	47	13	.....
Elk Refining Co.	.....	17	6667	57
Gulf Oil Corp.	4,087	999	128	531
Pan-American Petroleum and Transport Co.	1,753	401	489	.....
Pure Oil Co.	2,270	512	133	.....
Republic Oil Refining Co.	883	361	1	.....
Richfield Oil Corp.	56	16	.....	.....
Riverside Terminal Co.	302	541	.....	.....
Shell Oil Co., Inc.	2,397	628	335	.....
Sinclair Refining Co.	2,045	2,320	722	4
Standard Oil Co. of N. J.	8,733	786	2,221	1,547
Texas Co.	3,492	37	217	122

DISTRICT ONE—ZONE FIVE

Arkansas Fuel Oil Corp.	2,050	692	49	.....
Atlantic Refining Co.	1,018	56	199	.....
Belcher Oil Co.	.....	.....	737	3,339

[1] 7 F.R. 10791, 11012.

SCHEDULE A—Continued

DISTRICT ONE—ZONE TWO—Continued

[January 1943 (1st to 31st inclusive) quotas expressed in barrels per day]

Supplier	Gasoline	Kerosene	Distillate fuel oil	Residual fuel oil
Pan-American Petroleum and Transport Co.	6,292	2,255	5,265	8,547
Patterson & Co.	.....	.....	982	2,796
Pennsylvania Refining Co.	.....	10	173	.....
Pennzoil Co.	.....	.....	4	.....
Petrol Corp.	663	.....	.....	678
Petroleum Heat & Power Co., Inc.	.....	.....	4,158	.....
Pure Oil Co.	823	1,769	2,035	2,395
Quaker State Oil Refining Co., Pennsylvania.	52	729	2,703	.....
Richfield Oil Corp.	4,668	1,733	5,264	.....
Royal Petroleum Corp.	139	1,305	4,249	1,661
Shell Oil Co., Inc.	5,137	1,420	8,163	2,532
Sinclair Refining Co.	4,681	3,029	8,476	11,030
Socony Vacuum Oil Co.	15,151	7,031	26,104	11,340
Sonneborn Sons, Inc.	2	.....	224	.....
Standard Oil Co. of N. J.	20,945	7,663	37,691	12,692
Sun Oil Co.	10,366	1,731	12,979	9,630
Texas Co.	12,246	2,391	234	3,319
Tidewater Associated Oil Co.	7,866	5,152	13,074	6,128
United Ref. Co.	.....	3	.....	.....
Valvoline Oil Co.	29	241	119	.....
Bradford Penn. Ref. Co.	9	.....	10	.....
The Ashland Oil & Refining Co.	.....	.....	100	.....

DISTRICT ONE—ZONE FIVE—Continued

[January 1943 (1st to 31st inclusive) quotas expressed in barrels per day]

Supplier	Gasoline	Kerosene	Distillate fuel oil	Residual fuel oil
Continental Oil Co.	49	.....	.....	.....
Gulf Oil Corp.	5,340	859	967	5,355
Orange State Fuel Oil Corp.	1,453	401	68	.....
Pan-American Petroleum & Transport Co.	1,999	332	600	3,707
Pure Oil Co.	4,013	655	669	1,348
Republic Oil Refining Co.	485	108	.....	.....
Shell Oil Co., Inc.	1,767	252	194	510
Sinclair Refining Co.	2,652	644	652	.....
Southeastern Oil Co.	136	30	7	.....
Standard Oil Co. of Ky.	6,533	1,424	2,714	5,318
Standard Oil Co. of New Jer.	.....	.....	1	1
Sun Oil Co.	673	17	1	.....
Texas Co.	3,361	556	262	960

DISTRICT ONE—ZONE SIX

Allegheny Refiners Co.	77	67	104	263
Atlantic Refining Co.	5,205	630	432	.....
Bradford Penn Refining Corp.	192	92	233	.....
Canfield Oil Co.	27	66	118	.....
Cantelou (S. D.) Petroleum Products	49	59	207	96
Carbide & Carbon Chemical Corp.	67	.....	.....	7
Cities Service Oil Co.	600	230	461	20
Continental Oil Co.	23	3	8	26
Continental Refining Co.	205	.....	28	.....
Crown Central Petroleum Corp.	422	.....	72	.....
Elk Refining Co.	710	154	20	42
Freedom Oil Co.	339	460	37	40
Frontier Fuel Oil Corp.	636	333	875	2,440
Gulf Oil Corp.	5,002	404	706	2,313
Hambleton Terminal Corp.	437	98	187	33
Hartol Products Corp.	26	.....	33	.....
Kendall Refining Co.	1,134	279	106	.....
Maritime Petroleum Corp.	.....	42	.....	.....
Pan-American Petroleum and Transport Co.	3,493	142	204	.....
Pennsylvania Refining Co.	249	300	215	.....
Pennzoil Co.	1,875	171	312	146
Pure Oil Co.	643	103	280	1,012
Quaker State Refining Corp. of Penn.	1,646	708	176	144
Republic Oil Refining Co.	264	3	3	.....
Richfield Oil Corp.	922	148	180	.....
Shell Oil Co., Inc.	247	62	76	11
Sinclair Refining Co.	1,929	657	428	692
Socony-Vacuum Oil Corp.	4,949	1,435	1,766	1,896
Sonneborn Sons, Inc.	112	.....	242	.....
Standard Oil Co. of N. J.	7,499	682	741	22
Sun Oil Co.	5,184	27	337	480
Texas Co.	3,097	332	5	14
Tide Water Associated Oil Co.	872	29	61	.....
United Refining Co.	769	139	107	76
Valvoline Oil Co.	148	51	238	.....
Waverly Oil Works Co.	167	240	142	.....
Wolf's Head Oil Refining Co.	125	64	72	14
The Ashland Oil & Refining Co.	1,568	65	547	.....

DISTRICT ONE—ZONE SEVEN

Allegheny Refiners Co.	1,000	1,000	1,000	1,000
Atlantic Refining Co.	1,000	1,000	1,000	1,000
Cities Service Oil Co.	1,000	1,000	1,000	1,000
Continental Oil Co.	1,000	1,000	1,000	1,000
Crown Central Petroleum Corp.	1,000	1,000	1,000	1,000
Gulf Oil Corp.	1,000	1,000	1,000	1,000
Pan-American Petroleum and Transport Co.	1,000	1,000	1,000	1,000
Pure Oil Co.	1,000	1,000	1,000	1,000
Republic Oil Refining Co.	1,000	1,000	1,000	1,000
Richfield Oil Corp.	1,000	1,000	1,000	1,000
Shell Oil Co., Inc.	1,000	1,000	1,000	1,000
Sinclair Refining Co.	1,000	1,000	1,000	1,000
Socony-Vacuum Oil Corp.	1,000	1,000	1,000	1,000
Standard Oil Co. of N. J.	1,000	1,000	1,000	1,000
Sun Oil Co.	1,000	1,000	1,000	1,000
Texas Co.	1,000	1,000	1,000	1,000
Tide Water Associated Oil Co.	1,000	1,000	1,000	1,000
Valvoline Oil Co.	1,000	1,000	1,000	1,000
The Ashland Oil & Refining Co.	1,000	1,000	1,000	1,000

(b) This amendment shall take effect on January 1, 1943.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of December 1942.

RALPH K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 42–14199; Filed, December 31, 1942; 11:52 a. m.]

TITLE 35—PANAMA CANAL

Chapter I—Canal Zone Regulations

PART 29—REGULATIONS UNDER TRADING WITH THE ENEMY ACT

CARRYING OF COMMUNICATIONS OUTSIDE REGULAR COURSE OF MAILS

I. Provisions of Statute

1. Section 3 (c) of the Trading with the Enemy Act approved October 6, 1917 (40 Stat. 412), provides that it shall be unlawful:

"For any person (other than a person in the service of the United States Government or of the Government of any nation, except that of an enemy or ally of enemy nation, and other than such person or classes of persons as may be exempted hereunder by the President or by such person as he may direct), to send, or take out of, or bring into, or attempt to send, or take out of, or bring into the United States, any letter or other writing or tangible form of communication, except in the regular course of the mail; and it shall be unlawful for any person to send, take, or transmit, or attempt to send, take, or transmit out of the United States, any letter or other writing, book, map, plan, or other paper, picture, or any telegram, cablegram, or wireless message, or other form of communication intended for or to be delivered, directly or indirectly, to an enemy or ally of enemy: *Provided, however,* That any person may send, take, or transmit out of the United States anything herein forbidden if he shall first submit the same to the President, or to such officer as the President may direct, and shall obtain the license or consent of the President, under such rules and regulations, and with such exemptions, as shall be prescribed by the President.

2. Under section 16 of the Trading with the Enemy Act any person bringing, or attempting to bring, into the United States any letter or other writing or tangible form of communication except in the regular course of the mail, is subject upon conviction to a fine of not more than $10,000 or to imprisonment for not more than ten years, or both, and the letter or other form of communication so brought in or attempted to be brought in is subject to seizure and forfeiture. Any person who sends or takes, or attempts to send or take from the United States any letter or other writing or tangible form of communication except in the regular course of the mail without a license therefor, is subject to a like penalty and the letter or other form of communication involved is subject to seizure and forfeiture.

3. Section 2 of the Trading with the Enemy Act of October 6, 1917 defines the words "United States" to mean "all land and water, continental or insular, in any way within the jurisdiction of the United States or occupied by the military or naval forces thereof," thereby including the Canal Zone.

II. Delegations of Authority

4. Section XI of Executive Order No. 2729–A of October 12, 1917, is in part as follows:

I further hereby vest in the Secretary of the Treasury the executive administration of

the provisions of subsection (c) of section 3 of the Trading with the Enemy Act relative to sending, or taking out of, or bringing into, or attempting to send, take out of, or bring into the United States any letter, writing, or tangible form of communication, except in the regular course of the mail. * * * And said Secretary of the Treasury is hereby authorized and empowered to issue licenses to send, take, or transmit out of the United States anything otherwise forbidden by said subsection (c) and give such consent or grant such exemption in respect thereto as is not inconsistent with law or to withhold or refuse the same.

5. Paragraph (3) of T.D. 50536 (6 F.R. 6807) dated December 24, 1941, as modified by T.D. 50763 (7 F.R. 9478) issued by the Acting Secretary of the Treasury and approved by the President August 14, 1942, provides as follows:

I hereby designate the Governor of the Panama Canal to act as the agency of the Secretary of the Treasury to administer and to issue licenses (except licenses to send, take, or transmit out of the United States any letter, writing or tangible form of communication intended for or to be delivered, directly or indirectly, to an enemy or ally of enemy) in respect of the authority vested in the Secretary of the Treasury under Article XI of said Executive Order relative to sending, or taking out of, or bringing into, or attempting to send, take out of, or bring into, the Canal Zone any letter or other writing or tangible form of communication except in the regular course of the mail. The authority conferred by this subparagraph (3) may, in the discretion of the Governor of the Panama Canal and by his direction, be exercised also by and through any official or officials of the Canal Zone designated by the Governor of the Panama Canal for that purpose, and the Governor of the Panama Canal may from time to time revoke any designation previously made by him and make any new designation.

III. Governor's Regulations

Pursuant to the authority conferred by sections 11 and 13 of Executive Order No. 2729–A dated October 12, 1917, and T.D. 50763 approved August 14, 1942, the following regulations are hereby prescribed for the enforcement of the provisions of the statute and order quoted above in the Canal Zone:

§ 29.1 *Governor's regulations.* (a) Every person arriving in the Canal Zone from any foreign country (except persons in the service of the United States Government or the Government of any nation other than Japan, Germany, Italy, Bulgaria, Roumania, Hungary and Albania, when such persons are travelling on official busines of their governments) shall be required to declare to customs officers, any letters or other tangible form of communication, carried on his persons or in his baggage, or otherwise brought with him or under his control.

(b) Customs officers examining arriving passengers and baggage shall, in addition to the usual customs examination, make a particular search to discover any letters or other tangible forms of communication and shall examine any such letters or other forms of communication so declared, or which may be found on the persons or in the baggage of such passengers, or which may have been brought into the Canal Zone otherwise than in the regular course of the mails.

(c) If it appear that any letter or other tangible form of communication is being brought into the Canal Zone with intention to evade or violate the law, or if it appear that the effect of bringing such letter or other form of communication into the Canal Zone would be inimical to the interests of our Government, or in the interests of its enemies, the customs officer shall detain any person having such letter or communication in his possession or under his control, and immediately report the facts to the Chief of Customs, for appropriate action.

(d) If it appear that any letter or other tangible form of communication is being brought into the Canal Zone without intention to evade or violate the law, and that the effect of bringing such letter or other form of communication into the Canal Zone would not be inimical to the interests of our Government or in the interests of its enemies, the Chief of Customs may license the bringing of such letter or other form of communication into the Canal Zone, in which case there shall be placed thereon the license, with the date, the name of the port, and the initials of the Chief of Customs or other authorized officer; and such letter or other form of communication may then be released provided there are affixed thereto the appropriate United States or Canal Zone postage stamps if the transmittal of the letter or other communication outside the mails is of such nature that the laws of the United States or of the Canal Zone require the use of such stamps.

(e) Any person to whom a license is refused by the Chief of Customs may appeal from such decision to the Governor, through the Chief, Division of Civil Affairs, stating all the facts relied upon to show that the decision of the Chief of Customs should be reversed.

(f) Customs officers shall require every person departing from the Canal Zone (except persons in the service of the United States Government or of the Government of any nation other than Japan, Italy, Germany, Bulgaria, Hungary, Roumania and Albania, when such persons are travelling on official business of their governments) to declare any letters or other tangible form of communication carried on his person, or contained in his baggage or otherwise brought with him or under his control. When such action is deemed necessary, customs officers shall also search the person and baggage of such persons departing from the Canal Zone for any letter or other form of communication.

(g) If any letter or form of communication be found which is not covered by a license issued pursuant to section XI of E.O. 2729–A or T.D. 50536 as modified by T.D. 50763, or other proper authority, the customs officers shall take possession of it, and deliver it to the Chief of Customs at the port from which the letter was to be taken out of the Canal Zone, for disposition.

(h) If upon investigation the Chief of Customs is satisfied that such letter or other form of communication was being taken out of the United States without any intention to violate or evade the law, and if such letter or other form of communication is not intended for or to be delivered to an enemy of ally of an enemy, and without any intention to injure the interests of the United States, then he may grant a license for the taking of such letter out of the Canal Zone as provided in section XI of E.O. 2729–A or T. D. 50536 as modified by T. D. 50763, or he may cause the letter to be surrendered for posting in the regular mails, in which event he shall collect a corresponding amount of postage from the person in whose possession or control it was found, and shall affix postage stamps on the envelope and cause it to be posted in the regular mails.

(i) If such letter or other form of communication is intended for, or to be delivered to an enemy or an ally of an enemy, and a license therefor has not been issued pursuant to proper authority, the Chief of Customs shall hold it in his possession until he is instructed concerning its disposition. If the Chief of Customs finds on investigation that such letter or other form of communication is being taken out of the Canal Zone with intention to violate or evade the law, or if the effect of taking it out would be to injure the interests of the United States or to advance the interests of its enemies, he shall sieze such letter or other form of communication and detain the person in whose possession it was found, or who had it under his control, and shall report the facts for appropriate action.

(j) In connection with the examination of imports and exports for customs and control purposes, cus ms officers shall be alert to detect any letter or other tangible form of communication brought into or intended to be taken out of the Canal Zone, contrary to law, and if such be found, shall take possession of it and submit it to the Chief of Customs for disposition.

(k) These restrictions apply also to the officers and crews of ships and aircraft, and to company and consignee's mail. Upon arrival of ship or aircraft, all company or consignee's mail and other forms of communication in the possession of the officers or crew shall first be presented to the customs for examination. Prior to the departure of ship or aircraft, company and consignee's mail shall be submitted to the customs for examination and after inspection such mail shall be sealed and stamped with an appropriate notation indicating that its departure is licensed. Similarly, pursers and ships' agents shall deliver to customs officers, all communications mailed on board ships, with a corresponding amount of postage, and the Chief of Customs shall cause such communications to be posted in the regular mail.

(l) Licenses to take or send from the Canal Zone any letter or other tangible form of communication otherwise than in the regular course of the mails may be granted, if such letter or other form of communication is not inimical to the interests of the United States or is not intended for, or to be delivered to an enemy or ally of an enemy, upon compliance with the following procedure.

(m) Any person desiring to take or send from the Canal Zone such letter or other form of communication otherwise than through the regular course of the mails shall file an application therefor with the Chief of Customs at the port at which such letter or other form of communication is to leave the Canal Zone, or with the Chief of Customs nearest the place of residence of such person.

(n) Such application shall contain a full statement of the reasons why it is necessary or desired to send such communication otherwise than in the regular course of the mail and shall have attached thereto the actual letter or other form of communication which it is desired to send or take from the Canal Zone, and if in a language other than Spanish or English, a translation thereof.

(o) If the Chief of Customs receiving such application is satisfied that a good reason exists for the taking of such letter or other form of communication otherwise than through the regular course of the mail, and that such action will not be inimical to the interests of the United States, he shall stamp the letter or other form of communication with an appropriate notation indicating that the sending or taking out of the Canal Zone of such letter or other form of communication is properly licensed, and return it to the applicant, who shall declare and exhibit it to the customs officer who examines his baggage at the time of his departure.

(p) If the Chief of Customs to whom application had been made is of the opinion that the granting of any application for a license will be inimical to the interests of the United States, or if he is of the opinion that there is not sufficiently strong evidence to support applicant's request to send or take out of the Canal Zone any letter or other form of communication otherwise than through the regular course of the mails, he shall refuse to grant the license.

(q) Any person to whom license is refused by any Chief of Customs may appeal from such decision to the Governor through the Chief, Division of Civil Affairs. Such appeal shall state all the facts required to be stated in the application for license and any additional facts or reasons the applicant may consider pertinent to show why the decision of the Chief of Customs concerned should be reversed.

(r) A general license extending over a period of time may be granted upon application made to the Governor and its being shown that the granting of such a general license is necessary to the orderly transaction of the applicant's business, and is not contrary to the interests of the United States. Each application for such a license shall state all the facts required to be stated in an application for an individual license and such additional facts as may be relied upon to show why a general license should be granted, and shall be filed with the Chief of Customs at the port of entry from which the communications are to be sent. Such applications shall be forwarded to the Chief, Division of Civil Affairs by the Chief of Customs after an investigation of the facts, with his report and recommendation, and the Chief, Division of Civil Affairs shall forward the application with all accompanying papers and his recommendation to the Governor through the Executive Secretary. Such general license, when granted, will be issued through the Chief of Customs at the port at which the application was filed, and the applicant will be notified of the granting thereof.

(s) In case of doubt, the Chief of Customs shall refer any application to the Chief, Division of Civil Affairs for investigation and directions.

(t) Any license issued pursuant to these regulations may be revoked at any time.

(u) Each Chief of Customs shall report to the Chief, Division of Civil Affairs all licenses granted by him, stating the name, occupation, and address of each sender and addressee, and the nature and subject matter of the communication licensed.

(v) Chiefs of Customs shall not issue licenses for any letter or other tangible form of communication intended for or to be delivered to an enemy or ally of an enemy, whether to be sent outside the regular course of the mail, or otherwise.

GLEN E. EDGERTON,
Governor.

DECEMBER 19, 1942.

[F. R. Doc. 42–14151; Filed December 30, 1942; 10:51 a. m.]

TITLE 46—SHIPPING

Chapter I—Bureau of Customs

Subchapter A—Documentation, Entrance and Clearance of Vessels, Etc.

[T.D. 50794]

TRANSPORTATION OF COAL BETWEEN NORFOLK, VA., AND EASTPORT, MAINE

WAIVER OF ENTRANCE AND CLEARANCE LAWS

DECEMBER 28, 1942.

Entrance and clearance laws waived for certain foreign-flag vessels transporting coal between United States ports in the range between Norfolk, Virginia, and Eastport, Maine, until and including April 30, 1943.

Waiving compliance with the provisions of the navigation laws relating to entrance and clearance of vessels.

Upon the written recommendation of the Administrator of the War Shipping Administration and pursuant to the authority vested in me by the provisions of section 501 of the Second War Powers Act, 1942 (Public Law 507, 77th Congress), I hereby waive compliance with the provisions of the navigation laws relating to the entrance and clearance of vessels to the extent necessary to permit foreign-flag vessels which are under time charter to the War Shipping Administration and which are engaged in the transportation of coal between United States ports in the range between Norfolk, Virginia, and Eastport, Maine, to be accorded the same treatment with respect to report of arrival, entrance, clearance, coastwise permits to proceed, and manifests, as is accorded enrolled or licensed vessels of the United States engaged in the same trade. I deem that such action is necessary in the conduct of the war.

This order shall be effective until and including April 30, 1943, only.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 42–14170; Filed, December 30, 1942; 4:01 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 10—STEAM ROADS; UNIFORM SYSTEM OF ACCOUNTS

NOTE: An order of the Interstate Commerce Commission modifying the classification of operating revenues and operating expenses, dated December 16, 1942, effective January 1, 1943, was filed with the Division of the Federal Register December 30, 1942, at 11:38 a. m., F.R. Doc. No. 42–14153. Requests for copies may be addressed to the Interstate Commerce Commission.

PART 10—STEAM ROADS; UNIFORM SYSTEM OF ACCOUNTS

NOTE: An order of the Interstate Commerce Commission modifying the classification of investment in road and equipment, dated December 16, 1942, effective January 1, 1943, was filed with the Division of the Federal Register December 30, 1942 at 11:38 a. m., F.R. Doc. 42–14152. Requests for copies may be addressed to the Interstate Commerce Commission.

PART 10—STEAM ROADS; UNIFORM SYSTEM OF ACCOUNTS

NOTE: An order of the Interstate Commerce Commission modifying the classification of income, profit and loss, and general balance sheet accounts, dated December 16, 1942, effective January 1, 1943, was filed with the Division of the Federal Register December 30, 1942 at 11:38 a. m., F.R. Doc. No. 42–14154. Requests for copies may be addressed to the Interstate Commerce Commission.

PART 10—STEAM ROADS; UNIFORM SYSTEM OF ACCOUNTS

NOTE: An order of the Interstate Commerce Commission modifying the interpretations of accounting classifications, dated December 16, 1942, effective January 1, 1943, was filed with the Division of the Federal Register December 30, 1942, at 11:38 a. m., F.R. Doc. No. 42–14155. Requests for copies may be addressed to the Interstate Commerce Commission.

Notices

WAR DEPARTMENT.

FIXED TEXT RADIO, CABLE, AND SENDER'S COMPOSITION MESSAGES FOR ARMED FORCES STATIONED OUTSIDE U. S.

ACCEPTANCE OF MESSAGES TO AND FROM AMERICAN RED CROSS PERSONNEL

DECEMBER 14, 1942.

In addition to information contained in Circular No. 378,[1] War Department, 1942, relative to fixed text radio, cable, and sender's composition messages for armed forces stationed outside U. S., arrangements have been made for the acceptance of EFM to and from personnel of the American Red Cross receiving their mail through oversea APO's. The conditions of acceptance for EFM to and from personnel of the American Red Cross are the same as for EFM to and from members of the armed forces except that the word "AMCROSS" will be used in the address in lieu of the Army serial number on outgoing messages. (R.S. 161; 5 U.S.C. 22) [Cir. 404, W.D., Dec. 14, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-14176; Filed, December 31, 1942; 9:31 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket Nos. 490-FD, 1227-FD, 1560-FD, 1613-FD, 1877-FD, C-4, C-10, C-16, C-18]

PUBLIC SERVICE CO. OF INDIANA

MEMORANDUM OPINION AND ORDER

In the matter of the applications of Public Service Company of Indiana for a determination of the status of the coal produced at the Dresser Mine, Vigo County, Indiana, in District 11, pursuant to section 4-A of the Bituminous Coal Act of 1937.

Pursuant to an agreement dated December 30, 1936, and expiring on December 31, 1942, Walter Bledsoe & Company has mined coal at the Dresser Mine of Public Service Company of Indiana, Inc., in Vigo County, Indiana, District No. 11. The commerce in the coal thus mined is the subject matter of applications for exemption filed in each of the above dockets by Public Service Company of Indiana, Inc., or its predecessor.

On December 26, 1942, Public Service Company of Indiana, Inc., filed a supplemental application for determination of status and Walter Bledsoe & Company, which is deemed to be an intervenor in the above dockets, filed a similar application. These applications recite that the agreement whereby Walter Bledsoe & Company mines coal at the said Dresser Mine expires on December 31, 1942, and that on December 23, 1942, a supplemental agreement was entered by the two companies to extend the agreement of December 30, 1936, with certain modifications, until December 31, 1943. Copies of the said supplemental agreement and of an agreement for the sale of coal by Walter Bledsoe & Company to Public Service Company of Indiana, Inc., also dated December 23, 1942, have been submitted with the supplemental applications.

The supplemental applications request that an order be entered to provide that such interim exemptions as Public Service Company of Indiana, Inc., and Walter Bledsoe & Company may be entitled to under the second paragraph of section 4-A of the Bituminous Coal Act of 1937 with respect to commerce in the coal produced at the said Dresser Mine be continued in effect as though the agreement dated December 30, 1936, had been scheduled to expire on December 31, 1943, rather than on December 31, 1942.

An examination of the agreements dated December 23, 1942, indicates that the changes contemplated in the arrangement heretofore existing under the agreement dated December 30, 1936, for the mining of coal at the said Dresser Mine are not so substantial as to render moot the applications and intervening petitions in the above dockets or any proceedings heretofore held therein, or as to necessitate the filing of additional applications for exemption because of the modifications of the agreement dated December 30, 1936.

Now, therefore, it is ordered, That any interim exemption applicable to the commerce in the coal produced at the Dresser Mine of Public Service Company of Indiana, Inc., in Vigo County, Indiana, District No. 11, is continued in full force and effect until December 31, 1943, or until the final determination on the above dockets, or until further change in the agreement under which Walter Bledsoe & Company mines coal at the said Dresser Mine, whichever is soonest.

This order is not intended nor shall it be construed to express any opinion with respect to the legal sufficiency or propriety of either of said agreements dated December 23, 1942, or with respect to the merits of the applications for exemption filed in the above dockets.

Dated: December 30, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 42-14178; Filed, December 31, 1942; 10:55 a. m.]

General Land Office.

[Public Land Order 70]

CALIFORNIA

WITHDRAWING PUBLIC LAND FOR USE OF THE NAVY DEPARTMENT AS A MARINE CORPS AIR BASE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942; *It is ordered as follows:*

Subject to valid existing rights, the following-described public land is hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral leasing laws, and reserved for the use of the Navy Department as a Marine Corps air base:

SAN BERNARDINO MERIDIAN

T. 11 N., R. 12 W., sec. 10, N½.
The area described contains 320 acres.

This order shall take precedence over, but shall not rescind or revoke, the withdrawal for classification and other purposes made by Executive Order No. 6910 of November 26, 1934, as amended, so far as such order affects the above-described land.

It is intended that the land described herein shall be returned to the administration of the Department of the Interior, when it is no longer needed for the purpose for which it is reserved.

ABE FORTAS,
Acting Secretary of the Interior.

DECEMBER 16, 1942.

[F. R. Doc. 42-14173; Filed, December 31, 1942; 9:31 a. m.]

[Public Land Order 72]

ARIZONA

WITHDRAWING PUBLIC LANDS FOR USE OF THE DEFENSE PLANT CORPORATION IN CONNECTION WITH THE OPERATION OF A SCHOOL FOR TRAINING ARMY AIRCRAFT PILOTS

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942: *It is ordered as follows:*

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral leasing laws, and reserved for the use of the Defense Plant Corporation in connection with the operation of a school for training army aircraft pilots:

GILA AND SALT RIVER MERIDIAN

T. 15 S., R. 12 E., sec. 22, E½SE¼.
The area described aggregates 80 acres.

This order shall take precedence over, but shall not rescind or revoke, the temporary withdrawal for classification and other purposes made by Executive Order No. 6910 of November 26, 1934, as amended, so far as such order affects the above-described lands.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which they are reserved.

HAROLD L. ICKES,
Secretary of the Interior.

DECEMBER 23, 1942.

[F. R. Doc. 42-14174; Filed, December 31, 1942; 9:32 a. m.]

[1] 7 F.R. 10261.

DEPARTMENT OF LABOR.

Wage and Hour Division.

[Administrative Order 170]

SUGAR AND RELATED PRODUCTS INDUSTRY

ACCEPTANCE OF RESIGNATION FROM AND APPOINTMENT TO INDUSTRY COMMITTEE NO. 50

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignation of Mr. Adolph Lesser from Industry Committee No. 50 for the Sugar and Related Products Industry, and do appoint in his stead Mr. Stanley H. Ruttenberg of Washington, D. C., as representative for the employees on such committee.

Signed at New York, New York, this 30th day of December 1942.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 42-14175; Filed, December 31, 1942; 9:31 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 334]

SAFE DEPOSIT BOXES LEASED BY WILLY HALLER AND ERNA KASPAREK

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

(a) Finding that Willy Haller and Erna Kasparek, whose last known addresses were represented to the undersigned as being in Germany, are nationals of a designated enemy country (Germany);

(b) Finding that all right, title and interest (including the right of access to the safe deposit boxes hereinafter mentioned) of Willy Haller and Erna Kasparek in and to their respective contracts with Chase Safe Deposit Company, New York, pursuant to which said Willy Haller and Erna Kasparek leased safe deposit boxes numbered respectively 428 and 367 and located respectively at the 45 Madison Avenue branch and 60 East 42nd Street branch of said company, is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

(c) Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

(d) Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

(e) Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in paragraph (b), to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on November 6, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-14181; Filed, December 31, 1942; 11:28 a. m.]

[Vesting Order 347]

ALL OF THE CAPITAL STOCK OF AMERLUX STEEL PRODUCTS CORPORATION

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

(a) Finding that Comptoir Metallurgique Luxembourgeois "Columeta" (hereinafter referred to as "Columeta"), whose last known address was represented to the undersigned as being Luxembourg, G. D., and Coluflandres S. A., whose last known address was represented to the undersigned as being Belgium, are owned and controlled by the Societe des Allers Reunies de Burbach Eich Dudelange (hereinafter referred to as "Arbed"), whose last known address was represented to the undersigned as being Luxembourg, G. D.;

(b) Finding that said Arbed is controlled by or acting or purporting to act directly or indirectly for the benefit or on behalf of or as a cloak for a designated enemy country (Germany) or a person within such country, and therefore determining that Arbed is a national of said designated enemy country (Germany);

(c) Determining, therefore, that Columeta and Coluflandres S. A. are nationals of the aforesaid designated enemy country (Germany);

(d) Finding that said Columeta and Coluflandres S. A. are the owners of 245 shares and 5 shares, respectively, of $100 par value common stock of Amerlux Steel Products Corporation, a New York corporation, New York, New York, which is a business enterprise within the United States and which 250 shares constitute all of the outstanding capital stock of said business enterprise and represent ownership thereof, and therefore determining that such business enterprise is a national of the aforesaid designated enemy country (Germany);

(e) Determining that to the extent that such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

(f) Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

(g) Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the shares of stock described in paragraph (d), to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on November 7, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-14182; Filed, December 31, 1942; 11:28 a. m.]

[Vesting Order 370]

SILESIAN-AMERICAN CORP.

Re: 41.67% of the preferred stock and 49% of the common stock of Silesian-American Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

50,000 shares of 7% cumulative non-voting preferred stock and 98,000 shares of common stock (which constitute substantial parts, namely, 41.67% and 49%, respectively, of all outstanding shares of preferred and common stock) of Silesian-American Corporation, a Delaware corporation, New York, New York, which is a business enterprise within the United States, owned by Non Ferrum Gesellschaft zur Finanzierung von Unternehmungen des Bergbaues und der Industrie der Nichteisenmetalle, Zurich, Switzerland, and held for the benefit of Bergwerksgesellschaft

Georg von Giesche's Erben, a German corporation,

is property of, and represents an interest in said business enterprise which is, a national of a designated enemy country (Germany), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on November 17, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc 42–14163; Filed, December 31, 1942; 11:28 a. m.]

[Vesting Order 426]

M. HENSOLDT & SONS, INC.

Re: All of the capital stock of M. Hensoldt & Sons, Inc., and certain indebtedness owing by it.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

(a) That the property described as follows:

All of the capital stock of M. Hensoldt & Sons, Inc., a New York corporation, New York, New York, which is a business enterprise within the United States, consisting of 300 shares of $1.00 par value common stock,

is owned by M. Hensoldt & Sons, Inc., a German corporation, Wetzlar, Germany, and therefore is property of, and represents ownership of a business enterprise which is, a national of a designanted enemy country (Germany); and

(b) That the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of M. Hensoldt & Sons, Inc., Wetzlar, Germany, in and to all indebtedness, contingent or otherwise and whether or not matured, owing to it by said New York corporation, including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness,

is an interest in said business enterprise held by a national of an enemy country, and also is property within the United States owned or controlled by a national of a designated enemy country (Germany);

(c) That the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of M. Hensoldt & Sons, Canada, in and to all indebtedness, contingent or otherwise and whether or not matured, owing to it by said M. Hensoldt & Sons, Inc., including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness,

is an interest in said business enterprise held by M. Hensoldt & Sons, Canada, which is owned or controlled by M. Hensoldt & Sons, Inc. Wetzlar, Germany, and which therefore is a national of an enemy country, and also is property within the United States owned or controlled by a national of a designated enemy country (Germany);

and determining that to the extent that said nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany), and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on December 1, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–14184; Filed, December 31, 1942; 11:28 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 105 Under MPR 188]

OWENS-ILLINOIS GLASS COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 105 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

On November 4, 1942, the Owens-Illinois Glass Company, Toledo, Ohio, filed an application with the Office of Price Administration seeking a specific authorization pursuant to § 1499.158 of Maximum Price Regulation No. 188 to determine maximum prices for certain "new products" (as defined in paragraph (b) below) and for instructions as to the method to be used in determining maximum prices for such products to be manufactured by them. Due consideration has been given to the application, and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Authorization for the Owens-Illinois Glass Company to determine maximum prices for certain new products. (a) The maximum prices which may be charged by the Owens-Illinois Glass Company for new products shall be determined in all respects in accordance with the provisions of § 1499.157 of Maximum Price Regulation No. 188, except that, in the computation of direct material and direct labor costs pursuant to those provisions, the Owens-Illinois Glass Company may employ its method of standard cost accounting rather than using actual costs as required by § 1499.157 of Maximum Price Regulation No. 188: *Provided*, That the requirements in that section as to using the month of March 1942 as a basic reference period in computation of costs and maximum prices shall be preserved under this order.

(b) The term "new product" as used in this Order No. 105 shall include all glass containers manufactured by the Owens-Illinois Glass Company which are subject to Maximum Price Regulation No. 188; and

(1) Which are not part of the Owens-Illinois Glass Company's standard line of products; and

(2) Which were not delivered or offered for delivery during March 1942 by the Owens-Illinois Glass Company; and

(3) The prices of which cannot be determined upon the basis of prices which the Owens-Illinois Glass Company had in effect for glass containers during March 1942; and

(4) Which may not be priced under § 1499.155 of Maximum Price Regulation No. 188.

(c) The authorization granted to the Owens-Illinois Glass Company in (a) above is subject to the conditions that it shall, at the time of sale of any product priced under this Order, notify the purchaser of such product that the Office of Price Administration has by this order authorized its maximum prices as provided in (a) above.

(d) Any selling price determined under this order shall be subject to adjustment at any time by the Office of Price Administration.

(e) This Order No. 105 may be revoked or amended by the Office of Price Administration at any time.

(f) This order No. 105 shall become effective December 31, 1942.

(Pub. Laws 421 and 729, 77th Congress; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of December 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–14156; Filed, December 30, 1942; 12:16 p. m.]

[Order 106 Under MPR 188]

ARMSTRONG CORK CO.

APPROVAL OF MAXIMUM PRICES

Order No. 106 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

On October 21, 1942, the Armstrong Cork Company of Lancaster, Pennsylvania, filed an application with the Office of Price Administration seeking a specific authorization pursuant to § 1499.158 of Maximum Price Regulation No. 188 to determine maximum prices for certain "new products" (as defined in paragraph (b) below) and for instructions as to the method to be used in determining maximum prices for such products to be manufactured by them. Due consideration has been given to the application, and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Authorization for the Armstrong Cork Company to determine maximum prices for certain new products.

(a) The maximum prices which may be charged by the Armstrong Cork Company for new products shall be determined in all respects in accordance with the provisions of § 1499.157 of Maximum Price Regulation No. 188, except that, in the computation of direct material and direct labor costs pursuant to those provisions, the Armstrong Cork Company may employ its method of standard cost accounting rather than using actual costs as required by § 1499.157 of Maximum Price Regulation No. 188: *Provided*, That the requirements in that section as to using the month of March 1942, as a basic reference period in computation of costs and maximum prices shall be preserved under this order.

(b) The term "new product" as used in this Order No. 106 shall include all glass containers manufactured by the Armstrong Cork Company which are subject to Maximum Price Regulation No. 188; and

(1) Which are not part of the Armstrong Cork Company's standard line of products; and

(2) Which were not delivered or offered for delivery during March 1942 by the Armstrong Cork Company; and

(3) The prices of which cannot be determined upon the basis of prices which the Armstrong Cork Company had in effect for glass containers during March 1942; and

(4) Which may not be priced under § 1499.155 of Maximum Price Regulation No. 188.

(c) The authorization granted to the Armstrong Cork Company in (a) above is subject to the conditions that it shall, at the time of sale of any product priced under this order, notify the purchaser of such product that the Office of Price Administration has by this order authorized its maximum prices as provided in (a) above.

(d) Any selling price determined under this order shall be subject to adjustment at any time by the Office of Price Administration.

(e) This Order No. 106 may be revoked or amended by the Office of Price Administration at any time.

(f) This Order No. 106 shall become effective December 31, 1942.

(Pub. Laws 421 and 729, 77th Congress; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of December 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–14157; Filed, December 30, 1942; 12:16 p. m.]

[Order 111 Under MPR 188]

THE NUNN COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 111 under § 1499.161 (a) of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Authorization of a Maximum Price for Crude Sand, Glass Sand, and Fines for The Nunn Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Order No. 9250 and under § 1499.161 (a) of Maximum Price Regulation No. 188; *It is hereby ordered*, That:

(a) The Nunn Company, 404 Fay Building, Los Angeles, California, may sell and deliver, f. o. b. its plant, Overton, Nevada, "crude sand," "glass sand," and "fines" at the prices set forth below:

(1) Crude sand at $2.03 per ton.

(2) Glass sand at $3.42 per ton.

(3) Fines at $2.22 per ton.

(b) All prayers in the petition not specifically granted herein are denied.

(c) The petitioner shall submit such reports to the Office of Price Administration as it may from time to time require.

(d) This Order No. 111 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 111 shall become effective December 30, 1942.

Issued this 30th day of December, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–14169; Filed, December 30, 1942; 4:04 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70–639]

GENERAL WATER, GAS AND ELECTRIC CO. AND WALNUT ELECTRIC AND GAS CORP.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 28th day of December, A. D. 1942.

In the matter of General Water, Gas & Electric Company, W. C. Gilman, as liquidating trustee of Walnut Electric & Gas Corporation.

General Water, Gas & Electric Company, a registered holding company, and W. C. Gilman, as Liquidating Trustee of Walnut Electric & Gas Corporation, a registered holding company, said Trustee also being a registered holding company have jointly filed an application and declaration pursuant to sections 9 (a), 10 and 12 (d) of the Public Utility Holding Company Act of 1935 and Rule U-44 promulgated under said Act, in regard to certain transactions, which may be summarized as follows:

W. C. Gilman as Liquidating Trustee under a certain Liquidating Trust Agreement, dated June 1, 1939 and amended May 1, 1942 presently holds legal title to 5,000 shares of Class A and 15,000 shares of Class B stock of Walnut Electric & Gas Corporation, a registered holding company, the same constituting all of the outstanding stock of said corporation and also constituting the sole assets of said Liquidating Trust. General Water, Gas & Electric Company is the beneficial owner of all of such stock. The Liquidating Trust has no outstanding securities and no indebtedness. The Liquidating Trust Agreement, by the terms thereof, expired on December 1, 1942 and has not been renewed. Gilman as such Liquidating Trustee proposes to

transfer and deliver all of the stock so held by him to General Water, Gas & Electric Company without any consideration other than the satisfaction of the legal right of General Water, Gas & Electric Company to receive such stock upon the termination of such trust agreement. General Water, Gas & Electric Company, in turn, proposes to acquire such stock from said trustee.

Said application and declaration having been filed on December 3, 1942, and notice of said filing having been duly given in the form and manner prescribed in Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said application and declaration within the period specified in said notice or otherwise, and not having ordered a hearing thereon; and

The Commission finding that all applicable statutory requirements are met and deeming it appropriate in the public interest and in the interest of investors and consumers to grant said application and to permit said declaration to become effective;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act, and subject to the terms and conditions prescribed in Rule U-24 that the said application be, and the same is hereby granted, and the said declaration be, and it is hereby permitted to become effective forthwith.

By the Commission, Commissioner Healy dissenting for the reasons set forth in his memorandum of April 1, 1940.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-14161; Filed, December 30, 1942; 2:29 p. m.]

[File No. 70-651]

SOUTHWESTERN PUBLIC SERVICE COMPANY

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 28th day of December, A. D., 1942.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by Southwestern Public Service Company, a registered holding company, (hereinafter called Southwestern). The declaration or application (or both) is filed under section 12 (d) of the Act, and Rule U-44 of the rules and regulations promulgated thereunder as applicable to the transactions proposed. All interested persons are referred to said documents, which are on file in the office of this Commission, for a complete statement of the transactions therein proposed, which are summarized as follows:

Southwestern proposes to sell all of the outstanding capital stock (being all of the securities) of two of its subsidiaries, Arizona Electric Power Company and Flagstaff Electric Light Company, to an individual, one James C. Tucker. The purchase price for the Arizona Electric Power Company is the sum of $425,000, in cash, and for the Flagstaff Electric Light Company is the sum of $350,000, cash.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said declaration or application (or both), and that said declaration or application (or both) shall not become effective or be granted except pursuant to further order of the Commission.

It is ordered, That a hearing on said declaration or application (or both) under the applicable provisions of the Act and the rules of the Commission thereunder be held on January 14, 1943 at 10:00 A. M., E. W. T., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of the issues presented by said declaration or application (or both), particular attention will be directed to the following matters:

1. Whether the consideration to be paid by the purchaser, James C. Tucker, and to be received by Southwestern for all of the outstanding capital stock of Arizona Electric Power Company and Flagstaff Electric Light Company is unfair or unreasonable;

2. The identity of the purchaser, his interest in any other public utility, and whether or not his acquisition of the proposed securities of the Arizona Electric Power Company and Flagstaff Electric Light Company will serve the public interest by tending towards the economical and efficient development of an integrated public-utility system, and whether such acquisition will tend towards interlocking relations or concentration of control of public utility companies of a kind or to an extent detrimental to the public interest or the interest of investors or consumers.

3. What terms and conditions, if any, are necessary to be imposed to insure compliance with the requirements of the Public Utility Holding Company Act of 1935 or any rules, regulations or orders promulgated thereunder;

It is further ordered, That any other person desiring to be heard in connection with these proceedings or proposing to intervene herein shall file with the Secretary of the Commission, on or before January 9, 1943, his request or application therefor as provided by Rule XVII of the Rules of Practice of the Commission.

It is further ordered, That the Secretary of the Commission shall serve notice of the hearing aforesaid by mailing a copy of this order to Southwestern Public Service Company by registered mail; and that notice of said hearing be given to all persons by publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-14163; Filed, December 30, 1942; 2:29 p. m.]

[File Nos. 7-650 to 7-672]

LOS ANGELES STOCK EXCHANGE

ORDER DISPOSING OF APPLICATIONS, ETC.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 28th day of December, A. D. 1942.

In the matter of applications by the Los Angeles Stock Exchange for permission to extend Unlisted Trading Privileges to Twenty-Three (23) Stocks.

Order disposing of applications for permission to extend unlisted trading privileges.

The Los Angeles Stock Exchange having made application to the Commission, pursuant to section 12 (f) of the Securities Exchange Act of 1934 and Rule X-12F-1, for permission to extend unlisted trading privileges to twenty-three securities; and

After appropriate notice a hearing having been held in this matter at the Los Angeles Branch Office of the Commission; and

The Commission having this day made and filed its findings and opinion herein;

It is ordered, Pursuant to section 12 (f) of the Securities Exchange Act of 1934, that the applications of the Los Angeles Stock Exchange for permission to extend unlisted trading privileges to:

American Viscose Corp., $14 Par Common Stock
Commonwealth Edison Company, $25 Par Shares.
Consolidated Aircraft Corp., $1 Par Common Stock.
Libby, McNeill & Libby, $7 Par Common Stock.
Standard Oil Company (Indiana), $25 Par Capital Stock.
F. W. Woolworth Company, $10 Par Capital Stock.

be and the same are hereby approved; and

It is further ordered, That decision with respect to the applications of the Los Angeles Stock Exchange for permission to extend unlisted trading privileges to:

Boeing Airplane Company, $5 Par Common Stock
Borden Company, $15 Par Common Stock.
Crown Zellerbach Corporation, $5 Par Common Stock.
Deere and Company, Common Stock, No Par Value.
Electric Auto-Lite Company, $5 Par Common Stock
Great Northern Railway Company, $6 Non-Cumulative Preferred Stock, No Par Value
Interlake Iron Corporation, Common Stock No Par Value.
Newport News Shipbuilding and Dry Dock Company, $1 Par Common Stock.
Phelps Dodge Corporation, $25 Par Capital Stock
Phillips Petroleum Company, Capital Stock, No Par Value.
Pullman Incorporated, Capital Stock, No Par Value.
Southern Railway Company, $100 Par 5% Non-Cumulative Preferred Stock.
Texas Gulf Sulphur Company, Common Stock, No Par Value.
Union Pacific Railroad Company, $100 Par Common Stock.
Western Union Telegraph Company, $100 Par Common Stock.
White Motor Company, $1 Par Common Stock.
Wilson and Company, Inc., Common Stock, No Par Value.

be reserved with leave to the applicant exchange to notify the Commission, within a period of fifteen days from the date of this order, of its desire to introduce additional evidence with respect to these applications. If no such notification is received within this time, an order will then be issued denying said applications.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-14164; Filed, December 30, 1942; 2:31 p. m.]

[File No. 70-648]

GENERAL GAS & ELECTRIC CORPORATION

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 29th day of December, A. D., 1942.

General Gas & Electric Corporation, a registered holding company, and a subsidiary of Trustees of Associated Gas and Electric Corporation in reorganization pursuant to Chapter X of the Bankruptcy Act, having filed a declaration pursuant to section 12 (c) of the Public Utility Holding Company Act of 1935 and Rule U-46 promulgated thereunder, concerning the following proposed transaction:

General Gas & Electric Corporation has outstanding 4% interest bearing scrip in the aggregate principal amount of $999,360.79, maturing December 30, 1942. This scrip was issued in December 1937 in lieu of a cash dividend on the Cumulative Preferred Stocks of General Gas & Electric Corporation. The accrued interest at date of maturity totals $199,872.15.

Of this scrip $40,035.97 principal amount, to which $8,007.19 of accrued interest is applicable, is publicly held. General Gas & Electric Corporation is proposing to discharge at maturity these public holdings. The balance of the scrip is held by the Trustees of Associated Gas and Electric Corporation. These Trustees have agreed not to present for payment at this time any scrip held by them but rather that they will await further order of this Commission before making presentation for any payment either on principal or interest. It appears that this scrip may have originated from capital or unearned surplus.

Said declaration having been filed on December 12, 1942, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act and the Commission not having received a request for a hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission seeing no reason for making adverse findings herein, and deeming it appropriate in the public interest and the interest of investors and consumers to permit said declaration to become effective;

It is ordered, Pursuant to Rule U-23, and the applicable provisions of said Act, and subject to the terms and conditions prescribed in Rule U-24 that the aforesaid declaration be and hereby is permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-14165, Filed December 30, 1942; 2:31 p. m.]

[File Nos. 54-64, 59-60]

INDIANA HYDRO-ELECTRIC POWER CO. AND MIDLAND UNITED CO.

NOTICE OF FILING, ETC.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23rd day of December 1942.

In the matter of Indiana Hydro-Electric Power Company and Hugh M. Morris, trustee of the estate of Midland United Company.

Notice of filing and order for hearing on plan filed and notice of and order instituting proceedings and for hearing and order consolidating hearings.

I

Notice is hereby given that Indiana Hydro-Electric Power Company, a subsidiary of Hugh M. Morris, Trustee of the Estate of Midland United Company, a registered holding company, has filed an application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for approval of a plan of recapitalization of said Indiana Hydro-Electric Power Company (hereinafter sometimes called Hydro). All interested persons are referred to said document which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

(1) The authorized capital stock of Hydro, now consisting of 21,500 shares of Preferred Stock of the par value of $100 each, and 35,000 shares of Common Stock of the par value of $100 each (hereinafter called the "Old Common"), will be changed to 250,000 shares of new common stock of the par value of $10 each (hereinafter called the "New Common").

(2) The 107 shares of Preferred Stock now in the treasury of Hydro will be cancelled, and the 20,898 shares of Preferred Stock now outstanding will be reclassified into 229,878 shares of New Common.

(3) The escrow agreement of May 6, 1922, will be terminated and the 14,000 shares of Old Common now held in escrow under said agreement will be returned to Hydro and cancelled.

(4) The remaining 21,000 shares of Old Common now outstanding will be reclassified into 11,025 shares of New Common.

(5) The capital of Hydro will be reduced by $3,180,770, and the amount thereof credited to Capital Surplus.

(6) Hydro will distribute to the holders of the Preferred Stock of Hydro $14.208 in cash and 11 shares of New Common for each share of Preferred Stock now outstanding.

(7) Hydro will distribute to the holders of the Old Common .525 shares of New Common for each share of Old Common now outstanding, exclusive of the Common Stock now held in escrow.

(8) The holders of the Preferred Stock and Old Common will have only the right to receive the cash and New Common distributable to them under the Plan, and such other rights as are incident to the ownership of such New Common, and all other rights of such stockholders against or with respect to Hydro will cease and become void.

II

The file and records of the Commission contain data establishing, or tending to establish, the following:

(1) Midland United Company, a public utility holding company, is a Delaware Corporation, which is and has been since June 9, 1934, in reorganization under section 77B of the Bankruptcy Act, as amended, under the jurisdiction of the United States District Court for the District of Delaware. Hugh M. Morris is Trustee of the Estate of Midland United Company and, as such, is a registered holding company under the Public Utility Holding Company Act of 1935.

(2) Indiana Hydro-Electric Power Company was incorporated on November 21, 1921, under the laws of the State of Indiana, for the purpose of developing hydro-electric power on the Tippecanoe River in Indiana.

The properties of the Company comprise two hydro-electric plants having combined rated generating capacity of 17,720 kilowatts, located near Monticello, Indiana, and approximately 80 miles of transmission lines, all in the State of Indiana.

The properties of Hydro are operated by Northern Indiana Public Service Company, an associate company, under a lease dated January 1, 1931, terminating on or before May 1, 1958, as provided in the lease and supplemental agreement. A condensed balance sheet, per books of Hydro, as of October 31, 1942, follows:

Assets and other debits

Utility Plant	$8,133,549.05
Other Assets	622,504.63
Unamortized Debt Discount and Expense	296,856.99
Capital Stock Discount and Expense	153,559.39
	$9,206,470.06

Liabilities and other credits

Miscellaneous Liabilities	$129,283.80
Deferred Credits	63,333.33
Reserve for Depreciation	276,309.37
First Mortgage 5% Bonds due 1958 (owned by public)	2,609,000.00
7% Cumulative Preferred Stock, par value $100 per share (17,026 shares owned by public)	2,089,800.00
Common Stock, par value $100 per share, 35,000 shares outstanding (consisting of 14,000 shares deposited in escrow for benefit of United, and 21,000 shares owned by United)	3,500,000.00
Surplus	538,743.56
	$9,206,470.06

(3) As of October 31, 1942, utility plant, per books, of Hydro amounted to $8,133,549.05. As of the same date the reserve for depreciation amounted to $276,309.37, or approximately 3.4 per cent of utility plant.

(4) Included in utility plant account of the company are certain items which have been classified by the Division of Original Cost of the Federal Power Commission as plant adjustments (FPC Account No. 107). These total $3,673,640.38.[1]

(5) Cumulative preferred stock dividends not declared or provided for at October 31, 1942, amounted to $505,905.75, or $24.208 per share.

(6) If plant adjustments, in the amount of $3,263,065.02 (FPC Account No. 107), were eliminated from the balance sheet by a charge against surplus, and if cumulative preferred stock dividends in arrears were provided for in the same manner, the surplus of the company as at October 31, 1942, in the amount of $538,743.56, would become a surplus deficit of $3,230,227.00.

(7) It is probable that the finally adjusted deficit in surplus would exceed this figure since the depreciation reserve appears to be inadequate.

(8) The capital structure, including surplus, of Hydro, per books as of October 31, 1942, and as adjusted to give effect to (a) cumulative preferred stock dividends in arrears, and (b) the elimination of plant adjustments in the amount of $3,263,065.02 (FPC Account No. 107) is shown below:

	Per books Oct. 31, 1942	Percent of capitalization	Amounts as adjusted	Percent of capitalization
Long term debt:				
1st 5's of 58	$2,609,000.00	29.86	$2,609,000	47.66
Cumulative preferred stocks, par value $100:				
7%—20,898 shares (17,026 shares owned by public)	2,089,800.00	23.92	2,089,800	38.17
Dividends in arrears ($24.208 per share)	0	0	505,906	9.24
Total preferred stock and arrears	2,089,800.00	23.92	2,595,706	47.41
Common stock and surplus:				
35,000 shares, par value $100 per share (14,000 shares deposited in escrow for benefit of present common stockholders)	3,500,000.00	40.06	3,500,000	63.93
Surplus	538,743.56	6.16	(3,230,227)	(59.00)
Total common and surplus	4,038,743.56	46.22	269,773	4.93
Total capital structure	8,737,543.56	100.00	5,474,479	100.00

( ) Denotes a red figure.

(9) As of October 31, 1942, per books, the ratio of long term debt to net utility plant adjusted to reflect the elimination of plant adjustments (FPC Account No. 107), as provided in the plan, amounted to 56.8 percent. As of the same date long term debt and preferred stock (including cumulative dividend arrears) amounted to 102.3 percent of total net utility plant, as adjusted, plus other net assets.

(10) Sole voting power is vested in the common stock.

(11) At October 31, 1942, all of the outstanding common stock of Hydro was owned by, or deposited in escrow for, Midland United Company.

(12) The following tabulation sets forth Rental Income, Gross Income and Deductions therefrom, per books, of Hydro for the last five calendar years, and for the 12 months ended October 31, 1942, showing full Cumulative preferred stock dividend requirements for the period:

	1937	1938	1939	1940	1941	Twelve Months Ended Oct. 31, 1942
Rental income	$380,000	$380,000	$380,000	$380,000	$380,000	$380,000
Expenses and taxes	73,007	75,956	61,488	75,309	86,269	98,853
Gross income	306,993	304,044	318,512	304,691	293,731	281,147
Interest on debt	139,405	137,063	135,143	133,966	133,714	132,928
Other deductions	25,978	27,061	26,081	21,244	24,575	29,218
Total fixed charges	165,383	164,124	161,224	155,149	158,289	161,480
Net income	141,610	139,920	157,288	149,542	135,442	119,708
Preferred dividend requirements	146,286	146,286	146,286	146,286	146,286	146,286
Balance for common	(4,676)	(6,366)	11,002	3,256	(10,844)	(26,578)
Times earned ratios:						
Interest on debt	2.20	2.22	2.36	2.28	2.20	2.14
Total fixed charges	1.86	1.85	1.98	1.96	1.86	1.74
Fixed charges and preferred dividend requirements	0.98	0.98	1.04	1.01	0.96	0.81

III

It appearing to the Commission, in the light of the allegations stated in Part II hereof, that it is appropriate and in the public interest, and in the interest of investors and consumers, to institute proceedings against Hugh M. Morris, Trustee of the Estate of Midland United Company and Hydro under sections 11 (b) (2), 15 (f) and 20 (a) of the Public Utility Holding Company Act of 1935, to determine whether certain orders should be entered pursuant to the provisions of said sections; and

It further appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to the plan of recapitalization filed by Hydro pursuant to section 11 (e) of the Act; and

It further appearing to the Commission that the said proceedings involve common questions of law and fact and should be consolidated and heard together:

It is ordered, That proceedings be instituted pursuant to sections 11 (b) (2), 15 (f) and 20 (a) of the Public Utility Holding Company Act of 1935, and that Hugh M. Morris, as Trustee of the Estate of Midland United Company, and Indiana Hydro-Electric Power Company, are hereby made Respondents in these proceedings, and said Respondents shall file with the Secretary of the Commission, on or before the 29th day of January 1943 their answers admitting, denying, or otherwise explaining their positions with respect to the allegations heretofore made in paragraphs 1 to 12 of Part II of this order. Such answers may also include a statement by Respondents of their views as to what action, if any, should be taken to bring about a fair and equitable distribution of voting power among the security holders of Indiana Hydro-Electric Power Company; to restate the plant account, depreciation reserve, capital accounts, surplus and other accounts, so as to segregate, dispose of, and eliminate write-ups and intangibles in the plant, investment and other accounts, set up adequate reserves for retirements and depreciation of plant and property, and make other adjustments in conformity with the standards of the Public Utility Holding Company Act of 1935, with respect to Indiana Hydro-Electric Power Company; and to take such other action as may be necessary or appropriate under the provisions of sections 11 (b) (2), 15 (f) and 20 (a) of said Act with respect to said Respondents.

It is further ordered, That the said proceedings pursuant to sections 11 (b) (2), 15 (f) and 20 (a) of the Act, and said proceedings pursuant to Section 11 (e) of the said Act be and hereby are consolidated;

It is further ordered, That a hearing on such consolidated matters be held on the 16th day of February 1943 at 10 o'clock, a. m., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on such date by the hearing room clerk in Room 318.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such consolidated matters. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act, and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of issues presented by said consolidated matters otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the proposed plan is feasible;

(2) Whether the proposed plan is necessary to effectuate the provisions of subsection (b) of section 11 of the Act;

(3) Whether the proposed plan is fair and equitable to the persons affected thereby;

(4) Whether the allegations contained in Part II hereof are true and correct;

(5) Whether voting power is unfairly or inequitably distributed among security holders of Hydro;

(6) What action, if any, is necessary and should be required to be taken by Hydro for the purpose of effecting an equitable distribution of voting power among its security holders;

(7) What action, if any, is necessary and should be required to be taken by Hydro to restate its plant account, depreciation reserve, capital accounts, surplus, and other accounts, so as to segregate, dispose of, and eliminate write-ups, intangibles, or other inflationary items in the plant, investment or other accounts, set up adequate reserves for depreciation of plant and property, and make other adjustments in conformity with the standards of the Public Utility Holding Company Act of 1935;

(8) What other or further action, if any, should be required to be taken by Hydro to meet the requirements of sections 11 (b) (2), 15 (f) and 20 (a) of the Public Utility Holding Company Act of 1935.

It is further ordered, That jurisdiction be, and is hereby, reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues or questions which may arise in these proceedings, and to take such other action as may appear necessary to the orderly and economical disposition of the issues involved.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing a copy of this order, by registered mail, to Hugh M. Morris, Trustee of Midland United Company, and Indiana Hydro-Electric Power Company, not less than thirty days prior to the date hereinbefore fixed within which Respondents may file their answers; and that notice of the entry of this order and of said hearing is hereby given to all security holders of Midland United Company, and Indiana Hydro-Electric Power Company, to all States, municipalities and political subdivisions of States within which are located any of the utility assets of Indiana Hydro-Electric Power Company, to all State commissions, State securities commissions, and all agencies, authorities, administrative or judicial bodies, or instrumentalities of the United States of America, and one or more States, municipalities, or other political subdivisions having jurisdiction over Indiana Hydro-Electric Power Company, or over any of the businesses, affairs or operations of said companies, and to all other persons, such notice to be given by a general release of the Commission, distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935, and by publication of this order in the FEDERAL REGISTER not later than thirty days prior to the date hereinbefore fixed as the date of hearing.

It is further ordered, That any person desiring to be heard in connection with this proceeding shall file with the Secretary of the Commission, on or before the 8th day of February 1943, his request or application therefor as provided by Rule XVII of the Rules of Practice of the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-14162; Filed, December 30, 1942; 2:31 p. m.]

[1] On approximately February 28, 1939, Hydro filed with the Public Service Commission of Indiana and the Federal Power Commission an original cost report in which it proposed to reclassify to Account 107 (write-ups) an amount of $2,625,000. On June 4, 1940, the Division of Original Cost of the Federal Power Commission transmitted to Hydro a report which indicated that an amount of $3,673,640.38 should be reclassified to Account 107. Hydro did not agree with such report and on September 28, 1940, filed with both Commissions a written protest in which objection was made to $1,070,309 of the amount established in Account 107 by the report of the Division of Original Cost of the Federal Power Commission. Various other procedural steps have been taken, but no formal orders have as yet been issued by either Commission. The company states that: "The substance of the plan presented herein has been discussed informally with representatives of both of said Commissions, and contemplates establishment of $3,263,065.02 in Account 107 to be written off against capital surplus created by a reduction of the present capitalization."

WAR PRODUCTION BOARD.

Director General for Operations.

BOULDER MINING CO., ET AL.

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF STOP CONSTRUCTION ORDERS STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain stop construction orders listed in Schedule A below, stopping the construction of the projects affected. For the effect of each such order upon the construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

(P. D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued December 30, 1942.

ERNEST KANZLER, *Director General for Operations.*

SCHEDULE A

Name and address of the builder	Project affected	Date of issuance of stop construction order
Boulder Mining Co., Hillside, Ariz.	Hillside, Ariz.	12/24/42
U. S. Department of Interior, Indian Affairs, Washington, D. C.	Klamath, Oreg. Sprague River Road	12/24/42
U. S. Department of Interior, National Park Service, Washington, D. C.	FWA Docket D. C. 49-131	12/24/42
U. S. Department of Interior, National Park Service, Washington, D. C.	FWA Docket D. C. 49-138	12/24/42
Michigan State Highway Department, Lansing, Mich.	Mich. FAP 350 C (1)	12/22/42
Michigan State Highway Department, Lansing, Mich.	Mich. SN-FAGH 114-D (2)	12/22/42
Michigan State Highway Department, Lansing, Mich.	Mich. SN-FAGM 45-A (2)	12/22/42
Michigan State Highway Department, Lansing, Mich.	South Haven, Mich. (SN-FACH 32-C (4).	12/22/42
Mississippi State Highway Commission, Jackson, Miss.	Woodville, Miss. FAP 41 (2)	12/22/42
Montana State Highway Commission, Helena, Mont.	Avon and Helmville, Mich. FAS 343 D (2).	12/22/42
Montana State Highway Commission, Helena, Mont.	Bonner and Ovando, Mont. FAP 237-G (1).	12/22/42
Montana State Highway Commission, Helena, Mont.	Hardin, Mont. FAP 46-B (1)	12/22/42
Montana State Highway Commission, Helena, Mont.	Melville, Mont. FAP 45-B (1)	12/22/42
Nevada Department of Highways, Carson City, Nev.	Elko, Nev. FAGM 15 (1) (off)	12/22/42
Oklahoma State Highway Commission, Oklahoma City, Okla.	Okla. SN-FAGH 393-A (1)	12/22/42
Oklahoma City Highway Commission, Oklahoma City, Okla.	Pensacola, Okla. FAS 2-B (1)	12/22/42
South Dakota State Highway Commission, Pierre, S. Dak.	Redfield, S. Dak. FAP 95-E (1)	12/22/42
Texas State Highway Department, Austin, Tex.	Texas SN-FAP 378-AB (3), C (2), D (2).	12/22/42
Texas State Highway Department, Austin, Tex.	Texas SN-FAP 324-A (3), B (2), C (2)	12/22/42
Texas State Highway Department, Austin, Tex.	Texas SN-FAS 174-A (1), B (1)	12/22/42
Texas State Highway Department, Austin, Tex.	Texas SN-FAP 841-C (1)	12/22/42
Texas State Highway Department, Austin, Tex.	Texas SN-A-FAP 444-B (2)	12/22/42
Virginia Department of Highways, Richmond, Va.	Va. SN-FAP 333-D (5)	12/22/42
Washington Department of Highways, Olympia, Wash.	Wash. FACS 253-C (2)	12/22/42
Washington Department of Highways, Olympia, Wash.	Wash. FAS 52-A (1)	12/22/42
West Virginia Road Commission, Charleston, W. Va.	Cedar Grove, W. Va. SN-FAP 263-F (3).	12/22/42
West Virginia Road Commission, Charleston, W. Va.	Cedar Grove, W. Va. SN-FAP 263-F (1).	12/22/42
West Virginia Road Commission, Charleston, W. Va.	Hurricane, W. Va. SN-FAP 249-D (1)	12/22/42
West Virginia Road Commission, Charleston, W. Va.	Hurricane, W. Va. SN-FAP 249-C (1)	12/22/42
West Virginia State Road Commission, Charleston, W. Va.	Hurricane, W. Va. SN-FAP 249-B (3)	12/22/42
West Virginia State Road Commission, Charleston, W. Va.	Hurricane, W. Va. SN-FAP 249-A (2)	12/22/42
West Virginia State Road Commission, Charleston, W. Va.	Wheeling, W. Va. SN-FAP 203-N (1)	12/22/42
West Virginia State Road Commission, Charleston, W. Va.	Wheeling, W. Va. SN-FAP 203-E (1)	12/22/42

[F. R. Doc. 42-14129; Filed, December 30, 1942; 10:40 a. m.]

KANSAS STATE HIGHWAY COMMISSION, ET AL.

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING IN PART AND PARTIALLY REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain revocation orders listed in Schedule A below, revoking preference rating orders issued in connection with, and partially stopping the construction of, the projects affected. For the effect of each such order upon preference ratings, construction of the project, and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued December 30, 1942.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Project affected	Date of issuance of revocation order
P-19-e	107E	Kansas State Highway Commission, Topeka, Kans.	Kansas 38-16-FA 564 B (2)	12/24/42
P-19-e	408E	Mississippi State Highway Department, Jackson, Miss.	Mississippi FAGH 340 B (1)	12/24/42
P-19-e	561E	Oklahoma State Highway Department, Oklahoma City, Okla.	Oklahoma FAGM 503 A (2)	12/24/42
P-19-e	100E	Oklahoma State Highway Department, Oklahoma City, Okla.	Oklahoma FAP 260-B (1), FAP 122 A (2)	12/24/42
P-19-e	483E	Kansas State Highway Commission, Topeka, Kans.	Kansas 160-61-FA 293 A (3)	12/24/42
P-19-e	503E	Kansas State Highway Commission, Topeka, Kans.	Kansas 54-48-FA 341 H (4), 39-67-FA 267-A (1)	12/24/42
P-19-e	534E	Minnesota Department of Highways, St. Paul, Minn.	Minnesota FAGM 301 I (1) (on)	12/24/42
P-19-e	535E	Minnesota Department of Highways, St. Paul, Minn.	Minnesota FAS 84-A (1)	12/24/42
P-19-e	455E	Wisconsin State Highway Commission, Madison, Wis.	Wisconsin FAP 758-C (1)	12/24/42
P-19-e	569E	Virginia State Highway Department, Richmond, Va.	Virginia FH 101 A (1)	12/24/42
P-19-e	673E	Arkansas State Highway Commission, Little Rock, Ark.	Arkansas FAS 96 D (2)	12/24/42
P-19-e	862E	Oklahoma State Highway Department, Oklahoma City, Okla.	Oklahoma FAGH 486 C (2), FAP 32 (2), FAP 302 C (1), FAGM 341 C (2), Okla. FAP 311 H (1), C (1), FAP 428 C (1), FAP 316 B (2)	12/24/42
P-19-e	863E	Oklahoma State Highway Department, Oklahoma City, Okla.	Georgia FAP 276-C (1)	12/24/42
P-19-e	965A	Pennsylvania Telephone Corporation, Erie, Pa.	Johnstown, Pa	12/26/42
P-19-h	7171	F. W. A., Washington, D. C.	Alameda Co., Calif. (DPW 4-266)	12/24/42
P-19-h	7177	F. W. A., Washington, D. C.	Dublin, Alameda Co., (WPW 1-178)	12/24/42
P-19-h	11665	F. W. A., Washington, D. C.	Camp, San Diego Co., Calif. (WPW 4-267)	12/24/42
P-19-h	21162	H. W. Gould & Co., San Francisco, Calif.	Santa Barbara Mine, Hinsnewellen, Santa Barbara Co., Calif.	12/24/42
P-19-h	25580	F. W. A., Washington, D. C.	Pearl Hartford, Conn. (WPW 6-166)	12/24/42
P-19-h	33201	Garvey Marbling & Die Casting Co., Garvey, Calif.	Garvey, Calif.	12/24/42
P-19-e	654E	Georgia State Hwy. Bd., Atlanta, Ga.	Ga. FAP 276-1-A (1), FAP 276 A (1)	12/24/42
P-19-e	17869	Soil Conservation Service Corporation, Milwaukee, Wis.	Walnut Island	12/26/42

[F. R. Doc. 42-14131; Filed, December 30, 1942; 10:40 a. m.]

ILLINOIS DIVISION OF HIGHWAYS, ET AL.

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS PARTIALLY REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain revocation orders listed in Schedule A below partially revoking preference rating orders issued in connection with, and partially stopping the construction of, the projects affected. For the effect of each such order upon preference ratings, construction of the project, and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued December 30, 1942.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Project affected	Date of issuance of revocation order
P-19-e	37E	Illinois Division of Highways, Springfield, Ill.	Illinois SN-FAGH 181 B (2)	12/24/42
P-19-e	1487E	California Department of Public Works, Sacramento, Calif.	California W-FAGS 122-A (2)	12/24/42
P-19-e	561E	Virginia Department of Highways, Richmond, Va.	Virginia FAP 231 E (1)	12/24/42
P-19-e	109E	Kansas State Highway Commission, Topeka, Kans.	Kansas 10-60-SN-FAGH 362 F (3)	12/24/42
P-19-e	118E	Montana State Highway Commission, Helena, Mont.	Montana FAP 90 (1) (2), FAP 276 F (1), FAP 276 G (1)	12/24/42
P-19-e	120E	Montana State Highway Commission, Helena, Mont.	Montana FAP 94C (1), FAP 67G (1), FAP 76B (1), FAP 119A (2), 11 (1)	12/24/42
P-19-e	229E	Minnesota Department of Highways, St. Paul, Minn.	Minnesota FAP 949 A (1), FAP 949 (1) (on)	12/24/42
P-19-e	230E	South Dakota State Highway Commission, Pierre, S. Dak.	South Dakota FAGM 95-F (1) (on) FAP 238-A (2), FAP 46F (1)	12/24/42
P-19-e	269E	Alabama State Highway Department, Montgomery, Ala.	Alabama FAS 59-A (1), FAS 86-A (1)	12/24/42
P-19-e	267E	Arkansas State Highway Department, Little Rock, Ark.	Arkansas FAGM 86-A (1) (off)	12/24/42
P-19-e	317E	Texas State Highway Department, Austin, Tex.	Texas FAS 44-B (1)	12/24/42
P-19-e	396E	Georgia State Highway Board, Atlanta, Ga.	Georgia FAP 269-B (1), FAP 272-B (1)	12/24/42
P-19-e	381E	Florida State Road Department, Tallahassee, Fla.	Florida SN-FA 122-A (1)	12/24/42
P-19-e	358E	Georgia State Highway Board, Atlanta, Ga.	Georgia FAS 103-B (1)	12/24/42
P-19-e	38E	Illinois Division of Highways, Springfield, Ill.	Ill. FAP 600 A (2)-15	12/24/42
P-19-e	95E	Colorado State Highway Department, Denver, Colo.	Colorado FAP 211 (2) Const. Div. No. 1 and No. 2, FAP 282-D (3) Const. Div. No. 1 and No. 2	12/24/42

[F. R. Doc. 42 14130; Filed, December 30, 1942; 10:40 a. m.]

FEDERAL REGISTER

VOLUME 8 NUMBER 2

Washington, Tuesday, January 5, 1943

The President

EXECUTIVE ORDER 9292

ESTABLISHING THE HAILSTONE NATIONAL WILDLIFE REFUGE

MONTANA

By virtue of the authority vested in me as President of the United States, it is ordered as follows:

All public lands within the following-described area in Stillwater County, Montana, are hereby withdrawn, subject to valid existing rights, from all forms of appropriation under the public-land laws, including the mining laws, and such lands, and all other lands and waters owned or controlled by the United States within the said area, are hereby reserved and set apart for the use of the Department of the Interior as a refuge and breeding ground for migratory birds and other wildlife: *Provided*, That as to any of such lands included in Petroleum Reserve No. 40, Montana No. 1, their reservation as a part of the refuge herein established shall be subject to their primary use for the purpose of oil and gas development pursuant to the provisions of the act of February 25, 1920, c. 85, 41 Stat. 437, as amended (U.S.C., title 30, sees. 181 et seq.), and for purposes incident thereto:

PRINCIPAL MERIDIAN

T 3 N., R. 20 E.,
sec. 12, NE¼, SE¼NW¼, and S½;
sec. 13, all;
sec. 24, all.
T 3 N., R. 21 E.,
sec. 7, lots 1, 2, 3, and 4, E½W½, and SE¼;
sec. 18, lots 1, 2, 3, and 4, E½W½, and N½SE¼.

The areas described aggregate 2,664.92 acres, including 312.44 acres of public land and 2,352.48 acres of land owned or controlled by the United States.

It is unlawful for any person to pursue, hunt, trap, capture, willfully disturb, or kill any bird or wild animal of any kind whatsoever within the limits of the refuge, or to enter thereon, except under such rules and regulations as may be prescribed by the Secretary of the Interior.

This reservation shall be known as the Hailstone National Wildlife Refuge.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
December 31, 1942.

[F. R. Doc. 43-101; Filed, January 2, 1943; 10:25 a. m.]

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter II—Commodity Credit Corporation

[Oilseed Order 7]

PART 250—CONTROL OF VEGETABLE OIL SEEDS AND PRODUCTS THEREFROM

PROHIBITION OF PURCHASES, SALES, AND DELIVERIES OF OILSEED PRODUCTS FOR MANUFACTURE INTO MIXED FERTILIZER FOR SALE

Pursuant to the authority vested in the Commodity Credit Corporation by Directive No. 7 of the War Production Board, issued August 15, 1942, and in view of the shortage of soybean, cottonseed, peanut, and linseed oil meal and cake, *It is hereby ordered*, That:

Sec.
250.39 Definitions.
250.40 Prohibitions of purchase and acceptance of delivery.
250.41 Prohibition of sales and deliveries.
250.42 Records.
250.43 Audit and inspection.
250.44 Reports.
250.45 Violations.
250.46 Appeals.
250.47 Communications to Commodity Credit Corporation.

AUTHORITY: §§ 250.39 to 250.47, inclusive, issued under W.P.B. Directive No. 7; 32 C.F.R. § 903.12, 7 F.R. 6518.

§ 250.39 *Definitions.* For the purpose of this order:

(a) "Oilseed product" as used herein shall mean cottonseed oil meal or cake, soybean oil meal or cake, peanut oil meal or cake, and linseed oil meal or cake of merchantable quality for feeding purposes.

(b) "Purchase order" means any contract or offer to purchase, any agree-

(Continued on p. 43)

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THE PRESIDENT

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FEDERAL REGISTER

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Telephone information: District 0525.

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ment to acquire by exchange, any request for shipment or delivery under existing contracts, or any other action to obtain delivery of oilseed products.

(c) "Person" means any individual, partnership, business trust, association or corporation, or any organized group of persons, whether incorporated or not, but shall not include any Departments or agencies of the United States Government.

§ 250.40 *Prohibition of purchase and acceptance of delivery.* Beginning on January 2, 1943 and until further notice, no person shall place any purchase order for, accept delivery of under existing contracts, or acquire by crushing, any oilseed product for manufacture into mixed fertilizer for sale.

§ 250.41 *Prohibition of sales and deliveries.* Beginning on January 2, 1943 and until further notice, no person shall sell or deliver any oilseed product if he knows or has reason to believe that such oilseed product is to be used for manufacture into mixed fertilizer for sale.

The vendor may in his discretion require certification in substantially the following form by the person to whom the oilseed product is to be sold or delivered as to the use for which the oilseed products are purchased:

The undersigned certifies to his vendor and the Commodity Credit Corporation that he is familiar with the provisions of Oilseed Order 7 and that the oilseed products covered by the purchase order to which this certificate is annexed will not be manufactured into mixed fertilizer for sale.

_____
Purchaser

_____
Date

_____
Address

§ 250.42 *Records.* Every person subject to this order shall keep and preserve, for not less than two years, accurate and complete records concerning all sales, purchases, contracts for the sale or purchase, and deliveries of oilseed products.

§ 250.43 *Audit and inspection.* All such records shall, upon request, be submitted to audit and inspection by duly authorized representatives of Commodity Credit Corporation.

§ 250.44 *Reports.* Every person subject to this order shall execute and file with Commodity Credit Corporation such reports as the Corporation may from time to time request.

§ 250.45 *Violations.* Any person who wilfully violates any provision of this order or who wilfully furnishes false information to any seller of oilseed products or to the Commodity Credit Corporation in connection with this order is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from manufacturing, processing, using, purchasing, selling, transferring or otherwise disposing of or acquiring oilseed products.

§ 250.46 *Appeals.* Any appeal from the provisions of this order shall be made by filing with the Commodity Credit Corporation a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

§ 250.47 *Communications to Commodity Credit Corporation.* All reports required to be filed hereunder and all communications and appeals concerning this order shall be addressed to: Commodity Credit Corporation, South Agricultural Building, Washington, D. C.

Issued this 31st day of December 1942.

[SEAL] J. B. HUTSON,
President.

Approved: December 31, 1942.

CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-16; Filed, January 1, 1943; 11:20 a. m.]

[Revision of Oilseed Order 4]

PART 250—CONTROL OF VEGETABLE OIL SEEDS AND PRODUCTS THEREFROM

PARTIAL RESTRICTION ON SALES OF SOYBEAN OIL MEAL

Pursuant to the authority vested in the Commodity Credit Corporation by Directive No. 7 of the War Production Board, issued August 15, 1942; *It is hereby ordered*, That:

Oilseed Order 4,[1] §§ 250.14 to 250.21, inclusive, is revised to read as follows:

§ 250.14 *Restriction on sales in designated area.* On and after the effective date of this revised order, unless otherwise authorized by Commodity Credit Corporation, no soybean oil meal produced in processing plants located outside the area hereinafter designated shall be sold for shipment into such area after January 31, 1943.

§ 250.15 *Designated area.* The designated area shall include the following named cities and is bounded by a line from Boston through Nashua, New Hampshire, to Keene, New Hampshire; Charlestown, New Hampshire; Arlington, Vermont; Schenectady, Cobleskill, Delhi, Hancock, New York; Carbondale, Scranton, Hazleton, Pottsville, Lancaster, Pennsylvania; Aberdeen, Chestertown, Maryland; Georgetown, Delaware.

§ 250.16 *Contracts existing prior to December 5, 1942; processor's duty.* Processors located outside the above-designated area who, prior to December 5, 1942, entered into contracts for the sale of soybean oil meal for shipment into such area prior to September 30, 1943, shall make deliveries under such contracts with soybean oil meal produced in processing plants located within such area, to the extent that such meal can be obtained from processing plants located within such area. Such tonnage of soybean oil meal as may be made available by making such deliveries with soybean oil meal produced within such designated area shall be sold by processors only to consumers outside such area.

§ 250.17 *Contracts existing prior to December 5, 1942; purchaser's duty.* Any person who, prior to December 5, 1942, entered into a contract for the purchase of soybean oil meal produced in processing plants located outside the above-designated area for shipment into such area prior to September 30, 1943, shall, if suitable deliveries can be obtained by his seller from processing plants located within such area, accept such shipments in full satisfaction of his existing contract to the extent of the tonnage of soybean oil meal so delivered.

§ 250.18 *Records; reports; communications.* (a) Every person subject to this revised order shall keep and preserve for not less than two years accurate and complete records concerning all sales, purchases, contracts for the sale or purchase, and deliveries of soybean oil meal. All such records shall, upon request, be submitted to audit and inspection by duly authorized representatives of Commodity Credit Corporation.

(b) Every person subject to this revised order shall execute and file with Commodity Credit Corporation such reports and questionnaires as the Corporation may from time to time request.

(c) All reports required to be filed hereunder and all communications concerning this revised order shall be addressed to: Commodity Credit Corporation, South Agriculture Building, Washington, D. C.

§ 250.19 *Penalties.* Any person who wilfully violates any provision of this revised order or who wilfully furnishes false information to Commodity Credit Corporation in connection with this revised order, may be prohibited from processing, purchasing, selling, transferring or otherwise disposing of or acquiring soybean oil meal, and, in addition, may be punished by fine and imprisonment.

§ 250.20 *Definitions.* (a) "Processor" as used herein means any "person" operating a processing plant for producing soybean oil meal.

(b) "Person" as used herein means any individual, partnership, business trust, association or corporation or any organized group of persons, whether incorporated or not, but shall not include any Department or agency of the United States Government.

§ 250.21 *Effective date.* This revised order shall supersede Oilseed Order 4, issued December 4, 1942, and shall become effective on and after January 5, 1943, and, subject to the provisions of Directive No. 7 of the War Production Board, shall continue in effect until revoked by Commodity Credit Corporation.

Issued this 2d day of January, 1943.

[SEAL] J. B. HUTSON,
President.

[F. R. Doc. 43-156; Filed, January 4, 1943; 11:04 a. m.]

[Amendment No. 1 to Oilseed Order 6]

PART 250—CONTROL OF VEGETABLE OIL SEEDS AND PRODUCTS THEREFROM

INVENTORY LIMITATION OF OILSEED PRODUCTS

Pursuant to the authority vested in the Commodity Credit Corporation by Directive No. 7 of the War Production Board, issued August 15, 1942; *It is hereby ordered*, That Oilseed Order No. 6[1] issued December 24, 1942, be amended as follows:

Section 250.31 *Inventory limitation*[1] is amended by revising the proviso therein to read as follows:

Provided, That the foregoing inventory limitation (i) shall not restrict to less than 45 tons the supply of oilseed products of any person who regularly receives deliveries of oilseed products in carload lots, and (ii) shall not restrict purchases by any person of oilseed products in quantities of 1,000 pounds or less if such purchases are made in quantities and at intervals which are in accordance with purchases regularly made by such person.

Issued this 2d day of January 1943.

[SEAL] J. B. HUTSON,
President.

[F. R. Doc. 43-155; Filed, January 4, 1943; 11:04 a. m.]

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[1] 7 F.R. 10125

[1] 7 F.R. 10901.

TITLE 7—AGRICULTURE

Chapter VII—Agricultural Adjustment Agency

[ACP-1943-5]

PART 701—AGRICULTURAL CONSERVATION PROGRAM[1]

1943 CORN ALLOTMENTS AND NORMAL YIELDS

Pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, the 1943 Agricultural Conservation Program, as amended, is further amended as follows:

Section 701.401 [7 F.R. 10031] is amended by deleting the word "corn" in the first sentence and by adding the following at the end of the first paragraph.

§ 701.401 *Allotments, yields, and grazing capacities.* • • •

The national corn acreage allotment is 43,423,000 acres. The State corn allotments and the county normal yields for corn shall be identical with the 1943 State corn allotments and the 1943 county normal yields of corn, respectively, established under Title III of the Agricultural Adjustment Act of 1938, as amended.

Done at Washington, D. C., this 31st day of December 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-75; Filed, January 1, 1943; 11:20 a. m.]

[ACP-1942-Insular-3]

PART 702—1942 AGRICULTURAL CONSERVATION PROGRAM BULLETIN

SOIL-BUILDING PRACTICES FOR PUERTO RICO

Pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17 of the Soil Conservation and Domestic Allotment Act, as amended, (49 Stat. 1148, 1915; 50 Stat. 329; 52 Stat. 31, 204, 205; 53 Stat. 550, 573; 54 Stat. 216, 728; 55 Stat. 257, 860; 56 Stat. 51; 16 U.S.C. 590g–590q), paragraph (e) § 702.301 [7 F.R. 4559] of the 1942 Agricultural Conservation Program Bulletin for the Insular Region, issued June 17, 1942, is hereby amended to read as follows:

(e) *Schedule of soil-building practices for Puerto Rico.* (Minimum performance under practice No. 1 is a prerequisite to any payment under the 1942 ACP for Puerto Rico.)

(1) Planting food crops for human consumption on at least 20 percent of the cropland on the farm (excluding sugarcane and orchards) with a minimum requirement of $\frac{1}{10}$ acre and a maximum requirement of 25 acres devoted to this practice in 1942, on or after August 1, except that on farms covered by tobacco acreage allotments the planting of food crops may be extended through the tobacco season ending March 31, 1943: *Provided*, That (i) the food crops planted are of the type specified by the Regional Director and are planted in the proportions specified by him, (ii) the plants or vines are not removed from the land on which grown, (iii) practice No. 2 is carried out on land of 6 percent or more average slope planted to intertilled crops, (iv) practice No. 3 is carried out on land of more than 10 percent average slope, and (v) on land where the topography and stoniness do not permit the proper carrying out of practices Nos. 2 and 3, stone barriers may be constructed with the crop rows planted, so far as possible, parallel to the barriers.

Done at Washington, D. C. this 31st day of December 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Under Secretary of Agriculture.

[F. R. Doc. 43-84; Filed, January 1, 1943; 4:03 p. m.]

PART 721—CORN

COUNTY CORN ACREAGE ALLOTMENTS FOR 1943

Pursuant to the authority vested in the Secretary of Agriculture under section 329 (a) of the Agricultural Adjustment Act of 1938, as amended, the county corn acreage allotment for the commercial corn-producing area for 1943 as established by the proclamation dated November 24, 1942, is hereby apportioned among the commercial corn-producing counties as follows:

§ 721.403 *County corn acreage allotments for 1943.* Counties and corn allotments:

Illinois. Adams, 75,478; Alexander, 20,594; Bond, 32,626; Boone, 44,907; Brown, 29,763; Bureau, 169,095; Calhoun, 17,728; Carroll, 59,468; Cass, 49,786; Champaign, 214,006; Christian, 107,869; Clark, 53,025; Clay, 43,064; Clinton, 40,116; Coles, 81,543; Cook, 49,640; Crawford, 44,573; Cumberland, 39,632; De Kalb, 129,814; De Witt, 81,918; Douglas 79,449; Du Page, 36,103; Edgar, 101,394; Edwards, 24,183; Effingham, 43,838; Fayette, 67,291; Ford, 109,123; Fulton, 106,317; Gallatin, 39,214; Greene, 69,091; Grundy, 93,175; Hamilton, 34,465; Hancock, 90,972; Hardin, 10,318; Henderson, 59,414; Henry, 154,908; Iroquois, 236,660; Jackson, 38,674; Jasper, 53,137; Jersey, 33,923; Jo Daviess, 49,326; Johnson, 21,405; Kane, 84,291; Kankakee, 124,674; Kendall, 63,836; Knox, 115,530; Lake, 34,498; La Salle, 241,239; Lawrence, 40,906; Lee, 135,652; Livingston, 240,038; Logan, 119,850; McDonough, 94,603; McHenry, 90,098; McLean, 268,005; Macon, 109,375; Macoupin, 84,860; Madison, 62,307; Marion, 41,425; Marshall, 69,892; Mason, 77,362; Massac, 19,107; Menard, 47,782; Mercer, 93,574; Monroe, 25,547; Montgomery, 71,759; Morgan, 84,260; Moultrie, 61,592; Ogle, 121,304; Peoria, 83,468; Perry, 26,681; Piatt, 84,696; Pike, 83,098; Pope, 17,671; Pulaski, 19,853; Putnam, 26,326; Randolph, 36,602; Richland, 32,901; Rock Island, 58,050; St. Clair, 49,882; Saline, 34,078; Sangamon, 142,230; Schuyler, 42,414; Scott, 38,229; Shelby, 106,617; Stark, 58,173; Stephenson, 76,483; Tazewell, 107,276; Union, 25,115; Vermilion, 163,125; Wabash, 26,749; Warren, 106,053; Washington, 34,053; Wayne, 58,739; White, 63,599; Whiteside, 121,441; Will, 134,577; Winnebago, 69,104; and Woodford, 98,561. State, 7,586,235.

Indiana. Adams, 36,579; Allen, 67,341; Bartholomew, 43,136; Benton, 87,100; Blackford, 19,738; Boone, 65,327; Carroll, 56,244; Cass, 57,352; Clay, 31,652; Clinton, 65,697; Daviess, 44,939; Dearborn, 18,286; Decatur, 48,294; De Kalb, 32,299; Delaware, 52,177; Dubois, 28,101; Elkhart, 39,261; Fayette, 25,915; Fountain, 49,147; Franklin, 33,068; Fulton, 47,577; Gibson, 54,990; Grant, 54,405; Greene, 38,233; Hamilton, 58,686; Hancock, 48,034; Hendricks, 57,081; Henry, 57,920; Howard, 43,181; Huntington, 43,395; Jackson, 39,027; Jasper, 81,498; Jay, 40,683; Jennings, 22,256; Johnson, 44,298; Knox, 64,691; Kosciusko, 59,327; Lagrange, 35,130; Lake, 47,534; La Porte, 66,703; Lawrence, 24,671; Madison, 67,272; Marion, 36,839; Marshall, 49,193; Martin, 15,622; Miami, 48,116; Monroe, 17,929; Montgomery, 68,919; Morgan, 42,760; Newton, 62,020; Noble, 38,964; Orange, 22,588; Owen, 19,210; Parke, 41,298; Pike, 25,058; Porter, 42,767; Posey, 50,768; Pulaski, 53,386; Putnam, 45,372; Randolph, 63,938; Ripley, 32,360; Rush, 69,545; St. Joseph, 42,217; Scott, 12,106; Shelby, 65,920; Spencer, 31,766; Starke, 34,339; Steuben, 23,783; Sullivan, 45,500; Tippecanoe, 76,091; Tipton, 43,269; Union, 22,015; Vanderburgh, 21,822; Vermillion, 31,230; Vigo, 45,144; Wabash, 49,743; Warren, 56,891; Warrick, 29,175; Washington, 30,570; Wayne, 51,344; Wells, 48,187; White, 86,835; and Whitley, 33,077. State, 3,725,921.

Iowa. Adair, 100,823; Adams, 71,605; Allamakee, 42,520; Appanoose, 36,669; Audubon, 85,081; Benton, 125,718; Black Hawk, 95,893; Boone, 117,529; Bremer, 64,518; Buchanan, 97,289; Buena Vista, 123,565; Butler, 104,012; Calhoun, 124,567; Carroll, 119,079; Cass, 109,842; Cedar, 93,640; Cerro Gordo, 101,556; Cherokee, 115,002; Chickasaw, 70,537; Clarke, 50,107; Clay, 112,250; Clayton, 74,071; Clinton, 116,531; Crawford, 139,577; Dallas, 120,662; Davis, 39,240; Decatur, 51,382; Delaware, 85,623; Des Moines, 55,233; Dickinson, 70,345; Dubuque, 64,897; Emmet, 78,533; Fayette, 94,290; Floyd, 88,342; Franklin, 119,471; Fremont, 132,571; Greene, 129,765; Grundy, 95,776 Guthrie, 103,092; Hamilton, 123,841; Hancock, 110,261; Hardin, 116,005; Harrison, 158,248; Henry, 59,415; Howard, 57,716; Humboldt, 93,172; Ida, 94,127; Iowa, 86,780; Jackson, 60,340; Jasper, 132,108; Jefferson, 53,968; Johnson, 92,553; Jones, 75,007; Keokuk, 89,099; Kossuth, 197,277; Lee, 43,940; Linn, 107,415; Louisa, 59,552; Lucas, 42,732; Lyon, 116,345; Madison, 83,608; Mahaska, 96,160; Marion, 84,627; Marshall, 105,669; Mills, 103,140; Mitchell, 69,683; Monona, 145,620; Monroe, 37,991; Montgomery, 87,849; Muscatine, 64,845; O'Brien, 114,968; Osceola, 78,945; Page, 105,586; Palo Alto, 113,168; Plymouth, 180,872; Pocahontas, 126,176; Polk, 98,738; Pottawattamie, 218,884; Poweshiek, 99,689; Ringgold, 65,336; Sac, 121,826;

[1] Subpart E—1943.

Scott, 69,787; Shelby, 128,067; Sioux, 159,226, Story, 127,777; Tama, 116,342; Taylor, 83,183; Union, 58,444; Van Buren, 37,519; Wapello, 47,988; Warren, 80,587; Washington, 88,274; Wayne, 54,858; Webster, 142,974; Winnebago, 73,309; Winneshiek, 75,756; Woodbury, 196,714; Worth, 62,435; and Wright, 123,692. State, 9,521,416

Michigan. Berrien, 29,741; Branch, 37,770; Calhoun, 37,316; Cass, 33,182; Hillsdale, 41,288; Jackson, 35,427; Kalamazoo, 27,288; Lenawee, 66,177; Monroe, 50,742; St. Joseph, 35,753; Washtenaw, 42,555; Wayne, 16,883. State, 454,122.

Minnesota. Bigstone, 48,169; Blue Earth, 111,163; Brown, 80,363; Carver, 33,568; Chippewa, 87,917; Cottonwood, 101,020; Dakota, 56,631; Dodge, 52,412; Fairbault, 114,147; Fillmore, 64,857; Freeborn, 94,541; Goodhue, 55,221; Grant, 47,569; Hennepin, 31,452; Houston, 31,589; Jackson, 121,119; Kandiyohl, 82,950; Lac Qui Parle, 104,349; Le Sueur, 46,356; Lincoln, 68,223; Lyon, 114,965; McLeod, 52,916; Martin, 136,286; Meeker, 61,662; Mower, 82,415; Murray, 116,835; Nicollet, 52,534; Nobles, 129,970; Olmsted, 65,091; Pipestone, 76,747; Pope, 45,285; Redwood, 141,057; Renville, 137,812; Rice, 52,123; Rock, 88,906; Scott, 32,363; Sibley, 64,866; Stearns, 99,846; Steele, 52,933; Stevens, 65,775; Swift, 82,177; Traverse, 57,892; Wabasha, 35,184; Waseca, 53,762; Washington, 31,413; Watonwan, 72,952; Winona, 35,486; Wright, 59,291; and Yellow Medicine, 113,787. State, 3,645,947.

Missouri. Adair, 34,749; Andrew, 54,677; Atchison, 125,351; Audrain, 84,777; Bates, 87,415; Benton, 38,740; Boone, 49,343; Buchanan, 42,870; Caldwell, 51,987; Callaway, 46,052; Cape Girardeau, 39,845; Carroll, 76,084; Cass, 77,690; Charlton, 73,360; Clark, 38,938; Clay, 36,114; Clinton, 54,386 Cooper, 45,163; Daviess, 57,840; De Kalb, 52,995; Dunklin, 57,969; Gentry, 53,484; Grundy, 38,037; Harrison, 60,691; Henry, 74,428; Holt, 82,224; Howard, 35,116; Jackson, 49,277; Johnson, 69,360; Knox, 43,489; Lafayette, 76,951; Lewis, 35,294; Lincoln, 46,719; Linn, 49,766; Livingston, 49,401; Macon, 66,199. Marion, 35,059; Mercer, 32,465; Mississippi, 54,253; Moniteau, 25,521; Monroe, 58,973; Montgomery, 41,062; New Madrid, 77,815; Nodaway, 135,928; Pemiscot, 46,681; Perry, 23,431; Pettis, 63,716; Pike, 53,660, Platte, 37,984; Putnam, 30,574; Ralls, 42,971; Randolph, 37,187; Ray, 71,275; St. Charles, 34,152; St. Clair, 51,230; Saline, 97,458; Schuyler, 16,666; Scotland, 31,710; Scott, 46,151; Shelby, 47,137; Stoddard, 77,991; Vernon, 82,472; and Worth, 28,807. State, 3,439,110.

Nebraska. Adams, 80,465; Antelope, 161,537; Boone, 142,708; Buffalo, 158,804; Burt, 116,938; Butler, 115,636; Cass, 127,687; Cedar, 156,351; Chase, 102,463; Clay, 94,542, Colfax, 79,464; Cuming, 123,578; Custer, 287,723; Dakota, 54,266; Dawson, 143,515, Dixon, 105,321, Dodge, 114,413; Douglas, 65,184. Fillmore, 103,023; Franklin, 85,459; Frontier, 133,331; Furnas, 118,205; Gage, 139,303, Gosper, 82,884; Greeley, 81,636, Hall, 78,058; Hamilton, 105,343; Harlan, 90,709; Hayes, 87,440; Hitchcock, 73,174; Howard, 77,706; Jefferson, 79,885; Johnson, 59,879, Kearney, 74,111; Knox, 172,549; Lancaster, 149,756; Lincoln, 185,532; Madison, 127,021; Merrick, 71,243; Nance, 78,660; Nemaha, 79,113; Nuckolls, 94,965; Otoe, 118,316; Pawnee, 61,796; Perkins, 129,567; Phelps, 103,484; Pierce, 114,468; Platte, 149,932; Polk, 93,598; Redwillow, 98,160; Richardson, 99,571; Saline, 83,316; Sarpy, 54,498; Saunders, 169,132; Seward, 110,486; Sherman, 79,816; Stanton, 86,096; Thayer, 88,428; Thurston, 94,876; Valley, 91,850; Washington, 82,695; Wayne, 105,971; Webster, 93,857; and York, 129,329. State 6,902,912.

Ohio. Adams, 30,821; Allen, 42,663; Ashland, 25,770; Auglaize, 47,999; Brown, 41,681; Butler, 51,476; Champaign, 53,454. Clark, 50,132; Clermont, 37,571; Clinton, 59,036; Coshocton, 22,030; Crawford, 39,015; Darke, 84,012; Defiance, 36,423; Delaware, 42,073; Erie, 19,285; Fairfield, 51,409; Fayette, 63,139; Franklin, 52,359; Fulton, 46,361; Greene, 55,857; Hamilton, 16,208; Hancock, 65,112; Hardin, 54,922; Henry, 58,133; Highland, 56,467; Holmes, 23,117; Huron, 37,769; Jackson, 11,352; Knox, 35,148; Licking, 49,657; Logan, 46,689; Lorain, 26,961; Lucas, 24,760; Madison, 69,770; Marion, 49,681; Medina, 24,610; Mercer, 52,749; Miami, 54,585; Montgomery, 48,034; Morrow, 31,415; Muskingum, 24,139; Ottawa, 20,927; Paulding, 52,331; Perry, 17,363; Pickaway, 70,454; Pike, 24,428; Preble, 57,829; Putnam, 61,449; Richland, 31,014; Ross, 60,729; Sandusky, 44,665; Scioto, 24,177; Seneca, 56,891; Shelby, 47,991; Stark, 30,201; Union, 46,226; Van Wert, 54,841; Warren, 45,866; Wayne, 41,991; Williams, 37,010; Wood, 87,099; and Wyandot, 42,624. State, 2,769,950.

South Dakota. Bon Homme, 86,947; Brookings, 113,842; Clay, 87,713; Deuel, 52,431; Grant, 55,024; Hamlin, 50,775; Hanson, 64,508; Hutchinson, 103,091; Kingsbury, 91,397; Lake, 91,693; Lincoln, 119,140; McCook, 95,396; Minnehaha, 148,969; Moody, 92,942; Roberts, 78,412; Turner, 109,063; Union, 99,882; and Yankton, 83,163. State, 1,624,388.

Wisconsin. Columbia, 70,166; Crawford, 25,002; Dane, 120,680; Grant, 91,739; Green, 57,819; Iowa, 46,076; Jefferson, 51,368; Lafayette, 61,626; Richland, 27,890; Rock, 90,546; Sauk, 57,504; and Walworth 62,970. State, 763,386.

Delaware. Kent, 34,694; New Castle, 19,569. State, 54,263.

Kansas. Anderson, 46,544; Atchison, 51,743; Brown, 98,421; Coffey, 51,838; Doniphan, 66,623; Douglas, 38,775; Franklin, 51,351; Jackson, 79,102; Jefferson, 59,540; Jewell, 109,427; Johnson, 43,623; Leavenworth, 37,646; Linn, 53,484; Marshall, 131,821; Miami, 63,578; Nemaha, 121,125; Norton, 104,797; Osage, 72,288; Phillips, 102,081; Pottawatomie, 70,719; Republic, 103,449; Riley, 44,819; Shawnee, 49,475; Smith, 114,956; and Washington 104,680. State, 1,871,905.

Kentucky. Ballard, 30,142; Carlisle, 18,877; Crittenden, 26,406; Daviess, 43,750; Fulton, 24,573; Hancock, 13,200; Henderson, 64,447; Hickman, 29,304; Livingston, 25,429; McLean, 23,225; Union, 42,992; and Webster, 30,588. State, 372,933.

Maryland. Baltimore, 20,448; Caroline, 21,381; Carroll, 31,173; Cecil, 15,865; Frederick, 44,560; Harford, 18,287; Howard, 12,356; Kent, 19,800; Montgomery, 24,144; Queen Annes 25,923; Washington, 28,542. State, 262,479.

Pennsylvania. Adams, 33,254; Berks, 46,633; Chester, 43,500; Cumberland, 35,888; Dauphin, 22,962; Franklin, 42,846; Fulton, 10,569; Lancaster, 79,652; Lebanon, 23,937; Perry, 18,116; and York, 70,676. State, 428,033.

(52 Stat. 52; 7 U.S.C. 1329 (a))

Done at Washington, D. C., this 31st day of December 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc 43-18, Filed, January 1, 1943, 11:20 a. m.]

PART 721—CORN

COUNTY NORMAL YIELDS OF CORN FOR 1943

Pursuant to the authority vested in the Secretary of Agriculture by the Agricultural Adjustment Act of 1938, as amended, the normal yields of corn for 1943 for such counties are hereby established as follows:

§ 721.404 *County normal yields of corn for 1943.* Counties and corn yields:

Illinois. Adams, 43.2; Alexander, 33.5; Bond, 29.7; Boone, 46.2; Brown, 41.0; Bureau, 52.7; Calhoun, 47.4; Carroll, 53.1; Cass, 45.8; Champaign, 52.6; Christian, 48.7; Clark, 40.9; Clay, 25.1; Clinton, 34.6; Coles, 47.7; Cook, 43.4; Crawford, 38.9; Cumberland, 36.6; De Kalb, 54.6; De Witt, 50.1; Douglas, 50.2; Du Page, 46.0; Edgar, 51.9; Edwards, 36.4; Effingham, 31.0; Fayette, 27.9; Ford, 48.7; Fulton, 49.4; Gallatin, 35.5; Greene, 45.2; Grundy, 44.9; Hamilton, 25.5; Hancock, 46.6; Hardin, 28.1; Henderson, 51.8; Henry, 53.1; Iroquois, 48.3; Jackson, 32.7; Jasper, 33.3; Jersey, 44.5; Jo Daviess, 50.1; Johnson, 26.4; Kane, 52.9; Kankakee, 43.7; Kendall, 47.2; Knox, 52.5; Lake, 42.0; La Salle, 51.8; Lawrence, 35.0; Lee, 50.1; Livingston, 49.4; Logan, 50.8; McDonough, 49.5; McHenry, 44.8; McLean, 48.8; Macon, 50.5; Macoupin, 40.5; Madison, 38.0; Marion, 25.6; Marshall, 48.7; Mason, 39.2; Massac, 32.4; Menard, 47.8; Mercer, 50.8; Monroe, 41.7; Montgomery, 39.5; Morgan, 45.6; Moultrie, 46.9; Ogle, 50.0; Peoria 51.1; Perry, 24.8; Piatt, 52.3; Pike, 42.9, Pope, 26.7; Pulaski, 31.9; Putnam, 54.5; Randolph, 33.1; Richland, 27.9; Rock Island, 51.0; St. Clair, 38.8; Saline, 31.4; Sangamon, 49.0; Schuyler, 47.1; Scott 45.1; Shelby, 41.4; Stark, 52.3; Stephenson, 50.8; Tazewell, 52.0; Union, 33.5; Vermillion, 47.2; Wabash, 40.6; Warren, 53.8, Washington, 26.0; Wayne, 25.3; White, 33.0; Whiteside, 50.9; Will, 43.6; Winnebago, 47.8; and Woodford, 54.2. State, 46.3.

Indiana. Adams, 47.5; Allen, 44.1; Bartholomew, 41.7; Benton, 43.9; Blackford, 42.1; Boone, 46.8; Carroll, 48.5; Cass, 46.8; Clay, 40.3; Clinton, 49.0; Daviess, 38.3; Dearborn, 34.6; Decatur, 46.6; De Kalb, 41.8; Delaware, 51.4; Dubois, 37.8; Elkhart, 41.0; Fayette, 50.7; Fountain, 42.0; Franklin, 44.9; Fulton, 43.3; Gibson, 40.4; Grant, 51.5; Greene, 39.8; Hamilton, 48.7; Hancock, 46.1; Hendricks, 44.4; Henry, 45.1; Howard, 53.5; Huntington, 46.9; Jackson, 35.6; Jasper, 37.8; Jay, 43.0; Jennings, 32.9; Johnson, 48.9; Knox, 39.7; Kosciusko, 44.4; Lagrange, 38.4; Lake, 41.4; La Porte, 41.0; Lawrence, 35.2; Madison, 51.1; Marion, 41.8; Marshall, 43.1; Martin, 35.9; Miami, 50.9; Monroe, 34.0; Montgomery, 45.4; Morgan, 43.2; Newton, 42.8; Noble, 43.6; Orange, 34.2; Owen, 35.5; Parke, 41.8; Pike, 33.7; Porter, 39.3; Posey, 38.7; Pulaski, 37.6; Putnam, 43.5; Randolph, 46.3; Ripley, 33.6; Rush, 52.1; St. Joseph, 41.2; Scott, 29.2; Shelby, 43.5; Spencer, 34.6; Starke, 37.2; Steuben, 42.9; Sullivan, 37.8; Tippecanoe, 42.2; Tipton, 55.3; Union, 52.8; Vanderburgh, 44.1; Vermillion, 39.3; Vigo, 38.5; Wabash, 48.4; Warren, 43.7; Warrick, 34.2; Washington, 32.9; Wayne, 49.1; Wells, 49.2; White, 44.8; and Whitley, 43.5. State, 43.5.

Iowa. Adair, 44.5; Adams, 40.5; Allamakee, 49.6; Appanoose, 32.8; Audubon, 47.0; Benton, 52.7; Black Hawk, 50.3; Boone, 52.0; Bremer, 47.6; Buchanan, 47.3; Buena Vista, 51.5; Butler, 46.0; Calhoun, 52.2; Carroll, 49.4; Cass, 44.5; Cedar, 56.7; Cerro Gordo, 45.1; Cherokee, 46.5; Chickasaw, 40.9; Clarke, 36.3; Clay, 49.3; Clayton, 53.9; Clinton, 53.8; Crawford, 40.5; Dallas, 49.1; Davis, 34.2; Decatur, 33.1; Delaware, 51.4; Des Moines, 49.3; Dickinson, 46.4; Dubuque, 51.2; Emmet, 49.6; Fayette, 48.1; Floyd, 42.2; Franklin, 50.4; Fremont, 41.2; Greene, 49.6; Grundy, 54.3; Guthrie, 45.6; Hamilton, 52.5; Hancock, 48.9; Hardin, 51.6; Harrison, 37.7; Henry, 50.7; Howard, 40.5; Humboldt, 52.6; Ida, 42.0; Iowa, 52.2; Jackson, 52.6; Jasper, 51.5; Jefferson, 42.1; Johnson, 52.8; Jones, 55.6; Keokuk, 48.0; Kossuth, 49.9; Lee, 39.9; Linn, 50.7; Louisa, 48.9; Lucas, 34.8; Lyon, 41.2; Madison, 44.5; Mahaska, 47.5; Marion, 44.1; Marshall, 54.1; Mills, 44.0; Mitchell, 46.1; Monona, 39.4; Monroe, 35.4; Montgomery, 44.0; Muscatine, 51.4; O'Brien, 51.7; Osceola, 47.5; Page, 40.2; Palo Alto, 48.0; Plymouth, 38.1; Pocahontas, 52.1; Polk, 50.5; Pottawattamie, 44.5; Poweshiek, 53.3; Ringgold, 33.2; Sac, 48.3; Scott, 56.4; Shelby, 46.1; Sioux, 44.5; Story, 53.8; Tama, 54.0; Taylor, 35.8; Union, 38.2; Van Buren, 37.5; Wapello, 41.2; Warren, 43.2; Washington, 52.7; Wayne, 32.2; Webster, 51.1; Winnebago, 48.5; Winneshiek, 48.2; Woodbury, 37.2; Worth, 47.4; and Wright, 51.6. State, 47.0.

Michigan. Berrien, 35.6; Branch, 37.5; Calhoun, 37.0; Cass, 34.0; Hillsdale, 38.0; Jackson, 36.4; Kalamazoo, 35.8; Lenawee, 41.5; Monroe, 44.7; St. Joseph, 32.7; Washtenaw, 38.6; Wayne, 34.3; State, 37.9.

Minnesota. Bigstone, 29.5; Blue Earth, 46.6; Brown, 47.3; Carver, 50.7; Chippewa, 34.4; Cottonwood, 42.4; Dakota, 42.0; Dodge, 42.9; Faribault, 48.0; Fillmore, 44.8; Freeborn, 47.9; Goodhue, 46.9; Grant, 28.5; Hennepin, 37.5; Houston, 48.7; Jackson, 45.5; Kandiyohi, 36.8; Lac Qui Parle, 32.7; Le Sueur, 48.4; Lincoln, 33.4; Lyon, 37.4; McLeod, 46.6; Martin, 46.3; Meeker, 38.3; Mower, 44.1; Murray, 41.9; Nicollet, 49.6; Nobles, 44.7; Olmsted, 45.2; Pipestone, 34.2; Pope, 30.4; Redwood, 41.4; Renville, 41.1; Rice, 47.3; Rock, 40.5; Scott, 48.8; Sibley, 48.8; Stearns, 32.0; Steele, 49.3; Stevens, 30.7; Swift, 32.8; Traverse, 27.7; Wabasha, 45.5; Waseca, 48.4; Washington, 33.6; Watonwan, 44.6; Winona, 45.2; Wright, 37.2; and Yellow Medicine, 36.8. State, 41.2.

Missouri. Adair, 27.8; Andrew, 32.2; Atchison, 37.6; Audrain, 23.5; Bates, 19.8; Benton, 21.1; Boone, 27.7; Buchanan, 33.8; Caldwell, 28.7; Callaway, 25.5; Cape Girardeau, 27.5; Carroll, 29.7; Cass, 22.3; Charlton, 29.7; Clark, 31.0; Clay, 29.9; Clinton, 31.3; Cooper, 25.2; Daviess, 29.0; De Kalb, 27.7; Dunklin, 26.0; Gentry, 28.1; Grundy, 28.6; Harrison, 28.6; Henry, 18.1; Holt, 35.0; Howard, 30.8; Jackson, 27.7; Johnson, 22.2; Knox, 27.2; Lafayette, 31.5; Lewis, 27.7; Lincoln, 29.2; Linn, 28.0; Livingston, 28.2; Macon, 26.5; Marion, 31.6; Mercer, 29.3; Mississippi, 28.0; Moniteau, 24.7; Monroe, 26.9; Montgomery, 26.2; New Madrid, 27.3; Nodaway, 30.8; Pemiscot, 26.7; Perry, 28.1; Pettis, 24.1; Pike, 32.3; Platte, 32.5; Putnam, 30.1; Ralls, 27.9; Randolph, 26.0; Ray, 30.6; St. Charles, 37.1; St. Clair, 18.4; Saline, 32.5; Schuyler, 28.5; Scotland, 29.3; Scott, 26.7; Shelby, 26.7; Stoddard, 24.0; Vernon, 17.6; and Worth, 29.2. State, 27.8.

Nebraska. Adams, 14.5; Antelope, 19.9; Boone, 19.0; Buffalo, 16.5; Burt, 37.8; Butler, 25.5; Cass, 31.1; Cedar, 28.0; Chase, 15.5; Clay, 15.2; Colfax, 28.6; Cuming, 35.5; Custer, 13.0; Dakota, 37.0; Dawson, 20.4; Dixon, 31.7; Dodge, 33.6; Douglas, 36.4; Fillmore, 18.2; Franklin, 14.3; Frontier, 13.6; Furnas, 14.9; Gage, 23.0; Gosper, 13.5; Greeley, 14.5; Hall, 17.2; Hamilton, 17.2; Harlan, 14.5; Hayes, 15.4; Hitchcock, 14.4; Howard, 14.6; Jefferson, 18.9; Johnson, 25.7; Kearney, 14.9; Knox, 19.6; Lancaster, 24.3; Lincoln, 15.5; Madison, 23.9; Merrick, 20.0; Nance, 19.3; Nemaha, 33.1; Nuckolls, 15.1; Otoe, 28.0; Pawnee, 25.8; Perkins, 15.0; Phelps, 14.9; Pierce, 25.5; Platte, 25.6; Polk, 22.6; Redwillow, 13.6; Richardson, 31.5; Saline, 20.1; Sarpy, 35.3; Saunders, 29.2; Seward, 24.4; Sherman, 13.4; Stanton, 28.2; Thayer, 16.1; Thurston, 33.6; Valley, 14.3; Washington, 37.2; Wayne, 31.8; Webster, 13.8; and York, 20.0; State, 21.8.

Ohio. Adams, 31.7; Allen, 48.2; Ashland, 41.8; Auglaize, 49.2; Brown, 29.7; Butler, 44.2; Champaign, 48.4; Clark, 48.9; Clermont, 31.1; Clinton, 49.5; Coshocton, 48.1; Crawford, 46.8; Darke, 47.0; Defiance, 44.4; Delaware, 45.2; Erie, 45.7; Fairfield, 49.5; Fayette, 49.4; Franklin, 48.0; Fulton, 50.3; Greene, 50.2; Hamilton, 43.1; Hancock, 48.0; Hardin, 49.5; Henry, 50.0; Highland, 39.0; Holmes, 46.5; Huron, 43.5; Jackson, 36.3; Knox, 47.1; Licking, 49.2; Logan, 45.8; Lorain, 45.7; Lucas, 51.2; Madison, 45.2; Marion, 44.7; Medina, 43.0; Mercer, 50.0; Miami, 49.0; Montgomery, 46.6; Morrow, 42.3; Muskingum, 45.2; Ottawa, 47.8; Paulding, 41.0; Perry, 42.7; Pickaway, 48.7; Pike, 34.5; Preble, 51.0; Putnam, 46.7; Richland, 43.6; Ross, 44.5; Sandusky, 49.1; Scioto, 42.3; Seneca, 46.3; Shelby, 47.5; Stark, 46.0; Union, 46.3; Van Wert, 46.9; Warren, 42.0; Wayne, 50.1; Williams, 46.5; Wood, 48.2; and Wyandot, 47.2. State, 46.1.

South Dakota. Bon Homme, 15.8; Brookings, 26.0; Clay, 29.2; Deuel, 26.0; Grant, 26.0; Hamlin, 19.3; Hanson, 12.9; Hutchinson, 15.1; Kingsbury, 16.4; Lake, 22.0; Lincoln, 34.0; McCook, 19.6; Minnehaha, 33.0; Moody, 30.0; Roberts, 23.9; Turner, 23.0; Union, 37.3; and Yankton, 22.5; State, 24.7.

Wisconsin. Columbia, 41.0; Crawford, 42.6; Dane, 42.4; Grant, 43.8; Green, 42.5; Iowa, 42.1; Jefferson, 42.4; Lafayette, 42.6; Richland, 41.5; Rock, 43.1; Sauk, 40.6; and Walworth, 43.9. State, 42.5.

Delaware. Kent, 29.7; and New Castle, 37.7. State, 32.6.

Kansas. Anderson, 17.9; Atchison, 25.6; Brown, 27.8; Coffey, 19.4; Doniphan, 31.4; Douglas, 22.4; Franklin, 19.5; Jackson, 19.7; Jefferson, 23.0; Jewell, 13.6; Johnson, 25.2; Leavenworth, 25.0; Linn, 18.6; Marshall, 18.6; Miami, 21.7; Nemaha, 21.8; Norton, 12.8; Osage, 20.3; Phillips, 12.8; Pottawatomie, 21.8; Republic, 15.7; Riley, 19.6; Shawnee, 22.1; Smith, 12.8; and Washington, 16.8. State, 19.4.

Kentucky. Ballard, 24.9; Carlisle, 24.4; Crittenden, 21.6; Daviess, 27.8; Fulton, 29.9; Hancock, 24.8; Henderson, 29.3; Hickman, 27.2; Livingston, 22.2; McLean, 24.8; Union, 32.0; and Webster, 23.0. State, 26.7.

Maryland. Baltimore, 43.4; Caroline, 30.2; Carroll, 46.0; Cecil, 38.8; Frederick, 42.7; Harford, 47.8; Howard, 41.0; Kent, 34.0; Montgomery, 40.4; Queen Annes, 33.0; and Washington, 37.2. State, 39.7.

Pennsylvania. Adams, 43.4; Berks, 46.7; Chester, 54.7; Cumberland, 40.7; Dauphin, 41.9; Franklin, 43.1; Fulton, 34.0; Lancaster, 58.8; Lebanon, 49.9; Perry 40.0; and York, 48.8. State, 48.3.

(52 Stat. 38, 54 Stat. 727; 7 U.S.C. 1940 ed. 1301 (b) (13) (a) and (c))

Done at Washington, D. C., this 31st day of December 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Under Secretary of Agriculture.

[F. R. Doc. 43-22; Filed, January 1, 1943; 11:19 a. m.]

[Cotton 731]

PART 722—COTTON[1]

1943 COUNTY NORMAL YIELDS

Pursuant to the authority vested in the Secretary of Agriculture under the Agricultural Adjustment Act of 1938, as amended, there are hereby established the following county normal yields of lint cotton per acre applicable with respect to the marketing year beginning August 1, 1943:

§ 722.504 *1943 county normal cotton yields.* Counties and normal yields of lint cotton per acre in pounds:

Alabama: Autauga, 193; Baldwin, 204; Barbour, 158; Bibb, 193; Blount, 314; Bullock, 142; Butler, 196; Calhoun, 225; Chambers, 159; Cherokee, 313; Chilton, 193; Choctaw, 155; Clarke, 155; Clay, 208; Cleburne, 231; Coffee, 211; Colbert, 299; Conecuh, 203; Coosa, 164; Covington, 192; Crenshaw, 207; Cullman, 378; Dale,

[1] Subpart F–1943.

193; Dallas, 171; DeKalb, 401; Elmore, 231; Escambia, 234; Etowah, 308; Fayette, 212; Franklin, 243; Geneva, 233; Greene, 138; Hale, 186; Henry, 225; Houston, 261; Jackson, 304; Jefferson, 214; Lamar, 216; Lauderdale, 265; Lawrence, 299; Lee, 155; Limestone, 306; Lowndes, 163; Macon, 186; Madison, 291; Marengo, 161; Marion, 207; Marshall, 401; Mobile, 210; Monroe, 215; Montgomery, 188; Morgan, 306; Perry, 144; Pickens 203; Pike, 185; Randolph, 223; Russell, 155; St. Clair, 217; Shelby, 200; Sumter, 143; Talladega, 208; Tallapoosa 193; Tuscaloosa, 215; Walker, 222; Washington, 182; Wilcox, 161; and Winson, 259.

Arizona: Cochise, 232; Gila, 478; Graham, 629; Greenlee, 460; Maricopa, 487; Mohave, 282; Pima, 665; Pinal, 511; Santa Cruz, 468; and Yuma, 396.

Arkansas: Arkansas, 255; Ashley, 281; Baxter 240; Boone 236; Bradley, 205; Calhoun, 192; Chicot, 293; Clark, 216; Clay, 383; Cleburne, 218; Cleveland, 187; Columbia, 177; Conway, 219; Craighead, 409; Crawford, 282; Crittenden, 506; Cross, 434; Dallas, 199; Desha, 315; Drew, 228; Faulkner, 236; Franklin, 198; Fulton, 236; Garland, 169; Grant, 180; Greene, 387; Hempstead, 182; Hot Spring, 204; Howard, 168; Independence, 275; Izard, 232; Jackson, 304; Jefferson, 343; Johnson, 237; Lafayette, 221; Lawrence, 309; Lee, 366; Lincoln, 296; Little River, 184; Logan, 228; Lonoke, 297; Marion, 223; Miller, 227; Mississippi, 527; Monroe, 302; Montgomery, 153; Nevada, 173; Newton, 214; Ouachita, 178; Perry, 204; Phillips, 358; Pike, 145; Poinsett, 489; Polk, 167; Pope, 187; Prairie, 281; Pulaski, 319; Randolph, 304; St. Francis, 432; Saline, 199; Scott, 187; Searcy, 228; Sebastian, 249; Sevier, 155; Sharp, 235; Stone, 190; Union, 171; Van Buren, 190; Washington, 170; White, 249; Woodruff, 329; and Yell, 227.

California: Fresno, 610; Imperial, 301; Kern, 713; Kings, 624; Madera, 574; Merced, 500; Riverside, 417; San Bernardino, 400; San Joaquin, 380; Stanislaus, 326; and Tulare, 635.

Florida: Alachua, 83; Baker, 111; Bay, 160; Calhoun, 133; Columbia, 113; Dixie, 146; Escambia, 189; Gadsden, 104; Gulf, 94; Hamilton, 134; Holmes, 195; Jackson, 174; Jefferson, 106; Lafayette, 114; Leon, 107; Levy, 129; Liberty, 215; Madison, 127; Okaloosa, 164, Polk, 107; Santa Rosa, 190; Sumter, 109; Suwannee, 116; Taylor, 94; Wakulla, 83; Walton, 158; and Washington, 164.

Georgia: Appling, 181; Atkinson, 153; Bacon, 193; Baker, 162; Baldwin, 196; Banks, 222; Barrow, 276; Bartow, 267, Ben Hill, 199; Berrien, 202; Bibb, 185; Bleckley, 226; Brantley, 141; Brooks, 183; Bryan, 146; Bulloch, 240; Burke, 234; Butts, 222; Calhoun, 219; Camden, 102; Candler, 218; Carroll, 263; Catoosa, 288; Charlton, 117; Chatham, 171; Chattahoochee, 124; Chattooga, 282; Cherokee, 234; Clarke, 219; Clay, 215; Clayton, 193; Clinch, 169; Cobb, 250; Coffee, 201; Colquitt, 251; Columbia, 210; Cook, 230; Coweta, 217; Crawford, 146; Crisp, 236; Dade, 285; Dawson, 208; Decatur, 140; DeKalb, 190; Dodge, 209; Dooly, 227; Dougherty, 176; Douglas, 249; Early, 242. Echols, 156; Effingham, 187; Elbert, 220, Emanuel, 194; Evans, 225; Fayette, 248; Floyd, 268; Forsyth, 262; Franklin, 251; Fulton, 240; Gilmer, 157; Glascock, 246; Glynn, 139; Gordon, 288; Grady, 207; Greene, 210; Gwinnett, 246; Habersham, 211; Hall, 241; Hancock, 215; Haralson, 286; Harris, 174; Hart, 303; Heard, 204; Henry, 248; Houston, 188; Irwin, 229; Jackson, 227; Jasper, 236; Jeff Davis, 182; Jefferson, 229; Jenkins, 243; Johnson, 227; Jones, 154; Lamar, 199; Lanier, 213; Laurens, 216; Lee, 182; Liberty, 139; Lincoln, 195; Long, 154; Lowndes, 198; Lumpkin, 207; McDuffie, 214; McIntosh, 111; Macon, 202; Madison, 253; Marion, 139; Meriwether, 191; Miller, 223; Mitchell, 214; Monroe, 180; Montgomery, 161; Morgan, 269; Murray, 273; Muscogee, 119; Newton, 282; Oconee, 248; Oglethorpe, 241; Paulding, 277; Peach, 222; Pickens, 236; Pierce, 188; Pike; 223; Polk, 277; Pulaski, 217; Putnam, 205; Quitman, 161; Randolph, 202; Richmond, 217; Rockdale, 269; Schley, 178; Screven, 240; Seminole, 237; Spalding, 232; Stephens, 226; Stewart, 148; Sumter, 219; Talbot, 151; Taliaferro, 190; Tattnall, 218; Taylor, 214; Telfair, 164; Terrell, 274; Thomas, 192; Tift, 255; Toombs, 175; Treutlen, 180; Troup, 144; Turner, 204; Twiggs, 171; Upson, 158; Walker, 292; Walton, 293; Ware, 148; Warren, 264; Washington, 220; Wayne, 208; Webster, 133; Wheeler, 177; White, 254; Whitfield, 265; Wilcox, 202; Wilkes, 189; Wilkinson, 174; and Worth, 232.

Illinois: Alexander, 428; Jackson, 292; Massac, 164; Pope, 164; Pulaski, 318; and Randolph, 164.

Kansas: Chautauqua, 185; Cowley, 189; Montgomery, 208; and Wilson, 155.

Kentucky: Ballard, 269; Barren, 205; Calloway, 229; Carlisle, 286; Christian, 205; Fulton, 528; Graves, 233; Hickman, 343; Hopkins, 154; McCracken, 269; Marshall, 214; Metcalfe, 102; and Trigg, 205.

Louisiana: Acadia, 299; Allen, 237; Ascension, 148; Assumption, 209; Avoyelles, 319; Beauregard, 190; Bienville, 176; Bossier, 278; Caddo, 308; Calcasieu, 196; Caldwell, 270; Cameron, 197; Catahoula, 288; Claiborne, 187; Concordia, 325; DeSoto, 202; East Baton Rouge, 167; East Carroll, 386; East Feliciana, 197; Evangeline, 281; Franklin, 318; Grant, 232; Iberia, 219; Iberville, 185; Jackson, 181; Jefferson, 196; Jefferson Davis, 250; Lafayette, 278; LaFourche, 205; LaSalle, 220; Lincoln, 189; Livingston, 213; Madison, 372; Morehouse, 321; Natchitoches, 270; Orleans, 276; Ouachita, 279; Pointe Coupee, 320; Rapides, 324; Red River, 239; Richland, 306; Sabine, 186; St. Charles, 336; St. Helena, 184; St. James, 228; St. John the Baptist, 143; St. Landry, 301; St. Martin, 273; St. Mary, 193; St. Tammany, 196; Tangipahoa, 205; Tensas, 362; Union, 193; Vermilion, 240; Vernon, 179; Washington, 248; Webster, 188; West Baton Rouge, 211; West Carroll, 327; West Feliciana, 161; and Winn, 188.

Mississippi: Adams, 212; Alcorn, 282; Amite, 235; Attala, 199; Benton, 265; Bolivar, 407; Calhoun, 205; Carroll, 211; Chickasaw, 204; Choctaw, 167; Claiborne, 232; Clarke, 173; Clay, 159; Coahoma, 448; Copiah, 203; Covington, 251; DeSoto, 350; Forrest, 226; Franklin, 208; George, 201; Greene, 182; Grenada, 189; Hancock, 191; Harrison, 184; Hinds, 236; Holmes, 292; Humphreys, 365; Issaquena, 309; Itawamba, 187; Jackson, 178; Jasper, 214; Jefferson, 230; Jefferson Davis, 261; Jones, 247; Kemper, 169; Lafayette, 245; Lamar, 254; Lauderdale, 168; Lawrence, 248; Leake, 243; Lee, 252; Leflore, 400; Lincoln, 217; Lowndes, 176; Madison, 242; Marion, 260; Marshall, 256; Monroe, 217; Montgomery, 182; Neshoba, 225; Newton, 219; Noxubee, 165; Oktibbeha, 150; Panola, 300; Pearl River, 186; Perry, 200; Pike, 236; Pontotoc, 235; Prentiss, 239; Quitman, 428; Rankin, 242; Scott, 261; Sharkey, 392; Simpson, 261; Smith, 283; Stone, 195; Sunflower, 391; Tallahatchie, 383; Tate, 345; Tippah, 273; Tishomingo, 258; Tunica, 494; Union, 251; Walthall, 274; Warren, 271; Washington, 403; Wayne, 191; Webster, 190; Wilkinson, 187; Winston, 195; Yalobusha, 211; and Yazoo, 301.

Missouri: Bollinger, 237; Butler, 366; Cape Girardeau, 303; Carter, 126; Dunklin, 448; Howell, 198; Laclede, 128; Mississippi, 521; New Madrid, 480; Oregon, 195; Ozark, 202; Pemiscot, 514; Reynolds, 128; Ripley, 275; Scott, 393; Stoddard, 435; Taney, 167; and Wayne, 113.

New Mexico: Chaves, 499; Curry, 103; DeBaca, 172; Dona Ana, 703; Eddy, 443; Grant, 350; Harding, 84; Hidalgo, 528; Lea, 116; Luna, 463; Otero, 449; Quay, 73; Roosevelt, 134; Sierra, 523; and Socorro, 370.

North Carolina: Alamance, 258; Alexander, 306; Anson, 288; Beaufort, 303; Bertie, 321; Bladen, 272; Brunswick, 239; Burke, 307; Cabarrus, 299; Caldwell, 315; Camden, 357; Carteret, 246; Caswell, 216; Catawba, 362; Chatham, 246; Chowan, 333; Cleveland, 432; Columbus, 286; Craven, 274; Cumberland, 311; Currituck, 400; Davidson, 297; Davie, 302; Duplin, 304; Durham, 256; Edgecombe, 299; Forsyth, 243; Franklin, 291; Gaston, 341; Gates, 333; Granville, 266; Greene, 283; Guilford, 294; Halifax, 320; Harnett, 385; Hertford, 339; Hoke, 393; Hyde, 357; Iredell, 360; Johnston, 325; Jones, 240; Lee, 305; Lenoir, 272; Lincoln, 416; McDowell, 198; Martin, 326; Mecklenburg, 305; Montgomery, 249; Moore, 254; Nash, 337; New Hanover, 227; Northampton, 356; Onslow, 262; Orange, 257; Pamlico, 316; Pasquotank, 311; Pender, 232; Perquimans, 351; Person, 254; Pitt, 293; Polk, 327; Randolph, 247; Richmond, 277; Robeson, 315; Rockingham, 224; Rowan, 352; Rutherford, 365; Sampson, 337; Scotland, 332; Stanly, 293; Tyrrell, 294; Union, 298; Vance, 302; Wake, 278; Warren, 295; Washington, 296; Wayne, 280; Wilkes, 225; Wilson, 322; and Yadkin, 230.

Oklahoma: Adair, 171; Alfalfa, 111; Atoka, 148; Beckham, 142; Blaine, 162; Bryan, 154; Caddo, 187; Canadian, 180; Carter, 105; Cherokee, 179; Choctaw, 157; Cleveland, 199; Coal, 148; Comanche, 129; Cotton, 139; Craig, 172; Creek, 242; Custer, 139; Delaware, 136; Dewey, 133; Ellis, 85; Garfield, 150; Garvin, 175; Grady, 162; Grant, 111; Greer, 135; Harmon, 145; Haskell, 192; Hughes, 211; Jackson, 138; Jefferson, 155; Johnston, 157; Kay, 270; Kingfisher, 142; Kiowa, 126; Latimer, 173; LeFlore, 231; Lincoln, 208; Logan, 193; Love, 138; McClain, 193; McCurtain, 187; McIntosh, 225; Major, 133; Marshall, 176; Mayes, 237; Murray, 168; Muskogee, 224; Noble, 196; Nowata, 189; Okfuskee, 231; Oklahoma, 247; Okmulgee, 248; Osage, 287; Ottawa, 115; Pawnee, 265; Payne, 249; Pittsburg, 197; Pontotoc, 165; Pottawatomie, 200; Pushmataha, 125; Roger Mills, 132; Rogers, 205; Seminole, 186; Sequoyah, 232; Stephens, 137; Tillman, 179; Tulsa, 279; Wagoner, 266; Washington, 216; Washita, 161; and Woodward, 86.

South Carolina: Abbeville, 240; Aiken, 286; Allendale, 271; Anderson, 330; Bamberg, 258; Barnwell, 270; Beaufort, 107; Berkeley, 217; Calhoun, 324; Charleston, 128; Cherokee, 335; Chester, 268; Chesterfield, 277; Clarendon, 287; Colleton, 230; Darlington, 293; Dillon, 365; Dorchester, 255; Edgefield, 311; Fairfield, 228; Florence, 271; Georgetown, 195; Greenville, 360; Greenwood, 209; Hampton, 242; Horry, 253; Jasper, 140; Kershaw, 223; Lancaster, 245; Laurens, 305; Lee, 318; Lexington, 269; McCormick, 200; Marion, 324; Marlboro, 321; Newberry, 254; Oconee, 309; Orangeburg, 314; Pickens, 379; Richland, 208; Saluda, 279; Spartanburg, 328; Sumter, 293; Union, 225; Williamsburg, 295; and York, 295.

Tennessee: Bedford, 274; Benton, 255; Blount, 159; Bradley, 259; Cannon, 187; Carroll, 322; Chester, 315; Coffee, 249; Crockett, 401; Davidson, 242; Decatur, 237; DeKalb, 210; Dickson, 215; Dyer, 418; Fayette, 285; Franklin, 295; Gibson, 357; Giles, 270; Grundy, 285; Hamilton, 284; Hardeman, 281; Hardin, 226; Haywood, 360; Henderson, 315; Henry, 266; Hickman, 226; Humphreys, 174; Knox, 263; Lake, 512; Lauderdale, 454; Lawrence, 276; Lewis, 235; Lincoln, 296; Loudon, 224; McMinn, 253; McNairy, 298; Madison, 325; Marion, 306; Marshall, 268; Maury, 238; Meigs, 218; Monroe, 199; Moore, 234; Obion, 363; Perry, 245; Polk, 313; Rhea, 151; Roane, 154; Rutherford, 290; Sequatchie, 92; Shelby, 329; Stewart, 127; Tipton, 424; Van Buren, 119; Warren, 222; Wayne, 241; Weakley, 289; White, 214; Williamson, 226; and Wilson, 229.

Texas: Anderson, 149; Andrews, 131; Angelina, 232; Aransas, 235; Archer, 127; Armstrong, 148; Atascosa, 96; Austin, 191; Bailey, 151; Bandera, 119; Bastrop, 101; Baylor, 158; Bee, 102; Bell, 142; Bexar, 121; Blanco, 100; Borden, 180; Bosque, 107; Bowie, 191; Brazoria, 234; Brazos, 210; Brewster, 216; Briscoe, 153; Brooks, 88; Brown, 112; Burleson, 189; Burnet, 116; Caldwell, 143; Calhoun, 238; Callahan, 128; Cameron, 252; Camp, 146; Carson, 80; Cass, 174; Castro, 116; Chambers, 189; Cherokee, 155; Childress, 150; Clay, 148; Cochran, 132; Coke, 111; Coleman, 134; Collin, 239; Collingsworth, 137; Colorado, 149; Comal, 110; Comanche, 84; Concho, 152; Cooke, 163; Coryell, 112; Cottle, 160; Crockett, 173; Crosby, 225; Dallas, 205; Dawson, 208; Deaf Smith, 72; Delta, 265; Denton, 186; DeWitt, 120; Dickens, 207; Dimmit, 120; Donley, 153; Duval, 78; Eastland, 86; Ector, 150; Ellis, 199; El Paso, 705; Erath, 83; Falls, 152; Fannin, 241; Fayette, 140; Fisher, 174; Floyd, 172; Foard, 203; Fort Bend, 248; Franklin, 170; Freestone, 133; Frio, 86; Gaines, 139; Galveston, 135; Garza, 208; Gillespie, 106; Glasscock, 164; Goliad, 114; Gonzales, 122; Gray, 119; Grayson, 212; Gregg, 156; Grimes, 191; Guadalupe, 128; Hale, 168; Hall, 170; Hamilton, 117; Hardeman, 170; Hardin, 153; Harris, 189; Harrison, 173; Haskell, 193; Hays, 126; Hemphill, 113; Henderson, 155; Hidalgo, 209; Hill, 159; Hockley, 175; Hood, 75; Hopkins, 181; Houston, 184; Howard, 196; Hudspeth, 438; Hunt, 216; Irion, 128; Jack, 93; Jackson, 199; Jasper, 151; Jefferson, 191; Jim Hogg, 85; Jim Wells, 103; Johnson, 150; Jones, 166; Karnes, 110; Kaufman, 184; Kendall, 111; Kenedy, 110; Kent, 173; Kerr, 129; Kimble, 107; King, 179; Kinney, 133; Kleberg, 127; Knox, 196; Lamar, 215; Lamb, 207; Lampasas, 108; LaSalle, 66; Lavaca, 142; Lee, 112; Leon, 145; Liberty, 194; Limestone, 139; Lipscomb, 53; Live Oak, 106; Llano, 75; Loving, 200; Lubbock, 214; Lynn, 209; McCulloch, 133; McLennan, 140; McMullen, 103; Madison, 153; Marion, 132; Martin, 199; Mason, 87; Matagorda, 259; Maverick, 235; Medina, 111; Menard, 123; Midland, 140; Milam, 149; Mills, 98; Mitchell, 162; Montague, 112; Montgomery, 150; Moore 53; Morris, 172; Motley, 183; Nacogdoches, 176; Navarro, 166; Newton, 129; Nolan, 169; Nueces, 220; Ochiltree, 47; Orange, 212; Palo Pinto, 93; Panola, 164; Parker, 96; Parmer, 123; Pecos, 295; Polk, 215; Presidio, 320; Rains, 163; Randall, 73; Red River, 189; Reeves, 310; Refugio, 232; Roberts, 49; Robertson, 160; Rockwall, 231; Runnels, 164; Rusk, 146; Sabine, 184; San Augustine, 186; San Jacinto, 219; San Patricio, 250; San Saba, 129; Schleicher, 161; Scurry, 175; Shackelford, 126; Shelby, 186; Smith, 153; Somervell, 94; Starr, 83; Stephens, 85; Sterling, 132; Stonewall, 164; Sutton, 118; Swisher, 124; Tarrant, 163; Taylor, 129; Terrell, 255; Terry, 172; Throckmorton, 149; Titus, 170; Tom Green, 180; Travis, 136; Trinity, 189; Tyler, 200; Upshur, 155; Uvalde, 83; Van Zandt, 165; Victoria, 162; Walker, 170; Waller, 194; Ward, 323; Washington, 173; Webb, 68; Wharton, 240; Wheeler, 134; Wichita, 165; Wilbarger, 219; Willacy, 225; Williamson, 160; Wilson, 102; Wise, 118; Wood, 158; Yoakum, 122; Young, 119; Zapata, 63; and Zavala, 80.

Virginia: Amelia, 266; Brunswick, 255; Charlotte, 249; Chesterfield, 226; Dinwiddie, 239; Greensville, 327; Halifax, 234; Isle of Wight, 288; Lunenburg, 260; Mecklenburg, 276; Nansemond, 335; New Kent, 182; Norfolk, 310; Nottoway, 215; Pittsylvania, 79; Prince Edward, 153; Prince George, 223; Princess Anne, 344; Southampton, 317; Surry, 227; and Sussex, 271. (52 Stat. 41, 202, 54 Stat. 728; 7 U.S.C., 1301 (b) (13)).

Done at Washington, D. C., this 31st day of December 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-83; Filed, January 1, 1943; 4:03 p. m.]

[MQ-703-Cotton]

PART 722—COTTON[1]

MARKETING QUOTAS FOR THE 1943-1944 MARKETING YEAR

By virtue of the authority vested in the Secretary of Agriculture by Title III of the Agricultural Adjustment Act of 1938 (Public Law No. 430, 75th Congress, approved February 16, 1938; 52 Stat. 31, 7 U.S.C. 1301 et seq.), as amended, public notice is hereby given of the following regulations governing cotton marketing quotas for the 1943-1944 marketing year, which regulations shall be in force and effect until rescinded or suspended, or amended or superseded by regulations hereafter made under said Act.[2]

MISCELLANEOUS PROVISIONS AND DEFINITIONS

Sec.
722.511 Issuance of forms and instructions and definitions.

ALLOTMENTS AND YIELDS

722.512 National baleage allotment.
722.513 State baleage allotments and State acreage.
722.514 County acreage allotments.
722.515 Apportionment of acreage allotments among established farms.
722.516 Apportionment of acreage allotments among new farms.
722.517 Normal yields.
722.518 Applicability of detailed instructions.

FARM MARKETING QUOTAS

722.519 Farm marketing quotas.
722.520 Notice of farm marketing quotas.
722.521 Publication of farm acreage allotments, normal yields, and farm marketing quotas.
722.522 Marketing quotas in effect.
722.523 Successors-in-interest.
722.524 Marketing quotas not transferable.
722.525 Review of quotas.

MISCELLANEOUS PROVISIONS AND DEFINITIONS

§ 722.511 *Issuance of forms and instructions and definitions*—(a) *Issuance of forms and instructions.* The Chief of the Agricultural Adjustment Agency shall cause to be prepared and issued with his approval such instructions and such forms as may be required to carry out these regulations. Copies of such forms and necessary instructions shall be furnished free to persons needing them upon request made to the office of the appropriate county committee or the Chief of the Agricultural Adjustment Agency.

(b) *Definitions.* As used in these regulations and in all forms and documents

[1] Subpart E—1943.

[2] Unless otherwise indicated, all references in the text to sections relate to sections of these regulations. All section references at the end of sections relate to sections of the Agricultural Adjustment Act of 1938, as amended, and all paragraph references at the end of sections relate to Public Law 74, 77th Congress, approved May 26, 1941, 55 Stat. 203 (as amended by Public Law 374, 77th Congress, approved December 26, 1941, 55 Stat. 860, and Public Law 384, 77th Congress, approved December 26, 1941, 55 Stat. 872, and supplemented by Public Law 729, 77th Congress, approved October 2, 1942).

in connection therewith, unless the context or subject matter otherwise requires, the following terms shall have the following meanings and the masculine shall include the feminine and neuter genders and the singular shall include the plural number:

(1) "Act" means the Agricultural Adjustment Act of 1938, as amended, including Public Law 74, 77th Congress, approved May 26, 1941, Public Law 374, 77th Congress, approved December 26, 1941, Public Law 384, 77th Congress, approved December 26, 1941, Public Law 729, 77th Congress, approved October 2, 1942, and any other amendments heretofore or hereafter made.

(2) "Secretary of Agriculture" means the Secretary or Acting Secretary of Agriculture of the United States.

(3) "Administrator" means the Administrator or Acting Administrator of the Agricultural Conservation and Adjustment Administration of the United States Department of Agriculture.

(4) "Agricultural Adjustment Agency" means that part of the Agricultural Conservation and Adjustment Administration, which was formerly called the Agricultural Adjustment Administration and which is in charge of the administration of programs under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act (49 Stat. 1148), as amended (hereinafter referred to as the Soil Conservation and Domestic Allotment Act), and of marketing quotas and certain other programs carried out under the Agricultural Adjustment Act of 1938 and related legislation.

(5) "Chief" means the Chief of the Agricultural Adjustment Agency.

(6) "Regional Director" means the director or acting director of the division of the Agricultural Adjustment Agency for the particular region.

(7) "Southern Region" means the area included in the States of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Oklahoma, South Carolina, and Texas.

(8) "East Central Region" means the area included in the States of Delaware, Kentucky, Maryland, North Carolina, Tennessee, Virginia, and West Virginia.

(9) "Western Region" means the area included in the States of Arizona, California, Colorado, Idaho, Kansas, Montana, Nevada, New Mexico, North Dakota, Oregon, Utah, Washington, and Wyoming.

(10) "North Central Region" means the area included in the States of Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin.

(11) "State committee" means the group of persons designated within any State to assist in the administration of the Soil Conservation and Domestic Allotment Act.

(12) "Committee" means a committee, within and for a county or community, utilized under the Soil Conservation and Domestic Allotment Act. "County committee," "community committee," or "local committee" shall have corresponding meanings in the connection in which they are used.

(13) "Review committee" means the review committee appointed by the Secretary of Agriculture as provided in section 363 of the Act.

(14) "Person" means an individual, partnership, firm, joint-stock company, corporation, association, trust, estate, or other legal entity, or a State or an agency thereof. The term "person" shall include two or more persons having a joint or common interest.

(15) "Owner or landlord" means a person who owns farm land and rents such land to another person or who operates such land.

(16) "Cash tenant, standing-rent tenant, fixed-rent tenant" means a person who rents land from another for a fixed amount of cash or a commodity to be paid as rent.

(17) "Share tenant" means a person other than a sharecropper who rents land from another person and pays as rent a share of the crops or the proceeds thereof.

(18) "Sharecropper" means a person who works a farm in whole or in part under the general supervision of the operator and is entitled to receive for his labor a share of the crops produced thereon or the proceeds thereof.

(19) "Operator" means a person who as a landlord or cash tenant or standing-rent or fixed-rent tenant is operating a farm or who as a share tenant is operating a whole farm.

(20) "Producer or farmer" means a person who is entitled to a proportionate share of the cotton crop, or the proceeds thereof, produced on the farm in 1943, as owner, landlord, cash tenant, standing-rent tenant, fixed-rent tenant, share tenant, or sharecropper. The term "producer" or "farmer" also includes a person who as a laborer on a farm instead of receiving daily or other cash wages for his labor receives either all the cotton produced by him or another on an agreed or specified acreage or all the cotton produced on an agreed or specified portion of the acreage cultivated by him or another.

(21) "Buyer" means a person who buys cotton from a producer.

(22) "Transferee" means a person who receives cotton from a producer by barter or exchange or by gift *inter vivos*.

(23) "Ginner" means a person who gins cotton.

(24) "Treasurer of the county committee" means the treasurer of the county agricultural conservation association or of the county committee, as the case may be.

(25) "Farm" means all adjacent or nearby farm or range land under the same ownership which is operated by one person, including also:

(i) Any other adjacent or nearby farm or range land which the county committee, in accordance with instructions issued by the Agricultural Conservation and Adjustment Administration, determines is operated by the same person as part of the same unit in producing range livestock or with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other lands; and

(ii) Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops.

A farm shall be regarded as located in the county or administrative area, as the case may be, in which the principal dwelling is situated, or if there is no dwelling thereon it shall be regarded as located in the county or administrative area, as the case may be, in which the major portion of the farm is located.

(26) "Farm marketing quota" means a cotton marketing quota established for a farm under section 346 (a) of the Act.

(27) "Producer marketing quota" means a producer's share of a farm marketing quota.

(28) "Farm acreage allotment" means a cotton acreage allotment established for a farm under § 722.515 or § 722.516.

(29) "Normal yield." The number of pounds of lint cotton established as the normal yield per acre for the farm in accordance with § 722.517.

(30) "Actual production" means the actual average yield per acre of lint cotton for the farm for 1943 times any number of acres.

(31) Normal production' means the normal yield per acre of lint cotton for the farm times a number of acres.

(32) "Cotton" means any cotton other than long staple cotton.

(33) "Long staple cotton" means cotton the staple of which is 1⅛ inches or more in length.

(34) "Lint cotton" means the fiber taken from seed cotton by ginning.

(35) "Seed cotton" means the harvested fruit of the cotton plant before it is ginned.

(36) "Ginning" means separating lint cotton from the seed.

(37) "Market" means to dispose of cotton in raw or processed form by voluntary or involuntary sale, barter, or exchange, or by gift *inter vivos*.

(i) The term "sale" means any transfer of title to cotton by its producer to another person by any means other than barter or exchange or gift *inter vivos*.

(ii) The terms "barter" and "exchange" mean the transfer of title to cotton by its producer to another person in return for cotton or any other commodity, service, or property in cases where the value of the cotton or such other commodity, service, or property is not considered in terms of money, or the transfer of title to cotton by its producer to another person in payment of a fixed rental or other charge for land.

(iii) The term "gift *inter vivos*" means any transfer of title, accompanied by delivery, to cotton by its producer to another person which takes effect immediately and irrevocably and is made without any consideration or compensation therefor.

(iv) The terms "marketed," "marketing," and "for market" shall have corresponding meanings to the term "mar-

ket" in the connection in which they are used.

(38) "Marketing year" means the period beginning on August 1, 1943, and ending with July 31, 1944, both dates inclusive.

(39) "Penalty" means, with respect to cotton produced in any calendar year prior to 1941, the penalty provided in section 348 of the Act. With respect to cotton produced in 1941 or any subsequent year, it means the penalty provided in paragraph numbered (9) of Public Law 74, 77th Congress, approved May 26, 1941 (55 Stat. 203), as supplemented by Public Law 729, 77th Congress, approved October 2, 1942.

(40) "State and county code number" means the applicable number assigned by the Agricultural Adjustment Agency to each county for the purpose of identification.

(41) "Serial number of the farm or farm serial number" means the serial number assigned to a farm.

(42) "Gin bale number or mark" means the number on the bale tag or any other mark made or used by the ginner to identify a bale of cotton.

(43) "Underplanted farm" means a farm on which the acreage planted to cotton in 1943 is not in excess of the farm acreage allotment established therefor.

(44) "Overplanted farm" means a farm on which the acreage planted to cotton in 1943 is in excess of the farm acreage allotment established therefor.

(45) "Carry-over penalty cotton" means the amount of unmarketed cotton from any previous crop which the producer thereof has on hand which, if marketed during the 1942–1943 marketing year, would have been subject to the penalty.

(46) "Carry-over penalty free cotton" means the amount of unmarketed cotton from any previous crop which the producer thereof has on hand which, if marketed during the 1942–1943 marketing year, would not have been subject to the penalty. (Sec. 375, 52 Stat. 66)

ALLOTMENTS AND YIELDS

§ 722.512 *National baleage allotment.* The national allotment of cotton for the calendar year beginning January 1, 1943, is 10,000,000 standard bales of 500 pounds gross weight, increased by that number of standard bales of 500 pounds gross weight equal to the production in 1943 of that number of acres required to be allotted for 1943 as set forth in § 722.513 (c), relating to minimum State acreage allotments, and in § 722.514 (a), relating to minimum county acreage allotments. The production in 1943 of the acreage allotments referred to in § 722.513 (e), relating to a special fund of acreage allotments consisting of four percent of the State acreage allotment, and in § 722.513 (f), relating to minimum farm acreage allotments, shall be in addition to such national allotment. (Sec. 343 (a), (b), and (c), 52 Stat. 56, as amended by 53 Stat. 1125)

§ 722.513 *State baleage allotments and State acreage*—(a) *State baleage allotment.* Ten million standard bales of the national baleage allotment of cotton for the calendar year 1943 shall be apportioned among the several States on the basis of the average of the normal production of cotton in each State for the five years 1937 to 1941. The normal production of a State for each such year shall be (1) the quantity of cotton produced therein in such year plus (2) the normal production of the acres diverted from the production of cotton in all counties in the State under the agricultural adjustment or conservation program in such year. The normal production of the acres diverted from the production of cotton in any county in any year shall be the average yield per acre of the acres planted to cotton in such county in such year times the number of acres so diverted in such county in such year. (Sec. 344 (a), 52 Stat. 57)

(b) *State acreage allotment.* A State acreage allotment shall be established for each State to which an allotment is made under paragraph (a). The State acreage allotment shall be that number of acres equal to the result obtained by dividing the number of standard bales allotted to the State under paragraph (a) by the average yield per acre for the State expressed in standard bales. The average yield per acre for any State shall be determined on the basis of the average of the normal production for the State for the five years 1937 to 1941 and the average, for the same period, of the acres diverted from the production of cotton in the State under the agricultural adjustment or conservation programs and the acres planted to cotton. (Sec. 344 (b), 52 Stat. 57)

(c) *Minimum State acreage allotment.* Notwithstanding the foregoing provisions of this section, the State acreage allotment for any State which is less than 5,000 acres shall be increased to 5,000 acres if at least 3,500 bales of cotton were produced in such State in any of the five years 1938 to 1942. (Sec. 344 (c) (2), 52 Stat. 58)

(d) *State acreage reserve for new farms.* An acreage not greater than one percent of the State acreage allotment shall be made available for apportionment to farms in the State on which cotton was not planted in any one of the three years 1940, 1941, and 1942. (Sec. 344 (c) (2), 52 Stat. 57)

(e) *Special State acreage allotment of four percent of State acreage allotment.* In addition to the State acreage allotment, a special State acreage allotment (hereinafter referred to as the "four-percent State reserve") equal to four percent of the State acreage allotment shall be established for each State for apportionment as set forth in § 722.515 (a), (b), (d), (e), and (f). (Sec. 344 (g), 52 Stat. 203)

(f) *Increases to provide for minimum farm acreage allotments.* There shall be available in each State for allotment to farms that number of acres equal to the total amount by which farm acreage allotments in the State are increased as set forth in § 722.515 (h), relating to certain minimum and maximum farm acreage allotments. This increase shall be in addition to the State acreage allotment and the four-percent State reserve. (Sec. 344 (h), 52 Stat. 57, 203, and 586, and 53 Stat. 512, 853)

§ 722.514 *County acreage allotments*—(a) *Regular county acreage allotments.* The State acreage allotment (less that part set aside under § 722.513 (d) for apportionment to new farms) shall be apportioned among the counties in the State on the basis of the sum of (1) the acreage therein planted to cotton during the five years 1937 to 1941 and (2), in the applicable years, the acreage therein diverted from the production of cotton under agricultural adjustment and conservation programs, with adjustments for abnormal weather conditions and trends in acreage, during such five-year period. The acreage allotment for each county to which an allotment is so apportioned shall be increased by the number of acres, if any, required to provide an acreage allotment for each such county of not less than 60 percent of the sum of (i) the acreage therein planted to cotton in 1937 and (ii) the acreage therein diverted from the production of cotton in 1937 under the agricultural conservation program. (Sec. 344 (c) (1), Sec. 344 (e) (1), 52 Stat. 57 and 58)

(b) *Administrative areas.* If in any county there are one or more areas which, because of difference in types, kinds, and productivity of the soil or other conditions, should be treated separately in order to prevent discrimination, each such area shall, in accordance with applicable instructions, be designated by the county committee as an administrative area, and the county acreage allotment shall be apportioned among such areas (1) on the basis of the acreage in each such area planted to cotton in 1937 plus the acreage therein diverted from the production of cotton in 1937 under the agricultural conservation program or (2), if conditions affecting the acreage planted to cotton were not reasonably uniform throughout the county in 1937, on the basis of the cotton base acreage in each such area which was or could have been established in 1937 under the agricultural conservation program. (Sec. 344 (f), 52 Stat. 57, 203, 586)

§ 722.515 *Apportionment of acreage allotments among established farms*—(a) *Acreage available for allotment.* The county committee, with the assistance of other local committees established in the county, shall apportion, in the manner set forth in this section, acreage allotments among all farms in the county on which cotton was planted in any one or more of the three years 1940 to 1942. The acreage allotments to be apportioned among such farms shall consist of (1) the regular county acreage allotment, consisting of an apportionment of the State acreage allotment made to the county, with such increase in the county acreage allotment as is necessary to provide for the county a minimum acreage allotment of not less than 60 percent of the planted plus diverted cotton acreage in the county in 1937, plus any acreage apportioned to the county from the four-percent State reserve in supplementing county allotments which are

determined, in accordance with applicable instructions, to be inadequate and unrepresentative, and (2) a distributive part, applicable to the county, of the four-percent State reserve. This distributive part shall be the sum of the acreage allotted to farms in the county, insofar as the amount of the four-percent State reserve will permit, under the following conditions in the order listed: (i) in supplying any deficiency in the regular county acreage allotment for the making of initial acreage allotments not exceeding five acres for each such farm; (ii) in supplementing any acreage allotment made to any farm out of the regular county acreage allotment which, in consequence of the making of such initial acreage allotments, is inadequate and unrepresentative, and (iii) in supplementing any acreage allotment made to any farm under this section which the county committee determines, in accordance with applicable instructions, is inadequate and unrepresentative. The committee shall not establish any farm acreage allotment which is not covered by the allotments mentioned above, except that after but not before the apportionment among farms of all the allotments mentioned above in this paragraph an additional farm acreage allotment shall be made, as set forth in paragraph (h), to any farm in respect to which the acreage allotment otherwise made is less than the minimum acreage allotment set forth in paragraph (h). The term "planted plus diverted cotton acreage", as used in this section, shall be taken to mean the sum of the acreage planted to cotton and the acreage diverted from cotton production under agricultural adjustment or conservation programs. (Sec. 344 (d), (e), (f), (g), (h), 52 Stat. 58, 203, and 586)

(b) *Initial farm acreage allotments.* The regular county acreage allotment shall be first apportioned among farms on which cotton was planted in any one or more of the three years 1940 to 1942, and in making such apportionment there shall be first established for each such farm an initial acreage allotment equal to the highest planted plus diverted cotton acreage on the farm in any of the three years 1940 to 1942: *Provided*, That no initial allotment shall exceed five acres for any such farm. These allotments shall be known as initial allotments and are referred to accordingly in this section. Any deficiency in the amount of the regular county acreage allotment for the making of such initial allotments shall be supplied by the use of the four-percent State reserve insofar as such reserve will permit for the county. (Sec. 344 (d) (1), sec. 344 (g) (1), 52 Stat. 58 and 203)

(c) *Reserve for small farms.* In the event that the regular county acreage allotment is more than sufficient to make the initial allotments, there shall be set aside for increase of allotments to small farms, as set forth in paragraph (g), an amount of not more than three percent of that amount of the regular county acreage allotment which remains after making the initial allotments. (Sec. 344 (d) (2), 52 Stat. 58)

(d) *Apportionment on the basis of tilled land.* The remainder of the regular county acreage allotment, plus the additional allotment, if any, made to the county from the four-percent State reserve pursuant to paragraph (a), shall be apportioned among all farms on which the highest planted plus diverted cotton acreage in any of the three years 1940 to 1942 was more than five acres. The acreage thus to be apportioned to each such farm shall, together with the initial allotment made to the farm, be a percentage (which shall be the same percentage for all farms in the county or administrative area within the county) of the acreage on the farm in 1942 which was tilled or was in regular rotation, excluding therefrom the acreage devoted to the production of sugarcane for sugar, wheat, tobacco, or rice for market, or of wheat or rice for feeding to livestock for market. (Sec. 344 (d) (3), 52 Stat. 58)

(e) *Increases as a result of making initial farm acreage allotments.* If as a result of the making of initial allotments, the farm acreage allotments for farms made in accordance with paragraph (d) are substantially smaller than the farm acreage allotments which would have been made without regard to any provision for the making of initial allotments, the farm acreage allotments to such farms shall be increased to the acreage which would have resulted in the absence of any provision for the making of initial allotments, insofar as the remainder, if any, of the four-percent State reserve will permit for the county after the making of initial allotments. (Sec. 344 (g) (2), 52 Stat. 203 and 53 Stat. 853)

(f) *Increases in view of past production.* After allotments have been made from the four-percent State reserve as provided in paragraphs (b) and (e), one-half of the remainder, if any, of such reserve, less the additional allotment, if any, made to all counties in the State from the four-percent State reserve pursuant to paragraph (a), shall be apportioned to farms for which the acreage allotment otherwise determined is less than 50 percent of the planted plus diverted cotton acreage on the farm in 1937, and the other one-half of the remainder, if any, of such reserve shall be available for increasing the allotments for any farms which are determined, in accordance with applicable instructions, to be inadequate and not representative in view of past production on the farm: *Provided*, That the cotton acreage allotment for any farm shall not be increased under this paragraph (f) above 40 percent of the acreage on such farm in 1942 which was tilled or was in regular rotation. (Sec. 344 (g) (3), 52 Stat. 203 and 53 Stat. 853)

(g) *Distribution of reserve for small farms.* Any farm acreage allotment made as aforesaid of more than five acres, but not exceeding 15 acres, may be increased from the reserve of not more than three percent of the county acreage allotment mentioned in paragraph (c). In making such increase due consideration shall be given to, and such allotments shall be made on the basis of, the land, labor, and equipment available for the production of cotton, crop-rotation practices, and the soil and other physical facilities affecting the production of cotton. (Sec. 344 (d) (2), 52 Stat. 58)

(h) *Certain minimum and maximum farm acreage allotments.* Notwithstanding the foregoing provisions of this section, (1) the farm acreage allotment made to any farm shall not exceed the highest planted plus diverted cotton acreage in any of the three years 1940 to 1942 and (2) any farm acreage allotment which after but not before the apportionment of all acreage allotments, as provided in the foregoing paragraphs of this section, is less than 50 percent of the planted plus diverted cotton acreage on the farm in 1937 shall be increased to such amount, provided that such increase shall not be so made as to raise the farm acreage allotment above 40 percent of the acreage on the farm which in 1942 was tilled or was in regular rotation. The acreage allotments required to effect this minimum provision shall be in addition to all acreage allotments represented by the regular county acreage allotment and by the four-percent State reserve. (Sec. 344 (d) (3), (g), and (h), 52 Stat. 58, 203, and 586 and 53 Stat. 512 and 853)

(i) *Use of 1942 allotment for 1943.* Notwithstanding any other provision of this section, in accordance with instructions issued by the Agricultural Adjustment Agency (Cotton 708—Part I for the particular region), the 1943 farm acreage allotment shall be the 1942 acreage allotment adjusted for any change in tilled acreage or highest planted plus diverted cotton acreage. (Sec. 344 (d)–(i), 52 Stat. 58, 203, 204, 586, and 53 Stat. 512, 853)

(j) *Reallocation of allotments due to displacement of producers.* Except as provided in the next succeeding paragraph, the cotton allotment for any land which is removed from agricultural production because of acquisition by a State or Federal agency or for use in connection with the war effort shall be available to the State committee for use in providing equitable allotments for farms on which cotton was grown in one or more of the three years 1940 through 1942 and which are operated by persons who were producers of such crop on the land so removed from agricultural production. Insofar as possible the allotments for farms operated by such persons shall compare with the allotments for other farms in the locality taking into consideration the allotment for the land removed from agricultural production.

The cotton allotment determined, or which would have been determined, for any land acquired in 1940 or thereafter by any Federal agency for war purposes shall be placed in a State pool and shall be used only for making equitable allotments for farms owned or acquired by owners dispossessed by a Federal agency because of acquisition of the farm for war purposes. The allotment made for any such farm, including farms on which cotton was not planted during any of the three years 1940 through 1942, shall compare with the allotments established for other farms in the same area which are similar except for the past acreage of cotton, taking into consideration the character and adaptability of the soil and other physical facilities affecting the production of cotton. (Sec. 344 (j), 56 Stat. 52)

(k) *Reapportionment of unused farm acreage allotments.* After making the allotments under this section, any part of the acreage allotted to individual farms which it is determined, in accordance with applicable instructions in Cotton 708, will not be planted to cotton in 1943 shall be deducted from the allotments to such farms and may be apportioned in accordance with said instructions, preference being given to farms in the same county receiving allotments which are inadequate and not representative in view of the past production of cotton on each farm. Notwithstanding the foregoing provisions of this paragraph, the acreage shall be apportioned to those farms designated by the county committee. In designating the farm to which the apportionment is to be made, the county committee shall consider only the character and adaptability of the soil and other physical facilities affecting the production of cotton and the need of the operator of such farm for an additional allotment to meet the requirements of the families engaged in the production of cotton in 1943 on the farm. Any transfer of allotments for 1943 as set forth in this paragraph shall not affect apportionment for any subsequent year. (Sec. 344 (h), 52 Stat. 57, 203, 586, and 53 Stat. 512, 853)

§ 722.516 *Apportionment of acreage allotments among new farms.* The county committee, with the assistance of other local committees, shall, in accordance with applicable instructions in Cotton 708, apportion among farms for which an application for a farm acreage allotment was made in writing within the time limit prescribed therefor by the Agricultural Adjustment Agency and on which cotton was not planted in any of the three years 1940 to 1942 and on which cotton will be planted in 1943 the distributive part, applicable to the county, of acreage allotments which constitute a reserve of not more than one percent of the State acreage allotment. The basis of the apportionment shall be the land, labor, and equipment available on the farm for the production of cotton, crop-rotation practices, and the soil and other physical facilities affecting the production of cotton thereon, taking into consideration the applicant's intention to plant cotton in 1943 on the farm. As a reflection of the several factors to be taken into consideration, the acreage on the farm which was tilled in 1942 or will be tilled in 1943, as determined by the county committee, will be the basic index of the farm's capacity for cotton production: *Provided*, That the allotment shall not exceed an acreage equal to 50 percent of the county percentage factor, determined under paragraph (d), times the tilled acreage in the farm used in determining the cotton acreage allotment, except that (a), for any such farm with respect to which the county committee's recommendation of an allotment is less than three acres, such recommendation shall be the cotton acreage allotment for the farm if the State reserve for new farms is sufficient therefor, or for any such farm with respect to which the county committee's recommendation of an allotment is three acres or more the allotment for the farm shall not be less than three acres if the State reserve for new farms is sufficient therefor, taking into consideration also the local committee's recommendation, and (b) for a farm on which the operator was, in 1942, a producer of cotton on land subsequently removed from agricultural production because of acquisition by a State or Federal agency for use in connection with the National Defense Program, the county cotton factor times the tilled acreage for the farm may be regarded as the basic index for the farm's capacity for cotton production. (Sec. 344 (c) (2), 52 Stat. 57)

§ 722.517 *Normal yields.* A normal yield per acre of lint cotton shall be determined for each farm for which a farm acreage allotment is established as follows:

(a) *Yields based on reliable records.* Where reliable records of the actual average yield of lint cotton per acre for all of the five years 1937 to 1941 are presented by the farmer or are available to the committee, the normal yield per acre of lint cotton for the farm shall be the average of such yields, adjusted, in accordance with applicable instructions in Cotton 708, for abnormal weather conditions.

(b) *Appraised yields.* If for any year of the five-year period 1937 to 1941 (1) records of the actual average yield are not available, or (2) there was no actual yield because cotton was not planted in such year, the normal yield per acre of lint cotton for the farm shall be appraised by the county committee, taking into consideration the normal yield for the county, the yield in the years for which data are available, and the rainfall, temperature, and other weather conditions during the years for which data are available as compared with those for which data are not available, provided the appraised yield so obtained shall be adjusted in accordance with paragraph (c).

(c) *Adjustments in appraised yields.* The yields determined under this section shall be adjusted so that the average of the normal yields per acre of lint cotton determined for all farms in the county (weighted by the cotton acreage allotments established for such farms) shall conform to but not exceed the county normal yield per acre of lint cotton established for 1943 by the Secretary of Agriculture. (Sec. 301 (b) (13) (B) and (E), 52 Stat. 38, 202)

§ 722.518 *Applicability of detailed instructions.* The provisions of §§ 722.512 through 722.517 shall be carried out in detail in accordance with the provisions of Part I, "Instructions for Determining 1943 Farm Cotton Acreage Allotments and Normal Yields", of the following instructions applicable to the regions indicated below:

Southern Region: Cotton 708–SR, "Instructions Pertaining to Cotton Marketing Quotas for 1943".

East Central Region: Cotton 708–ECR, "Instructions Pertaining to Cotton Marketing Quotas for 1943".

Western Region: Cotton 708–WR, "Instructions Pertaining to Cotton Marketing Quotas for 1943".

North Central Region; Cotton 708–NCR, "Instructions Pertaining to Cotton Marketing Quotas for 1943". (Sec. 375, 52 Stat. 66)

FARM MARKETING QUOTAS

§ 722.519 *Farm marketing quotas*—(a) *Amount of farm marketing quota.* The farm marketing quota for any farm for the 1943–1944 marketing years shall be that number of pounds of lint cotton equal to the sum of the following: (1) the amount of the normal production or the actual production, whichever is the greater, of the farm acreage allotment, and (2) the amount of any carry-over penalty free cotton.

(b) *Initial farm marketing quotas.* Notwithstanding any other provisions of this section, the amount of the normal production of the farm acreage allotment, plus the amount of any carry-over penalty free cotton, shall be the farm marketing quota for any farm unless and until it is determined by the county committee that the actual production in 1943 of the farm acreage allotment therefor is in excess of the normal production thereof. If the owner or operator refuses to permit measurements for any farm, the farm marketing quota therefor shall be the normal production of the farm acreage allotment therefor, plus the amount of carry-over penalty free cotton.

(c) *Farm marketing quotas based on actual production.* When the actual production in 1943 of the farm acreage allotment for any farm, as shown by satisfactory evidence such as the reports of cotton ginned from or produced on the farm, is found by the county committee to be in excess of the normal production of the farm acreage allotment, the farm marketing quota for the farm shall be adjusted upward by the amount by which the actual production of the farm acreage allotment exceeds the normal production thereof. Such adjustment shall be made as soon as practicable after all cotton produced on the farm in 1943 is harvested and satisfactory records pertaining to the amount thereof are presented to the county committee; however, intermediate adjustments for any farm may be made earlier if the adjustment is requested by the operator of the farm and determined by the county committee to be justifiable on the basis of the amount of cotton produced on the farm in 1943 that is harvested at the time of the request. (Sec. 346 (a), 52 Stat. 59)

(d) *Conversion of carry-over penalty cotton.* The amount of unmarketed cotton at the end of the 1942–1943 marketing year which, if marketed during that marketing year, would have been subject to penalty at a rate per pound less than

the penalty rate applicable to cotton of the 1943 crop shall, for the purposes of these regulations, be regarded as having been converted, on the basis of the rate of penalty applicable to cotton of the 1943 crop, into such an amount thereof as is subject to such rate of penalty and such an amount thereof as is henceforth not subject to any penalty. The conversion is made by taking as carry-over penalty cotton subject to the rate of penalty applicable to cotton of the 1943 crop an amount of such unmarketed cotton which bears the same ratio to the total amount thereof as the lower rate of penalty bears to the rate of penalty applicable to the 1942 crop and by taking as carry-over penalty free cotton the remainder of such unmarketed cotton.

§ 722.520 *Notice of farm marketing quotas.* Immediately upon the establishment of farm acreage allotments and the determination of normal yields per acre of lint cotton for farms in a county or other local administrative area, the county committee shall mail or deliver directly to the operator of each farm a written notice of the farm marketing quota for the farm. The notice shall contain the following statement: "To all persons who as operator, landlord, tenant, or sharecropper are interested in the above-described farm" (the farm for which the quota is established). Notice so given shall constitute notice to all such persons. The notice shall contain the amount of the farm acreage allotment and normal yield for the farm, together with a brief statement of the manner in which the amount of the farm marketing quota is determined pursuant to § 722.519. The notice shall contain also a brief statement of the procedure whereby application for review of the quota may be made under section 363 of the Act. A copy of each notice, containing a notation thereon of the date of mailing or delivering the notice to the operator of the farm, shall be kept among the permanent records of the county committee, and upon request a copy thereof, duly certified as true and correct, shall be furnished without charge to any person who as operator, landlord, tenant, or sharecropper is interested in the cotton produced in 1943 on the farm for which the notice is given. The county committee shall also mail or deliver directly to the operator of each new cotton farm for which it determines that no farm marketing quota will be established a similar written notice, informing the producers on such farm of its determination. (Sec. 362, 52 Stat. 62)

§ 722.521 *Publication of farm acreage allotments, normal yields, and farm marketing quotas.* One copy of each notice of the farm marketing quota for farms in a county shall be placed in binders or folders and posted in the office of the county committee in a manner that will make the copies of the notices freely available for public inspection for a period of not less than 30 calendar days. At the end of such period the copies of the notices shall be filed in the office of the county committee and remain readily available for further public inspection. (Sec. 362, 52 Stat. 62)

§ 722.522 *Marketing quotas in effect.* Marketing quotas shall be in effect during the 1943–1944 marketing year with respect to the marketing of cotton. Cotton produced in the calendar year 1943 shall be subject to the quotas in effect, notwithstanding that it may be marketed prior to August 1, 1943. (Secs. 345 and 347, 52 Stat. 58 and 59)

§ 722.523 *Successors-in-interest.* Any person who succeeds to the interest of a producer in a farm, or in a cotton crop, or in cotton for which a farm marketing quota was established shall, to the same extent as his predecessor, be entitled to all the rights and privileges incident to such marketing quota and be subject to the restrictions on the marketing of cotton. (Sec. 375 (b), 52 Stat. 66)

§ 722.524 *Marketing quotas not transferable.* A farm marketing quota is established for a farm and may not be assigned or otherwise transferred in whole or in part to any other farm. (Sec. 375 (b), 52 Stat. 66)

§ 722.525 *Review of quotas*—(a) *Review committees.* Any producer who is dissatisfied with the farm marketing quota established for his farm, or, in the case of a new cotton farm, with the action of the county committee in refusing to establish a farm marketing quota for such farm, may, by making written application within 15 calendar days after the mailing or delivery directly to him of the notice provided for in § 722.520, have such quota or determination reviewed by a local review committee composed of three farmers appointed by the Secretary of Agriculture. The review committee shall, upon proper application, review the action of the county committee. The review committee in determining any farm marketing quota shall, to the same extent as the county committee, be limited to the establishment of a farm marketing quota in the amount which, under the law and these regulations, should have been established. Unless such application is made within 15 days the original determination of the farm marketing quota shall be final so far as concerns the producers involved. All applications for review shall be made in accordance with the Review Regulations (38–AAA–2, Revised) issued by the Secretary of Agriculture. (Secs. 363 and 364, 52 Stat. 63)

(b) *Court review.* If the producer is dissatisfied with the determination of the review committee, he may, within 15 days after the notice is mailed to him by registered mail, institute proceedings against the review committee to have the determination of the review committee reviewed of a court in accordance with section 365 of the Act. (Secs. 365 and 366, 52 Stat. 63)

Done at Washington, D. C., this 31st day of December 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-86; Filed, January 1, 1943; 4:02 p. m.]

[Tobacco 703, Part I]

PART 724—BURLEY TOBACCO

PROCEDURE FOR THE DETERMINATION OF ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR 1943

By virtue of the authority vested in the Secretary of Agriculture by Title III of the Agricultural Adjustment Act of 1938, as amended, he does hereby make, prescribe, publish, and give public notice of the foregoing Part I of the Marketing quota Regulations for Burley tobacco for the 1943–44 Marketing Year, consisting of Procedure for Determination of Farm Acreage Allotments for 1943 to be in force and effect for said marketing year until amended or superseded by regulations hereafter made by the Secretary of Agriculture under said Act.

GENERAL

Sec.
724.511 Definitions.
724.512 Extent of calculations and rule of fractions.
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ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR OLD FARMS

724.515 Determination of acreage allotments for old farms.
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ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR NEW FARMS

724.521 Determination of acreage allotments for new farms.
724.522 Time for filing application.
724.523 Determination of normal yields.

AUTHORITY: §§ 724.511 to 724.523, inclusive, are issued under authority contained in 52 Stat. 38, 47, 54 Stat. 392, 53 Stat. 1261, 56 Stat. 51, 7 U.S.C. 1940 ed. 1301 (b) 1313, 52 Stat. 66, 7 U.S.C. 1940 ed. 1375 (a).

GENERAL

§ 724.511 *Definitions.* As used in this procedure and in all instructions, forms, and documents in connection therewith, the words and phrases defined in this section shall have the meanings herein assigned to them, unless the context or subject-matter otherwise requires.

(a) "Burley Allotment Procedure for 1943" means this Tobacco 703 (Burley).

(b) "County committee" means the group of persons elected within any county to assist in the administration of the Agricultural Conservation Programs in such county.

(c) "New farm" means a farm on which tobacco was not produced in any of the five years 1938 to 1942 but on which tobacco will be produced in 1943.

(d) "Old farm" means a farm on which tobacco was produced in one or more of the five years 1938 to 1942 and on which tobacco will be produced in 1943.

(e) "Operator" means the person who is in charge of the supervision and conduct of the farming operations on the entire farm.

(f) "Person" means an individual, partnership, association, corporation, estate or trust or other business enterprise or other legal entity and wherever applicable, a State, a political subdivision of a State or any agency thereof.

(g) "State committee" means the group of persons designated within any state to assist in the administration of the Agricultural Conservation Programs in such State.

(h) "Tobacco" means Burley tobacco as classified in Service and Regulatory Announcement No. 118 of the Bureau of Agricultural Economics of the United States Department of Agriculture, as type 31.

§ 724.512 *Extent of calculations and rule of fractions.* (a) All percentages shall be calculated to the nearest whole percent. Fractions of more than fifty-hundredths of one percent shall be rounded upward, and fractions of fifty-hundredths of one percent or less shall be dropped. For example, 87.51 percent would become 88 percent and 87.50 percent would become 87 percent.

(b) All acreage shall be calculated to the nearest one-tenth of an acre. Fractions of more than fifty-thousandths of an acre shall be rounded upward, and fifty-thousandths of an acre or less shall be dropped. For example, 1.051 would become 1.1 and 1.050 would become 1.0.

§ 724.513 *Instructions and forms.* The Administrator of the Agricultural Conservation and Adjustment Administration of the United States Department of Agriculture shall cause to be prepared and issued with his approval such instructions and such forms as may be necessary or expedient for carrying out this procedure.

§ 724.514 *Applicability of procedure.* This allotment procedure for 1943 shall govern the establishment of farm acreage allotments and normal yields for Burley tobacco for use in connection with the 1943 Agricultural Conservation Program and in connection with farm marketing quotas for tobacco for the marketing year beginning October 1, 1943.

ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR OLD FARMS

§ 724.515 *Determination of acreage allotments for old farms.* The tobacco acreage allotment for an old farm shall be 110% of the 1942 acreage allotment (corrected if found to be in error) for the farm plus any acreage by which such allotment was reduced for the marketing year beginning October 1, 1942, because of violation of the 1941–42 Marketing Quota Regulations except as adjusted in accordance with the provisions of §§ 724.516, 724.517 and 724.518 below: *Provided, however,* No acreage allotted to the farm in 1942 from the State pools, except the acreage allotted to a farm, the owner of which was dispossessed of another farm by the acquisition thereof by a Federal agency for national defense purposes, shall be used in determining the 1943 allotment. This provision shall not be construed to prohibit determining any allotment for 1943 under the provisions of § 724.518 (a) below. Notwithstanding the provisions of § 724.512 (b) hereof, all 1942 acreage allotments of five-tenths of one acre or less shall be increased one-tenth of one acre.

§ 724.516 *Reduction of acreage allotment for violations of the 1942–43 Marketing Quota Regulations.* If tobacco was sold or was permitted to be sold on a marketing card for any farm which was produced on a different farm the acreage allotment established for each such farm for 1943 shall be reduced by the amount of tobacco so marketed: *Provided,* That such reduction shall not be made if the Secretary, through the county committee, determines that no person connected with such farm during the 1942–43 marketing year caused, aided, or acquisced in such marketing. If proof of the disposition of any amount of tobacco produced on a farm is not furnished, as required by the Secretary, the acreage allotment shall be reduced by such amount of tobacco.

The amount of tobacco involved will be converted to an acreage basis by dividing such amount of tobacco by the actual yield for the farm during the year in which such tobacco was produced.

§ 724.517 *Allotments by county committees.* An amount not in excess of one-half of one percent of the 1942 acreage allotment for each State will be apportioned to the counties in the State on the basis of the percentage the county acreage allotment is of the State acreage allotment, unless otherwise recommended by the State committee and approved by the Regional Director. The acreage so apportioned to the county will be available for allotment by the county committee. A farm shall be eligible for allotment as provided hereunder (1) if the committee finds that the 1942 allotment for the farm is relatively smaller in relation to the land, labor and equipment available for the production of tobacco on the farm than the average of the allotments in relation to such factors on other farms in the county, or (2) if tobacco was harvested on the farm in 1942 and the acreage allotment for the farm was zero. In making the adjustment in the farm acreage allotment the county committee shall consider the past acreage of tobacco (harvested and diverted), the land, labor and equipment available for the production of tobacco, and crop rotation practices. In no event shall the amount of the adjustment of the acreage allotment for any farm under this provision be more than the larger of ten percent of the 1942 allotment or five-tenths of an acre: *Provided,* That in the case of any farm on which tobacco was harvested in 1942 for which no acreage allotment was established the committee may establish an allotment not exceeding five-tenths of an acre.

Any adjustment as provided above shall be subject to the approval of the State committee.

§ 724.518 *Reallocation of allotments released from farms removed from agricultural production.* (a) Except as provided in paragraph (b) of this section the tobacco allotment determined or which would have been determined for any land which is removed from agricultural production because of acquisition by a State or Federal agency for any purpose or by a person for use in connection with the national defense program shall be available to the State committee for use in providing equitable allotments for farms on which tobacco was grown in one or more of the three years, 1940 through 1942 and which are operated in 1943 by persons who were producers of tobacco on land so removed from agricultural production. In so far as possible the allotments for farms operated by such persons shall be comparable to the allotments for other old farms in the same community which are similar with respect to land, labor, and equipment available for the production of tobacco, crop-rotation practices, soil and other physical factors affecting the production of tobacco, taking into consideration the allotment for the land removed from agricultural production. The allotment so determined shall be subject to the approval of the State committee and shall not exceed the larger of (1) the 1943 allotment previously determined for such farm, or (2) the allotment which was or would have been determined for the land removed from agricultural production: *Provided,* That in no event shall the allotment so determined exceed the larger of 20 percent of the acreage of cropland in the farm or three acres.

(b) The allotment determined or which would have been determined for any land acquired on or since January 1, 1940, by any Federal agency for national defense purposes shall be placed in a State pool and shall be used in determining equitable allotments for farms owned or purchased by owners displaced because of acquisition of their farm by a Federal agency for national defense purposes. Upon application to the county committee, any owner so displaced shall be entitled to have an allotment for any one of the other farms owned or purchased by him, equal to an allotment which would have been determined for such other farm plus the allotment which would have been determined for the farm acquired by the Federal agency: *Provided,* That such allotment shall not exceed 20 percent of the acreage of cropland in the farm. The provisions of this paragraph shall not be applicable if (1) there is any marketing quota penalty due with respect to the marketing of tobacco from the farm or by the owner of the farm at the time of its acquisition by the Federal agency; (2) any tobacco produced on such farm has not been accounted for as required by the Secretary; or (3) if the allotment next to be established for the farm acquired by the Federal agency would have been reduced because of false or improper identification of tobacco produced on or marketed from such farm.

§ 724.519 *Farms subdivided or combined by reconstitution.* (a) If land operated as a single farm in 1942 or any previous year has subsequently been subdivided and will be operated in 1943 as two or more farms, the 1943 tobacco acreage allotment determined or which otherwise would have been determined for the entire farm shall be apportioned among the tracts in the same proportion

as the acreage of cropland suitable for the production of tobacco on each such tract in such year bore to the total number of acres of cropland suitable for the production of tobacco on the entire farm in such year unless otherwise recommended by the county committee and approved by the State committee.

(b) If two or more farms operated separately in 1942 or any previous year have subsequently been combined and will be operated in 1943 as a single farm, the 1943 allotment shall be the sum of the 1943 allotments determined or which otherwise would have been determined for each of the farms composing the combination.

§ 724.520 *Determination of normal yields.* The normal yield for any farm shall be that yield which the county committee determines is normal for the farm taking into consideration (1) the yields obtained on the farm during the years 1937–41; (2) the soil and other physical factors affecting the production of tobacco on the farm and (3) the yields obtained on other farms in the locality which are similar with respect to such factors. The weighted average of the normal yields for all farms in each county shall not exceed the normal yield established for the county in 1942, unless an adjustment for abnormal conditions is made by the Secretary upon recommendations of the State committee.

ACREAGE ALLOTMENTS AND YIELDS FOR NEW FARMS

§ 724.521 *Determination of acreage allotments for new farms.* The acreage allotment other than an allotment made under § 724.518 (b) for a new farm shall be that acreage which the county committee determines is fair and reasonable for the farm taking into consideration each of the following factors:

(1) The past tobacco experience of the farm operator;

(2) The acreage of cropland in the farm suitable for tobacco production;

(3) The acreage capacity of barns which are located on the farm and which are in usable condition and available for the curing of tobacco;

(4) The customary crop rotation practices; and

(5) The adaptability of the soil to the growing of tobacco;

Provided, That the acreage allotment so determined shall be subject to approval by the State committee and shall not exceed the smallest of (a) one-fifth of the total acreage of tobacco grown by the farm operator during the five years 1938 through 1942; (b) 75 percent of the average acreage allotment for old farms in the county; or (c) one acre.

Notwithstanding any other provisions of this section a tobacco acreage allotment shall not be established for any new farm unless the following conditions have been met:

(1) The farm operator shall have had two years or more experience in growing tobacco as a sharecropper, tenant, or as a farm operator during the past five years;

(2) The farm operator shall be living on the farm and largely dependent on this farm for his livelihood;

(3) The farm covered by the application shall be the only farm owned or operated by the farm operator on which any tobacco is produced; and

(4) No kind of tobacco other than Burley will be grown on such farm in 1943.

The acreage allotments established as provided in this section shall be subject to such downward adjustment as is necessary to bring such allotments in line with the total acreage available for allotment to all new farms. The acreage available for establishing allotments for new farms shall be one-tenth of one percent of the national allotment.

§ 724.522 *Time for filing application.* In order to obtain an allotment for a new tobacco farm in 1943, the operator of the farm shall file an application for such allotment with the county committee prior to February 1, 1943.

§ 724.523 *Determination of normal yields.* The normal yield for a new farm shall be that yield per acre which the local committee determines is reasonable for the farm as compared with yields for other farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar.

Done at Washington, D. C., this 31st day of December 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-19; Filed, January 1, 1943; 11:19 a. m.]

PART 726—FIRE CURED AND DARK AIR-CURED TOBACCO

ACREAGE ALLOTMENTS, ETC., FOR 1943–44 MARKETING YEAR

The Secretary of Agriculture, acting under and pursuant to, and by virtue of the authority vested in him by section 313 of the Agricultural Adjustment Act of 1938, as amended, does hereby determine that:

§ 726.502 *Determination of the apportionment of the national marketing quota among States and determination of state yields per acre, and state acreage allotments for fire-cured tobacco for the 1943–44 marketing year.* The national quota for the 1943–44 marketing year, as proclaimed by the Secretary of Agriculture on November 28, 1942, is hereby apportioned among the States, and State yields per acre and State acreage allotments are hereby established in accordance with the following table:

State and new farms	Marketing quotas	Yields per acre	Acreage allotments
	(1,000 pounds)	*(pounds)*	*(acres)*
Virginia	12,198	900	14,181
Kentucky	26,472	840	31,201
Tennessee	29,243	900	33,651
Illinois	10	800	12
Missouri	9	900	10
New farms	68	858	79
Total U. S.	68,000	888	79,227

(52 Stat. 38 et seq.; 53 Stat. 1261; 7 U.S.C. 1301 et seq.)

Done at Washington, D. C. this 31st day of December, 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-20; Filed, January 1, 1943; 11:19 a. m.]

PART 726—FIRE-CURED AND DARK AIR-CURED TOBACCO

DARK AIR-CURED TOBACCO FOR 1943–44 MARKETING YEAR

The Secretary of Agriculture, acting under and pursuant to, and by virtue of the authority vested in him by section 313 of the Agricultural Adjustment Act of 1938, as amended, does hereby determine that:

§ 726.552 *Determination of the apportionment of national marketing quota among States and determination of State yields per acre, and State acreage allotments for dark air-cured tobacco for the 1943–44 marketing year.* The national quota for the 1943–44 marketing year, as proclaimed by the Secretary of Agriculture on November 28, 1942, is hereby apportioned among the States, and State yields per acre and State acreage allotments are hereby established in accordance with the following table:

State and new farms	Marketing quotas	Yields per acre	Acreage allotment
	(1,000 pounds)	*(pounds)*	*(acres)*
Kentucky	24,329	891	27,301
Tennessee	3,961	881	3,815
Indiana	276	861	320
Missouri	6	840	7
New Farms	28	889	31
Total U. S.	28,000	889	31,477

(52 Stat. 38 et seq.; 53 Stat. 1261; 7 U.S.C. 1301 et seq.)

Done at Washington, D. C. this 31st day of December 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-21; Filed, January 1, 1943; 11:19 a. m.]

PART 729—NATIONAL MARKETING QUOTA FOR PEANUTS

[MQ-703—Peanuts]

MARKETING QUOTAS FOR PEANUTS OF THE CROP PLANTED IN THE CALENDAR YEAR 1943

Pursuant to the authority vested in the Secretary of Agriculture by Title III of the Agricultural Adjustment Act of 1938, as amended, public notice is hereby given of the following regulations governing marketing quotas for peanuts of the crop planted in the calendar year 1943, which regulations shall be in force and effect until rescinded or suspended or amended or superseded by regulations hereafter made under said Act. (Authority Secs. 729.202 to 729.207, inclusive, issued under authority contained in 52 Stat. 38; 7 U. S. C., 1940 ed., 1301 *et seq.*, as amended.)

DEFINITIONS AND ISSUANCE OF FORMS AND INSTRUCTIONS

Sec.
729.202 Definitions.
729.203 Instructions and forms.

ALLOTMENTS AND YIELDS

729.204 Rule of fractions.
729.205 Determination of farm acreage allotments for 1943.
729.206 Normal yields.
729.207 Reconstituted farms.

DEFINITIONS AND ISSUANCE OF FORMS AND INSTRUCTIONS

§ 729.202 *Definitions.* As used in these regulations and in all instructions, forms, and documents, in connection therewith, unless the context or subject matter otherwise requires, the following terms shall have the following meanings:

(1) "Secretary" means the Secretary or the Acting Secretary of Agriculture of the United States.

(2) "State committee or State office" means the group of persons comprising the State Agricultural Conservation Committee appointed by the Secretary of Agriculture to assist within any State in the administration of the Soil Conservation and Domestic Allotment Act, or the office of such persons.

(3) "Committee" means a committee within a county or community utilized under the Soil Conservation and Domestic Allotment Act. "County Committee", "community committee", or "local committee" shall have corresponding meanings in the connection in which they are used.

(4) "Acreage of peanuts" means the acreage of land from which peanuts are harvested for nuts on any farm on which any peanuts are picked and threshed.

(5) "Farm" means any tract(s) of land considered as a farm under the provisions of the 1943 Agricultural Conservation Program issued pursuant to the Soil Conservation and Domestic Allotment Act.

(6) "Tillable acreage available for the production of peanuts." The acreage in the farm in 1942 which was tilled or was in regular rotation minus the sum of the acreages devoted to the production of sugarcane for sugar, wheat or rice for market or for feeding to livestock for market, cotton or tobacco for market.

§ 729.203 *Instructions and forms.* The Administrator of the Agricultural Conservation and Adjustment Administration of the United States Department of Agriculture shall cause to be prepared and issued with his approval such instructions and forms as may be necessary for carrying out these regulations.

ALLOTMENTS AND YIELDS

§ 729.204 *Rule of fractions.* All acreages shall be rounded to the nearest one tenth of an acre. All yields shall be rounded to the nearest whole pound.

§ 729.205 *Determination of farm acreage allotments for 1943.* Peanut allotments shall be determined for all farms for which a 1942 peanut allotment was determined and on which peanuts were produced during any of the three years 1940 through 1942, on the basis of the average acreage of peanuts grown on the farm in the three years 1940 through 1942, and the tillable acreage available for the production of peanuts on the farm, taking into consideration the peanut allotments determined for the farm under previous agricultural conservation programs and other crop allotments determined for the farm for 1943: *Provided, however*, That any acreage of peanuts harvested in excess of the 1941 or 1942 farm peanut allotment shall not be considered in determining the 1943 peanut allotment.

For those farms for which the 1942 peanut allotment reflects the above factors in accordance with conditions as applicable in 1943, the 1942 allotments may be used in determining 1943 allotments. The allotment for any farm shall compare with the allotments for other farms in the same community which are similar with respect to the foregoing factors. The peanut allotments determined for all farms in the State shall not exceed the State peanut allotment.

§ 729.206 *Normal yields*—(1) *Farms for which normal yields will be established.* The county committee with the assistance of the other local committees established in the county shall determine the normal yield per acre of peanuts for each farm for which a farm acreage allotment is determined.

(2) *Yields based on reliable records.* Where reliable records of the actual average yield of peanuts per acre for all of the five years 1937–1941 are presented by the farmer or are available to the committee, the normal yield for the farm shall be the average of such yields, adjusted, in accordance with applicable instructions, for abnormal weather condtions.

(3) *Appraised yields.* If for any year of the five-year period 1937–1941 (a) records of the actual average yield are not available, or (b) there was no actual yield because peanuts were not produced on the farm in such year, the normal yield for the farm shall be the yield which, on the basis of all available facts, including the yield in years for which data are available, abnormal weather conditions, type of soil, drainage, production practices, and general fertility of the land, the committee determines to be the yield which was or could reasonably have been expected on the farm for such five-year period, provided the appraised yield so obtained shall be adjusted in accordance with paragraph (4).

(4) *Adjustments in appraised yields.* The yields determined under paragraph (3) shall be adjusted so that the average of the normal yields determined for all farms in the county (weighted by the peanut acreage allotments established for such farms) shall conform to but not exceed the county normal yield per acre of peanuts established for 1943 by the Secretary of Agriculture.

§ 729.207 *Reconstituted farms.* (1) If land operated as a single farm in 1942 is subdivided for 1943 into two or more tracts, the 1943 peanut allotment determined for the farm as constituted in 1942 shall be apportioned among the tracts in the same proportion as the acreage of cropland suitable for the production of peanuts on each tract is of the total number of acres of cropland suitable for the production of peanuts on the farm prior to the division, unless otherwise recommended by the county committee and approved by the State committee.

(2) If two or more farms which were operated separately in 1942 are combined into a single farm for 1943, the 1943 allotment shall be the sum of the 1943 allotments for each of the farms contained in the combination.

Done at Washington, D. C. this 31st day of December 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-85; Filed, January 1, 1943; 4:02 p. m.]

[Peanuts 731]

PART 729—NATIONAL MARKETING QUOTA FOR PEANUTS[1]

1943 COUNTY NORMAL YIELDS

Pursuant to the authority vested in the Secretary of Agriculture under the Agricultural Adjustment Act of 1938, as amended, there are hereby established the following county normal yields of peanuts per acre applicable with respect to the crop produced in the calendar year 1943:

§ 729.243 *1943 county normal peanut yields.* Counties and 1943 normal yields of peanuts per acre in pounds:

Alabama: Autauga, 606; Baldwin, 523; Barbour, 582; Bibb, 598; Blount, 587; Bullock, 527; Butler, 640; Calhoun, 628; Chambers, 522; Cherokee, 562; Chilton, 583; Choctaw, 420; Clarke, 451; Clay, 543; Cleburne, 689; Coffee, 788; Colbert, 586; Conecuh, 642; Coosa, 562; Covington, 739; Crenshaw, 705; Cullman, 634; Dale, 736; Dallas, 529; De Kalb, 663; Elmore, 617; Escambia, 629; Etowah, 618; Fayette, 534; Franklin, 603; Geneva, 807; Greene, 506; Hale, 510; Henry, 770; Houston 798; Jackson, 651; Jefferson, 530; Lamar, 539; Lauderdale, 542; Lawrence, 570; Lee, 540; Limestone, 542; Lowndes, 470; Macon, 519; Madison, 554; Marengo, 428; Marion, 581; Marshall, 668; Mobile, 505; Monroe, 613; Montgomery, 567; Morgan, 617; Perry, 543; Pickens, 516; Pike, 692; Randolph, 584; Russell, 511; St. Clair, 570; Shelby, 538; Sumter, 460; Talladega, 556; Tallapoosa, 514; Tuscaloosa, 514; Walker, 570; Washington, 483; Wilcox, 450; and Winston, 577.

Arkansas: Arkansas, 363; Ashley, 459; Baxter, 457; Benton, 436; Boone, 418; Bradley, 335; Calhoun, 318; Carroll, 371; Chicot, 576; Clark, 299; Clay, 633; Cleburne, 333; Cleveland, 275; Columbia, 324; Conway, 337; Craighead, 567; Craw-

[1] Subpart C, 1943.

ford, 420; Crittenden, 545; Cross, 580; Dallas, 302; Desha, 578; Drew, 272; Faulkner, 342; Franklin, 433; Fulton, 374; Garland, 501; Grant, 531, Greene, 469; Hempstead, 368; Hot Spring, 391; Howard, 303; Independence, 372; Izard, 416; Jackson, 409; Jefferson, 260; Johnson, 402; Lafayette, 286; Lawrence, 464; Lee, 497; Lincoln, 398; Little River, 307; Logan, 297; Lonoke, 367; Madison, 399; Marion, 358; Miller, 435; Mississippi, 540; Monroe, 368; Montgomery, 467; Nevada, 242; Newton, 371; Ouachita, 343; Perry, 323; Phillips, 559; Pike, 320; Poinsett, 633; Polk, 437; Pope, 329; Prairie, 391; Pulaski, 347; Randolph, 542; St. Francis, 371; Saline, 351; Scott, 414; Searcy, 483; Sebastian, 452; Sevier, 321; Sharp, 392; Stone, 389; Union, 385; Van Buren, 396; Washington, 399; White, 380; Woodruff, 459; and Yell, 301.

California: Madera, 988; Merced, 1,151; and Stanislaus, 1,388

Florida: Alachua, 593; Bradford, 530; Calhoun, 685; Citrus, 507; Columbia, 583; Dixie, 475; Escambia, 668; Gadsden, 605; Gilchrist, 547; Hamilton, 628; Hernando, 544; Holmes, 689; Jackson, 701; Jefferson, 566; Lafayette, 559; Leon, 582; Levy, 593; Madison, 638; Marion, 569; Okaloosa, 595; Santa Rosa, 752; Suwannee, 577; Union, 550; Wakulla, 530; Walton, 683; and Washington, 595.

Georgia: Appling, 702; Atkinson, 723; Bacon, 669; Baker, 682; Baldwin, 590; Ben Hill, 805; Berrien, 721; Bibb, 605; Bleckley, 654; Brooks, 707; Bryan, 724; Bulloch, 813; Burke, 723; Butts, 513; Calhoun, 699; Candler, 807; Chattahoochee, 464; Chattooga, 492; Clay, 712; Coffee, 770; Colquitt, 817; Columbia, 642; Cook, 771; Coweta, 614; Crawford, 509; Crisp, 842; Decatur, 659; Dodge, 693; Dooly, 821; Dougherty, 631; Early, 808; Echols, 524; Effingham, 793; Elbert, 546; Emanuel, 754; Evans, 794; Fayette, 584; Forsyth, 795; Glascock, 691; Grady, 764; Hancock, 558; Harris, 546; Heard, 581; Henry, 622; Houston, 725; Irwin, 918; Jasper, 582; Jeff Davis, 689; Jefferson, 698; Jenkins, 765; Johnson, 652; Jones, 546; Lanier, 683; Laurens, 650; Lee, 643; Lowndes, 700; McDuffie, 709; Macon, 629; Marion, 548; Meriwether, 585; Miller, 761; Mitchell, 767; Monroe, 583; Montgomery, 646; Muscogee, 500; Newton, 659; Peach, 719; Pierce, 667; Pike, 579; Pulaski, 692; Putnam, 560; Quitman, 709; Randolph, 716; Richmond, 728; Rockdale, 559; Schley, 606; Screven, 705; Seminole, 747; Spalding, 493; Stewart, 657; Sumter, 712; Talbot, 525; Tattnall, 779; Taylor, 632; Telfair, 676; Terrell, 781; Thomas, 682; Tift, 876; Toombs, 742; Treutlen, 670; Troup, 590; Turner, 823; Twiggs, 572; Upson, 621; Ware, 675; Washington, 665; Wayne, 722; Webster, 716; Wheeler, 662; Wilcox, 745; Wilkes, 565; Wilkinson, 547; and Worth, 800

Louisiana: Acadia, 303; Allen, 238; Ascension, 468; Avoyelles, 323; Beauregard, 277; Bienville, 404; Bossier, 277; Caddo, 269; Calcasieu, 315; Caldwell, 393; Cameron, 421; Catahoula, 625; Claiborne, 323; Concordia, 668; De Soto, 298; East Baton Rouge, 490; East Carroll, 675, East Feliciana, 422; Evangeline, 412; Franklin, 621; Grant, 402; Iberia, 248; Iberville, 440; Jackson, 356; Jefferson Davis, 287; Lafayette, 282; La Fourche, 371; La Salle, 555; Lincoln, 377; Livingston, 584; Madison, 607; Morehouse, 655; Natchitoches, 373; Ouachita, 489; Pointe Coupee, 441; Rapides, 483; Red River, 318; Richland, 633; Sabine, 321; St. Helena, 543; St. James, 371; St. Landry, 278; St. Martin, 291; St. Mary, 456; St. Tammany, 563; Tangipahoa, 526; Tensas, 528; Terrebonne, 565; Union, 472; Vermilion, 458; Vernon, 300; Washington, 571; Webster, 319; West Baton Rouge, 309; West Carroll, 601; West Feliciana, 447; and Winn, 474.

Mississippi: Adams, 476; Alcorn, 530; Amite, 481; Attala, 438; Benton, 532; Bolivar, 541; Calhoun, 506; Carroll, 489; Chickasaw, 460; Choctaw, 429; Claiborne, 461; Clarke, 451; Clay, 425; Coahoma, 590; Copiah, 483; Covington, 468; De Soto, 553; Forrest, 432; Franklin, 487; George, 429; Greene, 450; Grenada, 467; Hancock, 437; Harrison, 502; Hinds, 521; Holmes, 478, Humphreys, 592; Issaquena, 501; Itawamba, 520; Jackson, 516; Jasper, 477; Jefferson, 448; Jefferson Davis, 453; Jones, 460; Kemper, 416; Lafayette, 510; Lamar, 468; Lauderdale, 440; Lawrence, 480; Leake, 454; Lee, 499; Leflore, 582; Lincoln, 478; Lowndes, 420; Madison, 506; Marion, 489; Marshall, 491; Monroe, 439; Montgomery, 472; Neshoba, 437; Newton, 467; Noxubee, 406; Oktibbeha, 425; Panola, 524; Pearl River, 450; Perry, 433; Pike, 464; Pontotoc, 515; Prentiss, 533; Quitman, 585; Rankin, 471; Scott, 491; Sharkey, 656; Simpson, 473; Smith, 494; Stone, 471; Sunflower, 596; Tallahatchie, 612; Tate, 521; Tippah, 549; Tishomingo, 526; Tunica, 637; Union, 551; Walthall, 470; Warren, 497; Washington, 574; Wayne, 414; Webster, 443; Wilkinson, 512; Winston, 433; Yalobusha 505; and Yazoo, 473.

New Mexico: Roosevelt, 1,061; and De Baca, 863.

North Carolina: Alamance, 943; Alexander, 785; Anson, 742; Beaufort, 1,169; Bertie, 1,214; Bladen, 1,092; Brunswick, 868; Buncombe, 910; Burke, 785; Cabarrus, 891; Caldwell, 788; Camden, 1,134; Carteret, 938; Caswell, 907; Catawba, 818; Chatham, 938; Cherokee, 817; Chowan, 1,397; Clay, 896; Cleveland, 864; Columbus, 1,138; Craven, 951; Cumberland, 975; Currituck, 1,187; Dare, 918; Davidson, 873; Davie, 839; Duplin, 911; Durham, 930; Edgecombe, 1,227; Forsyth, 900; Franklin, 791; Gaston, 759; Gates, 1,319; Granville, 931; Greene, 1,017; Guilford, 811; Halifax, 1,215; Harnett, 869; Haywood, 896; Henderson, 870; Hertford, 1,214; Hoke, 877; Hyde, 997; Iredell, 821; Jackson, 896; Johnston, 935; Jones, 928; Lee, 912; Lenoir, 932; Lincoln, 857; McDowell, 910; Madison, 814; Martin, 1,236; Mecklenburg, 738; Montgomery, 772; Moore, 738; Nash, 1,301; New Hanover, 889; Northampton, 1,279; Onslow, 913; Orange, 916; Pamlico, 859; Pasquotank, 1,241; Pender, 941; Perquimans, 1,370; Person, 874; Pitt, 1,117; Polk, 873; Randolph, 821; Richmond, 902; Robeson, 1,066; Rockingham, 914; Rowan, 884; Rutherford, 834; Sampson, 953; Scotland, 848; Stanly, 961; Stokes, 925; Surry, 859; Tyrrell, 1,359; Union, 967; Vance, 945; Wake, 772; Warren, 809; Washington, 1,230; Wayne, 943; Wilkes, 915; Wilson, 1,063; and Yadkin, 955.

Oklahoma: Atoka, 525; Bryan, 497; Caddo, 648; Canadian, 552; Carter, 570; Cherokee, 538; Choctaw, 434; Cleveland, 508; Coal, 503; Creek, 594; Garvin, 515; Grady, 492; Harmon, 464; Haskell, 503; Hughes, 561; Jefferson, 477; Johnston, 574; Latimer, 464; Le Flore, 542; Lincoln, 502; Logan, 427; Love, 472; McClain, 531; McCurtain, 444; McIntosh, 601; Marshall, 517; Murray, 441; Muskogee, 466; Okfuskee, 505; Oklahoma, 483; Okmulgee, 570 Osage, 559; Pawnee, 547; Payne, 443; Pittsburg, 604; Pontotoc, 597; Pottawatomie, 505; Pushmataha, 486; Seminole, 508; Sequoyah, 418; Stephens, 537; Tulsa, 570, and Wagoner, 510.

South Carolina: Abbeville, 497; Aiken, 604; Allendale, 656; Anderson, 579; Bamberg, 563; Barnwell, 604; Beaufort, 602; Berkeley, 568; Calhoun, 608; Charleston, 528; Cherokee, 586; Chester, 517; Chesterfield, 603; Clarendon, 601; Colleton, 560; Darlington, 707; Dillon, 786; Dorchester, 604; Edgefield, 482; Fairfield, 530; Florence, 845; Georgetown, 507; Greenville, 594; Greenwood, 510; Hampton, 649; Horry, 829; Jasper, 560; Kershaw, 689; Lancaster, 559; Laurens, 577; Lee, 737; Lexington, 688; McCormick, 438; Marion, 562; Marlboro, 533; Newberry, 556; Oconee, 622; Orangeburg, 693; Pickens, 662; Richland, 655; Saluda, 613; Spartanburg, 563; Sumter, 749; Union, 533; Williamsburg, 698; and York, 576.

Tennessee: Anderson, 704; Bedford, 608; Benton, 842; Blount, 614; Bradley, 716; Campbell, 500; Cannon, 620; Carroll, 558; Cheatham, 461; Chester, 488; Cocke, 500; Coffee, 644; Crockett, 522; Cumberland, 508; Davidson, 644; Decatur, 876; DeKalb, 656; Dickson, 502; Dyer, 522; Fayette, 502; Franklin, 738; Gibson, 562; Giles, 724; Grundy, 629; Hamilton, 610; Hardeman, 576; Hardin, 562; Haywood, 500; Henderson, 774; Henry, 608; Hickman, 724; Houston, 572; Humphreys, 728; Knox, 638; Lake, 364; Lauderdale, 498; Lawrence, 512; Lewis, 502; Lincoln, 726; Loudon, 618; McMinn, 632; McNairy, 470; Madison, 538; Marion, 572; Marshall, 504; Maury, 532; Meigs, 500; Monroe, 500; Montgomery, 536; Moore, 626; Morgan, 496; Obion, 778; Overton, 572; Perry, 872; Polk, 644; Putnam, 593; Rhea, 528; Roane, 442; Robertson, 713; Rutherford, 588; Sequatchie, 493; Sevier, 514; Shelby, 416; Stewart, 460; Tipton, 460; Union, 400; Warren, 438; Wayne, 516; Weakley, 550; White, 608; Williamson, 586; and Wilson, 595.

Texas: Anderson, 502; Angelina, 457; Atascosa, 484; Bailey, 465; Bastrop, 438; Bee, 446; Bexar, 485; Blanco, 434; Bosque, 422; Bowie, 457; Brazos, 482; Brooks, 402; Brown, 468; Burnet, 432; Caldwell, 439; Callahan, 443; Cass, 452; Cherokee, 588; Clay, 379; Coleman, 471; Comanche, 481; Cooke, 428; Coryell, 424; Dallas, 440; Denton, 496; De Witt, 436, Dickens, 484; Dimmit, 361; Duval, 388; Eastland, 438; Erath, 492; Fannin, 520; Fayette, 434; Fisher, 415; Fort Bend, 509; Franklin, 443; Freestone, 422; Frio, 449; Galveston, 500; Garza, 432; Gillespie, 452; Goliad, 427; Gonzales, 434; Grayson, 495; Gregg, 470; Grimes, 425; Guadalupe,

447; Hamilton, 451; Harris 518; Harrison, 467; Henderson, 485; Hill, 437; Hood, 453; Hopkins, 469; Houston, 505; Hunt, 483; Jack, 402; Jasper, 450; Jim Hogg, 390; Jim Wells, 464; Johnson, 436; Jones, 413; Karnes, 448; Kaufman, 500; Kent, 418; Lamar, 538; Lamb, 421; La Salle, 406; Lavaca, 440; Lee, 450; Leon, 460; Liberty, 468; Live Oak, 435; Llano, 431; Lubbock, 435; Lynn, 425; McCulloch, 411; McLennan, 452; McMullen, 381; Marion, 464; Mason, 441; Matagorda, 499; Medina, 469; Milam, 454; Mills, 447; Montague, 403; Montgomery, 459; Morris, 458; Nacogdoches, 436; Newton, 450; Palo Pinto, 431; Panola, 489; Parker, 477; Polk, 461; Rains, 454; Red River, 480; Robertson, 447; Runnels, 446; Rusk, 482; San Saba, 408; Shelby, 443; Smith, 499; Somervell, 443; Stephens, 394; Tarrant, 473; Taylor, 459; Terry, 508; Titus, 457; Trinity, 486; Upshur, 454; Van Zandt, 452; Walker, 474; Waller, 544; Washington, 455; Webb, 374; Wharton, 485; Williamson, 456; Wilson, 539; Wise, 432; Wood, 451; and Zavala, 374.

Virginia: Amelia, 792; Brunswick, 775; Charles City, 825; Charlotte, 790; Chesterfield, 868; Dinwiddie, 899; Greensville, 1,125; Halifax, 820; Hanover, 806; Henry, 820; Isle of Wight, 1,311; James City, 905; Lunenburg, 820; Mecklenburg, 763; Nansemond, 1,327; New Kent, 914; Norfolk, 1,270; Nottoway, 820; Pittsylvania, 820; Powhatan, 774; Prince George, 840; Princess Anne, 1,093; Southampton, 1,302; Surry, 1,225; Sussex, 1,156; and York, 870.

(52 Stat. 41, 202, 54 Stat. 727; 7 U.S.C. 1940 ed. 1301, (b) (13), as amended by 56 Stat. 654)

Done at Washington, D. C., this 31st day of December 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-109; Filed, January 2, 1943; 11:31 a. m.]

[ACP 1943 2]

PART 701—AGRICULTURAL CONSERVATION PROGRAM[1]

ALLOTMENTS, YIELDS AND GRAZING CAPACITIES

Pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, the 1943 Agricultural Conservation Program, as amended, is further amended as follows:

Section 701.401 [7 F.R. 10031] is amended by deleting the word "cotton" in the first sentence and by adding the following at the end of the first paragraph.

§ 701.401 *Allotments, yields, and grazing capacities.* * * *

The national cotton acreage allotment is 25,550,276 acres. The State cotton allotments and the 1943 county normal yields of cotton shall be identical with the 1943 State cotton allotments and the 1943 county normal yields of cotton, respectively, established under Title III of the Agricultural Adjustment Act of 1938, as amended.

Done at Washington, D. C., this 31st day of December 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-159; Filed, January 4, 1943; 11:05 a. m.]

[ACP-1943-4]

PART 701—AGRICULTURAL CONSERVATION PROGRAM[1]

WAR CROP GOALS, ETC.

Pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, the 1943 Agricultural Conservation Program, as amended, is further amended as follows:

1. Section 701.402 (c) [7 F.R. 10036] is amended to read as follows:

§ 701.402 *War crop goals.* * * *

(c) *Farm goals.* Farm war crop goals shall be determined by the county committee with the assistance of local committees by distributing the county goals in accordance with instructions issued by the Agricultural Adjustment Agency, on the basis of adaptability of the soil, availability of cropland, equipment, labor, and the acreage and production of each war crop on the farm during recent years, and other related factors. The sum of the farm goals for any war crop shall not be less than the corresponding county goal.

2. Section 701.403 (b),[2] the first paragraph thereof, is amended to read as follows:

§ 701.403 *Production adjustment allowance and deductions.* * * *

(b) *Deductions for failure to have acreage equal to at least 90 percent of allotted acreage.* Deductions for failure to have an acreage of any special crop equal to at least 90 percent of the allotment for such crop shall not exceed that part of the farm production adjustment allowance computed for that crop. No deduction shall be made where the county committee finds, in accordance with instructions issued by the Agricultural Adjustment Agency, that the failure to have an acreage of the crop equal to at least 90 percent of the allotment is due to flood, drought, hail, insects, or plant bed diseases. For the purpose of this provision any acreage of peanuts in excess of the peanut allotment, any acreage of other war crops, any acreage of rice in excess of the rice allotment, and in areas designated by the Agricultural Adjustment Agency any acreage of essential crops designated by the Agricultural Adjustment Agency in excess of the usual acreage may be substituted acre for acre for any special crop. If more than one special crop on a farm is subject to a deduction under this provision, the acreage of crops available for substitution shall be substituted for the special crop or crops which will result in the largest payment for the farm. These deductions shall be determined as follows:

* * * * * *

3. Section 701.415 (c)[3] is amended to read as follows:

§ 701.415 *Authority, availability of funds, and applicability.* * * *

(c) *Applicability.* The provisons of the 1943 program contained herein, except § 701.407 are not applicable to (1) Hawaii, Puerto Rico, and Alaska; (2) counties for which special agricultural conservation programs are approved for 1943 by the Secretary; (3) any department or bureau of the United States Government and any corporation wholly owned by the United States; and (4) grazing lands owned by the United States which were acquired or reserved for conservation purposes or which are to be retained permanently under Government ownership. Such lands include, but are not limited to, lands owned by the United States which are administered under the Taylor Grazing Act or by the Forest Service or the Soil Conservation Service of the United States Department of Agriculture or by the Bureau of Biological Survey of the United States Department of the Interior.

The program is applicable to lands owned by corporations which are only partly owned by the United States, such as Federal Land Banks and Production Credit Associations.

The 1943 program is also applicable to any land which, although owned by the United States or a corporation wholly owned by it, is to be temporarily under such Government or corporation ownership and was not acquired or reserved for conservation purposes. Such land shall include that administered by the Farm Security Administration, the Reconstruction Finance Corporation, the Home Owners' Loan Corporation, or the Federal Farm Mortgage Corporation, or by any other Government agency which the Agricultural Adjustment Agency finds complies with all the provisions of the preceding sentence. The 1943 program will also be applicable to any cropland farmed by private persons which is owned by the United States or a corporation wholly owned by it, if the Congress so provides.

Indian lands are within the scope of the program except that where grazing operations are carried out on Indian lands administered by the Department of the Interior, such lands are within the scope of the program only if covered by a written agreement approved by the Department of the Interior as giving the operator an interest in the grazing and forage growing on the land and a right to occupy the land in order to carry out the grazing operations.

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[1] Subpart E—1943.

[2] 7 F.R. 10036, 10127.

[3] 7 F.R. 10044.

Done at Washington, D. C., this 31st day of December 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Assistant Secretary of Agriculture.

[F. R. Doc. 43-160; Filed, January 4, 1943; 11:04 a. m.]

[Cotton 729]

PART 722—COTTON[1]

1943 COUNTY COTTON ACREAGE ALLOTMENTS

§ 722.502 *County cotton acreage allotments for 1943.* The county cotton acreage allotments established with respect to the marketing year beginning August 1, 1943, in accordance with the provisions of section 344 of the Agricultural Adjustment Act of 1938, as amended, for the purposes of the cotton marketing quota provisions (Part IV, Subtitle B, Title III) of said Act are as follows:

Counties and cotton acreage allotments in acres:

Alabama: Autauga, 29,101; Baldwin, 5,753; Barbour, 39,929; Bibb, 11,602; Blount, 31,196; Bullock, 29,259; Butler, 30,561; Calhoun, 27,038; Chambers, 38,276; Cherokee, 34,673; Chilton, 25,387; Choctaw, 16,016; Clarke, 19,449; Clay, 17,904; Cleburne, 12,625; Coffee, 39,772; Colbert, 31,871; Conecuh, 26,564; Coosa, 11,135; Covington, 40,792; Crenshaw, 33,118; Cullman, 48,244; Dale, 24,431; Dallas, 66,193; De Kalb, 43,149; Elmore, 44,081; Escambia, 19,536; Etowah, 28,076; Fayette, 22,181; Franklin, 26,046; Geneva, 39,179; Greene, 28,792; Hale, 37,696; Henry, 33,365; Houston, 50,187; Jackson, 36,010; Jefferson, 8,726; Lamar, 26,824; Lauderdale, 46,467; Lawrence, 48,325; Lee, 38,026; Limestone, 61,093; Lowndes, 28,004; Macon, 40,166; Madison, 77,438; Marengo, 48,237; Marion, 24,887; Marshall, 48,917; Mobile, 6,505; Monroe, 38,098; Montgomery, 31,681; Morgan, 41,734; Perry, 38,464; Pickens, 36,419; Pike, 42,606; Randolph, 29,308; Russell, 30,952; St. Clair, 16,933; Shelby, 14,351; Sumter, 33,077; Talladega, 38,857; Tallapoosa, 29,573; Tuscaloosa, 36,916; Walker, 17,509; Washington, 5,448; Wilcox, 28,942; and Winston, 15,637.

Total county allotments, 2,129,407; 4 percent State reserve, 67,557; State reserve for new growers, 16,889.

Total—Alabama, 2,213,853.

Arizona: Cochise, 12; Gila, 12; Graham, 12,858; Greenlee, 971; Maricopa, 111,090; Mohave, 18; Pima, 6,551; Pinal, 44,594; Santa Cruz, 564; and Yuma, 12,055.

Total county allotments: 189,725; 4 percent State reserve: 4,400; State reserve for new growers: 1,100.

Total—Arizona: 195,225.

Arkansas: Arkansas, 14,645; Ashley, 37,448; Baxter, 2,853; Boone, 589; Bradley, 17,983; Calhoun, 14,848; Carroll, 1; Chicot, 49,942; Clark, 23,345; Clay, 39,667; Cleburne, 14,347; Cleveland, 23,444; Columbia, 52,268; Conway, 38,878; Craighead, 64,830; Crawford, 9,333; Crittenden, 99,316; Cross, 40,104; Dallas, 10,343; Desha, 45,825; Drew, 26,944; Faulkner, 45,250; Franklin, 10,181; Fulton, 6,558; Garland, 2,600; Grant, 9,289; Greene, 34,249; Hempstead, 44,846; Hot Spring, 9,508; Howard, 20,540; Independence, 23,996; Izard, 14,333; Jackson, 55,669; Jefferson, 81,006; Johnson, 9,515; Lafayette, 34,696; Lawrence, 33,358; Lee, 56,450; Lincoln, 47,919; Little River, 27,310; Logan, 22,977; Lonoke, 70,178; Marion, 2,950; Miller, 40,322; Mississippi, 179,566; Monroe, 40,847; Montgomery, 6,043; Nevada, 30,332; Newton, 712; Ouachita, 17,141; Perry, 10,542; Phillips, 68,832; Pike, 10,296; Poinsett, 51,300; Polk, 5,827; Pope, 33,289; Prairie, 17,347; Pulaski, 41,190; Randolph, 20,602; St. Francis, 66,979; Saline, 3,929; Scott, 9,017; Searcy, 1,985; Sebastian, 10,877; Sevier, 11,484; Sharp, 12,370; Stone, 3,180; Union, 27,028; Van Buren, 11,786; Washington, 80; White, 53,818; Woodruff, 43,424; and Yell, 33,040.

Total county allotments, 2,153,522; 4 percent State reserve, 69,387; State reserve for new growers, 17,347.

Total—Arkansas, 2,240,256.

California: Fresno, 85,274; Imperial, 8,371; Kern, 75,839; Kings, 40,750; Madera, 50,126; Merced, 28,127; Riverside, 12,140; San Benito, 180; San Bernardino, 50; San Diego, 36; San Joaquin, 42; Stanislaus, 1,267; and Tulare, 89,470. Total county allotments, 391,672; 4 percent State reserve, 8,577; State reserve for new growers, 2,144. Total—California, 402,393.

Florida: Alachua, 408; Baker, 188; Bay, 91; Bradford, 10; Calhoun, 653; Clay, 1; Columbia, 2,554; Dixie, 33; Escambia, 4,125; Flagler, 1; Gadsden, 313; Gilchrist, 48; Gulf, 5; Hamilton, 3,329; Holmes, 9,404; Jackson, 14,955; Jefferson, 3,101; Lafayette, 670; Lake, 1; Leon, 4,428; Levy, 170; Liberty, 2; Madison, 5,693; Marion, 25; Okaloosa, 4,813; Polk, 1; Putnam, 3; Santa Rosa, 8,774; Sumter, 69; Suwannee, 3,877; Taylor, 156; Union, 38; Volusia, 1; Wakulla, 91; Walton, 5,059, and Washington, 2,420. Total county allotments, 75,510; 4 percent State reserve, 2,512; State reserve for new growers, 628. Total—Florida, 78,650.

Georgia: Appling, 8,771; Atkinson, 2,875; Bacon, 4,763; Baker, 8,412; Baldwin, 8,582; Banks, 10,925; Barrow, 16,562; Bartow, 28,501; Ben Hill, 10,044; Berrien, 7,168; Bibb, 4,090; Bleckley, 13,832; Brantley, 237; Brooks, 15,070; Bryan, 1,194; Bulloch, 35,261; Burke, 63,982; Butts, 10,448; Calhoun, 10,687; Camden, 19; Candle, 12,349; Carroll, 44,036; Catoosa, 4,466; Charlton, 37; Chatham, 211; Chattahoochee, 3,129; Chattooga, 11,873; Cherokee, 13,237; Clarke, 7,626; Clay, 8,638; Clayton, 6,967; Clinch, 313; Cobb, 18,523; Coffee, 13,069; Colquitt, 27,284; Columbia, 12,157; Cook, 5,239; Coweta, 20,636; Crawford, 7,379; Crisp, 18,551; Dade, 1,422; Dawson, 2,555; Decatur, 7,274; De Kalb, 6,995; Dodge, 32,650; Dooly, 34,031; Dougherty, 4,662; Douglas, 9,114; Early, 25,928; Echols, 379; Effingham, 4,237; Elbert, 21,990; Emanuel, 40,217; Evans, 6,468; Fayette, 13,072; Floyd, 24,337; Forsyth, 15,409; Franklin, 23,287; Fulton, 15,877; Gilmer, 566; Glascock, 8,515; Glynn, 10; Gordon, 20,055; Grady, 6,469; Greene, 11,084; Gwinnett, 29,312; Habersham, 3,393; Hall, 17,923; Hancock, 14,267; Haralson, 12,307; Harris, 9,383; Hart, 28,106; Heard, 13,661; Henry, 27,365; Houston, 15,082; Irwin, 16,384; Jackson, 28,397; Jasper, 10,865; Jeff Davis, 4,021; Jefferson, 35,208; Jenkins, 23,668; Johnson, 24,322; Jones, 4,599; Lamar, 9,437; Lanier, 1,255; Laurens, 54,720; Lee, 6,220; Liberty, 1,198; Lincoln, 9,894; Long, 1,317; Lowndes, 6,655; Lumpkin, 1,637; McDuffie, 14,736; McIntosh, 11; Macon, 27,917; Madison, 22,670; Marion, 9,533; Meriwether, 26,592; Miller, 9,836; Mitchell, 24,004; Monroe, 8,153; Montgomery, 12,659; Morgan, 20,585; Murray, 9,236; Muscogee, 3,778; Newton, 15,593; Oconee, 14,138; Oglethorpe, 20,405; Paulding, 14,036; Peach, 9,653; Pickens, 4,887; Pierce, 4,469; Pike, 16,900; Polk, 17,396; Pulaski, 15,406; Putnam, 6,426; Quitman, 4,170; Randolph, 20,095; Richmond, 10,733; Rockdale, 7,820; Schley, 8,950; Screven, 32,494; Seminole, 7,054; Spalding, 10,931; Stephens, 6,680; Stewart, 10,850; Sumter, 25,598; Talbot, 6,200; Taliferro, 7,872; Tattnall, 10,109; Taylor, 14,885; Telfair, 15,106; Terrell, 21,016; Thomas, 11,356; Tift, 11,515; Toombs, 17,520; Treutlen, 12,063; Troup, 15,046; Turner, 11,869; Twiggs, 9,452; Upson, 7,475; Walker, 10,024; Walton, 32,476; Ware, 2,132; Warren, 20,618; Washington, 30,358; Wayne, 6,285; Webster, 6,092; Wheeler, 14,302; White, 2,971; Whitfield, 9,506; Wilcox, 25,153; Wilkes, 19,391; Wilkinson, 8,632; and Worth, 26,540.

Total county allotments, 2,104,700; 4 percent State reserve, 65,495; State reserve for new growers, 16,374.

Total—Georgia: 2,186,569.

Illinois: Alexander, 3,349; Jackson, 2; Massac, 1; Pulaski, 1,595; and Randolph, 3.

Total county allotments, 4,950; 4 percent State reserve, 200; State reserve for new growers, 50.

Total—Illinois, 5,200.

Kansas: Chautauqua, 40; Cowley, 6; Montgomery, 728; and Wilson, 1.

Total county allotments, 775; 4 percent State reserve, 31; State reserve for new growers, 8.

Total—Kansas, 814.

Kentucky: Ballard, 23; Barren, 4; Calloway, 1,637; Carlisle, 643; Fulton, 10,144; Graves, 652; Hickman, 3,977; Hopkins, 1; McCracken, 30; Marshall, 724; Metcalfe, 4; and Trigg, 6.

Total county allotments, 17,845; 4 percent State reserve, 551; State reserve for new growers, 138.

Total—Kentucky, 18,534.

Louisiana: Acadia, 24,627; Allen, 3,908; Ascension, 1,085; Assumption, 22; Avoyelles, 33,619; Beauregard, 2,915; Bienville, 42,927; Bossier, 42,623; Caddo, 71,570; Calcasieu, 4,793; Caldwell, 9,531; Cameron, 4,648; Catahoula, 17,054; Claiborne, 54,724; Concordia, 16,219; De Soto, 49,182; East Baton Rouge, 7,432; East Carroll, 31,709; East Feliciana, 13,318; Evangeline, 30,679; Franklin, 58,304; Grant, 9,650; Iberia, 2,167; Iberville, 1,030; Jackson, 13,379; Jefferson, 18; Jefferson Davis, 7,378; Lafayette, 30,062; Lafourche, 1,221; La Salle, 2,413; Lincoln, 38,628; Livingston, 2,335; Madison, 24,455; Morehouse, 38,321; Natchitoches, 49,653; Orleans, 21; Ouachita, 22,550; Pointe Coupee, 16,522; Rapides, 27,169; Red River, 33,442; Richland, 50,036; Sabine, 20,953; St. Charles, 2; St. Helena, 5,742; St. James, 84; St. John the Baptist, 4; St. Landry, 56,245; St. Martin, 9,933; St. Mary, 215; St. Tammany, 2,076; Tangipahoa, 6,926; Tensas, 27,852; Terrebonne, 6; Union, 34,719; Vermilion, 18,913; Vernon, 8,391; Washington, 20,211; Webster, 36,691; West Baton Rouge, 1,313; West Carroll, 29,589; West Feliciana, 5,968; and Winn, 9,761.

Total county allotments, 1,186,933; 4 percent State reserve, 37,959; State reserve for new growers, 9,490.

Total—Louisiana, 1,234,382.

Mississippi: Adams, 10,861; Alcorn, 20,671; Amite, 24,697; Attala, 26,620; Benton, 13,465; Bolivar, 166,082; Calhoun, 20,207; Carroll, 26,236; Chickasaw, 24,433; Choctaw, 10,797; Claiborne, 13,718; Clarke, 13,542; Clay, 18,632; Coahoma, 107,620; Copiah, 19,915; Covington, 23,377; De Soto, 51,182; Forrest, 5,158; Franklin, 9,722; George, 4,021; Greene, 3,005; Grenada, 18,739; Hancock, 414; Harrison, 504; Hinds, 54,779; Holmes, 59,650; Humphreys, 58,468; Issaquena, 20,010; Itawamba, 20,767; Jackson, 330; Jasper, 21,044; Jefferson, 13,924; Jefferson Davis, 26,370; Jones, 24,646; Kamper, 25,878; Lafayette, 23,668; Lamar, 8,758; Lauderdale, 21,154; Lawrence, 18,531; Leake, 27,860; Lee, 42,465; Leflore, 95,828; Lincoln, 24,702; Lowndes, 28,090; Madison, 54,513; Marion, 23,016; Marshall, 39,371; Monroe, 46,039; Montgomery, 17,773; Neshoba, 34,274; Newton, 27,896; Noxubee, 34,222; Oktibbeha, 13,133; Panola, 54,946; Pearl River, 4,155; Perry, 4,859; Pike, 22,237; Pontotoc, 28,341; Prentiss, 22,768; Quitman, 59,858; Rankin, 20,253; Scott, 21,270; Sharkey, 37,616; Simpson, 23,835; Smith, 22,276; Stone, 1,263; Sunflower, 162,313; Tallahatchie, 69,394; Tate, 32,292; Tippah, 24,646; Tishomingo, 15,665; Tunica, 61,943; Union, 26,053; Walthall, 27,067; Warren, 13,438; Washington, 108,881; Wayne, 13,346; Webster, 16,197; Wilkinson, 10,425; Winston, 22,425; Yalobusha, 17,551; and Yazoo, 66,710.

Total county allotments, 2,552,800; 4 percent State reserve, 80,989; State reserve for new growers, 20,247.

Total—Mississippi, 2,654,036.

Missouri: Barton, 2; Bollinger, 94; Butler, 11,793; Cape Girardeau, 124; Carter, 12; Dunklin, 83,342; Howell, 475; Laclede, 1; Mississippi, 29,366; New Madrid, 88,412; Oregon, 1,035; Ozark, 611; Peniscot, 109,441; Reynolds, 1; Ripley, 4,537; Scott, 17,494; Stoddard, 32,042; Taney, 200; and Wayne, 52.

Total county allotments, 379,014; 4 percent State reserve, 10,637; State reserve for new growers, 2,659.

Total—Missouri, 392,310.

New Mexico: Chaves, 24,799; Curry, 987; De Baca, 73; Dona Ana, 35,561; Eddy, 24,544; Grant, 24; Harding, 195; Hidalgo, 340; Lea, 1,196; Luna, 1,737; Otero, 457; Quay, 3,142; Roosevelt, 16,244; Sierra 696; and Socorro, 66.

Total county allotments, 110,061; 4 percent State reserve, 3,209; State reserve for new growers, 802.

Total—New Mexico, 114,072.

North Carolina: Alamance, 971; Alexander, 3,292; Anson, 31,290; Beaufort, 5,435; Bertie, 8,086; Bladen, 6,695; Brunswick, 525; Burke, 1,010; Cabarrus, 13,649; Caldwell, 242; Camden, 2,481; Carteret, 862; Caswell, 112; Catawba, 12,078; Chatham, 5,210; Chowan, 4,442; Cleveland, 49,768; Columbus, 3,508; Craven, 2,518; Cumberland, 22,330; Currituck, 1,474; Davidson, 2,788; Davie, 5,587; Duplin, 9,274; Durham, 624; Edgecombe, 25,627; Forsyth, 430; Franklin, 18,167; Gaston, 14,795; Gates, 4,656; Granville, 1,998; Greene, 8,820; Guilford, 559; Halifax, 36,281; Harnett, 23,490; Hertford, 5,093; Hoke, 18,245; Hyde, 3,095; Iredell, 21,805; Johnston, 41,448; Jones, 2,843; Lee, 4,784; Lenoir, 9,476; Lincoln, 17,706; McDowell, 24; Martin, 5,955; Mecklenburg, 25,630; Montgomery, 4,647; Moore, 3,647; Nash, 22,444; New Hanover, 57; Northampton, 25,439; Onslow, 2,646; Orange, 1,160; Pamlico, 3,229; Pasquotank, 2,569; Pender, 2,002; Perquimans, 5,442; Person, 7; Pitt, 14,140; Polk, 4,892; Randolph, 979; Richmond, 14,506; Robeson, 51,255; Rockingham, 6; Rowan, 16,247; Rutherford, 23,628; Sampson, 35,169; Scotland, 24,670; Stanley, 9,091; Tyrrell, 851; Union, 40,819; Vance, 4,126; Wake, 17,833; Warren, 16,741; Washington, 1,975; Wayne, 24,023; Wilkes, 212; Wilson, 17,035; and Yadkin, 423.

Total county allotments, 877,038; 4 percent State reserve, 28,233; State reserve for new growers, 7,058.

Total—North Carolina, 912,329.

Oklahoma: Adair, 274; Alfalfa, 225; Atoka, 13,682; Beckham, 87,628; Blaine, 25,719; Bryan, 45,581; Caddo, 104,059; Canadian, 20,522; Carter, 18,607; Cherokee, 4,461; Choctaw, 26,578; Cleveland, 14,242; Coal, 14,579; Comanche, 37,068; Cotton, 41,417; Craig, 773; Creek, 29,890; Custer, 33,112; Delaware, 168; Dewey, 17,946; Ellis, 3,799; Garfield, 1,013; Garvin, 43,177; Grady, 69,275; Grant, 73; Greer, 73,813; Harmon, 57,836; Harper, 54; Haskell, 20,270; Hughes, 30,644; Jackson, 99,499; Jefferson, 46,351; Johnston, 16,663; Kay, 632; Kingfisher, 8,574; Kiowa, 82,715; Latimer, 3,835; Le Flore, 32,835; Lincoln, 31,064; Logan, 18,534; Love, 22,656; McClain, 46,132; McCurtain, 37,089; McIntosh, 44,915; Major, 3,090; Marshall, 14,865; Mayes, 5,913; Murray, 9,599; Muskogee, 51,571; Noble, 4,238; Nowata, 1,665; Okfuskee, 41,119; Oklahoma, 11,750; Okmulgee, 33,878; Osage, 8,305; Ottawa, 35; Pawnee, 7,998; Payne, 15,454; Pittsburg, 29,570; Pontotoc, 18,197; Pottawatomie, 27,243; Pushmataha, 7,009; Roger Mills, 44,706; Rogers, 5,599; Seminole, 21,307; Sequoyah, 18,949; Stephens, 39,634; Tillman, 103,322; Tulsa, 8,129; Wagoner, 29,019; Washington, 244; Washita, 101,294; Woods, 30; and Woodward, 1,711.

Total county allotments, 1,993,422; 4 percent State reserve, 72,132; State reserve for new growers, 18,033.

Total—Oklahoma, 2,083,587.

South Carolina: Abbeville, 26,536; Aiken, 41,691; Allendale, 16,549; Anderson, 81,811; Bamberg, 22,146; Barnwell, 31,594; Beaufort, 1,696; Berkeley, 9,521; Calhoun, 24,331; Charleston, 1,981; Cherokee, 28,678; Chester, 27,329; Chesterfield, 43,708; Clarendon, 30,668; Colleton, 16,828; Darlington, 34,062; Dillon, 25,154; Dorchester, 13,113; Edgefield, 18,934; Fairfield, 18,029; Florence, 28,410; Georgetown, 1,720; Greenville, 49,203; Greenwood, 22,690; Hampton, 13,750; Horry, 2,965; Jasper, 3,490; Kershaw, 34,762; Lancaster, 21,992; Laurens, 44,540; Lee, 38,610; Lexington, 20,471; McCormick, 12,095; Marion, 11,291; Marlboro, 49,631; Newberry, 26,323; Oconee, 26,470; Orangeburg, 80,762; Pickens, 22,530; Richland, 17,879; Saluda, 19,043; Spartanburg, 75,765; Sumter, 44,525; Union, 21,485; Williamsburg, 25,609; and York, 38,976.

Total county allotments, 1,269,346; 4 percent State reserve, 39,905; State reserve for new growers, 9,976.

Total—South Carolina, 1,319,227.

Tennessee: Bedford, 2,708; Benton, 5,515; Blount, 3; Bradley, 3,932; Cannon, 101; Carroll, 23,989; Chester, 13,961; Coffee, 2,314; Crockett, 27,863; Davidson, 26; Decatur, 7,784; DeKalb, 44; Dickson, 13; Dyer, 41,073; Fayette, 58,737; Franklin, 6,535; Gibson, 47,642; Giles, 15,315; Grundy, 202; Hamilton, 2,008; Hardeman, 25,450; Hardin, 13,192; Haywood, 47,096; Henderson, 23,128; Henry, 10,841; Hickman, 61; Humphreys, 118; Knox, 32; Lake, 27,528; Lauderdale, 33,920; Lawrence, 24,469; Lewis, 495; Lincoln, 15,187; Loudon, 16; McMinn, 4,003; McNairy, 23,815; Madison, 38,834; Marion, 773; Marshall, 822; Maury, 523; Meigs, 1,307; Monroe, 976; Moore, 196; Obion, 17,588; Overton, 5; Perry, 387; Polk, 4,001; Putnam, 1; Rhea, 29; Roane, 12; Rutherford, 12,451; Sequatchie, 12; Shelby, 70,868; Stewart, 36; Tipton, 50,359; Van Buren, 12; Warren, 1,286; Wayne, 4,627; Weakley, 13,327; White, 292; Williamson, 342; and Wilson, 206.

Total County allotments, 728,388; 4 percent State reserve, 23,184; State reserve for new growers, 5,796.

Total—Tennessee, 757,368.

Texas: Anderson, 39,668; Andrews, 2,407; Angelina, 16,663; Aransas, 2,023; Archer, 7,978; Armstrong, 2,761; Atascosa, 28,439; Austin, 33,371; Bailey, 60,728; Bandera, 129; Bastrop, 37,775; Baylor, 27,088; Bee, 32,366; Bell, 121,133; Bexar, 22,918; Blanco, 3,632; Borden, 14,153; Bosque, 40,043; Bowie, 53,576; Brazoria, 18,518; Brazos, 35,059; Brewster, 311; Briscoe, 24,328; Brooks, 6,098; Brown, 24,121; Burleson, 51,553; Burnet, 21,742; Caldwell, 53,180; Calhoun, 20,998; Callahan, 20,309; Cameron, 50,990; Camp, 14,985; Carson, 500; Cass, 57,649; Castro, 11,394; Chambers, 1,358; Cherokee, 52,573; Childress, 62,455; Clay, 41,181; Cochran, 42,419; Coke, 19,712; Coleman, 72,754; Collin, 125,543; Collingsworth, 78,136; Colorado, 27,280; Comal, 5,465; Comanche, 24,315; Concho, 41,016; Cooke, 38,941; Coryell, 67,990; Cottle, 66,331; Crockett, 5; Crosby, 87,419; Culberson, 1; Dallas, 81,302; Dawson, 122,059; Deaf Smith, 566; Delta, 45,821; Denton, 60,977; De Witt, 51,919; Dickens, 58,166; Dimmit, 768; Donley, 42,708; Duval, 30,005; Eastland, 10,710; Ector, 341; Ellis, 177,380; El Paso, 30,278; Erath, 35,507; Falls, 124,582; Fannin, 103,895; Fayette, 57,108; Fisher, 97,423; Floyd, 48,001; Foard, 23,484; Fort Bend, 78,706; Franklin, 18,758; Freestone, 47,102; Frio, 4,201; Gaines, 16,951; Galveston, 290; Garza, 36,501; Gillespie, 6,412; Glasscock, 4,267; Goliad, 22,410; Gonzales, 54,650; Gray,

[1] Subpart E—1943.

7,322; Grayson, 89,278; Gregg, 12,773; Grimes, 44,734; Guadalupe, 58,684; Hale, 74,429; Hall, 89,060; Hamilton, 34,402; Hansford, 11; Hardeman, 53,748; Hardin, 656; Harris, 16,992; Harrison, 66,682; Haskell, 102,338; Hays, 20,498; Hemphill, 9,781; Henderson, 46,827; Hidalgo, 79,555; Hill, 154,127; Hockley, 116,359; Hood, 10,250; Hopkins, 74,726; Houston, 64,445; Howard, 63,717; Hudspeth, 8,026; Hunt, 132,975; Hutchinson, 30; Irion, 1,163; Jack, 8,077; Jackson, 29,758; Jasper, 5,608; Jeff Davis, 1; Jefferson, 2,009; Jim Hogg, 7,296; Jim Wells, 42,100; Johnson, 67,273; Jones, 135,016; Karnes, 86,364; Kaufman, 114,974; Kendall, 420; Kenedy, 107; Kent, 27,867; Kerr, 271; Kimble, 1,640; King, 11,490; Kinney, 30; Kleberg, 13,186; Knox, 65,820; Lamar, 88,719; Lamb, 128,412; Lampasas, 14,520; La Salle, 7,098; Lavaca, 50,052; Lee, 25,006; Leon, 39,130; Liberty, 8,911; Limestone, 125,350; Lipscomb, 539; Live Oak, 34,850; Llano, 3,453; Loving, 23; Lubbock, 171,107; Lynn, 143,910; McCulloch, 45,932; McLennan, 150,772; McMullen, 3,581; Madison, 31,795; Marion, 14,855; Martin, 54,662; Mason, 5,722; Matagorda, 18,479; Maverick, 142; Medina, 3,890; Menard, 3,247; Midland, 23,205; Milan, 105,624; Mills, 14,548; Mitchell, 72,243; Montague, 24,221; Montgomery, 9,133; Moore, 97; Morris, 17,144; Motley, 40,439; Nacogdoches, 44,999; Navarro, 158,074; Newton, 2,687; Nolan, 46,043; Nueces, 147,955; Ochiltree, 67; Orange, 537; Palo Pinto, 8,077; Panola, 49,912; Parker, 14,008; Parmer, 17,879; Pecos, 5,745; Polk, 14,076; Presidio, 3,810; Rains, 20,081; Randall, 334; Reagan, 3; Real, 7; Red River, 67,492; Reeves, 5,495; Refugio, 18,935; Roberts, 41; Robertson, 69,658; Rockwall, 29,320; Runnels, 107,647; Rusk, 66,077; Sabine, 10,999; San Augustine, 18,416; San Jacinto, 10,693; San Patricio, 93,328; San Saba, 20,694; Schleicher, 9,900; Scurry, 72,588; Shackelford, 7,574; Shelby, 47,727; Smith, 69,868; Somervell, 4,678; Starr, 21,580; Stephens, 3,731; Sterling, 845; Stonewall, 38,212; Sutton, 90; Swisher, 9,491; Tarrant, 24,347; Taylor, 68,180; Terrell, 36; Terry, 85,048; Throckmorton, 12,022; Titus, 26,638; Tom Green, 47,849; Travis, 63,669; Trinity, 14,291; Tyler, 3,760; Upshur, 37,603; Uvalde, 2,153; Val Verde, 1; Van Zandt, 79,612; Victoria, 34,595; Walker, 20,303; Waller, 15,123; Ward, 7,331; Washington, 52,008; Webb, 3,652; Wharton, 82,421; Wheeler, 53,150; Wichita, 27,076; Wilbarger, 67,460; Willacy, 45,715; Williamson, 150,151; Wilson, 28,772; Wise, 19,645; Wood, 38,668; Yoakum, 8,964; Young, 28,590; Zapata, 3,189; and Zavala, 945.

Total county allotments, 9,334,874; 4 percent State reserve, 311,226; State reserve for new growers, 77,806.

Total—Texas, 9,723,906.

Virginia: Amelia, 6; Brunswick, 6,941; Charlotte, 582; Chesterfield, 29; Dinwiddie, 946; Greensville, 7,428; Halifax, 244; Isle of Wight, 2,314; Lunenburg, 1,160; Mecklenburg, 7,337; Middlesex, 2; Nansemond, 5,427; New Kent, 48; Norfolk, 1,027; Northampton, 1; Nottoway, 176; Pittsylvania, 22; Prince Edward, 8; Prince George, 233; Princess Anne, 262; Southampton, 12,643; Surry, 320; and Sussex, 3,123.

Total, county allotments, 50,279; 4 percent State reserve, 1,581; State reserve for new growers, 395.

Total—Virginia, 52,255.

(52 Stat. 57, 58, 203, 586, 53 Stat. 853; 7 U.S.C., 1940 ed. 1344 (a)–1344 (c))

Done at Washington, D. C., this 31st day of December 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-164; Filed, January 4, 1943; 11:47 a. m.]

Chapter VIII—Sugar Agency

PART 802—SUGAR DETERMINATIONS

PROPORTIONATE SHARES FOR SUGARCANE FARMS IN PUERTO RICO

Pursuant to the provisions of section 302 of the Sugar Act of 1937, as amended, the following determination is hereby issued:

§ 802.46d *Proportionate shares for sugarcane producers in Puerto Rico*—(a) *General.* The proportionate share of sugarcane for the 1942–43 and any subsequent crop, in terms of sugar commercially recoverable from sugarcane, for any farm in Puerto Rico, except as provided in paragraph (b) hereof, shall be obtained by multiplying the base production for the farm, as defined herein, by a fraction whose numerator shall be the quantity of sugar required to be produced to enable Puerto Rico to meet its quota (and provide a normal carryover inventory) estimated by the Secretary for the calendar year during which the larger part of the sugar from such crop normally would be marketed, less the total proportionate shares allocated pursuant to paragraph (b) hereof, and whose denominator shall be the sum of the base productions of all such farms less the average total amount by which such farms failed to fill their original proportionate shares under the 1939–40 and 1940–41 Puerto Rican sugarcane programs, and converting the result to raw value.

(b) *New and small growers.* The minimum proportionate share for any farm in Puerto Rico, subject to the conditions set forth in this paragraph, shall be:

(1) For any farm for which a base production has been established, 9 tons of sugar.

(2) For any farm purchased or leased by the producer from or through the Puerto Rico Reconstruction Administration or Farm Security Administration, the sugar commercially recoverable from three planted acres of sugarcane.

(3) For any farm not covered by subparagraphs (1) or (2) above, the operator of which resides on the farm and derives the major portion of his income from the farm, 9 tons of sugar: *Provided,* That applications for proportionate shares under this subparagraph (3) must be filed at such time and in such manner as may be prescribed by the Secretary of Agriculture.

(c) *Definition of base production.* Base production means the amount of 1940–41 proportionate share, in terms of sugar, 96° basis, assignable to any farm.

(d) *Designation of agent.* The Chief, or the Acting Chief, of the Sugar Agency, and the Officer in Charge of the San Juan Office of the Agricultural Adjustment Agency, or the Acting Officer in Charge thereof, are hereby designated to act, jointly or severally, as agents of the Secretary of Agriculture in administering the provisions of this section.

(Sec. 302, 50 Stat. 910; 7 U.S.C., 1940 ed. 1132)

Done at Washington, D. C. this 31st day of December, 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Under Secretary of Agriculture.

[F. R. Doc. 43-17; Filed, January 1, 1943; 11:21 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Personnel

PART 76—CARE AND DISPOSITION OF INSANE

TRANSFER TO CARE OF NEAREST KNOWN RELATIVE

Section 76.1 is hereby amended as follows:

§ 76.1 *Transfer to care of nearest known relative.* Insane persons requiring institutional care will be transferred to the custody of the nearest known relative upon their request; *Provided,* The patient is not considered actively suicidal or homicidal and, *Provided,* The relative produces satisfactory evidence that proper care for the insane person concerned will be furnished. This evidence will consist of affidavits from those concerned declaring that they are willing and have the necessary financial means to provide adequate care and treatment. Persons who are actively suicidal or homicidal, whether or not entitled to care and treatment by the Veterans' Administration, will be disposed of as provided in Army Regulations. The relative receiving an insane person will be required to receipt for the articles of clothing and baggage belonging to the patient. The patient's money and other valuables will be turned over to the person authorized by law to receive them in the insane person's behalf, upon presentation of proper evidence of such authorization.

(R.S. 161; 5 U.S.C. 22) [Par. 7, AR 600–500, August 7, 1942, as amended by C 2, December 17, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-154; Filed, January 4, 1943; 10:07 a. m.]

Chapter VIII—Procurement and Disposal of Equipment and Supplies

PART 83—DISPOSITION OF SURPLUS AND UNSERVICEABLE PROPERTY

Sections 83.701 to 83.710, inclusive, are rescinded and the following submitted therefor:

DISPOSITION OF PERSONAL PROPERTY

Sec.
83.701 Rescission of regulations.
83.702 Real property.
83.703 Classification of property.
83.704 Negotiation.
83.705 Disposition of proceeds of sales.
83.706 Redelegation of authority.

DISPOSITION OF SERVICEABLE PROPERTY NOT DECLARED SURPLUS

83.707 Disposition under contracts or agreements executed under First War Powers Act.
83.708 Leases under other statutes.
83.709 Transfer to another Supply Service.
83.710 Transfer to other Federal Agencies.
83.711 Gifts and loans of drawings and similar property.

DECLARATION OF SERVICEABLE PROPERTY AS SURPLUS AND DISPOSITION THEREOF

83.712 General.
83.713 Declaration.
83.714 Disposition.

DISPOSITION OF UNSERVICEABLE PROPERTY

83.715 Definitions.
83.716 Exchange of unserviceable property.
83.717 Sale of salvage and "to be sold" property.

AUTHORITY: Sec. 5a, National Defense Act, as amended, 41 Stat. 764, 54 Stat. 1225; 10 U.S.C. 1193–1195, and the First War Powers Act, 1941, 55 Stat. 838; 50 U.S.C. Sup. 601–622.

These regulations are also contained in War Department Procurement Regulations No. 7, September 5, 1942, as amended October 14, 1942 and November 28, 1942. Numbers to the right of the decimal point in section numbers correspond with the respective paragraph numbers in procurement regulations.

DISPOSITION OF PERSONAL PROPERTY

§ 83.701 *Rescission of regulations.* Army Regulations 5–50, May 22, 1939, as amended, and all other instructions inconsistent herewith are hereby rescinded. This Procurement Regulation No. 7 does not, however, rescind or in any way supersede any other Army regulations and any specific grants of authority to dispose of property contained in any such Army regulations are not in any way affected by this procurement regulation.

§ 83.702 *Real property.* This Procurement Regulation No. 7 does not relate to the disposition of real property which is governed by AR 30-1425. The term property as hereinafter used in this Procurement Regulation No. 7 means personal property.

§ 83.703 *Classification of property.* For the purposes of this Procurement Regulation No. 7:

(a) All property is divided into serviceable and unserviceable property.

(b) Unserviceable property is all property which has been declared unsuitable for use by competent authority within the supply service concerned, or which has been presented for condemnation to an inspector in accordance with AR 20–35 and condemned by such inspector.

(c) Serviceable property is all property other than that specified in paragraph (b) above.

(d) Serviceable property is in turn subdivided into property declared surplus and property not declared surplus.

(e) Property declared surplus is serviceable property which, in the manner set forth in §§ 83.712 to 87.714 has been declared surplus.

(f) Property not declared surplus is all serviceable property other than that specified in paragraph (e) above.

§ 83.704 *Negotiation.* The term negotiation as used in this Procurement Regulation No. 7 means any method of reaching an agreement on the terms of sale except the formal sealed bid procedure contemplated by section 3709, Revised Statutes

§ 83.705 *Disposition of proceeds of sales.* The subject of disposition of the proceeds of sales of property is not covered by this procurement regulation. Reference is made to AR 35–780 and AR 35–6660.

§ 83.706 *Redelegation of authority.* Attention is called to the fact that, in accordance with § 81.107 (f), the chiefs of the supply services may redelegate all authority conferred upon them by this Procurement Regulation No. 7, including the power to make determinations under the First War Powers Act, to other officers or civilian officials of the War Department.

DISPOSITION OF SERVICEABLE PROPERTY NOT DECLARED SURPLUS

§ 83.707 *Disposition under contracts or agreements executed under First War Powers Act.* Under Title II of the First War Powers Act (Public Law, 354, 77th Congress) and Executive Order No. 9001, the War Department is authorized, without regard to the provisions of law relating to the making, performance, amendment or modification of contracts, to enter into contracts, including "agreements of all kinds * * * for all types and kinds of things and services necessary, appropriate or convenient for the prosecution of war * * *."

It is to be noted that the exercise of the authority thus conferred on the War Department must be predicated upon a determination that the contract or agreement will facilitate the prosecution of the war. The basis in fact for a determination that a contract for the disposition (whether by sale, lease or otherwise) of Government property will facilitate the prosecution of the war will exist principally in cases where either directly or indirectly the procurement of supplies or services is the primary objective and the contract or agreement for the disposition of Government property is merely incidental thereto. However, numerous other circumstances may exist where such contracts for the disposition of such property will facilitate the prosecution of the war, as, for instance, where War Department control of the allocation of scarce materials makes necessary or desirable the acquisition of such materials in bulk by the War Department and the disposition, either for war production or for other purposes, of such of these as the War Department can spare. In cases of doubt the approval of the Director, Purchases Division, Headquarters, Services of Supply, should be sought. See Opinions J.A.G.O., SPJGC 160 May 30, 1942; J.A.G.O., SPJGC 19421 4522. The latter opinion was rendered with respect to a draft of this Procurement Regulation No. 7.

(a) *Sales.* The chiefs of the supply services are authorized, when it is determined by them that such action will facilitate the prosecution of the war, without further approval, to make contracts by negotiation for the sale of and to sell to manufacturers and suppliers having war contracts any machine tool equipment, processing equipment, uniforms, safety clothing and equipment, plant protective clothing and other special articles necessary to persons employed in or otherwise connected with war industries or establishments, manufacturing aids, raw materials, manufactured materials or other materials or facilities presently owned or hereafter acquired by the Government. Such sales shall, however, be made only for the purpose of facilitating the performance of such war contracts by such manufacturers and suppliers, and shall in no case involve a contract price in excess of $1,000,000.

(b) *Leases.* The chiefs of the supply services are authorized, when it is determined by them that such action will facilitate the prosecution of the war, (1) To enter into agreements to lease any machine tool equipment, processing equipment, manufacturing aids, or other facilities presently owned or hereafter acquired by the Government and under the control of the chiefs of the supply services or any of them, such leases (i) to be made only to manufacturers and suppliers having war contracts for the purpose of facilitating the performance of such contracts (ii) in no case to cover property having an estimated value in excess of $1,000,000 and (iii) to comply with § 81.1002 and any other applicable sections of these procurement regulations:

(2) In cases where the property involved was acquired under authority of section 1 (b) of the Act of July 2, 1940 (54 Stat. 712), as continued in effect by section 13 of the Act of June 5, 1942 (Public Law 580, 77th Congress), to include in any lease agreement an option to buy the property which is the subject of the lease, such option to come into effect (i) either one year after the expiration of the lease or (ii) upon the receipt by the contractor of a written notice from the Government that it does not desire to remove the facilities, whichever happens first; and to continue only for a limited time.

(3) To waive the requirement of performance bonds in connection with leases or agreements made pursuant to subparagraphs (1) and (2) above.

(c) *Other sales and leases.* In addition to the contracts of sale and agreements of lease specifically authorized by paragraphs (a) and (b) of this section,

the chiefs of the supply services are authorized by negotiation to enter into any other contracts of sale or agreements of lease (with or without options to purchase) authorized by the First War Powers Act and Executive Order No. 9001: *Provided*, That the approval of the Director, Purchases Division, Headquarters, Services of Supply, is first obtained.

§ 83.708 *Leases under other statutes.* In addition to the authority contained in the First War Powers Act, as set forth in § 83.707 (b) and (c), authority for the execution of leases may be found in other statutes. See AR 850–30 for the terms of those statutes.

§ 83.709 *Transfer to another Supply Service.* Property not declared surplus may, upon the request of another supply service, be transferred to such service without reimbursement, except for the costs of packing, handling and transportation.

§ 83.710 *Transfer to other Federal agencies.* Property not declared surplus may, upon the requisition of another federal agency made pursuant to section 7 (a) of the Act of May 21, 1920 (41 Stat. 613), as amended by section 601 of the Act of June 30, 1932 (47 Stat. 417) and by Public Law 670, 77th Congress; 31 U. S. C. 686, be transferred to such agency in accordance with said section.

§ 83.711 *Gifts and loans of drawings and similar property.* The chiefs of the supply services are authorized, without further approval, to give or lend to contractors and private firms which are or may likely be manufacturers or furnishers of supplies and equipment for the use of the War Department under approved production plans, drawings, manufacturing and other information and samples of supplies and equipment to be manufactured or furnished, *Provided*, That if in the case of a gift the estimated value of the property in question exceeds $1,000.00 or in the case of a loan, $50,000, the approval of the Director, Purchases Division, Headquarters, Services of Supply, will be first obtained.

DECLARATION OF SERVICEABLE PROPERTY AS SURPLUS AND DISPOSITION THEREOF

§ 83.712 *General.* In view of existing and potential shortages of materials, and to diminish, so far as possible, current demands upon the manufacturing and producing resources of the nation during the war period, it is important that serviceable property shall not be permitted to accumulate unreasonably and unnecessarily in the possession of the War Department. Accordingly, pursuant to the First War Powers Act, 1942 and Executive Order No. 9001 and any other relevant provisions of law, in order to facilitate the prosecution of the war, by making unneeded serviceable property available for any proper use, property may be declared surplus and disposed of in the manner set forth in this section III notwithstanding the provisions of section 14a of chap. 440 of Title I of the Act of June 28, 1940; 54 Stat. 681; 10 U.S.C. 1262a.

§ 83.713 *Declaration*—(a) *By chiefs of supply services.* Chiefs of supply services are authorized to declare serviceable property surplus without reference to higher authority under the following conditions:

(1) When the property (i) is of no present or apparent future use to the supply service possessing such property or to any other supply service or War Department agency and (ii) is not, and, to the knowledge of the chief of the supply service concerned, apparently will not be of use to others than the War Department in connection with work contributing to the prosecution of the war; and

(2) When the total current estimated value does not exceed $50,000.

(b) *By Commanding General, Services of Supply.* In those cases where property is of the character described in paragraph (a) (1) of this section and has a total current value in excess of $50,000, such property will be recommended to the Commanding General, Services of Supply (to the attention, Director, Purchases Division) for the declaration as surplus. The following information will be furnished with each such recommendation:

(1) List of property with its estimated original and present value. When the property is damaged, wrecked, burned or otherwise depreciated, the estimated cost of repairs necessary to put it in usable condition will be furnished;

(2) Statement of reason for disposing of the property, including information as to whether it is new, used or deteriorated;

(3) An estimate of the storage space which the property occupies; and

(4) Brief statement of steps taken to ascertain that property was of character described in (a) (1) of this section. The Director, Purchases Division, Services of Supply, is authorized in behalf of the Commanding General to declare any such property surplus.

(c) *By Special Representative of The Under Secretary of War.* In case of the Army Air Forces, the recommendation specified in paragraph (b) of this section should be made to Colonel Albert J. Browning, as Special Representative of the Under Secretary of War, who is hereby authorized to declare property surplus.

§ 83.714 *Disposition*—(a) *Transfer to another supply service.* Property declared surplus may, upon request of another supply service, be transferred without reimbursement except for the costs of packing, handling and transportation.

(b) *Transfer to other Federal agencies.* Property declared surplus will be reported promptly to the Procurement Division, Treasury Department, by the chief of the supply service concerned for the purpose of effecting the transfer of the property to some other Federal agency. Property so reported will be withheld from sale, pending a possible transfer, for such length of time as the chief of the supply service concerned shall permit.

(c) Upon request from the Procurement Division, Treasury Department, property so held for transfer may be transferred to another Federal agency without reimbursement except for the costs of packing, handling and transportation.

(d) If a transfer is not effected pursuant to paragraph (c) of this section, property declared surplus may be sold by negotiation under the direction and the supervision of the chief of the supply service concerned. If however, the sales price exceeds $1,000,000, the approval of the Director, Purchases Division, Headquarters, Services of Supply, will first be obtained.

(e) *Sales to National Council of the Boy Scouts of America.* Property declared surplus may be sold to the National Council of the Boy Scouts of America under the direction and supervision of the chief of the supply service concerned. The sales price will represent a fair value to the War Department, including costs of packing, handling and transportation.

(f) When property consists of articles or materials on which maximum prices have been placed by any authorized agency of the Government, no award will be made at a price higher than the prescribed maximum.

DISPOSITION OF UNSERVICEABLE PROPERTY

§ 83.715 *Definitions*—(a) *"To be sold" property.* For the purposes of §§ 83.715 to 83.717, the term "to be sold" property means unserviceable articles which have been classified as "to be sold" property by an inspector.

(b) *Salvage.* For the purposes of §§ 83.715 to 83.717, the term "salvage" means unserviceable articles which have been classified as "salvage" by an inspector.

§ 83.716 *Exchange of unserviceable property.* (a) Whenever unserviceable articles can be advantageously exchanged as payment in full or in part for serviceable articles of like character, such unserviceable articles will be disposed of in this manner.

(b) Exchanges of unserviceable property for serviceable property will be made under the direction and supervision of the chief of the supply service concerned.

(c) When the property to be exchanged is subject to a price fixing order issued by an agency of the Government, effort should be made to secure the established price in the exchange transaction.

(d) A copy of each contract covering the exchange of deteriorated, unserviceable, obsolescent or surplus military equipment, munitions or supplies for other military equipment, munitions or supplies will be furnished the respective chairmen of the House Military Affairs Committee and the Senate Military Affairs Committee within twenty-four hours after the contract has been made.

§ 83.717 *Sale of salvage and "to be sold" property.* (a) All unserviceable articles which have been classified as salvage or as "to be sold" property by competent authority will be turned over to the Quartermaster Corps for sale, except as follows:

(1) Property which can be advantageously exchanged in accordance with § 83.716 above.

(2) Accumulations of scrap, cuttings, and by-products resulting directly from manufacturing operations in arsenals, depots, plants, or commercial establishments, all of which will be disposed of by the chief of the supply service concerned.

(b) Sales of salvage and "to be sold" property will be made by negotiation under the direction and supervision of The Quartermaster General, or, in the cases provided for in paragraphs (a) (1) and (2) of this section of the chief of the supply service concerned.

(c) As a measure appropriate to the relief of distress from economic causes or from disaster, the Secretary of War has authorized, subject to discontinuance when desirable, certain sales of salvage at nominal prices, as follows:

Condemned clothing, shoes, equipment, and similar supplies in salvage, that may be accumulated at posts, camps, and stations of the Regular Army or National Guard, may be sold for relief purposes to charitable organizations of commonly recognized standing or to state relief administration at nominal prices to be fixed by the chief of the supply service concerned.

(d) In addition to the methods of disposition specified in §§ 83.716 to 83.717 (c), "to be sold" property may be disposed of in the same manner that property declared surplus may be disposed of under §§ 83.714 (a) to (e); and salvage may be disposed of in the manner provided in § 83.714 (e).

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42–14238; Filed, December 31, 1942; 4:25 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regulations, Serial No. 251]

ASSISTANT AIRLINE TRANSPORT PILOT CERTIFICATES

AMENDMENT TO SPECIAL REGULATION 236

Authorization to the Administrator of Civil Aeronautics to issue "assistant airline transport pilot certificates" to a designated class of pilots.

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 21st day of December 1942.

The Civil Aeronautics Board finding that its action herein is in the public interest and is necessary to the successful prosecution of the war effort; and acting pursuant to the authority vested in it by the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a), 601, 602 (c), and 604 of the said Act, amends Special Regulation 236 as follows:

Effective January 1, 1943, Special Regulation 236[1] is amended as follows:

By striking the words "January 1, 1943" and inserting in lieu thereof the words "June 30, 1943."

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 43-14; Filed, January 1, 1943; 11:08 a. m.]

[Amendment 60-5, Civil Air Regulations]

PART 60—AIR TRAFFIC RULES

FLIGHT RULES

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 18th day of December 1942.

Acting pursuant to sections 205 (a) and 601 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective Dec. 18, 1942, Part 60 of the Civil Air Regulations is amended as follows:

1. By striking the following phrase in § 60.951 (b):[1]

Provided, That if a continuous series of local flights with the same occupants in the airplane is contemplated, such information need be submitted only once for such series, and inserting in lieu thereof the following:

Provided, That a pilot may conduct an entire day of local operation of a particular aircraft on one clearance, if he keeps an accurate record of all persons carried in his aircraft throughout the day and files this record with the Registrar and Clearance Officer when filing his arrival notice at the end of the day's flight operation.

2. By striking the following phrase in § 60.951 (c):

Provided, That one clearance only need be secured for a continuous series of local flights with the same occupants in the airplane.

and inserting in lieu thereof a period.

3. By striking the following phrase in § 60.951 (f):

Provided, That if a series of local flights is being made with the same occupants in the aircraft, such information need be submitted only after the final landing in such series.

and inserting in lieu thereof:

Provided, That if a series of local flights is being made in accordance with the provisions of paragraph (b) of this section, such information need be submitted only after the final landing at the end of the day's flight operation.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 43-13; Filed, January 1, 1943; 11:08 a. m.]

[1] 7 F.R. 6143.
[1] 7 F.R. 528.

[Amendment 61-1, Civil Air Regulations]

PART 61—SCHEDULED AIR CARRIER RULES

PILOTS' COMPARTMENT

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 21st day of December 1942.

Acting pursuant to sections 205 (a), 601, and 604 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective December 21, 1942, Part 61 of the Civil Air Regulations is amended as follows:

Amend § 61.7803 (c) (4)[1] by inserting a semicolon after the phrase "First or second pilots listed in Operations Specifications of the air carrier concerned," to make § 61.7803 (c) (4) read as follows:

§ 61.7803 *Pilots' compartment.* * * *

(4) First or second pilots listed in Operations Specifications of the air carrier concerned; or any first or second pilots listed in the Operations Specifications—Airmen of another air carrier who have been authorized by the air carrier concerned and the Administrator to make the trips over the route being flown for the purpose of route qualification or familiarization;

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 43-15; Filed, January 1, 1943, 11:08 a. m.]

Chapter II—Administration of Civil Aeronautics, Department of Commerce

[Amendment 23]

PART 601—DESIGNATION OF AIRWAY TRAFFIC CONTROL AREAS, CONTROL ZONES OF INTERSECTION, CONTROL AIRPORTS, AND RADIO FIXES

DESIGNATION OF CERTAIN CONTROL AIRPORTS

DECEMBER 29, 1942.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and § 60.21 of the Civil Air Regulations, I hereby amend Part 601 of the Regulations of the Administrator of Civil Aeronautics as follows:

1. By amending § 601.3[2] so as to include in the proper alphabetical order the designation of the following airports as control airports:

City	*Name of airport*
Daggett, California	Municipal Airport.
Palmdale, California	Municipal Airport.
Crestview, Florida	CAA Intermediate Airport.
Ogden, Utah	Ogden Airport (Ayres).
Alice, Texas	Municipal Airport

This amendment shall become effective 0001 E. W. T., January 15, 1943.

C. I. STANTON,
Administrator.

[F. R. Doc. 43-141; Filed, January 2, 1942; 4:56 p. m.]

[1] 6 F.R. 1334, 5485, 7 F.R. 1664
[2] 7 F.R. 9508, 8 F.R. 2.

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 275—GENERAL RULES AND REGULATIONS, INVESTMENT ADVISERS ACT OF 1940

WITHDRAWAL FROM REGISTRATION

The Securities and Exchange Commission, deeming it necessary for the exercise of the functions vested in it and necessary and appropriate in the public interest for the protection of investors so to do, pursuant to authority conferred upon it by the Investment Advisers Act of 1940, particularly sections 203 (g) and 211 (a) thereof, hereby adopts the following § 275.203-3 [Rule R-203-3]:

§ 275.203-3 *Withdrawal from Registration.* If a notice to withdraw from registration is filed by an investment adviser pursuant to section 203 (g), it shall become effective on the thirtieth day after the filing thereof with the Commission unless, prior to its effective date, the Commission institutes a proceeding pursuant to section 203 (d) to revoke or suspend the registration of such investment adviser or a proceeding under section 203 (g) to impose terms and conditions upon such withdrawal. If the Commission institutes such a proceeding, or if a notice to withdraw from registration is filed with the Commission at any time subsequent to the date of the issuance of a Commission order instituting proceedings pursuant to sections 203 (d) or (g) with respect to an investment adviser filing such notice, and during the pendency of such a proceeding, the notice to withdraw shall not become effective except at such time and upon such terms and conditions as the Commission finds necessary in the public interest or for the protection of investors. [Rule R-203-3 effective January 5, 1943]

(Sec. 203, 54 Stat. 851; 15 U.S.C. 80b-3; sec. 211, 54 Stat. 855; 15 U.S.C. 80b-11)

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-145; Filed, January 4, 1943; 10:06 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

[T. D. 5206]

Subchapter A—Income and Excess-Profits Taxes

PART 7—TAXATION OF NONRESIDENT ALIEN INDIVIDUALS AND FOREIGN CORPORATIONS NOT ENGAGED IN TRADE OR BUSINESS WITHIN THE UNITED STATES AND NOT HAVING AN OFFICE OR PLACE OF BUSINESS THEREIN AS AFFECTED BY THE RECIPROCAL TAX CONVENTIONS BETWEEN THE UNITED STATES AND CANADA

Regulations affecting the taxation of nonresident alien individuals, residents of Canada, and Canadian corporations under the tax convention between the United States and Canada, proclaimed by the President of the United States on June 17, 1942, effective January 1, 1941.

Sec.

7.20 Introductory.
7.21 Scope of regulations.
7.22 Definitions.
7.23 Scope of convention, etc.
7.24 Allocation of compensation for labor or personal services.
7.25 Control of a domestic enterprise by a Canadian enterprise.
7.26 Income from operation of ships or aircraft.
7.27 Wages, salaries and similar compensation, pensions, and life annuities.
7.28 Compensation for labor or personal services.
7.29 Capital gains.
7.30 Exempt organizations.
7.31 Reduction in rate of tax withheld at source.
7.32 Dividends and interest paid by Canadian corporations.
7.33 Canadian corporations; exemption from Federal taxation with respect to accumulated surplus or undistributed income.
7.34 Adjustment of taxability of Canadians for 1940 and prior years.
7.35 Credit against United States tax liability for income tax paid to Canada.
7.36 Reciprocal regulations.
7.37 Reciprocal administrative assistance
7.38 Information to be furnished in due course.
7.39 Information in specific cases.

AUTHORITY: §§ 7.20 to 7.39, inclusive, issued under sections 22 (b) (7) and 62 of the Internal Revenue Code (53 Stat. 10, 32, 26 U. S. C., 22 (b) (7), 62) and the tax convention between the United States and Canada.

§ 7.20 *Introductory.* The Tax Convention and Protocol between the United States and Canada (hereinafter referred to as the Convention), proclaimed by the President of the United States on June 17, 1942 and effective January 1, 1941, provides as follows:

ARTICLE I

An enterprise of one of the contracting States is not subject to taxation by the other contracting State in respect of its industrial and commercial profits except in respect of such profits allocable in accordance with the Articles of this Convention to its permanent establishment in the latter State.

No account shall be taken in determining the tax in one of the contracting States, of the mere purchase of merchandise effected therein by an enterprise of the other State.

ARTICLE II

For the purposes of this Convention, the term "industrial and commercial profits" shall not include income in the form of rentals and royalties, interest, dividends, management charges, or gains derived from the sale or exchange of capital assets.

Subject to the provisions of this Convention such items of income shall be taxed separately or together with industrial and commercial profits in accordance with the laws of the contracting States.

ARTICLE III

1. If an enterprise of one of the contracting States has a permanent establishment in the other State, there shall be attributed to such permanent establishment the net industrial and commercial profit which it might be expected to derive if it were an independent enterprise engaged in the same or similar activities under the same or similar conditions. Such net profit will, in principle, be determined on the basis of the separate accounts pertaining to such establishment.

2. The competent authority of the taxing State may, when necessary, in execution of paragraph 1 of this Article, rectify the accounts produced, notably to correct errors and omissions or to reestablish the prices or remunerations entered in the books at the value which would prevail between independent persons dealing at arm's length.

3. If (a) an establishment does not produce an accounting showing its own operations, or (b) the accounting produced does not correspond to the normal usages of the trade in the country where the establishment is situated, or (c) the rectifications provided for in paragraph 2 of this Article cannot be effected the competent authority of the taxing State may determine the net industrial and commercial profit by applying such methods or formulae to the operations of the establishment as may be fair and reasonable.

4. To facilitate the determination of industrial and commercial profits allocable to the permanent establishment, the competent authorities of the contracting States may consult together with a view to the adoption of uniform rules of allocation of such profits.

ARTICLE IV

1. (a) When a United States enterprise, by reason of its participation in the management or capital of a Canadian enterprise, makes or imposes on the latter, in their commercial or financial relations, conditions different from those which would be made with an independent enterprise, any profits which should normally have appeared in the balance sheet of the Canadian enterprise but which have been, in this manner, diverted to the United States enterprise, may be incorporated in the taxable profits of the Canadian enterprise, subject to applicable measures of appeal.

(b) In order to effect the inclusion of such profits in the taxable profits of the Canadian enterprise, the competent authority of Canada may, when necessary, rectify the accounts of the Canadian enterprise, notably to correct errors and omissions or to reestablish the prices or remuneration entered in the books at the values which would prevail between independent persons dealing at arm's length. To facilitate such rectification the competent authorities of the contracting States may consult together with a view to such determination of profits of the Canadian enterprise as may appear fair and reasonable.

2. The same principle applies, mutatis mutandis, in the event that profits are diverted from a United States enterprise to a Canadian enterprise.

ARTICLE V

Income which an enterprise of one of the contracting States derives from the operation of ships or aircraft registered in that State shall be exempt from taxation in the other contracting State.

The present Convention will not be deemed to affect the exchange of notes between the United States of America and Canada, dated August 2 and September 17, 1928, providing for relief from double income taxation on shipping profits.

ARTICLE VI

Wages, salaries and similar compensation paid by the Government, or any agency or instrumentality thereof, of one of the contracting States or by the political subdivisions or territories or possessions thereof to citizens of such State residing in the other State shall be exempt from taxation in the latter State.

Pensions and life annuities derived from within one of the contracting States and paid to individuals residing in the other contracting State shall be exempt from taxation in the former State.

ARTICLE VII

1. The rate of income tax imposed by one from United States income tax upon compensation for labor or personal services performed within the United States of America if he conforms to either of the following conditions:

(a) He is temporarily present within the United States of America for a period or periods not exceeding a total of one hundred and eighty-three days during the taxable year and such compensation (A) is received for labor or personal services performed as an employee of, or under contract with, a resident or corporation or other entity of Canada and (B) does not exceed $5,000 in the aggregate during such taxable year; or (b) he is temporarily present in the United States of America for a period or periods not exceeding a total of ninety days during the taxable year and the compensation received for such services does not exceed $1,500 in the aggregate during such taxable year.

2. The provisions of paragraph 1 (a) of this Article shall have no application to the professional earnings of such individuals as actors, artists, musicians and professional athletes.

3. The provisions of paragraphs 1 and 2 of this Article shall apply, mutatis mutandis, to a resident of the United States of America deriving compensation for personal services performed within Canada.

ARTICLE VIII

Gains derived in one of the contracting States from the sale or exchange of capital assets by a resident or a corporation or other entity of the other contracting State shall be exempt from taxation in the former State, provided such resident or corporation or other entity has no permanent establishment in the former State.

ARTICLE IX

Students or business apprentices from one of the contracting States residing in the other contracting State for purposes of study or for acquiring business experience shall not be taxable by the latter State in respect of remittances received by them from within the former State for the purposes of their maintenance or studies.

ARTICLE X

Income derived from sources within one of the contracting States by a religious, scientific, literary, educational, or charitable organization of the other contracting State shall be exempt from taxation in the State from which the income is derived if, within the meaning of the laws of both contracting States, such organization would have been exempt from income tax.

ARTICLE XI

1. A resident of Canada shall be exempt of the contracting States, in respect of income derived from sources therein, upon individuals residing in, or corporations organized under the laws of, the other contracting State, and not engaged in trade or business in the former State and having no office or place of business therein, shall not exceed 15 percent for each taxable year.

2. Notwithstanding the provisions of paragraph 1 of this Article, income tax in excess of 5 percent shall not be imposed by one of the contracting States in respect of dividends paid by a subsidiary corporation organized under the laws of such State, or of a political subdivision thereof, to a parent corporation organized under the laws of the other contracting State, or of a political subdivision thereof: *Provided, however*, That this paragraph shall not apply if the competent authority in the former State is satisfied that the corporate relationship between the two corporations has been arranged or is maintained primarily with the intention of taking advantage of this paragraph.

3. Notwithstanding the provisions of Article XXII of this Convention, paragraph 1 or paragraph 2, or both, of this Article, may be terminated without notice on or after the termination of the three-year period beginning with the effective date of this Convention by either of the contracting States imposing a rate of income tax in excess of the rate of 15 percent prescribed in paragraph 1 or in excess of the rate of 5 percent prescribed in paragraph 2.

4. The provisions of this Article shall not be construed so as to contravene the Tax Convention between the United States of America and Canada, effective January 1, 1936, to April 29, 1941.

ARTICLE XII

Dividends and interest paid on or after the effective date of this Convention by a corporation organized under the laws of Canada to individual residents of Canada, other than citizens of the United States of America, or to corporations organized under the laws of Canada shall be exempt from all income taxes imposed by the United States of America.

ARTICLE XIII

Corporations organized under the laws of Canada, more than 50 percent of the outstanding voting stock of which is owned directly or indirectly throughout the last half of the taxable year by individual residents of Canada, other than citizens of the United States of America, shall be exempt from any taxes imposed by the United States of America with respect to accumulated or undistributed earnings, profits, income or surplus of such corporations. With respect to corporations organized under the laws of Canada not exempt from such taxes under the provisions of this Article the competent authorities of the two contracting States will consult together.

ARTICLE XIV

1. (a) The United States income tax liability for any taxable year beginning prior to January 1, 1936, of any individual resident of Canada, other than a citizen of the United States of America, or of any corporation organized under the laws of Canada, remaining unpaid as of the date of signature of this Convention may be adjusted on a basis satisfactory to the Commissioner: *Provided*, That the amount to be paid in settlement of such liability shall not exceed the amount of the liability which would have been determined if—

(A) the Revenue Act of 1936 as modified by the Tax Convention between the United States of America and Canada, effective January 1, 1936, to April 29, 1941 (except in the case of a corporation organized under the laws of Canada more than 50 percent of the outstanding voting stock of which was owned directly or indirectly throughout the last half of the taxable year by citizens or residents of the United States of America) and

(B) Article XII and XIII of this Convention had been in effect for such year.

If the taxpayer was not, within the meaning of the Revenue Act of 1936, engaged in trade or business within the United States of America and had no office or place of business therein during the taxable year, the amount of interest and penalties shall not exceed 50 percent of the amount of the tax with respect to which such interest and penalties have been computed.

(b) The United States income tax liability remaining unpaid as of the date of signature of this Convention for any taxable year beginning after December 31, 1935 and prior to January 1, 1941, in the case of any individual resident of Canada, other than a citizen of the United States of America, or in the case of any corporation organized under the laws of Canada shall be determined as if the provisions of Articles XII and XIII of this Convention had been in effect for such year.

2. The provisions of paragraph 1 of this Article shall not apply—

(a) Unless the taxpayer files with the Commissioner within two years from the date of signature of this Convention a request that such tax liability be so adjusted together with such information as the Commissioner may require;

(b) In any case in which the Commissioner is satisfied that any deficiency in tax is due to fraud with intent to evade the tax.

ARTICLE XV

In accordance with the provisions of Section 8 of the Income War Tax Act as in effect on the day of the entry into force of this Convention, Canada agrees to allow as a deduction from the Dominion income and excess profits taxes on any income which was derived from sources within the United States of America and was there taxed, the appropriate amount of such taxes paid to the United States of America.

In accordance with the provisions of Section 131 of the United States Internal Revenue Code as in effect on the day of the entry into force of this Convention, the United States of America agrees to allow as a deduction from the income and excess profits taxes imposed by the United States of America the appropriate amount of such taxes paid to Canada.

ARTICLE XVI

Where a taxpayer shows proof that the action of the revenue authorities of the contracting States has resulted in double taxation in his case in respect of any of the taxes to which the present Convention relates, he shall be entitled to lodge a claim with the State of which he is a citizen or resident or, if the taxpayer is a corporation or other entity, with the State in which it was created or organized. If the claim should be deemed worthy of consideration, the competent authority of such State may consult with the competent authority of the other State to determine whether the double taxation in question may be avoided in accordance with the terms of this Convention.

ARTICLE XVII

Notwithstanding any other provision of this Convention, the United States of America in determining the income and excess profits taxes, including all surtaxes, of its citizens or residents or corporations, may include in the basis upon which such taxes are imposed all items of income taxable under the revenue laws of the United States of America as though this Convention had not come into effect.

ARTICLE XVIII

The competent authorities of the two contracting States may prescribe regulations to carry into effect the present Convention within the respective States and rules with respect to the exchange of information.

The competent authorities of the two contracting States may communicate with each other directly for the purpose of giving effect to the provisions of the present Convention.

ARTICLE XIX

With a view to the prevention of fiscal evasion, each of the contracting States undertakes to furnish to the other contracting State, as provided in the succeeding Articles of this Convention, the information which its competent authorities have at their disposal or are in a position to obtain under its revenue laws in so far as such information may be of use to the authorities of the other contracting State in the assessment of the taxes to which this Convention relates.

The information to be furnished under the first paragraph of this Article, whether in the

ordinary course or on request, may be exchanged directly between the competent authorities of the two contracting States.

ARTICLE XX

1. The competent authorities of the United States of America shall forward to the competent authorities of Canada as soon as practicable after the close of each calendar year the following information relating to such calendar year:

The names and addresses of all persons whose addresses are within Canada and who derive from sources within the United States of America dividends, interest, rents, royalties, salaries, wages, pensions, annuities, or other fixed or determinable annual or periodical profits and income, showing the amount of such profits and income in the case of each addressee.

2 The competent authorities of Canada shall forward to the competent authorities of the United States of America as soon as practicable after the close of each calendar year the following information relating to such calendar year:

(a) The names and addresses of all persons whose addresses are within the United States of America and who derive from sources within Canada, dividends, interest, rents, royalties, salaries, wages, pensions, or other fixed or determinable annual or periodical profits and income, showing the amount of such profits and income in the case of each addressee.

(b) The names and addresses of all persons whose addresses are outside of Canada and who derive through a nominee, or agent, or custodian in Canada income from sources within the United States of America, and who are not entitled to the reduced rate of 15 percent with respect to such income provided in Article XI of this Convention, showing the amount of such income in the case of each addressee.

(c) The names and addresses, where available, of persons whose addresses are outside of Canada and who derive dividends during the calendar year from corporations organized under the laws of Canada, more than 50 percent of the gross income of which is derived from sources within the United States of America, showing the amount of such dividends in each case.

(d) The names and addresses of all persons whose addresses are within the United States of America and who beneficially or of record own stocks or bonds, debentures or other securities, or evidences of funded indebtedness, of any company taxed in Canada as a Non-Resident-Owned Investment Corporation. The term "Non-Resident-Owned Investment Corporation" shall have the same meaning as when used in the Income War Tax Act of Canada.

ARTICLE XXI

1 If the Minister in the determination of the income tax liability of any person under any of the revenue laws of Canada deems it necessary to secure the cooperation of the Commissioner, the Commissioner may, upon request, furnish the Minister such information bearing upon the matter as the Commissioner is entitled to obtain under the revenue laws of the United States of America.

2. If the Commissioner in the determination of the income tax liability of any person under any of the revenue laws of the United States of America deems it necessary to secure the cooperation of the Minister, the Minister, may, upon request, furnish the Commissioner such information bearing upon the matter as the Minister is entitled to obtain under the revenue laws of Canada.

ARTICLE XXII

This Convention and the accompanying Protocol which shall be considered to be an integral part of the Convention shall be ratified and the instruments of ratification shall be exchanged at Washington as soon as possible.

This Convention and Protocol shall become effective on the first day of January, 1941. They shall continue effective for a period of three years from that date and indefinitely after that period, but may be terminated by either of the contracting States at the end of the three-year period or at any time thereafter provided that, except as otherwise specified in the case of Article XI, at least six months prior notice of termination has been given, the termination to become effective on the first day of January following the expiration of the six-month period.

Done in duplicate, at Washington, this fourth day of March, 1942.

[SEAL] SUMNER WELLES
[SEAL] LEIGHTON MCCARTHY.

PROTOCOL

At the moment of signing the Convention for the avoidance of double taxation, and the establishment of rules of reciprocal administrative assistance in the case of income taxes, this day concluded between the United States of America and Canada, the undersigned plenipotentiaries have agreed upon the following provisions and definitions:

1. The taxes referred to in this Convention are:

(a) For the United States of America: the Federal income taxes, including surtaxes, and excess-profits taxes.

(b) For Canada the Dominion income taxes, including surtaxes, and excess-profits taxes.

2. In the event of appreciable changes in the fiscal laws of either of the contracting States, the Governments of the two contracting States will consult together.

3. As used in this Convention:

(a) The terms "person," "individual" and "corporation", shall have the same meanings, respectively, as they have under the revenue laws of the taxing State or the State furnishing the information, as the case may be;

(b) The term "enterprise" includes every form of undertaking, whether carried on by an individual, partnership, corporation or any other entity;

(c) The term "enterprise of one of the contracting States" means, as the case may be, "United States enterprise" or "Canadian enterprise";

(d) The term "United States enterprise" means an enterprise carried on in the United States of America by an individual resident in the United States of America, or by a corporation, partnership or other entity created or organized in or under the laws of the United States of America, or of any of the States or Territories of the United States of America;

(e) The term "Canadian enterprise" is defined in the same manner mutatis mutandis as the term "United States enterprise";

(f) The term "permanent establishment" includes branches, mines and oil wells, farms, timber lands, plantations, factories workshops, warehouses, offices, agencies and other fixed places of business of an enterprise, but does not include a subsidiary corporation.

When an enterprise of one of the contracting States carries on business in the other contracting State through an employee or agent established there, who has general authority to contract for his employer or principal or has a stock of merchandise from which he regularly fills orders which he receives, such enterprise shall be deemed to have a permanent establishment in the latter State.

The fact that an enterprise of one of the contracting States has business dealings in the other contracting State through a commission agent, broker or other independent agent or maintains therein an office used solely for the purchase of merchandise shall not be held to mean that such enterprise has a permanent establishment in the latter State.

4. The term "Minister", as used in this Convention, means the Minister of National Revenue of Canada or his duly authorized representative. The term "Commissioner", as used in this Convention, means the Commissioner of Internal Revenue of the United States of America, or his duly authorized representative. The term "competent authority", as used in this Convention, means the Commissioner and the Minister and their duly authorized representatives.

5. The term "United States of America", when used in a geographical sense, includes only the States, the Territories of Alaska and Hawaii, and the District of Columbia. The term "Canada" when used in a geographical sense means the Provinces, the Territories and Sable Island.

6. The term "subsidiary corporation" referred to in Article XI of this Convention means a corporation all of whose shares (less directors' qualifying shares) having full voting rights are beneficially owned by another corporation, provided that ordinarily not more than one-quarter of the gross income of such subsidiary corporation is derived from interest and dividends other than interest and dividends received from its subsidiary corporations.

7. (a) The term "rentals and royalties" referred to in Article II of this Convention shall include rentals or royalties arising from leasing real or immoveable, or personal or moveable property or from any interest in such property, including rentals or royalties for the use of, or for the privilege of using patents, copyrights, secret processes and formulae, good will, trade marks, trade brands, franchises and other like property;

(b) The term "interest", as used in this Convention, shall include income arising from interest-bearing securities, public obligations, mortgages, hypothecs, corporate bonds, loans, deposits and current accounts;

(c) The term "dividends", as used in this Convention, shall include all distributions of the earnings or profits of corporations.

8. The term "pensions" referred to in Article VI of this Convention means periodic payments made in consideration for services rendered or by way of compensation for injuries received.

9. The term "life annuities" referred to in Article VI of this Convention means a stated sum payable periodically at stated times, during life, or during a specified number of years, under an obligation to make the payments in consideration of a gross sum or sums paid by the recipient or under a contributory retirement plan.

10. The terms "engaged in trade or business" and "office or place of business" as used in Article XI of this Convention shall not be deemed to include an office used solely for the purchase of merchandise.

11 The provisions of the present Convention shall not be construed to restrict in any manner any exemption, deduction, credit or other allowance accorded by the laws of one of the contracting States in the determination of the tax imposed by such State.

12. The citizens of one of the contracting States residing within the other contracting State shall not be subjected to the payment of more burdensome taxes than the citizens of such other State.

Done in duplicate, at Washington, this fourth day of March, 1942.

[SEAL] SUMNER WELLES.
[SEAL] LEIGHTON MCCARTHY

AND WHEREAS the said convention and the said protocol have been duly ratified on both parts and the ratifications of the two Governments were exchanged at Washington on the fifteenth day of June, one thousand nine hundred and forty-two.

AND WHEREAS it is provided in Article XXII of the said convention that the convention and protocol shall become effective on the first day of January, one thousand nine hundred and forty-one:

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said convention and the said protocol to be made public to the end that the same and every article, clause and part thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunder set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this seventeenth day of June, in the year of our Lord one thousand nine hundred and forty-two, and of the Independence of the United States of America the one-hundred and sixty-sixth.

[SEAL] FRANKLIN D ROOSEVELT

By the President.
CORDELL HULL,
Secretary of State.

The Internal Revenue Code provides in part as follows:

SEC. 22. GROSS INCOME.

* * * * * *

(b) *Exclusions from gross income.* The following items shall not be included in gross income and shall be exempt from taxation under this chapter:

* * * * * *

(7) *Income exempt under treaty.* Income of any kind, to the extent required by any treaty obligation of the United States;

SEC. 62. RULES AND REGULATIONS.

The Commissioner, with the approval of the Secretary, shall prescribe and publish all rules and regulations for the enforcement of this chapter.

Pursuant to section 62 of the Internal Revenue Code, Article XVIII of the Convention, and other provisions of the internal revenue laws, the following regulations are hereby prescribed and all regulations inconsistent herewith are modified accordingly.

§ 7.21 *Scope of regulations.* The primary purposes of the Convention, to be accomplished on a mutually reciprocal basis are the application of a limited rate of taxation to certain classes of income derived from within one of the contracting States by residents or corporations of the other contracting State, the avoidance of double taxation, the modification of certain taxation provisions with a view to harmonizing as nearly as may be the taxation principles of the two countries, and exchange of fiscal information complementary to other provisions of the Convention, including those relating to the avoidance of double taxation. The Convention also lays the basis for facilitating the settlement of pending cases relating to the Federal taxation of residents of Canada, other than citizens of the United States, and of corporations organized under the laws of Canada (hereinafter referred to as Canadian corporations). These regulations are concerned with the accomplishment of those purposes and with the taxation of nonresident alien residents of Canada and of Canadian corporations.

The specific classes of income from sources within the United States which are exempt by reason of the Convention from United States income taxes are:

(a) Industrial and commercial profits of a Canadian enterprise having no permanent establishment in the United States (Article I);

(b) Income derived by a Canadian enterprise from the operation of ships or aircraft registered in Canada (Article V);

(c) Wages, salaries and similar compensations paid by Canada or any agency or instrumentality thereof, or any political subdivision or territory or possession thereof, to citizens of Canada residing in the United States (Article VI);

(d) Pensions and life annuities paid to nonresident alien individuals resident in Canada (Article VI);

(e) Compensation for labor or personal services performed within the United States by a nonresident alien individual, resident in Canada, such exemption, however, being subject to the limitations set forth in Article VII of the Convention and in § 7.28 of these regulations;

(f) Gains derived from the sale or exchange of capital assets by a nonresident alien individual resident in Canada or by a Canadian corporation or other entity having no permanent establishment in the United States (Article VIII);

(g) Remittances from sources within Canada (if and to the extent they constitute gross income) received in the United States by a nonresident alien individual, resident of Canada, who is temporarily resident in the United States for the purposes of study or for acquiring business experience, such remittances being for the purposes of his maintenance or studies (Article IX);

(h) Income of a Canadian religious, scientific, literary, educational or charitable organization (Article X);

(i) Dividends and interest paid on or after January 1, 1941 by a Canadian corporation to individual residents of Canada, other than citizens of the United States, or to Canadian corporations (if and to the extent that such dividends and interest are taxable in the hands of such persons without regard to this Convention) (Article XII).

The Convention does not, except as provided in the first paragraph of Article VI, affect the liability to United States income tax of Canadian citizens resident in the United States nor does it affect such liability of a citizen of the United States residing in Canada. It has no application to individuals nonresident as to Canada even though such nonresident is a citizen of Canada.

The income tax liability of a nonresident alien individual, resident of Canada, and of a Canadian corporation or other entity, except as to (1) the reduced rate of taxation applicable in the case of such taxpayers and (2) items of income expressly exempted from tax by the Convention, is determined in accordance with the provisions of the internal revenue laws of the United States and the regulations thereunder applicable generally to the taxation of nonresident alien individuals and foreign corporations.

§ 7.22 *Definitions.* As used in these regulations:

(a) The term "permanent establishment" includes branches, mines and oil wells, farms, timberlands, plantations, factories, workshops, warehouses, offices, agencies and other fixed places of business of an enterprise. A Canadian parent corporation having a domestic subsidiary corporation in the United States shall not be deemed by reason of such fact to have a permanent establishment in the United States. The mere fact that a foreign subsidiary corporation of a Canadian parent corporation has a permanent establishment in the United States does not mean that such Canadian parent corporation has a permanent establishment in the United States. The fact that a Canadian enterprise has business dealings in the United States through a commission agent, broker or other independent agent or maintains therein an office used solely for the purchase of merchandise shall not be held to mean that such enterprise has a permanent establishment in the latter State. If, however, the Canadian enterprise carries on business in the United States through an employee or agent established there who has general authority to contract for such Canadian enterprise or has a stock of merchandise located in the United States from which it regularly fills orders, such Canadian enterprise shall be deemed to have a permanent establishment in the United States. The mere fact that salesmen, employees of a Canadian enterprise, promote the role of its products in the United States or that such enterprise transacts business therein by means of mail order activities does not mean such enterprise has a permanent establishment therein.

(b) The term "enterprise" means any commercial or industrial undertaking whether conducted by an individual, partnership, corporation or other entity. It includes such activities as manufacturing, merchandising, mining and banking. It does not include the rendition of personal services. Hence, a nonresident alien individual, a resident of Canada, rendering personal services within the United States is not, merely by reason of such services, engaged in an enterprise within the meaning of the Convention and his liability to income tax is unaffected by Article I of the Convention.

(c) The term "Canadian enterprise" means an enterprise carried on in Canada by a nonresident alien individual resident in Canada or by a Canadian corporation or other Canadian entity. The term "Canadian corporation or other entity" means a partnership, corporation or other entity created or organized in Canada or under the laws of Canada. For example, an enterprise carried on wholly outside Canada by a Canadian corporation is not a Canadian enterprise within the meaning of the Convention.

(d) The term "industrial and commercial profits" means the profits arising from the industrial, mercantile, manufacturing, or like activities of a Canadian enterprise as defined in this section. Such term does not include rentals and royalties, interest, dividends, fees or charges for managerial activities or gains derived from the sale or exchange of capital assets, nor compensation for labor

or personal services. Such enumerated items of income are not governed by the provisions of Article I but, to the extent covered by the Convention, are subject to the rules elsewhere set forth therein and in these regulations.

§ 7.23 *Scope of Convention with respect to determination of "industrial and commercial profits" of a nonresident alien individual, resident of Canada, or of a Canadian corporation or other entity carrying on a Canadian enterprise in the United States*—(a) *General.* Article I of the Convention adopts the principle that an enterprise of one of the contracting States shall not be taxable in the other contracting State in respect of its industrial and commercial profits unless it has a permanent establishment in the latter State. Hence, a Canadian enterprise is subject to United States tax upon its industrial and commercial profits to the extent of such profits from sources within the United States only if it has a permanent establishment within the United States. From the standpoint of Federal income taxation, the article has application only to a Canadian enterprise and to the industrial and commercial income thereof from sources within the United States. It has no application, for example, to compensation for labor or personal services performed in the United States nor to income derived from real property located in the United States nor to any interest in such property, including rentals and royalties therefrom, nor to gains from the sale or disposition thereof, nor to dividends and interest. Such enumerated items of income, to the extent covered by the Convention, are treated separately elsewhere in these regulations and are subject to the rules laid down in the sections having specific reference to the respective items of income. As to what is a "Canadian enterprise", a "permanent establishment" and "industrial and commercial profits", see § 7.22 of these regulations.

(b) *No United States permanent establishment.* A nonresident alien individual, a resident of Canada, or a Canadian corporation or other entity carrying on a Canadian enterprise but having no permanent establishment in the United States is not subject to United States income tax upon industrial and commercial profits from sources within the United States. For example, if such Canadian corporation sells stock in trade, such as ore, or wood pulp, or paper, through a bona fide commission agent or broker in the United States, the resulting profit is, under the terms of Article I of the Convention, exempt from United States income tax. Such Canadian corporation, however, remains subject to tax upon all other items of income from sources within the United States which are not expressly exempted from such tax under the Convention. Such Canadian corporation is, however, engaged in trade or business within the United States and hence is not entitled to the reduced rate of 15 percent upon fixed or determinable annual or periodical income as provided in Article XI of the Convention. See § 7.31 of these regulations. Such corporation is, however, by reason of its not having a permanent establishment in the United States not subject to tax upon capital gains. See also § 7.29 of these regulations.

(c) *United States permanent establishment.* A nonresident alien individual, resident in Canada, or a Canadian corporation or other entity, carrying on a Canadian enterprise having a permanent establishment in the United States is subject to tax upon industrial and commercial profits from sources within the United States. In the determination of the income of such resident of Canada or Canadian corporation or other entity from sources within the United States, all industrial and commercial profits from such sources shall be deemed to be allocable to the permanent establishment within the United States. Hence, for example, if a Canadian enterprise having a permanent establishment in the United States, sells in the United States through a commission agent therein, goods produced in Canada, the resulting profits derived from United States sources from the latter transactions are allocable to such permanent establishment. In determining such income no account shall be taken of the mere purchase of merchandise effected in the United States by such Canadian enterprise.

§ 7.24 *Allocation of compensation for labor or personal services.* Except as provided in section 119 (a) (3) of the Internal Revenue Code, gross income from sources within the United States includes compensation for labor or personal services performed within the United States regardless of the residence of the payor, of the place in which the contract for service was made, or of the place of payment. If a specific amount is paid for labor or personal services performed in the United States, such amount (if income from sources within the United States) shall be included in the gross income. If no accurate allocation or segregation of compensation for labor or personal services performed in the United States can be made, or when such labor or service is performed partly within and partly without the United States, the amount to be included in the gross income shall be determined by an apportionment on the time basis, i. e., there shall be included in the gross income an amount which bears the same relation to the total compensation as the number of days of performance of the labor or services within the United States bears to the total number of days of performance of labor or services for which the payment is made.

§ 7.25 *Control of a domestic enterprise by a Canadian enterprise.* Article IV of the Convention provides that if a Canadian enterprise by reason of its control of a domestic business imposes conditions different from those which would result from normal business relations between independent enterprises, the accounts between the enterprises will be adjusted so as to ascertain the true net income of the domestic enterprise. The purpose is to place the controlled domestic enterprise on a tax parity with an uncontrolled domestic enterprise by determining, according to the standard of an uncontrolled enterprise, the true net income from the property and business of the controlled enterprise. The Convention contemplates that if the accounting records do not truly reflect the net income from the property and business of such domestic enterprise the Commissioner shall intervene and, by making such distributions, apportionments or allocations as he may deem necessary of gross income or deductions of any item or element affecting net income as between such domestic enterprise and the Canadian enterprise by which it is controlled or directed, determine the true net income of the domestic enterprise. The provisions of § 19.45–1, Regulations 103, (Part 19, Title 26, Code of Federal Regulations, 1940 Sup.) shall, insofar as applicable, be followed in the determination of the net income of the domestic business.

§ 7.26 *Income from operation of ships or aircraft.* The income derived by a Canadian enterprise from the operation of ships or aircraft registered in Canada is, under Article V of the Convention, exempt from United States income tax. However, the profits derived by such enterprise from the operation of ships or aircraft, if any, not so registered are treated as are industrial and commercial profits generally. See Article I of the Convention and section 7.23 of these regulations.

§ 7.27 *Wages, salaries and similar compensations, pensions and life annuities.* Under Article VI of the Convention, wages, salaries and similar compensation paid by the Government of Canada or any agency or instrumentality thereof or any political subdivision, or territory thereof, to citizens of Canada residing in the United States are exempt from Federal income tax. The provisions of Article XVII have no application to such income of such individals. As to the taxation generally of the compensation of employees of foreign governments, see section 116 (h) of the Internal Revenue Code and § 19.116–1 of Regulations 103.

Under the provisions of the same article of the Convention, pensions and life annuities derived from sources within the United States by nonresident alien individuals residing in Canada are exempt from Federal income tax. Such items of income are, therefore, not subject to the withholding provisions of the Internal Revenue Code. See paragraph 9 of the Protocol to the Convention as to what constitutes life annuities. However, for the purposes of the Convention and these regulations:

(a) The exemption with respect to annuities (other than those paid under a contributory retirement plan) applies only to the individual who has actually paid the consideration upon which the annuity is based; and

(b) The exemption with respect to payments under a contributory retirement plan applies alike to the original beneficiary and to the successor beneficiary even though the latter has not himself actually made payments into the fund from which such payments are made.

See paragraph 8 of the Protocol as to what constitutes "pensions" within the meaning of the Convention. See section 22 (b) (5), Internal Revenue Code.

§ 7.28 *Compensation for labor or personal services.* Article VII of the Convention provides, upon a reciprocal basis, that a nonresident alien, a resident of Canada, is exempt from Federal income tax upon compensation for labor or personal services performed within the United States if he conforms to either of the following conditions:

He is temporarily present within the United States for a period or periods:

(1) Not exceeding 183 days during the taxable year and his compensation for labor or personal services performed in the United States during such period (i) is received for labor or personal services performed as an employee of, or under contract with, a resident or corporation or other entity of Canada and (ii) does not exceed $5,000 in the aggregate during such taxable year; or

(2) Not exceeding 90 days during the taxable year and the compensation received for such services does not exceed $1,500 in the aggregate during such taxable year even though such compensation is paid by a United States resident or domestic corporation or other domestic entity.

If, therefore, such nonresident alien individual (a) is temporarily present in the United States for a period or periods in excess of 90 days during the taxable year or (b) receives more than $1,500 in the aggregate during such taxable year for labor or personal services performed in the United States, he is not exempt under (2) and his right to exemption under the Convention will depend on his meeting the following tests:

(A) His stay in the United States is not in excess of 183 days during the taxable year; and

(B) His compensation from United States sources is paid by a Canadian employer; and

(C) Such compensation does not exceed $5,000 in the aggregate during the taxable year.

As to source of compensation for labor or personal services, see § 7.24 of these regulations.

The provisions of paragraph (1) do not extend to the professional earnings of actors, artists, musicians, professional athletes and other individuals engaging in similar pursuits. If, therefore, such latter persons do not come within the provisions of paragraph (2) they are subject to the provisions of the Internal Revenue Code applicable generally to the taxation of nonresident alien individuals. See section 211, Internal Revenue Code, and regulations thereunder.

§ 7.29 (a) *Capital gains.* Under Article VIII of the Convention gain derived from the sale or exchange within the United States of capital assets by a nonresident alien individual resident in Canada or by a Canadian corporation or other Canadian entity is exempt from Federal income tax unless such individual, corporation or other entity has a permanent establishment in the United States. As to what constitutes capital assets, see section 117, Internal Revenue Code, and § 19.117–1, Regulations 103. As to what constitutes a permanent establishment, see § 7.22 of these regulations.

(b) *Remittances.* Under Article IX of the Convention, nonresident alien individuals, residents of Canada, who are temporarily residing in the United States for the purposes of study or for acquiring business experience are exempt from Federal income tax upon amounts representing remittances from Canada for the purposes of their maintenance and studies if and to the extent such amounts constitute gross income.

§ 7.30 *Exempt organizations.* Article X of the Convention provides that religious, scientific, literary, educational or charitable organizations of Canada shall be exempt from Federal taxation with respect to income derived from sources within the United States. Paragraph 11 of the Protocol to the Convention provides that the provisions of the Convention shall not be construed to restrict in any manner any exemption, deduction, credit or other allowance accorded by the laws of one of the contracting States in the determination of the tax imposed by such State. In view of the provisions of paragraph 11, the provisions of section 101 (relating to exemptions from tax on corporations) apply to all Canadian organizations coming within the scope of that section, regardless of whether Canada recognizes such organization as exempt from income and excess profits taxes imposed by that Country. The article contemplates that similar exemptions to those granted under the revenue laws of the United States to such organization of Canada will be granted by Canada to a like organization of the United States if any such organization is also a religious, scientific, literary, educational or charitable organization under the laws of Canada, even though such latter organization is nonresident as to Canada. For example, the A Corporation organized under the laws of Canada and conducting no activities in the United States is operated exclusively for religious and charitable purposes and no part of the net earnings of the corporation inures to the benefit of any private shareholders and the corporation meets the other tests of section 101 (6), Internal Revenue Code. The A Corporation is exempt from United States income tax with respect to its income from United States sources. Conversely Article X contemplates that a United States religious or charitable organization similarly circumstanced with respect to Canada shall be exempt from income and excess profits tax otherwise imposed by Canada with respect to income derived by such United States organization from sources in Canada.

§ 7.31 *Reduction in rate of the tax withheld at source*—(a) *General.* Under the terms of the Convention, the provisions of which are retroactive to January 1, 1941, the rate of tax of 27½ percent, or 30 percent, as the case may be, imposed by section 211 (a) of the Internal Revenue Code (relating to nonresident alien individuals not engaged in trade or business within the United States and not having an office or place of business therein) and by section 231 (a) of the Internal Revenue Code (relating to foreign corporations not engaged in trade or business in the United States and not having an office or place of business therein) is reduced to 15 percent in the case of such individuals who are residents of Canada and in the case of such corporations organized under the laws of Canada, with respect to amounts received from sources within the United States as interest (except interest exempt from tax), dividends, rents, salaries, wages, premiums, compensations, remunerations, emoluments or other fixed or determinable annual or periodical gains, profits and income, other than annuities and pensions which are exempt from the tax under the Convention. Such tax Convention, however, does not affect the rates of tax prescribed under the prior tax Convention with Canada, effective January 1, 1936 and terminated effective April 30, 1941. Under such prior Convention, the reduced rate of tax with respect to such income, including annuities and pensions, in the case of nonresident aliens, residents of Canada, was 5 percent and in the case of Canadian corporations, 5 percent with respect to dividends only.

Under the provisions of Article XI, dividends paid to a Canadian corporation not engaged in trade or business within the United States and not having an office or place of business therein by a domestic subsidiary corporation are subject to tax at the rate of only 5 percent, such dividends constituting an exception to the general rule laid down in paragraph 1 of Article XI. For the purposes of that article, a "subsidiary corporation" is defined in paragraph 6 of the Protocol as a corporation (in this case a domestic corporation) all of whose shares (less directors' qualifying shares) having full voting rights are beneficially owned by another corporation (in this case a Canadian corporation), provided that ordinarily not more than one-quarter of the gross income of such subsidiary corporation is derived from interest and dividends other than interest and dividends received from its subsidiary corporations. Thus, for example, the A Corporation is a domestic corporation all of whose shares are owned by B Company, Ltd., a Canadian corporation not engaged in trade or business within the United States and not having any office or place of business therein. The A Corporation pays a dividend to B Company, Ltd., on June 30, 1943. The A Corporation is on a calendar year basis and throughout 1940, 1941 and 1942 derived not more than 15 percent of its gross income from interest and dividends from corporations not controlled by the A Corporation. The Commissioner ascertains and has so notified the A Corporation that the corporate relationship between the A Corporation and the B Company, Ltd., has not been arranged and is not maintained primarily for the purpose of securing the lower rate of tax prescribed in paragraph 2 of Article XI of the Convention. The dividend paid by the A Corporation is subject to withholding of the tax at the lower rate of 5 percent.

Any domestic corporation which claims on contemplates claiming, that dividends paid by it, or to be paid by it, are subject only to the 5 percent rate, shall file, as soon as practicable, with the Commissioner the following information: (1) The date and place of its organization; (2) the number of its outstanding shares of stock having full voting rights; (3) the person or persons beneficially owning such stock and their relationship to such corporation; (4) the amount of gross income, by years, of the paying corporation for the three-year period immediately preceding the taxable year in which such dividend is paid; (5) the amount of interest and dividends, by years, included in such gross income and the amount of interest and dividends, by years, received from the subsidiary corporations, if any, of such domestic corporation; and (6) the corporate relationship between such domestic corporation and the Canadian corporation to which it pays the dividend. As soon as practicable after such information is filed, the Commissioner shall examine it and determine whether the dividends concerned fall within the provisions of such paragraph and may authorize the release of excess tax withheld with respect to dividends which are shown to the satisfaction of the Commissioner to come within the provisions of paragraph 2 of Article XI of the Convention. In any case in which the Commissioner has notified such domestic corporation that it comes within the provisions of paragraph 2 of Article XI of the Convention, the reduced rate of 5 percent applies to any dividends subsequently paid by such corporation unless its stock ownership or the character of its income materially changes. In the event of such changes occurring, such corporation shall promptly notify the Commissioner of the then existing facts with respect to such stock ownership and income.

(b) *Specific terms.* Under paragraph 7 (b) of the Protocol, the term "interest" as used in the Convention includes income arising from interest-bearing securities, public obligations, mortgages, hypothecs, corporate bonds, loans, deposits and current accounts. The term "dividends" as used in the Convention includes all distributions of the earnings or profits of corporations. The term "rentals and royalties" as used in Article II of the Convention includes rentals or royalties arising from leasing real or immovable, or personal or movable property, or from any interest in such property, including rentals or royalties for the use of, or for the privilege of using, patents, copyrights, secret processes and formulae, goodwill, trade marks, trade brands, franchises and other like property.

By reason of the provisions of paragraph 11 of the Protocol, nonresident aliens, residents of Canada, and Canadian corporations and other Canadian entities are entitled to any exemption, deduction, credit, or other allowance or reliefs accorded by the revenue laws of the United States to nonresident alien individuals and foreign corporations generally. If, therefore, the terms "interest", "dividends" and "rentals and royalties" as used in the Convention include items not subject to Federal tax, such latter items remain nontaxable under the Convention.

As to refund of tax withheld for 1941 in excess of the rates provided in the Convention, application of the reduced rate of withholding under the Convention, and instructions with respect to United States and Canada withholding agents as to withholding of the tax and the filing of returns by such withholding agents, see Treasury Decision 5157.

§ 7.32 *Dividends and interest paid by Canadian corporations.* A dividend paid by a foreign corporation constitutes income from sources within the United States, and hence is subject to tax in the hands of nonresident alien or foreign corporations, if 50 percent or more of the gross income of the foreign corporation paying such dividend is derived from sources within the United States during the period prescribed by the statute. Section 119 (a) (2) (B), Internal Revenue Code and § 19.119–3 (b), Regulations 103. Interest paid by a resident foreign corporation constitutes income from sources within the United States, and hence is subject to tax in the hands of a nonresident alien individual or foreign corporation, if 20 percent or more of the gross income of the foreign corporation paying such interest is derived from sources within the United States during the period prescribed by the statute. Section 119 (a) (1) (B), Internal Revenue Code and § 19.119–2 (b), Regulations 103.

Under the provisions of Article XII of the Convention, dividends and interest paid by a Canadian corporation to a nonresident alien resident in Canada, or to another Canadian corporation are not subject to Federal income tax regardless of whether the corporation paying such dividend or interest is a resident foreign (as to the United States) corporation and regardless of the percentage of its gross income derived from sources within the United States, and regardless further of whether such resident of Canada is a Canadian citizen. However, such dividends and interest still remain income from sources within the United States if the conditions prescribed in the cited sections of the Internal Revenue Code are met. Such dividends and interest, to the extent they constitute income from sources within the United States, are, therefore, taken into consideration in ascertaining whether the dividends and interest paid by the recipient Canadian corporation in turn constitute income from sources within the United States for the purpose of taxation of nonresident alien individuals, nonresident as to Canada, and of foreign corporations, other than Canadian corporations. If, for example, the A Company, Ltd., a Canadian corporation, derives 75 percent of its gross income in the form of dividends from the B Company, Ltd., another Canadian corporation which derives all of its gross income from sources within the United States, such dividends from the B Company, Ltd., to the A Company, Ltd., are exempt from Federal income tax in the hands of the A Company, Ltd. However, any dividend paid by the A Company, Ltd., to a nonresident alien individual, nonresident as to Canada, or to a foreign corporation, other than a Canadian corporation, is subject to Federal income tax as constituting income from sources within the United States to the extent provided in section 119 (a) (2) (B), Internal Revenue Code and regulations thereunder.

§ 7.33 *Canadian corporations; exemption from Federal taxation with respect to accumulated surplus or undistributed income.* Section 102 of the Internal Revenue Code imposes (in addition to other taxes imposed by chapter 1 of such Code) a graduated income tax or surtax upon any domestic or foreign corporation formed or availed of to avoid the imposition of the individual surtax upon its shareholders or the shareholders of any other corporation through the medium of permitting earnings or profits to accumulate instead of dividing or distributing them. Such tax, however, does not apply in the case of personal holding companies as defined in section 501 of the Internal Revenue Code nor to foreign personal holding companies as defined in Supplement B (section 331) of such Code. Section 500 of the Internal Revenue Code imposes (in addition to the taxes imposed by chapter 1 of such Code) a graduated income tax or surtax upon corporations classified as personal holding companies, regardless of whether or not they are formed or availed of to accumulate earnings or profits for the purpose of avoiding surtax upon shareholders. A foreign corporation, whether resident or nonresident, classified as a personal holding company under section 501 (not including a foreign personal holding company as defined in section 331) is subject to the tax imposed by section 500 with respect to its income from sources within the United States even though such income is not fixed or determinable annual or periodical income specified in section 231 (a).

Under the provisions of Article XIII of the Convention, Canadian corporations are subject to neither the tax imposed by section 102, supra, nor the tax imposed by section 500, supra, if more than 50 percent of the outstanding voting stock of such corporation is owned directly or indirectly throughout the last half of the taxable year by nonresident alien individuals, residents of Canada. To come within the scope of the exemption, the prescribed proportion of the stock of the Canadian corporation concerned must be so owned at all times throughout the last half of the taxable year in which the taxable status of the corporation is involved. In determining the ownership of the voting stock of the Canadian corporation, the provisions of §§ 19.503 (a) (1) to 19.503 (a)–7, inclusive, and § 19.503 (b)–1, Regulations 103 shall, insofar as not inconsistent with the Convention, be applicable in the administration of the provisions of the Convention.

§ 7.34 *Adjustment of tax liability of Canadians for 1940 and prior years.* Article XIV (1) confers upon the Commissioner authority to adjust the tax liability for 1935 and prior taxable years of nonresident aliens, residents of Canada, and Canadian corporations in any case in which such tax liability remained unpaid as at the date of the signing of the Convention, March 4, 1942. Such provision, however, will not apply in any case unless:

(1) The Commissioner is satisfied that the additional income tax involved did not arise by reason of fraud with intent to evade the tax on the part of the taxpayer concerned and

(2) The taxpayer files with the Commissioner a notarized statement showing for each year involved and for such other years as the Commissioner may require, (i) by items and classes of income the amounts of interest, dividends, rents, salaries, wages, premiums, annuities, compensations, remunerations, emoluments, or other fixed or determinable annual or periodical income, gains, profits and income derived from sources within the United States; (ii) the business transactions, if any, carried on in the United States by or in behalf of the taxpayer during each of such years and (iii) such further information as the Commissioner may require in the particular case.

In any case in which the Commissioner deems it appropriate to exercise the authority thus conferred, the resulting tax liability for any such year or years may not exceed the amount of the liability which would have been determined had the following been taken into effect for such year or years:

(1) The Revenue Act of 1936 as modified by the tax Convention between the United States and Canada, effective January 1, 1936, to April 29, 1941 but this does not apply in the case of a corporation organized under the laws of Canada, more than 50 percent of the outstanding voting stock of which was owned directly or indirectly throughout the last half of the taxable year by citizens or residents of the United States;

(2) Article XII of the Convention exempting from United States tax dividends and interest paid by a Canadian corporation to individual residents of Canada or to corporations organized under the laws of Canada; (see § 7.32 of these regulations) and

(3) Article XIII of the Convention exempting Canadian corporations from the tax imposed by the United States with respect to accumulated or undistributed earnings and profits, income or surplus (see § 7.33 of these regulations).

In any case in which the Commissioner has exercised his authority to apply the provisions of Article XIV (1) (a) of the Convention, the aggregate amount of interest and penalties cannot exceed 50 percent of the amount of the tax with respect to which such interest and penalties have been computed, if in such case the taxpayer was not engaged in trade or business within the United States and had no office or place of business therein during the taxable year involved.

Article XIV (b) of the Convention provides that the Federal income tax liability remaining unpaid as at March 4, 1942, the date of signature of the Convention, for taxable years beginning after December 31, 1935, and prior to January 1, 1941, in the case of any nonresident alien individual, a resident of Canada, or a Canadian corporation shall be determined under the United States internal revenue laws properly applicable thereto, except that Article XII and Article XIII of the Convention shall be treated as being in effect for such years. (See §§ 7.32 and 7.33 of these regulations.) Since for such years the income tax laws properly applicable thereto are modified by the Tax Convention between the United States and Canada effective January 1, 1936, there exists no necessity to make application to the Commissioner for the adjustment of the tax liability for such years on such basis.

§ 7.35 *Credit against United States tax liability for income tax paid to Canada.* For the purpose of avoidance of double taxation Article XV provides that, on the part of the United States, there shall be allowed against the United States income and excess profits tax liability a credit for any such taxes paid to Canada by United States citizens or domestic corporations. Such principle also applies in the case of a citizen of Canada residing in the United States. Such credit, however, is subject to the limitations provided in section 131, Internal Revenue Code (relating to the credit for foreign taxes). See §§ 19.131–1 to 131–8, Regulations 103. The article is complementary to the provisions of Article XVII, which provides that the United States in ascertaining the income and excess profits tax of its citizens and residents and corporations may take into the basis upon which such taxes are imposed all items of income as though the Convention had not come into effect.

§ 7.36 *Reciprocal regulations.* Article XVIII contemplates that both the United States and Canada may prescribe regulations for the purpose of carrying the Convention into effect within the respective countries and reciprocal rules relating to the exchange of information and that in the formulation of such regulations and rules the Commissioner and the Minister may communicate with each other directly and outside diplomatic channels. See paragraph 4 of the Protocol of the Convention. As used in this Treasury Decision the term "Commissioner" means Commissioner of Internal Revenue or his duly authorized representative, and the term "Minister" means the Minister of National Revenue of Canada or his duly authorized representative. See § 7.24 of this Treasury Decision relating to allocation of income.

§ 7.37 *Reciprocal administrative assistance.* By Article XIX of the Convention, the United States and Canada adopt the principle of exchange of information for use in the determination and assessment of the taxes with which the Convention is concerned. See § 7.36 of these regulations. Pursuant to such principle, every United States withholding agent shall make and file with the collector, in duplicate, an information return on Form 1042B, for the calendar year 1942 and each subsequent calendar year, in addition to withholding return, Form 1042, with respect to the items of income from which a tax of 15 percent was withheld from persons whose addresses are in Canada (5 percent in the case of dividends falling within the scope of paragraph 2 of Article XI of the Convention). There shall be reported on Form 1042B not only such items of income listed on Form 1042, but also such items of interest listed on monthly returns, Form 1012, including items of interest where the liability for withholding is only 2 percent.

The information and correspondence relative to exchange of information may be transmitted directly by the Commissioner to the Minister.

§ 7.38 *Information to be furnished in due course.* In accordance with the provisions of Article XX (1) of the Convention, the Commissioner shall forward to the Minister as soon as practicable after the close of the calendar year 1942 and of each calendar year thereafter during which the Convention is in effect the names and addresses of all persons whose addresses are within Canada and who derive from sources within the United States, dividends, interest, rents, royalties, salaries, wages, pensions, and annuities or other fixed or determinable annual or periodical profits and income, showing the amounts of such profits and income in the case of each addressee. For these purposes, the transmission to the Minister of Information Return, Form 1042B, as provided in § 7.37 of these regulations for the calendar year 1942 and subsequent calendar years shall constitute a compliance with the provisions of Article XX (1) of the Convention and of these regulations.

§ 7.39 *Information in specific cases.* Under the provisions of Article XXI of the Convention and upon request of the Minister, the Commissioner may furnish to the Minister any information available to, or obtainable by, the Commissioner under the revenue laws relative to the tax liability of any person (whether or not a citizen or resident of Canada) under the revenue laws of Canada.

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: December 31, 1942.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43–50; Filed, January 1, 1943; 11:53 a. m.]

[T.D. 5207]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

TECHNICAL CORRECTIONS

Treasury Decision 5196 and Treasury Decision 5199 amended.

PARAGRAPH 1. Paragraph 10 of Treasury Decision 5196, approved December 8, 1942, which reads:

Pursuant to the above provision of law, the amendments to §§ 19.23 (a), 19.23 (l)–1, 2, and 3, and 19.24–4 of Regulations 103 set forth in this Treasury decision (which regulations cover taxable years beginning after December 31, 1938), are hereby made applicable to taxable years beginning prior to January 1, 1939 (such years being covered by Regulations 101, 94, 86, 77, 74, 69, 65, 62, 45, and 33).

is amended to read as follows:

Pursuant to the above provision of law, § 19.23 (a)–15 and the amendments to §§ 19.23 (l)–1, 19.23 (l)–2, 19.23 (l)–3, and 19.24–4 of Regulations 103, set forth in this Treasury decision (which regulations cover taxable years beginning after December 31, 1938), are hereby made applicable to taxable years beginning prior to January 1, 1939 (such years being covered by Regulations 101, 94, 86, 77, 74, 69, 65, 62, 45, and 33).

PAR. 2. Paragraph 3 of the Treasury Decision 5199, approved December 10, 1942, which reads:

Section 19.22 (d)–3 is amended by changing the parenthetical expression appearing after the words "to be used" in the first sentence of the first paragraph to read as follows:

(or, if such return is filed prior to ———, 1943, the ninetieth day after the approval of Treasury Decision ———, then at any time prior to such date)

is amended to read as follows:

Section 19.22 (d)–3 is amended by changing the parenthetical expression appearing after the words "to be used" in the first sentence of the first paragraph to read as follows:

(or, if such return is filed prior to March 10, 1943, the ninetieth day after the approval of Treasury Decision 5199, then at any time prior to such date)

(Section 62 of the Internal Revenue Code (53 Stat. 32, 26 U.S.C. 1940 ed., 62) and sections 118 and 121 of the Revenue Act of 1942. (Public Law 753, 77th Congress))

GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: January 1, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-112; Filed, January 2, 1943; 11:40 a. m.]

[T.D. 5205]

Subchapter C—Miscellaneous Excise Taxes

PART 141—SHIPMENT OR DELIVERY OF MANUFACTURED TOBACCO, SNUFF, CIGARS, CIGARETTES, AND CIGARETTE PAPERS OR TUBES, FOR USE AS SEA STORES WITHOUT PAYMENT OF INTERNAL REVENUE TAX UNDER THE TARIFF ACT OF 1930

MISCELLANEOUS AMENDMENTS

In order to conform Regulations 76 [Part 141, Title 26, Code of Federal Regulations], relating to shipment or delivery of manufactured tobacco, snuff, cigars, or cigarettes for use as sea stores without payment of internal revenue tax, to sections 601 and 605 (e) of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, such regulations, but only as prescribed and made applicable to the Internal Revenue Code by Treasury Decision 4885, approved February 11, 1939 [Chapter I, note, Title 26, Code of Federal Regulations, 1939 Sup., p. 1599], are amended, effective as of November 1, 1942, as follows:

PARAGRAPH 1. There is inserted immediately preceding § 141.1 [article 1], the following:

SEC 2197 TERRITORIAL EXTENT OF LAW (Internal Revenue Code.)

(a) *In general.* The internal revenue laws imposing taxes on tobacco, snuff, cigars, or cigarettes shall be held to extend to such articles produced anywhere within the exterior boundaries of the United States, whether the same be within a collection district or not.

(b) *Exportation free of Internal Revenue Tax.* The shipment or delivery of manufactured tobacco, snuff, cigars, or cigarettes, for consumption beyond the jurisdiction of the internal revenue laws of the United States, as defined by subsection (a), shall be deemed exportation within the meaning of the internal revenue laws applicable to the exportation of such articles without payment of internal revenue tax.

SEC 605 (e). EXPORTATION OF CIGARETTE PAPERS AND TUBES FREE OF INTERNAL REVENUE TAX. (Revenue Act of 1942.)

Section 2197 (b) (relating to tax-free exportation of tobacco) is amended by striking out "or cigarettes" and inserting in lieu thereof "cigarettes, or cigarette papers or tubes".

SEC. 601. EFFECTIVE DATE OF THIS TITLE. (Revenue Act of 1942, approved October 21, 1942; Title VI.)

This title shall take effect on the first day of the first month which begins more than 10 days after the date of the enactment of this Act.

PAR. 2. Wherever appearing throughout the regulations, the term "manufactured tobacco, snuff, cigars, and cigarettes," is amended to read "manufactured tobacco, snuff, cigars, cigarettes, and cigarette papers or tubes," and the term "tobacco products" is amended to read "tobacco products, and cigarette papers or tubes".

PAR. 3. Section 141.3 [Article 3] is amended by changing the first two sentences to read as follows:

Before or at the time of filing his first application on Form 550–A for withdrawal of tobacco, snuff, cigars, cigarettes, or cigarette papers or tubes, a manufacturer who desires to remove from his factory any of such products without the payment of tax for shipment or delivery under these regulations, shall be required to furnish to the collector of internal revenue for the district in which the factory is located a bond in duplicate on Form 549–A, with surety satisfactory to that officer. A separate bond must be filed to cover the withdrawal of "large cigars," or "small cigars," or "small cigarettes," or "large cigarettes," or "cigarette papers or tubes."

PAR. 4. Section 141.5 (a) (2) [Article 5 (a) (2)] is amended by substituting "of tobacco products or cigarette papers or tubes," for "of a tobacco product" in the first sentence of the second paragraph.

PAR. 5. Section 141.14 [Article 14] is amended by eliminating the word "tobacco" from the last sentence of the first paragraph.

PAR. 6. Section 141.24 [Article 24] is amended to read as follows:

§ 141.24 *Return of sea stores of domestic manufacture.* All unstamped tobacco, snuff, cigars, cigarettes, and cigarette papers or tubes, of domestic manufacture brought back into the United States by any person must be entered at the customhouse, except such articles for use as sea stores as are entered on the store list of the vessel and are under seal while the vessel is in port in the United States. Sea stores of domestic manufacture returned to the United States are treated in the same manner as importations. For duties or internal revenue taxes applicable to returned sea stores, see articles 133 and 189 of Regulations 8. [Art. 24]

(Secs. 2197 and 3791 of the Internal Revenue Code (53 Stat., 246, 467; 26 U.S.C., 1940 ed., 2197, 3791; and secs. 601 and 605 (e) of the Revenue Act of 1942 (Public Law 753, 77th Congress))

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: December 30, 1942.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury

[F. R. Doc. 42-14239; Filed, December 31, 1942, 1:11 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1748]

PART 335—MINIMUM PRICE SCHEDULE, DISTRICT NO. 15

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 15 for the establishment of price classifications and minimum prices for certain mines in District No. 15.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 15; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act:

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 335.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, § 335.24 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: December 19, 1942.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 15

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in PART 335, Minimum Price Schedule for District No. 15 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 335.5 *Alphabetical list of code members*—Supplement R

[Alphabetical list of code members showing price classification by size group for domestic, commercial, and industrial use]

Code member	Mine Index No.	Mine name	Producing group No.	Price classification by size group														
				Freight origin group No.	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Adams, Cecil (Adams Coal Co.)	1271	Adams Coal Co.	9	107	A	A	A	A	(†)	A	(†)	A	Mine run	3" x 0	1½" x ¾"	1½" x ¼" (lb)	1½" x 0 (W)	1½" x 0 (lb)	1¼" x 0
Davison, Carl	676	Davison	3	111	A	A	A	A	(†)	(†)	(†)	(†)	295	190	195	(†)	(†)	(†)	(†)
Evans & White (Ralph Evans)	1645	Stanfield #2	3	111	A	A	A	(†)	(†)	(†)	(†)	(†)	295	190	195	(†)	(†)	(†)	(†)
Lowell Coal Co., c/o John H. Lowell	1586	Silverpeak	11	50	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	295	190	195	(†)	(†)	(†)	(†)
Lucas, H. J.	1646	Green #2	3	111	A	A	A	A	C	C	A	C	295	190	195	(†)	(†)	(†)	(†)
Sawyer, T. D.	938	Sawyer	8	101	A	A	A	A	(†)	(†)	A	(†)	295	190	195	(†)	(†)	(†)	(†)

†When shown under a size group number, this symbol indicates no classification effective for this size group.
*Previously classified for these size groups. No change requested.
1 Previously classified as truck mine.
2 Denotes change in shipping point.
3 Mine not formerly listed in Minimum Price Schedule.
A, B, C, minus 10 cents from list price.

FOR TRUCK SHIPMENTS

§ 335.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine Index No.	Mine	Production group No.	Shipping point	Railroad	County	Price classification by size group												
							3" lump	3" up	10" x 1½"	10" x 1¼"	3" x 2"	3" x 1¼"	2" x 1¼"	1½" x 1"	Mine run	3" x 0	1½" x ¾"	1½" x ¼" (lb)	1½" x 0 (W)	1½" x 0 (lb)	1¼" x 0
							1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Evans & White (Ralph Evans)	1645	Stanfield #2	3	Coalgate, Okla	OCAA	Coal	240	240	240	240	225	215	295	195	295	190	195	195	(†)	120	45
Gallop, Kirt	1555	Vanoye	3	Jacksonville, Mo	Wab	Morgan	240	240	240	240	225	215	295	195	295	190	195	195	(†)	120	45
Lucas, H. J.	1646	Green #2	3	Jacksonville, Mo	Wab	Morgan	240	240	240	240	225	215	295	195	295	190	195	195	(†)	120	45
N. Coal Co., Inc., c/o J. Nesch	1606	Nesch #2	3	Jutty (Ark)	MV	Crawford	260	260	260	260	235	230	295	195	295	190	195	195	(†)	120	45
Norris Creek Coal Co. (Lloyd Santner)	1643	Dolson	3	Adamson, Okla	MKT	Mayes	240	240	240	240	225	215	295	195	295	190	195	195	(†)	120	45

†When shown under a size group number, this symbol indicates no classification effective for this size group.

[F. R. Doc. 42-14179; Filed, December 31, 1942; 10:55 a. m.]

position of the above-entitled matter.

It is *further ordered*, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is *further ordered*, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: December 21, 1942.

[SEAL] DAN H. WHEELER, *Director.*

[Docket No. A-1774]

PART 335—MINIMUM PRICE SCHEDULE, DISTRICT NO. 15

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District No. 15 for the establishment of price classifications and minimum prices for certain mines in District No. 15.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 15; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows:

Commencing forthwith § 335.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 335.24 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is *further ordered*, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is *further ordered*, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: December 21, 1942.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 15

Note: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 335, Minimum Price Schedule for District No. 15 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 335.5 *Alphabetical list of code members*—Supplement R

[Alphabetical list of code members showing price classification by size group for domestic, commercial and industrial use]

Code member	Mine index No.	Mine name	Production group No.	Shipping point	Railroad	Price classification by size group														
						Freight origin group No.	3" lump	1½" up	10" x 1½"	10" x 3"	3" x 2"	3" x 1¼"	2" x 1¼"	1¼" x 1"	Mine run	3" x 0	1¼" x ⅜"	1¼" x ⅜" (U)	1¼" x 0 (W)	1¼" x 0 (U)	⅜" x 0
						1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Blacksmith, Barbara (Black Hawk Coal Co.)	642	Blacksmith	3	Novinger, Mo	C(A)Q	[2s]	1	1	1	1	C	C	C	A	C	A	A	(1)	A	A
Fireside Coal Co. (Bobby Daniels)	1195	Fireside	3	Novinger, Mo	C(A)Q	[2s]	1	1	1	1	C	C	C	A	C	A	A	(1)	A	A
Rose Hill Coal Co.	927	Rose Hill Coal Mine	3	Novinger, Mo	C(A)Q	[2s]	1	1	1	1	C	C	C	A	C	A	A	(1)	A	A

[1] Previously classified as truck mine.
A is Market Area list price as listed in Minimum Price Schedule.
B, minus 5 cents from list price.
C, minus 10 cents from list price.
When shown under a size group number this symbol indicates no classification effective for this group.

FOR TRUCK SHIPMENTS

§ 335.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine index No.	Mine	Production group No.	County	Price classification by size group															
					3" lump	1½" up	10" x 1½"	10" x 3"	3" x 2"	3" x 1¼"	2" x 1¼"	1¼" x 1"	Mine run	3" x 0	1¼" x ⅜"	1¼" x ⅜" (U)	1¼" x 0 (W)	1¼" x 0 (U)	⅜" x 0
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Fisher, S. H. (S. H. Fisher Coal Co.)	1605	Fisher #2	3	Bates, Mo	380	360	360	360	295	295	295	265	220	195	195	180	(1)	160	45
Futury, Ivan	1632	Bearded Valley	3	Howard, Mo	340	340	340	340	245	245	245	195	220	190	195	180	(1)	160	45
Turkey Mountain Coal Co. (M. G. Stanton)	1654	Turkey Mountain Coal Co	11	Tillm. Okla	340	340	340	340	(1)	280	(1)	170	220	150	160	126	(1)	126	(1)

[1] When shown under a size group number, this symbol indicates no classification effective for this size group.

[F. R. Doc. 42-14180; Filed, December 31, 1942; 10:55 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amendment 113, 2d Ed.]

PART 622—CLASSIFICATION

DEFERRALS BY REASON OF AGE

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 622.41 to read as follows:

§622.41 *Class IV-A: Man deferred by reason of age.* In Class IV-A shall be placed every registrant liable for training and service who has attained the 45th anniversary of the day of his birth and (1) who has not been inducted into the land or naval forces, or (2) who after being inducted into the land or naval forces has been separated therefrom under circumstances which require his reclassification under the provisions of paragraph (a) of § 633.14: *Provided*, That if and when the Director of Selective Service advises the local board that such a registrant is acceptable to the land or naval forces, such registrant may file with his local board a written request that he be inducted, in which case he shall be classified without reference to his age, and if he is not placed in a deferred classification, he may be inducted.

2. Amend the regulations by adding a new section to be known as § 622.45 to read as follows:

§ 622.45 *Class IV-H: Man deferred because of an age group not acceptable for military service.* In Class IV-H shall be placed every registrant who has attained the 38th anniversary of the day of his birth and who has not attained the 45th anniversary of the day of his birth and (1) who has not been inducted into the land or naval forces, or (2) who after being inducted into the land or naval forces has been separated therefrom under circumstances which require his reclassification under the provisions of paragraph (a) of § 633.14: *Provided*, That the classification of any such registrant shall be reopened and he shall be classified anew without reference to his age whenever the Director of Selective Service advises the local board that such registrant is acceptable to the land or naval forces or whenever such registrant's qualifications bring him within a group of men described by the Director of Selective Service as being acceptable to the land or naval forces.

3. The foregoing amendments to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY, *Director.*

DECEMBER 31, 1942.

[F. R. Doc. 43-7; Filed, January 1, 1943; 10:43 a. m.]

PART 623—CLASSIFICATION PROCEDURE

[Amendment 114, 2d ed.]

CONSIDERATION OF CLASSES NOT REQUIRING PHYSICAL EXAMINATION

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 685, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in an Administrative Order dated December 5, 1942, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraphs (a), (b), and (c) of § 623.21 to read as follows:

§ 623.21 *Consideration of classes not requiring physical examination.* (a) Upon undertaking to classify any registrant, it should first be determined whether he should be classified in Class I-C. If the registrant is not classified in Class I-C, it should next be determined whether he should be classified in Class IV-A. If the registrant is not classified in Class I-C or Class IV-A, it should next be determined whether he should be classified in Class IV-H.

(b) If the registrant is not classified in Class I-C, Class IV-A, or Class IV-H under paragraph (a) of this section, the local board shall next determine whether he should be classified in Class IV-C on the ground that he is a neutral alien who has filed DSS Form 301 or on the ground that there is no possibility of him being accepted for training and service because of his nationality or ancestry. Otherwise no consideration will be given to Class IV-C at this time.

(c) If the registrant is not classified in Class I-C, Class IV-A, or Class IV-H under paragraph (a) of this section and is not classified in Class IV-C under paragraph (b) of this section, consideration shall next be given to the following classes in the order listed and the registrant shall be classified in the first class for which grounds are established:

Class IV-D.	Class III-A.
Class IV-B.	Class II-C.
Class III-C.	Class II-B.
Class III-B.	Class II-A.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY, *Director.*

DECEMBER 31, 1942.

[F. R. Doc. 43-8; Filed, January 1, 1943; 10:43 a. m.]

[Amendment 106, Correction]

PART 624—VOLUNTEERS

WHO MAY VOLUNTEER AND CLASSIFICATION OF VOLUNTEERS

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

Amendment No. 106 to Part 624 of the Selective Service Regulations is hereby corrected to read as follows:

1. Amend § 624.1 to read as follows:

§ 624.1 *Who may volunteer.* Men who have reached the 18th anniversary of the day of their birth and who have not reached the 38th anniversary of the day of their birth may volunteer at the local board for induction into the land or naval forces.

2. Amend § 624.4 to read as follows:

§ 624.4 *Classification of volunteers.* (a) A volunteer shall not be inducted if, after classification, he is deferred.

(b) A registrant in Class III-A or Class III-B who volunteers shall not be considered as being deferred and may be placed in a class immediately available for military service if:

(1) His induction will not result in undue hardship to his dependents, and

(2) He is not a man who should be classified in Class II-A, Class II-B, or Class II-C when his dependency status is disregarded.

3. The foregoing correction to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY, *Director.*

DECEMBER 31, 1942.

[F. R. Doc. 43-9; Filed, January 1, 1943; 10:43 a. m.]

[Amendment 115, 2d Fd.]

PART 622—CLASSIFICATION

CLASS IV-C: NEUTRAL ALIENS, ETC.

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (b) of § 622.43 to read as follows:

§ 622.43 *Class IV-C: Neutral aliens requesting relief from training and service and aliens not acceptable to the armed forces.*[1] • • •

(b) When an alien registrant who is a citizen or subject of a neutral country (see § 601.2) at any time prior to his induction into the land or naval forces of the United States files with his local board an Application by Alien for Relief from Military Service (Form 301) executed in duplicate, he shall be placed in class IV-C. The local board shall forward the original of such form to the Director of Selective Service through the State Director of Selective Service, and shall retain the duplicate in the registrant's Cover Sheet (Form 53).

• • • • • •

2. The foregoing amendment to the Selective Service Regulations shall be

[1] 7 F.R. 2087, 7221.

effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JANUARY 2, 1943.

[F. R. Doc. 43-105; Filed, January 2, 1943, 10:56 a. m.]

[Amendment 116, 2d Ed.]

PART 643—PAROLE

CLASSIFICATION AND INDUCTION OR ASSIGNMENT OF PERSONS PAROLED

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 643.5 to read as follows:

§ 643.5 *Classification and induction or assignment of persons paroled.* (a) If the Director of Selective Service recommends to the Attorney General that the registrant be paroled, he shall forward the documents referred to in § 643.4 to the appropriate State Director of Selective Service with a request that the proper local board classify the registrant.

(b) Upon receipt of such request, the local board shall classify the registrant. It is not advisable to place such a registrant in a deferred classification except when he is found to be physically unfit. Therefore, unless the registrant is placed in Class IV-F because of being physically unfit, the local board shall place him in Class I-A or Class I-A-O if he has been recommended for parole for induction into the land or naval forces or in Class IV-E if he has been recommended for parole for assignment to work of national importance under civilian direction.

(c) One copy of the Notice of Classification (Form 57) shall be mailed to the registrant in care of the warden or superintendent of the institution in which he is confined. When such Notice of Classification (Form 57) shows that the registrant has been placed in Class I-A or Class I-A-O, the local board will receive from the proper prison officials a certified copy of the order suspending parole supervision of the registrant during military service.

(d) The local board shall proceed to order the registrant to report for induction or to report for work of national importance under civilian direction in the same manner as in the case of any other registrant. Arrangements will be made by the proper prison officials for the release of the registrant so that he can comply with such order.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JANUARY 2, 1943.

[F. R. Doc. 43-106; Filed, January 2, 1943; 10:56 a. m.]

[Amendment 117, 2d Ed.]

PART 651—DETERMINATION OF ACCEPTABILITY OF PERSONS FOR WORK OF NATIONAL IMPORTANCE UNDER CIVILIAN DIRECTION

CLASS IV-E REGISTRANTS

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779; E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in an Administrative Order dated December 5, 1942, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 651.1 to read as follows:

§ 651.1 *Selection of registrants for assignment to work of national importance.* Every registrant who is classified in Class IV-E, before he is assigned to work of national importance under civilian direction, shall be given a final-type physical examination for registrants in Class IV-E. Each such registrant shall be ordered to report for such examination when his order number is reached in the process of selecting Class I-A and Class I-A-O registrants to report for induction, provided his classification is not under consideration on appearance, reopening, or appeal, and the time in which he is entitled to request an appearance or take an appeal has expired.

2. Amend § 651.2 to read as follows:

§ 651.2 *Ordering Class IV-E registrants to report for final-type physical examination.* (a) When the order number of a registrant placed in Class IV-E has been reached under the circumstances set out in § 651.1, the local board shall prepare for each such man an Order to Report for Final-type Physical Examination (Form 48A) in duplicate. The local board shall mail the original to the registrant and shall file the copy in his Cover Sheet (Form 53).

(b) The time specified for reporting shall be at least 10 days after the date the order is mailed: *Provided, however,* If the registrant is quarantined because of a communicable disease, is sick, has some temporary ailment, is awaiting an operation, or when he has some other good and sufficient reason for being unable to appear, the local board may, after the Order to Report for Final-type Physical Examination (Form 48A) has been issued, postpone the date when any such registrant is to appear for final-type physical examination.

(c) The time of issuance and the date of expiration of any period of delay or postponement authorized in (b) above shall be noted in the "Remarks" column of the Classification Record (Form 100).

3. Amend § 651.3 to read as follows:

§ 651.3 *Separate Delivery List (Form 151) for Class IV-E registrants.* (a) Before the time set for Class IV-E registrants to report for final-type physical examination, the local board shall prepare a separate Delivery List (Form 151) for Class IV-E registrants, in triplicate, and stamp each such list at the top with the notation "IV-E." The local board shall make no entry in column 4 of this form.

(b) If a Class IV-E registrant fails to report as ordered, his absence shall be noted in column 3 of the Delivery List (Form 151) prepared for Class IV-E registrants before it is turned over to the leader of such registrants.

(c) If a Class IV-E registrant ordered to report for final-type physical examination has been transferred to another local board for final-type physical examination, his name shall nevertheless be carried on the Delivery List (Form 151) for Class IV-E registrants in the same manner as though he were being sent for final-type physical examination, but a notation shall be made in column 3 opposite his name stating that he was transferred to another local board for final-type physical examination and identifying the local board to which such man was transferred for final-type physical examination.

(d) If a Class IV-E registrant ordered to report for final-type physical examination has been transferred from another local board for final-type physical examination, his name shall appear on the Delivery List (Form 151) for Class IV-E registrants but a notation shall be made in column 3 opposite his name stating that he was transferred from another local board for final-type physical examination and identifying the local board from which such man was transferred for final-type physical examination.

4. Amend the regulations by adding a new section to be known as § 651.4 to read as follows:

§ 651.4 *Transportation requests and meal or lodging requests.* (a) Before the time set for Class IV-E registrants to report for final-type physical examination at the induction station, the local board, unless otherwise directed, shall prepare Government Requests for Transportation (Standard Form No. 1030) and Government Request for Meals or Lodgings for Civilian Registrants (Form 256) to cover the Class IV-E registrants' trip to the induction station and return to the local board.

(b) As a convenience to the leader of the Class IV-E registrants, the local board may exchange the prepared transportation requests for transportation tickets.

5. Amend the regulations by adding a new section to be known as § 651.5 to read as follows:

§ 651.5 *Records sent to induction station for Class IV-E registrants.* For each Class IV-E registrant ordered to report for final-type physical examination, the following papers shall be turned over to the leader of the Class IV-E registrants for delivery to the commanding officer of the induction station:

(1) The original and all three copies of the Report of Physical Examination and Induction (Form 221), which will be stamped by the local board with the notation "IV-E" at the top and immediately left of the block provided for the local board stamp and in the blank space provided for the registrant's name in item 79 (a); and

(2) Three copies of the Delivery List (Form 151) stamped by the local board at the top with the notation "IV-E."

6. Amend the regulations by adding a new section to be known as § 651.6 to read as follows:

§ 651.6 *Appointment of leader for Class IV-E registrants.* The local board shall designate one Class IV-E registrant to be the leader of the group of such registrants in the same manner as it selects a leader for selected men under the provisions of § 633.2.

7. Amend the regulations by adding a new section to be known as § 651.7 to read as follows:

§ 651.7 *Procedure for sending Class IV-E registrants to the induction station for final-type physical examination.* (a) At the time and place designated for the Class IV-E registrants to report for final-type physical examination, the local board shall:

(1) Call the roll of Class IV-E registrants.

(2) Read and issue the appointment of the leader of Class IV-E registrants.

(3) Turn over to the leader of Class IV-E registrants the transportation request or tickets and the meal and lodging requests to cover a trip to the induction station and return to the local board and records for final-type physical examination.

(4) Specifically order the Class IV-E registrants to obey their leader.

(5) Specifically order the Class IV-E registrants to report to the induction station and, after final-type physical examination, to return to the local board.

(b) Class IV-E registrants shall proceed to the induction station for their final-type physical examination along with the selected men who are being delivered to the induction station with the next call on the local board, but if there is no such delivery of men to fill a call at an early date, it shall deliver such Class IV-E registrants specially whenever the induction station is receiving men.

8. Amend the regulations by adding a new section to be known as § 651.8 to read as follows:

§ 651.8 *Final-type physical examination at induction station.* At the induction station, Class IV-E registrants will be given a final-type physical examination in the same manner as that conducted for selected men. Upon completion of the final-type physical examination, Class IV-E registrants will return to their local board under direction of their leader.

9. Amend the regulations by adding a new section to be known as § 651.9 to read as follows:

§ 651.9 *Records returned by induction station commander for Class IV-E registrants.* Each local board delivering Class IV-E registrants for final-type physical examination to an induction station will receive by mail from the induction station commander the following records: (1) The original and all copies of the Delivery List (Form 151) for Class IV-E registrants and (2) the original and all three copies of the Report of Physical Examination and Induction (Form 221). The local board will then forward to the State Director of Selective Service of its State a copy of each Delivery List (Form 151) for Class IV-E registrants.

10. Amend the regulations by adding a new section to be known as § 651.10 to read as follows:

§ 651.10 *Action of local board following final-type physical examination of Class IV-E registrants.* (a) When the Report of Physical Examination and Induction (Form 221) indicates that a registrant in Class IV-E is physically and mentally qualified for service, such registrant will be assigned to and delivered for work of national importance under civilian direction in the manner provided in part 652. Until the registrant is forwarded for work of national importance under civilian direction, the original and all copies of the Report of Physical Examination and Induction (Form 221) of each such registrant will be retained by the local board in the registrant's Cover Sheet (Form 53).

(b) When the Report of Physical Examination and Induction (Form 221) indicates that a registrant in Class IV-E is physically, mentally, or otherwise disqualified for service, the local board shall reopen his classification and classify him in Class IV-F. The Surgeon General's Copy and the National Headquarters' Copy of the Report of Physical Examination and Induction (Form 221) of each such registrant will be forwarded to the State Director of Selective Service, who will forward both copies to the Director of Selective Service, and the Armed Forces' Original and the Local Board's Copy of the Report of Physical Examination and Induction (Form 221) will be filed in the registrant's Cover Sheet (Form 53).

11. Amend § 651.11 to read as follows:

§ 651.11 *Transferring Class IV-E registrants for final-type physical examination.* (a) When the local board determines that a Class IV-E registrant who has been ordered to report for final-type physical examination is so far from his local board as to make his return for such physical examination a hardship, it shall direct the registrant to be referred for final-type physical examination to the local board having jurisdiction of the area in which he is at the time located.

(b) When the local board of a registrant refers the registrant to another local board for final-type physical examination, it shall prepare, in triplicate, an Order Referring Registrant to Another Local Board for Physical Examination Only (Form 203) and shall indicate on the original and copies thereof that the registrant is being referred for final-type physical examination for registrants in Class IV-E and that such final-type physical examination shall be conducted in the manner provided in part 651. One copy of the Order Referring Registrant to Another Local Board for Physical Examination Only (Form 203), together with the original and three copies of the Report of Physical Examination and Induction (Form 221), shall be sent to the local board to which the registrant is referred for final-type physical examination only; one copy of the Order Referring Registrant to Another Local Board for Physical Examination Only (Form 203) shall be sent to the registrant; and the third copy placed in the registrant's Cover Sheet (Form 53).

(c) The local board to which the registrant is referred for final-type physical examination only shall mail to the registrant an Order to Report for Final-type Physical Examination (Form 48A) and shall send a copy of such notice to the local board of the registrant. The local board of the registrant shall note the date of mailing of the Order to Report for Final-type Physical Examination (Form 48A) on the Classification Record (Form 100) in the same manner as if it had sent the Order to Report for Final-type Physical Examination (Form 48A) itself.

(d) The local board to which such man is transferred for final-type physical examination only shall proceed to send him to the induction station for such examination as soon as practicable. If possible, the transferred man shall be sent to the induction station for final-type physical examination along with the selected men who are being delivered to the induction station with the next call on the local board to which he has been transferred, but if there is no such delivery of men to fill a call at an early date, it shall deliver such transferred man specially whenever the induction station is receiving men.

12. Amend the regulations by deleting § 651.21 in its entirety.

13. Amend the regulations by deleting § 651.31 in its entirety.

14. The foregoing amendments to the Selective Service Regulations shall be effective February 1, 1943.

LEWIS B. HERSHEY,
Director.

JANUARY 2, 1943.

[F. R. Doc. 43-107; Filed, January 2, 1943; 10:56 a. m.]

[No. 154]

NOTICE OF ALIEN'S ACCEPTABILITY

ORDER PRESCRIBING FORM

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, I hereby prescribe the following change in DSS forms:

Discontinuance of DSS Form 307, entitled "Notice of Alien's Acceptability,"[1] effective immediately upon the filing hereof with the Division of the Federal Register.

The foregoing discontinuance shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

DECEMBER 31, 1942.

[F. R. Doc. 43-108; Filed, January 2, 1943; 10:56 a. m.]

[1] Filed as part of the original document.

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1010—SUSPENSION ORDERS

[Suspension Order S–193]

PIONEER SUPPLY COMPANY

Pioneer Supply Company is the trade name under which D. Kaplan, Seattle, Washington, transacts business as a dealer and distributor of plumbing supplies. Between May 23 and September 25, 1942, the company made numerous sales and deliveries of new metal plumbing equipment and new metal heating equipment to ultimate consumers on orders which did not bear any preference ratings and did not contain the certification required by Limitation Order L–79. These sales and deliveries constituted wilful violations of Limitation Order L–79.

From May 9 to August 14, 1942, the company applied preference ratings of A–10 under Preference Rating Order P–84 to numerous purchase orders for material. At the time that these preference ratings were applied, the company did not have A–10 rated orders from its customers to support such applications. The application of such ratings constituted wilful violations of Preference Rating Order P–84 and misrepresentations to the War Production Board.

The foregoing violations of Limitation Order L–79 and Preference Rating Order P–84 have hampered and impeded the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.193 *Suspension Order No. S–193.* (a) D. Kaplan, individually or doing business as Pioneer Supply Company or otherwise, is hereby prohibited from accepting deliveries of, receiving, delivering, selling, transferring, trading or dealing in any new metal plumbing equipment or new metal heating equipment as defined in Limitation Order L–79, except as specifically authorized in writing by the Regional Compliance Chief, San Francisco Regional Office, War Production Board.

(b) Nothing contained in this order shall be deemed to relieve D. Kaplan, individually or doing business as Pioneer Supply Company or otherwise, from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on January 4, 1943, and shall expire on July 4, 1943, at which time the restrictions contained in this order shall be of no further effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42–14202; Filed, December 31, 1942; 3:06 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–196]

ASSOCIATED DYEING & PRINTING CO. OF N. J., INC.

Associated Dyeing & Printing Company of New Jersey, Inc., Paterson, New Jersey, is engaged in the business of dyeing and printing piece goods. During the third quarter of 1942, the Company violated Conservation Order M–103 by accepting delivery of approximately 1,027 pounds of anthraquinone dyes in excess of the quantity which it was permitted to accept under the terms of this order. The Company was fully aware of the restrictions contained in Conservation Order M–103 and its violations thereof were wilful.

These violations of Conservation Order M–103 have hampered and impeded the war effort of the United States by diverting scarce material to uses not authorized by the War Production Board. In view of the foregoing facts, *It is hereby ordered*, That:

§ 1010.196 *Suspension Order S–196.* (a) Associated Dyeing and Printing Company of New Jersey, Inc., its successors and assigns, shall not order or accept delivery of any anthraquinone dyes, except as specifically authorized by the Director General for Operations.

(b) Nothing contained in this order shall be deemed to relieve Associated Dyeing & Printing Company of New Jersey, Inc., from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on January 1, 1943, and shall expire on March 31, 1943, at which time the restrictions contained in this order shall be of no further effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc 42–14203; Filed, December 31, 1942; 3:06 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–198]

BOUCHARD & CHARVET DYE & FINISH CO.

Bouchard & Charvet Dye & Finish Company, Paterson, New Jersey, is engaged in the business of dyeing and finishing silk and synthetic fabrics. During the second and third quarters of 1942 the Company accepted delivery of approximately 5,312 pounds of anthraquinone dyes in excess of the amounts it was permitted to receive under the terms of Conservation Order M–103. The Company was fully aware of the restrictions contained in Conservation Order M–103 and its violations thereof were wilful.

These violations of Conservation Order M–103 have hampered and impeded the war effort of the United States by diverting scarce material to uses unauthorized by the War Production Board. In view of the foregoing facts, *It is hereby ordered*, That:

§ 1010.198 *Suspension Order S–198.* (a) Bouchard & Charvet Dye & Finish Company, its successors and assigns, shall not order or accept delivery of any anthraquinone dyes, except as specifically authorized by the Director General for Operations.

(b) Nothing contained in this order shall be deemed to relieve Bouchard & Charvet Dye & Finish Company, its successors and assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on January 1, 1943, and shall expire on March 31, 1943, at which time the restrictions contained in this order shall be of no further effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42–14204; Filed, December 31, 1942; 3:06 p. m.]

PART 1297—MATERIAL ENTERING INTO THE PRODUCTION OF REPLACEMENT PARTS FOR PASSENGER AUTOMOBILES, LIGHT, MEDIUM AND HEAVY MOTOR TRUCKS, TRUCK TRAILERS, PASSENGER CARRIERS AND OFF-THE-HIGHWAY MOTOR VEHICLES

[Amendment 1 to Limitation Order L–158, as Amended Dec. 12, 1942]

Section 1297.1 *Limitation Order L–158*, is hereby further amended in the following particulars:

1. Paragraph (e) is hereby amended to read as follows:

(1) *Restrictions on production of replacement parts for passenger automobiles and light trucks.* During the fourth calendar quarter of 1942, a producer of replacement parts for passenger automobiles and light trucks may manufacture replacement parts according to either of the following schedules:

(i) Such producer may manufacture replacement parts at his dollar cost value not to exceed seventy percent (70%) of the total dollar cost value of the replacement parts of his own manufacture sold by him during the fourth calendar quarter of 1941: *Provided*, That such production does not result in the producer's total inventory of finished parts (either produced by him or purchased by him from others) exceeding at any time during the third month in the fourth calendar quarter, in dollar cost value, four times the producer's average monthly sales valued at cost during the preceding calendar quarter. In determining dollar cost value of sales, sales to the Army, Navy and other persons enumerated in paragraph (g) below shall not be included.

(ii) Such producer may manufacture replacement parts not to exceed fifty percent (50%) of the total dollar cost value of the replacement parts of his own manufacture sold by him during the fourth calendar quarter of 1941; provided such production does not increase his inventory of finished parts in total cost value (either produced by him or purchased by him from others) at the end of the first quarter, above his inventory of finished parts in total cost value at the beginning of the quarter. In determining dollar cost value of sales, sales to the Army, Navy and other persons enumerated in paragraph (g) below shall not be included.

(2) During the first calendar quarter of 1943, a producer of replacement parts for passenger automobiles and light trucks may manufacture replacement parts according to either of the following schedules:

(i) Such producer may manufacture replacement parts at his dollar cost value not to exceed seventy percent (70%) of the total dollar cost value of the replacement parts of his own manufacture sold by him during the average calendar quarter of 1941; provided that such production does not result in the producer's total inventory of finished parts (either produced by him or purchased by him from others) exceeding at any time during the third month in the first quarter of 1943, in dollar cost value, four times the producer's average monthly sales valued at cost during the preceding calendar quarter. In determining dollar cost value of sales, sales to the Army, Navy and other persons enumerated in paragraph (g) below shall not be included.

(ii) Such producer may manufacture replacement parts not to exceed one hundred percent (100%) of the total dollar cost value of the replacement parts of his own manufacture sold by him during the average calendar quarter of 1941, provided such production does not increase his inventory of finished parts in total cost value (either produced by him or purchased by him from others) at the end of the first quarter of 1943 above his inventory of finished parts at the beginning of the quarter. In determining dollar cost value of sales, sales to the Army, Navy and other persons enumerated in paragraph (g) below shall not be included.

2. Paragraph (f) is hereby amended to read as follows:

(f) *Restrictions on production of replacement parts for medium and/or heavy motor trucks, truck-tractors, truck-trailers, passenger carries, and off-the-highway motor vehicles.* (1) During the fourth calendar quarter of 1942, a producer of replacement parts for medium, and/or heavy motor trucks, truck-tractors, truck-trailers, passenger carriers, and off-the-highway motor vehicles may manufacture replacement parts according to either of the following schedules:

(i) Such producer may manufacture replacement parts at his dollar cost value not to exceed one hundred and twenty-five percent (125%) of the total dollar cost value of the replacement parts of his own manufacture sold by him during the fourth calendar quarter of 1941; *Provided*, That such production does not result in the producer's total inventory of finished parts (either produced by him or purchased by him from others) exceeding at any time during the third month in the fourth calendar quarter, in dollar cost value, four times the producer's average monthly sales valued at cost during the preceding calendar quarter. In determining dollar cost value of sales, sales to the Army, Navy and other persons enumerated in paragraph (g) below shall not be included.

(ii) Such producer may manufacture replacement parts not to exceed seventy-five percent (75%) of the total dollar cost value of the replacement parts of his own manufacture sold by him during the fourth calendar quarter of 1941, provided such production does not increase his inventory of finished parts in total cost value (either produced by him or purchased by him from others) at the end of the fourth quarter above his inventory of finished parts at the beginning of the quarter. In determining dollar cost value of sales, sales to the Army, Navy and other persons enumerated in paragraph (g) below shall not be included.

(2) During the first calendar quarter of 1943, a producer of replacement parts for medium and/or heavy motor trucks, truck-tractors, truck-trailers, passenger carriers, and off-the-highway motor vehicles may manufacture replacement parts according to either of the following schedules:

(i) Such producer may manufacture replacement parts at his dollar cost value not to exceed one hundred and twenty-five percent (125%) of the total dollar cost value of the replacement parts of his own manufacture sold by him during the average calendar quarter of 1941; *Provided*, That such production does not result in the producer's total inventory of finished parts (either produced by him or purchased by him from others) exceeding at any time during the third month in the first quarter of 1943, in dollar cost value, four times the producer's average monthly sales valued at cost during the preceding calendar quarter. In determining dollar cost value of sales, sales to the Army, Navy and other persons enumerated in paragraph (g) below shall not be included.

(ii) Such producer may manufacture replacement parts not to exceed one hundred percent (100%) of the total dollar cost value of the replacement parts of his own manufacture sold by him during the average calendar quarter of 1941, provided such production does not increase his inventory of finished parts in total cost value (either produced by him or purchased by him from others) at the end of the first quarter of 1943 above his inventory of finished parts at the beginning of the quarter. In determining dollar cost value of sales, sales to the Army, Navy and other persons enumerated in paragraph (g) below shall not be included.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42–14242; Filed, December 31, 1942; 5:11 p. m.]

PART 921—ALUMINUM SCRAP

[Supplemental Order M–1–d as Amended Jan. 1, 1943]

Whereas national defense requirements have created a shortage of aluminum; and

Whereas aluminum scrap of acceptable quality for reprocessing for use for defense purposes is not coming forward in sufficient volume, due, for the most part, to the fact that under prevailing practices the scrap generated in the course of industrial processes is not being appropriately segregated by alloy content; and

Whereas this can only be remedied by the institution, in all plants generating aluminum scrap, of effective scrap collection programs designed to effect such segregation; and

Whereas the restrictions and requirements relating to the use of aluminum hereinafter set forth are necessary to conserve the supply and direct the distribution thereof in the interest of national defense;

Now, therefore, it is ordered, That:

§ 921.6 *Supplementary Order M–1–d*—(a) *Definitions.* For the purposes of this order:

(1) "Aluminum" means any material the principal individual ingredient of which by either weight or volume is metallic aluminum.

(2) "Scrap" means all materials or objects which are the waste or by-product of industrial fabrication, or which have been discarded on account of obsoles-

cense, failure or other reason, the principal ingredient of which by either weight or volume is metallic aluminum.

(3) "Plant scrap" means scrap which is generated in the course of manufacture and defective or rejected material, the principal metallic ingredient of which is aluminum; and shall also include all types and grades of aluminum residues, such as drosses, skimmings, fines, grindings, sawings, and buffings, provided that the recoverable metallic aluminum content, as determined by the fire assay, hydrogen evolution or other method of comparable efficiency, constitutes 15 per cent or more by weight of such residues.

(4) "Segregated scrap" means scrap which has been segregated and otherwise handled in such manner as to be acceptable for reprocessing into aluminum of the original specifications, without the necessity for other than routine examination by the processor.

(5) "Mixed scrap" means all scrap other than segregated scrap.

(6) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(7) "Producer" means the Aluminum Company of America, the Reynolds Metals Company and any other person who may be so designated by the Director General for Operations.

(8) "Approved smelter" means any person whose name appears on Schedule A attached to this order, as the same may be amended from time to time by the Director General for Operations.

(9) "Dealer" means any person regularly engaged in the business of buying and selling scrap.

(b) *Contamination.* No person shall contaminate scrap or other aluminum with any other metal or material unless specifically authorized by the Director General for Operations, whether by allocation of aluminum for the purpose or otherwise. The foregoing provision shall not prevent a producer or approved smelter from mixing aluminum with other metals in the production of aluminum alloys.

(c) *Restrictions on use of scrap.* No person other than a producer or approved smelter may melt, reprocess, smelt or otherwise use aluminum scrap unless specifically authorized by the Director General for Operations: *Provided, however,* That a person who in normal course of operations melts aluminum scrap in fabricating aluminum products may use his plant scrap in the plant in which it is generated in the production of those products (and only those products) for which he is currently obtaining allocations of aluminum from the Director General for Operations if in applying for such allocations he shall have reduced his requirements by a reasonable amount in anticipation of the amount of recoverable plant scrap.

(d) *Segregation of plant scrap.* (1) After March 1, 1942, no person who at any one plant generates 1,000 pounds, or more, of aluminum scrap per month may sell or otherwise dispose of any scrap generated in such plant unless he is carrying out the Aluminum Scrap Segregation Program set forth as Schedule B attached to this order and made a part hereof.

(2) The Director General for Operations may at any time terminate the right of a plant to dispose of aluminum scrap if he is not satisfied with the manner in which such segregation program is being carried out.

(e) *Sale of plant scrap.* Unless specifically authorized by the Director General for Operations, no person generating plant scrap may sell or deliver any such scrap that he is not entitled to use in accordance with paragraph (c), except as follows:

(1) *17S, 24S, and 52S solids.* Segregated scrap consisting of 17S, 24S, and 52S aluminum alloys in solid form, respectively, shall be sold and shipped directly to a producer: *Provided, however,* That where the amount of such scrap of any one alloy specification does not amount to 5,000 pounds or more per month, it may be sold to a producer, approved smelter, or dealer.

(2) *Other scrap.* All other segregated scrap and all mixed scrap shall be sold to a producer, approved smelter, or dealer.

(f) *All other scrap.* No person who owns or originates any scrap, (other than a person generating plant scrap or a dealer) may sell or deliver such scrap except to a producer, approved smelter or dealer; he shall not use or dispose of such scrap in any other way.

(g) *Dealer's operations.* No dealer may sell or deliver any scrap or other aluminum owned or accumulated by him except to a producer or approved smelter, and shall not use or dispose of such scrap or other aluminum except by such a sale: *Provided, however,* That he may sell any scrap to another dealer if, in the regular course of business, he does not currently collect sufficient scrap to make it practicable for him to sell directly to a producer or an approved smelter.

(h) *Certification upon sale of segregated scrap.* The maker of segregated scrap shall furnish the buyer with a signed document showing (i) the alloy number or specification, (ii) form of scrap, (iii) weight (on a clean and dry basis), and (iv) the name and address of the plant where generated. This document shall bear a notation as to the date of sale and the names and addresses of the parties to the transaction, and, in case of resale of such scrap, shall be similarly endorsed and transferred by the seller. The seller of segregated scrap shall see that it is clearly marked showing the alloy number or specification and source. No scrap other than segregated scrap shall be so designated by any person.

(i) *Tolling prohibited.* Except as the Director General for Operations may specifically authorize, no scrap shall be delivered for processing or returned under any toll, repurchase, or similar arrangement.

(j) *No acquisition or delivery in violation of order.* No person shall after January 7, 1942 acquire or deliver aluminum scrap or products made therefrom if he has reason to believe such material has been or is to be used in violation of the terms of this or of any other order of the Director General for Operations: *Provided,* That for any purpose permitted by this order, any producer or approved smelter may freely acquire aluminum scrap at any time, irrespective of the status under this order of the person disposing of the same.

(k) *Record and reports.* Each person who participates in any transaction to which this order applies (except an individual originating scrap other than plant scrap) shall keep and preserve for at least two years complete and accurate records as to all transactions in scrap, which shall be subject to inspection by the War Production Board. Each such person shall file such reports and questionnaires as the Director General for Operations may require.

(l) *Specific authorizations.* Where this order calls for specific authorization by the Director General for Operations, an allocation or other written authorization to carry out the particular action proposed is required; and preference rating orders or certificates do not constitute such specific authorization.

(m) *Revocation.* Supplementary Order M-1-c, all serially numbered orders of Preference Rating Order No. P-12, and all authorizations and directions issued pursuant thereto are hereby terminated, effective January 7, 1942, except that the following, if operative immediately prior to January 7, 1942, shall constitute valid authorization hereunder:

(1) Any approval issued by the Director General for Operations subsequent to October 31, 1941, of any toll arrangement;

(2) Any approval on the basis of a Form PD-1 application issued by the Director General for Operations subsequent to September 30, 1941; and

(3) Insofar as concerns scrap which is in transit as of January 7, 1942, any other applicable authorization from the Director General for Operations issued prior to January 7, 1942.

(n) *Effective date.* This order shall continue in effect until revoked by the Director General for Operations.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 1, 1943.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A—APPROVED ALUMINUM SMELTERS

State, Smelter and Address

California: Federated Metals Div. (Am Smelting & Refining), Los Angeles, Calif. Federated Metals Div. (Am. Smelting & Refining), San Francisco, Calif.; Berg Metal Company 2652 Long Beach Avenue, Los Angeles, Calif.; Morris P. Kirk and Sons, Inc., 2717 So. Indiana Street, Los Angeles, Calif.

Illinois: Apex Smelting Company, 2537 W. Taylor Street, Chicago, Ill.; Aurora Refining Company, P. O. Box 88, Aurora, Ill.; Wm. F. Jobbins Inc., Chicago, Ill.; R. Lavin & Sons Inc., 3426 S. Kedzie Avenue, Chicago, Ill.; U. S. Reduction Company, East Chicago and Melville Aves., Chicago, Ill.

Indiana: Federated Metals Div. (Am. Smelting and Refining), Whiting, Ind.

Kansas: Sonken-Galamba, Riverview at 2nd Street, Kansas City, Kans.

Michigan: Federated Metals Div. (Am. Smelting & Refining), Detroit, Mich.; Bohn Aluminum and Brass Corporation, Detroit, Mich.

Missouri: Federated Metals Div. (Am. Smelting & Refining), St. Louis, Mo.

New Jersey: Federated Metals Div. (Am. Smelting & Refining), Barber, N. J.

New York: Alloys and Products, Inc., Oak Point Avenue and Barry Street, Bronx, N. Y.; Electro Refractories and Alloys Co., Willet Road, Lackawanna, N. Y.; Samuel Greenfield Co., Inc., 31 Stone Street, Buffalo, N. Y.; Niagara Falls Smelt. & Ref. Co., 2204 Elmwood Avenue, Buffalo, N. Y.

Ohio: Aluminum Smelting and Refinery Co., 5463 Dunham Road, Maple Heights, Ohio; Aluminum & Magnesium, Inc., 1 Huron Street, Sandusky, Ohio; Cleveland Electro Metals Company, 2391 West 38th St., Cleveland, Ohio; National Bronze & Aluminum Foundry, Cleveland, Ohio; National Smelting Company, P. O. Box 1791, Cleveland, Ohio.

Pennsylvania: General Smelting Company, 2901 E. Westmoreland St., Philadelphia, Pa.; North American Smelting Co., Edgemont and Tioga Sts., Philadelphia, Pa.; George Sall Metals Company, Westmoreland and Tulip Sts., Philadelphia, Pa.

SCHEDULE B—ALUMINUM SCRAP SEGREGATION PROGRAM

I. *Segregation by alloy content and form*—(1) *By alloy content.* Scrap of each individual alloy (for example 17S, 24S, 52S, 112, 645, etc., also 2S pure aluminum) shall be segregated from scrap of other alloys.

Exception. In any division of a plant devoted to any one phase of operations, no more than the three most important alloys need be segregated.

[NOTE: Scrap from coated material (Alclad or Pureclad sheet) may be included with uncoated material of the same alloy specification; but scrap from painted material shall not be included with unpainted material of the same alloy specification except in very minor amounts.]

(2) *By form.* In addition to the above segregation on the basis of alloy content, the scrap of each alloy shall be segregated into two form types:

(i) *"Solids"*—generated by shearing, clipping, cutting, blanking, or similar process, also defective or rejected wrought aluminum parts, defective or rejected castings and gates, sprues, risers or similar foundry scrap;

(ii) *"Machinings"*—generated by machining, drilling, boring, turning, milling or like operations.

In no event shall solids and machinings be combined.

[NOTE: Grindings, sawings or other fines, drosses, skimmings and sweepings need not be segregated as to alloy specification but shall be treated as mixed scrap as provided below.]

II. *Mixed scrap.* All scrap which is not required to be segregated as to alloy content as above provided, or which cannot be identified as to alloy content, shall be classified as mixed scrap. However, mixed scrap consisting of (i) drosses and skimmings, (ii) solids, and (iii) machinings shall be handled separately from each other and from all other mixed scrap.

III. *General provisions*—(1) *Official responsible for handling scrap.* Each person operating a plant shall appoint a responsible employee to supervise the collection, segregation and handling of all scrap generated in the plant. The name of such employee shall be forwarded to the Aluminum and Magnesium Division, War Production Board, Washington, D. C. All such functions shall be performed by employees in the plant acting under direction of such supervisory employee. No dealer or other person not a regular employee of the plant shall perform any such functions except as the Director General for Operations may specifically authorize.

(2) *Collection and identification.* Segregation shall be effected by collection at the machine where the scrap is generated. Separate containers for collection and bins for storage shall be provided for scrap of each alloy as distinct from other alloys, and also for the solid scrap and for the machining scrap of the same alloy. All containers and bins shall be clearly marked to identify the alloy and the form of scrap for which they are intended, and they shall be kept clean, dry and in good condition, so that their contents shall be protected from contamination and the weather. Each container and bin shall be used only as a receptacle for the alloy and form of scrap for which it is designated and marked.

(3) *Identification of segregated scrap for shipment.* Each unit of segregated scrap shall, upon shipment, be clearly marked or labelled as to alloy specification, form, and source, i. e., the plant where generated.

(4) *Obligation as regards subcontractors.* Each person operating a plant, as part of his arrangement with any subcontractor to whom he furnishes aluminum, shall impose an obligation upon, and otherwise make every effort to see to it that, such subcontractor institutes and carries out an adequate scrap collection and segregation program.

[F. R. Doc. 43-55; Filed, January 1, 1943; 1:20 p. m.]

PART 940—RUBBER AND BALATA AND PRODUCTS AND MATERIALS OF WHICH RUBBER OR BALATA IS A COMPONENT

[Correction 1 to Supplementary Order M-15-b-1, as Amended Dec. 28, 1942]

Supplementary Order M-15-b-1 (§ 940.5), as amended December 23, 1942, is corrected as follows:

1. By changing the line reading:

"30x7-16 6 B B"

appearing in subdivision (b) of List 29 attached to said order, under the subheading "High pressure landing wheels" to read as follows:

Description of item		Compounds	
Size	Ply	Friction	Tread
•	•	•	•
High pressure landing wheels		•	•
•	•		
"30x7-16	8	B	B"

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-60; Filed, January 1, 1943; 1:23 p. m.]

PART 984—LEAD

[General Preference Order M-38 as Amended Jan. 1, 1943]

Whereas the national defense requirements have created a shortage of lead (as hereinafter defined) domestically produced, and there exists an uncertainty as to future shipments from abroad, for defense, for private account, and for export and it is necessary, in the public interest and to promote the defense of the United States, to conserve the supply and direct the distribution thereof;

Now, therefore, it is hereby ordered, That:

§ 984.1 *General preference order M-38*—(a) *Definitions.* For the purposes of this order:

(1) "Lead" means and includes lead metal produced from domestic ores and from imported ores, which has been refined by any recognized method, in all forms and shapes current in the trade; antimonial lead, and lead metal produced from scrap, excluding, however, metal in the hands of any manufacturer, produced by him either in his own plant or on toll from any lead-bearing material and mill residue originating in his own plant or returned to him by his customers in the usual course of business from material purchased from the manufacturer.

(2) "Refiner" means any person who produces lead as hereinbefore defined, from ores or scrap by any process in grades suitable for fabrication; and also includes any person who has such lead produced for him under toll agreement.

(3) "Dealer" means any person who procures lead either by importing or from domestic sources for resale without change in form, whether or not such person receives title to or physical delivery of the material, and includes selling agents, warehousemen, and brokers.

(b) *Regulations incorporated.* Except as modified by the terms of this order and as otherwise specifically provided herein, all of the provisions and definitions of Priorities Regulation No. 1, issued by the Director of Priorities on August 27, 1941 (Part 944), as amended from time to time, are hereby included as a part of this order with the same effect as if specifically set forth herein.

(c) *Directions as to deliveries by refiners and dealers*—(1) *Delivery schedules.* Each refiner and dealer shall file with the Director General for Operations, War Production Board, not later than the 20th day of the month next preceding the month during which any delivery of lead is to be made, and in such form or forms as may be from time to time prescribed by said Director, a schedule of his proposed shipments of lead for the ensuing month, including thereon such information as may be required by the instructions accompanying such form.

(2) *Withheld deliveries; Allocations.* Beginning October 1, 1941, each refiner shall set aside from his production of lead during each calendar month (in-

cluding therein lead produced for him by others under toll agreement and excluding lead produced by him for others under toll agreement) a quantity to be determined and specified from time to time by the Director General for Operations and to be delivered only upon express direction of the Director General for Operations. Any amount so set aside shall be excluded from the refiner's schedule of proposed shipments filed under the provisions of paragraph (c) (1) above. The Director General for Operations will from time to time allocate deliveries of lead to be made by refiners from the quantities withheld under the provisions of this paragraph. In shipping the balance of his production, each refiner must give preference to defense orders as required by the provisions of Priorities Regulation No. 1, and must be governed by preference ratings assigned to particular contracts or purchase orders: *Provided*, That a refiner may satisfy in full his commitments to any one customer during any calendar month up to, but not exceeding, one minimum carload lot.

(3) *Allocation of lead from Metals Reserve Company's supply.* Hereinafter all lead released by the Metals Reserve Company will be allocated by the Director General for Operations.

(4) *Basis of allocations and directions.* Any allocations or directions by the Director General for Operations pursuant to the provisions of paragraphs (c) (2) and (3) above will be made primarily to insure satisfaction of all defense requirements of the United States, both direct and indirect, and they may be made in the discretion of the Director General for Operations without regard to any preference ratings assigned to particular contracts or purchase orders. The Director General for Operations may also take into consideration the possible dislocation of labor, and the necessity of keeping a plant in operation so that it may be able to fulfill defense orders and essential civilian requirements.

(5) *Allotment of purchase orders.* The Director General for Operations may in his discretion require any person seeking to place a purchase order for lead to be delivered by a refiner or dealer to place the same with one or more particular refiners or dealers.

(d) *Assignment of preference rating.* Deliveries of lead, alloys of which lead is an essential component, and manufactured products made of lead or of such alloys under all defense orders, to which a preference rating of A-10 or higher has not been assigned are hereby assigned a preference rating of A-10.

(e) *Directions as to deliveries of lead alloys and lead products.* Until further order by the Director General for Operations, deliveries by any person of alloys containing lead as an essential component and of manufactured products made of lead or such alloys may be made subject only to the provisions of Regulation No. 1 of the Division of Priorities and to the provisions of any other order or direction issued by the Director General for Operations affecting any other material used with lead in the manufacture or processing of such alloys or products.

(f) *Violations.* Any person affected by this order, who violates any of its provisions, or a provision of any other order, directive, or regulation issued by the Director General for Operations, may be prohibited by the Director from making or receiving further deliveries of lead, or of any other materia' subject to allocation, or he may be subjected to any other or further action as the Director may deem appropriate.

(g) This order shall continue in effect until revoked.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of January, 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-54; Filed, January 1, 1943; 1:19 p. m.]

PART 1053—FATS AND OILS

[General Preference Order M-71, as Amended Jan. 1, 1943]

§ 1053.1 *General Preference Order M-71*—(a) *Definitions.* (1) "Fats and oils" means all the raw, crude, refined and pressed fats and oils, whether vegetable, animal, fish or other marine animal, their by-products and derivatives, including grease (lard) oil, sulfonated and similarly processed fats and oils, fatty acids, and lard and rendered pork fat, but not including cocoa butter, butter, wool greases, essential oils, tall oil, mineral oils, and vitamin-bearing oils derived from fish or other marine animal livers or viscera.

(2) "Manufacturer" means any person who uses any fats or oils in the manufacture of any finished product, and shall include all other persons directly controlling or controlled by such person and all persons under direct or indirect common control with such person. The term shall not include any crusher, renderer, refiner or other processor except as and to the extent that his operations result in the production of a finished product, and shall also not include any person who uses fats, and oils in the home in the preparation of food for household consumption.

(3) The "inventory" of a manufacturer at any time shall include all fats and oils held or controlled by him and all fats and oils purchased by him for future delivery.

(4) "Finished product" means any product of a manufacturer produced for sale as his finished product and carried on his books as his finished product. Except for the purposes of paragraph (d) hereof, "finished product" shall not include: (i) grease (lard) oil; (ii) sulphonated or similarly processed fat or oil; (iii) fatty acids; (iv) lard or rendered pork fat; (v) any fat or oil product intended for sale to another manufacturer for further processing in the manufacture of, or for inclusion in, any product (excepting a product falling within paragraph (a) (4) (vi) hereof); (vi) any edible product of which a fat or oil is not the principal ingredient; (vii) any edible product produced by any hotel or restaurant for consumption on the premises; (viii) any medicinal preparation other than medicated soap.

(5) "Crusher" means any person who presses, expels, or extracts oils from any seed, bean, nut or corn or other oil-bearing materials.

(6) "Implements of war" means combat end-products, complete for tactical operations (including, but not limited to, aircraft, ammunition, armaments, weapons, merchant and naval ships, tanks and vehicles) and any parts, assemblies, and material to be incorporated in any of the foregoing items. This term does not include facilities or equipment used to manufacture the foregoing items.

(7) "Soap" means the product commonly known by that term excluding, however, soap used for non-detergent purposes (including the processing of textiles).

(b) Restrictions on manufacture. (1) [Revoked Nov. 24, 1942.]

(2) No manufacturer, except as provided in paragraph (b) (6) hereof, shall in any calendar quarter beginning with the last quarter of 1942, use or consume any fat or oil in any class of use listed in Schedule A annexed hereto in a quantity in excess of the percentage specified in such Schedule A of his average quarterly use or consumption of fats and oils in such class of use during the corresponding quarters of the two years, 1940 and 1941.

(3) If any manufacturer shall not in any quarter use or consume the quantity of fat or oil permitted by paragraph (b) (2) hereof, the unused part of his quota for such quarter shall for the purposes of such paragraph (b) (2) be carried forward and added to his permitted quota for the succeeding quarters: *Provided, however,* That any unused part of his permitted quota for any prior quarter shall not be carried forward beyond June 30, 1943 and beyond the 30th day of June of each year thereafter.

(4) For the purpose of determining the quantity of raw "foots" which may be used or consumed, use or consumption shall be calculated on the basis of total fatty acid content.

(5) The restrictions on fats and oils hereby imposed are imposed with respect to fats and oils in the aggregate, and such restrictions are not to be construed to limit a manufacturer to the same fat or oil used or consumed by him in the base period.

(6) Nothing in paragraph (b) (2) hereof shall restrict:

(i) The use of fats and oils in any period or quarter by any manufacturer whose aggregate use or consumption of fats and oils in such period is less than 6,000 lbs.;

(ii) The use of fats and oils in the manufacture of any edible product delivered or to be delivered to the Army or Navy of the United States, or delivered or to be delivered pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or the processing of fats and oils for delivery to another manufacturer for use in the manufacture of any such edible product: *Provided, however,* That this paragraph shall not exempt the use of fats and oils by any person other than the person having the prime contract with the Army or Navy or with the administrator of such Lend-Lease Act, unless the Quartermaster General of the Army or the Chief of the Bureau of Supplies and Accounts of the Navy, or the administrator of the Agricultural Marketing Administration (as the procurement agency for the administrator of such Lend-Lease Act), or the duly authorized representative of any of them, shall have issued to the manufacturer (whether prime contractor or subcontractor) who uses the fat or oil in the manufacture of the edible product contracted for, a certificate setting forth that such product is for direct Army or Navy issue or for delivery pursuant to such Lend-Lease Act and that the manufacture of such product will require a stated quantity of fats or oils, and designating the supplier or suppliers of such fats or oils to be exempted under the terms of this paragraph of this order.

(iii) The use of fats and oils in the manufacture of soap, including soap made from foots derived from domestic vegetable oils or their fatty acids, where such soap is delivered to the Army or Navy of the United States by the manufacturer or is delivered by such manufacturer, as a prime contractor, pursuant to such Lend-Lease Act.

(iv) The use of fats and oils in the manufacture, preparation or finishing of implements of war.

(v) The use of fats and oils in the manufacture of products to be exported by the manufacturer (*a*) to the Dominion of Canada where such Dominion has granted a license for the import of such products, or (*b*) to any other country pursuant to any export license issued by the Board of Economic Warfare.

(7) For the purposes of determining a manufacturer's permissible use or consumption under paragraph (b) (2) hereof, there shall be excluded from the quarter during which use or consumption is hereby limited, any fat or oil used in the manufacture of the products referred to in subdivisions (ii), (iii), (iv) and (v), of paragraph (b) (6) hereof, and there shall be excluded from the base period any fat or oil used by such manufacturer in such base period in the manufacture of any edible product or soap delivered by him to the Army or Navy of the United States or delivered by him, as a prime contractor, pursuant to such Lend-Lease Act, or exported to the Dominion of Canada or to any other country, and there also shall be excluded from such base period any fat or oil used in the manufacture, preparation or finishing of implements of war.

(8) A person who acquires all the manufacturing facilities of another person in a particular class of use shall thereby become entitled to the quota of such other person in such class of use, whether or not he continues to operate such facilities in whole or in part: *Provided, however,* That he shall within 30 days following such acquisition inform the Director General for Operations of the facilities acquired, their location, whether or not operation will be continued in the same or another location, and the amount of quota which he claims to have acquired in each class of use.

(9) Fats and oils processed by a person pursuant to toll agreement shall be chargeable not to the quota of the processor but to the quota of the owner of such fats and oils: *Provided,* That title to the product shall remain in the hands of the owner of the fats and oils and that such owner shall market, invoice and collect for such product through his own organization.

(10) Each manufacturer of soap may in any quarter substitute in whole or in part for the fats and oils (other than foots made from domestic vegetable oils or their fatty acids) which he would be entitled to use under Schedule A in such manufacture, foots made from domestic vegetable oils or their fatty acids, the quantity of such foots or their fatty acids which may be used or consumed to be 150% of the base period use of fats and oils.

(c) *Restrictions on deliveries of linseed oil.* (1) No person engaged in the business of selling linseed oil at wholesale (whether crushed or processed by him or purchased for resale) shall deliver in the aggregate to persons other than manufacturers during any calendar quarter, beginning with the fourth quarter of 1942, more linseed oil (whether raw or processed) than 70% of the average quarterly amount of linseed oil so delivered by him during the corresponding quarters of the two years, 1940 and 1941.

(2) In reducing deliveries pursuant to paragraph (c) (1) hereof, no person shall make discriminatory cuts as between customers, whether new or old.

(3) This order shall not restrict the delivery by any person of linseed oil to the Army or Navy of the United States or pursuant to such Lend-Lease Act, and any amount so delivered by him shall be excluded both from the base period on which his quota is based and from the period or quarter during which future deliveries are hereby limited.

(d) *Restrictions on processing and inventories.* (1) No manufacturer shall hereafter change the condition of any fat or oil in his raw materials inventory, or add any additional materials thereto, except to the extent necessary to store any such fat or oil in his raw materials inventory in a form necessary to prevent deterioration thereof, or except to put such fats or oils into process for the manufacture of his finished products subject to the limitations of paragraph (d) (2). Nothing contained in this paragraph shall be construed to limit the amount of fats and oils which may be held by any manufacturer in his raw materials inventory.

(2) No manufacturer shall hereafter increase the rate at which fats and oils are put into process by him, except to the extent necessary to meet the required deliveries of his finished products within the limitations established by this order, and to maintain only a practicable minimum working inventory of such finished products. The term "practicable minimum working inventory" is to be strictly construed. The mere fact that the turn-over has increased, or that materials are difficult to obtain, does not justify maintaining inventories above the minimum at which his operations can be continued.

(e) *Reports.* Every manufacturer and every other person affected by this order shall file such reports giving such information at such times and upon such form or forms as the Director General for Operations may from time to time prescribe.

(f) *Reports.* (1) Each manufacturer, who in any quarter commencing with the last quarter of the year 1942, uses or consumes more than 6,000 lbs. of fats and oils in the aggregate, shall file with the Bureau of Census, Washington, D. C., each of the following reports in the following manner:

(i) He shall file on or before the 15th day of each month of the succeeding quarter, Form BM 1 showing the consumption of fats and oils during the preceding month.

(ii) He shall file on or before the 15th day of the first month of the succeeding quarter, Form BM 2 showing the consumption of fats and oils during the preceding quarter.

(2) Every manufacturer and every other person affected by this order shall file such other reports at such times upon such form or forms as the Director General for Operations may from time to time prescribe.

NOTE: Paragraphs (g) and (h) were formerly designated (f) and (g).

(g) *Effect of other orders.* Insofar as any other order of the Director of Priorities, the Director of Industry Operations or the Director General for Operations, heretofore or hereafter issued, limits or curtails to a greater extent than herein provided the use, acquisition or disposition of any fat or oil, the limitations of such other order shall control.

(h) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board priorities regulations, as amended from time to time.

(2) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him,

whether because of the absence of use during the two-year base period, or otherwise, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of fats or oils conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the Director General for Operations by addressing a letter to this War Production Board, Chemicals Division, Washington, D. C., Ref: M-71, setting forth the pertinent facts and the reasons he considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(3) *Violations.* Any person who willfully violates any provisions of this order or who in connection with this order willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C., Ref: M-71.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of January 1943.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A

NOTE: Schedule A was amended January 1, 1943

Class of use	Permitted percentage
Manufacture of margarine	180
Manufacture of other edible finished products, including shortening, mayonnaise and salad dressing	88
Manufacture of soap, exclusive of soap made from domestic vegetable oil foots or their fatty acids	84
Manufacture of soap from foots made from domestic vegetable oils or their fatty acids	150
Manufacture of paints, varnishes, lacquers and all other protective coatings	70
Manufacture of linoleum, oilcloth, and oil or oleo-resinous coated fabrics and pyroxylin coated fabrics	70
Manufacture of printing inks, including lithographing, offset, silk screen and other processing inks	90

INTERPRETATION 1

The term "principal ingredient" used in paragraph (a) (4) (vi) of the order means the largest single ingredient by weight, subject to the qualification that shortening, mayonnaise and salad dressing (edible products specifically listed in Schedule A annexed to said order) are to be considered products of which a fat or oil is the principal ingredient regardless of the fat or oil composition thereof in the particular case.

[F. R. Doc. 43-56; Filed, January 1, 1943; 1:22 p. m.]

PART 1056—NATURAL GAS

[Limitation Order L-31, as Amended Jan. 1, 1943]

Whereas because of increased gas requirements for war production and civilian uses, and because of scarcity of materials for the construction of pipe lines and other facilities, shortages of natural gas have occurred in certain areas of the United States and are threatened in others; and

Whereas during periods of adverse weather conditions, the demand for natural gas in many areas will increase beyond the capacity of existing facilities to meet such demand; and

Whereas the limitations upon deliveries of natural gas and the integration of gas system operations hereinafter ordered are necessary in order to maintain gas deliveries to war industries and essential civilian services;

Now, therefore, it is ordered, That:

§ 1056.1 *General Limitation Order L-31*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) "Natural gas" means natural gas and mixtures of natural and manufactured gas.

(3) "Utility" means any person supplying natural gas, directly or indirectly, for general use by the public or supplying manufactured gas to a natural gas distribution system serving the general public.

(4) "Non-utility supplier" means any person who owns or operates natural or manufactured gas production or transmission facilities and who is not included in the definition of utility in paragraph (a) (3): *Provided,* That no person engaged in the production, refining or processing of petroleum or natural gas shall be considered or treated as a "non-utility supplier," except as such person's activities relate to the disposition of natural gas after such production, refining or processing.

(5) "Consumer" means any ultimate user of gas produced, transmitted, or distributed by any utility or by any non-utility supplier which is interconnected with any utility.

(6) "Standby facilities" means equipment in serviceable operating condition designed to use oil, electricity, coal or other fuel to replace natural gas, and for the operation of which a supply of such fuel is obtainable.

(7) "Space-heating equipment" means equipment used for the purpose of raising atmospheric temperature in any building or portion thereof.

(8) "Central space-heating equipment" means all space-heating equipment intended by reason of its size, type, or location to heat more than one room.

(b) *Integration of gas system operation.* (1) Each utility shall as far as practicable so operate its gas manufacturing transmission, storage, and distribution facilities as to achieve maximum deliverability of natural gas in the area or areas in which a shortage exists or is imminent and to conserve existing gas reserves, and no utility shall abandon any such facilities except upon specific authorization from the Director General for Operations. Where necessary for such purposes, the Director General for Operations may, from time to time, issue specific directions as to the operation of gas manufacturing, transmission, storage and distribution facilities.

(2) Each utility shall maintain in operating condition all gas manufacturing facilities owned or operated by such utility which are in operating condition on November 12, 1942. Each utility shall repair and maintain in operating condition such other gas manufacturing facilities owned or operated by such utility as the Director General for Operations may, from time to time, direct. Where the repair and maintenance of gas manufacturing facilities requires the use of materials in excess of those available under any order issued by the War Production Board, application for authority to use or acquire such materials shall be made to the Director General for Operations in accordance with established procedures.

(3) The Director General for Operations may, from time to time, issue specific directions respecting the delivery of natural gas from one utility to another and the interconnection of utility facilities, and no utility shall deliver or accept, or fail to deliver or accept, deliveries of gas in violation of any such directions. Subject to such directions and to the provisions of paragraph (b) (4) each utility shall so interchange natural gas with other interconnected utilities as to achieve, directly or indirectly, the maximum deliverability in any area or areas in which a shortage exists or is imminent.

(4) No utility shall deliver natural gas to any utility system not theretofore regularly supplied by such utility (except emergency deliveries to relieve a shortage resulting from the failure or breakdown of gas production, transmission, or distribution facilities), without specific approval of the Director General for Operations. Any utility making such emergency deliveries shall report promptly to the War Production Board, Power Division, Ref: L-31, the nature of the emergency and the amount and duration of such deliveries.

(5) Each utility shall, as soon as practicable, make an investigation of the type, amount, and availability of any natural or manufactured gas production facilities owned or operated by any non-utility supplier located in or near its operating area, whether or not interconnected with such utility, and shall report to the War Production Board by January 1, 1943, such integration measures (including measures for interconnections and the interchange of gas of any type) as may be possible to meet or to anticipate shortages of natural gas. The Director General for Operations will, where necessary to accomplish the purposes of this order, issue specific directions to utilities and non-utility suppliers as to the integration of gas production facilities. Where such integration requires the use of materials in excess of those available under any priority order issued by the Director General for Operations, application for authority to use or to acquire such materials shall be made to the Director General for Operations in accordance with established procedures.

(6) Each non-utility supplier in any area served by any utility with which such non-utility supplier is interconnected, shall, upon notice from the Director General for Operations, so order its operations as to make available for delivery to such utility all natural or manufactured gas which it is capable of producing or supplying and which is not essential for its own operations, unless the Director General for Operations shall, upon application, determine that such gas, because of differences in heat value or chemical composition, cannot practicably be mixed with the gas supplied by such utility. Such non-utility supplier shall also make available for delivery to such utility further quantities of gas in accordance with directions of the Director General for Operations.

(c) *Operation during gas shortages.* (1) In the event of a gas shortage in any area, each utility supplying such area shall operate its standby gas manufacturing facilities and shall reduce deliveries to consumers in accordance with the following schedule and with such further directions as the Director General for Operations may, from time to time, issue: *Provided,* That to the extent, if any, required by the emergency nature of the shortage, such utility may in the first instance reduce deliveries without regard to such schedule, but shall as soon as possible thereafter readjust its operations and deliveries to conform in all respects to such schedule during the continuance of the gas shortage.

(i) First, the utility shall, within the limits of its contractual rights, reduce deliveries to all consumers purchasing natural gas under contracts permitting the supplier to interrupt deliveries: *Provided,* That deliveries of gas necessary for the maintenance of the war production and essential civilian services listed in Exhibit A, as the same may be amended from time to time, shall be reduced only to the extent that the fuel requirements for such production and services can be supplied from the consumer's standby facilities.

(ii) Second, the utility shall, to the extent necessary, so operate its standby manufacturing facilities as to achieve maximum output of gas in the shortage area. Any utility may request the Director General for Operations to direct the operation of any consumer's standby facilities under paragraph (c) (1) (iii) prior to the operation of such utility's standby manufacturing facilities. Such request will be granted only if the Director General for Operations determines that the operation of consumer standby facilities prior to operation of utility standby manufacturing facilities would relieve the gas shortage more expeditiously or with less use of critical fuels, or would otherwise aid in relieving the gas shortage.

(iii) Third, the utility shall, without regard to its contractual rights or those of any consumer, reduce deliveries to all consumers who have standby facilities to the extent to which the operation of such facilities will directly or indirectly alleviate the shortage of natural gas in the area.

(iv) Fourth, the utility shall, to the extent necessary, reduce deliveries, insofar as practicable on a uniform proportionate basis, to all commercial and industrial consumers except to the extent that such deliveries are necessary for the maintenance of the war production and essential civilian services listed in Exhibit A or to prevent permanent damage to the production facilities of such consumers.

(v) If, after effectuating the reduction in deliveries of gas required by or pursuant to the foregoing provisions of this paragraph, it becomes necessary to curtail deliveries of gas for the maintenance of the war production and essential civilian services listed in Exhibit A, as the same may be amended from time to time, the utility shall insofar as practicable reduce such deliveries on a uniform proportionate basis.

(vi) Notwithstanding any other provision of this order, if the Director General for Operations, after investigation, shall determine that any consumer having standby facilities has failed to provide himself with an adequate supply of fuel for the operation of such standby facilities despite the availability of such fuel, the Director General for Operations may prohibit deliveries of gas to, and acceptances of gas by, such consumer to the extent that his requirements of gas could have been decreased through the operation of such standby facilities.

(2) The Director General for Operations may issue such directions with respect to reductions in deliveries to residential consumers as may be necessary to alleviate gas shortages.

(3) Whenever pursuant to paragraphs (c) (1) or (c) (2) above or any direction issued thereunder, any utility is obliged to reduce deliveries to any consumer, such utility shall so inform such consumer, who shall, upon such notification, reduce his acceptance of deliveries of natural gas in accordance with such notification.

(4) Whenever any utility reduces deliveries of gas to any consumer pursuant to paragraph (c) (1) of this order, such utility shall immediately notify the Power Division of the War Production Board, Ref: L-31, by telegram of the extent of such reductions.

(5) Following each such shortage period, each affected utility shall submit a detailed report of the quantities of gas conserved by the operation of standby facilities and the duration of curtailment and the extent to which each commercial and industrial consumer was curtailed. Such report shall be filed on Form PD 283.

(d) *Restrictions on deliveries of natural gas applicable prior to November 30, 1942.* (1) No utility shall deliver natural gas to any non-residential consumer in Areas I, II, III, IV, or V listed in Exhibit B for the operation of any new gas-fired equipment unless such deliveries were commenced in Area I prior to February 27, 1942, in Area II prior to March 20, 1942, in Area III prior to May 15, 1942, in Area IV prior to August 10, 1942, or in Area V prior to September 15, 1942, or unless:

(i) Such non-residential consumer shall have installed, prior to the date of such deliveries, standby facilities of sufficient capacity to replace such deliveries of such gas during period of shutoff, or

(ii) Such non-residential consumer cannot reasonably use any fuel other than natural gas because of technical utilization factors or process requirements, or

(iii) Such deliveries shall have been specifically approved in advance by the Director General for Operations.

(2) No utility shall deliver, and no consumer shall accept delivery of, natural gas in Areas I, II, III, IV or V listed in Exhibit B for either of the following purposes:

(i) For the operation of central space heating equipment (or heating equipment supplying the major portion of the heating requirements of the premises) unless such equipment was installed in Area I prior to March 1, 1942, in Area II prior to March 20, 1942, in Area III prior to May 15, 1942, in Area IV prior to August 10, 1942, or in Area V prior to September 15, 1942, or unless, in the case of new construction, the equipment was specified in the construction contract and the foundation under the main part of the structure in which the equipment is to be installed was completed in Area I prior to March 1, 1942, in Area II prior to March 20, 1942, in Area III prior to May 15, 1942, in Area IV prior to August 10, 1942, or in Area V prior to September 15, 1942; or

(ii) For the operation of central space heating equipment (or heating equipment supplying the major portion of the heating requirements of the premises), which has been converted from other fuel to natural gas unless such conversion has been completed in Area I prior to February 26, 1942, in Area II prior to March 20, 1942, in Area III prior to May 15, 1942, in Area IV prior to August 10, 1942, or in Area V prior to September 15, 1942.

(e) *Restrictions on deliveries of gas applicable on and after November 30, 1942.* (1) On or after November 30, 1942, no utility shall deliver to any non-

residential consumer, and no such consumer shall accept delivery of natural gas for the operation of any gas-fired equipment (including space-heating equipment) unless:

(i) Such equipment was installed (or if converted from some other fuel to natural gas, such conversion was completed) prior to November 30, 1942 at the same premises: *Provided*, That deliveries of natural gas for the operation thereof were not prohibited prior to that date by the provisions of paragraph (d) of this order, or

(ii) Such equipment replaces similar type gas-fired equipment of equal or greater capacity previously installed or operated by the same consumer at the same premises for the same purposes, or

(iii) Such deliveries have been specifically approved by the Director General for Operations.

(2) On or after November 30, 1942, no utility shall deliver to any residential consumer and no such consumer shall accept delivery of natural gas for the operation of any space-heating equipment unless:

(i) Such equipment was installed (or if converted from some other fuel to natural gas, such conversion was completed) at the same premises prior to November 30, 1942: *Provided*, That deliveries of natural gas for the operation of such equipment were not prohibited prior to that date by the provisions of paragraph (d) of this order, or

(ii) In the case of new construction in any area listed in Exhibit B, such equipment was specified in the construction contract and was installed prior to March 1, 1943, and the foundation under the main part of the structure in which the equipment is to be installed was completed in Area I prior to March 1, 1942, in Area II prior to March 20, 1942, in Area III prior to May 15, 1942, in Area IV prior to August 10, 1942, in Area V prior to September 15, 1942, or in Area VI prior to November 30, 1942, or

(iii) Such equipment replaces gas-fired equipment of equal or greater capacity previously installed or operated at the same premises whether by the same or by another consumer: *Provided*, That nothing contained in this subparagraph shall authorize the delivery of gas for the operation of central space-heating equipment which replaces non-central space-heating equipment or central space-heating equipment of a different type, or

(iv) Such deliveries have been specifically approved by the Director General for Operations. *Provided*, That deliveries of natural gas may be made to residential consumers in those areas not listed in Exhibit B for the operation of any space-heating equipment.

(3) On or after November 30, 1942, no person shall install or cause to be installed gas-fired equipment designed to receive deliveries of natural gas from any utility if such deliveries are prohibited by this paragraph (e).

(4) Applications by all consumers for exemption from the space-heating restrictions of this order shall be made on Form PD-673. Applications by non-residential consumers for exemption from the restrictions on deliveries for non-space heating purposes shall be made on Form PD-672.

(5) If the Director General for Operations, after investigation, shall determine:

(i) That the gas-fired equipment owned or operated by any person can, without unreasonable expense or hardship to such person, be converted to the use of, or be replaced by equipment using, a less critical fuel of which a supply is available, and

(ii) That such conversion or replacement will contribute to the alleviation of actual or prospective gas shortages, or to the maintenance of gas deliveries to war producers or essential civilian services,

the Director General for Operations may, upon sufficient notice to permit such conversion or replacement, prohibit further deliveries or acceptances of natural gas for the operation of such gas-fired equipment.

(f) *Applications to Director General for Operations.* (1) Any person who considers that any reduction in or prohibition of deliveries of natural gas made or proposed to be made pursuant to paragraphs (c), (d), or (e), or any direction issued thereunder, interferes or will interfere materially with war production or the operation of an essential civilian service, may apply for relief to the Director General for Operations, who may grant such specific exemptions or take such other action as may be consistent with the purposes of this order. Such application shall state the nature of the war materials being manufactured or the nature of the service, the extent to which such production or service has been or may be curtailed because of the reduction in or prohibition of deliveries of gas, and the amount of increase in deliveries of gas required for restoration of full production or service.

(2) Any utility which considers that the supply of natural gas available on any utility system or portion thereof is sufficient to take care of all existing and estimated future requirements of war industry and unrestricted civilian use, may apply for exemption of the system or any portion thereof from the provisions of paragraphs (d) or (e), or both, of this order or of any direction issued pursuant thereto to the Director General for Operations, who may grant such exemptions or take such other action as may be consistent with the purposes of this order.

(g) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship on him may appeal for relief to the Director General for Operations, who may grant such specific exemptions or take such other action as may be consistent with the purposes of this order.

(h) *Reports and information.* (1) Each utility shall keep and preserve for not less than two years accurate and complete records concerning deliveries of natural gas to consumers. Such records shall be subject to inspection by duly authorized representatives of the War Production Board.

(2) All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall, from time to time, request.

(i) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Power Division, Washington, D. C., Ref: L-31.

(j) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making, or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of January 1943.

ERNEST KANZLER,
Director General for Operations.

EXHIBIT A

WAR PRODUCTION AND ESSENTIAL CIVILIAN SERVICES

(1) Fire and police stations, post offices, court houses, schools, hospitals, and prisons.

(2) Public eating establishments, including restaurants, cafes, etc.

(3) Bakeries, dairies and meat-packing establishments.

(4) Public utilities to the extent that gas is required for the ignition of other fuels (not exceeding 1 per cent of the total B. T. U content of the fuel used for boiler operations).

(5) Water, sewage and sanitation systems to the extent that gas is required for the disposal of sewage and garbage and for the operation of power equipment.

(6) Scientific testing and research laboratories

(7) Repair yards or shops to the extent they are used for the maintenance or repair of transportation equipment.

(8) Industrial plants to the extent they are engaged in the production of the following munitions, equipment or materials:

(a) Airplanes, airplane engines, and parts.

(b) Naval and merchant ships and parts.

(c) Ordnance items, including guns, ammunition, explosives, combat and military vehicles, radio equipment and parts.

(d) Copper, brass, tin, lead, magnesium, aluminum and alumina, zinc, manganese, mercury, nickel, cadmium or monel metal.

(e) Abrasives.

(f) Graphite electrodes.

(g) Forgings.

(h) The following machinery and equipment:

Power boilers.
Searchlights
Electrical measuring instruments.
Generators.
Transformers, electrical control and switchboard apparatus.
Heat exchangers.
Pressure vessels.
Wire and cable.
Steam engines.
Steam turbines.
Diesel engines.
Gas engines.
Track-laying tractors.
Mining machinery and equipment.
Machine tools.
Machine tool accessories and machinists precision tools.
Pumps and compressors.
Conveyors and conveying equipment.
Industrial cars and trucks.
Industrial blowers, exhaust and ventilatings fans.
Mechanical testing equipment.
Ball and roller bearings and parts.
Mechanical power transmission equipment.
Water purificatiou equipment.
Locomotives and railroad cars.
Navigation instruments.
Surgical, medical and dental equipment and supplies.
Optical instruments and lenses.
Construction machinery and equipment.
(i) Iron ore, pig iron, steel and ferroalloys.
(j) Sulphuric acid.
(k) Liquid oxygen.
(l) Rubber.
(m) Alcohol.

EXHIBIT B

AREA I

Alabama (except the area served by the United Gas Pipe Line Company).
Arkansas (only the area served by the Mississippi River Fuel Company).
California.
District of Columbia.
Georgia.
Illinois.
Indiana.
Kentucky.
Maryland.
Michigan.
Mississippi (except the city of Natchez, the towns of Woodville and Centerville, and the area served by the United Gas Pipe Line Company).
Missouri.
New York.
Ohio.
Pennsylvania.
Tennessee.
Virginia.
West Virginia.

AREA II

Kansas (only the following counties):

Allen.	Johnson.
Anderson.	Labette.
Atchison.	Leavenworth.
Bourbon.	Linn.
Brown.	Miami.
Cherokee.	Montgomery.
Coffey.	Nemaha.
Crawford.	Neosho.
Doniphan.	Osage.
Douglas.	Shawnee.
Franklin.	Wilson.
Jackson.	Woodson.
Jefferson.	Wyandotte.

AREA III

Iowa (only the areas served by Northern Natural Gas Co., and utilities obtaining any part of their requirements from this company).

Kansas (only the areas served by Cities Service Gas Co., Kansas Power and Light Co., Kansas-Nebraska Gas Co., Consolidated Gas Utilities Corp., Drillers' Gas Co., and utilities obtaining any part of their requirements from these companies, except those areas included in Area II, above).

Minnesota.

Nebraska (only the areas served by the Northern Natural Gas Co., Kansas-Nebraska Gas Co., Cities Service Gas Co., and utilities obtaining any part of their requirements from those companies).

Oklahoma (only the areas served by Cities Service Gas Co., Consolidated Gas Utilities Corporation, and utilities obtaining any part of their requirements from these companies).

South Dakota (only the areas served by Northern Natural Gas Company, and utilities obtaining any part of their requirements from this company.)

AREA IV

Iowa (only the areas served by the Natural Gas Pipe Line Company of America, and utilities obtaining any part of their requirements from this company.)

Kansas (only the areas served by the Natural Gas Pipe Line Company of America, and utilities obtaining any part of their requirements from this company, except those areas in Kansas included in Area II or Area III, above.)

Nebraska (only the areas served by the Natural Gas Pipe Line Company of America, and the utilities obtaining any part of their requirements from this company.)

AREA V

Those areas in New Mexico, Colorado and Wyoming supplied by the Colorado Interstate Gas Company, or by any utility receiving all or any part of its gas supply from said company.

AREA VI

Those areas in Arizona and New Mexico (except Eddy, Lea and Chaves counties in New Mexico) served by the El Paso Natural Gas Company or by any utility receiving all or any part of its gas supply from said company.

[F. R. Doc. 43-53; Filed, January 1, 1943; 1:18 p. m.]

PART 1128—CLOSURES FOR GLASS CONTAINERS

[Amendment 1 of Conservation Order M-104, as Amended Dec. 23, 1942]

Schedule I—Food Closures, to Conservation Order M-104, as amended December 23, 1942 (§ 1128.1) is hereby amended to read as follows:

SCHEDULE I

FOOD CLOSURES

A. Any person who used closures from January 1, 1942 to December 31, 1942, for packing a food product not listed in this Schedule I, may use an equal number of closures during the year 1943 for packing the products listed in this schedule, in addition to the quotas respectively specified.

B. Wherever the asterisk appears the packing quota relates to the number of closures and cans used for packing the applicable product.

C. Notwithstanding the provisions of paragraph (d) (4) of this order, the respective quotas specified for items 3 and 6 under Fruits and item 6 under Milk and Dairy Products shall include pack required to be set aside by any order of the Director General for Operations for purchase by government agencies.

D. No product packed in a can shall be repacked for sale in a glass container, by the same or a different person, in the same or a different form, except to the extent specifically permitted in this schedule.

E. Split year items such as "1941-2" appearing in the column "1943 Packing Quota" refer to specified seasonal year base periods to be used in computing permitted packs for subsequent seasonal years.

Product	1943 Packing Quota	Closure material indicated by 1		
		Tinplate	Blackplate	Rubber
VEGETABLES AND VEGETABLE PRODUCTS				
1. Asparagus, green	Unlimited	x		x
2. Beans, with or without pork	25% 1941*	x		
3. Beans, fresh, including green, wax, lima, green soybeans, and fresh shelled beans.	Unlimited	x		x
4. Beets, including pickled beets. No whole beets larger than U. S. Standard ruby (medium) to be packed.	200% 1942-3	x		x
5. Carrots. Whole carrots not to be packed	150% 1942	x		x
6. Corn, fresh, sweet, cut	Unlimited	x		x
7. Peas, fresh, green	Unlimited	x		x
8. Spinach, and other green leafy vegetables limited to beet, collard, dandelion, kale, mustard, polk, and turnip greens.	300% 1941	x		x
9. Tomatoes	Unlimited	x		x
10. Tomato catsup and chili sauce, containing not less than 10.7 percent (specific gravity 1.045) or more than 25 percent, by weight, dry tomato solids:				
Closures without rubber	200% 1942	x		
Closures with rubber	150% of 1942	x		x
11. Tomato paste, containing not less than 25 percent, by weight, dry tomato solids.	50% 1942*	x		x
12. Tomato pulp or puree, containing not less than 10.7 percent (specific gravity 1.045) or more than 25 percent, by weight, dry tomato solids.	100% 1942	x		x
13. Tomato sauce, including spaghetti sauce containing not less than 8.7 percent (specific gravity 1.037) by weight, dry tomato solids, and not less than 10.0 percent (specific gravity 1.042) by weight, total dry solids, salt free. In addition to salt, the contents may contain pepper, spice oils, and other flavoring ingredients.	100% 1942*	x		x
14. Vegetables, dehydrated	Unlimited		x	
15. Vegetable juices, or mixtures thereof, undiluted, except for the addition of sweetening or seasoning	Unlimited	x		

NOTE: When required for packing other products, tomato paste, tomato pulp or puree, tomato sauce, and tomato juice may be repacked from reusable cans, 5 gallon or larger.

Product	1943 Packing Quota	Closure material indicated by x: Tinplate	Blackplate	Rubber
FISH AND SHELLFISH				
1. Clams, soft, hard, or razor	100% 1941 2*	x		x
2. Clam broth	100% 1941 2*	x		x
3. Clam juice	100% 1941 2*	x		x
4. Fish cakes, except dried fish cakes	100% 1942	x		x
5. Fish, packed	Unlimited	x		x
6. Fish paste, including shellfish paste	100% 1942		x	
7. Lobsters, including spiny lobsters	100% 1942	x		x
8. Oysters	100% 1942	x		x
9. Shrimps	100% 1942	x		x
SOUP				
Seasonal: Limited to soups which shall contain not less than 7 percent, by weight, of dry solids from any one or more of the following fresh unfrozen vegetables: asparagus, peas, spinach, tomatoes.	Unlimited	x		
Non-seasonal: Limited to the following kinds of soup which shall contain not less than 7 percent, by weight, of dry solids from fresh, farmed, or frozen vegetables, meats, or other products listed in Schedules I or II, in Order M-81, provided that no person shall use for packing soups more than 35 percent by weight, of the frozen vegetables which he used for this purpose during 1942.	75% 1942*	x		
MILK AND DAIRY PRODUCTS				
1. Cheese spreads, processed	100% 1942	x		
2. Cheese, imitation, except (e.g. limburger)	100% 1942	x		
3. Condensed milk, sweetened, as defined by the Federal Security Administration, July 2, 1940, paragraph 18.525, page 2444, FEDERAL REGISTER, and 18.500, page 2440, as amended, FEDERAL REGISTER, Nov. 5, 1941.	100% 1942		x	
4. Cultured milk. "Cultured milk," as classified herein refers only to those cultured or fermented milk or skim milk products which develop pressure within the container (does not include cultured buttermilk or cultured skim milk such as sour, yeast, cultures, and the like.	See product column		x	
5. Fluid milk, with or without flavoring. Quota, Until 31 st, two percent, and until 30 percent of 1941 two percent, dry.	75% 1942*	x		
6. Ice cream mix, dry. Packing quota includes pack required to be made by any order of the Director General for Operations for purchase by government agencies.	Unlimited		x	
7. Malted milk, including chocolate malted milk, dry	100% 1942*		x	
SYRUPS AND HONEY				
1. Syrups—blended, bottlers, cane, corn, maple, molasses, table, table blends	100% 1942*		x	
2. Chocolate or cocoa syrup	100% 1942*		x	
3. Honey	Unlimited		x	
OLIVES, PICKLES, RELISHES, CONDIMENTS AND SAUCES				
1. Pickles, piccalilli, and relishes	100% 1942	x		
2. Mustard	100% 1942	x		
3. Green olives	100% 1941	x		
4. Horseradish	100% 1942	x		
5. Sauces, barbecue, cooking, soya, tobasco, and worcestershire	100% 1942	x		
EDIBLE OILS AND DRESSINGS				
1. Dressings—Mayonnaise, Russian, salad and Thousand Island	125% 1942		x	
2. French dressing	100% 1942	x		
3. Oil, edible liquid	125% 1942*		x	
4. Sandwich spread, other than meat spreads	100% 1942		x	
5. Tartar sauce	100% 1942*		x	

Product	1943 Packing Quota	Closure material indicated by x: Tinplate	Blackplate	Rubber
MISCELLANEOUS FOODS				
1. Baby foods. Consisting of food products of small particle size or in liquid or semiliquid form made from the following ingredients: fruits (except dried apricots, dried pears, dried peaches, dried or dehydrated apples); vegetables; meats; poultry products; dairy products; sugar; salt or seasoning; yeast or yeast derivatives. Frozen fruits and vegetables may be used, provided that no person shall use more than 35 percent, by weight, of the amount which he used for baby foods in 1942. Potatoes and cereals may be used only in combination with other permitted products, and only provided the combined potato and cereal content does not exceed 12 percent, by weight, of the total product. Pineapple from No. 10 cans and tomato products from 5-gallon reusable cans may be used in packing baby foods.	125% 1942	x		x
Formulas—dry or liquid	125% 1942*		x	
2. Cherries, maraschino	100% 1942		x	
3. Baking powder	100% 1942*		x	
4. Dyes, certified colors	75% 1942*		x	
5. Extracts	100% 1942	x		
6. Malt, dry	100% 1942*		x	
7. Milk fortifiers	100% 1942		x	
8. Nut butters	150% 1942		x	
9. Soups, dehydrated	100% 1942		x	
10. Spices	100% 1942		x	
11. Vinegars	100% 1942	x		
12. Special food products, for human consumption only, limited to foods other than usual table foods. Quotas: No person shall pack any special food product unless he packed the product substantially the same form in 1942, and unless he obtains prior permission upon application to the War Production Board.	See product column.			

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-48; Filed, January 1, 1943; 1.10 p. m.]

PART 1162—DYESTUFFS

[Conservation Order M-103, as Amended Jan. 1, 1943]

Section 1162.1 *Conservation Order M-103* is hereby amended to read as follows:

§ 1162.1 *Conservation Order M-103*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Dyestuffs" means any coloring matter, with the exception of coloring matter the chemical constituents whereof are entirely inorganic in nature. As used herein, the word "dyestuffs" does not include inorganic pigments which may be extended or otherwise processed with substantially colorless organic material, and shall not include dyes certified under the provisions of the Federal Food, Drug and Cosmetic Act (52 Stat. 1040, Ch. 875) and which are sold and used exclusively for use in foods, drugs and cosmetics, as defined in the said Act.

(2) "Anthraquinone vat dyes" shall include, in addition to those dyes ordinarily known as such, Fast Red A. L. Salt, which shall be considered an anthraquinone vat dye of single strength.

(c) *Restrictions on sale and use of dyestuffs in fourth quarter*—(1) *Dyestuffs appearing on List A.* Except as provided in paragraphs (d) (2) and (e) hereof, no person shall hereafter sell or deliver any of the dyestuffs appearing on List A, to any person, and no person shall use any of the dyestuffs appearing on List A.

(2) *Anthraquinone vat dyes not on List A.* No person, except as provided in paragraph (e) hereof, shall, during the period beginning January 1, 1943, and ending March 31, 1943, deliver to any other person or persons for use in the continental United States or Canada an amount of anthraquinone vat dyes not appearing on List A in excess of 17½% of the amount of all anthraquinone vat dyes, including those appearing on List A, delivered by such person in the period from January 1, 1941, to December 31, 1941.

No person, except as provided in paragraph (e) hereof, shall during the period beginning January 1, 1943 and ending March 31, 1943, accept delivery of for use in the continental United States or Canada or so use an amount of anthraquinone vat dyes not appearing on List A in excess of 17½% of the amount of all anthraquinone vat dyes, including those appearing on List A, delivered to, or used by, such person, as the case may be, in the period from January 1, 1941, to December 31, 1941.

For the purposes of this subparagraph amounts of anthraquinone vat dyes shall be calculated in pounds of equivalent single strength anthraquinone vat dyes and shall be raised but only to the extent necessary to equal 25 pounds or a multiple thereof.

(3) *All other anthraquinone dyes.* No person, except as provided in paragraph (e) hereof, shall during the period beginning January 1, 1943, and ending March 31, 1943, deliver to any other person or persons for use in the continental United States or Canada an amount of anthraquinone dyes other than those mentioned in (1) and (2) above in excess of 17½% of the amount of such anthraquinone dyes delivered by such person in the period from January 1, 1941 to December 31, 1941.

No person, except as provided in paragraph (e) hereof, shall during the period beginning January 1, 1943, and ending March 31, 1943, accept delivery of for use in the continental United States or Canada or so use an amount of anthraquinone dyes other than those mentioned in (1) and (2) above in excess of 17½% of the amount of such anthraquinone dyes delivered to or used by such person, as the case may be, in the period from January 1, 1941, to December 31, 1941.

For the purposes of this subparagraph amounts of anthraquinone dyes shall be calculated in pounds and shall be raised but only to the extent necessary to equal 25 pounds or a multiple thereof.

(d) *Restrictions on export.* (1) No producer shall sell, or set aside, for export, during the period beginning January 1, 1943, and ending March 31, 1943, from the continental United States, upon orders other than defense orders, in any calendar month, more dyestuffs requiring anthraquinone derivatives in their manufacture than 8 percent of the total of such dyestuffs produced in such month by him, exports to Canada excepted.

(2) During the period beginning January 1, 1943, and ending March 31, 1943, notwithstanding the provisions of paragraph (c), but subject to the limitation of subparagraph (1) above, each producer of any of the dyestuffs appearing on List A may export in any month an amount of such dyestuffs not in excess of 3 percent of his total monthly production thereof, upon orders accompanied by export licenses issued by the Board of Economic Warfare, exports to Canada excepted.

(e) *General exceptions.* The prohibitions and restrictions of paragraphs (c) and (d) shall not apply to:

(1) The sale, delivery or use of dyestuffs for the manufacture of any item which is being produced under a specific contract or subcontract for the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Commission for Aeronautics, the Office of Scientific Research and Development, the

War Shipping Administration, the Defense Plant Corporation, or for any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or for the government of Canada, if in any such case the use of such dyestuff to the extent employed is required by the specifications of the prime contract, or

(2) Sales or deliveries of dyestuffs for use in, or resale for use in, and such use in, the manufacture of products to be physically incorporated in the following types of uniforms:

(i) U. S. Army officers (Commissioned, Warrant, and Specialist Corps) and nurses.

(ii) U. S. Navy officers (Commissioned and Warrant), Chief Petty officers and nurses.

(iii) U. S. Marine Corps officers (Commissioned and Warrant).

(iv) U. S. Coast Guard officers (Commissioned and Warrant), and chief petty officers.

(v) U. S. Government military and naval academy and training school students.

(vi) U. S. Maritime Commission and War Shipping Administration officers.

(vii) U. S. Coast and Geodetic Survey officers.

(viii) U. S. Public Health Service officers and nurses.

(ix) U. S. Women's Reserve of the U. S. Naval Reserve members (WAVES).

(3) Sales or deliveries of dyestuffs by or from a producer or his exclusive sales agent to another producer or the exclusive sales agent of such other producer, or

(4) Sales to, deliveries to, and use by any person for experimental purposes only of amounts of dyestuffs totaling for such person not in excess of 25 pounds for each self color.

(5) Sales to, deliveries to, and use by any person for coloring of leaded gasoline.

(f) *Restrictions on use of meta-toluylene diamine.* No person shall, after November 1, 1942, use any meta-toluylene diamine in the developing of diazotized dyes already present on textile fibers; provided, that nothing contained herein shall be construed to prohibit the use of meta-toluylene diamine in the manufacture of dyestuffs. The term "meta-toluylene diamine" as used in this paragraph (f) shall include, without being limited to, the products commonly known in the trade as Amanil Developer B, Pontamine Developer TN, Developer D, Developer DB, Developer MT, Developer MTD or Developer TD.

(g) *Restrictions on use of anthraquinone.* No person shall, after November 1 1942 use any anthraquinone in any physical form in discharging stripping or destroying napthol (azoic), vat, or other dyes already present on textile fibers; provided that nothing contained herein shall be construed to prohibit the use of anthraquinone in the manufacture of dyestuffs. The term "discharging" as used in this paragraph (g), shall include without being limited to, color and white discharge printing.

(h) *Restrictions on use of Annato and extracts.* No person shall, after January 1, 1943, use any annato or annato extracts for the purpose of coloring any materials other than food products.

NOTE: Paragraphs (i), (j), (k), (l), (m), (n), and (o) were formerly designated (h), (i), (j), (k), (l), (m), and (n).

(i) *Restrictions on inventory.* In addition to the restrictions on inventory contained in Priorities Regulation No. 1 (§ 944.14), no person using dyestuffs shall hereafter purchase or accept delivery of any of the dyestuffs appearing on List A, which required the use of anthraquinone or anthaquinones derivatives in the manufacture thereof, which will increase his inventory thereof beyond an amount which, to the best of his knowledge and belief, will be used by him in the next 45 days; except that, notwithstanding the provisions of such Regulations and this paragraph (i), any person may purchase directly from the Defense Supplies Corporation any amount of the dyestuffs appearing on List A and hold the amounts so purchased as inventory: *Provided, however,* That such amounts purchased from the Defense Supplies Corporation shall be taken into account in determining the size of inventory insofar as purchases and deliveries from other persons are concerned.

(j) *Prohibitions against sales or deliveries.* No person shall hereafter sell or deliver any dyestuffs to any person, if he knows, or has reason to believe, such material is to be used in violation of the terms of this order.

(k) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be required by the said Board from time to time. No reports or questionnaires are to be filed by any person until forms therefor have been prescribed by the War Production Board.

(l) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of dyestuffs conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board by letter or telegraph, Reference M-103, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(m) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(n) *Communications to the War Production Board.* All communications concerning this order, or any reports required to be filed hereunder shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C. Ref: M-103.

(o) *Effective date.* This order shall take effect on January 1, 1943, and shall continue in effect until revoked.

(P.D. Reg. 1, as amended, 6 F.R. 6680 W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of January 1943.

ERNEST KANZLER,
Director General for Operations.

LIST A

Part I. Technical Names

1. Brown R CI 1151.
2. Brown G CI 1152.
3. Olive R CI 1150
4. Golden orange R CI 1097.
5. Khaki 2G.
6. Olive T.
7. Olive GGL.
8. Olive green B.
9. Yellow 3RD.

Part II. Trade Names

Amanthrene olive green B.
Calcoloid golden orange RRTD CI 1097.
Calcosol brown G CI 1152.
Calcosol brown R CI 1151.
Calcosol brown RP CI 1151.
Calcosol golden orange RRTD CI 1097.
Calcosol golden orange RRTP CI 1097.
Calcosol khaki G CI 122
Calcosol olive R CI 1150
Carbanthrene brown AR CI 1151.
Carbanthrene brown AG CI 1152.
Carbanthrene golden orange RRT CI 1097.
Carbanthrene prtg golden orange RRT CI 1097.
Carbanthrene khaki 2G CI 122.
Carbanthrene olive R CI 1150.
Cibanone brown BG CI 1152.
Cibanone brown GR CI 1151.
Cibanone golden orange 2R CI 1097.
Cibanone olive 2R CI 1150.
Indanthrene brown FRA CI 1151.
Indanthrene brown GA CI 1152.
Indanthrene brown GAF CI 1152.
Indanthrene brown GAP CI 1152.
Indanthrene brown GWF CI 1152.
Indanthrene brown GWP CI 1152.
Indanthrene brown RA CI 1151.
Indanthrene brown RAP CI 1151.
Indanthrene brown RWP CI 1151.
Indanthrene khaki 2GA CI 122.
Indanthrene khaki 2GF CI 122.
Indanthrene khaki 2GWP CI 122.
Indanthrene olive green BA
Indanthrene olive RA CI 1150.
Indanthrene olive RAP CI 1150.
Indanthrene olive RW CI 1150.
Indanthrene olive RWF CI 1150.
Indanthrene orange RRTA CI 1097.
Indanthrene orange RRTF CI 1097.
Indanthrene orange RRTP CI 1097.
Indanthrene orange RRTW CI 1097.
Indanthrene yellow 3RD.
Indanthrene olive T.
Ponsol brown AG
Ponsol brown AR CI 1151.

Part II. Trade Names—Continued
Ponsol brown ARS CI 1151.
Ponsol green 2BL.
Ponsol golden orange RRT CI 1097.
Ponsol golden orange RRTS CI 1097.
Ponsol khaki 2G.
Ponsol olive AR CI 1150.
Ponsol olive ARS CI 1150.
Ponsol olive GGL.

The provisions of the order applicable to dyestuffs appearing on list "A" apply to all the dyes listed above, or their equivalents, but shall not apply to compounds of such dyes and other anthraquinone vat dyes in which the content of such dyes is not in excess of 10 %.

[F. R. Doc. 43-57; Filed, January 1, 1943; 1:22 p. m.]

PART 1188—RAILROAD EQUIPMENT

[General Limitation Order L-97, as Amended Jan. 1, 1943]

Section 1188.1 *General Limitation Order L-97* is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of locomotives for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1188.1 *General Limitation Order L-97*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Locomotives" means all types of new or used locomotives, including but not limited to steam, electric, diesel, diesel-electric, gasoline, and gasoline-electric locomotives. This definition does not include locomotives used underground in such places as coal, metal, gypsum or salt mines or other locomotives of less than 20 tons which are used by mining companies in mining operations.

(3) "Producer" means any person engaged in the production of new locomotives; or in the repairing, rebuilding, redesigning, or otherwise processing of used locomotives.

(4) "Produce" means to produce new locomotives; or to repair, rebuild, redesign or otherwise process used locomotives for the purpose of sale or resale. This definition does not include the repairing, rebuilding, redesigning or otherwise processing of used locomotives by or for the owner thereof.

(c) *Restrictions on production and delivery of locomotives.* Irrespective of the terms of any contract of sale or purchase or of any other commitment, no producer shall produce or deliver any locomotives except as authorized pursuant to the provisions of paragraphs (d), (e), and (f) hereof.

(d) *Production and delivery schedules.* (1) Each producer shall schedule, or reschedule, if necessary) his production and make deliveries of locomotives in accordance with such specific directions as may be issued from time to time by the Director General for Operations.

(2) The production and delivery schedules established by any specific direction issued pursuant to paragraph (d) (1) above shall be maintained without regard to any preference ratings already assigned or hereafter assigned to particular contracts, commitments, or purchase orders and without regard to production schedules in effect on the effective date of this order, and may be altered only upon specific direction of the Director General for Operations.

(3) If it becomes impossible for any producer to maintain production and delivery of locomotives in accordance with any such schedule, he shall immediately notify the Director General for Operations, and, unless otherwise directed by the Director General for Operations, he shall continue to produce and deliver locomotives in the order set forth in such schedule and shall postpone production and delivery of any such locomotives only to the extent required by the circumstances causing his failure to maintain production and delivery as required by such schedule.

(e) *Prohibition of transfer of used locomotives.* Except as provided in paragraph (f) hereof, no person shall sell, lease, trade, lend, deliver, ship or transfer any used locomotive, and no person shall accept any such sale, lease, trade, loan, delivery, shipment or transfer of any used locomotive.

(f) *Exceptions from prohibition of transfer of used locomotives.* Nothing in paragraphs (c), (d) or (e) hereof shall be construed to prevent:

(1) Any sale, lease, trade, loan, delivery, shipment or transfer of any used locomotive which has been specifically authorized by the Director General for Operations pursuant to an application filed upon Form PD-747; or

(2) Railroads from selling, leasing, trading, loaning, delivering, shipping or transferring used locomotives to other railroads; or

(3) The redelivery (to the owner) of any used locomotive which has been repaired, rebuilt, redesigned or otherwise processed for such owner; or

(4) Any person from transferring title to a locomotive which has been delivered pursuant to the terms of a conditional sale, chattel mortgage sale, bailment lease or similar installment contract entered into prior to the issuance date of this order, or from retaking, repossessing or obtaining redelivery of any such locomotive upon default, breach or other contingency under the terms of a conditional sale, chattel mortgage sale, bailment lease or similar installment contract entered into prior to such date.

(g) *Restriction on dismantling or scrapping.* Except upon specific authorization of the Director General for Operations, application for which may be filed upon Form PD-747, no person shall dismantle or scrap any locomotive.

(h) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production, sale or disposal of locomotives, which records shall be available for audit and inspection by duly authorized representatives of the War Production Board.

(i) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty or a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(l) *Communications.* All communications concerning this order should be addressed to War Production Board, Transportation Equipment Division, Washington, D. C., Ref.: L-97.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-58; Filed, January 1, 1943; 1:22 p. m.]

PART 3039—MANUFACTURED GAS

[Limitation Order L-174 as Amended January 1, 1943]

ORDER CURTAILING CONSUMPTION OF MANUFACTURED GAS

Whereas because of increased manufactured gas requirements for war production and civilian uses, because of scarcity of materials for the construction and cperation of manufactured gas plants, mains and other facilities, and because of shortages of transportation facilities to haul fuel and materials used in the production of manufactured gas, shortages of manufactured gas have occurred in certain areas of the United States and are threatened in others; and

Whereas during periods of adverse weather conditions, the demand for manufactured gas in many areas may increase beyond the capacity for existing facilities to meet such demand; and

Whereas the limitations upon deliveries of manufactured gas hereinafter

ordered are necessary in order to maintain deliveries of manufactured gas to war industries and essential civilian services;

Now, therefore, it is ordered:

§ 3039.1 *General Limitation Order L–174*—(a) *Definitions.* For the purposes of this order: (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) "Utility" means any person in the United States engaged in producing, transmitting or supplying manufactured gas directly or indirectly for general use by the public. Any system supplying natural or mixed natural and manufactured gas is not subject to this order but is subject to the provisions of Limitation Order L–31.

(3) "Non-utility producer" means any person who owns or operates any gas production or transmission facilities and who is not included in the definition of "utility" in paragraph (a) (2).

(4) "Consumer" means any ultimate user of manufactured gas produced, transmitted or distributed by any utility or by any non-utility producer which is interconnected with any utility.

(5) "Manufactured gas" means any combustible gas produced by any manufacturing process (other than liquefied petroleum gas unmixed with any gas produced by any other manufacturing process).

(6) "Standby facilities" means equipment designed to use a fuel other than fuel oil to replace manufactured gas, and for the operation of which a supply of such fuel is obtainable.

(7) "Space heating equipment" means equipment used for the purpose of raising atmospheric temperature in any building or portion thereof.

(b) *Gas system operations.* (1) Each utility shall so operate its gas manufacturing, transmission, storage, distribution, and other facilities, as to achieve so far as practicable the maximum output of gas in any area in which a shortage of manufactured gas exists or is imminent. Where necessary for the above purposes, the Director General for Operations will from time to time issue directions as to the operation of gas manufacturing, transmission, storage, distribution or other facilities, and as to deliveries of gas.

(2) Each utility shall, as soon as practicable, make an investigation of the type, amount, and availability of any manufactured gas production facilities owned or operated by any non-utility producer located in or near its operating area, whether or not interconnected with such utility, and shall make such arrangements (including arrangements for interconnections where feasible) as can be made by means of voluntary agreement among the parties and as may be necessary or advisable to meet or to anticipate shortages of manufactured gas. Where such arrangements require the use of materials in excess of those available under any priority order issued by the Director General for Operations, application for authority to use or to acquire such materials shall be made to the Director General for Operations in accordance with established procedures. In any case in which efforts to complete voluntary arrangements fail, the utility shall report the fact to the Director General for Operations, setting forth all pertinent information. The Director General for Operations will, where necessary to accomplish the purposes of this order, issue specific directions to utilities and non-utility producers as to the integration of manufactured gas facilities.

(3) Upon notice from the Director General for Operations to any non-utility producer that a gas shortage exists or is imminent in any area served by any utility with which such non-utility producer is interconnected, such non-utility producer shall so order its operations as to make available for delivery to such utility all manufactured gas which it is capable of producing or supplying and which is not essential for its own operations, unless the Director General for Operations shall, upon application, determine that such gas, because of differences in heat value or chemical composition, cannot practicably be mixed with the gas supplied by such utility. It shall also make available for delivery to such utility further quantities of gas in accordance with directions of the Director General for Operations.

(c) *Limitations on deliveries of manufactured gas.* (1) In the event of a gas shortage in any area, each utility supplying such area shall reduce deliveries to consumers in accordance with the following schedule and with such further directions as the Director General for Operations may, from time to time, issue: *Provided*, That to the extent, if any, required by the emergency nature of the shortage, such utility may in the first instance reduce deliveries without regard to such schedules, but shall as soon as possible thereafter readjust its operations and deliveries to confirm in all respects to such schedule during the continuance of the gas shortage.

(i) First, the utility shall, within the limits of its contractual rights, reduce deliveries to all consumers purchasing manufactured gas under contracts permitting the supplier to interrupt deliveries: *Provided*, That deliveries of gas necessary for the maintenance of the war production and essential civilian services listed in Exhibit A, as the same may be amended from time to time, shall be reduced only to the extent that the fuel requirements for such production and services can be supplied from the consumer's standby facilities.

(ii) Second, the utility shall without regard to its contractual rights or those of any consumer, reduce deliveries to all consumers who have standby facilities to the extent to which the operation of such facilities can directly or indirectly alleviate the shortage of manufactured gas in the area.

(iii) Third, the utility shall to the extent necessary, reduce deliveries to all commercial and industrial consumers except to the extent that such deliveries are necessary for the maintenance of the war production and essential civilian service listed in Exhibit A or to prevent permanent damage to the production facilities of such consumers. Such reductions shall be made insofar as practicable on a uniform proportionate basis.

(iv) Fourth, if after effectuating the reduction in deliveries of gas required by or pursuant to the foregoing provisions of this paragraph, it becomes necessary to curtail deliveries of gas for the maintenance of the war production and essential civilian service listed in Exhibit A, the utility shall insofar as practicable reduce such deliveries on a uniform proportionate basis.

(v) Notwithstanding any other provision of this order, if the Director General for Operations, after investigation, shall determine that any consumer having standby facilities has failed to provide himself with an adequate supply of fuel for the operation of such standby facilities despite the availability of such fuel, the Director General for Operations, may prohibit deliveries of gas to, and acceptances of gas by, such consumer to the extent that his requirements of gas could have been decreased through the operation of such standby facilities.

(2) The Director General for Operations may issue such directions with respect to reductions in deliveries to residential consumers as may be necessary to alleviate gas shortages.

(3) The Director General for Operations may require any utility to file a specific curtailment schedule listing consumers proposed to be curtailed and the order of their curtailment during gas shortages and may issue such directions with respect thereto as may be necessary to assure compliance with the provisions of this paragraph (c).

(4) Whenever, pursuant to paragraph (c) (1) or (c) (2) above or any directions issued thereunder, any utility is obliged to reduce deliveries to any consumer, such utility shall so inform each consumer to be curtailed, and each such consumer shall, upon such notification, reduce his acceptance of deliveries of manufactured gas in accordance with such notification.

(5) Whenever any utility finds it necessary to reduce deliveries, pursuant to this paragraph (c), such utility shall immediately notify the Power Division of the War Production Board, Ref.: L–174, of such curtailment by telegram. Following each such curtailment, the utility shall submit to the Power Division a detailed report of the duration of curtailment and the extent to which deliveries to such consumers were curtailed. Such report shall be filed on Form PD–628.

(d) *Restrictions upon deliveries to consumers other than domestic consumers.* No utility shall deliver manufactured gas to any consumer, other than a domestic consumer, for the operation of any gas-fired equipment (including space-heating equipment) which was not installed (or if converted from some other fuel, such conversion was not completed) at the same premises prior to September 1, 1942, unless:

(1) Such equipment is non-space heating equipment and has an aggregate input capacity of less than 150 cubic feet per hour.

(2) Such equipment replaces similar type gas-fired equipment of equal or greater capacity previously installed or operated by the same consumer at the same premises for the same purposes, or

(3) Such deliveries are specifically approved in advance by the Director General for Operations. Any consumer or utility which considers that such deliveries are necessary for war production or the operation of an essential civilian service may apply for such approval to the Director General for Operations.

No person shall install gas-fired equipment designed to receive deliveries of manufactured gas from any utility if such deliveries are prohibited by this paragraph.

(e) *Restrictions upon deliveries to domestic consumers for space heating.* Except where otherwise directed by the Director General for Operations, no utility shall deliver to any domestic consumer and no such consumer shall accept deliveries of manufactured gas for the operation of any space-heating equipment unless such equipment:

(1) Was installed (or if converted from some other fuel to manufactured gas, such conversion was completed) at the same premises prior to September 1, 1942, or

(2) Replaces similar type space-heating equipment of equal or greater capacity previously installed or operated at the same premises whether by the same or by another consumer, or

(3) Was installed prior to November 15, 1942, in a new building, and such equipment was specified in the construction contract, and the foundation under the main part of the structure in which the equipment is to be installed was completed prior to September 1, 1942.

No person shall install space-heating equipment designed to receive deliveries of manufactured gas from any utility if such deliveries are prohibited by this paragraph.

(e–1) *Restrictions upon deliveries when conversion to less critical fuels has been ordered.* If the Director General for Operations, after investigation, shall determine:

(1) That the gas-fired equipment owned or operated by any person can, without unreasonable expense or hardship to such person, be converted to the use of, or be replaced by equipment using, a less critical fuel of which a supply is available, and

(2) That such conversion or replacement will contribute to the alleviation of actual or prospective gas shortages, or to the maintenance of gas deliveries to war producers or essential civilian services,

the Director General for Operations may upon sufficient notice to permit such conversion or replacement, prohibit further deliveries or acceptances of manufactured gas for the operation of such gas-fired equipment.

(f) *Applications to Director General for Operations.* (1) Any person who considers that any reduction in or prohibition of deliveries of manufactured gas made or proposed to be made pursuant to paragraphs (c) (1) or (e) or any direction issued thereunder interferes or will interfere materially with war production or the operation of an essential civilian service, may apply for relief to the Director General for Operations who may grant such specific exemptions or take such other action as may be consistent with the purposes of this order. Such application shall state the nature of the war materials being manufactured or the nature of the service, the extent to which such production or service has been or may be curtailed because of reduced delivery of manufactured gas or inability to use gas for space heating, and the increase in deliveries of manufactured gas required for restoration of full production or service.

(2) Any utility which considers that the capacity of its gas manufacturing equipment and the supply of fuel oil, coal, coke or other fuel available for gas manufacturing are sufficient to take care of all existing and estimated future requirements of war industry and unrestricted civilian use, may apply for exemption of the system or any portion thereof from the provisions of this order or any direction issued hereunder to the Director General for Operations who may grant such exemptions or take such other action as may be consistent with the purposes of this order.

(3) Applications by all consumers for exemption from the space-heating restrictions of this order shall be made on Form PD–673. Applications by non-residential consumers for exemption from the restrictions on deliveries for non-space heating purposes shall be made on Form PD–672.

(g) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship on him may appeal for relief to the Director General for Operations who may grant such specific exemptions or take such other action as may be consistent with the purposes of this order.

(h) *Violations.* Any person who wilfully violates any provision of this order or any direction of the Director General for Operations issued hereunder, or who wilfully furnishes false information to the Director General for Operations in connection with this order, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from obtaining deliveries of manufactured gas or from making or obtaining further deliveries of, or from processing or using, other material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(i) *Reports and information.* (1) Each utility shall keep and preserve for not less than two years accurate and complete records concerning deliveries of manufactured gas to consumers.

(2) Such records shall be subject to inspection by duly authorized representatives of the War Production Board.

(3) All persons affected by this order shall execute, and file with the War Production Board such reports and questionnaires as said Board shall, from time to time, request.

(j) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to Power Division, War Production Board, Washington, D. C. Ref: L–174.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of January 1943.

ERNEST KANZLER,
Director General for Operations.

EXHIBIT A

WAR PRODUCTION AND ESSENTIAL CIVILIAN SERVICES

1. Fire and police stations, post offices, court houses, schools, hospitals, and prisons.
2. Public eating establishments, including restaurants, cafes, etc.
3. Bakeries, dairies and meat-packing establishments.
4. Water, sewage, and sanitation systems to the extent that gas is required for the disposal of sewage and garbage and for the operation of power equipment.
5. Scientific testing and research laboratories.
6. Repair yards or shops to the extent they are engaged in the maintenance or repair of transportation equipment.
7. Industrial plants to the extent they are engaged in the production or processing of the following munitions, equipment or materials:
   (a) Airplanes, airplane engines, and parts.
   (b) Naval and merchant ships and parts.
   (c) Ordnance items, including guns, ammunition, explosives, combat and military vehicles, radio equipment and parts.
   (d) Copper, brass, tin, lead, magnesium, aluminum and alumina, zinc, manganese, mercury, nickel, cadmium or monel metal.
   (e) Abrasives.
   (f) Graphite electrodes.
   (g) Forgings.
   (h) The following machinery and equipment:
      Power boilers.
      Searchlights.
      Electrical measuring instruments.
      Generators.
      Transformers, electrical control and switchboard apparatus.
      Heat exchangers.
      Pressure vessels.
      Wire and cable.
      Steam engines.
      Steam turbines.
      Diesel engines.
      Gas engines.
      Track-laying tractors.

Mining machinery and equipment.
Machine tools.
Machine tool accessories and machinists precision tools.
Pumps and compressors.
Conveyors and conveying equipment.
Industrial cars and trucks.
Industrial blowers, exhaust and ventilating fans.
Mechanical testing equipment.
Ball and roller bearings and parts.
Mechanical power transmission equipment.
Water purification equipment.
Locomotives and railroad cars.
Navigation instruments.
Surgical, medical and dental equipment and supplies.
Optical instruments and lenses.
Construction machinery and equipment.
(i) Iron ore, pig iron, steel and ferroalloys.
(j) Sulphuric acid.
(k) Liquid oxygen.
(l) Rubber.
(m) Alcohol.

[F. R. Doc. 43-52; Filed, January 1, 1943, 1:15 p. m.]

PART 3067—TEXTILE SHIPPING BAGS

[Amendment 1 to Conservation Order M-221]

Paragraph (e) (6) of § 3067.1 *Conservation Order M-221* is amended to read as follows:

(6) *Expiration.* This order shall expire January 18, 1943.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-59; Filed, January 1, 1943; 1:23 p. m.]

PART 3080—CHEMICAL FERTILIZERS

[Amendment 1 to Conservation Order M-231 as Amended Dec. 4, 1942]

Section 3080.1 *Conservation Order M-231*, as amended December 4, 1942, is hereby amended by striking out paragraph (f) (1).

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-51; Filed, January 1, 1943; 1:15 p. m.]

PART 3141—MILITARY ARMS

[Limitation Order L-230, as Amended Jan. 1, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of military arms and of steel scrap for defense, for private account and for export; and the following order is deemed necessary and appropriate in the war interest and to promote the national defense:

§ 3141.1 *Limitation Order L-230*—(a) *Definitions.* For the purpose of this order:

(1) "Military arms" means any cannon, machine gun, grenade, bomb, or other weapon using explosives, and any ammunition therefor, but does not include any pistol, rifle, or shotgun (except such as are machine guns as defined in paragraph (a) (2)) or ammunition therefor.

(2) "Machine gun" means any weapon which will fire more than one round without renewing pressure on the trigger or other firing device.

(3) "Non-operating" means in such condition that it cannot be used for the purpose for which it was originally made whether by reason of obsolescence, absence of necessary parts or explosive charge, accidental or intended damage or for any other reason.

(b) *Prohibited deliveries of military arms.* Notwithstanding any existing contract, payment or other action, no person shall hereafter sell, transfer or deliver, and no person shall accept delivery of, any military arms, whether operating or non-operating, or parts therefor, except as provided in paragraph (c).

(c) *Permitted deliveries.* The restrictions in paragraph (b) shall not apply to the following sales, transfers or deliveries:

(1) Sales, transfers or deliveries to or by any department or agency of the United States or of any State or political subdivision thereof or any person acting for the account of any such department or agency.

(2) Sales, transfers or deliveries for export if such export is covered by an export license previously issued by the appropriate agency or department of the United States Government.

(3) Sales, transfers or deliveries of non-operating military arms or parts for any military arms to any scrap dealer, when sold, transferred or delivered as scrap.

(4) Sales, transfers or deliveries of non-operating military arms or parts for any military arms by any scrap dealer, when sold, transferred or delivered as scrap to any person regularly engaged in the business of melting scrap.

(5) Sales, transfers or deliveries made with the specific authorization of the Director General for Operations.

(d) *Reports.* (1) Except as provided in paragraph (d) (2) hereof, any person making any delivery pursuant to paragraph (c) (3) of (c) (4) hereof shall at the time of such delivery report to the War Production Board a detailed description of the property delivered and the person to whom such delivery was made.

(2) Any person who, while engaged in the manufacture of military arms or parts thereof, produces any such parts which are discarded as unfit for use, shall report monthly at the end of each month to the War Production Board, the name and address of all scrap dealers to whom such parts are sold, transferred or delivered, but shall not be required to report a detailed description of such parts unless required by the Director General for Operations. A scrap dealer who delivers any parts to a person regularly engaged in the business of melting scrap shall not be required to report the delivery of such parts unless so instructed by the Director General for Operations.

(3) Any person making delivery pursuant to paragraph (c) shall make such other reports as may be from time to time required by the Director General for Operations.

(e) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, sales, transfers and deliveries of military arms.

(f) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall be addressed to: War Production Board, Bureau of Governmental Requirements, Washington, D. C., Ref: L-230.

(g) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680, W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-61; Filed, January 1, 1943; 1:23 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-194]

SMILE BEVERAGE CO.

Smile Beverage Company is a business solely owned and operated by Isadore Christ, in Charleston, South Carolina, engaged in bottling non-alcoholic beverages, and is subject to the quota provisions of Conservation Order M-104. During the months of June, July, August and September, 1942, the Company used approximately fifteen hundred fifty (1550) closures made of tinplate, terneplate, or blackplate in excess of its permissible quota under Conservation Order M-104. Isadore Christ was not fully familiar with the terms of Conservation Order M-104, but knew that such an Order existed, and that it restricted his permitted consumption of metal closures. His failure to ascertain the restrictions placed upon his business was grossly negligent, and the resulting over-use of closures thus constituted a wilful violation of Conservation Order M-104.

This violation of Conservation Order M-104 has impeded and hampered the War effort by diverting scarce material to uses unauthorized by the War Production Board. In view of the foregoing facts, *It is hereby ordered*, That:

§ 1010.194 *Suspension Order S-194.* (a) During each of the months from January, 1943 through May, 1943 both inclusive, the number of closures made of tinplate, terneplate, or blackplate, which may be processed, consumed, or used by Isadore Christ, individually, or doing business as the Smile Beverage Company or otherwise under the terms of Conservation Order M-104, shall be reduced by the amount of one hundred fifty (150) gross.

(b) During each of the months of June, 1943 to September, 1943, both inclusive, the amount of closures made from tinplate, terneplate, or blackplate, which may be processed, consumed, or used by Isadore Christ, individually, or doing business as the Smile Beverage Company or otherwise under the terms of Conservation Order M-104, shall be reduced by the amount of two hundred (200) gross.

(c) Nothing contained in this Order shall be deemed to relieve Isadore Christ, individually, or doing business as the Smile Beverage Company, his or its successors or assigns, from any restriction, prohibition, or provision of any Order or Regulation of the Director of Industry Operations, except insofar as the same may be inconsistent with the provisions hereof.

(d) This Order shall take effect on January 1, 1943, and shall expire September 30, 1943.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-95; Filed, January 1, 1943; 5:18 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-197]

ANGELES APPAREL CO.

Angeles Apparel Company, Los Angeles, California, is a manufacturer of feminine lounging robes and housecoats. From July 23 to October 5, 1942, the Company put into process 8,173 yards of cloth for the manufacture of 2,187 women's lounging robes having a sweep measurement which exceeded the maximum measurements permissible under General Limitation Order L-118. The Company was fully aware of the restrictions contained in that Order but acted on an unjustifiable interpretation thereof. The Company's actions constituted wilful violations of General Limitation Order L-118 which have hampered and impeded the war effort of the United States. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.197 *Suspension Order S-197.* (a) Angeles Apparel Company, its successors and assigns, shall not sell or deliver any of the garments manufactured by it in violation of General Limitation Order L-118 unless such garments are altered to conform to the maximum measurements prescribed in General Limitation Order L-118.

(b) For a period of three months from the effective date of this Order, Angeles Apparel Company, its successors and assigns, shall not put into process or cause to be put into process by others for its account any cloth for the manufacture of feminine lounging wear as defined in General Limitation Order L-118, except as specifically authorized by the Director General for Operations.

(c) Nothing contained in this Order shall be deemed to relieve Angeles Apparel Company from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(d) This Order shall take effect on January 5, 1943.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-96; Filed, January 1, 1943; 5:18 p. m.]

PART 1010—SUSPENSION ORDERS

[SUSPENSION ORDER S-199]

ARIZONA WHOLESALE ELECTRIC CO.

M. R. Craft and Mrs. M. R. Craft, doing business as Arizona Wholesale Electric Company, Phoenix, Arizona, are engaged in the business of distributing electrical supplies as a wholesaler. They operate a warehouse, as defined in General Preference Order M-9-a.

From February 7, 1942, to May 6, 1942, M. R. Craft and Mrs. M. R. Craft, doing business as Arizona Wholesale Electric Company, accepted and filled wholesale orders for 105,926 feet of copper wire, having a value of $3,725.93, which did not bear a preference rating of A-10 or higher. From May 7, 1942, to July 14, 1942, they accepted and filled wholesale orders for 51,662 feet of copper wire, having a value of $1,254.08, which did not bear preference ratings of A-1-k or higher. These acts constituted wilful violations of General Preference Order M-9-a, as amended on February 6, 1942, and May 7, 1942.

From January 20, 1942, to June 23, 1942, M. R. Craft and Mrs. M. R. Craft, doing business as Arizona Wholesale Electric Company, applied preference ratings of A-10 under Preference Rating Order P-100 to certain purchase orders for 52,806 feet of wire, 10,058 feet of conduit, and thirty-one other items of electrical supplies, certifying that such materials were for maintenance, repair or operating supplies, whereas said materials were not for maintenance, repair or operating supplies, as defined in Preference Rating Order P-100 and the Company did not have rated orders from its customers to support its use of these ratings. The use of such preference ratings constituted improper applications and over-extensions of preference ratings under Preference Rating Order P-100, and misrepresentations to the War Production Board, in violation of Preference Rating Order P-100.

These violations of General Preference Order M-9-a and Preference Rating Order P-100 have hampered and impeded the war effort of the United States by diverting scarce material to uses not authorized by the War Production Board. In view of the foregoing facts, *It is hereby ordered*, That:

§ 1010.199 *Suspension Order S-199.* (a) Deliveries of material, directly or indirectly, to M. R. Craft and Mrs. M. R. Craft, doing business as Arizona Wholesale Electric Company or otherwise, their successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned or applied to such deliveries by means of Preference Rating Certificates, Preference Rating Orders, General Preference Orders or any other orders or regulations of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(b) No allocations shall be made, directly or indirectly, to M. R. Craft and Mrs. M. R. Craft, doing business as Arizona Wholesale Electric Company or otherwise, their successors and assigns, of any material the supply or distribution of which is governed by any order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) Nothing contained in this Order shall be deemed to relieve M. R. Craft and Mrs. M. R. Craft, doing business as Arizona Wholesale Electric Company or otherwise, or their successors and assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(d) This Order shall take effect on January 5, 1943, and shall expire on July 5, 1943, at which time the restrictions contained in this Order shall be of no further effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub Laws 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-97; Filed, January 1, 1943; 5:18 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-200]

SUPERIOR COACH CORP.

Superior Coach Corporation, Goshen, Indiana, is a manufacturer of house trailers. John Drexler is president of the Company and Donald R. Farr is Secretary-treasurer.

By a letter from the Director of Priorities, dated January 21, 1942, the Company was authorized to buy 90 tires and tubes to be used solely by it to transport trailers from its plant to eligible purchasers and which tires were to be then removed from the trailers and retained by the Company. Pursuant to this authorization, the Company bought 90 tires, 82 of which were used as authorized. Of the other eight, however, four were placed on Mr. Drexler's personal automobile and four on Mr. Farr's personal automobile. This use of the eight tires by the Company constituted a wilful violation of Priorities Regulation No. 1 and of the directions contained in the letter of January 21, 1942, which has hampered and impeded the war effort of the United States. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.200 *Suspension Order S-200.* (a) Deliveries of material to Superior Coach Corporation, its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned or applied to such deliveries to Superior Coach Corporation by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Regional Compliance Chief, Chicago Regional Office, War Production Board.

(b) No allocation shall be made to Superior Coach Corporation, its successors and assigns, of any material the supply or distribution of which is governed by any order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) Nothing contained in this Order shall be deemed to relieve Superior Coach Corporation from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(d) This Order shall take effect on January 3, 1943, and shall expire on April 3, 1943, at which time the restrictions contained in this Order shall be of no further effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-98; Filed, January 1, 1943; 5:18 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-201]

SOUTHERN STOVE WORKS, INC.

Southern Stove Works, Inc. is a Virginia corporation doing business at Sixth and Dinwiddie Avenue, Richmond, Virginia, and is engaged in the manufacture of various types of heating equipment. From September 1, 1942 to October 8, 1942 the Company put into process approximately 320,000 pounds of iron to make 4,520 portable iron fireplace grates or parts thereof. All but approximately 600 grates were assembled and all but approximately 670 of the assembled grates were sold during that period. Although the Company was aware on or about September 1, 1942 that portable iron fireplace grates such as it manufactured were considered to be items of "fireplace equipment" whose manufacture, assembly and sale were prohibited by General Conservation Order M-126, and although General Conservation Order M-126 on September 3, 1942 specifically included fireplace grates on its list of prohibited items, the Company greatly accelerated its rate of production of these grates during the month of September 1942 and especially during the first week in October 1942. These acts of the Company constituted wilful violations of General Conservation Order M-126.

These violations of General Conservation Order M-126 committed by Southern Stove Works, Inc., have hampered and impeded the war effort of the United States by diverting iron to uses unauthorized by the War Production Board. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.201 *Suspension Order S-201.* (a) From March 1, 1943 to May 31, 1943 deliveries of materials to Southern Stove Works, Inc., its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned or applied to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other order or regulation of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(b) From March 1, 1943 to May 31, 1943 no allocation shall be made to Southern Stove Works, Inc., its successors and assigns, of any material the supply or distribution of which is covered by any order of the Director of Industry Operations, or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) Nothing contained in this order shall be deemed to relieve Southern Stove Works, Inc., its successors and assigns, from any restriction, prohibition or provision contained in any order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law. 671, 76th Cong., as amended by Pub Laws 89 and 507, 77th Cong.)

Issued this 1st day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-99; Filed. January 1, 1943 5:18 p. m.]

PART 1192—DOMESTIC SEWING MACHINES

[Limitation Order L-98 as Amended January 2, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron and steel and other materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1192.1 *General Limitation Order L-98*—(a) *Definitions.* For the purposes of this order:

(1) "Domestic sewing machine" means any sewing machine designed for household use.

(2) "Attachment" means any special purpose detachable device which is designed for use with a domestic sewing machine but which is not essential to the most simplified operation of such machine.

(3) "Sewing machine part" means any part (including, but not limited to, a needle, an electric motor, a cabinet, a portable base, a cover, a table or a stand) of a domestic sewing machine, but does not include an attachment.

(4) "Attachment part" means any part of an attachment.

(5) "Repair part" means any sewing machine part used for the purpose of repairing or replacing a similar part which through wear, tear or damage has caused a domestic sewing machine to become unfit to perform its function of sewing in the most simplified manner. Repair part shall not include any attachment part.

(6) "To produce a new domestic sewing machine" means to complete the manufacturing operations on a new domestic sewing machine other than the final assembly of the machine head into a cabinet, portable base and cover, or table and stand.

(7) "Manufacturer" means any person who produces any new domestic sewing machine or who manufactures or assembles any sewing machine part, attachment or attachment part.

(8) "Restricted period" means the period from April 25, 1942 to June 15, 1942, inclusive.

(9) "Average daily production" or "average daily manufacture" means the total production or manufacture within a specified period divided by the number of days (including Sundays and holidays) contained in such period.

(10) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons whether incorporated or not.

(b) *General restrictions.* (1) During the restricted period no manufacturer shall:

(i) Produce more new domestic sewing machines than 75% of his average daily production of such new machines in the year 1940 multiplied by the number of days (including Sundays and holidays) in the restricted period; or

(ii) Manufacture more new attachments of any type than 75% of his average daily manufacture of new attachments of such type in the year 1940 multiplied by the number of days (including Sundays and holidays) in the restricted period.

(2) No manufacturer shall manufacture any new sewing machine parts except that during the year 1943 a manufacturer may produce sewing machine parts for use as repair parts under the following conditions:

(i) He may put into process in the manufacture of needles not more iron and steel than 75% of the iron and steel, by weight, contained in the needles manufactured by him during the two-year period ending December 31, 1941;

(ii) He may put into process in the manufacture of sewing machine parts (other than needles) not more iron and steel than 62½% of the iron and steel, by weight, contained in the sewing machine parts (other than needles) manufactured by him for use as repair parts during the two-year period ending December 31, 1941; and

(iii) He may not put into process any non-ferrous metal except that copper and copper base alloy may be used for the purpose of conducting electricity, provided that he does not put into process more copper and copper base alloy than 50% of the amount of copper and copper base alloy, by weight, used for the purpose of conducting electricity in the sewing machine parts produced by him for use as repair parts during the two-year period ending December 31, 1941.

(3) No manufacturer shall on and after May 25, 1942, and no person other than a manufacturer shall on and after July 15, 1942, install any new sewing machine part, other than a repair part, in a new or used domestic sewing machine, except to complete the new domestic sewing machines, the production of which is permitted under the terms of paragraph (b) (1).

(4) On and after June 16, 1942, no manufacturer shall:

(i) Produce any new domestic sewing machines or (except as provided in paragraph (b) (5) of this order) assemble any new sewing machine parts for the production of such machines; or

(ii) Manufacture or assemble any new attachments or new attachment parts.

(5) Nothing in the foregoing provisions shall limit the final assembly by a manufacturer or any other person of a new domestic sewing machine head into a cabinet, portable base and cover, or table and stand: *Provided*, That such head, cabinet, base and cover, or table and stand were not produced or manufactured in violation of the terms of this or of any other order heretofore or hereafter issued by the Director of Priorities or by the Director of Industry Operations or by the Director General for Operations.

(6) Manufacturers shall sell materials in their inventory only in accordance with the provisions of Priorities Regulation No. 13 (Part 944) and all other applicable orders and regulations.

(c) *Inventory restrictions.* No manufacturer shall accumulate for use in the manufacture of domestic sewing machines, attachments, or parts thereof inventories of raw materials, semi-processed materials, or finished parts in quantities in excess of the minimum amount necessary to maintain production of domestic sewing machines, attachments, or parts thereof at the rates permitted by this order.

(d) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(e) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(f) *Reports.* Each manufacturer to whom this order applies shall file with the War Production Board such reports and questionnaires as such board shall from time to time prescribe.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(h) *Appeals.* Any appeal from the provisions of this order shall be filed on Form PD-500 with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(i) *Applicability of other orders.* In so far as any other order heretofore or hereafter issued by the Director of Priorities, the Director of Industry Operations, or the Director General for Operations limits the use of any material in the production of domestic sewing machines, attachments, sewing machine parts or attachment parts to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

(j) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumer Durable Goods Division, Washington, D. C., Ref.: L-98.

(l) [Revoked January 2, 1943.]

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 2d day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-110; Filed, January 2, 1943; 11:42 a. m.]

PART 993—DOMESTIC ICE REFRIGERATORS

[Schedule II to Supplementary Limitation Order L-7-c]

ALASKA REFRIGERATOR CO. ET AL.

§ 993.6 *Schedule II to Supplementary Limitation Order L-7-c.* Pursuant to paragraph (b) (3) of Supplementary Limitation Order L-7-c, the following production quotas for domestic ice refrigerators are hereby established for the period from January 1, 1943 to March 31, 1943, inclusive. Each person named is authorized to produce, during that period, the number of domestic ice refrigerators set forth opposite his name.

Name:	*Number of domestic ice refrigerators*
Alaska Refrigerator Co., Brooklyn, N. Y.	4,000
American Furniture & Fixture Co., St. Louis, Mo.	5,000
Atkins Table & Cabinet Co., Brooklyn, N. Y.	3,000
Brunswick Refrigerator Co., Brooklyn, N. Y.	4,000
Coleman Furniture Co., Pulaski, Va.	10,000
The Coolerator Co., Duluth, Minn.	33,000
George H. Dean, Inc., Norwood, R. I.	300
Dratch's Victory Refrigerator Box, Brooklyn, N. Y.	2,500
Fy Boro Metal Products Co., Inc., Brooklyn, N. Y.	5,916
Ice Cooling Appliance Corporation, Morrison, Ill.	20,028
Iceland Refrigerator Co., Inc. Brooklyn, N. Y.	3,600
Maine Manufacturing Co., Nashua, N. H.	13,500
Modern Refrigerator Co., Brooklyn, N. Y.	5,000
National Glass & Mfg. Co., Fort Smith, Ark.	1,100
Progress Refrigerator Co., Louisville, Ky.	5,000
Sanitary Refrigerator Co., Fond du Lac, Wis.	14,496
Seeger Refrigerator Co., St. Paul, Minn.	5,000
Success Manufacturing Co., Gloucester, Mass.	5,000
Ward Refrigerator & Mfg. Co., Los Angeles, Calif.	9,330

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 2nd day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-111; Filed, January 2, 1943; 11:42 a. m.]

PART 1198—GLASS CONTAINER AND CLOSURE SIMPLIFICATION

[Schedule D to Limitation Order L-103, as Amended January 2, 1943]

GLASS CONTAINERS FOR WINES

Section 1198.5, *Schedule D to Limitation Order L-103*, is hereby amended to read as follows:

§ 1198.5 *Schedule D to Limitation Order L-103*—(a) *Definitions.* For the purposes of this schedule:

(1) "Wine" means the product of the normal alcoholic fermentation of the juice of grapes, fruits, or other agricultural products, with or without added brandy or other spirits, and shall include, but shall not be limited to, sparkling and carbonated wine, vermouth, flavored wines, cider, perry, sake, in each instance only if containing not less than 7 per centum and not more than 24 per centum alcohol by volume.

(2) A "standard glass container for wines" means a glass container described in Exhibits D-1-A, D-2A, D-3, D-4, D-5, D-6, D-7, D-8-A and D-9-A of this schedule, which possesses the finish prescribed for the respective container in the said exhibits or any other Glass Container Association standard finish which is interchangeable therewith without alteration of the specified body mold.

(b) *Restrictions on use.* (1) With the exceptions set forth in paragraph (c) of this schedule, on and after October 1, 1942, no person shall use a glass container of other than the following capacities for the packaging of wines for sale:

(i) One gallon.
(ii) One half-gallon.
(iii) 26 fluid ounce champagne.
(iv) 13 fluid ounce champagne.
(v) 1 quart, flat bottom.
(vi) 4/5 quart, push-up bottom.
(vii) 4/5 quart, flat bottom.
(viii) 4/5 pint, flat bottom.
(ix) 1 pint, flat bottom.

(2) With the exceptions set forth in paragraph (c) of this schedule, on and after March 1, 1943, no person shall use a glass container other than a standard glass container as herein defined for the packaging of wines for sale.

(c) *Exemptions.* (1) Nothing in this schedule shall prevent the use for the packaging of wines of any non-standard glass containers which were:

(i) Completely manufactured on or before the first day of October, 1942, or

(ii) Which have the same capacity as any standard glass container described in this schedule and which were completely manufactured prior to March 1, 1943, from a mold actually in existence prior to the 2d day of January, 1943.

(2) Except as specifically permitted by the exhibits of this schedule, the lettering on standard glass containers for wines shall be limited to manufacturers' identification, (which may include trademark, name or symbol), place of manufacture, date of manufacture by year, design number and mold or cavity number.

(d) *Manufacture.* (1) No molds may be manufactured for a wine bottle or finish which do not conform to the specifications of a standard glass container for wines, nor may any mold for a glass container for wines be replaced, whether because of wear or for any other reason, except by a mold which conforms to said specifications.

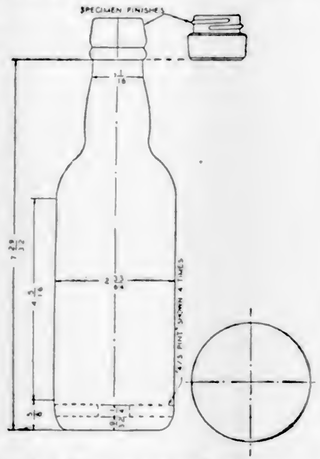
(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 2nd day of January 1943.

ERNEST KANZLER,
Director General for Operations.

EXHIBIT D-1-a

Standard Glass Container Wine Bottle—12.8 oz. capacity, bulb neck, flat bottom.

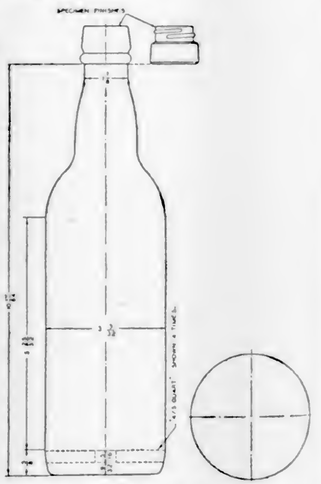


Any interchangeable finish may be used.

Bottles must be round, 11 oz. max. wt.

EXHIBIT D-2-a

Standard Glass Container Wine Bottle—25.6 oz. capacity, bulb neck, flat bottom.

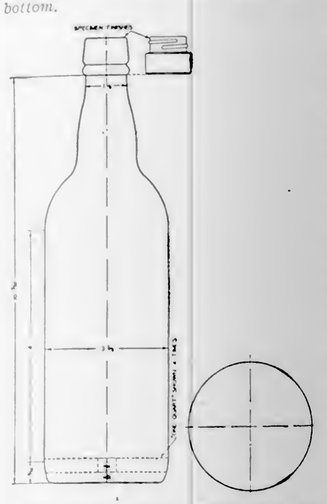


Any interchangeable finish may be used.

Bottles must be round, 19 oz. max. wt.

EXHIBIT D-8-a

Standard Glass Container Wine Bottle—32 oz. capacity, bulb neck, flat bottom.

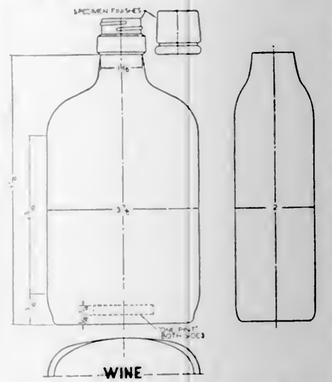


Any interchangeable finish may be used.

Bottles must be round, 20 oz. max. wt.

EXHIBIT D-9-a

Standard Glass Container Wine Bottle—16 oz. capacity.



Any interchangeable finish may be used.

Bottle wt. 13½ oz. max.

[F. R. Doc. 43-113; Filed, January 2, 1943; 12:49 p. m.]

PART 977—MANILA FIBER AND MANILA CORDAGE

[General Preference Order M-36, as Amended January 4, 1943]

Whereas the uncertainty of future shipments of Manila fiber from abroad and national defense requirements for Manila cordage have created a shortage thereof for defense, for private account and for export, and it is necessary in the public interest and to promote the defense of the United States, to conserve the supply and direct the distribution thereof;

Now, therefore, it is hereby ordered, That:

§ 977.1 *General Preference Order M-36*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the provisions of priorities regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Manila fiber" means fiber which is commonly known in the trade by this term and also known as abaca or Manila hemp (either stripped or decorticated), Sumatra abaca and Panama abaca. Except as provided in paragraph (d) (1), Manila fiber does not mean the fiber grades of T, O, W, or Y, as established by the Insular Government of the Philippine Islands.

(2) "Manila cordage" means cables and ropes 3/8 inch in diameter and larger, and twines used for fishing nets, ir. which Manila fiber either alone or in combination with other materials is used, but does not include Manila cordage sold or delivered for its scrap value.

(3) "Class A cordage" means Manila cordage which contains such a combination of grades of Manila fiber as will at least equal the fiber quality requirements of Federal Specification T-R-601a.

(4) "Class B cordage" means Manila cordage which contains such a combination of grades of Manila fiber as will give a Becker value not in excess of thirty-nine, such Becker value to be determined according to the methods set forth in said Federal Specification T-R-601a.

(5) "Cordage processor" means any person other than the Navy of the United States who spins, twists, weaves or otherwise uses Manila fiber in the production of Manila cordage.

(6) "Processing" means any use of Manila fiber for the manufacture of any other article or commodity into which the Manila fiber goes or of which it becomes a part.

(7) "Dealer" means any person who procures Manila cordage for storage or for sale, and includes selling agents, and other commercially recognized agents acting for their own account or for others, whether or not acquiring title to such Manila cordage, but shall not include an importer.

(8) "Basic monthly poundage" with respect to any cordage processor shall be the average number of pounds per month of Manila cordage sold by such processor during the period January 1 through December 31, 1939. Where this order specifies a percentage of the basic monthly poundage to be processed, sold or delivered during any period, any cordage processor keeping his books on a weekly basis shall apply the said percentage to the weekly periods most nearly approximating the period specified.

(9) "Import" means to transport in any manner into the continental United States from any foreign country or from any territory or possession of the United States, including the Philippine Islands. It includes shipments into a free port, free zone or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States, and shipments in bond into the continental United States for transshipment to Canada, Mexico or any foreign country.

(c) *Restrictions on deliveries of Manila fiber.* No person shall hereafter make or accept delivery of any Manila fiber unless specifically authorized by the Director General for Operations: *Provided, however,* That deliveries of Manila fiber may be made:

(1) By and to the Navy of the United States.

(2) By and to the Defense Supplies Corporation.

(3) By and to persons importing or otherwise handling Manila fiber in accordance with written instructions from the Navy of the United States or from Defense Supplies Corporation, provided that such Manila fiber is to be delivered, either processed or unprocessed, directly, or through one or more other persons, to the Navy of the United States or to Defense Supplies Corporation.

(4) By importers to cordage processors of Manila fiber rejected by the Navy of the United States or Defense Supplies Corporation as unfit for their use.

(5) By cordage processors to cordage processors of Manila fiber which at the time of any such delivery had been previously imported into the United States.

(d) *Restrictions on processing of Manila fiber.* (1) No person shall begin the processing of any Manila fiber, including the fiber of grades T, O, W, or Y, as established by the Insular Government of the Philippine Islands, except for the purpose of manufacturing Class A or Class B cordage for sale or delivery to fulfill the orders hereafter specified in paragraph (e) (2), or such cordage as may be required to meet the specifications of orders of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration or its operating or general agents.

(2) No cordage processor shall put into process in any month, commencing January 1, 1943, more Manila fiber than 37% of his basic monthly poundage, of which percentage not more than 20% shall be put into process to fill purchase orders for Manila cordage uses specified in paragraph (e) (2) (ii).

(3) Any cordage processor shall, notwithstanding the limitations of paragraphs (d) (2) and (e) (1), and in addition to any action permitted thereunder:

(i) Process into Manila cordage any Manila fiber furnished to the said cordage processor by the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration or its operating or general agents, and sell and deliver such cordage to, or for the account of, the agencies furnishing the fiber.

(ii) Process into Manila cordage such additional amounts of Manila fiber and sell and deliver such additional amounts of Manila cordage as may from time to time be determined by the Director General for Operations to be necessary in the public interest and to promote the national defense.

(e) *Restrictions on sales and deliveries of Manila cordage.* (1) During the period January 1 through March 31, 1943, no cordage processor shall sell or deliver more Manila cordage than 124½% of his basic monthly poundage, of which percentage not more than 60% shall be sold or delivered to fill purchase orders for Manila cordage uses specified in paragraph (e) (2) (ii).

(2) In addition to the limitations in paragraphs (e) (1) and (e) (3) no cordage processor or dealer shall sell or deliver any Manila cordage and no person shall purchase or accept delivery of any Manila cordage except to fill the following:

(i) Orders for Manila cordage for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration or its operating or general agents, or for physical incorporation in other products to be delivered to or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration or its general or operating agents. Every such purchase order for physical incorporation into products to be delivered to or for the account of the foregoing named agencies shall be accompanied by a certificate in substantially the following form.

The undersigned hereby represents to his vendor and to the War Production Board that the Manila cordage covered by the annexed purchase order is for physical incorporation into the products to be delivered to

(Here insert name of one of the foregoing named agencies)

pursuant to contract No. ---------

Name of purchaser

Date ----------

By ----------

Authorized person

(ii) Purchase orders for the following categories and uses:

(*a*) Purse lines for use in commercial fishing;

(*b*) Lines not less than 4½ inches in circumference used exclusively in towage or by ocean-going vessels engaged in the carriage of cargo and passengers as common carriers;

(*c*) Manila drilling cables for use in drilling oil wells, gas wells, and mines;

(*d*) Manila torpedo lines for use in handling explosives;

(*e*) Manila shot lines;

(*f*) Life boat falls for use on ocean, coastal or Great Lakes vessels of one thousand tons or over.

(iii) Purchase orders for Manila cordage:

(*a*) Carrying a preference rating of A–1–j or higher, evidenced by a preference rating certificate, or

(*b*) For use on vessels engaged in the carriage of cargo, as common carriers of passengers, in towage, in lighterage or in fishing for commercial fish markets or canneries, for use in hoisting for the loading or discharge of cargo of such vessels, and for uses of shipbuilding: *Provided, however,* That the Manila fiber for the manufacture of cordage covered by the purchase order of the type specified in this paragraph (e) (2) (iii) (*a*) shall have been put into process by a cordage processor on or before September 14, 1942: *And provided further,* That Manila fiber for the manufacture of cordage covered by purchase orders of the categories specified in paragraph (e) (2) (iii) (*b*) shall have been put into process by a cordage processor on or before July 4, 1942.

(iv) Orders placed by Defense Supplies Corporation or Metals Reserve Company: *Provided, however,* That no cordage processor or dealer shall deliver any Manila cordage upon any order placed with him pursuant to paragraph (e) (2) (ii) or (e) (2) (iii) (*b*), unless and until such processor or dealer shall have first received from the person placing such order a certificate signed on behalf of such person by a duly authorized individual in substantially the following form:

The undersigned hereby represents that the Manila cordage covered by this order will be used by the undersigned only for the uses specified in paragraph (e) (2) of General Preference Order M–36, as amended, with the terms of which the undersigned is familiar.

(3) No person, other than the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration or its operating or general agents, the Defense Supplies Corporation, the Metals Reserve Company or an importer, shall hereafter order or accept delivery of any Manila cordage if the amount of the Manila cordage held or under control of such person exceeds one and one half months' supply for such person; and no person, other than those hereinabove excepted, shall have outstanding at any one time orders for future deliveries of Manila cordage in an amount greater than one month's supply for such person. "Supply" as used in this paragraph means the average monthly amount of Manila cordage withdrawn from the inventory of such person, which has been resold or put into actual use by such person, in the three calendar months immediately preceding the calendar month in which said order is placed or delivery is accepted, or in the three calendar months of the previous year which immediately follow the calendar month of that year corresponding with the month in which said order is placed or delivery is accepted, whichever shall be the higher: *Provided, however,* No person shall be entitled to count as withdrawn from inventory and resold or put into actual use, for the purpose of calculating his permitted supply, any lots of Manila cordage purchased expressly for and resold or delivered to the Army or Navy of the United States, the United States Maritime Commission, the Defense Supplies Corporation, or the Metals Reserve Company, but every such person shall be entitled to include in the said calculation as withdrawn from inventory and resold or put into actual use any lots of Manila cordage sold to any of the foregoing from his general supply of Manila cordage where such lots, or their equivalent, were not purchased by him expressly for such resale: *And provided further,* That nothing herein contained shall prohibit the importation of, or restrict the inventory of, imported Manila cordage which may be held by any dealer for whose account such Manila cordage was imported.

(f) *Control of stocks of Manila fiber.* Control is hereby taken of the distribution and use of Manila fiber. Any Manila fiber at any time hereafter in the inventory of any person shall be sold and delivered by such person if and as specifically directed in any order of the Director General for Operations which may be issued whenever the Director General for Operations shall determine that a shortage of any particular grade of Manila fiber for defense, or for private account and for export, renders it necessary or appropriate so to allocate such Manila fiber in the public interest or to promote the national defense by so directing its sale and delivery by such person. Any such sale shall be made at the established prices and terms of sale and payment therefor. No person shall dispose of or use Manila fiber in any manner inconsistent with any such order.

(g) *Exclusions from this order.* The terms and provisions of this order shall not apply to:

(1) Sales and/or deliveries by any cordage processor or dealer of Manila cordage of any class from stocks on hand or in process as of February 20, 1942, of the following types:

(i) Manila lariat rope,

(ii) Manila yacht lariat rope,

(iii) Manila transmission rope,

(iv) Manila left laid spinning line, not including cordage of cable construction suitable for use as drilling cables even though such products may have been purchased or sold for spinning lines.

(2) Any sales and/or deliveries by any cordage processor or dealer of Manila cordage which on December 19, 1941, was in the form of cut lengths of less than 200 feet.

(3) Any stock of Manila cordage which contains no Manila fiber of the following grades—AB Davao or non-Davao, 1 Davao, JI Davao, G. Davao,—S2 Davao, and which is so processed that the Manila fiber therein contained is combined or mixed with at least an equal amount of fiber other than Manila fiber, in the hands of a dealer or cordage processor, or in transit on February 20, 1942, or made from Manila fiber actually placed on machines by a cordage processor on or prior to December 19, 1941.

(4) Any Manila cordage imported into the United States on or after July 4, 1942, and which has been offered for sale to, and rejected in writing by, any two of the following:

(i) The Army of the United States,

(ii) The Navy of the United States,

(iii) The United States Maritime Commission, or

(iv) The War Shipping Administration or its operating or general agents.

(5) Delivery by or to any person having temporary custody of Manila cordage or Manila fiber solely for the purposes of transportation or the public warehousing thereof.

(h) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of Manila fiber conserved, or that compliance with this order would disrupt or impair a program of conversion for nondefense work to defense work, may appeal to the Director General for Operations by letter or telegram Ref: M–36, setting forth the pertinent facts and the reason he considers he is entitled to relief, or upon such form or forms as may hereafter be prescribed. The Director General for Operations may thereupon take such action as he deems appropriate. Applications for specific exceptions from the limitations of paragraph (e) (3) should be made in writing by the person desiring to use the cordage.

(i) *Reports.* Every importer of Manila fiber or Manila cordage and every processor of Manila fiber shall file with the U. S. Tariff Commission, acting for the War Production Board, not later than the tenth day of the following month, a report on form PD–128 and/or PD–129, and all persons affected by this order shall file with the War Production Board such reports as may from time to time be required by said Board.

(j) *Records.* All persons affected by this order shall keep and preserve for not less than two (2) years accurate and complete records concerning inventories, production, sales and other transactions pursuant to this order, and shall from time to time, upon request, submit all records required to be kept by this order to audit and inspection by duly authorized representatives of the War Production Board.

(k) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(l) *Communications to the War Production Board.* All reports to be filed, appeals and other communications concerning this order, unless otherwise stated, shall be addressed to the War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Reference M–36.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43–175; Filed, January 4, 1943; 12:05 p. m.]

PART 1015—CELLOPHANE AND SIMILAR TRANSPARENT MATERIALS DERIVED FROM CELLULOSE

[Limitation Order L–20 as Amended Jan. 4, 1943]

Section 1015.1 *Limitation Order L–20* is hereby amended to read as follows:

§ 1015.1 *General Limitation Order L–20*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Supplier" means any manufacturer, converter, jobber, dealer, printer and other person who directly or indirectly delivers cellophane or similar transparent materials derived from cellulose to the users enumerated in paragraph (b).

(3) "Cellophane or similar transparent materials derived from cellulose" means cellophane or similar transparent materials derived from cellulose having a gauge of less than .003", and cellulose caps or bands of any gauge.

(b) *Restriction on use.* Subject to the provisions of paragraphs (j), (j) and (k), no person shall use cellophane or similar transparent materials derived from cellulose for the packaging, sealing or manufacture of the materials included in the following categories:

(1) Cosmetics, soaps, and cleaning materials, except as provided in paragraph (c) and except as a replacement of metal for collapsible tubes for toothpaste.

(2) All textiles, but not including bandages, sanitary swabs, and typewriter ribbons.

(3) All rubber and rubber products, but not including use as a substitute for Holland Cloth in the backing of retreading stocks for tires, as a protective cover for cement on tire reliners and patches, and as a wrapping on friction and rubber tape.

(4) All hardware, metals and sporting goods, but not including use as a protection for precision metal parts.

(5) All paper and paper products, including cellulose backed adhesive tape for household purposes.

(6) Glassware including optical lenses, and jewelry.

(7) Candles and wax products, except as provided in paragraph (c), and except the use of cellulose sheeting as a replacement for metal containers for industrial oils and greases.

(8) Electrical equipment, but not including any use in the manufacture of such equipment.

(9) Wood and wood products, but not including medical tongue depressers and swabs.

(10) Leather and leather products.

(11) Bottle overwraps of any sort.

(12) Bottled beverages, with the exception of cellulose bands and caps for wines, alcoholic liquors, and fluids of high volatility.

(13) Bottled foods, except as provided in paragraph (c).

(14) Canned goods of any sort.

(15) Flowers, plants, seeds and grains.

(16) All decorations and novelties.

(17) Bowl and basket covers, household dyes, household rolls, soda straws, sewing supplies, garment covers, toys and games, pipe filters, coin wrappings, natural and cellulose sponges, printed doilies, hair waving equipment, brake linings, molding materials, window covers, photographic films (wrapping), milk bottle hoods, and jiffy seals.

(18) Putty and paint, except as provided in paragraph (c), and except the use of cellulose sheeting as a replacement of metal containers for putty and paint.

(19) Plastic products, but not including toothbrushes and any use in the manufacture of plastic products.

(20) Drug products, chemicals, and antiseptics, except where necessary for the protection of the product itself.

(21) Candy products and chewing gum, including box overwraps, but not including other use where necessary for the protection of the product itself.

(22) All animal foods.

(23) All insecticides and rodenticides.

(24) Tea, spices, peppers, condiments, sugar, flour and unshelled nuts.

(25) Carton overwraps for other dried food products, including but not limited to peas, beans, rice, barley, and lentils; macaroni, noodles and similar paste goods; cereal, cooked and uncooked; and dessert and drink powders.

(26) Window cartons and window bags for all products, including foods listed in paragraph (b) (24) above, but excluding all other food products (including confectionery).

(27) Cigarettes, except where foil is omitted from the package.

Provided, however, That no person prohibited from using cellophane or similar transparent materials derived from cellulose by the provisions of this paragraph (b) shall secure such materials in gauges of .003" or greater as a substitute for prohibited thinner gauges.

(c) *Metal top replacement exemption.* Notwithstanding the provisions of paragraph (b), cellulose caps and bands may be used as a metal replacement for the packaging of liquid or paste soaps, industrial oils and greases, bottled foods, putty, and paint, if the cellulose cap or band serves as a primary closure to a glass, ceramic, or paper top. Disc inner liners of cellulose film may be used also for paper tops to containers for these same products.

(d) *Restrictions on deliveries.* No supplier shall knowingly, directly or indirectly, deliver or cause to be delivered

any cellophane or similar transparent materials derived from cellulose, and no person shall accept the same to be used for packaging or manufacture of any of the materials listed in paragraph (b), unless such packaging or manufacture is exempt under the provisions of paragraphs (c), (i) or (k).

(e) *Inventory restriction.* No person shall accept delivery of cellophane and similar transparent materials derived from cellulose if the amount accepted together with his inventory of such material then on hand shall exceed a forty-five day supply, having regard to the orders placed with such person and his current method and rate of operation:

Provided, however, That the restrictions of this paragraph (e) shall not apply to acceptance of deliveries of fifty pounds or less of cellophane and similar transparent materials derived from cellulose by any person whose inventory of such materials at the time of such delivery is fifty pounds or less.

(f) *Partial restrictions on use.* (1) During the calendar quarter commencing January 1, 1943, and during each calendar quarter thereafter, no person shall use cellophane or similar transparent materials derived from cellulose in the packaging or sealing of cigarettes, cigars, and chewing tobacco in an amount in excess of 90 per cent of ¼ of such person's consumption of such materials for such purpose during the entire year 1942. During the calendar quarter commencing January 1, 1943, and during each calendar quarter thereafter, no person shall use cellophane or similar transparent materials derived from cellulose in the packaging or sealing of smoking (pipe) tobacco in an amount in excess of 90 per cent of such person's consumption of such material for such purpose during the fourth quarter of 1942.

(2) During the calendar quarter commencing January 1, 1943, and during each calendar quarter thereafter, no person shall use cellophane and similar transparent materials derived from cellulose in the packaging or sealing of bakery products in an amount in excess of 90 per cent of ¼ of such person's consumption of such material for such purpose during the entire year 1942; *Provided, however,* That any person may consume 50 pounds of such materials for such purpose during any calendar quarter without restriction.

(g) *Notification of customers.* Any person who is prohibited from, or restricted in, making deliveries of cellophane or similar transparent materials derived from cellulose by the terms of this order shall, as soon as practicable, notify each of his regular customers of the requirements of this order, but the failure to give such notice shall not excuse any customer from the obligation of complying with the terms of this order.

(h) *Monthly reports.* Each converter, agent, fabricator, jobber or similar supplier acting as direct or indirect sales agent for any producer must, by the tenth day of each month, submit to such producer a report of his sales during the preceding month of cellophane and similar transparent materials (other than waste material as defined in paragraph (i) hereof) purchased by such agent from such producer, classifying sales according to industry (such as candy and chewing gum industry, baking industry, drug industry, tobacco industry, and other specifically named industries) and stating as to each class the total number of pounds sold and the number of pounds sold for civilian use, for military use, and for Lend-Lease. Each producer shall keep records of such reports available for inspection by representatives of the War Production Board. Each person affected by this order shall file such other reports as may from time to time be required by the Director General for Operations.

(i) *Waste material exception.* Nothing contained in this order shall prohibit the sale or delivery of off-grade or waste cellophane or similar transparent materials derived from cellulose (known as roll end trim and rejected or defective rolls and sheets), but producers and suppliers of cellophane and similar transparent materials derived from cellulose shall report to the War Production Board by the tenth day of each month the quantities of such material sold or delivered during the preceding month and the recipients thereof.

(j) *Existing stocks exception.* No restriction with respect to use contained in paragraphs (b) or (f), and no corresponding restriction with respect to delivery contained in paragraph (d), shall apply to any stock of cellophane and similar transparent materials derived from cellulose which, at the time when such restriction was first imposed by this order, was:

(1) In the hands of a user; or

(2) In the hands of a supplier and was so cut, processed or printed as to render impracticable its use in a manner not subject to restriction under this order.

(k) *Military exception.* The restrictions and requirements contained in this order with respect to cellophane and similar transparent materials derived from cellulose shall not apply to the United States Army, Navy, Coast Guard, Maritime Commission or War Shipping Administration, or to any person using, delivering or accepting delivery of cellophane and similar transparent materials derived from cellulose pursuant to a contract with or a subcontract for the United States Army, Navy, Coast Guard, Maritime Commission or War Shipping Administration: *Provided,* That, where this material is not used in connection with implements of war, the primary contract specifically requires the use of such material or of a transparent wrapping material. Persons having such contracts or subcontracts shall nevertheless file reports as required by paragraphs (h) and (i).

(l) *Miscellaneous provisions*—(1) *Applicability of priorities regulation No. 1.* This order and all transactions affected hereby are subject to applicable provisions of War Production Board priorities regulations, as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, furnishes false information to the War Production Board is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C.; Ref.: L–20.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Law 89 and 507, 77th Cong.)

Issued this 4th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43–172; Filed, January 4, 1943; 12:04 p. m.]

PART 1047—CONSERVATION OF PRODUCTION MATERIAL FOR THE OIL INDUSTRY

[Conservation Order M–68 as Amended Jan. 4, 1943]

Whereas the Congress of the United States has declared a "state of war between the United States and the Imperial Japanese Government," and has further adopted joint resolutions "declaring that a state of war exists between" the Government of Germany and the Government of Italy "and the Government and people of the United States"; and

Whereas the prosecution of this war requires the immediate increased use in emergency activities of vast quantities of steel, nonferrous metals, rubber and other critical materials; and

Whereas it is imperative to an effective prosecution of this war that the production of petroleum be conducted under circumstances and conditions which will assure a maximum recovery of petroleum and associated hydrocarbons, and which will not involve a waste and inefficient use of the limited quantities of critical materials available for petroleum production; and

Whereas conservation of materials by means of the restrictions hereinafter ordered in the use of such material in the production of petroleum is necessary in order to maintain the production of petroleum for war uses and essential civilian services and to assure a minimum expenditure of scarce equipment:

Now, therefore, it is ordered, That:

§ 1047.1 *Conservation Order M–68*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, corporation, or other form of enterprise.

(2) "Production" means the discovery, development, and depletion of petroleum pools, including without limitation the operation of cycling plants and plants for the extraction of natural gasoline and associated hydrocarbons.

(3) "Petroleum" means petroleum, petroleum products, and associated hydrocarbons including but not limited to natural gas.

(4) "Operator" means any person engaged in production.

(5) "Material" means any commodity, equipment, accessories, parts, assemblies, or products of any kind.

(6) "Exploratory well" means any well located not less than two miles from any well capable of producing petroleum.

(7) "Condensate field" means any condensate, distillate, naphtha, or retrograde pool or pools in which the liquid and gaseous hydrocarbons recovered at the surface occur in a single phase under original reservoir conditions or any gas-cap pool in which commercial oil occurs in the liquid phase and in which there exist a gas-cap or gas-caps of an appreciable size having the essential characteristics of a condensate pool.

(8) "Pool" means any underground accumulation of crude petroleum or associated hydrocarbon substances, including but not limited to natural gas, constituting a single and separate reservoir or source of supply within a field, area, or horizon whether or not presently discovered or developed.

(b) *Conservation of material used in production.* Subject to the exceptions in paragraph (c) hereof, no operator shall order, purchase, accept delivery of, withdraw from inventory or in any other manner, directly or indirectly, secure or use material for construction, reconstruction, expansion, remodeling, replacement, or improvement of facilities used in production. Subject to the exceptions in paragraph (c) hereof, no person shall deliver or otherwise supply, or cause to be delivered or otherwise supplied, any material which he knows, or has reason to believe, is intended for such use.

(c) *Exceptions.* The provisions of paragraph (b) hereof shall not apply in the following instances:

(1) To any case where material is to be used by an operator for the maintenance or repair of the operator's property or equipment or is required as operating supplies, as these terms are defined in Preference Rating Order P–98.

(2) To any case where material is to be used by an operator exclusively for carrying out by means of an existing research laboratory investigations into more efficient or effective methods of conducting production operations.

(3) To any case where material is to be used by an operator exclusively for operations directly involved in the search for and discovery of a previously unknown pool by means of geological, geophysical or geochemical prospecting or the drilling or completion of any exploratory well.

(4) To any case where material is to be used by an operator exclusively for carrying out secondary recovery operations by means of artificial water drive, gas drive, or air drive operations, but not including material to be used in production operations by means of primary gas cycling or pressure maintenance.

(5) To any case where material is to be used by an operator for lease equipment, including oil treating equipment and salt water disposal or injection equipment, but not including material to be used for pumping or other artificial lifting equipment.

(6) To any case where material is to be used by an operator for pumping, or other artificial lifting equipment to be installed on a well located on any single lease or tract in any field on which lease or tract the number of wells to which pumping or other artificial lifting equipment has been or is to be attached does not at any time exceed an average of one well to every 10 surface acres of that part or parts of such lease or tract as are contained within the productive limits of the field; or to any case where material is to be used by an operator for pumping or other artificial lifting equipment to be installed on a well located on any single lease or tract of 10 acres or less in any field on which lease or tract no other wells are located to which pumping or other artificial lifting equipment is attached.

(7) To any case where material is to be used by an operator to drill, complete, or provide additions to any well in any discovered or undiscovered oil field, other than a condensate field, where such well conforms to a uniform well-spacing pattern of not more than one single well to each 40 surface acres: *Provided,* That no well shall be drilled unless, prior to the actual commencement of development operations at the designated drilling location of such well, there has been a consolidation of all separate property interests within the appropriate 40 acre area surrounding such designated drilling location.

(8) To any case where material is to be used by an operator to drill, complete, or provide additions to any well in any discovered or undiscovered natural gas field, other than a condensate field, where such well conforms to a uniform well-spacing pattern of not more than one single well to each 640 surface acres: *Provided,* That no well shall be drilled unless, prior to the actual commencement of development operations at the designated drilling location of such well, there has been a consolidation of all separate property interests within the appropriate 640 acre area surrounding such designated drilling location.

(9) To any case where material is to be used by an operator to complete or provide surface connections for any well in any discovered or undiscovered oil or gas field or condensate field where such well has actually been "spudded" on or before December 23, 1941, and to any case where material is to be used by an operator to drill, complete, or provide surface connections for any well in any discovered or undiscovered gas field in the States of Kentucky, New York, North Carolina, Ohio, Pennsylvania, Tennessee, Virginia, or West Virginia where such well had actually been "spudded" or where operations at a determined location had commenced on or before December 23, 1941 and had been suspended on or before January 15, 1942.

(10) To any case where the Director General for Operations, War Production Board, has determined that construction, reconstruction, expansion, remodeling, replacement, or improvement of any facility used in production is as to any operator or as to any field, fields or area necessary and appropriate in the public interest and to promote the war effort. Application for such a determination shall be made by letter and filed with the Petroleum Coordinator for National Defense, Department of the Interior, Washington, D. C. Information to be submitted in such application shall be in accordance with OPC Form PD–214a, O.P.C. Form PD–214b, or O.P.C. Form PD–214c, issued by the Office of Petroleum Coordinator.

(d) *Determination of uniform well-spacing pattern.* (1) Subject to the provisions of subparagraph (2) below, each well "spudded" subsequent to December 23, 1941, in any oil or gas field, other than a condensate field, on any proposed drilling unit consisting of not less than forty surface acres in the case of any oil field or of not less than 640 surface acres in the case of any gas field, shall be deemed to conform to a "uniform well-spacing pattern" for the purposes of paragraphs (c) (7) and (8) of this section, where such well is drilled in accordance with the following terms:

(i) Each well shall bear the same geographical relationship with respect to the square drilling unit upon which it is to be located as all other wells drilled subsequent to December 23, 1941 bear to the respective square drilling units upon which such wells have been or are to be located: *Provided,* That subject to the provisions of (2) below, any well which is to be drilled shall be considered as conforming to a uniform well-spacing pattern where such well is to be located within 100 feet of the point at which absolute geographic identity would be attained or where such well is to be located within 150 feet of the geographic center of a square drilling unit; or

(ii) Where property interests (including leasehold or other property interests) in irregularly shaped tracts necessitate departures from square drilling units, a well may be located on any drilling unit consisting of not less than the prescribed number of surface acres (40 surface acres in the case of an oil field; 640 surface acres in the case of a gas field): *Provided,* That such well is drilled in conformity with the provisions of subparagraph (2) below.

(2) No well "spudded" subsequent to December 23, 1941 shall be considered as drilled in conformity with a uniform well-spacing pattern unless:

(i) The proposed drilling unit upon which such well is to be located consists entirely of acreage which is not attributable to any well other than such proposed well. The acreage attributable to wells offsetting the proposed drilling unit shall be determined by assigning to such

wells an acreage equivalent to that in the existing well density or drilling pattern contiguous to such wells. In the case of an oil field no portion of a drilling unit shall fall within 330 feet of an existing well; in the case of a gas field no portion of a drilling unit shall fall within 1320 feet of an existing well; and

(ii) The direct linear distance between any two points which are farthest removed from each other on the drilling unit upon which a well is to be drilled does not exceed the length of the diagonal of a rectangle whose length is twice its width and which is equivalent in surface acreage to such drilling unit; and

(iii) All separate property interests of less than 40 surface acres in the case of an oil field, 640 surface acres in the case of a gas field, or in tracts on which a well cannot otherwise be drilled by virtue of the provisions of this order, surrounding the designated drilling location of any well, are first consolidated with each other, another, or other property interests to form a drilling unit (consisting of not less than 40 surface acres in the case of an oil field; 640 surface acres in the case of a gas field) on which a well may be drilled; and

(iv) Such well is drilled at least 990 feet in the case of an oil field or 3960 feet in the case of a gas field from any well "spudded" in such field subsequent to December 23, 1941; and

(v) Such well is drilled at least 660 feet in the case of an oil field or at least 2640 feet in the case of a gas field from any well "spudded" or completed in such field on or before December 23, 1941; and

(vi) Such well is drilled at least 330 feet in the case of an oil field or 1320 feet in the case of a gas field from any lease line, property line or subdivision line which separates unconsolidated property interests.

(e) *Restriction on subdivision.* No single lease or tract existing as such as of January 14, 1942 shall be subdivided or otherwise rearranged for the purpose of making available to any person the provisions of paragraph (c) (6).

(f) *Violations.* Any person affected by this order who violates any of its provisions or a provision of any other order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order may be prohibited from receiving further deliveries of any material subject to allocation, and such further action may be taken as is deemed appropriate including a recommendation for prosecution under section 35A of the Criminal Code (18 U.S.C. 80).

(g) *Revocation or amendment.* This order may be revoked or amended at any time as to any person. In the event of revocation, deliveries shall be made in accordance with the provisions of any applicable preference rating order without further restrictions unless such deliveries have been specifically restricted.

(h) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1, as amended from time to time, except to the extent that any provision of this order may be inconsistent therewith, in which case such provision shall govern.

(i) [Revoked]

(j) The provisions of this order shall be applicable to deliveries of material by any person located in the United States, its territories and possessions to any other person located in the United States, its territories and possessions, but not elsewhere. The provisions of this paragraph supersede Interpretation No. 1 of this order issued February 7, 1942.

(k) *Administration of order.* The Petroleum Administrator for War or the Deputy Petroleum Administrator for War may extend, amend, modify or revoke Conservation Order M-68 (§ 1047.1), Supplementary Order No. M-68-1 (§ 1047.6), Supplementary Order No. M-68-2 (§ 1047.7), Supplementary Order No. M-68-3 (§ 1047.8), Supplementary Order No. M-68-4 (§ 1047.9), Supplementary Order No. No. M-68-5 (§ 1047.10), and Supplementary Order No. M-68-6 (§ 1047.11), as such orders may have been amended from time to time; and may take such measures with respect to any exception to any such order as he may deem necessary or appropriate; and may take such measures as he may deem necessary or appropriate with respect to any violation accrued or incurred under any such order.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

INTERPRETATION 2

The term "lease equipment", as used in Conservation Order M-68, means the fixed or stationary equipment and material installed on any property located within the productive boundaries of any field for direct or indirect use in the production of petroleum, including production office or camp facilities located adjacent to any field; but not including the well, well equipment, pumping or artificial lifting facilities, flow lines and gathering lines from the wells, cycling plants, pressure maintenance plants, and plants for the extraction of natural gasoline and associated hydrocarbons or for other treatment or processing of gas. (Issued February 18, 1942).

[F. R. Doc. 43-174; Filed, January 4, 1943; 12:02 p. m.]

PART 1090—AGAVE FIBER, AGAVE PRODUCTS AND CERTAIN OTHER CORDAGE

[General Preference Order M-84, as Amended Jan. 4, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of agave fiber, agave products and certain other cordage for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1090.1 *General Preference Order M-84*—(a) *Definitions.* For the purposes of this order:

(1) "Agave fiber" means agave fiber of the species of agave sisalana, agave fourcroydes, and agave cantala, of all grades and qualities including tow, waste (but not including processor's mill waste) and fiber under 20" in length, commonly known in the trade as sisal, henequen, cantala, and maguey, and sometimes preceded by an adjective designating the country or district of origin.

(2) "Agave cordage" means cables and ropes 3/16" in diameter and larger, cordage or twines of any diameter used in the manufacture of any wire rope, twines used for fishing nets, and tarred marlines for use in manufacturing wire rope and for marine uses, in which agave fiber either alone or in combination with other material is used, but does not include agave cordage sold or delivered for its scrap value.

(3) "Processor" means any person who spins, twists, weaves or otherwise uses agave fiber in the production of cordage, twine or any other product.

(4) "Processing" means any use of agave fiber for the manufacture of any article or commodity into which agave fiber goes or of which it becomes a part.

(5) "Dealer" means any person who procures agave cordage or agave twine for storage or for sale, and includes selling agents and other commercially recognized agents acting for their own account or for others, whether or not acquiring title to such agave cordage or agave twine, but shall not include any person who imports agave cordage, or agave twine.

(6) "Wrapping twine" means twine, including lath yarns (ply and yarn goods) as included in National Bureau of Standards Simplified Practice Recommendation R 92-38, and any other twine suitable for the same purposes for which those twines described in said Simplified Practice Recommendation R 92-38 are used, which contains agave fiber, but shall not include binder twine.

(7) "Binder twine" or "binding twine" means a single yarn twine, manufactured of agave fiber, of the type customarily heretofore manufactured, and sold in lengths measuring 500, 525, 550, 600, 630 or 650 feet to the pound, with a plus or minus tolerance of 5 per centum, containing a lubricant of not less than 10 per centum of the total weight of the twine and an insect repellent, and which is put up in balls of approximately 5 or 8 pounds each, is suitable for use with a harvesting machine, and is used in the harvesting of agricultural products.

(8) "Inventory" with respect to any person shall include all of any agave product held or controlled by such person at all warehouses, plants or places of storage, but shall not include any of such product while actually in transit or actually in use.

(9) "Supply" means the average monthly amount of any agave product

withdrawn from inventory which has been resold or put into actual use.

(i) In the three calendar months preceding the calendar month for which supply is being calculated; or,

(ii) In the three calendar months of the previous year which immediately followed the calendar month of that year corresponding to the said calendar month for which supply is being calculated;

whichever of the two shall be the higher.

(10) "Basic monthly poundage" with respect to any cordage processor for any month shall be the average number of pounds per month of both Manila and agave cordage sold by such processor during the period from January 1, 1939, to December 31, 1941, minus 37% of such person's Manila fiber basic monthly poundage calculated as required by General Preference Order M-36: *Provided,* That any cordage processor keeping his books on a weekly basis may calculate his basic monthly poundage from the fifty-two week period of the 1939 calendar year and adjust any other calculations or quotas under this order.

(11) "Import" means to transport in any manner into the continental United States from any foreign country or from any territory or possession of the United States, including the Philippine Islands. It includes shipments into a free port, free zone or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States and shipments in bond into the continental United States for transshipment to Canada, Mexico or any other foreign country.

(b) *Restrictions on sales and deliveries of agave fiber.* No person shall sell, or deliver, or make or accept delivery of agave fiber of any grade or quality; except that purchases, sales and deliveries of agave fiber may be made:

(1) By and to Defense Supplies Corporation;

(2) By and to persons importing or otherwise handling agave fiber in accordance with written instructions from Defense Supplies Corporation: *Provided,* That such agave fiber is to be delivered, either processed or unprocessed, directly or through one or more other persons to Defense Supplies Corporation.

(3) By and to importers, dealers, jobbers, or processors, pursuant to contracts entered into on or before February 20, 1942, but only of agave fiber in the amounts specified in such contracts on or before the said date, or by any amendments or supplements thereto on or before August 5, 1942: *Provided, however,* That purchases sales and deliveries under general requirements contracts or contracts to take all, or a specified percentage of a production may continue to be made until December 31, 1942: *And provided further,* That all agave fiber, except bagasse waste, imported on or after October 31 1942, under any contract mentioned in this subparagraph (3) shall, within twenty-four hours after its arrival, be reported to the War Production Board, except such agave fiber which shall have been offered for sale to the Defense Supplies Corporation, and such reported agave fiber shall not be used or disposed of except as specifically authorized by the Director General for Operations.

(4) By and to importers, dealers, jobbers, or processors of agave fiber which has been rejected by Defense Supplies Corporation as unfit for its use.

(5) By and to importers, dealers, jobbers or processors of tow, waste, bagasse flume or fiber less than twenty inches in length: *Provided,* That such fiber was on hand in the United States on February 20, 1942, or was, or is thereafter imported pursuant to this paragraph (b).

(6) By processors to processors, whether directly or through one or more other persons, of agave fiber which was on hand in the United States on or before August 5, 1942, or which is thereafter imported pursuant to this paragraph (b).

(c) *Restrictions on the processing of agave fiber.* (1) Except as provided in paragraphs (c) (2), (3) and (4), no person shall process any agave fiber in the manufacture of any product except the products specified below, and then only from the fibers and in the amounts expressly permitted below. The quotas hereinbelow established shall include processing for delivery to or for the account of, or for physical incorporation into material or equipment to be delivered to or for the account of, the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration or its operating or general agents.

(i) *Wrapping twine.* Processors may use agave fiber for the manufacture of wrapping twine in an amount in any month not in excess of the percentage for such month, of his average monthly sales for the calendar year 1941 described below:

	Percent
February, 1942	100
March, 1942	70
April, 1942	65
May, 1942	65
June, 1942	57½
July, 1942	50
August, 1942	40
September, 1942	20
October, 1942, and each month thereafter	0

Provided, however, That this restriction shall not apply to wrapping twine commonly known as baler twine for use in machines harvesting agricultural products (except straw to be used in strawboard manufacture) other than machines using binder twine: *Provided, further,* That no processor may use agave fiber for the manufacture of baler twine during the calendar year 1943 in an amount in excess of 110% of his sales of baler twine during the calendar year 1942 minus his inventory of baler twine on hand at the close of business on December 31, 1942: *Provided, further,* That any person purchasing any such baler twine from a processor shall endorse on, or attach to, his purchase order or delivery receipt therefor, a certificate signed by such person, or his duly authorized representative, in substantially the following form:

The undersigned hereby represents to the seller and the War Production Board that the baler twine covered by this certificate will be either resold or used by the undersigned during the current harvest season for use in machines harvesting agricultural products (except straw to be used in strawboard manufacture) other than machines using binder twine in accordance with paragraph (c) (1) (i) of General Preference Order M-84.

And, provided further, That no person shall put into process after April 13, 1942 any java agave sisalana for the manufacture of wrapping twine, or after August 5, 1942 any Java agave cantala for this purpose.

(ii) *Binder twine.* Processors may use agave fiber, in an amount not in excess of:

(a) During the eleven months ending June 30, 1942, an amount which, when added to binder twine in his stocks on November 1, 1941, equals 120% of that processor's total sales of binder twine in the United States during the twelve months ending October 31, 1941;

(b) During the four months commencing July 1, 1942, and ending October 31, 1942, an amount which equals 40% of that processor's total sales of binder twine in the United States during the twelve months ending October 31, 1941;

(c) During the two months commencing November 1, 1942 and ending December 31, 1942, an amount which equals 20% of that processor's total sales of binder twine in the United States during the twelve months ending October 31, 1941: *Provided, however,* That no person shall hereafter put into process binder twine containing any of the following kinds and grades of agave fiber:

Java sisalana	All grades.
Java cantala	All grades.
African sisalana	Prime, No. 1 and No. 1A.
Haitian sisalana	Dauphin A and X St. Marc A1, HFC No. 1 & Hacor A.

or any binder twine measuring less than 600 feet to the pound containing any of the following kinds and grades of agave fiber:

African sisalana	No. 2 and No. 3 long.
Haitian sisalana	Dauphin B & Y St. Marc A2, or Hacor B or X.

(iii) *Padding or stuffing.* Processors manufacturing padding or stuffing may use for that purpose only bagasse waste, except on orders to be delivered to or for the account of, or to be physically incorporated into material or equipment to be delivered to or for the account of, the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration or its operating or general agents, in which case tow, waste, and fibers less than twenty inches in length may be used.

(iv) *Reinforced paper, tape and plastics.* Processors manufacturing reinforced paper, tape and plastics may use agave fibers except Java sisalana and Java cantala, but only in an amount not in excess of 50% of the fiber content of their average monthly sales of such products for the twelve months ended June 30, 1942.

(v) *Agave cordage.* Processors manufacturing agave cordage shall not put into process in any of the periods listed below an amount of agave fiber in excess

of the amounts hereinafter specified for such period:

Periods:	*Amounts of agave fiber*
July 1, 1942, through December 31, 1942	12.2 times basic monthly poundage
Each calendar quarterly period in 1943	5.3 times basic monthly poundage

Provided, That the amount of agave fiber which may be put into process for this purpose by any cordage processor in any such period shall be:

(a) *Diminished* by the amount of any additional Manila fiber which may be put into process by such cordage processor during such period pursuant to any exceptions or additional authorizations issued by the Director General for Operations pursuant to General Preference Order M-36.

(b) [Revoked January 4, 1943.]

(c) [Revoked January 4, 1943.]

(2) A person may process agave fiber in the manufacture of a product not specified in paragraph (c) (1), for delivery to or for the account of, or for physical incorporation into material or equipment to be delivered to or for the account of, the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration or its operating or general agents.

(3) The prohibitions of paragraph (c) (1) shall not apply to the manufacture of wrapping twine, binder twine, agave cordage, reinforced paper, tape, or plastics from tow, waste, or fiber under twenty inches in length.

(4) The Director General for Operations may, whenever supplies of agave fiber on hand in the United States warrant, increase the amounts of agave fiber which may be entered into process for the manufacture of agave cordage or for such other products as in the judgment of the Director General for Operations may be necessary to promote the national defense and in the public interest.

(d) *Restrictions on purchases, sales and deliveries of agave cordage and wrapping twine.* (1) No dealer shall order, purchase or accept deliveries of any agave cordage which will result in such dealer having in inventory an amount thereof in excess of one month's supply.

(2) No person (other than a dealer, an importer, a wire rope manufacturer, the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal or the War Shipping Administration or its operating or general agents) shall order or accept delivery of any agave cordage which will result in such person having in inventory an amount thereof in excess of one month's supply; and no such person shall have outstanding at any one time orders for future deliveries of agave cordage in excess of one month's supply for such person.

(3) No importer shall, during the period from August 5, 1942 to October 31, 1942, sell or deliver in any calendar month agave cordage in excess of his average monthly sales of Manila and agave cordage in the calendar years 1939-1941, or in any calendar month after October 31, 1942, sell or deliver agave cordage, other than agave cordage sold or delivered to the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the War Shipping Administration or its operating or general agents, in excess of one-third of his average monthly sales of Manila and agave cordage in the calendar years 1939-1941.

(4) On and after September 26, 1942, no processor shall process agave fiber for cordage or sell or deliver any agave cordage except for filling contracts or purchase orders therefor, for the following categories of uses:

(i) *Class One: Agave cordage other than that used in manufacture of wire rope.* (a) Use for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal or the War Shipping Administration or its operating or general agents;

(b) Use upon any contract or order placed by any department or agency of the United States Government for delivery of agave cordage to or for the account of the Government of any country pursuant to the Act of March 11, 1941, entitled "An Act to promote the Defense of the United States" (Lend-Lease Act).

(c) Use for physical incorporation into material or equipment (excluding grommets and ammunition box handles) to be delivered under an order on hand to or for the account of any of the departments or agencies specified in the foregoing inferior subdivisions (a) and (b) of paragraph (d) (4) (i).

(ii) *Class Two: Agave cordage other than that used in the manufacture of wire rope.* (a) Commercial or other governmental marine, towage or lighterage uses, provided the cordage for such uses (excluding wheel rope for steering vessels) shall be one inch or more in diameter;

(b) Fishing uses for commercial fish markets or canneries;

(c) Use as catlines, spinning lines, bullropes and drilling cables in the operation or drilling of oil or gas wells;

(d) Use as drilling cables or scaling ropes in mines or quarries or in drilling water wells;

(e) Power transmission uses where an endless rope is used in transmitting continuous mechanical power between driver and driven grooved pulleys;

(f) Use to fill any purchase order carrying a preference rating of A-1-a or higher for the construction, maintenance or repair of any machinery equipment or structure, including public utility power lines and communications systems and shipyards, hulls and vessels;

(g) Use as grapnel cable;

(h) Use on elevators as governor rope, hawser laid, $\frac{5}{8}$" through 1" in diameter;

(i) Use as lifeboat falls;

(j) Use as drop hammer rope on purchase orders carrying a preference rating of A-1-a or higher;

(iii) *Class Three: Agave cordage used in the manufacture of wire rope.* Use in the manufacture of component parts of wire rope: *Provided, however*, That, on and after December 14, 1942, such agave cordage shall be processed only in sizes of $\frac{13}{64}$ of an inch in diameter or larger, that lesser sizes on hand or in process on said date may be sold or delivered for this use, and that lesser sizes may be processed, sold or delivered for galvanized or other corrosion resistant wire rope of sizes 6 x 12, 6 x 24, 6 x 37, or of springlay construction for use by any person specified in paragraph (d) (4) (i), but only to the extent that the normal specifications of such person, or a future directive of any department or agency specified in said paragraph, require such use.

(5) Each purchaser (other than the departments or agencies specified in paragraph (d) (4) (i)) of agave cordage (excluding agave cordage in any dealer's inventory shipped to such dealer on or before September 25, 1942) shall furnish his seller a certificate as a condition to receiving said cordage, and no person shall sell or deliver any such agave cordage to such purchaser without obtaining a certificate, signed by such purchaser or his duly authorized representative, in substantially the following form:

> The undersigned hereby represents to the seller and the War Production Board that the agave cordage covered by this certificate will be used or sold only for the following uses
> ----------
> (fill in)
> authorized in paragraph (d) (4) of General Preference Order M-84, with the terms of which the undersigned is familiar.

(6) On and after January 1, 1943, no processor shall put into process in any calendar month any agave fiber for the purpose of filling purchase orders for Class Two cordage uses, as specified in paragraph (d) (4) (ii), in excess of 20% of his basic monthly poundage, as established under paragraph (a) (10).

(7) [Revoked January 4, 1943.]

(8) On and after December 15, 1942, notwithstanding the provisions of paragraphs (d) (4) and (d) (5), any person may purchase, sell or deliver any agave lariat rope in process or in inventory on or before September 25, 1942.

(9) No importer shall sell or deliver in any month listed below any wrapping twine, imported or domestic, in excess of the following percentages of his average monthly sales thereof during the calendar year 1941:

	Percent
July, 1942	65
August, 1942	40
September, 1942, and each month thereafter	20

Provided, however, That no importer shall, after September 30, 1942, import, purchase for import, offer to import, offer to purchase for import, contract or otherwise arrange to import any wrapping twine unless specifically authorized by the Director General for Operations. Authorizations will only be granted, in the absence of extraordinary circumstances, where it can clearly be demonstrated that such wrapping twine was processed only from tow, waste or fiber under 20" in length.

(e) *Importation and disposition of agave fabrics and agave carpet yarns.* In addition to all other requirements of this order, the importation and disposition of agave fabrics and agave carpet yarns shall be made in conformity with the provisions of General Imports Order M-63, as amended from time to time.

(f) *Restrictions on purchases, sales and use of binder twine.* No person shall hereafter sell, purchase, deliver, accept delivery of or use any binder twine except for the growing or harvesting of agricultural products or for sewing up bags containing such products, and any person purchasing any binder twine shall endorse on, or attach to his purchase order or delivery receipt therefor, a statement signed by such person, or on his behalf by a duly authorized individual, a certificate in substantially the following form:

> The undersigned hereby represents to the seller and the War Production Board that the binder twine covered by this certificate will be either resold or used by the undersigned for the growing or harvesting of agricultural products or for sewing up bags containing such products and is not in excess of his requirements for the current harvest season, as provided in General Preference Order M-84.

(g) *Preference to agave cordage processors for cotton, istle or jute yarns.* (1) Subject to the provisions contained below in this paragraph (g) and notwithstanding the provisions of any other conservation order, preference rating A-2 is hereby assigned to any processor of agave cordage during the year 1942 to obtain delivery of cotton, istle or jute yarns for processing by him into cordage.

(2) The preference rating assigned by paragraph (g) (1) shall be applied and extended in accordance with Priorities Regulation No. 3, as amended from time to time.

(3) During the period January 1 through February 28, 1943, no processor of agave cordage during the year 1942 shall apply the rating assigned by paragraph (g) (1) to obtain delivery of any istle or jute yarns for such purpose in excess of an equivalent, for each yarn, of his basic monthly poundage, as established under paragraph (a) (10), and of one-half times said poundage for cotton yarns. Any such processor desiring additional quantities of any of said yarns may apply to the War Production Board therefor on Form PD-1A or other applicable form prescribed.

(4) Each processor of agave cordage during the year 1942 shall furnish his seller a certificate as a condition to receiving any cotton, istle or jute yarns for processing by him into cordage, and no person shall sell or deliver any cotton, istle or jute yarns to such processor for such purpose without obtaining a certificate, signed by such processor or his duly authorized representative, in substantially the following form:

> The undersigned hereby represents to the seller and the War Production Board that he processed agave cordage during 1942 and that the cotton, istle or jute yarns covered by this certificate will be processed by the undersigned into cordage and is not in excess of the stock authorized under paragraph (g) of General Preference Order M-84.

(h) *Control and allocations of stocks of agave fiber and agave cordage.* (1) Control is hereby taken of the disposition and use of agave fiber and agave cordage possessed by or under the control of any importer, dealer or processor. Any agave fiber or agave cordage at any time hereafter in the inventory of any such person shall be sold and delivered by such person as, and if, specifically directed in any order of the Director General for Operations which may be issued whenever the Director General for Operations shall determine that a shortage of any particular grade of agave fiber or agave cordage for defense, or for private account, or for export, renders it necessary or appropriate so to allocate such agave fiber or agave cordage in the public interest, or to promote the national defense by so directing its sale and delivery by such person. Any such sale shall be made at the established prices and terms of sale and payment therefor and shall take precedence over any preference rated orders. No person shall dispose of or use agave fiber or agave cordage in any manner inconsistent with any such order.

(2) Applications for specific authority to purchase, receive or use agave fiber or agave products otherwise than as permitted by paragraphs (b), (c), (d) or (e) may be made to the Director General for Operations by the person desiring to use such agave fiber or agave cordage on form PD-709 or such other form or forms as may be prescribed. Any such application shall, among other things, set forth a statement of the technical necessity for the use of agave fiber or agave cordage in the manner and to the extent that application therefor is made. Such application shall also summarize the efforts made by the applicant to use substitutes and shall contain a statement of the reasons why the applicant believes the use of agave fiber or agave cordage, in the manner and the extent that application therefor is made, will promote the national defense or will be in the public interest.

(i) *Reports.* Every importer of agave fiber shall file a report on Form PD-129 and every processor of agave fiber shall file a report on form PD-128 with the U. S. Tariff Commission, acting for the War Production Board, not later than the tenth day of the following month, and all persons affected by this order shall file with the War Production Board such reports as may from time to time be required by said Board.

(j) *Records.* All persons affected by this order shall keep and preserve for not less than two (2) years accurate and complete records concerning inventories, production, sales and other transactions pursuant to this order, and shall from time to time, upon request, submit all records required to be kept by this order to audit and inspection by duly authorized representatives of the War Production Board.

(k) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of agave fiber conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board by letter or telegram, Reference M-84, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(l) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Reference M-84.

(m) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(n) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-165; Filed, January 4, 1943; 12:02 p. m.]

PART 1149—EGYPTIAN AND AMERICAN EXTRA STAPLE COTTON

[Conservation Order M-117 as Amended Jan. 4, 1943]

Part 1149 (formerly "Imported Egyptian Cotton") is hereby amended to read "Egyptian and American Extra Staple Cotton".

Section 1149.1 *Conservation Order M-117* is hereby amended to read as follows:

§ 1149.1 *Conservation Order M-117*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Reserved Egyptian cotton" means raw cotton in unopened bales (including bales opened only for sampling or testing) of the following specifica-

tions according to the recognized Egyptian standards of classifications:

Variety, Giza 7, Grade: "Good" and better.
Variety, Sudan, Grade: "Good to Fully Good" and better.
Variety Sakha 4, Grade: "Good to Fully Goed" and better.
Variety, Sakellaridis, Grade: "Good to Fully Good" and better.
Variety, Malaki (Giza 26), Grade: "Good to Fully Good" and better.
Variety, Karnak (Giza 29), Grade: "Good to Fully Good" and better.
Variety, Giza 36, Grade: "Good to Fully Good" and better.

(2) "Reserved American extra staple cotton" means raw cotton in unopened bales (including bales opened only for sampling or testing) of the following specifications, grown within the Western Hemisphere, according to the official United States standards of classifications:

SXP Variety, grading No. 2½ or higher and with staple of 1-7/16" or longer.
Pima Variety (including both United States and Peruvian), grading No. 2½ or higher and with a staple of 1½" or longer.
Sea Island Variety, grading No. 3 or higher and with staple of 1½" or longer.

(3) "Reserved cotton" means and includes reserved Egyptian cotton and reserved American extra staple cotton.

(4) "Stitching thread" means finished cotton thread used for stitching, including home sewing, of the kind in which reserved cotton has heretofore been customarily used, and shall also include any cotton yarns, single or plied and having a thread twist, of the kind in which such cotton has heretofore been customarily usd, sold to another person to be manufactured solely into finished stitching thread, but shall not include corchet, embroidery or other fancy threads.

(5) "Dealer" means any person regularly engaged in the business of purchasing raw cotton for resale, and shall include exporters, importers, agents or brokers, whether or not they hold title to the cotton.

(c) *Restrictions on sales, deliveries and uses.* No person shall, except as provided in paragraph (d) below, or as specifically authorized by the Director General for Operations, sell or deliver, or accept delivery of, or process, or use, any reserved cotton.

(d) *General exceptions.* The prohibitions and restrictions of paragraph (c) above shall not apply to:

(1) Sales and deliveries to dealers.

(2) Sales and deliveries to the Board of Economic Warfare, the Commodity Credit Corporation, or any corporation organized under the authority of section 5d of the Reconstruction Finance Corporation Act, as amended, or any representative designated for the purpose by any of the foregoing.

(3) Sales and deliveries, and the processing or use of reserved cotton for physical incorporation into material or equipment to be delivered to or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration: *Provided, however,* That no reserved Egyptian cotton of the following varieties and grades shall after March 1, 1943, be processed or used in the manufacture of yarns for making parachute webbing:

Sudan: Grades GS, XGS, GSS, K, KK, GL, XGL and equivalent grades.
Malaki: All grades.
Sakha 4: Grades "Fully good" and better.
Karnak (Giza 29): Grades "Fully good" and better.

(4) Sales and deliveries, and the processing or use of reserved cotton for the manufacture of stitching thread subject, however, to the limitations of paragraph (e) below; *Provided, however,* That all sales and deliveries exempted from the prohibitions and restrictions of paragraph (c) above by subparagraphs (3) and (4) of this paragraph (d) shall be made only upon the receipt by the vendor from the purchaser of a certificate signed by such purchaser, or by a person authorized to sign in his behalf, in substantially the following form:

The undersigned hereby certifies to his vendor and to the War Production Board subject to the provisions of section 35 (A) of the United States Criminal Code (18 U. S. C. 80) that the reserved cotton to be delivered on the annexed purchase order is to be used for one or more of the purposes specified in Conservation Order M-117 as amended, for such cotton and for no other purposes; and if used for the manufacture of stitching thread will not be used by the undersigned in an amount in excess of the amount permitted for such purposes by said order.

_____
(Name of purchaser)
By _____
(Authorized person)
_____
(Title)
Date _____

(e) *Restrictions on the manufacture of stitching thread.* No person shall, during the period from January 1, 1943, to and including December 31, 1943, use more reserved cotton in the manufacture of stitching thread than

(1) 70% of the amount of reserved cotton used by such person for the manufacture of stitching thread in the year 1941: *Provided, however,* That the amount of reserved Egyptian cotton used pursuant to this subparagraph (1) shall not exceed 70% of the amount of reserved Egyptian cotton used by such person for the manufacture of stitching thread in the year 1941; plus

(2) The amount of reserved cotton necessary to fill orders for stitching thread placed with such person bearing a rating of A-1-j or better; plus

(3) The amount of reserved cotton necessary to fill orders not rated A-1-j or better, for stitching thread placed with such person accompanied by a certificate signed by the purchaser, or by a person authorized to sign in his behalf, in substantially the following form:

The undersigned hereby certifies to his vendor and to the War Production Board subject to the provisions of section 35 (A) of the United States Criminal Code (18 U. S. C. 80) that the stitching thread to be delivered on the annexed purchase order is to be physically incorporated into material or equipment to be delivered to or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration, or resold for such incorporation.

_____
(Name of purchaser)
By _____
(Authorized person)
_____
(Title)
Date _____

No person purchasing any stitching thread pursuant to the use of such certification shall sell or deliver such stitching thread except upon receipt by him of such a certificate.

(f) *Grading.* The Director General for Operations may require that any lot of Egyptian or American extra staple cotton held in the United States be graded by referring representative samples thereof for classification to the Appeal Board of Review Examiners, United States Department of Agriculture, Washington, D. C., or at such office or offices of the said Board as may be designated for the purpose by the Department of Agriculture. The classification and findings of the said Appeal Board shall, for the purposes of this order only, be final in establishing whether any bale of cotton, sample whereof has been so submitted, is or is not reserved cotton. If upon the examination of any cotton by representatives of the United States Customs Service, any doubt or dispute arises as to whether such cotton is reserved cotton, sample thereof shall be referred for classification, for the purposes of this order only, to the said Appeal Board of Review Examiners. The said Appeal Board will, in every case examined by it, transmit one copy of its findings to the War Production Board.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) *Records and reports.* All owners and processors of Egyptian or American extra staple cotton shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales, and copies of all invoices of both purchases and sales, relating to reserved NEP cotton; and shall execute and file with the War Production Board on Form PD-597, as revised, a report of the amount of Egyptian and American extra staple cotton held or owned on the last day of each calendar quarter, or on such other date as may be prescribed, and such other reports and questionnaires as may be required from time to time.

(i) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C.: Reference: M-117.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Effective date.* This amended order shall take effect on January 1, 1943.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; O.E. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub Laws 89 and 507, 77th Cong.)

Issued this 4th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-169; Filed, January 4, 1943; 12:02 p. m.]

PART 1177—SPICES

[Supplementary Order M-127-b as Amended Jan. 4, 1943]

§ 1177.3 *Supplementary Order M-127-b.* Pursuant to Order M-127, as amended September 25, 1942, which this order supplements, the Director General for Operations hereby determines that, for the 3-month period commencing January 1, 1943, and for each subsequent 3-month period until otherwise ordered:

(a) The quota of any restricted spice, as listed below, for any packer, any receiver, or any industrial user shall be the below-listed percentage of the amount of such spice delivered by him (if he was a packer), accepted by him (if he was a receiver), or used by him (if he was an industrial user) during the corresponding period of 1941 or during such other base period as is provided for in paragraph (c) (5) of said order M-127:

NOTE: Certain changes in quota percentages were made.

Restricted spice:	*Quota percentage*
Black pepper	90
Cassia (cinnamon)	50
Cloves	100
Ginger	115
Mace	75
Nutmeg	75
Pimento (allspice)	75
White pepper	75

(b) In place of a quota computed pursuant to paragraph (a) above, any person may avail himself of a quota of a total of 100 pounds of any restricted spice or any combination of restricted spices.

(c) In place of a quota of white pepper computed pursuant to paragraph (a) above, any person may substitute a quota of black pepper, computed by applying the quota percentage specified for black pepper to the base quantity of white pepper specified in paragraph (a) above.

This order as amended shall take effect as of the close of business December 31, 1942.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

F. R. Doc. 43-166; Filed, January 4, 1943; 12:03 p. m.]

PART 1235—COMBED COTTON YARN (INCLUDING SALES YARN AND YARN FOR PRODUCERS' OWN USE)

[General Preference Order M-155 as Amended January 4, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of combed cotton yarn and of certain combed cotton fabrics, for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§1235.1 *General Preference Order M-155*—(a) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(b) *Definitions.* For the purposes of this order:

(1) "Combed cotton yarns" means greige cotton yarn, in all counts and descriptions up to and including 90's, which in addition to having been put through cotton carding machinery has also been through the further process of combing, whether produced for sale or in integrated mills for use directly in the manufacture of fabrics, braids, tapes or other products.

(2) "Medium combed yarns" means the combed cotton yarns in counts from 61s to 90s, inclusive, single or plied, whether produced for sale or for use in integrated mills directly in the manufacture of fabrics, braids, tapes or other products.

(3) "Coarse combed yarns" means the combed cotton yarns in counts coarser than 61s single or plied, whether produced for sale or for use in integrated mills directly in the manufacture of fabrics, braids, tapes or other products.

(4) "Reserved combed yarn" means the combed cotton yarns, required to be earmarked pursuant to the terms of this order, whether produced for sale or for use in integrated mills directly in the manufacture of fabrics, braids, tapes or other products.

(5) "Producer" means any person who, on February 28, 1942, was spinning medium or coarse combed yarns, or both, whether produced for sale or for use in integrated mills directly in the manufacture of fabrics, braids, tapes, or other products, or who, on that date, had idle equipment capable of producing either of them, except that any such person shall not be deemed a producer as to that portion of his production which is equivalent to the portion of his production during the month of February, 1942 which was used or sold in the manufacture of combed yarn used in stitching thread (as distinguished from embroidery or decorative thread). The term "producer" shall include, but without limitation thereto, sales yarn mills, spinner-weavers, spinner-mercerizers and spinner-knitters.

(6) "Officers uniforms" shall mean uniforms (including shirts) manufactured in accordance with the regulations of and required to be worn by the United States governmental agency concerned for:

(i) United States Army officers (warant officers and nurses).

(ii) United States Navy officers (commissioned and warrant), chief petty ffieers and nurses.

(iii) United States Marine Corps officers and warrant officers.

(iv) United States Coast Guard officers and chief petty officers.

(v) United States Government military and naval academy and training chool students.

(vi) United States Maritime Commission officers.

(vii) United States Coast and Geodetic Survey officers.

(viii) United States Public Health Service officers or nurses.

(ix) United States Women's Army Auxiliary Corps and any similar United States navy corps or organization.

(x) United States Army Specialist Corps.

(c) *Directions with respect to the production of combed cotton yarns*—(1) *Medium combed yarns.* Notwithstanding the provisions of any contracts to which he may be a party, each producer of medium combed yarns shall, as soon as may be necessary for him to do so in order to make delivery in accordance with the terms of any purchase order placed with him of the type specified in paragraph (d) (1) hereof and as soon as the required yarn counts and descriptions can be produced by him, but in any event not later than the week beginning March 1, 1943, and in each week thereafter until further direction, earmark at least 40 percent of his production thereof as reserved combed yarns.

(2) *Coarse combed yarns.* Notwithstanding the provisions of any contracts to which he may be a party, each producer of coarse combed yarns shall, as soon as may be necessary for him to do so in order to make delivery in accordance with the terms of any purchase order placed with him of the type specified in paragraph (d) (1) hereof and as soon as the required yarn counts and descriptions can be produced by him, but in any event not later than the week beginning March 1, 1943, and in each week thereafter until further direction, earmark at least 65 percent of his production thereof as reserved combed yarns.

(3) No producer shall fail to operate his equipment capable of producing medium or coarse combed yarns at maximum

practicable capacity or take any action which would decrease his weekly production of medium combed yarns, coarse combed yarns, or both, except to the extent necessary to meet his required deliveries of such yarns or of fabrics woven therefrom, within the limitations set forth in paragraph (c) (1), (2) and (5).

(4) Nothing in paragraph (c) (1), and (2) and (3) shall prevent or preclude any producer from earmarking a higher percentage of medium or coarse combed yarns as reserved yarns.

(5) Production in accordance with paragraph (c) (1) and (2) shall be earmarked in the counts required to meet the current specifications or requirements of the procurements of:

(i) The Army or Navy of the United States, including, but without limitation thereto, the yarn counts required by the following fabrics:

(*a*) Cloth, cotton, twill, 6 oz., Quartermaster Corps Tentative Specification P. Q. D. No. 95, September 25, 1941;

(*b*) Cloth, cotton, uniform, twill, Quartermaster Corps Tentative Specification P. Q. D. No. 33–A, December 9, 1941, superseding P. Q. D. No. 33, February 17, 1941;

(*c*) Cloth, cotton, wind resistant, Quartermaster Corps Tentative Specification P. Q. D. No. 1, December 13, 1940, superseding Q. M. C. Tent. Spec. September 24, 1940;

(*d*) Army-Navy Aeronautical Specification cloth; airplane, cotton, mercerized, AN–CCC–C–399, Amendment 1, October 23, 1939;

(*e*) Twill, bleached and shrunk, Navy Department Specification No. 27T25, Sept. 2, 1941, superseding 27D5c, Jan. 2, 1937;

(*f*) Lining, uniform, cotton (twill), U. S. Army Specification No. 6–100B, Sept. 17, 1929;

(*g*) Cloth, balloon; finished, U. S. Army Specification No. 6–39–G, May 5, 1937, Amendment No. 2, June 25, 1941;

(*h*) Cloth, balloon; finished, U. S. Army Specification No. 6–39–G, May 5, 1937, superseding No. 6–39–F, December 2, 1932;

(*i*) Netting; mosquito (unbleached-bobbinet) Federal Specification JJ–N–191, January 5, 1932, superseding F. S. No. 540a, January 25, 1929;

(*j*) Netting; mosquito, U. S. Army, Quartermaster Corps Specification P. Q. D. No. 17*a*;

(*k*) Netting; mosquito, U. S. Army, Quartermaster Corps Specification P. Q. D. No. 82;

(*l*) Netting; mosquito, U. S. Navy, Bureau of Ships Specification No. 27N1 (INT);

(*m*) Socks, cotton, tan, Federal Specification No. JJ–S 566A, dated August 26, 1938

as such specifications are from time to time revised or amended.

(ii) The United States Maritime Commission, The Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development;

(iii) Manufacturers of officers' uniforms or fabrics therefor as approved by the respective departmental regulations for such uniforms;

(iv) The government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom including its Dominions, Crown Colonies and Protectorates and Yugoslavia;

(v) Any agency of the United States Government for material or equipment to be delivered to, or for the account of, the government of any country listed in subparagraph (c) (5) (iv) or any other country, including those in the western hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act);

(vi) Manufacturers of tracing cloth, typewriter ribbons, and electrical insulation materials, but only to the extent and in the counts that such combed yarns have been heretofore used or specified for such purposes;

(vii) The Defense Supplies Corporation, or other corporation organized under section 5d of the Reconstruction Finance Corporation Act, as amended;

(viii) Manufacturers specifically authorized to purchase reserved combed yarns by the Director General for Operations acting pursuant to paragraph (f).

(d) *Directions with respect to the sale, delivery or use of reserved combed yarns.* (1) All reserved combed yarns shall be used, sold, or delivered only upon orders therefor for physical incorporation into material or equipment to be delivered to or for the account of the persons listed in paragraph (c) (5), except as otherwise authorized by the Director General for Operations.

(2) No producer shall hold a stock of reserved combed yarn for his own account any customer over one week without notifying the War Production Board and stating the counts, quantities and descriptions of such reserved combed yarns.

(3) Each producer, holding a stock of reserved combed yarn for his own account in excess of his current weekly production of such yarn, shall immediately notify the War Production Board stating the counts, quantities and descriptions of such reserved combed yarns on hand.

(4) No person, operating a warehouse or other place of storage shall hold in storage any combed yarns for a period longer than 30 days without notifying the War Production Board, stating the most complete description of the yarn known to him and the person for whose account it is being stored.

(5) No person, except those mentioned in paragraph (c) (5) (vii) and (viii) or (d) (4), shall accept delivery of reserved combed yarns unless such yarns shall be put into process by him within 30 days after actual receipt thereof by him at his plant or at any warehouse or other place of storage for his account or are required by him for immediate delivery to others who shall put them into process after actual receipt thereof by him at his plant or at any warehouse or other place of storage for his account.

(6) No producer, regardless of whether he has heretofore engaged in the business of selling combed cotton yarns, or not, shall refuse to accept and fill, to the extent of his production of reserved combed yarns, a purchase order therefor of the kind specified in paragraph (d) (1), unless:

(i) The person placing the same is unable or unwilling to meet the established prices and terms therefor; or

(ii) The producer shall have already sold all of his reserved combed yarns to be produced in the delivery period required by the said purchase order to another person for a use permitted in the said paragraph (d) (1); or

(iii) The producer will require all his unsold reserved combed yarns for use himself as permitted in paragraph (d) (1), prior to the availability of further production thereof by himself; or

(iv) The purchase order is for combed cotton yarn in counts or in put-ups which the producer, in view of his commitments under paragraph (d) (6) (ii) and (iii) above, is not capable of producing, due to the limitations of his available machinery and equipment and the proposed purchaser is unable or unwilling to supply the necessary equipment or machinery;

Provided, however, That nothing in this order shall excuse any person producing combed cotton fabrics from the requirements of complying with the provisions of Priorities Regulation No. 1 with respect to the compulsory acceptance and filling of defense or other preference rated orders in accordance with the preference ratings assigned thereto; but any person with whom an order is placed for fabrics for a use permitted in paragraph (d) (1) hereof may, if his own supply of reserved combed yarns is not available, in whole or in part, for any of the reasons set forth in paragraphs (d) (6) (ii), (iii) and (iv) above, place a purchase order with any other producer for the necessary combed cotton yarns required over and above his own reserved combed yarns, to be filled out of such other producer's reserved yarns. Such other producer shall accept and fill such purchase order subject to paragraphs (d) (6) (i), (ii), (iii) and (iv).

(e) *Restrictions on the sale or delivery of the residual supply of combed cotton yarns and on fabrics woven therefrom.* No producer shall make any discriminatory cuts in sales or deliveries of non-reserved coarse or medium combed cotton yarns in counts which the producer continues to make, or fabrics woven therefrom, between former customers desiring to purchase the same, and who purchased such yarns or fabrics in the year 1941 and heretofore in 1942, notwithstanding the provisions of any contracts to which he may be a party, or between such former customers and his own use of such yarns or fabrics, except to the extent necessary to make his required deliveries upon purchase orders for such yarns or fabrics carrying preference ratings.

(f) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of combed cotton yarn conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board by letter or telegram, Reference M–155, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(g) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(h) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be required by said Board from time to time, but no reports other than the notifications required by paragraph (d) hereof, shall be filed until forms therefor shall have been prescribed.

(i) *Communications to the War Production Board.* All communications concerning this order, or any reports required to be filed hereunder, shall unless otherwise directed, be in writing and be addressed to: War Production Board, Washington, D. C. Reference M–155.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43–170; Filed, January 4, 1943; 12:04 p. m.]

PART 1256—PLATINUM

[Interpretation 2 of Conservation Order M–162]

The following official interpretation is hereby issued by the Director General for Operations with respect to the meaning of the term "assemble" as such term is defined and used in General Conservation Order M–162 (§ 1256.1):

Subparagraph (b) (11) of General Conservation Order M–162 states: "The term 'assemble' shall not be deemed to include the putting together of an article after delivery to a sales outlet or consumer in knockdown form pursuant to an established custom • • •." Some question has arisen as to whether or not this exception permits a processor after January 1, 1943, to assemble findings which he has purchased from other processors. It has been the custom of the trade for findings manufacturers to deliver to manufacturers of completed jewelry findings which will then be assembled from time to time, as the need arises, by the manufacturer of the completed jewelry.

The assembly of findings in the case described comes within the meaning of the term "assemble" as such term is used in the order and is prohibited after January 1, 1943. The quoted exception applies only to a case where an article of completed jewelry, for convenience in packing and shipment, is customarily delivered to a sales outlet in knockdown or unassembled form. The distinguishing points of the exception are that the various parts being shipped together are all designed for assembly into a single completed article, that convenience in packing and shipping requires shipment of the article in unassembled form, and that shipment of the particular article in such unassembled form is an established custom in the trade.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43–176; Filed, January 4, 1943; 12:05 a. m.]

PART 3018—AMERICAN EXTRA STAPLE COTTON

[Revocation of General Conservation Order M–197]

Section 3018.1 *Conservation Order M–197* is hereby revoked as of January 4, 1943.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43–175; Filed, January 4, 1943; 12:04 p. m.]

PART 3133—PRINTING AND PUBLISHING MACHINERY, PARTS AND SUPPLIES

[Limitation Order L–226]

The fulfillment of requirements for the defense of the United States having created a shortage in the supply of aluminum, chromium, copper, nickel, iron, steel, manpower, transportation, and electrical energy required for the production of graphic arts machinery, operating supplies, and replacement parts therefor for defense, for private account and for export, the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3133.1 *Limitation Order L–226*—(a) *Protection of production schedules.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board as amended from time to time, except that notwithstanding Priorities Regulation 1 producers of operating supplies and replacement parts, to the extent provided for in paragraphs (d) and (e) of this order, may on and after January 1, 1943, schedule their production of such operating supplies and replacement parts as if the orders therefor bore a rating of AA–1.

(b) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Graphic arts machinery" means any piece of new, used or reconditioned machinery or equipment designed for use in the production of printed matter, including but not limited to the kinds listed on Schedule A.

(3) "Operating supplies" means small pieces of equipment not normally considered capital items peculiar to and used exclusively in the graphic arts industry including but not limited to the kinds listed on Schedule B.

(4) "Replacement parts" means parts used for the repair or maintenance of the machinery listed in paragraph (b) (2) hereof.

(5) "Producer" means any person engaged in whole or in part in the manufacture of new graphic arts machinery, operating supplies, or replacement parts as defined in paragraphs (b) (2), (3) and (4) above.

(6) "Inventory" means any stock of operating supplies or replacement parts as defined in paragraphs (b) (3) and (4), on hand, or consignment, or held for the account of the owner thereof in any other name, manner or place.

(7) "Order" means any commitment or other arrangement for the production or delivery of graphic arts machinery.

(8) "Distributor" means any person regularly engaged in the business of buying or otherwise acquiring new, used, or reconditioned graphic arts machinery, operating supplies, or replacement parts for resale or lease.

(9) "Approved order" means any order for graphic arts machinery approved by the War Production Board as provided in paragraph (g) hereof.

(10) "Printed matter" shall include any paper (or any paperlike substance), wood, fabric, metal or other material upon which there has been printed, impressed or otherwise transferred any ink, color, pigment, mark, character or delineation by the letter press, lithographic or gravure processes or any modifications thereof.

Definitions in paragraphs (2), (3), (4) and (10) of this paragraph shall not be deemed to include any office machinery and collateral equipment as listed in General Limitation Order L–54–c, as Amended, operating supplies and replacement parts for same, and the material produced by same.

(c) *Restrictions on acceptance of orders for production and delivery of*

graphic arts machinery. (1) On and after January 30, 1943, no person shall:

(i) Produce any graphic arts machinery, except for the use of the Armed Forces outside of the U. S., its territories or possessions or on shipboard and then only upon an approved order to deliver or accept delivery;

(ii) Deliver or accept delivery of any graphic arts machinery unless such delivery is upon an approved order except as provided in paragraph (c) (3) hereof.

(2) *Auction sales, sales pursuant to court order and similar transactions.* Dispositions of used graphic arts machinery at auction, at sheriff's sales, at tax sales, in liquidations of all or part of the business, and in similar transactions must be approved orders unless such dispositions are made within the limits specified in paragraph (c) (3) (v).

(3) *Exempted transactions.* Nothing in this order shall be construed to prohibit any of the following transactions:

(i) The seizure of graphic arts machinery (but not subsequent disposition or use thereof) upon default, by any person pursuant to the terms of a conditional sale agreement, chattel mortgage, pledge, or other security agreement; and the distraint or levy by execution (but not subsequent disposition thereof) by tax authorities.

(ii) The delivery or acquisition of graphic arts machinery (but not subsequent disposition thereof) through a transfer by will or intestacy, or a transfer by operation of law to a trustee, receiver, or assignee for the benefit of creditors, in bankruptcy, insolvency, receivership, or assignment for the benefit of creditors.

(iii) The delivery or acquisition of graphic arts machinery as part of a transaction, such as merger, consolidation, sale and purchase of assets, sale and purchase of stock or lease of plant, involving the transfer of all or substantially all of the assets of an enterprise, where no liquidation or dismemberment of assets is contemplated.

(iv) The delivery or acquisition of graphic arts machinery (but not subsequent disposition thereof) as a trade-in, where the machinery to be installed is delivered pursuant to an approved order.

(v) Deliveries to, and acquisitions by distributors of used graphic arts machinery (but not subsequent dispositions thereof) at auction, sheriff's sales, tax sales, liquidations or otherwise.

(vi) The delivery of graphic arts machinery for repair and return, the return of a repaired machine, and the loan of a machine to the user, for a period not to exceed ninety (90) days, pending the repair of the damaged machine.

(vii) The delivery and acquisition of graphic arts machinery for scrap.

(viii) The unloading, from a vessel, of any imported graphic arts machinery.

(ix) The transfer of any interest, in any written instrument evidencing an interest in graphic arts machinery: *Provided, however,* That nothing in this subparagraph (ix) shall be construed to permit the physical delivery or use of such graphic arts machinery.

(x) The delivery, acquisition and production of graphic arts machinery, the delivery and acquisition of which has been approved prior to January 4, 1943, under General Conservation Order L–83 on Form PD–1A carrying a preference rating of A–9 or higher.

(xi) The delivery and acquisition of graphic arts machinery approved on Form PD–200.

(xii) The delivery and acquisition of graphic arts machinery which was delivered to the original user prior to May 1, 1937.

(d) *Restrictions on the production of operating supplies used in the graphic arts processes.* During the first calendar quarter of 1943 or any calendar quarter thereafter, a producer of operating supplies used in the graphic arts industry shall limit his production of such supplies to a quantity having a sales value of not more than 18% of the combined sales value of such supplies sold by him during 1941 and shall limit his inventory of such supplies to a quantity having a sales value of not more than 133⅓% of the combined sales value of such supplies sold by him during the preceding calendar quarter.

In the event that a producer's inventory of operating supplies is or should at any time become in excess of 133⅓% of the combined sales value of such supplies sold by him during the preceding calendar quarter, he shall limit his production of such supplies to a quantity having a sales value of not more than 6% of the combined sales value of such supplies sold by him during 1941.

(e) *Restrictions on the production of replacement parts.* During the first calendar quarter of 1943 or any calendar quarter thereafter, a producer of replacement parts used in the graphic arts industry shall limit his production of such parts to a quantity having a sales value of not more than 30% of the combined sales value of such parts sold by him during 1941 and shall limit his inventory of such parts to a quantity having a sales value of not more than 133⅓% of the combined sales value of such parts sold by him during the preceding calendar quarter.

In the event that a producer's inventory of replacement parts is or should at any time become in excess of 133⅓% of the combined sales value of such parts sold by him during the preceding calendar quarter, he shall limit his production of such parts to a quantity having a sales value of not more than 18% of the combined sales value of such parts sold by him during 1941.

(f) *Restrictions on sales of operating supplies and replacement parts to consumers.* (1) On and after January 4, 1943, no producer or distributor shall sell or deliver any operating supply or replacement part to a consumer who falls within 30 days after receipt of a supply or part, ordered on or after January 4, 1943, to:

(i) Deliver to said producer or distributor a used part of similar kind or size for each new replacement part or operating supply delivered to the consumer or

(ii) Certify to said producer or distributor that he has disposed through scrap channels of a used part of similar kind and size for each new replacement part or operating supply delivered to the consumer.

(2) Notwithstanding the provisions of paragraph (f) (1) (ii), a producer may not install replacement parts in the consumer's machine unless the producer shall receive from the consumer at the time of such installation a used part of similar metal content, size and kind for each used replacement part or operating supply delivered to the consumer.

(3) Excluded from the provisions of paragraph (f) (1) are sales of operating supplies and replacement parts to the Armed Forces or to consumers outside of the continental U. S. or on shipboard.

(g) *Requirements for obtaining an approved order.* Any person seeking an approved order for graphic arts machinery shall file Form PD–556 containing all information requested by said form and, in addition, shall make answer in Section 5 of said form to the following questions:

(1) Is the machinery an expansion of existing facilities or a replacement, and if the latter, what disposition will be made of the existing machinery?

(2) Does the applicant have in use any machinery similar to that for which application is made?

(3) How does the applicant now accomplish the work for which is required the machinery applied for?

(h) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(i) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as the Board shall from time to time request.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(k) *Appeals.* Any appeal from the provisions of this order shall be filed on Form PD–500.

(l) *Communications.* All communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Printing and Publishing Division, Washington, D. C. Ref: L–226.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A

MACHINE COMPOSITION

Automatic metal feeders.
Band saws.
Broaching machines.
Buffer and polishers.
Complete fonts of composing machine matrices.
Composing machine molds.
Composing room saw trimmers.
Line typesetting machines.
Line composing machine magazines.
Lino-saws.
Material makers.
Plunger cleaners.
Remelt furnaces and molds.
Rule casters.
Space band cleaners.
Single character type composing machines.
Single character type casting machines.

HAND COMPOSITION

Cabinets, type, storage, galley.
Composing frames.
Complete fonts of foundry type.
Dead metal frames.
Imposing tables or stones.
Line-up and register tables and devices.
Make-up frames.
Metal saws and trimmers.
Mitering machines.
Page make-up gauges.
Plate mounting (patent) bases.
Slug and rule cutters.
Trucks, galley, form, dead-metal.

PHOTOENGRAVING, LITHOGRAPHIC AND GRAVURE PLATE MAKING

Arc lamps.
Ben Day machines.
Cameras and lenses.
Color filters.
Etching machines, baths and tanks.
Halftone screens.
Monel silver baths.
Monel evaporating dishes.
Nailing machines.
Planing machines.
Plate coating machines.
Plate graining machines.
Plate routers.
Plate beveler and trimmer.
Plate dryers.
Projectors.
Photo-composing machines.
Registering devices.
Vacuum backs for cameras.
Vacuum frames.

ELECTROTYPE, STEREOTYPE RUBBER AND PLASTIC PLATE MAKING

Casting boxes.
Cooling tables.
Electrolytic baths and tanks.
Jig saws.
Mat formers, scorchers and rollers.
Molding presses.
Plate curving machines.
Routing machines.
Rubber plate depth gauges.
Ruling moldings.
Saws and trimmers.
Shaving and planing machines.

PRESSES

Automatic press feeders and deliveries.
Auxiliary ink distributors.
Bronzing machines.
Cutting and creasing presses.
Drying racks.
Hand and automatic sheet and web-fed platen presses.
Hand and automatic fed flat-bed cylinder presses.
Hand and automatic fed flat-bed gravure presses.
Hand and automatic fed plate engraving presses.
Ink agitators.
Numbering machines.
Paper seasoners.
Proof presses.
Roller washing devices.
Scoring and perforating attachments.
Sheet and web-fed rotary letter presses.
Sheet and web-fed offset or direct lithograph presses.
Sheet and web-fed rotary gravure presses.
Sheet heaters, static eliminators and ink dryers.
Thermographic presses.
Transfer presses.
Varnishing machines.
Vibrating rollers.
Web-pasters.
Web-tension devices.
Web-slitting and re-winding machines.

BINDERY

Automatic feeders for folding machines.
Automatic and hand-fed trimmers.
Automatic feeders for board cutters.
Banding machines.
Bindery hand presses.
Binder's board cutters.
Binder's cloth cutters.
Book presses (drying; clamp units, power or hand).
Book sawing machines.
Case making machines.
Casing-in machines.
Cover shaping and bending machines.
Color spraying hoods and machines.
Cover spraying machines.
Corner cutting racks.
Eyeletting machines.
Forwarding machines (backers, liners, and headbanders).
Guillotine cutting machines, power and hand lever.
Gathering and inserting machines.
Gilding presses, screw type.
Gold and foil cover cleaning machines.
Hand and automatic fed folding machines.
Headband forming machines.
Lettering presses.
Marbling troughs and clamps.
Mechanical binding machines.
Nipping machines.
Paper ruling machines.
Perforating machines.
Pamphlet covering machines.
Round cornering, punching, drilling and indexing machines.
Rounding and backing machines.
Rough-edging machines.
Round corner turn-in machines.
Sanding machines (edges).
Stripping machines.
Smashing machines.
Stamping, embossing and brass die-cutting and sinking machines and presses.
Stippling and graining machines.
Signature bundling presses (hand and power).
Skiving or paring machines.
Thread stitching machines, hand and automatic feed.
Thread sewing machines.
Tipping, pasting and gluing machines.
Wire stitching machines.

SCHEDULE B

MACHINE COMPOSITION

Go No-go type high gauges.
Replacement matrices.
Space bands.

HAND COMPOSITION

Chases.
Composing sticks.
Imposing furniture.
Leads, rules and slugs.
Line gauges.
Plate hooks.
Replacement foundry type, borders, ornaments, etc
Quoins and keys.

PHOTOENGRAVING, LITHOGRAPHIC AND GRAVURE PLATE MAKING

Routing bits.

PRESSES

Press fountain dividers.
Cylinder jackets for cutting and creasing presses.
Doctor blades (gravure).
Gauge pins.

BINDERY

Cutting-out dies.
Drills and punches (paper).
Graining plates.
Index cutting knives.
Needles and hooks.
Paper cutter knives.
Perforator wheels and knives.

[F. R. Doc. 43–168; Filed, January 4, 1943; 12:03 p. m.]

PART 3134—DAIRY PRODUCTS

[Conservation Order M–271 as Amended Jan. 4, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of milk and milk products for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3134.2 *Conservation Order M–271—*(a) *Definitions.* For the purposes of this order:

(1) "Producer" means any person engaged in the commercial manufacture of frozen milk desserts or mix.

(2) "Frozen milk dessert" means ice cream, frozen custard, ice milk, milk sherbet and any other frozen or partially frozen combination of milk or milk products with other food products, flavors, color, or stabilizer. This includes any such dessert produced from mix.

(3) "Mix" means the liquid or dried unfrozen combination of the ingredients of a frozen milk dessert.

(b) *Restrictions on manufacture.* During each of the months of December 1942, and January 1943,

(1) No producer shall, in the manufacture of frozen milk desserts or mix, use:

(i) In December, more than 60% of the total milk fat and 60% of the total milk solids not fat so used by him during October, 1942, and in January, more than 50% of the total milk fat and 50% of the total milk solids not fat so used by him during October, 1942; or

(ii) Formulas not used by him during October 1942. A change in flavors or colors shall not be considered a change in formulas.

(2) Notwithstanding the restriction of paragraph (b) (1), any producer may manufacture a combined total of 60 gallons of frozen milk desserts or mix per month.

(c) *Appeals.* Any appeal from the provisions of this order shall be made by

filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds for the appeal.

(d) *Reports.* Any person affected by this order shall file such reports and questionnaires as the War Production Board may request from time to time.

(e) *Records.* Every person to whom this order applies shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(f) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(h) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Food Division, Washington, D. C. Ref.: M-271.

(i) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-167; Filed, January 4, 1943; 12:03 p. m.]

PART 3155—IMPORTED COTTON YARNS AND FABRICS

[Conservation Order M-272]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of imported cotton yarns and fabrics for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3155.1 *Conservation Order No. M-272*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of all the priorities regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order: (1) "Imported" means manufactured in the British Isles and transported into the continental United States and released from the custody of the United States Bureau of Customs, either before or after January 4, 1943.

(2) "English spun combed cotton yarn" shall mean imported cotton yarn in counts of 56s and finer, single or plied, which in addition to having been carded has also been through the further process of combing.

(3) "Cotton rope for spinning mules" shall mean imported rope made of cotton suitable for use in driving mule spinning machinery.

(4) "Tracing cloth fabric" shall mean any imported fabric, either in the gray or finished state, suitable for making tracing cloth.

(5) "Typewriter ribbon fabric" shall mean any imported fabric, either in the gray or finished state, suitable for making typewriter ribbon.

(6) "Filter cloth" shall mean any imported fabric suitable for use in purifying materials by straining.

(7) "Decating apron fabric" shall mean any imported fabric suitable for use as a decatizer in finishing of silk, rayon, wool or cotton goods.

(8) "Lithograph moleskin cloth" shall mean any imported fabric suitable for use as a base cloth for reproducing in the process of lithographing.

(9) "Printers molleton" shall mean any imported fabric suitable for use in making impressions in the process of printing.

(10) "Balloon cloth" shall mean any imported fabric of combed cotton yarn which meets the specifications for Type HH Balloon Fabric, Type SS Balloon Fabric or Type MM Airplane Cloth Fabric contained in United States Army Specifications No. 6-39-G, or United States Navy Specifications No. 27C13, as amended from time to time.

(11) "Suitable" means of a construction customarily used in the United States for commercial operation.

(c) *Restrictions on sales, deliveries and use of English spun combed cotton yarn.* No person shall sell or deliver any English spun combed cotton yarn, and no person who has received delivery of any such yarn pursuant to the use of the certificate provided in paragraph (e) (1) or that provided in paragraph (h) shall process or use such yarn, except:

(1) For physical incorporation into material or equipment to be delivered to or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration.

(2) For use in reinforcing women's rayon hosiery at the points of extreme wear, namely, top and foot, within the limitations established in paragraph (d) below.

(d) *Limitation on use of English spun combed cotton yarn in hosiery.* No manufacturer of women's rayon hosiery shall, during any calendar quarter accept delivery of any English spun combed cotton yarn in excess of a declared percentage of his "basic monthly poundage," as defined in General Preference Order M-37-C, that may be established by the Director General for Operations for the quarter. For the calendar quarter beginning January 1, 1943, and for every calendar quarter thereafter until such time as a different percentage is established, such declared percentage shall be twenty (20). Deliveries accepted in the calendar months of any such quarter shall be of equal quantities insofar as permitted by the suppliers' arrivals and by the making of deliveries in standard case lots.

(e) *Conditions on deliveries of English spun combed cotton yarn to hosiery manufacturers.* (1) No person shall deliver any English spun combed cotton yarn to any manufacturer of women's hosiery unless such manufacturer shall have filed with such person a certificate, in duplicate, on Form PD-769.

(2) No person shall make delivery of any English spun combed cotton yarn to any manufacturer of women's hosiery which he knows, or has reason to believe, will result in the receipt by such manufacturer in that calendar quarter of an amount of English spun combed cotton yarn in excess of the amount which such manufacturer is entitled under paragraph (d) to accept delivery of in that calendar quarter.

(3) Each person with whom a Form PD-769 is filed in duplicate shall promptly forward to the War Production Board, Textile, Clothing and Leather Division, Appeals Section, Washington, D. C., one duplicate of each such certificate endorsed as follows:

Supplied by our order No. -------

filling in the number of such supply order, together with a copy of his letter, or other form, accepting the purchaser's order.

(f) *Restriction on use of and disposition of English spun combed cotton yarn in hosiery.* (1) No manufacturer of women's rayon hosiery shall use more than five-eighths (⅝) of a pound of English spun combed cotton yarn in the manufacture of one dozen pair of women's rayon hosiery.

(2) No manufacturer of women's rayon hosiery shall sell or exchange any English spun combed cotton yarn hereafter secured by him except upon the specific authorization of the Director General for Operations.

(g) *Restrictions on sales, deliveries and use of imported fabrics.* No person shall sell, or deliver, and no person who has received delivery pursuant to the use of the certificate provided in paragraph (h) shall process or use, any:

(1) Cotton rope for spinning mules except for the purpose of driving mule spinning machinery;

(2) Tracing cloth fabric, except for the manufacture therefrom of tracing cloth, or the processing thereof for ultimate manufacture into tracing cloth;

(3) Typewriter ribbon fabric except in the manufacture therefrom of typewriter ribbon, or the processing thereof for ultimate manufacture into typewriter ribbon;

(4) Filter cloth except for use as such;

(5) Decating apron fabric except for the purpose of decatizing fabrics;

(6) Lithograph moleskin cloth except for use as such;

(7) Printers molleton except for use as such;

(8) Balloon cloth except for physical incorporation into material or equipment to be delivered to or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration.

(h) *Certification requirements.* Except in case of sales and deliveries of English spun combed cotton yarn to manufacturers of women's hosiery upon the filing with the suppliers of Form PD-769, no person shall sell or deliver any English spun combed cotton yarn, cotton rope for spinning mules, tracing cloth fabric, filter cloth, decating apron fabric, lithograph moleskin cloth, printers molleton, typewriter ribbon fabric, or balloon cloth unless he shall have first received from the purchaser a certificate signed by such purchaser or by a person authorized to sign in his behalf, in substantially the following form:

The undersigned hereby certifies to his vendor and to the War Production Board that the English spun combed cotton yarn, imported cotton rope for spinning mules, or imported cotton fabrics to be delivered on the annexed purchase order will be used only for the purposes specified for such yarn, rope, or fabrics in Conservation Order M-272, or resold only for such use.

and no person purchasing or accepting delivery of any yarn, rope or fabrics pursuant to the use of such certification shall sell or deliver any such yarn, rope or fabrics except upon receipt by him of such a certificate.

(i) *Exceptions.* The prohibitions and restrictions of this order shall not apply to:

(1) Sales, deliveries and the subsequent processing or use of yarn, rope or fabrics in the stock of any person other than an importer on January 1, 1943.

(2) Sales and deliveries to the Defense Supplies Corporation or any representative designated by it for the purpose of making such purchases or accepting such deliveries.

(j) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(k) *Records and reports.* All owners and processors of imported cotton yarns and fabrics affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production, and sales and copies of all invoices of both purchases and sales relating to such yarns and fabrics; and shall execute and file with the War Production Board such reports and questionnaires as may be required from time to time.

(l) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C. Reference M-272.

(m) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-171; Filed, January 4, 1943; 12:02 p. m.]

PART 1198—GLASS CONTAINER AND CLOSURE SIMPLIFICATION

[Schedule B to Limitation Order L-103, as Amended Jan. 4, 1943]

MALT BEVERAGES

§ 1198.3 *Schedule B to Limitation Order L-103*—(a) *Definitions.* For the purposes of this schedule:

(1) "Malt beverages" means beer, ale, stout, near-beer, and beverages of a similar kind, made by alcoholic fermentation of malted barley with or without other food products, and with hops or hop extracts.

(2) A "standard glass container for malt beverages" means a glass container described in Exhibits B-1, B-2, B-3-a, B-4, B-5-a, B-6 to B-9, inclusive, B-10-a, and B-11 to B-13, inclusive, of this schedule, which possesses the finish prescribed for the respective container in the said Exhibits or any other Glass Container Association standard finish which is interchangeable therewith without alteration of the specified body mold.

(b) *Simplified practice.* (1) Until further order of the Director General for Operations, the manufacture of glass containers for malt beverages is limited to the following capacities: 12 fluid ounces; 1 quart (32 fluid ounces); and one-half gallon (64 fluid ounces).

(2) No glass container for malt beverages shall be manufactured which has a glass weight heavier than the following:

(i) If of one-half gallon capacity, not more than 39 oz. avoir.;

(ii) If of quart capacity, not more than 30 oz. avoir.;

(iii) If of 12 fluid ounce capacity, and (*a*) in the so-called "steinie" shape, not more than 10½ oz. avoir.; (*b*) in the so-called "export", "ale", or "select" shapes, not more than 12 oz. avoir.

(3) (i) No mold for a glass container for malt beverages may be replaced—whether because of wear or for any other reason—except by a mold which conforms to the specifications of a standard glass container for malt beverages.

(ii) On and after January 1, 1943, only standard glass containers for malt beverages may be produced.

(4) No provision of this schedule shall be construed to restrict the sale, delivery, or use of glass containers which were completely manufactured on or before the 12th day of September 1942.

(c) *Lettering.* (1) Except as specifically permitted by the exhibits of this schedule the lettering on standard glass containers for malt beverages shall be limited to manufacturers' identification (which may include trademark, name or symbol), place of manufacture, date of manufacture by year, design number and mold or cavity number.

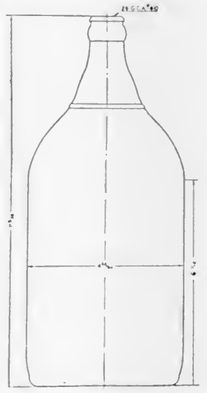
(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

EXHIBIT B-1 OF SCHEDULE B, LIMITATION ORDER L-103

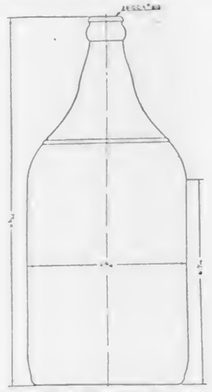
Standard Glass Container—Steinie Shape Beer Bottle for Unpasteurized Beer 64 ounce capacity, 66½ overflow



Bottles must be round—34 oz. wt.

EXHIBIT B-2 OF SCHEDULE B, LIMITATION ORDER L-103

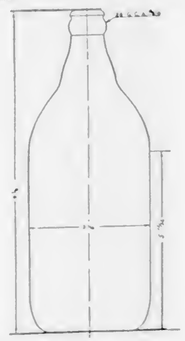
Standard Glass Container—Steinie Shape Beer Bottle for Pasteurized Beer, 64 ounce capacity, 68 overflow



Bottles must be round—39 oz. wt.

EXHIBIT B-3-a OF SCHEDULE B, LIMITATION ORDER L-103

Standard Glass Container—Steinie Shape Beer Bottle, 32 ounce capacity, 33¾ overflow



Any interchangeable finish may be used.
Optional weights 20 and 24 oz.—adjust diameter to make capacity.
Bottles must be round.

EXHIBIT B-4 OF SCHEDULE B, LIMITATION ORDER L-103

Standard Glass Container—Steinie Shape Beer Bottle, 12 ounce capacity, 12 23/32 overflow



Bottles must be round—9¾ oz. wt.

EXHIBIT B-5-A OF SCHEDULE B, LIMITATION ORDER L-103

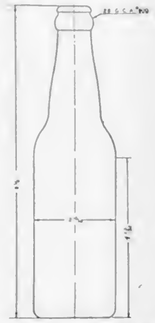
Standard Glass Container—Export Shape Beer Bottle, 32 ounce capacity, 33¼ overflow



Bottles must be round—28 oz. wt.
Any interchangeable finish may be used.

EXHIBIT B-6 OF SCHEDULE B, LIMITATION ORDER L-103

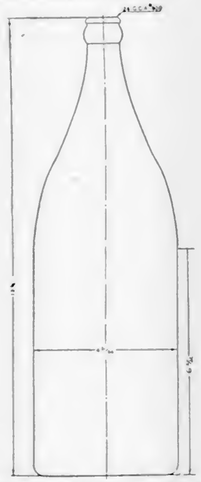
Standard Glass Container—Export Shape Beer Bottle, 12 ounce capacity, 12¾ overflow



Bottles must be round—12 oz. wt.

EXHIBIT B-7 OF SCHEDULE B, LIMITATION ORDER L-103

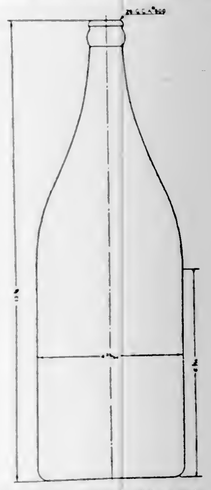
Standard Glass Container—Select Shape Beer Bottle for Pasteurized Beer, 64 ounce capacity, 68 overflow



Bottles must be round—39 oz. wt.

EXHIBIT B-8 OF SCHEDULE B, LIMITATION ORDER L-103

Standard Glass Container—Select Shape Beer Bottle for Unpasteurized Beer, 64 ounce capacity, 66½ overflow



Bottles must be round—36 oz. wt.

EXHIBIT B-9 OF SCHEDULE B, LIMITATION ORDER L-103

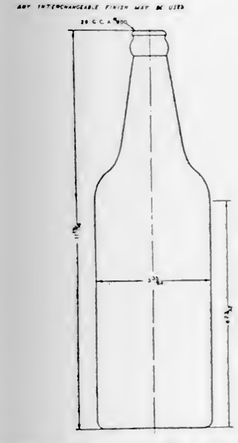
Standard Glass Container—Select Shape Beer Bottle, 12 ounce capacity, 12 23/32 overflow



Bottles must be round—12 oz. wt.

EXHIBIT B-10-A OF SCHEDULE B, LIMITATION ORDER L-103

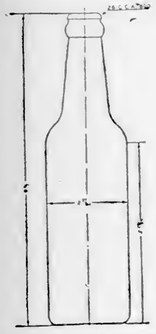
Standard Glass Container—Ale Bottle, 32 ounce capacity, 33¼ overflow



Bottles must be round—28 oz. wt.

EXHIBIT B-11 OF SCHEDULE B, LIMITATION ORDER L-103

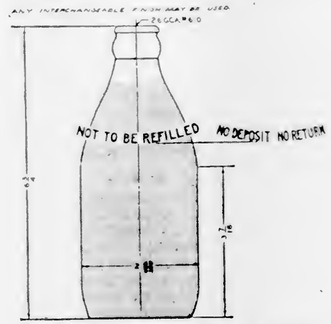
Standard Glass Container—Ale Bottle, 12 ounce capacity, 12 23/32 overflow



Bottles must be round—12 oz. wt.

EXHIBIT B-12 OF SCHEDULE B, LIMITATION ORDER L-103

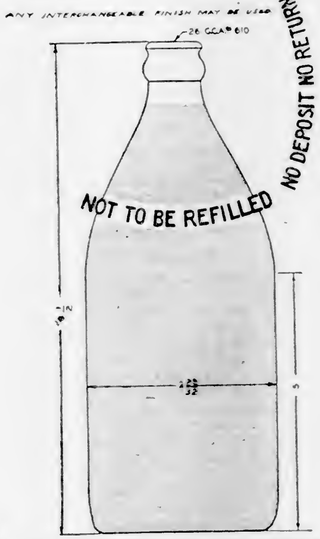
Standard Glass Container—Single Trip Beer Bottle, 12 ounce capacity, 12 23/32 overflow



The bottle shall be round with stippling and lettering as shown—8 oz. max. weight.

EXHIBIT B-13, LIMITATION ORDER L-103

Standard Glass Container—Single Trip Beer Bottle, 32 ounce capacity, 33¾ overflow



The bottle shall be round with stippling and lettering as shown—18 oz. max. weight.

[F. R. Doc. 43-178; Filed, January 4, 1943; 12:29 p. m.]

Chapter XI—Office of Price Administration

PART 1309—COPPER

[RPS 20 as Amended,[1] Amendment 3]

COPPER SCRAP AND COPPER ALLOY SCRAP

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1309.71 a new subparagraph (5) is added to paragraph (i) to read as set forth below:

§ 1309.71 *Appendix A: Maximum prices.* • • •

(i) *Exceptions.* • • •

(5) *Imports by Metals Reserve Company.* Nothing in this Revised Price Schedule No. 20, as amended, or in the General Maximum Price Regulation shall apply to the sale or delivery to the Metals Reserve Company or its agents of any copper scrap or copper alloy scrap which is located at a point outside the continental United States at the time the contract of sale is entered into.

§ 1309.70a *Effective dates of amendments.* • • •

(d) Amendment No. 3 (§ 1309.71 (i) (5)) to Revised Price Schedule No. 20, as amended, shall be effective as of November 1, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of December 1942.

LEON HENDERSON,
Administrator.

[F R Doc 42-14225; Filed, December 31, 1942; 4:02 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RPS 56,[2] Amendment 2]

RECLAIMED RUBBER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

The words "a period of not less than one year", in § 1315.55, appearing after the words "by the Office of Price Administration for" and before "complete and accurate records" are deleted and the words "so long as the Emergency Price Control Act of 1942, as amended, remains in effect" are inserted in their place; two new paragraphs (e) and (f) are added to § 1315.51, and in § 1315.59 paragraph (b) is amended, as set forth below:

§ 1315.51 *Maximum prices for reclaimed rubber.* • • •

(e) The maximum price for the sale or delivery of any reclaimed rubber for which a maximum price was determined in accordance with the provisions of § 1499.2 or § 1499.3 of the General Maximum Price Regulation[3] or in accordance with the provisions of §§ 1315.1553, 1315.1555, 1315.1556, or 1315.1557 of Maximum Price Regulation No. 220[4]—Certain Rubber Commodities, and which was offered for sale before January 6, 1943, shall be the price so determined. On or before January 27, 1943, the seller shall report to the Office of Price Administration, Washington, D. C., all maximum prices determined under any of such sections. Such reports shall contain the following information: the grade or grades of the scrap rubber used in the production of the reclaimed rubber; the rubber hydro-carbon content, specific gravity and color of the reclaimed rubber; the maximum price and the method by which it was determined. All such maximum prices shall be subject to adjustment (not to apply retroactively) at any time upon written order of the Office of Price Administration.

(f) The maximum price for any reclaimed rubber which has not been determined in accordance with the General Maximum Price Regulation or Maximum Price Regulation No. 220 and offered for sale before January 6, 1943, and which cannot be priced under paragraph (b), (c), or (d) of this section shall be a price, in line with the level of maximum prices established by this Revised Price Schedule No. 56, specifically authorized by the Office of Price Administration. The manufacturer shall submit to the Office of Price Administration, Washington, D. C., the following information concerning each grade of reclaimed rubber for which authorization of a maximum price is sought under this paragraph: the grade or grades of the scrap rubber used in the production of the reclaimed rubber; the rubber hydro-carbon content, the specific gravity and color of the reclaimed rubber; the proposed maximum price and an explanation of its computation.

§ 1315.59 *Definitions.* • • •

(b) "Reclaimed rubber" means all kinds, grades and qualities of the rubber material recovered from any vulcanized scrap rubber products, except that "reclaimed rubber" does not mean rubber material recovered from scrap rubber products if all of the scrap rubber products contained synthetic rubber.

§ 1315.61 *Effective dates of amendments.* • • •

(b) Amendment No. 2 (§§ 1315.51 (e), (f); 1315.55; 1315.59 (b)) to Revised Price Schedule No. 56 shall become effective January 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of December 1942.

LEON HENDERSON,
Administrator.

[F R Doc 42-14226; Filed, December 31, 1942; 4:01 p. m.]

PART 1351—FOOD PRODUCTS AT RETAIL

[MPR 238,[1] Amendment 6]

ADJUSTED AND FIXED MARK-UP REGULATION FOR SALES OF CERTAIN FOOD PRODUCTS AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1351.606 is amended by adding paragraph (c) to read as set forth below.

§ 1351.606 *Final dates for calculating and filing maximum prices.* • • •

(c) *Calculating and filing of maximum prices by an operator of more than one retail outlet.* (1) Whenever the maximum price of a food product calculated under this regulation would be identical for more than one retail outlet of the same class owned or operated by the same person, calculations and records may be made by the central or pricing office for all such outlets which will have an identical maximum price. Such calculations and records need be kept by such person only in the office in which they were made up and Form No. 338.1 shall be filed by such person with the Regional Office of the Office of Price Administration within whose jurisdiction such office is situated, designating all outlets for which the resulting price applies. Such form shall be filed within ten days after the final date for the calculation of a maximum price under this regulation and shall be in lieu of filing copies by or for each outlet with the appropriate War Price and Rationing Board.

(2) Whenever the method of record keeping and filing allowed by subparagraph (1) of this paragraph is used, a separate report shall be filed with each appropriate War Price and Rationing Board within 10 days after the final date for the calculation of a maximum price under this regulation, showing the list of items for which new prices have been established hereunder, the old and new maximum price for each and the location of the individual outlets for which such report is filed.

§ 1351.617a *Effective dates of amendments.* • • •

(f) Amendment No. 6 (§ 1351.606(c)) to Maximum Price Regulation No. 238 shall become effective December 31, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of December, 1942.

LEON HENDERSON,
Administrator.

[F R Doc. 42-14227; Filed, December 31, 1942; 3:59 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3404, 3489, 5516, 6482, 6895, 8948.

[2] 7 F.R. 1313, 2000, 2132, 7669, 8948.

[3] 7 F.R. 3153, as amended.

[4] 7 F.R. 7262, 8936, 8948.

[1] 7 F.R. 8209, 8808, 9184, 10013, 10227, 10714.

PART 1378—COMMODITIES OF MILITARY SPECIFICATION FOR WAR PROCUREMENT AGENCIES

[MPR 156,[1] Amendment 3]

CERTAIN BEEF AND BEEF PRODUCTS PURCHASED BY CERTAIN FEDERAL AGENCIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1378.60 is amended and § 1378.60a (b) is added.

§ 1378.60 *Effective date.* Maximum Price Regulation No. 156 (§§ 1378.51 to 1378.60, inclusive) shall become effective June 2, 1942, except that, prior to April 1, 1943, it shall not apply to sales or deliveries of the following canned products: Corned beef hash (5½ pound can), meat and vegetable stew (30 oz. can), meat and vegetable hash (6 lb. 12 oz. can), chili con carne (6 lb. 6 oz. can), Rations 1, 2 and 3 (12 oz. cans).

§ 1378.60a *Effective dates of amendments.* • • •

(b) Amendment No. 3 (§§ 1378.60 and 1378.60a (b)) to Maximum Price Regulation No. 156 shall become effective January 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of December 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-14228; Filed, December 31, 1942; 3:59 p. m.]

PART 1382—HARDWOOD LUMBER

[MPR 223,[2] Amendment 2]

NORTHERN HARDWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In subparagraph (2) § 1382.163 (b) the heading for basswood, "No. 1 Common and Selects" is amended to read "No. 1 Common". Under § 1382.159, paragraph (b) is redesignated as paragraph (c), and a new paragraph (b) is added; under paragraph (d) of § 1382.163, subparagraphs (3), (4) and (5) are renumbered and redesignated as subparagraphs (4), (5) and (6) respectively, subparagraph (2) is renumbered and redesignated as subparagraph (3) and amended, and a new subparagraph (2) is added; under paragraph (e) of § 1382.166, subparagraph (2) is renumbered and redesignated as subparagraph (3) and amended, and a new subparagraph (2) is added; all to read as set forth below:

§ 1382.159 *Definitions.* • • •

(b) Unless otherwise specified, grade terms used herein have the meaning set forth in the "Rules for the Measurement and Inspection of Hardwood Lumber" issued by the National Hardwood Lumber Association, effective January 1, 1942.

• • • • •

§ 1382.163 *Appendix A: Maximum prices for Northern hardwood lumber in standard or near standard grades.* • • •

(d) *Additions for kiln drying and working.* The following additions per 1,000 feet of Northern hardwood lumber may be charged for the specified treatments and workings:

• • • • •

(2) Kiln drying the lumber to a moisture content greater than 7 percent but not exceeding 12 percent as of the time the lumber leaves the kiln:

Species	4/4", 5/4", 6/4" thick	1" thick	1¼" thick	1½" thick	2" thick	2½" thick	3" thick
Basswood, Soft Elm, Soft Maple	$4.00	$5.00	$6.00	$7.00	$7.50	$9.50	$11.00
Ash, Beech, Birch, Rock Elm, Hard Maple, Oak	4.50	6.50	7.50	9.00	11.00	13.50	17.50

(3) Kiln drying the lumber to a moisture content greater than 12 percent but not exceeding 20 percent as of the time the lumber leaves the kiln: One-half of the addition permitted in subparagraph (1) above except that a minimum of $4.00 per 1,000 feet may be charged.

• • • • •

(e) Where the purchaser requests an inspection by, and an inspection certificate issued by, the National Hardwood Lumber Association, the seller may make an added charge which does not exceed the inspection fees and expenses charged by the Association to the seller and shown on the certificate.

§ 1382.166 *Appendix D: Delivered prices and estimated average weights.* • • •

(e) • • •

(2) The estimated average weights for Northern hardwood lumber in an air dried condition worked as indicated, shall be as follows:

WEIGHTS IN POUNDS PER 1,000 FEET BM

Species	S1S or 2S	S1S or 2S & Resawn One cut	S1S or 2S & Resawn Two cuts	Rough Resawn 1 cut	Rough Resawn 2 cuts	D & M or S4S
Ash	2,800	2,600	2,400	3,000	2,800	2,500
Basswood	2,000	1,800	1,700	2,200	2,000	1,800
Beech	3,500	3,300	3,100	3,700	3,500	3,200
Birch	3,500	3,300	3,100	3,700	3,500	3,200
Hard maple	3,800	3,600	3,400	4,000	3,800	3,500
Rock elm	3,500	3,300	3,100	3,700	3,500	3,200
Soft elm	2,700	2,500	2,300	2,900	2,700	2,300
Soft maple	3,200	3,000	2,800	3,400	3,200	2,800
Oak	3,500	3,300	3,100	3,700	3,500	3,200

(3) The estimated average weights for Northern Hardwood Lumber in a kiln dried condition shall be the average weights established in subparagraphs (1) and (2) of this paragraph (e) decreased by the average difference in weight between air dried lumber and kiln dried lumber in the particular species and in the condition shipped. This average difference shall be calculated on the basis of the experience during the year 1941 of the mill which produced the lumber shipped.

§ 1382.162a *Effective dates of amendments.* • • •

(b) Amendment No. 2 (§§ 1382.159 (b) and (c); 1382.163 (b) (2), (d) (2), (3), (4), (5) and (6), (e); and 1382.166 (e) (2) and (3) to Maximum Price Regulation No. 223 shall become effective January 6, 1943.

(Pub. Laws 421 and 729, 77th Cong. E.O. 9250, 7 F.R. 7871)

Issued this 31st day of December 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-14229; Filed, December 31, 1942; 4:02 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 25,[1] Amendment 10]

DESIGNATION OF 263 DEFENSE-RENTAL AREAS AND RENT DECLARATION RELATING TO SUCH AREAS

Items (173), (215), (243) and (255) listed in the table in § 1388.1201 of Designation and Rent Declaration No. 25 are amended to read as follows:

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4230, 7033, 5780, 8948, 10379.

[2] 7 F.R. 7445, 8945.

[1] 7 F.R. 3195, 3892, 4179, 5812, 6389, 7245, 8356, 8507, 9954, 10081.

This Amendment No. 1 (§ 1388.1341) shall become effective January 1, 1943.

(Pub. Law 421, 77th Cong.)

Issued this 31st day of December 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-14230; Filed, December 31, 1942; 4:04 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 31,[1] Amendment 2]

DESIGNATION OF 45 DEFENSE-RENTAL AREAS AND RENT DECLARATION RELATING TO SUCH AREAS

The title and item (41) listed in the table in § 1388.1341 of Designation and Rent Declaration No. 31 are amended and item (46) is added to the table in the said section to read as follows:

Designation and Rent Declaration No. 31—Designation of 46 Defense-Rental Areas and Rent Declaration Relating to Such Areas

§ 1388.1341 *Designation.* • • •

Name of defense-rental area[1]	In State of—	Defense-rental area consists of—
•	•	•
(41) Virginia	Virginia	That portion of the State of Virginia not heretofore delineated by the Price Administrator as part of any defense-rental area, except the County of Northampton, which is designated as Cape Charles Defense-Rental Area, effective January 1, 1943.
•	•	•
(46) Cape Charles	Virginia	County of Northampton.

[1] The words "defense-rental area" shall follow the name listed in the table in each case to constitute the full name of a defense-rental area, e. g., "Alabama Defense-Rental Area," "Duke-Natchaug Defense-Rental Area."

This Amendment No. 10 (§ 1388.1201) shall become effective January 1, 1943.

(Pub. Law 421, 77th Cong.)

Issued this 31st day of December 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-14234; Filed, December 31, 1942; 4:04 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 31,[1] Amendment 1]

DESIGNATION OF 45 DEFENSE-RENTAL AREAS AND RENT DECLARATION RELATING TO SUCH AREAS

Items (33), (38), (42), and (44) listed in the table in § 1388.1341 of Designation and Rent Declaration No. 31 are amended to read as follows:

§ 1388.1341 *Designation.* • • •

Name of defense-rental area[1]	In State of—	Defense-rental area consists of—
•	•	•
(33) Oregon	Oregon	That portion of the State of Oregon not heretofore delineated by the Price Administrator as part of any defense-rental area, except the County of Tillamook (which became a part of the Portland-Vancouver Defense-Rental Area, effective January 1, 1943).
•	•	•
(38) Texas	Texas	That portion of the State of Texas not heretofore designated by the Price Administrator as part of any defense-rental area, except the County of Lampasas (which became a part of the Killeen-Temple Defense-Rental Area, effective January 1, 1943).
•	•	•
(42) Washington	Washington	That portion of the State of Washington not heretofore designated by the Price Administrator as part of any defense-rental area, except the Counties of Pacific, Lewis, Cowlitz, Wahkiakum, Clark, Skamania, Klickitat, Yakima, Kittitas, Benton, Franklin, Walla Walla, Columbia, Garfield, Asotin, Whitman, Adams, Lincoln, Spokane, Stevens, Ferry, Pend Oreille, Okanogan, Douglas, Grant, Chelan, Kittitas, Yakima

remaining portion of the Killeen-Temple Defense-Rental Area, consisting of the County of Lampasas, the words "the effective date of this maximum rent regulation" in this maximum rent regulation shall mean January 1, 1943.

* * * * *

(88) The Pasco Defense-Rental Area, consisting of the County of Franklin and the Precincts of Finley, South Kennewick, Kennewick Valley, Kennewick, Kennewick Gardens, and Richland in the County of Benton, in the State of Washington: *Provided, however,* That with respect to that portion of the Pasco Defense-Rental Area consisting of the County of Franklin, the words "the effective date of this maximum rent regulation" in this maximum rent regulation shall mean November 1, 1942, and that with respect to the remaining portion of the Pasco Defense-Rental Area, consisting of the Precincts of Finley, South Kennewick, Kennewick Valley, Kennewick, Kennewick Gardens, and Richland in the County of Benton, the words "the effective date of this maximum rent regulation" in this maximum rent regulation shall mean January 1, 1943.

* * * * *

§ 1388.294a *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§ 1388.281 (a)) to Maximum Rent Regulation No. 53 shall become effective January 1, 1943.

(Pub. Law 421, 77th Cong.)

Issued this 31st day of December 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc 42-14219; Filed, December 31, 1942; 4:03 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 54A,[1] Amendment 2]

HOTELS AND ROOMING HOUSES

Subparagraphs (77) and (89) of paragraph (a) of § 1388.331 of Maximum Rent Regulation No. 54A are hereby amended to read as follows:

§ 1388.331 *Scope of regulation.* (a) * * *

(77) The Killeen-Temple Defense-Rental Area, consisting of the Counties of Bell, Coryell, and Lampasas, in the State of Texas: *Provided, however,* That with respect to that portion of the Killeen-Temple Defense-Rental Area consisting of the Counties of Bell and Coryell, the words "the effective date of this maximum rent regulation" in this maximum rent regulation shall mean November 1, 1942, and that with respect to the remaining portion of the Killeen-Temple Defense-Rental Area, consisting of the County of Lampasas, the words "the effective date of this maximum rent regulation" shall mean January 1, 1943.

* * * * *

(89) The Pasco Defense-Rental Area, consisting of the County of Franklin and the Precincts of Finley, South Kennewick, Kennewick Valley, Kennewick, Kennewick Gardens, and Richland in the County of Benton, in the State of Washington: *Provided, however,* That with respect to that portion of the Pasco Defense-Rental Area consisting of the County of Franklin, the words "the effective date of this maximum rent regulation" in this maximum rent regulation shall mean November 1, 1942, and that with respect to the remaining portion of the Pasco Defense-Rental Area, consisting of the Precincts of Finley, South Kennewick, Kennewick Valley, Kennewick, Kennewick Gardens, and Richland in the County of Benton, the words "the effective date of this maximum rent regulation" in this maximum rent regulation shall mean January 1, 1943.

§ 1388.344a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§ 1388.331 (a)) to Maximum Rent Regulation No. 54A shall become effective January 1, 1943.

(Pub. Law 421, 77th Cong.)

Issued this 31st day of December 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-14223; Filed, December 31, 1942; 4:03 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 57,[1] Amendment 3]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

Subparagraph (68) of paragraph (a) of § 1388.581 of Maximum Rent Regulation No. 57 is hereby amended to read as follows:

§ 1388.581 *Scope of regulation.* (a) * * *

(68) The Oshkosh-Fond du Lac Defense-Rental Area, consisting of the Counties of Fond du Lac and Winnebago and that portion of the City of Waupun in the County of Dodge, in the State of Wisconsin: *Provided, however,* That with respect to that portion of the Oshkosh-Fond du Lac Defense-Rental Area consisting of the Counties of Fond du Lac and Winnebago, the words "the effective date of this maximum rent regulation" in this maximum rent regulation shall mean December 1, 1942, and that with respect to the remaining portion of the Oshkosh-Fond du Lac Defense-Rental Area, consisting of that portion of the City of Waupun in the County of Dodge, the words "the effective date of this maximum rent regulation" in this maximum rent regulation shall mean January 1, 1943.

§ 1388.594a *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§ 1388.581 (a)) to Maximum Rent Regulation No. 57 shall become effective January 1, 1943.

(Pub. Law 421, 77th Cong.)

Issued this 31st day of December 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc 42-14220; Filed, December 31, 1942; 4:03 p. m.]

[1] 7 F.R. 8602, 9783, 9820, 10717.

[1] 7 F.R. 9958, 10225, 10077, 10014, 10845.

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 58A,[1] Amendment 3]

HOTELS AND ROOMING HOUSES

Subparagraph (68) of paragraph (a) of § 1388.631 of Maximum Rent Regulation No. 58A is hereby amended to read as follows:

§ 1388.631 *Scope of regulation.* (a) * * *

(68) The Oshkosh-Fond du Lac Defense-Rental Area, consisting of the Counties of Fond du Lac and Winnebago and that portion of the City of Waupun in the County of Dodge, in the State of Wisconsin: *Provided, however,* That with respect to that portion of the Oshkosh-Fond du Lac Defense-Rental Area consisting of the Counties of Fond du Lac and Winnebago, the words "the effective date of this maximum rent regulation" in this maximum rent regulation shall mean December 1, 1942, and that with respect to the remaining portion of the Oshkosh-Fond du Lac Defense-Rental Area, consisting of that portion of the City of Waupun in the County of Dodge, the words "the effective date of this maximum rent regulation" in this maximum rent regulation shall mean January 1, 1943.

§ 1388.644a *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§ 1388.631 (a)) to Maximum Rent Regulation No. 58A shall become effective January 1, 1943.

(Pub. Law 421, 77th Cong.)

Issued this 31st day of December 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-14224; Filed, December 31, 1942; 4:04 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[MRR 62]

HOUSING ACCOMMODATION OTHER THAN HOTELS AND ROOMING HOUSES

CAPE CHARLES DEFENSE RENTAL AREA

In the judgment of the Administrator rents for housing accommodations within the Cape Charles Defense-Rental Area, as designated in the designation and rent declaration issued by the Administrator on October 5, 1942, as amended, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in the said designation and rent declaration.

It is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within the Cape Charles Defense-Rental Area inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within the Cape Charles Defense-Rental Area on or about March 1, 1942. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this maximum rent regulation for housing accommodations within the Cape Charles Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation No. 62 is hereby issued.

AUTHORITY: §§ 1388.881 to 1388.894, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1388.881 *Scope of regulation.* (a) This Maximum Rent Regulation No. 62 applies to all housing accommodations within the Cape Charles Defense-Rental Area (referred to hereinafter in this maximum rent regulation as the "defense-rental area"), as designated in the Designation and Rent Declaration No. 31 (§§ 1388.1341 to 1388.1345, inclusive) [1] issued by the Administrator on October 5, 1942, as amended, except as provided in paragraph (b) of this section.

(b) This maximum rent regulation does not apply to the following:

(1) Housing accommodations situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Dwelling space occupied by domestic servants, caretakers, managers, or other employees to whom the space is provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the dwelling space is a part.

(3) Rooms or other housing accommodations within hotels or rooming houses, or housing accommodations which have been, with the consent of the Administrator, brought under the control of the maximum rent regulation for Hotels and Rooming Houses pursuant to the provisions of that regulation: *Provided,* That this maximum rent regulation does apply to entire structures or premises though used as hotels or rooming houses.

(4) Housing accommodations rented to the United States acting by the National Housing Agency: *Provided, however,* That this maximum rent regulation does apply to a sublease or other subrenting of such accommodations or any part thereof.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this maximum rent regulation.

(d) An agreement by the tenant to waive the benefit of any provision of this maximum rent regulation is void. A tenant shall not be entitled by reason of this maximum rent regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this maximum rent regulation.

§ 1388.882 *Prohibition against higher than maximum rents.* (a) Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this maximum rent regulation of any housing accommodations within the defense-rental area higher than the maximum rents provided by this maximum rent regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this maximum rent regulation may be demanded or received.

(b) Notwithstanding any other provision of this maximum rent regulation, where housing accommodations are heated with fuel oil the landlord of such accommodations may as hereinafter provided enter into an agreement with the tenant providing for payment by the tenant of part or all of the cost of changing the heating unit to use some fuel other than oil or of installing a new heating unit using some fuel other than oil. Prior to making such agreement the landlord shall in writing report the terms of the proposed agreement to the area rent office. The landlord may enter into the agreement either upon its approval by the Administrator or, unless the Administrator has disapproved the proposed agreement within 5 days after the filing of such report, upon the expiration of such 5-day period.

(c) Where a lease of housing accommodations was entered into prior to the effective date of this maximum rent regulation and the tenant as a part of such lease or in connection therewith was granted an option to buy the housing accommodations which were the subject of the lease, with the further provision that some or all of the payments made under the lease should be credited toward the purchase price in the event such option is exercised, the landlord, notwithstanding any other provision of this maximum rent regulation, may be authorized to receive payments made by the tenant in accordance with the provisions of such lease and in excess of the maximum rent for such housing accommodations. Such authority may be secured only by a written request of the tenant to the area rent office and shall be granted by order of the Administrator if he finds that such payments in excess of the maximum rent will not be inconsistent with the purposes of the Act or this maximum rent regulation and would not be likely to result in the circumvention or evasion thereof. After entry of such order the landlord shall be authorized to demand, receive and retain payments provided by the lease in excess of the maximum rent for periods commencing on or after the effective date of this maximum rent regulation. After entry of such order, the provisions of the lease may be enforced in accordance with law, notwithstanding any other provision of this maximum rent regulation: *Provided, however,* That if at the termination of the lease the tenant shall not exercise the option to buy, the landlord may thereafter remove or evict the tenant only in accordance with the provisions of § 1388.886 of this maximum rent regulation. Nothing in this paragraph shall be construed to authorize the landlord to demand or receive payments in excess of the maximum rent in the absence of an order of the Administrator as herein provided. Where a lease of housing accommodations has been entered into on or after the effective date of this maximum rent regulation, and the tenant as a part of such lease or in connection therewith has been granted an option to buy the housing accommodations which are the subject of the lease, the landlord, prior to the exercise by the tenant of the option to buy, shall not demand or receive payments in excess of the maximum rent, whether or not such lease allocates some portion or portions of the periodic payments therein provided as payments on or for the option to buy.

§ 1388.883 *Minimum services, furniture, furnishings and equipment.* Except as set forth in § 1388.885 (b), every landlord shall, as a minimum, provide with housing accommodations the same essential services, furniture, furnishings and equipment as those provided on the date determining the maximum rent, and as to other services, furniture, furnishings and equipment not substantially less than those provided on such date: *Provided, however,* That where fuel oil is used to supply heat or hot water for housing accommodations, and the landlord provided heat or hot water on the date determining the maximum rent, the heat and hot water which the landlord is required to supply shall not be in excess of the amount which he can supply under any statute, regulation or order of the United States or any agency thereof which rations or limits the use of fuel oil.

§ 1388.884 *Maximum rents.* Maximum rents (unless and until changed by the Administrator as provided in § 1388.885) shall be:

(a) For housing accommodations rented on March 1, 1942, the rent for such accommodations on that date.

(b) For housing accommodations not rented on March 1, 1942, but rented at any time during the two months ending on that date, the last rent for such accommodations during that two-month period.

(c) For housing accommodations not rented on March 1, 1942 nor during the two months ending on that date, but rented prior to the effective date of this maximum rent regulation, the first rent for such accommodations after March 1, 1942. The Administrator may order a decrease in the maximum rent as provided in § 1388.885 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after March 1, 1942 and before the effective date of this maximum rent regulation, or (2) housing accommodations changed between these dates so as to result in an increase or

[1] 7 F.R. 7942.

decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed betweeen those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however,* That where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1308.885 (c).

(e) For (1) newly constructed housing accommodations without priority rating first rented on or after the effective date of this maximum rent regulation, or (2) housing accommodations changed on or after such effective date so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations not rented at any time between January 1, 1942 and such effective date, the first rent for such accommodations after the change or the effective date, as the case may be. Within 30 days after so renting the landlord shal, register the accommodations as provided in § 1388.887. The Administrator may order a decrease in the maximum rent as provided in § 1388.885 (c).

(f) For housing accommodations constructed with priority rating from the United States or any agency thereof for which the rent has been heretofore or is hereafter approved by the United States or any agency thereof, the rent so approved, but in no event more than the rent on March 1, 1942, or, if the accommodations were not rented on that date, more than the first rent after that date.

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942, as determined by the owner of such accommodations: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.885 (c).

(h) For housing accommodations rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department, the rents established on the effective date of this maximum rent regulation by such rent schedule. The Administrator may order an increase in such rents, if he finds that such increase is not inconsistent with the purposes of the Act or this maximum rent regulation.

§ 1388.885 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. In those cases involving a major capital improvement, an increase or decrease in the furniture, furnishings or equipment, an increase or decrease of services or a deterioration, the adjustment in the maximum rent shall be the amount the Administrator finds would have been on March 1, 1942, the difference in the rental value of the housing accommodations by reason of such change: *Provided, however,* That no adjustment shall be ordered where it appears that the rent on the date determining the maximum rent was fixed in contemplation of and so as to reflect such change. In all other cases, except those under paragraphs (a) (7) and (c) (6) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1942. In cases involving construction due consideration shall be given to increased costs of construction, if any, since March 1, 1942. In cases under paragraphs (a) (7) and (c) (6) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the defense-rental area for comparable housing accommodations during the year ending on March 1, 1942.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been on or after the effective date of this maximum rent regulation a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, on or prior to March 1, 1942, a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent on March 1, 1942 was fixed by a lease or other rental agreement which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent. No increase in the maximum rent shall be ordered on the ground set forth in this paragraph (a) (3) unless the increase in services, furniture, furnishings, or equipment occurred with the consent of the tenant or while the accommodations were vacant: *Provided,* That an adjustment may be ordered, although the tenant refuses to consent to the increase in services, furniture, furnishings or equipment, if the Administrator finds that such increase (i) is reasonably required for the operation of a multiple dwelling structure or other structure of which the accommodations are a part or (ii) is necessary for the preservation or maintenance of the accommodations.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942: *Provided,* That no adjustment under this subparagraph increasing the maximum rent shall be made effective with respect to any accommodations regularly rented to employees of the landlord while the accommodations are rented to an employee, and no petition for such an adjustment will be entertained until the accommodations have been or are about to be rented to one other than an employee.

(5) There was in force on March 1 1942, a written lease, for a term commencing on or prior to March 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1942: or the housing accommodations were not rented on March 1, 1942, but were during the two months ending on that date and the last rent for such accommodations during that two-month period was fixed by a written lease, for a term commencing on or prior to March 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent on the date determining the maximum rent was substantially lower than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(b) (1) If, on the effective date of this maximum rent regulation, the services provided for housing accommodations are less than the minimum services required by § 1388.883, the landlord shall either restore and maintain such minimum services or, within 30 days after such effective date, file a petition requesting approval of the decreased services. If, on such effective date, the furniture, furnishings or equipment provided with housing accommodations are less than the minimum required by § 1388.883, the landlord shall, within 30 days after such date, file a written report showing the decrease in furniture furnishings or equipment.

(2) Except as above provided, the landlord shall, until the accommodations become vacant, maintain the minimum services, furniture, furnishings and equipment unless and until he has filed a petition to decrease the services, furniture, furnishings or equipment and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, furniture, furnishings or equipment he shall file a petition within 10 days after the change occurs. When the accommodations become vacant the landlord may, on renting to a new tenant, decrease the services, furniture, furnishings or equipment below the minimum; within 10 days after so renting the landlord shall file a written report showing such decrease.

(3) The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent; and any maximum rent for which a report is required by this paragraph may be decreased in accordance with the provisions of § 1388.885 (c) (3). If the landlord fails to file the petition or report required by this paragraph within the time specified, or decreases the services, furniture, furnishings or equipment without an order authorizing such decrease where such order is required, the rent received by the landlord for any rental period commencing on or after such decrease or the effective date of this maximum rent regulation, whichever is the later, shall be received subject to refund to the tenant of any amount of the maximum rent which may later be fixed by any order decreasing the maximum rent on account of such decrease in services, furniture, furnishings or equipment. In such case, any order decreasing the maximum rent shall be effective to decrease such rent from the beginning of the first rental period after the decrease in services, furniture, furnishings or equipment or after the effective date of this maximum rent regulation, whichever is the later. The foregoing provisions and any refund thereunder do not affect any civil or criminal liability provided by the Act for failure to comply with any requirement of this paragraph.

(c) The Administrator at any time, on his own initiative or on application of the tenant may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) The maximum rent for housing accommodations under paragraph (c), (d), (e), or (g), of § 1388.884 is higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1942.

(2) There has been a substantial deterioration of the housing accommodations other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a decrease in the minimum services, furniture, furnishings or equipment required by § 1388.883 since the date or order determining the maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1942.

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

(6) The rent on the date determining the maximum rent was substantially higher than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this maximum rent regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1942.

(e) Where, at the expiration or other termination of an underlying lease or other rental agreement, housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant the landlord may rent the entire premises for use by similar occupancy for a rent not in excess of the aggregate maximum rents of the separate dwelling units, or may rent the separate dwelling units for rents not in excess of the maximum rents applicable to such units.

Where housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the tenant may petition the Administrator for leave to exercise any right he would have except for this maximum rent regulation to sell his underlying lease or other rental agreement. The Administrator may grant such petition if he finds that the sale will not result, and that sales of such character would not be likely to result, in the circumvention or evasion of the Act or this maximum rent regulation. He may require that the sale be made on such terms as he deems necessary to prevent such circumvention or evasion.

(f) Where a petition is filed by a landlord on one of the grounds set out in paragraph (a) of this section, the Administrator may enter an interim order increasing the maximum rent until further order, subject to refund by the landlord to the tenant of any amount received in excess of the maximum rent established by final order upon such petition. The receipt by the landlord of any increased rent authorized by such interim order shall constitute an agreement by the landlord with the tenant to refund to the tenant any amount received in excess of the maximum rent established by final order. The landlord shall make such refund either by repayment in cash or, where the tenant remains in occupancy after the effective date of the final order, by deduction from the next installment of rent, or both.

(g) No adjustment in the maximum rent shall be ordered on the ground that the landlord, since the date or order determining the maximum rent, has, as a part of or in connection with a lease of housing accommodations, granted the tenant an option to buy the accommodations which are the subject of the lease. Where a lease of housing accommodations was in force on the date determining the maximum rent, and the landlord had on that date, as a part of or in connection with such lease, granted the tenant an option to buy the accommodations which are the subject of the lease, the Administrator may, on or after the termination of such lease, on his own initiative or on application of the tenant, enter an order fixing the maximum rent on the basis of the rents which the Administrator finds were generally prevailing in the defense-rental area for comparable housing accommodations not subject to an option to buy on March 1, 1942.

§ 1388.886 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any housing accommodations, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, and regardless of any contract, lease, agreement or obligation heretofore or hereafter entered into which provides for entry of judgment upon the tenant's confession for breach of the covenants thereof or which otherwise provides contrary hereto, unless:

(1) The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this maximum rent regulation, or

(2) The tenant has unreasonably refused the landlord access to the housing accommodations for the purpose of inspection or of showing the accommodations to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal

or eviction if such inspection or showing of the accommodations is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the housing accommodations for an immoral or illegal purpose; or

(4) The tenant's lease or other rental agreement has expired or otherwise terminated, and at the time of termination the housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons who occupied under a rental agreement with the tenant; or

(5) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the housing accommodations or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(6) The landlord owned, or acquired an enforceable right to buy or the right to possession of the housing accommodations prior to the effective date of this maximum rent regulation, and seeks in good faith to recover possession of such accommodations for immediate use and occupancy as a dwelling for himself. If a tenant has been removed or evicted under this paragraph (a) (6) from housing accommodations, the landlord shall file a written report on a form provided therefor before renting the accommodations or any part thereof during a period of six months after such removal or eviction.

(b) (1) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this maximum rent regulation and would not be likely to result in the circumvention or evasion thereof.

(2) Removal or eviction of a tenant for occupancy by a purchaser who has acquired his rights in the housing accommodations[*] on or after the effective date of this maximum rent regulation, is inconsistent with the purposes of the Act and this maximum rent regulation and would be likely to result in the circumvention or evasion thereof, unless (i) the payment or payments of principal made by the purchaser, excluding any payments made from funds borrowed for the purpose of making such principal payments, aggregate 33⅓% or more of the purchase price, and (ii) a period of three months has elapsed after the issuance of a certificate by the Administrator as hereinafter provided. For the purposes of this paragraph (b) (2), the payments of principal may be made by the purchaser conditionally or in escrow to the end that they shall be returned to the purchaser in the event the Administrator denies a petition for a certificate. If the Administrator finds that the required payments of principal have been made, he shall, on petition of either the vendor or purchaser, issue a certificate authorizing the purchaser to pursue his remedies for removal or eviction of the tenant in accordance with the requirements of the local law at the expiration of three months after the date of issuance of such certificate. In no other case shall the Administrator issue a certificate for occupancy by a purchaser who has acquired his rights in the housing accommodations on or after the effective date of this maximum rent regulation, unless he finds that the vendor has or had a substantial necessity requiring the sale and that a reasonable sale or disposition of the accommodations could not be made without removal or eviction of the tenant, or unless he finds that other special hardship would result; under such circumstances the payment by the purchaser of 33⅓% of the purchase price shall not be a condition to the issuance of a certificate, and the certificate shall authorize the vendor or purchaser to pursue his remedies for removal or eviction of the tenant in accordance with the requirements of the local law.

(c) (1) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

(2) The provisions of this section shall not apply to housing accommodations rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

(3) The provisions of this section shall not apply to an occupant of a furnished room or rooms not constituting an apartment, located within the residence occupied by the landlord or his immediate family, where such landlord rents to not more than two occupants within such residence.

(d) (1) Every notice to a tenant to vacate or surrender possession of housing accommodations shall state the ground under this section upon which the landlord relies for removal or eviction of the tenant. A written copy of such notice shall be given to the area rent office within 24 hours after the notice is given to the tenant.

No tenant shall be removed or evicted from housing accommodations, by court process or otherwise, unless, at least ten days prior to the time specified for surrender of possession and to the commencement of any action for removal or eviction, the landlord has given written notices of the proposed removal or eviction to the tenant and to the area rent office, stating the ground under this section upon which such removal or eviction is sought and specifying the time when the tenant is required to surrender possession.

Where the ground for removal or eviction of a tenant is non-payment of rent, every notice under this paragraph (d) (1) shall state the rent for the housing accommodations, the amount of rent due and the rental period or periods for which such rent is due. The provisions of this paragraph (d) (1) shall not apply where a certificate has been issued by the Administrator pursuant to the provisions of paragraph (b) of this section.

(2) At the time of commencing any action to remove or evict a tenant, including an action based upon non-payment of rent, the landlord shall give written notice thereof to the area rent office stating the title of the case, the number of the case where that is possible, the court in which it is filed, the name and address of the tenant, and the ground under this section on which removal or eviction is sought.

(e) No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.887 *Registration.* Within 45 days after the effective date of this maximum rent regulation, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. The statement shall identify each dwelling unit and specify the maximum rent provided by this maximum rent regulation for such dwelling unit and shall contain such other information as the Administrator shall require. The original shall remain on file with the Administrator and he shall cause one copy to be delivered to the tenant and one copy stamped to indicate that it is a correct copy of the original, to be returned to the landlord. In any subsequent change of tenancy the landlord shall exhibit to the new tenant his stamped copy of the registration statement, and shall obtain the tenant's signature and the date thereof, on the back of such statement. Within five days after renting to a new tenant, the landlord shall file a notice on the form provided therefor, on which he shall obtain the tenant's signature, stating that there has been a change in tenancy, that the stamped copy of the registration statement has been exhibited to the new tenant and that the rent for such accommodations is in conformity therewith.

No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

When the maximum rent is changed by order of the Administrator, the landlord shall deliver his stamped copy of the registration statement to the Area Rent Office for appropriate action reflecting such change.

The foregoing provisions of this section shall not apply to housing accommodations under § 1388.884 (g). The owner of such housing accommodations shall file a schedule or schedules, setting out the maximum rents for all such accommodations in the defense-rental area and containing such other information as the Administrator shall require. A copy of such schedule or schedules shall be posted by the owner in a place where it will be available for inspection by the tenants of such housing accommodations.

The provisions of this section shall not apply to housing accommodations rented to either Army or Navy personnel, including any civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

§ 1388.888 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of housing accommodations and any tenant shall permit such inspection of the accommodations by the Administrator as he may, from time to time, require.

§ 1388.889 *Evasion.* The maximum rents and other requirements provided in this Maximum Rent Regulation No. 62 shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of housing accommodations, by way of absolute or conditional sale, sale with purchase money or other form of mortgage, or sale with option to repurchase, or by modification of the practices relating to payment of commissions or other charges or by modification of the services furnished with housing accommodations, or otherwise.

§ 1388.890 *Enforcement.* Persons violating any provision of this Maximum Rent Regulation 62 are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.891 *Procedure.* All registration statements, reports and notices provided for by this maximum rent regulation shall be filed with the area rent office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).[2]

§ 1388.892 *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this maximum rent regulation may file petitions therefor in accordance with Procedural Regulation No. 3 (§§ 1300.2 1 to 1300.247, inclusive).

§ 1388.893 *Definitions.* (a) When used in this maximum rent regulation:

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the defense-rental area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The term "area rent office" means the office of the Rent Director in the defense-rental area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of housing accommodations.

(8) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any housing accommodations, or an agent of any of the foregoing.

(9) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any housing accommodations.

(10) The term "rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of housing accommodations or for the transfer of a lease of such accommodations.

(11) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(12) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly, or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this maximum rent regulation.

§ 1388.894 *Effective date of the regulation.* This Maximum Rent Regulation No. 62 (§§ 1388.881 to 1388.894, inclusive) shall become effective January 1, 1943.

Issued this 31st day of December 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc 42-14217; Filed, December 31, 1942; 4:00 p. m.]

PART 1389—APPAREL

[MPR 153,[1] as Amended, Amendment 6]

WOMEN'S, GIRLS' AND CHILDREN'S OUTERWEAR GARMENTS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and filed with the Division of the Federal Register.[*]

Section 1389.12 is amended as set forth below:

§ 1389.12 *Termination date.* This Maximum Price Regulation 153, as amended, shall become inoperative on February 1, 1943, for all sales at retail and wholesale.

§ 1389.11 *Effective dates of amendments.* * * *

(h) Amendment No. 6 (§ 1389.12) to Maximum Price Regulation 153, as amended, shall become effective December 31, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of December 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-14235; Filed, December 31, 1942; 3:59 p. m.]

PART 1412—SOLVENTS

[MPR 295,[2] Amendment 1]

WEST COAST ETHYL ALCOHOL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.[*]

The date December 29, 1942 appearing in §§ 1412.151 (a), 1412.161 (a), and 1412.164 (a), is amended to read January 1, 1943, and a new § 1412.164a is added as set forth below:

§ 1412.164a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1412.151 (a), 1412.161 (a), 1412.164

[*] Copies may be obtained from the Office of Price Administration.

[1] 7 F. R. 3901, 4381, 5869, 7010, 7535, 8878, 8946, 10081.

[2] 7 F.R. 11115.

[2] 7 F.R. 3936, 39991, 6081, 7149.

(a), and 1412.164a) to Maximum Price Regulation No. 295 shall be effective as of December 29, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of December 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-14240; Filed, December 31, 1942, 4:55 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 48 to Supp Reg 1[1] to GMPR[2]]

SALES OF BALATA RUBBER BY RUBBER RESERVE CO.

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1499.26 is amended by adding a new subparagraph (12) to paragraph (b), as set forth below:

§ 1499.26 *Exceptions for certain commodities and certain sales and deliveries.* • • •

(b) The General Maximum Price Regulation shall not apply to the following sales or deliveries:

• • • • • •

(12) Sales or deliveries of balata rubber by Rubber Reserve Company, and deliveries, whether made by Rubber Reserve Company or other sellers, of balata rubber when delivery is pursuant to a sale which, when made, was exempt from the General Maximum Price Regulation.

• • • • • •

(c) *Effective dates.* • • •

(49) Amendment No. 48 (§ 1499.26 (b) (12)) to Supplementary Regulation No. 1 shall be effective as of December 19, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of December 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-14237; Filed, December 31, 1942; 4:02 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 49 to Supp. Reg. 1[1] to GMPR[2]]

AVIATION GASOLINE, SYNTHETIC RUBBER, TOLUENE, ETC.

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Subdivision (iii) of paragraph (25) of § 1499.26 (a) is amended and a subdivision (xiii) is added to subparagraph (1) of § 1499.26 (d), as set forth below:

§ 1499.26 *Exceptions for certain commodities and certain sales and deliveries.* (a) The General Maximum Price Regulation shall not apply to any sale or delivery of the following commodities:

• • • • • •

(25) Aviation gasoline and components, synthetic rubber and components, toluene manufactured from petroleum, and agricultural components used in the manufacture of furfural.

• • • • • •

(iii) Synthetic rubber and reclaimed synthetic rubber. • • •

(d) *Definitions.* (1) When used in this Supplementary Regulation No. 1 the term:

• • • • • •

(xiii) "Synthetic rubber" means a material obtained by chemical synthesis, possessing the approximate physical properties of natural rubber, when compared in either the vulcanized or unvulcanized condition, which can be vulcanized with sulphur or other chemicals with the application of heat, and which, when vulcanized, is capable of rapid elastic recovery after being stretched to at least twice its length at temperatures ranging from 0° F. to 150° F. at any humidity.

(e) *Effective dates.* • • •

(50) Amendment No. 49 (§ 1499.26 (a) (25 (iii) and (d) (1) (xiii)) to Supplementary Regulation No. 1 shall become effective January 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of December 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-14232; Filed, December 31, 1942; 4:02 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 16 to Rev. Supp. Reg. 4[1] to GMPR[2]]

EXCEPTIONS FOR SALES TO UNITED STATES AGENCIES

A statement of the considerations involved in the issuance of Amendment No. 16 to Revised Supplementary Regulation No. 4 has been issued and filed with the Division of the Federal Register.*

A new subparagraph (26) is added to paragraph (a) of § 1499.29, as shown below.

§ 1499.29 *Exceptions for sales and deliveries to the United States or any agency thereof of certain commodities and in certain transactions and for certain other commodities, sales and deliveries.* (a) General Maximum Price Regulation shall not apply to sales or deliveries of the following commodities or in the following transactions:

• • • • • •

(26) Prior to April 1, 1943, to sales or deliveries to the United States, or any of its agencies, or to the Government or agencies of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States," of the following Army field and emergency rations and commodities: Rations B, C, D, J, K, and M; Mountain Ration 5-in-1 Ration; Bail-out Ration; Rations 1, 2, and 3 (12 oz. cans); corned beef hash (5½ lb. can); meat and vegetable stew (30 oz. can); meat and vegetable hash (6 lb. 12 oz. can); and chili con carne (6 lb. 8 oz. can).

(d) • • •

(17) Amendment No. 16 (§ 1499.29 (a) (26)) to Revised Supplementary Regulation No. 4 shall become effective January 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of December 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-14241; Filed, December 31, 1942, 4:55 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 11 to Revised Supp. Reg 11[1] to GMPR[2]]

SYNTHETIC RUBBER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

The words "including rubber of the butadiene-styrene, copolymer, perbunan neoprene, thiokol, butyl, koroseal, flammenol, and acrysol types" in subparagraph (103) of § 1499.46 (b), appearing after the words "into synthetic rubber" and before "*Provided*, That" are deleted, and a subparagraph (4) is added to § 1499.46 (c) as set forth below:

§ 1499.46 *Exceptions for certain services.* • • •

(c) *Definitions.* • • •

(4) When used in this Supplementary Regulation No. 11, the term:

(i) "Synthetic rubber" means a material obtained by chemical synthesis possessing the approximate physical properties of natural rubber, when compared in either the vulcanized or unvulcanized condition, which can be vulcanized with sulphur or other chemicals with the application of heat, and which, when vulcanized, is capable of rapid elastic recovery after being stretched to at least twice its length at temperatures ranging from 0° F. to 150° F. at any humidity.

(d) *Effective dates.* • • •

(12) Amendment No. 11 (§ 1499.46 (b) (103) and (c) (4)) to Revised Supplementary Regulation No. 11 shall become effective January 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of December 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-14236; Filed, December 31, 1942; 4:01 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[MRR 63 A]

HOTELS AND ROOMING HOUSES

CAPE CHARLES DEFENSE-RENTAL AREA

In the judgment of the Administrator, rents for housing accommodations within the Cape Charles Defense-Rental Area, as designated in the designation and rent declaration issued by the Administrator on October 5, 1942, as amended, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in the said designation and rent declaration.

It is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increase in rents for housing accommodations within the Cape Charles Defense-Rental Area inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within the Cape Charles Defense-Rental Area on or about March 1, 1942. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established for this maximum rent regulation for rooms in hotels and rooming houses within the Cape Charles Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation No. 63A is hereby issued.

AUTHORITY: §§ 1388.931 to 1388.944, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1388.931 *Scope of regulation.* (a) This Maximum Rent Regulation No. 63A applies to all rooms in hotels and rooming houses within the Cape Charles Defense-Rental Area (referred to hereinafter in this maximum rent regulation as the "defense-rental area"), as designated in the Designation and Rent Declaration No. 31 (§§ 1388.1341 to 1388.1345, inclusive)[1] issued by the Administrator on October 5, 1942, as amended, except as provided in paragraph (b) of this section.

(b) This maximum rent regulation does not apply to the following:

(1) Rooms situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Rooms occupied by domestic servants, caretakers, managers, or other employees to whom the rooms are provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the rooms are a part;

(3) Rooms in hospitals, or rooms of charitable or educational institutions used in carrying out their charitable or educational purposes;

(4) Entire structures or premises used as hotels or rooming houses, as distinguished from the rooms within such hotels or rooming houses.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this maximum rent regulation.

(d) An agreement by the tenant to waive the benefit of any provision of this maximum rent regulation is void. A tenant shall not be entitled by reason of this maximum rent regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this maximum rent regulation.

(e) Where a building or establishment which does not come within the definitions of a hotel or rooming house contains one or more furnished rooms or other furnished housing accommodations rented on a daily, weekly or monthly basis, the landlord may, with the consent of the Administrator, elect to bring all housing accommodations within such building or establishment under the control of this maximum rent regulation. A landlord who so elects shall file a registration statement under this maximum rent regulation for all such housing accommodations, accompanied by a written request to the Administrator to consent to such election.

If the Administrator finds that the provisions of this maximum rent regulation establishing maximum rents are better adapted to the rental practices for such building or establishment than the provisions of this maximum rent regulation for housing accommodations other than hotels and rooming houses, he shall consent to the landlord's election. Upon such consent, all housing accommodations within such building or establishment which are or hereafter may be rented or offered for rent shall become subject to the provisions of this maximum rent regulation, and shall be considered rooms within a rooming house for the purposes of the provisions relating to eviction.

The landlord may at any time, with the consent of the Administrator, revoke his election, and thereby bring under the control of the maximum rent regulation for housing accommodations other than hotels and rooming houses all housing accommodations previously brought under the maximum rent regulation by such election. He shall make such revocation by filing a registration statement or statements under the maximum rent regulation for housing accommodations other than hotels and rooming houses, including in such registration statement or statements all housing accommodations brought under this maximum rent regulation by such election. Such registration statement or statements shall be accompanied by a written request to the Administrator to consent to such revocation. The Administrator may defer action on such request if he has taken or is about to take action to decrease the maximum rents of any housing accommodations within such building or establishment. If the Administrator finds that the revocation so requested will not result in substantial increases in the maximum rents of housing accommodations affected by such revocation, he shall give such consent. Upon such consent, all housing accommodations affected by such revocation shall become subject to the provisions of the maximum rent regulation for housing accommodations other than hotels and rooming houses.

§ 1388.932 *Prohibition.* (a) Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into no person shall demand or receive any rent for use or occupancy on and after the effective date of this maximum rent regulation of any room in a hotel or rooming house within the defense-rental area higher than the maximum rents provided by this maximum rent regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this maximum rent regulation may be demanded or received.

(b) No tenant shall be required to change his term of occupancy if that will result in the payment of a higher amount per day than the maximum rent established for his present term of occupancy. Where, on June 15, 1942, or between that date and the effective date of this maximum rent regulation, a room was regularly rented or offered for rent for a weekly or monthly term of occupancy, the landlord shall continue to offer the room for rent for that term of occupancy, unless he offers another term of occupancy for a rent which results in the payment of an amount no higher per day.

§ 1388.933 *Minimum services, furniture, furnishings and equipment.* Except as set forth in § 1388.935 (b), every landlord shall, as a minimum, provide with a room the same essential services, furniture, furnishings and equipment as those provided on the date or during the thirty-day period determining the maximum rent, and as to other services, furniture, furnishings and equipment not

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*Copies may be obtained from Office of Price Administration.

[1] 7 F.R. 3158 as amended.

[2] 7 F.R. 3153 as amended.

[1] 7 F.R. 5056, 5089, 5566, 6082, 6084, 6426, 6793, 6744, 6793, 7175, 7538, 8021, 9827, 10022, 10110, 10531.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6939, 6794, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454.

[1] 7 F.R. 6426, 6965, 7604, 7758, 8282, 8431 8810, 9195, 9894.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8881, 8431, 9004, 8942, 9435, 9615, 9616

[1] 7 F.R. 7942.

substantially less than those provided on such date or during such period: *Provided, however,* That where fuel oil is used to supply heat or hot water for a room, and the landlord provided heat or hot water on the date or during the thirty-day period determining the maximum rent, the heat and hot water which the landlord is required to supply shall not be in excess of the amount which he can supply under any statute, regulation or order of the United States or any agency thereof which rations or limits the use of fuel oil.

§ 1388.934 *Maximum rents.* This section establishes separate maximum rents for different terms of occupancy (daily, weekly, or monthly) and numbers of occupants of a particular room. Maximum rents for rooms in a hotel or rooming house (unless and until changed by the Administrator as provided in § 1388.935) shall be:

(a) For a room rented or regularly offered for rent during the thirty days ending on March 1, 1942, the highest rent for each term or number of occupants for which the room was rented during that thirty-day period, or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(b) For a room neither rented nor regularly offered for rent during the thirty days ending on March 1, 1942, the highest rent for each term or number of occupants for which the room was rented during the thirty days commencing when it was first offered for rent after March 1, 1942; or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(c) For a room rented for a particular term or number of occupants for which no maximum rent is established under paragraphs (a) or (b) of this section the first rent for the room after March 1, 1942, for that term and number of occupants, but not more than the maximum rent for similar rooms for the same term and number of occupants in the same hotel or rooming house.

(d) For a room constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the defense-rental area for comparable rooms on March 1, 1942, as determined by the owner of such rooms: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.935 (c) (1).

(e) For a room with which meals were provided during the thirty-day period determining the maximum rent without separate charge therefor, the rent apportioned by the landlord from the total charge for the room and meals. The landlord's apportionment shall be fair and reasonable and shall be reported in the registration statement for such room. The Administrator at any time on his own initiative or on application of the tenant may by order decrease the maximum rent established by such apportionment, if he finds that the apportionment was unfair or unreasonable.

Every landlord who provides meals with accommodations shall make separate charges for the two. No landlord shall require the taking of meals as a condition of renting any room unless the room was rented or offered for rent on that basis on June 15, 1942.

(f) For a room rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department, the rents established on the effective date of this maximum rent regulation by such rent schedule. The Administrator may order an increase in such rents, if he finds that such increase is not inconsistent with the purposes of the Act or this maximum rent regulation.

§ 1388.935 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. Except in cases under paragraphs (a) (7) and (c) (4) of this section, every adjustment of a maximum rent shall be on the basis of the rent which the Administrator finds was generally prevailing in the defense-rental area for comparable rooms on March 1, 1942: *Provided, however,* That no maximum rent shall be increased because of a major capital improvement or an increase in services, furniture, furnishings or equipment, by more than the amount which the Administrator finds would have been on March 1, 1942, the difference in the rental value of the accommodations by reason of such improvement or increase: *And provided, further,* That no adjustment shall be ordered because of a major capital improvement, an increase or decrease in services, furniture, furnishings or equipment, or a deterioration, where it appears that the rent during the thirty-day period determining the maximum rent was fixed in contemplation of and so as to reflect such change. In cases involving construction due consideration shall be given to increased costs of construction, if any, since March 1, 1942. In cases under paragraphs (a) (7), and (c) (4) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the defense-rental area for comparable rooms during the year ending on March 1, 1942.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been, since the thirty-day period or the other determining the maximum rent for the room, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, on or prior to March 1, 1942, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent during the thirty-day period ending on March 1, 1942, was fixed by a lease or other rental agreement which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the room since the thirty-day period or the order determining its maximum rent.

(4) The rent during the thirty-day period determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant, or by an allowance or discount to a tenant of a class of persons to whom the landlord regularly offered such an allowance or discount, and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942.

(5) There was in force on March 1, 1942, a written lease, for a term commencing on or prior to March 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the defense-rental area for comparable rooms on March 1, 1942.

(6) The rent during the thirty-day period determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent during the thirty-day period determining the maximum rent for the room was substantially lower than at other times of year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(b) (1) If, on the effective date of this maximum rent regulation, the services provided for a room are less than the minimum services required by § 1388.933, the landlord shall either restore and maintain such minimum services or, within 30 days after such effective date, file a petition requesting approval of the decreased services. If, on such effective date, the furniture, furnishings or equipment provided with a room are less than the minimum required by § 1388.933, the landlord shall, within 30 days after such date, file a written report showing the decrease in furniture, furnishings or equipment.

(2) Except as above provided the landlord shall, until the room becomes vacant, maintain the minimum services, furniture, furnishings and equipment unless and until he has filed a petition to decrease the services, furniture, furnishings or equipment and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, furniture, furnishings or equipment he shall file a petition within 10 days after the change occurs. When the room becomes vacant the landlord may, on renting to a new tenant, decrease the services, furniture, furnishings or equipment below the minimum; within 10 days after so renting the landlord shall file a written report showing such decrease.

(3) The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent; and any maximum rent for which a report is required by this paragraph may be decreased in accordance with the provisions of § 1388.935 (c) (3). If the landlord fails to file the petition or report required by this paragraph within the time specified, or decreases the services, furniture, furnishings or equipment without an order authorizing such decrease where such order is required, the rent received by the landlord for any rental period commencing on or after such decrease or the effective date of this maximum rent regulation, whichever is the later, shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by any order decreasing the maximum rent on account of such decrease in services, furniture, furnishings or equipment. In such case, any order decreasing the maximum rent shall be effective to decrease such rent from the beginning of the first rental period after the decrease in services, furniture, furnishings or equipment or after the effective date of this maximum rent regulation, whichever is the later. The foregoing provisions and any refund thereunder do not affect any civil or criminal liability provided by the Act for failure to comply with any requirement of this paragraph.

(c) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) The maximum rent for the room is higher than the rent generally prevailing in the defense-rental area for comparable rooms on March 1, 1942.

(2) There has been a substantial deterioration of the room other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a decrease in the minimum services, furniture, furnishings or equipment required by § 1388.933 since the date or order determining the maximum rent.

(4) The rent on the date determining the maximum rent for the room was substantially higher than at other times of year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this maximum rent regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the defense-rental area for comparable rooms on March 1, 1942.

§ 1388.936 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant of a room within a hotel or rooming house shall be removed from such room, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated unless:

(1) The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this maximum rent regulation; or

(2) The tenant has unreasonably refused the landlord access to the room for the purpose of inspection or of showing the room to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the room is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the room for an immoral or illegal purpose; or

(4) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the room or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(5) The landlord seeks in good faith not to offer the room for rent. If a tenant has been removed or evicted from a room under this paragraph (a) (5), the landlord shall file a written report on a form provided therefor before renting the room during a period of 6 months after such removal or eviction.

(b) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this maximum rent regulation and would not be likely to result in the circumvention or evasion thereof.

(c) At the time of commencing any action to remove or evict a tenant (except an action based on non-payment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the area rent office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(d) The provisions of this section do not apply to:

(1) A subtenant or other person who occupied under a rental agreement with the tenant where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant; or

(2) A tenant occupying a room within a hotel on a daily or weekly basis; or a tenant occupying on a daily basis a room within a rooming house which has heretofore usually been rented on a daily basis.

(3) Rooms rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

(4) An occupant of a furnished room or rooms not constituting an apartment, located within the residence occupied by the landlord or his immediate family, where such landlord rents to not more than two occupants within such residence.

§ 1388.937 *Registration and records.* (a) Within 45 days after the effective date of this maximum rent regulation every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Ad-

ministrator shall require, to be known as a registration statement. Any maximum rent established after the effective date of this maximum rent regulation under paragraphs (b) or (c) of § 1388.934 shall be reported either on the first registration statement or on a statement filed within 5 days after such rent is established.

(b) Within 45 days after the effective date of this maximum rent regulation, every landlord shall post and thereafter keep posted conspicuously in each room rented or offered for rent a card or sign plainly stating the maximum rent or rents for all terms of occupancy and for all numbers of occupants for which the room is rented or offered for rent. Where the taking of meals by the tenant or prospective tenant is a condition of renting such room, the card or sign shall so state. Should the maximum rent or rents for the room be changed by order of the Administrator the landlord shall alter the card or sign so that it states the changed rent or rents.

The foregoing provisions of this paragraph shall not apply to rooms under § 1388.934 (d). The owner of such rooms shall post a copy of the registration statement in a place where it will be available for inspection by the tenants of such rooms.

(c) No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

(d) The provisions of this section shall not apply to rooms rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

(e) Every landlord of a room rented or offered for rent shall preserve, and make available for examination by the Administrator, all his existing records showing or relating to (1) the rent for each term and number of occupants for which such room was rented or regularly offered for rent during the thirty-day period determining the maximum rent for such room and (2) the rent on any date determining a maximum rent for such room for a particular term and number of occupants under § 1388.934 (c).

Every landlord of an establishment containing more than 20 rooms rented or offered for rent shall keep, preserve, and make available for examination by the Administrator, records showing the rents received for each room, the particular term and number of occupants for which such rents were charged, and the name and permanent address of each occupant; every other landlord shall keep, preserve, and make available for examination by the Administrator, records of the same kind as he has customarily kept relating to the rents received for rooms.

§ 1388.938 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of a room and any tenant shall permit such inspection of the room by the Administrator as he may from time to time require.

§ 1388.939 *Evasion.* The maximum rents and other requirements provided in this maximum rent regulation shall not be evaded, either directly or indirectly in connection with the renting or leasing or the transfer of a lease of a room, by requiring the tenant to pay or obligate himself for membership or other fees, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with the room, or otherwise.

§ 1388.940 *Enforcement.* Persons violating any provision of this maximum rent regulation are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.941 *Procedure.* All registration statements, reports, and notices provided for by this maximum rent regulation shall be filed with the area rent office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).*

§ 1388.942 *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this maximum rent regulation may file petitions therefor in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.943 *Definitions.* (a) When used in this maximum rent regulation:

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the defense-rental area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The "area rent office" means the office of the Rent Director in the defense-rental area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes (including houses, apartments, hotels, rooming or boarding house accommodations, and other properties used for living or dwelling purposes), together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "room" means a room or group or rooms rented or offered for rent as a unit in a hotel or rooming house. The term includes ground rented as space for a trailer.

(8) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of a room.

(9) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any room, or an agent of any of the foregoing.

(10) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any room.

(11) The term "rent" means the consideration, including any bonus, benefit, or gratuity demanded or received for the use or occupancy of a room or for the transfer of a lease of such room.

(12) The term "term of occupancy" means occupancy on a daily, weekly, or monthly basis.

(13) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(14) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly, or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this maximum rent regulation.

§ 1388.944 *Effective date of the regulation.* This Maximum Rent Regulation No. 63A (§§ 1388.931 to 1388.944, inclusive) shall become effective January 1, 1943.

Issued this 31st day of December 1942.

LEON HENDERSON,
Administrator.

F R Doc 42-14218; Filed, December 31, 1942; 8:59 p m.]

*7 F R. 3936, 3991, 6081, 7149.

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 292]

SALES OF CITRUS FRUITS BY PACKERS, BROKERS, AUCTION MARKETS, TERMINAL SELLERS AND INTERMEDIATE SELLERS

In the judgment of the Price Administrator, it is necessary and proper in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, that maximum prices be established for the sale of citrus fruits by packers, brokers, auction markets, terminal sellers and intermediate sellers.

The maximum prices established by this regulation are, in the judgment of the Price Administrator, generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and will promote equitable distribution of citrus fruits through normal channels of trade.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 292 is hereby issued.

AUTHORITY: §§ 1351.1401 to 1351.1416, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1351.1401 *Prohibition against dealing in citrus fruits above maximum prices.* (a) On and after January 11, 1943, regardless of any contract or other obligation, no seller subject to the provisions of this regulation shall sell or deliver any citrus fruits at a price higher than the maximum price established by this regulation for such seller.

(b) No person in the course of trade or business shall buy or receive any citrus fruits from a seller subject to the provisions of this regulation at a price higher than the maximum price established by this regulation for such seller; and

(c) No seller subject to this regulation or other person shall agree, offer, solicit or attempt to do any of the foregoing.

§ 1351.1402 *Sellers subject to the provisions of this Maximum Price Regulation No. 292.* (a) This regulation applies to the following sellers, as defined herein, of citrus fruits and such sellers shall be and they are subject to the provisions of this regulation: (1) Packers, (2) auction markets, (3) brokers, (4) terminal sellers, and (5) intermediate sellers.

*Copies may be obtained from the Office of Price Administration.

§ 1351.1403 *Definition of citrus fruits and general instructions*—(a) *Meaning of citrus fruit.* "Citrus fruit" or "citrus fruits" when used in this regulation means any citrus fruit or fruits for which maximum prices are established by this regulation and any citrus fruit or fruits for which maximum prices may be established by amendment to this regulation.

(b) *Application of this regulation.* All provisions of this regulation shall apply on and after the effective date of this regulation to citrus fruits for which maximum prices are established herein and all provisions of this regulation shall apply to any citrus fruits for which maximum prices are established by amendment to this regulation, on and after the date such amendment becomes effective, unless otherwise specified in such amendment.

(c) *Separate maximum prices for separate items and units.* Any person subject to the provisions of this regulation shall calculate maximum prices separately for each item of citrus fruit and for each unit of each item, for each area and season shown for such item in § 1351.1416, Appendix A, of this regulation.

(d) *Freight.* Freight to be used in calculating any base price or maximum price pursuant to this regulation shall include actual charges for icing or refrigeration and shall mean freight by common carrier or contract carrier. In the event that the citrus fruit is transported by other means, freight shall be computed at the lowest available common carrier or contract carrier rate. Freight shall not include unloading or local trucking.

(e) *Fractions of a cent.* Any maximum price calculated for any citrus fruit under this regulation which contains a fraction of a cent shall be reduced to the nearest lower cent if the fraction is less than one-half cent and shall be increased to the nearest higher cent if the fraction is one-half cent or more.

(f) *Statement of intent and purposes.* The following statement is made in order to aid persons subject to this regulation to comply with the intent and purpose of this regulation:

(1) Maximum prices established by this regulation for intermediate sellers are calculated from base prices as established herein. Such base prices may or may not be the same as the actual prices paid. This regulation, in the provisions requiring notification of a base price, intends that the base price should be reported, and not the actual price.

(2) The base price to be used by an intermediate seller who purchases from a packer, broker, auction market or terminal seller shall be the base price reported to him by his supplier, unless the intermediate seller must transport the merchandise to his own customary receiving point which is not within local hauling distance. If such hauling is necessary, the intermediate seller shall compute a new base price, which shall be the base price reported to him by his supplier plus freight to his own customary receiving point, not including loading, unloading or local trucking. That new base price then becomes his base price and also the base price to be reported by him when he sells to other intermediate sellers.

(3) It is the purpose of this regulation to permit handling and resale of citrus fruits by any number of intermediate sellers but not to permit such intermediate sellers to add successive mark-ups at the full margin allowed. All such intermediate sellers must sell within the limits of the maximum price which is established by a margin added to the base price regardless of the number of transactions. The intermediate seller who sells to the retailer, commercial, industrial or institutional user may not exceed the price reached by adding the mark-up to the base price and not to his cost.

§ 1351.1404 *Definition and maximum prices of packers, brokers, auction markets and terminal sellers.* (a) For the purposes of this regulation:

(1) A "packer" is a person who grades, sizes, packs, whether or not washed or waxed, or prepares citrus fruits for shipment to market.

(2) A "broker" is a person who acts as the packer's agent in the sale of citrus fruits and who does not warehouse, storage, or customarily distribute the citrus fruits.

(3) An "auction market" is a market to which citrus fruits are delivered and sold at auction for the account of the packer and which market charges a fee for such services.

(4) A "terminal seller" is a person who buys citrus fruits from a packer and sells them in the same or substantially the same units in which he purchased them and who does not warehouse or storage and does not customarily sell in less than carload lots.

(b) The maximum price for direct sales of citrus fruits sold by a packer, f. o. b. packing house, shall be as set forth in this section and in § 1351.1416, Appendix A, of this regulation.

(c) The maximum price for direct sales of citrus fruits by a packer, on a delivered basis, shall be the packer's maximum price, f. o. b. packing house, plus freight to the point of delivery.

(d) The maximum price for sales of citrus fruits through a broker shall be the packer's maximum price for direct sales multiplied by 1.015. If the sale is made f. o. b. packing house, the packer's maximum price for direct sales, f. o. b.

packing house, shall be used in such computation. If the sale is made on a delivered basis, the packer's maximum price for direct sales at the point of delivery shall be used in such computation.

(e) The maximum price for sales of citrus fruits at an auction market shall be the packer's maximum price for direct sales, delivered at the market, plus the usual auction charge or fee.

(f) The maximum price for sales of citrus fruits by a terminal seller shall be the packer's maximum price for direct sales, delivered at the terminal market, multiplied by 1.015.

(g) Every sale of citrus fruits by a packer, broker, auction market or terminal seller, to an intermediate seller, shall be accompanied by a notification in writing to the intermediate seller, showing the maximum price permitted for such sale, which price shall be called the "base price" in such notice. The "base price" so reported shall be the maximum price determined under the foregoing paragraphs of this section, whether or not such maximum price was paid, except that in the event of a direct sale by a packer, or a sale by a packer through a broker, on an f. o. b. packing house basis, the "base price" so reported shall be the maximum price for such sale on a delivered basis at the purchaser's customary receiving point.

(h) Each packer, broker, auction market and terminal seller shall make and preserve for examination by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, such records as he or it customarily kept relating to the prices charged for each item of citrus fruits after the effective date of this regulation.

§ 1351.1405 *Definition and maximum prices of intermediate sellers.* (a) For the purposes of this regulation, the term "intermediate sellers" means any wholesale sellers, jobbers or any other persons who take title and purchase for the purpose of reselling and who customarily make sales to other wholesalers, retailers, or industrial, institutional or commercial users, except that the term "intermediate sellers" shall not include packers, brokers, auction markets, terminal sellers or retailers as defined in this regulation. "Intermediate sellers" shall include commission merchants who receive citrus fruits on consignment and sell in the same or similar manner as other wholesalers and such commission merchants shall come within the appropriate class of intermediate sellers set forth in this section according to the type of distributive service rendered.

(b) Intermediate sellers shall be divided into the following classes:

(1) *Class 1: Retailer-owned cooperative wholesaler.* A retailer-owned cooperative wholesaler is either a nonprofit organization or a corporation of which 51% or more of the stock is owned by its retailer customers and which distributes citrus fruits for resale.

(2) *Class 2: Cash-and-carry wholesalers.* A cash-and-carry wholesaler is a wholesaler not in Class 1 who distributes citrus fruits for resale or to commercial, industrial or institutional users and who does not customarily deliver to purchasers.

(3) *Class 3: Service wholesalers.* A service wholesaler is a wholesaler not in Class 1 who distributes citrus fruits for resale or to commercial, industrial or institutional users and who customarily delivers to purchasers.

(c) The "base price" of any intermediate seller who purchases from a packer or broker, shall be the "base price" furnished to him by his supplier. The "base price" of any intermediate seller who purchases from an auction market or terminal seller shall be the "base price" of his supplier, except that if his supplier is not within local hauling distance of his customary receiving point, the intermediate seller shall compute a new "base price" by adding to that "base price" the freight to his customary receiving point. If he resells to another intermediate seller, he shall give such purchaser notice in writing of his "base price", which shall be the "base price" reported to him by his supplier or his newly computed "base price", as the case may be. The "base price" of a commission merchant making consignment sales shall be the packer's maximum price for direct sales, delivered at the commission merchant's customary receiving point.

(d) The "base price" of any intermediate seller who purchases from an intermediate seller shall be the same "base price" reported to him by his supplier. In the event that he resells to another intermediate seller he shall give such purchaser notice in writing of such "base price".

(e) The intermediate seller shall calculate his maximum price for each item of citrus fruit for each calendar week as follows:

(1) He shall first determine his proper class under paragraph (b) of this section.

(2) He shall next determine the "largest single purchase" made by him during the preceding calendar week of the citrus fruit for which he is calculating his maximum price. The "largest single purchase" means the greatest quantity of the item for which he is determining a maximum price, purchased in one lot, and which was delivered to his customary receiving point during the preceding calendar week. The "preceding calendar week" is the calendar week preceding the week for which he is calculating his maximum price.

(3) He shall next obtain his base price for his "largest single purchase" during the preceding calendar week. In the event that he made two or more purchases of the quantity which would be his "largest single purchase", he shall use as his base price the average of the base prices for such purchases.

(4) He shall then compute his maximum prices as follows:

(i) A commission merchant in Class 1 or Class 2, or any intermediate seller in Class 1 or Class 2 who buys from a packer, broker, auction market or terminal seller, shall multiply his base price by 1.095.

(ii) An intermediate seller in Class 1 or Class 2, who buys from another intermediate seller, shall multiply his base price by 1.20.

(iii) A commission merchant in Class 3, or any intermediate seller in Class 3 who buys from a packer, broker, auction market or terminal seller, shall multiply his base price by 1.21.

(iv) An intermediate seller in Class 3 who buys from another intermediate seller, shall multiply his base price by 1.32.

(5) The resulting figure in each case shall be the maximum price of the intermediate seller for the calendar week for the item of citrus fruit being priced.

(6) In the event that the intermediate seller received no deliveries of the item being priced, during the preceding calendar week, but made sales of the item during the preceding calendar week, his maximum price remains unchanged from his maximum price of the preceding calendar week. In the event that he received no deliveries and made no sales of the item during the preceding calendar week, he shall calculate his maximum price for the item in the same manner as set forth in this section except that he shall use the base price of the first lot of the item delivered to him during the calendar week for which he is computing a maximum price and the maximum price so calculated shall continue to be his maximum price for the remainder of the calendar week.

(f) No intermediate seller may change his customary allowance, discounts and price differentials for different classes of purchasers, unless such change results in a lower price.

(g) Every intermediate seller selling citrus fruits shall:

(1) Make and preserve for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, records of the same kind as he has customarily kept relating to the prices which he charges for each item of citrus fruits after the effective date of this regulation and, in addition, records showing as precisely as possible the basis upon which he determined maximum prices for each item.

§ 1351.1406 *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid or offered.

§ 1351.1407 *Exempt sales.* (a) Sales of five boxes or less of citrus fruits in any one lot by mail or express to any one consignee, or to the agents or representatives of such consignee, shall be exempt from the provisions of this regulation, but such sales of more than five boxes shall be subject to the maximum prices established herein for packers.

(b) Sales at retail shall be exempt from the provisions of this regulation.

§ 1351.1408 *Applicability of the General Maximum Price Regulation.* The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation [1] shall be and they are applicable to all persons subject to this regulation, except packers.

§ 1351.1409 *Evasion.* The maximum prices set forth in this regulation shall not be evaded, whether by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to citrus fruits alone or in conjunction with any other commodity, or by way of any commission, or other charge or discount, premium or other privilege, or by tying agreement or other trade understanding, or otherwise.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454.

§ 1351.1410 *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses provided by the Emergency Price Control Act of 1942.

§ 1351.1411 *Geographic applicability.* The provisions of this regulation shall be applicable only in the United States and the District of Columbia.

§ 1351.1412 *Sales for export.* The maximum prices at which citrus fruits may be exported shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation [2] issued by the Office of Price Administration.

§ 1351.1413 *Petitions for amendment.* Persons seeking a modification of this regulation may file a petition therefor in accordance with the provisions of Revised Procedural Regulation No. 1 [3] issued by the Office of Price Administration.

§ 1351.1414 *Definitions.* (a) When used in this regulation, the term:

(1) "This regulation" means this Maximum Price Regulation No. 292 and any amendments thereto.

(2) "Person" means any individual, corporation, partnership, association, or other organized group of persons, or legal successors or representatives of any of the foregoing and includes the United States or any agency thereof, any other government or any of its political subdivisions and any agency of any of the foregoing.

(3) "Sales at retail" means sales by retailers to ultimate consumers or institutional, industrial or commercial users, but does not include sales to persons for resale.

(4) "Retailer" means a person engaged in the business of selling citrus fruits, alone or among other things, to ultimate consumers or institutional, industrial or commercial users, not for resale.

(5) "Records" includes books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading and other papers and documents.

(6) "Indian River" means the area in the State of Florida defined by law in the State of Florida as the "Indian River Citrus Area".

(7) "Interior" means all of the State of Florida except the Indian River area.

(8) "Tangerines" shall include tangelos.

(9) "Oranges" shall include all oranges except tangerines, tangelos and Temple oranges.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used in this regulation.

§ 1351.1415 *Effective date.* This Maximum Price Regulation No. 292 (§§ 1351.1401 to 1351.1416, inclusive) shall become effective January 11, 1943.

§ 1351.1416 *Appendix A: Maximum prices of packers, f. o. b. packing house.* (a) Oranges, tangerines and temple oranges.

[2] 7 F.R. 5059, 7242, 8829, 9000, 10580.

[3] 7 F.R. 8961.

MAXIMUM PRICES IN DOLLARS PER UNIT

Item No.	State or area	Variety	Seasons, all dates inclusive	Standard wooden box				Bruce boxes packed unwrapped		4/5 bushel standard nailed box	1/2 crate box	Bags					Bulk (in bins)
				Packed wrapped	Packed 2 layers wrapped	Packed unwrapped	Loose	1 3/5 bushel	4/5 bushel			1 3/5 bushel	1/2 box	1/4 box	1/8 lb.	5 lb.	
1	California	All	Nov. 16 to Apr. 30	3.43		3.38	2.26										
			May 1 to Nov. 15	3.99		3.94	2.82										
2	Arizona	All	Nov. 16 to Apr. 30	3.06		3.01	1.97										
			May 1 to Nov. 15	3.62		3.57	2.53										
3	Florida: Indian River	Tangerines	Beginning to Dec. 31						2.06	2.09	2.14						3.08
			Jan. 1 to Feb. 28						1.92	1.95	2.00						3.49
			Mar. 1 to end						2.03	2.06	2.11						3.62
4	Florida: Indian River	Temples	Beginning to Nov. 15						2.21	2.24	2.29						3.98
			Nov. 16 to Mar. 15						2.10	2.13	2.18						3.79
			Mar. 16 to end						2.27	2.30	2.35						4.10
5	Florida: Indian River	Oranges	Beginning to Nov. 15	3.71	3.67	3.63		3.59				3.49	1.78	.92	.34	.23	3.23
			Nov. 16 to Mar. 15	3.49	3.45	3.41		3.37				3.27	1.67	.86	.32	.21	3.07
			Mar. 16 to end	3.81	3.77	3.73		3.69				3.59	1.83	.94	.35	.23	3.39
6	Florida: Interior	Tangerines	Beginning to Dec. 31						1.89	1.92	1.97						3.34
			Jan. 1 to Feb. 28						1.75	1.78	1.83						3.09
			Mar. 1 to end						1.85	1.88	1.93						3.26
7	Florida: Interior	Temples	Beginning to Nov. 15						2.04	2.07	2.12						3.64
			Nov. 16 to Mar. 15						1.93	1.96	2.01						3.45
			Mar. 16 to end						2.09	2.12	2.17						3.74
8	Florida: Interior	Oranges	Beginning to Nov. 16	3.36	3.32	3.28		3.24				3.14	1.60	.83	.31	.20	2.94
			Nov. 16 to Mar. 15	3.14	3.10	3.06		3.02				2.92	1.49	.77	.29	.19	2.72
			Mar. 16 to end	3.46	3.42	3.38		3.34				3.24	1.65	.85	.31	.21	3.04
9	Texas	Tangerines	Beginning to Nov. 15						2.02	2.05	2.10						3.69
			Nov. 16 to Mar. 15						1.91	1.94	1.99						3.38
			Mar. 16 to end						2.07	2.10	2.15						3.70
10	Texas	Oranges	Beginning to Nov. 15	3.36	3.32	3.28		3.24				3.14	1.60	.83	.31	.20	2.94
			Nov. 16 to Mar. 15	3.14	3.10	3.06		3.02				2.92	1.49	.77	.29	.19	2.72
			Mar. 16 to end	3.46	3.42	3.38		3.34				3.24	1.65	.85	.31	.21	3.04

(b) Grapefruit.

MAXIMUM PRICES IN DOLLARS PER UNIT

Item No.	State or area	Variety	Seasons, all dates inclusive	Standard wooden box				Bruce boxes packed unwrapped, 1⅗ bushel	Bags				Bulk 1⅗ bushel
				Packed wrapped	Packed 2 layers wrapped	Packed unwrapped	Loose		1⅗ bushel	½ box	¼ box	10 lb	
1	California	All	May 1 to Oct. 31	2.28		2.23	1.35						
			Nov. 1 to Apr. 30	2.82		2.77	1.89						
2	Arizona	White	All	2.19		2.14	1.36						
		Pink	All	2.52		2.47	1.69						
3	Florida: Indian River	Seeded	Beginning to Nov. 15	3.07	3.00	2.96		2.94	2.84	1.47	.75	.38	2.64
			Nov. 16 to Mar. 15	2.75	2.68	2.64		2.62	2.52	1.31	.67	.34	2.32
			Mar. 16 to end	2.98	2.91	2.87		2.85	2.75	1.42	.73	.37	2.55
4	Florida: Indian River	Seedless	Beginning to Nov. 15	3.26	3.19	3.15		3.13	3.03	1.56	.80	.41	2.83
			Nov. 16 to Mar. 15	2.94	2.87	2.83		2.81	2.71	1.40	.72	.37	2.51
			Mar. 16 to end	3.17	3.10	3.06		3.04	2.94	1.52	.78	.40	2.74
5	Florida: Interior	Seeded	Beginning to Nov. 15	2.62	2.55	2.51		2.49	2.39	1.24	.64	.33	2.19
			Nov. 16 to Mar. 15	2.30	2.23	2.19		2.17	2.07	1.08	.56	.29	1.87
			Mar. 16 to end	2.53	2.46	2.42		2.40	2.30	1.20	.62	.32	2.10
6	Florida: Interior	Seedless	Beginning to Nov. 15	2.81	2.74	2.70		2.68	2.58	1.34	.69	.35	2.38
			Nov. 16 to Mar. 15	2.49	2.42	2.38		2.36	2.26	1.18	.61	.31	2.06
			Mar. 16 to end	2.72	2.65	2.61		2.59	2.49	1.29	.67	.34	2.29
7	Texas	White	Beginning to Nov. 15	2.59	2.43	2.39		2.37	2.27	1.18	.61	.32	2.07
			Nov. 16 to Mar. 15	2.18	2.11	2.07		2.05	1.95	1.02	.53	.28	1.75
			Mar. 16 to end	2.41	2.34	2.30		2.28	2.18	1.13	.59	.31	1.98
8	Texas	Pink seeded	Beginning to Nov. 15	2.68	2.61	2.57		2.55	2.45	1.27	.65	.34	2.29
			Nov. 16 to Mar. 15	2.36	2.29	2.25		2.23	2.13	1.11	.57	.30	1.93
			Mar. 16 to end	2.59	2.52	2.48		2.46	2.36	1.22	.63	.33	2.16
9	Texas	Pink seedless	Beginning to Nov. 15	2.92	2.85	2.81		2.79	2.69	1.39	.71	.37	2.49
			Nov. 16 to Mar. 15	2.60	2.53	2.49		2.47	2.37	1.23	.63	.33	2.17
			Mar. 16 to end	2.83	2.76	2.72		2.70	2.60	1.34	.69	.36	2.40
10	Texas	Ruby red	Beginning to Nov. 15	3.29	3.19	3.15		3.13	3.03	1.56	.80	.41	2.83
			Nov. 16 to Mar. 15	2.94	2.87	2.83		2.81	2.71	1.40	.72	.37	2.54
			Mar. 16 to end	3.17	3.10	3.06		3.04	2.94	1.51	.78	.40	2.74

(c) Lemons.

Item No.	State or area	Variety	Seasons (all dates inclusive)	Standard wooden box		
				Packed wrapped	Packed unwrapped	Loose
1	California	All	(Nov. 1 to April 30	4.86	4.76	3.31
			(May 1 to Oct. 31	5.35	5.25	3.80

(d) "Standard" containers referred to herein means:

(1) For California and Arizona, 1⅔ bushel containers.

(2) For Florida and Texas, 1⅗ bushel containers.

Issued this 31st day of December 1942.

LEON HENDERSON,
Administrator.

Approved:

GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-14231; Filed, December 31, 1942; 4:05 p. m.]

PART 1381—SOFTWOOD LUMBER

[MPR 26,[1] Amendment 10]

DOUGLAS FIR AND OTHER WEST COAST LUMBER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sections 1381.53 and 1381.58 (a) (3) are amended, and a new subparagraph (4) is added to § 1381.62 (d) as set forth below:

*Copies may be obtained from the Office of Price Administration

[1] 7 F.R. 4573, 5180, 5360, 6168, 6388, 6424, 7285, 7942, 8384, 8877, 8948.

§ 1381.53 *Adjustable pricing.* A price may not be made adjustable to a maximum price which will be in effect at some time after delivery of the lumber has been completed, but the price may be made adjustable to the maximum price in effect at the time of delivery.

* * * * *

§ 1381.58 *Definitions.* (a) * * *

(3) "Mill" means a manufacturing plant, concentration yard, or other establishment which processes into lumber by sawing, or planing at least 50 percent of the volume of such logs or lumber so purchased or received by it. The term mill also includes any Douglas fir plywood plant that manufactures from any percentage of its logs or cores of logs the items of lumber covered by this regulation.

* * * * *

§ 1381.62 *Appendix A: Maximum prices for Douglas fir and other West Coast lumber where shipment originates at a mill.* * * *

(d) * * *

(4) When a truck haul precedes rail shipment, as when a mill located away from a railhead hauls lumber by truck to the railhead, no addition may be made for the truck haul. However, in the following three cases a mill may apply for special permission to make an addition:

(i) Where the mill was located away from rail connections because it specialized in water-borne lumber, and where shortage of shipping has forced it to operate by rail;

(ii) Where the mill prior to the shortage of tires and gasoline, shipped lumber to the particular final destination, principally by all-truck haul, and now wishes to convert to truck-and-rail haul to save tires and gasoline;

(iii) Where a mill's rail connection has been abandoned since September 5, 1941.

The application should be made by letter to the Lumber Branch of the Office of Price Administration, Washington, D. C., and may be acted upon by letter. The addition may not be made on quotations or sales until permission has been received.

§ 1381.61a *Effective dates of amendments.* * * *

(j) Amendment No. 10 (§§ 1381.53, 1381.58 (a) (3), and 1381.62 (d) (4)) to Maximum Price Regulation No. 26 shall become effective January 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-1; Filed, January 1, 1943; 10:15 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 195 Under § 1499.3 (b) of GMPR]

BELMONT SMELTING REFINING WORKS, INC

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and § 1499.3 (b) of the General Maximum Price Regulation: *It is hereby ordered:*

§ 1499.1431 *Maximum prices at which the Belmont Smelting and Refining Works, Inc., may sell and deliver granulated brass and/or bronze.* (a) The maximum prices at which the Belmont Smelting and Refining Works, Inc., may sell and deliver granulated brass and/or bronze shall be the maximum price established by Maximum Price Regulation No. 202—Brass and Bronze Alloy Ingot, for brass or bronze alloy ingot of like metal composition plus 7¼ cents per pound.

(b) When used in this Order No. 195 the term "granulated brass and/or bronze" shall mean any brass or bronze in granulated form suitable for direct use in the manufacture of small brass or bronze castings on small centrifugal casting machines similar to those regularly used by dentists for casting inlays.

(c) The maximum prices established by this Order No. 195 shall apply to all deliveries made on and after May 11, 1942, by the Belmont Smelting and Refining Works, Inc.

(d) This Order No. 195 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 195 (§ 1499.1431) shall become effective January 2, 1943.

Issued this 1st day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-2; Filed, January 1, 1943; 10:15 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 196 Under § 1499.3 (b) of GMPR]

ORBIS PRODUCTS CORP.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1432 *Approval of maximum prices for sales of "Peppermint Concentrate 70% Menthols."* (a) The maximum prices for sales by the Orbis Products Corporation, a corporation having its principal place of business in New York, New York, of "Peppermint Concentrate 70% Menthols" are established as set forth below:

Size of container:	Per pound
Over 50 pounds	$8.25
10 pounds up to 50 pounds	8.30
5 pounds up to 10 pounds	8.40
Less than 5 pounds	8.50

(b) All discounts, trade practices, practices relating to charges and deposits for containers, and practices relating to the payment of shipping charges in effect in March, 1942, on the sale by the Orbis Products Corporation of that quality of oil of peppermint of which the corporation sold the largest quantity during that month shall apply to the maximum prices as set forth in paragraph (a).

(c) When used in this order No. 196 the term "Peppermint Concentrate 70% Menthols" means that quality of oil of peppermint which, after fractionating, shall contain not less than 70% menthol.

(d) This Order No. 196 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 196 (§ 1499.1432) shall become effective on January 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-3; Filed, January 1, 1943; 10:14 a. m.]

PART 1370—ELECTRIC APPLIANCES

[MPR 294]

USED HOUSEHOLD VACUUM CLEANERS AND ATTACHMENTS FOR USED HOUSEHOLD VACUUM CLEANERS

In the judgment of the Price Administrator the prices for the sale and rental of used vacuum cleaners and for attachments for used vacuum cleaners have risen to an extent and in a manner inconsistent with the purpose of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices for the sale and rental of used vacuum cleaners and for attachments for used household vacuum cleaners (less than one-half horsepower) prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* Therefore under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order 9250, and in accordance with Revised Procedural Regulation No. 1,[1] issued by the Office of Price Administration, Maximum Price Regulation No. 294 is hereby issued.

*Copies may be obtained from the Office of Price Administration.

AUTHORITY: §§ 1370.71 to 1370.85, inclusive, issued under Pub. Laws 421 and 729, 77th Congress, E.O. 9250, 7 F.R. 7871.

§ 1370.71 *Maximum prices for the sale and rental of used household vacuum cleaners and attachments for used household vacuum cleaners.* (a) On and after January 7, 1943, regardless of any contract, agreement, lease, or other obligation, no person shall sell, rent, or deliver any model of used household vacuum cleaner or any attachments for used household vacuum cleaners, and no person shall buy or receive or accept the rental of any model of used household vacuum cleaner or any attachments for used household vacuum cleaners in the course of trade or business, at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1370.83; and no person shall agree, offer, solicit, or attempt to do any of the foregoing.

§ 1370.72 *Less than maximum prices.* Lower prices than those established by Maximum Price Regulation No. 294 may be charged, demanded, paid, or offered.

§ 1370.73 *Evasion.* (a) The price limitations set forth in this Maximum Price Regulation No. 294 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, rental, delivery, purchase or receipt of or relating to used household vacuum cleaners or attachments for used household vacuum cleaners, alone or in conjunction with any other commodity or by way of commission, services, transportation, or other charge or discount, premium, or other privilege, or by tying agreement, or other trade understanding, or otherwise.

(b) Specifically, but not exclusively, the following practices are prohibited:

(1) Decreasing cash discounts, rental credits on purchases, or quantity purchase discounts or allowances in effect during the period during October 1–15, 1941, in connection with the sale or rental of a used household vacuum cleaner or attachments for used household vacuum cleaners.

(2) Increasing charges for deferred payment, or for any other form of installment, or time payment or credit accounts in effect during the period October 1–15, 1941.

(3) Misrepresenting the state of repair of a used household vacuum cleaner.

(4) Refusing to permit a person renting a used household vacuum cleaner to arrange for delivery (of a rented used

[1] 7 F.R. 8961.

household vacuum cleaner) from and to the dealer's place of business.

(5) Removing manufacturer's name plate from the motor of the used household vacuum cleaner.

(6) Misrepresenting original manufacturer's name.

(7) Misrepresenting model or age of used household vacuum cleaner.

§ 1370.74 *Notices.* (a) Every person offering to rent a used household vacuum cleaner shall post in a conspicuous place on his business premises a notice in the following form:

CEILING PRICES

Monthly Rental Charge For Used Vacuum Cleaners $1.25

§ 1370.75 *Records and sales slips.* (a) Every person offering to rent or sell used household vacuum cleaners or attachments for used household vacuum cleaners in the course of trade or business, after January 6, 1943, shall keep for inspection by the Office of Price Administration, his customary records of such rentals and sales.

(b) Any seller who has customarily given a purchaser a sales slip or receipt shall continue to do so. Regardless of previous custom, any seller shall, upon request, give the purchaser a receipt showing the date of the sale, the name and address of the buyer, the make, model number and condition of the vacuum cleaner as defined in § 1370.79 ("as is" or "rebuilt"), the discounts and trade-in allowances given, and the price received for each used household vacuum cleaner or set of attachments.

§ 1370.76 *Retail price label.* Before delivering any rebuilt vacuum cleaner, the rebuilder must attach to it a label containing a statement in the following form, and with the blanks appropriately filled in, except the retail selling price blank which the retail seller shall fill in. No person shall sell, or offer to sell any rebuilt vacuum cleaner unless such label is attached:

Make _____
Model _____
Retail ceiling price _____
Retail selling price _____
Rebuilt and guaranteed for one year

§ 1370.77 *Guarantee.* The maximum retail price (as set forth in § 1370.83, Appendix A of this Maximum Price Regulation No. 294) of any rebuilt vacuum cleaner shall include a guarantee by the seller for the benefit of the buyer for a period of one year from the date of delivery to the ultimate consumer. The seller shall guarantee the efficient operation of the rebuilt vacuum cleaner at the time of delivery, and shall agree to replace without charge for labor or materials any part which is found to be defective during the one year period. Pick up or delivery expense and defects caused by normal wear or accidents are excluded from this guarantee. Specific authorization must be obtained from the Office of Price Administration for the establishment of the maximum retail price for any rebuilt vacuum cleaner sold without a guarantee.

§ 1370.78 *Requirements for rebuilt vacuum cleaners.* (a) Before a vacuum cleaner shall be sold as "rebuilt", and subsequent to any previous use, the following requirements shall have been met:

(1) The cleaner shall have been taken apart and the motor field coils, armature, bearings, impeller fan and brush roller bearings shall have been washed with a grease removing solvent and blown out.

(2) All parts of the cleaner shall have been inspected for breaks and excessive wear.

(3) Any broken, defective or badly worn parts shall have been replaced.

(4) The commutator shall have been resurfaced.

(5) The motor shall have been supplied with new carbon brushes.

(6) In the case of excessive mechanical noise, vibration or other evidence of wear, motor bearings shall have been replaced.

(7) New oil felts shall have been installed with motor bearings.

(8) Any motor equipped with oil wicks shall have been furnished with new wicks.

(9) The brush roller bristles shall have been replaced.

(10) The cleaner shall have been reassembled so that all mechanical parts operate with minimum friction to produce maximum speed of operation at rated voltage.

(11) When reassembled all motor bearings and other bearings shall have been repacked with new grease or oil as the type of bearing requires.

(12) Electrical insulation—all cleaners shall have been capable of withstanding without breakdown for a period of 30 seconds the application of a 900 volt 60-cycle alternating potential between all current carrying parts and any non-current carrying metal parts, at the maximum operating temperature reached in normal use.

(13) The vacuum cleaner cord shall have no cracks or breaks over its entire length. This cord shall have a minimum length of eighteen feet type 5V National Board of Fire Underwriters approved vacuum cleaner cord or its equivalent.

(14) The cleaner shall have been equipped with a new bag.

§ 1370.79 *Definitions.* (a) When used in this Maximum Price Regulation No. 294 the term:

(1) "As is" vacuum cleaner means one which has all major operating parts intact but which does not meet the standards of a rebuilt vacuum cleaner.

(2) "Rebuilt" vacuum cleaner means one which has met the requirements set forth in § 1370.78 above.

(3) "Attachments" means all supplementary devices which may be combined with the cleaner to increase the number of its functions and improve its efficiency, except those for which maximum prices are established by Maximum Price Regulation No. 111.

(4) "Standard attachment sets" mean sets which include the following attachments: (i) couplings and cut-off plate, if necessary; (ii) hose; (iii) nozzle; (iv) extension rod; (v) radiator tool.

(5) "Deluxe attachment sets" mean standard attachment sets plus a minimum of three additional attachments.

(6) "Built-in headlight" vacuum cleaner means a type of motor driven brush vacuum cleaner in which a headlight was installed in the original manufacturing process.

(7) "Used household vacuum cleaner" means any vacuum cleaner which has been in the physical possession of a user and which has been subjected to use for other than demonstration purposes; the term includes "as is" and "rebuilt" vacuum cleaners.

(8) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, and in § 1499.20 of the General Maximum Price Regulation shall apply to other terms used herein.

§ 1370.80 *Relation between Maximum Price Regulation No. 294 and the General Maximum Price Regulation.*[1] (a) The provisions of this Maximum Price Regulation No. 294 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this Maximum Price Regulation No. 294, except as provided in paragraph (b) of this § 1370.80. However, the seller must comply with the provisions of the following paragraphs, which are identical, except for appropriate changes in dates and terminology, with the sections of the General Maximum Price Regulation indicated in parentheses. Any amendments to such sections of the General Maximum Price Regulation are automatically applicable to this Maximum Price Regulation No. 294.

(1) *Sales for export* (§ 1499.6). The maximum price at which a person may export any used household vacuum cleaner or attachments for used household vacuum cleaner shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation.[2]

(2) *Petitions for amendment* (§ 1499.19). Any person seeking a modification of any provisions of this Maximum Price Regulation No. 294 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

(b) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation shall apply to every person selling at

[1] *Supra* note 2.

[2] 7 F.R. 5059, 7242, 8829, 9000, 10530.

wholesale or retail any used household vacuum cleaner or attachments for used household vacuum cleaner covered by this Maximum Price Regulation No. 294.

§ 1370.81 *Federal and state taxes.* There may be added to the maximum price established by this regulation the amount of tax levied by any Federal excise tax statute or any State or municipal sales, gross receipts, gross proceeds, or compensating use tax statute or ordinance, under which the tax is measured by gross proceeds or units of sale, if, but only if, (a) such statute or ordinance requires the vendor to state the tax, separately from the purchase price paid by the purchaser, consumer, or user, on the bill, sales check, or evidence of sale, at the time of the transaction; or (b) such statute or ordinance requires such tax to be separately paid by the purchaser, consumer or user with tokens or other media of State or municipal tax payment; or (c) such a statute or ordinance permits the vendor to state such tax separately, and such tax is in fact stated separately by the vendor. The amount of tax permitted to be added by this provision shall in no event exceed that paid by the purchaser, consumer, or user.

§ 1370.82 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 294 are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of license provided for by the Emergency Price Control Act of 1942.

§ 1370.83 *Minimum trade-in allowances.* If a person regularly engaged in the business of selling used vacuum cleaners accepts a vacuum cleaner from the buyer as a trade-in, he shall make an allowance to the buyer at least equal to three-fourths (75%) of the maximum wholesale "as is" price of the cleaner traded in.

§ 1370.84 *Effective date.* This Maximum Price Regulation No. 294 (§§ 1370.71 to 1370.85 inclusive) shall become effective January 7, 1943.

§ 1370.85 *Appendix A: Maximum Prices for the rental and sale of used household vacuum cleaners and attachments for used household cleaners.* (a) The maximum price for the rental of a used household vacuum cleaner shall be $1.25 per month or fraction thereof. If the person renting the vacuum cleaner is obliged to render delivery and pick-up services in connection with the rental of the vacuum cleaner, the person renting the vacuum cleaner may add to the maximum price a reasonable charge for such delivery service and may demand and receive the amount of such charge simultaneously with the charge for the rental period. Any person renting a used household vacuum cleaner shall not collect the rental charge in advance for a period of more than three months.

(b) Attachment sets: The maximum price for the sale at retail of attachment sets, except where any price in paragraph (e) of this section includes attachment sets, shall be as follows:

1. Standard attachment sets	$5.50
2. Deluxe attachment sets	8.50

(c) The maximum price for the sale at retail of an "as is" used household vacuum cleaner is the wholesale "as is" price for that model as set forth in paragraph (e) of this section plus 50 percent.

(d) The maximum price for the sale at wholesale of a rebuilt used household vacuum cleaner is 62½% of the maximum price at retail for that model of rebuilt used household vacuum cleaner as is set forth in paragraph (e) of this section.

(e) The maximum price for the sale of the following models of used household vacuum cleaners shall be:

Trade name and model or other designation	Maximum wholesale price, "as is"	Maximum retail price—rebuilt and guaranteed
Airway:		
25	$18.00	$45.00
44	14.00	40.00
40	9.00	32.00
50	7.00	27.00
31	3.50	23.00
31-1	3.50	23.00
35	3.50	23.00
37	3.50	23.00
38	3.50	23.00
Fleetwood	2.50	17.50
Fleetwood Special	2.50	17.50
F	2.00	16.00
F1	2.00	16.00
E	1.00	13.50
Airway:		
129	18.00	48.00
124	16.00	42.00
140	12.00	37.50
123	9.00	28.00
Built in head light—vertical motor	6.00	24.00
Motor driven brush—vertical motor	4.00	20.00
Other motor driven brush	3.00	18.00
Straight suction—ball bearing	1.50	14.00
A-3, AA, A and other straight suction	1.00	12.00
Other tank cleaners	8.50	27.50
Hand cleaners	1.00	8.00
Bee-Vac-Birtman:		
701	11.50	34.50
T12	11.50	34.50
400	10.00	31.00
Built in head light	6.00	24.00
Motor driven brush	3.00	18.00
Straight suction	1.00	12.00
Other tank cleaners	8.00	27.00
Hand cleaners	1.00	8.00
Cadillac-Clements:		
143A	15.00	40.00
500	13.00	35.50
138A	13.00	36.00
124A	10.00	30.00
200	9.00	30.00
Built in head light	6.00	24.00
Other motor driven brush	3.00	18.00
Straight suction	1.00	12.00
Hand cleaners	1.00	8.00
Electrolux:		
30	18.00	46.00
129	14.00	39.50
20	11.50	34.50
12A (350 watts)	10.50	36.00
12A (250 watts)	8.50	32.00
12S (Swedish model)	5.50	20.00
11	2.50	18.50
10	1.50	15.00
5	1.50	15.00
Eureka:		
D-171	20.00	49.00
N-31A	18.00	46.00
W-64	16.00	42.00
M	12.00	37.00
R-41	10.00	32.00
G1-31	8.00	28.00
G-2 built in head light	8.00	28.00
G-31	7.00	26.00
K	5.00	22.00
N	4.00	18.50
11	3.20	17.50
10		

[1] Includes attachments.

Trade name and model or other designation	Maximum wholesale price, "as is"	Maximum retail price—rebuilt and guaranteed
Eureka—Continued		
Standard	$3.20	$17.50
Special	3.00	16.50
9	2.50	15.00
8	1.50	13.00
7	1.00	12.00
6	1.00	12.00
Hand cleaners	1.00	8.00
Other tank cleaners	6.50	27.50
Filter Queen	16.00	40.00
Filtex	20.00	61.00
General Electric:		
AVF-19	15.00	40.00
AVF-150	13.00	37.50
AVF-101	12.00	34.50
AVF-178	12.00	34.50
AVF-701	11.00	32.00
AV-2	6.50	25.00
AV-1	4.50	21.00
111A	4.00	20.00
111	4.00	20.00
103	3.50	18.50
108	3.50	18.50
AV-3	3.00	17.00
50	3.00	17.00
90	3.00	17.00
All other motor driven brush		
AV-5	4.00	21.00
Junior—Motor driven brush	1.50	13.00
Junior—Straight suction	1.00	12.00
60 and other straight suction machines not listed	1.00	12.00
Other tank cleaners	6.50	27.50
Hand cleaner—Motor driven brush	2.00	10.00
Hand cleaner—Straight suction deluxe	2.00	10.00
Hand cleaner—Straight suction	1.00	8.00
Graybar:		
Gold green plate	3.50	19.00
40	3.50	19.00
45	2.00	15.00
Straight suction	1.00	12.00
Hand cleaner	1.00	8.00
Hamilton-Beach:		
26	14.00	39.00
14	9.00	28.50
Built in headlight	6.00	24.00
Motor driven brush—Ball bearing	4.50	21.00
All bronze bearing cleaners	1.50	15.00
Other tank cleaners	5.00	25.00
Hand cleaner—Motor driven brush	1.25	8.50
Hand cleaner—Straight suction	1.00	8.00
Healthmore (All models)	2.50	15.00
Hoover:		
90	24.00	57.00
60	23.00	55.00
26	19.00	48.00
150	18.00	46.50
530	17.00	45.00
55	17.00	45.00
525	17.00	45.00
025	17.00	45.00
500	16.00	43.50
500	15.00	42.00
505	14.00	39.00
475	13.50	39.00
200	13.50	39.00
700	12.50	39.00
572	12.00	37.00
150	12.00	36.00
725	12.00	36.00
562	10.00	34.00
700	10.00	32.00
575	9.00	30.00
Notes #80	8.50	29.00
425	8.50	29.00
543	7.50	27.00
667	6.00	27.00
541	5.00	22.00
105	3.50	17.00
102	2.50	15.00
103	2.00	13.00
X	1.50	12.00
Special	1.50	12.00
Hand cleaners	1.25	9.00
Kenmore-Sears Roebuck:		
721	14.50	39.00
722	13.00	36.00
710	11.50	35.00
724	10.50	41.00
Built in head light	6.00	24.00
Motor driven brush—large	3.00	18.00
Motor driven brush—small	1.50	14.00
Straight suction	1.00	12.00
Other tank cleaners	5.00	25.00
Hand cleaners—motor driven brush	1.25	8.50
Hand cleaners—straight suction	1.00	8.00

Trade name and model or other designation	Maximum wholesale price "as is"	Maximum retail price—rebuilt and guaranteed
Magnetic:		
Motor driven brush	$3.00	$18.00
Straight suction	1.00	12.00
Montgomery Ward:		
901	12.00	[1]34.00
851	11.50	33.00
841	9.50	29.00
Built in head light—vertical meter	6.00	24.00
Vertical motor	3.00	18.00
Horizontal motor	2.00	15.50
Other tank cleaners	5.00	[1]25.00
Hand cleaners	1.00	8.00
Packard:		
Built in headlight	6.00	24.00
Motor driven brush	3.00	18.00
Straight suction	1.00	12.00
Premier:		
Duplex D-1	10.00	18.00
D1F-1	15.50	[1]41.50
22	15.00	40.00
200 Magic Aire	12.50	[1]37.50
80	11.50	[1]37.50
21	12.50	35.00
44	12.00	34.50
9	10.00	32.00
20	10.00	32.00
30	9.00	30.00
154	9.00	30.00
201 Magic Aire	8.50	[1]29.50
90	8.00	[1]28.00
42	8.00	28.00
8	8.00	28.00
40	7.00	26.00
47	7.00	26.00
48	7.00	26.00
155	6.50	25.00
Grand	5.50	23.00
107	5.50	23.00
109	5.50	23.00
10-12	5.50	[1]21.00
70	5.50	[1]21.00
60	4.50	21.00
37	4.50	21.00
74 Steel handle	4.50	21.00
83 Wood handle	4.00	20.00
98 Junior	2.00	14.50
74 Junior	1.50	13.00
Straight suction	1.00	12.00
Other tank cleaners	6.50	[1]27.50
Hand cleaner—Motor driven brush	2.00	10.00
Hand cleaner—Straight suction deluxe	2.00	10.00
Hand cleaner—Straight suction	1.00	8.00
Regina:		
50 2-speed	11.00	32.00
50 1-speed	6.50	25.00
Crusader—Motor driven brush	4.00	20.00
30	1.50	19.50
35	4.00	18.50
50	3.50	17.50
20	2.50	15.00
24	2.00	13.50
22	1.00	12.00
Other straight suction	1.00	12.00
Rexair:	12.50	[1]40.00
Rex:		
175	16.50	43.00
200A	13.50	37.50
150	13.50	37.00
140	12.50	35.00
212	12.00	34.00
180	11.00	[1]32.00
115	10.50	31.50
Built-in head light	6.00	24.00
150	5.50	21.00
Other motor-driven brush	3.50	19.00
145	3.00	17.50
100	3.00	17.50
Super Royal	2.50	15.00
Handi-Vac	1.50	13.00
Other tank cleaners	5.00	[1]25.00
Hand cleaner—Motor driven brush	1.25	8.50
Hand cleaner—Straight suction	1.00	8.00
Scott-Fetzer:		
36", 40" AR	14.00	40.00
Built in head light	6.00	24.00
Swivel tripod	3.00	18.00
Scott-Fetzer—Continued.		
Sanitation system	$2.00	$11.50
EL	1.00	12.00
Hand cleaner	1.00	8.00
Singer:		
R-5 Deluxe	15.50	41.00
R-5	13.50	37.50
R-4	7.00	26.00
R-3	7.00	26.00
R-2	6.00	24.00
R-1	5.50	23.00
Straight suction	1.00	12.0
Hand cleaner	1.25	9.0
Sweeper-vac:		
Built in head light	6.00	24.00
Motor driven brush	3.00	18.00
Vertical motor	2.00	15.00
Horizontal motor	1.00	12.00
Torrington	1.50	13.00
Universal:		
E 65 D	14.00	[1]39.00
E 50 D	12.00	[1]34.50
440	10.50	31.00
712	9.00	28.00
830	7.50	24.50
Built in head light	6.00	24.00
Motor driven brush	3.00	18.00
Straight suction	1.00	12.00
Other tank cleaners	5.00	25.00
Hand cleaners	1.00	8.00
Westinghouse:		
K-503	12.00	34.50
A-503	10.00	[1]30.00
K-453	9.00	28.00
A-403	9.00	28.00
Built in head light	6.00	24.00
Motor driven brush	3.00	18.00
Straight suction	1.00	12.00
Hand cleaner motor driven brush	2.00	10.00
Hand cleaner straight suction	1.00	8.00
Hoover Cleaners—Rebuilt by the Hoover Company		
105		26.45
541		25.45
543		42.45
700		36.45
425		36.45
900		42.00
750		44.25
450		46.25
475		49.25
600		50.25
800		54.25
820		54.25
All straight suction hand cleaners other than those listed	.75	6.50
All motor driven brush hand cleaners other than those listed	1.25	8.50
All straight suction floor cleaners other than those listed	.75	7.00
All motor driven brush floor cleaners other than those listed	1.50	14.00
All built in head light motor driven brush floor cleaners other than those listed	4.50	21.00
All tank cleaners other than those listed	5.00	[1]25.00

[1] Includes attachments

(f) Specific authorization must be obtained from the Office of Price Administration, Washington, D. C., for the establishment of the maximum price of any factory rebuilt cleaner not listed in Appendix A.

Issued this 1st day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-63; Filed, January 1, 1943; 2:14 p. m.]

PART 1382—HARDWOOD LUMBER

[Rev. MPR 97]

SOUTHERN HARDWOOD LUMBER

The title and preamble are amended and §§ 1382.101 to 1382.113, inclusive, are renumbered and amended to read as set forth herein:

In the judgment of the Price Administrator, the prices of Southern hardwood lumber have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of Southern hardwood lumber prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order No. 9250 Revised Maximum Price Regulation No 97—Southern Hardwood Lumber, is hereby issued.

Sec.

1382.101 Sales of Southern hardwood lumber at higher than maximum prices prohibited.
1382.102 To what transactions, products, and persons this regulation applies.
1382.103 How to figure delivered prices; and mixed car charges.
1382.104 What the invoice must contain.
1382.105 Prohibited practices.
1382.106 Grades, specifications and extras not specifically priced
1382.107 Petitions for adjustment and amendment.
1382.108 Records and reports.
1382.109 Enforcement and licensing
1382.110 Relation to other regulations
1382.111 Effective date.
1382.112 Appendix A: Maximum prices for Southern hardwood lumber in standard or near-standard grades
1382.113 Appendix B: Description of Southern hardwood area.

AUTHORITY: §§ 1382.101 to 1382.113, inclusive, issued under Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871.

*Copies may be obtained from the Office of Price Administration.

§ 1382.101 *Sales of Southern hardwood lumber at higher than maximum prices prohibited.* (a) On and after January 7, 1943, regardless of any contract or other obligation, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business, any Southern hardwood lumber for direct-mill shipment at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer or attempt to do any of these things. The maximum f.o.b. mill prices are set forth in Appendix A.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

§ 1382.102 *To what transactions, products, and persons this Regulation applies*—(a) *What transactions are covered*—(1) *Direct-mill shipments.* This ceiling applies to all shipments originating at a mill, no matter who the seller is, and no matter whether he usually is known as a mill, wholesaler, retailer or anything else. It does not apply to sales out of distribution yard stock. A shipment is regarded as originating at a mill if the lumber reaches the purchaser without ever becoming an integral part of the stock of a distribution yard. A sale is considered a sale out of distribution yard stock only if the lumber was a part of regular yard stock at the time the sale was made.

(2) *How to tell a mill from a distribution yard*—(i) *General tests.* The term "mill", as used here, covers what are known in the trade as sawmills, planing mills and concentration yards. Three types of establishments are described below: the first, (*a*), a typical sawmill or planing mill; the second, (*b*), a typical concentration yard; and the third, (*c*), a typical distribution yard. An establishment which resembles a typical sawmill or planing mill or a typical concentration yard more than it does a typical distribution yard is considered a mill; and one which resembles a typical distribution yard more than it does a typical sawmill or planing mill or a typical concentration yard is considered a distribution yard.

(*a*) A "typical sawmill or planing mill" is an establishment which is chiefly engaged in manufacturing lumber from logs or rough lumber by sawing or planing; which is located in or near a lumber producing area; which makes and sells chiefly Southern hardwood or softwood lumber.

(*b*) A "typical concentration yard" is an establishment which concentrates and prepares lumber for commercial shipment; which keeps in stock mostly Southern hardwood lumber; which has its lumber brought in chiefly in rough green form by truck from small local sawmills and sells chiefly for rail shipment; and which has been located at its particular site to be near the lumber producing area.

(*c*) A "typical distribution yard" is a wholesale or retail lumber yard which gets lumber from mills or other yards; unloads, sorts, stores, and resells or redistributes it; which regularly maintains a varied stock of lumber from different regions; which gets its lumber mostly by rail and sells mostly for truck shipment; which is equipped to make quick deliveries of many different items of lumber; and which has been located at its particular site in order to be near a lumber consuming area.

(ii) *New yards.* In order to prevent violation of this regulation by unnecessarily routing through yards, the Office of Price Administration will not recognize distribution yards set up after January 1, 1943, unless the new yard writes to the Office of Price Administration, Washington, D. C., and proves that it satisfies the requirements of the definition and that the purpose is not to get around this regulation by means of unnecessary yard business. Until approval is received, the new yard cannot consider itself a distribution yard for the purpose of this regulation.

(iii) *Retail type sales excepted.* A "retail type" direct-mill sale is not subject to this regulation. A "retail type" direct-mill sale means a sale of not more than 2,000 feet of lumber in which the purchaser requests delivery to a point not more than 20 miles from the mill at which the shipment originates. It includes only sales of lumber to contractors or consumers for use in construction, remodeling, repair, maintenance, fabrication, or remanufacture, and it does not include sales for resale in substantially the same form.

(b) *What products are covered.* (1) This regulation covers all Southern hardwood lumber, whether the grades, sizes and specifications are specifically named in the price tables in Appendix A or not. All grade terms have the meaning given in the "Rules for the Measurement and Inspection of Hardwood Lumber" issued by the National Hardwood Lumber Association, effective January 1, 1942.

(2) This regulation covers all lumber produced from the following botanical species, and processed into lumber at mills located in the Southern hardwood region: sap sweet gum and red sweet gum (Liquidambar styraciflua), tupelo (Nyssa aquatica), black gum (Nyssa sylvatica), tough ash (Fraxinus americana), yellow poplar (Liriodendron tulipifera), beech (Fagus americana), sycamore (Platanus occidentalis), soft maple (Acer rubrum); and the botanical species included in the genera of red oak and white oak (Quercus), magnolia (Magnolia), elm (Ulmus), cottonwood (Populus), willow (Salix), hackberry (Celtis), hickory (Hicoria), basswood (Tilia), and ash (Fraxinus).

(3) The Southern hardwood area is described by exact boundary lines in Appendix B.

(4) Some of the things which this regulation does not cover are: glued stock, moulding, risers, step treads, thresholds, hand rails, bevel and drop siding, flooring, switch, cross and mine ties, mine material, small dimension stock, and lath.

(c) *What persons are covered.* Any person who makes the kind of sale or purchase covered by this regulation is subject to it. The term "person" includes: an individual, corporation, partnership, association, or any other organized group; their legal successors or representatives; the United States, or any government, or any of its political subdivisions; or any agency of any of the foregoing.

§ 1382.103 *How to figure delivered prices; and mixed car charges*—(a) *Transportation addition.* The transportation charges set forth below may be added to the maximum f. o. b. mill prices set forth in Appendix A.

(1) *Common or contract carrier.* When shipment is by common or contract carrier, the following rules govern:

(i) When estimated weights are used, the rate times the estimated weight is the proper transportation charge. Estimated weights may be used only if they have been filed with the Office of Price Administration, Washington, D. C. The weights must be the weights used by the seller during the period October 1 to October 15, 1941. The estimated weight must be the weight for the exact kind of lumber actually shipped; for example, green weights may not be used if dry lumber is shipped. The transportation charge may be evened out to the nearest quarter-dollar per M.

(ii) When estimated weights are not used, the amount added for transportation must not be more than the amount actually paid to the common or contract carrier, evened out to the nearest quarter-dollar per M.

(2) *Private truck.* When shipment is by truck owned or controlled by the seller, the amount added for transportation may not be more than the actual cost to the seller of delivery by truck; and, no matter what the actual cost is, the amount added may not be more than the railroad charge at the carload rate

for the most similar haul. However, if this railroad charge is less than $1.50, and if the actual cost of delivery is more than $1.50, a transportation charge of $1.50 may be made.

(3) *Trucking to railhead.* When a truck haul precedes rail shipment, as when a mill located away from a railhead hauls lumber by truck to the railhead, no addition may be made for the truck haul. However, in the following three cases a mill may apply for special permission to make an addition:

(i) Where the mill was located away from rail connections because it specialized in water-borne lumber, and where shortage of shipping has forced it to operate by rail;

(ii) Where the mill prior to the shortage of tires and gasoline shipped lumber to the particular final destination principally by all-truck haul, and now wishes to convert to truck-and-rail haul to save tires and gasoline;

(iii) Where a mill's rail connection has been abandoned since September 5, 1941.

The application should be made by letter to the Lumber Branch of the Office of Price Administration, Washington, D. C. The addition may not be made on quotations or sales until permission has been received.

(4) *Truck delivery after rail haul.* When truck delivery follows a rail haul, the actual cost of truck delivery may be added

(5) *All-truck haul.* When an all-truck haul ends in delivery to the job site, no special addition may be made above the charges provided in subparagraphs (1) and (2) of this paragraph, since in this case delivery to the job site involves no extra expense.

(b) *Mixed cars.* The following additions per M may be made where the purchaser (or purchasers, in the case of a pool car) orders an item consisting of one species, thickness and grade, in the following quantities:

Quantity ordered:	Addition per M
3,000 to 4,000 ft.	$1.00
2,000 to 2,999 ft.	2.00
1,000 to 1,999 ft.	2.50
999 ft. and less	3.00

§ 1382.104 *What the invoice must contain*—(a) *General.* Because of the large number of possible additions to the basic f. o. b. mill prices, it is necessary that some of them be separately shown on the invoice. Otherwise the purchaser and the Office of Price Administration could not tell in many cases whether a price which appeared to be above the ceiling was proper or not.

Failure to invoice properly is just as much a violation of this regulation as charging an excessive price.

(b) *Basic price.* All invoices must contain a sufficiently complete description of the lumber to show whether the price is proper or not. Any working, specification, quantity, or extra which affects the maximum price must be mentioned in the description. The amount added for these does not have to be separately shown, except in a few special cases which are specifically mentioned later.

(c) *Transportation charges.* In delivered sales, the invoice must contain the:

(1) Point of origin of shipment,

(2) Destination.

(3) Rail or truck rate (or, if shipment is by private truck, the amount added for transportation),

(4) The words "Direct-Mill Shipment."

(d) *Delivery, and custom kiln drying charges.* Any separate charge which the seller is permitted to make for the following must be separately shown on the invoice:

(1) Truck delivery after rail haul;

(2) Custom kiln drying: The invoice of the custom kiln must be attached to the lumber invoice of the seller.

§ 1382.105 *Prohibited practices*—(a) *General.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-in agreements, trade understandings and the like.

(b) *Specific practices.* The following are among the specific practices prohibited:

(1) Getting the effect of a higher price by changing credit practices from what they were in October 1941. This includes decreasing credit periods, or making greater charges for extension of credit. In any case, on sales made through the Office of the Chief of Engineers, War Department, terms of 30 days net may be used. In all cases, if the sale is on cash terms, the maximum price must be reduced by the same amount as the sale price would have been reduced for similar cash terms on October 1, 1941. For example, if the maximum price without cash discount is $40.00, and if in sales of this item on October 1, 1941 to purchasers of a certain class, the seller reduced sales prices 2 per cent for cash within 10 days, the ceiling cash price in sales to purchasers of this class is $39.20.

(2) Refusing, without good reason, to ship except in small quantities, or in specified or restricted random lengths, or under other circumstances which bring the seller an extra return.

(3) Refusing, without good reason, to ship lumber in standard grades and in grade-rule range widths and lengths.

(4) Grading as a special grade lumber which normally is graded by the seller as a standard grade; or wrongly grading or invoicing lumber in any other way.

(5) Refusing to sell on an f. o. b. mill basis, and insisting on selling on a delivered basis.

(6) Unnecessarily routing lumber through a distribution yard.

(7) Quoting a gross price above the maximum price, even if accompanied by a discount, the effect of which is to bring the net price below the maximum.

(c) *Waiver of moisture content.* Under this regulation lumber is either green, partially dry, or dry. If it does not actually meet this regulation's moisture-content requirements for dry lumber, it cannot be sold at the dry price, even if the moisture requirement is waived.

(d) *Purchasing commissions.* No purchasing commission based on the quantity or value of lumber purchased may be charged or paid, if the commission plus the purchase price is an amount over the maximum price.

(e) *Combination grades.* Lumber sold on combination or special inspection grades, for which no maximum price has been established in this regulation, such as log run, mill run, or No. 1 Common and Better, may not be sold at above the maximum price for the lowest grade actually included in the special inspection grade. For example, the maximum price for No. 2 Common and Better is that set for No. 2 Common. Of course, the amount of the different grades included can be quoted and invoiced separately at the individual prices for those grades.

(f) *Adjustable pricing.* A price may not be made adjustable to a maximum price which will be in effect at some time after delivery of the lumber has been completed. But the price may be adjustable to the maximum price in effect at the time of delivery.

§ 1382.106 *Grades, specifications and extras not specifically priced.* (a) Southern hardwood lumber, sold on special grades or specifications, or with special services or other extras not specifically mentioned in Appendix A, is nevertheless subject to this regulation. The maximum price is a price which bears the October 1941 relation to the most comparable standard item. The seller should find his price difference between the special item and this most comparable standard item in October 1941 or the first month before that in which he had sales of both items, or if this is impossible, the price differential he would have used. This difference is then added to or subtracted from the maximum price of the comparable standard grade, and the result is the maximum price for the special grade.

This price must be reported to the Office of Price Administration, Washington, D. C., on OPA Form 197:3, given in paragraph (c) below. It may be ordered reduced, if it is found excessive. But if the price is not disapproved within 30 days of the receipt of the report, it is approved.

(b) A seller using this pricing section can go ahead with delivery of the lumber and collection of the price he has computed or requested. But he must tell the buyer that the price is subject to revision within the thirty-day period, and, if the price is ordered reduced, must refund any excess over the final approved price.

(c) OPA Form 197:3 is as follows:

OFFICE OF PRICE ADMINISTRATION

LUMBER BRANCH

Hardwood Section

Report of Sales of Southern Hardwood Lumber in Special Items or Special Grades (other than Combination Grades), or Prepared with Special Workings, Treatments or Services.

Company_____
Address_____
Mill location_____

Sales of special stocks of lumber

(As defined in Appendix B of Revised Maximum Price Regulation No. 97)

This report must be filed with the Lumber Branch of the Office of Price Administration, Washington, D. C., within 30 days of the date on which the producing mill enters into a contract for the sale of Southern hardwood lumber in a special item or special grade (other than a combination grade) or prepared with a special working, treatment, or service.

Date of order_____
Origin of shipment_____
Order No._____
Destination of shipment_____
Purchaser_____
(Name and address)

F. o. b. Mill Price_____
(Including discounts or commissions, if any)

(Species) (Thickness) (Widths) (Lengths)

(Designation of grade, item, working, treatment or service)

Differential in relation to most comparable standard grade or item which was employed or would have been employed during October 1-15, 1941_____

Most comparable standard grade or item to which differential is applied_____

Complete description of special grade, item, working, treatment, or service (including a statement whether the lumber is rough or machined and is air dried, kiln dried, or green)_____

Detailed explanation of how maximum price was computed or built up_____

_____ _____
(Name) (Office or title)

(d) *Existing authorizations.* (1) Any reports filed prior to January 7, 1943, with the Office of Price Administration under any of the former special grade provisions of Maximum Price Regulation 97 shall be considered as reports filed under paragraph (c) just above.

(2) Maximum prices for special grades or items, other than No. 1 construction boards approved before January 7, 1943, by the Office of Price Administration shall continue in effect as the maximum prices for these special grades or items produced at the mill which obtained the approval. With respect to these special grades or items, the producing mill need not file the report required in paragraph (c) of this section.

§ 1382.107 *Petitions for adjustment and amendment*—(a) *Government contracts.* (1) The term "government contract" is here used to include any contract with the United States or any of its agencies, or with the Government or any governmental agency of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States". It also includes any subcontract under this kind of contract.

(2) Any person who has made or intends to make a "government contract" and who thinks that a maximum price in this Regulation is impeding or threatens to impede production of lumber which is essential to the war program and which is or will be the subject of the contract, may file an application for adjustment in accordance with Procedural Regulation No. 6.[1]

(3) As soon as the application is filed, deliveries and payments may be made at the requested price, subject to refund if that requested price is disapproved or lowered. The seller must tell the buyer that the delivery is made subject to this refund.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation, may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[2] issued by the Office of Price Administration.

§ 1382.108 *Records and reports*—(a) *Records.* All sellers of Southern hardwood lumber must keep records which will show a complete description of the item of lumber sold, the name and address of the buyer, the date of the sale and the price. Buyers must keep similar records, including the name and address of the seller. These records must be kept for any month in which the seller or buyer sold or bought $500.00 worth or more of Southern hardwood lumber. They must be kept for two years, for inspection by the Office of Price Administration. Any records which the Office of Price Administration later requires must also be kept.

(b) *Reports.* Any reports that the Office of Price Administration requires must be submitted.

§ 1382.109 *Enforcement and licensing.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this regulation or of any other regulation or order issued by the Office of Price Administration are urged to communicate with the nearest field, state, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

(c) War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this regulation. "War procurement agencies" include the War Department, the Navy Department, the United States Maritime Commission and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any of their agencies.

(d) All sellers of Southern hardwood lumber under this regulation, except mills, have been licensed by Supplementary Order 18.[3] This order, in brief, provides that a license is necessary, except for mills, to make sales under this regulation. A license is automatically granted to all sellers making these sales. It is not necessary to apply specially for

[1] 7 F.R. 5087, 5664.

[2] 7 F.R. 8961.

[3] 7 F.R. 7240.

the license, but a registration may later be required. The Emergency Price Control Act of 1942 and Supplementary Order 18 tell the circumstances under which licenses may be suspended. The license cannot be transferred.

§ 1382.110 *Relation to other regulations—*(a) *General Maximum Price Regulation.*[1] Any sale or delivery covered by Revised Maximum Price Regulation 97 is not subject to the General Maximum Price Regulation.

(b) *Revised Maximum Export Price Regulation.*[2] The maximum price for export sales of Southern hardwood lumber is governed by the Revised Maximum Export Price Regulation.

§ 1382.111 *Effective date.* (a) This regulation (§§ 1382.101 to 1382.113, inclusive) shall become effective January 7, 1943.

(b) If lumber has been received before January 7, 1943, by a carrier, other than one owned or controlled by the seller, for shipment to a buyer, that shipment is not subject to this regulation. It remains subject to the terms of any regulation, whether the General Maximum Price Regulation or earlier version of this regulation, which covered it at the time the lumber was turned over to the carrier.

§ 1382.112 *Appendix A: Maximum prices for Southern hardwood lumber in standard or near-standard grades—*(a) *Application of Appendix A.* Appendix A applies to all Southern hardwood lumber of the species and grades named, when sold on grade-rule-range widths and lengths, or widths and lengths substantially the same as grade-rule-range widths and lengths, or on specified average widths or specified average lengths which are substantially run-of-the-log.

(b) *Basic maximum prices.* The maximum f. o. b. mill price for 1,000 feet of Southern hardwood lumber in a rough air-dried condition shall be as follows:

(1) TOUGH ASH

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	No. 3 common
1	$70.00	$[illegible]	$[illegible]	$[illegible]
1¼	75.00	[illegible]	35.00	17.00
1½	82.00	[illegible]	31.00	17.00
2	100.00	[illegible]	32.00	18.00
2½	100.00	50.00	33.00	.....
3	115.00	58.00	35.00	.....

(j) Where tough ash lumber is shipped to the purchaser out of the stocks of a tough ash specialty establishment, rather than directly from the mill which produced the lumber from the log, an addition of $15.00 per thousand on FAS, $10.00 per thousand on No. 1 Common and Selects, or No. 1 Common, and $5.00 on No. 2 Common may be made to the price of all thicknesses. A tough ash specialty establishment is an operation which does not manufacture any species of Southern hardwood lumber from the logs, which maintains a yard that receives an average of more than 50,000 feet of tough ash lumber a month, which usually obtains tough ash lumber without specifying to the supplier thicknesses, widths, or lengths, which is normally in a position to furnish tough ash lumber in a wide range of grades and specifications (thicknesses, widths, and lengths), and which has been approved and certified by the Office of Price Administration as a "tough ash specialty establishment" by publication of its name in the FEDERAL REGISTER. The following have been certified as "tough ash specialty establishments":

Name	Location of establishment
Bankston Lumber & Export Company	Savannah, Ga.
Dudley Hardwood Company	New Orleans, La.
Thompson-Katz Lumber Company	Memphis, Tenn.
Lamson Lumber Company, Incorporated	New Orleans, La.

(2) ASH (OTHER THAN TOUGH ASH)

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	No. 3 common
1	$40.00	$[illegible]	$[illegible]	$[illegible]
1¼	48.00	[illegible]	27.00	17.00
1½	48.00	[illegible]	28.00	17.00
2	54.00	37.00	28.00	18.00
2½	54.00	41.00	28.00	.....
3	54.00	41.00	29.00	.....

(3) BASSWOOD

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	No. 3 common
1	$50.00	$[illegible]	$27.00	$16.00

(4) BEECH

Thickness (inch)	FAS	No. 1 common and selects or No. 1 common	No. 2 common	No. 3A common	Log run	No. 3B common
½	$33.00	$26.00	$20.00	.....	.....	.....
¾	38.00	30.00	23.00	.....	.....	.....
4	43.00	34.00	26.00	.....	.....	.....
1	50.00	40.00	30.00	$24.00	$19.00	$15.00
1¼	52.00	42.00	33.00	25.00	20.00	16.00
1½	54.00	44.00	32.00	26.00	21.00	16.00
2	58.00	47.00	34.00	27.00	22.00	17.00

(5) COTTONWOOD

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	No. 3 common
½	$29.00	$23.00	$19.00	.....
¾	33.00	29.00	22.00	.....
4	37.00	32.00	25.00	.....
1	44.00	38.00	29.00	$16.00
1¼	46.00	39.00	31.00	17.00
1½	46.00	39.00	31.00	17.00
2	46.00	39.00	31.00	18.00
1 (13" and wider)	50.00	.....	.....	.....

(6) SOFT ELM

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	No. 3 common
1	$28.00	$21.00	$17.00	.....
1¼	32.00	25.00	20.00	.....
1½	37.00	28.00	22.00	.....
1	43.00	33.00	26.00	$16.00
1¼	45.00	35.00	27.00	17.00
1½	45.00	35.00	28.00	17.00
2	47.00	37.00	28.00	18.00
2½	48.00	38.00	28.00	.....
3	51.00	41.00	29.00	.....

(7) BLACK GUM—QUARTERED

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	No. 3 common
1	$53.00	$43.00	$28.00	$16.00
1¼	57.00	45.00	29.00	17.00
1½	57.00	47.00	29.00	17.00
2	62.00	52.00	31.00	18.00
2½	70.00	57.00	36.00	.....
3	73.00	60.00	39.00	.....

(8) BLACK GUM—PLAIN

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	No. 3 common
½	$40.00	$33.00	$17.00	.....
¾	41.00	34.00	19.00	.....
1	50.00	40.00	26.00	$16.00
1¼	52.00	42.00	28.00	17.00
1½	55.00	45.00	28.00	17.00
2	56.00	46.00	31.00	18.00

(9) RED GUM—QUARTERED

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	No. 3 common
½	$58.00	$51.00	$32.00	$16.00
¾	60.00	53.00	34.00	17.00
1	66.00	57.00	37.00	18.00
1¼	69.00	60.00	39.00	.....
1½	71.00	61.00	40.00	.....
2	76.00	66.00	43.00	.....

(10) RED GUM—PLAIN

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	No. 3 common
½	$40.00	$33.00	$18.00	.....
¾	46.00	38.00	21.00	.....
1	52.00	43.00	24.00	.....
1¼	61.00	51.00	28.00	$16.00
1½	63.00	53.00	30.00	17.00
2	66.00	56.00	30.00	17.00
2½	69.00	59.00	33.00	18.00
3	71.00	61.00	33.00	.....
4	76.00	66.00	34.00	.....

(11) SAP GUM—QUARTERED

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	No. 3 common
1	$46.00	$40.00	$28.00	$16.00
1¼	48.00	42.00	29.00	17.00
1½	50.00	43.00	29.00	17.00
2	56.00	48.00	31.00	18.00
2½	65.00	53.00	36.00	.....
3	68.00	56.00	39.00	.....

(12) SAP GUM—PLAIN

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	No. 3 common
½	$42.00	$33.00	$18.00	.....
¾	46.00	37.00	21.00	.....
1	50.00	42.00	26.00	$16.00
1¼	60.00	47.00	28.00	17.00
1½	62.00	50.00	30.00	17.00
2	68.00	52.00	30.00	18.00
1 (13" and wider)	62.00	.....	.....	.....
1¼ (13" and wider)	67.00	.....	.....	.....

(13) HACKBERRY

Thickness (inch)	Log run	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	No. 3 common
½	$24.00	.....	.....	.....	.....
¾	28.00	.....	.....	.....	.....
1	35.00	$43.00	$33.00	$28.00	$16.00
1¼	36.00	45.00	35.00	27.00	17.00
1½	37.00	45.00	35.00	29.00	17.00
2	38.00	47.00	37.00	29.00	18.00
2½	.....	48.00	38.00	28.00	.....
3	.....	51.00	41.00	29.00	.....

(14) HICKORY

Thickness (inch)	Log run	FAS	No. 1 common	No. 2 common	No. 3 common
1	$35.00	$56.00	$37.00	$24.00	$16.00
1¼	37.00	58.00	39.00	25.00	17.00
1½	40.00	61.00	43.00	33.00	17.00
2	43.00	66.00	44.00	33.00	18.00

(15) MAGNOLIA

Thickness (inch)	FAS	No. 1 common and selects or No. 1 common	No. 2 common	No. 3 common
1	$69.00	$47.00	$34.00	$16.00
1¼	73.00	50.00	36.00	17.00
1½	73.00	50.00	36.00	17.00
2	76.00	51.00	37.00	18.00
2½	81.00	56.00	38.00	.....
3	86.00	61.00	39.00	.....

(16) SOFT MAPLE—WHND

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	No. 3 common
½	$40.00	$33.00	$18.00	.....
¾	46.00	38.00	21.00	.....
1	52.00	43.00	24.00	.....
1¼	61.00	51.00	28.00	$16.00
1½	63.00	53.00	30.00	17.00
2	66.00	56.00	30.00	17.00
2½	69.00	59.00	33.00	18.00
3	71.00	61.00	33.00	.....
4	76.00	66.00	34.00	.....

(17) SOFT MAPLE—WHND

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	No. 3 common
½	$32.00	$25.00	$18.00	.....
¾	37.00	29.00	21.00	.....
1	42.00	23.00	24.00	.....
1¼	49.00	39.00	28.00	$16.00
1½	52.00	42.00	30.00	17.00
2	54.00	44.00	30.00	17.00
2½	58.00	48.00	33.00	18.00
3	63.00	53.00	33.00	.....
4	69.00	59.00	34.00	.....

(18) RED OAK—QUARTERED

Thickness (inch)	FAS	No. 1 common and selects, or No. 1 common	No. 2 common	Sound wormy	No. 3A common	No. 3B common
½	$42.00	$27.00	$21.00	$17.00	$16.00	$10.00
¾	49.00	32.00	24.00	20.00	19.00	12.00
1	55.00	36.00	27.00	22.00	21.00	13.00
1¼	65.00	42.00	32.00	26.00	25.00	15.00
1½	75.00	47.00	34.00	32.00	25.00	15.00
2	80.00	51.00	35.00	34.00	26.00	15.00
2½	90.00	56.00	36.00	38.00	25.00	15.00

(19) RED OAK—PLAIN

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	Sound wormy	No. 3A common	No. 3B common
½	$39.00	$26.00	$21.00	$17.00	$16.00	$10.00
¾	45.00	30.00	24.00	20.00	19.00	12.00
1	51.00	34.00	27.00	22.00	21.00	13.00
1¼	60.00	40.00	32.00	26.00	25.00	15.00
1½	70.00	45.00	34.00	32.00	25.00	15.00
2	75.00	48.00	35.00	34.00	25.00	15.00
2½	85.00	53.00	36.00	38.00	25.00	15.00
3	100.00	60.00	.....	.....	.....	.....
4	115.00	70.00	.....	.....	.....	.....
5	130.00	83.00	.....	.....	.....	.....

(20) WHITE OAK—QUARTERED

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	No. 3A common	No. 3B common
½	$62.00	$36.00	$21.00	$17.00	$16.00	$10.00
¾	71.00	41.00	25.00	20.00	19.00	12.00
1	81.00	47.00	28.00	22.00	21.00	13.00
1¼	100.00	60.00	33.00	26.00	25.00	15.00
1½	105.00	60.00	35.00	32.00	26.00	15.00
2	110.00	65.00	36.00	34.00	25.00	15.00
2½	125.00	75.00	38.00	38.00	25.00	15.00
3	135.00	85.00	.....	.....	.....	.....
4	150.00	95.00	.....	.....	.....	.....

(21) WHITE OAK—PLAIN

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	Sound wormy	No. 3A common	No. 3B common
½	$49.00	$27.00	$21.00	$17.00	$16.00	$10.00
¾	50.00	32.00	24.00	20.00	19.00	12.00
1	64.00	36.00	27.00	22.00	21.00	13.00
1¼	75.00	42.00	32.00	26.00	25.00	15.00
1½	90.00	47.00	34.00	32.00	25.00	15.00
2	100.00	50.00	35.00	34.00	25.00	15.00
2½	115.00	57.00	36.00	38.00	25.00	15.00
3	130.00	67.00	.....	.....	.....	.....
4	145.00	82.00	.....	.....	.....	.....
5	160.00	97.00	.....	.....	.....	.....

(22) SWEET PECAN

Thickness (inch)	FAS	No. 1 common	No. 2 common	No. 3 common
1	$55.00	$36.00	$23.00	$16.00
1¼	57.00	38.00	24.00	17.00
1½	60.00	42.00	32.00	17.00
2	65.00	43.00	32.00	18.00

(23) YELLOW POPLAR—QUARTERED

Thickness (inch)	FAS	Saps and selects	No. 1 common and selects; or No. 1 common	No. 2A common	No. 2B common	No. 3 common
1	$71.00	$58.00	$46.00	$33.00	$27.00	$16.00
1¼	76.00	64.00	49.00	36.00	28.00	17.00
1½	81.00	66.00	52.00	37.00	28.00	17.00
2	91.00	66.00	56.00	39.00	31.00	18.00

(24) YELLOW POPLAR—PLAIN

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2A common	No. 2B common	No. 3 common	
½	$51.00	$46.00	$31.00	$19.00	$16.00	.....
¾	58.00	49.00	35.00	26.00	17.00	.....
1	66.00	53.00	43.00	33.00	27.00	$16.00
1¼	71.00	58.00	46.00	36.00	28.00	17.00
1½	76.00	61.00	49.00	37.00	28.00	17.00
2	86.00	64.00	53.00	39.00	31.00	18.00

(25) SYCAMORE—QUARTERED

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	No. 3 common
½	$48.00	$38.00	$28.00	.....
¾	48.00	38.00	28.00	.....
1	53.00	43.00	33.00	$16.00
1¼	55.00	45.00	33.00	17.00
1½	56.00	46.00	33.00	17.00
2	61.00	49.00	33.00	18.00

(26) SYCAMORE—PLAIN

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	No. 3 common
½	$35.00	$27.00	$21.00	.....
¾	40.00	31.00	21.00	.....
1	47.00	37.00	24.00	$16.00
1¼	49.00	39.00	26.00	17.00
1½	51.00	41.00	26.00	17.00
2	55.00	44.00	26.00	18.00

(27) TUPELO—QUARTERED

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	No. 3 common
1	$53.00	$43.00	$28.00	$16.00
1¼	55.00	45.00	29.00	17.00
1½	57.00	47.00	29.00	17.00
2	62.00	52.00	31.00	18.00
2½	70.00	55.00	36.00	.....
3	75.00	60.00	39.00	.....

(28) TUPELO—PLAIN

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	No. 3 common
½	$40.00	$30.00	$17.00	.....
¾	41.00	31.00	19.00	.....
1	50.00	40.00	26.00	$16.00
1¼	52.00	42.00	28.00	17.00
1½	55.00	45.00	28.00	17.00
2	60.00	50.00	31.00	18.00

(29) WILLOW

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	No. 3 common
1	$55.00	$41.00	$28.00	$16.00
1¼	57.00	43.00	29.00	17.00
1½	61.00	46.00	29.00	17.00
2	63.00	48.00	29.00	18.00

(30) BOX BOARDS

Species	Thickness (inch)	Width (inches) 13 to 17	Width (inches) 9 to 12
Sap Gum	1	$42.00	$36.00
Cottonwood	1	36.00	48.00

(31) STRIPS

Species	Manufacture	Thickness (inch)	Width (inches)	Grade: Clear	Grade: No. 1 common
White Oak	Quartered	1	2 to 5	$42.00	$40.00
Red Oak	Quartered	1	2 to 5	48.00	54.00

(32) CONSTRUCTION BOARDS

No. 1 Construction Boards $39 00
No. 2 Construction Boards $33 0

NOTE: These maximum prices include surfacing two, three or four sides. No addition may be made for any surfacing or any other machining, such as shiplap or tongue and groove.

The No. 2 Construction Board price shall apply on all Construction Boards except where an inspection certificate has been issued by the National Hardwood Lumber Association, certifying that the shipment meets the grade of No. 1 Construction Boards. The certificate of inspection shall accompany the invoice.

Any mill which has, prior to November 1, 1942, entered into a contract for delivery of Construction Boards at a price in excess of the maximum price established by this Revised Regulation, but not in excess of the maximum price established by Maximum Price Regulation No. 97, as it stood before January 7, 1943, may make deliveries on that contract under the following conditions:

The mill must, prior to January 30, 1943, file with the Office of Price Administration a certified copy of the contract or purchase order, showing date of contract or order, the quantity originally specified, the quantity yet to be delivered, the f. o. b. mill price, the period during which delivery is specified, the terms, the mill from which shipment will be made, and all other pertinent data.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454

[2] 7 F.R. 5059, 7242, 8829, 9000, 10530.

No deliveries on such contracts may be made after January 30, 1943.

(3) HIGURED WOOD

Species	Manufacture	Thickness	Grade	
			FAS	No. 1 common and selects or No. 1 common
Red Gum Red Gum	Quartered Plain	1 1	[illegible]	[illegible]

(4) PANEL AND WIDE No. 1

Species	Width (inches)	Price
Red Gum Cottonwood	[illegible]	[illegible]

(c) *Maximum prices for dunnage.* (1) The maximum rail-delivered price for 1,000 feet of dunnage lumber shall be as follows:

Delivered at:	Maximum delivered price
Baltimore, Maryland	$26.00
Beaumont, Texas	16.00
Boston, Massachusetts	30.00
Charleston, South Carolina	17.00
Corpus Christi, Texas	17.00
Galveston, Texas	17.00
Gulfport, Mississippi	16.00
Houston, Texas	17.00
Jacksonville, Florida	17.00
Lake Charles, Louisiana	16.00
Mobile, Alabama	16.00
Morgan City, Louisiana	16.00
Newark, New Jersey	28.00
New Orleans, Louisiana	16.00
New York, N. Y.	28.00
Pensacola, Florida	17.00
Philadelphia, Pennsylvania	27.00
Port Arthur, Texas	17.00
Portsmouth, Virginia	20.00
Savannah, Georgia	17.00
Tampa, Florida	19.00

(2) The maximum price for dunnage delivered at the above ports by water shall be the rail-delivered price as above set forth less the difference between the rail transportation charge from the point of shipment to the particular port, computed by multiplying the applicable rail rate by the weight of the lumber based on 3500 pounds per M'BM, and the actual water transportation charge from the point of shipment to the particular port.

(3) The term "dunnage" as used above means any hardwood lumber suitable for use in stowing cargo on ships.

(d) *Deduction for green.* For green lumber, deduct the amount which the seller customarily deducted during the last six months of 1941 for furnishing green rather than air-dried stock.

(e) *Additions for kiln drying.* (1) To a moisture content not exceeding 9 percent at the time the lumber leaves the kiln.

Species	Thickness (inches)							
	1 & 4/4	5/4	6/4	7/4	8/4	9/4	10/4	12/4
Cottonwood, Elm, Hackberry, Yellow Poplar, Magnolia, Maple, Sycamore, White Basswood	$4.00	$4.50	$5.00	$5.50	$6.00	$7.00	$9.00	$11.00
Ash, Beech, Black Gum, Tupelo, Plain Red Gum, Quartered Sap Gum	4.50	5.00	6.00	7.00	8.00	9.00	11.00	13.00
Hickory, Plain Oak, Red Gum, Quartered Red Gum	5.00	5.50	6.50	8.00	9.50	12.00	15.00	20.00
Quartered Oak	5.00	6.00	7.00	9.00	11.00	15.00	20.00	27.00

(2) To a moisture content between 9 and 20 percent at the time the lumber leaves the kiln.

Species	Thickness (inches)							
	1 & 4/4	5/4	6/4	7/4	8/4	9/4	10/4	12/4
Cottonwood, Elm, Hackberry, Yellow Poplar, Magnolia, Maple, Sycamore, White Basswood	$2.00	$3.00	$3.00	$4.00	$4.50	$5.00	$6.00	$7.00
Ash, Beech, Black Gum, Tupelo and Quartered Sap Gum	3.00	3.50	4.00	5.00	5.50	6.00	7.50	9.00
Hickory, Plain Oak, Red Gum, Sycamore, Quartered Oak	3.00 3.00	4.00 4.00	4.50 5.00	5.50 7.00	6.50 7.00	8.00 10.00	10.00 13.50	14.00 19.00

(3) If, at the request of the purchaser, the seller inspects, grades, and measures after kiln-drying, a further addition of 5 percent of the f. o. b. mill price of the lumber in a rough air-dried condition may be made.

(4) Where Southern hardwood lumber is kiln dried for the seller through a custom kiln, and such custom kiln is not owned or operated by, or connected with, the saw mill, the seller may add the actual cost of the custom kiln drying. The amount added may not be higher than the custom kiln's maximum price established by Maximum Price Regulation No. 165, as amended,[4]—Services—for such kiln drying.

[4] 7 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9972, 10480, 10557, 10619, 10718.

(f) *Mill working additions.*

	Less than 12", 12½", and 13½" thick	12½" to 13" thick
Resawing 1 line	$3.00	$2.50
Resawing 2 lines	5.50	4.50
Surfacing 1 or 2 sides	2.50	2.00
Surfacing 2 sides and Resawing	5.00	4.00
Resawing and Surfacing 1 or 2 sides	7.50	6.50

(g) *Miscellaneous additions.* (1) Anti-stain treatment: 50 cents per M.

(2) Stenciling on the face of each piece in a manner which will permit identification and segregation of a particular shipment: 50 cents. (This addition cannot be made for stenciling a trade mark on each piece.)

(3) Marking on each piece the surface measure and or board measure and or width and or length of the piece: 50 cents per M.

(4) Bundling: $2.00 per M.

(5) End racking or band sawing: No addition.

(6) Where the purchaser requests an inspection by, and an inspection certificate issued by, the National Hardwood Lumber Association, the seller may make an added charge which does not exceed the inspection fees and expenses charged by the Association to the seller and shown on the certificate.

§ 1382.113 *Appendix B: Description of Southern hardwood area.* (a) The Southern hardwood area includes the states of Alabama, Arkansas, Florida, Louisiana, Mississippi, Texas and Oklahoma, and the counties of Tipton, Haywood, Shelby, Fayette, Lauderdale and Hardeman in the State of Tennessee, and those portions of North Carolina, South Carolina, Virginia, and Georgia not included in the "Appalachian hardwoods area".

The "Appalachian hardwoods area" is that area circumscribed by a line beginning at the intersection of the western line of the State of West Virginia and the western line of the State of Pennsylvania; thence southwesterly on the western line of West Virginia to the western boundary of Boyd County, Kentucky, thence extending southwesterly through Kentucky along the generally northwestern boundaries of the following counties: Boyd, Carter, Rowan, Menifee, Powell, Estill, Jackson, Rockcastle, Pulaski, Wayne, and Clinton to the Tennessee state line; thence westerly along said state line to the western boundary of Pickett County, Tennessee; thence southerly in Tennessee along the western boundaries of Pickett, Fentress, Morgan, Roane, Rhea, and Hamilton Counties to the intersection of the western boundary of Hamilton County and the Nashville, Chattanooga, and St. Louis Railroad; thence easterly along said railroad through Chattanooga to the intersection of said railroad and the Georgia state line; thence easterly along said state line to the western boundary of Fannin County, Georgia; thence southeasterly in Georgia along the southwestern boundaries of Fannin County and Lumpkin County; thence generally easterly in Georgia along the southeastern boundary of Lumpkin County, the southern boundary of White County, and the southern and eastern boundaries of Habersham County to the South Carolina state line; thence southeasterly along said line to the southeastern boundary of Oconee County, South Carolina; thence in a generally northeasterly direction through South Carolina along the southeastern boundaries of Oconee and Pickens Counties, and the western, southern, and eastern boundaries of Greenville County to the North Carolina state line; thence easterly along the southern line of North Carolina to the eastern boundary of Cleveland County, North Carolina; thence northerly in North Carolina along the eastern boundaries of Cleveland and Burke Counties; thence continuing generally northeasterly in North Carolina along the eastern or southern boundaries of Alexander, Wilkes, and Surry Counties to the Virginia state line; thence east on said state line to the eastern boundary of Patrick County, Virginia; thence northeasterly through Virginia, following the eastern boundary of Patrick County and the southeastern boundaries of Franklin, Bedford, Amherst, Nelson, Albemarle, Greene, Madison, and Rappahannock Counties, turning southerly along the southwestern boundary of Fauquier County, and resuming a generally northerly direction along the eastern boundaries of Fauquier and Loudoun Counties to the Maryland state line; thence northwesterly along said state line to the eastern boundary of Frederick County, Maryland; thence northerly through Maryland along the eastern boundary of Frederick County to the Pennsylvania state line; thence westerly and thence northerly along said state line to the starting point. All sawmills on the boundary line of the Appalachian hardwoods area shall be deemed to be outside the Appalachian hardwoods area, except that mills in West Virginia and Maryland on the lines touching Pennsylvania and Ohio shall be deemed to be in the Appalachian area.

(b) Any sawmill located in the Southern hardwoods area, which satisfies all of the following requirements can sell its red oak and white oak lumber at the maximum prices established in § 1382.64 (b) (21), (22), (23), (24) and (25) of Maximum Price Regulation No. 155[7] (Central Hardwood Lumber).

(1) The mill must certify in a letter to the Lumber Branch of the Office of Price Administration, Washington, D. C., that (i) during the previous calendar month more than 45 percent of the hardwood lumber produced by the mill (either from logs or from rough lumber) was red and/or white oak and at least 85 percent of the oak logs and lumber received at the mill were obtained from logging operations or concentration yards located in the South Central hardwoods area (as defined in § 1382.58 (a) (4) (ii) of Maximum Price Regulation No. 155) and the counties of Tennessee not included in that area; (ii) the mill agrees to maintain these proportions during each calendar month in the future; (iii) the mill agrees not to purchase in the future, either directly or indirectly, any red or white oak stumpage or logs in the Southern hardwoods area at prices higher than the prices paid by the mill for the most comparable stumpage or logs purchased during March 1942; and (iv) the mill agrees that any oak lumber purchased by it in the future, either directly or indirectly, in the Southern hardwoods area will not be resold by it at prices higher than the maximum prices established in this revised Maximum Price Regulation No. 97.

(2) The mill has been approved and certified by the Office of Price Administration as having qualified under this paragraph and the certification and the firm name and location of the mill have been published in the FEDERAL REGISTER.

(3) The mill agrees to and does certify to the Lumber Branch of the Office of Price Administration at the end of each following calendar month that during that month the mill satisfied all the requirements mentioned above.

The Office of Price Administration may at any time withdraw its approval and certification.

Issued this 1st day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-64; Filed, January 1, 1943; 2:14 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 12 to Rev. Supp. Reg. 11[1] to GMPR]

EXCEPTIONS FOR CERTAIN SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In § 1499.46, paragraph (b), a new subparagraph (109) is added as set forth below:

§ 1499.46 * * *

(b) * * *

(109) Snow removal services and rental of equipment used in connection with snow removal, when performed for, or rented to, the United States or any agency thereof, or to any state or territorial government, or any agency or political subdivision thereof.

(d) *Effective dates.* * * *

(13) Amendment No. 12 (§ 1499.46 (b) (109)) to Revised Supplementary Regulation No. 11 shall become effective this 7th day of January 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-62; Filed, January 1, 1943; 2:16 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6426, 6965, 7604, 7758, 8282, 8431, 8810, 9195, 9894.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454.

[3] 7 F.R. 4108, 4231, 7202, 7780, 8385, 8948.

[4] 7 F.R. 5620, 6744, 6659, 7454, 7945, 8558, 8833, 8946, 9341, 9731, 9975, 10225, 10559, 10812.

PART 1499—COMMODITIES AND SERVICES

[Order 198 Under § 1499.3 (b) of GMPR]

CONTINENTAL CAN COMPANY, INC.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended and Executive Order No. 9250 and § 1499.3 (b) of the General Maximum Price Regulation, *It is hereby ordered:*

§ 1499.1434 *Authorization of Continental Can Company, Inc. sales of rubber-collection cups.* (a) Continental Can Company, Inc., may sell and deliver to the Rubber Reserve Company rubber-collection cups fabricated from zinc plated steel sheet at prices not in excess of $14.70 per thousand of such cups, f. o. b. the seller's factory, and the Rubber Reserve Company may buy and receive such cups as above.

(b) This Order No. 198 may be revoked or amended by the Office of Price Administration at any time.

(c) This Order No. 198 (§ 1499.1434) shall become effective January 2, 1943.

Issued this 1st day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-65; Filed January 1, 1943; 2:19 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 183,[1] Amendment 15]

PUERTO RICO

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subparagraph (15) is added to paragraph (a) of § 1418.1; subparagraphs (17), (18), (19), (20), (21), (22), (23) and (24) are added to paragraph (a) of § 1418.11; and paragraphs (aa) and (bb) are added to § 1418.14.

§ 1418.1 *Maximum prices.* (a) Maximum prices are established as follows:

* * * * *

(15) On and after January 4, 1943, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person

shall sell or deliver cattle sold for slaughter in Puerto Rico, beef produced from such cattle at wholesale or beef from such cattle at retail in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14, paragraph (aa), Table XXIII; and no person shall offer, solicit, or attempt to do any of the foregoing.

§ 1418.11 *Definitions.* * * *

(17) "Cattle" means all animals of the domesticated bovine species.

(18) "Cows" means only those female cattle which have conceived or which are five years or more of age.

(19) "Oxen" means castrated male cattle which are five years or more of age and which have been worked two years or more, or male cattle which are five years or more of age.

(20) "Arroba" means the live weight equivalent of 25 pounds of dressed meat.

(21) "Tenderloin" means filete.

(22) "Round meat" (carne de biftec) means lomillo, masa de cadera, masa redonda, masa larga, bistilla and landrecilla.

(23) Stew meat" (carne de gulsar) means faldilla, pecho, cubrepecho, pescuezo, espalda and sobrelomo.

(24) "Soup meat" (carne de sopa) means garron, patas and bones with 25% or more of meat.

§ 1418.14 *Tables of maximum prices.* * * *

(aa) *Table XXIII. Specific maximum prices for cattle and beef.* (1) The maximum prices for cows and oxen sold for slaughter shall be $5.00 per arroba. For all other cattle sold for slaughter the maximum price shall be $6.25 per arroba. Where the estimated weight involves a fraction of an arroba the maximum price of such fractional part shall be proportionately computed.

(2) The maximum wholesale price for all meat derived from cattle slaughtered in the Territory of Puerto Rico shall be 21¢ per pound.

(3) The maximum retail prices for beef derived from cattle slaughtered in Puerto Rico shall be:

(i) Where the seller customarily sold beef in accordance with the classifications: Tenderloin, round meat, stew meat and soup meat, he shall continue to sell by these classifications at prices no higher than the following:

	Sales at retail (per pound)
Tenderloin	$0.65
Round meat	0.45
Stew meat	0.25
Soup meat	0.12

(ii) Where the seller has not customarily sold beef in accordance with the classifications set forth in paragraph (1) above, the maximum retail prices shall be as follows:

	Sales at retail (per pound)
Tenderloin	$0.65
All meat excepting tenderloin	0.27

Meat sold at 27¢ per pound in accordance with this paragraph shall not contain more than 25% of bone.

(bb) Every person selling any of the commodities listed in paragraph (aa) of this section, to a retailer on and after January 4, 1943, before or at the time of his first delivery to each purchaser shall supply the purchaser with a statement of the maximum retail prices set forth above for the commodity or commodities delivered.

§ 1418.13a *Effective dates of amendments.* * * *

(o) Amendment No. 15 (§§ 1418.1 (a) (15); 1418.11 (17), (18), (19), (20), (21), (22), (23) and (24) and 1418.14 (aa) and (bb)) to Maximum Price Regulation No. 183 shall become effective January 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-91; Filed, January 1, 1943; 4:08 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 11 Under § 1499.3 (c) of GMPR]

BAKER-WHITELEY COAL COMPANY

For reasons set forth in an opinion issued simultaneously herewith, *It is hereby ordered:*

§ 1499.811 *Approval of maximum prices for sales of certain mixed bunker fuel by Baker-Whiteley Coal Company.* (a) The maximum price for sales by Baker-Whiteley Coal Company, Baltimore, Maryland, of a mixture of mine run coals produced at its Elma Nos. 1, 2, and 3 Mines, in District No. 1, and the 1¼" x 5" egg coals produced by the Fairmont and Baltimore Coal Company at its Willard Mine in District No. 3, when such mixture is sold at the Port of Baltimore for bunker fuel use, shall be $5.74 per gross ton or $5.12 per net ton.

(b) This Order No. 11 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 11 (§ 1499.811) shall be effective as of the 18th day of November 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-92; Filed, January 1, 1943; 4:07 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 81[1] Under §1499.18 (c) of GMPR]

CONTINENTAL MANUFACTURING COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, paragraph (c) of § 1499.931 is revoked, paragraph (d) of § 1499.931 is amended and a new paragraph (h) of § 1499.931 is added as set forth below:

§ 1499.931 * * *

(d) This Order No. 81 may be revoked or amended by the Price Administrator at any time.

* * * * *

(h) Amendment No. 1 to Order No. 81 (§ 1499.931) shall become effective January 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250; 7 F.R. 7871)

Issued this 1st day of January 1943

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-93; Filed, January 1, 1943; 4:07 p. m.]

PART 1365—HOUSEHOLD FURNITURE

[Revised MPR 213]

COIL AND FLAT BEDSPRINGS WITH NON-STEEL FRAMES

The preamble is amended and §§ 1365.51 to 1365.74, inclusive are renumbered and amended to read as set forth below:

The purpose of this Revised Maximum Price Regulation No. 213 is to set specific maximum prices for coil and flat bedsprings with non-steel frames at manufacturing, wholesale and retail levels. It is necessary to revise Maximum Price Regulation 213 to include the new models of coil and flat bedsprings with non-steel frames which will be made in accordance with War Production Board Order L-49, as amended August 4 1942. Amendment 2 limiting the amount of steel that may be contained in any bedspring. The Price Administrator has ascertained and given due consideration to the prices and the trade practices prevailing in the industry between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established by this revised regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations involved in the issuance of this revised regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1,[1] issued by the Office of Price Administration, Revised Maximum Price Regulation No. 213 is hereby issued.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8961.

AUTHORITY: §§ 1365.51 to 1365.74 inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1365.51 *Prohibition against dealing in coil or flat bedsprings with non-steel frames above maximum prices.* Regardless of any contract or any other obligation, no person shall sell or deliver any class A, B, C, D, bedspring with a non-steel frame after September 7, 1942, nor any Class E, F, G, H, I, J, K and L bedspring with a non-steel frame after January 6, 1943, and no person in the course of trade or business shall buy or receive any such bedspring at prices higher than the maximum prices set forth in this Revised Maximum Price Regulation No. 213, and no person shall agree, offer, solicit, or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of Class A, B, C, D, bedsprings if prior to September 7, 1942, nor to Class E, F, G, H, I, J, K, L bedsprings if prior to January 7, 1943, such a bedspring has been received by a carrier, other than a carrier owned or controlled by the seller for shipment to such purchaser.

§ 1365.52 *Less than maximum prices.* Lower prices than those set forth in this Revised Maximum Price Regulation No. 213 may be charged, demanded, paid or offered.

§ 1365.53 *F. o. b. factory maximum prices for the sale of coil and flat bedsprings with non-steel frames by manufacturers.* (a) The f. o. b. factory, l. c. l. maximum price for the sale by a manufacturer of coil and flat bedsprings with non-steel frames shall be the prices listed in this paragraph below:

Class		*Maximum price f. o. b. factory, l. c. l.*[1]
A	Single deck coil, crimp wire tie, bedspring with wood frame (minimum wire weight 20 pounds)	$5.45
B	Single deck coil, helical tie, bedspring with wood frame (minimum wire weight 24 pounds)	6.00
C	Semi-double deck coil, helical tie, bedspring with wood frame (minimum wire weight 27 pounds)	7.00
D	Double deck coil, bedspring with wood frame (minimum wire weight 29 pounds)	7.30
E	Single deck coil, crimp wire tie, bedspring with wood frame (minimum wire weight 14 pounds)	5.30
F	Single deck coil, crimp wire tie, bedspring with wood frame and border (minimum wire weight 14 pounds)	5.85
G	Single deck coil, helical tie, bedspring with wood frame (minimum wire weight 14¾ pounds)	5.85
H	Single deck coil, helical tie, bedspring with wood frame and border (minimum wire weight 14 pounds)	6.60
I	Standard link wire fabric flat bedspring with wood frame	5.45

[1] F. o. b. factory, l. c. l. maximum prices in the Far West Zone shall be determined by adding $.30 per bedspring to Classes A, B, E, F, G, H, I, J, K and L bedsprings and $.40 per bedspring to Class C and D bedsprings.

Class		*Maximum price f. o. b. factory, l. c. l.*[1]
J	Cable wire, flat bedspring with wood frame	$7.00
K	Narrow band top, flat bedspring with wood frame	7.30
L	Wide band top, flat bedspring with wood frame	7.00

(b) To determine the f. o. b. factory carload maximum price of the class of coil or flat bedsprings with a non-steel frame listed in paragraph (a) hereof,

(1) A manufacturer who in March 1942 quoted both on an f. o. b. factory l. c. l. and an f. o. b. factory carload basis, shall deduct from the maximum price of such bedspring set forth in paragraph (a) hereof, an amount equal to the difference between the manufacturer's f. o. b. factory l. c. l. and f. o. b. factory carload prices in effect during March 1942 for a bedspring in the nearest price bracket under the same conditions of sale.

(2) A manufacturer who in March 1942 did not quote on an f. o. b. factory l. c. l. basis, but did quote on an f. o. b. factory carload basis shall file an application in writing with the Office of Price Administration, Washington, D. C., for instructions and authorization to determine such a carload price.

(c) An f. o. b. factory maximum price established by paragraphs (a) or (b) hereof shall be subject to trade discounts, allowances, and differentials which reflect the same differentials the manufacturer made during March 1942 from his f. o. b. factory price (l. c. l. or carload respectively) of the most comparable bedspring with a steel frame for different types of purchasers or for purchases of different quantities of bedsprings.

§ 1365.54 *Delivered and warehouse maximum prices for manufacturers and jobbers.* (a) If a manufacturer customarily made free delivery of a bedspring to certain delivery points during March 1942 at an f. o. b. factory price, then such f. o. b. factory price established by this Revised Maximum Price Regulation No. 213 for the most comparable bedspring with a non-steel frame shall include free delivery to the same delivery points.

(b) To determine a delivered or warehouse maximum price of a class of coil or flat bedsprings with a non-steel frame which is listed in § 1365.53 of this Revised Maximum Price Regulation No. 213, a manufacturer or person selling at wholesale shall add:

(1) To the f. o. b. factory l. c. l. maximum price established in paragraph (a) of § 1365.53 of this Revised Maximum Price Regulation No. 213, the dollar amount by which such seller's delivered or warehouse price exceeded the manufacturer's f. o. b. factory l. c. l. price for the most comparable bedspring with a steel frame during March 1942 under the same conditions of sale; or

(2) To the f. o. b. factory carload maximum price determined in accordance with § 1365.53 (b) of this Revised Maximum Price Regulation No. 213, the dollar amount by which the sellers' delivered or warehouse price exceeded the manufacturer's f. o. b. factory carload price for the most comparable bedspring with a steel frame during March 1942 under the same conditions of sale.

§ 1365.55 *Manufacturers' and jobbers' terms.* (a) No manufacturer or person selling at wholesale a class of coil or flat bedsprings with a non-steel frame listed in § 1365.53 (a) hereof may reduce his cash discounts below those which he had in effect during March 1942 for a bedspring in the most comparable price bracket.

§ 1365.56 *Additions to maximum prices.* There may be added to the maximum prices of Class A, B, C, D, coil bedsprings with non-steel frames determined by §§ 1365.53 and 1365.54 of this Revised Maximum Price Regulation No. 213, $1.05 for a full platform top, $.60 for a partial platform top and $.15 per pair for stabilizers.

§ 1365.57 *Specifications of classes of coil and flat bedsprings with non-steel frames*—(a) *Class "A".* Single deck coil, crimp wire tie, bedspring with wood frame (minimum wire weight 20 pounds) means a bedspring manufactured in accordance with the following specifications:

Number and type of coils.—80, 81, 88, or 90, single deck.

Gauge and kind of coil wire.—Minimum: #12 high carbon steel spring wire.

Top assembly.—Crimp wire.

Gauge and kind of border wire.—Minimum: #3 low carbon steel wire.

Frame.—To be adequately braced and composed of the following members:

Side rails.—13/16" x 1¾" maple, oak, ash, or wood of equivalent strength and serviceability.

Cross members.—9 for 81 coil bedspring, 10 for 80 or 90 coil bedspring, and 11 for 88 coil bedspring; 13/16" x 1¾" maple, oak, ash, or wood of equivalent strength and serviceability, assembled with side rails by mortise and tenon or by notched and lap joint connection.

Frame finish.—Baked enamel with sealer undercoat; or a finish of equivalent quality.

Weight of wire (not including hardware and accessories).—Minimum: 20 pounds.

(b) *Class "B".* Single deck coil, helical tie, bedspring with wood frame (minimum wire weight 24 pounds) means a bedspring manufactured in accordance with the following specifications.

Number and type of coils.—80, 81, 88 or 90, single deck.

Gauge and kind of coil wire.—Minimum: #12 high carbon steel spring wire.

Top assembly.—Cross helical.

Gauge and kind of border wire.—Minimum: #17 high carbon steel spring wire.

Gauge and kind of border wire.—Minimum: #0 low carbon steel wire.

Frame.—to be adequately braced and composed of the following members:

Side rails.—13/16" x 1¾" maple, oak, ash, or wood of equivalent strength and serviceability.

Cross members.—9 for 81 coil bedspring 10 for 80 or 90 coil bedspring and 11 for 88 coil bedspring, 13/16" x 1¼" maple, oak, ash or wood of equivalent strength and serviceability assembled with side rails by mortise and tenon or by notched and lap joint connection.

Frame finish.—Baked enamel with sealer undercoat; or a finish of equivalent quality.

Weight of wire (not including hardware and accessories).—Minimum: 24 pounds.

(c) *Class "C".* Semi-double deck coil bedspring with wood frame (minimum wire weight 27 pounds) means a bedspring manufactured in accordance with the following specifications:

Number and type of coils.—88 or 90 semi-double deck (excepting border coils)
Gauge and kind of coil wire.—Minimum ± 12 high carbon steel spring wire
Top assembly.—Cross helical
Gauge and kind of helical wire.—Minimum ± 17 high carbon steel spring wire
Gauge and kind of border wire.—Minimum ± 0 low carbon wire
Center wire tie.—Round wire through all semi-double deck coils
Frame.—To be adequately braced and composed of the following members
Side rails.—13 16" x 1¼" maple, oak, ash, or wood of equivalent strength and serviceability
Cross members.—10 for 90 coil bedspring and 11 for 88 coil bedspring, 13 16" x 1¼" maple, oak, ash, or wood of equivalent strength and serviceability assembled with side rails by mortise and tenon or by notched and lap joint connection
Frame finish.—Baked enamel with sealer undercoat, or a finish of equivalent quality
Weight of wire (not including hardware and accessories).—Minimum 27 pounds

(d) *Class "D".* Double deck coil bedspring with wood frame (minimum wire weight 29 pounds) means a bedspring manufactured in accordance with the following specifications:

Number and type of coils.—88 or 90 close wound center double deck coils (excepting border coils)
Gauge and kind of coil wire.—Minimum ± 12 high carbon steel spring wire
Top assembly.—Cross helical
Gauge and kind of helical wire.—Minimum ± 17 high carbon steel spring wire
Gauge and kind of border wire.—Minimum ± 0 low carbon steel wire
Center wire tie.—Round or flat wire running two ways through all double deck coils
Frame.—To be adequately braced and composed of the following members
Side rails.—13 16" x 1¼" maple, oak, ash or wood of equivalent strength and serviceability
Cross members.—10 for 90 coil bedspring and 11 for 88 coil bedspring; 13 16" x 1¼" maple, oak, ash, or wood of equivalent strength and serviceability assembled with side rails by mortise and tenon or by notched and lap joint connection
Frame finish.—Baked enamel with sealer undercoat, or a finish of equivalent quality
Weight of wire (not including hardware and accessories).—Minimum 29 pounds

(e) *Class "E".* Single deck coil, crimp wire tie, bedspring with wood frame (minimum wire weight 14 pounds) means a bedspring manufactured in accordance with the following specifications:

Number and type of coils.—80 81 88 or 90 single deck
Gauge and kind of coil wire.—Minimum: ± 12 high carbon steel spring wire
Top assembly.—Crimp wire
Gauge and kind of border wire.—Minimum: ± 5 low carbon steel wire
Frame.—To be adequately braced and composed of the following members
Side rails.—13 16" x 1¼" maple, oak, ash or wood of equivalent strength and serviceability
Cross members.—9 for 81 coil bedspring, 10 for 80 or 90 coil bedspring and 11 for 88 coil bedspring; 13 16" x 1¼" maple, oak, ash, or wood of equivalent strength and serviceability assembled with side rails by mortise and tenon or by notched and lap joint connection
Frame finish.—Baked enamel with sealer undercoat, or a finish of equivalent quality
Weight of wire (not including hardware and accessories).—Minimum 14 pounds

(f) *Class "F".* Single deck coil, crimp wire tie, bedspring with wood frame and border (minimum wire weight 14 pounds) means a bedspring manufactured in accordance with the following specifications:

Number and type of coils.—80, 81, 88, or 90 single deck
Gauge and kind of coil wire.—Minimum ± 12 high carbon steel spring wire
Top assembly.—Crimp wire
Border.—Minimum ¾" x ¾" elm, hickory, maple, oak or other wood and dimensions of equivalent strength and serviceability
Frame.—To be adequately braced and composed of the following members
Side rails.—13 16" x 1¼" maple, oak, ash or wood of equivalent strength and serviceability
Cross members.—9 for 81 coil bedspring, 10 for 80 or 90 coil bedspring and 11 for 88 coil bedspring, 13 16" x 1¼" maple, oak, ash, or wood of equivalent strength and serviceability assembled with side rails by mortise and tenon or by notched and lap joint connection
Frame finish.—Baked enamel with sealer undercoat, or a finish of equivalent quality
Weight of wire (not including hardware and accessories).—Minimum 14 pounds

(g) *Class "G".* Single deck coil, helical tie, bedspring with wood frame (minimum wire weight 14¾ pounds) means a bedspring manufactured in accordance with the following specifications:

Number and type of coils.—80, 81, 88, or 90, single deck
Gauge and kind of coil wire.—Minimum ± 12 high carbon steel spring wire
Top assembly.—Cross helical
Gauge and kind of helical wire.—Minimum ± 17 high carbon steel spring wire
Gauge and kind of border wire.—Minimum ± 7 high carbon steel wire
Border frame bracing.—Minimum. Braced at 2 points on each side and at 1 point on each end
Frame.—To be adequately braced and composed of the following members
Side rails.—13 16" x 1¼" maple, oak, ash or wood of equivalent strength and serviceability
Cross members.—9 for 81 coil bedspring, 10 for 80 or 90 coil bedspring and 11 for 88 coil bedspring, 13 16" x 1¼" maple, oak, ash, or wood of equivalent strength and serviceability assembled with side rails by mortise and tenon or by notched and lap joint connection
Frame finish.—Baked enamel with sealer undercoat, or a finish of equivalent quality.
Weight of wire (not including hardware and accessories).—Minimum 14¾ pounds.

(h) *Class "H".* Single deck coil, helical tie, bedspring with wood frame and border (minimum wire weight 14 pounds) means a bedspring manufactured in accordance with the following specifications.

Number and type of coils.—80, 81, 88, or 90, single deck
Gauge and kind of coil wire.—Minimum: ± 12 high carbon steel spring wire
Top assembly.—Cross helical.
Gauge and kind of helical wire.—Minimum: ± 17 high carbon steel spring wire.
Border.—Minimum ¾" x ¾" elm, hickory, maple, oak or wood and dimensions of equivalent strength and serviceability
Frame.—To be adequately braced and composed of the following members
Side rails.—13 16" x 1¼" maple, oak, ash or wood of equivalent strength and serviceability assembled with side rails by mortise and tenon or by notched and lap joint connection
Frame finish.—Baked enamel with sealer undercoat; or a finish of equivalent quality
Weight of wire (not including hardware and accessories).—Minimum 14 pounds.

(i) *Class "I".* Standard link wire fabric flat bedspring with wood frame means a bedspring manufactured in accordance with the following specifications:

Frame.—To be adequately braced and assembled with carriage bolts or other suitable fasteners and composed of the following members
Side rails.—Minimum 1⅜" x 3" maple, oak, ash or wood and dimensions of equivalent strength and serviceability
End rails.—Minimum: 1⅜" x 3" maple, oak, ash or wood and dimensions of equivalent strength and serviceability
Elevation blocks.—To be made from maple, oak, ash or wood of equivalent strength and serviceability so arranged as to result in a minimum rise of 2¼"
Frame finish.—Baked enamel with sealer under coat; or a finish of equivalent quality
Fabric.—Standard 2 x 4 link wire, minimum gauge ± 14, or a link wire fabric of equivalent strength and serviceability, attached to end rails by means of helicals
Edge bands.—Minimum: 1" x 042" steel bands

(j) *Class "J".* Cable wire, flat bedspring with wood frame means a bedspring manufactured in accordance with the following specifications:

Frame.—To be adequately braced and assembled with carriage bolts or other suitable fasteners and composed of the following specifications
Side rails.—Minimum: 1⅜" x 3" maple, oak, ash, or wood and dimensions of equivalent strength and serviceability.
End rails.—Minimum: 1⅜" x 3" maple, oak, ash or wood and dimensions of equivalent strength and serviceability.
Elevation blocks.—To be made from maple, oak, ash or wood of equivalent strength and serviceability so arranged as to result in a minimum rise of 2¼".
Fabric.—Minimum: 21 double lengths of 7 strand 22 gauge steel wire cable, assembled by means of links. Fabric to be attached to end rails by means of helicals
Edge bands.—Minimum: 1" x 042" steel bands

(k) *Class "K".* Narrow band top flat bedspring with wood frame means a bedspring manufactured in accordance with the following specifications:

Frame.—To be adequately braced and assembled with carriage bolts or other suitable fasteners and composed of the following members:
Side rails.—Minimum: 1⅜" x 3" maple, oak, ash or wood and dimensions of equivalent strength and serviceability.
End rails.—Minimum 1⅜" x 3" maple, oak, ash or wood and dimensions of equivalent strength and serviceability.

Elevation blocks.—To be made from maple, oak, ash or wood of equivalent strength and serviceability so arranged as to result in a minimum rise of 2¼".
Frame finish.—Baked enamel with sealer undercoat; or a finish of equivalent quality.
Fabric.—Minimum: 23 steel bands ⅝" x .020" assembled by means of links or helicals. Fabric to be attached to end rails by means of helicals.
Edge bands.—Minimum: 1" x .042" steel bands.

(l) *Class "L".* Wide band top, flat bedspring with wood frame means a bedspring manufactured in accordance with the following specifications:

Frame.—To be adequately braced and assembled with carriage bolts or other suitable fasteners and composed of the following specifications:
Side rails.—Minimum: 1⅜" x 3" maple, oak, ash or wood and dimensions of equivalent strength and serviceability.
End rails.—Minimum: 1⅜" x 3" maple, oak, ash or wood and dimensions of equivalent strength and serviceability.
Elevation blocks.—To be made from maple, oak, ash or wood of equivalent strength and serviceability so arranged as to result in a minimum rise of 2¼".
Frame finish.—Baked enamel with sealer undercoat; or a finish of equivalent quality.
Fabric.—Minimum: 20 steel bands—1¼" x .030"—assembled by means of links or helicals. Fabric to be attached to end rails by means of helicals.
Edge bands—Minimum: 1¼" x .035" steel bands.

(m) "Full platform top" means the steel bands on top of a coil spring of the following minimum specifications: Platform top to cover the entire coil area (excepting border coils) and to consist of the following number of ⅝" x .020" steel bands:

	Cross bands	*Length bands*
80 coil bedspring	8	6
81 coil bedspring	7	7
88 coil bedspring	9	6
90 coil bedspring	8	7

(n) "Partial platform top" means the steel bands on top of a coil spring of the following minimum specifications: Platform top to extend full length of coil surface (excepting border coils) and to consists of the following number of ⅝" x .020" steel bands:

	Length bands
80 coil bedspring	6
81 coil bedspring	7
88 coil bedspring	6
90 coil bedspring	7

or platform top to extend full width of coil surface (excepting border coils) and to consist of the following number of ⅝" x .020" steel bands:

	Cross bands
80 coil bedspring	8
81 coil bedspring	7
88 coil bedspring	9
90 coil bedspring	8

or platform top to cover one-third of the coil area of the spring and to consist of the following number of ⅝" x .020" steel bands:

	Cross bands	*Short length bands*
80 coil bedspring	4	6
81 coil bedspring	3	7
88 coil bedspring	5	6
90 coil bedspring	4	7

(o) The specifications set forth in this section are for the full size 4'6" bedspring. Other widths are to conform to above specifications except for the number of coils, weight of wire, and number of steel bands which may vary in the same proportions as such specifications of the manufacturers' most comparable bedspring with a steel frame of any other width customarily varied from the specifications of the 4'6" size during the most recent period of production, provided such specifications conform to orders of the War Production Board.

(p) "Stabilizer" means a device fastened to and connecting the border frame to the base frame in a manner adequately to prevent sway.

(q) "Hardware and accessories" means any metal appurtenance attached to or used in the assembly of the bedspring, such as nails, screws, platform tops, stabilizers, etc., but does not include wire which is part of the bedspring proper.

§ 1365.58 *Permitted variations of specifications.* (a) If a manufacturer is unable to manufacture a bedspring fulfilling all of the requirements of a class of bedspring as set forth in § 1365.57, then upon specific authorization in writing by the Office of Price Administration any manufacturer may, at his option, vary the specifications of the classes of bedsprings from those set forth in § 1365.57 of this Revised Maximum Price Regulation No. 213 in the following ways by:

(1) Substituting a different gauge of wire which is of equivalent serviceability.

(2) Substituting a wood frame of different design or construction which is of equivalent strength and serviceability.

(3) Changing the number of coils without reducing the serviceability of the bedspring.

(4) Substituting a different type of spring fabric which is of equivalent strength and serviceability.

(b) The maximum price for a bedspring manufactured with all of the specifications of a class of bedspring set forth in § 1365.57, except for variations in specifications permitted in paragraph (a) shall be the price set forth in § 1365.53 for that class of bedspring, provided that such altered bedspring does not cost less than a bedspring fulfilling all of the requirements of that class of bedspring as set forth in § 1365.57. If such altered bedspring costs less then it shall be priced according to provisions of § 1365.61.

(c) Prior to manufacturing a bedspring for sale as a class of bedspring set forth in § 1365.57 with the variations of specifications set forth in paragraph (a) hereof, the manufacturer shall file with the Office of Price Administration, Washington, D. C., a statement setting forth (1) the specifications of the bedspring in which the substitution is being made, (2) the reason for the necessity of such substitution, (3) an explanation of why such a substitution does not decrease the serviceability of such bedspring, (4) a detailed cost breakdown of the direct labor and material for the proposed substitute bedspring and for the bedspring with specifications listed in § 1365.57. Upon receipts by the manufacturer of authorization in writing from the Office of Price Administration, such manufacturer, and each subsequent purchaser may sell, offer to sell, or deliver the altered bedspring at a price no higher than the price established in this Revised Maximum Price Regulation No. 213 for sales of bedsprings of the class from which the altered bedspring differs only as the result of variations of specifications herein authorized.

§ 1365.59 *Maximum prices for sales at retail.* (a) The maximum cash prices for sale at retail of the following classes of coil and flat bedsprings with non-steel frames shall be the prices listed in the paragraph below:

Class		*Maximum cash price at retail* [3]
A	Single deck coil, crimp wire tie bedspring with wood frame (minimum wire weight 20 pounds)	$9.50
B	Single deck coil, helical tie bedspring with wood frame (minimum wire weight 24 pounds)	10.50
C	Semi-double deck coil, helical tie, bedspring with wood frame (minimum wire weight 27 pounds)	12.50
D	Double deck coil, bedspring with wood frame (minimum wire weight 29 pounds)	13.00
E	Single deck coil, crimp wire tie, bedspring with wood frame (minimum wire weight 14 pounds)	9.25
F	Single deck coil, crimp wire tie, bedspring with wood frame and border (minimum wire weight 14 pounds)	10.25
G	Single deck coil, helical tie bedspring with wood frame (minimum wire weight 14¾ pounds)	10.25
H	Single deck coil, helical tie, bedspring with wood frame and border (minimum wire weight 14 pounds)	11.50
I	Standard link wire fabric flat bedspring with wood frame	9.50
J	Cable wire, flat bedspring with wood frame	12.50
K	Narrow band top, flat bedspring with wood frame	13.00
L	Wide band top, flat bedspring with wood frame	13.50

[3] There may be added for sales at retail in the Far West Zone a maximum of $.50 to Class A, B, E, F, G, H, I, J, K and L bedsprings and $.70 to Class C and D bedsprings.

(b) Carrying charges and credit terms for sales at retail of the classes of coil bedsprings listed in paragraph (a) hereof shall be no less favorable to the purchaser than those which such seller had in effect during March 1942 for the most comparable bedsprings to the extent that such terms are not in conflict with any law, regulation or order of the United States Government or agency thereof.

§ 1365.60 *Additions to basic maximum retail prices.* There may be added to the basic maximum cash prices of Class A, B, C, D, coil bedsprings with non-steel frames set forth in paragraph (a) of § 1365.59 of this Revised Maximum Price Regulation No. 213, $1.75 for a full platform top, $1.00 for a partial platform top and $.25 per pair for stabilizers.

§ 1365.61 *Maximum prices for the sale of coil and flat bedsprings with non-steel*

frames other than those established under §§ 1365.53, 1365.54 and 1365.58. (a) The maximum price for a coil or flat bedspring with a non-steel frame which does not comply with the specifications for any class of bedspring set forth in § 1365.57 of the Revised Maximum Price Regulation No. 213, and for which the manufacturer has filed no application under § 1365.58 of this Revised Maximum Price Regulation No. 213 shall be a price in line with those established under such sections specifically authorized by order of the Office of Price Administration.

(b) Prior to the first delivery or to first offering such bedspring for sale, the manufacturer shall submit to the Office of Price Administration, Washington, D. C., a report applying for specific authorization of the maximum price. The report shall contain a description in detail of the article (including the manufacturing process), a statement of the facts which make it necessary to price the article under this section and the proposed maximum f. o. b. factory, delivered and warehouse prices with a detailed explanation of their computation. The manufacturer shall also propose maximum prices for persons selling at wholesale and persons selling at retail in line with the differentials established in this Revised Maximum Price Regulation No. 213 for the classes of coil bedspring with wood frames listed in § 1365.53 (a) hereof. On the basis of this application, the Office of Price Administration may authorize by order maximum prices for sales by the manufacturer, for sales at wholesale, and sales at retail of such bedspring. After receipt of the authorization, the manufacturer may sell the bedspring if, by a communication in writing at the time of or prior to his first invoice to a person purchasing for the purpose of resale, he informs each purchaser of the provisions of the authorization which establishes the maximum prices of such bedspring, and if such manufacturer complies with the requirements of § 1365.62 of this Revised Maximum Price Regulation No. 213.

§ 1365.62 *Retail price labels.* (a) Before the delivery of any coil or flat bedspring with a non-steel frame, the manufacturer must attach securely to such bedspring so that it is clearly visible a durable tag containing, in easily readable lettering the statement in the following form:

> The Office of Price Administration has established a retail ceiling price of $------ (inserting correct figure) for this bedspring. Lower prices may be charged. This tag may not be removed until after delivery to the consumer.

(b) No sale, offer for sale, or delivery at retail of a coil or flat bedspring with a wood frame may be made unless the tag specified in paragraph (a) containing the correct retail ceiling price is attached to such spring.

§ 1365.63 *Evasion.* The provisions of this Revised Maximum Price Regulation No. 213 shall not be evaded either by direct or indirect methods in connection with the manufacturing or sale of a coil or flat bedspring with a non-steel frame or in connection with an offer, solicitation, agreement, or sale of any such bedspring, or in conjunction with any other commodity or by way of commission, service, transportation, or other charge or discount, premium, or other privilege, or by tying agreement, or trade understanding, or by any other means.

§ 1365.64 *Records.* (a) Every manufacturer and person selling at wholesale a coil or flat bedspring with a non-steel frame after September 7, 1942, shall keep for inspection by the Office of Price Administration complete and accurate records of each sale of such bedspring, name and address of the buyer, name, number or other designation, and the price received for each such bedspring, quantity sold, and discounts, and allowances of any nature given.

(b) Every person selling at retail a bedspring for which, upon sale by that person, maximum prices are established by this Revised Maximum Price Regulation No. 213, shall keep, and make available for examination by the Office of Price Administration, records of all bedsprings sold of the same kind as he has customarily kept relating to the prices which he charged for bedsprings.

§ 1365.65 *Reports.* On or before September 7, 1942, every manufacturer and person selling at wholesale offering to sell a coil Class A, B, C, D bedspring with a non-steel frame shall file with the Office of Price Administration in Washington, D. C., a statement giving specifications and the f. o. b. factory and delivered maximum price of such article, showing all allowances, discounts, charges and other differentials in effect at the time of filing of such statement. Every manufacturer and person selling at wholesale shall file on the 10th day of any month thereafter, a similar statement of any coil or flat bedspring with a non-steel frame which was first manufactured and offered for sale during the preceding calendar month.

§ 1365.66 *Sales slips and receipts.* (a) Any seller of bedsprings who has customarily given a purchaser a flat or coil bedspring with steel frames a sales slip, receipt, or similar evidence of purchase shall continue to do so to purchasers of flat or coil bedsprings with non-steel frames. Upon request from a purchaser any seller of a flat or coil bedspring with a non-steel frame, regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the seller, the name of such bedspring sold, and the price received for it.

§ 1365.67 *Enforcement.* Persons violating any provisions of this Revised Maximum Price Regulation No. 213 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided by the Emergency Price Control Act of 1942 as amended and proceedings for the suspension of licenses.

§ 1365.68 *Petitions for amendment.* Any person seeking a modification of any provision of this Revised Maximum Price Regulation No. 213 may file a petition for amendment in accordance with provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1365.69 *Licensing—applicability of the registration and licensing provisions of the General Maximum Price Regulation.* The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Revised Maximum Price Regulation No. 213 selling at wholesale or retail any bedspring covered by this Revised Maximum Price Regulation No. 213. When used in this section, the terms "selling at wholesale", "selling at retail", and "seller" have the definitions given them by §§ 1499.20 (p), 1499.20 (o), and 1499.20 (s) respectively of the General Maximum Price Regulation.

§ 1365.70 *Definitions.* (a) When used in this Revised Maximum Price Regulation No. 213 the term:

(1) "Manufacturing" means the process of fabricating or assembling a coil or flat bedspring with a non-steel frame.

(2) "Manufacturer" means a person operating a business which fabricates or assembles a flat or coil bedspring with a non-steel frame.

(3) "Person" includes an individual, corporation, partnership, association, any other organized groups of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(4) "Records" includes books of accounts, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading and other papers and documents.

(5) "Sale at retail" or "selling at retail" means a sale or selling to an ultimate consumer.

(6) "Sale at wholesale" or "selling at wholesale" means a sale by a person who receives delivery of a coil or flat bedspring with a non-steel frame and resells it, without substantially changing its form, to any person other than the ultimate consumer.

(7) "Far West Zone" means the states of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming, and the following counties in Texas: El Paso, Hudspeth, Culberson, Jefferson, Davis, Presidio, Brewster, Terrell, Pecos, Reeves.

(8) "F. o. b. factory l. c. l." means the manufacturer's list or other regularly quoted price for a bedspring sold in less than carload lots for delivery f. o. b. his factory or local area surrounding his factory.

(9) "F. o. b. factory carload" means the manufacturer's list or other regularly quoted price for a bedspring sold in carload lots for delivery f. o. b. his factory or local area surrounding his factory.

(10) Coil or flat bedspring with non-steel frame as used in this Order means an unupholstered bedspring in which materials other than steel are used in the supporting frame.

(11) "Most comparable bedspring" is a bedspring, the specifications of which, except for the supporting frame, are most nearly the same as those set forth in § 1365.57 hereof for the bedspring being compared.

(12) "Spring fabric" is that part of a flat bedspring which is suspended on the frame and provides the surface upon which the mattress rests.

§ 1365.71 *Applicability of General Maximum Price Regulation.** The provisions of this Revised Maximum Price Regulation No. 213 supersede the provisions of the General Maximum Price Regulation with respect to sale and deliveries, for which maximum prices are established by this regulation.

§ 1365.72 *Export sales.* The maximum price at which a person may export flat or coil bedsprings with wood frames shall be determined in accordance with the provisions of the Maximum Export Price Regulation[6] issued by the Office of Price Administration.

§ 1365.73 *Geographical applicability.* The provisions of this Revised Maximum Price Regulation No. 213 shall be applicable to the forty-eight states and the District of Columbia.

§ 1365.74 *Effective date.* This Revised Maximum Price Regulation No. 213 (§§ 1365.51 to 1365.74, inclusive) shall become effective January 7, 1943.

Issued this 1st day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-86; Filed, January 1, 1943; 4:09 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136,[1] as Amended, Amendment 64]

MACHINES AND PARTS AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment has been prepared and is issued simultaneously herewith.*

In § 1390.2 (1) the words "January 1, 1943" are amended to read "April 1, 1943".

§ 1390.31a *Effective dates of amendments.* * * *

(mmm) Amendment No. 64 (§ 1390.2 (l)) to Maximum Price Regulation No. 136, as amended, shall become effective January 1, 1943.

(Pub. Laws No. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-89; Filed, January 1, 1943; 4:08 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 174,[1] Amendment 2]

FREIGHT CAR MATERIALS SOLD BY CAR BUILDERS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1390.58 is amended to read as follows:

§ 1390.58 *Effective date and termination date.* This Maximum Price Regulation No. 174 (§§ 1390.51 to 1390.58, inclusive) shall become effective July 2, 1942, and shall terminate on June 30, 1943.

§ 1390.59 *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§ 1390.58) to Maximum Price Regulation No. 174 shall become effective December 31, 1942.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of December 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-90; Filed, January 1, 1943; 4:08 p. m.]

PART 1316—COTTON PRODUCTS

[RPS 35, Amendment 11]

CARDED GREY AND COLORED-YARN COTTON GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1316.61, the first unnumbered paragraph is amended by inserting the words "and only when the sale or contract of sale establishes a specific price for the entire contract" after the words "above-mentioned date".

In paragraph (a) of § 1316.61 the words "establishing a specific price for the entire contract" are inserted after the words "sale or contract of sale".

§ 1316.60a *Effective dates of amendments.* * * *

(k) Amendment No. 11 (§ 1316.61) to Revised Price Schedule No. 35 shall become effective as of February 7, 1942.

(Pub. Laws 429 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-126; Filed, January 2, 1943; 2:09 p. m.]

PART 1335—CHEMICALS

[RPS 38,[1] Amendment 4]

GLYCERINE

The preamble and §§ 1335.401 to 1335.410 inclusive of Revised Price Schedule No. 38–Glycerine are renumbered and amended and §§ 1335.411 to 1335.414 inclusive are added as set forth:

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.* In the judgment of the Price Administrator, the maximum prices established by this Amendment No. 4 to Revised Price Schedule No. 38 are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. So far as practicable, the Price Administrator has advised and consulted with members of the industry which will be affected by this amendment.

§ 1335.401 *Prohibition against sales of glycerine above maximum prices.* On and after January 8, 1943, regardless of any contract, agreement, or lease or other obligation:

(a) No person shall sell, deliver, or transfer any glycerine, as herein defined, at higher prices than the maximum prices set forth in Appendix A (§ 1335.414) of this amendment.

(b) No person shall buy or receive any such glycerine in the course of trade or business at higher prices than the maximum prices set forth in Appendix A (§ 1335.414) of this amendment.

(c) No person shall agree, offer, solicit or attempt to do any of the foregoing.

§ 1335.402 *Less than maximum prices.* Lower prices than those established by this Amendment No. 4 to Revised Price Schedule No. 38 may be charged, demanded, paid or offered.

§ 1335.403 *Export sales.* The maximum price at which a person may export glycerine shall be determined in accordance with the provisions of the General Maximum Export Price Regulation,[2] issued by the Office of Price Administration.

§ 1335.404 *Import sales.* The maximum price which an importer may charge for imported glycerine shall be determined under the provisions of Revised Supplementary Regulation No. 12[3]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5047, 5362, 5665, 5908, 6425, 6682, 6964, 6965, 6937 6973, 7010, 7246, 7320, 7505, 7509, 7602, 7739, 7744, 7907, 7912, 7945, 7944 8198, 8362, 8433, 8479, 8520, 8652, 8707, 8847, 9001, 8948, 9040, 9041, 9042, 9053, 9054, 9709, 9736, 9822, 9823, 9899, 10109, 10230, 10456

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4367 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5444 5565, 5775, 5783, 5781, 6007, 6058, 6081, 6215, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9722 10155, 10454

[1] 7 F.R. 5059, 7242, 8829, 9000, 10530.

[1] 7 F.R. 5061, 8739, 8948.

[1] 7 F.R. 1277, 2000, 2132, 2997, 5178, 8202, 8948

[2] 7 F.R. 5059, 7242, 8829, 9000, 10530.

[3] 7 F.R. 10532.

to the General Maximum Price Regulation.

§ 1335.405 *Federal and state taxes.* Any tax upon, or incident to, the sale or delivery of glycerine, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such commodity and in preparing the records of such seller with respect thereto:

(a) As to a tax in effect during the year 1941

(1) If the seller paid such tax, or if the tax was paid by any prior vendor, irrespective of whether the amount thereof was separately stated and collected from the seller, but the seller did not customarily state and collect separately from the purchase price during the year 1941 the amount of the tax paid by him or tax reimbursement collected from him by his vendor, the seller may not collect such amount in addition to the maximum price, and in such case shall include such amount in determining the maximum price under this Amendment No. 4 to Revised Price Schedule No. 38.

(2) In all other cases, if, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount or tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount in determining the maximum price under this Amendment No. 4 to Revised Price Schedule No. 38.

§ 1335.406 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to and at prices not in excess of the maximum prices in effect at the time of delivery. In appropriate situations where a petition for amendment requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1335.407 *Petitions for amendment.* Any person seeking an amendment of any provision of this Amendment No. 4 to Revised Price Schedule No. 38 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1[2] issued by the Office of Price Administration.

§ 1335.408 *Licensing.* The provisions of Supplementary Order No. 11 (§ 1305.-15)[3] licensing distributors of chemicals and drugs shall be applicable to every distributor of glycerine for which maximum prices are established by this Amendment No. 4 to Revised Price Schedule No. 38. The term "distributor" shall have the meaning given it by such Supplementary Order No. 11.

§ 1335.409 *Evasion.* Price limitations set forth in this Amendment No. 4 to Revised Price Schedule No. 38 shall not be evaded whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to glycerine, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium, or other privilege, or other trade understanding, or otherwise.

§ 1335.410 *Enforcement.* (a) Persons violating any provision of this Amendment No. 4 to Revised Price Schedule No. 38 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have any evidence of any violation of this amendment or any price schedule, regulation or order, issued by the Office of Price Administration, or any acts or practices which constitute such a violation, are urged to communicate with the nearest district, state, or regional offices of the Office of Price Administration, or its principal office in Washington, D. C.

§ 1335.411 *Records and reports.* (a) Every person making sales of glycerine after January 7, 1943 shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each purchase or sale, showing the date thereof, the name and address of the buyer and the seller, the price contracted for or received and the quantity of each type and grade of such glycerine purchased or sold.

(b) Such persons shall submit such reports to the Office of Price Administration and shall keep such other records in addition to or in place of the records required in paragraph (a) of this section as the Office of Price Administration may from time to time require.

§ 1335.412 *Definitions.* (a) When used in this Amendment No. 4 to Revised Price Schedule No. 38 the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Glycerine" includes both crude and refined glycerine.

(3) "Governmental agency" shall include the War Department, Navy Department, Treasury Department, Commodity Credit Corporation, and Defense Supplies Corporation and any other agency of the United States Government but shall not include any private corporation or individual.

(4) "Zone A" means all points east of and including North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas; Laramie County, Wyoming; Colorado, east of but not including the following counties: Jackson, Grand, Gilpin, Jefferson, Douglas, Teller, Fremont, Custer, Huerfano, Costilla.

(5) "Zone B" means the territory between Zone A and Zone C as follows: Washington, east of and including the following counties: Okanogan, Chelan, Kittitas, Yakima, Klickitat; Oregon east of and including the following counties: Hood River, Wasco, Jefferson, Deschutes, Klamath; Nevada, Arizona, New Mexico, that part of Colorado west of and including those counties mentioned above; Utah, Wyoming, excepting Laramie County, Idaho, Montana.

(6) "Zone C" means the territory west of "Zone B."

(7) "Carload lots" mean quantities of 44,000 pounds or more.

(8) "Case" means a package of glass bottles containing a minimum total weight of 40 pounds of glycerine.

(9) "Converter" means any person who buys refined glycerine in quantities of 500 pounds or more in drums or tank cars and repackages such glycerine without further processing for resale in 10 to 50 pound containers.

(10) "Importer" means any person who is the ultimate consignee in the United States of an imported commodity and who sells or delivers such commodity to an intermediate distributor or to an industrial user in its imported state, or after being subjected to a process which does not result in the production of a new and different article having a distinctive name, character or use.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1335.413 *Effective dates of amendments.* (a) Amendment No. 1 (§ 1335.410 (e)) to Revised Price Schedule No. 38 shall become effective April 23, 1942.

(b) Amendment No. 2 (§ 1335.410 (f)) to Revised Price Schedule No. 38 shall become effective July 11, 1942.

(c) Amendment No. 3 (§§ 1335.406 and 1335.406a) to Revised Price Schedule No. 38 shall become effective October 16, 1942.

(d) Amendment No. 4 (§§ 1335.401 to 1335.414, inclusive) to Revised Price Schedule No. 38 shall become effective January 8, 1943.

§ 1335.414 *Appendix A: Maximum prices for glycerine.* Maximum prices for glycerine are established as follows:

(a) *Maximum delivered prices for refined glycerine sold in bulk in quantities of 500 pounds or more.* (1) For deliveries of refined glycerine in Zones A and C the maximum prices shall be:

[Per pound delivered]

	Tank cars	Drums: Carload lots	Drums: Less than carload lots
(1) Chemically pure glycerine (98 percent glycerol)	$0.18½	$0.18¾	$0.19¼
(2) Chemically pure glycerine (U. S. P. 95 percent glycerol)	0.18	0.18¼	0.18¾
Dynamite	0.18	0.18¼	0.18¾
High gravity	0.18	0.18¼	0.18¾
Yellow distilled	0.18	0.18¼	0.18¾

(2) For deliveries of refined glycerine in Zone B, the maximum price shall be the maximum price for deliveries in Zones A and C plus 2 cents per pound.

(3) *Maximum f. o. b. prices for refined glycerine sold to governmental agencies in quantities of 500 pounds or more.* Whenever a government agency requests a price, f. o. b. refinery for a quantity of 500 pounds or more of refined glycerine, if the seller thereof has no agreement with the Office of Price Administration stipulating a maximum price for such sale, his price therefor shall be the delivered price for such quantity of refined glycerine for a sale thereof in Zones A and C as set out in paragraph (a) thereof minus one-half cent per pound.

(b) *Maximum delivered prices for refined glycerine sold by a refiner or a converter in tin containers.* The maximum prices for refined glycerine sold in tin containers shall be:

TIN CONTAINERS OF 1 TO 10 POUNDS

	Cents per pound: Zones A and C	Cents per pound: Zone B
Chemically pure glycerine (98% glycerol)	$0.22½	$0.24½
Chemically pure glycerine (U. S. P. 95% glycerol)	0.21½	0.23½

TIN CONTAINERS OF 5 POUNDS OR MORE

	Cents per pound: Zones A and C	Cents per pound: Zone B
Chemically pure glycerine (98% glycerol):		
1 tin	$0.21½	$0.23½
2 to 9 tins	0.21¼	0.23¼
10 tins or more	0.20½	0.22½
Chemically pure glycerine (U. S. P. 95% glycerol):		
1 tin	0.21¼	0.23¼
2 to 9 tins	0.20¾	0.22¾
10 tins or more	0.20¼	0.22¼
Dynamite or high gravity glycerine:		
1 tin	0.21¼	0.23¼
2 to 9 tins	0.20¾	0.22¾
10 tins or more	0.20¼	0.22¼

(c) *Maximum prices for refined glycerine sold in glass containers.* The maximum prices for refined glycerine sold by a refiner or a converter in glass bottles shall be:

	Cents per pound: Zones A and C	Cents per pound: Zone B
Chemically pure glycerine (98% glycerol)	$0.23	$0.25
Chemically pure glycerine (U. S. P. 95% glycerol)	0.22½	0.24½
Dynamite or high gravity glycerine	0.22½	0.24½

If the quantity sold is equal to two cases or more, the prices listed above shall be delivered prices. If the quantities sold amount to less than two cases, the maximum prices shall be the prices listed above for Zones A and C, f. o. b. refinery.

(d) *Maximum prices of crude glycerine sold in quantities of 500 pounds or more.* Maximum prices for crude glycerine sold in quantities of 500 pounds or more shall not exceed the following:

	Tank cars	Drums: Carload lots	Drums: Less than carload lots
	(Per pound delivered)		
(1) Soap lye (basis 80% glycerol)	$0.11½	$0.11¾	$0.11¾
(2) Saponification (basis 88% glycerol) to refiners	0.12¾	0.12¾	0.12¾
	(Per pound f. o. b. point of manufacture)		
(3) Saponification (basis 88% glycerol) for individual uses	0.12¾	0.13¾	0.14¾

(4) Maximum prices for crude glycerine of any glycerol percentages other than those listed above, shall be the maximum prices set forth above for the respective grade, use, and quantity, increased or decreased in proportion to the increase or decrease in the percentage of glycerol content.

(e) *Excess freight on crude glycerine and returnable drums.* Where the transportation charge on a shipment of crude glycerine from point of manufacture to point of refining exceeds the transportation charge which would be applicable on the same shipment from the same point of manufacture by the same mode of transportation to another point of refining, the amount of such excess may be added to the delivered prices set forth in paragraph (d) above. Where a shipment of crude glycerine is made from a point of manufacture in returnable drums to a more distant point of refining as above, there may also be added to the delivered prices set forth in paragraph (d) above the amount by which the transportation charge for returning such drums exceeds the transportation charge which would be applicable on the return of the same drums from the nearest point of refining to the point of manufacture by the same mode of transportation. Such excess charges shall be shown as separate items in all records and invoices.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-127; Filed, January 2, 1943; 2:09 p. m.]

PART 1340—FUEL

[RFS 88,[1] Amendment 55]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

§ 1340.159 (b), a new subparagraph (10) is added as set forth below:

§ 1340.159 *Appendix A: Maximum prices for petroleum and petroleum products.* * * *

(b) *Petroleum products.* * * *

(10) (i) Notwithstanding the provisions of other subparagraphs of this paragraph (b), a seller may charge for any petroleum product on any sale thereof, pursuant to open and public bidding, to any governmental agency, whether state or Federal, or any state or political subdivision thereof, either

(*a*) His own maximum price under the other provisions of this paragraph (b), or

(*b*) The amount of the highest maximum price established under this price schedule for any person participating in the particular bidding for sale of the same product to the same buyer.

(ii) No bid at any such bidding regardless of the amount thereof shall be deemed to conflict with any provision of this price schedule.

§ 1340.158a *Effective dates of amendments.* * * *

(ccc) Amendment No. 55 (§ 1340.159 (b) (10)) to Revised Price Schedule No. 88 will become effective January 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-128; Filed, January 2, 1943; 2:06 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1107, 1371, 1798,* 1799, 1886, 2132, 2304, 2352, 2634, 2945 3463, 3482, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 4857, 5481, 5867, 5868, 5988, 5983, 6057, 6167, 6471, 6680, 7242, 7838, 8433, 8478, 9120, 9134, 9335, 9425, 9460, 9620, 9621, 9817, 9820, 10684.

[2] 7 F.R. 8961

[3] 7 F.R. 6167

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 280, Amendment 5]

MAXIMUM PRICES FOR SPECIFIC FOOD PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new paragraph (g) is added to § 1351.808 to read as set forth below:

§ 1351.808 *Exempt sales.* * * *

(g) All sales of shell eggs purchased for the sole purpose of hatching by persons now or hereafter engaged in the production of baby chicks, poults, or other newly hatched poultry and which shall not be resold or used for any other purpose.

§ 1351.821 *Effective dates of amendments.* * * *

(e) Amendment No. 5 (§ 1351.808 (g)) to Maximum Price Regulation No. 280 shall become effective on January 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of January 1943.

LEON HENDERSON,
Administrator.

Approved:

PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-130, Filed, January 2, 1943, 2:07 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 296]

FLOUR FROM WHEAT, SEMOLINA AND FARINA SOLD BY MILLERS AND BLENDERS

In the judgment of the Price Administrator, it is necessary and proper, in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, that the maximum prices established by Maximum Price Regulation No. 280 for flour from wheat be revised, and set forth in a separate regulation. The following regulation sets forth more definite maximum prices for flour from wheat in the various sections of the United States, and supersedes Maximum Price Regulation No. 280 as to flour sold by millers and blenders. It also establishes maximum prices for farina and semolina sold by millers and blenders.

The Price Administrator has ascertained and given due consideration to the prices of flour from wheat, semolina and farina prevailing between January 1, 1942 and September 15, 1942, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. The maximum prices established by this regulation are in the judgment of the Price Administrator generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

The maximum prices established herein for flour from wheat, semolina and farina are not below prices which will reflect to the growers prices for their product equal to the highest of the prices required by the provisions of the Emergency Price Control Act of 1942, as amended, and by Executive Order No. 9250, after making appropriate deductions from parity prices for payments made under the Soil Conservation and Domestic Allotment Act, as amended, parity payments made under the Agricultural Adjustment of 1938, as amended, and other governmental subsidies.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 296 is hereby issued.

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AUTHORITY: §§ 1351.1651 to 1351.1666, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1351.1651 *Maximum prices for flour from wheat, semolina and farina.* On and after January 4, 1943, regardless of any contract, agreement or other obligation, no miller or blender shall sell or deliver, or agree, offer, solicit, or attempt to sell or deliver, and no person shall buy or receive from a miller or blender, flour from wheat, semolina or farina at prices higher than the maximum prices permitted by Appendix A hereof (§ 1351.1666). The maximum prices shall include duties, brokerage, commissions, insurance, handling charges and all other charges and shall not be increased by any charges for the extension of credit.

§ 1351.1652 *Less than maximum prices.* Lower prices than those set forth in Appendix A (§ 1351.1666) may be charged, demanded, paid or offered.

§ 1351.1653 *Adjustable pricing.* Nothing in this Maximum Price Regulation No. 296 shall be construed to prohibit the making of a contract to sell flour from wheat, semolina or farina at a price not to exceed the maximum price at the time of delivery or supply. Where a petition for amendment has been filed which requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1351.1654 *Evasion.* The price limitations set forth in Maximum Price Regulation No. 296 shall not be evaded by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of or relating to flour from wheat, semolina or farina, alone or in connection with any other commodity, or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying agreement or other trade understanding or otherwise.

§ 1351.1655 *Documents and reports.* (a) Every person covered by this Maximum Price Regulation No. 296 making a sale or purchase of flour from wheat, semolina or farina in the course of trade or business on or after January 4, 1943, shall keep for inspection by the Office of Price Administration for as long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records and documents of such sales and purchases including the date thereof, name of the seller and purchaser, price paid or received, buyer's receiving point and the quantity of flour from wheat, semolina or farina, sold or purchased: *Provided*, That in the case of sales of five barrels or less the seller and purchaser shall keep only such records as they customarily kept as of the effective date of this regulation.

(b) Persons affected by Maximum Price Regulation No. 296 shall submit such records to the Office of Price Administration as it may from time to time require.

§ 1351.1656 *Carrying charges.* No contract for the sale of flour from wheat, semolina or farina shall provide for higher carrying charges than at the rate of 1/6 of a cent per barrel per day for each day's delay in shipment beyond 60 days from the date of the contract of sale or beyond the delivery date specified under such contract, whichever is later, which is caused by the failure of the buyer to furnish shipping instructions and necessary containers, if sale is made on a bulk basis) in accordance with the specifications of the contract of sale.

§ 1351.1657 *Enforcement.* (a) Persons violating any provisions of Maximum Price Regulation No. 296 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of Maximum Price Regulation No. 296 or of any act or practices which constitute such a violation are urged to communicate with the nearest field, state or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1351.1658 *Federal and State taxes.* Any tax upon, or incident to, the sale, delivery, processing or use of flour from wheat, semolina or farina, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such commodity and in preparing the records of such seller with respect thereto: If the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased: *Provided, however*, That the tax on the transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any product covered by this Maximum Price Regulation No. 296, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated as a tax for which a charge may be made in addition to the basic price.

§ 1351.1659 *Exempt sales.* This Maximum Price Regulation No. 296 shall not apply to sales, deliveries or transfers of flour from wheat, semolina or farina to the United States, or any agency thereof: *Provided*, That the seller has purchased an equivalent amount of wheat from the United States or any agency thereof at prices computed as 100 percent of parity by the United States Department of Agriculture.

§ 1351.1660 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 296 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,† and amendments, issued by the Office of Price Administration.

§ 1351.1661 *Applicability of the regulation.* The provisions of this Maximum Price Regulation No. 296 supersede the provisions of Maximum Price Regulation No. 280 as to all flours as mentioned in § 1351.801 (f) thereof.

§ 1351.1662 *Moisture basis for protein and ash content calculations.* Unless otherwise stated all protein and ash limits and determinations are based upon 15.0% moisture content.

§ 1351.1663 *Definitions.* (a) When used in Maximum Price Regulation No. 296 the term:

(1) "Person" means an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, any other government or any of its political subdivisions and any agencies of any of the foregoing.

(2) "Miller" means a primary manufacturer of flour from wheat, semolina or farina.

(3) "Blender" means a secondary processor who buys flours and repacks them for sale. He may blend flours with one another and/or with phosphating, enriching and self-rising ingredients.

(4) "Flour from wheat" means: (i) any product of the milling of wheat, other than durum wheat, whose ash content is not more than the sum of 1/20 of the percent of protein therein calculated to a moisture-free basis, and 0.35, except that farina shall not be deemed to be flour from wheat, (ii) any product of the milling of durum wheat whose ash content calculated to a moisture-free basis is not more than 1.5%, except that semolina shall not be deemed to be a flour from wheat, (iii) whole wheat flour, (iv) whole durum wheat flour, (v) blends of the foregoing flours from wheat. "Bleached", "bromated", "enriched", "phosphated" and "self-rising" flours shall be considered flour and, in determining whether the ash content of such flours complies with ash requirements as set forth herein, allowances shall be made for the increase in the ash content resulting from the addition of the bleaching, bromating, enriching, phosphating and self-rising ingredients.

(5) "Soft wheat flour" means flour from wheat which is milled from soft wheat.

(6) "Cake flour" means a soft wheat flour containing not more than .447% ash calculated to a moisture-free basis (which equals .38% ash calculated to a 15% moisture basis) having a viscosity of not more than 70 degrees (MacMichael) and capable of producing satisfactory cake, when mixed with an equal weight of liquid and an equal weight of sugar.

(7) "Patent flour" means flour from wheat, except durum wheat, containing not more than .518% ash calculated to a moisture-free basis (which equals .44% ash calculated to a 15% moisture basis).

(8) "Durum fancy patent flour" means flour from wheat which is milled from durum wheat having a color equal to or better than that of standard samples submitted to and accepted by the Regional Office of the Office of Price Administration in Minneapolis, Minnesota, as representative of the color requirements of this grade.

(9) "Family flour" means flour from wheat which is packed and sold for ultimate use in the home.

(10) "Bakery flour" means flour from wheat, other than flour milled from durum wheat, for use by commercial, institutional or governmental users.

(11) "Farina" is the wheat product of that name conforming to the Definition and Standard of Identity, promulgated by the Federal Security Administrator.

(12) "Semolina" is the durum wheat product of that name conforming to the Definition and Standard of Identity, promulgated by the Federal Security Administrator.

(13) "Fancy semolina" shall conform to the specification of semolina in all respects except that it shall be equal in color to standard samples submitted to and accepted by the Regional Office of the Office of Price Administration at Minneapolis, Minnesota, as representative of the color requirements of this grade.

(14) "Barrel" means a unit of 196 pounds net weight.

(15) "Billing" means freight bills or transit credits representing in-bound shipments of grain or grain products duly recorded with railroads or railroad transit bureaus for transit purposes.

(16) "Carload quantity" means a shipment of 40,000 pounds or more.

(17) "Pool car shipment" means a shipment in carload quantity of two or more less-than-carload lots to two or more buyers, combined for the purpose of obtaining the carload rate.

(18) "Mixed car shipment" means a shipment in carload quantity to a single buyer and composed in part of flour and in part of products other than flour.

(19) "Sale at retail" means a sale by a miller or blender to an ultimate consumer except that the following sales shall not be deemed to be sales at retail: (i) sales in carload quantities, pool cars, or mixed cars; (ii) sales to persons buying for resale; (iii) sales to commercial, institutional and governmental users.

*Copies may be obtained from the Office of Price Administration.

†7 F.R. 6961.

§ 1351.1664 *Geographical applicability.* The provisions of this Maximum Price Regulation No. 296 shall be applicable to the several states of the United States and the District of Columbia.

§ 1351.1665 *Effective date.* Maximum Price Regulation No. 296 (§§ 1351.1651 to 1351.1666, inclusive) shall become effective January 4, 1943.

§ 1351.1666 *Appendix A.*

I. *Maximum prices for bakery flour other than soft wheat bakery flour, packed in 98 pound cotton sacks, in carload quantities delivered at specified destinations except in Washington, Oregon, Idaho Utah, Nevada and California.*

(a) At destinations in the territory east of a line drawn along the eastern shore of Lake Michigan starting at the northernmost point of the lower peninsula of Michigan thence southward to the Indiana-Illinois state line, thence southward along such line to the Ohio River and following such river to its junction with the Mississippi River, thence following the Mississippi River southward to the Gulf of Mexico but not including destinations in Louisiana, the maximum prices shall be determined as follows:

1. At destinations in Central Freight Association territory, as covered by Central Freight Association Freight Tariff No. 535 series, and at destinations in New England and Trunk Line Freight Association territories, as covered by Central Freight Association Freigh Tariff No. 245 series, the maximum prices shall be $6.55 per barrel for such flour with a protein content of 13.5% or less and $6.74 per barrel for such flour of a protein content greater than 13.5%, plus the charge at the domestic carload proportional all-rail rate from Minneapolis to the destination, applicable on traffic from the Northwest territory.

2. At destinations in Southeastern Freight Association territory and in Carolina rate territory, as covered by Southeastern and Carolina Grain Tariff No. 94 series, and at destinations in Kentucky which are covered by this same tariff, the maximum prices shall be $6.28 per barrel for such flour with a protein content of 13.0% and less and $6.42 per barrel for such flour with a protein content greater than 13.0%, plus the charge at the domestic carload proportional all-rail rate from Kansas City to Louisville or Cincinnati, and plus the charge at the domestic carload proportional all-rail rate from Louisville or from Cincinnati to the destination, applicable on billing originating in Ohio and Indiana, whichever is lower.

3. At destinations in Mississippi Valley Territory as covered by Mississippi Valley Grain Tariff No. 133 series, except those in Louisiana, the maximum prices shall be $6.28 per barrel for such flour with a content of 13.0% protein or less and $6.42 for such flour with a protein greater than 13.0%, plus the charge at the lowest domestic carload proportional all-rail rate from Kansas City, Missouri, to the destination.

(b) At destinations in Oklahoma, the maximum price shall be $6.26 per barrel for such flour with a protein content of 13.0% or less and $6.34 per barrel for such flour with a protein content greater than 13.0%.

(c) At destinations in Texas and Louisiana, the maximum prices shall be $5.66 per barrel for such flour with a protein content of 13.0% and less and $5.80 per barrel for such flour with a protein content greater than 13.0%, plus the charge at the lowest domestic flat carload rail rate from Enid, Oklahoma, to the destination.

(d) At destinations in Missouri, the maximum prices shall be as follows:

1. At destinations to which railroad proportional rates apply from Kansas City, Missouri, the maximum price shall be $6.28 per barrel for such flour with a protein content of 13.0% or less and $6.42 per barrel for such flour with a protein content greater than 13.0%, plus the charge at the lowest carload proportional rail rate from Kansas City, Missouri, to the destination.

2. At destinations to which proportional rates do not apply the maximum prices shall be $6.28 per barrel for such flour with a protein content of 13.0% or less and $6.42 per barrel for such flour with a protein content greater than 13.0%, plus 10 cents per barrel in Group A, 15 cents per barrel in Groups B, C, D, and M, 25 cents per barrel in Groups E, J, J–1 and K and at Dunn and Cabool. The rate groups referred to are designated in Southwestern Lines Freight Tariff No. 186 series.

(e) At destinations in Arkansas, the maximum prices shall be $6.28 per barrel for such flour with a protein content of 13.0% or less and $6.42 per barrel for such flour with protein content greater than 13.0%, plus the charge at the lowest carload proportional rail rate from Kansas City, Missouri, to the destination.

(f) At destinations in Kansas, the maximum prices shall be determined as follows:

1. East of a line drawn along the eastern boundaries of Phillips, Rooks, Ellis, Rush, Pawnee, Edwards, Kiowa, and Comanche Counties, except in the following counties—Linn, Anderson, Allen, Bourbon, Crawford, Neosho, Labette, and Cherokee, the maximum prices shall be $6.28 per barrel for such flour with a protein content of 13.0% or less and $6.42 for such flour with a protein content greater than 13.0%.

2. Within Linn, Anderson, Allen, Bourbon, Crawford, Neosho, Labette and Cherokee Counties, the maximum prices shall be $6.38 per barrel for such flour with a protein content of 13.0% or less and $6.52 per barrel for such flour with a protein content greater than 13.0%.

3. West of the line named in subparagraph 1 hereof, except within Cheyenne, Rawlins and Decatur Counties, the maximum prices shall be $6.43 per barrel for such flour with a protein content of 13.0% or less and $6.57 per barrel for such flour with a protein content greater than 13.0%.

4. At destinations within Cheyenne, Rawlins and Decatur Counties, the maximum prices shall be $6.48 per barrel for such flour with a protein content of 13.0% or less and $6.62 per barrel for such flour with a protein content greater than 13.0%.

(g) At destinations in Nebraska, the maximum prices shall be determined as follows:

1. Within the area bounded on the north and west by and including Douglas, Dodge, Colfax, Platte, Boone, Greely, Garfield, Valley, Sherman, Buffalo, Kearney, and Franklin Counties, the maximum prices shall be $6.28 per barrel for such flour with a protein content of 13.0% or less and $6.42 per barrel for such flour with a protein content greater than 13.0%.

2. Within the area north of that described in subparagraph 1 hereof, and bounded on the west by and including Boyd and Holt Counties, the maximum prices shall be $6.38 per barrel for such flour with a protein content of 13.0% or less and $6.52 per barrel for such flour with a protein content greater than 13.0%.

3. Within Scottsbluff, Banner, Kimball, Box Butte, Morrill, Cheyenne, and Deuel Counties, the maximum prices shall be $6.33 per barrel for such flour with a protein content of 13.0% or less and $6.47 per barrel for such flour with a protein content greater than 13.0%.

4. Within the remaining counties of the state not included under subparagraphs 1, 2 or 3 hereof, the maximum prices shall be $6.48 per barrel for such flour with a protein content of 13.0% or less and $6.62 per barrel for such flour with a protein content greater than 13.0%.

(h) At destinations in Iowa, the maximum prices shall be $6.28 per barrel for such flour with a protein content of 13.0% or less and $6.42 per barrel for such flour with a protein content greater than 13.0%, plus the charge at the lowest carload proportional rail rate from Omaha, Nebraska to the destination.

(i) At destinations in Minnesota, the maximum prices shall be determined as follows:

1. At destinations within the area bounded on the east and south by the main line of the Minnesota and International Railway Company from International Falls to Brainerd, thence along the line of the Northern Pacific Railway to Minneapolis, thence westerly along the line of the Chicago, Milwaukee, St. Paul and Pacific Railroad to Granite Falls, thence southwesterly along the line of the Great Northern Railway Company to the South Dakota border near Jasper, Minnesota, including all points on the lines of the Great Northern Railway Company and of the Northern Pacific Railway mentioned above but not including points on the lines of the Minnesota and International Railway and the Chicago, Milwaukee, St. Paul and Pacific Railroad, the maximum prices shall be $6.55 per barrel for such flour with a protein content of 13.5% or less and $6.74 per barrel for such flour with a protein content greater than 13.5%.

2. At destinations outside the area described in subparagraph 1 hereof, the maximum prices shall be $6.55 per barrel for such flour with a protein content of 13.5% or less and $6.74 per barrel for such flour with a protein content greater than 13.5%, plus the charge of the lowest carload intrastate proportional rail rate from Minneapolis to the destination.

(j) At destinations in Wisconsin, Illinois and the northern peninsula of Michigan, the maximum prices shall be $6.55 per barrel for such flour with a protein content of 13.5% or less and $6.74 per barrel for such flour with a protein content greater than 13.5%, plus the charge at the lowest carload proportional rail rate from Minneapolis to the destination.

(k) At destinations in North Dakota, the maximum prices shall be $6.35 per barrel for such flour with a protein content of 13.5% or less and $6.54 per barrel for such flour with a protein content greater than 13.5%.

(l) At destinations in South Dakota, the maximum prices shall be $6.55 per barrel for such flour with a protein content of 13.5% or less and $6.74 per barrel for such flour with a protein content greater than 13.5%.

(m) At destinations in Montana, the maximum prices shall be determined as follows:

1. At destinations in and east of Phillips, Garfield, Rosebud and Powder River Counties, except destinations on the Chicago, Milwaukee, St. Paul and Pacific Railroad in Rosebud and Custer Counties west of Miles City, the maximum price shall be $6.07 per barrel for such flour with a protein content of 13.5% or less and $6.26 per barrel for such flour with a protein content greater than 13.5% plus the charge at the highest carload rail rate on flour, semolina or farina, applicable from Sydney, Montana to the destination.

2. At destinations west of the territory described in subparagraph 1 hereof, and including stations on the Chicago, Milwaukee, St. Paul and Pacific Railroad in Rosebud and Custer Counties west of Miles City, the maximum prices shall be $5.93 for such flour with a protein content of 13.5% or less and $6.12 per barrel for such flour with a protein content greater than 13.5%, plus the lowest charge produced by using the highest carload rail rate on flour, semolina or farina, applicable from Great Falls or from Billings, Montana, to the destination.

(n) At destinations in Wyoming, the maximum prices shall be determined as follows:

1. South of the northern boundaries of Teton, Fremont, Natrona, Converse and Niobrara Counties, except in Lincoln and Uinta Counties, the maximum prices shall be $5.74 per barrel for such flour with a protein content of 13.0% or less and $5.88 per barrel for such flour with a protein content greater than 13.0%, plus the charge at the lowest flat carload rail rate from Sterling, Colorado, via Denver to the destination.

2. In Lincoln and Uinta Counties, the maximum prices shall be $6.64 for such flour with a protein content of 13.5% or less, and $6.82 per barrel for such flour with a protein content greater than 13.5%, plus the charge at the lowest carload transit balance rail rate from Ogden, Utah, to the destination, applicable on billing originating at Bancroft, Idaho.

3. North of the line described in subparagraph 1 above, the maximum prices shall be $5.73 for such flour with a protein content of 13.50% or less and $5.92 per barrel for such flour with a protein content greater than 13.50%, plus the charge at the lowest flat carload rail rate from Billings, Montana, to the destination.

(o) At destinations in Colorado, the maximum prices shall be determined as follows:

1. At destinations on and east of the line of the Colorado and Southern Railway which runs from Cheyenne, Wyoming, through Fort Collins, Longmont and Boulder, Colorado, to Denver including all points on Branch rail lines west of this line in Larimer and Boulder Counties, and on and north of the line of the Union Pacific Railroad from Denver to the Kansas Border near Chemung, Colorado, the maximum prices shall be $6.09 per barrel for such flour with a protein content of 13.0% or less and $6.23 per barrel for such flour with a protein content greater than 13.0%.

2. At all other destinations in New Mexico and Arizona, the maximum prices shall be $5.74 per barrel for such flour with a protein content of 13.0% or less and $5.88 per barrel for such flour with a protein content greater than 13.0%, plus the charge at the lowest flat carload rail rate from Sterling, Colorado, to the destination.

II. *Maximum prices for sales of all bakery flours packed in 98 pound cotton sacks in carload quantities delivered at specified destinations in Washington, Oregon, Idaho, Utah, Nevada and California.*

(a) At destinations in Washington, Oregon and Northern Idaho, the maximum prices shall be determined as follows:

1. West of a line drawn along the line of the Great Northern Railway from the Canadian border through Oroville to, but not including, Trinidad and thence along the west bank of the Columbia River to a point due east of Leslie, thence in a straight line to Leslie, thence in a straight line to Erie, thence in a straight line to Plymouth, thence westerly along the Columbia River to the western boundary of Umatilla County, Oregon, thence southward along the western boundaries of Umatilla, Grant and Harney Counties to the California border, and including all points on this line, the maximum prices shall be $7.19 per barrel for cake flour, $5.44 per barrel for other bakery flour with a protein content less than 10.0%, $6.00 per barrel for bakery flour with a protein content of 10.0% or greater, but less than 13.5%, and $6.18 per barrel for bakery flour with a protein content of 13.5% or greater, plus the charge at the lowest flat carload rail rate from Spokane, Washington, to the destination.

2. East of a line drawn along the Great Northern Railway from the Canadian border through Oroville to Trinidad, and thence along the East bank of the Columbia River to its junction with the Snake River and thence easterly along the north bank of the Snake River to the Idaho border, and including all points on this line except points west and north of Trinidad on the Great Northern Railway the maximum prices shall be $7.51 per barrel for cake flour, $5.76 per barrel for other bakery flour with a protein content less than 10.0%, $6.32 per barrel for bakery flour with a protein content of 10.0% or greater, but less than 13.5%, and $6.50 per barrel for bakery flour with a protein content of 13.5% or greater.

3. At destinations in Walla Walla, Columbia, Garfield and Asotin Counties in Washington, the maximum prices shall be $7.59 per barrel for cake flour, $5.84 per barrel for other bakery flour with a protein content less than 10.0%, $6.40 per barrel for bakery flour with a protein content of 10.0% or greater, but less than 13.5%, and $6.58 per barrel for bakery flour with a protein content of 13.5% or greater.

4. At destinations in Oregon on and north of the lines of the Union Pacific Railroad from Umatilla through Hinkle, Pendleton, Athena and Freewater to the Washington border, the maximum prices shall be $7.59 per barrel for cake flour, $5.84 per barrel for other bakery flour with a protein content less than 10.0%, $6.40 per barrel for bakery flour with a protein content of 10.0% or greater, but less than 13.5%, and $6.58 per barrel for bakery flour with a protein content of 13.5% or greater.

5. At destinations in Idaho north of the southern boundary of Idaho County, the maximum prices shall be $7.59 per barrel for cake flour, $5.84 per barrel for other bakery flour with a protein content less than 10.0%, $6.40 per barrel for bakery flour with a protein content of 10.0% or greater but less than 13.5%, and $6.58 per barrel for bakery flour with a protein content of 13.5% or greater.

6. At destinations in Oregon in Umatilla County (except that portion described in subparagraph 4 hereof), Union, Wallowa and Baker Counties, and at destinations in Grant County on the line of the Sumpter Valley Railroad from Baker to Bates, the maximum prices shall be $7.19 per barrel for cake flour, $5.44 per barrel for other bakery flour with a protein content less than 10.0%, $6.00 per barrel for bakery flour with a protein content of 10.0% or greater, but less than 13.5%, and $6.18 per barrel for bakery flour with a protein content of 13.5% or greater, plus the charge at the lowest flat carload rail rate from Spokane to the destination.

7. At destinations in Oregon in Grant County (except that portion described in subparagraph 6 hereof), Harney and Malheur Counties, the maximum prices shall be $7.83 per barrel for cake flour, $6.08 per barrel for other bakery flour with a protein content of less than 10.0%, $6.64 per barrel for bakery flour with a protein content of 10.0% or greater, but less than 13.5%, and $6.82 per barrel for bakery flour with a protein content of 13.5% or greater, plus the charge at the lowest carload transit balance rail rate from Ogden, Utah on billing originating at Bancroft, Idaho

(b) At destinations in California, the maximum prices shall be $7.19 per barrel for cake flour, $5.44 per barrel for other bakery flour with a protein content less than 10.0%, $6.00 per barrel for bakery flour with a protein content of 10.0% or greater, but less than 13.5%, and $6.18 per barrel for bakery flour with a protein content of 13.5% or greater, plus the charge at the lowest flat carload rail rate from Spokane, Washington to the destination.

(c) At destinations in Idaho south of the southern boundary of Idaho County, and in Utah and Nevada, the maximum prices shall be $7.83 per barrel for cake flour, $6.08 per barrel for other bakery flour with a protein content less than 10.0%, $6.64 per barrel for bakery flour with a protein content of 10.0% or greater, but less than 13.5%, and $6.82 per barrel for bakery flour with a protein content of 13.5% or greater, plus the lower of the charges resulting from the use of the flat carload rail rate from Ogden, Utah to the destination, or the carload transit balance rail rate applicable from Ogden, Utah to the destination, on billing originating at Bancroft, Idaho.

III. *Maximum prices for cake flour and other soft wheat bakery flour packed in 98 pound cotton bags, in carload quantities, delivered at specified destinations.*

(a) At destinations in Washington, Oregon, Idaho, Utah, Nevada and California the maximum prices for (i) cake flour and (ii) other soft wheat bakery flours shall be for (i) the maximum prices computed under the provisions of Appendix A, II (a), (b) and (c) for cake flour and for (ii) the maximum prices computed under the same provisions for other bakery flour with a protein content of less than 10.0%.

(b) At destinations in the following states: Kentucky, Tennessee, Alabama, Mississippi, Georgia, Florida, North Carolina and South Carolina, the maximum prices for cake flour and other soft wheat bakery flour shall be $8.65 per barrel for cake flour and $7.00 for other soft wheat bakery flour plus such one of the following rail charges as results in the lowest delivered price: (i) the lowest carload proportional rail rate from Memphis, Tennessee; Cairo, Illinois; or

Evansville, Indiana to the destination; or (ii) the lowest carload proportional rail rate from Louisville, Kentucky or Cincinnati, Ohio to the destination, applicable on billing originating in Ohio and Indiana.

(c) At destinations in all states except those mentioned in paragraphs (a) and (b) hereof, the maximum prices shall be computed as follows:

(i) For flour milled in the states of Washington, Oregon, Idaho (north of the southern boundary of Idaho County), Montana, Wyoming, North Dakota, South Dakota, Minnesota, Wisconsin or Iowa, the maximum prices shall be $7.19 per barrel for cake flour and $5.44 per barrel for other soft wheat bakery flour, plus the charge at the lowest flat carload rail rate from Spokane, Washington, to the destination.

(ii) For flour milled in the states of California, Nevada, Utah, Idaho (south of the southern boundary of Idaho County), Colorado, Arizona, and New Mexico, the maximum prices shall be $7.83 per barrel for cake flour and $6.08 per barrel for other soft wheat bakery flour, plus the charge at the lowest flat carload rail rate from Ogden, Utah to the destination.

(iii) For flour milled in any state other than those mentioned in subparagraphs (i) and (ii) hereof, the maximum prices shall be $9.00 for cake flour and $7.35 for other soft wheat bakery flours, less the charge at the lowest flat domestic carload rail rate from the milling point to New York City, plus the charge at the lowest flat domestic carload rail rate from the milling point to the destination *Provided*, That, at or within twenty-five miles of the milling point, the maximum price for carload quantities shall be the price obtained by deducting the transportation charge to New York City as directed in this subparagraph (iii) and then adding 20 cents per barrel.

IV *Maximum prices for semolinas and durum flours, in carload quantities in buyer's sacks.* (a) The maximum prices for semolinas and durum flours, f. o. b. Minneapolis Minnesota, in carload quantities in buyer's 98 pound sacks shall be as follows:

	Dollars per barrel
Fancy semolina	$7.10
Other semolinas	6.90
Fancy durum patent flour	7.10
Other durum flours	6.60

(b) Maximum prices at all destinations except destinations in Washington, Oregon, Idaho, Montana, Utah, Nevada, Arizona and California shall be determined by adding to the applicable f. o. b. Minneapolis price the charge at the lowest carload domestic proportional rail rate from Minneapolis to the destination.

(c) Maximum prices at points in Washington, Oregon, Idaho, Montana, Utah, Nevada, Arizona and California shall be determined by adding to the applicable f. o. b. Minneapolis price the charge at the lowest carload transit balance rail rate from Minneapolis to the destination payable on billing with a paid-in rate of 14.5 cents per hundred pounds.

(d) When the seller supplies containers the exact cost of containers may be added to the prices above specified.

(e) If a container size other than 98 pounds is used, a differential may be added to the prices computed in (a), (b), (c) or (d) above at the rate per barrel specified under the heading "buyers packages" in subdivision VIII (c) of this Appendix A.

V. *Maximum prices for family flours in carload quantities, packed in 98 pound cotton sacks delivered at specified destinations.* The maximum prices for family flour in carload quantities, packed in 98 pound cotton sacks delivered at destinations in the various states and the District of Columbia, shall be as follows:

	Per barrel
Colorado east of the Rocky Mountains	$7 25
Montana, Wyoming	7 50
Colorado west of the Rocky Mountains, Kansas, Nebraska, New Mexico, North Dakota South Dakota	7 75
Oregon, Washington	8 00
Idaho	8 10
Arizona, Oklahoma, Utah	8 25
Iowa, Missouri	8 40
Texas	8 45
Arkansas, Minnesota	8 50
Nevada	8 75
Illinois	8 80
Indiana	8 90
Michigan, Ohio, Wisconsin	9 00
Delaware, District of Columbia, Florida, Kentucky, Louisiana, Maryland, Pennsylvania, Virginia, West Virginia	9 20
California, New Jersey, New York	9 25
The New England states	9 30
Tennessee	9 45
Alabama, Georgia, Mississippi, South Carolina	9 55
North Carolina	9 65

VI *Maximum prices for cake flour in packages weighing 2¾ pounds each and for farina, enriched and unenriched, in packages weighing 28 ounces each or less.* (a) At all destinations maximum prices for cake flour, packed 12—2¾ pound packages to the case, shall be $2.75 per case.

(b) Except as provided in subdivision (VIII) (d) of this Appendix A maximum prices for farina, enriched or unenriched, in packages weighing 28 ounces or less at all destinations shall be as follows:

	Carlots	Less-than-carlots
(i) 28 ounce packages, packed 18 to the case	$3.45	$3.50
(ii) 14 ounce packages, packed 24 to the case	2.70	2.75

(iii) Maximum prices for farina, enriched or unenriched, per case in any package size smaller than 28 ounces (except the 14 ounce packages last mentioned) shall be (1) ½ of the aforesaid carload or less-than-carload maximum prices per case of 18—28 ounce packages multiplied by a factor of which the net weight of the contents of the new package is the numerator and 28 is the denominator and (2) the resultant figure multiplied by the number of packages in a case.

VII. (a) *Maximum prices for bakery patent flours packed in 98 pound cotton bags in carload quantities delivered at specified destinations.* Maximum prices for bakery patent flours packed in 98 pound cotton bags, in carload quantities delivered at specified destinations shall be determined by adding 20 cents per barrel to the maximum prices as set forth in subdivisions I and II of Appendix A: *Provided*, That no such addition may be made in any case for cake flour or soft wheat flour or in the case of bakery flour with a protein content of less than 10.0%, at destinations in the states of Washington, Oregon, Idaho, Utah Nevada and California.

(b) *Maximum prices for farina, packed in 98 pound cotton sacks in carload quantities delivered at specified destinations.* Maximum prices for farina packed in 98 pound cotton sacks in carload quantities delivered at specified destinations shall be determined by adding 40 cents per barrel to the maximum prices as set forth in subdivisions I and II of Appendix A *Provided*, That no such addition may be made to the maximum prices for cake flour, nor to the maximum prices for bakery flour with a protein content of less than 10.0% at destinations in the states of Washington, Oregon, Idaho, Utah Nevada and California.

(c) *Maximum prices for enriched and enriching flours from wheat and for enriched farina, packed in 98 pound cotton sacks, in carload quantities delivered at specified destinations.* (i) The maximum price for flours from wheat and farina enriched in accordance with the Definition and Standard of Identity promulgated by the Federal Security Administrator, packed in 98 pound cotton sacks in carload quantities delivered at specified destinations shall be the applicable maximum prices as set forth in this Appendix A plus 20 cents per barrel.

(ii) The maximum price for self-rising flours which conform to the Definition and Standard of Identity promulgated by the Federal Security Administrator, packed in 98 pound cotton sacks in carload quantities delivered at specified destinations shall be the maximum prices as set forth in this Appendix A, plus 25 cents per barrel.

VIII. (a) *Maximum prices when the buyer supplies containers.* Maximum prices for sales of flour from wheat, or farina in carload quantities delivered at specified destinations, in buyer's sacks, shall be the applicable maximum prices as heretofore provided, less 32 cents per barrel, plus the appropriate differential set forth in subdivision (c) of this section.

(b) *Maximum prices in containers other than cotton sacks holding 98 pounds in carload quantities, delivered at specified destinations.* Maximum prices for sales of flour from wheat or farina in containers other than cotton sacks holding 98 pounds, in carload quantities delivered at specified destinations shall be the applicable maximum price as set forth in this Appendix A plus or minus the differentials set forth in paragraph (c) hereof: *Provided*, That maximum prices for cake flour packed in 2¾ pound packages and farina, enriched and unenriched, packed in 28 ounce and smaller packages shall be as set forth in subdivision VI of this Appendix A.

(c) *Package differentials.*

Size of container	Kind	Seller's packages, charge per barrel over 98 pound cotton carload price	Buyer's packages, charge per bbl. over bulk price for handling and packing buyer's packages
196 lb.	Wood or ply wood	$1.10 over	$.25
196 lb.	Wood or ply wood	1.70 over	.35
140 lb.	Jute	Basis	None
140 lb.	Jute	.05 over (2 to barrel)	None
140 lb.	Cotton	.05 over	None
98 lb.	Cotton	Basis (2 to barrel)	None
98 lb.	Cotton	.10 under (2 to barrel)	None
98 lb.	Cotton	.25 over (4 to barrel)	.04
49 lb.	Cotton	.15 over (4 to barrel)	.04
24½ lb.	Cotton	.50 over (8 to barrel)	.08
24½ lb.	Cotton	.40 over (8 to barrel)	.08
12 lb.	Cotton	.75 over (10 to barrel)	.10
12 lb.	Cotton	.80 over (16 to barrel)	.16
12 lb.	Cotton	.70 over (16 to barrel)	.16
10 lb.	Cotton	1.10 over (20 to barrel)	.20
10 lb.	Cotton	1.00 over (20 to barrel)	.20
5 lb.	Cotton	1.05 over (24 to barrel)	.24
5 lb.	Cotton	1.25 over (28 to barrel)	.28
5 lb.	Cotton	1.35 over (32 to barrel)	.32
5 lb.	Cotton	1.50 over (40 to barrel)	.40
4.9 lb.	Cotton	1.70 over (40 to barrel)	.40
4 lb.	Cotton	1.85 over (48 to barrel)	.48
3 lb.	Cotton	2.15 over (56 to barrel)	.56
2 lb.	Cotton	2.25 over (64 to barrel)	.64
1 lb.	Cotton	3.25 over (96 to barrel)	.96
10 lb.	Cotton	4.30 over (128 to barrel)	1.28
5 lb.	Paper	Basis (2 to barrel)	None
5 lb.	Paper	.10 over (4 to barrel)	.04
48 lb.	Paper	Basis (4 to barrel)	.01
24½ lb.	Paper	.20 over (8 to barrel)	.08
24½ lb.	Paper	.10 over (8 to barrel)	.08
12 lb.	Paper	.40 over (10 to barrel)	.10
12 lb.	Paper	.45 over (16 to barrel)	.16
12 lb.	Paper	.35 over (16 to barrel)	.16
10 lb.	Paper	.70 over (20 to barrel)	.20
10 lb.	Paper	.60 over (20 to barrel)	.20
5 lb.	Paper	.60 over (24 to barrel)	.24
5 lb.	Paper	.85 over (28 to barrel)	.28
5 lb.	Paper	.85 over (32 to barrel)	.32
5 lb.	Paper	1.25 over (40 to barrel)	.40
4.9 lb.	Paper	1.15 over (40 to barrel)	.40
4 lb.	Paper	1.25 over (48 to barrel)	.48
3 lb.	Paper	1.55 over (56 to barrel)	.56
2 lb.	Paper	1.65 over (64 to barrel)	.64
1 lb.	Paper	2.50 over (96 to barrel)	.96
10 lb.	Paper	3.50 over (128 to barrel)	1.28

If shipments are made in buyer's bags an allowance shall be made by the seller for the 4 pounds of flour saved in packing sizes calling for 192 pounds per barrel and a charge shall be made for the extra flour required in packing sizes calling for 200 pounds per barrel.

	Cents per barrel additional
Outside jute envelopes (1 to barrel)	35
Outside jute envelopes (2 to barrel)	45
Outside jute envelopes (4 to barrel)	60
Outside cotton envelopes (2 to barrel)	50
Outside fiber containers (4 to barrel)	45
Outside paper envelopes (2 to barrel)	30
Outside paper envelopes (4 to barrel)	35
Outside paper envelopes (8 to barrel)	50
	Per bbl.
Charge for handling and packing buyer's outside paper, cotton, or jute envelopes	$0.10
Charge for handling and packing buyer's fiber containers	.15

(d) *Maximum prices for special package types and sizes for the United States Government or any agency thereof.* (1) Maximum prices for flour from wheat and farina packed in special types and sizes of packages, for the use of the United States Government or any agency thereof, in carload quantities delivered at specified destinations, shall be the applicable maximum price in 98 pound cotton sacks as heretofore provided (a) minus 32 cents per barrel, (b) plus the exact cost of the package used and (c) plus the additional cost of packing, if any, over the cost of packing in 98 pound cotton sacks. (2) Maximum prices for semolina packed in special types and sizes of packages other than those set forth in subdivision VIII (c) of this Appendix A for the use of the United States Government or any agency thereof, in carload quantities delivered at specified destinations, shall be the applicable maximum price as set forth in subdivisions IV (a), (b), (c) and (d), plus or minus the difference in cost per barrel between the cost of packing the special type or size of package and the cost of packing 98 pound sacks thereof.

IX. *Maximum prices for other shipments or deliveries including sales of less-than-carload quantities, except in the case of sales at retail.* Except in the case of sales at retail: (1) The maximum prices for shipments or deliveries of 55 barrels or more either f. o. b. mill, f. o. b. seller's warehouse, or delivered to the buyer's place of business shall be the maximum carload prices at said point (said point being deemed a destination for this purpose) as heretofore provided; (2) Maximum prices for shipments in mixed cars or pool cars, shall be the maximum carload prices as heretofore provided, plus 10 cents per barrel; (3) Maximum prices for shipments or deliveries of less than 55 barrels either f. o. b. mill or f. o. b. seller's warehouse shall be the maximum carload price at said point as heretofore provided plus 35 cents per barrel; (4) Maximum prices for shipments of less than 55 barrels delivered at any other destination shall be the maximum carload price as heretofore provided plus 65 cents per barrel.

X. *Maximum prices for sales by millers or blenders at retail.* The maximum prices for sales by millers or blenders at retail shall be the maximum carload prices delivered at specified destinations as heretofore provided plus $1.25 per barrel.

XI. *Maximum prices for sales of imported flour from wheat, semolina or farina.* The maximum prices which can be charged or paid for flour from wheat, semolina and farina imported into the several states of the United States and the District of Columbia are the maximum prices computed under the applicable provisions of Appendix A at the point of delivery within the United States: *Provided*, That if the imported flour from wheat is a soft wheat flour and it is delivered at a destination where there are varying maximum prices for soft wheat flour the maximum price shall be the same as that of soft wheat flour milled at Chicago, Illinois.

XII *Maximum prices for export sales.* The maximum prices for export sales shall be determined in accordance with the provisions of the Maximum Export Price Regulation issued by the Office of Price Administration.

XIII. *Maximum prices at non-rail points.* In those areas where maximum prices are determined hereunder by adding a rail charge to a basic price, if a buyer's receiving point is located more than 10 miles from the nearest railroad siding, an amount may be added to the applicable maximum carload price at the railroad siding nearest to the buyer's receiving point, equal to the difference between the charge at the lowest common carrier rate for the transportation of an equivalent quantity of flour from wheat, semolina or farina from such railroad siding to the buyer's receiving point and the charge at the lowest common carrier rate for the transportation of this same quantity a distance of 10 miles from such siding. For the purposes of this section, the distance along the shortest and most direct vehicle highway route shall be used in calculating the distance from the nearest railroad siding to the buyer's receiving point.

XIV. *Selection by the buyer of his receiving point.* Nothing in the foregoing provisions of this Maximum Price Regulation No. 296 shall be construed to prohibit any person from purchasing and receiving delivery of flour from wheat, semolina and farina at any point within the several states of the United States or the District of Columbia at the maximum price at that point as computed under the applicable provisions of Appendix A, and shipping from such point to any other point at his own expense, although the price paid at the first point plus transportation to the second point may exceed the maximum price at the second point computed under the applicable provisions of Appendix A; *Provided*, That if the flour from wheat, semolina or farina is resold, the maximum prices for such resale shall be as hereinbefore provided in this regulation.

XV. *Maximum prices for sales by persons other than millers and blenders.* Maximum prices for sales of flour by persons other than millers and blenders are to be determined in accordance with the provisions of Maximum Price Regulation No. 237, in the case of wholesalers and jobbers as defined therein and in accordance with the provisions of Maximum Price Regulation No. 238 in the case of retailers as defined therein.

Issued this 2d day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-129, Filed, January 2, 1943; 2:03 p. m.]

PART 1363—FEEDINGSTUFFS

[MPR 74 as Amended, Amendment 4]

ANIMAL PRODUCT FEEDINGSTUFFS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Subparagraphs (2) and (5) (i) (c) of paragraph (a) of § 1363.62 is amended as set forth below.

§ 1363.62 *Maximum prices for sales of animal product feedingstuffs.* (a) Maximum prices for sales of the following classifications of animal product feedingstuffs bulk f. o. b. conveyance at production plant located in the following zones:

* * * * *

(2) *Maximum prices for sales of wet rendered tankage, dried blood and digester tankage.* Zone 1—Washington Oregon, California, Nevada, Utah, Idaho, and Arizona; Zone 2—All states except those listed in Zone 1 and Zone 3; Zone 3—Maine Vermont, New Hampshire, Massachusetts Connecticut, Rhode Island, New York, Pennsylvania, New Jersey, Virginia, West Virginia, Maryland, Delaware, North Carolina, South Carolina and the District of Columbia.

	Wet rendered tankage dollars per unit of ammonia	Dried blood dollar per unit of ammonia	Digester tankage dollars per ton guaranteed minimum percentage of protein		
			[illegible]	[illegible]	9 %
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

* * * * *

(5) *Grades*—(i) *Standard guaranteed minimum percentages of protein.* * * *

(c) If more than one per cent below the guaranteed minimum percentage of protein, deduct $1.50 per ton for the first one per cent deficiency and $3.00 per ton for every succeeding one per cent or fraction thereof from the selling price.

§ 1363.61a *Effective date of amendment.* * * *

(d) Amendment No. 4 (§ 1363.62 (a) (2) and (5) (i) (c)) to Maximum Price Regulation No. 74, as amended, shall become effective January 7, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-131; Filed, January 2, 1943; 2:03 p. m.]

*Copies may be obtained from the Office of Price Administration.

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[Revised MPR 169,[1] Amendment 2]

BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Amended: §§ 1364.407 (e) (2) and 1364.454 (a) (6); Added: §§ 1364.478 and 1364.415 (b), as set forth below:

§ 1364.407 *Records and reports.* * * *

(e) * * *

(2) Not later than January 11, 1943, every person making sales to purveyors of meals, war procurement agencies, or other government agencies pursuant to the provisions of paragraph (c) of § 1364.452, shall file with the Office of Price Administration at Washington, D. C., a statement of the applicable zone price for each grade of each fabricated beef cut determined in accordance with subparagraph (2) thereof.

§ 1364.454 *Schedule III: Amounts which may be added to zone prices listed in Schedule* * * *

(a) * * *

(6) Notwithstanding any of the provisions of paragraph (a) (1) to (a) (5), inclusive, of this § 1364.454, nothing therein contained shall be construed to permit a total charge for transportation and/or local delivery from the point at which the meat was slaughtered to the place of business or receiving point of a retail seller, purveyor of meals, war procurement agency, other government agency or commercial user of more than 50¢ per cwt. in Price Zone 1, 2, 5, 6, 7, 8, 9, or 10, or 75¢ per cwt. in Price Zone 3 or 4. The transportation and local delivery additions permitted in this paragraph (a) are on a hundredweight basis, and the charge for transportation and or local delivery for any fraction of a hundredweight shall be reduced accordingly. The additions specified in this paragraph (a) for transportation and or local delivery may be charged: *Provided*, That the seller shall itemize separately on an invoice to the buyer the amount charged the buyer for transportation and or local delivery, except that if such separate statement of transportation charges is prohibited by local law, the seller shall maintain in his own record of the transaction a separate statement of any addition for transportation or local delivery which is included in the maximum price charged.

* * * * *

§ 1364.478 *Petitions for adjustment.* (a) The Office of Price Administration may by order, adjust any maximum price established under §§ 1364.401 to 1364.413, inclusive, §§ 1364.476 and 1364.477 for any seller who petitions for such adjustment in accordance with Revised Procedural Regulation No. 1,[1] issued by the Office of Price Administration, in any case in which such seller shows:

(1) That such maximum price causes him hardship and is abnormally low in relation to the maximum prices established for competitive sellers;

(2) That establishing for him a maximum price bearing a normal relation to the maximum prices established for competitive sellers will not cause or threaten to cause an increase in the level of retail prices.

No application for adjustment filed after December 15, 1942, will be granted under this section.

§ 1364.415 *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§§ 1364.407 (e) (2), 1364.454 (a) (6), and 1364.478) to Revised Maximum Price Regulation No. 169 shall become effective January 8, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 2d day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-132; Filed, January 2, 1943; 2:05 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10081, 10719.

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[MPR 265, Corr. to Amendment 2]

SALES BY CANNERS OF SALMON

Amendment No. 2 under Maximum Price Regulation No. 265 is redesignated as Amendment No. 1 to that regulation.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-133; Filed, January 2, 1943; 2:08 p. m.]

PART 1379—SMALL ARMS AND PISTOLS

[MPR 254, Amendment 1]

NEW SMALL FIREARMS AND FIREARM PARTS

A statement of considerations involved in the issuance of this Amendment No. 1 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1379.2 (c) is amended and a new § 1379.15 is added, as set forth below:

[1] 7 F.R. 9229, 10379, 11009.

[2] 7 F.R. 8961.

§ 1379.2 *Maximum prices for firearms and parts in the manufacturer's price list in effect January 10, 1942.* The maximum price for a firearm or a firearm part which was in the manufacturer's price list in effect January 10, 1942, shall be:

* * * * *

(c) For sales by retailers and by Defense Supplies Corporation, the price set forth in the manufacturer's price list in effect January 10, 1942, as the price suggested for sales by retailers.

* * * * *

§ 1379.15 *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1379.2 (c), 1379.15) to Maximum Price Regulation No. 254 shall become effective January 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-134; Filed, January 2, 1943; 2:05 p. m.]

PART 1392—PLASTICS

[MPR 263,[1] Amendment 1]

NEW PHONOGRAPH RECORDS AND RECORD SCRAP

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1392.63 is revoked, § 1392.58 is amended, and a new § 1392.62a is added, as set forth below:

§ 1392.58 *Applicability of General Maximum Price Regulation.* (a) The provisions of this Maximum Price Regulation No. 263 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this regulation, except as provided in paragraph (b) of this § 1392.58. However, the seller must comply with the provisions of the following paragraphs, which are identical, except for appropriate changes in dates and terminology, with the sections of the General Maximum Price Regulation indicated in parentheses. Any amendments to such sections of the General Maximum Price Regulation are automatically applicable to this Maximum Price Regulation No. 263:

(1) *Sales for export* (§ 1499.6). The maximum price at which a person may export any new phonograph record or record scrap shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation.

(2) *Sales slips and receipts* (§ 1499.14). Any seller who has customarily given a purchaser a sales slip, receipt, or similar evidence of purchase shall continue to do so. Upon request from a purchaser any seller, regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the seller, the name of each commodity sold, and the price received for it.

(3) *Petitions for amendment* (§ 1499.19). Any person seeking a modification of any provision of this Maximum Price Regulation No. 263 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

(b) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person selling at wholesale or retail any commodity for which a maximum price is established by this regulation or by any amendment or supplement thereto. The terms "selling at wholesale" and "selling at retail" shall have the meaning given them by §§ 1499.20 (p) and 1499.20 (o) of the General Maximum Price Regulation. Said provisions became applicable as to persons selling at wholesale on May 11, 1942 and as to persons selling at retail on May 18, 1942.

§ 1392.62a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1392.58, 1392.63, 1392.64) to Maximum Price Regulation No. 263 shall become effective January 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250; 7 F.R. 7871)

Issued this 2d day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-135; Filed, January 2, 1943; 2:08 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11,[1] Amendment 20]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1394.5453, paragraphs (a) and (b) are amended; in § 1394.5654, paragraph (a) is amended, paragraph (c) is amended by inserting the phrase "or delivery receipt" after the phrase "coupon sheet," and a new paragraph (d) is added thereto; in paragraph (b) of § 1394.5655, the parenthetical phrase "(of residual oil only)" is deleted; in subparagraph (5) of said paragraph (b), the word "residual" wherever appearing in said subparagraph is amended to read "fuel", and a new subparagraph (6) is added to said paragraph (b); and a new paragraph (f) is added to § 1394.5902; as set forth below:

General Provisions With Respect to Issuance of Rations

§ 1394.5453 *Issuance of delivery receipts.* (a) Where an applicant requires distillate oil in quantities averaging more than 100,000 gallons per month or residual oil in any quantity, for purposes other than the operation of equipment furnishing heat or hot water, he may request the Board to issue to him delivery receipts, on Form OPA R-1125, instead of coupons. The Board may, in such case, issue delivery receipts in lieu of coupons.

(b) At the time of issuing a delivery receipt, the Board shall enter on the stub attached thereto, the number and address of the issuing Board, the name and address of the person to whom the delivery receipt is issued and the amount of fuel oil which may be transferred in exchange therefor (which shall be equal to the value of the coupons in lieu of which such delivery receipt is issued). The Board shall affix a validating stamp to the delivery receipt stub, in the manner required by paragraph (b) of § 1394.5452, shall enter on such stub the period of validity of the delivery receipt, in accordance with the provisions of paragraph (a) of § 1394.5452 and, if such receipt is issued for distillate oil, shall make a notation of that fact thereon.

* * * * *

§ 1394.5654 *Deposit of coupon sheets or delivery receipts.* (a) A consumer may, at his option, deposit his coupon sheet or delivery receipt with the dealer or supplier from whom he intends to acquire fuel oil. Transfer against a coupon sheet or a delivery receipt so deposited may be made only in accordance with the provisions of § 1394.5653 or § 1394.5655, whichever is applicable.

* * * * *

(d) Within forty-eight (48) hours after the expiration of the period of validity of the delivery receipt, as shown on the delivery receipt stub, or within forty-eight (48) hours after delivery has been made of the total amount of fuel oil authorized to be transferred, as shown on such stub, the dealer or supplier with whom it was deposited shall return all delivery receipt stubs and all delivery receipts, if any, to the consumer who deposited them with him. Within forty-eight (48) hours after the return of the delivery receipt and stubs, such consumer shall inspect the entries made by the dealer or supplier on the stubs of the dates and amounts of fuel oil transferred

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9191.

[1] 7 F.R. 8480, 8809, 8897, 9316, 9396, 9412, 9427, 9430, 9621, 9784, 10153, 10081, 10379, 10530, 10531, 10780, 10707.

to him and, if such entries are accurate, shall execute the required certification on the stubs of such delivery receipts. He shall thereupon surrender the stubs and delivery receipts, if any, to the issuing Board. If any stub contains any inaccurate statement with respect to the date or amount of fuel oil transferred to him, or in the calculations, the consumer shall, when surrendering such delivery receipts and stubs, report all such inaccuracies in writing to the issuing Board.

§ 1394.5655 *Transfers to consumers in exchange for acknowledgements of delivery and delivery receipts.* * * *

(b) * * *

(6) Where a delivery of fuel oil is made to a consumer who has deposited a delivery receipt, pursuant to § 1394.565 (a), the consumer need not execute the acknowledgement of receipt of delivery on the receipt nor the certification on the stub, except as provided in § 1394.5654 (d), but the dealer or supplier must attach to the receipt a written purchase order, signed by the consumer, for the fuel oil transferred in exchange for such receipt.

Effective Date

§ 1394.5902 *Effective dates of corrections and amendments.* * * *

(t) Amendment No. 20 (§§ 1394.5453, 1394.5654, and 1394.5655) to Ration Order No. 11, shall become effective January 8, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507; Pub. Law 421, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562; Supp. Directive No. 1-O, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 2d day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-136; Filed, January 2, 1943; 2:04 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 3,[1] Amendment 32]

SUGAR RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1407.147 and paragraphs (b) and (c) of § 1407.146 are amended, and new §§ 1407.147a, 1407.147b, and 1407.147c are added as set forth below:

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 2966, 3242, 3783, 4545, 4618, 5193, 5361, 6084, 6473, 6828, 6937, 7289, 7321, 7406, 7510, 7557, 8402, 8655, 8739, 8809, 8710, 8830, 8831, 9042, 9396, 9460, 9899, 10017, 10258, 10556, 10845.

Sugar Purchase Certificates, War Ration Books, and War Ration Stamps

§ 1407.146 *Acquisition of sugar for carriage, storage, or security; disposal and replacement.* * * *

(b) Any person in possession of sugar which he holds as bailee or on which he has a lien or to which he has title for security purposes only, shall upon acquiring title to such sugar or upon foreclosing his lien or the interest of the debtor therein, report such fact in writing to the State Director of the State in which his principal business office is located. The report shall also state the manner in which possession of the sugar was acquired, the amount thereof, and the disposition proposed to be made of it. Such sugar may thereafter be disposed of by such person but only as follows: (1) It may be delivered in the manner provided by paragraph (a) of this section. (2) It may be delivered to a primary distributor without the receipt of stamps or certificates. (3) It may be delivered to a consumer or registering unit upon receipt of stamps or certificates as prescribed by Ration Order No. 3 and the stamps or certificates thus received shall be surrendered to the State Director for cancellation within five days of receipt. (4) A registering unit owned by such person may use such sugar subject to the provisions of paragraph (b) of § 1407.91.

(c) If a person in possession of sugar which he holds as bailee or on which he has a lien or to which he has title for security purposes only, acquires title to such sugar or forecloses his lien or the interest of the debtor therein, the debtor or other person whose title or other interest was so acquired or foreclosed, or a person to whom the right to such sugar had been transferred pursuant to Ration Order No. 3 may obtain certificates in weight value equal to the amount of such sugar: *Provided*, That such certificates may be obtained only by a registering unit or a registered consumer. Application shall be made by the registering unit or registered consumer to the State Director of the State in which the unit or consumer is registered on OPA Form No. R-315. The applicant shall state facts which establish compliance with the requirements of this paragraph and include such other information as the State Director may require. If the State Director determines that the applicant is entitled to certificates pursuant to this paragraph, the State Director shall instruct the Board with which the applicant is registered to issue such certificates.

§ 1407.147 *Disposal of damaged sugar and undamaged sugar mingled therewith, or sugar in a package, bag, or other container damaged while in transit by common carrier.* (a) Sugar which is damaged and undamaged sugar mingled therewith, or sugar which is in a package, bag, or other container damaged while in transit by common carrier, may be delivered by any person in possession thereof without the surrender of stamps or certificates to: (1) primary distributors; (2) any person who has insured such sugar against loss or damage and is duly authorized by law to engage in the insurance business; (3) common or contract carriers in connection with the right of subrogation or by virtue of the payment by them of a claim for damage to such sugar or container; and (4) persons engaged principally and primarily in the business of adjusting losses or selling or re-conditioning and selling damaged commodities, who take possession of or receive such commodities on the occurrence or imminence of casualties or in direct connection with the adjustment of losses resulting from casualties.

(b) A person described in subparagraph (2), (3), or (4) of paragraph (a) of this section, accepting a delivery of sugar pursuant to paragraph (a), shall report such fact in writing to the State Director of the State in which its principal business office is located. The report shall also state the disposition proposed to be made of such sugar.

(c) Following such report, undamaged sugar which has been mingled with, but which can be and is separated from damaged sugar, or sugar which is in a package, bag, or other container damaged while in transit by common carrier, may be disposed of by such person, but only in the manner provided by subparagraphs (1), (2), (3) and (4) of paragraph (b) of § 1407.146. Damaged sugar and undamaged sugar mingled therewith which cannot be separated therefrom may be disposed of but only as follows: (1) by delivery, directly or by carrier without the receipt of stamps or certificates, to a primary distributor or (2) by delivery, directly or by carrier, without the receipt of stamps or certificates to any person for storage purposes. Sugar delivered in accordance with this subparagraph (2) may thereafter be delivered, without receipt of stamps or certificates, to the person who delivered it for storage, or to a primary distributor.

§ 1407.147a *Replacement of damaged, destroyed, lost or stolen sugar or sugar in a package, bag, or other container damaged while in transit.* (a) A registering unit delivering damaged sugar and undamaged sugar mingled therewith pursuant to paragraph (a) of § 1407.147, or whose sugar is destroyed, lost or stolen, may obtain certificates in weight value equal to the original weight of such sugar. A registering unit which pursuant to paragraph (a) of § 1407.147 delivers sugar in a package, bag, or other container damaged while in transit by common carrier, may obtain certificates in weight value equal to the amount of sugar in such package, bag, or other container before it was damaged. A registering unit whose sugar, although in a package, bag, or other container damaged while in transit by common carrier, was not delivered pursuant to paragraph (a) of § 1407.147, or was in a package, bag, or other container damaged in any other manner may obtain certificates in weight value equal to the amount of sugar lost from the package, bag, or other container because of such damage.

(b) Application shall be made by the registering unit to the State Director of the State in which the unit is registered on OPA Form No. R-315. The applicant shall state facts which establish compliance with the requirements of paragraph (a) of this section and include such other information as the State Director may require. If the State Director determines that the applicant is entitled to certificates pursuant to this section, the State Director shall instruct the Board with which the applicant is registered to issue such certificates.

§ 1407.147b *Recovery of lost or stolen sugar.* (a) Sugar which has been lost or stolen may be recovered without the surrender of stamps or certificates by the person rightfully in possession thereof when it was lost or stolen, or by a person who has insured such sugar against loss or damage and is duly authorized by law to engage in the insurance business or by a common or contract carrier in connection with the right of subrogation or by virtue of the payment by it of a claim for such loss or theft. Such recovery may be made directly or through a government agency or other person authorized to secure such recovery.

(b) A registering unit recovering lost or stolen sugar for which it has obtained a certificate pursuant to § 1407.147a shall report such fact in writing to the State Director of the State in which the unit is registered. The report shall also state the amount of such sugar and the disposition proposed to be made of it. Such sugar may thereafter be disposed of by such registering unit but only in the manner provided by subparagraphs (1), (2), (3) and (4) of paragraph (b) of § 1407.146.

(c) An insurer or carrier recovering lost or stolen sugar shall report such fact in writing to the State Director of the State in which its principal office is located. The report shall also state the amount of such sugar and the disposition proposed to be made of it. Such sugar may thereafter be disposed of by such person but only in the manner provided by subparagraphs (1), (2), (3) and (4) of paragraph (b) of § 1407.146.

§ 1407.147c *Miscellaneous records.* Any person required to make a report to the State Director, pursuant to §§ 1407.146, 1407.147, and 1407.147b, shall preserve for a period of two years at his principal business office records of all sugar received or delivered by him, the person by whom or to whom such deliveries were made and the amounts thereof, the weight value of all stamps and certificates received by him for such deliveries, the serial numbers of such certificates, and the amount of sugar delivered against such stamps and certificates. Such records shall be made available for inspection by the Office of Price Administration and the State Director.

Effective Date

§ 1407.222 *Effective dates of amendments.* * * *

(gg) Amendment No. 32 (§§ 1407.146 (b) and (c), 1407.147, 1407.147a, 1407.147b, and 1407.147c) shall become effective January 8, 1943.

(Pub. Law 421, 77th Cong., W.P.B. Dir. No. 1 and Supp. Dir. No. 18; 7 F.R. 562, 2965)

Issued this 2d day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-138; Filed, January 2, 1943; 2:05 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 12,[1] Amendment 5]

COFFEE RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraph (b) of § 1407.1069 is amended to read as follows and paragraph (c) of § 1407.1069 and paragraph (e) of § 1407.1090a are added as set forth below:

Reports and Records

§ 1407.1069 *By retailers and wholesalers.* * * *

(b) Every retailer or wholesaler who roasts green coffee shall, on or before December 31, 1942, report, on O. P. A. Form R-1203, the following: (1) the information contained in his records maintained pursuant to paragraphs (a) (3) and (a) (5) of this section; (2) the computations of his initial and allowable inventories; and (3) such other information as is called for by said form. Such form shall be prepared in triplicate. The original thereof shall be filed with the Office of Price Administration, Washington, D. C.; the duplicate copy with the Board; and the triplicate copy shall be retained by the person making the report at his principal business office.

(c) Every retailer and wholesaler who does not roast green coffee shall, on or before December 31, 1942, report to the Board, on O. P. A. Form R-1202, the following: (1) the information contained in his records maintained pursuant to paragraphs (a) (3) and (a) (5) of this section; (2) the computations of his initial and allowable inventories; and (3) such other information as is called for by said form.

Effective Date

§ 1407.1090a *Effective dates of amendments.* * * *

(e) Amendment No. 5 (§§ 1407.1069 (b) and (c) and 1407.1090a (e)) to Ration Order No. 12, shall become effective January 8, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 729, 77th Congress; W.P.B. Dir. No. 1, Supp. Dir. No. 1-R)

Issued this 2d day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-137; Filed, January 2, 1943; 2:04 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9710, 10380, 11071, 11072; 8 F.R. 28.

PART 1413—SOFTWOOD LUMBER PRODUCTS

[MPR 293]

STOCK MILLWORK

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

AUTHORITY: §§ 1413.51 to 1413.75, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1413.51 *Sales of stock millwork at higher than maximum prices prohibited.* (a) On and after January 8, 1943, regardless of any contract or obligation, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business, any stock millwork for direct mill shipment at prices higher than the maximum prices fixed by this Maximum Price Regulation 293, and no person shall agree, offer or attempt to do any of these things.

(b) If, upon the purchase of stock millwork, the buyer gets from the seller a written statement that to the best of

his knowledge the price does not exceed the maximum price fixed by this regulation, and if the buyer has no reason to doubt the truth of the statement, the buyer shall be deemed to have complied with this section.

(c) Prices lower than the maximum prices may, of course, be charged or paid.

§ 1413.52 *To what products, transactions, and persons this regulation applies*—(a) *Products covered by the regulation.* This Maximum Price Regulation 293 covers woodwork items referred to in the Appendices of the regulation when such items are made either wholly or in large part with lumber cut from the following woods: Ponderosa pine (Pinus ponderosa), Idaho pine (Pinus monticola), Sugar pine (Pinus lambertina), and Northern or Northeastern pine (Pinus strobus).

The Appendices of this regulation mention the titles of several millwork and glass lists. These publications are more fully described as follows:

(1) "Standard Woodwork Lists, Catalogue No. 40" means the document with that title corrected to March 1, 1941, published by the Pinney Printing Company, Clinton, Iowa.

(2) "Standard Pine Frames, Catalogue No. 8–A" means the document with that title published by the Pinney Printing Company, Clinton, Iowa.

(3) "Design Book No. 25" means the document with that title published by the Universal Catalogue Bureau, Dubuque, Iowa.

(4) "Jobber's 'A' Light Glass List of August 15, 1938" means the document with that title copyrighted by the National Glass Distributors' Association.

(b) *Transactions covered by the regulation*—(1) *Meaning of the term "direct-mill sale".* A "direct-mill sale" of millwork is a sale in which the shipment of millwork originates at a millwork factory (a plant which manufactures millwork) or a factory warehouse (a warehouse which is physically next to a mill and which is not operated as a sales agency separate from the mill sales agency), no matter who the seller is, and no matter whether he usually is known as a manufacturer, jobber, wholesaler, distributor, retailer, or anything else. A shipment is regarded as originating at a mill if the millwork reaches the purchaser without ever becoming an integral part of the stock of a distribution warehouse or plant. For example, a shipment which originates at a mill and which is temporarily stored in a distribution warehouse, but which is not placed in the regular stock of that warehouse for purposes of resale or redistribution, is a direct-mill sale.

(2) *Direct-mill sales covered by the regulation.* The following sales are covered by this regulation:

(i) Any direct-mill sale of 15,000 pounds or more of stock millwork which moves by rail to one or more places.

(ii) Any direct-mill sale of 12,000 pounds or more of stock millwork which moves by truck to a single place.

(c) *Persons covered by the regulation.* Any person who sells or purchases (in the course of trade or business) stock millwork is subject to this regulation. The term "person" includes: an individual, corporation, partnership, association, or any other organized group of persons, or their legal successors, or representatives; the United States, or any government, or any of its political subdivisions; or any agency of the foregoing.

§ 1413.53 *Maximum prices for carload sales of millwork.* (a) The maximum prices for carload sales of stock millwork are set out in Appendices A to E (§§ 1413.64 to 1413.68, inclusive), and Appendices G to K (§§ 1413.70 to 1413.74, inclusive). These ceiling prices are stated as f. o. b. mill prices with full freight allowed. This means that where shipment is by rail the seller must allow the buyer all rail charges (including taxes on the charges) which are paid by the buyer. Where shipment is by truck the seller must allow the buyer all trucking charges (including taxes on the charges) which are paid by the buyer. If the seller pays for the transportation he does not have to allow any freight.

(b) A sale takes the carload ceiling price if the total weight of the millwork (both stock and special) sold is 30,000 pounds or more. A sale which is a carload under this test takes the carload ceiling price even though the millwork is shipped by truck.

§ 1413.54 *Maximum prices for less-than-carload sales*—(a) *Maximum prices f. o. b. mill.* The maximum f. o. b. mill price (no freight allowed) for a less-than-carload sale (any sale which is not a carload sale) of stock millwork shall be the price figured as follows:

(1) Take the maximum price (established by this Maximum Price Regulation 293) which would govern the sale if it were a carload sale;

(2) Add 5 percent of that price;

(3) Deduct freight on the weight of the shipment at the carload rate from the mill to the buyer.

(b) *Maximum delivered prices.* If the less-than-carload sale of millwork is on a delivered price basis, the seller may add to the ceiling price the actual transportation charge paid or incurred by him in making delivery from the mill to the buyer. This means that if delivery is by common or contract carrier the actual amount paid to the carrier may be added to the ceiling price. If delivery is by truck owned or controlled by the seller, the amount added for delivery may not be more than the actual cost to the seller of delivery by truck. This "actual cost" may not be higher than the overall average trucking charge for a similar delivery, arrived at as of the 6-month period ending July 31, 1942.

(c) *Example of how to compute the ceiling price for a less-than-carload sale.* An example of the correct application of this section is as follows: The buyer has ordered 400 doors, specifications: 2'–6" x 6'–8", $1\frac{3}{8}$", 5 x P, No. 1 Ponderosa pine; and 200 windows, specifications: $8\frac{5}{8}$" x 14", $1\frac{3}{8}$", 12 lights, glazed, SSB, to be delivered by rail to a siding in Washington, D. C., which is in Zone 3. Shipment is made direct from a mill, and the sale is made on an f. o. b. mill price basis (actual freight to be paid by purchaser).

Ceiling price of the doors if the sale had been a carload sale ($7.50 (list), 52½ (minimum discount) x 400 (number of doors))	$1 425 00
Crating (40 bundles at $.95 per bundle)	38 00
Ceiling price of the windows if the sale had been a carload sale ($6.50 (list), 66 (minimum discount) x 200 (number of windows))	442 00
Face crating (no extra charge)	0 00
Item I (total of above figures)	$1 905 00
Add: Item II (5 percent of this total)	95 25
	$2 000 25
Deduct: Item III (deduct freight on 16,800 pounds at carload rate of 50¢)	84 00
Maximum f. o. b. mill price	$1 916 25

§ 1413.55 *Addition for storage in transit.* When a distribution warehouse or yard sells millwork that it does not already have in stock, and then, instead of shipping it directly from the mill to the buyer, stores it in its warehouse or yard and delivers it, in quantities less than the total order, to the buyer as he calls for it, the distributor may shorten the applicable basic discount two points on so much of the millwork as is actually stored. (Note that the sale is still a direct mill sale.)

This addition may not be made when the distributor merely reloads millwork at the warehouse or yard, or handles and stores it no more than is necessary in a normal case where the distributor receives a mill shipment, reloads it, and delivers it to the buyer. Nor may this addition be made if the millwork is stored at the job site since this is not storage in transit.

§ 1413.56 *Charges for special cars and bracing.* (a) No addition to the maximum prices may be made for pool car, community car or stop-over car shipments, except that in the case of stop-over car shipments by rail, the seller may require the purchaser to pay stop-over charges made by the railroad. If the millwork shipped in any one of these combination cars weighs 30,000 pounds or more, it takes the carload ceiling prices.

(b) Where bracing is required to permit partial unloading of a railroad car, a charge not to exceed $3.50 may be made for one brace and $2.50 for each additional brace.

§ 1413.57 *What the invoice must contain*—(a) *General.* Because the ceiling price depends upon a number of different factors, it is necessary that each of the factors which affects the maximum price be separately shown on the invoice. Otherwise, the purchaser and the Office of Price Administration could not tell in many cases whether a price which appeared to be above the ceiling was legal or not.

Failure to invoice properly is just as much a violation of this regulation as charging an excessive price.

(b) *Basic price.* All invoices must contain a sufficiently complete description of the millwork to show whether the price is proper or not. Any specification or extra which affects the maximum price must be mentioned in the description. The amount added for extras does not have to be separately shown, except in a few special cases which are specifically mentioned later in this section.

(c) *Type of sale.* The invoice must show whether the sale is a direct-mill sale and whether it is a carload sale or less-than-carload sale.

(d) *Destination of shipment.* The invoice must show the place to which shipment of the millwork was made.

(e) *Storage-in-transit: Bracing.* Any separate charge which the seller is permitted to make for storage-in-transit, or for bracing to permit partial unloading, must be shown separately on the invoice.

§ 1413.58 *Prohibited practices*—(a) *General.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this Maximum Price Regulation 293 as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings, and the like.

(b) *Specific prohibited practices.* The following are among the specific practices prohibited:

(1) Getting the effect of a higher price by changing credit practices or cash discounts from what they were on October 1, 1941. This includes reducing the cash discount period, decreasing credit periods, or making greater charges for extension of credit. In any case, on sales made through the Office of the Chief of Engineers, War Department, terms of 30 days net may be used. In all cases, if the sale is on cash terms, the maximum price must be reduced by the same amount as the sale price would have been reduced for similar cash terms on October 1, 1941. For example, if the maximum price without cash discount is $10.00, and if in sales of this item on October 1, 1941, to purchasers of a certain class the seller reduced sales prices 2 percent for cash within 10 days, the ceiling cash price in sales to purchasers of this class is $9.80. For purposes of this paragraph, no discount over 2 percent is considered a cash discount.

(2) Unnecessarily routing stock millwork through a distribution warehouse or plant.

(3) Shipping millwork to the purchaser in less-than-carload quantities where the buyer would like to have, and the seller is in a position to ship, carload quantities of millwork.

(4) Charging a purchasing commission based on quantity or value of millwork purchased, if the commisison plus the purchase price is higher than the maximum price permited by this regulation.

(c) *Adjustable pricing.* A price may not be made adjustable to a maximum price which will be in effect sometime after delivery of the millwork has been completed. The price may be adjustable to the maximum price in effect at the time of delivery.

§ 1413.59 *Applications for adjustment and petitions for amendment*—(a) *Government contracts.* (1) The term "government contracts" is here used to include any contract with the United States or any of its agencies, or with the government or any governmental agency of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States." It also includes any subcontract under this kind of contract.

(2) Any person who has made or intends to make a "government contract" and who thinks that the maximum price established in this Maximum Price Regulation 293 is impeding or threatens to impede production of stock millwork which is essential to the war program and which is or will be the subject of the contract, may file an application for adjustment in accordance with Procedural Regulation No. 6, issued by the Office of Price Administration.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[1] issued by the Office of Price Administration.

§ 1413.60 *Records and reports*—(a) *Records.* All sellers must keep records which will show a complete description of the items of stock millwork sold, the name and address of the buyer, the date of sale, and the price. Buyers must keep similar records, including the name and address of the seller. These records must be kept for any month in which the seller or buyer sold or bought $200 or more of stock millwork in transactions which are covered by this Maximum Price Regulation 293. They must be kept for two years, for inspection by the Office of Price Administration. Any records which the Office of Price Administration later requires must also be kept.

(b) *Reports.* Any reports that the Office of Price Administration has required in the past, or requires from time to time, must be submitted.

§ 1413.61 *Enforcement and licenses.* (a) Persons violating any provision of this Maximum Price Regulation 293 are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this regulation or of any other regulation or order issued by the Office of Price Administration are urged to communicate with the nearest field, state or regional office of the Office of Price Administration or its principal office in Washington, D. C.

(c) War Procurement Agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this regulation. Persons who make sales covered by this regulation to War Procurement Agencies are, however, subject to all the liabilities imposed by this regulation. "War Procurement Agencies" include the War Department, the Navy Department, the United States Maritime Commission, and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any of their agencies.

(d) All sellers under this regulation, except mills, are licensed by Supplementary Order 18.[2] This order, in brief, provides that a license is necessary, except for mills, to make sales under this regulation. A license is automatically granted to all sellers making these sales. It is not necessary to apply specially for the license, but a registration may later be required. The Emergency Price Control Act of 1942 and Supplementary Order 18 tell the circumstances under which licenses may be suspended. The license cannot be transferred.

§ 1413.62 *Relation to other regulations*—(a) *General Maximum Price Regulation.* Any sale or delivery covered by this Maximum Price Regulation No. 293 is not subject to the General Maximum

[1] 7 F.R. 8961.

[2] 7 F.R. 7240.

Price Regulation.[3] Any sale or delivery of stock millwork which is not covered by this Maximum Price Regulation 293 is subject to the General Maximum Price Regulation.

(b) *Maximum Export Price Regulation.* The maximum prices for export sales of stock millwork are governed by the Maximum Export Price Regulation.

§ 1413.63 *Effective date.* (a) This Maximum Price Regulation 293 (§§ 1413.51 to 1413.75, inclusive) shall become effective January 8, 1943.

(b) If stock millwork has been received before January 8, 1943, by a carrier, other than one owned or controlled by the seller, for shipment to a buyer, that shipment is not subject to this regulation. It remains subject to the terms of the General Maximum Price Regulation.

§ 1413.64 *Appendix A: Maximum prices for Western and Northern pine open windows and sash.* (a) The maximum prices for Ponderosa pine open windows and sash sold alone, or with other millwork, in carload quantities shall be the net prices, f. o. b. mill, full freight allowed, computed by applying the following base discounts to the list prices and list extras contained in Standard Woodwork Lists, Catalogue No. 40:

Description of product: No. 1 Ponderosa pine windows and sash, Western, New York and Boston openings, set up, cleated, in bundles, ten or more of a size and kind.	Delivered to— Zone 1	Zone 1½	Zone 2	Zone 3	Zone 3½	Zone 4	Zone 5	Zone 6	Zone 7	Zone 8	Zone 9	Zone 10	Zone 11	Zone 12	Zone 13	Zone 14	Zone 15	Zone 16	Zone 17
All 1⅜" plain rail windows	52½	51½	51½	51½	50½	49½	54	54	54½	52	54½	54½	53½	52½	54½	52½	52½	52½	52½
All 2, 3, 4 and 6 light (3 wide only) cellar and barn sash	52½	51½	51½	51½	50½	49½	54	54	54½	52	54½	54½	53½	52½	54½	52½	52½	52½	52½
1¾" Storm sash	53	52	52	52	51	50	54½	54½	55	52½	55	55	56	53	55	53	53	53	53
All other types of windows and sash	50	49	49	49	48	47	51½	51½	52	49½	52	52	53	50	52	50	50	50	50

(b) The maximum prices for Western and Northern pine open windows and sash sold alone, or with other millwork, in carload quantities, where the customer specifically requests Northern, Sugar or Idaho pine, shall be the net prices, f. o. b. mill, full freight allowed, computed in the same manner as provided in paragraph (a) of this Appendix A, but with base discounts adjusted as follows:

1. Northern pine: 35 points shorter than base discount.
2. Idaho pine: 15 points shorter than base discount.
3. Sugar pine: 3 points shorter than base discount.

Where the manufacturer furnishes these woods at his option, the maximum prices shall be those established in paragraph (a) of this Appendix A.

(c) The maximum prices established in paragraphs (a) and (b) of this Appendix A shall be subject to the following deductions:

1. Knocked-down windows and sash:
Less than 2500 windows or 5000 sash: 1 point longer discount.
2500 or more windows or 5000 or more sash: 2 points longer discount.
2. Blue stain Ponderosa pine open windows and sash: 2 points longer discount.
3. Straight cars of any sizes or styles of open storm sash set up: 1 point longer discount.

(d) The maximum prices established in paragraphs (a) and (b) of this Appendix A may be adjusted in accordance with the following additions for the specified services and conditions:

1. Orders for five to nine of a size and kind: 10% of the net price for each unit in sales of 10 of a size and kind.
2. Orders for less than five of a size and kind: 20% of the net price for each unit in sales of 10 of a size and kind.
3. All 1¾" open windows and sash: Use same discount as for 1⅜" open windows and sash.
4. Special machining on windows (involving the use of Unique, Grand Rapids, Pullman, N. S. W. or R. O. W. balances): Net extra per window as follows:

Quantities	Unique	Grand Rapids	Pullman: One or two springs	Pullman: More than two springs	N. S. W.	R. O. W. and all others
1 to 99	$.10	$.10	$.12	$.21	$.15	$.15
100 to 499	.05	.05	.08	.16	.10	.10
500 or more	No extra	No extra	.04	.06	.04	.04

5. Wider stiles and rails:
Ohio, Philadelphia, Baltimore, and Washington sizes, including cellar and barn sash, but excluding 1⅜" 4, 8, and 12 light windows: 2 points shorter discount.
Indianapolis and Wilkes-Barre openings: 3 points shorter discount. Where Eastern openings are narrower than Western, use Western opening discounts.
6. Full crating for shipment: $.30 a bundle to the net price.
7. Dipped or treated as specified before glazing:

	Net per sash	Net per window
Chemically treated with Permatol "A" or similar toxic solution	(1)	(1)
Treated with textile water-repellant	$.01[2]	$.02
Dipped with regular sash primer	.03	.06
Dipped with lead and oil primer	.05	.10
Dipped with Linseed oil primer	.05	.10
Primed by brush with lead and oil:		
No divided lights	.15	.30
Divided lights	.15	[2].30

[1] No additions.
[2] Plus $.01 per light.

8. Priming putty rabbet with brush before glazing:
2 and 4 light windows: 1 point shorter discount.
8 to 40 light windows and divided tops: 1½ points shorter discount.

(e) There shall be no additions for services or special treatments or extras, other than those stated in the Standard Woodwork Lists, Catalogue No. 40, or in paragraph (d) of this Appendix A.

§ 1413.65 *Appendix B: Maximum prices for Western and Northern pine glazed windows and sash.* (a) The maximum prices for Ponderosa pine glazed windows and sash sold alone, or with other millwork, in carload quantities shall be the net prices, f. o. b. mill, full freight allowed, computed by applying the following base discounts to the list prices and list extras contained in Standard Woodwork Lists, Catalogue No. 40:

Description of product: No. 1 Ponderosa pine windows and sash, Western, New York and Boston openings, set up, crated, single strength "B" (SSB) or double strength "B" (DSB) glass, full glazed in face crated.	Delivered to— Zone 1	Zone 1½	Zone 2	Zone 3	Zone 3½	Zone 4	Zone 5	Zone 6	Zone 7	Zone 8	Zone 9	Zone 10	Zone 11	Zone 12	Zone 13	Zone 14	Zone 15	Zone 16	Zone 17
All 1⅜" plain rail windows	68	67	67	67	66½	65½	67	66	65½	65½	65½	65½	66	65½	65	66	67½	68	68
All 2, 3, 4 or 6 light (3 wide only) cellar and barn sash	68	67	67	67	66½	65½	67	66	65½	65½	65½	65½	66	65½	65	66	67½	68	68
1¾" storm sash	67	66	66	66	65½	64½	66	65	64½	64½	64½	64½	65	64½	64	65	66½	67	67
All other types of windows and sash	67	66	66	66	65½	64½	66	65	64½	64½	64½	64½	65	64½	64	65	66½	67	67

(b) The maximum prices for Western and Northern pine glazed windows and sash sold alone, or with other millwork, in carload quantities, where the customer specifically requests Northern, Idaho or Sugar pine, shall be the net prices, f. o. b. mill, full freight allowed, computed by adding to the maximum net prices established in paragraph (a) of this Appendix B, the differences between (1) the net maximum prices for Ponderosa pine open windows and sash (as established in paragraph (a) of Appendix A, § 1413.64) and, (2) the net maximum prices for Northern, Idaho and Sugar pine open windows and sash, where ordered by the customer (as established in paragraph (b) of Appendix A, § 1413.64). Where the manufacturer furnishes these woods at his option, the maximum prices shall be those established in paragraph (a) of this Appendix B.

(c) The maximum prices established in paragraphs (a) and (b) of this Appendix B shall be subject to the following deduction: Where face crating is omitted: ½ point longer discount.

(d) The maximum prices established in paragraphs (a) and (b) of this Appendix B may be adjusted in accordance with the following additions for the specified services and conditions:

1. Less than full bundle lots of one size and kind: 4 points shorter discount.
2. Glazing with "A" glass: 3 points shorter discount.
3. All 1¾" glazed windows and sash: Use same discount as for 1⅜" after applying Rule 6, on page 79 of Standard Woodwork Lists, Catalogue No. 40.
4. Windows or sash back puttied: 2 lights: 1 point shorter discount. More than 2 lights: 1½ points shorter discount.
5. Windows or sash bedded in putty: 2 light windows or 1 light sash, bedded in putty: 2 points shorter discount. All other windows or snsh bedded in putty: 2½ points shorter discount.
6. Glass in other than stock size windows and sash: Apply to Jobber's "A" Light Glass List of August 15, 1938, the following discounts for glass (only), and add net extra for glazing:

Discounts applicable to glass

SSB or DSB	82
SSA or DSA	79½
⅛" Florentine maze or Syenite (from DSA list):	
12 x 16 and under	72
Over 12 x 16	74

Net extras for glazing

1 light sash	$.09
2 light windows and 2 light storm sash	$.18 + $.02¼ for each additional light.

7. Wider stiles and rails: Ohio, Philadelphia, Baltimore, and Washington sizes, including cellar and barn sash, but excluding 1⅜" 4, 8, and 12 light windows: 1 point shorter discount. Indianapolis and Wilkes-Barre openings, glazed: 1½ point shorter discount.

(e) There shall be no additions for services or special treatments or extras, other than those stated in the Standard Woodwork Lists, Catalogue No. 40, or in paragraph (d) of this Appendix B.

§ 1413.66 *Appendix C: Maximum prices for Western and Northern pine doors.* (a) The maximum prices for Ponderosa pine doors sold alone, or with other millwork, in carload quantities shall be the net prices, f. o. b. mill, full freight allowed, computed by applying the following base discounts to the list prices and list extras contained in Standard Woodwork Lists, Catalogue No. 40:

Description of product: 1⅜" No. 1 Ponderosa pine doors, 5 of a size and kind	Delivered to— Zone 1	Zone 1½	Zone 2	Zone 3	Zone 3½	Zone 4	Zone 5	Zone 6	Zone 7	Zone 8	Zone 9	Zone 10	Zone 11	Zone 12	Zone 13	Zone 14	Zone 15	Zone 16	Zone 17
Panel doors																			
4 and 5 panels, raised or flat Ponderosa pine or laminated fir panels	54	52½	52½	52½	51½	50½	55	55	55	54	55	55	56½	54	55½	54½	54½	54½	54½
Colonial doors, Ponderosa pine stiles and rails:																			
Raised or flat Ponderosa pine or laminated fir panels	55	53½	53½	53½	52½	51½	56	56	56	55	56	56	57½	55	56½	55½	55½	55½	55½
Sap gum panels	53	52	52	52	50½	50	53½	53½	54	52½	54	54	55	53	54	53½	53½	53½	53½
Unselected birch panels	52	51	51	51	49½	49	50½	49½	49½	49	49	49	48	48	48	48	49½	51½	51½
Laminated panel doors, 1 and 2 panel, Ponderosa pine stiles and rails:																			
Fir panels	56	54½	54½	54½	53½	52½	57	57	57	56	57	57	58½	56	57½	56½	56½	56½	56½
Ponderosa pine panels	54	52½	52½	52½	51½	50½	55	55	55	54	55	55	56½	54	55½	54½	54½	54½	54½
Sap gum panels	52	51	51	51	49½	49	50½	49½	49½	49	49	48	48	48	48	48	49½	51½	51½
Unselected birch panels	51	50	50	50	48½	48	49½	48½	48½	48	48	47	47	47	47	47	48½	50½	50½
Sash, storm, rim, and trench doors, open:																			
Sash doors, storm doors, sidelights, 1 light rim and store doors (1⅛" and 1¾")	55	53½	53½	53½	52½	51½	56	56	56	55	56	56	57½	55	56½	55½	55½	55½	55½
French door designs 622 to 628 and 637 to 643 (1¾")	60	59	59	59	57½	56½	61	61	61	60	61	61	62½	60	61½	60½	60½	60½	60½
Insert type doors																			
Ponderosa pine stiles and rails:																			
Ponderosa pine insert: Fir panel	48	46½	46½	46½	45½	44½	46½	45½	45½	48	49	49	50½	48	49½	48½	48½	48½	48½
Ponderosa pine insert: Ponderosa pine panel	47	45½	45½	45½	44½	43½	45½	44½	44½	47	48	48	49½	47	48½	47½	47½	47½	47½
Ponderosa pine insert: Sap gum panel	46	45	45	45	43½	43	44½	43½	43½	43	43	42	42	42	42	43½	45½	45½	45½
Ponderosa pine insert: Birch panel	45	44	44	44	42½	42	43½	42½	42½	42	42	41	41	41	41	42½	44½	44½	44½
Ponderosa pine insert: Red gum panel	42	41	41	41	39½	39	40½	39½	39½	39	39	38	38	38	38	39½	41½	41½	41½
Birch insert: Birch panel	42	41	41	41	39½	39	40½	39½	39½	39	39	38	38	38	38	39½	41½	41½	41½
Sap gum insert: Sap gum panel	43	42	42	42	40½	40	41½	40½	40½	40	40	39	39	39	39	40½	42½	42½	42½
Red gum insert: Red gum panel	35	34	34	34	32½	32	33½	32½	32½	32	32	31	31	31	31	32½	34½	34½	34½
Cupboard doors (¾" and 1⅜"):																			
Ponderosa pine stiles and rails; flat pine or fir panels	61	60½	60½	60½	58	57½	60	60	60	59	60	60	61½	59	60½	59½	59½	59½	59½
Solid raised Ponderosa pine panels	59	58½	58½	58½	56	55½	58	58	58	57	58	58	59½	57	58½	57½	57½	57½	57½
Birch, yellow pine or gum panels	57	56½	56½	56½	55½	55½	56	55½	55½	57	55½	55½	55	55	55	57½	57½	57½	57½
Toilet and stand doors:																			
1⅛" and 1¾" design 726	55	53	53	53	52	51	55	55	55	55	55	56	56	56	56	56½	55½	54	54	54
Ponderosa pine 1⅜" and 1¾" designs N. D. 727 to 731	47	45	45	45	44	43	47	47	47	47	47	48	48	48	48	49½	47	48½	47½	47	47	47

Combination storm and screen doors (stock quantities, 5 of a size and kind, in the white, not crated)

	Following discounts apply to all zones
Complete door open, not wired	61
Door section only	61
Sash section only, open	61
Screen section only, not wired	61
Complete door open, wired 14 mesh galvanized	61
Screen section only, wired 14 mesh galvanized	61
Complete door, wired 14 mesh galvanized glazed single strength "B" (SSB)	61
Sash section only, glazed single strength "B" (SSB) set with putty	61

(b) The maximum prices for Western and Northern pine doors sold alone, or with other millwork, in carload quantities, where the customer specifically requests Northern, Sugar or Idaho pine, shall be the net prices, f. o. b. mill, full freight allowed, computed in the same manner as provided in paragraph (a) of this Appendix C, but with base discounts adjusted as follows:

1. Northern pine: 40 points shorter than base discount.
2. Idaho pine: 20 points shorter than base discount.
3. Sugar pine: 3 points shorter than base discount.

Where the manufacturer furnishes these woods at his option, the maximum prices shall be those established in paragraph (a) of this Appendix C.

(c) The maximum prices established in paragraphs (a) and (b) of this Appendix C shall be adjusted in accordance with the following deductions:

1. No. 2 doors with solid pine panels: 2 points longer discount.
2. No. 3 doors with solid pine panels: 3 points longer discount.
3. No. 2 doors with laminated panels: 1 point longer discount.
4. No. 3 doors with laminated panels: 2 points longer discount.

(d) The maximum prices established in paragraphs (a) and (b) of this Appendix C may be adjusted in accordance with the following additions for the specified services and conditions:

1. For $1\frac{3}{8}$" thick doors: 3 points shorter than $1\frac{3}{8}$" discounts.
2. Glass and glazing extras for doors: Apply to Jobber's "A" Light Glass List of August 15, 1938, the following discounts for glass (only), and add net extra for glazing:

Discounts applicable to glass

SSB and DSB	82
SSA and DSA	79½
⅛" Florentine maze or Syenite (from DSA list):	
12 x 16 and under	72
Over 12 x 16	74

Net extras for glazing, not bedded. (For bedding in putty, add 50% to net extras)

1 light up to 60 united inches	$0 11
1 light over 60 united inches	.22
3 or 4 lights	.15
6 lights	.22
8 lights	.28
9 lights marginal	.42

Net extras for glazing, not bedded. (For bedding in putty, add 50% to net extras)

11 lights marginal	$0 50
9 equal lights	.35
10 equal lights	.38
12 equal lights	.47
15 equal lights	.55
mirror doors, 1 light	.50
additional lights	.04½
Design 600	.25
Design 601	.50
Design 602	1 00
Design 603	.45
Design 604	.50
Design 606	.40
Design 607	.55
Design 608	.40

3. Preservative treatment with both water repellent and toxic preservative: Entire door $.25 net each. Panels: $.10 each.
4. Preservative treatment with toxic preservative only: Entire door: $.15 net each. Panels: $.02¾ net each.
5. Crating (other than combination doors): Sash doors open: $.95 net per bundle. Glazed doors: $1.10 net per bundle. Cupboard doors: $.55 net per bundle. Panel and toilet doors: $.95 net per bundle.
6. Crating—combination doors: ¼ dozen to a crate: 3 points shorter discount. ½ dozen to a crate: 2 points shorter discount. 1/2 dozen to a crate: 8 points shorter discount.
7. Wider than standard combination doors (¾" to 1" wider than standard; standard doors are ½" wider and 1" longer than regular doors): $.30 to the list price.
8. Panel doors in less than 5 of a size and kind: 20% of the net price, each, for 5 of size and kind.
9. 2 vertical or 2 reverse panel doors (4⅛" stiles and rails, 9¾" bottom rail): 1 point shorter discount.
10. 3 craftsman panel doors (4¾" stiles and rails, 9¾" bottom rail): 2 points shorter discount.
11. Combination doors in less than 5 of a size and kind: Add 10% to the net price.

(e) There shall be no additions for services or special treatments or extras, other than those stated in The Standard Woodwork Lists, Catalogue No. 40, or in paragraph (d) of this Appendix C.

1413.67 *Appendix D: Maximum prices for Western and Northern pine open garage doors.* (a) The maximum prices for Western and Northern pine open garage doors sold alone, or with other millwork, in carload quantities shall be the following net prices, f. o. b. mill, full freight allowed: (The design numbers refer to pages 158 and 159 in Standard Woodwork Lists, Catalogue No. 40)

Description of product: 1¾" Ponderosa pine medium stock doors in pairs or sets of 8	Delivered to— Zone 1	Zone 1½	Zone 2	Zone 3	Zone 3½	Zone 4	Zone 5	Zone 6	Zone 7	Zone 8	Zone 9	Zone 10	Zone 11	Zone 12	Zone 13	Zone 14	Zone 15	Zone 16	Zone 17
No. D 718-X Buck 6 lights 8'0" x 8'0-1¾" open, heads	$13.25	$13.65	$13.65	$13.65	$14.00	$14.30	$13.25	$13.25	$13.25	$13.25	$13.25	$13.25	$12.25	$13.25	$12.50	$13.25	$13.25	$13.25	$13.25
No. D 719-X Buck 8 lights 8'0" x 8'0-1¾" open, heads	13.50	13.90	13.90	13.90	14.25	14.55	13.50	13.50	13.50	13.50	13.50	13.50	12.50	13.50	12.75	13.50	13.50	13.50	13.50
No. D 728-6 vertical flat panel, 6 lights 8'0" x 8'0-1¾" open, heads	12.25	12.65	12.65	12.65	13.00	13.35	12.25	12.25	12.25	12.25	12.25	12.25	11.25	12.25	11.50	12.25	12.25	12.25	12.25
No. D 728-2 vertical raised panel, 4 lights 8'0" x 8'0-1¾" open, heads	12.50	12.90	12.90	12.90	13.25	13.55	12.50	12.50	12.50	12.50	12.50	12.50	11.50	12.50	11.75	12.50	12.50	12.50	12.50
No. D 722-6 vertical flat panel, 6 lights 8'0" x 8'0-1¾" open, heads	12.50	12.90	12.90	12.90	13.25	13.60	12.50	12.90	12.50	12.50	12.50	12.50	11.50	12.50	11.75	12.50	12.50	12.50	12.50
No. D 724-4 vertical flat panel, 4 lights 8'0" x 8'0-1¾" open, heads	13.00	13.35	13.35	13.35	13.75	14.05	13.00	13.00	13.00	13.00	13.00	13.00	12.00	13.00	12.25	13.00	13.00	13.00	13.00
No. D 724-4 vertical flat panel, 4 lights 8'0" x 8'0-1¾" open, heads	12.50	12.90	12.90	12.90	13.25	13.60	12.50	12.50	12.50	12.50	12.50	12.50	11.50	12.50	11.75	12.50	12.50	12.50	12.50
No. D 728-4 bar panel raised panel, 6 lights 8'0" x 8'0-1¾" open, heads	13.25	13.35	13.35	13.35	13.75	14.05	13.25	13.25	13.25	13.25	13.25	13.25	12.25	13.25	12.50	13.25	13.25	13.25	13.25

(b) The maximum prices established in paragraph (a) of this Appendix D shall be subject to the following deductions:

1. Garage doors $1\frac{3}{8}$" thick: $1.00 per pair or set from the $1\frac{3}{4}$" price.
2. Garage doors 7–6" high: .25 per pair or set from the 8.0" high price.
3. Garage doors 7–0" high: .50 per pair or set from the 8.0" high price.
4. Garage doors with glass beads omitted: .03 per light.

(c) The maximum prices established in paragraph (a) of this Appendix D may be adjusted in accordance with the following additions for the specified services and conditions:

1. Garage doors glazed with S. S. B. glass: $1.25 net per pair or set.
2. Less than 2 pairs or less than 2 sets of a size and kind: 10% of the net price of 1 pair or set.
3. Garage doors crated: $1.10 per bundle.
4. Garage doors rot-proofed with an approved toxic solution: $.60 per pair or set.
5. Single doors to fill opening of a pair or set: $2.50 per opening.
6. All panel doors with no glass opening: $1.00 per pair or set to open price.

(d) There shall be no additions for services or special treatments other than those stated in paragraph (c) of this Appendix D.

§ 1413.68 *Appendix E: Maximum prices for Western and Northern pine frames.* (a) The maximum prices for Grade A, Ponderosa pine frames sold alone, or with other millwork, in carload quantities shall be the net prices, f. o. b. mill, full freight allowed, computed by applying the following base discounts to the list prices and list extras contained in Standard Pine Frames, Catalogue No. 8–A:

Description of product: Knocked-down or semi-assembled window frames with Grand Rapids, Dillon or Rockford pulleys (where frame is made with pulleys), 1,200 or more frames.	Delivered to— Zone 1	Zone 1½	Zone 2	Zone 3	Zone 3½	Zone 4	Zone 5	Zone 6	Zone 7	Zone 8	Zone 9	Zone 10	Zone 11	Zone 12	Zone 13	Zone 14	Zone 15	Zone 16	Zone 17
Designs 801 to 827	66	65	65	65	65	65	66	66	66	65	66	65	66½	66	65	66	66	66	66
Designs 828 to 836	65	64	64	64	64	63	65	65	65	64	65	64	65½	65	64	65	65	65	65
Casement and cellar frames	65	64	64	64	64	63	65	65	65	64	65	64	65½	65	64	65	65	65	65
Door frames	65	64	64	64	64	63	65	65	65	64	65	64	65½	65	64	65	65	65	65

(b) The maximum prices established in paragraph (a) of this Appendix E may be adjusted in accordance with the following additions for the specified services and conditions:

1. Omission of pulleys (where frame is made for pulleys): 2 points shorter discount.
2. 500 to 1200 frames to one order: 1 point shorter discount.
3. 200 to 500 frames to one order: 3 points shorter discount.
4. Less than 200 frames to one order: 5 points shorter discount.
5. Priming joints and dadoes with aluminum or lead and oil: $.05 net per single frame. $.02½ per set of width members for single frames. $.02½ per set of height members.
6. Priming the entire frame, except jambs, with aluminum or lead and oil, and oiling jambs: $.20 net per frame.
7. Treating with toxic solution: 6 inches up the side members and the entire sill section: $.06 net per frame. Entire frame: $.12 net per frame.

(c) There shall be no additions for services or special treatments or extras, other than those stated in the Standard Pine Frames, Catalogue No. 8–A, or in paragraph (b) of this Appendix E.

§ 1413.69 *Appendix F. Price zones for softwood stock woodwork.* The price zones referred to in Appendices A to E, inclusive, sections 1413.64 to 1413.68, inclusive, shall be as follows:

Zone 1

Illinois, Wisconsin, upper Michigan, that portion of Minnesota not included in Zone 16, Iowa except Sioux City and Council Bluffs, that portion of Texas and Oklahoma not included in Zone 17, Arkansas except Fort Smith, Missouri except St. Joseph, Kansas City, and Joplin; Louisiana; also Memphis as the only point in Tennessee; also East Chicago, Indiana Harbor, Whiting, Hammond and Gary as the only points in Indiana.

Zone 1½

That portion of Indiana bounded as follows: On the south by the Ohio River from the Illinois-Indiana line to a point directly north of Louisville, Kentucky; on the east by a straight line drawn from a point on the Ohio River directly north of Louisville, Kentucky, to and including Indianapolis, Indiana; on the north by a straight line drawn due west from Indianapolis, Indiana, to the Illinois-Indiana line; on the west by the Illinois-Indiana line; also Louisville as the only point in Kentucky.

Zone 2

Michigan (except upper Michigan), Indiana (except the five cities included in Zone 1 and that portion of the State included in Zone 1½), Ohio, Kentucky (except Louisville), Tennessee (except Memphis), Mississippi, Alabama and those parts of New York, Pennsylvania, and West Virginia on and west of a direct line from Buffalo, New York to the junction of the Virginia, Tennessee, and Kentucky state lines, but including Buffalo, New York; Pittsburgh Pennsylvania; Charleston, West Virginia and Wheeling, West Virginia.

Zone 3

Virginia, Maryland, District of Columbia, Delaware, New Jersey, Connecticut, Massachusetts, Rhode Island, Vermont, New Hampshire, Maine, New York east of the boundary line of Zone 2, Pennsylvania east of the boundary line of Zone 2 and West Virginia east of the boundary line of Zone 2.

Zone 3½

North Carolina, South Carolina, Georgia and that part of Northern Florida lying on and north of a direct line from Jacksonville, Florida to Pensacola, Florida, but including those points as well as Tallahassee.

Zone 4

All that part of Florida lying south of the southern boundary of Zone 3½.

Zone 5

That part of Colorado lying on and East of the line of the Colorado Southern Railroad from the Colorado-New Mexico line to the Colorado-Wyoming line thus including Branson, Trinidad, Pueblo, Colorado Springs, Denver, Boulder, and Fort Collins, Colorado; also Cheyenne, Wyoming as the only point in Wyoming.

Zone 6

Wyoming (except Cheyenne), Utah, and all of Colorado not included in Zone 5.

Zone 7

Montana.

Zone 8

Arizona

Zone 9

Idaho, and those portions of Washington and Oregon not included in Zones 11 and 13.

Zone 10

That part of California lying south of a direct line drawn from Monterey, California through Fresno and Owenyo to the California-Nevada State line but not including points on that line.

Zone 11

That part of Washington south of the Canadian, border and west of a line drawn directly south from the border to Wenatchee, Washington, thence through Yakima to the Dalles, Oregon; that part of Oregon lying west of a direct north and south line drawn from the Dalles, Oregon to Redmond, Oregon and north of a direct westerly line drawn from Redmond, Oregon through Corvallis to Yaquina but not including points named on the line in either Washington or Oregon but including Albany, Oregon.

Zone 12

Nevada.

Zone 13

That part of Oregon on and south of the southern boundary of Zone 11 and east of a line drawn directly south from Redmond, Oregon to the California-Oregon state line but including Klamath Falls, Oregon and that part of California north of the northern boundary of Zone 10.

Zone 14

New Mexico

Zone 15

All of North Dakota, except Fargo and Grand Forks, and all of South Dakota, except Sioux Falls.

Zone 16

All of Minnesota including St. Paul lying on and north of a direct line from St. Paul to the southwestern corner of the state; also Sioux Falls as the only point in South Dakota and Fargo and Grand Forks as the only points in North Dakota.

Zone 17

Includes Nebraska, Kansas, that portion of Texas north of a line drawn east and west through and including Amarillo and across

Oklahoma through and including McAlester to the Arkansas State line, including Fort Smith as the only city in Arkansas, Kansas City, Joplin, St Joseph as the only cities in Missouri, Council Bluffs and Sioux City in Iowa.

§ 1413.70 *Appendix G. Maximum price for Western and Northern pine wired window and sash screens.* (a) The maximum prices for Ponderosa pine window and sash screens, set up and wired in the white (unpainted), sold in quantities equal to or exceeding one half carload shall be the net prices, f. o. b. mill, full freight allowed to all zones, computed by applying the following base discounts to the list prices and list extras printed on pages 182 through 191, inclusive, of Standard Woodwork Lists, Catalogue No. 40:

Description of product

No. 1 Ponderosa pine window and sash screens; $1\frac{1}{8}$" thick; in the white; New York and Western openings; set up and wired; packed 12 to a bundle, 12 or more of a size and kind.

12 Mesh, Black wire	64
14 Mesh, Galvanized wire	64
16 Mesh, Galvanized wire	64
16 Mesh, Bronze wire	64
18 Mesh, Bronze wire	64

(b) The maximum prices established in paragraph (a) of this Appendix G shall be subject to the following deductions:

1. Shipped loose: An amount equal to $\frac{1}{2}$ point discount on 12 mesh, black wire screens of corresponding size.
2. $\frac{3}{4}$" screens: An amount equal to 1 point discount on 12 mesh, black wire screens of corresponding size.

(c) The maximum prices established in paragraph (a) of this Appendix G may be adjusted in accordance with the following additions for the specified services and conditions:

1. Painting screens black, one coat: $.06\frac{1}{2}$ net per screen.
2. Ohio, Baltimore and Washington openings $\frac{1}{2}$ point shorter discount.
3. Segment head: $1.00 net per screen.
4. Circle or Gothic head: $1.50 net per screen.
5. Raised, mitred moulding: $.03 per screen.
6. Check or filler strips attached to half screens: $.06\frac{1}{2}$ net per screen.
7. Grooving half screens and furnishing sliding strips: $.12 net per screen.
8. Lots of 1 to 5 of a size and kind: 10% of the net price each, for 12 of a size and kind.
9. Lots of 6 to 11 of a size and kind: 5% of the net price each, for 12 of a size and kind.
10. Chemically treating: $.03 net per screen.

(d) There shall be no additions for services or special treatments or extras other than those stated in the Standard Woodwork Lists, Catalogue No. 40 or in paragraph (c) of this Appendix G.

§ 1413.71 *Appendix H: Maximum prices for Western and Northern pine open window and sash screens.* (a) The maximum prices for Ponderosa pine open window and sash screens, set up or knocked down, in the white (unpainted), sold in quantities equal to or exceeding one half carload shall be the net prices, f. o. b. mill, full freight allowed to all zones, computed by applying the following base discounts to the list prices and list extras printed on pages 10 to 14 inclusive and pages 68 to 69, inclusive, of Standard Woodwork Lists, Catalogue No. 40:

DESCRIPTION OF PRODUCT

No. 1 Ponderosa pine window and sash screens; open; $1\frac{1}{8}$" thick; in the white, set up or knocked down, 12 or more of a size and kind.

	Set up	Knocked down
No moulding furnished	55	56
Flush mitred moulding furnished	51	54
Raised mitred moulding furnished	51	52

(b) The maximum prices established in paragraph (a) of this Appendix H shall be subject to the following deductions:

1. Straight carload orders of 3,000 or more knocked down screens: 1 point longer discount.
2. $\frac{3}{4}$" screens: 1 point longer discount.

(c) The maximum prices established in paragraph (a) of this Appendix H may be adjusted in accordance with the following additions for the specified services and conditions:

1. Chemically treating: $.03 net per screen.
2. Lots of 1 to 5 of a size and kind: 10% of the net price each, for 12 of a size and kind.
3. Lots of 6 to 11 of a size and kind: 5% of the net price each, for 12 of a size and kind.

(d) There shall be no additions for services or special treatments or extras other than those stated in the Standard Woodwork Lists, Catalogue No. 40 or in paragraph (c) of this Appendix H.

§ 1413.72 *Appendix I: Maximum prices for Western and Northern pine outside blinds and shutters.* (a) The maximum prices for Ponderosa pine outside blinds and shutters sold alone, or with other millwork, in carload quantities shall be the net prices, f. o. b. mill, full freight allowed to all zones, computed as follows: (Design numbers refer to Design Book No. 25).

DESCRIPTION OF PRODUCT

No. 2 and better Ponderosa pine blinds with stationary or rolling slats and shutters, clinched in bundle, ten or more of a size and kind.

	All stationary slats	Rolling slats or half rolling and half stationary
Net prices per lineal foot in height, per pair, figured in even inches:		
Openings up to 2' 10⅝" wide, inclusive, $1\frac{3}{8}$" thick	$.51	$.56
Openings up to 2' 10⅝" wide, inclusive, $1\frac{3}{8}$" thick	.53	.58

(b) The maximum prices for Western and Northern pine blinds and shutters sold alone, or with other millwork, in carload quantities, where the customer specifically requests Idaho, Northern, or Sugar pine, shall be the net prices, f. o. b. mill, full freight allowed to all zones, computed in the same manner as provided in paragraph (a) of this Appendix I, plus the following net additions to the maximum price established in paragraph (a) of this Appendix I.

1. Sugar pine: $12\frac{1}{2}$% of price established in paragraph (a) above.
2. Idaho white pine: 45% of price established in paragraph (a) above.
3. Northern pine: 75% of price established in paragraph (a) above.

Where the manufacturer furnishes these woods at his option the maximum prices shall be those established in paragraph (a) of this Appendix I.

(c) The maximum prices established in paragraph (a) of this Appendix I shall be subject to the following deduction:

Rabbeting and beading omitted: $.12 per pair.

(d) The maximum prices established in paragraphs (a) and (b) of this Appendix I may be adjusted in accordance with the following additions for the specified services and conditions:

1. 5 to 9 pair of a size and kind: 20% of price established in paragraph (a) above.
2. Less than 5 pair of a size and kind: 30% of price established in paragraph (a) above.
3. Face crated; add net per bundle for sizes not over 3.0 x 6.0 as follows:

$1\frac{1}{8}$" thick blinds, 6 pair of a size and kind to a bundle: $.25 net per bundle.

$1\frac{3}{8}$" thick blinds, 5 pair of a size and kind to a bundle: $.25 net per bundle.

$1\frac{1}{8}$" and $1\frac{3}{8}$" thick shutters, 5 pair of a size and kind to a bundle: $.25 net per bundle.

Blinds and shutters over 3.0 x 6.0: $.03 net per square foot.

4. Stiles and top rails wider than $2\frac{1}{4}$", add for each $\frac{1}{2}$" or part thereof: 10% of price established in paragraph (a) above.
5. Bottom and cross rails wider than 4", add for each 1" or part thereof: 5% of price established in paragraph (a) above.
6. Each 2" or fraction additional width of opening: $.02 net per lineal foot in height per pair.
7. No. 1 quality: 10% of price established in paragraph (a) above.
8. Single blinds, take $\frac{1}{2}$ the price of a pair which is double the width of the single blind, and add: 25% of price established in paragraph (a) above.
9. Blinds 4.0 high or higher, with one long rolling or stationary slat panel high: 25% of price established in paragraph (a) above.
10. Blinds, with 3 long rolling or stationary slat panels high: 30% of price established in paragraph (a) above.
11. Blinds, slat and panelled, add the following to the prices of regular stock stationary slat blinds as provided in paragraph (a) above for various quantities: (Percentages are of the price established in paragraph (a) above)

	Net extra per pair for cut-out Designs
U 1406	30%
U 1410	25% plus $.25
U 1414	15% plus .35
U 1416	35% plus .25
U 1418	25% plus .35
U 1422	25% plus .25
U 1428	40% plus .35
U 1430	35% plus .45
U 1450	.35
U 1451	.35
U 1452	.35
U 1453	.35
U 1454	.35
U 1459	.35
U 1462	.35
U 1463	.35
U 1471	.35
U 1455	.25
U 1456	.25
U 1457	.25
U 1460	.25
U 1466	.25
U 1467	.25
U 1458	.45
U 1461	.45
U 1464	.45
U 1465	.45
U 1469	.45

Rolling slats: $.02 per foot
Segment head: 1.50 per pair
Circle head: 2.30 per pair
Gothic head: 2.75 per pair

12. For shutters, add the following, net per pair to the prices of regular stock stationary slat blinds as provided in paragraph (a) above for various quantities: (Percentages are of price established in paragraph (a) above)

	Percent
1 flat panel	10
2 flat panels	15
3 flat panels	20
1 raised $\frac{1}{2}$" thick panel	25
2 raised $\frac{1}{2}$" thick panels	30
3 raised $\frac{1}{2}$" thick panels	35

	Per pair
Bead and butt, two $\frac{3}{4}$" panels	$.50
Segment head	1.25
Circle head	1.75
Gothic head	2.25

	20 or more pair	10 to 20 pair	Less than 10 pair
13. Priming joints with lead and oil	$.15	.20	$.25
14. Wedging and gluing	.20	.25	.30
15. Rot proofing	.15	.20	.25

(e) There shall be no additions for services or special treatments or extras other than those stated in paragraphs (b) and (d) of this Appendix I.

§ 1413.73 *Appendix J: Maximum prices for hardwood panel, sash and casement doors, flush veneered doors, hardwood sidelights, hardwood toilet and dwarf doors and for hardwood knocked down door stock—(all with Ponderosa pine solid cores).* (a) The maximum prices for hardwood veneered doors having Ponderosa pine solid cores sold alone, or with other millwork, in carload quantities shall be the net price, f. o. b. mill, full freight allowed, computed by applying the following base discounts to the list prices contained in Standard Woodwork Lists, Catalogue No. 40 and by adding List Extras subject to a 50 percent discount:

Description of product. No. 1 hardwood veneered doors; 5 of a size and kind	Delivered to— Area 1		Areas 2-3E		Areas 3-4		Area 4E		Area 5		Area 6		Extras as shown under
	$1\frac{3}{8}$" base disc.	$1\frac{3}{4}$" list extra	$1\frac{3}{8}$" base disc.	$1\frac{3}{4}$" list extra	$1\frac{3}{8}$" base disc.	$1\frac{3}{4}$" list extra	$1\frac{3}{8}$" base disc.	$1\frac{3}{4}$" list extra	$1\frac{3}{8}$" base disc.	$1\frac{3}{4}$" list extra	$1\frac{3}{8}$" base disc.	$1\frac{3}{4}$" list extra	
Panelled, sash and casement doors													
Ash													
Brown	62½	$1.30	62	$1.40	61½	$1.50	61	$1.60	60½	$1.70	59½	$1.90	Brown ash
Calico	63½	1.30	63	1.40	62½	1.50	62	1.60	61½	1.70	60½	1.90	Calico ash
Birch													
Unselected rotary cut	64½	1.30	64	1.40	63½	1.50	63	1.60	62½	1.70	61½	1.90	Unselected birch
Red or white	58½	1.50	58	1.60	57½	1.70	57	1.80	56½	1.90	55½	2.00	Red birch
Butternut	33½	1.70	33	1.80	32½	1.90	32	2.00	31½	2.10	30½	2.20	Walnut
Cedar, Aromatic red	28½	1.70	28	1.80	27½	1.90	27	2.00	26½	2.10	25½	2.20	Red cedar
Cherry	26½	1.70	26	1.80	25½	1.90	25	2.00	24½	2.10	23½	2.20	Walnut
Chestnut: Rotary sawn or wormy	49½	1.50	49	1.60	48½	1.70	48	1.80	47½	1.90	46½	2.00	Chestnut
Cypress: Sawn	48½	1.50	48	1.60	47½	1.70	47	1.80	46½	1.90	45½	2.00	Cypress
Fir	59½	1.30	59	1.40	58½	1.50	58	1.60	57½	1.70	56½	1.90	Unselected [illegible]
Gum													
Unselected rotary cut	68½	1.30	68	1.40	67½	1.50	67	1.60	66½	1.70	65½	1.90	Unselected gum
Red	61½	1.30	61	1.40	60½	1.50	60	1.60	59½	1.70	58½	1.90	Red gum
Quartered sap	54½	1.30	54	1.40	53½	1.50	53	1.60	52½	1.70	51½	1.90	Red gum
Quartered red (figured)	45½	1.30	45	1.40	44½	1.50	44	1.60	43½	1.70	42½	1.90	Qtr'd red gum
Quartered red (plain)	50½	1.30	50	1.40	49½	1.50	49	1.60	48½	1.70	47½	1.90	Qtr'd red gum
Red, rotary cut (figured)	57½	1.30	57	1.40	56½	1.50	56	1.60	55½	1.70	54½	1.90	Red gum
Mahogany													
African (figured)	39½	1.70	39	1.80	38½	1.90	38	2.00	37½	2.10	36½	2.20	African mahogany
Mexican	32½	1.70	32	1.80	31½	1.90	31	2.00	30½	2.10	29½	2.20	Mexican mahogany
Maple													
Unselected	63½	1.30	63	1.40	62½	1.50	62	1.60	61½	1.70	60½	1.90	Unselected birch
Birds eye	33½	1.30	33	1.40	32½	1.50	32	1.60	31½	1.70	30½	1.90	Qtr'd oak
Oak													
Red	58½	1.30	58	1.40	57½	1.50	57	1.60	56½	1.70	55½	1.90	Red oak
Rotary cut white	56½	1.50	56	1.60	55½	1.70	55	1.80	54½	1.90	53½	2.00	White oak
Plain sawn white	49½	1.50	49	1.60	48½	1.70	48	1.80	47½	1.90	46½	2.00	White oak
Quarter-sawn red or white	45½	1.50	45	1.60	44½	1.70	44	1.80	43½	1.90	42½	2.00	Qtr'd oak
Comb grain red or white	44½	1.50	44	1.60	43½	1.70	43	1.80	42½	1.90	41½	2.00	Qtr'd oak
Philippine hardwood:													
Light	54½	1.50	54	1.60	53½	1.70	53	1.80	52½	1.90	51½	2.00	Philippine
Dark	53½	1.50	53	1.60	52½	1.70	52	1.80	51½	1.90	50½	2.00	Philippine
Pine													
Yellow rotary	60½	1.30	60	1.40	59½	1.50	59	1.60	58½	1.70	57½	1.90	Yellow pine
Ponderosa	64½	1.30	64	1.40	63½	1.50	63	1.60	62½	1.70	61½	1.90	Unselected birch
Knotty white (¼a veneer)	42½	1.80	42	1.40	41½	1.50	41	1.50	40½	1.50	39½	1.50	Unselected birch
Poplar	53½	1.50	53	1.60	52½	1.70	52	1.80	51½	1.90	50½	2.00	Chestnut
Sycamore: Quarter sawn	51½	1.50	51	1.60	50½	1.70	50	1.80	49½	1.90	48½	2.00	Qtr'd oak
Walnut, American sawn or sliced:													
Sap no defect	31½	1.70	31	1.80	30½	1.90	30	2.00	29½	2.10	28½	2.20	Walnut
All heart	28½	1.70	28	1.80	27½	1.90	27	2.00	26½	2.10	25½	2.20	Walnut

(b) The maximum prices for 5 of a size and kind of hardwood veneered sidelights, $1^3/_8$" thick, having Ponderosa pine solid cores, sold alone, or with other millwork, in carload quantities shall be the net prices, f. o. b. mill, full freight allowed, computed by using the list prices contained in Sidelight Base List, page 197 of Standard Woodwork Lists, Catalogue No. 40, and applying the base discounts and List Extras discounted 50 percent, set forth in paragraph (a) of this Appendix J.

(c) The maximum prices for 5 of a size and kind of hardwood veneered toilet and dwarf doors and hardwood knocked down veneered door stock, all having Ponderosa pine solid cores, sold alone, or with other millwork, in carload quantities shall be the net prices, f. o. b. mill, full freight allowed, computed by using the list prices contained in the Toilet and Dwarf Door Base List, page 219 of Standard Woodwork Lists, Catalogue No. 40, and the Knocked Down Veneered Door Stock Base List, page 221 of Catalogue No. 40, and applying the base discounts and List Extras discounted 50 percent, set forth in paragraph (a) of this Appendix J.

(d) The maximum prices for 5 of a size and kind of flush veneered doors, $1^3/_4$" thick, having Ponderosa pine solid cores, sold alone, or with other millwork, in carload quantities shall be the net prices, f. o. b. mill, full freight allowed, computed for delivery in Area 1 by applying the following base discounts to the list prices contained in Standard Woodwork Lists, Catalogue No. 40, and computed for delivery in all other areas by shortening the base discounts for Area 1 in accordance with the following table and applying the resulting discounts to that list:

	Delivered to										
	Area 1						Area 2-3E	Area 3-4	Area 4E	Area 5	Area 6
	1¼" or less thick, rotary cut	1¼" or less thick, sawed or sliced	1⅜" thick, sawed	1½" thick, sawed	1¾" thick, sawed						
Ash, white	50	48	46½	46	45		(1)	(1)	(1)	(1)	(1)
Basswood	54	50	48½	48	47		(1)	(1)	(1)	(1)	(1)
Birch, unselected	54	50	48½	48	47		(1)	(1)	(1)	(1)	(1)
Birch, red or white	54	52½	51	50	49		(1)	(1)	(1)	(1)	(1)
Butternut	.....	.....	51½	51	50		(1)	(1)	(1)	(1)	(1)
Cedar, aromatic red	.....	.....	51½	51	50		(1)	(1)	(1)	(1)	(1)
Cherry	.....	.....	51½	51	50		(1)	(1)	(1)	(1)	(1)
Chestnut, regular	.....	42½	42½	42	41		(1)	(1)	(1)	(1)	(1)
Chestnut, worthy	.....	42½	42½	42	41		(1)	(1)	(1)	(1)	(1)
Cypress	.....	.....	51½	51	50		(1)	(1)	(1)	(1)	(1)
Fir	.....	48½	.....	48½	47½		(1)	(1)	(1)	(1)	(1)
Gum:											
Plain red	.....	48½	48½	48½	48½		(1)	(1)	(1)	(1)	(1)
Figured, figured red	54	51½	.....	51½	50½		(1)	(1)	(1)	(1)	(1)
Quartered, plain red	.....	.....	.....	48½	48½		(1)	(1)	(1)	(1)	(1)
Quartered, figured red	.....	.....	.....	51½	51½		(1)	(1)	(1)	(1)	(1)
Sap	.....	51½	.....	51½	51½		(1)	(1)	(1)	(1)	(1)
Quartered sap	.....	.....	.....	48½	48½		(1)	(1)	(1)	(1)	(1)
Mahogany:											
Natural African (Cuba)	63½	.....	.....	82½	80½	104½	2¢	(1)	(1)	(1)	(1)
Mexican	.....	.....	.....	124½	123½	134½	(1)	(1)	(1)	(1)	(1)
Philippine, Lauan	.....	.....	.....	124½	123½	134½	(1)	(1)	(1)	(1)	(1)
Philippine, Tindalo	.....	.....	.....	113½	112½	123½	(1)	(1)	(1)	(1)	(1)
Maple:											
Unselected	54½	50½	48½	44½	43½	53½	(1)	(1)	(1)	(1)	(1)
Red, curly	54½	.....	.....	51½	50½	.....	(1)	(1)	(1)	(1)	(1)
Soft and white	54½	51½	51½	51½	50½	.....	(1)	(1)	(1)	(1)	(1)
Oak:											
Plain red	54½	48½	48½	48½	48½	58½	(1)	(1)	(1)	(1)	(1)
Plain white	57½	48½	51½	50½	49½	61½	(1)	(1)	(1)	(1)	(1)
Qtr. sliced	.....	.....	51½	51½	50½	.....	(1)	(1)	(1)	(1)	(1)
Qtr. sliced, figured	.....	.....	54½	54½	53½	.....	(1)	(1)	(1)	(1)	(1)
Quartered	.....	.....	54½	54½	53½	.....	(1)	(1)	(1)	(1)	(1)
Quartered, figured red	.....	.....	57½	57½	56½	.....	(1)	(1)	(1)	(1)	(1)
Quartered, figured white	.....	.....	57½	57½	56½	.....	(1)	(1)	(1)	(1)	(1)
Pine:											
Ponderosa	.....	.....	.....	54½	53½	64½	(1)	(1)	(1)	(1)	(1)
Sugar	.....	.....	.....	51½	50½	61½	(1)	(1)	(1)	(1)	(1)
Northern	54½	51½	.....	48½	48½	58½	(1)	(1)	(1)	(1)	(1)
Yellow	.....	.....	.....	48½	47½	58½	(1)	(1)	(1)	(1)	(1)
Knotty	.....	.....	.....	.....	46½	56½	(1)	(1)	(1)	(1)	(1)
Poplar	57½	48½	44½	44½	43½	53½	(1)	(1)	(1)	(1)	(1)
Redwood	.....	.....	44½	44½	43½	53½	(1)	(1)	(1)	(1)	(1)
Walnut, all black grade	63½	.....	57½	57½	56½	67½	(1)	(1)	(1)	(1)	(1)

[1] Shorten all discounts 1½ point.
[2] Shorten all discounts 1½ points.
[3] Shorten all discounts 2½ points.
[4] Shorten all discounts 3 points.
[5] Shorten all discounts 4 points.

(e) The maximum prices established in paragraphs (a), (b), (c), and (d) of this Appendix J shall be subject to the following deduction:

Softwood edge strips, all edges: 1 point longer discount.

(f) The maximum prices established in paragraph (d) of this Appendix J shall be subject to the following deductions:

1. $1^3/_8$" thick flush doors: 1 point longer discount.
2. $1^1/_8$" thick flush doors: 2 points longer discount.

(g) The maximum prices established in paragraph (d) of this Appendix J may be adjusted in accordance with the following addition for the specified condition:

Doors thicker than $1^3/_4$": 3 points shorter discount for each $^1/_4$" in thickness in excess of $1^3/_4$".

(h) The maximum prices established in paragraphs (a), (b), (c) and (d) of this Appendix J may be adjusted in accordance with the following additions for the specified services and conditions:

1. Less than 5 of a size and kind: 20% of the net price, each, for 5 of a size and kind.
2. Packing veneered doors and sidelights: $.10 per bundle.
3. Rotary cut figured red gum panels substituted for unselected rotary cut gum panels in unselected rotary cut gum doors: $.45 net per door.
4. Figured quarter sawn red gum flitch panels substituted for unselected gum panels in unselected rotary cut gum doors: $.85 net per door.
5. All $1^3/_4$" thick doors and sidelights: 50% of the list extras as shown in paragraph (a) of this Appendix J.
6. Layout, design and general veneer door extras as contained in Standard Woodwork Lists, Catalogue No. 40: 50% of the veneered lists.

(i) There shall be no additions for services or special treatments or extras other than those stated in the Standard Woodwork Lists, Catalogue No. 40 or in paragraphs (g) and (h) of this Appendix J.

§ 1413.74 *Appendix K: Maximum prices for open hardwood sash and transoms with Ponderosa pine solid cores.* (a) The maximum prices for open hardwood veneered sash and transoms with Ponderosa pine solid cores sold alone, or with other millwork, in carload quantities shall be the net prices, f. o. b. mill, full freight allowed, computed by applying the following base discounts to the list prices, list extras, and or added net extras on page 220 of Standard Woodwork Lists, Catalogue No. 40:

DESCRIPTION OF PRODUCT

Open hardwood veneered sash and transoms; 5 of 1 size and kind.

	Delivered to					
	Area 1	Areas 2-3E	Areas 3-4	Area 4E	Area 5	Area 6
Veneer:						
Unselected birch, red oak, unselected gum, basswash, yellow pine, red birch, and white birch	62½	62½	61½	61½	60½	59½
All other woods	58½	58½	57½	57½	56½	55½

(b) The maximum prices established in paragraph (a) of this Appendix K shall be subject to the following deductions:

Softwood edge strips, all edges: 1 point longer discount.

(c) The maximum prices established in paragraph (a) of this Appendix K may be adjusted in accordance with the following additions for the specified services and conditions:

1. Packing veneered sash and transoms: $.05 per bundle.
2. Orders for less than 5 of a size and kind: 20% of the net price, each, for 5 of a size and kind.

(d) There shall be no additions for services or special treatments or extras, other than those stated in the Standard Woodwork Lists, Catalogue No. 40 or in paragraph (c) of this Appendix K.

§ 1413.75 *Appendix L: Price areas for veneered hardwood doors.* The price areas referred to in Appendices J and K, sections 1413.73 and 1413.74, shall be as follows:

Area 1

All of Wisconsin and that part of Minnesota south of a straight line drawn through and including the cities of Duluth, Minnesota, and Sioux Falls, South Dakota; the western boundary of Area 1 extending south from Sioux Falls on a straight line drawn through and including Lincoln, Nebraska, thence from Lincoln, Nebraska, on a straight line drawn in a southeasterly direction to and including Topeka, Kansas; thence on a straight line eastward to and including Jefferson City, Missouri; thence in a southeasterly direction on a straight line to and including the city of Cairo, Illinois. All of Illinois and all of Iowa, and that part of Missouri north of the southern boundary of this area as described above. Also East Chicago, Indiana Harbor, Hammond and Gary as the only points in Indiana.

Area 2

Bounded on the north by the southern shores of Lake Superior, Lake Huron, Lake Erie and extending east to and including the city of Buffalo, New York; bounded on the east by a straight line drawn from Buffalo, New York, to and including the city of Pittsburgh, Pennsylvania; thence extending south on a straight line to and including Charleston, West Virginia; bounded on the south by a straight line drawn west from Charleston, West Virginia, to and including the city of Lexington, Kentucky, thence on a straight line to and including the city of Louisville, thence along the Ohio River to the Indiana State Line; bounded on the west by the western Indiana State Line and the Western shore of Lake Michigan. Included in Area 2 territory are all of Michigan, Ohio, Indiana (except the four cities included in Area 1), and such portions of New York, Pennsylvania, West Virginia and Kentucky as would fall within the boundary lines described herein; also Memphis as the only point in Tennessee.

Area 3E

Bounded on the west by the eastern boundary of Area 2; bounded on the north by the Canadian Border extending from Buffalo to the Atlantic Ocean; bounded on the east by the Atlantic Ocean from the Canadian Border to and including Norfolk, Virginia; bounded on the south by straight lines drawn westward from Norfolk, Virginia, to and including Lynchburg, Virginia, extending thence through but not including Charleston, West Virginia, meeting Area 2 and the western boundary of Area 3, just east of Charleston, West Virginia.

Area 3

All of Kentucky south of the southern boundary of Area 2; all of Tennessee, except Memphis; all of Alabama and Mississippi; also New Orleans as the only point in Louisiana.

Area 4E

Those parts of Virginia and West Virginia south of the southern boundary of Area 3; and of the southeastern point of Area 2; all of North Carolina, South Carolina, Georgia, and that part of Florida north of a straight line drawn through and including Jacksonville and Pensacola.

Area 4

All of Minnesota, North Dakota and South Dakota not included in Area 1; all of Nebraska not included in Area 1; all of Kansas not included in Area 1; all of Missouri south of the southern boundary line of Area 1; Arkansas; Louisiana, except New Orleans; Texas and Oklahoma; eastern Colorado east of a line drawn through and including Trinidad, Pueblo, Colorado Springs, Denver, Boulder and Fort Collins; also Cheyenne as the only point in Wyoming.

Area 5

All of Montana; all of Wyoming except Cheyenne; all of Colorado not included in Area 4; New Mexico, and northeastern Utah, including the cities of Ogden, Salt Lake City and Provo.

Area 6

Oregon, Washington, Idaho, California, Nevada, Arizona, and that part of Utah not in Area 5; all of Florida not included in Area 4.

Issued this 2d day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-139; Filed, January 2, 1943, 2:02 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 2 Under § 1499.13 (a) (2) of GMPR

ALLIED RADIO CORPORATION

For the reasons set forth in an opinion issued simultaneously herewith *It is Ordered:*

§ 1499.1202 *Granting of application to deviate from posting requirements of § 1499.13 (a) (1) by Allied Radio Corporation.* (a) The application of Allied Radio Corporation, 833 West Jackson Boulevard, Chicago, Illinois, filed December 4, 1942 and assigned File No. N–13 (a) (2)–2, requesting permission to deviate from the posting requirements

established by § 1499.13 (a) (1) of the General Maximum Price Regulation with reference to its 1943 mail order catalog, is granted.

(b) In lieu of the posting requirements of § 1499.13 (a) (1), the applicant is authorized to print the statement required by § 1499.13 (a) (1) (ii) on page 95 of its 1943 mail order catalog, number 110.

(c) This order may be revoked or amended by the Price Administrator at any time.

(d) This order No. 2 (§ 1499.1202) shall become effective January 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-121; Filed, January 2, 1943; 2:06 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 199 Under § 1499.3 (b) of GMPR]

HOOSIER COFFEE COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1435 *Authorization of maximum price for sale of roasted coffee described as Washed Honduras "good cup soft" by Hoosier Coffee Company to the State of Indiana.* (a) On and after January 4, 1943 the maximum price for sales of roasted coffee described as Washed Honduras "good cup soft" processed by the Hoosier Coffee Company of Indianapolis, Indiana to the State of Indiana and other purchasers of that class shall be 21½¢ per pound when packed in 100 pound paper lined burlap or cotton containers. This price shall include cost of delivery to the buyer's customary point of acceptance. The Hoosier Coffee Company shall continue the customary discounts, allowance and trade practices applicable to purchasers of this class which existed in March 1942, unless a change results in a lower selling price.

(b) This Order No. 199 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 199 (§ 1499.1435) shall become effective January 4, 1943.

(Public Laws 421 and 729, 77th Congress E.O. 9250, 7 F.R. 7871)

Issued this 2d day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-123; Filed, January 2, 1943; 2:08 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 200 Under § 1499.3 (b) of GMPR]

CRAWFORD MANUFACTURING COMPANY, INC.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.1436 *Maximum prices for the sale of certain slip covers by the Crawford Manufacturing Company, Inc.* (a)

Style number	Materials	Type	Maximum price
[illegible]	530, 535, 542—Lacquered stripe	Six-piece glider slip covers	Per doz. $29.8[illegible]
396	530, 535, 542—Lacquered stripe	One-piece glider slip cover with arm covers	[illegible]
[illegible]	530, 535, 542—Lacquered stripe	One-piece glider slip cover	19.[illegible]
620	530, 535, 542—Lacquered stripe	One-piece glider slip cover	15.[illegible]

(b) The prices set forth in paragraph (a) of this section shall be subject to the sellers' customary terms of sale.

(c) This Order No. 200 may be revoked or amended by the Office of Price Administration at any time.

(d) This Order No. 200 (§ 1499.1436) shall become effective January 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-124; Filed, January 2, 1943; 2:06 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 201 Under § 1499.3 (b) of GMPR]

RICHMOND LACE WORKS, INC.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is hereby ordered:*

§ 1499.1437 *Maximum prices for the sale of certain lace patterns by Richmond Lace Works, Inc.* (a) Richmond Lace Works, Inc., 99 Chauncey Street, Boston, Massachusetts, may sell and deliver the following patterns of lace at prices not in excess of those set forth below:

SPECIFICATIONS

Pattern No.	Gauge of machine used	Quality	Width	Maximum price
[illegible]	[illegible] point 40 carriage set-out	52 racks per web	40 carriage 2" width	Per gross yards $6.[illegible]
12755	9 point 24 carriage set-out	50 racks per web	24 carriage 11⅝" width	[illegible]
11108	7 point 14 carriage set-out	39 racks per web	22 carriage 18⅝" width	4.71
11270	7 point	42 racks per web	15-14-15 carriage 18⅝ width of 41 carriage set-out 1 to 11⅝" width.	[illegible]
12263	7 point 36 carriage set-out	42 racks per web	1 carriage 6 14" width	2.41
12259	7 point 36 carriage set-out	42 racks per web	16⅛" width	Per doz. yards $2.[illegible]
12271	7 point 36 carriage set-out	42 racks per web	36" width	Per square yard [illegible]
12264	7 point 36 carriage set-out	39 racks per web	36" width	50 [illegible]
12266	7 point 60 carriage set-out	39 racks per web	36" width	[illegible]
11082	7 point 72 carriage set-out	24 racks per web	36" width	[illegible]
7678	7 point 72 carriage set-out	47 racks per web	36" width	[illegible]
12255	7 point 36 carriage set-out	46 racks per web	36" width	[illegible]
[illegible]	7 point 36 carriage set-out	39 racks per web	36 carriage 20½" width	Per square yard [illegible]

(b) The prices set forth in paragraph (a) of this section shall be subject to the seller's customary terms of sale.

(c) This Order No. 201 may be revoked or amended by the Office of Price Administration at any time.

(d) This Order No. 201 shall become effective January 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-125; Filed, January 2, 1943; 2:08 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 22 Under § 1499.18 (b) of GMPR]

CENTRAL VIRGINIA STAVE COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered,* That:

Paragraph (e) of § 1499.322 be amended to read as follows:

§ 1499.322 *Adjustment of maximum prices for 18 inch pine keg staves sold by the Central Virginia Stave Company.* * * *

(e) This Order No. 22 (§ 1499.322) shall become effective May 11, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued and effective this 2d day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-117; Filed, January 2, 1943; 2:06 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 82 Under § 1499.18 (b) of GMPR]

C. D. LEFAIVRE

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered,* That:

Paragraph (e) of § 1499.882 be amended to read as follows:

§ 1499.882 *Adjustment of maximum prices for 18" pine keg staves sold by C. D. LeFaivre of Bon Air, Virginia.* * * *

(e) This Order No. 82 (§ 1499.882) shall become effective May 11, 1942.

(Pub. Laws Nos. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued and effective this 2d day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-118; Filed, January 2, 1943; 2:08 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 119 Under § 1499.18 (b) of GMPR]

J. O. TUCK & COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered,* That:

Paragraph (e) of § 1499.1020 be amended to read as follows:

§ 1499.1020 *Adjustment of maximum prices for mill run, kiln-dried, pine keg heading manufactured and sold by J. O. Tuck & Company.* * * *

(e) This Order No. 119 (§ 1499.1020) shall become effective May 11, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued and effective this 2d day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-120; Filed, January 2, 1943; 2:05 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 145 Under § 1499.18 (b) of GMPR]

ATLANTIC CURTAIN COMPANY

Order No. 145 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF1-364-P.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.1406 *Adjustment of maximum prices for sales of certain curtains by the Atlantic Curtain Company.* (a) Notwithstanding anything to the contrary contained in the General Maximum Price Regulation, Atlantic Curtain Company of Danielson, Connecticut, may sell and deliver and Sears, Roebuck and Company may buy the following types of curtains at prices not in excess of those set forth below:

Style No.	Type	Finished length	Finished width	Fabric	Adjusted maximum price	Terms
5743	Ruffled Priscilla	2¼ yds	34 inches	Carolina 43 inches	50.84	Net 10-30-1
5744	Ruffled Priscilla	2 yds. 15 inches	39 inches	Carolina 43 inches	1.0138	Net 10-30-1
5745	Ruffled Priscilla	2½ yds	66 inches	Carolina 43 inches	1.6687	Net 10-30-1
5757	Ruffled Priscilla	2½ yds	33 inches	Victory 42 inches	.84	Net 10-30-1
5758	Ruffled Priscilla	2 yds. 15 inches	39 inches	Victory 42 inches	1.0163	Net 10-30-1
5759	Ruffled Priscilla	2½ yds	66 inches	Victory 42 inches	1.6687	Net 10-30-1
4959	Tailored	2⅛ yds	36 inches	Victory 42 inches	.7478	Net 10-30-1
5744	Ruffled Priscilla	87 inches	39 inches	Carolina 42 inches	1.0138	Net 10-30-1

(b) Atlantic Curtain Company shall mail or cause to be mailed to the Sears, Roebuck and Company, a notice reading as follows:

The Office of Price Administration has permitted us to raise our maximum prices to you as follows:

Style number:	Adjusted maximum price
5743	$ .84
5744	1.0138
5745	1.6687
5757	.84
5758	1.0163
5759	1.6687
4959	.7478
5744	1.0138

These increases allowed us, represent only those increases which we are unable to absorb, and they are granted with the understanding that retail prices would not be raised. The Office of Price Administration has not permitted you or any other sellers to raise maximum prices for sales of these woven decorative fabrics.

(c) Except for the adjustments granted herein for sales by the Atlantic Curtain Company to Sears, Roebuck and Company, of the types of curtains listed above, all sales of such curtains by the Atlantic Curtain Company shall be subject to the provisions of the General Maximum Price Regulation.

(d) This Order No. 145 (§ 1499.1406) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 145 (§ 1499.1406) may be revoked or amended at any time by the Office of Price Administration.

(f) This Order No. 145 (§ 1499.1406) shall become effective January 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-122; Filed, January 2, 1943; 2:09 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 80 Under § 1499.18 (c) of GMPR]

COTTO-WAXO CO., ET AL

For the reasons set forth in an opinion issued simultaneously herewith, paragraph (e) of § 1499.930 is revoked, paragraph (d) of § 1499.930 is amended and a new paragraph (h) of § 1499.930 is added as set forth below.

§ 1499.930 * * *

(d) This Order No. 80 may be revoked or amended by the Price Administrator at any time.

* * * * * * *

(h) Amendment No. 1 to Order No. 80 (§ 1499.930) shall become effective January 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-119; Filed, January 2, 1943; 2:10 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Amendment 6 to Ration Order 5C]

MILEAGE RATIONING: GASOLINE REGULATIONS

Correction

In Table II of the document appearing on page 10788 of the issue of Wednesday, December 23, 1942, the tenth figure in the column headed "Allowed mileage in excess of 470 miles per month must be preferred mileage" which reads "651-650" should read "651-670." In Table III the figure 2 should appear in the fifth line of the column headed "Weeks."

The last figure in Table IVA which reads "930-960" should read "931-960."

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Amendment 9 to Restriction Order 1]

MEAT RESTRICTION

Correction

In the sixth line of § 1407.904a (b) of the document appearing on page 10705 of the issue for December 22, 1942, the reference to paragraphs (b) or (c) of § 1407.902 should be to paragraphs (b) or (e).

PART 1499—COMMODITIES AND SERVICES

[Order 130 Under § 1499.18 (b) of GMPR]

RIEGEL TEXTILE CORPORATION

Correction

In the table in paragraph (d) of § 1499.1031 [7 F.R. 10469] the last figure in the "Hem, inch" column should be "$\frac{1}{16}$" instead of "$\frac{1}{10}$" and the last line of the "Cloth" column should read "36" 68 x 72—5.15" instead of "36" 68 x 72—3.15".

PART 1499—COMMODITIES AND SERVICES

[Order 197 Under § 1499.3 (b) of GMPR]

AMERICAN CHEMICAL PAINT CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1433 *Approval of maximum prices for Deoxidine No. 150 manufactured by American Chemical Paint Company.* (a) Maximum prices for the sale by American Chemical Paint Company, Ambler, Pa., of Deoxidine No. 150 manufactured by that company shall be the prices set forth below, f. o. b. Ambler, Pa.:

	Per gallon
52-gallon drums (1 to 10)	$2 31
52-gallon drums (10 to carload)	2 21
10-gallon drums (1 to 4)	2 71
10-gallon drums (5 to 9)	2 61
10-gallon drums (10 to 24)	2 51

(b) All discounts and trade practices in effect during March 1942 on the sale of comparable products by American Chemical Paint Company shall apply to the maximum prices set forth in paragraph (a).

(c) This Order No. 197 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 197 (§ 1499.1433) shall become effective January 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-4; Filed, January 1, 1943; 10:14 a. m.]

Chapter XVII—Office of Civilian Defense

[Regulations 1, Amendment 3]

PART 1901—LOANS OF EQUIPMENT AND SUPPLIES TO CIVIL AUTHORITIES

LOANS TO STATES

By virtue of the authority vested in me by Executive Order No. 8757, dated May 20, 1941, as amended by Executive Order No. 9134, dated April 15, 1942, and Executive Order No. 9088, dated March 6, 1942, and pursuant to section 1 of the Act approved January 27, 1942, and in accordance with Article 13 of Executive Order No. 9088, dated March 6, 1942, authorizing the Director of Civilian Defense to make and issue such rules, regulations, and orders as he may deem necessary or desirable to carry out the purposes of the aforementioned Act of January 27, 1942, it is hereby ordered that Part 1901 of this chapter (Regulations No. 1 of the Office of Civilian Defense), as heretofore issued and amended, be further amended by adding a new § 1901.13, as follows:

§ 1901.13 *Loans to States.* (a) Anything in this chapter to the contrary notwithstanding, loans of property may be made to any State determined by the Director to be in need of, but unable to provide, such property for the adequate protection of persons and property from bombing attacks, sabotage or other war hazards. Prior to making any such loan, the State shall furnish to the Office of Civilian Defense (in addition to OCD Form No. 500, which appoints a State Property Officer, and a bond for such State Property Officer on OCD Form No. 502) an agreement on OCD Form No. 528, duly executed by its Governor, as the civil authority of the State duly authorized to act in such respect, which agreement shall, among other things, confirm that the undertakings of the State on OCD Form No. 500 shall apply to all property loaned to the State, and that such property shall not be used otherwise than for the protection of persons or property from bombing attacks, sabotage or other war hazards, or for training or instruction incidental to such use.

(b) Each State Property Officer shall distribute property received by him, as the authorized agent of his State, only to such responsible and qualified individuals or organizations, and in such amounts and manner, as shall be directed or authorized by the Director. Each State Property Officer shall obtain from each individual or organization to whom any property is distributed by him, whether for further distribution or for their own use, a duly executed receipt for the property.

(c) Each individual or organization to whom property is distributed by a State Property Officer, and any subsequent transferee thereof, shall comply with the provisions of § 1901.7 (b) of this chapter.

(d) The applicable provisions of § 1901.8 of this chapter shall apply to all property loaned to any State and received by the State Property Officer thereof.

(e) Property loaned to any State and to be distributed in any community thereof may be shipped, by the Office of Civilian Defense or by the State Property Officer, to the Local Property Officer of such community, in which case such Local Property Officer shall be responsible and accountable for such property to the same extent as property loaned directly to his community; *Provided, however,* That he shall deal with such property only in accordance with the instructions of the State Property Officer, except as otherwise directed or authorized by the Director or, in case of emergency, as provided in § 1901.4 (b) of this chapter, by the Regional Director.

(Pub. Law 415, 77th Cong.; E.O. 8757, 6 F.R. 2517; E.O. 9088, 7 F.R. 1775; E.O. 9134, 7 F.R. 2887)

[SEAL] JAMES M. LANDIS,
Director of Civilian Defense.

DECEMBER 31, 1942.

[F. R. Doc. 42-14200; Filed, December 31, 1942; 1:55 p. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Navy

PART 6—SECURITY OF PORTS AND THE CONTROL OF VESSELS IN THE NAVIGABLE WATERS OF THE UNITED STATES

SUBPART E—SECURITY REGULATIONS FOR VESSELS IN PORT

Pursuant to the authority contained in section 1, Title II of the Espionage Act approved June 15, 1917, 40 Stat. 220, as amended by the Act of November 15, 1941, 55 Stat. 763 (50, U. S. C. 191, 191 n.), and by virtue of the Proclamation and Executive Order issued June 27, 1940 (5 F.R. 2419), and November 1, 1941 (6 F.R. 5581), respectively; the regulations relating to the control of vessels in the navigable waters of the United States are hereby amended by adding the following Subpart:

GENERAL PROVISIONS

Sec.
6.300 Purpose of regulations.
6.301 Powers of Captains of the Port; special circumstances.
6.302 Distribution of regulations.
6.303 Primary responsibility.
6.304 Vessels subject to this subpart.
6.305 Ports at which regulations apply.
6.306 "Disabled" vessels.
6.307 Effect of local or unusual conditions.

SABOTAGE

6.315 Reporting of sabotage.
6.316 Precautions against sabotage.

MANNING OF VESSELS

6.320 Vessels "out of service".
6.321 Additional requirements or waiver.
6.322 Manning of vessels in port.
6.323 Relief crews.
6.324 Officers and men on duty to be on alert.

GUARDING OF VESSELS

6.330 Kinds of guards.
6.331 When guards shall be used.
6.332 How guards are provided.
6.333 Those who may be guards.
6.334 Certification of guards.
6.335 Those to whom the guards report.
6.336 Equipment of guards.
6.337 Duties of guards.

IDENTIFICATION AND PASSES

6.345 Requirements for boarding vessel.
6.346 Acceptable identification.
6.347 Acceptable passes.
6.348 Those who shall be excluded from vessels.

SECURITY OF VESSELS IN PORT

6.355 Readiness of engines.
6.356 Maintenance of mobility of vessel.
6.357 Maintenance of boiler fires on tank vessels.
6.358 Tending of mooring lines.
6.359 Emergency towing hawsers.
6.360 Use of anchors at dock.
6.361 Bunkers.
6.362 Fires on tank vessels.
6.363 Ventilators and ports.
6.364 Lighting.
6.365 Compliance with blackout regulations.
6.366 Vessels alongside.
6.367 Ship's keys.
6.368 Removal and disposal of refuse.

CARGO HANDLING

6.375 Transfer of cargo.

PERSONNEL

6.380 Responsibility of compliance by crew and others.
6.381 Return to ship in emergency.
6.382 Discussion of ship's business.
6.383 Possession of binoculars and telescopes.
6.384 Sailing time.
6.385 Provision for smoking.

INSPECTION, INSTRUCTION AND DRILLS

6.395 Inspection.
6.396 Instruction.
6.397 Drills.
6.398 Separability.

AUTHORITY: §§ 6.300 to 6.398, inclusive, issued under 40 Stat. 220, 55 Stat. 763; 50 U.S.C. 191, 191a; Proc. 2412, 5 F.R. 2419, E.O. 8929, 6 F.R. 5581.

GENERAL PROVISIONS

§ 6.300 *Purpose of regulations.* The regulations contained in this subpart are promulgated to insure the safety of all vessels in port while anchored or while moored to docks, piers, wharves or other waterfront facilities. Nothing contained in this subpart shall be construed to repeal the provisions of the regulations relating to Explosives or Other Dangerous Articles On Shipboard, promulgated April 9, 1941, as amended (46 C.F.R. Part 146), or the Regulations Relating to Tank Vessels, as amended (46 C.F.R. Parts 30–38 incl.), or any other existing laws or regulations for the safeguarding of vessels not inconsistent herewith.

§ 6.301 *Powers of captains of the port; special circumstances.* The regulations contained in this subpart shall be considered as providing the minimum requirements for the security of vessels. Captains of the port are authorized to issue orders not inconsistent with such regulations, as they may determine to be necessitated by special circumstances for the safeguarding of individual vessels, docks, piers, wharves or other waterfront facilities.

§ 6.302 *Distribution of regulations.* Copies of the regulations contained in this subpart are available for distribution by the captain of the port to masters, owners of vessels, piers, terminals and other waterfront facilities, guards and all other interested parties.

§ 6.303 *Primary responsibility.* Nothing contained in the regulations in this subpart shall be construed as relieving the masters, owners, operators and agents of vessels, docks, piers, wharves or other waterfront facilities from their primary responsibility for the security of such vessels, docks, piers, wharves or waterfront facilities.

§ 6.304 *Vessels subject to this subpart.* The regulations contained in this subpart shall apply to all vessels, foreign or domestic, except where otherwise specifically provided.

§ 6.305 *Ports at which regulations apply.* The regulations contained in this subpart shall apply to vessels, docks, piers, wharves, and other waterfront facilities in the ports of the continental United States, Alaska, Territory of Hawaii, Puerto Rico and Virgin Islands.

§ 6.306 *"Disabled" vessels.* Vessels, regardless of tonnage and whether self propelled or not and whether having cargo aboard or not, which have suffered such extensive damage to their hulls or machinery as to place them in imminent peril of further damage or loss shall be considered as "disabled" vessels. Disabled vessels are not subject to the regulations contained in this subpart, but such casualties shall be reported immediately to the captain of the port who will issue special instructions to safeguard them.

§ 6.307 *Effect of local or unusual conditions.* If the captain of the port shall find that the facilities, conditions or services necessary for the protection of vessels pursuant to any provision of this subpart are not available, he may waive compliance with the specific provision involved to the extent which he deems necessary. In case of emergency circumstances causing imminent danger to any vessel, nothing in the regulations contained in this subpart shall be construed as preventing the senior ship officer aboard such vessel from pursuing the most effective action in his judgment for the safety of the vessel.

SABOTAGE

§ 6.315 *Reporting of sabotage.* Evidence of sabotage or subversive activity involving any vessel, dock, pier, wharf, or other waterfront facility shall be reported immediately to the Federal Bureau of Investigation and the captain of the port, or to their respective representatives.

§ 6.316 *Precautions against sabotage.* The master, owner, and operator of a vessel shall take all necessary precautions to protect the vessel, cargo and personnel from sabotage.

MANNING OF VESSELS

§ 6.320 *Vessels "out of service".* For purposes of manning, vessels complying with all of the following requirements shall be considered as vessels "out of service":

(a) All persons, other than the crew, who have been or are to be transported have been removed from the vessel.

(b) All cargo has been removed from the vessel.

(c) Fires under main and auxiliary boilers have been extinguished and main engines have been shut down.

(d) The prior approval of the captain of the port has been obtained.

§ 6.321 *Additional requirements or waiver.* Nothing in the manning schedule which follows is to be construed as preventing the master or the captain of the port from requiring additional men, or all hands, to be on board and on active duty in time of extraordinary emergency or to prevent the captain of the port, at the request of the master, from waiving compliance with these manning requirements when, in his discretion, this may be done consistently with the safety of the vessel and the port.

§ 6.322 *Manning of vessels in port.* Vessels subject to the regulations contained in this subpart when anchored or when moored to a dock, pier, wharf, or other waterfront facility, shall have no fewer than the following number and kind of officers and men on board and subject to duty as may be required by the master:

(a) Self propelled vessels of 1000 gross tons or over except when "out of service": A crew of officers and men equivalent to the regular deck and engine room sea watches not including day men.

(b) Self propelled vessels of 1000 gross tons or over when "out of service": Guards shall be provided in lieu of crew as set forth in the regulations under "Guarding", and in addition thereto one licensed officer shall be aboard except when the vessel is in a shipyard. The captain of the port may waive the requirement for the licensed officer if he shall find that the vessel is secure without his presence aboard. When vessels are seasonally "out of service" the captain of the port shall determine the number of guards to be used.

(c) Vessels regardless of tonnage having explosives as cargo on board shall be manned in accordance with the requirements of the captain of the port.

§ 6.323 *Relief crews.* Any or all of the duty required of the ship's officers and men under the regulations contained in this subpart may be performed by relief officers and men holding the necessary licenses and certificates.

§ 6.324 *Officers and men on duty to be on alert.* Where the regulations contained in this subpart require the presence of officers on vessels which are not "out of service," efficient continuous watches shall be maintained by them both day and night. The night relieving officers shall remain actually on watch and make tours of the decks, superstructures, cargo spaces where cargo is being worked, boiler rooms, engine rooms and machinery spaces at irregular but sufficiently frequent intervals to inform themselves on conditions. Officers shall maintain necessary supervision and direct the work of the men on duty under them in order that a state of alert shall prevail.

GUARDING OF VESSELS

§ 6.330 *Kinds of guards.* Guards for vessels shall be of the following kinds:

(a) "Ship guards." Ship guards shall perform service at the ship's gangways or roving service throughout the ship.

(b) "Cargo guards." Cargo guards shall perform service in cargo spaces during the time general cargo of certain kinds is being worked.

(c) "Fire guards." Fire guards shall perform service when repairs to the vessel create special fire hazards.

§ 6.331 *When guards shall be used.* On all vessels guards shall be employed in accordance with the following schedule in addition to the crew requirements set forth under the section on manning:

(a) "Ship guards." Ship guards shall be required as follows:

(1) Self propelled vessels of from 2000 to 5000 gross tons, shall, when moored to a dock, pier, wharf or other waterfront facility maintain a guard continuously on duty at each gangway.

(2) Self propelled vessels of over 5000 gross tons, shall, when moored to a dock, pier, wharf or other waterfront facility, maintain a guard continuously on duty at each gangway and in addition thereto a guard continuously on roving duty.

(3) Self propelled passenger vessels of over 5000 gross tons shall, when moored to a dock, pier, wharf or other waterfront facility, maintain a guard continuously on watch at each gangway, a guard continuously on roving duty throughout the vessel and, in addition thereto, sufficient roving guards to patrol all parts of the vessel accessible to passengers and crew, at intervals of not over 20 minutes. The watchmen now required on such vessels at sea may serve as roving guards in port.

(b) "Cargo guards." On all vessels, regardless of tonnage and whether self propelled or not, cargo guards shall be maintained continuously on watch in each cargo space when working cargo consisting of explosives, or other dangerous articles as defined in regulations (46 C. F. R. Part 146) except inflammable or combustible liquid cargo in bulk. The captain of the port may require cargo guards for any vessel whenever he shall find, in his discretion, that such guards are necessary for the security of the vessel or the port.

(c) "Fire guards." On self propelled vessels of 1000 gross tons or over when under repair a fire guard shall be maintained in each compartment or place in which there is in use portable apparatus such as for welding, burning, and riveting, or in which sparks or sufficient heat to cause combustion may be transmitted if such space or adjacent spaces contain combustible materials likely to become ignited, from the time such work is started until after it is completed.

§ 6.332 *How guards are provided.* The master, vessel owner, operator, and agent shall provide all guards required by the regulations contained in this subpart except where such guards are provided by military authority.

§ 6.333 *Those who may be guards.* Any of the following classes of persons may serve as guards:

(a) Members of the Military or Naval forces of the United States when approved by proper authority.

(b) Members of any of the Militarized Plant Guard Forces.

(c) Members of the crew when approved by the master or senior deck officer aboard, provided that members of the crew employed as guards shall be in addition to those required by the sections of these regulations concerned with manning.

(d) Male civilians who are citizens of the United States over 21 years of age of robust build, in satisfactory physical condition, and of good character may be guards when approved by the captain of the port.

(e) On vessels of foreign registry of the United Nations when in the ports of the United States or its possessions, citizens of any of the United Nations may be used as guards if approved by the captain of the port and by the master of the vessel.

§ 6.334 *Certification of guards.* Civilian guards, both individually and as an organization, shall be subject to the approval of the captain of the port. Coast Guard identification cards of all civilian guards shall be indorsed "Guard."

§ 6.335 *Those to whom the guards report.* On any vessel, when more than one guard is required, one of the guards shall be the chief guard, and all other guards aboard shall be subject to his orders. Guards shall be subject to the orders of the master or the senior deck officer on watch. When vessels are loading explosives, all guards shall be subject to the orders of the senior member of the Coast Guard Explosives–Loading Detail.

§ 6.336 *Equipment of guards.* All guards, other than those of the Military and Naval forces of the United States shall, when on duty, have the following equipment:

(a) A copy of the regulations contained in this subpart, a Coast Guard identification card indorsed "Guard" by the captain of the port, a badge or other insignia, a flashlight, a police club and a police whistle.

(b) In addition to this equipment, the chief guard shall have an efficient firearm with which he is familiar.

(c) Fire guards shall have readily at hand either a 2½ gallon foam fire extinguisher, a 15 lb. carbon dioxide fire extinguisher, or two 1 quart carbon tetrachloride or other equivalent approved fire extinguisher.

§ 6.337 *Duties of guards.* The following shall be the duties of guards:

(a) Standing orders for all guards:

(1) To take charge of your post or beat and the security of life and property which it covers, informing yourself of the location and use of nearest fire, safety and alarm apparatus.

(2) To cover your post in an efficient manner keeping always on the alert and observing everything that takes place within sight or hearing.

(3) To report to your superior all violations of orders you are instructed to enforce and to submit written reports on occurrences or violations of consequence.

(4) To receive and transmit, as required, all messages or calls relating to the ship's security.

(5) To quit your post only when properly relieved.

(6) To receive, obey and pass on to your relief all orders from those to whom you report.

(7) To maintain a courteous and dignified bearing, refraining from conversation with others except as required by your duties.

(8) To give the alarm in case of fire or disorder.

(9) To notify immediately those to whom you report in cases not covered by your instructions.

(10) To be especially watchful at night and during periods of alarm and blackout and to challenge and hold for the Coast Guard, shore guard or other authorities, all of those whose appearance and actions you suspect and to deny entrance and to put ashore in safe hands, any who attempt to board without proper identification and pass.

(b) Duties of gangway guard:

(1) To stay on duty on the ship in the close vicinity and in view of the gangway.

(2) To deny entrance to the ship to all of those not having in their possession valid passes, credentials or Coast Guard identification cards as required under the following section on "Identification and Passes."

(3) To examine all personal baggage and packages brought aboard by, or for, ship's officers, or men. To hold for examination by the senior deck officer present or those he may designate, the personal baggage and packages of persons other than the crew who have been or are to be transported, provided: That such baggage and packages have not been examined by competent authority on the dock.

(4) To bar members of the crew when under the influence of liquor from boarding the vessel when explosives as cargo is being worked. At other times to hold those members of the crew boarding under the influence of liquor until safe escort to their quarters can be secured for them.

(5) To receive from the foreman stevedore a list of his longshoremen and together with him to check them aboard when starting and ashore when concluding the day's work.

(c) Duties of roving guard:

(1) To patrol continuously from one end of the ship to the other or, within the confines of the area prescribed by the chief guard, and to observe on these rounds the security of accessible spaces for the detection of fire, disorder, violation of security regulations and the presence of unauthorized persons. To require that those suspected of being aboard without authority properly identify themselves and show, in addition, a pass or its equivalent and give the reason for their presence.

(2) To warn away vessels not having permission to come alongside.

(3) To maintain contact from time to time with personnel on barges, lighters and tugs laying alongside.

(4) To patrol the passages of spaces in which the crew is berthed.

(5) To inspect spaces in which workmen are engaged or from which they have recently departed.

(d) Duties of cargo guard:

(1) To establish the identity of all men working in cargo spaces and all who may from time to time, come in.

(2) To see that fire hose, with sufficient slack to reach the bottom of hold is run out and that there is available nearby a 2½ gallon foam fire extinguisher, a 15 lb. carbon dioxide fire extinguisher, two 1 quart carbon tetrachloride, or other equivalent approved fire extinguisher.

(3) To see that portable fire fighting apparatus is in accordance with safety requirements and is properly placed.

(4) To maintain close watch for leaking, broken or damaged cargo containers and to see that they are removed for recooperage in accordance with regulations.

(5) To maintain close watch for any evidence of fire or gas fumes.

(6) To enforce smoking and other security regulations.

(7) To prohibit the carriage of clothing, lunch boxes or other packages into cargo spaces and to prevent the eating of meals there and the visiting of men between such spaces. To maintain special vigilance of cargo spaces during meal time.

(8) To assist the ship's officers in inspecting the cargo spaces prior to loading and after discharging the cargo and to be present at the final closing of the hatch or cargo space.

(e) Duties of fire guard:

(1) To have removed portable combustibles from the work area and to have protection provided for combustible materials which cannot be moved, giving particular attention to the passage of heat through bulkheads and decks and the protection of hatches, ducts, ports and other openings through which flame, sparks and hot metal may pass.

(2) To see that fire hose with sufficient slack to reach all parts of the compartment is run out and that there is available nearby suitable approved fire extinguishers as required.

(3) To make a thorough fire inspection before, during and after the working period and not to conclude this inspection until it is certain that no hazard from fire exists.

IDENTIFICATION AND PASSES

§ 6.345 *Requirements for boarding vessels.* Persons seeking to board vessels shall be subject to all the following requirements:

(a) The individual must possess acceptable means of identification as prescribed in § 6.346.

(b) He must possess an acceptable pass as provided in § 6.347.

(c) He must have a legitimate reason for boarding the vessel at the particular time he seeks entrance thereto.

§ 6.346 *Acceptable identification.* A Coast Guard identification card, or other means of identification acceptable to the captain of the port as set forth in § 6.14 of this part shall be acceptable in addition to a pass or its equivalent and a legitimate reason for boarding.

§ 6.347 *Acceptable passes.* Any of the following kinds of passes shall be acceptable in addition to the acceptable means of identification set forth above and a legitimate reason for boarding:

(a) A badge or card bearing a photograph of the holder and the name of the company which issued it, when a part of a pass procedure requiring that the holder's description and United States citizenship be established and placed on file and that his fingerprints be filed with the Federal Bureau of Investigation, all to the satisfaction of the captain of the port.

(b) Credentials establishing status as an official of the Government of the United States, or of the States or possessions thereof, or of a Municipality thereof whose duties require his presence aboard such vessel.

(c) A pass when approved by the master of the vessel or the senior deck officer on duty, or by a representative of the owner in a position of authority.

(d) Certificates of identification or seaman's service record issued to United States merchant officers and seamen when the holder thereof is a member, or to become a member, of the crew of that vessel.

§ 6.348 *Those who shall be excluded from vessels.* The following categories of persons shall be excluded from vessels:

(a) Enemy aliens as defined in § 6.1 of the regulations contained in this part, except when permitted by the captain of the port.

(b) Those excluded by the master or captain of the port.

SECURITY OF VESSELS IN PORT

§ 6.355 *Readiness of engines.* Steam vessels of 1000 gross tons or over, when moored to a dock, pier, wharf, or other water-front facility, or when at anchor, shall maintain steam pressure on at least one main boiler sufficient to provide steam for main engines and essential auxiliaries to maintain them in a state of readiness unless the vessel is "out of service" or unless its safety or necessary repairs, as determined by the master and chief engineer or their representatives, require otherwise. In the absence of ship's power and in the cleaning of the fire sides of boilers the following procedure shall be followed:

(a) In all cases where any vessel is without power to operate its fire pumps, its fire system shall be connected to the shore fire system, if available, by fire hose and, weather permitting, pressure shall be maintained on the ship's fire system from shore.

(b) In all cases where the vessel is without electric power its switchboard shall be connected to a source of shore electric power, if available, to maintain the ship's lighting system.

(c) Manually cleaning the fire side of any boiler having fires under it, is prohibited on vessels at docks, piers, or wharves, when working dangerous cargo or when gas-freeing tanks.

§ 6.356 *Maintenance of mobility of vessels.* No self propelled vessel of 1,000 gross tons or over when moored to a dock, pier, wharf, or other waterfront facility or when at anchor shall be without means of propulsion for over 24 hours except when loading liquid inflammable cargo in bulk unless the approval of the captain of the port has first been obtained. The captain of the port shall be notified when such vessels have been returned to a status of mobility.

§ 6.357 *Maintenance of boiler fires on tank vessels.* In the case of tank vessels, regardless of tonnage, when moored to a dock, pier, wharf or other waterfront facility when loading liquid inflammable cargo of Grades A, B or C in bulk, it shall be determined whether fires shall be maintained under boilers by the following procedure: Upon arrival at the loading terminal the master and terminal superintendent or their representatives shall consult as to the safest procedure to follow, consideration being given to the over-all security of the vessel and the terminal, the availability of shore steam, water and electric power, the state of the weather and the practice of the terminal. In each instance the decision reached shall be entered in the deck log book of the vessel.

§ 6.358 *Tending of mooring lines.* At all times when vessels are moored to docks, piers, wharves, or other waterfront facilities, care shall be taken to assure that all mooring lines are hove taut to prevent surging. Fire axes shall be kept conveniently at hand, forward and aft, to be used on the ship or passed to the dock for cutting hawsers in case of emergency.

§ 6.359 *Emergency towing hawsers.* At all times when vessels of 1000 gross tons or over are moored to docks, piers or wharves they shall have available on deck, fore and aft, hawsers capable of being used for emergency towing. The eye of such hawsers shall be extended beyond and outboard of the chock about five feet and ready to run and the ship's end shall be stopped off on the bitts to permit reasonable scope of hawser for towing. A heaving line made up and secured to the rail by rope yarn shall be bent to the eye of each hawser.

§ 6.360 *Use of anchors at dock.* Anchors of vessels shall not be dropped, hove out or remain out when the vessel is at a dock, pier or wharf unless there is power available for the windlass and unless there is good reason for having them out.

§ 6.361 *Bunkers.* The bunkering of self propelled vessels shall be supervised by the engineer on duty assisted by additional men as required.

§ 6.362 *Fires on tank vessels.* Tank vessels when loading Grade A, B or C cargo in bulk shall have no fires or open flames on deck or in any compartment which is located on, facing, open, and adjacent to that part of the deck on which cargo hose is connected.

§ 6.363 *Ventilators and ports.* Ventilators and ports shall be trimmed or secured while at the dock as follows:

(a) On tank ships, ventilator cowls looking onto the after well deck shall be trimmed away from the cargo hose during cargo transfer operations.

(b) On tank ships, air ports looking onto the after well deck shall be closed and dogged during cargo transfer operations.

(c) On all ships, air ports in spaces not used as living accommodations shall be closed and dogged except during such time as these spaces are being worked in. Air ports through the ship's hull in way of docks shall be closed and dogged

by the occupant of the space before he leaves the ship.

(d) Cargo ports shall be closed and secured when not in use. When opened, and providing a means of entrance to the ship they shall be guarded.

§ 6.364 *Lighting.* All vessels of 1000 gross tons or over when moored to a dock, pier or wharf and all vessels alongside them shall, during the hours of darkness, be lighted with incandescent electric lights in accordance with the following requirements except when such lighting, as determined by the captain of the port, may be undesirable. All portable lights shall be of substantial construction and on tank vessels shall be fitted with vapor-proof globes. All portable electric wiring shall be of substantial construction and designed for portable use and in good condition. The length of portable wiring shall be kept at a minimum consistent with the lighting problem and as little portable wiring as possible shall be run over the main deck. All lighting shall be shaded or so arranged that it does not interfere with nearby navigation and, to the extent possible, it shall be so directed as to keep the positions of guards in shadow.

(a) The dock: the dock shall be lighted in way of the gangway and where such lighting is not available from shore it shall be lighted from the ship.

(b) The ship's main deck: The ship's main deck shall be lighted with the ship's permanent deck lighting system.

(c) The offshore side: Lighting of the ship's offshore side shall be sufficient to detect the approach of small boats. It may be accomplished by lights over the ship's side or by lights across the slip.

(d) Over the stern: A light shall be dropped down over the stern to illuminate the area around the propeller and rudder.

(e) For barges alongside: The deck of barges and the top of house lighters alongside the ship shall be lighted either by these vessels or from the ship.

(f) Cargo hatches: The hatches and other cargo spaces when working general cargo shall be lighted by one or more lights in each space as may be required.

(g) Alleyways: The ship's alleyways shall be lighted at night and as may be required during the daytime.

§ 6.365 *Compliance with blackout regulations.* All vessels, regardless of tonnage, when moored to a dock, pier, wharf, or other waterfront facility, or when at anchor, shall comply with blackout and dim out regulations issued by competent authority.

§ 6.366 *Vessels alongside.* No vessel of any kind shall be permitted to come alongside and no vessel shall be permitted to remain alongside after its business with the ship has been concluded, except with the permission of the senior deck officer on duty.

§ 6.367 *Ship's keys.* Ship's keys properly tagged, shall be readily accessible to the deck and engineer officers on duty.

§ 6.368 *Removal and disposal of refuse.* Trash and rubbish which will float shall not be taken to sea for disposal but shall be removed from the ship at sufficiently frequent intervals to prevent a fire hazard. Garbage, except that which may be prohibited ashore by the provisions of any laws or regulations, shall be placed in covered metal containers and removed as required. Under no circumstances shall galley or boiler ashes be put over the side in port.

CARGO HANDLING

§ 6.375 *Transfer of cargo.* Cargo spaces shall not be opened, until the cargo is ready to be worked or to perform necessary work in such spaces. When the work is completed the cargo spaces shall be closed and secured. To prevent unlawful access to the ship, save-alls, cargo nets, stagings and side ladders, other than gangways shall be removed or triced up, meal time excepted, as soon as the working of the cargo is concluded.

PERSONNEL

§ 6.380 *Responsibility for compliance by crew and others.* The master, owner, operator, and agent of the vessel shall require strict compliance by the members of the crew, guards, and others with the regulations contained in this subpart and shall instruct them therein. Violations of the regulations contained in this subpart shall be reported to the captain of the port.

§ 6.381 *Return to ship in emergency.* When officers and men are ashore and a state of emergency is announced in the port, they shall endeavor to proceed with all possible speed to their ship.

§ 6.382 *Discussion of ship's business.* Officers, crew members, and others shall not discuss ship's business or inform anyone of any anticipated movement of the vessel except as required in the line of duty and then only with persons having proper credentials. Ship's business shall not be discussed within the hearing of those not officially involved.

§ 6.383 *Possession of binoculars and telescopes.* Binoculars and telescopes on vessels shall be in the possession of the master, officers, and lookouts only.

§ 6.384 *Sailing time.* In no case shall a sailing time be posted or announced and every effort shall be made to keep information in relation thereto and to the future movements of the vessel secret.

§ 6.385 *Provision for smoking.* The master shall post a notice in a conspicuous place stating where smoking shall and shall not be permitted aboard. In no case shall smoking be permitted:

(a) On weather decks when moored to a dock, pier, wharf, or other waterfront facility.

(b) When loading or discharging explosives.

(c) In cargo spaces.

(d) When gas freeing ship's tanks or when loading Grade A, B or C liquid inflammable cargo in bulk, except that the master may permit smoking in lounge and mess rooms, in fire rooms when boiler fires are lighted, and in engine rooms when machinery is in operation.

INSPECTION INSTRUCTION AND DRILLS

§ 6.395 *Inspection.* The following inspections shall be required:

(a) (1) Inspection of dock on arrival: Upon arrival at the dock the master shall designate officers to inspect its facilities for furnishing fire fighting assistance, fresh water, steam, electricity and flood lighting. Inquiry shall be made of the terminal superintendent with regard to the immediate and continuous availability of these services. The dock shall also be inspected with reference to moorings, the availability of fire apparatus, guard and pass service and the location of fire alarm boxes and telephones. All of this information shall be given to the master and deck officer on duty.

(2) The chief engineer or an assistant engineer shall be responsible for connecting the shore fire hydrant to the ship's fire line, including the furnishing of hose adapters where required, and for seeing that water under sufficient pressure is available from shore when the ship's fire pumps are not available for this purpose. Weather permitting, fire hose so connected shall be tested under pressure for flow.

(b) Inspection during daylight: At least twice during each four hours, the deck and engine officers on watch shall make a general inspection of their departments. At frequent intervals steam and gas fire smothering apparatus and fire fighting, rescue and life saving apparatus shall be examined to determine its condition and readiness for use.

(c) Sundown inspection: Prior to sundown the deck officer on watch shall make a general inspection of the moorings, and the offshore side of the vessel including the security of barges and lighters permitted to remain alongside for the night.

(d) Inspection during night: At least twice during each four hours the deck and engine officers on watch shall make a general inspection of their department paying particular attention to spaces which are unoccupied but cannot be locked, to the lighting system, to the deck, and to conditions at the stern of the vessel.

(e) Inspection of cargo spaces: Prior to the loading of general cargo, the mate or deck officer on watch shall make a thorough inspection of the cargo spaces involved assuring himself that they have been properly cleaned, that no unnecessary inflammable or combustible materials remain, and that the lighting is safely arranged. He shall also inspect the cargo handling gear and be present when the longshoremen start work. He shall remain continuously in touch with the working of cargo and when the loading or discharging is completed he shall make a final inspection with the stevedore foreman and be present when the cargo space is closed and secured. During all of the time dangerous cargo is being worked, he shall keep in touch with the Coast Guard detail, cargo guard and stevedore foremen.

(f) Inspection prior to departure: Prior to departure the ship shall be inspected by officers of the deck and engine departments. In addition to the testing of steering gear, telegraphs and whistle, the running lights and telephones shall be operated. All locked spaces, storerooms, living accommodations, life boats and cargo spaces not secured for sea shall be inspected. Hatches, doors, and other means of access to all buoyancy spaces not required to be entered shall be properly secured. Watertight doors shall be closed unless frequent passage through them requires otherwise.

§ 6.396 *Instruction.* The master and chief engineer or others whom they may designate shall instruct the crew with regard to ship security. This instruction shall include the regulations contained in this subpart, professional subjects, the use of life saving and fire fighting apparatus, and first aid.

§ 6.397 *Drills.* Instruction shall be supplemented by special drills, blackout drills at night, and air raid drills. Drills ordered by local authorities shall be observed unless otherwise authorized by the captain of the port. In all such drills every attempt shall be made to reproduce, within safe limits, the actual emergency situation.

§ 6.398 *Separability.* If any provision of the regulations contained in this part or the application of such provision to any person, vessel or circumstances shall be held invalid, the validity of the remainder of the regulations contained in this part and the applicability of such provision to other persons, vessels, or circumstances shall not be affected thereby.

JAMES FORRESTAL,
Acting Secretary of the Navy.

Approved: Dec. 31, 1942.

FRANKLIN D ROOSEVELT
The White House.

[F. R. Doc. 43-157; Filed, January 4, 1943; 11:08 a. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

PART 306—GENERAL AGENTS AND AGENTS

[General Order 12, Supp. 8, Amended]

COMPENSATION PAYABLE TO GENERAL AGENTS AND AGENTS ON DRY CARGO VESSELS

Section 306.7 *Compensation of agents in continental United States ports*[1] is amended by striking out paragraph (e) and inserting in lieu thereof:

(e) 2½% of the vessel's revenue on outward ad valorem cargo and mail, and 1½% of the vessel's revenue on homeward and way ad valorem cargo and mail. Where mail is transported without charge, agents should be compensated 5¢ a bag.

Section 306.8 *Compensation of agents at ports outside of continental United States*[2] is amended by striking out paragraph (e) and inserting in lieu thereof:

(e) 2½% of the vessel's revenue on outward ad valorem cargo and mail, and 1½% of the vessel's revenue on homeward and way ad valorem cargo and mail. Where mail is transported without charge, foreign sub-agents should be compensated 5¢ a bag.

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

DECEMBER 31, 1942.

[F. R. Doc. 42-14201; Filed, December 31, 1942; 1:55 p. m.]

[1] 7 F.R. 6587, 8565, 8714, 10724.
[2] 7 F.R. 6587, 8565, 8714.

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 1—RULES OF PRACTICE AND PROCEDURE

SPECIAL SERVICE AUTHORIZATIONS

The Commission on December 29, 1942, effective immediately, amended § 1.366 *Special service authorizations* to read as follows:

§ 1.366 *Special service authorizations.* Special service authority may be issued to the licensee of a radio station for a service other or beyond that authorized in its existing license for a period not exceeding that of its existing license upon proper application therefor,[2] and satisfactory showing in regard to the following, among others:

(a) That the requested operation may not be granted on a regular basis under the existing rules governing the operation of the class of stations to which the applicant's station belongs;

(b) That in the event the application is on behalf of a standard broadcast station, that experimental operation is not involved as provided for by § 3.32 of the Rules and Regulations;

(c) That public interest, convenience, and necessity will be served by granting the authorization requested. (Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i))

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F.R. Doc. 43-102; Filed, January 2, 1943; 10:18 a. m.]

[2] Applications for authorizations to use frequencies assigned to the international broadcast service may be made on an informal basis; formal application must be made for other authorizations.

[Order 109]

PART 43—REPORTS (RULES GOVERNING THE FILING OF INFORMATION, CONTRACTS, PERIODIC REPORTS, ETC.)

CERTAIN COMMON CARRIERS

At a regular meeting of the Federal Communications Commission held at its offices in Washington, D. C., on the 29th day of December, 1942, the Commission having under consideration the annual reports to the Commission of carriers that operate separate departments or divisions of a holding company, servicing, manufacturing, or other non-carrier nature; and

It appearing that communication carriers having separate departments or divisions of a holding company, servicing, or manufacturing nature, in preparing their annual reports to the Commission perform accounting that results in the consolidation and elimination of intra-company items with respect to such separate departments or divisions; and

It further appearing that such annual reports fail to reflect information with respect to the accounting prior to such consolidation and elimination of intra-company items;

It is ordered, That each common carrier required to file annual reports with the Commission which has a separate department or division for the conduct of its common carrier operations, and a separate department or division for the conduct, respectively, of holding company, servicing, manufacturing, or other non-carrier operations, shall file supplementary supporting annual reports for the common carrier operating department or division, and for each of the separate non-carrier departments or divisions, prepared on the basis of the

[Order 110]

PART 4—RULES GOVERNING BROADCAST SERVICES OTHER THAN STANDARD BROADCAST

LICENSES OF INTERNATIONAL BROADCAST STATIONS

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 29th day of December, 1942,

The Commission having under consideration that portion of § 4.3 of the Rules and Regulations which provides that licenses for international broadcast stations normally will be issued for a period of one year; and

It appearing that it is unnecessary for the Commission to issue new licenses every year for international broadcast stations while they are operating under the control of the Office of War Information and the Coordinator of Inter-American Affairs:

It is ordered, That (1) The license term for every international broadcast station, either licensed at this date or licensed hereafter, shall end at the earlier of the following dates: (a) November 1, 1945, or (b) The first day after October 31, 1943, on which its operations are not controlled, by agreement or otherwise, by the Office of War Information or the Coordinator of Inter-American Affairs;

(2) The portion of § 4.3 of the Rules and Regulations which established for international broadcast stations a normal license term of one year is hereby suspended until further order of the Commission.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-103; Filed, January 2, 1943; 10:18 a. m.]

annual accounting of the respective department or division prior to consolidation and elimination of intracompany items.

It is further ordered, That the aforementioned supplementary supporting annual reports shall be accompanied by statements of elimination showing how the combined figures in the annual report were developed; and

It is further ordered, That if any of such departments or divisions maintain any operating expense, operating revenue, or income account not provided for in the appropriate Uniform System of Accounts (prescribed by the Commission) to which the carrier is subject, and such account is expunged in the process of elimination, the report of each such department or division shall show an analysis prior to elimination and consolidation of these non-prescribed accounts on basis of the prescribed accounts that would be charged if each such department or division were a separate company; and

It is further ordered, That if any schedule or statement of such a supplemental report would be an exact duplicate of the corresponding schedule or statement in the basic (combined) annual report of the carrier to the Commission, such schedule or statement may be omitted from the supplementary supporting annual report if proper cross-reference is made.

By the Commission.

(SEAL) T. J. SLOWIE, *Secretary.*

[F. R. Doc. 43-104; Filed, January 2, 1943; 10:18 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Special Direction ODT 18, Revised—5]

PART 520—CONSERVATION OF RAIL EQUIPMENT—EXCEPTIONS, PERMITS, SPECIAL DIRECTIONS

SUBPART C—CARLOAD FREIGHT TRAFFIC

TRANSPORTATION OF CERTAIN COMMODITIES

Pursuant to the provisions of § 500.22, Subpart C, (General Order ODT 18, Revised,) Part 500, this chapter and title of the Code of Federal Regulations: *It is hereby ordered*, That:

§ 520.486 *Transportation of certain commodities.* Notwithstanding the provisions of § 500.21, Subpart C, (General Order ODT 18, Revised), Part 500, this chapter and title, of the Code of Federal Regulations, any rail carrier may accept for transportation at point of origin, or forward therefrom, carload freight consisting of any of the following commodities when the car containing such freight is loaded to the extent hereinafter shown or in conformity with the provisions of paragraphs (a), (b) or (c) of § 500.21 of General Order ODT 18, Revised. Except as otherwise shown the loading requirements provided herein apply on straight carload shipments:

Canned goods: Including milk in cans, shall be loaded to a weight not less than 65,000 pounds.

Coal: In a closed freight car shall be loaded with a weight not less than 70 per cent of the marked capacity of cars of 100,000 pounds capacity or more, and with a weight not less than 80 per cent of the marked capacity of cars of less than 100,000 pounds capacity.

Clay products: Brick, hollow building tile, drain tile: (a) Brick; salt, lead, or zinc glazed, shall be loaded to a weight not less than 65,000 pounds.

(b) Building brick or hollow building tile, plain, and drain tile six inches and under in diameter, in mixed carloads, shall be loaded to a weight not less than 60,000 pounds; *Provided, however*, That the weight of the drain tile equals or exceeds 25 per cent of the weight of the shipment;

(c) Building brick or hollow building tile, plain, and drain tile over six inches in diameter, in mixed carloads, shall be loaded to a weight not less than 50,000 pounds; *Provided, however*, That the weight of the drain tile equals or exceeds 25 per cent of the weight of the shipment;

(d) Building brick and hollow building tile, plain, in mixed carloads, shall be loaded to a weight not less than 75,000 pounds.

Blocks: (a) Building; filter bed, (solid, hollow or perforated), shall be loaded to a weight not less than 70,000 pounds;

(b) Salt, lead or zinc glazed, segment or silo, shall be loaded to a weight not less than 65,000 pounds.

Conduits: Not lined and without bell ends, shall be loaded to a weight not less than 70,000 pounds.

Tile: (a) Hollow building (plain), fireproofing, shall be loaded to a weight not less than 70,000 pounds;

(b) Hollow building, salt, lead, or zinc glazed, shall be loaded to a weight not less than 65,000 pounds.

Drain tile: (a) Six inches and under in diameter, shall be loaded to a weight not less than 40,000 pounds;

(b) Over six inches in diameter, shall be loaded to a weight not less than 35,000 pounds.

Slabs: Clay, (including silo slabs), not enameled, not roofing or ornamental, shall be loaded to a weight not less than 65,000 pounds.

Containers, Cans: Loose, other than as described in Rule 40, Section 5, Paragraphs A, B and C, Consolidated Freight Classification No. 15, R. C. Fyfe's ICC No. 28, supplements thereto and reissues thereof, shall be loaded to an elevation not less than 8 feet from the floor of the car, being loaded in each end up to the doorway, and held in place by bulkheads, the space between the bulkheads to be utilized for stowing the ends and covers of the cans.

Glass: (a) Bottles, jars and packing glasses, (other than those manufactured from opal glass), in barrels, boxes or crates, shall be loaded to an elevation not less than 7 feet from the floor of the car, covering the entire floor space of the car;

(b) Jars manufactured from opal glass, in barrels, boxes or crates, shall be loaded to a weight not less than 60,000 pounds;

(c) Bottles and jars, loose in the car, shall be loaded to an elevation not less than 5 feet from the floor of the car, covering the entire floor space of the car.

Pulpboard: Trays, (flat or folded flat); sputum cups, (flat or folded flat); in bundles, boxes, cartons, cases or packages; folding boxes and cartons, in bundles, boxes, cases, cartons, or loose; in straight or mixed carloads, shall be loaded to an elevation not less than 6 feet from the floor of the car, covering the entire floor space of the car.

Cement: In cloth or paper bags, when loaded in a car of 100,000 pounds capacity or greater, shall be loaded to a weight not less than 95,000 pounds.

Ceramics: Chinaware, earthenware, stoneware, and pottery shall be loaded to a weight not less than 36,000 pounds.

Cylinders—gas: In empty return movement, shall be loaded to a weight not less than 36,000 pounds.

Chemicals: Ammonium-bicarbonate. In barrels, shall be loaded each container placed on end, two tiers high, covering the entire floor space of the car;

Ammonium chloride: (a) In barrels, shall be loaded, each container placed on end, two tier high, covering the entire floor space of the car;

(b) In paper bags, shall be loaded to a weight not less than 80,000 pounds;

(c) In burlap bags, shall be loaded three tiers in height, covering the entire floor space of the car.

Calcium chloride (other than liquid): (a) In drums, barrels, or casks, 500 pounds or more gross weight, shall be loaded, each container placed on end, in one tier covering the entire floor space of the car;

(b) In bags, shall be loaded to a weight not less than 80,000 pounds.

Caustic soda. (Dry) and bleaching powder (a) In drums, barrels, or casks, 500 pounds or more gross weight, shall be loaded, each container placed on end, in one tier covering the entire floor space of the car;

(b) In drums, barrels, or casks, less than 500 pounds gross weight, shall be loaded, each container placed on end, in two tiers covering the entire floor space of the car.

Lye: (Concentrated) and lye-based cleaning compounds shall be loaded to a weight not less than 50,000 pounds.

Paradichlorobenzene: In barrels, shall be loaded to a weight not less than 50,000 pounds.

Potassium carbonate: (a) In barrels of approximately 400 pounds gross weight each, shall be loaded to a weight not less than 70,000 pounds;

(b) In barrels of approximately 400 pounds gross weight each, shall be loaded to a weight not less than 80,000 pounds;

(c) In drums, barrels, or casks, exceeding 500 pounds gross weight each, shall be loaded each container placed on end, in one tier covering the entire floor space of the car.

Potash: In paper containers, shall be loaded to a weight not less than 80,000 pounds.

Sal-soda: In packages, shall be loaded to a weight not less than 55,000 pounds.

Silicate of soda (dry): (a) In barrels, shall be loaded each container on end, two tiers high, covering the entire floor space of the car;

(b) In cloth or paper bags, shall be loaded four tiers high covering the entire floor space of the car.

Soda (bicarbonate): In packages, shall be loaded to a weight not less than 45,000 pounds.

Chemicals (not otherwise named herein): (a) In boxed carboys, shall be loaded not less than three tiers in height, with 4 carboys across the width of the car floor the entire length of the car, 3 carboys on the second tier across the width of the car and along its entire length, and 2 carboys on the third tier across the width of the car and along its entire length, subject to I.C.C. regulations on specific commodities;

(b) In drums, barrels or casks, 500 pounds or more in weight each, shall be loaded, each package placed on end, in one tier covering the entire floor space of the car.

Fertilizers—manufactured: Sodium nitrate, superphosphate, sulphate of ammonia, cyanamid and urea, in bags, in straight or mixed carloads, shall be loaded to a weight not less than 60,000 pounds.

Floor covering: (a) Mats or rugs, felt base, asphalted, plain or decorated; wood fibre, impregnated and decorated; shall be loaded to a weight not less than 40,000 pounds;

(b) Carpeting, felt base, asphalted, plain or decorated; wood fibre base impregnated and decorated; shall be loaded to a weight not less than 45,000 pounds;

(c) Items included in (a) and (b) in mixed carloads shall be loaded to a weight not less than 45,000 pounds;

(d) Linoleum, in mixed carloads, with mats and rugs as described in paragraph (a) and with linoleum cement, floor wax, paper or paper felt carpet lining, steel linoleum rollers, calking compounds, lacquer and varnish, shall be loaded to a weight not less than 50,000 pounds: *Provided, however*, That the weight of the linoleum does not exceed 75 per cent of the weight of the shipment.

Foundry supplies; Ground coal, ground pitch, core compound: (a) In multiwall paper bags, shall be loaded to a weight not less than 60,000 pounds;

(b) In paper-lined burlap bags shall be loaded to a weight not less than 70,000 pounds.

Foundry facing: (a) In barrels, shall be loaded on end, not less than one tier in height, covering the entire floor space of the car;

(b) In multiwall paper bags, shall be loaded to a weight not less than 50,000 pounds.

Hot top compound: In bags, shall be loaded to a weight not less than 80,000 pounds.

Foundry supplies (mixed carload shipments of the commodities shown above, containing not in excess of 25 per cent hot top compound): (a) In multiwall paper bags, shall be loaded to a weight not less than 60,000 pounds;

(b) In paper-lined burlap bags, shall be loaded to a weight not less than 70,000 pounds;

(c) In combination of (a) and (b), shall be loaded to a weight not less than 60,000 pounds: *Provided, however*, That the weight of the foundry supplies, in paper-lined burlap bags, does not exceed 25 per cent of the weight of the shipment.

Fruit-dried: In boxes, shall be loaded to a weight not less than 70,000 pounds.

Gypsum products (mixed carload shipments): Shall be loaded to a weight not less than 70,000 pounds.

Grain products (straight or mixed carload shipments): (a) Rice in packages containing less than 50 pounds each; starch, seed, grain products, grain by-products, cereal food preparations, vegetable oil meal, animal and poultry feed, all in containers, and vegetable oil cake, shall be loaded to a weight not less than 60,000 pounds. Grain, in sacks, of a weight not exceeding 20,000 pounds may be included in mixed carload shipments of commodities shown in this paragraph (a) to make up the weight of 60,000 pounds;

(b) Corn or maize (not popcorn) in the ear (shucked or not shucked), oats, unground screenings, sorghum grains in the heads and unthreshed, in a closed freight car, shall be loaded to 80 per cent of the weight required by § 500.21 (a) of General Order ODT 18, Revised, or to an elevation not lower than 24 inches from the ceiling of the car measured at its side walls;

(c) Shelled corn or maize, threshed sorghum grains, soy beans, flax seed, or grains other than those included in the next preceding paragraph, in a closed freight car, shall be loaded to an elevation not lower than 24 inches from the ceiling of the car measured at its side walls, or up to the lawfully marked grain line of a car so marked.

Glassware (cut and other than cut, n. o. i. b. n., including tumblers, other than cut, n. o. i. b. n., in straight or mixed carloads): (a) When loaded in cars 50 feet or more in length shall be loaded to a weight not less than 45,000 pounds;

(b) When loaded in cars less than 50 feet in length shall be loaded to a weight not less than 36,000 pounds.

Glass: (a) (Flat, plate, window, and laminated) shall be loaded to a weight not less than 70,000 pounds.

(b) (Rough rolled, wired, and polished, wired) shall be loaded to a weight not less than 60,000 pounds.

Hides: (a) (Green salted cattle) shall be loaded to an elevation not lower than 30 inches from the ceiling of the car measured at its side walls;

(b) (Green salted calf skins) shall be loaded to a weight not less than 50,000 pounds;

(c) (Green salted shearlings and wool skins) shall be loaded to an elevation not lower than 36 inches from the ceiling of the car measured at its side walls; except when loaded in a steel or steel-roofed car, the required elevation shall be 48 inches from the ceiling of the car.

Dry ice (solidified carbon dioxide): may be loaded in any quantity when shipped in a car specially prepared for this commodity.

Lime: (a) In containers, shall be loaded to a weight not less than 70,000 pounds;

(b) In bulk, in a closed freight car, shall be loaded to a weight not less than 80,000 pounds.

Limestone: Ground or pulverized, in containers, shall be loaded to a weight not less than 80,000 pounds.

Liquids, pastes and semi-liquids (straight or mixed carload shipments): In wooden barrels or metal drums of not less than 40 gallons capacity each, shall be loaded each barrel or drum placed on end, in one tier covering the floor space of the car.

Perishable products; Apples: (a) In standard boxes, shall be loaded to a weight not less than 39,900 pounds;

(b) When shipped loose in open-top, unlidded boxes, or in baskets of one bushel or less capacity, or in bulk, shall be loaded to a weight not less than 31,500 pounds.

Bananas: Shall be loaded to a weight not less than 23,000 pounds.

Butter and butter substitutes (shipped from packing plants or warehouses): (a) When shipped fresh, in prints, shall be loaded to a weight not less than 35,000 pounds;

(b) When shipped fresh, in tubs, or in fibreboard containers, or when shipped frozen, in prints, or other types of containers, shall be loaded to a weight not less than 45,000 pounds.

Carrots: (a) When packed in standard crates and loaded in standard refrigerator cars equipped with stationary ice-bunkers, shall be loaded with not fewer than 362 crates;

(b) When packed in standard crates and loaded in standard refrigerator cars equipped with convertible ice-bunkers, shall be loaded with not fewer than 433 crates;

(c) When packed in paper, cotton or burlap sacks, or when in bulk, shall be loaded to a weight not less than 45,000 pounds.

Cabbage: In paper, cotton or burlap sacks, or in bulk, shall be loaded to a weight not less than 45,000 pounds.

Cheese: In any type of container, or in bulk, when shipped from packing plants or warehouses, shall be loaded to a weight not less than 40,000 pounds.

Citrus Fruit (shipped during the months of November to March inclusive): (a) Shipments in standard boxes, when precooled, or when loaded in cars equipped with air circulating fans, shall be loaded each box placed on end, 3 layers high, each layer to be the same length and width as the floor space of the car;

(b) Non-precooled shipments in Container No. 5004 described in A. A. R. Perishable Division, Freight Container Bureau tariffs Nos. 2-B, Central Western Territory, I. C. C. No. 14, J. J. Quinn, Agent, or F. C. B. 3-A South East Territory, J. J. Quinn, Agent, or supplements thereto and reissues thereof, shall be loaded each container placed bottom or side down, 5 layers high, each layer to be

[7 F.R. 8337.]

the same length and width as the floor space of the car;

(c) Non-precooled shipments in container No. 675 described in A. A. R. Perishable Division Freight Container Bureau tariffs Nos. 2–B, Central West Territory, I. C. C. No. 14, J. J. Quinn, Agent, or F. C. B. 3–A South East Territory, J. J. Quinn, Agent, or supplements thereto, and reissues thereof, shall be loaded 3 layers high; 2 layers, each box placed on end, and the top layer, each box to be placed on its bottom, each layer to be the same length and width as the floor space of the car.

Cranberries: In quarter barrel boxes, shall be loaded each box placed bottom down, 6 layers high, each layer to be the same length and width as the floor space of the car.

Eggs—dried: In any type of container, when moving from packing plants or warehouses shall be loaded to a weight not less than 40,000 pounds.

Eggs—shell: In standard cases, when shipped from packing plants or warehouses, shall be loaded with not fewer than 600 cases.

Frozen commodities (straight or mixed carload shipments): Frozen fruits, vegetables, eggs, juices, sea-food, poultry, and meats, in a closed freight car, packed in cartons or other containers, shall be loaded to an elevation not lower than 18 inches from the ceiling of the car measured at its side walls, each layer of containers to be the same length and width as the floor space of the car.

Grapes: Table variety, in display lug boxes, or juice variety, in plain or lug boxes, shall be loaded to a weight not less than 34,000 pounds.

Lettuce (in standard crates): (a) When loaded in standard refrigerator cars equipped with stationary ice-bunkers, shall be loaded with not fewer than 320 crates; (b) When loaded in standard refrigerator cars equipped with convertible ice-bunkers, shall be loaded with not fewer than 368 crates.

Lard: (a) Fresh, in prints, shall be loaded to a weight not less than 35,000 pounds;

(b) Fresh in tubs, or fibreboard containers; or frozen in prints, or other types of containers, shall be loaded to a weight not less than 45,000 pounds.

Oysters: Shall be loaded to a weight not less than 12,500 pounds.

Onions: In any type container, shall be loaded to a weight not less than 40,000 pounds.

Potatoes (late crop, white, mature): (a) In bags, paper sacks, or boxes containing 100 pounds or more each, shall be loaded to a weight not less than 45,000 pounds;

(b) In bags, paper sacks, or boxes containing less than 100 pounds each, shall be loaded to a weight not less than 42,000 pounds.

(c) In bulk, shall be loaded to a weight not less than 40,000 pounds.

Potatoes (early crop, white, immature): In bags, paper sacks, crates, baskets, or boxes, shall be loaded to a weight not less than 36,000 pounds.

Potatoes and onions: In any type of container, in mixed carloads, shall be loaded to a weight not less than 42,000 pounds.

Pears: Winter variety, in any type of container shall be loaded to a weight not less than 37,800 pounds.

Poultry-dressed: Fresh chilled when shipped from packing plants or warehouses shall be loaded to a weight not less than 28,000 pounds.

Shell eggs, dressed poultry, and dairy products: (a) When shipped from packing plants or warehouses, in mixed carloads, shall be loaded to a weight not less than 36,000 pounds.

(b) When shipped from producing areas to warehouses or packing plants not more than 350 miles from the point of shipment, in straight or mixed carloads, shall be loaded to a weight which equals or exceeds the applicable tariff minimum weight.

Tomatoes: When packed in standard lug boxes, shall be loaded not less than 5 layers high, each layer to be the same length and width as the floor space of the car.

Peanuts: (a) Shelled, in bags, shall be loaded to a weight not less than 50,000 pounds;

(b) Unshelled, in bags, shall be loaded to a weight not less than 40,000 pounds.

Paints, varnishes, and lacquers (including water paint, putty, roof coating, buffing compound, liquid or paste polish and wax): In straight or mixed carloads, shall be loaded to a weight not less than 60,000 pounds, in which may be included not to exceed 30,000 pounds of raw materials entering into such products, accessories, and related products.

Paper, paperboard, and paper articles: (a) On skids, shall be loaded with not less than a quantity which occupies the full floor space of the car;

(b) In cases, cartons, bundles, or loose, shall be loaded to the marked capacity of the car, or not less than the full storage space of the car.

Paperboard and paper (except crepe, tissue (other than tissue wrapping), toweling, toilet, newsprint, and groundwood papers, i.e., with fibre content of not less than 60 percent groundwood). In rolls: (a) When loaded on end shall be loaded at least two rolls across the width of the car in a straight line, and to a height not less than 60 inches covering the entire floor space of the car, additional tiers to be loaded on ends or on sides as may be practicable;

(b) When loaded on sides shall be loaded not less than two tiers in height and also not less than 60 inches in height throughout the entire floor space of the car.

Paper (crepe, tissue (other than tissue wrapping, toweling, and toilet): In rolls, shall be loaded to a height not less than 80 inches throughout the entire floor space of the car.

Paper, newsprint and groundwood (fiber content not less than 60 per cent groundwood): (a) In rolls 60 inches or more in width shall be loaded on end with not less than a quantity which occupies the entire floor space of the car;

(b) In rolls of 45 inches to but not including 60 inches in width, shall be loaded with not less than one tier, on end, occupying the entire floor space of the car, plus a second tier loaded on sides, or on ends, either single or double abreast;

(c) In rolls of 28 inches to but not including 45 inches in width, shall be loaded not less than two tiers high, on end, each tier occupying the entire floor space of the car;

(d) In rolls of less than 28 inches in width shall be loaded to a minimum height of 64 inches, covering the entire floor space of the car.

Rosin and ester gum (straight or mixed carload shipments): (a) In drums or barrels, shall be loaded, each drum or barrel placed on end, in a tier, covering the entire floor space of the car;

(b) In bags, shall be loaded 8 tiers high, each tier to be the same length and width as the floor space of the car.

Roofing materials (straight or mixed carload shipments): Prepared, and composition, including asphalt and asbestos shingles, shall be loaded to a weight not less than 60,000 pounds.

Salt: In containers, shall be loaded to a weight not less than 60,000 pounds.

Sewer pipe (other than metal): 4 inches to 24 inches in diameter shall be loaded to a weight not less than 35,000 pounds.

Tobacco: In hogsheads, when origin or destination station is not provided with mechanical equipment for double decking, shall be loaded each hogshead placed upright in a single tier, covering the entire floor space of the car.

Turpentine and pine oil (straight or mixed carload shipments): In cans, or bottles, packed in fibreboard boxes, shall be loaded to a weight not less than 40,000 pounds.

Vegetables-dried: Dried beans, peas, and lentils, in burlap, cotton, or paper bags, in straight or mixed carloads, shall be loaded to a weight not less than 80,000 pounds.

Wallboard, ceiling board, building board (Manufactured from fibre or wood-pulp): In a closed freight car, straight or mixed carload shipments, shall be loaded to an elevation not lower than 24 inches from the ceiling of the car measured at its side walls.

§ 520.487 *Revocation.* Subpart C Special Direction ODT 18, Revised-3 Part 520, this chapter and title of the Code of Federal Regulations, be and the same is hereby revoked effective upon the date this Special Direction ODT 18, Revised-5 becomes effective.

§ 520.488 *Effective date.* This Special Direction ODT 18, Revised-5, shall become effective January 4, 1943.

Issued at Washington, D. C., this 31st day of December 1942.

V. V. BOATNER,
Director, Division of Railway Transport.

[F. R. Doc. 43-49; Filed, January 1, 1943; 1:24 p. m.]

[1] 7 F.R. 8904.

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1780]

DISTRICT BOARD 11

ORDER GRANTING TEMPORARY RELIEF

In the matter of the petition of District Board No. 11, for establishment of price classifications and minimum prices for Mine Index No. 291.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, has been filed with this Division by the above-named party requesting the establishment of both temporary and permanent price classifications and minimum prices for approximately 8,000 tons of 1¼" x 0 Fourth Vein raw screenings produced at the Daviess County Mine, Mine Index No. 291, of Daviess County Coal Company, and stored on the ground at the said mine, for rail shipments into Market Area No. 32.

It appears that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth, that no petitions of intervention have been filed with the Division in the above-entitled matter, and the following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief be, and the same hereby is granted as follows: Commencing forthwith and pending further order herein the Schedule of Effective Minimum Prices for District No. 11 For All Shipments Except Truck is supplemented to include the price classifications and minimum prices set forth in Schedule marked "Supplement R" annexed hereto and made a part hereof.

It is further ordered, That the temporary prices established herein shall be effective for only approximately 8,000 tons of 1¼" x 0 Fourth Vein raw screenings now stored on the ground at the said mine, and that District Board No. 11 shall notify the Division when the sale and delivery of this coal has been completed, by a formal document appropriately designated as pertaining to Docket No. A-1780.

It is further ordered, That proceedings in Docket No. A-1780 shall be terminated and the docket closed upon receipt of the aforesaid notification from District Board No. 11 that the sale and delivery of this coal has been completed.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: January 1, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-162; Filed, January 4, 1943; 11:18 a. m.]

[Docket No. A-1732]

WILLIAMS COAL CO.

ORDER GRANTING RELIEF

In the matter of the petition of Williams Coal Company, District No. 9 for relief with respect to the effective minimum price pertaining to a limited tonnage of 8 M x O carbon coal.

On November 3, 1942 the Williams Coal Company, a code member in District No. 9, filed a petition pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, with this Division, requesting permission to sell 12 cars of 8 M x O carbon coal, produced by the said Williams Coal Company at its Williams Mine, Mine Index No. 87, which were on track on October 24, 1942, at the time when Louisville and Nashville Railroad reduced the car rating of petitioner, at a price less than the minimum price and also requested that such relief be effective as of October 24, 1942. The petitioner states that notwithstanding strenuous and continuous effort to sell the 8 M x O carbon coal at the mine price of $1.20 to 90 cents per net ton (depending on the market area), it was able to move only 5 cars of such carbon coal from October 1 to October 24, 1942. Petitioner further states that it had unloaded on the ground as much of this carbon coal as its facilities permitted, and that on October 24, 1942, it had on hand 13 cars of 8 M x O carbon coal which it was unable to dispose of at the established minimum prices for such coal. Petitioner states that it received an offer of 70 cents per ton f. o. b. mine for 12 of the 13 cars of carbon coal on track for storage for future use in a plant engaged in war production.

In view of the above circumstances, it appears that a reasonable showing of necessity has been made for the granting of relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

Now, therefore, it is ordered, That the petition of the Williams Coal Company in the above-entitled matter is granted and permission is given to petitioner to dispose of the 12 cars of 8 M x O carbon coal, produced by the Williams Mine, Mine Index No. 87, in District No. 9, which were on track on October 24, 1942, at the time when Louisville and Nashville Railroad reduced the car rating of petitioner at a price not less than 70 cents per net ton;

It is further ordered, That the relief granted herein be retroactive to October 24, 1942;

It is further ordered, That the petitioner shall notify the Division and file a report indicating the name and address of the purchaser or purchasers and the price or prices at which the 12 cars of coal were sold within thirty (30) days of the date of this order.

Dated: December 31, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-161; Filed, January 4, 1943; 11:18 a. m.]

DEPARTMENT OF AGRICULTURE.

Farm Security Administration.

[Administration Letter 615; Classification 002]

HOMESTEAD PROJECTS, VIRGIN ISLANDS

DELEGATION OF AUTHORITY

DECEMBER 29, 1942.

Pursuant to the authority vested in me by the memorandum dated May 12, 1942, issued by the Secretary of Agriculture, as amended by the memorandum of the Secretary dated September 29, 1942, I hereby delegate to the Regional Director of the Farm Security Administration in San Juan, Puerto Rico, authority to execute all contracts, deeds, and other instruments necessary to the administration of Homestead Projects in the Virgin Islands.

The authority herein conferred on the Regional Director may be exercised by the Acting Regional Director in the absence of the Regional Director.

Done at Washington, D. C., this 29th day of December 1942.

[SEAL] C. B. BALDWIN,
Administrator.

[F. R. Doc. 43-158; Filed, January 4, 1943; 11:04 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

[Administrative Order 171]

SUGAR AND RELATED PRODUCTS INDUSTRY

ACCEPTANCE OF RESIGNATION FROM AND APPOINTMENT TO INDUSTRY COMMITTEE

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignation of Mr. Stanley H. Ruttenberg from Industry Committee No. 50 for the Sugar and Related Products Industry, and do appoint in his stead Mr. Pete Mosele of New York, New York, as representative for the employees on such committee.

Signed at New York, New York this 1st day of January 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-100; Filed, January 2, 1943; 9:47 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of Special Certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear,

Robes and Leather and Sheep-Lined Garments Division of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829)

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982)

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393)

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446)

Woolen Learner Regulations October 30 1940 (5 F.R. 4302)

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3758).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective January 4, 1943. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel Industry

Pioneer Cap Co., 710 Central St., Kansas City, Missouri; Caps; 4 learners (T); January 4, 1944.

Pullman Wholesale Tailors, Inc., 130–132 S. W. Temple Street, Salt Lake City, Utah; Men's suits and overcoats; 14 learners (E); July 4, 1943.

Quakertown Shirt Factory, Franklin Street, Quakertown, Pennsylvania; Men's shorts; 5 learners (T); January 4, 1944.

Royal Manufacturing Company, Coopersburg, Pennsylvania; Men's & Boys' broadcloth shorts; 5 learners (T); January 4, 1944.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry:

Baldwyn Manufacturing Company, Baldwyn, Mississippi; Work shirts; 19 learners (E); July 4, 1943.

Bellegrade Manufacturing Co., S. Broad St., Winder, Georgia; Cotton trousers, Lined Coats, Overalls; 10 percent (T); January 4, 1944.

Bernard & O'Brien, 29 Lemon St., Bridgeton, New Jersey; Dresses; 3 learners (T); January 4, 1944.

Broom and Newman, 21 Washington, Carteret, New Jersey; Men's pajamas and Sport shirts; 10 percent (T); January 4, 1944.

Double Duty Manufacturing Company, 208 S. Lamar Street, Dallas, Texas; Trousers, cotton khaki for Army, cotton work pants; 10 learners (T); January 4, 1944.

E. Gordon & Company, 1238 Callowhill St., Philadelphia, Pennsylvania; Cotton Dresses and Housecoats; 10 learners (T); January 4, 1944.

Hazle Dress Company, 549 Hazle Street, Hazleton, Pennsylvania; Ladies' dresses; 10 percent (T); January 4, 1944.

Hershey Garment Company, Paradise, Pennsylvania; Women's slips and nightgowns; 10 percent (T); January 4, 1944. (This certificate replaces the one issued in error bearing the expiration date of January 4, 1943.)

Jay Dress Company, 701 17th Ave., Belmar, New Jersey; Children's cotton Dresses, Army cotton mattress covers; 6 learners (T); January 4, 1944.

Jefferson Manufacturing Company, Watertown, New York; House dresses; 10 learners (T); January 4, 1944.

Lebanon Shirt Company, Union & Liberty Sts., Lebanon, Pennsylvania; Men's dress shirts; 10 percent (T); January 4, 1944.

Lorenz Garment Company, 1144 W. Superior Street, Chicago, Illinois; Ladies' undergarments, men's outerwear and underwear; 7 learners (T); January 4, 1944.

Louisville Shirt Company, Fifth Street, Louisville, Georgia; Men's and boys' work clothes; 13 learners (E); July 4, 1943.

M. & S. Dress Corporation, Rodney French Blvd., New Bedford, Massachusetts; Dresses: 10 learners (T); January 4, 1944.

Mayfield Sewing Company, Mayfield, Pennsylvania; Children's dresses; 10 learners (T); January 4, 1944.

Quality First Shirt Company, Market Street, Bridgeville, Delaware; Men's dress shirts; 10 learners (T); January 4, 1944.

Sea Island Manufacturing Company, Inc., Cherry Street, Jessup, Georgia; Shirts and pants; 10 percent (T); January 4, 1944.

Shenandoah Manufacturing Co., Inc., Bower & Washington Sts., Shenandoah, Pennsylvania; Dresses and blouses; 10 percent (T); January 4, 1944.

Sunshine Clothing Mfg. Co., Inc., 210 W. Commerce St., San Antonio, Texas; Government trousers and shirts, commercial pants and shirts; 10 percent (T); January 4, 1944.

Victory Dress Company, 305–307 Penn Ave., Scranton, Pennsylvania; Dresses; 25 learners (E); July 4, 1943.

Glove Industry

Monte Glove Company, 34–38 E. Jackson St., Shelbyville, Indiana; Work gloves; 5 learners (T); January 4, 1944.

Hosiery Industry

Dixie Hosiery Mills, Inc., Mount Gilead, North Carolina; Seamless hosiery; 5 learners (T); January 4, 1944.

Knit Sox Hosiery Mills, Highland Ave., Hickory, North Carolina; Seamless hosiery; 5 learners (T); January 4, 1944.

Sterling Silk Glove Co., Washington Township, Pennsylvania; Full fashioned hosiery; 5 percent (T); January 4, 1944.

Independent Telephone Industry

Central Iowa Telephone Co., Toledo, Iowa; To employ learners as commercial switchboard operators at its Central Iowa Telephone Company exchange, located at Hartley, Iowa until January 4, 1944.

Central Iowa Telephone Co., Toledo, Iowa; To employ learners as commercial switchboard operators at its Central Iowa Telephone Company exchange, located at Ansgar, Iowa until January 4, 1944.

Knitted Wear Industry

Dupont Knitting Mills, White & Center Streets, Dupont, Pennsylvania; Knitted outerwear; 5 learners (T); September 28, 1943. (This replaces the certificate previously issued which expires September 28, 1943.)

Trenton Mills, Inc., Factory Street, Trenton, Tennessee; Commercial Knitting; 5 learners (T); January 4, 1944.

Union Knitting Company of Pennsylvania, 15 South Third Street, Philadelphia, Pennsylvania; Knitted outerwear; 5 percent (T); January 4, 1944.

Millinery Industry

El Rita Trimmed Hat Co., Inc., 1027 Broadway, Kansas City, Millinery; 2 learners (T); January 4, 1944.

Dave Herstein Company, Inc., 711 Fifth Ave., New York, New York; Ladies hats; 3 learners (T); January 4, 1944.

Textile Industry

Luray Textile Corporation, Hawksbill Street, Luray, Virginia, Processing yarn, 3 percent (T); January 4, 1944.

Cigar Industry

T. E. Brooks & Company, Poplar & Dewey St., York, Pennsylvania; Cigars; ten percent (T); Stripping Machine Operators to have learning period of 160 hours at 75% of applicable minimum, January 3, 1944.

Signed at New York, N. Y., this 2d day of January, 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-142; Filed, January 4, 1943; 9:16 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of Special Certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective January 4, 1943.

The employment of learners under these Certificates is limited to the terms and conditions as designated opposite the employer's name. These Certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The Certificates may be cancelled in the manner provided for in the Regulations and as indicated on the Certificate. Any person aggrieved by the issuance of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE

B & H Pleating and Novelty Company, Inc., 1349 Milwaukee Avenue, Chicago, Illinois; Novelty dress trimmings; 2 learners; 10 weeks; sewing machine operations; 30 cents per hour; July 6, 1943.

Greenwald Embroidery Company, Inc., 725 14th Street, Union City, New Jersey; Embroidery; 1 learner; six weeks; 30 cents per hour; Spanner-helper; July 5, 1943.

Hawkeye Pearl Button Company, 2nd and Orange Streets, Muscatine, Iowa; 8 learners; 30 cents per hour and 4 weeks each for Grinders, Automatic machine operators and Blank sorters; 30 cents per hour 1st 8 weeks and 35 cents next 4 weeks for Finished button sorters; July 5, 1943.

Hillsdale Manufacturing Company, Frankfort, Indiana; 10% total number of its productive factory workers as learners; 30 cents per hour; 320 hours as machine operator; canvas for leggins for Army, Navy and Coast Guards; January 4, 1944.

Morris White Fashions, Inc., 1100 Penn Avenue, Scranton, Pa., 12 learners; Luggage & Leather Goods; 12 weeks; 30 cents per hour; Stitcher on chevrons; July 5, 1943.

Louis Zanoni, 92 Hope Avenue, Passaic, New Jersey; Embroidery; 2 learners; 6 weeks; 30 cents per hour; Spanner-helper; July 6, 1943.

Signed at New York, N. Y., this 2nd day of January 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-143; Filed, January 1, 1943; 9:16 a. m.]

BOARD OF ECONOMIC WARFARE.

Office of Exports.

F & B MANUFACTURING CO. AND AUTOMOTIVE EXPORT ASSOCIATION, INC.

DECISION AND ORDER ON APPEAL

Decision and order on appeal in Compliance Case No. 9.

Pursuant to part 807 of the regulations adopted under section 6 of the Act of July 2, 1940, as amended, the Chief of the Trade Intelligence Division of the Export Control Branch, Office of Exports, charged the F & B Manufacturing Company, Automotive Export Association, Inc., W. J. O'Hara, Export Manager, and Julio Carrillo, Export Manager (hereinafter referred to as appellants) with violations of proclamation number 2475 authorizing the control of certain exports issued in part under the authority of said section, in matters relating to export control and within the jurisdiction of the Board of Economic Warfare. The appellants filed a written answer to the charges above set out.

The Compliance Commissioner, duly designated under § 807.1 of the aforesaid regulations, reviewed the record and filed his findings of fact and recommendations in the matter. The Compliance Commissioner found that the appellants violated section 6 of the Act of July 2, 1940, and the Export Control Regulations of the Board of Economic Warfare, in particular subparagraph c of paragraph d, page 79 of Comprehensive Export Control Schedule No. 7, by filling orders for ignition parts in excess of $25 by partial shipments of thirty-seven (37) packages by registered parcel post under General License G-17, between the dates of May 7, 1942, and June 15, 1942, to Sr. N. Glezer, Bucareli #137, Mexico City, Mexico; Srs. Casa Corona, Bucareli #55, Mexico City, Mexico; Sr. Benito Singer, Continental Automotriz, Correjidora #142, Mexico City, Mexico; and Srs. Productos Casso, 4 a Milan #44, Mexico City, Mexico.

Upon consideration of the record, findings of fact, and recommendation in the matter, the Acting Chief, Export Control Branch of the Office of Exports of the Board of Economic Warfare denied to appellants and any person, association, or organization acting on behalf of, or for their account, the privilege of obtaining individual export license and the use of any general or unlimited export license from the United States until January 16, 1943. Said appellants acknowledged receipt of a copy of said order as of December 5, 1942, and within ten days thereof duly filed a written appeal to the Assistant Director in Charge of the Office of Exports. The undersigned Assistant Director has considered the record in this matter and has concluded that the facts and conclusions of the Compliance Commissioner are supported by the record.

Now therefore, *It is determined and ordered*. That the order of the Acting Chief, Export Control Branch of the Office of Exports, denying to appellants and any person, association or organization acting on behalf of or for the account of them, the privilege of obtaining individual export licenses and the use of any general or unlimited license for any exportation whatsoever from the United States until January 16, 1943, is affirmed.

Dated: December 31, 1942.

HECTOR LAZO,
Assistant Director in Charge of Exports.

[F. R. Doc. 43-144; Filed, January 4, 1943; 9:42 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket Nos. 370, 720, and 775]

PAN AMERICAN AIRWAYS, INC.

NOTICE OF HEARING

In the matter of the compensation of Pan American Airways, Inc., for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith between the United States and Europe in transatlantic service, between the United States and Europe by way of South America and Africa, and between the United States and Bermuda.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 406 and 1001 of said Act, in the above-entitled proceeding, that hearing is assigned to be held on January 19, 1943, 10 a. m. (eastern war time) in Room 3237, Post Office Department, 12th Street and Pennsylvania Avenue, N. W., Washington, D. C., before Examiners William J. Madden and Ross I. Newmann.

Dated Washington, D. C., January 1, 1943.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 43-47; Filed, January 1, 1943; 11:55 a. m.]

FEDERAL SECURITY AGENCY.

Social Security Board.

STATE UNEMPLOYMENT COMPENSATION LAWS

CERTIFICATION TO SECRETARY OF THE TREASURY

Pursuant to section 1603 (a) of the Internal Revenue Code as amended, the Social Security Board has heretofore approved the unemployment compensation laws of the following States:

Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming.

In accordance with the provisions of section 1603 (c) of the Internal Revenue Code, the Social Security Board hereby certifies the foregoing States to the Secretary of the Treasury for the taxable year 1942.

Dated: December 31, 1942.

[SEAL] SOCIAL SECURITY BOARD,
By A. J.-ALTMEYER,
Chairman.

Approved: December 31, 1942.

WATSON B. MILLER,
Acting Administrator.

[F. R. Doc. 43-10; Filed, January 1, 1943; 10:56 a. m.]

STATE UNEMPLOYMENT COMPENSATION LAWS

CERTIFICATION TO THE SECRETARY OF THE TREASURY

Whereas, The Social Security Board has heretofore certified to the Secretary of the Treasury the unemployment compensation laws of the States hereinafter enumerated with respect to the taxable year 1942, as provided in section 1603 of the Internal Revenue Code, as amended; and

Whereas, The Social Security Board hereby finds that reduced rates of contributions were allowable under the laws of each of said States with respect to the taxable year 1942 only in accordance with the provisions of subsection (a) of section 1602 of said Code:

Now therefore, pursuant to section 1602 (b) (1) of said Code, the Social Security Board hereby certifies to the Secretary of the Treasury the Unemployment Compensation Law of each of the following States for the taxable year 1942:

Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Indiana, Iowa, Kansas, Kentucky, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, South Carolina, South Dakota,

Texas, Vermont, Virginia, West Virginia, Wisconsin, Wyoming.

Dated: December 31, 1942.

[SEAL] SOCIAL SECURITY BOARD,
A. J. ALTMEYER,
Chairman.

Approved December 31, 1942.

WATSON B. MILLER,
Acting Administrator.

[F. R. Doc. 43-11; Filed, January 1, 1943; 10:56 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 562]

ESTATE OF FANNIE P. WOODWARD

In re: Estate of Fannie P. Woodward, deceased—File D-38-365; E. T. Sec. 764.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation.

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Fidelity-Philadelphia Trust Company, Trustee, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Philadelphia, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Dr. Lino Gay	Italy.
Person or persons, names unknown, entitled to receive the estate of Gaio Gay, who died a resident of Italy.	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Dr. Lino Gay and Person or persons, names unknown, entitled to receive the estate of Gaio Gay, who died a resident of Italy, and each of them in and to the trust fund established under the will of Fannie P. Woodward, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: December 29, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-23; Filed, January 1, 1943; 11:44 a. m.]

[Vesting Order 563]

ESTATE OF AGESILAO VINCENZO VICINANZA

In re: Estate of Agesilao Vincenzo Vicinanza, deceased—File D-38-440; E. T. Sec. 1886.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for New York County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Aurelio Vicinanzo	Italy
Elena Callevido	Italy.
Attilio Vicinanzo	Italy

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Aurelio Vicinanzo, Elene Callevido and Attilio Vicinanzo and each of them in and to the Estate of Agesilao Vincenzo Vicinanza, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interest and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: December 29, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-24; Filed, January 1, 1943; 11:44 a. m.]

[Vesting Order 565]

ESTATE OF HENRY STEINER

In re: Estate of Henry Steiner, deceased—File No. D-28-1704 E. T. Sec 726.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation.

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for New York County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Meta Kahn	Germany
Fritz Hirsch	Germany
Clothilde Hirsch	Germany
Sophie Pfeiffer	Germany

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Meta Kahn, Fritz Hirsch, Clothilde Hirsch, and Sophie Pfeiffer and each of them in and to the estate of Henry Steiner, deceased

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: December 29, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-25; Filed, January 1, 1943; 11:44 a. m.]

[Vesting Order 566]

ESTATE OF GERTRUDE SPECHTMEIER

In re: Estate of Gertrude Spechtmeier, deceased.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Queens County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Heinz Hohsdorf	Germany.
Mathilde Gotz (Goetz)	Germany.
Paul Gotz (Goetz)	Germany.
Johanna Gotz (Goetz)	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country; Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Heinz Hohsdorf, Mathilde Gotz (Goetz), Paul Gotz (Goetz), and Johanna Gotz (Goetz) in and to the Estate of Gertrude Spechtmeier, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: December 29, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-26; Filed, January 1, 1943; 11:44 a. m.]

[Vesting Order 567]

ESTATE OF ISIDOR SOLOMON

In re: Estate of Isidor Solomon, deceased—File No. D-57-39 E. T. Sec. 106.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation.

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Kings County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Romania, namely,

Nationals:	*Last known address*
Frieda Lober also known as Freda Lober.	Romania.
Estera David	Romania.
Rasela Pitaru also known as Rasela Pitrau.	Romania.
Miriam River	Romania.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Romania; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Frieda Lober also known as Freda Lober, Estera David, Rasela Pitaru also known as Rasela Pitrau, and Miriam River and each of them in and to the Estate of Isidor Solomon, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: December 29, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-27; Filed, January 1, 1943; 11:45 a. m.]

[Vesting Order 568]

ESTATE OF ANTONIO SCHIAFFINO

In re: Estate of Antonio Schiaffino, deceased—File D-38-367, E. T. Sec. 917.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for New York County;

(2) Such property and interest are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely, Adele Schiaffino, whose last known address is Italy;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interest:

All right, title, interest, and claim of any kind or character whatsoever of Adele Schiaffino in and to the Estate of Antonio Schiaffino, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interest and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interest or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: December 29, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-28; Filed, January 1, 1943; 11:45 a. m.]

[Vesting Order 569]

ESTATE OF VINCENZO RUGGIERO

In re: Estate of Vincenzo Ruggiero, deceased—File D-38-308, E. T. Sec. 235.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for New York County;

(2) Such property and interest are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely, The Mayor of the Town of Angri, Italy, whose last known address is Italy;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interest:

All right, title, interest and claim of any kind or character whatsoever of The Mayor of the Town of Angri, Italy, in and to the Estate of Vincenzo Ruggiero, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interest and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interest or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: December 29, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-29; Filed, January 1, 1943; 11:45 a. m.]

[Vesting Order 570]

FRANK ROMANO

In re: Estate of Frank Romano, deceased—File D-38-449, E. T. Sec. 627.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for New York County;

(2) Such property and interest are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely, Pasqualina Santora, whose last known address is Italy;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interest:

All right, title, interest, and claim of any kind or character whatsoever of Pasqualina Santora in and to the Estate of Frank Romano, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interest and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interest or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: December 29, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-30; Filed, January 1, 1943; 11:45 a. m.]

[Vesting Order 571]

ESTATE OF WILLIAM ROESSLER

In re: Estate of William Roessler, deceased—File D-28-1658; E. T. Sec. 500.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by John Schaeffer, Administrator, of 1428 Irving Street, N. W., Washington, D. C., acting under the judicial supervision of District Court of the United States for the District of Columbia;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely, the heirs at law and next of kin (names unknown) of George Roessler deceased, whose last known addresses are Germany; and

Determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of the heirs at law and next of kin (names unknown) of George Roessler, deceased, and each of them in, and to the Estate of William Roessler, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: December 29, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-31; Filed, January 1, 1943; 11:45 a. m.]

[Vesting Order 572]

ESTATE OF SILVIO PEDROTTI

In re: Estate of Silvio Pedrotti, deceased—File D-38-535; E. T. Sec. 442.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Glynn D. Evans, Public Administrator, of Wallace, Idaho, acting under the judicial supervision of Probate Court of the State of Idaho, in and for the County of Shoshone;

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Italy, namely, Marie Pedrotti, whose last known address is Dambel, Trento, Italy; and

Determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Marie Pedrotti in and to the Estate of Silvio Pedrotti, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: December 29, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-32; Filed, January 1, 1943; 11:46 a. m.]

[Vesting Order 573]

ESTATE OF LORENZO NICASTRO

In re: Estate of Lorenzo Nicastro, deceased—File D-38-439, E. T. Sec. 1882.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for New York County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Lorenza Nicastro	Italy.
Filippo Nicastro	Italy.
Paola Nicastro	Italy.
Maria Nicastro	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Lorenza Nicastro, Filippo Nicastro, Paola Nicastro and Maria Nicastro and each of them in and to the Estate of Lorenzo Nicastro, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: December 29, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-33; Filed, January 1, 1943; 11:46 a. m.]

[Vesting Order 574]

ESTATE OF JOHN LEHNER

In re: Estate of John Lehner, deceased—File D-28-1688, E.T. Sec. 655.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for New York County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

National:	*Last known address*
Anna Muehliesen	Germany.
George Lehner	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Anna Muehliesen and George Lehner, and each of them, in and to the Estate of John Lehner, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: December 29, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-34; Filed, January 1, 1943; 11:46 a. m.]

[Vesting Order 575]

ESTATE OF ADOLPH LAUSCHER

In re: Estate of Adolph Lauscher, deceased—File No. D–900–6–119.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the County Treasurer, Cattaraugus County, Little Valley, N. Y. as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Cattaraugus County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely:

Nationals:	*Last known address*
Mary Lauscher Hoffman also known as Mary Lauscher Back	Germany (Austria).
Gazella Lauscher Schnell	Germany (Austria).
Otto Lauscher, Jr.	Germany (Austria).

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Mary Lauscher Hoffman, also known as Mary Lauscher Back, Gazella Lauscher Schnell and Otto Lauscher, Jr. and each of them, in and to the Estate of Adolph Lauscher, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: December 29, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-35; Filed, January 1, 1943; 11:46 a. m.]

[Vesting Order 576]

ESTATE OF OSCAR A. HERRMANN

In re: Estate of Oscar A. Herrmann, deceased—File D–28–1684, E. T. Sec. 630.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for New York County;

(2) Such property and interest are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Anna Sophie Herrmann, whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interest:

All right, title, interest, and claim of any kind or character whatsoever of Anna Sophie Herrmann in and to the Estate of Oscar A. Herrmann, deceased;

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interest and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interest or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: December 29, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-36; Filed, January 1, 1943; 11:47 a. m.]

[Vesting Order 577]

ESTATE OF CONRAD HEINEKAMP

In re: Estate of Conrad Heinekamp, deceased—File No. D–28–1482—E. T. Sec. 159.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by John W. Heinekamp, Executor of the estate of Conrad Heinekamp, deceased, as depositary acting under the judicial supervision of the Register of the probate of Wills and granting of Letters of Administration, etc., for New Castle County, in the State of Delaware.

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely:

Nationals:	*Last known address*
John Heinekamp	Germany.
Wilhelm Heinekamp	Germany.
Christian Winsel	Germany.
Karl Winsel	Germany.
Heinrich Winsel	Germany.
Agnes Nolte	Germany.
Maria Jablonski	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of John Heinekamp, Wilhelm Heinekamp, Christian Winsel, Karl Winsel, Heinrich Winsel, Agnes Nolte and Maria Jablonski in and to the Estate of Conrad Heinekamp, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: December 29, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-37; Filed, January 1, 1943; 11:47 a. m.]

[Vesting Order 578]

ESTATE OF ANIELLO DEMO

In re: Estate of Aniello Demo, deceased—File-D–38–433, E.T. Sec. 1881.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for New York County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely:

Nationals:	*Last known address*
Vincenzo Demo	Italy.
Giacomo Demo	Italy.
Innocenzo Demo	Italy.
Maria Donato Demo	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Vincenzo Demo, Giacomo Demo, Innocenzo Demo and Maria Donato Demo and each of them in and to the Estate of Aniello Demo, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: December 29, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-38; Filed, January 1, 1943; 11:47 a. m.]

[Vesting Order 579]

ESTATE OF ALFONSO CURATOLO

In re: Estate of Alfonso Curatolo, deceased—File D–38–442, E. T. Sec. 1888.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for New York County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely:

Nationals:	*Last known address*
Felicia Curatolo	Italy.
Rosaria Curatolo	Italy.
Tripolina Curatolo	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Felicia Curatolo, Rosaria Curatolo and Tripolina Curatolo and each of them in and to the Estate of Alfonso Curatolo, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Allien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: December 29, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-39; Filed, January 1, 1943; 11:47 a. m.]

[Vesting Order 580]

ESTATE OF GASPAR CERFOGLIA

In re: Estate of Gaspar Cerfoglia, deceased—File D-38-345; E. T. Sec. 415.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The Property and interests hereinafter described are property which is in the process of administration by the Bank of America National Trust and Savings Association, Trustee, acting under the judicial supervision of the Superior Court in and for the County of Ventura, State of California;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Agnese Cerfoglia	Italy.
Giacomo Scaramello	Italy.
Dina Scaramello	Italy.
St. Peter's Church of Samolaca	Italy.
Kindergarten of the Parish of St. Peter's Church of Samolaca.	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Agnese Cerfoglia, Giacomo Scaramello, Dina Scaramello, St. Peter's Church of Samolaca and Kindergarten of the Parish of St. Peter's Church of Samolaca and each of them in and to the trust fund established under the will of Gaspar Cerfoglia, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: December 29, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc 43-40; Filed, January 1, 1943; 11:47 a. m.]

[Vesting Order 581]

ESTATE OF ABRAHAM BROWN

In re: Estate of Abraham Brown, deceased—File D-55-186, E. T. Sec. 632.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the jurisdictional supervision of the Surrogate's Court of the State of New York, in and for New York County;

(2) Such property and interest are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Pearl Safir, whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interest:

All right, title, interest, and claim of any kind or character whatsoever of Pearl Safir in and to the Estate of Abraham Brown, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interest and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interest or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: December 29, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-41; Filed, January 1, 1943; 11:48 a. m.]

[Vesting Order 582]

ESTATE OF PAOLO BARDONI

In re: Estate of Paolo Bardoni, deceased—File D-38-441, E.T. Sec. 1887.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for New York County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Pietro Bardoni	Italy.
Angela Schiavi	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Pietro Bardoni and Angela Schiavi and each of them in and to the Estate of Paolo Bardoni, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interest or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: December 29, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-42; Filed, January 1, 1943; 11:48 a. m.]

deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: December 29, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-43; Filed January 1, 1943; 11:48 a. m.]

[Vesting Order 583]

ESTATE OF MARTHA BACHRACH

In re: Estate of Martha Bachrach, deceased—File D-28-1768; E. T. Sec. 949.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Union Trust Company of the District of Columbia, Executor, acting under the judicial supervision of the District Court of United States for the District of Columbia, Washington, D. C.

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Person or persons, names unknown, entitled to receive the estate of Max Ludwig Schmidt, who died a resident of Germany.	Germany.
Person or persons, names unknown, entitled to receive the estate of Agnes Krumbholz, who died a resident of Germany.	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of the Person or persons, names unknown, entitled to receive the estate of Max Ludwig Schmidt, who died a resident of Germany and the Person or persons, names unknown, entitled to receive the estate of Agnes Krumbholz, who died a resident of Germany and each of them in and to the Estate of Martha Bachrach, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: December 29, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-44; Filed, January 1, 1943; 11:48 a. m.]

[Vesting Order 584]

ESTATE OF SEBASTIANO AIELLO

In re: Estate of Sebastiano Aiello, deceased—File D-38-358, E. T. Sec. 624.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for New York County;

(2) Such property and interest are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely, Santo Aiello, whose last known address is Italy;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interest:

All right, title, interest, and claim of any kind or character whatsoever of Santo Aiello in and to the Estate of Sebastiano Aiello, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interest and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interest or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: December 29, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-45; Filed, January 1, 1943; 11:48 a. m.]

[Vesting Order 585]

ESTATE OF EMMA G. ARCHDEACON

In re: Estate of Emma G. Archdeacon, deceased—File D-28-1455; E. T. Sec. 137.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Montclair Trust Company and Maynard Archdeacon, Executors of the Estate of Emma G. Archdeacon, acting under the judicial supervision of the Essex County Orphans Court, Newark, New Jersey.

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Gertrude A. Zimmer	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Gertrude A. Zimmer in and to the Estate of Emma G. Archdeacon, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: December 29, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-45; Filed, January 1, 1943; 11:48 a. m.]

[Amendment of Vesting Order 214]

STEFFENS, JONES & CO., INC.

Whereas, pursuant to Vesting Order Number 214 of October 3, 1942, the undersigned intended to vest certain capital stock of, and indebtedness owing by, Steffens, Jones & Co., Inc.; and

Whereas, in describing such corporation in said Vesting Order Number 214, the name was, as a result of a typographical error, inadvertently designated as "Steffen, Jones & Co., Inc.";

Now, therefore, Vesting Order Number 214 of October 3, 1942, is hereby amended as follows and not otherwise:

By changing the name "Steffen, Jones & Co., Inc." wherever it appears therein to "Steffens, Jones & Co., Inc.".

All other provisions of such Vesting Order Number 214 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on December 29, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-46; Filed, January 1, 1943; 11:49 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supplementary Order ODT 3 Revised-10]

THE BLAKESLEE COMPANY, ET AL.

REGISTRATION OFFICE FOR HOUSEHOLD GOODS MOTOR CARRIERS AT NEW HAVEN, CONNECTICUT

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of household goods, filed with the Office of Defense Transportation by The Blakeslee Company, Waterbury, Conn., George P. Moore, doing business as Moore's Storage Warehouse Co., Bridgeport, Conn., Cohen & Powell, Inc. New Haven, Conn., Thomas E. Dully, doing business as Dully & Son, Hartford, Conn., John F. Sullivan, doing business as J. F. Sullivan Storage Co., New London, Conn., The Henry G. Drinkwater's Sons, Inc., Greenwich, Conn., Hartford Dispatch & Warehouse Co., Inc., Hartford, Conn., Paul A. Dahlgard, doing business as West Haven Trucking Co., New Haven, Conn., The W. M. Terry Company, Bridgeport, Conn., H. A. Sillence Whse Co., Inc., Hartford, Conn., and The Bridgeport Storage Warehouse Co., Bridgeport, Conn., as governed by § 501.9 of General Order ODT 3 Revised, as amended,[1] and good cause appearing therefor: *It is hereby ordered*, That:

1. The Blakeslee Company, George P. Moore, doing business as Moore's Storage Warehouse Co., Cohen & Powell, Inc., Thomas E. Dully, doing business as Dully & Son, John F. Sullivan, doing business as J. F. Sullivan Storage Co., The Henry G. Drinkwater's Sons, Inc., Hartford Dispatch & Warehouse Co., Inc., Paul A. Dahlgard, doing business as West Haven Trucking Co., The W. M. Terry Company, H. A. Sillence Whse. Co., Inc., The Bridgeport Storage Warehouse Co., (hereinafter collectively called "carriers"), respectively, in the transportation of household goods, as common carriers by motor vehicle, shall establish an office (hereinafter referred to as "registration" office) at New Haven, Connecticut, to facilitate the movement of shipments of household goods, in the following manner:

(a) Each carrier shall register with the registration office shipments which the carrier may be unable to transport by reason of the restrictions contained in General Order ODT 3 Revised, as amended;

(b) Each carrier shall register with the registration office all empty equipment, and partially loaded equipment for which the carrier has no shipments available;

(c) The manager or employees of the registration office shall advise the individual carriers as to shipments registered and empty equipment or the unloaded space therein which is available: *Provided, however*, That nothing herein contained shall be construed to authorize the manager or any employee of the registration office to dispatch equipment, direct traffic, or exercise any supervision or control over the movement of any shipment, or part thereof, in any manner whatsoever;

(d) The manager of the registration office, and each carrier, shall prepare, maintain, and keep open for inspection by authorized representatives of the Office of Defense Transportation such records, and shall make such reports, as may be prescribed or required by the Office of Defense Transportation;

(e) The cost of maintaining the registration office shall be apportioned among the carriers as they shall agree on, or in the event that the carriers are unable to agree thereon, shall be apportioned as the Office of Defense Transportation shall determine and direct.

2. Shipments exchanged pursuant to this order shall be exchanged in accordance with the following conditions:

(a) All shipments shall be transported to point of destination on the bill of lading of the carrier with whom the shipper entered into the contract of carriage;

(b) The division of revenues derived from transportation of a shipment exchanged and from storage in transit, packing and unpacking and other accessorial services pertaining thereto, shall be as agreed on by the carriers participating in the movement or in the event the carriers are unable to agree thereon, shall be as determined and directed by the Office of Defense Transportation;

(c) The rates and charges applicable to the transportation, storage in transit, packing and unpacking, and other accessorial services performed in respect of any shipment shall be the lawfully applicable rates and charges of the carrier with whom the shipper entered into the contract of carriage;

(d) The duties and obligations of the originating carrier to the shipper shall not be altered by an exchange made pursuant hereto;

(e) The carriers shall not exchange shipments with each other except as provided herein.

3. Any common carrier by motor vehicle, duly authorized or permitted to engage in the transportation of household goods, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C., for authorization to participate in the functioning of the registration office. A copy of every such application shall be served upon the manager of the registration office. Upon receiving such authorization, such carrier shall become subject to this order and thereupon shall become entitled and required to participate in the functioning of the registration office in accordance with all the provisions of this order, in the same manner and degree as the carriers named herein.

4. Nothing contained in this order shall be so construed or applied as to relieve any carrier subject hereto from registering with joint information offices and obtaining clearance certificates as provided in General Order ODT 13 or required by any other General Order or to relieve any carrier from any other requirement of the Office of Defense Transportation or from any other regulatory or legal requirement, or to require or permit any carrier to perform any transportation service not authorized or sanctioned by law, or to render any service beyond its transportation capacity, or to alter its legal liability to any shipper or other carrier.

5. Each carrier subject to this order engaged in interstate transportation shall file a copy of this order with the Interstate Commerce Commission, Washington, D. C., and if engaged in intrastate transportation shall file a copy of this order with each appropriate State regulatory body having jurisdiction over any operations affected hereby.

6. Communications concerning this order should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C., and should refer to "Supplementary Order ODT 3 Revised-10."

7. This Supplementary Order ODT 3, Revised-10 shall become effective on January 17, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed or until such earlier time as the Office of Defense Transportation by order may designate.

Issued at Washington, D. C., this first day of January 1943.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 43-12; Filed, January 1, 1943; 11:16 a. m.]

[1] 7 F.R. 5445, 6689, 7694.

OFFICE OF PRICE ADMINISTRATION.

[Suspension Order 185]

FABER OIL COMPANY

ORDER RESTRICTING TRANSACTIONS

Faber Oil Company, a Massachusetts corporation, hereinafter called respondent, was duly served with a notice of charges of violations of Ration Order No. 5A, Gasoline Rationing Regulations, issued by the Office of Price Administration. Pursuant to the notice, a hearing upon the charges was held in Boston, Massachusetts, on November 2, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been considered by the Deputy Administrator in Charge of Rationing, it is hereby determined that:

(a) Respondent is a dealer in gasoline and operates a gasoline filling station at 233 Winter Street, Haverhill, Massachusetts.

(b) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations, (§ 1394.1503) in that on various occasions between July 22, 1942, and August 27, 1942, respondent transferred gasoline to consumers and into the fuel tanks of their motor vehicles and accepted in exchange for such transfers 15 Class A, No. 2 coupons; 4 Class A, No. 3 coupons; and 1 Class A, No. 4 coupon.

Because of the great scarcity and critical importance of gasoline in Massachusetts respondent's violations of Ration Order No. 5A, Gasoline Rationing Regulations, have resulted in the diversion of gasoline from military and essential civilian uses into non-essential uses, in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Deputy Administrator in Charge of Rationing that further violations by respondent are likely unless appropriate administrative action is taken. *It is therefore ordered:*

(c) During the period in which this Suspension Order No. 185 shall be in effect, respondent shall not sell, transfer, or deliver any gasoline to any consumer.

(d) Any terms used in this Suspension Order No. 185 that are defined in Ration Order No. 5A, Gasoline Rationing Regulations, shall have the meaning therein given them.

(e) This Suspension Order No. 185 shall become effective 12:01 a. m. January 6, 1943, and unless sooner terminated, shall expire 12:01 a. m. January 16, 1943.

(Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89 and 507, 77th Cong.; E.O. No. 9125, 7 F.R. 2719; W.P.B. Dir. 1, 7 F.R. 562; Supp. Dir. 1H, 7 F.R. 3478, 3877, 5216; Supp. Dir. 1Q., 7 F.R. 9121)

Issued this 31st day of December 1942.

PAUL M. O'LEARY,
Deputy Administrator in Charge of Rationing.

[F. R. Doc. 42-14214; Filed, December 31, 1942; 4:00 p. m.]

[Revised General Order 17,[1] Amendment 1]

DIRECTOR, RETAIL TRADE AND SERVICES DIVISION

DELEGATION OF AUTHORITY TO ACT AS PRICE ADMINISTRATOR

Subdivision (i) of paragraph (a) (2) of Revised General Order 17 is amended to read as set forth below:

(a) • • •

(2) • • •

(i) Applications for adjustment of maximum prices pursuant to § 1499.18 of the General Maximum Price Regulation or §§ 1499.114 or 1499.115a of Maximum Price Regulation No. 165 as amended.

• • • • • •

This Amendment No. 1 to Revised General Order 17 shall become effective this 31st day of December 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of December 1942.

LEON HENDERSON,
Administrator.

[1] 7 F.R. 9498, 9909

[F. R. Doc. 42-14215; Filed, December 31, 1942; 4:00 p. m.]

[Order 3 Under RPS 91]

UNITED OLIVAR COMPANY

ORDER GRANTING EXCEPTION

Order No. 3 under Revised Price Schedule No. 91—Tea.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered*, That:

(a) United Olivar Company, 90 Broad Street, New York, may sell and deliver, and agree, offer, solicit and attempt to sell and deliver, the kinds, grades and quantities of tea set forth in paragraph (b) at prices not in excess of those stated therein and the person named therein as the buyer may buy and receive, and agree, offer, solicit and attempt to buy and receive, such kinds, grades and quantities of tea at such prices from the United Olivar Company.

(b) The prices listed below shall be the maximum prices at which the seller may deliver to the buyer named below the kind, grade and quantity of tea named.

Buyer	Description	Price f. o. b. New York
United States Commercial Co.----	50 h chests No. 3 gunpowder tea----------	60¢ per lb. plus 1% commission.
United States Commercial Co.----	100 h chest believed to be No. 1 and No. 2 gunpowder tea.	55¢ per lb. plus 1% commission

(c) Unless the context otherwise requires, the definitions set forth in § 1351.259 of Revised Price Schedule No. 91 shall apply to the terms used herein.

(d) This Order No. 3 may be amended or revoked by the Price Administrator at any time.

(e) This Order No. 3 shall become effective December 31, 1942.

Issued this 31st day of December, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-14216; Filed, December 31, 1942; 4:04 p. m.]

[Order 108 Under MPR 188]

CHEMETALS CORP.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 108 under § 1499.161 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as

amended, and Executive Order No. 9250 and under § 1499.161 of Maximum Price Regulation No. 188: *It is hereby ordered*. That:

(a) The maximum prices at which the Chemetals Corporation is authorized to sell, deliver, offer for sale, and all persons are authorized to receive or buy from it in the course of trade "Eboni-Electro" monolithic insulating panel, crated or uncrated as desired by the purchaser, f. o. b. Jamestown, New York, freight equalized with the rate on a corresponding type of shipment from Ambler, Pennsylvania, or Nashua, New Hampshire, whichever point has the lowest rate to destination shall be:

Thickness	Approximate weight per square foot crated (pounds)	Class A standard size all-trimmed sheets not less than 48" x 96" 48" x 48"	Class B not less than 72 square inches in area	Class C from 72 square inches to 12 square inches in area
1/4"	2 85	.50	.55	.60
5/16"	4 25	.65	.70	.75
3/8"	5 70	.75	.80	.90
7/16"	7 13	.90	1 00	1 10
1/2"	8 55	.95	1 05	1 20
9/16"	9 98	1 05	1 15	1 30
5/8"	11 40	1 10	1 20	1 35
1 1/4"	14 25	1 25	1 40	1 55
1 1/2"	17 10	1 45	1 60	1 80
1 3/4"	20 00	1 65	1 80	2 00
2"	22 80	2 00	2 20	2 40

(1) Beveling charges shall be not more than as follows:

	Per foot
1/8" x 1/8" to 1/4" x 1/4" inclusive	$0.04
Over 1/4" x 1/4" to 1/2" x 1/2" inclusive	.07
Over 1/2" x 1/2"	.10

(2) The terms of payment shall be not less favorable than 2% 10 days, net 30 days.

(3) Additional charges for drilling and for other types of fabricating not specifically mentioned above shall be no greater than were maintained during March 1942 by the Chemetals Corporation.

(b) The authorization granted to the Chemetals Corporation in paragraph (a) above is subject to the conditions that it shall

(1) forthwith notify its customers purchasing "Eboni-Electro" monolithic insulating panel from it, that the Office of Price Administration has by this Order authorized its maximum prices as provided in paragraph (a) and

(2) that it shall, not later than July 15, 1943, submit a report to the Office of Price Administration, including its

(*i*) Balance Sheet as of June 30, 1943, with analysis of Earned Surplus, and

(*ii*) Profit and Loss Statement for the six months period ending June 30, 1943.

(c) All prayers in the petition not specifically granted herein are denied.

(d) This Order No. 108 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 108 shall become effective January 2d, 1943.

Issued this 1st day of January 1943.

LEON HENDERSON,
Administrator.

[F.R. Doc. 43-5; Filed, January 1, 1943; 10:14 a. m.]

[Order 109 Under MPR 188]

HAZEL-ATLAS GLASS CO.

DETERMINATION OF MAXIMUM PRICES

Order No. 109 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

On November 28, 1942, the Hazel-Atlas Glass Company of Wheeling, West Virginia, filed an application with the Office of Price Administration seeking a specific authorization pursuant to § 1499.158 of Maximum Price Regulation No. 188 to determine maximum prices for certain "new products" (as defined in paragraph (b) below) and for instructions as to the method to be used in determining maximum prices for such products to be manufactured by them. Due consideration has been given to the application, and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Authorization for the Hazel-Atlas Glass Company to determine maximum prices for certain new products. (a) The maximum prices which may be charged by the Hazel-Atlas Glass Company for new products shall be determined in all respects in accordance with the provisions of § 1499.157 of Maximum Price Regulation No. 188, except that, in the computation of direct material and direct labor costs pursuant to those provisions, the Hazel-Atlas Glass Company may employ its method of standard cost accounting rather than using actual costs as required by § 1499.157 of Maximum Price Regulation No. 188; *Provided*, That the requirements in that section as to using the month of March 1942, as a basic reference period in computation of costs and maximum prices shall be preserved under this order.

(b) The term "new product" as used in this Order No. 109 shall include all glass containers manufactured by the Hazel-Atlas Glass Company which are subject to Maximum Price Regulation No. 188; and

(1) Which are not part of the Hazel-Atlas Glass Company's standard line of products; and

(2) Which were not delivered or offered for delivery during March 1942 by the Hazel-Atlas Glass Company; and

(3) The prices of which cannot be determined upon the basis of prices which the Hazel-Atlas Glass Company had in effect for glass containers during March 1942; and

(4) Which may not be priced under § 1499.155 of Maximum Price Regulation No. 188.

(c) The authorization granted to the Hazel-Atlas Glass Company in (a) above is subject to the condition that it shall, at the time of sale of any product priced under this order, notify the purchaser of such product that the Office of Price Administration has by this order authorized its maximum prices as provided in (a) above.

(d) Any selling price determined under this order shall be subject to adjustment at any time by the Office of Price Administration.

(e) This Order No. 109 may be revoked or amended by the Office of Price Administration at any time.

(f) This Order No. 109 shall become effective January 2d, 1943.

(Pub. Laws 421 and 729, 77th Congress; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-6; Filed, January 1, 1943; 10:15 a. m.]

[Order 8 Under MPR 163]

JAMESTOWN WORSTED MILLS COMPANY

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 8 under § 1410.119 of Maximum Price Regulation No. 163—Woolen and Worsted Civilian Apparel Fabrics.

Jamestown Worsted Mills Company of Jamestown, New York, made application under § 1410.119 of Maximum Price Regulation No. 163 for authorization to determine maximum prices for three fabrics, Styles 942 B, 942 M and 943. Due consideration has been given to the application and opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration, *It is ordered:*

(a) *Establishment of maximum prices for Jamestown Worsted Mills Company.* (1) On and after January 1, 1943, Jamestown Worsted Mills Company may sell and any person may buy from the Jamestown Worsted Mills Company the following fabrics at prices not in excess of the following applicable maximum prices:

Style No. of fabric	Specifications	Maximum price (per yard)
942B	All wool, 13-13½ oz., 58" width overall, 30 ends and 32 picks per finished inch.	$2.925
942M	60% wool, 40% mohair, 13-13½ oz., 58 inch width overall, 30 ends and 32 picks per finished inch.	2.3
943	40% wool, 60% rayon, 13-13½ oz., 58" width overall, 30 ends, and 32 picks per finished inch.	2.925

(b) The maximum prices established in paragraph (a) of this order shall be subject to adjustment at any time by the Office of Price Administration.

(c) This Order No. 8 may be amended or revoked at any time by the Office of Price Administration.

(d) This Order No. 8 shall become effective January 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-68; Filed, January 1, 1943; 2:17 p. m.]

[Amendment 1 to Order 1 Under MPR 244]

JOSEPH TOYE CO.

ESTABLISHMENT OF MAXIMUM PRICES

Amendment No. 1 to Order No. 1 under Maximum Price Regulation 244—Gray Iron Castings—Docket No. GF3-1984.

For the reasons set forth in the opinion issued simultaneously herewith: *It is hereby ordered*, That paragraph (a) of Order No. 1 be amended and that a new paragraph (e) be added to said order, as set forth below:

Adjustment of maximum prices for gray iron castings sold by Joseph Toye Company to Ferracute Machine Company. (a) On and after the effective date of this Amendment, Joseph Toye Company of Bridgeton, New Jersey, may sell and deliver to Ferracute Machine Company gray iron castings for use in bullet presses and other devices for the small arms ammunition program, and Ferracute Machine Company may buy and receive such gray iron castings from Joseph Toye Company, at prices not in excess of 5 cents per pound for such gray iron castings whose weight per piece is 150 lbs. or more, 5½ cents per pound for such gray iron castings whose weight per piece is 30 pounds up to, but not including, 150 pounds, and 6 cents per pound for such gray iron castings whose weight per piece is less than 30 pounds.

* * * * *

(e) This Amendment No. 1 shall become effective January 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-66; Filed, January 1, 1943; 2:16 p. m.]

[Amendment 1 to Order 2 Under RPS 28]

GULF DISTILLING CORPORATION

ORDER GRANTING ADJUSTMENT

Amendment No. 1 to Order No. 2 under Revised Price Schedule No. 28—Ethyl Alcohol—Docket No. GF3-1015.

For the reasons set forth in an opinion issued simultaneously herewith, a new sentence is added to paragraph (a) as set forth below:

(a) * * *

Provided, That the maximum price set forth in this paragraph shall also apply to the deliveries of ethyl alcohol made by the Gulf Distilling Corporation during August and September 1942 to the Alabama Ordnance Works pursuant to a contract with E. I. du Pont de Nemours Company dated July 30, 1942, No. MAS 6421.

* * * * *

(e) This Amendment No. 1 to Order No. 2 under Revised Price Schedule No. 28 shall become effective January 2, 1943 and shall operate retroactively from August 1, 1942.

(Pub Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-67; Filed, January 1, 1943; 2:18 p. m.]

[Order 1 Under Supp. Order 9]

NATIONAL CARBON CO., INC.

ORDER GRANTING ADJUSTMENT

Order No. 1 under § 1305.12 of Supplementary Order No. 9—Commodities or Services Under Government Contracts or Subcontracts—Applications for Adjustment of Maximum Prices.

Granting adjustment of maximum price for sales of a new radio battery by National Carbon Company, Inc., to the United States Navy.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) National Carbon Company, Inc., Carbide & Carbon Building, New York City, is authorized to sell and deliver Navy Radio Battery No. 19018-B to the United States Navy at a price no higher than $4.762 per unit, f. o. b. factory.

(b) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 1 shall become effective on the 2d day of January 1943.

Issued this 1st day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-69; Filed, January 1, 1943; 2:18 p. m.]

[Order 24 Under RPS 57]

M. J. WHITTALL ASSOCIATES, INC.

APPROVAL OF MAXIMUM PRICE

Order No. 24 under Revised Price Schedule No. 57—Wool Floor Covering.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and by virtue of the authority vested in the Price Administrator under the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) M. J. Whittall Associates, Inc., may sell, offer to sell, deliver or transfer the new fabric designated as Rocklea at prices no higher than those set forth below:

Rocklea at $4.30 per square yard f. o. b. mill roll.

Rocklea at $53.10 per 9 x 12 size f. o. b. mill.

subject to discounts, allowances, and rebates no less favorable than those in effect as to "J-2-1" under § 1352.1 of Revised Price Schedule No. 57. Other sizes and zone maximum prices of Rocklea shall be determined on the basis of the same differentials as established by Revised Price Schedule No. 57 between the square yard f. o. b. mill and the other sizes and zone maximum prices of "J-2-1."

(b) This Order No. 24 may be revoked or amended by the Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1352.11 of Revised Price Schedule No. 57 shall apply to terms used herein.

(d) This Order No. 24 shall become effective on the 2d day of January, 1943.

Issued this 1st day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-70; Filed, January 1, 1943; 2:16 p. m.]

[Order 25 Under Supp. Reg. 1[1] to GMPR]

GENERAL SALES COMPANY

ORDER DISAPPROVING REGISTRATION

An opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

The following company applied for registration and approval of the Office of Price Administration in order that its sales and deliveries might be excepted from the provisions of the General Maximum Price Regulation pursuant to § 1499.26 (b) (1) of Supplementary Regulation No. 1.

General Sales Company, 268 Sixth Street, San Francisco, California.

Due consideration has been given to the application for registration and approval of General Sales Company, and it has been found that said company does not meet the requirements of § 1499.26 (b) (1), as amended, of Supplementary Regulation No. 1. Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942: *It is hereby ordered:*

(a) That the said application for registration and approval of General Sales Company, 268 Sixth Street, San Francisco, California, be, and the same is, denied and disapproved.

(b) This Order No. 25 shall become effective January 7, 1943.

Issued this 1st day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-71; Filed, January 1, 1943; 2:19 p. m.]

[Correction to Order 41 Under MPR 188]

AMERICAN BIFOCAL CO. INC.

ORDER GRANTING ADJUSTMENT

Correction to Order No. 41 under § 1499.161 (a) (2) of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building

[1] 7 F.R. 3158, 3488, 3892, 4183, 4410, 4428, 4487, 4488, 4493, 4669, 5066, 5192, 5276, 5366, 5484, 5607, 5717, 5942, 6082, 6473, 6685, 7011, 7250, 7317, 7598, 7604, 7739, 8336, 8652, 8798, 8930, 8833, 9082, 9331, 9616, 9622, 9975, 9976, 10022, 10718, 10557.

Materials and Consumers' Goods Other Than Apparel.

The docket number on Order No. 41 was incorrectly stated to be GF3-329. The correct docket number is GF3-932.

Issued this 1st day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-74; Filed, January 1, 1943; 2:14 p. m.]

[Order 25 Under RPS 57]

THE MAGEE CARPET COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 25 under Revised Price Schedule No. 57—Wool Floor Covering.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and by virtue of the authority vested in the Price Administrator under the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250: *It is hereby ordered:*

(a) The Magee Carpet Company may sell, offer to sell, deliver or transfer the new fabrics designated as Commando and Scout at prices no higher than those set forth below:

Commando at $3.36 per square yard f. o. b. mill roll.

Commando at $42.65 per 9x12 size f. o. b. mill.

Scout at $2.21 per square yard f. o. b. mill roll.

Scout at $26.55 per 9x12 size f. o. b. mill.

subject to discounts, allowances, and rebates no less favorable than those in effect as to Cadet and Kildare respectively under § 1352.1 of Revised Price Schedule No. 57. Other sizes and zone maximum prices of Commando and Scout shall be determined on the basis of the same differentials as established by Revised Price Schedule No. 57 between the square yard f. o. b. mill and the other sizes and zone maximum prices of Cadet and Kildare respectively.

(b) This Order No. 25 may be revoked or amended by the Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1352.11 of Revised Price Schedule No. 57 shall apply to terms used herein.

(d) This Order No. 25 shall become effective on the 2d day of January 1943.

Issued this 1st day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-72; Filed, January 1, 1943; 2:16 p. m.]

[Order 26 Under RPS 57]

ROXBURY CARPET COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 26 under Revised Price Schedule No. 57—Wool Floor Covering.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and by virtue of the authority vested in the Price Administrator under the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250: *It is hereby ordered:*

(a) Roxbury Carpet Company may sell, offer to sell, deliver or transfer the new fabric designated as Saxonville Substitute at prices no higher than those set forth below:

Saxonville Substitute at $2.83 per square yard f. o. b. mill roll.

Saxonville Substitute at $34.00 per 9x12 size f. o. b. mill.

subject to discounts, allowances, and rebates no less favorable than those in effect as to Saxonville under § 1352.1 of Revised Price Schedule No. 57. Other sizes and zone maximum prices of Saxonville Substitute shall be determined on the basis of the same differentials as established by Revised Price Schedule No. 57 between the square yard f. o. b. mill and the other sizes and zone maximum prices of Saxonville.

(b) This Order No. 26 may be revoked or amended by the Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1352.11 of Revised Price Schedule No. 57 shall apply to terms used herein.

(d) This Order No. 26 shall become effective on the 2d day of January 1943.

Issued this 1st day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-73; Filed, January 1, 1943; 2:19 p. m.]

[Suspension Order 183]

CHRISTINE DODSON

ORDER RESTRICTING TRANSACTIONS

Christine Dodson, doing business as Dodson Service Station, 400 Auburn Avenue, Atlanta, Georgia, hereinafter called respondent, was duly served with a notice of charges of violations of Ration Order No. 5A, Gasoline Rationing Regulations, issued by the Office of Price Administration. Pursuant to the notice, a hearing upon the charges was held in Atlanta, Georgia, on November 9, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been considered by the Deputy Administrator in Charge of Rationing.

It is hereby determined that:

(a) Respondent is a dealer in gasoline and operates a filling station at 400 Auburn Avenue, Atlanta, Georgia.

(b) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations, (§ 1394.1502), in that, on numerous occasions between July 2, 1942, and September 22, 1942, respondent transferred gasoline to consumers and into the fuel tanks of motor vehicles and accepted in exchange therefor one hundred twenty-three (123) Class A, No. 2 gasoline ration coupons.

Because of the great scarcity and critical importance of gasoline in Georgia, respondent's violations of Ration Order No. 5A, Gasoline Rationing Regulations, have resulted in the diversion of gasoline from military and essential civilian uses into non-essential uses, in a manner contrary to the public interest and detriment to the national war effort. It appears to the Deputy Administrator in Charge of Rationing that further violations by respondent are likely unless appropriate administrative action is taken.

It is therefore ordered:

(c) During the period in which this Suspension Order No. 183 shall be in effect,

(1) Respondent shall not in any manner, directly or indirectly, sell, transfer or deliver gasoline to any person.

(2) Respondent shall not accept any deliveries or transfers of, or in any manner directly or indirectly receive from any source any gasoline for resale.

(3) No person, firm, or corporation shall deliver, or in any manner directly or indirectly transfer any gasoline to respondent for resale.

(d) Any terms used in this Suspension Order No. 183, that are defined in Ration Order No. 5A, Gasoline Rationing Regulations, shall have the meaning therein given them.

(e) This Suspension Order No. 183 shall become effective 12:01 a. m. January 7, 1943, and unless sooner terminated shall expire 12:01 a. m. January 22, 1943.

(Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); W.P.B. Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216); Supplementary Directive No. 1Q (7 F.R. 9121)

Issued this 2d day of January 1943.

PAUL M. O'LEARY,
Deputy Administrator in Charge of Rationing.

[F. R. Doc. 43-114; Filed, January 2, 1943; 2:10 p. m.]

[Order 110 Under MPR 188]

COLEMAN FURNITURE CORP.

APPROVAL OF MAXIMUM PRICES

Order No. 110 Under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum prices for sales by the Coleman Furniture Corporation of two models of ice refrigerators.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and by virtue of the authority vested in the Price Administrator under the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250: *It is hereby ordered:*

(a) The Coleman Furniture Corporation may sell and deliver the two new models of ice refrigerators, described in an application to the Office of Price Administration, dated October 1, 1942 at prices no higher than the following:

	Maximum price
VC-50	$39.95
VC-75	$44.95

f. o. b. Pulaski, Virginia, subject to 2% discount for cash within 15 days. These prices are maximum prices for sales to both distributors and dealers.

(b) This Order No. 110 may be revoked or amended by the Office of Price Administration at any time.

(c) Unless the context otherwise requires the definitions set forth in § 1499.-163 of Maximum Price Regulation No. 188 shall apply to terms used herein.

(d) This Order No. 110 shall become effective on the 4th day of January 1943.

Issued this 2d day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-116; Filed, January 2, 1943; 2:09 p. m.]

[Order 1 Under MPR 74, as Amended]

CONSOLIDATED RENDERING CO. ET AL.

APPROVAL OF MAXIMUM PRICE

Order No. 1 under § 1363.62 (a), (5), (ii) of Maximum Price Regulation No. 74, as Amended—Aninial Product Feedingstuffs.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the provisions of § 1363.62 (a), (5), (ii) of Maximum Price Regulation No. 74, as amended, *It is ordered:*

(a) *Approval of maximum price for sales of meat scraps by Consolidated Rendering Company with a guaranteed minimum protein content of 47 per cent.* Consolidated Rendering Company of Boston, Massachusetts, may sell and deliver and any person may buy and receive from Consolidated Rendering Company meat scraps with a guaranteed minimum protein content of 47 per cent at a maximum price of $59.67 per ton, f. o. b. conveyance at production plant of Consolidated Rendering Company located in Zone 8.

(b) *Approval of maximum price for sales of meat scraps by James F. Morse & Co. with a guaranteed minimum protein content of 47 per cent.* James F. Morse & Co. of Boston, Massachusetts may sell and deliver and any person may buy and receive from James F. Morse & Co. meat scraps with a guaranteed minimum protein content of 47 per cent at a maximum price of $59.67 per ton, f. o. b. conveyance at production plant of James F. Morse & Co. located in Zone 8.

(c) *Approval of maximum price for sales of meat scraps by Mission Provision Co., Inc. with a guaranteed minimum protein content of 48 per cent.* Mission Provision Co., Inc. of San Antonio, Texas, may sell and deliver and any person may buy and receive from Mission Provision Co., Inc. meat scraps with a guaranteed minimum protein content of 48 per cent at a maximum price of $65.58 per ton, f. o. b. conveyance at production plant of Mission Provision Co., Inc. located in Zone 4.

(d) *Approval of maximum price for sales of meat scraps by Weil Packing Company with a guaranteed minimum protein content of 48 per cent.* Weil Packing Company of Evansville, Indiana, may sell and deliver and any person may buy and receive from Weil Packing Company meat scraps with a guaranteed minimum protein content of 48 per cent at a maximum price of $65.58 per ton, f. o. b. conveyance at production plant of Weil Packing Company located in Zone 4.

(e) *Approval of maximum price for sales of meat scraps by Home Packing Co. with a guaranteed minimum protein content of 48 per cent.* Home Packing Co. of Terre Haute, Indiana, may sell and deliver and any person may buy and receive from Home Packing Co. meat scraps with a guaranteed minimum protein content of 48 per cent at a maximum price of $65.58 per ton, f. o. b. conveyance at production plant of Home Packing Co. located in Zone 4.

(f) *Approval of maximum price for sales of meat scraps by C. W. Swingle & Company with a guaranteed minimum protein content of 53 per cent.* C. W. Swingle & Company of Lancaster County, Nebraska, may sell and deliver and any person may buy and receive from C. W. Swingle & Company meat scraps with a guaranteed minimum protein content of 53 per cent at a maximum price of $73.75 per ton, f. o. b. conveyance at production plant of C. W. Swingle & Company located in Zone 5.

(g) *Approval of maximum price for sales of meat scraps by Armour and Company, an Illinois Corporation, with a guaranteed minimum protein content of 57 per cent.* Armour and Company, an Illinois Corporation, may sell and deliver and any person may buy and receive from Armour and Company meat scraps with a guaranteed minimum protein content of 57 per cent at a maximum price of $65.07 per ton, f. o. b. conveyance at production plant of Armour and Company located in Zone 1.

(h) *Approval of maximum price for sales of digester tankage by Armour and Company, a Delaware Corporation, with a guaranteed minimum protein content of 45 per cent.* Armour and Company, a Delaware Corporation, may sell and deliver and any person may buy and receive from Armour and Company digester tankage with a guaranteed minimum protein content of 45 per cent at a maximum price of $54.90 per ton, f. o. b. conveyance at production plant of Armour and Company located in Zone 2.

(i) *Approval of maximum price for sales of digester tankage by Robert A. Reichard, Inc. with a guaranteed minimum protein content of 40 per cent.* Robert A. Reichard, Inc. of Allentown, Pennsylvania, may sell and deliver and any person may buy and receive from Robert A. Reichard, Inc. digester tankage wtih a guaranteed minimum protein content of 40 per cent at a maximum price of $46.18 per ton, f. o. b. conveyance at production plant of Robert A. Reichard, Inc. located in Zone 3.

(j) *Approval of maximum price for sales of digester tankage by Houston Packing Company with a guaranteed minimum protein content of 40 per cent.* Houston Packing Company of Houston, Texas, may sell and deliver and any person may buy and receive from Houston Packing Company digester tankage with a guaranteed minimum protein content of 40 per cent at a maximum price of $49.52 per ton, f. o. b. conveyance at production plant of Houston Packing Company located in Zone 2.

(k) *Price adjustments where actual analysis differs from guaranteed minimum protein content.* In any sale made pursuant to the provisions of this order if the actual analysis differs from the guaranteed minimum percentage of protein permitted by this order, then:

(l) If above the guaranteed minimum percentage of protein, no increase in maximum prices is permitted.

(m) If one per cent or less below the guaranteed minimum percentage of protein, deduct $1.50 per ton from the selling price.

(n) If more than one per cent below the guaranteed minimum percentage of protein, deduct $1.50 per ton for the first one per cent deficiency and $3.00 per ton for every succeeding one per cent or fraction thereof from the selling price.

(o) *Notification of maximum prices.* Consolidated Rendering Company, James F. Morse & Co., Mission Provision Co., Inc., Weil Packing Company, Home Packing Co., C. W. Swingle & Company, Armour and Company (an Illinois Corporation), Armour and Company (a Delaware Corporation), Robert A. Reichard, Inc. and Houston Packing Company shall provide the following notice of the individual maximum price respectively established for each by this order with the first delivery to each buyer of meat scraps or digester tankage having the guaranteed minimum protein content authorized for sale by this order.

The Office of Price Administration has permitted us to sell (insert appropriate product—meat scraps or digester tankage) with a guaranteed minimum protein content of _____ percent at a maximum price of $_____ per ton f. o. b conveyance at our production plant which is in line with the maximum prices established for this product by Maximum Price Regulation No 74, as Amended. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for sales of (insert appropriate product—meat scraps or digester tankage).

(p) All prayers and requests contained in each of the applications of Consolidated Rendering Company, James F. Morse & Co., Mission Provision Co., Inc., Weil Packing Company, Home Packing Co., C. W. Swingle & Company, Armour and Company (an Illinois Corporation), Armour and Company (a Delaware Corporation), Robert A. Reichard, Inc., and Houston Packing Company which have not been granted herein are denied.

(q) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(r) This Order No. 1 shall become effective January 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-115. Filed, January 2, 1943; 2:03 p. m.]

[Order 5 Under MPR 152]

CALIFORNIA PACKING CORPORATION

APPROVAL OF MAXIMUM PRICES

Order No. 5 under Maximum Price Regulation No. 152—Canned Vegetables.

On November 24, 1942, California Packing Corporation, San Francisco, California, filed an application for specific authorization to charge a maximum price pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Careful consideration has been given to the information submitted by the applicant with respect to the packing in 8 ounce size (Buffet) cans of tomato sauce, meeting the density specification of 10.5% dry tomato solids.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250: *It is hereby ordered*, That:

(a) The California Packing Company may sell, offer to sell or deliver and any person may buy, offer to buy or receive 8 ounce size (Buffet) cans of tomato sauce of a density of 10.5% dry tomato solids, at a price no higher than the maximum price of $.51 per dozen f. o. b. factory for Del Monte Brand and Featured Brands, and at a price no higher than the maximum price of $.48 per dozen f. o. b. factory for any buyer's label and for any brand other than Del Monte Brand or Featured Brands.

(b) This Order No. 5 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152, and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(d) This Order No. 5 shall become effective on January 4, 1943.

Issued this 2d day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-140. Filed, January 2, 1943; 4:25 p. m.]

[Order 56 Under MPR 120]

CASTLE SHANNON COAL CORPORATION

ORDER GRANTING ADJUSTMENT

Correction

The table in paragraph (a) of the document appearing on page 10502 of the issue for Tuesday, December 15, 1942, should read as follows:

Pail and lake	3	4	5	6	7	8	10
Size group							
Maximum price	3.25	3.25	3.10	3.00	2.75	2.75	2.15
Truck or wagon							
Size group	8	9	10	11	----	----	----
Maximum price	2.55	2.30	2.20	2.15	----	----	----

[Order 51 Under RPS 64]

PREMIER STOVE COMPANY

APPROVAL OF MAXIMUM PRICE

Correction

In paragraph (c) appearing on page 10740 of the issue of Tuesday, December 22, 1942, the words "Unless this context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein" should read "Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein."

[Order 2 Under RPS 102]

GENERAL MOTORS CORPORATION

APPROVAL OF MAXIMUM PRICE

Correction

In the last line of the table in paragraph (a) appearing on page 11102 of the issue of Wednesday, December 30, 1942, the base price for Model CD9—42, which read "112.70," should read "122.70."

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-611]

ASSOCIATED ELECTRIC COMPANY AND LOUISIANA PUBLIC UTILITIES CO., INC.

ORDER PERMITTING DECLARATIONS TO BECOME EFFECTIVE AND GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 30th day of December, A.D. 1942.

Associated Electric Company, a registered holding company, and Louisiana Public Utilities Co., Inc., its wholly-owned subsidiary, having filed a joint application and declaration pursuant to the Public Utility Holding Company Act of 1935, particularly sections 9 (a), 10, 12 (d) and 12 (f) thereof, and Rules U-43 and U-44 of the General Rules and Regulations thereunder, with respect to the following transactions:

1. The sale by Associated Electric Company, without competitive bidding, of its entire interest in Louisiana Public Utilities Co., Inc., to G. C. Hyde, R. A. Ritchie and D. Gordon Rupe, Jr., all of Dallas, Texas, for a consideration of $3,000,000, subject to certain adjustments; and

2. The sale by Louisiana Public Utilities Co., Inc., and the acquisition by Associated Electric Company, of 1,010 shares of the capital stock of Atlantic Utility Service Corporation; and

A hearing having been held after appropriate notice, the Commission being duly advised and having this day issued and filed its findings and opinion herein; on the basis of said findings and opinion:

It is hereby ordered, That the declaration of Associated Electric Company, pursuant to section 12 (d) of the Act and Rule U-44 of the General Rules and Regulations thereunder, with respect to the sale of its entire interest in Louisiana Public Utilities Co., Inc., and the declaration of Louisiana Public Utilities Co., Inc., pursuant to section 12 (f) of the Act and Rule U-43 of the General Rules and Regulations thereunder, with respect to the sale of 1,010 shares of the capital stock of Atlantic Utilities Service Corporation, be and hereby are permitted to become effective forthwith; and that the application of Associated Electric Company, pursuant to sections 9 (a) and 10 of the Act, for approval of its acquisition of 1,010 shares of the capital stock of Atlantic Utilities Service Corporation be and hereby is granted; subject, however, to the provisions of Rule U-24 and the following terms and conditions:

1. That prior to or contemporaneously with the sale by Associated Electric Company of its interests in Louisiana Public Utilities Co., Inc., the accounts of the latter shall be adjusted to eliminate write-ups in the manner agreed to by said companies and shown on Exhibit 1 annexed to the Commission's findings and opinion herein;[1] and

2. That Associated Electric Company shall, after such sale, adjust its investment and surplus accounts in the manner agreed to by said company and shown on Exhibit 2 annexed to the Commission's findings and opinion herein.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-14210; Filed, December 31, 1942; 3:36 p. m.]

[File No. 70-613]

ASSOCIATED ELECTRIC COMPANY, ET AL.

INTERIM ORDER PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 29th day of December, 1942.

In the matter of Associated Electric Company, Metropolitan Edison Company and Staten Island Edison Corporation.

Associated Electric Company, a registered holding company; Staten Island Edison Corporation, a subsidiary of New York State Electric & Gas Corporation and an indirect subsidiary of NY PA NJ Utilities Company, a registered holding company; and Metropolitan Edison Company, a subsidiary of NY PA NJ Utilities Company, having filed declarations, as amended, pursuant to section 12 (b), 12 (c), and 12 (f) of the Public Utility Holding Company Act of 1935 and Rules U-42, U-43 and U-45 promulgated thereunder, in regard to the following transactions: Associated Electric Company proposes to acquire (a) $2,222,000 principal amount of its own 4½% bonds, due January 1, 1953, from Staten Island Edison Corporation for a cash consideration of $955,460, plus accrued interest (the consideration being determined upon the basis of 43% of principal amount), and (b) $3,602,000 principal amount of its own 4½% bonds, refunding series, due April 1, 1956, from Metropolitan Edison Company, for a cash consideration of $1,548,860, plus accrued interest (the consideration also being determined upon the basis of 43% of principal amount); and Staten Island Edison Corporation proposes to advance the sum of $1,050,000 to its subsidiary, Richmond Light and Railroad Company, to enable such company to have sufficient cash available to redeem, at the call price of 105, the entire outstanding issue of $1,000,000 principal amount of its First and Collateral Trust 4% 50-year Gold Bonds, due July 1, 1952; and

A hearing with respect to said declarations, as amended, having been held after appropriate notice; and the Commission having considered the record of the proceedings and having entered its Interim Findings and Opinion herein;

It is hereby ordered, That the aforesaid declarations, as amended, in regard to and limited to the acquisition by Associated Electric Company of $3,602,000 principal amount of its 4½% bonds, refunding series, due April 1, 1956, from Metropolitan Edison Company, for a cash consideration of $1,548,860, plus accrued interest, be and hereby are permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24 and to the following additional terms and conditions:

(1) That the proceeds to be received by Metropolitan Edison Company from the sale of $3,602,000 principal amount of Associated Electric Company 4½% bonds, refunding series, due April 1, 1956, for the amount of $1,548,860, plus accrued interest thereon to the date of sale, be set apart from the general funds of the company, and be used only for the purpose of redeeming first mortgage bonds of Metropolitan Edison Company.

(2) Associated Electric Company, upon acquisition of its own 4½% bonds, refunding series, due April 1, 1956, in the principal amount of $3,602,000 shall retain such bonds in its treasury until further order of this Commission.

It is further ordered, That jurisdiction be and is hereby reserved over the proposed acquisition by Associated Electric Company of $2,222,000 principal amount of its own 4½% bonds, due January 1, 1953, from Staten Island Edison Corporation for a cash consideration of $955,460, plus accrued interest, and to the advance by Staten Island Edison Corporation of the sum of $1,050,000 to Richmond Light and Railroad Company to enable such company to have sufficient cash available to redeem, at the call price of 105, the entire outstanding issue of $1,000,000 principal amount of its First and Collateral Trust 4% 50-year Gold Bonds, due July 1, 1952.

By the Commission.

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-14211; Filed, December 31, 1942; 3:34 p. m.]

[1] Not filed with the original document

[File No. 1-2582]

GOLD SHARES, INC.

ORDER GRANTING APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 30th day of December, A. D. 1942.

In the matter of Gold Shares, Inc. common stock, 10¢ par value.

The Gold Shares, Inc., pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to withdraw its Common Stock, 10¢ Par Value, from listing and registration on the San Francisco Mining Exchange; and

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on January 9, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-14205; Filed, December 31, 1942; 3:36 p. m.]

[File No. 59-32]

TRUSTEES OF ASSOCIATED GAS AND ELECTRIC CORP.

SUPPLEMENTAL ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 30th day of December, A. D. 1942.

In the matter of Denis J. Driscoll and Willard L. Thorp, as trustees of Associated Gas and Electric Corporation, Respondents.

The Commission having on August 13, 1942 issued its findings, opinion, and order under section 11 (b) (1) of the Public Utility Holding Company Act of 1935 (Holding Company Act Release No. 3729) requiring Denis J. Driscoll and Willard L. Thorp, as trustees of Associated Gas and Electric Corporation, to divest themselves of certain nonretainable properties, and

Said trustees having filed a petition seeking amendments and corrections in said findings, opinion, and order; and

The Commission having reexamined its findings, opinion, and order of August 13, 1942, and being fully advised in the premises;

It is ordered, That the following amendments, corrections and omissions be, and the same hereby are, made in the said findings, opinion, and order:

1. The word "admitted" shall be deleted from the second line of the last paragraph on mimeograph page 3 of the findings and opinion (Holding Company Act Release No. 3729) and the words "not claimed" substituted therefor.

2. The following companies and the properties owned or controlled thereby shall be stricken from the list, appearing in Appendix B to the findings and opinion and in the order, of the companies with which the said Trustees are required to sever all direct and indirect relationships: Canadea Power Corporation, York Railways Company and New Jersey Northern Gas Company.

3. The following companies and the properties owned or controlled thereby shall be added to the list, appearing in Appendix B to the findings and opinion and in the order of the companies with which the said Trustees are required to sever all direct and indirect relationships: Tri-City Utilities Company, incorporated in Kentucky in 1942 and engaged in the electric utility, gas and water business; Railway Properties Corporation, incorporated in New York in 1938 and engaged in holding real estate.

In all other respects, the petition of the Trustees is denied, for the reasons stated in the supplemental findings and opinion of the Commission herein, this day issued.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-14207; Filed, December 31, 1942; 3:34 p. m.]

[File No. 70-656]

THE NORTH AMERICAN COMPANY

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 28th day of December 1942.

Notice is hereby given that a declaration or application (or both) has been filed with the Commission, pursuant to the Public Utility Holding Company Act of 1935, by The North American Company, a registered holding company. All interested persons are referred to said application-declaration, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

The North American Company proposes to acquire approximately 12,500 shares of capital stock of The Detroit Edison Company, a public utility company, on one or both of the following bases: (1) By purchases on the New York Stock Exchange from time to time prior to February 11, 1943 in accordance with such limitations as to price as this Commission may by order prescribe, (2) by purchases off the market prior to Feb-

ruary 11, 1943 at prices not to exceed the closing prices on the New York Stock Exchange (or the average between the bid and ask prices if no sales have been consummated) on the business day immediately preceding the date of any such purchase.

The applicant states that it desires to acquire the shares of stock in order that it may have sufficient shares, together with shares presently held by it, to pay a further quarterly dividend on the applicant's common stock payable in shares of The Detroit Edision Company stock on or about April 1, 1943, at the rate heretofore in effect.

The applicant has hitherto declared seven consecutive quarterly dividends on its common stock payable in shares of The Detroit Edison Company stock at the rate of one share of The Detroit Edison Company stock for each 50 shares of the applicant's common stock. The balance of The Detroit Edison Company stock which will be held after December 30, 1942 will be approximately 143,500 shares and the applicant will require approximately 156,000 shares to pay its next quarterly dividend at the previous rate. The payment of the next quarterly dividend at such rate will eliminate substantially all of the applicant's direct holdings in the Detroit Edison Company In addition to applicant's direct holdings of the Detroit Edison Company stock, North American Utilities Securities Corporation (all of the preferred stock and 80.6% of the common stock of which is owned by the applicant) owns beneficially 5,000 shares.

It appearing to the Commission that it is appropriate and in the public interest and the interest of investors and consumers that a hearing be held with respect to said matters, that said declaration shall not become effective nor said application be granted except pursuant to further order of this Commission:

It is ordered, That a hearing on such matters under the applicable provisions of said Act and Rules of the Commission thereunder be held on January 6, 1943 at 10:00 a. m., E. W. T., in such room in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, as the hearing room clerk in Room 318 will at that time advise. At such hearing, cause shall be shown why such declaration or application (or both) shall become effective or shall be granted. Notice is hereby given of said hearing to the above named declarant and applicant and to all interested persons, said notice to be given to declarant and applicant by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That Richard Townsend, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That, without limiting the scope of issues presented by said declaration or application (or both) otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the proposed transactions are appropriate and in the public interest and the interest of investors;

(2) The propriety of the proposed acquisition;

(3) What limitations, if any, as to price should be prescribed as appropriate in the public interest or the interest of investors;

(4) Whether the applicant should be directed to acquire the shares of North American Utilities Securities Corporation; and

(5) Whether it is necessary or appropriate to impose terms or conditions in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc 42-14213, Filed, December 31, 1942, 3:36 p. m.]

[File Nos. 59-39, 54-50, 59-10]

NORTH AMERICAN LIGHT & POWER CO. HOLDING COMPANY SYSTEM, ET AL.

INTERIM ORDER SUSPENDING PAYMENT OF INTEREST

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 28th day of December, A. D. 1942.

In the matter of North American Light & Power Company Holding-Company System and The North American Company, File No. 59-39; North American Light & Power Company, File No. 54-50; The North American Company, et al., File No. 59-10.

Questions having arisen in these consolidated proceedings as to the right of The North American Company to receive any payment or distribution in respect of principal or interest on its holdings of debentures issued by North American Light & Power Company, a registered holding company in liquidation under section 11 (b) (2) of the Public Utility Holding Company Act of 1935; hearings being in progress thereon; certain claimants having requested the Commission, among other things, to issue an interim order prohibiting North American Light & Power Company from paying to The North American Company coupon interest on said debentures until further order of the Commission; and the Commission having ordered a hearing to determine whether or not such order should issue, and if so whether or not North American Light & Power Company should be required to segregate from its other funds a sum equal to the amount of such interest, such sum to be held subject to further order of the Commission;

A hearing having been held pursuant to appropriate notice and the Commission being fully advised and having this day issued and filed its opinion herein; on the basis of said opinion, and pursuant to the provisions of the Public Utility Holding Company Act of 1935, particularly sections 11 (b), 11 (d), 11 (e) and 12 (f) thereof, *It is ordered*, That:

North American Light & Power Company be, and it hereby is, (a) prohibited from paying to The North American Company, its agents, representatives, assigns or transferees the interest due on January 1, 1943, on the debentures of North American Light & Power Company now held by The North American Company, until further order of the Commission; and (b) required to segregate from its other funds a sum equal to the interest so to be withheld, such sum to be held subject to the further order of the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary*

[F. R. Doc 42-14208, Filed, December 31, 1942, 3:34 p. m.]

[File No. 70-489]

OGDEN CORPORATION

NOTICE REGARDING FILING OF AMENDMENT

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 29th day of December, 1942.

Notice is hereby given that an amendment to a declaration or application has been filed with the Commission under the Public Utility Holding Company Act of 1935 by Ogden Corporation ("Ogden"), a registered holding company;

Notice is further given that any interested person may, not later than January 5, 1943 at 10:00 a. m. E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia, Pennsylvania.

All interested persons are referred to said amendment to the original application which is now on file in the office of said Commission for a statement of the transactions therein proposed, which are summarized as follows:

By order dated March 6, 1942, this Commission, after a public hearing, granted an application filed by The Laclede Gas Light Company ("Laclede"), a subsidiary of Ogden, for exemption from the provisions of section 6 (a) of the Act regarding offers proposed to be made by it to the holders of its outstanding and unpledged Refunding and Extension Mortgage, 5% Gold Bonds, dated 1904 ("1904 Bonds"), in the principal amount of $10,000,000, to extend such bonds to April 1, 1945. The Commission also granted, subject to certain conditions, an application of Ogden regarding the acquisition by it of such portion of those bonds of Laclede not extended by other holders thereof. Jurisdiction was reserved by the Commission in said order with respect to (1) its proposal to borrow not in excess of $2,250,000 for the purpose of purchasing the said bonds, and (2) its proposal to resell such bonds as might be acquired by it

By order dated July 27, 1942, this Commission, after a public hearing, granted an application filed by Ogden and its subsidiary company, Laclede, requesting approval of the sale to The Equitable Life Assurance Society of the United States of $1,998,000, principal amount of the Laclede 1904 Bonds, and such additional bonds as Ogden might acquire through July 28, 1942, the aggregate principal amount not to exceed $2,500,000. The Commission exempted such sale from the provisions of Rule U-50 promulgated under the Act, and thereafter Ogden sold to said insurance company $2,011,000, principal amount of 1904 Bonds, as extended, on July 28, 1942.

Since July 28, 1942, Ogden, pursuant to its commitment to acquire 1904 Bonds, which commitment was extended to and terminated on November 24, 1942, has purchased an additional $176,000, principal amount of said 1904 Bonds. Ogden now proposes to sell to The Equitable Life Assurance Society of the United States the principal amount of $176,000 of said 1904 Bonds, as extended, at the price of 99% of the principal amount thereof, plus accrued interest thereon from October 1, 1942 to the date of sale and delivery. The amendment also requests an exemption from Rule U-50 of the Rules and Regulations promulgated under the Act, with respect to the proposed sale of said bonds.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc 42-14209; Filed, December 31, 1942; 3:35 p. m.]

[File No. 70-644]

PUBLIC SERVICE CORPORATION OF NEW JERSEY AND PUBLIC SERVICE ELECTRIC AND GAS COMPANY

ORDER PERMITTING JOINT DECLARATION, AS AMENDED, TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 29th day of December, 1942.

The above-named parties having filed a joint declaration and amendments thereto pursuant to the Public Utility Holding Company Act of 1935, particularly sections 12 (c) and 12 (f) and Rules U-42 and U-43 of the Rules and Regulations promulgated thereunder, with respect to the sale by Public Service Corporation of New Jersey, a subsidiary of The United Corporation and of The United Gas Improvement Company, both registered holding companies, and the purchase by Public Service Electric and Gas Company, a subsidiary of Public Service Corporation of New Jersey, of (1) $559,600 principal amount of Public Service Electric and Gas Company's First and Refunding Mortgage Bonds, 5% Series, due 2037, for $504,076.42, plus accrued interest to the date of payment; (2) $519,000 principal amount of 5% First Mortgage Gold Bonds, due 1962, of Elizabeth & Trenton Railroad Company, a constituent company of Public Service Electric and Gas Company, for $472,691.25, plus accrued interest to date of payment, said bonded indebtedness of Elizabeth & Trenton Railroad Company having heretofore been assumed by Public Service Electric and Gas Company; (3) $8,500 principal amount of Public Service Electric and Gas Company's First and Refunding Mortgage Bonds, 8% Series, due 2037, for $17,000, plus accrued interest to the date of payment; (4) $150 principal amount of The Newark Gas Company First Mortgage 6% Gold Bond Scrip for $510; (5) $109.37 principal amount of Somerset, Union and Middlesex Lighting Company, 40-year 4% Mortgage Gold Bond Scrip, for $100. The prices to be paid by Public Service Electric and Gas Company to Public Service Corporation of New Jersey for the above-enumerated bonds and scrip represent the cost of same to Public Service Corporation of New Jersey. The bonds so acquired will be cancelled, and scrip will be pledged with Fidelity Union Trust Company, as Trustee.

Said joint declaration having been duly filed on December 8, 1942, and amendments thereto having been filed on December 15, 1942, and December 22, 1942, the notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to the said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

Said parties having requested that the effective date of said joint declaration as amended be advanced; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit said joint declaration as amended to become effective; and

The Commission being satisfied that the effective date of said joint declaration as amended should be advanced;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the Act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid joint declaration as amended be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-14212; Filed, December 31, 1942; 3:34 p. m.]

[File No. 1-2603]

TEXAS CONSOLIDATED OIL COMPANY

ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 30th day of December, A. D. 1942.

The San Francisco Stock Exchange pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the Common Stock, $1 Par Value, of Texas Consolidated Oil Company; and

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on January 9, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-14206; Filed, December 31, 1942; 3:36 p. m.]

A. F. BERNSTEIN AND CO.

FINDINGS AND ORDER REVOKING REGISTRATION AS BROKER AND DEALER

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania on the 29th day of December, A. D. 1942.

In the matter of Arthur F. Bernstein, doing business as A. F. Bernstein and Co., 1221 Northern Life Tower Building, Seattle, Washington.

1. Arthur F. Bernstein, doing business as A. F. Bernstein and Co., a sole proprietorship, hereinafter referred to as registrant, is registered as a broker and dealer pursuant to section 15 of the Securities Exchange Act of 1934.

2. On October 21, 1942, we instituted proceedings under section 15 (b) of the Act to determine whether the registration of the above registrant should be revoked. The order for proceedings stated that information had been reported to the Commission by its staff which, if true, tended to show that registrant had willfully violated the anti-fraud provisions of section 17 (a) of the Securities Act of 1933, section 15 (c) (1) of the Securities Exchange Act of 1934 and paragraphs (a) and (b) of Rule X-15C1-2 promulgated pursuant thereto. The information reported to the Commission, outlined in the order for hearing, indicated in substance that:

A. In September, 1939, registrant obtained an option from the Portland Mortgage Company to purchase an idle winery plant, located in South Tacoma, Washington.

B In October, 1939, the registrant, together with two individuals (hereinafter referred to as his "associates"), participated in arrangements to purchase the aforementioned plant.

C. On December 2, 1939, the registrant and a third party (not an associate) entered into a contract with said Portland Mortgage Company for the purchase of the aforementioned winery for the sum of $24,000 and made a down payment of $2,500.00, such payment being furnished by said third party.

D. In January, 1940, registrant and his associates caused Associated Wineries, Inc. to be organized to take over the winery plant mentioned above. On January 18, 1940, the corporation contracted to pay the registrant and the third party mentioned in paragraph C, $31,500 for the winery or $7,500.00 more than the sum registrant and said third party had contracted to pay.

E. Also in January, 1940, registrant and his associates caused the corporation to issue stock in such a manner that they became the beneficial owners of substantially all of the shares issued.

F. Registrant was in control of the corporation at all times and participated actively with his associates in the management thereof.

G. From February, 1940, to May, 1941, inclusive, registrant and his associates caused the corporation to sell its preferred and common stock to various persons. In making the sales and inducing the purchase of said securities, one of the registrant's associates and salesmen employed by the corporation made one or more of the following false representations to each of the purchasers:

(1) Associated Wineries, Inc., owned a winery plant in South Tacoma against which there was only a small indebtedness;

(2) Associated Wineries, Inc., had raised amounts varying from $45,000 to $60,000 for operation of the plant;

(3) The proceeds from the sale of the stock were to be used for putting the plant into operation;

(4) Associated Wineries, Inc., had berries already in cold storage awaiting the completion of the financing necessary to put the plant into operation;

(5) Henry A. Kyer, President of the Associated Wineries, Inc., had a substantial interest and investment in said company;

(6) Even if Associated Wineries, Inc., never began to operate as a winery its stock would be worth $1.05 on the basis of the assets of the company.

H. During the period from February, 1940, to May, 1941, the corporation realized approximately $20,700 from the sale of its stock and from other miscellaneous sources. Of this sum, registrant and his associates received $14,029.70 in payments on the contract of purchase and for salaries and expenses;

I. To the date hereof, the corporation has not started operation of its winery plant;

J Registrant effected transactions hereinabove mentioned in paragraph G otherwise than on a national securities exchange;

K. Registrant used the mails and instrumentalities of transportation and communication in interstate commerce in effecting the transactions and inducing the purchase of the securities hereinabove described in paragraph G.

3. On November 10, 1942, registrant submitted to the trial examiner an "answer and consent" to revocation in which he acknowledged receipt and service of adequate notice of these proceedings and waived his opportunity for hearing. In said "answer and consent" registrant further admitted the existence of the cause of action set forth above and consented to the entry of an order revoking his registration as a broker and dealer.

4. On the basis of the foregoing, we find that registrant has willfully violated section 17 (a) of the Securities Act of 1933, section 15 (c) (1) of the Securities Exchange Act of 1934 and paragraphs (a) and (b) of Rule X-15C1-2 promulgated pursuant thereto; and that it is in the public interest to revoke registrant's registration as a broker and dealer. Accordingly,

It is ordered, Pursuant to section 15 (b) of the Securities Exchange Act of 1934, that the registration as a broker and dealer of Arthur F. Bernstein, doing business as A. F. Bernstein and Co., be and it hereby is revoked.

By the Commission (Chairman Purcell and Commissioners Healy, Burke, and O'Brien), Commissioner Pike being absent and not participating.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-82; Filed, January 1, 1943; 3:27 p. m.]

[File No 43-160]

COLUMBIA GAS & ELECTRIC CORP.

MEMORANDUM OPINION AND ORDER

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania on the 30th day of December 1942.

Appearances: William R. Nowlin and David Unterberg, for the Public Utilities Division, Securities and Exchange Commission; Frederick S. Beebe, of Cravath, de Gersdorff, Swain & Wood, New York City, for Columbia Gas & Electric Corporation.

Columbia Gas & Electric Corporation, (hereinafter referred to as Columbia Gas), a registered holding company, and a subsidiary of The United Corporation, also a registered holding company, has filed an application for an extension to December 31, 1943, of the date, December 31, 1942, on which the balances remaining in its accounts designated "Special Capital Surplus" and "Surplus Prior to January 1, 1938" must be restored to its common capital stock account.

A public hearing on the application has been held after appropriate notice.

The application arises by reason of provisions in the findings and opinion (4 SEC 406) an order (Holding Company Act Release No. 1417) of the Commission permitting a declaration by Columbia Gas to become effective regarding the reduction of its common capital stock account from $194,349,005.62 to $12,304,282, so as to create a "Special Capital Surplus" of $182,044,723.62 and freezing for certain specified purposes the balance in its surplus account as of December 31, 1937 in the amount of $13,261,609.45 in an account designated "Surplus Prior to January 1, 1938". Our order contained, among other things, a condition that:

(3a) * * * unless the time be extended by application to this Commission and order thereon, balances remaining in "Special Capital Surplus" and "Surplus Prior to January 1, 1938" on December 31, 1942 shall be restored to common capital stock account as of the date last mentioned.

The purpose, as stated by applicant, for the creation of the special surplus accounts was (a) to free future earnings for dividends, and (b) to make provision for correcting or eliminating any debatable items in applicant's investment account and in an amount adequate to absorb the various adjustments which applicant might be required or might decide to make in its accounts, including a reduction of the figures appearing on its books for its investment in each subsidiary as of December 31, 1937.

Certain adjustments and deductions of the nature proposed have been made to the surplus accounts, leaving balances remaining as at October 31, 1942 of $104,482,575.71 in "Special Capital Surplus" and $944,096.08 in "Surplus Prior to January 1, 1938".

As to such remaining balances applicant states that the determination of the original cost of the fixed assets of its subsidiary companies is a necessary prerequisite to a final decision as to the amounts remaining in "Special Capital Surplus" and "Surplus Prior to January 1, 1938" accounts which are to be restored to the common capital stock account. Applicant further states that although the original cost studies of its subsidiaries have been diligently pressed and the subsidiary companies have at the peak of their respective studies employed over 750 men, unexpected delays and inability to obtain qualified help have hindered the completion of all the original cost studies. Nine such studies, however, have been completed and filed with regulatory bodies for review. In one instance (Cincinnati Gas & Electric Company) the regulatory body has made a field examination of the original cost report and conferences have been held regarding corrections and adjustments to be made in the property accounts of that company. Applicant estimates that most of the remaining cost studies will be finished by the middle of 1943 and contemplates the completion of all of the cost studies by the end of 1943.

Having considered the record, we have concluded that it is not detrimental to the public interest or to the interest of investors or consumers to grant the requested extension, with the express understanding that nothing herein contained is to be construed as a waiver of

modification of any of the other terms and conditions contained in our Order of January 25, 1939 entered in this matter, and, *It is so ordered.*

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-76; Filed, January 1, 1943; 3:26 p. m.]

[File Nos. 54-66, 59-61, 59-35]

FEDERAL WATER AND GAS CORP. ET AL.

NOTICE OF FILING AND ORDER FOR HEARING, ETC.

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 31st day of December 1942.

In the matter of Federal Water and Gas Corporation and subsidiary companies, File No. 54-66; Federal Water and Gas Corporation and subsidiary companies, Respondents, File No. 59-61; and New York Water Service Corporation and Federal Water and Gas Corporation, File No. 59-35.

Notice of filing and order for hearing on plan filed pursuant to section 11 (e); notice of and order for hearing pursuant to sections 11 (b) (1), 11 (b) (2), 15 (f), and 20 (a) of the Public Utility Holding Company Act of 1935 and order consolidating proceedings.

I

Notice is hereby given that Federal Water and Gas Corporation, a registered holding company, has filed an application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for approval of a plan, the purpose of which is to effect compliance by Federal Water and Gas Corporation and its subsidiaries with the provisions of sections 11 (b) (1) and 11 (b) (2) of said Act. The plan provides for the disposition by Federal of all of its interests in subsidiary companies and its subsequent elimination either by dissolution or by merger with an appropriate company. All interested persons are referred to said plan which is on file at the office of this Commission for a statement of the transactions therein proposed which are summarized as follows:

(a) Federal proposes to sell sufficient assets to provide funds to retire its 5½% Debentures, Series due 1954, presently outstanding in an amount of approximately $4,600,000. In this connection a contract has already been entered into covering the sale of the preferred and common stocks owned by Federal of Union Water Service Company for $1,200,000 and in addition Federal is presently negotiating for the sale of its interests in Ohio Water Service Corporation and West Virginia Water Service Corporation.

(b) Federal proposes to sell to Southern Natural Gas Company, a subsidiary of Federal which is also a registered holding company, its investments in Chattanooga Gas Company and Mississippi Public Service Company, and also proposes to sell the Mississippi properties of Peoples Water and Gas Company to the Southern Natural Gas Company system.

(c) Thereafter, upon payment of its outstanding debentures and the sales described in (b) above, Federal will, in partial liquidation, distribute to its stockholders the share of stock of Southern Natural Gas Company of which it is then possessed.

(d) Federal also proposes to dispose of its interest in Scranton-Spring Brook Water Service Company, Pennsylvania Water Service Company, The Winton Water Company, New York Water Service Corporation, Peoples Water and Gas Company, Alabama Water Service Company, and the subsidiary companies thereof: *Provided, however,* That disposition by way of sale of securities of Pennsylvania Water Service Company, Scranton-Spring Brook Water Service Company, Peoples Water and Gas Company, and New York Water Service Corporation shall not be effected except after recapitalization of such companies.

(e) With respect to the recapitalization of New York Water Service Corporation, Federal Water and Gas Corporation and New York Water Service Corporation will consent to the entry of an order requiring them to take such steps as the Commission shall find necessary to change the capital structure of New York Water Service Corporation so as to provide a fair and equitable distribution of voting power among security holders of such company, the common stock of such company held by Federal to be accorded no recognition in such recapitalization. Notwithstanding the above, it is, however, the intention of Federal Water and Gas Corporation and New York Water Service Corporation to sell the properties constituting the New York Water Service Corporation system from time to time as favorable opportunities are presented.

(f) In the event that the assets of Scranton-Spring Brook Water Service Company and Peoples Water and Gas Company are not disposed of by sale, it is proposed that such companies be recapitalized and that consent will be given to the entry of an order by the Commission requiring such recapitalization.

(g) Following the distribution to security holders of the stock of Southern Natural Gas Company owned by Federal, Federal will dispose of its assets, not theretofore sold, through sale wherever feasible and will distribute the proceeds thereof to security holders, or where disposition by sale is not advisable will distribute securities in kind to its stockholders. Federal will thereupon be eliminated either by dissolution or merger with an appropriate company.

II

The Commission having examined, pursuant to sections 11 (a), 18 (a), and 18 (b) of the Public Utility Holding Company Act of 1935 (the "Act"), the corporate structure of Federal Water and Gas Corporation, a registered holding company, and its subsidiary companies, the relationship among companies of said holding company system, the character of the interests thereof and the properties owned or controlled thereby, to determine the extent to which the corporate structure of such holding company system and the companies therein may be simplified, unnecessary complexities therein eliminated, voting power fairly and equitably distributed among the holders of securities thereof, and the properties and business of such system should be confined to those necessary or appropriate to the operations of an integrated public utility system or systems under the standards of section 11 (b) of the Act; and said examination having disclosed data establishing or tending to establish the following:

1. Federal Water and Gas Corporation, a registered holding company, is a corporation organized under the laws of Delaware. It maintains its principal office for the doing of business in the City of New York, State of New York. Federal Water and Gas Corporation presently owns and controls 33 subsidiaries, ten of which are public utility companies within the meaning of the Act engaged in the natural or manufactured gas business, or electric business and other businesses such as water distribution; and the remainder of which are engaged in the distribution of water, the production and transmission of natural gas, and sewer service.[1] The operations of the subsidiary companies are conducted within fourteen states of the United States, the utility operations being in Alabama, Mississippi, Tennessee, Florida, and Pennsylvania. The total assets of the holding company system after intercompany eliminations (including both consolidated and unconsolidated subsidiaries), as of December 31, 1941, were approximately $204,910,000.[2]

2. Southern Natural Gas Company, a subsidiary of Federal Water and Gas Corporation and a corporation organized under the laws of Delaware, is also a registered holding company under the Act. Southern Natural Gas Company maintains its principal offices in the City of Birmingham, Alabama.

3. The names of subsidiary companies presently embraced in the holding company system of Federal Water and Gas Corporation, the corporate relationship of the companies within the system to each other, and the states in which such subsidiary companies are incorporated are shown in the following table:

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[1] In addition, Scranton-Spring Brook Water Service Company, a subsidiary of Federal Water and Gas Corporation, owns and controls sixty-three inactive subsidiary companies.

[2] Not adjusted to reflect the acquisition by Federal of Mississippi Public Service Company pursuant to our order of November 27, 1942 (Holding Company Act Release No. 3937) or to exclude the assets of Pittsburgh Suburban Water Service Company, the common stock of which was sold by Federal in November, 1942, and the assets of Delaware Water Supply Company in process of liquidation at December 31, 1941.

Name of company	*State of organization*
Federal Water and Gas Corporation.	Delaware.
Alabama Water Service Company.	Alabama.
Chattanooga Gas Company.	Tennessee.
Mississippi Public Service Company.	Delaware.
New York Water Service Corporation.	New York.
Rochester & Lake Ontario Water Service Corporation	New York.
South Bay Consolidated Water Company, Inc.	New York.
Western New York Water Company.	New York.
Ohio Water Service Company.	Ohio.
Pennsylvania Water Service Company.	Pennsylvania.
Scranton - Spring Brook Water Service Company.	Pennsylvania.
Carbondale Gas Company.	Pennsylvania.
Winton Water Company, The	Pennsylvania.
Wyoming County Gas Company.	Pennsylvania.
Peoples Water and Gas Company.	Delaware.
Southern Natural Gas Company.	Delaware.
Alabama Gas Company.	Alabama.
Alabama Natural Gas Corporation.	Delaware.
Apex Gas Company, Inc.	Louisiana.
Huntsville Gas Company.	Delaware.
Southern Production Company, Inc.	Alabama.
Union Water Service Company.	Delaware.
Citizens Water Service Company.	Pennsylvania.
Clymer Water Service Company.	Pennsylvania.
Morris Water Company.	Pennsylvania.
Neptunus Water Company.	New Jersey.
New Jersey Water Service Company.	New Jersey
Ocean City Sewer Service Company.	New Jersey.
Punxsutawney Water Service Company.	Pennsylvania.
West Virginia Water Service Company.	West Virginia.
Bluefield Valley Water Works Company	Virginia.
Gilmer County Gas Company	West Virginia.
West Virginia Production Company	West Virginia.

4. The subsidiary companies which are public utility companies within the meaning of the Act, the states in which the business of such companies are conducted, and the kind of business each conducts, together with gross property accounts as of December 31, 1941 and their gross revenues for the year 1941 are shown in the following table:

Name of company	State in which business operations are conducted	Kind of business	Gross property per books	Gross revenues
Alabama Gas Company	Alabama	Natural and manufactured gas	$5,638,074	$2,969,278
Alabama Natural Gas Corporation	Alabama	Natural gas	716,001	346,184
Alabama Water Service Company	Alabama	Water—electricity	8,749,832	1,204,606
Chattanooga Gas Company	Tennessee	Manufactured gas	2,566,263	474,671
Huntsville Gas Company	Alabama	Manufactured gas	187,343	27,325
Mississippi Public Service Company	Mississippi	Natural gas	1,284,742	460,000
Peoples Water and Gas Company	Mississippi, Florida, and Oregon.	Natural and manufactured gas—water	4,534,232	[1] 1,388,931
Scranton-Spring Brook Water Service Company.	Pennsylvania	Holding Company—water—manufactured gas	37,924,870	[2] 4,188,018
Carbondale Gas Company	Pennsylvania	Manufactured gas	430,919	44,901
Wyoming County Gas Company	Pennsylvania	Manufactured gas	16,476	1,188

[1] Classification of revenues:

Water	$701,080
Electric	683,697
Total	1,384,696

[1] Classification of revenues:

Water	112,616
Natural gas	434,666
Manufactured gas	782,350
Total	1,388,931

[2] Classification of revenues:

Water	$3,322,576
Manufactured gas	865,742
Total	4,188,018

5. The subsidiary companies of Federal Water and Gas Corporation which are not public utility companies within the meaning of the Act, the states in which the operations of such companies are concerned, the nature of the business of such subsidiary companies, together with gross property accounts as of December 31, 1941 and gross operating revenues for the year 1941 are shown in the following table:

Name of company	State in which business operations are conducted	Kind of business	Gross property per books	Gross revenues
New York Water Service Corporation	New York	Water—Holding company.	$23,172,680	$2,195,107
Rochester & Lake Ontario Water Service Corporation.	New York	Water	5,448,670	611,299
South Bay Consolidated Water Company, Inc.	New York	Water	6,862,363	511,351
Western New York Water Company	New York	Water	7,453,410	922,581
Ohio Water Service Company	Ohio	Water	7,592,202	829,520
Pennsylvania Water Service Company	Pennsylvania	Holding company		
The Winton Water Company	Pennsylvania	Water	100,000	11,847
Southern Natural Gas Company	Texas, Louisiana, Mississippi, Alabama, and Georgia.	Gas transmission, production—Holding company.	39,648,800	10,408,520
Apex Gas Company, Inc	Texas and Louisiana	Gas transmission	181,946	146,365
Southern Production Company, Inc	Texas	Gas production	940,055	84,971
Union Water Service Company	New York	Holding company		
Citizens Water Service Company	Pennsylvania	Water	687,545	89,812
Clymer Water Service Company	Pennsylvania	Water	783,608	91,277
Morris Water Company	Pennsylvania	Water	78,671	5,942
Neptunus Water Company	New Jersey	Water	47,393	7,000
New Jersey Water Service Company	New Jersey	Water	413,814	60,644
Ocean City Sewer Service Company	New Jersey	Sewer	787,153	85,701
Ocean City Water Service Company	New Jersey	Water	1,662,180	158,000
Punxsutawney Water Service Company	Pennsylvania	Water	1,024,237	76,042
West Virginia Water Service Company	West Virginia	Water—Holding Company	10,844,420	[1] 1,440,000
Bluefield Valley Water Works Company	Virginia	Water	82,581	
Gilmor County Gas Company	West Virginia	Gas production	55,456	14,572
West Virginia Production Company	West Virginia	Gas production	52,631	4,425

[1] April 1 to December 31.

Scranton-Spring Brook Water Service Company owns and controls sixty-three inactive subsidiary companies, as specified in Form U5S for the year 1941, filed by Federal Water and Gas Corporation. All of such subsidiary companies are incorporated herein by reference.

6. For the year ended December 31, 1941, the consolidated operating revenues of the Federal Water and Gas Corporation and its subsidiary companies were as follows:[1]

		Percent
Natural gas	$12,162,798	46.1
Water	11,318,849	43.0
Manufactured gas	2,211,486	8.4
Electric	503,607	1.9
Other	161,081	.6
Total gross revenues	26,357,821	100.0

II

7. Scranton-Spring Brook Water Service Company, a subsidiary of Federal, is a corporation organized under the laws of the State of Pennsylvania. The outstanding common stock of Scranton-Spring Brook Water Service Company is owned by Pennsylvania Water Service Company, whose common stock, in turn, is wholly owned by Federal. In addition, as of December 31, 1941, Pennsylvania Water Service Company owned 1,164 shares, and Federal owned 16,033 shares, of the $6.00 preferred stock of Scranton, out of a total of 58,625 shares of $6.00 preferred and 12,075 shares of $5.00 preferred outstanding. In addition, Scranton is indebted to Federal in the amount of $1,446,503 on a special loan.

8. Scranton operates water and gas utility properties and owns all the common stock of Carbondale Gas Company and Wyoming County Gas Company, and 50% of the common stock of The Winton Water Company. (An additional 48.75% is owned by Federal.)

9. Scranton and its subsidiaries render gas and water service to a number of communities in the Lackawanna and Wyoming Valley districts, Pennsylvania, including the cities of Scranton and Wilkes-Barre.

10. The consolidated capitalization, including surplus, of Scranton, as of December 31, 1941, adjusted to reflect dividend arrears on the preferred stock, was as follows:

		Per cent
Long Term Debt:		
1st Mtge. & Ref. 5% Series A, due 1967	*$14,404,500	
1st Mtge. & Ref. 5% Series B, due 1961	2,418,000	
Scranton Gas & Water Company—1st Mtge. 4½% Bonds, due 1958 (assumed)	11,000,000	
The Spring Brook Water Supply Company—1st Ref. Mtge. 5% Bonds, due 1965 assumed)	7,800,000	
Total Long Term Debt	$35,622,500	65.4
Special Loan from Federal Water and Gas Corporation	$1,446,503	2.7
Preferred Stock and Arrears:		
$5 Cum., no par, stated at minimum liquidating price of $100—12,075 shares	$1,207,500	
Dividend Arrears	†611,297	
$6 Cum., no par, stated at minimum liquidating price of $100—58,625 shares	5,862,500	
Dividend Arrears	†3,561,469	
Total Preferred and Arrears	$11,242,766	20.6
Common Stock and Surplus:		
Common stock, no par—100,000 shares stated at	*$5,000,000	
Capital Surplus	1,962,723	
Earned Surplus (deficit)	†(834,770)	
Total Common Stock and Surplus	$6,127,953	11.3
Total Capitalization	$54,439,722	100.0

[1] Including both consolidated and unconsolidated subsidiaries and adjusted to include revenues of Mississippi Public Service Company, acquired by Federal pursuant to our order of November 27, 1942 (Holding Company Act Release No. 3937) and to exclude revenues of Pittsburgh Suburban Water Service Company sold in November, 1942 and Delaware Water Supply Company in process of liquidation at December 31, 1941.

* Exclusive of $125,000 pledged under Court Appeal Bond.

† Earned Surplus has been charged with the amount of preferred dividend arrears, totalling $4,172,765.

11. No dividends have been paid on either class of preferred stock of Scranton since November 15, 1931, nor on its common stock since August, 1931. Arrears on the $6 preferred stock and the $5 preferred stock, as of December 31, 1941, aggregated $60.75 and $50.62½ per share, respectively.

12. The consolidated balance sheet of Scranton and subsidiaries at December 31, 1941 states property, plant, and equipment, including intangibles, as follows:

Gross property	$58,065,218
Reserve for retirements and replacements	5,706,963
Net property	52,358,255

The reserve for retirements and replacements represented 9.8% of gross property.

13. As of December 31, 1941, the percentage of long term debt to consolidated net property was 68.0%; the percentage of the total of long term debt, the Special Loan from Federal, and preferred stock, including arrears, to consolidated net property was 92.3%.

14. The gross book value of the water and gas properties of Scranton, as reflected on its books at date of acquisition, March 20, 1928, was approximately $17,000,000 in excess of the amounts at which such properties were carried in the accounts of the predecessor companies. The amounts at which the property, plant, and equipment of such predecessor companies were shown on their books reflected an upward revaluation recorded since January 1, 1915 by a predecessor, Spring-Brook Water Supply Company, by which fixed capital was written up by $3,500,944 and the reserve for depreciation was decreased by $511,417. The contra credit was to surplus.

15. The gross book value of the properties at date of acquisition was $2,932,962 in excess of cost to the company, which amount was credited to the reserve for retirements and replacements.

16. Estimates of the original cost of the gas utility properties owned directly by Scranton, as of December 31, 1940 and as furnished by it to the Pennsylvania Public Utility Commission, indicate that the book carrying value of approximately $6,500,000 of such properties, as of December 31, 1941, exceeds the estimated original cost of approximately $4,480,000 (including net addition in 1941) by more than $1,900,000.

17. The operating revenues, gross income before fixed charges, net income, preferred dividend requirements, and the balance for common stock, of Scranton, on a consolidated basis for each of the years from 1937 through 1941, were as follows:

	Operating revenues	Gross income before fixed charges	Net income before dividends	Preferred dividend requirements	Balance for common
1937	$4,157,318	$2,251,770	$440,056	$412,125	$27,931
1938	4,085,207	2,232,305	424,314	412,125	12,189
1939	4,170,837	2,320,269	494,778	412,125	82,653
1940	4,222,648	2,279,979	454,333	412,125	42,208
1941	4,243,613	2,223,220	399,349	412,125	[1] 12,776

[1] Deficit.

18. For the years 1937 through 1941 (and since at least 1934) the Federal income tax returns of Scranton contain deductions for depreciation which are substantially greater than the provisions for retirements and replacements of property on its books during such years.

19. Unless and until preferred stock dividends of either series of preferred stock are in arrears for four quarterly periods, the entire voting control of Scranton is vested in the common stock, each share of which is entitled to one vote.

20. As a result of dividend arrears, the preferred stock of Scranton now has 41.4% of the voting power, and the common stock has 58.6% of the voting power.

IV

21. Peoples Water and Gas Company, a subsidiary of Federal, is a corporation organized under the laws of Delaware. All of the outstanding common stock of Peoples is owned by Federal. In addition, Federal owned, as of December 31, 1941, $400,000 principal amount out of a total outstanding long term indebtedness of $3,047,000 and 2,427 shares of preferred stock out of a total of 6,997 shares outstanding.

22. Peoples operates natural gas distribution properties in Mississippi, man-

ufactured gas production and distribution properties in southern Florida, and water properties in Oregon. The natural gas distribution properties in Mississippi purchase their entire natural gas requirements from Southern Natural Gas Company, an associate company in the Federal holding company system.

23. The consolidated capitalization, including surplus, of Peoples, as of December 31, 1941, adjusted to reflect the minimum liquidating value of $100 per share for the preferred stock, was as follows:

		Percent
Long Term Debt:		
1st Mtge. 5% Bonds, Series A, due 1957	$2,758,000	
Coos Bay Water Company, 1st Mtge. 6%, Sinking Fund, due 1949 (assumed):		
Series A	192,500	
Series B	96,500	
Total Long Term Debt	$3,047,000	81.2
Preferred Stock:		
$6 Cum preferred, no par, 6,997 shares, stated at minimum liquidating price of $100*	†$699,700	18.6
Common Stock and Surplus:		
Common stock, no par, 42,500 shares, stated at	42,500	
Capital Surplus	‡278,172	
Earned Surplus (deficit)	†(313,660)	
Total Common Stock and Surplus	$7,012	0.2
Total Capitalization	$3,753,712	100.0

*Stated on balance sheet at $50 a share, or $349,850.

†Earned surplus has been charged with the difference ($349,850) between the minimum liquidating price of the preferred stock, $100 a share, and the stated value of the preferred per books, $50 a share.

‡Representing appreciation recorded in connection with statement of gas properties acquired in 1935 on basis of appraised values.

24. The balance sheet of Peoples, as of December 31, 1941, states utility plant, including intangibles, as follows:

Gross property	$4,534,233
Reserve for depreciation	761,021
Net property	3,773,212

The reserve for depreciation represented 16.8% of gross property. In addition, the company's balance sheet provided a reserve for "Loss on sale of property" of $150,655.

25. As of December 31, 1941, the percentage of long term debt to net property, per books, was 80.8%; such percentage, after deducting the reserve for "Loss on sale of property", was 84.1%.

26. As of December 31, 1941, the percentage of long term debt and preferred stock (stated at minimum liquidating value of $100) to net property was 99.3%; such percentage, after deducting the reserve for "Loss on sale of property", was 102.4%.

27. The recorded value of the properties at date of acquisition was $352,946 in excess of cost to the company, which amount was credited to the reserve for depreciation. In addition the recorded value of the properties included write-ups of $278,063 reflected by contra credits to capital surplus.

28. The operating revenues, gross income before fixed charges, net income, preferred dividend requirements and the balance for common stock, of Peoples per books, for each of the years 1937 through 1941 were as follows:

	Revenues	Gross income before charges	Net income before dividends	Preferred dividend requirements	Balance for common
1937	$1,695,876	$258,397	$88,703	$42,000	$46,703
1938	1,454,982	261,530	97,515	42,000	55,515
1939	1,752,982	302,150	122,653	42,000	80,653
1940	1,284,409	340,347	[1]167,533	42,000	[1]125,533
1941	1,388,161	268,894	92,795	41,582	50,795

[1] Reflects saving in income tax of approximately $42,000, arising from losses sustained on sale of water properties.

29. Unless and until preferred stock dividends are in arrears for four quarterly periods, the entire voting control of Peoples is vested in the common stock, each share of which is entitled to one vote. Since there are no outstanding arrears on the preferred stock at the present time, the common stock has exclusive voting power.

It, therefore, tentatively appearing to the Commission, on the basis of the allegations hereinbefore set forth, that the holding company system of Federal Water and Gas Corporation is not confined in its operations to those of a single integrated public utility system, within the meaning of the Act, or to those of a single integrated public utility system together with such additional integrated public utility systems as meet the requirements of section 11 (b) (1) and such other businesses as can be retained under the standards of section 11 (b), and that proceedings should be instituted under section 11 (b) (1) with respect to the Federal Water and Gas Corporation holding company system; and

It further appearing to the Commission, on the basis of the allegations hereinbefore set forth, that proceedings should be instituted under sections 11 (b) (2), 15 (f), and 20 (a) of the Act with respect to Scranton-Spring Brook Water Service Company and Peoples Water and Gas Company to determine whether and what steps should be required to be taken by each of such companies pursuant to the provisions of said sections;

Wherefore it is ordered, That Federal Water and Gas Corporation and each of its subsidiary companies hereinbefore named and included herein, all of which are hereby made Respondents in these proceedings, shall file with the Secretary of this Commission, on or before January 11, 1943, joint or several answers in the form prescribed by Rule U-25, admitting, denying, or otherwise explaining their respective positions as to each of the allegations set forth in paragraphs 1 through 29 hereof.

VI

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to the plan filed by Federal Water and Gas Corporation and subsidiary companies pursuant to section 11 (e),

It further appearing to the Commission that the proceedings instituted by it herein under sections 11 (b) (1), 11 (b) (2), 15 (f), and 20 (a) of the Act, the proceedings in respect of the plan filed by Federal Water and Gas Corporation pursuant to section 11 (e) of the Act and the proceedings heretofore instituted by the Commission directed to New York Water Service Corporation and Federal Water and Gas Corporation, pursuant to section 11 (b) (2) of the Act (File No. 59-35) involve common questions of law and fact and should be consolidated.

It further is ordered, That such proceedings be, and the same hereby are, consolidated.

VII

It is further ordered, That hearings on such matters, under the applicable provisions of the Act and the Rules of the Commission thereunder, be held on the 18th day of January, 1943, at 10:00 a. m. at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day, the hearing-room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Willis N. Monty, or any other officer or officers designated by the Commission to preside at such hearing, shall exercise all powers granted to the Commission under section 18 (c) of the Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That:

1. At the outset of said hearings, evidence will be adduced for the purpose of determining:

(a) Whether the allegations set forth in paragraphs (1) to (29) hereof are true and accurate;

(b) Whether an order should be entered requiring the divestment by Federal of all interests held by it, directly or indirectly, in the businesses conducted and properties owned by Union Water Service Company, Ohio Water Service Company, West Virginia Water Service Company, Pennsylvania Water Service Company, Scranton-Spring Brook Water Service Company, and New York Water Service Corporation, and all subsidiaries of such companies: *Provided*, That in the case of Scranton-Spring Brook Water Service Company and New York Water Service Corporation such divestment shall not be effected through the sale of securities owned by Federal prior to the recapitalization of such companies in such manner as to provide for a fair and equitable distribution of voting power among security holders thereof.

(c) Whether an order should be entered requiring the divestment by Federal of its interests in the water properties in Alabama owned by Alabama Water Service Company and the water properties in Oregon and the gas properties in Florida owned by Peoples Water and Gas Company; *Provided*, That in the case of the properties presently owned by Peoples Water and Gas Company such divestment shall not be effected through the sale of securities owned by Federal prior to the recapitalization of such company in such manner as to provide for a fair and equitable distribution of voting power among security holders thereof.

(d) Whether the continued existence of Pennsylvania Water Service Company and the sixty-three inactive subsidiaries of Scranton-Spring Brook Water Service Company referred to in paragraph (5) hereof are not an unnecessary corporate complexity in the Federal holding company system and whether such companies should be eliminated;

(e) Whether an order should be entered requiring the recapitalization of Scranton-Spring Brook Water Service Company so as to provide a fair and equitable distribution of voting power among security holders of such company;

(f) Whether an order should be entered requiring the recapitalization of Peoples Water and Gas Company so as to provide a fair and equitable distribution of voting power among security holders of such company;

(g) Whether an order should be entered requiring recapitalization of New York Water Service Company so as to provide a fair and equitable distribution of voting power among security holders of such company, the common stock of such company to be accorded no recognition in such recapitalization;

(h) Whether the plan filed by Federal Water and Gas Corporation and subsidiaries pursuant to section 11 (e) of the Act is necessary to effectuate the provisions of section 11 (b) of the Act, and is fair and equitable to the persons affected thereby.

2. At subsequent hearings, further evidence will be adduced for the purpose of determining:

(a) Whether the gas properties of Alabama Gas Company, Alabama Natural Gas Corporation, Huntsville Gas Company, Mississippi Public Service Company, Peoples Water and Gas Company, and Chattanooga Gas Company constitute more than a single integrated public utility system and systems additional thereto, control of which may be retained by Federal under section 11 (b) (1) of the Act;

(b) Whether the natural gas distribution properties located in Alabama and Mississippi constitute the principal or single integrated public utility system of Federal or such principal system and such additional integrated public utility systems as are retainable under section 11 (b) (1);

(c) Whether, under the terms of section 11 (b) (1) and especially clauses (A) and (C) thereof, Federal can retain any interest in the electric utility assets of Alabama Water Service Company located in Alabama;

(d) Whether, under section 11 (b) (1) and especially clauses (A) and (C) thereof, Federal can retain any interest in the gas utility property located in Chattanooga, Tenn.; and in its manufactured gas utility properties located in Alabama;

(e) Whether the businesses conducted by Southern Natural Gas Company and its non-utility subsidiaries are reasonably incidental or economically necessary or appropriate to the operations of any of the gas utility systems operated by the companies named in paragraph 2 (a) above;

(f) Whether the continued existence of Federal is not an unnecessary corporate complexity in the Federal holding company system and whether such company should be eliminated;

(g) What further action may be required by Federal and its subsidiaries to effect complete compliance with section 11 (b) of the Act;

(h) Whether any of the acquisitions of securities or utility assets contemplated by the plan filed by Federal Water and Gas Corporation and subsidiary companies pursuant to the provisions of section 11 (e) of the Act will be detrimental to the carrying out of the provisions of section 11 of said Act and whether such acquisitions will serve the public interest by tending toward the economical and efficient development of an integrated public utility system.

It is further ordered, That all parties and persons permitted to participate in the proceeding directed toward New York Water Service Corporation and Federal Water and Gas Corporation under section 11 (b) (2) (File No. 59-35) shall be and hereby are given the same rights with respect to the present consolidated proceedings.

It is further ordered, That any other person desiring to be heard in connection with these proceedings or proposing to intervene herein shall file with the Secretary of the Commission, on or before the 14th day of January, 1943, his request or application therefor, as provided by Rule XVII of the Rules of Practice of the Commission.

It is further ordered, That jurisdiction be and hereby is reserved to separate, either in whole or in part, for disposition in whole or in part, any of the issues or questions which may arise in these proceedings and to take such other action as may appear conducive to an orderly, prompt, and economic disposition of the matters involved.

It is further ordered, That the Secretary of the Commission shall serve notice of the hearing aforesaid by mailing a copy of this order to Federal and its various subsidiaries, the Public Utility Commissions of the states of Alabama, Louisiana, New Jersey, New York, Ohio, Oregon, Pennsylvania, Tennessee, Texas, Virginia and West Virginia, not less than 10 days prior to the date hereinbefore fixed as the date of the hearing; and that notice of said hearing is hereby given to Federal and its subsidiaries, to their security holders, and to all consumers of Federal and its subsidiaries, to all state municipalities and political subdivisions of states within which is located any of the physical assets of said companies or under the laws of which any of said companies is incorporated, all State Commissions, State Securities Commissions, and all agencies, authorities and instrumentalities of one or more states, municipalities, or other political subdivisions having jurisdiction over Federal or its subsidiaries or any of the businesses, affairs or operations of any of them; that such notice shall be given further by a general release of the Commission, distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935; and that further notice be given to all persons by publication of this order in the FEDERAL REGISTER not later than ten days prior to the date hereinbefore fixed as the date of hearing.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary*.

[F. R. Doc. 43-87; Filed, January 1, 1943; 3:27 p. m.]

MACGILLIVRAY AND CO.

FINDINGS AND ORDER REVOKING REGISTRATION AS BROKER AND DEALER

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 29th day of December, A. D. 1942.

In the matter of Duncan John MacGillivray, Jr., doing business as MacGillivray and Company, 308 Radio Central Building, Spokane, Washington.

1. Duncan John MacGillivray, Jr., doing business as MacGillivray and Company, a sole proprietorship, hereinafter referred to as registrant, is registered with this Commission as a broker and dealer pursuant to section 15 of the Securities Exchange Act of 1934.

2. On October 20, 1942, we instituted proceedings under section 15 (b) of the Act to determine whether registrant's registration as a broker and dealer should be revoked. The order for proceedings stated that information had been reported to the Commission by its staff, which, if true, tended to show that registrant had willfully violated the provisions of section 17 (a) of the Securities Act of 1933, section 15 (c) (1) of the Securities Exchange Act of 1934, and paragraphs (a) and (b) of Rule X-15-C-1-2 promulgated pursuant thereto. The order recited that information had been reported to the Commission to the effect that:

A. During the period from approximately January 1, 1941, to approximately April 1942, registrant sold stock of the Mohawk Mining Company to various persons. In making and inducing such

sales, registrant represented to such persons that:

(1) Only a small amount of Mohawk Mining stock was available, when in fact, registrant had available at that time 50,000 shares of said stock and access to at least 35,000 additional shares;

(2) The price of Mohawk Mining Company stock would double within sixty to ninety days, when in fact, registrant had no reasonable basis for believing that the price of said stock would double within sixty to ninety days;

(3) Registrant had inside information concerning sensational news which, when released, would increase the price of said company's stock, when in fact, registrant had no such information.

B. During the period mentioned in paragraph A hereof, registrant, while engaged in the sale of Mohawk Mining Company stock, induced the purchasers thereof, by the representations which he made, to believe that the market price for such stock was advancing, but omitted to state to such persons that the advancing price was arbitrarily determined and fixed by said registrant and that there was no independent market for such stock.

C. During the period mentioned in paragraph A hereof, registrant, while engaged in the sale of Mohawk Mining Company stock represented to the purchasers thereof that the price at which he was offering said stock was the market price in Spokane, Washington, but omitted to state to such purchasers that said market price was made, created and controlled by him.

D. Registrant effected the transactions hereinabove mentioned in paragraphs A, B and C otherwise than on a national securities exchange.

E. Registrant used the mails and the instruments of interstate commerce in effecting the transactions and inducing the purchases and making the sales hereinabove described in paragraphs A, B and C.

3. A hearing was held before a trial examiner on November 10, 1942, at which time an "answer and consent" to revocation was submitted, in which registrant acknowledged receipt and service of adequate notice of these proceedings and waived his opportunity for hearing. In said "answer and consent" registrant further admitted and acknowledged, for the purpose of this proceeding only, the existence of the cause of action set forth above and consented to the entry of an order revoking his registration as a broker and dealer pursuant to section 15 (b) of the Act.

4. On the basis of the foregoing, we find that registrant has willfully violated section 17 (a) of the Securities Act of 1933, section 15 (c) (1) of the Securities Exchange Act of 1934, and paragraphs (a) and (b) of Rule X-15C1-2 promulgated pursuant thereto; and that it is in the public interest to revoke registrant's registration as a broker and dealer. Accordingly,

It is ordered, Pursuant to section 15 (b) of the Securities Exchange Act of 1934, that the registration as a broker and dealer of Duncan John MacGillivray, Jr., doing business as McGillivray and Company, be and it hereby is revoked.

By the Commission (Chairman Purcell and Commissioners Healy, Burke, and O'Brien), Commissioner Pike being absent and not participating.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-81; Filed, January 1, 1943; 3:27 p. m.]

[File No. 70-583]

MILWAUKEE ELECTRIC RAILWAY & TRANSPORT CO. AND WISCONSIN ELECTRIC POWER CO.

SUPPLEMENTAL ORDER

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 30th day of December, A. D. 1942.

The Commission having heretofore on August 24, 1942, issued an order granting the joint application, as amended, and permitting the joint declaration, as amended, to become effective of Wisconsin Electric Power Company, a public utility subsidiary of The North American Company, a registered holding company, and The Milwaukee Electric Railway & Transport Company, a non-utility subsidiary of Wisconsin Electric Power Company, pursuant to section 10 and Rules U-42 and U-43 promulgated under section 12 of the Public Utility Holding Company Act of 1935 regarding (a) the cash purchase, at par, of 5,000 shares of its common stock, par value $100 per share, by The Milwaukee Electric Railway & Transport Company from Wisconsin Electric Power Company, and (b) the redemption, at principal amount, of $250,000 principal amount of its First Mortgage 4% Bonds, by The Milwaukee Electric Railway & Transport Company all of whose outstanding securities are owned by Wisconsin Electric Power Company; and

It appearing that the applicants or declarants on December 26, 1942, amended the application or declaration, as amended, after its effective date by filing a supplemental application or declaration with respect to the redemption by The Milwaukee Electric Railway & Transport Company on December 31, 1942, of an additional $150,000 principal amount of its First Mortgage 4% Bonds; and

The Commission finding with respect to said supplemental application or declaration under section 10 of said Act that no adverse findings are necessary under sections 10 (b), 10 (c) (1) and 10 (f) and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers to grant the supplemental application and to permit the supplemental declaration to become effective;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid supplemental application, be and the same hereby is granted and that the aforesaid supplemental declaration, be and the same hereby is permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-79; Filed, January 1, 1943; 3:27 p. m.]

[File Nos. 59-11, 59-17, 54-25]

UNITED LIGHT AND POWER CO., ET AL

ORDER GRANTING EXTENSIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 30th day of December, 1942.

In the matter of The United Light and Power Company, et al., Respondents and Applicants.

The Commission having, by its orders of December 15, 1941, and December 31, 1941, entered pursuant to section 11 (b) of the Public Utility Holding Company Act of 1935, directed, respectively, among other things, that The United Light and Railways Company ("Railways"), a registered holding company, should within one year from December 15, 1941, dispose of all of its interests in Mason City Brick and Tile Company ("Brick and Tile") and that The United Light and Power Company ("Power"), a registered holding company, should within one year from December 31, 1941, dispose of all its interests in Mason City and Clear Lake Railroad Company ("Clear Lake"); and

Said Railways and Power having filed applications pursuant to section 11 (c) of said Act designated, respectively, as "Application Number 5 Supplemental Application" and "Application Number 6 Supplemental Application", for an extension of time within which to comply with said orders of December 15, 1941, and December 31, 1941, in so far as they require, respectively, the disposition of Railways' interests in Brick and Tile and Power's interests in Clear Lake; and

The Commission having found that said Railways and Power have been unable in the exercise of due diligence to comply with said orders in so far as they require the disposition of their respective interests in Brick and Tile and Clear Lake within the initial statutory period of one year from the date of the entry of said orders, and that an extension of time is necessary and appropriate in the public interest and for the protection of investors and consumers.

It is hereby ordered, That Railways be and it is hereby granted an additional period of one year from December 15, 1942, within which to comply with said order of December 15, 1941, in so far as it requires the disposition of its interests in Brick and Tile; and

It is further ordered, That Power be and it is hereby granted an additional period of one year from December 31, 1942, within which to comply with said order of December 31, 1941, in so far as it requires the disposition of its interests in Clear Lake.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-77; Filed, January 1, 1943; 3:28 p. m.]

[File Nos. 59-11, 59-17 and 54-25]

UNITED LIGHT AND POWER CO., ET AL.

ORDER APPROVING APPLICATION NO. 18

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 30th day of December 1942.

In the matter of The United Light and Power Company, et al. Respondents and Applicants.

Mason City Brick and Tile Company ("Brick and Tile"), Rolfe Products Company ("Rolfe"), and Mason City Development Company ("Development"), subsidiaries of The United Light and Railways Company, which is a registered holding company, having filed an application (designated as Application No. 18) under the Public Utility Holding Company Act of 1935, particularly sections 9 (a), 10, 11, 12 (f) and Rule U-43 thereunder, with respect to the following proposed transactions:

1. The liquidation of Rolfe and Development, wholly-owned non-utility subsidiaries of Brick and Tile, which is also a non-utility company, through the transfer of their assets to and the assumption of their liabilities by Brick and Tile.

2. The surrender by Brick and Tile to Rolfe and Development, respectively, of all their outstanding capital stocks.

3. The cancellation of such capital stocks by Rolfe and Development and their dissolution.

Said application having been filed on December 17, 1942, and notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said application within the period specified in said notice, or otherwise, and not having ordered a hearing thereon;

Said applicants having requested that an order be entered granting said application on or before December 29, 1942, and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers to grant said application, and being satisfied that the date of approval of such application should be advanced, and finding with respect to said application that no adverse findings are necessary under section 10 (b) or 10 (c) (1) of the Act.

It is hereby ordered, Pursuant to Rule U-23 of said Act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid application be, and the same is hereby, granted forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-78; Filed, January 1, 1943; 3:28 p. m.]

[File No. 70-643]

THE WYANDOTTE COUNTY GAS CO. AND THE GAS SERVICE CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 30th day of December, A. D. 1942.

The Wyandotte County Gas Company and The Gas Service Company, subsidiaries of Cities Service Company, a registered holding company, having filed an application and declaration pursuant to sections 10 and 12 (e) of the Public Utility Holding Company Act of 1935 regarding the payment and discharge of a 6% Demand Note of The Wyandotte County Gas Company payable to The Gas Service Company in the principal amount of $242,298.98, and the surrender of said note for cancellation upon receipt of such payment, and the use of the proceeds by The Gas Service Company to discharge its open account indebtedness to Kansas City Gas Company of like principal amount; and

Said declaration and application having been filed on December 8, 1942, and notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said declaration and application within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to grant said application and to permit such declaration to become effective pursuant to Rule U-42 and finding that the statutory requirements of section 10 are satisfied:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act, and subject to the terms and conditions prescribed in Rule U-24, that said application be and hereby is granted and said declaration be and hereby is permitted to become effective forthwith.

By the Commission. (Commissioner Healy dissenting for the reasons set forth in his memorandum of April, 1940.)

ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-80; Filed, January 1, 1943; 3:28 p. m.]

[File No. 812-163]

BESSEMER SECURITIES COMPANY

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of December, A. D. 1942.

Bessemer Securities Company has filed an application under the provisions of section 3 (b) (2) of the Investment Company Act of 1940, for an order declaring it to be excepted from the provisions of the said Act on the ground that the applicant is primarily engaged through a majority-owned subsidiary and controlled companies conducting similar types of business in a business or businesses other than that of investing, reinvesting, owning, holding or trading in securities; or in the alternative for an order under section 6 (c) of the said Act exempting the applicant from all of the provisions thereof.

It is ordered, That a hearing on the aforesaid application be held on January 14, 1943, at 10:00 o'clock in the forenoon of that day at the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise interested parties where such hearing will be held.

It is further ordered, That Willis E. Monty, or any officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such application. The officer so designated to preside at such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42(b) of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the above named applicant and to any other person or persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-153; Filed, January 4, 1943; 10:06 a. m.]

[File No. 811-272]

EMPIRE INVESTMENT CORPORATION

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 21st day of December, A. D. 1942.

An application having been filed by Empire Investment Corporation pursuant to section 8 (f) of the Investment Company Act of 1940 for an order declaring that the applicant has ceased to be an investment company within the meaning of said Act;

It is ordered, That a hearing on the aforesaid application be held on December 30, 1942 at 10:00 o'clock in the fore-

noon of that day at the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise interested parties where such hearing will be held;

It is further ordered, That Charles S. Lobingier, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

Notice is hereby given to the applicant and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-152; Filed, January 4, 1943; 10:05 a. m.]

[File No. 70-629]

GENERAL MANAGEMENT CORPORATION AND WALNUT ELECTRIC & GAS CORPORATION

ORDER PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 22d day of December, A. D. 1942.

Walnut Electric & Gas Corporation (hereinafter called "Walnut"), a registered holding company, which in turn is a subsidiary of W. C. Gilman, as Liquidating Trustee, who is also a registered holding company, and General Management Corporation (hereinafter called "General"), a direct subsidiary of Walnut, having filed declaration pursuant to sections 12 (c) and 12 (f) of the Public Utility Holding Company Act of 1935 and Rules U-46 and U-43, promulgated thereunder, regarding the payment of a cash liquidating dividend of approximately $28,000 by General, to its sole stockholder, Walnut, which will surrender all of General's outstanding stock and apply the proceeds from the liquidating dividend to the reduction of Walnut's outstanding notes in the approximate amount of $28,000; and

Said declarations having been filed on the 20th day of November 1942, and notice of said filing having been duly given in the manner and form prescribed by Rule U-23 under said Act and the Commission not having received a request for hearing with respect to said declarations within the period specified within such notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that all applicable statutory requirements are met and deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declarations to become effective:

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-42 that the aforesaid declarations be and the same hereby are permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-148; Filed, January 4, 1943; 10:05 a. m.]

[File No. 70-652]

INTERNATIONAL UTILITIES CORPORATION

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 2d day of January, A. D. 1943.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by International Utilities Corporation, a registered holding company. The declaration or application (or both) is filed under section 12 (f) of the Act and Rule U-43 of the rules and regulations promulgated thereunder as applicable to the transactions proposed. All interested persons are referred to said documents, which are on file in the office of this Commission, for a statement of the transactions therein proposed which are summarized as follows:

International Utilities Corporation proposes to sell 76,235 shares of the Common Stock of Securities Corporation General (an investment company) such stock constituting the entire interest of International Utilities Corporation in said Securities Corporation General, to Cecil P. Stewart for an aggregate consideration of $125,787.75, or $1.65 per share. Cecil P. Stewart (an affiliate) is a director of Securities Corporation General and the owner of 5% or more of the voting stock of Securities Corporation General.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said declaration or application (or both), and that said declaration or application (or both) shall not become effective or be granted except pursuant to further order of the Commission.

It is ordered, That a hearing on said declaration or application (or both) under the applicable provisions of the Act and the rules of the Commission thereunder be held on January 16, 1943, at 10:00 a. m., E. W. T., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing-room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of the issues presented by said declaration or application (or both), particular attention will be directed to the following matters:

1. Whether the consideration to be paid by the purchaser, Cecil P. Stewart, and to be received by International Utilities Corporation for the capital stock of Securities Corporation General to be sold is fair and reasonable.

2. Whether the action proposed to be taken will be detrimental to the public interest or the interest of investors.

3. What terms and conditions, if any, are necessary to be imposed to insure compliance with the requirements of the Public Utility Holding Company Act of 1935 or any rules, regulations or orders promulgated thereunder.

It is further ordered, That any other person desiring to be heard in connection with these proceedings or proposing to intervene herein shall file with the Secretary of the Commission, on or before January 11, 1943, his request or application therefor as provided by Rule XVII of the Rules of Practice of the Commission.

It is further ordered, That the Secretary of the Commission shall serve notice of the hearing aforesaid by mailing a copy of this order to International Utilities Corporation by registered mail, and that notice of said hearing be given to all persons by publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-150; Filed, January 4, 1943; 10:06 a. m.]

[File No. 70-633]

LONE STAR GAS CORPORATION

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 21st day of December 1942.

Lone Star Gas Corporation, a registered holding company, having filed a declaration and amendment thereto, pursuant to section 12 (d) of the Public Utility Holding Company Act of 1935 and Rule U-44 promulgated thereunder, regarding the sale of all of the outstanding securities of Council Bluffs Gas Company to Raymond A. Smith, the nominee of John Nuveen, Jr., such securities consisting of 13,500 shares of common stock, having a par value of $100 a share, and a $1,000,000 income note bearing interest at 4½%, and the consideration to be received therefor amounting to $1,325,000 in cash, subject to adjustments estimated to increase the said base price by $6,500;

Such disposition by Lone Star Gas Corporation having been a part of a Plan of Reorganization designed to comply with the requirements of section 11 (b) (1) of the Act and being in compliance with this Commission's order of October 22, 1942, approving the Plan and requiring divestment by Lone Star Gas Corporation of all its interest in, and all ownership and control of, Council Bluffs Gas Company; and

A public hearing having been held on said declaration, as amended, after appropriate notice, and the Commission having examined the record and filed its findings and opinion based thereon;

It is ordered, That subject to the terms and conditions prescribed in Rule U-24 promulgated under said Act, said declaration, as amended, of Lone Star Gas Corporation be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-149; Filed, January 4, 1943; 10:05 a. m.]

[File Nos. 59-39, 54-50, 59-10]

NORTH AMERICAN LIGHT & POWER CO. HOLDING-COMPANY SYSTEM, ET AL.

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 22d day of December, A. D. 1942.

In the matter of North American Light & Power Company Holding-Company System and The North American Company, File No. 59-39; North American Light & Power Company, File No. 54-50; The North American Company, et al., File No. 59-10.

The Commission having on November 12, 1942, ordered a hearing to be held on December 8, 1942, in the above entitled matter, and hearings having been held pursuant to said order but not completed and said hearings having on December 11, 1942, been adjourned to reconvene on January 11, 1943; and

Counsel for The North American Company having requested that said hearing scheduled for January 11, 1943, be postponed to January 18, 1943, and other parties to said proceedings having consented to such postponement; and

It appearing to the Commission that said request for postponement should be granted:

It is ordered, That the hearing in this matter previously scheduled for January 11, 1943, be, and hereby is, postponed to January 18, 1943, at the same time and place as heretofore designated.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-146; Filed, January 4, 1943; 10:05 a. m.]

[File No. 59-39]

NORTH AMERICAN LIGHT & POWER COMPANY HOLDING-COMPANY SYSTEM AND THE NORTH AMERICAN COMPANY

ORDER FOR ORAL ARGUMENT AND FILING OF BRIEFS

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 2d day of January 1943.

The Commission having entered its order herein on December 30, 1941, pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935 directing that North American Light & Power Company shall be liquidated and its existence terminated, and North American Light & Power Company having filed herein on November 30, 1942, a petition requesting the entry of an order by this Commission under section 11 (c) of the Act extending for one year the time for compliance with the order of December 30, 1941, above described, and the matter having been set down for hearing pursuant to an order of the Commission dated December 4, 1942, and testimony and evidence having been received on the questions (1) whether North American Light & Power Company has exercised due diligence in its efforts to comply with the order of December 30, 1941, and whether an extension of time for compliance with said order is necessary or appropriate in the interest or for the protection of investors or consumers, (2) whether it is necessary or appropriate for the Commission to apply to a court in accordance with section 11 (d) of the Act to enforce compliance with its said order of December 30, 1941, and (3) whether the above described petition should be granted; and

Counsel for North American Light & Power Company having filed a written request for permission to orally argue the matter, and counsel for the Commission having indicated his intention of filing brief on or before January 4th, 1943, and counsel for North American Light & Power Company having agreed to file a brief within 10 days after the filing of brief of counsel for the Commission; and

It appearing to the Commission that said request should be granted;

It is ordered, That briefs be filed as indicated above and that oral argument be held on the issues raised by the said order of hearing of December 4, 1942, and that such argument be held at 10:00 a. m. on the 14th day of January, 1943, at the office of the Securities and Exchange Commission, 18th & Locust Streets, Philadelphia, Pennsylvania, in Room 318-B.

It is further ordered, That the Secretary of this Commission shall serve notice of this order by mailing a copy thereof by registered mail to North American Light & Power Company, The North American Company, Illinois Iowa Power Company and Lawrence R. Condon, attorney for certain preferred stockholders, and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-147; Filed, January 4, 1943; 10:07 a. m.]

[File No. 70-657]

PUGET SOUND POWER & LIGHT COMPANY

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 2d day of January 1943.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Puget Sound Power & Light Company, a subsidiary of Engineers Public Service Company, a registered holding company. All interested persons are referred to said declaration, which is on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Puget Sound Power & Light Company proposes the issuance and sale pursuant to competitive bidding of $52,000,000 principal amount of First Mortgage Bonds, due December 1, 1972, and $8,000,000 principal amount of Debentures, due December 1, 1951. The proceeds from such issuance and sale, together with treasury funds of the company, will be applied to the redemption of the $58,884,500 principal amount of its bonds now outstanding. It is expected that the New Bonds and debentures will bear interest coupons of 3½% and 3% respectively.

It appearing to the Commission that it is appropriate in the public interest and the interest of the investors and consumers that a hearing be held with respect to said matters, that said declaration shall not become effective except pursuant to further order of this Commission;

It is ordered, That a hearing on such matters under the applicable provisions of said Act and rules of the Commission thereunder be held on January 20, 1943, at 10 o'clock A. M., E. W. T., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held. At such hearing, cause shall be shown why such declaration shall become effective. Notice is hereby given of said hearing to the above-named declarant and to all interested

persons, said notice to be given to said declarant by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That Willis E. Monty, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearings in such matter. The officers so designated to preside at any such hearing are hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of the issues presented by said declaration otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the securities proposed to be issued are reasonably adapted to the security structure of the declarant.

2. Whether the securities proposed to be issued are reasonably adapted to the earning power of the declarant.

3. Whether the securities proposed to be issued are necessary or appropriate to the economical and efficient operation of the business in which the declarant is lawfully engaged.

4. Whether the fees, commissions or other remuneration to whomsoever paid, directly or indirectly, in connection with the issuance, sale or distribution of the securities are reasonable.

5. Whether the terms and conditions of the issuance or sale of the securities are detrimental to the public interest or the interest of investors or consumers.

6. Whether it is necessary or appropriate that terms and conditions be imposed.

7. Whether, in general, the proposed issuance meets the requirements of the Act and the rules and regulations promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-151; Filed, January 4, 1943, 10:06 a. m.]

JAN 8 '43

FEDERAL REGISTER

VOLUME 8 NUMBER 3

Washington, Wednesday, January 6, 1943

The President

EXECUTIVE ORDER 9294

FURTHER DEFINING OF THE FUNCTIONS AND DUTIES OF THE OFFICE OF DEFENSE TRANSPORTATION

By virtue of the authority vested in me by the Constitution and statutes of the United States, as President of the United States and Commander in Chief of the Army and Navy, it is hereby ordered:

I

1. The term "local passenger transportation equipment" whenever used in this Order shall include buses, street railway cars, trolley coaches, trucks converted for passenger transportation, ferryboats, and other vehicles and vessels used or capable of being used to carry nine or more passengers (including the operator) in public or private carrier service.

2. In addition to the functions, duties, and powers conferred upon it by Executive Order No. 8989, approved December 18, 1941,[1] Executive Order No. 9156, approved May 2, 1942,[2] and Executive Order No. 9214, approved August 5, 1942,[3] the Office of Defense Transportation shall:

a. Advise and assist Federal departments and agencies, State and local governments, and private organizations in surveying the need for and planning the provision of transportation service for the movement of personnel to and from war plants and establishments, and where necessary, initiate and develop such surveys and plans. Due consideration should be given in making such surveys and plans to all transportation needs of each area, including those related to production in the war effort, agricultural as well as industrial, to military and naval establishments, and to essential civilian services.

b. Review and approve such contracts, agreements, or arrangements hereafter made by Federal departments and agencies, or by private firms (except common carriers) holding contracts from such departments and agencies, for the purchase, lease, requisition, or use of new or used local passenger transportation equipment, as the Director considers necessary to ensure the proper provision of passenger transportation services to war plants and establishments; in the discretion of the Director, review, approve, or direct the re-negotiation of such contracts, agreements, or arrangements now in effect, except those on which final payment has been made prior to the date of this Order.

c. Advise the War Production Board on the allocation of new local passenger transportation equipment; and, as necessity arises, recommend to the War Production Board programs and procedures for controlling the transfer and placement of used local passenger transportation equipment.

3. No Federal department or agency or private firm (except common carriers) holding a contract from such department or agency shall hereafter complete arrangements for the purchase, lease, requisition, or use of local passenger transportation equipment without giving prior notice thereof to the Office of Defense Transportation, and, if the Director considers it necessary, without submitting the contract, agreement, or arrangement to the Office of Defense Transportation for review and approval. The Office of Defense Transportation shall establish appropriate procedures for carrying out the purpose of this Order and each affected department or agency shall designate an official representative to advise with the Office of Defense Transportation on such matters.

4. Nothing herein shall be deemed in any way to limit the functions and authority of the Chairman of the War Production Board under paragraph 4 of Executive Order No. 8989 of December 18, 1941, and paragraph 1 (a) of Executive Order No. 9040 of January 24, 1942,[4] of the War Shipping Administrator, or of the Interstate Commerce Commission.

5. The provisions of this Order respecting the use of local passenger transportation equipment shall not apply to movements of military and naval per-

[1] 6 F.R. 6725.
[2] 7 F.R. 3349.
[3] 7 F.R. 6097.
[4] 7 F.R. 527.

(Continued on next page)

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sonnel when on maneuvers, on trips made under orders, or on other special operations necessary for the prosecution of the war.

II

1. The Office of Defense Transporation shall include within the scope of its authority as defined in this and all other Orders defining its functions all domestic transportation within the territories and possessions of the United States.

2. The Director of the Office of Defense Transportation is hereby designated as the head of any agency which may initiate action for the requisitioning of property under the terms of and in accordance with the procedures established by Executive Order No. 8942, approved November 19, 1941.[1]

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
January 4, 1943.

[F. R. Doc. 43–221. Filed, January 4, 1943; 4:46 p. m.]

[1] 6 F.R. 5909.

EXECUTIVE ORDER 9293

QUARRY HEIGHTS MILITARY RESERVATION CANAL ZONE

By virtue of and pursuant to the authority vested in me by section 5 of Title II of the Canal Zone Code, approved June 19, 1934, and as President of the United States, the following-described area of land situated in the Canal Zone is hereby reserved and set apart as, and assigned to the uses and purposes of, a military reservation, which shall be known as Quarry Heights Military Reservation, and shall be under the control and jurisdiction of the Secretary of War, except that it shall be subject to the civil jurisdiction of the Canal Zone authorities in conformity with the provisions of the Canal Zone Code:

Beginning at a 4-inch square brass plate (engraved Q. H. M. R. No. 1) in a 10-inch square concrete monument marked No. 1 on Panama Canal drawing No. M–6110–93, located on the southerly side of Edwards Place and 25.0 feet at right angles, from the face of the northerly curb of Balboa Road. The geographic position of monument No. 1 (referred to the Panama–Colon datum of the Canal Zone triangulation system) is in latitude 8°57′ N., plus 1171.7 feet, and longitude 79°33′ W., plus 1502.1 feet (all brass plate markers and concrete monuments are similar to No. 1 unless otherwise described); thence,

N. 74°06′ W., 463.2 feet, along the southerly edge of Edwards Place, to a monument, marked No. 2 on the map, in latitude 8°57′ N., plus 1298.6 feet, and longitude 79°33′ W., plus 1947.6 feet; thence,

N. 18°03′ E., 214.6 feet, to a monument, marked No. 3 on the map, located on the 150-foot contour, in latitude 8°57′ N., plus 1502.6 feet, and longitude 79°33′ W., plus 1881.1 feet; thence,

Northerly, along the 150-foot contour to a monument, marked No. 4 on the map, in latitude 8°57′ N., plus 1846.6 feet, and longitude 79°33′ W., plus 1777.9 feet (the direct bearing and distance from monument No. 3 to monument No. 4 is N. 16°42′ E., 359.1 feet); thence,

Northerly and westerly, along the 150-foot contour to a monument, marked No. 5 on the map, in latitude 8°57′ N., plus 2366.3 feet, and longitude 79°33′ W., plus 1933.8 feet (the direct bearing and distance from monument No. 4 to monument No. 5 is N. 16°42′ W., 542.6 feet); thence,

Northwesterly and northeasterly, along the 150-foot contour to a monument, marked No. 6 on the map, in latitude 8°57′ N., plus 2589.4 feet, and longitude 79°33′ W., plus 2006.7 feet (the direct bearing and distance from monument No. 5 to monument No. 6 is N. 18°05′ W., 234.7 feet); thence,

Westerly, along the 150-foot contour to a monument, marked No. 7 on the map, in latitude 8°57′ N., plus 2742.7 feet, and longitude 79°33′ W., plus 2359.7 feet (the direct bearing and distance from monument No. 6 to monument No. 7 is N. 66°32′ W., 381.9 feet); thence,

Northerly, northeasterly, and northerly along the 150-foot contour to a monument, marked No. 8 on the map, in latitude 8°57′ N., plus 3,487.7 feet, and longitude 79°33′ W., plus 1742.6 feet (the direct bearing and distance from monument No. 7 to monument No. 8 is N. 39°38′ E., 967.4 feet); thence,

S. 76°39′ E., 301.8 feet, to an iron rod in mound, which is monument "A" on the map, in latitude 8°57′ N., plus 3418.1 feet, and longitude 79°33′ W., plus 1449.0 feet; thence,

N. 6°05′ E., 359.3 feet, to an iron rod in concrete, which is monument "B" on the map, in latitude 8°57′ N., plus 3775.4 feet, and longitude 79°33′ W., plus 1410.9 feet; thence,

S. 81°55′ E., 270.5 feet, to a 2-inch pipe, located on the 325-foot contour marked monument "C" on the map, in latitude 8°57′ N., plus 3737.4 feet, and longitude 79°33′ W., plus 1143.1 feet; thence,

Northerly, along the 325-foot contour to a monument marked No. 10 on the map, in latitude 8°57′ N., plus 3925.4 feet, and longitude 79°33′ W., plus 1285.5 feet (the direct bearing and distance from monument "C" to monument No. 10 is N. 37°09′ W., 235.8 feet); thence,

Northerly, along the 325-foot contour to a monument marked No. 11 on the map, in latitude 8°57′ N., plus 4748.4 feet, and longitude 79°33′ W., plus 1011.7 feet (the direct bearing and distance from monument No. 10 to monument No. 11 is N. 18°24′ E., 867.4 feet); thence,

Easterly and southeasterly, along the 325-foot contour to a monument, marked No. 12 on the map, in latitude 8°57′ N., plus 4531.5 feet, and longitude 79°33′ W., plus 528.5 feet (the direct bearing and distance from monument No. 11 to monument No. 12 is S. 65°49′ E., 529.7 feet); thence,

Southerly, easterly, and southeasterly, along the 325-foot contour to a monument, marked No. 13 on the map, in latitude 8°57′ N., plus 4209.0 feet, and longitude 79°33′ W., plus 325.5 feet (the direct bearing and distance from monument No. 12 to monument No. 13 is S. 32°11′ E., 361.0 feet); thence,

Southerly, along the 325-foot contour to a monument, marked No. 14 on the map, in latitude 8°57′ N., plus 3931.2 feet, and longitude 79°33′ W., plus 400.2 feet (the direct bearing and distance from monument No. 13 to monument No. 14 is S. 15°03′ W., 297.6 feet); thence,

Southeasterly, and southerly along the 325-foot contour to a monument, marked No. 15 on the map, in latitude 8°57′ N., plus 3712.2 feet, and longitude 79°33′ W., plus 237.6 feet (the direct bearing and distance from monument No. 14 to monument No. 15 is S. 36°35′ E., 272.8 feet); thence,

S. 12°16′ E., 1142.8 feet through monuments, marked No. 16 and No. 17 on the map, to a monument, marked No. 18 on the map, in latitude 8°57′ N., plus 2595.5 feet, and longitude 79°32′ W., plus 6008.1 feet; thence,

S. 55°40′ E., 520.3 feet, through a monument, marked No. 19 on the map, to a monument, marked No. 20 on the map, located 25.0 feet northwesterly and at right angles from the face of the northwesterly curb of Fourth of July Avenue, in latitude 8°57′ N., plus 2302.0 feet, and longitude 79°32′ W., plus 5578.4 feet (on a continuation of this bearing, 28.4 feet, is a brass reference plug cemented into the northwesterly curb of Fourth of July Avenue); thence,

Southwesterly, and westerly, parallel to and 25.0 feet northwesterly and at right angles from the face of the curb on Fourth of July Avenue and northerly and at right angles from the face of the curb of Balboa Road, through a brass plug cemented into the northerly curb of Edwards Place, to the point of beginning.

The directions of the lines refer to the true meridian.

Elevations are referred to precise level datum.

The above-described tract contains an area of 126.2 acres, more or less.

The above-described area was surveyed by the Section of Surveys, The Panama Canal, in December, 1935, May, 1936, and October, 1942, and is as shown on Panama Canal drawing No. M–6110–93 dated November 7, 1942, titled "Boundary of Quarry Heights Military Reservation," showing approval by the Governor, The Panama Canal, and the Commanding General, Panama Canal Department, in whose offices the drawing is filed.

This order supersedes Executive Order No. 7407 of July 6, 1936, establishing the Quarry Heights Military Reservation, and any lands affected by that order and not contained within the area described in this order are hereby released from the said reservation.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
January 2, 1943.

[F. R. Doc. 43–177; Filed, January 4, 1943; 12:08 p. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter IX—Agricultural Marketing Administration

PART 957—IRISH POTATOES GROWN IN CERTAIN DESIGNATED COUNTIES IN IDAHO AND MALHEUR COUNTY, OREGON

ORDER SPECIFYING EFFECTIVE DATE FOR SUSPENSION OF CERTAIN PROVISIONS

The order, executed on December 23, 1942, and published on December 25, 1942, in the FEDERAL REGISTER (7 F.R. 10832), suspending the provisions in § 957.2 (a) of the order regulating the handling of Irish potatoes grown in certain designated counties in Idaho and Malheur County, Oregon, is hereby made effective at 12:01 a. m., P. w. t., January 5, 1943; and, therefore, the second paragraph in the aforesaid order dated December 23, 1942, reads as follows:

It is, therefore, ordered, That the provisions in § 957.2 (a) of the aforesaid order be, and the same hereby are, suspended during the period of time beginning at 12:01 a. m., P. w. t., January 5, 1943, and ending on June 30, 1943, inclusive.

The provisions hereof will tend to effectuate the declared policy of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed., 601 et seq.), pursuant to which the aforesaid order regulating the handling of Irish potatoes grown in certain designated counties in Idaho and Malheur County, Oregon, became effective on September 5, 1941.

Issued at Washington, D. C., this 4th day of January 1943. Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] THOMAS J. FLAVIN,
Assistant to the Secretary of Agriculture.[1]

[F. R. Doc. 43–253; Filed, January 5, 1943; 11:50 a. m.]

[1] Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81; 7 F.R. 2056).

TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of Alien Property Custodian

[General Order 15]

PART 503—GENERAL ORDERS

ALIEN INVENTORS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned hereby issues the following regulation:

§ 503.15 *General Order No. 15.* (a) Any inventor (1) who claims full legal title to a patent or patent application vested by the Alien Property Custodian, (2) who resided in enemy territory at the date of execution of the application for patent or at any time since such date but before the date on which said patent or patent application was vested, (3) who has not resided in enemy territory at any time on or since the date on which said patent or patent application was vested, and (4) who is desirous of notifying the Alien Property Custodian of such claim, may file a notice of said claim on Form APC–16, which is hereby adopted and made a part of this regulation; *Provided, however*, That said inventor resides in the United States on the date on which said notice of claim is executed. Form APC–16 shall be executed under oath, shall be filed with the Office of Alien Property Custodian, Washington, D. C., and shall contain complete information as provided in said Form.

(b) Any person (1) who claims full legal title to a patent or patent application vested by the Alien Property Custodian as a result of assignment to such person and (2) who is desirous of notifying the Alien Property Custodian of such claim, may file a notice of said claim on Form APC–17, which is hereby adopted and made a part of this Regulation; *Provided, however*, That on the date upon which said patent or patent application was vested, said person was a resident and citizen of the United States; *And provided further*, That no claim shall be filed on Form APC–17 unless before January 1, 1939, the patent or patent application stood of record in the United States Patent Office in the name of a resident and citizen of the United States. Form APC–17 shall be executed under oath, shall be filed with the Office of Alien Property Custodian, Washington, D. C., and shall contain complete information as provided in said Form.

(c) The existence of an interest of a designated foreign national in the patent or patent application (such as a right to receive royalties) shall not constitute a bar to the filing of a notice of claim under Sections (a) or (b) hereof provided that the person filing said notice otherwise claims full legal title to such patent or patent application and provided such interest of a designated foreign national has been reported on Form APC–2.

(d) Nothing contained herein shall be deemed to limit any provision made for the assertion of a claim arising as a result of a vesting order, and the filing of a notice of claim on either Form APC–16 or Form APC–17 shall in no way prevent the filing of a notice of claim on Form APC–1 with respect to the same property.

(e) If, in the opinion of the Alien Property Custodian, upon consideration of any notice of claim filed under this regulation, a patent or patent application was vested by mistake, the vesting order by which such patent or patent application was vested may be declared null and void to the extent that the patent or patent application is involved therein.

(f) For the purpose of this regulation:

(1) "Enemy territory" shall mean the territory of any foreign country with which the United States is, or may in the future be, at war and any territory controlled or occupied by the military, naval or police forces or other authority of any such foreign country. Territories so controlled or occupied shall be deemed to be the territory of Albania, Austria, Czechoslovakia, anzig, Estonia, French Indo-China, Greece, Hong Kong, Latvia, Lithuania, Luxembourg, British Malaya, Norway, Poland, San Marino, Thailand, Yugoslavia, those portions of Belgium, Denmark, France and The Netherlands within continental Europe, that portion of Burma, China, Netherlands East Indies and Philippine Islands occupied by Japan, that portion of the Union of Soviet Socialist Republics occupied by Germany; and any other territory controlled or occupied by Germany, Italy, Japan, Bulgaria, Hungary or Rumania.

(2) "Designated foreign national" shall mean:

(i) Any resident of any country other than the American Republics, the British Commonwealth of Nations, and the Union of Soviet Socialist Republics.

(ii) Any business organization, organized under the laws of, or having its principal place of business in, any foreign country other than those enumerated in subparagraph (2) (i) of this paragraph.

(iii) Any person included in The Proclaimed List of Certain Blocked Nationals on June 1, 1942.

(40 Stat. 411; 55 Stat. 839; E.O. 9193, 7 F.R. 5205[1])

Executed at Washington, D. C., on December 29, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-235; Filed, January 5, 1943; 9:57 a. m.]

TITLE 14—CIVILIAN AVIATION

Chapter I—Civil Aeronautics Board

[Order, Serial No. 2092]

PART 15—AIRCRAFT EQUIPMENT AIRWORTHINESS

ORDER POSTPONING EFFECTIVE DATE

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 30th day of December 1942.

Whereas The Civil Aeronautics Board, at a regular session held at its office in Washington, D. C., on October 28, 1942, ordered that the effective date of Amendment No. 15-1 be postponed to January 1, 1943; and it appearing that:

Certain material required in the manufacture of the lights and mechanisms described in Amendment No. 15-1 will not be available in time to permit scheduled air carriers to install such lights and mechanisms by January 1, 1943;

Now, therefore, The Civil Aeronautics Board, acting pursuant to sections 205 (a) and 601 of the Civil Aeronautics Act of 1938, as amended:

Orders, That the effective date of Amendment No. 15-1 be, and hereby is, postponed to March 1, 1943.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 43-186; Filed, January 4, 1943, 2:49 p. m.]

[1] 7 F.R. 1710, 4938, 8843.

TITLE 24—HOUSING CREDIT

Chapter IV—Home Owners' Loan Corporation

[Bulletin No. 146]

PART 402—LOAN SERVICE DIVISION

MISCELLANEOUS AMENDMENTS

Amending Part 402, Chapter IV, Title 24 of the Code of Federal Regulations: §§ 402.00–1 [6 F.R. 5636] and 402.16–5 [6 F.R. 5639] are revoked.

The third paragraph of § 402.00 (n) [6 F.R. 5632] shall be amended to read as follows:

§ 402.00 *General policy and home office.* * * *

(n) *Authority to pay expenses in connection with servicing.* * * *

Any Regional Manager, with the advice or approval of the Regional Counsel where required, may exercise the authority herein granted, up to and not exceeding $50.

Section 402.03 (b) [6 F.R. 5633] shall be amended to read as follows:

§ 402.03 *Analysis and review section.* * * *

(b) *Cases to be reviewed.* This section shall review all cases where contemplated advances will affect the future servicing of the account, excepting those which may be reviewed by the Control Supervisor.

The first paragraph of § 402.12 (a) [6 F.R. 5633] shall be amended to read as follows:

§ 402.12 *Foreclosure*—(a) *Foreclosure and deficiency judgments.* After all efforts to collect the debt owing to the corporation have been made, as is provided by the rules and regulations, and all efforts to assist the home owner have been exhausted and it becomes necessary to protect the taxpayers, the General Manager may authorize foreclosure or the acceptance of a deed in lieu thereof. When deeds in lieu of foreclosure are accepted from owners of mortgaged properties in settlement of the indebtedness owing to the Corporation no sum shall be paid to the owner of the property, but as a part of the consideration for such deed an owner may be permitted to continue in possession of the premises for a limited time within the discretion of the Regional Manager under advice of the Regional Counsel. When foreclosure is authorized it shall be determined whether or not a deficiency claim shall be retained on the books of the Corporation if the value of the security is less than the amount of the debt.

Section 402.13 (a) [6 F.R. 5636] shall be amended to read as follows:

§ 402.13 (a) *Suspension and withdrawal of foreclosure.* At any time prior to the acquisition of absolute title by the Corporation, the General Manager, with the advice of the General Counsel, may direct that foreclosure proceedings or negotiations for a deed in lieu of foreclosure be suspended or withdrawn and the loan or sales account reinstated on such terms and conditions as he may determine to be for the best interest of the Corporation. In connection with such withdrawal and reinstatement he may effect the cancelation of the old indebtedness and the taking of new loan or sales instruments. In connection therewith he may also direct the acquisition of title by the Corporation and the execution of instalment contracts or other like sales instruments or deeds to home owners or to third parties, accepting appropriate security instruments. No suspension, withdrawal or reinstatement in such cases shall be made which would involve a loss to the Corporation. The authority herein granted may be exercised in any case where a notice of withdrawal has been issued, but on account of the lack of time or for other cause, the reinstatement has not been accomplished prior to the acquisition of absolute title. All cases handled under such authority shall be classified as withdrawn foreclosures and not as sales. The authority herein vested in the General Manager may be exercised also by the Regional Manager, with the advice of the Regional Counsel.

Section 402.13–5 [6 F.R. 5638] shall be amended to read as follows:

§ 402.13–5 *Payments required.* Before temporary or other suspension is directed, the home owner should ordinarily be required to remit a sum at least equivalent to the costs and expenses which have been incurred, but cases will arise in which such remittance cannot be made immediately by the home owner, and in such cases the Regional Manager should determine whether the required sum will be paid in full within a short time and whether temporary or other suspension without the immediate payment of such sum will be in the best interests of the Corporation.

Section 402.15 (a) [6 F.R. 5633] shall be amended to read as follows:

§ 402.15 (a) *Caretaker for abandoned property.* In any case in which it is found necessary to appoint a caretaker for property upon which the Corporation holds a loan and which has been abandoned, the Regional Manager with the advice of the Regional Counsel, may appoint such a caretaker, appropriately instruct him as to the performance of his work and determine the compensation therefor. The expense thereof shall be paid from the Regional Working Fund.

Section 402.16 (a) [6 F.R. 5633] shall be amended to read as follows:

§ 402.16 (a) *Advances for reconditioning.* The General Manager may authorize advances for the account of borrowers, vendees and transferees, to accomplish reconditioning of any nature whatsoever, provided such reconditioning is determined to be in the best interest of the Corporation in order to protect its security, to facilitate the collection of the indebtedness owing to the Corporation or to promote the orderly liquidation of the assets of the Corporation; and may incur and approve the amount and payment of fees and expenses in connection with such advances, except legal fees and expenses which shall be incurred, approved and paid as provided in Part 406 of this chapter.

The authority herein granted may be exercised, also, by the Regional Manager in those cases where he determines that an advance for reconditioning is in the best interest of the Corporation in order to protect its security or to facilitate the collection of the indebtedness owing to the Corporation, provided the amount to be authorized (exclusive of legal and inspection fees) does not exceed $1000, and subject to the advice of the Regional Counsel and to the provisions of Part 405 of this chapter.

Section 402.17–4 [6 F.R. 5639] shall be amended to read as follows:

§ 402.17–4 *Property purchase by Corporation employee.* When an officer or employee of the Corporation desires to enter into a contract with a home owner to purchase any property on which the Corporation holds a loan or sales instrument, such officer or employee shall submit a statement or the proposed sale contract, with a statement by the home owner or other satisfactory evidence that said home owner has been informed of the purchaser's relationship to the Corporation and that the proposed sale agreement is voluntarily entered into. All statements and other information relating to the transaction shall be forwarded through the Control Supervisor to the Regional Manager. If the Regional Manager recommends approval of the transaction, he shall forward all information with respect to the proposed sale, together with the loan docket and his recommendations to the Property Committee in the Home Office.

The third paragraph of § 402.18 (a) (3) [6 F.R. 5633] shall be amended to read as follows:

§ 402.18 *Deceased borrowers*—(a) *Filing of claims.* * * *

(3) * * *

The authority herein vested in the General Manager may be exercised also by Regional Managers.

The second paragraph of § 402.19–1 [6 F.R. 5639] shall be amended to read as follows:

§ 402.19–1 *Policy.* * * *

Payment for errors by employees. Where the Corporation is requested to release a portion of the property covered by its lien description, because of error in including more property than was owned by the home owner, the Regional Manager shall ascertain the party responsible for such error and require such party or parties, if still in the employ of the Corporation, to pay the expenses incident to the release. If the party responsible for the error is not in the employ of the Corporation, such steps as the Regional Manager deems advisable shall be taken to obtain from such party reimbursement for the expenses incident to the correction. However, the collection of the expenses as provided herein shall not be considered as a condition precedent to the granting of the release. If, in the opinion of the Regional Counsel, the Corporation has acquired any substantial interest in the property by virtue of advances made or otherwise, for which it has a right of recovery either in law or equity, the release shall not be executed unless, in the opinion of the Regional Manager and Regional Counsel, the release would be for the best interests of the Corporation.

The first paragraph of § 402.19–26 [6 F.R. 5640] shall be amended to read as follows:

§ 402.19–26 *Instruments used and terms of repayment.* The Regional Manager with the advice of the Regional Counsel shall decide whether the present mortgage shall be released in full and two or more new mortgages taken in lieu thereof or whether the present mortgage shall be released in part and a new mortgage taken for the part released. Whether released in whole or in part, any new mortgage must be executed by the present home owner and the new mortgage on the property purchased must be assumed by the purchaser in the conveyance or otherwise. When the foregoing procedure pertaining to instruments to be taken cannot be followed under the laws and practices in any particular state, such procedure may be followed as shall be in conformity with such laws and practices. The total indebtedness secured by said mortgages shall equal the balance due the Corporation less any credits to the loan arising from the transaction. The Regional Manager, with the advice of the Regional Counsel, shall fix the amortization rate on any new mortgages and the terms of any supplemental agreement with the home owner providing for revised amortization of the indebtedness not assumed by the purchaser, in conformity with § 402.10 (a). No instrument shall be executed the effect of which will be to release or modify the rights of the Corporation against sureties or other parties secondarily liable without the express approval of the Regional Manager with the advice of Regional Counsel. When the transaction is consummated, the indebtedness to the Corporation shall be secured by liens valid in the opinion of the Regional Counsel, who shall make a certificate to that effect.

Section 402.24 (c) shall be amended to read as follows:

§ 402.24 *Taxes.* * * *

(c) *Consents to moratoria or assessments.* The Regional Manager, with the advice of the Regional Counsel, may grant consents to home owners to enable them to comply with the necessary requirements to obtain the benefit of moratoria established or declared by proper legislative authority or legal action, relating to taxes, assessments, or other governmental levies or charges.

The Regional Manager may execute consents to proposed improvements out of which assessments or levies will arise.

On properties owned by the Corporation, agreements or other instruments required to be executed to permit the payment of taxes or assessments in installments may, when approved by Regional Counsel, be executed by the Regional Manager.

Section 402.24–16 [6 F.R. 5643] shall be amended to read as follows:

§ 402.24–16 *Relating to moratoria.* Consents relating to moratoria affecting taxes, assessments, or other governmental levies or charges shall not be executed unless in the opinion of the Regional Counsel such moratoria are valid and such consents will not affect the enforceability or priority of the Corporation's lien and will not render the Corporation liable for any taxes, assessments or other governmental levies or charges, or for any interest or penalties, and the home owner requesting such consent has executed an agreement for a tax and insurance account.

Section 402.24–17 [6 F.R. 5643] shall be amended to read as follows:

§ 402.24–17 *Consents to proposed improvements.* The Regional Manager, with the advice of the Regional Counsel, may execute on behalf of the Corporation consents to proposed improvements out of which assessments or levies will arise, when in the opinion of the Regional Manager, such action is in the best interests of the Corporation. Petitions and requests for local or neighborhood improvements which affect properties under the jurisdiction of the Property Management Division and out of which assessments or levies will not arise are governed by the provisions of Part 403 of this chapter.

Effective December 15, 1942.

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by Sec. 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529)

[SEAL] J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 43-238; Filed, January 4, 1943; 3:28 p. m.]

[Bulletin No. 147]

PART 408—ACCOUNTING SECTION

MAILING DATE OF FINAL PAYMENTS

Amending Part 408, Chapter IV, Title 24 of the Code of Federal Regulations.

Section 408.00j [7 F.R. 8169] is amended to read as follows:

§ 408.00j *Mailing date of final payments.* In considering the date of full and final payment of all monies due the Corporation on an account, the mailing date (as evidenced by the postmark on the envelope transmitting such payment

to an office of the Corporation) shall be accepted as the date on which the payment was received by the Corporation. This rule shall not apply where the borrower indicates in writing, or by implication from the amount of the remittance, or otherwise, that the payment was intended to be made on some other predetermined date subsequent to the date of such postmark.

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by sec. 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529)

Effective December 21, 1942.

[SEAL] J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 43-187; Filed, January 4, 1943; 3:28 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment 98]

PART 802—GENERAL LICENSES

GENERAL INTRANSIT LICENSES

Subparagraph (2) of paragraph (b) of § 802.9 *General intransit licenses* is hereby amended to read as follows:

(2) "Western Hemisphere" as used in this paragraph, includes only the countries designated by the following numbers in paragraph § 802.2 (a) of this subchapter: 3 through 24, 61, 62, 100 and 101.

(Sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 31, 7 F.R. 9807)

PAUL CORNELL,
Chief of Office,
Office of Exports.

DECEMBER 29, 1942.

[F. R. Doc. 43-239; Filed, January 5, 1943; 9:59 a. m.]

[Amendment 99]

PART 801—GENERAL REGULATIONS

PART 802—GENERAL LICENSES

PART 803—UNLIMITED LICENSES

PART 804—INDIVIDUAL LICENSES

PART 806—TECHNICAL DATA

PROHIBITED EXPORTATIONS, ETC.

Part 801—General Regulations is hereby amended in the following particulars:

1. Section 801.2 *Prohibited exportations* is hereby amended by revising the paragraph preceding the table of commodities to read as follows:

§ 801.2 *Prohibited exportations.* The exportation from the United States of all articles, materials and supplies hereafter enumerated in this section and all technical data as defined in § 806.1 of this subchapter to all destinations except Canada (including that part of Labrador under Canadian authority) is hereby prohibited unless and until an applicable license authorizing such exportation shall have been issued by the Office of Exports:

2. The following new sections are added:

§ 801.11 *Shipments to territories, dependencies and possessions of the United States.* No license is required for shipments from the United States to any territory, dependency or possession of the United States, except the Philippine Islands.

§ 801.12 *Intransit shipments without unloading.* Articles and materials shipped by vessel from one foreign country and passing through the United States in transit to another foreign country may be exported without a license from the Office of Exports if, while in waters subject to the jurisdiction of the United States, they have not been unladen from the vessel on which they entered such waters.

§ 801.13 *Shipments unloaded by order of Federal Government.* When the United States Government has ordered the removal from a vessel of goods laden under a license issued by the Office of Exports, the exporter may subsequently export such goods under the license in effect at the time of the original lading even though, in the case of individual license, such license has expired prior to exportation, or, in the case of a general or unlimited license, such license has been revoked prior to exportation. Such goods may not be exported, however, under an individual license which has been revoked.

§ 801.14 *Shipments to Canada for reexportation to another foreign country.* The exportation from the United States of all articles, materials and supplies enumerated in § 801.2 of this subchapter and all technical data as defined in § 806.1 of this subchapter to Canada (including that part of Labrador under Canadian authority) with the knowledge or intention that they are to be reexported therefrom to another foreign destination is hereby prohibited unless there is in effect a license authorizing the exportation thereof to the country of ultimate destination. In the case of general licenses, the exporter shall place the general license number on the export declaration in the manner specified in § 802.2 (b) of this subchapter.

Section 802.9 *General intransit licenses* is hereby amended in the following particulars:

1. Paragraph (a) is amended to read as follows:

(a) General intransit licenses are hereby issued permitting exportation of all articles and materials, except as limited by subsequent provisions of this section, originating in a designated foreign country and passing through the United States or any place subject to the jurisdiction of the United States in transit to a designated foreign destination, as specified in paragraph (b) of this section.

2. Paragraph (b) is hereby amended by adding the following new subparagraph:

(4) In addition to those listed in subparagraph (1) of this paragraph there is also issued a general intransit license, designated GIT-C P, which authorizes the shipment of all articles and materials through the United States in transit to Portugal when consigned by the Canadian Red Cross Society to an agent of that Society and destined for British prisoners in Germany.

3. Paragraph (d) is amended by revising that part of the paragraph which precedes the list of commodities to read as follows:

(d) Intransit shipments of commodities hereafter listed in this paragraph may not be made under any general intransit license set forth in this section except GIT-A A or GIT-Y Z, as set forth in paragraph (b), or when proceeding under bond from Mexico through the United States to another part of Mexico, or when proceeding between any part of the Western Hemisphere and the Republic of Panama through the Panama Canal Zone:

4. The following new paragraph is added:

(f) Overcarried shipments (which are hereby defined to mean goods exported from the United States and returned in error to the United States) may not be exported under these general intransit licenses.

Paragraph (b) of § 802.10 *General licenses which permit shipments not exceeding a specified value* is hereby amended by adding to the list of excepted items the following:

Photographic unexposed film, plates and paper (including blue print paper).

Paragraph (c) of § 802.14 *Metal drums and containers* is hereby amended to read as follows:

(c) General licenses are hereby issued permitting exportation to all destinations included in General License Country Group K, as set forth in § 802.3 (a), of metal drums and containers, regardless of capacity, when filled with chemicals or petroleum products the exportation of which has been authorized by an individual export license issued prior to July 15, 1942.

Paragraph (b) of § 802.15 *Reexportation of machinery or parts* is hereby amended to read as follows:

(b) Replacement parts which are added to such machinery or parts of machinery while in the United States; and

Part 802—General Licenses is further amended by adding the following new sections:

§ 802.19 *Return of empty containers to foreign country.* General licenses are hereby issued permitting exportation to all destinations in General License Country Group K of metal drums, gas cylinders, bags and other containers which have previously been used in shipping articles and materials to the United States: *Provided,* That they are exported empty to the country from which they were imported into the United States.

Paragraph (c) of § 803.2 *Commodities and countries of destination* is hereby amended by revising the item "Cork products" to read as follows:

Cork products: Gaskets in shipments under $50 in value (which may be exported under this unlimited license to all countries in the British Empire, including Great Britain and Northern Ireland, and to Egypt).

Paragraph (a) of § 804.8 *Certificates of necessity* is hereby amended to read as follows:

(a) A Certificate of Necessity is a certification by any one of the countries hereinafter listed establishing the degree of essentiality of the commodities described in such certificate.

County	*Certifying agency*
Argentina	Central Bank of the Argentine Republic.
Bolivia	Ministry of National Economy, Bolivia.
Brazil	Carteira de Exportacao e Importacao, Banco de Brazil.
Chile	Consejo Nacional de Comercio Exterior.
Colombia	Superintendencia Nacional de Importaciones.
Costa Rica	Oficina de Defensa Economica.
Cuba	Import and Export Agency (headed by Dr. José Miguel Irisarri).
Dominican Republic.	Comite de Control Sobre Importaciones y Exportaciones of the Dominican Republic.
Ecuador	Oficina de Prioridades y Distribucion de Importaciones.
El Salvador	Import Control Committee of Ministry of Finance. (Two signatures necessary—W. W. Renwick, President; José Mojia Perez, Vice President; or Alfredo Mejia, Secretary, authorized to sign for Committee; Rodrigo Samayoa, Minister of Finance, or Arturo Bustamante, Under Secretary of Finance, may sign for Government).
Guatemala	Seccion de Coordinacion Economica Financiera de Guatemala (under jurisdiction of Ministry of Foreign Relations).
Haiti	Office des Contingents (quota office), Ministry of Commerce.
Honduras	Officina de Controle de Materiales Estrategicos.
Mexico	Officina de Control y Aprovisionamientos (a section of the Ministry of National Economy).
Nicaragua	Junta de Control de Precios y Comercio.
Panama	Ministry of Agriculture and Commerce.
Paraguay	Department of Industry and Commerce of Ministry of Agriculture.
Peru	Reparticion Comercial, Ministerio de Hacienda y Comercio.
Uruguay	Controlor de Exportaciones e Importaciones (Office of Export and Import Control).
Venezuela	Import Control Commission.

Part 804—Individual Licenses is further amended by adding the following new section:

§ 804.15 *Reexportation from country of destination.* No exportation may be made under any individual license with the knowledge or intention that the articles, materials or supplies so exported are to be reexported from the country stated on the license application as the country of ultimate destination.

Section 806.2 *General licenses* is hereby amended in the following particulars:

1. Paragraph (c) *Canada* is hereby deleted.

2. Paragraphs now lettered (d) to (f), both inclusive, are hereby relettered (c) to (e).

(Sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 31, 7 F.R. 9807)

PAUL CORNELL,
Chief of Office,
Office of Exports.

DECEMBER 30, 1942.

[F. R. Doc. 43-240; Filed, January 5, 1943; 9:59 a. m.]

[Amendment 100]

PART 804—INDIVIDUAL LICENSES

GENERAL PROVISIONS

Section 804.1 *General provisions* is hereby amended by adding the following new paragraph:

(g) No application for an individual license shall be made unless and until the applicant has a firm order for the commodities covered by the application from the purchaser stated in such application.

(Sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 31, 7 F.R. 9807)

PAUL CORNELL,
Chief of Office,
Office of Exports.

DECEMBER 31, 1942.

[F. R. Doc. 43-241; Filed, January 5, 1943; 9:59 a. m.]

[Amendment 101]

PART 801—GENERAL REGULATIONS

EXPORTATION OF CERTAIN OFFICE SUPPLIES AND TEXTILE PRODUCTS

Section 801.2 *Prohibited exportations* is amended in the following particulars: In the column headed "Gen. Lic. Group" the group designations assigned to the commodities listed below are amended to read as follows:

Commodity	Dept. of Comm. no.	Gen. lic. group
Miscellaneous office supplies: Typewriter ribbons	9395	C
Textile products: Pyroxylin coated or impregnated fabrics	3915	C
Coated or impregnated fabrics, n. e. s.	3917	C

This regulation shall not apply to licensed shipments of the above commodities which are at or in transit to the port of exit from the United States on the date this regulation becomes effective.

(Sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 31, 7 F.R. 9807)

PAUL CORNELL,
Chief of Office,
Office of Exports.

DECEMBER 31, 1942.

[F. R. Doc. 43-242; Filed, January 5, 1943; 10:00 a. m.]

[Amendment 102]

PART 808—PROCEDURE TO SECURE SHIPPING SPACE TO THE OTHER AMERICAN REPUBLICS

The effective date of Amendment No. LXXVIII is hereby revised to read as follows:

This amendment shall be come effective December 10, 1942 except as to shipments for which a definite booking for shipment from the United States has been made prior to December 10, 1942.

(Sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong., Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 31, 7 F.R. 9807)

PAUL CORNELL,
Chief of Office,
Office of Exports.

JANUARY 2, 1943.

[F. R. Doc. 43-243; Filed, January 5, 1943; 10:00 a. m.]

[Amendment 103]

PART 808—PROCEDURE RELATING TO SHIPMENT OF LICENSED EXPORTS TO THE OTHER AMERICAN REPUBLICS

MULTIPLE CONSIGNEES

Paragraph (f) of § 808.6 *Application procedure* is hereby amended to read as follows:

(f) *Certain commodities; multiple consignees.* Applications for freight space covering any of the commodities listed in subparagraph (5) of this paragraph may specify more than one consignee subject to the following conditions:

(1) All consignees named must be located at a single foreign port.

(2) The names and addresses of all the proposed consignees shall be listed and a copy thereof attached to each copy of the application submitted (such list is a part of the application). This list shall be typewritten in a vertical column and shall not bear evidence of erasure or alteration when presented to the Office of Exports.

(3) One or more of the proposed consignees may be rejected, the quantity reduced, or both, by the Office of Exports by noting the same thereon.

(4) Only commodities to which a single description and Department of Com-

merce Schedule "B" number applies may be included in a single application.

(5) List of commodities:

Dept. of Comm. No.	*Commodity*
1041.00	Oats (bu. 32 lbs.).
1057.00	Rice, milled, including brown, broken, rice and rice screenings.
1073.00	Wheat flour, wholly of U. S. wheat (bbl. 196 lbs.).
1074.00	Wheat flour, other (bbl. 196 lbs.).
5724.00	Salt.
8365.00	Sodium carbonate, calcined (soda ash).
8373.00	Sodium hydroxide (caustic soda).
8710.00	Soap, medicated.
8712.00	Soap, toilet or fancy.
8713.00	Soap, laundry.
8716.00	Soap, powdered or flaked
8729.00	Soap, n. e. s.

The shipper is authorized to divide the approved quantity among the approved consignees as he may elect.

(Sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 31, 7 F.R. 9807)

PAUL CORNELL,
Chief of Office,
Office of Exports.

JANUARY 2, 1943.

[F. R. Doc. 43-244; Filed, January 5, 1943; 10:00 a. m.]

[Amendment 104]

PART 801—GENERAL REGULATIONS

EXPORTATION OF CERTAIN CANNED VEGETABLES

Section 301.2 *Prohibited exportations* is amended in the following particulars: In the column headed "Gen. Lic. Group" the group designations assigned to the commodities listed below are amended to read as follows:

Commodity	Dept. of Comm. No.	Gen. Lic. Group
VEGETABLES AND PREPARATIONS		
Baked beans, and pork and beans, canned	1242	C
Beets, canned	1249	C
Carrots, canned	1249	C
Pumpkins, canned	1249	C
Soups, canned	7245	C
Spinach, canned	7249	C

This regulation shall not apply to licensed shipments of the above commodities which are at, or in transit to the port of exit from the United States on the date this regulation is published in the FEDERAL REGISTER.

(Sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 31, 7 F.R. 9807)

PAUL CORNELL,
Chief of Office,
Office of Exports.

JANUARY 2, 1943.

[F. R. Doc. 43-245; Filed, January 5, 1943; 10:00 a. m.]

[Amendment 105]

PART 809—SHIPPING PRIORITY RATINGS

CERTAIN FODDERS AND FEEDS

Paragraph (a) of § 809.6 *Ratings assigned articles and materials under general license* is hereby amended by the assignment of the following new shipping ratings to the following listed commodities:

Schedule "B" No.	*Commodity*	*Shipping rating*
	Fodders and Feeds:	
1101.00	Hay	B
1117.00	Cottonseed cake	B
1116.00	Linseed cake	B
1119.00	Oil cake, n. e. s.	B
1121.00	Cottonseed meal	B
1122.00	Linseed meal	B
1123.00	Babassu cake and meal	B
1124.00	Soybean oil-cake meal	B
1119.00 / 1129.00	Hempseed oil cake and meal	B
1129.00	Coconut oil cake and meal	B
1129.00	Oil-cake meal, n. e. s.	B
1140.00	Fish meal for feed	B
1180.00	Dairy and poultry feeds, mixed (include calf manna)	B
1182.00	Oyster shells	B
1185.00	Feeds, prepared and mixed, (include dried buttermilk), n. e. s.	B
1187.00	Rolled barley for feed	B
1190.00	Wheat feeds, bran, middlings, etc.	B
1199.00	Feeds, n. e. s. (include apple pomace)	B

(Sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 31, 7 F.R. 9807)

PAUL CORNELL,
Chief of Office,
Office of Exports.

JANUARY 2, 1943.

[F. R. Doc. 43-246; Filed, January 5, 1943; 10:01 a. m.]

[Amendment 106]

PART 801—GENERAL REGULATIONS

EXPORTATION OF SULPHUR

Section 801.2 *Prohibited exportations* is amended in the following particulars: In the column headed "Gen. Lic. Group" the group designations assigned to the commodities listed below are amended to read as follows:

Commodity	Dept. of Comm. No.	Gen. Lic. group
Chemicals:		
Sulphur (crude)	5714	K
Sulphur (crushed, ground, refined, sublimed, flowers)	5715	K

(Sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 31, 7 F.R. 9807)

PAUL CORNELL,
Chief of Office,
Office of Exports.

JANUARY 2, 1943.

[F. R. Doc. 43-247; Filed, January 5, 1943; 10:01 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1068—CANS

[Amendment 1 to Conservation Order M-81[1] as Amended Dec. 9, 1942]

Section 1068.1 *Conservation Order M-81* is hereby amended in the following particulars:

1. The items in Schedule I, hereinafter listed, are amended to read as follows:

[1] 7 F.R. 10321.

Product	Packing quota	Can sizes	Can materials: Body	Can materials: Ends
24. Fresh shelled beans, including lima beans.	Unlimited	2-2½-10	1.25 tin*	1.25 tin**
27. Corn, fresh, sweet, cut	Unlimited	2-10-2 vacuum (307 x 306) for vacuum pack.	1.25 tin*	1.25 tin**.
28. Peas, green	Unlimited	2-10-2 vacuum (307 x 306) for vacuum pack.	1.25 tin*	1.25 tin**.
52. Salmon	Unlimited	½ flat (307 x 200.25) (307 x 201.25)—1 flat (401 x 210.5) (401 x 211) 1 tall (301 x 411).	1.25 tin	1.25 tin*

2. Schedule I is amended by the addition of the following subdivision and item:

Product	Packing quota	Can sizes	Can materials: Body	Can materials: Ends
FISH AND SHELLFISH				
(For refrigerated shipment, fresh)				
59. Oysters. Until April 30, 1943	Unlimited	1 gal.	CTH	CTH

3. Schedule II is hereby amended by the addition of the following item:

Product	Packing quota	Can sizes	Can materials: Body	Can materials: Ends
22. Baking powder. Until June 30, 1943.	That number of cans sufficient to pack 50% of poundage packed in 32-oz. or smaller cans during calendar year 1942.	6-oz. to 32-oz., inclusive.	Fiber	Blackplate (limited to rejects and frozen inventories only).

4. Item 22 of Schedule III is amended to read as follows:

Product	Packing quota	Can sizes	Can materials: Body	Can materials: Ends
22. Lye. Until June 30, 1943	50% 1942	13 oz.	Blackplate	Blackplate.

5. Schedule III is amended by the addition of the following items:

Product	Packing quota	Can sizes	Can materials: Body	Can materials: Ends
23a. Drain Cleaners. Until June 30, 1943.	50% 1942	12 oz.	Blackplate	Blackplate.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-223; Filed, January 4, 1943; 4:55 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-152, Amendment 1]

STAR PLUMBING SUPPLY COMPANY

Paragraph (c) of § 1010.152 *Suspension Order No. S-152* issued November 30, 1942 is hereby amended to read as follows:

(c) Harry Gitterman, Sidney Gitterman, and Louis Gitterman, individually or doing business as the Star Plumbing Supply Company, their or its successors and assigns, are hereby prohibited from accepting deliveries of receiving, delivering, selling, transferring, trading, or dealing in any new metal plumbing or heating equipment as defined in Limitation Order L-79, except as specifically authorized by the Regional Compliance Chief, War Production Board, Philadelphia, Pennsylvania.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-222; Filed, January 4, 1943; 4:55 p. m.]

PART 3034—MATERIALS ENTERING INTO THE PRODUCTION OF REPLACEMENT STORAGE BATTERIES FOR PASSENGER AUTOMOBILES AND LIGHT TRUCKS, MEDIUM AND HEAVY TRUCKS, TRUCK TRACTORS, TRUCK TRAILERS, PASSENGER CARRIERS AND OFF-THE-HIGHWAY MOTOR VEHICLES

[Limitation Order L-180 as Amended Jan. 5, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of antimony, lead, tin, rubber, and other materials entering into the production of automotive replacement storage batteries used in the operation of passenger automobiles and light trucks, medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles, for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3034.1 *Limitation Order L-180*—(a) *Certain orders hereby superseded.* This order, Limitation Order L-180, supersedes Supplementary Limitation Order L-4-b, issued April 25, 1942, and Limitation Order L-35, issued January 22, 1942, as amended.

(b) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the provisions of applicable priorities regulations, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(1) *Protection of production schedules.* Producers under the terms of this order may, notwithstanding the provisions of Priorities Regulation No. 1 (Part 944), schedule production of automotive replacement storage batteries without regard to purchase orders or contracts placed with them for other materials on ratings lower than A-2.

(c) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(2) "Passenger automobile" means any passenger vehicle, including station wagons and taxicabs, propelled by an internal combustion engine, and having a seating capacity of less than eleven (11) persons.

(3) "Light truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of less than 9,000 pounds, as authorized by the manufacturer thereof, or the chassis therefor.

(4) "Medium and/or heavy motor truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of 9,000 pounds or more, as authorized by the manufacturer thereof, or the chassis therefor,

(5) "Truck trailer" means a complete semi-trailer or full trailer having a load-carrying capacity of 10,000 pounds or more, as authorized by the manufacturer thereof, and designed exclusively for the transportation of property or persons, or the chassis therefor.

(6) "Passenger carrier" means a complete motor coach for passenger transportation, having a seating capacity of not less than eleven (11) persons.

(7) "Off-the-highway motor vehicle" means a motor truck, truck-tractor and/or trailer, operating off the public highway normally on rubber tires and specially designed to transport materials, property or equipment on mining, construction, logging or petroleum development projects.

(8) "Automotive replacement storage battery" means any electric storage battery which has been completely assembled and sealed, whether uncharged or charged, and which is designed and built for operating a starter, ignition system, lighting system, or electrical signaling device on any passenger automobile, light, medium and heavy motor truck, truck tractor, truck trailer, passenger carrier or off-the-highway motor vehicle, and which may be used to replace a storage battery delivered as original equipment for any such vehicle. Automotive replacement storage batteries are sometimes referred to hereafter for convenience as "replacement batteries."

(9) "Rebuilt automotive storage battery" means any used automotive storage battery which has been repaired, rebuilt in part or in whole and/or recharged for sale, referred to sometimes hereafter for convenience as "rebuilt batteries."

(10) "Loan or rental storage battery" means any new automotive replacement storage battery or any used automotive storage battery, repaired, rebuilt in whole or in part, and/or recharged to be used by any person for loaning, or renting, in order to permit the replacing, repairing, rebuilding and/or recharging of a battery.

(11) "Ampere hour capacity" means the ampere hour capacity of an automotive replacement storage battery as developed on or before the third discharge when tested at the 20-hour rate at 80 degrees Fahrenheit.

(12) "Group" means either (i) one division (of those numbered I, II, III, IV, V) of the "Table of Maximum Adjustment Units for Automobile Batteries in Passenger Car Service," as issued in 1939 by the National Battery Manufacturers Association, Inc., now known as Association of American Battery Manufacturers and referred to in paragraph (d) below as AABM; or (ii) A battery number, as shown in Table I, "Battery Classifications, Ratings and Dimensions," appearing on page 103 of the publication entitled "Storage Batteries for Motor Vehicles," issued in 1938 by the Society of Automotive Engineers, Inc., and referred to in paragraph (d) below as SAE.

(13) "Producer" means any individual, partnership, association, corporation, or other form of business enterprise engaged in the manufacture or rebuilding of automotive replacement storage batteries for sale.

(14) "Inventory" means a stock of automotive replacement storage batteries (new and rebuilt) on hand, on consignment, or held for the account of the owner thereof in any other name, manner or place.

(15) "Distributor" means any person not a producer whose business consists, in whole or in part of the sale from inventory of storage batteries, as defined in sub-paragraphs (8), (9) and (10) above. Distributor includes wholesalers, warehouses, jobbers, dealers, retailers and other persons performing similar functions.

(16) "Consumer" means the owner or operator of the automotive vehicle for which a replacement battery is acquired, or the user of such battery for any other purpose.

(17) "Double insulation" means, in battery construction, the use of a retaining sheet of porous or perforated material between the positive plate and the single separator.

(18) "Single insulation" means, in battery construction, the use of wood separators only.

(d) *Limitations on ampere hour capacities of replacement batteries for passenger automobiles and light trucks.* (1) On and after August 29, 1942, no producer shall manufacture any replacement batteries for passenger automobiles and light trucks except with single insulation and only in the following minimum ampere hour capacities:

AABM Group	SAE Group	Minimum ampere hour capacity (20-hour rate) at 80° F.
I	1M	80
I	1H	90
1S		90
1S	2L	100
1F-11G, 11E-12G	2ME	110
11H, F, G		100
11, 11S	12M-10G (21H-11G)	110
11S	3L	110
111	3M (31H-11G)	120
(Special 12 V volt)		45-50

(2) Notwithstanding the limitations on insulation of replacement batteries specified in paragraph (d) (1) above, a producer may manufacture one (1) model with double insulation in not more than three of the above groups.

(3) From Groups IV and V of AABM, or from Groups 4H and 5H of SAE, a producer may manufacture only one battery in each group. However, such batteries may be constructed either with single or double insulation.

(e) *Limitations on ampere hour capacities and container sizes of replacement batteries for medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles.* (1) On and after September 30, 1942, other than as permitted in sub-paragraph (2) below no producer shall manufacture any replacement batteries for medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles except one (1) in each size within the following minimum-maximum ampere hour capacities and minimum-maximum container sizes:

	Ampere hour capacity (20-hour rate at 80° F.		Volts	Container size					
				Long		Wide		High	
	Minimum	Maximum		Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
				For batteries with double insulation					
Size A	155	165	6	16	16¾	7¼	7¾	9¼	11
Size B	195	220	6	19¾	20¾	7¼	7¾	9¼	11
Size C	245	245	6	22¾	23¾	7¼	7¾	9¼	11
Size D	285	285	6	21¾	22	10¼	10¾	12	12¾
Size E	95	100	12	17¾	18	7	8	9¼	11
Size F	95	105	12	19¾	21¾	7¼	7¾	9¼	11
Size G	115	125	12	23¾	23¾	9	9	9¼	11
Size H	135	145	12	23¾	23¾	9	10	9¼	11
Size I	175	195	12	23¾	23¾	10¼	11¼	9¼	11
				For batteries with single insulation					
Size J	195	205	6	16	16¾	6¾	7¼	9	10¾
Size K	225	245	6	25	25¾	7¼	7¾	9¼	11¼
Size L	140	150	12	20¾	23¾	8¾	9	9¼	11
Size M	170	170	12	23¾	23¾	9	10	9¼	11
Size N	180	200	12	23¾	23¾	10¼	11¼	9¼	11

(2) Producers may manufacture replacement batteries in capacities and sizes other than as specified in sub-paragraph (1) of this paragraph (e) only from materials on hand on August 29, 1942, provided:

(i) No additional material is required;

(ii) Such material cannot be consumed without change in form in manufacturing replacement batteries of the capacities and sizes specified in sub-paragraph (1) above;

(iii) Replacement batteries so produced be included in the number authorized for production in the periods specified in paragraph (f) below.

(f) *Restrictions on production of replacement batteries for passenger automobiles, light, medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles.*

(1) No producer shall, during any calendar quarter of 1943, manufacture automotive replacement storage batteries in excess of the number (hereinafter referred to as "quota") obtained by multiplying the percentage shown below for that calendar quarter of 1943 by the total number of such batteries sold by him during the calendar year 1941:

Calendar Quarter of 1943:	Percentage of 1941 sales
January 1 to March 31	22
April 1 to June 30	22
July 1 to September 30	30
October 1 to December 31	25

(2) Notwithstanding subparagraph (1) of this paragraph (f), a producer may in addition to the quotas permitted thereby,

(i) Manufacture during the second, third and fourth calendar quarters of 1943 that number of replacement batteries by which he failed to reach his full quota during the next preceding calendar quarter provided that this additional production does not exceed 5% of the number of replacement batteries sold by him during the calendar year 1941; and, in addition,

(ii) Manufacture during the first, second and third calendar quarters of 1943 not in excess of 5% of the number of such batteries sold by him during the calendar year 1941, provided he deducts such number from his quota for the next succeeding calendar quarter of 1943,

and *Provided further*, That in no event shall any producer manufacture during the calendar year 1943 a number of such replacement batteries in excess of 100% of the number of such batteries which he sold during the calendar year 1941.

(g) *Restrictions on inventories of producers of automotive replacement batteries.*

(1) No producer shall have in inventory on the first day in any month a stock of replacement batteries and rebuilt batteries as defined in paragraphs (c) (8) and (9) above, in excess of one-third of the number of batteries sold by him during the calendar year 1941.

(h) *General restrictions*—(1) *Certificate of compliance required.* No distributor shall order and no distributor or producer shall deliver replacement batteries to a distributor unless each order (or written confirmation thereof, if such order is placed by telephone or telegraph) is accompanied by a certificate in the following form:

Certificate of Compliance with Order L–180

The quantity of replacement batteries on the attached purchase order does not exceed the quantity which I am entitled to order under the provisions of Limitation Order L–180, with the terms of which I am familiar.

(Signed) _____
Firm, partnership or corporation
By _____
Title of individual
_____
Address of firm, partnership or corporation

A copy of each such certificate must be retained by the seller as part of his records.

(2) *Return of used batteries.* On and after August 29, 1942, no producer or distributor shall sell or deliver a new or rebuilt replacement battery to any consumer unless such consumer delivers to the seller concurrently with his purchase one used battery of the same size or larger for each replacement battery delivered to such consumer. The provisions of this paragraph (h) (2) shall not apply to any Federal or Territorial department, bureau or agency, State or political subdivision thereof, which is forbidden by law from making such disposal of used batteries.

(3) *Consumer's certificate.* Notwithstanding the provisions of paragraph (h) (2) above, a producer or distributor may sell and deliver a replacement battery to a consumer without receiving a used battery in exchange therefor provided that: (i) The producer or distributor does not install such replacement battery in the consumer's vehicle; and (ii) the consumer signs and delivers to the producer or distributor with each purchase order (or written confirmation thereof if such order is placed by telephone or telegraph) a certificate in the following form:

Consumer's Certificate

I hereby certify that: (a) the replacement battery specified on this order is essential for the operation of a vehicle I now own or operate; (b) the replacement battery will be used only to replace a battery, which to the best of my knowledge, cannot be economically reconditioned; and (c) I will within thirty (30) days after receiving the replacement battery here ordered, dispose of through scrap channels, a used automotive battery of similar size for each replacement battery delivered to me

(Signed) _____
Vehicle owner or operator
(Address) _____

A copy of each such certificate must be retained by the producer or distributor as part of his records.

(i) *General restrictions on inventories.*

(1) No distributor shall accept delivery of any replacement batteries and/or rebuilt batteries, which in combination with his existing inventory will aggregate more than a ninety (90) day supply. In any month a ninety (90) day supply means the aggregate number of replacement batteries and rebuilt batteries sold during the corresponding month in 1942 plus the number sold in the next two (2) succeeding months in 1942.

(2) No producer or distributor may keep in his possession, or under his control for a period of more than thirty (30) days any metal-containing parts of any used, traded-in, imperfect or condemned replacement battery or rebuilt battery for the purpose of repairing or rebuilding the same, or for any other purpose, but must dispose of such parts through customary disposal or scrap channels.

(3) The provisions of this paragraph (i) shall not apply to distributors located in Alaska, Hawaii, Panama Canal Zone, Puerto Rico or the Virgin Islands.

(j) *Exceptions to applicability of this order.* The limitations and prohibitions contained in this order shall not be applicable to the manufacture, sale or delivery of replacement batteries under contract or orders for delivery to or for the account of:

(1) The Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development;

(2) The government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies and Protectorates, and Yugoslavia;

(3) Any agency of the United States Government, for delivery to, or for the account of, the government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(k) *Records.* Every person to whom this order applies shall keep and preserve for a period of not less than two years accurate and complete records of his inventories, production and sales.

(l) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(m) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

On or before February 15, 1943, each producer shall file with the Automotive Division of the War Production Board, Form PD–766 reporting total shipments of automotive replacement storage batteries for the years 1941 and 1942. On or before the 15th day of April, July, and October, 1943 and the 15th day of January 1944, each producer shall file Form PD–765 reporting its shipments of automotive replacement storage batteries during the preceding calendar quarter.

(n) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance by the Director General for Operations.

(o) *Appeals.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him, may appeal by letter to the War Production Board, Automotive Division, Ref: L–180, setting forth pertinent facts and the reasons such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(p) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall unless otherwise directed, be addressed to: War Production Board, Automotive Division, Washington, D. C., Ref.: L–180.

(q) [Revoked January 5, 1943.]

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43–226; Filed, January 5, 1943; 10:39 a. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL

[MPR 137, Amendment 17]

PETROLEUM PRODUCTS SOLD AT RETAIL

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1340.91 a new paragraph (j) is added, as set forth below:

§ 1340.91 *Appendix A: Maximum prices for petroleum products sold at retail establishments.* * * *

(j) In Quincy, Illinois, the maximum prices of regular and premium grade gasoline sold at retail establishments determined under § 1340.91 (a) (1) and (2) may be increased by not more than 1.5 cents a gallon.

*Copies may be obtained from the Office of Price Administration.

[7 F.R. 3165, 3749, 4273, 4653, 4760, 4853, 5363, 5868, 5941, 6057, 6896, 7902, 8353, 8938, 8948, 9335, 10684, 11008.

§ 1340.93a *Effective dates of amendments.* * * *

(r) Amendment No. 17 (§ 1340.91 (j)) to Maximum Price Regulation No. 137 shall become effective January 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-194; Filed, January 4, 1943; 4:16 p. m.]

PART 1340—FUEL

[MPR 137, Amendment 18]

PETROLEUM PRODUCTS SOLD AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1340.91 a new paragraph (k) is added as set forth below:

§ 1340.91 *Appendix A: Maximum prices for petroleum products sold at retail establishments.* * * *

(k) Within the corporate limits of New York City, New York, the maximum prices for sellers at retail establishments of kerosene, No. 1 fuel oil, range oil, also known as stove oil, shall be 13.7 cents per gallon.

§ 1340.93a *Effective dates of amendments.* * * *

(s) Amendment No. 18 (§ 1340.91 (k)) to Maximum Price Regulation No. 137 shall become effective January 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-195; Filed, January 4, 1943; 4:18 p. m.]

PART 1340—FUEL

[RPS 88, Amendment 56]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The § 1340.159 (c) (1) (x), with the title, *Northwestern Ohio and Northeastern Indiana. Lima Oil Field*, is redesignated § 1340.159 (c) (1) (xi); in § 1340.159 (c) (2), the table, Maximum Tank Wagon Prices, and § 1340.162 are amended to read as set forth below:

§ 1340.159 *Appendix A: Maximum prices for petroleum and petroleum products.* * * *

(c) *Specific prices.* * * *

(2) *Gasoline.* * * *

MAXIMUM TANK WAGON PRICES EXCLUDING TAXES

(In cents per gallon)

Tank wagon areas	Third grade		Regular grade		Premium grade	
	Dealer	Consumer or commercial	Dealer	Consumer or commercial	Dealer	Consumer or commercial
IOWA						
Des Moines	9.4	10.4	9.9	11.1	11.4	13.4
ILLINOIS						
Quincy	---	---	9.4	10.6	10.9	---
IDAHO						
Coeur d'Alene	9.7	11	10	12	11	13
WISCONSIN						
Lodi	10.1	11.1	10.6	12.1	12.1	14.1
Madison	9.9	11.0	10.4	11.9	11.9	13.9
Marshfield	9.9	11.0	10.4	11.9	11.9	13.9
Sauk City	10.1	11.1	10.6	12.1	12.1	14
Stoughton	9.9	11.0	10.4	11.9	11.9	13.9
Sun Prairie	10.1	11.1	10.6	12.1	12.1	14
ARKANSAS						
Fort Smith	6.25	6.97	7	8	8	---
Little Rock	7	7	8	8	8	---
Texarkana	7.5	7.5	8	8	---	---
NEW MEXICO						
Roswell	9	9	10	10	---	---
NORTH DAKOTA						
Fargo	---	---	11.4	---	---	---
MONTANA						
Billings	11	11	12	12	---	---
Butte	10	10	11	11	---	---
Great Falls	11	11	12	12	---	---
Helena	11	11	12	12	---	---
OKLAHOMA						
Muskogee	6.75	8.75	7.75	9.75	---	---
Oklahoma City	7	7	8	8	---	---
Tulsa	7	7	8	8	---	---
WYOMING						
Cheyenne	9	9	10	10	---	---

§ 1340.162 *Notice to purchasers.* (1) All sellers of kerosene, No. 1 fuel oil, gasoline, distillate Diesel fuel oil or range oil in the States of Connecticut, Delaware, Florida east of the Apalachicola River, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia and the District of Columbia and in the corporate limits of Bristol, Tennessee, shall inform all persons purchasing such products from them for resale at service stations or other retail establishments in those areas that such purchasers may increase their maximum prices for those products in the amounts, if any, by which the Office of Price Administration permitted the prices of such products to them to be increased effective as of June 29, 1942, and that such purchasers are required to state in connection with the posting of their maximum prices that such increases are approved by the Office of Price Administration.

(2) All sellers of gasoline to retail dealers in Quincy, Illinois, shall notify each dealer in writing on or before the date of the initial sale to such dealer after January 9, 1943, that his maximum prices for regular and premium gasoline at his retail establishment has been increased by 1½ cents per gallon effective as of January 9, 1943. Such notice shall be in the following form: Your new OPA ceiling price for regular and premium grade gasoline at your retail establishments in Quincy, Illinois, is your former ceiling price plus 1½ cents per gallon. OPA requires you to keep this information for examination.

§ 1340.158a *Effective dates of amendments.* * * *

(ddd) Amendment No. 56 (§§ 1340.159 (c) (2); 1340.162) to Revised Price Schedule No. 88 shall become effective January 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-196; Filed, January 4, 1943; 4:16 p. m.]

PART 1340—FUEL

[RPS 88, Amendment 57]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sections 1340.159 (c) (3) (i) and 1340.159 (c) (6) (i) and (ii) are amended as set forth below. Section 1340.159 (c) (6) (vii) is revoked and the specific price established by that subdivision is included under § 1340.159 (c) (6) (ii) as set forth below:

§ 1340.159 *Appendix A: Maximum prices for petroleum and petroleum products.* * * *

(c) *Specific prices.* * * *

(3) *Distillate fuel oils.* (i) The maximum prices in the States of Connecticut, Delaware, Florida east of the Apalachicola River, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia and in the District of Columbia for the petroleum products listed below shall not be more than the respective amounts per gallon indicated below in excess of the maximum price that would otherwise govern under paragraphs (b) (1) to (3) inclusive and (b) (7) of this section:

Product	Cents per gallon
All distillate and distillate type fuel oils having a viscosity below 85 seconds Saybolt Universal (at 100° F.) including but not limited to the following: Tractor fuel, gas house oils, distillate Diesel fuel oils, Nos. 2, 3, and 4 fuel oils, kerosene, range oil, No. 1 fuel oil, Standard light gas oil, gas house standard light gas oil, and Mirando and Mirando type crude oil when sold as No. 4 fuel oil or other distillate fuel oil use	1.5

* * * * *

(6) *Residual fuel oils.* (i) The maximum price in the States of Connecticut, Delaware, Florida east of the Apalachicola River, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia and in the District of Columbia for all residual and residual type fuel oils having a viscosity of 85 seconds Saybolt Universal (at 100° F.) and above, including but not limited to Nos. 5 and 6 fuel oils, Bunker C, Navy Grade, residual Diesel fuel oils, residuum gas oil, heavy gas oil, heavy gas enrichment oil, gas house heavy fuel oil, N. E. gas enrichment oil, S. W. gas oil, Admiralty fuel oil, Navy Special fuel oil, Mirando and Mirando type crude when sold as No. 5, or other residual fuel oil, or as a heavy gas enrichment oil shall be not more than 30 cents per barrel in excess of the maximum prices that would otherwise govern under § 1340.159 (b) (1) to (3) and (b) (7) except that at the points named in (ii) below the prices there specified shall be the maximum prices. Sellers who charged the increases in price authorized by Amendments Nos. 4, 10 and 27 to Revised Price Schedule No. 88 on their sales of residual fuel oil as defined in this paragraph during the March 26, 1942 to January 9, 1943 period shall not be deemed to have exceeded their maximum prices because of such additional charges.

(ii) *Maximum prices for Bunker C and No. 6 fuel oils on the East and Gulf Coasts in cargo and barge lots f. o. b. refineries and terminals (ex lighterage) and ships' bunkers; also in motor transport and tank car lots where motor transports and tank cars are used as a substitute means of transportation for tankers and barges.*

Location of refineries or terminals:	Maximum price per barrel
Portland, Maine	$1.65
Portsmouth, N. H.	1.65
Boston, Mass.	1.65
Fall River, Mass.	1.65
Tiverton, R. I.	1.65
Providence, R. I.	1.65
New Haven, Conn.	1.65
Albany, N. Y.	1.85
New York, N. Y.	1.65
Philadelphia, Pa.	1.65
Baltimore, Md.	1.65
Norfolk, Va.	1.65
Wilmington, N. C.	1.65
Charleston, S. C.	1.60
Savannah, Ga.	1.60
Jacksonville, Fla.	1.60
Miami, Fla.	1.60
Tampa, Fla.	1.60
Pensacola, Fla.	1.15
Mobile, Ala.	$1.10
Texas and Louisiana Gulf Coast ports including Mississippi River ports up to and including Baton Rouge	.85

§ 1340.158a *Effective dates of amendments.* * * *

(eee) Amendment No. 57 (§§ 1340.159 (c) (3) (i); 1340.159 (c) (6) (i) and (ii)) to Revised Price Schedule No. 88 shall become effective January 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9252, 7 F.R. 7871)

Issued this 4th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-197; Filed, January 4, 1943; 4:22 p. m.]

PART 1340—FUEL

[RPS 88, Amendment 58]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1340.159 (c) (3) a new subdivision (xii) is added as set forth below:

§ 1340.159 *Appendix A: Maximum prices for petroleum and petroleum products.* * * *

(c) *Specific prices.* * * *

(3) *Distillate fuel oils.* * * *

(xii) *New York City, New York.* Within the corporate limits of New York City, New York, maximum prices for kerosene, No. 1 fuel oil and range oil, also known as stove oil, shall be as follows:

	Cents per gallon
F. o. b. terminals in bulk lots for delivery by barge	6.7
F. o. b. terminals in bulk lots for delivery by tank car or motor transport	6.8
At the seller's yard for delivery into buyer's tank wagons in the Boroughs of Manhattan, the Bronx, Queens and Brooklyn	7.1
At the seller's yard for delivery into buyer's tank wagons in the Borough of Richmond	7.0
Tank wagon deliveries to resellers in quantities of 25 gallons or over	9.2
Tank wagon deliveries to consumers in quantities of 25 gallons or over	9.7
Tank wagon deliveries in quantities of less than 25 gallons and truck deliveries in containers in quantities of less than 25 gallons	12.2

§ 1340.158a *Effective dates of amendments.* * * *

(fff) Amendment No. 58 (§ 1340.159 (c) (3) (xii)) to Revised Price Schedule No. 88 shall become effective January 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-198; Filed, January 4, 1943; 4:19 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 271, Amendment 2]

CERTAIN PERISHABLE FOOD COMMODITIES, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In paragraph (a) of § 1351.1002 subparagraph (1) is amended and a new subparagraph (3) is added; in paragraph (b) of § 1351.1002 a new subparagraph (6) is added; in § 1351.1016a, a new paragraph (b) is added; in § 1351.1017, a table for "Early white potatoes" is added as set forth below:

§ 1351.1002 *How a country shipper establishes his maximum price for a perishable food commodity, as set forth in Appendix A.* * * *

(a) * * *

(1) For each hundred pounds of each variety of U. S. No. 1 grade of white potatoes harvested prior to December 1, 1942, in bags, on board car or other common carrier, the maximum price shall be the amount set forth as the maximum price for the month of sale and the area in which such white potatoes were produced, listed in the table, entitled "White potatoes", in Appendix A hereof. Differentials listed in paragraph (b) hereof shall be applicable to white potatoes harvested prior to December 1, 1942.

* * * * * *

(3) For each hundred pounds of early white potatoes, in bags or other container, on board car or any other common carrier, the maximum price shall be the amount set forth as the maximum price for the month of sale and the area in which such early white potatoes were produced, listed in the table, entitled "Early white potatoes", in Appendix A hereof. The differentials listed in paragraph (b), subparagraphs (1), (2), (3), (4) of this section shall not be applicable to the maximum prices listed in Appendix A for early white potatoes. Early white potatoes means white potatoes harvested after December 1, 1942, and sold during the months listed in Appendix A, in the table entitled "Early white potatoes."

(b) * * *

(6) Early white potatoes:

(i) For early white potatoes sold either in bulk or in containers furnished by the purchaser, the country shipper shall sub-

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3165, 3749, 4273, 4653, 4780, 4853, 5363, 5868, 5941, 6057, 6893, 7002, 8353, 8938, 8948, 9345, 10684, 11008, 11112, 11075.

[2] 7 F.R. 1107, 1371, 1798, 1799, 2132, 2304, 2352, 2634, 2945, 3116, 3146, 3482, 3524, 3552, 3576, 3895, 3963, 4483, 4653, 4854, 4857, 5481, 5867, 5868, 5983, 6057, 6167, 6680, 7242, 7838, 8433, 8478, 8586, 8701, 8741, 8829, 8938, 8949, 9130, 9134, 9335, 9425, 9460, 9620, 9621, 9817, 9829, 10684.

[3] 7 F.R. 1107, 1371, 1798, 1799, 1886, 2132, 2304, 2352, 2634, 2945, 3463, 3482, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 4857, 5481, 5867, 5868, 5988, 5983, 6057, 6067, 6471, 6680, 7242, 7838, 8433, 8478, 9120, 9134, 9335, 9425, 9460, 9620, 10684, 11069, 11112, 11075.

[4] 7 F.R. 9179, 10715.

tract 15¢ per hundred pounds from the maximum prices listed in Appendix A.

* * * * * * *

§ 1351.1016a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§§ 1351.1001 to 1351.1017) shall become effective January 4, 1943.

§ 1351.1017 *Appendix A: Maximum prices for perishable food f. o. b. shipping point.* * * *

EARLY WHITE POTATOES[1]

[Maximum price per 100 pounds[2]]

State	Producing area	Varieties	Maximum price	Period during which maximum price is effective
S. ATLANTIC				
Florida	Counties of Charlotte, Glades, Martin and all counties south thereof.	All	$3.65	Jan. 4, 1943 through Mar. 31, 1943
SOUTHERN CENTRAL				
Texas	Counties of Zapata, Jim Hogg, Brooks, Kenedy and all counties south thereof.	All	$3.65	Jan. 4, 1943 through Mar. 31, 1943.

[1] The maximum prices listed above shall apply only to "Early white potatoes" harvested after December 1, 1942 and sold during the periods set forth.

[2] These prices are subject to the following differential: For early white potatoes sold either in bulk or in containers furnished by the purchaser, the country shipper shall subtract 15¢ per 100 lbs. from the maximum price listed above.

Issued this 4th day of January 1943.

LEON HENDERSON,
Administrator.

Approved:

CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-199; Filed, January 4, 1943; 4:22 p. m.]

PART 1361—FARM EQUIPMENT

[MPR 133,[1] Amendment 3]

RETAIL PRICES FOR FARM EQUIPMENT

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1361.1 paragraph (a) is amended; § 1361.2 is amended; in § 1361.3, the text of paragraph (a) and subparagraphs (2) and (3) and footnote 4 of paragraph (a) are amended, paragraphs (b), (c) and (d) are amended, and paragraph (e) is revoked; a new § 1361.3a is added; § 1361.4 is amended; in § 1361.5, paragraph (a) is amended and paragraph (b) is added; in § 1361.6 paragraph (a) is added; in § 1361.9, subparagraphs (3), and (6) and (8) of paragraph (a) are amended and a new subparagraph (9) is added; and a new § 1361.11 is added, all as set forth below:

§ 1361.1 *Prohibition against sales at higher than maximum prices.* (a) On and after May 11, 1942, regardless of any contract, agreement, lease or other obligation, no person shall sell or deliver, and no person shall in the course of business buy or receive, any farm equipment at prices higher than the maximum prices established by this Maximum Price Regulation No. 133; and no person shall offer or attempt to do any of the foregoing.

* * * * *

§ 1361.2 *Less than maximum prices.* Lower prices than those established in this Maximum Price Regulation No. 133 may be charged, demanded, paid or offered.

§ 1361.3 *Maximum prices — new equipment*—(a) *New complete equipment with suggested retail prices.*—The maximum price applicable to the sale by any retail dealer of any new complete farm equipment for which the manufacturer has issued a suggested retail price shall be the sum of the following:

* * * * *

(2) An allowance for transportation calculated on the basis of the average combined freight rate per hundredweight paid by the dealer for shipment from factory to dealer of complete farm equipment of the same general type: *Provided*, That where shipments are customarily made via branch or transfer point, this allowance shall not exceed carload freight from factory to branch or transfer point, less any freight allowance or rebate received by the dealer plus actual less-than-carload freight from branch or transfer point to dealer, the branch or transfer point selected being that from which the dealer has received the greatest dollar value of less than carload shipments of complete equipment of the same make during the preceding six months.

(3) The manufacturer's or wholesale distributor's handling charge paid by the dealer if not included in the manufacturer's or wholesale distributor's charge for freight.

* * * * *

(b) *New parts with suggested retail prices.* The maximum price applicable to the sale by any retail dealer of any new farm equipment part for which the manufacturer has issued a suggested retail price shall be the suggested retail price plus actual freight cost from factory to dealer less any freight allowance or rebate received by the dealer, plus the manufacturer's or wholesale distributor's handling charge paid by the dealer if not included in the manufacturer's or wholesale distributor's charge for freight, plus any extra expense in connection with the sale, such as long distance telephone calls, incurred at the request of the purchaser.

(c) *New complete equipment and parts without suggested retail prices*—(1) *In general.* The maximum price applicable to the sale by any retail dealer of any new complete farm equipment or part for which the manufacturer has not issued a suggested retail price shall be the net price at which such item was sold or offered for sale on April 1, 1942 (including all extra charges, but not including any sales, use or gross receipts tax). If such item was not sold or offered for sale on April 1, 1942, the maximum price shall be the net cost of the item to the dealer plus either (i) a percentage markup equal to the percentage markup over net invoiced cost on the last previous sale of the same item, or (ii) if the item was never before sold or offered for sale, a percentage markup equal to the percentage markup over net invoiced cost on the last sale in the fifteen months preceding April 1, 1942, of the most nearly comparable equipment or part sold by the dealer during that period; or (iii) if no comparable equipment or part was sold during the fifteen months preceding April 1, 1942, a percentage markup equal to the average percentage markup over net invoiced cost on all farm equipment sold by the dealer between March 1 and April 1, 1942, inclusive.

(2) *Adjustment where price to dealer was changed prior to April 1, 1942.* Notwithstanding the provisions of subparagraph (1), if for any new complete farm equipment or part for which the manufacturer has not issued a suggested retail price a retail dealer had a price in effect on April 1, 1942 which was established at a time when the manufacturer's or wholesaler's price to him was lower than that in effect on April 1, 1942, the maximum price applicable to the sale of the item by such dealer shall be the dealer's net price in effect on April 1, 1942, plus a percentage increase equal to the percentage increase in the manufacturer's or wholesaler's price to him made prior to April 1, 1942.

(3) *Adjustment where price to dealer changed pursuant to Maximum Price Regulation No. 246.* Notwithstanding the provisions of subparagraph (1), if for any new complete equipment or part for which the manufacturer has not issued a suggested retail price the manufacturer's or wholesaler's price to any retail dealer has been increased since April 1, 1942 in accordance with the provisions of Maximum Price Regulation No. 246 or of any other maximum price regulation, the maximum price applicable to the sale of the item by the dealer shall be the dealer's price in effect on April 1, 1942, plus a percentage increase equal to the percentage increase in the manufacturer's or wholesaler's price to him made since April 1, 1942 in accordance with the provisions of Maximum Price Regulation No. 246 or such other regulation.

(d) *Sales by manufacturers.* Notwithstanding any other provisions of this Maximum Price Regulation No. 133, for any item of farm equipment which the manufacturer thereof sells exclusively at retail, his maximum price shall be determined pursuant to Maximum Price Regulation No. 246—Manufacturers' and Wholesale Prices for Farm Equipment; for any item of farm equipment which the manufacturer sells both to distributors and dealers and at retail but for which he has not issued a suggested retail price, his maximum price for all sales of the item shall be determined pursuant to Maximum Price Regulation No. 246; for any item which the manufacturer sells both to distributors and dealers and at retail, and for which he has issued a suggested retail price, his maximum price for sales at retail shall be determined pursuant to this Maximum Price Regulation No. 133.

§ 1361.3a *Maximum prices—used equipment*—(a) *Base price.* In determining the maximum price for any of the following items of used farm equipment, a "base price" must first be calculated:

Farm tractors (except crawler tractors)
Combines
Corn pickers
Corn binders
Hay balers (motor or tractor operated)

The "base price" is the first of the following which is available:

(1) The manufacturer's suggested retail price for the same item of equipment f. o. b. factory which is currently in effect or if there is no such price currently in effect, the manufacturer's suggested retail price last issued; or

(2) If the item of equipment has no manufacturer's current suggested retail price and never had any, the maximum price for which the same or nearest equivalent item might be sold new by any dealer in the locality, minus carload freight from the plant of the manufacturer thereof.

(b) *Maximum prices—sales by farmers, auctioneers, etc.* The maximum price applicable to the sale by any person other than a retail dealer of any item of used farm equipment listed in paragraph (a) of this section shall be 85% of the "base price" if the item is sold within one year after sale new, and in any other case shall be 70% of the "base price". This paragraph does not apply to items of used farm equipment not listed in paragraph (a) of this section.

(c) *Maximum prices—sales by dealers—in general.* (1) In general, the maximum price applicable to the sale by any retail dealer of any item of used farm equipment including items listed in paragraph (a) of this section shall be the sum of

(i) The trade-in allowance granted or purchase price paid by the dealer, or, in the case of a repossessed item, the balance due to the dealer, distributor, manufacturer, or finance company;

(ii) $15 or 5% of (i), whichever is the greater;

(iii) The maximum prices herein specified for such parts as are needed and used in repairing the equipment;

(iv) A charge for other materials and for labor needed and used in repairing the equipment, not to exceed maximum prices determined in accordance with the applicable maximum price regulations issued by the Office of Price Administration.

In no event, however, shall the price so calculated for any item of used farm equipment listed in paragraph (a) of this section exceed 85% of the "base price" if the item is sold within one year of its sale new, or 70% of the "base price" in any other case.

(2) In the case of a sale by a dealer of any item which has been transported more than 100 miles from the place of its purchase, there may be added to the price as calculated in subparagraph (1) above, the actual cost of transportation from the place of purchase to the dealer's place of business.

(d) *Maximum prices—sales by service dealers—reconditioned and guaranteed.* (1) For any item of used farm equipment including items listed in paragraph (a) of this section which has been reconditioned by a service dealer and which has been guaranteed by such dealer in accordance with this paragraph (d), the maximum price applicable to the sale of such item by the dealer to a user shall be the sum of:

(i) The trade-in allowance granted or purchase price paid by the dealer, or, in the case of a repossessed item, the balance due to the dealer, distributor, manufacturer, or finance company;

(ii) $15 or 25% of (i), whichever is the greater;

(iii) The maximum prices herein specified for such parts as are needed and used in reconditioning the equipment;

(iv) A charge for other materials and for labor needed and used in reconditioning, not to exceed maximum prices determined in accordance with the applicable maximum price regulation issued by the Office of Price Administration.

In no event, however, shall the price so calculated for any item of used farm equipment listed in paragraph (a) of this section exceed 95% of the "base price".

(2) In the case of a sale by a service dealer of any item which has been transported more than 100 miles from the place of its purchase and has been reconditioned and guaranteed, there may be added to the price as calculated in subparagraph (1) above the actual cost of transportation from the place of purchase to the dealer's place of business.

(3) No item of farm equipment shall be sold at a price determined in accordance with this paragraph (d), unless all parts which should be replaced, repaired, adjusted, or aligned for satisfactory operation have been replaced, repaired, adjusted, or aligned and unless the dealer shall furnish the purchaser with a signed guarantee in the form set forth in Appendix A, § 1361.11, containing the information called for in such form.

§ 1361.4 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 133, shall not be evaded directly or indirectly by way of any commission; by way of excessive charges for services; by way of any change in discounts applicable to sales of items of farm equipment for which the manufacturer has issued no suggested retail price; by any change in credit terms or conditions of sale; by reducing the services provided during warranty period in accordance with factory policy; by reducing "free" services customarily provided; by removing any standard auxiliary equipment or in any other way lowering the quality of any equipment sold; by requiring the buyer to purchase any optional equipment, or to pay for any services not desired, or to agree to trade in used equipment in part payment of the purchase price; by refusing to sell equipment for cash; by making arrangements with other dealers for the exchange of used equipment so as to increase the profits obtainable from the resale of used equipment; by undervaluing goods other than farm equipment received in trade; or by any other hidden or indirect price increases.

§ 1361.5 *Itemized invoices — new equipment.* (a) In connection with every sale for $15 or more of any item

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3185, 6936, 7599, 8948.

[2] Where shipments of complete farm equipment of the same general type have been received by rail or by truck from the same factory in the 3-month period immediately preceding the month in which the sale occurs, the "average combined freight rate per hundredweight" shall be the average rate for the preceding 3-month period, after deduction of any freight allowances or rebates received by the dealer. When there have been no shipments of equipment of the same general type in the preceding 3-month period, the "average combined freight rate per hundredweight" shall be the average rate for the current month, up to the date of the sale in question. For the purposes of this paragraph, all farm equipment which is classified in any one l. c. l. freight class may be considered as of the same general type.

of new complete farm equipment having a suggested retail price, every retail dealer shall supply to the purchaser a sales invoice or a copy of the purchase order signed by the dealer containing a separate statement of the following items:

(1) The suggested retail price.

(2) The charge for freight and manufacturer's or wholesale distributor's handling.

(3) The charge for dealer's handling, or the charge for special installation, if any.

(4) The charge for delivery beyond the thirty-mile zone, if any.

(5) The amount of excise tax, if any, billed separately to the dealer by the manufacturer.

(6) The amount of sales, use, or gross receipts tax, if any, required or permitted to be paid.

(b) Upon request from a purchaser, every retail dealer, regardless of previous custom, shall give the purchaser a receipt showing the date of sale, the name and address of the seller, the name of each commodity sold and the price received for it.

§ 1361.6 *Records and reports.* * * *

(c) Notwithstanding the provisions of paragraph (a) of this section, any retail dealer may, instead of keeping for inspection by the Office of Price Administration records of each sale of any item of farm equipment selling for less than $15, keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect the price lists or other data used by the dealer in establishing his maximum prices for such items.

§ 1361.9 *Definitions.* (a) When used in this Maximum Price Regulation No. 133, the term:

* * * * *

(3) "Farm equipment" means any equipment, attachment or part used primarily in connection with the production and farm processing for market and farm use of agricultural products, but does not include automobiles, trucks, general purpose tools, building materials, electrical equipment (except fence controllers) sprays or other chemicals, commercial processing machinery, livestock, seeds, feeds or any other agricultural products. A partial list of "farm equipment" follows: farm tractors (except crawler tractors); garden tractors; planting, seeding and fertilizing machinery; plows and listers; harrows, rollers, pulverizers, and stalk cutters; cultivators and weeders; harvesting machinery (combines, binders, pickers, potato diggers, pea and bean harvesters, beet lifters, etc.); haying machinery (mowers, rakes, hayloaders, stackers, balers, etc.); dairy farm equipment (milking machines, farm milk coolers, farm cream separators, etc.); poultry farm equipment (incubators, brooders, feeders, waterers, etc.); bee-keepers' supplies; agricultural spraying equipment; barn and barnyard equipment; electric fence controllers; farm pumps and water systems; windmills; windmill generating sets; farm grain elevators, grain bins, corn cribs and silos; circular wood-sawing machines intended for farm use; machines for farm processing for market or farm use (farm size cane mills, cider mills, corn shellers, corn huskers and shredders, ensilage cutters, feed cutters, feed grinders and crushers, fruit presses, grain cleaners and graders, grain threshers, hammer mills, hay presses, peanut pickers, potato sorters and graders, syrup evaporators, etc.); buggies and farm wagons; harness and saddlery; portable galvanized irrigation pipe; wire fencing, poultry netting and barbed wire sold in lots of less than 2500 pounds; and attachments and parts for all the foregoing.

* * * * *

(6) "Used farm equipment" means any farm equipment which has previously been used.

* * * * *

(8) "Suggested retail price" means the price stated in the manufacturer's current list of suggested or recommended retail prices, f. o. b. factory, whether or not such list price is in the possession of the dealer. Prices issued by mail-order houses are not deemed to be "suggested retail prices"; as a result, maximum prices applicable to the sale of new equipment by mail-order houses, whether direct or through retail stores, shall be calculated in accordance with paragraph (c) or (d) of § 1361.3.

(9) "Service dealer" means any dealer who, in addition to selling new or used farm equipment, is engaged in the business of repairing and reconditioning farm equipment.

§ 1361.11 *Appendix A: Form of guarantee to be furnished buyer of reconditioned and guaranteed equipment.*

GUARANTEE

The seller hereby warrants that the machine or equipment described below has been thoroughly inspected and reconditioned; that all parts which should be replaced, repaired, adjusted, or aligned for satisfactory operation have been so replaced, repaired, adjusted, or aligned.

The seller guarantees that the machine or equipment described below is in good operating condition, and that it will remain so under normal use and service for a period of thirty days from the date of delivery. During this thirty-day period the seller agrees to replace and install any defective or missing parts free of charge and to correct free of charge any mechanical condition which prevents the machine or equipment from operating satisfactorily.

This guarantee does not extend to tires or tubes or to any repair or replacements made necessary by misuse, negligence, accidents, or collision.

The seller warrants that the following parts, materials, and labor were needed and actually used in reconditioning the machine or equipment since its last use. This work was started _____ 194_, and was completed _____, 194_.

Parts

(1)	_____	$_____
(2)	_____	_____
(3)	_____	_____
(4)	_____	_____
(5)	_____	_____
(6)	_____	_____
Total	_____	$_____

Materials

(1)	_____	$_____
(2)	_____	_____
(3)	_____	_____
(4)	_____	_____
Total	_____	$_____

Labor

_____ hours @ _____ per hour: Total _____ $_____

Total reconditioning _____ $_____

The prices shown do not exceed the undersigned's applicable maximum prices for parts materials, and services.

Make of equipment _____
Date of delivery _____
Model or part No. _____
Total selling price $_____

_____
(Signed)

_____
(Address)

§ 1361.10a *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§§ 1361.1 (a), 1361.2, 1361.3 (a) (2) (3), (b), (c), (d) and (e); 1361.3a; 1361.4; 1361.5 (a) and (b); 1361.6 (c); 1361.9 (a) (3) (6) (8) and (9); and 1361.11) to Maximum Price Regulation No. 133 shall become effective January 9, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O 9250, 7 F.R. 7871)

Issued this 4th day of January 1943.

LEON HENDERSON,
Administrator.

[F R Doc 43-207; Filed, January 4, 1943, 4:22 p. m.]

PART 1361—FARM EQUIPMENT

[MPR 246,[1] Amendment 2]

MANUFACTURERS' AND WHOLESALE PRICES FOR FARM EQUIPMENT

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

The text of § 1361.55 is amended as set forth below:

§ 1361.55 *Maximum prices; contracts with other manufacturers, mail-order companies, or government agencies.* For any item of farm equipment for the supply of which a contract has been or is entered into subsequent to March 31, 1942, with a government agency, or with a person doing a mail-order or manufacturing business who has filed with the Office of Price Administration a statement that he will not in turn increase his price or request a price adjustment on the item because of a change in the price to him made in accordance with this section:

* * * * *

§ 1361.69 *Effective dates of amendments.* * * *

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8587, 8948, 9039.

(b) Amendment No. 2 (§ 1361.55) to Maximum Price Regulation No. 246 shall become effective January 9, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-208; Filed, January 4, 1943; 4:15 p. m.]

PART 1380—HOUSEHOLD AND SERVICE INDUSTRY MACHINES

[MPR 110,[1] Amendment 6]

RESALE OF NEW HOUSEHOLD MECHANICAL REFRIGERATORS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and filed with the Division of the Federal Register.*

The "Nash-Kelvinator Corporation, Leonard" table in § 1380.110 (a) (1) is amended to read as set forth below:

§ 1380.110 *Appendix A: Maximum prices for the resale of household mechanical refrigerators*—(a) *Maximum prices for sales to consumers*—(1) *Models having recommended retail prices.* * * *

Manufacturer: Nash-Kelvinator Corporation.

Brand: Leonard.

1941 MODELS[2 3]

Model	1st zone	2d zone
LE-6-41	$109.95	$114.95
LSS-6-A	129.95	134.95
LDA-6-41	139.95	149.95
LS-6-41	149.95	159.95
LR-6-41	164.95	174.95
LPS-6-41	169.95	179.95
LH-6-41	189.95	199.95
LS-8-41	189.95	199.95
LH-8-41	229.95	239.95

[1] The seller may add to prices on 1941 models the actual amount of the additional 4% Federal Excise Tax if he paid the tax to his vendor.

[2] The zones cover all 48 states.

1942 MODELS

Model	1st Zone	2d Zone
LH-5-42	$129.95	$134.95
LSS-7-42	149.95	154.95
LDA-7-42	159.95	169.95
LS-7-42	174.95	184.95
LH-7-42	189.95	199.95
LH-7-42	219.95	229.95
LS-9-42	219.95	229.95
LH-9-42	259.95	269.95

§ 1380.112 *Effective dates of amendments.* * * *

(f) Amendment No. 6 (§§ 1380.110 (a) (1); 1380.111) to Maximum Price Regulation No. 110 shall become effective January 9, 1943.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 2311, 2543, 2761, 4107, 6052, 7175, 8948.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871).

Issued this 4th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-209; Filed, January 4, 1943; 4:16 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11,[1] Amendment 21]

FUEL OIL

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new paragraph (c) is added to § 1394.5723, and a new paragraph (u) is added to § 1394.5902, as set forth below:

Use of Coupons and Other Evidences

§ 1394.5723 *Exchange of coupons, other evidences, and delivery receipts.* * * *

(c) Any dealer or supplier who has on hand as of 12:01 A. M. January 4, 1943 valid period "3" coupons may, within seventy-two (72) hours thereafter, deliver such coupons (together with the attached summary required by § 1394.5722) to any Board within the limitation area. The Board shall furnish him in return an exchange certificate or certificates equal in gallonage value to the value which the coupons delivered had prior to 12:01 A. M. January 4, 1943. The duplicate of such certificate shall be retained for the files of the Board.

Effective Date

§ 1394.5902 *Effective date of corrections and amendments.* * * *

(u) Amendment No. 21 (§ 1394.5723) shall become effective 12:01 a. m. January 4, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507; Pub. Law 421; W.P.B. Directive No. 1, 7 F.R. 562, Supp. Directive No. 1-O, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 3d day of January, 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-210; Filed, January 4, 1943; 4:23 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11,[1] Amendment 2 to Supplement 1[2]]

FUEL OIL

Section 1394.9101 (a) (2) is amended to read as set forth below:

§ 1394.9101 *Designation of unit value in gallons of fuel oil.* (a) * * *

(2) The value of one unit represented by coupons numbered "3" on Class 1 coupon sheets, and the value of ten units represented by coupons numbered "3" on Class 2 coupon sheets are hereby fixed as:

(i) Nine (9) gallons and ninety (90) gallons, of fuel oil, respectively, in the states of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, and Florida (east of the Apalachicola River), and in the District of Columbia; and

(ii) Eleven (11) gallons and one hundred and ten (110) gallons, of fuel oil, respectively, in the states of North Dakota, South Dakota, Nebraska, Kansas, Missouri, Iowa, Minnesota, Wisconsin, Michigan, Illinois, Indiana, Ohio, and Kentucky.

* * * * *

(b) *Effective dates.* * * *

(3) Amendment No. 2 to Supplement No. 1 (§ 1394.9101) shall become effective 12:01 A. M. January 4, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Law 89 and 507; Pub. Law 421; W.P.B. Directive No. 1, 7 F.R. 562, Supp. Directive No. 1-O, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 3d day of January 1943

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-211; Filed, January 4, 1943; 4:18 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 204 Under § 1499.3 (b) of GMPR]

CLARK THREAD CO. AND J. & P. COATS, (R. I.), INC.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is hereby ordered:*

§ 1499.1440 *Maximum prices for certain sales of dyed cotton yarn and finished thread by The Clark Thread Company, Newark, N. J. and J. & P. Coats (R. I.), Inc., Pawtucket, R. I.* (a) The Clark Thread Company, Newark, N. J. and J. & P. Coats (R. I.), Inc., Pawtucket, R. I., may sell and deliver to one another dyed cotton yarn and finished thread of kinds, types, sizes, or styles not delivered or offered for delivery by them during March 1942 at prices no higher than those determined in accordance with (b) below.

(b) Maximum prices shall be determined by multiplying (1) the seller's "base cost" for the particular yarn or thread by (2) the ratio of the seller's actual costs for all products delivered during March 1942 to such "base cost" for such products. The term "base cost" means the fixed cost established by the seller on January 1, 1941, for cost-accounting purposes.

[1] 7 F.R. 8480, 8708, 8809, 8897, 9316, 9396, 9492, 9427, 9430, 9621, 9784, 10153, 10081, 10379, 10530, 10531, 10780, 10707, 11118, 11071.

[2] 7 F.R. 8708.

(c) The prices set forth in paragraph (b) of this section shall apply f. o. b. each seller's point of shipment.

(d) Each of the above-named sellers shall preserve, for as long as the Emergency Price Control Act of 1942 remains in effect, all records of or pertaining to its base costs.

(e) This Order No. 204 may be revoked or amended by the Office of Price Administration at any time.

(f) This Order No. 204 (§ 1499.1440) shall become effective January 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-216; Filed, January 4, 1943; 4:19 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 205 Under § 1499.3 (b) of GMPR]

BEACON PAINT WORKS, INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1441 *Approval of maximum prices for Resin Fortifying Compound.* (a) On and after January 5, 1943 Beacon Paint Works, Inc., Jamaica Plain, Massachusetts, may sell and deliver Resin Fortifying Compound at a price not in excess of that hereinafter set forth:

$1.28 per gallon, f. o. b. Jamaica Plain, Massachusetts; local delivery charges prepaid

(b) The prices set forth above shall be subject to terms by the seller which are no less favorable than those which were in effect during March 1942, with respect to sales of comparable commodities.

(c) All prayers of the application not granted herein, are denied.

(d) This Order No. 205 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 205 (§ 1499.1441) shall become effective January 5, 1943.

(Pub Laws 421 and 729; 77th Cong.; E.O. No. 9250, 7 F.R. 7871)

Issued this 4th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-217; Filed, January 4, 1943; 4:15 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Correction to Order 139 Under § 1499.18 (b) of GMPR]

OSWEGO CANDY WORKS

Docket Number GF 3-2001 referred to in Order 139[1] under § 1499.18 (b) of the General Maximum Price Regulation, issued and effective December 10, 1942, is hereby corrected to read GF1-894-P.

[1] 7 F.R. 10706.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued the 4th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-219; Filed, January 4, 1943; 4:20 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 146 Under § 1499.18 (b) of GMPR]

J. B. WILLIAMS CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1407 *Adjustment of maximum price for sales of Talc for Men, Guest Size, by The J. B. Williams Company.* (a) The maximum price for sales by The J. B. Williams Company, Glastonbury, Connecticut, of Talc for Men, Guest (10 cent) Size, shall be $0.75 per dozen.

(b) All discounts, allowances, and trade practices in effect with respect to sales of this product by The J. B. Williams Company during March, 1942, shall remain in effect under this Order No. 146, except that The J. B. Williams Company shall not be required to continue special deals or bonus offers with respect to such sales.

(c) At the time of the first delivery of this product to each purchaser at a price determined under this Order No. 146, The J. B. Williams Company shall give to such purchaser a notice reading as follows:

The Office of Price Administration is permitting us to discontinue our bonus offer on Talc for Men, Guest Size. This permission was granted us with the understanding that wholesale and retail prices would not be raised thereby. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for sales of Talc for Men, Guest Size.

(d) All prayers of the applicant not granted herein are denied.

(e) This Order No. 146 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 146 (§ 1499.1407) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 146 (§ 1499.1407) shall become effective January 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-213; Filed, January 4, 1943; 4:20 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 203 Under § 1499.3 (b) of GMPR]

RESINOUS PRODUCTS AND CHEMICAL CO.

For reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1439 *Approval of maximum prices for sales of Amberol 926 by the Resinous Products and Chemical Company.* (a) The Resinous Products and Chemical Company of Philadelphia, Pennsylvania, may sell and deliver, and any person may buy and receive from that company, the phenol resin referred to in the application for establishment of a maximum price under § 1499.3 (b) of the General Maximum Price Regulation heretofore filed by that company with the Office of Price Administration and sold by it under the name of Amberol 926, at prices no higher than the following, f. o. b. Philadelphia, Pennsylvania, minimum transportation charges allowed to destination on shipments of one barrel or more:

Maximum prices	*Price per pound*
(1) District I:	
30,000 pounds or more	$0.145
2,700 to 30,000 pounds	0.15
Less than 2,700 pounds	0.155
(2) District II:	
30,000 pounds or more	$0.150
2,700 to 30,000 pounds	0.1575
Less than 2,700 pounds	0.165
(3) District III:	
30,000 pounds or more	$0.1575
2,700 to 30,000 pounds	0.165
Less than 2,700 pounds	0.175

(4) District IV: The maximum prices for deliveries in District IV shall be the prices set forth under paragraph (a) (1) above plus the amount, if any, by which actual freight cost for such shipment by rail exceeds the cost of freight by water to Pacific Coast docks.

(b) *Delivery from warehouse stocks.* Where shipment is in standard barrels from emergency stocks in Chicago, Cleveland, Boston, Los Angeles, or San Francisco, there may be added ¼¢ per pound to the appropriate maximum price determined under paragraph (a) above.

(c) *Containers.* No additional charge may be made for containers but a reasonable container deposit may be required, providing such deposit is refunded upon the return of container in good condition within a reasonable time. Transportation charges with respect to the return of empty containers from buyer's plant to the plant of the Resinous Products and Chemical Company, Bridesburg, Philadelphia, Pennsylvania, shall be borne by the Resinous Products and Chemical Company to the extent of minimum freight; transportation charges in excess of minimum freight for the return of empty drums shall be borne by buyer.

(d) All discounts, trade practices, and practices relating to the payment of shipping charges in effect in March 1942 on the sale by this Company of comparable products shall apply to the maximum prices set forth in this paragraph. Terms shall be one percent 10 days, net 30 days.

(e) *Definitions.* When used in this Order No. 203, the term:

(1) "District I" shall comprise New England, Middle Atlantic States, Virginia, North Carolina, Kentucky, Ohio, Michigan, Indiana, Illinois, Wisconsin, St. Paul and Minneapolis, Minnesota, St. Louis and Missouri.

(2) "District II" shall comprise Missouri (except St. Louis), Minnesota (except St. Paul and Minneapolis), Iowa, Kansas, Nebraska, North Dakota, South Dakota, Oklahoma, Arkansas, the South (including only Dallas and Houston in Texas).

(3) "District III" shall comprise Texas (except Dallas and Houston), Colorado and other western states excepting those on the Pacific Coast.

(4) "District IV" shall comprise California, Oregon and Washington.

(f) The Resinous Products and Chemical Company shall submit to the Office of Price Administration in Washington, D. C., such reports as shall from time to time be required in writing.

(g) This Order No. 203 may be revoked or amended by the Price Administrator at any time.

(h) This Order No. 203 (§ 1499.1439) shall become effective January 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-215; Filed, January 4, 1943; 4:17 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 147 Under § 1499.18 (b) of GMPR]

SOUTHGATE FOODS

Order 147 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-1906.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1408 *Adjustment of maximum prices for pints, quarts, and one-half gallon jars of full strength Red Mill pure apple cider vinegar packed by the Southgate Foods, Norfolk, Virginia.* (a) Southgate Foods of Norfolk, Virginia, may sell and deliver and any person may buy and receive from Southgate Foods, Red Mill full strength pure apple cider vinegar at prices no higher than 70 cents per dozen pint jars, $1.15 per dozen quart jars, and $2.30 per dozen one-half gallon jars, f. o. b. Norfolk, Virginia, on shipments outside of Virginia, and f. o. b. Norfolk, Virginia, with freight allowed up to 25¢ per cwt. for shipments to all Virginia points.

(b) Southgate Foods shall not change its customary allowances, discounts or other price differentials, unless such change shall result in a lower selling price.

(c) Southgate Foods, before or at the time of making each initial sale after the effective date of this order to a purchaser of pints, quarts, or one-half gallons of Red Mill pure apple cider vinegar, shall notify such purchaser in writing as follows:

The Office of Price Administration has permitted us to raise our maximum selling prices for sales to you of pint jars of Red Mill pure apple cider vinegar, full strength, from 60 to 70 cents per dozen jars; of quarts of Red Mill full strength pure apple cider vinegar from 95 cents to $1.15 per dozen jars; and of one-half gallons of Red Mill full strength pure apple cider vinegar from $1.87½ to $2.30 per dozen jars. These prices are f. o. b. Norfolk, Virginia, on shipments outside of Virginia, and f. o. b. Norfolk, Virginia, with freight allowed up to 25¢ per cwt. for shipments to all Virginia points. This amount represents only that part of cost increases which we are unable to absorb, and it was granted with the understanding that the wholesale and retail prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise his maximum price for sales of pints, quarts, or one-half gallons of Red Mill full strength pure apple cider vinegar purchased from us. OPA requires that you keep this notice for examination.

(d) All prayers of the application not granted herein are denied.

(e) This Order No. 147 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 147 (§ 1499.1408) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 147 (§ 1499.1408) shall become effective January 5, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-214; Filed, January 4, 1943; 4:15 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 2 Under § 1499.18 (c), as Amended, of GMPR]

COLUMBIA PACKAGE CO., INC.

For the reasons set forth in an opinion issued simultaneously herewith: *It is ordered:*

§ 1499.1502 *Adjustment of maximum prices for lard pails and tubs manufactured and sold by the Columbia Package Company, Inc.* (a) The Columbia Package Company, Inc., Memphis, Tennessee, may sell and deliver, and any person may buy from that company, the lard pails and tubs hereafter specified at prices not higher than the following prices per pail or tub, f. o. b. Memphis, Tennessee.

Description	*Maximum price*
20 and 22 lb. lard pails	$4.20
50 lb. lard tubs, plain	6.25
65 lb. varnished lard tubs	7.75

(b) All prayers of the applicant not granted herein are denied..

(c) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 2 (§ 1499.1502) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of Maximum Prices established by § 1499.2.

(e) This Order No. 2 (§ 1499.1502) shall become effective January 5, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 4th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-218; Filed, January 4, 1943; 4:15 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 17 to Rev. Supp. Reg. 4[1] of GMPR[2]]

EXCEPTIONS—SALES TO UNITED STATES AGENCIES

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1499.29 (a) (8) is amended to read as set forth below:

§ 1499.29 *Exceptions for sales and deliveries to the United States or any agency thereof of certain commodities and in certain transactions and for certain other commodities, sales and deliveries.* (a) General Maximum Price Regulation shall not apply to sales or deliveries of the following commodities or in the following transactions:

* * * * *

(8) Prior to April 1, 1943, to sales or deliveries to the United States or any agency thereof, or to the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States", or any agency of any such Government, of the following commodities:

(i) The following Ski troop equipment: carabiners, ice axes, pitons, ski bindings, ski poles, ski wax, mountain and ski goggles;

(ii) Mountain and ski stoves (gasoline, one burner);

(iii) Field ranges, model–1937 (Quartermaster Corps); spare parts therefor, Class A;

(iv) Canteens, canteen cups, and meat cans, Model M–1942 (Quartermaster Corps);

(v) Helmet liners, Model M–1 (Quartermaster Corps);

(vi) Paratroop knives;

(vii) Deliveries of the following commodities pursuant to contracts entered into prior to January 1, 1943;

(*a*) Accessories for field range, Model 1937 (Quartermaster Corps), parts 222, 223, 224, 225, 226, 227, 228, 229, 230, as listed in Instruction for Operation and Care of Gasoline Field Range, Model 1937 (Quartermaster Corps);

(*b*) Wire cutters, Model M–1938 (Quartermaster Corps);

(*c*) Identification tags, Model M–1940 (Quartermaster Corps);

(*d*) Metal insignia, cap and collar (for enlisted men).

(viii) Deliveries of canteens Model M–1910 (Quartermaster Corps) pursuant to contracts entered into prior to December 20, 1942.

(*d*) * * *

(18) Amendment No. 17 (§ 1499.29 (a) (8)) to Revised Supplementary Reg-

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5056, 5089, 5566, 6082, 6084, 6426, 6744, 6793, 7175, 7538, 8021, 9827, 10022, 10110, 10531

[2] 7 F.R. 3153, 3320, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5783, 5784, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454.

ulation No. 4 shall be effective as of the 1st day of January 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-212; Filed, January 4, 1943; 4:23 p. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Subtitle A—Office of the Secretary of the Interior

[Order 1772]

PART 4—DELEGATION OF AUTHORITY

OFFICES UNDER DIRECT SUPERVISION OF THE SECRETARY

By virtue of the authority vested in the Secretary of the Interior to issue rules and regulations in the administration of the functions of the Department of the Interior and the authority conferred by sec. 161, Rev. Stat., 5 U. S. C. sec. 22, *It is hereby ordered*, That § 4.3 of Order No. 1764 of November 20, 1942 (7 F.R. 9738, November 24, 1942), be amended to read as follows:

§ 4.3 *Offices under direct supervision of the Secretary.* The following Offices and Divisions shall remain under the direct supervision of the Secretary of the Interior:

1. Office of the Solicitor.
2. Division of Information.
3. Division of Power and the Bonneville Power Administration.
4. Office of Field Representatives.
5. Petroleum Administration for War.
6. Office of Solid Fuels Coordinator for War.
7. Office of Fishery Coordination.

This order shall be published in the Federal Register.

Issued and effective this 14th day of December 1942.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 43-225; Filed, January 5, 1943; 9:26 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter A—General Rules and Regulations

[No. 3666]

PART 75—TRANSPORTATION OF EXPLOSIVES

TRANSPORTATION OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 30th day of December A. D. 1942.

It appearing that pursuant to section 233 of the Transportation of Explosives Act approved March 4, 1921 (41 Stat. 1445), and section 204 (a) (2) of Part II of the Interstate Commerce Act, the Commission has formulated and published certain regulations for transportation of explosives and other dangerous articles;

It further appearing that in applications received we are asked to amend the aforesaid regulations as set forth in provisions made part hereof;

And it further appearing that amendments involved in said applications, having been considered and found to be in accord with the best-known practicable means for securing safety in transit:

It is ordered, That the aforesaid regulations for transportation of explosives and other dangerous articles be, and they are hereby, amended as follows:

AUTHORITY: Issued under sec. 233, 41 Stat. 1445; sec. 204 (a) (2), 49 Stat. 546; 18 U.S.C. 383, 49 U.S.C. 304.

Part 3—Regulations Applying to Shippers[1]

Superseding and amending Note, par. (b) (2), sec. 72, order Dec. 12, 1942, to read as follows (packing primers):

NOTE.—Because of the present emergency and until further order of the Commission, empty cartridge cases primed may be shipped in strong wooden barrels or strong fiber drums.

Superseding and amending par. (e), sec. 101, order Oct. 28, 1942, to read as follows (packing inflammable liquids-outage):

(e) Inflammable liquids must not be loaded into domes of tank cars, except as follows:

Because of the present emergency and until further order of the Commission, and only for shipments made during the months of October to April, inclusive, inflammable liquids having a vapor pressure not exceeding 16 pounds per square inch, absolute, at 100° F. may be loaded not to exceed 98 per cent of the combined shell and dome capacity of the tank car.

Superseding and amending Note, par. (b) (5), sec. 110, order Dec. 12, 1942, to read as follows (packing inflammable liquids):

NOTE.—Because of the present emergency and until further order of the Commission, wooden whiskey barrels, with char removed and properly recoopered, which comply with all the provisions of spec. 10B, are also authorized. Maker's marking requirements, as prescribed by the specification, must be applied by the one who reconditions the barrel.

Amending sec. 113, order Aug. 16, 1940, as follows (packing paint, etc.). Add:

(c) (1) *Spec. 37E.* Metal drums (single-trip). Because of the present emergency and until further order of the Commission, spec. 37E metal drums of 8½ gallons capacity, with welded side seams and made of 24 gauge metal, are authorized provided flash point of material shipped is above 20° F.

Superseding and amending Note, par. (e), sec. 204, order Oct. 28, 1942, to read as follows (packing sodium hydrosulfite):

NOTE.—Because of the present emergency and until further order of the Commission, the use of inside metal drums will not be required but in lieu thereof the drum must be lined or coated, or otherwise treated so as to prevent the entrance of moisture in quantities sufficient to create a hazardous condition in transportation: drums to withstand two drops from height of 4 feet in same spot or one 6-foot drop in place of drop test as provided in spec. 21A; maximum loaded capacity 250 pounds net.

Superseding and amending par. (b) (6), sec. 207, order Dec. 12, 1942, to read as follows (packing sulfide of sodium etc.):

(b) (6) *Spec. 21A.* Fiber drums which must be lined or coated, or otherwise treated so as to prevent the entrance of moisture in quantities sufficient to create a hazardous condition in transportation: drums to withstand two drops from height of 4 feet in same spot or one 6-foot drop, in place of drop test as provided in spec. 21A; maximum loaded capacity 250 pounds net. Use of this container will be permitted because of the present emergency and until further order of the Commission.

Amending par. (b) (2), sec. 329, order Aug. 16, 1940, as follows (packing chlorpierin, etc.) Add:

NOTE. Because of the present emergency and until further order of the Commission, drums not exceeding 55 gallons capacity with welded seams are authorized for mixtures containing not over 15 per cent by volume of chlorpierin.

Superseding and amending par. (c) (11), sec. 357, order July 14, 1942, to read as follows (packing cyanides, etc.):

(a) (11) *Spec. 21A.* Fiber drums which must be lined or coated, or otherwise treated so as to prevent the entrance of moisture in quantities sufficient to create a hazardous condition in transportation: drums to withstand two drops from height of 4 feet in same spot or one 6-foot drop, in place of drop test as provided in specification 21A; maximum loaded capacity 225 pounds net. Use of this container will be permitted because of the present emergency and until further order of the Commission.

Superseding and amending item of table and addition of Note, par. 7 (d), spec. 10A, order Aug. 16, 1940, to read as follows:

(d) Hoops, number and size:

Capacity of container not over (gallons)	Minimum number of hoops	Minimum size of hoops (inches in width and Birmingham gage)							
		Head		1st quarter		2d quarter		Bilge	
		Inch	Gage	Inch	Gage	Inch	Gage	Inch	Gage
(Change) 50	8	1¾	*16	1½	18	1½	18	1¾	17

*NOTE. Because of the present emergency and until further order of the Commission, hoops of 17 gage are authorized.

[1] Part 3 in this order appears in CFR as Part 75.

Amending par. 12 (c), spec. 10A, order August 16, 1940, as follows:

NOTE. Because of the present emergency and until further order of the Commission, date of manufacture may be omitted.

Superseding and amending items of table and addition of Notes, par. 7 (d), spec. 10B, order Aug. 16, 1940, to read as follows:

(d) Hoops, number and size:

Capacity of container not over (gallons)	Minimum number of hoops	Minimum size of hoops (inches in width and Birmingham gage)							
		Head		1st quarter		2d quarter		Bilge	
		Inch	Gage	Inch	Gage	Inch	Gage	Inch	Gage
(Change) 50	*8	1¾	17	1½	18	1½	18	1¾	17
(Change) 5	†6	1	19	1	19			1	19

*NOTE. Because of the present emergency and until further order of the Commission, the minimum number of hoops is authorized to be reduced to 6 by eliminating second quarter hoops.

†NOTE. Because of the present emergency and until further order of the Commission, the minimum number of hoops is authorized to be reduced to 4 by eliminating first quarter hoops if head and bilge hoops of 1¾ inch by 17 gage are used.

Superseding and amending par. (b), sec. 526, order Aug. 16, 1940, to read as follows:

(b) Boxes of high explosives, low explosives, or black powder, packed in long cartridges, bags, or siftproof liners, and containing no liquid explosive ingredient, may be loaded on their sides or ends.

It is further ordered, That this order amending the aforesaid regulations shall be effective on and after December 30, 1942 and shall remain in full force and effect and be observed until further order of the Commission;

And it is further ordered, That copies of this order be served upon all the parties of record herein and that notice be given to the public by posting in the office of the Secretary of the Commission at Washington, D. C.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-248; Filed, January 5, 1943; 10:37 a. m.]

Subchapter B—Carriers by Motor Vehicle

[MC-C-329]

PART 170—COMMERCIAL ZONES

DAVENPORT, IOWA, ROCK ISLAND AND MOLINE, ILL.

At a session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 1st day of January, A. D. 1943.

It appearing that investigation of the matters and things involved in this proceeding having been made, and the said proceeding has been referred to F. W. Denniston, Examiner, for the recommendation of an appropriate order accompanied by his reasons therefor, who has made and filed a report herein containing his findings of fact and conclusions thereon, which report is hereby made a part hereof:

It is ordered, That the applicable provisions of the Code of Federal Regulation be, and they are hereby, amended to include the following:

§ 170.10 *Davenport, Iowa, Rock Island and Moline, Ill.* For the purpose of administration and enforcement of the Interstate Commerce Act, the municipalities contiguous to, and zones adjacent to and commercially a part of Davenport, Iowa, Rock Island, and Moline, Ill., in which transportation by motor vehicle, in interstate or foreign commerce, not under a common control, management, or arrangement for a continuous carriage or shipment to or from a point beyond such municipalities or zones, will be partially exempt from regulation under section 203 (b) (8) of the act, shall be, and it is hereby, defined to include the following:

Carbon Cliff, Ill.
East Moline, Ill.
Milan, Ill.
Moline, Ill.
Rock Island, Ill.
Silvis, Ill.
Davenport, Iowa.
Bettendorf, Iowa.

That part of Iowa lying west of the Municipal limits of Davenport, south of U. S. Highway 61 north of the Mississippi River, and east of the western boundary of the properties of the Dewey Portland Cement Co. at Linwood, including points on the said boundaries.

That part of Iowa east of the municipal limits of Bettendorf, south of U. S. Highway 67, west of a private road running from U. S. Highway 67 to the Riverside Power Plant of Iowa-Illinois Gas & Electric Company, and north of the Mississippi River, including points on the said boundaries.

(Sec. 203 (b) (8), 49 Stat. 546; 49 U.S.C. Supp. 303 (b) (8))

And it is further ordered, That this order shall become effective January 1, 1943, and shall continue in effect until the further order of the Commission.

By the Commission, Division 5.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-220; Filed, January 4, 1943; 4:37 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-346]

STEFFEY AND FINDLAY, INC.

ORDER CORRECTING ERROR

In the matter of Steffey & Findlay, Inc., a registered distributor, Registration No. 8671.

A Notice of and Order for Hearing having been issued in the above-entitled matter on November 26, 1942, in which the sentence in paragraph A on page one thereof reads in part "During the period December 27, 1940, to March 26, 1941 * * *" contains a typographical error in that the latter mentioned date should read "March 26, 1942"; and

The Director deeming it advisable that said typographical error should be corrected;

Now, therefore, it is ordered, That the sentence quoted in part in the first paragraph hereof be, and the same hereby is, corrected to read in part "During the period December 27, 1940, to March 26, 1942 * * *"

Dated: January 4, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-252; Filed, January 5, 1943; 11:42 a. m.]

CIVIL SERVICE COMMISSION.

CONDITION OF APPORTIONMENT AT CLOSE OF BUSINESS THURSDAY, DECEMBER 31, 1942

Important. The apportioned classified Civil Service includes central offices physically located in Washington, D. C., or elsewhere. Positions in local post offices, customs districts and other field services outside of the District of Columbia which are subject to the Civil Service act are filled almost wholly by persons who are local residents of the general community in which the vacancies exist. It should be noted and understood that so long as a person occupies, by original appointment a position in the apportioned service, the charge for his appointment continues to run against his state of original residence. Certifications of eligibles are first made from states which are in arrears. The apportionment is observed in certifications except to low salaried positions; but as persons who receive appointments in the Departmental Service under the War Service Regulations do not thereby acquire a permanent classified civil service status, their appointments are not charged to the apportionment.

State	Number of positions to which entitled	Number of positions occupied
IN ARREARS		
1. Virgin Islands	22	0
2. Puerto Rico	1,[illegible]	[illegible]
3. Hawaii	307	28
4. Alaska	15	15
5. California	5,[illegible]	1,[illegible]
6. Washington	4,[illegible]	1,[illegible]
7. Louisiana	2,[illegible]	[illegible]
8. Arizona	[illegible]	214
9. Texas	8,[illegible]	3,[illegible]
10. Kentucky	2,[illegible]	1,[illegible]
11. Alabama	2,[illegible]	1,[illegible]
12. Carolina	2,[illegible]	1,[illegible]
13. Ohio	5,[illegible]	[illegible]
14. South Carolina	1,[illegible]	1,[illegible]
15. Mississippi	1,[illegible]	1,161
16. Arkansas	1,[illegible]	1,[illegible]
17. Indiana	2,[illegible]	2,[illegible]
18. New Jersey	3,[illegible]	2,[illegible]
19. Oregon	[illegible]	[illegible]
20. Nevada	[illegible]	79
21. Washington	1,[illegible]	1,[illegible]
22. North Carolina	3,[illegible]	2,[illegible]
23. Illinois	6,[illegible]	5,[illegible]
24. New Mexico	[illegible]	[illegible]
25. Tennessee	2,[illegible]	2,[illegible]
26. Wisconsin	2,[illegible]	2,[illegible]
27. Connecticut	1,[illegible]	1,[illegible]
28. Idaho	[illegible]	[illegible]
29. Florida	1,[illegible]	1,[illegible]
30. Delaware	[illegible]	[illegible]
31. Rhode Island	[illegible]	[illegible]
32. Missouri	3,[illegible]	3,[illegible]
33. Utah	478	455
IN EXCESS		
34. Vermont	312	320
35. New Hampshire	427	447
36. Pennsylvania	8,[illegible]	8,[illegible]
37. Massachusetts	3,[illegible]	3,[illegible]
38. Maine	[illegible]	[illegible]
39. West Virginia	1,[illegible]	1,[illegible]
40. Oklahoma	2,[illegible]	2,[illegible]
41. Iowa	2,[illegible]	2,[illegible]
42. Colorado	[illegible]	1,[illegible]
43. Montana	[illegible]	[illegible]
44. Wyoming	[illegible]	[illegible]
45. Minnesota	2,[illegible]	3,[illegible]
46. New York	11,[illegible]	12,[illegible]
47. Kansas	1,[illegible]	2,[illegible]
48. North Dakota	[illegible]	[illegible]
49. South Dakota	[illegible]	[illegible]
50. Vermont	2,[illegible]	4,[illegible]
51. Nebraska	1,[illegible]	2,[illegible]
52. Maryland	1,[illegible]	4,[illegible]
53. District of Columbia	[illegible]	[illegible]
Quota		9,[illegible]
Losses		6,[illegible]
Total appointments		110,[illegible]

NOTE.—Number of employees occupying appointed positions who are excluded from the appointment requirements under sec. 3, Rule VII, and the Attorney General's opinion of August 25, 1941 25,757

By direction of the Commission.

[SEAL] L. A. MOYER,
Executive Director and Chief Examiner.

[F R Doc. 43-224; Filed, January 5, 1943; 9:43 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order No. 343]

NORDMARK CORP.

All of the capital stock of Nordmark Corporation and certain indebtedness owing by its subsidiary, Nordmark Chemical Works, Inc.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

(a) Finding that Nordmark Werke G. m. b. h., whose last known address was represented to the undersigned as being Hamburg, Germany, is a national of a designated enemy country (Germany);

(b) Finding that Nordmark Werke G. m. b. h. owns 850 shares of capital stock of Nordmark Corporation, a Delaware corporation, Wilmington, Delaware, which is a business enterprise within the United States and which 850 shares (consisting of 100 shares of $100 par value preferred stock, 250 shares of no par value Class "A" stock, and 500 shares of no par value Class "B" stock) constitute all the outstanding capital stock of said business enterprise and represent ownership thereof, and therefore determining that such business enterprise is a national of the aforesaid designated enemy country (Germany);

(c) Finding that Nordmark Chemical Works, Inc., a New York corporation, New York, New York, is a business enterprise within the United States which is owned or controlled by said Nordmark Corporation and therefore is a national of a designated enemy country (Germany);

(d) Finding, therefore, that all right, title, interest, and claim of any name or nature whatsoever of Nordmark Werke G. m. b. h. in and to all indebtedness, contingent or otherwise, and whether or not matured, owing to it by said Nordmark Chemical Works, Inc., including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness, is an interest in the aforesaid business enterprise held by a national of an enemy country and also is property within the United States owned or controlled by a national of a designated enemy country (Germany);

(e) Determining that to the extent that such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

(f) Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

(g) Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the shares of stock described in subparagraph (b) and the indebtedness described in subparagraph (d), to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on November 7, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F R Doc. 43-237; Filed, January 5, 1943; 9:57 a. m.]

[Vesting Order 479]

ORIENTAL SHOW-YOU COMPANY

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Shinzaburo Mogi and H. I. Ozaki, whose last known addresses were represented to the undersigned as being Japan, are nationals of a designated enemy country (Japan);

2. Finding that said Shinzaburo Mogi and H. I. Ozaki are the respective owners of 132 shares of common, and 20 shares of 7% non-cumulative participating preferred, $100 par value capital stock of Oriental Show-You Company, an Indiana corporation, Columbus City, Indiana, which is a business enterprise within the United States, which shares constitute a substantial part (namely, 39.4% and 7.66%, respectively, of all outstanding shares of common and preferred stock) of the outstanding capital stock of said business enterprise and represent an interest therein;

3. Determining, therefore, that said business enterprise is a national of a designated enemy country (Japan);

4. Determining that to the extent that such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Japan);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the 132 shares of common stock and the 20 shares of preferred stock referred to in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on December 11, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-236; Filed, January 5, 1943; 9:57 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 5 Under MPR 97]

DIXIE LUMBER CO.

CLASSIFICATION AS "TOUGH ASH SPECIALTY ESTABLISHMENT"

Order No. 5 under Maximum Price Regulation No. 97—Southern Hardwood Lumber. Certification of Charleston, South Carolina, yard of Dixie Lumber Company as a "tough ash specialty establishment."

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and § 1382.108 (a) (8) of Maximum Price Regulation No. 97—Southern Hardwood Lumber, *It is hereby ordered:*

(a) The following operation has been approved and certified by the Office of Price Administration as a "tough ash specialty establishment" for the purposes of Maximum Price Regulation No. 97—Southern Hardwood Lumber:

Charleston, South Carolina, yard of Dixie Lumber Company, Inc. of Conway, South Carolina.

(b) This order shall cease to be effective if at any time the above yard handles tough ash lumber supplied from mills owned by Dixie Lumber Company, Inc., or which own Dixie Lumber Company, Inc., or are owned in common with Dixie Lumber Company, Inc.

(c) This Order No. 5 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 5 shall become effective this 5th day of January 1943.

Issued this 4th day of January 1943.

LEON HENDERSON,
Administrator.

[F R Doc. 43-188; Filed, January 4, 1943; 4:21 p. m.]

[Order 129 Under MPR 120]

MINDS COAL MINING CORP.

ORDER GRANTING ADJUSTMENT, ETC.

Order No. 129 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant. In the matter of The Minds Coal Mining Corporation, Protestant—Docket No. 1120-91-P. Granting Adjustment and Denial of Protest Insofar as Relief is Not Granted.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (e) of Maximum Price Regulation No. 120; *It is ordered:*

(a) *Granting adjustment.* (1) Coal in Size Groups 1-10, inclusive, produced at the Golden Ridge No. 6 Mine (Mine Index No. 65), District No. 3, of The Minds Coal Mining Corporation, Ramey, Pennsylvania, may be sold to, and purchased by, all persons (except the New York, New Haven, and Hartford Railroad) for use as railroad fuel at prices per net ton, f. o. b. the mine, not to exceed $2.65 for Size Groups 1-5, $2.50 for Size Group 6, and $2.40 for Size Groups 7-10;

(2) Paragraph (a) of this Order No. 129 may be revoked or amended by the Price Administrator at any time;

(b) *Denial of protest except insofar as relief is granted by this Order No. 129.* The protest filed by the said The Minds Coal Mining Corporation against the provisions of Maximum Price Regulation No. 120 and assigned Docket No. 1120-91-P is hereby denied except insofar as relief is granted in paragraph (a) of this Order No. 129.

(c) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein;

(d) This Order No. 129 shall become effective this 4th day of January 1943.

Issued this 4th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R Doc. 43-205; Filed, January 4, 1943; 4:20 p. m.]

[Order 130 Under MPR 120]

PEABODY COAL CO.

ORDER GRANTING ADJUSTMENT, ETC.

Order No. 130 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 1120-19-P. Granting Adjustment to the Peabody Coal Company and Closing the Protest Docket.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120, *It is ordered:*

(a) *Granting adjustment.* Size Groups 13 and 14 coals produced by Peabody Coal Company, Chicago, Illinois, at its Mine No. 48, Mine Index No. 70, District No. 11, may be sold to and purchased by the Northern Indiana Public Service Company, Michigan City, Indiana, and the Chicago District Electric Generating Corporation, Lake Front, Hammond, Indiana, at prices not to exceed $1.75 per net ton f. o. b. the mine;

(b) *Closing protest docket.* Since the adjustment made by paragraph (a) of this order grants all the relief requested in Docket No. 1120-19-P, said docket is hereby closed;

(c) This Order No. 130 may be revoked or amended by the Price Administrator at any time;

(d) Unless the context otherwise requires, the definitions set forth in § 1340.-208 of Maximum Price Regulation No. 120 shall apply to the terms used herein;

(e) This Order No. 130 shall be effective January 4, 1943.

Issued this 4th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-206; Filed, January 4, 1943; 4:20 p. m.]

[Order 6 Under MPR 152]

MINNESOTA VALLEY CANNING CO.

APPROVAL OF MAXIMUM PRICE

Order No. 6 under Maximum Price Regulation No. 152—Canned Vegetables. Approval of Maximum Prices for Minnesota Valley Canning Company, Le Sueur, Minnesota.

On July 13, 1942, the Minnesota Valley Canning Company filed an application for specific authorization to charge a particular maximum price pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Careful consideration has been given to the information submitted by this Company with respect to the packing in No. 2 tins of Fancy Cream Style Corn of 1942 pack to be sold under the label "Del Maize Brand Cream Style Corn".

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered*, That:

(a) The Minnesota Valley Canning Company may sell, offer to sell, or deliver and any person may buy, offer to buy or receive No. 2 containers of the 1942 pack of Del Maize Brand Cream Style Corn at a price no higher than the maximum price of $1.33 per dozen, delivered.

(b) This Order No. 6 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1341.-30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to terms used herein.

(d) This Order No. 6 shall become effective on January 5, 1943.

Issued this 4th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-193; Filed, January 4, 1943; 4:22 p. m.]

[Order 112 Under MPR 188]

OVERLY MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICE

Order No. 112 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Authorization of a Maximum Price for Certain Architectural Sheet Metal Products Made According to Special Design and Specifications.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and § 1499.158 of Maximum Price Regulation No. 188, *It is hereby ordered*, That:

(a) The Overly Manufacturing Company, Greensburg, Pennsylvania, may sell and deliver, and any person may buy and receive from the Overly Manufacturing Company, the products described in paragraph (b) below at a price determined by the use of the formula outlined under paragraph (c) below.

(b) This Order No. 112 shall cover sheet metal louvers, skylights, metal flashings, ventilators, dust collecting piping, air ducts, ventilating stacks and breechings, metal clad doors and metal door frames, made according to special design or according to specifications supplied by the purchaser, which will not become part of the Overly Manufacturing Company's standard line of products, which were not delivered during March 1942 by the Overly Manufacturing Company and the prices for which cannot be determined upon the basis of prices which the Overly Manufacturing Company had in effect for standard items and for special processing during March 1942.

(c) The maximum price shall be determined by adding a 25 per cent markup to the total of the following:

(1) Cost of materials based on March 1942 prices, but not in excess of maximum prices permitted by any applicable regulation, schedule or order issued by the Office of Price Administration;

(2) Cost of miscellaneous materials such as bolts, screws, rivets, paint, solder, welding rod, hinges, latches and operating devices and accessories thereto based on March 1942 prices, but not in excess of maximum prices permitted by any applicable regulation, schedule or order issued by the Office of Price Administration;

(3) Cost of labor based upon the highest labor rates in effect in the Overly Manufacturing Company's plant during any substantial portion of March 1942 for each class of labor involved, and

(4) Overhead computed at the rate of 120% of the cost of labor.

(d) The maximum prices determined under paragraph (c) above shall be f. o. b. Greensburg, Pennsylvania.

(e) The maximum prices established by this Order No. 112 shall apply only to the manufacture of the articles described in paragraph (b) above, and shall not include the installation thereof. Maximum prices at which the Overly Manufacturing Company may sell such articles on an installed basis shall be determined in accordance with Maximum Price Regulation No. 251.

(f) The Overly Manufacturing Company shall retain in its files and have available for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect the following information:

(1) A description of each article priced in accordance with this order;

(2) The price of each article as determined in accordance with paragraph (c) of this order;

(3) Detailed calculations in determining the price in accordance with paragraph (c) of this order; and

(4) The name and address of the purchaser of each article priced under this order.

(g) The Overly Manufacturing Company shall forward to the Office of Price Administration, Building Materials Branch, Washington, D. C., copies of invoices covering the first fifty articles priced in accordance with this order. Each invoice shall be forwarded within ten days after the contract involving each particular article covered by each such invoice is entered into.

(h) Any price determined under this Order No. 112 shall be subject to adjustment by the Office of Price Administration at any time.

(i) This Order No. 112 may be revoked or amended by the Office of Price Administration at any time.

(j) This Order No. 112 shall become effective on January 5, 1943.

Issued this 4th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-202; Filed, January 4, 1943; 4:16 p. m.]

[Order 113 Under MPR 188]

KEASBEY & MATTISON CO.

APPROVAL OF MAXIMUM PRICE

Order No. 113 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

On October 9, 1942, the Keasbey & Mattison Company, Ambler, Pennsylvania, filed an application with the Office of Price Administration seeking a specific authorization pursuant to § 1499.158 of Maximum Price Regulation No. 188 to determine maximum prices for their "Air Duct Adhesive," a material designed for sealing joints in the fabricating of air ducts using asbestos millboard instead of sheet metal. Due consideration has been given to the application, and an opinion in support of this Order No. 113 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, the following order has been issued:

Authorization of maximum prices for Air Duct Adhesive manufactured and sold by the Keasbey & Mattison Company. (a) The Keasbey & Mattison Company is authorized to sell, deliver and offer for sale, and all persons are authorized to receive or buy from it in the course of trade, Air Duct Adhesive manufactured and sold by the company in fifteen pound containers at prices f. o. b. factory not to exceed $.055 per pound to distributors, $.058 per pound to jobbers, equipment accounts and industrials and $.061 per pound to all other classes of trade.

(b) The prices stated in paragraph (a) above shall be the maximum prices for Air Duct Adhesive manufactured and sold by the Keasbey & Mattison Company. All cash discounts which the Keasbey & Mattison Company has customarily allowed since March 1942, shall be applicable to the sale of Air Duct Adhesive.

(c) The authorization granted to the Keasbey & Mattison Company in paragraph (a) above is subject to the following conditions:

(1) That it shall notify all customers purchasing Air Duct Adhesive from it that the Office of Price Administration has by this order authorized its maximum prices as provided in paragraph (a) above; and

(2) That it shall, on April 15, 1943, submit a detailed manufacturing statement for the month of March 1943, using March 1942 labor and material costs, unless such material costs have been reduced since that time by an order of the Office of Price Administration, and indicating also in such statement the physical production of the product during March 1943.

(d) All prayers in the petition not specifically granted herein are denied.

(e) This Order No. 113 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 113 shall become effective January 5, 1943.

Issued this 4th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-203; Filed, January 4, 1943; 4:17 p. m.]

[Order 114 Under MPR 188]

THE TRANE CO.

APPROVAL OF MAXIMUM PRICE

Order No. 114 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices For Specified Building Materials and Consumers' Goods Other Than Apparel.

Authorization of a Maximum Price of Specially Designed Heat Exchange Equipment.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and § 1499.158 of Maximum Price Regulation No. 188, *It is hereby ordered*, That:

(a) The Trane Company of LaCrosse, Wisconsin, may sell and deliver, and any person may buy and receive from the Trane Company, heat exchange equipment as defined in paragraph (b) below at a list price determined by the use of the formula outlined under paragraph (c) below and subject to the discounts set forth in paragraph (e) below.

(b) The articles covered by this order shall include all items of heat exchange equipment manufactured by Trane Company which are made according to special design and which are not part of, and will not become part of, Trane Company's standard line of products, and which were not delivered or offered for delivery during March 1942 by Trane Company and the prices for which cannot be determined upon the basis of prices which Trane Company had in effect for standard items and for special processing during March 1942.

(c) The list price shall be determined by adding:

(1) Cost of materials based on March 1942 prices, but not in excess of maximum prices permitted by any applicable regulation, schedule or order issued by the Office of Price Administration, to,

(2) Cost of labor based upon labor rates in effect in the Trane Manufacturing Company's plant for any substantial portion of March 1942 for each class of labor involved, to,

(3) Overhead computed at the rate of 1.6 times the cost of labor, and

(4) Multiplying the total of (1), (2) and (3) by the factor 3.6.

(d) The list price determined under paragraph (c) shall be f. o. b. point of manufacture.

(e) The list price determined under paragraph (c) shall be subject to the following discounts:

(1) On sales to distributors successive discounts of 25% and 20% and 20%;

(2) On sales to jobbers successive discounts of 25% and 20% and 10%;

(3) On sales to building contractors and dealers successive discounts of 25% and 20%.

(f) The Trane Company shall retain in its files and have available for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect the following information:

(1) A description of each article priced in accordance with this order;

(2) The list price of each article as determined in accordance with paragraph (c) of this order;

(3) Detailed calculations in determining the list price in accordance with paragraph (c) of this order;

(4) The name and address of the purchaser of each article priced under this order; and

(5) The discounts allowed in each case.

(g) The Trane Company shall forward to the Office of Price Administration, Building Materials Branch, Washington, D. C., copies of invoices covering the first fifty articles priced in accordance with this order. Each invoice shall be forwarded within ten days after the contract involving each particular article covered by each such invoice is entered into.

(h) Any selling price determined under this Order No. 114 shall be subject to adjustment by the Office of Price Administration at any time.

(i) This Order No. 114 may be revoked or amended by the Office of Price Administration at any time.

(j) This Order No. 114 shall become effective on January 5, 1943.

Issued this 4th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-204; Filed, January 4, 1943; 4:21 p. m.]

[Order 30 Under RPS 6]

THE WEST VIRGINIA RAIL COMPANY

ORDER GRANTING EXCEPTION

Order No. 30 under Revised Price Schedule No. 6—Iron and Steel Products—Docket No. 3006-34.

On November 23, 1942, The West Virginia Rail Company, Huntington, West Virginia, filed a petition for exception to Revised Price Schedule No. 6, as amended, pursuant to § 1306.7 (c) thereof. Due consideration has been given to the petition and an opinion in support of this Order No. 30 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration: *It is hereby ordered:*

(a) The maximum prices at which The West Virginia Rail Company may sell and deliver and agree, offer, solicit and attempt to sell and deliver light rails, when such light rails are shipped by it to points outside of its usual market area and where such shipments are not to regular customers on regular business but result from directives, allocations or other orders of the War Production Board, shall be the maximum applicable base prices as otherwise established by Revised Price Schedule No. 6, f. o. b., Huntington, West Virginia.

(b) The provisions of paragraph (a) hereof shall be applicable to all shipments on or after November 23, 1942.

(c) The authorization herein granted to The West Virginia Rail Company is subject to the condition that a monthly report be filed with the Office of Price Administration, stating the amount of shipments which have been made on an f. o. b. Huntington, West Virginia basis, and giving the names and addresses of the purchasers, the destinations of the shipments and a description of the priority rating, allocation or other order identifying such sales made on an f. o. b. Huntington, West Virginia, basis.

(d) This Order No. 30 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 30 shall become effective January 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O 9250, 7 F.R. 7871)

Issued this 4th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-200; Filed, January 4, 1943; 4:21 p. m.]

[Order 31 Under RPS 6]

CONNORS STEEL COMPANY

ORDER GRANTING EXCEPTION

Order No. 31 under Revised Price Schedule No. 6—Iron and Steel Products—Docket No. 3006-33.

On November 18, 1942, Connors Steel Company, Birmingham, Alabama, filed a petition for exception to Revised Price Schedule No. 6, as amended, pursuant to § 1306.7 (c) thereof.

Due consideration has been given to the petition and an opinion in support of this Order No. 31 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration: *It is hereby ordered:*

(a) The maximum prices at which Connors Steel Company may sell and deliver and agree, offer, solicit and attempt to sell and deliver alloy steel bars and ingots, when such alloy steel bars and ingots are shipped by it to destinations outside of the States of Alabama, Mississippi, Louisiana, Georgia, Florida and Tennessee shall be the maximum applicable Pittsburgh base prices, as otherwise established by Revised Price Schedule No. 6, f. o. b. Birmingham, Alabama.

(b) The provisions of paragraph (a) hereof shall be applicable to all shipments made on or after November 18, 1942.

(c) This Order No. 31 may be revoked or amended by the Price Administrator at any time.

(d) The definitions set forth in § 1306.8 of Revised Price Schedule No. 6 shall apply to the terms used herein.

(e) This Order No. 31 shall become effective January 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-201; Filed, January 4, 1943; 4:17 p. m.]

[Order 6 Under RPS 20, as Amended]

ORDER GRANTING EXCEPTION TO STOTTER METAL COMPANY

Order No. 6 under Revised Price Schedule No. 20, as Amended—Copper Scrap and Copper Alloy Scrap.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and § 1309.71 (i) (4) of Revised Price Schedule No. 20, as amended—Copper Scrap and Copper Alloy Scrap; *It is hereby ordered:*

(a) Stotter Metal Company of Cleveland, Ohio, may pay and any person may charge Stotter Metal Company the premiums for No. 1 Copper Wire, No. 1 Tinned Copper Wire, No. 1 Heavy Copper, or No. 2 Copper Wire and Mixed Heavy Copper in briquettes, provided for in § 1309.71 (f) (1) (i) of Revised Price Schedule No. 20, as amended.

(b) The terms used in this Order No. 6 shall have the meaning given to them by Revised Price Schedule No. 20, as amended.

(c) This Order No. 6 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 6 shall become effective January 5, 1943.

Issued this 4th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-189; Filed, January 4, 1943; 4:19 p. m.]

[Order 7 Under RPS 41]

ELECTROCAST STEEL FOUNDRY CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 7 under Revised Price Schedule No. 41—Steel Castings—Docket No. 3041-12.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration; *It is hereby ordered:*

Adjustment of the maximum prices of Electrocast Steel Foundry Company on shipments out of its usual market area

(a) Notwithstanding anything to the contrary contained in Revised Price Schedule No. 41, Electrocast Steel Foundry Company, Cicero, Illinois, in ascertaining the maximum prices which it may charge for steel castings, may add to its maximum prices as otherwise established by Revised Price Schedule No. 41 the lowest applicable railroad charge for the transportation of an identical quantity of steel castings from its foundry in Cicero, Illinois to the consumer's plant or other place of business to the extent that such charge exceeds 6 cents per hundred pounds on shipments of carload quantities and to the extent that such charge exceeds 77 cents on less than carload shipments. Any person may buy and receive steel castings from Electrocast Steel Foundry Company at prices not in excess of maximum prices determined as above.

(b) All prayers of the petition not granted herein are hereby denied.

(c) This Order No. 7 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 7 shall become effective January 5, 1943.

Issued this 4th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-190; Filed, January 4, 1943; 4:18 p. m.]

[Order 11 Under RPS 53]

CUDAHY BROTHERS CO.

ORDER ESTABLISHING MAXIMUM PRICES

Order No. 11 under Revised Price Schedule No. 53—Fats and Oils.

Establishing maximum prices for Cudahy Brothers Company, Cudahy, Wisconsin on its "Snowball" brand of Standard Shortening.

On November 26, 1942 the Cudahy Brothers Company of Cudahy, Wisconsin, filed an application for adjustment of its maximum prices on its "Snowball" brand of "standard shortening", pursuant to § 1351.151 (b) (12) (vii) of Revised Price Schedule No. 53.

Due consideration has been given to the application, and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the Opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, and in accordance with § 1351.151 (b) (12) (vii) of Revised Price Schedule No. 53: *It is hereby ordered:*

(a) The maximum delivered prices of Cudahy Brothers Company's "Snowball" brand of "standard shortening" shall be the following prices:

	North	South	Pacific coast
	Cents	*Cents*	*Cents*
Drums (per pound)	16.25	16.00	16.50

(b) The provisions of § 1351.151 (b) (12) (v) and (viii) of Revised Price Schedule No. 53 shall apply to the maximum prices established by this order for Cudahy Brothers Company's "Snowball" brand of "standard shortening".

(c) This Order No. 11 shall become effective January 5, 1943.

Issued this 4th day of January 1943

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-192; Filed, January 4, 1943; 4:18 p. m.]

[Order 8 Under RPS 88]

D. G. M. OIL CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 8 under § 1340.156 (c) of Revised Price Schedule No. 88—Petroleum and Petroleum Products—Docket No. 3088-106.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

Adjustment of maximum prices for crude petroleum produced and sold by D. G. M. Oil Company. (a) The D. G. M. Oil Company of 510 South Spring Street of Los Angeles, California may sell and deliver, and any person may buy and receive from D. G. M. Oil Company crude petroleum produced from Beverly Hills, California, field at prices not higher than:

The posted prices in effect on October 1, 1941, in the Wilmington, California, field for crude petroleum of like gravity, less 8 cents per barrel.

(b) This Order No. 8 may be revoked or amended by the Price Administrator at any time.

(c) All prayers of the application not granted herein are denied.

(d) Unless the context otherwise required, the definitions set forth in § 1340.157 of Revised Price Schedule No. 88 shall apply to terms used here.

(e) This Order No. 8 shall become effective January 5, 1943.

(Pub. Law No. 421, 77th Cong.)

Issued this 4th day of January 1943

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-191; Filed, January 4, 1943; 4:17 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-637]

ASSOCIATED GAS & ELECTRIC COMPANY ET AL.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 30th day of December 1942.

In the matter of Denis J. Driscoll and Willard L. Thorp, Trustees, Associated Gas and Electric Corporation, The General Utilities Company, The Western Reserve Power and Light Company and The New London Power Company.

A joint declaration having been filed with this Commission pursuant to sections 12 (c), 12 (d), and 12 (f) of the Public Utility Holding Company Act of 1935 and Rules U-42, U-43, and U-44, promulgated thereunder, by Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company, and its subsidiaries, The General Utilities Company and The Western Reserve Power and Light Company, and The New London Power Company, a subsidiary of The Western Reserve Power and Light Company, and an indirect subsidiary of Trustees with respect to the said Trustees' proposing to enter into an agreement regarding the sale of all the properties of the other declarants to the several purchasers hereinafter set forth, and with further respect to the merger and dissolution of the said subsidiaries; and

Appropriate notice having been given and a public hearing on said joint declaration having been duly held, and the Commission having issued and filed its Findings and Opinion herein; and

The Commission having entered its order on December 19, 1942, permitting the said declaration to become effective forthwith; and

The said declarants having filed an amendment to the said declaration on December 26, 1942, requesting that the order of the Commission dated December 19, 1942, be amended as therein indicated; and

It appearing that such amendment is proper and in conformance with the Commission's order of December 19, 1942;

It is hereby ordered, That the sale and conveyance by The General Utilities Company, The Western Reserve Power and Light Company, and The New London Power Company, of the properties specified and itemized below is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935; and

That a specification and itemization of the property to be transferred by The General Utilities Company, The Western Reserve Power and Light Company and The New London Power Company is set forth in Exhibits A-1 to A-10, inclusive, B-1 to B-6, inclusive, C-1, C-2 and D of the form of proposed Agreement to be entered into by and between Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, Debtor, and Hancock-Wood Electric Cooperative, Inc., Paulding-Putnam Electric Cooperative, Inc., North-Central Electric Cooperative, Inc., Tricounty Rural Electric Cooperative, Inc., Midwest Electric, Inc., Lorain-Medina Rural Electric Cooperative, Inc., Holmes Rural Electric Cooperative, Inc., The Village of Lodi, Ohio, and Firelands Electric Cooperative, Inc., which was filed as Exhibit G to the Declaration filed by said Trustees, The General Utilities Company, The Western Reserve Power and Light Company and The New London Power Company with this Commission under File No. 70-637, said Exhibits A-1 to A-10, inclusive, B-1 to B-6, inclusive, C-1, C-2, and D being incorporated herein by reference; and,

It is further ordered, That upon the completion of such sales and conveyances, the following transactions are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935:

1. The exchange, distribution or transfer by The New London Power Company of all its cash, accounts receivable, and other assets (subject to existing liabilities) with or to The Western Reserve Power and Light Company and the exchange or transfer by The Western Reserve Power and Light Company of all of the outstanding capital stock of The New London Power Company (consisting of 400 shares of common capital stock) with or to The New London Power Company.

2. The exchange, distribution or transfer by The Western Reserve Power and Light Company of all its cash, accounts receivable and other assets (subject to existing liabilities) with or to Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation and the exchange or transfer by Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation of all the outstanding capital stock and all claims against The Western Reserve Power and Light Company (consisting of 1,000 shares of common capital stock, a 7% promissory note dated August 15, 1934, payable on demand, in the principal amount of $175,000, and a 6% promissory note dated July 6, 1936, payable on demand, in the principal amount of $25,000) with or to The Western Reserve Power and Light Company.

3. The exchange, distribution or transfer by The General Utilities Company of all its cash, accounts receivable and other assets (subject to existing liabilities) with or to Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation and the exchange or transfer by Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation of all the outstanding capital stock and all claims against The General Utilities Company (consisting of 900 shares of common capital stock, First Mortgage 6½% sinking fund bonds, series "A", due July 1, 1936, in the principal amount of $200,000, a 7% promissory note dated August 15, 1934, payable on demand, in the principal amount of $332,321.88, a 5% promissory note dated October 1, 1936, payable on demand, in the principal amount of $51,271.76, a 7% promissory note dated October 1, 1936, payable on demand, in the principal amount of $159,569.17, a 7% promissory note dated October 1, 1936, payable on demand, in the principal amount of $14,804.74, a 6% promissory note dated March 9, 1936, payable on demand, in the principal amount of $6,000, a 6% promissory note dated May 12, 1936, payable on demand, in the principal amount of $11,000, a 6% promissory note dated August 11, 1936, payable on demand, in the principal amount of $11,000 a 6% promissory note dated August 6, 1937, payable on demand, in the principal amount of $7,258.26, and a 6% promissory note dated August 6, 1937, payable on demand, in the principal amount of $10,000) with or to The General Utilities Company.

It is further ordered, That pursuant to the applicable provisions of the said Act, the said joint declaration, as amended in the manner above set forth, be, and hereby is, permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24 of the General Rules and Regulations.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-233; Filed, January 5, 1943; 10:53 a. m.]

[File No. 70-655]

NORTHERN STATES POWER COMPANY

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 31st day of December, A. D., 1942.

In the matter of Northern States Power Company (Delaware) and Northern States Power Company (Minnesota).

Northern States Power Company (Delaware), a registered holding company, and its subsidiary, Northern States Power Company (Minnesota), also a registered holding company, having filed a joint declaration pursuant to section 12 (b) of the Public Utility Holding Company Act of 1935 and Rule U-45 promulgated thereunder, regarding a proposal that all payments on the principal of the open account indebtedness (which is now in the amount of $7,530,852.08) owing by Northern States Power Company (Delaware) to Northern States Power Company (Minnesota) now due or to become due up to June 30, 1943 be postponed until the latter date because a plan filed by Northern States Power Company (Delaware) pursuant to section 11 (e) of said Act for its liquidation and dissolution, the proceedings on which are still pending, provides for the disposition of said indebtedness primarily by the surrender to Northern States Power Company (Minnesota) of 481,111 shares of the common stock of the last mentioned company (all of which is owned by Northern States Power Company (Delaware)) and for a distribution of the remaining shares of the common stock of Northern States Power Company (Minnesota), among the stockholders of Northern States Power Company (Delaware), and because a reduction in the indebtedness would necessitate an alteration in the allocations proposed by the plan and serve no useful purpose; Northern States Power Company (Minnesota) agrees that, if said joint declaration is permitted to become effective, it will

pending the consummation of the plan and until June 30, 1943, or the date of such consummation (whichever shall be earlier) segregate on its books $345,650.18 (the balance of the payment on such indebtedness due for the year 1942) of its earned surplus as not being available for the declaration of dividends on its common stock; declarants further request that Northern States Power Company (Minnesota) be permitted to waive all interest due on said indebtedness for the period from December 31, 1942, to June 30, 1943;

Said joint declaration having been filed on December 21, 1942, and notice of said filing having been duly given in the manner and form prescribed by Rule U-23 under said Act and the Commission not having received a request for hearing with respect to said declaration within the period specified within such notice, or otherwise, and not having ordered a hearing thereon; and

The Commisison finding that all applicable statutory requirements are met and deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions and subject to the terms and conditions prescribed in Rule U-24 and to the agreement with respect to earned surplus set forth in said joint declaration, that the said declaration be and the same is hereby permitted to become effective forthwith: *Provided, however*, That nothing contained in this order shall be construed as constituting a determination by us of the propriety of the disposition of the open account indebtedness as proposed in the aforementioned plan.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-230; Filed, January 5, 1943; 10:53 a. m.]

PETROLEUM INFORMATION SERVICE, INC.

FINDINGS AND ORDER REVOKING REGISTRATION AS AN INVESTMENT ADVISER

In the matter of Petroleum Information Service, Inc., 11 East 44th Street, New York, New York.

1. Petroleum Information Service, Inc., a New York Corporation, hereinafter called registrant, is registered with this Commission as an investment adviser under section 203 (c) of the Investment Advisers Act of 1940. Since December 15, 1940, William E. Housel has been president, a director, and controlling person of registrant. On March 26, 1942, the Commission revoked the registration of Housel as a broker and dealer, having found that he had willfully violated the provisions of section 17 (a) of the Securities Act of 1933, section 15 (c) (1) of the Securities Exchange Act of 1934 and Rule X-15C1-2 thereunder.

2. On August 24, 1942 we instituted proceedings under sections 203 (d) [1] and 203 (g),[2] respectively, of the Act to determine whether registrant's registration as an investment adviser should be suspended, revoked, or cancelled. The order for proceedings stated that information had been reported to the Commission by members of its staff which, if true, tended to show that:

(a) Housel is permanently enjoined by an order of the Supreme Court of the State of New York, in and for the County of New York, entered on February 19, 1942, from engaging in certain conduct and practices in connection with the purchase and sale of securities; and

(b) Registrant has been dissolved in accordance with the laws of the State of New York and is no longer engaged in business as an investment adviser.

3. After appropriate notice, a hearing was held before the trial examiner on September 2, 1942. The registrant did not appear in person or by counsel.

The record shows, and we find that an injunction was entered against William E. Housel, president of the registrant, at Special Term, Part 2, of the Supreme Court of the State of New York held in the County of New York on February 17, 1942. By judgment of said court Housel was "permanently enjoined and restrained from the issuance of, offering for sale, sale, promotion, negotiation, advertisement and distribution, within and from the State of New York, of any stocks, bonds, notes, evidences of interest or indebtedness, including oil and mineral deeds or leases or any interest therein sold or transferred in whole or in part to the purchaser, where the same do not effect a transfer of the title in fee to the land or other securities, issued, and which may hereafter be issued, of any person, partnership, corporation, company, trust or association, and from any act in aid or furtherance of the same;"

It further appears and we find that registrant has been dissolved and is no longer engaged in business as an investment adviser. It does not appear from the record whether or not the dissolution may be set aside under state law and the registrant thereby regain its corporate status.

4. Because of the nature of the injunction issued against registrant's chief officer and controlling person and in the absence of any proffer of mitigating circumstances, we find that revocation of registrant's registration as an investment adviser is in the public interest. Accordingly,

It is ordered, Pursuant to section 203 (d) of the Investment Advisers Act of 1940, that the registration of Petroleum Information Service, Inc., as an investment adviser, be and it hereby is revoked.

By the Commission (Chairman Purcell and Commissioners Healy, Burke, and O'Brien), Commissioner Pike being absent and not participating.

[SEAL] ORVAL L. DUBOIS,
Secretary.

JANUARY 2, 1943.

[F. R. Doc. 43-231; Filed, January 5, 1943; 10:53 a. m.]

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[1] Section 203 (d) provides that "the Commission after hearing may by order * * * revoke or suspend the registration of an applicant under this section, if the Commission finds that such * * * revocation, or suspension is in the public interest and that such investment adviser or any partner, officer, director, person performing similar function, or controlling person thereof—

(1) within ten years of the issuance of such order, has been convicted of any felony or misdemeanor involving the purchase or sale of any security or arising out of any conduct or practice of such investment adviser or affiliated person as an investment adviser, underwriter, broker, or dealer, or as an affiliated person or employee of any investment company, bank, or insurance company;

(2) at the time of the issuance of such order, is permanently or temporarily enjoined by order, judgment, or decree of any court of competent jurisdiction from acting as an investment adviser, underwriter, broker, or dealer, or as an affiliated person or employee of any investment company, bank, or insurance company, or from engaging in or continuing any conduct or practice in connection with any such activity or in connection with the purchase or sale of any security.

(3) has violated the provisions of section 207 of this title."

[2] Section 203 (g) provides with reference to cancellation proceedings that "If the Commission finds that any person registered under this section, or who has pending an application for registration filed under this section, is no longer in business or is not engaged in business as an investment adviser, the Commission shall by order cancel the registration of such person."

[File Nos. 54-65, 59-6, 70-658]

THE UNITED GAS IMPROVEMENT COMPANY, ET AL.

NOTICE OF FILING AND ORDER FOR HEARING AND CONSOLIDATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 2nd day of January, 1943.

In the matters of The United Gas Improvement Company, applicant, The United Gas Improvement Company and subsidiary companies, respondents and Philadelphia Electric Company and The United Gas Improvement Company, applicants and declarants.

Notice is hereby given that a joint declaration or application (or both), pursuant to the Public Utility Holding Company Act of 1935, has been filed by The United Gas Improvement Company, a registered holding company, and Philadelphia Electric Company, a subsidiary of The United Gas Improvement Company.

All interested persons are referred to said document, which is on file in the office of the Commission, for a full statement of the action proposed, which may be summarized as follows:

Philadelphia Electric Company proposes to change its 15,000,000 authorized shares of common stock into 2,369,076 shares of $1 Dividend Preference Common Stock and 12,630,924 shares of Common Stock, both without nominal or par value, and to change its outstanding 10,529,230 shares of Common Stock into shares of said $1 Dividend Preference Common Stock and new Common Stock on the basis of 1 share of its outstanding Common Stock for 9 40th of a share of the new $1 Dividend Stock and 31 40th of a share of the new Common Stock (non-voting Scrip in bearer form to be issued for fractional shares). The United Gas Improvement Company owns approximately 97% of the outstanding common stock of Philadelphia Electric; The United Gas Improvement Company will dispose of substantially all of the shares of $1 Dividend Preference Common Stock and of the new Common Stock of Philadelphia Electric to be acquired in exchange for its present holding of common stock as follows: The $1 Dividend Preference Common Shares, plus cash, will be exchanged for the outstanding preferred stock of The United Gas Improvement Company and the new Common Stock of Philadelphia Electric will be distributed to the common stockholders of The United Gas Improvement Company as a partial distribution of capital.

The shares of the new $1 Dividend Preference Common Stock of Philadelphia Electric Company are to have preference over its new Common Stock as to and be limited to dividends of $1 per annum payable in quarterly installments, and no dividends shall be payable on the Common Stock unless and until all dividends on the $1 Dividend Preference Common Stock have been paid for all past quarterly dividend periods. Each share of the $1 Dividend Preference Common Stock will be convertible at the option of the holder into 1 share of the new Common Stock of Philadelphia Electric Company during the first 3 years following the effective date of the recapitalization plan of Philadelphia Electric, $\frac{7}{8}$th of a share thereof during the succeeding 3 years, $\frac{3}{4}$th of a share thereof during the succeeding 3 years, and $\frac{2}{3}$rd of a share thereof during the succeeding 3 years. Thus, a maximum of 2,369,076 shares of new Common Stock may be issued, in conversion of outstanding shares of $1 Dividend Preference Common Stock. After the 12-year period the conversion privilege will terminate. The $1 Dividend Preference Common Stock is to have no preemptive rights to subscribe to additional shares of any class of Philadelphia Electric capital stock but in all other respects shall have the same voting and other rights, excepting as aforesaid, as the new Philadelphia Electric Common Stock; *Provided, however*, That Philadelphia Electric Company may not be voluntarily liquidated and its business wound up (not including a merger, consolidation or sale of substantially all its property) without the consent of the holders of at least a majority of the outstanding shares of $1 Dividend Preference Common Stock of Philadelphia Electric Company. The present stated value of $137,816,005 now applicable to the outstanding Common Stock of Philadelphia Electric Company will remain unchanged so that the same aggregate amount will be applicable to the $1 Dividend Preference Common Stock and new Common Stock of Philadelphia Electric Company.

The applicants and declarants consider that sections 6 (a), 7, 9 (a) (1), 10, 12 (c), 12 (d) of the Act and Rules U-23, U-24, U-43, U-44 promulgated thereunder are applicable to the proposed transactions and request a finding under paragraph (a) (5) of Rule U-50 exempting the proposed issue and sale by Philadelphia Electric Company of the new stocks from the competitive bidding requirements of Rule U-50.

It appearing to the Commission that it is appropriate in the public interest and the interests of investors and consumers that a hearing be held with respect to said declarations and applications and that said declarations shall not become effective or said applications be granted except pursuant to further order of the Commission; and

It further appearing to the Commission that the proceedings consolidated by the Commission's order of December 24, 1942 in respect of the above-mentioned plan filed by The United Gas Improvement Company pursuant to section 11 (e) of the Act (File No. 54-65) and in respect of the pending proceedings under section 11 (b) (1) of the Act (File No. 59-6); and the matters concerned in the declarations or applications referred to above are related and involve common questions of law and fact and should be consolidated for hearing and for consideration and disposition by the Commission;

It is hereby ordered, That said consolidated proceedings and said declarations or applications be, and the same hereby are, consolidated for hearing and for consideration and disposition by the Commission.

It is further ordered, That a hearing on such matters, under the applicable provisions of the Act and the Rules promulgated thereunder, be held on the 19th day of January 1943 at 10 a. m. in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated at such time by the hearing-room clerk in Room 318.

It is further ordered, That Richard Townsend, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all the powers granted to the Commission under section 18 (c) of said Act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered, That, without limiting the scope of the issues presented in the consolidated proceeding, particular attention will be directed at the hearing, in addition to the matters specified in our Notice with respect to the plan of U. G. I. (Holding Company Act Release No. 4011, Dec. 24, 1942) to the following matters and questions:

1. Whether the proposed issuance of securities is exempt under section 6 (b) of the Act from the requirements of section 7 and if so, what conditions, if any, should be imposed; if not exempt under section 6 (b), whether the applicable standards of section 7 are met;

2. Whether the proposed acquisition of securities meets the applicable provisions of section 10 of the Act;

3. The appropriateness, in the public interest and for the protection of investors and consumers, of exempting the proposed issue and sale of securities from the competitive bidding requirements of Rule U-50;

4. Whether the fees, expenses and other considerations to be paid or received, directly or indirectly, in connection with the proposed action and the transactions incidental thereto are for necesssary services or purposes, reasonable in amount and properly allocated.

5. Whether, in any respect, the proposed transactions are detrimental to the public interest or the interests of investors or consumers or will tend to circumvent any provisions of the Act or any of the Rules, Regulations or Orders thereunder;

6. Whether, and to what extent, it is necessary or appropriate in the public interest or for the protection of investors and consumers to impose terms and conditions in respect of the proposed transactions.

Notice is hereby given of said hearing to the above-named declarants and applicants, and to all interested persons; said notice to be given to said declarants and applicants by registered mail, and to all other persons by publication in the FEDERAL REGISTER. It is requested that any person desiring to be heard in this proceeding shall file with the Secretary of this Commission, on or before January 15, 1943, an appropriate request or application to be heard, as provided by Rule XVII of the Commission's Rules of Practice.

It is further ordered, That jurisdiction be and is hereby reserved to separate, whether for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters hereinbefore set forth or which may arise in this proceeding, or to consolidate with these proceedings other filings or matters pertaining to said plan or to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-234; Filed, January 5, 1943; 10:54 a. m.]

WAR PRODUCTION BOARD.

Director General for Operations.

[Preference Rating Order P-19-a, Serial 981-A]

U. S. BUREAU OF RECLAMATION, DENVER, COLO.

REVOCATION OF PREFERENCE RATINGS

Name and address of builder: U. S. Bureau of Reclamation, Denver, Colorado.

The authority to continue construction on certain portions of the project rated

by the above serially numbered preference rating order, heretofore granted by a telegram from the undersigned, dated November 13, 1942, is hereby revoked. The revocation, dated October 27, 1942, of said serially numbered preference rating order shall hereafter have full force and effect except in the following respects:

1. Pursuant to paragraph (3) of the revocation, dated October 27, 1942, permission is hereby granted to perform and permit the performance of further construction on the project described therein solely for purposes of safety or health or to avoid undue damage or deterioration of materials at the site.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 4, 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-180; Filed, January 4, 1943; 12:21 p. m.]

[Preference Rating Order P-19-a, Serial 3748]

U. S. BUREAU OF RECLAMATION, DENVER, COLO.

REVOCATION OF PREFERENCE RATING

Name and address of builder: U. S. Bureau of Reclamation, Denver, Colorado.

The authority to continue construction on certain portions of the project rated by the above serially numbered preference rating order, heretofore granted by a telegram from the undersigned, dated November 13, 1942, is hereby revoked. The revocation, dated October 27, 1942, of said serially numbered preference rating order shall hereafter have full force and effect except in the following respects:

(1) Notwithstanding the provision of paragraph (3) of said revocation, dated October 27, 1942, the builder may perform and permit the performance of further construction on said project (such as the paving of the railroad fill, and the relocation of some roads, exclusive, however, of construction and the Lincoln County Road running south from a point near Miles, Washington for a distance of approximately fourteen (14) miles, the total cost of which further construction shall not exceed $100,000. Notwithstanding paragraph (4) of the revocation, dated October 27, 1942, the builder may accept deliveries and the suppliers may make deliveries of such materials necessary, in addition to those materials already at the site, for such further construction. In order to acquire such materials, the preference rating assigned by the above serially numbered preference rating order is hereby restored pursuant to paragraph (6) of the revocation dated October 27, 1942.

2. Pursuant to paragraph (3) of the revocation, dated October 27, 1942, permission is hereby granted to perform and permit the performance of further construction on the project described therein solely for purposes of safety or health or to avoid undue damage or deterioration of materials at the site.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 4, 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-181; Filed, January 4, 1943; 12:21 p. m.]

[Preference Rating Order P-19-a, Serial 982-A]

U. S. BUREAU OF RECLAMATION, DENVER, COLO.

REVOCATION OF PREFERENCE RATING

Name and address of builder: U. S. Bureau of Reclamation, Denver, Colorado.

The authority to continue construction on certain portions of the project rated by the above serially numbered preference rating order, heretofore granted by a telegram from the undersigned, dated November 13, 1942, is hereby revoked. The revocation, dated October 27, 1942, of said serially numbered preference rating order shall hereafter have full force and effect except in the following respects:

1. Pursuant to paragraph (3) of the revocation, dated October 27, 1942, permission is hereby granted to perform and permit the performance of further construction on the project described therein solely for purposes of safety or health or to avoid undue damage or deterioration of materials at the site.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 4, 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-179; Filed, January 4, 1943; 12:21 p. m.]

[Preference Rating Order P-19-a, Serial 36-A]

U. S. BUREAU OF RECLAMATION, DENVER, COLO.

REVOCATION OF PREFERENCE RATING

Name and address of builder: U. S. Bureau of Reclamation, Denver, Colorado.

The authority to continue construction on certain portions of the project rated by the above serially numbered preference rating order, heretofore granted by a telegram from the undersigned, dated November 13, 1942, is hereby revoked. The revocation, dated October 27, 1942, of said serially numbered preference rating order shall hereafter have full force and effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 4, 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-182; Filed, January 4, 1943; 12:21 p. m.]

[Preference Rating Order P-19-a, Serial 1775-A]

CONSOLIDATED BUILDERS, INC., MASON CITY, WASH.

REVOCATION OF PREFERENCE RATING

Name and address of builder: Consolidated Builders, Inc., Mason City, Washington.

The authority to continue construction on certain portions of the project rated by the above serially numbered preference rating order, heretofore granted by a telegram from the undersigned, dated November 13, 1942, is hereby revoked. The revocation, dated October 27, 1942, of said serially numbered preference rating order shall hereafter have full force and effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 4, 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-183; Filed, January 4, 1943; 12:22 p. m.]

[Preference Rating Order P-19-a, Serial 983-A]

U. S. BUREAU OF RECLAMATION, DENVER, COLO.

REVOCATION OF PREFERENCE RATING

Name and address of builder: U. S. Department of Interior, Bureau of Reclamation, Denver, Colorado. Name and location of project: Central Valley Project, California, Keswick Dam.

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of metals, lumber and other materials used in construction, for defense, for private account and for export, and of construction machinery and other facilities used in construction; and the following order is deemed necessary and appropriate to the public interest and to promote the national defense: *It is therefore ordered:*

1. *Revocation of ratings.* Preference Rating Order P-19-a, Serial No. 983-A, is heretofore issued and assigned under date of August 29, 1942 to deliveries to the above-named builder and to deliveries to his suppliers, is hereby revoked except for such deliveries of materials necessary for permitted further construction as hereinafter defined in paragraph (3). All preference rating certificates of any character heretofore issued to the builder or to any of his suppliers are hereby revoked, insofar as they apply to purchase orders or contracts for materials to be incorporated in or used upon the above project described (hereinafter referred to as "the project"), except for such deliveries of materials necessary for permitted further construction as hereinafter defined in paragraph (3).

2. *Effect of revocation.* This revocation shall apply to ratings heretofore applied and extended as well as to ratings which have not yet been applied or extended, except with respect to rated orders and contracts which have been completely filled, shall have the status of unrated orders or contracts.

3. *Prohibition of contruction.* The builder shall neither perform nor permit the performance of any further construction or installation on the project described above except for permitted further construction being:

(a) The completion of the spillway bridge and the fishtrap structure;

(b) The placing of approximately 3,500 cubic yards of concrete to raise the low blocks in the spillway structure about seven feet;

(c) The placing of approximately 23,000 cubic yards of concrete in the three blocks of the dam containing the power penstocks, to raise them to elevation 555;

(d) The construction of timber bulkheads for the protection of the power house;

(e) Other construction solely for purposes of safety or health or to avoid undue damage to or deterioration of materials: *Provided*, That temporary measures shall be utilized to the fullest extent practicable.

4. *Prohibition of deliveries of material.* Neither the builder nor any supplier, shall deliver or accept delivery of any further materials to be used in connection with the construction of or any installation on the project except material necessary for permitted further construction hereinbefore defined. This paragraph shall not, however, prohibit the delivery to their immediate destination of any materials which are now in transit, or the acceptance of any such delivery.

5. *Reports.* The builder shall file with the War Production Board Materials Redistribution Branch, such reports as may be required by the Director General for Operations.

6. *Notice to suppliers.* The builder shall promptly advise its suppliers of the terms of this order, and each supplier shall in turn notify his suppliers.

7. *Application for exception.* The builder or any supplier who considers that compliance with this order would work an exceptional and unreasonable hardship upon him may apply to the Director General for Operations for an exception, setting forth the pertinent facts and the reasons why he considers he is entitled to the relief requested. The Director General for Operations may thereupon take such action as he deems appropriate, including the restoration or temporary restoration of any rating herein revoked. Applications for exception under this paragraph shall be addressed to the War Production Board, Ref. P-19, Washington, D. C.

8. *Effect on prior orders.* This order supersedes all previous orders and directives of the War Production Board relative to the project.

9. *Communications.* Communications concerning this revocation shall be addressed to the War Production Board, Ref. P-19, Washington, D. C.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 4, 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-184; Filed, January 4, 1943; 12:22 p. m.]

[Preference Rating Order P-19-a, Serial 984-A]

U. S. BUREAU OF RECLAMATION, DENVER, COLO.

REVOCATION OF PREFERENCE RATING

Name and address builder: U. S. Department of Interior, Bureau of Reclamation, Denver, Colorado. Name and location of project: Boise Project, Idaho, Anderson Ranch Dam.

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of metals, lumber and other materials used in construction, for defense, for private account and for export, and of construction machinery and other facilities used in construction; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense: *It is therefore ordered:*

1. *Revocation of ratings.* Preference Rating Order P-19-a, Serial No. 984-A, heretofore issued and assigned under date of August 27, 1942 to deliveries to the above-named builder and to deliveries to his suppliers, is hereby revoked except for such deliveries of materials necessary for permitted further construction as hereinafter defined in paragraph (3). All preference rating certificates of any character heretofore issued to the builder or to any of his suppliers are hereby revoked, insofar as they apply to purchase orders or contracts for materials to be incorporated in or used upon the above project described (hereinafter referred to as "the project"), except for such deliveries of materials necessary for permitted further construction as hereinafter defined in paragraph (3).

2. *Effect of revocation.* This revocation shall apply to ratings heretofore applied and extended as well as to ratings which have not yet been applied or extended, except with respect to rated orders and contracts which have been filled completely. For the purpose of extension by suppliers, as well as for the purpose of original application by the builder of any such rating, all purchase orders and contracts so rated, except orders or contracts which have been completely filled, shall have the status of unrated orders or contracts.

3. *Prohibition of construction.* The builder shall neither perform nor permit the performance of any further construction or installation on the project described above except for permitted further construction being:

(a) The placing of about 1,600 cubic yards of reinforced concrete at the inlet portal of the diversion tunnel;

(b) The backfilling of the cut-off trench;

(c) The removal of material from the left abutment to the minimum extent necessary to protect the inlet or outlet of the diversion tunnel against stoppage.

(d) Other construction solely for purposes of safety or health or to avoid undue damage to or deterioration of materials, already incorporated.

4. *Prohibition of deliveries of material.* Neither the builder nor any supplier, shall deliver or accept delivery of any further materials to be used in connection with the construction of or any installation on the project except material necessary for permitted further construction hereinbefore defined. This paragraph shall not, however, prohibit the delivery to their immediate destination of any materials which are now in transit, or the acceptance of any such delivery.

5. *Reports.* The builder shall file with the War Production Board, Materials Redistribution Branch, such reports as may be required by the Director General for Operations.

6. *Notice to suppliers.* The builder shall promptly advise its suppliers of the terms of this order, and each supplier shall in turn notify his suppliers.

7. *Application for exception.* The builder or any supplier who considers that compliance with this order would work an exceptional and unreasonable hardship upon him may apply to the Director General for Operations for an exception, setting forth the pertinent facts and the reasons why he considers he is entitled to the relief requested. The Director General for Operations may thereupon take such action as he deems appropriate, including the restoration or temporary restoration or of any rating herein revoked. Applications for exception under this paragraph shall be addressed to the War Production Board, Ref. P-19, Washington, D. C.

8. *Effect on prior orders.* This order supersedes all previous orders and directives of the War Production Board relative to the project.

9. *Communications.* Communications concerning this revocation shall be addressed to the War Production Board, Ref. P-19, Washington, D. C.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 4, 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-185; Filed, January 4, 1943; 12:22 p. m.]

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FEDERAL REGISTER

VOLUME 8 NUMBER 4

Washington, Thursday, January 7, 1943

Regulations

TITLE 7—AGRICULTURE

Chapter XI—Food Distribution Administration

[Food Distribution Order 2]

PART 1401—DAIRY PRODUCTS

PRODUCERS AND AUTHORIZED RECEIVERS OF BUTTER REQUIRED TO SET ASIDE BUTTER

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to assure an adequate supply and efficient distribution of butter to meet war and civilian needs, *It is hereby ordered as follows:*

§ 1401.11 *Butter, required to be set aside*—(a) *Definitions.* When used in this regulation, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "butter" means the food product usually known as butter and which is made exclusively from milk or cream, or both, with or without common salt, and with or without additional coloring matter, and containing not less than 80 percent by weight of milk fat, all tolerances having been allowed.

(2) The term "person" means any individual, partnership, corporation, association, or other business entity.

(3) The term "receiver" means any person who has facilities or access to facilities which enable him to receive, store, and ship butter in carload lots and who customarily ships butter in carload lots.

(4) The term "authorized receiver" means any receiver who holds a letter of authority, issued by the Director, to receive butter set aside pursuant to the provisions hereof.

(5) The term "Director" means the Director of Food Distribution Administration, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(b) *Restrictions on producers or authorized receivers of butter.* (1) Every person who has produced more than 12,000 pounds of butter in any calendar month of 1942 or in January 1943 shall set aside and hold for delivery to the Food Distribution Administration (including, but not being limited to, the Federal Surplus Commodities Corporation), Army, Navy, Marine Corps, Coast Guard, or any other governmental agency designated by the Director, at least 30 percent of all butter produced by such person during February 1943 and each subsequent month, regardless of the quantity produced by him during and after February 1943; and every person who has not produced more than 12,000 pounds of butter in any calendar month of 1942 or in January 1943 but who produces more than 12,000 pounds of butter during February 1943 or any subsequent month shall thereafter each month set aside and hold for delivery to such agencies at least 30 percent of all butter produced by him regardless of the quantity produced by him.

(2) Notwithstanding the restrictions of paragraph (b) (1) hereof, any person required by the provisions of said (b) (1) to set aside butter may, at his option, sell or deliver all or part of the butter, set aside pursuant to the provisions hereof, to any authorized receiver who agrees to set aside, out of the butter in his possession or control, a quantity of butter equal to the quantity of such set aside butter received by him, and such authorized receiver shall so set aside such quantity of butter. Each person delivering or shipping butter to an authorized receiver shall deliver to such authorized receiver a certificate, in duplicate, in substantially the following language (with the appropriate information inserted in the blank spaces):

This is to certify that of the _____ pounds of butter shipped or delivered on _____, _____ pounds are butter set aside pursuant to the provisions of Food Distribution Order No. 2, issued by the Secretary of Agriculture of the United States on _____, 19__; and such amount of butter thus set aside is required to be set aside by you pursuant to the provisions of said order. The balance, _____ pounds, is butter free from the restrictions of said order.

_____
(Signature of Producer)

(Continued on next page)

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FEDERAL REGISTER

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This will acknowledge receipt of the above indicated quantity of butter set aside pursuant to said order.

(Signature of Authorized Receiver)

The aforesaid certificate shall be signed in duplicate by the authorized receiver who shall return one copy to the producer who delivered or shipped the butter and shall retain the original for one year after the date of receipt thereof.

(3) All butter set aside pursuant to the provisions hereof shall be stored under the same conditions of storage customarily observed to maintain the quality of such butter, and all such butter shall be salted unless the producer arranges with an authorized receiver to deliver unsalted butter to such receiver who will set aside an equivalent quantity of salted butter, or unless the producer or authorized receiver arranges with the agency or agencies, for whom the butter is set aside, to deliver unsalted butter to such agency or agencies.

(4) Any receiver who desires to become an authorized receiver shall file with the Director an application, upon a form approved by the Director, setting forth the information requested in said form of application. Thereupon, the Director shall consider such application and issue a letter of authority if, in the opinion of the Director, the issuance of such letter of authority will tend to effectuate the purposes of this order. Any letter of authority may be revoked at any time by the Director. No person shall represent himself to be an authorized receiver unless he holds a letter of authority duly issued by the Director pursuant to the provisions hereof. No person other than an authorized receiver shall receive or, after receipt, deal in butter set aside pursuant to the provisions hereof.

(5) If no governmental unit or agency specified in the provisions in (b) (1) hereof has contracted for, or declared its intention or desire to contract for, any portion of set aside butter, within 30 days after the end of the month in which such set aside butter was required to be set aside by the manufacturer thereof, such portion of the butter thus set aside is released from the restrictions of the provisions in (b) (1) and (2) hereof. Quantities set aside pursuant to the provisions hereof may also be released by notice to that effect from the Director.

(6) The restrictions hereof shall be observed without regard to the rights of creditors, existing contracts or payments made. This order shall not, however, be construed as reducing the amount of butter which any person is required to offer or deliver, under existing contracts or contracts subsequently entered into with any governmental agency, to any governmental agency specified in or pursuant to the provisions in (b) (1) hereof.

(c) *Records and reports.* Each person producing more than 1,000 pounds of butter a month, each authorized receiver, and every other person to whom this order applies shall maintain such records for such periods of time, and shall execute and file such reports and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe.

(d) *Audits and inspections.* Every producer of butter, authorized receiver, or any other person to whom this order applies shall permit inspections of his stocks of butter and premises used for the manufacture or storage of butter, and of his books, records, and accounts by the Director or any person designated by him.

(e) *Territorial scope.* Any producer of butter or authorized receiver doing business in one or more of the forty-eight States or the District of Columbia is subject to the provisions hereof, but the provisions hereof shall not apply to any person doing business exclusively in any Territory or Possession of the United States.

(f) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth, in said petition, all pertinent facts and the reasons for such petition being approved. The Director may thereupon take such action as he deems appropriate, and such decision by the Director shall be final.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control, and may be deprived of priority assistance.

(h) *Communications to Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C. Ref: FD–2.

(i) *Delegation of authority.* The Director of Food Distribution is hereby designated to administer the provisions hereof.

(j) *Effective date.* This order shall be effective as of 12:01 a. m., e. w. t., February 1, 1943.

(E.O. 9280, 7 F.R. 10179)

Issued this 5th day of January 1943.

[SEAL] CLAUDE R. WICKARD, *Secretary of Agriculture.*

[F. R. Doc. 43–295; Filed, January 6, 1943; 11:07 a. m.]

[Food Distribution Order 3]

PART 1405—FRUITS AND VEGETABLES

RESTRICTIONS ON MANUFACTURE AND SALE OF CITRUS FRUIT JUICE

Pursuant to authority vested in me by Executive Order No. 9280, issued December 5, 1942, and in order to assure an adequate supply and efficient distribution of citrus fruit juice, *It is hereby ordered as follows:*

§ 1405.1 *Citrus fruit juice*—(a) *Definitions.* For the purposes of this order:

(1) "Single-strength juice" means the natural juice as extracted from oranges and lemons, sweetened or unsweetened, or any combination of such natural juice with any other citrus juice, packed in any closed container suitable for storage or shipment.

(2) "Concentrated juice" means the juice extracted from oranges, grapefruit, or lemons, treated and processed in such manner as to increase the density to more than 20 degrees Brix at 20 degrees Centigrade.

(3) "Canned grapefruit juice" means the natural juice as extracted from grapefruit, sweetened or unsweetened, packed in any closed container suitable for storage or shipment.

(4) "Government war contracts" means sales contracts of any type entered into between a manufacturer directly, or indirectly through third parties, and a Government agency.

(5) "Person" shall include a person, firm, corporation, association, or any other business unit.

(6) "Processor" means any person in the business of extracting juice from fresh oranges, grapefruit, or lemons for processing and packing for shipment as single-strength or concentrated juice, or as canned grapefruit juice.

(7) "Director" means the Director, Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(8) "Government agency" or "Government agencies" means and includes the Army, Navy, Marine Corps, Coast Guard, War Shipping Administration, United States Maritime Commission, or any agency of the United States purchasing supplies for the foregoing, for the American Red Cross, or for delivery to or for the account of the government of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(9) "Deliver" or "delivery" means delivery pursuant to a contract of sale.

(b) *Restrictions on production, sale, and delivery of citrus fruit juice.* (1) On and after January 9, 1943, without regard to existing contracts, no processor shall produce any concentrated juice other than concentrated juice meeting the specifications prescribed either by the procurement division of any Government agency or by a Government war contract with such processor.

(2) Without regard to existing contracts, no processor shall sell or deliver, and no State or Federal Government agency and no person shall buy or receive any concentrated juice produced after January 9, 1943, except pursuant to a Government war contract.

(3) Without regard to existing contracts, on or after January 9, 1943, no processor shall produce any single-strength juice, except pursuant to a Government war contract: *Provided,* That single-strength juice may be produced in the quantity specified in and subject to the restrictions of War Production Board Conservation Order M–86 and supplements thereto, as amended.

(4) Without regard to existing contracts, during the period beginning January 6, 1943, and ending March 31, 1943, no processor shall sell or deliver, and no State or Federal Government agency and no person shall buy or receive other than for transportation or storage from any processor any canned grapefruit juice, except pursuant to a Government war contract.

(c) *Records and reports.* All persons affected by this order shall maintain such records for such periods of time, and shall execute and file such reports and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe.

(d) *Audits and inspections.* Every processor and any other person to whom this order applies shall permit inspections of his stocks of single-strength and concentrated juice and canned grapefruit juice, of his premises used for the manufacture or storage of single-strength or concentrated juice or canned grapefruit juice, and of his books, records, and accounts by the Director.

(e) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth, in said petition, all pertinent facts and the reasons for such petition being approved. The Director may, upon the basis of such application and other information, take such action as he deems appropriate, and such decision by the Director shall be final.

(f) *Violations.* Any person who wilfully violates any provision of this order or, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(g) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the United States Department of Agriculture, Food Distribution Administration, Washington, D. C., Ref: FD 4.

(h) *Delegation of authority.* The Director is hereby designated to administer the provisions hereof.

(i) *Effective date.* This order shall be effective on January 6, 1943.

(E.O. 9280, 7 F.R. 10179)

Issued this 5th day of January 1943.

[SEAL] CLAUDE R. WICKARD, *Secretary of Agriculture.*

[F. R. Doc. 43–294; Filed, January 6, 1943; 11:07 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter I—Aid of Civil Authorities and Public Relations

PART 5—SAFEGUARDING TECHNICAL INFORMATION

PHOTOGRAPHS, SKETCHES, ETC., OF MILITARY ACTIVITIES

Section 5.27 is hereby added as follows:

§ 5.27 *Photographs, sketches, etc., of military activities.* The following instructions will govern regarding the taking of photographs and making of sketches or other representations of military subjects, and will apply as well to officers, enlisted men, and civilian personnel of the War Department:

(a) No cameras or photographic equipment of any type will be permitted on any installation, post, camp, station, or military reservation without the express permission of the commanding officer of that installation, post, camp, station, or military reservation.

(1) Cameras and photographic equipment in possession of any unauthorized person entering a post will be surrendered until the bearer thereof leaves such post.

(2) Films, cameras, and equipment of persons violating or attempting to violate the statute or the regulations issued thereunder will be confiscated immediately and, together with the bearer thereof, turned over to the commanding officer.

(b) Permission to take photographs of military subjects will continue in effect only for the period of time specified by the person granting such authority.

(c) In each instance the person authorized to take specific, clearly defined photographs will be accompanied while such photographs are being taken, by an officer or competent enlisted man, or by plant protection personnel.

(d) Examples of subjects of which photographs, drawings, sketches, and maps will not be permitted except when expressly authorized are:

(1) United States Army personnel and equipment engaged in maneuvers.

(2) Airplanes, munitions, trucks, tanks, etc., in transit from one post to another regardless of the mode whereby such matériel is transported.

(3) Wrecks of items of military equipment.

(e) Officers charged with carrying out these instructions may request full cooperation of the local police and law enforcement agencies in discovering and apprehending persons violating or attempting to violate the law or regulations. (R. S. 161; 5 U.S.C. 22) [Cir. 416, W.D., December 22, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-288; Filed, January 6, 1943; 9:46 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 3555]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

UNITED STATES MALTSTERS ASSOCIATION, ET AL.

§ 3.24 (d) *Combining or conspiring—To enhance, maintain or unify prices.* In connection with the offering for sale, sale and distribution of malt in commerce, and on the part of respondent Association, and some 18 corporations, members thereof, and on the part of their respective officers, etc., entering into, continuing, cooperating in, or carrying out any common course of action, agreement, understanding, combination, or conspiracy between and among any two or more of said respondents or between any one or more of said respondents and others not parties hereto, to (1) establish, fix, or maintain prices, terms, or conditions of sale for malt, or adhere to or promise to adhere to the prices, terms, or conditions of sale so fixed; (2) hold or participate in any meeting, discussion, or exchange of information among themselves or under the auspices of respondent United States Maltsters Association or any other medium or agency concerning proposed or future prices, terms, or conditions of sale; (3) exchange, distribute, or relay among manufacturing respondents or any of them or through respondent United States Maltsters Association or through any other medium or central agency, price lists or other information showing current or future prices, terms, or conditions of sale or information showing current or future prices, terms, or conditions of sale of any particular respondent; (4) authorize or permit examination of the books or other records of the respondent manufacturers by any agent of the United States Maltsters Association or by any agent of the respondents or any of them, to determine or check the prices at which any given respondent manufacturer has made sales, is currently making sales, or expects to make sales; (5) formulate, establish, put into operation, continue, or use in any way any reporting plan using Chicago, Illinois, or any other common basing point which results in the establishment and maintenance among the respondent members or any two or more of them of uniform delivered prices to any given destination; (6) quote prices, terms, and conditions of sale determined under a method or system of a common basing point for the purpose, or with the effect, of making the delivered price quotation of any two or more of the respondents the same to any given destination; (7) formulate or put into operation any other practice or plan which has the purpose or the tendency or effect of fixing prices for malt, or otherwise restricting, restraining, or eliminating competition in the sale and distribution of such products; or (8) employ or utilize respondent United States Maltsters Association or any other medium or central agency as an instrument, vehicle, or aid in performing or doing any of the acts and practices prohibited by this order. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C. sec. 45b) [Cease and desist order, United States Maltsters Association, et al., Docket 3555, December 29 1942]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 29th day of December, A. D. 1942.

In the Matter of United States Maltsters Association, Chilton Malting Company, The Columbia Malting Company, Froedtert Grain & Malting Co., Wm. E. Kreiner & Sons, Inc., The Kurth Malting Company, Interior Malt & Grain Co., The Ladish-Stoppenbach Company, George J. Meyer Malt & Grain Corp., Milwaukee Western Malt Company, The Francis Perot's Sons Malting Co., Rahr Malting Co., H. W. Rickel & Company, L. Rosenheimer Malt & Grain Co., The Konrad Schreier Company, Albert Schwill & Company, Daniel D. Weschler & Sons, Inc., West Bend Malting Company, Wisconsin Malting Company.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answers of the respondents, testimony and other evidence in support of the allegations of said complaint and in opposition thereto, taken before Robert S. Hall, a trial examiner of the Commission theretofore duly designated by it, report of Webster Ballinger, a trial examiner appointed to prepare and file a trial examiner's report upon the evidence, vice Robert S. Hall, deceased, and exceptions filed thereto, briefs filed in support of the complaint and in opposition thereto, and oral arguments of counsel; and the Commission having made its findings [1] as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, United States Maltsters Association, an unincorporated association, Chilton Malting Company, a corporation, The Columbia Malting Company, a corporation, Froedtert Grain & Malting Co., a corporation, Wm. E. Kreiner & Sons, Inc., a corporation, The Kurth Malting Company, a corporation, The Ladish-Stoppenbach Company, a corporation, George J. Meyer Malt & Grain Corp., a corporation, Milwaukee Western Malt Company, a corporation, Northwestern Malt & Grain Company, a corporation, Perot Malting Company, a corporation, Rahr Malting Co., a corporation, H. W. Rickel & Company, a corporation, L. Rosenheimer Malt & Grain Co., a corporation, Schreier Malting Company, a corporation, Albert Schwill & Company, a corporation, Daniel D Weschler & Sons, Inc., a corporation, West Bend Malting Company, a corporation, and Wisconsin Malting Company, a corporation, and their respective officers, agents, representatives, and employees, in connection with the offering for sale, sale, and distribution of malt in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from entering into, continuing, cooperating in, or carrying out any common course of action, agreement, understanding, combination, or conspiracy between and among any two or more of said respondents or between any one or more of said respondents and others not parties hereto to do or perform any of the following acts or practices:

(1) Establishing, fixing, or maintaining prices, terms, or conditions of sale for malt, or adhering to or promising to adhere to the prices, terms, or conditions of sale so fixed;

(2) Holding or participating in any meeting, discussion, or exchange of information among themselves or under the auspices of respondent United States Maltsters Association or any other medium or agency concerning proposed or future prices, terms, or conditions of sale;

(3) Exchanging, distributing, or relaying among manufacturing respondents or any of them or through respondent United States Maltsters Association or through any other medium or central agency, price lists or other information showing current or future prices, terms, or conditions of sale or information showing current or future prices, terms, or conditions of sale of any particular respondent;

(4) Authorizing or permitting examination of the books or other records of the respondent manufacturers by any agent of the United States Maltsters Association or by any agent of the respondents or any of them, to determine or check the prices at which any given respondent manufacturer has made sales, is currently making sales, or expects to make sales;

(5) Formulating, establishing, putting into operation, continuing, or using in any way any reporting plan using Chicago, Illinois, or any other common basing point which results in the establishment and maintenance among the respondent members or any two or more of them of uniform delivered prices to any given destination;

(6) Quoting prices, terms, and conditions of sale determined under a method or system of a common basing point for the purpose, or with the effect, of making the delivered price quotation of any two or more of the respondents the same to any given destination;

(7) Formulating or putting into operation any other practice or plan which has the purpose or the tendency or effect of fixing prices for malt, or otherwise restricting, restraining, or eliminating competition in the sale and distribution of such products;

(8) Employing or utilizing respondent United States Maltsters Association or any other medium or central agency as an instrument, vehicle, or aid in performing or doing any of the acts and practices prohibited by this order.

It is further ordered, That the complaint herein be, and it hereby is, dismissed as to Interior Malt & Grain Co., a corporation.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[1] Filed as part of the original document.

[F. R. Doc. 43-306; Filed, January 6, 1943; 11:58 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes

[T.D. 5208]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

TAXABILITY OF FEDERAL CIVIL SERVICE RETIREMENT DEDUCTIONS

Taxability of amounts deducted and withheld, pursuant to the Federal Civil Service Retirement Act, as amended, from the compensation paid to Federal employees for services rendered on and after January 24, 1942, and of amounts paid to retired employees.

The amounts deducted and withheld, pursuant to the amended Civil Service Retirement Act of May 29, 1930, 46 Stat. 468, 475, U.S.C. Title 5, Ch. 14, as further amended by the Act of January 24, 1942, Public Law 411, 77th Cong., Ch. 16, 2nd Sess., from the basic salary, pay, or compensation of those employees in the Civil Service of the United States for services rendered on and after January 24, 1942 (the effective date of the amending Act), should be reported by such employees as gross income for the year in which deducted and withheld. The total compensation of such employees should be reported in gross income and no deduction can be taken for the amounts deducted and withheld inasmuch as such amounts are payments made toward the purchase of annuities provided for in the Act and are not allowable deductions for income tax purposes. The rights of such employees in the amounts deducted and withheld are not substantially different from the rights of employees in the amounts deducted and withheld from their basic compensation under the Civil Service Retirement Act prior to the enactment of the Act of January 24, 1942, which were held to be taxable income in the year withheld. ((1921) T.D. 3112, 4 Cum. Bul. 76)

The annuities paid to retired employees are subject to tax under section 22 (b) (2) of the Internal Revenue Code, the aggregate premiums or consideration paid for such annuities being the total of the amounts previously withheld from the compensation of the employees.

(Secs. 22 and 62 of the Internal Revenue Code, 53 Stat. 9, 32, 26 U.S.C., 1940 ed., 22, 62)

GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: January 4, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-297; Filed, January 6, 1943; 11:27 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1767]

PART 330—MINIMUM PRICE SCHEDULE, DISTRICT NO. 10

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of district Board No. 10 for establishment of price classifications and minimum prices for Mine Index No. 1537.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Pioneer Mine, Mine Index No. 1537, of the Pioneer Coal Company for all shipments except truck; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 330.4 (*Price groups*) is amended by adding thereto Supplement R–I, and § 330.10 (*Special prices*—(a) (2) *Railroad locomotive fuel prices*) is amended by adding thereto Supplement R–II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: December 19, 1942.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 10

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 330, Minimum Price Schedule for District No. 10 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 330.4 *Price groups*—Supplement R–I

Price group No.	Producer	Mine	Mine index No.	Freight origin group	Shipping point	Railroad
28	Pioneer Coal Co., The	Pioneer	[1] 1537	12	Mineral, Ill.	C R I & P.

[1] 11 cents per ton shall be added to the f. o. b. mine prices when for shipment into Market Areas 22 to 34 inclusive.

Mine Index No. 1537 shall be included in Price Group 28 and shall take the same f. o. b. mine prices as other mines in Price Group 28, Schedule No. 1, District No. 10, For All Shipments Except Truck, on all size groups and for shipment to all Market Areas and for all uses exclusive of Railroad Locomotive Fuel: *Provided, however*, That these f. o. b. mine prices apply on board transportation facilities at Mineral, Illinois.

§ 330.10 . *Special prices*—(a) (2) *Railroad locomotive fuel prices*—Supplement R–II

Price group No.	Producer	Mine	Mine index No.	Freight origin group	Shipping point	Railroad
28	Pioneer Coal Co., The	Pioneer	[1] 1537	12	Mineral, Ill.	C R I & P.

[1] 11 cents per ton shall be added to the f. o. b. mine prices when for shipment into Market Areas 22 to 34 inclusive.

[F. R. Doc. 43-249; Filed, January 5, 1943; 11:42 a. m.]

[Docket No. A-1733]

PART 332—MINIMUM PRICE SCHEDULE, DISTRICT NO. 12

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 12 for the establishment of price classifications and minimum prices for certain mines in District No. 12.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 332.2 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 332.24 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: December 15, 1942.

[SEAL] DAN H. WHEELER, *Director*.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 12

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 332, Minimum Price Schedule for District No. 12 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 332.2 *Alphabetical list of code members*—Supplement R

[Listing of code members, mines, mine index numbers and mine origin groups, for delivery by railroad]

Code member	Mine index No.	Mine name	Mine origin group	Originating railroad	Mine origin group No.
Howard, John W. (Howard Coal Co.)	384...	(1) Howard #1	Charlton	CB&Q	64
Maple Coal Co	379...	(1) Maple Coal Co.	Given	CRI&P-M&St.L	*79
			Eddyville*	M&St.L	
			Albia*	CB&Q	
Molloy, Jack (Jack Molloy Building Material & Coal Co.)	838...	(1) No. 2	Bussey	CB&Q-Wab	31
Stuck, S. B. (Fairview Coal Co.)	546...	(1) Fairview Coal Co.	Belknap & Ottumwa	CRI&P	78

(1) Indicates mines shipping via public sidings and ramps for railway delivery.
*Denotes additional shipping points and change in Mine Origin Group number. Mine Origin Group number 10 shall no longer be applicable for this mine.

FOR TRUCK SHIPMENTS

§ 332.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine index No.	Mine	Price group No.	County	Chunk	Standard lump	Egg, 8 x 2", 6 x 2"	Small egg, 4 x 2", 3 x 1½"	Mine-run	Nut, 2 x 1¼", 1¼ x ¾"	Domestic stoker 1¼", 1 x ¾"	Screenings 2", 1½" x 1"	Industrial stoker Cr. 2", 1¼", 1" x ¾"	⅜" x 0
					1	2	3	4	5	6	7	8	9	10
American Coal Co. (T. D. Mackey)	798	American Coal Co.	19-A	Marion	310	300	290	280	275	275	275	165	225	105
D. C. Coal Co. (E. L. Dudley)	830	D. C. Coal Co.	5	Appanoose	290	280	270	260	260	270	280	205	280	105
Molloy, Jack (Jack Molloy Building Material & Coal Co.)	838	No. 2	18	Marion	305	295	285	275	275	275	275	165	225	105

[F. R. Doc. 43-250; Filed, January 5, 1943; 11:42 a. m.]

[Docket No. A-1754]

PART 340—MINIMUM PRICE SCHEDULE, DISTRICT NO. 20

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 20 for price classifications and minimum prices for the coals of the Sunnyside No. 2 Mine of the Kaiser Company, Inc.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Sunnyside No. 2 Mine (Mine Index No. 206) of the Kaiser Company, Inc., in Subdistrict No. 1 of District No. 20, for all shipments except truck; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 340.4 (*Code member price index*) is amended by adding thereto Supplement R–I, and § 340.5 (*General prices; minimum prices for shipment via rail transportation*) is amended by adding thereto Supplement R–II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Petitioner requested price classifications and minimum prices for the coals of the Sunnyside No. 2 Mine for rail shipments moving only into Market Areas 234, 237 to 241, inclusive, and 247 to 254, inclusive. Price classifications and minimum prices heretofore established for the coals of all other mines in Subdistrict No. 1 of District No. 20 for rail shipments apply to coals moving into all market areas, and, with one exception, are uniform as among the coals of all such mines. Therefore, for purposes of uniformity, it has been deemed advisable to establish similar price classifications and minimum prices for the coals of the Sunnyside No. 2 Mine for rail shipments likewise into all market areas.

Dated: December 9, 1942.

[SEAL] DAN H. WHEELER, *Director*.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 20

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 340, Minimum Price Schedule for District No. 20, and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

The following price classification and minimum prices shall be inserted in Price Schedule No. 1 for District No. 20:

§ 340.4 *Code member price index*—Supplement R–I

Insert the following listing in proper alphabetical order under Code Member Index:

Producer	Mine	Mine index No.	County	Shipping point	Subdistrict price group	Railroad	Freight origin group No.	Prices—section	
								Rail	Truck
Kaiser Co., Inc.	Sunnyside #2	206	Carbon	Sunnyside	1	D&RGW	10	340.5	

§ 340.5 *General prices; minimum prices for shipment via rail transportation*—Supplement R–II. The Sunnyside #2 Mine (Mine Index No. 206) of the Kaiser Company, Inc., shall be included in Subdistrict No. 1 in District No. 20, and the coals of that mine, in the respective size groups, shall be subject to the minimum f. o. b. mine prices for shipment via rail to all market areas, for all uses, that are presently in effect for the coals of the Sunnyside #4 Mine (Mine Index No. 22) of the Utah Fuel Company, in Subdistrict No. 1 in District No. 20.

[F. R. Doc. 43-251; Filed, January 5, 1943; 11:42 a. m.]

[Order 342]

PART 308—REPORTS AND RECORDS

MONTHLY TONNAGE REPORTS IN DISTRICT 8

An order relieving code members within District No. 8 from filing Monthly Tonnage Reports required by the Rules and Regulations prescribed by Order in General Docket No. 24.

The Bituminous Coal Producers Board for District No. 8 having requested that the code members within said district be relieved from filing the monthly tonnage reports required to be filed pursuant to the Rules and Regulations Requiring Tonnage Reports from Code Members, established by order in General Docket No. 24, dated April 7, 1942, 7 F.R. 2894, and having shown good cause why such request should be granted;

It is ordered, That § 308.26 (*Rules and regulations requiring tonnage reports from code members to facilitate the levying and collection of code assessments by district boards*) be amended to provide that the code members within District No. 8 be, and they are hereby relieved, until further order of the Division, from filing with the Statistical Bureau for District No. 8 monthly tonnage data on BCD. Form No. 718, with respect to coal produced on and after January 1, 1943.

(Sec. 2 (a), 50 Stat. 72; 15 U.S.C. 829 (a))

Dated: January 5, 1943.

[SEAL] DAN H. WHEELER, *Director*.

[F. R. Doc. 43-303; Filed, January 6, 1943; 11:45 a. m.]

[Order 343]

PART 308—REPORTS AND RECORDS

BITUMINOUS COAL PRODUCTION AND MINE OPERATION REPORTS FOR 1942

An order requiring reports from producers of bituminous coal covering production and mine operation for the calendar year 1942.

Pursuant to the provisions of the Bituminous Coal Act of 1937, and particularly section 10 (a) thereof, *It is hereby ordered*, That:

Part 308 is amended by adding thereto § 308.25 (a) to read as follows:

§ 308.25 *Reports from producers of bituminous coal covering production and mine operation for the calendar year 1942.* (a) Each producer of bituminous coal, whether or not a code member, and whether or not engaged in commerce in coal which is subject to the provisions of section 4 of the Bituminous Coal Act of 1937, shall file, on the appropriate form hereinafter designated, and in the manner hereinafter set forth, a report of production and other items relating to mine operation, as more fully described in said appropriate form. Each of the hereinafter designated forms is by this reference incorporated herein and made a part of this order.

(b) For each mine having rail or river connections regardless of the amount of daily average production, and for each mine having a daily average production of more than fifty (50) net tons irrespective of whether it has rail or river connections, the reports required by this order shall be filed on Form BCD No. 453 (Revised July 1942) T–1.

(c) For each mine without rail or river connections, having a daily average production of less than fifty (50) net tons, the report herein required shall be made on Form BCD No. 454 (Revised July 1942) T–2.

(d) The reports required to be made on Form BCD No. 453 (Revised July 1942) T–1, and the reports required to be made on Form BCD No. 454 (Revised July 1942) T–2, shall be filed at the office of the Statistical Bureau of the Division for the district in which the reporting mine is located, on or before March 1, 1943. A separate report, either on Form BCD No. 453 (Revised July 1942) T–1, or Form BCD No. 454 (Revised July 1942) T–2, as the case may be, shall be filed for each mine operated by the producer during any part of the calendar year, even though said mine may have been in operation for only a very limited period.

(e) Each report required to be filed by this order shall be certified as being correct by the producer, if an individual, or by a member of the firm, if a partnership, or in the case of a corporation, by a responsible officer thereof who is familiar with the facts.

(Sec. 10 (a), 50 Stat. 88, 15 U.S.C. Sup. 840 (a))

Dated: January 5, 1943.

[SEAL] DAN H. WHEELER, *Director*.

[F. R. Doc. 43-304; Filed, January 6, 1943; 11:45 a. m.]

[Docket No. A-1362]

PART 330—MINIMUM PRICE SCHEDULE, DISTRICT NO. 10

MEMORANDUM OPINION AND ORDER, ETC.

Memorandum opinion and order in the matter of the petition of Delta Coal Mining Company, a code member in District No. 10, for minimum f. o. b. mine prices for F. A. S. delivery from mines in District No. 10 to Minneapolis Street Railway Company, at Minneapolis, Minnesota, pursuant to section 3 (a), special river price instructions and exceptions, schedule of effective minimum prices for District No. 10 For All Shipments Except Truck.

This proceeding was instituted upon a petition filed with the Bituminous Coal Division on March 18, 1942, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, by Delta Coal Mining Company, ("Delta") a code member in District 10, requesting an order permitting Minneapolis Street Railway Company of Minneapolis, Minnesota, to purchase coals shipped via river by producers in District No. 10 at minimum f. o. b. mine prices for free alongside delivery.

Petitions of intervention were filed by District Boards 2, 6, 7, 8, 10 and 11. The Office of Bituminous Coal Consumers' Counsel filed a notice of appearance.

Pursuant to appropriate notice, a hearing was held before Examiner Charles O. Fowler. The Examiner filed his report recommending that the relief prayed for be granted, and on October 6, 1942, 7 F.R. 7960, a final order was entered granting the relief prayed for.

On October 12, 1942, interveners District Boards 2 and 7 filed a petition for reconsideration and rehearing, alleging that evidence relied on as to transportation and storage costs was inaccurate. There was no opposition to this petition. An order was issued on November 20, 1942, 7 F.R. 9744, reopening the hearing for the purpose of taking certain additional evidence.

On December 2, 1942, Delta filed a motion for reconsideration of the November 20 order reopening the hearing; it requested that, on reconsideration, the petition for reconsideration and reopening

of the hearing filed by District Boards 2 and 7 should be dismissed.

Delta represents that neither its counsel nor itself was served with the petition for reconsideration filed by District Boards 2 and 7 in time to answer the petition, before it was acted on favorably by the Director; that no facts were alleged in that petition which could not have been adduced at the hearing; and that when counsel for District Boards 2 and 7 challenged the accuracy of the transportation costs submitted by petitioner, counsel for Delta suggested that District Board 7's expert be called as a witness, but counsel for the district boards refused. It argues that "this dereliction of duty on the part of counsel for Districts 2 and 7 in and of itself warrants the dismissal of his petition for reconsideration", and, further, that no fact is stated in the petition for reconsideration which even if proved true, would warrant a reversal or modification of the Director's Order of October 6, 1942.

In opposition to Delta's motion, interveners District Boards 2 and 7 state that the fault in service of the petition for reconsideration, owing to the error of an inexperienced employee, has been cured and argue that no "duty exists on the part of counsel in an adversary proceeding to correct mistakes made by witnesses for the opposition or to assume any part of the burden of proof with which such parties are charged, particularly in matters wherein the facts are equally available to all parties." They contend that the duty of counsel for the intervener district boards "was more than satisfied when the errors were called to the attention of the attorney for original petitioner." Accordingly, they urge that the hearing in this proceeding be reopened, as the Director ordered.

Certainly so far as the district boards are concerned, a proceeding instituted pursuant to section 4 II (d) of the Act is hardly an "adversary proceeding." The Division is entrusted with the duty of establishing and preserving a minimum price structure in accordance with the standards of section 4 II (a) and 4 II (b) of the Act, and whenever revision is shown necessary to effectuate those standards, to make the revision. In performance of these functions, the district boards "operate as an aid to The Commission [Division] * * * subject to its pervasive surveillance and authority."[1]

Of course, the district boards are entitled and indeed obliged to protect vigorously the interests of the code members. But they must not be unmindful of the concurrent and equally important obligation, in any proceeding to which they are parties, to help build an accurate and adequate record. Certainly they would be totally unjustified in withholding available evidence, necessary to correct inaccuracies in the record. It is the function of counsel for the district boards to act in a manner consistent with these obligations.

Nevertheless, as I stated in my order of November 20, 1942, it is important that the record in this matter be accurate. Consequently, even though counsel for the parties may have been in a position at the time of the original hearing to correct alleged errors in the evidence and failed to do so, the hearing should now be reopened. The motion of Delta filed on December 2 will be denied and my order of November 20, 1942, 7 F.R. 9744, will stand.

Accordingly, it is so ordered.

Dated: January 4, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-302; Filed, January 6, 1943; 11:44 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment 96]

PART 804—INDIVIDUAL LICENSES

CERTIFICATES OF NECESSITY

Correction

The last Department of Commerce Schedule B number for "Rubber, manufactures * * *" in Amendment 96, 7 F.R. 11058-59, should read "2099.9" instead of "2099.1".

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1010—SUSPENSION ORDERS

[Suspension Order S-195]

FRIEL-BERNHEIM CO.

Friel-Bernheim Company is a partnership composed of Edward J. Friel and Daniel G. Bernheim, located in Philadelphia, Pennsylvania, and engaged in the business of fabricating and installing restaurant and bar furniture and equipment. Subsequent to September 7, 1942, they began construction at 164 West Chelten Avenue of a restaurant and bar whose estimated cost was in excess of $200. This construction was begun in disregard of the provisions of Conservation Order L-41, as amended September 2, 1942, of whose provisions the partnership had notice or knowledge, and was a wilful violation of Conservation Order L-41.

This violation of Conservation Order L-41 has hampered and impeded the war effort by diverting scarce materials to uses prohibited by the War Production Board. In view of the foregoing facts: *It is hereby ordered:*

§ 1010.195 *Suspension Order No. S-195.* (a) Deliveries of material to Edward J. Friel and Daniel G. Bernheim, individually or doing business as the Friel-Bernheim Company or otherwise, their successors and assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference ratings shall be assigned or applied to such deliveries by means of Preference Rating Certificates, Preference Rating Orders, General Preference Orders and any other orders or regulations of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(b) No allocation shall be made to Edward J. Friel or Daniel G. Bernheim, individually or doing business as the Friel-Bernheim Company or otherwise, their successors and assigns, of any material the supply or distribution of which is covered by any order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) Edward J. Friel and Daniel G. Bernheim, individually or doing business as the Friel-Bernheim Company, or otherwise their successors and assigns, shall not process, fabricate or use any of the metals specified in the Metals List attached to Priorities Regulation No. 11, nor shall Edward J. Friel or Daniel G. Bernheim, individually or doing business as Friel-Bernheim or otherwise, their successors or assigns, deliver any article or item in whose fabrication there has been used or consumed or to which is attached any of the metals specified in the Metals List attached to Priorities Regulation No. 11 in any form except as specifically authorized by the Director General for Operations.

(d) The provisions of this order shall not be applicable to deliveries, fabrication or use of materials ordered, received, used or required for use to fill orders bearing preference ratings of AA-5 or higher.

(e) This order shall take effect January 8, 1943, and shall expire September 8, 1943, at which date it shall have no further force and effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of January 1943

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-273; Filed, January 5, 1943; 3:54 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-202]

PAGO-PAGO AND MALARKEY & CO.

A. F. Winter, Sam Rubin, Barney Morris, and Milton Hyatt are co-partners engaged in the business of operating a night club type of restaurant, known as Pago-Pago, in Portland, Oregon. Dan J. Malarkey, Jr., d/b/a Malarkey & Company of Portland, Oregon, is engaged in general contracting work.

On or about October 16, 1942, A. F. Winter, Sam Rubin, Barney Morris, and Milton Hyatt, of Portland, Oregon, as co-partners and lessees, and Dan J. Malarkey, Jr., d/b/a Malarkey & Company, as contractor, began construction, as defined in Conservation Order L-41, of a building located at 521-525 S. W. Stark Street, Portland, Oregon, consisting of alterations and remodelling of said building. The estimated cost of construction, as defined in said order, substantially exceeded $200, and said persons were aware that there were restrictions on construction prior to the beginning of such construction. This constituted a wilful violation of Conservation Order L-41, as amended September 2, 1942.

This violation of Conservation Order L-41 has hampered and impeded the war effort of the United States by diverting scarce material to uses prohibited by the War Production Board. In view of the foregoing, *It is hereby ordered,* That:

§ 1010.202 *Suspension Order S-202.* (a) Neither A. F. Winter, Sam Rubin, Barney Morris, Milton Hyatt, Dan J. Malarkey, Jr., nor any other person shall order, purchase, accept delivery of, withdraw from inventory or in any other manner secure or use material or construction plant in order to continue or complete construction of the building located at 521-525 S. W. Stark Street, Portland, Oregon, except as specifically authorized by the Director General for Operations.

(b) For a period of six months from the effective date of this order no application filed by A. F. Winter, Sam Rubin, Barney Morris, Milton Hyatt, Dan J. Malarkey, Jr., or any other person for authorization to complete the said building located at 521-525 S. W. Stark Street, Portland, Oregon, shall be granted.

(c) Nothing contained in this order shall be deemed to relieve A. F. Winter, Sam Rubin, Barney Morris, Milton Hyatt, Dan J. Malarkey, Jr. from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on January 10, 1943.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-274; Filed, January 5, 1943; 3:54 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-206]

THOMAS C. SHINN

Thomas C. Shinn of Mt. Holly, New Jersey, is a general contractor. Subsequent to September 7, 1942, without the authorization of the Director General for Operations of the War Production Board, Thomas C. Shinn began construction (as defined in Conservation Order L-41) of the remodeling of a residence located on the farm of Israel Greenberg, near the intersection of Routes 38 and 39, approximately three miles southeast of Mt. Holly, New Jersey, at an estimated cost in excess of $200.00. Such construction was begun in disregard of the provisions of Conservation Order L-41, as amended September 2, 1942, with which Thomas C. Shinn was familiar, and constituted a wilful violation of that order.

This violation of Conservation Order L-41 has hampered and impeded the war effort of the United States by diverting scarce materials to uses not authorized by the War Production Board. In view of the foregoing facts: *It is hereby ordered:*

§ 1010.206 *Suspension Order No. S-206.* (a) Thomas C. Shinn, his successors and assigns, are hereby prohibited from ordering, purchasing, accepting delivery of, with-drawing from inventory, or in any other manner securing or using material or construction plant in order to begin construction or to continue construction, including but not limited to maintenance and repair, except as specifically authorized in writing by the Regional Compliance Chief of the Philadelphia Regional Office of the War Production Board.

(b) Deliveries of material to Thomas C. Shinn, his successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned or applied to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the Director of Industry Operations or the Director General for Operations except as specifically authorized by the Director General for Operations.

(c) No allocation shall be made to Thomas C. Shinn, his successors and assigns, of any material, the supply or distribution of which is covered by any order of the Director of Industry Operations or the Director General for Operations except as specifically authorized by the Director General for Operations.

(d) Nothing contained in this order shall be deemed to relieve Thomas C. Shinn from any restriction, prohibition, or provisions contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect January 8, 1943, and shall expire on July 8, 1943, after which latter date it shall have no further force and effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec 2 (a), Pub. Law 671, 76th Cong., as amended by Pub Laws 89 and 507, 77th Cong.)

Issued this 5th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-275; Filed, January 5, 1943; 3:54 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-207]

ISRAEL GREENBERG

Israel Greenberg operates a farm near the intersection of Routes 38 and 39, approximately three miles southeast of Mt. Holly, New Jersey. Subsequent to September 7, 1942, without the authorization of the Director General for Operations of the War Production Board, Israel Greenberg began construction (as defined in Conservation Order L-41) of the remodeling of a residence located on the aforesaid farm, at an estimated cost in excess of $200.00. Such construction was begun in disregard of the provisions of Conservation Order L-41, as amended September 2, 1942, with which Israel Greenberg was familiar, and constituted a wilful violation of that order.

This violation of Conservation Order L-41 has hampered and impeded the war effort of the United States by diverting scarce materials to uses not authorized by the War Production Board. In view of the foregoing facts, *It is hereby ordered:*

§ 1010.207 *Suspension Order No. S-207.* (a) Neither Israel Greenberg nor any other person shall order, purchase, accept delivery of, withdraw from inventory, or in any manner secure or use material or construction plant in order to continue or complete construction of the residence located near the intersection of Routes 38 and 39, approximately three miles southeast of Mt. Holly, New Jersey, except as specifically authorized by the Director General for Operations.

(b) For a period of three months from the effective date of this order, no application filed by Israel Greenberg or any other person for authorization to complete the residence mentioned in paragraph (a) hereof, shall be granted.

(c) Nothing contained in this order shall be deemed to relieve Israel Greenberg from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on January 8, 1943.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125; 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-276; Filed, January 5, 1943; 3:55 p. m.]

[1] Mr. Justice Douglas in *The Sunshine Anthracite Coal Company* v. *Adkins*, 310 U. S. 381, 388 (1941).

Chapter XI—Office of Price Administration

PART 1316—COTTON TEXTILES

[RPS 11, Amendment 8]

FINE COTTON GREY GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1316.13 (d) (4) Table II the first column thereof is amended and footnote No. 4 is added as set forth below:

§ 1316.13 *Appendix D: Maximum prices for fine cotton goods.* * * *

(d) *Fine cotton goods not covered by contract prior to December 24, 1941.* * * *

(4) *Maximum price tables.* * * *

TABLE II

Type and construction of cloth [1]	* * *
Combed broadcloth: sizes [4]	* * *
37" 100 x 60, 4.00	
47" 128 x 68, 4.50	
37" 144 x 76, 4.20	
47" 192 x 80, 4.20	
Combed lawns:	
36" 76 x 72, 10.00	
36" 88 x 80, 5.70-9.50	
47" 68 x 56, 11.00	
47" 72 x 68, 9.50	
47" 76 x 72, 9.00	
47" 88 x 80, 7.50	
47" 96 x 92, 7.50	
47" 96 x 100, 7.00	
47" 108 x 112, 6.40	
45" 76 x 72, 5.00	
47" 88 x 80, 7.50	
Linenettes:	
36" 76 x 68, 5.75-9.00	
36" 111 x 64, 7.75-7.60	
36" 119 x 76, 7.85-8.00	
Voiles:	
48" 60 x 52, 8.50	
Frenne:	
48" 176 x 100, 6.00	
Longcloth:	
48" 72 x 100, 6.25	
Marquisettes:	
48" 44 x 18, 12.15-12.25	
9/4" 44 x 22, 11.10-11.20	
9/4" 40 x 20, 10.75-10.80	
9/4" 48 x 22, 10.00-10.05	
36" 48 x 28, 9.60-10.00	
36" 48 x 32, 9.10-9.60	
47" 48 x 28, 7.65-8.20	
47" 48 x 32, 7.50-7.90	

[1] Fabrics shall be subject to the above maximum prices unless they are over 4% lighter or over 6% heavier than the weights specified.

§ 1316.12a *Effective dates of amendments.* * * *

(b) Amendment No. 8 (§ 1316.13 (d) (4) Table II) to Revised Price Schedule No. 11 shall be effective as of February 11, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-260; Filed, January 5, 1943; 2:53 p. m.]

*Copies may be obtained from the Office of Price Administration.

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 262,[1] Amendment 2]

SEASONAL AND MISCELLANEOUS FOOD PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subparagraph (10) of paragraph (a) of § 1351.965 is amended to read as set forth below.

§ 1351.965 *Definitions.* (a) When used in this Maximum Price Regulation No. 262 the terms:

* * * * *

(10) Peanut candy is candy in which peanuts, either in processed or unprocessed form, constitute the largest single ingredient by weight, volume or cost. By "ingredient" is meant the constituent items which may in a reasonable course of business be purchased separately for the making of peanut candy. If two or more such items are combined in one ingredient as purchased for the making of peanut candy, the separate items thereof rather than the combined ingredient shall be taken in determining if the peanuts constitute the "largest single ingredient by weight, volume or cost" of the peanut candy as aforesaid.

* * * * *

§ 1351.967a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§ 1351.965 (a) (10)) to Maximum Price Regulation No. 262 shall become effective January 11, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-261; Filed, January 5, 1943; 2:51 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 3,[1] Amendment 33]

SUGAR RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new § 1407.188 is added as set forth below:

Armed Forces of the United States; Certain Other Persons and Agencies

§ 1407.188 *Restriction on replacement of sugar in products listed in Schedule A.* The provisions of §§ 1407.184, 1407.185, and 1407.186 shall not be deemed to apply to products listed in § 1407.241, Schedule A.

Effective Date

§ 1407.222 *Effective dates of amendments.* * * *

(hh) Amendment No. 33 (§ 1407.188) shall become effective January 11, 1943.

(Pub. Law 421, 77th Cong.; W.P.B. Dir. No. 1, and Supp. Dir. No. 1E)

Issued this 5th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-262; Filed, January 5, 1943; 2:51 p. m.]

PART 1410—WOOL

[MPR 163,[1] Amendment 8]

WOOLEN OR WORSTED CIVILIAN APPAREL FABRICS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1410.103 (c) is hereby amended to read as set forth hereinafter.

§ 1410.103 *Maximum prices for woolen and worsted apparel fabrics sold by jobbers.* * * *

(c) *Sales of fabrics by manufacturers of apparel*—(1) *Maximum price for sales by manufacturers of apparel.* The maximum price for a sale or delivery of a woolen or worsted apparel fabric by a manufacturer of apparel shall be the actual price paid therefor plus the actual freight charges paid by him for the transportation thereof to his place of business.

(2) *Optional maximum price for sales in cut-lengths of 11 yards or less to retail stores or custom tailors.* In the case of sales of fabrics in cut-lengths of 11 yards or less by a manufacturer of apparel to retail stores or custom tailors, the maximum price, at the option of the seller, shall be the quotient of the sum of (i) the fabric manufacturer's net invoice price, whether or not advantage has been taken of any term discounts offered, and (ii) the freight charges actually paid for the transportation of the fabric from the supplier's shipping point to the apparel manufacturer's place of business, divided by the division factor .84.

(3) *Invoice requirements.* On and after January 11, 1943, every person making sales of fabrics subject to this section shall, with respect to each such sale, deliver to the purchaser an invoice or similar document setting forth in addition to the terms thereof: (i) in the case of sales for which the maximum price is determined by subparagraph (1) above, the actual price paid and the freight charges actually paid; and (ii) in the case of sales for which the optional maximum price is determined under subparagraph (2) above, the fabric manufacturer's net invoice price, the freight charges actually paid, and the division factor used.

§ 1410.117 *Effective dates of amendments.* * * *

(j) Amendment No. 8 (§ 1410.103) to Maximum Price Regulation No. 163 shall become effective on the 11th day of January 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-265; Filed, January 5, 1943; 2:51 p. m.]

[1] 7 F.R. 9247, 10844.

[2] 7 F.R. 2966, 3242, 3783, 4545, 4618, 5193, 5361, 6084, 6473, 6828, 6937, 7289, 7321, 7406, 7510, 7557, 8402, 8655, 8739, 8809, 8710, 8830, 8831, 9042, 9396, 9460, 9899, 10017, 10258, 10556, 10845.

[1] 7 F.R. 4513, 4733, 4734, 5827, 5872, 6973, 7454, 7603, 8941, 8948.

PART 1423—GUMS AND NATURAL RESINS

[MPR 297]

NATURAL RESINS

In the judgment of the Price Administrator it is necessary and proper to establish maximum prices for the sale of natural resins.

The maximum prices established by this regulation are, in the judgment of the Price Administrator, generally fair and equitable and in conformity with the general level of prices established by the General Maximum Price Regulation.[1] A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1,[2] issued by the Office of Price Administration, Maximum Price Regulation No. 297 is hereby issued:

AUTHORITY: §§ 1423.1 to 1423.14, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E. O. No. 9250, 7 F. R. 7871.

§ 1423.1 *Maximum prices for natural resins.—Prohibition against dealing in natural resins at prices above the maximum.* On and after January 11, 1943, regardless of any contract, agreement, lease, or other obligation, no person shall sell or deliver 25 pounds or more of any natural resin or processed natural resin, and no person in the course of trade or business shall buy or receive 25 pounds or more of any natural resin or processed natural resin at a price higher than the maximum price set forth in Appendix A (§ 1423.14); and no person shall agree, offer, solicit, or attempt to do any of the foregoing.

§ 1423.2 *Applicability of the General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 297 supersede the provisions of the General Maximum Price Regulation[3] with respect to sales and deliveries for which maximum prices are established by this regulation.

§ 1423.3 *Less than maximum prices.* Lower prices than those set forth in § 1423.14 of this Maximum Price Regulation No. 297 may be charged, demanded, paid or offered.

§ 1423.4 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation where a petition for amendment or for adjustment or exception requires extended consideration, the Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1423.5 *Evasion.* The price limitations set forth in this maximum price regulation shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, or agreement relating to natural resins, alone or in conjunction with any other commodity or service or by way of commission, service, transportation, or other charge or discount, premium, or other privilege, or by tying agreement, or other trade understanding, or by decreasing or by discontinuing cash discounts or by making the discounts given or other terms of conditions of sale more onerous to the person to whom the sale is made than those in effect on January 11, 1943.

§ 1423.6 *Federal and State taxes.* There may be added to the maximum prices established by this Maximum Price Regulation No. 297 the amount of tax levied by any Federal excise tax statute or any State or municipal sales, gross receipts, gross proceeds, or compensating use tax statute or ordinance, under which the tax is measured by gross proceeds or units of sale if, but only if:

(a) Such statute or ordinance requires the vendor to state the tax, separately from the purchase price paid by the purchaser, on the bill, sales check, or evidence of sale, at the time of the transaction; or,

(b) Such statute or ordinance requires such tax to be separately paid by the purchaser with tokens or other media of State or municipal tax payment; or,

(c) Such statute or ordinance was in effect during March, 1942, permitted the vendor to state such tax separately, and the vendor customarily stated and collected such tax separately from the purchase price during March, 1942; or,

(d) Such statute or ordnance became or becomes effective after March, 1942, permits the vendor to state such tax separately and such tax is in fact stated and collected by the vendor separately from the purchase price.

§ 1423.7 *Records.* (a) Every person making sales of natural resins and processed natural resins and every person making purchases of natural resins and processed natural resins in the course of trade or business after January 10, 1943, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect, complete and accurate records of each such sale or purchase in aggregate lots of 25 pounds or more, showing the date thereof, the name and address of the seller or buyer, the price contracted for, received or paid, and the quantity of each type, weight and grade of natural resins sold or purchased.

(b) Every such seller shall keep such records in addition to or in lieu of the records required by this section as the Office of Price Administration may, from time to time, require or permit.

§ 1423.8 *Licensing.* (a) The provisions of Supplementary Order No. 11, (§ 1305.15)[4] licensing distributors of chemicals and drugs, shall be applicable to any distributor of natural resins who is subject to this Maximum Price Regulation No. 297. When used in this section, the term "distributor" shall have the meaning given to it by Supplementary Order No. 11 (§ 1305.15).

(b) The regulation and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are hereby made applicable to every person selling natural resins at retail. When used in this section, the term "selling at retail" shall have the meaning given to it by § 1499.20 (o) of the General Maximum Price Regulation.

§ 1423.9 *Enforcement.* (a) Persons violating any provision of this maximum price regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 297 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest district, State or regional

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5585, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6210, 6615, 6939, 6794, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454.

[2] 7 F.R. 8961.

[3] *Supra*, Note 1.

[4] 7 F.R. 6167, 11007.

office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1423.10 *Petitions for amendment.* Any person seeking a modification of any provision of this Maximum Price Regulation No. 297 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1423.11 *Definitions.* (a) When used in this Maximum Price Regulation No. 297 the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Original package" means the wrapping, package or other container in which the natural resin was packed when imported into the United States, its territories and possessions, and the resin contained therein.

(3) "Carload lot" means 30,000 pounds or more.

(4) "Natural resin" means any of a class of vegetable substances which are fossilized, hardened, or dried exudations of the types specified in Appendix A (§ 1423.14).

(5) "Processed natural resin" means a natural resin which has been modified or changed by heating, has been esterified with glycerine, has been modified with rosin or has been phenolated.

(6) "Seller's shipping point" means the point of distribution maintained by the seller from which actual shipment is made.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1423.12 *Export sales.* The maximum price at which a person may export any natural resins and processed natural resins shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[1] issued by the Office of Price Administration.

§ 1423.13 *Effective date.* This Maximum Price Regulation No. 297 (§§ 1423.1 to 1423.14 inclusive) shall become effective January 11, 1943.

§ 1423.14 *Appendix A: Maximum prices for natural resins*—(a) *Natural resins*—(1) *Maximum prices for sales in carload lots.*

[1] 7 F.R. 5059, 7242, 8829, 9000, 10530.

TABLE I

	Cents per pound (for carload lots)
Hiroe-Macassar:	
Bold	17¾
Nubs	13¾
Chips	11½
Dust	5½
Pale East India-Singapore:	
Bold	22⅜
Nubs	16⅜
Chips	11¾
Dust	5½
Batu:	
Scraped	10⅛
Unscraped	9
Nubs and chips	5¾
Chips	5¾
Dust	5½
Black East India:	
Bold scraped	12
Bold unscraped	7½
Nubs and chips	7¼
Batavia Damar:	
A E	25⅝
A D	28⅛
A C	31¼
A	35¾
B	34⅛
C	28⅜
D	25⅝
E	18¾
F	13¾
Dust	13⅜
Singapore Damar:	
No. 1	30⅝
No. 2	25⅜
No. 3	12⅜
Chips	23½
Seeds	17¾
Dust	13
Manila Macassar:	
WS	11¾
MA	9¾
MB	9¼
Dust	7⅜
Loba A	14
Loba B	13¾
Loba C	13⅜
Loba D	12¾
Loba Du	8⅞
Loba DK	9½
Loba CNE	10
Loba Dust	7⅜
CBB	12
DBB	11
Manila Singapore:	
White split chips	15⅛
Dust	7⅜
Manila Philippine:	
Extra bold pale scraped	15
Bold pale scraped	15
Extra pale bold sorts	12¾
Pale chips—Bold	13
Pale nubs—WCB	13¾
Pale small chips	11⅜
SG	10⅛
Seeds and dust	8¾
Boea—Hard:	
Bold white	15½
Amber light	13½
Amber dark	14½
Pontianak:	
Bold scraped	22⅜
Mixed bold	17⅜
Cuttings or split chips	19⅛
Nubs	18¾
Small chips	12⅜

TABLE I—Continued

	Cents per pound (for carload lots)
Elemi	8⅝
Accroides red gum coarse	6
Accroides red gum fine	7¼
Kauri gums—White:	
5X	150
4X	66
3X	65¾
No. 1 Extra	43
No. 1 Superior	41
No. 2 Extra	31
No. 2 Superior	31
No. 3 Extra	30
No. 3 Superior	22
Extra pale chips	25½
Pale chips	20¼
Pale dust	20¾
Kauri gums—Brown:	
3X	77
2X	49
X	36
No. 1 Extra	34
No. 1 Superior	31
No. 2 Extra	30
No. 2 Superior	27½
No. 3	22
Chips Extra	18
Chips 80's	16
Nubs	24
Dust	12½
Kauri—Bush:	
Bold	40
Assorted	35
Chips	32
Dark	18
Bright	18
Sandarac	97½
Congo:	
Congo FAD	14⅝
Congo No. 1	14¾
Congo No. 2	12¾
Congo No. 3	11¼
Congo No. 30	55¼
Congo No. 31	21⅛
Congo No. 32	15¾
Congo No. 33	14
Congo No. 34	9¼
Congo No. 35	15⅞
Congo No. 36	12⅜
Congo No. 37	18⅛
Congo No. 38	12¼
Congo No. 39	10⅜
Congo No. 40	8
Congo No. 41	11⅜

(2) *Maximum prices for sales in less than carload lots.* (i) Maximum prices for natural resins in quantities of less than one original package but 25 pounds or more shall be the carload lot prices shown in Table I plus four cents per pound.

(ii) Maximum prices for natural resins in quantities of 1 to 9 (inclusive) original packages, shall be the carload lot prices shown in Table I plus ½ cent per pound.

(iii) Maximum prices for natural resins in quantities of 10 or more original packages but less than a carload shall be the carload lot prices shown in Table I plus ¼ cent per pound.

(iv) If in any delivery the weight of a grade or type of natural resin in the original package is different from that customary in the trade during March 1942, the price differentials stated in the foregoing three paragraphs are inapplicable, and instead the maximum prices listed in Table I shall be adjusted as follows:

(*a*) Multiply the number of pounds of this grade and type of natural resin customarily packed in an original package in March 1942, by ten. The figure thus obtained shall be hereinafter referred to as the "product."

If the number of pounds of natural resin in a single current delivery is less than the product, maximum prices are those listed in Table I plus ½ cent per pound.

If the number of pounds of natural resin in a single current delivery is the same as, or more than, the product, but less than 30,000 pounds, maximum prices are those listed in Table I plus ¼ cent per pound.

(*b*) Maximum prices for natural resins in quantities of less than one original package but 25 pounds or more, shall be the carload lot prices shown in Table I plus four cents per pound.

(3) *Other grades than those listed above.* The maximum prices for a grade of natural resin not specifically listed in Table I shall be the maximum price listed in such table for the next lower grade of the same class (i. e., Singapore Damar, Congo, etc.): *Provided, however,* That if no lower grade is listed the maximum price for the next higher grade shall apply. Classification of resins into grades shall be made in accordance with the usual trade practices in effect during March, 1942.

(4) *Extra charges.* (i) Charges for war risk insurance and ocean freight, actually incurred which are in excess of charges based upon the rates prevailing on December 5, 1941 may be added to the maximum prices established by this Appendix A: *Provided,* That on all imports for which the ocean bill of lading or equivalent shipping document is dated September 1, 1942, or later, these excess charges for war risk insurance may not be greater than the differences between the rates existing on December 5, 1941, and the applicable rates established by the War Shipping Administration as of the date of such document; *And further provided,* That such charges are actually incurred and are itemized separately on the invoice.

(ii) Charges for containers may not be added.

(iii) Charges for warehousing may not be added.

(5) *Transportation charges.* The maximum prices set forth in Table I apply for natural resins sold from any of the following points:

(i) Ex-dock, port of entry.

(ii) Ex-warehouse, port of entry.

(iii) F. o. b. seller's shipping point, other than (i) or (ii) above. *Provided,* That, in (i) or (ii) above, the charges for loading from the dock or warehouse platform onto the conveyance for shipment to the buyer may be added to the maximum prices established by this Appendix A; and provided that in (iii) above all transportation charges actually incurred in the shipment of the natural resin from the port of entry to the seller's shipping point may be added to the maximum prices set forth in Table I. All loading and transportation charges must be shown separately on the invoice.

(6) *Billing extra charges and transportation charges.* The seller of any natural resin for which maximum prices are provided in this paragraph (a) shall furnish each person to whom he sells natural resins an invoice with the shipment stating (i) the total price charged, (ii) an itemization thereof, showing the sums added, if any, as "extra charges" or "transportation charges", pursuant to subparagraphs (4) and (5) of this paragraph (a).

(b) *Processed natural resins.* (1) *Maximum prices in drums containing 400–500 pounds each.*

TABLE II

(Cents per pound)

Resin	Carload lots	10 drums to carload lots	Less than 10 drums
FR 342	$0.18	$0.185	$0.19
FR 346	.145	.15	.155
FR 347	.21	.215	.22
FR 348	.21	.215	.22
Fused No. 5	.21	.215	.22
Fused No. 8	.165	.17	.175
Congo Ester No. 10	.17	.175	.18
Congo Ester No. 15	.18	.185	.19
No. 500 Kopol	.22	.225	.23
No. 501 Kopol	.20	.205	.21
No. 502 Kopol	.17	.175	.18
No. 1400 Beckopol	.195	.20	.205
No. 1401 Beckopol	.165	.17	.175
No. 1400 Beckopol Special	.175	.18	.185

(2) *Grades.* Any grade of processed natural resin not specifically listed in Table II shall have the maximum price shown in Table II for the grade most nearly comparable with it. For purposes of determining what grade shown in Table II is most nearly comparable with a grade not listed there, account shall be taken of the physical properties, color, melting point, acid number, percentage of glycerine or modifier, if any, and other desirable characteristics of the resins concerned, in accordance with the customary practices of the trade in effect during March, 1942.

(3) *Containers.* (i) If smaller or larger containers than those specified above are used, "less than 10 drums" shall mean less than 4000 pounds, and "10 drums to carload lots" shall mean amounts from 4000 pounds to carload lots.

(ii) Additional charges may not be made for containers, but a reasonable container deposit may be required, providing it is refunded upon the return of containers in good condition within 60 days. Transportation costs with respect to the return of empty containers to seller shall be borne by seller.

(4) *Transportation charges.* Prices shown in Table II are f. o. b. seller's shipping point with transportation charges allowed or prepaid in accordance with the seller's zone transportation differentials in effect during March 1942.

Issued this 5th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-264; Filed, January 5, 1943; 2:53 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Corr. to Amendment 49 to Supp. Reg. 1 to GMPR]

AVIATION GASOLINE, SYNTHETIC RUBBER, TOLUENE, ETC.

The reference to § 1499.26 (d) (1) (XIII) is corrected to read § 1499.26 (d) (1) (XIV).

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued and effective this 5th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-263; Filed, January 5, 1943; 2:49 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 202 Under § 1499.3 (b) of GMPR]

DEWEY AND ALMY CHEMICAL CO.

Dewey and Almy Chemical Company, Cambridge, Massachusetts.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1438 *Approval of maximum prices for "Gold Seal Tin Paste No. 880" produced in the Oakland, California plant of Dewey and Almy Chemical Company*—(a) *Sales by Dewey and Almy Chemical Company*—(1) *Maximum prices.* The maximum prices for sales by Dewey and Almy Chemical Company of "Gold Seal Tin Paste No. 880" produced at its plant in Oakland, California are established as set forth below:

	Per gallon
10 or more 5-gallon pails	$0.95
1 to 9 5-gallon pails	1.05
5 or more 1-gallon containers	2.00

Terms: 1% 10 days, net 30 days.
The above prices are f. o. b. Oakland, Calif.

(2) *Discounts and allowances.* Dewey and Almy Chemical Company shall apply to the maximum prices set forth in subparagraph (1) of this paragraph all other discounts and allowances, including discounts to purchasers of different classes, which were in effect in March 1942 on its sales of "Gold Seal Tin Paste No. 625."

(b) *Sales by distributors*—(1) *Maximum prices for sales by Washington Glue Sales Company of Seattle, Washington.* Maximum prices for sales by Washington Glue Sales Company of Seattle, Washington, for sales of "Gold Seal Tin Paste No. 880" produced at the Oakland, California, plant of the Dewey and Almy Chemical Company are established as set forth below:

	Per gallon
10 or more 5-gallon pails	$1.05
1 to 9 5-gallon pails	1.15
5 or more 1-gallon containers	2.00

The above prices are f. o. b. Seattle, Wash.

(2) *Maximum prices for sales by Macdonald Andrews Company of Portland, Oregon.* Maximum prices for sales by Macdonald Andrews Company of Portland, Oregon of "Gold Seal Tin Paste N . 880" produced at the Oakland, California plan.. of Dewey and Almy Chemical Company are established as set forth below:

	Per gallon
10 or more 5-gallon pails	1.05
1 to 9 5-gallon pails	1.15

The above prices are f. o. b. Portland, Oreg.

(3) *Discounts and allowances.* Washington Glue Sales Company and MacDonald Andrews Company shall apply to the maximum prices established in subparagraph (1) or (2) of this paragraph, as the case may be, all discounts and allowances, including discounts to different classes of purchasers, which they had in effect in March 1942 for their sales of "Gold Seal Tin Paste No. 625".

(c) This Order No. 202 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 202 (§ 1499.1438) shall become effective January 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-270; Filed, January 5, 1943; 2:51 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 206 Under § 1499.3 (b) of GMPR]

WARFIELD COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1442 *Authorization of maximum prices for sales of "Pro-Ten" Meat Extender, 20 ounce packages of a blend of high protein cereals and seasonings, by Thomson and Taylor Division, the Warfield Company, Chicago, Illinois, by wholesalers and by retailers.* (a) On and after January 6, 1943, the maximum price for sales by Thomson and Taylor Division, the Warfield Company, of Chicago, Illinois, of "Pro-Ten" Meat Extender, packed one dozen—20 ounce packages to the shipping case, shall be $1.53 per dozen packages delivered to purchasers' stations.

(b) Wholesalers shall determine their maximum delivered selling prices of "Pro-Ten"-Meat Extender by adding to their net cost of this item a mark-up of 20% of their net cost. The maximum delivered price so determined shall not exceed $1.84 per dozen packages. Where a maximum price determined by the provisions of this paragraph is a fractional cent price and the fraction of a cent is less than one-half cent, the price shall be lowered to the next lower cent. If the fraction is one-half cent or larger, the wholesaler is permitted to increase his maximum price to the next higher cent.

Net cost for wholesaler grocer as mentioned in this paragraph shall be his invoice price for "Pro-Ten" Meat Extender delivered in a customary quantity of this type of item by the customary mode of transportation to his customary receiving point, less all discounts allowed him, except discounts for prompt payment. No charge or cost for unloading or local trucking shall be included in net cost.

(c) Sellers at retail shall determine their maximum selling prices of "Pro-Ten" Meat Extender by adding to their net cost of this item a mark-up of 33⅓% of this net cost. The maximum price so determined shall not exceed 20¢ per 20 ounce package. Where a maximum price per package determined by the provisions of this paragraph is a fractional cent price and the fraction of a cent is less than one-half cent, the price per package shall be lowered to the next lower cent. If the fraction is one-half cent or larger, the retailer is permitted to increase his maximum price per package to the next higher cent.

Net cost for a retailer as mentioned in this paragraph shall be his invoice price for "Pro-Ten" Meat Extender delivered to his customary receiving point in a customary quantity of this type of item by customary mode of transportation and from a customary source of supply, less all discounts allowed him, except the discount for prompt payment. No charge or cost for unloading or local trucking shall ever be included.

(d) No seller, except a seller at retail, shall change his customary discounts, allowances and price differentials applying to comparable speciality items in making sales of "Pro-Ten" Meat Extender unless such change in these customary discounts, allowances and price differentials results in lower selling prices.

(e) On and after January 6, 1943, Thomson and Taylor Division, the Warfield Company, shall supply a written notification to each wholesaler at the time of first delivery of "Pro-Ten" Meat Extender to such wholesaler, and for a period of three months thereafter shall include with each shipping unit of "Pro-Ten" Meat Extender, a written notification to retailers. If such retailer notification is enclosed within a shipping unit, a legend shall be affixed outside of such unit to read "Retailer's Notice Enclosed." The written notifications, for each type of purchaser, shall include the following appropriate statements:

Notification from Thomson and Taylor Division, the Warfield Company, to wholesalers

The OPA has authorized us to charge wholesalers $1.53 per dozen of 20 ounce packages of "Pro-Ten" Meat Extender subject to all customary allowances and discounts and delivered to purchasers' stations. Wholesalers are authorized to establish a ceiling price by adding to the net cost of this item 20% of such net cost, provided that the ceiling price so determined shall not exceed $1.84 per dozen. Net cost is the invoice cost at the customary receiving point, less all discounts, other than for prompt payment, and excluding charges for local hauling. Retailers shall establish a ceiling price by adding to their net cost 33⅓% of such net cost. Each individual ceiling price determined by any seller shall be figured to the nearest even cent (raise one-half cent fractions to the next even cent). A copy of a notification to retailers is included in every shipping unit of this item. If the initial sale of this item to any retailer is a split case sale, wholesalers are required to provide such retailer with a copy of the retail notification so enclosed. OPA requires that you keep this notice for examination.

Notification from Thomson and Taylor Division, the Warfield Company, to retailers

The OPA authorizes retailers to establish ceiling prices for "Pro-Ten" Meat Extender packed 12 twenty ounce packages to a shipping case, by adding to the net cost of this item 33⅓% of such net cost, provided that the ceiling price so determined shall not exceed 20¢ per twenty ounce package. Net Cost is the invoice cost at the customary receiving point, less all discounts, other than for prompt payment, and excluding charges for local hauling. Such ceiling prices shall be figured to the nearest even cent (raise one-half cent fractions to the next even cent). OPA requires that you keep this notice for examination.

(f) This Order No. 206 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 206 (§ 1499.1442) shall become effective as of January 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-272; Filed, January 5, 1943; 2:52 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 105[1] Under § 1499.18 (b) of GMPR]

PITTSBURGH COKE AND IRON COMPANY

The reference to the word "gallon" in § 1499.1006 (a) (1) and (a) (2) is amended to read "pound."

* * * * *

(f) This Amendment No. 1 (§ 1499.1006 (a)) to Order No. 105 shall become effective this 6th day of January 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. No. 9250, 7 F.R. 7871)

Issued this 5th day of January 1943

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-268; Filed, January 5, 1943; 2:47 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 148 Under § 1499.18 (b) of GMPR]

BLACK AND GAY, CANNERS, INC.

Order No. 148 under § 1499.18 (b) of the General Maximum Price Regulation—Docket Number GF3-2512.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1409 *Adjustment of maximum prices through package weight reductions for "Kid Glove" Popped Corn and "First National" Popped Corn manufactured by Black & Gay, Canners, Inc.* (a) Black & Gay, Canners, Inc., Thomaston, Maine, may sell and deliver and any person may buy and receive from Black & Gay, Canners, Inc., 4½ ounce reduced weight packages, of "Kid Glove" Popped Corn and "First National" Popped Corn at prices no higher than those charged during March 1942 for corresponding 6 ounce higher weight packages of "Kid Glove" Popped Corn and "First National" Popped Corn.

(b) Retailers may sell and deliver and any person may buy and receive from retailers packages of reduced weight "Kid Glove" Popped Corn and "First National" Popped Corn at prices no higher than those set forth below:

(1) The maximum prices established for the particular seller during March 1942 for corresponding packages of higher weight of "Kid Glove" Popped Corn and "First National" Popped Corn as stated in paragraph (a) of this order.

(2) If no maximum prices have been established for the particular seller for the former size packages of "Kid Glove" Popped Corn and "First National" Popped Corn, such maximum prices as may be established for such seller under section 2 of the General Maximum Price Regulation.

(c) Black & Gay, Canners, Inc. shall give the same or greater customary allowances, discounts or other price differentials for the new sizes of "Kid Glove" Popped Corn and "First National" Popped Corn as it gave on the corresponding larger sizes of popped corn.

(d) The adjustments granted to Black & Gay, Canners, Inc., and to retailers in paragraphs (a) and (b) are subject to the condition that before or at the time of each initial sale of new reduced weight packages of "Kid Glove" Popped Corn and "First National" Popped Corn, Black & Gay, Canners, Inc. shall distribute or cause to be distributed to each retailer written notice as follows:

The Office of Price Administration has authorized us to sell 4½ ounce packages of "Kid Glove" Popped Corn and "First National" Popped Corn at maximum prices established for 6 ounce packages.

You are authorized by the same Office of Price Administration Order to sell the reduced weight packages at your maximum selling prices established by the General Maximum Price Regulation for the corresponding packages of higher weight.

You are required to keep this notice for examination.

(e) All prayers of the application not granted herein are denied.

(f) This Order No. 148 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 148 (§ 1499.1409) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(h) This Order No. 148 (§ 1499.1409) shall become effective January 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-266; Filed, January 5, 1943; 2:52 p. m.]

[1] 7 F.R. 9737.

PART 1499—COMMODITIES AND SERVICES

[Order 149 Under § 1499.18 (b) of GMPR]

WILLIAM ATKIN COMPANY, INC.

Order No. 149 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-642.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1410 *Adjustment of maximum prices for men's uniform shirts manufactured by William Atkin Company, Inc., for the Consolidated Edison Company.* (a) William Atkin Company, Inc. of New York, New York, may sell and deliver and Consolidated Edison Company may buy and receive the following commodity at prices not higher than those set forth below:

(1) $17.50 per dozen for the men's uniform shirts manufactured by William Atkin Company, Inc. for Consolidated Edison Company, having the same specifications as to quality of fabrics and trimmings, standards of construction and garment dimensions as those for which William Atkin Company, Inc., established $16.00 per dozen as its maximum price under § 1499.2 of the General Maximum Price Regulation.

(b) The adjustment granted to William Atkin Company, Inc. in paragraph (a) is subject to the following conditions:

(1) This adjustment shall apply only to sales by the William Atkin Company, Inc., to the Consolidated Edison Company.

(2) All discounts, trade practices, and practices relating to shipping and shipping charges in effect in March 1942, shall be applicable to the maximum price set forth in paragraph (a) hereof.

(3) The William Atkin Company, Inc., shall mail to the Consolidated Edison Company a notice reading as follows:

The Office of Price Administration has permitted us to raise our maximum prices for sales to you of our men's uniform shirts from $16.00 to $17.50 per dozen. This amount represents increases in costs which we are unable to absorb, and it was granted with the understanding that the shirts are supplied by you to your employees without any charge and that accordingly the granting of the requested increase could not cause an increase in retail prices.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 149 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 149 is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 149 (§ 1499.1410) shall become effective January 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-269; Filed, January 5, 1943; 2:47 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 3 Under § 1499.18 (c) as Amended of GMPR]

VANCOUVER ICE & COAL COMPANY, VANCOUVER, WASHINGTON

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1503 *Adjustment of maximum prices for sales of rock salt by Vancouver Ice & Coal Company.* (a) Vancouver Ice & Coal Company of Vancouver, Washington, may sell and deliver and any person may buy rock salt for icing railroad refrigerator cars at prices not in excess of those set forth below:

[$17.00 per ton, f. o. b. Vancouver, Wash.]

(b) This Order No. 3 may be revoked or amended by the Price Administrator at any time.

(c) This order No. 3 (§ 1499.1503) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(d) This Order No. 3 (§ 1499.1503) shall become effective January 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.)

Issued this 5th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-271; Filed, January 5, 1943; 2:47 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 11 Under § 1499.29 of GMPR]

CUDAHY PACKING COMPANY

Order No. 11 under § 1499.29 of the General Maximum Price Regulation—Docket No. 3148-68.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.411 *Denial of application for adjustment of maximum price of pork sausage sold to Navy and Marine units by Cudahy Packing Company, Chicago, Illinois, from its plant in San Diego, California.* (a) The application of Cudahy Packing Company, Chicago, Illinois, filed August 17, 1942, and assigned Docket No. 3148-68, requesting an adjustment of the maximum price on pork sausage sold to the Navy and Marine Corps is denied.

(b) Any contract entered into by Cudahy Packing Company at the prices requested in the application shall be revised in accordance with the terms of this Order, and payment made to the Cudahy Packing Company in excess of the maximum prices authorized by this Order shall be refunded to the purchaser.

(c) This Order No. 11 (§ 1499.411) is hereby incorporated as a section of Supplementary Regulation No. 4 which contains modifications of maximum prices established by § 1499.2.

(d) This Order No. 11 (§ 1499.411) shall become effective January 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-267; Filed, January 5, 1943; 2:49 p. m.]

PART 1302—ALUMINUM

[RPS 2,[1] as Amended, Amendment 5]

ALUMINUM SCRAP AND SECONDARY ALUMINUM INGOT

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sections 1302.14 and 1302.15 are amended as set forth below:

§ 1302.14 *Appendix A: Maximum prices for aluminum scrap*—(a) *Schedule of prices.* (The maximum prices for aluminum scrap established in this § 1302.14, with the exception of those established for drosses, skimmings, grindings, sweepings, sawings and spatters, are f. o. b. point of shipment. In the case of drosses, skimmings, grindings, sweepings, sawings and spatters the maximum prices herein established are for such scrap delivered to the buyer's receiving point.)

Grade of aluminum scrap	Column I: Maximum price (cents per pound) for shipment at one time of less than 1,000 pounds.	Column II: Maximum price (cents per pound) for shipment at one time of 1,000 to 20,000 pounds.	Column III: Maximum price (cents per pound) for shipment at one time of 20,000 pounds or more.
(1) Plant scrap, segregated.			
25 solids	10	11	11½
All other solids	9½	10½	11
Borings and turnings	7½	8½	9
(2) Plant scrap, mixed.			
All solids	8½	9½	10
Borings and turnings	6½	7½	8
(3) Obsolete scrap.			
Pure cable	10	11	11½
Old sheet and utensils	8½	9½	10
Old castings and forgings	9	9½	10
Pistons free of struts	9	9½	10
Pistons with struts	7	7½	8
(4) *Drosses, skimmings, grindings, sweepings, sawings and spatters*			
Containing 15 per cent or more by weight of metallic aluminum, as determined by fire assay.	¹ cents per pound of metallic aluminum contained, as determined by fire assay, irrespective of quantity.		
Containing less than 15 per cent by weight of metallic aluminum, as determined by fire assay.	¹/₂ cents per pound of material irrespective of aluminum content and irrespective of quantity.		

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1203, 1600, 1836, 2132, 3746, 4584, 5513, 6468, 7973, 8200, 8585, 8948, 9315.

NOTE 1: *Meaning of terms.* "Plant scrap" means scrap which is generated in the course of fabrication or manufacture and includes new material or parts rejected or discarded because defective, damaged in processing, or otherwise unfit for use. The terms "solids" and "solid plant scrap" mean plant scrap generated by shearing, clipping, cutting, blanking, or similar process, also defective or rejected wrought aluminum parts, defective or rejected castings, and gates, sprues, risers or similar foundry scrap. Scrap shall not be deemed "segregated" whether in the form of solids or in the form of borings, turnings or other machinings, unless it consists of one alloy only and is so identified and handled as to be accepted for reprocessing into aluminum of the original alloy specifications without the necessity for other than routine examination by the processor.

NOTE 2: *Low-grade or contaminated scrap.* If borings, turnings, and similar machinings or other grades of aluminum scrap contain oil, water or other forms of contamination, maximum prices may be paid only on the basis of the actual weight of aluminum or aluminum alloy contained.

NOTE 3: *Quantity differentials.* The requisite quantities for which premiums are provided in Columns II and III, above, may consist of various grades of aluminum scrap, but other metals may not be included for the purpose of making up such quantities. In computing the weight necessary to obtain a quantity differential the actual weight of the material at the point of shipment, as determined by the public carrier, or as certified to and accepted by the public carrier, or as certified by a public weigher, is to be used. If the weight of the material at the point of shipment is not determined by any of the methods herein specified the actual weight of the material at the buyer's receiving point shall be used.

NOTE 4: *Aluminum foil.* Aluminum foil and light gauge aluminum sheet which does not exceed 0.006 of an inch in thickness is not considered within this Price Schedule, but the provisions of the General Maximum Price Regulation shall apply to such scrap.

NOTE 5: *Premiums for special preparation.* Upon the sale of segregated solid aluminum plant scrap of any of the wrought aluminum or S-type alloys, except 2S and 3S, to any person designated as a "producer" by the Director of Priorities, War Production Board, the following premiums may be charged, demanded, paid or offered:

	Cent per pound
If such scrap is baled or packaged, suitable for briquetting	½
If such scrap is briquetted, or in large pieces too heavy to briquette	1

Except as provided herein, the maximum prices established for aluminum scrap by this Revised Price Schedule No. 2, as amended, shall not be increased by any charge or payment for special preparation.

(b) *Delivery charges.* (1) If aluminum scrap is delivered to the buyer's receiving point by a public (common or contract) carrier, the maximum delivery charge which may be added to the established maximum price f. o. b. point of shipment shall be the actual transportation charge made by such carrier: *Provided,* That if the quantity differentials set forth in Column III are paid, and if the quantity shipped, as determined in accordance with Note 3 in § 1302.14 (a), is less than the minimum quantity, as set forth in the tariffs of the railroad, upon which the lowest carload rate from the point of shipment to the buyer's receiving point is based, the maximum delivery charge which may be added to such maximum price shall be an amount calculated at the lowest carload rate on the basis of the actual weight of material so determined.

(2) If aluminum scrap is delivered to the buyer's receiving point by vehicle owned or controlled by the seller or by private carrier not owned or controlled by the buyer, the maximum delivery charge which may be added to the established maximum price f. o. b. point of shipment shall be an amount not in excess of the following:

Distance in miles: Over—	Distance in miles: But not over—	Dollars per ton of gross weight
0	10	1.60
10	15	1.80
15	20	1.95
20	25	2.10
25	30	2.25
30	35	2.40
35	40	2.55
40	50	2.80
50	60	3.00
60	70	3.20
70	80	3.40
80	90	3.60
90	100	3.80
100	110	3.90
110	120	4.10
120	130	4.25
130	140	4.40
140	150	4.55
150	160	4.70
160	170	4.85
170	180	5.00
180	190	5.10
190	200	5.20
200	210	5.30
210	220	5.40
220	230	5.50
230	240	5.60
240	250	5.70
250	260	5.80
260	270	5.90
270	280	6.00
280	290	6.05
290	300	6.10
300		(1)

[1] An amount not in excess of the charge computed at the lowest railroad carload rate applicable to shipments of aluminum scrap from the railroad siding nearest the point of shipment to the railroad siding nearest the point of delivery.

(i) For distances of 300 miles or less, all bridge, tunnel and ferry tolls actually incurred may be added to the amount set forth in the table above.

(ii) The distance in miles shall be computed on the basis of the shortest public highway route available for the transportation of the shipment in question from the point of shipment to the buyer's receiving point.

(3) The seller shall furnish to the buyer on the invoice or on a separate statement the point or points of shipment, the mileage upon which the delivery charge is based, and the total delivery charge.

(4) If aluminum scrap is shipped from more than one point of shipment by any of the following means of transportation, the maximum delivery charge which may be added to the established maximum price f. o. b. point of shipment shall be an amount not in excess of the applicable one of the following limitations:

(i) Entirely by railroad: the rate from that one of the several points of shipment which has the lowest rate to the buyer's receiving point.

(ii) Entirely by public carrier truck: the established rate from that one of the several points of shipment which has the lowest rate to the buyer's receiving point.

(iii) Entirely by vehicle owned or controlled by the seller or private carrier not owned or controlled by the buyer: the rate set forth in subparagraph (2) of this paragraph (b) from that one of the several points of shipment which has the lowest rate to the buyer's receiving point.

(iv) Partly by railroad, partly by public carrier truck, partly by vehicle owned or controlled by the seller, or a private carrier not owned or controlled by the buyer or any combination of the foregoing—the lowest of the rates set forth in the preceding subdivisions of this subparagraph (4): *Provided,* That the rate governing any method of shipment not actually employed may be disregarded.

§ 1302.15 *Appendix B: Maximum prices for secondary aluminum ingot*—(a) *General provisions*—(1) *Maximum base price.* The maximum base price for secondary aluminum ingot shall be 15 cents per pound. This maximum price applies to all alloys or grades of secondary aluminum ingot except as otherwise provided in paragraphs (b), (c), (d) and (e) of this section.

(2) *Delivery charges.* The maximum base price and all other maximum prices for secondary aluminum ingot established by or pursuant to this section shall include transportation costs to any destination within the continental United States, not exceeding the lowest carload rate of rail freight, but in no event to exceed 75 cents per hundredweight. Actual transportation costs in excess of those so included may be charged to, and paid by, the buyer.

(3) *Quantity differentials.* The maximum base price and all other maximum prices for secondary aluminum ingot established by or pursuant to this section shall be applicable if the quantity sold or delivered is 30,000 pounds or more. The following premiums may be charged, in addition to the maximum price, for the quantities specified:

Quantity:	*Premium (cents per pound)*
10,000 to 30,000 pounds	¼
1,000 to 10,000 pounds	½
Less than 1,000 pounds	1

In determining whether the quantity differentials herein provided are applicable, the quantity sold or the quantity delivered to one buyer at one time, whichever is larger, shall be used in all cases, and regardless of the fact that such sale or shipment may be composed of different alloys: *Provided,* That if the quantity sold exceeds the amount which the buyer is authorized by the War Production Board to receive in any allocation period, the amount which the buyer is so authorized to receive may be used instead of the quantity sold.

(b) *Alloys to which certain costly ingredients are added.* (1) If the chemical specifications for an alloy of secondary aluminum ingot require a substantial content of chronium, magnesium, manganese, nickel, tin, titanium or vanadium, and if the scrap from which such ingot is produced does not contain these elements in sufficient quantity to meet the specifications upon remelting, so that it is necessary to introduce them by other means, the seller may apply to the Office of Price Administration, Washington, D. C., for permission to charge more than the maximum base price.

(2) Application for permission to charge more than the maximum base price for alloys which are subject to this paragraph (b) shall be filed within 5 days from the date on which delivery is completed, and shall show:

(i) The name and address of the buyer;

(ii) The chemical specifications for the ingot;

(iii) The analysis of the scrap from which the ingot is produced;

(iv) The increase in cost due to the necessity of adding any of the elements listed in subparagraph (1), above; and

(v) The price charged.

(3) Upon receipt of an application filed in accordance with subparagraph (2), above, the Administrator may by letter, authorize an increase in the maximum price to the extent of the actual increase in cost due to the necessity of adding any of the elements listed in subparagraph (1), above.

(4) An application filed in accordance with the provisions of this paragraph (b) shall be deemed to be approved unless it is disapproved within 15 days from the date on which it is received by the Office of Price Administration, or, if additional information is requested within such 15-day period, then within 15 days from the date on which all such information is received.

(5) Any person may sell or deliver, and any person may buy or receive, secondary aluminum ingot which is subject to this paragraph (b) at a price higher than the maximum base price, and any person may offer to do any of the foregoing, if an application for permission to charge the higher price is filed in accordance with subparagraph (2) of this paragraph; if, however, the Administrator disapproves the price charged, the contract price shall be revised downward to the maximum price which the Administrator shall approve, and the seller shall refund any payment in excess of the price so approved.

(6) Whenever any secondary aluminum ingot subject to this paragraph is sold at a price higher than the maximum base price, the maximum base price and the additional charge made on account of the addition of one or more of the elements listed in subparagraph (1) shall be shown separately on the invoice, and the invoice shall contain the following statement:

Application has been made to the Office of Price Administration for permission to make the extra charge shown on this invoice to cover the cost of adding _____. If the increase in price authorized by the Office of Price Administration is less than the additional amount charged on this invoice, the price will be revised downward accordingly and any amount paid in excess of the authorized charge will be refunded.

(7) If an application is not filed in accordance with subparagraph (2) of this paragraph, or if the requirements of subparagraph (6) are not substantially complied with, the maximum base price shall apply to secondary aluminum ingot subject to this paragraph regardless of the addition of any of the elements listed in subparagraph (1).

(8) The provisions of this paragraph (b) are not applicable to any secondary aluminum ingot subject to paragraphs (c), (d) or (e) of this section.

(c) *Maximum prices for low-grade ingot.*

	Maximum price (cents per pound)
(1) Low-grade piston alloy (No. 122 type)	14½
(2) No. 12 foundry alloy (No. 2 grade)	14½
(3) Chemical Warfare Service ingot (92½% plus)	14½
(4) Steel deoxidizing aluminum, notch-bar, granulated or shot, including any aluminum ingot (exclusive of hardeners) containing more than 2.0% iron:[1]	
Grade 1 (95%-97½% aluminum)	14¾
Grade 2 (92%-95% aluminum)	14½
Grade 3 (90%-92% aluminum)	14
Grade 4 (85%-90% aluminum)	13½
Grade 5 (less than 85% aluminum)	12½

[1] Plus 2 cents extra for special shapes.

(d) *Maximum prices for hardeners.* (1) A hardener is an intermediate alloy which is not suitable for direct use without combination with other materials and which is designed to facilitate the introduction of one or more of the constituent metals into other alloys.

(2) The maximum price for any hardener subject to this Revised Price Schedule No. 2, as amended, shall be a price approved by the Administrator. Pending such approval by the Administrator, any person may sell or deliver, and any person may buy or receive, any such ingot at the price submitted for approval; and any person may offer to do any of the foregoing. If, however, the Administrator disapproves the price submitted, the contract price shall be revised downward to the maximum price which the Administrator shall approve, and if any payment has been made at a price higher than that so approved the seller shall refund the excess: *Provided, however,* That the price submitted by the seller for approval shall be deemed to be approved unless the Administrator disapproves such price and establishes an approved maximum price within 15 days from the date on which the report required in paragraph (d) (3) (i) of this section is received by the Office of Price Administration, or, if further information is requested from the seller within such 15-day period, then within 15 days from the date on which all such information is received by the Office of Price Administration.

(3) On and after January 11, 1943 the seller of any hardener subject to this Revised Price Schedule No. 2, as amended, shall:

(i) report every such sale to the Office of Price Administration, Washington, D. C., within five days from the date thereof, stating:

(a) The name and address of the buyer;

(b) The quantity sold;

(c) The proposed price;

(d) The alloy content of the hardener sold, including specific mention of any impurity limitations;

(e) The cost breakdown, including the type of metals used and the cost thereof, the smelting cost, and the allowance for overhead; and

(ii) Provide such other information concerning the manufacture and sale of the hardener in question as may be required by the Administrator in order to determine the proper maximum price.

(4) The foregoing provisions of this paragraph (d) shall not apply to sales of any hardener at a price previously reported to and approved by the Administrator in accordance with the provisions of this paragraph. Whenever the price proposed by any person for a particular hardener has been so reported, the price approved by the Administrator shall be the maximum price at which such person may thereafter sell such ingot. Nothing herein contained, however, shall be construed to prevent the Administrator from adjusting any price so approved when in his judgment adjustment is warranted.

(e) *Maximum prices for other alloys produced in small quantities.* (1) The maximum price for any grade of secondary aluminum ingot (excluding the low-grade types for which provision is made in paragraph (c) and also excluding hardeners, for which provision is made in paragraph (d) of this section) which is produced in melts or heats of 250 pounds or less shall be:

(i) The highest price which the seller charged for the same grade of ingot delivered by him during March 1942; or

(ii) If the seller did not deliver the same grade of ingot during March 1942, the highest price quoted in the seller's price list, or, if he had no price list, the highest price which the seller regularly quoted in any other manner, for delivery of the same grade of ingot during March 1942; or

(iii) If the maximum price for such ingot cannot be determined under the foregoing provisions of this paragraph (e), a price approved by the Administrator. On and after January 11, 1943, the seller of any such ingot shall report every such sale to the Office of Price Administration and obtain approval of a maximum price as prescribed in paragraph (d) of this section, relating to hardeners. The provisions of paragraph (d) shall apply in all respects to sales of such ingot.

(2) For the purposes of paragraph (e) of this section:

(i) In determining the highest price charged or quoted by him during March 1942, the seller shall, if such price was not charged or quoted f. o. b. point of shipment, adjust it so that it shall reflect the actual price charged by him f. o. b. point of shipment; and if such price was charged or quoted for quantities of less than 30,000 pounds the seller shall adjust it for quantities of 30,000 pounds or more, using the quantity differentials provided in subdivision (a) (3) of this section. The price so adjusted shall be his maximum price, subject to the quantity differentials referred to above, and shall include transportation costs to the extent specified in subparagraph (a) (2) of this section.

(ii) Secondary aluminum ingot shall be deemed to have been "delivered" during March 1942, if during such month it was received by the purchaser or by any carrier, including a carrier owned or controlled by the seller, for shipment to the purchaser.

§ 1302.13a *Effective dates of amendments.* * * *

(f) Amendment No. 5 to Revised Price Schedule No. 2, as amended, (§§ 1302.14 and 1302.15) shall become effective January 11, 1943: *Provided*, That contracts entered into prior to January 11, 1943, under the terms of, and at prices in conformance with, Revised Price Schedule No. 2, as amended, may be carried out at contract prices until February 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-278; Filed, January 5, 1943, 4:01 p. m.]

PART 1312—HARDWOOD LUMBER

AIRCRAFT LUMBER

[Rev. MPR 109, Amendment 1]

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Footnote 4 in Table 1 of § 1312.361 is amended and § 1312.360a is added to read as set forth below:

§ 1312.361 *Appendix A: Maximum prices for aircraft lumber per M'BM.* * * *

Table 1

Maximum prices f. o. b. original shipping point rough, green, for Army-Navy aeronautical specifications for Sitka spruce (AN-S-6), red spruce (AN-S-6), white spruce (AN-S-6), noble fir (AN-F-6), western hemlock (AN-H-4)

(See footnote 4 for Douglas fir (AN-F-7).)

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§ 1312.360a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1312.361 and 1312.360a) to Revised Maximum Price Regulation No. 109 shall become effective January 11, 1943.

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10100.

[2] Douglas Fir (AN-F-7), 62½ percent of the price of corresponding item of Sitka Spruce.

(Pub. Laws Nos. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-279; Filed, January 5, 1943, 4:01 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 47]

WASTE RAGS, WASTE ROPES AND WASTE STRINGS

Sec.

1347.101 Prohibitions.
1347.102 Less than maximum prices.
1347.103 Applicability of the General Maximum Price Regulation.
1347.104 Imports.
1347.105 Export sales.
1347.106 Petitions for amendment.
1347.107 Licensing.
1347.108 Evasion.
1347.109 Enforcement.
1347.110 Records and reports.
1347.111 Definitions.
1347.112 Applicability.
1347.113 Effective date.
1347.114 Appendix A: Maximum prices for waste rags, waste ropes and waste strings.

The title, preamble and §§ 1347.101 to 1347.112, inclusive, of Revised Price Schedule No. 47—Old Rags—are amended, renumbered and reissued as Maximum Price Regulation No. 47—Waste Rags, Waste Ropes and Waste Strings.

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for sales of waste rags, waste ropes and waste strings by a maximum price regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation, which apply to the sale of waste rags, waste ropes and waste strings, are generally fair and equitable and are necessary to check inflation and to effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

So far as practicable the Price Administrator has given due consideration to prices prevailing between October 1 and 15, 1941, and to relevant factors of general applicability, and has consulted with representatives of the trade and industry.

A statement of considerations involved in the issuance of this regulation is issued simultaneously herewith and filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, this Maximum Price Regulation No. 47 is hereby issued.

AUTHORITY: §§ 1347.101 to 1347.114, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1347.101 *Prohibitions.* Regardless of any contract, agreement, lease or other obligation:

(a) No person shall sell or deliver any waste rags, waste ropes or waste strings at higher prices than the maximum prices set forth in Appendix A (§ 1347.114) of this Maximum Price Regulation No. 47.

(b) No person shall buy or receive any waste rags, waste ropes or waste strings in the course of trade or business at higher prices than the maximum prices set forth in Appendix A (§ 1347.114) of this Maximum Price Regulation No. 47.

(c) No person shall agree, offer, solicit, or attempt to do any of the foregoing.

§ 1347.102 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 47 may be charged, demanded, paid or offered.

§ 1347.103 *Applicability of the General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 47 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries of waste rags, waste ropes and waste strings for which maximum prices are established by this regulation.

§ 1347.104 *Imports.* The maximum prices established herein shall apply to imports of waste rags, waste ropes and waste strings from a foreign country, f. o. b. the port or city of entry in the United States.

§ 1347.105 *Export sales.* The maximum price at which a person may export waste rags, waste ropes and waste strings shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[1] issued by the Office of Price Administration. The maximum prices at which a person may make a domestic sale of waste rags, waste ropes and waste strings which is to be exported shall not exceed the maximum prices herein provided for domestic sales. However, if a person specially packages waste rags, waste ropes and waste strings in order that they may be exported, and if he sells them to a purchaser who states in writing that the waste rags, waste ropes and waste strings which have been specially packed will be sold in export, the seller may add to the maximum price an amount not in excess of the highest premium actually charged for the same or similar packing by such person during the period of January 1 through September 30, 1941. If a person made no such charge for such packing in said period, the amount of his charge for such packing shall not exceed the amount charged in said period by his nearest and most closely competitive seller in said period.

§ 1347.106 *Petitions for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 47 may file petitions for amendment in accordance with the provisions of Revised Procedural Regulation No. 1[2] issued by the Office of Price Administration.

§ 1347.107 *Licensing.* The provisions of Supplementary Order No. 5[3]—Licensing, are applicable to every dealer or broker subject to this Maximum Price Regulation No. 47, selling, offering to sell, delivering or transferring at a price waste rags, waste ropes or waste strings to a consumer.

§ 1347.108 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 47 shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of waste rags, waste ropes or waste strings, alone or in conjunction with or relating to any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege or tying-agreement, or other trade understanding or otherwise.

§ 1347.109 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 47 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 47 or any Price Schedule, Regulation or Order issued by the Office of Price Administration, or any acts or practices which constitute such a violation, are urged to communicate with the nearest District, State, Field or Regional Office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1347.110 *Records and reports.* (a) Every person who has been required under Revised Price Schedule No. 47 to keep records for inspection by the Office of Price Administration shall preserve such records for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect.

(b) Every person making purchases or sales aggregating ten tons or more of waste rags, waste ropes or waste strings in October 1942, or any one month thereafter shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, complete and accurate records of each purchase or sale of waste rags, waste ropes or waste strings made during such month and each month thereafter, showing the following:

(1) Date of purchase or sale.

(2) Name and address of the buyer or seller.

(3) Grade of waste rags, waste ropes and waste strings purchased or sold:

(4) Quantity of each grade purchased or sold.

(5) Prices paid or received.

(6) Warranties, if any, given and received.

Such records shall set forth separately the f. o. b. point of shipment price, the origin and destination of the shipment, the means of transportation used, the amount of the transportation charge, and any other amounts paid or received in connection with such sale.

(c) Persons required to keep records shall submit such reports to the Office of Price Administration and shall keep such other records in addition to or in place of the records required in paragraphs (a) and (b) of this § 1347.110 as the Office of Price Administration may from time to time require or permit.

§ 1347.111 *Definitions.* (a) When used in this Maximum Price Regulation No. 47, the term:

(1) "Person" means an individual, corporation, partnership, association, any other organized group of persons, the legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Waste rags" include the kinds and grades of waste rags specified in this Maximum Price Regulation No. 47 regardless of the use for which they are sold.

(3) "Waste ropes" include the kinds and grades of waste ropes specified in this Maximum Price Regulation No. 47 regardless of the use for which such waste ropes are sold, excepting only old ropes sold for reuse as ropes.

(4) "Waste strings" include the kinds and grades of waste strings specified in this Maximum Price Regulation No. 47 regardless of the use for which such waste strings are sold.

(5) "Consumer" means a person who acquires waste rags, waste ropes or waste strings for his own use.

(6) "Dealer" means a person who acquires, collects, sorts, packs and offers for sale in the course of trade or business waste rags, waste ropes or waste strings.

(7) "Broker" means any person who sells to a consumer waste rags, waste ropes or waste strings not packed by such person and purchased by such person in the condition in which they are to be delivered to the consumer.

(8) "Foreign materials" include every non-rag, non-rope or non-string substance, as the case may be.

(9) "Short-ton" means a ton of two thousand pounds.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

§ 1347.112 *Applicability.* The provisions of this Maximum Price Regulation No. 47 shall be applicable to the continental United States and the District of Columbia, but not to the territories and possessions of the United States.

§ 1347.113 *Effective date.* This Maximum Price Regulation No. 47 (§§ 1347.101 to 1347.114 inclusive) shall become effective January 11, 1943.

§ 1347.114 *Appendix A: Maximum prices for waste rags, waste ropes and waste strings*—(a) *Grades and maximum prices per short ton f. o. b. point of shipment for waste rags, waste ropes and waste strings.* No grade whatsoever of waste rags, waste ropes or waste strings shall be sold for use in manufacturing roofing, flooring, specialty felts, or similar materials at a price in excess of

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[1] 7 F.R. 5059, 7242, 8829, 9000, 10530.

[2] 7 F.R. 8061.

[3] 7 F.R. 3403, 6077, 9723.

$31.00 per short ton, f. o. b. point of shipment.

The grades listed in items 1 to 21 inclusive of this paragraph (a) must be dry and free of rubber, leather, wool, silk, wood, paper, muss, paint, grease, oil, dump or street rags, scorched rags, wiper trimmings, strippings and other foreign materials, unless otherwise specified.

Grades	*Maximum prices per short ton f. o. b. point of shipment*
No. 1 whites repacked [1]	$76.00
No. 1 whites miscellaneous [2]	64.00
Mixed whites [3]	63.00
No. 2 whites repacked [4]	58.00
No. 2 whites miscellaneous [5]	53.00
Twos and blues repacked [6]	44.00
Thirds and blues repacked [7]	44.00
Thirds and blues miscellaneous [8]	36.00
No. 1 old blue overalls [9]	50.00
No. 1 white laundry bags [10]	135.00
No. 1 striped laundry bags [11]	115.00
No. 2 laundry bags [12]	100.00
No. 2 striped laundry bags [13]	80.00
No. 1 large old manila rope [14]	115.00
No. 1 small old manila rope [15]	105.00
Greasy or transmission rope [16]	60.00
Uncut manila fenders [17]	105.00
No. 1 clean bright sisal strings [18]	80.00
No. 2 sisal strings [19]	60.00
No. 1 large old sisal rope [20]	95.00
No. 1 small old sisal rope [21]	85.00

[1] *No. 1 whites repacked* consist of clean white cotton rags, free of lace curtains and colored rags.

[2] *No. 1 whites miscellaneous* consist of the same rags as defined in No. 1 Whites Repacked, except that they may contain not more than 5% of lace curtains, 20% of No. 2 Whites Miscellaneous and 5% colored cotton rags, silk, rayon or wool rags.

[3] *Mixed whites* consist of No. 2 Whites Repacked and must contain a minimum of 30% of No. 1 Whites Repacked.

[4] *No. 2 whites repacked* consist of clean or soiled white cotton rags free of any colored rags.

[5] *No. 2 whites miscellaneous* consist of clean or soiled cotton rags, and may contain not more than 25% of street whites, silk, rayon, wool or colored rags.

[6] *Twos and blues repacked* consist of white and colored cotton rags, of strictly house collection, and free of reds, blacks, or browns.

[7] *Thirds and blues repacked* consist of the same rags as Twos and Blues Repacked, except that the whites may be eliminated.

[8] *Thirds and blues miscellaneous* consist of the same rags as Thirds and Blues Repacked but may contain not more than 25% of reds, blacks, browns, silk, rayon or wool, and wiper trimmings.

[9] *No. 1 old blue overalls* consist of clean or soiled blue overalls.

[10] *No. 1 white laundry bags* consist of clean white laundry bags, free of all color and stripes.

[11] *No. 1 striped laundry bags* consist of clean white laundry bags which may contain colored stripes.

[12] *No. 2 laundry bags* consist of clean or soiled, white or off-colored laundry bags free of colored stripes.

[13] *No. 2 striped laundry bags* consist of clean or soiled, white or off-colored laundry bags or laundry bags with colored stripes.

[14] *No. 1 large old manila rope* consists of solid clean, dry, sound manila rope not less than ¾" in diameter, guaranteed free from any inferior or objectionable materials, such as tarred and transmission ropes, dirty, black, painted, greasy, oily, oil smeared, and latex treated rope or coal dust, rope wholly or partly composed of fibers other than manila and such materials as tender fiber, knots, nets, yarns, strands shakings cord, string, or other unsound fibers.

[15] *No. 1 small old manila rope* consists of the same rope as defined in No. 1 large old manila rope, except that the rope may be less than ¾" in diameter.

[16] *Greasy or transmission rope* consists of the same rope as defined in No. 1 large old manila rope, except that dirty, oily, or greasy rope as well as rope containing coal dust or graphite may be present in the packing.

[17] *Uncut manila fenders* includes uncut manila fenders obtained from boats and docks, packed separately and free of mats, iron, grease, rubber, tender and other foreign materials.

[18] *No. 1 clean, bright sisal strings* consists of new or old, clean, bright sisal strings free from cotton, jute, paper, tannery strings, rags, rubber, straw, and all other foreign materials.

[19] *No. 2 sisal strings* consists of the same strings as No. 1 sisal strings, except that it may contain soiled, off-colored or tannery sisal strings.

[20] *No. 1 large old sisal rope* consists of solid, clean, dry, sound sisal rope not less than ¾" in diameter, guaranteed free from any inferior or objectionable materials, such as tarred and transmission ropes, dirty, black, painted, greasy, oily, oil smeared, and latex treated rope or coal dust; rope wholly or partly composed of fibers other than sisal and such materials as tender fiber, knots, nets, yarns, strands, shakings, cord, string, or other unsound fibers.

[21] *No. 1 small old sisal rope* consists of the same rope as defined in No. 1 large old sisal rope, except that the rope may be less than ¾" in diameter.

(b) *Grades and maximum prices per short ton f. o. b. points of shipment for roofing rags.* The grades listed below in this paragraph must be free of felt boots, hats, corsets, suspenders, oilcloth, straw matting, leather, rubber, rope, mackintosh clippings, wood, stones, metals, tin cans, glass, ashes, boxes, excelsior, packers and fertilizer bags, charcoal bags, coal bags, cement bags, chemical bags, salt bags, lime bags, plaster bags, bagging with asphalted-kraft attached, buffing wheels, rubberized cloth, auto curtains, auto cushions, felt punchings and trimmings, jute droppings, kapok or silk floss filled mattresses, burnt rags and other foreign materials.

No. 1 roofing rags [1]	$31.00
Seams and cloth strippings [2]	31.00
No. 2 roofing rags [3]	29.00
No. 3 roofing rags and No. 4 roofing rags [4]	27.00
No. 5 roofing rags [5]	
Quality A	27.00
Quality B	24.00
Quality C	19.00

[1] *No. 1 Roofing Rags* consist of wool or satinet rags and rags from the following garments: Men's coats, pants, vests, mixed linsies, women's coats, slacks, and cloth skirts. Seams and cloth strippings may be included. The packings must be free of overalls, khaki, canvas, duck and quilts.

[2] *Seams and Cloth Strippings* consist of seams and cloth strippings from wool and satinet garments.

[3] *No. 2 Roofing Rags* consist of mixed rags which may include linings, rag carpets, print rags, or stockings.

[4] *No. 3 Roofing Rags* and *No. 4 Roofing Rags* consist of jute bagging, Brussels and hardbacked carpets, upholstery cuttings, or plush cuttings.

[5] *No. 5 Roofing Rags* Quality A consists of tailor rags free of rubbish and paper; Quality B consists of tailor rags containing a maximum of 10% paper; Quality C consists of tailor rags which contain not more than 50% paper.

(c) *Grade requirements.*—

(1) *No differentials.* All prices established by this Maximum Price Regulation No. 47 are the maximum prices for the respective grades of waste rags, waste ropes and waste strings. No differentials or service charges other than those specifically provided for in this Section 1347.114 shall be added.

(d) *Transportation allowances.* The maximum prices which this Regulation establishes for waste rags, waste ropes and waste strings are to be applied f. o. b. point of shipment, which means that they are established at the point where the goods are first loaded on freight cars, trucks or barges for transportation to the buyer. This provision shall not apply, however, to imports of wastepaper from foreign countries into the U. S. In such cases, the maximum prices established shall be applied f. o. b. port or city of entry in the U. S.

(1) *Delivery charges.* The fact that the maximum prices established by this Regulation are established f. o. b. point of shipment does not mean that goods have to be sold on that basis. Sales can be made on a delivered basis, or any other basis, provided that if the price in such a sale is computed to an f. o. b. point of shipment basis, as that point has been described above, it does not exceed the appropriate maximum price established by this Regulation.

When the seller incurs the expense of shipping the goods to the buyer, he may add to the maximum f. o. b. point of shipment price such of the following amounts as are applicable, as set out in subparagraphs (1) and (2), as follows:

(i) When transportation to the buyer is by public (common or contract) carrier, the lowest established transportation rate for such shipment;

(ii) When transportation to the buyer is by a vehicle owned or controlled by the seller, other than a common or contract carrier:

(*a*) An amount not in excess of $1.00 per short ton, plus actual toll charges, when the point of shipment and the buyer's premises are located in the same city, town or municipality, or at a distance of ten miles or less from each other by the shortest available public highway route.

(*b*) An amount per short ton not in excess of the lowest published rail rate for full carload shipments of waste rags, waste ropes and waste strings, when the point of shipment and the buyer's premises are not located in the same city, town or municipality and are at a distance of more than ten miles from each other by the shortest available public highway route.

(2) *Loading charge.* If there is no rail siding or barge dock at the point of shipment, and the waste rags, waste rags, waste ropes or waste strings are transported to and loaded on a freight car or barge at a public track or public barge dock for transportation to the buyer at the expense of the seller, the seller may add to the shipping point price an amount not in excess of $1.00 per short ton for such transportation and loading.

No allowance may be added under any circumstances, if either the point of shipment or the public track or barge dock at which the waste rags, waste ropes or waste strings are loaded is within the limits of the railway switching district of Chicago, Illinois.

(e) *Invoice requirements.* All sales of waste rags, waste ropes or waste strings to a consumer shall be invoiced. The invoice shall state as separate items the following data:

(1) *The grade name.* This shall be: The applicable grade name set forth in paragraphs (a) or (b) of this § 1347.114.

(2) *The origin of the shipment.* This shall include the name of the city or town where the point of shipment is located, except that where the point of shipment and the buyer's premises are located in the same city, town or municipality, or at a distance of ten miles or less from each other by the shortest available public highway route, the shortest address and city where such point of shipment is located shall be shown.

(3) *The destination of the shipment.* This shall include the name, street address and city of the consumer.

(4) Any amount charged by the seller for transportation of the waste rags, waste ropes or waste strings, and if delivery is made in a vehicle owned or controlled by the seller, the mileage for which such delivery charge is made.

(f) *Brokerage.* (1) In the event that a consumer shall purchase waste rags, waste ropes or waste strings through a broker, as defined in § 1347.111 (a) (7) hereof, such consumer may pay such broker not more than the maximum price herein and an allowance to the broker not to exceed the brokerage allowances established in subparagraph (3) below. In no event shall a person receive brokerage or the proceeds of brokerage on waste rags, waste rope, or waste string packed by him. In no event shall a person receive brokerage on the pack of another person pursuant to any contract, agreement or understanding of any sort whatsoever between the two, whereby each is to sell, and charge brokerage on, the pack of the other.

(2) The maximum prices established herein can in no case be augmented by more than one brokerage allowance for each ton. In addition to the price paid by the consumer, a broker may receive a broker's allowance only from a consumer, provided the transaction in question fulfills all of the following requirements:

(i) The broker records the name or names of his vendor or vendors in each transaction, the quantity and grade of waste rags, waste ropes or waste strings purchased, the price f. o. b. point of shipment paid by such broker, the name of his consuming purchaser, the method of shipment to such consuming purchaser, the price paid by such consuming purchaser, and the broker's allowance.

(ii) The sale is made to the consumer by the broker.

(iii) The waste rags, waste ropes or waste strings sold by the broker to the consumer have been commercially sorted and baled by a person other than the broker: *Provided*, That in the event a transaction complying with all other requirements of Revised Price Schedule No. 47 involves waste rags, waste ropes or waste strings sorted and baled both by the broker and by another person, the broker may charge an allowance only with respect to the tonnage of waste rags, waste ropes or waste strings, sorted and baled by such other person.

(iv) The broker guarantees the merchantable quality of the waste rags, waste ropes or waste strings.

(v) The broker's allowance in such transaction is shown as a separate item in the billing or invoice. This billing or invoice shall contain a statement that the waste rags, waste ropes or waste strings covered have not been packed by the broker and that the charges are not in excess of those established by Maximum Price Regulation No. 47.

(vi) The broker's allowance is not split or divided with any other person.

(vii) All pertinent provisions in Maximum Price Regulation No. 47 are strictly complied with.

(3) *Price for grade of waste rags, waste ropes and waste strings.*

	Broker's allowance per ton
Up to $31.00	$1.00
$31.01 to $53.00	1.50
$53.01 to $76.00	2.00
$76.01 to $115.00	3.00
$115.01 to $135.00	3.50

Issued this 5th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-280; Filed, January 5, 1943; 4:02 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 262[1], Amendment 3]

SEASONAL AND MISCELLANEOUS FOOD COMMODITIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Sections 1351.955a, 1351.958a and 1351.965 (a) (15) are added and § 1351.965 (a) (1) and an item in § 1351.969 are amended, all to read as set forth below:

§ 1351.955a *Maximum prices for new container sizes and new formulae of canned boned chicken and canned boned turkey for sales to the United States or any agency thereof.* (a) The maximum price per dozen or other unit of canned boned chicken and canned boned turkey for sales to the United States or any agency thereof in any new container size of the same or of a different formula of product from that sold to this class of purchasers during March 1942 shall be calculated as follows. The producer shall:

(1) *Select the base container size of the formula to be priced.* The producer shall first select the nearest container size of the same formula, or, if he did not sell the same formula, then of a different formula of canned boned chicken or canned boned turkey sold by him to the United States or any agency thereof during March 1942. He shall then calculate new maximum prices for that nearest container size of the same or different formula (as the case may be) of canned boned chicken or canned boned turkey under the provisions of § 1351.955 (even though he may no longer sell or intend to sell that size).

For purposes of this section only, canned boned chicken may be considered a commodity comparable to canned boned turkey.

As used in this paragraph "formula" means that proportion of chicken or turkey meat, skin, broth and salt specified by the agency of the United States making the purchase.

(2) *Deduct the container cost.* Taking the maximum price per dozen or other unit which he has already calculated for the selected base container size, the producer shall then subtract container costs per dozen or other unit of that container.

(3) *Adjust for the difference in contents.* The figure obtained by this deduction shall then be adjusted by dividing it by the number of ounces in that sized container and multiplying the result by the number of ounces in the new sized container being priced.

(4) *Add the new container cost.* Finally, the packer shall add to this adjusted figure container costs for the size and formula per dozen or other unit of the sized container being priced.

As used in this paragraph "container costs" means the invoice price delivered at the producer's factory of the container, label, cap (if any), shipping case, dividers (if any), metal strapping (if any) and all other materials specified by the purchaser as required packing material. "Container costs" shall be computed in accordance with the provisions of paragraph (a) of § 1351.955.

(b) If a producer did not sell canned boned chicken or canned boned turkey during March 1942 to the United States or any agency thereof, he shall take as his maximum price for sales to purchasers of that class the maximum price of his most closely competitive producer of the same class for sales of canned boned chicken or canned boned turkey to the United States or any agency thereof as determined under this Regulation.

§ 1351.958a *Exempt sales.* This regulation shall not apply to the following:

(a) Retail sales or deliveries of commodities made or produced by the seller at his home solely for his own account, without the assistance of hired employees, if the total of such sales or deliveries does not exceed $75.00 in any one calendar month.

(b) Sales or deliveries of canned chili con carne to the United States or any agency thereof.

§ 1351.965 *Definitions.* (a) When used in this Maximum Price Regulation No. 262 the term:

(1) "Producer" means a person, firm or corporation operating an establishment producing, manufacturing or proc-

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9244, 10844.

essing a commodity listed in Appendix A or B hereof.

* * * * *

(15) "Fountain fruits" means processed fruits in syrup, either whole, cut or crushed and packed in container sizes customarily bought by drug stores, soda fountains, ice cream manufacturers, taverns, etc. including, but not limited to:

Bananas in syrup.
Cherries, whole.
Cherries, sliced.
Cherries, crushed.
Cherries, Maraschino in containers of 28 fluid ounces or larger.
Fruit salad
Orange-Pineapple.
Peaches, brandy flavored.
Peach Melba
Pineapple, crushed.
Pineapple, cubes.
Pineapple, maraschino.
Raspberries, crushed.
Raspberries, whole.
Strawberries, crushed.
Strawberries, whole.
Tutti-Frutti (or similar combinations).

§ 1351.969 *Appendix B: Miscellaneous food commodities covered by this regulation.* The following miscellaneous food commodities are covered by and shall be governed by this Maximum Price Regulation No. 262.

* * * * *

Canned boned chicken.
Canned boned turkey.

* * * * *

§ 1351.967a *Effective dates of amendments.* * * *

(c) This Amendment No. 3 to Maximum Price Regulation No. 262 (§§1351.955a, 1351.958a, 1351.965 (a) (1) and (15), 1351.969 and 1351.967a (c) shall become effective January 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-281; Filed, January 5, 1943; 4:00 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5C,[1] Amendment 9]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new paragraph (v) to § 1394.7706 is added, as set forth below:

Supplemental Rations

* * * * *

§ 1394.7706 *Preferred mileage.* * * *

(v) By a person principally engaged in selling eligible commodities, who has driven or who has assumed the duties of a person who has driven more than an average of 723 miles per month for the purpose of selling such commodities during the calendar year of 1942 or the part thereof during which such person was so engaged: *Provided*, That the applicant or the person whose duties he has assumed has been principally engaged in selling such commodities for the three-month period preceding the date of application under this paragraph. No ration for preferred mileage may be issued under the provisions of this paragraph in the gasoline shortage area until the Office of Price Administration finds that the available gasoline supply in such area justifies extension of the provisions of this paragraph to such area.

(1) Eligible commodities shall for the purpose of this paragraph be:

(i) Necessary equipment or necessary materials for the operation of establishments or facilities of the categories listed in paragraph (o) of this section only, including: naval, military or hospital establishments or facilties, establishments or facilities of public utilities, common carriers or other essential carriers, or industrial, extractive or agricultural establishments essential to the war effort; or

(ii) Foods, building materials, clothing, fuels or medical supplies which are essential to the health or safety of the community: *Provided*, That no mileage may be allowed under this paragraph for selling directly to the ultimate consumer for personal, family or household use: *Provided further*, That no mileage may be allowed under this paragraph for selling alcoholic beverages, soft drinks or similar beverages, ice cream, confections or candy, flowers, novelties, jewelry or furs, or any foods, building supplies, clothing, fuels or medical supplies which are not essential to the health or safety of the community.

(2) Application for a ration to be issued pursuant to this paragraph shall be made on Form OPA R-535 or Form OPA R-551, as the case may be, and shall be accompanied by a statement, certified by the applicant, showing:

(i) The types of commoditien which are sold by the applicant and the approximate percentage of time employed in selling each;

(ii) The kinds of establishments or facilities which use the equipment or materials sold, and the types of persons to whom the foods, building materials, clothing, fuels or medical supplies are sold by the applicant; and

(iii) The types of commodities sold by the applicant during the calendar year 1942, the number of months the applicant was engaged in selling each type, and the average monthly mileage driven in selling eligible commodities in 1942 or the part of that year during which he was engaged in selling such commodities: *Provided*, That whenever the applicant has taken the place or assumed the duties of a person principally engaged in selling eligible commodities for all or part of the three-month period prior to the date of application, or for a period prior thereto, the applicant shall show as his average monthly mileage the average monthly mileage driven in the selling of eligible commodities by himself and his predecessor, but shall not include any mileage driven by either prior to 1942.

(3) If a Board finds the facts stated on the application to be true, it shall determine the monthly average of the mileage driven by the applicant (or the person whose duties he has assumed for the purpose of selling eligible commodities of the types specified in this paragraph, during the period from January 8 to December 31, 1942. If such average exceeds 723 miles per month, the Board, upon surrender of the current suplemental or fleet ration (if any) held by the applicant, may, in addition to any other preferred mileage which may be allowed, issue a ration providing allowed occupational mileage of sixty-five (65) percent of such monthly average but in no event more than an average of 717 miles per month.

* * * * *

Effective Dates

§ 1394.8532 *Effective dates of amendments.* * * *

(i) Amendment No. 9 (§ 1394.7706 (v)) to Ration Order 30 shall become effective January 8, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, 77th Cong.; W.F.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 5th day of January 1943.

LEON HENDERSON,
Administrator

[F. R. Doc. 43-282, Filed, January 5, 1943; 4:00 p. m.]

PART 1400—TEXTILE FABRICS, COTTON, WOOL, SILK, SYNTHETICS AND ADMIXTURES

[MPR 118, Amendment 15]

COTTON PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Added: §§ 1400.101 (b) (5), 1400.118 (a) (8), 1400.118 (d) (18) Reference Nos. 20a and 20b, 1400.118 (d) (19) (ii) (a), 1400.118 (d) (32), and 1400.118 (d) (33).

The following item is added to § 1400.118 (d) (8) (iii) (*e*):

These maximum prices shall also apply, in lieu of those established in (b) above, to sale and deliveries of 8 oz. and 9 oz. gem ducks (in the grey), by the Shoe Fabrics Division of Pepperell Manufacturing Company, 160 State St., Boston, Massachusetts, to shoe manufacturers.

The following item is added to § 1400.118 (d) (19) (i):

The maximum prices set forth in (a) of (ii) below are subject to terms of 2 per cent 10 days, 60 extra, with anticipation at 6 per cent per annum allowed where payment is made after 9 days.

§ 1400.101 *Maximum prices for cotton products.* * * *

(b) * * *

(5) The maximum price for any cotton product for which a seller is unable, after diligent inquiry, to determine a maximum price under subparagraphs (1), (2), (3) and (4), shall be a price authorized by the Office of Price Administration, Washington, D. C. In requesting authorization of a price hereunder, the applicant shall submit a complete description of the cotton product (including width, weight, cloth count and yarn numbers), itemized production costs, terms of sale, and a full description of the use for which the cotton product is to be produced; shall set forth the reasons why it cannot be priced under the other provisions of this paragraph; and shall state what efforts have been made to use such other provisions. It is not permissible to sell or deliver any cotton product which is to be priced under this subparagraph (5) until after the Office of Price Administration has authorized a maximum price, except as is permitted by § 1400.101 (e).

§ 1400.118 *Specific and formula maximum prices for certain cotton products: construction reports.* (a) * * *

(8) *For pinchecks and woven curtain nets:* January 11, 1943. * * *

(d) * * *

(18) *Miscellaneous special products.* * * *

Reference no.	Description	Producer	Maximum price
* * *	* * *	* * *	* * *
20a–20b	Finished meads cloth produced from the following grey constructions or any closely related constructions serving the same functional use, conforming to Federal Specifications CCC-T-401.		
20a	41" 74 x 86 2.90 (grey)		21 cents per yard.
20b	40½" 74 x 86 2.80 (grey)		21.625 cents per yard.

* * * * *

(32) *Pinchecks*—(i) *Terms of sale.* The maximum prices for pinchecks set forth below are subject to terms of 2 per cent 10 days, 60 extra, with anticipation at the rate of 6 per cent per annum where payment is made after 9 days.

(ii) The following are the maximum prices for the constructions of pinchecks listed below:

(*a*) *Alabama Mills.*

Reference No.	Construction	Finish	Cents per yard
1	31½" 79 x 38 3.11	Regular	17.25
2	30½" 84 x 42 2.85	Sanforized	20.25
3	38½" 79 x 38 2.65	Regular	18.75
4	36" 84 x 42 2.40	Sanforized	21.75

(*b*) *Pepperell Mfg. Co.*

Reference No.	Construction	Finish	Cents per yard
1	36" 76 x 44 2.35	Sanforized	21.75

(33) *Woven curtain nets*—(i) *Terms of sale.* The maximum prices for woven curtain nets set forth below are for yard goods, put up cuttersfold, except in the case of goods marked "price per panel," and are subject to terms of 2 per cent 10 days, 60 days extra, with anticipation at the rate of 6 per cent per annum where payment is made after 9 days.

(ii) The following are the maximum prices for the styles of woven curtain nets listed below:

(*a*) *Mooresville Cotton Mill.*

Reference No.	Style No.	Construction	Cents per yard
1	214C	36" 12 x 10 10.61	7½
2	220C	36" 12 x 10 12.51	6¾
3	226C	36" 12 x 10 12.02	7
4	229C	36" 12 x 10 12.13	7
5	232C	36" 12 x 10 12.75	6⅝
6	205C	36" 26 x 10 4.79	14
7	217C	36" 20 x 12 6.79	11
8	228C	36" 21 x 12 7.44	10¼
9	234C	36" 21 x 12 9.59	8¼
10	235C	36" 21 x 12 8.32	9
11	230C	36" 36 x 14 7.84	9⅝
12	300	36" 39 x 24 7.00	11

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9135, 1787, 10147, 10016, 10110, 10338, 10786, 10787, 11009, 11070.

(b) *New Braunfels Textile Mills, Inc.*

Reference No.	Style No.	Construction	Cents per yard
1	32	35″ 23 x 14 14.57	*14
2	91	36″ 22 x 14 8.19	8
3	115	36″ 22 x 14 11.86	*19½
4	130	36″ 22 x 12 7.50	7½
5	132	39″ 38 x 32 9.02	11
6	804	35″ 23 x 14 14.57	*14½
7	3115	36″ 22 x 14 8.86	*20⅜
8	8501	36″ 22 x 14 8.86	7½

*Cents per panel.

(c) *Pomona Mfg. Co.*

Reference No.	Style No.	Construction	Cents per yard
1	1254	36″ 21 x 12 9.62	8½
2	1258	36″ 21 x 12 9.62	8½
3	1259	36″ 21 x 12 [illegible]	8½
4	1263	36″ 22 x 14 10.32	9½
5	1270	36″ 20 x 13 10.30	10½
6	1371	36″ 21 x 12 7.88	7½
7	1376	36″ 20 x 12 9.42	8½
8	1377	36″ 20 x 12 9.42	8½
9	1382	36″ 20 x 12 9.42	8½
10	1384	36″ 20 x 12 9.42	8½
11	1385	36″ 20 x 12 9.42	8½
12	1386	36″ 20 x 12 9.42	8½
13	1387	36″ 20 x 11 11.03	9½
14	1388	36″ 20 x 11 10.20	9½
15	1390	36″ 20 x 10 9.61	8½
16	1391	36″ 20 x 11 10.20	9½

(d) *Pilot Mills Co.*

Reference No.	Style No.	Construction	Cents per yard
1	14562	36″ 12 x 12 8.73	8½
2	14565	36″ 12 x 12 8.73	8½
3	16030	36″ 20 x 8 6.82	6½
4	16031	36″ 20 x 8 6.82	6½
5	16032	36″ 20 x 8 6.82	6½
6	16041	36″ 12 x 12 8.34	9¼
7	16042	36″ 29 x 30 5.10	14½
8	16047	36″ 12 x 12 10.06	9¾
9	16050	36″ 12 x 12 10.13	9¾
10	16051	36″ 12 x 12 11.35	11½
11	16063	36″ 20 x 12 5.87	5½
12	16064	36″ 20 x 5 7.05	6½
13	16065	36″ 20 x 10 9.61	8½
14	16067	36″ 20 x 10 9.59	7½
15	16068	36″ 20 x 10 12.17	9½
16	16069	36″ 20 x 12 7.84	7½
17	16071	36″ 20 x 11 7.58	10½
18	16074	36″ 20 x 11 7.58	10½
19	16079	36″ 12 x 12 8.34	9½
20	16080	36″ 20 x 10 11.47	9½
21	16082	36″ 20 x 8 7.76	9½

(iii) *Seconds and shorts.* For seconds and short lengths, the maximum prices set forth above shall be discounted as follows:

	Percent
Seconds	5
20/40	10
10/20	15
1/10	25

(19) *Yarn-dyed slack suitings.* • • •

(ii) • • •

Seller	Reference No.	Description	Maximum price
			Cents per yd.
• • •	• • •	• • •	• • •
(k) Cannon Mills, Inc.	1	Style 3806 (50% color)	19½
	2	Style 3806 (75% color)	19½
	3	Style 3806 (100% color)	19½
	4	Style 4416 (50% color)	19½
	5	Style 4416 (75% color)	20
	6	Style 4416 (100% color)	20½
	7	Style 4923 (50% color)	20
	8	Style 4923 (75% color)	20½
	9	Style 4923 (100% color)	21½

• • • • • • •

§ 1400.117 *Effective dates of amendments.* • • •

(c) Amendment No. 15 (§§ 1400.101 (b) (5), 1400.118 (a) (8), 1400.118 (d) (8) (iii) (c), (d) (18) Reference Nos. 20a and 20b, (d) (19) (i), (d) (19) (ii) (k), (d) (32), (d) (33)), to Maximum Price Regulation No. 118 shall become effective January 11, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-293; Filed, January 5, 1943; 4:00 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 83 to Supp. Reg. 14[1] of GMPR[2]]

FLUID MILK AND CREAM

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Inferior subdivision (*a*) of subdivision (i) of § 1499.73 (a) (1) is amended; two new inferior subdivisions (*n*) and (*o*) are added to subdivision (i) of § 1499.73 (a) (1); two new inferior subdivisions (*p*) and (*q*) are added to subdivision (ii) of § 1499.73 (a) (1), as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services, and transactions.*

(a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided:

(1) *Fluid milk and cream*—(i) *Maximum prices for fluid milk sold at retail in specified localities.*

• • •

Sales to other classes of purchasers. The seller may add 1¢ per quart, or a proportionate amount for a part of a quart, to his maximum price, as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, for sales to classes of purchasers not included in out-of-store sales and deliveries-to-the-home. Maximum prices for sales to such classes of purchasers, however, shall not in any event be higher than the maximum prices set forth in the table above.

[1] F.R. 5486, 5709, 5911, 6068, 6271, 6369, 6473, 6477, 6774, 6775, 6776, 6793, 6887, 6892, 6939, 6965, 7011, 7012, 7203, 7250, 7289, 7365, 7400, 7401, 7453, 7510, 7511, 7535, 7536, 7538, 7604, 7739, 7671, 7812, 7914, 7946, 8024, 8199, 8237, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 8950, 8954, 8955, 8958, 9043, 9082, 9131, 9196, 9391, 9397, 9495, 9496, 9639, 9786, 9900, 9901, 10069, 10411, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10537, 10557, 10583, 10705, 10865, 11005.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6091, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 8942, 9004, 9435, 9615, 9616, 9732, 10155, 10454.

Locality	Special type	Grade	Type of delivery	Container size	Type of container	Adjusted maximum price (cents)
(a) Chicago, Illinois area.	.....	Approved	Out of store	Quart	Glass or paper	Plus 0.
Out-of-store sales and home deliveries.[4]	.....	Approved	Out of store or to the home	Pint	Glass or paper	Plus ½.
		Approved	Out of store or to the home	Quart	Glass or paper	Plus ½.
		Approved	Out of store or to the home	½ pint	Glass or paper	Plus ½.
		Approved	Out of store or to the home	½ quart	Glass or paper	Plus ½.
		Approved	Out of store or to the home	¾ pint	Glass or paper	Plus ½.
		Approved	Out of store or to the home	¾ quart	Glass or paper	Plus ½.
	All special types and buttermilk.	Approved	Out of store	Pint	Glass or paper	Plus ½.
		Approved	Out of store or to the home	½ pint	Glass or paper	Plus ½.
		Approved	Out of store or to the home	½ quart	Glass or paper	Plus ½.
		Approved	Out of store or to the home	¾ pint	Glass or paper	Plus ½.
		Approved	Out of store or to the home	¾ quart	Glass or paper	Plus ½.
(b) Duluth-Superior area.	.....	Approved	Out of store or to the home	Quart	Glass or paper	Plus 1.
Out-of-store sales and home deliveries[4]	.....	Approved	Out of store or to the home	Pint	Glass or paper	Plus ½.
		Approved	Out of store or to the home	½ pint	Glass or paper	Plus ½.
		Approved	Out of store or to the home	½ quart	Glass or paper	Plus ½.
	All special types and buttermilk.	Approved	Out of store or to the home	Quart	Glass or paper	Plus 1.
		Approved	Out of store or to the home	Pint	Glass or paper	Plus ½.
		Approved	Out of store or to the home	½ pint	Glass or paper	Plus ½.
		Approved	Out of store or to the home	½ quart	Glass or paper	Plus ½.

[3] Notwithstanding § 1499.2, General Provisions, of the General Maximum Price Regulation and subdivision (i) of § 1499.73 (a) (1) above, the seller's maximum price for quart container sizes shall be the specific amounts set forth in table above. See also infra footnote 4.

Pint, ½ pint, and ½ quart container sizes. Every seller may add to his maximum price in effect on January 1, 1943 for fluid milk in pint, ½ pint, and ½ quart container sizes an amount proportionate to the increase in his maximum selling price for quart container sizes resulting from the foregoing specific maximum prices for out-of-store sales and home deliveries.

Retail sales to other classes of purchasers. The seller may add 1¢ per quart, or a proportionate amount for a part of a quart, to his maximum price, as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, for retail sales of fluid milk to classes of purchasers not included in out-of-store sales and deliveries-to-the-home. Maximum prices for sales to such classes of purchasers shall not in any event be higher than the maximum prices set forth in the table above.

Locality	Special type	Grade	Type of delivery	Container size	Type of container	Adjusted maximum price (cents)
(q) New York Metropolitan area.	.....	Approved	Out of store	Quart	Glass	14
Out-of-store sales and home deliveries.[4]	.....	Approved	Out of store	Quart	Paper	15
		Approved	To the home	Quart	Glass	17
		Approved	To the home	Quart	Paper	15
	All special types and buttermilk.	Approved	Out of store or to the home	Quart	Glass or paper	Plus 1

[4] If the maximum price results in a fraction of a cent, it may be adjusted to the nearest ½ cent. *In the case of single unit sales at retail,* however, any maximum price resulting in a fraction of a cent must be reduced to the lowest cent or the fraction is less than ½¢ and may be increased to the nearest higher cent if the fraction is ½¢ or more. Sales of milk and cream shall be considered multiple unit sales unless separate collections are made for single units delivered.

[5] *Calculations.* If the maximum price results in a fraction of a cent, it may be adjusted to the nearest ½ cent. *In the case of single unit sales at retail,* however, any maximum price resulting in a fraction of a cent must be reduced to the lowest cent or the fraction is less than ½¢ and may be increased to the nearest higher cent if the fraction is ½¢ or more. Sales of milk and cream shall be considered multiple unit sales unless separate collections are made for single units delivered.

Retail sales to other classes of purchasers. The seller may add 1¢ per quart, or a proportionate amount for a part of a quart to his maximum price, as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, for sales to classes of purchasers not included in out-of-store sales and deliveries-to-the-home. Maximum prices for sales to such classes of purchasers, however, shall not in any event be higher than the maximum prices set forth in the table above.

(ii) *Maximum prices for fluid milk sold at wholesale in specified localities.*

Locality	Special type	Grade	Container size	Type of container	Adjusted maximum price (cents)
(b) New York Metropolitan area		Approved	Quart	Glass	12½
		Approved	Quart	Paper	13½
Sales to stores, hotels, restaurants, and institutions.[a]					

[a] Notwithstanding § 1499.2, General Provisions of the General Maximum Price Regulation and subdivision (ii) of § 1499.75 (a) (1) above, the seller's maximum price for quart container sizes shall be the specific amount set forth in table above.

Pint, ½ pint, and ⅕ quart container sizes. Every seller may add to his maximum price in effect on January 1, 1943, for fluid milk in pint, ½ pint and ⅕ quart container sizes, an amount proportionate to the increase in his maximum selling price for quart container sizes as the result of the foregoing specific maximum prices for sales to stores, hotels, restaurants and institutions.

Sales to other classes of purchasers. The seller may add 1¢ per quart, or a proportionate amount for a part of a quart, to his maximum price in effect on January 1, 1943 for sales to classes of purchasers other than stores, hotels, restaurants, and institutions. Maximum prices for sales to such classes of purchasers, however, shall not in any event be higher than the maximum prices set forth in the table above.

Locality	Special type	Grade	Container size	Type of container	Adjusted maximum price (cents)
(a) Chicago, Illinois area		Approved	Quart	Glass or paper	Plus 1
		Approved	Pint	Glass or paper	Plus ½
		Approved	½ Pint	Glass or paper	Plus ¼
Sales to stores, hotels, restaurants, and institutions.	All special types and buttermilk	Approved	Quart	Glass or paper	Plus 1.
	All special types and buttermilk	Approved	Pint	Glass or paper	Plus ½.
	All special types and buttermilk	Approved	½ Pint	Glass or paper	Plus ¼

Sales to other classes of purchasers. The seller may add 1¢ per quart, or a proportionate amount for a part of a quart, to his maximum price, as determined under § 1499.2, General Provisions, of the General Price Regulation, for sales to classes of purchasers other than stores, hotels, restaurants, and institutions. Maximum prices for sales to such classes of purchasers however, shall not in any event be higher than the maximum prices set forth in the table above

Locality	Special type	Grade	Container size	Type of container	Adjusted maximum price (cents)
(c) Duluth Superior area		Approved	Quart	Glass or paper	Plus 1.
		Approved	Pint	Glass or paper	Plus ½
Sales to stores, hotels, restaurants, and institutions		Approved	½ pint	Glass or paper	Plus ¼
	All special types and buttermilk	Approved	Quart	Glass or paper	Plus 1.
	All special types and buttermilk	Approved	Pint	Glass or paper	Plus ½
	All special types and buttermilk	Approved	½ pint	Glass or paper	Plus ¼

Sales to other classes of purchasers. The seller may add 1¢ per quart, or a proportionate amount for any part of a quart, to his maximum price, as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, for sales to classes of purchasers other than stores, hotels, restaurants, and institutions. Maximum prices for sales to such classes of purchasers shall not in any event be higher than the maximum prices set forth in the table above.

(vi) *Definitions.* For purposes of this subparagraph (1): • • •

(p) "Chicago area" means the territory included in the marketing area geographically defined in Federal Milk Marketing Order No. 0–41, as amended, issued by the Secretary of Agriculture on September 1, 1939.

(q) "Duluth-Superior area" means the territory included in the marketing area geographically defined in the Federal Milk Marketing Order No. O–54, as amended, issued by the Secretary of Agriculture on May 5, 1941.

(b) *Effective dates.* • • •

(84) Amendment No. 83 (§ 1499.73 (a) (1)) to Supplementary Regulation No. 14 shall become effective January 4, 1943 and terminate on April 1, 1943.

Issued this 4th day of January 1943

LEON HENDERSON,
Administrator

[F. R. Doc. 43-163; Filed, January 4, 1943, 11:46 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 204—DANGER ZONE REGULATIONS

JACKSONVILLE, FLA., GUNNERY AND BOMBING TARGET AREA

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), the following regulations are hereby prescribed to govern the use and navigation of the waters of the Atlantic Ocean, north of St. Marys Entrance, comprising a gunnery and bombing target area of the United States Naval Air Station, Jacksonville, Florida.

§ 204.81a *Waters of the Atlantic Ocean: U. S. Naval Air Station, Jacksonville, Florida, gunnery and bombing target area, north of St. Marys Entrance* — (a) *The danger zone.* The gunnery and bombing target area is located about 4.9 nautical miles offshore from Cumberland Island, Georgia, and 5.1 nautical miles north of the entrance to Fernandina Harbor, Florida, in a circle having a radius of one nautical mile, with its center at north latitude 30°48' and west longitude 81°21'30". The military operations which will be carried on in this area consist of firing at a target raft cluster from weapons mounted in airplanes flying at varying altitudes, and the dropping of practice aerial bombs from airplanes on points within the area. The target cluster will be located at the center of the danger area and there will be no additional marking of the area.

[1] Chart filed as part of the original document.

(b) *The regulations.* (1) No vessel or other craft shall enter or remain within the area designated during its use for target practice except as provided in subparagraph (4) of this paragraph.

(2) Bombing and target practice will take place in the area at frequent and irregular intervals throughout the year, regardless of season, and advance notice will be given of the date on which the first of such activities will begin. At intervals of not more than three months thereafter, notice will be given that practice is continuing. Such notices will appear in the local newspapers and in "Notice to Mariners".

(3) Prior to conduct of each practice, the danger area will be patrolled by naval aircraft which will warn navigation to leave the area, by "zooming" a safe distance to the side. Upon receiving this signal any watercraft within the danger zone shall immediately leave it and no craft shall enter the area until practice has ceased.

(4) These regulations shall not deny access to or egress from harbors contiguous to this danger area by regular cargo-carrying vessels, nor shall they deny traverse of portions of the danger area by regular cargo-carrying vessels proceeding on established steamer lanes. In case of the presence of any such vessel in the danger area, the officer in charge of gunnery and bombing operations shall cause the cessation or postponement of fire until the vessel has cleared the area. The vessel shall proceed on its normal course and not delay its progress.

(5) These regulations will be enforced by the Commandant, United States Naval Air Station, Jacksonville, Florida, and such other agencies as he may designate. (Sec. 7, 40 Stat. 266; 33 U.S.C. 1) [Regs. December 24, 1942 (CE 800.2121 (Atlantic Ocean, Fla.)—SPEON)]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-287; Filed, January 6, 1943; 9:46 a. m.]

TITLE 46—SHIPPING

Chapter I—War Shipping Administration

PART 306—GENERAL AGENTS AND AGENTS

[General Order 12, Supp. 11 (Revised)]

COMPENSATION PAYABLE TO GENERAL AGENTS AND AGENTS—DRY CARGO VESSELS

The amendments to General Order 12, Part I, Compensation Payable to General Agents and Agents—Dry Cargo Vessels, contained in Supp. 11 and published in the FEDERAL REGISTER on December 22, 1942 [7 F.R. 10724] are revised to read:

Section 306.7 *Compensation of agents in continental United States ports* is amended, effective as of its inception, by striking out all thereof preceding the first colon, and inserting in lieu thereof:

§ 306.7 *Compensation of agents in continental United States ports.* As compensation for each handled ton loaded or discharged by the vessel in continental United States ports, each agent shall be compensated as provided in the following paragraphs, out of which the agent will pay his sub-agents:

and is further amended, effective as of October 1, 1942, by striking out paragraph (b) and inserting in lieu thereof:

(b) 10¢ per handled ton for all outward and homeward bulk cargo or cargoes, and for all coastwise cargo except single cargoes of coal and sulphur coastwise, on which the agent shall be compensated at one fee of 3½¢ per handled ton. Where there is a sub-agent appointed to handle a single cargo coastwise of coal or sulphur, the sub-agent shall receive 80% of the compensation provided herein.

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

JANUARY 6, 1943.

[F. R. Doc. 43-296; Filed, January 6, 1943; 11:00 a. m.]

[General Order 25]

PART 341—SHIP WARRANT RULES AND REGULATIONS

DEFINITIONS, CLASSES OF VESSELS, ETC.

OCTOBER 1, 1942.

Pursuant to the authority conferred by the Act of July 14, 1941, (Public Law 173, 77th Congress) and the Executive Order of August 26, 1941, and transferred to the Administrator of the War Shipping Administration by the Executive Order of February 7, 1942, as amended by the Executive Order of September 16, 1942, these rules and regulations pertaining to ship warrants are hereby promulgated. Upon becoming effective, these rules and regulations supersede the Ship Warrant Regulations promulgated by the United States Maritime Commission on August 14, 1941, approved by the President on August 26, 1941, and adopted by the War Shipping Administration on February 18, 1942, as amended by order of the United States Maritime Commission on December 16, 1941, and by order of the War Shipping Administration on June 19, 1942. (Sec. 341.1 to 341.73, incl.)

SUBPART A—DEFINITIONS

§ 341.1 *Definitions.* As used in these rules and regulations the following terms, unless the context indicates otherwise, shall be construed as follows:

(a) "Vessel" shall mean watercraft or other artificial contrivance, of whatsoever description, used or capable of being used as a means of transportation on water: *Provided, however,* That a new hull while under construction shall not be deemed to be a vessel;

(b) "Citizen of the United States" shall include natural persons who are citizens of the United States, and corporations, partnerships, and associations existing, authorized, or organized under the laws of the United States or any State, District, Territory, or possession thereof;

(c) "Administration" shall mean the War Shipping Administration;

(d) "Act" shall mean the Act of July 14, 1941 (Public Law 173, 77th Congress);

(e) "Facilities" shall include services relating to, and physical equipment employed in, the loading, discharging, lighterage, or storage of cargoes, the procurement of bunker fuel or coal, and towing (except as hereinafter provided), overhauling, drydocking, or repair of vessels; *Provided, however,* That these rules and regulations shall not apply with respect to inbound towing into any port of the United States or of its territories or possessions, including the Philippine Islands and the Canal Zone; *Provided further,* That these rules and regulations shall not apply to the use of facilities exclusively engaged in servicing vessels of the class defined in § 341.33 (h);

(f) "Certificate of Warrant" shall mean the original copy of a warrant issued by the Administration to a Class A vessel (defined in § 341.32);

(g) "Warrant holding vessel" shall mean any vessel deemed under § 341.31 to hold a warrant issued pursuant to the Act;

(h) "Non-warrant holding vessel" shall mean any Class A vessel (defined in § 341.32) which does not hold a certificate of warrant issued by the Administration;

(i) "Charter hire or equivalent" shall mean compensation under any (1) charter party, or (2) bill of lading or other contract of affreightment;

(j) "Repair" shall include any reconstruction, alteration, reconditioning, outfitting, or equipping of vessels; and

(k) "Priority" shall mean priority in the use of a facility by a vessel.

SUBPART B—PRIORITIES

§ 341.11 *Priority of warrant holding vessels.* Every facility within the United States, its territories or possessions, including the Philippine Islands and the Canal Zone, shall (notwithstanding any contract, agreement, obligations, or understanding to the contrary) grant priority in its use to warrant holding vessels (including vessels entitled to priority under § 341.33 hereof) over merchant vessels not holding warrants issued pursuant to the Act.

§ 341.12 *Priority for warrant holding vessels regardless of date of application for service.* A warrant holding vessel shall be entitled to priority over a non-warrant holding vessel even though the application for service of the non-warrant holding vessel preceded that of the warrant holding vessel.

§ 341.13 *Priority as between warrant holding vessels.* In the absence of special orders issued by the Administration under § 341.14, priority among warrant holding vessels shall be governed by custom and the usual order of business.

§ 341.14 *Order of priority as between vessels.* Whenever the public interest shall be served thereby, the Administration may issue special orders specifying the ports, places, and facilities at which warrant holding vessels (generally or particularly) shall be accorded priority over other vessels, and the order in which such warrant holding vessels shall have priority among themselves at such ports, places and facilities.

§ 341.15 *Suspension of servicing non-warrant holding vessels.* In case a facility shall have begun servicing a non-warrant holding vessel and a warrant holding vessel presents itself or applies for service at such facility, the servicing of the warrant holding vessel shall not be postponed or delayed, because of the servicing of the non-warrant holding vessel, and the servicing of the non-warrant holding vessel shall be suspended or deferred to the extent necessary: *Provided*, That if the servicing of the non-warrant holding vessel has proceeded to such a point that it would be unsafe to remove it, or if the time required to remove it and to prepare the facility for servicing the warrant holding vessel would exceed the time required to complete the servicing, such servicing may be continued and completed.

SUBPART C—CLASSES OF VESSELS

§ 341.31 *Vessels entitled to priorities.* A vessel shall be deemed to hold a warrant issued pursuant to the Act, and to be entitled to all the priority privileges of a warrant holding vessel, if (a) it is a Class A vessel, as defined in § 341.32 and holds a certificate of warrant issued by the Administration, or (b) it is a Class B vessel, as defined in § 341.33. Class B vessels shall, for purposes of these regulations, be deemed the equivalent of Class A warrant holding vessels.

§ 341.32 *Vessels entitled to priority only if holding certificates of warrant.* Class A vessels shall be entitled to priority only if they hold certificates of warrant issued by the Administration. Unless included in § 341.33 as a Class B vessel, a vessel in any of the following categories shall be a Class A vessel:

(a) Vessels registered under the laws of the United States of 50 gross tons and over;

(b) Foreign-flag vessels of 50 gross tons and over;

(c) Vessels enrolled under the laws of the United States which are engaged in commerce between continental United States and territories or possessions (including Alaska) of the United States;

(d) Enrolled self-propelled tankers of 1,000 gross tons and over;

(e) Other vessels not within Class B and not otherwise provided for by these regulations.

§ 341.33 *Vessels entitled to priority without holding certificates of warrant.* Class B vessels, which shall be entitled to priority without holding certificates of warrant issued by the Administration, shall consist of the following:

(a) Vessels registered under the laws of the United States of less than 50 gross tons;

(b) Vessels owned by the United States, the War Shipping Administration, or any other agency or department of the United States Government, including Coast Guard Reserve vessels.

(c) Vessels holding a certificate of charter to the War Shipping Administration issued under § 341.53;

(d) Foreign-flag vessels of less than 50 gross tons;

(e) Vessels owned by foreign Governments and used exclusively for governmental purposes other than the transportation of cargo;

(f) Vessels enrolled under the laws of the United States (other than enrolled self-propelled tankers of 1,000 gross tons and over) not engaged in commerce between continental United States and territories or possessions (including Alaska) of the United States;

(g) Enrolled self-propelled tankers of less than 1,000 gross tons;

(h) Vessels plying exclusively the inland waters of the United States, including rivers, canals, harbors, bays, sounds, and lakes, including the Great Lakes;

(i) Vessels licensed under the laws of the United States;

(j) Tugs, towboats, salvage vessels, pilot vessels, dredges, and cableships;

(k) Vessels chartered or assigned to the United States Army, or the United States Navy as evidenced by certificate of charter or appropriate advice from the military authorities having jurisdiction over the place where the facilities are located.

SUBPART D—NON-WARRANT HOLDING VESSELS

§ 341.41 *Use of facilities by a non-warrant holding vessel.* A non-warrant holding vessel shall not be entitled to use a facility without presenting a special priority authorization from the Administration.

§ 341.42 *Special priority authorization.* A special priority authorization may be obtained by a non-warrant holding vessel upon application to the Administration. In passing upon such applications, the Administration may consider whether, in view of the availability of fuel, repair parts and materials, etc., and of the state of business at the port, the use of the facility by the applicant would impair the ability of the facility to serve and accord priority to warrant holding vessels or would otherwise be contrary to the national interest. The Administration may consult with such other agencies of government as may be interested in the matter.

SUBPART E—CERTIFICATES OF WARRANT

§ 341.51 *Form of certificate of warrant.* The form of certificate of warrant shall be as follows:

UNITED STATES OF AMERICA
WAR SHIPPING ADMINISTRATION [1]

Merchant Ship Warrant

No. ------

The {motor / steam} Vessel ---------- of ---------- net tonnage, documented at the port of ---------- under the laws of ---------- is entitled to priority with respect to the use of facilities for loading, discharging, lighterage or storage of cargoes, the procurement of bunker fuel or coal, and the towing, overhauling, drydocking or repair of merchant vessels in the United States, its Territories and Possessions, including the Philippine Islands and The Panama Canal Zone, as provided by An Act, Approved July 14, 1941, and the Regulations made thereunder.

This warrant is revocable at any time without notice.

Unless revoked it is valid until ----------

WAR SHIPPING ADMINISTRATION
By ----------
Secretary

[1] Certificates of warrant issued pursuant to these Rules and Regulations in the name of the United States Maritime Commission shall have the same force and effect as certificates of warrants issued in the name of the War Shipping Administration.

§ 341.52 *Warrants issued in name of United States Maritime Commission.* Warrants issued pursuant to the regulations promulgated by the Maritime Commission on August 14, 1941, as amended, shall, until revocation, expiration, or surrender, have the same force and effect as certificates of warrant issued pursuant to these rules and regulations.

§ 341.53 *Certificate of character.* A vessel under charter to the War Shipping Administration shall be entitled to a certificate to such effect. The form of certificate shall be as follows:

UNITED STATES OF AMERICA
WAR SHIPPING ADMINISTRATION

Certificate of Charter

No. ------

The {motor / steam} Vessel ---------- of ---------- net tonnage, documented at the port of ---------- under the laws of ---------- is under charter to the War Shipping Administration for the period ---------- unless the charter is sooner revoked or otherwise terminated. During the life of this charter and while this certificate remains valid, the Vessel shall be entitled to priority with respect to the use of facilities for loading, discharging, lighterage or storage of cargoes, the procurement of bunker fuel or coal, and the towing, overhauling, drydocking or repair of merchant vessels in the United States, its Territories and Possessions, including the Philippine Islands and the Panama Canal Zone, as provided by an Act, Approved July 14, 1941, and the Regulations made thereunder.

This certificate is revocable at any time without notice.

Unless revoked it is valid until ----------

WAR SHIPPING ADMINISTRATION
By ----------
Secretary

§ 341.54 *Revocation of certificate of charter.* Upon termination of a charter to the War Shipping Administration, the certificate of charter issued under § 341.53 shall automatically be revoked. It shall be the duty of whoever is in possession of such certificate to return same immediately to the Administration.

SUBPART F—APPLICATION FOR CERTIFICATES OF WARRANT

§ 341.61 *Issuance of certificates of warrant.* Certificates of warrant (hereinafter termed "warrants") may be issued by the Administration upon application by the owner, charterer, or duly authorized managing agent, for any vessel documented under the laws of the United States, or owned by a citizen of the United States, or documented under the laws of a foreign nation and not owned by a citizen of the United States, the towing, overhauling drydocking or repair of merchant vessels in the United States, its Territories and Possessions, including the Philippine Islands and The Panama Canal Zone, as provided by An Act, Approved July 14, 1941, and the Regulations made thereunder.

Unless revoked it is valid until ----------

WAR SHIPPING ADMINISTRATION
By ----------
Secretary

§ 341.62 *Form of application and undertaking.* Such application shall consist of an undertaking with Schedules A and B attached thereto in the following forms:

WAR SHIPPING ADMINISTRATION [2]

UNDERTAKING FOR MERCHANT SHIP WARRANTS

The undersigned hereby applies for Merchant Ship Warrants for the vessels described in Schedules A and B attached hereto and made a part hereof. The undersigned undertakes:

(1) To employ said vessels in the trade route set opposite the name of each vessel, and in no other, except with the consent of the War Shipping Administration, unless said Administration shall otherwise prescribe by fair and reasonable conditions imposed in the issuance or continued effectiveness of such warrants;

(2) To carry only the class or classes of cargo or passengers indicated in the attached Schedule A with respect to each of such vessels, unless said Administration shall otherwise prescribe by fair and reasonable conditions imposed in the issuance or continued effectiveness of such warrants;

(3) To charge no more than the amount set forth in the attached Schedule A as charter hire or equivalent, unless said Administration shall otherwise prescribe by fair and reasonable conditions imposed in the issuance or continued effectiveness of such warrants;

(4) To inform the Administration in writing of any commitments with respect to any vessels under the control of the undersigned entered into with respect to voyages to be performed after the date of the filing hereof;

(5) To inform the Administration of any vessels which may come under or pass from the control of the undersigned in any manner after the date of the filing hereof;

(6) To obligate any charterer or subcharterer of any vessel under the control of the undersigned by an appropriate condition in the agreement for such charter or subcharter, to accept, for the period of such agreement, each and all of the terms of this undertaking with respect to any vessel so chartered or subchartered; and

(7) To return any warrant to the Administration by registered mail as soon as possible after receipt of notice of revocation or modification thereof by the Administration or after surrender or expiration thereof.

The undersigned understands that this undertaking is given to induce the issuance of the warrants requested; that any warrant issued will be in reliance upon the truth of the statements herein and in Schedules A and B contained; and that any such warrant may be modified or revoked at any time by the Administration. In filing this undertaking the undersigned is acting for and on behalf of the masters and owners or charterers of all of the vessels subject hereto.

---------- Applicant

By: ---------- Title

SCHEDULE A

(For all vessels for which warrants are requested)

To be appended to undertaking

Filed by ----------, on ----------, 194--.

Name of vessel	Trade	Voyage	Cargo	Passengers	Maximum charter Hire or equivalent [1]

[1] If applicant is to carry cargo under bills of lading, the actual rates under which each of the commodities is to be transported must be appended to this undertaking unless a tariff or minimum rate schedule showing such rates already is on file with the United States Maritime Commission in connection with a conference agreement or otherwise, or is on file pursuant to law with the Interstate Commerce Commission or any State Commission, in which case such tariff or minimum rate schedule may be incorporated into this Schedule A by reference as "Maximum charter hire or equivalent."

SCHEDULE B

(For each vessel for which a warrant is requested)

To be appended to undertaking

Filed by ----------, on ----------, 194--.

1. Name of owner agent/charterers ----------
(Strike inapplicable)
2. Name and type of vessel S. S./M. S. ----------
3. Port of registry ----------
4. Flag ----------
5. Official No. ----------
6. Gross register tonnage ----------
7. Net register tonnage ----------
8. Total deadweight tonnage ----------
9. Draft light ---------- loaded ----------
10. Bale cubic (total cargo cubic) capacity ----------
11. If tanker, indicate cubic capacity for dry cargo ----------
12. Grain cubic capacity ----------
13. Number of hatches and size of each ----------
14. Number of decks (cargo space) ----------
15. Height of tweendecks ----------
16. Lifting capacity of booms ----------
17. Heavy lift equipment and hatch location ----------
18. Bunker capacity ----------
19. Type bunkers used ----------
20. Daily fuel consumption at sea ----------
21. Passenger accommodations: Number of rooms ---------- Total capacity, each class ----------
22. Fresh water capacity: Domestic ---------- boiler ---------- daily evaporator capacity ----------
23. Average speed ----------
24. Refrigerated space: Number of compartments ---------- cubic ----------
Minimum temperature ----------
25. No. of Cargo deep tanks ----------
Cubic ---------- deadweight capacity ----------
26. Now trading ----------

[2] Undertakings submitted in a form headed *United States Maritime Commission* shall have the same force and effect as undertakings submitted in a form headed *War Shipping Administration*.

§ 341.63 *Conditions with respect to issuance of warrants.* With respect to undertakings for warrants the Administration in approving any undertaking shall have the right to issue any warrant subject to such fair and reasonable conditions in modification of or in addition to any representation contained in the undertaking relating to the trade in which the vessel shall be employed, the voyages which it shall undertake, the class or classes of cargo or passengers to be carried, the maximum rate of charter hire or equivalent, and such incidental and supplementary matters as are prescribed by the Administration.

§ 341.64 *Determination of Administration final.* The determination under § 341.63 hereof by the Administration as to what conditions are fair and reasonable shall be final, but the acceptance of a warrant issued subject to compliance with such conditions shall not constitute a waiver of any rights of the owner, charterer, or managing agent which may arise from compliance with any such condition.

SUBPART G—MODIFICATION, REVOCATION, OR SURRENDER

§ 341.65 *Revocation of warrants.* The Administration reserves the right to revoke any warrant without prior notice or hearing if it is reasonably satisfied that the vessel for which such warrant is issued has violated in any substantial manner the representations contained in the undertaking filed for the issuance of such warrant, or any conditions imposed by the Administration under § 341.63.

§ 341.66 *Grounds for revocation.* Warrants may be revoked or modified after reasonable notice to the owner, charterer, or managing agent, if, in the opinion of the Administration, the undertaking supporting such warrant, or the conditions attached to the issuance thereof, are not at the time of such notice in accord with the purposes of the Act.

§ 341.67 *Effect of amendments to rules and regulations.* In the event of amendment of these rules and regulations, the Administration reserves the right to withdraw any or all warrants for modification or revocation. Upon notice of such amendment, the warrant-holder shall be bound thereby, *Provided, however*, That any warrant-holder who does not wish to comply with any rule or regulation as amended may surrender his warrants and be relieved of all attendant obligations.

§ 341.68 *Return of warrant.* Upon revocation, modification, expiration, or surrender, the warrant shall be removed from the vessel and returned immediately to the Administration.

§ 341.69 *Return of warrant upon termination of control over vessels.* Upon termination of a warrant-holder's control over a vessel, the warrant shall be removed from the vessel and immediately returned to the Administration, unless such warrant holder is otherwise instructed by the Administration.

SUBPART H—PROHIBITIONS AND PENALTY

§ 341.71 *Alteration or counterfeiting of warrant.* No person shall in any manner alter, erase, or insert any matter in the face of any warrant or reproduce or counterfeit any warrant.

§ 341.72 *False statement or representations.* No person shall make any willfully false statement or representation in order to procure or retain a warrant.

§ 341.73 *Penalty provisions of Act.* Section 6 of the Act provides:

Whoever willfully violates any rule, regulation, or order issued under the authority conferred herein shall be punished by a fine of

not more than $5,000, or by imprisonment for not more than two years or both: *Provided*, That the District Court of the Canal Zone and the several courts of first instance of the Commonwealth of the Philippine Islands shall have jurisdiction over offenses committed against the provisions of this Act within the Canal Zone and the Philippine Islands respectively.

SUBPART I—EFFECTIVE DATE

§ 341.74 *Effective date.* These rules and regulations shall become effective thirty days after approval by the President.

[SEAL] E. S. LAND,
Administrator.

Approved:

FRANKLIN D ROOSEVELT
The White House, Jan. 4, 1943.

[F. R. Doc. 43-309; Filed, January 6, 1943; 11:46 a. m.]

Notices

WAR DEPARTMENT.

[Public Proclamation No. 14]

AMENDMENT OF ORDERS ESTABLISHING MILITARY AREAS 1-5

DECEMBER 23, 1942.

Headquarters Western Defense Command and Fourth Army, Presidio of San Francisco, California.

To: The people within the States of Washington, Oregon, California, Arizona, Nevada, Utah, Idaho, and Montana and the Public Generally:

I, J. L. DeWitt, Lieutenant General, United States Army, by virtue of the authority vested in me by the President of the United States and by the Secretary of War and my powers and prerogatives as Commanding General, Western Defense Command, and pursuant to a determination of continuing military necessity therefor do hereby declare and proclaim that:

1. Public Proclamation No. 1,[1] dated March 2, 1942, and Public Proclamation No. 2,[2] dated March 16, 1942, this headquarters, as amended, are hereby further amended as follows:

a. Prohibited zones "A-2 to A-1033" inclusive, are hereby abolished and all restrictions and regulations relative thereto are rescinded.

b. Restricted zone B of Military Area No. 1 as described in said Public Proclamation No. 1,[1] is hereby declared to be a prohibited zone. Military Area No. 1 is declared to be henceforth a single prohibited zone and any distinction heretofore existing between prohibited zone A-1 and restricted zone B thereof is hereby eliminated.

[SEAL] J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

Confirmed:

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-291; Filed, January 6, 1943; 10:27 a. m.]

[1] 7 F.R. 2320
[2] 7 F.R. 2405.

[Public Proclamation No. 15]

CONDUCT OF ENEMY ALIENS IN MILITARY AREAS

DECEMBER 24, 1942.

Headquarters Western Defense Command and Fourth Army, Presidio of San Francisco, California.

To: The people within the States of Washington, Oregon, California, Montana, Idaho, Nevada, Utah and Arizona, and the Public Generally:

I, J. L. DeWitt, Lieutenant General, U. S. Army, by virtue of the authority vested in me by the President of the United States and by the Secretary of War, and my powers and prerogatives as Commanding General, Western Defense Command, do hereby declare and proclaim that:

Paragraphs 1, 2, 3, 4, 5 and 7 of Public Proclamation No. 3,[1] this headquarters, dated March 24, 1942, and paragraphs 3 and 4 of Public Proclamation No. 6,[2] this headquarters, dated June 2, 1942, are hereby rescinded.

[SEAL] J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

Confirmed:

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-292; Filed, January 6, 1943; 10:27 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1735]

DISTRICT BOARD 9

ORDER POSTPONING HEARING

In the matter of the petition of District Board No. 9 to increase the effective minimum prices for certain mines.

A hearing in the above-entitled matter having been heretofore scheduled for January 12, 1943, at 10 o'clock in the forenoon of that date at a hearing room of the Bituminous Coal Division, Washington, D. C., and it appearing appropriate that said hearing should be postponed:

Now, therefore, it is ordered, That the hearing in the above-entitled matter be, and it hereby is, postponed from 10 o'clock in the forenoon of January 12, 1943, until 10 o'clock in the forenoon of January 26, 1943, at the place and before the officers heretofore designated.

Dated: January 5, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-298; Filed, January 6, 1943; 11:45 a. m.]

[Docket No. B-47]

MAURER COAL CO.

ORDER WITHDRAWING NOTICE, ETC.

In the matter of Maurer Coal Company, Registered Distributor, Registration No. 6065, respondent.

Order Withdrawing Notice of and Order for Hearing, Cancelling Hearing and Terminating Matter Without Prejudice.

The above-entitled matter having been instituted by a Notice of and Order for Hearing dated October 24, 1941, and amended by Order dated November 22, 1941, and an answer having been duly filed herein, in which it was stated that the discounts, in excess of the maximum allowable discounts referred to in said notice, were accepted by said distributor unintentionally; and

The hearing having been postponed by order of the Acting Director dated December 4, 1941, to a date and place to be thereafter designated by an appropriate order; and

It appearing to the Director from said said answer, and other information in the possession of the Division, that said Notice of and Order for Hearing should be cancelled and that the above-entitled matter should be terminated without prejudice;

Now, therefore, it is ordered, That the said Notice of and Order for Hearing dated October 24, 1941, as amended, be, and the same hereby is, withdrawn; and

It is further ordered, That the hearing heretofore scheduled in the above-entitled matter, be, and the same hereby is cancelled; and

It is further ordered, That the above-entitled matter be, and the same hereby is, terminated without prejudice.

Dated: January 5, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-299; Filed, January 6, 1943; 11:44 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Marketing Administration.

GREATER BOSTON, MASS., MARKETING AREA

HANDLING OF MILK; NOTICE OF REPORT, ETC.

Notice of report and opportunity to file written exceptions with respect to a proposed marketing agreement, as amended, and an amendment to Order No. 4, as amended, regulating the handling of milk in the Greater Boston, Massachusetts, marketing area.

Pursuant to § 900.12 (a), General Regulations, as Amended, Agricultural Marketing Administration, United States Department of Agriculture, notice is hereby given of the filing with the hearing clerk of this report of the Administrator of the Agricultural Marketing Administration with respect to a proposed marketing agreement and to an amendment to the order regulating the handling of milk in the Greater Boston, Massachusetts, marketing area. Interested parties may file exceptions to this report with the hearing clerk, Room 1329, Department of Agriculture, Washington, D. C., not later than the close of business on the fifth day after publication of this notice in the FEDERAL REGISTER.

This report is a supplement to a report filed in connection with the proceedings initiated by the Agricultural Marketing Administration and published December 31, 1942, in the FEDERAL REGISTER. The above-mentioned report which proposed an amended order containing several changes from the present terms of Order No. 4, as amended, based on evidence received at a public hearing held September 24, 25, 28, and 29, also indicated that action on several points had been deferred until a complete analysis of the evidence concerning such points had been made. This report proposes a change concerning one of the points deferred in the previous report. It is now concluded that the Class I price should be increased 23 cents per hundredweight. Recommendations concerning the other two points remain deferred.

The following proposed amendment prepared by the Administrator pursuant to § 900.12 (a) of the General Regulations, as Amended, Agricultural Marketing Administration, is recommended as the detailed means by which this conclusion may be carried out. The proposed amended marketing agreement is not included in this report because the provisions thereof will be the same as the provisions of the proposed amendment to the order.

[1] 7 F.R. 2079.
[2] 7 F.R. 4436.

PROPOSED AMENDMENT TO THE ORDER, AS AMENDED, REGULATING THE HANDLING OF MILK IN THE GREATER BOSTON, MASSACHUSETTS, MARKETING AREA

It is found upon the evidence introduced at the hearing held at Burlington, Vermont, September 24 and 25, and at Boston, Massachusetts, September 28 and 29, 1942:

Findings

1. That prices calculated to give milk produced for sale in the marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8 (e) of said act, 50 Stat. 246; 7 U.S.C. 602, 608e, are not reasonable in view of the available supplies of feeds, the price of feeds, and other economic conditions which affect the supply of and demand for such milk, and that the minimum prices set forth in this amendment to said order are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and that the fixing of such prices does not have for its purpose the maintenance of prices to producers above the levels which are declared in the act to be the policy of Congress to establish;

2. That the order regulates the handling of milk in the same manner as a marketing agreement upon which a hearing has been held; and

3. That the issuance of this amendment to the order, as amended, and all of its terms and conditions, tends to effectuate the declared policy of the act.

Provisions

In the table in § 904.4 (a) (1) delete the second price bracket which reads as follows:

40 or over	$3.86

and substitute therefor the following:

40 or over, but under 45	$3.87
45 or over	4.10

This report filed at Washington, D. C. the 5th day of January 1943.

[SEAL] C. W. KITCHEN,
Acting Administrator.

[F. R. Doc. 43-293; Filed, January 6, 1943; 11:07 a. m.]

DEPARTMENT OF LABOR.

Children's Bureau.

PROPOSED AMENDMENT OF HAZARDOUS-OCCUPATIONS ORDER

Whereas, the Chief of the Children's Bureau, United States Department of Labor, issued Hazardous-Occupations Order No. 1 (4 F.R. 2079, May 20, 1939), effective July 1, 1939, declaring that all occupations in or about plants manufacturing explosives or articles containing explosives components are particularly hazardous for the employment of minors between 16 and 18 years of age, and

Whereas, a supplementary investigation has been made which reveals that certain occupations involved in the manufacture of small-arms ammunition not exceeding .50 caliber in size, shotgun or loaded paper shot shells, and blasting caps when manufactured in conjunction with small-arms ammunition are not particularly hazardous for the employment of minors between 16 and 18 years of age, and

Whereas, the Chief of the Children's Bureau proposes to issue an order amending Hazardous-Occupations Order No. 1.

Now, therefore, notice is hereby given that any interested person may, within twenty days from the date of publication of this proposed order in the FEDERAL REGISTER, file with the Chief of the Children's Bureau, United States Department of Labor, Washington, D. C., written objections thereto, together with a memorandum or brief in support of such objections. Any interested person may secure a copy of the report of the Children's Bureau entitled "Occupational Hazards to Young Workers: The Manufacture of Small-Arms Ammunition" upon request made to the Chief of the Children's Bureau, United States Department of Labor, Washington, D. C.

It is ordered, That § 422.1 of Part 422 of Chapter IV, Title 29, Code of Federal Regulations, is hereby amended so as to read as follows:

§ 422.1 *Occupations in or about plants manufacturing explosives or articles containing explosive components*—(a) *Finding and declaration of fact.* The following occupations in or about plants manufacturing explosives or articles containing explosive components are particularly hazardous for minors between 16 and 18 years of age:

(1) All occupations in or about any plant manufacturing explosives or articles containing explosive components except plants manufacturing small-arms ammunition not exceeding .50 caliber in size, shotgun or loaded paper shot shells, or blasting caps when manufactured in conjunction with small-arms ammunition.

(2) The following occupations in or about any plant manufacturing small-arms ammunition not exceeding .50 caliber in size, shotgun or loaded paper shot shells, or blasting caps when manufactured in conjunction with small-arms ammunition:

(a) All occupations involved in the manufacturing, mixing, transporting, or handling of explosive compounds and all other occupations requiring the performance of any duties in the explosives area in which explosive compounds are manufactured or mixed.

(b) All occupations involved in the manufacturing, transporting, or handling of primers and all other occupations requiring the performance of any duties in the same building in which primers are manufactured.

(c) All occupations involved in the priming of cartridges and all other occupations requiring the performance of any duties in the same workroom in which rim-fire cartridges are primed.

(d) All occupations involved in the plate loading of cartridges and in the operation of automatic loading machines.

(e) All occupations involved in the loading, inspecting, packing, and shipping of blasting caps.

(b) This order shall not justify noncompliance with any Federal or State law or municipal ordinance establishing a higher standard than the standard established herein.

(c) This amendment shall become effective upon publication in the FEDERAL REGISTER.

[SEAL] KATHARINE F. LENROOT,
Chief.

[F. R. Doc. 43-305; Filed, January 6, 1943; 11:55 a. m.]

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of Special Certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393)

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753)

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective January 7, 1943. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel Industry

Liberty Garment Manufacturing Company, 400 1st Ave. N., Minneapolis, Minn.; Overcoats; 3 learners (T); January 7, 1944.

Michaels, Stern & Co., Inc., Liberty Street, Penn Yan, New York; Men's and boys' clothing; 5 percent (T); January 7, 1944.

National Pad & Binding Company, 1932 Arch Street, Philadelphia, Pennsylvania; Bias binding, trouser curtain sleeve & shoulder pads and canvas fronts; 5 learners (T); January 7, 1944.

Oak Brand Manufacturing Company, 1014 Farnam Street, Omaha, Nebraska; Men's and boys' sportswear; 5 percent (T); January 7, 1944.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry

Anthracite Overall Mfg. Co., 430 Penn Avenue, Scranton, Pennsylvania; Trousers and breeches, overalls and coveralls, jackets and mackinaws; 10 percent (T); January 7, 1944.

Blossom Products Corporation, 801 Meadow Street, Allentown, Pennsylvania; Ladies' and children's underwear, men's and boys' underwear; 10 percent (T); January 7, 1944.

Cohn-Goldwater Manufacturing, 525 East 12th Street, Los Angeles, California; Men's dress, sport and work shirts, Men's dress slacks and sport coats, Ladies' tailored shirts; 10 percent (T); January 7, 1944.

Cohn-Goldwater Manufacturing Co., 623 Azuza St., Azuza, California; Ladies' tailored blouses and service garments; 20 learners (E); May 7, 1943.

Consolidated Garment Mfg. Co., 225 N. Market St., Galion, Ohio; Blouses, gowns, slips and slacks; 10 learners (T); January 7, 1944.

Forest City Dress Company, 354 Main Street, Forest City, Pennsylvania; Children's dresses; 10 learners (T); January 7, 1944.

Frances Gee Garment Company, Richmond, Missouri; Uniforms and dresses; 25 learners (E); May 7, 1943.

Albert Given Manufacturing Company, 1301 W. Chicago Ave., E. Chicago, Ind.; Men's trousers; 10 percent (T); January 7, 1944.

Grantham Manufacturing Company, Grantham, Pennsylvania; Ladies' and juniors' wash dresses; 8 learners (T); January 7, 1944.

Her Majesty Underwear Company, Leola, Pennsylvania; Women's and children's slips, U. S. Navy Priority AA1; 10 learners (T); January 7, 1944.

I. B. S. Manufacturing Company, Sec. & Clark Sts., New Albany, Miss.; Work shirts, Army shirts; 10 percent (T); January 7, 1944.

Lafayette Pants Company, 401 Lafayette Blvd., Fredericksburg, Virginia; Men's trousers; 10 percent (T); January 7, 1944.

H. D. Lee Mercantile Co., 200 North Third St., Minneapolis, Minnesota; Overalls and work clothing; 10 percent (T); January 7, 1944.

S. Liebowitz & Sons, Inc., Mont Alto, Pennsylvania; Men's sport shirts; 10 learners (T); January 7, 1944.

Joseph Love, Inc., 151 Ludlow St., Yonkers, New York; Infants' and Children's Dresses; 10 percent (T); January 7, 1944.

A. F. Martin Manufacturing Company, Tipton, Missouri; Work pants, Army trousers; 10 percent (T); January 7, 1944.

Melby Jean Garment Company, 102 West Main St., Bowling Green, Missouri; Ladies' undergarments, slips, gowns and pajamas; 10 percent (T); April 27, 1943. (This replaces the certificate bearing the expiration date April 27, 1943.)

Miller Manufacturing Company, Inc., 928 Virginia Ave., Joplin, Missouri; Work shirts; 10 percent (T); January 7, 1944.

National Pants Company, First Avenue, Beaver Falls, Pennsylvania; Work pants; 10 percent (T); January 7, 1944.

National Pants Company, Butler Ave. Ext., New Castle, Pennsylvania; Work pants; 10 percent (T); January 7, 1944.

New England Overall Company, Inc., 560 Harrison Ave., Boston, Massachusetts; Overalls and work pants; 5 percent (T); January 7, 1944.

Portland Sportwear Mfg. Co., 3432 S. E. Belmont St., Portland, Oregon; Men's work clothing; 5 learners (T); January 7, 1944.

Queen City Dress Manufacturing Co., 3rd & Chew Sts., Allentown, Pennsylvania; Ladies' and children's dresses; 10 percent (T); January 7, 1944.

Reade Manufacturing Company, Malden, Missouri; Men's shirts; 100 learners (E); July 7, 1943.

Reliance Manufacturing Company, So. Magnolia St., Laurel, Mississippi; Navy shirts, work shirts and pants; 10 percent (T); January 7, 1944.

Royal Undergarment Co., Inc., 75 No. Mohawk St., Cohoes, New York; Women's slips and night gowns; 10 percent (T); January 7, 1944.

Glove Industry

Wm. E. Seal & Company, North Street, Millersburg, Pennsylvania; Work gloves; 3 learners (T); January 7, 1944.

Sutton's, 30 S. Melcher St., Johnstown, New York; Leather dress gloves; 5 learners (T); January 7, 1944.

Hosiery Industry

Best Made Silk Hosiery Company, Fifth Street, Quakertown, Pennsylvania; Full-fashioned hosiery; 5 percent (T); January 7, 1944.

Bowman Knitting Mills, East Street, Hickory, North Carolina; Seamless hosiery; 5 learners (T); January 7, 1944.

Salem Full Fashioned Hosiery Mills, Inc., Maple Street, Salem, Virginia; Full fashioned hosiery; 5 percent (T); January 7, 1944.

Knitted Wear Industry

Bestok Underwear Company, Tower City, Pennsylvania; Cotton Knit Underwear; 5 percent (T); January 7, 1944

Textile Industry

Carolina Mills, Inc., Plant #2, Newton, North Carolina; Carded Cotton yarns; 3 percent (T); January 7, 1944.

Cigar Industry

Consolidated Cigar Company, Ninth and Liberty Streets, Camden, New Jersey; Cigars; 10 percent (T); Cigar machine operators and cigar packers to have a learning period of 320 hours and tobacco stripping machine operators to have a learning period of 160 hours at 75% of applicable minimum wage; July 6, 1943.

Consolidated Cigar Corporation, 757 Cortlandt St., Perth Amboy, New Jersey; Cigars; 10 percent (T); Cigar machine operators and cigar packers to have a learning period of 320 hours and tobacco stripping machine operators to have a learning period of 160 hours at 75% of applicable minimum wage, July 6, 1943.

Consolidated Cigar Corporation, 5-15 North Cherry Street, Poughkeepsie, New York; Cigars; 10 percent (T); Cigar machine operators and cigar packers to have a learning period of 320 hours and tobacco stripping machine operators a learning period of 160 hours at 75% of applicable minimum wage; July 6, 1943.

Consolidated Cigar Corporation, Second & Chestnut Sts., Coplay, Penn., Cigars; 10 percent (T); Cigar machine operators and cigar packers to have a learning period of 320 hours and tobacco stripping machine operators a learning period of 160 hours at 75% of applicable minimum wage, July 6, 1943.

Consolidated Cigar Corporation, 440 North Prince St., Lancaster, Penn., Cigars; 10 percent (T); Cigar machine operators and cigar packers to have a learning period of 320 hours and tobacco stripping machine operators a learning period of 160 hours at 75% of applicable minimum wage; July 6, 1943.

Consolidated Cigar Corporation, North Prince & Ross Streets, Lancaster, Penn.; Cigars; 10 percent (T); Stripping machine operators to have a learning period of 160 hours at 75% of applicable minimum wage; July 6, 1943.

Consolidated Cigar Corporation, Randolph & Jefferson Streets, Philadelphia, Penn.; Cigars; 10 percent (T); Cigar machine operators and cigar packers to have a learning period of 320 hours and tobacco stripping machine operators to have a learning period of 160 hours at 75% of applicable minimum wage; July 6, 1943.

Signed at New York, N. Y., this 5th day of January 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-290; Filed, January 6, 1943; 10:18 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of Special Certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective January 7, 1943.

The employment of learners under these Certificates is limited to the terms and conditions as designated opposite the employer's name. These Certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The Certificates may be cancelled in the manner provided for in the Regulations and as indicated on the Certificate. Any person aggrieved by the issuance of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE

Michael Shack, 101 Monroe Street, Garfield, New Jersey; Embroidery; 2 learners (T); Spanner-helper for a learning period of six (6) weeks at 30 cents per hour until June 7, 1943.

Signed at New York, N. Y., this 5th day of January, 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-289; Filed, January 6, 1943; 10:18 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 5980]

WORCESTER TELEGRAM PUBLISHING CO. INC.

NOTICE OF HEARING

In re application of Worcester Telegram Publishing Company, Incorporated (New), dated August 19, 1940; for construction permit; class of service, high frequency broadcast; class of station, high frequency broadcast; location, Worcester, Massachusetts; operating assignment specified: Frequency, 46,100 kcs.; 10,000 sq. mi.; power, —; hours of operation, —.

You are hereby notified that the Commission on December 8, 1942, denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

2. To determine whether in view of the facts adduced under the foregoing issue, public interest, convenience or necessity would be served by a grant of the instant application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Worcester Telegram Publishing Co., Inc., c/o E. E. Hill, Station Director, 18 Franklin Street, Worcester, Massachusetts.

Dated at Washington, D. C., January 2, 1943.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-286; Filed, January 6, 1943; 9:42 a. m.]

[Docket No. 6471]

OREGONIAN PUBLISHING CO. (KEX)

NOTICE OF HEARING

In re application of Oregonian Publishing Company (KEX); dated September 19, 1939; for construction permit; class of service, broadcast; class of station, broadcast; location, Portland, Oregon; operating assignment specified: Frequency, 1190 kc., power, 50 kw (DA-day and night), hours of operation, unlimited.

You are hereby notified that the Commission on November 24, 1942, denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

2. To determine whether, in view of the facts adduced under the foregoing issue, public interest, convenience or necessity would be served by a grant of the instant application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: The Oregonian Publishing Company, Radio Station KEX, Oregonian Building, 615 Alder Street, Portland, Oregon.

Dated at Washington, D. C., January 2, 1943.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-285; Filed, January 6, 1943; 9:42 a. m.]

[Docket No. 6474]

HEAD OF THE LAKES BROADCASTING CO.

NOTICE OF HEARING

In re application of Head of the Lakes Broadcasting Company, (New); for construction permit; dated, December 3, 1940; class of service, high frequency broadcast; class of station, high frequency broadcast; location, Superior, Wisconsin; operating assignment specified: Frequency, 44,500 kcs.; coverage, 2,754 sq. mi.; power, ——; hours of operation, ——.

You are hereby notified that the Commission on December 1, 1942, denied the petition of the applicant filed pursuant

to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion of April 27, 1942.

2. To determine whether in view of the facts adduced under the foregoing issue, public interest, convenience or necessity would be served by granting this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.101 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Head of the Lakes Broadcasting Company, % Mr. W. C. Bridges, WEBC Building, 4th Ave. West and Superior Street, Duluth, Minnesota.

Dated at Washington, D. C., January 2, 1943.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 43-284, Filed, January 6, 1943; 9:42 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-435]

HOPE NATURAL GAS COMPANY

NOTICE OF APPLICATION

JANUARY 6, 1943.

On December 16, 1942, the Hope Natural Gas Company applied to the Federal Power Commission for a certificate of public convenience and necessity under section 7 of the Natural Gas Act.

The Hope Company seeks authorization to construct and operate a 10-mile natural gas pipe line extending from its Bridgeport Compressor Station to a point on its existing 16-inch pipe line in Harrison County, West Virginia. The application states that the purpose of the proposed pipe line is to increase the total gas available to the Hope system from the Bridgeport storage area by increasing the present deliverability of its pipe line system.

It is asserted in the application that the proposed pipe line is to meet the demands of Hope's customers in the States of West Virginia, Ohio, and Pennsylvania, and that neither new or additional service nor service to any new markets is contemplated. The estimated cost of the proposed pipe line is $180,500.

The application states that the increased demands for gas on the Hope system are related to the war effort and that Hope has received a high preference rating for the proposed project from the War Production Board.

Any protests to the granting of this application should be filed with the Federal Power Commission, Washington, D. C., on or before January 16, 1943.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 43-310; Filed, January 6, 1943; 12:05 p. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4883]

BOOTH FISHERIES CORPORATION

COMPLAINT AND NOTICE OF HEARING

The Federal Trade Commission, having reason to believe that the party respondent named in the caption hereof, and hereinafter more particularly designated and described, since June 19, 1936, has violated and is now violating the provisions of subsection (a) of section 2 of the Clayton Act (U.S.C. Title 15, Sec. 13), as amended by the Robinson-Patman Act, approved June 19, 1936, hereby issues its complaint against the said respondent, stating its charges as follows:

PARAGRAPH ONE: Respondent Booth Fisheries Corporation is a corporation organized and existing by virtue of the laws of the State of Delaware, with its principal office and place of business located at 309 West Jackson Boulevard, Chicago, Illinois.

PAR. TWO: Respondent is engaged in the sale and distribution of a variety of fish products including fresh, frozen, salt, smoked, ocean, lake and river fish, oysters and sea food. Respondent maintains packing plants in various sections of the United States where the different kinds of fish are available including salt water fish plants located at Boston, Massachusetts and Portland, Oregon. Respondent maintains more than fifteen distributing or sales branches throughout the United States and Canada. Respondent sells its fish products through its various distributing branches to wholesalers, jobbers, chain stores and independent retailers. That, while respondent sells many varieties of fish and sea food, the major volume of respondent's business is the sale of frozen fish products and the market prices of frozen fish products are relatively stable in comparison with fresh fish market prices. Said fish products are sold and distributed by respondent for use, consumption and resale within the various states of the United States, and in the same states and places as and in competition with various other sellers of fish products.

PAR. THREE: In the course and conduct of its said business, respondent sells and distributes its fish products, in commerce, to purchasers thereof located in the various states of the United States, and causes said fish products to be shipped and transported across state lines from its various packing plants to the purchasers thereof who are located in the various states of the United States other than the states of origin of shipments. There is, and has been, at all times mentioned herein, a constant current of trade and commerce in said products, between respondent's plants of origin of said products and its customers located in the various other states of the United States.

PAR. FOUR: In the course and conduct of its business as hereinabove described, since June 19, 1936, respondent has been and is now discriminating in price between different purchasers of its fish products of like grade and quality by selling such products to some of its customers at lower prices than it sells to others of its customers, many of whom are competitively engaged, one with another, in the resale of such products within the United States.

Specifically, among such discriminations, the respondent has sold, through its Sioux Falls, Iowa branch, its frozen fish products to the Dakota Distributing Company which operates twenty-eight retail outlets known as K&K Stores to Tolliver & Warfield Company, which operates 105 retail outlets known as Council Bluff Stores and to other of its special volume customers at a price per pound substantially lower than it has granted and allowed to other purchasers of such products, of like grade and quality, some of such other purchasers being engaged competitively with said favored customers in the resale of such products.

Illustrations of the foregoing discriminations in price are as follows:

(1) That respondent during the months of July and August, 1938, sold to one Frederick Donaldson Corporation, an independent retailer, located at 300 East Third Street, Yankton, South Dakota, frozen bulk haddock at 18¢ per pound, frozen halibut at 18¢ per pound, and frozen black cod at 15¢ per pound, and during the same period sold such frozen fish of like grade and quality to the Dakota Distributing Company operating a K&K store in Yankton, South Dakota, and in the same trading area at lower prices, which lower prices permitted the latter store to advertise and sell said frozen fish purchased of respondent at less than the cost of said frozen fish of like grade and quality purchased of respondent by said Frederick Donaldson corporation;

(2) The respondent, during the month of December, 1937 sold to one Peder Larsen, an independent retailer of Centerville, South Dakota, frozen black cod at 15¢ per pound and during the same period sold frozen black cod of like grade and quality to Tolliver & Warfield Company operating a Council Bluff store in Centerville, South Dakota, and in the same trading area at a lower price which lower price permitted the latter store to resell said frozen fish purchased of respondent at 14¢ per pound, or at less than the cost price of frozen black cod of like grade and quality purchased of respondent by said Peder Larsen;

(3) That respondent, during the month of June, 1938, sold to the Piggly Wiggly Store at Sioux Falls, South Dakota, one ten-pound box of frozen perch at 12¢ per pound, being one of two items sold to said Piggly Wiggly Store by respondent during the entire month, and on August 1, 1938, respondent sold to Jessie S. Lewis, an independent grocer whose store is located in Sioux Falls, South Dakota, directly across the street from said Piggly Wiggly Store, one ten pound box of frozen perch of like grade and quality at 16¢ per pound;

(4) That respondent, during the years 1938 and 1939 sold to Retail Grocery Company, an independent retailer located at 201 North Main Street, Sioux Falls, South Dakota, frozen bulk haddock at 18¢ per pound and during the same period sold such frozen bulk haddock of like grade and quality to Economy Center Markets, Inc., a special volume retailer operating a retail store in Sioux Falls, South Dakota, in the same trading area, at 12¼¢ per pound, which lower price permitted the latter store to advertise and sell said frozen bulk haddock purchased of respondent at less than the cost of said frozen fish of like grade and quality purchased of respondent by said Retail Grocery Company;

Respondent has no consistent price structure or policy and discriminations of a similar character to those above described have frequently occurred since June 19, 1936, in connection with respondent's sales to many other of respondent's customers.

PAR. FIVE: The effect of the aforesaid discriminations in price among respondent's customers may be, has been, and is substantially to lessen competition and tend to create a monopoly in said line of commerce and to injure, destroy and prevent competition between respondent and its competitors and among the customers of respondent.

PAR. SIX: The foregoing alleged acts and practices of said respondent, as set forth herein, constitute violations of the provisions of Section 2 (a) of the Clayton Act as amended by the Robinson-Patman Act approved June 19, 1936 (U.S.C. Title 15, Sec. 13).

Wherefore, the premises considered, the Federal Trade Commission on this 31st day of December, A. D. 1942, issues its complaint against said respondent.

Notice is hereby given you, Booth Fisheries Corporation, a corporation, respondent herein, that the 5th day of February, A. D. 1943, at 2 o'clock in the afternoon, is hereby fixed as the time, and the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said Act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The Rules of Practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

> In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.
>
> * * * * * *
>
> Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.
>
> If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.
>
> Contemporaneously with the filing of such answer the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 31st day of December, A. D. 1942.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-307; Filed, January 6, 1943; 11:58 a. m.]

[Docket No. 4835]

GLOVER & WILSON

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 5th day of January, A. D. 1943.

In the matter of Roy Glover and Ray Wilson, trading as Glover & Wilson.

This matter, being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under Acts of Congress (38 Stat. 717; 15 U.S.C.A., section 41), and (49 Stat. 1526, U.S.C.A., section 13, as amended),

It is ordered, That John L. Hornor, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, January 18, 1943, at ten o'clock in the forenoon of that day (Central Standard Time), in Room 531, Post Office Building, Little Rock, Arkansas.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-308; Filed, January 6, 1943; 11:58 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 2 Under MPR 118]

WAMSUTTA MILLS AND ALABAMA MILLS, INC.

ORDER AUTHORIZING MAXIMUM PRICES

Order No. 2 under § 1400.101 (b) (5) of Maximum Price Regulation No. 118—Cotton Products.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

(a) The maximum prices for the following types and styles of cotton products shall be:

Producer	Style No.	Description	Cents per yard
Wamsutta Mills	2377	50" 60 x 50 1.87 table cloth fabric	40.80
	2377	60" 60 x 50 1.56 table cloth fabric	49.06
	2377	70" 60 x 50 1.34 table cloth fabric	65.68
	2377	80" 60 x 50 1.18 table cloth fabric	75.00
	L-17850	39" 72 x 68 6.18 insulation cloth	13.48
Alabama Mills Inc.	78999	28½" 79 x 45 1.15 sanforized black twill suiting	36.625
	78938	34" 80 x 70 2.00 regular finish hickory stripe	23.50
	78938	32" 84 x 74 1.85 sanforized hickory stripe	26.50

(b) The maximum prices set forth in paragraph (a) are subject to the following terms of sale:

(1) Wamsutta Mills, Net 10 days, f. o. b. mill.

(2) Alabama Mills, 2 per cent 10 days, 60 days extra, with anticipation at the rate of 60 per cent per annum where payment is made after 9 days, f. o. b. mill.

(c) The maximum prices set forth in paragraph (a) are for fabrics made in accordance with the construction details on file with the Office of Price Administration for the respective style numbers.

(d) The maximum prices set forth in paragraph (a) may be used by the producer as base prices from which to de-

termine "in line" maximum prices for related types, styles and constructions of cotton products which otherwise cannot be priced under § 1400.101 or § 1400.118 (e) of Maximum Price Regulation No. 118. If any such determinations are required, the producer shall submit a report as required by § 1400.101 (c) of Maximum Price Regulation No. 118.

(e) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 2 shall become effective January 11, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc 43-254; Filed, January 5, 1943; 2:52 p. m.]

[Order 131 Under MPR 120]

STREATOR COAL COMPANY AND FRENCH COAL COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 131 under Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant—Docket No. 3120-273.

For the reasons set forth in an Opinion issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (d) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coal in Size Groups 6 and 7 produced by Streator Coal Company, 1318 North Park St., Streator, Illinois, at Mine Index No. 1453, District No. 10, may be sold and purchased for shipment by truck or wagon at prices per net ton, f. o. b. the mine not to exceed, $3.75 and $3.35, respectively;

(b) Coal in Size Groups 7, 10 and 12 produced by the French Coal Company, 512 Murray Building, Streator, Illinois, at Mine Index No. 535, may be sold and purchased for shipment by truck or wagon at prices per net ton f. o. b. the mine not to exceed $3.50, $3.25 and $3.25, respectively;

(c) Within thirty (30) days from the effective date of this order the said Streator Coal Company and French Coal Company shall notify all persons purchasing their respective coal of the adjustments granted by paragraphs (a) and (b) respectively of this order and shall include a statement that if the purchaser is subject to Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price, except in accordance with and subject to the conditions stated in Maximum Price Regulation No. 122;

(d) This Order No. 131 may be revoked or amended by the Price Administrator at any time;

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein;

(f) This Order No. 131 shall become effective January 5, 1943.

Issued this 5th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-258: Filed, January 5, 1943; 2:52 p. m.]

[Order 29 Under MPR 148]

CUDAHY PACKING CO.

ORDER DENYING APPLICATIONS FOR ADJUSTMENT

Order No. 29 under Maximum Price Regulation No. 148—Dressed Hogs and Wholesale Pork Cuts—Docket Nos. 3148-92, 3148-98.

On or before September 12, 1942, Cudahy Packing Company, Chicago, Illinois, filed two applications for adjustment of the maximum prices established under Maximum Price Regulation No. 148 in accordance with the provisions therefor contained in Procedural Regulation No. 6. Due consideration has been given to these applications and an opinion in support of this Order No. 29 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and by Executive Order No. 9250 and in accordance with Procedural Regulation No. 6 issued by the Office of Price Administration, *It is ordered:*

(a) These applications should be and hereby are denied.

(b) Any contract entered into by Cudahy Packing Company at the prices requested in these applications shall be revised in accordance with the terms of this order, and payment made to the Cudahy Packing Company in excess of the maximum prices authorized by this order shall be refunded to the purchaser.

(c) This Order No. 29 shall become effective January 6, 1943.

Issued this 5th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-257, Filed, January 5, 1943; 2:47 p. m.]

[Order 30 Under MPR 148]

CUDAHY PACKING CO.

ORDER DENYING APPLICATIONS FOR ADJUSTMENT

Order No. 30 under Maximum Price Regulation No. 148—Dressed Hogs and Wholesale Pork Cuts—Docket No. 3148-76.

On August 25, 1942, Cudahy Packing Company, Chicago, Illinois, filed an application for adjustment of the maximum prices established by Maximum Price Regulation No. 148 for certain commodities which it sells or proposes to sell pursuant to a Government contract. Due consideration has been given to the application and an opinion in support of this Order No. 30 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and Executive Order No. 9250 and in accordance with Procedural Regulation No. 6 issued by the Office of Price Administration, *It is hereby ordered:*

(a) The application for adjustment of the maximum prices established for canned pork sausage is denied.

(b) This Order No. 30 shall become effective January 6, 1943.

Issued this 5th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-259: Filed, January 5, 1943, 2:48 p. m.]

[Order 7 Under MPR 152]

COMSTOCK CANNING CO.

APPROVAL OF MAXIMUM PRICE

Order No. 7 under Maximum Price Regulation No. 152—Canned Vegetables.

Approval of maximum price for Comstock Canning Company, Newark, N. Y.

On November 6, 1942 the Comstock Canning Company filed a petition pursuant to Procedural Regulation No. 6, issued by the Office of Price Administration, for specific authorization to adjust a maximum price established under Maximum Price Regulation No. 152 for sales to the armed forces of the United States.

Due consideration has been given to the information submitted by applicant with respect to the packing in No. 10 cans of fancy diced carrots, of the 1942 pack, and No. 10 cans of fancy shoestring carrots which applicant proposes to sell to the War Department Quartermaster Depots of the United States Army.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered*, That:

(a) The Comstock Canning Company may sell, offer to sell or deliver to the Quartermaster Depots of the United States Army, and the Quartermaster Depots of the United States Army, may buy, offer to buy or receive No. 10 cans fancy diced carrots and No. 10 cans fancy shoestring carrots at a price no higher than the maximum price of $3.75 per dozen, f. o. b. factory.

(b) This Order No. 7 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 303 of the Emergency Price Control Act of 1942 as amended, shall apply to terms used herein.

(d) This Order No. 7 shall become effective on January 6, 1943.

Issued this 5th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-256: Filed, January 5, 1943; 2:48 p. m.]

[Order 7 Under RPS 89]

UTICA & MOHAWK COTTON MILLS, INC.

ORDER GRANTING ADJUSTMENT

Order No. 7 under Revised Price Schedule No. 89—Bed Linens—Docket No. 3089-17.

On July 18, 1942, Utica & Mohawk Cotton Mills, Inc., 801 State Street, Utica, New York, filed a petition for adjustment pursuant to § 1316.61 (d) (5) of Revised Price Schedule No. 89. Due consideration has been given to the petition, and an opinion in support of this Order No. 7 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1, *It is hereby ordered:*

(a) The base price for sales of Type 128 "Mohawk" sheets, size 81" x 99" by Utica & Mohawk Cotton Mills, Inc., shall be 17 cents per dozen higher than that set forth in Table II of § 1316.111 (c) of Revised Price Schedule No. 89—Bed Linens, and for any other sizes of Type 128 "Mohawk" sheets the base price per dozen shall be increased or decreased in proportion to the relative number of square yards of material required.

(b) The base price for sales of Type 128 "Mohawk" pillow cases, size 45" x 36" shall be 8 cents per dozen higher than that set forth in Table II of § 1316.111 (c) of Revised Price Schedule No. 89—Bed Linens, and for any other size of Type 128 "Mohawk" pillow cases or bolster cases, the base price per dozen shall be increased or decreased in proportion to the relative number of square yards of material required.

(c) The discounts and the terms of sale specified in Revised Price Schedule No. 89 shall be applicable to the base maximum prices.

(d) Utica & Mohawk Cotton Mills, Inc., shall cause the following notice to be sent, in writing, to all persons to whom it sells Type 128 "Mohawk" sheets, pillow cases or bolster cases:

> The Office of Price Administration has granted us permission to charge a premium on our sales of Type 128 "Mohawk" sheets, pillow cases and bolster cases. The premium was granted with the understanding that wholesale and retail prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for sales of "Mohawk" bed linens.

(e) All prayers of the petition not granted herein are denied.

(f) This Order No. 7 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 7 shall become effective January 6, 1943.

Issued this 5th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-255; Filed, January 5, 1943; 2:47 p. m.]

[Order 5 Under RPS 84]

GOAT METAL STAMPINGS, INCORPORATED

APPROVAL OF MAXIMUM PRICES

Correction

The first three items of the table in paragraph (a) of the document appearing on page 11038 of the issue for Tuesday, December 29, 1942, should read:

$8.49 M plus $5.00 S. U.	G-179D—Plate (R. S. Pl. Ni.)
$4.55 M	G-453AB—Cut Nickel (R. S. Pl. Ni.)

SECURITIES AND EXCHANGE COMMISSION.

[File No. 54-32]

NORTH SHORE GAS COMPANY ET AL.

ORDER WITH RESPECT TO PAYMENT OF FEES AND EXPENSES

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 30th day of December, 1942.

In the matter of North Shore Gas Company, North Shore Coke & Chemical Company and North Continent Utilities Corporation.

North Continent Utilities Corporation, a registered holding company, and North Shore Gas Company and North Shore Coke & Chemical Company, subsidiaries of North Continent Utilities Corporation, having filed applications and declarations under section 11 (e) and other applicable sections of the Public Utility Holding Company Act of 1935, with respect to a plan of reorganization for the North Shore Gas Company and North Shore Coke & Chemical Company;

The Commission having entered an order on November 13, 1941, approving said plan, subject to certain conditions and reservations, including a reservation of jurisdiction with respect to the payment of fees and expenses incurred or to be incurred in connection with the plan, and directing that the applicants file with the Commission a notification and itemized statement of all claims against them for such fees and expenses;

The applicant companies and various claimants having filed statements with respect to the fees and expenses requested herein; a hearing having been held thereon after due notice; briefs having been filed and oral argument having been heard; the Commission having entered an order on December 3, 1942 with respect to certain of the fees and expenses in this proceeding; the Commission having considered the record;

It is ordered, That the following fees and expenses be and they hereby are allocated against North Shore Gas Company and North Continent Utilities Corporation in the following manner; and that, as allocated the said fees and expenses are approved:

Claimant or expenditure	Allocated against— North Shore Gas Co.	Allocated against— North Continent Utilities Corporation
Central Republic Co.		$418.66
Pope & Ballard	$29,582.40	
John Guthrie	3,527.93	
Joseph B. Wilson	1,566.72	
Ernst & Ernst	2,846.13	
N. F. Lane	2,500.00	
Byron T. Gillcrist	1,047.75	
William Remy	159.70	
A. W. Browne	507.42	
F. W. Stryker	105.85	
Emmett Maroney	325.00	
City National Bank & Trust Co. of Chicago, Trustee	1,250.00	1,250.00
Bell, Boyd & Marshall	4,563.79	4,563.78
John J. Jirgal	3,481.29	3,481.28
William M. Hammond	758.33	758.32

It is further ordered, That jurisdiction be and hereby is released as to the reasonableness of the following fees and expenses, and that such fees and expenses are allocated against North Shore Gas Company, North Continent Utilities Corporation, and the funds reserved for the expenses of the liquidation of North Shore Coke & Chemical Company, in the following manner:

Claimant or expenditure	Allocated against— North Shore Gas Co.	North Continent Utilities Corporation	Funds reserved for expenses of liquidation of North Shore Coke & Chemical Co.
Lincoln Printing Co.	$398.60		
Expenses of William A. Baehr Organization, Inc., in connection with liquidation of North Shore Coke & Chemical Co.			$254.46
Payment made by North Shore Coke & Chemical Company to Sidney M. Spiegel and Florence Nierman	3,000.00	$3,000	

It is further ordered, That North Continent Utilities Corporation reimburse North Shore Gas Company in the amount of $3,000, representing the amount paid by North Shore Coke & Chemical Company to Sidney M. Spiegel and Florence Nierman in excess of the amount allocated to North Shore Gas Company;

It is further ordered, That the amounts allocated against North Continent Utilities Corporation (other than the amounts to be paid to William M. Hammond and Central Republic Company) may be paid in installments, one-third within thirty days from the date of this order, one-third within one year after the expiration of such thirty-day period, and one-third within two years after the expiration of such period;

It is further ordered, That jurisdiction is reserved as to the fees and expenses of Pam, Hurd & Reichmann, Duff and Phelps, Arthur Young & Company, and of William A. Baehr Organization, Inc. except to the extent jurisdiction has herein been released.

The findings and opinion of the Commission will be issued in due course.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-232; Filed, January 5, 1943; 10:53 a. m.]

WAR PRODUCTION BOARD.

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF STOP CONSTRUCTION ORDERS STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board, has issued certain Stop Construction Orders listed in Schedule A below, stopping the construction of the projects affected. For the effect of each such order upon the construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 5, 1943.

ERNEST KANZLER, *Director General for Operations.*

SCHEDULE A

Name and address of the builder	Project affected	Date of issuance of stop construction order
U. S. Dept. of Interior, National Park Service, Washington, D. C.	FWA Docket 49-130.	12/30/42

[F. R. Doc. 43-227; Filed, January 5, 1943; 10:39 a. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS PARTIALLY REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain revocation orders listed in Schedule A below partially revoking preference rating orders issued in connection with, and partially stopping the construction of the projects affected For the effect of each such order upon preference ratings, construction of the project, and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 5, 1943.

ERNEST KANZLER, *Director General for Operations.*

SCHEDULE A

Preference rating order	Serial No.	Name and address of the builder	Project affected	Date of [illegible]
P-19-h	PF 25021	FPHA c/o National Housing Agency, Washington, D. C.	Norfolk, Va., VA-4075-B.	[illegible]

[F. R. Doc. 43-228; Filed, January 5, 1943; 10:39 a. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain revocation orders listed in Schedule A below, revoking preference rating orders issued in connection with, and stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 5, 1943.

ERNEST KANZLER, *Director General for Operations.*

SCHEDULE A

[Preference Rating Order P-19-e. Date of issuance of revocation Dec. 29, 1942 in all cases]

Serial No.	Name and address of builder	Project affected
870E	Kansas State Hwy. Comm., Topeka, Kans.	Kan. 10-99-SNFA 302 F (1).
9139	Oklahoma State Hwy. Dept., Oklahoma City, Okla.	Okla. SN-FAP 593 B (1).
14647	Virginia Dept. of Hwys., Richmond, Va.	Va. SN-FAP 328 F (3).
14650	Illinois Dept. of Public Wks., Springfield, Ill.	Ill. AI-FA 609 A (3).
17330	Texas State Hwy. Dept., Austin, Tex.	Tex. SN-FAP 800 D (1).
18062	Georgia State Hwy. Bd., Atlanta, Ga.	Ga. SN-FAS 266-A (1).

SCHEDULE A—Continued

[Preference Rating Order P-19-e. Date of issuance of revocation Dec. 29, 1942 in all cases]

Serial No.	Name and address of builder	Project affected
20115	Arkansas State Hwy. Comm., Little Rock, Ark.	Ark. AW-FAS [illegible] B (1).
22523	Oklahoma State Hwy. Comm., Oklahoma City, Okla.	Okla. SN-FAP 58- A (3).
27498	California Dept. of Pub. Wks., Sacramento, Calif.	Calif. SN-FAP 179 B (2).
24852	California Dept. of Pub. Wks., Div. of Hwys., Sacramento, Calif.	Calif. SN-FAP 13[illegible] A (2).
18709	Virginia Dept. of Hwys., Richmond, Va.	Va. SN-FAP [illegible] 40- A (2)
33180E	New Mexico State Hwy. Comm., Santa Fe, N. Mex.	N. Mex. SN-FAP 87 (3).
34359	Arkansas State Hwy. Comm., Little Rock, Ark.	Ark. SN-FAP 178-A (3), SN-FAP 178- C (2).
28186	California Dept. of Pub. Wks., Div. of Hwys., Sacramento, Calif.	Calif. SN-FAP 102- F (2) J [illegible]
43593	Arkansas State Hwy. Comm., Little Rock, Ark.	Ark. SN-FAP 200 C (1).
15798	Montana State Hwy. Commn., Helena, Mont.	McCone Co., Mont. FAP 24 D [illegible] F (3).
9271	Tennessee Dept. of Hwys. & Pub. Wks., Nashville, Tenn.	Tenn. FAP [illegible] B (1), FAP [illegible] C (1).
29522	Oklahoma State Hwy. Comm., Oklahoma City, Okla.	Wagoner, [illegible] SN-FAP [illegible] A (2).
15660	Oklahoma State Hwy. Comm., Oklahoma City, Okla.	Seminole Co., Okla. SN-FAP [illegible] A & SN-FAP [illegible] F (2).
28187	Arkansas State Hwy. Comm., Little Rock, Ark.	Sebastian Co., Ark. SN-FAP [illegible] A (2).
31002	Louisiana Dept. of Hwys., Baton Rouge, La.	Caddo Co., La. AW-FA [illegible] A (1).
108E	Kansas State Hwy. Comm., Topeka, Kans.	Osage Co., Kans. FA [illegible] A (1), SN-FA [illegible] A (1) C (2).
35918	Wyoming State Hwy. Dept., Cheyenne, Wyo.	Rock Springs [illegible] R-1, Wyo. FAS [illegible] A (1).

[F. R. Doc. 43-229; Filed, January 5, 1943; 10:39 a. m.]

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FEDERAL REGISTER

VOLUME 8 NUMBER 5

Washington, Friday, January 8, 1943

Regulations

TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of Alien Property Custodian

[General Order 11, Reg. 2]

PART 504—REGULATIONS ISSUED UNDER GENERAL ORDER NO. 11

LICENSING TRANSACTIONS INVOLVING PATENTS AND TRADEMARKS

§ 504.2 *Regulation No. 2 under General Order No. 11*[1] is hereby amended to read as follows:

§ 504.2 *Regulation No. 2, under General Order No. 11.* (a) A general license is hereby granted authorizing the following transactions:

(1) The filing in the United States Patent Office of applications for letters patent and for trademarks registration (except such applications received directly or indirectly from enemy nationals on or after November 17, 1942) and the prosecution in the United States Patent Office of applications for letters patent and for trademark registration in which a designated foreign country or a national thereof has at any time on or since the effective date of Executive Order No. 8389, as amended, had any interest, and the receipt of letters patent or trademark registration certificate granted pursuant to any such applications, *Provided,*

(i) That the person filing or prosecuting any such application, shall, at the time of filing the application or the first paper filed therein in the United States Patent Office, after the date of this amended regulation, (*a*) file directly with the Alien Property Custodian a report on Form APC–13P for patents or APC–13T for trademarks, setting forth under oath, the information called for therein, except that such report need not be executed under oath in cases where the person reporting is an attorney or agent registered in the United States Patent Office, if such attorney or agent certifies that the statements made therein are true and complete to the best of his knowledge and belief and (*b*) notify the Patent Office in writing that the application is being filed and prosecuted pursuant to this amended regulation and that a report on Form APC–13P or APC–13T has been forwarded to the Alien Property Custodian; and

(ii) That such filing, prosecution or receipt involves no communication, direct or indirect, to an enemy national.

(2) The execution of any instrument recordable in the United States Patent Office, and the recording of such instrument in the United States Patent Office, if (a) such instrument affects title to or grants any interest in, including licenses under, any United States letters patent, trademark registration, or application therefor, in which a designated foreign country or a national thereof has at any time on or since the effective date of Executive Order No. 8389, as amended, had any interest, or (b) any of the parties to such instrument is a designated foreign country or a national thereof; *Provided,* In either case

(i) That such instrument be recorded in the United States Patent Office within ninety days of the date of execution thereof or within such further time as may be allowed by the Alien Property Custodian;

(ii) That the person presenting such instrument for recording shall attach thereto and record in the United States Patent Office therewith a copy of Form APC–15, and shall file therewith in the United States Patent Office a report on Form APC–14P for patents or APC–14T for trademarks (accompanied by a copy of the instrument), setting forth under oath the information called for therein;

(iii) That the transaction involves neither trade or communication with an enemy national nor is carried out as the result of such trade or communication; and

(iv) That such instrument may be set aside by the Alien Property Custodian upon notice mailed to the person recording the instrument at the address given on the form filed with the instrument and the patents, trademarks, applications, or rights thereunder so transferred may be vested by the Alien Property

(Continued on next page)

[1] 7 F.R. 9477.

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FEDERAL REGISTER

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Custodian at any time within a period of three years from the date of recording, except that the Alien Property Custodian may in his discretion reduce such period of time with respect to any such instrument after the recording thereof.

(3) The recording in the United States Patent Office of any instrument recordable therein which was executed before November 17, 1942, (a) which affects title to or grants any interest in, including licenses under, any United States letters patent, trademark registration, or application therefor in which a designated foreign country or a national thereof has at any time on or since the effective date of Executive Order No. 8389, as amended, had any interest, or (b) any of the parties to which is a designated foreign country or a national thereof and which was executed on or since the effective date of Executive Order No. 8389, as amended, with respect to such foreign country or national thereof, *Provided*, In either case

(i) That such instrument be recorded in the United States Patent Office on or before February 15, 1943, or within such further time as may be allowed by the Alien Property Custodian;

(ii) That there be compliance with the terms and conditions set forth in paragraphs (a) (2) (ii) and (a) (2) (iii) of this amended regulation; and

(iii) That the recorded instrument be subject to the conditions set forth in paragraph (a) (2) (iv) of this amended regulation.

(b) Applications, letters patent and trademark registrations, filed or prosecuted under paragraph (a) (1) of this amended regulation will be subject to the power of the Alien Property Custodian to take such action as he deems necessary in the national interest, including, but not limited to, the power to direct, manage, supervise, control or vest, with respect thereto.

(c) This general license does not authorize:

(1) Any transactions not specifically enumerated herein, such transactions being permitted only upon specific authorization from the Alien Property Custodian; or

(2) The receipt of any funds or credits with respect to the transactions licensed herein except as such receipt may be permitted by the Treasury Department; or

(3) The payment of any funds or credits to any party to an instrument executed or recorded hereunder with respect to the property affected by such instrument, except nominal consideration not exceeding one dollar, as long as such instrument is subject to being set aside in accordance with the conditions of paragraph (a) (2) (iv) hereof, except into a special account from which withdrawals can be made only upon the approval of the Alien Property Custodian; or

(4) The filing of applications for letters patent or trademark registrations received from an enemy national on or after November 17, 1942, such applications being governed by General Order No. 12.

(d) Attention is directed to Treasury General License No. 72, as amended.

(e) Nothing contained in this amended regulation shall be deemed to limit the authority of the Office of Censorship to cause to be censored in its absolute discretion, any communications by mail, cable, radio, or other means of transmission, passing between the United States and any foreign country.

(f) No extension of time granted under this amended regulation will affect in any respect the provisions of R. S. 4898 (U.S.C., title 35, sec. 47) relating to the recording of assignments of patents in the United States Patent Office; or of sec. 10 of the Act of February 20, 1905, as amended (U.S.C., title 15, sec. 90) relating to the recording of assignments of trademarks.

(g) The term "designated foreign country" shall mean foreign country designated in section 3 of Executive Order No. 8389, as amended; and the terms "person" and "national" shall have the meanings defined in sections 5C and 5E respectively, of such order, except that any person within the categories of Regulation No. 1 under General Order No. 11 shall not be considered for the purposes of this amended regulation to be a national of a designated foreign country.

(h) The terms "enemy national" and "trade or communication with an enemy national" shall have the meanings defined in Treasury General Ruling No. 11, as amended, under Executive Order No. 8389, as amended.

(40 Stat. 411; 55 Stat. 839; E.O. 9193, 7 F.R. 5205)

Executed at Washington, D. C., on January 6, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-350; Filed, January 7, 1943; 11:17 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regulations, Serial No. 253]

PART 4—AIRPLANE AIRWORTHINESS

INLAND AIR LINES, INC.

Waiver of the requirements of § 04.530 of the Civil Air Regulations with respect to Inland Air Lines, Inc.

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 31st day of December 1942, it appearing that:

Paragraph (h) of § 04.530[1] of the Civil Air Regulations becomes effective on January 1, 1943, and Inland Air Lines, Inc., which operates but one airplane on scheduled flight, has not been able to obtain and install the equipment required by that paragraph:

Now, therefore, the Civil Aeronautics Board, acting pursuant to sections 205 (a), 601, and 604 of the Civil Aeronautics Act of 1938, as amended, makes and promulgates the following special regulation:

Notwithstanding the provisions of paragraph (h) of § 04.530 of the Civil Air Regulations, Inland Air Lines, Inc., may for a period of not to exceed 30 days from January 1, 1943, operate without complying with the above-mentioned paragraph.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 43-342; Filed, January 7, 1943; 10:51 a. m.]

[Amendment 60-6, Civil Air Regulations]

PART 60—AIR TRAFFIC RULES

AIRSPACE RESTRICTIONS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 1st day of January 1943.

Acting pursuant to sections 205 (a) and 601 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective January 1, 1943, Part 60 of the Civil Air Regulations is amended as follows:

By striking § 60.348 and inserting in lieu thereof the following:

§ 60.348 *Airspace restrictions.* Areas in which the flight of aircraft is prohibited or restricted are classified as caution areas, danger areas, and prohibited areas.

§ 60.3480 *Caution area.* An area designated by the Administrator in which a visible hazard to aircraft in flight exists and which should be avoided if practicable.

§ 60.3481 *Danger area.* An area designated by the Administrator in which an invisible hazard to aircraft in flight exists. No flight of aircraft shall be conducted in this area without specific authority issued by the agency having jurisdiction over the danger area.

§ 60.3482 *Prohibited area.* An area established by Executive Order of the President of the United States. No flight of aircraft shall be made in this area except aircraft actually engaged in defense missions, or otherwise in accordance with the Executive Order establishing such areas.

NOTE: Restricted areas are indicated on aeronautical charts and published in "Weekly Notice to Airmen," issued by the Administrator of Civil Aeronautics.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 43-343; Filed, January 7, 1943; 10:51 a. m.]

[1] 7 F.R. 6240.

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4651]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

COPPER ROOFS CORPORATION

§ 3.6 (a 10) *Advertising falsely or misleadingly—Comparative data or merits:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service.* In connection with offer, etc., in commerce, of respondent's copper roofing, and among other things, as in order set forth, representing, directly or by implication, that the said roofing (1) is wind-proof, hurricane-proof, storm-proof, hail-proof, weather-proof, or earthquake-proof; (2) affords permanent protection against rain; or (3) is "everlasting"; or (4) that said roofing, or the copper used therein, is comparable with the copper roofing of ancient cathedrals or other ancient structures; or (5) that said roofing possesses insulating properties, or is capable of making houses cooler in summer or warmer in winter; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Copper Roofs Corporation, Docket 4651, December 29, 1942]

§ 3.6 (ee) *Advertising falsely or misleadingly—Terms and conditions:* § 3.6 (ff 5) *Advertising falsely or misleadingly—Undertakings, in general:* § 3.72 (n 10) *Offering deceptive inducements to purchase—Terms and conditions:* § 3.72 (p) *Offering deceptive inducements to purchase—Undertakings, in general.* In connection with offer, etc., in commerce, of respondent's copper roofing, and among other things, as in order set forth, representing, directly or by implication, that said roofing (1) is applied by factory-trained men exclusively; or (2) that respondent itself applies the roofing, or assumes responsibility for defects in material or workmanship, when respondent does not in fact make such application or assume such responsibility; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Copper Roofs Corporation, Docket 4651, December 29, 1942]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 29th day of December, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence in support of and in opposition to the allegations of the complaint taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence, and brief in support of the complaint (no brief having been filed by respondent and oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Copper Roofs Corporation, a corporation, and its officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of respondent's copper roofing in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or by implication:

1. That respondent's roofing is wind-proof, hurricane-proof, storm-proof, hail-proof, weather-proof, or earthquake-proof.

2. That said roofing affords permanent protection against rain.

3. That said roofing is "everlasting."

4. That said roofing, or the copper used therein, is comparable with the copper roofing of ancient cathedrals or other ancient structures.

5. That said roofing is applied by factory-trained men exclusively.

6. That said roofing possesses insulating properties, or is capable of making houses cooler in summer or warmer in winter.

7. That respondent itself applies the roofing, or assumes responsibility for defects in material or workmanship, when respondent does not in fact make such application or assume such responsibility.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-345; Filed, January 7, 1943; 10:52 a. m.]

TITLE 20—EMPLOYEES' BENEFITS

Chapter II—Railroad Retirement Board

PART 250—REPORTS, INFORMATION, HEARINGS AND WITNESSES

EMPLOYERS' REPORTS OF EMPLOYEE COMPENSATION

Amending § 250.03 of the regulations under the Railroad Retirement Act of 1937.

Pursuant to the general authority contained in section 10 of the Act of June 24, 1937 (Sec. 10, 50 Stat. 314; 45 U.S.C. 1940 ed. 228j), § 250.03 [4 F.R. 1495] of the regulations of the Railroad Retirement Board under such Act (7 F.R. 1477) is amended, effective December 22, 1942, by Board Order 42-669 dated December 22, 1942, to read as follows:

§ 250.03 *Employers' reports of compensation of employees.* (a) Each employer shall, in accordance with instructions issued by the director of wage and service records, file with the Board (1) on or before the last day of each month, a report of the compensation adjustments appearing on pay rolls or other disbursement documents for the month immediately preceding such month, (2) on or before the last day of the month immediately following the end of each calendar quarter, a summary of compensation adjustments reported for the quarter, and (3) on or before the last day of the month immediately following the end of each calendar quarter or, for employers authorized to report annually, on or before the last day of the second month immediately following the end of each calendar year:

(i) A report of the compensation earned by each employee for service during the period covered by the report showing with respect to each employee his name, his account number, and, except in the case of an employee of a railway-labor-organization employer, his occupational class under the appropriate Interstate Commerce Commission occupational classification as supplemented or varied for this purpose by instructions issued by the director of wage and service records and approved in this respect by the director of research.

(ii) A summary report of the compensation of the employees for the period covered by the report.

If such last day of the month is a Sunday or legal holiday, the report may be filed on the next following business day. If placed in the mails, the report shall be posted in ample time to reach the office of the Board at Chicago, Illinois, under ordinary handling of the mails, on or before the date on which the report is required to be filed.

Authorization to report annually the compensation earned by each employee shall be granted upon application by the employer to the director of wage and service records and the approval of such application by the Board.

(b) An employer having intermittent or seasonal pay rolls shall file a summary report of compensation for each quarter or year in which no pay roll was maintained and shall show "Nil" in the space provided for reporting the compensation.

(c) Upon termination of employer status as determined under §§ 202.11 and 202.12, a final report of compensation of employees shall be submitted. The summary report of compensation shall be marked "Final Compensation Report," and the period covered by the report shall be indicated. Such report shall be filed with the Board on or before the last day of the month following the final month for which there was compensated service.

By authority of the Board.

Dated: January 4, 1943.

[SEAL] MARY B. LINKINS, *Secretary of the Board.*

[F. R. Doc. 43-339; Filed, January 7, 1943; 10:34 a. m.]

PART 345—EMPLOYERS' CONTRIBUTIONS AND CONTRIBUTION REPORTS

CERTIFICATES OF UNDERPAYMENT AND OVERPAYMENT

Amending paragraph (c) of § 345.12 of the regulations under the Railroad Unemployment Insurance Act.

Pursuant to the authority contained in section 12 of the Act of June 25, 1938 (52 Stat. 1094, 1107; 45 U.S.C. 1940 ed. 362), the Railroad Retirement Board, by Board Order 42-654 dated December 15, 1942, amends, effective December 15, 1942, the third subparagraph of paragraph (c) of § 345.12 [4 F.R. 4372] of the regulations under the Railroad Unemployment Insurance Act by adding the following sentence:

§ 345.12 *Adjustments.* * * *

(c) *Certificates of underpayment and overpayment.* * * *

(3) * * * The contribution amount may also be reduced by 3% of any compensation adjustment submitted on Forms BA-4 which is the result of a proration of earnings of employees engaged in joint employment.

By authority of the Board.

Dated: January 4, 1943.

[SEAL] MARY B. LINKINS, *Secretary of the Board.*

[F. R. Doc. 43-338; Filed, January 7, 1943; 10:34 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1753]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of the Luce Mine, Mine Index No. 573, of Isaac Slusher in District No. 8.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Luce Mine, Mine Index No. 573, operated by Isaac Slusher, (Kentucky Bell Coal Co.) in District No. 8; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

It appearing that Luce, Kentucky, the shipping point for the Luce Mine, Mine Index No. 573, of Isaac Slusher (Kentucky Bell Coal Co.) is in Freight Origin Group No. 80, as set forth in Supplement R hereinafter referred to, and not in Freight Origin Group No. 111 as stated in said original petition; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 328.11 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 328.34 (*General prices for high volatile coals in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: December 19, 1942.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 8

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No. 8, and supplements thereto.

§ 328.11 *Alphabetical list of code members*—Supplement R

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups (or for all uses except as separately shown)]

Mine Index No.	Code member	Mine name	Seam	Subdistrict No.	Freight origin group No.	Price classifications by size groups Nos. For destinations other than great lakes: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27	For Great Lakes cargo only: 1, 2, 3, 4, 5, 6, 7, 8, 10, 16, 17, 18, 19, 20, 21, 22, 24, 25, 26, 27
573	Slusher, Isaac (Kentucky Bell Coal Co.).	Luce.....	High volatile seam	6	80	R R M L K J (†) H (*) O (†) (†) (†) (†) (†) (†) Q (†) O M J G (†) (*) O (†) (†) (†) (†)	R R M L K J (†) H (*) O (†) (†) (†) (†) (†) (†) Q (†) O M J G (†) (*) O (†) (†) (†) (†)

*Indicates previously classified these size groups.
†Indicates no classification effective for these size groups.

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act:

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 331.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–I, § 331.9 (*Adjustments in f. o. b. mine prices*) is amended by adding thereto Supplement R–II, and § 331.10 (*Special prices: Railroad locomotive fuel*) is amended by adding thereto Supplement R–III, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: December 19, 1942.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 11

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 331, Minimum Price Schedule for District No. 11 and supplements thereto.

§ 331.5 *Alphabetical list of code members*—Supplement R–I

FOR ALL SHIPMENTS EXCEPT TRUCK

Mine Index No.	Code member	Mine	Seam	Subdistrict	Freight origin group	Shipping point	Railroad
184	Linton-Summit Coal Co., Inc.	New Templeton No. 4	IV	13	169	Linton (Linton-Summit Pit).	C(NS)R&P.

Mine Index No. 184 shall be included in Price Group 13 and for shipment to the areas as marked areas shall be accorded the price shown for other mines in Price Group 13 listed in Price Schedule for District No. 11, for All Shipments except Truck.
†Freight Origin Group No. 681 no longer applicable.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 11

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 331, Minimum Price Schedule for District No. 11 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 331.5 *Alphabetical list of code members*—Supplement R–I

Mine Index No.	Code member	Mine	Seam	Subdistrict	Freight origin group	Shipping point	Railroad
184	Linton-Summit Coal Co., Inc.	New Templeton No. 4	IV	13	169	Linton (Linton-Summit Pit).	C(NS)R&P.

Mine Index No. 184 shall be included in Price Group 13 and for shipment to the areas as marked areas shall be accorded the price shown for other mines in Price Group 13 listed in Price Schedule for District No. 11, for All Shipments except Truck.
†Freight Origin Group No. 681 no longer applicable.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 11

§ 331.10 *Special prices: Railroad locomotive fuel*—Supplement R–III

FOR ALL SHIPMENTS EXCEPT TRUCK

Mine Index No.	Code member	Mine	Seam	Subdistrict	Freight origin group	Shipping point	Railroad
184	Linton-Summit Coal Co., Inc.	New Templeton No. 4	IV	13	169	Linton (Linton-Summit Pit).	C(NS)R&P.

Mine Index No. 184 shall be included in Price Group 13 and for shipment to the areas as marked areas shall be accorded the price shown for other mines in Price Group 13 listed in Price Schedule for District No. 11, for All Shipments except Truck.
†Freight Origin Group No. 681 no longer applicable.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 8

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No. 8, and supplements thereto.

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T

FOR TRUCK SHIPMENTS

Mine Index No.	Code member	Mine	Seam	Subdistrict No.	Base size: Lump over 3" and under, 4" x 6"	Lump 3" and under (2" x 3", 2" x 4")	Egg 3" x 4", 2" x 3"	Stove 3" and under, nut 2" and under	Straight mine run	3" and under, slack	3" and under, slack
	Subdistrict No. 6—Southern Appalachian Bell County, Ky.				1	2	3	4	5	6	7	8
573	Slusher, Isaac (Kentucky Bell Coal Co.).....	Luce.....	Mason.....	6	275	255	(*)	240	225	(*)	165	100

*Indicates previously classified these size groups.

[Docket No. A-1726]

PART 331—MINIMUM PRICE SCHEDULE, DISTRICT NO. 11

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 11 for the establishment of price classifications and minimum prices for the coals of the New Templeton No. 4 Mine.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the New Templeton No. 4 Mine, Mine Index No. 184, of the Linton-Summit Coal Company, Inc.; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

§ 331.9 *Adjustment in f. o. b. mine prices*—Supplement R–II. *Deductions for freight rate differences for mine index No. 184.*

a. On shipments originating on the CMStP&P Railroad—the same absorptions as have been established for mines included in Freight Origin Group No. 61.

b. On shipments originating on the Illinois Central Railroad—the same absorptions as have been established for mines included in Freight Origin Group No. 62.

c. On shipments originating on the Pennsylvania Railroad—the same absorptions as have been established for mines included in Freight Origin Group No. 63.

d. On shipments to Market Areas 32, 33 and 34—the same absorptions as have been established for Mine Index Nos. 48, 49, 50, 51, 78, 119 and 1294.

NOTE: In no case shall the permissible deduction to any destination exceed the deduction applicable via the lowest rated route.

§ 331.10 *Special prices; Railroad locomotive fuel*—Supplement R–III. *Prices for railroad locomotive fuel.*

a. On shipments to the CMStP&P Railroad—the same prices as have been established for Mine Index Nos. 51 and 78 for shipment to said railroad.

b. On shipments to the Illinois Central Railroad—the same prices as have been established for Mine Index Nos. 50 and 119 for shipment to said railroad.

c. On shipments to the Pennsylvania Railroad—the same prices as have been established for Mine Index Nos. 48 and 49 for shipment to said railroad.

d. On shipments to all railroads other than the CMStP&P Railroad, Illinois Central Railroad and the Pennsylvania Railroad:

1. When shipping via the CMStP&P Railroad, the same prices as have been established for Mine Index Nos. 51, 78 and 1294 when said mines ship via the CMStP&P Railroad;

2. When shipping via the Illinois Central Railroad, the same prices as have been established for Mine Index Nos. 50 and 119.

3. When shipping via the Pennsylvania Railroad, the same prices as have been established for Mine Index Nos. 48 and 49.

NOTE: The maximum deductions permitted shall be the lowest absorption via either railroad listed above to accomplish the required delivery.

[F. R. Doc. 43-301; Filed, January 6, 1943; 11:44 a. m.]

[Docket No. A-1682]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

ORDER GRANTING RELIEF, ETC., AMENDMENT

Order amending order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 8.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by Bituminous Coal Producers Board for District No. 8 (the "Petitioner"), requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 8, and for changes in shipping points; and

A motion having been filed by petitioner requesting that the original petition heretofore filed herein be amended by deleting therefrom the prices therein proposed in Size Groups Nos. 1, 2 and 3 for truck shipment for the coals produced by Utilities Elkhorn Coal Company at its Boldman No. 5 Mine, Mine Index No. 5757 and inserting certain other prices in lieu thereof; and

An order granting said motion, amending said original petition, and granting temporary relief and conditionally providing for final relief as prayed for in the original petition, as amended, having been issued herein on November 11, 1942, 7 F.R. 9769; and

A motion having been filed herein by the petitioner, requesting that the order heretofore entered herein on November 11, 1942 be modified with respect to the coals produced by Litwar Coal Company at its Litwar 1A Mine, Mine Index No. 5711, and by the said Utilities Elkhorn Coal Company at its said Boldman No. 5 Mine, Mine Index No. 5757 by providing:

(1) That the temporary relief therein granted shall become final on March 26, 1943, unless it shall be otherwise ordered prior thereto.

(2) That pleadings in opposition to the original petition herein in such respect, and applications to stay, terminate, or modify the temporary relief, as extended, may be filed with the Division on or before March 11, 1943; and

It appearing from said motion, with respect to the said Litwar Mine, that the prices proposed for said mine in the original petition herein were based on channel samples, and that the petitioner has not been able to secure, for analytical purposes, samples of the coals which are produced at this mine for commercial purposes; it further appearing that it is the opinion of the petitioner that such samples cannot be obtained and analyzed prior to February 15, 1943, and that, such coals should not be permanently classified until such analyses have been made; and

It further appearing, with respect to the said Boldman No. 5 Mine, that this mine is in process of development, and that the petitioner will not be able to obtain representative samples of the coals produced at this mine until after January 1, 1943, and that it is the opinion of the petitioner that these coals should not be permanently classified until such analyses have been made; and

It is further appearing that a reasonable showing of necessity has been made for the granting of said motion, and for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention or motions in opposition to the relief requested having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

Now, therefore, it is ordered, That said motion be, and the same hereby is granted;

It is further ordered, That the temporary relief heretofore granted in the order issued herein on November 11, 1942, 7 F.R. 9769, § 328.11 (*Alphabetical list of code members*) Supplement R, and § 328.34 (*General prices for high volatile coals in cents per net ton for shipment into all market areas*) Supplement T, with respect to the coals produced by Litwar Coal Company at its 1A Mine, Mine Index No. 5711 and by Utilities Elkhorn Coal Company at its Boldman No. 5 Mine, Mine Index No. 5757, be and the same hereby is extended to and shall become final on March 26, 1943, unless otherwise ordered.

It is further ordered, That pleadings in opposition to the original petition, as amended, in the above entitled matter and applications to stay, terminate or modify the temporary relief herein granted with respect to the aforesaid mines, may be filed with the Division on or before March 11, 1943 pursuant to the Rules and Regulations Governing Practices and Procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: January 6, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-358; Filed, January 7, 1943; 11:26 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter A—General Provisions

PART 903—DELEGATIONS OF AUTHORITY

[Amendment 1 to WPB Regulation 1 as Amended July 9, 1942]

DELEGATION OF AUTHORITY TO RUBBER DIRECTOR

Section 903.0 *War Production Board Regulation 1*,[1] is hereby amended by the addition of the following new paragraphs:

(d) In addition to, and without limitation upon, the foregoing delegation of authority, the Rubber Director of the War Production Board is hereby authorized to perform the functions and exercise the powers, authorities and discretion conferred upon the President by section 2 (a) of the Act of June 28, 1940 (54 Stat. 676) as amended by the Act of May 31, 1941 (Public Law No. 89, 77th Congress) and Title III of the Second War Powers Act, 1942 (Act of March 27, 1942, Public Law No. 507, 77th Congress), to the extent necessary for the performance of the following duties and functions:

(1) To allot rubber among the War Department, Navy Department, Maritime Commission, Aircraft Scheduling Unit, Office of Lend-Lease Administration, Board of Economic Warfare, Dominion of Canada, the Domestic Requirements Section of the Office of Rubber Director, and any other public or private agency authorized to act as a Claimant Agency before the War Production Board, and also to allot rubber for civilian requirements;

(2) To allocate and apportion rubber among the users thereof, including all allocations and apportionments from the rubber stockpile;

(3) To issue, administer and, where necessary, amend or repeal new orders regulating the production, distribution and use of rubber and rubber products, and to amend, repeal and supersede any existing orders heretofore issued by the War Production Board regulating such production, distribution and use: *Provided, however*, That all existing orders of the War Production Board affecting such production, distribution or use shall remain in effect until specifically amended, repealed or superseded. The authority hereby delegated shall not include authority to regulate or control the distribution of any material or products other than rubber and rubber products, even when such other material or products are for use in the production of rubber.

(e) The Rubber Director may exercise the duties and functions referred to above, either in his own name, through the Director General for Operations of the War Production Board or through such other official, agency or person as he shall designate.

(E.O. 9024, 7 F.R. 329; E.O. 9040; 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of January 1943.

DONALD M. NELSON, *Chairman.*

[F. R. Doc. 43-335; Filed, January 6, 1943; 5:06 p. m.]

[1] 7 F.R. 561, 2126, 4155, 5395.

Subchapter B—Director General for Operations

PART 1010—SUSPENSION ORDERS

[Suspension Order S-208]

CLIFFSIDE DYEING CORP.

Cliffside Dyeing Corporation, Paterson, New Jersey, is engaged in the business of dyeing fabrics. During the months of April through September, 1942, the Company accepted delivery of approximately 3,931 pounds of anthraquinone dyes in excess of the amounts which it was permitted to receive under the terms of Conservation Order M-103. The Company was fully aware of the restrictions contained in Conservation Order M-103 and its violations thereof were wilful.

On or about August 24, 1942, the Company accepted delivery of a textile machine in violation of Limitation Order L-83, which places certain restrictions on the delivery and acceptance of industrial machinery. The Company had obtained delivery of this machine by certifying that the machine was for maintenance, repair, and operating supplies, and that a rating of A-10 under Preference Rating Order P-100 was applicable to the purchase order. This certification was false and made in violation of Preference Rating Order P-100 inasmuch as the machine constituted capital equipment.

These violations of Conservation Order M-103, Limitation Order L-83 and Preference Rating Order P-100 have impeded and hampered the war effort of the United States by diverting anthraquinone dyes and critical industrial machinery to uses unauthorized by the War Production Board. In view of the foregoing facts, *It is hereby ordered*, That:

§ 1010.208 *Suspension Order No. S-208.* (a) Cliffside Dyeing Corporation, its successors and assigns, shall not order or accept delivery of anthraquinone dyes, except as specifically authorized by the Director General for Operations.

(b) Deliveries of material to Cliffside Dyeing Corporation, its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be applied or assigned to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, and any other order or regulation of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) No allocation shall be made to Cliffside Dyeing Corporation, its successors and assigns, of any material the supply or distribution of which is governed by any order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(d) Nothing contained in this order shall be deemed to relieve Cliffside Dyeing Corporation from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on January 7, 1943, and shall expire on April 7, 1943, at which time the restrictions contained in this order shall be of no further effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of January 1943.

ERNEST KANZLER, *Director General for Operations.*

[F. R. Doc. 43-277; Filed, January 6, 1943; 3:55 p. m.]

PART 1041—PRODUCTION, TRANSPORTATION, REFINING AND MARKETING OF PETROLEUM

[Preference Rating Order P-98-c, as Amended Dec. 31, 1942[1]]

§ 1041.3 *Preference Rating Order P-98-c.* For the purpose of facilitating special sales of idle or excess materials by persons engaged in the petroleum industry to other persons engaged in the petroleum industry, it is hereby ordered that persons engaged in the petroleum industry may sell such material to other persons engaged in the petroleum industry upon the terms hereinafter set forth:

(a) *Definitions.* The definitions of Preference Rating Order P-98-b shall apply in this order.

(b) *Sales of material between operators.* (1) Any operator may sell to any other operator material from the seller's stocks or inventories, and any such sale shall be expressly permitted within the terms of paragraph (c) (3) of Priorities Regulation No. 13, as amended from time to time.

(2) Notwithstanding the provisions of Priorities Regulation No. 13, as amended from time to time, any operator may sell to any supplier for direct resale to another operator material from the stocks or inventories of the operator.

(c) *Applicability of orders and priorities regulations.* This order does not authorize receipt or use of any material by any person in violation of any inventory, quota or use restrictions imposed by any order or regulation. This order and all transactions affected thereby are subject to the applicable provisions of any priorities regulation issued by the War Production Board, as amended from time to time.

(d) *Communications.* All reports which may be required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed:

(1) By any person located in the United States, its territories or possessions to: Office of Petroleum Coordinator, South Interior Building, Washington, D. C., Ref.: P-98-c.

(2) By any person located in the Dominion of Canada to: Office of Oil Controller, Dominion of Canada, Toronto, Canada, Ref.: P-98-c.

(e) *Violations.* Any person who wilfully violates any provisions of this order or who wilfully furnishes false information to the Director General for Operations in connection with this order is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control

[1] This document is a restatement of Amendment 1 to Preference Rating Order P-98-c which appeared in the FEDERAL REGISTER of January 1, 1943, page 13, and reflects the order in its completed form as of December 31, 1942.

and may be deprived of priorities assistance by the Director General for Operations.

NOTE: Paragraph (f) was revoked December 31, 1942.

(P.D. Reg. 1, as amended 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-331; Filed, January 6, 1943; 5:06 p. m.]

PART 1128—CLOSURES FOR GLASS CONTAINERS

[Conservation Order M-104, as Amended Jan. 1, 1943 [1]]

§ 1128.1 *Conservation Order M-104*—(a) *Definitions.* (1) "Closure" means any sealing or covering device affixed or to be affixed to a glass container for the purpose of retaining the contents within the container.

(2) "Glass container" means any bottle, jar, or tumbler which is made of glass and which is suitable for packing any product.

(3) "Tinplate" means sheet steel coated with tin, and includes "primes," "seconds," "waste-waste," and all other forms of tinplate except waste.

(4) "Terneplate" means sheet steel coated with a lead-tin alloy, and includes "primes," "seconds," "waste-waste," and all other forms of terneplate except waste.

(5) "Blackplate" means any sheet steel, other than tinplate or terneplate, suitable for manufacture into closures, and includes "rejects," "electrolytic waste-waste," and all other forms of blackplate except waste.

(6) "Waste" means used closures and used cans, made of tinplate, terneplate, or blackplate; and scrap tinplate, terneplate, and blackplate produced in the ordinary course of manufacturing closures.

(7) "Rubber," whether a separate sealing ring or incorporated into a closure, means any polyvinyl acetate, or any crude rubber, latex, scrap rubber, reclaimed rubber, or synthetic rubber, as defined by Supplementary Order M-15-b, as amended from time to time.

(8) "Pack," unless particularly specified, means the number of closures used for packing a product during the base period specified.

(b) *Restrictions upon manufacture, sale, and delivery of closures.* (1) No person shall sell or deliver any closure made in whole or in part of tinplate, terneplate, blackplate, wire, rubber, or waste, except under a purchase order or contract validated by delivery to such person of a purchaser's certificate, manually signed by the purchaser or an authorized official of the purchaser, in substantially the form attached hereto as Exhibit A. No person shall manufacture, sell, or deliver any such closure which he knows or has reason to believe will be used in violation of any provision of this order.

(2) No person shall use any tinplate, terneplate, blackplate, waste or rubber for the manufacture of the following types of closures:

(i) Cover caps which serve as a protective or decorative closure in addition to any original sealing medium such as another closure or paraffin.

(ii) Double shell or semi-double shell caps.

(iii) Two-piece closures when both pieces are made of metal, except as permitted in paragraph (b) (3).

(3) No person shall use any tinplate, terneplate, blackplate, wire, or rubber for the manufacture of any closure of the home canning type, except as, and to the extent permitted in Schedule V attached to this order. No closure manufactured pursuant to Schedule V shall knowingly be sold to any person for packing any product for sale.

(4) No person shall use any tinplate, terneplate, or blackplate, except "rejects" or "electrolytic waste-waste," heavier than 90 pounds per base box, for the manufacture of crown caps.

(5) No person shall use for the manufacture of closures any tinplate with a tin coating in excess of 1.25 pounds per base box.

(c) *Restrictions upon purchase, acceptance of delivery, and use of closures.* No person shall, during any calendar year (or seasonal year or other period, when specified) purchase, accept delivery of, or use for packing a product, any closure made in whole or in part of tinplate, terneplate, blackplate, or rubber, except as, and to the extent permitted in Schedules I, II, III, and IV, attached to this order; *Provided, however,* That a jobber or retailer may obtain and sell closures in conformity with the provisions of this order. Blackplate may be used wherever tinplate or terneplate is specified. Closures made of waste shall not be used for packing any product for which closures made of tinplate, terneplate, and blackplate are totally prohibited.

(d) *Exceptions.* (1) Nothing in this order shall prohibit any person who used less than 5,000 closures during the calendar year 1942 from purchasing, accepting delivery of, or using without restriction, an aggregate of 5,000 closures during any subsequent calendar year.

(2) The restrictions imposed by this order shall not apply to the purchase, acceptance of delivery, or use of closures for packing any product not listed in the schedules attached to this order, when such closures, on or before December 23, 1942, were completely manufactured or were in the form of tinplate, terneplate, or blackplate fully lithographed with a person's private design cut into strips.

(3) No certificate shall be required for the sale or delivery of closures to:

(i) Retailers;

(ii) Persons purchasing closures from retailers.

(4) Nothing in this order shall prohibit the purchase, acceptance of delivery, or use (such use to be in addition to any quota specified in the schedules attached to this order) of closures by any of the following persons or by any person for packing any product to be delivered to or for the account of any of the following persons:

(i) Army, Navy, Marine Corps, Maritime Commission, or War Shipping Administration of the United States (including persons operating vessels for such Administration or Commission for use thereon).

(ii) Any person for packing products for retail sale or distribution through post-exchanges, sales commissaries, officers' messes, servicemen's clubs, ship service stores, or outlets; provided same are located at Army or Navy camps, are not operated for private profit and are established primarily for the use of Army or Navy enlisted personnel within Army or Navy establishments or on Army or Navy vessels.

(iii) American Red Cross or United Service Organizations.

(iv) Any agency of the United States purchasing for a foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(v) Any person in the Territory of Hawaii; provided that the exception provided by this paragraph (d) (4) (v) shall be limited to closures used in connection with the packing of products to be consumed in the said Territory.

(e) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(3) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Containers Division, War Production Board, Washington, D. C. Ref: M-104.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of January 1943.

ERNEST KANZLER,
Director General for Operations.

EXHIBIT A

PURCHASER'S CERTIFICATE

One copy of this certificate is to be delivered to each person from whom purchases are made or closures made in whole or in part of tinplate, terneplate, blackplate, wire, zinc, or rubber. Such certificate shall cover all purchases present and future.

The undersigned purchaser hereby certifies to the seller herein and to the War Production Board that he is familiar with Conservation Order M-104, as heretofore amended, and that he will not use or sell any closures purchased from

---

Name of seller

Address of seller

pursuant to this or future purchase orders or contracts, in violation of the terms of such order.

Date

Legal name of purchaser

By

Authorized official

Title of official

Address of purchaser

Section 35 (A) of the U. S. Criminal Code (18 U.S.C.A. 80) makes it a criminal offense to make a false statement or representation to any department or agency of the United States as to any matter within its jurisdiction.

SCHEDULE I

FOOD CLOSURES

NOTE: Schedule I is amended in its entirety.

A. Any person who used closures from January 1, 1942 to December 31, 1942, for packing a food product not listed in this Schedule I, may use an equal number of closures during the year 1943 for packing the products listed in this schedule, in addition to the quotas respectively specified.

B. Wherever the asterisk appears the packing quota relates to the number of closures and cans used for packing the applicable product.

C. Notwithstanding the provisions of paragraph (d) (4) of this order, the respective quotas specified for items 3 and 6 under Fruits and item 6 under Milk and Dairy Products shall include pack required to be set aside by any order of the Director General for Operations for purchase by government agencies.

D. No product packed in a can shall be repacked for sale in a glass container, by the same or a different person, in the same or a different form, except to the extent specifically permitted in this schedule.

E. Split year items such as "1941-2" appearing in the column "1943 Packing Quota" refer to specified seasonal year base periods to be used in computing permitted packs for subsequent seasonal years.

Product	1943 packing quota	Closure material indicated by X		
		Tinplate	Blackplate	Rubber
VEGETABLES AND VEGETABLE PRODUCTS				
1. Asparagus, green	Unlimited	X		X
2. Beans, with or without pork	25% 1941*	X		
3. Beans, fresh, including green, wax, lima, green soybeans, and fresh shelled beans.	Unlimited	X		X
4. Beets, including pickled beets. No whole beets larger than U. S. Standard ruby (medium) to be packed.	200% 1942-3	X		X
5. Carrots. Whole carrots not to be packed	150% 1942	X		X
6. Corn, fresh, sweet, cut	Unlimited	X		X
7. Peas, fresh, green	Unlimited	X		X
8. Spinach, and other green leafy vegetables limited to beet, collard, dandelion, kale, mustard, polk, and turnip greens.	300% 1941	X		X
9. Tomatoes	Unlimited	X		X
10. Tomato catsup and chili sauce, containing not less than 10.7 percent (specific gravity 1.045) or more than 25 percent, by weight, dry tomato solids:				
Closures without rubber	200% 1942	X		
Closures with rubber	150% of 1942	X		X
11. Tomato paste, containing not less than 25 percent, by weight, dry tomato solids.	50% 1942*	X		X
12. Tomato pulp or puree, containing not less than 10.7 percent (specific gravity 1.045) or more than 25 percent, by weight, dry tomato solids.	100% 1942	X		X
13. Tomato sauce, including spaghetti sauce containing not less than 8.7 percent (specific gravity 1.037) by weight, dry tomato solids, and not less than 10.0 percent (specific gravity 1.042) by weight, total dry solids, salt free. In addition to salt, the contents may contain pepper, spice oils, and other flavoring ingredients.	100% 1942*	X		X
14. Vegetables, dehydrated	Unlimited		X	
15. Vegetable juices, or mixtures thereof, undiluted, except for the addition of sweetening or seasoning.	Unlimited	X		
NOTE: When required for packing other products, tomato paste, tomato pulp or puree, tomato sauce, and tomato juice may be repacked from reusable cans, 5-gallon or larger.				
FRUITS				
1. Apples, including crabapples; whole apples not to be packed.	10% 1941-2*	X		X
2. Applesauce, including sauce from crabapples	10% 1941-2*	X		X
3. Apricots. Packing quota includes pack required to be set aside by any order of the Director General for Operations for purchase by government agencies.	100% 1942	X		X
4. Blackberries, black raspberries, boysenberries, dewberries, elder berries, gooseberries, loganberries, red raspberries, and youngberries.	225% 1942	X		X
5. Cherries, red sour pitted and sweet	200% 1942	X		X
6. Figs. Packing quota includes pack required to be set aside by any order of the Director General for Operations for purchase by government agencies.	100% 1942	X		X
7. Fruit cocktail, consisting of any combination of fruits listed in this Schedule I and grapes and pineapple: *Provided*, That the combination, by drained weight, shall consist of not less than 50 percent fruits listed in this Schedule I and may consist of not to exceed 10 percent grapes. Pineapple may be repacked from No. 10 or larger cans to the extent of 7 percent of the fruit cocktail.	Unlimited	X		X
8. Olives, ripe or green ripe, whole or minced	75% 1941-2*	X		X
9. Peaches, clingstone, halves, segments, or slices	Unlimited	X		X
10. Peaches, freestone, halves, segments, or slices. Not to be packed in California.	Unlimited	X		X
11. Pears. Whole pears, except seckle pears, not to be packed	Unlimited	X		X
12. Plums	150% 1942	X		X
13. Prunes, fresh Italian	200% 1942	X		X
FRUIT PRODUCTS				
1. Fruits, crushed	100% 1942*		X	
2. Fruit butters, conserves, jams, jellies, marmalades, and preserves.	100% 1942	X		X X until 3 31 43
3. Fruit juices or mixtures thereof, other than grapefruit juice, undiluted except for the addition of sweetening.	100% 1942*	X		
4. Grapefruit juice	100% 1942*	X		X
5. Fruit concentrates, liquid, when concentrated on a ratio of 5 or more to 1.	100% 1942*	X		X
6. Fruit concentrates, dry	Unlimited		X	
7. Nectars	100% 1942*	X		
8. Pectin, liquid	100% 1942*		X	

[1] This document is a restatement of Amendment 1 of Conservation Order M-104 as amended December 23, 1942 which appeared in the FEDERAL REGISTER of January 5, 1943, page 89 and reflects the order in its completed form as of January 1, 1943.

Product	1943 packing quota	Closure material indicated by X		
		Tinplate	Blackplate	Rubber
MEATS AND MEAT PRODUCTS				
1. Beef, dried	75% 1941	X		
2. Chicken, boned, and turkey, boned	50% 1942*	X		X
3. Chili Con Carne, when packed without beans and containing not less than 50 percent meat, by uncooked weight, exclusive of added tallow	2% 1942*	X		X
4. Corned beef hash	100% 1941*	X		
5. Lamb's tongue, pickled	100% 1942	X		X
6. Meat loaf, containing not less than 90 percent meat, by uncooked weight and no added water. When packed as a chopped product, meat loaf may contain not more than 10 percent of the following ingredients: cereal, whole milk, eggs, and seasoning	25% 1942*	X		X
7. Meat spreads, including ham, tongue, liver, beef, and sandwich spreads. When packed as a spread, the chopped product shall contain not less than 65 percent meat, by cooked weight, with added cereal or other products. When packed as deviled ham or deviled tongue, the product shall consist of chopped meat without added cereal or other products	25% 1942*	X		X
8. Chopped luncheon meats, consisting of chopped, seasoned meat with not to exceed 3 percent added water, by weight	25% 1942*	X		X
9. Mince meat, fresh apples only	100% 1942		X	
10. Pig's feet and outlets, pickled, semi-boneless	100% 1942	X		X
11. Sausage in casings, Vienna style, containing no cereal or similar substance and not to exceed 10 percent added water, by weight	100% 1942	X		X
12. Tongue	100% 1942*	X		X
FISH AND SHELLFISH				
1. Clams, soft, hard, or razor	100% 1942	X		X
2. Clam broth	100% 1942*	X		
3. Crabmeat	100% 1942	X		X
4. Fish flakes, except dried fish flakes	100% 1942	X		X
5. Fish, pickled	Unlimited	X		
6. Fish pastes, including shellfish paste	100% 1942*		X	
7. Lobsters, including spiny lobsters	100% 1942*	X		X
8. Oysters	100% 1942	X		
9. Shrimp	100% 1942	X		X
SOUPS				
Seasonal. Limited to soups which shall contain not less than 7 percent, by weight, of dry solids from any one or more of the following fresh unfrozen vegetables: asparagus, peas, spinach, tomatoes	Unlimited	X		
Non-seasonal. Limited to the following kinds of soup which shall contain not less than the specified percentage, by weight of dry solids from fresh, brined, or frozen vegetables, meats, or other products listed in schedules I or II, in Order M-81, provided that no person shall use for packing such soups, more than 35 percent by weight, of the frozen vegetables which he used for this purpose during 1942.	75% 1942*	X		
MILK AND DAIRY PRODUCTS				
1. Cheese spreads, processed	100% 1942	X		
2. Cheese spreads, unprocessed (e. g. limburger)	100% 1942	X		
3. Condensed milk, sweetened, as defined by the Federal Security Administration, July 2, 1940, paragraph 18,925 page 2444, Federal Register, and 18,530, page 2445, as amended, Federal Register, August 8, 1941, pages 3973 and 3974	100% 1942*	X		
4. Cultured milk—"Cultured milks" as classified herein refers only to those cultured or fermented milk or skim milk products which develop pressure within the container (glass bottles) due to fermentation which is produced by the addition of certain materials to milk or skim milk such as sugar, yeast, cultures, and the like	100% 1942			X
5. Fluid milk, with or without flavoring. Quota: Until 3 1/43 100 percent, and until 6/30/43 50 percent of corresponding period of 1941	See product column			X
6. Ice cream mix, dry. Packing quota includes pack required to be set aside by any order of the Director General for Operations for purchase by government agencies	50% 1942*	X		X
7. Malted milk, including chocolate milk, dry	Unlimited			X
SYRUPS AND HONEY				
1. Syrups—blended, bottlers, cane, corn, maple, molasses, sorghum, malt	100% 1942*			X
2. Chocolate or cocoa syrup	100% 1942*			X
3. Honey	Unlimited			X
OLIVES, PICKLES, RELISHES, CONDIMENTS AND SAUCES				
1. Pickles, piccalilli, and relishes	100% 1942	X		
2. Mustard	100% 1942	X		
3. Green olives	100% 1941	X		
4. Horseradish	100% 1942	X		
5. Sauces—beefsteak, cooking, soya, tobasco, and worcestershire	100% 1942	X		

Product	1943 packing quota	Closure material indicated by X		
		Tinplate	Blackplate	Rubber
EDIBLE OILS AND DRESSINGS				
1. Dressings—Mayonnaise, Russian, salad and Thousand Island	125% 1942		X	
2. French dressing	100% 1942	X		
3. Oil, edible liquid	125% 1942*		X	
4. Sandwich spread, other than meat spreads	125% 1942		X	
5. Tartar sauce	100% 1942		X	
MISCELLANEOUS FOODS				
1. Baby foods: Consisting of food products of small particle size or in liquid or semiliquid form made from the following ingredients: fruits (except dried apricots, dried pears, dried peaches, dried or dehydrated apples); vegetables; meats; poultry products; dairy products; sugar; salt or seasoning; yeast or yeast derivatives. Frozen fruits and vegetables may be used, provided that no person shall use more than 35 percent, by weight, of the amount which he used for baby foods in 1942. Potatoes and cereals may be used only in combination with other permitted products, and only provided the combined potato and cereal content does not exceed 12 percent, by weight, of the total product. Pineapple from No. 10 cans and tomato products from 5-gallon reusable cans may be used in packing baby foods	125% 1942	X		X
Formulas—dry or liquid	125% 1942*		X	
2. Cherries, maraschino	100% 1942		X	
3. Baking powder	100% 1942*		X	
4. Dyes, certified colors	75% 1942		X	
5. Extracts	100% 1942	X		
6. Malt, dry	100% 1942*		X	
7. Milk fortifiers	100% 1942		X	
8. Nut butters	150% 1942		X	
9. Soups, dehydrated	100% 1942		X	
10. Spice	100% 1942		X	
11. Vinegars	100% 1942	X		
12. Special food products, for human consumption only, limited to foods other than usual table foods. Quota: No person shall pack any special food product unless he packed the product in substantially the same form in 1942, and unless he obtains prior permission upon application to the War Production Board	(1)	(1)	(1)	(1)

[1] See product column.

SCHEDULE II

DRUG PRODUCTS CLOSURES

A. From December 23, 1942, to December 31, 1942, any person may pack without quota restriction any product listed in this Schedule II.

B. The packing quota relates to the number of closures and cans used for packing the applicable product.

Product, for medicinal or health purposes only	1943 packing quota	Closure material indicated by x		
		Tinplate	Blackplate	Rubber
1. Alcohol, rubbing or medicated	100% 1942		x	
2. Artificial salts	100% 1942		x	
3. Biological preparations	Unlimited	x		x
4. Blood plasma	Unlimited	x		x
5. Capsules	100% 1942		x	
6. Chemicals, dry	Unlimited	x		
7. Chemicals, liquid	Unlimited	x		
8. Citrate of magnesia	100% 1942		x	x
9. Cordials, medicinal	100% 1942		x	
10. Effervescent salts	100% 1942		x	
11. Elixirs	100% 1942		x	
12. Emulsions	100% 1942		x	
13. Extracts	100% 1942		x	
14. Flavors	100% 1942		x	
15. Fluid extracts	100% 1942		x	
16. Fluid glycerates	100% 1942		x	
17. Glycerites	100% 1942		x	
18. Glycerogelatins	100% 1942		x	
19. Honeys	100% 1942		x	
20. Jellies, aqueous	100% 1942		x	
21. Liniments	100% 1942		x	

Product, for medicinal or health purposes only	1943 packing quota	Closure material indicated by x		
		Tinplate	Black plate	Rubber
22. Liniment of ammonia	100% 1942	x		
23. Local anesthetic solutions (injectible)	Unlimited	x		x
24. Lotions	100% 1942		x	
25. Magmas	100% 1942	x		
26. Medicinal wines	100% 1942		x	
27. Oleoresins	100% 1942		x	
28. Oleates	100% 1942		x	
29. Oils, fixed, volatile, or medicated	100% 1942	x		
30. Ointments, cerates, petrolatum, pastes	100% 1942		x	
31. Ointments, ophthalmic	100% 1942	x		
32. Pills, tablets, troches, lozenges	100% 1942		x	
33. Powders	100% 1942		x	
34. Prescriptions	Unlimited	x		
35. Proprietary preparations	100% 1942		x	
36. Soaps	100% 1942	x		
37. Solutions, aqueous or bulk intravenous	100% 1942	x		x
38. Solution of ammonia	100% 1942	x		
39. Solution of iodine	100% 1942	x		x
40. Solution of hydrogen peroxide	100% 1942	x		
41. Solutions, parenteral	Unlimited	x		x
42. Solutions, ophthalmic or nasal	100% 1942	x		
43. Spirits	100% 1942		x	
44. Spirit of ammonia, aromatic	100% 1942	x		
45. Spirit of ammonia, anisated	100% 1942	x		
46. Spirit of ether compound and spirit of ether	100% 1942	x		
47. Suppositories	100% 1942		x	
48. Syrups	100% 1942		x	
49. Tinctures	100% 1942		x	
50. Tincture of iodine	100% 1942	x		x
51. Vinegars	100% 1942	x		
52. Waters	100% 1942		x	
53. Water, laxative, purgative or medicinal	100% 1942		x	

SCHEDULE III

CHEMICALS, HOUSEHOLD AND INDUSTRIAL SUPPLY CLOSURES

A. From December 23, 1942 to December 31, 1942 any person may pack without quota restriction any product listed in this Schedule III.

B. The packing quota relates to the number of closures and cans used for packing the applicable product.

Product	1943 packing quota	Closure material indicated by x		
		Tinplate	Blackplate	Rubber
1. Adhesives, glass mucilages, and pastes	100% 1942		x	
2. Alcohol	100% 1942		x	
3. Ammonia	100% 1942	x		
4. Anti-freeze	100% 1942		x	
5. Automotive maintenance or repair items, liquid or paste	100% 1942		x	
6. Blurings	100% 1942	x		
7. Bleaches	100% 1942	x		x
8. Cements	100% 1942		x	
9. Chemicals, dry	Unlimited		x	
10. Chemicals, liquid	Unlimited	x		
11. Chemicals, reagent	Unlimited	x		
12. Cleaners	100% 1942		x	
13. Compounds for grinding, polishing, or sealing	100% 1942		x	
14. Dressings for industrial purposes	100% 1942		x	
15. Dyes	75% 1942	x		
16. Essential oils, distilled or cold pressed	100% 1942	x		
17. Embalming fluid	Unlimited		x	
18. Fire extinguisher fluids	100% 1942		x	
19. Fungicides, insecticides, and livestock or agricultural solutions or sprays	100% 1942		x	
20. Glycerin	100% 1942		x	
21. Graphite with liquid	100% 1942		x	
22. Hypochlorite powders	100% 1942	x		
23. Inks	100% 1942	x		
24. Ink eradicators	100% 1942	x		
25. Lighter fluids	100% 1942		x	
26. Lye	100% 1942		x	
27. Oils, lubricating and marine	100% 1942		x	
28. Paints, varnishes, enamels, shellacs, lacquers, lacquer thinners, lacquer stains, paint thinners, varnish removers, turpentine and linseed oil	100% 1942		x	
29. Phenol	Unlimited	x		
30. Photographic supplies	100% 1942	x		
31. Pastes	100% 1942		x	
32. Polishes, liquid or paste	100% 1942		x	
33. Putty	100% 1942		x	
34. Sash, metal	100% 1942		x	
35. Shoe white, liquid or cream	100% 1942		x	
36. Solvents	100% 1942		x	
37. Waxes	100% 1942		x	
38. Wood preservatives and fillers	100% 1942		x	

CONFIDENTIAL—For use of Federal War Agencies only

Form PD-519

UNITED STATES OF AMERICA

WAR PRODUCTION BOARD

Report Period (Month or Quarter) _____

Name of Company _____

Address _____

Closures for malt beverages and non-alcoholic beverages; Inventories, receipts and use by bottlers.

Check applicable beverages: Malt ____ Non-alcoholic ____

INSTRUCTIONS

Bottlers of malt beverages shall report monthly, and bottlers of non-alcoholic beverages by calendar quarters. On or before the tenth day following the period reported, please send one copy of this report to each supplier from whom you obtain beverage closures, and one copy to Containers Division, War Production Board, Washington, D. C. Ref: M-104. This form may be reproduced in same size and format.

Closures made of tinplate, terneplate or blackplate:	
Permitted inventory under M-104	gross
On hand first day of period	gross
Received during period	gross
Used, subject to quota, during period	gross
Used, for sale to exempt agencies, during period	gross
On hand last day of period	gross
Closures made from waste:	
On hand first of period	gross
Received during period	gross
Used during period	gross
On hand last day of period	gross
Re-used crowns used during period	gross

CERTIFICATION

The undersigned certifies that the above information is complete and correct to the best of his knowledge and belief:

Name of Bottler _____ Signature of Authorized Official _____

Date _____ Title _____

Section 35 (a) of the United States Criminal Code, 18 U.S.C.A. 80, makes it a criminal offense to make a false statement or representation to any department or agency of the United States as to any matter within its jurisdiction.

SCHEDULE IV

BEVERAGE CLOSURES

A. From December 23, 1942, to December 31, 1942, any person shall have the option of using closures for the bottling of malt and non-alcoholic beverages in accordance with the provisions of Order M-104 as amended September 26, 1942, or in accordance with this schedule. On and after January 1, 1943, no person shall use closures for such purpose except in accordance with this schedule.

Product—Bottling quota	Closure materials
Product: Malt beverages, including only beer, ale, porter, near-beer, and mixtures thereof. **Quota: Any person** who produced in 1941 less than 65,000 barrels may use in any calendar month, commencing with December 1, 1942, 100 percent, and any person who produced in 1941 over 65,000 barrels may use in any calendar month, commencing with December 1, 1942, 70 percent of the number of closures affixed by him to glass containers during the corresponding month of 1941. In the case of a person who did not produce any malt beverages in 1941, such person may use in each month, commencing with December 1, 1942, 70 percent of the number of closures affixed by him to glass containers during the corresponding month of 1941. In the case of a person who did not produce any malt beverages in 1941, such beverages bottled by him, shall be considered as having been produced by him, and his authorized usage of closures shall be calculated accordingly.	Tinplate and blackplate allocated for purposes of crown manufacture, only, and in inventory of crown manufacturer or bottler on or before December 11, 1942. Also rejects and electrolytic waste-waste.
Product: Non-alcoholic beverages, including only carbonated soft drinks; non-carbonated soft drinks; unflavored carbonated waters; unflavored naturally carbonated and still waters; drinks consisting of fruit juices, vegetable juices, and combinations thereof, where less than 85 percent by weight of such drinks is pure fruit juice, vegetable juice, or a mixture thereof; and sterilized milk and cream packed with sugar. **Quota: Any person** who used in 1941 less than 5,000 gross of closures, may use during any calendar quarter, commencing with October 1, 1942, 100 percent of the number of closures affixed by him to glass containers during the corresponding quarter of 1941. Any person who used in 1941 more than 5,000 and less than 7,500 gross of closures, may use not to exceed 5,000 gross of closures in any calendar quarter, commencing with October 1, 1942, the number used during any calendar quarter to be of the same proportionate rate he affixed closures to glass containers during the corresponding quarter of 1941. Any person who used in 1941 more than 7,500 gross of closures, may use during any calendar quarter, commencing with October 1, 1942, 70 percent of the number of closures affixed by him to glass containers during the corresponding quarter of 1941.	Tinplate and blackplate allocated for purposes of crown manufacture only, and in inventory of crown manufacturer or bottler on or before December 11, 1942. Also rejects and electrolytic waste-waste.

(1) No person, other than a jobber purchasing for resale, shall accept delivery of malt beverage or non-alcoholic beverage closures with which he used in 1941 for packing malt beverages and non-alcoholic beverages, more than 60 percent of the number of such closures and cans which he used in 1941 for packing malt beverages and non-alcoholic beverages.

(2) Closures for waters. Except with regard to items listed in Schedule II, no closures made of tinplate, terneplate, or blackplate shall be affixed to glass containers smaller than 12 fluid ounces, for packing unflavored carbonated, natural or mineral waters, unless such glass containers were manufactured on or before June 1, 1942.

(3) Jobbers who bottle malt beverages or nonalcoholic beverages, shall report upon Form PD-519 to the Containers Division, War Production Board, Washington, D. C.

SCHEDULE V—HOME CANNING CLOSURES

Description of closure	Manufacturer's quota from October 1, 1942, to September 30, 1943	Closure material indicated by x		
		0.50 Tinplate	Rubber	Wire bails
1. Shoulder seal jar rings for 70 mm. Mason finish	Subject to allocation of rubber		x	
2. Top seal jar rings for use with 70 mm. Ball class	Subject to allocation of rubber		x	
3. Top seal metal lids, 70 mm. (a)	125 percent of number of metal lids produced from October 1, 1941, to September 30, 1942	x	x	
4. Bands for 70 mm. top seal metal lids (a)	80 percent of number of such bands produced from October 1, 1941, to September 30, 1942	x		
5. Bands for use with 70 mm. glass lids	Unlimited	x		
6. Lightening type, 70 mm.	Unlimited			x
7. Top seal metal lids, smaller than 70 mm.	Unlimited		x	

(a) During the period from October 1, 1942, to September 30, 1943, no manufacturer or jobber of glass containers shall affix, for purposes of sale as a combination, 70 mm. top seal metal lids with bands, to more than 60 percent of the number of home canning jars produced or sold by him between October 1, 1941 and September 30, 1942.

[F. R. Doc. 43-332; Filed, January 6, 1943; 5:06 p. m.]

PART 1297—MATERIAL ENTERING INTO THE PRODUCTION OF REPLACEMENT PARTS FOR PASSENGER AUTOMOBILES, LIGHT, MEDIUM AND HEAVY MOTOR TRUCKS, TRUCK TRAILERS, PASSENGER CARRIERS AND OFF-THE-HIGHWAY MOTOR VEHICLES

[Limitation Order L-158 as Amended Dec. 31, 1942 [1]]

The fulfillment of requirements for the defense of the United States having created a shortage in the supply of aluminum, chromium, copper, nickel and other materials required for the production of replacement parts for passenger automobiles, light, medium and/or heavy motor trucks, truck trailers, passenger carriers and off-the-highway motor vehicles for defense, for private account and for export, the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1297.1 *Limitation Order L-158*—(a) *Certain orders hereby superseded.* This order, Limitation Order L-158, supersedes Limitation Order L-4 issued September 18, 1941 and all amendments thereto; supplementary Limitation Order L-4-c issued May 5, 1942 and all amendments thereto; Limitation Order

[1] This document is a restatement of Amendment 1 to Limitation Order L-158 as amended December 12, 1942, which appeared in the FEDERAL REGISTER of January 5, 1943, page 80, and reflects the order in its completed form as of December 31, 1942.

L-35 issued January 22, 1942 and all amendments thereto.

(b) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(1) *Protection of production schedules.* Producers of replacement parts under the terms of this order may, notwithstanding the provisions of Priorities Regulation No. 1 (Part 944), schedule their production of replacement parts as if the orders therefor bore a rating of AA-2X.

(c) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(2) "Passenger automobile" means any passenger vehicle, including station wagons and taxicabs propelled by an internal combustion engine and having a seating capacity of less than eleven (11) persons.

(3) "Light truck" means a complete motor truck or truck tractor with a maximum gross vehicle weight rating of less than 9,000 pounds, as authorized by the manufacturer thereof, or the chassis therefor.

(4) "Medium and or heavy motor truck" means a complete motor truck or truck-tractor with a maximum gross vehicle weight rating of 9,000 pounds or more, as authorized by the manufacturer thereof, or the chassis therefor.

(5) "Truck trailer" means a complete semi-trailer or full trailer having a load-carrying capacity of 10,000 pounds or more, as authorized by the manufacturer thereof, and designed exclusively for transportation of property, or persons, or the chassis therefor.

(6) "Passenger carrier" means a complete motor coach for passenger transportation, having a seating capacity of not less than 11 persons.

(7) "Off-the-highway motor vehicle" means a motor truck, truck-tractor and/or trailer, operating off the public highway, normally on rubber tires and specially designed to transport materials, property or equipment on mining, construction, logging or petroleum development projects.

(8) "Replacement parts" for passenger automobiles, light, medium and heavy motor trucks, truck-tractors, truck-trailers, passenger carriers and off-the-highway motor vehicles, means only the following enumerated parts (including components entering into such parts) used for the repair or maintenance of such vehicles:

(i) For all such vehicles: (1) engines (component parts only), (2) clutches, (3) transmissions, (4) propeller shafts, (5) universal joints, (6) axles, (7) braking systems, (8) wheels, (9) tire valve assemblies, (10) starting apparatus, (11) frame and spring suspension assemblies, (12) shock absorbers, (13) speedometers, (14) driving mirrors, (15) windshield wiper assemblies, (16) steering apparatus, (17) exhaust systems, (18) cooling systems, (19) fuel systems, (20) lubricating systems, (21) electrical systems including generators, motors, lights, reflectors and signal horns, (22) windshield safety glass.

(ii) In addition, but only for medium and heavy motor trucks, truck-tractors, truck-trailers, passenger carriers and off-the-highway motor vehicles: (23) power dividers and take offs, (24) transfer cases, (25) fusees and flares, (26) directional signals, (27) coupling devices, (28) trailer landing gears, (29) seats, (30) front fenders (only that type which support built in lighting), (31) defroster heaters, (32) truck refrigeration units, (33) liquid measuring gauges.

(iii) In addition, but only for passenger carriers: (34) body structural repair parts, (35) sash, (36) destination signs, (37) fare boxes, (38) guards and grab rails, (39) door operating mechanisms, (40) doors and door hardware, (41) signaling devices, (42) heating and ventilating equipment. For school bus bodies and cabs: only the foregoing parts, (34) to (42).

(iv) In connection with truck-body conversion: (43) cab assemblies.

(9) "Producer" means any individual, partnership, association, corporation or other form of business enterprise engaged in the manufacture of replacement parts, as defined in subparagraph (8), above.

(10) "Distributor" means any person not a producer whose business consists, in whole or in part, of the sale of replacement parts, as defined in subparagraph (8) above, from inventory. Distributor includes wholesalers, jobbers, dealers, retailers and other persons performing a similar function.

(11) "Inventory" means a stock of replacement parts, as defined in subparagraph (8) above, on hand, on consignment, or held for the account of the owner thereof in any other name, manner or place.

(12) "Third and fourth calendar quarters of 1942" means respectively the period from July 1, 1942, to September 30, 1942, and the period from October 1, 1942, to December 31, 1942.

(13) "Average calendar quarter of 1941" means one-fourth of the producer's total sales at dollar cost value of the replacement part of his own manufacture sold by him during 1941.

(d) *Prohibitions on production.* (1) On and after July 4, 1942, no producer shall manufacture any parts for passenger automobiles and light trucks except the replacement parts enumerated in paragraph (c) (8) (i) above.

(2) On and after July 31, 1942, no producer shall manufacture any parts for medium and/or heavy motor trucks, truck-tractors, truck-trailers, passenger carriers and off-the-highway motor vehicles except the replacement parts enumerated in paragraph (c) (8) above.

(3) In the production of such replacement parts, no materials shall be used which are prohibited by M orders or other restrictions on use of critical materials as now or hereafter ordered by the Director General for Operations of the War Production Board.

(e) *Restrictions on production of replacement parts for passenger automobiles and light trucks.*

(1) During the fourth calendar quarter of 1942, a producer of replacement parts for passenger automobiles and light trucks may manufacture replacement parts according to either of the following schedules:

(i) Such producer may manufacture replacement parts at his dollar cost value not to exceed seventy percent (70%) of the total dollar cost value of the replacement parts of his own manufacture sold by him during the fourth calendar quarter of 1941: *Provided*, That such production does not result in the producer's total inventory of finished parts (either produced by him or purchased by him from others) exceeding at any time during the third month in the fourth calendar quarter, in dollar cost value, four times the producer's average monthly sales valued at cost during the preceding calendar quarter. In determining dollar cost value of sales, sales to the Army, Navy and other persons enumerated in paragraph (g) below shall not be included.

(ii) Such producer may manufacture replacement parts not to exceed fifty percent (50%) of the total dollar cost value of the replacement parts of his own manufacture sold by him during the fourth calendar quarter of 1941: *provided* such production does not increase his inventory of finished parts in total cost value (either produced by him or purchased by him from others) at the end of the fourth quarter, above his inventory of finished parts in total cost value at the beginning of the quarter. In determining dollar cost value of sales, sales to the Army, Navy and other persons enumerated in paragraph (g) below shall not be included.

(2) During the first calendar quarter of 1943, a producer of replacement parts for passenger automobiles and light trucks may manufacture replacement parts according to either of the following schedules:

(i) Such producer may manufacture replacement parts at his dollar cost value not to exceed seventy percent (70%) of the total dollar cost value of the replacement parts of his own manufacture sold by him during the average calendar quarter of 1941: *provided* that such production does not result in the producer's total inventory of finished parts (either produced by him or purchased by him from others) exceeding at any time during the third month in the first quarter of 1943, in dollar cost value, four times the producer's average monthly sales valued at cost during the preceding calendar quarter. In determining dollar cost value of sales, sales to the Army, Navy and other persons enumerated in paragraph (g) below shall not be included.

(ii) Such producer may manufacture replacement parts not to exceed fifty percent (50%) of the total dollar cost value of the replacement parts of his own manufacture sold by him during the average calendar quarter of 1941: *provided* such production does not increase his inventory of finished parts in total cost value (either produced by him or purchased by him from others) at the end of the first quarter of 1943, above his inventory of finished parts in total cost value at the beginning of the quarter. In determining dollar cost value of sales, sales to the Army, Navy and other persons enumerated in paragraph (g) below shall not be included.

(f) *Restrictions on production of replacement parts for medium and/or heavy motor trucks, truck-tractors, truck-trailers, passenger carriers, and off-the-highway motor vehicles.*

(1) During the fourth calendar quarter of 1942, a producer of replacement parts for medium, and/or heavy motor trucks, truck-tractors, truck-trailers, passenger carriers, and off-the-highway motor vehicles may manufacture replacement parts according to either of the following schedules:

(i) Such producer may manufacture replacement parts at his dollar cost value not to exceed one hundred and twenty-five percent (125%) of the total dollar cost value of the replacement parts of his own manufacture sold by him during the fourth calendar quarter of 1941: *Provided*, That such production does not result in the producer's total inventory of finished parts (either produced by him or purchased by him from others) exceeding at any time during the third month in the fourth calendar quarter, in dollar cost value, four times the producer's average monthly sales valued at cost during the preceding calendar quarter. In determining dollar cost value of sales, sales to the Army, Navy and other persons enumerated in paragraph (g) below shall not be included.

(ii) Such producer may manufacture replacement parts not to exceed one hundred percent (100%) of the total dollar cost value of the replacement parts of his own manufacture sold by him during the average calendar quarter of 1941, provided such production does not increase his inventory of finished parts in total cost value (either produced by him or purchased by him from others) at the end of the first quarter of 1943 above his inventory of finished parts at the beginning of the quarter. In determining dollar cost value of sales, sales to the Army, Navy and other persons enumerated in paragraph (g) below shall not be included.

(2) During the first calendar quarter of 1943, a producer of replacement parts for medium and/or heavy motor trucks, truck-trailers, passenger carriers, and off-the-highway motor vehicles may manufacture replacement parts according to either of the following schedules:

(i) Such producer may manufacture replacement parts at his dollar cost value not to exceed one hundred and twenty-five percent (125%) of the total dollar cost value of the replacement parts of his own manufacture sold by him during the average calendar quarter of 1941: *Provided*, That such production does not result in the producer's total inventory of finished parts (either produced by him or purchased by him from others) exceeding at any time during the third month in the first quarter of 1943, in dollar cost value, four times the producer's average monthly sales valued at cost during the preceding calendar quarter. In determining dollar cost value of sales, sales to the Army, Navy and other persons enumerated in paragraph (g) below shall not be included.

(ii) Such producer may manufacture replacement parts not to exceed one hundred percent (100%) of the total dollar cost value of the replacement parts of his own manufacture sold by him during the average calendar quarter of 1941, provided such production does not increase his inventory of finished parts in total cost value (either produced by him or purchased by him from others) at the end of the first quarter of 1943 above his inventory of finished parts at the beginning of the quarter. In determining dollar cost value of sales, sales to the Army, Navy and other persons enumerated in paragraph (g) below shall not be included.

(g) *Exceptions to applicability of this order.* The terms and restrictions of this order shall not apply to any replacement parts sold to or produced under contracts or orders for delivery to or for the account of:

(1) The Army or Navy of the United States or the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development;

(2) The government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies and Protectorates, and Yugoslavia;

(3) Any agency of the United States Government, for delivery to, or for the account of, the government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(h) *Return of replacement parts.* Replacement parts returned to a producer by a distributor are not to be scheduled in the producer's inventory during the quarter in which the parts are received, but shall be included in the producer's inventory in the succeeding calendar quarter.

(i) *Restrictions on sales to consumers.* (1) On and after July 15, 1942, no producer or distributor shall sell or deliver any replacement part to a consumer unless the consumer delivers to the producer or distributor concurrently with the purchase a used part (excepting in the case of cab assemblies and parts consumed in use, lost or stolen) of similar kind and size for each new replacement part delivered to the consumer. No new replacement part shall be sold or delivered to a consumer to replace a part which the producer or distributor can recondition by use of available reconditioning facilities.

(2) Notwithstanding the provisions of paragraph (i) (1) above, a producer or distributor may sell and deliver any replacement part to a consumer without receiving a used part in exchange therefor, *Provided*, That:

(i) The producer or distributor does not install such part in the consumer's vehicle; and

(ii) The consumer signs and delivers to the producer or distributor concurrently with each purchase order (or on the written confirmation thereof if such order is placed by telephone or telegram) a certificate in the following form:

CONSUMER'S CERTIFICATE

I hereby certify that: (a) The replacement parts specified on this order are essential for repair of vehicle(s) I now own or operate; (b) these parts will be used only for replacement of parts that, to the best of my knowledge, cannot be reconditioned by use of available facilities; and (c) I will, within thirty days after receiving the new part(s), dispose of through scrap channels a used part(s) (excepting in the case of cab assemblies and parts consumed in use, lost or stolen) of similar kind and size for each new replacement part delivered to me.

Signed) ----------
Vehicle Owner or Operator

(Address) ----------

The foregoing certificate must be retained by the producer or distributor making the sale to the consumer as part of his records.

The provisions of this paragraph (i) shall not apply to any Federal or Territorial department, bureau or agency, or to a State or political subdivision thereof, which is forbidden by law from making such disposal of replacement parts.

(j) *Restrictions on distributors' inventories.* (1) On and after August 15, 1942, no distributor, whose principal place of business is located in the Eastern or Con-

tral War Time Zone, shall order more than a thirty-day supply of replacement parts, and no such distributor shall accept delivery of replacement parts which, in combination with his existing inventory of replacement parts measured in total dollar cost value, shall exceed a sixty-day supply. Sixty-day supply means a supply in dollar cost value equal to two-thirds of the distributor's total sales, at his cost of such parts, sold by him in the preceding quarterly period.

(2) No distributor, whose principal place of business is located in any other war time zone, shall order more than a forty-five day supply of replacement parts, and no such distributor shall accept delivery of replacement parts which, in combination with his existing inventory of replacement parts, measured in total dollar cost value, shall exceed a ninety-day supply. Ninety-day supply means a supply in dollar cost value at distributor's cost equal to the distributor's total sales, at his cost of such parts, sold by him in the preceding quarterly period.

(3) Irrespective of the restrictions in subparagraphs (1) and (2) above, a distributor may accept delivery of specific items of replacement parts when his stock of all items in the aggregate exceeds, or will by virtue of such acceptance exceed, his maximum permissible inventory as specified in subparagraphs (1) and (2) above, but only to the extent necessary to bring such distributor's inventory of those specific items up to a total dollar value equal to the sales of such items shipped from such inventories during the preceding month.

(4) No distributor may keep in his inventory, in his possession or under his control, for a period of more than thirty days, any used, traded-in, imperfect or condemned replacement parts which cannot be reconditioned, but must dispose of the same through the customary disposal or scrap channels.

(5) Replacement parts consigned to a distributor are not to be considered as part of the distributor's inventory.

(k) *Emergency orders for replacement parts.* Notwithstanding the provisions of paragraph (j) above, a distributor may order and accept delivery of any replacement part which he does not have in stock when required for repair of a designated vehicle which cannot be operated without such part. In such emergency, to secure a replacement part under this paragraph (k), a distributor must file with his order to the producer for said part a certificate in the following form:

Certificate for Emergency Order

I hereby certify that the replacement part specified in the attached order is essential for the repair of the following vehicle, which cannot now be operated without such part:
Make: ---------- Engine Number: ----------
(signed)----------
Firm, Partnership or Corporation
By: ----------
Title of Individual

Address of Firm, Partnership or Corporation

A copy of each such certificate must be retained by the distributor issuing such certificate as a part of his records. A producer or other distributor to whom any such emergency order is submitted must give such order precedence in shipment over other orders not of an emergency nature.

(l) *Certificate by distributor required.* Whenever a distributor places an order for replacement parts, each order must be accompanied by a certificate in the following form:

Certificate of Compliance with Order L-158

The quantity of replacement parts ordered on the attached purchase order does not exceed the quantity which I am entitled to purchase under the provisions of Limitation Order L-158, with the terms of which I am familiar

(Signed)----------
Firm, Partnership or Corporation
By:----------
Title of Individual

Address of Firm, Partnership or Corporation

A copy of each such certificate must be retained by the distributor as part of his records.

(m) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(n) *Reports.* All persons affected by this order, shall execute and file with the War Production Board such reports and questionnaires as the Board shall from time to time request. No reports or questionnaires are to be filed by any person until forms therefor are prescribed by the War Production Board.

(o) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(p) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(q) *Appeals.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him, may appeal to the War Production Board, setting forth pertinent facts and the reasons such person considers that he is entitled to relief. In order to facilitate conversion to complete war production appeals may be made to increase or to transfer to other producers quotas established in paragraphs (e) and (f) above. The Director General for Operations may thereupon take such action as he deems appropriate.

(r) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Automotive Division, Washington, D. C., Ref: L-158.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1942

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-333, Filed, January 6, 1943, 5:06 p. m.]

PART 3067—TEXTILE SHIPPING BAGS

[Conservation Order M-221 as Amended Dec 31, 1942 [1]]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of textile bags for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3067.1 *Conservation Order M-221*—(a) *Definitions.*

(1) "Textile bag" means any shipping container made of cotton, burlap, or any jute fabric. The term includes wool pouches, but does not include other bale covers or textile wrappings.

(2) "New textile bag" means any textile bag which has not been used and "used textile bag" means any textile bag which bag, or the fabric thereof, has been used one or more times for packing any product.

(3) "Dealer" means any person who is engaged in the business of buying and selling empty textile bags, whether or not he is also a user or a commercial emptier.

(4) "User" means any person who uses textile bags for packing any product.

(5) "Commercial emptier" means, as of any time, any person who has acquired more than 400 textile bags during any of the six calendar months prior to such time, by removing the contents of filled bags.

(b) *Restrictions pertaining to new textile bags made of burlap.* (1) No person manufacturing textile bags made of burlap, and no dealer shall, during any calendar year, sell or deliver to any person more than 50 percent of the number of new textile bags made of burlap which he delivered to such person during the calendar year 1941; provided, however, that new textile bags made of burlap may be sold and delivered to any person pursuant to express authorization by the Director General for Operations, the Director of Industry Operations, or the Director of Priorities, under any appeal granted prior to November 2, 1942, under Conservation Order M-47.

(2) No new textile bag which is made of burlap, and which is acquired by any user after November 2, 1942, shall be used for any purpose except for packing the following products:

Barley, beans and peas, chemicals (other than fertilizer), dairy products, mohair, potatoes, rice, salt (rock), seeds, feeds and meals for animal consumption, fruits (dried), nuts, sponges, starch, sugar (raw), wheat, wool and wool products.

(c) *Restrictions pertaining to new and used textile bags.* (1) No person shall manufacture, sell, or deliver any textile bag which he knows or has reason to believe will be delivered or used in violation of any provision of this order.

(2) No person shall sample the contents of any new or used textile bag except by opening the seam or the closure, or by inserting a probe or trier without damage to the fabric. No commercial emptier shall remove the contents of any textile bag except by opening the seam or closure, unless the contents have become caked or solidified to the extent that salvage of the bag is not practicable.

(3) No person shall use any new or used textile bag for packing mohair unless the word "Mohair" appears in legible type on both sides of the bag.

(4) No person shall purchase or accept delivery of any new or used textile bag to be used for defense against air raids or any other act of the enemy.

(d) *Restrictions pertaining to used textile bags.* (1) No dealer or commercial emptier shall deliver to a user any used textile bag of sound material unless such bag shall have been repaired and all holes, including trier or probe holes, properly mended or patched; provided that nothing in this paragraph (d) (1) shall prevent the return of an unrepaired leased bag to the owner, or the delivery of any bag to a person for the purpose of repair.

(2) Within 60 days from the date textile bags are acquired by a commercial emptier by emptying the contents of filled bags, an equal number of textile bags shall be withdrawn from his inventory of empty bags, and shall be used by the emptier or sold or transferred to a dealer or to another user; provided that, if such commercial emptier is also a dealer, he may hold such bags as a dealer.

(3) No dealer or commercial emptier shall sell or deliver any textile bag which has been used for packing raw sugar, and which is capable of carrying raw sugar, to any user except for packing raw sugar.

(4) For the purposes of this paragraph (d) (4):

"Wool bag" means any textile bag which is made of burlap, and which is between 6 and 7½ feet in length.

"#1 wool bag" means any wool bag which is capable of being repacked to its intended capacity, with grease wools.

"#2 wool bag" means any wool bag which is capable of carrying grease wools, but which, because of its condition, is not capable of being repacked to its intended capacity.

Unless acquired before November 2, 1942, no new wool bag or no #1 wool bag shall be used for any purpose except by a grower for packing grease wools known to the trade as Territory, California, or Texas wools, or by a person performing a grading operation, for packing such grease wools.

Unless acquired before November 2, 1942, no #2 wool bag shall be used for any purpose except by a grower for packing grease wools known to the trade as fleece wools, or by a person performing a grading operation, for packing such grease wools.

When no longer capable of carrying grease wools, such wool bags shall be used only for packing scoured wools, noils, or wool wastes; provided that when such wool bags are no longer capable of carrying scoured wools, noils, or wool wastes, there shall be no restriction upon the disposition or use of such wool bags.

(5) No wool pouch imported from Australia, New Zealand, or South Africa, which is acquired by any user after November 2, 1942, and which is capable of carrying wool or wool products, shall be used for any purpose other than for packing wool or wool products.

(e) *Miscellaneous provisions.*—(1) *Applicability of order.* The restrictions imposed by this order shall not apply to:

(i) The sale, delivery, or use of any textile bag made of cotton, to be delivered to or for the account of the Army, Navy, Maritime Commission, or War Shipping Administration of the United States.

(ii) The sale, delivery, or use of any textile bag made of burlap, when such bag is manufactured from burlap set aside pursuant to any provision for Stockpiling of Imports, contained in Conservation Order M-47, as amended from time to time.

(2) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(3) *Reports.* On the fifteenth day of each month, every dealer, user or emptier, who has in his possession at any time during the year 1942 more than 15,000 textile bags, exclusive of new textile bags made of cotton, shall report upon Form PD-645 to the Containers Division, War Production Board, Washington, D. C., his inventory, receipts, and usage of textile bags.

(4) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional or unreasonable hardship upon him, may appeal to the Director General for Operations by letter, setting forth the pertinent facts and reasons why such person considers that he is entitled to relief. The Director General may thereupon take such action as he deems appropriate.

(5) *Violations.* Any person who wilfully violates any provision of this order or who wilfully furnishes false information to the Director General for Operations in connection with this order, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(6) *Expiration.* This order shall expire January 18, 1943.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-334; Filed, January 6, 1943; 5:07 p. m.]

PART 949—CHROMIUM

[Supplementary Order M-18-b as Amended Jan. 7, 1943]

Section 949.3 *Supplementary Order M-18-b* is hereby amended to read:

§ 949.3 *Supplementary Order M-18-b*—(a) *Definition.* "Primary chromium chemicals" means bichromate of soda, bichromate of potash, sodium chromate and all chromium tanning compounds.

(b) *Directions with respect to delivery and use.* The Director General for Operations may from time to time issue specific directions with respect to the delivery, acceptance of delivery, or use by any person of primary chromium chemicals.

(c) *Restrictions on inventories.* No consumer of primary chromium chemicals shall accept delivery of primary chromium chemicals if the inventory of such material of the person accepting delivery is, or will by virtue of such acceptance become, in excess of a thirty-day supply thereof, having regard to current permissible use or sale, but this order shall not prevent a person's accepting delivery thereof in the smallest practical delivery unit.

(d) *Reports by consumers of primary chromium chemicals.* Each person who in any calendar month consumes 500 lbs. or more of primary chromium chemicals shall, on or before the 8th day of the succeeding month, file Form PD-54 with the War Production Board, Chemicals Division, Washington, D. C., Ref: M-18-b, retaining a copy for his files. The filing of such form shall, in so far as concerns primary chromium chemicals, be in lieu of the filing of any form pursuant to paragraph (c) of General Preference Order M-18-a. Any person affected by this order shall file such additional reports as may from time to time be directed by the Director General for Operations.

(e) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board priorities regulations, as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

[1] This document is a restatement of Amendment 1 to Conservation Order M-221 which appeared in the FEDERAL REGISTER of January 5, 1943, page 96, and reflects the order in its completed form as of December 31, 1942.

(3) *Communications to War Production Board.* All communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C.; Ref: M-18-b.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc 43-362; Filed, January 7, 1943; 11:47 a. m.]

PART 971—ETHYL ALCOHOL AND RELATED COMPOUNDS

[General Preference Order M-30 as Amended Jan. 7, 1943]

Whereas the national defense requirements have created shortages of ethyl alcohol and related compounds for defense, for private account, and for export, and it is necessary, in the public interest and to promote the defense of the United States, to conserve the supply and direct the distribution thereof: *Now, therefore, it is hereby ordered,* That:

§ 971.1 *General Preference Order M-30*—(a) *Definitions.* (1) "Ethyl alcohol" means ethyl alcohol of 160 proof or more, denatured or undenatured, and from whatever source derived, but shall not include ethyl alcohol produced for beverage purposes.

(2) "Related compounds" means acetic acid, ethyl ether and ethyl acetate from whatever source derived.

(3) "Producer" means any person engaged in the production of ethyl alcohol or related compounds, and includes any person who has ethyl alcohol or any related compounds produced for him pursuant to toll agreement.

(4) "Distributor" means any person who has purchased or purchases ethyl alcohol or any related compounds for purposes of resale.

(5) "Calendar quarter" means the several three month periods of the year commencing January 1, April 1, July 1 and October 1.

(b) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(c) *Restrictions on use and deliveries of ethyl alcohol.* Anything in Priorities Regulation 1 to the contrary notwithstanding, and except as hereafter may be otherwise directed by the Director General for Operations:

(1) No person shall, during any calendar quarter commencing January 1, 1942, accept delivery of ethyl alcohol for any purpose not specified in paragraphs (c) (2), (c) (3), (c) (4) and (c) (8) hereof in excess of 100% of the quantity of ethyl alcohol which he used (distributed in the case of a distributor) for such purpose during the corresponding calendar quarter in the twelve months period ended June 30, 1941.

(2) No person shall during any calendar quarter commencing January 1, 1943, accept delivery of ethyl alcohol for a purpose set forth below in excess of 50% of the quantity of alcohol which was used (distributed in the case of a distributor) for such purpose during the corresponding calendar quarter in the 12-months period ended June 30, 1941; and no person shall during the month of December, 1942 accept delivery of ethyl alcohol for a purpose set forth below in excess of 50% of the quantity of ethyl alcohol which he used (distributed in the case of a distributor) for such purpose during December, 1940; provided further, however, that the quantity of ethyl alcohol used (or distributed) by such person for such purpose in the fourth quarter of 1942 shall not exceed 70% of the quantity used by him for such purpose in the corresponding quarter of 1940:

Sandy glazes.
Shoe polish.
Deodorants sprays (non-body).
All toiletries and cosmetics including but not limited to:
Hair and scalp preparations
Bay rum.
Shampoos
Face and hand creams and lotions
Body deodorants.
Toilet waters.
Perfume and perfume materials, tinctures and fixatives.
Toilet soaps (including shaving cream).
Mouth washes.
Tooth cleaning preparations.
Witch hazel.

For the purposes of this paragraph (c) (2) all toiletry and cosmetic uses of ethyl alcohol shall be considered as a whole, and the use during the base period of ethyl alcohol in a particular toiletry or cosmetic product may be used to support the future use of ethyl alcohol (in the indicated percentage) in a different toiletry or cosmetic product. For example, ethyl alcohol used in toilet waters during the base period would support the future manufacture of after shave lotions containing ethyl alcohol.

(3) No person shall, during any calendar quarter commencing July 1, 1942, accept delivery of ethyl alcohol for the manufacture of vinegar in excess of 110% of the quantity of ethyl alcohol which he used (distributed in the case of a distributor) for such purpose during the corresponding calendar quarter in the twelve months period ended June 30, 1941.

(4) Persons may, subject to Priorities Regulation 1, accept delivery of ethyl alcohol for the purposes set forth below without limitation:

Military explosives.
Acetic acid (except vinegar for food use).
Ethyl acetate.
Ethyl chloride.
Other ethyl esters.
Plastics and resins (manufacture of).
Acetaldehyde.
Ethyl ether.
Basic medicinal chemicals not in compounded form.
Glycol and other ethers.
Fulminate of mercury.
Ethylene dibromide.
Xanthates.
Flotation reagents.
Ethylene gas and ethylene oxide.
Dyes and intermediates (manufacture of)
Nitrocellulose (dehydration).
Nitrocellulose (dissolving and as diluent)
Diethylamine (for the manufacture of synthetic rubber).
Hydrosulfites.
Pectin.
Shellac, natural resins and gums (dissolving)

(5) No producer shall, during any calendar quarter commencing January 1, 1942, use ethyl alcohol in excess of the quantity of ethyl alcohol, delivery of which he may accept pursuant to subparagraphs (c) (1), (c) (2), (c) (3) and (c) (8) hereof.

(6) No producer or distributor shall deliver any ethyl alcohol to any person during any calendar quarter unless, prior to such delivery he shall have received from the deliveree a certificate in substantially the following form (the certificate need not include any of subdivisions A, B, C, or D of the certificate when inapplicable under the circumstances, provided that at least one of said subdivisions is included):

The undersigned hereby certifies to the War Production Board and to his supplier that he is familiar with General Preference Order M-30 and is entitled under said order to receive the -------- gallons of ethyl alcohol hereby ordered for delivery in ----------, 194--; and certifies further
(month)

A That the ethyl alcohol hereby ordered is for a purpose set forth in paragraph (c) (1), (c) (2), (c) (3), (c) (8) [strike out inapplicable paragraph numbers] and is not, taken together with all other ethyl alcohol received or to be received in this quarter in excess of ---- % of the quantity used for the same purpose during the corresponding calendar quarter in the 12 months period ended June 30, 1941

B That the ethyl alcohol hereby ordered is for a purpose set forth in paragraph (c) (1), (c) (2) or (c) (3) and is not, taken together with all other ethyl alcohol received or to be received, in the aforesaid month, in excess of 54 gallons.

C That the ethyl alcohol hereby ordered is for a purpose set forth in paragraph (c) (4); namely for ----------

D That the undersigned is one of the class of persons excepted by paragraph (c) (7)

Name of purchaser

By ----------
Duly authorized official Title

Date

If a delivery is for use in cutting shellac, delivery shall not be made by a producer or distributor unless the certificate of the deliveree shall set forth (in addition to the foregoing): "The quantity of ethyl alcohol received and to be received during the month for which delivery is hereby ordered will not exceed the quantity thereof required to cut and thin the quantity of shellac allocated to the undersigned for such month (or which the undersigned as a supplier is specifically authorized to cut during such month) under Conservation Order No. M-106.

(7) The restrictions and requirements hereinabove set forth with respect to the use and delivery of ethyl alcohol shall not apply to delivery to:

(i) The Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development.

(ii) The government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies and Protectorates, and Yugoslavia.

(iii) The government of any country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(iv) Persons holding permits issued by the Bureau of Internal Revenue permitting them to acquire undenatured ethyl alcohol tax free.

Quantities permitted hereunder shall be in addition to quantities permitted under paragraph (c), (1), (2) and (3) hereof.

(8) No person shall during any calendar quarter commencing January 1, 1943, accept delivery of ethyl alcohol for the purpose of the manufacture of any rubbing alcohol compound or preparation in excess of 15% of the quantity of ethyl alcohol which he used (distributed in the case of a distributor) for such purpose during the corresponding calendar quarter in the twelve months period ended June 30, 1941.

(d) *Small order exemption.* Nothing in paragraphs (c) (1), (c) (2) or (c) (3) hereof shall be held to restrict or prevent the acceptance of delivery by any person in any month of 54 gallons of ethyl alcohol, or less, in the aggregate.

(e) *Manufacture of anti-freeze.* The quantity of ethyl alcohol that may be used in the manufacture of anti-freeze shall be controlled by the provisions of General Limitation Order L-51, as amended from time to time.

(f) *Restrictions on production of ethyl alcohol.* Except as may be otherwise directed by the Director General for Operations, no producer shall, after January 15, 1942, produce ethyl alcohol from molasses (as defined in General Preference Order M-54, as amended) unless his equipment and facilities capable of producing ethyl alcohol from corn or grain are being utilized to the fullest extent possible in the production of ethyl alcohol from corn or grain.

(g) *Reports.* Reports shall be made at such times, on such forms and with respect to such matters as shall be prescribed by the Chemicals Division of the War Production Board.

(h) *Notification of customers.* Producers shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but the failure to give such notice shall not excuse any person from the obligation of complying with the terms hereof.

(i) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of ethyl alcohol and related compounds conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board, Reference M-30, attention Chemicals Division, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(k) *Prohibited deliveries.* On and after November 11, 1942, no person shall deliver ethyl alcohol or any compound or preparation containing ethyl alcohol for use as rubbing alcohol or for the manufacture of any rubbing alcohol compound or preparation; provided that this restriction shall not prevent deliveries to:

(1) The agencies, governments or persons specified in paragraph (c) (7) hereof;

(2) Licensed physicians, dentists and veterinarians;

(3) The holders of written prescriptions or orders of licensed physicians, dentists and veterinarians;

(4) A wholesale or retail druggist, for resale in accordance with this paragraph (k) only.

(5) A manufacturer of any rubbing alcohol compound or preparation or a packager or bottler of any such compound or preparation (in amounts not exceeding the amounts permitted by paragraph (c) (8) hereof), for resale in accordance with this paragraph (k) only.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. (2a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-364; Filed, January 7, 1943; 11:46 a. m.]

PART 971—ALCOHOL

[General Preference Order M-31, as Amended Jan. 7, 1943]

To conserve the supply and direct the distribution of methyl alcohol (methanol) § 971.2 *General Preference Order M-31* is hereby amended to read:

§ 971.2 *General Preference Order M-31*—(a) *Definitions.* (1) "Methyl alcohol" (methanol), known also as wood alcohol, means methyl alcohol in any form and from whatever source derived.

(2) "Producer" means any person engaged in the production of methyl alcohol and includes any person who has methyl alcohol produced for him pursuant to toll agreement.

(3) "Distributor" means any person who has purchased or purchases methyl alcohol for purposes of resale.

(b) *Restrictions on deliveries and use.* (1) Subject to paragraph (c) hereof, no producer or distributor shall on and after January 15, 1943 deliver or use methyl alcohol, and no person shall accept delivery of methyl alcohol from a producer or distributor, except as specifically authorized or directed by the Director General for Operations.

(2) Authorizations or directions with respect to deliveries to be made or accepted in each calendar month will so far as practicable be issued by the Director General for Operations prior to the commencement of such month, but the Director General for Operations may at any time at his discretion and notwithstanding the provisions of paragraph (c) hereof, issue directions with respect to deliveries to be made or accepted. He may also at any time issue directions with respect to the use or uses which may or may not be made of material to be delivered or then on hand, or issue directions to a producer with respect to the grade of methyl alcohol which he may or must manufacture.

(3) Each person specifically authorized to accept delivery of methyl alcohol shall use such material for the purpose authorized, and only for such purpose, except as otherwise specifically directed.

(4) Methyl alcohol allocated for inventory shall not be used except as specifically directed by the Director General for Operations. Methyl alcohol allocated to fill a specified order or class of orders shall, where and to the extent that such order or class of orders is subsequently cancelled, revert to inventory.

(5) The quantity of methyl alcohol that may be used in the manufacture of anti-freeze shall be controlled by the provisions of General Limitation Order No. L-51, as amended from time to time.

(c) *Small order exemption.* No specific authorization shall be required for:

(1) Acceptance of delivery by any person in any one calendar month of 54 gallons or less of methyl alcohol in the aggregate: *Provided,* That such person has not been specifically authorized to accept delivery of any quantity of such material during such month;

(2) The delivery by any producer or distributor to any person who shall have filed with him a certificate in substantially the following form:

The undersigned purchaser hereby certifies to the War Production Board and to his sup-

plier that the methyl alcohol hereby ordered for delivery in ---- ----, 194- does not, taken with all other methyl alcohol delivered or to be delivered in such month exceed 54 gallons.

---- ----
Name of purchaser

By ---- ----
Authorized official title

Provided, however, That no producer shall deliver an aggregate amount of methy alcohol in any one calendar month pursuant to this paragraph (c) in excess of 2% of the amount of his estimated production of methyl alcohol for such month.

(3) The use by any producer in any calendar month of 54 gallons or less of methyl alcohol in the aggregate.

(d) *Applications for delivery of methyl alcohol and reports.* (1) Each person seeking authorization to accept delivery of methyl alcohol during any calendar month, beginning with February, 1943, whether for his own consumption or resale, (and each producer seeking authorization to use methyl alcohol during any calendar month) shall file application therefor on or before the 10th day of the month preceding the month for which authorization for delivery or use is requested, except that requests for delivery from a distributor shall be filed not later than the 7th day of such preceding month. Application for acceptance of delivery or use in January, 1943, shall be filed as many days as possible in advance of the requested delivery or use. In any case, such application should be made on Form PD-600 in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD-600 may be obtained at local field offices of the War Production Board.

(ii) Five copies shall be prepared, of which one shall be forwarded to supplier and three forwarded to the War Production Board, Chemicals Division, Washington, D. C., Ref.: M-31, the fifth to be retained for applicant's files.

(iii) In the heading, under name of chemical, specify "methyl alcohol"; under "WPB Order No.", specify "M-31"; under unit of measure, specify gallons; under name of your company, specify name and mailing address; and specify the month and year for which authorization for acceptance of delivery is sought.

(iv) In Columns 1, 11 and 19, indicate grade in terms of the following: Pure, denaturing grade, 95–97%.

(v) In Columns 3, 20 and 22, specify your primary product in terms of the following:

Acetic acid	Methyl acetate.
Denaturant	Methyl chloride.
Dimethyl aniline	Methyl formate.
Dimethyl phthalate	Methyl methacrylate
Ethylene glycol	Other (specify).
Formaldehyde	Resale (as methyl alcohol).
Formamide	
Formic acid	Inventory (as methyl alcohol).
Methyl amine	

(vi) In Column 4, specify ultimate use of product. For example, if the "primary product" called for in Column 3 is "formaldehyde," the "ultimate use" of the product might be "phenol formaldehyde resin." Also, specify in each case whether your customer is Army, Navy, other government agency, Lend-Lease or commercial customer, and give government specification number, if any. Where the Form PD-600 is an application for methyl alcohol for resale to others, leave Column 4 blank. Where the Form PD-600 is an application for methyl alcohol for inventory, applicant shall specify in Column 4 the amount, if any, considered necessary to bring his inventory to a safe working minimum.

(2) Each producer or distributor seeking authorization to make delivery of methyl alcohol during any calendar month, beginning with February, 1943, shall file application on or before the 17th day of the month preceding the month for which authorization is requested. Where authorization to deliver in January, 1943, is sought, such Form PD-601 shall be filed as many days as possible in advance of the requested delivery. Such application shall be made on Form PD-601 in the manner prescribed herein, subject to the following special instructions:

(i) Copies of Form PD-601 may be obtained at local field offices of the War Production Board.

(ii) Four copies shall be prepared, of which three shall be filed with the War Production Board, Chemicals Division, Washington, D. C., Ref.: M-31, the fourth to be retained for applicant's files. A separate set of Form PD-601 shall be filed for each grade of methyl alcohol for which authorization to deliver is sought, viz. Pure, denaturing grade, 95–97%.

(iii) Producers and distributors who have filed application on Form PD-600, specifying themselves as their suppliers, shall list their own names as customers on Form PD-601, and shall list their requests for allocation in the manner prescribed for other customers.

(iv) In the heading, under name of chemical, specify "methyl alcohol"; under WPB Order No., specify "M-31"; under name of company, state your name and mailing address; under unit of measure, specify gallons; and state the month and year during which deliveries covered by the application are to be made.

(v) List all customers alphabetically. The names of customers to whom small order deliveries are to be made during the next month pursuant to paragraph (c) of this order need not be given, but insert in Column 1 "Total small order deliveries (estimated)" and in Column 4 specify the estimated quantity. If it is necessary to use more than one sheet to list customers, number each sheet in order and show grand total for all sheets on the last sheet which is the only one that need be certified.

(vi) Column 5 may, at your discretion, be left blank.

(vii) Leave Column 6 blank.

(3) The Director General for Operations may require each person affected by this order to file such other reports as may be prescribed, and may issue other and further directions with respect to preparing and filing Forms PD-600 and PD-601.

(f) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board Priority Regulations as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order shall unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C., Ref.: M-31.

This amended order shall take effect January 15, 1943.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-363; Filed, January 7, 1943, 11:46 a. m.]

PART 976—MOTOR TRUCKS, TRUCK TRAILERS AND PASSENGER CARRIERS

[Amendment No. 1 to Supplementary Limitation Order L-1-g as Amended Dec. 11 1942]

Section 976.17 *Supplementary Limitation Order L-1-g* is hereby further amended in the following particulars:

1. Paragraph (k) *Authorized production of tank trailers*, is amended to read as follows:

(k) *Authorized production of trailers.* (1) Notwithstanding the provisions of paragraph (b) of this order, producers may manufacture a total of 800 tank trailers in such quantities, of such types and within such periods of time as may hereafter from time to time be specifically authorized by the Director General for Operations.

(2) In addition to the production authorized in the preceding subparagraph (1), the Director General for Operations may hereafter from time to time specifically authorize further production of trailers in such quantities, of such types and within such periods of time as he may determine.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 6th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-365; Filed, January 7, 1943, 11:48 a. m.]

PART 976—MOTOR TRUCKS, TRUCK TRAILERS AND PASSENGER CARRIERS

[Limitation Order L-1-h as Amended Jan. 7, 1943]

The fulfillment of requirements for the defense of the United States having created a shortage in the supply of heavy motor trucks for defense, for private account and for export, the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 976.18 *Supplementary Limitation Order L-1-h*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the provisions of applicable priorities regulations, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(1) *Protection of production schedules.* Producers under the terms of this order may, notwithstanding the provisions of Priorities Regulation No. 1 (Part 944), schedule production of heavy trucks (including off-the-highway motor vehicles when produced under this order) without regard to purchase orders or contracts placed with them for other materials on ratings lower than AA-4.

(b) *Definitions.* For the purposes of this order:

(1) "Heavy truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of 16,000 pounds or more, as authorized by the manufacturer thereof, or the chassis therefor, including off-the-highway motor vehicles.

(2) "Off-the-highway motor vehicle" means a motor truck, truck-tractor and/or trailer, operating off the public highway, normally on rubber tires and specially designed to transport materials, property or equipment on mining, construction, logging or petroleum development projects.

(3) "Producer" means any individual, partnership, association, corporation or other form of business enterprise engaged in the manufacture of heavy trucks and off-the-highway motor vehicles.

(4) "G. V. W. group" means gross vehicle weight classification, as authorized by the producer.

(c) *Production of heavy trucks authorized.* Irrespective of the terms of Supplementary General Limitation Order L-1-e, issued April 11, 1942, and in order to replace heavy trucks heretofore or hereafter withdrawn for use by the Army, Navy and Lend-Lease Administration since June 1, 1942, from stocks intended for rationing to civilians under General Conservation Order M-100, the producers named below are hereby authorized to produce heavy trucks during the period from August 1, 1942 to March 31, 1943, according to the following schedule:

NOTE: Schedules amended January 7, 1943.

Producer	G. V. W. groups (by thousand pounds)	Number of units
Autocar Co., Ardmore, Pa.	40 to but not including 45	10
	50 to but not including 60	35
		45
Dart Truck Co., Kansas City, Mo.	25 to but not including 30	19
	40 to but not including 45	40
	60 to but not including 70	36
	100 and over	1
		96
Euclid Road Machinery Co., Cleveland, Ohio.	50 to but not including 60	200
	70 to but not including 100	50
		250
Four Wheel Drive Auto Co., Clintonville, Wis.	16 to but not including 20	5
	20 to but not including 25	65
	25 to but not including 30	49
	30 to but not including 35	3
	35 to but not including 40	4
	40 to but not including 45	3
		129
Hendrickson Motor Truck Co., Chicago, Ill.	20 to but not including 25	2
	25 to but not including 30	1
	30 to but not including 35	6
		9
International Harvester Co., Chicago, Ill.	20 to but not including 25	150
	60 to but not including 70	25
		175
Kenworth Motor Truck Corp., Seattle, Wash.	25 to but not including 30	3
	35 to but not including 40	18
	40 to but not including 45	22
	50 to but not including 60	17
		60
Mack Manufacturing Corp., Long Island City, N. Y.	16 to but not including 20	200
	20 to but not including 25	163
	25 to but not including 30	90
	30 to but not including 35	216
	35 to but not including 40	26
	40 to but not including 45	95
	60 to but not including 65	1
		791
Peterbilt Motors Co., Oakland, Calif.	35 to but not including 40	6
	40 to but not including 45	30
	50 to but not including 60	4
		40
Reo Motors, Inc., Lansing, Mich.	16 to but not including 20	115
	20 to but not including 25	64
	25 to but not including 30	22
	30 to but not including 35	38
		239
Sterling Motor Truck Co., Inc., Milwaukee, Wis.	16 to but not including 20	3
	20 to but not including 25	7
	30 to but not including 35	10
	35 to but not including 40	42
	40 to but not including 45	37
	45 to but not including 50	9
	70 to but not including 100	2
		110
Walter Motor Truck Co., Ridgewood, N. Y.	20 to but not including 25	1
	30 to but not including 35	4
	40 to but not including 45	22
	60 to but not including 70	45
		72
The White Motor Co., Cleveland, Ohio.	16 to but not including 20	776
	20 to but not including 25	591
	25 to but not including 30	77
	30 to but not including 35	60
	35 to but not including 40	60
		1,564
		3,580

(d) Commencing September 1, 1942, producers shall report to the Automotive Branch, War Production Board, on the first day of each month the number of units produced in the preceding thirty (30) days on Form PD-571.

(e) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(f) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as the Board shall from time to time require.

(g) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(h) *Violations.* Any person who wilfully violates any provisions of this order or who in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(i) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in the community, or that compliance with this order would disrupt or impair a program of conversion from nondefense work, may apply for relief by addressing a letter to the War Production Board, setting forth the pertinent facts and the reasons such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action, if any, as is deemed appropriate.

(j) *Communications.* All communications concerning this order shall be addressed to, War Production Board, Automotive Division, Washington, D. C., Ref: Order L-1-h.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-366; Filed, January 7, 1943; 11:47 a. m.]

PART 1084—CANNED FOODS

[Conservation Order M-237, as Amended January 7, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the available supply of canned fruits and vegetables for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1084.15 *Conservation Order M-237*—(a) *Definitions.* For the purposes of this order:

(1) "Canner" shall mean any person engaged in the business of canning foods in hermetically sealed metal or glass containers and sterilizing the same by the use of heat.

(2) "Civilian pack" shall mean the total amount by weight of all grades of all restricted canned foods in any one of the three groups listed in Exhibit A canned by any canner during the season specified, excluding any food which the canner is required to set aside by Conservation Order M-86 and orders amendatory and supplementary thereto, and which is not released from the operation of such orders by the Director General for Operations, and also excluding any canned foods actually purchased by or contracted for, or packed pursuant to duly authorized letter of intent issued by, any non-quota purchaser. This definition shall not be deemed to affect or change the meaning of the term "pack" as used in Conservation Order M-81, wherein such term refers to area of tinplate or terneplate, nor to affect or change the meaning of the term in Conservation Order M-86.

(3) "Restricted canned foods" shall mean any of the fruits and vegetables listed in Exhibit A attached hereto, packed in hermetically sealed metal or glass containers and sterilized by the use of heat, during the packing seasons indicated in said exhibit, excluding, however, liquid, strained, mashed or chopped canned foods, when packed as infant food or for invalid feeding, and excluding jams, jellies, preserves, marmalades, pickles, relishes, and soups.

(4) "Non-quota purchaser" shall mean:

(i) The Army, the Navy, the Marine Corps, the Coast Guard, the Coast and Geodetic Survey, the Defense Supplies Corporation, War Shipping Administration or any agency of the United States Government for supplies to be delivered to, or for the account of the government of any country pursuant to the Act of March 11, 1941, ent tled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(ii) Any person operating an oceangoing vessel engaged in the transportation of cargo or passengers in the foreign, coastwise, or intercoastal trade, for necessary supplies for such vessels.

(iii) Any person who furnishes eating facilities for members of the armed forces pursuant to contract therefor with the United States, for necessary supplies for such purpose, if such person furnishes copies of his contract to the canner, or other adequate evidence that such restricted canned foods are required for such use.

(iv) Any person who purchases restricted canned foods for delivery in any territory or possession of the United States, if such person furnishes to the canner copies of purchase orders or other adequate proof that the restricted canned foods actually were purchased for delivery in any such territory or possession: *Provided*, That proof shall not be required of a government agency.

(v) Any person who purchases restricted canned foods for use in the commercial manufacture of food products, to the extent of his current requirements (grape juice, tomato pulp in 5 gallon cans, tomato paste in #10 cans, and peppers, only).

(vi) Any person who purchases restricted canned foods from a canner for resale to a non-quota purchaser, or to replace in his inventory material delivered to a non-quota purchaser, to the extent of his purchases for such purposes, if he furnishes to the canner copies of purchase orders or other adequate proof that such resales or deliveries were to non-quota purchasers

(5) "Wholesale receiver" means any person other than a non-quota purchaser (regardless of whether or not he is also a canner) who since June 30, 1942, bought in excess of 4,000 cases of any group of restricted canned foods for any purpose.

(b) *Restrictions on delivery.* (1) No canner shall deliver any restricted canned foods to any wholesale receiver who he knows or has reason to believe under the terms of this order is not entitled to receive the same.

(2) Except as permitted in paragraph (3), any wholesale receiver who between August 1, 1942, and April 1, 1943, has accepted or shall have accepted delivery of restricted canned foods of any group equaling or exceeding the following percentage of his base figure

	Percent
for group I	70
for group II	80
for group III	80

shall not sell, deliver or use such excess of such group, and shall not accept delivery of any further restricted canned foods of such group. The base figure for each wholesale receiver for each group shall be, at his option, either the total of his acceptances of delivery, or of his sales, between January 1, 1942, and August 31, 1942, of all canned foods listed in such group, whenever packed. Canned foods for resale to non-quota purchasers or to replace in the wholesale receiver's inventory material so sold are subject to the limitations of this subparagraph unless evidence is furnished to the canner as prescribed in paragraph (a) (4) (vi).

(3) Notwithstanding the restrictions of subparagraph (2), any wholesale receiver who on January 7, 1943, or at any time thereafter, has in his possession or under his control less than the following percentages of his base figure

	Percent
for group I	25
for group II	25
for group III	25

may accept delivery of a quantity of restricted canned foods of each group sufficient when added to the quantity in his possession or under his control, to equal the percentages hereinabove stated.

(4) No wholesale receiver may deliver during the month of November, 1942, and during each of the following months, more restricted canned foods of any group than monthly quotas constituting the following percentages of his base figure

	Percent
for group I	9
for group II	10
for group III	10

The base figure shall be calculated as prescribed in paragraph (b) (2). If during November, 1942, any wholesale receiver has delivered restricted canned foods of any group in excess of his permitted monthly quota for that group, he shall charge such excess against his quotas for December and January. Not less than 50% of such excess must be charged against the December quota. Deliveries to non-quota purchasers are not required to be charged against the monthly quota percentage prescribed by this paragraph (b) (4), if in calculating his quotas the wholesale receiver deducts deliveries to non-quota purchasers during the base period from the base figure. The restrictions of this paragraph (b) (4) shall expire on April 1, 1943, unless extended by further order of the Director General for Operations.

(c) *Reports.* Canners to whom this order applies shall execute and file with the War Production Board such reports and questionnaires as said Board may from time to time request.

(d) *Records.* Every person to whom this order applies shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(e) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(f) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(g) *Appeals.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him may appeal in writing to the Director General for Operations setting forth the pertinent facts and the reasons he considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(h) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall unless otherwise directed, be addressed to: War Production Board, Food Division, Washington, D. C., Ref: M-237.

(i) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024; 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

EXHIBIT A

Group I

Fruits	*Packing season*
Apples, including crabapples	1942-43
Applesauce, including sauce from crabapples	1942-43
Apricots	1942
Berries of all kinds	1942
Cherries, red sour pitted	1942
Cherries, sweet	1942
Combinations of oranges and grapefruit	1942-43
Cranberries, including sauce and jelly	1942-43
Figs	1942
Fruits for salads	1942-43
Fruit cocktail	1942-43
Grapefruit	1942-43
Oranges	1942-43
Peaches, including nectarines	1942
Pears	1942
Pineapples	1942-43
Plums	1942
Prunes	1942

Group II

Fruit and vegetable juices	*Packing season*
Apple	1942-43
Beet	1942-43
Carrot	1942-43
Celery	1942
Cherry	1942
Cranberry	1942-43
Berry, all	1942
Grape	1942
Grapefruit	1942-43
Grapefruit and orange combination	1942-43
Lemon	1942-43
Lime	1942-43
Orange	1942-43
Pineapple	1942-43
Prune	1942-43
Sauerkraut	1942-43
Spinach	1942
Tomato and tomato cocktail	1942
Mixed vegetables	1942
All fruit nectars	1942

Group III

Vegetables	*Packing season*
Artichokes	1942-43
Asparagus	1942
Green and wax beans	1942
Green soya beans	1942
Lima beans	1942
Shell beans	1942
Beets	1942-43
Broccoli	1942
Brussels sprouts	1942
Cabbage	1942
Carrots	1942-43
Carrots and peas	1942-43
Cauliflower	1942
Celery	1942
Corn, including corn-on-cob	1942
Spinach and other green leafy vegetables	1942
Mushrooms	1942-43
Okra	1942
Onions	1942-43
Peas	1942
Peppers and pimentos	1942
Potatoes, white	1942-43
Pumpkin and squash	1942
Succotash	1942
Sweetpotatoes and yams	1942-43
Sauerkraut	1942-43
Tomatoes, whole or parts	1942
Tomato puree and pulp	1942
Tomato paste	1942
Tomato sauce	1942
Mixed vegetables, including vegetables for salad	1942

[F. R. Doc. 43-368; Filed, January 7, 1943; 11:47 a. m.]

PART 1134—TEA

[Conservation Order M-111 as Amended Jan. 7, 1943]

The uncertainty of shipments of tea from abroad and the fulfillment of requirements for the defense of the United States have created a shortage in the supply of tea for defense, for private account, and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1134.1 *Conservation Order M-111*—(a) *Applicability of Priorities Regulation No. 1.* This order, and all transactions affected thereby, are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(b) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Tea" means packaged or bulk tea in any form.

(3) "Packer" means any person who packs tea owned by him or who has tea owned by him packed for his account by some other person.

(4) "Wholesale receiver" means any person (regardless of whether or not he is also a packer) who buys tea for:

(i) Resale exclusively or predominantly at wholesale.

(ii) Resale through four or more centrally-owned, affiliated, or independent stores owned or, for purchasing purposes, represented by him.

(iii) Resale at retail or for any other purpose not specified above, *if* his monthly purchases of tea during 1941 averaged 200 pounds or more per month.

NOTE: Paragraph (b) (5) was deleted and (b) (6) redesignated (b) (5) January 7, 1943.

(5) "Net deliveries" means the total deliveries of tea made by a packer or accepted by a wholesale receiver during a corresponding quarter of 1941 *minus* the total of any deliveries of tea made by him during that period to persons specified in paragraph (d) (4).

(c) *General restrictions.* (1) No packer shall accept delivery of tea or deliver tea packed by him or in bulk, except as permitted by this order.

(2) No wholesale receiver shall accept delivery of tea from any person, nor resell tea, except as permitted by this order.

(3) No person shall accept delivery of tea from any packer, and no person shall deliver tea to any packer or wholesale receiver, with knowledge or reason to believe that such packer is not entitled to deliver, or that such packer or wholesale receiver is not entitled to accept delivery of, such tea pursuant to this order.

(4) Every packer and every wholesale receiver shall sell tea equitably to purchasers and shall not favor purchasers who buy other products from them nor discriminate against purchasers who do not buy other products from them.

(d) *Quota restrictions and exceptions thereto.* (1) No packer shall accept delivery of more tea during any quota period than his total acceptance quota for that period as determined by the Director General for Operations from time to time. Acceptances against such quota shall be subject to the further restriction of paragraph (e-1) (1).

(2) No packer shall deliver more tea during any quota period than his delivery quota for that period as determined by the Director General for Operations from time to time.

(3) No wholesale receiver shall accept delivery of more tea during any quota period than his total acceptance quota for that period as determined by the Director General for Operations from time to time.

(4) Notwithstanding the foregoing restrictions, any packer may, without charge to his quota, accept delivery of and deliver tea to or for any of the following persons, and any wholesale receiver may, without charge to his quota, accept delivery of tea for redelivery to or for any of the following persons:

(i) The Army, the Navy, the Defense Supplies Corporation, or any agency of

the United States Government for supplies to be delivered to, or for the account of, the Government of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(ii) The American Red Cross or the United Service Organizations.

(iii) Any person operating an oceangoing vessel engaged in the transportation of cargo or passengers in the foreign, coastwise or intercoastal trade, for necessary supplies for such vessel.

(iv) Any person, for retail sale through concession restaurants at army or navy camps or through outlets not operated for private profit and established primarily for the use of army or navy enlisted personnel within army or navy establishments or on army or navy vessels, including post exchanges, sales commissaries, officers' messes, servicemen's clubs, and stores.

(v) Any hospital, asylum, orphanage, prison, or other similar institution, which is operated by any United States federal, state, or local governmental agency, and which received tea during 1941 under contracts awarded upon the basis of competitive bids: *Provided*, That no such institution may, during any month, accept delivery of more tea than a percentage of its average monthly use of tea during the corresponding quarter of 1941, such percentage to be the same as the percentage determined for wholesale receivers under paragraph (d) (2) by the Director General for Operations from time to time.

(5) All quotas hereunder shall be calculated quantitatively in terms of pounds.

(6) Any packer who delivers a substantial portion of his quota of tea directly to consumers and/or to retailers may, by letter, submit to the War Production Board a plan to transfer the distribution of all or a part of that portion to wholesale receivers of the class described in paragraph (b) (4) of this order. Such a plan must contemplate a substantial conservation of automotive and related equipment and material, and, further, contain provision for equitable distribution of the transferred volume among such wholesale receivers and an equitable redistribution of that volume within the areas previously served directly by the packer. If such a plan is authorized by the Director General for Operations, the packer may deliver to wholesale receivers of the class described in paragraph (b) (4), and such wholesale receivers may accept without charge to their quotas, the volume of tea authorized for transfer, provided delivery of such tea is accompanied by a dated certification by the packer reading substantially as follows:

Pursuant to authorization issued to the undersigned by the War Production Board, you may accept the tea delivered hereunder without charge to your quota as a wholesale receiver.

Name of packer company----------

By ---------- Title ----------

(e) *Restrictions relating to wholesale receivers' inventories.* Except as specifically authorized by the Director General for Operations, no wholesale receiver shall accept any deliveries of tea which will increase his inventory thereof to an amount in excess of a practicable minimum working inventory in view of the restrictions herein.

(e–1) *Restrictions relating to packers' inventories.* (1) Except as permitted by paragraph (e–1) (2) below or as specifically authorized by the Director General for Operations, or for the purpose of filling orders under paragraph (d) (4) above, no packer shall accept any delivery of tea which will increase his inventory to above the amount of his then current acceptance quota under paragraph (d) (1).

(2) If a shipment of tea imported by or specifically for a packer arrives in the United States and, by virtue of paragraph (e–1) (1), such packer is not entitled to accept delivery of any or all of such tea but is unable to make an immediate bona fide sale to some unaffiliated person, who is entitled to accept delivery, of the excess portion of such shipment or an equivalent amount of tea from his existing inventory, such packer may take possession of such excess, pending the actions provided for below:

(i) Within 72 hours after the arrival of such tea in the United States, such packer shall offer, through established tea dealers and or brokers, such excess, or an equivalent quantity of tea from his existing inventory, for bona fide sale to any unaffiliated person who is entitled to accept delivery;

(ii) At the same time, he shall forward a report, by letter or telegram, of such actions to the War Production Board, stating the steamer, the port of arrival, the excess quantity (by chests and chest weights), whether he intends to sell such tea or an equivalent amount from his existing inventory, a description (type, grade), the location of the tea offered for sale, and the brokers and/or dealers through whom the offer is being made.

(iii) In the event of sale, he shall forward a report, by letter or telegram, on such sale, within 24 hours thereafter, to the War Production Board, stating the name of the purchaser and the date of sale.

(iv) If, before any such offer for sale is accepted, the packer becomes entitled under paragraph (e–1) (1) above to accept delivery of a quantity of tea, the restrictions of paragraph (e–1) (2) may be considered removed as to the quantity he is so entitled to accept, provided he forwards notice thereof, by letter or telegram, to the War Production Board within 24 hours after he becomes entitled to accept delivery.

(f) *Advance deliveries.* Advance deliveries for any quota period may be made or accepted within ten days prior to the beginning of such period.

(g) *Existing contracts.* The fulfillment of existing contracts for the sale of tea is permissible only to the extent that such fulfillment does not violate the quota or inventory restrictions imposed by this order.

(h) *Limitation on size of packages.* (1) No packer shall pack tea for sale at retail in a package or container containing more than one-fourth of one pound of tea.

(2) On and after January 14, 1943, no packer shall pack tea bags or balls except in sizes counting either 200 or 250 to the pound, net tea weight: *Provided, however*, That, until April 1, 1943, any packer may continue to pack such other sizes as may be necessary to utilize any containers, in his inventory on January 7, 1943, which were specially printed for such other sizes.

(i) *Reports.* Every packer and every wholesale receiver and every bulk user participating in any transaction to which this order applies shall execute and file with the War Production Board such reports and questionnaires as such Board may from time to time request.

Within 10 days after the close of each quarterly period, every packer shall report, by letter, to the War Production Board the total quantity of any quota-exempt deliveries of tea made during that quarterly period by him in connection with each class of persons under paragraph (d) (4), as amended. The first such report shall be forwarded by October 10, 1942 for the quarterly period ending September 30, 1942.

(j) *Records.* Every packer and every wholesale receiver participating in any transaction to which this order applies shall keep and preserve, for a period of not less than two years, records which upon examination, will disclose his total monthly inventories of tea and the monthly deliveries made by him (if he is a packer) or accepted by him (if he is a wholesale receiver). If the sales slips, invoices, bills or other instruments or records customarily employed by him are sufficient to furnish the information herein required, no additional record system need be installed to meet the requirements of this provision.

(k) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(l) *Applicability of order.* (1) The provisions of this order shall not apply outside the continental United States (which, for purposes of this order, means the 48 States of the United States and the District of Columbia).

(2) In the case of any person who is both a packer and a wholesale receiver, the provisions hereof applicable to packers shall apply to his operations as a packer, and the provisions hereof applicable to wholesale receivers shall apply to his operations as a wholesale receiver.

(m) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(n) *Appeals.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board, setting forth the pertinent facts and the reasons he considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(o) *Communications to the War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Washington, D. C., Ref: M–111.

(p) Every importer, every packer, and every wholesale receiver shall immediately set aside, for the requirements of government agencies, his entire inventory of green tea which is not packed in containers of one-fourth of one pound or less or in tea bags or tea balls. Without regard to existing contracts, all tea set aside shall, unless and until released, be held for allocation to any government agency by the Director General for Operations. On or before September 25, 1942, every person required to set aside green tea shall report to the War Production Board, by letter, the types, quantities (by chests and chest weights), and locations of the tea required to be set aside. Unless otherwise ordered, any portion of tea set aside may be deemed released if, on or before January 7, 1943, no government agency designated by the Director General for Operations has contracted for, or given written notice of its intention or desire to contract for, such portion.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43–369; Filed, January 7, 1943; 11:45 a. m.]

PART 1134—TEA

[Supplementary Order M–111–e]

§ 1134.6 *Supplementary Order M–111–e.* Pursuant to paragraph (d) of Order M–111, as amended, which this order supplements, the Director General for Operations hereby determines that, for the 3-month period commencing January 1, 1943:

(a) Tea quotas shall be as follows, subject to any increase pursuant to paragraph (b) below:

(1) The acceptance quota for any packer shall be one and one-third times the amount of his delivery quota under subparagraph (a) (2) below.

(2) The delivery quota for any packer shall be 50% of his "net deliveries" (as defined in said Order M–111) of tea during the corresponding 3-month period of either 1941 or 1942, whichever is greater.

(3) The acceptance quota for any wholesale receiver shall be 50% of his "net deliveries" (as defined in said Order M–111) of tea during the corresponding 3-month period of either 1941 or 1942, whichever is greater.

(b) Any person who (1) computes a quota under paragraph (a) above on the basis of the specified 1941 base period and not the 1942 base period and (2) directly or indirectly serves any county or other area designated in Schedule D (§ 1407.244) of Ration Order 3 of the Office of Price Administration, as amended, is hereby assigned a supplementary quota for each such area. Such supplementary quota, which shall be available only for ultimate distribution in the particular increased-population area referred to in said Schedule D, shall be computed by (i) determining the amount of his quota under paragraph (a) above, (ii) determining the portion of that amount allocable to deliveries to or for each such area, and (iii) applying to that portion the percentage of population increase designated, in said Schedule D of Ration Order 3, for that area for periods commencing on or after January 1, 1943. All existing similar supplementary quotas previously authorized for increased-population areas by the Director General for Operations or by the Director of Industry Operations (through orders supplementary to said Order M–111, through the granting of appeals under said Order M–111, or otherwise) shall cease to be effective after December 31, 1942, irrespective of whether or not such areas are designated in said Schedule D of Ration Order 3.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43–370; Filed, January 7, 1943; 11:45 a. m.]

PART 1053—FATS AND OILS

[General Preference Order M–71, as Amended Jan. 7, 1943]

§ 1053.1 *General Preference Order M–71*—(a) *Definitions.* (1) "Fats and oils" means all the raw, crude, refined and pressed fats and oils, whether vegetable, animal, fish or other marine animal, their by-products and derivatives, including grease (lard) oil, sulfonated and similarly processed fats and oils, fatty acids, and lard and rendered pork fat, but not including cocoa butter, butter, wool greases, essential oils, tall oil, mineral oils, and vitamin-bearing oils derived from fish or other marine animal livers or viscera.

(2) "Manufacturer" means any person who uses any fats or oils in the manufacture of any finished product, and shall include all other persons directly controlling or controlled by such person and all persons under direct or indirect common control with such person. The term shall not include any crusher, renderer, refiner or other processor except as and to the extent that his operations result in the production of a finished product, and shall also not include any person who uses fats, and oils in the home in the preparation of food for household consumption.

Blending alone shall not constitute a person a manufacturer.

(3) The "inventory" of a manufacturer at any time shall include all fats and oils held or controlled by him and all fats and oils purchased by him for future delivery.

(4) "Finished product" means any product of a manufacturer produced for sale as his finished product and carried on his books as his finished product. Except for the purposes of paragraph (d) hereof, "finished product" shall not include: (i) grease (lard) oil; (ii) sulphonated or similarly processed fat or oil; (iii) fatty acids; (iv) lard or rendered pork fat; (v) any fat or oil product intended for sale to another manufacturer for further processing in the manufacture of, or for inclusion in, any product (excepting a product falling within paragraph (a) (4) (vi) hereof); (vi) any edible product of which a fat or oil is not the principal ingredient; (vii) any edible product produced by any hotel or restaurant for consumption on the premises; (viii) any medicinal preparation other than medicated soap.

(5) "Crusher" means any person who presses, expels, or extracts oils from any seed, bean, nut or corn or other oil-bearing materials.

(6) "Implements of war" means combat end-products, complete for tactical operations (including, but not limited to, aircraft, ammunition, armaments, weapons, merchant and naval ships, tanks and vehicles) and any parts, assemblies, and material to be incorporated in any of the foregoing items. This term does not include facilities or equipment used to manufacture the foregoing items.

(7) "Soap" means the product commonly known by that term excluding, however, soap used for non-detergent purposes (including the processing of textiles).

(b) Restrictions on manufacture. (1) [Revoked Nov. 24, 1942.]

(2) No manufacturer, except as provided in paragraph (b) (6) hereof, shall in any calendar quarter beginning with the last quarter of 1942, use or consume any fat or oil in any class of use listed in Schedule A annexed hereto in a quantity in excess of the percentage specified in such Schedule A of his average quarterly use or consumption of fats and oils in such class of use during the corresponding quarters of the two years, 1940 and 1941.

(3) If any manufacturer shall not in any quarter use or consume the quantity of fat or oil permitted by paragraph (b) (2) hereof, the unused part of his quota for such quarter shall for the purposes of such paragraph (b) (2) be carried forward and added to his permitted quota

for the succeeding quarters: *Provided, however,* That any unused part of his permitted quota for any prior quarter shall not be carried forward beyond June 30, 1943 and beyond the 30th day of June of each year thereafter.

(4) For the purpose of determining the quantity of raw "foots" which may be used or consumed, use or consumption shall be calculated on the basis of total fatty acid content.

(5) The restrictions on fats and oils hereby imposed are imposed with respect to fats and oils in the aggregate, and such restrictions are not to be construed to limit a manufacturer to the same fat or oil used or consumed by him in the base period.

(6) Nothing in paragraph (b) (2) hereof shall restrict:

(i) The use of fats and oils in any period or quarter by any manufacturer whose aggregate use or consumption of fats and oils in such period is less than 6,000 lbs.;

(ii) The use of fats and oils in the manufacture of any edible product delivered or to be delivered to the Army or Navy of the United States, or delivered or to be delivered pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or the processing of fats and oils for delivery to another manufacturer for use in the manufacture of any such edible product: *Provided, however,* That this paragraph shall not exempt the use of fats and oils by any person other than the person having the prime contract with the Army or Navy or with the administrator of such Lend-Lease Act, unless the Quartermaster General of the Army or the Chief of the Bureau of Supplies and Accounts of the Navy, or the administrator of the Agricultural Marketing Administration (as the procurement agency for the administrator of such Lend-Lease Act), or the duly authorized representative of any of them, shall have issued to the manufacturer (whether prime contractor or subcontractor) who uses the fat or oil in the manufacture of the edible product contracted for, a certificate setting forth that such product is for direct Army or Navy issue or for delivery pursuant to such Lend-Lease Act and that the manufacture of such product will require a stated quantity of fats or oils, and designating the supplier or suppliers of such fats or oils to be exempted under the terms of this paragraph of this order.

(iii) The use of fats and oils in the manufacture of soap, including soap made from foots derived from domestic vegetable oils or their fatty acids, where such soap is delivered to the Army or Navy of the United States by the manufacturer or is delivered by such manufacturer, as a prime contractor, pursuant to such Lend-Lease Act.

(iv) The use of fats and oils in the manufacture, preparation or finishing of implements of war.

(v) The use of fats and oils in the manufacture of products to be exported by the manufacturer (*a*) to the Dominion of Canada where such Dominion has granted a license for the import of such products, or (*b*) to any other country pursuant to any export license issued by the Board of Economic Warfare.

(7) For the purposes of determining a manufacturer's permissible use or consumption under paragraph (b) (2) hereof, there shall be excluded from the quarter during which use or consumption is hereby limited, any fat or oil used in the manufacture of the products referred to in subdivisions (ii), (iii), (iv) and (v), of paragraph (b) (6) hereof, and there shall be excluded from the base period any fat or oil used by such manufacturer in such base period in the manufacture of any edible product or soap delivered by him to the Army or Navy of the United States or delivered by him, as a prime contractor, pursuant to such Lend-Lease Act, or exported to the Dominion of Canada or to any other country, and there also shall be excluded from such base period any fat or oil used in the manufacture, preparation or finishing of implements of war.

(8) A person who acquires all the manufacturing facilities of another person in a particular class of use shall thereby become entitled to the quota of such other person in such class of use, whether or not he continues to operate such facilities in whole or in part: *Provided, however,* That he shall within 30 days following such acquisition inform the Director General for Operations of the facilities acquired, their location, whether or not operation will be continued in the same or another location, and the amount of quota which he claims to have acquired in each class of use.

(9) Fats and oils processed by a person pursuant to toll agreement shall be chargeable not to the quota of the processor but to the quota of the owner of such fats and oils: *Provided,* That title to the product shall remain in the hands of the owner of the fats and oils and that such owner shall market, invoice and collect for such product through his own organization.

(10) Each manufacturer of soap may in any quarter substitute in whole or in part for the fats and oils (other than foots made from domestic vegetable oils or their fatty acids) which he would be entitled to use under Schedule A in such manufacture, foots made from domestic vegetable oils or their fatty acids, the quantity of such foots or their fatty acids which may be used or consumed to be 150% of the base period use of fats and oils.

(c) *Restrictions on deliveries of linseed oil.* (1) No person engaged in the business of selling linseed oil at wholesale (whether crushed or processed by him or purchased for resale) shall deliver in the aggregate to persons other than manufacturers during any calendar quarter, beginning with the fourth quarter of 1942, more linseed oil (whether raw or processed) than 70% of the average quarterly amount of linseed oil so delivered by him during the corresponding quarters of the two years, 1940 and 1941.

(2) In reducing deliveries pursuant to paragraph (c) (1) hereof, no person shall make discriminatory cuts as between customers, whether new or old.

(3) This order shall not restrict the delivery by any person of linseed oil to the Army or Navy of the United States or pursuant to such Lend-Lease Act, and any amount so delivered by him shall be excluded both from the base period on which his quota is based and from the period or quarter during which future deliveries are hereby limited.

(d) *Restrictions on processing and inventories.* (1) No manufacturer shall hereafter change the condition of any fat or oil in his raw materials inventory, or add any additional materials thereto except to the extent necessary to store any such fat or oil in his raw materials inventory in a form necessary to prevent deterioration thereof, or except to put such fats or oils into process for the manufacture of his finished products subject to the limitations of paragraph (d) (2). Nothing contained in this paragraph shall be construed to limit the amount of fats and oils which may be held by any manufacturer in his raw materials inventory.

(2) No manufacturer shall hereafter increase the rate at which fats and oils are put into process by him, except to the extent necessary to meet the required deliveries of his finished products within the limitations established by this order and to maintain only a practicable minimum working inventory of such finished products. The term "practicable minimum working inventory" is to be strictly construed. The mere fact that the turn-over has increased, or that materials are difficult to obtain, does not justify maintaining inventories above the minimum at which his operations can be continued.

(e) *Prohibited uses of fats and oils.* (1) No person shall use or consume any butter or any of the following fats and oils in any class of use listed in Schedule A other than the manufacture of margarine or the manufacture of other edible finished products:

Lard.	Sesame.
Rendered pork fat.	Raisin seed.
Oleo oil.	Tomato seed.
Oleo stearin.	Cottonseed.
Oleo stock.	Corn.
Edible tallow.	Soybean.
Edible olive.	Whale oil (except sperm).
Peanut.	Seal oil.
Sunflower.	

(2) No person shall use or consume in the manufacture of soap any sardine oil, pilchard oil, herring oil or mustard seed oil.

(3) Nothing in paragraphs (e) (1) or (e) (2) hereof shall restrict the use of any fat or oil in any inedible product or soap where and to the extent that:

(i) The quantity of any such fat or oil owned by such person on December 31, 1942 is less than 60,000 lbs.;

(ii) Any such fat or oil is used in the manufacture, preparation or finishing of any implement of war or in the manufacture of USP 12 soap;

(iii) Any such fat or oil is a by-product or residue of the permitted processing of any fat or oil; or consists of tank bottoms of any fat or oil; or

(iv) Such fat or oil consists of soybean oil and is used either in the manufacture of synthetic resins or as a plasticizer in the manufacture of lacquers and coated fabrics, exclusive of linoleum and oilcloth.

(v) The use by any person of any such fat or oil in any class of use has been specifically authorized by the Director General for Operations, on such person's establishing to the satisfaction of the Director General for Operations by letter addressed to the War Production Board, Chemicals Division, Washington, D. C., Ref.: M-71, that such fat or oil was owned by him on December 31, 1942, and was on such date unfit for edible use.

(f) *Reports.* (1) Each manufacturer, who in any quarter commencing with the last quarter of the year 1942, uses or consumes more than 6,000 lbs. of fats and oils in the aggregate, shall file with the Bureau of Census, Washington, D. C., each of the following reports in the following manner:

(i) He shall file on or before the 15th day of each month of the succeeding quarter, Form BM 1 showing the consumption of fats and oils during the preceding month.

(ii) He shall file on or before the 15th day of the first month of the succeeding quarter, Form BM 2 showing the consumption of fats and oils during the preceding quarter.

(2) Every manufacturer and every other person affected by this order shall file such other reports at such times upon such form or forms as the Director General for Operations may from time to time prescribe.

(g) *Effect of other orders.* Insofar as any other order of the Director of Priorities, the Director of Industry Operations or the Director General for Operations, heretofore or hereafter issued, limits or curtails to a greater extent than herein provided the use, acquisition or disposition of any fat or oil, the limitations of such other order shall control.

(h) *Miscellaneous provisions.*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board priorities regulations, as amended from time to time.

(2) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, whether because of the absence of use during the two-year base period, or otherwise, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of fats or oils conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the Director General for Operations by addressing a letter to this War Production Board, Chemicals Division, Washington, D. C., Ref: M-71, setting forth the pertinent facts and the reasons he considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(3) *Violations.* Any person who willfully violates any provisions of this order or who in connection with this order willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C., Ref: M-71.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A

NOTE: Schedule A was amended January 1, 1943.

Class of use	*Permitted percentage*
Manufacture of margarine	180
Manufacture of other edible finished products, including shortening, mayonnaise and salad dressing	88
Manufacture of soap, exclusive of soap made from domestic vegetable oil foots or their fatty acids	84
Manufacture of soap from foots made from domestic vegetable oils or their fatty acids	150
Manufacture of paints, varnishes, lacquers and all other protective coatings	70
Manufacture of linoleum, oilcloth, and oil or oleo-resinous coated fabrics and pyroxylin coated fabrics	70
Manufacture of printing inks, including lithographing, offset, silk screen and other processing inks	90

INTERPRETATION 1

The term "principal ingredient" used in paragraph (a) (4) (vi) of the order means the largest single ingredient by weight, subject to the qualification that shortening, mayonnaise and salad dressing (edible products specifically listed in Schedule A annexed to said order) are to be considered products of which a fat or oil is the principal ingredient regardless of the fat or oil composition thereof in the particular case.

[F. R. Doc. 43-367; Filed, January 7, 1943; 11:46 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg 2]

INVENTORIES

§ 3175.2 *CMP Regulation 2.*—(a) *Definitions.* For the purposes of this regulation:

(1) "Item of controlled material" means any item in any class of controlled material listed in the attached Schedule A which is different from all other items in that class by reason of one or more of its specifications, such as length, width, thickness, temper, alloy, finish, method of manufacture, etc.

(2) "User of controlled material" means any person, including government operated consuming establishments, who uses any item of controlled material for production, construction, operating supplies, or maintenance or repair.

(b) *General maximum inventory limitation.* (1) No user of controlled material shall, after April 1, 1943, accept delivery of any item of controlled material if his inventory of such item is, or will by virtue of such acceptance become, greater than the quantity of such item he will be required by his current practices to put into use during the succeeding 60-day period for production, construction, operating supplies, or maintenance or repair, in order to carry out his authorized operations.

(2) The Director General for Operations may, by specific inventory direction, fix longer or shorter periods or otherwise vary the inventory limits under subparagraph (1) of this paragraph (b), for any specified person or class of persons. Any such action will be governed by the principle that inventories of materials are to be kept at the minimum consistent with sound production practice.

(3) Nothing in this regulation shall be deemed to permit any person to accept delivery of any item of controlled material if his inventory of such item is, or will by virtue of such acceptance become, in excess of a minimum practicable working inventory thereof.

(c) *Exceptions to paragraph (b).* Notwithstanding the provisions of paragraph (b), any person may accept delivery of material in excess of the prescribed limits under the following circumstances.

(1) If any producer of controlled material exercises his privilege under CMP Regulation No. 1 of making delivery prior to the delivery date specified by the user of controlled material, such delivery may be accepted and the prescribed limits exceeded to the extent that such excess results from such prior delivery.

(2) If a user of controlled material has promptly instructed a producer or other supplier to reduce, postpone, or cancel a delivery, and the material has been shipped or loaded for shipment before receipt of such instruction, delivery of such material may be accepted and the prescribed limits exceeded to the extent that such excess results from such delivery, *Provided,* The producer or supplier promptly advises such user why the delivery has been made despite the receipt

of reduction, postponement, or cancellation instructions.

(3) If a user of controlled material would be authorized under paragraph (b) to accept delivery of a quantity of an item of controlled material less than the minimum shown opposite the appropriate class of controlled material on the attached Schedule A, he may accept delivery of the full minimum shown on Schedule A.

(4) If a user of controlled material has promptly instructed a producer to reduce or postpone a delivery of a special item which cannot be readily disposed of in the course of the producer's business, and the producer advises such user that he has already started production thereof, specifying the minimum quantity which he will have to complete in the light of the production he has started, such user may accept delivery of such minimum quantity and exceed the prescribed limits to the extent that such excess results from such delivery. This exception applies only to the acceptance of delivery of such special items before they are needed and not to acceptance of such special items which will not be needed at all.

(d) *Scheduling of deliveries.* Every user of controlled material must apply for allotments, schedule deliveries, and place orders in such manner that deliveries may be made without violating the provisions of this regulation. If by reason of change in authorized operations, slowing or stoppage of production, delayed delivery by a producer or other supplier, or other cause, a person who has ordered material for future delivery would, if he accepted delivery on the dates specified, exceed the limits prescribed by this regulation, he shall promptly revise and adjust his applications, outstanding orders and scheduled deliveries and, if necessary, postpone or cancel the same, directly or through his claimant agencies, so that deliveries will conform to this regulation.

(e) *Separate inventories.* (1) In determining his inventory, a person shall include all controlled material in his possession and all material held for his account by another person, but not material held by him for the account of another person.

(2) A person who has more than one operating unit may divide his operations and apply this regulation to each division independently, but he may not thereafter change such divisions without specific authorization of the Director General for Operations. Any person who has been operating under the Production Requirements Plan shall continue to divide his operations in the same manner as under that plan to the extent that such division is consistent with this paragraph.

(f) *Geographical application.* This regulation shall not apply to persons outside the forty-eight states and the District of Columbia except pursuant to specific direction of the Director General for Operations.

(g) *Prohibited deliveries.* No person shall deliver any item of controlled material if he knows or has reason to believe that acceptance of such delivery would be in violation of this regulation.

(h) *Redistribution of excess inventories.* Excess inventories of controlled materials, including inventories of materials which are not in such form as to be usable by the holder, shall be subject to redistribution to other persons by voluntary action, pursuant to Priorities Regulation No. 13, or if necessary, through requisitioning by the War Production Board.

(i) *Reports.* Users of controlled materials, including government operated consuming establishments, shall file such reports on Form CMP–7 or other designated forms, as may be required from time to time by the Director General for Operations.

(j) *Appeals.* Any person affected by this regulation who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board. Redistribution Division, Reference: CMP Regulation No. 2, setting forth the pertinent facts and the reasons he considers he is entitled to relief.

(k) *Miscellaneous provisions.*—(1) *Applicability of other orders and regulations.* All persons affected by this regulation shall remain subject to all applicable provisions of other War Production Board regulations and orders as amended from time to time.

(2) *Communications.* All communications concerning this regulation shall be addressed to: War Production Board, Redistribution Division, Washington, D. C., Reference: CMP Regulation No. 2.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A

If a user of controlled materials would be authorized under paragraph (b) to accept delivery of a quantity of an item of controlled material less than the minimum shown opposite the appropriate class of controlled material on the following schedule, he may accept delivery of the full minimum shown on the schedule.

CMP material code No.	Class of controlled material	Minimum quantities
	ALUMINUM	*Lb.*
	Bar and rod (excluding requirements for stock for wire, forgings, rolled structural shapes, and electrical cable)	100
4021	⅜"—3" incl. (Maximum diameter (for rounds and ovals) Maximum distance between parallel faces (for squares, hexagonals, octagonals & rectangles.)	
4031	Over ¼"—1⅝" incl.	
4041	Over 1⅝"—3" incl.	
4051	Over 3"	
4121	Wire, excluding rivet wire. (Wire covers maximum diameters under ⅜" in rounds, ovals, squares, hexes, octagonals, and rectangles)	100
4122	Rivets	25
4151	Cable (electrical transmission only)	2,000
4171	Forgings and pressings (before machining)	500
4202	Castings made from high-grade ingot (before machining): Cylinder heads for air-cooled radial engines.	500
4203	Other heat treated sand castings.	
4204	Non-heat-treated sand castings.	
4205	Heat treated permanent mold castings	
4206	Non-heat treated permanent mold castings.	
4207	Cold-chamber die castings.	
4208	Gooseneck die castings.	
4213	Castings made from low-grade ingot (before machining): Heat treated sand castings.	500
4214	Non-heat treated sand castings.	
4215	Heat treated permanent mold castings.	
4216	Non-heat treated permanent mold castings.	
4217	Cold-chamber die castings.	
4218	Gooseneck die castings.	
4251	Rolled structural shapes (angles, channels, zees, tees, etc.)	500
	Extruded shapes	100
4301	2S, 3S, 53S, and 61S alloys.	
4311	All alloys except 2S, 3S, 53S, and 61S.	
4351	Sheet, strip and plate (excluding stock for foil, impact extrusions, and forgings)	200
4361	2S, and 3S alloys. Alloys other than 2S and 3S.	
4401	Tubing	100
4411	2S and 3S alloys. Alloys other than 2S and 3S.	
4501	Powder	15
4601	Foil (0.005" and thinner)	25
4701	Impact extrusions	200
4801	Ingot (excluding ingot for aluminum castings, sheet, plate, strip, rod, bar, extrusions, and powder)	2,000
4811	High-grade ingot.	
	Low-grade ingot.	

CMP material code No.	Class of controlled material	Minimum quantities
	COPPER AND COPPER BASE ALLOYS	*Lb.*
	Brass mill products: (A) Copper base alloys: Ammunition cups, discs, and slugs	5
3011	Sheet and strip (other than cups and discs)	
3021	Rods, bars, and wire (incl. extruded shapes, not incl. slugs)	
3041	Tubing or pipe	
	(B) Copper:	
3051	Plate, sheets, and strip	
3061	Rods, and bars, including extruded shapes (not including wire bars and ingot bars)	
3071	Tube and pipe	
	Wire mill products: Copper:	
3101	Wire and cable (incl. copper content of insulated wire and cable)	
	Foundry products: Copper and copper base alloys: Castings	
	STEEL	
	Carbon steel (including wrought iron):	
3001	Bars, cold finished	
3005	Bars, hot rolled	
3011	Ingots, billets, blooms, slabs, tube rounds, skelp and sheet and tin bars	
2016	Pipe	
2021	Plates	
2026	Rails and track accessories	
2031	Sheets and strip	
2036	Steel castings	
2041	Structural shapes and piling	
2046	Tin plate, terne plate and tin mill black plate	
2051	Tubing	
2056	Wheels and axles	
2061	Wire rods, wire and wire products	
	Alloy steel—Including stainless:	
2501	Bars, cold finished	
2505	Bars, hot rolled	
2511	Ingots, billets, blooms, slabs, tube rounds, sheet bar	
2516	Pipe	
2521	Plates	
2531	Sheets and strip	
2536	Steel castings	
2541	Tubing (incl. pipe)	
2556	Wheels and axles	
2561	Wire rods, wire, and wire products	

[F. R. Doc. 43-371; Filed, January 7, 1943; 11:48 a. m.]

Chapter XI—Office of Price Administration

PART 1306—IRON AND STEEL

[RPS 49,[1] Amendment 10]

RESALE OF IRON OR STEEL PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[*]

A new section and Appendix designated as § 1306.163 Appendix E is added to Revised Price Schedule No. 49 and a new paragraph (d) is added to § 1306.160 Appendix B.

§ 1306.160 *Appendix B.* * * *

(d) The provisions of this § 1306.160 Appendix B are modified in part by the provisions of § 1306.163 Appendix E.

* * * * *

§ 1306.163 *Appendix E.* Base prices and quantity extras are established on certain product items in the cities set forth:

(a) Seller's maximum base prices on sales out of warehouse stock in less-than-carload quantities are published on the named product items as follows:

BASE PRICES UNDER REVISED PRICE SCHEDULE NO. 49

	Hot rolled bars	Structural shapes	Plates	Floor plates	Hot rolled sheets (10 gauge base)	Hot rolled bands (12 gauge and heavier)	Hot rolled hoops (14 gauge and lighter)	Galvanized flat sheets (24 gauge base)	Cold rolled sheets (17 gauge base)	Cold finished bars
Boston	3.98[1]	3.85[1]	3.85[1]	5.60[1]	3.71[1]	4.06[1]	5.06[1]	5.11[1]	4.68[1]	4.13[1]
New York	3.81[1]	3.75[1]	3.76[1]	5.56[1]	3.58[1]	3.96[1]	3.96[1]	5.10[1]	4.60[1]	4.06[1]
Philadelphia	3.55[1]	3.55[1]	3.55[1]	5.25[1]	3.55[1]	3.95[1]	4.45[1]	4.90[1]	4.63[1]	4.06[1]
Baltimore (city)	3.55[1]	3.70[1]	3.70[1]	5.25[1]	3.50[1]	4.00[1]	4.35[1]	5.05[1]	5.00[1]	4.04[1]
Baltimore (country)	3.55[1]	3.70[1]	3.45[1]	5.25[1]	3.25[1]	4.00[1]	4.35[1]	4.75[1]	5.00[1]	4.04[1]
Washington, D. C.	3.55[1]	3.80[1]	3.80[1]	5.35[1]	3.60[1]	4.10[1]	4.45[1]	5.15[1]	5.10[1]	4.08[1]
Norfolk, Virginia	4.00[1]	4.05[1]	4.05[1]	5.45[1]	3.85[1]	4.10[1]	4.10[1]	5.40[1]	4.50[1]	4.15[1]
Bethlehem, Pa.*		3.45[1]								
Claymont, Del.*			3.45[1]							
Conshohocken, Pa.*			3.45[1]							
Buffalo (city)	3.35[1]	3.40[1]	3.62[1]	5.25[1]	3.25[1]	3.82[1]	3.82[1]	4.75[1]	4.30[1]	3.75[1]
Buffalo (country)	3.25[1]	3.30[1]	3.62[1]	5.25[1]	3.15[1]	3.82[1]	3.82[1]	4.65[1]	4.20[1]	3.65[1]
Pittsburgh (city)	3.35[1]	3.40[1]	3.40[1]	5.00[1]	3.35[1]	3.60[1]	3.60[1]	4.75[1]	4.00[1]	3.65[1]
Pittsburgh (country)	3.25[1]	3.30[1]	3.30[1]	4.90[1]	3.25[1]	3.50[1]	3.50[1]	4.65[1]	4.00[1]	3.65[1]
Cleveland (city)	3.25[1]	3.35[1]	3.40[1]	5.15[1]	3.35[1]	3.50[1]	3.50[1]	4.62[1]	4.05[1]	3.75[1]
Cleveland (country)	3.25[1]	3.35[1]	3.30[1]	5.15[1]	3.25[1]	3.50[1]	3.50[1]	4.62[1]	3.95[1]	3.65[1]
Detroit	3.43[1]	3.62[1]	3.62[1]	5.27[1]	3.49[1]	3.43[1]	3.68[1]	4.84[1]	4.30[1]	3.80[1]
Ecorse (city)	4.10[1]	4.15[1]	4.15[1]	5.75[1]	3.85[1]	4.20[1]	4.20[1]	5.52[1]	4.77[1]	4.42[1]
Ecorse (country)	4.00[1]	4.05[1]	4.05[1]	5.65[1]	3.75[1]	4.10[1]	4.10[1]	5.52[1]	4.77[1]	4.42[1]
Gary	3.60[1]	3.65[1]	3.65[1]	5.28[1]	3.42[1]	3.67[1]	3.67[1]	4.92[1]	4.37[1]	4.00[1]
Youngstown, Ohio*								4.40[1]		
Middletown, Ohio*					3.25[1]	3.50[1]	3.50[1]	4.40[1]		
Chicago (city)	3.50[1]	3.55[1]	3.55[1]	5.15[1]	3.25[1]	3.60[1]	3.60[1]	4.85[1]	4.10[1]	3.75[1]
Chicago (country)	3.40[1]	3.45[1]	3.45[1]	5.05[1]	3.15[1]	3.50[1]	3.50[1]	4.75[1]	4.00[1]	3.65[1]
Milwaukee	3.63[1]	3.68[1]	3.68[1]	5.28[1]	3.38[1]	3.73[1]	3.73[1]	4.98[1]	4.23[1]	3.88[1]
St. Paul	3.75[1]	3.80[1]	3.80[1]	5.40[1]	3.50[1]	3.85[1]	3.85[1]	5.00[1]	4.35[1]	4.34[1]
St. Louis	3.64[1]	3.69[1]	3.69[1]	5.29[1]	3.39[1]	3.74[1]	3.74[1]	4.99[1]	4.24[1]	4.02[1]
Indianapolis (city)	3.60[1]	3.70[1]	3.70[1]	5.30[1]	3.45[1]	3.75[1]	3.75[1]	5.01[1]	4.25[1]	3.97[1]
Indianapolis (country)	3.35[1]	3.45[1]	3.40[1]	5.05[1]	3.20[1]	3.50[1]	3.50[1]	5.01[1]	4.00[1]	3.97[1]
Memphis	3.50[1]	3.55[1]	3.55[1]	5.15[1]	3.25[1]	4.10[1]	4.10[1]	5.25[1]	4.60[1]	4.31[1]
Birmingham (city)	3.50[1]	3.55[1]	3.55[1]	5.25[1]	3.35[1]	3.70[1]	3.70[1]	4.75[1]	4.75[1]	4.43[1]
Birmingham (country)	3.40[1]	3.45[1]	3.45[1]	5.85[1]	3.85[1]	3.60[1]	3.60[1]	4.75[1]	4.75[1]	4.43[1]
New Orleans (city)	4.10[1]	3.90[1]	3.90[1]	5.85[1]	3.95[1]	4.20[1]	4.20[1]	5.25[1]	4.95[1]	4.60[1]
New Orleans (country)	4.00[1]	3.80[1]	3.80[1]	5.75[1]	3.85[1]	4.10[1]	4.10[1]	5.15[1]	4.95[1]	4.60[1]
Houston	3.75[1]	4.25[1]	4.25[1]	5.50[1]	3.75[1]	4.30[1]	4.30[1]	5.25[1]	5.42[1]	4.50[1]
Los Angeles	4.35[1]	4.60[1]	4.90[1]	7.15[1]	4.05[1]	4.55[1]	4.90[1]	6.60[1]	7.55[1]	5.55[1]
San Francisco (city)	3.95[1]	4.35[1]	4.65[1]	6.35[1]	4.55[1]	4.50[1]	4.50[1]	6.60[1]	7.55[1]	5.55[1]
San Francisco (country)	3.85[1]	4.25[1]	4.55[1]	6.25[1]	4.45[1]	4.40[1]	4.40[1]	6.50[1]	7.45[1]	5.45[1]
Tacoma	4.20[1]	4.45[1]	4.75[1]	6.50[1]	4.65[1]	4.25[1]	5.45[1]	5.70[1]	6.63[1]	5.75[1]
Seattle (city)	4.20[1]	4.45[1]	4.75[1]	6.50[1]	4.65[1]	4.25[1]	5.45[1]	5.70[1]	6.63[1]	5.75[1]

*Basing point cities against which warehouses equalized freight as of April 16, 1941, and which must now be used in calculating lowest combination prices.

(b) The maximum quantity extras and deductions on these specific product items listed above shall be:

Quantity Differentials Per 100 Pounds

1—
Under 100 lbs + $1.50
100–399 lbs + .50
400–1,999 lbs Base
2,000–9,999 lbs − .10
10,000–39,999 lbs − .20

2—
Under 100 lbs + $1.25
100–399 lbs + .50
400–1,999 lbs Base
2,000–9,999 lbs − .10
10,000–39,999 lbs − .20

3—
Under 100 lbs + $1.50
100–399 lbs + .50
400–14,999 lbs Base
15,000–39,999 lbs − .20

Quantity Differentials Per 100 Pounds—Con.

4—
Under 400 lbs + $.50
400–1,999 lbs Base
2,000–9,999 lbs − .10
10,000–39,999 lbs − .20

5—
Any quantity

6—
Under 300 lbs + $.40
300–1,999 lbs Base
2,000–9,999 lbs − .20
10,000–39,999 lbs − .30

7—
Under 100 lbs + $1.50
100–399 lbs + .50
400–3,999 lbs Base
4,000–9,999 lbs − .10
10,000–39,999 lbs − .15

8—
Under 300 lbs + $1.00
300–9,999 lbs Base
10,000–39,999 lbs − .25

9—
Under 100 lbs + $1.50
100–399 lbs + .50
400–39,999 lbs Base

Quantity Differentials Per 100 Pounds—Con.

10—
Under 2,000 lbs Base
2,000–3,999 lbs − $.25
4,000–5,999 lbs − .35
6,000–14,999 lbs − .50
15,000–39,999 lbs − .60

11—
Under 4,000 lbs Base
4,000–5,999 lbs − $.05
6,000–14,999 lbs − .20
15,000–39,999 lbs − .40

12—
Under 150 lbs + $1.00
150–499 lbs + .50
500–1,499 lbs Base
1,500–3,499 lbs − .25
3,500–39,999 lbs − .40

13—
Under 1 bundle + $.50
1 bundle to 39,999 lbs Base

14—
Under 150 lbs + $1.00
150–2,249 lbs Base
2,250–39,999 lbs − .25

15—
Under 1 bundle + $1.00
1 bundle–499 lbs + .50
500–1,499 lbs Base
1,500–39,999 lbs − .25

16—
Under 150 lbs[1] + $.50
150–1,499 lbs Base
1,500–3,499 lbs − .20
3,500–6,999 lbs − .30
7,000–39,999 lbs − .45

17—
Under 150 lbs + $.50
150–1,499 lbs Base
1,500–3,499 lbs − .20
3,500–39,999 lbs − .30

18—
Under 1 bundle + $3.00
1 bundle + 1.00
2 bundles + .50
3–24 bundles Base
25–49 bundles − .10
50 bundles–39,999 lbs − .20

19—
Under 1 bundle + $1.00
1 bundle–449 lbs + .30
450–1,499 lbs Base
1,500–39,999 lbs − .15

20—
Under 1 bundle + $1.00
1 bundle–1,499 lbs Base
1,500–3,749 lbs − .15
3,750–39,999 lbs − .25

21—
1–9 bundles Base
10–49 bundles − $.25
50 bundles to 39,999 lbs − .50

22—
Under 1 bundle + $.25
1–6 bundles Base
7 bundles–39,999 lbs − .25

23—
Under 100 lbs + $1.20
100–499 lbs + .20
500–1,499 lbs Base
1,500–3,499 lbs − .20
3,500–6,999 lbs − .45
7,000–39,999 lbs − .55

24—
Under 100 lbs + $1.00
100–749 lbs Base
750–4,999 lbs − .50
5,000–39,999 lbs − .75

25—
Under 100 lbs + $1.00
1–9 bundles Base
10–49 bundles − .25
50–99 bundles − .50
100 bundles–39,999 lbs − .75

26—
Under 100 lbs + $1.00
1–9 bundles Base
10–49 bundles − .25
50 bundles–39,999 lbs − .50

[1] $1.00 if lighter than 24 gauge.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1300, 2132, 2473, 2540, 2682, 3330, 3893, 4342, 5176, 6893, 6935, 8948, 10844.

Quantity Differentials Per 100 Pounds—Con.

27—	
Under 150 lbs.	+$1.00
150–1,499 lbs.	Base
1,500–3,499 lbs.	−.15
3,500–39,999 lbs.	−.25
28—	
Under 300 lbs.	+$0.50
300–999 lbs.	Base
1,000 lbs. and over	−.50
29—	
Under 300 lbs. [3]	+$2.00
300–499 lbs.	+1.25
500–999 lbs.	+.50
1,000–1,499 lbs.	+.10
1,500–39,999 lbs.	Base
30—	
Under 100 lbs.	+$.90
100–499 lbs.	+.65
500–999 lbs.	+.40
1,000–1,499 lbs.	+.30
1,500–1999 lbs.	Base
2,000–3999 lbs.	−.20
4,000–5,999 lbs.	−.40
6,000–9,999 lbs.	−.50
10,000–39,999 lbs.	−.60
31—	
Under 100 lbs.	+$1.25
100–299 lbs.	+1.00
300–499 lbs.	+.75
500–999 lbs.	+.25
1,000–39,999 lbs.	Base
32—	
Under 300 lbs. [3]	+$1.50
300–499 lbs.	+1.25
500–999 lbs.	+.50
1,000–1,499 lbs.	+.10
1,500–39,999 lbs.	Base
33—	
Under 300 lbs.	+$1.25
300–499 lbs.	+.75
500–999 lbs.	+.25
1,000–39,999 lbs.	Base
34—	
Under 300 lbs.	+$1.90
300–499 lbs.	+1.65
500–999 lbs.	+.90
1,000–1,499 lbs.	+.40
1,500–1,999 lbs.	Base
2,000–3,999 lbs.	−.20
4,000–5,999 lbs.	−.40
6,000–9,999 lbs.	−.50
10,000–39,999 lbs.	−.60
35—	
Under 400 lbs.	+$.50
400–1,499 lbs.	Base
1,500–3,499 lbs.	−.10
3,500–9,999 lbs.	−.15
10,000–39,999 lbs.	−.25

[2] An order extra of $3.00 per 100 pounds may be charged on cold finished carbon bar orders which total less than 300 pounds in Pittsburgh, Pennsylvania, Boston, Massachusetts, and Buffalo, New York; of $4.00 per 100 pounds on cold finished carbon bar orders which total less than 100 pounds in Philadelphia, Pennsylvania; of $3.00 per 100 pounds on cold finished carbon bar orders which total less than 100 pounds in New York, New York, Norfolk, Virginia, and Washington, D. C.; or of $3.25 per 100 pounds on cold finished carbon bar orders which total less than 100 pounds in Baltimore, Maryland. If the order extra is applicable and charged, the item quantity extra for less than 300 pounds in (29) above may not also be charged.

[3] An order extra of $3.00 per 100 pounds may be charged on cold finished carbon bar orders which total less than 300 pounds in Birmingham, Alabama, Milwaukee, Wisconsin, New Orleans, Louisiana, St. Louis, Missouri, St. Paul, Minnesota, Omaha, Nebraska, Chicago, Illinois, Cincinnati, Ohio, and Memphis, Tennessee; or of $4.50 per 100 pounds on cold finished carbon bar orders which

Quantity Differentials Per 100 Pounds—Con.

36—	
Under 400 lbs.	+$.50
400–1,499 lbs.	Base
1,500–9,999 lbs.	−.10
10,000–39,999 lbs.	−.20
37—	
Under 1 bundle	+$3.00
1 bundle	+1.00
2 bundles	+.50
3–24 bundles	Base
25–49 bundles	−.10
50 bundles–39,999 lbs.	−.15
38—	
Under 500 lbs.	+$.50
500–1,499 lbs.	Base
1,500–3,499 lbs.	−.10
3,500–9,999 lbs.	−.15
10,000–39,999 lbs.	−.20
39—	
Under 1,000 lbs.	+$.10
1,000–1,999 lbs.	Base
2,000–4,999 lbs.	−.15
5,000–39,999 lbs.	−.30
40—	
Under 300 lbs.	+$.50
300–1,999 lbs.	Base
2,000–4,999 lbs.	−.20
5,000–9,999 lbs.	−.40
10,000–39,999 lbs.	−.60
41—	
Under 25 bundles	Base
25 bundles–39,999 lbs.	−$.25

total less than 100 pounds in Indianapolis, Indiana. If the order extra is applicable and charged, the item extra for less than 300 pounds in (32) above may not also be charged.

(c) The foregoing prices are base prices and quantity extras to which may be added all other extras permitted under Revised Price Schedule No. 49, provided also that where the sellers named in § 1306.160 Appendix B of Revised Price Schedule No. 49 published prices which reflected in the base price an extra for size, grade or section, (such as the difference in base prices between standard cold rolled sheets and deep drawing cold rolled sheets) such difference in base prices shall be considered an extra which may be added by sellers under the provisions of § 1306.159 Appendix A (a) (2) of Revised Price Schedule No. 49.

(d) The prices and extras set forth above shall be used as a basis for the computation of "Lowest Combination" Prices, (as defined in § 1306.157 (k)).

(e) No seller shall use the foregoing prices or extras if the use thereof would result in a sale at a price higher than such seller's published price as of April 16, 1941.

(f) In all respects other than those specifically set forth in this Appendix E the provisions of Revised Price Schedule No. 49 shall apply.

§ 1306.158a *Effective dates of amendments.* * * *

(j) Amendment No. 10. (§§ 1306.160 Appendix B (d) and 1306.163 Appendix E) shall become effective January 11, 1943.

Issued this 6th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-311; Filed, January 6, 1943; 12:36 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 143,[1] Amendment 3]

WHOLESALE PRICES FOR NEW RUBBER TIRES AND TUBES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In each of subparagraphs (1), (2), (3) and (4) of paragraph (b) of § 1315.1501, the words "established by Revised Price Schedule No. 63, apart from the 16⅔% increase provided in paragraph (n) of §§ 1315.110 and 1315.111", are substituted for the words "in effect on April 24, 1942, under Revised Price Schedule No. 63."

In the paragraph following the colon in each of subdivisions (ii) and (iii) of paragraph (c) (1) of § 1315.1501, the words "established by Revised Price Schedule No. 63, apart from the 16⅔% increase provided in paragraph (n) of §§ 1315.110 and 1315.111", are substituted for the words "in effect on April 24, 1942, under Revised Price Schedule No. 63—Retail Prices for New Rubber Tires and Tubes."

In the first sentence of paragraph (d) in § 1315.1501 the words "subparagraphs (1) to (4)" are substituted for the words "subparagraphs (1) to (3)"; two new subdivisions (iii) and (iv) are added to paragraph (d) (1) of § 1315.1501; three new subdivisions (iii), (iv) and (v) are added to paragraph (d) (2) of § 1315.1501; subparagraph (4) of paragraph (d) of § 1315.1501 is redesignated subparagraph (5) and a new subparagraph (4) is added, as set forth below:

§ 1315.1501 *Maximum wholesale prices for new rubber tires and tubes.* * * *

(d) *Passenger-car reclaimed rubber war tires.* * * *

(1) *Sales on the basis of consumer price lists.* * * *

(iii) If such seller did not deliver or offer for delivery during March, 1942, to any purchaser, any tires of the brand listed in paragraph (b) of §§ 1315.110 or 1315.111 of Revised Price Schedule No. 63 for the manufacturer or private brand distributor whose company name or brand name appears on the reclaimed rubber war tires, the maximum wholesale price for such reclaimed rubber war tires shall be the maximum wholesale price to a purchaser of the same class for the most comparable seller, calculated in accordance with the provisions of subdivision (i) or (ii).

(iv) For any sale or delivery by a manufacturer where the maximum wholesale price determined under subdivisions (i), (ii) or (iii) is less than 45% of the maximum retail price of such reclaimed rubber war tires, as established by Revised Price Schedule No. 63, the manufacturer may calculate his maximum price in accordance with the procedure set forth in subparagraph (3) of this paragraph, as though it were a sale or delivery of private brand tires to the private brand distributor. When a manufacturer follows the procedure set forth in subparagraph (3) in calculating his maximum price to any purchaser who is not the private brand distributor of the tires involved, any reference in subparagraph (3) to the private brand distributor shall be deemed to be a reference to the particular purchaser involved, and any reference in subparagraph (3) to the brand of tire listed for the distributor in paragraph (b) of § 1315.111 of Revised Price Schedule No. 63 shall be deemed to be a reference to whichever brand of passenger-car tire delivered or offered for delivery during November, 1941, by the manufacturer to the particular purchaser, has a maximum retail price on the 6.00–16 size closest to $17.11. All provisions of subparagraph (3), including the reporting provision, must be followed. In addition the manufacturer must report to the Office of Price Administration, Washington, D. C., what his maximum price would have been under subdivisions (i), (ii), or (iii) of this subparagraph (1), on the first sale or delivery of the tires to the purchaser.

(2) *Sales on the basis of wholesale price lists.* * * *

(iii) If such seller did not deliver or offer for delivery during March, 1942, to any purchaser, any 6.00–16 size tires of the brand listed in paragraph (b) of §§ 1315.110 or 1315.111 of Revised Price Schedule No. 63 for the manufacturer or private brand distributor whose company name or brand name appears on the reclaimed rubber war tires, the maximum wholesale price for such reclaimed rubber war tires shall be the maximum wholesale price to a purchaser of the same class for the most comparable seller, calculated in accordance with the provisions of subdivision (i) or (ii).

(iv) Notwithstanding the provisions of subdivisions (i), (ii) or (iii), the maximum wholesale price for any new passenger-car reclaimed rubber war tires on which the name General Tire and Rubber Co. appears, shall be the price applicable to a purchaser of the same class calculated in accordance with the provisions of subdivisions (i), (ii) or (iii), increased by 7 percent.

(v) For any sale or delivery by a manufacturer where the maximum wholesale price determined under subdivisions (i), (ii), (iii) or (iv) is less than 45% of the maximum retail price of such reclaimed rubber war tires, as established by Revised Price Schedule No. 63, the manufacturer may calculate his maximum price in accordance with the procedure set forth in subparagraph (3) of this paragraph, as though it were a sale or delivery of private brand tires to the private brand distributor. When a manufacturer follows the procedure set forth in subparagraph (3) in calculating his maximum price to any purchaser who is not the private brand distributor of the tires involved, any reference in subparagraph (3) to the private brand distributor shall be deemed to be a reference to the particular purchaser involved, and any reference in subparagraph (3) to the brand of tire listed for the distributor in paragraph (b) of § 1315.111 of Revised Price Schedule No. 63 shall be deemed to be a reference to whichever brand of passenger-car tire delivered or offered for delivery during November, 1941, by the manufacturer to the particular purchaser, has a maximum retail price on the 6.00–16 size closest to $17.11. All provisions of subparagraph (3), including the reporting provision, must be followed. In addition the manufacturer must report to the Office of Price Administration, Washington, D. C., what his maximum price would have been under subdivisions (i), (ii), (iii) or (iv) of this subparagraph (2), on the first sale or delivery of the tires to the purchaser.

* * * * * *

(4) *Other sales under cost-plus contracts*—(i) *Manufacturers.* For any sale or delivery of new passenger-car reclaimed rubber war tires by a manufacturer to a purchaser to whom the manufacturer was selling tires pursuant to a cost-plus contract during March, 1942, the maximum wholesale price shall be a price calculated in accordance with the procedure set forth in subparagraph (3) of this paragraph, as though it were a sale or delivery of private brand tires by a manufacturer to the private brand distributor. This inferior subdivision (i) does not apply to a sale or delivery of private brand tires to the private brand distributor, which is priced under subparagraph (3). When a manufacturer follows the procedure set forth in subparagraph (3) in calculating his maximum price to any purchaser who is not the private brand distributor of the tires involved, any reference in subparagraph (3) to the private brand distributor shall be deemed to be a reference to the particular purchaser involved, and any reference in subparagraph (3) to the brand of tire listed for the distributor in paragraph (b) of § 1315.111 of Revised Price Schedule No. 63 shall be deemed to be a reference to whichever brand of passenger-car tire delivered or offered for delivery during November, 1941, by the manufacturer to the particular purchaser, has a maximum retail price on the 6.00–16 size closest to $17.11. All provisions of subparagraph (3), including the reporting provision, must be followed.

(ii) *Other sellers.* For any sale or delivery of new passenger-car reclaimed rubber war tires by any seller other than a manufacturer to a purchaser to whom the seller was selling tires pursuant to a cost-plus contract during March, 1942, the maximum wholesale price shall be the price determined upon the seller's first sale or delivery of such tires to the particular purchaser, by applying to the seller's net buying price of the particular size of reclaimed rubber war tire, the percentage mark-up applicable to the purchaser. The percentage mark-up to be applied to the seller's net buying price of any size of reclaimed rubber war tire in determining its maximum price to any particular purchaser shall be the difference between the seller's net buying price in November, 1941, of the 6.00–16 size tire of the brand designated in the next sentence, and the highest net price at which such tire was delivered, or if it was not delivered, at which it was offered for delivery, by the seller during November, 1941, to that purchaser, expressed as a percentage of the seller's November, 1941, net buying price. The brand of tire to be used in calculating the percentage mark-up shall be whichever brand of passenger-car tire delivered or offered for delivery during November, 1941, by the seller to the particular purchaser, has a maximum retail price on the 6.00–16 size closest to $17.11 if the seller is pricing a manufacturers' brand under this subdivision or closest to $15.37 if the seller is pricing a private brand under this subdivision. The maximum wholesale price so established shall be the maximum wholesale price for all future deliveries of such reclaimed rubber war tires by the seller to the same purchaser. The seller shall report his maximum prices in accordance with the provisions of subdivision (iv) of subparagraph (3) of this paragraph, except that he need not use Form 243:1 in making his report and he shall show on his report his own net buying prices which he used in making his calculations instead of the factory costs referred to in that subdivision (iv).

* * * * * *

§ 1315.1512 *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§ 1315.1501 (b) (1), (2), (3) and (4), (c) (1) (ii) and (iii), (d) (1) (iii) and (iv), (d) (2) (iii), (iv) and (v), (d) (4) and (5)) to Maximum Price Regulation No. 143 shall become effective January 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-312; Filed, January 6, 1943; 12:22 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 114,[1] Amendment 5]

WOODPULP

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Subparagraph (35) of paragraph (a) of § 1347.229 is amended; paragraphs (b) and (c) of § 1347.230 are revoked, and paragraph (e) thereof, is redesignated paragraph (b) of § 1347.230, and is amended; and subparagraph (3) (i) of paragraph (a) of § 1347.232 is amended, all to read as follows:

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 2843, 3576, 5059, 5564, 8997, 8948.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3664, 5712, 8948, 9690.

§ 1347.229 (a) • • •

(35) "The foreign area" includes all foreign countries except those parts of the Dominion of Canada for which basic transportation allowances are provided by subparagraph (3) of paragraph (a) of § 1347.232.

• • • • •

§ 1347.230 • • •

(b) An exception to the Lend-Lease provisions of this Maximum Price Regulation No. 114 may be granted by the Administrator either upon petition or upon his own motion, in any case in which a statement is received from the War Production Board to the effect that such exception is necessary in order to compensate a producer for the extra cost, if any, of special packaging or other special treatment, required for the shipment of such woodpulp to a foreign country.

§ 1347.232 (a) • • •

(3) *Basic transportation allowances per short air dry ton.* (i) The maximum delivered price established hereinabove may be exceeded, as provided in subdivision (ii) below, where the actual freight charges involved in the shipment of the woodpulp exceeds the appropriate basic transportation allowance as follows:

Area of production of domestic woodpulp	Applying to domestic producers of wet woodpulp (§ 1347.229 (a) (29))		Applying to domestic producers of dry woodpulp (§ 1347.229 (a) (30))
	Below 50% air dry wt.	50%–80% air dry wt.	Above 80% air dry wt.
Northeast (§ 1347.229 (a) (31))	$13.50	$11.50	$8.50
Lake Central (§ 1347.229 (a) (32))	13.50	11.50	8.50
Southern (§ 1347.229 (a) (33))	16.00	14.00	11.00
West Coast (§ 1347.229 (a) (34)) (applying only to woodpulp sold outside this area)	16.50	15.50	13.50
West Coast (§ 1347.229 (a) (34)) (applying only to woodpulp sold in this area)	10.50	9.50	7.50

Area of production of foreign woodpulp	Applying to foreign producers of woodpulp		
	Below 50% air dry wt.	50%–80% air dry wt.	Above 80% air dry wt.
Canada, east of the Continental Divide	$14.50	$12.50	$9.50
Canada, west of the Continental Divide (applying only to woodpulp sold east of the Continental Divide)	16.50	15.50	13.50
Canada, west of the Continental Divide (applying only to woodpulp sold west of the Continental Divide)	10.50	9.50	7.50
Other foreign areas			

• • • • •

§ 1347.231a *Effective dates of amendments.* • • •

(e) Amendment No. 5 (§§ 1347.229, 1347.230, 1347.232 (3) (a)) to Maximum Price Regulation No. 114 shall become effective January 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-313; Filed, January 6, 1943; 12:21 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 268,[1] Amendment 1]

SALES OF CERTAIN PERISHABLE FOOD COMMODITIES AT RETAIL

A statement of the considerations involved in the issuance of this Amendment No. 1 to Maximum Price Regulation No. 268 has been issued and filed with the Division of the Federal Register.*

Subdivisions (ii) and (iii) of § 1351.1103 (a) (2) are amended; new § 1351.1103a is added; the head-note and paragraph (a) of § 1351.1110 are amended; § 1351.1113 is amended; new § 1351.1115a is added; the table in paragraph (a) of § 1351.1116 is amended; subparagraph (3) of § 1351.1116 (c) is amended and new subparagraphs (4) (5) (6) and (7) are added; all to read as set forth below:

§ 1351.1103 *How a retailer calculates his maximum prices for the food commodities listed in Appendix A.* (a) • • •

(2) The retailer will then find his net cost of the item he is pricing.

• • • • •

(ii) Where the item being priced is purchased by the retailer from other than an intermediate seller such as, but not limited to, a grower, primary seller, country shipper, processor, packer or the like, "net cost" in this regulation, except as otherwise provided in § 1351.1103a, means the amount paid by the retailer for the unit of purchase of his "largest single purchase" delivered at his customary receiving point, less all discounts allowed him except the discount for prompt payment; however, no charge or cost for local trucking or local unloading shall be included.

(iii) Where the item being priced is purchased by the retailer from an intermediate seller such as, but not limited to, wholesalers, carlot receivers, branch warehouses or jobbers, but not another retailer, "net cost" in this regulation, except as otherwise provided in § 1351.1103a, means the amount paid by the retailer for the unit of purchase of his "largest single purchase" as shown on the intermediate seller's invoice (sales ticket, cash receipt, or other written evidence of sale), less all discounts allowed to the retailer except the discount for prompt payment. When transportation charges, other than local trucking, are paid by the retailer and are not shown on the intermediate seller's invoice, they may be added to the invoice in calculating "net cost".

• • • • •

§ 1351.1103a *How certain retailers calculate "net cost" in special cases.*—(a) *Fresh bananas purchased from importer at port of entry or at auction.* (1) If a retailer purchases fresh bananas from an importer f. o. b. port of entry, his "net cost" shall be calculated by adding $1.00 to the importer's maximum price per hundredweight f. o. b. port of entry (as established by Maximum Price Regulation No. 285[2]) plus the actual cost of transportation at lowest available common carrier rates to his customary receiving point, which transportation charges shall include freight, icing, heating and messenger service; however, no charge or cost for local trucking or local unloading shall be included. The sum of this computation shall be the retailer's "net cost" and shall be multiplied by the applicable figure in Appendix A. The product of this multiplication shall then be divided by 100. The resulting figure shall be the retailer's maximum price per pound, which is the unit of sale designated in Appendix A.

(2) If a retailer purchases fresh bananas at the auction markets at New York, Philadelphia or Baltimore, his "net cost" shall be calculated by adding $1.00 to the importer's maximum price per hundredweight f. o. b. port of entry (as established by Maximum Price Regulation No. 285) plus the actual cost of transportation at lowest available common carrier rates of the fresh bananas from the port of entry to the auction market, which transportation charges shall include freight, icing, heating and messenger service; however, no charge or cost for local trucking, local unloading or ferry service shall be included. The sum of this computation shall be the retailer's "net cost" and shall be multiplied by the applicable figure in Appendix A. The product of this multiplication shall then be divided by 100. The resulting figure shall be the retailer's maximum price per pound, which is the unit of sale designated in Appendix A.

(b) *Cheese—Limitation on transportation costs.* When a retailer determines "net cost" for cheddar cheese or processed cheddar cheese purchased f. o. b. seller's shipping point, transportation charges shall not exceed the lowest published railroad carlot freight rate per pound of gross weight from Plymouth, Wisconsin, to the retailer's customary receiving point multiplied by 1.15.

§ 1351.1110 *Relationship between this Maximum Price Regulation No. 268 and the General Maximum Price Regulation.*[3] (a) This Maximum Price Regulation No. 268 supersedes the provisions of Maximum Price Regulation No. 280 (Maximum Prices for Specific Food Products), and of the General Maximum Price Regulation, except as otherwise provided in paragraph (b) of this § 1351.1110, insofar as sales by retailers of food commodities covered by this Maximum Price Regulation No. 268 are concerned.

• • • • •

§ 1351.1113 *Definitions.* Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1351.1014 of Maximum Price Regulation No. 271[4] (potatoes and onions), §§ 1429.17, 1429.19 and 1429.21 of Revised Maximum Price Regulation No. 269[5] (poultry), § 1351.1264 of Maximum Price Regulation No. 285[6] (imported fresh bananas) and § 1351.1519 (f) of Maximum Price Regulation No. 289[7] (dairy products), shall apply to terms used herein wherever applicable.

§ 1351.1115a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1351.1103 (a) (2) (ii), 1351.1103 (a) (2) (iii), 1351.1103a, 1351.1110 (a), 1351.1113, 1351.1115a, 1351.1116 (a), 1351.1116 (c) (3), (4), (5), (6) and (7)) to Maximum Price Regulation No. 268 shall become effective on January 14, 1943.

§ 1351.1116 *Appendix A: Figures to be used by retailers in determining maximum prices under § 1351.1103 of this regulation.* (a) • • •

Food commodity[1]	Day of the week on which retailer must calculate maximum prices	Figures to be multiplied by net cost of item in determining maximum prices under this regulation					
		Independent retailer with annual volume—			Class 4 chain retailer with annual volume under $250,000	Class 5 any retailer (chain or independent) with annual volume of $250,000 or more	Unit of sale for which base maximum selling price must be calculated
		Class 1 under $20,000	Class 2 $20,000 but less than $50,000	Class 3 $50,000 but less than $250,000			
							Pounds
1. White potatoes	Thursday	1.33	1.33	1.30	1.30	1.28	5
2. Dry onions	Thursday	1.50	1.50	1.50	1.39	1.35	3
3. All poultry bought dressed and sold dressed or bought drawn and sold drawn (boxed and other pack)	Thursday	1.20	1.20	1.20	1.18	1.18	1
4. All poultry bought live and sold live	Thursday	1.21	1.21	1.21	1.19	1.19	1
5. All poultry bought live and sold on a dressed weight basis (multiply *live* cost per lb. by applicable figure in table. This establishes selling price per *dressed* weight lb.)	Thursday	1.38	1.38	1.38	1.36	1.36	1
6. Quick-frozen poultry bought and sold eviscerated	Thursday	1.25	1.25	1.25	1.25	1.25	1
7. Fresh bananas bought on the stem	Thursday	1.43	1.43	1.43	1.34	1.34	1
8. Fresh bananas bought in hands	Thursday	1.34	1.34	1.34	1.25	1.25	1
9. Cheese	Thursday	1.27	1.27	1.27	1.24	1.22	1 lb. or 1 package
10. Butter	Thursday	1.10	1.10	1.10	1.08	1.08	1
11. Fresh citrus fruit	Thursday	1.39	1.39	1.39	1.36	1.36	5 lbs. or 1 dozen[2]

[1] Separate price must be computed for each grade, kind and variety. The retailer's supplier must show the grade, kind and variety on the invoices.

[2] The unit of sale for fresh citrus fruit shall be 5 lbs. or 1 dozen, except that for grapefruit it shall be 1 lb. or 1 grapefruit.

• • • • •

(c) *Definitions.* (1) "Potatoes" means all white potatoes used for human consumption not including seed potatoes.

(2) "Onions" means all dry onions used for human consumption produced in the calendar year 1942.

(3) "Poultry" means all live, dressed, Kosher-killed, drawn, and eviscerated broilers, fryers, roasters — light and heavy, fowl—light, medium and heavy, capons—light and heavy, stags—light and heavy, old roosters—light and heavy, ducks—light and heavy, geese, guineas, squabs, pigeons, young turkeys—light, medium and heavy, old turkeys—light, medium and heavy, and all other forms of poultry sold for human consumption, excluding such day-old or started birds as are sold for development to marketable size or such birds as are sold for breeding purposes. Poultry sold by the retailer drawn or eviscerated must be sold on a dressed weight basis applying the margin for items 3 or 5 above depending on whether the poultry was purchased live or dressed. No extra charge may be added for drawing or eviscerating. No price may be quoted for poultry on a drawn or eviscerated basis except where poultry is purchased by the retailer quick-frozen or eviscerated or drawn.

(4) "Fresh bananas" means the imported fruit of the banana tree. Bananas from different countries of origin such as, but not limited to Costa Rica, Honduras, Guatemala and Mexico, shall be considered different "kinds" of bananas.

(5) "Cheese" means all varieties and kinds of natural and processed cheese, bulk or packaged, including cottage cheese and cheese products the ingredients of which are composed of more than 50% cheese by weight.

(6) "Butter" means all packaged and bulk butter. "Packaged butter" means butter received by a retailer, at his customary receiving point, packaged in paper cartons or other material in units of uniform weight which units are sold directly to the consumer. "Bulk butter" means butter sold to the consumer in amounts ladled out of tubs or other large containers.

(7) "Fresh citrus fruit" means all fresh citrus fruits including but not limited to oranges, lemons, limes, grapefruit and tangerines. Maximum prices shall be calculated for each variety, each size, and for fruit from different areas. Varieties shall be oranges, lemons, limes, temple oranges, tangerines, white seeded and pink seeded grapefruit, white and pink seedless grapefruit and ruby red grapefruit. Different areas are California, Arizona, Texas, Florida—Indian River section and all other sections of Florida.

(Pub. Laws 421, 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 6th day of January 1943.

LEON HENDERSON,
Administrator.

Price actions with respect to any agricultural commodity within the meaning of that term as used in section 3 of the Emergency Price Control Act of 1942 and section 3 of the Act of October 2, 1942, Public Law 729, 77th Congress, contained in this regulation are hereby approved by the Secretary of Agriculture.

GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 43-314; Filed, January 6, 1943; 12:23 p. m.]

PART 1389—APPAREL

[Correction to MPR 287[1]]

MANUFACTURERS' PRICES FOR WOMEN'S, GIRLS' AND CHILDREN'S OUTERWEAR GARMENTS

In § 1389.352 (a) in the second paragraph thereof, the word "seven" which appears in the last sentence of that paragraph is corrected to read "six".

In § 1389.353 the heading is corrected to read *Pricing of garments by manufacturers, except "manufacturing-retailers", "dressmakers" and "custom tailors".* Section 1389.369a is added.

In Rule 3 in § 1389.353 (c) the example is corrected to read as follows:

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9184.

[2] 7 F.R. 10481, 10688.

[1] 7 F.R. 10144, 10337, 10475, 10585, 10786, 10995.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454.

[3] 7 F.R. 9179, 10715.

[4] 7 F.R. 10708, 10864.

[5] 7 F.R. 10481, 10688.

[6] 7 F.R. 10996.

[7] 7 F.R. 10460.

For example, if the manufacturer whose report is illustrated in Appendix B (§ 1389.371) delivered only garments in Category No. 22, shown in that Pricing Chart during March 1942, his maximum allowable margin for garments in a new category number shall be 28.8%. This is calculated by adding 22%, 27%, 20%, and 46% and then dividing the sum, 115% by 4, thus giving him the maximum allowable margins for the garments of new category numbers of 28.8%.

If he desires to make women's coats, Category No. 1, the Table in Appendix E indicates that he would use Group I, and could sell women's coats in a $16.75 selling price line. Thus, his minimum allowable cost in that selling price line would be $11.93. This is calculated by taking a maximum allowable margin of 28.8% on the $16.75 selling price line.

In the second paragraph of Rule 5 in § 1389.353, the date "January 10, 1943" is corrected to read "January 11, 1943".

In the first sentence of paragraph (a) of § 1389.372 and in the first sentence of paragraph (b) of § 1389.372 the phrase "§ 1389.353 (b) (4)" is corrected to read "§ 1389.353 (b) (3)".

In the third sentence of subdivision (ii) of § 1389.373 (a) (8) the word "or" is corrected to read "on".

In the second sentence of the first paragraph of § 1389.356, the word "appropriate" is substituted for "nearest".

§ 1389.369a *Effective dates of corrections and amendments.* (a) Correction (§§ 1389.352 (a), 1389.353, 1389.356, 1389.369a, 1389.372 (a) and (b), 1389.373 (a) (8) (ii)) to Maximum Price Regulation No. 287 is effective as of December 15, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-315; Filed, January 6, 1943; 12:22 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 183,[1] Amendment 16]

PUERTO RICO

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subparagraphs (11), (12) and (13) of § 1418.1 (a); paragraphs (a), (b), (g), (h), (i), (m), (n), (q), (v) of § 1418.14; and the item "Rolled oats" in paragraph (1), Table XII of § 1418.14 are amended as set forth below. The reference to July 20, 1942 in subparagraph (1) of § 1418.1 (a), the reference to August 20, 1942 in subparagraph (2) of § 1418.1 (a), the reference to November 13, 1942 in subparagraph (7) of § 1418.1 (a), the reference to November 13, 1942 in subparagraph (8) of § 1418.1 (a) and the reference to November 13, 1942 in subparagraph (9) of § 1418.1 (a) are amended to read January 4, 1943.

§ 1418.1 *Maximum prices.* (a) Maximum prices are established as follows:

* * * * *

(11) On and after November 21, 1942, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver, and no person shall buy corn meal and cheese in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (k), Table XI; (o), Table XV; and no person shall offer, solicit, or attempt to do any of the foregoing. On and after January 4, 1943, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver, and no person shall buy certain cereals, certain packing house products and garlic in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (l), Table XII; (m), Table XIII; (n), Table XIV; and no person shall offer, solicit, or attempt to do any of the foregoing.

(12) On and after December 5, 1942, regardless of any contract, agreement, lease, or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver, and no person shall buy laundry soap or canned Vienna sausage in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (r), Table XVII; (s), Table XVIIII; and no person shall offer, solicit, or attempt to do any of the foregoing. On and after January 4, 1943, regardless of any contract, agreement, lease, or other obligation, or of any price regulation heretofore issued, no person shall buy wheat flour in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (q), Table XVI; and no person shall offer, solicit, or attempt to do any of the foregoing.

(13) On and after December 9, 1942, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver oleomargarine in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (u), Table XIX; and no person shall offer, solicit, or attempt to do any of the foregoing. On and after January 4, 1943, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver certain processed fruits and vegetables in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (v), Table XX; and no person shall offer, solicit, or attempt to do any of the foregoing.

* * * * *

§ 1418.14 *Tables of maximum prices*—(a) *Table I: Maximum prices for rice.* (1) The maximum prices for rice sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers	Sales at wholesale	Sales at retail
	Price per pound	*Price per pound*	*Price per pound*
All grades of imported rice	$.0655	$.07	$.08

For sales of different quantities the maximum price shall be computed proportionately.

(b) *Table II: Maximum prices for pork fat backs.* (1) The maximum prices for pork fat backs sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers	Sales at wholesale	Sales at retail
	Price per cwt.	*Price per cwt.*	*Price per pound*
Pork fat backs, dry salt	$14.00	$15.55	$.18
Pork fat backs, pickled	14.15	15.55	.18

For sales of different quantities the maximum price shall be computed proportionately.

* * * * *

(g) *Table VII: Maximum prices for dried beans.* (1) The maximum price for dried beans sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers	Sales at wholesale	Sales at retail
	Price per pound	*Price per pound*	*Price per pound*
All grades of dried beans except garbanzos	$.0655	$.07	$.08

For sales of different quantities the maximum price shall be computed proportionately.

(h) *Table VIII: Maximum prices for onions.* (1) The maximum price for onions sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers	Sales at wholesale	Sales at retail
	Price per 50-lb. bag	*Price per 50-lb. bag*	*Price per pound*
Onions	$2.30	$2.75	$.07

For sales of different quantities the maximum price shall be computed proportionately.

(i) *Table IX: Maximum prices for butter.* (1) The maximum price for butter sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers	Sales at wholesale	Sales at retail
	Price per pound	*Price per pound*	*Price per pound*
Butter	$0.4945	$0.55	$.60

For sales of different quantities the maximum price shall be computed proportionately.

* * * * *

(l) *Table XII: Maximum prices for certain cereals.* (1) The maximum prices for certain cereals sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers	Sales at wholesale	Sales at retail
	Price per case 96-20 oz.	*Price per case 96-20 oz.*	*Price per 20-oz. package*
Rolled oats	$2.89	$3.22	$0.11
	Price per case 48-20 oz.	*Price per case 48-20 oz.*	*Price per 20 oz. package*
	$1.96	$2.20	$0.11

* * * * *

(m) *Table XIII: Maximum prices for certain packing house products.* (1) The maximum prices for certain packing house products sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers	Sales at wholesale	Sales at retail
	Price per 100 lb.	*Price per 100 lb.*	*Price per pound*
Lard pork fat rendered	$15.45	$16.70	$0.19
Pure refined lard in tierces	16.05	17.30	.20
Pure refined lard in cases 50	16.00	17.25	.20
Pure refined lard in 34 to 37 tins	16.50	17.75	.20
Pork pickled heads and butts	15.15	16.15	.19
Pork spare ribs, cured	21.25	23.25	.27
Pork snouts, cured	11.85	12.85	.16
Smoked picnic hams	30.90	33.90	.41
Beef pickled or jerked	23.35	24.25	.29
	Price per pound	*Price per pound*	*Price per pound*
Lard refined, hydrogenated fruits	$.1685	$.181	$.22

For sales of different quantities the maximum price shall be computed proportionately.

(n) *Table XIV: Maximum prices for garlic.* (1) The maximum prices for garlic sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers	Sales at wholesale	Sales at retail
	Price per 50-lb. bag	*Price per 50-lb. bag*	*Price per pound*
Garlic	$3.53	$3.70	$.09

For sales of different quantities the maximum price shall be computed proportionately. These maximum prices are not applicable to garlic sold on strings.

* * * * *

(q) *Table XVI: Maximum prices for wheat flour.* (1) The maximum prices for wheat flour sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers	Sales at wholesale	Sales at retail
	Price per bale 4 24/7 1/2-lb. bags	*Price per bale 4 24/7 1/2-lb. bags*	*Price per pound*
Grade A	$4.15	$4.65	$.06
	Price per bale 2 49-lb. bags	*Price per bale 2 49-lb. bags*	
Grade A	$4.00	$4.65	.06
	Price per 98-lb. bag	*Price per 98-lb. bag*	
Grade A	$3.85	$4.65	.06
	Price per bale 4 24/7 1/2-lb. bags	*Price per bale 4 24/7 1/2-lb. bags*	
Grade C	$4.15	$4.65	.06
	Price per bale 2 49-lb. bags	*Price per bale 2 49-lb. bags*	
Grade C	$4.00	$4.65	.06
	Price per 98-lb. bag	*Price per 98-lb. bag*	
Grade C	$4.00	$4.65	.06

	Sales to wholesalers of industrial users	Sales by wholesalers
	Price per 20-lb. bag	*Price per 20-lb. bag*
Enriched hard wheat 14% minimum protein	$7.85	$8.35
Enriched hard wheat 12% minimum protein	7.75	8.25
Enriched hard wheat clear 14 1/2% minimum protein	7.15	7.65
Enriched hard wheat clear 12 1/2% protein	7.05	7.55
Grade A	7.85	8.35

For sales of different quantities the maximum price shall be computed proportionately.

* * * * *

(v) *Table XX: Maximum prices for certain processed vegetables and fruits.* (1) The maximum prices for certain processed vegetables and fruits sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers	Sales at wholesale	Sales at retail
	Case 24 No. 2 cans	*Case 24 No. 2 cans*	*Price per No. 2 can*
Carrots	$2.25	$2.64	$0.14
Corn			
Creamed style, Golden C	2.65	3.05	.16
Whole kernel extra standard	2.95	3.35	.17
Whole kernel fancy	3.10	3.50	.18
Peas			
B	3.10	3.50	.18
C	2.95	3.40	.18
Tomatoes	2.60	2.95	.16
	Case 48 10½ oz. cans	*Case 48 10½ oz. cans*	*Price per 10½ oz. cans*
Tomato soup	$2.65	$3.00	$0.08
Vegetable soup	2.65	3.00	.08
	Case 72 8 oz. cans	*Case 72 8 oz. cans*	*Price per 8 oz. can*
Tomato sauce	$3.50	$3.90	$0.07

For sales of different quantities the maximum price shall be computed proportionately. The references to soup do not include "new-formula condensed soups" which are covered by Maximum Price Regulation No. 181.[2]

* * * * *

§ 1418.13a *Effective dates of amendments.* * * *

(p) Amendment No. 16 (§§ 1418.1 (11), (12), (13); 1418.14 (a), (b), (g), (h), (i), (l), (m), (n), (q), (v)) to Maximum Price Regulation No. 183 shall become effective January 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-316; Filed, January 6, 1943; 12:22 p. m.]

PART 1421—IRON AND STEEL FOUNDRY PRODUCTS

[MPR 241, Amendment 2]

MALLEABLE IRON CASTINGS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new paragraph (d) is added to § 1421.116, a new paragraph (b) is added to § 1421.115a, paragraph (b) of § 1421.110 is amended, all as set forth below:

§ 1421.110 *Records and reports.* * * *

(b) Each person making a sale of malleable iron castings on or after October 21, 1942, shall keep for inspection by the Office of Price Administration for so long a period as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each such sale, showing (1) the date thereof, (2) the name and address of the buyer and seller, (3) the list price or prices, if any, on the date of sale, (4) net price or prices after adjustment for discounts or other allowances, and (5) where the sale is made pursuant to a contract or agreement entered into on or after October 21, 1942, and the total selling price exceeds fifty dollars, records substantiating the maximum prices if the castings are priced under paragraph (a) or (d) of Appendix A (§ 1421.116) or summary of the calculations made in computing the maximum prices if the castings are priced under paragraph (b) of Appendix A. The date specified in (1), (2), (3) and (4) of this paragraph (b) shall be kept for inspection by the Office of Price Administration for the

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5560, 5775, 8948, 10470.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5620, 6744, 8659, 7454, 7843, 7945, 8558, 8833, 8946, 9341, 9731, 9975, 10225, 10559, 10812.

same period by each person making a purchase of malleable iron castings in the course of trade or business.

* * * * *

§ 1421.116 *Appendix A: Maximum prices for malleable iron castings.* * * *

(d) *Maximum prices in lieu of those set forth in paragraph (b) for malleable iron castings which are not substantially the same as those which the seller contracted or agreed to sell between October 1 and October 15, 1941, inclusive, or as those for which prices were quoted in the seller's published price lists during such period.* Notwithstanding the provisions of paragraph (b) of this § 1421.116, where the seller contracted or agreed to sell a casting at any time before October 1, 1941 which is the same or substantially the same as the casting for which a maximum price is sought, and if such casting cannot be priced under paragraph (a) of this § 1421.116, he may if he so chooses, in lieu of determining the maximum price of such casting under paragraph (b) of this section, use as his maximum price for such casting the price at which he last contracted or agreed to sell the same or substantially the same casting before October 1, 1941, after adjusting such price in accordance with the applicable customary charges, discounts, quantity differentials and allowances in effect for him between October 1, 1941 and October 15, 1941 in sales to a purchaser of the same class.

§ 1421.115a *Effective date of amendments.* * * *

(b) Amendment No. 2 (§ 1421.110 (b), § 1421.116 (d), § 1421.115a (b)) to Maximum Price Regulation 241 shall be effective as of October 21, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-317; Filed, January 6, 1943; 12:21 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 150 Under § 1499.18 (b) of GMPR]

ROYLE MAID PRODUCTS

Order No. 150 under § 1499.18 (b) of the General Maximum Price Regulation—Docket Number GF3-1190.

Herman Hessler doing business as Royle Maid Products, Philadelphia, Pennsylvania, made application on August 4, 1942, pursuant to § 1499.18 (b) of the General Maximum Price Regulation for an authorization to adjust his maximum price on sales of a peanut butter sandwich packed 24 packages per box. This petition was denied by letter November 16, 1942. For reasons set forth in support of this order issued simultaneously herewith and filed with the Division of the Federal Register,* and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, and in accordance with § 1499.18 (b) of the General Maximum Price Regulation, *It is hereby ordered:*

§ 1499.1411 *Adjustment of the maximum price for sales of peanut butter sandwiches by Royle Maid Products.* (a) Royle Maid Products, 3605 North Smedley Street, Philadelphia, Pennsylvania, may sell and deliver to Union News Co. and Union News Co. may buy and receive from Royle Maid Products peanut butter sandwiches at a price not to exceed 66 cents per box of 24 packages.

(b) The adjustment granted to Royle Maid Products in paragraph (a) is subject to the condition that they shall forthwith by circular or other appropriate means notify Union News Co. in writing, that the Office of Price Administration has authorized an adjustment as set forth herein and that said notice shall read substantially as follows:

The Office of Price Administration has permitted us to raise our maximum price for sales to you of peanut butter sandwiches 24 packages in a box from 60 cents per box to 66 cents per box. Your maximum price to the ultimate consumer, as per your affidavit, will remain at your March ceiling price of 5 cents per package.

(c) This Order No. 150 (§ 1499.1411) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(d) This Order No. 150 (§ 1499.1411) may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 150 (§ 1499.1411) shall become effective January 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-320; Filed, January 6, 1943; 12:21 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 151 Under § 1499.18 (b) of GMPR]

PUTNAM KNITTING CO.

Order No. 151 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-2586.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* *It is ordered:*

§ 1499.1412 *Adjustment of the maximum price for the sale of wash cloths by Putnam Knitting Company.* (a) Putnam Knitting Company, Cohoes, New York, may sell and deliver, and any person may buy and receive from Putnam Knitting Company, the wash cloth described below at prices no higher than those set forth below:

Description	*Cents per dozen*
Knitted wash cloth sold as Woolworth style No. 77	50½

(b) The maximum price set forth in paragraph (a) shall be subject to the same terms and conditions of sale as were granted to purchasers during March, 1942.

(c) Putnam Knitting Company shall cause the following notice to be sent, in writing, to all retailers who purchase the wash cloth described above:

The Office of Price Administration has permitted us to raise our maximum price for knitted wash cloths (Woolworth Style No. 77) from 49 cents per dozen to 50½ cents per dozen. This amount represents only that part of cost increases which we were unable to absorb and it was granted with the understanding that retail prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for knitted wash cloths.

(d) All prayers of the petition not granted herein are denied.

(e) This Order No. 151 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 151 (§ 1499.1412) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 151 (§ 1499.1412) shall become effective January 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-321; Filed, January 6, 1943; 12:19 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 152 Under § 1499.18 (b) of GMPR]

CALIFORNIA VEGETABLE CONCENTRATES, INC.

Order No. 152 under § 1499.18 (b) of the General Maximum Price Regulation—Docket Number GF3-709.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1413 *Adjustment of maximum price of "General Mills Vegetable Admixture No. 2" manufactured by California Vegetable Concentrates, Inc., 216 Architects Building, Los Angeles, California, for sales to General Mills, Inc., Minneapolis, Minnesota.* (a) California Vegetable Concentrates, Inc., of Los Angeles, California, may sell and deliver, and General Mills, Inc., of Minneapolis, Minnesota, may buy and receive from California Vegetable Concentrates, Inc., "General Mills Vegetable Admixture No. 2" at prices no higher than 49.72¢ per pound, f. o. b. Chicago, Illinois.

(b) California Vegetable Concentrates, Inc. shall not change its customary allowances, discounts or other price differentials unless such change shall result in a lower selling price.

(c) California Vegetable Concentrates, Inc., before or at the time of making the initial sale of "General Mills Vegetable Admixture No. 2" after the effective date of this order, shall notify General Mills, Inc. in writing as follows:

The Office of Price Administration has permitted us to raise our selling price for sales to you of "General Mills Vegetable Admixture No. 2" from 39.26¢ to 49.72¢ per pound. This amount represents only that part of cost increases which we are unable to absorb, and it was granted with the understanding that the increase would be absorbed by you and that it would *not* be passed on in whole or in part to your customers. O.P.A. requires that you keep this notice for examination.

(d) All prayers of the application not granted herein are denied.

(e) This Order No. 152 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 152 (§ 1499.1413) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 152 (§ 1499.1413) shall become effective January 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-322; Filed, January 6, 1943; 12:17 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 8 of Supp. Reg. 15 to GMPR]

PHILADELPHIA FREIGHT FORWARDING CO.

Order No. 8 Under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation—Docket No. GF3-1297.

For the reasons set forth in an opinion issued simultaneously herewith: *It is ordered:*

§ 1499.1308 *Adjustment of maximum prices for contract carrier services by Willard M. Whitney, d/b/a Philadelphia Freight Forwarding Co.* (a) Willard M. Whitney, d/b/a Philadelphia Freight Forwarding Co., of Philadelphia, Pennsylvania, hereinafter referred to as applicant, may charge as maximum rates the amounts set out in that schedule of minimum rates and charges filed with the Interstate Commerce Commission under the provisions of section 218 (a) of the Interstate Commerce Act, denoted as N.F.-I.C.C. No. 17, effective August 24, 1942 for applicant's services as a contract carrier by motor vehicle as described in said schedule. Applicant is further authorized to charge as maximum rates for applicant's services as a contract carrier by motor vehicle the following charges:

All rates in cents per hundred pounds. Truck load minimum weight 20,000 pounds

PLUMBING GOODS AND SUPPLIES INCLUDING BATH TUBS, LAVATORIES, SINKS, URINALS, DRAIN BOARDS, WATER CLOSETS, BOWLS AND TANKS, LAUNDRY TUBS, LEGS, BRACKETS AND FITTINGS

From—	To—	Less truck load	Truck load
Ford City, Pa.., Monaca, Pa....	New York City, N. Y.	70	45
	New York City, N. Y.	70	45
	Asbury Park, N. J.	70	45
	Atlantic City, N. J.	70	45
	Bergen, N. J.	70	45
	Bloomfield, N. J.	70	45
	Bayonne, N. J.	70	45
	Boonton, N. J.	70	45
	Camden, N. J.	70	45
	East Orange, N. J.	70	45
	Edgewater, N. J.	70	45
	Elizabeth, N. J.	70	45
	Englewood, N. J.	70	45
	Gloucester, N. J.	70	45
	Hackensack, N. J.	70	45
	Hackettstown, N. J.	70	45
	Harrison, N. J.	70	45
	Hoboken, N. J.	70	45
	Irvington, N. J.	70	45
	Jersey City, N. J.	70	45
	Kearney, N. J.	70	45
	Linden, N. J.	70	45
	Montclair, N. J.	70	45
	Morristown, N. J.	70	45
	Newark, N. J.	70	45
	New Brunswick, N. J.	70	45
	Ocean City, N. J.	70	45
	Orange, N. J.	70	45
	Paterson, N. J.	70	45
	Plainfield, N. J.	70	45
	Pompton Lake, N. J.	70	45
	Princeton, N. J.	70	45
	Rahway, N. J.	70	45
	Red Bank, N. J.	70	45
	Ridgefield, N. J.	70	45
	Ridgewood, N. J.	70	45
	Roselle, N. J.	70	45
	Rutherford, N. J.	70	45
	Secaucus, N. J.	70	45
	South Orange, N. J.	70	45
	Trenton, N. J.	70	45
	Union, N. J.	70	45
	Union City, N. J.	70	45
	West Orange, N. J.	70	45
	West New York, N. J.	70	45

BATTERIES

From—	To—	Less truck load	Truck load
Philadelphia, Pa.	New Jersey points	35	22
	Albany, N. Y.	59	34
	Troy, N. Y.	59	34
	Schenectady, N. Y.	59	34

PAPER AND PAPER PRODUCTS

From—	To—	Truck load
Albany, N. Y.	Philadelphia, Pa.	31

LINOLEUM FLOOR COVERING

From—	To—	Less truck load	Truck load
Wilmington, Del.	Albany, N. Y.	59	37
	Pittsburgh, Pa.	59	41
	Scranton, Pa.	48	31

(b) All requests of the application not granted herein are denied.

(c) This Order No. 8 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 8 (§ 1499.1308) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 8 (§ 1499.1308) shall become effective January 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-318; Filed, January 6, 1943; 12:17 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 9 of Supp. Reg. 15 to GMPR]

IRA M. WATTS AND A. W. MCPHERSON

Order No. 9 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation—Docket Nos. GF3-2945—GF3-2946.

For the reasons set forth in an opinion issued simultaneously herewith: *It is ordered:*

§ 1499.1309 *Adjustment of maximum prices for contract carrier services of Ira M. Watts and A. W. McPherson.* (a) Ira M. Watts, Wentworth, Missouri, and A. W. McPherson, Joplin, Missouri, hereinafter referred to as applicants may sell and deliver and the Eagle-Picher Mining and Smelting Company, 430 Pearl Avenue, Joplin, Missouri, may pay and receive from said applicants contract carrier services at the following rates:

All rates in cents per ton of 2,000 pounds.

Between—	And—	Rate
Mines, Dumps, Mills and railroad sidings in Cherokee County, Kans., and Ottawa County, Okla., and Lawrence, Jasper, MacDonald, Barry and Newton Counties, in Mo.	Mines, Dumps, Mills and railroad sidings in Cherokee County, Kans., and Ottawa County, Okla., and Lawrence, Jasper, MacDonald, Barry and Newton Counties, in Mo.	1 mile and under ..... 6 2 miles and over 1 mile ..... 8 3 miles and over 2 miles ..... 11 4 miles and over 3 miles ..... 14 5 miles and over 4 miles ..... 17 6 miles and over 5 miles ..... 19 7 miles and over 6 miles ..... 22 8 miles and over 7 miles ..... 25 9 miles and over 8 miles ..... 28 10 miles and over 9 miles ..... 31 11 miles and over 10 miles ..... 34 12 miles and over 11 miles ..... 36 13 miles and over 12 miles ..... 39 14 miles and over 13 miles ..... 42 15 miles and over 14 miles ..... 44 16 miles and over 15 miles ..... 47 17 miles and over 16 miles ..... 50 18 miles and over 17 miles ..... 53 19 miles and over 18 miles ..... 56 20 miles and over 19 miles 58

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*Copies may be obtained from the Office of Price Administration.

Between—	And—	Rate
Mine hopper located at a point near Stark City, Mo., in Newton County, Mo.	Mill located in Newton County, west of Wentworth, Mo., known as The Eagle-Picher Navy Bean.	80
Mine hoppers located near Aurora, Mo., in Lawrence County, Mo.	Mill located in Newton County, west of Wentworth, Mo., known as The Eagle-Picher Navy Bean.	70

(b) All requests of the applications not granted herein are denied.

(c) This Order No. 9 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 9 (§ 1499.1309) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 9 (§ 1499.1309) shall become effective January 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-319; Filed, January 6, 1943; 12:23 p. m.]

Chapter X—Federal Works Administrator

Subchapter A—General Regulations

PART 1201—DISCRIMINATION IN DEFENSE HOUSING OR DEFENSE PUBLIC WORKS

DEFENSE PUBLIC WORKS IN AND NEAR DISTRICT OF COLUMBIA

The regulation providing against discrimination in work on Defense Housing, dated January 6, 1941 (6 F.R. 196), as amended by regulation providing against discrimination in work on Defense Public Works, dated September 11, 1941 (6 F.R. 4737), is hereby amended to read as follows:

§ 1201.1 *Prohibiting discrimination in employment.* There shall be no discrimination by reason of race, creed, color, national origin, or political affiliations in the employment of persons, qualified by training and experience, for work in the development of Defense Public Works at the sites thereof, including such projects in and near the District of Columbia.

(Section 308, Pub. Law 849, 76th Cong., as amended by Pub. Laws 42, 137, 409, and 522, 77th Cong.)

In testimony whereof, I have hereunto set my hand and official seal in the City of Washington this 5th day of January 1943.

[SEAL] PHILIP B. FLEMING,
Major General, U. S. A., Administrator.

[F. R. Doc. 43-341; Filed, January 7, 1943; 10:34 a. m.]

Chapter XIII—Petroleum Administration for War

PART 1545—PETROLEUM SUPPLY

[Interpretation 1 of Petroleum Administrative Order 1, as Amended]

FUEL OIL AND GASOLINE CONSUMING SERVICES

The following official interpretation is hereby issued by the Deputy Petroleum Administrator with respect to § 1545.1, Petroleum Administrative Order No. 1, issued December 21, 1942, as amended: [1]

The categories listed on Schedule B include, without limitation as to other services properly coming within such categories, the following war production and essential civilian services:

(a) *Fuel oil consuming services.* (1) Fire and police stations, post offices, courthouses, schools, hospitals, and prisons.

(2) Public transportation services:

(i) Urban, suburban, and interurban common or contract carriers of passengers or freight, including terminals, and including taxicabs

(ii) Railways, terminals, and related facilities.

(iii) Shipping on inland waterways including locks and terminals and not including dredging.

(iv) Airports and airfields.

(v) Oil pipe lines and pumping stations.

(vi) Maintenance and repair yards or shops used exclusively for the maintenance or repair of the above transportation services.

(3) Public communications services:

(i) Post Offices.

(ii) Radio broadcasting and communication.

(iii) Telephone and telegraph systems.

(4) Water supply and sanitation systems, including water works, pumping stations, and facilities for the maintenance and repair thereof.

(5) Public eating establishments, excluding places of amusement.

(6) Bakeries, dairies, and food preservation and packing plants.

(7) Establishments used principally for residential purposes.

(8) Ice manufacturing plants.

(9) Laundries.

(10) Scientific testing and research laboratories.

(11) Repair yards, to the extent that they are used for the maintenance or repair of transportation equipment.

(12) Industrial plants, to the extent that they are engaged in the production or processing of the following munitions, equipment, or material:

(i) Airplanes, airplane engines, and parts.

(ii) Naval and merchant ships and parts.

(iii) Ordnance items, including guns, ammunition, explosives, combat and military vehicles, radio equipment and parts.

(iv) Copper, brass, tin, lead, magnesium, aluminum and alumina, zinc, manganese, mercury, nickel, cadmium or monel metal.

(v) Abrasives.

(vi) Graphite electrodes.

(vii) Forgings.

(viii) The following machinery and equipment:

Power boilers.
Searchlights
Electrical measuring instruments
Generators.
Transformers, electrical control and switchboard apparatus.
Heat exchangers.
Pressure vessels.
Wire and cable.
Steam engines.
Steam turbines.
Diesel engines.
Gas engines.
Track-laying tractors.
Mining machinery and equipment.
Machine tools.
Machine tool accessories and machinists precision tools.
Pumps and compressors.
Conveyors and conveying equipment.
Industrial cars and trucks.
Industrial blowers, exhaust and ventilating fans.
Mechanical testing equipment.
Ball and roller bearings and parts.
Mechanical power transmission equipment.
Water purification equipment.
Locomotives and railroad cars.
Navigation instruments.
Surgical, medical and dental equipment and supplies.
Optical instruments and lenses.
Construction machinery and equipment.

(ix) Iron ore, pig iron, steel and ferroalloys.

(x) Sulphuric acid.

(xi) Liquid oxygen.

(xii) Rubber.

(xiii) Alcohol.

(13) Public utilities, including the production, generation, transmission, or distribution of electric power, natural gas, or manufactured gas for general use by the public

(b) *Gasoline consuming services.* (1) The operation of vehicles or equipment employed in connection with and essential to the services listed in subparagraphs (1), (2), (3), (4), (6), (8), (9), (10), (11), (12), and (13) of paragraph (a) hereof.

(2) The operation of vehicles employed by an executive, technician, office worker or other employee for necessary travel to, from, within, or between the establishments or facilities listed in subparagraph (12) of paragraph (a) hereof.

(3) Transportation of farm products and necessary supplies between a farm and a wholesale or retail establishment, a public market, a shipping point, or another farm

(4) The operation of vehicles employed by physicians, nurses, and veterinarians for making necessary professional calls.

(5) The operation of vehicles employed by a practicing minister or a religious practitioner of any religious faith who regularly serves a congregation or organized religious faith to the extent necessary to enable him to meet the religious needs of the locality which he regularly serves or to render services of a religious nature.

(6) The operation of commercial vehicles except those engaged in making home deliveries of food, fuel, ice, or medical products

(7) The operation of vehicles employed by engineers, architects, technicians, construction workers, repair and maintenance men or other essential workers who require the use of such vehicles in connection with construction work related to the construction of industrial plants or facilities for the production of the munitions, equipment, or material specified in subparagraph (12) of paragraph (a) hereof, or the construction of naval or military establishments or facilities

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 24th day of December 1942.

RALPH K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 43-344; Filed, January 7, 1943; 10:34 a. m.]

[1] 7 F.R. 10791, 11012; 8 F.R. 28.

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 204—DANGER ZONE REGULATIONS

BOMBING TARGET AREAS IN VICINITY OF AMELIA ISLAND AND PALM VALLEY, FLA.

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), the following regulations are hereby prescribed to govern the use and navigation of the waters of the Atlantic Ocean, in two areas, one about 12 nautical miles off the south end of Amelia Island and the other about 8 nautical miles offshore opposite Palm Valley, Florida, comprising strafing range and bombing target areas for Navy aircraft.

§ 204.81b *Waters of the Atlantic Ocean; U. S. Navy, strafing and anti-submarine bombing target areas in vicinity of Amelia Island and Palm Valley, Florida* [1]—(a) *The danger zones.* Each area is circular with a radius of one nautical mile. The first, to be used as a strafing and anti-submarine bombing target area, will be located with its center at north latitude 30°34′ and west longitude 81°12′; the second, to be used as a bombing target area, will be located with its center at north latitude 30°13′ and west longitude 81°13′. Target raft clusters will be located at the centers of the danger areas and no further marking of the areas is proposed.

(b) *The regulations.* (1) The danger areas are open to navigation except when target practice is being conducted, when no vessel or other craft shall enter or remain within these areas except as provided in subparagraph (4) of this paragraph.

(2) Since aerial target practice will take place in these areas at frequent and irregular intervals throughout the year, regardless of season, advance notice shall be given of the date on which the first of such activities will begin. At intervals of not more than three months thereafter, notice will be sent out that target practice is continuing. Such notices will appear in the local newspapers and in the "Notice to Mariners".

(3) Prior to conduct of each target practice the area will be patrolled by naval aircraft which will warn navigation to leave the area by "zooming" a safe distance to the side. Upon receiving this signal any watercraft within the danger zone shall leave it and no craft shall enter this area until practice has ceased.

(4) These regulations shall not deny access to or egress from harbors contiguous to these danger zones by regular cargo-carrying vessels, nor shall they deny traverse of portions of the danger areas by regular cargo-carrying vessels proceeding on established steamer lanes. In case of the presence of any such vessel in the danger areas, the officer in charge of practice operations shall cause the cessation or postponement of fire until the vessel has cleared the area. The vessel shall proceed on its normal course and shall not delay its progress.

(5) No marking of these areas is proposed. It is considered that the targets erected as described for each area will constitute sufficient marking for identification of the danger zone.

(6) These regulations shall be enforced by the Commandant, United States Naval Air Station, Jacksonville, Florida, and such agencies as he may designate. (Sec. 7, 40 Stat. 266; 33 U.S.C. 1) [Regs. December 29, 1942 (CE 800.2121 (Atlantic Ocean, Fla.)—SPEON)]

[SEAL] J. A. ULIO,
Major General, The Adjutant General.

[F. R. Doc. 43-337; Filed, January 7, 1943; 10:29 a. m.]

[1] Chart filed as part of the original document.

TITLE 35—PANAMA CANAL

Chapter I—Canal Zone Regulations

PART 4—OPERATION AND NAVIGATION OF PANAMA CANAL AND ADJACENT WATERS

DOCUMENTS REQUIRED OF ARRIVING VESSELS

1. Note 3 following § 4.20,[1] as amended, of Title 35, Code of Federal Regulations, is amended to read as follows:

§ 4.20 *Papers required by boarding party, list of.* * * *

NOTE 3: *Crew list to include identification numbers of seamen.* For purposes of additional identification of crew members, all copies of the crew list required by Regulations 12.1 (§ 4.20) and 12.4 (§ 4.20c) should include for each seaman to whom a certificate of identification or a continuous discharge book has been issued as provided by law (46 U.S.C. 643) the serial number of such certificate of identification ("Z" number) or continuous discharge book.

(Rules 9 and 12, E.O. 4314, September 25, 1925 (§§ 4.11 and 4.19 of this chapter)) [Reg. 12.1 (§ 4.20), Governor's Regulations, August 1, 1931, as amended September 9, 1939, December 1, 1939, January 27, 1942, November 20, 1942, December 29, 1942]

2. The note following § 4.20c of Title 35, Code of Federal Regulations is amended to read as follows:

§ 4.20c *Advance passenger and crew lists by air mail.* * * *

NOTE: *Crew lists to include identification numbers of seamen.* For purposes of additional identification of crew members, all copies of the crew list required by Regulations 12.1 (§ 4.20) and 12.4 (§ 4.20c) should include for each seaman to whom a certificate of identification or a continuous discharge book has been issued as provided by law (46 U.S.C. 643) the serial number of such certificate of identification ("Z" number) or continuous discharge book.

(Rules 9 and 12, E.O. 4314, September 25, 1925 (§§ 4.11 and 4.19 of this chapter)) [Reg. 12.4 (§ 4.20c), Governor's Regulations, August 1, 1931, as added January 27, 1942, and amended November 20, 1942, December 29, 1942]

GLEN E. EDGERTON,
Governor.

[F. R. Doc. 43-330; Filed, January 6, 1943; 2:52 p. m.]

[1] 7 F.R. 729, 10032.

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order 12, Supp. 12 (Adding a New Part V)[1]]

PART 306—GENERAL AGENTS AND AGENTS

TERMS OF COMPENSATION PAYABLE TO GENERAL AGENTS CONDUCTING BUSINESS OF TUGS AND BARGES

§ 306.50 *Vessels included.* This Part V [1] of General Order No. 12 (§§ 306.50 to 306.60 inclusive) is applicable to services rendered in connection with the tugs and barges allocated to General Agents under the standard form of service agreement GAA—Special 8-1-42 (Barge Service).

§ 306.51 *Effective period.* The compensation provided in this Part V (§§ 306.50 to 306.60 inclusive) shall become effective as of the dates of delivery of the vessels to a General Agent under his service agreement.

§ 306.52 *General Agents defined.* A General Agent is one who has entered into a standard form of service agreement GAA—Special 8-1-42 (Barge Service) with the Administration, and to whom tugs and barges have been delivered.

§ 306.53 *Sub-Agent defined.* A Sub-Agent is one who is appointed by a General Agent pursuant to Article 6 of the standard form of service agreement GAA—Special 8-1-42 (Barge Service).

§ 306.54 *Other definitions.* The definitions contained in Paragraph 6 of General Order No. 12, Part I and supplements thereto (§ 306.6 as amended) shall apply to this Part V of General Order No. 12 (§§ 306.50 to 306.60 inclusive).

§ 306.55 *Compensation of Agents in continental United States ports.* The General Agent, when he performs any of the following services in continental United States ports, shall be compensated in accordance with the following scale, out of which he shall pay his Sub-Agents:

(a) 2½¢ per handled ton for all Army and Navy cargo outward or homeward where the cargo is handled by the Army or Navy and the Agent is not required to check the details of cargo handled. Where the full use of the barges is let to the Army or Navy on a lump sum basis, the Agent shall receive 2½¢ per ton on the deadweight capacity of the barge.

(b) 10¢ per handled ton outward and homeward on bulk cargo or cargoes. 3½¢ per handled ton on bulk cargo loaded and discharged (both operations) coastwise, including coal.

(c) 25¢ per handled ton for all other cargo outward and 15¢ per handled ton for all other cargo homeward, not falling within clauses (a) and (b) above.

The foregoing scale of compensation is subject to the following special conditions: (1) Where the compensation provided above for loading or discharging is less than $50.00, the General Agent

[1] The designation Part V does not refer to the Code of Federal Regulations.

will be compensated in the amount of $50.00; (2) Compensation for services rendered where tug with tow is required to enter a port for purposes other than loading or discharging cargo, such as for orders, shall not exceed $25.00 for all services in connection with entrance and clearance and other usual port services of a like nature.

§ 306.56 *Compensation of Sub-Agents in foreign ports.* As compensation for services rendered outside of continental United States, the General Agent may pay to his foreign Sub-Agents whose services are utilized in this connection the prevailing commercial rates, but in no event in excess of the following:

(a) Into Cuban ports, agency fee of $100.00 for a tug and its tow.

(b) Out of Cuban ports with cargo, $150.00, covering tug with tow.

(c) For handling entrance or clearance of tug without tow, maximum fee of $25.00 for either service, entering or clearing.

§ 306.57 *Compensation of General Agents.* In addition to any agency fees, to which the General Agent is entitled pursuant to § 306.55, the General Agent shall be paid as follows:

(a) *Basic scale.* For each calendar month or prorata thereof (part days count as whole days), beginning with the day and month in which the first tug or barge subject hereto was delivered to the General Agent and ending with the calendar month or prorata thereof in which the last vessel subject hereto is redelivered by the General Agent, the basic compensation, computed on the basis of the number of tugs and barges handled during each month, shall be calculated in accordance with the following scale:

Tugs. First tug assigned, $700.00 per month. All additional tugs, $350.00 per month per tug

Barges. First barge, $350.00 per month. Next 4 barges, $250.00 per month per barge. Next 5 barges, $150.00 per month per barge. Each barge in excess of 10 barges, $100.00 per month per barge.

(b) *Adjustment when tugs or barges are idle.* The Administrator reserves the right to reduce the compensation to the extent that any tug or barge is idle at any port for cause for which the General Agent is responsible, at the highest rate applicable hereunder.

§ 306.58 *Reimbursement for agency fees.* Fees paid by General Agents to Sub-Agents, as provided in § 306.56, shall be included in the accounts of the General Agent as an expense of operation, and shall be reimburseable under Article 7 of the service agreement.

§ 306.59 *General provisions.* The Administrator reserves the right to adjust the compensation provided herein from time to time as he may deem appropriate, and to exempt specific operations from the scope of this order.

§ 306.60 *Accounting.* Beginning with December 31, 1942, all General Agents will render quarterly income statements 25 days after the end of the period, and for each calendar year not later than February 28 of the following year, covering results of all operations as General Agents under GAA agreements, in accordance with United States Maritime Commission General Order No. 22, issued February 8, 1938, and regulations as issued by the Assistant Deputy Administrator for Fiscal Affairs. Income statements shall reflect all compensation received by the General Agent with appropriate general administrative expenses and sub-agency fees disbursed by him, allocated against such income so as to reflect clearly the profit or loss made by the General Agent under the agreement.

(E.O. 9040, 7 F.R. 837)

[SEAL] E. S. LAND, *Administrator.*

JANUARY 6, 1943.

[F. R. Doc. 43-340; Filed, January 7, 1943; 10:13 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 2—GENERAL RULES AND REGULATIONS

STATION IDENTIFICATION

The Commission on January 5, 1943, effective immediately, adopted the following new section:

§ 2.65 *Station identification.* When not required to identify itself by some other provision or provisions of the Rules and Regulations, every radio station shall identify itself by its regularly designated call letters as follows:

(a) Every station operating in the broadcast service shall transmit its call letters at the beginning and end of each period of operation, and, during operation, at least once every hour.

(b) Every station used for other than broadcast service shall transmit its call letters at the end of each transmission, and at least once every fifteen minutes during an exchange of communications. (Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i))

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 43-348; Filed, January 7, 1943; 10:59 a. m.]

PART 4—RULES GOVERNING BROADCAST SERVICES OTHER THAN STANDARD BROADCAST

STATION IDENTIFICATION

The Commission on January 5, 1943, effective immediately, adopted the following new sections:

§ 4.27 *Station identification.* Each relay broadcast station shall announce its call letters at the beginning and end of each period of operation, and during operation, at least once every hour it either shall announce its call letters or shall make an announcement which will permit it to be identified.

§ 4.38 *Station identification.* Each ST broadcast station shall announce its call letters at the beginning and end of each period of operation, and during operation, at least once every hour it either shall announce its call letters or shall make an announcement which will permit it to be identified. (Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i))

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 43-349; Filed, January 7, 1943; 10:59 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[General Order ODT 33]

PART 500—CONSERVATION OF RAIL EQUIPMENT

SUBPART E—PASSENGER TRAIN OPERATIONS RESTRICTED IN PUERTO RICO

Pursuant to Executive Orders Nos. 8989 and 9214, and in order to make available railway cars, motive power and other transportation facilities and equipment for the preferential transportation of troops and material of war; to prevent shortages of equipment necessary for such transportation; to conserve and providently utilize railway cars, motive power, and other transportation facilities and service; and to expedite the movement of traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

Sec.
500.55 Definitions.
500.56 Applicability.
500.57 Passenger train operations restricted.
500.58 Special and general permits.
500.59 Suspension of provisions.
500.60 Exemptions.
500.61 Communications.
500.62 Effective date.

AUTHORITY: §§ 500.55 to 500.62, inclusive, issued under E.O. 8989, 9214; 6 F.R. 6725, 7 F.R. 6097.

§ 500.55 *Definitions.* As used in this order (§§ 500.55 to 500.62, inclusive), or in any order, permit or regulation issued hereunder, the term:

(a) "Person" means any individual, partnership, corporation, association, joint-stock company, business trust, or other organized group of persons and includes any agency of the United States or of any other government, the Insular Government of Puerto Rico or any political subdivision or agency thereof, or any trustee, receiver, assignee or personal representative;

(b) "Rail carrier" means any person engaged in transportation as a carrier by railroad in Puerto Rico;

(c) "Passenger train" means any train operated for the purpose of transporting passengers and includes a mixed train.

§ 500.56 *Applicability.* The provisions of this order shall be applicable only within the Island of Puerto Rico.

§ 500.57 *Passenger train operations restricted.* No rail carrier shall operate a chartered passenger train, or a passenger train which includes a car that is chartered or the use of which by prior arrangement is restricted to a person or a number of persons travelling together as a group, other than a railroad business car when used by railroad officials and employees exclusively on railroad business.

§ 500.58 *Special and general permits.* The provisions of this order shall be subject to any special or general permit issued by the Office of Defense Transportation to meet specific needs or exceptional circumstances or to prevent undue hardships.

§ 500.59 *Suspension of provisions.* The provisions of this order, or any part thereof, may be suspended, from time to time, by order of the Office of Defense Transportation.

§ 500.60 *Exemptions.* The provisions of § 500.57 of this order shall not apply to passenger trains or cars operated for the exclusive service of, or through arrangements made by, an agency or department of the United States or of any national allied with the United States in the war or of the Insular Government of Puerto Rico.

§ 500.61 *Communications.* Communications concerning this order should refer to "General Order ODT 33" and should be addressed to the Regional Director, Office of Defense Transportation, San Juan, Puerto Rico.

§ 500.62 *Effective date.* This General Order ODT 33 shall become effective January 15, 1943.

Issued at Washington, D. C., this 7th day of January 1943.

JOSEPH B. EASTMAN, *Director of Defense Transportation.*

[F. R. Doc. 43-347; Filed, January 7, 1943; 11:24 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket Nos. A-1789; A-1789, Part II]

DISTRICT BOARD 9

MEMORANDUM OPINION, ETC.

In the matter of the petition of District Board No. 9 for establishment of price classifications and minimum prices for the coals of certain mines in District No. 9, Docket No. A-1789.

In the matter of the petition of District Board No. 9 for the revision of minimum prices for the coals of the Colyer Mine, Docket No. A-1789, Part II.

Memorandum Opinion and Order severing Docket No. A-1789 Part II from Docket No. A-1789, and Notice of and Order for Hearing.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 9 and revision of the minimum prices applicable to the coals produced at the Colyer Mine, Mine Index No. 516, of I. J. Lloyd; and

It appearing that no final determination should be made at this time with respect to the revision of the effective minimum prices for the coals produced for truck shipment at the Colyer Mine, Mine Index No. 516, of I. J. Lloyd, as requested in the original petition heretofore filed in this matter; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

Now, therefore, it is ordered, That the portion of Docket No. A-1789 relating to the coals of the Colyer Mine, Mine Index No. 516, of I. J. Lloyd, be, and the same hereby is severed from said docket and designated as Docket No. A-1789 Part II.

It is further ordered, That a hearing in Docket No. A-1789 Part II under the applicable provisions of the Bituminous Coal Act of 1937 and the rules of the Division be held on January 26, 1943, at 10 o'clock in the forenoon of that day at a hearing room of the Bituminous Coal Division, Washington, D. C. On such day the Chief of the Records Section in the offices of the Division will advise as to the room where such hearing will be held.

It is further ordered, That Edward J. Hayes or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before January 21, 1943.

All persons are hereby notified that the hearing in Docket No. A-1789 Part II and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 9 to increase by 30 cents per ton the effective minimum prices for the coals in Size Groups 1-4, inclusive, produced for truck shipment at the Colyer Mine, Mine Index No. 516, of I. J. Lloyd.

Dated: January 6, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-359; Filed, January 7, 1943; 11:25 a. m.]

KIRN COAL & COKE CO. AND REITZ COAL CO.

APPLICATIONS FOR REGISTRATION AS DISTRIBUTORS

An application for registration as a distributor has been filed by each of the following and is under consideration by the Director:

Name and address	Date application filed
Kirn Coal & Coke Co. (Marvin G. Kirn), 308 Boulevard Bldg., Detroit, Mich.	Dec. 23, 1942
Reitz Coal Co., Windber, Pa.	Dec. 24, 1942

Any district board, code member, distributor, the Consumers' Counsel, or any other interested person, who has pertinent information concerning the eligibility of any of the above-named applicants for registration as distributors under the provisions of the Bituminous Coal Act and the Rules and Regulations for the Registration of Distributors, is invited to furnish such information to the Division on or before February 8, 1943. This information should be mailed or presented to the Bituminous Coal Division, Department of the Interior, Washington, D. C.

Dated: January 6, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-360; Filed, January 7, 1943; 11:26 a. m.]

DEPARTMENT OF AGRICULTURE.

Farm Security Administration.

LOUISIANA

DESIGNATION OF LOCALITIES IN COUNTY IN WHICH LOANS MAY BE MADE

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by Supplement 2 of Secretary's Memorandum No. 867 issued as of July 1, 1942, loans made in the county mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations. A description of the localities and the determination of value for each follow:

Region VI—Louisiana

ALLEN PARISH

Locality I—Consisting of Wards 1 and 2	$3,245
Locality II—Consisting of Wards 3, 4, and 5	$1,424

The purchase price limit previously established for the county above-mentioned is hereby cancelled.

Approved, January 6, 1943.

[SEAL] C. B. BALDWIN, *Administrator.*

[F. R. Doc. 43-361; Filed, January 7, 1943; 11:42 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket 6481]

WESTERN UNION TELEGRAPH CO.

ORDER INCREASING CHARGES FOR TELEGRAPH COMMUNICATIONS FROM U. S. TO NEW HEBRIDES

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 29th day of December 1942;

It appearing that the Western Union Telegraph Company has filed with the Commission tariff schedules, to become effective January 4, 1943, stating increased charges for telegraph messages from the United States to New Hebrides via Vancouver Cable; said tariff schedules being designated as follows: The Western Union Telegraph Company, F. C. C. No. 173, 6th Revised Page 27.

It further appearing that said tariff schedules state increased charges for telegraph communications in interstate and foreign commerce; that the rights and interests of the public may be injuriously affected thereby; and it being the opinion of the Commission that the effective date of said schedules, insofar as they relate to increased charges for telegraph communications from the United States to New Hebrides should be postponed pending hearing and decision on the lawfulness of such increased charges;

It is ordered, That the Commission, upon its own motion, without formal pleading, enter upon a hearing concerning the lawfulness of charges contained in 6th Revised Page 27 to The Western Union Telegraph Company Tariff F. C. C. No. 173, insofar as they relate to telegraph communications from the United States to New Hebrides:

It is further ordered, That the operation of said 6th Revised Page 27 to The Western Union Telegraph Company Tariff F.C.C. 173, insofar as it provides for increased charges for and in connection with telegraph communications from the United States to New Hebrides, be suspended; that the use of the charges therein stated as applicable to such communications be deferred until three months beyond the time when they would otherwise go into effect, unless otherwise ordered by the Commission; and that during said period of suspension no changes shall be made in such charges or in the charges soucht to be altered, unless authorized by special permission of the Commission;

It is further ordered, That an investigation be, and the same is hereby, instituted into the lawfulness of the rates, charges, classifications, regulations, practices and services of The Western Union Telegraph Company for and in connection with telegraph communication service between the United States and New Hebrides;

It is further ordered, That in the event a decision as to the lawfulness of the charges herein suspended has not been made during the suspension period, and said charges shall go into effect, The Western Union Telegraph Company and all other carriers subject to the Commission's jurisdiction participating in the service provided under the tariff provisions herein suspended, shall, until further order of the Commission, each keep accurate account of all amounts charged, collected, or received by reason of any increase in charges effected thereby; that each such carrier shall specify in such accounts by whom and in whose behalf such amounts are paid; and The Western Union Telegraph Company and each such participating carrier shall file with this Commission a report, under oath, on or before the 10th day of each calendar month, commencing May 10, 1943, showing the amounts accounted for as aforesaid during the previous calendar month;

It is further ordered, That a copy of this order be filed in the office of the Federal Communications Commission with said tariff schedules herein suspended in part; that The Western Union Telegraph Company, and the said carrier parties to such tariff schedules be, and they are hereby, each made a party respondent to this proceeding; and that copies hereof be served upon each such party respondent, and upon the Office of Price Administration;

It is further ordered, That this proceeding be, and the same is hereby, assigned for hearing on the 27th day of January 1943, at the offices of the Federal Communications Commission, in Washington, D. C., beginning at 10 a. m.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 43-346; Filed, January 7, 1943; 10:59 a. m.]

FEDERAL DEPOSIT INSURANCE CORPORATION.

REPORTS BY CERTAIN MUTUAL SAVINGS BANKS

Resolution of Board of Directors adopted December 31, 1942, authorizing call for report of condition on insured Mutual Savings Banks not members of the Federal Reserve System.

Pursuant to the provisions of paragraph (3) of subsection (k) of section 12B of the Federal Reserve Act, as amended, (U.S.C., 1940 Ed., title 12, sec. 264 (k) (3), be it resolved that each insured mutual savings bank, not a member of the Federal Reserve System be, and hereby is, required to submit to the Federal Deposit Insurance Corporation within ten days after receipt of notice of this resolution a report of its condition as of the close of business Thursday, December 31, 1942, on Form 64 (Savings)[1] and a report of earnings and dividends for the calendar year ending December 31, 1942, on Form 73 (Savings).[1] Said report of condition and report of earnings and dividends shall be prepared in accordance with the booklet entitled "Instructions for the Preparation of Reports of Condition on Form 64 (Savings) and Reports of Earnings and Dividends on Form 73 (Savings) by Insured Mutual Savings Banks", issued as of December, 1940.

[SEAL] FEDERAL DEPOSIT INSURANCE CORPORATION,
By E. F. DOWNEY, *Secretary.*

[F. R. Doc. 43-329; Filed, January 6, 1943; 2:48 p. m.]

REPORTS BY CERTAIN STATE BANKS

Resolution of Board of Directors adopted December 31, 1942, authorizing call for report of condition on insured State Banks not members of the Federal Reserve System except banks in the District of Columbia or Mutual Savings Banks.

Pursuant to the provisions of paragraph (3) of subsection (k) of section 12B of the Federal Reserve Act, as amended (U.S.C., 1940 Ed., title 12, sec. 264 (k) (3), be it resolved that each insured State bank not a member of the Federal Reserve System, except a bank in the District of Columbia or a mutual savings bank, be, and hereby is, required to submit to the Federal Deposit Insurance Corporation within ten days after receipt of notice of this resolution a report of its condition as of the close of business Thursday, December 31, 1942, on Form 64[1] (Short form)—Call No. 13, and a report of earnings and dividends for the calendar year ending December 31, 1942, on Form 73.[1] Said report of condition shall be prepared in accordance with the booklet entitled, "Instructions for the Preparation of Reports of Condition on Form 64", and said annual report of earnings and dividends shall be prepared in accordance with the instruction booklet issued as of December 1937.

[SEAL] FEDERAL DEPOSIT INSURANCE CORPORATION
By E. F. DOWNEY, *Secretary.*

[F. R. Doc. 43-328; Filed, January 6, 1943; 2:48 p. m.]

ORDER FOR FILING OF CERTIFIED STATEMENT

Pursuant to the provisions of paragraph (1) of subsection (h) of section 12B of the Federal Reserve Act, as amended (U.S.C., 1940 Ed., title 12, sec. 264 (h) (1)); *It is ordered*, That each insured bank file with the Corporation on or before January 15, 1943, the following described certified statement forms: (1) Certified Statement—Part One, based on Deposits for the Six Months Ending December 31, 1942, Form 545-O,[1] in quadruplicate; and (2) Recapitulation of the Monthly Totals of Certified Statement—Part Two, for the Six Months Ending December 31, 1942, Form 550-O,[1] in triplicate.

[1] Filed as part of the original document.

[SEAL] FEDERAL DEPOSIT INSURANCE CORPORATION,
By E. F. DOWNEY, *Secretary.*

[F. R. Doc. 43-327; Filed, January 6, 1943; 2:48 p. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-433]

INDEPENDENT NATURAL GAS COMPANY

ORDER CHANGING DATE OF HEARING

JANUARY 5, 1943.

It appearing that, pursuant to an order of November 24, 1942, a hearing in the above-entitled proceeding was scheduled for January 12, 1943, in Washington, D. C., and Respondent has requested a postponement; and

Good cause having been shown by Respondent for a two-weeks' postponement; *It is ordered*, That:

The public hearing in this proceeding be held on January 26, 1943, at 9:45 a. m. in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

By the Commission.

LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 43-336; Filed, January 7, 1943; 10:29 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Rev. Order 95 Under MPR 120]

CHESAPEAKE AND OHIO RAILWAY COMPANY

ORDER GRANTING ADJUSTMENT

Revised Order No. 95 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant.

Granting adjustment on coals sold to Chesapeake & Ohio Railway Company.

Order No. 95 under Maximum Price Regulation No. 120 is hereby revised and amended to read as set forth below:

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (e) of Maximum Price Regulation No. 120; *It is ordered:*

(a) High volatile coals produced in Districts Nos. 7 and 8 and purchased by the Chesapeake & Ohio Railway Company for locomotive fuel use, at prices no higher than the maximum prices applicable thereto, may nevertheless be used as railroad fuel for other than locomotive use by said company;

Provided however, That the Chesapeake and Ohio Railway Company shall file with the Bituminous Coal Division of the Department of the Interior, Washington, D. C., on the twentieth day of each month a verified report setting forth for the preceding calendar month, the total tonnage of and actual sizes of coals purchased for locomotive use, and of coals purchased for other than locomotive use, indicating in each instance the tonnage used for purposes other than that for which the coal was purchased;

(b) This Revised Order No. 95 may be revoked or amended by the Price Administrator at any time;

(c) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 122 shall apply to the terms used herein;

(d) This Revised Order No. 95 shall be effective as of December 5, 1942;

Issued this 6th day of January 1943.

LEON HENDERSON, *Administrator.*

[F. R. Doc. 43-323; Filed, January 6, 1943; 12:19 p. m.]

[Order 128 Under MPR 120]

HERMAN W. FISCH

ORDER GRANTING ADJUSTMENT

Order No. 128 of Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120-248.

For reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced by Herman W. Fisch, Glenrock, Wyoming, at his M. C. Mine, Mine Index No. 206, in District No. 19, may be sold and purchased for shipment by truck or wagon at prices per net ton f. o. b. at mine, not to exceed the following:

Size groups:	*Maximum prices:*
2—6	$3.20

(b) Within thirty (30) days from the effective date of this order, Herman W. Fisch shall notify all persons purchasing his coals of the adjustments granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Maximum Price Regulation No. 122 in the resale of coal the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with, and subject to, the conditions stated in Maximum Price Regulation No. 122.

(c) This Order No. 128 may be revoked or amended by the Price Administrator at any time;

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein;

(e) This Order No. 128 shall become effective January 7, 1943.

Issued this 6th day of January 1943.

LEON HENDERSON, *Administrator.*

[F. R. Doc. 43-324; Filed, January 6, 1943; 12:19 p. m.]

[Order 132 Under MPR 120]

IMPERIAL COAL CORPORATION

ORDER GRANTING ADJUSTMENT

Order No. 132 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120-257.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (b) of Maximum Price Regulation No. 120; *It is ordered:*

(a) Coals produced by Imperial Coal Corporation, Johnstown, Pennsylvania, at its Cambria Smokeless Mine, Mine Index No. 81, in District No. 1, may be sold and purchased for shipment by rail at prices not to exceed the following respective prices per net ton, f. o. b. the mine.

Size group:	*Maximum price*
1	$3.25
2	3.05
3	2.95
4	2.95
5	2.95

and for shipment for railroad locomotive fuel use, at prices not to exceed $2.70 per net ton, f. o. b. the mine;

(b) Within thirty (30) days from the effective date of this order, Imperial Coal Corporation shall notify all persons purchasing its coals of the adjustments granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Maximum Price Regulation No. 122;

(c) This Order No. 132 may be revoked or amended by the Administrator at any time;

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein;

(e) This Order No. 132 shall become effective January 7, 1943.

Issued this 6th day of January 1943.

LEON HENDERSON, *Administrator.*

[F. R. Doc. 43-325; Filed, January 6, 1943; 12:19 p. m.]

[Order 39 Under MPR 122]

AVONDALE MILLS

ORDER GRANTING ADJUSTMENT

Order No. 39 under Maximum Price Regulation No. 122—Solid Fuels Delivered From Facilities Other Than Producing Facilities—Dealers—Docket No. 3122-31.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.257 (a) (3) of Maximum Price Regulation No. 122: *It is hereby ordered:*

(a) Avondale Mills, with general offices in Sylacauga, Alabama, may sell and deliver to its employees in Sylacauga, Alexander City, Pell City, Sycamore, and Lafayette, all in Alabama, and such purchasers may buy and receive coal from said company at prices not in excess of those determined in accordance with paragraph (b);

(b) The maximum prices for the sales described in paragraph (a) shall consist of the applicable maximum prices established therefor under Maximum Price Regulation No. 122 plus the per ton freight rate increases for coal actually incurred by Avondale Mills from January 1, 1941, to and including March 17, 1942;

(c) This Order No. 39 may be revoked or amended by the Price Administrator at any time;

(d) This Order No. 39 shall become effective January 7, 1943.

Issued this 6th day of January 1943

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-326; Filed, January 6, 1943; 12:17 p. m.]

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FEDERAL REGISTER

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Washington, Saturday, January 9, 1943

Regulations

TITLE 7—AGRICULTURE

Chapter XI—Food Distribution Administration

[Food Distribution Order 4]

PART 1450—TOBACCO

RESTRICTIONS ON THE SALE AND ACQUISITION OF 1942 CROP BURLEY TOBACCO

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to insure an adequate supply and efficient distribution of Burley tobacco of the 1942 crop to meet war and civilian needs, *It is hereby ordered*, As follows:

§ 1450.1 *1942 crop burley tobacco, allocation and restrictions on acquisitions*—(a) *Definitions.* When used in this order unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) "Burley tobacco" means tobacco of Type 31, as defined in the Official Standard Grades for Burley Tobacco,[1] promulgated by the Secretary of Agriculture under the Tobacco Inspection Act. (7 U.S.C., 511 et seq.)

(2) "Person" means any individual, partnership, corporation, association or other business entity.

(3) "Manufacturer" means any person who processes tobacco into a product for consumer use which is subject to taxation under the Internal Revenue Code. (26 U.S.C. 2000 to 2040)

(4) "Director" means the Director of Food Distribution, United States Department of Agriculture or any employee of the United States Department of Agriculture designated by such Director.

(b) *Restrictions.* (1) No person shall after the effective date of this order purchase or otherwise acquire burley tobacco of the 1942 crop unless acquired pursuant to an allocation made under this order.

(2) No person shall offer or cause to be offered for resale at auction burley tobacco of the 1942 crop, which has been sold after the effective date of this order on an auction market.

[1] 7 CFR 29.206 (11).

(3) No manufacturer or person purchasing for resale, shall after the effective date of this order purchase burley tobacco of the 1942 crop in looseleaf form which has not been inspected and certificated pursuant to the provisions of the said Tobacco Inspection Act.

(4) The restrictions of this order shall be observed without regard to the rights of creditors, contracts and payments made or any other action taken thereunder.

(c) *Records and reports.* Every manufacturer, person operating an auction warehouse on which burley tobacco is sold and any other person to whom this order applies, shall maintain such records for such periods of time and shall execute and file such reports and submit such information as the Director may from time to time request or direct and within such time as he may prescribe.

(d) *Audits and inspections.* Every manufacturer or any other person to whom this order applies shall permit inspections of his stocks of tobacco and of his books, records, and accounts by the Director or any person designated by him.

(e) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth, in said petition, all pertinent facts and the reasons for such petition being approved. The Director may thereupon take such action as he deems appropriate, and such decision by the Director shall be final.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control, and may be deprived of priority assistance: *Provided*, That no person shall be deemed to have violated this order by reason of having acquired tobacco dur-

(Continued on next page)

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FEDERAL REGISTER

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ing the burley auction marketing season in excess of any allocation made under this order, if such person, within 10 days after the close of the burley auction marketing season, files a notice with the Director giving full information with respect to such excess acquisitions, and, subject to the direction of the Director, makes all tobacco acquired subsequent to filling his allocation available for purchase, at the price acquired, to eligible manufacturers.

(h) *Communications to Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United State Department of Agriculture, Washington, D. C. Ref: FD-4.

(i) *Delegation of authority.* The Director of Food Distribution is hereby designated to administer the provisions hereof. The allocations provided herein shall be made by the Director subject to such conditions as he may prescribe and which will tend to effectuate the purposes of this order.

(j) *Effective date.* This order shall be effective as of the date of its issuance.

(E.O. 9280, 7 F.R. 10179)

Issued this 7th day of January 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-421; Filed, January 8, 1943, 11:19 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter III—Claims and Accounts

PART 35—PAYMENT OF BILLS AND ACCOUNTS

PAYMENTS FOR TELEPHONE, TELEGRAPH AND TELETYPEWRITER SERVICE

Sections 35.18 to 35.21 are rescinded and the following substituted therefor:

Sec
35.18 Telephone service.
35.19 Telegraph service, rates.
35.20 Bills paid monthly.
35.21 Teletypewriter service.

AUTHORITY: Sections 35.18 to 35.21, inclusive, issued under R. S. 161; 5 U. S. C. 22.

SOURCE: These regulations are also contained in Army Regulations No. 35-6100, July 23, 1942, as amended by C 1 December 22, 1942, the particular paragraphs being shown in brackets at end of sections.

Payments for Telephone, Telegraph and Teletypewriter Service

§ 35.18 *Telephone service—(a) Rates, general.* Where a contract for the furnishing of telephone service to the Government provides for payment at legally established rates, payment for services currently rendered is authorized at the increased rates established by city ordinance after court determination of insufficiency of prior rates. (15 Comp. Gen. 896)

(b) *Flash calls made by ground observers.* Flash calls made by ground observers in connections with Aircraft Warning Service may be billed as a group from a given point to a filter center, if such calls do not consume more than the minimum talking period. Where such calls consume more than the minimum talking period, they will be listed separately. (See MS. Comp. Gen., B 25280, April 28, 1942)

(c) *Private residences.* Payment is unauthorized from public funds for the installation or rent of a telephone installed in a private residence irrespective of its use for official business, but long-distance tolls for messages received or transmitted over such telephone, strictly for the public business, may be so paid. (See also 15 Comp. Gen. 885) [Pars. 2c and 3f and g]

§ 35.19 *Telegraph service, rates—(a) Official messages.* The rates for communications by telegraph between the several departments of the Government and agents in their transmission over the lines of any telegraph company to which has been given the right-of-way, timber, or station lands from the public domain are fixed annually by the Federal Communications Commission pursuant to the provisions of section 5266, Revised Statutes, as amended (Par. 1d)."

(b) *Personal messages.* Administrative offices may increase amounts claimed for telegraph services by the difference between the Government rate billed and the commercial rate for messages of a personal nature where collection at the commercial rate, plus tax, has been made from the individual for whose benefit the services were rendered, and deposited in special deposit funds, provided the voucher shows the full cost of the telegrams at commercial rates is being charged to the special deposit funds. (See 17 Comp. Gen. 873) [Par. 4a and k]

§ 35.20 *Bills paid monthly—(a) General.* In general, all official telegrams will be charged to and paid for at the sending office on monthly bills, which will be submitted by the local telegraph office directly to the local commanding officer.

(b) *Supporting evidence.* (1) Telegraph bills will be supported by proofs of service which, except "Government collect" messages or telegrams of a confidential nature, will be original telegrams bearing the operator's original pencil notations or indorsement of transmission showing actual performance. (See 14 Comp. Gen. 825, 16 id. 217.) As to what constitutes an original within this rule, the basic reason for the requirement that the original be filed is to insure that the charges for transmission were correctly computed for the services actually rendered and to prevent duplicating payment of such charges. This is best accomplished by accompanying the voucher with the copies of the telegrams used for transmission, showing thereon the company notations with respect to the time filed, the number of words paid for, etc., such copies being commonly referred to as transmission or wire copy. It is immaterial for audit purposes whether the transmission or wire copies be written in long hand or consist of carbon copies; on the other hand, a ribbon copy not showing the transmission data would be of little, if any, use in auditing the charges. (See 21 Comp. Gen. 364)

(2) If charges are included in monthly bills for messages received "Government collect," carbon copies will be accepted in support of the charges. (See MS. Comp. Gen. A-13067, December 18, 1935)

(3) Vouchers for telegraph services furnished by a foreign government in transmitting alleged confidential messages in code may not be passed by the General Accounting Office upon a blanket certification that they were confidential, but copies of the telegrams in code and untranslated will be submitted in support of the account. (See 4 Comp. Gen. 860)

(4) While the general rule is that claims for telegraphic services not of a confidential nature must be supported by the originals of the outgoing messages when presented for payment (subparagraph (1) above), where the messages originate in a foreign country in which the transmitting company is not permitted by its regulations to surrender the originals, copies of the originals will be accepted in support of vouchers, provided appropriate steps are taken by the administrative office to prevent a duplicate payment for the same services. (See 21 Comp. Gen. 94)

(5) (i) Bills for multiple-address telegram transmission services will be supported by evidence that the official message required to be sent was the message actually transmitted, that the message was in fact transmitted, and that the class of service rendered and charged for was that requested by the sender. Therefore a self-serving statement by a telegraph company official that the services were performed as requested cannot be accepted in lieu of the required data.

(ii) Where transmission of a multiple-address telegram is from the originally filed copy of the message, the voucher covering payment for the transmission services will be supported by such original and the list of addresses with appropriate data placed thereon at the time of transmission, but where transmission is from copies of such original, the copies containing the necessary data for a proper audit are required to be filed with the voucher. (See MS. Comp. Gen., B 28733, October 24, 1942)

(c) *Bills to be paid within 5 days.* Disbursing officers to whom bills are submitted for payment will settle such accounts within 5 days after receipt, making payment to the local telegraph office rendering the account. This will not be construed as authorizing payment when papers necessary to support the voucher are not in the possession of the disbursing officer.

(d) *Payment to initial company.* In settling accounts for telegrams which pass over the lines of more than one company (bond-aided excepted), payment may be made on the original telegram to the initial company for the entire service. [Par. 4e, f, g, h, and i]

§ 35.21 *Teletypewriter service*—(a) *Certificate.* The general certificate prescribed in § 35.1 (b) is required.

(b) *Copies of teletypewriter messages not required.* Accounts for teletypewriter service need not be supported by the originals or copies of messages prescribed in § 35.20 (b) for official telegrams. [Par. 6]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-415; Filed, January 8, 1943; 9:33 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Administrator of Civil Aeronautics, Department of Commerce

[Amendment 24]

PART 601—DESIGNATION OF AIRWAY TRAFFIC CONTROL AREAS, CONTROL ZONES OF INTERSECTION, CONTROL AIRPORTS, AND RADIO FIXES

REDESIGNATION OF RADIO FIX: AMBER CIVIL AIRWAY NO. 4

JANUARY 5, 1943.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and Special Regulation No. 197 of the Civil Aeronautics Board, I hereby amend Part 601 of the regulations of the Administrator of Civil Aeronautics as follows:

By amending § 601.4014 *Amber Civil Airway No. 4 (Brownsville, Tex., to Bismarck, N. Dak.)* to read as follows:

Brownsville, Tex., radio range station; the intersection of the center lines of the on course signals of the northwest leg of the Brownsville, Tex., radio range, and the south leg of the Alice, Tex., radio range; Alice, Tex., radio range station; the Pleasanton fan type radio marker station or the intersection of the center lines of the on course signals of the north leg of the Alice, Tex., radio range, and the south leg of the Alamo radio range, San Antonio, Tex.; the Alamo radio range station, San Antonio, Tex.; Spring Branch, Tex., fan type radio marker station or the intersection of the on course signals of the north leg of the Alamo radio range, San Antonio, Tex., and the southwest leg of the Austin, Tex., radio range; Austin, Tex., radio range station; Waco, Tex., radio range station; the intersection of the center lines of the on course signals of the northwest leg of the Waco, Tex., radio range and the south leg of the Fort Worth, Tex., radio range; the intersection of the center lines of the on course signals of the north leg of the Fort Worth, Tex., radio range and the southeast leg of the Wichita Falls, Tex., radio range; Marietta, Tex., fan type radio marker station, or the intersection of the center lines of the on course signals of the north leg of the Fort Worth, Tex., radio range and the south leg of the Oklahoma City, Okla., radio range; Oklahoma City, Okla., radio range station; the intersection of the center lines of the on course signals of the east leg of the Oklahoma City, radio range and the southwest leg of the Tulsa, Oklahoma, radio range; Tulsa, Oklahoma, radio range station; the intersection of the center lines of the on course signals of the southwest leg of the Chanute, Kansas, radio range and the northwest leg of the Tulsa, Oklahoma, radio range; Chanute, Kans., radio range station; St. Joseph, Missouri, radio range station; Sioux City, Iowa, radio range station; Sioux Falls, S. Dak., radio range station; Huron, S. Dak., radio range station; Aberdeen, S. Dak., radio range station; the intersection of the center lines of the on course signals of the northwest leg of the Aberdeen, S. Dak., radio range and the southeast leg of the Bismarck, N. Dak., radio range.

This amendment shall become effective 0001 E. W. T., January 15, 1943.

C. I. STANTON,
Administrator.

[F. R. Doc. 43-413; Filed, January 8, 1943; 9:33 a. m.]

TITLE 24—HOUSING CREDIT

Chapter IV—Home Owners' Loan Corporation

[Bulletin No. 146]

PART 402—LOAN SERVICE DIVISION

PROPERTY PURCHASE BY CORPORATION EMPLOYEE

Correction

In the 8th line of § 402.17-4, appearing on page 225 of the issue for Wednesday, January 6, 1943, "or" should read "of".

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No A–1756]

PART 321—MINIMUM PRICE SCHEDULE, DISTRICT NO. 1

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 1 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 1.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 1; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 321.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 321.24 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

It is further ordered, That no relief be granted herein for the coals of the Lansberry #3 Mine (Mine Index No. 573) of Lansberry & Son, Abbie E., for all shipments except truck and for truck shipments for the reasons appearing in the order separating that portion of Docket No. A–1756 relating to these coals from the rest of the docket and designating it as Docket No. A–1756, Part II.

Dated: December 21, 1942.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 1

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 321, Minimum Price Schedule for District No. 1 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 321.7 *Alphabetical list of code members*—Supplement R

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group numbers]

Mine Index No.	Code member	Mine name	Sub-district No.	Seam	Shipping point	Railroad	Freight origin group No.	1	2	3	4	5
3791	Berkebile, Freeman	Berkebile #3	37	C'	Stoyestown, Pa	B&O	100	(1)	(1)	E	(1)	(1)
3785	Billings Coal Company (C. E. Wood)	Billings Coal Co. #1 (S)	1	C'	Shippensville, Pa	NYC	30	(1)	(1)	G	(1)	(1)
3851	Billings Coal Company (C. E. Wood)	Billings Coal Co. #2 (S)	1	C	Shippensville, Pa	NYC	30	(1)	(1)	F	(1)	(1)
2315	Glenn Coal Co. (Walter Crago)	Glenn	14	H	Philipsburg, Pa	PRR	45	(1)	(1)	G	(1)	(1)
3803	Hill Brothers (Coal) W. D. Hill	Hill Bros. #1 (S)	14	E	Osceola Mills, Pa	PRR	45	(1)	(1)	F	(1)	(1)
3857	Iseman Bros. (Hugh W. Iseman)	Iseman Bros. #2 (S)	4	D	New Bethlehem, Pa	PRR	75	(1)	(1)	G	H	H
3808	Lorelli, John F	Round Hill	6	L. Freeport	Anita, Pa	PRR	50	(1)	(1)	E	E	E
3830	Miller, Harvey E	Miller	5	E	Knoxdale, Pa	P&S	119	(1)	(1)	G	(1)	(1)
3855	Schnars Coal Co., R. R.	Belfast #17	14	B	Philipsburg, Pa	NYC	44	(1)	(1)	G	(1)	(1)
3856	Schnars Coal Co., R. R.	Belfast #18 (S)	14	C	Philipsburg, Pa	NYC	44	(1)	(1)	F	(1)	(1)
3859	Schnabel, George	Schnabel #2	24	D	St. Benedict, Pa	NYC	44	(1)	(1)	E	(1)	(1)

[1]Indicates no classifications or prices effective in these size groups.

FOR TRUCK SHIPMENTS

§ 321.24 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code Member Index	Mine Index No.	Mine	Sub. Dist. No.	County	Seam	All lump coal double screened top size 2"	Double screened top size 2" and under	Run of mine modified R.M.	2" and under slack	¾" and under slack
						1	2	3	4	5
Berkebile, Freeman	3791	Berkebile #3	37	Somerset	C'	(1)	(1)	245	(1)	(1)
Billings Coal Company (C. E. Wood).	3785	Billings Coal Co. #1 (S).	1	Clarion	C'	260	235	235	225	215
Billings Coal Company (C. E. Wood).	3851	Billings Coal Co. #2 (S).	1	Clarion	C	265	240	240	230	220
Hill Brothers (Coal) W. D. Hill	3803	Hill Bros. #1 (S)	14	Clearfield	E	(1)	(1)	240	(1)	(1)
Iseman Bros. (Hugh W. Iseman).	3857	Iseman Bros. #2 (S).	4	Clarion	D	260	235	235	220	210
Lorelli, John F	3808	Round Hill	6	Jefferson	L. Freeport	(1)	(1)	245	235	225
Miller, Harvey E	3830	Miller	5	Jefferson	E	(1)	(1)	245	(1)	(1)
Morehouse Brothers (Dakin C. Morehouse).	3807	Mill #1	43	Allegany	Big Vein	(1)	(1)	250	(1)	(1)
Quick & Guenot Coal Co. (Clyde Quick).	3827	Quick #1	9	Clearfield	C'	(1)	(1)	245	(1)	(1)
Rager, James & John Kerestesy (James Rager).	3814	Lydic	15	Indiana	E	(1)	(1)	245	(1)	(1)
Schnabel, George	3859	Schnabel #2	24	Cambria	D	(1)	(1)	245	(1)	(1)
Schnars Coal Co., R. R.	3855	Belfast #17	14	Centre	B	(1)	(1)	245	(1)	(1)
Schnars Coal Co., R. R.	3856	Belfast #18 (S)	14	Centre	C	(1)	(1)	240	(1)	(1)
Thompson, Charles R	3811	Thompson	40	Somerset	E	(1)	(1)	240	(1)	(1)

[1]Indicates no classifications or prices effective for these size groups.

[F. R. Doc. 43–351; Filed, January 7, 1943; 11:25 a. m.]

[Docket No. A–1703]

PART 324—MINIMUM PRICE SCHEDULE, DISTRICT NO. 4

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 4, for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 4.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 4, and the elimination of the "Q" classification in Size Group 10 as set out in the Schedule of Effective Minimum Prices for District No. 4, For All Shipments Except Truck, for the coals of the Jacobs Mine, Mine Index No. 2960, of Pearl Jacobs, for the reason that this is not a strip mine; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 324.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–I, § 324.11 (*Special prices*—(a) *Railroad fuel prices for all movements exclusive of lake cargo railroad fuel*) is amended by adding thereto Supplement R–II, and § 324.24 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That commencing forthwith § 324.9 (*Recapitulation of price classifications*) in the Schedule of Effective Minimum Prices for District No. 4 For All Shipments Except Truck be, and the same is hereby amended by deleting the classification of "Q" from Size Group 10 coals produced by the Jacobs Mine, Mine Index No. 2960, of Pearl Jacobs, formerly operated by George A. Christy.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate, or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: December 24, 1942.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 4

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 324, Minimum Price Schedule for District No. 4 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 324.7 *Alphabetical list of code members*—Supplement R–I

[Alphabetical list of code members having railroad loading facilities, showing price classification by price group numbers]

Mine Index No.	Code member	Mine name	Seam	Type	Sub-district No.	Shipping points in Ohio	Freight origin group No.	Railroad	Price group No.	Railroad fuel price group No.	
										On line	Off line
3089	A & A Coal Company (A. E. Akenhead)	A & A No. 2	4	Strip	4	Leetonia	72	PRR	72	113	202–204
810	B & W Coal Co. (Barnett Essex & Wilbur McDonald)	B & W	6	Deep	5	Shawnee	27	NYC	21	110	201–203
511	Capitini, Adolph	Bakewell C. Co	8	Deep	1	Bellaire	15	PRR	1	112	201–203
489	Carbon Limestone Company, The	Carbon Limestone	4	Strip	4	Hillsville, Penna	200	P&LE	72	123	202–204
493	Central States Engineering Co	Williams	6	Strip	4	Rogers	73	PLAW	72	116	202–204
961	Cook Brothers (John Cook)	Cook Brothers	6	Deep	6	Corning	92	NYC	21	110	201–203
2574	Hashman, Paul	Hashman	6	Deep	5	Nelsonville	22	C&O	21	103	201–203
410	Vaughn Bros. Coal Co. (Charles Vaughn)	Vaughn Bros. #2	6	Deep	5	Floodwood	22	C&O	21	103	201–203

For latter classification see § 324.9 in Minimum Price Schedule for District No. 4.

§ 324.11 *Special prices—(a) Railroad fuel prices for all movements exclusive of lake cargo railroad fuel*—Supplement R–II

New railroad fuel price groups, Numbers 122 and 123, are hereby established as follows (add to § 324.11 (a) in Minimum Price Schedule for District No. 4):

Name of railroad	Railroad fuel on-line price group No.	Prices in cents per net ton by size group Nos.											
		1	2	3	4	5	6	7	8	9	10	11	12
The Pittsburgh and Lake Erie Railroad Co.	122	240	240	240	240	240	225	185	185	180	(1)	(1)	225
	124	240	240	240	240	230	215	175	175	160	175	(1)	215

(1) Indicates no classification or prices effective in these size groups.

FOR TRUCK SHIPMENTS

§ 324.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member	Mine	Mine index No.	Type	Seam	Base sizes							
					6" lump	3"–4"–5" lump	2" lump	2" x 4" egg, 2" x 5" egg	1¼" lump, 1¼" x 4" egg	Mine run, mine run less fines	2" x 0 slack	¾" x 0 slack
					1	2	3	4	5	6	7	8
SUBDISTRICT NO. 4—MIDDLE												
CARROLL COUNTY												
Davis, A. R. & Emory Baughman (A. R. Davis)	Davis #2	3068	Deep	7	295	285	270	255	255	240	210	200
Grant Collieries, Inc.[1]	Grant "B"	352	Strip	7A	295	285	270	255	255	240	210	200
COLUMBIANA COUNTY												
A & A Coal Co. (A. E. Akenhead)	A & A No. 2	3059	Strip	4	320	310	295	270	265	245	225	215
Central States Engineering Co.	Williams	463	Strip	6	320	310	295	270	265	245	225	215
COSHOCTON COUNTY												
Consumers Collieries Co., The	Power	3049	Deep	6	300	290	280	255	250	215	185	175
Senter, A. R.	Senter	3046	Deep	6	300	290	280	255	250	215	185	175
West Coal Co.	No. 76	3071	Deep	6	300	290	280	255	250	215	185	175
MAHONING COUNTY												
Carbon Limestone Co., The	Carbon Limestone	489	Strip	4	320	310	295	270	265	255	225	215
TUSCARAWAS COUNTY												
Eberhart, Edwin R. (Eberhart Coal Co.)	Eberhart #2	458	Strip	5	295	285	270	255	255	230	210	200
Marchesi Coal Co., The	Marchesi C. Co.	3069	Deep	6	295	285	270	255	255	240	210	200
Schneiter, Frank H.	Broad Run	3038	Deep	6	295	285	270	255	255	240	210	200
SUBDISTRICT NO. 5—HOCKING												
HOCKING COUNTY												
Coe, J., & Sons (Jack Coe)	J. Coe & Sons	499	Deep	6	315	305	295	270	265	215	185	175
SUBDISTRICT NO. 6—CROOKSVILLE												
MUSKINGUM COUNTY												
Wills Creek Coal Mining Co. (John Hornyak)	Wills Creek C. Co.	3042	Deep	6	300	290	280	255	250	215	185	175

[1] Erroneously listed and priced in Docket A–1339 as being located in Columbiana County.

§ 324.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T—Continued

Code member	Mine	Mine index No.	Type	Seam	Base sizes							
					6" lump	3"–4"–5" lump	2" lump	2" x 4" egg, 2" x 5" egg	1¼" lump, 1¼" x 4" egg	Mine run, mine run less fines	2" x 0 slack	¾" x 0 slack
					1	2	3	4	5	6	7	8
SUBDISTRICT NO. 7—JACKSON												
JACKSON COUNTY												
Locust Grove Coal Co. (Charles F. Dixon)	Locust Grove #2	3070	Deep	2	315	305	295	270	265	215	195	185
Spearry, Frank (Spearry Coal Co.)		3041	Deep	4	315	305	295	270	265	215	195	185
SUBDISTRICT NO. 8—POMEROY												
GALLIA COUNTY												
Partin Coal Co. (Geo. H. Partin)		498	Strip		315	305	295	270	265	215	160	160

[F. R. Doc. 43–353; Filed, January 7, 1943; 11:27 a. m.]

[Docket No. A–1775]

PART 327—MINIMUM PRICE SCHEDULE, DISTRICT NO. 7

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 7 for the establishment of price classifications and minimum prices for the coals of the Allen Mine of P. B. Allen, in District No. 7.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Allen Mine of P. B. Allen, Mine Index No. 329, in District No. 7; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 327.11 (*Low volatile coals: Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 327.34 (*General prices in cents per net ton for shipment into any market area*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: December 28, 1942.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 7

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 327, Minimum Price Schedule for District No. 7 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 327.11 *Low volatile coals: Alphabetical list of code members*—Supplement R

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	Subdistrict No.	Low volatile seam	Shipping point	Railroad	Freight or f.o.b. origin group No.	Price classification by size group No.									
								1	2	3	4	5	6	7	8	9	10
329	Allen, P. B.	Allen	2	Sewell	Lookout, W. Va.	C&O	10	A	(1)	(1)	(1)	(1)	A	A	B	B	(1)

(1) When shown under a Size Group Number, this symbol indicates no classification effective for this size group.

FOR TRUCK SHIPMENTS

§ 327.34 *General prices in cents per net ton for shipment into any market area*—Supplement T

Code member index	Mine	Mine index No.	Subdistrict No.	County	Seam	All lump 3" or larger, all egg and stove	All nut or pea (¼" or smaller)	Screened M/R	Straight mine run	1¼" screenings	¾" screenings
						1	2	3	4	5	6
Allen, P. B.	Allen	329	2	Fayette	Sewell	350	.....	300	235	215	210

[F. R. Doc. 43–354; Filed, January 7, 1943; 11:26 a. m.]

[Docket No. A–1743]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 8.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 8; for a change in the shipping point, railroad and freight origin group for the coals of Mine Index No. 5720, and for a change in the seam designation for the coals of Mine Index No. 407, in District No. 8; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 328.11 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 328.34 (*General prices for high volatile coals in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof; commencing forthwith, the shipping point, railroad and freight origin group appearing in the aforesaid Supplement R for the coals of Mine Index No. 5720 shall be as therein shown instead of the shipping point, railroad and freight origin group heretofore applicable for this mine; and commencing forthwith, the seam designation appearing in Supplement R and Supplement T for the coals of Mine Index No. 407 shall be as therein shown instead of the seam designation heretofore applicable to this mine.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

The minimum prices requested by District Board No. 8 in the original petition filed herein for the coals of the Betsey No. 1 Mine, Mine Index No. 5768, of Shank & Shank, have not been established for the reason that the prices requested are the same as those requested in Docket No. A–1557 for all the mines in Putnam County for truck shipments and upon which request a hearing was held. This matter is now pending before the Director. In lieu thereof, the minimum prices for truck shipments set forth in Supplement T, which are the prices presently established for coals in Putnam County, West Virginia, have temporarily been established for the coals of this mine.

Dated: December 21, 1942.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 8

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No. 8 and supplements thereto.

§ 328.11 *Alphabetical list of code members*—Supplement R

[Alphabetical list of code members having railway loading facilities, showing price classification by size groups for all uses except as separately shown]

Mine Index No.	Code member	Mine name	High volatile seam	Sub-district No.	Shipping point	Railroad	Freight origin group No.	Price classifications by size group Nos. For destinations other than great lakes: 1, 2	3, 4	5, 6	7	8	9	10	11, 12, 13, 14	15, 16, 17	18, 19, 20, 21	22	23	24	25	26	27	For Great Lakes cargo only: 1, 2	3, 4	5, 6	7	8	9	10	16, 17	18, 19, 20, 21	22	24	25	26	27
2870	Burton-Ford Coal Co. (E. C. McElwee)	Burtons Ford	Tiller	7	St. Paul, Va.	N&W & C&O.	250	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	C	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	C
1751	Campbell, Arthur	Campbell	Hazard No. 4	3	Krypton, Ky.	L&N	100	K	K	J	H	G	E	G	D	D	K	(*)	(*)	C	C	C	C	K	K	J	F	D	D	G	L	K	(*)	C	C	C
5402	Conley & Faulkner Coal Co. (George Faulkner)	Dean	Dean	6	Kaylee, Ky.	A.J.	110	K	K	H	G	E	C	F	D	D	M	(*)	(*)	(*)	(*)	(*)	L	K	K	H	E	B	C	E	M	M	(*)	(*)	(*)	(*)
107	Christie Coal Co.	Christie	Blair	7	Esserville, Va.	Inter	260	(*)	(*)	(*)	(*)	(*)	L	D	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	E	(*)	(*)	(*)	(*)	(*)	(*)	(*)
5866	Combs, James M.	No. 2	Hazard No. 4	3	Combs, Ky.	L&N	100	K	K	J	H	G	E	G	D	D	K	(*)	(*)	C	C	C	C	K	K	J	E	D	D	G	L	K	(*)	C	C	C
5820	Cross, Charles & James Chamberlin	Cross & Chamberlin No. 2	Glen Mary	6	Robbins, Tenn.	CNO&TP	70	O	O	M	L	H	F	H	F	E	K	(*)	(*)	(*)	(*)	(*)	(*)	O	O	M	H	F	F	H	N	K	(*)	(*)	(*)	(*)	(*)
5823	Crystal Block Coal & Coke Company	No. 4	"C"	5	Sarah Ann W. Va.	C&O.	150	O	O	L	K	H	F	H	D	D	D	(*)	(*)	A	A	A	A	O	N	L	G	E	E	H	K	D	(*)	A	A	A
701	Elkhorn Collieries Corporation, The	Winters	Elkhorn	1	Winters, Ky.	L&N	62	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	A	B	C	C	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	A	B	C	C
5747	Elliott, Wilson	Wilson-Elliott No. 1	Jellico	6	Woodbine, Ky.	L&N	111	O	O	J	H	G	F	G	E	F	K	(*)	(*)	(*)	(*)	(*)	(*)	O	M	J	F	D	D	G	M	K	(*)	(*)	(*)	(*)	(*)
2321	F. & B. Coal Co. (W. S. Barker)	F. & B. Coal Co. No. 2	Blair	7	Esserville, Va.	Inter	260	O	O	K	J	F	C	E	C	D	G	(*)	(*)	(*)	(*)	(*)	C	O	M	K	F	D	D	E	M	G	(*)	(*)	(*)	(*)	C
5804	Garrison, Brodis B.	Virginia Sue No. 2	Straight Creek	6	Pineville, Ky.	L&N	111	F	F	E	D	C	C	A	B	C	H	(*)	(*)	(*)	(*)	A	F	F	E	C	B	C	A	J	H	(*)	(*)	(*)	(*)	A
5805	Gatliff Coal Co.	Blue Gem	Blue Gem	6	Gatliff, Ky.	L&N	111	A	A	A	A	A	A	G	A	A	K	(*)	(*)	(*)	(*)	(*)	(*)	A	A	A	A	A	A	C	D	K	(*)	(*)	(*)	(*)	(*)
5811	Gibson Coal Co. (George Gibson)	Gibson Coal Co.	Lower Banner	7	Trammel, Va.	C&O	50	M	M	K	J	G	E	E	C	D	G	(*)	(*)	(*)	(*)	(*)	C	M	M	K	F	D	D	E	M	G	(*)	(*)	(*)	(*)	C
2891	Goode, L. S. (Mrs.) (Goode Coal Co.)	Goode	Bernstadt	6	East Bernstadt, Ky.	L&N	111	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	P	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	F	(*)	(*)	(*)	(*)
5794	Helton, Larence	Larence Helton No. 2	Jellico	6	Woodbine, Ky.	L&N	111	O	O	J	H	G	E	G	E	F	K	(*)	(*)	(*)	(*)	(*)	(*)	O	M	J	F	D	D	G	M	K	(*)	(*)	(*)	(*)	(*)
5770	Hopper, Noah	Noah Hopper	Elkhorn No. 1	1	Garrett, Ky.	C&O	61	H	H	H	G	F	C	E	B	C	H	(*)	(*)	(*)	(*)	(*)	C	H	H	H	D	B	B	F	K	H	(*)	(*)	(*)	(*)	C
279	Kentucky Coal Co., The	Kentucky	Hazard No. 7	3	Kentucky, Ky.	L&N	100	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
5720	L. & W. Coal Co. (W. H. Wall)	L. & W. Coal Mine	Sewanee	6	Oliver City, Tenn.	TC	210	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
5769	Mullins, Allen	Mullins	Upper Elkhorn	1	Hellier, Ky.	C&O	61	K	K	H	G	F	C	C	H	D	G	(*)	(*)	(*)	(*)	(*)	C	K	K	H	D	H	B	C	K	G	(*)	(*)	(*)	(*)	C
5771	Osborne, S. V.	Osborne	Elkhorn No. 2	1	Virgie, Ky.	C&O	61	K	K	H	G	F	C	C	H	D	G	(*)	(*)	(*)	(*)	(*)	C	K	K	H	D	H	B	C	K	G	(*)	(*)	(*)	(*)	C
5821	Pemberton, H. F.	H. F. Pemberton No. 2	Glen Mary	6	Robbins, Tenn.	CNO&TP	70	O	O	M	L	H	F	H	F	E	K	(*)	(*)	(*)	(*)	(*)	(*)	O	O	M	H	F	F	H	N	K	(*)	(*)	(*)	(*)	(*)
5788	Porter, Henry (Porter Elkhorn Coal Co.)	Porter Elkhorn No. 4	Elkhorn No. 1	1	Salisbury, Ky.	C&O	61	H	H	H	G	F	C	E	B	C	G	(*)	(*)	(*)	(*)	(*)	C	H	H	H	D	H	B	E	J	G	(*)	A	A	A	A
5682	Republic Steel Corporation	Republic	Elkhorn	1	Republic, Ky.	C&O	61	(*)	(*)	(*)	(*)	(*)	(*)	(*)	A	C	(*)	(*)	A	A	A	A	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	H	(*)	(*)	A	A	A	A
407	Ridgeview Coal Co.	Ridgeview	Cedar Grove & No. 2 Gas[2]	4	Ridgeview, W. Va.	C&O.	123	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	H	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)

[1] Denotes new shipping point. Shipping point at Monterey, Tenn., shall no longer be applicable.
[2] Denotes change in seam designation.
[3] Indicates no classification effective for these size groups.
[4] Indicates previously classified these size groups.

FOR TRUCK SHIPMENTS

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine	Mine index No.	Seam	Base sizes: Lump over 2", egg 4" x 6"	Lump 2" and under, egg 3" and under	Lump 4" and under, egg 2" x 4"	Egg 2" x 4", stove 2" and under, nut 2" and under	Stove 3" and under, nut 2" and under, straight mine run	2" and under, slack	3/4" and under, slack
				1	2	3	4	5	6	7	8
SUBDISTRICT NO. 1—BIG SANDY-ELKHORN											
CARTER COUNTY, KY.											
Haywood, C. S. & George (C. S. Haywood).	Haywood	5752	No. 7	285	265	230	240	225	220	170	165
FLOYD COUNTY, KY.											
Hopper, Noah	Noah Hopper	5770	Elkhorn No. 1	305	285	245	250	235	235	185	180
Porter, Henry (Porter Elkhorn Coal Co.).	Porter Elkhorn No. 4	5788	Elkhorn No. 1	305	285	245	250	235	235	190	185
JOHNSON COUNTY, KY.											
Fairchild, Ray	Dills	5783	Millers Creek	325	305	255	260	235	245	190	185
MAGOFFIN COUNTY, KY.											
Allen, Ottis	Allen	5774	Whitesburg	285	265	230	240	225	220	170	165
MENIFEE COUNTY, KY.											
Williams, Jasper	Williams No. 2	5824		285	265	230	240	225	220	170	165
PIKE COUNTY, KY.											
Mullins, Allen	Mullins	5769	Upper Elkhorn	295	275	240	250	235	230	190	185
Osborne, S. V.	Osborne	5771	Elkhorn No. 2	295	275	240	250	235	230	190	185
Republic Steel Corporation	Republic	5682	Elkhorn	(†)	(†)	255	(†)	(†)	245	(†)	(†)
SUBDISTRICT NO. 3—HAZARD											
BREATHITT COUNTY, KY.											
Moore, H. R.	Moore	5744	Hazard No. 4	285	265	230	225	210	220	165	160
KNOTT COUNTY, KY.											
Slone, Linzy & Russell (Russell Slone).	Slone	5801	Hazard No. 6	285	265	240	225	215	230	165	160
LEE COUNTY, KY.											
Cooper & Dunaway (J. G. Cooper).	Cooper	[1] 5706	Ida May	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
Johnson, Price	Johnson	5784	Beattyville	295	275	240	245	225	230	175	170
Samples, David	David Samples No. 2	5826	Beattyville	295	275	240	245	225	230	175	170
PERRY COUNTY, KY.											
Campbell, Arthur	Campbell	5751	Hazard No. 4	295	275	240	245	225	230	175	170
Combs, James M.	No. 2	5806	Hazard No. 4	295	275	240	245	225	230	175	170

[1] Cooper & Dunaway (J. G. Cooper) was erroneously listed in Docket A-1641 as Mine Index 5707.
[2] Denotes change in seam designation.
[3] Indicates no classification effective for these size groups.
[4] Indicates previously classified these size groups.

No. 6——2

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T—Continued

Code member index	Mine	Mine index No.	Seam	Base sizes: Lump over 2", egg 4" x 6"	Lump 2" and under, egg 3" x 6"	Lump 4" and under, egg 2" x 4"	Egg 2" x 4", stove 2" and under, nut 2" and under	Stove 3" and under, nut 2" and under, straight mine run	2" and under, slack	3/4" and under, slack
				1	2	3	4	5	6	7	8
SUBDISTRICT NO. 4—KANAWHA											
BOONE COUNTY, W. VA.											
Ridgeview Coal Company	Ridgeview	407	Cedar Grove and No. 2 Gas[2]	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
PUTNAM COUNTY, W. VA.											
Shank & Shank (Ray H. Shank)	Betsey No. 1	5768	Pittsburgh No. 8	265	245	225	215	200	215	145	140
SUBDISTRICT NO. 5—LOGAN											
LOGAN COUNTY, W. VA.											
Crystal Block Coal & Coke Co. No. 4		5823	"C"	275	255	240	235	220	230	205	200
SUBDISTRICT NO. 6—SOUTHERN APPALACHIAN											
BELL COUNTY, KY.											
Garrison, Brodis B.	Virginia Sue No. 2	5804	Straight Creek	315	295	245	265	235	235	185	180
CLAY COUNTY, KY.											
Hibbard & Harris (Theo. Hibbard)	Mose Lewis	5778		285	265	240	240	225	230	175	170
CLINTON COUNTY, KY.											
Covey, W. C.	Covey No. 1	5755	No. 3	275	255	235	230	220	225	175	170
Guinn, O. D.	Guinn No. 1	5776	No. 3	275	255	235	230	220	225	175	170
JACKSON COUNTY, KY.											
Templeton & Pennington (Dewey Templeton).	Templeton	5825	Sand Gap	285	265	240	240	225	230	175	170
KNOX COUNTY, KY.											
Elliott, Wilson	Wilson-Elliott No. 1	5747	Jellico	275	255	245	245	225	235	175	170
Helton, Larence	Larence Helton No. 2	5794	Jellico	275	255	245	245	225	235	175	170
PULASKI COUNTY, KY.											
Foster, Chas.	Victory	5822	No. 3	285	265	240	240	225	230	175	170
WAYNE COUNTY, KY.											
Black, W. C.	Black No. 3	5782	No. 3	275	255	235	230	220	225	175	170
Stinson, Arthur	Hancock	5772	No. 3	275	255	235	230	220	225	175	170
WHITLEY COUNTY, KY.											
Abbott, James	James Lawson	5753	Blue Gem	355	335	255	280	245	245	165	160
Gatliff Coal Co.	Blue Gem	5805	Blue Gem	355	335	255	280	245	245	175	170
Siler, Mode & Frank Goley (Frank Goley)	Siler & Goley	5762	Jellico	305	285	245	260	235	235	190	185
CAMPBELL COUNTY, TENN.											
Seiber, Mack & Clyde & Amon Polson (Amon Polson).	Seiber & Polson	5793	Rex	315	295	230	265	235	220	165	160

§ 326.34 *General prices for high volatile coals in cents per net ton for shipments into all market areas*—Supplement T—Continued

Code member index	Mine	Mine index No.	Seam	Base sizes						
				Lump over 2", egg 4" x 6"	Lump 2" and under, egg 3" x 6"	Lump 3/4" and under	Egg 2" x 6", egg 2" x 5"	Stove 2" and under, nut 2" and under	Straight mine run	2" and under, slack	3/4" and under, slack
				1	2	3	4	5	6	7	8
SUBDISTRICT NO. 6—SOUTHERN APPALACHIAN—Continued											
SCOTT COUNTY, TENN.											
Cross, Charles & James Chambers.	Cross & Chambers No. 2	5820	Glen Mary	275	255	235	240	230	225	175	170
Pemberton, H. F.	H. F. Pemberton No. 2	5821	Glen Mary	275	255	235	230	230	225	175	170
SUBDISTRICT NO. 7—VIRGINIA											
DICKENSON COUNTY, VA.											
Gibson Coal Co. (George Gibson).	Gibson Coal Co.	5811	Lower Banner	285	265	240	240	235	230	175	170
RUSSELL COUNTY, VA.											
Helton & Vance (Ira Helton)	Helton & Vance	2246	Upper Banner	285	265	240	240	235	230	175	170
WISE COUNTY, VA.											
Christie Coal Co.	Christie	107	Blair	(†)	(†)	(*)	(†)	235	(*)	(*)	(†)
Osborne, Tive	Osborne	5785	Widow Kennedy	295	275	240	250	245	230	175	170

†Indicates no classification effective for these size groups.
*Indicates previously classified these size groups.

[F. R. Doc. 43-355; Filed, January 7, 1943; 11:26 a. m.]

[Docket No. A-1760]

PART 333—MINIMUM PRICE SCHEDULE, DISTRICT NO. 13

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 13 for the establishment of minimum prices and price classifications for certain coals produced in District No. 13.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines located in District No. 13; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act:

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 333.6 (*General Prices*) is amended by adding thereto Supplement R–I, § 333.7 (*Special prices—(a) Prices for shipment to all railroads and for exclusive use of railroads*) is amended by adding thereto Supplement R–II, § 333.7 (*Special prices—(c) Prices for shipment by railroad, applicable to all coal sold for steamship vessel fuel*) is amended by adding thereto Supplement R–III, § 333.24 (*General prices*) is amended by adding thereto Supplement R–IV, § 333.25 (*Special prices—(b) Prices for shipment to all railroads for locomotive fuel, station heating, power plants and other uses*) is amended by adding thereto Supplement R–V, § 333.27 (*Prices for shipment by river (free alongside) for all uses (except for railway locomotive fuel) for delivery via the Tennessee River to f. a. s. consumers in the States of Tennessee and Alabama*) is amended by adding thereto Supplement R–VI, § 333.34 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T–I, § 333.43 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T–II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

No price classifications or minimum prices have been established for the Millie and Moss Hollow Mine of R. C. Gillespie as proposed in the original petition because records of the Division indicate that this producer is not a member of the Bituminous Coal Code.

The petition also proposed a minimum price in the amount of $3.10 for Size Group 23 (raw screenings) for the New Riceton #5 Mine for truck shipments. In view of the fact that a minimum price of $2.60 is proposed for the coals of this mine in Size Group 18 (raw screenings) and because of the fact that a minimum price of $2.10 is proposed for comparable coals in Size Group 23 produced at other mines operating in the same county and seam, it appears that the proposed minimum price of $3.10 for the coals in Size Group 23 of the New Riceton #5 Mine is a typographical error and that the minimum price intended to be proposed for this coal is $2.10. A minimum price for Size Group 23 of the New Riceton #5 Mine for truck shipments is accordingly established at $2.10.

Dated: December 19, 1942.

[SEAL] DAN H. WHEELER, *Director*.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 13

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 333, Minimum Price Schedule for District No. 13 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 333.6 *General prices*—Supplement R–I

[Prices f. o. b. mines for shipment by railroad, appliceable for all uses except railroad locomotive fuel, steamship bunker fuel and blacksmithing]

Mine index No.	Code member	Mine	Subdistrict	Seam	Freight origin group
	BLOUNT COUNTY, ALA.				
[1] 1683	Martin, W. F.	Self Creek #5	1	Black Creek	31
[2] 1532	Reed, John	Nyota #10	1	Black Creek	31
	MARION COUNTY, ALA.				
[3] 1647	Crick, T. T.	Wilburn Smith #1	1	Black Creek	101
[3] 1648	Crick, T. T.	Wilburn Smith #2	1	Black Creek	101
[3] 1649	Crick, T. T.	Wilburn Smith #3	1	Black Creek	101
	WALKER COUNTY, ALA				
[4] 1701	Naramore, W. A. (Naramore Coal Co.)	New Riecton #2, 3, 4, 5 & 6.	1	Mt. Carmel	121
[5] 1467	Roberts & Early (John C. Roberts)	Roberts & Early	1	Black Creek	80
	WINSTON COUNTY, ALA.				
[6] 1676	Pendley, Carl	Millstone Mt. #10	1	Black Creek	111

[1] Shipping Point: Warrior, Ala. Railroad: L&N. This mine shall have in Size Group 13 on each respective price table the same price as is shown thereon for Mine Index No. 1309 (Floyd Cooper, Cooper's mine, Minimum Price Schedule), and will be included in group 120.

[2] Shipping Point: Carbon, Ala. Railroad: L&N. This mine shall have in Size Groups 20, 22, 23 and 24 on each respective price table the same prices as are listed in these respective size groups for Mine Index No. 1360 (Willie Martin, Nyota #9, Minimum Price Schedule), and will be included in group 118. Change in shipping point but without change in railroad and Freight Origin Group. Shipping point at Warrior, Ala., shall no longer be applicable.

[3] Shipping Point: Glen Allen, Ala. Railroad: St. L.-S. F. These mines shall have in Size Groups 4, 6, 17, 18, 20, 22 and 26 on each respective price table the same prices as are listed in these respective size groups for Mine Index No. 427 (T. T. Crick, Kelly #3 mine, Minimum Price Schedule), and will be included in group 20.

[4] Shipping Point: Cordova, Ala. Railroad: St. L.-S. F. & Sou. Ry. This mine shall have in Size Groups 1, 13 and 23 on each respective price table the same prices as are listed in these respective size groups for Mine Index No. 1249 (W. A. Naramore (Naramore Coal Co.), New Riecton, Mine, Minimum Price Schedule), and included in Group 203.

[5] Shipping Point: Rosemary, Ala. Railroad: St. L.-S. F. Change in shipping point but without change in railroad and Freight Origin Group. Shipping point at Drummond, Ala., shall no longer be applicable.

[6] Shipping Point: Lynn, Ala. Railroad: Sou. Ry. This mine shall have in Size Groups 1, 4, 7, 13, and 23 on each respective price table the same prices as are listed in these respective size groups for Mine Index No. 1415 (W. L. Thomas, Dodd #4 Mine, Minimum Price Schedule) and included in Group No. 107.

§ 333.7 *Special prices*—(a) *Prices for shipment to all railroads for exclusive use of railroads*—Supplement R–II

[Prices f. o. b. mines for shipment to all railroads and for exclusive use of railroads. The following prices apply on coal for use in railroad locomotives and powerhouse plants. For station heating, use in dining cars, or other uses than stated above, commercial prices as listed in other sections of this price schedule shall apply. For all mines in subdistrict No. 1. For all sizes customarily furnished railroads for locomotive fuel]

Mine index No.	Central of Georgia[1]	Seaboard Air Line Ry.[1]	St. Louis & San Francisco R. R. (for consignment west of the Mississippi River)	St. Louis & San Francisco R. R. (for consignment east of the Mississippi River)	A. B. & C. Railroad	All other railroads not specifically shown
1532, 1647, 1648, 1649, 1701	250	250	230	250	----------	250

[1] Prices listed for Central of Georgia and Seaboard Air Line Railways shall also apply to controlled subsidiaries whose purchases of coal are directly made by the controlling system.

§ 333.7 *Special prices*—(c) *Prices for shipment by railroad, applicable to all coal sold for steamship vessel fuel*—Supplement R–III

[Prices f. o. b. mines for shipment by railroad, applicable to all coal sold for steamship bunker fuel, subject to price instructions and exceptions]

Mine Index No.	Size groups and prices applicable for steamship vessel fuel				
Subdistrict No. 1	Mine group	14, 15, 16, 17, 18	12	13	23
1532	Black Creek	----------	----------	315	305
1647, 1648, 1649	Black Creek	315	315	----------	----------
1701	Carbon Hill Big Seam	275	----------	----------	----------

§ 333.24 *General prices*—Supplement R–IV

[Prices f. o. b. mines for shipment by railroad, appliceable for all uses except railroad locomotive fuel, steamship bunker fuel and blacksmithing]

Mine index No.	Code member	Mine	Subdistrict	Seam	Freight origin group
	HAMILTON COUNTY, TENN.				
[1] 1691	Crooks, Joe	Crooks	3	No. 7	200
	MARION COUNTY, TENN.				
[2] 1702	Cain, Geo. D.	Cain #1	3	Sewanee	210
[3] 1699	Henry Bros. (Clarence Henry)	Henry Bros. No. 2	3	Sewanee	150
[4] 1688	Richardson, Joe	Tommy #1	3	Etna #3	190
[5] 1692	Simmons, N. E.	Simmons #2	3	Sewanee	210

[1] Shipping Point: Rathburn, Tenn. Railroad: Sou. Ry. On each respective price table this mine shall have in each size group the same respective price as is listed for Mine Index No. 695 (C. B. Alexander, Alexander mine, Minimum Price Schedule), and will be included in Group 4.

[2] Shipping Point: Platt Siding, North Chattanooga, Tenn. Railroad: Chattanooga Traction Company R. R. On each respective price table this mine shall have in each size group the same respective price as is listed for Mine Index No. 731 (Sequatchie Coal Co., Sequatchie mine, Minimum Price Schedule), and will be included in Group 1.

[3] Shipping Point: Dunlap, Tenn. Railroad: N. C. & St. L. On each respective price table this mine shall have in each size group the same respective price as is listed for Mine Index No. 714 (E. L. Goforth, Goforth mine, Minimum Price Schedule), and will be included in Group 9.

[4] Shipping Point: Ladds, Tenn. Railroad: N. C. & St. L. On each respective price table this mine shall have in each size group the same respective price as is listed for Mine Index No. 713 (Etna Coal & Coke Company, Inc., Etna #2, Minimum Price Schedule), and will be included in Group 2.

[5] Shipping Point: Platt Siding, North Chattanooga, Tenn. Railroad: Chattanooga Traction Company R. R. On each respective price table this mine shall have in each size group the same respective price as is listed for Mine Index No. 731 (Sequatchie Coal Co., Sequatchie mine, Minimum Price Schedule), and included in Group 1.

§ 333.25 *Special prices*—(b) *Prices for shipment to all railroads for locomotive fuel, station heating, power plants and other uses.*—Supplement R–V

[Prices f.o.b. mines for shipment to all railroads for locomotive fuel, station heating, power plants and other uses]

For mines in subdistrict No. 3	Size	Price
Mine index number: 1688, 1691, 1692, 1699, 1702.	For all sizes except screenings.	255
	Screenings with top size not more than 2".	215

§ 333.27 *Prices for shipment by river (free alongside) for all uses (except for railway locomotive fuel) for delivery via the Tennessee River to f. a. s. consumers in the States of Tennessee and Alabama*—Supplement R–VI

Code member index	Mine	Mine index No.	County	Seam	Lump: Over 3" Egg: Top size over 3"	Egg: Top size 3" and under bottom size 2" and under	Lump: 2" and under	Nut: Top size 2" and under, bottom size 1" and under	Stoker: Top size 1" and under, bottom size ½" and under	Stoker: Top size ¾" and under, bottom size ¼" and under	Straight, and modified M/R	Resultants: 3" and under	Resultants: 1" and under	Screenings: ¼" and under	Screenings: 1½" and under	Screenings: 1¼" and under	Screenings: ¾" and under	Screenings: ¼" and under	Industrial coal
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
TENNESSEE-GEORGIA																			
Subdistrict No. 6																			
Cain, Geo. D.	Cain #1	1702	Marion	Sewanee	345	345	335	290	280	275	265	265	265	235	235	235	230	195	290
Crooks, Joe	Crooks	1691	Hamilton	No. 7	345	345	335	290	280	250	265	265	265	235	235	225	220	185	290
Henry Bros. (Clarence Henry)	Henry Bros. #2	1699	Marion	Sewanee	345	345	335	290	280	275	265	265	265	235	235	235	230	195	290
Richardson, Joe	Tommy #1	1688	Marion	Etna #3	345	345	335	290	280	275	265	265	265	235	235	235	230	195	290
Simmons, N. E.	Simmons #2	1692	Marion	Sewanee	345	345	335	290	280	275	265	265	265	235	235	235	230	195	290

FOR TRUCK SHIPMENTS

§ 333.34 *General prices in cents per net ton for shipment into all market areas*—Supplement T–I

Code member index	Mine	Mine index No.	Subdistrict	Seam	Lump: over 2" Egg: Top size over 6"	Egg: Top size 6" and under	Lump: 2" and under	Nut: Top size 2" and under, bottom size over ½"		Chestnut: Top size 3" and under, bottom size ½" and under		Chestnut: Top size 1½" and under, bottom size ½" and under		Run of mine, modified R/M	Resultants: 3" and under		Screenings: 1½" and under		Industrial coal
								Wash	Raw	Wash	Raw	Wash	Raw	Raw	Wash	Raw	Wash	Raw	
					1	2	3	6	7	8	9	10	11	13	17	22	18	23	24, 25, 26
ALABAMA																			
BIBB COUNTY																			
Evans, David S.	Persimmon	1695	2	Youngblood	395	395	370	365	345	345	320	330	305	305	280	255	270	245	305
BLOUNT COUNTY																			
Martin, W. F.	Self Creek #5	1683	2	Black Creek	385	385	370	375	355	340	330	325	315	315	305	295	295	280	315
Quick, L. C. & M. T. Doss (L. C. Quick)	Fannie Furst	1669	2	Black Creek	385	385	370	375	355	340	330	325	315	315	305	295	295	280	315
JEFFERSON COUNTY																			
Keef, N. E.	N. E. Keef #2	1703	2	Upper Nunnally	310	310	305	325	305	----	----	300	280	290	265	230	260	210	290
MARION COUNTY																			
Burks & Dykes (Clyde Burks)	Colburn's #7	1671	2	Black Creek	415	415	390	365	345	345	335	340	330	320	305	295	295	255	320
WALKER COUNTY																			
Hannon & Ivy (D. B. Hannon)	Tucker #11	1689	2	Black Creek	415	415	390	365	345	345	335	340	330	320	305	295	295	255	320
Naramore, W. A. (Naramore Coal Company)	New Riceton #2, 3, 4, 5 & 6.	1701	2	Mt. Carmel	305	305	305	325	305	310	290	300	280	255	295	230	290	210	255
WINSTON COUNTY																			
Pendley, Carl	Millstone Mt. #10	1676	2	Black Creek	415	415	390	365	345	345	335	340	330	320	305	295	295	255	320

§ 333.43 *General prices in cents per net ton for shipment into all market areas*—Supplement T–II

Code member index	Mine	Mine index No.	Subdistrict	Seam	Lump: Over 2", Egg: Top size over 3"	Egg: Top size 3" and under bottom size 2" and under	Lump: 2" and under	Nut: Top size 2" and under, bottom size 1" and under	Stoker: Top size 1½" and under, bottom size ½" and under	Stoker: Top size ¾" and under, bottom size ¾" and under	Straight, and modified M/R	Resultants: 3" and under	Resultants: 4" and under	Screenings: 2" and under	Screenings: 1½" and under	Screenings: 1¼" and under	Screenings: ¾" and under	Screenings: ½" and under	Industrial coal [1]
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
TENNESSEE-GEORGIA																			
HAMILTON COUNTY, TENN.																			
Crooks, Joe	Crooks	1691	4	No. 7	345	345	335	290	280	250	265	265	265	235	235	225	220	185	290
MARION COUNTY, TENN.																			
Cain, Geo. D.	Cain #1	1702	4	Sewanee	345	345	335	290	280	275	265	265	265	235	235	235	230	195	290
Henry Bros. (Clarence Henry)	Henry Bros. #2	1699	4	Sewanee	345	345	335	290	280	275	265	265	265	235	235	235	230	195	290
Richardson, Joe	Tommy #1	1688	4	Etna #3	345	345	335	290	280	275	265	265	265	235	235	235	230	195	290
Simmons, N. E.	Simmons #2	1692	4	Sewanee	345	345	335	290	280	275	265	265	265	235	235	235	230	195	290

[1] For sizes included see Size Group Table § 333.6.

[F. R. Doc. 43-352; Filed, January 7, 1943; 11:25 a. m.]

[Docket No. A-1765]

PART 333—MINIMUM PRICE SCHEDULE, DISTRICT NO. 13

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of Tombrello Coal Company, a code member in District No. 13, for the establishment of price classifications and minimum prices for the Udora #1 Mine (Mine Index No. 1706) and the Udora #2 Mine (Mine Index No. 1709) and for change in shipping point of the Spradling Hollow Mine (Mine Index No. 199).

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Udora #1 Mine (Mine Index No. 1706) and the Udora #2 Mine (Mine Index No. 1709), and requesting change in shipping point for the Spradling Hollow Mine (Mine Index No. 199);

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 333.6 (*General prices*) is amended by adding thereto Supplement R–I, and § 333.7 (*Special prices*—(a) *Prices for shipment to all railroads, and for exclusive use of railroads*) is amended by adding thereto Supplement R–II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: December 24, 1942.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 13

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 333, Minimum Price Schedule for District No. 13 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 333.6 *General prices*—Supplement R–I

[Prices f. o. b. mines for shipment by railroad, applicable for all uses except railroad locomotive fuel, steamship bunker fuel and blacksmithing]

Mine Index No.	Code member	Mine	Subdistrict	Seam	Freight origin group
	JEFFERSON COUNTY, ALA.				
[1] 1706	Tombrello Coal Company	Udora #1	1	Nickel Plate	31
[1] 1709	Tombrello Coal Company	Udora #2	1	Pratt	81
[1] 199	Tombrello Coal Co., Inc	Spradling Hollow	1	Nickel Plate	31

[1] Shipping Point: Udora, Ala. Railroad: L&N. On each respective price table this mine shall have in each size group the same respective prices as is listed for Mine Index No. 199 (Tombrello Coal Company, Inc., Spradling Hollow Mine, Minimum Price Schedule), and will be included in Group 175.

[2] Shipping Point: Udora, Ala. Railroad: L&N. On each respective price table this mine shall have in each size group the same respective prices as is listed for Mine Index No. 381 (Tombrello Coal Company, Inc., Tombrello Mine, Minimum Price Schedule), and will be included in Group 195.

[3] Shipping Point: Udora, Ala. Railroad: L&N. Change in shipping point, railroad and freight origin group. Shipping point at Cardiff, Ala., on Southern Railway in freight origin group 50 shall no longer be applicable.

§ 333.7 *Special prices*—(a) *Prices for shipment to all railroads and for exclusive use of railroads*—Supplement R–II

[Prices f. o. b. mines for shipment to all railroads and for exclusive use of railroads. The following prices apply on coal for use in railroad locomotives and powerhouse plants. For station heating, use in dining cars, or other uses than stated above, commercial prices as listed in other sections of this price schedule shall apply.]

For all mines in Subdistrict No. 1		For all sizes customarily furnished railroads for locomotive fuel				
Mine Index No.	Central [1] of Georgia	Seaboard Air Line Railway	St. Louis & San Francisco R. R. (for consignment west of the Mississippi River)	St. Louis & San Francisco R. R. (for consignment east of the Mississippi River)	A. B. & C. Railroad	All other railroads not specifically shown
1706, 1709	250	250	230	260		250

[1] Prices listed for Central of Georgia and Seaboard Air Line Railways shall also apply to controlled subsidiaries whose purchases of coal are directly made by the controlling system.

[F. R. Doc. 43-356; Filed, January 7, 1943; 11:27 a. m.]

[Docket No. A-1759]

PART 334—MINIMUM PRICE SCHEDULE, DISTRICT NO. 14

ORDER GRANTING RELIEF, ETC.

Memorandum opinion and order granting temporary relief and conditionally providing for final relief in the matter of the petition of the Kistler Coal Company, code member in District No. 14, for revision of certain price classifications and minimum prices for coals produced from the Rock Island Mine.

An original petition pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 was duly filed with this Division by the above-named party requesting revision of the price classifications and minimum prices for the coals in Size Gorups Nos. 4, 6, 7, 8, 9, and 18, produced from the Rock Island Mine, Mine Index No. 203, of the Kistler Coal Company, located in Subdistrict No. 6 of District No. 14, for shipments by both rail and truck.

Petitioner alleges that the price classifications and minimum prices heretofore established and currently in effect for the coals of its Rock Island Mine in Size Groups Nos. 4, 6, 7, 8, 9, and 18, do not reflect the relative market values of such coals for the reason that at the time the coals in question were originally classified and priced in Dockets Nos. A–928 and A–928 Part II, petitioner's mine was in the process of development and approximated but 300 feet in depth, with the result that the coal produced therefrom was inferior in quality to the so-called A Grade coals produced in the Excelsior field in District No. 14. Petitioner further alleges that the depth of its Rock Island Mine now approximates 1100 feet and that the coals currently being produced therefrom are comparable both physically and analytically with the A Grade coals produced from competing mines in the Excelsior field.

In support of its allegation to the effect that the coals of its Rock Island Mine are presently comparable to the coals produced from other A Grade mines in the Excelsior field, petitioner, for the purpose of comparison, submits an analysis of the lump coals produced from its Rock Island Mine and a composite analysis of the lump coals produced from Mine Index Nos. 13, 33, 89 and 144, which mines are classified as A Grade mines and are located in the Excelsior field in District No. 14.

In support of its allegation that the coals produced from its Rock Island Mine are comparable in hardness and in physical characteristics to the coals produced from A Grade mines in the Excelsior field, petitioner submits reports of drop shatter tests conducted upon 8" x 3" egg coal produced from its Rock Island Mine, and upon similar size coals produced from Mine Index Nos. 13, 33, 89 and 144, the A Grade mines referred to above.

No petitions of intervention have been filed with the Division in the above-entitled matter.

From the facts alleged in the original petition in this matter it appears that a reasonable showing of necessity has been made for the granting of temporary relief and that, pending final disposition of this proceeding, interested persons will not be prejudiced by the granting of such temporary relief in the manner hereinafter set forth.

Now, therefore, it is ordered, That, pending final disposition of the above-entitled matter, temporary relief be, and it hereby is, granted as follows: Commencing forthwith, § 334.5 (*Alphabetical list of code members*) and § 334.24 (*General prices for shipment into all market areas*) in the Schedules of Effective Minimum Prices for District No. 14 For All Shipments Except Truck and For Truck Shipments are supplemented to include, for the coals of the Rock Island Mine, Mine Index No. 203, of the Kistler Coal Company, in Size Groups Nos. 4, 6, 7, 8, 9, and 18, the price classifications and minimum prices set forth in the schedules marked Supplement R and Supplement T annexed hereto and hereby made a part hereof.

It is further ordered, That the price classifications and minimum prices heretofore established in Dockets Nos. A–928 and A–928 Part II, 6 F.R. 3944 and 6 F.R. 6183, respectively, for the coals of the Rock Island Mine, Mine Index No. 203, of the Kistler Coal Company, in Size Groups Nos. 4, 6, 7, 8, 9, and 18, for all shipments except truck, and for truck shipments, be, and they hereby are, withdrawn and terminated as of the date of this order.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order unless is shall otherwise be ordered.

Dated: December 26, 1942.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 14

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 334, Minimum Price Schedule for District No. 14 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 334.5 *Alphabetical list of code members*—Supplement R

[Alphabetical list of code members showing price classification by size group for all uses except railroad locomotive fuel]

Code member	Mine Index No.	Mine name	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Price classification by size group													
							1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Kistler Coal Company c/o R. P. Kistler	[1] 203	Rock Island	6	{Rock Island / Oklahoma	{MY / SL-SF	18	(†)	(†)	(†)	D	(†)	E	E	E	(†)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	J	(†)	(†)

[1] Correction in shipping point, Excelsior, Ark. and Ft. Smith, Ark. shall not longer apply for this mine. The Division has been advised that Excelsior, Ark. and Ft. Smith, Ark., heretofore shown as the rail shipping points for this mine, are the railroad billing points whereas the coal of this mine is actually loaded for rail shipment at Rock Island, Oklahoma.

* Previously classified for these size groups. No changes requested.
† Indicates no classification effective for these size groups.

FOR TRUCK SHIPMENTS

§ 334.24 *General prices for shipment into all market areas*—Supplement T

[Prices in cents per ton for shipment into all market areas]

Code member	Mine Index No.	Mine name	Subdistrict No.	County	Prices and size group numbers															
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Kistler Coal Company c/o R. P. Kistler	203	Rock Island	6	Le Flore, Oklahoma	(†)	(†)	(†)	175	175	175	175	175	450	(†)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	375	(†)	(†)

* Previously priced for these size groups. No changes requested.
† Indicates no classification effective for these size groups.

[F. R. Doc. 43-357; Filed, January 7, 1943; 11:27 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1010—SUSPENSION ORDERS

[Suspension Order S-209]

STAR COFFEE CO.

Peter Rubinelli, d/b/a Star Coffee Company, St. Louis, Missouri, is a roaster of coffee as defined in Conservation Order M–135. From April 28 to June 30, 1942, said Peter Rubinelli sold a substantial quantity of roasted coffee in excess of the quota permitted under the terms of Supplementary Conservation Order M–135–c. Furthermore, Peter Rubinelli accepted delivery of green coffee at a time when his inventory thereof exceeded a two months' supply in violation of Conservation Order M–135.

These violations of Conservation Order M–135 have hampered and impeded the war effort of the United States. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.209 *Suspension Order S–209.* (a) During each of the calendar months from January 1943 through and including June 1943, deliveries of coffee by Peter Rubinelli, individually, or doing business as Star Coffee Company or otherwise, shall not exceed 16,560 pounds, except as specifically authorized by the Director General for Operations.

(b) The restrictions contained in paragraph (a) hereof shall not apply to deliveries by Peter Rubinelli, individually, or doing business as Star Coffee Company or otherwise, to any hospital, asylum, orphanage, prison, or other similar institution which is operated by any United States federal, state, or local governmental agency and which received coffee during 1941 under contracts awarded upon the basis of competitive bids.

(c) Nothing contained in this order shall be deemed to relieve Peter Rubinelli, individually, or doing business as Star Coffee Company or otherwise, from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-396; Filed, January 7, 1943; 3:39 p. m.]

PART 940—RUBBER AND BALATA AND PRODUCTS AND MATERIALS OF WHICH RUBBER OR BALATA IS A COMPONENT

[Amendment 1 to Supplementary Order M-15-b, as Amended Dec. 28, 1942]

Section 940.3 *Supplementary Order M–15–b* is amended by changing paragraph (c) (11) thereof to read as follows:

(11) *Reports covering war orders.* Reports covering the consumption of crude rubber, latex, reclaimed rubber and scrap rubber to fill war orders shall be filed monthly on Form PD-49, as revised, pursuant to the requirements of paragraph (c) (24) of this Supplementary Order No. M–15–b.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-430; Filed, January 8, 1943; 11:38 a. m.]

PART 1293—HAND TOOLS SIMPLIFICATION

[Schedule V to Limitation Order L–157]

HAND FORKS, HAND HOOKS, HAND RAKES, HAND HOES, HAND EYE HOES AND HAND CULTIVATORS.

§ 1293.6 *Schedule V to Limitation Order L–157*—(a) *Definitions:* For the purpose of this schedule:

(1) "Producer" means any person who manufactures, stamps, forges or otherwise fabricates hand forks, hand hooks, hand rakes, hand hoes, hand eye hoes, or hand cultivators.

(2) "Hand cultivator" means a tined hoe or rake designed for manual operation. Hand cultivator shall not include a hand wheel cultivator.

(b) *Simplified practices.* Pursuant to Order L–157, the kinds, grades, styles, sizes, weights, and finishes set forth in Appendix A and Tables 1 through 6 of this schedule are established for the manufacture, stamping, forging or fabricating of hand forks, hand hooks, hand rakes, hand hoes, hand eye hoes, and hand cultivators.

(c) *Effective date of simplified practices.* On and after the 8th day of April 1943, no producer shall put in process any steel for the purpose of manufacturing, stamping, forging or otherwise fabricating hand forks, hand hooks, hand rakes, hand hoes, hand eye hoes, or hand cultivators other than such forks, hooks, rakes, hoes, eye hoes or cultivators as conform to the kinds, grades, styles, sizes, weights and finishes as established by paragraph (b) and Appendix A, Table 1 through Table 6 of this schedule. On and after the 8th day of May 1943, no producer shall manufacture, stamp, forge, or fabricate a hand fork, hand hook, hand rake, hand hoe, hand eye hoe or hand cultivator not conforming to the kinds, grades, styles, sizes, weights and finishes established in paragraph (b), and Appendix A, Table 1 through Table 6 of this schedule, except with the express permission of the Director General for Operations.

(d) *Records.* Each producer of hand forks, hand rakes, hand hoes, hand eye hoes, or hand cultivators shall execute and file with the War Production Board such reports and questionnaires as the Board shall from time to time require.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

APPENDIX A—EXPLANATIONS AND LIMITATIONS

(1) *Grades.* A, B, and C designate qualities of complete tools; A designating the best quality. Limitations applying to quality are given separately at the foot of each table. Handle grades A, B, and C are defined in Simplified Practice Recommendation R76–40, Ash Handles, issued by the National Bureau of Standards, United States Department of Commerce. Handle grade requirements shall not be construed as prohibiting the substitution for ash of other suitable species of wood having characteristics as nearly comparable as possible to the respective grades of ash for which they are substituted, provided all handles other than ash be marked with the name of the species of wood of which they were made.

(2) *Finishes.* Except where otherwise stated, blades and tines shall be natural finish, i. e., dipped in their natural state (except that they may be wire brushed to remove scale or rust) in paint, enamel, lacquer, or other protective coating. Wood handles shall be finished so that the grain of the wood is plainly visible.

(3) *Material.* No alloy steels shall be used in the construction of any tool listed in Table 1 through Table 6.

(4) *Tolerances.* Dimensions and weights given herein are subject to commercial tolerances.

TABLE 1—FORKS

Kind	Grades [a]	Tines: No.	Tines: Length	Tines: Shape	Tines: Finish	Spread of points (approx.)	Space between tines	Handle lengths [b]	Weight per dozen (approx.) [c]
LIGHT FORKS									
Barley, with or without bails and braces	A, B	4	18	Oval	Polished	11½		(4–5½ ft (34 in. DT)	[d]
Hay, regular 3-tine	A, B	3	12	do	do	7¼		3½–6 ft	[d]
Hay, regular 3-tine	C	3	12	do	Black	7¼		4–6 ft	[d]
Header, round shouldered	A, B	4	15	do	Polished	10½		4–5½ ft	[d] 11
Manure, regular pattern: 4-tine	A, B	4	12–12½	do	do	9¼		(4 & 4½ ft (32 in. DT)	[d] 10
4-tine	C	4	12–12½	do	Black	9¼		(4 & 4½ ft (32 in. DT)	[d] 11
5-tine	A, B	5	12–12½	do	Polished	9½		(4 & 4½ ft (32 in. DT)	[d] 11
5-tine	C	5	12–12½	do	Black	9½		(4 & 4½ ft (32 in. DT)	[d] 11
Spading: Light pattern [e]	A, B	4	11	(Angular back	Polished face, tumbled back			(4 ft (30 in. DT)	[f]
Heavy pattern [e]	A, B	4	11	do	do			(4 ft (30 in. DT)	[f]
HEAVY FORKS									
Beet, scoop shaped, with ball pointed tines	A	7	16½	Round	Black	13½–14½	2–2¼	32 in. DT	[g]
Coal, scoop shaped	A	10	14 or 16	do	do	13½–14	1¼	30 in. DT	[g]
		12	16	do	do	15–16	1	30 in. DT	[g]
		14	15 or 16	do	do	14	¾	30 in. DT	[g]
Coke fork	A	10	17	Diamond	Black	14½–15	1¼	30 in. DT	[g]
		12	17	do	do	17½–18	1¼	30 in. DT	[g]
Cotton seed, scoop shaped	A	10	16–17	do	do	14	1¼	30 in. DT	[g]
Ensilage, barn, or kaffir corn, regular pattern, outside tines turned up	A	8	16	Oval	do	12¾–13	1½–1¾	30 in. DT	[g]
		10	16	do	do	15	1½	30 in. DT	[g]
Mill, manure, street, or pulp	A	4	15	do	Half-polished	10½ to 11	2½–2¾	30 in. DT	[g]
Stone, ballast, or gravel	A	8	13½	Square	Black	10½	1¼	30 in. DT	[g]
		10	13½	do	do	8½	⅝	30 in. DT	[g]
		10	14½	do	do	9½–9¾	¾	30 in. DT	[g]
		11	13½	do	do	12–12¾	⅝	30 in. DT	[g]
Vegetable, scoop shaped, with flattened points	A	10	15½–16	Oval	do	14–14½	1¼	30 in. DT	[g]

[a] Grade A forks shall have grade A handles, grade B forks, grade B handles, and grade C forks, grade C handles.
[b] All handles shall be of the bent type, except those of hay forks, which may be either straight or bent type. Those identified by the initials DT shall be D-top handles. The longest handle length listed is the maximum for the forks to which it applies. Where a range is given it indicates the commercial practice of furnishing long handles in graded increments, including the shortest and longest listed, e. g., 4–5½ ft. means 4-, 4½-, 5-, and 5½-foot handles. Handles are not required to conform to the listed sizes, but shall not exceed the maximum length listed.
[c] The approximate weight per dozen is given for the highest grade listed. It is intended only to fix within reasonable limits the weight of the fork proper.
[d] With 4½-foot handles.
[e] Including bails and braces.
[f] Grade B spading forks to have tines half polished on face, tumbled back.

TABLE 2—HOOKS

Kind	Grades [a]	Tines: No.	Tines: Length	Tines: Shape	Tines: Finish	Width at points	Maximum handle length	Approx. weight per dozen [b]
			In.			In.	Ft.	Pounds
Manure, garbage, or refuse	A, B	4	8¼–9	Oval	Half-polished	8½	5	40
Phosphate	A	4	11	Flat	Tumbled	8¾–9	6	55
Potato: Gooseneck pattern	A, B	5	7	Round	do	6¼–6½	4½	29
Southern or broad oval: Light pattern	A, B	4	6¼–6¾	Broad oval	do	5½–6¼	4½	25
Heavy pattern	A, B	4	7½	do	do	7–7½	4½	18
Stone	A	4	9–9¾	Diamond back	Black	7¾–8	5	11½

[a] Grade A hooks shall have grade A handles, grade B hooks shall have grade B handles.
[b] Weight is for best grade listed, with handle of length listed.

TABLE 3.—RAKES

[All rakes shall be made only in natural finish]

Kind	Grade [a]	Number of teeth	Head: Width	Head: Thickness	Head: Depth	Maximum length of handle	Weight per dozen (approx.) [b]
			In.	In.	In.	Ft.	Pounds
Level head, general purpose; straight and curved teeth	A	14	14¾	1/4	3¼	5½	35
	B	14	14⅜	1/4	3¼	5½	35
	C	14	14	1/4	2¾	5	30
Road, straight teeth	A, B	14	15½–15⅞	3/8	3⅞–4	5½	51
Asphalt or tar, straight teeth, with square drop shank 18 in. long	A	14	16½–17	11/32	4½	5	78
Combination fire rake and hoe	A	6	9¾		9	4	71
Eye hoe type fire rake, triangular teeth riveted to head, 1¾-inch round eye	A	4	12		3½	4½–5	[c] 45

[a] A grade rakes shall have A grade handles; B grade rakes, B grade handles; and C grade rakes, C grade handles.
[b] Weight is for highest grade listed, with handle of length listed.
[c] With 4½-foot handle.

TABLE 4.—HOES

Kind	Grades [a]	Construction: Socket type [b]	Construction: Shank type [b]	Blade size: Width	Blade size: Depth (greatest)	Maximum length of handle	Weight per dozen (approx.) [c]
				In.	In.	In.	Pounds
Cotton: Chopper, straight shank	A, C	None	½	8	4	60	37½
Regular gooseneck	A, C	None	½	6	5	60	35
				7	5	60	36
Field and garden, regular [d]	A, B, C	7/16	7/16	6½	4¾	52	[e] 26
				6½	4¾	18	[e] 17
Field and garden, riveted [d]	C	[f] 5/16	[f] 5/16	6½	4–4¾	52	22–24
Mattock hoe "Dig Ery" pattern, two blades in the same plane	A	None	None	1½ & 3	12¾	54	34
Mortar, perforated and plain blade	A	None				66	[g] 48½
			5/8	9	6	66	[g] 49½
				10	6	66	[g] 49½
Scuffle, heavy duty or railroad	A	None	X	5–8½	4–6	60	40
Southern meadow or blackland	A, C	7/16	7/16	7	4	60	[e] 31
				8	4	60	[e] 32
Square top: Regular or sugar beet pattern	A, B, C	X	None	7	3½	52	27
	A	X	None	7	3½	18	18
Renewable blade sugar beet or onion pattern	A	7/16	None	7	1¾	54	28
Regular onion	A	7/16	7/16	6½	1¾	52	21

[a] Grade A hoes shall have grade A handles; grade B, grade B handles; and grade C, grade C handles. The blades of grade A and grade B hoes shall be polished front and back; the blades of grade C hoes shall be polished front and back for the first third of their height. Scuffle and mattock hoes shall be made only in natural finish.
[b] The dimensions given are the diameters of the shanks in inches. "X" means no dimension is specified. "None" means no hoe to be made in such construction type.
[c] Weight per dozen is that for highest grade listed, with handle of length listed.
[d] Blade may be attached to shank by riveting or any other satisfactory method.
[e] Weight of socket type.
[f] Maximum.
[g] Plain blade; perforated blade approximately one pound lighter per dozen.

TABLE 5.—EYE HOES

[To be made in natural finish except for lower ⅓ which shall be polished]

Kind [a]	Width of cut	Depth of blade	Maximum length of handle	Approx. weight per dozen
	In.	In.	In.	Pounds
ROUND EYE HOES				
Planter's: American pattern, unhandled	6	6		15
	7	6½		18
	8	7		21
Scovil field pattern, straight and curved blade, unhandled	6½	5½–6		14 to 17
	7	6–6¼		16 to 19
	7½	6½–6¾		18 to 21
	8	6¾–6¾		20 to 23
Grub, handled and unhandled	4	7–7½	54	[b] 18 to 22
Giant planter's: Cane pattern, unhandled	5 to 5¾	8–8½	54	[b] 21 to 31
	4½	8		17
SQUARE EYE HOES				
Garden or field pattern, handled	6	6	54	25
	6	6	54	28
	7½	6¾	54	35

[a] Eye hoes are described handled or unhandled according to the condition in which they are generally sold by the producers. They may be distributed in either condition or both.
[b] Without handles.

TABLE 6.—HAND CULTIVATORS

Kind	Grade[a]	Number of points	Maximum spread	Maximum length of handle	Approx. weight per dozen
			In.	*In.*	*Pounds*
Four-tine regular pattern, forged, curved oval tines	A	4	5	52	22
Four-tine wire spring type	A, B	4	5	48	20–30
Three-tine regular pattern, or equipped with U-Shaped cultivating blade[b]	A	3	4½	54	20–22
Flat-wire type	A	6	7	48	25
Five-tine adjustable pattern, tines flattened and points at ends[c]	A, B	5	6½–7½	60	30–37
		Depth In.	*Width In.*		
U-shaped cultivators, with straplike blades approximately 1¼" wide, having sharpened edges and equipped with one or two shares:					
One share pattern	A	4½	5	60	30
Two share pattern	A	4½	8½	60	35

[a] Grade A cultivators shall have grade A handles, grade B cultivators shall have grade B handles.
[b] The three-tine pattern shall not be made by any producer who elects to make a four-tine pattern cultivator.
[c] Prongs shall not exceed ¼ inch square in size, or its equivalent.

[F. R. Doc. 43-426; Filed, January 8, 1943; 11:37 a. m.]

PART 3096—PAPER AND PAPERBOARD

[General Conservation Order M-241 as Amended Jan. 8, 1943]

Section 3096.1 *General Conservation Order M-241*, as amended, is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply, for defense, for private account and for export, of various materials and facilities required in the manufacture and distribution of paper and paperboard; and the following order is deemed necessary in the public interest and to promote the national defense:

§ 3096.1 *General Conservation Order M-241*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) "Produce" includes all operations connected with the production of paper and paperboard, including operations in the finishing room and packaging, but does not include processes or operations applied to paper and paperboard after the primary papermaking, such as printing, waxing, gumming, coating, bag manufacture, cup manufacture and envelope manufacture, box and container manufacture, and the fabrication of paper into paper articles.

(3) "Mill" means a congregation of pulp preparation and roll and sheet finishing equipment, paper machines and subsidiary facilities located and operated together as a single producing unit for the production of paper and paperboard.

(4) "Base Period" means the six month period from October 1, 1941 through March 31, 1942.

(5) "Paper merchant" means any person regularly engaged in the business of buying and reselling paper and or paperboard.

(c) *Restrictions on production of paper and paperboard.* (1) Unless specifically authorized by the Director General for Operations pursuant to subparagraph (5) of this paragraph (c), no person or persons shall produce paper or paperboard in any mill which has not produced paper or paperboard since August 1, 1942.

(2) Each manufacturer of paper and/or paperboard shall for each mill operated by him determine quarterly a production quota, calculated as follows:

(i) Determine, separately for each class of paper and paperboard on List A, the quantity thereof produced at such mill during the period from October 1, 1941 through March 31, 1942;

(ii) Subtract from the result for each class the quantity produced at such mill during such period of each of the grades of paper or paperboard on List B falling within such class:

(iii) Multiply the remainder for each class by percentage figure set opposite the particular class on List A;

(iv) Add together the several tonnages obtained by (iii), and divide by two.

The quantities shall be measured, to the nearest ton, in tonnage delivered from the paper machine. The method and basis for determining such tonnage shall be that method and basis followed at the particular mill in the past, or any other practicable method and basis, provided the same method and basis are used to determine both current production and production during the base period. If any machine unit of any mill was shut down during the base period for as much as 72 consecutive hours, excluding vacations and holidays, there may be added to (i) for such mill for the class of paper or paperboard principally produced on such machine unit, whatever quantity thereof could have been produced on such machine unit during the down time at the average rate of operation during the preceding month.

The Director General may from time to time by amendment change the classification and or percentages on List A or change List B, specifying a particular date for the change to take effect. Quotas for production after any such date shall be calculated according to Lists A and B as amended, until further amended. If the effective date of any such amendment is other than the first day of a calendar quarter, the quota for the quarter within which such date falls shall be recalculated by adding together (i) the proportion of the old quota which equals the proportion of the quarter preceding such date and (ii) the proportion of the new quota which equals the proportion of the quarter following such date, including such date.

(3) No person or persons shall during the first calendar quarter of 1943 or any calendar quarter thereafter produce at any mill any quantity of paper and or paperboard in excess of the quota for such mill for such quarter determined according to subparagraph (2) of this paragraph (c), except:

(i) To the extent and upon the conditions stated in subparagraph (4) of this paragraph (c); or

(ii) To the extent specifically authorized by the Director General for Operations pursuant to paragraph (5) (c) of this order, subject to any conditions imposed by the Director General for Operations in such authorization: and *Provided*, That,

(i) Within such quota there may be produced at any mill any quantities of any one or several kinds of paper and or paperboard, provided that the aggregate during any quarter does not exceed such mill's quota for that quarter; and

(ii) Regardless of and over and beyond any such quota, any person may produce at any mill, unless restricted by paragraph (c) (1) or by paragraph (e), any quantity of any kind of paper on List B.

(4) If one person owns only one mill, and such mill is equipped with only one machine unit for the manufacture of paper and/or paperboard, such person may, unless restricted by paragraph (c) (1) or by paragraph (e), produce at such mill during any calendar week any quantity of paper and/or paperboard required to occupy such machine 120 hours during such week: *Provided*, That such person shall in no other week during the same calendar quarter operate such mill in excess of 120 hours.

(5) If any person owns more than one mill, and can show that by combining or exchanging the several quotas of such mills, or parts thereof, significant quantities of critical materials will be saved, transportation reduced, labor released in areas where needed, or other materials or facilities required in the national defense conserved, he may submit to the Director General for Operations, in writing, a plan for such combination or exchange, stating the quantity and kinds of paper and/or paperboard produced at each mill involved during each month of the year from October 1, 1941 through September 30, 1942, the quantity and kinds of paper expected to be produced at each such mill during each quarter under such plan, how long he proposes to operate under such plan, his reasons for desiring to adopt such plan, and the respects wherein he conceives that such plan will accomplish the purposes mentioned

The Director General for Operations may thereupon approve, modify, or disapprove such plan or may impose upon the execution of any such plan whatever conditions he may deem appropriate to this order. Upon receipt from the Director General for Operations of approval in writing of such a plan the proponent may produce at the mills designated in such plan the quantities and kinds of paper and/or paperboard provided for in such plan, subject to any modifications or conditions imposed by the Director General for Operations in his approval. No person shall undertake or attempt to carry into effect any such plan unless and until he receives such approval.

(d) *Reserve production.* Each manufacturer of paper and/or paperboard shall reserve in the production schedule of each of his mills for the month of January, 1943, and for each calendar month thereafter, time and supplies sufficient to produce and deliver within such month, at the order of the Director General for Operations, 2% of such mill's quota for the current calendar quarter. In general this should amount to approximately 6% of each month's production. The Director General for Operations may on or before the 15th of any month, by telegram or letter, direct any manufacturer to employ such reserve to produce any kind of paper and/or paperboard usually produced at such mill, and any quantity thereof, not to exceed in the aggregate for any one month 2% of such mill's quota for the current quarter, and sell and deliver the same within the month to any person named by the Director General for Operations. The manufacturer may refuse so to produce and deliver only for the reasons specified for the refusal of rated orders in § 944.2 (b) of Priorities Regulation No. 1. If the manufacturer does not on or before the 15th of any month receive from the Director General for Operations directions as to the disposition of such reserve (or has received directions as to the disposition of a part but not of the remainder) he may employ the same or such remainder) as he may desire, consistent with the other provisions of this order.

(e) *Restrictions on inventory.* Unless specifically authorized by the Director General, by telegram or letter, or excepted by paragraph (e) (5):

(1) No person shall knowingly deliver, and no person shall accept delivery of any quantity of newsprint, if the inventory of newsprint in the hands of the person accepting delivery is, or will by virtue of such acceptance become, either (i) in excess of two carloads or (ii), if in excess of two carloads, greater than seventy five days' supply, on the basis of either his average rate of consuming newsprint for the preceding quarter or his average rate of consuming newsprint as projected for the then current quarter;

(2) No person except a paper merchant shall knowingly deliver, and no person except a paper merchant shall accept delivery of, any quantity of any grade of paper or paperboard other than newsprint, if the inventory of such grade in the hands of the person accepting delivery is, or will by virtue of such acceptance become, either (i) in excess of two carloads or (ii), if in excess of two carloads, greater than sixty days' supply, on the basis of either his average rate of consuming such grade of paper or paperboard for the preceding quarter or his average rate of consuming such grade of paper or paperboard as projected for the then current quarter;

(3) No person shall knowingly deliver to a paper merchant, and no paper merchant shall accept delivery of, any quantity of any grade of paper or paperboard other than newsprint, if the inventory of such grade in the hands of such paper merchant is, or will by virtue of such acceptance become, either (i) in excess of two carloads or (ii), if in excess of two carloads, greater than ninety days' supply, on the basis of either his average rate of distributing such grade of paper or paperboard for the preceding quarter or his average rate of distributing such grade of paper or paperboard as projected for the then current quarter;

(4) No person shall produce at any mill any quantity of any grade of paper or paperboard other than newsprint, if his inventory of such grade at such mill is, or will by virtue of such production become, in excess of (i) two carloads or (ii), if in excess of two carloads, greater than sixty days' supply, on the basis of either the average rate of shipment of such grade from such mill for the preceding quarter or the average rate of shipment of such grade from such mill as projected for the then current quarter.

(5) The term "grade of paper or paperboard" refers to the classification on United States Department of Commerce (Census) Form WPB-514, as revised November 7, 1942, each caption (except those which are further broken down by following captions) representing a separate grade. If a person's gross inventory of a grade is in excess of two carloads or sixty days' supply, as above, but his inventory of a particular item within that grade is less than thirty days' supply (or, in the case of a paper merchant, less than sixty days' supply), he may accept delivery of or produce, and others may deliver to him, any quantity of such item as may be required to provide him with thirty days' supply (or in the case of a paper merchant sixty days' supply). The restrictions of this paragraph (e) apply equally to paper and paperboard of foreign and domestic origin, and apply to intra company deliveries as defined in § 944.12 of Priorities Regulation No. 1. They do not, however, apply to those papers commonly reported on United States Department of Commerce (Census) Form WPB-514, as revised November 7, 1942, under the captions "Photographic and other sensitized" (07611) and "Cigarette" (08512), or to any paper or paperboard after it is printed or converted beyond waxing or coating, or to inventories held by or for any agency or government referred to in § 944.1 (b) (1) and (2) of Priorities Regulation No. 1, or by or for the United States Government Printing Office.

(f) *Miscellaneous provisions*—(1) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(2) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(3) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(4) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(5) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(6) *Communications.* All communications concerning this order shall unless otherwise directed, be addressed to, War Production Board, Pulp and Paper Division, Washington, D. C. Ref.: M-241.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

LIST A

Column 1 lists general classes of paper and paperboard by names common in the trade. Each class includes all the grades of paper or paperboard reported on United States Department of Commerce (Census) Forms OPM-514 (for the last quarter of 1941) and WPB-514 (for the first quarter of 1942) by the code numbers, respectively as indicated, set out under the name. In the calculation of a mill's quota there should first be determined the whole quantity of each class produced at the mill during the base period, then subtracted from the result for each class the quantity produced at the mill during the base period of any kind of paper or paperboard on List B falling within such class, then the remainder multiplied by the percentage in column 2, and the several results added and the total divided by two. (See (c) (2) of Order M-241, as amended.)

Class of paper or paperboard	*Percentage*
Newsprint	90
OPM-514—0100 to 0103, incl.	
WPB-514—01000 to 01300, incl.	

Class of paper or paperboard—Continued	*Percentage*
Groundwood papers	80
OPM-514—0200 to 0207, incl.	
WPB-514—02000 to 02900, incl.	
Book papers	80
OPM-514—0300 to 0340, incl.	
WPB-514—03000 to 03590, incl.	
Writings	90
OPM-514—0350 to 0375, incl., 0980 to 0983, incl.	
WPB-514—04000 to 08009, incl.	
Wrapping paper	85
OPM-514—0400 to 0494, incl. and 0800	
WPB-514—09000 to 10900, incl. and 19000	
Tissue paper	100
OPM-514—0500 to 0516, incl.	
WPB-514—11000 to 11900, incl. and 12100 to 12990, incl.	

Class of paper or paperboard—Continued	*Percentage*
Absorbent papers	80
OPM-514—0600 to 0607, incl.	
WPB-514—13000 to 13990, incl.	
Container board	100
OPM-514—0901 to 0930, incl.	
WPB-514—51000 to 51900, incl.	
Folding box board, etc	80
OPM-514—0940 to 0943, incl.	
WPB-514—52000 to 52990, incl.	
Set-up box boards, etc	80
OPM-514—0950 to 0952, incl.	
WPB-514—53000 to 53990, incl.	
Cardboard	80
OPM-514—0970 to 0974, incl.	
WPB-514—54000 to 54900, incl.	
Special industrial boards	90
OPM-514—0960, 0990, 1000, 1020	
WPB-514—55000 to 57000, incl. 59000 to 59900, incl.	

LIST B

Column 1 lists the grades of paper and paperboard which may in general be manufactured without restriction. (See (c) (3) of Order M-241, as amended). The general class within which each falls, according to the classification on List A, is indicated in Column 2. In the calculation of a mill's quota, the amount produced during the base period of each kind of paper and paperboard listed in column 1 is to be subtracted from the total quantity of the corresponding class in column 2 produced during the base period. (See (c) (2) (ii) of Order M-241, as amended). The kinds of paper and paperboard listed in column 1 are further identified by the numbers in parentheses following each, being the code numbers for each on United States Department of Commerce (Census) Forms OPM-514 (for the last quarter of 1941) and WPB-514 (for the first quarter of 1942), respectively as indicated.

Column 1	Column 2 (Corresponding general class on List A)
(Unrestricted)	
Sanitary napkin and wadding stock (OPM-514: 0510, 0516) (WPB-514: 11100)	Tissue Papers
Absorbent for Vulcanized Fibre (OPM-514: 0605) (WPB-514: 13500)	Absorbent Papers
Absorbent for Resin Impregnating and Plastics (OPM-514: 0607) (WPB-514: 13910, 13990)	Absorbent Papers
Building Papers (OPM-514: 0700 to 0704 incl.) (WPB-514: 14000 to 14900 incl.)	Not Listed in A
Building Boards (OPM-514: 1010 to 1013 incl.) (WPB-514: 58000 to 58900 incl.)	Not Listed in A
Container Board, from waste (OPM-514: 0904 to 0930 incl.) (WPB-514: 51200, 51300, 51410, 51420, and 51440 to 51900 incl.)	Container Board
Cigarette Paper (less than 24 x 36, 480, 18 ≠) (OPM-514: 0502) (WPB-514: 12110)	Tissue Papers
Condenser Paper (less than 24 x 36, 480, 18 ≠) (OPM-514: 0503) (WPB-514: 12120)	Tissue Papers
Carbonizing Paper (less than 24 x 36, 480, 18 ≠) (OPM-514: 0504) (WPB-514: 12130)	Tissue Papers
Stencil and Lens Paper (less than 24 x 36, 480, 18 ≠) (OPM-514: 0505) (WPB-514: 12190)	Tissue Papers
Photographic Paper (not separately identified on census forms)	Writing Papers
Currency Paper (not separately identified on census forms)	Writing Papers

[F. R. Doc. 43-431; Filed, January 8, 1943; 11:38 a. m.]

PART 3096—CONSERVATION OF PAPER AND PAPERBOARD

[General Conservation Order M-241-a]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply, for defense, for private account and for export, of various materials and facilities required in the manufacture and distribution of pulp, paper and paperboard; and the following order is deemed necessary in the public interest and to promote the national defense:

§ 3096.2 *General Conservation Order M-241-a*—(a) *Definitions.* For the purpose of this order:

(1) "Converter" means any person engaged in the business of manufacturing from pulp, paper and/or paperboard any of the commodities or articles referred to in paragraph (b).

(b) *Restrictions on consumption of pulp, paper and/or paperboard in the manufacture of certain converted products.* (1) No converter shall during the first calendar quarter of 1943, or any calendar quarter thereafter, consume in the manufacture of any article or class of articles on List A any quantity, in tons, of pulp, paper and/or paperboard greater than the quantity determined by applying the percentage figure on List A opposite the designation of such article or class of articles to either, at the option of the converter:

(i) The quantity, in tons, of pulp, paper and or paperboard consumed by such converter in the manufacture of such article or class of articles during the corresponding quarter of 1942; or

(ii) One-fourth of the total quantity of pulp, paper and/or paperboard consumed by such converter in the manufacture of such article or class of articles during the entire calendar year of 1942.

(2) From and after February 15, 1943, no converter shall consume in the manufacture of any article or class of articles underlined on List B any quantity of pulp, paper, or paperboard.

It shall be the duty of each converter to determine in the first instance which, if any, of his products are included among the articles and classes of articles on Lists A and B. In case of doubt he may apply to the Director General for Operations, in writing, describing the product in question, for a specific ruling, by telegram or letter, determining whether or not the same is so included. The Director General for Operations may of his own motion in any case, by telegram or letter, issue a specific ruling determining whether or not a particular product of a particular converter is so included.

(c) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(d) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(e) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(f) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(g) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(h) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(i) *Communications.* All communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Pulp and Paper Division, Washington, D. C. Ref.: M-241-a.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

LIST A

Article or class of articles	*Percentages*
Chair seat covers	75
Dishes, plates and spoons	90
Envelopes	90
Expansion pockets, unprinted	90
Facial tissue	90
File folders, unprinted	90
Fly paper	90
Household rolls (waxed)	90
Index tabs, unprinted	90
Napkins	90
Paper stationery and papeteries	90
Photo mounts	75
Ribbon, all types, including package ties, and ribbon blocks and cores	90
Salt and pepper shakers	90
Tablets, notebooks and pads	100
Toilet seat covers	100
Toilet tissue	110
Towels	90
Waxed papers, other than bread wrappers	90
The following decorative items as a group:	
Friction glazed paper	
Flint glazed paper	
Metallic coated paper	50
Mica coated paper	
Plated papers	
Mat finish papers	

LIST B

Articles and classes of articles in the manufacture of which pulp, paper or paperboard may not be used after February 15, 1942.

Albums and album covers, including scrapbooks, for photos, snapshots, post cards, clippings, stamps, matchbook covers, etc.
Aprons.
Ash trays.
Bakers decorative specialties, such as:
(a) Pie collars and rings.
(b) Cake circles.
(c) Cake laces.
(d) Casserole collars.
Bird cage specialties, such as:
(a) Bird cage bottoms.
(b) Bird cage covers and hoods.
(c) Bird cage food holders.
Bouquet holders for displays, corsages, etc.
Card table covers.
Coaster and mats, such as beer mats, and coasters of the type commonly used for households, hotels, taverns, restaurants, etc.
Coin cards.
Combs.
Costumes.
Doilies.
Dusters and dusting paper.
Finger bowl liners.
Hanger protectors.
Laundry specialties, such as:
(a) Shirt bands.
(b) Collar circles.
(c) Collar supports.
(d) Shirt protectors and envelopes.
(e) Shirt boards.
(f) Shirt displayers.
Novelties, holiday, party, advertising, and decoration, such as:
(a) Garlands.
(b) Serpentines.
(c) Horns.
(d) Hats.
(e) Table decorations and place cards.
(f) Streamers, including those for window display and decoration.
(g) Flower pot covers.
(h) Costumes.
(i) Decalcomania transfers (for non-commercial use).
(j) Artificial flowers and flower specialties (for non-commercial use).
(k) Confetti.
(l) Festoons.
(m) Fireworks.
(n) Bouquets.
(o) Skewers.
Place and table mats.
Poker chips.
Punch boards.
Retail packages shelf and drawer lining.
Slippers.
Tablecloths.
Tray covers and mats.
Venetian blinds.
Window drapes.

[F. R. Doc. 43-428; Filed, January 8, 1943; 11:37 a. m.]

PART 3123—FLOOR FINISHING AND FLOOR MAINTENANCE MACHINES AND INDUSTRIAL VACUUM CLEANERS

[Limitation Order L-222]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account and for export of the materials used in the manufacture of floor finishing and floor maintenance machines and industrial vacuum cleaners; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3123.1 *Limitation Order L-222*—(a) *Definitions.* For the purpose of this order:

(1) "Floor finishing or floor maintenance machines" means any motorized or hand-powered mechanical device, designed for the purpose of floor finishing or maintenance. The term includes, but is not limited to, the types of machines on List A attached to this order as amended from time to time, and excludes independent motor-operated vacuum producing units, floor sanding machines and machines specifically designed for the manipulation of wet cement.

(2) "Floor finishing" and "floor maintenance" include, but are not limited to, the operations of grinding, staining, sealing, scraping, oiling, waxing or polishing floors or decks, and the collection and removal of dust, grime, oil, reclaimable materials or refuse from floors or decks, either separately or in conjunction with the operations of washing, scraping, sterilizing and wiping floors or decks.

(3) "Floor sanding machines" means machines used for the smoothing of floors or decks, other than stone or tile floors, by the use of abrasives such as, but not limited to, sandpaper and steel wool.

(4) "Vacuum cleaners" means machines in which a combination of a motor operated vacuum producer (stationary or portable), an air impeller line, and a portable tool with attachments is used for the collection and removal by suction of dust, oil, reclaimable materials or refuse, in either the wet or dry state.

(5) "Industrial vacuum cleaners" means all vacuum cleaners other than those designed primarily for household use, exclusive of motor-operated vacuum producing units incorporated in floor sanding, floor finishing or floor maintenance machines.

(6) "Blowers" means machines in which a combination of a motor operated air pressure producer, an air impeller line, and a portable tool with attachments is used for the removal of dust, materials or refuse by air pressure.

(7) "New machines" means machines which have neither been used nor sold, rented or lent for the purpose of being used for floor sanding, floor finishing, floor maintenance or vacuum cleaning, and also machines which have been used solely for demonstration or trial loans.

(8) "Supplies" means replaceable items, such as, but not limited to, polishing brushes, cleaning brushes, sanding drums and discs, stones, hoses and bags, which are expended in the operations of floor sanding, floor finishing, floor maintenance, and vacuum cleaning.

(9) "Manufacturer" means any person engaged in the fabrication or assembly of new floor sanding machines, new floor finishing or floor maintenance machines, or new industrial vacuum cleaners, or of parts designed specifically for such machines, and includes wholesaling or retailing subsidiaries or divisions of such a person.

(10) "Distributor" means any person engaged in the business of selling, renting or lending new floor sanding machines, new floor finishing or floor maintenance machines, or new industrial vacuum cleaners, other than a manufacturer.

(b) *Restrictions on production*—(1) *Floor sanding machines.* No manufacturer shall fabricate or assemble any new floor sanding machines or parts for such new machines except as follows:

(i) On and before January 15, 1943, but not thereafter, a manufacturer may start to fabricate parts, for the assembly of new floor sanding machines, from materials which are still in the form in which he received them, provided that the materials which he starts to fabricate can be fabricated into parts and can be assembled into new floor sanding machines within the time limits set by paragraphs (b) (1) (ii) and (b) (1) (iii) of this order.

(ii) On and before March 15, 1943, but not thereafter, a manufacturer may fabricate parts for the assembly of new floor sanding machines.

(iii) On and before March 15, 1943, but not thereafter, a manufacturer may assemble new floor sanding machines.

(2) *Floor finishing or floor maintenance machines.* No manufacturer shall fabricate or assemble any new floor finishing or floor maintenance machines or parts for such new machines, except as follows:

(i) On and before January 15, 1943, but not thereafter, a manufacturer may start to fabricate parts, for the assembly of new floor finishing or floor maintenance machines, from materials which are still in the form in which he received them, provided that the materials which he starts to fabricate can be fabricated into parts and can be assembled into new floor finishing or floor maintenance machines within the time limits sets by paragraphs (b) (2) (ii) and (b) (2) (iii) of this order.

(ii) On and before March 15, 1943, but not thereafter, a manufacturer may fabricate parts for the assembly of new floor finishing or floor maintenance machines.

(iii) On and before March 15, 1943, but not thereafter, a manufacturer may assemble new floor finishing or floor maintenance machines.

(3) *Industrial vacuum cleaners.* No manufacturer shall fabricate any parts for new industrial vacuum cleaners except as follows:

(i) On and before January 15, 1943, but not thereafter, a manufacturer may start to fabricate parts, for the assembly of new industrial vacuum cleaners, from materials which are still in the form in which he received them, provided that the materials which he starts to fabricate can be fabricated into parts within the time limit set by paragraph (b) (3) (ii) of this order.

(ii) On and before March 15, 1943, but not thereafter, a manufacturer may fabricate parts for the assembly of new industrial vacuum cleaners, provided that if the Director General for Operations shall fix a production quota for such manufacturer, the number of machines for the assembly of which such manufacturer fabricates parts shall not exceed such production quota. Whenever production quotas are assigned by the Director General for Operations, he will take into consideration the number of machines already completed and the number of machines needed to be completed to meet, but not to exceed, the total requirements for such machines as determined by the Standard Products Committee.

(4) *Repair parts other than supplies.* (i) During the calendar quarter commencing January 1, 1943, and during any calendar quarter thereafter, no manufacturer shall fabricate repair parts having an aggregate manufacturing cost in excess of two per cent of that manufacturer's billed sales of new floor sanding machines, new floor finishing and floor maintenance machines, and new industrial vacuum cleaners during the calendar year of 1941.

(5) *Supplies.* Except as otherwise specifically provided, the restrictions of paragraph (b) of this order shall not apply to supplies other than suction attachments used in the conversion of portable industrial blowers to industrial vacuum cleaners.

(c) *Restrictions on transfer.* (1) No manufacturer or distributor shall sell, rent, lend or deliver any of the following types of new machines without authorization on Form PD-722:

(i) Drum type floor sanding machines making an eight-inch path or wider.

(ii) Disc type floor sanding machines making a twelve-inch path or wider.

(iii) Drum type floor finishing or floor maintenance machines making an eight-inch path or wider.

(iv) Disc type floor finishing or floor maintenance machines making a twelve-inch path or wider.

(v) Industrial vacuum cleaners.

Such authorizations shall expire thirty days after the date of their issuance unless served in the interim upon the supplier named therein. Within five days after their expiration, all expired authorization forms shall be returned for cancellation to the War Production Board, Service Equipment Division, Washington, D. C., Ref: L-222.

(2) Nothing in this paragraph shall be construed to prohibit the sale, rental, loan, or delivery of new machines from one manufacturer or distributor to fill an order, or part of an order received by the latter for such machines if the filling of the order has been authorized on Form PD-722.

(d) *Procedure for authorization.* All persons making application for the authorization required by paragraph (c) hereof shall make such application on Form PD-722.

(e) *Applicability of other orders and priorities regulations.* (1) This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board as amended from time to time.

(2) Nothing in this order shall be construed to permit the production of any machines whose production is prevented by any other orders or regulations of the War Production Board, including § 1174.1 *Limitation Order L-91*, and § 1176.1 *Conservation Order M-126*, as amended from time to time.

(f) *Records.* All persons to whom this order applies shall keep and preserve for not less than two years accurate and complete records concerning inventories, production, sales, leases, and rentals.

(g) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(h) *Reports.* (1) All persons affected by this order shall execute and file with the War Production Board such reports and answers to questionnaires as the War Production Board shall from time to time request.

(2) On or before January 28, 1943, for the month of December, and on or before the 15th day of each month thereafter for the preceding month, each manufacturer or distributor of new floor sanding machines, new floor finishing or floor maintenance machines, or new industrial vacuum cleaners shall file a monthly report on Form PD-723.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Appeals.* Any appeal from this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(k) *Communications.* All reports to be filed hereunder, or communications concerning this order, should be addressed to: War Production Board, Service Equipment Division, Washington, D. C., Ref: L-222.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of January, 1943.

ERNEST KANZLER,
Director General for Operations.

LIST A

Terrazzo grinders.
Waxing and polishing machines.
Disc type scrubbers, either wet or dry.
Drum type scrubbers, either wet or dry.
Combination scrubbers and water pickup.
Drum type sweepers.
Drum type scarifying machines.
Disc type scarifying machines.

[F. R. Doc. 43-433; Filed, January 8, 1943; 11:39 a. m.]

PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-241]

COMMERCIAL PRINTING

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of copper, zinc and paper, required for the production of printed matter for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national-defense:

§ 3133.9 *Limitation Order L-241*—(a) *Definitions.* For the purpose of this order.

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) "Printed matter" means any paper (or paperlike substance) with ink applied to it by the relief, planographic, intaglio, silk screen or other stencil processes or any combination or modification thereof, except:

(i) "A Newspaper" as defined in General Limitation Order L-240.

(ii) "Wall Paper" as defined in General Limitation Order L-177.

(iii) "A Box" as defined in General Limitation Order L-239.

(iv) Any converted paper product as contained in List A and List B of General Conservation Order M-241-a.

(v) "A Magazine" as defined in General Limitation Order L-244.

(vi) "A Book" as defined in General Limitation Order L-245.

(vii) Printed matter produced by or for the account of any department or agency of the United States or any State, County or Municipality in the United States, its territories or possessions.

(3) "Printer" means a person who produces printed matter.

(4) "Put into process" means the first application of ink to paper (or paperlike substance) in the production of printed matter.

(5) "Base period" means the calendar year 1941.

(b) *Restrictions on the weight of paper which a printer may put into process.* (1) During the first calendar quarter of 1943 or any calendar quarter thereafter no printer shall put paper (or paperlike substance) into process in excess of either of the following schedules:

(i) 22½% of the gross weight of paper (or paperlike substance) put into process by him during the base period.

(ii) 90% of the gross weight of paper (or paperlike substance) put into process by him during the corresponding calendar quarter of the base period.

(2) Notwithstanding the provisions of (b) (1) above, no printer during the calendar year 1943 or any calendar year thereafter shall put into process paper (or paperlike substance) in excess by weight of 90% of the gross weight of paper (or paperlike substance) put into process by him during the base period.

(c) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as the Director shall from time to time require.

(3) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning their inventory, use and sales of printed matter, subject to the inspection of the duly authorized representative of the War Production Board.

(4) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from, stating fully the grounds of the appeal.

(5) *Communications to the War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Printing & Publishing Division, Washington, D. C. Ref.: L-241.

(d) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-429; Filed, January 8, 1943; 11:38 a. m.]

PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-245]

BOOKS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of copper, zinc, and paper required for the production of books for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3133.17 *Limitation Order L-245*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) "Book" means a collection of 32 or more pages of paper (or paperlike substance), either bound or in loose-leaf form, to which ink has been applied to a minimum amount of one-half of such pages by the relief, planographic, intaglio, silk screen or other stencil processes, or any combination or modification of such processes, not issued periodically (except at intervals of more than 6 months) and consisting of reading matter and/or illustrations printed and offered for sale, including supplements thereto regardless of number of pages or frequency of issuance.

(3) "Publisher" means a person who causes a book to be printed and offers the same for sale.

(4) "Put into process" means the first application of ink to paper in the printing of a book.

(5) "Paper" means any grade or quality of paper used in the production of a book, including text, inserts, end papers, jackets or any printed paper physically incorporated into, or made a part of, a book.

(6) "Base period" means the calendar year 1942.

(b) *Limitations on paper put into process.* No publisher shall cause paper to be put into process for the production of books during the calendar year 1943 in excess of 90% of the amount of paper by weight which he caused to be put into process in the production of books during the calendar year 1942.

(c) *Restrictions on paper for reprinting.* (1) On and after the 8th day of January, 1943, no publisher shall cause paper to be put into process for the reprinting of any book issued prior to said date, in an amount by per copy weight greater than 90% of the amount by per copy weight of the paper caused to be put into process by him, or by the original publisher, in the last printing of said book prior to said date.

(2) Excepted from the provisions of paragraph (c) (1) above is the reprinting of books:

(i) The last printing of which occurred prior to the 8th day of January, 1943 on paper of a 40-pound base weight or lighter, and where such reprinting is to be effected on a paper of an equal or lighter base weight;

(ii) The paper for which was ordered prior to the 8th day of January, 1943 and is scheduled for delivery to, or for the account of, the publisher within 45 days after the 8th day of January, 1943.

(d) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board as amended from time to time.

(e) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories of paper and books, and the production and sales of books.

(f) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as the Board shall from time to time request.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(h) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(i) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Printing and Publishing Division, Washington, D. C. Ref.: L-245.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-432; Filed, January 8, 1943; 11:39 a. m.]

PART 3162—FOLDING AND SET-UP BOXES

[Limitation Order L-239]

The fulfillment of requirements for the defense of the United States has created shortages in the supply of materials entering into the production of folding and set-up boxes for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3162.1 *Limitation Order L-239*—(a) *Definitions.* (1) "Folding box" means any collapsible container, or part thereof, made of paper or paperboard, excepting solid fibre or corrugated shipping containers not made on folding box machinery.

(2) "Blank" means any sheet of paper or paperboard, cut to shape and creased or scored for the purpose of being used as a box or part thereof.

(3) "Set-up box" means a non-collapsible or rigid container, or part thereof, made of paper or paperboard, excepting cups, pails, and solid fibre or corrugated shipping containers not made on set-up box machinery.

(4) "Pail" means a wedge shaped, folded, liquid-tight, paper container.

(5) "Box" unless otherwise specified, includes blanks, folding boxes, set-up boxes, pails and parts thereof.

(6) "Work in process" means any material for physical incorporation in boxes, on which actual box making operations have been started. No preparatory work such as art work, engravings, electrotypes, dies, forms shall be deemed "work in process".

(7) "Virgin wood pulp" means pulp manufactured either by mechanical or chemical means from coniferous or broadleaf trees.

(8) "Gage list" means any gage list set forth in United States Department of Commerce Simplified Practice Recommendation R44-36 entitled "Box Board Thickness".

(9) "Multiple container" means a box containing a number of separately packaged items of the same commodity.

(b) *General restrictions*—(1) *Restrictions on use of metal.* No person shall manufacture or incorporate in the manufacture of boxes:

(i) Any metal bails or metal handles for boxes, or

(ii) Metal mailing clips or fasteners for boxes customarily known as mailing containers.

(2) *Restrictions on manufacture of seasonal boxes and sleeves.* No person shall manufacture:

(i) Any box for seasonal or other special purpose having a greater pulp content or area or weight of paper or paperboard than contained in the usual commercial box for like contents.

(ii) Any sleeves or extra containers for seasonal or other special purposes unless also required for the usual commercial box for like contents.

(iii) *Exception.* The restrictions of paragraphs (b) (2) (i) and (ii) shall not apply to boxes in which are packed two or more commodities usually separately packed, except to the extent that said paragraphs (b) (2) (i) and (ii) are made applicable by any schedule.

(3) *Restrictions on dummy boxes.* No person shall manufacture any commercial display box simulating a package and not intended for packaging purposes, or use for display purposes, any box not previously used for packaging.

(4) *Restrictions imposed by separate schedules.* All persons shall observe the restrictions and other provisions which are and may be imposed from time to time by the Director General for Operations in all schedules hereto, all of which shall be parts of this order. No person shall manufacture, sell, or deliver any box which he knows or has reason to believe will be used in violation of any provision of this order.

(5) *Restrictions on manufacture of boxes from virgin wood pulp.* No person shall manufacture any box from any of the following grades of paperboard listed in United States Department of Commerce Simplified Practice Recommendation R44-36 if any virgin wood pulp is contained in any of such paperboard: plain chipboard, filled news board, single news vat-lined chip, colored box board chip back, bending chip board, colored suit box chip back, mist color suit box chip back, solid jute, cracker shell board, or solid news, provided that this restriction shall not apply to boxes manufactured from paperboard in the box manufacturer's inventory on January 8, 1943.

(6) *Restriction on use of double lined folding box board.* No person shall commercially use any virgin wood pulp liner on the inside surface of any box unless for packaging wet or oily foods, or when the use of virgin wood pulp liner is essential in order to deliver the packaged contents in a usable condition, *Provided,* That this restriction shall not apply to the use of any virgin wood pulp liner in the box manufacturer's inventory on January 8, 1943.

(c) *Exceptions*—(1) *Boxes completed or in process.* No restriction of this order shall apply to boxes completely manufactured or made from work in process prior to the effective date of such restriction: *Provided,* That work in process on the date of such restriction is completely manufactured within 90 days thereafter.

(2) *Boxes for certain Government agencies.* The restrictions of this order shall not apply to boxes manufactured to meet the packaging specifications of, and delivered to or for the account of, the United States Army, Navy, Maritime Commission, War Shipping Administration, or any agency imposing such specifications for material to be delivered under the Act of Congress of March 11, 1941, entitled "An Act for the Defense of the United States" (Lend-Lease Act).

(d) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(e) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds for appeal.

(f) *Records.* All persons affected by this order shall keep for at least two years records concerning inventory, production, purchases and sales, and shall make reports on same if required.

(g) *Communications.* All reports required to be filed hereunder and all communications concerning this order or any schedule issued supplementary hereto shall, unless otherwise directed, be addressed to War Production Board, Containers Division, Washington, D. C., Ref. L-239.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE I—FOOD BOXES

Table I—Butter, lard, oleomargarine and similar boxes. (a) No person shall manufacture any box for packaging butter, lard, oleomargarine, or similar products with a content capacity of less than one pound.

Table II—Ice cream boxes. (a) No person shall manufacture any box for direct fill factory packed ice cream except with content capacities of one pint, one quart, two and one half gallons or larger than two and one half gallons.

Table III—Crackers and baked goods boxes—(a) *Terms.* (1) Crackers and baked goods mean products of the biscuit, cracker and pretzel industry.

(2) Crackers and baked goods caddies mean paperboard containers for dispensing crackers and other baked goods in bulk.

(3) Cubic inch capacity of formed cartons is calculated on center to center of score line dimensions.

(b) *Restrictions on packing crackers and baked goods.* The following restrictions shall be observed in the packing of crackers and baked goods:

(1) Crackers, cookies or biscuits shall be packed not less than six bags, packets, or rolls to a folding or set-up box.

(2) Single caddies and double caddies made from folding or set-up boxboard shall be filled to normal capacity, regardless of weight or count of contents.

(c) *No person shall manufacture any box for packaging crackers or baked goods exceeding the following maximum specifications:*

(1) No end flaps on seal end cartons shall be more than $\frac{1}{2}$ the width of the carton plus $\frac{1}{2}$", excepting that flaps on cartons for ground products (such as cracker meal) may be full width.

(2) (i) Tuck on carton having cover flap 5" or less in length shall not exceed $\frac{7}{8}$" from the center of score line to edge of tuck.

(ii) Tuck on carton having cover flap over 5" in length shall not exceed one inch from center of score line to edge of tuck.

(3) Length of side flaps on tuck flap cartons shall not exceed $\frac{1}{2}$ of the width of carton from front to back, plus $\frac{1}{2}$ of the closure tuck flap, as provided by paragraphs (c) (2), (i) and (ii).

(4) (i) Single caddies of folding or set-up boxboard for bulk goods shall not have openings less than 10" x 10".

(ii) Double caddies of folding or set-up boxboard for bulk goods shall not have openings less than 10" x 20".

(iii) No single or double folding or set-up boxboard caddies for bulk goods shall be less than $6\frac{1}{2}$" in depth, excepting that fruit-filled bars, sandwich varieties and shortbreads may be packed in caddies not less than $4\frac{3}{8}$" in depth.

(iv) Single caddies of folding or set-up boxboard shall be no thicker than .053.

(v) Double caddies of folding or set-up boxboard shall be no thicker than .060.

(5) (i) Layer boards, strips, dividers and nestings of folding or set-up boxboard (non-virgin wood pulp) for bulk receptacles shall not exceed basis 100 sheets per 50 lb. bundle, excepting that divider strips for fruit-filled bars shall not exceed basis 50 sheets per 50 lb. bundle.

(ii) Layer boards, strips, dividers and nestings made from wood pulp board for bulk receptables shall not exceed basis 100 sheets per 50 lb. bundle.

(iii) Nests for single caddies made from virgin wood pulp board shall not exceed .024 in thickness.

(iv) Nests for double caddies made from virgin wood pulp board shall not exceed .026 in thickness.

(v) Layers, strips, dividers and nestings for cellophane bags, glassine bags, paper bags, packets, tray packages and boats if made from laminated stock shall not exceed .022 in thickness; if made from other than laminated stock shall not exceed basis 90 sheets per 50 lb. bundle.

(6) Paperboard for packets, trays and boats shall not exceed .022 in thickness.

(7) Basis weight of board for cracker shell type cartons shall not exceed the following:

Cubic inch capacity of formed cartons	Legend weight up to and including	Weight per thousand square feet	Caliper
Up to 50	8 oz.	72	See Gage List No. 2
51 to 150	12 oz.	80	
151 to 200	1 lb.	85	
201 to 250	2 lb.	90	
251 and up	Over 2 lb.	96	

(8) Basis weight and caliper of board with printing surface, such as single manila lined and bleached manila lined boards used for printed cartons shall not exceed the following:

Cubic inch capacity of formed cartons	Legend weight up to & including	Weight per thousand square feet	Caliper
Up to 50	8 oz	80	See Gage L 1 s t No. 2.
51 to 150	12 oz	85	
151 to 200	1 lb	90	
201 to 250	2 lb	96	
251 and up	Over 2 lb	103	

(9) Basis weight and caliper of board with printing surface such as patent coated news back board used for printing cartons shall not exceed the following:

Cubic inch capacity of formed cartons	Legend weight up to and including	Weight per thousand square feet	Caliper
Up to 50	8 oz	82	See Gage L 1 s t No. 2.
51 to 150	12 oz	88	
151 to 200	1 lb	96	
201 to 250	2 lb	101	
251 and up	Over 2 lb	112	

(10) Basis weight and caliper of board in paragraphs (c) (7), (8) and (9) shall be based on the cubic inch capacity of the formed carton or the legend weight, whichever is greater.

(11) Caliper of board for single sale unit boxes made of laminated stock in one pound or up to and including two pound sizes shall not exceed .030 in thickness.

(12) Flanges on telescope covers of laminated single and double size caddies shall not exceed 2" in depth

(13) Printing designs shall not extend (bleed) over carton edges if such extension (bleed) causes an excess use of paperboard through the use of double knives or otherwise.

(14) Cracker caddies in carload lots shall be mill tied, knocked down flat, not wrapped.

SCHEDULE II—BEVERAGE AND TOBACCO BOXES

Table I—Alcoholic beverage boxes. (a) *Definition:* Alcoholic beverage means any beverage containing 3.2% or more of alcohol by volume, including but not limited to whisky, gin, rum, brandy, liqueurs, cordials, wines and malt beverages, not including medicinal preparations.

(b) No person shall manufacture any box for packaging alcoholic beverages.

SCHEDULE III—RETAIL BOXES

Table I—General restrictions on retail boxes. (a) *Definition:* Retail box means any box furnished directly or indirectly by a retailer for packaging merchandise for retail distribution, excepting parcel post boxes and boxes for packaging foods, drugs, medicinal supplies or custom jewelry.

(b) *Quota restriction on manufacture of retail boxes.* Beginning January 1, 1943, no person shall in any quarter put in process for the manufacture of retail boxes more than 65 percent of the tonnage of paperboard he put in process for the manufacture of retail boxes in the corresponding quarter of 1941.

(c) No person shall knowingly manufacture boxes for sale at retail as empty boxes.

Table II—Restrictions on retail set-up boxes. (a) No person shall manufacture any retail boxes exceeding the following maximum specifications, provided that retail boxes of sizes other than specified below may be manufactured if the material used is not of heavier weight than that permitted for the size box having the nearest higher area in square inches:

Length	Size width	Depth	Lid depth	Paperboard shall not be heavier than regular number 50 lb. bundles (sheets per bundle)
2 x	2 x	2	2	65
2½ x	1½ x	¾	¾	65
3 x	2½ x	1	⅝	65
3½ x	3½ x	1	⅝	65
4 x	4 x	2	¾	65
4 x	4 x	4	1	60
4½ x	4 x	1	1	65
4 x	4 x	¾	⅝	65
5 x	4½ x	1½	9/16	60
5 x	5 x	2	¾	60
5½ x	5½ x	4	1	60
6 x	4 x	2	¾	60
6 x	4½ x	2½	1	60
6 x	6 x	3	1	60
6½ x	4½ x	1½	9/16	65
6½ x	6½ x	½	½	65
6½ x	6½ x	4	1	60
6½ x	6½ x	6	1¼	65
7 x	6 x	2	½	65
7½ x	5½ x	3½	1	60
8 x	3 x	¾	⅝	65
8 x	5½ x	1½	1½	60
8 x	8 x	2½	1½	65
8 x	8 x	4	1	50
8 x	8 x	8	1¼	50
9 x	3 x	3	1	60
9 x	6 x	3	1	65
9½ x	6½ x	¾	⅝	65
9½ x	6½ x	1	1	65
9½ x	6½ x	1½	1½	65
10 x	3½ x	2	2	50
10 x	6 x	6	1¼	50
10 x	7 x	2	⅝	65
10 x	10 x	10	2½	60
10½ x	7½ x	1¼	1¼	65
10½ x	10 x	1	1	60
10½ x	10 x	1½	1½	60
10½ x	10 x	2½	1½	60
11 x	4½ x	1	1	65
11½ x	5½ x	3½	1	60
11½ x	8½ x	1⅝	1¾	60
11½ x	8½ x	2¾	1½	60
12 x	8 x	8	2	50
12 x	12 x	1	1	60
12 x	12 x	2	2	50
12 x	12 x	4	1	50
12 x	12 x	6	1¼	50
12 x	12 x	10	2	45
12½ x	6½ x	4	1	60
12½ x	9½ x	2½	1½	65
13 x	4 x	⅝	⅝	65
13 x	4 x	1	1	60
13 x	6 x	6	1¼	50
14 x	10 x	1¼	1¼	60
14½ x	8 x	8	2	45
15 x	11 x	2	2	50
16 x	16 x	2½	2½	50
17 x	11 x	2½	2½	50
18 x	7 x	1½	1½	60
18 x	10 x	1½	1½	60
18 x	13 x	3	1¼	50
18½ x	7½ x	5	2	45
20 x	18 x	8	2	50
22 x	12 x	3½	1¼	50
24 x	14 x	4	1¼	40
24 x	20 x	6	2	60
26 x	2 x	2	1	50
26 x	4 x	1¼	⅝	50
30 x	4 x	1¼	⅝	50
36 x	5½ x	1¼	⅝	50

(b) *Material for retail boxes.* No person shall incorporate in any retail boxes:

(1) Any grade or quality of paperboard higher than solid news No. 2 finish, Gage List No. 3, or

(2) Any bottom paper if the box is strip wrapped, or

(3) Any lining other than news vat lining on the side of the board forming inside of the blank, or

(4) Any metal

Table III—Restrictions on retail folding boxes. (a) No person shall incorporate in the manufacture of retail boxes for packaging clothing or other garments, laundry, or flowers, any grade of paperboard other than paperboard without virgin wood pulp listed in paragraph (b) (5) of this order, or any metal

SCHEDULE IV—BOXES FOR PAPER PRODUCTS

Table I—Envelope boxes. (a) (1) No person shall use in the manufacture of any set-up envelope box:

(i) Any paperboard of a quality better than bending chip board or news vat lined chip, No. 2 finish, Gage List No. 2 if cover paper is used; if cover paper is not used the quality of the paperboard shall not be better than patent coated news back, or

(ii) Any sheet lined board, or

(iii) Any paperboard of a count in excess of the maximum shown below (25" x 40"—50 lbs. per bundle), which count shall be specified by the envelope manufacturer or packer:

	Sheets per bundle
Envelopes 14" half perimeter and less	60
Envelopes over 14" half perimeter and not exceeding 16" half perimeter	55
Envelopes over 18" half perimeter	40

(2) No envelope box shall be double stripped on either box or cover, or have incorporated therein any metal.

(b) No person shall manufacture any folding box for envelopes from paperboard of better quality than patent coated news back without sheet lining, nor of greater weight per box than required for an equivalent cubical content set-up box.

Table II—Papeterie boxes. (a) (1) No person shall use in the manufacture of any set-up box for papeteries:

(i) Any paperboard better than bending chip board or news vat lined chip, No. 2 finish, Gage List No. 2, if cover paper is used, if cover paper is not used the quality of the paperboard shall not be better than patent coated news back,

(ii) Any paperboard of count in excess of the maximums shown below: (25" x 40"—50 lbs. per bundle).

Boxes containing 23 envelopes or less with corresponding note paper and/or cards—60 sheets per bundle;

Boxes containing from 24 to 72 (inclusive) envelopes with corresponding note paper and/or cards—50 sheets per bundle;

Boxes containing more than 72 envelopes with corresponding note paper and/or cards—40 sheets per bundle.

(iii) Any sheet lined board, metal, or more than double stripping.

(2) No person shall manufacture any folding box for papeteries from paperboard of higher quality than patent coated news back without sheet lining, nor of greater weight per box than required for an equivalent cubical content set-up box, nor incorporate any metal in any such folding box.

(3) Folding and set-up boxes. No box shall be made with slides, drawers, shoulders, base or cover caps, false bottoms, ends or sides, flanges or projections, padded tops or any covering other than paper, traps, decks, or other false work, except that boxes containing in excess of 23 envelopes with corresponding note paper and or cards may contain false work not exceeding ¼ the volume of the box.

Table III—Waxed paper cutter boxes. (a) No person shall manufacture any cutter boxes for packaging rolls of waxed paper excepting in accordance with the following maximum specifications:

(1) Box dimensions: $2^{11}/_{16}$ x $2^{11}/_{16}$ x $12^{3}/_{8}$ inches.

(2) Quality of paperboard: no higher than bleached manila lined news basis 70 sheets per 50 lb. bundle.

Table IV—Roll toilet tissue. (a) No person shall manufacture any boxes for packaging roll toilet tissue.

SCHEDULE V—SPORTING GOODS BOXES

Table I—Golf, tennis, baseball, football, volley ball and basket ball boxes. (a) No person shall manufacture any box for packaging less than twelve (12) golf, tennis or baseballs or incorporate in the manufacture of any such box metal or sheet lining, or paperboard exceeding in area or weight the paperboard required for a full telescope set-up box without projecting edges or dividers, basis sixty (60) sheets per 50 lb. bundle.

(b) No person shall manufacture any box for packaging inflated footballs, volley balls or basket balls, or incorporate in any such box paperboard exceeding in area or weight the paperboard required for a full telescope set-up box without projecting edges, basis sixty (60) sheets per 50 lb. bundle.

[F. R. Doc. 43-427; Filed, January 8, 1943; 11:37 a. m.]

Chapter XI—Office of Price Administration

PART 1316—COTTON TEXTILES

[MPR 11]

FINE COTTON GOODS

The title, preamble and §§ 1316.1 to 1316.14, inclusive, of Revised Price Schedule No. 11 [1]—Fine Cotton Goods—are amended, renumbered and reissued as Maximum Price Regulation No. 11—Fine Cotton Goods.

A statement of the considerations involved in the issuance of this Maximum Price Regulation No. 11 has been issued simultaneously herewith and filed with the Division of the Federal Register.[2]

So far as practicable, the Price Administrator has advised and consulted with representative members of the industries which will be affected by this regulation. In the judgment of the Price Administrator, the maximum prices established by this maximum price regulation are, and will be, generally fair and equitable, and comply with the requirements of section 3 and the other requirements of the Emergency Price Control Act of 1942, as amended, and will effectuate the purpose of said Act.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended and Executive Order No. 9250 and in accordance with Revised Procedural Regulation No. 1 [3] issued by the Office of Price Administration, Maximum Price Regulation No. 11 is hereby issued.

[2] Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1231, 2000, 2132, 2737, 3163, 5519, 7434, 8936, 8948, 10009, 10534.

Sec.

1316.1 Prohibition against dealing in fine cotton goods at prices above the maximum.
1316.2 Less than maximum prices.
1316.3 To what transactions, fabrics and persons this Regulation applies, and the relation to other Regulations.
1316.4 Maximum prices.
1316.5 What the contracts of sale and invoices must contain.
1316.6 Prohibited practices.
1316.7 Applications for adjustment or petitions for amendment.
1316.8 Records and reports.
1316.9 Enforcement.
1316.10 Effective date.

AUTHORITY: §§ 1316.1 to 1316.10 inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; Executive Order 9250, 7 F. R. 7871.

§ 1316.1 *Prohibition against dealing in fine cotton goods at prices above the maximum.* Except as provided in § 1316.3 (a) no person shall sell or deliver and no person in the course of trade or business shall buy or receive any fabrics covered by this regulation at prices higher than the maximum prices fixed herein, and no person shall agree, offer, solicit or attempt to do any of the foregoing.

§ 1316.2 *Less than maximum prices.* Prices lower than the maximum prices set by this regulation may be charged, demanded, paid or offered.

§ 1316.3 *To what transactions, fabrics and persons this regulation applies, and the relation to other regulations—* (a) *What transactions are covered and the relation to other regulations.* (1) This regulation covers all sales and deliveries of fabrics listed in paragraph (b) below other than (i) any sale or delivery which is covered by the Revised Maximum Export Price Regulation;[4] and (ii) sales or deliveries made by a wholesaler, jobber or retailer in the performance of a recognized distributive function. A sale or delivery performs a "recognized distributive function" only if it advances the goods sold to the next stage of distribution. It follows that sales by any person to a converter or finisher, by one jobber to a competitive jobber, and by one manufacturer of commodities from cloth to another are covered by the regulation.

(2) Any sale or delivery covered by this regulation is not subject to the General Maximum Price Regulation [5] or to Maximum Price Regulation No. 157.[6]

(b) *What fabrics are covered.* (1) This regulation covers:

(i) All grey goods made wholly of combed cotton yarn, except:

(*a*) Goods (other than marquisettes) containing colored yarn elsewhere than in the selvage;

(*b*) Cross-bordered handkerchief cloth;

(*c*) Twills;

(*d*) Oxfords;

(*e*) Balloon cloth;

(*f*) Madras made in a weave requiring a dobby loom.

(*g*) When sold under a government contract (as defined in § 1316.7), any fabric for which no maximum price per yard is listed herein.

(ii) Grey sateens made in whole or in part of combed cotton yarn; and

(iii) Unfinished box-loom clip-spot marquisettes and beat-up marquisettes made of combed or carded cotton yarn or any combination thereof.

(c) *What persons are covered.* This regulation covers all persons, including individuals, corporations, partnerships, associations and any other organized groups; their agents or legal successors; the United States, any government and any agencies or political subdivisions thereof.

§ 1316.4 *Maximum prices.* (a) The maximum prices established herein are prices f. o. b. the seller's point of shipment, net ten days.

(b) For seconds, short lengths and remnants of any fabric subject to the maximum prices set in this regulation, the maximum prices shall be discounted as follows:

	Discount (Percent)
Seconds, shorts and remnants:	
20 to 40 yards	10
10 to 20 yards	25
1 to 10 yards	50
Seconds:	
40 yards and over	5

(c) In addition to the maximum prices set forth in Table I, the following premiums for special manufacturing processes may be charged. None of the premiums allowable hereunder is applicable, however, to any fabric which, in its basic construction, is normally manufactured by means of the process on which such premium is predicated.

Name of manufacturing process	*Premium (cents per yd.)*
Weaves requiring dobby loom: [1]	
Weaves requiring 16 harnesses or less	1¼
Weaves requiring more than 16 harnesses	1½
Fancy draw: [1]	
For ply cords, bunched ends, skip dents, double draw (2 ends or more weaving as one), reverse-twist, wrap stripes, or any other novelty draw, or for any combination of the above	½
Each extra beam	½
Hard twist:	
Wrap yarn where turns per inch equal 5¼ or more times the square root of yarn size	½
Filling yarn where turns per inch equal 4¾ or more times the square root of yarn size	½
Clipping	1

[1] If a premium is charged for dobby weave, no premium may be charged for fancy draw.

[3] 7 F.R. 8961.

[4] 7 F.R. 5059, 7242, 8829, 9000, 10530.

[5] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6939, 6794, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155 10454.

[6] 7 F.R. 4273, 4541, 4618, 5180, 5716, 6004, 6424, 8948.

(d) The maximum prices are as follows:

TABLE I[1]

Type and construction of cloth

	Cents per yard
Combed broadcloth:	
37"—128 x 68, 4.20	19.04
37"—136 x 60,[2] 4.00	18.80
37"—144 x 76, 4.20	20.44
37"—152 x 80, 4.20	21.81
37"—128 x 64, 4.00 (slub filled)	19.29
Lawns:	
39"—68 x 56, 11.00	9.83
36"—72 x 56, 10.00	9.91
36"—76 x 72, 10.00	11.15
40"—72 x 68, 9.50	11.58
36"—88 x 80, 9.50	12.62
40"—76 x 72, 9.65	12.38
40"—76 x 72, 9.00	12.08
40"—96 x 100, 9.00 (pima)	21.22
40"—88 x 80, 8.50	13.74
40"—88 x 80, 11.30	17.77
45"—76 x 72, 8.00	14.26
36"—76 x 72, 7.75	12.06
40"—96 x 92, 7.50	15.47
45"—88 x 80, 7.50	16.18
44"—88 x 80, 7.15	15.93
40"—96 x 100, 9.00 (foreign pima)	19.62
36"—96 x 100, 7.05	15.60
40"—96 x 100, 6.75	18.01
40"—88 x 80, 6.90	14.32
40"—108 x 112, 6.40	18.55
40"—88 x 80, 6.00	15.35
37½"—96 x 92, 6.60	16.53
40"—80 x 80, 5.40	16.23
39"—96 x 100, 5.00	18.90
44"—96 x 100, 4.40	21.96
39"—96 x 100, 4.10	21.30
40"—80 x 92, 3.80 (gas mask)	21.85
43"—80 x 92, 3.50 (gas mask)	23.61
Dimities:	
36"—96 64 x 68, 9.00	12.06
36½"—116 76 x 76, 8.00	14.16
36½"—114 76 x 64, 7.60	12.87
40½"—90 64 x 72, 7.55	13.34
38"—94 64 x 68, 6.80	13.34
Dimity checks:	
37½"—54 x 44, 10.40	8.57
36"—76 x 72, 8.30	11.87
36"—73 x 64, 9.40	11.15
36"—90 x 89, 8.10	13.57
Pique:	
38"—150 176 x 100, 3.50	29.90
Pongee:	
38"—72 x 100, 6.25	15.61
Voiles:	
37½"—60 x 44, 12.50 (drop check)	8.04
37½"—56 x 42, 11.15 (check voile)	8.45
40"—74 x 56, 10.00 (drop check)	10.64
39"—60 x 52, 9.00 (slack twist)	10.25
39"—60 x 48, 9.10 (slack twist)	9.79
38"—60 x 48, 9.80	9.15
Marquisettes:	
38½"—44 x 18	6.73
39"—44 x 22	7.37
39½"—46 x 20	7.49
39½"—48 x 22	7.93
39½"—48 x 24	8.31
39½"—48 x 28	8.68
39½"—48 x 32	9.26
49"—48 x 28	10.76
49"—48 x 32	11.47
39½"—52 x 30	9.22
48"—52 x 30	10.68
48"—54 x 30	10.87

[1] Fabrics shall be subject to the yardage prices set forth in Table I and II, rather than to the poundage prices set forth in Table III, unless they are over 4% lighter or over 6% heavier than the weights specified. *Except* that for marquisettes and beat-up marquisettes the appropriate yardage price shall apply to all weights of each construction specified.

[2] The maximum price for 37" 136x60, 4.00 to 4.20 combed broadcloth on subcontracts entered into prior to January 13, 1943 under Army Invitation No. 669-43, Negotiated 161, dated November 28, 1942 is 19.00 cents per yard.

TABLE I—Continued

Type and construction of cloth—Continued

	Cents per yard
Marquisettes—Continued.	
39½"—60 x 34	10.62
49"—60 x 34	11.77
40"—50 x 32 (ply filling)	16.32
50"—52 x 32 (ply filling)	19.85
Serim:	
40"—38 80 x 36, 5.41	22.10
50"—38 80 x 36, 4.34	27.38
Fine combed plains:	
50"—22 x 20, 20.70	4.95
52"—28 x 24, 20.00	5.87
52"—28 x 24, 14.65	6.34
36"—60 x 48, 10.00	8.80
47"—80 x 76, 5.41	20.52
62"—80 x 76, 3.93	27.39
Organdie:	
40"—84 x 80, 11.00 (peeler)	17.74
40"—84 x 80, 10.75 (pima)	17.50
40"—84 x 80, 10.75 (foreign pima)	16.15
45"—84 x 68, 10.50 (peeler)	19.49
45"—84 x 68, 10.25 (foreign pima)	17.80
45"—84 x 68, 10.25 (pima)	19.25
45"—84 x 80, 9.75 (peeler)	21.52
45"—84 x 80, 9.50 (foreign pima)	19.64
45"—84 x 80, 9.50 (pima)	21.15
Typewriter cloth:	
40"—154 x 168, 5.98	51.03
40"—144 x 156 158, 5.27 (pima)	50.61
Umbrella cloth:	
26"—84 x 108, 6.25	20.05
26"—104 x 108, 6.40	20.38
26"—72 x 84, 5.55	18.41
Collar cloth:	
40½"—102 206 x 64, 2.08	43.11
40"—96 x 112, 3.66	30.89
Poplins:	
37"—116 x 52, 3.50	19.51
37"—136 x 72, 3.40	22.01
38"—102 206 x 48, 3.28	26.91
37"—116 x 56, 3.25	21.61
37½"—102 206 x 48, 3.15	28.02
37"—136 x 60, 3.00	23.84
40½"—136 x 68, 2.50	28.53
Beat-ups (Marquisettes):	
39½"—36 x 16, 5.33 Extra (combed)	7.13
39½"—48 x 22 16.50 Extra (Combed)	11.25
39½"—48 x 22, 16.50 Extra (Carded fill)	10.11
39½"—44 x 18, 7.50 Extra (Combed)	8.76

TABLE I—Continued

Type and construction of cloth—Continued

	Cents per yard
Sateens:	
38½"—84 x 136, 4.90 (Combed)	17.90
38½"—84 x 136, 4.25 (Carded warp) (Combed filling)	18.91
38½"—84 x 136, 4.25 (Combed)	20.39
43"—136 x 96, 3.50 (Combed warp-Carded filling)	22.05
39½"—96 x 160, 3.35 (Combed)	23.57
Tracing cloth:	
35"—80 x 76, 6.90	13.35
41"—80 x 76, 5.85	15.41
48"—80 x 76, 5.00	17.40
36"—88 x 92, 7.10	15.97
48"—88 x 92, 5.27	24.09
Aeroplane ply yarns:	
36½"—80 x 86, 4.00	41.90
39"—80 x 84, 3.61	42.85
Aeroplane merc. ply yarns:	
36½"—80 x 84, 4.00	43.86

TABLE II

The following provisions shall apply to unfinished box-loom clip-spot marquisettes:

As used herein, the term "standard" means having a width of 35", 39½", 46", or 48" and a total count per inch of 37 to 48 sley and 14 to 34 picks (including roving), inclusive. The term "base construction" means 39½" 40 x 18, 40s or 50s combed warp, 40s or 50s combed filling, 2 picks of 6.00 hank grey roving, 10 jumpers and/or 15 harnesses or less.

The base maximum price for standard unfinished box-loom clip-spot marquisettes shall be 8⅝ cents per yard. For any standard construction other than the base construction the maximum price shall be the base maximum price adjusted upward or downward by the following per yard differentials.

A. *Width differentials.*

	35"	39½"	46"	48"
40s or 50s combed, where ground ends are more or less than 40 per inch				
Grey, add or subtract for each two ends per inch	$0.0013	$0.0015	$0.0017	$0.0018
Pastel colors, add per end per inch	.00041	.00047	.00054	.00057
Empire colors, add per end per inch	.00054	.00062	.00072	.00076
40s or 50s carded; subtract from combed for two ends per inch	.00012	.00014	.00016	.00017

C. FILLING DIFFERENTIALS

	35"	39½"	46"	48"
1. Ground				
40s or 50s combed, where ground picks are more or less than 18 per inch				
Grey, add or subtract for two picks per inch	$0.0033	$0.0035	$0.0037	$0.0037
Pastel colors, add per pick per inch	.00046	.00052	.00060	.00061
Empire colors, add per pick per inch	.000059	.000067	.000078	.000082
40s or 50s carded, subtract from combed for one pick per inch	.000053	.000060	.000070	.000072
2. Roving, subtract $0.059 and add per pick per inch				
Grey				
4 hank	.0053	.0058	.0067	.0071
6 hank	.0041	.0045	.0051	.0054
8 hank	.0033	.0036	.0041	.0043
10 hank	.0028	.0031	.0035	.0037
12 hank	.0027	.0029	.0032	.0034
Pastel				
4 hank	.0091	.0101	.0116	.0122
6 hank	.0066	.0073	.0084	.0088
8 hank	.0052	.0057	.0066	.0069
10 hank	.0044	.0048	.0054	.0057
12 hank	.0039	.0043	.0049	.0051
Empire				
4 hank	.0101	.0113	.0130	.0137
6 hank	.0073	.0081	.0093	.0097
8 hank	.0057	.0063	.0072	.0076
10 hank	.0048	.0054	.0060	.0064
12 hank	.0043	.0047	.0054	.0056

D. PATTERN DIFFERENTIALS

	35"	39½"	46"	48"
Over 10 jumpers and/or 15 harness:				
Per yard per pick 2 shuttles	$0.000114	$0.000114	$0.000140	$0.000140
Per yard per pick 3 and 4 shuttles	.000140	.000140	.000175	.000175

20/2 Carded cords (other than selvage): Add per end:

Grey	$0.000055
Pastel colors	.000095
Empire colors	.000110

E. *Loop cutting.*

All widths	.0033

F. *Production differential.*

After applying all necessary differentials add or subtract for each pick over or under an over-all count of 20 picks	.0003

TABLE III

The maximum price for any fabric covered by this regulation for which a specified price is not set forth or ascertainable from Tables I and II, shall be the applicable poundage price set forth below:

Cloths:	Price (cents per pound)
Lawn	75
Broadcloths	60
Voiles	75
Dimities	75
Marquisettes	65
Other fabrics	50

A seller may, however, request the Office of Price Administration to determine in place of such poundage price a special maximum price for a particular fabric. The request shall contain a complete description of the fabric (including the width; the cloth count; the weight; detailed production costs; and a statement of the price requested). Even if such a request has been made, the poundage price set forth above shall govern until the Price Administrator has issued a special maximum price.

§ 1316.5 *What the contracts of sale and invoices must contain.* (a) Every seller shall deliver to the purchaser at the time the contract is made a written contract of sale which shall contain:

(1) The date on which the sale or contract of sale was made;

(2) A full description of the materials sold including:

(i) The width;

(ii) The cloth count;

(iii) The number of yards per pound;

(iv) Any feature of the cloth for which a premium is allowed or discount required;

(3) The quantity sold;

(4) The terms of sale; and

(5) The prices.

(b) With each delivery the seller shall transmit to the purchaser an invoice or similar document which shall either contain the information required by paragraph (a) above or make reference to the contract in which such information is set forth.

§ 1316.6 *Prohibited practices.* Any practice which is a device to increase the consideration obtained above the maximum price without actually raising the price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, premiums, special privileges, tying agreements, trade understandings and the like.

§ 1316.7 *Applications for adjustment or petitions for amendment*—(a) *Government contracts.* (1) The term "government contract" is here used to mean any contract with the United States or any of its agencies, or with the government or any governmental agency of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 1, 1941, entitled "An Act to promote the defense of the United States", or any subcontract under contracts with such persons.

(2) Any person who has made or intends to make a "government contract" and who thinks that a maximum price established by this Regulation is impeding or threatens to impede production of material which is essential to the war program and which is or will be the subject of the contract, may file an application for adjustment in accordance with Procedural Regulation No. 6[4] issued by the Office of Price Administration.

(3) As soon as the application is filed, contracts, deliveries, and payments may be made at the requested price, subject to appropriate refund if the requested adjustment is denied in whole or in part. The seller must notify the buyer in writing that the delivery is made subject to this refund.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this Regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration. In appropriate situations where a petition for amendment requires extended consideration the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

However, the filing of a petition shall not be construed as authorizing transactions at a price above the maximum price.

§ 1316.8 *Records and reports*—(a) *Records.* Every person making purchases or sales subject to the regulation shall keep for inspection by the Office of Price Administration for as long as the Emergency Price Control Act of 1942 remains in effect, complete and accurate records which will show a complete description of the items sold; the name and address of the buyer or seller; the date of the sale and the price paid or received.

(b) *Reports.* Persons affected by this regulation shall submit such reports to the Office of Price Administration as it may, from time to time, require.

§ 1316.9 *Enforcement.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this regulation or of any other regulation or order issued by the Office of Price Administration are urged to communicate with the nearest district or regional office of the Office of Price Administration or its principal office in Washington, D. C.

(c) War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this regulation. The term "war procurement agencies" means the War Department, the Department of the Navy, the United States Maritime Commission and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any of their agencies.

§ 1316.10 *Effective date.* Maximum Price Regulation No. 11 (§§ 1316.1 to 1316.10 inclusive) shall become effective January 13, 1943: *Provided*, That up to and including February 12, 1943 deliveries against contracts entered into prior to January 7, 1943 at an agreed firm price may be made at prices in conformity with the regulation or price schedule applicable to such contracts at the time they were made.

Issued this 7th day of January 1943.

LEON HENDERSON,
Administrator.

[4] 7 F.R. 5087, 5664.

[F. R. Doc. 43-380; Filed, January 7, 1943; 12:08 p. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[Ration Order 2A,[1] Amendment 22]

NEW PASSENGER AUTOMOBILE RATIONING REGULATIONS

A rationale for the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new paragraph (p) is added to § 1360.372:

Persons Eligible to Acquire New Passenger Automobiles by Transfer With Certificates

§ 1360.372 *Eligibility classification.* * * *

(p) A full-time social worker, employed by a bona fide non-profit agency, who will use the automobile principally for one or more of the following purposes: to investigate the necessity for relief or to administer relief; to arrange for the placement of minors or aged, handi-

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1542, 1647, 1756, 2108, 2242, 2305, 2903, 3097, 3482, 4343, 5484, 6049, 6082, 6424, 6601, 6775, 6964, 7149, 8808, 8895, 9316, 10228.

capped or indigent persons in foster homes or in institutions, and to inspect such foster homes or institutions; to investigate reported abuse, neglect or delinquency of minors; or to transport minors or aged, handicapped or indigent persons to foster homes or institutions or to transport persons to hospitals or clinics for treatment or diagnosis: *Provided*, That the applicant must present to the Board a statement from a responsible official of such social agency setting forth:

(1) That the automobile is to be driven by a full-time social worker to perform one or more of the purposes specified in this paragraph; and

(2) That the social agency employing such worker is either:

(i) Licensed by the appropriate governmental authority; or

(ii) A member of the local Community Chest, the local Council of Social Agencies, the State Conference of Social Work, the Family Welfare Association of America, the Child Welfare League of America, or the National Travelers Aid Association; or

(iii) A bona fide non-profit agency carrying on one or more of the purposes specified in this paragraph, as evidenced by a certification of that fact by a responsible official of a social agency specified in (i) or (ii) hereof. Such certification shall be attached to the official statement.

Effective Dates

§ 1360.442 *Effective dates of amendments* • • •

(y) Amendment No. 22 (§ 1360.372) to Rationing Order No. 2A shall become effective January 13, 1943.

(Pub. Law 421, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1A, 7 F.R. 562, 698, 1493)

Issued this 7th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc 43-381; Filed, January 7, 1943; 12:03 p. m.]

PART 1364—FRESH, CURED, AND CANNED MEAT AND FISH

[MPR 299]

SALES BY CANNERS OF TUNA, BONITO, AND YELLOWTAIL

In the judgment of the Price Administrator the prices of tuna, bonito, and yellowtail have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of tuna, bonito, and yellowtail prevailing between October 1, 1941 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable, and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The maximum prices established herein are not below the average price of such commodities in the year 1941.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 299 is hereby issued.

AUTHORITY: §§ 1364.651 to 1364.662 inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1364.651 *Prohibition against dealing in tuna, bonito, and yellowtail at prices above the maximum.* On or after January 13, 1943, regardless of any contract, agreement or other obligation, no canner, or agent or other person acting on behalf, or under control, of such canner shall sell or deliver any tuna, bonito, or yellowtail, and no person in the course of trade or business shall buy or receive from a canner any tuna, bonito, or yellowtail at prices higher than those set forth in Appendix A hereof, incorporated herein as § 1364.662; and no person shall agree, offer, solicit, or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of tuna, bonito, and yellowtail to a purchaser if prior to January 13, 1943, such tuna, bonito, or yellowtail has been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

§ 1364.652 *Conditional agreement.* No canner of tuna, bonito, or yellowtail shall enter into an agreement permitting the adjustment of the prices to prices which may be higher than the maximum prices provided by § 1364.662 in the event that this Maximum Price Regulation No. 299 is amended or is determined by a court to be invalid or upon any other contingency: *Provided*, That if a petition for amendment has been duly filed, and such petition requires extensive consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment.

§ 1364.653 *Export sales.* The maximum price at which a person may export tuna, bonito, or yellowtail shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation [1] issued by the Office of Price Administration.

§ 1364.654 *Less than maximum prices.* Lower prices than those set forth in § 1364.662 may be charged, demanded, paid, or offered.

§ 1364.655 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 299 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of, or relating to tuna, bonito or yellowtail, alone or in conjunction with any other commodity, or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or by changing the selection or style of processing or the canning, wrapping or packaging of tuna, bonito or yellowtail.

§ 1364.656 *Records and reports.* (a) Every person making a purchase or sale of tuna, bonito, or yellowtail in the course of trade or business, or otherwise dealing therein, after January 12, 1943, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each such purchase or sale, showing the date thereof, the name and address of the buyer and of the seller, the price contracted for or received, the quantity and a description of the grade or brand, style of pack, and container size of tuna, bonito, or yellowtail.

(b) Such persons shall submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraph (a) of this section as the Office of Price Administration may from time to time require.

§ 1364.657 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 299 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 299 or any price schedule, regulation, or order issued by the Office of Price Administration or of any act or practices which constitute such a violation are urged to communicate with the nearest district, state, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1364.658 *Petitions for amendment.* Any person seeking an amendment of any provision of this Regulation No. 299 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 [2] issued by the Office of Price Administration.

§ 1364.659 *Applicability of General Maximum Price Regulation.*[3] The provisions of this Maximum Price Regulation No. 299 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this regulation.

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6059, 7242, 8829, 9000, 10530.

[2] 7 F.R. 8961.

[3] 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5483, 5775, 5783, 5784, 6058, 6081, 6007, 6216, 6615, 6784, 6939, 7993, 7322, 7454, 7758, 7913, 8441, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454.

§ 1364.660 *Definitions.* (a) When used in this Maximum Price Regulation No. 299 the term:

(1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of the foregoing: *Provided*, That no punishment provided by this regulation shall apply to the United States, or to any such government, political subdivision, or agency.

(2) "Canner" means a person who preserves tuna, bonito, or yellowtail by processing and hermetically sealing in metal containers.

(3) "Tuna" means canned meat from the following species of fish caught in the Pacific Ocean: Albacore (Germo alalunga); skipjack (Katsuwomus pelamis); bluefin (Thunnus thynnus); and yellowfin (Neothunnus macropterus); and from bluefin (Sarda Sarda) caught in the Atlantic Ocean.

(4) "White meat tuna" means albacore meat.

(5) "Light meat tuna" means skipjack, bluefin, or yellowfin meat.

(6) "Bonito" means canned meat from fish of the species bonito (Sarda Chiliensis).

(7) "Yellowtail" means canned meat from fish of the species yellowtail (Seriola Dorsatis).

(8) "Fancy" means choice cuts of cooked tuna from fish weighing not more than 60 pounds round weight, packed with large pieces of solid meat with the addition of one or two small pieces of solid meat, if necessary to bring the contents to required net weight, but not including any flakes added at the time of packing.

(9) "Choice cuts" means large choice pieces of cooked tuna composed of tender solid meat of selected light color and fine texture, free from dark meat, bones, skin, extraneous tissue, and any substance or condition impairing quality.

(10) "Standard" means wholesome cooked meat, regardless of size of fish, which when packed contains at least 75 percent large pieces of solid meat, free from dark meat, bones, skin, extraneous tissue, and debris.

(11) "Flakes" means small pieces of wholesome cooked meat not utilized in the packing of fancy or standard grades, but free from dark meat, bones, skin, extraneous tissue, and debris.

(12) "Grated" means wholesome cooked meat not utilized in the pack of fancy or standard grades, mechanically reduced to small uniform pieces but free from dark meat, bones, skin, extraneous tissue and debris.

(13) "Price per case" means the price for 48 cans of tuna, bonito, or yellowtail packed for shipment in the usual container.

(14) "No. 1 Tuna tin" means a can 401x205.5.

(15) "½ Tuna tin" means a can 307x113.

(16) "¼ Tuna tin" means a can 211x109.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1364.661 *Effective date.* This Maximum Price Regulation No. 299 (§§ 1364.651 to 1364.662, inclusive) shall become effective January 13, 1943.

§ 1364.662 *Appendix A: Maximum canners' prices for Tuna, Bonito, and Yellowtail.* (a) The prices set forth below are maximum prices per case f. o. b. car at the shipping point nearest cannery. The maximum prices are gross prices and the seller shall deduct therefrom his customary allowances, discounts, and differentials to purchasers of different classes.

Variety	Style of container and price per case		
	½ lb. Tuna	½ lb. Tuna	¼ lb. Tuna
Albacore:			
Fancy	$31.00	$16.00	$9.00
Standard	27.00	14.00	8.00
Grated	25.00	13.00	7.50
Flake	25.00	13.00	7.50
Light meat:			
Fancy	23.00	12.00	7.00
Standard	21.00	11.00	6.50
Grated	19.70	10.35	6.20
Flake	19.00	10.00	6.00
Bonito:			
Standard	17.00	9.00	5.50
Flake	15.00	8.00	5.00
Yellowtail:			
Standard	16.00	8.50	5.25
Flake	14.00	7.50	4.75

(b) For varieties, container sizes, or types and styles of pack of tuna, bonito, and yellowtail not listed in paragraph (a) the price shall be a price determined by the Office of Price Administration to be in line with the prices listed in paragraph (a). Such determination shall be made upon written request, addressed to the Office of Price Administration, Washington, D. C., and accompanied by sworn statements showing costs and usual differentials.

Issued this 7th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-382; Filed, January 7, 1943; 12:04 p. m.]

PART 1372—SEASONAL COMMODITIES

[MPR 298]

ROTENONE

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for sales, other than at retail, of rotenone by a specific maximum price regulation.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.* In the judgment of the Price Administrator the maximum prices established by this Maximum Price Regulation No. 298 are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. So far as practical, the Price Administrator has advised and consulted with members of the industry affected by this regulation.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with Revised Procedural Regulation No. 1,[1] issued by the Office of Price Administration, Maximum Price Regulation No. 298 is hereby issued.

*Copies may be obtained from the Office of Price Administration.

Sec.

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AUTHORITY: §§ 1372.151 to 1372.174 inclusive, issued under Pub. Laws 421 and 729, 77th Cong., and E.O. 9250, 7 F.R. 7871.

§ 1372.151 *Sales at retail.* Maximum Price Regulation No. 144 [2] as amended, establishes the maximum prices for sales at retail of agricultural insecticides, and Maximum Price Regulation No. 142 [3] as amended, establishes maximum prices for sales at retail of household insecticides and, therefore, this Maximum Price Regulation No. 298 shall not apply to sales at retail of rotenone described herein.

§ 1372.152 *Maximum prices for rotenone.* (a) On and after January 13,

[1] 7 F.R. 8961.

[2] 7 F.R. 3720, 5665, 7248

[3] 7 F.R. 3553, 3720, 5192, 5520.

1943, regardless of any contract, agreement, lease or other obligation, no person shall sell or deliver, other than at retail, rotenone roots, rotenone products (unfinished) and finished rotenone insecticides, and no person shall buy or receive, other than at retail, rotenone roots, rotenone products (unfinished) and finished rotenone insecticides, in the course of trade or business, at prices higher than the maximum prices set forth in the Appendices hereto, lettered A to H, incorporated herein as § 1372.167 to § 1372.174 inclusive, and no person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided*, That the provisions of this Maximum Price Regulation No. 298 shall not apply to sales if, prior to January 13, 1943, the commodity was received for shipment to the purchaser by a carrier other than a carrier owned or controlled by the seller.

(b) The provisions of paragraph (a) of this section, prohibiting purchasers from paying in excess of the maximum prices, shall not be applicable to any war procurement agency or any contracting officer thereof, and any contracting officer or any paying finance officer of such agency shall be relieved of any and every liability, civil or criminal, imposed by this Maximum Price Regulation No. 298 or by the Emergency Price Control Act of 1942, as amended.

(c) The provisions of paragraph (a) of this section prohibiting persons from selling finished rotenone insecticides at prices in excess of the maximum prices established herein shall not apply to sales of finished rotenone insecticides still in the hands of and owned by wholesalers, and which shall have been delivered to them, prior to the effective date of this regulation.

§ 1372.153 *Applicability of General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 298 supersede the provisions of the General Maximum Price Regulation [1] with respect to sales and deliveries for which maximum prices are established by this regulation.

§ 1372.154 *Less than maximum prices.* Lower prices than those set forth in this Maximum Price Regulation No. 298 may be charged, demanded, paid or offered.

§ 1372.155 *Export sales.* The maximum price at which a person may export shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation [2] issued by the Office of Price Administration.

§ 1372.156 *Federal and State taxes.* Any tax upon, or incident to, the sale, delivery, processing, or use of a commodity, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such commodity and in preparing the records of such seller with respect thereto:

(a) *As to a tax in effect during March 1942.* (1) If the seller paid such tax, or if the tax was paid by any prior vendor, irrespective of whether the amount thereof was separately stated and collected from the seller, but the seller did not customarily state and collect separately from the purchase price during March 1942 the amount of the tax paid by him or tax reimbursement collected from him by his vendor, the seller may not collect such amount in addition to the maximum price, and in such case shall be regarded as having included such amount in determining the maximum price under this Maximum Price Regulation No. 298.

(2) In all other cases if, at the time the seller determined his maximum price, the statute or ordinance imposing such tax did not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller did state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount in determining the maximum price under this Maximum Price Regulation No. 298.

(b) *As to a tax or increase in a tax which becomes effective after March 31, 1942.* If the statute or ordinance imposing such tax or increase does not prohibit the seller from stating and collecting the tax or increase separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased; except that the tax on transportation imposed by section 620 of the Revenue Act of 1942 shall, for the purposes of determining the applicable maximum price of any commodity subject of this regulation, be treated as though it were an increase of 3% in the amount charged by any person transporting the commodity for hire, and it shall not be treated under any provision of this regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price.

§ 1372.157 *Petitions for amendment.* Any person subject to any provision of this Maximum Price Regulation No. 298 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[3] issued by the Office of Price Administration.

§ 1372.158 *Adjustable pricing.* Any person may offer or agree to adjust to or fix at prices not in excess of the maximum prices in effect at the time of delivery. Where a petition for amendment under § 1372.157 has been duly filed, and requires extended consideration, the Administrator may, upon application, grant permission to the seller to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition thereof.

§ 1372.159 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 298 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to rotenone roots, rotenone products (unfinished) or finished rotenone insecticides, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge or discount, premium or other privilege, or by tying agreement, or other trade understanding or otherwise; without limiting the generality of the foregoing, the price limitations set forth in Maximum Price Regulation No. 298 shall not be evaded by improper classification of any rotenone roots, rotenone products (unfinished) or finished rotenone insecticides, improper application of extras, splitting of orders into small quantities or exchange of formulae in order to increase prices, or by decreasing or discontinuance of cash discounts.

§ 1372.160 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 298 are subject to the criminal penalties, civil enforcement, actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 298 or any price schedule, regulation or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation, are urged to communicate with the nearest district, state, field, or regional office of the Office of Price Administration, or its principal office in Washington, D. C.

§ 1372.161 *Records and reports.* (a) Each person selling within the continental United States rotenone roots, rotenone products (unfinished) or finished rotenone insecticides other than at retail, shall preserve and keep for inspection by the Office of Price Administration, for as long a period as the Emergency Price Control Act of 1942 as amended, remains in effect, all available records of prices, costs, pricing methods, delivery charges, allowances and discounts, on all sales of rotenone roots, rotenone products (unfinished) and finished rotenone insecticides made by such seller since January, 1941.

(b) Persons affected by this Maximum Price Regulation No. 298 shall submit such reports to the Office of Price Administration as it may from time to time require.

§ 1372.162 *Filing of prices and pricing methods.* (a) Each person selling other than at retail any rotenone product shall report to the Office of Price Administration in Washington, D. C., within ten days after its determination, his maximum price for each of his rotenone products, except roots, powder, resin, chemically pure rotenone, technically pure rotenone, solvate, or products priced in § 1372.168 (Appendix B (7)) hereof. Such maximum price shall be reported for each class of purchaser and for each kind and type of package. Each product shall be described by brand or trade mark, if any, and by the kinds and amounts of ingredients contained in the product.

(b) Each person selling liquid extract shall report to the Office of Price Administration in Washington, D. C., within ten days after the price was determined, an explanation of how he computed his maximum price for such liquid extract.

(c) Each person who establishes a maximum price for a rotenone insecticide under the provisions of Appendix F hereof, shall report within 10 days after the establishment of such price to the Office of Price Administration in Washington, D. C., an explanation of how he computed his maximum price.

§ 1372.163 *Transfers of business or stock in trade.* If the business, assets, or stock in trade of any person producing rotenone roots, rotenone products (unfinished) or finished rotenone insecticides are or have been sold or otherwise transferred after March 1, 1942, and the transferee carries on the business or continues to produce rotenone roots, rotenone products (unfinished) or finished rotenone insecticides in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligations to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the tansfer which are necessary to enable the transferee to comply with the record and filing of price provisions of this regulation.

§ 1372.164 *Definitions.* (a) When used in this Maximum Price Regulation No. 298 the term:

(1) "Rotenone" means the chemical compound having the formula $C_{23}H_{22}O_6$.

(2) "Pure rotenone" means rotenone which would be indicated as present in the rotenone-bearing material by the analytical method developed by Jones and Graham and adopted as "official, first action" by the Association of Official Agricultural Chemists.

(3) "Chemically pure rotenone" means crystals of pure rotenone $C_{23}H_{22}O_6$.

(4) "Powder" means ground rotenone root, sufficiently fine so that 90 per cent of the ground material will pass through a 200-mesh sieve. "Powder" includes a blend of two or more lots of ground root but does not include material containing any substance other than ground rotenone bearing root.

(5) "Resin" means the dry, undiluted product, consisting of rotenone and rotenoids, which may be extracted from rotenone bearing material with ethyl ether.

(6) "Liquid extracts" means resins in solution:

(7) "Technically pure rotenone" means crystals containing at least 90 per cent pure rotenone.

(8) "Solvate", as used in this regulation, means a compound of rotenone and carbon tetrachloride containing at least 71 per cent pure rotenone.

(9) "Rotenone roots" means roots dug from the ground, whole or chopped, such as timbo, barbasco, cube or derris root, which contain rotenone.

(10) "Dust base" means any rotenone bearing material, other than powder, resin, or liquid extract, sold to a commercial purchaser to be mixed with inert materials, other insecticides, or fungicides in the preparation of a dry, finished, rotenone insecticide known as a dust.

(11) "Rotenone products (unfinished)" means preparations made in whole or in part from rotenone roots, which are not finished insecticides but which may be materials in the manufacture of finished rotenone insecticides. Powder, when sold by a manufacturer of powder or by an importer or foreign shipper, shall be considered a rotenone product (unfinished); but when sold by a wholesaler or dealer shall be considered a finished rotenone insecticide.

(12) "Finished rotenone insecticides" means products containing rotenone and used for control of insects, when sold in a form commonly purchased by consumers.

(13) "Manufacturer" means any person who grinds, extracts, mixes, reconditions or otherwise processes rotenone bearing roots or rotenone products to produce other rotenone products or finished rotenone insecticides.

(14) "Wholesaler", for the purposes of this regulation, means a person other than a manufacturer who sells the commodity being priced to a dealer.

(15) "Dealer", for the purposes of this regulation, is a person other than a manufacturer or wholesaler who sells at retail the commodity being priced.

§ 1372.165 *Notification to the trade of price reductions.* If reductions of maximum prices for dry, finished rotenone, insecticides are effected under the operation of Appendix C, D, or G, hereinbelow set forth, the manufacturer or wholesaler, as the case may be, shall attach to his first outgoing invoices sent to each purchaser, after the price reduction becomes effective, and shall enclose in each carton, box or other shipping package, with the legend stamped thereon "Price Reduction Notification Enclosed", first shipped by him to each purchaser after the price reduction becomes effective, the following notification:

Under an OPA maximum price regulation the manufacturer of ---------- is
(name of product)
required to reduce his ceiling price by $------. Wholesalers and retailers are required to reduce their ceiling prices of the product by the same amount. OPA requires you to preserve this notice.

§ 1372.166 *Effective date.* This Maximum Price Regulation No. 298 shall become effective January 13, 1943.

§ 1372.167 *Appendix A: Maximum price for rotenone roots.* (a) The maximum price for root containing not more than 12 per cent moisture, seller to pay all costs of freight, insurance, entry, analysis, weighing, and the like, shall be the sum of (1) the price paid f. o. b. foreign shipping point, landed weight basis, (2) transportation costs by boat or boat and rail from shipping point to United States port, (3) marine and war risk insurance at lowest available rates, and (4) one and one-quarter cents ($.0125) per pound of landed weight.

(b) For lots of root containing more than 12 per cent moisture, the maximum price calculated in (a) above shall be adjusted downward so that the buyer does not pay more for the lot, including freight, marine and war risk insurance and importer's margin, than he would if the lot had contained 12 per cent moisture when landed at United States port.

§ 1372.168 *Appendix B: Manufacturers' maximum prices for rotenone products (unfinished)*

1. *Powder.* The maximum price shall be (a) for powder containing 5% pure rotenone, 35 cents per pound f. o. b. manufacturer's plant or f. o. b. port of entry when sold by an importer or foreign shipper; (b) for powder containing more than 5 per cent pure rotenone, 35 cents per pound plus 6 cents for each 1 per cent (unit) of pure rotenone more than 5 per cent (5 units); (c) for powder containing less than 5 per cent pure rotenone, 35 cents minus 6 cents for each 1 per cent (unit) of pure rotenone less than 5 per cent (5 units); (d) for powder in less than 200-pound lots, the maximum price determined under (a), (b), or (c), plus 10 per cent. For the purposes of this paragraph, the pure rotenone content shall be computed to the nearest tenth of one per cent (nearest tenth of one unit).

2. *Resin.* (a) The maximum price shall be $3.25 per pound f. o. b. manufacturer's plant.

3. *Liquid extract.* (a) The maximum price per gallon f. o. b. manufacturer's plant shall be the sum of the number of pounds of 30% rotenone resin required to make one gallon of liquid extract, multiplied by $2.55 per pound of such resin, plus the cost of one gallon of the solvent used in the manufacture of the liquid extract, plus 25 cents for each 1% of rotenone contained in the liquid extract.

4. *Chemically pure rotenone.* (a) The maximum price shall be $12.25 per pound f. o. b. manufacturer's plant.

5. *Technically pure rotenone.* (a) The maximum price shall be $9.75 per pound f. o. b. manufacturer's plant.

6. *Solvate.* (a) The maximum price shall be $7.75 per pound f. o. b. manufacturer's plant.

7. *Other rotenone products (unfinished).* (a) The maximum price shall be determined by the seller after specific authorization from the Office of Price Administration. A seller who seeks an authorization to determine a maximum price under the provision of this paragraph shall file with the Office of Price Administration in Washington, D. C., an application setting forth (i) a description of the commodity for which a maximum price is sought, (ii) a list of materials used in the manufacture of the commodity, (iii) an outline of the manufacturing process, (iv) the seller's cost of

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 7093, 7322, 7454, 7758, 7913, 8431, 6939, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454.

[2] 7 F.R. 5059, 7242, 8829, 9000, 10530.

[3] 7 F.R. 8961.

raw materials, packages, manufacturing and other expenses, (v) changes in the selling price since January 1, 1941, and (vi) the seller's maximum price under the General Maximum Price Regulation. When such authorization is given, it will be accompanied by instructions as to the method for determining the maximum price. Within ten days after such price has been determined, the seller shall certify the price to the Office of Price Administration in Washington, D. C. The price so reported shall be subject to adjustment at any time by the Office of Price Administration.

(b) If the seller has a maximum selling price under the General Maximum Price Regulation for the product, he shall continue to use such maximum selling price until a maximum price has been established under (a) above; but within 30 days after the effective date of this regulation, he shall apply for such maximum price.

§ 1372.169 *Appendix C: Manufacturer's maximum prices for dry, finished rotenone insecticides not made from dust bases:* The price shall be the lower of the following:

1. The highest price charged to a purchaser of the same class in March, 1942, or

2. A price computed by adding items (a), (b), (c), and (d), below:

(a) The price most frequently charged to a purchaser of the same class in June, 1941, or on the latest date prior to June, 1941, on which the product was sold,

(b) The increase in the cost of pure rotenone guaranteed in the product, between the first half of 1941 and December 31, 1942, calculated according to the following provisions:

(i) Manufacturers who do not process root:

The increase in the cost of rotenone shall be calculated by determining the average delivered cost of rotenone purchased in the period January-June, 1941, inclusive (or, if no such purchase was made in such period, the delivered cost of rotenone purchased on the latest date prior to January 1, 1941), and by subtracting such delivered cost from the maximum delivered cost of rotenone contained in the same type and quality of rotenone-bearing material on December 31, 1942; but such increase in cost of pure rotenone shall not exceed $3.40 per pound of pure rotenone contained in the finished product.

(ii) Manufacturers who process imported root:

The increase in the cost of rotenone shall be calculated by multiplying the pounds of pure rotenone guaranteed in the finished product by $3.10.

(c) The difference between the delivered cost of packages and raw materials other than rotenone on the latest dates prior to July 1, 1941, on which purchases of such commodities were made, and the maximum delivered cost of the same items on December 31, 1942;

(d) Forty cents per hundred pounds, or $0.004 per pound, of the finished product.

§ 1372.170 *Appendix D: Manufacturer's maximum prices for finished rotenone insecticides made from dust bases.* The maximum price shall be the lower of the following:

1. The highest price charged to a purchaser of the same class in March, 1942, or

2. A price computed by adding items (a), (b), and (c) below:

(a) The price most frequently charged to a purchaser of the same class in June, 1941, or on the latest date prior to June, 1941 on which the product was sold

(b) The increase in the delivered cost of all raw materials and packages between June, 1941, or on the latest date prior thereto on which such commodities were purchased, and the maximum delivered cost of the same commodities on December 31, 1942.

(c) Forty cents per hundred pounds, or $0.004 per pound, of the finished product.

§ 1372.171 *Appendix E: Manufacturer's maximum prices for other finished rotenone insecticides.* The maximum price shall be the highest price for which the insecticide was sold or delivered in March 1942, to a purchaser of the same class; or if no sale or delivery was made in March 1942, the highest price at which the insecticide was offered for sale and delivery in March 1942, to a purchaser of the same class.

§ 1372.172 *Appendix F: Manufacturer's maximum prices which cannot be established under Appendix C, D or E.* (a) If a seller cannot determine his maximum price under the above provisions, he shall select the finished rotenone insecticide most closely similar to the product being priced and for which a maximum price has been established, and he shall add to (if the cost of the product being priced is greater) or subtract from (if such cost is less) the maximum price of the similar product the difference between the total cost of all raw materials and packages used in the manufacture of the similar product and the total cost of all raw materials and packages used in the manufacture of the product being priced.

(b) If the product being priced is a dry, finished insecticide and the seller is no longer selling a similar product, but sold a similar product in 1941, he shall compute the maximum price for the similar product according to the formula in Appendix C; and he shall add to (if the cost of the product being priced is greater) or subtract from (if such cost is less) the maximum price so computed, the difference between the total cost of all raw materials and packages which would be used in the manufacture of the similar product and the total cost of all raw materials and packages used in the manufacture of the product being priced.

§ 1372.173 *Appendix G: Wholesaler's maximum prices of finished rotenone insecticides.* The maximum price at which a wholesaler may sell to a dealer shall be determined in the following manner:

(a) If the maximum price which may be charged by the manufacturer from whom the wholesaler buys the commodity is not changed by this regulation, the wholesaler's maximum selling price shall be the highest price at which he delivered or offered for delivery the commodity in March 1942.

(b) If the maximum price which may be charged by the manufacturer from whom the wholesaler buys the commodity is reduced by this regulation, the wholesaler's maximum selling price shall be reduced by a like amount in dollars and cents.

(c) If the wholesaler did not sell the commodity in March 1942, he shall establish his maximum selling price by adding to his delivered cost of the commodity the dollar and cent margin between his delivered cost and his maximum selling price on the commodity most closely similar to the commodity being priced.

§ 1372.174 *Appendix H: Maximum prices which cannot be established under Appendix C, D, E, F or G.* (a) If a seller cannot determine his maximum price under any of the provisions of Appendix C, D, E, F or G, he shall take as his maximum price the maximum price of the closest competing seller of the same class.

(b) If a seller cannot in anywise determine his maximum price, he shall apply to the Office of Price Administration in Washington, D. C., for authorization to establish a maximum price, in accordance with the provisions of § 1499.3 (b) of the General Maximum Price Regulation as amended.

Issued this 7th day of January, 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-383; Filed, January 7, 1943, 12:05 p. m.]

PART 1381—SOFTWOOD LUMBER

[MPR 219,[1] Amendment 1]

NORTHEASTERN SOFTWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment has been issued herewith and has been filed with the Division of the Federal Register.*

Section 1381.309 is amended by adding paragraph (e).

§ 1381.309 *Transportation charges.* * * *

(e) Where lumber is shipped by rail from a mill having milling-in-transit arrangements with a carrier to a planing mill, owned by the same person, for further processing before delivery to the purchaser, that person may apply for permission to figure transportation charges on the basis of the through rail freight rate from the first mill to final destination in the following case:

(1) Where the hurricane of September 1938 damaged and destroyed a substantial portion of the timber near which the planing mill had been located so that the mill has been compelled to rely primarily on more distant sources of timber; and

(2) Where it has not been practicable to move the planing mill near other sources of timber because of excessive moving costs, shortages of mill labor and insufficient standing timber in any single location to warrant moving the mill.

The application should be made by letter to the Lumber Branch, of the Office of Price Administration, Washington, D. C., and may be acted upon by letter. The addition may not be made on quotations or sales until permission has been received.

§ 1381.314a *Effective dates of amendments.* * * *

(b) This Amendment No. 1 (§ 1381.309) to Maximum Price Regulation No. 219 shall become effective January 13, 1943.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 7285, 7747, 8949.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 7th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-384; Filed, January 7, 1943; 12:03 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136 as Amended,[1] Amendment 65]

MACHINES AND PARTS AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment has been prepared and is issued simultaneously herewith.

In § 1390.32 (h) the term "Portable heating, melting, burning, and thawing equipment" is amended to read "Portable heating, melting, burning, and thawing equipment for industrial and transportation purposes (not including mechanic's fire pots and blow torches)".

§ 1390.31a *Effective dates of amendments.* * * *

(nnn) Amendment No. 65 (§ 1390.32 (h)) to Maximum Price Regulation No. 136, as amended, shall become effective January 12, 1943.

Issued this 7th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-385; Filed, January 7, 1943; 12:03 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5C,[1] Amendment 10]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale for this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The word "or" at the end of subparagraph (3) of § 1394.8014 (a) is deleted; the period at the end of subparagraph (4) is deleted and a semicolon followed by the word "or" is substituted therefor; subparagraph (1) of paragraph (a) of § 1394.8014 is amended: a new subparagraph (iv) to § 1394.7851 (b) (2), a new subparagraph (5) to § 1394.8014, and a new paragraph (j) to § 1394.8352 are added; as set forth below:

Special Rations

§ 1394.7851 *Application for special ration.* * * *

(b) * * *

(2) * * *

(iv) To tow a house trailer in connection with a *bona fide* change in residence of the person entitled to the use thereof, or to a site where such trailer is to be used as necessary housing for a person in connection with his occupation.

General Provisions With Respect to Issuance of Rations and Tire Inspection Records

§ 1394.8014 *Issuance of rations notwithstanding ownership of excess tires.* (a) * * *

(1) Such other tires have been acquired pursuant to a certificate issued under the Revised Tire Rationing Regulations or Ration Order No. 1A, or such tires are held for a purpose for which a certificate authorizing the acquisition of tires or recapping services may be obtained under Ration Order No. 1A and are not in excess of the number which would preclude a person from obtaining such a certificate, or the possession and use of such tires is otherwise expressly permitted or authorized by the Office of Price Administration or by the War Production Board.

* * * * *

(5) Such other tires are held for use in moving house trailers by persons regularly engaged in the business of towing house trailers: *Provided*, That no such person shall own or keep for such use more than eight (8) passenger-type tires for each establishment, plus four (4) additional passenger-type tires for each separate branch at which a tow car is regularly kept: *Provided further*, That the number of passenger-type tires which may be retained for such purpose shall be reduced by the number of other type tires which are similarly held.

Effective Dates

§ 1394.8352 *Effective dates of amendments.* * * *

(j) Amendment No. 10 (§§ 1394.7851 (b) (2) (iv), 1394.8014 (a) (1) and (5)) shall become effective January 7, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, and 421, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 7th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-392; Filed, January 7, 1943; 2:16 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11,[1] Amendment 23]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1394.5260, a new paragraph (d) has been added; in § 1394.5261, paragraph (a) is amended by inserting the phrase "Subject to the provisions of paragraph (e) of this section" before the phrase "the allowable ration"; paragraph (b) is amended by inserting the phrase "Subject to the provisions of paragraph (e) of this section" before the phrase "the allowable ration"; paragraph (c) is amended by deleting the period after the word "Board" and adding after the word "Board" the phrase "subject, however, to the provisions of paragraph (e) of this section"; and a new paragraph (e) is added to said section; a new paragraph (c) is added to § 1394.5851; and a new paragraph is added to § 1394.5902; as set forth below:

Heat and Hot Water Rations

§ 1394.5260 *Application for ration for heat or hot water in premises other than private dwellings.* * * *

(d) In the case of all applications made in the States enumerated in paragraph (e) of § 1394.5261, the applicant shall certify upon the application the percentage of the floor area of the premises, which is used for residential purposes.

§ 1394.5261 *Determination of allowable ration for heat or hot water in premises other than private dwellings.* * * *

(e) The allowable ration for the operation of oil burning equipment designed for, and furnishing heat, or both heat and hot water, to all or part of any premises other than a private dwelling in the states of Connecticut, Delaware, Florida (east of the Apalachicola River), Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia and the District of Columbia in all Thermal Zones, shall be determined as follows:

(1) The Board shall determine the applicant's allowable ration in accordance with paragraphs (a), (b) or (c) of this section, before any deduction is made for fuel oil on hand. The Board shall then detach from the applicant's coupon sheets (whether issued or to be issued) the number of unit value coupons corresponding with the percentage of floor area (as shown in Columns (2) to (9), inclusive, of Table VI of § 1394.5851 (c)) which the applicant shall certify is used for residential purposes, for such allowable ration (as shown in Column 1 of said Table VI). Where the applicant's allowable ration (before inventory deduction) is not a multiple of 100 gallons, the nearest multiple of 100 in Column 1 of Table VI to such allowable ration, shall be used by the Board for the purpose of determining the number of such coupons to be detached. The Board may detach such number of change coupons as shall be necessary to account for units for which coupons cannot be detached.

(2) The provisions of subparagraph (1) of this paragraph shall be applicable to all rations for such purposes heretofore as well as those hereafter issued.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5047, 5362, 5665, 5998, 6425, 6682, 6890, 6964, 6965, 6937, 6973, 7010, 7246, 7320, 7365, 7509, 7602, 7739, 7744, 7907, 7912, 7945, 7944, 8198, 8362, 8433, 8479, 8520, 8652, 8707, 8897, 9001, 8348, 9040, 9041, 9042, 9053, 9054, 9729, 9736, 9822, 9823, 9899, 10109, 10230, 10556.

[1] 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10780, 10737, 11009, 11070, 8 F.R. 179.

[1] 7 F.R. 8480, 8708, 8809, 8897, 9316, 9396, 9492, 9427, 9430, 9621, 9784, 10153, 10081, 10379, 10530, 10531, 10780, 10707, 11118, 11071, 8 F.R. 165.

(3) Every person in the states enumerated in this paragraph, to whom a ration for the said purposes was issued prior to January 15, 1943 shall upon receipt of written notice from the issuing Board surrender (in person or by mail) the coupon sheets representing his ration to the Board so that the Board may detach the coupons therefrom as provided in subparagraph (1) of this paragraph.

At the time he surrenders his coupon sheets, he shall certify the percentage of the floor area of the premises used for residential purposes. If he appears personally, such certification shall be made upon the application for the original ration. If surrender is made by mail, such certification shall accompany the coupon sheets.

(4) The units to be deducted shall be divided equally, insofar as possible, among all unexpired thermal periods. The Board shall enter upon the applicant's coupon sheets, under the Record of Deliveries, the date, the number and kind of coupons detached, the number of the Board, and the member of the Board making the entries.

(5) The Board shall, on February 1, 1943, report to the nearest State or District Office having jurisdiction of the area in which the Board is located, the name and address of any consumer who was required to and failed to surrender his coupon sheets pursuant to subparagraph (3) of this paragraph.

(6) On or after February 1, 1943, no dealer or supplier shall transfer fuel oil to a person in the states enumerated in this paragraph, who was required and failed to surrender his coupon sheets to the issuing Board in accordance with subparagraph (3) of this paragraph, and who was reported as such by the Board pursuant to subparagraph (5) of this paragraph.

§ 1394.5851 *Tables* • • •

(c) *Table VI: Total number of units to be removed from coupon sheets according to allowable ration and percentage of residential area of premises other than a private dwelling.*

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Total allowable ration (before inventory deduction) (gallons)	Percentage of residential area							
	0	1–9	10–19	20–29	30–39	40–49	50–59	60–69
	Units	Units	Units	Units	Units	Units	Units	Units
100	1	1	1	1	1	1	1	0
200	3	3	2	2	2	2	1	1
300	4	4	4	3	3	2	2	2
400	6	6	5	4	3	3	3	2
500	7	7	6	6	5	4	3	3
600	9	8	8	7	6	5	4	3
700	10	10	9	8	7	6	5	4
800	12	11	10	9	8	7	5	4
900	13	13	11	10	9	7	6	5
1,000	15	14	13	11	10	8	7	5
2,000	30	28	25	22	19	16	13	10
3,000	45	43	38	34	29	25	20	15
4,000	60	57	51	45	39	33	27	20
5,000	75	71	64	56	49	41	34	25
6,000	90	85	76	67	58	49	40	30
7,000	105	100	89	79	68	58	47	35
8,000	120	114	102	90	78	66	54	40
9,000	135	128	115	101	88	74	61	45
10,000	150	142	127	112	97	82	67	50
20,000	300	285	255	225	195	165	135	100
30,000	450	427	382	337	292	247	202	150
40,000	600	570	510	450	390	330	270	200
50,000	750	712	637	562	487	412	337	250
60,000	900	855	765	675	585	495	405	300
70,000	1,050	997	892	787	682	577	472	350
80,000	1,200	1,140	1,020	900	780	660	540	400
90,000	1,350	1,282	1,147	1,012	877	742	607	450
100,000	1,500	1,425	1,275	1,125	975	825	675	500
200,000	3,000	2,850	2,550	2,250	1,950	1,650	1,350	1,000
300,000	4,500	4,275	3,825	3,375	2,925	2,475	2,025	1,500
400,000	6,000	5,700	5,100	4,500	3,900	3,300	2,700	2,000
500,000	7,500	7,125	6,375	5,625	4,875	4,125	3,375	2,500

§ 1394.5902 *Effective dates of corrections and amendments.* • • •

(w) Amendment No. 23 (§§ 1394.5260, 1394.5261 and 1394.5851) to Ration Order No. 11 shall become effective January 7, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 421; Pub. Law 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1–O, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 7th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-393; Filed, January 7, 1943; 2:16 p. m.]

PART 1391—BICYCLES AND BICYCLE EQUIPMENT

[Rev. Ration Order 7, Amendment 6]

NEW ADULT BICYCLE RATIONING REGULATIONS

A rationale for the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sections 1391.9 (d), (f) and (g), 1391.12 (a), (b), (c) and (d) are amended to read as follows:

§ 1391.9 *Action by Board.* • • •

(d) The action of the Board upon an application, the reasons therefor when denied and the serial number of any certificate issued shall be noted upon the application and signed by one member of the Board. The application shall then be filed by the Board among its records.

• • • • •

(f) The Board shall indicate whether a certificate authorizes acquisition of a new adult bicycle for use or for salvage, and shall enter on Parts A, B and C of the certificate the number of bicycles which may be acquired pursuant thereto. It shall indicate on Parts A, B and C of the certificate the number of the Board and its address, and the name and address of the person to whom the certificate is issued. No certificate shall be valid unless signed by the issuing officer of the Board, who may be either a member of the Board or one of its clerks designated to act as issuing officer.

(g) When all the foregoing steps have been taken the Board shall issue the certificate by mailing it to the applicant at the address appearing on the application or by notifying the applicant to appear at the office of the Board and receive it. If the Board has any doubt as to the identity of the applicant or as to whether or not the address appearing on the certificate is the correct one, it shall require the applicant to appear at the office of the Board and to give such additional information as the Board may require before receiving the certificate.

• • • • •

§ 1391.12 *Use of certificate.* (a) A certificate properly executed and issued may be used by the person to whom it was issued within the time and for the purposes specified thereon. After the expiration date thereon, the certificate shall be void and the applicant shall surrender it to the issuing Board.

(b) An applicant shall sign Part A of the certificate in the presence of the transferor and shall satisfactorily identify himself before accepting delivery of a new adult bicycle, except that in purchases by mail the applicant shall sign the certificate before mailing.

(c) Upon receipt of a certificate, Part A of which has been signed by the person to whom the certificate was issued, the dealer or other transferor may transfer a new adult bicycle to such person: *Provided, however,* That a new adult bicycle may be shipped or delivered only to the address appearing on the certificate.

(d) Upon delivery of a new adult bicycle, the transferor shall complete and return Part C of the certificate to the transferee. The transferor shall complete, sign, and forward Part A of the certificate to the Office of Price Administration, Inventory Unit, within three days after delivery of such bicycle.

Effective Dates

§ 1391.37 *Effective dates of amendments.* • • •

(f) Amendment No. 6 (§§ 1391.9 (d) (f) and (g), 1391.12 (a), (b), (c), and (d)) to Revised Ration Order 7 shall become effective January 13, 1943

*Copies may be obtained from the Office of Price Administration.

(Pub. Law 421, 77th Cong., 2d sess., W.P.B. Dir. No. 1, Supp. Dir. No. 1–G, 7 F.R. 562, 3546)

Issued this 7th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-386; Filed, January 7, 1943; 12:04 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Amendment 1 to Third Rev. Zoning Order 1 Under Rationing Order 3[1]]

SUGAR RATIONING REGULATIONS

Those parts of paragraph (a) of § 1407.281, Third Revised Zoning Order No. 1, which establish Zones 2, 3, 4, and 11, are amended, and a new Zone 3–A is added to paragraph (a) of § 1407.281, and paragraphs (c) and (e) of § 1407.281 are amended, as set forth below:

§ 1407.281 *Establishment of zones; authorization of certain deliveries, shipments and transfers.* (a) The following zones are hereby established:

• • • • •

Zone 2 shall include the States of Connecticut and New York; and Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic, Sussex and Union Counties in the State of New Jersey.

Zone 3 shall include the State of Delaware; that part of the State of New Jersey not included in Zone 2; and all of the State of Pennsylvania except Adams, Allegheny, Armstrong, Beaver, Bedford, Blair, Butler, Cambria, Cumberland, Fayette, Franklin, Fulton, Greene, Huntingdon, Indiana, Juniata, Lawrence, Mifflin, Perry, Somerset, Washington, Westmoreland and York Counties.

Zone 3–A shall include that part of the State of Pennsylvania not included in Zone 3.

Zone 4 shall include the State of Maryland; the District of Columbia; Berkeley, Grant, Hampshire, Hardy, Jefferson, Mineral and Morgan Counties in the State of West Virginia; Accomac, Arlington, Clarke, Culpeper, Fairfax, Fauquier, Frederick, Loudoun, Madison, Northampton, Page, Prince William, Rappahannock, Shenandoah, Stafford, and Warren Counties and the independent cities of Alexandria and Winchester in the State of Virginia.

• • • • •

Zone 11 shall include Brooke, Hancock, Marshall and Ohio Counties in the State of West Virginia; that part of the State of Ohio not included in Zone 8; and all points in the State of Indiana not included in Zone 8 where the base rate is based on shipments from Baltimore, Maryland.

• • • • •

(c) Sugar may be delivered, shipped or transferred as follows: (1) From Zone 1 to any point in Zone 1–A; (2) From Zone 2 to any point in Zone 1–A; (3) From Zone 3 to any point in Zone 3–A; (4) From Zone 4 to any point in Zone 3–A; (5) From Zone 12 to any point in Zones 9 or 11.

• • • • •

(e) Any carrier who has, prior to the effective date of this Amendment No. 1 to Third Revised Zoning Order No. 1, accepted sugar for a delivery, shipment or transfer not at that time prohibited by §§ 1407.168 and 1407.281 may complete such delivery, shipment or transfer after the effective date of this Amendment No. 1 to Third Revised Zoning Order No. 1.

• • • • •

(g) Amendment No. 1 to § 1407.281, Third Revised Zoning Order No. 1 (those parts of paragraph (a) of § 1407.281, which establish Zones 2, 3, 4, and 11, and Zone 3–A of paragraph (a) of § 1407.281, and paragraphs (c) and (e) of § 1407.281) shall become effective January 7, 1943.

Issued this 7th day of January 1943.

HAROLD B. ROWE,
Director, Food Rationing Division.

[F. R. Doc. 43-388; Filed, January 7, 1943; 12:05 p. m.]

PART 1499—COMMODITIES AND SERVICES

[GMPR,[1] Amendment 40]

CERTAIN SALES OR DELIVERIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1499.9 (b) (5) is amended to read as set forth below:

§ 1499.9 (b) This regulation shall not apply to the following sales or deliveries:

• • • • •

(5) By hotels, restaurants, soda fountains, bars, cafes, caterers, or other similar eating establishments, of meals, servings of food portions customarily served separately or as part of a meal, or beverages mixed or prepared by the seller.

• • • • •

§ 1499.23a *Effective dates of amendments.* • • •

(oo) Amendment No. 40 (§ 1499.9 (b) (5)) to the General Maximum Price Regulation shall become effective January 13, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 7th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-387; Filed, January 7, 1943; 12:04 p. m.]

[Order 207 Under § 1499.3 (b) of GMPR]

PART 1499—COMMODITIES AND SERVICES

S. C. JOHNSON & SON, INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1443 *Approval of maximum prices for Johnson's Paste Wax.* (a) On and after January 8, 1943 S. C. Johnson and Son, Inc. may sell and deliver Johnson's Paste Wax packaged in six ounce glass containers to wholesalers and jobbers at prices not in excess of those hereinafter set forth:

$.179 when included in an order for 100 lb. or more of wax merchandise, f. o. b. Racine, Wisconsin.

$.189 when included in an order of less than 100 lb. of wax merchandise, f. o. b. Racine, Wisconsin.

(b) Any person may sell and deliver Johnson's Paste Wax packaged in six ounce glass containers to retailers at prices not in excess of those hereinafter set forth:

$.189 when included in an order for 100 lb. or more of wax merchandise, f. o. b. Racine, Wisconsin.

$.211 when included in an order of less than 100 lb. of wax merchandise, f. o. b. Johnson Warehouse.

$.234 when ordered in less than carton lots (12 in carton) f. o. b. Johnson Warehouse.

(c) Any person may sell and deliver Johnson's Paste Wax packaged in six ounce glass containers to dealer-distributors with warehouse facilities at prices not in excess of those hereinafter set forth:

$.179 when included in an order for 100 lb. or more of wax merchandise, f. o. b. Racine, Wisconsin.

$.20 when included in an order of less than 100 lb. of wax merchandise, f. o. b. Johnson Warehouse.

$.222 when ordered in less than carton lots (12 in carton), f. o. b. Johnson Warehouse.

(d) Any person may sell and deliver Johnson's Paste Wax at retail at a price not in excess of the following:

6-ounce glass container at 30 cents each.

(e) The prices set forth above shall be subject to terms by each seller thereof which are no less favorable than those which were in effect during March 1942, with respect to sales of eight-ounce tin containers of Johnson's Paste Wax.

(f) (1) S. C. Johnson and Son, Inc. shall supply to each wholesaler or jobber, before or at the time of its first delivery of Johnson's Paste Wax in six ounce bottles to such wholesaler or jobber, a written statement as follows:

The OPA has authorized us to charge the following maximum prices for Johnson's Paste Wax in six ounce bottles, subject to all customary discounts and allowances:

$.179 when included in an order for 100 lb. or more of wax merchandise, f. o. b. Racine, Wisconsin.

$.189 when included in an order of less than 100 lb. of wax merchandise, f. o. b., Racine, Wisconsin.

Your maximum prices subject to customary discounts and allowances, are authorized to be as follows on sales to retailers:

$.189 when included in an order for 100 lb. or more of wax merchandise, f. o. b. Racine, Wisconsin.

$.211 when included in an order of less than 100 lb. of wax merchandise, f. o. b. Johnson Warehouse.

$.234 when ordered in less than carton lots (12 in carton) f. o. b. Johnson Warehouse.

[1] 7 F.R. 2966, 3242, 3783, 4545, 4618, 5193, 5361, 6084, 6473, 6828, 6937, 7289, 7321, 7406, 7510, 7557, 8402, 8655, 8710, 8739, 8809, 8830, 8831, 9042, 9396, 9460, 9899, 10017, 10258, 10556, 10845.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6939, 6794, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454.

OPA requires that you keep this notice for examination.

(2) S. C. Johnson and Son, Inc. shall supply to each dealer-distributor with warehouse facilities, before or at the time of its first delivery of Johnson's Paste Wax in six ounce bottles to such dealer-distributor, a written statement as follows:

The OPA has authorized us to charge the following maximum prices for Johnson's Paste Wax in six ounce bottles subject to all customary discounts and allowances.

$.179 when included in an order for 100 lb. or more of wax merchandise, f. o. b. Racine, Wisconsin.
$.20 when included in an order of less than 100 lb. of wax merchandise, f. o. b. Johnson Warehouse
$.222 when ordered in less than carton lots (12 in carton), f. o. b. Johnson Warehouse.

Your maximum prices, subject to customary discounts and allowances, are authorized to be as follows on sales to retailers:

$.189 when included in an order for 100 lb. or more of wax merchandise, f. o. b. Racine, Wisconsin.
$.211 when included in an order of less than 100 lb. of wax merchandise, f. o. b. Johnson Warehouse.
$.234 when ordered in less than carton lots (12 in carton) f. o. b. Johnson Warehouse.

OPA requires that you keep this notice for examination.

(3) On each six ounce glass container the following words must be plainly stamped or printed by S. C. Johnson and Son, Inc. "Ceiling price 30 cents each."

(g) This Order No. 207 may be revoked or amended by the Price Administrator at any time.

(h) This Order No. 207 (§ 1499.1443) shall become effective January 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 7th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-390; Filed, January 7, 1943; 12:07 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 153 Under § 1499.18 (b) of GMPR]

OHIO VALLEY CHARCOAL COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1054 *Adjustment of maximum price for lump charcoal sold by the Ohio Valley Charcoal Company.* (a) Ohio Valley Charcoal Company of Ironton, Ohio, may sell and deliver and any person may buy and receive lump charcoal from that concern at a price no higher than that set forth below:

$25.00 per ton, f. o. b. Ironton, Ohio, in carload quantities.

(b) All discounts, allowances and trade practices in effect with respect to the commodity named above during March 1942 by the seller shall remain in effect under this order.

(c) At the first delivery to any purchaser of lump charcoal at a price authorized by this order, Ohio Valley Charcoal Company shall deliver the following notice to the purchaser:

The Office of Price Administration has permitted us to raise our maximum price to you for carload quantities of lump charcoal from $23.00 per ton, f. o. b. Ironton, Ohio to $25.00 per ton, f. o. b. Ironton, Ohio, with all discounts, allowances and trade practices in effect with respect to the price of $23.00 charged during March 1942. You or no other seller is permitted to raise his maximum price for the sale of lump charcoal purchased from us.

(d) This Order No. 153 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 153 (§ 1499.1054) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 153 (§ 1499.1054) shall become effective January 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. No. 9250, 7 F.R. 7871)

Issued this 7th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-389; Filed, January 7, 1943; 12:06 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5C,[1] Amendment 11]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In paragraph (b) of § 1394.8011 and in paragraphs (a) and (b) of § 1394.8105, the numeral "1394.8161 (d)" is inserted between "$$" and the numeral "1394.-8171"; and a new paragraph (d) is added to § 1394.8161, and a new paragraph (k) is added to § 1394.8352, as set forth below:

Prohibited Acts

§ 1394.8161 *General restrictions on use.* * * *

(d) No person to whom a basic ration has been issued may use or permit the use of such ration for any driving in the gasoline shortage area other than family or personal necessity driving for which no adequate alternative means of transportation are available, or occupational driving, or driving by naval or military personnel on leave or furlough for the purpose of visiting relatives or making social calls: *Provided*, That such leave or furlough is evidenced by leave provisions in travel or transfer orders, or by liberty cards, leave papers, furlough certificates, letters or special orders signed by the commanding officer. Family or personal necessity driving shall be deemed to include (but shall not be limited to): Driving for the purpose of essential shopping, procuring medical attention, attending religious services, attending wakes or funerals, attending meetings directly related to the occupation or profession of the owner or person using the vehicle or necessary to the public welfare or to the war effort, or driving for the purpose of meeting an emergency involving a threat to life, health or property. No basic ration may be used for pleasure driving, which shall include (but shall not be limited to): Driving for the purpose of attending places of amusement, recreation or entertainment (such as theaters, amusement parks, concerts, dances, golf courses, skating rinks, bowling alleys or night clubs) or sporting or athletic events (such as races or games) or for sightseeing, touring or vacation travel, or for making social calls, except that naval or military personnel on leave or furlough evidenced as specified above may use such a ration for the purpose of visiting relatives or making social calls.

* * * * *

§ 1394.8352 *Effective dates of amendments.* * * *

(k) Amendment No. 11 (§§ 1394.8011 (b), 1394.8105 (a) and (b) and 1394.8161 (d) to Ration Order No. 5C shall become effective January 7, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 7th day of January 1943

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-400; Filed, January 7, 1943; 4:26 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 18 to Rev. Supp. Reg. 4[1] to GMPR[2]]

EXCEPTIONS FOR SALES AND DELIVERIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Subparagraph (3) of § 1499.29 (a) is amended to read as set forth below:

§ 1499.29 *Exceptions for sales and deliveries to be United States or any agency thereof of certain commodities and in certain transactions and for certain other commodities, sales and deliveries.* (a) * * *

(3) Any manufacturing service performed by a person other than the manufacturer in the production of any product set forth in paragraph (1) or (2) above, if all or part of the material on which such service is performed is supplied by the manufacturer; and services performed for the War Department or the Department of the Navy on aircraft at modification centers.

* * * * *

(d) *Effective dates.* * * *

(19) This Amendment No. 18 (§ 1499.29 (a) (3)) to Revised Supplementary Regulation No. 4 shall become effective January 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 7th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-399; Filed, January 7, 1943; 4:29 p. m.]

PART 1337—RAYON

[Amendment 2 to MPR 168[1]]

CONVERTED RAYON YARN AND CONVERTING CHARGES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new § 1337.56a is added, paragraph (a) (2) of § 1337.60 is amended and in paragraph (a) of § 1337.62, the second unnumbered paragraph following Table I is amended as set forth below:

§ 1337.56a *Invoice requirements.* On and after January 21, 1943, every person selling and supplying a special lubricating treatment for rayon yarns the maximum price for which is established in the paragraph under Table I covering "other lubricants" shall, with respect to each such sale, deliver to the purchaser an invoice or similar document setting forth the following: (a) a description of the lubricating treatment performed (including a description of the agent); (b) the total cost per pound to him of the process determined in accordance with the definition of "cost" set forth under Table I; and (c) the price per pound charged.

§ 1337.60 *Definitions.* (a) When used in this Maximum Price Regulation No. 168, the term:

* * * * *

(2) "Rayon yarn" means continuous filament yarn produced chemically from cellulose or with a cellulose base and only for the purposes of the maximum converting charges set forth in Tables XVI to XX, inclusive, includes the yarns specified therein;

* * * * *

§ 1337.62 *Appendix A: Maximum prices.* (a) Converting charges.

* * * * *

TABLE I—HOSIERY THROWING

* * * * *

Other lubricants: The maximum price for any other special lubricating treatment of rayon yarns shall be the sum of the cost to the throwster of the lubricating treatment plus an amount equal to the following percentage of his cost:

Lubricating treatment employing a volatile solvent	40%
Lubricating treatment employing a non-volatile solvent	30%

Provided, That in no event shall the maximum price for any such special lubricating treatment exceed $.14 per pound.

In determining his "cost" for the purposes of this paragraph, the throwster shall use an amount not in excess of the sum of the following costs which are involved in the application of the special lubricating treatment:

(1) The cost of the materials used, including an allowance for loss;

(2) The cost of the direct and indirect labor;

(3) The cost of the depreciation of the equipment which shall not be calculated at a higher rate than 5% per annum; and

(4) The cost of the heat, light and power not to exceed ½¢ per pound.

§ 1337.61a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§§ 1337.56a, 1337.60 (a) (2), 1337.62 (a) Table I) to Maximum Price Regulation No. 168 shall become effective this 14th day of January, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-401; Filed, January 8, 1943; 9:41 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 237,[1] Amendment 7]

ADJUSTED AND FIXED MARKUP REGULATION FOR SALES OF CERTAIN FOOD PRODUCTS AT WHOLESALE

A statement of the considerations involved in the issuance of this Amendment No. 7 to Maximum Price Regulation No. 237 has been issued and filed with the Division of the Federal Register.*

The table in § 1351.518 is amended by deleting therefrom the following items: "Coffee", "Fish, canned", "Oils, cooking and salad", "Shortening hydrogenated", "Shortening, other"; subparagraphs (b), (c), (d), (f), and (g) of paragraph (2) of § 1351.518 are deleted; 10 new items, Nos. 4 through 13 are added to the table in § 1351.519 and new subparagraphs (d), (e), (f), (g), (h), (i), (j), (k), (l), and (m) are added to paragraph (2) thereof; all to read as set forth below:

§ 1351.519 *Appendix B.*

[Figures to be used by wholesale distributors in determining new maximum prices under § 1351.503 of this regulation (new maximum prices are required after the effective date of this regulation)]

Food product	Last date for determining new maximum prices under this regulation	Last date for filing new maximum prices with appropriate OPA District or State offices	Figure to be multiplied by net cost of item in determining new maximum prices under this regulation		
			Class 1, retail-owned cooperative	Class 2, cash and carry	Class 3, service and delivery
*	*	*	*	*	*
4. Coffee	February 10, 1943	February 20, 1943	1.055	1.065	1.09
5. Fish, canned	February 10, 1943	February 20, 1943	1.095	1.13	1.19
6. Oils, cooking and salad	February 10, 1943	February 20, 1943	1.07	1.075	1.10
7. Shortening, hydrogenated	February 10, 1943	February 20, 1943	1.045	1.045	1.06
8. Shortening, other	February 10, 1943	February 20, 1943	1.045	1.045	1.06
9. Corn meal	February 10, 1943	February 20, 1943	1.06	1.065	1.13
10. Canned citrus fruits and juices	February 10, 1943	February 20, 1943	1.105	1.155	1.18
11. Evaporated and condensed milk	February 10, 1943	February 20, 1943	1.035	1.035	1.04
12. Pure maple syrup and pure cane syrup	February 10, 1943	February 20, 1943	1.07	1.10	1.11
13. Flour and flour mixes	February 10, 1943	February 20, 1943	1.07	1.075	1.10

* * * * *

2. Definition of food products on which wholesalers must determine new maximum prices under § 1351.503 of this regulation. * * *

d. Coffee shall mean roasted coffee, either whole or ground; decaffeinated coffee; coffee concentrates; chicory; coffee compounds consisting of a blend of coffee and any other product; cereals, beans, peas, and other products and concentrates thereof designated as, or intended for use as, beverages, coffee substitutes or coffee extenders.

e. Canned fish shall mean all processed fish and sea food in hermetically sealed containers; excluded are fresh and frozen fish and sea food.

f. Cooking and salad oils shall mean all vegetable oils, whether pure or mixed; but shall not include prepared dressings.

g. Hydrogenated shortening shall include all fully hydrogenated pure vegetable shortenings, such as Bakerite, Crisco, Dexo, Krogo, Royal Satin, Spry and Tex.

h. Other shortenings shall include all shortenings except those included in (g) above, and except pure lard.

i. Corn meal shall mean all corn meal in package or bulk sold for human consumption.

j. Canned citrus fruits and juices shall mean all canned fruits and juices in hermetically sealed containers made from fresh citrus fruits including, but not limited to, oranges, lemons, limes, grapefruit and tangerines.

k. Evaporated and condensed milk shall mean all evaporated, concentrated or condensed milk in hermetically sealed containers and also powdered whole or skim milk packaged for the ultimate consumer.

l. Pure maple syrup shall mean the concentrated sap of the maple tree; pure cane syrup shall mean the concentrated juices of sugar cane.

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8205, 8427, 8808, 9183, 9973, 10013, 10715.

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*Copies may be obtained from the Office of Price Administration

[1] 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070, 8 F.R. 179.

[1] 7 F.R. 8021, 9827, 10022, 10110, 10531, 5056, 5089, 5506, 6082, 6084, 6426, 6744, 6763, 7175, 7538, 8 F.R. 130, 137.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4439, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6207, 6216, 6615, 6794, 6939, 7093, 7322, 7464, 7708, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454.

m. Flour and flour mixes shall mean all flour and flour mixes milled from wheat, buckwheat, corn, rice, or potatoes in packages, cartons, or bulk, including prepared pancake, cake, biscuit, pie crust, or gingerbread mix.

* * * * *

§ 1351.517a *Effective dates of amendments.* * * *

(g) Amendment No. 7 (§§ 1351.518 and 1351.519) to Maximum Price Regulation No. 237 shall become effective on January 14, 1943, except to sales of Item No. 11, Evaporated and Condensed Milk, which become effective January 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of January, 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-402; Filed, January 8, 1943; 9:43 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 238,[1] Amendment 7]

ADJUSTED AND FIXED MARKUP REGULATION FOR SALES OF CERTAIN FOOD PRODUCTS AT RETAIL

A statement of the considerations involved in the issuance of this Amendment No. 7 to Maximum Price Regulation No. 238 has been issued and filed with the Division of the Federal Register.[*]

The table in § 1351.618 is amended by deleting therefrom the following items: "Coffee", "Fish, canned", "Oils, cooking and salad", "Shortening, hydrogenated", "Shortening, other"; subparagraphs b, c, d, f, and g of paragraph 2 of § 1351.618 are deleted; 16 new items, Nos. 4 through 13, are added to the table in § 1351.619, and new subparagraphs d, e, f, g, h, i, j, k, l and m are added to paragraph 2 thereof; all to read as set forth below:

§ 1351.619 *Appendix B.*

[Figures to be used by retail distributors in determining new maximum prices under § 1351.603 of this regulation (new maximum prices are required after the effective date of this regulation)]

Food product	Last date for determining new maximum prices under this regulation	Last date for filing new maximum prices with appropriate local war prices and rationing board	Figure to be multiplied by net cost of item in determining new maximum prices under this regulation				
			Independent retailer with annual volume			Class 4—Chain retailer with annual volume under $250,000	Class 5—Any retailer (chain or independent unit) with annual volume $250,000 or more
			Class 1—Under $20,000	Class 2—$20,000 but less than $50,000	Class 3—$50,000 but less than $250,000		
*		*	*	*	*	*	*
4. Coffee	March 10, 1943	March 20, 1943	1.17	1.17	1.17	1.12	1.11
5. Fish, canned	March 10, 1943	March 20, 1943	1.27	1.27	1.27	1.21	1.21
6. Oils, cooking and salad	March 10, 1943	March 20, 1943	1.28	1.28	1.28	1.24	1.19
7. Shortening, hydrogenated	March 10, 1943	March 20, 1943	1.09	1.09	1.09	1.07	1.06
8. Shortening, other	March 10, 1943	March 20, 1943	1.18	1.18	1.18	1.13	1.09
9. Corn meal	March 10, 1943	March 20, 1943	1.31	1.31	1.31	1.27	1.24
10. Canned citrus fruits and juices	March 10, 1943	March 20, 1943	1.26	1.26	1.26	1.24	1.22
11. Evaporated and condensed milk	March 10, 1943	March 20, 1943	1.20	1.20	1.20	1.10	1.09
12. Pure maple syrup and pure cane syrup	March 10, 1943	March 20, 1943	1.28	1.28	1.28	1.24	1.21
13. Flour and flour mixes	March 10, 1943	March 20, 1943	1.27	1.27	1.27	1.25	1.15

* * * * *

2. *Definition of food products on which retailers must determine new maximum prices under § 1351.603 of this regulation.* * * *

d. Coffee shall mean roasted coffee, either whole or ground; decaffeinated coffee; coffee concentrates; chicory, coffee compounds consisting of a blend of coffee and any other product; cereals, beans, peas, and other products and concentrates thereof designated as, or intended for use as, beverages, coffee substitutes or coffee extenders.

e. Canned fish shall mean all processed fish and sea food in hermetically sealed containers; excluded are fresh and frozen fish and sea food.

f. Cooking and salad oils shall mean all vegetable oils, whether pure or mixed; but shall not include prepared dressings.

g. Hydrogenated shortening shall include all *fully* hydrogenated pure vegetable shortenings, such as Bakerite, Crisco, Dexo, Krogo, Royal Satin, Spry and Tex.

h. Other shortenings shall include all shortenings except those included in (g) above, and except pure lard.

1. Corn meal shall mean all corn meal in package or bulk sold for human consumption.

j. Canned citrus fruits and juices shall mean all canned fruits and juices in hermetically sealed containers made from fresh citrus fruits including, but not limited to, oranges, lemons, limes, grapefruit and tangerines.

k. Evaporated and condensed milk shall mean all evaporated, concentrated or condensed milk in hermetically sealed containers and also powdered whole or skim milk packaged for the ultimate consumer.

l. Pure maple syrup shall mean the concentrated sap of the maple tree; pure cane syrup shall mean the concentrated juices of sugar cane.

m. Flour and flour mixes shall mean all flour and flour mixes milled from wheat, buckwheat, corn, rice, or potatoes in packages, cartons, or bulk, including prepared pancake, cake, biscuit, pie crust, or gingerbread mix.

* * * * *

§ 1351.617a *Effective dates of amendments.* * * *

(g) Amendment No. 7 (§§ 1351.618 and 1351.619) to Maximum Price Regulation No. 238 shall become effective on January 14, except to sales of Item No. 11, Evaporated and Condensed Milk, which become effective January 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-403; Filed, January 8, 1943; 9:43 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Correction to Ration Order 11[1]]

FUEL OIL RATIONING REGULATIONS

In subparagraph (15) of paragraph (a) of § 1394.5001, the phrase "designated grades used" is corrected to read "designated grades and used"; in subdivision (iii) of subparagraph (1) of paragraph (a) of § 1394.5151, the word "and" is corrected to read "an"; in column (2) (b) of paragraph (a) of § 1394.5651 the minimum figure for thermal sub-zone 6A is corrected from ".315" to read "1.315"; in the headnote to § 1394.5261 the word "premise" is corrected to read "premises"; the word "or" in the title immediately preceding § 1394.5451 is corrected to read "of"; a title reading "Tables" is inserted immediately before § 1394.5851; and the table of contents is corrected to reflect the corrections made herein.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562, Supp. Directive No. 1-0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 8th day of January 1943

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-405; Filed, January 8, 1943; 9:41 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Correction to Amendment 5 to Ration Order 11[1]]

FUEL OIL RATIONING REGULATIONS

The designation "(c)" of the paragraph added to § 1394.5701 in Amendment No. 5 is corrected to read "(d)", and all references to such paragraph in Amendment No. 5 are corrected to read accordingly; and the phrase "(a) and (b)" in paragraph (e) of § 1394.5902 is corrected to read "(a) and (c)."

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1-0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 8th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-404; Filed, January 8, 1943; 9:41 a. m.]

[*] Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8209, 8808, 9184, 10013, 10227, 10714.

[1] 7 F.R. 8480, 8708, 8809, 8897, 9316, 9486, 9492, 9427, 9430, 9621, 9784, 10153, 10181, 10379, 10530, 10531, 10780, 10707, 11118, 11671.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Restriction Order 1,[1] Amendment 10]

MEAT RESTRICTION

A rationale for this amendment has been issued simultaneously herewith and has been filed with the division of the Federal Register.[*]

Paragraph (f) of § 1407.902 is amended; the last sentence of paragraph (a) of § 1407.904 is amended; a new paragraph (b) is added to § 1407.904; subparagraph (1) of paragraph (c) of § 1407.912a is amended; a new paragraph (j) is added to § 1407.912a; a new paragraph (j) is added to § 1407.925 to read as set forth below:

§ 1407.902 *Deliveries of slaughterers restricted.* * * *

(f) Any deliveries of any type of controlled meat by a slaughterer in excess of his quota for such type of controlled meat for any quota period shall be charged against his quota for such type of controlled meat for the subsequent quota period and in addition thereto shall subject the slaughterer to such other actions, penalties or proceedings as may be prescribed by law or imposed pursuant to Restriction Order No. 1.

§ 1407.904 *Deliveries of non-quota slaughterers restricted.* (a) * * * Deliveries during a quota period to persons referred to in, and in accordance with the precdure prescribed by § 1407.912a (a), (b), (c), (d) or (j), shall not be subject to the restrictions of this section.

(b) Any deliveries by a non-quota slaughterer of any type of controlled meat resulting from his own slaughter in excess of deliveries permitted by paragraph (a) of this section for any quota period shall be charged against his restricted deliveries of such type of controlled meat for the subsequent quota period, and in addition thereto shall subject the non-quota slaughterer to such other actions, penalties or proceedings as may be prescribed by law or imposed pursuant to Restriction Order No. 1.

§ 1407.912a *Deliveries permitted without charge against quotas.* * * *

(c) * * *

(1) The certification shall state the name and address of the slaughterer or, in the case of a certification pursuant to paragraph (d) or (j) of this section, the name and address of the person who delivered the controlled meat, canned meat or sausage to the exempt purchaser, and the date or dates of delivery; the name and address of the exempt purchaser or slaughterer to whom delivery was made; the total weight of each type of controlled meat, canned meat, or sausage covered by such certification; and a description thereof permitting conversion in accordance with the provisions of § 1407.913.

* * * * * * *

(j) *Deliveries through intermediate persons.* Any person other than a slaughterer, who desires to deliver, or has delivered controlled meat, canned meat or sausage to an exempt purchaser may obtain the certification required by paragraph (b), (c) or (d) of this section, whichever is applicable. Such certification may be passed through one or more persons to a slaughterer. Each person through whom such certification passes shall endorse thereon his name and address. In computing the conversion weight of controlled meat delivered during a quota period subsequent to Quota Period 1 without charge against quotas for the purposes of § 1407.907 (a) (5), any slaughterer may include the conversion weight of controlled meat delivered by him during such period, or contained in canned meat or sausage delivered by him during such period, to any person from whom during such period he obtains such an endorsed certification covering the delivery.

§ 1407.925 *Effective dates of amendments.* * * *

(j) Amendment No. 10 (§§ 1407.902 (e), 1407.904 (a), 1407.904 (b), 1407.912a (c) (1), 1407.912a (j) and 1407.925 (j)) to Restriction Order No. 1 shall become effective January 14, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; W.P.B. Directive No. 1, Supp. Dir. No. 1-M, 7 F.R. 562, 7234)

Issued this 8th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-406, Filed, January 8, 1943; 9:42 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 208 Under § 1499.3 (b) of GMPR]

CAMPBELL TAGGART RESEARCH CORP.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1444 *Approval of maximum prices for New Type Oxipan manufactured by Campbell Taggart Research Corporation.* (a) The maximum price for the sale by the Campbell Taggart Research Corporation, 4049 Pennsylvania Avenue, Kansas City, Missouri, of New Type Oxipan manufactured by that company shall be $9.97 per cwt.

(a) All discounts, trade practices, and practices relating to the payment of transportation charges in effect during March 1942 on the sale of old type Oxipan by the Campbell Taggart Research Corporation shall apply to the maximum price set forth in paragraph (a).

(c) This Order No. 208 (§ 1499.1444) may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 208 (§ 1499.1444) shall become effective January 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250 7 F.R. 7871)

Issued this 8th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-407; Filed, January 8, 1943; 9:41 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 210 Under § 1499.3 (b) of GMPR]

WAR PRODUCTION BOARD

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1446 *Approval of maximum price for sale by the War Production Board of a single track deck plate girder span located on the Muskogee-Fayetteville Branch Line of the St. Louis and San Francisco Railway.* (a) The War Production Board may sell and deliver and any person may buy and receive, at present location, from the War Production Board the 42' 0" (4 girder) single track deck plate girder span now located on the Muskogee-Fayetteville Branch of the St. Louis and San Francisco Railway at a price not in excess of 65% of the cost of reproducing an identical bridge at the present site: *Provided*, That such reproduction cost shall not exceed $120 per ton.

(b) This Order No. 210 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 210 (§ 1499.1446) shall become effective January 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-408 Filed, January 8, 1943; 9:42 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 209 Under § 1499.3 (b) of GMPR]

MONSANTO CHEMICAL COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1445 *Approval of maximum price for 30% aqueous solution of sodium polysulfide* ($Na_2S_{2.25}$) *manufactured by the Merrimac Division of the Monsanto Chemical Company at Everett, Massachusetts.* (a) The maximum price for sales by the Merrimac Division of the Monsanto Chemical Company at Everett, Massachusetts of 30% aqueous solution polysulfide is established as set forth below:

$5.00 per hundred pounds of 30% aqueous solution of sodium polysulfide ($Na_2S_{2.25}$) f. o. b. Everett, Massachusetts.

(b) *Report.* At such time as the manufacture of 30% aqueous solution of sodium polysulfide is transferred from a pilot plant to a full-scale operation, or at the end of one year, whichever is earlier, applicant shall submit its then current cost figures for the production of this product.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 209 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 209 (§ 1499.1445) shall become effective January 9, 1943.

[*] Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 7839, 8217, 8524, 9247, 9250, 9639, 10258, 10621, 10704.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-439; Filed, January 8, 1943; 12:00 m.]

PART 1499—COMMODITIES AND SERVICES

[Order 147 Under § 1499.18 (b) of GMPR]

SOUTHGATE FOODS

Correction

In paragraph (g) of § 1499.1408 appearing on page 239 of the issue for Wednesday, January 6, 1943, the effective date should read "January 5, 1943."

Chapter XVII—Office of Civilian Defense

PART 1903—UNITED STATES CITIZENS DEFENSE CORPS

[Regulations 3[1] Amendment 5]

By virtue of the authority vested in me by Executive Order No. 8757 dated May 20, 1941, as amended by Executive Order No. 9134 dated April 15, 1942, and Executive Order No. 9088 dated March 6, 1942, and pursuant to the Act approved January 27, 1942, *It is hereby ordered*, That §§ 1903.1 to 1903.17, inclusive, of this chapter (Regulations No. 3 of the Office of Civilian Defense), as heretofore issued and amended, be further amended, effective immediately, by adding to § 1903.9 (a) thereof the following:

* * * * *

The oath taken by each alien appointed to membership in the Defense Corps may omit the first two clauses of the form hereinbefore set forth.

(Pub. Law No. 415, 77th Congress; E.O. 8757, 6 F.R. 2517; E.O. 9088, 7 F.R. 1775; E.O. 9134, 7 F.R. 2887)

[SEAL] JAMES M. LANDIS,
Director of Civilian Defense.

JANUARY 7, 1943.

[F. R. Doc. 43-391; Filed, January 7, 1943; 2:27 p. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter IV—Coast Guard: Lighthouses

PART 402—AIDS TO NAVIGATION

MARKING OF WRECKS

Section 402.5 of Chapter IV, Title 33, is amended to read as follows:

§ 402.5 *Marking of wrecks.* (a) In the event that the owner of any wrecked or sunken vessel, boat, watercraft, raft, or other similar obstruction existing on any river, lake, harbor, sound, bay, or canal, or other navigable waters of the United States shall fail to immediately mark the same in accordance with the provisions of section 15 of the Act of March 3, 1899 (33 Stat. 1154; 33 U.S.C. 409), the District Commander of the Coast Guard district in which such wrecked or sunken craft is located shall, in his discretion, take measures to have it marked as the safety of navigation may require, notifying the owner of the wrecked craft or his representative of such action. Notice may be addressed to the owner at his usual or last known address or place of business. The cost of such marking, from the commencement thereof, will be charged to the owner of the wrecked craft, as provided by law, and such charges will continue until affirmative notice is received from the owner or his representative that the wreck is abandoned, unless abandonment is otherwise determined by the United States Engineers pursuant to section 19 of the Act of March 3, 1899 (33 Stat. 1154; 33 U.S.C. 414). Notice of abandonment shall be addressed to the United States Engineer of the district in which the wreck is located, with a copy to the District Commander of the Coast Guard district.

(b) If a wrecked or sunken craft is marked by the owner, the Coast Guard District Commander may, in his discretion, determine if such marking is suitable for the purpose and conditions; and if he determines that it is not suitable, he shall take measures to have it suitably marked, at the expense of the owner, in accordance with the preceding paragraph.

(c) Charges for services rendered by the Coast Guard in marking of wrecked or sunken craft for private owners shall be invoiced in accordance with the following schedules:

(1) TABLE A—CHARGES FOR BUOYS.

Type of buoy (including mooring and sinker)	Fixed charge per buoy per year, of duration thereof, including labor, handling, steaming, painting, etc.	Incremental charge for temporary periods, for buoys set or taken up during the month[2]
1. Metal can or nun buoys, any class, without light or fog signal	$10.00	$2.00
2. Bell, gong, or whistle buoy, unlighted	21.00	7.50
3. Lighted buoy for exposed station, any type, with or without fog signal	45.00	24.00
4. Lighted buoy for sheltered station, any type, with or without fog signal	26.00	14.50
5. Wooden spar buoys, any class	4.00	0.75
6. Lightweight buoys, St. Louis District	1.00	0.50

For equipment or for materials or supplies not included in the foregoing items charge shall be made for the full cost in the case of expendible items and for 1% of the cost per month or fraction thereof in the case of non-expendible items.

(2) *Table B—Charges for cutters (tender class) for placing, relieving or servicing buoys on station.*

Type of vessel	Charge per hour
(a) Cutters similar to *Violet* and larger (160 feet and larger)	$27.00
(b) Cutters similar to *Hickory* and *Linden* (120 feet and less than 160 feet)	15.00
(c) Cutters similar to *Dahlia* and *Jasmine* (80 feet and less than 120 feet)	8.25
(d) Cutters similar to *Elm* and smaller (under 80 feet)	4.50
(e) Motorboats	2.00

NOTE: Charges under table B shall be applied only to the actual time a vessel devotes to the subject work, including time-under-way, charged wholly or proportionally as circumstances justify, but not exceeding 8 hours for any calendar day.

(3) If any equipment is lost or destroyed while being used to mark a wreck in accordance with the provisions of this section, the owner of the wreck will be charged with the value thereof. (Sec. 1, 50 Stat. 663; 33 U.S.C. 1940 Ed. 736) [33 C.F.R. 402.5 as amended August 4, 1942 and December 7, 1942]

R. R. WAESCHE,
Vice Admiral,
U. S. Coast Guard, Commandant.

Approved, January 7, 1943.

FRANK KNOX,
Secretary of the Navy.

[F. R. Doc. 43-419; Filed, January 8, 1943; 11:08 a. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter II—Division of Public Contracts

PRODUCTION OF TRAINING FILMS

EXCEPTION TO AWARD OF CONTRACTS

In the matter of an exception from the provisions of Section 1 of the Walsh-Healey Public Contracts Act to permit the award of contracts for the production of training films.

Whereas, the Secretary of War has made a written finding that the inclusion of the representations and stipulations of section 1 of the Walsh-Healey Public Contracts Act (49 Stat. 2036; 41 U.S.C. 35) in contracts for the production of training films for the United States Army will seriously impair the conduct of Government business; and

Whereas, the Secretary of War has requested that an exception be granted under section 6 of the Walsh-Healey Public Contracts Act permitting the award of such contracts without the inclusion of the representations and stipulations of the Public Contracts Act; and

Whereas, the International Alliance of Theatrical and Stage Employees has joined in the request for the exemption; and

Whereas, I find that justice and public interest will be served by granting the request of the Secretary of War,

Now, therefore, I do hereby grant an exception pursuant to the powers vested in me by section 6 of the Walsh-Healey Public Contracts Act (49 Stat. 2036; 41 U.S.C. 35) permitting the award of contracts during the present war for the production of training films without the inclusion of the representations and stipulations of section 1 of the Act.

Dated: January 5, 1943.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 43-397; Filed, January 7, 1943; 3:49 p. m.]

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[1] 7 F.R. 3244, 4276, 4669, 6900, 8434.

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

PART 310—MERCHANT MARINE TRAINING

[General Order 23, Supp. 1]

APPOINTMENT OF OFFICERS

General Order No. 23[1] is hereby amended by adding thereto §§ 310.45a through 310.45g, inclusive, as follows:

§ 310.45a *Eligibility.* Appointment as an officer in the Maritime Service may be made in the deck, engine, or staff branches without attending a training school, in accordance with the provisions of the Maritime Service Instructions. Any officer of the U. S. Merchant Marine is eligible to be enrolled in a rank commensurate with his present position and duty in the said Merchant Marine.

§ 310.45b *Qualifications.* (a) An applicant for appointment in the deck or engine branch must be a licensed officer of the U. S. Merchant Marine, and must be serving on a vessel of not less than 1,000 gross tons, which vessel has been documented under the laws of the United States; *Provided, however,* That an applicant with outstanding qualifications may be specially appointed by the Director of the Division of Training.

(b) The applicant must be employed in connection with the seafaring profession in a capacity connected with the operation or management of ships of the U. S. Merchant Marine, or in connection with the training of personnel for said Merchant Marine, or the applicant's services must be desired for special duty.

(c) An applicant in the staff branch must be serving under a license as Steward, Purser, or Radio Operator.

(d) An applicant, aboard ship, must have been employed in his present capacity for at least one year immediately preceding the filing of his application, unless considered otherwise qualified by the Director of the Division of Training: *Provided, however,* That this requirement shall not apply to graduates of schools under the supervision of the Administrator of the War Shipping Administration.

(e) During war time, the applicant must agree, if requested, to take such extension and correspondence courses under such rules and regulations and upon such terms as the Director of the Division of Training may prescribe.

(f) *Table of maximum rank for appointment.*

Duties—Merchant Marine	Passenger or combination vessels over 5,500 gross tons	Vessels over 5,000 gross tons	Vessels under 5,000 gross tons
Master	Captain	Commander	Lt. Commander.
Chief, First, or Exec. Officer	Commander	Lt. Commander	Lieutenant.
Second Officer	Lt. Commander	Lieutenant	Lieutenant (jg).
Third Officer	Lieutenant	Lieutenant (jg)	Ensign.
Fourth Officer	Lieutenant (jg)	Ensign	Ensign.
Chief Engineer	Captain	Commander	Lt. Commander.
First Asst. Engineer	Commander	Lt. Commander	Lieutenant.
Second Asst. Engineer	Lt. Commander	Lieutenant	Lieutenant (jg).
Third Asst. Engineer	Lieutenant	Lieutenant (jg)	Ensign.
Fourth Asst. Engineer	Lieutenant (jg)	Ensign	Ensign.
Jr. Licensed Engineer	Ensign	Ensign	Ensign.
RADIO DEPARTMENT			
Chief Operator	Lieutenant	Lieutenant (jg)	Ensign.
Second Operator	Lieutenant (jg)	Ensign.	
Third Operator	Ensign	Ensign.	
STEWARD DEPARTMENT			
Chief Steward	Lieutenant	Lieutenant (jg)	Ensign.
Second Steward	Lieutenant (jg)	Ensign.	
Asst. Steward	Ensign.		
Chief Storekeeper	Warrant Ship's Clerk.		
PURSERS DEPARTMENT			
Chief Purser	Lt. Commander	Lieutenant.	
Asst. Purser	Lieutenant		
Freight Clerk	Lieutenant (jg).		
Jr. Asst. Purser	Ensign.		
Chief Clerk	Ensign.		
MEDICAL DEPARTMENT			
Senior Medical Officer	Commander	Lt. Commander.	
Junior Medical Officer	Lieutenant.		

(g) *Age limits.* Lower age limits are placed on original appointment or promotion to ranks as indicated below:

Captain	34
Commander	30
Lieutenant Commander	27
Lieutenant	23
Lieutenant (jg)	20
Ensign or Warrant Officer	19

§ 310.45c *Applications.* (a) Applications for appointment shall be forwarded to the Commandant accompanied by a physical examination report (see § 310.45d) and including a letter from applicant's employer or employers certifying to the time served in various capacities aboard vessels and indicating satisfactory service.

(b) Annexed to the application must be a certificate signed by a Maritime Service Enrolling Officer that the license claimed has been sighted.

§ 310.45d *Physical examination.* (a) All applicants must take a physical examination. (See § 310.45d (c) and (e).)

(b) All Maritime Service officers must take a physical examination at the following times:

(1) Upon assignment to active administrative or training duty or release therefrom.

(2) When applying for promotion if no physical examination has been taken within the previous three years.

(c) Physical examination reports shall be made on Form MS 13. Defects considered not to be sufficient to disqualify an officer from the performance of the duties of his rank may be waived by the Commandant. For four years thereafter additional waivers for the same disability will not be required for the performance of active, administrative or training duty, or release therefrom, if the degree of such disability is not materially increased.

(d) All physical examinations shall be conducted by an officer of the United States Public Health Service attached to a Maritime Service Enrolling Office or a training unit.

(e) The physical standards prescribed for the Maritime Service shall be the same as those prescribed for the license held. Due consideration will be given age and the type of duty to be performed.

§ 310.45e *Uniforms.* (a) Officers appointed under the provisions of this order will, upon request, be furnished free-of-charge one basic uniform, consisting of the following:

1 blue service uniform with appropriate insignia.
1 uniform cap with insignia and 1 blue and 1 white cap cover.

Choice of either:

1 officer's cravenetted topcoat, or
1 officer's overcoat with appropriate insignia.

(b) Additional uniforms may be purchased, if desired, from uniform outfitters in the various ports at the established special rate.

(c) With his appointment, a Maritime Service Officer will be furnished with an order for uniforms, which may be filled at accredited uniform stores in the various ports.

(d) It is urged that Maritime Service Officers wear their uniforms both ashore and on board ship, if practicable.

§ 310.45f *Promotions.* (a) In qualifying for promotion, time served in a capacity higher than that required for the promotion shall be multiplied by the factor two.

(b) No officer in the deck or engine branch shall be promoted unless said officer possesses the requisite license.

(c) No officer will wear the Maritime Service insignia of a higher rank than called for by his position aboard ship, regardless of the designation of grade held by said officer.

§ 310.45g *Benefits.* In peace time, officers serving a minimum of eight months per year aboard vessels of the U. S. Merchant Marine will be eligible for one month's refresher training on active duty, with the pay of his rank,

[1] 7 F.R. 7623.

and will be entitled, in addition, to one month's retainer pay in accordance with the provisions of the Maritime Service Instructions. In war time, officers enrolled in the United States Maritime Service shall, if requested, take such extension and correspondence courses under such rules and regulations and upon such terms as the Director of the Division of Training may prescribe, to become entitled to the benefits in this order set forth.

(E.O. 9054, 7 F.R. 837; E.O. 9198, 7 F.R. 5383)

[SEAL] E. S. LAND,
Administrator.

JANUARY 7, 1943.

[F. R. Doc. 43-398; Filed, January 7, 1943; 3:41 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1508]

DISTRICT 4

MEMORANDUM OPINION AND ORDER GRANTING TEMPORARY RELIEF

In the matter of the petition of Bituminous Coal Producers Board for District No. 4 for classification and pricing of gob pile or reject coal for both rail and truck shipment.

This proceeding was instituted upon a petition filed with the Bituminous Coal Division on June 16, 1942, and an amended petition filed on September 23, 1942, by District Board No. 4, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937. The petition, as amended, requested amendment of the Schedule of Effective Minimum Prices for District No. 4 for all Shipments Except Truck by the addition of a price exception to read as follows:

Low grade reject or bone coal recovered from gob piles, bins or picking tables, if crushed to not more than 2", shall take the price of the size to which crushed when shipped into market areas 13, 14 and 17.

And, of the Schedule of Effective Minimum Prices for District No. 4 for Truck Shipment, by the addition of the following price exception:

The price of low grade reject or bone coal recovered from gob piles, bins or picking tables, which has not been crushed, shall, when sold for truck delivery from rail mines to Market Areas 13, 14 and 17, be $1.75 per net ton f. o. b. the mine, gob pile or bin. The invoices for such coal shall carry the designation "Reject" instead of size group number.

Petitioner requested temporary relief, pending final disposition of its petition.

Petitions of intervention were field by District Boards 1, 2 and 6 and by John DeCorte, et al. (17 others), code members in District 4. The office of Bituminous Coal Consumers' Counsel ("Consumers' Counsel") filed a notice of appearance.

Pursuant to appropriate orders and after due notice to all interested persons, a hearing in this matter was duly held before Charles S. Mitchell, a duly designated examiner of the Division, at which all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard, and at which the petitioner, all interveners, and Consumers' Counsel appeared and participated. The record was thereupon submitted to the undersigned for consideration of the matter of granting temporary relief.

It appears from the evidence that, in the course of preparation, as coal moves through the tipple, inferior particles and impurities are removed; that a small quantity of the coal so removed is reject or bone coal, described as substandard coal containing a high ash content and frequently high in sulphur as compared with the standard grades of coal; that in the past this coal has usually been dumped on the gob pile and wasted; and that now, owing to the excessive demand for coal occasioned by war activities and the insufficient supply of coal, markets for such reject or bone coal are available. It seems that approximately only 1 or 2 percent of all coal produced in District 4 is reject coal. Apparently such crushed reject coal is mixed with regular screenings, the resultant mixture containing not over 10% of reject coal. Proximate analyses were introduced in evidence to show that the quality of crushed reject coal is about the same as that of $^3/_8$" x 0 screenings and that while it is slightly inferior to screenings of the larger size, it is coarser. Thus petitioner argued that crushing reject coal and mixing it with natural screenings does not enhance the quality of the mixture, and that there is no reason for requiring the crushed screenings mixture to be priced higher than natural screenings.

The minimum prices for rail shipments of slack coal produced in District 4 by crushing are 15¢ above those for slack coal produced at the same mines by screening. Petitioner requests that the minimum prices for gob pile or reject coal crushed to not over 2" and shipped by rail to Market Areas 13, 14 and 17 be reduced to those for natural screenings.

Petitioner also contends that uncrushed gob pile, bone or reject coal is inferior in quality to, and cannot be sold at the established minimum prices for District 4 standard coal. It appears that uncrushed reject coal can be marketed for domestic use in the nearby mining communities where retail yard service is limited. Petitioner requests the establishment of a minimum price of $1.75 per net ton f. o. b. the mine ($1.95 in view of the Order of the Director in General Docket No. 21, dated August 28, 1942) for gob pile, bone or reject coal, limited in its application to shipments by truck from rail mines to adjoining mining communities, in no instance to be greater than 20 miles from the mine.

Although there seems to have been some opposition to petitioner's requests, particularly so far as the uncrushed reject coal to be shipped by truck is concerned, the increased demand for coal occasioned by the exigencies of the war and the promise that District 4 producers, if the requested relief is granted, would be enabled to meet this increased demand, if only to some small degree, impel me to grant temporary relief, pending the final disposition of this proceeding.

I find that a satisfactory showing has been made for the granting of temporary relief in this matter, substantially as requested.

In order to prevent abuse of the privilege granted, and to protect the consuming public, certain regulations or restrictions are imposed, however, particularly as to clear invoicing of the product sold.

It is therefore ordered, That, pending final disposition of the above entitled matter, temporary relief be, and the same hereby is, granted as follows:

(1) Commencing forthwith, there is added on page 3 of the Schedule of Effective Minimum Prices for District No. 4 for All Shipments Except Truck, under the hearing "(B) Price Exceptions" a paragraph, to read as follows:

Low grade reject or bone coal recovered from gob piles, bins or picking tables, if crushed to not more than 2", shall take the price of the size to which crushed, when shipped into Market Areas 13, 14 and 17. *Provided, however*, That invoices for such coal contain a notation that such coal is crushed reject coal, or when mixed with natural screenings, that the mixture is one of crushed reject coal and natural screenings.[1]

(2) Commencing forthwith, there shall be added on page 3 of the Schedule of Effective Minimum Prices for District No. 4 for Truck Shipments, under the heading "(B) Price Exceptions", a paragraph, to read as follows:

The price of low grade reject or bone coal recovered from gob piles, bins or picking tables, which has not been crushed, when sold for truck delivery from rail mines to be delivered to a destination no more than 20 miles from the mine, gob pile or bin, shall be $1.95 per net ton f. o. b. the mine, gob pile or bin, *Provided, however*, That the invoices, sales ticket, or other memoranda of sale for such coal shall contain the designation "Reject".

Notice is hereby given that applications to stay, terminate or modify the temporary relief herein granted may be filed pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Nothing contained herein shall be construed to constitute an expression of opinion regarding the granting of final or permanent relief in this proceeding.

Dated: January 7, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-417; Filed, January 8, 1943; 11:15 a. m.]

[1] This order is not intended, nor shall it be construed, to revise the effective minimum price heretofore established for low grade, reject (Size Group 11) coal of the Wheeling Township No. 2 Mine of the Wheeling Township Coal Mining Company.

[Docket No. A-1811]

DISTRICT BOARD 9

NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 9 for the reduction of minimum prices for washed coals approximately 10 mesh x 0 in size group 25 produced at the Sentry Mine (Mine Index No. 72) of the Sentry Coal Mining Company for rail shipments.

A petition pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party requesting, both temporary and permanent relief;

Now, therefore, it is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on January 26, 1943, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, Washington, D. C. On such day the Chief of the Records Section in the offices of the Division will advise as to the room where such hearing will be held.

It is further ordered, That Edward J. Hayes or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the Rules and Regulations of the Bituminous Coal Division for Proceedings Instituted Pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before January 21, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 9 to reduce the minimum prices applicable to washed coals approximately 10 mesh x 0 in size, produced at the Sentry Mine (Mine Index No. 72) of the Sentry Coal Mining Company, a code member in District No. 9, to the same minimum prices applicable to the coals in Size Group 25 produced at the Beech Creek Mine (Mine Index No. 1) of the Beech Creek Coal Company, in District No. 9.

It is further ordered, That the request for temporary relief be, and the same hereby is, denied without prejudice to the renewal of such request for temporary relief, upon further showing or upon the basis of the record to be made at the hearing to be held herein.

Dated: January 7, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-418; Filed, January 8, 1943; 11:15 a. m.]

General Land Office.

[Public Land Order 73]

NEVADA

WITHDRAWING ADDITIONAL PUBLIC LANDS FOR FLOOD CONTROL PURPOSES

By virtue of the authority contained in the act of June 25, 1910, c. 421, 36 Stat. 847, as amended by the act of August 24, 1912, c. 369, 37 Stat. 497 (U.S.C., title 43, secs. 141-143), and section 1 of the act of June 28, 1934, as amended, c. 865, 48 Stat. 1269 (U.S.C., title 43, sec. 315), and pursuant to Executive Order No. 9146 of April 24, 1942, *It is ordered as follows:*

The following-described public lands in Nevada are hereby temporarily withdrawn from settlement, location, sale, or entry, and reserved, subject to valid existing rights, for the use of the Grazing Service, Department of the Interior, as an addition to the withdrawal for purposes of flood and erosion control made by Executive Order No. 6541 of December 28, 1933:

MOUNT DIABLO MERIDIAN

T. 14 S., R. 66 E.
Sec. 16. NE¼SE¼;
Sec. 22. NE¼NW¼ and SE¼SW¼.
The areas described aggregate 120 acres.

This order shall take precedence over, but shall not rescind or revoke, the order of the Acting Secretary of the Interior of November 3, 1936, establishing Nevada Grazing District No. 5, so far as it affects the above-described lands.

ABE FORTAS,
Acting Secretary of the Interior.

DECEMBER 29, 1942.

[F. R. Doc. 43-410; Filed, January 8, 1943; 9:33 a. m.]

[Public Land Order 74]

CALIFORNIA

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT FOR AVIATION PURPOSES

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, *It is ordered as follows:*

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral leasing laws, and reserved for the use of the War Department for aviation purposes:

SAN BERNARDINO MERIDIAN

T. 5 S., R. 16 E.,
Sec. 5, E½SW¼;
Sec. 17, N½NE¼.
The areas described aggregate 160 acres.

This order shall take precedence over, but shall not rescind or revoke, the withdrawal for classification and other purposes made by Executive Order No. 6910 of November 26, 1934, as amended, so far as such order affects the above-described lands.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior, when they are no longer needed for the purpose for which they are reserved.

ABE FORTAS,
Acting Secretary of the Interior.

JANUARY 1, 1943.

[F. R. Doc. 43-411; Filed, January 8, 1943; 9:33 a. m.]

[Public Land Order 75]

WASHINGTON

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT AS AN ARTILLERY RANGE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, and to section 10 of the act of December 29, 1916, 39 Stat. 865 (U.S.C., title 43, sec. 300), and also to section 3 of the act of June 17, 1902, 32 Stat. 388 (U.S.C., title 43, sec. 416), *It is ordered as follows:*

Subject to valid existing rights, the public lands in the following-described areas are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral leasing laws, and reserved for the use of the War Department as an artillery range:

WILLAMETTE MERIDIAN

T. 13 N., R. 19 E.,
Secs. 1, 2, 3, 11, and 12.
T. 14 N., R. 19 E.,
Secs. 1 and 2;
Sec. 3, lots 1, 2, S½NE¼, and SE¼;
Sec. 10, E½ and SW¼;
Secs. 11 to 15, inclusive, secs. 22 to 28, inclusive, and secs. 34 to 36, inclusive.
T. 13 N., R. 20 E.,
Secs. 1 to 15, inclusive.
T. 14 N., R. 20 E.
T. 13 N., R. 21 E.,
Secs. 1 to 28, inclusive.
T. 14 N., R. 21 E.
T. 13 N., R. 22 E.,
Secs. 6, 7, 18, 19, and 30.
T. 14 N., R. 22 E.,
Secs. 3 to 10, inclusive, secs. 15 to 22, inclusive, and secs. 27 to 34, inclusive.
The areas described, including both public and non-public land, aggregate 107,125.13 acres.

This order shall take precedence over, but shall not rescind or revoke, (1) the

order of February 5, 1917, of the Secretary of the Interior withdrawing certain lands for reclamation purposes, and (2) the order of March 1, 1919, of the Secretary of the Interior withdrawing lands for stock driveway purposes (Stock Driveway No. 71), so far as such orders affect any of the above-described lands.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior, when they are no longer needed for the purpose for which they are reserved.

ABE FORTAS,
Acting Secretary of the Interior.

JANUARY 1, 1943.

[F. R. Doc. 43-412; Filed, January 8, 1943; 9:34 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Marketing Administration.

[Docket No. AO 103-A 5]

NEW ORLEANS, LOUISIANA, MARKETING AREA

NOTICE OF HEARING ON HANDLING OF MILK

Proposed amendments to tentatively approved marketing agreement, as amended, and order, as amended, regulating the handling of milk in the New Orleans, Louisiana, marketing area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 et seq.), and in accordance with the applicable rules of practice and procedure thereunder (7 CFR 900.1–900.17; 6 F.R. 6570, 7 F.R. 3350), notice is hereby given of a hearing to be held in the Monteleone Hotel, New Orleans, Louisiana, beginning at 10 a. m., c.w.t, January 15, 1943, with respect to proposed amendments to the tentatively approved marketing agreement, as amended, and the order, as amended, regulating the handling of milk in the New Orleans, Louisiana, marketing area. These amendments have not received the approval of the Secretary of Agriculture.

This public hearing is for the purpose of receiving evidence with respect to the economic or marketing conditions which relate to the amendments or any modification thereof, which are hereinafter set forth. Such evidence may also include economic or marketing data relative to the provisions of the said tentatively approved marketing agreement and order which will be affected by approval of the proposed amendments or any modification thereof. The amendments which have been proposed are set forth below:

Proposed by the Dairy Farmers Protective League, Inc.

1. Delete § 942.5 (a) (1) and substitute therefor the following:

(1) Class I milk $4.00 per hundredweight from the effective date of this amendment through March 1944 inclusive, and $3.15 thereafter.

2. Delete § 942.5 (a) (2) and substitute therefor the following:

(2) Class II milk $3.33 per hundredweight.

Proposed by the Dairy and Poultry Branch

1. Review the Class III prices set forth in § 942.5 (a) (3).

2. Delete § 942.1 (a) (1) and substitute therefor the following:

(1) The term "Secretary" means the Secretary of Agriculture of the United States, or any officer or employee of the United States Department of Agriculture who is or who may hereafter be authorized to exercise the powers and to perform the duties of the Secretary of Agriculture of the United States.

3. Add as § 942.12 the following:

§ 942.12 *Agents.* The Secretary may by designation in writing name any officer or employee of the United States or any Bureau or Division of the United States Department of Agriculture to act as his agent or representative in connection with any of the provisions hereof.

4. Review the butterfat differential in § 942.8 (d).

Proposed by Cloverland Dairy Products Company

1. Amend §§ 942.4 (b) and 942.5 (a) to include a new classification and price applicable to milk used or disposed of as butter.

Copies of this notice of hearing, of the tentatively approved marketing agreement, as amended, and of the order, as amended, now in effect, may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1331 South Building, Washington, D. C., or may be there inspected.

Dated: January 8, 1943.

[SEAL] THOMAS J. FLAVIN,
Assistant to the Secretary of Agriculture.[1]

[F. R. Doc. 43-422; Filed, January 8, 1943; 11:19 a. m.]

LOWELL-LAWRENCE, MASS., MARKETING AREA

HANDLING OF MILK

Notice of report and opportunity to file written exceptions with respect to a proposed marketing agreement, as amended, and to Order No. 34, as amended, regulating the handling of milk in the Lowell-Lawrence, Massachusetts, marketing area.

Pursuant to § 900.12 (a), General Regulations, as amended, Agricultural Marketing Administration, United States Department of Agriculture, notice is hereby given of the filing with the hearing clerk of this report of the Administrator of the Agricultural Marketing Administration with respect to an amended marketing agreement and to an amended marketing order regulating the handling of milk in the Lowell-Lawrence, Massachusetts, marketing area. Interested parties may file exceptions to this report with the Hearing Clerk, Room 1019, Department of Agriculture, Washington, D. C., not later than the close of business on the 10th day after publication of this notice in the FEDERAL REGISTER.

The proceeding was initiated by the Agricultural Marketing Administration as the result of written petitions filed by the New England Milk Producers' Association, Inc., for a public hearing to receive evidence on several amendments it proposed. Other amendments were proposed by handlers after all interested parties had been notified by letter of the pending petition. It was concluded from consideration of the various proposed amendments that the hearing should be held and a notice of hearing was accordingly issued on September 18, 1942. The hearing was convened September 30, 1942, at Andover, Massachusetts. The hearing included, in addition to the industry proposals, consideration of proposals for amendments made by the Dairy and Poultry Branch, Agricultural Marketing Administration.

The major issues developed at the hearing were concerned with (1) the classification of milk actually lost in handling operations (commonly known as shrinkage) and classification of buttermilk, (2) the level of prices for Class I milk both inside and outside the marketing area, (3) differentials to be allowed for cost of handling milk at country plants, (4) differentials to reflect cost of transporting milk to the market, (5) the Class II skim milk price level, and (6) the need for increasing the assessment for cost of administration of the order. In addition several proposals of an administrative nature were also considered.

With respect to these issues, it is concluded from the record:

(1) Actual plant shrinkage should be reclassified from the present arrangement, which requires shrinkage associated with the handling of each class of milk to be in the respective class, to an arrangement whereby all actual shrinkage up to 2 percent of the quantity of milk received by handlers shall be Class II milk and the Class I price level should be increased 1 cent per hundredweight to offset the effect of such reclassification on handlers' net cost for Class I milk.

(2) The Class II price for milk received at country plants should be revised to reflect transportation allowances by 50-mile zones in line with average rates from such zones reflected by the "New England Joint Tariff, M–3," and to reduce the amount now reflected as a plant handling allowance from 21.5 to 20.0 cents per hundredweight.

(3) The Class I price should be increased to $4.10 per hundredweight, 3.7 percent butterfat milk, delivered at handlers' city plants, whenever the price of 92-score butter at New York is 45 cents or more per pound.

(4) The Class II skim value should be revised to provide a value for skim milk based on prices published by the United States Department of Agriculture for roller process skim milk powder for both human consumption and animal feed, the yield factor and manufacturing cost factor to be as now provided in milk marketing Order No. 27 (New York metropolitan marketing area).

(5) The assessment for cost of administration of the order should be increased from 3 cents to 4 cents per hundredweight of milk.

(6) Administrative amendments should be made to revise the definition of the term "Secretary" to include any person who may be authorized to exercise the powers and to perform the duties of the Secretary, to amplify the powers of the market administrator to disseminate statistics and information concerning the operation of the order, to amplify the provision relating to the responsibility of handlers in establishing the classification of milk, to clarify the powers of the market administrator with respect to access to books and records necessary to verify reports of handlers, to revise the classification of milk sold to a plant beyond the marketing area, to revise the application of the order to milk shipped to a plant subject to the order regulating the Greater Boston marketing area, to revise the allocation of milk of a handler's own production in computing his pool, to delete an obsolete reference to the Massachusetts Milk Control Board, and to add a new section entitled "Agents," which will allow the Secretary by designation in writing to name any officer or employee of the United States or any division of the United States Department of Agriculture to act as his agent in connection with this regulation.

From the evidence in the record it is concluded that the other proposals for amendments heard at the hearing should not be adopted. These include reclassification of buttermilk from Class I to Class II, reduction of the difference between the Class I price at city plants and country plants of from 13 to 8 cents per hundredweight, extension of the city plant Class I price to include all milk delivered from producers' farms to receiving plants located within 40 miles of the City Hall of Lowell or Lawrence, and provision for pricing Class I milk sold outside the marketing area at prevailing prices in such outside markets, if such prices are different from the Lowell-Lawrence price.

The following proposed amended marketing order prepared by the Administrator pursuant to § 900.12 (a) of the General Regulations, as amended, Agricultural Marketing Administration, is recommended as the detailed means by which these conclusions may be carried out. The proposed amended marketing agreement is not included in this report because the provisions thereof will be the same as the provisions of the proposed amended marketing order.

[1] Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81; 7 F.R. 2656).

Proposed Marketing Order, As Amended, Regulating the Handling of Milk in the Lowell-Lawrence, Massachusetts, Marketing Area[1]

It is found upon the evidence introduced at the public hearing held at Andover, Massachusetts, September 30, 1942:

Findings

1. That prices calculated to give milk produced for sale in the marketing area a purchasing power equivalent to the purchasing power of such milk, as determined pursuant to Secs. 2 and 8 (e) of said act, 50 Stat. 246; 7 U.S.C. 602, 608e, are not reasonable in view of the available supplies of feeds, the price of feeds, and other economic conditions which affect the supply of and demand for such milk, and that the minimum prices set forth in this order, as amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and that the fixing of such prices does not have for its purpose the maintenance of prices to producers above the levels which are declared in the act to be the policy of Congress to establish;

2. That the order, as amended by this amendment, regulates the handling of milk in the same manner as, and is applicable only to handlers, defined in a marketing agreement, as amended, upon which a hearing has been held; and

3. That the issuance of this amendment to the order, as amended, and all of the terms and conditions of the order, as so amended, tend to effectuate the declared policy of the act.

Provisions

§ 934.3 *Definitions*—(a) *Terms.* As used herein the following terms shall have the following meanings:

(1) The term "act" means Public No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended.

(2) The term "Secretary" means the Secretary of Agriculture of the United States [or any officer or employee of the United States Department of Agriculture who is, or who may hereafter be, authorized to exercise the power and perform the duties of the Secretary of Agriculture of the United States].

(3) The term "Lowell-Lawrence, Massachusetts, marketing area," hereinafter called the "marketing area," means the territory included within the boundary lines of the cities and towns of Andover, Billerica, Boxford, Chelmsford, Dracut, Dunstable, Lawrence, Lowell, Methuen, North Andover, Tewksbury, Tyngsboro, and Westford, Massachusetts.

(4) The term "person" means any individual, partnership, corporation, association, or any other business unit.

(5) The term "producer" means any person who produces milk which is delivered to a receiving plant from which milk is shipped to, or sold in, the marketing area during any delivery period.

(6) The term "association of producers" means any cooperative marketing association which the Secretary determines to be qualified pursuant to the provisions of the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act," and to be engaged in making collective sales or marketing of milk or its products for the producers thereof.

(7) The term "handler" means any person who, on his own behalf or as agent for producers, produces milk, or purchases or receives milk from producers, associations of producers, or other handlers, and engages in the handling of such milk, which is sold, distributed, or disposed of as milk or cream within the marketing area, as is in the current of interstate commerce or which directly burdens, obstructs, or affects interstate commerce in milk and its products.

(8) The term "producer-handler" means any handler who is also a producer and who receives no milk from other producers and who either [(i) has milk receipts from his own production which he does not dispose of in bulk and which average less than 1,000 pounds daily, or (ii) processes and packages his milk at a plant located on a farm from which he receives at least 25 percent of the total receipts from his own production which he does not dispose of in bulk].

(9) The term "market administrator" means the person designated pursuant to § 934.4 as the agency for the administration hereof.

(10) The term "delivery period" means the current marketing period from the effective date hereof to and including the last day of that month. Subsequent to that month "delivery period" means the current marketing period from the first to and including the last day of each month.

(11) The term "hundredweight" means one hundred pounds of milk or its volume equivalent, considering 85 pounds of milk and 86 pounds of skim milk per 40-quart can.

(12) The term "receiving plant" means any milk plant currently used for receiving, weighing (or measuring), sampling, and cooling milk received there directly from producers' farms, and for washing and sterilizing the milk cans in which such milk is received, and at which are currently maintained weigh sheets or other records of producers' deliveries.

[1] Bracketed words indicate changes from Order No. 34, as amended, effective August 1, 1941, and as further amended by Amendment No. 1, effective Nov. 1, 1941, and Amendment No. 2, effective April 6, 1942.

§ 934.4 *Market administrator—(a) Designation.* The agency for the administration hereof shall be a market administrator, who shall be a person selected by the Secretary. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

(b) *Powers.* The market administrator shall have power:

(1) To administer the terms and provision hereof;

(2) To receive, investigate, and report to the Secretary complaints of violations of the terms and provisions hereof; and

(3) To recommend to the Secretary of Agriculture amendments hereto.

[(4) To prepare and disseminate for the benefit of producers, consumers, and handlers such statistics and information concerning the operation of this order as do not reveal confidential information.]

(c) *Duties.* The market administrator, in addition to the duties hereinafter described, shall:

(1) Within 45 days following the date upon which he enters upon his duties, execute and deliver to the Secretary a bond conditioned upon the faithful performance of his duties, in an amount and with sureties thereon satisfactory to the Secretary;

(2) Pay, out of the funds provided by § 934.12, the cost of his bond, his own compensation, and all other expenses necessarily incurred in the maintenance and functioning of his office;

(3) Keep such books and records as will clearly reflect the transactions provided for herein and surrender the same to his successor or to such other person as the Secretary may designate;

(4) Unless otherwise directed by the Secretary, publicly disclose within 30 days after such nonperformance becomes known to the market administrator, the name of any person who, within 2 days after the date on which he is required to perform such acts, has not (i) made reports pursuant to § 934.7 or (ii) made payments pursuant to § 934.10; and may at any time thereafter so disclose any such name if authorized by the Secretary so to do; and

(5) Promptly verify the information contained in the reports submitted by handlers.

§ 934.5 *Classification of milk—(a) Basis of classification.* Subject to verification by the market administrator, all milk received by a handler from producers or from his own production shall be classified in the classes set forth in (b) of this section in accordance with its utilization by him, except as follows:

(1) Subject to (c) of this section, milk or skim milk moved to another handler or to a plant subject to another order of the Secretary may be classified as reported by both the selling and the receiving handlers, or by the seller alone if the receiver submits no report or if the two reports do not agree: *Provided*, That no greater quantity shall be classified as Class II milk than the total milk or skim milk utilized by such receiver as Class II milk, unless the receiver is a cooperative association as determined pursuant to § 934.11 (b), in which event the milk shall be classified in the same manner as though it were received by the association directly from producers.

(2) Milk or skim milk disposed of to persons not handlers who distribute milk or manufacture milk products, and exclusive of milk disposed of to a plant subject to another order of the Secretary, shall be Class I milk, not in excess of the total quantity of Class I milk, or skim milk, at such plant.

(b) *Classes of utilization.* The classes of utilization of milk shall be as follows:

(1) Class I milk shall be all milk, the utilization of which is not established as Class II milk.

(2) Class II milk shall be all milk, the utilization of which is established (i) as being sold, distributed, or disposed of other than as or in milk which contains one-half of 1 percent or more, but less than 16 percent of butterfat; and other than as or in chocolate or flavored whole or skim milk, buttermilk, or cultured skim milk, for human consumption, and (ii) [as plant shrinkage not in excess of 2 percent of the volume handled].

(c) *Milk delivered by producers to other markets.* Milk received by a handler at one of his plants not subject to the provisions hereof from persons reported by him as under contract to have their milk received and paid for as part of his supply for the marketing area shall be considered as received from producers and classified (i) as Class II milk if received at a plant of that handler, the handling of milk in which plant is subject to the order regulating the handling of milk for the Greater Boston marketing area, and (ii) as Class I milk if received at a plant of that handler the handling in which plant is not subject to the order regulating the Greater Boston marketing area.

(d) *Responsibility of handlers in establishing the classification of milk.* [In establishing the classification of any milk received by a handler from producers the burden rests upon the handler who receives milk from producers to account for the milk and to prove that such milk should not be classified as Class I milk.]

§ 934.6 *Minimum class prices—(a) Class I price to associations of producers.* Each handler shall pay an association of producers, at the time set forth in § 934.10 (a) and subject to the butterfat differential calculated pursuant to § 934.10 (c), for Class I milk delivered in bulk from such association's receiving plant to such handler's plant located within 20 miles of the city hall in Lowell or Lawrence, not less than the applicable price pursuant to (b) (1) of this section plus 13 cents.

(b) *Class I price to producers.* Each handler shall pay producers, at the time and in the manner set forth in § 934.10, for Class I milk delivered by them, not less than the following prices:

[(1) For milk delivered from producers' farms to such handler's plant located within 20 miles from the city hall in Lowell or Lawrence, the price per hundredweight during each delivery period shall be as set forth in the table in this subparagraph]

92-score butter, wholesale, at New York, average of quotations of the U. S. Department of Agriculture for 30 days immediately preceding the 25th of each month (cents per pound)	Class I price for the delivery period following 25th day of the month in question (cents per cwt.)
Under 40	[illegible]
40 and over but under 45	[illegible]
45 or over	[illegible]

(2) For milk delivered from producers' farms to such handler's plant not located within 20 miles of the city hall in Lowell or Lawrence the price per hundredweight during each delivery period shall be the price effective pursuant to (1) of this paragraph, less an amount per hundredweight equal to the sum of 13 cents and the average of the freight rates (considering 85 pounds to one 40-quart can), from the railroad shipping point for such handler's plant to Lowell and to Lawrence, calculated according to the lowest applicable rail tariffs for the transportation in carload lots of milk in 40-quart cans.

(3) For the purpose of this paragraph, the milk which was disposed of during each delivery period by each handler as Class I milk from a handler's receiving plant located within 20 miles of the city hall in Lowell or Lawrence shall be considered to have been, first, that milk which was received directly from producers' farms at such plant, and then that milk which was shipped from the nearest receiving plant not located within 20 miles of the city hall in Lowell or Lawrence.

(c) *Class II prices.* Each handler shall pay producers, at the time and in the manner set forth in § 934.10 for Class II milk delivered by them not less than the following prices per hundredweight:

(1) For such milk delivered to a handler's receiving plant located within 20 miles of the city hall in Lowell or Lawrence, the price calculated pursuant to (2) of this paragraph [for the 201–250 freight mileage zone plus 15 cents].

(2) For such milk delivered to a handler's receiving plant not located within 20 miles of the city hall in Lowell or Lawrence, a price which the market administrator shall compute by combining in one sum such of the following computations as apply:

(i) Divide by 33.48 the weighted average price per 40-quart can of 40 percent bottling quality cream in the Boston market, as reported by the United States Department of Agriculture for the delivery period during which such milk is delivered, multiply this result by 3.7 and subtract the amount set forth in (c) of this section [for the railroad freight mileage zone of the average distance from the railroad shipping point for such handler's plant to Lowell and to Lawrence;

[(ii) For any delivery period for which no cream price as described in (i) of this subparagraph is reported, multiply the average price reported for such delivery period by the United States Department of Agriculture for 92-score butter at wholesale in the Chicago market by 1.4, multiply this result by 3.7; and subtract the amount set forth in (d) of this section for the railroad freight mileage zone of the average distance from the railroad shipping point for such handler's plant to Lowell and to Lawrence; and

[(iii) For all delivery periods except April, May, and June, compute any plus amount for skim value which results from the following: From the average of all the dry skim milk powder quotations for car lots for "human food products (roller process) in barrels" and for "animal feed products (hot roller) in bags" (using midpoint of any range as one quotation) published during such delivery period by the United States Department of Agriculture for New York City, subtract 4 cents; and multiply this result by 7.5.]

(iv) For the April, May, and June delivery periods, compute any plus amount for skim value which results from the average of the skim value computed pursuant to (iii) of this subparagraph and a value obtained as follows: compute the average of all quotations (using midpoint of any range as one quotation) published during the delivery period in the *Oil, Paint, and Drug Reporter*, for domestic 20–30-mesh casein in bags in car lots at New York, subtract 6.6 cents and multiply this result by 2.2; except that if either computation results in a minus amount, the other shall be used in lieu of the average.

(d) *Combined plant handling and transportation differentials.* [Differentials provided pursuant to (c) of this section shall be as set forth in the following table:]

Freight zones (miles):	*Class II, cents per cwt.*
21–100	22.0
101–150	25.5
151–200	26.5
201–250	27.0
251–300	27.5

§ 934.7 *Reports of handlers—(a) Periodic reports.* On or before the 8th day after the end of each delivery period, each handler who receives milk from producers shall, with respect to milk or cream which was received by such handler during such delivery period, report to the market administrator in the detail and form prescribed by the market administrator, as follows:

(1) The receipts at each plant from producers, including the quantity, if any, received from his own production.

(2) The receipts at each plant from any other handler, including any handler who is also a producer.

(3) Receipts at each plant pursuant to § 934.8 (c).

(4) The respective quantities of milk which were sold, distributed, or used, including sales to other handlers, classified pursuant to § 934.5.

(b) *Reports of handlers who receive no milk from producers.* Handlers who receive no milk from producers shall make reports to the market administrator at such time and in such manner as the market administrator may require.

(c) *Reports as to producers.* (1) Each handler shall submit to the market administrator within 10 days after his request, with respect to any producer for whom such information is not in the files of the market administrator, and with respect to a period or periods of time designated by the market administrator, (i) the name, post office address, and farm location, (ii) the total pounds of milk delivered, (iii) the average butterfat test of milk delivered, and (iv) the number of days on which deliveries were made.

(2) Each handler shall submit to the market administrator, within 10 days after his request, made not earlier than 15 days after the end of the delivery period, his producer payroll for such delivery period, which shall show for each producer; (i) the daily and total pounds of milk delivered with the average butterfat test thereof, and (ii) the net amount of such handler's payments to such producer with the prices, deductions, and charges involved.

(3) On or before the 18th day after each handler becomes subject to the provisions hereof, he shall report to the market administrator a schedule of the transportation rates which were charged and paid for the transportation of milk from the farm of each producer to such handler's receiving plant, and such information with respect to distances involved as the market administrator may require.

(4) On or before the 18th day after any changes are made in the schedule filed in accordance with (3) of this paragraph, a copy of the revised schedule with the effective dates of such changes as may appear in the revised schedule.

(5) On or before the 8th day after the end of each delivery period, each handler shall report the names of any persons whose milk such handler is reporting pursuant to § 934.5 (c) and § 934.8 (c) and include a certification that these persons have contracts as specified therein.

(d) *Announcement of transportation rates.* On or before the 30th day after the end of each delivery period, the market administrator shall mail to all handlers who receive milk from producers and shall publicly announce the rate or rates of such deductions made by each handler, as reported, pursuant to (3) and (4) of paragraph (c) of this section, and such information with respect to the distances involved and so reported as the market administrator may deem advisable.

(e) *Verification of reports.* [For the purpose of ascertaining the correctness of any report made to the market administrator as required by this order or for the purpose of obtaining the information required in any such report where it has been requested and has not been furnished, each handler shall permit the market administrator or his agent, during the usual hours of business, to:

[(1) Examine such books, papers, records, copies of income tax reports, accounts, correspondence, contracts, documents, and memoranda as the market administrator deems relevant and which are within the control (i) of any such handler from whom such report was requested, (ii) of any person having, either directly or indirectly, actual or legal control of or over such handler, or (iii) of any subsidiary of any such handler;

[(2) Weigh, sample, and test milk and milk products; and

[(3) Make such examination of operations, equipment, and facilities as the market administrator deems necessary.]

§ 934.8 *Application of provisions—(a) Handlers who receive no milk from producers.* The provisions hereof, except as set forth in § 934.7, shall not apply to a producer-handler nor to a handler whose sole source of milk supply consists of receipts from other handlers.

(b) *Milk received from producer-handlers.* Milk of a producer-handler's own production which is delivered in bulk to another handler shall be considered as being delivered by a producer unless the receiving handler is also a producer-handler.

(c) *Producers for other markets.* Milk received from producers who are reported by a handler as under contract to have their milk received and paid for as part of that handler's supply for a market other than the marketing area, shall be reported under a separate category, and the provisions of § 934.10 and § 934.11, shall not apply.

(d) *Milk subject to the Greater Boston order.* The provisions hereof shall not apply, except as provided in § 934.5 to the handling of milk received at any handler's receiving plant which is subject to the provisions of the order of the Secretary regulating the handling of milk in the Greater Boston, Massachusetts, marketing area unless such handler [not including a cooperative association as qualified pursuant to § 904.11 (a) of such order, sells, distributes, or disposes of less than 10 percent of his total receipts of milk as Class I milk in the Greater Boston marketing area].

§ 934.9 *Minimum composite prices to producers—(a) Computation of value of milk for each handler.* For each delivery period the market administrator shall compute, subject to the provisions of § 934.8, the value of milk disposed of by each handler, in the following manner:

(1) Subtract from the quantity of such handler's Class I milk the quantity of milk received pursuant to § 934.8 (c) from producers who are reported as having contracts applying to the Greater Boston marketing area;

(2) Subtract from the quantity of such handler's Class I milk or of his Class II milk according to the classification thereof as the same is reported and classified pursuant to § 934.5, the quantity of milk received by such handler from other handlers;

(3) Subtract from the quantity of such handler's Class II milk the quantity of milk received pursuant to § 934.8

(c) from producers who are reported as having contracts applying to markets other than the Greater Boston marketing area; and

(4) Multiply the remainder of the quantity of milk in each class by the price applicable pursuant to § 934.6 (b) and § 934.6 (c) and add together the resulting value of each class.

(b) *Computation of composite prices.* The market administrator shall compute for each handler the composite price per hundredweight of milk received from producers during each delivery period in the following manner:

(1) Add to the total value computed pursuant to (a) of this section the amount of the differential applicable pursuant to § 934.10 (d);

(2) Subtract any amounts required to be paid under the order regulating the handling of milk in the Greater Boston marketing area pursuant to § 934.8 (d); and

(3) Divide the value remaining after subtraction pursuant to (2) of this paragraph by the total quantity of milk included in the computation made pursuant to (a) (4) of this section.

(c) *Announcement of composite prices.* The market administrator shall mail to all handlers who receive milk from producers and shall publicly announce prices resulting from the computations pursuant to (a) and (b) of this section, and other related information, as follows:

(1) On or before the 12th day after the end of the delivery period, he shall announce the composite price, the Class II price, and the butterfat differential.

(2) On or before the last day of the month after the end of the delivery period, he shall announce the total quantity and value of Class I milk and Class II milk included in such computations.

§ 934.10 *Payments to producers*—(a) *Time and method of payments.* On or before the 18th day after the end of each delivery period, each handler shall make payment, subject to the differentials set forth in this section, for the total value of milk received by him from producers during such delivery period, as computed in accordance with § 934.9 (a), as follows:

(1) To each producer, except as provided in (2) of this paragraph, at not less than the composite price per hundredweight computed for such handler pursuant to § 934.9 (b).

(2) To producers who are members of an association of producers, a total amount equal to not less than the sum of the individual payments otherwise payable to such producers under (1) of this paragraph.

(b) *Correction of errors in payments.* Errors in making any of the payments required by this section shall be corrected not later than the date for making payments next following the determination of such errors. Any correction affecting all producers delivering to any handler during the period in which such error occurred shall be corrected as the market administrator shall determine to be equitable, either by (1) adjustment of the account of each individual producer who delivered during such period on the basis of a recomputation of the price of such handler, or (ii) addition or subtraction of the amount of such correction to or from the value of all milk received by such handler in the delivery period during which such error was determined, computed as set forth in § 934.9 (a).

(c) *Butterfat differential.* Each handler shall, in making payments to each producer for milk received from him, add for each one-tenth of 1 percent of average butterfat content above 3.7 percent, or deduct for each one-tenth of 1 percent of average butterfat content below 3.7 percent, an amount per hundredweight which shall be calculated by the market administrator as follows: divide by 33.48 the weighted average price per 40-quart can of 40 percent bottling quality cream in the Boston market, as reported by the United States Department of Agriculture for the period between the 16th day of the preceding month and the 15th day, inclusive, of the delivery period during which such milk is delivered, subtract 1.5 cents, divide the result by 10: [*Provided*, That if no such cream price is reported, multiply the average price reported for such period by the United States Department of Agriculture for 92-score butter at wholesale in the Chicago market by 1.4 subtract 1.5 cents, and divide the result by 10].

(d) *Country receiving plant and freight differential.* The payments to be made by handlers, pursuant to (a) of this section, for milk delivered by producers at a receiving plant located 20 miles or more from the city hall in Lowell or Lawrence, shall be subject to a deduction of 13 cents plus the average of the lowest freight rates from the railroad shipping point for such handler's plant to Lowell and Lawrence, according to the tariff currently approved by the Interstate Commerce Commission for the transportation in carload lots of milk in 40-quart cans (considering 85 pounds of milk per 40-quart can).

(e) *Statement to producers.* In making the payments required by this section, each handler shall furnish each producer with a supporting statement in such form that is may be retained by the producer, which shall show:

(1) The delivery period, and the identity of the handler and of the producer;

(2) The total pounds and average butterfat test of milk delivered by the producer;

(3) The minimum rate or rates at which payment to the producer is required under the provisions of (a), (c), and (d) of this section;

(4) The rate which is used in making the payment, if such rate is other than the applicable minimum rate;

(5) The amount or the rate per hundredweight of each deduction claimed by the handler, including any deductions claimed under § 934.11, together with a description of the respective deductions; and

(6) The net amount of payment to the producer.

§ 934.11 *Marketing service*—(a) *Marketing service deduction.* In making payments to producers pursuant to § 934.10, each handler shall, with respect to all milk delivered by each producer during each delivery period, except as set forth in paragraph (b) of this section, deduct 3 cents per hundredweight, or such lesser amount as the market administrator shall determine to be sufficient, and shall, on or before the 18th day after the end of such delivery period, pay such deductions to the market administrator. Such moneys shall be expended by the market administrator only in providing for market information to, and for verification of weights, samples, and tests of milk delivered by, such producer. The market administrator may contract with an association or associations of producers for the furnishing of the whole or any part of such services to, or with respect to the milk delivered by, such producers.

(b) *Marketing service deductions with respect to members of a producers' cooperative association.* In the case of producers who are members of an association of producers which is actually performing the services set forth in (a) of this section, each handler shall, in lieu of the deductions specified in (a) of this section, make such deductions from payments made pursuant to § 934.10 as may be authorized by such producers and pay over, on or before the 18th day after the end of each delivery period, such deduction to such associations.

§ 934.12 *Expense of administration*—(a) *Payments by handlers.* As his pro rata share of the expense of administration hereof, each handler, except as set forth in § 934.8 (a), shall, on or before the 18th day after the end of each delivery period, pay to the market administrator 4 cents per hundredweight or such lesser amount as the market administrator shall determine to be sufficient, with respect to all milk received by him during such delivery period, from producers and from his own production, except that this assessment shall not be deemed to duplicate any amount paid to the market administrator under a separate agreement by the Massachusetts Milk Control Board for cost of administration.

(b) *Suits by the market administrator.* The market administrator may maintain a suit in his own name against any handler for the collection of such handler's pro rata share of expense set forth in this section.

§ 934.13 *Effective time, suspension and termination of order*—(a) *Effective time.* The provisions hereof or any amendments hereto shall become effective at such time as the Secretary may declare and shall continue in force until suspended, or terminated, pursuant to paragraph (b) of this section.

(b) *Termination of order.* The Secretary may terminate this order whenever he finds that this order obstructs or does not tend to effectuate the declared policy of the act.

This order shall, in any event, terminate whenever the provisions of the act authorizing it cease to be in effect.

(c) *Continuing power and duty of the market administrator.* If, upon the suspension or termination of any or all provisions hereof, there are any obligations arising hereunder, the final accrual or ascertainment of which requires further acts by any handlers, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided*, That any such acts required to be performed by the market administrator shall, if the Secretary so directs, be performed by such other person, persons, or agency as the Secretary may designate.

The market administrator, or such other person as the Secretary may designate, (i) shall continue in such capacity until discharged by the Secretary, (ii) from time to time account for all receipts and disbursements and deliver all funds or property on hand, together with the books and records of the market administrator, or such person, to such person as the Secretary shall direct, and (iii) if so directed by the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant thereto.

(d) *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions hereof, the market administrator, or such person as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office, and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

§ 904.15 *Agents.* [The Secretary may, by designation in writing, name any officer or employee of the United States, or name any bureau or division of the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.]

This report filed at Washington, D. C., the 7th day of January 1943.

[SEAL] C. W. KITCHEN,
Acting Administrator.

[F. R. Doc. 43-423; Filed, January 8, 1943; 11:20 a. m.]

Sugar Agency.

PUERTO RICO AND VIRGIN ISLANDS

NOTICE OF HEARINGS AND DESIGNATION OF PRESIDING OFFICERS

Pursuant to the authority contained in subsections (b) and (d) of section 301 and section 511 of the Sugar Act of 1937 (Public, No. 414, 75th Congress), as amended, notice is hereby given that public hearings will be held at San Juan, Puerto Rico, in the Auditorium of the Ateneo on January 19, 1943, at 9:30 a. m. and at Christiansted, St. Croix, Virgin Islands, in the Municipal Council Hall, on January 22, 1943, at 9:30 a. m.

The purpose of such hearings is to receive evidence likely to be of assistance to the Secretary of Agriculture in determining (1), pursuant to the provisions of subsection (b) of section 301 of the said act, fair and reasonable wage rates to be paid in Puerto Rico and in the Virgin Islands to persons employed in connection with the production, cultivation or harvesting of the 1942–43 crop on farms with respect to which applications for payment under the act are made, and (2), pursuant to the provisions of subsection (d) of section 301 of the said act, fair and reasonable prices for the 1942–43 crop of sugarcane to be paid, under either purchase or toll agreements, by persons who, as producers, apply for payments under the said act; and (3), pursuant to the provisions of section 511 of the said act, to receive evidence likely to be of assistance to the Secretary of Agriculture in making recommendations with respect to the terms and conditions of contracts between producers and processors of sugarcane.

Such hearings, after being called to order at the time and place mentioned above, may for convenience, be adjourned to such other place in the same city as the presiding officers may designate and may be continued from day to day within the discretion of the presiding officers.

Joshua Bernhardt, C. M. Nicholson, E. T. MacHardy, H. H. Simpson, J. Bernard Frisbie, Davis D. Slappey, and L. R. Fike are hereby designated as presiding officers to conduct, either jointly or severally, the foregoing hearings.

Done at Washington, D. C., this 7th day of January 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Assistant Secretary.

[F. R. Doc. 43-420; Filed, January 8, 1943; 11:19 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6483]

POSTAL TELEGRAPH–CABLE COMPANY

NOTICE OF HEARING, ETC.

In the matter of Postal Telegraph–Cable Company (New York), charges for telegraph communications between the United States and New Hebrides.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 5th day of January 1943;

It appearing that Postal Telegraph–Cable Company (New York) has in effect charges for telegraph communications from the United States to New Hebrides via British Pacific cable (Australia) which are the same as the proposed charges of The Western Union Telegraph Company suspended by the Commission in Docket No. 6481;

It further appearing that the Postal Telegraph–Cable Company also has in effect charges for telegraph communications from the United States to New Hebrides, via routes other than British Pacific cable (Australia) which are lower than its charges for telegraph communications from the United States to New Hebrides via British Pacific cable (Australia);

It further appearing that such charges of the Postal Telegraph–Cable Company may be unjust and unreasonable, unjustly, unreasonably, and unduly discriminatory, preferential, advantageous, disadvantageous, or prejudicial, or otherwise violative of the Communications Act of 1934, as amended;

It is ordered, That an investigation be, and the same is hereby, instituted into the rates, charges, classifications, practices, regulations and services of the Postal Telegraph–Cable Company for and in connection with telegraph communication service between the United States and New Hebrides;

It is further ordered, That the Postal Telegraph–Cable Company, and each carrier subject to the Commission's jurisdiction which participates with Postal Telegraph–Cable Company in rendering telegraph communication service between the United States and New Hebrides be, and they are hereby, each made a party respondent to this proceeding; and that copies hereof be served upon each such party respondent;

It is further ordered, That this proceeding be, and the same is hereby, consolidated with the proceeding in Docket No. 6481 for purposes of hearing, and it is hereby assigned for hearing at the offices of the Commission in Washington, D. C., beginning at 10:00 a. m., on the 27th day of January, 1943.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-409; Filed, January 8, 1943; 10:17 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4511]

PARFUM L'ORLE, INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of January, A. D. 1943.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A. section 41),

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, January 25, 1943, at ten o'clock in the forenoon of that day (eastern standard time) in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-434; Filed, January 8, 1943; 11:48 a. m.]

[Docket No. 4705]

SALLY'S FURS, INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of January, A. D. 1943.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., section 41).

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, January 22, 1943, at ten o'clock in the forenoon of that day (eastern standard time) in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-435; Filed, January 8, 1943; 11:48 a. m.]

[Docket No. 4742]

MONTE CARLO HATS, INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of January, A. D. 1943.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Thursday, January 21, 1943, at ten o'clock in the forenoon of that day (eastern standard time) in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-436; Filed, January 8, 1943; 11:48 a. m.]

[Docket No. 4790]

HABAND COMPANY, A CORPORATION

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of January, A. D. 1943.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law.

It is further ordered That the taking of testimony in this proceeding begin on Monday, January 18, 1943, at ten o'clock in the forenoon of that day (eastern standard time) in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-437; Filed, January 8, 1943; 11:48 a. m.]

[Docket No. 4791]

CLERMONT CRAVAT COMPANY, INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of January, A. D. 1943.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 USCA, section 41),

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, January 18, 1943, at ten o'clock in the forenoon of that day (Eastern Standard Time) in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-438; Filed, January 8, 1943; 11:49 a. m.]

INTERSTATE COMMERCE COMMISSION.

[Ex Parte No. 148]

INCREASED RAILWAY RATES, FARES AND CHARGES, 1942

NOTICE OF FURTHER HEARING, ETC.

JANUARY 4, 1943.

This proceeding is assigned for further hearing before Commissioners Aitchison, Mahaffie, and Splawn, at the office of the Commission in Washington, D. C., at 9 o'clock a. m., Eastern War Time, February 2d, 1943, to be followed by oral argument, without briefs, before the Commission, as soon as practicable after the close of the further hearing, according to announcement which will be made during such hearing.

Briefs and written arguments will not be expected, except in lieu of oral argument. If any such are so filed, 20 copies should be sent to the Commission at its office in Washington, and 5 copies to R. V. Fletcher, counsel for class I railroads, Transportation Building, Washington, D. C., not later than February 15, 1943. Service should also be made upon other counsel who may have a direct interest in the particular brief. Replies may be served and filed within 10 days after that date. With respect to form and style briefs should comply with the Commission's Rules of Practice.

In the absence of objection, the Commission will take official notice of facts set forth in its current statistical publications (including such as may be issued after the conclusion of the further hearing but prior to the decision thereon) as follows:

1. Operating revenues and operating expenses of Class I steam railways in the United States (I. C. C. Bureau of Transport Economics and Statistics Statement No. M-100, Monthly).

2. Operating revenues and operating expenses for large steam railways (individually), (I. C. C. Bureau of Transport Economics and Statistics Statement No. M-150, Monthly).

3. Selected income and balance sheet items of Class I steam railways. (I. C. C. Bureau of Transport Economics and Statistics Statement No. M-125, Monthly).

4. Wage statistics of Class I steam railways. (I. C. C. Bureau of Transport Economics and Statistics Statement No. M-300, Monthly).

5. Fuel and power for locomotives (I. C. C. Bureau of Transport Economics and Statistics Statement No. M-230, Monthly).

6. Freight train performance (I. C. C. Bureau of Transport Economics and Statistics Statement No. M-211, Monthly).

7. Passenger train performance (I. C. C. Bureau of Transport Economics and Statistics Statement No. M-213, Monthly).

8. Revenue traffic statistics (I. C. C. Bureau of Transport Economics and Statistics Statement No. M-220, Monthly).

9. Freight commodity statistics (I. C. C. Bureau of Transport Economics and Statistics Statement No. Q-500, Quarterly).

10. Freight commodity statistics (I. C. C. Bureau of Transport Economics and Statistics Statement No. 41100, Annual).

11. Motive power and car equipment statistics (I. C. C. Bureau of Transport Economics and Statement No. M-240, Monthly).

12. Passenger traffic statistics (other than commutation) of Class I steam railways (I. C. C. Bureau of Transport Economics and Statistics Statement No. M-250, Monthly).

13. Revenue freight loaded and received from connections (published weekly by the Association of American Railroads, Car Service Division).

Without such objection to this course made on the opening day of the further hearing, the Commission will consider it stipulated by all parties that such statements may be referred to by the Commission or any party for all purposes in connection with the further consideration of this proceeding.

Attention is called to the appendix hereto, containing special instructions and rules of procedure to be followed by parties who participate in the further hearing.

By the Commission.

[SEAL] W. P. BARTEL, *Secretary.*

APPENDIX

Simplification of presentations. In order to conserve time and avoid expense and travel, as well as the inconvenience of attendance on the hearing in a congested city, it is strongly urged that persons finding themselves with common interests in the proceeding shall, to the greatest possible extent, endeavor to consolidate their presentation of testimony, and arrange for cross-examination by as few counsel as possible. The same course should be followed upon oral argument. All persons who can do so should tender verified statements in lieu of appearing personally.

Exhibits. In the preparation of exhibits Rule 84 of the Rules of Practice should be followed. If possible, all documents submitted by a witness should be embraced in a single exhibit, with pages consecutively numbered, suitably indexed and bound together. In order to supply the State Commissions, members of this Commission and counsel in the proceeding, at least 150 copies of each exhibit should be prepared. Parties will be expected to distribute copies of their exhibits reasonably in advance of their presentation at the hearing.

Prepared statements. Witnesses who expect to read from a written statement must comply with Rule 77 of the Rules of Practice.

Verified statements (affidavits). Evidence in the form of verified statements (affidavits) without personal appearance of the affiant as a witness will be received in the absence of objection as hereinafter specified. Parties desiring to offer such statements should send the original and 15 copies to the Commission at its office, Washington, D. C., 50 copies to John E. Benton, General Counsel, for the National Association of Railway and Utilities Commissioners, New Post Office Building, Washington, D. C., for the use of the State Commissions, and 25 copies to R. V. Fletcher, Counsel for the applicants, Transportation Building, Washington, D. C., on or before January 26, 1943. Copies of such statements must also be furnished to any other interested parties who specifically request them. Any objection to the receipt in evidence of any verified statement must be made on the record at the hearing, and the parties submitting such statements should be so advised prior to the end of the first session of the further hearing. If no such notice of objection to a particular statement is given, it will be considered that objection thereto is waived, subject to the reserved right of objection to the weight to be accorded the statement.

Such statements should conform to Rule 15 of the Rules of Practice in respect of style, mimeographing, printing, etc. They should be limited strictly to statements of fact, and should contain no argument, and if not so limited may be excluded. The Commission on its own motion or on objection may exclude a verified statement or any portion thereof which (a) is not material or relevant to the questions presented on further hearing, (b) is obviously incompetent, or (c) is argumentative in character. In the absence of objection to the introduction of the verified statement it will be unnecessary for the affiant to appear personally at the hearing. All verified statements received in evidence will be part of the record upon which the Commission will base its decision.

Notice of intention to introduce testimony. Persons who desire to be heard will facilitate the arrangements necessary by sending notice to the Commission at Washington of their intention, so as to reach the Commission on or before January 29, 1943, which shall state the number of witnesses, and the approximate amount of time necessary to the presentation of direct testimony. If such notices are given generally and sufficiently in advance, the Commission will endeavor to program the testimony so that witnesses may know on what day their testimony may be given.

Request to produce certain testimony and to discuss the same in argument. The Commission requests the applicants and other parties in the presentation of evidence and argument on further hearing to discuss the desirability, feasibility, and legality of a requirement that the revenue received by them from the authorized increases in rates, fares, and charges, heretofore or hereafter made, shall be kept separate from other operating income of applicants, and be expended solely for additions and betterments to the operating plant or for the reduction of funded or unfunded debt.

[F. R. Doc. 43-424; Filed, January 8, 1943; 11:44 a. m.]

[Ex Parte No. 148]

INCREASED RAILWAY RATES, FARES, AND CHARGES, 1942

ORDER FOR FURTHER HEARING AND RECONSIDERATION

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 4th day of January 1943.

Ordered, That the above-entitled proceeding is hereby reopened for further hearing and for reconsideration: (1) for the purpose of supplementing and making current the record herein; (2) with respect to the matters of fact alleged and the prayers contained in the several petitions for reopening or for reconsideration now on file herein, and of the answers thereto; and (3) and upon the record as supplemented and made current to consider what, if any, change should be made in the findings and conclusions of the report hereinbefore made, and of the various orders, authorizations, and approvals heretofore made in this proceeding, and whether the same shall be continued, modified in any respect, suspended, or terminated, and to enter any appropriate order or orders in the premises.

It is further ordered, That notice of the time and place of the further hearing, and of the special rules and instructions as to procedure governing the conduct of the case, be served upon the parties in the usual manner, and upon the persons filing the petitions hereinbefore mentioned.

By the Commission.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 43-425; Filed, January 8, 1943; 11:44 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supplementary Order ODT 3 Revised 11]

COMMERCIAL MOTOR FREIGHT, INC., AND THE CLEVELAND, COLUMBUS & CINCINNATI HIGHWAY, INC.

ORDER COORDINATING MOTOR VEHICLE SERVICE

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of property in less-than-truckload lots between Marion, Ohio, on the one hand, and Cardington and Mt. Gilead, Ohio, on the other; and between Mansfield, Ohio, on the one hand, and Loudonville, Bellville, Fredericktown, Polk, Sullivan, Mt. Ver-

non and Wellington, Ohio, on the other, filed with the Office of Defense Transportation by Commercial Motor Freight, Inc., an Ohio corporation, of Columbus, Ohio, and The Cleveland, Columbus & Cincinnati Highway, Inc., an Ohio corporation, of Cleveland, Ohio, as governed by § 501.9 of General Order ODT 3, Revised, as amended,[1] and good cause appearing therefor: *It is hereby ordered*, That:

1. Commercial Motor Freight, Inc., shall discontinue the transportation of shipments in less-than-truckload lots moving between its terminal at Marion, Ohio, or through that terminal, on the one hand, and points of delivery and collection at Cardington and Mt. Gilead, Ohio, on the other; and in respect of such shipments moving between its terminal at Mansfield, Ohio, or through that terminal, on the one hand, and points of delivery and collection at Loudonville, Bellville, Fredericktown, Polk and Sullivan, Ohio, on the other; and shall divert such shipments to the Cleveland, Columbus & Cincinnati Highway, Inc., for transportation between those points.

2. The Cleveland, Columbus & Cincinnati Highway, Inc., shall accept from Commercial Motor Freight, Inc., all shipments diverted to it pursuant hereto and shall transport such shipments over its routes between the terminal of Commercial Motor Freight, Inc., at Marion, Ohio, on the one hand and points of delivery and collection at Cardington and Mt. Gilead, Ohio, on the other; and between the terminal of Commercial Motor Freight, Inc., at Mansfield, Ohio, on the one hand, and points of delivery and collection at Loudonville, Bellville, Fredericktown, Polk, and Sullivan, Ohio, on the other, on the billing, and pursuant to the tariff rates and the rules and regulations, of Commercial Motor Freight, Inc.

3. The Cleveland, Columbus & Cincinnati Highway, Inc., shall discontinue the transportation of shipments in less-than-truckload lots moving between its terminal at Mansfield, Ohio, or through that terminal, on the one hand, and points of delivery and collection at Mt. Vernon and Wellington, Ohio, on the other; and shall divert such shipments to the Commercial Motor Freight, Inc., for transportation between those points.

4. Commercial Motor Freight, Inc., shall accept from The Cleveland, Columbus & Cincinnati Highway, Inc., all shipments diverted to its pursuant hereto and shall transport such shipments over its routes between the terminal of The Cleveland, Columbus & Cincinnati Highway, Inc., at Mansfield, Ohio, on the one hand, and Mt. Vernon and Wellington, Ohio, on the other, on the billing, and pursuant to the tariff rates and the rules and regulations of The Cleveland, Columbus & Cincinnati Highway, Inc.

5. The Cleveland, Columbus & Cincinnati Highway, Inc., shall perform the pickup and delivery at Cardington, Mt. Gilead, Loudonville, Bellville, Fredericktown, Polk and Sullivan, Ohio, with respect to shipments diverted to it pursuant hereto; and Commercial Motor Freight, Inc., shall perform the pickup and delivery at Mt. Vernon and Wellington, Ohio, with respect to shipments diverted to it pursuant hereto.

6. The division of revenues derived from transportation performed pursuant hereto shall be as agreed upon by the carriers, or, in the event the carriers are unable to agree thereon, shall be as determined by the Office of Defense Transportation.

7. The carriers forthwith shall file with the Interstate Commerce Commission and any other regulatory body or bodies having jurisdiction over the operations affected by this order, and publish in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in fares, charges, operations, rules, regulations and practices of each carrier which may be necessary to accord with the provisions of this order, together with a copy of this order; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on one day's notice.

8. Nothing contained herein shall be so construed as to permit or require the carriers herein named to perform any transportation service which is not authorized or sanctioned by law.

9. Communications concerning this order should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C., and should refer to "Supplementary Order ODT 3 Revised—11."

10. This order shall become effective January 15, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of January 1943.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 43-416; Filed, January 8, 1943; 11:04 a. m.]

[1] 7 F.R. 5445; 7 F.R. 6689.

OFFICE OF PRICE ADMINISTRATION.

[Order 2 Under Rev. Maximum Export Price Reg.]

M. ROTHSCHILD AND CO.

ORDER DENYING PETITION

Order No. 2 under § 1375.9 (c) of the Revised Maximum Export Price Regulation.

On November 7, 1942, M. Rothschild & Co., New York, New York, filed a petition for relief from § 1375.9 (c) of the Revised Maximum Export Price Regulation, pursuant to the provisions of that section.

The petitioner sells to a distributor in Brazil and invoices directly to the distributor's buyers, who are private firms or individuals, at the distributor's selling prices. This practice permits of easy evasion of the Revised Maximum Export Price Regulation, and makes impossible its enforcement unless certain safeguards are present. These safeguards are not present in the instant case. Petitioner presents no special circumstance in his case sufficient to justify an exception without the presence of these safeguards. Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, it is hereby ordered that the petition be denied.

Issued and effective this 7th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-372; Filed, January 7, 1943; 12:06 p. m.]

[Order 133 Under MPR 120]

J. G. ROOT

ORDER GRANTING ADJUSTMENT

Order No. 133 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120-276.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120, *It is hereby ordered:*

(a) Coal in Size Groups 1 and 14, produced by J. G. Root, Shelbyville, Illinois, at his Penwell Mine (Mine Index No. 1531) District No. 10, may be sold and purchased for shipment by truck or wagon at prices per net ton not to exceed $4.50 and $2.00 respectively, f. o. b. the mine;

(b) Within thirty (30) days from the effective date of this order, J. G. Root shall notify all persons purchasing its coals of the adjustments granted by this order, and shall include a statement that if the purchaser is subject to Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted by this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Maximum Price Regulation No. 122;

(c) This Order No. 133 may be revoked or amended by the Price Administrator at any time;

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein;

(e) This Order No. 133 shall become effective January 8, 1943.

Issued this 7th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-377; Filed, January 7, 1943; 12:05 p. m.]

[Order 134 Under MPR 120]

LILLY COAL COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 134 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120-238.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120, *It is hereby ordered:*

(a) Coal in Size Group 6 produced by Lilly Coal Company, Arcola, West Virginia, at its Lilly Mine, Mine Index No. 91, District No. 3, may be sold and purchased f. o. b. the mine, for shipment by rail at a price per net ton not to exceed $3.75;

(b) Within thirty (30) days from the effective date of this order, the said Lilly Coal Company shall notify all persons purchasing its coals of the adjustments granted by this order, and shall include a statement that if the purchaser is subject to Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted by this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Maximum Price Regulation No. 122.

(c) This Order No. 134 may be revoked or amended by the Price Administrator at any time;

(d) All prayers of the petitioner not granted herein are hereby denied;

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein;

(f) This Order No. 134 shall become effective January 8, 1943.

Issued this 7th day of January 1943.

LEON HENDERSON,
Administrator.

[F R Doc. 43-378; Filed, January 7, 1943; 12:05 p. m.]

[Order 135 Under MPR 120]

ROARING CREEK COAL COMPANY

ORDER GRANTING ADJUSTMENT, ETC.

Order No. 135 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 1120-85-P.

In the matter of Roaring Creek Coal Company, protestant.

Granting adjustment and denying protest insofar as relief is not granted.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (b) of Maximum Price Regulation No. 120, *It is ordered:*

(a) *Granting adjustment.* (1) Bituminous coal in Size Group 6 produced at the Hart No. 1 Mine (Mine Index No. 795), District No. 3, of the Roaring Creek Coal Company, Beverly, West Virginia, may be sold or purchased for shipment by rail, at prices not to exceed $3.00 per net ton, f. o. b. the mine;

(2) Bituminous coal in Size Group 5 produced at the said Hart No. 1 Mine, may be sold or purchased for shipment by truck or wagon, at prices not to exceed $2.88 per net ton, f. o. b. the mine;

(3) Paragraph (a) of this order may be revoked or amended by the Price Administrator at any time;

(4) Within thirty days from the effective date of this order, the said Roaring Creek Coal Company shall notify all persons purchasing its coal of the adjustments granted in this order and shall include a statement that if the purchaser is subject to Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted by this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions contained in Amendment No. 8 to Maximum Price Regulation No. 122;

(b) *Denial of protest except insofar as relief is granted in this Order No. 135.* The protest filed by the said Roaring Creek Coal Company against the provisions of Maximum Price Regulation No. 120 and assigned Docket No. 1120-85-P is hereby denied except insofar as relief is granted in paragraph (a) of this Order No. 135;

(c) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein;

(d) This Order No. 135 shall become effective January 8, 1943.

Issued this 7th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-379; Filed, January 7, 1943; 12:08 p. m.]

[Order 8 Under MPR 152]

SUN GARDEN PACKING COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 8 under Maximum Price Regulation No. 152—Canned Vegetables.

Approval of maximum prices for Sun Garden Packing Company, 210 California Street, San Francisco, California.

On August 26, 1942, the Sun Garden Packing Company filed an application for specific authorization to charge a particular maximum price pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by the applicant, with respect to the packing in 8 ounce size (Buffet) cans of tomato sauce meeting the density specification of 10.7% dry tomato solids.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered*, That:

(a) The Sun Garden Packing Company may sell, offer to sell or deliver, and any person may buy, offer to buy or receive 8 ounce size (Buffet) cans of tomato sauce of a density of 10.7% dry tomato solids at a price no higher than the maximum price of $.42 per dozen, f. o. b. factory.

(b) This Order No. 8 may be revoked or amended by the Price Administrator at any time.

(c) The applicant, Sun Garden Packing Company shall not change its customary allowances, discounts or price differentials unless such change results in a lower price.

(d) Unless the context otherwise requires the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(e) This Order No. 8 shall become effective on January 8, 1943.

Issued this 7th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-373; Filed, January 7, 1943; 12:07 p. m.]

[Order 9 Under MPR 152]

EMMOLO BROTHERS PACKING COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 9 under Maximum Price Regulation No. 152—Canned Vegetables.

Approval of maximum prices for Emmolo Brothers Packing Company, St. Helena, California.

Emmolo Brothers Packing Company has filed an application for specific authorization to charge a particular maximum price pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by the applicant with respect to the packing in 5 gallon cans of tomato puree meeting the density specification of 1.045 specific gravity.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 *It is hereby ordered*, That:

(a) The Emmolo Brothers Packing Company may sell, offer to sell, or deliver and any person may buy, offer to buy or receive 5 gallon cans of tomato puree of a density of 1.045 specific gravity at a price no higher than the maximum price of $2.30 per 5 gallon can f. o. b. factory.

(b) This Order No. 9 may be revoked or amended by the Price Administrator at any time.

(c) The applicant, Emmolo Brothers Packing Company, shall not change its customary allowances, discounts or price differentials unless such change results in a lower price.

(d) Unless the context otherwise requires the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(e) This Order No. 9 shall become effective on January 8, 1943.

Issued this 7th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-375; Filed, January 7, 1943; 12:07 p. m.]

[Order 9 Under MPR 163]

NORTHFIELD MILLS, INC.

APPROVAL OF MAXIMUM PRICE

Order No. 9 Under § 1410.119 of Maximum Price Regulation No. 163—Woolen or Worsted Civilian Apparel Fabrics.

Northfield Mills Incorporated of Northfield, Vermont, made application under § 1410.119 of Maximum Price Regulation No. 163 for authorization to determine maximum prices for two fabrics, Styles 426 and 520. Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration, *It is ordered:*

(a) On and after January 8, 1943, Northfield Mills, Incorporated may sell and any person may buy from the Northfield Mills, Incorporated, the following fabrics at prices not in excess of the following applicable maximum prices:

Style No. of fabric	Specifications	Maximum price
		Per yard
426	Women's wear Shetland, 100% wool; 12.12½ ounces in weight, 58 inches in finished width; 29 ends and 23 picks per finished inch; stock dyed and cross dyed fabric.	$2.00
520	Women's wear Shetland; 100% wool; 12.12½ ounces in weight, 58 inches in finished width; 29 ends and 23 picks per finished inch; piece dyed fabric.	1.975

(b) The maximum prices established in paragraph (a) of this order shall be subject to adjustment at any time by the Office of Price Administration.

(c) This Order No. 9 may be amended or revoked at any time by the Office of Price Administration.

(d) This Order No. 9 shall become effective January 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 7th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-374; Filed, January 7, 1943; 12:06 p. m.]

[Order 58 Under RPS 64]

COLE HOT BLAST MANUFACTURING COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 58 under Revised Price Schedule No. 64—Domestic Cooking and Heating Stoves.

Approval of maximum prices for Cole Hot Blast Manufacturing Company, 3108-3128 West Fifty-First Street, Chicago, Illinois.

On November 28, 1942, the Cole Hot Blast Manufacturing Company, 3108-3128 West Fifty-First Street, Chicago, Illinois, filed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64 for approval of maximum prices for eight models of Heating Stoves, as designated below.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) Cole Hot Blast Manufacturing Company may sell, offer to sell, transfer or deliver the following models of heating stoves at prices no higher than those specified:

Model No.:	*F.o.b. factory to dealers*
840-V	$38.91
830-V	31.23
205-V	23.67
109-V	17.97
108-V	13.77
225-V	11.85
107-V	11.32
221-V	9.06

subject to discounts, allowances and terms no less favorable than those in effect with respect to the maximum prices for the comparable models B-840, B-830, 205-B, 109-B, 108-B, 625-L, 107-B, 621-L, respectively, as established under Revised Price Schedule No. 64.

(b) This Order No. 58 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 58 shall become effective on the 8th day of January 1943.

Issued this 7th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-376; Filed, January 7, 1943; 12:07 p. m.]

[Order 7 Under RPS 41]

ELECTROCAST STEEL FOUNDRY CO.

ADJUSTMENT OF MAXIMUM PRICES

Correction

In the 16th line of the middle column of page 246 of the issue for Wednesday, January 6, 1943, the figure 63 is indistinctly printed.

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-1779]

CLEVELAND BUILDERS REALTY CO.

ORDER SETTING HEARING ON APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 4th day of January, A. D. 1943.

In the matter of The Cleveland Builders Realty Company, Capital Stock, No Par Value.

The Cleveland Builders Realty Company, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its Capital Stock, No Par Value, from listing and registration on the Cleveland Stock Exchange; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Thursday, February 4, 1943, at the office of the Securities and Exchange Commission, 1370 Ontario Street, Cleveland, Ohio, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That C. J. Odenweller, Jr., an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-394; Filed, January 7, 1943, 3:00 p. m.]

WAR PRODUCTION BOARD.

Director General for Operations.

[Preference Rating Order P-19-h, Serial 28136]

RESTORATION AND AMENDMENT OF PREFERENCE RATING

Name and address of builder: Federal Works Agency, North Interior Building, Washington, D. C. Project and location: Construction of an addition to the Sunray Elementary School, Sunray Independent School District, Sunray, Texas (WPW 41-436).

The revocation issued December 4, 1942 of the above serially numbered preference rating order is hereby cancelled; the ratings assigned by said preference rating order are hereby restored; and said preference rating orders shall have full force and effect as hereinafter amended.

The above serially numbered preference rating order is hereby amended to expire on May 1, 1943.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 6, 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-395; Filed January 7, 1943; 3:39 p. m.]

JAN 14 '43

FEDERAL REGISTER

VOLUME 8 NUMBER 7

Washington, Tuesday, January 12, 1943

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

PART 30—THE FEDERAL LAND BANK OF HOUSTON

FEES

Section 30.1 of Title 6, Code of Federal Regulations is amended to read as follows:

§ 30.1 *Application fees; loan fees; land bank, Land Bank Commissioner or joint land bank and Land Bank Commissioner loans.* A fee of $10 will be collected with each new loan application and each application for an additional or increased loan; and an additional fee of $1 per $1,000 or fraction thereof, will be collected at the time a loan is closed, on any amount loaned in excess of $5,000; and

A fee of $5 will be collected with each application for division of an existing loan, and an additional fee of $1 per $1,000 will be collected at the time of closing on any increase granted in excess of $5,000; and,

An additional fee of $10 will be charged for reappraisals made because of delay on the part of an applicant or made at the applicant's request; and,

The initial fee collected in each case will be refunded if no appraisal is made; and

Charges for special services, such as those relating to transfer of title, inspection of improvements, disbursement of insurance funds and changes in maturity dates, will be discontinued. (Sec. 13 "Ninth", 39 Stat. 372, secs. 32, 33, 48 Stat. 48, 49 as amended, secs. 1, 2, 48 Stat. 344, 345; 12 U.S.C. 781 "Ninth", 1016, 1017, 1020, 1020a, and Sup.; 6 CFR 19.322, 19.326, 19.330) [Res. Bd. of Dir. December 16th, 1942]

Section 30.2 of Title 6, Code of Federal Regulations, is amended to read as follows:

§ 30.2 *Partial release fees; land bank, Land Bank Commissioner or joint land bank and Land Bank Commissioner loans.* A fee of $10 will be collected with each application for partial release; and,

An additional fee of $10 will be charged for reappraisals made because of delay on the part of an applicant or made at the applicant's request; and,

The initial fee collected in each case will be refunded if no appraisal is made. (Sec. 13 "Ninth", 39 Stat. 372; sec. 32, 48 Stat. 48, as amended, secs. 1, 2, 48 Stat. 344, 345; 12 U.S.C. 781 "Ninth", 1016, 1020, 1020a, and Sup.) [Bd. of Dir. December 16th, 1942]

Section 30.3 and § 30.4 of Title 6, Code of Federal Regulations, are revoked. [Res. Bd. of Dir., December 16th, 1942]

Section 30.5 of Title 6, Code of Federal Regulations, is amended to read as follows:

§ 30.5 *Reamortization fees; land bank, Land Bank Commissioner or joint land bank and Land Bank Commissioner loans.* A fee of $10 will be collected with each application for reamortization, the fee to bear no relationship to appraisal expense, if any, but to cover expenses incurred by the bank for abstract costs, recording fees, and other items; and,

An additional fee of $10 will be charged for reappraisals made because of delay on the part of an applicant or made at the applicant's request. (Sec. 13 "Thirteenth", as added by sec. 4, 47 Stat. 1548, sec. 32, 48 Stat. 48, as amended, secs. 1, 2, 48 Stat. 344, 345; 12 U.S.C. 781 "Thirteenth", 1016, 1020, 1020a, and Sup.; 6 CFR 19.282) [Res. Bd. of Dir., December 16th, 1942]

Section 30.6 of Title 6, Code of Federal Regulations, is revoked. [Res. Bd. Dir., December 16th, 1942]

[SEAL] THE FEDERAL LAND BANK OF HOUSTON.

Confirmed: A. P. GRAVES,
Executive Vice President.

[F. R. Doc. 43-524; Filed, January 11, 1943; 10:44 a. m.]

PART 30—THE FEDERAL LAND BANK OF HOUSTON

FEES

Section 30.10 of Title 6, Code of Federal Regulations, is amended to read as follows:

§ 30.10 *Fees for releases of personal liability in connection with Federal Land Bank and Land Bank Commissioner loans.* When no reappraisal by a land

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FEDERAL REGISTER

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bank appraiser or investigation is necessary no fee will be charged. When reappraisal or investigation is necessary, a charge will be made to cover the actual expense incurred, not to exceed $10. (Sec. 13 "Ninth", 39 Stat. 372, Sec. 26, 48 Stat. 44, Sec. 32, 48 Stat. 48, as amended; 12 U.S.C. 781 "Ninth", 723 (e), 1016 (e) and Sup.; 6 CFR 19.326) [Res. Ex. Com., August 27, 1942, as amended Res. Ex Com., December 28, 1942]

[SEAL] THE FEDERAL LAND BANK OF HOUSTON.

Confirmed: STERLING C. EVANS, *President.*

[F. R. Doc. 43-523; Filed, January 11, 1943 10:44 a. m.]

TITLE 7—AGRICULTURE

Chapter XI—Food Distribution Administration

[Food Distribution Order 4 1]

PART 1450—TOBACCO

ALLOCATIONS OF 1942 CROP BURLEY TOBACCO

Pursuant to the authority vested in me by Food Distribution Order No. 4 dated January 7, 1943, issued under the authority of Executive Order No. 9280, dated December 5, 1942, and to effectuate the purposes of those orders, *It is hereby ordered*, as follows:

§ 1450.2 *1942 crop burley tobacco, allocation and regulations*—(a) *Meaning of words.* Words in this section in the singular form shall be deemed to import the plural and vice versa as the case may demand.

(b) *Definitions.* When used in this order the terms as defined in Food Distribution Order No. 4,[1] shall have the same meaning. In addition and except as may be provided otherwise herein:

(1) "Dealer" means any person other than a manufacturer who buys and sells leaf tobacco.

(2) "Tobacco" means "burley tobacco" (tobacco of Type 31), as defined in Food Distribution Order No. 4.

(c) *Allocations*—(1) *Manufacturers.* Any manufacturer is authorized to purchase or otherwise acquire tobacco of the 1942 crop, in an amount which shall not exceed 90 percent of the average number of pounds purchased or otherwise acquired by him (including acquisitions of predecessors in interest) of the crops of 1939, 1940, and 1941: *Provided*, That no manufacturer may purchase on auction markets or from producers, either directly or through dealers with whom he places buying orders, an amount of 1942 crop tobacco which shall exceed 90 percent of the average number of pounds of tobacco so purchased by him annually of the crops of 1939, 1940, and 1941, computed according to the number of years, if less than three, during which he made such purchases, less the total pounds of tobacco of the 1942 crop purchased or acquired by him prior to the effective date of this order.

(2) *Dealer.* Any dealer may purchase for his own account on auction markets or from producers, 1942 crop tobacco in an amount which will not exceed his average annual purchases of tobacco for his own account by the same methods of the crops of 1939, 1940, and 1941, computed according to the number of years, if less than three, during which he made such purchases: *Provided*, That dealers, who are now engaged in buying and selling tobacco, but who were not so engaged during the marketing of the 1939, 1940, and 1941 crops of tobacco, who have the organization and facilities to purchase and pack tobacco, may apply to the Director for relief by way of specific allocation under the provisions of § 1450.1 (c), of the Food Distribution Order No. 4.

(3) Purchases of tobacco of the 1939, 1940, and 1941 crops resold at auction shall not be included in the computation of the amount authorized to be acquired under allocations.

(4) The execution of manufacturer's buying orders by dealers are not purchases for the dealer's own account and are chargeable to the manufacturer's allocation hereunder.

(5) *Conversion to undried basis.* The poundage figures used in computing allocations shall be reduced to an undried (green weight) basis. Tobacco in the steamdried or airdried condition and in unstemmed form shall be converted to the undried basis by multiplying the number of pounds by the factor 1.11. Tobacco in the steamdried or airdried condition and in stemmed form shall be converted to the undried basis by multiplying the number of pounds by the factor 1.48.

(6) *Modification and amendment.* Allocations as set forth in subparagraphs (1) and (2) are subject to amendment or modification by supplemental order.

(d) *Reports.* Every manufacturer and dealer to whom this order applies shall:

(1) Within ten days from the effective date of this order submit a report to the Director showing his purchases from the 1939, 1940, and 1941 crops of tobacco, including the manner of acquisition (i. e. at auction, from dealers, from producers), together with a statement of his computations with respect to the number of pounds of the 1942 crop of tobacco that he may acquire under this order.

(2) File a report with the Director within ten days after the close of the tobacco auction marketing season showing the total amount of tobacco purchased on auction markets or from producers. (Reporting Requirement approved Bureau of the Budget No. 40-ST 022-43)

(e) *Provisions incorporated by reference.* The provisions of Food Distribution Order No. 4 with respect to reports and records, audits and inspections, petitions for relief from hardship, and violations shall apply to persons to whom this order applies with the same force and effect as if set forth herein.

(f) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref: FD-4.1.

(g) *Effective date.* This order shall be effective as of the date of its issuance.

(E.O. 9280, 7 F.R. 10179; Food Distribution Order No. 4, 8 F.R. 335)

Issued this 8th day of January 1943.

[SEAL] ROY F. HENDRICKSON, *Director of Food Distribution.*

[F. R. Doc. 43-496; Filed, January 9, 1943; 11:33 a. m.]

[1] 8 F.R. 335.

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter II—Food Distribution Administration [1]

PART 201—REGULATIONS UNDER THE PACKERS AND STOCKYARDS ACT

By virtue of the authority vested in the Secretary of Agriculture by the Packers and Stockyards Act, 1921 (42 Stat. 159, as amended; 7 U.S.C. 1940 ed. secs. 181-231), and Public Law 615—77th Congress, Chapter 421, Second Session, approved June 19, 1942, the following revision of Title 9, Chapter II, Part 201, Code of Federal Regulations (9 CFR and 1939 Supp. §§ 201.1-201.23) is promulgated.

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[1] Formerly Chapter II, Agricultural Marketing Administration.

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201.83 Records of authorized agencies or associations.
201.84 Fees; deduction and accounting.
201.85 Inspections, reciprocal arrangements by authorized agencies or associations.
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GENERAL

201.88 Information as to business, furnishing of by packers, stockyard owners, registrants, and licensees.
201.89 Places of business, property, and records; inspection of.
201.90 Packers, stockyard owners, registrants or licensees; information concerning business not to be divulged.
201.91 Annual reports.

AUTHORITY: §§ 201.1 to 201.91, inclusive, issued under 42 Stat. 159, as amended; 7 U.S.C. secs. 181–231; Pub. Law 615, 77th Cong.

DEFINITIONS

§ 201.1 *Meaning of words.* Words used in these regulations in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

§ 201.2 *Terms defined.* When used in these regulations, the terms as defined in the Act, shall apply with equal force and effect. In addition, unless the context otherwise requires, the following terms shall be construed, respectively, to mean:

(a) "Act" means the Packers and Stockyards Act, 1921 (42 Stat. 159, as amended; 7 U.S.C. 1940 ed. secs. 181–231), and Public Law 615—77th Congress, Chapter 421, second session, approved June 19, 1942.

(b) "Administration" means the Food Distribution Administration of the Department of Agriculture.

(c) "Director" means the Director of the Food Distribution Administration of the Department of Agriculture or any officer or employee of that Administration to whom the Director has heretofore lawfully delegated, or to whom the Director may hereafter lawfully delegate, the authority to act in his stead.

(d) "Department" means the United States Department of Agriculture.

(e) "Deposted market" means a stockyard which no longer comes within the definition of a stockyard, notice of which has been given in accordance with section 302 (b) of the Act.

(f) "Designation" means the designation of a city and the markets or places in or near such city, pursuant to the provisions of title V of the Act.

(g) "Licensee" means any person who holds a valid unrevoked license from the Secretary of Agriculture issued under title V of the Act.

(h) "Livestock Branch" means the Livestock Branch of the Food Distribution Administration, Department of Agriculture.

(i) "Person" means individuals, partnerships, corporations, and associations.

(j) "Posted market" means a stockyard which has been brought within the jurisdiction of the Secretary pursuant to the provisions of section 302 of the Act.

(k) "Registrant" means any person who has registered pursuant to the provisions of title III of the Act and the regulations promulgated thereunder.

(l) "Schedule" means a tariff of rates and charges filed by stockyard owners, market agencies, or licensees.

(m) "Secretary" means the Secretary of Agriculture or any officer or employee of the Department to whom the Secretary has heretofore lawfully delegated, or to whom the Secretary may hereafter lawfully delegate, the authority to act in his stead.

ADMINISTRATION

§ 201.3 *Authority.* The Director shall perform such duties as the Secretary may require in enforcing the provisions of the Act and these regulations.

§ 201.4 *Legitimate by-laws, rules, or regulations of exchanges, associations, or other organizations remain applicable.* These regulations shall not prevent the legitimate application or enforcement of any valid by-law, rule or regulation, or requirement of any exchange, association, or other organization or any other valid law, rule, or regulation to which any packer, stockyard owner, market agency, dealer, or licensee shall be subject which is not inconsistent or in conflict with the Act and these regulations.

POSTING STOCKYARDS

§ 201.5 *Investigation, notice and posting of stockyards.* After it has been determined, as provided in section 302 (b) of the Act, that a stockyard comes within the definition of that term as it is defined in section 302 (a), posting of a stockyard shall be accomplished by (a) giving notice of that fact to the stockyard owner by registered mail or in person, and (b) giving notice of that fact to the public by posting copies of such notice in at least three conspicuous places at such stockyard. A stockyard posted in accordance with the provisions of this regulation shall be within and remain subject to the provisions of title III of the Act until the stockyard has been deposted.

§ 201.6 *Investigation, notice and deposting of stockyards.* After it has been determined, as provided in section 302 (b) of the Act, that a stockyard no longer comes within the definition of that term as it is defined in section 302 (a) deposting of a stockyard shall be accomplished by (a) giving notice of that fact to the stockyard owner by registered mail or in person, and (b) giving notice of that fact to the public by posting copies of such notice in at least three conspicuous places at such stockyard.

§ 201.7 *Change in name, address, management, control or ownership to be reported by stockyard owner.* Whenever any change is made in the name or address or in the management or nature or in the substantial control or ownership of the business of a posted stockyard, the owner of such stockyard shall report such change in writing to the Director at Washington, D. C. within ten days after making such change.

DESIGNATION

§ 201.8 *Investigation.* Such investigation as may be deemed necessary for the purpose of ascertaining whether a city, and markets and places in or near such city, shall be designated under the Act shall be made by the Administration.

§ 201.9 *Publication.* After it has been determined by the Secretary that a city and markets and places in or near such city should be designated under the provisions of title V, public announcement thereof shall be made by publication in the FEDERAL REGISTER and one or more trade journals or newspapers.

REGISTRATION

§ 201.10 *Persons desiring to register.* Any person desiring to register in compliance with the Act shall furnish the information required by the Director on a form which will be furnished by the Director on request, and shall, concurrently with the filing of such information, file a bond to secure the performance of his financial obligations.

§ 201.11 *Officers, agents, or employees of registrants whose registrations have been suspended or revoked.* Any person who has been or is an officer, agent, or employee of a registrant whose registration has been suspended or revoked and who was responsible for or participated in the violation on which the order of suspension or revocation was based may not register within the period during which the order of suspension or revocation is in effect.

§ 201.12 *Registrants whose registrations have been suspended or revoked.* Any person whose registration has been suspended or revoked may not again register in his own name or in any other manner within the period during which the order of suspension or revocation is in effect.

§ 201.13 *Registrants to report changes in name, address, control, or ownership.* Whenever any change is made in the name or address or in the management or nature or in the substantial control or ownership of the business of a registrant, such registrant shall report such change in writing to the Director at Washington, D. C., within ten days after making such change.

LICENSING

§ 201.14 *Application for, issuance of license; financial and other requirements.* Applications for license pursuant to section 502 (b) of the Act may be made by any person subject to the licensing provisions of the amendment by properly filling out and delivering to the Director at Washington, D. C., by mail or otherwise, a properly executed form of application. Copies of such form will be furnished by the Director on request. A license will be issued to any applicant furnishing the required information unless the Secretary finds after opportunity for a hearing that such applicant is unfit to engage in the activity for which he has made application by reason of his having at any time within two years prior to his application engaged in any practice of the character prohibited by the Act or because he is financially unable to fulfill the obligations he would incur as a licensee. Financial ability may be established upon a showing by the applicant that he has current assets equal to his current liabilities, and, in addition thereto, sufficient free working capital to equal twenty-five (25) percent of his average weekly purchases and/or sales of live poultry according to his books and records, or according to such volume of business as may be reasonably anticipated in case of a new business. If the applicant fails to make such a showing, consideration will be given to such showing of other assets and other liabilities and other factors relating to his ability to fulfill his financial obligations which would be incurred as a licensee and to his reputation and integrity. If the applicant fails to make a satisfactory showing of financial ability, a license will be granted upon his executing and maintaining a satisfactory surety bond or equivalent thereof to a suitable trustee, in accordance with the provisions of §§ 201.33–201.38, inclusive.

§ 201.15 *Licensee to retain license must maintain satisfactory financial condition or furnish surety bond or equivalent.* The granting of a license hereunder is conditioned on the licensee maintaining at all times a financial condition at least equivalent to that required for the issuance of a license or in lieu thereof maintaining a satisfactory surety bond or its equivalent. The failure of a licensee to maintain such a financial condition or surety bond will render his license subject to revocation.

§ 201.16 *Licensees to report changes in name, address, control, or ownership.* Whenever any change is made in the name or address or in the management or nature or in the substantial control or ownership of the business of a licensee, such licensee shall report such change in writing to the Director at Washington, D. C., within ten days after making such change.

SCHEDULES

§ 201.17 *Requirements as to filing by stockyard owners and market agencies.* Each stockyard owner and market agency shall plainly state in the schedule of rates and charges filed by the stockyard owner or market agency, the date when effective, a description of the services, the basis for classifying livestock by species or by weight, the stockyards at which it applies, the name and business address of the stockyard owner or market agency, the kind of livestock, the nature of the service, and the conditions under which the service will be rendered and the rates or charges will be applied.

§ 201.18 *Requirements as to filing by licensees.* Each licensee furnishing or conducting services or facilities for which a charge is made shall plainly state in the schedule of rates and charges filed by such licensee, the date when effective, the city, place, or market at which it applies, the name and the business address of the licensee, the nature of the service or facilities furnished, the terms or conditions under which the service will be rendered, and the rates and charges will be applied.

§ 201.19 *Size, style, and number of copies.* Schedules of rates and charges and amendments thereto of stockyard owners, market agencies, and licensees shall be printed or typed on paper which is approximately 8 by 11 inches in size, the lines of print or type being horizontal to the 8-inch dimension. Two copies of each such schedule or amendment shall be filed with the Packers and Stockyards Division, Livestock Branch, Food Distribution Administration at Washington, D. C., at least one of which shall be signed by the market agency, stockyard owner, or licensee filing the same.

§ 201.20 *Designation, form, and substance of schedules and amendments.* The schedules of each market agency, stockyard owner, and licensee shall be designated by successive numbers as filed. Each such schedule shall be divided into sections to cover the various classes of services furnished by the market agency, stockyard owner, or licensee. Each amendment of such schedule shall be numbered, and shall show the number of the schedule of which it is an amendment. Each such amendment shall in its body make adequate reference to the section or sections of the schedule which is amended, and shall set forth such section or sections in full in the amended or supplemental form. Each amendment shall indicate the numbers of such amendments to the original schedule as are in effect. After a market agency, stockyard owner, or licensee has filed thirty (30) amendments to its schedule, any further change in the rates or charges shall be embodied in a new schedule which shall contain all rates and charges then in effect: *Provided, however,* That not more than ten (10) amendments relating to charges other than for feed may be filed without filing and publishing a new schedule.

§ 201.21 *Rules or regulations affecting rates and charges.* Each stockyard owner, market agency, and licensee shall set out in its schedule of rates and charges every rule or regulation which in any way changes or affects any rate or charge or the value of the services furnished thereunder, and shall designate the rate or charge affected by such rule or regulation.

§ 201.22 *Time and place schedules, rules or regulations, and amendments to*

be filed and posted by stockyard owners, market agencies, and licensees. All schedules and rules or regulations and amendments or supplements thereto required to be filed under this Act by market agencies and stockyard owners shall be kept at their places of business and kept open for public inspection at their places of business. Licensees shall post schedules of rates, charges, and rentals in a conspicuous location in their places of business where they may be readily observed by any interested person. Unless the requirement as to filing and notice is specifically waived, as provided for in section 306 (c) of the Act all amendments to schedules or rules or regulations changing a rate or charge shall be filed with the Packers and Stockyards Division, Livestock Branch, Food Distribution Administration at Washington, D. C., not less than ten (10) days before the effective date thereof.

§ 201.23 *Joint schedules.* If the same schedule is to be observed by more than one market agency or licensee one schedule will suffice for all market agencies or licensees at any one city, place, or market observing it whose names and business addresses are shown on it, together with the name of the organization, if any, by which adopted. *Provided,* At least one copy of such schedule or amendment thereto is signed in ink by each of the market agencies or licensees observing the same, and filed with the Packers and Stockyards Division, Livestock Branch, Food Distribution, Administration at Washington, D. C.

§ 201.24 *Prescribed rates, charges, practices, and regulations.* After the effective date of any general order issued by the Secretary prescribing rates, charges, practices, or regulations governing the rendition of stockyard services, or the selling or buying or the selling and buying of livestock on a commission basis at a stockyard, or governing the rendition of any services or the use of any facilities in a city, place or market, designated by the Secretary under title V of the Act, every market agency operating on such stockyard and every licensee operating in such city, place, or market shall conform to such order.

§ 201.25 *Proposed increases in existing charges must be supported by specific data.* Each stockyard operator, market agency, and licensee proposing an increase or increases in existing charges either by supplement to a filed tariff or by submission of an original tariff shall forward with the supplement or tariff proposing the increase information as to the reasons for the proposed increase and shall furnish specific and detailed data forming the basis on which the proposed increase is based, together with such additional information as the Director may require.

§ 201.26 *Numbering and form.* The schedules of each market agency, stockyard owner, and licensee shall be designated by successive numbers as filed and shall be substantially in the form set out below:

Tariff or Schedule of Charles No. ------ or Amendment No. ------ to Tariff or Schedule of Charges No ------ of ----------
(Operator's

Name) (Operator's Business Address)

(Name Posted Yard or Designated Market Where Charges Apply)

(Location Posted Yard or Designated Market Where Charges Apply)

Issued ---------- Effective ----------
(Not less than ten days after receipt in Washington Office)

(Insert here, dividing into sections, the various classes of service performed by the stockyard owner or operator, market agency or licensee, the kind of livestock or poultry concerning which services are performed, the nature of the services, and the terms or conditions under which the services are rendered.)

(Operator's Name)

(Signed by) ----------
(Owner, Partner, or Official Designation)

MARKET AGENCY AND DEALER BONDS

§ 201.27 *Market agencies and dealers to file on or before commencing operations.* Every market agency and dealer shall, on or before the date of commencement of operations, execute and thereafter maintain, or cause to be executed and thereafter maintained, a reasonable bond or its equivalent satisfactory to the Director, to a suitable trustee to secure the performance of obligations incurred as such market agency or dealer at posted stockyards, and shall immediately file with the Director at Washington, D. C., a fully executed duplicate of such bond. The bond of every market agency acting in the capacity of broker or clearing agency, and thereby being responsible for the financial obligations of other registrants, shall show the name of the person or persons for whom the market agency holds itself out to be responsible and whose obligations are covered by the bond.

§ 201.28 *Underwriter and amount of market agency and dealer bonds.* Surety companies underwriting bonds shall be approved by the Treasury Department of the United States for bonds executed to the United States. The amount of such bond shall be not less than the nearest multiple of one thousand dollars ($1,000) above the average amount of sales or purchases, or both, of livestock by such market agency or dealer during two business days, based on the total number of the business days, and the total amount of such sales or purchases, or both, in the preceding 12 months, or in such part thereof in which such market agency or dealer did business, if any. For the purpose of this computation, 260 shall be deemed the number of business days in any year, *Provided, however,* That where the principal part of the livestock handled by a market agency or dealer is sold or purchased at public auction the amount of the bond should be not less than the nearest multiple of one thousand dollars ($1,000) above an amount determined by dividing the total value of the livestock sold or purchased at auction during the preceding 12 months or such part thereof as the market agency or dealer was engaged in business by the actual number of auction sales at which livestock was sold or purchased, but in no instance shall the divsor be greater than 130. In any case, however, the amount of bond shall be not less than two thousand dollars ($2,000) and when the sales or purchases, or both, calculated as hereinbefore specified, exceed fifty thousand dollars ($50,000) the amount of the bond need not exceed $50,000 plus 10 percent of the excess. Whenever the Director finds any bond required hereinunder to be inadequate, such bond, upon notice, shall be adjusted to meet the requirements of this section. If a person applying for registration as a market agency or dealer has been engaged in the business of handling livestock in such capacities prior to the date of the application, the value of the livestock so handled shall be used in computing the amount of bond in accordance with the provisions of this section.

§ 201.29 *Conditions in market agency and dealer bonds.* Bonds shall contain conditions applicable to the activity or activities in which the market agency or dealer, or both, named as principal in the bond is engaged which conditions shall be as follows or in terms to provide equivalent protection.

(a) Where the principal sells on commission: If the said principal shall safely keep and faithfully and promptly account for and pay to the owners or their duly authorized agents the proceeds of sales of all livestock received for sale on a commission basis by the said principal at a public stockyard as defined in the Packers and Stockyards Act.

(b) Where the principal buys on commission: If the said principal shall faithfully and promptly execute all orders for purchases of livestock undertaken by said principal on a commission basis, on behalf of buyers, at a public stockyard as defined in the Packers and Stockyards Act, and shall safely keep and properly disburse all funds coming into the hands of said principal for the purpose of making such livestock purchases, paying for all livestock so purchased.

(c) Where the principal operates as a dealer (trader): If the said principal shall pay, when due, to the person or persons entitled thereto the purchase price for all livestock purchased by said principal at a public stockyard as defined in the Packers and Stockyards Act.

(d) Where the principal "clears" and thus is responsible for the obligations of other registrants: If the said principal, acting in the capacity of broker or clearing agency, and thereby being responsible for the financial obligations of other registrants at a public stockyard as defined in the Packers and Stockyards Act, viz: (insert here the names of such registrants) ----------
---------- shall (1) pay, when due, to the person or persons entitled thereto the purchase price for all livestock purchased by such other registrant; (2) safely keep and properly disburse all funds coming into the hands of said principal for the purpose of making such purchases; and (3) safely keep and faithfully and promptly account for and pay to the owners or their duly authorized agents the proceeds of sales of all livestock received for sale on a commission basis by such other registrants for whom said principal acts as broker or clearing agency.

§ 201.30 *Trustee in market agency and dealer bonds.* Bonds shall be in favor of a financially responsible, disinterested trustee, satisfactory to the Director. Secretaries or other officers of livestock exchanges or of similar trade associations, and banks and trust companies, or their officers, are deemed suitable trustees.

§ 201.31 *Persons damaged may maintain suit to recover on market agency and dealer bonds.* The bond shall contain a provision that any person damaged by failure of the principal to comply with the condition clauses of the bond may maintain suit to recover on the bond even though such person is not a party named in the bond.

§ 201.32 *Termination of market agency and dealer bonds.* Every bond shall contain a provision requiring that at least ten days' notice in writing be given to the Director at Washington, D. C., by the party terminating such bond in order to effect its termination.

LICENSEES' BONDS

§ 201.33 *Standards for bonds or equivalents submitted by applicants for licenses or licensees under §§ 201.14 and 201.15.* Surety bonds submitted by applicants for licenses and by licensees as provided for by §§ 201.14 and 201.15 shall meet the following standards:

(a) Such bond or equivalent shall be conditioned to secure the performance of the obligations of the licensee incurred as such and may contain such other terms and conditions not inconsistent with the requirements of this regulation as may be agreed on between the parties thereto, including:

(1) Where the applicant or licensee sells live poultry on commission or agency basis the bond or equivalent shall contain the following clause:

If the said principal shall safely keep and faithfully and promptly account for and pay to the owners or their duly authorized agents the proceeds of sales of all live poultry received for sale on a commission basis by the said principal in his capacity as a licensee.

(2) Where the applicant or licensee operates as a dealer, the bond shall contain the following condition clause:

If the said principal shall pay, when due, to the person or persons entitled thereto the purchase price of all live poultry purchased by said principal in his capacity as a licensee.

(b) The principal sum of such bond shall at least be equal to the amount by which the applicant or licensee has failed to meet the requirements of these regulations.

§ 201.34 *Trustee on licensee bonds.* Bonds shall be in favor of a financially responsible, disinterested trustee, satisfactory to the Director. Secretaries of trade associations and banks and trust companies, or their officers, are deemed suitable trustees.

§ 201.35 *Persons damaged may maintain suit to recover on licensee bonds.* The bond shall contain a provision that any person damaged by failure of the principal to comply with the condition clauses of the bond may maintain suit to recover on the bond even though such person is not a party named in the bond.

§ 201.36 *Termination of licensee bonds.* Every bond shall contain a provision requiring that at least ten days' notice in writing be given to the Director at Washington, D. C., by the party terminating such bond in order to effect its termination.

GENERAL BONDING PROVISIONS

§ 201.37 *Underwriter; substantial equivalents acceptable in lieu of bonds.* The surety on bonds maintained under §§ 201.27–201.38 inclusive shall be a surety company approved by the Treasury Department of the United States for bonds executed to the United States. Any other form of indemnity which is found by the Director to afford protection substantially equivalent to that of a surety bond may be accepted in lieu of a bond.

§ 201.38 *Duplicates of bonds or equivalents to be filed with the Director, Washington, D. C.* Fully executed duplicates of bonds or equivalents shall be filed with the Director at Washington, D. C.

PROCEEDS OF SALE

§ 201.39 *Payment of to be to owner or authorized agent by market agencies or licensees; exceptions.* No market agency or licensee shall pay the net proceeds or any part thereof, arising from the sale of livestock or live poultry consigned to it for sale, to any person other than the owner of such livestock or live poultry, or his duly authorized agent, except upon an order from the Secretary of Agriculture or a court of competent jurisdiction, unless such person holds (1) a valid, unsatisfied mortgage or lien upon the particular livestock or live poultry, or (2) a written order executed by the owner at the time of or immediately following the consignment of such livestock or live poultry. The net proceeds arising from the sale of livestock, the ownership of which has been questioned by a market agency duly authorized to inspect brands, marks, and other identifying characteristics of livestock, may be paid in accordance with the directions of such duly authorized market agency, provided, the laws of the State from which such livestock originated or was shipped to market make provision for payment of the proceeds in the manner directed by the authorized agency.

§ 201.40 *Market agencies or licensees not to use shippers' proceeds or funds received for purchases on commission for own purposes through "bank float" or otherwise.* No market agency or licensee engaged in selling or buying livestock or live poultry on a commission or agency basis shall use shippers' proceeds or funds received for the purchase of livestock or live poultry on order for purposes of its own either through recourse to the so-called "float" in the bank account in which the proceeds or funds are deposited or in any other manner.

§ 201.41 *Market agencies or licensees to make faithful and prompt accounting to owners, consignors or other interested persons.* No market agency or licensee shall make such use or disposition of funds in its possession or control as will endanger or impair the faithful and prompt accounting for and payment of such portion thereof as may be due the owner or consignor of livestock or of live poultry or other person having an interest therein.

§ 201.42 *Shippers proceeds accounts.* If the Secretary finds that any market agency or licensee has used for purposes of its own any proceeds derived from the sale of livestock or live poultry handled on a commission or agency basis, or any funds received for the purchase of livestock or live poultry on a commission or agency basis, or any other funds which have come into its possession in its capacity of an agent, such market agency or licensee shall thereafter deposit the gross proceeds received from the sale of livestock or live poultry handled on a commission or agency basis in a separate bank account designated as "Shippers' Proceeds Account", or by a similar identifying designation. Such account shall be drawn on only for payment of the net proceeds to the person or persons entitled thereto and to obtain therefrom the sums due the market agency or licensee as compensation for its services as set out in its tariffs and for such sums as may be required to pay all legal charges against the consignments of livestock or live poultry as the market agency or licensee may, in its capacity as agent, be required to pay for and on behalf of the owner or consignor. For the proper maintenance of such accounts and in order to expedite examination thereof by duly authorized representatives of the Administration, the market agency or licensee in each case shall keep the accounts in a manner which will clearly reflect the handling of the funds in compliance with the requirements of this section.

ACCOUNTS AND RECORDS

§ 201.43 *Market agencies and licensees to make prompt accounting and transmittal of net proceeds.* Each market agency shall, before the close of the next business day following the sale of any livestock consigned to it for sale, transmit or deliver to the owner of the livestock, or his duly authorized agent the net proceeds received from the sale and a true written account of such sale, showing the number, weight, and price of each kind of animal sold, the name of the purchaser, the date of sale, the commission, yardage and other lawful charges and such other facts as may be necessary to complete the account. Each licensee acting as a broker, factor, or commission merchant shall, before the close of the next business day following the sale of

live poultry consigned to it for sale, transmit or deliver to the owner of the live poultry or his duly authorized agent the net proceeds received from such sale and a true written account thereof showing the number of pounds and the price of each kind of poultry sold, the date of sale, the name of the purchaser, the commission, coops, loading, unloading and other lawful charges and such other facts as may be necessary to complete the account and show the true nature of the transaction.

§ 201.44 *Market agencies and licensees to render prompt accounting for purchases on order.* Each market agency and licensee shall, promptly, following the purchase of livestock or live poultry on a commission or agency basis, transmit or deliver to the person for whose account such purchase was made or his duly authorized agent, a true written account of the purchase showing the number, weight, and price of each kind of animal purchased, or the weight and price of each kind of poultry purchased, the name or names of the person from whom purchased, the date of purchase, the commission and other lawful charges and such other facts as may be necessary to complete the account and show fully the true nature of the transaction.

§ 201.45 *Market agencies or licensees to make records available for inspection by owners or consignors or purchasers.* Each market agency and licensee engaged in the business of selling or buying live stock or live poultry on a commission or agency basis shall, on request from an owner, consignor, or purchaser, make available copies of bills covering charges paid by such market agency or licensee for and on behalf of the owner or consignor which were deducted from the gross proceeds of the sale of livestock or live poultry or added to the purchase price thereof when accounting for the sale or purchase.

§ 201.46 *Stockyard owners, registrants and licensees to keep daily record.* In addition to other necessary records an accurate record of the number of head of each class of livestock received, shipped, and disposed of locally each day shall be kept by each stockyard owner. Each registrant buying or selling or buying and selling livestock on a commission basis or otherwise, in addition to other necessary records, shall keep an accurate record of the number and weight of livestock bought or sold or bought and sold each business day, the prices paid or received therefor, and the charges made for services. Each licensee buying or selling or buying and selling live poultry on an agency basis or otherwise, in addition to other necessary records, shall keep an accurate record of the number of pounds of live poultry bought or sold or bought and sold each business day, the price paid or received therefor, and the charges made for services and facilities. Each licensee selling or buying live poultry on an agency basis shall keep an accurate record of the number of coops handled in connection with each transaction.

§ 201.47 *Market agencies or licensees to disclose pecuniary interest in purchasers if any.* No market agency or licensee acting as broker, factor, or commission merchant shall knowingly sell or dispose of livestock or live poultry consigned to it to any person in whose business such market agency or licensee or any stockholder, owner, officer, or employee thereof has a pecuniary interest except when such market agency or licensee clearly discloses such fact on the written account rendered to the owner or consignor of such livestock or live poultry.

§ 201.48 *Sellers of live poultry to issue sales tickets at designated markets.* With respect to each purchase or sale or purchase and sale of live poultry by licensees at designated markets a ticket shall be prepared by the seller. Each ticket shall show the name of the designated market, the date of the transaction, the names of the seller and buyer, the number of coops and kind of poultry and the price per pound and such terms and conditions as the parties may agree upon. Each ticket shall be legibly signed by the seller and the buyer or authorized representatives thereof and when thus signed shall constitute the contract of purchase and sale. One copy of such ticket shall be retained by the seller. On request a copy shall be furnished to the buyer. A copy shall be transmitted with an accounting of the sale to the owner or consignor of the live poultry if the transaction is one on an agency basis. Settlement between seller and buyer shall be on the basis of the duly executed and signed tickets required by this section unless good cause is shown for settlement on some other basis.

§ 201.49 *Requirements regarding scale tickets evidencing weighing livestock and the poultry.* When livestock or live poultry is weighed for purposes of purchase or sale, or purchase and sale, a scale ticket shall be issued which shall show the name of the agency performing the weighing service, the date of the weighing, the number of the scale or other information identifying the scale upon which the weighing is performed, the name of the seller, the name of the buyer, the name of the consignor, or suitable designations by which the seller, buyer, or consignor may be identified. In the case of livestock in addition to the information referred to above the scale ticket shall show the number of head, kind, and actual weight of the livestock, the amount of dockage, if any, and the name or initials of the person who weighed the livestock. In the case of live poultry in addition to the information referred to above, the scale ticket shall show the number of coops weighed, the gross, tare, and net weights and the name or initials of the person operating the scale at the time the weighing is done. Only stockyard owners, market agencies or licensees shall weigh livestock or live poultry and execute and issue scale tickets. Scale tickets issued under this section shall be in triplicate form, serially numbered and if such tickets are used on a type-registering beam, they shall conform to the specifications of the National Bureau of Standards. One copy shall be retained by the stockyard owner, market agency, or licensee issuing same, and one copy shall be furnished to the seller and one copy to the buyer. Duly authenticated copies shall be furnished on request to any owner or consignor of livestock or live poultry. In the case of any error of the weighmaster in preparing the scale ticket he shall prepare a corrected scale ticket showing the corrections made and state on the back thereof the reasons for such changes: *Provided however*, That no change in weight shall be made except upon a re-weighing of the livestock or live poultry. In the event any change of the scale ticket is requested by either the seller or the buyer the weighmaster shall issue another ticket bearing appropriate corrections or a correction slip which shall show thereon the change made and on the back thereof shall be shown the reasons for such changes: *Provided however*, That no change in weight shall be made at the request of either the buyer or seller. Before such correction ticket or slip shall be issued the weighmaster shall require the person requesting the change to sign such ticket or slip. The correction ticket shall be attached to the original ticket and bear the same serial number. The correction ticket shall show on its face that it is a correction ticket.

§ 201.50 *Records; disposition.* No stockyard owner, registrant, or licensee shall destroy or dispose of any books, records, documents, or papers which contain, explain, or modify transactions in his business under the Act, without the consent in writing of the Director.

§ 201.51 *Contracts; stockyard owners to furnish copies of.* Each stockyard owner shall furnish to the Packers and Stockyards Division, Livestock Branch, Food Distribution Administration at Washington, D. C., true copies of all contracts, or changes therein, between such stockyard owner and packing, rendering, serum, fertilizer, and other establishments relating to the business of the stockyard owner, except when it is shown that copies of such documents in the form in which they are effective are already in the possession of the United States Government at Washington and available to the Secretary.

§ 201.52 *Information as to rules on commission or agency basis not to be furnished to unauthorized parties.* No market agency or licensee, in connection with the sale of livestock or live poultry on a commission or agency basis, shall give to any person, not authorized by the Director, who does not have an interest in the consignment or a statement in writing from the owner thereof authorizing the market agency or licensee so to do, any copy of an account of sale or other paper or information which will reveal to such person any of the information shown on the account of sale relative to the price at which livestock or live poultry was sold and the amount of the net proceeds thereof remitted to the owner or consignor; *Provided, however*, That this shall not be construed to prevent a market agency or licensee from furnishing to a trucker, hauling livestock or live poultry for hire, information as to the weight of such livestock or live poultry in order that the trucker may have the necessary facts on which to base his hauling charges; *And provided further*, That this shall not prevent a market agency or licensee from giving to recognized market news reporting services such information as may be necessary to enable such reporting services to furnish the public with market news data.

TRADE PRACTICES

§ 201.53 *Livestock and live poultry market conditions and prices; operators not to circulate misleading reports.* A packer, stockyard owner, registrant or licensee shall not knowingly make, issue, or circulate any false or misleading report, record or representation concerning livestock or live poultry market conditions or the price or sale of any livestock or live poultry.

§ 201.54 *Gratuities to truckers.* No stockyard owner, market agency or licensee engaged in the business of selling or buying or selling and buying livestock or live poultry on a commission basis or otherwise shall give any trucker delivering livestock or live poultry for owners or consignors any gratuities, money, meals, or things of value except advertising novelties having a total value not in excess of 25¢. This regulation shall not preclude loans by a market agency or licensee to a trucker or shipper of livestock or live poultry which are evidenced by an interest bearing note, properly secured, and having a definite due date.

§ 201.55 *Purchases and sales to be made on actual weights.* When livestock or live poultry is bought or sold or bought and sold on a weight basis by persons subject to the provisions of the Act, settlement therefor shall be on the basis of the weight shown on the scale ticket or correction ticket unless shrinkages and other deductions in weight based on the condition of the livestock or live poultry at time of sale are provided for in appropriate rules filed with the Director.

§ 201.56 *Filling orders; prices to be paid.* No market agency engaged in the business of selling and buying livestock, on a commission basis, shall use any livestock consigned to it for sale to fill orders, except at a price higher than the highest available bid on such livestock after it has been offered for sale on the open market in the customary manner.

§ 201.57 *Livestock at auction; buying from consignments; pecuniary interest.* Whenever livestock consigned for sale on a commission basis is offered for sale at auction and is bought by the market agency or by any person in whose business the market agency has a pecuniary interest, the facts regarding the transaction shall be publicly announced by the market agency at the conclusion of the transaction with respect to such livestock. This shall not preclude the bona fide owner or consignor of the livestock from exercising such rights as are conferred on him by the laws of the State, in which the auction market is located, relating to sales of livestock at auction.

§ 201.58 *Sales to be to highest bidder without intermingling and not conditioned on sales of other consignments.* Every market agency and licensee engaged in the business of selling livestock or live poultry on a commission or agency basis shall offer the livestock or live poultry consigned to it for sale on the open market and shall sell such livestock or poultry at the highest available bid. In all instances the market agency or licensee shall sell each consignment of livestock or live poultry on its merits and shall not intermingle, prior to sale and for purpose of sale, the livestock or live poultry belonging to one consignor with the livestock or live poultry belonging to another and different consignor unless the consent of the several consignors has been obtained in advance. A market agency or licensee shall not make the sale of one consignment of livestock or live poultry conditional on the sale of another and different consignment of livestock or live poultry without the consent of the owners. If livestock or live poultry belonging to different owners is graded and sold in lots settlement shall be on the basis of the weight shown on the scale ticket or correction ticket issued at the time the livestock or live poultry is weighed or graded.

§ 201.59 *Taking consignments into own account; accounting; resales.* If a market agency or licensee takes to its own account livestock or live poultry consigned to it for sale on a commission or agency basis, it shall do so only after it has offered such livestock or live poultry for sale on the open market in the customary manner, and then such livestock or live poultry shall be taken into the account of the market agency or licensee only at a price higher than the highest available bid. In such event the market agency or licensee, in accounting to the owner or consignor of the livestock or live poultry, shall show on the account of sale as the purchaser of the livestock or live poultry the full, true, and correct name of the market agency or licensee. In event a market agency or licensee takes to its account livestock or live poultry belonging to one owner and resells the livestock or live poultry belonging to that owner in one lot on the same day at a price higher than that remitted to the owner, such additional price shall be remitted to the owner in a separate accounting.

§ 201.60 *Consignments on commission; officer, agent, or employee of consignee not to deal in.* No market agency or licensee shall permit its officers, agents, or employees to deal in livestock or live poultry consigned to the market agency or licensee for sale on a commission or agency basis.

§ 201.61 *Consignments; sales to clearees.* A market agency or licensee who sells livestock or live poultry consigned to it for sale on a commission or agency basis to a dealer or licensee whose financial obligations are cleared by such market agency or licensee shall report that fact in accounting to the owner or consignor of the livestock or live poultry.

§ 201.62 *Filling orders out of consignments of livestock; accounting.* Whenever any market agency uses livestock, consigned to it for sale on a commission basis, to fill an order on a commission basis, such market agency in accounting to the consignor or owner of the livestock so used shall fully and correctly disclose the fact that the livestock was sold to a purchaser for whom the market agency was filling an order on a commission basis. The market agency in accounting to the purchaser of such livestock, for whom it is filling an order on a commission basis, shall fully and correctly disclose to such purchaser that the livestock was purchased out of a consignment received by the market agency for sale on a commission basis.

§ 201.63 *Consignments; when not to be solicited.* No market agency or licensee shall solicit consignments of livestock or live poultry at or on stockyard premises or in designated areas or after such livestock or live poultry has been billed or consigned to a market agency or licensee and is in course of transportation for delivery to the consignee.

§ 201.64 *Consignments; guarantees not to be given.* No market agency or licensee, in soliciting consignments of livestock or live poultry shall guarantee to the owners thereof that such livestock or live poultry will be sold at a specific price or prices if consigned to the market agency or licensee for sale on a commission basis.

SERVICES

§ 201.65 *Accurate weights.* Each stockyard owner, market agency, or licensee, who weighs livestock at stockyards or live poultry in designated markets shall maintain and operate the scales used for such weighing so as to insure accurate weights.

§ 201.66 *Scales: testing of.* Each stockyard owner, market agency, or licensee who weighs livestock or live poultry for purposes of purchase or sale or who furnishes scales for those purposes shall cause such scales to be tested properly by competent agencies at suitable intervals in accordance with instructions of the Director, copies of which will be furnished to each stockyard owner, market agency, or licensee.

§ 201.67 *Scale operators to be competent.* Each stockyard owner, market agency, or licensee shall employ only competent persons to operate scales for weighing livestock and live poultry for the purposes of purchase or sale. They shall require such employees to operate the scales in accordance with instructions of the Director copies of which will be furnished to each stockyard owner, market agency, or licensee who employs persons to operate scales used for the purposes herein indicated.

§ 201.68 *Scales; reports of tests and inspections.* Each stockyard owner, mar-

ket agency, or licensee, who weighs livestock and live poultry for purposes of purchase or sale, shall furnish reports of tests and inspections of scales used for these purposes, on forms which will be furnished by the Director on request. When executed one copy of such form shall be retained by the stockyard owner, market agency, or licensee, and he shall cause one copy to be retained by the agency conducting the test and inspection of the scales, and the third copy shall be delivered to the local supervisor of the Packers and Stockyards Division, Livestock Branch, Food Distribution Administration, having charge of the work under the Act in the particular district in which the scales being tested are located. In case the test and inspection of scales as herein required are conducted by an agency of a State or municipality or other governmental subdivision, the forms ordinarily used by such agency for reporting tests and inspections of scales shall be accepted in lieu of the forms furnished for this purpose by the Director, *Provided*, That the test and inspection forms used by the State or other governmental agency contain substantially the same information as that required by the official form.

§ 201.69 *Scales; repairs and adjustments after inspection.* No scale shall be used by any stockyard owner, market agency or licensee unless it has been found upon test and inspection to be in a condition to give accurate weights. If any repairs, adjustments or replacements are made upon a scale it shall not be placed in use until it has again been tested and inspected in accordance with these regulations.

§ 201.70 *Reweighing.* Stockyard owners, market agencies, or licensees or their employees shall reweigh livestock or live poultry on request of duly authorized employees of the Administration.

§ 201.71 *Weighing for purposes other than purchase or sale.* Every stockyard owner, market agency, or licensee who weighs livestock or live poultry for purposes other than purchase or sale shall show on the scale tickets or other records used in connection with such weights the fact that they are not weights for purposes of purchase or sale.

§ 201.72 *Facilities and services at posted stockyards, or designated cities, markets, or places; no discrimination.* A stockyard owner shall not discriminate unfairly with respect to the utilization of pens, alleys, buildings, or facilities for the yarding, weighing or handling of livestock or the space for packing, rendering, and other establishments, or otherwise in the services and facilities of his stockyard. A licensee shall not discriminate unfairly with respect to the utilization of facilities for the handling of live poultry at designated cities, markets, or places or discriminate unfairly in the weighing or handling of live poultry or otherwise in the services rendered thereat.

§ 201.73 *Stockyard facilities or services to be furnished only to unsuspended properly registered and bonded parties.* No stockyard owner or operator shall, after notice, furnish services or facilities at his stockyard to any person who attempts to engage in the business of a market agency or dealer at his stockyard without being properly registered and bonded as required by the Act and these regulations or whose registration is under suspension.

§ 201.74 *Suspended or revoked registrants or licensees.* No registrant or licensee shall, after notice, furnish services or facilities or sell livestock or live poultry to or buy livestock or live poultry from any person required by this Act and these regulations to be registered and bonded or licensed who is not so registered and bonded or licensed or whose registration or license is suspended or revoked.

§ 201.75 *Livestock; yarding, feeding, watering, weighing, handling; care and promptness.* Each stockyard owner and registrant shall exercise reasonable care and promptness in respect to yarding, feeding, watering, weighing, or otherwise handling livestock to prevent waste of feed, shrinkage, injury, death, or other avoidable loss.

§ 201.76 *Live poultry; care and promptness in handling.* Each licensee shall exercise reasonable care and promptness in respect to unloading, placing in coops, feeding, watering, weighing, transporting, or otherwise handling live poultry to prevent waste of feed, shrinkage, injury, death, or other avoidable loss.

§ 201.77 *Feed and water furnished livestock and live poultry.* Each stockyard owner, market agency, or licensee, who furnishes feed or water to livestock at stockyards or live poultry in designated areas shall see that it is wholesome and fit for the purpose. They shall collect for feed so furnished according to actual or carefully estimated weight only and in accordance with their schedules of rates and charges filed under the Act.

§ 201.78 *Livestock auctions; accommodations, attendance, and admissions.* Stockyard owners or market agencies shall furnish adequate accommodations for the public to see and place bids on livestock offered for sale at auction but only those persons whose presence is necessary to the proper handling, buying, and selling of the livestock shall be permitted in the auction ring while the auction is in progress.

§ 201.79 *Packer scales; maintenance, operation, tests, and reports.* Packers owning or operating scales on which livestock is weighed for purposes of purchase in commerce for slaughter shall maintain and operate such scales so as to insure accurate weights.

INSPECTION OF BRANDS, MARKS AND OTHER IDENTIFYING CHARACTERISTICS

§ 201.80 *Application for authorization by state agencies or duly authorized state livestock associations; requisites.* A department or agency of a State, or a duly organized livestock association of a State in which branding or marking of livestock, or both, as a means of establishing ownership prevails by custom or statute, which desires to secure an authorization to charge and collect at any stockyard subject to the provisions of this Act a reasonable and nondiscriminatory fee for the inspection of brands, marks, and other identifying characteristics of livestock originating in or shipped from such State for the purpose of determining the ownership of such livestock shall file with the Director an application for such authorization in writing. The application shall set forth clearly facts showing the necessity for inspection and shall show that branding or marking, or both branding and marking, livestock as a means of establishing ownership prevails by custom or statute in the State. The application shall set forth additional information, including facts showing the experience, extent and efficiency of organization, possession of necessary records, and any other factor relating to the ability of the applicant to perform the proposed service, and in addition, in the case of a duly organized livestock association, the financial responsibility of the applicant and evidence of its organization. The application shall further state the name or names of the stockyards at which the applicant proposes to perform this service, and the fee which applicant proposes to charge for rendering the service.

§ 201.81 *Two or more applications from same state; procedure.* In case two or more applications for authorizations to collect a fee for the inspection of brands, marks, and other identifying characteristics of livestock, for the purpose of determining the ownership of such livestock, are received from the same State, and the facts set forth in the applications show such action to be necessary in order to reach a proper determination, a hearing will be held in conformity with the applicable rules of practice governing proceedings under the Act.

§ 201.82 *Registration and filing of schedules.* Upon the issuance of an authorization to an agency or an association, said agency or association shall register in accordance with the provisions of § 201.10 and shall file a schedule of its rates or charges for performing the service in the manner and form prescribed by §§ 201.17 to 201.26, inclusive.

§ 201.83 *Records of authorized agencies or associations.* Authorized agencies or associations shall maintain adequate records showing in detail the income derived from the collection of authorized fees, the disbursement of same as expenses for conducting the services, the inspections performed, and the results thereof, including records showing a full description of brands, marks, and other identifying characteristics of livestock which have been inspected. They shall also maintain currently records of the brands, marks, and other identifying characteristics of livestock located in the State from which such agency or association will operate, and with reference to which the authorization has been granted.

§ 201.84 *Fees; deduction and accounting.* Persons registered as market agencies selling livestock on a commission basis, at stockyards where an agency or association has been authorized under the provisions of section 317 (a) of the Act to collect a reasonable fee for the inspection of brands, marks, and other identifying characteristics of livestock shall deduct from the proceeds of the sale of such livestock on which such inspection has been performed, the fee as set forth in the tariffs filed by the agency or association and in effect at the time the services are rendered, and shall pay over to the authorized agency or association the amount of such fees. Said market agencies in accounting to the owner or consignor of the livestock on which such fees are collected shall clearly show the amounts deducted from the proceeds for the payment of such fees and the purpose for which the payments are being made. All other persons receiving at posted stockyards livestock which is subject to inspection by an agency or association which has been authorized under the provisions of section 317 (a) of the Act to collect a reasonable fee for the inspection of brands, marks, and other identifying characteristics of livestock, shall pay, upon demand, to such agency or association the fees authorized by the Act to be assessed and collected.

§ 201.85 *Inspections; reciprocal arrangements by authorized agencies or associations.* An authorized agency or association may make arrangements with an association or associations in the same or in another State, where branding or marking livestock prevails by custom or statute, to perform inspection service at posted markets on such terms and conditions as may be approved by the Director: *Provided*, Such arrangements will tend to further the purposes of the Act and shall not result in duplication of charges or services.

§ 201.86 *Maintenance of identity of consignments; inspection to be expedited.* All persons having custody of livestock subject to inspection shall make it available to the inspection agency authorized under the Act in such manner as to preserve the identity of the consignment until inspection has been completed. Agencies authorized to conduct such inspection shall perform the work as soon after receipt of the livestock as practicable and as rapidly as is reasonably possible in order to prevent delay in marketing, shrinkage in weight or other avoidable losses.

§ 201.87 *Existing contracts between authorized agencies; recognition and continuation.* The provisions of existing contracts between agencies authorized to collect fees and market agencies engaged in selling livestock on a commission basis, with reference to disposition of proceeds arising from the sale of livestock as to which ownership has been questioned, shall not be affected by these regulations to the extent that such contracts contain no provisions which are in conflict with the law or these regulations. Copies of all such contracts shall be filed promptly with the Director at Washington, D. C.

GENERAL

§ 201.88 *Information as to business: furnishing of by packers, stockyard owners, registrants, and licensees.* Each packer, stockyard owner, registrant, and licensee shall give to the Secretary or his duly authorized agent, in writing or otherwise, and under oath or affirmation if requested by such officer, any information concerning the business of the packer, stockyard owner, registrant, or licensee which may be required in order to carry out the provisions of the Act and the rules and regulations thereunder, within such reasonable time as may be specified in the request for such information.

§ 201.89 *Places of business, property, and records; inspection of.* Each stockyard owner, registrant, and licensee shall, during ordinary business hours permit any authorized representatives of the Secretary to enter the place of business and inspect any or all property in the possession or control and all records pertaining to the business of the stockyard owner, registrant, or licensee as such, and to make copies thereof, in order to carry out the provisions of the Act and the rules and regulations thereunder. Any necessary facilities for such inspection shall be extended to such representative by the stockyard owner, registrant, or licensee, his agents and employees.

§ 201.90 *Packers, stockyard owners, registrants or licensees; information concerning business not to be divulged.* No agent or employee of the United States shall, without the consent of the packer, stockyard owner, registrant, or licensee concerned, divulge or make known in any manner, except to such other agent or employee of the United States as may be required to have such knowledge in the regular course of his official duties or except in so far as he may be directed by the Secretary or by a court of competent jurisdiction, any facts or information regarding the business of any packer, stockyard owner, registrant, or licensee which may come to the knowledge of such agent or employee through any examination or inspection of the business or accounts of the packer, stockyard owner, registrant, or licensee, or through any information given by the packer, stockyard owner, registrant, or licensee pursuant to the rules and regulations in this part.

§ 201.91 *Annual reports.* Every packer, stockyard owner, market agency, dealer, and licensee, shall, upon request of the Director, file annually a report on prescribed forms and within such reasonable period as he may direct. The Director on good cause shown or on his own motion may waive the filing of such reports in particular cases.

The foregoing regulations shall become effective upon issuance.

Done at Washington, D. C., this 8th day of January 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-507; Filed, January 9, 1943; 1:44 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VIII—Procurement and Disposal of Equipment and Supplies

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

MISCELLANEOUS AMENDMENTS AND ADDITIONS

The following amendments and additions to the regulations contained in Part 81 are hereby prescribed. These regulations are also contained in War Department Procurement Regulations dated September 5, 1942,[1] as amended by changes No. 9, December 16, 1942.[2] In section numbers the figures to the right of the decimal point correspond with the respective paragraph numbers in the procurement regulations.

AUTHORITY: Sec. 5a National Defense Act, as amended, 41 Stat. 764, 54 Stat. 1225; 10 U.S.C. 1193-1195, and the First War Powers Act 1941, 55 Stat. 838, 50 U.S.C. Sup. 601-622.

MISCELLANEOUS PROHIBITIONS

The section headnote of § 81.110 is amended to read as follows:

§ 81.110 *Prohibition against use of troop labor.* * * *

NEGOTIATED PURCHASES

Paragraph (g) is added to § 81.205 as follows:

§ 81.205 *Special instructions.* * * *

(g) *Scheduling of deliveries.* Overordering and improper scheduling of deliveries must be avoided in order to preclude the possibility of causing disruptions of industries. When orders are placed with manufacturers calling for immediate delivery of yearly requirements it necessitates a sudden increase in manpower and eventually leads to their being forced to close their plants for lack of orders. It is apparent that this practice of overordering and failing to schedule deliveries properly tends to disrupt the Army Supply Program by not having industry available and in production when and as needed. Existing contracts should be reviewed with a view to re-scheduling deliveries so that deliveries will be made only a short time in advance of the time that the supplies are actually needed, and deliveries under future contracts should be scheduled in the same manner.

AUTHORITY TO MAKE AWARDS, CONTRACTS, AND MODIFICATIONS THEREOF; REQUIRED APPROVALS

Sections 81.308, 81.308a, and 81.308b are redesignated §§ 81.308a, 81.308b, and

[1] 7 F.R. 8082.

[2] For previous changes see 7 F.R. 8163, 9268, 9660, 10184, 10247, 10640 and 10906.

81.308c, respectively, and new §§ 81.308 and 81.308d are added as follows:

§ 81.308 *Supplemental agreements and clauses prescribed by §§ 81.322 to 81.359.* Except as otherwise specifically provided to the contrary in § 81.1206 or in any other paragraph of these procurement regulations, whenever any contract (either as originally drawn or as the same may have been modified, amended or supplemented) contains a provision covering the same subject matter as a clause prescribed by §§ 81.322 to 81.359, but in a form different from that therein prescribed, it will not be necessary, in executing any supplemental agreement or change order in connection with said contract, to amend such provision either with respect to the items which are the subject of the contract or with respect to the items which are the subject of the supplemental agreement or change order.

§ 81.308a *Supplemental agreements and change orders not involving receipt of consideration.* * * *

§ 81.308b *Correction of mistakes.* * * *

§ 81.308c *Contracts or supplemental agreements providing for advance payments.* * * *

§ 81.308d *Ratification of prior action.* In any case where an existing War Department contract or any section of these procurement regulations requires that any action affecting a War Department contract be approved by a contracting officer, chief of a supply service or other representative of the War Department in advance of the taking of such action or that it be so approved in writing by such officer or representative of the War Department after such action has been taken or after such stated time, such action may be ratified in writing by such officer or representative of the War Department after such action has been taken or after such stated time. Such ratification will take effect retroactively as of the date specified in the written instrument of ratification. In general, cases which are appropriate for the exercise of the authority contained in this section will fall into one of two categories, namely: (a) cases where, in the interest of expediting production and without obtaining the requisite prior approvals, action has been taken in reliance in good faith upon assurances of a person in authority, or (b) cases where the action taken without such assurances was of a nature which would have been approved had approval been sought seasonably. The prosecution of the war will be facilitated by the liberal use of the authority contained in this section.

FORMALITIES IN CONNECTION WITH EXECUTION OF CONTRACTS AND MODIFICATIONS THEREOF

Section 81.314 (d) is amended as follows:

§ 81.314 *Consent of sureties to modifications.* * * *

(d) *Examination of consents of sureties.* The original of each consent of surety required by paragraphs (a) and (b) of this section, together with the original signed number of the supplemental agreement or change order to which it relates will be forwarded through the Judge Advocate General to the General Accounting Office. The Judge Advocate General will examine the consent of surety as to form, execution and legal sufficiency and will then forward it together with the supplemental agreement or change order to the General Accounting Office for filing.

* * * * *

DISTRIBUTION OF CONTRACTS AND ORDERS THEREUNDER

Section 81.318 (a) is amended as follows:

§ 81.318 *Special cases—(a) Purchases under contracts of Procurement Division, Treasury Department; Navy Department; Post Office Department; etc.* (1) Purchase orders covering such purchases will be distributed in accordance with § 81.317.

(2) The chief of the supply service concerned will secure compliance with all special instructions of the respective agencies which make the contracts.

(3) Vouchers submitted to the General Accounting Office may relate to less than all of the items covered by the purchase order.

* * * * *

MANDATORY AND OPTIONAL CONTRACT PROVISIONS

Clause (f) of the "Advance Payments" clause quoted in § 81.347 is amended as follows:

§ 81.347 *Advance payments with interest.* * * *

(f) On the unliquidated balance of the advance payments outstanding, the contractor agrees to pay interest at the rate of two and one-half per cent per annum. Such interest shall be computed at the end of each calendar month on the average daily balance of the principal of the unliquidated advance payments outstanding. In determining such balance, charges on account of the advance payments to the Contractor hereunder shall be made as of the dates of the checks therefor; credits arising from deductions from payments to the contractor under this contract shall be made as of the dates the checks for such payments are drawn, and credits arising from cash repayments to the Government by the Contractor shall be made as of the dates the checks therefor are received by the disbursing officer. As soon as such monthly computations shall have been made, the interest so determined shall be deducted from the payments otherwise due to contractor under this contract: *Provided, however,* That in no event shall deductions on account of interest exceed five per cent (5%) of the gross payment due the contractor prior to any deduction under this paragraph or paragraph (e) or any other provisions of this contract. In the event the accrued interest exceeds such five per cent, the excess of such interest shall be carried forward and deducted from subsequent payments. The interest shall not be compounded, and shall, subject to the provisions of paragraph (d) hereof, cease to accrue upon the termination of the contract for other than the fault of the contractor, or upon the date found by the Contracting Officer to be the date upon which the contractor completed his performance under the contract.

* * * * *

Section 81.348 is amended as follows:

§ 81.348 *Advance payments without interest.* A clause substantially as follows will be included in fixed price contracts when it is contemplated that advance payments without interest will be made thereon:

* * * * *

Section 81.349 is added as follows:

§ 81.349 *Advance payments; additional provision.* The following sentences may be inserted immediately following the second sentence of clause (c) of the Advance Payments Articles set forth in §§ 81.347 and 81.348 when (a) a contractor has more than one contract with the supply service concerned and segregation of materials and separate accounting between the contracts are difficult or impracticable and (b) the contracts to be included within the pooling arrangement run concurrently or substantially overlap each other in time of performance:

When so authorized in writing by the Contracting Officer or his duly authorized representative, funds received as advance payments under this contract and any other contract or contracts now in existence or hereafter entered into between the _____ _____ and the Con-
(Chief of supply service)
tractor, together with any or all payments under this contract and such other contracts which are required to be deposited in a special account, may be considered to be a single revolving fund which may be used by the Contractor for the purposes of any or all of said contracts without regard to the origin of such funds. In such event, any provision of this contract inconsistent with the foregoing provisions shall be automatically modified accordingly.

Under like circumstances a similar insertion may be made after the second sentences of Article 3 of War Department Contract Forms Numbers 20 and 23. (See §§ 81.1320 and 81.1323.)

PROCUREMENT RESPONSIBILITY AND PURCHASE RESPONSIBILITY

In § 81.604 paragraph (a) is rescinded, paragraph (b) is redesignated paragraph (c), and new paragraphs (a) and (b) are added as follows:

§ 81.604 *Assignment of procurement and purchase responsibility.* The Procurement and Assignment Board shall have authority, with the approval of the Director of Procurement, to assign procurement responsibility and purchase responsibility in regard to all items or classes of items. Such responsibilities for a specific item or class of items may be assigned to the same service or to different services. Appendix I to these regulations contains a list of items and classes of items, for which procurement and purchase responsibility have been assigned by the Procurement Assignment Board. Additions to and changes in this list will be made from time to time. Procurement responsibility and purchase responsibility for a given item or class of items will remain with the service or services exercising such responsibilities unless and until otherwise assigned by the Board.

(a) In any given transaction, purchase of any item may be effected by a service other than the service having purchase responsibility: *Provided,* That either

(1) The item is required within a brief period of time and in the judgment of the service requiring the item cannot be provided in such time by the service having purchase responsibility for the item, or

(2) The service having purchase responsibility has first been consulted and has expressed its agreement.

In either case a report of the transaction should be made to the Procurement Assignment Board, Headquarters, Services of Supply, promptly after the completion of the transaction if the amount thereof exceeds $500.

(b) In any case where pursuant to the provisions of subparagraph (1) or (2) of paragraph (a) of this section, a purchase is made by a service other than the service having purchase responsibility, the voucher submitted to the General Accounting Office will contain, or be accompanied by, a statement (1) indicating that the service having purchase responsibility was first consulted and expressed its agreement, or (2) giving the specific reasons why the time element made such purchase necessary, as the case may be. It is to be emphasized that when such purchase is to be justified on the basis of the time element, a mere conclusion is not sufficient but a full and complete statement giving the specific reasons why the time element made such purchase necessary should be furnished.

(c) The purpose of assigning purchase responsibility as a separate and distinct function is (1) to permit centralization of purchase or purchase control and thereby to eliminate competition among the several supply services purchasing from industry, (2) to secure for the War Department the advantages incident to mass buying, and (3) to facilitate the control of purchasing procedure in cases where War Production Board Limitation Orders affect the supply of raw material and manufactured articles. Responsibility for inspection and acceptance in regard to a particular item or class of items may be assumed by the service having procurement responsibility: *Provided,* Such procedure is agreed upon by the service having purchase responsibility in regard to such item or class of items.

INTERDEPARTMENTAL PURCHASES

In § 81.606 paragraph (a) is amended, paragraph (b) and (c) are redesignated paragraphs (c) and (d) respectively, and a new paragraph (b) is added as follows:

§ 81.606 *Purchases under contracts of Procurement Division, Treasury Department—(a) Requirement.* Purchases will be made from Contracts of the Procurement Division, Treasury Department (General Schedule of Supplies), when so directed by the chief of the supply service concerned or when required by the terms of the contracts unless the item can not be furnished under such contracts within the time that the item is required by the supply service concerned.

(b) *Emergency purchases.* In any case where pursuant to the provisions of paragraph (a) of this section purchase of an item listed in the General Schedule of Supplies, is not made under a General Schedule of Supplies contract because the item could not be furnished under such a contract within the time that the item was required, the voucher submitted to the General Accounting Office will contain, or be accompanied by, a statement showing clearly that the time element made such purchase necessary. It is to be emphasized that a mere conclusion is not sufficient, but a full and complete statement giving the specific reasons why the time element made such purchase necessary should be furnished.

(c) *Procedure.* Chiefs of supply services are responsible for advising contracting officers as to the terms and conditions of all such contracts and as to whether purchases therefrom are mandatory.

(d) *"Schedule of Stock Items".* This publication of the Procurement Division of the Treasury Department lists the items which are carried in stock in the warehouse of that Division in Washington, D. C., primarily to supply the needs in that city. Field agencies of the War Department will not place orders on the Procurement Division for items which are stocked in the warehouse in Washington, D. C., for shipment outside the District of Columbia. This publication should not be distributed to War Department field agencies outside of Washington, D. C.

STATE AND LOCAL TAXES

Section 81.810 is amended and § 81.810a is added as follows:

§ 81.810 *Applicable tax directives.* While the various state and local tax laws are not uniform in their application, as a general rule Government purchases are exempt from such taxes. Neither are such laws uniform in their application to purchases by Government contractors. Information will be published from time to time as to the procedure to be followed with regard to state and local taxes. Information already published is contained in a series of memoranda for the Chiefs of the Supply Services and others as follows:

Alabama, January 12, 1942 (past transactions); January 23, 1942 (future transactions) as amended June 12, 1942.
Arkansas, April 15, 1942 (future transactions).
California, December 3, 1941, as amended August 10, 1942.
Colorado, November 30, 1942.
Georgia, January 30, 1942 (future transactions); February 13, 1942 (past transactions).
Illinois, January 23, 1942 (future transactions); June 26, 1942 (all manufacturing transactions).
Indiana, February 6, 1942 (transactions occurring on or after January 1, 1942, as amended March 6, 1942 and June 20, 1942); February 6, 1942 (transactions prior to January 1, 1942) (revisions pending).
Iowa, October 13, 1942.
Michigan, May 1, 1942.
Mississippi, May 5, 1942, as amended June 12, 1942.
Missouri, August 29, 1942 (transactions after February 6, 1942); August 29, 1942 (past transactions).
North Dakota, April 27, 1942.
Ohio, May 18, 1942.
Pennsylvania, April 9, 1942.
South Dakota, April 7, 1942 (future transactions).
Texas, January 23, 1942 (future transactions).
Utah, September 30, 1942.
Virginia, January 30, 1942 (future transactions).
Washington, April 27, 1942.
West Virginia, February 7, 1942 (future transactions as amended April 8, 1942).
Wyoming, April 24, 1942.

(a) Information as to the situation in other states or advice with respect to particular problems in the states listed above should be obtained from the Office of The Judge Advocate General by inquiry addressed to the attention of the Chief, Tax Division.

(b) The instructions contained in the memoranda listed above are modified by the provisions of § 81.810a (a) as they relate to the form of certificates required on invoices of subcontractors and suppliers under cost-plus-a-fixed-fee contracts.

§ 81.810a *Certificate of non-inclusion of state or local taxes in amounts billed.* Where purchases of materials or services by cost-plus-a-fixed-fee contractors or cost-plus-a-fixed-fee subcontractors are exempt from state or local taxes, the vendor's invoices, except as provided in paragraph (a) of this section, should contain the following statement:

State or local sales, use and similar taxes are not included in the amounts billed.

Where purchases by cost-plus-a-fixed-fee contractors or cost-plus-a-fixed-fee subcontractors are not exempt from state or local taxes the above statement may be omitted from vendor's invoices, but such taxes must be separately itemized.

(a) *Tax provisions of purchase orders issued by cost-plus-a-fixed-fee contractors and cost-plus-a-fixed-fee subcontractors.* Cost-plus-a-fixed-fee contractors and cost-plus-a-fixed-fee subcontractors may include in their purchase orders covering supplies or materials the following statement:

Any state or local sales, use, or similar tax, included in the amounts billed *must* be separately stated and itemized. It is understood, and the acceptance of this order shall constitute an agreement, that unless such taxes are separately stated and itemized, no such taxes are included in the amounts billed.

If this statement is included in the purchase order and if no state or local taxes are included in the amount billed to such cost-plus-a-fixed-fee contractor or cost-plus-a-fixed-fee subcontractor, the supplier of such supplies or materials need not include upon his invoice the statement quoted in § 81.810a that certain state or local taxes are not included in the amounts billed. However, even where the purchase order contains the statement quoted above in this paragraph, the invoice of the supplier under the purchase order must separately state and itemize all state or local sales, use or similar taxes which are in fact included in the price billed.

OVERTIME WAGE COMPENSATION

Section 81.965 (a) is amended as follows:

§ 81.965 *Exceptions*—(a) *Shipbuilding Stabilization Agreement.* All work subject to the Zone Standards Agreement for the Shipbuilding and Ship Repair Industry has been excepted from the provisions of the order for the period ending January 31, 1943.

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WAGE AND SALARY STABILIZATION

Section 81.977 is amended; paragraphs (a), (b), and (c) are redesignated §§ 81.977a, 81.977b, and 81.977c, respectively; and §§ 81.977d to 81.977kk are added as follows:

§ 81.977 *Regulations of Commissioner of Internal Revenue.* From time to time the Commissioner of Internal Revenue issues regulations, with the approval of the Secretary of the Treasury, establishing procedures and rules for the administration and interpretations of such portions of Executive Order No. 9250 and of the regulations of the Economic Stabilization Director approved by the President on October 27, 1942 (§ 81.976 (p)) as are administered by the Commissioner of Internal Revenue. These regulations are set forth in §§ 81.977a to 81.977kk.

§ 81.977a *Salary Stabilization Unit* (*§ 1001.1*). There is established a Salary Stabilization Unit, which shall be under the supervision of a deputy commissioner of internal revenue, appointed in accordance with law, and which shall be independent of all other units of the Bureau of Internal Revenue.

§ 81.977b *Authority of Unit* (*§ 1001.2*) The Commissioner of Internal Revenue may confer upon the deputy commissioner in charge of the Salary Stabilization Unit such powers and duties as he shall deem necessary for the effective administration of the provisions of this Treasury decision.

§ 81.977c *Regional offices* (*§ 1001.3*). The Commissioner of Internal Revenue may establish such regional offices as he shall deem necessary for the effective administration of the provisions of this Treasury Decision.

§ 81.977d *General terms* (*§ 1002.1*). When used in these regulations unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(a) The term "Act" means the Act of October 2, 1942, (Public No. 729, 77th Congress) entitled "An Act to amend the Emergency Price Control Act of 1942, to aid in preventing inflation, and for other purposes".

(b) The term "Board" means the National War Labor Board created by Executive Order No. 9017, dated January 12, 1942 (7 F.R. 237).

(c) The term "Commissioner" means the Commissioner of Internal Revenue.

(d) The term "Code" means the Internal Revenue Code, as amended and supplemented.

(e) The term "person" has the same meaning as when used in the Code.

(f) The term "General Regulations" means regulations (relating to wages and salaries) issued by the Economic Stabilization Director, approved by the President on October 27, 1942 (7 F.R. 8748), and as amended or supplemented by subsequent regulations issued by the Economic Stabilization Director relating to wages and salaries.

(g) The term "in contravention of the Act" means in contravention of the Act of October 2, 1942 (referred to in paragraph (a) above), Executive Order No. 9250 of October 3, 1942 (7 F.R. 7871), the General Regulations, these regulations and other rulings and regulations promulgated under such Act.

§ 81.977e *Employee and employer* (*§ 1002.2*). An employee, for the purposes of these regulations, is an individual who performs services for compensation where the relationship between him and the person for whom he performs the services is the legal relationship of employee and employer. An employer is any person for whom an individual performs any services, of whatever nature, as the employee of such person. The term "employer" is not limited to private persons engaged in trade or business, but includes organizations which, under section 101 of the Code, are exempt from income taxation, and also government departments and agencies. The existence of the legal relationship of employer and employee is to be ascertained in the light of the general purposes of the Act and the General Regulations.

Generally, the legal relationship of employer and employee exists when the person for whom services are performed has the right to control and direct the individual who performs the services, not only as to the result to be accomplished by the work done, but also as to the details and means by which that result is accomplished. An employee is generally subject to the will and control of the employer not only as to what shall be done but how it shall be done. In this connection it is unnecessary that the employer actually direct or control the precise manner in which the services are performed; it is sufficient that he has the right to do so.

The right to discharge is also an important factor indicating that the person possessing that right is an employer.

Other factors characteristic of an employer, but not necessarily present in every case, are the furnishing of tools and the furnishing of a place to work to the individual who performs the services. In general, if an individual is subject to the control or direction of another merely as to the result to be accomplished by the work and not as to the means and methods for accomplishing the result, he is an independent contractor. An individual performing services as an independent contractor is not an employee as to such services. Physicians, lawyers, architects, contractors and others who follow an independent trade, business or profession in which they offer their services to the public are generally independent contractors and not employees. Whether the relationship of employer-employee exists will be determined upon an examination of the particular facts of each case.

If the relationship of employer and employee exists the designation or description of the relationship by the parties as anything other than that of employer and employee is immaterial. If such relationship exists, it is of no consequence that the employee is designated as a partner, co-adventurer, agent or independent contractor. The measurement, method, or designation of compensation is immaterial if the relationship of employer and employee thus in fact exists.

An officer of a corporation is an employee of the corporation but a director as such is not. A director may be an employee of the corporation, however, if he performs services for the corporation other than those required by attendance at and participation in meetings of the board of directors.

§ 81.977f *Executive employees* (*§ 1002.3*). An individual "employed in a bona fide executive capacity" means any employee:

(a) Whose primary duty consists of the management of the establishment in which he is employed or of a customarily recognized department or subdivision thereof, and

(b) Who customarily and regularly directs the work of other employees, and

(c) Who has the authority to hire or fire other employees or whose suggestions and recommendations as to the hiring or firing and as to the advancement and promotion or any change of status of other employees will be given particular weight, and

(d) Who customarily and regularly exercises discretionary powers, and

(e) Who is compensated for his services on a salary basis at not less than $30 per week (exclusive of board, lodging, or other facilities), and

(f) Whose hours of work of the same nature as that performed by employees not employed in an executive, administrative or professional capacity do not exceed 20 percent of the total number of hours worked in the workweek by the employees under his direction; *Provided*, That this paragraph (f) shall not apply in the case of an employee who is in sole charge of an independent establishment or a physically separated branch establishment.

§ 81.977g *Administrative employees* (*§ 1002.4*). An individual "employed in a bona fide administrative capacity" means any employee:

(a) Who is compensated for his services on a salary or fee basis at a rate of not less than $200 per month (exclusive of board, lodging, or other facilities), and

(b) (1) Who regularly and directly assists an employee in a bona fide executive or administrative capacity (as such terms are defined in these regulations), where such assistance is nonmanual in nature and requires the exercise of discretion and independent judgment; or

(2) Who performs under only general supervision, responsible nonmanual office or field work, directly related to management policies or general business operations, along specialized or technical lines requiring special training, experience, or knowledge, and which requires the exercise of discretion and independent judgment; or

(3) Whose work involves the execution under only general supervision of special nonmanual assignments and tasks directly related to management policies or general business operations involving the exercise of discretion and independent judgment; or

(4) Who is engaged in transporting goods or passengers for hire and who performs, under only general supervision, responsible outside work of a specialized or technical nature requiring special training, experience, or knowledge, and whose duties require the exercise of discretion and independent judgment.

§ 81.977h *Professional employees* (*§ 1002.5*). Any individual "employed in a bona fide professional capacity" means any employee who is:

(a) Engaged in work:

(1) Predominantly intellectual and varied in character as opposed to routine mental, manual, mechanical, or physical work, and

(2) Requiring the consistent exercise of discretion and judgment in its performance, and

(3) Of such a character that the output produced or the result accomplished cannot be standardized in relation to a given period of time, and

(4) Whose hours of work of the same nature as that performed by employees not employed in an executive, administrative or professional capacity do not exceed 20 percent of the hours worked in the workweek by such employees: *Provided*, That where such non-professional work is an essential part of and necessarily incident to work of a professional nature, this subparagraph (4) shall not apply, and

(5) (i) Requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study, as distinguished from a general academic education and from an apprenticeship, and from training in the performance of routine mental, manual, or physical processes; or

(ii) Predominantly original and creative in character in a recognized field of artistic endeavor as opposed to work which can be produced by a person endowed with general manual or intellectual ability and training, and the result of which depends primarily on the invention, imagination, or talent of the employee, and

(b) Compensated for his services on a salary or fee basis at a rate of not less than $200 per month (exclusive of board, lodging, or other facilities): *Provided*, That this paragraph (b) shall not apply in the case of an employee who is the holder of a valid license or certificate permitting the practice of law or medicine or any of their branches and who is actually engaged in the practice thereof.

§ 81.977i *Salary payments* (*§ 1002.6*). The terms "salary" and "salary payment" mean only such salaries over which the Commissioner has jurisdiction. (See § 1002.10 of these regulations.) These terms are not used in any restricted, narrow or technical sense, but encompass all forms of direct or indirect compensation for personal services of an employee which is computed on a weekly, monthly, annual or other basis, other than wages (as defined in the General Regulations and in orders or rulings of the Board). Bonuses, gifts, loans, commissions, fees, additional compensation and any other remuneration in any form or medium whatsoever are considered as falling within the concept of "salary" or "salary payment". Any compensation which is not regarded as wages in the commonly accepted sense of the term is salary notwithstanding that it may be computed on an hourly, daily or piecework basis.

Retainer fees paid to an individual, not otherwise an employee, are not to be considered as salary. Insurance and pension benefits in a reasonable amount (see § 1002.8) are likewise excluded from the terms "salary" and "salary payment".

Although the terms "salary" and "salary payment" do not include any compensation other than for personal services of an employee, the Commissioner is not precluded from determining, after investigation, that amounts denominated, for example, as rents or royalties are in fact salary payments subject to the controls set forth in these regulations.

All amounts paid to, authorized to be paid to, or accrued to the account of any employee during a calendar year for services rendered or to be rendered are to be included as salary for such year.

§ 81.977j *Salary rate* (*§ 1002.7*). The term "salary rate" means the rate or aggregate of rates or other basis at which the salary for any particular work or service is computed, either under the terms of a contract or agreement, express or implied, or in conformity with custom or usage existing in the employer's business establishment. (For treatment of commissions and bonuses on a percentage basis see § 1002.14.)

§ 81.977k *Insurance and pension benefits* (*§ 1002.8*). Compensation may include insurance and pension benefits. In determining the amount of salary of an employee, the insurance or pension benefit inuring to such employee is not measured by what he will be entitled to receive after the happening of certain contingencies, but rather in terms of the amount of contributions or premiums paid by the employer. To the extent that an insurance and pension benefit inuring to an employee is reasonable in amount, such benefit is not considered as salary as defined in § 1002.6.

Section 165 (a) of the Code sets forth the conditions under which a trust forming part of a stock bonus, pension or profit-sharing plan of an employer for the exclusive benefit of his employees or their beneficiaries shall not be taxable for Federal income tax purposes. Contributions by an employer to an employee's trust or under an annuity plan, which trust or plan meets the exemption requirements of such section 165 (a) (as of the date the contributions are made), shall be considered as reasonable, regardless of the amount of such contributions. On the other hand, contributions by an employer to an employee's trust which is subject to Federal income taxation because it does not meet the requirements of such section 165 (a) shall be treated, for purposes of these regulations, as salary.

To the extent amounts paid by an employer on account of insurance premiums on a policy on the life of an employee are deductible by the employer in computing net income under the conditions set forth in section 23 (a) of the Code (relating to deductions for ordinary and necessary business expenses), such amounts are not considered as salary. The amount of insurance premiums that will be considered as falling outside the concept of salary cannot exceed the amount of such premiums deductible by the employer for Federal income tax purposes. If, however, such insurance premiums are includible in the gross income of the employee (for whose benefit the insurance has been taken out), as well as deductible by the employer, the amount which shall not be considered as salary in respect of such employee may not exceed 5 percent of the employee's annual salary determined without the inclusion of insurance and pension benefits.

The application of the preceding paragraph may be illustrated by the following examples. An employer having 20 salaried employees takes out life insurance policies on each of such employees in favor of beneficiaries designated by them. The premiums paid for 10 of the employees are in each instance 7 percent of the employee's annual salary (exclusive of insurance and pension benefits). As to the remaining 10 employees the premiums in each instance are 5 percent of the employee's annual salary (exclusive of insurance and pension benefits). It is assumed that with respect to each employee the premium paid would be includible in his gross income under the Code and would be deductible by the employer under section 23 (a) of the Code. As to the first 10 employees 2 percent of the premiums in each instance will be considered as salary, whereas no part of the premiums will be considered as salary in the case of the second group of employees. If, however, none of the premiums were deductible in computing the net income of the employer, then the entire amount of the premium in each instance would be considered as salary to the employee involved.

Premiums paid by an employer on policies of group life insurance without cash surrender value covering the lives of his employees, or on policies of group health or accident insurance, the beneficiaries of which are designated by such employees do not constitute salary (regard-

less of the amount of salary otherwise received annually by such employees) if such premiums are deductible by the employer under section 23 (a) of the Code.

§ 81.977l *Approval by Commissioner (§ 1002.9).* Wherever the terms "approval by the Commissioner" and "determination by the Commissioner" are used in these regulations they shall, except as otherwise provided, include an approval or determination by a regional officer of the Salary Stabilization Unit established by the Commissioner under Treasury Decision 5176, which officer is authorized to make such determination. If an approval or determination made by such regional officer is subsequently modified or reversed by the Commissioner such approval or determination shall be deemed to have been continuously in effect from its original date until the first day of the payroll period following reversal or modification, or until such later date as the Commissioner may provide in his ruling.

To illustrate, an employer obtains the approval of a regional officer of the Salary Stabilization Unit that a proposed increase in certain salaries is permissible. The approval is given on January 2, 1943, and the salary increase is to become effective January 15, 1943. On March 15, 1943, the Commissioner determines that the salary increase was not proper and reverses the approval given by the regional officer. The Commissioner provides in his ruling that the increase in salary shall be discontinued after March 31, 1943. For purposes of these regulations, no part of the salary for the period between January 15 and March 31 shall be considered to have been in contravention of the Act.

§ 81.977m *Amount of salary payment (§ 1002.10).* (a) The General Regulations provided that the Commissioner shall have authority to determine, under regulations to be prescribed by the Commissioner with the approval of the Secretary of the Treasury, whether salary payments are made in contravention of the Act. The Commissioner's jurisdiction is confined to:

(1) Salary payments in excess of $5,000 per annum, in the case of individuals employed in any capacity whatsoever; and

(2) Salary payments of $5,000 or less per annum, in the case of individuals (i) who are employed in bona fide executive, administrative or professional capacities, and (ii) who, in their relations with their employer, are not represented by duly recognized or certified labor organizations, and (iii) whose services are not within the meaning of "agricultural labor" as defined in paragraph (l) of § 4001.1 of the General Regulations.

Other salary payments are subject either to the jurisdiction of the Board or the Secretary of Agriculture, as prescribed in the General Regulations. If, for example, a salary is to be increased from $4500 per annum to $5200 per annum (and subparagraph (2) is inapplicable), approval of such increase, if required, must be obtained from the Board.

§ 81.977n *Conclusiveness of determination (§ 1002.11).* (a) Any determination by the Commissioner that a salary payment is in contravention of the Act is conclusive in every respect upon all executive departments and agencies of the Federal Government for the following purposes:

(1) Determining costs or expenses of any employer for the purpose of any law or regulation, either heretofore or hereafter enacted or promulgated, including the Emergency Price Control Act of 1942, or any maximum price regulation thereunder;

(2) Calculating deductions under the revenue laws of the United States; or

(3) Determining costs or expenses under any contract made by or on behalf of the United States.

(b) Any such determination of the Commissioner is final and not subject to review by The Tax Court of the United States or by any court in any civil proceedings. Nothing herein is intended, however, to deny the right of any employer or employee to contest in The Tax Court of the United States or in any court of competent jurisdiction the validity of:

(1) Any provision of these regulations, on the ground such provision is not authorized by law, or

(2) Any action taken or determination made under these regulations, on the ground that such action or determination is not authorized, or has not been taken or made in a manner required, by law.

(c) No increase in salary rate shall result in any substantial increase of the level of costs or furnish the basis either to increase price ceilings of the commodity or service involved or to resist otherwise justifiable reductions in such price ceilings.

§ 81.977o *Geographical scope (§ 1002.12).* The provisions of these regulations shall not apply to salaries in any Territory or possession of the United States, except Alaska and Hawaii.

§ 81.977p *Commissioner's approval required (§ 1002.13).* Section 1 of the Act provides in effect that salaries, so far as practicable, shall be stabilized at the levels which existed on September 15, 1942. In the case of a salary rate of $5,000 or less per annum existing on October 27, 1942, or established thereafter in compliance with these regulations, and in the case of a salary rate of more than $5,000 per annum existing on October 3, 1942, or established thereafter in compliance with these regulations, no increase shall be made by the employer, except as provided in § 1002.14, without prior approval of such increase by the Commissioner. Any salary increase made before the required approval of the Commissioner is obtained is from the date of such increase in contravention of the Act. (See §§ 1002.28 and 1002.29 for the consequences of a salary payment made in contravention of the Act.) The Commissioner may, however, approve an increase in salary rate to be effective as of the date of the application for approval.

The burden of justifying an increase in salary rate shall in every instance be upon the employer seeking to make such increase. Increases in salary rates will not be approved unless necessary to correct maladjustments or inequalities, or to aid in the effective prosecution of the war. A promise made by an employer to his employees prior to October 3, 1942 that salaries would be increased in the future is generally to be ignored in determining whether an increase after that date should be approved. The same rule is applicable with respect to a promise made by an employer prior to October 27, 1942, in the case of employees whose salary rates are $5,000 or less per annum. A salary increase, however, may be approved, as to salaries below $5,000 per annum, if to deny such increase would be to force the continuation of a salary which is below the general level existing for the same or comparable work in the local area on September 15, 1942.

An employer who has established a new job classification, or who has begun business, after October 3, 1942, must obtain approval of the Commissioner for the payment of salaries for such job classification or in such new business: *Provided, however,* That if the salary rates in question are not in excess of those prevailing for similar job classifications within the local area, the approval of the Commissioner is not required. An increase in a salary rate for a job classification established after October 3, 1942, shall be subject to the limitations provided in this Subpart.

A mere change in the name, organization, or financial structure of an employer, whether such employer be an individual, partnership or corporation, will not in itself be sufficient for a finding that, for the purposes of these regulations, a new business has been begun or new job classification established after such change.

Any change in a salary rate, regardless of its effective date, which results from an award or decision of an arbitrator or referee made after October 3, 1942, in the case of salaries of more than $5,000 per annum, and after October 27, 1942 in the case of salaries of $5,000 or less per annum, is subject to the provisions of these regulations notwithstanding that the agreement or order for arbitration or reference was made on or before October 3, 1942 or October 27, 1942, as the case may be.

Unless otherwise expressly exempted, any change in a salary rate, provided for in any agreement existing as of October 3, 1942 in the case of salaries of more than $5,000 per annum, or as of October 27, 1942 in the case of salaries of $5,000 or less per annum, which is to take effect at some future date or on the happening of some future event, is subject to the provisions of these regulations regardless of when the agreement was made.

Payment for overtime will constitute an increase in salary rate, and thus will require the approval of the Commissioner, unless the customary practice of the employer has been to pay for overtime, and the rate has not been changed.

Except as may be otherwise provided from time to time by the Commissioner, an application for the approval of a salary increase shall be filed by the employer with the regional office of the Salary Stabilization Unit of the Bureau of Internal Revenue in whose territorial jurisdiction the main office or principal place of business of the employer is located. Such application shall be filed on forms prescribed by the Commissioner and shall contain such information as may be required by the Commissioner.

§ 81.977q *Commissioner's approval not required (§ 1002.14).* The Commissioner's approval is not required where an increase in salary rate is made in accordance with the terms of a salary agreement or salary rate schedule in effect on October 3, 1942, or approved thereafter by the Commissioner, and is a result of:

(1) Individual promotions or reclassifications,

(2) Individual merit increases within established salary rate ranges,

(3) Operation of an established plan of salary increases based on length of service,

(4) Increased productivity under incentive plans,

(5) Operation of a trainee system, or

(6) Such other reasons or circumstances as may be prescribed in rulings or regulations promulgated by the Commissioner from time to time.

For purposes of this section, the term "salary agreement" or "salary rate schedule" may include a salary policy in effect on October 3, 1942, even though not evidenced by written contracts or written rate schedules. For example, a salary policy may be determined from previous payroll records or other payroll data. The existence of such policy, however, must be established to the satisfaction of the Commissioner, and the burden of proof rests upon the employer. In such cases, the employer in advance of making an increase in salary rate may reduce the salary policy to writing and secure approval thereof by the Commissioner.

A bonus or other form of additional compensation which does not exceed in amount the bonus or other additional compensation to such employee for the last bonus year ending before October 3, 1942 does not require approval by the Commissioner. In addition a bonus based upon a fixed percentage of salary where the percentage has not been changed, does not require approval by the Commissioner even though the amount may be increased due to an authorized increase in salary. Any other bonus or other form of additional compensation, requires approval by the Commissioner. Where the compensation, or part thereof, is paid on a commission basis and is based upon a fixed percentage (which has not been changed) of sales made by the employee, a payment does not require approval by the Commissioner even though the amount may represent an increase due to increased sales by the employee. (See, however, Subpart F of these regulations.)

The provisions of this section may be illustrated as follows:

(1) The X Corporation began business in 1940. As of July 1, 1942, pursuant to a corporate resolution duly passed in January 1942, all of its salaried employees received more than $5,000 per annum. No approval of the Commissioner is required to increase the salary of an employee who is promoted in November 1942 from a salesman to general manager and who receives a salary within the salary range paid previously to individuals occupying the position of general manager.

(2) The X Corporation in December 1942 wishes to establish a new salary rate schedule raising the level of compensation of all its salaried employees. Approval by the Commissioner of such schedule is required. Assuming that such approval has been obtained, further approval by the Commissioner of any adjustment under such schedule coming within this section is not required.

(3) The Y Corporation begins business on November 1, 1942. The salaries paid by it to its employees are commensurate with salaries paid by other emplcyers in comparable businesses in the same local area. Payment of such salaries does not require the approval of the Commissioner. Any increase in salary rates, however, requires the approval of the Commissioner.

(4) The M Corporation, which has manufactured furniture since 1925, is reorganized in November 1942 and emerges from the reorganization proceedings as the N Corporation. There is no change in the nature of the business although there is a substantial alteration in the financial structure of the company. The N Corporation is not to be treated as a new employer beginning business after October 27, 1942. Consequently, any general increase in salaries over and above those paid by the M Corporation requires the prior approval of the Commissioner.

(5) Employees of the Z Corporation have customarily received a bonus of 5 percent of their annual salary at the end of each calendar year. If, for example, one of the employees received $6,000 in 1941 but received salary of $7,000 in 1942 due to a salary increase on July 1, 1942, a bonus of $350 may be paid to him for 1942 without prior approval of the Commissioner, notwithstanding that his bonus for 1941 was only $300.

§ 81.977r *Salaries under $5,000 (§ 1002.15).* In the case of a salary rate existing as of the close of October 3, 1942, or established thereafter in compliance with these regulations, under which an employee is paid a salary of less than $5,000 per annum for any particular work, the general rule is that no decrease can be made by the employer in such salary rate below the highest salary paid for such work in the local area between January 1, 1942 and September 15, 1942. A decrease is permitted, however, with the approval of the Commissioner, in order to correct a gross inequity in any case or to aid in the effective prosecution of the war. Where such decrease is permitted the salary rate may be reduced below the highest salary rate paid for the work in question between January 1, 1942 and September 15, 1942. Except as otherwise provided in this section, any decrease in such salary rate after October 3, 1942 shall be considered in contravention of the Act if it is made prior to the approval thereof by the Commissioner.

Except as may be otherwise provided from time to time by the Commissioner, an application for approval of any salary decrease shall be filed in the same manner as in the case of an application for approval of a salary increase. (See § 1002.13 of these regulations.)

The Commissioner's approval is not required, for example, in the following cases where salary decreases are made after October 3, 1942.

(1) The new salary rate does not fall below the highest salary rate existing between January 1, 1942 and September 15, 1942 for the particular work in question or for the same or comparable work in the local area.

(2) An employee has been demoted to a lower position than that filled by him between January 1, 1942 and September 15, 1942 and the salary rate for such lower position is not less than the highest salary rate existing for that position during the same period.

(3) An employee has been relieved of substantial duties and responsibilities.

A disparity between salaries paid by a particular employer and those paid by employers generally in the local area does not necessarily constitute justification for decrease in salary rates paid by such employer.

§ 81.977s *Salaries over $5,000 (§ 1002.16).* In the case of a salary rate existing as of the close of October 3, 1942, or established thereafter in compliance with these regulations, under which an employee is paid a salary of more than $5,000 per annum, the employer is permitted to make, without approval by the Commissioner, a decrease to a rate not less than $5,000 per annum. If, however, by virtue of a decrease the new salary paid to the employee is less than $5,000 per annum, then the decrease below $5,000 per annum is subject to the limitations of § 1002.15 of these regulations. To the extent that prior approval by the Commissioner of a decrease is not required under § 1002.15 or this section, such decrease shall not be considered as being in contravention of the Act.

§ 81.977t *State and local employees (§ 1002.17).* An adjustment in salaries (not fixed by statute, see § 1002.32) may be made by a State, or any political subdivision thereof, the District of Columbia, or any agency or instrumentality of any of the foregoing, on certification to the Commissioner that such adjustment is necessary to correct maladjustments, or to correct inequalities or gross inequities. The certification procedure shall not apply to any adjustment which would not otherwise require the Commissioner's approval or which would raise salaries beyond the prevailing level of compensation for similar services in the area or community. A certificate by the official or agency authorizing the adjustment stating the nature and amount of such adjustment, and briefly setting forth the facts meeting the foregoing requirement, will be accepted by the Commissioner as sufficient evidence of the propriety of the adjustment, subject to review by the Commissioner. Modification by the Commissioner of adjustments made by a governmental official or agency acting pursuant hereto shall not be retroactive.

In exceptional cases where such an adjustment is sought, and in all cases where the agency seeks an adjustment other than by the certification procedure, application for approval shall be filed with the appropriate regional office of the Salary Stabilization Unit.

§ 81.977u *Basic allowance (§ 1002.18).* In addition to setting forth limitations on increases and decreases in salary rates, the General Regulations provide a ceiling on the amount of salary which may be paid to any employee during a calendar year. The general rule is that no amount of salary may be paid or authorized to be paid to or accrued to the account of any employee or received by him during the calendar year 1942, and in each succeeding calendar year, which, after reduction by the Federal income taxes on the amount of such salary, computed as below without regard to other income and without regard to deductions or credits, would exceed $25,000. Additional allowances of salary which may be permitted in certain circumstances are described in §§ 1002.19 to 1002.22 inclusive.

The amount of Federal income taxes referred to in the preceding paragraph shall be determined:

(1) By applying to the total amount of salary (but not including any amounts allowable under § 1002.19 to 1002.22, inclusive, of these regulations) paid or accrued during the calendar year in question, undiminished by any deductions, the rates of taxes imposed by Chapter 1 of the Code (except section 466 thereof relating to withholding) as if such total amount of salary were the net income (after the allowance of the appropriate credits), the surtax net income, and the Victory tax net income, respectively; and

(2) Without further allowance of any other credits against any of such taxes.

Assume that the rates imposed under Chapter 1 of the Code, as amended by the Revenue Act of 1942, are applicable with respect to the calendar year 1943. Under the formula described in the preceding paragraph, the basic allowance of salary for 1943 (which after reduction by the Federal income taxes would yield $25,000) is $67,200. This latter amount is the maximum amount of salary which an employee would be permitted to receive for 1943, *Provided*, He is not entitled to further allowances under §§ 1002.19 to 1002.22, inclusive. If the rates of Federal income tax applicable for 1943 should be increased above those now existing in the Code for 1942, the basic allowance of salary will be an amount greater than $67,200.

The basic allowance of salary as described in this section represents an amount against which the appropriate tax rates are applied and remains the same regardless of whether the employee is married or single or of the number of his dependents, if any. It is likewise unaffected by the nature or amount of his other income (taxable or exempt) or by the extent of his deductions allowable for tax purposes generally.

For purposes of this Subpart an amount of salary, in addition to the basic allowance of salary, will be permitted for any expenses paid or incurred by an employee which are ordinary and necessary for the performance of the services for which the employee is compensated. No such additional amount, however, shall be permitted for expenses which would not be deductible in computing individual Federal income taxes.

§ 81.977v *Charitable contributions (§ 1002.19).*

An amount of salary, in addition to the basic allowance of salary described in §1002.18, will be permitted in certain circumstances to allow an employee to maintain his customary contributions to charitable, educational or other organizations described in section 23 (o) of the Code. Such additional amount of salary will be permitted if the employee established to the satisfaction of the Commissioner that after resorting to his other income from all sources he would suffer undue hardship in maintaining his customary contributions out of the basic allowance of salary described in the preceding section.

For purposes of this section and §§ 1002.20, 1002.21, and 1002.22, "income from all sources" includes income which is exempt under the Federal income tax laws.

What constitutes "undue hardship" for purposes of this section and §§ 1002.20, 1002.21, and 1002.22, is dependent upon all the circumstances in each case.

Contributions may be customary within the meaning of this section even though in the particular year in question the organizations to which the contributions are made are different from those to whom contributions were made in previous years.

§ 81.977w *Insurance premiums (§ 1002.20).* An amount of salary, in addition to the basic allowance under § 1002.18 may be permitted to an employee under this section to meet certain payments during the employee's taxable year for insurance premiums. To be entitled to such extra allowance of salary the employee must establish to the satisfaction of the Commissioner that after resorting to other income from all sources (see § 1002.19) he is unable, without disposing of assets at a substantial financial loss resulting in undue hardship, to meet premium payments on policies of life insurance in force and effect on October 3, 1942 on his life.

The premium payments referred to in the preceding paragraph are those which are required to be met during the calendar year in question. No allowance for salary is permissible for payments of premiums which are due in future calendar years.

If any insurance has been permitted by an employee to lapse after October 3, 1942, no allowance for salary is permissible for payments of premiums on policies taken out after such date, even though the total annual premiums on the new policies are not in excess of the total annual premiums due on policies in effect on October 3, 1942. Renewal of policies in effect on October 3, 1942 (even though new premiums are higher) will not preclude applicability of this section to premium payments on the renewed policies. Generally, in the case of a conversion of a policy in effect on October 3, 1942 to a new policy requiring payment of higher premiums, this section is inapplicable to the annual amount by which the new premiums exceed the premiums in effect on October 3, 1942.

As used in this section, and §§ 1002.21 and 1002.22, substantial financial loss is not necessarily confined to a loss suffered on disposition of assets at depressed prices substantially below cost to the employee. The present value in use or in production of income and the potential future value are factors to be considered. For the purpose of this Subpart, the provisions of the Code governing the determination of loss upon disposition of assets are not controlling.

§ 81.977x *Fixed obligations (§ 1002.21).* An amount of salary in addition to the basic allowance under § 1002.18 may be permitted to an employee under this section to make required payments during the employee's taxable year on fixed obligations. Before any amount will be allowed under this section, the employee must establish to the satisfaction of the Commissioner that after resorting to his income from all sources (see § 1002.19), he is unable, without the necessity of disposing of assets at a substantial financial loss resulting in undue hardship, to meet required payments of fixed obligations for which he was obligated on October 3, 1942. (See § 1002.20.)

The term "fixed obligations" as used in this section means any enforceable liability of the employee the amount of which liability was fixed and determined on October 3, 1942. In no event is an allowance for salary permissible under this section for the payment of any amount due in future years.

§ 81.977y *Federal taxes (§ 1002.22).* An amount of salary in addition to the basic allowance under § 1002.18 may be permitted to an employee, under this section, to meet payments during the employee's taxable year of certain Federal income taxes. To be entitled to such an additional allowance of salary the employee must establish to the satisfaction of the Commissioner that after resorting to his income from all sources (see § 1002.19), he is unable, without disposing of assets at a substantial financial loss resulting in undue hardship, to meet payments of certain Federal income taxes, more fully described below. (See § 1002.20.)

An allowance for additional salary is permissible in order to pay Federal income taxes owed by the employee himself for any prior taxable year, but is not permissible in order to pay any Federal income tax due on the basic allowance of salary under § 1002.18, except as this allowance is applicable for 1942. (See § 1002.24.) Thus, an amount for additional salary might be allowable in 1943 to meet the payment of the entire Federal income tax due on a salary received in 1942. In 1944 an amount for additional salary might be allowable to meet the payment of Federal income tax due on additional salary allowances permitted for 1943 under § 1002.19, 1002.20, 1002.21 and this section for 1943; but no amount, however, would be allowable to meet the payment of the Federal income tax due on the basic allowance under § 1002.18 for 1943.

§ 81.977z *Multiple employers (§ 1002.23).* Salaries payable to an employee from more than one employer may, for purposes of Subpart F, be treated as if all such salaries were payable by a single employer, regardless of the financial or other relationship of the several employers. For example, individual A received a salary as an employee of the X Corporation and also as an employee of its subsidiary, the Y Corporation. Both the X Corporation and the Y Corporation are required to adjust their salary arrangements with such employee to conform with the provisions of these regulations. If individual B is employed by the M Corporation and the N Corporation, both of whom are owned, directly or indirectly, by the same person or persons, the M Corporation and the N Corporation must adjust their salary arrangements with B to conform with the provisions of these regulations. If individual C is employed by the R Corporation and the S Corporation and both corporations have knowledge of that fact, they must adjust their salary arrangements with C to conform with the provisions of these regulations.

Where an individual is employed by two or more employers who, under these regulations, are required to make salary arrangements in order to conform with the provisions of Subpart F, such individual and employers will be deemed to be acting in contravention of the Act and these regulations if proper salary arrangements are not made. In any event, no employee may receive any salary in excess of that allowed under Subpart F. (See § 1002.30.)

§ 81.977aa *Limitation on 1942 salaries (§ 1002.24).* Unless payment thereof is required under a bona fide contract in effect on October 3, 1943, no amount of salary shall be paid or authorized to be paid to or accrued to the account of any employee or received by him after October 27, 1942, and before January 1, 1943, if the total salary paid, authorized, accrued or received for the calendar year 1942 exceeds the amount of salary which would otherwise be allowable under § 1002.18 (but not under §§ 1002.19 to 1002.22, inclusive) and also exceeds the total salary paid, authorized, accrued or received for the calendar year 1941. For purposes of this section, the term "bona fide contract" means a legally enforceable agreement, written or oral. Such an agreement may be evidenced by a bona fide resolution of a board of directors of a corporate employer passed on or before October 3, 1942. The amount allowable under § 1002.18 for 1942 (before reduction by any Federal income taxes) is $54,428.57.

§ 81.977bb *Community property (§ 1002.25).* The limitations on salaries provided for in §§ 1002.18 to 1002.24, inclusive, shall in nowise be affected by any community property law. For example, an employee resident in the State of R receives a salary in 1943 of $100,000. Under the laws of that State, $50,000 of that salary is deemed to be the property of the employee's wife. For purposes of these regulations, the employee's salary is $100,000, not $50,000.

§ 81.977cc *Taxable year (§ 1002.26).* For purposes of Subparts F and G of these regulations, the term "taxable year" of an employee shall mean the calendar year during which the salary in question is paid or authorized to be paid to or accrued to the account of such employee or received by him. This rule is applicable regardless of whether the employer or employee, or both, file Federal income tax returns for a fiscal year or report income, for Federal income tax purposes, on an accrual basis or on the cash receipts and disbursements basis.

§ 81.977dd *Effective date (§ 1002.27).* The provisions of this subpart, except as provided in § 1002.24, shall be applicable to all salaries paid or accrued after December 31, 1942, irrespective of when payment or accrual of such salary was authorized and irrespective, also, of any contract or agreement made prior to or after such date.

§ 81.977ee *Amounts disregarded (§ 1002.28).* (a) Section 5 (a) of the Act provides in effect that the President shall prescribe the extent to which any salary payment made in contravention of regulations promulgated under the Act shall be disregarded by executive departments and other governmental agencies in determining the costs or expenses of any employer for the purposes of any other law or regulation. In any case where a salary payment is determined by the Commissioner to have been made in contravention of the Act, the entire amount of such payment is to be disregarded by all executive departments and all other agencies of the Federal Government for the purposes of:

(1) Determining costs or expenses of any employer for the purpose of any law or regulation, either heretofore or hereafter enacted or promulgated, including the Emergency Price Control Act of 1942, or any maximum price regulation thereof;

(2) Calculating deductions under the revenue laws of the United States; or

(3) Determining costs or expenses under any contract made by or on behalf of the United States.

A payment in contravention of the Act may be disregarded for more than one of the foregoing purposes.

(b) In the case of salaries decreased in contravention of the Act, the amount to be disregarded, as required by paragraph (a) of this section, is the amount of the salary actually paid or accrued by the employer at the reduced rate. Thus, if, for example, on November 1, 1942, a weekly salary rate of $100 has been unjustifiably reduced to $50 for the remainder of the calendar year 1942, the amount to be disregarded under paragraph (a) of this section is the total amount of salary paid at the weekly rate of $50.

(c) In the case of salaries increased in contravention of the Act, the amount to be disregarded, as required by paragraph (a) of this section, is the amount of the salary actually paid or accrued by the employer at the increased rate and not merely an amount representing an increase in such salary. Thus, if, for example, on November 1, 1942, a weekly salary rate of $100 is unjustifiably increased to $150 for the remainder of 1942, then the amount of salary to be disregarded for purposes of paragraph (a) of this section is the total amount paid at the weekly rate of $150. Also, if, for example, on February 1, 1943, a weekly salary rate of $100 is increased to $150 without prior required approval, but is restored to $100 on June 1, 1943 after formal disapproval by the Commissioner or regional officer, then the amount of salary to be disregarded for purposes of paragraph (a) of this section is the total amount at the weekly rate of $150. Neither in the cases described in this paragraph nor in the case described in paragraph (b) of this section are the total amounts paid at the weekly rate of $100 to be disregarded for purposes of paragraph (a) of this section. (See § 1002.31 relating to salary allowances under section 23 (a) of the Code.)

(d) In the case of a salary in excess of the amount allowable under Subpart F of these regulations which is paid to, authorized to be paid to, or accrued to the account of an employee during his taxable year (as distinguished from the taxable year of the employer) in contravention of the Act, the amount to be disregarded is the full amount of such salary and not merely the amount representing the excess over the amount allowable under such Subpart F of these regulations. Thus, if, for example, under such Subpart F an employee would be entitled to receive a total salary during his taxable year of $67,200 for services rendered in such year, but actually receives $100,000 for such services, then the entire amount of $100,000 is to be disregarded for purposes of paragraph (a) of this section.

§ 81.977ff *Criminal penalties (§ 1002.29).* Section 5 (a) of the Act provides in substance that no employer shall pay, and no employee shall receive, any salaries in contravention of the regulations promulgated by the President under the Act. Section 11 of the Act provides that any person, whether an employer or employee, who wilfully violates any provision of the Act or of any regulations promulgated thereunder, shall be subject, upon conviction, to a fine of not more than $1,000, or to imprisonment for not more than one year, or to both such fine and imprisonment.

§ 81.977gg *Salary allowances under Code (§ 1002.30).* Under section 23 (a) of the Code reasonable allowances for salaries are allowed as deductions in computing net income. The tests which determine whether an allowance for salaries paid or accrued is reasonable within the meaning of section 23 (a) of the Code are in nowise suspended by any provision of these regulations. An employer may be exempt from the operation of these regulations yet be denied deductions for purposes of section 23 (a) of the Code with respect to the salaries paid or accrued by him. Also, a basic allowance under § 1002.18 and additional allowances under §§ 1002.19 to 1002.22, inclusive, may nevertheless be disallowed in whole or in part as

deductions under section 23 (a) of the Code.

§ 81.977hh *Exempt employers (§ 1002.31).* The provisions of these regulations, except those contained in Subparts F and G thereof, shall not apply in the case of an employer who employs eight or less individuals in a single business. An employer is subject to the provisions of these regulations if at the time a salary increase is to take effect he has in his employ more than eight individuals in a single business. It is not necessary that each employee be paid a salary provided all the individuals employed receive compensation for their personal services. If it is subsequently determined that the number of employees has been temporarily reduced by the employer, or that the employer has utilized any other improper device, for the sole purpose of claiming the exemption provided in the General Regulations and these regulations, then such exemption shall be deemed to have been improperly obtained and of no force or effect.

An employer may be exempt under this section notwithstanding that shortly after the effective date of a salary increase he enlarges his personnel in good faith to more than eight employees. Any further adjustment in salary will then be subject to the provisions of these regulations.

§ 81.977ii *Statutory salaries (§ 1002.32).* The provisions of these regulations are applicable in every respect to any salary paid by the United States, any State, Territory, or possession or political subdivision thereof, the District of Columbia, or any agency or instrumentality of any one or more of the foregoing, except where the amount of such salary is fixed by statute. The term "statute" for purposes of this section does not include a municipal ordinance or resolution enacted by a governmental unit inferior to a State, Territory, or possession. Salaries covered by the Federal Classification Act of 1923, as amended, are excluded from the operation of these regulations. Likewise, salaries, for example, of public school teachers which are paid under salary schedules fixed by a state legislature and providing for mandatory increments are excluded from the operation of these regulations. (See § 1002.17.)

§ 81.977jj *Services in foreign countries (§ 1002.33).* The provisions of these regulations shall not be applicable in the case of any individual employer, resident in the United States or any Territory or possession thereof, or of a corporate employer organized under the laws of the United States or any State, Territory or possession, with respect to salaries paid by such employers to employees for services rendered exclusively in foreign countries.

§ 81.977kk *Foreign employers (§ 1002.34).* The provisions of these regulations shall not be applicable in the case of nonresident foreign employers except that if any salary is paid to an employee residing in the United States payment of such salary is subject to all the provisions of these regulations.

Sections 81.979a and 81.979b are added as follows:

§ 81.979a *National War Labor Board regions; Geographical jurisdictions and addresses.*

Region I: Maine, New Hampshire, Vermont, Massachusetts, Rhode Island and Connecticut. 10 P. O. Square, Room 726, Boston, Massachusetts.

Region II: New York and New Jersey, Chanin Building, New York, New York.

Region III Pennsylvania, Virginia, Delaware and Maryland, and the District of Columbia. 573 Broad Street Station Building, Philadelphia, Pa.

Region IV: Georgia, North Carolina, South Carolina, Florida, Tennessee, Alabama and Mississippi. 116 Candler Building, Atlanta, Georgia.

Region V Michigan, Ohio, West Virginia and Kentucky. Room 888, Unicn Commerce Building, Cleveland, Ohio.

Region VI: Indiana, Illinois, Wisconsin, Minnesota, Iowa, North Dakota and South Dakota. Room 3008, Civic Opera Building, Chicago, Ill.

Region VII Missouri, Arkansas, Nebraska and Kansas Room 300, Mutual Interstate Building, Kansas City, Mo.

Region VIII. Texas, Louisiana, and Oklahoma. 716 Cotton Exchange Building, 608 North Saint Paul Street, Dallas, Texas.

Region IX Colorado, New Mexico, Montana, Wyoming, Utah and Idaho 306 Midland Savings Bank Building, Denver, Colorado.

Region X: California, Washington, Oregon, Nevada and Arizona 1355 Market St., San Francisco, Calif.

§ 81.979b *Wage and Hour Division regions; Geographical jurisdictions and addresses.*

Region I: Massachusetts New Hampshire, Maine, Vermon., and Rhode Island, 294 Washington Street, Boston, Mass *Connecticut*—Cooperating State Agency Office: 357 State Office Bldg., Hartford, Conn.

Region II: New York and New Jersey, Parcel Post Building, 341 Ninth Avenue, New York, N. Y.

Region III Pennsylvania, and Delaware, and Bancock, Brooke, Ohio and Marshall Counties in West Virginia. 1216 Widener Bldg., Chestnut & Juniper Sts., Philadelphia, Pa. *District of Columbia*—Cooperating State Agency Office. 4050 New Municipal Center Bldg., Washington, D. C.

Region V Virginia, West Virginia, and Maryland. 215 Richmond Trust Building, Richmond, Va *North Carolina*—Cooperating State Agency Office: Salisbury and Edenton Streets, Raleigh, N. C.

Region VII Georgia, Florida, and South Carolina. 249 Peachtree St., N. E., Atlanta, Georgia.

Region VIII: Alabama, Mississippi and Louisiana. 1067 Comer Bldg., Birmingham, Ala.

Region IX Tennessee and Kentucky. 509 Medical Arts Bldg., Nashville, Tenn.

Region X Ohio and Michigan and Boone, Kenton and Campbell Counties in Kentucky. Main Post Office, West Third and Prospect Avenue, Cleveland, Ohio.

Region XI. Illinois, Indiana, and Wisconsin. 1200 Merchandise Mart, 222 West North Bank Drive, Chicago, Illinois.

Region XII North Dakota, South Dakota, Minnesota, and Montana. 406 Pence Building. 730 Hennepin Avenue, Minneapolis, Minn.

Region XIII. Kansas, Nebraska, Iowa, Missouri, Colorado and Wyoming. 504 Title & Trust Bldg., 10th and Walnut Sts., Kansas City, Mo.

Region XIV: Texas, Oklahoma, Arkansas and New Mexico. 1100 Main Street, Dallas, Texas.

Region XV: California, Arizona, Nevada, Washington, Oregon, Idaho, and Utah. 500 Humboldt Bank Bldg., 785 Market St., San Francisco, Calif. For addresses of Wage & Hour Division Field & Branch Offices, consult nearest Wage & Hour Division Regional Office.

PLANT FACILITIES EXPANSIONS

POLICY

Section 81.1004 is amended as follows:

§ 81.1004 *Tax amortization.* Under the provisions of section 124 of the Internal Revenue Code, the cost of facilities which are acquired by corporations, partnerships, individuals or fiduciaries may be amortized over a period of sixty months (or, under certain circumstances, a shorter period) for the purpose of computing taxable income. The amortization provisions do not apply when the facilities expansion is financed under a plan of the type described in Plans III, IV, or V, in § 81.1006 (c), (d), and (e). In order to secure the benefits of such amortization, the applicant must obtain from the War Department or the Navy Department a Necessity Certificate which certifies to the Commissioner of Internal Revenue that the facilities therein described are necessary in the interest of National Defense. The duties of the Services of Supply with respect to processing applications for such certificates are set forth in §§ 81.1014 to 81.1017.

FORMS OF CONTRACTS

In § 81.1320 Article 6 is amended as follows:

§ 81.1320. *W. D. Contract Form No. 20.* * * *

ART. 6. On the unliquidated balance of the advance payments outstanding, the Contractor agrees to pay interest at the rate of two and one-half percent (2½%) per annum. Such interest shall be computed at the end of each calendar month on the average daily balance of the principal of the unliquidated advance payments outstanding. In determining such balance, charges on account of the advance payments to the Contractor hereunder shall be made as of the dates of the checks therefor; credits arising from deductions from payments to the Contractor under this contract shall be made as of the dates the checks for such payments are drawn; and credits arising from cash repayments to the Government by the Contractor shall be made as of the dates the checks therefor are received by the disbursing officer. As soon as such monthly computations shall have been made, the interest so determined shall be deducted from the payments otherwise due the Contractor under this contract, *Provided, however,* That in no event shall deductions on account of interest exceed five percent (5%) of the gross payment due the Contractor prior to any deduction under this Article or Article 5 or any other provisions of this contract. In the event the accrued interest exceeds such five percent, the excess of such interest shall be carried forward and deducted from subsequent payments. The interest shall not be compounded, and shall, subject to the provisions of Article 4 hereof, cease to accrue upon the termination of the contract, for other than the fault of the Contractor, or upon the date found by the Contracting Officer to be the date upon which the Contractor completed his performance under the contract.

* * * * *

In § 81.1322 Article 6 is amended as follows:

§ 81.1322 *W. D. Contract Form No. 22.* * * *

ART. 6. On the unliquidated balance of the advance payments outstanding, the Contractor agrees to pay interest at the rate of two and one-half percent (2½%) per annum. Such interest shall be computed at the end of each calendar month on the average daily balance of the principal of the unliquidated advance payments outstanding. In determining such balance, charges on account of the advance payments to the Contractor hereunder shall be made as of the dates of the checks therefor. It is agreed that pending the execution of the moral formal contract contemplated by Paragraph 2 of the Letter Purchase Order that the Contractor may, if he so elects, make direct repayment to the Government on account of advances made out of his own free funds, or may be required to make repayment out of the special account or otherwise as provided by Article 5. Credits arising out of such cash repayments shall be made as of the dates the checks therefor are received by the disbursing officer. As soon as such monthly computations shall have been made, the interest charge shall be allowed to accrue, and shall not be payable until such time as provision is made for such payment under the provisions of the more formal contract contemplated by Paragraph 2 of the Letter Purchase Order, except as provided by Article 5 hereof. The interest shall not be compounded, and shall, subject to the provisions of Article 5, cease to accrue upon the termination of the contract for other than the fault of the Contractor.

* * * * *

[SEAL] J. A. ULIO,
Major General.
The Adjutant General.

[F. R. Doc. 43-414; Filed, January 8, 1943; 9:40 a. m.]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

CONTRACT CLAUSES PROVIDING FOR PERIODIC ADJUSTMENT OF PRICE WITH POWER OF EXEMPTION FROM STATUTORY RENEGOTIATION

Section 801, Revenue Act of 1942, has amended section 403, Sixth Supplemental National Defense Appropriation Act, 1942, so as to authorize exemption of contracts for specified periods from renegotiation under the act if the provisions are otherwise adequate to prevent excessive profits.

It is a major policy of the War Department to promote efficiency in operation and production, reduction in costs by its contractors, and lower prices to the Government. It is believed that this basic policy will be served by full use of the power conferred by the Revenue Act of 1942. Accordingly two forms of contract articles have been developed for this purpose with instructions for their use. These articles are inserted in Procurement Regulation No. 3 by a new section to be numbered § 81.360, and the instructions for their use are added to Procurement Regulation No. 12 as nine new sections to be numbered §§ 81.1220 to 81.1228 inclusive.

As a further aid in obtaining close prices without allowances for contingencies, a new article has been developed to allow equitable adjustments in price and time of performance when Government action interrupts production schedules and increases costs. This is added to Procurement Regulation No. 3 as § 81.361.

These changes in procurement regulations are also contained in Services of Supply Memorandum S5-1-43, dated January 2, 1943. Figures to the right of the decimal point in section numbers correspond with paragraph numbers in procurement regulations.

AUTHORITY: Sec. 5a, National Defense Act, as amended, 41 Stat. 764, 54 Stat. 1225; 10 U.S.C. 1193-1195, and the First War Powers Act, 1941, 55 Stat. 838; 50 U.S.C. Sup. 601-622.

§ 81.360 *Periodic adjustment of price.* The following articles for periodic adjustment of price will be used in accordance with §§ 81.1220 to 81.1228:

(FORM I) ARTICLE ____ —PERIODIC ADJUSTMENT OF PRICE

(a) *Price periods.* The Government and the contractor agree to adjust the contract price under this contract periodically in accordance with this article and agree that the performance under this contract will be divided into _____ successive periods for that purpose. The first period will extend from _____ to _____; and the second and each succeeding period will extend for _____ months from the end of the preceding period.

(b) *Estimates and prices for first period.* (1) The contractor and the Government have agreed upon the following estimate of costs for the items to be delivered during the first period hereunder: [1]

A. Factory cost.
1. Direct materials.
2. Direct productive labor.
3. Direct engineering labor.
4. Miscellaneous direct factory charges.
5. Indirect factory expenses [2] (state basis of allocation).
6. Total factory cost.
B. Other manufacturing cost.
C. Miscellaneous direct expenses.
D. Indirect engineering expenses.
E. Expenses of distribution, servicing, and administration.
F. Guarantee expenses.

(2) The contractor and the Government have agreed upon the price fixed in article ____ hereof for the first period. The contracting officer hereby finds that the provisions of this contract are adequate to prevent excessive profits hereunder during the first period without any renegotiation pursuant to section 403, the Sixth Supplemental National Defense Appropriation Act, 1942, as amended. The contractor and the Government therefore agree that the prices fixed in article ____ hereof shall be paid for items delivered hereunder during the first period and that such prices for that period shall not be subject to renegotiation under said statute as amended or article ____ hereof.

(c) *Periodic statements.* Fifteen days before the end of each period hereunder, except the last, or at such other time or times as the contracting officer may fix, the contractor will submit to the contracting officer the following data:

(1) Statements showing the actual cost of producing all items completed for delivery during such period for which cost figures are available, and such other statements as the contracting officer may require.

(2) Estimates of the cost of items to be delivered during the next succeeding period, based upon the previous cost experience of the contractor and upon all other relevant factors.

(3) Proposed prices for items to be delivered during the next succeeding period.

(d) *Periodic price adjustment—exemptions.* (1) Upon the filing of the data required by section (c) hereof, the contractor and the contracting officer will negotiate in good faith to agree upon adjusted cost estimates and prices for items to be delivered during the next succeeding period under this contract.

(2) Prices so negotiated and agreed upon may be in excess of or less than the prices stated in article _____ hereof. In negotiating such prices consideration will be given to all pertinent factors which have affected the contractor's costs for items delivered hereunder during any preceding period, or which are likely to affect such costs for items to be delivered hereunder during the next succeeding period, and to all pertinent factors bearing upon the profit margin which is reasonable for the contractor to earn during the succeeding period. Whenever the contractor, by skillful management, careful buying, or efficiency in production, has reduced costs experienced during the next preceding period below the estimated amount thereof, and the Government will benefit therefrom by reduced prices for the succeeding period, the contemplated margin of profit for the succeeding period may be increased in recognition of these facts.

(3) After each negotiation, the agreement reached will be evidenced by a supplemental agreement to this contract stating the cost estimates and adjusted prices for the succeeding period. In the discretion of the contracting officer, the supplemental agreement may contain a finding that the provisions of this contract and said supplemental agreement are adequate to prevent excessive profits during the applicable succeeding period, and an agreement that the prices fixed for such period will not be subject to renegotiation under section 403, the Sixth Supplemental National Defense Appropriation Act, 1942, as amended, or under article ____ hereof.

(4) A disagreement between the contracting officer and the contractor as to an adjusted price for any period will not be subject to article ____ (Disputes), and during that period the contractor shall be paid the price fixed for the preceding period.

(e) *Payments.* During the first period the Government shall pay to the contractor the price set forth in article ____ for all items delivered. During each succeeding period the Government will pay to the contractor the prices negotiated hereunder for items delivered in that period. If the price for any succeeding period hereunder is still under negotiation and not agreed upon at the beginning of that period, then until an adjusted price for that period is agreed upon, the contractor will be paid the price fixed for the last preceding period; but after the contractor and contracting officer have agreed by supplemental agreement upon the adjusted prices, an amount equal to the difference between the prices paid on the items delivered in that period and such adjusted prices will be added to or deducted from payments for subsequent deliveries under this contract or will be paid by or returned to the Government, as the contracting officer may direct.

(f) *Accounts and records—statements.* The contractor will maintain books, records, and accounts so as to reflect accurately and segregate clearly the costs of performing this contract. For this purpose the contractor

[1] This break-down may be altered to suit particular circumstances.

[2] State separately the estimated amount of each of the following included: (a) normal depreciation; (b) special amortization.

may follow the cost accounting system regularly used by it, if the contracting officer finds that it is adequate and in accordance with sound accounting practice. All statements showing costs experienced by the contractor under this contract will be based upon such books, records, and accounts, and will be certified as correct by two officers of the contractor or by an independent auditor, approved by the contracting officer. The contractor will submit its books, records, and accounts to such examination and audit as the contracting officer may request. The contractor represents that the estimates of future costs contained in paragraph (b), and hereafter submitted pursuant to paragraph (c) (2) reflect the best judgment of the contractor as to probable costs on the basis of previous cost experience and all other relevant factors, and contain no provisions for reserves or allowances not revealed therein.

(FORM II) ARTICLE ____—PERIODIC ADJUSTMENT OF PRICE

(a) *Price periods.* The Government and the contractor recognize that the costs of performing this contract cannot be accurately estimated at the time of its execution and that the price fixed in article ____ may therefore be either too high or too low in the light of actual experience under the contract. The contractor and the Government agree that for the purpose of adjusting the contract price in accordance with this article the performance under this contract will be divided into ____ successive periods. The first period will extend from ____ to ____; and the second and each succeeding period will extend for ____ months from the end of the preceding period.

(b) *Estimate of costs.* The contractor represents that the contract price fixed in article ____ is based on a total estimated cost of $____ itemized as follows:[1]

A. Factory cost.
1. Direct materials.
2. Direct productive labor.
3. Direct engineering labor.
4. Miscellaneous direct factory charges.
5. Indirect factory expenses[2] (state basis of allocation).
6. Total factory cost.
B. Other manufacturing cost.
C. Miscellaneous direct expenses.
D. Indirect engineering expenses.
E. Expenses of distribution, servicing, and administration.
F. Guarantee expenses.

(c) *Periodic statements.* Fifteen days before the end of each period hereunder, except the last, or at such other time or times as the contracting officer may fix, the contractor will submit to the contracting officer the following data—

(1) Statements showing the actual cost of producing all items completed for delivery during such period, for which cost figures are available, and such other statements as the contracting officer may require.

(2) Estimates of the cost of items to be delivered during the next succeeding period, based upon the previous cost experience of the contractor and upon all other relevant factors.

(3) Proposed prices for items to be delivered during the next succeeding period, and, at the end of the first period, proposed adjusted prices for items delivered during the first period.

(d) *Periodic price adjustment.* (1) Upon the filing of the data required by section (c) hereof, the contractor and the contracting officer will negotiate in good faith to agree upon adjusted cost estimates and prices for items to be delivered during the next succeeding period under this contract. In addition, upon the first such negotiation, they will negotiate to agree upon adjusted prices for the items delivered during the first period.

(2) Prices so negotiated and agreed upon may be in excess of or less than the prices stated in article ____ hereof. In negotiating such prices, consideration will be given to all pertinent factors which have affected the contractor's costs for items delivered hereunder during any preceding period, or which are likely to affect such costs for items to be delivered hereunder during the next succeeding period, and to all pertinent factors bearing upon the profit margin which is reasonable for the contractor to earn during the period involved. Whenever the contractor, by skillful management, careful buying, or efficiency in production, has reduced costs experienced during the next preceding period below the estimated amount thereof, and the Government will benefit therefrom by reduced prices for the succeeding period, the contemplated margin of profit for the succeeding period may be increased in recognition of these facts.

(3) After each negotiation, the agreement reached will be evidenced by a supplemental agreement to this contract stating the cost estimates and adjusted prices for the succeeding period and, after the first such negotiation, also stating the adjusted prices for the proceeding first period. At the discretion of the contracting officer the supplemental agreement may contain a finding that the provisions of this contract and said supplemental agreement are adequate to prevent excessive profits for the first period or during the applicable succeeding period, and an agreement that the prices fixed for such period will not be subject to renegotiation under section 403, Sixth Supplemental National Defense Appropriation Act, 1942, as amended, or under article ____ hereof.

(4) A disagreement between the contracting officer and the contractor as to an adjusted price for any period will not be subject to article ____ (Disputes), and during that period the contractor will be paid the price fixed for the preceding period.

(e) *Payments.* (1) During the first period the Government will pay to the contractor the price set forth in article ____ for all items delivered. During each succeeding period the Government will pay to the contractor the prices negotiated hereunder for items delivered in that period. If the price for any succeeding period hereunder is still under negotiation and not agreed upon at the beginning of that period, then until an adjusted price for that period is agreed upon, the contractor will be paid the fixed price established for the last preceding period.

(2) After the contractor and contracting officer have agreed by supplemental agreement upon the adjusted prices for the first period, or for any other period in which payment of the prices fixed for the preceding period has been continued pending agreement upon the adjusted prices, an amount equal to the difference between the prices paid on the items delivered in that period and such adjusted prices will be added to or deducted from payments for subsequent deliveries under this contract or will be paid by or returned to the Government, as the contracting officer may direct.

(f) *Accounts and records—statements.* The contractor will maintain books, records, and accounts so as to reflect accurately and segregate clearly the costs of performing this contract. For this purpose the contractor may follow the cost accounting system regularly used by it, if the contracting officer finds that it is adequate and in accordance with sound accounting practice. All statements showing costs experienced by the contractor under this contract will be based upon such books, records, and accounts, and will be certified as correct by two officers of the contractor or by an independent auditor, approved by the contracting officer. The contractor will submit his books and accounts to such examination and audit as the contracting officer may request. The contractor represents that the estimates of future costs contained in paragraph (b), and hereafter submitted pursuant to paragraph (c) (2) reflect the best judgment of the contractor as to probable costs on the basis of previous cost experience and all other relevant factors, and contain no provisions for reserves or allowances not revealed therein.

§ 81.361 *Changes in delivery schedules.* Whenever a change in the production schedules of the contractor will substantially affect his costs of performance and there is serious risk of such interruption as a result of Government action, the following article may be included in the contract, if the chief of the supply service is satisfied that the contractor has suitably adjusted his price by eliminating therefrom allowances and reserves to provide for such contingencies.

Article ____—Changes in delivery schedules.

(a) If the Government reduces the rate of deliveries hereunder by partial termination for the convenience of the Government or if, without fault or negligence on the part of the contractor, the Government or any of its agencies or instrumentalities, by any preference, priority, or allocation order, or by any other act, at any time prevents the contractor from delivering any of the items under this contract in accordance with the delivery schedules then in effect, and such reduction or delay so changes or interrupts the contractor's schedules of production as substantially to affect the cost of any of the items procured hereunder, the Government shall make an equitable adjustment in the contract price and time for performance hereunder.

(b) The contractor will assert any claim for adjustment under this article within 90 days after the date any such reduction is ordered, or any such delay first occurs, or within such further period as the contracting officer may allow before the date of final settlement of the contract. The contracting officer may agree with the contractor for such adjustment, if any, in the contract price or time of performance hereunder or both, as he deems justified. If the parties fail to agree as to the cause of the delay or upon the adjustment to be made, the dispute will be determined in accordance with article ____ (Disputes). The adjustment shall be evidenced by a supplemental agreement to this contract.

CONTRACT ARTICLES FOR PERIODIC READJUSTMENT OF PRICE

§ 81.1220 *Articles authorized.* Alternative contract articles providing for periodic readjustment of the contract price, and for exemption from renegotiation under the Act of April 28, 1942, (sec. 403, Public Law 528, 77th Cong.) as amended, under certain conditions are set forth in § 81.360 (Form I) and § 81.360 (Form II). These articles, which are hereafter called Form I and Form II, respectively, are approved for use in lump-sum or fixed price contract in accordance with this section. Except as expressly authorized in this section or subsequent instructions, deviations from the standard articles will not be used.

§ 81.1221 *Effect of articles.* Both Form I and Form II divide performance under the contract into specified periods for the purpose of adjusting the contract price. Under Form I the original contract price is exempt from statutory renegotiation for the first period of performance, but under Form II, the price for the first period will be adjusted at the end of that period and appropriate credit or refund made, and this adjusted price may be exempted from statutory renegotiation by the contracting officer, as hereafter described. Under both forms the contracting officer and contractor will negotiate at the end of each period (except the last) to fix the price for the succeeding period on the basis of cost experience and other data, and the contracting officer, at his discretion, may exempt the price so fixed from statutory renegotiation, if he believes that the cost data are sufficiently accurate and that the price is fair to the Government and will not result in excessive profits to the contractor.

§ 81.1222 *Purpose of articles.* These articles are intended to carry out the policy of the War Department to promote efficiency in operation and production, reductions in costs by its contractors, and lower prices to the Government. They are designed to obtain these results as follows:

(a) Since the periods for which prices are fixed are to be relatively short, uncertainty and the risks of future changes in conditions are reduced, and the need for reserves and allowances for contingencies should be correspondingly decreased. At the end of each period, the prices for the next period will be fixed on the basis of recent past experience, current conditions, and more accurate forecasts.

(b) If a firm price exempt from statutory renegotiation during the specified period is granted, the contractor is expected to agree in return to a close price with a narrow profit margin and to rely on his managerial skill to increase his profit by improved methods and efficiency.

(c) If costs are reduced in one period through efficiency then when the prices are adjusted for the succeeding period, the Government and the contractor will share the benefit of the reduced costs in the form of lower prices but with a higher allowed profit margin.

§ 81.1223 *Use of articles.* In using these articles the following principles will be observed:

(a) Since the operation of these articles requires reliable and accurate data on the actual costs of performance, they will be used only when the contracting officer is convinced that the contractor can and will supply reliable cost information in accordance with the contract provisions. Before using these articles in any contract, the contracting officer will therefore examine and analyze the cost accounting system of the contractor and satisfy himself that it is accurate and adequate for these purposes.

(b) These articles also assume that the costs of performance during a succeeding period can be predicted with reasonable accuracy; otherwise there is no sound basis for predicting the probable profits with assurance, or for exempting them from statutory renegotiation. According, it will not ordinarily be feasible to use these articles unless the contractor has had previous experience in producing substantially similar articles, or the costs are reasonably standardized, or can be accurately determined after a short period of performance.

(c) Form I, which provides for a firm price exempt from statutory renegotiation for the first period of performance, will be used only where accurate data are available at the time the contract is made, on the cost of producing substantially the same articles under substantially the same conditions. In general, it will be used only for repeat orders for materials or equipment previously produced by the same contractor.

(d) Form II, under which the contract price for the first period is readjusted at the end of the period, will be used when the available data on costs of performance are insufficient to allow Form I to be used, but where reasonably accurate costs data will become available toward the end of the first period of performance.

(e) Use of these articles will be limited to contractors who are willing substantially to eliminate allowances in the price for contingencies in view of the short-term pricing and to accept a smaller original profit margin in return for the other benefits of the contract.

(f) The length of the periods of performance to be specified for adjusting the price will depend upon the circumstances of each case. When Form II is used, the first period should be sufficient to allow costs of production to become reasonably stable. The succeeding periods under Form II and all periods under Form I should range from three or four months in most cases up to a maximum of six months where conditions are unusually stable and costs are accurately predictable. Where it will be simpler or more convenient to do so, the contract article may fix the periods by reference to the production or delivery of a prescribed number of articles instead of in terms of days or months, if the length of the periods so fixed will substantially conform to the required duration.

(g) When either Form I or Form II is used, the contract will not include any other provisions for price adjustment (such as escalation, redetermination, upward renegotiation) except (a) the statutory renegotiation article in accordance with § 81.1224 and (b) provisions for equitable adjustment of the price in case of changes in specifications, deliveries, rates of production, or increased expenses resulting from allocations or other Government action (see § 81.361).

(h) Form I or Form II will be used only with the permission of the Director, Purchases Division, Headquarters, Services of Supply. Requests for such permission will state (1) the experience of the contractor with similar production, (2) the adequacy of the cost system and cost data of the contractor, (3) the price and profit margin which the contractor will agree to if the article is included, and (4) the reasons for recommending approval of the use of the article in the particular contract.

§ 81.1224 *Insertion of statutory renegotiation article.* Under both Form I and Form II of the articles for periodic price adjustment, the contract price for any period (except the first period under Form I) will remain subject to renegotiation under the Act of April 28, 1942 (sec. 403, Public Law 528, 77th Cong.), as amended, unless it is exempt under the terms of the statute or is exempted by the contracting officer in the exercise of his discretion under the contract article. Accordingly any contract which contains an article for periodic adjustment of the contract price will also include the contract article for statutory renegotiation (§ 81.342 (a)), if it is required by the provisions of §§ 81.1201 to 81.1214 of these regulations, but an additional sentence will be added at the end of section (a) of the statutory renegotiation article (§ 81.342 (a)) in such cases. When Form I is used this added sentence will read as follows:

Sections (a) and (c) of this article do not apply to the prices fixed for the first period under this contract and exempt from statutory renegotiation by article ____ or to the prices fixed for any other periods thereunder which are exempted from statutory renegotiation by the contracting officer in the exercise of his discretion under that article.

When Form II is used this added sentence will read as follows:

Sections (a) and (c) of this article do not apply to the prices fixed for any period under article ____ of this contract which are exempted from statutory renegotiation by the contracting officer in the exercise of his discretion under that article.

§ 81.1225 *Changes in termination article.* When Form I or Form II is used, the contract article entitled "Termination for the Convenience of the Government" (§ 81.324) will be amended by adding at the end of (d) (3) (A) and of (g) of that article the following additional sentence:

For this purpose the contract price for the uncompleted portion of the contract shall be computed on the basis of (1) the prices agreed upon for the price period in which the notice of termination takes effect, if adjusted prices have been agreed upon for that period, or (2) such estimated prices as the contracting officer deems reasonable under all circumstances, if adjusted prices have not been agreed upon for that period.

§ 81.1226 *Use of articles without provisions for exemption.* Where a supply service desires to provide in a contract for periodic readjustment of the contract price but does not desire to provide for exemption or for the power to exempt the contract price from statutory renegotiation in accordance with Form I or Form II, either Form I or Form II may be revised to eliminate exemption of the contract price from statutory renegotiation or the power of the contract-officer to exempt it therefrom, by deleting the second and third sentences of paragraph (b) (2) from Form I and the second sentence of paragraph (d) (3) from Form I and Form II. With these deletions Form I or Form II may be used

[1] This break-down may be altered to suit particular circumstances.

[2] State separately the estimated amount of each of the following items included: (a) normal depreciation: (b) special amortization.

at the discretion of the chief of the supply service without special permission from the Director, Purchases Division. When these articles are used in this revised form, the contract price will be adjusted for each period in the manner provided in Form I and Form II, but will remain subject to statutory renegotiation unless otherwise exempt under the Act of April 28, 1942, (sec. 403 (i) Public Law 528, 77th Cong., as amended by Public Law 753, 77th Cong.). Accordingly any such contract will include the standard form of contract article for statutory renegotiation (§ 81.342 (a)) if required by §§ 81.1201 to 81.1214 of these regulations.

§ 81.1227 *Price adjustments under the articles.* In the operation of contracts containing Form I and Form II, contracting officers will observe the following principles:

(a) When the contractor submits the cost data, estimates, and proposed prices in accordance with the contract terms, the contracting officer will make such tests or checks of the data submitted, by examining the records of the contractor or otherwise, as he deems necessary to satisfy himself of their accuracy and sufficiency.

(b) Negotiations with the contractor to adjust the price will be begun and completed as expeditiously as possible in order to avoid delay in fixing the adjusted price. If, in the opinion of the contracting officer, the contractor unreasonably prolongs or delays the negotiations or refuses to agree upon a reasonable adjusted price, the contracting officer will promptly report the facts to the chief of the supply service who may then initiate appropriate action to protect the interest of the Government either by termination of the contract, by statutory renegotiation of the contract price for any period not exempt therefrom, by compulsory order, or by other means.

(c) In determining the price for the first period under Form II or for succeeding periods under Form I or Form II, the contracting officer will allow more liberal profit margins where the contractor by skillful management, careful buying, or efficiency has reduced costs, and will demand lower profit margins where performance has been inefficient or below standard.

(d) The contracting officer will exercise his power to exempt from statutory renegotiation the adjusted prices agreed upon for the first period under Form II or for succeeding periods under Form I or Form II, only if he is convinced (1) that the cost data and cost estimates on which the adjusted prices are based are reliable and accurate, and (2) that the adjusted prices are fair to the Government and the exemption from renegotiation will not result in excessive profits. The contracting officer has full responsibility for granting or withholding the exemption, and is under a serious duty to make certain that excessive profits will not result from his action. When he is convinced that the foregoing conditions are met, however, he should ordinarily grant the exemption for the period involved. In making this determination he will consult with the Price Adjustment Section of the Supply Service.

(e) Whenever the contracting officer grants an exemption under a contract containing either Form I or Form II, he will make a report to the Director, Purchases Division, Headquarters, Services of Supply, stating the adjusted price agreed upon, and containing copies of the data submitted by the contractor and any other data on which the adjusted price was based.

(f) After the entire contract is completed, the contracting officer will request from the contractor a statement showing the actual costs of performing the entire contract, and the prices paid during each period, and will send a copy of the statement to the Director, Purchases Division, Headquarters, Services of Supply.

§ 81.1228 *Inserting articles in existing contracts.* Where it is practicable and to the advantage of the Government to do so, existing contracts may be amended by supplemental agreement to insert either Form I or Form II upon the conditions prescribed by these regulations, and, with the permission of the Director, Purchases Division, Headquarters, Services of Supply.

[SEAL] H. B. LEWIS,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 43-525; Filed, January 11, 1943; 10:44 a. m.]

Chapter IX—Transport

PART 91—GENERAL TRANSPORT REGULATIONS

OVERSEA MOVEMENT OF INDIVIDUALS ON ARMY TRANSPORTS

Sections 91.2 and 91.3 are hereby rescinded and the following substituted therefor:

AUTHORITY: §§ 91.2 to 91.4, inclusive, issued under R. S. 161; 5 U.S.C. 22.

SOURCE: The regulations contained in §§ 91.2 to 91.4, inclusive, are also contained in AR 55-390, dated December 16, 1942, the particular paragraphs being shown at the end o. sections.

Oversea Movement of Individuals on Army Transports

§ 91.2 *Commercial passengers.* Army transports will not normally be used for carrying commercial passengers. In an unusual public emergency and where military necessity demands, Army transports may be used for this purpose provided commercial space is not reasonably available. A reasonable charge for such transportation will be made as mutually arranged between the Chief of Transportation and the Maritime Commission. (Op. JAG, June 11, 1918, and October 17, 1941) [Par. 3]

§ 91.3 *Transportation of individuals—*(a) *General.* Requests for transportation of persons from the continental United States to oversea ports, except for officers and enlisted men of the Army, Navy, and Marine Corps, must contain a statement whether the respective oversea commander has either requested the personnel or approves their entrance into the military area under his jurisdiction.

(b) *Officials and civilians.* Requests for passage of all officials and civilians not provided for in Army Regulations will be directed to the Chief of Transportation for approval and forwarding to the proper port of embarkation for action.

(c) *Female passengers.* No female personnel except Army nurses and authorized Red Cross workers may be taken on outward voyages from the continental United States except when specific authorization has been given by the Chief of Transportation.

(d) *Dependents.* Transportation of dependents of military personnel and civilian employees to oversea departments and bases, including Alaska, by Army transport or otherwise, is prohibited.

(e) *Civilian employees of Government stationed overseas.* Requests for transportation from an oversea post will be submitted by the local representative of the bureau with which the employee is connected, inclosing true copy of orders.

(f) *Secretaries of Young Men's Christian Association.* Secretaries of the Army and Navy Department of the Young Men's Christian Association may be furnished transportation on Army transports upon request of the headquarters of that organization when accommodations are available.

(g) *Panama Canal employees.* Transportation may be furnished on Army transports, when accommodations are available, for male employees of the Panama Canal on outward voyages from the continental United States and for the employees and their immediate families on inward voyages from the Canal Zone upon payment of the same rates as are applicable upon vessels of the Panama Line. Orders for transportation must be obtained through the Governor of the Canal Zone or the Chief of Office, The Panama Canal, Washington, D. C.

(h) *American Red Cross personnel.* Requests will be submitted by Headquarters, American National Red Cross, or the headquarters representative at a port of embarkation.

(i) *Officers and employees of territorial governments.* Requests for transportation from officers and employees of the Hawaiian Government must bear the certificate of the Governor, Territory of Hawaii, that the applicant is an actual officer or employee. Transportation for officers and employees of the Puerto Rican Government from Puerto Rico is arranged through the Governor of Puerto Rico, and from the United States through the Director of Territories and Island Possessions, Department of the Interior. Children and female passengers may not be taken on outward voyages from the continental United States. [Pars. 4, 8, and 16 *a, b, c, d, e, f,* and *g*)

§ 91.4 *Stowaways and workaways.* The transport commander, agent, the master, and ship officers will use every precaution to prevent persons boarding Army transports as stowaways.

(b) In order to prevent unauthorized persons from boarding transports in the uniform of enlisted men, the commanding officers of units to embark immediately prior to embarkation will conduct a roll call inspection to see that only members of their organization are present in ranks. Before anchor is weighed if there is any reason to suspect that stowaways or other unauthorized persons are aboard, the transport will be searched by the ship's officers under the direction of the master. The transport commander will form the troops in ranks or otherwise dispose them so as to facilitate a thorough search of every part of the ship.

(c) The transport commander will see that all stowaways, whether alien or claiming American citizenship, and all workaways are reported to the port debarkation officer immediately upon arrival. The port debarkation officer will make necessary arrangements with immigration authorities, and the stowaways or workaways will not be permitted to leave the ship until they have been properly cleared.

(d) In the Philippines, they will be given the option of remaining aboard and returning on the transport or being turned over to the civil authorities for prosecution as vagrants. In other oversea ports they will be confined in a military guardhouse until disposed of in accordance with instructions from the immigration officials.

(e) In addition to the record in the office of the ship transportation officer or transportation agent, the master will cause to be entered in the ship log a record of all stowaways and workaways. [Pars. 17*g, h, i, j,* and *k*]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-512; Filed, January 9, 1943; 2:47 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes

[T.D. 5210]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

OWNERSHIP OF AND INTERESTS IN MINERALS

Regulations 103 amended to conform to section 145 of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942.

In order to conform Regulations 103 (Part 19, Title 26, Code of Federal Regulations, 1940 Sup.) to section 145 of the Revenue Act of 1942 (Public Law 753, 77th Congress), such regulations are amended as follows:

PARAGRAPH 1. Section 19.23 (m)-1 is amended as follows:

(A) By inserting in the part designated (3) of the division designated (f) of the fourth paragraph immediately after the words "iron ore" the following: ", ball and sagger clay or rock asphalt,".

(B) By striking from the part designated (4) of the division designated (f) of the fourth paragraph the words "or silver" and inserting in lieu thereof the following: "silver or fluorspar".

PAR. 2. Section 19.23 (m)-3 is amended as follows:

(A) By striking from the heading of the section "*(other than metal, coal, or sulphur mines)*" and inserting in lieu thereof the following: "*(other than metal, coal, fluorspar, ball and sagger clay, rock asphalt, or sulphur mines)*".

(B) By striking from the first sentence "(other than metal, coal, or sulphur mines)" and inserting in lieu thereof the following: "(other than metal, coal, or sulphur mines; and with respect to taxable years beginning after December 31, 1941, other than fluorspar, ball and sagger clay, or rock asphalt mines)".

(C) By inserting in the fourth paragraph immediately after the words "apply to" the following: "fluorspar, ball and sagger clay, or rock asphalt mines with respect to taxable years beginning after December 31, 1941; nor to".

PAR. 3. Section 19.23 (m)-5 is amended as follows:

(A) By changing the heading of the section to read as follows: "*Computation of depletion based on a percentage of income in the case of coal mines, metal mines, fluorspar mines, ball and sagger clay mines, rock asphalt mines, and sulphur mines or deposits*".

(B) By inserting in the first sentence immediately after the words "metal mines" the following: "and with respect to taxable years beginning after December 31, 1941, in the case of fluorspar, ball and sagger clay, or rock asphalt mines,".

(C) By inserting at the end of the first paragraph a new sentence to read as follows:

• • • In no case shall the deduction computed under this section in respect of a taxable year beginning after December 31, 1941, be less than it would be if computed upon the cost or other basis of the property provided in section 113.

(D) By changing the second paragraph to read as follows:

A taxpayer may for taxable years beginning after December 31, 1941, compute the depletion allowance provided in this section, or in § 19.23 (m)-2, without regard to any election previously made in respect of computation of the allowance. Computation of depletion based on a percentage of income is applicable to fluorspar, ball and sagger clay, or rock asphalt mines, however, only for taxable years beginning after December 31, 1941. Subject to the qualification specified in the last sentence of this paragraph, a taxpayer making his first return under chapter 1 (for a taxable year beginning after December 31, 1938, and before January 1, 1942) in respect of a property (other than a fluorspar, ball and sagger clay, or rock asphalt mine) must state as to each such property whether he elects to have the depletion allowance for each such property for the taxable year computed with or without reference to percentage depletion. For the purpose of this section the taxpayer's first return under chapter 1 in respect of a property is the return made under that chapter for his first taxable year (beginning after December 31, 1938, and before January 1, 1942) for which he has any item of income or deduction with respect to such property. An election once exercised under section 114 (b) (4) and this section in respect of any taxable year beginning prior to January 1, 1942, cannot thereafter be changed by the taxpayer, and the depletion allowance in respect of each such property will for all succeeding taxable years (beginning prior to January 1, 1942) be computed in accordance with the election so made. If the taxpayer fails to make such statement in the return in which the election should be so indicated, the depletion allowance for the year for which an election must be first exercised and for all succeeding taxable years beginning prior to January 1, 1942, will be computed without reference to percentage depletion. The method, determined under section 114 (b) (4) and this section, of computing the depletion allowance shall be applied in the case of the property for all taxable years beginning prior to January 1, 1942, in which it is in the hands of such taxpayer, or of any other person if the basis of the property (for determining gain) in his hands is, under section 113, determined by reference to the basis in the hands of such taxpayer, either directly or through one or more substituted bases, as defined in that section. In respect of taxable years beginning prior to January 1, 1942, the right of election specified in this paragraph is subject to the qualification that section 114 (b) (4) shall, for the purpose of determining whether the method of computing the depletion allowance follows the property, be considered a continuation of section 114 (b) (4) of the Revenue Act of 1934, and the Revenue Act of 1936, and the Revenue Act of 1938, and as giving no new election in cases where any of such sections would, if applied, give no new election.

PAR. 4. Section 19.23 (m)-8 is amended by striking from the first sentence "other than coal, sulphur," and inserting in lieu thereof the following: "other than fluorspar, ball and sagger clay, or rock asphalt with respect to taxable years beginning after December 31, 1941, and coal, sulphur,".

PAR. 5. Section 19.23 (m)-10, as amended by Treasury Decision 4968, approved March 25, 1940, is further amended as follows:

(A) By striking from that part designated (d) "(and for subsequent taxable years" and inserting in lieu thereof the following: "(and for subsequent taxable years beginning prior to January 1, 1942".

(B) By inserting at the end of that part designated (d) a new sentence to read as follows:

• • • For taxable years beginning after December 31, 1941, the owner of an economic interest in fluorspar, ball and sagger clay, or rock asphalt mines may take as a depletion deduction in respect of any bonus or advance royalty from the property 15 percent of the amount thereof, but the deduction shall not in any case exceed 50 percent of the net income of the taxpayer (computed without allowance for depletion) from the property.

PAR. 6. Section 19.23 (m)-13 is amended by inserting in the first sentence immediately after the words "metal mines," the following: "fluorspar mines,

ball and sagger clay mines, rock asphalt mines,".

PAR. 7. Section 19.23 (m)-14 is amended as follows:

(A) By changing the heading of the section to read as follows: "*Discovery of mines other than coal, metal, flourspar, ball and sagger clay, rock asphalt, or sulphur mines.*".

(B) By striking from the first sentence "(other than a coal, metal, or sulphur mine) or minerals (other than oil or gas, coal, sulphur, metal, or metallic ores)," and inserting in lieu thereof the following: "other than a coal, metal, or sulphur mine, or, with respect to taxable years beginning after December 31, 1941, a fluorspar, ball and sagger clay, or rock asphalt mine) or minerals (other than oil or gas, coal, sulphur, metal or metallic ores, or with respect to taxable years beginning after December 31, 1941, fluorspar, ball and sagger clay, or rock asphalt),".

PAR. 8. There is inserted immediately preceding § 19.114-1 the following:

SEC. 145. PERCENTAGE DEPLETION FOR COAL, FLUORSPAR, BALL AND SAGGER CLAY, ROCK ASPHALT, AND METAL MINES AND SULPHUR. (Revenue Act of 1942, Title I)

(a) *Percentage depletion.* Section 114 (b) (4) is amended to read as follows:

(4) *Percentage depletion for coal, fluorspar, ball and sagger clay, rock asphalt, and metal mines and sulphur.* The allowance for depletion under section 23 (m) shall be, in the case of coal mines, 5 per centum, in the case of metal mines, fluorspar, ball and sagger clay or rock asphalt mines, 15 per centum, and, in the case of sulphur mines or deposits, 23 per centum of the gross income from the property during the taxable year, excluding from such gross income an amount equal to any rents or royalties paid or incurred by the taxpayer in respect of the property. Such allowance shall not exceed 50 per centum of the net income of the taxpayer (computed without allowance for depletion) from the property, except that in no case shall the depletion allowance under section 23 (m) be less than it would be if computed without reference to this paragraph.

(b) *Discovery depletion not applicable to fluorspar, ball and sagger clay or rock asphalt mines.* Section 114 (b) (2) is amended by striking out "metal, coal, or sulphur mines" and inserting in lieu thereof "metal, coal, fluorspar, ball and sagger clay, rock asphalt, or sulphur mines".

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 9. Section 19.114-1 is amended by inserting in the first sentence immediately after the words "metal mines," the following: "fluorspar mines, ball and sagger clay mines, or rock asphalt mines,".

(Sec. 145 of the Revenue Act of 1942 (Pub. Law 753, 77th Cong.) and sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C., 1940 ed., 62))

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: January 8, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-529; Filed, January 11, 1943; 11:03 a. m.]

Subchapter D—Social Security and Carriers Taxes

[T.D. 5211]

PART 402—EMPLOYEES' TAX AND EMPLOYERS' TAX UNDER THE FEDERAL INSURANCE CONTRIBUTIONS ACT

PART 403—EXCISE TAX ON EMPLOYERS UNDER THE FEDERAL UNEMPLOYMENT TAX ACT

EMPLOYMENT TAXES

Regulations 106 and Regulations 107 amended to conform to section 165 (a) of the Revenue Act of 1942, modifying the exemption from income tax of certain mutual insurance companies or associations under section 101 (11) of the Internal Revenue Code.

In order to conform Regulations 106 [Part 402, Title 26, Code of Federal Regulations, 1940 Sup.] relating to the employees' tax and the employers' tax under the Federal Insurance Contributions Act (subchapter A, chapter 9, Internal Revenue Code; 53 Stat. 175, 1381; 26 U.S.C., 1940 ed., 1400 to 1432, inclusive), and Regulations 107 [Part 403 of such Title 26, 1940 Sup.], relating to the excise tax on employers under the Federal Unemployment Tax Act (subchapter C, chapter 9, Internal Revenue Code; 53 Stat. 183, 1387; 26 U.S.C., 1940 ed., 1600 to 1611, inclusive), to section 165 (a) of the Revenue Act of 1942, approved October 21, 1942 (Public Law 753, 77th Congress), such regulations are amended as follows:

Immediately preceding § 402.217 of Regulations 106, relating to organizations exempt from income tax, and immediately preceding § 403.217 of Regulations 107, relating to organizations exempt from income tax, the following is inserted:

SECTION 165 (a) [TITLE I] OF THE REVENUE ACT OF 1942

Exempt companies. Section 101 (11) [Internal Revenue Code] is amended to read as follows:

"(11) Mutual insurance companies or associations other than life or marine (including interinsurers and reciprocal underwriters) if the gross amount received during the taxable year from interest, dividends, rents, and premiums (including deposits and assessments) does not exceed $75,000;".

SECTION 101 [TITLE I] OF THE REVENUE ACT OF 1942

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

(Secs. 1429 and 1609 of the Internal Revenue Code (53 Stat. 178, 188; 26 U.S.C., 1940 ed., 1429, 1609), and sec. 165 (a) of the Revenue Act of 1942 (Pub. Law 753, 77th Cong.))

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: January 8, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-530; Filed, January 11, 1943; 11:03 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Order 77]

GREYSTONE PARK STATE HOSPITAL PROJECT, N. J.

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Greystone Park State Hospital Project to be work of national importance, to be known as Civilian Public Service Camp No. 77. Said project, located at Morris Plains, Morris County, New Jersey, will be the base of operations for work at the Greystone Park State Hospital, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and non-combatant military service and have been placed in Class IV-E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said Greystone Park State Hospital Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Superintendent, Greystone Park State Hospital at Morris Plains, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Greystone Park State Hospital. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

JANUARY 6, 1943.

[F. R. Doc. 43-520; Filed, January 11 1943; 10:01 a. m.]

[Order 78]

COLORADO PSYCHOPATHIC HOSPITAL PROJECT

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Colorado Psychopathic Hospital Project to be work of national importance, to be known as Civilian Public Service Camp No. 78. Said project, located at Denver, Denver County, Colorado, will be the base of operations for work at the Colorado Psychopathic Hospital, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and non-combatant military service and have been placed in Class IV-E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said Colorado Phychopathic Hospital Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Director, Colorado Psychopathic Hospital at Denver, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Colorado Phychopathic Hospital. Administrative and directive control shall be under the Selective Service system through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

JANUARY 7, 1943.

[F. R. Doc. 43-519; Filed, January 11, 1943; 10:01 a. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1010—SUSPENSION ORDERS

[Amendment 3 to Suspension Order S-121]

COFFEE CORP. OF AMERICA

Paragraph (a) of § 1010.121, Suspension Order S-121, issued October 22, 1942, and amended November 23, 1942, and December 21, 1942, is hereby amended to read as follows:

(a) During each of the calendar months of February 1943, March 1943, and April 1943, deliveries of coffee by Coffee Corporation of America, its successors and assigns, shall not exceed 151,833 pounds, except as specifically authorized by the Director General for Operations.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024; 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-443; Filed, January 8, 1943; 4:32 p. m.]

PART 1010—SUSPENSION ORDERS

[Amendment 1 to Suspension Order S-196]

ASSOCIATED DYEING AND PRINTING CO. OF N. J., INC.

Paragraph (a) of § 1010.196, Suspension Order S-196, issued December 31, 1942, is hereby amended to read as follows:

(a) Associated Dyeing and Printing Company of New Jersey, Inc., its successors and assigns, shall not order or accept delivery of any of the anthraquinone dyes specified in paragraph (c) (3) of Conservation Order M-103, except as specifically authorized by the Director General for Operations.

Issued this 8th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-444; Filed, January 8, 1943; 4:32 p. m.]

PART 1010—SUSPENSION ORDERS

[Amendment 1 to Suspension Order S-198]

BOUCHARD & CHARVET DYE & FINISH CO.

Paragraph (a) of § 1010.198, Suspension Order S-198, issued December 31, 1942, is hereby amended to read as follows:

(a) Bouchard & Charvet Dye & Finish Company, its successors and assigns, shall not order or accept delivery of any of the anthraquinone dyes specified in paragraph (c) (3) of Conservation Order M-103, except as specifically authorized by the Director General for Operations.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-445; Filed, January 8, 1943; 4:33 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-203]

ECONOMY OIL AND KEROSENE CO.

Stanley L. Hughey, doing business as the Economy Oil and Kerosene Company, Tampa, Florida, is engaged in supplying motor fuel to and operating twelve (12) service stations in and near Tampa, Florida, and is a supplier within the meaning of Limitation Order L-70. During the months of April, May, June, and from July 1 to July 21, 1942, the Economy Oil and Kerosene Company made deliveries of motor fuel to eleven (11) of its twelve (12) stations 204,262 (two hundred and four thousand and two hundred and sixty two) gallons in excess of its established quota for those eleven stations of 190,774 (one hundred and ninety thousand and seven hundred and seventy four) gallons. The Economy Oil and Kerosene Company failed to compute the proper quota for these deliveries, and failed to report to the War Production Board its anticipated deliveries and its actual deliveries to the said eleven service stations as required by Limitation Order L-70. Stanley L. Hughey was aware of the existence of Limitation Order L-70 but was grossly negligent in that he failed to ascertain the terms and restrictions of that order. Consequently the over deliveries and the failure to report constituted willful violations of Limitation Order L-70.

These willful violations of Limitation Order L-70 have hampered and impeded the war effort of the United States. In view of the foregoing facts: *It is hereby ordered:*

§ 1010.203 *Suspension Order S-203.* (a) Stanley L. Hughey doing business as the Economy Oil and Kerosene Company, or under any other name, their lessees, successors, and assigns, shall not accept delivery at the service stations listed below of any motor fuel as the same is defined in Limitation Order L-70, except as specifically authorized by the Director General for Operations.

Lakeland, Florida.
4318 7th Avenue, Tampa.
40th & Hillsborough, Tampa.
15th & Hillsborough, Tampa.
5705 Nebraska Avenue, Tampa.
6505 Florida Avenue, Tampa.
4302 Florida Avenue, Tampa.
2502 Tampa Street, Tampa.
706 13th Street, Tampa.
8th Avenue and 15th Street, Tampa.
Lisbon and Memorial, Tampa.

(b) No person shall deliver any motor fuel as the same is defined in Limitation Order L-70 to the service stations listed in paragraph (a) hereof, except as specifically authorized by the Director General for Operations.

(c) Nothing contained in this order shall be deemed to relieve Stanley L. Hughey, individually or doing business as the Economy Oil and Kerosene Company, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on January 11, 1943 and expire on June 11, 1943 at which time the restrictions contained in this order shall be of no further force or effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-446; Filed, January 8, 1943; 4:33 p. m.]

PART 1010—SUSPENSION ORDERS

[Amendment 1 to Suspension Order S-208]

CLIFFSIDE DYEING CORP.

Paragraph (a) of § 1010.208, Suspension Order S-208, issued January 5, 1943, is hereby amended to read as follows:

(a) Cliffside Dyeing Corporation, its successors and assigns, shall not order or accept delivery of any of the anthraquinone dyes specified in paragraph (c) (3) of Conservation Order M-103, except as specifically authorized by the Director General for Operations.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-447; Filed, January 8, 1943; 4:33 p. m.]

PART 923—TUNGSTEN

[General Preference Order M-29 as Amended Jan. 9, 1943]

Whereas, the national defense requirements have created a shortage of tung-

sten, as hereinafter defined, for defense, for private account, and for export and it is necessary, in the public interest and to promote the defense of the United States, to conserve the supply and direct the distribution thereof;

Now, therefore, it is hereby ordered, That:

§ 923.3 *General Preference Order M-29*—(a) *Definitions.* For the purposes of this order:

(1) "Tungsten" means and includes:

(i) Ores and concentrates, including beneficiated or treated forms, containing commercially recognized tungsten;

(ii) The element tungsten in pure form, in any shape into which the same may be fabricated;

(iii) Ferro-tungsten, tungsten metal powder and any other ferrous combination of the element tungsten in semi-manufactured or manufactured form, excluding alloy steel, high speed steel and tool steel.

(iv) All non-ferrous mixtures or alloys containing tungsten, prepared for any purpose requiring further processing, whether the same are manufactured by means of melting, pressing, sintering, brazing, soldering or welding, including but not limited to mixtures or alloys to be used in the production of tools and tool blanks or as hard facing materials, but not including any finished tool;

(v) All chemical compounds having tungsten as a recognizable and essential component from which tungsten is commercially recoverable.

(vi) All scrap or secondary material containing commercially recoverable tungsten as defined in (ii), (iii), (iv) and (v) above, excluding tungsten bearing iron and steel scrap.

(2) "Producer" means any person who mines or otherwise produces natural materials containing recoverable quantities of tungsten.

(3) "Processor" means any person who prepares ores concentrates or any chemical or metallurgical forms of tungsten for any industrial use.

(4) "Dealer" means any person who procures tungsten either by importing or from domestic sources for sale or resale without change in form, whether or not such person receives title to or physical delivery of the material, and includes warehousemen, brokers and jobbers.

(b) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1, (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(c) *Restrictions on deliveries*—(1) *Allocations.* Except as permitted by paragraph (c) (2) of this order, no person shall make or accept delivery of tungsten without the specific authorization of the Director General for Operations.

The Director will from time to time allocate the supply of tungsten and specifically direct the manner and quantities in which deliveries to particular persons or for particular uses shall be made or withheld. The Director may also require any person seeking to place a purchase order for tungsten to place the same with one or more particular suppliers. Such allocations and directions will be made primarily to insure satisfaction of all defense requirements of the United States, both direct and indirect, and they may be made without regard to any preference ratings assigned to particular contracts or purchase orders.

(2) *Permissible deliveries.* Until further order or in the absence of a contrary direction by the Director General for Operations, the following transactions are permitted without specific authorization by the Director General for Operations:

(i) Tungsten in any form may be delivered by any person to the Metals Reserve Company or to any other Corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act as amended (15 U.S.C., section 606 (b)), or to any duly authorized agent of any such Corporation.

(ii) Tungsten in any form (except in the form of wire, rod, sheet or metal powder) may be delivered by any person to any person in quantities of 25 pounds or less of contained tungsten, provided that the total quantity in terms of tungsten content which any person may receive pursuant to the provisions of this subparagraph during any one calendar month, beginning with the month of July, 1942, from all sources of supply shall be limited to 25 pounds.

(iii) Tungsten ores or concentrates may be delivered by any producer, dealer or processor:

(a) To any processor for the purpose of being concentrated, further concentrated or beneficiated by the processor receiving such delivery, or

(b) To any dealer, provided that no dealer shall store or otherwise hold for more than 120 days any material acquired by him under the provisions of this subparagraph.

(d) *Reports and applications.* (1) Each processor and dealer shall file with the War Production Board on or before the 20th day of each calendar month reports on form PD-9-d, or such other form as said Board may from time to time prescribe.

(2) Any person who desires an allocation of tungsten shall apply therefor to the War Production Board not later than the 20th day of the month preceding the month in which delivery of the material is desired, on Form PD-9-c, or such other form as the War Production Board may from time to time prescribe, and shall file a copy of such application with each supplier with whom he places a purchase order for tungsten. All such applications to the War Production Board must be accompanied by reports on behalf of the applicant on form PD-9-d, or on such other form as may be prescribed for this purpose from time to time by the War Production Board. Failure by any person to file an application in the manner and on the date required by this paragraph may be construed as notice to the Director General for Operations and to all suppliers of tungsten that such person does not desire an allocation of tungsten during the next succeeding month.

(e) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(f) *Effect upon other orders.* Nothing contained in this order shall be construed as altering or modifying any of the terms or provisions of General Imports Order M-63, as the same may be from time to time amended.

(g) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the Tungsten Branch, War Production Board, Washington, D. C., Reference: M-29.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 9th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-487; Filed, January 9, 1943; 11:43 a. m.]

PART 962—IRON AND STEEL

[Interpretation 3 of Supplementary Order M-21-d]

CORROSION AND HEAT RESISTANT CHROME STEEL

The following interpretation is issued with regard to Supplementary Order M-21-d:

Paragraph (a) of Supplementary Order M-21-d (§ 962.5) places certain restrictions on the use and delivery of corrosion and heat resistant chrome steel except where specific authorization or direction has been given by the Director General for Operations. For the purposes of this order, the approval of an order for melting or delivery on forms PD-391 or PD-707 constitutes specific authorization or direction by the Director General for Operations. Therefore, an order for such steel rated lower than AA-5 can be melted, processed and shipped, if approved on forms PD-391 or PD-707, and the purchaser can use such steel in his own operations or processes or complete fabrication of articles from such steel and ship to his customer.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 9th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-488; Filed, January 9, 1943; 11:44 a. m.]

PART 996—CHLORINATED HYDROCARBON SOLVENTS

[General Preference Order M-41 as Amended Jan. 9, 1943]

Whereas the national defense requirements have created a shortage of chlorinated hydrocarbon solvents, as hereinafter defined, for defense, for private account, and for export, and it is necessary, in the public interest and to promote the defense of the United States, to conserve the supply and direct the distribution thereof;

Now, therefore, it is hereby ordered, That:

§ 996.1 *General Preference Order M-41*—(a) *Definitions.* (1) "Chlorinated hydrocarbon solvents" means:

(i) Carbon tetrachloride,
(ii) Trichlorethylene,
(iii) Perchlorethylene,
(iv) Ethylene dichloride,

and includes mixtures containing the foregoing, provided said mixtures are suitable for any of the uses hereinafter in paragraph (c) specified.

(2) "Producer" means any person engaged in the production of chlorinated hydrocarbon solvents and includes any person who has chlorinated hydrocarbon solvents produced for him pursuant to toll agreement.

(3) "Dealer" means any person who purchases chlorinated hydrocarbon solvents for purposes of resale.

(4) "Base period" means the twelve months' period ending September 30, 1941. In the event that a person shall not throughout such period have been in the business of using chlorinated hydrocarbon solvents, the base period shall be such period as the Director General for Operations shall select, having regard to such person's consumption of chlorinated hydrocarbon solvents at other or different times.

(b) *Applicability of Priorities Regulation 1.* This order and all transactions in chlorinated hydrocarbon solvents are subject to the provisions of Priorities Regulation 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(c) *Assignment of preference ratings.* Unless a higher preference rating has been specifically assigned by the Director General for Operations, whether by certificate, preference rating order or otherwise, orders for chlorinated hydrocarbon solvents for each of the uses set forth below are hereby assigned the preference rating set opposite such use as follows:

Use	*Preference rating*
Fumigation of stored products, including grain	A-10
Charging and recharging fire extinguishers	A-10
Plant control laboratories, hospitals, educational institutions and public institutions, for own consumption	A-10
Processing and manufacture of food, chemicals, rubber, petroleum and plywood, where substitution of other materials is impractical	A-10
Cleaning of metal parts of electrical equipment	A-10
Manufacture of chlorinated hydrocarbon refrigerants	A-10
Degreasing machines specially designed to use such solvents, where used in the manufacture of aircraft, motor vehicles, arms and other direct war material pursuant to contracts or subcontracts with the Army or the Navy of the United States and where, because such solvents are not incorporated in the end product, the rating assigned is not extendable by the contractor or subcontractor; provided that the contractor or subcontractor shall have certified to such fact on his order for such solvents	A-10
Degreasing machines specially designed to use such solvents in a manufacturing process (except as described in the preceding paragraph) or in the repair of public carriers; provided such machines use the solvents at or near their boiling point	B-2
Packaged spotting and cleaning preparations	B-2
Dry cleaning establishments	B-2
Manual cleaning of non-absorbent articles other than metal parts of electrical equipment	B-2

(d) *Restrictions on deliveries.* (1) No person requiring any chlorinated hydrocarbon solvents for any use to which a preference rating of B-2 is assigned by paragraph (c) of this order shall in any month receive delivery of chlorinated hydrocarbon solvents intended for such use in an amount in excess of fifty (50) percent of such person's average monthly consumption of chlorinated hydrocarbon solvents in such use during the base period: *Provided, however,* That any person requiring carbon tetrachloride for any use to which a preference rating of B-2 is assigned by paragraph (c) of this order may receive delivery in any month of an amount of carbon tetrachloride up to but not in excess of one hundred (100) percent of such person's average monthly consumption of carbon tetrachloride in such use during the base period.

(2) No person other than a dealer shall receive delivery of any chlorinated hydrocarbon solvents from any other person for any use to which a preference rating lower than A-10 has been assigned by this order or otherwise unless prior to receiving delivery thereof he shall have furnished such other person with a duly executed purchaser's certificate, in duplicate, on Form PD-127 except that no purchaser's certificate shall be necessary where the quantity received is one gallon or less.

(3) Except as authorized by the Director General for Operations, no person shall receive chlorinated hydrocarbon solvents, whatever the quantity, except for the purpose of filling orders to which a preference rating has been assigned by this order or otherwise.

(4) Nothing in this paragraph (d) shall be construed to prevent:

(i) The delivery by producers of or dealers in chlorinated hydrocarbon solvents within the restrictions contained in paragraph (f) hereof and after provision has been made for filling defense orders, to and among themselves, for purposes of resale.

(ii) The acceptance of delivery of spent chlorinated hydrocarbon solvent residues by a reclaimer for purpose of reclamation, whether by way of purchase or with retention of title in the deliveror, and, where title is retained by the deliveror the return to the deliveror of the reclaimed solvents: *Provided however,* That the reclaimed solvents be held subject to the provisions of this order by such reclaimer or deliveror, as the case may be.

(iii) Nothing in this order shall be construed to prevent a person's accepting chlorinated hydrocarbon solvents in his customary delivery unit (tank car, drum or other container) provided, in the event that the quantity received exceeds the amount permitted by paragraphs (d) (1) and (f) hereof, that the person accepting such delivery shall not be entitled to receive additional chlorinated hydrocarbon solvents until the end of the period within which such quantity would be consumed at the rate of consumption authorized by this order.

(5) No person shall make delivery of chlorinated hydrocarbon solvents to any other person where such other person is not permitted by this order to receive the same nor, where acceptance of a limited quantity thereof is permitted by this order, in a quantity in excess of such permitted quantity.

(e) *Records and reports.* In addition to the records and reports required by Priorities Regulation 1 as amended, each producer or dealer shall, on or before the tenth day of each month, file with the War Production Board, Ref.: M-41, the duplicate of each purchaser's certificate (Form PD-127), submitted to him, in connection with which he has made delivery during the preceding month of chlorinated hydrocarbon solvents.

(f) *Inventory restrictions.* In addition to the inventory restrictions contained in Priorities Regulation 1, hereinabove referred to, no person other than a producer shall, except as provided in paragraph (d) (4) hereof, accumulate inventories of chlorinated hydrocarbon solvents in excess of a 30 day supply thereof, at the expected rate of use or resale.

(g) *Miscellaneous provisions.* (1) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of materials conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the Director General for Operations. The Director General for Operations may thereupon take such action as he deems appropriate.

(2) *Violations.* Any person who willfully violates any provision of this order or who in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications

concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Washington, D. C. Ref.: M–41.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a) Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 9th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43–489, Filed, January 9, 1943; 11:43 a. m.]

PART 1001—TIN

[Preference Order M–43, as Amended Jan. 9, 1943]

Section 1001.1 *Preference Order M–43*, as heretofore amended on June 17, 1942, and October 19, 1942, is hereby further amended to read as follows:

§ 1001.1 *Preference Order M–43*—(a) *Revocation of Conservation Order M–43–a.* Conservation Order M–43–a, as amended November 24, 1942, is hereby revoked as of January 9, 1943.

(b) *Definitions.* For the purposes of this order:

(1) "Tin" means and includes both pig tin and secondary tin.

(2) "Pig tin" means metal containing 98% or more by weight of the element tin, in shapes current in the trade (including anodes, small bars, and ingots) produced from ores, residues or scrap.

(3) "Secondary tin" means any metal (except tin plate and terne plate as those terms are defined in Supplementary Order M–21–e) which contains less than 98% but not less than 1.5% by weight of the element tin.

(4) "Manufacture" means to fabricate, assemble, melt, cast, extrude, roll, turn, spin, produce, coat, or process in any way, but does not include the processing of tin ore, concentrates, residues or scrap into metallic tin.

(5) "Inventory" of a person includes the inventory of affiliates and subsidiaries of such person, and the inventory of others where such inventory is under the control of or under common control with, or available for the use of such person.

(6) "Implements of war" means combat end-products, complete for tactical operations (including, but not limited to, aircraft, ammunition, armaments, weapons, ships, tanks, military vehicles and radio and radar equipment), and any parts, assemblies or materials to be incorporated in any of the foregoing items. This term does not include facilities or equipment used to manufacture the foregoing items.

(7) "Base period" means the corresponding calendar quarter of 1940.

(8) "Distributor" means any person regularly engaged in the business of buying and selling tin, and includes warehousemen and jobbers.

(c) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the provisions of the applicable priorities regulations of the War Production Board, as amended from time to time.

(d) *General restrictions on use of tin.* (1) No product or article or part thereof shall be manufactured of pig tin if it is possible to use secondary tin for such purpose.

(2) No tin in any form shall be used in the manufacture of any item, or in any process appearing on List A of this order; nor shall tin be used for any purpose except to manufacture the items listed in Schedule 1 of this order, within the limitations and restrictions specified in such Schedule.

(e) *Restrictions on the use of certain tin products.* Except with the specific permission of the Director General for Operations granted pursuant to appeal under paragraph (k), no person shall use any of the tin bearing products on List B, of this order in the manufacture or treating of any other product or article; *Provided*, That when any such tin bearing product is listed in Schedule 1, it may be used for the purposes for which it is permitted to be manufactured as specified in Schedule 1.

(f) *Restrictions on deliveries.* (1) No person shall deliver or accept delivery of pig tin without the specific authorization of the Director General for Operations; *Provided, however*, That in the absence of a contrary direction by the Director General for Operations, pig tin may be delivered without specific authorization:

(i) To the Metals Reserve Company or to any other corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act as amended (15 U.S.C., sec. 606 (b)), or to any duly authorized agent of any such corporation.

(ii) By any distributor in lots of three long tons or less up to but not exceeding a total of five long tons to any one customer in the same calendar month, *Provided*, That the aggregate of such deliveries which any person may receive from all distributors pursuant to the authority of this paragraph shall in no event exceed five long tons in any calendar month; *And provided further*, That any person seeking such a delivery shall, at the time of placing his purchase order, file with the distributor a statement substantially in the following form, signed by an official duly authorized for such purpose:

The Undersigned hereby certifies:

(a) That no allocation of pig tin has been made to the undersigned by the Director General for Operations during the calendar month in which delivery of the pig tin covered by the accompanying purchase order is specified;

(b) That such pig tin if delivered will not cause the undersigned's total receipts of pig tin from all distributors during the same calendar month pursuant to the authorization of paragraph (f) of General Preference Order M–43, as amended, to exceed five long tons; and

(c) That such pig tin will not be used or disposed of by the undersigned in violation of any order or regulation of the War Production Board

---
(Name of purchaser)

By ---
(Duly authorized official)

(2) On or before the 10th day of each calendar month, each distributor shall report to the War Production Board in such form and detail as said Board may from time to time prescribe, his transactions in all pig tin during the previous month.

(g) *Allocations.* The Director General for Operations will from time to time allocate the supply of pig tin, including all pig tin released by the Metals Reserve Company, and issue specific directions as to the source, destination, and the amount of pig tin to be delivered or acquired. The Director General for Operations may also specifically direct the purposes and end products for which any person may convert, process or fabricate pig tin allocated to him.

(h) *Applications for pig tin.* Applications for allocations of pig tin or for specific authorization to accept delivery thereof under paragraph (g) shall be made to the War Production Board not later than the 20th day of the month next preceding the month in which delivery is desired, on Form PD–213 or such other form as the War Production Board may from time to time prescribe.

(i) *Prohibitions against sales or deliveries with knowledge of intended misuse.* Notwithstanding the authorization by the Director General for Operations of a sale or delivery of tin, no person shall sell or deliver any tin or tin bearing material or product thereof in the form of raw materials, semi-processed materials, finished parts or sub-assemblies to any person if he knows or has reason to believe such material or any product thereof is to be used in violation of the terms of this order.

(j) *Limitation on inventories.* No manufacturer shall receive delivery of tin, or products thereof, in the form of raw materials, semi-processed materials, finished parts or sub-assemblies nor shall he put into process any raw material, in quantities which in either case shall result in an inventory of such raw, semi-processed or finished material in excess of a minimum practicable working inventory, taking into consideration the limitations placed upon the production of tin products by this order. In the absence of special permission to acquire or hold a greater supply of tin, forty-five days' inventory shall, for the purposes of this order, be deemed a practicable working inventory. Application for such special permission may be made by letter addressed to the Tin and Lead Division, War Production Board, Washington, D. C., reference M–43.

(k) *Appeals.* Any appeal from the provisions of this order shall be made by filing form PD–229 with the War Production Board. Such appeal shall refer to the particular provision appealed from, state fully the grounds of the appeal and furnish such other information as may be required on the prescribed form.

(l) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply to the use of material in all items or articles hereafter manufactured irrespective of whether such items or articles are manufactured pursuant to a contract made prior or subsequent to January 9, 1943, or pursuant to a contract supported by a preference rating. Insofar as any other order of the Director General for Operations may have the effect of limiting or curtailing to a greater extent than herein provided the use of tin in the production of any item or article, the limitations of such other order shall be observed.

(m) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(n) *Communications to War Production Board.* All reports to be filed hereunder, appeals, and other communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Tin and Lead Division, Washington, D. C., Ref.: M–43.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 9th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

LIST A

Pursuant to the foregoing order, the use of tin in any form, including semi-finished and finished products, in the manufacture of the items and for the purposes listed below is prohibited:

1. Advertising specialties.
2. Art objects.
3. Automobile body solder, or any material used as a filler or smoother for automobile or truck bodies or fenders.
4. Band and other musical instruments (except as permitted in Schedule 1 under the item "pipe organs").
5. Britannia metal.
6. Broom wire.
7. Buckles.
8. Buttons.
9. Chimes and bells.
10. Emblems and insignia.
11. Fasteners: eyelets, spiral binders, office and industrial staples, book match clips, paper clips, zippers, dress hooks.
12. Foil (except as permitted in Schedule 1, under the item "Foil").
13. Zinc galvanizing.
14. Household furnishings and equipment.
15. Jewelry.
16. Kitchen equipment (including cutlery and tableware), except as permitted in Schedule 1 under the item "Kitchen, galley and mess equipment for the Army or Navy of the United States, the War Shipping Administration, the United States Maritime Commission or the Coast Guard."
17. Novelties, souvenirs and trophies.
18. Ornaments and ornamental fittings.
19. Pewter and pewter holloware.
20. Plating or coating for decorative purposes.
21. Powder (decorative).
22. Refrigerator trays and shelves.
23. Seals and labels.
24. Slot, game and vending machines.
25. Coated paper.
26. Tin oxide.
27. Toys and games.

LIST B

The following tin bearing products shall not be used in the manufacture or treating of any other products except in accordance with the provisions of paragraph (e) of the foregoing order:

1. Automobile body solder or any similar material containing tin, commonly used as a filler or smoother for automobile or truck bodies.
2. Tin oxide.
3. Solder containing more than 20% by weight of tin, except that solder containing not more than 30% of tin by weight, if acquired prior to January 9, 1943, may be used until April 1, 1943, by the person who so acquired it for any purpose other than as a smoother or filler for automobile or truck bodies.
4. Babbitt metal or similar alloys used as babbitt containing more than 12% by weight of tin.
5. Brittania metal, pewter metal or other similar tin bearing alloy.
6. Foil containing tin.

SCHEDULE 1

Pursuant to the foregoing order, tin may be used only in the production of the items and for the purposes set forth in this Schedule, subject to any limitations, restrictions or conditions specified with respect to any such item or purpose, and only to the extent that substitution of a less critical material is impracticable:

(1) *Implements of war.* The conditions, restrictions and limitations set forth in this Schedule with respect to any listed item or purpose shall not apply to the manufacture of "Implements of war" produced for the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration or the Coast Guard, where the use of tin in the grade and to the extent employed is required by the latest applicable specifications (including performance specifications, unless otherwise directed by the Director General for Operations) of the government service or agency for which the same are being produced.

(2) *Detonators and blasting caps (including electric blasting caps).* This item includes all necessary parts and accessories, but is limited to detonators and blasting caps which are to be used in mining, quarrying or oil drilling operations. Necessary materials to be incorporated in such detonators or blasting caps shall be exempt from the limitations, conditions and restrictions specified in this Schedule with respect to any such material.

(3) *Tin plate and terne plate.* Tin plate and terne plate, as respectively defined in Supplementary Order M–21–e, as from time to time amended, may be manufactured as permitted under the provisions of said Supplementary Order. Terne metal, however, may be manufactured from secondary tin only.

(4) *Collapsible tubes.* The manufacture of collapsible tubes is permitted subject to the limitations and restrictions of Conservation Order M–115 as amended from time to time.

(5) *Brass and bronze.* The tin content of brass and bronze alloys shall be limited as follows:

(a) For cast alloys the maximum tin content shall be 9% by weight unless the lead content of the alloy is equal to or greater than the tin content, and in no case shall the tin content be greater than 12% by weight.

(b) In wrought alloys the maximum tin content shall be 6% by weight.

(6) *Solder.* In the manufacture of solder, the tin content shall be limited as follows according to the purposes for which it is to be used:

(i) For the repair of gas meters, not more than 38% tin by weight;

(ii) For wiping lead-sheathed cable joints or lead pipe joints, not more than 32.5% tin by weight;

(iii) For use in the manufacture of industrial instruments (as defined in Conservation Order L–134) and their associated control valves, 50% tin by weight: *Provided*, That solder of a lower tin content shall be used whenever its use will not cause damage or change the physical or electrical properties of the part soldered.

(iv) For all other purposes, not more than 21% tin by weight.

The total quantity of tin which any person may use in the manufacture of solder during any calendar quarter, beginning January 1, 1943, shall be limited to 50% of the quantity used by him in the manufacture of solder during the base period.

(7) *Babbitt.* In the manufacture of babbitt metal and similar alloys used as babbitt, the tin content shall be limited to not more than 12% by weight and only secondary tin shall be used. The foregoing restrictions, however, shall not apply where the babbitt metal or other similar alloy used as babbitt is to be used for any of the following purposes:

(i) Repair, maintenance or replacement in existing diesel engines, turbines, mining or quarrying machinery, locomotive connecting rods or coupling rod bearings; provided in any such case that the design of the machine or equipment makes the substitution of lead base babbitt impossible.

(ii) Repair, maintenance or replacement in vessels or shipping facilities pursuant to a preference rating duly established or assigned by the United States Maritime Commission. The total quantity of tin which any person may use in the manufacture of babbitt metal, or other similar alloys used as babbitt, during any calendar quarter, beginning January 1, 1943 shall be limited to 40% of the quantity used by him for such purposes during the base period.

(8) *Foil.* Foil containing tin may be manufactured only as follows:

(i) Electrotypers foil having a tin content of not more than 16% by weight.

(ii) Dental foil having a tin content of not more than 30% by weight.

(iii) Foil to be used in condensers, having a tin content of not more than 4½% by weight.

(iv) Soft babbitt foil for the preparation of industrial metallic packing, having a tin content of not more than 1.5% by weight.

The quantity of tin which any person may use in the manufacture of foil during any calendar quarter, beginning January 1, 1943, shall be limited to 35% of the quantity used by him for such purposes during the base period.

(9) *Dairy equipment.* Tin may be used to coat fluid milk shipping containers which are manufactured within the restrictions and in accordance with the provisions of Conservation Order M–200. The quantity of tin which may be used in the manufacture of dairy equipment other than fluid milk shipping containers by any person during any calendar quarter, beginning January 1, 1943, shall be limited to the quantity used by him for such purposes during the base period. Any dairy equipment may be retinned, provided only that the amount of tin which any retinner may use during any calendar quarter, beginning January 1, 1943, for the retinning of dairy equipment, shall be limited to 150% of the amount used by him for such purposes during the base period.

(10) *Kitchen, galley and mess equipment for the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration or the Coast Guard and the Forest Service of the United States Department of Agriculture.* Tin may be used in the foregoing equipment excluding flat ware, to the extent required by the applicable specifications (including performance specifications, unless otherwise directed by the Director General for Operations) of the

service or agency to which such equipment is to be delivered

(11) *Alloy for coating copper wire.* Alloys may be manufactured having a tin content not exceeding 12% by weight for coating copper wire where rubber insulation is in contact with the wire.

(12) *Coating foundry chaplets.* Alloys containing not more than 5% of tin by weight may be manufactured and used for coating foundry chaplets. Tin in no other form may be used for such coating.

(13) *Printing plates and type metal for use by the printing, publishing and related service industries.* Secondary tin only may be used in the manufacture of such plates and type metal. The quantity of secondary tin which any person may use in the manufacture of such plates and type metal during any calendar quarter, beginning January 1, 1943, shall be limited to 75% of the quantity of tin used by him for such purposes during the base period

(14) *Tin pipe for use in the repair or maintenance of beverage dispensing units and parts thereof.* Tin pipe may be manufactured only for such purposes and provided that the customers for whom such pipe is manufactured shall return to the manufacturer a quantity of used pipe equal in tin content to that of the new pipe delivered to him.

(15) *Pipe organs for religious and educational institutions.* Tin may be used only in the repair or maintenance of such organs and only where and to the extent that the substitution of a less critical material is impossible.

(16) *Bolster metal for use in the manufacture of cutlery and surgical instruments for the Army or Navy of the United States, the United States Maritime Commission or the Coast Guard.* The tin content of such bolster metal shall not exceed 10% by weight and shall be derived from secondary tin only

[F. R. Doc. 43-490; Filed, January 9, 1943; 11:41 a. m.]

PART 1068—TINPLATE AND TERNEPLATE

[Supplementary Order M-81-a]

Section 1068.2, *Supplementary Order M-81-a*, is hereby revoked.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 9th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-491; Filed, January 9, 1943; 11:42 a. m.]

PART 1133—MOLYBDENUM

[General Preference Order M-110 as amended Jan. 9, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of molybdenum for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1133.1 *General Preference Order M-110*—(a) *Definition.* (1) "Molybdenum" means and includes:

(i) Ores and concentrates containing molybdenum (commercially recognized), and molybdenum compounds for further purification or refining;

(ii) The element molybdenum in pure form, ferromolybdenum, and all chemical or other combinations of the element molybdenum with other materials in manufactured or semimanufactured form, from which molybdenum is commercially recoverable, prepared either for further processing or for other purposes.

(iii) All scrap or secondary material containing commercially recoverable molybdenum as defined in (i) and (ii) above, excluding molybdenum-bearing iron and steel scrap.

(b) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1, (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(c) *Restrictions on deliveries and processing*—(1) *Allocations.* Hereafter no person shall make or accept delivery of molybdenum unless specifically authorized by the Director General for Operations. The Director will from time to time allocate the supply of molybdenum and specifically direct the manner and quantities in which deliveries to particular persons and for particular uses shall be made or withheld. The Director may also, in his discretion, require any person seeking to place a purchase order for molybdenum to place the same with one or more particular suppliers. Such allocations and directions will be made primarily to insure satisfaction of all defense requirements of the United States, both direct and indirect, and they may be made in the discretion of the Director General for Operations without regard to any preference ratings assigned to particular contracts or purchase orders.

(2) *Reports.* Unless otherwise ordered by the Director General for Operations, no person shall be entitled to receive an allocation of molybdenum unless, not later than the 20th day of the month next preceding the month in which delivery is desired, he shall have filed with the War Production Board reports on Forms PD-358 and PD-359, and an application for Molybdenum on Form PD-360, or in any case, on such other form as the War Production Board may from time to time prescribe, and in addition, shall have filed with any supplier with whom he may place a purchase order for Molybdenum, a copy of Form PD-360: *Provided, however,* That, subject to all the other provisions, restrictions and limitations of this order and until further order by the Director General for Operations, any person may receive deliveries during any calendar month up to but not exceeding an aggregate of 50 pounds contained molybdenum for consumption in the manufacture of nonmetallic products, without filing the reports required by this paragraph. Failure by any person to file an application and reports in the manner and on the date required by this paragraph may be construed as notice to the Director General for Operations and to all suppliers of molybdenum that such person does not desire an allocation of molybdenum during the period to which the same would have been applicable.

(3) *Processing restrictions.* Hereafter, no person shall melt or otherwise process molybdenum except pursuant to approval of his melting schedule under the provisions of Supplementary Order M-21-a, as the same may be from time to time amended, or pursuant to specific authorization by the Director General for Operations.

NOTE: Subparagraph (3) effective August 8, 1942

(d) *Violations or false statements.* Any person who wilfully violates this order, or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order may be prohibited from receiving further deliveries of materials subject to allocation, and such further action may be taken as is deemed appropriate, including the making of a recommendation for prosecution under section 35A of the Criminal Code (18 U.S.C. 80).

(e) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Washington, D. C., Reference: M-110.

(f) *Effective dates.* This order shall take effect March 18, 1942, and shall continue in effect until revoked by the Director General for Operations.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 9th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-492; Filed January 9 1943; 11:43 a. m.]

PART 1142—DRY CELL BATTERIES AND PORTABLE LIGHTS OPERATED BY DRY CELL BATTERIES

[General Limitation Order L-71, as Amended January 9, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of various materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1142.1 *General Limitation Order L-71*—(a) *Definitions.* For the purposes of this order:

(1) "Dry cell battery" means any primary cell or assembly of cells in which the electrolyte is nonspillable and in which electric current is produced by electrochemical action.

(2) "Flashlight battery" means any dry cell battery designated as "D", "C", "BB", or "AA" in Table 4 of Circular C435 of the National Bureau of Standards, issued February 18, 1942, when such battery is produced for use in a flashlight.

(3) "Railroad lantern battery" means any dry cell battery designated as "4F" in Table 4 of Circular C435 of the National Bureau of Standards, issued February 18, 1942.

(4) "Radio battery" means any dry cell battery designed and produced primarily for use with a radio set.

(5) "Hearing aid battery" means any dry cell battery designed and produced primarily for use in any hearing aid device for personal use.

(6) "Other dry cell battery" means any dry cell battery not included in subparagraphs (2), (3), (4) or (5) of this paragraph (a).

(7) "Flashlight" means any portable electric light operated by one or more flashlight batteries or a miniature dynamo.

(8) "Electric railroad lantern" means any portable electric light operated by a railroad lantern battery.

(9) "Other portable electric light" means any portable electric light operated by one or more dry cell batteries which is not included in subparagraphs (7) or (8) of this paragraph (a).

(10) The terms "flashlight," "electric railroad lantern," and "other portable electric light" shall not include any dry cell battery or lamp or bulb.

(11) "Manufacturer" means any person who manufactures or assembles any flashlight, electric railroad lantern or other portable electric light or any dry cell battery or container for holding assemblies of such batteries.

(12) "Class A manufacturer" means any one of the following manufacturers:

General Dry Batteries, Inc. of Cleveland, Ohio,

National Carbon Company, Inc. of New York, N. Y.,

Ray-O-Vac Company of Madison, Wisconsin,

(13) "Class B manufacturer" means any manufacturer of radio batteries not classified as a Class A manufacturer.

(14) "Class C manufacturer" means the following manufacturer:

National Carbon Company, Inc., of New York, N. Y.

(15) "Class D manufacturer" means any one of the following manufacturers:

Ray-O-Vac Company of Madison, Wisconsin,

United States Electric Manufacturing Corp., of New York, N. Y.,

Winchester Repeating Arms Company of New Haven, Connecticut.

(16) "Class E manufacturer" means any manufacturer of flashlight batteries not classified as a Class C or Class D manufacturer.

(17) "Class F manufacturer" means any one of the following manufacturers:

Bright Star Battery Company of Clifton, N. J.,

The Burgess Battery Company of Freeport, Illinois,

National Carbon Company, Inc., of New York, N. Y.,

Ray-O-Vac Company of Madison, Wisconsin,

United States Electric Manufacturing Corp. of New York, N. Y.,

Winchester Repeating Arms Company of New Haven, Connecticut.

(18) "Class G manufacturer" means any manufacturer of flashlights, electric railroad lanterns or other portable electric lights not classified as a Class F manufacturer.

(19) "Scarce material" means aluminum, crude rubber, chromium, cadmium, nickel, tin, copper or copper base alloy, zinc, iron or steel.

(20) "Transfer" means to sell, lease, trade, deliver, lend, ship or otherwise transfer.

(b) *Restrictions on use of materials.* (1) Except as provided in subparagraph (2) of this paragraph (b) and in paragraph (f), no manufacturer shall produce any dry cell battery, any container for holding assemblies of dry cell batteries, or any flashlight, railroad lantern or other portable electric light containing any scarce materials.

(2) Notwithstanding the provisions of subparagraph (1) of this paragraph (b), any manufacturer may use in the production of flashlights, electric railroad lanterns, other portable electric lights or dry cell batteries the following materials:

(i) Tin contained in solder (in accordance with the provisions of Order M-43-a as amended);

(ii) Bare copper wire and copper wire coated with lead/tin alloy in accordance with the provisions of Order M-43-a, as amended (of the minimum size required to provide proper operation) for electrical conductors in dry cell batteries, and brass for plating any electrical contact;

(iii) Terneplate (in accordance with the provisions of Order M-21-e, as amended) in electrical conductors in dry cell batteries where a solderable coating is required;

(iv) Zinc for plating and in electrical contact fittings, and dry cell battery shells; and

(v) Iron and steel in any part of an electric railroad lantern or other portable electric light, and in the following parts of flashlights and dry cell batteries: reflectors, electrical contact fittings, switches, eyelets, rivets, screws, end caps, springs, end ferrules, lens rings and battery carbon caps; and in grommets and ferrules for containers for holding assemblies of dry cell batteries.

(c) *Restrictions on production of dry cell batteries.* Except as provided in paragraph (f) (1) no manufacturer shall produce any radio batteries other than:

(i) Batteries containing cells designated as "D", "E", "F", "G" or "J" in Table 1 of Circular C435 of the National Bureau of Standards, issued February 18, 1942, with the modifications permitted in section 2.2 of that Circular, and

(ii) C Batteries of the types described in Table 8 of Circular C435 of the National Bureau of Standards, issued February 18, 1942,

except that he may complete the assembly into batteries of any cells which were completed on or before October 2, 1942.

(2) During the period from October 1, 1942 to December 31, 1942, inclusive,

(i) No Class A manufacturer shall produce radio batteries containing more cells than three times 30% of the average monthly number of cells contained in the radio batteries produced by him during the year 1940;

(ii) No Class B manufacturer shall produce radio batteries containing more cells than three times 100% of the average monthly number of cells contained in the radio batteries produced by him during the year 1940;

(iii) No Class C manufacturer shall produce flashlight batteries containing more cells than three times 33⅓% of the average monthly number of cells contained in the flashlight batteries produced by him during the year 1940;

(iv) No Class D manufacturer shall produce flashlight batteries containing more cells than three times 50% of the average monthly number of cells contained in the flashlight batteries produced by him during the year 1940;

(v) No Class E manufacturer shall produce flashlight batteries containing more cells than three times 80% of the average monthly number of cells contained in the flashlight batteries produced by him during the year 1940;

(vi) No manufacturer shall produce hearing aid batteries containing more cells than three times 150% of the average monthly number of cells contained in the hearing aid batteries produced by him during the year 1940;

(vii) No manufacturer shall produce railroad lantern batteries containing more cells than three times 130% of the average monthly number of cells contained in the railroad lantern batteries produced by him during the year 1940; and

(viii) No manufacturer shall produce other dry cell batteries containing more cells than three times 100% of the average monthly number of cells contained in the other dry cell batteries produced by him during the year 1940.

(3) During the period of three months beginning January 1, 1943, and during each succeeding period of three months,

(i) No Class A manufacturer shall produce radio batteries containing more cells than three times 30% of the average monthly number of cells contained in the radio batteries produced by him during the year 1940;

(ii) No Class B manufacturer shall produce radio batteries containing more cells than three times 100% of the average monthly number of cells contained in the radio batteries produced by him during the year 1940;

(iii) No manufacturer shall produce:

(a) Railroad lantern batteries containing more cells than three times 130% of the average monthly number of cells

contained in the railroad lantern batteries produced by him during the year 1940; or

(*b*) Other dry cell batteries containing more cells than three times 100% of the average monthly number of cells contained in the other dry cell batteries produced by him during the year 1940.

(4) During the month of January 1943, and during each succeeding month thereafter until otherwise ordered:

(i) No Class C manufacturer shall produce flashlight batteries containing more cells than 25% of the average monthly number of cells contained in the flashlight batteries produced by him during the year 1940;

(ii) No Class D manufacturer shall produce flashlight batteries containing more cells than 35% of the average monthly number of cells contained in the flashlight batteries produced by him during the year 1940; and

(iii) No Class E manufacturer shall produce flashlight batteries containing more cells than 60% of the average monthly number of cells contained in the flashlight batteries produced by him during the year 1940.

(d) *Restrictions on hearing aid batteries.* No manufacturer shall produce any hearing aid batteries except as follows:

(1) On or before January 15, 1943, each manufacturer shall file with the War Production Board in triplicate a statement containing his proposed production schedule for hearing aid batteries for the period of three months beginning January 1, 1943. A manufacturer may produce hearing aid batteries prior to the filing of such production schedule: *Provided*, That such production is included in his production schedule.

(2) On or before March 15, 1943, and on or before the 15th day of each third succeeding calendar month thereafter, each manufacturer shall file with the War Production Board a statement in writing in triplicate containing his proposed production schedules for hearing aid batteries for the period of three calendar months following the month in which such statement is filed.

(3) The Director General for Operations shall notify manufacturers of his approval or disapproval of the production and delivery schedules for each period of three months. The Director General for Operations may at any time change any schedule, or prescribe any other schedule for production, regardless of whether the schedule for such period or any part thereof has been reported by the manufacturer or theretofore authorized by the Director General for Operations. On and after January 20, 1943, no manufacturer shall produce any hearing aid batteries except in accordance with production schedules authorized by the Director General for Operations pursuant to this paragraph (d) (3).

(e) *Restrictions on flashlights, electric railroad lanterns and other portable electric lights.* Except as provided in paragraph (f),

(1) No Class F manufacturer shall produce any flashlight, electric railroad lantern or other portable electric light, except that with the specific authorization of the Director General for Operations he may produce flashlights approved by the United States Bureau of Mines or other explosion-proof flashlights.

(2) No Class G manufacturer shall produce during the period of three months beginning January 1, 1943, and during each succeeding period of three months, until otherwise ordered,

(i) More flashlights than three times 60% of the monthly average number of flashlights produced by him during the year 1940;

(ii) More electric railroad lanterns than three times 100% of the monthly average number of electric railroad lanterns produced by him during the year 1940; or

(iii) More other portable electric lights than three times 60% of the average monthly number of other portable electric lights produced by him during the year 1940.

(3) No manufacturer shall transfer any new flashlight, new electric railroad lantern or any new other portable electric light, except in fulfillment of a purchase order or contract bearing a preference rating of A-9 or higher.

(f) *Governmental exemptions.* The provisions of paragraphs (b), (c), and (e) shall not apply to the production or transfer of any article in fulfillment of a specific purchase order, contract or subcontract for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Office of Scientific Research and Development, or the government of any country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(g) *Provisions for companies under common ownership.* For the purposes of this order a Class A, B, C, D, E, F or G Manufacturer shall include all subsidiaries, affiliates or other companies or enterprises under common ownership or control.

(h) *Applicability of other orders.* On and after October 2, 1942, the provisions of Conservation Order No. M-11-b, limiting the use of zinc, shall no longer apply to manufacturers of dry cell batteries in the manufacture of such batteries but shall be superseded by the provisions of this order. In so far as any other order heretofore or hereafter issued by the Director of Priorities, the Director of Industry Operations or the Director General for Operations limits the use of any material in the production of flashlights, electric railroad lanterns or other portable electric lights or dry cell batteries or containers for holding assemblies of such batteries to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

(i) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(j) *Avoidance of excessive inventory.* No manufacturer shall accumulate for use in the manufacture of flashlights, electric railroad lanterns or other portable electric lights, or dry cell batteries or containers for holding assemblies of such batteries, inventories of raw materials, semi-processed materials, or finished parts in quantities in excess of the minimum amount necessary to maintain production at the rates permitted by this order.

(k) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(l) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(m) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(n) *Violations.* Any person who willfully violates any provisions of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(o) *Appeals.* Any person affected by this order who considers that it works an exceptional or unreasonable hardship upon him may apply for relief by forwarding a letter addressed to the War Production Board, Ref: L-71, setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(p) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Washington, D. C., Ref: L-71.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 9th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-481; Filed, January 9, 1943; 11:41 a. m.]

PART 1184—QUININE AND OTHER DRUGS EXTRACTED FROM CINCHONA BARK

[Conservation Order M-131, as Amended January 9, 1943]

Section 1184.1 *Conservation Order M-131* is hereby amended to read as follows:

§ 1184.1 *Conservation Order M-131*—(a) *Definitions.* For the purposes of this order:

(1) "Quinine" means quinine alkaloid extracted from Cinchona bark, and the quinine salts derived from quinine alkaloid.

(2) "Cinchona bark" means the bark obtained from Cinchona Succirubra P. et K. Calisaya W; C. Ledgeriana N. et T., also known as Calisaya, Peruvian or Jesuit's bark, and from its hybrids.

(3) "Totaquine" means a mixture of alkaloids from the bark of Cinchona Succirubra Payon and other species of Cinchona, which mixture meets the standards of the United States Pharmacopeia.

(4) "Anti-malarial agent" means any product or material which according to modern medical opinion, is recognized as a specific for suppression, alleviation or cure of malarial infections.

(b) *Restrictions on the purchase, sale and use of quinine, totaquine and cinchona bark.* (1) No person shall sell, transfer or deliver, or purchase or accept any transfer or delivery of, or process or combine with other materials:

(i) Any quinine, except for use as an anti-malarial agent, and then only in ampoule form, uncombined with ingredients other than necessary solvent and preservative, or in powder, 5-grain tablet or 5-grain capsule form, uncombined with ingredients other than necessary fillers and excipients; *Provided, however*, That licensed pharmacists may compound quinine in any form, upon individual prescriptions written by licensed physicians for quinine as an anti-malarial agent;

(ii) Any totaquine, except for use as an anti-malarial agent;

(iii) Any cinchona bark, except for primary use for the manufacture of quinine sulphate USP, quinine hydrochloride USP, quinine dihydrochloride USP, or totaquine USP.

(2) Except in the case of a sale, transfer or delivery to an ultimate consumer, no person shall sell, transfer or deliver any quinine, totaquine or cinchona bark, except upon receipt of a certificate manually signed by the person purchasing or accepting transfer or delivery or a duly authorized official, in substantially the following form, and specifying on the reverse side the quantity involved in the transaction:

(In the case of quinine)

I hereby certify that the quinine ordered hereby (specify quantity on reverse side) is for use as an anti-malarial agent, and will not be sold, transferred or delivered by me for any other purpose. This cetification is made in accordance with the terms of Conservation Order M-131, as amended, with which I am familiar.

Name ----------
By ----------

(In the case of totaquine)

I hereby certify that the totaquine (or product containing totaquine) ordered hereby (specify quantity on reverse side) is for use as an anti-malarial agent and will not be sold, transferred or delivered by me for any other purpose. This certification is made in accordance with the terms of Conservation Order M-131, as amended, with which I am familiar.

Name ----------
By ----------

(In the case of cinchona bark)

I hereby certify that the cinchona bark ordered hereby (specify quantity on reverse side) is for primary use for manufacture of quinine or totaquine, and will not be sold, transferred or delivered by me for any other purpose. This certification is made in accordance with the terms of Conservation Order M-131, as amended, with which I am familiar.

Name ----------
By ----------

Such certification shall constitute a representation to the War Production Board and the seller or supplier of the facts stated therein. The seller or supplier shall be entitled to rely on such representation unless he knows or has reason to believe it to be false. Any person making such certification shall use such quinine, totaquine or cinchona bark only for the purposes permitted by this order. Such certificates shall be filed with the person making delivery and not with the War Production Board.

(c) *Applicability of order.* The restrictions and provisions of this order shall not apply to:

(1) Any stock of cinchona bark consisting of less than 50 pounds, physically located at any one place on April 30, 1942.

(2) Purchases by importers of quinine, totaquine, or cinchona bark to be delivered from outside the continental United States: *Provided*, That any subsequent dealing in such materials after their importation is governed by this order.

(3) Any transaction affecting, or any use of, any quinine which on April 4, 1942, or totaquine or cinchona bark which on April 30, 1942, had been combined or compounded with other medicinal agents; but any transaction affecting or any use of, any quinine, totaquine, or cinchona bark, which has been combined or compounded with other medicinal agents after said dates is governed by this order.

(4) Any transaction affecting, or any use of, any quinine and urea hydrochloride (U.S.P.) or quinine hydrochloride and urethane which had been compounded on January 9, 1943.

(d) *Reports.* All persons affected by this order shall file such reports as may be required from time to time by the Director General for Operations.

(e) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(f) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter referring to the particular provision appealed from and stating fully the grounds of the appeal.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Drugs and Cosmetics Section, Chemicals Division, Washington, D. C. Ref.: M-131.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 9th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-482; Filed, January 9, 1943; 11:41 a. m.]

PART 1194—CANS MADE OF BLACKPLATE

[Conservation Order M-136]

Section 1194.1 *Conservation Order M-136*, is hereby revoked.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 9th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-483; Filed, January 9, 1943; 11:43 a. m.]

PART 1232—ACRYLONITRILE

[General Preference Order M-153 as Amended Jan. 9, 1943]

Section 1232.1 is hereby amended in its entirety to read as follows:

§ 1232.1 *General Preference Order M-153*—(a) *Definitions.* For the purpose of this order:

(1) "Acrylonitrile" means acrylonitrile (vinyl cyanide) in any form and from whatever source derived.

(2) "Producer" means any person engaged in the production of acrylonitrile, including any person who has acrylonitrile produced for him pursuant to toll agreement, and excluding any person who produces acrylonitrile for another person pursuant to toll agreement.

(b) *Restrictions on use and delivery of acrylonitrile.* (1) No producer shall use or deliver acrylonitrile, and no person shall accept delivery of acrylonitrile from a producer, except as follows:

(i) As specifically authorized by the Director General for Operations upon application pursuant to paragraph (d); or

(ii) As specifically authorized by the Director General for Operations pursuant to the terms of this order as in effect prior to January 9, 1943; or

(iii) As provided in paragraph (c).

(2) Each person authorized to accept delivery of acrylonitrile shall use such acrylonitrile for the purpose authorized, except as otherwise specifically directed by the Director General for Operations.

(3) The Director General for Operations at his discretion may at any time issue special directions to any person with respect to the use, delivery or transportation of acrylonitrile by such person, or of products made from acrylonitrile allocated to such person, notwithstanding the provisions of paragraph (c) hereof, or may issue special directions to any producer with respect to the kinds of acrylonitrile which he may or must manufacture.

(c) *Small order exemption.* (1) Any person may accept delivery of, and any producer may use 50 pounds or less of acrylonitrile in the aggregate during any one calendar month without specific authorization: *Provided*, That such person (or producer) has not been specifically authorized to use or accept delivery of any quantity of acrylonitrile during such month.

(2) Any producer may deliver acrylonitrile without specific authorization under this order to any person entitled to accept delivery pursuant to this paragraph *Provided*, That:

(i) No producer shall deliver an aggregate amount of acrylonitrile in any one calendar month pursuant to this paragraph in excess of ¼ of 1% of the amount of acrylonitrile which he is specifically authorized to deliver during such month; and

(ii) No producer shall make deliveries during any month pursuant to this paragraph if such deliveries will prevent completion of any deliveries which have been specifically authorized for such month; and

(iii) Any producer may make deliveries pursuant to this paragraph without regard to preference ratings.

(d) *Applications and reports.* (1) Each person seeking authorization to accept delivery of acrylonitrile, and each producer seeking to use acrylonitrile during any calendar month, shall file application on Form PD-600, in the manner prescribed therein, subject to the following instructions for the purpose of this order:

Form PD-600. Copies of Form PD-600 may be obtained at local field offices of the War Production Board.

Time. Application shall be made on or before the 15th day of the month preceding the month for which authorization for use or delivery is sought.

Number of copies. Five copies shall be prepared of which one (in which columns 4 through 23 inclusive may be left blank) shall be forwarded to the producer, and three certified completely filled out copies to the War Production Board, Chemicals Division, Washington, D. C., Ref: M-153.

Number of sets. A separate set of PD-600 application forms shall be submitted for each preferred supplier and each different delivery destination or plant of the applicant. Preferred supplier is the producer from whom the applicant has regularly procured or prefers to procure, acrylonitrile.

Heading. Under name of chemical, specify acrylonitrile; under War Production Board order number, specify M-153; under unit of measure, specify pounds; under name of company, specify name and mailing address of applicant; and specify delivery destination, supplier, and his shipping point (where producer is seeking authorization to use his own stock, write in under supplier "own stock").

Table I. Specify in the heading the month and year for which authorization for use or acceptance of delivery is sought.

Column 1. Leave blank.

Column 2. Specify separately quantities in pounds requested for each primary product and product use.

Column 3. Specify primary products as follows:

Oil resistant synthetic rubber
Other (specify)

Column 4. Where the primary product specified in Column 3 is under direct allocation, specify the allocation order number in column 4 (in the case of synthetic rubber, order M-13). If the primary product is not under direct allocation, describe end use in column 4.

Columns 5, 6, 7, 8, 9, and 10. Leave blank.

Tables II and III. Fill in as indicated but leave columns 11 and 19 blank.

Table IV. Leave blank.

Additional space. Where additional space is needed, continue on reverse side of sheet, identifying subject matter by column number.

(2) Each producer seeking authorization to make delivery of acrylonitrile during any calendar month shall file application on Form PD-601, in the manner prescribed therein, subject to the following instructions for the purpose of this order:

Form PD-601. Copies of Form PD-601 may be obtained at local field offices of the War Production Board.

Time. Producers shall apply on Form PD-601 on or before the 20th day of the month preceding the month for which authorization to make delivery is requested.

Number of copies. Four copies shall be prepared, of which three certified copies shall be filed with the War Production Board, Chemicals Division, Washington, D. C., Ref. M-153.

Number of sets. Each producer shall file a separate set of PD-601 reports for each of his plants.

Heading. Under name of chemical, specify acrylonitrile, under War Production Board Order number, specify M-153; under name of company, state name and mailing address; specify delivery month; and under unit of measure, specify pounds.

Table I. All customers shall be listed [those] who have filed Form PD-600 with the applicant. Fill in this table as indicated, but leave columns 3, 5, 6, and 7 blank.

Table II. Fill in as indicated, but leave columns 8, 15, and 16 blank.

(3) Each producer shall notify the War Production Board of the cancellation or postponement for more than a month of any authorized delivery, or of inability to make any authorized delivery, as soon as possible after he has notice of such fact.

(4) The Director General for Operations may require each person affected by this order to file such other reports as may be prescribed, and may issue special instructions to any such person with respect to preparing and filing Forms PD-600 and PD-601.

(e) *Notification of customers.* Each producer shall notify his regular customers as soon as possible of the requirements of this order as amended, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(f) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board priorities regulations, as amended from time to time, except Priorities Regulation No. 13, which shall be subject to this order to the extent that it is inconsistent herewith.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C. Ref: M-153.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 9th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-484; Filed, January 9, 1943; 11:42 a. m.]

PART 1233—THERMOPLASTICS

[Preference Order M-154, as Amended January 9, 1943]

Section 1233.1 is hereby amended in its entirety to read as follows:

§ 1233.1 *Preference Order No. M-154*—(a) *Definitions.* For the purpose of this order "thermoplastics" means the synthetic resins and cellulose derivatives listed below, whether plasticized or unplasticized (except in the case of ethyl cellulose and cellulose nitrate), in their various primary unfabricated forms such as sheets, rods, tubes, shapes, slabs, pellets, powder, solutions, emulsions, and flake, and whether virgin or scrap, but not including yarn or textiles, or coated or substrated photographic film or film scrap:

(i) Cellulose acetate butyrate.

(ii) Cellulose acetate.

(iii) Plasticized cellulose nitrate, except that used in explosives and protective coatings.

(iv) Plasticized ethyl cellulose.

(v) Polymers of styrene.

(b) *Restriction on use.* No person shall use thermoplastics in the manufacture of articles set forth in Exhibit A annexed hereto, regardless of preference ratings, except thermoplastics which were in his inventory prior to June 27, 1942, or which were in process of manufacture into such articles prior to June 27, 1942.

(c) *War use exemption.* Nothing contained in paragraph (b) above shall apply to use of thermoplastics by the United States Army, Navy, Coast Guard, Maritime Commission or War Shipping Administration, or by any person pursuant to the terms of any contract or order for thermoplastics or articles made therefrom where such thermoplastics or articles are to be delivered to, or incorporated into products to be delivered to the aforesaid agencies, provided that such use is expressly made subject to war use exemption in Exhibit A annexed hereto.

(d) *Scrap exemption.* The provisions of paragraph (b) above shall not apply to use of scrap resulting from the processing or fabrication of thermoplastics if:

(1) Such scrap is not of a quality to permit its re-use in the operation or product from which it was obtained, and

(2) The quantity of such scrap does not exceed 15 per cent of the quantity of thermoplastics from which it was obtained.

Each person selling scrap subject to this exemption shall so certify in writing to the purchaser, and such purchaser shall be entitled to rely upon such representation in the absence of knowledge to the contrary.

(e) *Notification of customers.* Producers of thermoplastics shall as soon as practicable notify each of their regular customers of the requirement of this order and of all amendments thereto but failure to receive such notice shall not excuse any such person from complying with the terms hereof.

(f) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board priorities regulations, as amended from time to time.

(2) *Effect of other orders.* Nothing in this order contained shall be construed to permit the manufacture of any item or of units of any item if the manufacture of said item has been prohibited or curtailed by the terms of any other order of the Director General for Operations heretofore or hereafter issued.

(3) *Reports.* Each person affected by this order shall filed such reports as may from time to time be required by the Director General for Operations.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making, or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Relief.* Appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(6) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C., Ref: M-154.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 9th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

EXHIBIT A

Clothing items:
- Belts, except utility belt buckles of minimum functional weight (war use exemption)
- Costume jewelry and jewelry, except that hand-fabricated from sheet, rod and tube where the consumption of thermoplastic per day per employee engaged in handcraft production does not exceed 3 pounds
- Decorative plastic stitching
- Dress spangles
- Gems
- Handbag components, except frames and handbag cement
- Millinery and hats
- Shoe heels, all plastic
- Shoe trimmings
- Shoe uppers, woven
- Umbrella handles

Commercial items:
- Amusement machines and parts
- Artificial flowers, florists' supplies and flower pots
- Badges, emblems and campaign buttons (war use exemption)
- Barber shop lather dispensers
- Calendar cards
- Commercial items—Continued
- Caskets, decorative parts:
  - Tips and lugs
  - Handle and caps
  - Corner pieces
- Displays:
  - Advertising printing
  - Containers and packages
  - Fixtures, mannequins and hosiery forms, etc.
  - Signs (war use exemption)
- Door sills
- Greeting cards and components
- Handles for carpenter tools, except screw drivers and chisels (war use exemption)
- Jewelry and watch boxes
- Massaging machine parts
- Name plates (war use exemption)
- Plaques for display or decorative use
- Plastic book-binding—comb or spiral type (war use exemption)
- Price tags—except for meat and dairy products
- Restaurant and coin-operated phonograph parts
- Soda fountain and beverage dispensing accessories:
  - Beer scrapers
  - Beverage stirrers
  - Drinking straws
  - Faucet handles and knobs (war use exemption, for use on board ship only)
- Stationery supplies:
  - Desk sets
  - Ink stands
  - Ink wells
  - Pocket pencil sharpeners
  - Rulers

Household items:
- Baby carriage parts
- Bathroom fixtures
  - Accessories (war use exemption, for use on board ship only)
  - Laundry hampers
  - Soap dishes (war use exemption)
  - Toilet seats, all plastic
  - Toilet seats, plastic covered, for private housing
  - Towel bars (war use exemption)
- Book ends
- Bowls (war use exemption)
- Broom fittings and dust pans
- Candle sticks
- Chime shields
- Christmas tree ornaments and Christmas lighting fixtures
- Clock cases (war use exemption)
- Closet accessories
  - Clothes hangers
  - Hat boxes
  - Hat stands
  - Shoe horns
  - Shoe trees
  - Tie racks
- Coin banks
- Curtain fixtures and window shade pulls (war use exemption, for curtain fixtures for use on board ship only)
- Cutlery boxes (war use exemption)
- Cutlery handles, table and kitchen (war use exemption)
- Jigger cups
- Musical instruments—decorative parts
- Napkin rings
- Picture and mirror frames (war use exemption)
- Place card holders
- Salt and pepper shakers and tops (war use exemption)
- Sculptured pieces
- Storm sash and windows (war use exemption)
- Syphon for carbonated water
- Table mats, coasters, and table ornaments
- Traveling bags, baggage, and handles therefor (war use exemption)
- Trays (war use exemption)
- Window lifts

Novelties:
Advertising and miscellaneous novelties
Calendar cards
Pencils
Rulers
Premium items
Personal items:
Artificial finger nails
Binoculars and their parts an opera glasses (war use exemption)
Billfolds and pass cases (war use exemption)
Combs
Combination combs
Combs with attachments (war use exemption)
Combs with plastic cases (war use exemption)
Fancy side, back or tuck combs using more material than functionally necessary
Handle combs
Cosmetic accessories
Illuminated vanity cases
Vanity cases larger than 2 inch diameter or 2 inch square
Games and toys
Glove fasteners (war use exemption)
Hair bands
Playing cards (war use exemption)
Razor boxes (war use exemption)
Razor sharpeners (war use exemption)
Smokers' supplies
Ash trays
Cigarette and cigar holders and cases (war use exemption)
Cigarette boxes
Match cases (war use exemption)
Pipe cases
Toilet sets, except three-piece sets of mirror brush and comb

[F. R. Doc. 43-485; Filed, January 9, 1943; 11:42 a. m.]

PART 1273—STYRENE

[General Preference Order M-170 as Amended Jan. 9, 1943]

Section 1273.1 is hereby amended in its entirety to read as follows:

§ 1273.1 *General Preference Order M-170*—(a) *Definitions.* For the purpose of this order:

(1) "Styrene" means styrene (vinyl benzene) in any form and from whatever source derived.

(2) "Producer" means any person engaged in the production of styrene, including any person who has styrene produced for him pursuant to toll agreement, and excluding any person who produces styrene for another person pursuant to toll agreement.

(b) *Restrictions on use and delivery of styrene.* (1) No producer shall use or deliver styrene, and no person shall accept delivery of styrene from a producer, except as follows:

(i) As specifically authorized by the Director General for Operations upon application pursuant to paragraph (d); or

(ii) As specifically authorized by the Director General for Operations pursuant to the terms of this order as in effect prior to January 9, 1943; or

(iii) As provided in paragraph (c).

(2) Each person authorized to accept delivery of styrene shall use such styrene for the purpose authorized, except as otherwise specifically directed by the Director General for Operations.

(3) The Director General for Operations at his discretion may at any time issue special directions to any person with respect to the use, delivery or transportation of styrene by such person, or of products made from styrene allocated to such person, notwithstanding the provisions of paragraph (c) hereof, or may issue special directions to any producer with respect to the kinds of styrene which he may or must manufacture.

(c) *Small order exemption.* (1) Any person may accept delivery of, and any producer may use 50 pounds or less of styrene in the aggregate during any one calendar month without specific authorization, providing that such person (or producer) has not been specifically authorized to use or accept delivery of any quantity of styrene during such month.

(2) Any producer may deliver styrene without specific authorization under this order to any person entitled to accept delivery pursuant to this paragraph, *Provided*, That:

(i) No producer shall deliver an aggregate amount of styrene in any one calendar month pursuant to this paragraph in excess of ¼ of 1% of the amount of styrene which he is specifically authorized to deliver during such month; and

(ii) No producer shall make deliveries during any month pursuant to this paragraph if such deliveries will prevent completion of any deliveries which have been specifically authorized for such month; and

(iii) Any producer may make deliveries pursuant to this paragraph without regard to preference ratings.

(d) *Applications and reports.* (1) Each person seeking authorization to accept delivery of styrene and each producer seeking to use styrene during any calendar month, shall file application on Form PD-600, in the manner prescribed therein, subject to the following instructions for the purpose of this order:

Form PD-600. Copies of Form PD-600 may be obtained at local field offices of the War Production Board.

Time. Application shall be made on or before the 15th day of the month preceding the month for which authorization for use or delivery is sought.

Number of copies. Five copies shall be prepared of which one (in which columns 4 through 23 inclusive may be left blank) shall be forwarded to the producer, and three certified completely filled out copies to the War Production Board, Chemicals Division, Washington, D. C., Ref. M-170.

Number of sets. A separate set of PD-600 application forms shall be submitted for each preferred supplier and each different delivery destination or plant of the applicant. Preferred supplier is the producer from whom the applicant has regularly procured, or prefers to procure, styrene.

Heading. Under name of chemical, specify styrene; under War Production Board Order number, specify M-170; under unit of measure, specify pounds; under name of company, specify name and mailing address of applicant; and specify delivery destination, supplier, and his shipping point (where producer is seeking authorization to use his own stock, write in under supplier "own stock").

Table I. Specify in the heading the month and year for which authorization for use or acceptance of delivery is sought.

Column 1. Leave blank.

Column 2. Specify separately quantities in pounds requested for each primary product and product use.

Column 3. Specify primary product as follows:

Non-oil resistant synthetic rubber.
Poly-styrene
Other (specify).

Column 4. Where the primary product specified in Column 3 is under direct allocation, specify the allocation order number in column 4 (in the case of synthetic rubber, Order M-13). If the primary product is not under direct allocation, describe end use in column 4.

Columns 5, 6, 7, 8, 9, and 10. Leave blank.

Tables II and III. Fill in as indicated, but leave columns 11 and 19 blank.

Table IV. Leave blank.

Additional space. Where additional space is needed, continue on reverse side of sheet, identifying subject matter by column number.

(2) Each producer seeking authorization to make delivery of styrene during any calendar month shall file application on Form PD-601, in the manner prescribed therein, subject to the following instructions for the purpose of this order:

Form PD-601. Copies of Form PD-601 may be obtained at local field offices of the War Production Board.

Time. Producers shall apply on Form PD-601 on or before the 20th day of the month preceding the month for which authorization to make delivery is requested.

Number of copies. Four copies shall be prepared, of which three certified copies shall be filed with the War Production Board, Chemicals Division, Washington, D. C. Ref. M-170.

Number of sets. Each producer shall file a separate set of PD-601 reports for each of his plants.

Heading. Under name of chemical, specify styrene, under War Production Board Order Number, specify M-170; under name of company, state name and mailing address; specify delivery month; and under unit of measure, specify pounds.

Table I. All customers shall be listed here who have filed Form PD-600 with the applicant. Fill in this table as indicated, but leave columns 3, 5, 6, and 7 blank.

Table II. Fill in as indicated, but leave columns 8, 15, and 16 blank.

(3) Each producer shall notify the War Production Board of the cancellation or postponement for more than a month of any authorized delivery or of inability to make any authorized delivery as soon as possible after he has notice of such fact.

(4) The Director General for Operations may require each person affected by this order to file such other reports as may be prescribed, and may issue special instructions to any such person with respect to preparing and filing Forms PD-600 and PD-601.

(e) *Notification of customers.* Each producer shall notify his regular customers as soon as possible of the requirements of this order as amended, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(f) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board priorities regulations, as amended from time to time, except Priorities Regulation No. 13, which shall be subject to this order to the extent that it is inconsistent herewith.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C. Ref.: M-170.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 9th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-486; Filed, January 9, 1943; 11:42 a. m.]

PART 1285—BUTADIENE

[General Preference Order M-178 as Amended Jan. 9, 1943]

Section 1285.1 is hereby amended in its entirety to read as follows:

§ 1285.1 *General Preference Order M-178*—(a) *Definitions.* For the purpose of this order:

(1) "Butadiene" means butadiene in any form and from whatever source derived.

(2) "Producer" means any person engaged in the production of butadiene, including any person who has butadiene produced for him pursuant to toll agreement, and excluding any person who produces butadiene for another person pursuant to toll agreement. The term producer shall not include any person producing less than 5 tons of butadiene per month.

(b) *Restrictions on use and delivery of butadiene.* (1) No producer shall use or deliver butadiene, and no person shall accept delivery of butadiene from a producer, except as follows:

(i) As specifically authorized by the Director General for Operations upon application pursuant to paragraph (d); or

(ii) As specifically authorized by the Director General for Operations pursuant to the terms of this order as in effect prior to January 9, 1943; or

(iii) As provided in paragraph (c).

(2) Each person authorized to accept delivery of butadiene shall use such butadiene for the purpose authorized, except as otherwise specifically directed by the Director General for Operations.

(3) The Director General for Operations at his discretion may at any time issue special directions to any person with respect to the use, delivery or transportation of butadiene by such person, or of products made from butadiene allocated to such person, notwithstanding the provisions of paragraph (c) hereof, or may issue special directions to any producer with respect to the kinds of butadiene which he may or must manufacture.

(c) *Small order exemption.* (1) Any person may accept delivery of (from producers as defined), and any producer may use 125 pounds or less of butadiene in the aggregate during any one calendar month without specific authorization, providing that such person (or producer) has not been specifically authorized to use or accept delivery of any quantity of butadiene during such month.

(2) Any producer may deliver butadiene without specific authorization under this order to any person entitled to accept delivery pursuant to this paragraph, *Provided That:*

(i) No producer shall deliver an aggregate amount of butadiene in any one calendar month pursuant to this paragraph in excess of ¼ of 1% of the amount of butadiene which he is specifically authorized to deliver during such month; and

(ii) No producer shall make deliveries during any month pursuant to this paragraph if such deliveries will prevent completion of any deliveries which have been specifically authorized for such month; and

(iii) Any producer may make deliveries pursuant to this paragraph without regard to preference ratings.

(d) *Applications and reports.* (1) Each person seeking authorization to accept delivery of butadiene and each producer seeking to use butadiene during any calendar month, shall file application on Form PD-600, in the manner prescribed therein, subject to the following instructions for the purpose of this order:

Form PD-600. Copies of Form PD-600 may be obtained at local field offices of the War Production Board.

Time. Application shall be made on or before the 15th day of the month preceding the month for which authorization for use or delivery is sought.

Number of copies. Five copies shall be prepared of which one (in which columns 4 through 23 inclusive may be left blank) shall be forwarded to the producer, and three certified completely filled out copies to the War Production Board, Chemicals Division, Washington, D. C., Ref. M-178.

Number of sets. A separate set of PD-600 application forms shall be submitted for each preferred supplier and each different delivery destination or plant of the applicant. Preferred supplier is the producer from whom the applicant has regularly procured, or prefers to procure, butadiene.

Heading. Under name of chemical, specify butadiene; under War Production Board Order Number, specify M-178; under unit of measure, specify pounds; under name of company, specify name and mailing address of applicant; and specify delivery destination, supplier, and his shipping point (where producer is seeking authorization to use his own stock, write in under supplier "own stock").

Table I. Specify in the heading the month and year for which authorization for use or acceptance of delivery is sought.

Column 1. Leave blank.

Column 2. Specify separately quantities in pounds requested for each primary product and product use.

Column 3. Specify primary product as follows:

Non-oil resistant synthetic rubber.
Other (specify).

Column 4. Where the primary product specified in Column 3 is under direct allocation, specify the allocation order number in column 4 (in the case of synthetic rubber, Order M-13). If the primary product is not under direct allocation, describe end use in column 4.

Columns 5, 6, 7, 8, 9, and 10. Leave blank.

Tables II and III. Fill in as indicated, but leave columns 11 and 19 blank.

Table IV. Leave blank.

Additional space. Where additional space is needed, continue on reverse side of sheet, identifying subject matter by column number.

(2) Each producer seeking authorization to make delivery of butadiene during any calendar month shall file application on Form PD-601, in the manner prescribed therein, subject to the following instructions for the purpose of this order:

Form PD-601. Copies of Form PD-601 may be obtained at local field offices of the War Production Board.

Time. Producers shall apply on Form PD-601 on or before the 20th day of the month preceding the month for which authorization to make delivery is requested.

Number of copies. Four copies shall be prepared, of which three certified copies shall be filed with the War Production Board, Chemicals Division, Washington, D. C., Ref. M-178.

Number of sets. Each producer shall file a separate set of PD-601 reports for each of his plants.

Heading. Under name of chemical, specify butadiene; under War Production Board Order Number, specify M-178; under name of company, state name and mailing address; specify delivery month; and under unit of measure, specify pounds.

Table I. All customers shall be listed here who have filed Form PD-600 with the applicant. Fill in this table as indicated, but leave columns 3, 5, 6, and 7 blank.

Table II. Fill in as indicated, but leave columns 8, 15, and 16 blank.

(3) Each producer shall notify the War Production Board of the cancellation or postponement for more than a month of any authorized delivery, or of inability to make any authorized delivery, as soon as possible after he has notice of such fact.

(4) The Director General for Operations may require each person affected by this order to file such other reports as may be prescribed, and may issue special instructions to any such person with respect to preparing and filing Forms PD-600 and PD-601.

(e) *Notification of customers.* Each producer shall notify his regular customers as soon as possible of the requirements of this order as amended, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(f) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board priorities regulations, as amended from time to time, except Priorities Regulation No. 13, which shall be subject to this order to the extent that it is inconsistent herewith.

(2) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C. Ref.: M–178.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 9th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43–477; Filed January 9, 1943; 11:41 a. m.]

PART 3054—CATTLE TAIL HAIR

[General Conservation Order M–210, as Amended Jan. 9, 1943]

Section 3054.1 *General Conservation Order M–210* is hereby amended to read as follows:

§ 3054.1 *General Conservation Order M–210*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of Priorities Regulations of the War Production Board, as amended from time to time.

(b) *Definition.* For the purposes of this order "cattle tail hair" means the hair clipped or otherwise removed from the tails or switches of cattle, including calves and oxen, whether imported or domestic, new or reclaimed, of original color or dyed, washed or unwashed, and includes all such hair mixed in combination with other hair or fiber in any percentage which is not physically incorporated into any product, but does not include used hair, unless and until it has been reclaimed, or imported drawn and dressed hair.

(c) *Sales and deliveries.* No person shall sell or deliver any cattle tail hair except to a manufacturer of cattle tail hair products. This restriction shall not apply to deliveries to or by any person having temporary custody of cattle tail hair for the purpose of transportation or public warehousing.

(d) *Processing and use.* No person shall process or use any cattle tail hair except to manufacture products containing a cattle tail hair mixture of not more than 50% cattle tail hair to be delivered to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(e) *Importation.* Nothing in this order shall be construed to restrict the importation of cattle tail hair, which shall be made in conformity with the provisions of General Imports Order M–63, as amended from time to time.

(f) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(g) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Reference: M–210.

(h) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024; 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 9th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43–478; Filed, January 9, 1943; 11:43 a. m.]

PART 3058—USED CONSTRUCTION EQUIPMENT

[Limitation Order L–196, as Amended January 9, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of rubber and other materials used in the production of construction equipment for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3058.1 *Limitation Order L–196*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(b) *Inapplicability of this order.* This order shall not apply to the Army, Navy, Maritime Commission or to any person or agency who has acquired used construction equipment for export outside the continental limits of the United States.

(c) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not, except those excluded by paragraph (b) hereof.

(2) "Construction equipment" means any of those products listed in Schedule A attached hereto and made a part of this order.

(3) "Used" when applied to construction equipment, means any construction equipment which has been delivered to an ultimate consumer.

(4) "Continental limits of the United States" means the forty-eight states of the United States and the District of Columbia.

(d) *Registration of used construction equipment.* Any person owning used construction equipment purchased prior to October 1, 1942, shall on or before October 31, 1942, register such equipment by completing, signing and returning by mail WPB Form 1159 to Used Construction Equipment Regional Specialist in the War Production Board Regional Office in the region in which such equipment is located.

(e) *Registration of change of status of used construction equipment.* Within one week after any used construction equipment (1) is moved from the project on which it is being used; (2) becomes idle after completing its work on that project even if not moved from the project; (3) not being on a project is put into use on a project; or (4) has had its ownership changed, any person owning such equipment shall register such change of status by completing, signing and returning by mail WPB Form 1333 or such other form as may be in the future specified by the Director General for Operations to Used Construction Equipment Regional Specialist in the War Production Board Regional Office in the region in which such equipment is located.

(f) *Restrictions on exports.* (1) On and after January 16, 1943, no person other than the Army, Navy, Maritime Commission, War Shipping Administration or their authorized agents, shall export used construction equipment outside the Continental limits of the United States unless specifically authorized by the Director General for Operations.

(2) Application for permission to export shall be made in quadruplicate on Form PD–556 to the War Production Board, Washington, D. C., Ref.: L–196. Such applications when approved by the Director General for Operations and returned to the applicant shall constitute an authorization to export.

(3) Nothing in this order shall eliminate the necessity of an applicant obtaining an export license from the Office of Export Control, Board of Economic Warfare where required.

NOTE: Paragraphs (g), (h), (i), (j), and (k) formerly (f), (g), (h), (i) and (j).

(g) *Records.* All persons affected by this order shall keep and preserve for not less than two (2) years accurate and complete records concerning the movement of used construction equipment from projects.

(h) *Audit and inspection.* All records required to be kept by this order, shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(i) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(j) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in the community, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may apply for relief by addressing a letter to the War Production Board Regional Office in the region in which the equipment is located setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action, if any, as he deems appropriate by the amendment of this order or otherwise.

(k) *Communications.* All communications concerning this order shall be addressed to Used Construction Equipment Regional Specialist in the War Production Board Regional Office in the region in which the equipment is located.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024; 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 9th day of January, 1943.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A

NOTE: Amended January 9, 1943.

Angledozers and modifications thereof.
Bulldozers,[1] construction material.
Batching plants, construction type, portable.
Batching plants,[1] construction type, stationary as one unit.
Bins, construction materials, portable.
Bins,[1] construction material, stationary.
Brooms, contractors rotary.
Buckets,[2] clamshell.
Buckets,[2] concrete.
Buckets,[2] dragline.
Buckets,[2] orange peel.
Buckets,[2] scraper (bottomless) for dragline operation.
Buggies & carts, concrete, hand operated.
Buggies & carts, concrete, power propelled.
Bulldozers and modifications thereof.
Center line markers, power driven.
Compressors, portable air, 120 cu. ft. & over.
Concrete surfacing machines.
Conveyors,[1] construction material, except when part of a portable crushing plant.
Cranes, crawler mounted power.
Cranes, rubber tired mounted power.
Cranes, tractor mounted power.
Crushers,[1] construction material, cone and gyratory, portable type.
Crushers,[1] jaw and roll, portable type.
Crushing plants, stationary and portable type.
Derricks,[1] guy.
Derricks,[1] stiff leg.
Discs, road.
Distributors, bituminous.
Ditchers, blade.
Ditchers, ladder.
Ditchers, wheel.
Draglines, *see* Cranes.
Draglines,[1] slack line.
Draglines, walking.
Dredges[1] & dredge equipment.
Drills, jack hammer.
Drills, rock, except portable mounted
Drilling machines, blast hole drills.
Drilling machines, core drills.
Drilling machines, rock, portable mounted
Drilling machines, portable well.
Dryers,[1] construction aggregate.
Earth boring machines.
Excavators, *see* power shovels.
Finegraders and subgraders, self-propelled.
Finishing and rolling machines for concrete slab in plastic state.
Finishers, bituminous paving.
Finishers, concrete.
Forms, concrete road.
Form tamping machines.
Graders, earth moving, blade and pull type.
Graders, earth moving, elevating.
Graders, earth moving, self-propelled.
Graders, earth moving, under truck type.
Hammers, pile.
Heaters and circulators, tank car.
Heaters, asphalt surface.
Hoists,[1] contractors.
Hoppers, portable concrete.
Jacks, mud.
Kettles, bituminous heating.
Loaders, portable bucket (other than coal).
Loaders, portable snow.
Maintainers, road and shoulder.
Mixers, agitator, concrete truck type with or without elevating towers.
Mixers,[1] bituminous, cold and hot mix type; 10 ton per hour capacity or more.
Mixers,[1] concrete construction.
Pavers, concrete.
Paving breakers.
Plants, asphalt, portable and stationary.
Plants, stabilizing.
Plants, concrete.
Plows, cable laying.
Plows, snow, V or blade type, truck, tractor or grader mounted.
Plows, rotary type.
Power control units for tractors both cable and hydraulic.
Pumps, concrete.
Pumps, dewatering & supply, larger than 90 thousand gallons per hour.
Rippers, road.
Rollers, road, pneumatic tired.
Rollers, road, tandem.
Rollers, road, portable.
Rollers, road, three wheeled.
Rollers, tamping and sheepsfoot
Scarifiers.
Scrapers, carrying or hauling, both drawn and self-propelled.
Screens,[1] rotary, vibrator and gravity types; other than coal and industrial.
Screening plants, portable type.
Screening plants, stationary.
Shovels, power, crawler mounted.
Shovels, power, rubber mounted.
Shovels, power, tractor mounted.
Sprayers, bituminous material.
Spreaders, concrete.
Sweepers, street.
Towers, concrete placing.
Towers, material elevating.
Tractors, crawler or track-laying type, including angledozer attachments.
Vibrators, concrete.
Washing and screening plants, portable type.
Wagons, contractors, crawler.
Winches, contractors.
Winches, track-laying tractor mounted.

[1] If these items are permanently inbuilt as part of a complete stationary operating plant such as a mine, quarry, or sand and gravel plant and cannot be removed as a separate unit without destroying the operating continuity of such a plant, they need not be reported.

[2] If such buckets are a part of a single purpose crane unit operating only as a dragline, clamshell or concrete handling machine, they should be reported with and as a part of such unit, otherwise such buckets must be reported separately.

[F. R. Doc. 43–479; Filed, January 9, 1943; 11:43 a. m.]

PART 3158—ALKANOLAMINES

[Allocation Order M–275]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of alkanolamines for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3158.7 *Allocation Order M–275*—(a) *Definitions.* For the purpose of this order:

(1) "Alkanolamine" means monoethanolamine, diethanolamine and triethanolamine.

(2) "Supplier" means any producer or distributor of alkanolamine.

(3) "Producer" means any person who produces alkanolamine, including any person who has alkanolamine produced for him pursuant to toll agreement and excluding any person who produces alkanolamine for another pursuant to toll agreement.

(4) "Distributor" means any purchaser of alkanolamine from a producer for purpose of resale without further processing or admixing.

(b) *Restrictions on use and delivery of alkanolamine.* (1) On and after February 1, 1943, no supplier shall use or deliver alkanolamine, and no person shall accept delivery of alkanolamine from a supplier, except as specifically authorized by the Director General for Operations upon application pursuant to paragraph (d), or except as provided in paragraph (c).

(2) Each person authorized to accept delivery of alkanolamine shall use such alkanolamine for the purpose authorized, except as otherwise specifically directed by the Director General for Operations.

(3) The Director General for Operations in his discretion may at any time issue special directions to any person with respect to the use, transportation

or delivery of alkanolamine by such person, or of products made from alkanolamine allocated to such person, notwithstanding the provisions of paragraph (c) hereof, or may issue special directions to any producer with respect to the kinds of alkanolamines which he may or must manufacture.

(c) *Small order exemption.* (1) Any person may accept delivery of, and any supplier may use 5 gallons or less of monoethanolamine, 5 gallons or less of diethanolamine and 55 gallons or less of triethanolamine in the aggregate during any one calendar month without specific authorization, provided that such person (or supplier) has not been specifically authorized to use or accept delivery of any quantity of the same type of alkanolamine during such month.

(2) Any supplier may deliver alkanolamine without specific authorization to any person entitled to accept delivery pursuant to this paragraph, *Provided* that:

(i) No producer shall deliver an aggregate amount of alkanolamine in any one calendar month pursuant to this paragraph in excess of 2% of the amount of alkanolamine which he is specifically authorized to deliver during such month; and

(ii) No supplier shall make deliveries of alkanolamine during any month pursuant to this paragraph if such deliveries will prevent completion of any deliveries which have been specifically authorized for such month; and

(iii) Any supplier may make deliveries pursuant to this paragraph without regard to preference ratings.

(d) *Applications and reports.* (1) Each person seeking authorization to accept delivery of alkanolamine, and each supplier seeking authorization to use or accept delivery of alkanolamine, shall file application on Form PD-600 in the manner prescribed therein, subject to the following instructions for the purpose of this order:

Form PD-600. Copies of Form PD-600 may be obtained at local field offices of the War Production Board.

Time. Applications shall be filed on or before the 10th day of the month preceding the month for which authorization for use or acceptance of delivery is requested.

Application shall be filed in time to ensure that copies of the application will have reached the War Production Board on the date specified.

Number of copies. Five copies shall be prepared, of which one shall be retained by the applicant, and four certified copies shall be sent to the War Production Board, Chemicals Division, Washington, D. C., Ref: M-275. After having been signed by the Director General for Operations, one copy will be returned to the applicant and another to his supplier unless supplier is "own stocks". The applicant shall leave Columns 4 through 23, inclusive, blank on one of the four copies sent to the War Production Board, and this copy will be forwarded to his supplier by the War Production Board.

Number of sets. A separate set of PD-600 application forms shall be submitted for each supplier and separate requests shall be made for monoethanolamine, diethanolamine and triethanolamine.

Heading. Under name of chemical, specify monoethanolamine, diethanolamine, or triethanolamine as the case may be; under War Production Board order, specify M-275; under name of company, specify name and mailing address of applicant; under unit of measure, specify pounds; and specify delivery destination, supplier and shipping point.

Table I. Specify in the heading month and year for which authorization for use or delivery is sought.

Column 1. Leave blank.

Column 2. Specify quantities requested in pounds separately for each primary product and product use listed in Columns 3 and 4.

Columns 3 and 4. Fill out as follows:

Column 3	*Column 4*
Gas absorption or purification.	Specify the gas and the process.
Chemical manufacture.	Describe.
Inhibitor	Specify the inhibited product and state if military or civilian.
Soluble oil	Specify whether textile or metal and percentage of each.
Solvent	Specify material dissolved and its use.
Emulsion	Specify product and end use.
Pharmaceutical	Name and describe product.
Plasticizer	Describe end use.
Cosmetics	Leave blank.
Soap	Specify type of soap and whether for military, industrial, civilian or Lend-Lease use.
Miscellaneous	Specify general classes of use.
Other	Specify end use.
Resale (in original form).	Suppliers shall write in "Upon further authorization or for paragraph (c) small orders."
Export (in original form).	Specify the name of the individual company or governmental agency to whom or for whose account the material will be exported, the country of destination and governing export license or contract numbers unless Lend-Lease, in which case merely specify Lend-Lease.
Inventory (in original form).	Write in "reserve subject to further direction."

Alkanolamine allocated for inventory shall not be used for any purpose except as specially directed by the Director General for Operations, or except to fill orders for authorized uses pending arrival of the alkanolamine allocated to fill such orders. Upon arrival of such alkanolamine the allocated inventory shall be restored.

Columns 5, 6, 7, 8 and 9. Leave blank.

Column 10. Specify applicable government contracts and specification numbers, if any.

Table II. Fill in the last month in the heading, leave Column 11 blank and fill in other columns as indicated.

Table III. Fill in next month in heading and fill in columns as indicated.

Table IV. Leave blank.

(2) Receipt by a supplier from the War Production Board of a copy of Form PD-600 signed by the Director General for Operations shall constitute authorization to such supplier to make the deliveries called for in Column 9 of such form.

(3) Each supplier producing or distributing more than 100 gallons of alkanolamine per month, and each person producing such quantity for another person pursuant to toll agreement, shall file a report on PD-601 in the manner prescribed therein, subject to the following instructions for the purpose of this order:

Form PD-601. Copies of Form PD-601 may be obtained at local field offices of the War Production Board.

Time. Suppliers shall report on Form PD-601 on or before January 10, 1943 and on or before the 10th day of each month thereafter.

Number of copies. Two copies shall be prepared, of which one shall be retained by the supplier and one certified copy shall be filed with the War Production Board, Chemicals Division, Washington, D. C., Ref: M-275.

Number of sets. A separate set of PD-601 forms shall be filed for each plant of the supplier. Plants producing alkanolamine pursuant to toll agreement shall report separately, specifying the companies for whom they are producing and the quantities produced and to be produced for each of them. A single set of forms may be filed for all grades. (See Column 8 instructions below.)

Heading. Under name of chemical, specify alkanolamine; under War Production Board number, specify M-275, under name of company, specify name and mailing address of supplier reporting; specify plant or warehouse address; indicate whether the supplier reporting is a producer or a distributor as defined herein; leave the schedule of delivery dates blank and under unit of measure, specify pounds.

Table I. Leave blank.

Table II. State in the heading "Report for current month of ——".

Column 8. Specify separately monoethanolamine, diethanolamine and triethanolamine, and fill in the figures called for in the following columns separately for each of these grades.

Columns 9, 10, 11, 12, 13 and 14. Fill in as indicated.

Columns 15 and 16. Leave blank.

(4) The Director General for Operations may require each person affected by this order to file such other reports as may be prescribed, and may issue special directions to any such person with respect to preparing and filing Form PD-600 and PD-601.

(e) *Notification of customers.* Each supplier shall notify his regular customers as soon as possible of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(f) *Miscellaneous provisions.*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board priorities regulations, as amended from time to time, except Priorities Regulation No. 13, which shall be subject to this order to the extent that it is inconsistent herewith.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to War Production Board, Chemicals Division, Washington, D. C., Ref.: M-275.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 9th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-480; Filed, January 9, 1943; 11:42 a. m.]

PART 1075—CONSTRUCTION

[Preference Rating Order P-19-j]

1075.5 *Rerating of Construction Projects.* For the purpose of facilitating the acquisition of certain material in the public interest and to promote the national defense, a preference rating is hereby assigned to deliveries of materials for use in the construction of defense projects upon the following terms:

(a) *Rerating of certain deliveries.* Deliveries to a builder at any time heretofore assigned a preference rating of AA-4, which rating is still in effect, by a preference rating order in the P-19 series except where such order has been issued to the Federal Public Housing Authority are hereby rerated AA-3.

(b) *Priorities regulations; effect of rerating.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time. Specifically, the method of application or extension of reratings assigned under paragraph (a) hereof, the use of such a rerating where the rating previously assigned has not been used, and the effective date of such reratings shall be governed by the provisions of paragraphs (g), (h) and (i) of Priorities Regulation 12 as amended.

(c) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Construction Division, Washington, D. C., Ref.: P-19-j.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 FR. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-532; Filed, January 11, 1943; 11:16 a. m.]

PART 1075—CONSTRUCTION

[Preference Rating Order P-19-k]

1075.6 *Rerating of programmed war housing projects.* For the purpose of facilitating the acquisition of certain material in the public interest and to promote the national defense, a preference rating is hereby assigned to deliveries of materials for use in the construction of defense projects upon the following terms:

(a) *Rerating of certain deliveries.* Deliveries to a builder at any time heretofore assigned a preference rating by a Preference Rating Order P-55 or by issuance to the Federal Public Housing Authority of a Preference Rating Order P-19-d or P-19-h are hereby rerated AA-3.

(b) *Priorities regulations; effect of rerating.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time. Specifically, the method of application or extension of reratings assigned under paragraph (a) hereof, the use of such a rerating where the rating previously assigned has not been used, and the effective date of such reratings shall be governed by the provisions of paragraphs (g), (h), and (i) of Priorities Regulation 12 as amended.

(c) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Construction Division, Washington, D. C., Ref: P-19-k.

(P.D. Reg. 1 as amended, F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-531; Filed, January 11, 1943; 11:16 a. m.]

PART 3110—TEXTILE, FIBER, CLOTHING AND LEATHER MACHINERY

[Interpretation 1 of General Limitation Order L-215]

The following official interpretation is hereby issued by the Director General for Operations with respect to § 3110.1, General Limitation Order L-215, issued December 26, 1942:

The word "parts" in line 2 of paragraph (b) (2) does not include parts purchased or delivered for the purpose of maintaining or repairing machinery already installed in any producer's plant, but does include parts purchased for improving, adding to, or expanding such machinery.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-535; Filed, January 11, 1943; 11:16 a. m.]

PART 3041—WATER HEATERS

[Interpretation 1 of General Limitation Order L-185]

The following official interpretation is hereby issued by the Director General for Operations with respect to § 3041.1, *General Limitation Order L-185:*

Any appliances, including those commonly known as laundry stoves or laundry heaters, which have permanently built-in coils for water heating, or which have water jackets as integral parts of such appliances, are "water heaters as defined in L-185, and are subject to the restrictions of that order.

Such devices as water backs, water fronts, reservoirs and coils, which perform a water heating function when connected or fixed to domestic cooking appliances as defined in L-23-c, and are detachable or replaceable, are water heaters as defined in L-185 (although the domestic cooking appliances will be subject to the restrictions of L-23-c) and will be subject to the restrictions of that order.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-534; Filed, January 11, 1943; 11:16 a. m.]

PART 3051—SCALES, BALANCES AND WEIGHTS

[Interpretation 2 of Limitation Order L-190]

The following official interpretation is hereby issued by the Director General for Operations with respect to § 3051.1 Limitation Order L-190:

Paragraph (a) (7) of Order L-190 defines "Class One scales" as including "scales for household use." "Scales for household use" as defined by paragraph (a) (4) includes all scales commonly used for household purposes except dietetic scales. Spring type scales with a retail list price of $5.00 or less and equipped with postal charts are a type of scale commonly used for household mailing and other household purposes. Hence they are "scales for household use" within the definition of paragraph (a) (4) and are included in "Class One scales" under paragraph (a) (7). Accordingly the fabrication and assembly of that type of scale are restricted by paragraphs (b) (1) and (b) (2). Moreover, those scales fabricated and assembled prior to the dates specified in the latter paragraphs may be sold without regard to the requirement of a rating of A-9 or higher which paragraph (c) (1) requires for scales of other classes.

"Class Three scales" is defined by paragraph (a) (9) to mean "mailing and parcel post scales." This definition refers to scales of the types commonly used by postal services and for business mailing and parcel post work, and not to those scales commonly used for household mailing and other household purposes.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-533; Filed, January 11, 1943; 11:16 a. m.]

Chapter XI—Office of Price Administration

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation, Supp. Amendment 8A]

HOTELS AND ROOMING HOUSES

Paragraph (b) of §§ 1388.1502, 1388.1552, 1388.1602, 1388.1852, 1388.1902, 1388.1952, 1388.2002, 1388.3002, 1388.4002, 1388.5002, 1388.6002, 1388.7002, 1388.8002, 1388.9002, 1388.82, 1388.182, 1388.332, 1388.432, 1388.632, 1388.732, 1388.832, and 1388.932 of Maximum Rent Regulations Nos. 21A, 22A, 23A, 29A, 30A, 31A, 32A, 34A, 36A, 38A, 40A, 42A, 44A, 46A, 48A, 50A, 54A, 56A, 58A, 59A, 61A, and 63A, respectively, and the first paragraph of paragraph (e) of §§ 1388.1507, 1388.1557, 1388.1607, 1388.1857, 1388.1907, 1388.1957, 1388.2007, 1388.3007, 1388.4007, 1388.5007, 1388.6007, 1388.7007, 1388.8007, 1388.9007, 1388.87, 1388.187, 1388.337, 1388.437, 1388.637, 1388.737, and 1388.937 of Maximum Rent Regulations Nos. 21A, 22A, 23A, 29A, 30A, 31A, 32A, 34A, 36A, 38A, 40A, 42A, 44A, 46A, 48A, 50A, 54A, 56A, 58A, 59A, 61A, and 63A, respectively, are amended to read as set forth below, and the second paragraph of the said paragraph (e) of said sections is designated as subparagraph (2) of the said paragraph (e):

(b) *Prohibition.* * * *

(1) No tenant shall be required to change his term of occupancy.

(2) Where, during June, 1942, a room was rented or offered for rent for a weekly or monthly term of occupancy, the landlord shall continue to offer the room for rent for that term of occupancy except that he is not required to rent for that term more than the greatest number of rooms which were rented for the term at any one time during June, 1942. However, if, during the year ending on June 90, 1942, a landlord had regular and definite seasonal practices with reference to the renting of rooms on a weekly or monthly basis, he may request the Administrator to approve such practices. When approval is given the landlord shall offer rooms for rent for weekly and monthly terms of occupancy pursuant to the practices so approved. The Administrator may withdraw approval at any time if he finds that the landlord has failed to conform to such practices, or if he finds that the effects of the approval are inconsistent with the Act or this maximum rent regulation or are likely to result in the circumvention or evasion thereof.

(3) Any tenant on a daily or weekly term of occupancy shall on request be permitted by the landlord to change to a weekly or monthly term unless the landlord is then renting for such term a number of rooms equal to the number which he is required to rent for that term under subparagraph (2). If the room occupied by such tenant was not rented or offered for rent for such term during June, 1942, the landlord may transfer the tenant to a room, as similar as possible, which was so rented or offered for rent.

* * * * *

(e) *Registration and records.* * * *

(1) Every landlord of a room rented or offered for rent shall preserve, and make available for examination by the Administrator, all his existing records showing or relating to (i) the rent for each term and number of occupants for which such room was rented or regularly offered for rent during the thirty-day period determining the maximum rent for such room, (ii) the rent on any date determining a maximum rent for such room for a particular term and number of occupants under § ---[1] (c), and (iii) rooms rented and offered for rent on a weekly and monthly basis during June, 1942.

* * * * *

This supplementary amendment No. 8A to Maximum Rent Regulations for Hotels and Rooming Houses shall become effective January 20, 1943.

(Pub. Law 421, 77th Cong.)

Issued this 9th day of January, 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-453; Filed, January 9, 1943; 10:09 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[MRR 63A]

HOTELS AND ROOMING HOUSES

CAPE CHARLES DEFENSE-RENTAL AREA

Correction

In the document appearing on page 132 of the issue for Tuesday, January 5, 1943, the section number 1888.935 should read "1388.935." Paragraph (a) (1) of § 1388.-935 should read as follows:

"There has been, since the thirty-day period or the order determining the maximum rent * * *" instead of "There has been, since the thirty-day period or the other determining the maximum rent * * *"

PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS

[Revised MPR 216]

EASTERN RAILROAD TIES

Correction

In § 1426.2 (a) (3) of the document appearing on page 10782 of the issue for Wednesday, December 23, 1942, the next to the last word should read "each" instead of "such". In § 1426.14, Table I the column heading reading "Maximum price per gross tie" should read "Maximum price per cross tie." In Table II in the description of zone 3 the county in Wisconsin which reads "Trampealeau" should be "Trempeleau" and in zone 4 the county "Bullett" should read "Bullitt" in both cases.

[1] The applicable section number is to be inserted for each maximum rent regulation. The respective section number to be inserted for each maximum rent regulation is as follows: 1388.1504, No. 21A; 1388.1554, No. 22A; 1388.1604, No. 23A; 1388.1854, No. 29A; 1388.1904, No. 30A; 1388.1954, No. 31A; 1388.2004, No. 32A; 1388.3004, No. 34A; 1388.4004, No. 36A; 1388.5004, No. 38A; 1388.6004, No. 40A; 1388.7004, No. 42A; 1388.8004, No. 44A; 1388.9004, No. 46A; 1388.84, No. 48A; 1388.184, No. 50A; 1388.33A, No. 54A; 1388.434, No. 56A; 1388.634, No. 58A; 1388.734, No. 59A; 1388.834, No. 61A; and 1388.934, No. 63A.

PART 1499—COMMODITIES AND SERVICES

[Order 211 under § 1499.3 (b) of GMPR]

S. C. JOHNSON & SON, INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered*:

§ 1499.1447 *Approval of maximum prices for Johnson's Brown Label No-Buff Floor Finish.* (a) On and after January 11, 1943, any person may sell and deliver Johnson's Brown Label No-Buff Floor Finish packaged in ten gallon wooden containers at prices not in excess of those hereinafter set forth: (1) To distributors, $13.38 per ten gallons. (2) To retailers, $16.18 per ten gallons. (3) To consumers, $20.78 per ten gallons.

(b) The prices set forth above shall be subject to terms by the seller, with respect to transportation charges and discounts, which are no less favorable than those which were in effect during March 1942, on sales of the above commodity in 5-gallon metal containers.

(c) All prayers of the application not granted herein, are denied.

(d) S. C. Johnson and Son, Inc. shall supply to each distributor, before or at the time of its first delivery of the above commodity in ten gallon wooden containers to such distributor, a written statement as follows:

The OPA has authorized us to charge the following maximum prices for Brown Label No-Buff Floor Finish, subject to all customary discounts and allowances: $13.38 per ten gallon wooden container.

Your maximum prices, subject to customary discounts and allowances, are authorized to be as follows: To retailers, $16.18 per ten gallon wooden container. To consumers, $20.78 per ten gallon wooden container. OPA requires that you keep this notice for examination.

(e) S. C. Johnson and Son, Inc. shall place on each ten gallon wooden container the following notice:

Retail ceiling price $20.78

(f) This Order No. 211 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 211 (§ 1499.1447) shall become effective January 11, 1943.

(Pub. Laws 421 and 729; 77th Cong., E.O. No. 9250, 7 F.R. 7871)

Issued this 9th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-452; Filed, January 9, 1943; 10:08 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 155 Under § 1499.18 (b) of GMPR]

G. J. KLUYSKENS

Order No. 155 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-1206.

For the reasons set forth in the opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.1056 *Granting adjustment of maximum prices for sales of Mohair rugs by G. J. Kluyskens.* (a) G. J. Kluyskens, 295 Fifth Avenue, New York, New York, may sell and deliver Mohair rugs imported from England at a price no higher than $6.80 for the 24 x 48 inch size subject to all customary allowances, discounts and terms in effect during March 1942. The differential between the 24 x 48 inch size and other sizes shall be no less favorable than the differential as established under § 1499.2 (a) of the General Maximum Price Regulation between the 24 x 48 inch size and other sizes.

(b) G. J. Kluyskens shall send to each customer, with each first delivery of Mohair rugs on which adjustment in maximum price has been made pursuant to this Order No. 155, a complete list of adjusted maximum prices and a notice reading as follows:

The Office of Price Administration has granted G. J. Kluyskens permission, pursuant to Order No. 155 under Section 1499.18 (b) of the General Maximum Price Regulation, to increase its maximum prices to those specified in the price lists accompanying this Order. Since these prices have only been increased to the level of competitive importers of this commodity, you will not be permitted to increase your maximum prices.

(c) All prayers of this application not granted herein are denied.

(d) This Order No. 155 may be revoked or amended by the Administrator at any time.

(e) This Order No. 155 (§ 1499.1056) is incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 155 (§ 1499.1056) under § 18 (b) of the General Maximum Price Regulation shall become effective January 11, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-451; Filed, January 9, 1943; 10:08 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 201 Under § 1499.3 (b) of GMPR]

RICHMOND LACE WORKS, INC.

Correction

In the table of Specifications appearing on page 178 of the issue for Tuesday, January 5, 1943, the entries for the fifth item listed under the headings "Quality" and "Width" should read "42 racks per web" and "9 carriage 9/11" width" respectively.

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Ration Order 1A, Amendment 5]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraph (e) of § 1315.302 is revoked, and paragraph (f) thereof is designated paragraph (e); § 1315.509, paragraph (e) of § 1315.602, subparagraph (3) of § 1315.804 (c), and the head-note of § 1315.1010 are amended to read as follows; paragraph (e) of § 1315.607 is revoked, the first sentence of § 1315.607 is designated paragraph (a), and a title is added thereto, and paragraphs (a), (b), (c) and (d) of § 1315.607 are designated subparagraphs (1), (2), (3) and (4), respectively; a new § 1315.512 is added; a new paragraph (f) is added to § 1315.602; a new paragraph (b) is added to § 1315.607; a new paragraph (c) is added to § 1315.609; new paragraphs (f) and (g) are added to § 1315.803; new subparagraphs (7) and (8) are added to § 1315.804 (c); new paragraphs (h) and (i) are added to § 1315.804; a new paragraph (d) is added to § 1315.1003; and a new paragraph (d) is added to § 1315.1010, as set forth below.

§ 1315.509 *Eligibility for allotment of tires.* Each applicant may be allotted *a dealer.* A State Director or District Manager may issue a certificate authorizing any dealer to acquire allotments of Grade III tires, Grade I and II tires, used passenger-type tires and passenger-type tubes for each establishment operated by him for which OPA Form R-17 has been filed for the quarter preceding his application, or for each establishment operated by him from which he was exempted from filing OPA Form R-17 under § 1315.1007 (b).

(b) *Amount of allotment of Grade III tires.* Each applicant may be allotted one Grade III tire for each $1,000 of his 1941 retail and wholesale net dollar sales of passenger-type tires and tubes from the establishment for which the allotment is sought, but any applicant shall be entitled to at least twelve (12) Grade III tires: *Provided,* That a certificate shall be granted to authorize the acquisition of no more than the difference between such allotment and his inventory of Grade III tires (including Parts B of certificates authorizing the acquisition of Grade III tires which he received in exchange for Grade III tires, but upon which he has not yet obtained replenishment) as of the date of his application.

(c) *Amount of allotment of Grade I and II tires.* In addition, each applicant may be allotted one Grade I or Grade II tire, at his option, for each $2,000 of his 1941 retail and wholesale net dollar sales of passenger-type tires and tubes from the establishment for which the allotment is sought, but any applicant shall be entitled to at least six tires: *Provided,* That a certificate shall be granted to authorize the acquisition of no more than the difference between such allotment and his inventory of Grade I and II tires (including Parts B of certificates authorizing the acquisition of Grade I and Grade II tires which he received in exchange for Grade I or Grade II tires but upon which he has not yet obtained replenishment) as of the date of his application.

(d) *Amount of allotment of used tires.* Each applicant may be allotted one used passenger-type tire (recappable carcasses, repairable tires, recapped tires and used tires serviceable without recapping or repairing) for each $1,000 of his 1941 retail and wholesale net dollar sales of passenger-type tires and tubes from the establishment for which the allotment is sought, but any applicant shall be entitled to at least twelve (12) such used passenger-type tires.

(e) *Allotment of tubes.* Each applicant who was authorized to acquire an allotment of Grade III tires prior to January 20, 1943 or who has been authorized to acquire an allotment of passenger-type tires as provided in paragraphs (b), (c) and (d) may be granted a certificate by the State Director or District Manager authorizing him to acquire one passenger-type tube (either new or used) for each passenger-type tire that he has been authorized to acquire.

(f) *One allotment only.* The State Director or District Manager shall grant only one allotment to an applicant under paragraph (b), one allotment under paragraph (c), one allotment under paragraph (d) and one allotment under paragraph (e) for each establishment for which such allotments are sought: *Provided,* That an applicant eligible for an allotment in excess of 200 Grade III tires but who was limited to an allotment of 200 Grade III tires prior to December 9, 1942, may be granted an additional allotment equal to the difference between the allotment for which he is eligible under paragraph (b) and 200 Grade III tires.

§ 1315.512 *Eligibility for allotment of recappable and repairable tires.*—(a) *Authorization.* A State Director or District Manager may authorize:

(1) Any applicant who operates molds capable of recapping passenger-type tires to acquire an allotment of recappable carcasses for each establishment operated by him, and

(2) Any applicant who operates tire repair vulcanizing units capable of repairing passenger-type tires to acquire an allotment of repairable tires for each establishment operated by him.

(b) *Amount and number of allotments.* (1) Each applicant may be allotted fifty (50) passenger-type recappable carcasses for each mold operated by him capable of recapping passenger-

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9160, 9392, 9724, 10072, 10336.

type tires and may apply for an additional allotment provided he has recapped all but twenty-four (24) recappable carcasses for each passenger-type mold, of the recappable carcasses previously allotted to him.

(2) Each applicant may be allotted twenty-five (25) repairable passenger-type tires for each tire repair vulcanizing unit operated by him capable of repairing passenger-type tires, and may apply for an additional allotment provided he has repaired all but twelve (12) repairable tires for each such unit, of the repairable tires previously allotted to him.

(c) *Time limitation.* Each applicant who has acquired an allotment of recappable carcasses or repairable tires under this section shall recap or repair the tires within thirty (30) days after he has acquired them.

(d) The State Director or District Manager who issued the authorization may, in his discretion, grant the applicant a thirty (30) day extension.

§ 1315.602 *Filing of applications.* * * *

(e) *Allotment of tires and tubes to dealers.* Applications by a dealer for certificates authorizing the acquisition of an allotment of Grade III tires or an allotment of Grade I and II tires or an allotment of used passenger-type tires or an allotment of passenger-type tubes shall be filed on OPA Form R-54 with the State Director or District Manager for the area in which the establishment for which the allotment is sought is located.

(f) *Allotment of recappable and repairable tires.* Applications by a recapper or repairer for authorization to acquire an allotment of recappable or repairable passenger-type tires shall be filed on OPA Form R-52 with the State Director or District Manager for the area in which the establishment for which the allotment is sought is located.

§ 1315.607 *Form of certificates to be issued—*(a) *By a Board.* * * *

(b) *By a State Director or District Manager.* A State Director or District Manager may issue the following certificates to an applicant:

(1) *For allotment of Grade III tires.* OPA Form R-46 authorizing an applicant to acquire an allotment of Grade III tires.

(2) *For allotment of tires and tubes.* OPA Form R-2 (Revised) authorizing an applicant to acquire an allotment of Grade I and II tires, an allotment of used passenger-type tires or an allotment of passenger-type tubes.

(3) *For allotment of recappable carcasses or repairable tires.* OPA Form R-53 authorizing an applicant to acquire an allotment of recappable carcasses or repairable tires.

§ 1315.609 * * * (c) *By State Director or District Manager.* If a State Director or District Manager issues OPA Form R-2 (Revised) for an allotment of tires or tubes under § 1315.509, he shall tear off and destroy Parts A and C of such certificate. If the certificate is for Grade I or II, tires, the State Director or District Manager shall mark Parts B and D thereof "Grade I or II tires only." If the certificate is for used passenger-type tires, he shall mark Parts B and D thereof "used passenger-type tires only." If the certificate is for tubes, he shall mark Parts B and D thereof "passenger-type tubes only."

§ 1315.803 *Transfer to consumers upon certificate.* * * *

(f) *By recappers or repairers.* No recapper or repairer shall transfer a recapped or repaired tire to a consumer unless the quality of his workmanship in recapping or repairing the tire at least conforms to the minimum quality specifications contained in Revised Price Schedule No. 66 and Maximum Price Regulation 107 issued by the Office of Price Administration.

(g) *Allotment of recappable and repairable tires.* A person who secured an allotment of recappable or repairable tires under § 1315.512 may, in exchange for a certificate, transfer the recapped or repaired tires to a consumer. If he has a supply of such tires of the size ordered, he may not refuse to transfer them to a consumer who presents a certificate for a Grade III tire if the consumer's order is accompanied with cash or its equivalent. He shall fill all accepted orders received on one day before filling any orders received on any subsequent day.

§ 1315.804 *Dealer and manufacturer transfers.* * * *

(c) *Tires or tubes.* * * *

(3) *Permitted replenishment of tires or tubes.* Subject to the provisions of subparagraph (1) of this paragraph any dealer or manufacturer may, in exchange for a properly endorsed replenishment portion (Part B) of a certificate or receipt transfer to another dealer or manufacturer the number of tires or tubes authorized by the certificate or receipt in accordance with the table below:

If Part B calls for—	Dealer or manufacturer may replenish with—
Any size Grade I passenger-type tire	Any size Grade I, II or III passenger-type tire.
Any size Grade II passenger-type tire	Any size Grade II or III passenger-type tire.
Any size Grade III passenger-type tire	Any size Grade III passenger-type tire or 8 lbs. of passenger-type camelback.
Any size Grade I or II tire only	Any size Grade I or II passenger-type tire.
Any size used passenger-type tire only	Any size used passenger-type tire.
Any size truck-type tire	Any size truck-type tire.
Any size tractor-type tire	Any size tractor, truck or implement-type tire.
Any size implement-type tire	Any size tractor or implement-type tire.
Any size passenger tube	Any size passenger tube.
Any size truck tube	Any size truck tube.

* * * * *

(7) *Allotment of recappable or repairable tires.* Any manufacturer may, in exchange for the certificate of a State Director or District Manager (OPA Form R-53), transfer the number of recappable carcasses or repairable tires authorized thereon to the recapper or repairer authorized to acquire such tires.

(8) *Allotment of recappable and repairable carcasses.* A recapper or repairer who has a supply of tires, secured under § 1315.512, of the size ordered, may not refuse to transfer them to a dealer who presents a proper replenishment portion of a certificate, if the dealer's order is accompanied with cash or its equivalent. He shall fill all accepted orders received on one day before filling any orders received on any subsequent day.

* * * * *

(h) *Transmittal of OPA Form R-48.* A manufacturer or dealer who transfers a recappable carcass to a dealer in exchange for OPA Form R-46 or in exchange for Part B of a certificate marked "used passenger-type tires only," or in exchange for the authorization of a State Director or District Manager (OPA Form R-53) shall at the same time transmit OPA Form R-48 to the dealer.

(i) *Quality of recapping and repairing.* No recapper or repairer shall transfer a recapped or repaired tire to a dealer unless the quality of his workmanship in recapping or repairing the tire at least conforms to the minimum quality specifications contained in Revised Price Schedule No. 66 and Maximum Price Regulation No. 107 issued by the Office of Price Administration.

§ 1315.1003 * * * (d) *Return of Parts B.* A recapper or repairer who has been authorized to acquire an allotment of recappable or repairable tires under § 1315.512 shall, on the fifth day of each calendar month, surrender to the State Director or District Manager who issued such authorization, Parts B of certificates, other than certificates for recapping service, received by him in exchange for the transfer of such recapped or repaired tires during the previous month. Such Parts B shall accompany the recapper's or repairer's monthly report required by § 1315.1010 (d). On or before September 30, 1943, he shall have surrendered to the State Director or District Manager Parts B of certificates representing a quantity of Grade III tires exchanged for those certificates equal to the number of recappable and repairable tires that he acquired under § 1315.512.

§ 1315.1010 *Records and reports of camelback dealers, recappers and repairers.* * * *

(d) *Reports by recappers and repairers.* Each recapper and repairer who has been authorized to acquire an allotment of recappable or repairable tires as provided in § 1315.512, shall file monthly reports with the State Director or District Manager who issued the authorization, not later than the fifth day of the calendar month following the month covered by the report. Each report shall set forth in reference to such recappable carcasses and repairable tires respectively:

(1) The number on hand on the first day and the last day of the month

(2) The number acquired during the month.

(3) The number recapped and repaired during the month.

(4) The number of such recapped and repaired tires transferred in exchange for certificates, other than certificates for recapping service, during the month.

(5) The number on hand on the last day of the month that have been recapped and repaired.

§ 1315.1199a *Effective dates of amendments.* * * *

(c) Amendment No. 5 (§§ 1315.302, 1315.509, 1315.512, 1315.602, 1315.607, 1315.609, 1315.803, 1315.804, 1315.1003 and 1315.1010) to Ration Order No. 1A shall become effective January 20, 1943.

(Pub. Law No. 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 10, 7 F.R. 9121)

Issued this 9th day of January 1943.

LEON HENDERSON,
Administrator

[F. R. Doc. 43-502; Filed, January 9, 1943; 12:20 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 262,[1] Amendment 4]

SEASONAL AND MISCELLANEOUS FOOD COMMODITIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1351.969 is amended to read as set forth below:

§ 1351.969 *Appendix B: Miscellaneous food commodities covered by this regulation.* The following miscellaneous food commodities are covered by and shall be governed by this Maximum Price Regulation No. 262.

Baker's fruit pie and pastry fillings.
Fig bars.
Blended maple syrup.
Maple sugar.
Egg noodles.
Mountain fruits.
Peanut candy.
Potato chips.
Bean filled or topped biscuits and crackers.
Canned boned chicken and turkey.
Chocolate coated sugar cones.
Tortillas.
Tamales.
Pretzels.

§ 1351.967a *Effective dates of amendments.* * * *

(d) Amendment No. 4 (§ 1351.969) to Maximum Price Regulation No. 262 shall become effective January 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-505; Filed, January 9, 1943; 12:21 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9244, 10844.

PART 1376—FLUORITE

[MPR 126, as Amended, Amendment 1]

FLUORSPAR

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the division of the Federal Register.*

A new § 1376.1a and a new § 1376.15 are added to read as set forth below.

§ 1376.1a *Maximum prices for sales of lead-free fluorspar by the Victory Fluorspar Mining Company to The International Nickel Company, Inc.* (a) On and after December 1, 1942 the Victory Fluorspar Mining Company, Elizabethtown, Illinois, may sell and deliver to The International Nickel Company, Inc., Huntington, West Virginia, and The International Nickel Company, Inc. may buy and receive in the course of trade or business from the Victory Fluorspar Mining Company, lead-free fluorspar, the specifications of which are a minimum of 85% calcium fluoride and a maximum of 5% silica, at a price not in excess of $31.75 a ton, f. o. b. cars, Rosiclare, Illinois.

(b) The maximum price established in paragraph (a) of this Section 1376.1a is subject to the express condition that the Victory Flourspar Mining Company abides by all regulations and orders issued by the Office of Price Administration with particular reference to the provisions of Maximum Price Regulation No. 126, as Amended, which provide that no person shall sell or deliver any commercial grade of fluorspar at a price higher than the maximum prices established by that regulation.

§ 1376.15 *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1376.1a and 1376.15) to Maximum Price Regulation 126, as amended, shall become effective January 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-501; Filed, January 9, 1943; 12:20 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11, Amendment 22]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The title "Replenishment and Audit Registration" is revoked and a new title "Provisions Relating to Dealers and Suppliers" is substituted therefor; the title "Restrictions on Transfers to Dealers and Suppliers" is revoked; the word "Same;" is inserted at the beginning of the titles "Use of Coupons and Other Evidences," "Records, Audits and Inspections," and "New Registrations"; subparagraph (22) of paragraph (a) of § 1394.5001 is revoked, and a new subparagraph (22) is added to such paragraph; subparagraph (35) of such paragraph is amended; paragraph (a) of § 1394.5701 is amended; a new paragraph (c) is added to § 1394.5705; paragraph (a) of § 1394.5731 is revoked, and a new paragraph (a) is substituted therefor; the text of § 1394.5741 is renumbered § 1394.5741 (a), and the phrase "Any person who opens or reopens" in such paragraph (a) is amended to read "Any person, other than a person who is registered as a primary supplier, who opens or reopens"; a new paragraph (b) is added to such section; the period at the end of the last sentence in § 1394.5742 is deleted, and the phrase "or paragraph (b) of § 1394.5741, as the case may be," is added at the end of such section; paragraph (c) of § 1394.5743 is amended; paragraph (a) of § 1394.5745 is amended; paragraph (c) of such section is revoked; and a new paragraph (v) is added to § 1394.5902, as follows:

Definitions

§ 1394.5001 *Definitions.* (a) When used in this Ration Order No. 11:

* * * * *

(22) "Primary supplier" means:

(i) Any person who refines fuel oil within the limitation area; or

(ii) The first person, in point of time, who has possession of fuel oil within the limitation area (other than as a carrier). Two exceptions to this subdivision (ii) appear in subdivisions (iii) and (iv).

(iii) The first person to have possession is not the primary supplier if he is a consumer who takes delivery of the fuel oil on direct shipment from without the limitation area in some way other than by pipeline, barge, tank ship or railroad tank car. Instead, the primary supplier is the person who had possession of the fuel oil (other than as a carrier) immediately prior to its entry into the limitation area.

(iv) The first person to have possession is not the primary supplier if the person from whom he purchased the fuel oil maintains a regular place of business within the limitation area. Instead, the primary supplier is the person from whom the purchase is made.

A person who is a primary supplier with regard to any fuel oil received or transferred at an establishment shall be regarded as a primary supplier as to all fuel oil which he receives or transfers at that establishment. A person is a primary supplier as to the establishments maintained by him at which he carries on any operations constituting him a primary supplier, and as to any other establishments which he chooses to register in his primary supplier registration (under paragraph (a) of § 1394.5701), except that if he does not maintain stationary storage facilities within the limitation area, he is a primary supplier as to all mobile facilities operated by him within the limitation area.

* * * * *

[1] 7 F.R. 9490.

[2] 7 F.R. 8480, 8708, 8809, 8897, 9316, 9396, 9492, 9427, 9430, 9621, 9784, 10153, 10081, 10379, 10530, 10531, 10780, 10707, 11118, 11071.

(35) "Transfer" means to sell, give, exchange, lease, lend, deliver, receive, supply or furnish, and includes the acquisition of title by legal process or operation of law, such as, but not limited to, the acquisition of title by will, inheritance or foreclosure; it also includes the use by any dealer or supplier of fuel oil held by him; but does not include the creation of a security interest or security title involving no change of possession. Delivery to a carrier for shipment, or by a carrier in the course of or in completion of shipment, shall not be deemed a transfer to or by such carrier. Any delivery of fuel oil into stationary storage facilities designated by the Petroleum Administration for War as a terminal to receive principal petroleum products pursuant to Petroleum Directive No. 59 of the Petroleum Administration for War shall be deemed a transfer of fuel oil to the owner or operator of such terminal, and delivery of fuel oil from such terminal to a person other than the owner or operator shall be deemed a transfer of fuel oil by the owner or operator to such person.

* * * * *

Provisions Relating to Dealers and Suppliers

§ 1394.5701 *Registration of dealers and suppliers.* (a) Every primary supplier shall, on October 27 or 28, 1942 (or, if he became a primary supplier after October 28, 1942, within five (5) days after becoming a primary supplier), register with a Board within the limitation area (on Form OPA R-1116 (Revised), in duplicate) during the hours provided by the Board, the following matters, together with such other information as may be required by such form:

(1) His name, firm name and business address.

(2) His total fuel oil storage capacity and his total inventory of fuel oil on hand as of 12:01 a. m. on October 1, 1942, or, if he has become a primary supplier since October 1, 1942, at the time he became a primary supplier.

(3) The location of, and the storage capacity and inventory on hand at, each establishment included in the registration, or, if he does not maintain stationary storage facilities, the number of mobile and portable units included in the registration, the capacity of each unit and the vehicle license number of each mobile delivery unit. If more than one establishment or mobile unit is included in the registration, the registrant shall attach a schedule or schedules to Form OPA R-1116 (Revised), supplying the information required with respect to each such establishment or mobile unit.

(4) A statement as to the facts which constitute him a primary supplier under the definition of primary supplier in subparagraph (22) of paragraph (a) of § 1394.5001.

A primary supplier shall register in one primary supplier registration, at any Board within the limitation area, all the establishments or mobile facilities at or from which he conducts operations constituting him a primary supplier. If he has other establishments within the limitation area, he may include some or all of them in his primary supplier registration, if he chooses to do so. He shall register as a dealer or secondary supplier as to each establishment which he does not choose to include in his primary supplier registration. Where the operations of a primary supplier are divided by him among two or more accounting and financial districts, he may make a separate registration for each district of all the establishments or facilities as to which he is a primary supplier in such district.

* * * * *

§ 1394.5705 *Issuance of inventory coupons.* * * *

(c) Every dealer and supplier shall insert on each inventory coupon issued to him the serial number of the registration certificate (Form OPA R-1116 or R-1116 (Revised)) issued to him. No inventory coupon shall be valid until such serial number has been inserted on the coupon.

* * * * *

Same: Records, Audits and Inspections

§ 1394.5731 *Reports by primary suppliers.* (a) On or before the twenty-fifth day of each month, commencing with the twenty-fifth day of November 1942, every primary supplier shall forward to the Control and Audit Unit, Fuel Oil Rationing Branch, Office of Price Administration, Washington, D. C., a report, on Form OPA R-1119, showing, in addition to all other information required by the form, the matters set forth below, and every primary supplier shall forward, together with such statement, exchange certificates as required below:

(1) If he is a primary supplier as defined in subdivisions (i), (ii) or (iv) of paragraph (a) (22) of § 1394.5001, and if he is not a consumer, he shall show the total amount of fuel oil transferred by him within the limitation area (and without the limitation area, if he is within the limitation area) during the preceding calendar month, and shall submit exchange certificates equal in gallonage value to the amount of such transfers less the amount transferred to primary suppliers (and to dealers and suppliers without the limitation area, if he is within the limitation area). If he is a consumer, he shall show, and shall submit exchange certificates equal in gallonage value to, the total amount of fuel oil transferred to him during the preceding calendar month, less the amount of fuel oil transferred to him by dealers and secondary suppliers who are within the limitation area.

(2) If he is a primary supplier as defined only in subdivision (iii) of paragraph (a) (22) of § 1394.5001, he shall show, and shall submit exchange certificates equal in gallonage value to, the total amount of fuel oil transferred by him to consumers within the limitation area. If he is a primary supplier as defined in subdivision (iii) and also in another subdivision of paragraph (a) (22) of § 1394.5001, he shall report in the manner prescribed by paragraph (a) (1) of this section.

* * * * *

Same: New Registrations

§ 1394.5741 *Registration of new [illegible]-opened business.* * * *

(b) Any person who is registered as a primary supplier who opens or reopens, as a primary supplier, a place of business which is required to be registered under the provisions of paragraph (a) of § 1394.5701, shall register such place of business by forwarding to the Control and Audit Unit, Fuel Oil Rationing Branch, Office of Price Administration, Washington, D. C., together with the first monthly report (required by § 1394.5731) following the opening or reopening of the place of business, a statement, in duplicate, showing:

(1) The name, firm name and business address of the registrant, and the address of the opened or reopened place of business.

(2) The registration serial number assigned by the Control and Audit Unit to the primary supplier registration Form OPA R-1116 or R-1116 (Revised) to which the statement will constitute an amendment.

(3) The date and time of the opening or reopening of the place of business.

(4) The storage capacity of, and the inventory on hand at, the place of business at the time of opening or reopening.

(5) The facts which constitute the registrant a primary supplier at the opened or reopened place of business.

The registrant shall forward a triplicate copy of the statement to the Board at which he filed his original registration application. The signature of the Chief of the Fuel Oil Rationing Branch at the Washington Office, on such statement shall constitute a registration of the place of business and shall constitute the statement a part of the original registration certificate (Form OPA R-1116 or R-1116 (Revised)). The original of the statement will be returned by the Control and Audit Unit to the registrant and he shall attach it to his original registration certificate.

* * * * *

§ 1394.5743 *Transfer of entire business.* * * *

(c) The transferee of a place of business shall, after complying with the requirements of paragraphs (a) and (b) of this section, register, on Form OPA R-1116 (Revised), in the manner required by § 1394.5701: *Provided*, That a transferee who registers as a primary supplier at the transferred place of business shall, if he is already registered as a primary supplier, register such place of business by forwarding to the Control and Audit Unit, Fuel Oil Branch Office of Price Administration, Washington, D. C., together with the first monthly report (required by § 1394.5731) following the transfer of the place of business to the registrant, a statement, in duplicate, showing:

(1) The name, firm name and business address of the registrant, and the address of the place of business transferred.

(2) The registration serial number assigned by the Control and Audit Unit to the primary supplier registration Form OPA R-1116 or R-1116 (Revised) to which the statement will constitute an amendment.

(3) The date and time of the opening of business at the place of business transferred.

(4) The storage capacity of, and the inventory on hand at, the place of business transferred.

(5) The facts which constitute the registrant a primary supplier at the transferred place of business.

The registrant shall send a triplicate copy of the statement to the Board at which he filed his original registration application. The registration shall be effected in the manner provided in paragraph (b) of § 1394.5711. No inventory coupons shall be issued to a transferee of a place of business unless the transferee registers as a dealer or secondary supplier at a place of business transferred to him from a primary supplier.

* * * * *

§ 1394.5745 *Cessation of business as a primary supplier.* (a) Any primary supplier who ceases to be a primary supplier at any place of business registered by him shall, immediately after such cessation, surrender to the Control and Audit Unit, Fuel Oil Rationing Branch, Office of Price Administration, Washington D. C., for cancellation, the registration certificate in which such place of business was included, and he shall notify the Board at which he filed his registration application of such surrender. If, however, he continues in business as a primary supplier at any other place of business as to which he is registered as a primary supplier, he shall request the cancellation of his registration of the place of business at which he has ceased to do business as a primary supplier by forwarding to the Control and Audit Unit, Fuel Oil Rationing Branch, Office of Price Administration, Washington, D. C., together with his next monthly report after the termination of operations as a primary supplier at the place of business, a statement, in duplicate, showing:

(1) The name, firm name and business address of the registrant and the address of the place of business at which he has ceased to do business as a primary supplier.

(2) The registration serial number assigned by the Control and Audit Unit to the primary supplier registration Form OPA R-1116 or R-1116 (Revised) to which the statement will constitute an amendment.

(3) The date and time of the cessation of business as a primary supplier at the place of business.

(4) The storage capacity of, and the inventory on hand at, the place of business at the time of cessation of business as a primary supplier.

The registrant shall forward a triplicate copy of such statement to the Board at which he filed his original registration application. The cancellation of registration shall be effected in the same manner as registration is effected in paragraph (b) of § 1394.5741. If the primary supplier terminates operations as a primary supplier at all places of business included in his registration certificate, he shall submit to the Control and Audit Unit, together with his monthly report to such Unit for the period in which he terminated operations, an exchange certificate representing all coupons and other evidences which he is required, pursuant to the provisions of § 1394.5731, to submit with respect to such place of business, but has not yet submitted.

* * * * *

§ 1394.5902 *Effective date of corrections and amendments.* * * *

(v) Amendment No. 22 (§§ 1394.5001; 1394.5701; 1394.5705; 1394.5731; 1394.5741; 1394.5742; 1394.5743; 1394.5745) to Ration Order No. 11 shall become effective January 15, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562, Supp. Directive No. 1-O, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 9th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-504; Filed, January 9, 1943; 12:21 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11,[1] Amendment 25]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new paragraph (d) is added to § 1394.5707; in paragraph (c) of § 1394.5723 the word "secondary" is inserted between the phrase "any dealer or" and the word "supplier", the phrase "period '3' coupons" is amended to read "coupons numbered '3' ", and a new paragraph (d) is added to said section; and a new paragraph (y) is added to § 1394.5902; as set forth below:

Provisions Relating to Dealers and Suppliers

§ 1394.5707 *Restrictions on transfers.* * * *

(d) Notwithstanding the provisions of § 1394.9101 (a) (2) (i) of Supplement 1, any primary supplier who has registered pursuant to § 1394.5701, may, at any time prior to 12:01 a. m. on January 14, 1943, accept from any dealer or secondary supplier coupons numbered "3" in exchange for a transfer of fuel oil made in the states enumerated in § 1394.9101 (a) (2) (i), in an amount equal to the gallonage value which such coupons had prior to 12:01 a. m. January 4, 1943: *Provided*, That the dealer or secondary supplier to whom such transfer is made had prior to 12:01 a. m. January 4, 1943, accepted these coupons in exchange for the transfer of fuel oil in an amount equal to the gallonage value such coupons had prior to 12:01 a. m. January 4, 1943. The primary supplier may at the time of, or prior to, such transfer require the transferee to certify or submit other proof deemed necessary by the transferor, that the transferee had thus acquired the coupons prior to 12:01 a. m. January 4, 1943.

* * * * *

Same: Use of Coupons and Other Evidences

§ 1394.5723 *Exchange of coupons, other evidences, and delivery receipts.*

(d) Notwithstanding the provisions of paragraph (c) of this section, any primary supplier (registered with a Board pursuant to § 1394.5701) may at any time prior to 12:01 a. m. on January 14, 1943, deliver to any Board within the limitation area, any coupons numbered "3" (together with the attached summary required by § 1394.5722) which such primary supplier had on hand as of 12:01 a. m. January 4, 1943, or accepted in exchange for a transfer of fuel oil made by him to a dealer or secondary supplier pursuant to the provisions of § 1394.5707 (d). The Board shall furnish him an exchange certificate equal in gallonage value to the value which the coupons delivered had prior to 12:01 a. m. January 4, 1943. The duplicate of such certificate shall be retained for the files of the Board.

* * * * *

Effective Date

§ 1394.5902 *Effective date of corrections and amendments.* * * *

(y) Amendment No. 25 (§§ 1394.5707 and 1394.5723) to Ration Order No. 11 shall become effective on January 9, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507; Pub. Law 421; W.P.B. Dir No. 1, 7 F.R. 562; Supp. Directive No. 1-O, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 9th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-503; Filed, January 9, 1943; 12:21 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 84 to Supp. Reg. 14[1] to GMPR]

TRANSPORTATION OF REFINED PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amend-

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8480, 8708, 8809, 8897, 9316, 9396, 9492, 9427, 9430, 9621, 9784, 10153, 10081, 10379, 10530, 10531, 10780, 10707, 10780, 11118, 11071, 8 F.R. 165, 237.

[1] 7 F.R. 5486, 5709, 6008, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538 7511, 7536, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8777, 8881, 8899, 9082, 8950, 9131, 8953 8954, 8955, 8959, 9043, 9196, 9397, 8899, 9391, 9395, 9495, 9496, 9630, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10537, 10557, 10583, 10705, 10865, 11005.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5265, 5445, 5775, 5784, 5783, 6058, 6081, 5484, 5565, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454.

ment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (52) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided:

* * * * *

(52) *Transportation of refined petroleum products in tank trucks between points in Mississippi by carriers other than common carriers.* Maximum prices for the transportation of refined petroleum products in tank trucks between points in Mississippi by carriers other than common carriers shall be as follows:

Distance[1]		Rates in cents per gallon[2]
Over	But not over	
0	20	.[illegible]
20	25	.[illegible]
25	30	.[illegible]
30	35	.425
35	40	.467
40	45	.508
45	50	.550
50	55	.592
55	60	.633
60	65	.675
65	70	.717
70	75	.758
75	80	.800
80	85	.842
85	90	.883
90	95	.925
95	100	.967
100	110	1.050
110	120	1.133
120	130	1.217
130	140	1.300
140	150	1.383
150	160	1.467
160	170	1.550
170	180	1.633
180	190	1.717
190	200	1.800
200	210	1.883
210	220	1.967
220	230	2.050
230	240	2.133
240	250	2.217

[illegible]

The maximum prices authorized herein shall be applicable to all transportation performed on or after November 16, 1942.

(b) *Effective dates.* * * *

(85) Amendment No. 84 (§ 1499.73 (a) (52)) to Supplementary Regulation No. 14 shall become effective January 9, 1943.

*Copies may be obtained from the Office of Price Administration.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 9th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-500; Filed, January 9, 1943; 12:20 p. m.]

PART 1340—FUEL

[Rev. MPR 122]

SOLID FUELS SOLD AND DELIVERED BY DEALERS

A statement of the considerations involved in the issuance of Revised Maximum Price Regulation No. 122, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The title, preamble and §§ 1340.251 to 1340.262, inclusive, are renumbered and amended to read as set forth below:

The Price Administrator has ascertained and given due consideration to the prices prevailing on sales of such solid fuels between October 1 and October 15, 1941 and has made adjustments for such relevant factors as he has determined to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this revised regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, issued October 2, 1942, and in accordance with Revised Procedural Regulation No. 1,[1] issued by the Office of Price Administration, Revised Maximum Price Regulation No. 122 is hereby issued.

Sec.

1340.251 Where this regulation applies.
1340.252 What this regulation prohibits.
1340.253 Less than maximum prices may be charged.
1340.254 How maximum prices are calculated under this regulation.
1340.255 The meanings of certain terms used in the maximum price rules.
1340.256 Maximum prices required for certain special sales.
1340.257 When the amount of the railroad freight rate increase may be added to the maximum price.
1340.258 Adjustable pricing.
1340.259 Petitions for amendment and applications for adjustment.
1340.260 Provision for specific ceiling prices.
1340.261 Applicability of other regulations.
1340.262 Records and reports.
1340.263 Posting of maximum prices; sales slips and receipts.
1340.264 Enforcement.
1340.265 Federal and state taxes.
1340.266 Definitions.
1340.267 Effective date.

AUTHORITY: §§ 1340.251 to 1340.267, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

[1] 7 F.R. 8961

§ 1340.251 *Where this regulation applies.* (a) This regulation shall apply to all sales and deliveries of solid fuel from or to any point in the forty-eight states, the District of Columbia, and the territories of Alaska and Hawaii, unless:

(1) Made by the producer or distributor at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven or briquette plant; or

(2) Subject to Maximum Price Regulation No. 189[1]—Bituminous Coal Sold for Direct Use as Bunker Fuel.

(b) Where the dealer has more than one business establishment, each establishment shall be considered a separate dealer. (Under Supplementary Order No. 13 (7 F.R. 6523) retail sellers operating more than one establishment and having had a uniform pricing practice as to two or more of them may apply for authorization to determine and use uniform maximum prices.)

§ 1340.252 *What this regulation prohibits.* Regardless of any contract or other obligation, no person shall:

(a) Sell, or, in the course of trade or business, buy solid fuel at prices higher than the maximum prices fixed by this regulation, or

(b) Obtain a higher than ceiling price by:

(1) Changing his customary allowances, discounts, or other price differentials, or

(2) Increasing any service charge or any interest rate on debts over that charged in December 1941 except where he may be ordered by the Bituminous Coal Division to apply a higher interest rate, or

(3) Using any other device by which a higher than ceiling price is obtained, or

(c) Use any tying agreement or make any requirement that anything other than the fuel requested by the buyer be purchased by him.

§ 1340.253 *Less than maximum prices may be charged.* Less than maximum prices may be charged, paid, or offered but this regulation shall not authorize or excuse any sale in violation of any order of the Bituminous Coal Division setting minimum price.

§ 1340.254 *How maximum prices are calculated under this regulation. How to use the maximum price rules in paragraph (b).* Rule 1 is intended to be used generally, but a dealer, if in doubt, may instead calculate his maximum price by optional Rule 1A or Rule 1B. If a dealer cannot calculate his price by using Rule 1, and does not wish to use Rule 1A or 1B, he must use Rule 2. If he cannot use Rule 2, he must use Rule 3 or Rule 4, depending on which covers his situation. Supplemental rules covering four special situations (sales for railroad fuel use; sales by brokers of lake cargo coal; dealers' gradual adjustments of maximum prices under Maximum Price Regulation No. 122)[2] are stated in § 1340.[illegible]. The

[1] 7 F.R. 5831, 6684, 8939, 10225, 10[illegible]

[2] 7 F.R. 3239, 3666, 3856, 3940, 4[illegible], 5567, 5835, 7809, 8949, 8948, 9426, 9[illegible]

meanings of terms printed in quotation marks when first used in this section are given in § 1340.255 which follows this section.

(b) *The maximum price rules.* Rule 1. The maximum price for any solid fuel shall be:

(1) "The highest price charged by the dealer" in December 1941 for "the same fuel", plus

(2) Any increase in his "supplier's maximum price" for the same fuel over "the highest of all prices charged the dealer on the same fuel supplied to him" during the last calendar month of 1941 in which the dealer took deliveries of such fuel from a "supplier".

The maximum price of a solid fuel received from a supplier who is the same person as the dealer shall be: The highest price charged by the dealer in December 1941 for the same fuel; plus the difference between the highest price charged by the supplier during the same month to an independent dealer and the same supplier's maximum price for sales of the same fuel to the same independent dealer or any other of the same class.

If the dealer did not deliver a solid fuel to a certain class of purchasers during December 1941, his maximum price for sales to that class shall be based upon the maximum price for sales of the same solid fuel to other classes of purchasers, adjusted to reflect his customary price differentials between or among the classes of purchasers.

Rule 1A. The maximum price of a dealer who chooses to set his maximum price by his highest offering price for delivery during December 15–31, 1941, inclusive, shall be such highest offering price for a "like sale" if, either advertised by him after October 1 1941 in a medium of general circulation, such as a newspaper, in his locality, or listed in the last price circular, list or schedule he issued and made available to the purchasing public in 1941.

Rule 1B. The maximum prices of any dealer who chooses to use the maximum prices which he has calculated by using the weighted average price formula (§ 1340.261 (c)) of Maximum Price Regulation No. 122 and which he has posted as it requires (§ 1340.261 (j)) before the effective date of this revised regulation are the maximum prices so calculated and posted for a like sale.

Rule 2. The maximum price shall be the maximum price of the "most closely competitive dealer of the same class" for a like sale.

Rule 3. The maximum price shall be the sum of: First, the per net ton cost to the dealer, f. o. b. supplier's shipping point; Second, the actual transportation cost to the dealer's yard, dock or other terminal facility; and Third, "the margin over delivered cost" on the dealer's similar sale of solid fuel most nearly like the sale of solid fuel for which a maximum price is calculated under this Rule 3, taking into account similarity in size, kind, quality, use and quantity of fuel, class of purchasers, method of delivery (e. g., by truck, rail, etc.) and terms of delivery (e. g., delivered price, f. o. b. dealer's yard, etc.). But a dealer eligible for compensatory adjustment under Compensatory Adjustment Regulation No. 1[4] shall, in place of the item marked Second in this Rule 3, substitute the lowest transportation cost he would have incurred during December 1941 in bringing the fuel to his terminal facility, plus not more than five (5) cents per net ton if he would then have used rail transportation.

Rule 4. If Rule 3 cannot be applied because the dealer made no similar sale, his maximum price shall be the price set by the regional office of the Office of Price Administration in line with the level of maximum prices set by this regulation. The dealer shall apply to the regional office, stating in writing:

First: the size, kind, quality and possible use or uses of the solid fuel to be priced;

Second: the name of its producer and its origin and, for bituminous coal, its price classification and group, size group, and mine index number in the minimum price schedules of the Bituminous Coal Division;

Third: the per net ton price, f. o. b. supplier's shipping point;

Fourth: the actual transportation cost to the dealer's yard, dock, or other terminal facility;

Fifth: a proposed schedule of prices for each class of purchaser involved, stating price variations for different quantities, methods and terms of delivery;

Sixth: his margin over delivered cost on sales of solid fuel serving the same purpose;

Seventh: any other pertinent information which the regional office may request.

§ 1340.255 *The meanings of certain terms used in the maximum price rules.* (a) The following quoted words, when used in this regulation, have the meanings given below:

(1) "A like sale" means one sale of solid fuel is like another if the same solid fuel is delivered under the same terms and by the same method to a purchaser of the same class as in the sale to which comparison is made.

(2) "The highest price charged by the dealer" means the highest price he charged for a like sale of fuel delivered during December 1941.

(3) "Same fuel" or "same solid fuel" means one solid fuel shall be deemed to be the same as another if the first is the same size and kind as the second, is of the same quality, has the same use, affords the purchaser equivalent serviceability, and is interchangeable with the second. In the case of bituminous coal, if the two coals compared are in the same or equivalent price classification and group and size group number as set forth in Maximum Price Regulation No. 120[5]—Bituminous Coal Delivered from Mine or Preparation Plant, they are the same; this is the basic test although it is possible bituminous coals may be the same if they do not meet this test. Egg, stove and nut sizes of Pennsylvania anthracite as defined in Maximum Price Regulation No. 112[6] shall be deemed to be one size of such anthracite for the purposes of this regulation.

(4) "A supplier" means any person who in 1941 or 1942 sold the dealer solid fuels for resale. Any person who sells to the dealer after 1942 is also a supplier if he performs the same functions in the selling of the same solid fuels at the same level of distribution and sells to dealers of the same class as did the suppliers who sold to the dealer in 1941 or 1942.

(5) "A supplier's maximum price" means the maximum price of an independent or affiliated supplier for deliveries to the dealer (before deducting any allowance or discount or adding any special service charge), f. o. b. supplier's shipping point. Maximum prices of suppliers are established by one or more of these regulations: Maximum Price Regulation No. 112—Pennsylvania Anthracite; Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant; Regulation No. 121—Miscellaneous Solid Fuels Delivered from Mine or Preparation Plant;[7] and this regulation.

(6) "The highest of all prices charged the dealer on the same fuel supplied to him" means the highest of all prices charged the dealer before the deduction of any discount or allowance or the addition of any special service charge.

(7) "The margin over delivered cost" means the difference between (i) the maximum price of the solid fuel under this Regulation, and (ii) the sum of (*a*) its most recent cost per ton to the dealer, f. o. b. supplier's shipping point, and (*b*) the actual transportation cost to the dealer's yard, dock, or other terminal facility.

(8) "Dealer of same class" means (i) a dealer performing the same function (trucking from a mine, yard or dock, a yard or dock operator), (ii) dealing in the same solid fuels, and (iii) selling to purchasers of the same class.

(9) "Most closely competitive dealer of the same class" shall be a dealer of the same class who (i) is selling the same solid fuel, (ii) is closely competitive in the sale of solid fuel, and (iii) is located nearest to the dealer.

(10) "Purchaser of the same class" refers to the practice adopted by the dealer in setting different prices for sales to different purchasers or kinds of purchasers or for purchasers located in different areas or for different quantities or under different conditions of sale, including methods and terms of delivery.

(b) *Other definitions.* Meanings of the following words and phrases are given in § 1340.265: "person", "producer", "distributor", "solid fuel", "f. o. b.", "sell", "dealer", "affiliated supplier", "Bituminous Coal Division."

§ 1340.256 *Maximum prices required for certain special sales.* The dealer's

[4] 7 F.R. 3749, 3900, 6005, 6149, 7744, 10531.

[5] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218, 6265, 6272, 6472, 6325, 6524, 6744, 6896, 7777, 7670, 7914, 7942, 8354, 8650, 8948, 9783, 10470, 10581, 10780, 10993, 11008, 11012.

[6] 7 F.R. 2512, 2739, 2818, 2868, 3521, 4294, 4539, 4540, 8948, 10529, 10554, 10714.

[7] 7 F.R. 3237, 3989, 4483, 5941, 6002, 6386, 8587, 8521, 8938, 8948, 10529.

maximum price for the sales covered by this section shall be a price calculated as required in the paragraphs following:

(a) *Maximum dock prices for railroad fuel.* (1) If solid fuel is sold for railroad fuel use at or from a dock on the west bank of Lake Michigan or the United States side of Lake Superior, its maximum price shall be the sum of (i) the purchase price per ton, f. o. b. the mine for sales to the dealer, (ii) the dealer's actual transportation cost to the same dock, and (iii) his handling and storage charge in effect during December 15–31, 1941, but not to exceed fifty-five (55) cents per net ton.

(b) *Maximum prices for sales by competitive bidding.* If solid fuel is sold under contract awarded the dealer in public competitive bidding, the maximum price shall be the dealer's maximum price calculated by the rules in § 1340.254 for like sales to business purchasers.

(c) *Lake cargo coal.* The maximum price of solid fuel received via water transportation facilities by any dealer on the Great Lakes or their connecting or tributary waters shall be the dealer's offering price, calculated by Rule 1A, for like sales or, if he chooses, a maximum price calculated by Rule 1B of § 1340.254 for like sales.

(d) *Dealers previously granted adjustments of maximum prices.* The maximum price of a dealer granted an adjustment of his maximum prices by order of adjustment issued under Maximum Price Regulation No. 122 shall be the higher of the following prices:

(1) The maximum price for a like sale established by this regulation, or

(2) The dealer's maximum price for a like sale as adjusted by order plus the difference between (i) the current delivered cost to him of the same fuel and (ii) the cost of the last delivery of such fuel to him prior to the effective date of the order of adjustment of his maximum price.

§ 1340.257 *When the amount of the railroad freight rate increase may be added to the maximum price.* A dealer who calculates his maximum price for the sale of solid fuel by Rules 1, 1A or 1B in § 1340.254 of this regulation may add to his maximum price the exact amount of the railroad freight rate increase incurred as a result of the Interstate Commerce Commission's order in its Docket Ex Parte 148, effective March 18, 1942.

§ 1340.258 *Adjustable pricing.* A price may not be made adjustable to a maximum price which will be in effect at some time after delivery of the solid fuel has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery. In appropriate situations, where a petition for amendment or an application for adjustment requires extended consideration, the Price Administrator, may upon application grant permission to agree to adjust prices on deliveries made during the pendency of the petition or application in accordance with the disposition thereof.

§ 1340.259 *Petitions for amendment and applications for adjustment.* (a) The Office of Price Administration, or any duly authorized representative thereof, may adjust any maximum price established under this regulation in the following cases:

(1) *Local shortages.* In the case of any dealer or group of dealers when it appears:

(i) That there exists or threatens to exist in a particular locality a shortage in the supply of a solid fuel which aids directly in the war program or is essential to a standard of living consistent with the prosecution of the war; and

(ii) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of such dealer and of like dealers for such solid fuel; and

(iii) That such adjustment will not create or tend to create a shortage, or a need for increase in prices, in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

Each Regional Administrator is authorized to make adjustments or act upon applications for adjustment under this subparagraph (1).

(2) *Equalization for river transport.* In the case of a dealer delivering bituminous coal, produced by an affiliated supplier, from river terminal facilities at a maximum price established by this regulation which permits the producer a realization less than the applicable maximum price, f. o. b. the mine for the kind, size and quality of coal delivered from the river terminal facilities, the dealer may present the special circumstances of the case in an application for adjustment filed with the Secretary, Office of Price Administration, Washington, D. C. Unless notified to the contrary, the dealer may, after a lapse of fifteen (15) days from the date of the filing of such application, adjust his maximum price by an amount which will permit his affiliated supplier to realize no more than the applicable maximum price set forth in Maximum Price Regulation No. 120.

(3) *Abnormally low retail price.* In the case of any dealer at retail who shows:

(i) That such maximum price is abnormally low in relation to the maximum price of the same or similar solid fuel established for other dealers at retail; and

(ii) That this abnormality subjects him to substantial hardship.

No application for adjustment filed after November 30, 1942, will be granted under subparagraph (3).

(4) *Abnormally low wholesale price.* In the case of any dealer, other than a dealer at retail, who shows:

(i) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive dealers of the same or similar solid fuel; and

(ii) That establishing for him a maximum price, bearing a normal relation to the maximum price established for competitive dealers of the same or similar solid fuel, will not cause or threaten to cause an increase in the level of retail prices.

No application for adjustment filed after November 15, 1942, will be granted under this subparagraph (4).

(5) *Long term contract price.* In the case of any dealer who shows to the satisfaction of the Administrator that he is subjected to undue hardship because he is thereby required not to exceed a price specified in a long term contract with a consumer, other than a household consumer, which contract was in effect during the period December 15–31, inclusive, 1941, and had been entered into prior to July 1, 1941. In such a case the dealer should submit and the Office of Price Administration will consider:

(i) A copy of the long term contract or contracts upon which application is based;

(ii) The tonnage, and the proportion of the total tonnage sold by the dealer in the year 1941, which moved under such long term contract, broken down as to sizes, kinds and qualities;

(iii) The prices listed by the dealer in all advertisements, price circulars, lists or schedules in effect during December 15–31, 1941, for the sizes, kind and qualities of solid fuel involved in such long term contract, for sales to purchasers of the same class, and under similar terms and methods of delivery;

(iv) The weighted average of the prices actually charged by the dealer during December 15–31, 1941, on sales of each size, kind and quality of solid fuel covered by such long term contract but not including the tonnage sold under such contracts;

(v) A summary for each month of the calendar year 1941, of the prices charged by the dealer in sales of each size, kind, and quality of solid fuel covered by such long term contract, exclusive of the tonnage sold under such contract;

(vi) A statement of the mine prices paid by the dealer from and after the date upon which such long term contract was entered into on all purchases of the sizes, kinds and qualities of solid fuel covered by such contract;

(vii) Any other data bearing on the alleged hardships imposed on the dealer by virtue of the effect of such long term contract upon his maximum price;

(viii) Any data showing the necessity, in terms of the war effort, for the granting of the requested adjustment.

The Office of Price Administration may require in connection with any such application full data on costs, profits, and other factors deemed relevant.

No application for adjustment filed after November 15, 1942, will be granted under this subparagraph (5).

Applications for adjustment shall be filed in accordance with Revised Procedural Regulation No. 1.

(b) Any person seeking an amendment of any provision of this Revised Maximum Price Regulation No. 122 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

§ 1340.260 *Provision for specific ceiling prices.* The Office of Price Administration, or any duly authorized representative thereof, may by order establish specific maximum prices in line with those established by this regulation for sales of solid fuels by a dealer or group of dealers in any area or locality.

§ 1340.261 *Applicability of other regulations.* (a) Section 1499.15 *Registration* and § 1499.16 *Licensing* of the General Maximum Price Regulation shall apply to this regulation. No other provision of the General Maximum Price Regulation shall apply to this regulation.

(b) The minimum price established by the Bituminous Coal Division and applicable to members of its Bituminous Coal Code shall be the maximum price for sales of solid fuels by such members if such minimum is greater than the maximum price otherwise established by this regulation.

§ 1340.262 *Records and reports.*—(a) *Base period records.* Each dealer in solid fuels shall preserve for examination by the Office of Price Administration all his existing records relating to:

(1) The prices he charged on deliveries made by him during December 1941;

(2) His offering prices (as defined in Rule 1A of § 1340.254 of this regulation) for delivery during the period December 15-31, 1941;

(3) His customary allowances, discounts and other price differentials;

(4) His charges for all special services and rates of interest on all forms of credit during December 1941;

(5) The prices charged to him by all of his suppliers during the last month of 1941 in which he received each different size, kind and quality of solid fuel.

(b) *Current records.* Every dealer in solid fuels for whom a maximum price is established by this Regulation shall keep and make available for examination by the Office of Price Administration records of his sales and purchases of the same type as he has customarily kept.

(c) *Reports.* Each dealer in solid fuels shall report to his War Price and Rationing Board his maximum prices for sales of solid fuel within no more than ten (10) days after he determines or redetermines his maximum prices pursuant to this revised regulation. However, to the extent that the dealer's maximum prices determined pursuant to Maximum Price Regulation No. 122 are the same as his maximum prices determined pursuant to this Revised Regulation and have been reported to any office of the Office of Price Administration, or to his war price and rationing board, he need not again report such prices.

But each dealer whose sales of solid fuels from all his business establishments totaled $100,000 or more during 1942 and each dealer who is affiliated with his supplier shall, at the time of filing his maximum prices with his war price and rationing board, file an additional report with the Solid Fuels Price Branch, Office of Price Administration, Washington, D. C., showing his maximum prices, the method of computation thereof, including specifically the margin over delivered cost obtainable on sales at maximum prices of each solid fuel to each different class of purchasers.

§ 1340.263 *Posting of maximum prices; sales slips and receipts.* (a) Every dealer of solid fuels shall post all his maximum prices in dollars and cents per net or gross ton or fraction thereof, (or other unit of weight or measurement customarily used by him in his business) in a manner plainly visible to and understandable by the purchasing public for all cash and other sales under all methods and terms of delivery to all classes of purchasers of the purchasing public.

(b) Every dealer who during December 1941 customarily gave purchasers sales slips or receipts shall continue to do so. If a purchaser requests of a seller a receipt showing the name and address of the dealer, the kind, size and quality of the solid fuel sold to him or the price charged, the dealer shall comply with the purchaser's request as made by him.

§ 1340.264 *Enforcement.* (a) Persons violating any provision of this revised regulation are subject to the criminal penalties, civil and enforcement actions, suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have any evidence of any violation of this regulation or any price schedule, regulation or order issued by the Office of Price Administration are urged to communicate with the nearest regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1340.265 *Federal and state taxes.* Any tax upon, or incident to, the sale, delivery, transportation, process, or use of solid fuel imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the dealer's maximum price for solid fuel and in preparing his records with respect thereto:

(a) As to a tax in effect during December 1941:

(1) If the dealer paid such tax, or if the tax was paid by any of his prior suppliers, irrespective of whether the amount thereof was separately stated and collected from the dealer, but the dealer did not customarily state and collect separately from the purchase price during December 1941 the amount of the tax paid by him or tax reimbursement collected from him by his supplier, the dealer may not collect such amount in addition to his maximum price, and in such case shall include such amount in determining the maximum price under this revised regulation.

(2) In all other cases if, at the time the dealer determines his maximum price, the statute or ordinance imposing such tax does not prohibit the dealer from stating and collecting the tax separately from the purchase price, and the dealer does state it separately, he may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of the tax paid by any of his prior suppliers and separately stated and collected from the dealer by the supplier from whom he purchased, and the dealer shall not include such amount in determining the maximum price under this regulation.

(b) As to a tax or increase in a tax which becomes effective after December 1941, if the statute or ordinance imposing such tax or increase does not prohibit the dealer from stating or collecting the tax separately from his selling price and the dealer does separately state, the dealer may collect, in addition to his maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any of his prior suppliers and separately stated and collected from the dealer by the supplier from whom he purchased.

§ 1340.266 *Definition.* (a) When used in this Maximum Price Regulation No. 122, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Producer" means (i) a person engaged in the business of mining solid fuel or preparing solid fuel at a mine or preparation plant operated as an adjunct of any mine, a coke oven or briquette plant, and (ii) any person acting as an agent of a producer in the sale of solid fuel.

(3) "Distributor" means (i) in the case of bituminous coal, a person who purchases bituminous coal at a mine or preparation plant operated as an adjunct of any mine for resale, and resells the same in not less than cargo or railroad carload lots, all as more fully defined in the Bituminous Coal Act of 1937, as amended, and rules and regulations issued thereunder, and any person acting as an agent of such distributor in the sale of bituminous coal; and (ii) in the case of any other solid fuel, a person who purchases it at or for delivery from a mine or a preparation plant operated as an adjunct of any mine, a coke oven or briquette plant, for resale and resells the same in not less than cargo or railroad carload lots, without physically handling such solid fuel, and any person acting as an agent of such distributor in the sale of solid fuel.

(4) "Solid fuel" (or "solid fuels") means all solid fuel except wood and wood products, including all kinds of anthracite and semi-anthracite; bituminous and semi-bituminous, sub-bituminous and cannel coal; lignite; all coke, including low temperature coke (except by-product foundry and blast furnace coke, and beehive oven furnace coke produced in the State of Pennsylvania); briquettes made from coke or coal; and sea coal used for foundry facings.

(5) "F. o. b." means free on board whatever facilities may be used for trans-

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[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4738, 5027, 5076, 5192, 5365, 5484, 5775, 5865, 5565, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6939, 6794, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9713, 10155, 10454.

portation at the shipping point indicated by the words following f. o. b. where it appears in this regulation.

(6) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "seller," "buy," "purchase," and "purchaser," shall be construed accordingly.

(7) "Dealer" means a person selling solid fuels subject to this revised regulation or a person who sold solid fuels subject to Maximum Price Regulation No. 122—Solid Fuels Delivered From Facilities Other Than Producing Facilities—Dealers.

(8) "Affiliated supplier": a supplier who is the same person as the dealer or whom the dealer owns or controls or who owns or controls the dealer or who is under common ownership or control with the dealer.

(9) "Bituminus Coal Division" means the Bituminous Coal Division of the United States Department of the Interior.

§ 1340.267 *Effective date.* This Revised Maximum Price Regulation No. 122 (§§ 1340.251 to 1340.267, inclusive) shall become effective January 9, 1943.

Issued this 9th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-516; Filed, January 9, 1943; 4:29 p. m.]

PART 1340—FUEL

[MPR 112, Amendment 10]

PENNSYLVANIA ANTHRACITE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In § 1340.195, paragraph (d) is deleted; in § 1340.200, paragraph (a), (c) (3) (i), the proviso in paragraph (d) (1) and paragraph (d) (4) are amended and paragraph (d) (3) (iii) is deleted to read as set forth below:

§ 1340.200 *Appendix A: Maximum prices for anthracite.* (a) The following maximum prices are established for anthracite f. o. b. transportation facilities at the mine, or preparation plant operated as an adjunct of a mine or mines or ground storage facility from which delivery is made:

(1)

Size	Price per net ton
Domestic:	
Broken, egg, stove and chestnut	$7.30
Pea	5.75
Steam:	
Buckwheat #1	4.20
Rice (Buckwheat #2)	3.35
Barley (Buckwheat #3)	2.50
All sizes smaller than barley (buckwheat #3) if sold for fuel or sintering use, including (specifically but not exclusively), Buckwheat #4, river or dredge barley, and smaller sizes	1.80

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 2512, 2739, 2818, 2868, 3521, 4294, 4539, 4540, 8948, 10529, 10554, 10714.

(2) Prepared at Jeddo #7 and Highland #5 breakers of the Jeddo Highland Coal Company, Jeddo, Pennsylvania, and marketed under the trade name "Jeddo Coal," "Highland Coal" or "Hazel Brook Coal":

Size	Price per net ton
Domestic:	
Broken, egg, stove and chestnut	$7.55
Pea	6.00
Steam:	
Buckwheat #1	4.45
Rice (buckwheat #2)	3.50
Barley (buckwheat #3)	2.50

(3) Prepared at the Williamstown breaker of the Franklin-Lykens Coal Company, Ashland, Pennsylvania, and marketed under the trade name "The Only Genuine Franklin Coal of Lykens Valley":

Size	Price per net ton
Domestic:	
Broken	$8.05
Egg	8.30
Stove	8.55
Chestnut	7.60
Pea	5.75
Steam:	
Buckwheat #1	4.20
Rice (buckwheat #2)	3.45
Barley (buckwheat #3)	2.50

(4) Produced by Lehigh Navigation Coal Company, Philadelphia, Pennsylvania, and marketed under the trade name "Old Company's Lehigh Greenwood Premium Anthracite":

Size	Price per net ton
Domestic:	
Broken	$7.30
Egg, stove and nut	7.55
Pea	6.00
Steam:	
Buckwheat #1	$4.20
Rice (buckwheat #2)	3.35
Barley (buckwheat #3)	2.50

The prices set forth in subparagraphs (2), (3), and (4) of this paragraph shall be the maximum prices for this anthracite for so long as the present quality and preparation standards are maintained; otherwise, the maximum prices shall be those established by subparagraph (1) of this paragraph.

* * * * *

(c) *Cash discounts, credit terms and special services.* * * *

(3) (i) The charges made for any special service, including (specifically but not exclusively) calcium chloride treatment, specially prepared sizes, split cars (containing more than one size), box car loading, truck loading from pockets at the mine, bags and bagging, and the making of local or retail deliveries from the mine or adjunct preparation plant, shall not exceed the charges made for the same service during the period October 1–October 15, 1941, inclusive; but any producer whose special service charge for bags and bagging of anthracite at the mine or adjunct preparation plant during the period October 1–October 15, 1941, inclusive, was less than $2.30 per net ton, may charge for this special service an amount not in excess of $2.30 per net ton.

* * * * *

(d) *Premium-penalty contracts.* (1) * * *

Provided: That, any premium-penalty agreement executed pursuant to this paragraph (d) shall be subject to the conditions of the following subparagraphs (2) and (3):

* * * * *

(4) Contracts in effect January 9, 1943 which provide for sales of sizes smaller than barley (#3 buckwheat) on conditions similar to those set forth in the preceding subparagraphs of this paragraph (d) may be carried out at a base price not in excess of $1.80 per net ton.

§ 1340.199a *Effective dates of amendments.* * * *

(k) Amendment No. 10 (§§ 1340.195 (d); 1340.200 (a), (c) (3) (i), (d) (3) (iii), and (d) (4)) to Maximum Price Regulation No. 112 shall become effective January 9, 1943.

(Pub. Laws 421 and 729; 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-515; Filed, January 9, 1943; 4:12 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order No. 11,[1] Amendment 26]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1394.5661 is amended and a new § 1394.5711 is added to Ration Order No. 11; and a new paragraph (z) is added to § 1394.5902, as set forth below.

Restrictions of Transfers to and by Consumers

§ 1394.5661 *Discrimination in transfers to consumers.* On and after September 1, 1942, no dealer or supplier shall discriminate, in the transfer of fuel oil, among consumers entitled to acquire fuel oil under this Ration Order No. 11: *Provided, however,* That notwithstanding the provisions of this section, a primary supplier may conform with the provisions of Petroleum Administrative Order No. 1, as amended, issued by the Petroleum Administration for War.

Restrictions on Transfer to Dealers and Suppliers

§ 1394.5711 *Discrimination in transfers to dealers or suppliers.* On and after January 9, 1943, no dealer or supplier shall discriminate, in the transfer of fuel oil, among dealers or suppliers entitled to acquire fuel oil under this Ration Order No. 11: *Provided, however,* That notwithstanding the provisions of this section a primary supplier may conform with the provisions of Petroleum Administrative Order No. 1, as amended, issued by the Petroleum Administration for War.

* * *

[1] 7 F.R. 8480, 8708, 8809, 8897, 9027, 9095, 9492, 9427, 9430, 9621, 9784, 10031, 10078, 10530, 10531, 10700, 10707, 11118, 11171, 11572, 165, 237.

Effective Date

§ 1394.5902 *Effective date of corrections and amendments.* * * *

(z) Amendment No. 26 (§§ 1394.5661 and 1394.5711) to Ration Order No. 11 shall become effective January 9, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507; Pub. Law 421; W.P.B. Directive No. 1, 7 F.R. 562; Supp. Directive No. 1–0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 9th day of January, 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-513; Filed, January 9, 1943; 4:12 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rationing Order No. 3,[1] Amendment 34]

SUGAR RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraph (c) of § 1407.68 is amended, and a new paragraph (d) is added to § 1407.68 as set forth below:

Consumers

§ 1407.68 *Late registration of consumers.* * * *

(c) No consumer may be registered after January 15, 1943: *Provided,* That a consumer who is born after December 15, 1942, may be registered within a month after he is born, and any consumer who, at any time between December 16, 1942, and January 15, 1943, inclusive, is out of the country, confined in an institution, or subsisted in kind or in organized messes by the Army or Navy, may be registered, if he has not been previously registered, within a month after he enters the country, is discharged from the institution, or is no longer subsisted in kind or in organized messes by the Army or Navy.

(d) Upon the issuance of a Book to a late registrant, the Board shall detach, in addition to those stamps required to be detached by paragraph (a), all stamps required to be detached by Ration Order No. 12.

Effective Date

§ 1407.222 *Effective dates of amendments.* * * *

(ii) Amendment No. 34 (Paragraphs (c) and (d) of § 1407.68) shall become effective January 9, 1943.

(Pub. Law 421, 77th Cong., W.P.B. Dir. No. 1 and Supp. Dir. No. 1E)

Issued this 9th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-514; Filed, January 9, 1943; 4:12 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 2966, 3242, 3783, 4545, 4618, 5193, 7261, 7984, 6473, 6828, 6937, 7289, 7321, 7406, 7557, 7557, 8402, 8655, 8710, 8739, 8809, 8830, 8911, 9042, 9396, 9460, 9899, 10017, 10258, 10626, 10845, 8 F.R. 166, 262.

PART 1499—COMMODITIES AND SERVICES

[Order 154 Under § 1499.18 (b) of GMPR]

MONARCH SHOE COMPANY, INC.

Order No. 154 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3–2589.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1055 *Adjustment of maximum price for women's novelty shoes manufactured by Monarch Shoe Company, Inc.* (a) The Monarch Shoe Company, Inc., 169 Bridge Street, Cambridge, Massachusetts, is hereby authorized to sell and deliver the following women's shoes at prices not in excess of the following:

	Price per pair
Gabardine	$1.325
Imitation Leather	1.275
Mesh	1.375
White kid suede	1.375

(b) The maximum prices authorized by this order are subject to discounts, allowances and terms no less favorable than those in effect during March 1942.

(c) Wholesale and retail maximum prices of these shoes shall not be changed as a result of this order. The Monarch Shoe Company, Inc., shall send a written notice to all wholesalers and to all retailers to whom it sells. Such written notice shall be mailed by the Monarch Shoe Company, Inc., within 10 days after receipt of this order and shall be in the following form:

The Office of Price Administration has permitted us to raise our maximum prices for sales to you of women's shoes as set forth below:

	Adjusted maximum price per pair	Old maximum price per pair
Gabardine	$1.325	$1.275
Imitation leather	1.275	1.25
Mesh	1.375	1.30
White kid suede	1.375	1.30

This amount represents only that part of cost increases which we were unable to absorb and it was granted with the understanding that wholesale and retail prices will not be raised. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for sales of these shoes. In order that we may continue to provide you with these shoes, it will be necessary for you to accept this reduction in your margin.

(d) This Order No. 154 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 154 (§ 1499.1055) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 154 (§ 1499.1055) shall become effective January 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.C. 9250, 7 F.R. 7871)

Issued this 11th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-547; Filed, January 11, 1943; 11:47 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 12 Under § 1499.3 (c) of GMPR]

DRACKETT COMPANY

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* *It is ordered:*

§ 1499.812 *Maximum prices for sales of the new plastic Windex Sprayer.* This Order No. 12 sets maximum prices for sales of a new plastic Windex Sprayer manufactured for the Drackett Company by the Wilco Company, Los Angeles, California. The manufacturer's maximum price for sales to the Drackett Company has been established under Maximum Price Regulation No. 188 and is not affected by this order.

(a) The maximum price for sales to wholesalers by the Drackett Company, Cincinnati, Ohio, and its distributing corporation, the Drackett Products Company, Cincinnati, Ohio, is $1.35 per dozen, f. o. b. Cincinnati, Ohio.

(b) The maximum price for sales by wholesalers to retailers is $1.50 per dozen. The seller shall bear the transportation costs to the extent that he has customarily done so in the past.

(c) The maximum price for sales at retail is 15¢ each.

(d) Upon the carton in which each sprayer is contained, the Drackett Company shall stamp or print a statement that the retail ceiling price is 15¢. A statement in the following form will be sufficient: "Ceiling Price 15¢".

(e) The Drackett Products Company shall notify every person who buys from it of the maximum price set by this Order No. 12 for resales by the purchaser. The notice shall be in the form of a statement on each invoice to each purchaser. For example, a statement in the following form on an invoice to a wholesaler will be sufficient: "Your ceiling price, set by an OPA order, is $1.50 per dozen."

(f) This Order No. 12 (§ 1499.812) shall become effective January 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-545; Filed, January 11, 1943; 11:48 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 212 Under § 1499.3 (b) of GMPR]

WAR PRODUCTION BOARD

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1448 *Approval of maximum prices for sales of certain railroad bridges by the War Production Board.* (a) The War Production Board may sell and deliver and any person may buy and receive, at present location, from the War Production Board the following bridges

now or formerly located on the branch line of the Louisville and Nashville Railroad, extending from North Winchester to Maloney, Kentucky, at maximum prices not in excess of the percentage of the original cost erected set forth for each bridge:

Bridge:	*Percentage of original cost*
26–A	68
60–A	65
60–B	65
61–A	70
61–B	70
61–C	70
41–B	65

(b) This Order No. 212 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 212 (§ 1499.1448), shall become effective January 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-546; Filed, January 11, 1943; 11:48 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 68 Under § 1499.18 (c) of GMPR]

U. S. MICA MFG. CO.

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The head-note of § 1499.918 and paragraph (a) of such section are amended and a new paragraph (d) is added to read as set forth below.

§ 1499.918 *Adjustment of maximum prices for roofing grade mica sold by the U. S. Mica Mfg. Co.* (a) (1) On and after December 1, 1942, the U. S. Mica Mfg. Co., 1521–1527 Circle Avenue, Forest Park, Illinois, may sell and deliver, and any person may buy and receive in the course of trade or business from the U. S. Mica Mfg. Co., roofing grade mica in carload lots at a price not in excess of $31.00 a ton f. o. b. the seller's plant or warehouse.

(2) All quantity differentials which the seller had in effect during March 1942 shall remain in effect under this amendment.

(3) This adjustment of maximum price is granted subject to the express condition that the U. S. Mica Mfg. Co. abides by all regulations and orders issued by the Office of Price Administration including, but not limited to, the provision of the General Maximum Price Regulation which provides that no person in the course of trade or business shall buy or receive any commodity at a price higher than the maximum price permitted by that regulation.

(4) This Amendment No. 1 may be revoked or amended by the Price Administrator at any time.

* * * * *

(d) This Amendment No. 1 (§ 1499.918) to Order No. 68 shall become effective January 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-544; Filed, January 11, 1943; 11:48 a. m.]

Chapter XIII—Petroleum Administration for War

PART 1515—PETROLEUM PRODUCTION OPERATIONS

[Petroleum Administrative Order 2]

The fulfillment of the requirements for the defense of the United States has created a shortage of material for the production of petroleum for defense, for private account, and for export; and the following order is deemed necessary in the public interest, to promote the national defense, and to provide adequate supplies of petroleum for military and other essential purposes:

§ 1515.1 *Petroleum Administrative Order 2.* Pursuant to Conservation Order M–68 as Amended January 4, 1943[1] (§ 1047.1), § 1047.10 *Supplementary Order M–68–5*, as amended October 23, 1942[2] is renumbered § 1515.1 of this chapter and is reissued effective today. This order shall continue in effect until February 1, 1943, unless sooner revoked by the Petroleum Administrator for War or the Deputy Petroleum Administrator for War.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of January 1943.

R. K. DAVIES,
Acting Petroleum Administrator for War.

[F. R. Doc. 43-411; Filed, January 8, 1943; 1:29 p. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order 28]

PART 306—GENERAL AGENTS AND AGENTS

BONDING OF SHIPS' PERSONNEL RECEIVING ADVANCES FOR ACCOUNT OF WAR SHIPPING ADMINISTRATION

§ 306.61 *Bonding of ships' personnel.* From and after February 1, 1943 no moneys or property shall be advanced to a Master, purser, or other member of the ship's personnel for the account of the War Shipping Administration, unless such person is under a bond indemnifying the United States against loss of such moneys or property caused, solely or in part, by the dishonesty or lack of care of any such person in the performance of the duties of any position covered by the bond.

§ 306.62 *Amount of bond and advances.* Such bonds shall be in an amount deemed by the agents to be sufficient to cover, as nearly as possible, the value of all moneys and property that may be advanced to any one person filling a bonded position hereunder at any one time.

§ 306.63 *Premiums.* The bonds provided for in this order shall be furnished without cost to the United States, but the cost of the premiums of such bonds shall be included in the overhead expense of the agents in calculating any adjustment of compensation under the provisions of sections 10 and 11 of General Order No. 12 (§§ 306.10 and 306.11).

§ 306.64 *Form of bond.* The form of bond required by the War Shipping Administration to be used by the agents in compliance with the provisions of this general order shall be as follows:

WAR SHIPPING ADMINISTRATION

Position Fidelity Schedule Bond

In consideration of the annual premium of _____ (hereafter called the "Surety") hereby agrees to pay to _____ or its successors (hereafter called the "Agent") or the United States of America, (hereinafter called the "United States"), represented by the Administrator, War Shipping Administration or his successors (hereinafter called the "Administrator"), as their interests may appear, the amount of any pecuniary loss of money or other property caused solely or in part, by reason of the dishonesty or lack of care of any person in the performance of the duties of any position, now or hereafter listed in the "Schedule of Positions and Amounts Pending" part hereof (hereinafter called the "Schedule"), on any vessel from time to time allocated to the Agent by the Administrator.

This bond is executed and accepted subject to the following agreements, limitations and conditions:

FIRST. Liability under this bond with the _____ day of _____, 19__, in respect of each person then filling any position named in the Schedule on any of the vessels then allocated to the Agent by the Administrator. As to any positions becoming vacant during the term of this bond or positions listed in the Schedule on any vessel or vessels hereafter allocated to the Agent by the Administrator, liability under this bond shall attach as soon as such positions are filled, provided the Administrator or the Agent shall within ninety (90) days after the date such position or positions are filled notify the Surety in writing of such position or positions are filled. Upon the Agent and the Administrator relieving the responsibility of the Agent hereunder to the Surety as provided in Paragraph Tenth hereof, the Surety agrees that neither the Agent nor the Administrator need furnish a list of vessels on which positions are filled hereunder at any time during the continuance in force of this bond.

SECOND. If the Agent or the Administrator shall request the Surety to increase or decrease the amount of coverage applicable to any position named in the Schedule, the Surety shall make such change by written acceptance showing the increase or decrease in the amount of coverage and the effective date thereof, which effective date shall not be prior to the date of such request: *Provided, however*, That if the Administrator shall within ninety (90) days after receipt of notice of a decrease resulting from a request by the Agent advise the Surety that it does not consent to such decrease, such decrease shall become inoperative and coverage shall continue in the amount applicable prior to such decrease as if such decrease had never been made.

THIRD. If the Surety knows or has reason to believe that any person filling any position named in the Schedule has caused any loss of money or property entrusted to him by reason of the dishonesty or lack of care in the performance of the duties of such position, the Surety may terminate the coverage of this bond as to such person by giving notice in writing to the Agent and the Administrator at least thirty days prior to the completion, in a continental United States port, of the then current voyage of the vessel on which such person is filling a position, in which case the coverage of this bond as to such person shall terminate when the crew is paid off upon such completion of the voyage. The Agent may cancel the coverage of this bond (a) as an entirety or (b) as to any position named in the Schedule by giving the Surety fifteen (15) days written notice accompanied by written approval of the Administrator to such cancellation. The Administrator may cancel the coverage of this bond (a) as an entirety or (b) as to any position named in the Schedule upon fifteen (15) days written notice to the Surety. In the event of any such cancellation the Surety shall refund to the Agent any unearned premiums computed pro rata.

FOURTH. After discovery and report to the Agent or the Administrator of any loss hereunder the Agent or the Administrator shall give the Surety written notice thereof, and within ninety (90) days after such written notice to the Surety shall file with the Surety affirmative proof of loss itemized and sworn to on forms furnished by the Surety. Prior discovery and report to the Agent of such loss shall not affect the right of the Administrator to notify the Surety of such loss and to file proof of loss. As between the Agent and the Administrator, it shall be the responsibility of the Agent, to give the notice to and file the proof of loss with the Surety as provided herein. "Discovery and report" as used herein is defined in Paragraph tenth hereof.

FIFTH. Any suit to recover on account of any loss hereunder shall be brought before the expiration of five years from the report to the Agent or the Administrator of the act causing such loss.

SIXTH. The Agent will declare at the original effective date of this bond, and at each subsequent premium anniversary date, the total number of persons then filling each position named in the Schedule, and the annual premium will be computed for the ensuing year on the basis of the aggregate coverage represented by such declaration. Upon such premium anniversary date there will be a computation of additional premium or refund of premium in proportion to the change in coverage each year.

SEVENTH. Settlement of any claim hereunder shall be made by check payable to the Agent unless otherwise instructed by the Administrator, but no settlement of any claim hereunder may be made for an amount less than the full amount of the loss for which the claim is made without the written consent of the Administrator thereto.

EIGHTH. The Surety shall not be entitled to any reimbursement, salvage or recovery—except from insurance, reinsurance, collateral or indemnity taken by the Surety for its own benefit—on account of any loss hereunder until the Agent or the Administrator, as their interests may appear, is reimbursed in full.

NINTH. No modification or change of any nature of the provisions of this bond shall take effect unless the Administrator shall have given his written consent thereto, except that the Agent may increase the coverage hereunder in accordance with the provisions of Paragraph First hereof without such consent of the Administrator.

TENTH. (a) Any action, approval or consent which by the provisions of this bond is required to be taken or signed by the Administrator shall be effective if taken or signed by the Administrator or by his authorized representative, and wherever and whenever herein any right, power, or authority is granted or given to the Administrator, such right, power, or authority may be exercised in all cases by his authorized representative, and the act or acts of such authorized representative, when taken, shall constitute the act of the Administrator hereunder.

(b) "Discovery and report" by the Agent as used herein shall be deemed to mean discovery by any person and the report of such discovery to an executive officer or head of a department or division concerned with such discovery and report of the Agent at the Agent's principal place of business within the continental United States. "Discovery and report" by the Administrator shall be deemed to mean discovery by any person and the report of such discovery to an executive officer or head of a division or section concerned with such discovery and report at the Administrator's headquarters.

(c) Notices, approvals and requests required by the provisions hereof shall be sent to the surety addressed to it at its home office at _____.

(d) Notices, acceptances and requests required to be sent to the Agent shall be sent to The Agent, _____
(name and head office address)

(e) Notices and requests to be sent to the Administrator shall be addressed to The Administrator, War Shipping Administration, at the Administrator's headquarters.

Signed, sealed and dated this _____ day of _____, 19__.

[CORPORATE SEAL] _____
(Surety)

By _____
_____

Attest:

_____
(Secretary)

SCHEDULE OF POSITIONS AND AMOUNTS

The positions set forth hereinafter in this Schedule are all located on board the vessel or vessels allocated by the Administrator from time to time to the Agent named herein.

Item No.	Description position	Number persons filling position	Amount coverage on each	Aggregate coverage	Premium

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[General Order 6, Supp. 8]

PART 305—INSURANCE

WAR RISK INSURANCE; AUTOMATIC COVERAGE ON IMPORT CARGOES AND ON CARGOES SHIPPED TO TERRITORIES AND POSSESSIONS OF UNITED STATES

Pursuant to the authority contained in the Merchant Marine Act of 1936, as amended, the following rules and regulations, and amendments, for the underwriting of cargo war risk insurance under Warshipopencargo Policy form are hereby promulgated.

Effective 48 hours from the date of the publication of this supplement in the FEDERAL REGISTER, Clause 11 of Part II of the Warshipopencargo Policy is deleted and a new clause in the following form is automatically substituted in place thereof as Clause 11 of Part II of the Warshipopencargo Form:

§ 305.60 *Standard form of Warshipopencargo Policy.* * * *

11 It is understood and agreed that whenever any closing report is not filed as prescribed by Clause 12 hereof, the effect is such that a breach of the policy terms and

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8229.

[1] 8 F.R. 104.

[2] 7 F.R. 8636.

§ 306.65 *Procedure to be observed in posting the bond.* The bonds shall be executed in duplicate, and the duplicate originals shall be delivered to the local District Auditor or Port Auditor of the War Shipping Administration, as the case may be, where the agent has its principal place of business or, if there be no local District or Port Auditor at such place, then to the Assistant Deputy Administrator for Fiscal Affairs, War Shipping Administration, Washington, D. C. The local District or Port Auditor, as the case may be, will accept delivery of the bonds on behalf of the Administration and will examine them for sufficiency of form and execution. If they appear to be in proper form, both duplicate originals of the bonds shall be forwarded to the Assistant Deputy Administrator for Fiscal Affairs, War Shipping Administration, Washington, D. C.

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

JANUARY 9, 1943.

[F. R. Doc. 43-522; Filed January 11, 1943; 10:26 a. m.]

conditions has been made by the Assured, and the policy automatically ceases to insure any shipments which would otherwise have attached after the expiration of fifteen (15) days following the due date of the closing report, unless within the said 15 day period, the closing report as required by Clause 12 hereof is filed with the underwriting agent, and a reinstatement fee of Twenty-five ($25) Dollars is paid by cashier's check or certified check or money order payable to the order of the Treasurer of the United States together with the amount of premium due, if any.

Effective 48 hours from the date of the publication of this supplement in the FEDERAL REGISTER § 305.63 *Goods sold while en route* (Standard Optional Endorsement II) is deleted.

Section 305.76 *Goods insured for account of third party.* (Standard Optional Endorsement No. IV (amended)) is hereby revised and as revised shall be deemed to be automatically substituted for Standard Optional Endorsement No. IV where the latter has heretofore been attached to any policy.

§ 365.76 *Goods insured for account of third party.*

It is understood and agreed that this policy is to cover with respect to all shipments otherwise coming within the scope of this policy but shipped to or consigned to the Assured, or shipped by the Assured, and for the account and risk of _____, hereinafter referred to as the principal. The Assured warrants that he is a duly authorized agent of said principal for the purposes of the insured transaction. The Assured warrants that closing reports as provided for by the terms of this policy and by the terms of General Order No. 6 of the War Shipping Administration and supplements thereto will be filed by him with respect to all shipments insured hereunder, and subject to all the conditions and regulations of the War Shipping Administration relating to such reports. In the event of loss, any sums payable under the terms of this policy shall be paid to the order of said principal.

In event of loss, the Agent shall be required to file the affidavit called for by the terms of this policy, but if the principal is domiciled in the United States of America, or any possession or territory thereof, as defined in General Order No. 6 or any supplement thereto, or maintains regular office or place of business therein, said principal shall be required to file a similar affidavit. In the event of loss the amount collectible hereunder shall not exceed the amount which would have been collectible by the principal if he were named as the Assured hereunder.

All other terms and conditions remaining unchanged.

Effective 48 hours from the date of the publication of this supplement in the FEDERAL REGISTER § 305.77 *Goods insured by shipper* (Standard Optional Endorsement No. II, Revised) is deleted.

Effective 48 hours from the date of the publication of this supplement in the FEDERAL REGISTER § 305.78 *Definition of persons to whom a Warshipopencargo Policy may be issued* is deleted.

Effective 48 hours from the date of the publication of this supplement in the FEDERAL REGISTER, the second paragraph of Part I of Warshipopencargo Policy Form is deleted and the following is automatically substituted therefor:

§ 305.82 *Amendment to standard form of Part I of Warshipopencargo Policy.* * * *

Effective as to shipments:

a. Under Ocean Bills of Lading dated on and after _____, or

b. If Ocean Bills of Lading not issued, under equivalent shipping documents dated on or after said date, or

c. If no Ocean Bills of Lading or equivalent shipping documents are issued or the same are undated, laden on overseas vessel on and after said date, and

in consideration of a Collateral Deposit Fund or Surety Bond to be established in accordance with Clause 13 of Part II of this policy, and of premiums computed and paid as provided in Clause 12, Part II of this policy, War Shipping Administration by this policy of insurance hereby insures _____ against War Risks as specified in Part II with respect to all imports to the Continental United States, excluding Alaska and such other shipments coming within the scope of this policy by endorsement hereto, (except as to such shipments as may be specifically excluded from this policy by special agreement noted hereon by endorsement and except as to such goods which the Assured may purchase under terms requiring the seller to place War Risk Insurance thereon):

(1) Shipped or consigned to, or by, the Assured and for his account and risk.

(2) Shipped or consigned to or by other parties for the account and at the risk of the Assured.

(3) Shipped by, to, or at the direction of the Assured and sold by him prior to loading on board overseas vessel (a) on terms requiring the Assured to provide war risk insurance to the port of discharge, or (b) with respect to which written or cabled instructions to provide war risk insurance to the port of discharge have been received by the Assured from the purchaser prior to loading of the goods on board the overseas vessel.

Shipments included herein by this paragraph (3) shall be subject to the condition that, in the event of loss of goods sold by the assured prior to loading on board the overseas vessel and shipped for the account and at the risk of third parties other than a branch, subsidiary or affiliate of the assured, the assured shall be required to file, in lieu of the affidavit required by Clauses (a) (b) (c) (d) below or by Standard Optional Endorsement No. XII if endorsed hereon, an affidavit to the effect that the amount claimed does not exceed the actual bona fide sales price less all discounts, plus marine insurance and transportation costs actually incurred with respect to the venture plus the war risk premium payable hereunder if such items are not included in the sales price. Claims shall be filed by the Assured unless otherwise permitted by the War Shipping Administration for good cause shown.

(4) Shipped by the assured and sold by the assured subsequent to the attachment of risk hereunder on terms requiring the Assured to provide war risk insurance to the port of discharge, subject to the condition that in the event of loss the amount collectible shall not exceed the amount which would have been collectible by the assured if the Assured at the time of loss had retained full interest in the insured goods.

For the purpose of this insurance, goods insured hereunder shall be valued at _____

_____

_____

_____

Except as hereinbefore provided:

(a) In the event of loss the Assured shall be required to file an affidavit to the effect that the amount claimed does not exceed fair market value at place and approximate time of attachment of risk, plus marine insurance and transportation costs incurred with respect to the insured voyage, plus war risk insurance premiums payable hereunder. With respect to goods, the fair market value of which at place and approximate time of attachment of risk cannot be readily or satisfactorily determined by established or recognized market quotations but the goods have been sold to or purchased by the Assured in a bona fide sale between independent parties within the thirty day period prior to attachment of risk, the sale or purchase price shall be deemed prima facie evidence of such fair market value.

(b) In cases where it is impossible to determine the fair market value at place and approximate time of attachment of risk as aforesaid, such affidavit shall be to the effect that the amount claimed does not exceed fair market value at port of arrival on date of attachment of risk.

(c) The affidavit required pursuant to the foregoing paragraphs (a) and (b) shall be subject to the provisions of section 35 (a) of the Criminal Code.

(d) In the event that in the judgment of the War Shipping Administration the foregoing provision as to affidavit works an inequity with respect to any commodity by reason of any subsidy payable by the Government of the United States or any Department, Agency, or Corporate instrumentality thereof, consideration will be given to an appropriate modification of said provision by endorsement of the policy.

Effective 48 hours from the date of the publication of this supplement in the FEDERAL REGISTER Standard Optional Endorsement No. XII is hereby revised, and as revised shall be deemed to be automatically substituted for Standard Optional Endorsement No. XII where the latter has heretofore been attached to any policy.

§ 305.98 *Standard Optional Endorsement No. XII.*

This endorsement shall not apply to goods sold by the Assured prior to loading on board the overseas vessel and shipped for the account and at the risk of third parties other than a branch, subsidiary or affiliate of the Assured. With respect to all other goods coming within the scope of the policy except as may otherwise be provided below, shipped—

a. Under Ocean Bills of Lading dated on or after _____, or

b. If Ocean Bills of Lading not issued under equivalent shipping documents dated on or after said date, or

c. If no Ocean Bills of Lading or equivalent shipping documents are issued or the same are undated, laden on overseas vessel on and after said date,

the loss provisions of Part I hereof set forth in paragraphs (a) (b) (c) (d) of the Warshipopencargo Policy limiting the amount collectible in the event of loss are hereby deleted and the following substituted therefor:

In the event of loss the Assured shall be required to file an affidavit to the effect that the amount claimed does not exceed the actual bona fide pecuniary loss to the Assured, exclusive of any allowance for anticipated or accrued profit arising out of the insured venture. Such affidavit shall be subject to the provisions of section 35 (a) of the Criminal Code.

(Insert any authorized exceptions)

All other terms and conditions remaining unchanged.

§ 305.101 *Regulations prescribing the use of Standard Optional Endorsement No. XII.* With respect to all shipments of goods coming within the scope of Warshipopencargo Policy (except goods sold by the Assured prior to loading on board the overseas vessel and shipped for the account and at the risk of third parties other than branch, subsidiary or affiliate of the assured) an Assured may elect to have his policy endorsed with Standard Optional Endorsement No. XII applicable (a) on all such shipments, or (b) on all outward shipments, or (c) on all inward shipments,—also on named commodities provided, however, that when the Assured has elected certain named commodities he may not change to a different basis on those commodities except on ninety (90) days notice to the War Shipping Administration through the underwriting agent.

Effective 48 hours from the date of the publication of this supplement in the FEDERAL REGISTER, Part II of the Warshipopencargo Policy form is amended by the addition of Clause 21 reading as follows:

§ 305.102 *Warranty included in all Warshipopencargo policies.* * * *

21. Warranted by the Assured that the Assured in whose name this policy is issued is: if an individual, either a citizen of the United States or a resident within the United States or one of the territories and possessions of the United States; if a partnership or a corporation, that it is organized and existing under and by virtue of the laws of the United States, a State of the United States, one of the territories and possessions of the United States or a political subdivision thereof, or if a corporation, that it has an office or place of business within the United States or one of the territories and possessions of the United States with respect to shipments covered hereunder and that such shipments are for the account of said office.

§ 305.103 *Regulation in respect to the requirement of provisional reports.* Effective 48 hours after the date of the publication of this supplement in the FEDERAL REGISTER, any language appearing either in the Warshipopencargo Policy Form or endorsements thereto, or regulations in relation thereto requiring the filing of provisional reports is deemed deleted.

[SEAL] E. S. LAND,
Administrator.

JANUARY 9, 1943.

[F. R. Doc. 43-521; Filed, January 11, 1943; 10:26 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter A—General Rules and Regulations

[Service Order 102]

PART 97—ROUTING OF TRAFFIC

DIVERSION OF CERTAIN TRAFFIC AROUND COLUMBUS, OHIO

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 8th day of January, A. D. 1943.

It appearing, that, due to interruptions of normal traffic and accumulation of railroad cars at Columbus, Ohio, certain railroads are or may be unable to transport carload traffic offered to them so as to properly serve the public; that the Office of Defense Transportation has requested this Commission to divert certain traffic around Columbus; and that an emergency exists requiring immediate action to promote the service in the interest of the public; *It is ordered*, That:

§ 97.5 *Coal to Toledo, Ohio, and Michigan.* (a) All cars loaded with coal originating on the Chesapeake and Ohio Railway in the states of Kentucky, Virginia, West Virginia and Ohio, or delivered to the Chesapeake and Ohio Railway by other railroads in those states, with destinations at Toledo, Ohio, or points in the state of Michigan, or moving through those points destined to points beyond, shall be transported by the Chesapeake and Ohio Railway to Toledo, Ohio, for delivery or further movement, notwithstanding shippers' routing instructions to the contrary, except cars destined for delivery at points on the Detroit, Toledo and Ironton Railroad. Cars loaded with coal originating on the Norfolk and Western Railway in the states of Virginia and West Virginia, or delivered to the Norfolk and Western Railway by other railroads in those states, with destinations at Toledo, Ohio, or points in the state of Michigan, or moving through those points destined to points beyond, not to exceed 100 cars per day, shall be diverted to the Detroit, Toledo and Ironton Railroad at Ironton, Ohio, notwithstanding shippers' routing instructions to the contrary.

(b) *Rates to be applied.* Inasmuch as the routing of traffic pursuant to this order is deemed to be due to carriers' disability, the rates applicable to traffic routed pursuant to this order shall be the same as would have applied had the shipments moved as originally routed.

(c) *Division of rates.* In executing the orders and directions of the Commission provided for in this order the common carriers involved shall proceed without reference to contracts, agreements, or arrangements now existing between them with reference to the divisions of the rates of transportation applicable to said traffic; such divisions shall be, during the time this order remains in force, voluntarily agreed upon by and between said carriers; and upon failure of the carriers to so agree, said divisions shall be hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

It is further ordered, That this order shall become effective January 18, 1943, and shall remain in force until further order of the Commission; and that copies of this order and direction be served upon the above-named carriers and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-537; Filed, January 11, 1943; 11:45 a. m.]

PART 120—ANNUAL, SPECIAL, OR PERIODICAL REPORTS

ANNUAL REPORTS FROM STEAM RAILWAY COMPANIES, ETC.

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 1st day of January, A. D. 1943.

In the matter of annual reports from steam railway companies and switching and terminal companies of Class I and Class II, and the corresponding section of the Code of Federal Regulations, the following order was entered:

It is ordered, That the order of this Commission dated January 19, 1942, In the Matter of Annual Reports from Steam Railway Companies and Switching and Terminal Companies of Class I and Class II be, and it is hereby, vacated and set aside effective January 1, 1943, and the following order shall become effective:

§ 120.11 *Form prescribed for large and medium steam roads.* (a) All steam railway companies and switching and terminal companies of Class I and Class II within the scope of section 20, Part I of the Interstate Commerce Act, are hereby required to file annual reports for the year ended December 31, 1942, and for each succeeding year until further order, in accordance with Annual Report Form A[1] (Large and Medium Steam Roads and Switching and Terminal Companies), which is hereby approved and made a part of this order.

(b) The annual report shall be filed, in duplicate, in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington, D. C., on or before March 31, of the year following the one to which it relates.

(Sec. 20, 34 Stat. 386; Sec. 7, 34 Stat. 593; 35 Stat. 649; Sec. 14, 36 Stat. 556; Secs. 434–435, 41 Stat. 493; Sec. 13, 54 Stat. 916; 49 U.S.C. 20 (1)–(10))

By the Commission, Division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-539; Filed, January 11, 1943; 11:45 a. m.]

[1] Filed as part of the original document.

Subchapter C—Carriers by Water

PART 330—ISSUANCE, RECORDING, AND FORMS OF PASSES OF COMMON CARRIERS

FORMS AND RECORDING OF PASSES

Supplementary regulations to govern the forms and recording of passes of carriers subject to the Interstate Commerce Act.

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 7th day of January, A. D. 1943.

It appearing, that the Commission's order herein dated July 8, 1916, as amended July 20, 1939, and April 9, 1940, and still in force (Title 49, Part 101, Code of Federal Regulations), which prescribed Regulations to Govern the Forms and Recording of Passes, Issue of 1917, applied to all carriers by rail (including electric railways), carriers by water, and sleeping car companies, subject to the provisions of the amended act to regulate commerce (subsequently changed to Interstate Commerce Act);

And it further appearing, that under the provisions of section 306 (c) of part III of the Interstate Commerce Act, common carriers by water which are engaged in interstate or foreign commerce, as those terms are defined in section 302, are subject to the provisions of section 1 (7) and 22 of part I which relate to transportation free and at reduced rates: *It is ordered*, That the following regulation shall take effect and be in force from and after the fifteenth day of February 1943:

§ 330.1 *Issuance, forms and recording of passes.* The Regulations to Govern the Forms and Recording of Passes, Issue of 1917, prescribed in the Commission's order dated July 8, 1916, as amended July 20, 1939, and April 9, 1940 (§§ 101.0 to 101.123, inclusive, of this chapter), shall apply, on and after the fifteenth day of February, 1943, to all common carriers by water subject to part III of the Interstate Commerce Act. (Sec. 22, 24 Stat. 387, sec. 9, 25 Stat. 862, 34 Stat. 584, 35 Stat. 60, sec. 7, 36 Stat. 546, 44 Stat. 1247, 1446, 50 Stat. 475, secs. 3, 306 (c), 54 Stat. 900, 936; 49 U.S.C. 1 (7), 22, 906 (c).)

And it is further ordered, That notice of these supplementary regulations be given to all common carriers by water subject to part III of the Interstate Commerce Act and to the public by depositing a copy of this order in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Division of the Federal Register, The National Archives.

By the Commission, Division 1.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 43-538; Filed, January 11, 1943; 11:45 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-64]

LEFT FORK FUEL CO., INC.

ORDER GRANTING APPLICATION, ETC.

Order granting application filed pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for Disposition of Proceeding without formal hearing, revoking code membership and cancelling hearing.

A complaint, dated October 2, 1941, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act") having been duly filed on October 7, 1941, by the Bituminous Coal Producers Board for District No. 8 (the "Complainant"), alleging that Left Fork Fuel Company, Inc., a corporation, operating a mine designated as Mine Index No. 2431, located in Wayne County, West Virginia, District No. 8, wilfully violated the provisions of the Act, the Bituminous Coal Code (the "Code"), rules and regulations respectively promulgated thereunder by the Bituminous Coal Division, and the schedule of Effective Minimum Prices for District No. 8 for all shipments except truck, as more fully set forth in the Complaint;

The Complaint herein and Notice of and Order for Hearing issued November 22, 1941, having been duly served on the Code member on December 8, 1941, and the hearing herein having been postponed by Order issued March 2, 1942, to a time and place to be thereafter designated by an appropriate order; and

The Code member having filed with the Division on February 16, 1942, an application, dated February 14, 1942 (the "Application") for the disposition of this compliance proceeding without formal hearing pursuant to § 301.132 of the Rules of Practice and Procedure; and

Notice dated March 3, 1942, of the filing of the Application having been published in the FEDERAL REGISTER on March 4, 1942, pursuant to said § 301.132, and copies thereof having been duly mailed to interested parties including the complainant herein; and

Said notice of filing having provided that interested parties desiring to do so might within fifteen (15) days from the date of said notice file recommendations or requests for informal conferences in respect to said application and it appearing that no such recommendations or requests have been filed with the Division; and

It appearing from the application that the Code member admits that it wilfully committed the violations alleged in the complaint herein by selling, delivering and offering to sell on various dates between May 25, 1941, and June 8, 1941, inclusive, to the Ann Arbor Railway Company, Norman B. Pitcairn and Frank C. Nicodemus, Jr., Receivers, for use as railway locomotive fuel 450 tons of Size Group 7, or 5" x 2" egg coal produced by the Code member at the Code member's mine located in Wayne County, West Virginia, and designated as Mine Index No. 2431, at a price of $1.85 per net ton f. o. b. said mine, whereas the effective minimum price established for such coal was $2.30 per net ton, f. o. b. said mine at the time said transactions occurred; and it further appearing from the application that the Code member to the best of its knowledge and belief has not committed any violations of the Act, the Code, or rules and regulations thereunder other than those admitted and more particularly described in the application; and

It further appearing from the application that the Code member consents to the entry by the Director of an order cancelling and revoking Applicant's Code membership or of an order directing the Code member to cease and desist from violations of the Code and rules and regulations thereunder, or to an order revoking Applicant's Code membership and also enjoining and restraining the Code member from violations of the Code and regulations made thereunder upon any restoration of the Applicant's Code membership; and

It further appearing from the Application that the Code member consents to the imposition of a tax in the amount of $403.65, payment of which shall be required as a condition precedent to the restoration of code membership of the applicant.

Now, therefore, pursuant to the authority vested in the Division by said section 4 II (j) of the Act, authorizing it to adjust complaints of violation and to compose the differences of the parties thereto, and upon the Application of the Code member for disposition hereof without formal hearing, and upon evidence in the possession of the Division; It is hereby found that:

The Left Fork Fuel Company, Inc., is a corporation organized and existing under the laws of the State of West Virginia, and engaged in the business of mining and producing bituminous coal in Wayne County, West Virginia, in District No. 8;

Left Fork Fuel Company, Inc., filed with the Division its acceptance of Code membership, dated April 23, 1940, which became effective as of April 24, 1940. Left Fork Fuel Company, Inc., since April 24, 1940 has been and is now a Code member in District No. 8, operating the mine designated as Mine Index No. 2431, located in Wayne County, West Virginia;

Left Fork Fuel Company, Inc., during the period May 25, 1941 to June 8, 1941, wilfully violated the provision of the Act, the Code, rules and regulations and the effective minimum prices thereunder, by offering to sell, selling and delivering approximately 450 tons of Size Group 7, 5" x 2" egg coal produced at its mine, designated as Mine Index No. 2431, to the Ann Arbor Railway Company at a price of $1.85 per net ton f. o. b. said mine for rail shipment, whereas the effective minimum price for said coal was $2.30 per net ton f. o. b. said mine for rail shipment, as established and set forth in the Schedule of Effective Minimum Prices for District No. 8 for All Shipments Except Truck.

Now, therefore, on the basis of the above findings and said admissions and consent of Left Fork Fuel Company, Inc., contained in its Application filed pursuant to § 301.132 of the Rules of Practice and Procedure;

It is ordered, That the Application be and the same hereby is granted; and

It is further ordered, That pursuant to section 5 (b) of the Act, the membership of Left Fork Fuel Company, Inc., in the Code be, and the same hereby is, revoked and cancelled, said revocation and cancellation to become effective fifteen (15) days from the date hereof; and

It is further ordered, That prior to the restoration of Left Fork Fuel Company, Inc., to membership in the Code, there shall be paid to the United States a tax in the amount of $403.65 as provided in section 5 (c) of the Act; and

It is further ordered, That the Left Fork Fuel Company, Inc., its representatives, servants, agents, officers, employees, attorneys, receivers, successors and assigns and any and all persons acting or claiming to act on its behalf or in its interest, cease and desist and they hereby are permanently enjoined and restrained from violating the Bituminous Coal Act, the Bituminous Coal Code and Rules and regulations issued thereunder, and that the provisions hereof shall continue in full force and effect in respect to Left Fork Fuel Company, Inc., its representatives, servants, agents, officers, employees, attorneys, receivers, successors and assigns and any and all persons acting or claiming to act on its behalf or in its interest upon any conditional or unconditional restoration of Left Fork Fuel Company, Inc., to membership in the Code under section 5 (c) of the Act.

It is further ordered, That the hearing herein heretofore postponed by order dated March 2, 1942, to a date and place to be thereafter designated by appropriate order be, and the same hereby is, cancelled; and

It is further ordered, That upon any failure to comply with the restraining provisions of this order, the Division may apply to any Circuit Court of Appeals of the United States having jurisdiction for the enforcement hereof, or take other appropriate action.

Dated: January 7, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-493; Filed, January 9, 1943; 11:30 a. m.]

[Docket No. B-140]

WASSON COAL CO.

ORDER DIRECTING CODE MEMBER TO CEASE AND DESIST

District Board 10 filed a complaint with the Bituminous Coal Division on November 12, 1941, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 alleging wilful violation of section 4 II (e) and 4 II (i) 6 of the Bituminous Coal Act, the Code and rules and regulations thereunder and the Order of the Director, dated October 9, 1940, in General Docket No. 19, by Wasson Coal Company, code member, operating the Wasson Mine (Mine Index No. 183) located in Saline County, Illinois, in District 10. The complaint prayed that the Division cancel and revoke code membership, or, in its discretion, direct it to cease and desist from further violation of the Code and regulations thereunder.

Complainant alleged that during the period from November 18, 1940 to May 27, 1941, both dates inclusive, code member sold substantial quantities of reject or gob (refuse) coal produced at Mine Index No. 183 to H. A. Foster, Muddy, Illinois, at a price of two cents per net ton, whereas no minimum prices had been established for such coals; or, in the alternative, during the period from November 18, 1940 to May 27, 1941, both dates inclusive, code member disposed of substantial quantities of various sizes of coals produced at Mine Index No. 183 to H. A. Foster, Muddy, Illinois, at a price of two cents per net ton which was below the effective minimum price for such coals, and that during the period from November 18, 1940 to May 27, 1941, both dates inclusive, code member allowed H. A. Foster, Muddy, Illinois, to reclaim marketable coal from reject or gob (refuse) coal for resale in local competition, thereby allowing a privilege not extended to all purchasers under like terms and conditions.

Pursuant to an order of the Acting Director dated January 14, 1942, and after due notice to interested persons, a hearing in this matter was held on February 20, 1942, before W. A. Shipman, a duly designated Examiner of the Division, at a hearing room thereof in Harrisburg, Illinois, at which all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard; Wasson Coal Company and District Board 10 appeared at the hearing and all interested parties joined in waiving the preparation and filing of a report by the Examiner; and the record of the proceeding was thereupon submitted to the undersigned.

The undersigned made Findings of Fact and Conclusions of Law and rendered an opinion in this matter which are filed herewith.

Now, therefore, It is ordered, That Wasson Coal Company, its representatives, servants, agents, employees, attorneys, administrators, successors or assigns, and all persons acting or claiming to act in its behalf or interest, cease and desist from violating the provisions of section 4 II (e) of the Act, the Code and Price Instruction No. 4 of the Schedule of Effective Minimum Prices for District No. 10 for Truck Shipments or from otherwise violating the Act, the Code or rules and regulations issued thereunder.

Notice is hereby given to code member that if it, or its representatives, fails or refuses to comply with this order the Division may apply to a Circuit Court of Appeals for the enforcement thereof, or may take other appropriate action as authorized by the Act.

Dated: January 8, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-494; Filed, January 9, 1943; 11:30 a. m.]

[Docket No. B-141]

WASSON COAL CO.

ORDER DIRECTING CODE MEMBER TO CEASE AND DESIST

District Board 10 filed a complaint on November 12, 1941, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 alleging wilful violation of section 4 II (e) and section 4 II (i) 6 of the Act, the Code, and the rules and regulations thereunder, the Order of the Director dated October 9, 1940, in General Docket No. 19, and Rule 6 of section XIII of the Marketing Rules and Regulations, by Wasson Coal Company, code member operating Wasson No. 1 Mine, Mine Index No. 184, located in Saline County, Illinois, in District 10. The complaint prays that the Division revoke and cancel the code membership of Wasson Coal Company, or, in its discretion, direct it to cease and desist from further violations of the Code and regulations thereunder.

Code member filed an answer on February 12, 1942, amended at the hearing.

Pursuant to appropriate orders of the Acting Director, after due notice to interested persons, a hearing in this matter was held on February 20, 1942, before W. A. Shipman, a duly designated

Examiner of the Division, at a hearing room thereof in Harrisburg, Illinois.

All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses and otherwise be heard; District Board 10 and Wasson Coal Company appeared at the hearing, all interested parties waived the preparation and filing of a Report by the Examiner, and the record of the proceeding was thereupon submitted to the undersigned.

The undersigned has made findings of Fact and Conclusions of law and has rendered an opinion which are filed herewith.

Now, therefore, It is ordered, That code member, its agents, representatives, servants, employees, attorneys, successors or assigns, and all persons acting or claiming to act in its behalf or interest, cease and desist from violating section 4 II (e) of the Act, the Code, and Price Instruction No. 4 of the Schedule of Effective Minimum Prices for District No. 10 for Truck Shipments, or from otherwise violating the Act, the Code or rules and regulations issued thereunder.

Notice is hereby given to code member that if it, or its representatives, fails or refuses to comply with this Order the Division may apply to a Circuit Court of Appeals for the enforcement thereof, or may take other appropriate action as authorized by the Act.

Dated: January 8, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-495; Filed, January 9, 1943; 11:30 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Marketing Administration.

DENVER, COLORADO, SALES AREA

SUSPENSION OF LICENSE FOR MILK

The license for milk, Denver, Colorado, sales area, issued by the Secretary of Agriculture on August 16, 1934, pursuant to the provisions of the Agricultural Adjustment Act of May 12, 1933, is hereby suspended, effective as of 11:59 p. m., m. w. t., January 15, 1943.

This suspension of the said license shall not affect, waive, suspend, or terminate any right, duty, obligation, or liability which shall have arisen or which may hereafter arise in connection with any of the provisions of the said license, provided such right, duty, obligation, or liability was incurred prior to January 15, 1943; and the market administrator under the said license is hereby directed to liquidate the affairs arising under such license in accordance with the provisions thereof and under the direction of the Chief of the Dairy and Poultry Branch, Agricultural Marketing Administration.

Done at Washington, D. C., this 9th day of January 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] THOMAS J. FLAVIN, *Assistant to the Secretary of Agriculture.*[1]

[F. R. Doc. 43-536; Filed, January 11, 1943; 11:11 a. m.]

Farm Security Administration.

MISSISSIPPI

DESIGNATION OF LOCALITIES IN COUNTIES IN WHICH LOANS MAY BE MADE

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by Supplement 2 of Secretary's Memorandum No. 867 issued as of July 1, 1942, loans made in the county mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations. A description of the localities and the determination of value for each follow:

REGION VI MISSISSIPPI

Union County:	
Locality I. Consisting of Beat 1	$1,581
Locality II. Consisting of Beat 2	1,741
Locality III. Consisting of Beat 3	2,744
Locality IV. Consisting of Beat 4	1,326
Locality V. Consisting of Beat 5	1,443

The purchase price limit previously established for the county above-mentioned is hereby cancelled.

Approved, January 7, 1943.

[SEAL] C. B. BALDWIN, *Administrator.*

[F. R. Doc. 43-497; Filed, January 9, 1943; 11:33 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and [illegible]ular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2466).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective January 11, 1943. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY PRODUCT NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel Industry

L. D. Fellman, Harleysville, Pennsylvania; Men's pants; 5 learners (T); December 31, 1943. (This certificate replaces the one issued December 31, 1942, on Form 522.160 (d).)

E. Gutman & Sons, 26th & Reed Streets, Philadelphia, Pennsylvania; Men's wool clothing; 5 percent (T); January 11, 1944.

Ideal Manufacturing Company, 220 Franklin Street, Johnstown, Pennsylvania; Belts & pleating; 5 learners (T); January 11, 1944.

Pioneer Coat Front Co., 1027 Callowhill Street, Philadelphia, Pennsylvania; Canvas fronts and bias binding for men's suits and uniforms; 5 learners (T); January 11, 1944.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-lined Garments Division of the Apparel Industry

Alpheus Aughenbaugh & Henry Perla, Etters P. O., Goldsboro, Pennsylvania; Shirts and jumpers; 10 percent (T); January 11, 1944.

American Pants Manufacturing Company, 306 East Main St., Carbondale, Ill.; Trousers; 10 learners (T); January 11, 1944.

The Bloomfield Company, 115 Schroyer Ave., S. W., Canton, Ohio; Ladies' dresses and slacks; 10 percent (T); January 11, 1944.

Circle Sportswear Company, 731 Mifflin Street, Lebanon, Pennsylvania; Ladies' blouses; 10 learners (T); January 11, 1944.

Clinton Garment Company, 906 S. Third St., Clinton, Iowa; Women's wash dresses, equipage for U. S. Government; 10 percent (T); January 11, 1944.

Cohen-Fein Company, Inc., 199 S. Washington St., Wilkes-Barre, Pennsylvania; Government work jungle suits and mountain jackets, civilian work shirts; 10 percent (T); January 11, 1944.

Fuller Uniform Company, 2009½ Main Street, Dallas, Texas; Nurses' uniforms, cooks' clothing, jackets and men's shorts; 10 learners (T); January 11, 1944.

Gainesville Dress Manufacturing Co., Broadway, Gainesville, Texas; Dresses, slack suits, play dresses; 10 learners (T); January 11, 1944.

The Greenwich Company, Mill Hollow, Greenwich, New York; Cotton wash dresses; 10 learners (T); January 11, 1944.

Irene Karol, 808 Washington Ave., St. Louis, Missouri; Junior dresses; 10 learners (T); January 11, 1944.

La Follette Shirt Company, La Follette, Tennessee; Men's dress shirts and Army O. D. shirts; 20 learners (E); July 11, 1943.

Lowell Uniform Company, 92 Bridge Street, Lowell, Massachusetts; Cotton washable wearing apparel; 10 learners (T); January 11, 1944.

Mar-Ann Dress Company, Inc., 120 N. State St., Ephrata, Pennsylvania; Children's wash dresses; 10 percent (T); January 11, 1944.

Mitchell Garment Company, Farmville, Virginia; Children's wash dresses; 10 percent (T); January 11, 1944.

L. Nachman & Sons, 226 S. 11th St., Philadelphia, Pennsylvania; Women's aprons; 5 learners (T); January 11, 1944.

National Sportswear Co., Reedsburg, Wisconsin; Shirts, slack suits, slacks; 5 learners (T); January 11, 1944.

M. Nirenberg Sons, Inc., Fair Haven, Vermont; Shirts; 10 learners (T); January 11, 1944.

Scafaria Bros. Mfg. Co., 428 N. 13th St., Philadelphia, Pennsylvania; Gabardine Waterproof coats; 10 learners (T); January 11, 1944.

Union Frocks, Florence Ave., Union Beach, New Jersey; Dresses; 2 learners (T); January 11, 1944.

Waxahachie Garment Company, So. Jackson St., Waxahachie, Texas; Shirts and pants; 10 percent (T); January 11, 1944

Williamstown Shirt Mfg. Company, Poplar Street, Williamstown, New Jersey; Ladies' shirt waists; 5 learners (T); January 11, 1944.

Glove Industry

James Churchill Glove Company, 113 W. Maple Street, Centralia, Washington; Work gloves; 5 learners (T); January 11, 1944.

Wells Lamont Smith Corporation, Louisiana, Missouri; Work gloves; 5 percent (T); January 11, 1944.

Hosiery Industry

Fleetwood Hosiers Ltd., 1238 Locust St., Reading, Pennsylvania; Seamless hosiery; 5 learners (T); January 11, 1944.

Invincible Hosiery Mill, 213 Pearl Street, Reading, Pennsylvania; Seamless hosiery; 3 learners (T); January 11, 1944.

McPar Hosiery Mill, Inc., 110 W. Henderson Street, Marion, North Carolina; Seamless hosiery; 3 learners (T); January 11, 1944.

Silver Knit Hosiery Mills, Inc., 401 S. Hamilton St., High Point, North Carolina; Seamless hosiery; 5 percent (T); January 11, 1944.

Surry Hosiery Mills, Inc., 316 Willow St., Mt. Airy, North Carolina; Seamless hosiery; 5 learners (T); January 11, 1944.

Knitted Wear Industry

Malone Knitting Company, 296 Main Street, Springfield, Massachusetts; Knitted underwear; 5 percent (T); January 11, 1944.

Utica Knitting Co., Mill #1, 1712 Erie St., Utica, New York; Knitted underwear; 5 percent (T); January 11, 1944.

Utica Knitting Co., Mill #2, Schuyler & Columbia Streets, Utica, New York; Knitted underwear; 5 percent (T); January 11, 1944.

Utica Knitting Company, Mill #3, Oriskany Falls, New York; Knitted underwear; 5 percent (T); January 11, 1944.

Utica Knitting Co., Mill No. 6, 700 Whitesboro St., Utica, New York; Knitted underwear; 5 percent (T); January 11, 1944.

Utica Knitting Company, Mill #9, Anniston, Alabama; Knitted underwear; 5 percent (T); January 11, 1944.

Independent Telephone Industry

Central Iowa Telephone Company, Toledo, Iowa; To employ learners as commercial switchboard operators at its Rolfe exchange, located at Rolfe, Iowa until January 11, 1944.

Central Iowa Telephone Company, 304 Security Building, Cedar Rapids, Iowa; To employ learners as commercial switchboard operators at its Tama exchange, located at Tama, Iowa until January 11, 1944.

Rhinelander Telephone Company, 45 N. Stevens Street, Rhinelander, Wisconsin; To employ learners as commercial switchboard operators at its Rhinelander exchange, located at Rhinelander, Wisconsin; until January 11, 1944.

Textile Industry

Bladenboro Cotton Mills, Inc., Bladenboro, North Carolina; Cotton yarns; 3 percent (T); January 11, 1944.

Edward Hyman Company, 1830 S. Hill St., Los Angeles, California; Sheets, pillowcases, napkins, table cloths, towels, shower curtains, hair cloths; 3 learners (T); January 11, 1944.

Quissett Mill, 56 Prospect Street, New Bedford, Massachusetts; Cotton and rayon yarn; 20 learners (T); January 11, 1944.

Ranlo Manufacturing Company, Modena Plant, Gastonia, North Carolina; Yarn from spun rayon; 3 percent (T); January 11, 1944.

Cigar Industry

Amb-A-Tip Cigar Co., 176 Water Street, Jackson, Ohio; Cigars; 55 learners (E); Hand Cigar makers and cigar packers to have a learning period of 200 hours at 30¢ per hour; April 10, 1943.

Signed at New York, N. Y., this 9th day of January 1943.

MERLE D. VINCENT, *Authorized Representative of the Administrator.*

[F. R. Doc. 43-517; Filed, January 11, 1943; 9:31 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket Nos. 314, 414, 424, 521, 522, 532, 537]

TRANSCONTINENTAL & WESTERN AIR, INC., ET AL.

NOTICE OF ORAL ARGUMENT

In the matter of the applications of Transcontinental & Western Air, Inc., Western Air Lines, Inc., and United Air Lines Transport Corporation for certificates of public convenience and necessity and amendment of existing certificates under section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said Act, in the above-entitled proceeding, that oral argument is assigned to be held on January 29, 1943, at 10 a. m. (eastern war time) in Room 5042 Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated Washington, D. C., January 8, 1943.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN, *Secretary.*

[F. R. Doc. 43-518; Filed, January 11, 1943; 9:37 a. m.]

[1] Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81; 7 F.R. 2656).

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 371]

NIPPON YUSEN KAISHA

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Nippon Yusen Kaisha, a Japanese corporation, Tokyo, Japan (herein called "NYK"), is a national of a designated enemy country (Japan);

2. Finding that NYK has established branch offices within the United States, namely,

One in San Francisco, California,
One in New York, New York,
One in Chicago, Illinois,
One (a sub-branch office) in Los Angeles, California
Two in Seattle, Washington (one of which is a passenger ticket office), and
One in Honolulu, Hawaii

which are engaged in the conduct of business within the United States;

3. Finding that NYK, to the extent that it has such established offices within the United States engaged in the conduct of business within the United States, is a business enterprise within the United States;

4. Finding that the liquidation of NYK or of all of its American branches, is in the process of administration by Sterling Carr, as trustee in bankruptcy, acting under the judicial supervision of the United States District Court for the Northern District of California, Southern Division;

5. Finding that the property described as follows:

All rights and claims of NYK (including but not limited to those of each and all of its American branches) in and to all property within the United States now held by the aforesaid trustee in bankruptcy or to which said trustee in bankruptcy may be entitled, is (a) an interest in the aforesaid business enterprise held by a national of an enemy country (Japan), and also is (b) property within the United States owned or controlled by a national of a designated enemy country (Japan), and also is (c) property which is payable or deliverable to, or claimed by, a national of a designated enemy country (Japan) and which (as hereinbefore stated in subparagraph (4)) is in the process of administration by a person acting under judicial supervision;

6. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Japan);

7. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and

8. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 5, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on November 18, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-454; Filed, January 9, 1943, 11:23 a. m.]

[Vesting Order 564]

ESTATE OF ALFRED M. TOBIAS

In re: Estate of Alfred M. Tobias, deceased—File No. D-28-1502 (E. T. Sec. 210).

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for New York County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely:

Nationals:	*Last known address*
Johanna Friedman	Germany
Freda Friedman	Germany
Jacob Friedman	Germany

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany, and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Johanna Friedman, Freda Friedman and Jacob Friedman, and each of them, in and to the Estate of Alfred M. Tobias, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: December 29, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-455; Filed, January 9, 1943, 11:23 a. m.]

[Vesting Order 605]

ESTATE OF SALVATORE ACCARDI

In re: Estate of Salvatore Accardi, deceased—File D-38-311 (E. T. Sec. 310).

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Surrogate of Atlantic County, acting as the Clerk of the Atlantic County Orphan's Court, in the State of New Jersey as depositary and acting under the judicial supervision of the Atlantic County Orphan's Court of the State of New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely:

Nationals:	*Last known address*
Anna A. Velardo	Italy
Angelo Accardi	Italy
Palma A. Spinnato	Italy
Guiseppe Accardi	Italy
Maria A. Ferrara	Italy
Antonio Accardi	Italy
Guiseppina Accardi	Italy
Salvatore Accardi	Italy

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy, and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Anna A. Velardo, Angelo Accardi, Palma A. Spinnato, Guiseppe Accardi, Maria A. Ferrara, Antonio Accardi, Guiseppina Accardi and Salvatore Accardi, in and to the Estate of Salvatore Accardi, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 6, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-456; Filed, January 9, 1943; 11:27 a. m.]

[Vesting Order 606]

ESTATE OF ANTHONY ARBUCCI

In re: Estate of Anthony Arbucci, deceased—File D-38-1102 (E. T. Sec. 1931).

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for New York County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely:

Nationals:	*Last known address*
Carlo Arbucci	Italy.
Luigi Arbucci	Italy.
Siovomi Arbucci	Italy.
Nuziata Arbucci	Italy.
Antonetta Arbucci	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Carlo Arbucci, Luigi Arbucci, Siovomi Arbucci, Nuziata Arbucci and Antonetta Arbucci and each of them in and to the Estate of Anthony Arbucci, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 6, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-457; Filed, January 9, 1943; 11:27 a. m.]

[Vesting Order 607]

TRUST UNDER WILL OF LUIGI BALDOCCHI

In re: Trust under will of Luigi Baldocchi, deceased—File D-38-377 (E. T. Sec. 943).

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Bank of America National Trust & Savings Association, Trustee, of 300 Montgomery Street, San Francisco, California, acting under the judicial supervision of Superior Court of the State of California, in and for the City and County of San Francisco; and

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Veneranda Giovannoni	Sorbano del Vescovo, Lucca, Italy.
Alberto Baldocchi	Torringo, Capannori, Italy.
Anna Fedeli	Torringo, Capannori, Italy.
Lola Fedeli	Torringo, Capannori, Italy.
Renzo Fedeli	Torringo, Capannori, Italy.
Marino Fedeli	Torringo, Capannori, Italy

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Veneranda Giovannoni, Alberto Baldocchi, Anna Fedeli, Lola Fedeli, Renzo Fedeli, and Marino Fedeli, and each of them, in and to the Trust Estate created under the Last Will and Testament of Luigi Baldocchi, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 6, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-458; Filed, January 9, 1943; 11:27 a. m.]

[Vesting Order 608]

ESTATE OF HARRY PETER BRAIG

In re: Estate of Harry Peter Braig, deceased—File D-28-1550 (E.T. Sec. 222).

Under the authority of the Trading with the Enemy Act as amended, Exec-

utive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Phil C Katz as Public Administrator acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Helene Mueller	Germany

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Helene Mueller in and to the Estate of Harry Peter Braig, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 6, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F R Doc 43-459; Filed, January 9, 1943; 11:26 a. m.]

[Vesting Order 609]

ESTATE OF ANGELO FRANK

In re: Estate of Angelo Frank, deceased—File D-38-353 (E.T. Sec. 370).

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Bank of America National Trust and Savings Association Executor, acting under the judicial supervision of the Superior Court of Santa Clara, California;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Angelo Frank	Italy.
Piccarda Frank	Italy.
Jole Frank	Italy.
Zita Frank	Italy.
Celestino Frank	Italy.
Martina Frank	Italy

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy, and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Angelo Frank, Piccarda Frank, Jole Frank, Zita Frank, Celestino Frank and Martina Frank and each of them in and to the Estate of Angelo Frank, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 6, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F R Doc 43-460; Filed, January 9, 1943; 11:26 a. m.]

[Vesting Order 610]

ESTATE OF CARL GANZENMULLER

In re: Estate of Carl Ganzenmuller, deceased—File D-28-1429 (E. T. Sec. 39).

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Surrogate of Union County, acting as the Clerk of the Union County Orphan's Court, in the State of New Jersey as depositary and acting under the judicial supervision of the Union County Orphan's Court of the State of New Jersey;

(2) Such property and interests are payable or deliverable to or claimed by nationals of a designated enemy country Germany namely,

Nationals:	*Last known address*
Matthias Ganzenmuller	Germany
Maria Stolz	Germany
Pauline Maulander	Germany
Herman Ganzenmuller	Germany
Otto Ganzenmuller	Germany
Karl Ganzenmuller	Germany
Babette Ganzenmuller	Germany
Babette Wahl	Germany
Babette Hieber	Germany
Pauline Ganzenmuller	Germany

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany, and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Matthias Ganzenmuller, Maria Stolz, Pauline Maulander, Herman Ganzenmuller, Otto Ganzenmuller, Karl Ganzenmuller, Babette Ganzenmuller, Babette Wahl, Babette Hieber and Pauline Ganzenmuller in and to the Estate of Carl Ganzenmuller, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 6, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F R Doc. 43-461; Filed, January 9, 1943; 11:26 a. m.]

[Vesting Order 611]

ESTATE OF GUIDO GIRELLI

In re: Estate of Guido Girelli, deceased—File F-38-2648 (E. T. Sec. 749).

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Aida Nobile, administratrix of the estate of Guido Girelli, deceased, acting under the judicial supervision of the Orphans Court of Allegheny County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely,

National:	*Last known address*
Tertulliano Girelli	Italy.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Tertulliano Girelli in and to the Estate of Guido Girelli, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 6, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F R Doc. 43-462; Filed, January 9, 1943; 11:26 a. m.]

[Vesting Order 612]

ESTATE OF ARTHUR VON HOLWEDE

In re: Estate of Arthur von Holwede, deceased—File D-28-1470 (E. T. Sec. 143).

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Theodore E. Steinway, Ancillary Executor, of 126 East 65th Street, New York, N. Y., acting under the judicial supervision of Surrogate's Court of the State of New York, in and for the County of New York;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Otto Felix Walter von Holwede.	Spitalerstrasse, 1, Hamburg, Germany.
Ernst Haas	Spitalerstrasse, 1, Hamburg, Germany.
Sophie Dorothea von Holwede.	Spitalerstrasse, 1, Hamburg, Germany.
Marie Jenny Elso Haas.	Spitalerstrasse, 1, Hamburg, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Otto Felix Walter von Holwede and Ernst Haas, as domiciliary executors, and of Sophie Dorothea von Holwede, Otto Felix Walter von Holwede and Marie Jenney Elsa Haas, and each of them, as heirs, devisees and next of kin, in and to the Estate of Arthur von Holwede, deceased,

to be held, used, administered, liquidated sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 6, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F R Doc. 43-463; Filed, January 9, 1943; 11:26 a. m.]

[Vesting Order 613]

ESTATE OF ELIA IACOPI

In re: Estate of Elia Iacopi, deceased—File D-38-334 (E. T. Sec. 424).

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Henry Passaglia, Executor of the estate of Elia Iacopi, deceased, acting under the judicial supervision of the Superior Court of San Joaquin County, California;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy namely,

National:	*Last known address*
Giuseppe Iacopi	Italy.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and intefests:

All right, title, interest, and claim of any kind or character whatsoever of Giuseppe Iacopi in and to the Estate of Elia Iacopi, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be

held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 6, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F R Doc 43-464; Filed, January 9, 1943; 11:25 a. m.]

[Vesting Order 614]

ESTATE OF TAKESABURO KAZAMA

In re: Estate of Takesaburo Kazama, deceased—File F–39–2432 (E. T. Sec. 1961).

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for New York County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Japan, namely

National	*Last known address*
Katsu Kazama	Japan.
Shinya Kazama	Japan.
Masako Kazama	Japan.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Katsu Kazama, Shinya Kazama and Masako Kazama in and to the estate of Takesaburo Kazama, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 6, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F R Doc 43-465; Filed, January 9, 1943; 11:25 a. m.]

[Vesting Order 615]

ESTATE OF HERMAN B. LITTEN

In re: Estate of Herman B. Litten, deceased—File D–28–1474, (E. T. Sec. 217).

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Birmingham Trust & Savings Company as Executor acting under the judicial supervision of the Probate Court of Jefferson County, Alabama;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely

National	*Last known address*
James Fischer	Berlin, Germany.
Emmy Lublinski	Berlin, Germany.
Elsie Springer	Berlin, Germany.
Zelina Sontag	Berlin, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of James Fischer, Emmy Lublinski, Elsie Springer and Zelina Sontag and each of them in and to the estate of Herman B. Litten, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 6, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F R Doc 43-466; Filed, January 9, 1943; 11:25 a. m.]

[Vesting Order 616]

ESTATE OF CHARLES F. MACHER

In re: Estate of Charles F. Macher, deceased—File D–28–1460 (E. T. Sec. 117).

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Birmingham Trust and Savings Company, Executor, of 112 North 20th Street, Birmingham, Alabama, acting under the judicial supervision of Probate Court of the State of Alabama, in and for the County of Jefferson;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely

Nationals:

	Last known address
Catherine Stuetzler	Nurenberg, Germany.
William Macher	Nurenberg, Germany.
Karl Leonhardt	Berlin, Germany.
Ernst Lombardt	Berlin, Germany.
Paul Leonhardt	Berlin, Germany.
Lotte Klinger	Eichwalden, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Catherine Stuetzler, William Macher, Karl Leonhardt, Ernst Leonhardt, Paul Leonhardt, and Lotte Klinger, and each of them, in and to the Estate of Charles F. Macher, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 6, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F R Doc. 43-467; Filed, January 9, 1943; 11:25 a. m.]

[Vesting Order 617]

ESTATE OF REV. JOHN MAYER

In re: Estate of Rev. John Mayer, deceased—File No. D–28–1759 (E. T. Sec. 961).

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for New York County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:

	Last known address
Michael Mayer	Germany.
Georg Mayer	Germany.
Kaspar Mayer	Germany.
Josef Mayer	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Michael Mayer, Georg Mayer, Kaspar Mayer and Josef Mayer and each of them in and to the Estate of Rev. John Mayer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 6, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-468; Filed, January 9, 1943; 11:25 a. m.]

[Vesting Order 618]

TRUST UNDER WILL OF CHARLES MENNIG

In re: Trust under will of Charles Mennig, deceased—File D–28–3328 (E. T. Sec. 760).

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Title Insurance and Trust Company, Trustee, of 433 S. Spring Street, Los Angeles, California, acting under the judicial supervision of Superior Court of the State of California, in and for the County of Los Angeles; and

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:

	Last known address
Johann Anton Mennig	Buechold, Unter Franken, Bavaria, Germany.
Karl Josef Mennig	Buechold, Unter Franken, Bavaria, Germany.
Mary Mennig	Buechold, Unter Franken, Bavaria, Germany.
Helene Wendel	Buechold, bei Arnstein, Unter Franken, Bavaria, Germany
Josephine Friedrich	Wernecck No. 25, Unter Franken, Bavaria, Germany.
Karl Friedrich	Buechold, bei Arnstein, Unter Franken, Bavaria, Germany.
Johann Friedrich	Buechold, bei Arnstein, Unter Franken, Bavaria, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Johann Anton Mennig, Karl Josef Mennig, Mary Mennig, Helene Wendel, Josephine Friedrich, Karl Friedrich, and Johann Friedrich, and each of them, in and to the Trust Estate created under the Last Will and Testament of Charles Mennig, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of said Executive Order.

Dated: January 6, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F R Doc. 43-469, Filed, January 9, 1943, 11:25 a. m.]

[Vesting Order 619]

ESTATE OF JOHN MEYER

In re: Estate of John Meyer, deceased—File No. D-28-856 (E. T. Sec. 180).

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Mrs. Margaret Hanssen and Miss Margaret Hanssen executrixes and Clarence Breithaupt executor of the estate of John Meyer, deceased, acting under the judicial supervision of the Orphan's Court, in the County of Hudson and State of New Jersey,

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Heinrich Meyer whose last known address is Germany.

And determining that—

(3) If such national is a person not within a designated enemy country the national interest of the United States requires that such person be treated as a national of a designated enemy country Germany, and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Heinrich Meyer in and to the Estate of John Meyer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 6, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F R Doc. 43-469, Filed, January 9, 1943, 11:25 a. m.]

[Vesting Order 620]

ESTATE OF MATILDA MUTTACH

In re: Estate of Matilda Muttach, also known as Mathilda Muttach, deceased—File F-28-13990 (E. T. Sec. 531).

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Margaret D Perkins, Administratrix, Beverly, New Jersey, of the estate of Matilda Muttach, also known as Mathilda Muttuch, deceased, acting under the judicial supervision of the Orphans Court of Philadelphia County, Philadelphia, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Christian Breitenbucher	Germany.
Mrs. Katharina Fink	Germany.
Otto Schmid	Germany.
Robert Schmid	Germany.
Mrs. Mathilde Denk	Germany.
Karl Schmid	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country Germany, and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Christian Breitenbucher, Mrs. Katharina Fink, Otto Schmid, Robert Schmid, Mrs. Mathilde Denk and Karl Schmid, and each of them, in and to the Estate of Matilda Muttach, also known as Mathilda Muttach, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 6, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F R Doc. 43-470; Filed, January 9, 1943, 11:24 a. m.]

[Vesting Order 621]

ESTATE OF WILLIAM MUTTACH

In re: Estate of William Muttach, deceased—File F-28-13990 (E. T. Sec. 531).

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Alexander W. Administrator of the estate of William Muttach, deceased, acting under the judicial supervision of the Orphans Court of Philadelphia County, Philadelphia, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Ambros Muttach	Germany.
Josef Muttach	Germany.
Bertha Benz	Germany.
Max Wieber	Germany.
Anna Muttach	Germany.
Maria Maier	Germany.
Fritz Muttach	Germany.
Karl Muttach	Germany.
Ruth Muttach	Germany.
Albert (Kuno) Muttach	Germany.
Hildegard Muller	Germany.
Alber Muttach	Germany.
Josef Muttach	Germany.
Johann Muttach	Germany.
Hilda Muller	Germany.
Karl Muttach	Germany.
Bibiana Brucker	Germany.
Lina Hassur	Germany.
Karl Rath	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany, and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Ambros Muttach, Josef Muttach, Bertha Benz, Max Wieber, Anna Muttach, Maria Maier, Fritz Muttach, Karl Muttach, Ruth Muttach, Albert (Kuno) Muttach, Hildegard Muller, Albert Muttch, Josef Muttach, Johann Muttach, Hilda Muller, Karl Muttach, Bibiana Brucker, Lina Hassur and Karl Rath and each of them, in and to the Estate of William Muttach, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 6, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F R Doc. 43-471; Filed, January 9, 1943, 11:24 a. m.]

[Vesting Order 622]

TRUST UNDER WILL OF ILSE NEUMANN

In re: Trust under will of Ilse Neumann, deceased—File D-28-1656 (E. T. Sec. 495).

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Security-First National Bank of Los Angeles, Trustee, of 561 South Spring Street, Los Angeles, California, acting under the judicial supervision of Superior Court of the State of California, in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely, Miss Berta Tucholsky, whose last known address is c o R. Hirsch, W. 15 Xantier St., #22 Berlin Germany; and

Determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany, and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Miss Berta Tucholsky in and to the Trust Estate created under the Last Will and Testament of Ilse Neumann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 6, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F R Doc. 43-472; Filed January 9, 1943; 11:24 a. m.]

[Vesting Order 623]

ESTATE OF ELIZABETH CURTIS MARQUISE DE TALLEYRAND PERIGORD

In re: Estate of Elizabeth Curtis Marquise de Talleyrand Perigord—File F-38-1051 (E. T. Sec. 577).

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by the City Bank Farmers Trust Company as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for New York County;

(2) Such property and interest are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely, Palma Ruspoli (Princess de Poggio Suasa), whose last known address is Italy;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Palma Ruspoli (Princess de Poggio Suasa) in and to the Estate of Elizabeth Curtis Marquise de Talleyrand Perigord, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interest and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interest or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 6, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-473; Filed, January 9, 1943; 11:24 a. m.]

[Vesting Order 624]

ESTATE OF FRED SCHOLLE

In re: Estate of Fred Scholle, deceased—File D-28-1648; (E. T. Sec. 481).

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Fred D Huning, c o Huning Mercantile Company Los Lunas, New Mexico and First National Bank in Albuquerque, 223 West Central Avenue, Albuquerque, New Mexico, Co-executors and Trustees, acting under the judicial supervision of Probate Court of the State of New Mexico, in and for the County of Valencia;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Ida Niemeyer	Germany.
Otto Huning	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Ida Niemeyer and Otto Huning, and each of them, in and to the Estate of Fred Scholle, deceased, and all right, title, interest, and claim of any kind or character whatsoever of Ida Niemeyer and Otto Huning, and each of them, in and to a trust created under the will of Fred Scholle, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 6, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-475; Filed, January 9, 1943; 11:23 a. m.]

[Vesting Order 625]

ESTATE OF HELEN A. VAN INWEGEN

In re: Estate of Helen A. Van Inwegen, deceased—File D–28–1544) E. T. Sec 287).

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by William P. Duff as Executor acting under the judicial supervision of the Surrogate's Court of Westchester County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Marie Schoenberger-----	Berlin, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Marie Schoenberger in and to the Estate of Helen A. Van Inwegen, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 6, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-476; Filed, January 9, 1943; 11:23 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Special Order ODT LB-4, Revised]

CHICAGO SURFACE LINES

REDUCTION OF MILEAGE

Directing reduction of mileage of Chicago Surface Lines, Chicago, Ill.

Pursuant to Executive Orders Nos. 8989, 9156 and 9294,[1] and in order to conserve and providently utilize vital equipment, material and supplies, including rubber; and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, Special Order ODT LB–4[2] is hereby revised and amended, to read as set forth herein: *It is hereby ordered*, That:

1. As used herein, the term:

(a) "Bus" means any rubber-tired vehicle propelled or drawn by mechanical power and used upon the streets or highways (but not on rails) for the transportation of passengers, and including trolley buses;

(b) "Bus miles" includes all miles of actual bus operation, whether in passenger service or otherwise;

(c) "Base month" means the corresponding calendar month of the twelve (12) month period ending October 31, 1942.

2. Except as provided in paragraph 3 of this order, Walter J. Cummings and Daniel C. Green, as receivers of Chicago Railways Company, a corporation, and Edward J. Fleming and Charles H. Albers, as receivers of Chicago City Railway Company, Calumet and South Chicago Railway Company, and The Southern Street Railway Company, corporations, doing business as Chicago Surface Lines, of Chicago, Illinois, hereinafter referred to as the "carrier", in the transportation of passengers on the routes served by said carrier in the city and suburbs of Chicago, Illinois, as a common carrier by motor vehicle shall not operate in any calendar month a greater number of bus miles than eighty-five per cent (85%) of the total bus miles operated by said carrier during the base month as herein defined. For the purposes of computing the mileage reduction required by this order:

(a) If operations of said carrier have increased between the month for which current reduction of mileage is being computed and the base month, as a result of the acquisition of bus operations of another carrier, there shall be added to the bus miles that were operated by the acquiring carrier during the base month, the bus miles that were operated during that month in the acquired operations, or if such operations were not conducted during the base month, then during the last month of such operations conducted prior to the date of acquisition;

(b) If operations of said carrier have decreased, between the month for which current reduction of mileage is being computed and the base month, as a result of the sale, lease or transfer of bus operations, there shall be subtracted from the bus miles operated by said carrier during the base month, the bus miles operated during that month in the operations sold leased or transferred.

3. For the purpose of providing at times of changes of work shifts, transportation service to and from plants not located on routes established prior to December 7, 1941, engaged in the production of war materials, the carrier may operate in each calendar month in addition to the number of miles allowed under paragraph 2 of this order, such additional mileage as may be specified by special authorization issued by the Regional Office of the Division of Local Transport, Office of Defense Transportation, Chicago, Illinois. Written application for such special authorization shall be submitted to said Regional Office not later than ten (10) days prior to the period for which special authorization for additional mileage is sought. Such application shall specify an estimate of the total amount of additional mileage applied for, the terminals between which the additional mileage will be operated, the number of additional bus miles to be operated between such terminals, the names and locations of the plants to be served, and the general nature of the war materials produced by each such plant.

4. The carrier forthwith shall suspend operation of its bus routes designated as the Kimball Avenue, Kimball-Homan-Central Park, and Ogden Avenue routes, respectively, described in Appendix 1 to this order.

5. The carrier forthwith shall:

(a) File with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this Special Order ODT LB–4, Revised, and publish in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in fares, charges, operations, rules, regulations and practices of the carrier which may be necessary to accord with the provisions of this order;

(b) Apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on one day's notice;

(c) File with such regulatory body or bodies a copy of this Special Order ODT LB–4, Revised, and a notice describing the operations to be suspended in compliance therewith.

6. This Special Order ODT LB–4, Revised, on and after the effective date hereof, shall supersede the provisions of Special Order ODT LB–4.

7. Communications concerning this order should refer to "Special Order ODT LB–4, Revised" and should be addressed to the Regional Office of the Division of Local Transport, Office of Defense Transportation, Chicago, Illinois.

8. This Special Order ODT LB–4, Revised, shall become effective January 12, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 9th day of January, 1943.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

APPENDIX I

(Describing bus routes referred to in paragraph 4.)

Kimball Avenue Route: From Glenlake Avenue and Kimball Avenue via Kimball Avenue, Wrightwood Avenue, Logan Square, Milwaukee Avenue, Kimball Avenue, Peterson Avenue, Christiana Avenue and Glenlake Avenue to Glenlake Avenue and Kimball Avenue.

Kimball-Homan-Central Park Route: From 26th Street and Central Park Avenue via 26th Street, Millard Avenue, 25th Street, Central Park Avenue, Grenshaw Street, Homan Avenue, Kimball Avenue, Altgeld Street, Spaulding Avenue, Wrightwood Avenue, Kimball Avenue, Homan Avenue, Grenshaw Street and Central Park Avenue to 26th Street and Central Park Avenue.

Ogden Avenue Route: From Ogden Avenue and Clark Street via Clark Street, Wisconsin Street, Ogden Avenue, Arcade Place, Paulina Street, Monroe Street and Ogden Avenue to Ogden Avenue and Clark Street.

[F. R. Doc. 43-499; Filed, January 9, 1943; 11:54 a. m.]

TOLEDO, PEORIA & WESTERN RAILROAD

[Order No. 2]

APPOINTMENT OF FEDERAL MANAGER OF PROPERTIES

Pursuant to authority vested in me by Executive Order No. 9108, dated March 21, 1942, Holly Stover is hereby appointed Federal Manager of the Properties of the Toledo, Peoria & Western Railroad, with full authority, subject to my direction, to take immediate possession of and assume control over all real and personal property, franchises, rights, and other assets, tangible and intangible, of the Toledo, Peoria & Western Railroad now in the possession and under the control of John W. Barriger under and by virtue of Order No. 1, dated March 21, 1942, and to operate or arrange for the operation of such railroad properties in such manner as may be necessary for the successful prosecution of the war, through or with the aid of such public or private agencies, persons, or corporations as he may designate.

John W. Barriger is ordered and directed forthwith to turn over and deliver to Holly Stover all real and personal property, franchises, rights, and other assets, tangible and intangible, of the Toledo, Peoria & Western Railroad which are now in his possession and under his control under and by virtue of Order No. 1, dated March 21, 1942. The appointment of John W. Barriger as Federal Manager of such properties, dated March 21, 1942, is hereby revoked, effective this date.

This appointment shall remain effective until my further order.

Dated at Washington, D. C., this 1st day of January, 1943.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 43-498; Filed, January 9, 1943; 11:54 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 27 Under RPS 57]

THE BEATTIE MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICE

Order No. 27 under Revised Price Schedule No. 57—Wool Floor Covering.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and by virtue of the authority vested in the Price Administrator under the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) The Beattie Manufacturing Company may sell, offer to sell, deliver or transfer the new fabrics designated as Special Sterling and Caldwell at prices no higher than those set forth below

Special Sterling at $22.00 for the 9 x 12 size f. o. b. mill.

Caldwell at $2.05 per square yard f. o. b. mill roll.

Caldwell at $25.50 for the 9 x 12 size f. o. b. mill.

subject to discounts, allowances, and rebates no less favorable than those in effect as to Biltwell and Oritana respectively under § 1352.1 of Revised Price Schedule No. 57. Other sizes and zone maximum prices of Special Sterling and Caldwell shall be determined on the basis of the same differentials as established by Revised Price Schedule No. 57 between the square yard f. o. b. mill or the 9 x 12 size f. o. b. mill and the other zone maximum prices of Biltwell and Oritana respectively.

(b) This Order No. 27 may be revoked or amended by the Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1352.11 of Revised Price Schedule No. 57 shall apply to terms used herein.

(d) This Order No. 27 shall become effective on the 11th day of January, 1943.

Issued this 9th day of January, 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-448; Filed, January 9, 1943; 10:08 a. m.]

[Order 59 Under RPS 64]

SOUTHERN COOPERATIVE FOUNDRY CO.

APPROVAL OF MAXIMUM PRICE

Order No. 59 under Revised Price Schedule No. 64—Domestic Cooking and Heating Stoves.

On December 17, 1942, the Southern Cooperative Foundry Company, Rome, Georgia, filed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64 for approval of a maximum price for a coal heating stove designated in the application as model 201.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) Southern Cooperative Foundry Company may sell, offer to sell, transfer or deliver its model 201 coal heating stove at a price no higher than $28.28 f. o. b. factory to dealers, subject to discounts,

[1] 6 F.R. 6725; 7 F.R. 3349; 8 F.R. 221.

[2] 7 F.R. 9260.

allowances and terms no less favorable than those in effect with respect to the comparable model 218.

(b) This Order No. 59 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 59 shall become effective on the 11th day of January 1943.

Issued this 9th day of January, 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-449; Filed, January 9, 1943; 10:09 a. m.]

[Order 115 Under MPR 188]

ACE UPHOLSTERING CO.

ORDER GRANTING ADJUSTMENT

Order No. 115 under § 1499.161 (a) (2) of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel—Docket No. GF1-921-P.

Granting an adjustment of maximum prices for a certain studio couch suite manufactured by Ace Upholstering Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and by virtue of the authority vested in the Administrator under the Emergency Price Control Act of 1942, as amended by Executive Order No. 9250, *It is ordered:*

(a) Wallace S. Pickens and Florence B. Pickens, doing business as Ace Upholstering Company at 1014 West Main Street, Oklahoma City, Oklahoma may sell and deliver the studio couch suite and platform rocker described in their protest, Docket No. GF1-921-P, filed October 26, 1942 with the Office of Price Administration, Washington, D. C., at prices no higher than $49.75 and $19.95 respectively, subject to the usual discounts, allowances, and other differentials in effect during March 1942.

(b) Before the first sale of a studio couch suite or platform rocker the price set forth in paragraph (a) hereof, Ace Upholstering Company shall notify the buyer in writing:

The Office of Price Administration has authorized an increase in the maximum price of this article from $——— to $——— (inserting correct figure). This represents only that part of our cost increases which we are unable to absorb and was granted with the provision that your maximum prices remain the same.

(c) This Order No. 115 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 115 shall become effective January 11, 1943.

Issued this 9th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-450; Filed, January 9, 1943; 10:08 a. m.]

[Order 116 Under MPR 188]

COLONIAL WOOD PRODUCTS CO.

APPROVAL OF MAXIMUM PRICE

Order No. 116 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum price for sale by Colonial Wood Products Company of children's play yards. For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Colonial Wood Products Company, 329 Glendale Boulevard, Los Angeles, California is authorized to sell and deliver the children's play pen described in letter to the Office of Price Administration, dated October 23, 1942, at a price no higher than $4.00 f. o. b. factory.

(b) This Order No. 116 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 116 shall become effective on the 11th day of January 1943.

Issued this 9th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-506; Filed, January 9, 1943; 12:21 p. m.]

[Order 137 Under MPR 120]

SHAWMUT MINING COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 137 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120-281.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (b) of Maximum Price Regulation No. 120, *It is hereby ordered:*

(a) Shawmut Mining Company, Elk County, Pennsylvania, may sell and deliver, and any person may buy and receive, the bituminous coal described in paragraph (b) at prices not in excess of the respective prices stated therein;

(b) Coals produced by the Shawmut Mining Company, Elk County, Pennsylvania, at its Proctor No. 1 (Mine Index No. 401), Proctor No. 2 (Mine Index No. 402), Mine No. 5 (Mine Index No. 466), and Mine No. 42 (Mine Index No. 467) mines in District No. 1, may be sold and purchased f. o. b. mine for shipment by rail at prices per net ton not to exceed $3.00, $3.00, $2.75, $2.60, and $2.50 in Size Groups 1, 2, 3, 4, and 5, respectively.

(c) Within thirty (30) days from the effective date of this order, Shawmut Mining Company shall notify all persons purchasing its coals of the adjustments granted by this order, and shall include a statement that if the purchaser is subject to Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted by this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Maximum Price Regulation No. 122;

(d) This Order No. 137 may be revoked or amended by the Price Administrator at any time;

(e) All prayers of the petition not granted herein are hereby denied;

(f) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein;

(g) This Order No. 137 shall become effective January 12, 1943.

Issued this 11th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-541; Filed, January 11, 1943; 11:47 a. m.]

[Order 40 Under MPR 122]

NEWARK COAL COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 40 under Maximum Price Regulation No. 122—Solid Fuels Delivered From Facilities Other Than Producing Facilities—Dealers—Docket No. 3122-249.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.257 (a) of Maximum Price Regulation No. 122, *It is hereby ordered:*

(a) Newark Coal Company of Newark, New Jersey, may sell and deliver rice coal to the Board of Education of Orange, New Jersey, and that purchaser may buy and receive said coal from Newark Coal Company at prices not in excess of $9.70 per ton;

(b) This Order No. 40 may be revoked or amended by the Price Administrator at any time;

(c) All prayers of the petition not herein granted are hereby denied;

(d) Unless the context otherwise requires, the definitions set forth in § 1340.258 of Maximum Price Regulation No. 122 shall apply to the terms used herein;

(e) This Order No. 40 shall be effective as of September 21, 1942.

Issued this 11th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-540; Filed, January 11, 1943; 11:48 a. m.]

[Order 117 Under MPR 188]

CROW CREEK GRAVEL & SAND CO.

AUTHORIZATION OF MAXIMUM PRICE

Order No. 117 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Authorization of a maximum price for Washed and Graded Gravel for Crow Creek Gravel & Sand Company.

For the reasons set forth in an opinion which has been issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) Specific authority is hereby given to Crow Creek Gravel and Sand Company, P. O. Box 828, Forrest City, Arkansas, to sell and deliver washed and graded gravel "passing a 3" round screen and retained on a 1½" round screen" @ $1.25 per ton f. o. b. plant, Forrest City, Arkansas and to price previous shipments already delivered in accordance with the price contained herein.

(b) The applicant shall submit such reports to the Office of Price Administration as it may from time to time require.

(c) This Order No. 117 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 117 shall become effective January 12, 1943.

Issued this 11th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-542; Filed, January 11, 1943; 11:47 a. m.]

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*Copies may be obtained from the Office of Price Administration.

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-659]

INTERNATIONAL UTILITIES CORPORATION

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 7th day of January A. D. 1943.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above-named party; and

Notice is further given that any interested person may, not later than January 23, 1943, at 5:30 p. m., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request, that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

International Utilities Corporation, a registered holding company, proposes to pay out of capital or unearned surplus a regular quarterly dividend on its $3.50 Prior Preferred Stock at the rate of 87½¢ per share on the 97,370 shares of such stock presently outstanding. The aggregate amount of this dividend will be $85,198.75.

By the Commission.

[SEAL] ORVALL L. DUBOIS,
Secretary.

[F. R. Doc. 43-440; Filed, January 8, 1943; 2:30 p. m.]

[File No. 812-284]

AMERICAN RAILWAYS CORPORATION

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 8th day of January, A. D. 1943.

American Railways Corporation, a registered investment company, has filed an application pursuant to the provisions of section 6 (c) of the Investment Company Act of 1940 for an order temporarily exempting it from the provisions of section 32 (a) of said Act, to the extent that the financial statements filed and to be filed by the applicant with the Securities and Exchange Commission for the fiscal years 1941 and 1942, may be certified by Arthur Andersen & Co.

It is ordered, Pursuant to section 40 (a) of said Act, that a hearing on the aforesaid application be held on January 22, 1943 at 10 o'clock A. M., E. W. T. of that day in room 318, Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania; and

It is further ordered, That Charles S. Lobingier, Esquire, or any officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the above named applicant and to any other person or persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-508; Filed, January 9, 1943; 2:16 p. m.]

[File No. 70-21]

INTERNATIONAL UTILITIES CORPORATION

NOTICE OF FILING AND ORDER RECONVENING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 7th day of January, A. D. 1943.

Notice is hereby given that an amendment to an application has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by International Utilities Corporation. All interested persons are referred to said document which is on file in the office of this Commission for a statement of the matters therein proposed which are summarized as follows:

International Utilities Corporation, a registered holding company, whose application to purchase Collateral Trust Bonds, 6½% Series, of its subsidiary company, Dominion Gas and Electric Company, in the principal amount of $1,442,500 had been granted on the condition, among others, of consummating such acquisitions by December 31, 1942, had purchased as of December 3, 1942, $1,079,500 principal amount of such bonds. The company requests an extension of time to December 31, 1943 within which to purchase the remaining $363,000 principal amount of the bonds. Furthermore, International proposes to acquire an additional $500,000 principal amount of such bonds.

It appearing to the Commission that it is appropriate and in the public interest and in the interest of investors and consumers that the hearings herein should be reconvened for the purpose of considering the above described amendment and that said application as amended shall not be granted except pursuant to further order of this Commission;

It is ordered, That the hearings in this proceeding be reconvened on February 2, 1943 at 10:00 a. m., E. W. T., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in the hearing-room designated on said day by the hearing-room clerk in Room 318. At such hearing, cause shall be shown why such application as amended shall be granted. Notice is hereby given of said hearing to the above named applicant and to all interested persons, said notice to be given to said declarant or applicant by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of issues presented by

said application as amended otherwise to be considered in this proceeding, particular attention will be directed at said hearing to the following matters and questions:

1. Whether International Utilities Corporation's acquisition of the bonds of its subsidiary company, Dominion Gas and Electric Company, will tend towards interlocking relations or the concentration of control of a kind or to an extent detrimental to the public interest or the interest of investors or consumers.

2. Whether such acquisition will unduly complicate the capital structure of the International Utilities Corporation system or will be detrimental to the public interest or the interest of investors or consumers or to the proper functioning of such holding-company system.

3. Whether such acquisition is detrimental to the carrying out of the provisions of section 11 of the Act.

4. Whether such acquisition will serve the public interest by tending towards the economical and efficient development of an integrated public utility system.

5. What, if any, terms and conditions with respect to such acquisition should be prescribed in the public interest or for the protection of investors or consumers.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-510; Filed, January 9, 1943; 2:16 p. m.]

[File Nos. 54-47, 59-43]

JACKSONVILLE GAS COMPANY AND AMERICAN GAS AND POWER COMPANY

NOTICE OF FILING, ETC.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 8th day of January, A. D. 1943.

Public Utility Holding Company Act of 1935—Sections 11 (b) (2), 11 (e) and 15 (f)

The Commission, on December 8, 1942, having issued its supplemental order approving certain minor modifications of the Plan of Jacksonville Gas Company to effectuate the provisons of section 11 (b) of the Public Utility Holding Company Act of 1935; and

The Commission in said order having approved, among other things, the proposed First Mortgage and Deed of Trust from Jacksonville Gas Corporation to The Florida National Bank of Jacksonville as Trustee annexed as Exhibit R (2nd revision) to Amendment No. 8 to the Application of Jacksonville Gas Company herein; and

Jacksonville Gas Company having thereafter filed with the Commission Amendment No. 10 to its said Application, requesting approval by the Commission of the proposed First Mortgage and Deed of Trust from Jacksonville Gas Corporation to The Florida National Bank of Jacksonville as Trustee, annexed as Exhibit R (3rd revision) to said Amendment No. 10, and requesting that the Commission's order to be entered on said Amendment No. 10 recite that all transactions contemplated by said Plan as modified are necessary or appropriate to the integration or simplification of the holding company system of American Gas and Power Company and to effectuate the provisions of section 11 (b) of the Act; and

It appearing to the Commission that the changes in said proposed First Mortgage and Deed of Trust contained in said Exhibit R (3rd revision) are minor corrections and do not effect any changes of substance in said proposed First Mortgage and Deed of Trust, or any further modifications of said Plan as heretofore modified; and

It further appearing to the Commission that it is appropriate to make the findings specified in Chapter 1, Subchapter C, Supplement R of the Internal Revenue Code, sections 371 to 373 inclusive, as amended by section 171 of the Revenue Act of 1942: *It is ordered*, That:

The proposed First Mortgage and Deed of Trust from Jacksonville Gas Corporation to The Florida National Bank of Jacksonville as Trustee annexed as Exhibit R (3rd revision) to Amendment No. 10 to the Application of Jacksonville Gas Company herein be and the same is hereby approved in the place and stead of Exhibit R (2nd revision) to Amendment No. 8 to said Application.

It is further ordered, and the Commission hereby finds, That all transactions contemplated by the Plan as heretofore modified of Jacksonville Gas Company to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, including the conveyance and transfer by Jacksonville Gas Company to Jacksonville Gas Corporation of all its property, real and personal, and the issuance, exchange and distribution of securities of Jacksonville Gas Corporation and of cash to Jacksonville Gas Company and to the security holders of Jacksonville Gas Company are necessary or appropriate to the integration or simplification of the holding company system of American Gas and Power Company and to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, said properties and securities to be conveyed, transferred, issued, exchanged and distributed being specifically itemized in the Findings and Opinion of the Commission herein made on May 27, 1942, in the Supplemental Findings and Order of the Commission made and entered herein on May 28, 1942 and in the Second Supplemental Findings and Opinion and Supplemental Order of the Commission made and entered herein on December 8, 1942.

It is further ordered, That all of the provisions of the orders of the Commission entered herein on May 28, 1942, and December 28, 1942, respectively, except as to any provisions thereof inconsistent herewith, be continued in full force and effect.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-509; Filed, January 9, 1943; 2:16 p. m.]

[File Nos. 70-651, 70-660]

SOUTHWESTERN PUBLIC SERVICE COMPANY AND JAMES C. TUCKER

NOTICE OF FILING AND ORDER FOR HEARING AND ORDER CONSOLIDATING HEARINGS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 7th day of January, A. D. 1943.

Notice is hereby given that on January 5, 1943 James C. Tucker, as an individual filed a declaration or application (or both) with this Commission, pursuant to the Public Utility Holding Company Act of 1935. The declaration or application (or both) is filed under section 9 (a) (2) and section 10 of the Act, as applicable to the transaction. All interested parties are referred to said documents, which are on file in the office of this Commission, for a complete statement of the transactions therein proposed, which are summarized as follows:

James C. Tucker proposes to purchase from Southwestern Public Service Company, a registered holding company, all of the outstanding capital stock (being all of the securities) of two subsidiaries of said Southwestern Public Service Company, to wit: Arizona Electric Power Company and Flagstaff Electric Light Company, for the aggregate purchase price of $775,000 cash.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said declaration or application (or both), and that said declaration or application (or both) shall not become effective or be granted except pursuant to further order of the Commission; and

It further appearing to the Commission that on December 14, 1942, the said Southwestern Public Service Company filed a declaration or application (or both) with this Commission, under section 12 (d) of the Act and Rule U-44 of the rules and regulations promulgated thereunder, proposing to sell to the said James C. Tucker all of the outstanding capital stock (being all of the securities) of the said Arizona Electric Power Company and Flagstaff Electric Light Company, for the aggregate purchase price of $775,000; and

It further appearing to the Commission that under date of December 24, 1942, the Commission gave notice of the filing of said declaration or application (or both) of said Southwestern Public Service Company, and ordered that a hearing be held thereon on January 14, 1943 at 10:00 o'clock, E. W. T., in the offices of the Securities and Exchange Commission at Philadelphia, Pennsylvania; and

It further appearing to the Commission that the proceedings upon the declarations or applications (or both) of the said James C. Tucker and of the Southwestern Public Service Company involve common questions of law and fact and should be consolidated and heard together and that, to that end, said hearing now set for January 14, 1943 upon the declaration or application (or both) of the said Southwestern Public Service Company should be postponed;

It is ordered, That a hearing on said declaration or application (or both) of said James C. Tucker under the applicable provisions of the Act and the rules of the Commission thereunder be held on January 21, 1943 at 10:00 A. M., E. W. T., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

It is further ordered, That the hearing upon the said declaration or application (or both) of Southwestern Public Service Company heretofore set for January 14, 1943, be and the same hereby is postponed to January 21, 1943 at 10:00 A. M., E. W. T., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania;

It is further ordered, That the proceedings upon the said declarations or applications (or both) of said James C. Tucker and of Southwestern Public Service Company be and they are hereby consolidated for the purpose of hearing.

Notice of such hearing is hereby given to said James C. Tucker and to said Southwestern Public Service Company and to any other person whose participation in said proceedings may be in the public interest or for the protection of investors and consumers.

On the day hereinabove indicated for such joint hearing, the hearing-room clerk in Room 318 will advise as to the room where such hearing will be held.

It is further ordered, That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at such consolidated hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered, That at said hearing without limiting the scope of the issues presented by said declarations or applications (or both), particular attention shall be directed to the following matters:

1. Whether the consideration to be paid by the purchaser, James C. Tucker, and to be received by Southwestern for all of the outstanding capital stock of Arizona Electric Power Company and Flagstaff Electric Light Company is fair and reasonable;

2. The identity of the purchaser, his interest in any other public utility, and whether or not his acquisition of the proposed securities of the Arizona Electric Power Company and Flagstaff Electric Light Company will serve the public interest by tending towards the economical and efficient development of an integrated public-utility system, and whether such acquisition will tend towards interlocking relations or concentration of control of public utility companies of a kind or to an extent detrimental to the public interest of investors or consumers.

3. What terms and conditions, if any, are necessary to be imposed to insure compliance with the requirements of the Public Utility Holding Company Act of 1935 or any rules, regulations or orders promulgated thereunder.

It is further ordered, That any other person desiring to be heard in connection with these proceedings or proposing to intervene herein shall file with the Secretary of the Commission, on or before January 16, 1943, his request or application therefor as provided by Rule XVII of the Rules of Practice of the Commission.

It is further ordered, That the Secretary of the Commission shall serve notice of the hearing aforesaid by mailing a copy of this order to Southwestern Public Service Company and to James C. Tucker by registered mail; and that notice of said hearing be given to all persons by publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-511; Filed, January 9, 1943; 2:16 p. m.]

[File No. 70-661]

LOUISVILLE TRANSMISSION CORPORATION

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 8th day of January, A. D. 1943.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Louisville Transmission Corporation (Kentucky), an indirect subsidiary of Louisville Gas and Electric Company (Delaware), a registered holding company, and

Notice is hereby given that any interested person may, not later than January 25, 1943, at 4:00 P. M., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such declaration, as filed or as amended, may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration, which is on file in the office of the said Commission, for a statement of the transactions therein proposed, which are summarized below:

Louisville Transmission Corporation (Kentucky) proposes to amend Section 3.05 of its First Mortgage and Deed of Trust, dated March 1, 1942, to Harris Trust and Savings Bank, Trustee, so as to provide for the release by said Trustee of certain funds presently impounded under said Section which now requires that the original project be entirely completed and in service before funds may be released for other purposes. Declarant represents that the original project is substantially complete and is in service, but that it is unable to certify to completion due to inability to secure certain auxiliary equipment, and desires to amend said Section to release funds for payment for the purchase of a 50,000 kw. transformer, and to allow it to use surplus funds deposited with the Trustee, to retire bonds and thereby reduce interest charges. All of the bonds issued and outstanding under said First Mortgage and Deed of Trust are owned by Northwestern Mutual Life Insurance Company and a copy of this notice will be sent to said holder.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-526; Filed, January 11, 1943; 10:44 a. m.]

[File No. 70-489]

OGDEN CORPORATION

ORDER PERMITTING AMENDMENT NUMBER 6 TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 8th day of January 1943.

Ogden Corporation, a registered holding company, having filed amendment number 6 to its application in the above-captioned matter, pursuant to the Public Utility Holding Company Act of 1935, regarding the sale to The Equitable Life Assurance Society of the United States of $176,000 principal amount of The Laclede Gas Light Company Refunding and Extension Mortgage 5% Bonds, dated April 1, 1904, and extended to April 1, 1945, at the price of 99% of the principal amount thereof, plus accrued interest thereon from October 1, 1942, to the date of sale and delivery;

Said amendment number 6 having been filed on December 24, 1942, and notice of said filing having been duly given in the form and manner prescribed in Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said amendment number 6 within the period specified in said notice or otherwise not having ordered a hearing thereon; and

Ogden Corporation having requested that the effective date of said amendment be advanced; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit the said amendment pursuant to section 12 (d) of the Act and Rule U-44 promulgated thereunder to become effective; and finding that the sale is entitled to an exemption from the provisions of Rule U-50; and being satisfied that the effective date of such amendment should be advanced;

It is ordered, Pursuant to Rule U-23 and the applicable provisions of said Act, and subject to the terms and conditions prescribed in Rule U-24, That the aforesaid amendment number 6 be and hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-527; Filed, January 11, 1943; 10:45 a. m.]

FEDERAL REGISTER

VOLUME 8 NUMBER 8

Washington, Wednesday, January 13, 1943

The President

EXECUTIVE ORDER 9295

AMENDING EXECUTIVE ORDER No. 9206 OF JULY 27, 1942, PRESCRIBING REGULATIONS GOVERNING THE GRANTING OF ALLOWANCES FOR QUARTERS AND SUBSISTENCE TO ENLISTED MEN

By virtue of and pursuant to the authority vested in me by section 10 of the act of June 16, 1942, (Public Law 607—77th Congress), paragraph "C. Special" of Table I of Executive Order No. 9206 of July 27, 1942,[1] prescribing regulations governing the granting of allowances for quarters and subsistence to enlisted men, is hereby amended by the insertion of the words "at not to exceed" after the words "(a) Subsistence" and "(b) Quarters", respectively, to read as follows:

C. Special—Enlisted men assigned to duty where emergency conditions justify such allowances, payable at the discretion and upon the determination of the head of the department concerned, in lieu of allowances at rates otherwise specified herein:		
(a) Subsistence, at not to exceed	$3.00	$3.00
(b) Quarters, at not to exceed	2.00	2.00

This order shall become effective as of January 1, 1943.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
January 9, 1943.

[F. R. Doc. 43-554; Filed, January 11, 1943; 2:27 p. m.]

Regulations

TITLE 7—AGRICULTURE

Subtitle A—Office of the Secretary

[Rationing Order C, Supp. Order 3]

PART 2—RATIONING OF FARM MACHINERY AND EQUIPMENT

NEW FARM MACHINERY AND EQUIPMENT

Pursuant to § 2.212 of Rationing Order C (7 F.R. 9647), *It is hereby ordered*, That:

§ 2.253 *Supplementary Order 3.* (a) (1) Any manufacturer of Schedule I equipment listed in this paragraph (a) of Supplementary Order No. 3 may transfer all of the Schedule I equipment listed in this paragraph (a) which was manufactured prior to the effective date of or in compliance with the provisions of War Production Board Order L-26 (7 F.R. 5396, 6148, 8460) and 80 percent of any such manufacturer's authorized quota of such equipment under War Production Board Order L-170 (7 F.R. 9863). No manufacturer shall physically move or transfer (unless for purposes of storage in the county in which such equipment is located), the remaining 20 percent of his quota of Schedule I equipment listed in this paragraph (a), authorized to be manufactured under War Production Board Order L-170, except pursuant to further orders of the Secretary of Agriculture or of the Special War Board Assistant to the Secretary of Agriculture.

(2) Manufacturers, mail order houses, distributors, or dealers may accept transfers of any of the Schedule I equipment listed in this paragraph (a) which is authorized for transfer by subparagraph (1) of this paragraph (a) and may transfer any of the Schedule I equipment listed in this paragraph (a) which is authorized for transfer by subparagraph (1) of this paragraph (a) to any other manufacturer, distributor, mail order house or dealer. Such acceptances of transfers and such transfers may be made without a purchase certificate, provided such acceptances and such transfers are not for use. Such manufacturers, distributors, mail order houses, or dealers may transfer such equipment for use by the transferee if a proper purchase certificate is presented.

(3) Each manufacturer shall keep records disclosing the number of items of each type of the Schedule I equipment listed in this paragraph (a) which he has transferred pursuant to this Supplementary Order No. 3. Such records shall disclose the persons to whom said equipment was transferred and such persons' addresses.

(Continued on next page)

[1] 7 F.R. 5651.

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FEDERAL REGISTER

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DAIRY FARM MACHINES AND EQUIPMENT

Farm milk coolers
Immersion type.
Surface or tubular type.

(b) (1) Any manufacturer of Schedule I equipment listed in this paragraph (b) of Supplementary Order No. 3 may transfer all of the Schedule I equipment listed in this paragraph (b) which was manufactured prior to the effective date of or in compliance with the provisions of War Production Board Order L–26 or which was or is manufactured in compliance with the provisions of War Production Board Order L–170.

(2) Manufacturers, mail order houses, distributors, or dealers may accept transfers of any of the Schedule I equipment listed in this paragraph (b) and may transfer any of the Schedule I equipment listed in this paragraph (b) to any other manufacturer, distributor, mail order house or dealer. Such acceptances of transfers and such transfers may be made without a purchase certificate, provided such acceptances and such transfers are not for use. Such manufacturers, distributors, mail order houses, or dealers may transfer such equipment for use by the transferee if a proper purchase certificate is presented.

(3) Each manufacturer shall keep records disclosing the number of items of each type of the Schedule I equipment listed in this paragraph (b) which he has transferred pursuant to this Supplementary Order No. 3. Such records shall disclose the persons to whom said equipment was transferred and such persons' addresses.

IRRIGATION EQUIPMENT

Irrigation pumps:
Turbine pumps, 0 to 1,200 GPM
Turbine pumps, 1,200 GPM and up, belt driven.
Centrifugal pumps

(c) (1) Any manufacturer may transfer Schedule I equipment from any of the following groups and may transfer Schedule II equipment from any of the following groups if such Schedule I or Schedule II equipment is listed in this paragraph (c) to Supplementary Order No. 3:

(i) New farm machinery and equipment which was in the physical possession of such manufacturer in its factory or plant stocks at the close of business October 31, 1942.

(ii) New farm machinery and equipment heretofore or hereafter manufactured by such manufacturer pursuant to the provisions of War Production Board Order L–170.

(iii) New farm machinery and equipment which was transferred other than for use from such manufacturer's factory or plant stocks pursuant to appeal granted by the Special War Board Assistant under Temporary Rationing Order B (7 F.R. 8723, 9067, 9475) or Rationing Order C.

Transfers made pursuant to this paragraph (c) are subject to the conditions that (a) compliance is had with the provisions of this paragraph (c) of this Supplementary Order No. 3 and with the provisions of Rationing Order C, and (b) each such manufacturer has, before such equipment is transferred, received from the Special War Board Assistant a distribution plan directing the distribution of such equipment. No manufacturer shall transfer new farm machinery and equipment under the authority of this paragraph (c) of this Supplementary Order No. 3 unless such manufacturer has received a distribution plan covering such machinery and equipment.

(2) Any manufacturer who makes a transfer of machinery and equipment pursuant to this paragraph (c) of this Supplementary Order No. 3 shall, prior to the transfer of such machinery and equipment to a retail dealer, provide and cause to be attached securely to each item of machinery and equipment so transferred a tag, in the form prescribed by the Special War Board Assistant, which shall clearly state the name of the county and State in which, according to the distribution plan provided by the Special War Board Assistant for the manufacturer of such machinery and equipment, said machinery and equipment is directed for transfer for use. No person shall remove such tag from any item of machinery and equipment except as otherwise indicated in this order or change the wording or permit the wording thereon to become illegible without immediately replacing the tag in its original condition, except that a transferee for use may remove such tag upon delivery of Schedule I equipment to him pursuant to a purchase certificate for such equipment issued by the county farm rationing committee for the county named on such tag, and a transferee for use in the county named on the tag affixed to Schedule II equipment purchased by him may remove such tag upon delivery to him of such Schedule II equipment.

(3) No person shall transfer for use and no person shall accept a transfer for use of any Schedule I equipment authorized for transfer by this paragraph (c) of this Supplementary Order No. 3 unless such transfer is effected pursuant to a purchase certificate issued by the county farm rationing committee for the county named on the tag affixed to such Schedule I equipment in accordance with the provisions of this paragraph (c) of this Supplementary Order No. 3.

No person shall transfer for use and no person shall accept a transfer for use of any Schedule II equipment authorized for transfer by this paragraph (c) of this Supplementary Order No. 3 unless such transfer is made to a transferee for use in the county named on the tag affixed to such Schedule II equipment in accordance with the provisions of this paragraph (c) of this Supplementary Order No. 3.

(4) Manufacturers, mail order houses, distributors, and dealers may accept transfers of machinery and equipment transferred pursuant to the provisions of this paragraph (c) of this Supplementary Order No. 3 and may transfer any machinery and equipment authorized for transfer by this paragraph (c) of this Supplementary Order No. 3 to any other manufacturer, mail order house, distributor or dealer. Such acceptances of transfers and such transfers may be made without a purchase certificate, provided such acceptances or such transfers are not for use. Such manufacturers, mail order houses, distributors, and dealers may transfer such Schedule I equipment to any person for use by the transferee if a proper purchase certificate issued by the county farm rationing committee for the county named on the tag affixed to such Schedule I equipment is presented. Such manufacturers, mail order houses, distributors, and dealers may transfer such Schedule II equipment to any person for use by the transferee without presentation of a purchase certificate, provided that such transfers shall be made only for use in the county named on the tag affixed to such equipment. Such manufacturers, mail order houses, distributors, and dealers, when they have on hand machinery and equipment which they wish to transfer for use by the transferee, shall forward to the county farm rationing committee for the county named on the tag on each item of such machinery and equipment that portion of such tag which is designated for transmittal to the county farm rationing committee by a person who desires to transfer new machinery and equipment for use.

(5) Each manufacturer, mail order house, distributor, and dealer shall keep records disclosing the number of items of each type of machinery and equipment which he has transferred pursuant to this paragraph (c) of this Supplementary Order No. 3. Such records shall disclose the number of items of each type of machinery and equipment transferred, the counties and States for which each such type of machinery and equipment was directed for transfer for use, the persons to whom said machinery and equipment was transferred, and such persons' addresses.

SCHEDULE I EQUIPMENT

PLANTING, SEEDING AND FERTILIZING MACHINERY

Planters, horse and tractor drawn:
Two row, corn planters.
Two row, corn and cotton planters.
Three row and over, corn planters.
Planters, tractor mounted:
One row, corn planters.
One row, corn and cotton planters.
Two row, corn planters.
Two row, corn and cotton planters.
Three row and over, corn planters.
Three row and over, corn and cotton planters.
Potato planters, horse or tractor drawn.
Transplanters, horse or tractor drawn.
Listers with planting attachments, horse or tractor drawn:
Two row.
Three row and over.
Listers with planting attachments, tractor mounted:
One row.
Two row.
Three row and over.
Beet drills, horse or tractor drawn.
Grain drills:
One horse, 3 or 5 disc drills.
Fertilizer drills, horse or tractor drawn.
Plain drills, horse or tractor drawn.
Lime spreaders (sowers):
Wheeled type, horse or tractor drawn.
Endgate type.
Truck body type.
Manure spreaders:
Four wheeled, horse or tractor drawn.
Two wheeled, tractor drawn.

PLOWS AND LISTERS

Moldboard plows, tractor drawn or mounted:
One bottom, tractor drawn.
Two bottom, tractor drawn.
Three bottom, tractor drawn.
Four bottom, tractor drawn.
One bottom, tractor mounted.
Two bottom, tractor mounted.
Disc plows, tractor drawn or mounted:
One disc, tractor drawn.
Two disc, tractor drawn.
Three disc, tractor drawn.
One disc, tractor mounted.
Two disc, tractor mounted.
One way disc plows or tillers.
Listers, horse or tractor drawn (Middlebusters without planting attachment):
Two row, horse or tractor drawn.
Three row and larger, horse or tractor drawn.
Listers, tractor mounted (Middlebusters without planting attachment):
One row, tractor mounted.
Two row, tractor mounted.
Three row and larger, tractor mounted.

HARROWS, ROLLERS, PULVERIZERS

Harrows:
Spike tooth harrow sections, horse or tractor drawn.
Spring tooth harrow sections, horse or tractor drawn.
Disc harrows, horse or tractor drawn.
Disc harrows, tractor mounted.
Soil pulverizers and packers.

CULTIVATORS AND WEEDERS

Cultivators, horse and tractor drawn:
Beet cultivator.
Field cultivator.
Cultivators, tractor mounted:
One row.
Two row.
Three and four row.
Five row and over.
Rotary hoes, horse or tractor drawn.
Weeders:
Rod weeders, horse or tractor drawn.
Tooth weeders, horse or tractor drawn.

SPRAYERS, DUSTERS AND ORCHARD HEATERS

Power sprayers.
Traction sprayers.
Spray pumps, power.
Dusters:
Power dusters with tractor mounted dusters.
Traction dusters.

HARVESTING MACHINERY

Combines, harvester-threshers:
Width of cut, 6 feet and under.
Width of cut, over 6 feet, including 10 feet.
Width of cut, over 10 feet.
Grain and rice binders:
Grain binders, ground drive.
Grain binders, power take-off drive.
Rice binders.
Corn binders (row binder), horse or tractor drawn.
Corn pickers:
One row, mounted type.
Two row, mounted type.
One row, pull type.
Two row, pull type.
Field ensilage harvesters, row type.
Potato diggers:
Walking plow type.
Horse or tractor.
Pea and bean harvesters, row type, horse or tractor.
Beet lifters, horse or tractor.

HAYING MACHINERY

Mowers, ground drive, horse or tractor drawn.
Mowers, power take-off drive: Tractor mtd. or semi-mtd.
Rakes:
Sulky, dump.
Side delivery, incl. comb. side rakes and tedders.
Sweep.
Hay loaders.
Stackers (incl. comb. sweep stackers).
Pick-up hay balers.

MACHINES FOR PREPARING CROPS FOR MARKET OR USE

Stationary threshers (grain, rice and alfalfa):
Threshers, width of cylinder under 28 inches.
Threshers, width of cylinder 28 inches and over.
Stationary pea and bean threshers.
Ensilage cutters (silo fillers).
Feed cutters, power.
Corn shellers:
Power corn shellers, cylinder (150 bu. and under).
Power corn shellers, cylinder (over 150 bu.).
Corn huskers and shredders:
Combination corn husker-shredders.
Corn huskers.
Corn shredders.
Stationary hay balers:
Engine or belt power.

MACHINES FOR PREPARING CROPS FOR MARKET OR USE—continued

Feed grinders and crushers:
Power, burr type
Hammer and roughage mills.
Cleaners and graders, corn and grain.
Potato sorters and graders.

FARM ELEVATORS AND BLOWERS

Elevators (portable).
Elevators (stationary).
Blowers (grain and forage).

TRACTORS

Tractors, wheel type:
Tractors, wheel, special purpose, under 30 h. p.
Tractors, wheel, special purpose, 30 h. p. and over.
Tractors, wheel, all purpose, under 30 h. p.
Tractors, wheel, all purpose, 30 h. p. and over
Garden tractors (including motor tillers).

ENGINES

Engines, one or more but under 5 h. p.:
Air cooled.
Water cooled.
Engines (five or more but under 10 h. p.):
Air cooled.
Water cooled.

FARM WAGONS AND TRUCKS

Wagons, farm w m
Trucks, farm (not motortrucks).

DAIRY FARM MACHINES AND EQUIPMENT

Milking machines.
Farm cream separators, capacity, 250 lbs. per hr. or less.
Farm cream separators, capacity 251 lbs. to 800 lbs. per hour.

SCHEDULE II EQUIPMENT

PLANTING, SEEDING AND FERTILIZING MACHINERY

Garden planters: Horse or tractor drawn.

CULTIVATORS AND WEEDERS

Cultivators, horse drawn:
One row, riding, two horse.
Two row and over, riding.

D. This Supplementary Order No. 3 shall be deemed to be part of Rationing Order C, and any violation of this Supplementary Order No. 3 shall constitute a violation of Rationing Order C.

E. This Supplementary Order No. 3 to Rationing Order C shall become effective January 13, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong.; War Production Board Dir. 1, Supp. Dir. 1-K, Supp. Dir. 1-P, 7 F.R. 562, 7280, 8856; Office of Price Administration Orders 28 and 30, 7 F.R. 7326, 8672, 9368)

Done at Washington, D. C., this 11th day of January 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] FRED S. WALLACE,
Special War Board Assistant.

[F. R. Doc. 43-588; Filed, January 12, 1943; 9:29 a. m.]

Chapter III—Bureau of Entomology and Plant Quarantine

[B.E.P.Q. 523, Supplement 1]

PART 319—FOREIGN PLANT QUARANTINE NOTICES

ADDITIONAL QUANTITY LIMITS FOR PLANTS IMPORTED FOR PROPAGATION PURPOSES

P.Q.C.A. 278, revised, listed for representative genera of plants for propagation purposes the quantity limits which any individual might import during any current fiscal year. B.E.P.Q. 523, effective May 11, 1942, added a supplemental list of genera with their corresponding quantity limits, and provided for a 25 percent increase in the limits fixed by both the original and supplemental lists, effective July 1, 1942. It is now proposed to increase the quantity limits already authorized by 60 percent.

Chapter III, Title 7, Code of Federal Regulations, § 319.37-14a *Administrative instructions; limitations on special-permit plant material entered for propagation under § 319.37-14* [P.Q.C.A. 278, revised, July 14, 1931] as amended May 12, 1942, by B.E.P.Q. 523, is hereby amended further, effective January 16, 1943, to increase the quantity limits specified in § 319.37-14a for both the original list and the supplemental list effective May 11, 1942, by 60 percent.

(7 CFR § 319.37-14; sec. 7, 37 Stat. 317; 7 U.S.C. 160)

Effective: January 16, 1943.

Done at Washington, D. C., this 2d day of January 1943.

[SEAL] P. N. ANNAND,
Chief.

[F. R. Doc. 43-584; Filed, January 12, 1943; 9:19 a. m.]

Chapter IX—Agricultural Marketing Administration

PART 905—MILK IN THE FALL RIVER MASSACHUSETTS, MARKETING AREA

TERMINATION OF ORDER

Termination of the April 15, 1936, order, as amended, regulating the handling of milk in the Fall River, Massachusetts, marketing area.

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 1940 ed. 601 et seq.), the order, as amended, regulating the handling of milk in the Fall River, Massachusetts, marketing area, issued April 15, 1936, effective May 1, 1936 (7 CFR 905), which order was suspended as of May 31, 1940, is hereby terminated, effective as of January 13, 1943.

Done at Washington, D. C., this 11th day of January 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] THOMAS J. FLAVIN,
Assistant to the Secretary of Agriculture.[1]

[F. R. Doc. 43-583; Filed, January 12, 1943; 9:19 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regulations, Serial No. 252]

MILITARY TEST FLIGHTS AT ALTITUDES OF MORE THAN 3500 FEET

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 24th day of December 1942. It appearing that:

(1) Military flights for ferry or test purposes under day contact conditions at an altitude of more than 3500 feet above the ground or water and within the limits of a civil airway are necessary for the successful prosecution of the war; and

(2) Such flights are presently prohibited by § 60.471[2] of the Civil Air Regulations unless the aircraft are equipped with two-way radio; and

(3) About fifty percent of the above aircraft do not have two-way radio equipment;

Now therefore, the Civil Aeronautics Board promulgates the following special regulation:

Notwithstanding the provisions of § 60.471 of the Civil Air Regulations, military aircraft not equipped with radio may make flights for ferry or test purposes under day contact conditions at an altitude of more than 3500 feet above the ground or water and within the limits of a civil airway: *Provided*, That:

(1) A flight plan stating the proposed altitude and time to destination is filed with, and approved by an airway traffic control center; and

(2) The flight is conducted in accordance with § 60.58 of the Civil Air Regulations.

This regulation shall become effective on December 26, 1942, and remain in effect until February 26, 1943.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 43-571; Filed, January 12, 1943; 9:37 a. m.]

[1] Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81; 7 F.R. 2656)

[2] 6 F.R. 3100, 6256.

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter C—Miscellaneous Excise Taxes

[T.D. 5209]

PART 140—TAXES ON TOBACCO, SNUFF, CIGARS, CIGARETTES, CIGARETTE PAPERS AND TUBES, AND PURCHASE AND SALE OF LEAF TOBACCO

PACKAGING; RATES ON CIGARS AND CIGARETTES, ETC.

Regulations 8, as made applicable to the Internal Revenue Code by Treasury Decision 4885, amended to conform to the Revenue Act of 1942.

In order to conform Regulations 8 [Part 140, Title 26, Code of Federal Regulations], relating to the taxes on tobacco, snuff, cigars, and cigarettes, also on cigarette papers and tubes and purchase and sale of leaf tobacco, to sections 601, 605 and 612 of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, such regulations, but only as prescribed and made applicable to the Internal Revenue Code by Treasury Decision 4885, approved February 11, 1939 [Chapter I, note, Title 26, Code of Federal Regulations, 1939 Sup., p. 1599], are amended, effective as of November 1, 1942 as follows:

PARAGRAPH 1. There is inserted immediately preceding article 45 [§ 140.45 of such Title 26], the following:

SEC. 2100. PACKAGES. (Internal Revenue Code.)

All manufactured tobacco shall be put up and prepared by the manufacturer for sale, or removal for sale or consumption, in packages of the following description and in no other manner:

(a) *Size.* (1) Smoking and chewing tobacco and snuff. All smoking tobacco, snuff, fine-cut chewing tobacco, all cut and granulated tobacco, all shorts, the refuse of fine-cut chewing, which has passed through a riddle of thirty-six meshes to the square inch, and all refuse, scraps, clippings, cuttings, and sweepings of tobacco, and all other kinds of tobacco not otherwise provided for, in packages containing one-eighth of an ounce, three-eighths of an ounce, and further packages with a difference between each package and the one next smaller of one-eighth of an ounce up to and including two ounces, and further packages with a difference between each package and the one next smaller of one-fourth of an ounce up to and including four ounces, and further packages with a difference between each package and the one next smaller of one ounce up to and including sixteen ounces: *Provided*, That snuff may, at the option of the manufacturer, be put up in bladders and in jars containing not exceeding twenty pounds.

(2) Cavendish, plug, and twist tobacco.—All cavendish, plug, and twist tobacco, in wooden packages not exceeding two hundred pounds net weight. And every such wooden package shall have printed or marked thereon the manufacturer's name and place of manufacture, the registered number of the manufactory, and the gross weight, the tare and the net weight of the tobacco in each package.

. . . . . .

SEC. 605. CIGARS AND CIGARETTES. (Revenue Act of 1942, Title VI.)

. . . . . .

(d) *One-eighth Ounce Differences Above Two Ounces and Not Above Three Ounces Permitted in Packaging of Tobacco and Snuff.* Section 2100 (a) (1) (relating to permissible packages for tobacco and snuff) is amended by striking out "with a difference between each package and the one next smaller of one-eighth of an ounce up to and including two ounces" and inserting in lieu thereof "with a difference between each package and the one next smaller of one-eighth of an ounce up to and including three ounces".

. . . . . .

SEC. 601. EFFECTIVE DATE OF THIS TITLE. (Revenue Act of 1942, approved October 21, 1942; Title VI.)

This title shall take effect on the first day of the first month which begins more than 10 days after the date of the enactment of this Act.

PAR. 2. Article 45 [§ 140.45 of such Title 26] is amended by changing the second paragraph to read as follows:

All smoking tobacco, snuff, fine-cut chewing tobacco, all cut and granulated tobacco, all shorts, the refuse of fine-cut chewing tobacco which has passed through a riddle of thirty-six meshes to the square inch, and all refuse, scraps, clippings, cuttings, and sweepings of tobacco, and all other kinds of tobacco not otherwise provided for, in packages containing $\frac{1}{8}$, $\frac{3}{8}$, $\frac{1}{2}$, $\frac{5}{8}$, $\frac{3}{4}$, $\frac{7}{8}$, 1, $1\frac{1}{8}$, $1\frac{1}{4}$, $1\frac{3}{8}$, $1\frac{1}{2}$, $1\frac{5}{8}$, $1\frac{3}{4}$, $1\frac{7}{8}$, 2, $2\frac{1}{8}$, $2\frac{1}{4}$, $2\frac{3}{8}$, $2\frac{1}{2}$, $2\frac{5}{8}$, $2\frac{3}{4}$, $2\frac{7}{8}$, 3, $3\frac{1}{4}$, $3\frac{1}{2}$, $3\frac{3}{4}$, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, or 16 ounces.

PAR. 3. Article 50 [§ 140.50 of such Title 26] is amended by changing the first sentence of paragraph (a) to read as follows:

Strip stamps in sheets, in denominations of $\frac{1}{8}$, $\frac{3}{8}$, $\frac{1}{2}$, $\frac{5}{8}$, $\frac{3}{4}$, $\frac{7}{8}$, 1, $1\frac{1}{8}$, $1\frac{1}{4}$, $1\frac{3}{8}$, $1\frac{1}{2}$, $1\frac{5}{8}$, $1\frac{3}{4}$, $1\frac{7}{8}$, 2, $2\frac{1}{8}$, $2\frac{1}{4}$, $2\frac{3}{8}$, $2\frac{1}{2}$, $2\frac{5}{8}$, $2\frac{3}{4}$, $2\frac{7}{8}$, 3, $3\frac{1}{4}$, $3\frac{1}{2}$, $3\frac{3}{4}$, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16 ounces, to correspond with the sizes of packages prescribed by law, to be used on packages of smoking tobacco, scrap chewing tobacco, fine-cut chewing tobacco, and all other kinds of tobacco not otherwise provided for, also small packages of cavendish, plug, twist, or leaf tobacco.

PAR. 4. There is inserted immediately preceding article 72 [§ 140.72 of such Title 26], the following:

SEC. 605. CIGARS AND CIGARETTES. (Revenue Act of 1942, Title VI.)

(a) *Rates on cigars.* Section 2000 (c) (1) is amended to read as follows:

(c) *Cigars and cigarettes.* Upon cigars and cigarettes manufactured in or imported into the United States, which are sold by the manufacturer or importer, or removed for consumption or sale, there shall be levied, collected, and paid the following taxes:

(1) Cigars. On cigars of all descriptions made of tobacco, or any substitute therefor, and weighing not more than three pounds per thousand, 75 cents per thousand;

On cigars made of tobacco, or any substitute therefor, and weighing more than three pounds per thousand, if manufactured or imported to retail at not more than $2\frac{1}{2}$ cents each, $2.50 per thousand;

If manufactured or imported to retail at more than $2\frac{1}{2}$ cents each and not more than 4 cents each, $3.00 per thousand;

If manufactured or imported to retail at more than 4 cents each and not more than 6 cents each, $4.00 per thousand;

If manufactured or imported to retail at more than 6 cents each and not more than 8 cents each, $7.00 per thousand;

If manufactured or imported to retail at more than 8 cents each and not more than 15 cents each, $10.00 per thousand;

If manufactured or imported to retail at more than 15 cents each and not more than 20 cents each, $15.00 per thousand;

If manufactured or imported to retail at more than 20 cents each, $20.00 per thousand.

Whenever in this subsection reference is made to cigars manufactured or imported to retail at not over a certain price each, then in determining the tax to be paid regard shall be had to the ordinary retail price of a single cigar in its principal market.

(b) *Rates on cigarettes.* Section 2000 (c) (2) is amended by striking out "$3.25" and inserting in lieu thereof "$3.50" and by striking out "$7.80" and inserting in lieu thereof "$8.40".

SEC. 601. EFFECTIVE DATE OF THIS TITLE. (Revenue Act of 1942, approved October 21, 1942; Title VI.)

This title shall take effect on the first day of the first month which begins more than 10 days after the date of the enactment of this Act.

PAR. 5. Article 72 [§ 140.72 of such Title 26], as amended by Treasury Decision 5097 approved November 13, 1941, is further amended as follows:

(A) Subdivision (a) is changed to read as follows:

The rates of tax on cigars and cigarettes imposed by section 2000 (c) of the Internal Revenue Code, as amended by section 605 (a) and (b) of the Revenue Act of 1942, effective November 1, 1942, are as follows:

Class	Cigars weighing more than 3 pounds per 1,000	Rate per 1,000
	If manufactured or imported to retail at—	
A	Not more than $2\frac{1}{2}$ cents each	$2.50
B	More than $2\frac{1}{2}$ cents each and not more than 4 cents each	3.00
C	More than 4 cents each and not more than 6 cents each	4.00
D	More than 6 cents each and not more than 8 cents each	7.00
E	More than 8 cents each and not more than 15 cents each	10.00
F	More than 15 cents each and not more than 20 cents each	15.00
G	More than 20 cents each	20.00

Cigarettes weighing not more than 3 pounds per 1,000	*Rate per 1,000*
Cigars weighing not more than 3 pounds per 1,000	$0.75
Cigarettes weighing not more than 3 pounds per 1,000	3.50

	Rate per 1,000
Cigarettes weighing more than 3 pounds per 1,000 and measuring not more than 6½ inches in length	$8 40
Cigarettes weighing more than 3 pounds per 1,000 and measuring more than 6½ inches in length; each 2¾ inches (or fraction thereof) of the length of each to be counted as one cigarette	3 50

(B) Subdivision (b) is revised by changing "five" in the first sentence to "seven price", and by changing "and class E" in the third sentence to "class E, class F, and class G".

PAR. 6. Article 79 (a) [§ 140.79 (a) of such Title 26] is amended by changing "and class E" to "class E, class F, and class G".

PAR. 7. Article 80 [§ 140.80 of such Title 26], second sentence, is amended by changing "and class E" to "class E, class F, and class G".

PAR. 8. Article 86 [§ 140.86 of such Title 26] is amended as follows:

(A) The last sentence of the first paragraph is changed to read as follows:

In all cases the label must be legible and bear the appropriate one of the following statements:

The cigars herein contained were manufactured to retail at not more than two and one-half cents each, and are so tax paid.

The cigars herein contained were manufactured to retail at more than two and one-half cents each and not more than four cents each, and are so tax paid.

The cigars herein contained were manufactured to retail at more than four cents each and not more than six cents each, and are so tax paid.

The cigars herein contained were manufactured to retail at more than six cents each and not more than eight cents each, and are so tax paid.

The cigars herein contained were manufactured to retail at more than eight cents each and not more than fifteen cents each, and are so tax paid.

The cigars herein contained were manufactured to retail at more than fifteen cents each and not more than twenty cents each, and are so tax paid.

The cigars herein contained were manufactured to retail at more than twenty cents each and are so tax paid.

(B) The first sentence of the second paragraph is revised by changing "or E" to "E, F, or G".

PAR. 9. There is inserted immediately preceding article 114 [§ 140.114 of such Title 26], the following:

SEC. 2112. STAMPS. (Internal Revenue Code.)

* * * * *

(c) *Supply.* The stamps provided for under section 2002 (a) (3) shall be furnished to collectors requiring them, and collectors shall if there be any cigar or cigarette manufacturers within their respective districts, keep on hand at all times a supply equal in amount to two months' sales thereof, and shall sell the same only to the cigar or cigarette manufacturers who have given bonds, as required by law, in their districts respectively, and to importers of cigars or cigarettes who are required to affix the same to imported cigars or cigarettes in the custody of cutsoms officers

* * * * *

SEC. 612. AFFIXING OF CIGARETTE STAMPS IN FOREIGN COUNTRIES. (Revenue Act of 1942, Title VI.)

Section 2112 (c) (relating to requirement of affixing cigarette stamps) is amended by inserting at the end thereof the following new sentence:

If the government of a foreign country permits the revenue stamps of such country to be affixed in the United States to cigarettes manufactured in the United States and imported into such foreign country, then, if cigarettes manufactured in such foreign country are imported into the United States from such foreign country, the importer may, under such rules and regulations as the Commissioner with the approval of the Secretary of the Treasury may prescribe, have the United States revenue stamps attached to such cigarettes in such foreign country.

SEC. 601. EFFECTIVE DATE OF THIS TITLE. (Revenue Act of 1942, approved October 21, 1942; Title VI.)

This title shall take effect on the first day of the first month which begins more than 10 days after the date of the enactment of this Act.

PAR. 10. Article 114 [§ 140.114 of such Title 26] is amended by adding at the end of the first paragraph, the following:

* * * In accordance with the provisions of § 140.128a, stamps to cover a particular importation of cigarettes may also be sold to the importer for attachment in the country of manufacture.

PAR. 11. There is inserted immediately preceding article 125 [§ 140.125 of such Title 26], the following:

SEC. 2112. STAMPS. (Internal Revenue Code.)

* * * * *

(c) *Supply.* The stamps provided for under section 2002 (a) (3) shall be furnished to collectors requiring them, and collectors shall, if there be any cigar or cigarette manufacturers within their respective districts, keep on hand at all times a supply equal in amount to two months' sales thereof, and shall sell the same only to the cigar or cigarette manufacturers who have given bonds, as required by law, in their districts respectively, and to importers of cigars or cigarettes who are required to affix the same to imported cigars or cigarettes in the custody of customs officers.

* * * * *

SEC. 612. AFFIXING OF CIGARETTE STAMPS IN FOREIGN COUNTRIES. (Revenue Act of 1942, Title VI.)

Section 2112 (c) (relating to requirement of affixing cigarette stamps) is amended by inserting at the end thereof the following new sentence:

* * * If the government of a foreign country permits the revenue stamps of such country to be affixed in the United States to cigarettes manufactured in the United States and imported into such foreign country, then, if cigarettes manufactured in such foreign country are imported into the United States from such foreign country, the importer may, under such rules and regulations as the Commissioner with the approval of the Secretary of the Treasury may prescribe, have the United States revenue stamps attached to such cigarettes in such foreign country.

SEC. 601. EFFECTIVE DATE OF THIS TITLE. (Revenue Act of 1942, approved October 21, 1942; Title VI.)

This title shall take effect on the first day of the first month which begins more than 10 days after the date of the enactment of this Act.

PAR. 12. Article 125 [§140.125 of such Title 26] is amended by inserting immediately after the fourth sentence "(But see §140.128a)".

PAR. 13. Article 127 [§140.127 of such Title 26] is amended by changing the second sentence of the first paragraph to read as follows:

* * * Except as provided for in § 140.128a, stamps for the payment of tax on imported tobacco, snuff, cigars, or cigarettes shall be sold by collectors of internal revenue *only* to owners, consignees, or importers upon receipt of Form 923 (Orders for stamps—Imported manufactures), properly filled in and certified by the proper customs officer having custody of such articles.

PAR. 14. Article 128 [§ 140.128 of such Title 26] is amended by inserting immediately after the second sentence "(But see § 140.128a)".

PAR. 15. Immediately after article 128 [§140.128 of such Title 26], a new article is inserted as follows:

§140.128a *Sale of cigarette stamps to importers for affixture in foreign countries.* Under section 2112 (c) of the Internal Revenue Code, as amended by section 612 of the Revenue Act of 1942, stamps in payment of the tax on imported cigarettes may be affixed, on or after November 1, 1942, to cigarettes in the foreign country in which manufactured, *Provided*, The laws of such foreign country grant a like privilege in respect of cigarettes manufactured in the United States exported to such foreign country.

An importer desiring to have the stamps in payment of the tax on imported cigarettes affixed to the cigarettes in the foreign country from whence imported shall file with any collector of internal revenue an order for the necessary stamps. No particular form for such order is prescribed, but the order shall show (1) the name and address of the person by whom the cigarettes are to be imported, (2) the name of the foreign country from whence the cigarettes will be imported, (3) the class and quantity of cigarettes to be imported, and (4) the number and value of the stamps of each denomination, the total value of all the stamps and how they should be sent to the purchaser. Each order must be accompanied by the proper remittance for the full amount of the order. Unless otherwise directed, stamps will be sent by ordinary mail at the risk of purchaser. If ordered to be sent by registered mail, the order must be accompanied by 15 cents additional to pay registry fee.

Upon receipt of the order and remittance specified in the preceding paragraph, the collector may fill the order, provided it has been established by official ruling that the foreign country named in the order permits its revenue stamps to be affixed in the United States to cigarettes manufactured in this country and imported into such foreign country. In all other cases, the collector shall transmit the order to the Commissioner of Internal Revenue for approval.

Stamps in payment of the tax on imported cigarettes affixed to the cigarettes in the foreign country from whence imported, may be cancelled in such foreign country in lieu of cancellation while the cigarettes are in customs custody as required by § 140.128. In all other respects, the importation of such cigarettes must be made in compliance with all provisions of law and these regulations relating to the importation of cigarettes from foreign countries. [Art. 128½.]

PAR. 16. There is inserted immediately preceding article 192 [§ 140.192 of such Title 26], the following:

SEC 2197. TERRITORIAL EXTENT OF LAW. (Internal Revenue Code.)

(a) *In general.* The internal revenue laws imposing taxes on tobacco, snuff, cigars, or cigarettes shall be held to extend to such articles produced anywhere within the exterior boundaries of the United States, whether the same be within a collection district or not.

(b) *Exportation free of internal revenue tax.* The shipment or delivery of manufactured tobacco, snuff, cigars, or cigarettes, for consumption beyond the jurisdiction of the internal revenue laws of the United States, as defined by subsection (a), shall be deemed exportation within the meaning of the internal revenue laws applicable to the exportation of such articles without payment of internal revenue tax.

SEC. 605. CIGARS AND CIGARETTES. (Revenue Act of 1942, Title VI.)

* * * * *

(e) *Exportation of cigarette papers and tubes free of internal revenue tax.* Section 2197 (b) (relating to tax-free exportation of tobacco) is amended by striking out "or cigarettes" and inserting in lieu thereof "cigarettes, or cigarette papers or tubes".

SEC. 601. EFFECTIVE DATE OF THIS TITLE. (Revenue Act of 1942, approved October 21, 1942; Title VI.)

This title shall take effect on the first day of the first month which begins more than 10 days after the date of the enactment of this Act.

PAR. 17. Article 192 [§ 140.192 of such Title 26] is amended by adding a new paragraph at the end thereof as follows:

The shipment or delivery of cigarette papers or tubes under section 2197 (b) of the Internal Revenue Code, as amended by section 605 (e) of the Revenue Act of 1942, for use as sea stores without payment of tax, shall be made in accordance with the provisions of Regulations 76.

(Sec. 3791 of the Internal Revenue Code (53 Stat., 467; 26 U. S. C., 1940 ed., 3791); and secs. 601, 605, and 612 of the Revenue Act of 1942 (Pub. Law 753, 77th Cong.))

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: January 8, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-528; Filed, January 11, 1943; 11:03 a. m.]

TITLE 29—LABOR

Chapter VI—National War Labor Board

PART 803—GENERAL ORDERS

[General Order No. 12–A]

PROCEDURE FOR WAGE AND SALARY ADJUSTMENTS BY STATE, COUNTY, AND MUNICIPAL GOVERNMENTS AND AGENCIES THEREOF

§ 803.12a *General Order No. 12–A.* General Order No. 12, adopted November 12, 1942, is hereby revoked as of December 26, 1942, and in its stead there are adopted the procedures set forth in the Joint Statement of the National War Labor Board and the Commissioner of Internal Revenue, dated December 26, 1942, and attached hereto and made a part hereof.

JOINT STATEMENT OF THE NATIONAL WAR LABOR BOARD AND THE COMMISSIONER OF INTERNAL REVENUE

PROCEDURE FOR WAGE AND SALARY ADJUSTMENTS BY STATE, COUNTY, AND MUNICIPAL GOVERNMENTS AND AGENCIES THEREOF

DECEMBER 26, 1942.

On November 12, 1942, the National War Labor Board and the Commissioner of Internal Revenue, pursuant to the Regulations of the Economic Stabilization Director, established a procedure whereby adjustments in salaries or wages of state, county, or municipal employees would be submitted to the Board or the Commissioner, as the case might be, for approval. It was provided that each such adjustment would be deemed approved upon certification by the particular state or local agency that the adjustment was necessary "to correct maladjustment, or to correct inequalities or gross inequities as contemplated by Executive Order No. 9250". It was further provided that if a proposed adjustment would raise wages or salaries above the prevailing level of compensation for similar services in the area or community, application for approval should be filed with the Board or the Commissioner, as the case might be.

Since the announcement of the foregoing procedure was made, a multitude of certificates of wage or salary adjustments have been received from state and local agencies. In the course of a detailed examination of the facts set forth in these certificates, neither the Board nor the Commissioner has had occasion to question any adjustments made by any of the state or local agencies. In the light of this experience, which indicates that statutory budgetary controls are operating to keep salary and wage movements of state and local agencies within very narrow bounds, the Board and the Commissioner have determined to make the following changes in procedure effective forthwith:

1. In all cases where an adjustment in wages or salaries by a State, county or municipal agency is necessary to correct maladjustments, inequalities or gross inequities as contemplated by Executive Order No. 9250, and would not raise salaries or wages above the prevailing level of compensation for similar services in the area or community, the adjustments will be deemed approved without the necessity of filing certificates for the information of the Board or Commissioner.

2. In all other cases, the state or local agency is requested to take the matter up with the Joint Committee on Salaries and Wages, Department of Labor Building, Washington, D. C. This Committee, with the approval of the Economic Stabilization Director, has been established by the Board and the Commissioner, and has been authorized to advise state and local agencies in these cases whether or not the particular adjustments are in accordance with the national stabilization policy. While the Committee in the performance of its functions will not attempt to exercise any legal sanctions, Congress, in the Act of October 2, 1942, clearly intended that all employers and all employees would be covered by the national stabilization policy, and since millions of public employees are engaged in the same kind of work as private employees, the duty of public employers to conform to that policy is as plain as that of private employers. The way in which governmental agencies have been cooperating with the Board and the Commissioner to date indicates their desire to discharge that duty to the same extent as is required of non-governmental employers.

(E.O. 9250, 7 F.R. 7871)

Adopted January 6, 1943.

L. GARRISON,
Executive Director and General Counsel.

[F. R. Doc. 43–558; Filed, January 11, 1943; 4:26 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1783]

PART 330—MINIMUM PRICE SCHEDULE, DISTRICT NO. 10

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 10 for establishment of price classifications and minimum prices for Mine Index No. 658.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Blakley Mine, Mine Index No. 658, of the Blakley Coal Company, for All Shipments Except Truck; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 330.4 (*Price groups*) is amended by adding thereto Supplement R–I, and § 330.10 (*Special prices*—(a) (2) *Railroad locomotive fuel prices*) is amended by adding thereto Supplement R–II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: December 31, 1942.

[SEAL] DAN H. WHEELER, *Director*.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 10

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 330, Minimum Price Schedule for District No. 10 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 330.4 *Price groups*—Supplement R–I

Price group No.	Producer	Mine	Mine Index No.	Freight origin group	Shipping point	Railroad
25	Blakley Coal Co. (Wm. Blakley)	Blakley (Norris)	[1] 658	91	Norris, Ill.	CB&Q.

[1] Mine Index No. 658 shall be included in Price Group 25 and shall take the same f. o. b. mine prices as other mines in Price Group 25, Schedule No. 1, District No. 10, for All Shipments Except Truck, on all size groups and for shipment to all market areas and for all rates exclusive of railroad locomotive fuel, provided, however, that these f. o. b. mine prices apply on board transportation facilities at Norris, Ill.

§ 330.10 *Special prices*—(a) (2) *Railroad locomotive fuel prices*—Supplement R–II

Price group No.	Producer	Mine	Mine Index No.	Freight origin group	Shipping point	Railroad
25	Blakley Coal Co. (Wm. Blakley)	Blakley (Norris)	658	91	Norris, Ill.	CB&Q.

The railroad locomotive fuel prices shall be: Mine Run $2.00—Screenings $1.40 f. o. b. cars Norris, Ill.

[F. R. Doc. 43-549; Filed, January 11, 1943; 12.22 p. m.]

[Docket No. A-1792]

PART 330—MINIMUM PRICE SCHEDULE, DISTRICT NO. 10

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 10 for establishment of price classifications and minimum prices for Mine Index Nos. 1614 and 1615.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Menard Coal Co. Mine, Mine Index No. 1614, of Menard Coal Company and of the Forden Mine, Mine Index No. 1615, of Forden & Bliss; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 330.25 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: December 31, 1942.

[SEAL] DAN H. WHEELER, *Director*.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 10

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 330, Minimum Price Schedule for District No. 10 and supplements thereto.

FOR TRUCK SHIPMENTS

§ 330.25 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine Index No.	Mine	Seam	Prices and size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
SECTION 6																		
MENARD COUNTY																		
Menard Coal Co. (John Amberger).	1614	Menard Coal Co.	5	285	280	275	265	260	255	250	170	165	160	160	160	130	120	65
Forden & Bliss (Ben H. Forden).	1615	Forden	5	285	280	275	265	260	255	250	170	165	160	160	160	130	120	65

[F. R. Doc. 43-550; Filed, January 11, 1943; 12:23 p. m.]

[Docket No. A-1731]

PART 334—MINIMUM PRICE SCHEDULE, DISTRICT NO. 14

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 14 for the establishment of price classifications and minimum prices for certain mines in District No. 14.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 14; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 334.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 334.24 (*General prices for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Although petitioner requested that price classifications and minimum prices be established for the coals of the Slusser Mine of Henry C. Slusser, for both rail and truck shipments, the records of the Division disclose that Henry C. Slusser has failed to file a properly executed code membership acceptance. Accordingly, until such time as a properly executed code membership acceptance is filed with the Division by Mr. Slusser, no price classifications or minimum prices will be established for the coals of the Slusser Mine.

Dated: December 31, 1942.

[SEAL] DAN H. WHEELER, *Director*.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 14

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 334, Minimum Price Schedule for District No. 14 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 334.5 *Alphabetical list of code members*—Supplement R

[Alphabetical list of code members showing price classification by size group for all uses except railroad locomotive fuel]

Code member	Mine index No.	Mine name	Production group No.	Shipping point	Railroad	Freight origin group No.	Price classification by size group 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Brooks, Bart	617	#2	3	Paris, Ark.	MP	14	(†)	(†)	C	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	L	(†)	B	(†)	(†)	(†)	N	(†)	(†)
Fort Smith-Bonanza Co.	618	#1	5	Bonanza, Ark.	SL-SF	16	(†)	(†)	(†)	I	(†)	J	J	J	J	G	F	L	D	B	H	H	A	L	(†)	(†)
Greenwood Coal Co. (V. E. Thornton)	615	No. 1	5	Greenwood, Ark.	MP&MV	25	(†)	(†)	C	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	L	(†)	B	(†)	(†)	(†)	P	(†)	(†)
Mills, Ted (Huntington Coal Co.)	611	Huntington Coal Co.	5	Huntington, Ark.	SL-SF	16	(†)	(†)	E	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	L	(†)	B	(†)	(†)	(†)	Q	(†)	(†)

†When shown under a size group number, this symbol indicates no classification.

FOR TRUCK SHIPMENTS

§ 334.24 General prices for shipment into all market areas—Supplement T

Code member and size group	Mine index No.	Mine	Subdistrict No.	County	Prices and size group															
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Brooks, Earl	017	#2	3	Logan	(1)	(1)	315	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	280	(1)	165	(1)	(1)	(1)	355	(1)	(1)
Fort Smith-Bonanza Co.	078	#1	5	Sebastian	(1)	(1)	315	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	280	(1)	165	(1)	(1)	(1)	365	(1)	(1)
Greenwood Coal Company (V. E. Thornton)	015	No 1	5	Sebastian	(1)	(1)	315	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	280	(1)	165	(1)	(1)	(1)	310	(1)	(1)
Mills, Ted (Huntington Coal Co.)	041	Huntington Coal Co	5	Sebastian	(1)	(1)	315	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	280	(1)	165	(1)	(1)	(1)	380	(1)	(1)

(When shown under a size group number this symbol indicates no classification

[F R Doc 43-548; Filed, January 11, 1943; 12:22 p m]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 976—MOTOR TRUCKS, TRUCK TRAILERS AND PASSENGER CARRIERS

[Supplementary Limitation Order L-1-g as Amended Jan. 6, 1943 [1]]

The fulfillment of requirements for the defense of the United States having created a shortage in the supply of rubber, steel, chromium, nickel and other critical materials required for the production of truck-trailers for defense, for private account and for export, the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 976.17 Supplementary Limitation Order L-1-g [7 F.R. 9609]—(a) *Definitions.* For the purposes of this order:

(1) "Truck trailer" means a complete semi-trailer or full trailer designed for the transportation of property or persons, or the chassis therefor, but does not include attachment third-axles, whether dead or power-driven. This paragraph (a) (1) shall take effect December 1, 1942.

(2) "Passenger carrier" means a complete motor or electrical coach for passenger transportation, having a seating capacity of eleven (11) or more persons, or the chassis or body therefor.

(3) "Producer" means any individual, partnership, association, corporation or other form of business enterprise engaged in the manufacture of truck-trailers.

(b) *Prohibition of production of truck-trailers after June 30, 1942.* Except to the extent that production is permitted under paragraph (c) below, effective July 1, 1942, producers of truck-trailers shall not manufacture any such vehicles, irrespective of the provisions of any order heretofore issued by the War Production Board or of the terms of any contract heretofore or hereafter entered into by any such producers.

(c) *Exceptions in favor of War Agencies.* Nothing in this order shall prevent any producer from manufacturing and delivering truck-trailers pursuant to contracts or orders for delivery to or for the account of the following:

(1) The Army or Navy of the United States or the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development;

(2) The government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies and protectorates, and Yugoslavia;

(3) Any agency of the United States Government, for delivery to, or for the account of, the government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(d) *Passenger carrier production under Limitation Order L-101.* As of June 23, 1942 the production of passenger carriers shall in no way be regulated by this order, but shall in all respects be regulated and controlled by General Limitation Order L-101, issued May 21, 1942.

(e) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(f) *Reports.* All persons affected by this order, shall execute and file with the War Production Board such report and questionnaires as the Board shall from time to time request. No reports or questionnaires are to be filed by any person until forms therefor are prescribed by the War Production Board.

(g) *Audit and inspection.* All records required to be kept by this order shall upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(h) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(i) *Appeals.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him, may appeal for relief by addressing a letter to the Director General for Operations. Ref.: L-1-g. Washington, D. C., setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(j) *Communications.* All communications concerning this order shall unless otherwise directed, be addressed to: War Production Board, Automotive Division, Washington, D. C. Ref.: L-1-g.

(k) *Authorized production of trailers.* (1) Notwithstanding the provisions of paragraph (b) of this order, producers may manufacture a total of 800 tank trailers in such quantities, of such types and within such periods of time as may hereafter from time to time be specifically authorized by the Director General for Operations.

(2) In addition to the production authorized in the preceding subparagraph (1), the Director General for Operations may hereafter from time to time specifically authorize further production of trailers in such quantities, of such types and within such periods of time as he may determine.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub.Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 6th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-555; Filed, January 11, 1943; 2:28 p. m.]

[1] This document is a restatement of Amendment 1 to Supplementary Limitation Order L-1-g as amended December 11, 1942, which appeared in the FEDERAL REGISTER of January 8, 1943 page 310 and reflects the order in its completed form as of January 6, 1943

PART 1010—SUSPENSION ORDERS

[Suspension Order S-210]

MUTUAL CLEANERS, INC.

Mutual Cleaners, Inc., a New Jersey corporation doing business at 181 Culver Avenue, Jersey City, New Jersey, is a dry cleaning and tailoring establishment. On June 19, 1942 Mutual Cleaners, Inc. purchased and received delivery of ten reconditioned tailor's pressing machines, each with a value in excess of $100.00, without the express authorization of the Director of Industry Operations. The purchase and acceptance of delivery of these machines by Mutual Cleaners, Inc. constituted a willful violation of General Limitation Order L-91.

This violation of General Limitation Order L-91 has hampered and impeded the war effort of the United States. In view of the foregoing: *It is hereby ordered,* That:

§ 1010.210 *Suspension Order S-210.* (a) Mutual Cleaners, Inc., shall not use for any purpose the ten steam pressing machines, Singer Model, Serial Nos. 2615, 2630, 2632, 2625, 2631, 2634, 2635, 2636, 2642, 2643, which it purchased on June 19, 1942, except as specifically authorized by the Director General for Operations: *Provided, however,* That nothing contained in this paragraph shall prohibit Mutual Cleaners, Inc. from selling or otherwise disposing of any of such machines in accordance with the specific authorization of the Director General for Operations.

(b) For a period of three months from the effective date of this order, deliveries of material to Mutual Cleaners, Inc., its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned or applied to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other order or regulation of the Director of Industry Operations or the Director General for Operations.

(c) For a period of three months from the effective date of this order, no allocation shall be made to Mutual Cleaners, Inc., its successors and assigns, of any material the supply or distribution of which is covered by any order of the Director of Industry Operations, or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(d) Nothing contained in this order shall be deemed to relieve Mutual Cleaners, Inc., its successors and assigns, from any restriction, prohibition or provision contained in any order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect January 13, 1943.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-556; Filed, January 11, 1943; 2:28 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-212]

C. E. DOLE BUILDING MATERIALS

C. E. Dole, an individual doing business as C. E. Dole Building Materials, of Vallejo, California, is engaged in the business of distributing building materials. On or about November 6, 1941, C. E. Dole, doing business as C. E. Dole Building Materials, applied a preference rating of A-2 to his purchase order for 400 kegs of nails which were subsequently delivered to him. Such preference rating had been issued by the Office of Production Management to R. H. Grant Construction Company, of Vallejo, California, under Preference Rating Order P-55 in connection with a private housing project in Vallejo. Of the nails so purchased by C. E. Dole, 365 kegs were resold by him to others than R. H. Grant Construction Company and were used for purposes other than said housing project. This constituted a wilful violation of Preference Rating Order P-55 and Priorities Regulation No. 1.

This violation of Preference Rating Order P-55 and Priorities Regulation No. 1 has resulted in the diversion of scarce material to uses not authorized by the Office of Production Management. In view of the foregoing facts; *It is hereby ordered,* That:

§ 1010.212 *Suspension Order No. S-212.* (a) Deliveries of materials to C. E. Dole individually, or doing business as C. E. Dole Building Materials or otherwise, his successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned or applied to such deliveries by means of Preference Rating Certificates, Preference Rating Orders, General Preference Orders or any other orders or regulations of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Regional Compliance Chief of the San Francisco Regional Office, War Production Board.

(b) No allocations shall be made to C. E. Dole individually, or doing business as C. E. Dole Building Materials or otherwise, his successors or assigns, of any material the supply or distribution of which is governed by any order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) Nothing contained in this order shall be deemed to relieve C. E. Dole, doing business as C. E. Dole Building Materials or otherwise, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on January 16, 1943, and shall expire on April 16, 1943, at which time the restrictions contained in this order shall be of no further effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-557; Filed, January 11, 1943; 2:29 p. m.]

PART 3049—SOFTWOOD LUMBER

[Conservation Order M-208, as Amended Jan. 12, 1943]

Section 3049.1 *Conservation Order M-208* is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of softwood lumber for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3049.1 *Conservation Order M-208*—(a) *Definitions.* Wherever used in this order:

(1) "Softwood lumber" means any sawed lumber (including shingles and lath) of any size or grade, whether rough, dressed on one or more sides or edges, dressed and matched, shiplapped, worked to pattern, or grooved for splines, of any species of softwood: *Provided, however,* That "softwood lumber" shall not include the following:

(i) Box shook, cooperage, plywood, veneer, used lumber;

(ii) Restricted Douglas fir lumber sold, shipped or delivered by producers pursuant to paragraph (b) (1) of Limitation Order L-218;

(iii) Restricted Douglas fir lumber sold, shipped or delivered by producers pursuant to an authorization on Form PD-423 which designates specified persons as recipients of, or specific uses for, such lumber, issued under paragraph (b) (4) of Limitation Order L-218, as distinguished from an authorization on Form PD-423 that does not particularize persons or uses.

(2) "Restricted Douglas fir lumber" means any sawed lumber (except shingles or lath) of any size or grade, whether rough, dressed on one or more sides or edges, dressed and matched, shiplapped, worked to pattern, or grooved for splines, of the species of Pseudotsuga taxifolia, produced in those parts of Oregon and

Washington lying west of the crest of the Cascade Mountain Range, but not including No. 3 boards, No. 3 dimension or No. 3 timbers, or any grade of factory or shop lumber, and not including plywood, veneer or used lumber.

(b) *Assignment of ratings for particular uses of lumber.* (1) In addition to any other preference ratings that have been or are hereafter assigned, applied or extended pursuant to any order, regulation or certificate of the War Production Board and subject to the restrictions of subparagraph (2) of this paragraph (b), the following preference ratings are hereby assigned to deliveries of softwood lumber:

(i) AA-2X for the uses specified in List A attached to this order;

(ii) AA-3 for the uses specified in List E attached to this order;

(iii) AA-4 for the uses specified in List C attached to this order;

(iv) AA-5 for the uses specified in List D attached to this order.

(2) The preference ratings assigned in subparagraph (1) of this paragraph (b) may be applied or extended in the manner and to the extent permitted by Priorities Regulation No. 3, except that they shall not be applied or extended to deliveries rated prior to January 12, 1943, under this or any other order, regulation or certificate of the War Production Board.

(3) Any person to whom a preference rating was applied or extended prior to January 12, 1943, under this order as then in effect may extend such rating in the manner and to the extent permitted by Priorities Regulation No. 3, except that preference ratings of AA-3 or lower shall not be extended for replacement in inventory of softwood lumber shipped or delivered prior to January 12, 1943.

(4) The assignment of a preference rating in subparagraph (1) of this paragraph (b) shall not constitute authorization to begin construction under Conservation Order No. L-41, and shall not authorize the use or delivery of any material, or the application or extension of any preference rating in violation of the provisions of any conservation, limitation or other order or regulation heretofore or hereafter issued by the Director of Priorities, the Office of Production Management, or by the Director of Industry Operations or the Director General for Operations of the War Production Board.

(c) *Additional restrictions on use of specified items of softwood lumber.* (1) Notwithstanding the terms of any contract or purchase order, and notwithstanding the fact that such an order may bear a preference rating, no person shall, except as specifically authorized by the Director General for Operations on Form PD-423, use:

(i) Douglas fir (if softwood lumber as defined in paragraph (a) above), Southern pine or Western larch when these species are sold as meeting specifications of 1800 or 2000 lbs. fiber stress per square inch, or 1300 or 1450 lbs. compression stress per square inch, except on orders rated AA-1 or higher;

(ii) Douglas fir (if softwood lumber as defined in paragraph (a) above), Southern pine, cypress or Western larch when these species are sold as meeting specifications of 1400 or 1600 lbs. fiber stress per square inch, or 1100 or 1200 lbs. compression stress per square inch, except on orders rated AA-2X or higher;

(iii) Douglas fir (if softwood lumber as defined in paragraph (a) above), West Coast hemlock, Noble fir or Sitka spruce, of grades No. 1, No. 2, or any higher common grade, except on orders rated AA-5 or higher;

(iv) Southern pine of grades No. 1, No. 2 or any higher common grade, or of No. 1 box, or No. 2 box (not including D or better flooring, ceiling, drop siding or partition) except on orders rated AA-5 or higher;

(v) Idaho white pine, Northern white pine, Eastern white pine, Norway pine, Ponderosa pine, sugar pine, lodgepole pine, jack pine, cypress, white fir, Eastern hemlock, Englemann spruce or Western white spruce, of grades No. 2 or No. 3, except on orders rated AA-5 or higher;

(vi) Eastern spruce of grades selected merchantable and grade No. 1 (merchantable), except on orders rated AA-5 or higher.

(d) *Further restrictions on delivery.* No person shall sell, ship, or deliver, or cause to be sold, shipped, or delivered any item of softwood lumber which he knows or has reason to believe will be used in violation of the provisions of paragraph (c) of this order.

(e) *Extension of preference ratings to softwood logs.* On and after August 27, 1942, no preference rating shall have any force or effect with respect to deliveries of softwood logs whether to be used for lumber or any other purpose.

(f) *Allocations.* The Director General for Operations may, from time to time, allocate specific quantities of softwood lumber to specific persons. He may also direct the specific manner and quantities in which delivery shall be made to particular persons, and direct or prohibit particular uses of softwood lumber, or the production by any person of particular items of softwood lumber. Such allocations and directions will be made to insure the satisfaction of war requirements of the United States, both direct and indirect, and they may be made in the discretion of the Director General for Operations, without regard to any preference ratings assigned to particular purchase orders or contracts. The Director General for Operations may also take into consideration the possible dislocation of labor and the necessity of keeping a plant in operation so that it may be able to fulfill war and essential civilian requirements.

(g) *Applicability of priorities regulations.* All transactions affected by this order are subject to all applicable provisions of the priorities regulations of the War Production Board as enacted or amended from time to time.

(h) *Violations.* Any person who wilfully violates any provison of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assistance.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(j) *Communications.* All communications concerning this order shall be addressed to the Lumber and Lumber Products Division, War Production Board, Washington, D. C. Ref.: M-208

(k) *Limitation Order L-121.* Effective August 27, 1942, the provisions of Limitation Order L-121, and authorizations granted thereunder shall have no force or effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 12th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

LIST A

(AA-2X)

(1) Maintenance or repair of:

(i) Any building, structure or project owned or operated by any of the agencies or governments specified in paragraph (b) (1) or (2) of § 944.1, Priorities Regulation No. 1.

(ii) Railway rolling stock (including locomotives), and railway bridges, trestles, and rights-of-way.

(iii) Any building, structure or project used for the production or processing of material ordered for delivery, either directly or through intervening persons, to or for the account of any of the agencies, or governments specified in paragraphs (b) (1) or (2) of § 944.1, Priorities Regulation No. 1.

(iv) Any building, structure or project used for the production or processing of material which is ordered for incorporation into other material ordered for delivery, either directly or through intervening persons, to or for the account of any of the agencies or governments specified in paragraphs (b) (1) or (2) of § 944.1, Priorities Regulation No. 1.

(2) Boxing, crating, packing or stowing for shipment of material ordered for delivery (or ordered for incorporation into materials ordered for delivery), either directly or through intervening persons, to or for the account of any of the agencies or governments specified in paragraphs (b) (1) or (2) of § 944.1, Priorities Regulation No. 1.

(3) Delivery, or for incorporation into material which is ordered for delivery, either directly or through intervening persons, to or for the account of any of the agencies or governments specified in paragraphs (b) (1) or (2) of § 944.1, Priorities Regulation No. 1.

(4) Replacement in inventory of an equal number of board feet of substantially similar items of softwood lumber delivered after September 1, 1942, for uses specified in this List A.

LIST

(AA-3)

(1) Construction of:

(i) Building, structures and equipment for the efficient and safe operation of facilities directly connected with the discovery, development, depletion, smelting, or refining of mineral deposits, other than gold and silver.

(ii) Railroad rolling stock (including locomotives) and new railroad structures, including bridges, trestles and rights-of-way.

(iii) Industrial tanks, vats, conduit and wood pipe.

(2) Maintenance or repair of:

(i) Electric, gas, communications, water and sewage facilities, regardless of ownership.

(ii) Hospitals, roads and bridges, industrial dams, industrial wharves, industrial dock and harbor facilities, industrial canals and waterways and airport structures.

(iii) Facilities directly connected with the discovery, development, depletion, smelting, or refining of mineral deposits other than gold and silver.

(iv) Farm buildings other than dwellings.

(v) Commercial watercraft including tugs and barges.

(vi) Oil producing and refining equipment.

(vii) Communication equipment.

(viii) Industrial machinery and equipment.

(ix) Industrial plants.

(x) Oil pipe lines.

(xi) Industrial tanks, vats, conduit and wood pipe.

(xii) Agricultural implements and agricultural machinery parts, accessories and equipment.

(3) Boxing, crating, packing and stowing for shipment of:

(i) Abrasive wheels and abrasives.

(ii) Chemicals.

(iii) Communication equipment.

(iv) Crucibles, commercial.

(v) Dried apples, dried apricots and dried peaches.

(vi) Fish, including shell fish.

(vii) Fresh fluid milk.

(viii) Fresh fruits and vegetables, except those listed in List C.

(ix) Industrial machinery, parts, accessories and equipment, and engines and batteries.

(x) Internal combustion engines.

(xi) Machine tools and accessories.

(xii) Medical or surgical supplies.

(xiii) Mechanical power transmission machinery and equipment.

(xiv) Metal sheets, rods and tubes.

(xv) Mining machinery.

(xvi) Professional and scientific equipment and instruments.

(xvii) Tractors, construction equipment and motor vehicles, and parts, accessories and equipment.

LIST C

(AA-4)

(1) Physical incorporation into:

(i) Auto trailers and equipment.

(ii) Agricultural implements, and agricultural machinery, parts, accessories and equipment.

(iii) Caskets or coffins, including rough boxes.

(iv) Communication equipment.

(v) Electrical equipment.

(vi) Industrial machinery, parts, accessories and equipment, and engine and batteries.

(vii) Livestock and poultry equipment.

(viii) Motor vehicles, parts, accessories and equipment, including bodies and cabs.

(ix) Patterns and flasks.

(x) Professional and scientific equipment and instruments.

(xi) Tanks and vats.

(2) Construction of:

(i) Buildings, structures and parts thereof, to replace those destroyed or damaged by fire, flood, earthquake, tornado, act of God, or the public enemy.

(ii) Buildings and structures required for storage of agricultural products produced, by farmers, planters, ranchmen, dairymen, or nut or fruit growers.

(iii) Shelters, barns, pens and sheds for livestock or poultry, and agricultural fences and gates.

(3) Maintenance or repair of:

(i) Churches.

(ii) Commercial and office buildings, including lofts and hotels.

(iii) Dwellings.

(iv) Office buildings (including remodeling) to provide accommodations for agencies of the United States Government.

(v) Motor vehicles, parts, accessories and equipment, including bodies and cabs.

(4) Boxing, crating, packing and stowing for shipment of:

(i) Agricultural implements and agricultural machinery, parts, accessories and equipment.

(ii) Alloys and rollings.

(iii) Apples, fresh.

(iv) Artichokes

(v) Asparagus.

(vi) Asbestos products.

(vii) Avocados.

(viii) Batteries.

(ix) Broccoli.

(x) Brussels sprouts.

(xi) Burners boilers, mechanical stokers and accessories.

(xii) Cabbage.

(xiii) Canned foods.

(xiv) Castings and forgings.

(xv) Cantaloupes.

(xvi) Cauliflower.

(xvii) Celery.

(xviii) Citrus fruit.

(xix) Compressed or liquefied gas.

(xx) Corn, green.

(xxi) Cranberries.

(xxii) Cucumbers.

(xxiii) Dairy products not otherwise listed.

(xxiv) Dried and preserved fruits not otherwise listed.

(xxv) Egg plant.

(xxvi) Escarole.

(xxvii) Explosives and ammunition (nonmilitary).

(xxviii) Fire extinguishers.

(xxix) Fresh meat, meat products and lard.

(xxx) Hardware, including but not limited to nuts, bolts, nails, screws and spikes.

(xxxi) Lettuce, head.

(xxxii) Melons.

(xxxiii) Onions.

(xxxiv) Parsley.

(xxxv) Parsnips.

(xxxvi) Peppers, green.

(xxxvii) Petroleum products.

(xxxviii) Pipe and pipe fittings.

(xxxix) Potatoes, white and sweet.

(xl) Poultry and poultry products, including eggs, shell and [illegible].

(xli) Prunes, dried.

(xlii) Pumps and pumping equipment.

(xliii) Radishes.

(xliv) Raisins.

(xlv) Refractories.

(xlvi) Rhubarb.

(xlvii) Rutabagas.

(xlviii) Shortening and edible oil.

(xlix) Stamping and machine shop products.

(l) Steam fittings.

(li) Steam turbines.

(lii) Steel springs.

(liii) Tin cans and tinware.

(liv) Tomatoes, other than red ripe.

(lv) Tools.

(lvi) Turnips.

LIST D

(AA-5)

(1) Physical incorporation into:

(i) Ladders.

(ii) Refrigerators.

(iii) Millwork.

(2) Maintenance or repair of:

(i) Buildings, structures and projects owned by any Government unit.

(ii) School and college buildings, structures and projects.

(3) Boxing, crating, packing and stowing for shipment of:

(i) Bicycles.

(ii) Blowers and fans.

(iii) Cooking and heating equipment.

(iv) Enameled iron sanitary ware.

(v) Fabricated structural metals.

(vi) Flat glass.

(vii) Office and store machine.

(viii) Millwork.

(ix) Paint.

(x) Paper and pulp.

(xi) Refrigerators.

(xii) Steam and hot water equipment.

(xiii) Steel doors and windows.

(xiv) Tobacco.

(xv) Vitreous plumbing and enameled products.

[F. R. Doc. 43-590; Filed, January 12, 1943; 11:11 a. m.]

PART 3116—DOUGLAS FIR LUMBER

[Limitation Order L-218, as Amended Jan. 12, 1943]

Section 3116.1 *Limitation Order L-218* is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of Douglas Fir lumber for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3116.1 *Limitation Order L-218*—(a) *Definitions.* For the purposes of this order:

(1) "Restricted Douglas fir lumber" means any sawed lumber (except shingles or lath) of any size or grade, whether rough, dressed on one or more sides or edges, dressed and matched, shiplapped, worked to pattern, or grooved for splines, of the species of Pseudotsuga taxifolia, produced in those parts of Oregon and Washington lying west of the crest of the Cascade Mountain Range, but not including No. 3 boards, No. 3 dimension or No. 3 timbers, or any grade of factory or shop lumber, and not including plywood, veneer or used lumber.

(2) "Producer" means any plant which processes, by sawing, edging, planing or other comparable method, 25% or more of the total volume of logs and lumber purchased or received by it, and which sells as lumber the product of such processing. "Volume" means board foot volume processed or sold within the last six calendar months immediately prior to the transaction affected by this order.

(3) "Procuring Agency" means the Central Procuring Agency of the Construction Division of the Corps of Engineers of the United States Army.

(b) *General limitations.* No producer shall sell, ship or deliver (including delivery by a producer to any distribution yard of such producer) any restricted Douglas fir lumber except that:

(1) Any producer may sell, ship or deliver (either directly or through one or more intervening persons) any restricted Douglas fir lumber to or for the account of the Procuring Agency or to or for the account of any contractor or other person designated by such agency; but only if there is endorsed on the purchase order or contract for such lumber a statement in substantially the following form, signed by the purchaser or by a responsible official duly designated for such purpose by the purchaser:

All restricted Douglas fir lumber covered by this purchase order (or contract) is to be sold, shipped or delivered to, or received by the Procuring Agency or a contractor or other person designated by such Agency, as required by Limitation Order L–218, with the terms of which I am familiar.

(Purchaser)

By ---
(Title or rank)

Date ---

Provided, however, That when a producer has received written directions from the Procuring Agency to sell, ship or deliver restricted Douglas fir lumber to any contractor or other person designated by such Procuring Agency, such producer may comply with such directions and no such endorsed purchase order or contract shall be required from such contractor or other person. Each endorsement made under the provisions of this order shall constitute a representation to the producer and to the War Production Board that the restricted Douglas fir lumber referred to therein will be sold, shipped, delivered, or received in accordance with such endorsement.

(2) Any restricted Douglas fir lumber which was actually in transit on October 29, 1942, may be delivered to its ultimate destination.

(3) Any producer may sell, ship or deliver any restricted Douglas fir lumber to any other producer.

(4) Any producer may sell, ship or deliver any restricted Douglas fir lumber upon the specific authorization of the Director General for Operations on Form PD–423, or upon the direction of the Director General for Operations pursuant to paragraph (c) of this order. Restricted Douglas fir lumber authorized to be sold, shipped or delivered on Form PD–423 may be authorized to be sold, shipped or delivered to specified persons or uses, or it may be authorized to be sold, shipped or delivered subject to the restrictions of Conservation Order M–208, as amended January 12, 1943, without particularizing persons or uses.

(c) *Allocations.* The Director General for Operations may, from time to time, allocate specific quantities of restricted Douglas firm lumber to specific persons. He may also direct the specific manner and quantities in which delivery shall be made to particular persons, and direct or prohibit particular uses of restricted Douglas fir lumber, or the production by any person of particular items of restricted Douglas fir lumber. Such allocations and directions will be made to insure the satisfaction of war requirements of the United States, both direct and indirect, and they may be made, in the discretion of the Director General for Operations, without regard to any preference ratings assigned to particular purchase orders or contracts. The Director General for Operations may also take into consideration the possible dislocation of labor and the necessity of keeping a plant in operation so that it may be able to fulfill war and essential civilian requirements.

(d) *Effect of preference ratings.* No preference rating shall have any force or effect with respect to deliveries of Douglas fir logs, or deliveries by producers of restricted Douglas fir lumber except restricted Douglas fir lumber authorized to be sold, shipped or delivered on Form PD–423 without particularizing persons or uses and specifically made subject to the restrictions of Conservation Order M–208 as amended January 12, 1943.

(e) *Appeals.* Any appeal from the provisions of this order should be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(f) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Communications.* All communications concerning this order shall be addressed as follows: Lumber and Lumber Products Division, War Production Board, Washington, D. C., Ref.: L–218.

(h) *Application of Order M–208.* After January 12, 1943, the provisions of Conservation Order M–208 shall not apply to restricted Douglas fir lumber sold, shipped or delivered by producers in accordance with the provisions of this order except restricted Douglas fir lumber authorized to be sold, shipped or delivered on Form PD–423 without particularizing persons or uses and specifically made subject to the restrictions of Conservation Order M–208 as Amended January 12, 1943.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 12th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43–591; Filed, January 12, 1943, 11:11 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1]

§ 3175.1 *CMP Regulation 1*—(a) *Purpose and scope.* The purpose of this regulation is to define the rights and obligations under the Controlled Materials Plan of persons outside of the Claimant Agencies and the War Production Board. This regulation and other CMP regulations to be issued from time to time implement the "Controlled Materials Plan" which was published by the War Production Board, for informational purposes only, under date of November 2, 1942. In case of any inconsistency between such publication (or any other descriptive literature which may be published from time to time) and any CMP regulation, the provisions of the CMP regulation shall govern. Other CMP regulations contain, or will contain, provisions regarding such matters as inventory restrictions, preference ratings, warehouses, dealers, maintenance, repair and operating supplies, construction and facilities, and reports.

(b) *Definitions.* The following definitions shall apply for the purposes of this regulation, and for the purposes of any other CMP regulation unless otherwise indicated:

(1) "Controlled material" means steel—both carbon (including wrought iron) and alloy—copper (including copper base alloys) and aluminum, in each case only in the forms and shapes indicated in Schedule I attached.

(2) "Controlled Materials Division" means the Steel Division, the Copper Division or the Aluminum Division of the War Production Board.

(3) "Industry Division" means the Division, Bureau, or other unit of the War Production Board which is charged with supervision over the operations of a particular industry. The term also includes any other government agency which, by arrangement with the War Production Board, may perform similar functions with respect to a particular industry.

(4) "Claimant Agency" means the following government offices and such others as may be designated from time to time. (Identifying symbols are indicated in parentheses.)

War Department (W)—except Ordnance which is identified by the symbol (O).
Navy Department (N).
Maritime Commission (M).
Aircraft Resources Control Office (agent for Army Air Forces and Bureau of Aeronautics of United States Navy) (C).
Office of Lend-Lease Administration (L).
Board of Economic Warfare (E).
Office of Civilian Supply (S).
Department of Agriculture (A).
Office of Defense Transportation (T).
Office of Rubber Director (R).
Facilities Bureau of the War Production Board (F).
Petroleum Administration for War (P).
National Housing Agency (H).

(5) "Allotment" means (i), a determination by the Requirements Committee of the War Production Board of the amount of controlled materials which a Claimant Agency may receive during a specified period, or (ii) a further determination pursuant thereto by a Claimant Agency, Industry Division, prime consumer or secondary consumer, as to the portion of its allotment of controlled materials which may be received by one of its prime consumers or secondary consumers, as the case may be.

(6) "Prime consumer" means any person who receives an allotment of controlled material from a Claimant Agency or an Industry Division.

(7) "Secondary consumer" means any person who receives an allotment of controlled material from a prime consumer or another secondary consumer.

(8) "Class A product" means any product which is not a Class B product (as defined in subparagraph (9) below), and which contains any steel, copper or aluminum, fabricated or assembled beyond the forms and shapes specified in Schedule I, other than such steel, copper or aluminum as may be contained in Class B products incorporated in it as parts or sub-assemblies.

(9) "Class B product" means any product listed in the "Official CMP Class B Product List" issued by the War Production Board, as the same may be modified from time to time, which contains any steel, copper or aluminum, fabricated or assembled beyond the forms and shapes specified in Schedule I, other than such as may be contained in other Class B products incorporated in it as parts or sub-assemblies.

(10) "Program" means a plan specifying the total amount of an item or class of items to be provided in a specified period of time.

(11) "Authorized program" means a program specifically authorized by the Requirements Committee or by a Claimant Agency or Industry Division within the limits of its allotment.

(12) "Production schedule" means a plan specifying the total amount of an item or class of items to be produced by an individual consumer in a specified period of time.

(13) "Authorized production schedule" means a production schedule specifically authorized within the limits of an authorized program by a Claimant Agency or by an Industry Division with respect to a prime consumer, or specifically authorized by a prime or secondary consumer with respect to a secondary consumer producing products for it as required to meet an authorized production schedule.

(14) "Delivery order" means any purchase order, contract, release or shipping instruction which constitutes a definite and complete instruction from a purchaser to a seller calling for delivery of any material or product. The term does not include any contract, purchase order, or other arrangement which, although specifying the total amount to be delivered, contemplates that further instructions are to be given.

(15 "Authorized controlled material order" means any delivery order for any controlled material as such (as distinct from a product containing controlled material) which is placed pursuant to an allotment as provided in paragraph (s) of this regulaion or which is specifically designated to be such an order by any regulation or order of the War Production Board.

(c) *General allotment procedure*—(1) *Allotments by Requirements Committee to Claimant Agencies.* The Requirements Committee of the War Production Board will distribute the available supply of controlled materials by making allotments to the Claimant Agencies or Industry Divisions for each quarter, designating the amount of each form of controlled material available, during each month of the quarter, to each Claimant Agency or Industry Division for allotment to its prime and secondary consumers.

(2) *Allotments by Claimant Agencies to prime consumers producing Class A products.* Each Claimant Agency will distribute the allotments received by it by making further allotments to the prime consumers who produce Class A products for it. Such allotments will designate the amount of each form of controlled material available to each such prime consumer, during each month of the quarter, for use by it or allotment to the secondary consumers producing Class A products as parts or sub-assemblies for it. A prime consumer producing Class A products for several Claimant Agencies shall obtain separate allotments from each. A Claimant Agency, may, in particular cases, make allotments through an Industry Division.

(3) *Allotments by Industry Divisions to producers of Class B products.* Unless otherwise specifically directed, allotments to producers of Class B products will be made only by Industry Divisions, both in the case of Class B products which are end-products and in the case of Class B products which are incorporated in other products whether Class A or Class B. Allotments made by the Requirements Committee may be made available to the Industry Divisions for this purpose by the Claimant Agencies. Each Industry Division will make allotments to the prime consumers producing Class B products under its jurisdiction. Such allotments will designate the amount of each form of controlled material available to each such prime consumer, during each month of the quarter, for use by it or allotment to secondary consumers producing Class A products for it. A manufacturer of several Class B products coming under the jurisdiction of different Industry Divisions shall obtain separate allotments from each. A consumer producing Class B products is always a prime consumer with respect to such production.

(4) *Allotments by prime and secondary consumers.* Each prime consumer receiving an allotment may use that portion of the allotment which he requires to obtain controlled materials as such for his authorized production schedule, and shall allot the remainder to his secondary consumers producing Class A products for him, to cover their requirements for controlled materials. Allotments by secondary consumers to secondary consumers supplying them may be made in the same fashion. A secondary consumer producing Class A products for several other consumers shall obtain separate allotments from each.

(5) *Advance allotments.* Advance allotments by Claimant Agencies or Industry Divisions to prime consumers may be made within specified limits before receipt of allotments from the Requirements Committee in order to assure fulfillment of long term programs and schedules. Prime consumers receiving such advance allotments may, in turn, make allotments to their secondary consumers, and secondary consumers may make further allotments, in the same manner as in the case of ordinary allotments, but no consumer shall make any allotment in advance of receiving his own allotment.

(6) *Allotment numbers.* Allotments shall be identified by allotment numbers consisting of a Claimant Agency letter symbol and nine digits. The Claimant Agency symbol is indicated after the name of each Agency in paragraph (b) (4) of this regulation. The first four digits identify the authorized program of the Claimant Agency. The next three digits identify the authorized production schedule of the prime consumer. The last two digits indicate the month

for which the allotment is valid. Months are numbered consecutively beginning with January 1942 (*not* 1943). Thus, 16 will denote April, 1943.

(d) *Bills of materials, applications for allotments and other information serving as basis for allotments.* (1) The basis for an allotment to a consumer shall be his actual requirements for controlled materials in connection with the fulfillment of an authorized production schedule. The production schedule shall be authorized as provided in paragraph (n) of this regulation. Information as to requirements shall be in the form of a bill of materials, an application for allotment and or other information as provided below in this paragraph (d).

(2) A bill of materials shows the amounts of controlled materials required by a consumer and his secondary consumers, irrespective of time of delivery and inventory, for production of one unit or a specified number of units of his product. Bills of materials shall be prepared in the manner specified in "General Instructions on Bills of Materials," on forms CMP–1, CMP–2 and CMP–3 or on such other forms as may be prescribed. No consumer shall be required to furnish a bill of materials on any form which is not officially prescribed (as indicated by a Bureau of Budget number), but in cases where another form is in use which gives the same information as the official form, the Claimant Agency, Industry Division or consumer to whom a bill of materials is to be furnished may accept it on such other form.

(3) An application for allotment shows the aggregate amount of each form of controlled material required (after taking inventories into account to the extent required by CMP Regulation No. 2) by a consumer and his secondary consumers during each month of a quarter for his entire production of a specified product or class of products for the same customer, in the case of Class A products, or for all customers (unless otherwise directed) in the case of Class B products. Applications are to be made by manufacturers of Class A products on Form CMP–4A as issued by the appropriate Claimant Agency, and by manufacturers of Class B products on Form CMP–4B as issued by the War Production Board, or on such other forms as may be prescribed.

(4) A bill of materials or application for allotment shall *not* include controlled materials required for manufacture of Class B products which will be incorporated in the product with respect to which the bill of material or application is submitted, although information as to the number or value of such Class B products is to be given in bills of materials to the extent required by the instructions.

(5) Requirements for maintenance, repair or operating supplies shall *not* be included in bills of materials or applications for allotment. Requirements for such purposes are to be obtained separately as provided in CMP Regulation No. 5.

(6) Bills of materials and applications for allotments shall be filed with the Claimant Agency, Industry Division or other consumer by whom the allotment is to be made, as indicated in paragraph (c) of this regulation. Bills of materials shall be filed only when and as called for by such Claimant Agency, Industry Division or other consumer. Manufacturers of Class A products shall file applications for allotments only when and as called for by the Claimant Agency or other consumer for whom they make their products. Manufacturers of Class B products who will require controlled materials from controlled materials producers during the second quarter of 1943 (or whose secondary consumers will require the same) must file applications for allotments on Form CMP–4B not later than February 9, 1943, or by such other date as may be designated or approved by the appropriate Industry Division (or in special cases by a Claimant Agency). Those manufacturers of Class B products who will obtain their requirements of controlled materials for the second quarter of 1943 entirely from warehouses or retailers, and whose secondary consumers will do the same, need not file any applications for allotments. Procedures for obtaining controlled materials from warehouses or retailers, and limitations on the amount which may be obtained will be provided in CMP Regulation No. 4.

(7) Each person making an allotment may require such other information in lieu of, or in addition to, a bill of materials or application for allotment as is required to enable him to make the allotment requested or to furnish any bill of materials, application for allotment or other information that may be required of him. If the consumer from whom such other information is requested is of the opinion that compliance with such request would be unreasonably burdensome he may appeal for relief as provided in paragraph (z) of this regulation.

(8) Any consumer making an allotment may waive the furnishing of a bill of materials or application for allotment, or both, if he has other information as to actual requirements of his secondary consumers (taking into account the inventory restrictions of CMP Regulation No. 2) which is sufficiently accurate and detailed to enable him to make the allotment and to furnish any bill of materials, application for allotment or other information that may be required of him.

(e) *Responsibility for statements of requirements, including those of secondary consumers; duty to correct overstatements.* (1) The furnishing of any bill of materials, application for allotment or other information as to requirements by a consumer, shall constitute a representation by him to the person to whom it is furnished, to the appropriate Claimant Agency and to the War Production Board, that the statements contained therein are complete and accurate, to the best of his knowledge and belief, not only with respect to such consumer's own requirements but also with respect to those of his secondary consumers.

(2) Any person who ascertains that he has overstated (whether by inadvertence or otherwise) his requirements, or those of his secondary consumers, for any form of controlled material, shall immediately report such error to the person to whom the statement of requirements was furnished. If he has already received an allotment based on such overstatement, he shall immediately cancel or reduce the same (or an equivalent amount of other allotments received for the same authorized production schedule) to the extent of such excess, and report such cancellation or reduction to the person from whom the allotment was received, or, if he is unable for any reason to make such cancellation, he shall immediately make a full report to the person from whom he received the allotment, and shall send a copy of such report to the appropriate Claimant Agency or Industry Division, if the allotment was received from another consumer.

(3) If any consumer receives any statement of requirements which he knows or has reason to believe to be substantially excessive (whether by inadvertence or otherwise), he shall withhold any allotment based thereon (either entirely or in an amount sufficient to correct the maximum excess) until satisfied that the statement is not excessive or that it has been appropriately modified. If unable to obtain sufficient information or an appropriate modification, he shall promptly report the matter to the appropriate Claimant Agency or Industry Division. Failure to withhold allotments or to make such report shall be deemed participation in the offense.

(4) If, after making any allotment, a consumer ascertains or has reason to believe that the allotment was substantially in excess of actual requirements, he shall either (i) correct the excess by cancelling or reducing the allotment or other allotments made by him to the same consumer, or (ii) report the matter promptly to the appropriate Claimant Agency or Industry Division. Failure to make such correction or report shall be deemed participation in the offense.

(f) *Forms in which controlled materials are allotted.* Each allotment, whether made by a Claimant Agency, an Industry Division or a prime or a secondary consumer, shall specify the form of the controlled material allotted. Allotments of steel shall be in terms of (1) carbon steel (including wrought iron) and (2) alloy steel, without further breakdown. Allotments of copper and aluminum shall be broken down as indicated in Schedule I. A consumer may make allotments only in the same forms of controlled materials in which he has received his allotment.

(g) *Allotments by consumers.* (1) No consumer shall make any allotment in an amount which exceeds the related allotment received by him, after deducting all other allotments made by him and all orders for controlled materials placed by him pursuant to his related allotment.

(2) No consumer shall make any allotment in excess of the amount required, to the best of his knowledge and belief, to fulfill the related authorized production schedule of the secondary consumer to whom the allotment is made (including the schedules of any secondary consumers supplying the latter).

(3) No consumer shall make any allotment for the production of Class B products and no person shall accept any allotment from a consumer for the production of Class B products.

(4) No consumer who has received his allotment for an authorized production schedule shall place any delivery order (other than small orders placed pursuant to paragraph (l) of this regulation) for any Class A product required to fulfill said schedule, unless concurrently therewith or prior thereto, he makes an allotment to the person with whom the order is placed, in the amount required by such person to fill said order (taking such person's inventory into account to the extent required by CMP Regulation No. 2).

(h) *Methods of allotment.* (1) A consumer may make an allotment to his secondary consumer by either:

(i) Executing and returning one of the copies of the application (Form CMP–4A, or such other form as may be prescribed) furnished to the consumer by his secondary consumer or, in the event an application has been waived, by indicating on the prescribed application form the controlled materials allotted and executing and delivering such form to the secondary consumer;

(ii) Placing on or affixing to his delivery order for one or more Class A products the short form of allotment (Form CMP–5) set out in Schedule II attached hereto, subject to the accompanying instructions; or

(iii) Telegraphing the information required under subdivision (i) or (ii) above and confirming the same with the appropriate written form.

(2) Every consumer shall place on each allotment made by him the full allotment number which is on the related allotment received by him, except that he shall specify the month numbers for only those months as to which he is making an allotment. If a consumer places a delivery order for which he has made an allotment by separate instrument, he shall place the appropriate number on said order.

(i) *Method of cancelling or reducing allotments.* A person who has made an allotment may cancel or reduce the same by notice in writing to the person to whom it was made. A person who has received an allotment may cancel or reduce the same by making an appropriate notation thereon and notifying the person from whom he received it. In either case, if an allotment received by a person is cancelled he must cancel all allotments which he has made, and all authorized controlled material orders which he has placed, on the basis of the allotment; and, if an allotment received by a person is reduced, he must cancel or reduce allotments which he has made, or authorized controlled material orders which he has placed, to the extent that the same exceed his allotment as reduced. If such cancellation or reduction is not practicable, he may make equivalent cancellations or reductions with respect to other allotments received by him for the same production schedule. If he deems such course of action impracticable, he shall immediately report to the appropriate Claimant Agency or Industry Division for instructions.

(j) *Assignment of allotments.* No consumer shall transfer or assign any allotment in any way unless:

(1) Delivery orders placed with him, in connection with which the allotment was made to him, have been transferred or assigned to another consumer;

(2) The authorized production schedules of the respective consumers have been duly adjusted;

(3) Use of the allotment by the assignee or transferee will not involve a violation of the inventory limitations of CMP Regulation No. 2; and

(4) The transfer or assignment is approved in writing by the person who made the allotment.

(k) *Grouping of small allotments.* A consumer who has received a number of different allotments for the same form of controlled material and who has occasion to make several allotments of small quantities thereof may combine in one allotment any number of such small allotments provided that:

(1) Each of the small allotments so combined is for less than the following amounts:

Carbon steel (including wrought iron but excluding tool steel)	5 tons
Carbon tool steel	500 lbs.
Alloy steel (excluding stainless and tool steel)	1 ton.
Stainless steel	500 lbs.
Alloy tool steel	500 lbs.
Copper or copper base alloys	200 lbs.
Aluminum	100 lbs.

(2) Each of the combined allotments is for the same month; and

(3) In lieu of an allotment number he shall endorse the combined allotment made by him with a statement in substantially the following form:

The within allotments have been combined pursuant to the provisions of paragraph (k) of CMP Regulation No. 1 and are supported by allotments bearing the Claimant Agency symbols, or by delivery orders bearing other prescribed letter symbols, as indicated below for the quantities of each form of controlled material specified opposite each symbol:

Form of controlled material	Symbol	Quantity (by weight)
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(l) *Placing of orders for Class A products requiring small quantities of controlled material, without making allotments.* (1) A person requiring any Class A product in a quantity constituting a "small order," as defined in subparagraph (2) of this paragraph (l), and who is entitled to obtain such product by using an allotment number, may, in lieu of making an allotment, place on his order the applicable allotment number followed by the symbol SO; *Provided, however,* That no person shall subdivide his requirements for Class A products into small orders for the purpose of coming within this provision.

(2) As used in this paragraph (l), "small order" means a delivery order for a Class A product placed with the manufacturer thereof by a consumer, where the aggregate amounts of controlled material required to fill such order, together with all delivery orders for the same Class A product placed by the same consumer with the same manufacturer calling for delivery during the same month, do not exceed the following:

Carbon steel (including wrought iron)	1 ton
Alloy steel	400 lbs.
Copper and copper base alloys	100 lbs.
Aluminum	20 lbs.

(3) A manufacturer of Class A products who receives small orders may obtain his requirements of controlled materials to fill the same from warehouses or retailers, in amounts and subject to the limitations prescribed in CMP Regulation No. 4. If his requirements exceed the amounts available under CMP Regulation No. 4, he may obtain such materials by following the procedure indicated in paragraph (s) of this regulation, with respect to the placing of delivery orders with controlled materials producers, except that in transmitting his customer's allotment number he shall add the symbol SO, and, if he groups the orders as permitted by paragraph (s) (3), he shall group his requirement for small orders separately under the symbol SO instead of the Claimant Agency symbol. Delivery orders complying with this subparagraph (3) shall be deemed authorized controlled material orders.

(4) No manufacturer of Class A products receiving a small order for such products shall be required to furnish his customer with a bill of materials, application for allotment or equivalent information with respect thereto, other than a statement, if requested, that the controlled materials required come within the limits of a small order.

(m) *Relationship between allotments and authorized production schedules.* Every allotment made by a consumer must include or be accompanied by authorization of a production schedule with respect to the products to be supplied to him, and no consumer shall authorize a production schedule for a secondary consumer unless he concurrently allots the controlled materials required to fulfill the schedule; provided, however, that this paragraph shall not apply to any delivery order bearing a symbol (such as a small order bearing the symbol SO) which may be placed without making an allotment as expressly permitted by any regulation or order of the War Production Board.

(n) *Manner of authorizing production schedules.* (1) A production schedule for each prime consumer producing a Class A product shall be authorized by the appropriate Claimant Agency on Form CMP–4A, or such other form as may be prescribed. A Claimant Agency may, in particular cases, authorize a production schedule through an Industry Division.

(2) A production schedule for each secondary consumer producing a Class A product shall be authorized by the consumer for whom such Class A product is to be produced, on the form on which the related allotment is made; provided, however, that the delivery date specified on a delivery order shall constitute an authorization of the minimum production schedule required to permit delivery on such date.

(3) A production schedule for each consumer producing a Class B product shall be authorized by the appropriate Industry Division (or in special cases by a Claimant Agency) on Form CMP-4B, or such other form as may be prescribed.

(4) A consumer receiving allotments from several persons shall obtain separate authorized production schedules from each.

(5) Prior to authorizing a production schedule, a Claimant Agency, Industry Division or consumer may furnish a tentative production schedule to be used as a basis in submitting requirements, but such action shall not constitute authorization of a schedule.

(o) *Compliance with authorized production schedules.* (1) Each consumer receiving an authorized production schedule shall fulfill the same unless prevented by circumstances beyond his control, except that a manufacturer of Class B products need not produce more than required to fill orders bearing preference ratings.

(2) No consumer who has received an authorized production schedule shall exceed such schedule in any month, except that (i) a deficiency in meeting an authorized production schedule during any month may be made up in any subsequent month or months, (ii) production authorized for any month may be completed at any time after the 15th of the preceding month and, (iii) where a delivery order calls for deliveries, in successive months, of Class A products in quantities which are less than the minimum practicable production quantity, and compliance with monthly production schedules would result in substantial interruption of production and consequent interference with production to fill other delivery orders, the consumer may produce (and his customer may order) in the first month the minimum practicable quantity which may be made without such interference. A person shall be deemed to exceed an authorized production schedule if his completion of finished products exceeds the limits authorized, or if his rate of fabricating, assembling, or otherwise processing, or acquiring raw materials or parts, exceeds the practicable working minimum required to meet the authorized production schedule.

(p) *Rejection of orders in excess of capacity.* No prime or secondary consumer shall accept a delivery order for a Class A or Class B product manufactured by him calling for delivery after March 31, 1943, if he does not expect to be able to fulfill the same by the requested delivery date, subject to unexpected contingencies and to any period of grace which may be specified in the delivery order. If the person whose order is rejected is unable to find another manufacturer who is in a position to accept it, he should report the facts to the appropriate Claimant Agency or Industry Division.

(q) *Reconciliation of conflicting schedules.* In any case where, for any reason, a manufacturer of Class A or Class B products is unable to fulfill conflicting authorized production schedules which he has accepted from different persons, he shall immediately report to the appropriate Industry Division for directions, except that such report shall be made to a Claimant Agency if all conflicting schedules bear its symbol or if all Claimant Agencies whose schedules conflict have stipulated a single Claimant Agency for such purposes.

(r) *Alternative procedure for simultaneous allotments.* A prime or secondary consumer who has several secondary consumers in different degrees of remoteness and finds it impracticable to determine the exact allotments to be made to each of his immediate secondary consumers, for their needs and those of their secondary consumers, may, at his option, make simultaneous direct allotments to each secondary consumer, of all degrees of remoteness, by adopting the following procedure:

(1) The consumer who is to make the allotment (hereafter in this paragraph (r) called the originating consumer) shall maintain a complete list of all secondary consumers making Class A products for incorporation in his product. He shall keep this list current at all times by requiring each of his immediate secondary consumers to report promptly to him any change with respect to the source of each secondary consumer's Class A purchased products.

(2) Immediately upon receiving an allotment, the originating consumer shall notify each secondary consumer on the list (either directly or through intervening secondary consumers) of the authorized schedule for which the allotment has been made to him. Such notice shall *not* include an allotment number. It shall identify the product to be delivered by the secondary consumer to whom the notice is sent and state the quantity to be delivered and the time when delivery is required.

(3) Promptly upon receipt of such preliminary notice, each secondary consumer shall report to the originating consumer directly (not through intervening secondary consumers the amount of each form of controlled material required by him each month in order to make the deliveries indicated. Each such secondary consumer shall include only his own requirements of controlled materials, *not* those of his secondary consumers. No form is prescribed for such statement.

(4) The originating consumer shall then determine the total requirements of all his secondary consumers under the schedule, checking the list to make certain that a preliminary statement of requirements has been received from each secondary consumer.

(5) If such summary shows that the aggregate requirements of the originating consumer and all his secondary consumers for each form of controlled material do not exceed the allotment made to him for the schedule, he may then allot directly to each secondary consumer on the list the amount indicated in the preliminary statement of requirements. No form is prescribed for such allotment, and it may be made by telegram, but it must include the complete allotment number and a statement substantially as follows: "This allotment is made in accordance with the alternative procedure for simultaneous allotments provided in paragraph (r) of CMP Regulation No. 1." If aggregate requirements do not exceed his allotment, the originating consumer shall be under no obligation to check the accuracy of the preliminary statements received from his secondary consumers before making allotments to them, but otherwise he and his secondary consumers shall remain subject to the provisions of paragraph (e) of this regulation regarding responsibility for statements of requirements.

(6) If the summary shows that the aggregate requirements of the originating consumer and all his secondary consumers exceed the allotment made to him with respect to any form of controlled material, the originating consumer shall not make any allotment or place any authorized controlled material order for the production schedule covered by his allotment until and unless:

(i) Requirements have been revised by himself or by one or more of his secondary consumers to the extent necessary to eliminate such excess, or

(ii) With the express permission of the appropriate Claimant Agency or Industry Division after he has reported the facts to it, he withholds an amount sufficient to cover all adjustments which must be made in the requirements of his secondary consumers in order to bring them within his allotment.

(s) *Placement of orders with controlled materials producers.* (1) A delivery order placed with a controlled materials producer for controlled material shall be deemed an authorized controlled material order if, but only if, it complies with the provisions of this paragraph (s) or is specifically designated as an authorized controlled material order by any regulation or order of the War Production Board.

(2) A consumer who has received an allotment may place an authorized controlled material order with any controlled materials producer, unless otherwise specifically directed. An allotment to a prime consumer may include a direction to place delivery orders for controlled materials with one or more designated controlled materials producers.

In such event the consumer shall use the allotment only to obtain controlled materials from the designated controlled materials producer or producers or to make allotments to secondary consumers, designating therein only producers named in the allotment received by him. Except as required by the allotment which he has received, no consumer shall impose any such restriction in any allotment made by him.

(3) A delivery order for any controlled material, other than steel castings, placed with a controlled materials producer shall be accompanied by three copies of Form CMP-6. A consumer placing a delivery order for steel castings shall endorse the appropriate allotment number on such order, except that delivery orders for small amounts may be combined in the same manner as provided in paragraph (k) hereof with respect to grouping of allotments.

(4) An authorized controlled material order must be in sufficient detail to permit entry on mill schedules and must be received by the controlled materials producer at such time in advance of the requested delivery date as is specified in Schedule III attached, or at such later time as the controlled materials producer may find it practicable to accept the same, provided that no controlled materials producer shall discriminate between customers in rejecting or accepting late orders.

(5) Controlled materials required for fulfillment of a production schedule which has not yet been authorized may be ordered for delivery before July 1, 1943, under applicable priorities regulations and orders (as the same may be modified from time to time), without placing an authorized controlled material order. Authorized controlled material orders shall, however, take precedence over other orders to the extent provided in CMP Regulation No. 3 regarding preference ratings.

(6) A delivery order placed by a consumer before he has received his allotment and authorized production schedule may be converted into an authorized controlled material order either by furnishing a copy of the order conforming to the requirements of this paragraph(s) or by furnishing in writing the requisite information clearly identifying the order, accompanied in either case by Form CMP-6, except that such form is not required for delivery orders for steel castings.

(t) *Controlled materials producers—*(1) Each controlled materials producer shall comply with such production directives as may be issued from time to time by the appropriate Controlled Materials Division.

(2) A controlled materials producer shall accept authorized controlled material orders in the order in which received by him except:

(i) He may reject orders for less than the minimum mill quantities specified in Schedule IV attached, but shall not discriminate between customers in rejecting or accepting such orders.

(ii) In any case where he is of the opinion that the filling of the order would substantially reduce his over-all production owing to the large or small size of the order, unusual specifications, or otherwise, he shall apply to the appropriate Controlled Materials Division which may direct that the order be placed with another supplier or take other appropriate action.

(iii) He shall refuse any order for shipment of any product in any month if such order, together with all his authorized controlled material orders already on hand for delivery during that month and any orders carried over from the preceding month, plus such amounts as he may be directed by the Controlled Materials Division to deliver or set aside for delivery to warehouses or nonintegrated mills or otherwise, total 110% of the production of such product specified in his production directive, or, if no production directive is currently in effect with respect to such product, total 105% of his expected production. As soon as such limits of 110% and 105% respectively have been reached, each controlled materials producer shall promptly notify the appropriate Controlled Materials Division in writing.

(iv) He shall reject orders to the extent required by specific direction of the Controlled Materials Division.

(3) No controlled materials producer shall, after March 31, 1943, make any delivery of controlled material except:

(i) A delivery made to fill an authorized controlled material order;

(ii) A delivery which is completed before July 1, 1943, and which is made in compliance with applicable priorities regulations and orders;

(iii) A delivery made pursuant to a specific direction of the Director of the Controlled Materials Division.

A controlled materials producer's use of controlled material produced by him (except use in processing which does not convert the same into any form or shape other than one specified with respect to such controlled material on Schedule I) shall be deemed a delivery for the purposes of this paragraph (t).

(4) A controlled materials producer shall make delivery on each authorized controlled material order as close to the requested delivery date as is practicable in view of the need for maximum production and compliance with production schedules. If it is not practicable to make delivery during the month indicated by the last two digits of the allotment number, delivery may be made:

(i) After the 15th of the preceding month, provided such delivery does not interfere with delivery on authorized controlled material orders designating shipment in such preceding month or earlier months, and provided production to meet such delivery would not violate any production directive in effect; or

(ii) As early as practicable in the month following the month indicated by the last two digits of the allotment number: *Provided that*, In such case, the controlled materials producer shall promptly notify the customer of such delay. If such delay will interfere with the customer's authorized production schedule, the customer should immediately apply to the appropriate Controlled Materials Division for relief.

(5) If, after accepting an authorized controlled material order, the producer cannot make delivery before the end of the month following the month designated by the allotment number, he shall promptly notify the appropriate Controlled Materials Division in writing stating the allotment number, the name of the customer and the material covered by the order, but he shall not thereafter fill the order unless specifically directed to do so.

(6) All directions to controlled materials producers affecting production and distribution of controlled materials shall be issued by and through the Controlled Materials Divisions.

(u) *Restrictions on use of allotments or materials or products obtained by allotments.* (1) No consumer shall use an allotment, or any controlled material or Class A product obtained pursuant to an allotment for any purpose except:

(i) to fulfill the authorized production schedule for which the allotment was received, or for such other purpose as may be permitted by the appropriate Claimant Agency or Industry Division;

(ii) to restore to a practicable working minimum his inventory of such material or product if the same has been depleted in fulfilling such production schedule or such purpose, subject, however, to the inventory limitations of CMP Regulation No. 2;

(iii) as permitted or required by Priorities Regulation No. 13, pertaining to special sales, or any other applicable regulation of the War Production Board; or

(iv) as specifically authorized or directed by the Director General for Operations, or by the appropriate Claimant Agency where only such Agency's schedules are affected or where a single Claimant Agency has been stipulated for the purpose by all Claimant Agencies whose schedules are affected.

(2) The provisions of subparagraph (1) of this paragraph (u) shall not require physical segregation of inventories used for different authorized production schedules provided the restrictions applicable to any specific lot of material or product are observed with respect to an equivalent amount of the same material or product.

(v) *Adjustments on account of controlled materials or Class A products obtained without use of allotments.* Each consumer shall promptly reduce, in the manner provided in paragraph (i) of this regulation, any allotment received by him, to the extent that, either before or after receiving the allotment, he fills any of his requirements covered by the allotment through the acquisition of controlled materials or Class A products in any other manner than by use of the allotment, including without limitation:

(1) Transactions covered by preference ratings (including preference ratings assigned on PRP Certificates or otherwise);

(2) Transactions not affected by preference ratings;

(3) Purchases from warehouses or retailers pursuant to CMP Regulation No. 4 or otherwise;

(4) Purchases pursuant to Priorities Regulation No. 13 or otherwise, from persons not regularly engaged in the business of selling the material or product;

(5) Purchases on small orders pursuant to paragraph (l) of this regulation;

(6) Purchases of second-hand materials or products.

(w) *Adjustments for changes in requirements.* If a consumer's requirements for controlled materials or Class A products are increased after he receives his allotment, he should apply for an additional allotment from the person who made the same. If his requirements decrease, for any reason, he shall promptly cancel or reduce his allotment in the manner provided in paragraph (i) of this regulation.

(x) *Other War Production Board regulations and orders.* Nothing in this regulation (or any other CMP regulation) shall be construed to relieve any person from complying with any applicable priorities regulation or any order of the War Production Board (including orders in the "E," "L," "M" and "P" series) except as expressly provided, or except where such compliance would require violation of a provision of this regulation (or any other CMP regulation).

(y) *Records and reports.* (1) Each consumer making or receiving any allotment of controlled materials shall maintain at his regular place of business accurate records, by allotment numbers, of all allotments received, of procurement pursuant to all allotments, and of the subdivision of all allotments among his direct secondary consumers.

(2) Each controlled materials producer shall report to the appropriate Controlled Materials Division, on the forms and for the periods prescribed, such information on production, consumption and distribution of controlled materials as may be prescribed by the appropriate Controlled Materials Division.

(3) Each prime or secondary consumer and each controlled materials producer shall retain for two years at his regular place of business all documents on which he relies as entitling him to make or receive an allotment or to deliver or accept delivery of controlled materials or Class A products, segregated and available for inspection by representatives of the War Production Board, or Claimant Agencies, or filed in such manner that they can be readily segregated and made available for such inspection.

(z) *Appeals and applications for relief.* (1) Any person who is subject to any requirement of any regulation, direction, order or other action under the Controlled Materials Plan, may appeal for relief by filing a letter in triplicate with the appropriate authority specified below in this paragraph (z), setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief.

(2) Except as provided in subparagraphs (3) and (4) of this paragraph (z) or as otherwise specifically directed, an appeal by a producer of Class A products should be filed with the appropriate Claimant Agency, and an appeal by a producer of Class B products should be filed with the appropriate Industry Division, unless the matter affects only production schedules of a single Claimant Agency or where a single Claimant Agency has been stipulated for the purpose by all Claimant Agencies whose schedules are affected, in which case the appeal should be filed with such Claimant Agency.

(3) An appeal concerning the operations of a controlled materials producer (whether filed by such producer, by a consumer, or by a Claimant Agency) shall be filed with the appropriate Controlled Materials Division.

(4) A producer of Class B products may apply for permission to be treated as a producer of Class A products. A producer of Class A products making a large variety of items which are sold to many customers and whose allotments originate from several Claimant Agencies, may make application to be treated as a producer of Class B products, but such permission will not be granted with reference to component parts or subassemblies, unless the necessary adjustments in bills of materials which include such component parts or sub-assemblies can be made without difficulty. Application for reclassification should be filed with the CMP Division, War Production Board, Washington, D. C., and may be filed either directly by the producer or by a Claimant Agency on his behalf.

(5) In case of any disagreement between any persons as to the interpretation of any provisions of this regulation or any other regulation, direction, or order under the Controlled Materials Plan, the matter should be referred to the Inquiry and Service Branch, CMP Division, War Production Board, Washington, D. C.

(aa) *Penalties.* Any person who willfully purports to make any allotment of controlled materials or to place authorized controlled material orders in excess of the amount allotted to him, or violates any other provision of this regulation, or any other regulation, direction or order under the Controlled Materials Plan, or who knowingly or willfully makes any false or fraudulent statement or representation with respect to requirements for controlled materials or in any other matter under the jurisdiction of any agency of the United States under the Controlled Materials Plan, is guilty of a crime and, upon conviction, may be punished by a fine up to $10,000 or by imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries or allotments of controlled material or from making or obtaining any further deliveries of, or from processing or using, any material under priorities control, and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 5 F.R. 6380; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Law 89 and 507, 77th Cong.)

Issued this 12th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE I

STEEL

Carbon Steel

Forms and shapes
Bars, cold finished.
Bars, hot rolled.
Ingots, billets, blooms, slabs, tube rounds, skelp and sheet and tin bar.
Pipe.
Plates.
Rails and track accessories.
Sheets and strip.
Steel castings
Structural shapes and piling.
Tin plate, terne plate, and tin mill black plate.
Tubing.
Wheels, tires and axles.
Wire rods, wire and wire products.

Alloy Steel

Forms and shapes.
Bars, cold finished.
Bars, hot rolled.
Ingots, billets, blooms, slabs, tube rounds, sheet bar.
Pipe.
Plates and structural shapes.
Sheets and strip.
Steel castings.
Tubing.
Wheels, tires and axles.
Wire rods, wire, and wire products.

NOTE: Steel in any of the above forms and shapes constitute controlled materials, but allotments of steel are made in terms of (1) carbon steel (including wrought iron) and (2) alloy steel, without further breakdown

COPPER

Brass Mill Copper Base Alloy Products

Forms and shapes.
Ammunition cups, discs and slugs
Sheet and strip (other than cups and discs).
Rods, bars, and wire (including extruded shapes not including slugs).
Tubing and pipe.

Brass Mill Copper Products

Forms and shapes
Plate, sheets and strip.
Rods, bars and extruded shapes (excluding wire bars and ingot bars).
Tube and pipe.

Wire Mill Copper Products

Forms and shapes.
Wire and cable (including copper content of insulated wire and cable).

Foundry Copper and Copper Base Alloy Products

Forms and shapes.
Castings.

NOTE: Allotments of copper are made in the forms and shapes specified above.

ALUMINUM

Forms and shapes
Rod, bar, wire and cable.
Rivets.
Forgings, pressings and impact extrusions
Castings
Shapes, rolled or extruded.
Sheet, strip, plate and foil.
Tubing.
Ingot and powder.

NOTE: Allotments of aluminum are made in the forms and shapes specified above

* * * * * *

Specific information with respect to coding and definitions may be found in "General Instructions on Bills of Materials"

SCHEDULE II.—SHORT FORM OF ALLOTMENT

Allotment number (including last two digits showing month as to which allotment is made)	Controlled Material Products allotted		

Above allotments are made for use in filling this delivery order in compliance with CMP Regulation No. 1

INSTRUCTIONS FOR USE OF SHORT FORM OF ALLOTMENT—Form CMP-5

The above short form of allotment may be used by any consumer for the purpose of making an allotment to a secondary consumer producing Class A products for him. The short form of allotment must be either placed on or physically attached to the delivery order calling for delivery of the Class A products. If it is attached the delivery order number or other identification must be indicated on the form.

The form must be followed by the signature of an authorized official of the consumer making the allotment, but need not be separately signed if it is placed on the delivery order in such a position that the signature of the delivery order by such an authorized official clearly applies to the allotment as well as to the order itself.

The size of the form may be varied, but all information called for by the form must be supplied and the general arrangement and wording of the form must be followed.

Under the heading "Controlled Material Products Allotted" the person making the allotment must designate the forms which are allotted. These must be shown in the breakdowr prescribed in Schedule I of CMP Regulation No. 1, and must be within the allotments received by such consumer for the same forms. Additional columns may be added depending on the number of forms of controlled material allotted. A sample form follows:

Allotment number (including last two digits showing month as to which allotment is made)	Controlled Material Products allotted			
	Carbon steel	Copper base alloy tubing and pipe	Copper plate sheets and strip	Aluminum castings
N-1234-567-18	*Tons* 100	*Lbs.* 10,000	*Lbs.* 8,000	*Lbs.* 100

Above allotments are made for use in filling this delivery order in compliance with CMP Regulation No. 1

SCHEDULE III.—*Time for Placing Authorized Controlled Material Orders*

NOTE: Delivery orders may be placed in advance of receiving allotments, and converted into authorized controlled material orders on receipt of allotments, as provided in paragraph (s) (6) of CMP Regulation No. 1.

SCHEDULE III.—*Time for Placing Authorized Controlled Material Orders*—Continued

STEEL

Product	*Number of days in advance of first day of month in which shipment is required*
Alloy steel (including stainless steel):	
Hot rolled bars and semi-finished	75
Bars—cold finished	105
Sheet and strip—hot and cold rolled	105
Plates—hot rolled	75
Tool steel:	
Hot rolled products	90
Cold finished products	120
Cold finished bars:	
Carbon bars—standard sizes, grades and sections	70
Carbon bars—furnace treated at hot mills or special section, odd sizes or special grades	100
Alloy bars	105
Plates and shapes:	
Carbon steel plates	30
Carbon steel structural shapes	45
Alloy steel plates and shapes	75
Pipe	30
Sheet and strip:	
Sheet—hot rolled—16-gauge and heavier	30
Sheet—hot rolled—17-gauge and lighter	45
Sheet—cold rolled—galvanized—long terne	45
Strip—hot rolled (low carbon)	30
Strip—cold rolled (low carbon)	45
High carbon cold rolled strip (over .25 carbon) and other long processed special carbon hot rolled and cold rolled sheets and hot and cold rolled strip (including electrical grade)	60
Hot rolled carbon bars and semi-finished:	
Except for carbon bars heat treated and annealed	30
Carbon bars heat treated and annealed	60
Tin mill products	30
Tubing:	
Carbon steel—hot finished	30
Carbon steel—cold drawn:	
1½" and larger	45
Under 1½"	75
Alloy steel—hot finished	90
Alloy steel—cold drawn:	
1½" and larger	110
Under 1½"	120
Steel castings:	
Providing patterns are available:	
Weight per casting:	
500 pounds and under	30
Over 500 pounds to 5000 pounds	45
Over 5000 pounds to 30,000 pounds	60
Over 30, 00 pounds	75
Wire and wire products:	
Hot rolled wire rods	30
Merchant trade products	30
Manufacturing wires:	
Low carbon .0475" and heavier	45
Low carbon under .0475"	60
High carbon (0.40 carbon and higher) .0475" and heavier	45
Under .0475" to .021"	60
Under .021"	75
Wire rope and strand:	
⅝" dia. and over	75
9/16" dia. and under	105
Welded wire-reinforcing fabric	45

COPPER

Brass mill copper and copper base alloy products:	
Copper and non-refractory alloys	45
Refractory alloys	60
Wire and cable products:	
Bare wire and cable	10
Weatherproof wire and cable	14

SCHEDULE III.—*Time for Placing Authorized Controlled Material Orders*—Continued

COPPER—continued

Product	*Number of days in advance of first day of month in which shipment is required*
Wire and cable products—Continued.	
Magnet wire	25
Rubber insulated building wire	30
Paper and lead cable	40
Varnished cambric cable	30
Asbestos cable (type H-F)	60
Rubber insulated wire and cable (Mold or lead cured)	45
Foundary copper and copper base alloy products:	
Castings (rough castings, not machined-assuming patterns are available)	
Small simple castings to fit 12" by 16" flask	7
Large intricate and centrifugal castings	14

ALUMINUM

All forms and shapes	45

* * * * * *

Where no time is specified in Schedule III for placing orders for a particular form or shape of controlled material, the time for placing such orders shall be subject to agreement between the consumer and the controlled materials producer, provided that no producer shall discriminate between consumers in the acceptance of orders. In the event of any disagreement, the matter should be referred to the appropriate Controlled Materials Division.

SCHEDULE IV.—*Minimum Mill Quantities*

STEEL

Product	*Size and grade for shipment at one time, to one destination*
Alloy steel:	
Standard grades and sections:	
Rounds, squares 3" and under	5 net tons.
Hexagon and flats—all sizes	5 net tons.
Tool steel	500 pounds.
Cold finished bars	3 net tons.
Hot rolled carbon bars and semi-finished:	
Round bars up to 3" incl., and squares, hexagons, half rounds, ovals, half ovals, etc., of approximate equivalent sectional area	5 net tons.
Round bars over 3" to 8" (including squares within this range)	15 net tons.
Flat bars, all sizes	5 net tons.
Bar size shapes (angles, tees, channels and zees under 3")	5 net tons.
Forging billets, blooms and slabs	Product of one ingot.
Rerolling billets, slabs, sheet bars, skelp	25 gross tons.
Plates and shapes:	
Plates:	
Continuous strip mill production	10 net tons.
Sheared mill, universal mill or bar mill production	3 net tons.
Structural shapes	5 net tons.
Pipes	(1)
Sheet and strip:	
Sheets—hot and cold rolled	5 net tons.
Strip—hot and cold rolled	3 net tons.
Tin mill products (one gauge)	5,000 pounds.

[1] Published carload minimum (mixed sizes and grades).

SCHEDULE IV—*Minimum Mill Quantities*—Continued

Product	Size and grade for shipment at one time, to one destination
Tubing:	
Carbon and alloy steel—cold drawn:	
O. D. (inches):	
Up to ¾" inclusive	1,000 feet.
Over ¾" to 1½" inclusive	800 feet.
Tubing:	
Carbon and alloy steel:	
Cold drawn or hot finished:	
Over 1½" to 3" inclusive	600 feet.
Over 3" to 6" inclusive	400 feet.
Over 6"	250 feet.
Wire and wire products:	
Hot rolled wire rods	5 net tons.
Merchant trade products (Assorted Merchant Products)	5 net tons.
Manufacturing wires (wires for further fabrication):	
Low carbon	1 net ton.
High carbon (0.40 carbon and higher) .0475" and heavier	1 net ton.
Under .0475" to .021"	1,000 pounds.
Under .021"	1,000 ft.
Wire rope and strand	500 pounds lengths.
Welded wire reinforcing fabric	(*)
Rails and track accessories:	
Guard rail clamps, clip bolts, nut locks, S-irons, rail braces	3 net tons
Track spikes, track bolts, screw spikes, rail clips, gage rods	5 net tons.
Rail anchors	15 net tons
COPPER	
Brass mill products	200 pounds.
Wire mill products	300 pounds.
ALUMINUM	
Sheet and strip	500 pounds.
Tubing	250 pounds.
Extrusions	200 pounds.
Wire, rod and bar	200 pounds.
Rivets	50 pounds.

[1] Full rolls of manufacturer's standard stock sizes.

[F. R. Doc. 43-589; Filed, January 12, 1943; 11:11 a. m.]

Chapter XI—Office of Price Administration

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 200,[1] Amendment 4]

RUBBER HEELS, RUBBER HEELS ATTACHED AND ATTACHING OF RUBBER HEELS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new sentence is added to paragraph (a) of § 1315.1406 and in paragraph (g) of § 1315.1420 the text of subparagraphs (1), (2), (3), (4) and (6) is amended and a new subparagraph (7) is added, all as set forth below:

§ 1315.1406 *Marking and posting.* (a) * * * The unit of sale container of a rubber heel manufactured in accordance with the specifications of a war procurement agency but which has been rejected by that war procurement agency because of defects that do not affect serviceability, shall be marked with the words "War Reject."

§ 1315.1420 *Appendix A: Maximum prices for rubber heels, rubber heels attached and attaching of rubber heels.*

* * * * * *

(g) * * *

(1) "Super grade" means war rejects manufactured on or after September 1, 1942, and all rubber heels manufactured before that date, bearing the following brand names and made by the following manufacturers:

* * * * * *

(2) "Standard grade" means war rejects manufactured on or after September 1, 1942, and all rubber heels manufactured before that date, bearing the following brand names and made by the following manufacturers:

* * * * * *

(3) "Competitive grade" means war rejects manufactured on or after September 1, 1942, and all rubber heels manufactured before that date, bearing the following brand names and made by the following manufacturers:

* * * * * *

(4) "Special competitive grade" means war rejects manufactured on or after September 1, 1942, and all rubber heels manufactured before that date, the brand names of which are not specifically listed in this paragraph (g) and all such rubber heels bearing the following brand names and made by the following manufacturers:

* * * * * *

(6) Except as provided in subdivision (i) of this subparagraph, grades "V-1", "V-2", "V-3", and "V-4" mean rubber heels manufactured after August 31, 1942, which can meet the following physical tests:

* * * * * *

(i) Any rubber heel manufactured after August 31, 1942, which contains fibers derived from square woven fabrics, or other scrap materials, shall be deemed to be a V-4 heel if it has a minimum abrasion of 30 and if it is made without washers.

(7) "War reject" means a rubber heel manufactured in accordance with the specifications of a war procurement agency which has been rejected by that agency because of defects that do not affect serviceability.

* * * * * *

§ 1315.1419a *Effective dates of amendments.* * * *

(d) Amendment No. 4 (§§ 1315.1406 (a); 1315.1420 (g) (1), (2), (3), (4), (6) and (7)) to Maximum Price Regulation No. 200 shall become effective January 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-568; Filed, January 11, 1943; 4:32 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 185,[1] Amendment 5]

CANNED FRUITS AND CANNED BERRIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1341.114 (d) is amended and § 1341.114 (e) is added as set forth below.

§ 1341.114 *Effective dates of amendments.* * * *

(d) Amendment No. 4 (§§ 1341.102 (k) and 1341.114 (d)) to Maximum Price Regulation No. 185 shall become effective July 29, 1942.

(e) Amendment No. 5 (§ 1341.114 (d) and (e)) to Maximum Price Regulation No. 185 shall become effective January 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-567; Filed, January 11, 1943; 4:33 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 289,[1] Amendment 1]

DAIRY PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1351.1520, paragraph (a) (2) and paragraph (b) (2), and § 1351.1521 of Maximum Price Regulation No. 289 are amended to read as set forth below. Section 1351.1518a is added.

§ 1351.1520 * * *

(a) * * *

(2) If a manufacturer or a wholesaler is unable to determine his maximum selling price under the foregoing, he shall determine his maximum selling price as follows:

(i) His maximum selling price shall be the maximum selling price of his most closely competitive seller of the same class for the particular grade and "package type" of butter to a purchaser of the same class.

(ii) If a manufacturer or a wholesaler is unable to determine his maximum selling price under subdivision (i) of this subparagraph, his maximum selling price shall be determined after specific authorization from the Office of Price Administration, Washington, D. C., on application setting forth a detailed description of the brand, "package type", and score of the butter item sought to be priced; a statement of facts pointing out why such item cannot be priced under this section; and a statement showing the maximum price for the brand, "package type", and score of the item most similar to that item for which a maximum price is sought of the seller or of his most closely competitive seller of the same class.

* * * * * *

(b) * * *

(2) The maximum price per pound for which any grade and package type of butter may be sold or delivered at retail by a retail route-seller, shall be 6½¢ plus the following:

Such seller's net cost, delivered at his customary receiving point less all discounts allowed him, except the discount for prompt payment; however, no charge for local unloading or local trucking shall be included.

* * * * * *

§ 1351.1521 *Maximum prices for evaporated milk*—(a) *Sales and deliveries of evaporated milk by manufacturers*—(1) *Carload lots.* (i) The maximum prices for sales and deliveries of evaporated milk by manufacturers thereof in carload lots delivered to the buyer's customary receiving point shall be as set forth in Table G below:

TABLE G

If delivered in—	Carton of 48 14½ oz. cans	Carton of 48 6 oz. cans	Carton of 96 6 oz. cans	Carton of 6 8 lb. cans
	Per carton	*Per carton*	*Per carton*	*Per carton*
Zone 1	$4.10	$2.05	$4.10	$4.10
Zone 2	4.20	2.10	4.20	4.20
Zone 3	4.20	2.10	4.20	4.20

The above zones are:

Zone 1. Virginia (except the City of Alexandria), West Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Tennessee, Kentucky, Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Iowa, Missouri, Arkansas, Louisiana, Texas, Oklahoma, Kansas, Nebraska, South Dakota, North Dakota, Colorado, New Mexico, Wyoming; and Armstrong, Allegheny, Beaver, Butler, Fayette, Greene, Mercer, Lawrence, Washington, Bedford, Blair, Cambria, Clarion, Clearfield, Crawford, Elk, Erie, Forest, Indiana, Jefferson, Somerset, Venango, and Westmoreland Counties of Pennsylvania; and Allegany and Garrett Counties of Maryland.

Zone 2. District of Columbia, Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, all of the counties of Pennsylvania and Maryland not included in Zone 1, and the City of Alexandria, Virginia.

Zone 3. Arizona, California, Idaho, Montana, Nevada, Oregon, Utah, and Washington.

(ii) If evaporated milk is delivered by the manufacturer to the buyer's customary receiving point at the following points within Zones 1 and 3, the maximum price shall be the appropriate price in Table G, plus 10¢ per carton for cartons of 48 14½ oz. cans, 96 6 oz. cans, and 6 8 lb. cans, and 5¢ per carton for cartons of 48 6 oz. cans.

Zone 1. Deliveries to all of New Mexico except Clayton, Dawson, Raton, Artesia, Carlsbad, Roswell and Hobbs; and deliveries to Sheridan, Greybull and Worland in Wyoming.

Zone 3. Deliveries to all of Arizona, except Yuma; deliveries to Needle, El Portal and Alturas in California; deliveries to Montana; and deliveries to Boulder City, Ely, McGill and Las Vegas in Nevada.

(2) *Less than carload lots*—(i) *Sales and deliveries to retail stores and to food processors.* The maximum price for sales of evaporated milk by manufacturers in less than carload lots where delivery is made by the manufacturer to the physical premises of a retail store or to the physical premises of a food processor shall be the appropriate price in subparagraph (1) of this paragraph plus the following:

15¢ per carton for cartons of 48 14½ oz. cans, 96 6 oz. cans, and 6 8 lb. cans;
7½¢ per carton for cartons of 48 6 oz. cans.

This subdivision shall not apply to sales where delivery is made to the warehouse of the retail store.

(ii) *Other sales and deliveries.* The maximum prices for all other sales and deliveries of evaporated milk by manufacturers in less than carload lots delivered to the buyer's customary receiving point shall be the appropriate price in subparagraph (1) of this paragraph plus the following:

5¢ per carton for cartons of 48 14½ oz. cans, 96 6 oz. cans, and 6 8 lb. cans;
2½¢ per carton for cartons of 48 6 oz. cans.

(3) All maximum prices established under subparagraphs (1), (2) and (3) of this paragraph must be reduced by the seller's customary discounts or allowances for cash or prompt payment. However, any discount, allowance, or other price differential may always be given where it results in a price less than the maximum price.

(b) *Exempt sales.* The provisions of this section shall not be applicable to sales of evaporated milk at wholesale or at retail. Sales at wholesale shall be priced under the provisions of Maximum Price Regulation No. 237;[2] sales at retail shall be priced under the provisions of Maximum Price Regulation No. 238.[3]

(c) *Definitions: Evaporated milk.* "Evaporated milk" means evaporated milk as defined in "Standards of Identity of Evaporated Milk" promulgated by the Food and Drug Administration and published in the FEDERAL REGISTER of July 2, 1940, 5 F.R. 2444.

§ 1351.1518a *Effective dates of amendments.* (a) This Amendment No. 1 (§§ 1351.1520 (a), (b), 1351.1521, 1351.1518a) to Maximum Price Regulation No. 289 shall become effective on the 16th day of January 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-566; Filed, January 11, 1943; 4:31 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[Revised MPR 169,[1] Amendment 3]

BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Amended: §§ 1364.401 (c); 1364.407 (b); added: Paragraph (f) to § 1364.407; § 1364.415 (c).

§ 1364.401 *Prohibition against selling beef and veal carcasses and wholesale cuts, and processed products at prices above the maximum.* * * *

(c) *Maximum prices for slaughtering services.* Any person who slaughters cattle or calves as a service for the purchaser of such cattle or calves shall remit to such purchaser an amount sufficient to make the cost of the dressed beef or veal carcass, or of the wholesale cuts derived therefrom, to such purchaser equal to or less than the costs which would be incurred by the purchaser if he purchased the carcass or cuts from the slaughterer at the slaughterer's maximum prices therefor: *Provided*, That this requirement shall not apply in cases where the purchaser does not acquire the carcasses or cuts for resale in any form: *Provided further*, That this requirement shall not apply with respect to the slaughter of cattle or calves for a purchaser who resells the meat derived therefrom other than at retail in those cases where the following circumstances exist and the slaughterer and purchaser have filed with the appropriate district, state, or regional office of the Office of Price Administration evidence based upon regular business records showing that: (1) the slaughterer during the period January 1941 to March 1942, inclusive, (i) did not sell any beef or veal carcasses or wholesale cuts and (ii) regularly slaughtered cattle or calves for such purchaser on a continuing contractual basis; and (2) during such period the purchaser (i) did not himself slaughter cattle or calves and (ii) procured at least 75 percent of the beef or veal sold by him from cattle or calves slaughtered for him by such slaughterer.

If the slaughterer sold no veal carcass or cuts of the relative grade during the

* Copies may be obtained from the Office of Price Administration.
[1] 7 F.R. 6259, 6936, 7835, 8948, 10008.

* Copies may be obtained from the Office of Price Administration.
[1] 7 F.R. 5772, 5988, 7530, 8948, 10684, 11075
[2] 7 F.R. 10996.

[2] 7 F.R. 8205, 8427, 8808, 9183, 9973, 10013, 10715.
[3] 7 F.R. 8209, 8808, 9184, 10013, 10227, 10714; 8 F.R. 120.

* Copies may be obtained from the Office of Price Administration.
[1] 7 F.R. 10381, 10719, 8 F.R. 164.

base period, March 16 to 28, 1942, inclusive, his maximum prices within the meaning of this paragraph for carcasses or wholesale cuts of such grade shall be the maximum prices of the most nearly competitive seller who sold veal carcasses or wholesale cuts of such grade during the base period.

To enable the slaughterer to determine the amount to be remitted to the purchaser it shall be the duty of such purchaser to advise the slaughterer of the amount paid for the cattle or calves slaughtered.

§ 1364.407 *Records and reports.* • • •

(b) Every person making a sale of any beef carcass, beef wholesale cut, veal carcass, or veal wholesale cut, processed product, or other meat item subject to this revised regulation, on or after December 16, 1942, in the course of trade or business or otherwise dealing therein, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, is in effect, complete and accurate records of each such sale, showing the date thereof, the name and address of the buyer and seller, the quantity, grade or grades and weight of all beef carcasses, beef wholesale cuts, veal carcasses, veal wholesale cuts, processed products or other meat items subject to this revised regulation sold, and the price charged or received therefor.

• • • • •

(f) Every person making a sale of any beef carcass, beef wholesale cut, veal carcass, veal wholesale cut, processed product or other meat item subject to this revised regulation shall furnish to the purchaser at the time of delivery a written statement setting forth the name and address of the buyer and seller; identifying each such item sold; and setting forth the quantity, the grade, including sex identification as to cow, stag, and bull, and the weight thereof, and the price charged and received therefor, including a separate statement of the transportation and local delivery charge as required by § 1364.454 (a) (6).

§ 1364.415 *Effective date of amendment.* • • •

(c) Amendment No. 3 (Amended: §§ 1364.401 (c); 1364.407 (b); Added: §§ 1364.407 (f); 1364.415 (c) to Revised Maximum Price Regulation No. 169 shall become effective January 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-565; Filed, January 11, 1943; 4:31 p. m.]

PART 1389—APPAREL

[MPR 287,[1] Amendment 1]

MANUFACTURERS' PRICES FOR WOMEN'S, GIRLS' AND CHILDREN'S OUTERWEAR GARMENTS

A statement of the considerations involved in the issuance of this amendment is issued herewith and filed with the Division of the Federal Register.*

A new § 1389.356a is added; in § 1389.365 (a), subparagraphs (1) and (2) are amended.

§ 1389.356a *Special pricing rules*—(a) *Optional method of pricing garments contracted to be sold prior to December 15, 1942. Rule 10.* Any manufacturer, including a manufacturing-retailer, may establish the maximum price for those garments which he contracted to sell prior to December 15, 1942, by Rule 10. He may use Rule 10 only for those garments which he has contracted to sell in the same selling price lines and category numbers that he has listed in his Pricing Chart prepared pursuant to § 1389.353 (a) or in the supplement to his pricing chart prepared pursuant to Rule 11 paragraph (c) of this section. A manufacturer is not required to use Rule 10, but may do so at his option.

(b) *How to use Rule 10.* A manufacturer shall establish his maximum price by taking a margin over direct cost no higher than the maximum allowable margin listed for that selling price line and category number in his pricing chart.

EXAMPLE: Assume that on December 10, 1942, the manufacturer whose report is illustrated in Appendix B (§ 1389.371) contracted to sell 1,000 dresses of style 629, in Category Number 22, at $3.75, less 8%. On January 8, 1943, he places into production 100 dresses of this order. His direct cost of manufacturing the Style 629 garment is $2.80. His Pricing Chart indicates that his maximum allowable margin for his $3.75 selling price line in Category Number 22 is 22 per cent. He may sell these 100 dresses of Style 628 at $3.59, less 8%. The $3.59 selling price is calculated by taking a 22% margin on $2.80 cost. These garments may be sold in a $3.59 selling price line even though the manufacturer does not have a $3.59 selling price line listed in his pricing chart.

(c) *Optional selling price lines. Rule 11.* In addition to the selling price lines which a manufacturer has listed in his Pricing Chart, prepared pursuant to § 1389.353 (a) he may also, at his option, sell garments in any selling price line at which he actually delivered garments of that category number during March 1942. He shall take as his maximum allowable margin, the maximum allowable margin listed in the pricing chart, prepared pursuant to § 1389.353 (a), for the selling price line, in the same category number, which is next lower to the selling price line in which the garment is being sold.

EXAMPLE: Assume that the manufacturer whose report is illustrated in Appendix B (§ 1389.371) also delivered dresses in Category No. 22 during March 1942 at $7.75 and $5.50. These selling price lines are not listed in his pricing chart because on the occasion of the first cutting of these styles, they were offered to his general trade at $6.75 and $5.75 respectively. Rule 11 gives the manufacturer the option to use $7.75 and $5.50 as additional selling price lines. Garments which he sells in a $7.75 selling price line must have a maximum allowable margin of 46%, and a minimum allowable cost of $4.19. Garments which he sells in his $5.50 selling price line must have a maximum allowable margin of 27% and a minimum allowable cost of $4.02.

However, before a manufacturer may deliver any garments which he prices under Rule 11, he must first (1) file with his appropriate district or state office of the Office of Price Administration a supplement to his pricing chart in the same form as that required for the filing of the original pricing chart, including also a statement setting forth that the supplement to the pricing chart is filed pursuant to Rule 11, and (2) receive an acknowledgment from the Office of Price Administration of the receipt by it of this supplement to the pricing chart.

§ 1389.365 *Relation of this regulation to other maximum price regulations*—(a) *Maximum Price Regulation No. 153, as amended.*—(1) *In stock or in process of manufacture.* A manufacturer may, at his option, sell and deliver prior to February 1, 1943 any garments which were in stock or in the process of manufacture on December 15, 1942 at prices no higher than the maximum prices established under Maximum Price Regulation No. 153, as amended, or under § 1499.2 (a) of the General Maximum Price Regulation,[2] except that as to manufacturing-retailers the date shall be March 1, 1943 instead of February 1, 1943.

(2) *Recuts and reorders.* (i) A manufacturer may, at his option, sell and deliver prior to February 1, 1943 garments which are recuts and reorders of styles which were priced under § 1389.3 (b) of Maximum Price Regulation No. 153, as amended and which were manufactured for ultimate sale at retail during the fall and winter season of 1942–43 at the prices so established, except that as to manufacturing-retailers the date shall be March 1, 1943 instead of February 1, 1943.

(ii) A manufacturer may, at his option, sell and deliver prior to February 1, 1943 garments which are recuts or reorders of styles priced under § 1499.2 (a) of the General Maximum Price Regulation at the prices so established, provided that they were in the process of manufacture on or before December 23, 1942, except that as to manufacturing-retailers the date shall be March 1, 1943 instead of February 1, 1943. If these garments are put in process of manufacture after December 23, 1942, they shall be priced under this regulation.

• • • • •

§ 1389.369a *Effective dates of corrections and amendments.* • • •

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10460; 8 F.R. 323.

[2] 7 F.R. 4381, 5869, 7010, 7535, 8946, 10081, 8878, 8946, 10081, 8 F.R. 129.

[3] 7 F.R. 3153, 3330, 3666, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 3900, 9732, 10155, 10454.

(b) Amendment No. 1 (§§ 1389.356a, 1389.365 (a) (1), (2), and 1389.369a (b)) to Maximum Price Regulation No. 287 shall become effective January 11, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-563; Filed, January 11, 1943; 4:31 p. m.]

PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS

[Revised MPR 216,[1] Amendment 1]

EASTERN WOODEN MINE MATERIALS AND INDUSTRIAL BLOCKING

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The title is amended to read as set forth above.

The words "Central Appalachian" are deleted wherever they appear in the preamble and in the following portions of the regulation, and the word "Eastern" is substituted, to wit: §§ 1426.51 (a); 1426.52 (a) and (c); 1426.59 (a); 1426.60 (d); and 1426.62 (b).

The first paragraph under § 1426.52 (b) is amended; paragraphs (b), (c), and (f) of § 1426.53 are amended; paragraphs (b) and (c) of § 1426.61 are amended; and a new § 1426.63 is added, all to read as set forth below:

§ 1426.52 *To what transactions, products and persons this regulation applies.* • • •

(b) *What products are covered.* This regulation covers all wooden mine materials and industrial blocking, produced in the States of Ohio, West Virginia, Virginia, Maryland, Pennsylvania, New York, Indiana, Illinois, Missouri and that part of the State of Arkansas north of the Arkansas River, whether treated or untreated.

• • • • •

§ 1426.53 *Maximum prices.* • • •

(b) *Cross bars* (mixed oak and hardwoods).

	Per M'BM
All sizes up to and including 6" x 7"	$29.00
All sizes 6" x 8" and larger	31.00
For specified lengths 18' and longer add $3.00 per M'BM.	

(c) *Short mine material* (Mixed oak and hardwoods 3' and under)

	Per M'BM
Cribbing blocks, all sizes up to and including 6" x 7"	$32.00
Post caps, all sizes up to and including 6" x 7"	32.00
Wedges, to specifications	40.00

• • • • •

(f) *Pit posts* (delivered prices). (1) *Round.*

		Each
2' 0"	5" and smaller top diameter	$0.06
2' 2"	5" and smaller top diameter	.06
2' 4"	5" and smaller top diameter	.065
2' 6"	5" and smaller top diameter	.07
2' 8"	5" and smaller top diameter	.075
2' 10"	5" and smaller top diameter	.08
3' 0"	5" and smaller top diameter	.085
3' 2"	5" and smaller top diameter	.09
3' 4"	5" and smaller top diameter	.095
3' 6"	5" and smaller top diameter	.10
3' 8"	5" and smaller top diameter	.105
3' 10"	5" and smaller top diameter	.11
4' 0"	5" and smaller top diameter	.115
4' 2"	5" and smaller top diameter	.12
4' 4"	5" and smaller top diameter	.125
4' 6"	5" and smaller top diameter	.13
4' 8"	5" and smaller top diameter	.14
4' 10"	5" and smaller top diameter	.15
5' 0"	5" and smaller top diameter	.16
5' 2"	5" and smaller top diameter	.17
5' 4"	5" and smaller top diameter	.18
5' 6"	5" and smaller top diameter	.19
5' 8"	5" and smaller top diameter	.20
5' 10"	5" and smaller top diameter	.21
6' 0"	5" and smaller top diameter	.22
6' 2"	5" and smaller top diameter	.23
6' 4"	5" and smaller top diameter	.24
6' 6"	5" and smaller top diameter	.25
6' 8"	5" and smaller top diameter	.255
6' 10"	5" and smaller top diameter	.26
7' 0"	4" top diameter	.26
7' 0"	4½" top diameter	.31
7' 0"	5" top diameter	.38
7' 6"	5" top diameter	.41
7' 6"	6" top diameter	.53
8' 0"	4" top diameter	.32
8' 0"	4½" top diameter	.37
8' 0"	5" top diameter	.44
8' 0"	5½" top diameter	.47
8' 0"	6" top diameter	.575
9' 0"	4½" top diameter	.43
9' 0"	5" top diameter	.47
9' 0"	5½" top diameter	.56
9' 6"	5" top diameter	.54
10' 0"	4" top diameter	.44
10' 0"	4½" top diameter	.50
10' 0"	5" top diameter	.595
10' 0"	6" top diameter	.71
11' 0"	5" top diameter	.625
11' 0"	6" top diameter	.75
11' 6"	5" top diameter	.655
11' 6"	6" top diameter	.81
12' 0"	5" top diameter	.685
12' 0"	6" top diameter	.84
14' 0"	5" top diameter	.935
14' 0"	6" top diameter	1.10
15' 0"	5" top diameter	1.02
15' 0"	6" top diameter	1.12
16' 0"	6" top diameter	1.56

(2) *Standard.*

		Each
2' 0"		$.075
2' 2"		.06
2' 4"		.065
2' 6"		.07
2' 8"		.075
2' 10"		.08
3' 0"		.085
3' 2"		.09
3' 4"		.095
3' 6"		.10
3' 8"		.1025
3' 10"		.105
4' 0"		.1075
4' 2"		.115
4' 4"		.1175
4' 6"		.12
4' 8"		.125
4' 10"		.13
5' 0"		.155
5' 6"		.17
6' 0"		.20
6' 6"		.21
7' 0"		.235
7' 6"		.26
8' 0"		.28
9' 0"		.35

• • • • •

§ 1426.61 *Relation to other regulations.* • • •

(b) *Specific hardwood lumber maximum price regulations.* The provisions of this Revised Maximum Price Regulation 218 supersede the provisions of Maximum Price Regulation 223[3]—Northern Hardwood Lumber, Maximum Price Regulation 155[3]—Central Hardwood Lumber, Maximum Price Regulation 146[4]—Appalachian Hardwood Lumber, and Revised Maximum Price Regulation 97[5]—Southern Hardwood Lumber as to sales of Eastern Wooden Mine Materials and Industrial Blocking produced in regions covered by those regulations. All specific prices for Eastern Wooden mine materials and industrial blocking authorized for particular mills under the special grade provisions of Maximum Price Regulations 223, 155, 146, and 97, are hereby revoked, and are superseded by the maximum prices established by this Revised Maximum Price Regulation No. 218.

(c) *Revised Maximum Export Price Regulation.*[6] The maximum prices for export sales of Eastern wooden mine materials and industrial blocking are governed by the Revised Maximum Export Price Regulation.

§ 1426.63 *Effective dates of amendment.* (a) Amendment No. 1 (Title, Preamble, §§ 1426.51 (a); 1426.52 (a), (b) and (c); 1426.53 (c), (f) and (g); 1426.59 (a); 1426.60 (d); 1426.61 (b) and (c); 1426.62 (b); and 1426.63) to Revised Maximum Price Regulation 218 shall become effective January 11, 1943.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9824.

[2] 7 F.R. 7445, 8945; 8 F.R. 121.

[3] 7 F.R. 4108, 4231, 7202, 7780, 8385, 8948.

[4] 7 F.R. 3776, 4179, 4852, 5520, 6053, 6998, 7600, 7747, 8198, 8350, 8384, 8948.

[5] 8 F.R. 142.

[6] 7 F.R. 5059, 7242, 8829, 9020, 10530.

delivered cost of these items by 1.135. Net

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-564; Filed, January 11, 1943; 4:31 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 86 to Supp. Reg 14[1] to GMPR[1]]

STORAGE OF GRAIN AND RICE BY CERTAIN WAREHOUSE COMPANIES IN CALIFORNIA

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (54) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided:

* * * * *

(54) *Storage of grain and rice by certain warehouse companies in California.* Maximum prices for the storage of grain and rice by all warehouse companies in the State of California subject to Decisions Nos. 35333 (dated May 5, 1942) and 35520 (dated June 23, 1942) of the California Railroad Commission in Application No. 23608 and Case No. 4544 shall be the prices authorized by the California Railroad Commission in said decisions, namely, $1.50 per ton per season for storage and handling of grain and $1.75 per ton per season for storage and handling of rice, subject to all rules and regulations contained in pertinent tariffs on file with the California Railroad Commission on June 1, 1942, as subsequently amended pursuant to said decision.

(b) *Effective dates.* * * *

(87) Amendment No. 86 (§ 1499.73 (a) (54)) to Supplementary Regulation No. 14 shall become effective January 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-562; Filed, January 11, 1943; 4:32 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 213 Under § 1499.3 (b) of GMPR]

M'KEON CANNING CO., INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1449 *Authorization of maximum prices for sales of Fancy Golden Hominy and Fancy White Hominy, 29-ounce glass containers by the McKeon Canning Company, Inc., Burbank, California, and by wholesalers and retailers.* (a) On and after January 12, 1943, the maximum price for sales by the McKeon Canning Company, Inc., Burbank, California of Fancy Golden Hominy and Fancy White Hominy packed in 29-ounce size glass containers shall be $1.30 per dozen f. o. b. factory.

(b) Wholesale grocers shall determine their maximum prices for Fancy Golden Hominy and Fancy White Hominy packed by McKeon Canning Company, Inc. by multiplying their net delivered cost of these items by 1.135.

Net delivered cost for wholesale grocers when used in this paragraph means the invoice price for 29-ounce size glass containers of Fancy Golden Hominy and Fancy White Hominy packed by the McKeon Canning Company, Inc., Burbank, California, delivered in a customary quantity by a customary mode of transportation to the wholesaler's customary receiving point, less all discounts allowed, except the discount for prompt payment. No charge or cost for local unloading or local trucking shall be included in net delivered cost.

(c) Retailers shall determine their maximum prices for Fancy Golden Hominy and Fancy White Hominy packed by McKeon Canning Company, Inc. by multiplying their net delivered cost by 1.250.

Net delivered cost for a retailer when used in this paragraph means his invoice price for 29-ounce size glass containers of Fancy Golden Hominy and Fancy White Hominy packed by the McKeon Canning Company, Inc., Burbank, California, delivered to his customary receiving point in a customary quantity by a customary mode of transportation and from a customary source of supply, less all discounts allowed him except the discount for prompt payment. No charge or cost for local unloading or local trucking shall be included.

Where a maximum price per container size determined by the provisions of this paragraph is a fractional part of a cent and the fraction of a cent is less than one-half cent the price per container size shall be lowered to the next lower cent. If the fraction is one-half cent or larger, the retailer is permitted to increase his maximum price per container size to the next higher cent.

(d) No seller, except a seller at retail, shall change his customary discounts, allowances and price differentials applying to comparable items in making sales of 29-ounce size glass containers of Fancy Golden Hominy and Fancy White Hominy unless such change in these customary discounts, allowances and price differentials results in lower selling prices.

(e) On and after January 12, 1943, the McKeon Canning Company, Inc., shall supply a written notification to each wholesaler at the time of the first delivery of 29-ounce size glass containers of Fancy Golden Hominy and Fancy White Hominy to such wholesaler and for a period of three months thereafter and shall include with each shipping unit of 29-ounce size glass containers of Fancy Golden Hominy and Fancy White Hominy a written notification to retailers. If such retailer notification is enclosed within a shipping unit, a legend shall be affixed outside of such unit to read "Retailer's Notice Enclosed". The written notification for each type of purchaser shall include the following statements:

Notification from McKeon Canning Company, Inc. to Wholesalers

The OPA has authorized us to charge wholesalers $1.30 per dozen f. o. b. factory for 29-ounce size glass containers of Fancy Golden Hominy and Fancy White Hominy subject to all customary allowances and discounts. Wholesalers are authorized to establish a ceiling price by multiplying their net delivered cost of these items by 1.135. Net delivered cost is the invoice cost at the customary receiving point, less all discounts, other than for prompt payment, and excluding charges for local hauling. Retailers shall establish a ceiling price by multiplying their net delivered cost by 1.250. Each individual ceiling price determined by any seller shall be figured to the nearest even cent (raise one-half cent fractions to the next even cent). A copy of notification to retailers is included in every shipping unit of these items. If the initial sale of these items to any retailer is a split case sale, wholesalers are required to provide such retailer with a copy of the retail notification so enclosed. CPA requires that you keep this note for examination.

Notification from McKeon Canning Company, Inc. to Retailers

The OPA authorizes retailers to establish ceiling prices for Fancy Golden Hominy and Fancy White Hominy packed in 29-ounce size glass containers by multiplying their net delivered cost by 1.250. Net delivered cost is the invoice cost at the customary receiving point, less all discounts other than for prompt payment, and excluding charges for local hauling. Such ceiling price shall be figured to the nearest even cent (raise one-half cent fractions to the next even cent). OPA requires that you keep this notice for examination.

(f) This Order No. 213 may be revoked or amended by the Price Administrator at any time.

(g) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation and section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to terms used herein.

(h) This Order No. 213 (§ 1499.1449) shall become effective on January 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-561; Filed, January 11, 1943; 4:32 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 156 Under § 1499.18 (b) of GMPR]

EMMRICH COFFEE COMPANY

Order No. 156 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-2157.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1057 *Authorization of maximum prices for sale of roasted coffee by the Emmrich Coffee Company, Inc. to the State of Oregon.* (a) The Emmrich Coffee Co., Inc., of Portland, Oregon, is hereby authorized to sell to the State of Oregon, roasted coffee f. o. b. Portland, Oregon packed in the specified containers at the prices named below:

	Per pound f. o. b. Portland
Coffee Santos 4's, Roasted and Ground, or Whole Bean, 50 and 100 lbs. sacks	.1795
Coffee Santos 2 3's, Roasted and Ground or Whole Bean, 50 and 100 lb. sacks	.1920
Coffee, Highest Grade Blend, packed by each bidder in vacuum cans or otherwise, Roasted and Ground, or Whole Bean:	
100 lb. sacks	.2140
12 3 lb. vacuum tins	.2620
12 2 lb. vacuum tins	.2620
12 1 lb. glassine lined coffee bags	.2310

(b) Emmrich Coffee Company, Inc. is required to continue the same discount or allowance for prompt payment, if any, granted the State of Oregon in March 1942.

(c) The Emmrich Coffee Company, Inc. shall accompany their first delivery of roasted coffee to the State of Oregon with a written statement of their maximum prices as established by this order.

(d) All prayers of the applicant not granted herein are denied.

(e) This Order No. 156 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 156 (§ 1499.1057) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 156 (§ 1499.1057) shall become effective January 13, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 12th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-577; Filed, January 12, 1943; 10:11 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 12 Under § 1499.29 of GMPR]

PENNSYLVANIA SALT MANUFACTURING CO.

Order No. 12 under § 1499.29 of the General Maximum Price Regulation—Docket No. GF3-2935.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.412 *Adjustment of maximum prices for sales of alumina hydrate by the Pennsylvania Salt Manufacturing Company.* (a) Notwithstanding anything to the contrary contained in the General Maximum Price Regulation, the Pennsylvania Salt Manufacturing Company of Philadelphia, Pennsylvania, may sell and deliver and the Metals Reserve Company of Washington, D. C., may buy, under the contract entered into by said companies on or about December 7, 1942, a total amount not in excess of 1500 tons of alumina hydrate produced in the Pennsylvania Salt Manufacturing Company's plant in Natrona, Pennsylvania since August 31, 1942 at prices not in excess of those set forth below:

$3.10 per 100 pounds in bags, f. o. b. Natrona, Pennsylvania; trade practices and price differentials in effect during March 1942 by Pennsylvania Salt Manufacturing Company for packages other than bags may be used in determining maximum prices for other packages.

(b) The contract entered into by the Pennsylvania Salt Manufacturing Company with the Metals Reserve Company on or about December 7, 1942 at the price requested in the application shall be revised in accordance with the terms of this order. Any payment made to Pennsylvania Salt Manufacturing Company under such contract in excess of the maximum price authorized by this order shall be refunded to the purchaser, and within thirty days after publication of this order in the FEDERAL REGISTER,* the Pennsylvania Salt Manufacturing Company shall file a statement with the Office of Price Administration in Washington, D. C., to the effect that such contract has been revised in accordance with the terms of this order, and wherever required refunds have been made.

(c) All prayers of the applicant not granted herein are denied.

(d) This Order No. 12 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 12 (§ 1499.412) is hereby incorporated as a section of Supplementary Regulation No. 4.

(f) This Order No. 12 (§ 1499.412) shall become effective January 13, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. No. 9250, 7 F.R. 7871)

Issued this 12th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-576; Filed, January 12, 1943; 10:13 a. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486, 5709, 6008, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6930, 7011, 7012, 6960, 7250, 7289, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9395, 9496, 9639, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10537, 10557, 10583, 10705, 10865, 11005.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5265, 5445, 5775, 5784, 5783, 6058, 6081, 5484, 5565, 6097, 6216, 6615, 5794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454.

*Copies may be obtained from the Office of Price Administration.

Chapter XIII—Petroleum Administration for War

PART 1545—PETROLEUM SUPPLY

[Petroleum Administrative Order 1, as Amended Jan. 11, 1943]

Section 1545.1 *Petroleum Administrative Order No. 1* is hereby amended to read as follows:

§ 1545.1 *Petroleum Administrative Order No. 1*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Motor fuel" means liquid fuel, including Diesel fuel, used for the propulsion of motor vehicles or motor boats and shall include any liquid fuel to which Federal gasoline taxes apply except liquid fuel used for the propulsion of aircraft.

(3) "Fuel oil" means any liquid petroleum product commonly known as fuel oil, including grades No. 1, 2, 3, 4, 5, and 6, Bunker "C", Diesel oil, kerosene, range oil, gas oil, or any liquid petroleum product used for the same purposes as the above designated grades.

(4) "Refinery" means any manufacturing establishment within District One which processes, refines, or compounds crude petroleum or finished or unfinished petroleum products, including, but not limited to, the terminal, storage, and distribution facilities at such establishment.

(5) "Bulk terminal" means any terminal or storage facility within District One to which motor fuel or fuel oil from any point outside of the District is delivered for redelivery.

(6) "Supplier" means any person designated as such on Schedule A.

(7) "Secondary supplier" means any person other than a supplier who regularly receives motor fuel or fuel oil for redelivery.

(8) "District One" means the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, and Florida (east of the Apalachicola River), and the District of Columbia.

(9) "Zone" means any of the six territorial divisions of District One, as follows:

Zone 1: The States of Maine, Vermont, New Hampshire, Massachusetts, Connecticut, and Rhode Island.

Zone 2: The entire eastern part of the State of New York up to and including the Counties of Cayuga, Tompkins, and Chemung; the entire eastern part of the State of Pennsylvania up to and including the Counties of Bradford, Sullivan, Columbia, Montour, Northumberland, Dauphin, and York; and the States of New Jersey and Delaware.

Zone 3: The States of Maryland and Virginia and the District of Columbia.

Zone 4: The States of North Carolina and South Carolina.

Zone 5: The State of Georgia and that part of the State of Florida east of the Apalachicola River.

Zone 6: That part of the States of New York and Pennsylvania not included in Zone 2, and the State of West Virginia.

(10) "Quota" means the specific quantities of motor fuel and fuel oils specified on Schedule A to be available to any supplier for delivery or withdrawal in each zone of District One from bulk terminals and refineries located in such zone during each quota period specified on Schedule A, excluding withdrawals or deliveries for export: *Provided*, That direct deliveries of motor fuel or fuel oil to any person within any zone by any supplier from any point outside of District One other than deliveries to a refinery or bulk terminal owned or operated by a supplier shall be deemed to be a delivery or withdrawal by the delivering supplier from a bulk terminal or refinery in the zone in which the delivery is made.

(11) "Quota period" means the period of time specified in Schedule A for the withdrawal or delivery by any supplier of any quota assigned on such schedule to such supplier.

(b) *Restrictions on delivery of motor fuel and fuel oil.* (1) No supplier shall withdraw or deliver, or cause to be withdrawn or delivered, any motor fuel or fuel oil from any bulk terminal or refinery in District One in any quota period except:

(i) Withdrawals or deliveries of any motor fuel or fuel oil from any refinery or bulk terminal for delivery to any bulk terminal in District One; or

(ii) As specifically directed by the Petroleum Administrator for War pursuant to a directive issued under paragraph (c) of this order; or

(iii) As specifically authorized upon application filed under paragraph (f) of this order; or

(iv) As permitted under the terms of paragraph (d) of this order.

(c) *Directed deliveries.* The Petroleum Administrator for War may at any time issue specific directions to any supplier or secondary supplier with respect to the withdrawal or delivery of any motor fuel or fuel oil.

(d) *Unrestricted deliveries.* Withdrawals or deliveries of any motor fuel or fuel oil from any refinery or bulk terminal for delivery to another supplier pursuant to (1) the provisions of Directive 59 of the Petroleum Coordinator for War, 7 F.R. 7759, and any amendments or modifications thereof, (2) repayments of loans, or (3) exchanges, shall not be deducted from the quota of the delivering supplier but such deliveries, if not otherwise exempt from quota restrictions under the provisions of this order, shall be deemed to have been withdrawn from a bulk terminal or refinery by the receiving supplier.

(e) *Permitted deliveries.* (1) Nothing contained in this order shall restrict the withdrawal or delivery by any supplier from any bulk terminal or refinery of the quantities of motor fuel and fuel oil listed on Schedule A, as the quota of such supplier: *Provided*, That all of the following conditions are met:

(i) Any such withdrawal or delivery is made within the quota period specified on Schedule A for the withdrawal or delivery of such quota;

(ii) The quantity of any such withdrawal or delivery by the supplier does not, when added to all preceding deliveries and withdrawals by such supplier during the quota period, exceed any quota specified on Schedule A for such supplier;

(iii) Such withdrawal or delivery is made, so far as practicable, so that the quota against which it is charged will be withdrawn or delivered ratably during the quota period;

(iv) Such withdrawal or delivery is made for ultimate use within the zone in which is located the bulk terminal or refinery from which the withdrawal or delivery is made: *Provided*, That this limitation shall not apply to any delivery between zones which are made in the established and regular course of business, and such deliveries shall be charged against the quota of the delivering supplier in the zone from which the delivery is made.

(f) *Inventory restrictions.* No person may deliver or otherwise supply motor fuel or fuel oil to any storage location (other than a refinery or bulk terminal) owned, operated or controlled by such person or by any other person and no person may accept delivery of:

(1) Motor fuel at such a storage location where the amount of motor fuel at such storage location is equal to or exceeds the amount of motor fuel which would normally be withdrawn from such storage location to meet rationed demands during the 10 days next following the date upon which the delivery is made; or

(2) Fuel oil at such a storage location where the amount of fuel oil at such storage location is equal to or exceeds the amount of fuel oil which would normally be withdrawn from such storage location under normal weather conditions to meet rationed demands during the 10 days next following the date upon which the delivery is made:

Provided, (i) That any single delivery of motor fuel or fuel oil by means of a transportation facility generally used in such delivery, which brings the amount of motor fuel or fuel oil at such a storage location to an amount equal to or in excess of the foregoing amounts, may be completed, and (ii) that nothing in this paragraph shall be deemed to apply to the delivery of motor fuel or fuel oil to any agency referred to in paragraph (g), and (iii) that nothing in this paragraph shall be deemed to apply to the delivery of motor fuel to any retail filling station or to the delivery of fuel oil to any private dwelling (as defined in Ration Order No. 11, as amended, issued by the Office of Price Administration).

(g) *Preferential deliveries.* Each supplier shall, in making any withdrawal or delivery of motor fuel or fuel oil, give preference to the requirements of the Army and the Navy of the United States, the Coast Guard, the War Shipping Administration, the United States Maritime Commission, and the Office of Lend-Lease Administration; and any supplier shall, upon demand by any one of the said agencies withdraw and deliver to such agency any part or all of such supplier's undelivered quota.

(h) *Application for authorization.* Each supplier seeking authorization to withdraw or deliver motor fuel or fuel oil pursuant to paragraph (b) (1) (iii) hereof, shall apply in writing to the Petroleum Administrator for War, setting forth the pertinent facts and the reasons he considers such withdrawal or delivery to be necessary in the public interest.

(i) *Records.* All suppliers affected by this order shall keep and preserve for not less than two years accurate and complete records concerning withdrawals and deliveries by such suppliers from bulk terminals and refineries.

(j) *Reports.* Each supplier to whom this order applies shall file with the Petroleum Administrator for War by noon of each Monday a report for each zone in which such supplier has a quota, stating the quantity of motor fuel and fuel oil broken down by grades, withdrawn or delivered by him from any bulk terminal or refinery in each zone during the week ending at the close of business on the preceding Wednesday.

(k) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: The District Director in Charge, Petroleum Administration for War, 122 East 42nd Street, New York, New York, Ref: PAO 1.

(l) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(m) *Violations.* Any person who wilfully violates any provision of this order, or who, by any act or omission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or such other action may be taken as is deemed appropriate.

(n) *Effective date.* This order shall be effective on and after the date of issuance.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of January 1943.

RALPH K. DAVIES,
Acting Petroleum Administrator for War.

SCHEDULE A

District One—Zone One—January 1943 (1st to 31st, inclusive) quotas expressed in barrels per day

Supplier	Gasoline	Kerosene	Distillate fuel oil	Residual fuel oil
American Bitumuls Co.			514	
American Minerals Spirits Co.		153	327	82
Atlantic Refining Co., The	2,668	2,520	4,407	
Cities Service Oil Co. (Pa.)	3,096	4,386	6,712	2,632
Crown Central Petroleum Corp.	146	37	170	
First National Oil Corp.			192	
Gulf Oil Corp.	5,536	8,035	11,943	6,161
Hartol Products Corp.	948	3,437	2,381	
Jones & Co.				5,826
Maritime Petroleum Corp.		479	678	
Pacific Oil Co.		787	961	
Pan-American Petroleum and Transport Co.	4,284	8,488	6,961	16,783
The Petrol Corp.	302			
Petroleum Heat & Power Co.			1,248	
Quincy Oil Co.	230	1,026	643	
Richfield Oil Corp.	1,894	1,400	2,289	
Royal Petroleum Corp.	46	410	453	281
Shell Oil Co., Inc.	3,967	4,498	5,746	2,533
Sinclair Refining Co.	984	1,414	1,637	
Socony-Vacuum Oil Co., Inc.	12,465	10,445	15,702	4,833
Standard Oil Co. of N. J.	5,591	9,363	15,187	11,971
State Fuel Co.		2,013	563	
Sun Oil Co.	4,252	52	2,606	361
The Texas Co.	5,294	7,584	99	4,320
Tide Water Associated Oil Co.	4,737	4,047	2,839	2
United Refining Co.		2		
Valvoline Oil Co.		11		
White Fuel Corp.		6,209	4,655	

District One—Zone Two—January 1943 (1st to 31st, inclusive) quotas expressed in barrels per day

Allegheny Refiners, Inc.	29	85	7	
American Mineral Spirits Co.		1,448	3,941	2,969
Asiatic Petroleum Corp.			838	1,056
Atlantic Refining Co., The	11,136	3,369	13,639	14,781
Central Petroleum Co.				417
Cities Service Oil Co.	3,940	2,603	7,410	6,431
Continental Oil Co.	1,249	89	292	4
Crown Central Petroleum Corp.	477	485	1,857	
First National Oil Corp.	46	1,150	6,924	445
Frontier Fuel Oil Corp.				250
Gulf Oil Corp.	10,820	3,696	17,334	22,377
Hambleton Terminal Corp.	58	30		
Hartol Products Corp.	1,294	2,768	3,415	
Hess Brothers				342
Home Fuel Oil Co.		1,765	3,364	
Jones & Company				81
Kendall Refining Co.		7		
Maritime Petroleum Corp.		1,181	2,551	
Pan-American Petroleum and Transport Co.	6,292	2,255	5,365	8,547
Joseph M. Patterson & Co., Inc.			982	2,796
Pennsylvania Refining Co.		10	173	
The Pennzoil Co.			4	
The Petrol Corp.	663			678
Petroleum Heat & Power Co.			4,138	
The Pure Oil Co.	823	1,769	2,035	2,308
Quaker State Oil Refining Corp. of Penn	52	729	2,703	
Royal Petroleum Corp.	139	1,305	4,249	1,063
Shell Oil Company, Inc.	5,137	1,420	8,163	2,932
Sinclair Refining Co.	4,681	3,026	8,476	11,030
Socony-Vacuum Oil Co., Inc.	15,151	7,031	26,104	14,340
Sonneborn Sons, Inc.	2		224	
Standard Oil Co. of N. J.	20,945	7,093	37,691	31,379
Sun Oil Co.	10,366	1,731	12,979	9,939
The Texas Co.	12,245	2,301	214	3,319
Tide Water Associated Oil Co.	7,806	5,152	13,074	6,128
United Refining Co.		3		
Valvoline Oil Co.	29	241	119	
Bradford Penn Refining Corp.	9		10	
Ashland Oil & Refining Co.			100	
Richfield Oil Corp.	4,508	1,733	5,204	

District One—Zone Three—January 1943 (1st to 31st, inclusive) quotas expressed in barrels per day

American Bitumuls Co.			889	150
American Mineral Spirits Co.		48		
Arkansas Fuel Oil Co.	494	528		
The Atlantic Refining Co.	1,218	605	274	570
Canteleu (S. D.) Petroleum Products				59
Cities Service Oil Co. (Pa.)	340	102	118	
Continental Oil Co.	1,681	58	534	1,022
Elk Refining Co.	85	33		
Gulf Oil Corp.	3,075	497	2,386	3,152
Hartol Products Corp.				
Pan American Petroleum & Transport Co.	5,685	785	3,083	1,213
Joseph M. Patterson & Co., Inc.				77
The Petrol Corp.	916	532	1,180	838
Petroleum Heat and Power Co.			324	
The Pure Oil Company	980	262	648	4
Quaker State Oil Refining Corp. of Penn.				
Republic Oil Refining Co.	380	184	282	
Richfield Oil Corp.	2,366	229	1,410	
Shell Oil Company, Inc.	1,626	621	1,839	744

SCHEDULE A—Continued

District One—Zone Three—January 1943 (1st to 31st, inclusive) quotas expressed in barrels per day—Continued

Supplier	Gasoline	Kerosene	Distillate fuel oil	Residual fuel oil
Sinclair Refining Co.	1,372	441	1,083	2,372
Standard Oil Co. of New Jersey	10,559	2,449	9,160	18,888
Sun Oil Co.	1,152	14	615	317
The Texas Co.	4,285	1,211	205	245
Tide Water Associated Oil Co.	539	63	29	
Valvoline Oil Co.	28	8	34	
Ashland Oil & Refining Co.	193	40	410	

District One—Zone Four—January 1943 (1st to 31st, inclusive) quotas expressed in barrels per day

Arkansas Fuel Oil Co.	849	356	60	
The Atlantic Refining Co.	1,084	344	51	
Continental Oil Co.	345	47	13	
Elk Refining Co.		17		
Gulf Oil Corp.	4,687	999	660	57
Pan American Petroleum & Transport Co.	1,753	401	128	531
The Pure Oil Company	2,270	512	480	
Republic Oil Refining Co.	883	301	133	
Richfield Oil Corp.	56	16	1	
Riverside Terminal Co.	302	37		
Shell Oil Company, Inc.	2,397	531	335	
Sinclair Refining Co.	2,045	628	722	4
Standard Oil Co. of N. J.	8,733	2,330	2,221	1,547
The Texas Co.	3,492	786	217	122

District One—Zone Five—January 1943 (1st to 31st, inclusive) quotas expressed in barrels per day

Arkansas Fuel Oil Co.	2,050	602	49	
The Atlantic Refining Co.	1,018	56	100	
Belcher Oil Co.			737	3,339
Continental Oil Co.	49			
Gulf Oil Corp.	5,340	839	967	5,353
Orange State Fuel Oil Corp.	1,453	401	68	
Pan American Petroleum & Transport Co.	1,999	332	600	3,767
The Pure Oil Company	4,603	655	600	1,348
Republic Oil Refining Co.	855	108		
Shell Oil Company, Inc.	1,767	292	194	510
Sinclair Refining Co.	2,652	644	652	
Southeastern Oil Co.	136	30	7	
Standard Oil Company (Ky.)	6,533	1,424	2,714	5,318
Standard Oil Company of N. J.			1	1
Sun Oil Co.	678	17	1	
The Texas Co.	3,304	856	202	999

District One—Zone Six—January 1943 (1st to 31st inclusive) quotas expressed in barrels per day

Allegheny Refiners Co.	77	67	104	
Atlantic Refining Co., The	5,205	620	432	49
Bradford Penn Refining Corp.	192	92	234	
The Canfield Oil Co.	27	66	118	
Castleton (S. D.) Petroleum Products	43	59	267	95
Carbide & Carbon Chemical Corp.	67			7
Cities Service Oil Company (Pa.)	606	279	464	20
Continental Oil Co.	23	3	5	26
Continental Refining Co.	205		28	
Crown Central Petroleum Corp.	422		72	
Elk Refining Co.	710	154	20	42
Freedom Oil Co.	398	460	37	49
Frontier Fuel Oil Corp.	630	333	873	2,440
Gulf Oil Corp.	5,002	404	706	2,313
Hamilton Terminal Corp.	437	98	187	33
Hartol Products Corp.	20		33	
Kendall Refining Co.	1,154	279	106	
Maritime Petroleum Corp.		42		
Pan-American Petroleum & Transport Co.	3,491	142	204	
Pennsylvania Refining Co.	249	300	215	
Pennzoil Co., The	1,575	171	312	146
The Pure Oil Company	643	103	280	1,012
Quaker State Oil Refining Corp. of Penn.	1,646	708	176	144
Republic Oil Refining Co.	264	3		
Richfield Oil Corp.	922	148	180	
Shell Oil Company, Inc.	247	65	76	11
Sinclair Refining Co.	1,929	657	428	692
Socony-Vacuum Oil Co., Inc.	4,949	1,435	1,766	1,830
Southeastern Sons, Inc.	112		232	
Standard Oil Co. of New Jersey	7,499	682	741	22
Standard Oil Co. of New York	5,184	27	337	480
Sun Oil Co.	8,097	332	5	14
Texas Co., The	872	29	61	
Tide Water Associated Oil Co.	769	539	107	70
United Refining Co.	148	51	258	
Valvoline Oil Co.	167	240	142	
Waverly Oil Works	125	64	72	14
Wolf's Head Oil Refining Co., Inc.	1,568	65	847	
Ashland Oil & Refining Co.				

[F. R. Doc. 43-442; Filed, January 11, 1943; 2:31 p. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 2—ADJUDICATION: VETERANS' CLAIMS

PROOF OF RELATIONSHIP AND DEPENDENCY

§ 2.1046 *Evidence to establish age or relationship.* Age or relationship for the purpose of payment of any benefits under any law administered by the Veterans Administration shall be established by the best evidence obtainable, as follows:

(a) A certified copy of the public record of birth or a certified copy of the church record of baptism, the certification to be made by the custodian of such records. If the name of the person appearing on the copy of the record is not the same as that appearing upon the records of the Veterans Administration, an affidavit will be required identifying the person having the changed name as the person whose name appears in the record of birth. A public birth record established more than four years after the birth shall be accepted as proof of age or relationship provided it is not inconsistent with material of record with the Veterans Administration or if it shows on its face that it is based upon evidence which would itself be acceptable under any of the other paragraphs of this section. A record of baptism performed more than four years after birth shall not be accepted as proof of age or relationship unless it is consistent with material of record with the Veterans Administration, which shall include at least one reference to age or relationship made at a time when such reference was not essential to establishing title to the benefit being claimed. Where neither of the foregoing records is furnished, and at the time of birth public records were maintained where the birth occurred, an explanation shall be required as to why a copy of the public record cannot be furnished.

(b) In the absence of a certified copy of the public record or church record mentioned in paragraph (a) of this section, secondary evidence may be accepted as outlined below:

(1) Affidavit of the physician or midwife in attendance at birth, or

(2) Copy of Bible or other family record certified to by a notary public or other officer with authority to administer oaths for general purposes, who should state in what year the Bible or other book in which the record appears was printed, whether the record bears any erasures or other marks of alteration, and whether from the appearance of the writing he believes the entries to have been made recently or at the time reputed, or

(3) Affidavits of two or more persons, preferably disinterested, who shall state their ages, showing the name, date and place of birth of the person whose age or relationship is being established, and that to their own knowledge such person is the child of such parents (naming the parents), and stating the source of their knowledge, or

(4) A census record.

(c) The fact that evidence to establish age or relationship as outlined in the preceding paragraphs of this section is not obtainable, in a particular case, will not preclude the acceptance of other evidence, such as two or more of the following: insurance policies, school, employment, immigration, and naturalization records. (January 12, 1943.)

(48 Stat. 9; 38 U.S.C. 707)

[SEAL] FRANK T. HINES, *Administrator.*

[F. R. Doc. 43-559; Filed, January 11, 1943; 4:15 p. m.]

PART 10—INSURANCE

PROOF OF DEATH, AGE, OR RELATIONSHIP

§ 10.3008 *Evidence to establish date of birth, age, or relationship.* Canceled January 12, 1943. (See Sec. 2.1046)

§ 10.3454 *Age; evidence to establish date of birth, age, or relationship.* Canceled January 12, 1943. (See Sec. 2.1046)

[SEAL] FRANK T. HINES, *Administrator.*

[F. R. Doc. 43-560; Filed, January 11, 1943; 4:15 p. m.]

TITLE 46—SHIPPING

Chapter II—Coast Guard: Inspection and Navigation

AMENDMENTS TO REGULATIONS AND APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417, 4417a, 4426, 4433, 4477, 4481, 4482, 4488, 4491, as amended, secs. 2, 7, 45 Stat. 1493, 1494, secs. 2, 7, 49 Stat. 888, 889, 1543, 55 Stat. 578, 49 Stat. 1544, sec. 2 (a), 54 Stat. 1028 (46 U.S.C. and Supp. 375, 391, 391a, 404, 411, 470, 474, 475, 481, 489, 85a, 85f, 88a, 88f, 367, 463a), and Executive Order No. 9083 (7 F.R. 1009), the following amendments to the Inspection and Navigation Regulations and approval of miscellaneous items of equipment for the better security of life at sea are prescribed; and pursuant to the Order of the Acting Secretary of the Navy dated October 1, 1942 (7 F.R. 7979), I find the regulations contained in Part 47 to be necessary in the conduct of the war:

Subchapter E—Load Lines

PART 43—FOREIGN OR COASTWISE VOYAGE

Part 43 is amended by changing the names "Secretary of Commerce," "Department of Commerce," "Bureau," "Bureau of Marine Inspection and Navigation," and "Bureau of Marine Inspection and Navigation, Department of Commerce," wherever they appear therein to "Commandant, U. S. Coast Guard."

Section 43.02 is amended to read as follows:

§ 43.02 *Responsibility for administration.* The Commandant of the U. S. Coast Guard is vested with the responsibility and authority, under direction and supervision of the Secretary of Navy, for the administration of the Act of March 2, 1929, the International Load Line Convention, 1930, and Coastwise Load Line Act, 1935, as amended June 20, 1936.

Section 43.021 is amended by changing the first, third, and fourth undesignated paragraphs to read as follows:

§ 43.021 *Control.* The District Coast Guard Officer may detain a vessel for survey if such officer has reason to believe that the vessel is proceeding on her voyage in excess of the draft allowed by her load line certificate, due regard being given to the season of the year, or has not been marked with load lines, or has not a valid load line certificate on board.

• • • • •

The District Coast Guard Officer may, by written order, detain provisionally a foreign vessel for survey should such officer have reason to believe that such vessel is submerged below the marks allowed by her certificate, or that such vessel is not marked and certificated as provided by the regulations in this part. If a foreign vessel is detained for these reasons, the District Coast Guard Officer will immediately arrange for a survey in the manner prescribed by sections 7 of the Load Line Act of March 2, 1929 (45 Stat. 1494; 46 U.S.C. 85f), and of the Coastwise Load Line Act, 1935 (49 Stat. 889; 46 U.S.C. 88f).

Should it become necessary for the District Coast Guard Officer to survey a vessel in respect to her load line, such officer shall appoint three surveyors and, wherever practicable, one of them shall be from the surveying staff of the American Bureau of Shipping.

Section 43.110 is amended by changing the first sentences of Forms A1, A2, and A3 to read as follows:

§ 43.110 *Forms of load line certificates.* • • •

Issued under the authority of the United States of America, Commandant, U. S. Coast Guard, under the provisions of the International Load Line Convention, 1930, and Executive Order 9083.

• • • • •

And the second paragraph of Form B is amended to read as follows:

Issued under the authority of the Commandant, U. S. Coast Guard, United States of America, under the provisions of the act of March 2, 1929, and Executive Order 9083, to establish load lines for American merchant vessels of 150 gross tons or over engaged in foreign trade.

• • • • •

And the first sentence of Form C1, C2, and C3 are amended to read as follows:

Issued under the authority of the United States of America, Commandant, U. S. Coast Guard, under the provisions of the Coastwise Load Line Act, 1935, and Executive Order 9083.

• • • • •

PART 44—VARIANCE FOR STEAM COLLIERS, TUGS, BARGES, AND SELF-PROPELLED BARGES

Part 44 is amended by changing the names "Secretary of Commerce," "Department of Commerce," "Bureau," and "Bureau of Marine Inspection and Navigation" wherever they appear therein to "Commandant, U. S. Coast Guard."

Section 44.01 is amended to read as follows:

§ 44.01 *Establishment of regulations for special service.* Pursuant to the Coastwise Load Line Act, 1935, as amended June 20, 1936 (49 Stat. 888, 1543; 46 U.S.C. Chapter 2A), and Executive Order 9083, vesting the Commandant, U. S. Coast Guard, with discretion to vary the load line marks from those established by the International Load Line Treaty, 1930, on steam colliers, tugs, barges, and self-propelled barges engaged in special services on inter-island voyages, and on coastwise voyages from port to port in the continental United States, the following regulations in this part are hereby established.

Section 44.8 is amended by changing the first paragraph of the form to read as follows:

§ 44.8 *Form of load line certificate.*

LOAD LINE CERTIFICATE FOR A SPECIAL SERVICE COASTWISE OR INTER-ISLAND VOYAGE

Issued under the authority of the Commandant, U. S. Coast Guard, United States of America, under the provisions of the Coastwise Load Line Act of August 27, 1935, as amended June 20, 1936, and Executive Order 9083.

• • • • •

PART 45—MERCHANT VESSELS WHEN ENGAGED IN A VOYAGE ON THE GREAT LAKES

Part 45 is amended by changing the names "Secretary of Commerce," "Department of Commerce," "Bureau," "Bureau of Marine Inspection and Navigation," and "Bureau of Marine Inspection and Navigation, Department of Commerce" wherever they appear therein to "Commandant, U. S. Coast Guard."

Section 45.02 is amended to read as follows:

§ 45.02 *Responsibility for administration.* The Commandant, U. S. Coast Guard, is vested with the responsibility and authority, under direction and supervision of the Secretary of Navy, for the administration of the Coastwise Load Line Act, 1935, as amended by the Act of June 20, 1936.

Section 45.018 is amended by changing the first, third, and fourth undesignated paragraphs to read as follows:

§ 45.018 *Control.* The District Coast Guard Officer may detain a vessel for survey if such officer has reason to believe that the vessel is proceeding on her voyage in excess of the draft allowed by her load line certificate, due regard being given to the season of the year, or has not been marked with load lines, or has not a valid load line certificate on board.

• • • • •

The District Coast Guard Officer may, by written order, detain provisionally a foreign vessel for survey should such officer have reason to believe that such

vessel is submerged below the marks allowed by her certificate, or that such vessel is not marked and certificated as provided by the regulations in this part. If a foreign vessel is detailed for these reasons, the District Coast Guard Officer will immediately arrange for a survey in the manner prescribed by section 7 of the Coastwise Load Line Act, 1935 (49 Stat. 889; 46 U.S.C. 88f).

Should it become necessary for the District Coast Guard Officer to survey a vessel in respect to her load line, such officer shall appoint three surveyors and, wherever practicable, one of them shall be from the surveying staff of the American Bureau of Shipping.

* * * * *

Section 45.80 is amended by changing the first paragraph of the form to read as follows:

§ 45.80 *Form of load line certificate.*

LOAD LINE CERTIFICATE FOR THE GREAT LAKES

Issued under the authority of the Commandant, U. S. Coast Guard, United States of America, under the provisions of the act of August 27, 1935, and Executive Order 9083, to establish load lines for American merchant vessels of 150 gross tons or over engaged in trade on the Great Lakes of North America.

* * * * *

PART 46—SUBDIVISION LOAD LINES FOR PASSENGER VESSELS

Part 46 is amended by changing the names "Secretary of Commerce," "Department of Commerce," "Bureau," "Bureau of Marine Inspection and Navigation," and "Bureau of Marine Inspection and Navigation, Department of Commerce," wherever they appear therein to "Commandant, U. S. Coast Guard"; and "local steamboat inspectors," wherever it appears therein to "Merchant Marine Inspector in Charge."

Section 46.02 is amended to read as follows:

§ 46.02 *Responsibility for administration.* The Commandant, U. S. Coast Guard, under the direction and supervision of the Secretary of Navy, is vested with the responsibility and the authority to determine the position of and to insure the correct marking of subdivision load lines on all passenger vessels subject to the International Convention for Safety of Life at Sea, 1929, and the Coastwise Load Line Act, 1935, as amended June 20, 1936.

Section 46.015 is amended by changing the first paragraph to read as follows:

§ 46.015 *Survey for the establishment and renewal of subdivision load line marks.* Every passenger vessel to be marked with and certificated for subdivision load lines must comply with the general rules and regulations as promulgated for ocean, coastwise, and Great Lakes service as applicable to the particular vessel and the service in which she is to be employed.

* * * * *

Section 46.022 is amended to read as follows:

§ 46.022 *Control.* The duties and responsibilities of the District Coast Guard Officer in respect to the load lines certified on the safety certificates of, and marked on, passenger vessels engaged on foreign voyages by sea shall be the same as stated in § 43.021.

The duties and responsibilities of the District Coast Guard Officer in respect to passenger vessels engaged in coastwise voyages by sea or voyages on the Great Lakes are as defined by §§ 43.021 or 45.018, as applicable.

Section 46.023 is amended by changing the sixth undesignated paragraph to read as follows:

§ 46.023 *Construction.* * * *

In the case of passenger vessels engaged on foreign voyages by sea, coastwise voyages by sea, or Great Lakes voyages, operating not over 20 nautical miles offshore, the Commandant, U. S. Coast Guard, may make exemptions from the requirements of the regulations in this part if he considers that the route and the conditions of the voyage are such as to render the application of any of the requirements of the regulations in this part unreasonable or unnecessary.

* * * * *

Section 46.024 is amended by changing the second undesignated paragraph to read as follows:

§ 46.024 *Plans and inspection of new and converted vessels.* * * *

These plans should be furnished as early as practicable. If approved, one copy is to be transmitted to the Supervising Merchant Marine Inspector of the district in which the vessel is to be constructed or converted, one copy shall be furnished the owners, and one copy will be retained by the Commandant, U. S. Coast Guard, as a record.

* * * * *

Section 46.8 is amended to read as follows:

§ 46.8 *Fire-resisting bulkheads.* Fire-resisting bulkheads shall be fitted as provided by the rules and regulations of this chapter as applicable to the vessel and service.

PART 47—TEMPORARY VARIANCE FOR COASTWISE VOYAGES BY SEA AND GREAT LAKES VOYAGES

Part 47 is amended by changing the names "Director of the Bureau of Marine Inspection and Navigation," "Bureau of Marine Inspection and Navigation," wherever they appear therein to "Commandant, U. S. Coast Guard."

Section 47.1 is amended to read as follows:

§ 47.1 *Establishment of temporary coastwise and Great Lakes regulations for certain vessels.* Load lines for eligible vessels are established by the regulations in this part as authorized by the Coastwise Load Line Act of 1935, as amended June 20, 1936, and July 3, 1941 (49 Stat. 888 1543, 55 Stat. 578; 46 U.S.C. and Supp. 88–88l), Executive Order 9083 (7 F.R. 1609), and order of the Acting Secretary of the Navy dated October 1, 1942 (7 F.R. 7979), to be effective for the duration of the present war and six months thereafter, to the extent that a vessel may have a load line which gives lesser freeboard and less buoyancy than the load line established by the International Load Line Treaty of 1930 when the load line will not be above the actual line of safety.

Section 47.8 is amended to read as follows:

§ 47.8 *Load line certificates.* Load line certificates issued under this part for coastwise voyages by sea shall be on the form described in § 44.8, amended as necessary, and shall be distinctly marked: "Valid only for voyages by sea from port to port in the continental United States"; and for Great Lakes' voyages on the form shown in § 45.80. No certificates issued under this part shall remain in force longer than for the duration of the war and six months thereafter, and all such certificates shall be subject to cancellation at any time before expiration by the Commandant, U. S. Coast Guard.

PART 48—FOREIGN VOYAGES DURING THE NATIONAL EMERGENCY

Part 48 is amended by changing the names "Secretary of Commerce," "Department of Commerce," "Bureau of Marine Inspection and Navigation," and "Bureau of Marine Inspection and Navigation of the Department of Commerce," wherever they appear to "Commandant, U. S. Coast Guard."

Subchapter G—Ocean and Coastwise: General Rules and Regulations

PART 62—LICENSED OFFICERS AND CERTIFICATED MEN

Section 62.25 is amended by changing the sixth undesignated paragraph to read as follows:

§ 62.25 *Lookouts, cabin watchmen, and fire patrolmen.* * * *

On all passenger vessels having berth or stateroom accommodations for passengers there shall be maintained while passengers are on board an efficient fire patrol so as to cover completely all parts of the vessel accessible to passengers or crew, at 20-minute intervals between the hours of 10:00 p. m. and 6:00 a. m., except machinery spaces, occupied passenger or crew sleeping accommodations, and cargo compartments which are inaccessible to passengers or crew while the vessel is being navigated.

* * * * *

Subchapter H—Great Lakes: General Rules and Regulations

PART 78—LICENSED OFFICERS AND CERTIFICATED MEN

Section 78.22 is amended by changing the sixth undesignated paragraph to read as follows:

§ 78.22 *Cabin watchmen and fire patrolmen.* * * *

On all passenger vessels having berth or stateroom accommodations for passengers there shall be maintained while passengers are on board an efficient fire patrol so as to completely cover all parts of the vessel accessible to passengers or crew, at 20-minute intervals between the hours of 10:00 p. m. and 6:00 a. m., except machinery spaces, occupied passenger or crew sleeping accommodations, and cargo compartments which are inaccessible to passengers or crew while the vessel is being navigated.

* * * * *

Subchapter I—Bays, Sounds, and Lakes Other Than the Great Lakes: General Rules and Regulations

PART 96—LICENSED OFFICERS AND CERTIFICATED MEN

Section 96.23 is amended by changing the sixth undesignated paragraph to read as follows:

§ 96.23 *Cabin watchmen and fire patrolmen.* * * * (See § 78.22 of this chapter, which is identical with this section.)

Subchapter J—Rivers: General Rules and Regulations

PART 113—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES

The first sentence of § 113.22 is amended to read as follows:

§ 113.22 *Equipment for lifeboats on vessels on all rivers except western rivers whose waters flow into the Gulf of Mexico and the Yukon River.* All lifeboats except those provided for in § 113.22a of this part shall be equipped as follows: * * *

Section 113.44 (a) is amended to read as follows:

§ 113.44 *Life preservers—(a) Number required.* All vessels shall be provided with one approved life preserver for each person carried.

PART 115—LICENSED OFFICERS

Section 115.23 is amended by changing the sixth undesignated paragraph to read as follows:

§ 115.23 *Cabin watchmen and fire patrolmen.* * * * (See § 78.22 of this chapter, which is identical with this section.)

Subchapter O—Regulations Applicable to Certain Vessels and Shipping During Emergency

PART 153—BOATS, RAFTS, AND LIFESAVING APPLIANCES; REGULATIONS DURING EMERGENCY

Section 153.10 (b) is amended to read as follows:

§ 153.10 *Construction of life preservers.* * * *

(b) *New life preservers, covering.* New life preservers for use on ocean and coastwise vessels are to be covered with slate colored drill which meets the requirements of Navy Department Specification 27–D–1–b; or, one side shall be covered with such slate colored drill and the other side with chrome yellow or orange colored drill. The covering is to be rendered fire-resistive by treatment with approved fire-resistive substance.

Section 153.17 is amended to read as follows:

§ 153.17 *Lifesaving nets.* On all mechanically-propelled ocean and coastwise vessels of over 1,000 gross tons, there shall be provided for each set of davits a lifesaving net or nets aggregating at least 10 feet in width to reach from the rail to the light load line. Steel nets shall be made in sections having a width of 5 feet. On and after January 31, 1943, all new installations or replacements of lifesaving nets shall be of an approved type.

MISCELLANEOUS ITEMS OF EQUIPMENT APPROVED

The following items of equipment for the better security of life at sea are approved:

Lifeboats

12′ x 4.5′ x 1.92′ metallic lifeboat (6-person capacity) (Dwg. No. G–211R, dated 30 September 1942), manufactured by C. C. Galbraith & Son, Inc., New York, N. Y.

22′0″ x 7′6″ x 3′2″ metallic motor-propelled lifeboat (313 Cu. Ft.) (Dwg. No. 2389, dated 12 September 1942), manufactured by Welin Davit & Boat Corporation, Perth Amboy N. J.

22′0″ x 7′6″ x 3′2″ metallic lifeboat (313 Cu. Ft.) (Dwg. No. N. L. 31–P. W. sheets 1A and 2A, dated 21 September 1942), manufactured by Neptune Boat & Davit Co., Inc., New Orleans, La.

Davit

Welin straight boom sheath screw davit, Type B–N (General Arrangement Dwg. No. 2411, dated 16 October 1942) (Maximum working load of 6,500 pounds per arm), manufactured by Welin Davit & Boat Corp., Perth Amboy, N. J.

Skates or Fenders for Lifeboats

Skates and skid fenders for lifeboats (Dwg. No. 2409, dated 30 October 1942, Rev. 14 December 1942), manufactured by Welin Davit & Boat Corp., Perth Amboy, N. J.

Disengaging Apparatus

Imperial Mills type releasing hook, sizes F and G (Assembly Dwg. No. CD–1111, dated 15 November 1942; and Detail Dwg. No. CD–1110, dated 7 November 1942) (Maximum working load of 6,000 pounds per hook for each size), manufactured by Imperial Lifeboat & Davit Company, Inc., Athens, N. Y.

Lane Mills Releasing Gear, Type "C", (Assembly Dwg. S–122, dated 3 November 1942) (Maximum working load of 6,500 pounds per hook), manufactured by Lane Lifeboat & Davit Corporation, Flushing, N. Y.

Galbraith Rottmer Releasing Gear (Dwg. 1212 R, dated 18 August 1942) (Maximum working load of 6,000 pounds per hook), manufactured by C. C. Galbraith & Son, Inc., New York, N. Y.

Life Rafts

20-person catamaran type life raft (Dwg. dated 3 December 1942), constructed by Paul, Rice & Levy, Inc., New Orleans, La.

20-person catamaran type life raft (Dwg. No. N. R. 20-P. C., dated 5 December 1942), constructed by Neptune Boat & Davit Company, Inc., New Orleans, La.

20-person catamaran type life raft (Dwg. dated 15 January 1942, 3 sheets), constructed by Jones-Gillis Contracting Company, McComb, Miss.

Life Floats

60-person rectangular hollow balsa wood life float (Dwg. No. BF–10A dated 11 October 1942), manufactured by Winner Manufacturing Company, Trenton, N. J.

10-person rectangular hollow balsa wood life float (Dwgs. dated 11 July 1942 and 19 September 1942), manufactured by General Store Equipment Corporation, Astoria, Long Island, N. Y.

Flashlight for Lifeboats

No. 1725 three-cell, plastic, pre-focused flashlight, manufactured by Bright Star Battery Co., Clifton, N. J.

Lifeboat Bilge Pump

Amity No. 2 bilge pump for lifeboats (Dwgs. 1543 and 1544, dated 9 December 1942), manufactured by Amity Foundry and Machine Co., Perth Amboy, N. J.

Luminous Cloth or Tape for Marking Interior Accommodations, Etc.

Velva-Glo D–7 Blue Green Plastic Luminous Tape, manufactured by Velvatone Poster Co., San Francisco, Calif.

Lifesaving Suit

Victory lifesaving suit, Type "B", manufactured by The Watertight Slide Fastener Corp., New York, N. Y. (For use in conjunction with approved 24-ounce kapok life preservers.)

Thread for Use in Life Preservers

No. 10/4 natural, glace finish cotton thread, manufactured by Colonial Thread Co., Boston, Mass.

No. 10/3 natural, glace finish cotton thread, manufactured by Colonial Thread Co., Boston, Mass.

Low-Pressure Heating Boiler

Size No. 1 H. M., special heating boiler (Dwg. No. 52–5295, dated 2 December 1942) (Maximum working pressure of 30 pounds per square inch), manufactured by The International Boiler Works, East Stroudsburg, Pa.

Water Light

Automatic floating electric water light, Type ML4 (Dwg. No. ML43, Rev. 12 December 1942), manufactured by Winner Manufacturing Co., Trenton, N. J.

R. R. WAESCHE,
Commandant.

JANUARY 11, 1943.

[P. R. Doc. 43-586; Filed, January 12, 1943; 10:32 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket Nos. A–1807, A–1808]

DISTRICT BOARD 1

MEMORANDUM OPINION, ETC.

In the matters of the petitions of District Board No. 1 for the establishment of price classifications and minimum prices, for changes in seam designations and price classifications, for the establishment of an additional shipping point, and for corrections and changes in rail-

road loading points and designations, respectively, for the coals of certain mines located in District 1; Docket Nos. A–1807 and A–1808.

In the matters of the petitions of District Board No. 1 for changes in seam designations, price classifications and minimum prices for the coals of the Thompson No. 1 Mine (Mine Index No. 2151) of George Thompson and the Keystone Mine (Mine Index No. 1158) of H. P. Burkholder, located in District 1; Docket Nos. A–1807 and A–1808, Part II.

Memorandum opinion and order severing Docket Nos. A–1807 and A–1808, Part II from Docket Nos. A–1807 and A–1808, and notice of and order for hearing in Docket Nos. A–1807 and A–1808, Part II.

Original petitions, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, were filed with the Division by the above-named party, requesting, in part, that relief, both temporary and permanent, be granted with respect to the seam designations and price classifications for the coals produced at the Thompson No. 1 Mine, Mine Index No. 2151, operated by George Thompson and for the Keystone Mine, Mine Index No. 1158, operated by H. P. Burkholder, respectively.

With respect to the relief requested for the Thompson No. 1 Mine, Mine Index No. 2151, it is alleged in the original petition filed by the above-named party in Docket No. A–1808, that this mine is presently designated as operating in the "Pittsburgh" seam, is classified as "G" in Size Group 3 for all shipments except truck, and is priced at $2.35 per ton f. o. b. the mine in this size group for truck shipments. It is further alleged in the petition that investigation by District Board No. 1 discloses that this mine is opened in the same tract of coal as the Thompson No. 2 Mine, Mine Index No. 3432, which is properly designated as operating in the "E" seam. It is also alleged in this petition that the "Pittsburgh" seam does not overlie the "E" seam at these mines.

On the basis of these facts, the District Board in its original petition filed in Docket No. A–1808, proposes that the seam designation for the Thompson Mine, Mine Index No. 2151, be changed from "Pittsburgh" to "E"; that the classification of the coals produced at this mine be changed from "G" to "H" in Size Group 3 for all shipments except truck, and that the minimum f. o. b. mine price for said coals be changed from $2.35 to $2.30 per net ton, for truck shipments.

With respect to the relief requested for the Keystone Mine, Mine Index No. 1158, it is alleged in the original petition filed by the above-named party in Docket No. A–1808, that this mine is presently designated as operating in the "Pittsburgh and Redstone" seams, is classified as "G" in Size Group 3 for all shipments except truck, and is priced at $2.35 per net ton f. o. b. the mine, in this size group for truck shipments. It is further alleged in this petition that investigation by District Board No. 1 discloses that this mine is presently operating in the "Redstone" seam only, due to the fact that the "Pittsburgh" seam is completely flooded and probably will never be worked again.

On the basis of these facts, the District Board, in its original petition filed in Docket No. A–1808, proposes that the seam designation for the Keystone Mine, Mine Index 1158, be changed from "Redstone and Pittsburgh" to "Pittsburgh"; that the classification of the coals produced at this mine be changed from "G" to "H" in Size Group 3 for all shipments except truck, and that the minimum f. o. b. mine price for said coals be changed from $2.35 to $2.30 per net ton for truck shipments.

In view of the fact that the proposal of the District Board as set forth above involves changes in price classifications and minimum prices heretofore established for the coals produced at the said Thompson and Keystone Mines, the Director is of the opinion that that portion of the consolidated petitions which relate to the relief requested by District Board No. 1 for the said Thompson No. 1 Mine, Mine Index No. 2151, and the said Keystone Mine, Mine Index No. 1158, should be severed therefrom and designated as Docket Nos. A–1807 and A–1808, Part II, and that said severed portion should be scheduled for hearing.

However, with respect to that portion of the consolidated petitions which is designated as Docket Nos. A–1807 and A–1808, in which the District Board proposed the establishment of price classifications and minimum prices and other relief for other mines, the Director being of the opinion that such relief should be granted with respect to such other mines, an order granting temporary relief and conditionally providing for final relief has been issued in said Docket Nos. A–1807 and A–1808.

It is, therefore, ordered, That those portions of the original petitions which relate to the coals of the Thompson No. 1 Mine, Mine Index No. 2151, operated by George Thompson, and the Keystone Mine, Mine Index No. 1158, operated by H. P. Burkholder, respectively, be, and the same hereby are, severed from Docket Nos. A–1807 and A–1808, and that such severed portions be, and the same hereby are, designated as Docket Nos. A–1807 and A–1808, Part II.

It is further ordered, That a hearing in Dockets Nos. A–1807 and A–1808, Part II, under the applicable provisions of said Act and rules of the Division be held on January 28, 1943, at 10 o'clock in the forenoon of that day at a hearing room of the Division in Washington, D. C. On such day the chief of the records section will advise as to the room where such hearing will be held.

It is further ordered, That D. C. McCurtain or any other officer or officers of the Division duly designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, continue said hearing from time to time, and submit to the undersigned proposed findings of fact, conclusions, and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before January 23, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 1 for a change in the seam designation for the Thompson No. 1 Mine, Mine Index No. 2151 operated by George Thompson, from the "Pittsburgh seam" to the "E" seam, and for a change in the seam designation for the Keystone Mine, Mine Index No. 1158, operated by H. P. Burkholder, by deleting therefrom the "Pittsburgh" Seam, so that hereafter said mine will be designated under the "Redstone" Seam, and for the establishment of price classifications and minimum prices for such coals in the Schedules of Effective Minimum Prices in District 1 for All Shipments Except Truck and For Truck Shipments, which reflect such changes in seam designation.

Dated: January 8, 1943.

[SEAL] DAN H. WHEELER, *Director*

[F. R. Doc. 43–552; Filed, January 11, 1943, 12:22 p. m.]

[Docket No B-245]

DOWLING COAL CO.

ORDER REINSTATING REGISTRATION

In the matter of Lawrence H. Dowling, doing business as Dowling Coal Company, registered distributor, Registration No. 2472.

An order having been issued in the above-entitled matter on October 19, 1942, suspending the registration of Lawrence H. Dowling, doing business as Dowling Coal Company, Registered Distributor, Registration No. 2472, for a period of sixty (60) days from the date of the service of said order upon said distributor; and

Said order having been duly served on the above-named distributor on October 28, 1942, and said order of suspension having expired on December 27, 1942; and

An affidavit dated December 21, 1942, having been filed by said distributor with the Bituminous Coal Division on December 28, 1942, pursuant to the provisions of § 304.15 of the Rules and Regulations for the Registration of Distributors and of said order issued herein on October 19, 1942; and

It appearing from said affidavit that Lawrence H. Dowling, doing business as Dowling Coal Company, has complied with the provisions of said § 304.15 of the Rules and Regulations of Distributors and of said order issued on October 19, 1942;

Now, therefore, it is ordered, That the registration of Lawrence H. Dowling, doing business as Dowling Coal Company, as a registered distributor, Registration No. 2472, be, and the same hereby is reinstated effective as of 12:01 a. m. on January 3, 1943.

Dated: January 8, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43–553; Filed, January 11, 1943; 12:23 p. m.]

[Docket No. A–1737]

DISTRICT BOARDS 7 AND 8

MEMORANDUM OPINION, ETC.

In the matter of the petition of District Boards Nos. 7 and 8 for an increase in minimum prices, pursuant to section 4 II (a) and (b) of the Bituminous Coal Act of 1937.

Memorandum opinion and order denying temporary relief and notice of and order for hearing.

On November 12, 1942, the Bituminous Coal Producers Boards for District Nos. 7 and 8 (hereinafter sometimes referred to as petitioners) filed a joint petition for an order increasing the minimum prices in such a manner as to increase the minimum price realization for coals produced in Minimum Price Area 1 by such amount as the Director may find to be the increase in the weighted average of the total costs per net ton of 2,000 pounds of the tonnage produced in Minimum Price Area 1 over and above the determination thereof made by the Director in General Docket No. 21, without, however, changing the coordination of such minimum prices heretofore established by the Director.

Petitioners also allege that they are informed and believe that the weighted average of the total costs of production in Minimum Price Area 1 have increased at least five cents per net ton of 2,000 pounds, exclusive of seasonal changes, over and above the determination of such costs in General Docket No. 21. Petitioners, therefore, request an immediate temporary order revising the minimum prices heretofore established for coals produced in Minimum Price Area 1 in such a manner as to increase the minimum price realization for Minimum Price Area 1 by at least five cents per net ton of 2,000 pounds, without, however, changing the coordination of such minimum prices heretofore established between districts.

A preliminary compilation prepared by the Economics Branch of the Bituminous Coal Division from verified cost reports of individual producers of Minimum Price Area 1 and attached hereto as Exhibit A indicates that reported costs are two cents or more per net ton in excess of the weighted average of the total costs for Minimum Price Area 1 heretofore determined.

In view of the allegations of the above-mentioned petition the Director believed a preliminary conference would be helpful for the purpose of discussing matters related to the petition and a proceeding for redetermination of costs and revision of minimum prices. Such a conference was held on December 17, 1942, and was attended by representatives of the Division, District Boards 1–11 and 13, Consumers' Counsel, and American Coal Sales Association. At that time, it was stated by representatives of various district boards that they were opposed to an early hearing in a proceeding to redetermine costs and revise minimum prices. Similar opposition was voiced by representatives of District Boards 14–20, 22 and 23 at a conference held with representatives of the Division on January 6 and 7, 1943. Among objections urged by such district boards at the conferences were the objections that a hearing at this time was unnecessary, that several months would be required for certain district boards to obtain complete data and exhibits for proper presentation, and that cost factors should be considered in the next cost proceeding in addition to those which can now readily be shown. Nevertheless, in view of the pendency of the petition of District Boards Nos. 7 and 8 and their request for immediate temporary relief, it is appropriate to grant the request of the petitioners that a hearing be held for the purpose of affording them and others an opportunity to make a showing concerning cost changes in Minimum Price Area 1 and suitable revisions of minimum prices.

The Bituminous Coal Division, under section 4 II (b) of the Act, is empowered from time to time to review and revise the effective minimum prices in accordance with the standards set forth in subsections (a) and (b) of section 4 II upon satisfactory proof that there has been a change in any minimum price area in excess of two cents per net ton in the weighted average of the total costs.

The Director is of the opinion, however, that the Act does not empower him, prior to a redetermination of costs and at this state of the proceeding to grant temporary relief as requested by petitioners.

Now, therefore, it is ordered, That the temporary relief, requested by petitioners, be and the same hereby is denied.

It is further ordered, That a hearing in the above-entitled matter be held on February 24, 1943, at 10 o'clock a. m. at a hearing room of the Bituminous Coal Division, Washington, D. C. On such day the Chief of the Records Section will advise as to the room where such hearing will be held.

It is further ordered, That C. R. Larrabee or any other officer or officers of the Bituminous Coal Division designated by the Director thereof for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, to prepare and submit to the Director proposed findings of fact, conclusions of law, and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

It is further ordered, That the verified cost reports upon which the compilation in Exhibit A attached hereto is based be and the same hereby are made a part of the record of this proceeding, subject to appropriate objection at the hearing. Such cost reports will be available for inspection by the interested persons and parties (who have filed notices in accordance with the provisions hereof) as soon as practicable and prior to the commencement of the hearing, at Room 502, Walker Building, 734 Fifteenth Street NW., Washington, D. C.

It is further ordered, That on or before February 10, 1943, District Boards Nos. 7 and 8, the petitioners herein, shall file in this docket and serve copies thereof upon all district boards, Consumers' Counsel, and all parties who have filed notices herein, written statements concerning (a) the specific changes, in the weighted average costs of production for Minimum Price Area 1, which petitioners claim have occurred since the determinations thereof in General Docket No. 21 and upon which petitioners propose that revisions of minimum prices be based, (b) the specific proposals of the changes in minimum prices which petitioners seek to have established in this proceeding for Minimum Price Area 1 and any other minimum price area, (c) the cost, distribution, and realization data upon which such claimed changes in costs and proposed minimum prices are based, and the extent to which petitioners intend to rely upon data made available by the Bituminous Coal Division.

Notice of such hearing is hereby given to the Bituminous Coal Producers Board for each district, to all code members, to the Consumers' Counsel, and to all other persons who may have an interest in this matter. Any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect, setting forth clearly the nature of the interest of such person in this proceeding, with the Bituminous Coal Division on or before January 29, 1943. Thereafter and within 10 days after service of the aforesaid statement by petitioners, each interested person or party shall file a statement or a petition of intervention setting forth in detail the position of such person or party with regard to its specific requests or proposals, if any, and the specific requests or proposals of petitioners. Copies of such statement or petition of intervention shall be served upon all other interested persons or parties. Each interested person or party shall be limited in the presentation of evidence, argument and briefs to those matters specifically alleged in the statement or petition of intervention filed. No person who fails to file an appropriate and timely notice and statement or petition of intervention as herein required shall be

admitted as an interested person or party, or heard in this proceeding except upon good cause shown and after the making of an appropriate order or ruling by the Examiner.

At such hearing, interested persons or parties will be afforded an opportunity to be heard and to present evidence relating to the correctness or incorrectness of Exhibit A attached hereto or otherwise relating to the subject matter of this proceeding.

The matter concerned herewith is (a) the determination of the extent, if any, to which there has been a change in excess of two cents per net ton in the weighted average of the total costs heretofore determined by the Division in General Docket No. 21 for Minimum Price Area 1, and (b) the making of such revision of the effective minimum prices as may be required in Minimum Price Area 1 or any other minimum price area by reason of any such changes in costs for the coals produced in Minimum Price Area 1, and in order to assure that the effective minimum prices established herein (1) will return a realization which approximates the weighted average of the total costs for Minimum Price Area 1, and (2) also comply in other respects with the standards of section 4 II (a) and (b) of the Act.

Dated: January 9, 1943.

[SEAL] DAN H. WHEELER,
Director.

EXHIBIT A

WEIGHTED AVERAGE OF PRODUCING, ADMINISTRATIVE, AND SELLING COSTS

Determined weighted average costs in General Docket No. 21, and preliminary compilations from reports made by producers for the twelve months July 1941 through June 1942 and the twelve months October 1941 through September 1942

Price area and district	Weighted average cost per ton		
	Determined in general Docket No. 21	12 months July 1941 through June 1942[2]	12 months October 1941 through September 1942[1]
Minimum Price Area 1			
District No. 1	$2.4242	$2.4207	$2.4572
District No. 2	2.2508	2.3091	2.3474
District No. 3	1.9143	1.9731	1.9987
District No. 4	1.9357	1.9555	1.9942
District No. 5	4.2215	4.2418	4.1503
District No. 6	1.8067	2.0437	2.0203
District No. 7	2.4053	2.4265	2.5758
District No. 8	2.2521	2.3001	2.3353
Total Price Area 1	2.2543	2.2672	2.3339

[1] Mines over 50 tons daily capacity only. Mines of less than 50 tons daily capacity without rail or river connections report annually on Form T-2; their costs cannot be broken down by periods within the calendar year.

ECONOMICS BRANCH.
JANUARY 9, 1943.

[F. R. Doc. 43-551; Filed, January 11, 1943; 12:23 p. m.]

DEPARTMENT OF AGRICULTURE.

Office of the Secretary.

[Rationing Order C, Announcement 2]

RATIONING OF FARM MACHINERY AND EQUIPMENT

NEW FARM MACHINERY AND EQUIPMENT

Pursuant to § 2.207 of Rationing Order C[1] the Special War Board Assistant hereby announces that no quotas will be presently established for the following Schedule I equipment:

Irrigation pumps.
- Turbine pumps, 0 to 1,200 GPM.
- Turbine pumps, 1,200 GPM and up, belt driven.
- Centrifugal pumps.

Farm milk coolers.
- Immersion type.
- Surface or tubular type.

County farm rationing committees may, therefore, immediately commence to ration the Schedule I equipment listed above and to issue purchase certificates therefor, in accordance with the provisions of Rationing Order C. Certifications required by § 2.218 (b) of Rationing Order C must be filed for such Schedule I equipment.

This Announcement No. 2 to Rationing Order C shall become effective January 13, 1943.

Done at Washington, D. C., this 11th day of January 1943.

[SEAL] FRED S. WALLACE,
Special War Board Assistant.

[F. R. Doc. 43-587; Filed, January 12, 1943; 9:28 a. m.]

Food Distribution Administration.[2]

[Docket No. AO 117-A 3]

WASHINGTON, D. C., MARKETING AREA

NOTICE OF HEARING ON HANDLING OF MILK

Proposed amendments to tentatively approved marketing agreement, as amended, and order, as amended, regulating the handling of milk in the Washington Marketing Area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 *et seq.*), and in accordance with the applicable rules of practice and procedure thereunder (7 CFR 900.1–900.17; 6 F.R. 6570, 7 F.R. 3350), notice is hereby given of a hearing to be held in the Auditorium, South Building, United States Department of Agriculture, Washington, D. C., beginning at 10 a. m., E. W. T., January 18, 1943, with respect to proposed amendments to the tentatively approved marketing agreement, as amended, and the order, as amended, regulating the handling of milk in the Washington marketing area. These amendments have not received the aproval of the Secretary of Agriculture.

This public hearing is for the purpose of receiving evidence with respect to the economic or marketing conditions which relate to the amendments or any modification thereof, which are hereinafter set forth. Such evidence may also include economic or marketing data relative to the provisions of the said tentatively approved marketing agreement and order which will be affected by approval of the proposed amendments or any modification thereof. The amendments which have been proposed are set forth below:

Proposed by Maryland and Virginia Milk Producers' Association, Inc.

1. In § 945.1 (a) (5), delete the words "or cream" in line 5 and add the words "from which no milk was shipped to the marketing area as milk during the preceding year" at the end of the definition of a "producer."

2. Delete § 945.4 (b) (1) and (2) and substitute therefor the following:

(1) *Class I milk.* All milk disposed of in the form of fluid milk, skim milk, buttermilk, flavored or manufactured milk drinks, the butterfat in cottage cheese and plant shrinkage.

(2) *Class II milk.* All milk the cream therefrom which is disposed in the form of cream.

3. Amend § 945.5 (c) as follows:

(a) Delete the words "and cream" in the title paragraph (c).

(b) In subparagraph (1), delete the words "or cream" in line 1 and the words "and cream" in line 7; at the end of line 11 change the period to a semi-colon and add the words "and that the allocation shall not violate the provision relating to 'Emergency Supplies' in subparagraph (2) below."

(c) Delete subparagraph (3) and substitute therefor the following:

(3) Milk, skim milk, and cream designated as "emergency supplies" shall be classified as Class II, except any of these "emergency supplies" in excess of the total amount of Class II used by the receiving handler shall be allocated to Class I; *Provided* that "emergency supplies" shall be deemed to be any milk or cream received by a handler from plants outside the marketing area, except from plants from which milk was delivered to the marketing area in May 1942.

4. Delete § 945.4 (d) (1) and (2) and substitute therefor the following:

(1) *Class I milk.* Combine into one total the pounds of products disposed of as Class I, plus the milk equivalent of butterfat in cottage cheese and in plant shrinkage.

(2) *Class II milk.* Deduct the total pounds of Class I milk determined in (1) above from the gross receipts of milk and milk equivalent of cream from all sources.

5. Amend § 945.5 (a) as follows:

(a) In subparagraph (1), substitute "$4.50" in line 1 for "$3.57"; in line 4 and line 8 substitute "$4.04" for "$3.11."

(b) In subparagraph (2) (i), substitute "$1.00" in line 7 for "28 cents"; in line 7 and line 8 delete the words "and subtract 23½ cents."

(c) Add a new subparagraph as follows:

(3) *Sales outside the marketing area.* For handlers shipping emergency supplies of milk or cream into the marketing area, the price for milk or cream disposed by these handlers outside the marketing area shall be such prices as were paid the majority of farmers in the market where such milk was disposed of, in lieu of the class prices set forth in (a) of this section.

6. Delete § 945.7 (a) and substitute therefor the following:

(a) *Computation of value for each handler.* For each delivery period the market administrator shall compute the value of milk disposed of by each handler receiving milk from other producers as follows: Multiply the hundredweight of milk in each class by the price applicable to § 945.5; add the resulting values together; deduct the product obtained by multiplying the Class II price by the hundredweight of milk equivalent (at the average test of milk received from producers) in the butterfat in cream received from plants at which no milk is received from producers; then deduct the products obtained by multiplying the applicable class price by the milk designated as "emergency supplies", and divide the remaining sum by the hundredweight of milk received from producers, exclusive of milk designated as "emergency supplies."

7. Amend § 945.8 (a) as follows:

(a) Delete subparagraph (1) and substitute therefor the following:

(1) *Semi-monthly payments.* On or before the 20th day of each delivery period, each handler shall make payment to producers for the approximate value of milk received during the first 15 days of each delivery period and on or before the 5th day after the end of each delivery period, each handler shall make payment to producers for the approximate value of milk received from the 16th to the end of the delivery period.

(b) In subparagraph (2), substitute "15th" for "18th."

8. In § 945.8 (d), substitute a semicolon for the period after the word "plant" and add thereto the following:

Provided, That in the case of handlers delivering milk qualifying as "emergency supplies" pursuant to § 945.4, paragraph (c), then in lieu of the $.18 location adjustment specified above, the handler may deduct an amount per hundredweight equivalent to the cost of transporting such milk to the marketing area but in no event shall this amount exceed the railroad rates established by the Interstate Commerce Commission.

Proposed by Embassy-Fairfax Dairy, Inc.

1. Provide for a market-wide pool instead of the present individual handler pool.

2. Provide for a receiving station differential of 18 cents per hundredweight and a transportation differential of 50 cents per hundredweight for milk received at plants located in Queen Anne's County, Maryland.

3. Provide that plant loss of 2 percent be placed in Class II instead of Class I.

Proposed by Chestnut Farms-Chevy Chase Dairy Company

1. Provide for the classification of plant loss not to exceed 2 percent by volume of receipts in "Class II milk."

Proposed by Martin's Dairy

1. In § 945.5, add a paragraph as follows:

(b) *Sales outside the marketing area.* In lieu of prices set forth in this section, the prices to be paid by handlers for Class I milk and Class II milk disposed of from those wagons or trucks which do not travel within the marketing area at any time while containing any milk or cream shall be such prices as were paid to farmers in the market where such milk was disposed of for milk of equivalent use, as ascertained by the market administrator.

Proposed by Dairy and Poultry Branch, Food Distribution Administration

1. Delete § 945.3 (b) (2) and substitute therefor the following:

(2) (i) Those facilities necessary for the checking of the weighing and sampling of milk and adequate records for determining the utilization of milk or cream by the handler.

(ii) In establishing the classification of any milk or cream received at a plant from producers, the burden rests upon the handler who received the milk from producers to show that it should not be classified as Class I milk.

Copies of this notice of hearing, of the tentatively approved marketing agreement, as amended, and of the order, as amended, now in effect, may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1331 South Building, Washington, D. C., or may be there inspected.

[SEAL] THOMAS J. FLAVIN,
Assistant to the Secretary of Agriculture.[2]

JANUARY 12, 1943.

[F. R. Doc. 43-592; Filed, January 12, 1943; 11:35 a. m.]

[1] 7 F.R. 9647.

[2] Formerly Agricultural Marketing Administration.

FEDERAL TRADE COMMISSION.

[Docket No. 4866]

VALMOR PRODUCTS CO., ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 9th day of January, A. D. 1943.

In the matter of M. G. Neuman, an individual, doing business as Valmor Products Company, Famous Products Company, and Madam Jones Company.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That Webster Ballinger, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, January 20, 1943, at ten o'clock in the forenoon of that day (central standard time) in Room 1123, New Post Office Building, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-585; Filed, January 12, 1943; 10:33 a. m.]

[1] Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81; 7 F.R. 2656)

OFFICE OF PRICE ADMINISTRATION.

[Order 5 Under MPR 244]

TRIANGLE FOUNDRY CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 5 under § 1421.157 (a) of Maximum Price Regulation 244—Gray Iron Castings Docket No. GF3-2296.

For the reasons set forth in the opinion, issued simultaneously herewith, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Procedural Regulation No. 6 issued by the Office of Price Administration, *It is hereby ordered*,

Adjustment of maximum prices for gray iron castings sold by Triangle Foundry Co. (a) Triangle Foundry Company, Minooka, Illinois, may sell and deliver, and agree, offer, solicit and attempt to sell and deliver, the kinds and grades of gray iron castings set forth in paragraph (b) to the persons specified in paragraph (b), at prices not in excess of those stated therein. The persons specified in paragraph (b) may buy and receive, and agree, offer, solicit and attempt to buy and receive, such kinds and grades of gray iron castings at such prices from Triangle Foundry Co.

(b) *Maximum prices.*

Purchaser	Pattern No. or description	Maximum price ($ per lb.)
Mueble Printing Press & Mfg. Co., Chicago, Ill.	1. The patterns included in class 12GS by agreement of the parties	$.083
	2. The patterns included in class 12G by agreement of the parties	.0645
	3. The patterns included in class No. 22 by agreement of the parties	.0655
	4. The patterns included in class No. 13 by agreement of the parties	.066
Barber Greene Co., Aurora, Ill.	1. The patterns which were agreed to be sold at the flat price of $.064 per lb.	.103
	2. The patterns which were agreed to be sold at the flat price of $.0625 per lb.	.0688
J. H. Channon Corp., Chicago, Ill.	16T-UP	.107
	12T-UP	.091
	14½T-UP	.091
	3" Sheaves	.105
	483A	.091
	12R	.091
	110W	.087
	344A	.101
	344B	.14
	341C	.095
	345A	.091
	524A	.111
	627A	.076
	2132A	.07
	3450A	.091
	AN	.121
	C11-1	.085
	C11-613	.084
	D-3	.087
	D-4	.075
	D-9	.091
	D-10	.091

Purchaser	Pattern No. or description	Maximum price ($ per lb.)
J. H. Channon Corp., Chicago, Ill.—Contd.	D-14	$.097
	D-16	.091
	GP-37	.085
	GP-38	.121
	GP-39	.145
	GP-40	.128
	GP-62	.085
	GP-66	.208
	JEP-1	.105
	JEP-2	.087
	JEP-3	.084
	JEP-4	.084
	KL-33	.084
	KL-34	.084
	KL-35	.085
	KL-36	.113
	M-2	.097
	084	.111
	085	.111
	088	.091
	0092	.097
	TC-10	.076
	TC-84	.105
	TP-1	.087
	TP-11	.087
	TP-12	.081
	TP-13	.073
	TP-103	.076
	TP-186	.119
	TP-188	.116
	TP-189	.125
	TP-109	.076
	TP-271	.111
	TP-435	.085
	TP-436	.097
	TA-137	.084
	P-1	.111
	PN	.084
	U-75	.208
	UN	.101
	X042	.097
	T1-5	.072
	NXN	.091
Elgin Machine Works, Elgin, Ill.	SS8461	.25
	SS9453	.31
	6647941DXR	.31
	6.3732	.31
	48-8501	.19
	79-8701	.31
	79-8702	.31
	SS8442	.12
	SS8464-273	.05

(c) The permission granted to Triangle Foundry Co. is subject to the following condition: Triangle Foundry Co. shall file with the Iron and Steel Branch, Office of Price Administration, Washington, D. C. (1) a profit and loss statement and balance sheet, each submitted under oath, covering its over-all operations for the calendar year of 1942, such statement and balance sheet to be filed not later than thirty days after the close of said calendar year; (2) a sworn statement of its profits and losses on its over-all operations for each quarter year beginning with the first calendar quarter of 1943, such statements to be filed not later than thirty days after the close of the preceding quarter; (3) a breakdown of the profit and loss statements filed pursuant to (1) and (2) of this paragraph showing (i) net sales (ii) cost of commodities or services sold, stating separately total material costs, total labor costs and total other manufacturing costs and (iii) general and administrative expenses, segregating compensation to officers and directors: *Provided*, That said Company need not file any of the foregoing financial data if it has filed such data, or in the future does file such data on or before the time limits specified in this paragraph (c), on *Form A—Annual Financial Report* or *Form B—Interim Financial Report*, issued by the Office of Price Administration.

(d) All prayers of the petition not granted herein are denied.

(e) This Order No. 5 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires the definitions set forth in § 1421.164 of Maximum Price Regulation 244 shall apply to the terms used herein.

(g) This Order No. 5 shall become effective January 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.)

Issued this 11th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-543; Filed, January 11, 1943; 11:47 a. m.]

[Order 136 Under MPR 120]

DOMENICK MARRARA

ORDER GRANTING ADJUSTMENT

Order No. 136 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 1120-81-P.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coal in Size Groups 6 and 7 produced at the Marrara Mine (Mine Index No. 204), District No. 3, of Domenick Marrara may be sold and purchased for shipment by rail at a price not to exceed $2.45 per net ton, f. o. b. the mine.

(b) This Order No. 136 may be revoked or amended by the Price Administrator at any time.

(c) Within thirty (30) days from the effective date of this order, Domenick Marrara shall notify all persons purchasing his coal of the adjustments granted by this order, and shall include a statement that if the purchaser is subject to Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted by this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to conditions stated in Maximum Price Regulation No. 122.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(e) This Order No. 136 shall become effective January 11, 1943.

Issued this 11th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-570; Filed, January 11, 1943; 4:32 p. m.]

[Order 118 Under MPR 188]

MERRIFIELD MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICE

Order No. 118 under § 1499.158 of Maximum Price Regulation No. 188 [1]—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of a maximum price for sales by Merrifield Manufacturing Company of a new shopping cart.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 *It is ordered*:

(a) Merrifield Manufacturing Company, 2028 West Washington Boulevard Los Angeles, California, may sell and deliver its new waterproof "Victory Shopper" to retailers at a price, f. o. b. Los Angeles, California, no higher than $1.15.

(b) This Order No. 118 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 118 shall become effective on the 12th day of January 1943.

Issued this 11th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-569; Filed, January 11, 1943; 4:32 p. m.]

[Order 10 Under MPR 152]

LIBBY, MCNEILL & LIBBY

APPROVAL OF MAXIMUM PRICES

Order No. 10 under Maximum Price Regulation No. 152—Canned Vegetables.

On October 27, 1942 Libby, McNeill & Libby filed an application for specific authorization to charge a particular maximum price pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by Applicant with respect to the packing in 12 28-ounce glass containers of Libby Brand Green Tomato Pickles.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, *It is hereby ordered*, That:

(a) Libby, McNeill & Libby may sell, offer to sell, or deliver and any person may buy, offer to buy or receive 12 28-ounce Libby Brand Green Tomato Pickles at a price no higher than the maximum price of $2.26 per dozen, f. o. b. factory.

(b) This Order No. 10 may be revoked or amended by the Price Administrator at any time.

(c) The applicant, Libby, McNeill & Libby, shall not change its customary allowances, discounts or price differentials unless such change results in a lower price.

(d) Unless the context otherwise requires, the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Control Act of 1942, as amended, shall apply to terms used herein.

[1] 7 F.R. 5672.

(e) This Order No. 10 shall become effective on January 13, 1943.

Issued this 12th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-578; Filed, January 12, 1943; 10:11 a. m.]

[Order 11 Under MPR 152]

FAIRMONT CANNING COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 11 under Maximum Price Regulation No. 152—Canned Vegetables.

On November 9, 1942 the Fairmont Canning Company filed an application for specific authorization to charge a particular maximum price pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by Applicant with respect to the packing in No. 303 size cans and 8 ounce size cans of Standard Fresh White Lima Beans of the 1942 pack.

For the reasons set forth in the opinion which accompanied this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered*, That:

(a) The Fairmont Canning Company may sell, offer to sell or deliver and any person may buy, offer to buy or receive Standard Fresh White Lima Beans at a price no higher than the maximum price of $.71 per dozen, f. o. b. factory, for the No. 303 size cans and at a price no higher than $.46 per dozen for the 8 ounce size cans.

(b) This Order No. 11 may be revoked or amended by the Price Administrator at any time.

(c) The applicant, Fairmont Canning Company, shall not change its customary allowances, discounts or price differentials unless such change results in a lower price.

(d) Unless the context otherwise requires the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152, and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(e) This Order No. 11 shall become effective on January 13, 1943.

Issued this 12th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R Doc 43-579; Filed, January 12, 1943; 10:12 a. m.]

[Order 12 Under MPR 152]

W. H. ROBERTS AND COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 12 under Maximum Price Regulation No. 152—Canned Vegetables.

W. H. Roberts and Company, Baltimore, Md., has filed an application for specific authorization to charge a maximum price pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by the Applicant with respect to the packing in No. 10 cans of Top Standard Cut Ungraded Flat Green Beans.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered*, That:

(a) W. H. Roberts and Company may sell, offer to sell or deliver and any person may buy, offer to buy or receive No. 10 cans of Top Standard Cut Ungraded Flat Green Beans, at a price no higher than the maximum price of $5.00 per dozen, f. o. b. factory.

(b) This Order No. 12 may be revoked or amended by the Price Administrator at any time.

(c) The applicant, W. H. Roberts and Company shall not change its customary allowances, discounts or price differentials unless such change results in a lower price.

(d) Unless the context otherwise requires the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(e) This Order No. 12 shall become effective on January 13, 1943.

Issued this 12th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-580; Filed, January 12, 1943; 10:13 a. m.]

[Order 13 Under MPR 152]

FRUIT BELT PRESERVING COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 13 under Maximum Price Regulation No. 152—Canned Vegetables.

The Fruit Belt Preserving Company, East Williamson, New York, has filed an application for specific authorization to charge maximum prices pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Due consideration has been given the information submitted by the Applicant with respect to the packing of the following commodities:

Container size	*Commodity*
No. 10 cans	Extra Standard 6 Sieve Cut Green Beans.
No. 10 cans	Extra Standard 6 Sieve Cut Wax Beans.
No. 10 cans	Standard 6 Sieve Cut Green Beans.
No. 10 cans	Extra Standard Short Cut Green Beans.

For the reasons set forth in the opinion which accompanies this Order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered*, That:

(a) The Fruit Belt Preserving Company may sell, offer to sell or deliver and any person may buy, offer to buy or receive the following commodities at the maximum prices indicated:

Container size	Commodity	Authorized maximum price per dozen f. o. b. factory
No. 10 cans	Extra Standard 6 Sieve Cut Green Beans.	$6.47
No. 10 cans	Extra Standard 6 Sieve Cut Wax Beans.	6.61
No. 10 cans	Standard 6 Sieve Cut Green Beans.	6.22
No. 10 cans	Extra Standard Short Cut Green Beans.	6.13

(b) This Order No. 13 may be revoked or amended by the Price Administrator at any time.

(c) The applicant, Fruit Belt Preserving Company, shall not change its customary allowances, discounts or price differentials unless such change results in a lower price.

(d) Unless the context otherwise requires the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(e) This Order No. 13 shall become effective on January 13, 1943.

Issued this 12th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-581; Filed, January 12, 1943; 10:12 a. m.]

[Order 60 Under RPS 64]

DORTCH STOVE WORKS

APPROVAL OF MAXIMUM PRICE

Order No. 60 under Revised Price Schedule No. 64—Domestic Cooking and Heating Stoves.

On December 17, 1942, the Dortch Stove Works, Franklin, Tennessee, filed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64 for approval of a maximum price for a coal and wood range designated in the application as Model 100V.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered*:

(a) Dortch Stove Works may sell, offer to sell, transfer or deliver its Model 100V coal and wood range at a price not to exceed $35.00 f. o. b. factory to dealers, subject to discounts, allowances, and terms no less favorable than those in effect with respect to the comparable

Model 3342 as established under Revised Price Schedule No. 64.

(b) This Order No. 60 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 60 shall become effective on the 13th day of January 1943.

Issued this 12th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-582; Filed, January 12, 1943; 10:11 a. m.]

[Suspension Order 191]

HERBERT J. SCHWARTZ

ORDER RESTRICTING TRANSACTIONS

Herbert J. Schwartz, 37 West Atlantic Avenue, Laurel Springs, New Jersey, hereinafter called respondent, was duly served with a notice of specific charges of violations of Ration Order No. 5A, Gasoline Rationing Regulations, issued by the Office of Price Administration. Pursuant to the notice a hearing on the charges was held on October 27, 1942, in Camden, New Jersey. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been considered by the Deputy Administrator in Charge of Rationing, it is hereby determined that:

(a) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations in that on or about September 11, 1942, respondent purchased and accepted transfer of eight (8) gasoline ration coupons, Class C, from another person.

Violations of Ration Order No. 5A, Gasoline Rationing Regulations, by respondent have interfered with the administration and enforcement of the gasoline rationing regulations and hampered the war effort of the United States. It appears to the Deputy Administrator in Charge of Rationing that further violations by respondent are likely unless appropriate administrative action is taken, *It is therefore ordered:*

(b) The gasoline rations heretofore issued to respondent by the Office of Price Administration are hereby revoked.

(c) Respondent shall forthwith surrender for cancellation to the War Price and Rationing Board which issued the same all gasoline coupon books and coupons in his possession, *Provided, however*, That the Board may issue to respondent such gasoline ration as the Board shall determine respondent is entitled to under Ration Order No. 5C for his essential driving to and from work essential to the war effort.

(d) Any terms used in this Suspension Order No. 191 that are defined in Ration Order No. 5A, Gasoline Rationing Regulations, shall have the meaning therein given them.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); W.P.B. Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 2877, 5216); Supplementary Directive No. 1Q (7 F.R. 9121).)

Issued and effective this 12th day of January 1943.

PAUL M. O'LEARY,
Deputy Administrator in Charge of Rationing.

[F. R. Doc. 43-572; Filed, January 12, 1943; 10:11 a. m.]

[Suspension Order 192]

F. C. CARTER

ORDER RESTRICTING TRANSACTIONS

F. C. Carter, 24 Whiteford Avenue, N. E., Atlanta, Georgia, hereinafter called respondent, was duly served with a notice of specific charges of violations of Ration Order No. 5A, Gasoline Rationing Regulations, issued by the Office of Price Administration. Pursuant to the notice a hearing was held on November 16, 1942, in Atlanta, Georgia. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been considered by the Deputy Administrator in Charge of Rationing, it is hereby determined that:

(a) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations in that on August 29, 1942, in Atlanta, Georgia, respondent received the transfer of sixteen (16) Class "S" gasoline ration coupons and transferred twelve (12) of them to James Rowe.

Because of the great scarcity and critical importance of gasoline in the Georgia area, violations of Ration Order No. 5A, Gasoline Rationing Regulations, by respondent have interfered with the administration and enforcement of Ration Order No. 5A, and hampered the war effort of the United States. It appears to the Deputy Administrator in Charge of Rationing that further violations by respondent are likely unless appropriate administrative action is taken, *It is therefore ordered:*

(b) That respondent shall not have the right to acquire or use gasoline during the period from the effective date of this order to 12:01 a. m. January 22, 1943, and the ration heretofore issued to respondent is revoked and suspended accordingly.

(c) Respondent on or before January 18, 1943, shall surrender to the War Price and Rationing Board that issued them all gasoline ration coupon books and coupons in his possession. Said Board shall detach therefrom the following coupons and cancel the same: All Class A, No. 3 coupons.

(d) Respondent's gasoline coupon book Class A, shall be returned to him on January 22, 1942.

(e) Any terms used in this order which are defined in Ration Order No. 5A, Gasoline Rationing Regulations, shall have the meaning therein given them.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216); Supplementary Directive No. 1Q (7 F.R. 9121).)

Issued and effective this 12th day of January 1943.

PAUL M. O'LEARY,
Deputy Administrator in Charge of Rationing.

[F. R. Doc. 43-573; Filed, January 12, 1943; 10:13 a. m.]

[Suspension Order 193]

JAMES ROWE

ORDER RESTRICTING TRANSACTIONS

James Rowe, 136 Wesley Street, Atlanta, Georgia, hereinafter called respondent, was duly served with a notice of specific charges of violations of Ration Order No. 5A, Gasoline Rationing Regulations, issued by the Office of Price Administration. Pursuant to the notice a hearing was held on November 16, 1942, in Atlanta, Georgia. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been considered by the Deputy Administrator in Charge of Rationing, it is hereby determined that:

(a) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations in that on August 29, 1942, in Atlanta, Georgia, respondent received the transfer of twelve (12) Class "S" gasoline ration coupons from F. C. Carter and on or about August 15, 1942, in Atlanta, Georgia, respondent received the transfer of a Class "A" gasoline ration book issued to Sylvanus Smith.

Because of the great scarcity and critical importance of gasoline in the Georgia area, violations of Ration Order No. 5A, Gasoline Rationing Regulations, by respondent have interfered with the administration and enforcement of Ration Order No. 5A, and hampered the war effort of the United States. It appears to the Deputy Administrator in Charge of Rationing that further violations by respondent are likely unless appropriate administrative action is taken, *It is therefore ordered:*

(b) That respondent shall not have the right to acquire or use gasoline during the period from the effective date of this order to 12:01 a. m. January 22, 1943, and the ration heretofore issued to respondent is revoked and suspended accordingly.

(c) Respondent on or before January 18, 1943, shall surrender to the War Price and Rationing Board that issued them all gasoline ration coupon books and coupons in his possession. Said Board shall detach therefrom the following coupons and cancel the same: All Class A, No. 3 coupons.

(d) Respondent's gasoline coupon book Class A, shall be returned to him on January 22, 1942.

(e) Any terms used in this order which are defined in Ration Order No. 5A, Gasoline Rationing Regulations, shall have the meaning therein given them.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216); Supplementary Directive No. 1Q (7 F.R. 9121).)

Issued and effective this 12th day of January 1943.

PAUL M. O'LEARY,
Deputy Administrator in Charge of Rationing.

[F. R. Doc. 43-574; Filed, January 12, 1943; 10:12 a. m.]

[Suspension Order 194]

ALBERT CIMAGLIA

ORDER RESTRICTING TRANSACTIONS

Albert Cimaglia, 6701 Roberts Avenue, Dundalk, Maryland, hereinafter called respondent, was duly served with a notice of specific charges of violations of Ration Order No. 5A, Gasoline Rationing Regulations, issued by the Office of Price Administration. Pursuant to the notice a hearing was held on October 30, 1942, in Baltimore, Maryland. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been considered by the Deputy Administrator in Charge of Rationing, it is hereby determined that:

(a) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations, in that on or about July 20, 1942, respondent received the transfer of a gasoline ration coupon book, Class A, from another person.

Violations of Ration Order No. 5A, Gasoline Rationing Regulations, by respondent have interfered with the administration and enforcement of the gasoline rationing regulations and hampered the war effort of the United States. It appears to the Deputy Administrator in Charge of Rationing that further violations by respondent are likely unless appropriate administrative action is taken, *It is therefore ordered:*

(b) That respondent shall not have the right to acquire or use gasoline during the period from the effective date of this Order to 12:01 A. M. March 22, 1943, and the ration heretofore issued to respondent is revoked and suspended accordingly.

(c) Respondent on or before January 18, 1943, shall surrender to the War Price and Rationing Board that issued them all gasoline ration coupon books and coupons in his possession. Said Board shall detach therefrom the following coupons and cancel the same: All Class A, No. 3 coupons, all Class A, No. 4 coupons.

(d) Respondent's gasoline coupon book Class A, shall be returned to him on January 22, 1942.

(e) Any terms used in this order which are defined in Ration Order No. 5A, Gasoline Rationing Regulations, shall have the meaning therein given them.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); W.P.B. Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216); Supplementary Directive No. 1Q (7 F.R. 9121))

Issued and effective the 12th day of January, 1943.

PAUL M. O'LEARY,
Deputy Administrator in Charge of Rationing.

[F. R. Doc. 43-575; Filed, January 12, 1943; 10:12 a. m.]

WAR PRODUCTION BOARD.

[Certificate 27]

TANK CARS

The Attorney General: Pursuant to the provisions of section 12 of Public Law No. 603, 77th Congress, I enclose Transportation Request No. 1 of the Director General for Operations of the War Production Board relating to tank cars, which I have approved.

After consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such Transportation Request is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

JANUARY 9, 1943.

[F. R. Doc. 43-594; Filed, January 12, 1943; 12:10 p. m.]

[Transportation Request 1]

TANK CARS

PURCHASE, SALES, EXCHANGES AND COMMON USE OF FACILITIES

The diversion for war of a large part of the American and foreign registry tanker fleet, the loss through enemy action of other vessels of that fleet, and the increasing requirements for certain materials transported in tank cars to the war effort, has resulted in an acute shortage of tank cars and other tankage facilities. In order to minimize this shortage, it is necessary to increase and supplement means of overland transportation of these materials and to obtain the maximum efficient use of the available supply of tank cars and other tankage facilities.

Now, therefore, pursuant to Certificate No. 27 of the Chairman of the War Production Board to the Attorney General of the United States, under section 12 of Public Law No. 603, approved June 11, 1942, it is hereby requested that:

Purchase, sales, exchanges, and common use of facilities. All persons engaged in producing, transporting or distributing the materials listed on Schedule X annexed (herein referred to as Schedule X) shall make such purchases, sales, exchanges, or loans of Schedule X materials, and shall arrange for such common use of tank cars and other tankage facilities as may be required in order to attain the most efficient utilization thereof. All such purchases, sales, exchanges or loans, and arrangements for common use of tank cars and tankage facilities shall remain subject to review and adjustment by the Director General for Operations of the War Production Board to the end that no supplier or distributor or producer of any Schedule X material shall be deprived of an opportunity to share equitably in the available supply and use of tank cars and other tankage facilities.

Reports. All persons effecting purchases, sales, exchanges, or loans of products, or arrangements for joint use of tank cars or other tankage facilities as referred to herein shall promptly inform the Director General for Operations, War Production Board, Ref: Transportation Request No. 1.

Transportation Request No. 1 issued January 9, 1943.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE X

1. Acetic acid.
2. Ammonia solutions.
3. Aniline.
4. Butyl acetate.
5. Butyl alcohol.
6. Calcium chloride.
7. Carbon tetrachloride.
8. Castor oil.
9. Caustic potash.
10. Caustic soda.
11. Chlorine.
12. Coal tars.
13. Corn oil.
14. Corn syrup (glucose).
15. Cottonseed oil.
16. Distillates and distillation residues of coal tars or coke oven crude light oils (including but not limited to phenol, cresol, xylanol, cresylic acid, creosote, benzol, toluol, xylol, solvent naptha).
17. Ethyl acetate.
18. Ethyl alcohol.
19. Formaldehyde.
20. Hydrochloric acid.
21. Lard.
22. Linseed oil.
23. Methyl alcohol.
24. Mixed nitric and hydrochloric acids.
25. Molasses (cane, beet, hydrol-edible, blackstrap, invert).
26. Nitric acid.
27. Peanut oil.
28. Proprietary alcohol solvents.
29. Prophyl alcohol (normal and iso-).
30. Pyridine.
31. Road tar and road oil.
32. Sodium silicate.
33. Solvents of petroleum origin.
34. Soyabean oil.
35. Sulfuric acid.
36. Synthetic phenol.
37. Tallow (edible and inedible).
38. Vegetable oil foots and fatty acids.

[F. R. Doc. 43-595; Filed, January 12, 1943; 12:10 p. m.]

JAN 18 '43

FEDERAL REGISTER

VOLUME 8 NUMBER 9

Washington, Thursday, January 14, 1943

Regulations

TITLE 7—AGRICULTURE

Chapter XI—Food Distribution Administration

[Food Distribution Order 6]

PART 1405—FRUITS AND VEGETABLES

CITRUS FRUIT REQUIRED TO BE SET ASIDE

Pursuant to authority vested in me by Executive Order No. 9280, issued December 5, 1942, and in order to assure an adequate supply of citrus fruit juice and other citrus fruit products to meet war requirements; *It is hereby ordered*, As follows:

§ 1405.2 *Citrus fruit*—(a) *Definitions.* For the purposes of this order:

(1) "Citrus fruit" means oranges, lemons, grapefruit, and limes, but does not include tangerines or any of the foregoing unfit for human consumption or for processing into juice.

(2) "Handler" means any person who first prepares citrus fruit for marketing in fresh form, but does not include any person engaged solely in harvesting or producing citrus fruit.

(3) "Processor" means any person in the business of extracting juice from citrus fruit for processing and packing for shipment as juice, concentrated or unconcentrated, for human consumption.

(4) "Producing area" means the States of California, Arizona, Texas, and Florida.

(5) "Shipping period" means one calendar week unless the Director shall otherwise specify by order.

(6) "Ship" means to deliver for transportation by any common, contract, private, or other carrier by rail, truck, or other means, and includes the placing of citrus fruit in any conveyance for transportation, but does not include delivery for transportation directly from groves to the place where fruit is first prepared for market, delivery for transportation to processors, or delivery to charitable uses.

(7) "Government agency" means any agency of the United States purchasing citrus fruit for processing into concentrated or unconcentrated juice for delivery to the Army, Navy, Marine Corps, Coast Guard, War Shipping Administration, or to or for the account of the government of any country, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(8) "Director" means Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(b) *Restrictions on delivery of citrus fruit by handlers.* (1) Without regard to existing contracts, every handler in the producing area or such portions thereof as the Director may designate, shall, during each shipping period, set aside for the requirements of Government agencies and processors a quantity equal to such percentage as the Director may from time to time order of each type and variety of citrus fruit shipped by such handler during such period or the shipping period immediately preceding such period. The quantities of citrus fruit set aside during each period shall be retained by each handler for such length of time for each type and variety as the Director may order. Such set aside fruit shall be retained and stored under conditions customarily observed in the storage of citrus fruit.

(2) Citrus fruit set aside pursuant to this order may be sold or delivered at any time to any Government agency or to any processor or may at any time be processed by the handler into citrus fruit juice, subject to all orders restricting and regulating the production of such juice.

(3) If no Government agency has contracted for or declared its intention to contract for any portion of citrus fruit set aside and if no processor has contracted for any portion thereof prior to the expiration of the time specified by the Director for the holding of such fruit, such fruit shall be released from the restrictions of this order. Quantities set aside may also be released at any time by notice to that effect from the Director.

(c) *Restriction on processors.* No processor shall sell or deliver into fresh fruit channels any citrus fruit which at any time was set aside under this order by any handler.

(Continued on next page)

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FEDERAL REGISTER

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[Food Distribution Order 5]

PART 1490—MISCELLANEOUS FOOD PRODUCTS

RESTRICTING THE SALE AND DELIVERY OF PACKAGED CHICORY

Pursuant to Executive Order No. 9280, issued December 5, 1942, and in order to assure an adequate supply and efficient distribution of chicory; *It is hereby ordered*, As follows:

§ 1490.1 *Sales and delivery of packaged chicory restricted*—(a) *Definitions.* For the purposes of this order:

(1) "Processor" shall include any person, firm or corporation engaged in the business of processing or packaging chicory.

(2) "Packaged chicory" shall mean chicory in consumer size packages intended for or suitable for retail distribution.

(3) "Chicory" shall mean roasted chicory whether granulated or in rolls or in compressed tablets or in any other form.

(4) "Director" shall mean and include the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(b) *Restriction on sales of packaged chicory.* No processor shall sell, during the calendar year beginning January 1, 1943, packaged chicory in a quantity which bears a higher ratio to his total sales of chicory during such period than the ratio which his total sales of packaged chicory during the calendar year 1941 bore to his total sales of chicory during said calendar year. No processor shall, during any three month period beginning January 1, 1943, deliver more than one-fourth of his 1943 permissible sales of packaged chicory.

(c) *Records and reports.* All processors affected by this order shall maintain such records for such periods of time, and shall execute and file such reports and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe.

(d) *Audits and inspections.* Every processor shall permit inspection during reasonable business hours of his books, records, and accounts by the Director.

(e) *Appeals.* Any processor affected by this order who considers that compliance herewith would work an exceptional and undue hardship on him may appeal in writing to the Director, setting forth all pertinent facts in justification of such appeal, together with a statement of the nature of the relief requested. The Director may, upon the basis of such appeal and other information, take such action as he deems appropriate.

(f) *Violations.* Any person who wilfully violates any provision of this order or, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and, upon conviction, may be punished by fine or imprisonment. In addition, any person who in the judgment of the Director, is found to have violated any of the terms or provisions of this order may be prohibited from making or obtaining further deliveries of chicory, or from processing or using material under priority control and may be deprived of priorities assistance.

(g) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the United States Department of Agriculture, Food Distribution Administration, Washington, D. C., Ref: FD 6.

(h) *Delegation of authority.* The Director is hereby designated and authorized to administer the provisions hereof and to issue all orders necessary to the effectuation of the purposes and provisions of this order. The Director shall have final authority for the purposes of this order to determine whether any particular lot of oranges, grapefruit, lemons, or limes is fit for human consumption or for processing into juice.

(i) *Effective date.* This order shall be effective on January 13, 1943.

(Authority: E.O. 9280, 7 F.R. 10179.)

Issued this 12th day of January 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-602; Filed, January 12, 1943; 3:47 p. m.]

to have violated any of the terms or provisions of this order may be prohibited from making or obtaining further deliveries of chicory, or from processing or using material under priority control and may be deprived of priorities assistance.

(g) *Communications.* All reports that may be required to be filed hereunder and all communications in connection herewith shall, unless otherwise directed, be addressed to the United States Department of Agriculture, Food Distribution Administration, Washington, D. C. Ref.: FD 5.

(h) *Effective date.* This order shall be effective on January 13, 1943.

(Authority: E.O. 9280, 7 F.R. 10179.)

Issued this 12th day of January 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-601; Filed, January 12, 1943; 3:47 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess-Profits Taxes

[T.D. 5213]

PART 20—MISCELLANEOUS REGULATIONS UNDER THE REVENUE ACT OF 1939

INCOME TAX

Treasury Decision 4918 amended to conform to section 154 (b) of the Revenue Act of 1942, relating to commodity credit loans.

In order to conform Treasury Decision 4918, approved October 7, 1939, [Part 20, Title 26, Code of Federal Regulations, 1939 Sup.] to section 154 (b) of the Revenue Act of 1942 (Public Law 753, Seventy-seventh Congress), approved October 21, 1942, such Treasury Decision is amended as follows:

PARAGRAPH 1. Section 20c.0 is amended by inserting immediately after section 223 of the Revenue Act of 1939 set forth therein the following:

SEC. 154. COMMODITY CREDIT LOANS. (Revenue Act of 1942, Title I.)

* * * * *

(b) *Taxable years subject to prior laws.* Section 223 (d) of the Revenue Act of 1939 is amended by striking out "within one year from the date of the enactment of this Act" and inserting in lieu thereof "at or prior to the time prescribed for the filing of the taxpayer's return for the taxable year of the taxpayer beginning in 1942, or if there is more than one taxable year of the taxpayer beginning in 1942, for the last taxable year so beginning".

PAR. 2. Section 20c.2 [20.52] is amended by striking out "June 29, 1940", and inserting in lieu thereof "at or prior to the time prescribed for the filing of the taxpayer's return for the taxable year of the taxpayer beginning in 1942, or if there is more than one taxable year of the taxpayer beginning in 1942, for the last taxable year so beginning".

(Sec. 154 (b) of the Revenue Act of 1942 (Pub. Law 753, 77th Cong.), and sec. 3791 of the Internal Revenue Code (53 Stat. 467; 26 U.S.C., 1940 ed., 3791))

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: January 12, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-621; Filed, January 13, 1943; 10:29 a. m.]

[T.D. 5212]

PART 30—REGULATIONS UNDER THE EXCESS PROFITS TAX ACT OF 1940

EXCESS PROFITS TAX

Regulations 109 amended to conform to section 227 of the Revenue Act of 1942 (Public Law 753, 77th Congress).

Regulations 109 [Part 30, Title 26, Code of Federal Regulations, 1941 Sup.] are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 30.734–1 the following:

SEC. 227. AMENDMENTS TO SECTION 734 (Revenue Act of 1942, Title II.)

(a) *In General.* Section 734 is amended to read as follows:

SEC. 734. ADJUSTMENT IN CASE OF POSITION INCONSISTENT WITH PRIOR INCOME TAX LIABILITY.

(a) *Definitions.* For the purposes of this section:

(1) *Taxpayer.* The term "taxpayer" means any person subject to a tax under the applicable revenue Act.

(2) *Income tax.* The term "income tax" means an income tax imposed by Chapter 1 or Chapter 2A of this title; Title I and Title IA of the Revenue Acts of 1938, 1936, and 1934; Title I of the Revenue Acts of 1932 and 1928; Title II of the Revenue Acts of 1926 and 1924; Title II of the Revenue Acts of 1921 and 1918; Title I of the Revenue Act of 1917; Title I of the Revenue Act of 1916; or section II of the Act of October 3, 1913; a war profits or excess profits tax imposed by Title III of the Revenue Acts of 1921 and 1918; or Title II of the Revenue Act of 1917; or an income, war profits, or excess profits tax imposed by any of the foregoing provisions, as amended or supplemented.

(3) *Prior taxable year.* A taxable year beginning after December 31, 1939, shall not be considered a prior taxable year.

(4) The term "predecessor of the taxpayer" means:

(A) A person which is a component corporation of the taxpayer within the meaning of section 740; and

(B) A person which on April 1, 1941, or at any time thereafter, controlled the taxpayer. The term "controlled" as herein used shall have the same meaning as "control" under section 112 (h), and

(C) Any person in an unbroken series ending with the taxpayer if subparagraph (A) or (B) would apply to the relationship between the parties.

(b) *Circumstances of adjustment.*

(1) If:

(A) In determining at any time the tax of a taxpayer under this subchapter an item affecting the determination of the excess profits credit is treated in a manner inconsistent with the treatment accorded such item in the determination of the income-tax liability of such taxpayer or a predecessor for a prior taxable year or years, and

(B) The treatment of such item in the prior taxable year or years consistently with the determination under this subchapter would effect an increase or decrease in the amount of the income taxes previously determined for such taxable year or years, and

(C) On the date of such determination of the tax under this subchapter correction of the effect of the inconsistent treament in any one or more of the prior taxable years is prevented (except for the provisions of section 3801) by the operation of any law or rule of law (other than section 3761, relating to compromises),

then the correction shall be made by an adjustment under this section. If in a subsequent determination of the tax under this subchapter for such taxable year such inconsistent treatment is not adopted, then the correction shall not be made in connection with such subsequent determination.

(2) Such adjustment shall be made only if there is adopted in the determination a position maintained by the Commissioner (in case the net effect of the adjustment would be a decrease in the income taxes previously determined for such year or years) or by the taxpayer with respect to whom the determination is made (in case the net effect of the adjustment would be an increase in the income taxes previously determined for such year or years) which position is inconsistent with the treatment accorded such item in the prior taxable year or years which was not correct under the law applicable to such year.

(3) *Burden of proof.* In any proceeding before the Board or any court the burden of proof in establishing that an inconsistent position has been taken (A) shall be upon the Commissioner, in case the net effect of the adjustment would be an increase in the income taxes previously determined for the prior taxable year or years, or (B) shall be upon the taxpayer, in case the net effect of the adjustment would be a decrease in the income taxes previously determined for the prior taxable year or years.

(c) *Method and effect of adjustment.*

(1) The adjustment authorized by subsection (b), in the amount ascertained as provided in subsection (d), if a net increase shall be added to, and if a net decrease shall be subtracted from, the tax otherwise computed under this subchapter for the taxable year with respect to which such inconsistent position is adopted.

(2) If more than one adjustment under this section is made because more than one inconsistent position is adopted with respect to one taxable year under this subchapter, the separate adjustments, each an amount ascertained as provided in subsection (d), shall be aggregated, and the aggregate net increase or decrease shall be added to or subtracted from the tax otherwise computed under this subchapter for the taxable year with respect to which such inconsistent positions are adopted.

(3) If all the adjustments under this section, made on account of the adoption of an inconsistent position or positions with respect to one taxable year under this subchapter, result in an aggregate net increase, the tax imposed by this subchapter shall in no case be less than the amount of such aggregate net increase.

(4) If all the adjustments under this section, made on account of the adoption of an inconsistent position or positions with respect to a taxable year under this subchapter (hereinafter in this paragraph called the current taxable year), result in an aggregate net decrease, and the amount of such decrease exceeds the tax imposed by this subchapter (without regard to the provisions of this section) for the current taxable year,

such excess shall be subtracted from the tax imposed by this subchapter for each succeeding taxable year, but the amount of the excess to be so subtracted shall be reduced by the reduction in tax for intervening taxable years which has resulted from the subtraction of such excess from the tax imposed for each such year.

(d) *Ascertainment of amount of adjustment.* In computing the amount of an adjustment under this section there shall first be ascertained the amount of the income taxes previously determined for each of the prior taxable years for which correction is prevented. The amount of each such tax previously determined for each such taxable year shall be (1) the tax shown by the taxpayer or by the predecessor, upon the return for such prior taxable year, increased by the amounts previously assessed (or collected without assessment) as deficiencies, and decreased by the amounts previously abated, credited, refunded, or otherwise repaid in respect of such tax; or (2) if no amount was shown as the tax by such taxpayer or such predecessor upon the return, or if no return was made by such taxpayer or such predecessor, then the amounts previously assessed (or collected without assessment) as deficiencies, but such amounts previously assessed, or collected without assessment, shall be decreased by the amounts previously abated, credited, refunded, or otherwise repaid in respect of such tax. There shall then be ascertained the increase or decrease in each such tax previously determined for each such year which results solely from the treatment of the item consistently with the treatment accorded such item in the determination of the tax liability under this subchapter. To the increase or decrease so ascertained for each such tax for each such year there shall be added interest thereon computed as if the increase or decrease constituted a deficiency or an overpayment, as the case may be, for such prior taxable year. Such interest shall be computed to the fifteenth day of the third month following the close of the excess profits tax taxable year with respect to which the determination is made. There shall be ascertained the difference between the aggregate of such increases, plus the interest attributable to each, and the aggregate of such decreases, plus the interest attributable to each, and the net increase or decrease so ascertained shall be the amount of the adjustment under this section with respect to the inconsistent treatment of such item.

(e) *Interest in case of net increase or decrease.*

(1) If an adjustment under this section results in a net decrease, or more than one adjustment results in an aggregate net decrease, the portion of such net decrease or aggregate net decrease, as the case may be, subtracted from the tax which represents interest shall be included in gross income of the taxable year in which falls the date prescribed for the payment of the tax under this subchapter.

(2) If an adjustment under this section results in a net increase, or more than one adjustment results in an aggregate net increase, the portion of such net increase or aggregate net increase, as the case may be, which represents interest shall be allowed as a deduction in computing net income for the taxable year in which falls the date prescribed for the payment of the tax under this subchapter.

(b) *Taxable years to which applicable.* The amendments made by subsection (a) shall apply with respect to taxable years beginning after December 31, 1939.

PAR. 2. Section 30.734-1 (b), as added by Treasury Decision 5045, approved May 3, 1941, and amended by Treasury Decision 5112, approved January 26, 1942, is further amended by striking out subparagraph (2) and inserting in lieu thereof the following:

* * * * *

(2) The term "predecessor of the taxpayer" shall have the meaning assigned to such term by section 734 (a) (4). It is specifically provided that the term "controlled" as used in such definition shall have the same meaning as "control" under the definition contained in section 112 (h). Accordingly, a person is a predecessor of the taxpayer if, on April 1, 1941, or at any time thereafter, such person owned stock possessing at least 80 percent of the total combined voting power of all classes of stock entitled to vote and at least 80 percent of the total number of shares of all other classes of stock of the taxpayer. For the purpose of section 734 it is immaterial that such control did not exist during the taxable year in respect of which the incorrect treatment of the item or transaction occurred, or during the taxable year in respect of which the inconsistent position is adopted in the determination of the excess profits credit of the taxpayer.

Any person which is a component corporation of the taxpayer under the definition contained in section 740 is a predecessor of the taxpayer within the meaning of section 734. Such person may be a corporation, partnership or a sole proprietor. Any such component corporation is a predecessor of the taxpayer irrespective of the method employed in computing the excess profits credit of the taxpayer.

Under the terms of the definition, any person which is a predecessor of a predecessor in an unbroken series ending with the taxpayer is a predecessor of the taxpayer within the meaning of section 734.

The limitation of the term "predecessor of the taxpayer" to certain cases, and the resulting exclusion of other cases, should not be construed to affect the established judicial doctrines commonly known as estoppel, recoupment, set-off, etc. which may be applied by the courts in appropriate cases.

PAR. 3. Section 30.734-2, as added by Treasury Decision 5045 and amended by Treasury Decision 5112, is further amended by inserting at the end thereof the following paragraph:

* * * * *

The rule relative to the burden of proof to establish, in any board or court proceeding, that an inconsistent position has been taken, is prescribed in section 734 (b) (3). If the net effect of the adjustment by reason of the alleged inconsistency would be an increase in the income taxes previously determined for the prior taxable year or years, the burden of proof is upon the Commissioner. If the net effect of such adjustment would be a decrease in the income taxes previously determined for the prior taxable year or years, the burden of proof is upon the taxpayer. Inasmuch as the adjustment under section 734 is a factor in the determination of the excess profits tax liability, the provisions relative to the burden of proof in a Board or court proceeding do not relieve the taxpayer from responsibility for a full disclosure of the facts necessary to the correct determination of the tax liability.

PAR. 4. Section 30.734-3, as added by Treasury Decision 5045, is amended by inserting immediately preceding the last paragraph thereof the following:

* * * * *

If the authorized adjustments with respect to one excess profits tax taxable year result in an aggregate net decrease and the amount of such decrease exceeds the excess profits tax (computed without regard to the provisions of section 734) for such year, the excess may be carried over and subtracted from the excess profits tax in each succeeding taxable year until such excess is exhausted. If excesses result from adjustments with respect to two or more excess profits tax taxable years, such excesses shall be carried over in the order of their occurrence.

Example.

	1942	1943	1944	1945	1946	1947
Tax (computed without regard to provisions of section 734)	$10,000	$20,000	$15,000	$7,000	$3,000	$5,000
Aggregate net decrease under section 734	(40,000)		(20,000)			
Excess	($30,000)		($5,000)			

(1) The $30,000 excess from 1942 will be subtracted from the tax of $20,000 for 1943; the remaining $10,000 will not be subtracted from any 1944 tax since such tax has been absorbed by the $20,000 net decrease for that year; such remaining $10,000 will, however, be subtracted from the $7,000 tax for 1945, and the $3,000 tax for 1946.

(2) The full $5,000 excess from 1944 will be subtracted from the tax of $8,000 for 1947 since the excess from 1942 has been exhausted in 1946 and the tax for 1946 has been reduced to zero.

* * * * *

PAR. 5. Section 30.734-4, as added by Treasury Decision 5045, is amended by striking out the example and inserting in lieu thereof the following:

* * * * *

Example. In December 1934, the X Corporation in pursuance of a plan of reorganization transferred all of its assets except cash to the Y Corporation in exchange for all of the stock of the Y Corporation, such stock having a fair market value of $300,000. The assets transferred, consisting of real estate and securities, had an adjusted basis in the hands of the X Corporation of $400,000. Among such assets was a building, which was acquired by the X Corporation in 1924, and which had an adjusted basis in the hands of the X Corporation of $100,000 and an estimated remaining life of 20 years. The building had a fair market value of $80,000 at the time of the transfer. Both corporations made their returns on the calendar year basis. The exchange was treated as taxable and the loss of $100,000 realized by the X Corporation was recognized. For each of the years 1935 to 1941, inclusive, the Y Corporation was allowed a deduction for depreciation in the amount of $4,000 computed on the cost basis of $80,000. In its excess profits tax return for the calendar year 1942, the Y Corporation claimed that the assets acquired from the X Corporation should have a basis of $400,000 for invested capital purposes, including a basis of $300,000 for the building, and claimed a deduction of $5,000 for depreciation on the building for such year. This position was based upon the contention that the 1934 exchange was a nontaxable reorganization, resulting from the acquisition by Y Corporation in exchange solely for its voting stock of substantially all of the properties of X Corporation; and that the basis in the hands of the Y Corporation of the assets acquired upon the exchange was the same as the adjusted basis in the hands of the transferor. Timely claims for refund based upon the allowance of additional deductions for depreciation for the taxable years 1939, 1940 and 1941 were filed. The statute of limitations prevents any refund of overpayments or assessment of deficiencies for the taxable years 1934 to 1938, inclusive. The Commissioner's determination of the excess profits tax liability for the calendar year 1942 adopts the inconsistent position asserted by the Y Corporation and, accordingly, if the computation under section 734 (d) discloses a net increase in the taxes previously determined for the taxable years for which correction is prevented, an adjustment is authorized under the provisions of section 734.

The X Corporation was not subject to the income tax imposed by Title IA of the Revenue Act of 1934. Its tax previously determined for the taxable year 1934 is $4,125.00 computed upon an income of $30,000. The corporation omitted from its gross income an item of rental income amounting to $3,000 and neglected to take a deduction for interest amounting to $1,500. During the taxable year it realized a gain of $10,000 from the sale of a capital asset.

The increase in the tax of the X Corporation previously determined for 1934, plus the interest thereon, is computed as follows

Tax previously determined for 1934	$4,125
Net income for 1934 upon which tax previously determined was based	30,000
Plus: Capital loss previously allowed (limited to capital gain plus $2,000)	12,000
Net income	42,000
Tax as recomputed	5,775
Tax previously determined	4,125
Increase in tax previously determined	1,650
Interest on increase in tax	792
Total increase for 1934	2,442

In accordance with the provisions of section 734 (d), the recomputation does not take into consideration the item of $3,000, representing rental income which was omitted from gross income, or the item of $1,500, representing interest paid, for which no deduction was allowed.

The Y Corporation was not subject to the income tax imposed by Title IA of the Revenue Acts of 1934, or 1936, or 1938. The decrease in the tax of the Y Corporation previously determined for each of the taxable years 1935, 1936, 1937, and 1938, which results solely from the allowance of an additional deduction of $1,000 for the depreciation in each of such years, plus the interest on each such decrease, is assumed to be as follows:

Year	Tax	Interest	Total
1935	$137.50	$57.75	$195.25
1936	220.00	79.20	299.20
1937	220.00	66.00	286.00
1938	100.00	45.60	235.60

The amount of the adjustment to be added to the excess profits tax of the Y Corporation otherwise determined for the taxable year 1942 is as follows:

Increase for 1934		$2,442.00
Less: Decrease for 1935	$195.25	
Decrease for 1936	299.20	
Decrease for 1937	286.00	
Decrease for 1938	235.60	1,016.05
Net increase (amount of adjustment authorized)		1,425.95

PAR. 6. There is inserted immediately after § 30.734-4 the following:

§ 30.734-5 *Interest.* The portion of an adjustment under section 734 which represents interest is characterized as interest for certain tax purposes and is includible in gross income, or allowable as a deduction in computing net income, as the case may be, for the taxable year in which falls the date prescribed for the payment of the excess profits tax for the taxable year to which the adjustment or, in the case of an adjustment involving a carry-over, the portion of such adjustment is applied, regardless of the method of accounting employed by the taxpayer. The date prescribed for payment of the tax is, in the case of a domestic corporation, the 15th day of the third month following the close of the taxable year and, in the case of a foreign corporation not having an office or place of business in the United States, the 15th day of the sixth month following the close of the taxable year, except that, in the case of a taxable year ending before December 31, 1940, the date prescribed for payment of the tax of either a domestic or a foreign corporation is March 15, 1941.

Under the rule prescribed, if the adjustments in respect of an excess profits tax taxable year result in a net increase, or an aggregate net increase, the portion of such increase which represents interest shall be allowed as a deduction in computing net income for the succeeding taxable year. Thus, under the facts set forth in the example contained in § 30.734-4, the portion of the net increase which represents interest is $543.45 (interest on increases, $792.00, minus interest on decreases, $248.55), and such interest is allowable as a deduction in computing net income for the calendar year 1943.

If the adjustments in respect of an excess profits tax taxable year result in a net decrease, or an aggregate net decrease, the interest contained in that portion of such decrease which is subtracted from the tax for any taxable year shall be included in the gross income for the succeeding taxable year. For such purpose, no portion of the amount subtracted in any taxable year shall be deemed to represent interest until the portion of the net decrease which represents tax has been exhausted.

Example. For the calendar year 1942, Corporation X had an excess profits tax liability of $9,000 (computed without regard to section 734) and an authorized adjustment under section 734 resulting in a net decrease of $12,000 of which $8,000 represents tax and $4,000 represents interest. In giving effect to the adjustment, $9,000 will be subtracted from the tax for 1942 and the balance will be carried over to succeeding taxable years. Since $8,000 of the net decrease represents tax, only $1,000 of the amount subtracted in 1942 represents interest and hence $1,000 will be included as interest in the taxpayer's gross income for 1943. The entire amount of the $3,000 to be carried over and subtracted from the tax for a succeeding taxable year represents interest since the portion of the net decrease which represents tax is exhausted in 1942.

(Sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C., Sup. V, 62) and sec. 227 of the Revenue Act of 1942 (Public Law 753, 77th Congress))

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: January 12, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-620; Filed, January 13, 1943; 10:29 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1010—SUSPENSION ORDERS

[Amendment 1 to Suspension Order S-175]

RHODES BAKERY EQUIPMENT CO.

Paragraph (a) of § 1010.175, *Suspension Order S-175*, issued December 10, 1942, is hereby amended to read as follows:

(a) Deliveries of material to H. C. Rhodes Bakery Equipment Company, its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned or applied to such deliveries to H. C. Rhodes Bakery Equipment Company by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Regional Compliance Chief, San Francisco Regional Office, War Production Board.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 12th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-603; Filed, January 12, 1943; 4:04 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Interpretation 1 to Priorities Regulation 13 as Amended to Sept. 23, 1942]

The following official interpretation is hereby issued with respect to § 944.34 of Priorities Regulation No. 13, as amended to September 23, 1942:

Priorities Regulation No. 13 deals with special sales of idle or excess materials. Paragraph (c) (3) of the regulation provides that any person may, subject to paragraph (e) of the regulation, make a special sale of any war material to another person engaged in the same business as the seller if an order or other action of the Director applicable generally to the persons engaged in such business expressly permits such a sale. Several orders of the War Production Board have been issued allowing special sales under this section. Among such orders are L-97-a-1, dealing with railroad equipment, P-46, dealing with utilities, P-98-c, dealing with petroleum operators, and L-49, dealing with beds, springs and mattresses.

These orders do not remove the material which they affect from the operation of other provisions of Priorities Regulation No. 13. Other special sales of material permitted by Priorities Regulation No. 13 may be made notwithstanding the issuance of orders referring to paragraph (c) (3) of the regulation. Likewise, any specific requirements of inventory or other reports must be complied with, and any idle or excess materials remain subject to redistribution programs of the War Production Board. The issuance of the orders referred to above merely provides an additional channel within which idle and excess stocks may be redistributed

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a) Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 13th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-639, Filed, January 13, 1943; 11:21 a. m.]

PART 1068—CANS

[Conservation Order M-81, as Amended Jan. 13, 1943]

§ 1068.1 *Conservation Order M-81*—(a) *Definitions.* (1) "Can" means any unused container which is made in whole or in part of tinplate, terneplate, blackplate, or waste, and which is suitable for packing any product. The term includes any container closure or fitting made in whole or in part of tinplate, terneplate, blackplate, or waste, but does not include a closure or fitting to be used on or as a part of a glass container. The term does not include fluid milk shipping containers, as defined in Conservation Order M-200.

(2) "Tinplate" means sheet steel coated with tin, and includes "primes", "seconds", "waste-waste", and all other forms of tinplate except waste.

(3) "Terneplate" means sheet steel coated with a lead-tin alloy, and includes "primes", "seconds", "waste-waste", and all other forms of terneplate except waste.

(4) "Blackplate" means any sheet steel 29 gauge or lighter, other than tinplate or terneplate. The term includes "rejects" and all other forms of blackplate except waste.

(5) "Waste" means scrap tinplate, terneplate, and blackplate, produced in the ordinary course of manufacturing cans.

(6) "Pack", unless particularly specified, means the quantity, by area measurement, of tinplate, terneplate, and blackplate required for the manufacture of all sized cans used by a person for packing a particular product during the base period specified.

(b) *Restrictions upon manufacture, sale, and delivery of cans.* (1) No person shall sell or deliver any can except under a purchase order or contract validated by a delivery to such person of a purchaser's certificate, manually signed by the purchaser or an authorized official of the purchaser, in substantially the form attached hereto as Exhibit A. No person shall manufacture, sell, or deliver any can which he knows or has reason to believe will be used in violation of any provision of this order.

(2) No person shall manufacture any can smaller than 5 gallons, with ears, balls, or handles.

(c) *Restrictions upon purchase, acceptance of delivery, and use of cans.* (1) No person shall, during the calendar year 1943 (or the seasonal year 1942–1943, when specified), purchase, accept delivery of, or use for packing a product any can except to the extent permitted in Schedules I, II, and III, attached to this order: *Provided, however,* That a jobber or retail store may obtain and sell cans in conformity with the provisions of this order.

(2) The schedules attached to this order list the only products permitted to be packed in cans, packing quotas, sizes of cans, and the kinds of plate permitted for the manufacture of cans.

The calendar year basis shall obtain except for products for which a seasonal year is specified. A seasonal year for a particular product represents a twelve months' period beginning in one calendar year and ending in the next.

The sizes of the can specified for a particular product indicate the only sized cans which may be used for packing that product, except that such product may, subject to all other restrictions imposed by this order, be packed in cans larger than the largest size specified therefor.

When tinplate is specified for the manufacture of cans for packing a particular product, the coating indicated represents the maximum weight of tin coating per single base box. When SCMT is specified, Special Coated Manufacturers' Terneplate is referred to. When blackplate is specified, the specification includes chemically treated blackplate (CTB).

(3) No product packed in a can shall be repacked for sale in a can or any other container, by the same or a different person, in the same or a different form, except to the extent specifically permitted in the schedule attached to this order.

(4) No dried or frozen fruit or vegetable shall be packed in a can, except to the extent specifically permitted in the schedules attached to this order.

(d) *Exceptions.* (1) The restrictions imposed by this order shall not apply to the purchase, acceptance of delivery, or use of the following cans:

(i) Cans for packing any product which is not to be sold.

(ii) Fiber or paper bodied cans with ends made of waste, for packing any food product for human consumption, and antiseptic or medicinal powders.

(iii) Cans for packing any product not listed in the schedules attached to this order, when such cans were completely manufactured on or before December 9, 1942, or when all the component parts for such cans were cut to individual size or were partially assembled before said date: *Provided,* That this paragraph (d) (1) (iii) shall not apply when such cans can be used for any products otherwise permitted by this order, and provided that this paragraph (d) (1) (iii) shall not apply to open-top sanitary cans.

(iv) Cans for packing any product not listed in the schedules attached to this order, when such cans are to be delivered pursuant to a letter of intent approved by, or a purchase order or contract negotiated for or with the Army, Navy, Marine Corps, Maritime Commission, or War Shipping Administration of the United States.

(2) Notwithstanding the restrictions pertaining to the size of cans or the materials from which cans may be manufactured, but subject to quota restrictions imposed by this order, a person may use for packing any product listed in the schedules attached to this order, any cans which were completely manufactured on or before December 9, 1942, or any cans for which all component parts were lithographed, cut, or otherwise prepared for assembly, on or before said date.

(3) No certificate shall be required for the sale or delivery of cans to any purchaser who has already filed a certificate with his seller under Conservation Order M-81.

(e) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of appeal.

(3) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Containers Division, War Production Board, Washington, D. C. Ref.: M-81.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further delivery of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *1942 Calendar year pack.* Until December 31, 1942, no person packing on a calendar year basis shall purchase, accept delivery of, or use any can for packing any product except in accordance with Conservation Order M-81, as amended June 27, 1942, (including amendments thereto).

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E. O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 13th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

EXHIBIT A

PURCHASER'S CERTIFICATE

One copy of this certificate is to be delivered to each person from whom purchases are made of cans made in whole or in part of tinplate, terneplate, blackplate, or waste. Such certificate shall cover all purchases present and future so long as Conservation Order M-81, in its present form or as it may be amended from time to time, remains in effect.

The undersigned purchaser hereby certifies to the seller herein and to the War Production Board that he is familiar with Conservation Order M-81, as heretofore amended, and that during the life of such order he will not use or sell any can purchased from

---
(Name of Seller)

(Address of Seller)

pursuant to this or future purchase orders or contracts, in violation of terms of such order.

Date ---------- ----------
(Legal name of Purchaser)

By ----------
(Authorized Official)

(Title of Official)

(Address of Purchaser)

Section 35A of the U. S. Criminal Code (18 U. S. C. 80) makes it a criminal offense to make a false statement or representation to any department or agency of the United States as to any matter within its jurisdiction

SCHEDULE I—FOOD CANS

NOTE: Items 30 and 37 amended January 13, 1943.

(1) Packing quotas specified in this Schedule I indicate total packs of the respective products listed, for all purposes including cans required by any order of the Director General for Operations, to be set aside for purchase by a Government Agency. The designation "M-86" indicates that cans may be used for packing only the quantity of product required to be set aside by Order M-86, as amended from time to time.

(2) All persons manufacturing cans shall, to the greatest extent available, use 0.50 tinplate wherever the single asterisk appears, and chemically treated blackplate wherever the double asterisk appears. All persons using cans marked with the asterisk, are hereby required to accept from the manufacturer making delivery, to the greatest extent available up to 50 percent of the delivery, cans made as specified of 0.50 tinplate wherever the single asterisk appears; and cans made as specified of chemically treated blackplate wherever the double asterisk appears.

Product	Packing quota	Can sizes	Can materials: Body	Can materials: Ends
FRUITS AND FRUIT PRODUCTS				
1. Apples, including crabapples. Whole apples not to be packed.	M-86	10	1.25 tin	1.25 tin.
2. Apple sauce including sauce from crabapples.	M-86	2-10	1.25 tin	1.25 tin.
3. Apricots. Whole apricots not to be packed.	M-86	2½-10	1.25 tin	1.25 tin.
4. Blackberries, black raspberries, boysenberries, loganberries, and youngberries, when packed as berries. Quota applicable to each kind of berries respectively.	100% 1942	2-2½-10	1.50 tin	1.50 tin.
5. Blueberries or huckleberries	M-86	10	1.50 tin	1.50 tin.
6. Cherries, other than white	100% 1942	2-2½-10	1.50 tin	1.50 tin.
7. Cherries, white	100% 1942	2-2½-10	1.25 tin	1.25 tin.
8. Fruit cocktail, consisting of any combination of fruits listed in this schedule I and grapes; provided that the combination, by drained weight, shall consist of not less than 50 percent fruits listed in this Schedule I, and may consist of not to exceed 10 percent grapes. Pineapple may be repacked from No. 10 or larger cans, to the extent of 7 percent of the fruit cocktail.	Unlimited	2½-10	1.25 tin	1.25 tin.
9. Figs	M-86	10	1.25 tin	1.25 tin.
10. Grapefruit, segments	M-86	2	1.25 tin	1.25 tin.
11. Grapefruit juice	Unlimited	2-3 cyl-10	1.25 tin	1.25 tin.
12. Orange juice	M-86	2-3 cyl-10	1.25 tin	1.25 tin.
13. Orange—grapefruit juice blend, consisting of at least 40 percent orange juice.	M-86	2-3 cyl-10	1.25 tin	1.25 tin.
14. Peaches (clingstone), halves, slices or cubes.	Unlimited	2½-10	1.25 tin	1.25 tin.
15. Peaches (freestone), halves, slices, or cubes. Not to be packed in California	Unlimited	2½-10	1.25 tin	1.25 tin.
16. Pears, halves, slices, or cubes	Unlimited	2½-10	1.25 tin	1.25 tin.
17. Pineapple, slices, chunks, crushed, or tidbits. Spears not to be packed.	Unlimited	2-2½-3 cyl-10	1.25 tin	1.25 tin.
18. Pineapple juice	Unlimited	2-3 cyl-10	1.25 tin	1.25 tin.
19. Plums, yellow or green	100% 1942	2½-10	1.50 tin	1.50 tin.
20. Prunes, fresh Italian. Not to be packed in California.	50% 1942	2½-10	1.50 tin	1.50 tin.
21. Olives, ripe. Not to exceed 50 percent of permitted pack may be in cans smaller than No. 10. (Quota applicable only to olives from 1942 crop.	25% 1940–41	2½-1	1.25 tin	1.25 tin.
VEGETABLES AND VEGETABLE PRODUCTS				
22. Asparagus, green. White asparagus not to be packed.	Unlimited	2-2½-10	1.25 tin	1.25 tin.*
23. Beans, green or wax	Unlimited	2-2½-10	1.25 tin	1.25 tin.*
24. Fresh shelled beans, including lima beans.	Unlimited	2-2½-10	1.25 tin*	1.25 tin.**
25. Beets, whole beets not to be packed	M-86	2-2½-10	1.25 tin	1.25 tin.*
26. Carrots, whole carrots not to be packed	M-86	2-2½-10	1.25 tin	1.25 tin.*
27. Corn, fresh, sweet, cut	Unlimited	2-10-2 vacuum (307 x 306) for vacuum pack.	1.25 tin*	1.25 tin.*
28. Peas, green	Unlimited	2-10-2 vacuum (307 x 306) for vacuum pack.	1.25 tin*	1.25 tin.**
29. Pumpkin and squash	M-86	2½-10	1.25 tin	1.25 tin.*
30. Soups:				
Seasonal: Limited to soups which shall contain not less than 7 percent, by weight, of dry solids from any one or more of the following fresh unfrozen vegetables: asparagus, peas, spinach, tomatoes.	Unlimited	1 picnic	1.25 tin	1.25 tin.*
Non-seasonal: Limited to the following kinds of soup which shall contain not less than the specified percentage, by weight of dry solids from fresh, brined or frozen vegetables, meats, or other products listed in Schedules I or II, provided that no person shall use for packing such soups, more than 35 percent by weight, of the frozen vegetables which he used for this purpose during 1942.	75% of total 1942 pack of specified non-seasonal soups.	1 picnic	1.25 tin	1.25 tin.*
Chicken, chicken gumbo, chicken noodle, gumbo creole, consomme, and bouillon—6 percent.				
Clam or fish chowders—8 percent.				
Scotch broth, vegetable, vegetable-vegetarian, pepper pot, ox-tail, mock turtle, country style chicken, and corn chowder—10 percent.				
Beef and vegetable beef—12 percent.				

SCHEDULE I—FOOD CANS—Continued

Product	Packing quota	Can sizes	Can materials: Body	Can materials: Ends
VEGETABLES AND VEGETABLE PRODUCTS—continued				
31. Spinach, and other green leafy vegetables limited to beet, collard, dandelion, kale, mustard, poke, and turnip greens	80% 1942	2½-10	1.25 tin	1.25 tin*
32. Tomatoes	Unlimited	2-2½-10	1.25 tin	1.25 tin
33. Tomato paste, from fresh tomatoes, containing not less than 29% (percent) by weight, dry tomato solids	Unlimited	2½-10	1.25 tin	1.25 tin*
	125% 1942 pack of size 6Z	5 gal. reusable	1.25 tin	1.25 tin
34. Tomato pulp or puree, from fresh tomatoes, containing not less than 10.7 percent (specific gravity 1.045) or more than 25 percent by weight, dry tomato solids	Unlimited	6Z	1.25 tin	1.25 tin*
	125% 1942 pack of size 1 picnic	2-2½-10	1.25 tin	1.25 tin*
		5 gal. reusable	1.25 tin	1.25 tin
		1 picnic	1.25 tin	1.25 tin*
35. Tomato sauce, from fresh tomatoes, including spaghetti sauce, containing not less than 8.7 percent (specific gravity 1.037) by weight, dry tomato solids, and not less than 10.0 percent (specific gravity 1.042) by weight, total dry solids, salt free. In addition to salt, the contents may contain pepper, spice oils, and other flavoring ingredients	Unlimited	2-10	1.25 tin	1.25 tin*
		5 gal. reusable	1.25 tin	1.25 tin
	125% 1942 pack of sizes 8Z and 1 picnic	8Z—1 picnic	1.25 tin	1.25 tin*
36. Tomato catsup, from fresh tomatoes, not less than 25 percent, (specific gravity 1.11) by weight, total dry solids	M-86	2½-3-cyl-10	1.25 tin	1.25 tin*.
37. Tomato juice, which may contain not more than 30 percent of other vegetable juices.	Unlimited	2-3-cy-10	1.25 tin	1.25 tin*
NOTE.—When required for packing other products, tomato paste, tomato pulp or puree, tomato sauce, and tomato juice may be repacked from reusable cans, 5 gal. or larger.				
FISH AND SHELLFISH				
(Processed, and in hermetically sealed cans)				
38. Clams, soft, hard, or razor	Unlimited	½ flat (30. x 201.25)—1 picnic (211 x 400)—1 tall (301 x 411)—2 (307 x 409)—10 (603 x 700).	1.2. tin*	1.25 tin*
39. Crabmeat	Unlimited	½ flat (307 x 201.25)	1.25 tin*	1.25 tin*.
40. Fish flakes. Dried fish flakes not to be packed.	Unlimited	300 (300 x 407)-2 (307 x 409)	1.25 tin*	1.25 tin*
41. Fish livers and fish liver oils	Unlimited	5 gal. reusable	1.25 tin	1.25 tin
42. Fish roe	Unlimited	300 (300 x 407)	1.25 tin*	1.25 tin*
43. Herring, Atlantic Sea, by whatever name known including sardines.	Unlimited	¼ Drawn (204 x 208 x 105)—¼ three piece (308 x 412 x 113)-300 (300 x 407)		
		¼ drawn (300.5 x 404 x 014.2)		
Packed in oil			1.25 tin*	1.25 tin*.
Packed in mustard or tomato sauce			1.25 tin	1.25 tin
44. Herring, Pacific	Unlimited	1 tall (301 x 411)	1.25 tin*	1.25 tin*
45. Herring, river (alewives)	Unlimited	300 (300 x 407)-2 (307 x 409)	1.25 tin*	1.25 tin*
46. Mackerel	Unlimited	300 (300 x 407)	1.25 tin*	1.25 tin*
47. Menhaden	Unlimited	300 (300 x 407)	1.25 tin*	1.25 tin*
48. Mullet	Unlimited	300 (300 x 407)	1.25 tin*	1.25 tin*
49. Mussels	Unlimited	1 picnic (211 x 400)-2 (307 x 409)-10 (603 x 700)	1.25 tin*	1.25 tin*
50. Oysters. No. 1 picnic cans shall contain not less than 7½ ounces of oysters by count, drained weight, No. 2 cans 14 ounces, and other permitted size cans shall contain a fill correspondingly proportionate to the No. 1 picnic can.)	Unlimited	1 picnic (211 x 400)-1 tall (301 x 411)-2 (307 x 409).	1.25 tin*	1.25 tin*
51. Pilchards, by whatever name known including sardines.	Unlimited	87 short (211 x 300)-½ oblong (308 x 508 x 103)-300 (300 x 407)-1 oval (607 x 406 x 108).		
Packed in oil			1.25 tin*	1.25 tin*
Packed in mustard or tomato sauce			1.25 tin	1.25 tin
52. Salmon	Unlimited	½flat (307 x 201.25)-(307 x 201.25)-1 flat (401 x 210.5) (401 x 211) 1 tall (301 x 411).	1.25 tin	1.25 tin*
53. Shad	Unlimited	300 (300 x 407)	1.25 tin*	1.25 tin*
54. Shrimp	Unlimited	1 picnic (211 x 400) 5 (502 x 510).	1.25 tin*	1.25 tin*
55. Squid	Unlimited	300 (300 x 407)	1.25 tin*	1.25 tin*
56. Tuna, bonito, and yellowtail	Unlimited	½tuna (307 x 113)-1 tuna (401 x 205.5)-4 lb. tuna (603 x 408).	1.25 tin*	1.25 tin*

SCHEDULE I—FOOD CANS—Continued

Product	Packing quota	Can sizes	Can materials: Body	Can materials: Ends
DAIRY PRODUCTS				
57. Condensed Milk, as defined by the Federal Security Administrator, Federal Register, July 2, 1940, § 1s.525, page 2444 and § 1s.530, page 2445, as amended, Federal Register, August 8, 1941, pages 3973 and 3974.	100% 1942	15 oz	1.25 tin	1.25 tin.
58. Evaporated milk, as defined by the Federal Security Administrator, Federal Register, July 2, 1940, § 1s.520, page 2444.	Unlimited	10 (8 lb)	1.25 tin	1.25 tin.
	80% 1942	6 oz.-14½ oz	1.25 tin	1.25 tin.
FISH AND SHELLFISH				
(For refrigerated shipment, fresh)				
59. Oysters. Until Apr. 30, 1943	Unlimited	1 gal	CTB	CTB.

During 1943 a person's pack of evaporated milk in 6 oz. cans shall not exceed 80% of his 1942 pack of 6 oz. cans.

(2) Schedule II is amended to read as follows:

SCHEDULE II—FOOD CANS

NOTE: Schedule II amended in its entirety January 13, 1943.

(1) Packing quotas specified in this Schedule II indicate permitted packs of the respective products listed, for all purposes except for the Army, Navy, Marine Corps, Maritime Commission, War Shipping Administration of the United States, or for any agency of the United States purchasing for a foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend Lease Act). While restrictions pertaining to can sizes and can materials are applicable to such cans, cans used for packing the respective products listed shall be in addition to the specified quotas, when delivered pursuant to a letter of intent approved by, or a contract or purchase order negotiated with or for, any of the foregoing agencies. The word "none" indicates that no cans shall be used for packing the applicable product except for the above-mentioned agencies. When determining a quota for packing a product listed in this Schedule II, cans packed during the base period (1942) for the above-mentioned agencies shall be excluded.

(2) All persons manufacturing cans shall, to the greatest extent available, use 0.50 tinplate wherever the single asterisk appears; and chemically treated blackplate wherever the double asterisk appears. All persons using cans marked with the asterisk, are hereby required to accept from the manufacturer making delivery, to the greatest extent available up to 50 percent of the delivery, cans made as specified of 0.50 tinplate wherever the single asterisk appears; and cans made as specified of chemically treated blackplate wherever the double asterisk appears.

Product	Packing quota	Can sizes	Can materials: Body	Can materials: Ends
MEATS AND MEAT PRODUCTS				
(Processed and in hermetically sealed cans)				
1. Bacon	None	14 lb	1.25 tin*	1.25 tin**.
2. Beef, veal, mutton, and pork; corned, roast, or boiled, and containing not less than 85 percent meat, by cooked weight.	None			
Cans with all seams soldered		Any size	1.25 tin	1.25 tin.
Cans with only side seams soldered		Any size	1.25 tin*	1.25 tin**.
3. Brains	100% 1942	10½ oz	1.25 tin*	1.25 tin**.
4. Meat products as follows:				
a. Chili con carne when packed without beans and containing not less than 50 percent meat, by uncooked weight, exclusive of added tallow.	(1)	300 (300 x 407)	1.25 tin*	1.25 tin*.
b. Meat loaf, containing not less than 90 percent meat, by uncooked weight, and no added water. When packed as a chopped product, meat loaf may contain not more than 10 percent of the following ingredients: cereal, whole milk, eggs, and seasoning.		7 oz	1.25 tin*	1.25 tin**.
c. Meat spreads, including ham, tongue, liver, beef, and sandwich spreads. When packed as a spread, the chopped product shall contain not less than 65 percent meat, by cooked weight, with added cereal or other products. When packed as deviled ham or deviled tongue, the product shall consist of chopped meat without added cereal or other products.		3 oz	1.25 tin*	1.25 tin**.

[1] 100% of total 1942 pack of meat products a, b, c, d, e, and g plus 75% of total 1942 pack of meat product f.

SCHEDULE II—FOOD CANS—Continued

Product	Packing quota	Can sizes	Can materials: Body	Can materials: Ends
MEATS AND MEAT PRODUCTS—continued				
(Processed and hermetically sealed cans)				
d. Sausage in casings, containing no cereal or similar substance, and not to exceed 10 percent added water, by weight, except pork sausage, which may be prepared with not to exceed 3 percent added water by weight				
Vienna sausage		4 oz.	1.25 tin*	1.25 tin**.
Sausage in oil, lard or rendered pork fat.		No. 5	1.25 tin*	1.25 tin**.
e. Bulk sausage meat, containing not to exceed 30 percent cereal and not to exceed 4 percent added water, by weight		24 oz.	1.25 tin*	1.25 tin**.
f. Chopped luncheon meats, consisting of chopped, seasoned meat with not to exceed 3 percent added water, by weight		12 oz.	1.25 tin*	1.25 tin**.
g. Potted meat, consisting of chopped meat or by-products of meat, without added cereal or similar substance, and labeled as a potted or deviled meat product		3½ oz.	1.25 tin*	1.25 tin**.
5. Tongue, whole	20% 1942	6 oz.	1.25 tin*	1.25 tin**.
6. Turkey, boned, and chicken, boned	None	1 lb.	1.25 tin*	1.25 tin**.
MISCELLANEOUS FOODS				
7. Baby foods: Consisting of food products of small particle size or in liquid or semi-liquid form made from the following ingredients fruits, vegetables, meats, poultry products, dairy products, sugar, salt or seasoning, yeast or yeast derivatives. Dried prunes may be included and frozen fruits and vegetables may be used, provided that no person shall use, for packing baby foods, more than 45 percent, by weight, of the frozen fruits and vegetables which he used for this purpose during 1942. Potatoes and cereal products may be used only in combination with other permitted products, and only provided the combined potato and cereal content does not exceed 12 percent, by weight, of the total product. Pineapple may be repacked from No. 10 or larger cans	100% 1942	202 B E (202 x 214)	1.50 tin	1.50 tin.
Milk formulas and soybean milk liquid	100% 1942	14½ oz.	1.25 tin	1.25 tin.
Milk formulas, dry or powdered	100% 1942	1 lb.	0.50 tin	CTB.
No person shall pack any milk formulas unless he packed the product in substantially the same form in 1942				
8. Dehydrated vegetables	None	(10 gal (5 gal	0.50 tin 0.50 tin	CTB 0.50 tin.
9. Grape juice and grape pulp	100% 1942	5 gal. reusable	1.50 tin	1.50 tin.
10. Citrus pulp and citrus peel	100% 1942	5 gal. reusable	1.25 tin	1.25 tin.
11. Honey	100% 1942 pack of size 60 lb.	60 lb. reusable	1.25 tin	1.25 tin.
12. Goat's milk	100% 1942	14½ oz	1.25 tin	1.25 tin.
13. Milk, skimmed, dry or powdered	None	50 lb.	0.50 tin	0.50 tin.
14. Milk, whole, dry or powdered	100% 1942	1 lb.-24½ lb.-5 lb.	0.50 tin	0.50 tin**
15. Special food products, limited to foods other than usual table foods. No person shall pack any special food product unless he packed the product in substantially the same form in 1942, and unless he obtains prior permission upon application to the War Production Board	See product column			
16. Baking powder. Until June 30, 1943	That number of cans sufficient to pack 50% of poundage packed in 32-oz. or smaller cans during calendar year 1942	6-oz. to 32-oz., inclusive.	Fiber	Blackplate.

SCHEDULE III—NON-FOOD CANS

(1) Packing quotas specified in this Schedule III indicate permitted packs of the respective products listed, for all purposes except for the Army, Navy, Marine Corps, Maritime Commission, War Shipping Administration of the United States or for any agency of the United States purchasing for a foreign country, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act). While restrictions pertaining to can sizes and can materials are applicable to such cans, cans used for packing the respective products listed shall be in addition to the specified quotas, when delivered pursuant to a letter of intent approved by, or a contract or purchase order negotiated with or for, any of the foregoing agencies. The word "none" indicates that no cans shall be used for packing the applicable product except for the above-mentioned agencies. When determining a quota for packing a product listed in this Schedule III, cans packed during the base period (1942) for the above-mentioned agencies shall be excluded.

(2) Whenever blackplate is specified for making the body or ends of a can for packing a product listed in this Schedule III, Special Coated Manufacturers' Terneplate, may be substituted for making any part or fitting of the can which is required to be soldered.

(3) No compound containing crude rubber, latex, or synthetic rubber as defined in Order M-15-b, shall be used in the manufacture of cans for packing any product listed in this Schedule III.

Product	Packing quota	Can sizes	Can materials: Body	Can materials: Ends
1. Abrasives, and grinding and buffing compounds. Not to be packed dry.	100% 1942	Any size	Blackplate	Blackplate.
2. Acid nitro-hydrochloric (outer container)	100% 1942	1 lb.	Blackplate	Blackplate.
3. Bee feeder cans, friction top, for use in shipping bees.	100% 1942	2-2½-3	0.50 tin	CTB.
4. Benzol, naphtha, toluene, and xylene	100% 1942	1 gal	SCMT	Blackplate.
5. Blood plasma	Unlimited	Any size	0.50 tin	CTB.
6. Calcium carbide	100% 1942	2 lb.-10 lb.	Blackplate	Blackplate.
7. Calcium cyanide	100% 1942	1 lb.-2½ lb.	SCMT	Blackplate.
8. Calcium hypochlorite, Grade A	100% 1942	3¾ lb.-5 lb.	SCMT	Blackplate.
9. Carbon bisulfide	100% 1942	1 lb.	SCMT	Blackplate.
10. Cements and dressings, limited to belting, furnace, linoleum, pipe joint, and radiator. Not to be packed dry.	100% 1942	1 qt.-1 gal	Blackplate	Blackplate.
11. Cements, rubber, solvent or latex	100% 1942	1 qt.-1 gal	Blackplate	Blackplate.
12. Chlorpicrin, Bromacetone, Monochloroacetone, and acrolein.	100% 1942	1 lb.	SCMT	Blackplate.
13. Chloroform and ether	100% 1942	Any size	1.25 tin	1.25 tin.
14. Chromic acid (outer container)	100% 1942	1 lb.	Blackplate	Blackplate.
15. Fire extinguisher fluid, limited to chlorinated hydrocarbon type.	100% 1942	1 qt.-1 gal	SCMT	SCMT.
16. Gasket assembling compounds	100% 1942	1 qt.-1 gal	Blackplate	Blackplate.
17. Glues and adhesives, liquid	100% 1942	1 qt.-1 gal	SCMT	SCMT.
18. Grain fumigant, liquid	100% 1942	1 gal.-5 gal	SCMT	SCMT.
19. Graphite, with liquid content	100% 1942	1 qt.-1 gal	Blackplate	Blackplate.
20. Greases, lubricating	100% 1942	10 lb.-25 lb.	Blackplate	Blackplate.
21. Inks, printing, duplicating and lithographing. Slip cover style cans of sizes based upon cans which hold the indicated weights of water	50% 1942	8 oz.-12 oz., 1 lb.-2 lb., 5 lb.-10 lb., 25 lb.-50 lb.	Blackplate	Blackplate.
22. Lye. Until June 30, 1943	50% 1942	13 oz.	Blackplate	Blackplate.
22a. Drain cleaners, until June 30, 1943	50% 1942	12 oz.	Blackplate	Blackplate.
23. Toilet bowl cleaners. Until June 30, 1943	50% 1942	10 oz.	Blackplate	Blackplate.
24. Nicotine sulphate	100% 1942	5 lb.	1.50 tin	1.50 tin.
25. Nitric acid, fuming (outer container)	100% 1942	1 lb.	Blackplate	Blackplate.
26. Oils, essential, distilled or cold pressed	100% 1942	1 qt.	0.50 tin	0.50 tin.
27. Oils, transformer	100% 1942	5 gal.	0.50 tin	0.50 tin.
28. Paints, copper bottom or antifouling	100% 1942	1 gal.	1.25 tin	1.25 tin.
29. Paints:— Oil or oleoresinous, ready mixed, semi-paste, including but not limited to white lead in oil and colors in oil. Pigmented lacquers.	Until February 15, 1943, blackplate ends for 1 gal. fiber-bodied cans. From January 1, 1943 to February 15, 1943, a person may use a number of 1 gal. fiber bodied cans sufficient to pack 10 percent of the volume (gallonage) of the paints listed in this Item 29, which be packed in all sized cans during the calendar year of 1942.			
30. Phosphorus	100% 1942	1 lb.	SCMT	SCMT.
31. Shoe polish, leather dressing, and saddle soap. Until March 31, 1943.	25% 1942	Any size	Blackplate	Blackplate.
32. Soap, paste	100% 1942	3 lb.	Blackplate	Blackplate.
33. Sodium and potassium metals	100% 1942	1 lb.	SCMT	Blackplate.
34. Sodium peroxide (outer container)	100% 1942	1 oz.	Blackplate	Blackplate.
35. Soldering pastes and boiler sealing compounds.	100% 1942	Any size	Blackplate	Blackplate.
36. Dangerous chemicals, for shipment by Express, when a metal can is required by Interstate Commerce Commission Regulations and no alternate package is permitted.	100% 1942	Any size	Blackplate	Blackplate.

[F. R. Doc. 43-640; Filed, January 13, 1943; 11:20 a. m.]

PART 1147—COLLAPSIBLE TUBES

[Conservation Order M-115 as Amended Jan. 13, 1943]

Section 1147.1 *Conservation Order M-115* is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of tin for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1147.1 *Conservation Order M-115*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Tube" means any collapsible container in the shape of a tube, including but not limited to any such container made in whole or in part of tin, lead, or any combination thereof and includes closures, crowns and caps for such tubes.

(3) "Class I tube" means a tube used or intended to be used to pack any product listed on Table I annexed hereto within such limitations, including but not limited to tube size and end use, as may be specified with respect to any such product in said table.

(4) "Class II tube" means a tube used or intended to be used to pack any product listed on Table II, annexed hereto.

(5) "Class III tube" means a tube used or intended to be used to pack any product listed on Table III, annexed hereto.

(6) "Non-essential tube" means any tube other than a tube described in subparagraphs 3, 4 and 5 above.

(7) "Tube user" means any person, whether or not he is also a tube manufacturer, engaged in the business of packing or filling tubes with any product of any kind for sale to others.

(8) "Retailer" means a person other than a distributor who sells or distributes tubes to the ultimate purchaser.

(9) "Distributor" means a person who sells or distributes tubes to retailers, including, but not limited to, wholesalers, jobbers, tube users, and tube manufacturers when they are engaged in such sale or distribution.

(10) "Ultimate purchaser" means a person who acquires filled tubes for the satisfaction of personal needs (with or without paying any consideration therefor), as distinguished from one acquiring tubes for industrial or other business purposes or for further distribution.

(c) *Restrictions upon the manufacture, sale and delivery of blanks and tubes and upon the use of tubes for packing*—(1) *Non-essential tubes.* No person shall manufacture or sell, for non-essential tubes, blanks containing any tin (but not including tin present as an impurity amounting to 0.5% or less); no tube manufacturer shall manufacture or sell non-essential tubes containing any tin (but not including tin present as an impurity amounting to 0.5% or less); and no tube user shall use any tubes containing any tin (but not including tin present as an impurity amounting to 0.5% or less) to pack any product not listed on Tables I, II, or III.

(2) *Class I tubes.* Notwithstanding the provisions of Conservation Order M-43-a, as amended, and until further order by the Director General for Operations there shall be no restriction upon the percentage of tin which may be used in the manufacture of Class I tubes, nor on the number of such tubes manufactured or used for packing products listed on Table I.

(3) *Class II tubes.* No person shall manufacture or sell for Class II tubes blanks containing more than 7½% of tin by weight; no tube manufacturer shall manufacture or sell Class II tubes containing more than 7½% of tin by weight; and no tube user shall use any tube containing more than 7½% of tin by weight to pack any product listed on Table II.

(4) *Class III tubes for period prior to April 1, 1943.* Until April 1, 1943, no person shall manufacture or sell for Class III tubes blanks containing more

than 5% of tin by weight; and no tube manufacturer shall manufacture or sell Class III tubes containing more than 5% of tin by weight; and no tube user shall use any tube containing more than 5% of tin by weight to pack any product listed on Table III.

(5) *Class III tubes after April 1, 1943.* On and after April 1, 1943, no person shall manufacture or sell for Class III tubes blanks containing more than 3% of tin by weight; and no tube manufacturer shall manufacture or sell Class III tubes containing more than 3% of tin by weight; and no tube user shall use any tube containing more than 3% of tin by weight to pack any product listed on Table III.

(6) *Quota for Table III products.* No tube user shall pack in tubes, during the calendar year 1943, more than 75% of the amount of products listed on Table III which he packed in tubes during the calendar year 1942: *Provided further,* That no tube user shall pack in tubes during each of the three-month periods beginning January 1, 1943, April 1, 1943, July 1, 1943, and October 1, 1943, respectively, more than 25% of the amount of products listed in Table III of this order which he is permitted to pack in tubes during the entire calendar year 1943 pursuant to the preceding provisions of this subparagraph. All percentages above mentioned shall be based upon volumetric weight. Said percentages shall be in addition to the products listed on Table III which are packed in tubes and sold and delivered to the Army or Navy of the United States or the United States Coast Guard (including but not limited to post exchanges, ships' stores, ships' service stores, and marine exchanges), and in addition to products listed on Table III which are packed in tubes having no greater tin content than that prescribed in paragraph (c) (1) of this order for non-essential tubes.

(d) *Further conservation of tin.* (1) All manufacturers and users of all the kinds of tubes covered by this order shall cooperate in effectuating as rapidly and as completely as possible a program of reducing the thickness of the tin coating on such tubes to the minimum thickness which will be sufficient for satisfactory packing of the particular product packed.

(2) All manufacturers of all kinds of tubes permitted to be manufactured or filled by this order and all tube users packing products in such tubes are ordered to concentrate to the greatest extent practicable upon the larger-size tubes and to manufacture and to use for tube filling respectively as high a proportion of larger-size tubes (as compared with smaller-size tubes) as may be feasible and practicable. All such manufacturers and tube users are further ordered to substitute, for all tubes made in whole or in part of tin, containers made of other materials to the extent that such substitution may be feasible and practicable.

(3) No retailer shall sell or deliver any filled metal tube containing dental cleansing or shaving preparations to any ultimate purchaser (except as bona fide samples, manufactured prior to the 15th day of June, 1942, which are distributed indiscriminately and without any conditions) unless such purchaser delivers to such retailer concurrently with his purchase one used metal tube of any kind for each metal tube delivered to such purchaser. All such used tubes, together with any other used tubes held by retailers, shall be held by such retailers and shall not be disposed of by them except as follows:

(i) To the Tin Salvage Institute, 411 Wilson Avenue, Newark, New Jersey, as agent for Metals Reserve Company;

(ii) To any wholesaler of products packed in tubes, who is a duly authorized representative of the Tin Salvage Institute as agent for the Metals Reserve Company; or

(iii) To any other person who is such a representative.

Such deliveries may be made by such retailers at any time and in any manner consented to by the person to whom delivery is to be made, and shall be made, upon demand of such person and at the expense of such person, in such manner and at such time as such person may request. In no case shall any consideration be paid or received for any used tubes so delivered and no person (including, but not limited to, wholesalers of products packed in tubes and dealers in scrap metal and junk) shall, except as otherwise expressly permitted by this paragraph (d) (3), deliver any used tube of any kind to any person except those designated above. Damaged or unused tubes shall, at the option of the holder, be returned for credit to the party from whom they were purchased or delivered to the Tin Salvage Institute as agent for Metals Reserve Company.

(4) Nothing in this order shall prevent the manufacture, sale, delivery, purchase, acceptance of delivery, or use of tubes, made from blanks manufactured on or before the dates hereinafter specified and containing no more than the permitted tin content respectively specified, within the limits set forth opposite each such date.

Date of manufacture of blank	Permitted tin content	Permitted use
April 1, 1942 ... October 5, 1942 ...	Unrestricted ... 75 percent by weight.	Unrestricted ... For packing products listed in Table III and shaving preparations.
The 15th day of January 1943	1½ percent by weight.	For packing shaving preparations.

Provided, however, That the volumetric weight of any products listed in Table III which are packed in accordance with the provisions of this subparagraph shall be subtracted from the quota allowed to the tube user pursuant to paragraph (c) (6) of this order.

(5) Notwithstanding any other provisions of this order, gift kits or combination set boxes holding multiple units, including filled Class III or shaving preparation tubes, the value of which comprises not over 25 percent of the total value of the package, may be disposed of without complying with the used tube exchange provision set forth in paragraph (d) (3) hereof; provided that any such boxes are delivered or sent direct by the seller to a member of the Army or Navy of the United States or of the United States Coast Guard.

(6) Compliance with the used tube exchange provision set forth in paragraph (d) (3) hereof shall not be required in connection with the sale or distribution of Class III or shaving preparation tubes when made by the following agencies or instrumentalities of the United States Government: namely, army exchanges, ships stores, ships service stores, and marine exchanges; if made under any of the following circumstances:

(i) Distributions or sales, made aboard ship, in the Territory of Alaska, or outside the continental limits of the United States.

(ii) Distributions or sales made at ports of embarkation, induction centers, receiving stations, receiving ships, to newly inducted selectees or enlistees or other persons designated by the commanding officer.

(iii) Sales or distributions made in hospitals under the jurisdiction of the armed forces of the United States to casualties of war.

Provided, however, That no tubes containing more than 7½% tin shall be sold or delivered pursuant to the subparagraph: *And further provided,* That the exemption, provided by this subparagraph shall be subject to such conditions as shall be prescribed by the appropriate authorities of that branch of the Government under whose jurisdiction the above named agencies or instrumentalities respectively operate.

(e) *Certificates and reports relating to all the kinds of tubes covered by this order*—(1) *Certificates of tube users.* Each tube user who purchases any tubes shall furnish to the tube manufacturer from whom he buys, a certificate, in substantially the form attached hereto as Exhibit A, that such tube user is familiar with the terms of this order (in its present form or as it may be amended from time to time) and that, during the life of this order, he will not use any tubes purchased from such tube manufacturer in violation of its terms. Only one such certificate covering all present and future purchases from a given tube manufacturer need be furnished by a tube user to that tube manufacturer (who shall retain such certificate), but no tube manufacturer shall be entitled to rely on any such certificate if he knows, or has reason to believe it to be false.

(2) *Certificates of retailers.* Each retailer who purchases any filled Class III or shaving preparation tubes shall furnish to the manufacturer or distributor from whom he buys a certificate, in substantially the form attached hereto as Exhibit B, that such retailer is familiar with the terms of this order (in its present form or as it may be amended from time to time) and that, during the life of this order, he will not use any tubes purchased from such manufacturer or distributor in violation of its terms. Only one such certificate covering all present and future purchases from a given manufacturer or distributor need be furnished by a retailer, but no manufacturer or distributor shall be entitled to rely on any such certificate if he knows, or has reason to believe, it to be false: *Provided, however,* That such certificates shall not be required in connection with the export of filled Class III or shaving preparation tubes from the forty-eight states of the United States of America and the District of Columbia.

(3) *Reports.* Each tube manufacturer and each tube user shall file such reports as the War Production Board may prescribe for the purpose of effective administration of the order, and no tube manufacturer or distributor shall sell any tubes except under contracts or orders validated by the certification required by this paragraph (e).

(f) *Miscellaneous provisions*—(1) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds for the appeal.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Sales of tin.* No person shall hereafter sell or deliver tin to any tube manufacturer or tube user if he knows or has reason to believe that such tin is to be used in violation of the terms of this order.

(4) *Communications to the War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington, D. C. Ref.: M-115.

(5) *Effect of other orders.* Except as provided in paragraph (c) (2) above, insofar as any other order of the Director of Priorities, the Director of Industry Operations or the Director General for Operations heretofore or hereafter issued limits or curtails to a greater extent than herein provided the use of any material used in the production of tubes, the limitations of such order shall control.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. , 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 13th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

EXHIBIT A—TUBE USER'S CERTIFICATE

Certificate required by paragraph (e), subparagraph (1) of Conservation Order M-115. One copy of this certificate is to be delivered to each tube manufacturer from whom the tube user purchases tubes and is to cover all purchases present and future, so long as such conservation order, in its present form or as it may be amended from time to time, remains in effect.

(Tube user's address) (Date)

In accordance with paragraph (e), subparagraph (1) of Conservation Order M-115 of the War Production Board designed to conserve the amount of tin used in collapsible tubes, the undersigned hereby certifies—and this shall constitute a certification to the War Production Board—that the undersigned is familiar with the terms of said Conservation Order, and any and all amendments thereto, and that the undersigned will not use any tubes purchased from

---

(Name of tube manufacturer) (Address of tube manufacturer)

in violation of the terms of said order and amendments.

(Legal name of tube user)

By ---

(Authorized official)

(Title of official reporting)

Section 35A of the U. S. Criminal Code (18 U. S. C. A. 80) makes it a criminal offense to make a false statement or representation to any department or agency of the United States as to any matter within its jurisdiction.

EXHIBIT B—RETAILER'S CERTIFICATE

Certificate required by paragraph (e), subparagraph (2) of Conservation Order M-115. One copy of this certificate is to be delivered to each distributor from whom the retailer purchases tubes and is to cover all purchases present and future, so long as such conservation order, in its present form or as it may be amended from time to time, remains in effect.

(Retailer's address) (Date)

In accordance with paragraph (e), subparagraph (2) of Conservation Order M-115 of the War Production Board designed to conserve the amount of tin used in collapsible tubes, the undersigned hereby certifies—and this shall constitute a certification to the War Production Board—that the undersigned is familiar with the terms of said conservation order, and any and all amendments thereto, and that the undersigned will not use any tubes purchased from

---

(Name of tube manufacturer or distributor)

(Address of tube manufacturer or distributor)

in violation of the terms of said order and amendments.

(Legal name of retailer)

By ---

(Authorized official)

(Title of official reporting)

Section 35A of the U. S. Criminal Code (18 U. S. C. A. 80) makes it a criminal offense to make a false statement or representation to any department or agency of the United States as to any matter within its jurisdiction.

TABLE I—CLASS I TUBES

1. Ointments and other preparations for ophthalmic use.
2. Sulfa drugs in ointment or jelly form.
3. Diagnostic extracts (allergens).
4. Morphine for hypodermic injection (limited to tubes containing individual doses only and sold directly to the Army or Navy of the United States).

TABLE II—CLASS II TUBES

1. (a) Medicinal and pharmaceutical ointments not included in Table I.
   (b) Preparations which are intended for introduction into body orifices (nasal, vaginal rectal, surgical jelly, etc.), not included in Table I

TABLE III—CLASS III TUBES

1. Dental cleansing preparations.

[F. R. Doc. 43-641; Filed, January 13, 1943; 11:20 a. m.]

PART 3067—TEXTILE AND PAPER SHIPPING BAGS

[Conservation Order M 221, as Amended Jan 13, 1943]

1. Part 3067 *Textile Shipping Bags* is amended to read: "Textile and Paper Shipping Bags"

2. Section 3067.1 *Conservation Order M-221* is amended to read:

The fulfillment of requirements for the defense of the United States has created shortages in the supplies of textile and paper shipping bags for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3067.1 *Conservation Order M-221*—(a) *Definitions.* (1) "Textile bag" means any shipping container made of cotton fabric, burlap, or other fabric, excepting bale covers and textile wrappings.

(2) "Paper bag" means any shipping bag made wholly or in part of kraft paper, excepting combination textile-paper bags.

(3) "Combination textile-paper bag" means any shipping bag made of laminated textile and paper.

(4) "New textile bag" means any textile bag when neither the fabric or the bag has been previously used.

(5) "Used textile bag" means any textile bag when the bag or the fabric previously has been used one or more times.

(6) "New paper bag" means any paper bag which has not been used.

(7) "Dealer" means any person whose principal business is that of buying, selling or reconditioning empty textile or paper bags.

(8) "User" means any person who acquires textile or paper bags for use in his business.

(9) A person shall be deemed a "commercial emptier" at such times when in any of the three immediately preceding calendar months he acquired in his business and emptied 400 filled textile bags.

(10) "Wool bag" means any new or used textile bag, made of burlap, between 5½ and 7½ feet in length, ordinarily used to package wool: *Provided,* That such bag shall not be considered a wool bag when no longer capable of carrying any of the following: grease wools, scoured wools, noils, wool wastes or mohair.

(11) A "heavy #1 wool bag" means a wool bag, either new or used, made of

12 ounce or heavier burlap and capable of being packed or repacked to its intended capacity with any of the following: grease wools, Territory, California or Texas wools or mohair.

(12) A "light ≠1 wool bag" means any new wool bag made of less than 12 ounce burlap.

(13) A "≠2 wool bag" means any used wool bag other than a heavy ≠1 wool bag.

(b) *General restrictions*—(1) *Restrictions on textile and paper bags.* (i) No person shall manufacture, sell, offer for sale, deliver, rent, supply, distribute, purchase, accept delivery or acquire textile or paper bags which he has reason to believe will be used for any purpose prohibited by this order.

(ii) After April 1, 1943, no user shall pack any beans, cement, chemicals, feed, fertilizer, flour, meal or cereals, nuts, salt, plaster, potatoes, rice, seeds, starch, or sugar in new textile or paper bags other than bags of the following net weight capacities:

2 pounds
5 pounds
10 pounds
25 pounds
50 pounds
100 pounds or over;

Provided, That the following commodities also may be packed as follows:

Cement in 94 lb. bags
Plaster in 60 lb. and 94 lb. bags
Potatoes in 15 lb. bags
Seeds in one-bushel and two-bushel bags

(2) *Restrictions on textile bags.* (i) No person shall sample the contents of any new or used textile bag except by opening the closure or by inserting a probe or trier without damage to the fabric and no commercial emptier shall remove the contents of any textile bag except by opening the closure, unless the contents have become so caked or solidified that salvage of the bag is not practicable.

(ii) No person shall use any new or used textile bag for packing mohair unless the word "Mohair" appears in legible type on both sides of the bag.

(iii) No person shall purchase or accept delivery of any new or used textile bag to be used for protection against air raids or other war hazards.

(iv) No user or commercial emptier shall accept delivery of any full or empty new or used textile bags at a time when, or when by virtue of the delivery, the user's or commercial emptier's inventory of new or used empty textile bags is or will be in excess of a practical minimum working inventory and in no event in excess of the aggregate number of new or used empty textile bags which will be required to carry on his business during the next sixty days.

(v) No person shall use any new textile bags made of burlap for packing any material, other than mohair; wool; and wool products; agricultural products except flour, refined sugar, salt, tankage, or fertilizer: *Provided*, That this restriction shall not apply to any bags manufactured or in process of manufacture prior to January 13, 1943.

(vi) No manufacturer of or dealer in textile bags made of burlap, during any calendar year, shall sell or deliver to any user, nor shall any user accept delivery of more than 50 percent of the number of new textile bags made of burlap delivered to the user during the calendar year 1941, except that this restriction shall not apply to bags for packing mohair, wool or wool products, or to bags made of burlap of weights less than 7 ounces per 40 inch width per yard.

(vii) No dealer, user or commercial emptier shall change the size of any textile bag made of burlap while it has a commercial use as a bag with or without mending.

(viii) No user shall pack any products other than the following: agricultural products (including but not limited to beans, coffee, cotton, feed, flour, fruits, grain, meal, nuts, potatoes, poultry grits, rice, salt, seeds, starch, sugar, tobacco or vegetables) cement, chemicals, core sand, fertilizer, glues, gypsum, malt, meats, metal abrasives, metal parts, pastes, plaster, sand, shell-fish, tire chains or such other products as may be authorized by the Director General for Operations, pursuant to application on Form PD-556, in new textile bags made of cotton: *Provided*, That this restriction shall not apply to any bags manufactured or in process of manufacture prior to January 13, 1943.

(ix) No manufacturer of new textile bags shall overstitch the raw edge or selvage edge of a bag.

(x) No manufacturer of new textile bags shall incorporate therein any metal eyelets or grommets.

(xi) No dealer in used textile bags shall sell or deliver any used textile bag unless such bag shall have been repaired and all holes, including trier or probe holes, properly mended or patched: *Provided*, That nothing in this paragraph (b) (2) (xi) shall prevent the delivery of any bag for the purpose of repair, or delivery to the owner.

(xii) No dealer in textile bags or commercial emptier shall sell or deliver any textile bag which has been used for packing raw sugar, and which is capable of carrying raw sugar, to any user except for packing raw sugar.

(c) *Restrictions on wool bags.* (1) No user shall use a heavy ≠1 wool bag except for grading wools or for packing grease wools or mohair, known to the trade as Territory, California or Texas wools or mohair.

(2) No user shall use a light ≠1 wool bag except for packing Territory, California, Texas, grease or scoured wools, or mohair, carbonized wool, carbonized noils, carbonized card waste, fine white garnetts, fine white laps, cut wool tops, broken wool tops, or wool backings.

(3) No user shall use a ≠2 wool bag except for packing grease wools, fleece wools, pulled wools, scoured wools or noils, or wool wastes, whether or not carbonized.

(4) No user shall use any wool bag for any purpose other than for packing or wrapping wool or wool products.

(5) No user shall use any top cover bags made from burlap for any purpose other than for packing top wool.

(d) *Miscellaneous provisions*—(1) *General exceptions.* The restrictions imposed by this order shall not apply to:

(i) Any textile or paper bags manufactured to meet the packaging specifications of and delivered to, or for the account of, the Army, Navy, Maritime Commission, United States Post Office, War Shipping Administration, or any agency procuring for delivery pursuant to the Act of Congress of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(ii) The sale, delivery, or use of any textile bag made of burlap, when such bag is manufactured from burlap set aside pursuant to any provision for Stockpiling of Imports, in Conservation Order M-47, as amended from time to time.

(2) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(3) *Reports.* On the fifteenth day of each month, every dealer, user or commercial emptier of new or used textile bags, who has (or had) in his possession at any time during the year 1942 more than 15,000 empty textile bags, exclusive of new textile bags made of cotton, shall report upon Form PD-645 to the Containers Division, War Production Board, Washington, D. C. the information required by said form.

(4) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of appeal: *Provided*, That appeals from the restrictions of paragraph (b) (2) (vi) shall be by application in triplicate on Form PD-188-c.

(5) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Law 89 and 507, 77th Cong.)

Issued this 13th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-642, Filed, January 13, 1943, 11:21 a. m.]

PART 3132—PROCESSORS OF METAL SCRAP

[Preference Rating Order P-136 as Amended Jan. 13, 1943]

For the purpose of facilitating the acquisition of material for operating supplies and for the maintenance and repair of equipment used by recognized processors for the sole purpose of locating, processing or transporting metal scrap (up to its delivery at point of shipment to ultimate consumer), and to promote the national defense, preference ratings are hereby assigned to deliveries of such materials on the terms and within the limitations hereinafter set forth:

§ 3132.1 *Preference Rating Order P-136*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) "Processor" means any person operating an automobile graveyard or scrap yard physically situated within the limits of the United States or Canada who has been certified by the Scrap Processors Branch of the Conservation Division of the War Production Board as being experienced in the metal scrap trade and cooperative in expediting the movement of metal scrap to consumers.

(3) "Material" means any commodities, equipment, accessories, parts assemblies, or products of any kind.

(4) "Maintenance" means upkeep necessary to continue the working condition of essential operating equipment used by a processor at its then current rate of production.

(5) "Repair" means the restoration of equipment used by a processor to a sound working condition after wear and tear, damage, destruction or failure of parts, or the like, have made such equipment unfit or unsafe for service.

(6) "Operating supplies" means any material which is essential to the operation of equipment used by a processor and which is generally carried as processor's stores and charged to operating expense accounts.

(7) "Supplier" means any person with whom a rated purchase order or contract has been placed by a processor or by another supplier for material:

(i) Directly required by a processor for maintenance, repair, or operating supplies, or

(ii) To be physically incorporated in other material so required by a processor.

(b) *Assignment of preference ratings.* Subject to the terms of this order, the following preference ratings are hereby assigned, but nothing herein contained shall prevent the use of any other or higher rating to which any person may be entitled by reason of any other preference rating certificate or order:

(1) AA-2x to deliveries to a processor of material for repair of equipment used for any of the purposes set forth in the first paragraph of this order, when and only when there has been an actual breakdown or suspension of operations because of damage, wear and tear, destruction or failure of parts, or the like, and the essential repair parts are not otherwise available.

(2) AA-3 to deliveries to a processor of repair material, described in paragraph (b) (1), up to the minimum required to make reasonable advance provision to avert an actual breakdown of existing facilities or suspension.

(3) A-1-a to deliveries to a processor of material for other repairs to, for maintenance of, and for operating supplies for, equipment used for any one of the purposes set forth in the first paragraph of this order. The A-1-a rating assigned by this paragraph (b) (3) shall not be applied in any calendar quarter to material in excess of a total dollar value of $500.00 (including materials delivered under the provisions of paragraphs (b) (1) and (2) above), unless a specific authorization is obtained in advance from the Director General for Operations.

(c) *Persons entitled to apply preference ratings.* The preference rating hereby assigned may, in the manner and to the extent hereby authorized, be applied by:

(1) A processor;

(2) Any supplier of material to the delivery of which a preference rating has been applied as provided in paragraph (d).

(d) *Application of preference rating.* (1) No processor shall apply any preference rating assigned by paragraph (b) until:

(i) He shall have filed with the Scrap Processors Branch, Conservation Division, War Production Board, a statement in the form prescribed by the Director General for Operations, setting forth amounts of raw material used for repair, maintenance and operating supplies for the preceding calendar quarter, inventories of such material at the beginning and end of such period, and an estimate of requirements of such material for the current quarter, and further stating that he accepts the terms and conditions of this order.

(ii) He shall have received from the Scrap Processors Branch, War Production Board, a serial number which shall thereafter be endorsed on all purchase orders or contracts for material by him or for his account which are rated pursuant to this order.

(2) The preference ratings herein granted shall be applied and extended pursuant to the provisions of Priorities Regulation No. 3 (§ 944.23).

(3) Each processor shall immediately file with the nearest District Office of the War Production Board a copy of each purchase order or contract covering any material to which an AA-2X or an AA-3 rating has been assigned under paragraph (b) (1) or (b) (2) of this order. Processors in Canada shall file copies of such purchase orders or contracts with the Ottawa Branch, Canadian Review Division of the War Production Board.

(e) *Restrictions on use of rating.* (1) Restrictions on processor. No processor may apply any rating hereby assigned to obtain delivery of material on earlier dates than required for the operation, maintenance or repair of its equipment.

(2) Restrictions on supplier. (i) No supplier may apply the rating to obtain material in greater quantities or on earlier dates than required to enable him to make on schedule a delivery rated hereunder or, within the limitations of (ii) below, to replace in his inventory material so delivered. He shall not be deemed to require such material if he can make his rated delivery and still retain a practicable working minimum inventory thereof; and if, in making such delivery, he reduced his inventory below such minimum, he may apply the rating only to the extent necessary to restore his inventory to such minimum.

(ii) A supplier who supplies material which he has not in whole or in part manufactured, processed, assembled or otherwise physically changed may defer applications of the rating hereunder to purchase orders or contracts for such material to be placed by him until he can place a purchase order or contract for the minimum quantity procurable on his customary terms; provided, that he shall not defer the application of any rating for more than three months after he becomes entitled to apply it.

(f) *Restrictions of inventory.* (1) A processor shall not, during any calendar quarter, accept, and a supplier shall not knowingly make to a processor, deliveries (whether or not rated pursuant to this order) of any material to be used as operating supplies or for maintenance or repair the aggregate dollar volume of which shall exceed 55 percent of the aggregate dollar volume of the withdrawals for such purposes by the processor from stores or inventory during the preceding calendar half-year unless such deliveries shall be specifically authorized in advance by the War Production Board on the processor's application therefor.

(2) A processor shall not at any time accept deliveries (whether or not rated pursuant to this order) of any material to be used as operating supplies or for maintenance or repair until the processor's inventory and stores of such material have been reduced to a reasonable minimum, unless such delivery shall be specifically authorized in advance by the War Production Board on the processor's application therefor. Such reasonable minimum shall in no case exceed 125 percent of the aggregate dollar volume of such material in inventory and stores on the last day of the preceding calendar half-year.

(g) *Relief.* If the sound working condition of a processor is adversely affected by any provision or application of this order or by inability to obtain material essential for repair, maintenance or operating supplies, the processor may apply for relief to the Director General for Operations. The Director General for Operations may thereupon take such action as he deems appropriate.

(h) *Resale of material prohibited.* Except with specific permission of the Director General for Operations, a processor shall not resell any material acquired for repair, maintenance or operating supplies (whether or not obtained pursuant to rating assigned by this order); provided, that nothing herein contained shall prohibit sale by the processor of used material acquired prior to October 31, 1942.

(i) *Records, audits and reports.* Each processor and each supplier shall keep and preserve for a period of not less than two years accurate and complete records of all transactions affected by this order and shall submit from time to time to audit and inspection by duly authorized representatives of the War Production Board. Each processor and each supplier shall execute and file with the War Production Board or other designated agency such reports and in such form as the War Production Board shall from time to time require.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Revocation or modification.* This order may be revoked or modified by the Director General for Operations at any time as to any processor or supplier. In the event of revocation or modification, or upon expiration of this order, deliveries already rated pursuant to this order shall be completed in accordance with said rating, unless said rating has been specifically revoked or modified with respect thereto. No additional application of said rating to any other deliveries shall thereafter be made by any processor or supplier affected by such revocation, modification or expiration.

(l) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Washington, D. C. Reference P-136.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 13th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-643, Filed, January 13, 1943, 11:20 a. m.]

PART 3154—HARDWARE SIMPLIFICATION

[Amendment 1 to Schedule 1 to Limitation Order L-236]

Section 3154.2 *General Limitation Order L-236* is hereby amended as follows:

Paragraph (d) *Effective date of simplified practices* is hereby amended by striking out the words "15th day of January 1943" as appearing in the first two lines of said paragraph (d) and substituting therefor the words "1st day of March 1943" so that said paragraph (d) will read as follows:

(d) *Effective date of simplified practices.* On and after the 1st day of March 1943, no builders' finishing hardware which does not conform to the size, type, grade, finish, weight, and standard established by paragraph (c) of this schedule (and set forth in the tables hereto) shall be put into process by any producer; on and after the 1st day of March 1943, no producer shall assemble, or otherwise complete, from component parts in inventory, any builders' finishing hardware which does not conform to the size, type, grade, finish, weight, and standard established by paragraph (c) of this schedule (and set forth in the tables hereto); except upon approval of the Director General for Operations.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

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ERNEST KANZLER,
Director General for Operations.

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Chapter XI—Office of Price Administration

PART 1300—PROCEDURE

[Revised Procedural Regulation 3]

PROCEDURE FOR ADJUSTMENTS, AMENDMENTS, PROTESTS AND INTERPRETATIONS UNDER RENT REGULATIONS

Pursuant to the authority of sections 201 (d) and 203 (a) of the Emergency Price Control Act of 1942 (Pub. Law 421, 77th Cong.), Procedural Regulation No. 3—Procedure for the Protest and Amendment of Maximum Rent Regulations and Adjustment Under Such Regulations—is hereby revoked, except as provided in § 1300.253 of this regulation, and the following rules are prescribed for adjustments, amendments, protests and interpretations under maximum rent regulations.

Sec.

1300.201 Purposes of this regulation.

SUBPART A—LANDLORDS' PETITIONS AND TENANTS' APPLICATIONS

1300.202 Right to file petition.
1300.203 Method of filing, form, and contents.
1300.204 Joint petitions, consolidation.
1300.205 Tenants' applications.
1300.206 Investigation of petitions and applications.
1300.207 Action by rent director on his own initiative.
1300.208 Action by the rent director on petitions for adjustment or other relief.

APPLICATION FOR REVIEW OF RENT DIRECTOR'S ACTION

1300.209 Applications for review.
1300.210 Action on applications for review.

SUBPART B—PETITION FOR AMENDMENT

1300.211 Right to file petition.
1300.212 Time and place for filing petitions for amendment. Form and contents.
1300.213 Joint petitions for amendment.
1300.214 Action by the Administrator on petition.

SUBPART C—PROTESTS

1300.215 Right to protest.
1300.216 Time and place for filing protests.
1300.217 Form of protest.
1300.218 Assignment of docket number.
1300.219 Contents of protest.
1300.220 Affidavits or other written evidence in support of protest.
1300.221 Submission of brief by protestant.
1300.222 Joint protests.
1300.223 Amendment of protest and presentation of supplemental evidence.
1300.224 Protest and evidential material not conforming to this regulation.
1300.225 Action by the Administrator on protest.
1300.226 Statements in support of maximum rent regulation or order.
1300.227 Inclusion of material in the record by the Administrator.
1300.228 Consolidation of protests.

ORAL HEARINGS

1300.229 Requests for oral hearing.
1300.230 Conference prior to oral hearing.
1300.231 Continuance or adjournment of oral hearing.
1300.232 Conduct of the oral hearing.
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AUTHORITY: §§ 1300.201 to 1300.253, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1300.201 *Purposes of this regulation.* It is the purpose of this regulation to prescribe and explain the procedure of the Office of Price Administration in making various kinds of determinations in connection with the establishment of maximum rents.

(a) Subpart A deals with petitions for adjustment and other relief, provided for by the maximum rent regulations. An adjustment in maximum rent or any other relief can be granted only if the applicable maximum rent regulation contains specific provision for the adjustment or other relief sought.

(b) Subpart B deals with petitions for amendment. A petition for amendment is the appropriate document to file when a petitioner seeks a change of general applicability in the provisions of a maximum rent regulation.

(c) Subpart C deals with protests. A protest is the means provided by the Emergency Price Control Act of 1942 for making a formal claim that a maximum rent regulation or an order issued thereunder is in some respect invalid. Only if a protest has been filed and denied may the protestant file a complaint with the Emergency Court of Appeals to have the maximum rent regulation or order protested, enjoined or set aside in whole or in part.

(d) Subpart D explains the way in which interpretations of the meaning or effect of provisions of maximum rent regulations are given by officers or employees of the Office of Price Administration.

(e) Subpart E contains miscellaneous provisions, and definitions.

SUBPART A—LANDLORDS' PETITIONS AND TENANTS' APPLICATIONS

§ 1300.202 *Right to file petition.* A petition for adjustment or other relief may be filed by any landlord subject to any provision of a maximum rent regulation who requests such adjustment or relief pursuant to a provision of the maximum rent regulation authorizing such action.

§ 1300.203 *Method of filing, form, and contents.* A petition for adjustment or other relief provided for by a maximum rent regulation shall be filed with the rent director of the Office of Price Administration for the defense-rental area within which the housing accommodations involved are located. Petitions shall be filed upon forms prescribed by the Administrator and pursuant to instructions stated on such forms and may be accompanied by affidavits or other documents setting forth the evidence upon which the petitioner relies in support of the facts alleged in his petition.

§ 1300.204 *Joint petitions, consolidation.* Two or more landlords may file a joint petition for adjustment or other relief where the grounds of the petition are common to all landlords joining therein. A joint petition shall be filed and determined in accordance with the rules governing the filing and determination of petitions filed by one landlord. A landlord's petition may include as many housing accommodations as present common questions which can be expeditiously determined in one proceeding. Whenever the rent director deems it necessary or appropriate, he may order the filing of separate petitions or he may consolidate separate petitions presenting common questions which can be determined expeditiously in one proceeding.

§ 1300.205 *Tenants' applications.* All tenants' applications provided for by any maximum rent regulation shall be filed with the rent director for the defense-rental area within which the housing accommodations involved are located. The application shall be filed on forms prescribed by the Administrator and pursuant to directions set forth on such forms. Action upon any tenant's application shall be within the discretion of the rent director and the procedure thereon shall be the same as in proceedings initiated by the rent director pursuant to provisions of a maximum rent regulation authorizing such action.

§ 1300.206 *Investigation of petitions and applications.* Upon the filing of a petition or application pursuant to the provisions of this regulation, the rent director may make such investigation of the facts involved in the petition or application, hold such conferences, and require the filing of such reports, evidence in affidavit form or other material relevant to the proceeding, as he may deem necessary or appropriate for the proper disposition of the petition or application.

§ 1300.207 *Action by rent director on his own initiative.* In any case where the rent director pursuant to the provisions of a maximum rent regulation, deems it necessary or appropriate to enter an order on his own initiative, he shall, before taking such action, serve a notice upon the landlord of the housing accommodations involved stating the proposed action and the grounds therefor.

§ 1300.208 *Action by the rent director on petitions for adjustment or other relief.* (a) Upon receipt of a petition for adjustment or other relief, and after due consideration, the rent director may either:

(1) Dismiss any petition which fails substantially to comply with the provisions of the applicable maximum rent regulation or of this regulation; or

(2) Grant or deny in whole or in part, any petition which is properly pending before him; or

(3) Notice such petition for oral hearing to be held in accordance with §§ 1300.229 to 1300.237, inclusive, of this regulation; or

(4) Provide an opportunity to present further evidence in affidavit form, in connection with such petition.

(b) An order entered by a rent director upon a petition for adjustment or other relief, or an order entered by the rent director on his own initiative may be revoked or modified at any time upon due notice to the petitioner.

APPLICATION FOR REVIEW OF RENT DIRECTOR'S ACTION

§ 1300.209 *Applications for review.* Any landlord whose petition for adjustment or other relief has been denied in whole or in part by the rent director, or any landlord subject to an order entered by the rent director on his own initiative, may within fifteen days after the date on which notice of such denial or order was mailed to him, file with the rent director an application for review of such denial or order by the regional administrator for the region in which the defense-rental area office is located. An application for review shall be filed in triplicate upon forms prescribed by the Administrator and pursuant to instructions stated on such forms, and shall be accompanied by three copies of all the evidence, in affidavit form, upon which the landlord intends to rely in support of his objections to the denial of the petition for adjustment or other relief, or to the order entered by the rent director on his own initiative. Immediately upon the filing of an application for review of such denial or order, the rent director shall forthwith forward the record of the proceedings with respect to which such application is filed to the appropriate regional administrator. If a petition for adjustment or other relief is denied by the regional administrator upon such application for review, or if an order entered by the rent director on his own initiative is affirmed, such denial or affirmance shall be final subject only to protest as provided in §§ 1300.214 to 1300.228, inclusive, of this regulation.

§ 1300.210 *Action on applications for review.* Upon the filing of a proper application for review thereof pursuant to § 1300.209 of this regulation, and after due consideration, the regional administrator shall grant or deny in whole or in part the petition for adjustment or other relief, or affirm or revoke in whole or in part the order entered by the rent director on his own initiative, as the case may be.

SUBPART B—PETITION FOR AMENDMENT

§ 1300.211 *Right to file petition.* A petition for amendment may be filed at any time by any person subject to or affected by a provision of a maximum rent regulation. A petition for amendment shall propose an amendment of general applicability and shall be granted or denied on the merits of the amendment proposed. The denial of a petition for amendment is not subject to protest or judicial review under the Act.

§ 1300.212 *Time and place for filing petitions for amendment; form and contents.* A petition for amendment shall be filed with the Secretary, Office of Price Administration, Washington, D. C. Five copies of the petition and of all accompanying documents and briefs shall be filed. Each copy shall be printed, typewritten, mimeographed, or prepared by a similar process, and shall be plainly legible. Copies shall be double spaced, except that quotations shall be single spaced and indented. Every such petition shall be designated "Petition for Amendment" and shall contain, upon the first page thereof, the name of the defense-rental area and the number and date of issuance of the maximum rent regulation to which the petition relates, and the name and address of the petitioner. The petition shall specify the manner in which the petitioner is subject to or affected by the provision of the maximum rent regulation involved, and shall include a specific statement of the particular amendment desired and the facts which make that amendment necessary or appropriate. The petition shall be accompanied by affidavits setting forth the evidence upon which the petitioner relies in his petition.

§ 1300.213 *Joint petitions for amendment.* Two or more persons may file a joint petition for amendment, where the amendments proposed are identical or substantially similar. Joint petitions shall be filed and determined in accordance with the rules governing the filing and determination of petitions filed by one person. Whenever the Administrator deems it to be necessary or appropriate for the disposition of joint petitions, he may treat such joint petitions as several, and, in any event, he may require the filing of relevant material by each individual petitioner.

§ 1300.214 *Action by the Administrator on petition.* In the consideration of any petition for amendment, the Administrator may afford to the petitioner and to other persons likely to have information bearing upon such proposed amendment, or likely to be affected thereby, an opportunity to present evidence or argument in support of, or in opposition to, such proposed amendment. Whenever necessary or appropriate for the full and expeditious determination of common questions raised by two or more petitions for amendment, the Administrator may consolidate such petitions.

SUBPART C—PROTESTS

§ 1300.215 *Right to protest.* Any landlord subject to any provision of a maximum rent regulation or of an order issued under §§ 1300.209 and 1300.210 of this regulation, may file a protest in the manner set forth below. A landlord is, for the purposes of this regulation, subject to a provision of a maximum rent regulation or of an order, only if such provision prohibits or requires action by him. Any protest filed by a landlord not subject to the provision protested, or otherwise not in accordance with the requirements of this regulation, may be dismissed by the Administrator.

§ 1300.216 *Time and place for filing protests.* Any protest against a provision of a maximum rent regulation, or an order issued under §§ 1300.209 and 1300.210 of this regulation, shall be filed with the Secretary, Office of Price Administration, Washington, D. C., within a period of sixty days after the date of issuance of such regulation or order, regardless of the effective date thereof: *Provided*, That a protest against a provision of a maximum rent regulation based solely on grounds arising after the date of issuance of such maximum rent regulation shall be filed within a period of sixty days after the protestant has had, or could reasonably have had, notice of the existence of such grounds.

§ 1300.217 *Form of protest.* Every protest shall be clearly designated a "Protest" and shall contain, upon the first page thereof, (a) the name of the protestant and of the defense-rental area for which the maximum rent regulation or order protested was issued, (b) a statement whether the protest is against a maximum rent regulation or order, and (c) the date of issuance and the number of such maximum rent regulation or order. One original and five copies of the protest and of all accompanying documents and briefs shall be filed. Each copy shall be printed, typewritten, mimeographed or prepared by a similar process, and should be plainly legible. Copies shall be double spaced, except that quotations shall be single spaced and indented.

§ 1300.218 *Assignment of docket number.* Upon receipt of a protest it shall be assigned a docket number, of which the protestant shall be notified, and all further papers filed in the proceedings shall contain on the first page thereof the docket number so assigned and the information specified in § 1300.217 of this regulation.

§ 1300.219 *Contents of protest.* Every protest shall set forth the following:

(a) The name and the post office address of the protestant, the manner in which the protestant is subject to the provision of the maximum rent regulation or order protested, and the location, by post office address or otherwise, of all housing accommodations involved in the protest.

(b) The name and post office address of the person filing the protest on behalf of the protestant and the name and post office address of the person to whom all communications from the Office of Price Administration relating to the protest shall be sent.

(c) A clear and concise statement of all objections raised by the protestant against the provision of the maximum rent regulation or order protested, each such objection to be separately stated and numbered.

(d) A clear and concise statement of all facts alleged in support of the objections.

(e) A statement of the relief requested by the protestant including, if the protestant requests modification of a provision of the maximum rent regulation or order, the specific changes which he seeks to have made therein.

(f) In cases where the protest is based upon grounds arising after the date of issuance of the maximum rent regulation, a clear and concise statement of facts showing the time when such grounds arose.

(g) A statement signed and sworn to (or affirmed) by the protestant personally or, if a partnership, by a partner or if a corporation or association, by a duly authorized officer, that the protest and the documents filed therewith are prepared in good faith and that the facts alleged are true to the best of his knowledge, information and belief. The protestant shall specify which of the facts are known to him to be true and which are alleged on information and belief.

§ 1300.220 *Affidavits or other written evidence in support of protest.* Every protestant shall file together with his protest the following:

(a) Affidavits setting forth in full all the evidence, the presentation of which is subject to the control of the protestant, upon which the protestant relies in support of the facts alleged in the protest. Each such affidavit shall state the name, post office address, and occupation of the affiant; his business connection, if any, with the protestant; and whether the facts set forth in the affidavit are stated from personal knowledge or on information and belief. In every instance, the affiant shall state in detail the sources of his information: *Provided*, That on a protest of an order, the evidence and all documents in proceedings had in connection therewith, shall be a part of the record on protest and need not be filed by the protestant.

(b) A statement by the protestant in affidavit form setting forth in detail the nature and sources of any further evidence, not subject to his control, upon which he believes he can rely in support of the facts alleged in his protest.

(c) If necessary, a further statement by the protestant in affidavit form setting forth the nature and sources of any evidence which the protestant is unable to present solely because of the time limit for the filing of protests and supporting material. Such further statement may contain a request for an opportunity to present such further evidence, which request shall state specifically the amount of time needed for preparation of such evidence. Any affidavits providing further evidence, pursuant to order, shall contain the information required by subparagraph (a) of this section.

§ 1300.221 *Submission of brief by protestant.* The protestant may file with his protest and accompanying evidential material a brief in support of the objections set forth in the protest. Such brief shall be submitted as a separate document, distinct from the protest and evidential material.

§ 1300.222 *Joint protests.* Two or more landlords may file a joint protest. Joint protests shall be filed and determined in accordance with the rules governing the filing and determination of protests filed severally. A joint protest shall be verified in accordance with § 1300.219 (g) of this regulation by each protestant. A joint protest may be filed only where at least one ground is common to all persons joining in it. Whenever the Administrator deems it to be necessary or appropriate for the disposition of joint protests, he may treat such joint protests as several, and, in any event, he may require the filing of relevant materials by the individual protestants.

§ 1300.223 *Amendment of protest and presentation of supplemental evidence.* (a) The protestant may amend his protest or his affidavits and briefs submitted therewith, or may add to such material within a period of sixty days after the issuance of the maximum rent regulation or order against a provision of which the protest is filed, or, in the case of a protest based solely on grounds arising after the date of issuance of a maximum rent regulation, within sixty days after the protestant has had or could reasonably have had notice of the existence of such grounds.

(b) After the time prescribed in paragraph (a) of this section, a protestant may be granted permission to amend his protest or to present further evidence in connection therewith, when, in the judgment of the Administrator, such permission will not unduly delay the completion of proceedings on the protest. No amendment which adds a new ground of protest will be permitted.

§ 1300.224 *Protest and evidential material not conforming to this regulation.* In any case where a protest or accompanying evidential material does not conform, in a substantial respect, to the requirements of this regulation, the Administrator may dismiss such protest, or, in his discretion, may strike such evidential material from the record of the proceedings in connection with the protest.

§ 1300.225 *Action by the administrator on protest.* (a) Within a reasonable time after the filing of any protest in accordance with this regulation, but in no event more than thirty days after such filing or ninety days after the issuance of the maximum rent regulation or order against a provision of which the protest is filed, whichever occurs later, the Administrator shall:

(1) Grant or deny such protest in whole or in part; or

(2) Notice such protest for oral hearing, to be held in accordance with the provisions of §§ 1300.229 to 1300.237, inclusive of this regulation; or

(3) Provide an opportunity to present further evidence in connection with such protest. Before, or within a reasonable time after, the presentation of such further evidence, the Administrator may notice such protest for oral hearing in accordance with subparagraph (2) of this section, may include additional material in the record of the proceedings in connection with the protest in accordance with § 1300.226 of this regulation, or may take such other action as may be appropriate to the disposition of the protest.

(b) Notice of any such action taken by the Administrator shall promptly be served upon the protestant.

(c) Where the Administrator has ordered a hearing on a protest or has provided an opportunity for the presentation of further evidence in connection therewith, he shall, within a reasonable time after the completion of such hearing or the presentation of such evidence, grant or deny such protest in whole or in part.

§ 1300.226 *Statements in support of maximum rent regulation or order.* (a) Any person affected by the provisions of a maximum rent regulation, or of an order issued thereunder, may at any time after the issuance of such regulation or order submit to the Administrator a statement in support of any such provisions. Such statement shall include the name and post office address of such person, the nature of his business, and the manner in which such person is affected by the maximum rent regulation or order in question, and may be accompanied by affidavits and other data. Each such supporting statement shall conform to the requirements of § 1300.220 of this regulation.

(b) In the event that a protest has been, or is subsequently, filed against a provision of a maximum rent regulation or order in support of which a statement has been submitted, the Administrator may include such statement in the record of the proceedings taken in connection with such protest. If such supporting statement is incorporated into the record, and is not so incorporated at an oral hearing, copies of such supporting statement shall be served upon the protestant, and the protestant shall be given a reasonable opportunity to present evidence in rebuttal thereof.

§ 1300.227 *Inclusion of material in the record by the Administrator.* The Administrator shall include in the record of the proceedings on the protest such evidence, in the form of affidavits or otherwise, as he deems appropriate in support of the provision against which the protest is filed. When such evidence is incorporated into the record, and is not so incorporated at an oral hearing, copies thereof shall be served upon the protestant, and the protestant shall be given a reasonable opportunity to present evidence in rebuttal thereof.

§ 1300.228 *Consolidation of protests.* Whenever necessary or appropriate for the full and expeditious determination of common questions raised by two or more protests the Administrator may consolidate such protests.

ORAL HEARINGS

§ 1300.229 *Requests for oral hearing.* Any protestant or petitioner may request an oral hearing. Such request shall be accompanied by a showing as to why the filing of affidavits or other written evidence and briefs will not permit the fair and expeditious disposition of the protest. In the event that an oral hearing is ordered in connection with a protest, or with proceedings under section 8 of this regulation, notice thereof shall be served on the protestant or petitioner not less than five days prior to such hearing. The time and place of the hearing shall be stated in the notice. Any such oral hearing may be limited in such manner and to the extent deemed appropriate to the expeditious determination of the proceeding.

§ 1300.230 *Conference prior to oral hearing.* At any time prior to the commencement of the oral hearing, the protestant or petitioner may be requested to appear at a conference to consider (a) the simplification of issues; (b) the possibility of obtaining stipulations of fact which will avoid unnecessary proof; and (c) such other matters as may expedite the conduct of the oral hearing. No transcript of such conference shall be kept, but the officer authorized to conduct such conference shall incorporate in the record of the proceedings any written stipulations or agreements made at, or as a result of, the conference. If the circumstances are such that an oral conference is impracticable, such negotiations may be conducted by correspondence.

§ 1300.231 *Continuance or adjournment of oral hearing.* The oral hearing shall be held at the time and place specified by the notice of hearing but may be continued or adjourned to a later day or to a different place. Notice of such adjournment or continuance may be by announcement at the oral hearing.

§ 1300.232 *Conduct of the oral hearing.* (a) An oral hearing on a protest or petition shall be conducted by the Administrator or such officer or employee of the Office of Price Administration (hereinafter referred to as the "presiding officer") as the Administrator may appoint or designate for that purpose. Any such appointment or designation may be made or revoked at any time.

(b) The oral hearing shall be conducted in such manner as will permit the protestant or petitioner to present evidence and argument to the fullest extent compatible with expeditious decision of the issues. To this end:

(1) The rules of evidence prevailing in courts of law or equity shall not be controlling; and

(2) The presiding officer, having due regard to the need for expeditious decision and for fair treatment to the protestant or petitioner, may restrict oral argument and the examination and cross-examination of witnesses: *Provided*, That in no event shall this section be construed to limit the right of the protestant or petitioner to submit affidavits or other written evidence or arguments.

§ 1300.233 *Filing of briefs.* The presiding officer shall allow the protestant or petitioner to file briefs or written arguments within such time as he shall designate.

§ 1300.234 *Subpoenas.* (a) Any protestant or petitioner may apply for a subpoena in connection with an oral hearing. Applications for subpoenas when made prior to the oral hearing shall be filed as follows: (1) in connection with a protest against a provision of a maximum rent regulation or order, with the Secretary, Office of Price Administration, Washington, D. C.; (2) in connection with a proceeding under section 8 of this regulation with the rent director or regional administrator, as the case may be, before whom such proceeding is pending. The Administrator may grant or deny an application for a subpoena or refer it to the presiding officer appointed or designated under § 1300.232 who may thereafter grant or deny the application. Applications for subpoenas made during the oral hearing shall be submitted to the presiding officer, who may grant or deny such application.

(b) All applications for subpoenas shall specify the name of the witness and the nature of the facts to be proved by him and, if calling for the production of documents, shall specify them with such particularity as will enable them to be identified for purposes of production.

(c) Service of a subpoena upon a person named therein shall be made by delivering a copy thereof to such person and by tendering to him the fees and mileage specified in section 202 (f) of the act. When the subpoena is issued at the instance of the Administrator, fees and mileage need not be tendered.

§ 1300.235 *Witnesses.* Witnesses summoned before the presiding officer at any hearing shall be paid the fees and mileage specified by section 202 (f) of the Act. Witness fees and mileage shall be paid by the person at whose instance the witness appears.

§ 1300.236 *Contemptuous conduct.* Contemptuous conduct at any oral hearing shall be ground for exclusion from the hearing. The refusal of a witness to answer any question which has been ruled to be proper shall, in the discretion of the presiding officer, be ground for the striking out of all testimony previously given by such witness on related matters.

§ 1300.237 *Stenographic report of oral hearing.* A stenographic report of the oral hearing shall be made, a copy of which shall be available for inspection during business hours in the office of the Secretary, Office of Price Administration, Washington, D. C., or in the appropriate regional office or defense-rental area office.

OPINION AND TRANSCRIPT ON PROTESTS

§ 1300.238 *Opinion denying protest in whole or in part.* In the event that the Administrator denies any protest in whole or in part, he shall inform the protestant of the grounds upon which such decision is based, and of any economic data and other facts of which the Administrator has taken official notice. Any order entered in such protest proceedings shall be effective from the date of its issuance unless otherwise provided in such order.

§ 1300.239 *Treatment of protest as petition for amendment or for adjustment or other relief.* Any protest filed against a provision of a maximum rent regulation may, in the discretion of the Administrator, be treated not only as a

any other organized group of persons or tion shall become effective February 1,

protest but also as a petition for amendment of the regulation protested, or as a petition for adjustment or other relief pursuant thereto, when the facts produced in connection with the protest justify such treatment.

§ 1300.240 *Transcript for judicial review.* The transcript for judicial review shall include:

(a) The designation of the defense-rental area;

(b) The rent declaration;

(c) The maximum rent regulation or order against a provision of which the protest was filed;

(d) The protest;

(e) A statement setting forth, as far as practicable, the economic data and other facts of which the Administrator has taken official notice; and

(f) Such other portions of the proceedings in connection with the protest as are material under the complaint.

SUBPART D—INTERPRETATIONS

§ 1300.241 *Interpretations.* An interpretation given by an officer or employee of the Office of Price Administration with respect to any provision of the act or any maximum rent regulation or order thereunder, will be regarded by the Office of Price Administration as official only if such interpretation was requested and issued in accordance with §§ 1300.242 to 1300.244, inclusive, of this regulation. Action taken in reliance upon and in conformity with an official interpretation and prior to any revocation or modification thereof or to any superseding thereof by regulation, order or amendment, shall constitute action in good faith pursuant to the provision of the act, or of the regulation or order to which such official interpretation relates. An official interpretation shall be applicable only with respect to the particular person to whom, and to the particular factual situation with respect to which, it is given unless issued as an interpretation of general applicability.

§ 1300.242 *Requests for interpretations: Form and contents.* Any person desiring an official interpretation of the Emergency Price Control Act of 1942, or of any maximum rent regulation or order thereunder, shall make a request in writing for such interpretation. Such request shall set forth in full the factual situation out of which the interpretative question arises and shall, so far as practicable, state the names and post office addresses of the persons and the location of the housing accommodations involved. If the inquirer has previously requested an interpretation on the same or substantially the same facts, his request shall so indicate and shall state the official or office to whom his previous request was addressed. No interpretation shall be requested or given with respect to any hypothetical situation or in response to any hypothetical question.

§ 1300.243 *Interpretation to be written: Authorized officials.* Official interpretations shall be given only in writing, signed by one of the following officers of the Office of Price Administration: the Administrator, the general counsel, any associate or assistant general counsel, any regional attorney, any regional rent attorney, any chief attorney for a State or district or defense-rental area office, and any district rent attorney: *Provided*, That interpretations of general applicability shall be given only by the Administrator, the general counsel, or any associate or assistant general counsel.

§ 1300.244 *Revocation or modification of interpretations.* Any official interpretation, whether of general applicability or otherwise, may be revoked or modified by a publicly announced statement by any official authorized to give interpretations of general applicability or by a statement or notice by the Administrator or general counsel published in the FEDERAL REGISTER. An official interpretation addressed to a particular person may also be revoked or modified at any time by a statement in writing mailed to such person and signed by the general counsel or any associate or assistant general counsel. An official interpretation addressed to a particular person by a regional attorney, a regional rent attorney, or a chief rent attorney for a defense-rental area office may also be revoked or modified at any time by a statement in writing mailed to such person and signed by the attorney who issued it or by his successor.

SUBPART E—MISCELLANEOUS PROVISIONS AND DEFINITIONS

§ 1300.245 *Filing of notices, etc.* All notices, reports, registration statements and other documents which a landlord is required to file pursuant to the provisions of any maximum rent regulation shall be filed with the appropriate defense-rental area office, unless otherwise provided in such maximum rent regulation or in this regulation.

§ 1300.246 *Service of papers.* Notices, orders and other process and papers may be served personally or by leaving a copy thereof at the residence or principal office or place of business of the person to be served, or by mail, or by telegraph. When service is made personally or by leaving a copy at the residence or principal office or place of business, the verified return of the person serving or leaving the copy shall be proof of service. When service is by registered mail or telegraph the return post office receipt or telegraph receipt shall be proof of service. When service is by unregistered mail, an affidavit that the document has been mailed shall be proof of service.

§ 1300.247 *Action by representative.* Any action which by this regulation is required of, or permitted to be taken by a landlord may, unless otherwise expressly stated, be taken on his behalf by any person whom the landlord has by written power of attorney authorized to represent him. Such power of attorney, signed by the landlord, shall be filed at the time such action on his behalf is taken.

§ 1300.248 *Secretary: Office hours.* The office of the Secretary, Office of Price Administration, Washington, D. C., shall be open every day except Sunday from 9 a. m. until 5 p. m. Any person desiring to file any papers, or to inspect any documents filed with such office at any time other than the regular office hours stated, may file a written application with the Secretary, requesting permission therefor.

§ 1300.249 *Confidential information, inspection of documents filed with Secretary.* Protests and all papers filed by protestants in connection therewith are public records, open to inspection in the office of the Secretary upon such reasonable conditions as the Secretary may prescribe. Except as provided above, confidential information filed with the Office of Price Administration will not be disclosed, unless the Administrator determines the withholding thereof to be contrary to the interests of the national defense and security.

§ 1300.250 *Former employees not to be representative.* No former officer or employee of the Office of Price Administration shall, within two years after the termination of his employment, be permitted to act as agent, attorney, or representative of any person in connection with any protest, petition for amendment, application for review, petition for adjustment or other relief or other proceeding before the Office of Price Administration: *Provided*, That this provision shall not be construed to prohibit a person who performs services for the Office of Price Administration without pay, or as a part-time employee, from acting as such agent, attorney, or representative in a matter which was not pending before the Office of Price Administration during the period of employment of such person.

§ 1300.251 *Definitions.* As used in this regulation, unless the context otherwise requires, the terms:

(a) "Act" means the Emergency Price Control Act of 1942 (Public Laws 421, 77th Cong.).

(b) "Administrator" means the Price Administrator of the Office of Price Administration or such person or persons as he may appoint or designate to carry out any of the duties delegated to him by the Act.

(c) "FEDERAL REGISTER" means the publication provided for by the Act of July 26, 1935 (49 Stat. 500), as amended.

(d) "Maximum rent regulation" means any regulation establishing a maximum rent.

(e) "Maximum rent" means the maximum rent established by any maximum rent regulation or order for the use of housing accommodations within any defense-rental area.

(f) "Date of issuance," with respect to a maximum rent regulation, means the date on which such maximum rent regulation is filed with the Division of the Federal Register.

(g) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(h) "Protestant" means a person subject to any provision of a maximum rent regulation or order who files a protest in accordance with Section 203 (a) of the Act.

(i) "Landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any housing accommodations, or an agent of any of the foregoing.

(j) "Tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any housing accommodations.

(k) "Housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, together with all privileges, services, furnishing, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(l) "Defense-rental area" means the District of Columbia and any area designated by the Administrator as an area where defense activities have resulted or threaten to result in an increase in the rents for housing accommodations inconsistent with the purposes of the Act.

(m) "Rent director" means the person designated by the Administrator as director of any defense-rental area or such person or persons as may be designated to carry out any of the duties delegated to the rent director by the Administrator.

(n) "Regional administrator" means the person designated by the Administrator as administrator of any regional office established by the Office of Price Administration or such person or persons as may be designated to carry out any of the duties delegated to the regional administrator by the Administrator.

§ 1300.252 *Amendment of this regulation.* Any provision of this regulation may be amended or revoked by the Administrator at any time. Such amendment or revocation shall be published in the FEDERAL REGISTER and shall take effect upon the date of its publication, unless otherwise specified therein.

§ 1300.253 *Effective date of Revised Procedural Regulation No. 3.* Sections 1300.209 and 1300.210 of this regulation are applicable to petitions for adjustment or other relief which are denied in whole or in part by the rent director, or to orders entered by the rent director pursuant to § 1300.207 of this regulation, on or after the effective date of this regulation. Protests against such denials or orders entered prior to February 1, 1943, shall be filed and acted upon pursuant to the applicable provisions of Procedural Regulation No. 3 as heretofore and such provisions are continued in effect for this purpose. This regulation shall become effective February 1, 1943.

Issued this 12th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-610; Filed, January 12, 1943; 4:45 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 266,[1] Amendment 2]

CERTAIN TISSUE PAPER PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The last sentence in § 1347.510, subparagraph (12) of § 1347.512 (a), in § 1347.515, subparagraph (2) of paragraph (b), subparagraph (5) of paragraph (d), and subparagraph (5) of § 1347.516 (c) are amended; subparagraph (24) is added to § 1347.512 (a), in § 1347.515 subparagraphs (4) and (5) are added to paragraph (b) and subdivisions (i) and (ii) are added to paragraph (c) (2), a sentence is added to subparagraph (5) of paragraph (c); in § 1347.516, subparagraph (2) is added to paragraph (a), subparagraphs (3) and (4) are added to paragraph (b), and subdivision (i) and (ii) are added to paragraph (c) (2) as set forth below:

§ 1347.510 *Relief for signatories of voluntary agreements.*

* * * If, within 21 days after the filing of the petition, such petition has not been denied by the Office of Price Administration, the manufacturer may sell at such price, subject to non-retroactive adjustment by this Office: *Provided*, That the manufacturer shall for a period of 60 days attach to all billings on such sales made to distributors a copy of paragraph (c) (2) (i) of § 1347.515 and paragraph (c) (2) (i) of § 1347.516.

§ 1347.512 *Definitions.* (a) When used in this Maximum Price Regulation No. 266 the term:

* * * * * *

(12) "Toilet tissue" includes all tissue papers having a basis weight of 8 to 16 pounds, inclusive, (24 x 36—500), a square inch area per sheet of 16 to 41 inches, inclusive, made from either chemical pulp or mechanical pulp or a combination of the two and designed for toilet use.

* * * * * *

(24) "Prices charged for deliveries during March, 1942", shall have the same meaning as the phrase "highest price charged during March, 1942" in the General Maximum Price Regulation.

* * * * * *

§ 1347.515 *Appendix A: Maximum prices for toilet tissue 4½" wide.*

* * *

(b) * * *

(2) *F. o. b. mill basis.* Where shipments of toilet tissue are made on an f. o. b. mill basis the manufacturer's maximum price, which in no event may exceed the prices charged by the manufacturer during March, 1942, shall be computed in accordance with the provisions of paragraph (a) (1) of this section, except that $0.12 must be deducted from the applicable price factor. Freight charges to the point of delivery may be added to the resulting f. o. b. price: *Provided*, That in no event shall such maximum price, including freight charges, exceed the maximum zone price which would apply at the given destination.

* * * * * *

(4) *Provisions for determining maximum prices for sales to the Army, Navy or Lend-Lease Administration under certain conditions.* (i) Any manufacturer who, prior to the effective date of Maximum Price Regulation No. 266, had agreed, offered, or contracted to supply toilet tissue to the Army, Navy, Lend-Lease Administration or any other agency of the United States under "Emergency Alternate Federal Specification E–UU–P–556b" at prices in excess of the maximum prices established under paragraph (b) (2) above, must adjust such prices to conform with these provisions. Such manufacturer may make additional charges for the net difference in cost of casing materials, including metal strapping where such strapping is specified, if the f. o. b. mill price, without the addition of such charges, does not cover his manufacturing costs plus the weighted average margin of profit realized during 1942 from the sale of his largest volume industrial toilet tissue item at a carload price established by this regulation. Such manufacturer desiring to make such additional charges shall file with the Office of Price Administration a statement that he had not prior to November 26, 1942, offered, agreed or contracted to supply such toilet tissue at the maximum prices provided in paragraph (b) (2) above, or less, and a detailed statement in affidavit form of all the costs of producing such tissue, including such adidtional charges, and a proposed maximum f. o. b. mill price, which may in no event exceed his manufacturing costs plus the weighted average margin of profit realized during 1942 from the sale of his largest volume industrial toilet tissue item at a carload price established by this regulation. If, within ten (10) days after such filing is received in Washington, D. C., the proposed maximum price has not been disapproved, or the time extended by letter by the Office of Price Administration, the manufacturer may sell at such price subject to non-retroactive adjustment by this Office. This provision shall also apply to manufacturers who did not bid or make such offers, agreements or contracts prior to the effective date of this regulation.

(ii) Supplementary Order No. 34 shall not apply to this Maximum Price Regulation No. 266.

(5) *Manufacturers' maximum prices for sales made directly to industrial, institutional and commercial users, and to*

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9335, 10714.

purchasers other than distributors. On sales made directly to industrial, institutional and commercial users, and to purchasers other than distributors, a manufacturer who, during the period of October 1 to October 15, 1941, had an established practice of selling to such purchasers at prices in excess of those established for other classes of purchasers, may compute the maximum price for such sales by multiplying the manufacturers' maximum price, as established by this regulation, by the lesser of the following amounts:

(i) The highest markup which the manufacturer applied to sales of toilet tissue of a given grade to a purchaser of the same class during the period of October 1 to October 15, 1941 or

(ii) The markups permitted paper merchants in § 1347.515 (c) (2).

In no event may the resulting maximum price exceed the highest price charged for such sales made during March 1942.

(c) *Distributors' maximum prices.* * * *

(2) * * *

(i) Where a distributor purchases toilet tissue from a manufacturer whose petition under § 1347.510 has not been denied by the Office of Price Administration, such distributor, upon receipt of the notice provided for in such section, need not be restricted by his own March 1942 price for sales to such toilet tissue, except that the resulting maximum price shall not be in excess of the March 1942 price charged for deliveries of the same or similar commodity by his most closely competitive seller of the same class.

(ii) In the event that the mark-up as determined under paragraph (c) (1) and (2) above is less than 85% of the mark-up set forth in paragraph (c) (1) above, the maximum price shall be computed by multiplying the manufacturer's maximum price by 85% of such mark-up set forth in paragraph (c) (1).

* * * * *

(5) * * * Such charge shall be set forth in the invoice or other evidence of sale, and may be amortized over a definite period of time.

* * * * *

(d) *Retailers maximum prices* * * *

(5) *Examples:* * * *

2. A retailer purchases from his supplier a case of Y Brand of toilet tissue at a net cost of $4.60 in December, 1942. Assume the "March, 1942 percentage mark-up" on Y brand of toilet tissue was 1.32. The calculations are as follows:

$	4.60
	1.32
	920
	1380
	460
$6	.0720

The retailer's ceiling price is $6.07 per case of 100 rolls or 6 cents per roll.

* * * * *

§ 1347.516 *Appendix B: Maximum prices for paper towels.* (a) * * *

(2) *Special products.* Paper towels sold through coin-operated vending machines are excluded from this Maximum Price Regulation No. 266, and are covered by the General Maximum Price Regulation.

(b) * * *

(3) *F. o. b. mill basis.* Where shipments of paper towels are made on an f. o. b. mill basis the manufacturers' maximum price, which in no event may exceed the prices charged by the manufacturer for deliveries during March 1942, shall be computed in accordance with the provisions of paragraph (a) (1) of this section, except that $0.70 per cwt. shall be deducted from the price. Freight charges to the point of delivery may be added to the resulting f. o. b. mill price: *Provided*, That in no event shall such maximum price, including freight charges, exceed the maximum zone price which would apply at the given destination.

(4) *Maximum prices for sales to industrial, institutional and commercial users and to purchasers other than distributors.* On sales made directly to industrial, institutional and commercial users or to purchasers other than distributors, a manufacturer who, during the period of October 1 to October 15, 1941, had an established practice of selling to such purchasers at prices in excess of those established for other classes of purchasers, may compute the maximum price for such sales by multiplying the manufacturer's maximum price as established by this regulation by the lesser of the following amounts:

(i) The highest mark-up which the manufacturer applied to sales of paper towels of a given grade to a purchaser of the same class during the period of October 1 to October 15, 1941; or

(ii) The mark-ups permitted paper merchants in § 1347.516 (c) (2).

In no event may the resulting maximum price exceed the highest price charged for such sales made during March, 1942.

* * * * *

(c) *Distributors' maximum prices.* * * *

(2) * * *

(i) Where a distributor purchases paper towels from a manufacturer whose petition under § 1347.510 has not been denied by the Office of Price Administration, such distributor, upon receipt of the notice provided for in such section, need not be restricted by his own March 1942, price for sales of such paper towels, except that the resulting maximum price shall not be in excess of the March 1942 price charged for deliveries of the same or similar commodity by his most closely competitive seller of the same class.

(ii) In the event that the mark-up as determined under paragraph (c) (1) and (2) above is less than 85% of the mark-up set forth in paragraph (c) (1) above, the maximum price shall be computed by multiplying the manufacturer's maximum price by 85% of such mark-up set forth in paragraph (c) (1).

* * * * *

(5) Where a merchant or distributor supplies cabinets or other fixtures for the dispensing of paper towels in connection with the sale of such products, he may make a charge for the sale of such cabinet or fixture at a price not exceeding 150 per cent mark-up of the cost to him of such cabinet or fixture. Such charge shall be set forth in the invoice or other evidence of sale, and may be amortized over a definite period of time.

* * * * *

§ 1347.514a *Effective dates of amendments.* * * *

(c) Amendment No. 2 (§§ 1347.510, 1347.512 (a) (12) and (24), 1347.515 (b) (2), (4) (i) and (ii), (5) (i) (ii), (c) (2) (i) (ii), (c) (5), (d) (5) 2, 1347.516 (a) (2), (b) (3) (4) (i) (ii), (c) (2) (i) (ii) and (c) (5) to Maximum Price Regulation No. 266 shall become effective January 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 12th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-612, Filed, January 12, 1943; 4:49 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 238, Amendment 8]

ADJUSTED AND FIXED MARK-UP REGULATION FOR SALES OF CERTAIN FOOD PRODUCTS AT RETAIL

A statement of the considerations involved in the issuance of Amendment No. 8 to Maximum Price Regulation No. 238 has been issued and filed with the Division of the Federal Register.*

Two new §§ 1351.608a and 1351.608b are added to read as set forth below:

§ 1351.608a *How a new retailer determines his maximum prices under this regulation—(a) How a new retailer determines his classification.* A retailer who opens a new retail outlet subsequent to the effective date of this regulation shall, for the purpose of this regulation be classified as a Class 1 retailer, unless the new retailer is a member of a chain in which case he shall be classified as a Class 4 retailer.

At the end of 3 months following the opening of the new retail outlet, the new retailer must ascertain his gross sales volume for the 3 month period, and multiply that figure by four to arrive at an estimated annual gross sales volume. If this figure is an amount that would place the new retailer in a class different from the one in which he is placed by the foregoing paragraph, he must, within 10 days following the 3 month period recalculate his maximum prices in accordance with his new classification and also notify in writing his local war price and rationing board of his new classification. He shall apply the applicable figure as set forth in Appendix A or B to the "net cost" used in calculating his maximum prices in effect at the end of the 3 month period.

(b) *How a new retailer calculates his maximum prices.* A new retailer shall calculate his maximum prices in accordance with §§ 1351.602 and 1351.603 of this regulation except that in calculating the first maximum prices under this regulation the "net cost" of the item being priced shall be based on the new retailer's first purchase of the item.

(c) *Recording of maximum prices by a new retailer.* Within 60 days after the opening of the new retail outlet, a new retailer must calculate and record on Form 338.1 (or a copy thereof) as set forth in Appendix C of this regulation all of his maximum prices for any item of food product covered by this regulation, except that in place of the date in column 2 of Appendices A and B, he shall insert the date which is 60 days from the day he opens his new retail outlet, and in place of the date in column 3 of Appendices A and B, he shall insert the date which is 70 days from the day he opens his new retail outlet.

If the new retailer's classification changes after his first 3 months of operation, he shall, within 10 days after the end of the 3 month period, insert in the copy of Form No. 338.1 retained by him his new maximum prices in accordance with his new classification in place of the maximum prices previously calculated by him.

No sales of any item of food product covered by this regulation shall be made by a new retailer before he calculates, records and posts his maximum prices as required by §§ 1351.602 and 1351.603, or in the case of a reclassification, before he calculates, records and posts his new maximum prices.

(d) *Filing of maximum prices by a new retailer.* Within 70 days after the opening of the new retail outlet, a new retailer must report all of his maximum prices determined under this regulation to the war price and rationing board of the Office of Price Administration which has charge of the area in which his outlet is located on form No. 338.1 (or a copy thereof) as set forth in Appendix C of this regulation. This form shall be signed and subscribed and sworn to before a notary or other proper official.

If the new retailer's classification is changed after his first 3 months of operation he shall, within 10 days after he recalculates his new maximum prices in accordance with his new classification report in writing all of his new maximum prices to the war price and rationing board of the Office of Price Administration which has charge of the area in which his outlet is located.

§ 1351.608b *Special retailer classifications—(a) Retail route sellers—(1) Classification and definition of retail route sellers.* A "retail route seller" shall for the purpose of this regulation be classified as a Class 1 retailer, regardless of whether or not he falls into another class by reason of his annual gross sales volume, or because he is a member of a chain.

A "retail route seller" is a person who customarily makes sales at retail of the food products covered by this regulation from a truck or wagon operated by a driver-salesman over a regular route.

The provisions in § 1351.608a, applicable to a "new retailer", shall apply to a new "retail route seller" except that a "retail route seller" who commences his business subsequent to the effective date of this regulation is not required to reclassify himself on the basis of his gross sales volume for his first 3 months in business, but he shall remain a Class 1 retailer under this regulation.

(2) *Calculation, recording and filing of maximum prices by a "retail route seller".* A "retail route seller" shall calculate his maximum prices in accordance with §§ 1351.602 and 1351.603 of this regulation; he shall record his maximum prices in accordance with § 1351.608 (a) and shall report all of his maximum prices to the war price and rationing board of the Office of Price Administration which has charge of the area in which his outlet is located in accordance with § 1351.606 (b).

If a "retail route seller" has already calculated a maximum price under this regulation, as a retailer other than Class 1, for a food product for which the "last date for calculating maximum prices" as set forth in Appendix A or B has expired, then such a "retail route seller" may calculate a new maximum price by applying the applicable figure for a Class 1 retailer to the "net cost" used in calculating his maximum price in effect on the effective date of this amendment.

§ 1351.617a *Effective dates of amendments.* * * *

(h) Amendment No. 8 (§§ 1351.608a and 1351.608b) to Maximum Price Regulation No. 238 shall become effective on January 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 12th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-611; Filed, January 12, 1943; 4:40 p. m.]

PART 1358—TOBACCO

[MPR 283,[1] Amendment 1]

BURLEY (TYPE NO. 31) TOBACCO

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Paragraphs (a) and (b) of § 1358.151, paragraph (b) of § 1358.155, paragraph (b) of § 1358.157, are amended and paragraphs (c), (d), (e) and (f) to § 1358.151, subparagraphs (2), (3), (4), (5), (6) and (7) to paragraph (a) of § 1358.158 and § 1358.160a are added, as set forth below:

§ 1358.151 *Prohibition of purchases of burley (Type No. 31) tobacco above maximum prices.* On and after January 12, 1943, regardless of any contract, agreement, lease or other obligation,

(a) No person shall buy or receive any burley (Type No. 31) tobacco at prices higher than the maximum price for the grade set forth in Appendix A, § 1358.161, of this Maximum Price Regulation No. 283, except as provided in paragraphs (b), (c) and (e) of this section.

* * *

(b) No person shall buy or receive any burley (Type No. 31) tobacco on direct order from a dealer at prices higher than the maximum prices for the grades purchased as set forth in Appendix A, § 1358.161, plus the charge for the services rendered, if any, by the dealer for the manufacturer in accordance with paragraph (d) of this section.

(c) No person shall buy or receive any burley (Type No. 31) tobacco from a dealer other than on direct order at prices higher than as follows:

(1) The maximum price for the grade purchased as set forth in Appendix A, § 1358.161, plus

(2) An allowance of not more than 10 percent for shrinkage (determined by dividing the price paid by .9) on the redrying of the tobacco purchased, if the tobacco is redried, plus

(3) The permitted charge set out in paragraph (d) of this section for any service rendered by the dealer for the buyer, plus

(4) Seven percent of the total of the above three items of this paragraph (c).

(d) Maximum charges per cwt. which may be added by dealers for services rendered.

Service	*Maximum charge*
Buying	$0.50
Buying and sheeting	.75
(If dealer does not furnish the sheets, the maximum charge shall be 50 cents)	
Buying and green prizing	1.25
Buying and redrying	2.25
Buying and stemming	7.00

(e) Any dealer who warehouses burley (Type No. 31) tobacco may add to the maximum price established by the provisions of this section for such burley tobacco, a carrying charge not to exceed 1 percent of such maximum price per month for each month warehoused, except that no charge shall be added for the first 60 days of such warehousing.

(f) No person shall agree, offer, solicit or attempt to do any of the foregoing.

§ 1358.155 *Evasion.* * * *

(b) Specifically, but not exclusively, the following practice is prohibited.

(1) Any sale of burley (Type No. 31) tobacco without being graded by the Agricultural Marketing Administration of the United States Department of Agriculture.

§ 1358.157 *Records and reports.* * * *

(b) Every purchaser of burley (Type No. 31) tobacco shall file with the Office of Price Administration in Washington, D. C., for each week of its buying season for burley (Type No. 31) tobacco during which such purchaser bought any grade of such tobacco, a statement setting forth the total number of pounds of each grade bought and the total amount paid for the pounds of each grade bought. The report submitted for any week shall

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*Copies may be obtained from the Office of Price Administration

[1] 7 F.R. 8209, 8808, 9184, 10013, 10227, 10714, 8 F.R. 120, 374.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10224.

be filed within 14 days of the close of such week.

* * * * *

§ 1358.158 *Definitions.* (a) When used in this Maximum Price Regulation No. 283, the term:

* * * * *

(2) "Dealer"* means any person, including a speculator or a pinhooker, who purchases any grade of burley (Type No. 31) tobacco and resells the same without any further processing other than those services set out in paragraph (d) of § 1358.151.

(3) "Grade" means the basic standard grades of burley (Type No. 31) tobacco established by the Agricultural Marketing Administration of the United States Department of Agriculture and set out in Appendix A, § 1358.161 (a) of this Maximum Price Regulation No. 283.

(4) "Person" includes individual, corporation, partnership, association or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof or any other government, or any of its political subdivisions or any agency of any of the foregoing.

(5) "Purchase on direct order" means a purchase made in conformity with an agreement to buy for a principal either in the principal's name or for his account.

(6) "Weighted average ceiling price" means the figure obtained by:

(i) Multiplying the total number of pounds of each grade bought during the specified period by the ceiling price for such grade as set forth in Appendix A, § 1358.161 (a).

(ii) Adding together the resulting figures obtained in (i) and

(iii) Dividing the sum obtained in (ii) by the total of the number of pounds of all grades bought during the specified period.

(7) "Weighted average purchase price" means the figure obtained by:

(i) Multiplying the number of pounds bought in each transaction during the specified period by the purchase price per pound paid in the particular transaction.

(ii) Adding together the resulting figures obtained in (i), and

(iii) Dividing the sum obtained in (ii) by the total number of pounds of all grades bought during the specified period.

* * * * *

§ 1358.160a *Effective dates for amendments.* (a) This Amendment No. 1 to Maximum Price Regulation No. 283 (§§ 1358.151, 1358.155, 1358.157, 1358.158 and 1358.160a) shall become effective January 12 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 12th day of January 1943.

LEON HENDERSON,
Administrator.

Approved:

PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-619, Filed, January 12, 1943; 4:42 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136,[1] as Amended, Amendment 66]

MACHINES AND PARTS AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Sections 1390.32 (Appendix A) and 1390.34 (Appendix C) are amended as follows:

In § 1390.32 (e) the term "X-ray and electro-therapeutic apparatus" is deleted and is added, in alphabetical order, to § 1390.34.

In § 1390.32 (e) the term "Instruments for measuring electrical quantities (except automotive)" is amended to read "Instruments for measuring electrical quantities (except automotive or medical)".

§ 1390.31a *Effective dates of amendments.* * * *

(ooo) Amendment No. 66 (§§ 1390.32 (e) and 1390.34) to Maximum Price Regulation No. 136, as amended, shall become effective January 18, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 12th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-616; Filed, January 12, 1943; 4:41 p. m.]

PART 1391—BICYCLES AND BICYCLE EQUIPMENT

[Revised Ration Order 7,[1] Amendment 7]

NEW ADULT BICYCLE RATIONING REGULATIONS

A rationale for the issuance of this amendment has been issued simultaneously herewith and has been filed with with the Division of the Federal Register.*

In § 1391.7, paragraphs (a) (1) and (a) (1) (xvi) are amended, paragraph (a) (1) (xvii) is added and paragraph (a) (5) is revoked.

Transfers for Use or Salvage

§ 1391.7 *Eligibility for certificates.* * * *

(a) * * *

(1) That he is engaged in the performance of an activity or of work or services as a

* * * * *

(xvi) Person attending school.

(xvii) Person who (a) resides in an area where the value of the basic gasoline ration available for passenger automobile use on the highways is less than four gallons per coupon and (b) who is gainfully employed or engaged in work which contributes to the war effort or to the public welfare.

* * * * *

Effective Dates

§ 1391.37 *Effective dates of amendments.* * * *

(g) Amendment No. 7 (§ 1391.7, (a) (1), (a) (1) (xvi), (a) (1) (xvii) and (a) (5)) to Revised Ration Order 7 shall become effective February 1, 1943.

(Pub. Law 421, 77th Cong.; W.P.B. Directive No. 1, Supplementary Directive No. 1G, 7 F.R. 562, 3546)

Issued this 12th day of January 1943

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-614, Filed, January 12, 1943; 4:41 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5B, Amendment 12]

GASOLINE RATIONING REGULATION FOR PUERTO RICO

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraph (a) of § 1394.2601 is amended as set forth below:

§ 1394.2601 *Value of coupons.* (a) Each gasoline ration coupon of the class hereinafter designated shall have the following value in gallons of gasoline:

Class:	Gallons
A	½
B	¾
C	1
D	1½
E	1½
R	5
S1	3
S2	4
S3	8
S4	2
S5 (any color)	2
Gallon bulk	1
100 gallon bulk	100

* * * * *

§ 1394.3052 *Effective dates of amendments.* * * *

(l) Amendment No. 12 to Ration Order 5B (§ 1394.2601 (a)) shall become effective at 8:00 a. m. on January 2, 1943.

(Pub. Law 617, 76th Cong.; as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; W.P.B. Dir. No. 1, Supp. Dir. No. 1J, as amended 7 F.R. 562)

Issued this 31st day of December 1942

WILLIAM B. MEAD,
Director for Puerto Rico.

[F. R. Doc. 43-618; Filed, January 12, 1943; 4:42 p. m.]

*Copies may be obtained from the Office of Price Administration

[1] 7 F.R. 5047, 5362, 5665, 5908, 6425, 6682, 6899, 6964, 6965, 6937, 6973, 7010, 7246, 7320, 7365, 7509, 7602, 7739, 7744, 7907, 7912, 7945, 7944, 8198, 8362, 8433, 8479, 8520, 8652, 8707, 8897, 9001, 8948, 9040, 9041, 9042, 9053, 9054, 9729, 9736, 9822, 9823, 9899, 10109, 10230, 10556, 8 FR. 155

[1] 7 F.R. 5062, 5871, 8808, 9823, 10337.

[1] 7 F.R. 5607, 6389, 6390, 7400, 6871, 7[illegible] 8585, 8335, 9134, 9431, 9817, 10109, 10379, 1[illegible]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11,[1] Amendment 24]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1394.5653, subparagraph (3) of paragraph (f) is amended by deleting the period after the word "transferred" and by adding after the word "transferred" the phrase "unless he receives a notice pursuant to subparagraph (8) of this paragraph," and a period is inserted after the word "paragraph", subparagraph (4) is amended, and new subparagraphs (5), (6), (7), (8), (9) and (10) are added to paragraph (f); in § 1394.5707 (b), subparagraphs (3) and (4) are amended and new subparagraphs (5), (6), (7), (8), (9), (10), (11) and (12) are added thereto; and a new paragraph (x) has been added to § 1394.5902; as set forth below:

Restrictions on Transfers to and by Consumers

§ 1394.5653 *Transfers to consumers in exchange for coupons.* * * *

(f) * * *

(4) Any dealer or supplier who has made a transfer of fuel oil pursuant to paragraph (d) (2) of Limitation Order L-56, or pursuant to this paragraph or paragraph (g), to a consumer who has failed to surrender coupons or other evidences, or delivery receipts, as required by paragraph (d) of § 1394.5604 or subparagraph (3) of this paragraph, whichever is applicable, shall, on January 14, 15, or 16, 1943, apply in writing to the Board which issued a ration to such consumer, or to which the consumer applied for a ration, or, if the consumer failed to apply for a ration, to the Board having jurisdiction of the area in which the consumer's premises is located, for an exchange certificate or certificates (Form OPA R-1118) equal in gallonage value to the coupons or other evidences, or delivery receipts, which the consumer has failed to surrender. (The applicant may include two (2) or more consumers in one application if all such consumers are within the jurisdiction of the same Board.) The applicant shall state:

(i) His name, firm name, business address and type of business;

(ii) The address and number of the Board with which he is registered and his registration number;

(iii) The name and address of the consumer;

(iv) The amount of fuel oil transferred by him to such consumer pursuant to paragraph (d) (2) of Limitation Order L-56, or paragraphs (f) and (g) of § 1394.5653;

(v) The gallonage value of the coupons or other evidences, or delivery receipts, which the consumer has failed to surrender in exchange for such transfers;

(vi) The efforts made by the applicant to obtain such coupons or other evidences, or delivery receipts, and the reasons for the consumer's failure to surrender them to him;

(vii) That the consumer's coupon notes or written receipts or both, are attached to the statement, and in the event any is not attached, the reasons for the absence thereof and the other proof, if any, of the statements made in subdivision (iv) of this subparagraph.

(5) The applicant shall submit with his statement:

(i) The unredeemed coupon note executed by the consumer, pursuant to paragraph (d) (2) of Limitation Order L-56; or

(ii) The written receipt of the consumer delivered pursuant to subparagraph (2) of this paragraph; or

(iii) If the consumer failed to execute a coupon note or to deliver a written receipt (as the case may be), such other written proof in support of the statement as the Board may require.

(iv) A written receipt, unsigned, bearing the applicant's registration number, acknowledging the receipt from the Board by the applicant of an exchange certificate (or certificates) of the gallonage requested in the application, which receipt may be substantially in the following form:

I (we) ---------- hereby acknowledge receipt from War Price and Rationing Board No. ---------- an Exchange Certificate (or Certificates) for ------ gallons of fuel oil in redemption of coupon notes or credits.

(insert name)

(For signature)

(v) An unsealed envelope addressed to the Board with which the applicant is registered, with the required postage affixed thereto.

(6) If the Board is satisfied that the applicant has made a transfer of fuel oil to the consumer pursuant to paragraph (d) (2) of Limitation Order L-56, or paragraphs (f) and (g) of § 1394.5653, and that the consumer has failed to surrender coupons or other evidences, or delivery receipts, as required by § 1394.5604 (b) or subparagraph (3) of this section, the Board shall determine the amount of fuel oil so transferred for which the consumer failed to surrender coupons or other evidences, or delivery receipts. The Board shall then furnish the applicant upon his signing the receipt referred to in subdivision (iv) of subparagraph (5), an exchange certificate or certificates (prepared and signed as provided in § 1394.5723 and containing an appropriate notation referring to such redemption) equal in gallonage value to the coupons or other evidences, or delivery receipts, which the consumer was required to surrender to the applicant.

(7) Each dealer or supplier who has applied for an exchange certificate pursuant to subparagraph (4) of this paragraph shall immediately forward to the Board to which such applications has been made all coupons or other evidences, or delivery receipts, surrendered to him by the consumer pursuant to § 1394.5604 (d) or subparagraph (3) of this paragraph after the execution of such application.

(8) After furnishing an exchange certificate pursuant to subparagraph (6) of this paragraph, the Board shall promptly notify in writing the consumer to surrender to the Board, within ten (10) days from the date of such notice, the coupons or other evidences, or delivery receipts, which the consumer was required to surrender to the dealer or supplier pursuant to § 1394.5604 (b) or subparagraph (3) of this paragraph or to show good cause for his failure to comply. The Board also shall promptly mail the applicant's signed receipt to the Board with which he is registered.

(9) Every consumer who receives a notice pursuant to subparagraph (8) of this paragraph shall comply therewith. Upon surrender of coupons or other evidences, or delivery receipts, by the consumer, the Board shall make the entries required by §§ 1394.5653 or 1394.5655, as the case may be.

(10) The Board may report to the State or District Office of the Office of Price Administration, having jurisdiction of the area in which the Board is located, the name and address of any consumer who has accepted a transfer pursuant to paragraph (d) (2) of Limitation Order L-56, or paragraph (g) or this paragraph, and has failed to redeem as required by § 1394.5604 (d) or this paragraph: *Provided*, That the Board shall report to such State or District Office the name and address of any consumer accepting any such transfer who has failed not only to make such surrender but to show good cause for his noncompliance with any of the provisions of this paragraph.

* * * * *

Restrictions on Transfers to Dealers and Suppliers

§ 1394.5707 *Restrictions on transfers.* * * *

(b) * * *

(3) Any dealer who received a transfer of fuel oil pursuant to paragraph (e) (1) of Limitation Order L-56, or pursuant to paragraph (c) or this paragraph shall, on or before January 18, 1943, surrender to the transferor coupons or other evidences, or exchange certificates furnished pursuant to subparagraph (6) of § 1394.5653 (f), equal in gallonage value to the amount of fuel oil so transferred.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8480, 8708, 8809, 8897, 9316, 9396, 9492, 9427, 9430, 9621, 9784, 10153, 10081, 10379, 10530, 10531, 10780, 10707, 11118, 11071; 8 F.R. 165, 237.

(4) Any secondary supplier or primary supplier who has made a transfer of fuel oil to a dealer pursuant to paragraph (e) (1) of Limitation Order L–56, or paragraph (c) or this paragraph, for which the dealer has failed to surrender coupons or other evidences, or exchange certificates furnished pursuant to subparagraph (6) of § 1394.5653 (f) shall, on January 22 or 23, 1943, apply in writing to the Board with which the dealer is registered for an exchange certificate or certificates (Form OPA R–1118) equal in gallonage value to the coupons or other evidences, or exchange certificates, which the dealer failed to surrender pursuant to subparagraph (3) of this paragraph. (The applicant may include two (2) or more dealers in one application if all such dealers are registered with the same Board.) The applicant shall state:

(i) His name, firm name, business address and type of business;

(ii) The address and number of the Board with which he is registered, and his registration number;

(iii) The name and address of the dealer accepting such transfer;

(iv) The amount of fuel oil transferred by him to such dealer pursuant to paragraph (e) (1) of Limitation Order L–56, or paragraph (c) or this paragraph;

(v) The gallonage value of the coupons or other evidences, or exchange certificates, which such dealer failed to surrender in exchange for such transfers;

(vi) The efforts made by the applicant to obtain such coupons or other evidences, or exchange certificates, and the reasons, if any, for the failure of the dealer to surrender them to him.

(5) The applicant shall submit with his statement the coupon notes or the written receipts of the dealer delivered respectively pursuant to paragraph (e) (1) of Limitation Order L–56, or subparagraph (2) of this paragraph, and, if applicant is a secondary supplier, a receipt and envelope, as specified in subdivisions (iv) and (v) of § 1394.5653 (f) (5).

(6) If the Board is satisfied that the applicant has made a transfer of fuel oil to a dealer pursuant to paragraph (e) (1) of Limitation Order L–56, or paragraph (c) or this paragraph, and the transferee has failed to surrender coupons or other evidences, or exchange certificates, as required by subparagraph (3), and the Board finds that the failure of the applicant to obtain such surrender is due to the termination of the transferee's operations or to other justifiable cause, the Board shall determine the amount of fuel oil so transferred for which the transferee failed to surrender coupons, or other evidences, or exchange certificates. The Board shall then furnish the applicant, upon his signing the receipt referred to in subparagraph (5), (if a secondary supplier) an exchange certificate or certificates (prepared and signed as provided in § 1394.5723 and containing an appropriate notation referring to such redemption) equal in gallonage value to coupons or other evidences or exchange certificates, which the transferee was required to surrender to the applicant. If the applicant is a secondary supplier, the Board shall promptly mail his signed receipt to the Board with which he is registered.

(7) Any secondary supplier who, pursuant to paragraph (e) (1) of Limitation Order L–56, or paragraph (c) or this paragraph, received a transfer of fuel oil from a primary supplier shall, on or before January 25, 1943, surrender to the transferor coupons or other evidences, or exchange certificates, equal in gallonage value to the amount of fuel oil so transferred.

(8) Any primary supplier who has made a transfer of fuel oil to a secondary supplier pursuant to paragraph (e) (1) of Limitation Order L–56, or paragraph (c) or this paragraph, for which the secondary supplier has failed to surrender coupons or other evidences, or exchange certificates furnished pursuant to subparagraph (6) of this paragraph shall, on January 29 or 30, 1943, apply in writing to the Board with which the secondary supplier is registered for an exchange certificate or certificates (Form OPA R–1118) equal in gallonage value to the coupons or other evidences, or exchange certificates, which the secondary supplier failed to surrender pursuant to subparagraphs (3) of (7) of this paragraph. (The applicant may include two (2) or more secondary suppliers in one application if all such secondary suppliers are registered with the same Board.) The applicant shall state:

(i) His name, firm name, business address and type of business;

(ii) The address and number of the Board with which he is registered and his registration number;

(iii) The name and address of the secondary supplier accepting such transfer;

(iv) The amount of fuel oil transferred by him to such supplier pursuant to paragraph (e) (1) of Limitation Order L–56, or paragraph (c) or this paragraph;

(v) The gallonage value of the coupons or other evidences or exchange certificates, which such supplier failed to surrender in exchange for such transfers;

(vi) The efforts made by the applicant to obtain such coupons or other evidences, or exchange certificates, and the reasons, if any, for the failure of the supplier to surrender them to him.

(9) The applicant shall submit with his statement the coupon note or the written receipt of the transferee delivered respectively pursuant to paragraph (e) (1) of Limitation Order L–56, or subparagraph (2) of this paragraph.

(10) If the Board is satisfied that the applicant has made a transfer of fuel oil to a secondary supplier pursuant to paragraph (e) (1) of Limitation Order L–56, or paragraph (c) or this paragraph, and the transferee has failed to surrender coupons or other evidences, or exchange certificates, as required by subparagraph (3) or (7), and the Board finds that the failure of the applicant to obtain such surrender is due to the termination of the transferee's operations or to other justifiable cause, the Board shall determine the amount of fuel oil so transferred for which the transferee failed to surrender coupons, or other evidences, or exchange certificates. The Board shall then furnish the applicant an exchange certificate or certificates (prepared and signed as provided in § 1394.5723 and containing an appropriate notation referring to such redemption) equal in gallonage value to the coupons or other evidences, or exchange certificates, which the transferee was required to surrender to the applicant.

(11) Every supplier who has applied for an exchange certificate pursuant to subparagraphs (4) or (8) of this paragraph shall forward to the Board to which the application has been made all coupons or other evidences, or exchange certificates, surrendered to him by the transferee pursuant to § 1394.5604 (d) or this paragraph after the execution of such application.

(12) After furnishing an exchange certificate pursuant to subparagraphs (6) or (10) of this paragraph, the Board shall promptly thereafter notify in writing the dealer or secondary supplier to surrender to the Board, within ten (10) days, the coupons or other evidences, or exchange certificates, which the dealer or supplier was required to surrender pursuant to § 1394.5604 (d) or subparagraphs (3) or (7) of this paragraph or show good cause for his failure to do so. Every dealer or supplier who receives such notice shall comply therewith or show good cause for his failure to comply. The Board may report to the State or District Office of the Office of Price Administration having jurisdiction of the area in which the Board is located the name and address of any dealer or supplier who has accepted a transfer pursuant to paragraph (e) (1) of Limitation Order L–56, or paragraph (c) or this paragraph, and who has failed to surrender coupons or other evidences as required by § 1394.5604 (d) or this paragraph: *Provided*, That the Board shall report to such State or District Office the name and address of any dealer or supplier accepting any such transfer who has failed not only to make such surrender but to show good cause for his omission to do so.

* * * * *

Effective Date

§ 1394.5902 *Effective dates of corrections and amendments.* * * *

(x) Amendment No. 24 (§§ 1394.5653 and 1394.5707) to Ration Order No. 11 shall become effective January 12, 1943

(Pub. Law 671, as amended by Pub. Laws 89, 471 and 507; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1–0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 12th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43–613; Filed, January 12, 1943; 4:40 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 85 to Supp. Reg. 14[1] to GMPR[2]]

COFFEE AND COFFEE COMPOUNDS SOLD IN NEW CONTAINERS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.* Two sentences are added to the text of subparagraph (7) of § 1499.73, and a new subparagraph (53) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services, and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for commodities, services and transactions listed below are modified as hereinafter provided:

(7) *Food products sold in new containers.* * * *

This subparagraph (7) shall not apply to coffee and coffee compounds sold in new containers. For coffee and coffee compounds sold in new containers, see subparagraph (53) of paragraph (a) of this section.

* * * * * *

(53) *Coffee and coffee compounds sold in new containers.* This subparagraph establishes maximum prices for brands of coffee or "coffee compounds" which were delivered or offered for delivery during March, 1942 in a metal or glass container but not in a paper or cardboard container, and which now or in the future are sold in a paper or cardboard container. A "coffee compound" is a blend of coffee with any other ingredient or ingredients in any proportions.

This Amendment No. 85 supersedes subparagraph (7) to § 1499.73 (a) of Supplementary Regulation No. 14 to the General Maximum Price Regulation as to coffee and coffee compounds sold in new containers.

"Maximum price" as used in this subparagraph means the maximum price to a purchaser of the same class for the seller's customary unit of sale whether per case, per dozen or per can, jar, bag or the like.

(i) *Sales by manufacturers.* Manufacturers shall compute their maximum prices by applying either inferior subdivision (*a*) or inferior subdivision (*b*) which follow:

(*a*) The manufacturer shall subtract from his maximum price for coffee packed in metal or glass container two and three-fourths (2¾¢) cents per pound; or

(*b*) The manufacturer shall

(*1*) Subtract from his maximum price for the coffee in the metal or glass container the "direct cost" of that container, and

(*2*) Add to this figure the "direct cost" of the new paper or cardboard container. "Direct cost" means delivered cost of the container, label, cap and outgoing shipping carton, but it does not include cost of filling, closing, labeling or packing. If this addition results in a fraction, it shall be raised or lowered to the nearest quarter cent.

The higher of these resulting figures shall be the manufacturer's maximum price for coffee or coffee compound in the new container.

(ii) *Sales by wholesalers and retailers.* A seller at wholesale or retail of coffee or coffee compound for which the maximum price has been determined by the roaster in accordance with the provisions of this subparagraph, shall determine his maximum price by applying the provisions of Maximum Price Regulation No. 237, if he is a wholesaler, and Maximum Price Regulation No. 238 if he is a retailer.

(iii) *Report of prices.* Within 30 days after determining a maximum price under the provisions of this subparagraph, the manufacturer shall report this price to the Imported Foods Section, Office of Price Administration, Washington, D. C., in a statement which shall set forth (*a*) the brand and size of the coffee for which a maximum price is determined; (*b*) a brief description of the container in which the brand was delivered or offered for delivery in March and a description of the new paper container, and (*c*) the maximum price or prices to each class of purchaser for the brand in metal or glass delivered in March and the maximum price or prices to each class of purchaser for the brand in the new container.

If the manufacturer computes his price by applying (i) (*b*) above, his statement shall contain the following additional information: (*d*) the "direct cost" of the metal or glass container and (*e*) the "direct cost" of the new paper or cardboard container.

(b) *Effective date.* * * *

(86) Amendment No. 85 (§ 1499.73 (a) (1)) to Supplementary Regulation No. 14 shall become effective January 18, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 12th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43–615; Filed, January 12, 1943; 4:41 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 188,[1] Amendment 4]

MANUFACTURERS' MAXIMUM PRICES FOR SPECIFIED BUILDING MATERIALS AND CONSUMERS' GOODS OTHER THAN APPAREL

A statement of considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.*

Section 1499.152 (a) (1), paragraphs (b) and (c) of § 1499.153 and § 1499.166, Appendix A, are amended, and § 1499.165a (d) is added, all as set forth below:

§ 1499.152 *Prohibition against dealing in certain articles of building materials and consumers' goods above maximum prices.* (a) On and after August 1, 1942, regardless of any contract or other obligation:

(1) No manufacturer of an article set forth in Appendix A (§ 1499.166) of this Maximum Price Regulation No. 188 shall sell or deliver such article at a price higher than the maximum price permitted by this Maximum Price Regulation No. 188; and

* * * * *

§ 1499.153 *Maximum prices for articles of building materials and consumers' goods finally priced before August 1, 1942.* * * *

(b) *Articles priced on and after April 1, 1942, and before August 1, 1942.* (1) The maximum price for any article listed in § 1499.166, Appendix A of this Maximum Price Regulation No. 188 as originally issued on July 29, 1942, which was not delivered or offered for delivery in March 1942 by the manufacturer but for which a maximum price was finally determined in accordance with the provisions of the General Maximum Price Regulation, Temporary Maximum Price Regulation No. 3 or No. 5 or any other maximum price regulation issued by the Office of Price Administration and which was offered for sale before August 1, 1942 (or which was offered for sale to the United States or an Allied government before September 1, 1942) shall be the price so determined.

(2) The maximum price for any article first listed in § 1499.166, Appendix A of this Maximum Price Regulation No. 188 by an amendment to Maximum Price Regulation No. 188, issued after July 29, 1942, which was not delivered or offered for delivery in March 1942 by the manufacturer but for which a maximum price was finally determined in accordance with the provisions of the General Maximum Price Regulation, Temporary Maximum Price Regulation No. 3 or 5, or any other maximum price regulation issued by the Office of Price Administration and which was offered for sale before the effective date of the amendment first listing such commodity shall be the price so determined.

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10231, 10294, 10346, 10381, 10480, 10537, 10557, 10583, 10705, 10865, 11005, 5486, 5709, 5911, 6008, 6271, 6369, 6473, 6477, 6774, 6775, 6776, 6793, 6887, 6892, 6939, 6965, 7011, 7012, 7203, 7250, 7289, 7365, 7400, 7401, 7453, 7510, 7511, 7535, 7536, 7538, 7604, 7671, 7739, 7812, 7914, 7946, 8024, 8199, 8237, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 8950, 8953, 8954, 8955, 9045, 9082, 8131, 9196, 9391, 9397, 9495, 9496, 9639, 9786, 9960, 9901, 10069, 10111, 10122, 10151

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 8942, 9004, 9435, 9615, 9616, 9732, 10155, 10454.

[1] 7 F.R. 5872, 7967, 8943, 8948, 10155.

(c) *Reports of maximum prices.* On or before August 20, 1942 (or in the case of sales to the United States Government on or before November 1, 1942), the manufacturer shall report to the Office of Price Administration, Washington, D. C., all maximum prices determined under paragraph (b) (1) of this section which have not already been reported in accordance with the provisions of the General Maximum Price Regulation or Temporary Maximum Price Regulation No. 3 or 5, or any other maximum price regulation issued by the Office of Price Administration. Such reports shall contain a description of the articles and shall indicate the method of determining the maximum prices. All such maximum prices shall be subject to adjustment (not to apply retroactively) at any time upon written order of the Office of Price Administration.

No reports need be filed with respect to maximum prices determined under paragraph (b) (2) of this section.

§ 1499.165a *Effective dates of amendments.* * * *

(d) Amendment No. 4 to Maximum Price Regulation No. 188 (§§ 1499.152 (a) (1), 1499.153 (b), 1499.165a (d), and 1499.166) shall be effective January 18, 1943.

§ 1499.166 *Appendix A: Articles covered by the regulation.* The following articles of building materials and consumer goods shall be covered by this Maximum Price Regulation No. 188:

NOTE: The articles listed below are not intended to include (a) any commodity subject to a specific maximum price regulation or price schedule in effect on August 1, 1942, or issued any time thereafter, or (b) any commodity exempted from the General Maximum Price Regulation by any supplementary regulation thereto, in effect on August 1, 1942, or issued any time thereafter. Since the designations of some articles are broad enough in certain instances to suggest that articles are included which are intended to be excluded, other regulations which might be applicable to the article or type of article have been indicated. Manufacturers selling articles listed below should, before pricing their products in accordance with this regulation, determine whether specific price regulations or regulations supplementary to the General Maximum Price Regulation have been issued subsequent to the date of this regulation with respect to the articles so listed.

(a) *Building materials.*

(1) *Mechanical building materials and equipment.*

(i) Repair parts and service parts for mechanical building materials and equipment indicated below.

(ii) Miscellaneous building equipment:

Hardware:
- Builders (except as covered by Revised Price Schedule No. 40)
- Casket, shell
- Furniture
- Marine locks and hinges (and other related marine items)
- Refrigerator
- Showcase

Ornamental iron and sheet metal work:
- Air distribution ducts
- Conductor pipe, elbows, shoes
- Doors (metal)
- Flashings and valleys
- Gratings and floorings (metal)
- Gutters and eaves trough
- Heads, funnels and accessories
- Louvers (metal)
- Miscellaneous sheet metal building products:
  - Batten strips (metal)
  - Building corners (metal)
  - Chimney caps, etc. (metal)
  - Rain water cut-offs
- Pipe hangers, rest rollers and miscellaneous piping accessories
- Radiator enclosures (metal)
- Ridge roll and accessories
- Sash (metal)
- Skylights (metal)
- Ties (metal)
- Timber connectors (metal)
- Ventilators, sheet metal
- Weatherstrips (metal)

(iii) Heating and winter air conditioning:

Boilers—heating, steam and hot water:
- Cast iron—all types (except those covered by Maximum Price Regulation No. 272)
- Steel—domestic and commercial (except industrial boilers covered by Maximum Price Regulation No. 136, as amended)

Boilers—hot water supply:
- Round or wet dome boilers (low test boilers 65 to 150 lbs. pressure)
  - Flat top
  - Round top
- Round or sectional type (high test boilers 250 to 350 lbs. pressure)

Burners:
- Gas—all types (except industrial covered by Maximum Price Regulation No. 136, as amended)
- Oil—all types (except industrial burners using No. 6 Oil or heavier)

Coils:
- Extended surface
- Finned, etc.

Controls—automatic—for comfort conditioning, either heating or cooling

Fuel oil storage tanks—domestic above ground installation (except those covered by Revised Price Schedule No. 96)

Furnaces, heating, warm air (cast iron or steel):
- Gravity
- Fan furnace units only
- Fan furnace burner units
- Defense housing heater units
- Defense housing chimney heater units
- Floor furnaces (gas or oil type)

Furnace pipe and fittings:
- For gravity heating
- For forced air heating
- Furnace smoke pipe (7 inch and larger)

Miscellaneous heating equipment:
- Air distribution outlets:
  - Registers:
    - Cast (ferrous or non-ferrous)
    - Fabricated steel
    - Pipeless furnace
  - Grilles:
    - Cast (ferrous or non-ferrous)
    - Fabricated steel
    - Air conditioning grilles

Radiation—cast iron (except as covered by Maximum Price Regulation No. 272):
- Small tube (Arco type)
- Large tube (Corto type)
- Special types:
  - Hospital
  - (Radiant front (Richvar)
  - Wall radiators
  - Vento radiators
- Convectors
- Conversion grates (except as covered by Revised Maximum Price Regulation No. 236)

Stokers—Coal (except those having a capacity of 1200 lbs. per hour or more, covered by Maximum Price Regulation No. 136, as amended)

Unit heaters:
- Gas
- Hot water
- Steam

(iv) Plumbing:

Cast iron pressure pipe and fittings

Cast iron soil pipe and fittings (except as covered by Revised Price Schedule No. 100, as amended)

Fire fighting (standpipe) equipment:
- Nozzles
- Play pipes
- Racks
- Siamese (or steamer) connections
- Wrenches

Hot water heaters:
- Direct-fired, all types
- Indirect-fired, all types

Plumbing fixtures and specialties:
- Accessories (if attached to plumbing fixtures)
- Basins
- bathtubs
- drains
- drinking fountains
- Ferrules
- Fixture trim or fittings
- Grease interceptors
- Laboratories
- Mixing valves
- Sinks
- Tanks
- Trays
- Tubs
- Urinals
- Wash fountains
- Wash sinks
- Waste connections
- Water closets
- Etc.

Sprinkler system equipment:
- All types

Tanks:
- (Defined as pressure vessels customarily prefabricated not exceeding 192 gallons in capacity.
  - Made of metal 12'' BWI gauge or thinner
    - coated or uncoated
    - lined or unlined
  - Fabricated from clay or clay products)
- Expansion tanks
- Hot water storage tanks
- Pneumatic tanks
- Range boilers

Water filtering and treating equipment:
- Domestic, all types.

(v) Valves and pipe fittings:

Cocks—all types and pressure, made of brass, iron, steel, and other materials

Fittings—pipe and tubing:
- All types and pressures
- Brass (cast or forged)
- Iron (cast or malleable)
- Steel (cast or forged)
- and all other materials

Refrigeration

S. A. E.:
- Flanged
- Screwed
- Welding

All other evolutions of these basic types

Steam and hot water heating specialties (Except those covered under Maximum Price Regulation No. 136, as amended)

Valves—hand operated:
- All types and pressures. Made of brass, iron, cast or forged steel and other materials.
- Angle
- Check
- Gate
- Globe

Refrigeration

S. A. E.
- All other evolutions of these basic types

Valves—motor operated:
- Air
- Electric
- Hydraulic

(vi) Commercial refrigeration and summer air conditioning:

Air conditioning units:
- (Portable over 1 h. p.)

Cabinets:
- Frozen food (commercial type)
- Ice cream

Cases: Refrigerated display

Coils (all sizes):
- Gravity
- Fan coil units
- Pipe

Compressors:
- (Under 25 h. p. or 25 tons)

Condensers: Evaporative

Coolers:
- Beverage
- Milk
- Water (refrigerated)

Coolers: Refrigerated

Refrigerators (over 16 cu. ft. capacity):
- Commercial
- Reach-in
- Walk-in

Specialties—refrigeration and air conditioning

(2) Masonry and construction materials:

Concrete products:
- Building blocks and brick
- Cast shapes and cast tone
- Tile and tiling
- Sewer and culvert pipe
- Drain tile
- Posts, piles, and cribbing
- Terrazzo

Septic tanks

Grave vaults

Clay building products

Structural clay products
- Brick and hollow tile (glazed and unglazed)

Sand lime brick

Clay drain tile (glazed and unglazed)

Vitrified clay sewer pipe (except as covered by Maximum Price Regulation No. 206)

Clay tile roofing

Clay wall tile

Clay floor tile

Clay quarry tile

Paving brick

Structural terra cotta

Clay filter blocks

Clay conduit (electrical)

Clay wall coping (except as covered by Maximum Price Regulation No. 206)

Clay flue lining and chimney pipe and tops (except as covered by Maximum Price Regulation No. 206)

Clay septic tanks

Clay heating duct units

Clay meter boxes

Refractories:
- Fireclay refractories
- Silica refractories
- Basic refractories (except as covered by Revised Price Schedule No. 75)
- Special refractories
- High-temperature mortars

Dead burned dolomite

Caustic calcined magnesite

Chemical stoneware

Chemical porcelain

Gypsum:
- Crude
- Calcined gypsum plaster

Plaster

Lime:
- Construction
- Metallurgical
- Chemical

Sand and gravel
- Glass sand
- Foundry sand

Slag

Crushed stone:
- Construction
- Metallurgical
- Chemical

Lightweight aggregates

Cinders

Ready-mixed concrete

Slate:
- Structural slabs:
  - Electric
  - Roofing

Dimension stone:
- Limestone
- Granite
- Marble
- Sandstone
- Basalt and related rocks

Rough stone:
- Rubble
- Riprap
- Field stone

Clays (merchant):
- Slip clays
- Ball clay
- Fire clay
- Stoneware clay
- Miscellaneous and common, including shale

Talc, steatite, soapstone, and pyrophyllite

Oil paints and varnishes:
- Ready-mixed paints of all types (interior and exterior)
- Paste and semipaste paints
- Putty
- Fillers
- Oil, varnish, and spirit stains
- Paint and varnish remover
- Colors in oil
- White lead in oil
- Zinc white in oil
- Marine paints
- Artists' colors

Aqueous (water) paints

Paint and varnish brushes and applicators

Compounds:
- Calking
- Waterproofing (integral and hardeners)
- Pipe

(3) Insulating board, roofing materials, and glass

(i) Asphalt and tarred roofing products (except as covered by Revised Price Schedule No. 45):

Roll roofing

Siding (asphalt felt base)

Shingles (asphalt)

Roof coatings and cement

Emulsified asphalt (building materials)

Asphalt and tarred felts

Slater's felts

Asphalts and tarred saturated building papers

(ii) Insulated brick or stone siding (and accessories).

(iii) Asphalt floor tiles (and accessories) (except as covered by Maximum Price Regulation No. 276).

(iv) Asbestos-cement building materials:

Shingles and accessories

Siding and accessories

Flat sheets and accessories

Corrugated sheets and accessories

Wallboard and accessories

Tileboard and accessories

Insulating asbestos-cement board and accessories

Asbestos-cement pipe

(v) Glass products:

Plate (all types)

Window (all types)

Laminated

Picture

Rolled, figured, wired, and rolled heat-absorbing (except as covered by Maximum Price Regulation No. 175)

Colored sheet and opalescent

Cathedral

Structural and architectural

Glass blocks

Other glass insulation products

(vi) Gypsum board:

Wall board

Lath

Sheathing

Liner board

Tile

Joint systems

(vii) Fibre boards:

Wallboard

Display board

Tile board

Shaped board

Poster board

Colored board

(viii) Insulation board:

Wallboard:
- Natural and plain
- Colored and painted
- Textured
- Veneered

Sheathing

Plank and tile:
- Natural and plain
- Colored and painted
- Textured
- Veneered

Roof insulation

Acoustical

Industrial

(ix) Hard board:

Presdwood

Tempr presdwood

Temprtile

Quartrboard

Deluxe quartrboard

Industrial presdwood

Weatherwood hard board

Weatherwood treated hard board

Weatherwood dense board

Weatherwood structo board

(x) Decorated tile board (Masonite or Weatherwood base):

Plain

Tile

Mouldings

(xi) Thermal insulations for buildings and industrial purposes:

Rigid

Semi-rigid

Loose

Granulated

(xii) Pipe and boiler insulations:

Cellular

Laminated

Solid

Asbestos rollboard

Asbestos millboard

Asbestos paper

Mineral or glass wool

85% Magnesia:
- Molded
- Cement

High temperature:
- Molded
- Cement

(xiii) Metal lath and accessories.

(b) *Consumers' goods.*

(1) Bedding:

Mattresses and mattress pads.

Bedsprings, including boxsprings, coil bedsprings and flat bedsprings, but not including coil and flat bedsprings with non-steel frames.

Double duty sleep equipment, including studio couches, sofa beds, lounges, chair beds, love seats, and sliding couches.

Cots.
Pillows.
Feathers and down.
Sisal pads.
Sleeping bags.
Innerspring units for upholstering and bedding purposes.
Upholstering coils and bedspring metal fabrics.
Inner constructions for boxsprings, studio couches and all double duty sleep equipment.
Quilts and comforters.
High chair, play yard, basket, and nursery seat pads, etc.
Cotton wadding and batting.

(2) Equipment and supplies (except those covered by Maximum Price Regulation No. 136, as amended):

Artists' supplies.
Beauty parlor and barber shop furniture, fixtures and equipment.
Ecclesiastical ware.
Funeral supplies and appurtenances.
Laboratory, hospital and professional fixtures and equipment (except those covered by Maximum Price Regulation No. 136, as amended).
Office fixtures and safes.
Office machines and equipment (manual and electric).
Restaurant fixtures and equipment.
School and office supplies, including carbon paper, but no other paper.
Scientific and technical instruments—apparatus and supplies (except those covered by Maximum Price Regulation No. 136, as amended).
Store machines, fixtures and equipment, including:
Store displays and display fixtures.
Dispensers.
Vending machines (coin operated).
Time clocks
Measuring devices for yard goods, screens, linoleums, etc.
Signs, electric, mechanical, etc.

(3) Floor coverings. All floor coverings, except terry cloth bath mats and wool floor coverings subject to Revised Price Schedule No. 57.

(4) Furniture. All types of furniture manufactured from any material for any purpose, to be used in any location, and any other articles made to serve the functional purposes of furniture.

Furniture frames: Partially assembled wood furniture parts made by furniture factories.

(5) Hardware tools and appliances (except those covered by Maximum Price Regulation No. 136, as amended, and Maximum Price Regulation No. 196):

(i) Carpenters' tools, including:

Saws.
Chisels.
Hammers.
Hatchets.
Planes.
Non-mechanical rules and tapes.
Auger bits and braces.
Hand drills.
Levels.
Squares.
Miter boxes.
Screw drivers.
Etc.

(ii) Mechanics' tools, including:

Anvils.
Crow bars.
Wrecking bars.
Pinch bars.
Blow torches and fire pots.
Bench grinders.
Hammers.
Wrenches.
Snips.
Hacksaw frames.
Jacks and jack screws.
Lanterns.
Oilers.
Pliers.
Punches.
Tackle blocks.
Trowels.
Vises.
Handles.
Etc.

(iii) Farm and garden tools and supplies, including:

Axes.
Chain.
Corn planters.
Curry combs.
Singletrees.
Doubletrees.
Neckyokes.
Handles.
Grass hooks.
Brush hooks.
Corn and cane knives.
Wheelbarrows.
Couplings and nozzles.
Hog scrapers.
Hog and bull rings.
Well wheels.
Huskers.
Post hole diggers and augers.
Pruning equipment.
Scythes and snaths.
Hedge grass and pruning shears.
Shovels.
Hand sprayers.
Forks, hoes, rakes, etc.
Hose clamps.
Etc.

(iv) Coal miners' tools, including:

Coal picks.
Pinch bars.
Augers.
Needles.
Tempers.
Wedges.
Carbide lamps.
Etc.

(v) Horseshoes and horseshoe nails.
(vi) Ice tools, including:

Saws.
Tongs.
Etc.

(vii) Logging tools, including:

Cant hooks.
Peavies.
Pike poles.
Etc.

(viii) Stove and furnace pipe and elbows.
(ix) Saddlery hardware, including:

Buckles.
Loops.
Rings.
Etc.

(x) Heavy goods, including:

Sledges.
Wedges.
Picks.
Mattocks.
Mauls.
Etc.

(xi) Game traps.
(xii) Pushcarts.
(xiii) Weather stripping.

(6) Household appliances, electrical and other, including:

Household sewing machines.
Ice refrigerators.
Air conditioning equipment (excluding built-in system).
Small electrical household appliances.
Heating appliances, including:
Bakers.
Boilers.
Broilers.
Buffet servers.
Casseroles.
Coffee makers.
Cookers.
Chafing dishes.
Driers (clothes and hair).
Heaters (space and immersion).
Hot plates, grills, and table stoves.
Irons (curling).
Irons (flat).
Irons (waffle).
Kettles.
Heating pads.
Lighters (cigarette, etc.).
Percolators.
Ovens (portable).
Pressers (trouser and tie).
Roasters.
Sterilizers.
Toasters.
Vaporizers.
Warmers (bottle and plate).
Etc.
Power appliances, including:
Freezers (ice cream, domestic).
Mixers and juice extractors.
Fans (ceiling, desk and bracket, pedestal).
Vibrators.
Vaporizers and humidifiers.
Electric shavers.
Etc.

(7) Miscellaneous housewares (except those covered by Maximum Price Regulation No. 196), including:

Cooking utensils.
Cutlery.
Cleaning supplies (mops, brooms, etc.)
Cabinets.
Bathroom equipment.
Fireplace equipment.
Galvanized ware, tin, and painted tinware.
Kitchen tools and gadgets.
Woodenware and baskets (except shipping baskets).
Brushes (except industrial power-driven brushes).
Window shades.
Drapery hardware.
Scissors and shears.
Vacuum bottles and specialties.
Carpet sweepers.
Unfinished furniture.
Venetian blinds.
Awnings.
Screens, window.
Etc.

(8) Commercial kitchen equipment. Commercial and institutional kitchen equipment, irrespective of the type of fuel used, for use in hotels, restaurants, schools, hospitals, industrial and public cafeterias, and similar establishments, including:

Ranges.
Broilers, including salamanders and combination types.
Automatic deep fat fryers.
Bain maries.
Roasting ovens.
Baking ovens (sectional and cabinet type).
Baker stoves.
Steam jacketed kettles.
Stock kettles (electric).
Vegetable steamers—commercial.
Steam tables.
Warming ovens.
Plate warmers.
Hot plates.
Griddles.
Automatic egg broilers.

Coffee urns and coffee-making systems.
Toasters—commercial (gas).
Toasters—commercial, over 2 slices (electric).
Dishwashers—commercial.
Glasswashers—commercial.
Silver burnishers.
Mixers.
Choppers.
Slicing machines.
Potato peelers.
Coffee grinders—commercial.
Chopping blocks.
Pot racks.
Pot sinks and vegetable sinks.
Canopies.
Etc.

(9) Marine items as follows:

Chain and chain links, swivels, and shackles.
Well wheels.
Rope thimbles.
Eye, grab, safety, hoist and cargo hooks.
Rope sockets, clamps and clips.
Barrel and Drum hooks.
Rowlocks.
Blocks and pulleys.
Snaps and other yacht fittings.
Anchors.
Windlasses and winches.
Ventilators.
Deck plates.
Steerers and steering wheels.
Bilge pumps.
Boat hooks.
Throttle and Bulkhead controls.
Mooring and riding bitts.
Chocks and cleats and outhauls.
Guides and leaders.
Gooseneck and boom bands.
Marine lamps and lights.
Marlin spikes.
Fenders, life buoys, and preservers.
Ground tackle.
Outboard motors (portable).
Ring bolts and screws.
Boats and canoes, all outboard and others under 25' except inboard.
Life saving equipment except articles covered by Maximum Price Regulations No. 149, 157, and 220.
Fenders and ring buoys.

(10) Personal and household accessories:
(i) Household accessories, decorations, and giftware, including:

Artificial and preserved flowers, foliage, fruits, etc.
Baskets.
Bookends, wood and metal.
Music boxes.
Ornamental statuary.
Plaques.
Wood carvings.
Screens, decorative.
Etc.

(ii) Notions, including:

Buckles.
Buttons.
Clasps.
Fasteners, slide and snap.
Feathers and plumes.
Hooks and eyes.
Needles—hand, knitting, and crochet.
Pincushions.
Pins—safety, straight, hat, bobby, and hair.
Shoetrees.
Thimbles.
Toilet Sets.
Combs.
Vanities.
Compacts.
Military insignia (except fabric).
Military buttons.
Barettes.
Buttonhooks.
Glove stretchers.
Hair curlers.
Hair nets.
Measuring tapes.
Sewing kits.
Sewing boxes.
Tie racks.
Beads.
Etc.

(iii) Luggage, including:

Briefcases.
Club bags.
Dress trunks.
Finished cases made of wood, leather, fabricated canvas, etc., for carrying scientific, medical and other instruments.
Fitted cases.
Overnighters.
Gladstones.
Hand trunks.
Hat and shoe boxes (except paper).
Sample cases.
Sample trunks.
Steamer trunks.
Suitcases.
Two suiters.
Wardrobe trunks.
Zipper bags.
Train boxes.
Etc.

(iv) Glassware, including:

Artware and specialties
Cutware.
Desk glassware.
Engraved ware.
Etch ware.
Glass novelties.
Glass rods.
Glass tubing.
Hotel glassware.
Bar glassware.
Restaurant glassware.
Soda fountain glassware.
Household glassware.
Lenses and signal glass (except those covered by Maximum Price Regulation No. 136, as amended).
Illuminating glassware.
Lamp chimneys.
Lantern globes.
Technical and laboratory glassware.
Heat resisting and cooking glass.
Industrial glass:
Technical.
Scientific.
Laboratory.
Glass bottles and containers.
Etc.

(v) Mirrors.
(vi) Pottery (except those articles covered by Maximum Price Regulation No. 116) including:

Art pottery.
Stoneware.
Etc.

(vii) Decorative accessories.
(viii) Silverware, including:

Silverplated flatware.
Silverplated hollow-ware.
Sterling silver flatware.
Sterling silver hollow-ware.
Etc.

(ix) Miscellaneous plated ware (chrome plate, nickel plate, etc.).
(x) Jewelry:

Precious (gold, platinum, silver, etc.).
Nonprecious (gold plate, gold filled, etc.), (except jewelry exempted from the General Maximum Price Regulation by the provisions of Amendment No. 9 thereto.)
Novelty.
Men's accessories, including:
Collar pins and buttons.
Cuff links.
Key chains.
Belt buckles.
Medals and badges.
Metal watch bands.
Etc.
Women's novelty jewelry, including:
Compacts and vanity cases.
Lockets.
Earrings.
Etc.

(xi) Clocks and watches, including:

Clock cases, containers, guards.
Watch cases, containers, guards.
Electric clocks (except those covered by Maximum Price Regulation No. 136, as amended).
Spring clocks, including:
Alarm.
Decorative.
Etc.

(xii) Portable lamps and shades (other than industrial) including:

Boudoir lamps.
Desk lamps.
Floor lamps.
Table lamps.
Lamp shades.
Novelty lamps.
Torchiers.
Wall lamps.
Oil lamps.
Etc.

(xiii) Electric light bulbs (other than radio tubes) including:

Arc.
Carbon.
Fluorescent.
Gaseous.
Incandescent.
Therapeutic.
Etc.

(xiv) Pictures and picture frames and mirror frames, including:
Pictures, framed.
Frames—photograph, picture, and mirror.

(xv) Optical goods, including:

Optical glass.
Eye glass and spectacle cases.
Eye glass and spectacle frames and mountings.
Lenses for eye glasses and spectacles, white and colored.
Scientific optical instruments:
Microscopes and accessories.
Optical measuring instruments.
Other instruments.
Scientific refracting instruments for oculists and optometrists.
Ophthalmic chairs, stools, tables, etc.
Ophthalmic units.
Refracting units.
Sun glasses and goggles
Artificial eyes.
Binoculars.
Field glasses.
Opera glasses.
Telescopes.
Shooting glasses.
Contact lenses.
Prisms.
Magnifying glasses.
Loupes.
Readers.
Optical Rx Laboratory machinery and equipment.
Etc.

(xvi) Meteorological instruments (for household, office and advertising use only).

Barometers.
Hygrometers.
Thermometers.

(xvii) Compasses (except marine and aircraft).
(xviii) Smokers' articles (except tobacco, cigars, and cigarettes), including:

Cigarette cases.
Cigarette and cigar holders, pipes, pouches, etc.
Pipe cleaners.
Cigarette lighters.
Etc.

(xix) Umbrellas and canes.
(xx) Hair goods, including:

Wigs.
Toupees.
Braids.
Etc.

(11) Radio and phonograph equipment.

Phonographs (except domestic electrical phonographs).
Phonograph accessories, but not records.
Domestic radio accessories, but not radio parts.

(12) Musical instruments, parts, and accessories, including toy and novelty musical instruments.
(13) Photograph, photoengraving, and photocopying equipment and allied supplies.

Cameras and photographic films, equipment, accessories, and materials, except chemicals.
Motion picture cameras, projectors, and apparatus.
Photoengraving machines, apparatus, and supplies.
Photocopying (including photostating and micro-filming) machines, apparatus and supplies.

(14) Sporting goods except clothing and shoes.
(15) Toys and games.
(16) Wheel goods:

Baby carriages.
Bicycles (except bicycles for which maximum prices are established by agreement with the Office of Price Administration).
Bicycle accessories and parts, except tires and tubes.
Go-carts.
Motor bicycles and motor scooters.
Wheel chairs.

(17) Health supplies, equipment, and subassemblies thereof (not including drugs, chemicals and medicines except when packed in and sold as a part of first-aid kits).
(i) Surgical instruments, equipment and supplies.
(ii) Dental instruments, equipment and supplies.
(iii) Veterinarian instruments, equipment and supplies.
(iv) Hospital, examining room, and diagnostic equipment and supplies.
(v) Electro-medical equipment and supplies (including x-ray and electric-therapeutic).
(vi) Anesthesia, oxygen and respiratory equipment and supplies.
(vii) Hypodermic equipment.
(viii) Corrective equipment, including knitted elastic corrective garments, trusses, etc.
(ix) Fracture equipment and supplies.
(x) Orthopedic appliances except shoes.
(xi) Prosthetic devices, appliances, and supplies.
(xii) Other health supplies:
(a) Sutures and suture needles.
(b) Clinical thermometers.
(c) Surgical dressings and surgical dressing materials.
(d) First aid kits.
(e) Exercise machines and devices. Etc.
(xiii) Parts and sub-assemblies designed especially for the foregoing items in this subparagraph 17 except those covered by Maximum Price Regulations Nos. 136, 147, and 196.
(18) X-ray equipment and supplies (industrial and commercial), and parts and subassemblies designed especially therefor except those covered by Maximum Price Regulations Nos. 136 and 147.
(19) Industrial safety equipment (except clothing, shoes, and scientific instruments covered by Maximum Price Regulation No. 136, as amended) including:

Gas masks.
Helmets, safety hats, etc.
Protective shields, sleeves, toe guards, etc.
Safety lamps.
Respirators.
Goggles, faceshields, goggle cases, etc.

(20) Rope and cordage, etc.

Rope and cordage including grommets made from rope (except those manufactured from cotton and synthetic fibers).
Rope halters.
Wrapping twines (except cotton).

(21) Unclassified:

Ammunition for small arms.
Amusement machines, coin operated.
Automobile seat coverings, fiber.
Bells, hand.
Butcher saws.
Dry cell batteries.
Fire extinguishers.
Portable battery lights including flashlights, hand lanterns, etc.
Hearing aids (electric), hearing aid batteries, and accessories.
Jewelers' tools.
Manually operated tire pumps.
Pocket knives.
Spittoons and cuspidors.
Razors.
Razor blades.
Water coolers.
Christmas tree ornaments.
Christmas trees, artificial.

Issued this 12th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-617; Filed, January 12, 1943; 4:41 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 183, Amendment 16]

PUERTO RICO

Correction

In Table XIII in paragraph (m) appearing on page 325 of the issue for Friday, January 8, 1943, the third and fourth items should read "Pure refined lard in cases 56 lb." and "Pure refined lard in 34 lb. to 37 lb. tins." In the second section of Table XVI in paragraph (q) the italic heading in both cases should read "Price per 200-lb. bag."

PART 1499—COMMODITIES AND SERVICES

[Order 209 Under § 1499.3 (b) of GMPR]

MONSANTO CHEMICAL COMPANY

Correction

Paragraph (a) of § 1499.1445 appearing on page 375 of the issue for Saturday, January 9, 1943, should read "The maximum price for sales by the Merrimac Division of the Monsanto Chemical Company at Everett, Massachusetts of 30% aqueous solution of sodium polysulfide is established as set forth below: * * *."

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 275, Amendment 1]

EXTRACTED HONEY

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Inferior subdivision (b) of § 1351.1319 (c) (1) (ii) is corrected and inferior subdivision (a) of § 1.351.1319 (c) (1) (ii) is amended; § 1351.1318a is added; all to read as set forth below:

§ 1351.1319 *Appendix A: Maximum prices for "bulk honey" and "packaged honey".* * * *

(c) * * *

(1) * * *

(ii) * * *

(a) *Cost increase for honey.* The cost increase per pound for honey shall be the difference between 11.8¢ and the seller's "weighted average cost" per pound for honey purchased during the "base period."

The "weighted average cost" means the total dollars f. o. b. beekeeper's shipping point paid for honey purchased during the "base period" divided by the number of pounds of honey purchased during the "base period". In computing the "weighted average cost" that quantity of honey which was produced by the seller during the "base period" shall be deemed to have been purchased by him at a price of 5.6¢ per pound and that quantity of honey which was not purchased directly from the producer during the "base period" and for which reason an f. o. b. beekeeper's price cannot be calculated, shall be deemed to have been purchased at 5.6¢ per pound. Persons who made no purchases of honey during the "base period" shall adopt 5.6¢ as their "weighted average cost".

(b) *Cost increase for transportation.* The cost increase per pound for transportation shall be the difference, if any, between the figure obtained by dividing the total freight dollars paid for honey purchased during the "base period" by the total pounds of honey produced and purchased during the "base period", and the figure obtained by dividing the total freight dollars paid for honey purchased during the months of June, July and August, 1942 by the total pounds of honey produced and purchased during the months of June, July and August, 1942.

* * * * *

§ 1351.1318a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1351.1318a, and 1351.1319 (c) (1) (ii)) to Maximum Price Regulation No. 275 shall become effective January 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-623; Filed, January 13, 1943; 11:11 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 275,[1] Amendment 2]

EXTRACTED HONEY

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1351.1313 is amended to read as set forth below:

§ 1351.1313 *Records and reports.* (a) Every person who sells "packaged honey" or resells "bulk honey" covered by this regulation shall preserve for examination by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, all his existing records which were the basis for computations required by § 1351.1319, Appendix A.

(b) Every person who resells "bulk honey" shall within 10 days after determining his maximum price for each kind, flavor, brand, and container, type and size, execute and file with the Office of Price Administration, two copies of forms No. 1–A, 1–B, and 1–C, which forms are obtainable at any district, State, field, or regional office of the Office of Price Administration.

(c) Persons who sell "packaged honey" shall within 10 days after determining their maximum price for each kind, flavor, brand, and container, type and size, execute and file with the Office of Price Administration, two copies of forms No. 1–A, 1–B, and 1–C: *Provided*, That persons whose 1941 sales of "packaged honey" did not exceed 1000 pounds or whose future annual sales are not reasonably calculated to exceed 1000 pounds need not execute nor file such forms.

§ 1351.1318a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§ 1351.1313 (a), (b) and (c)) to Maximum Price Regulation No. 275 shall become effective January 19, 1943.

(Pub. Laws 421 and 729; 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-624; Filed, January 13, 1943; 11:12 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 292,[1] Amendment 1]

SALES OF CITRUS FRUITS BY PACKERS, BROKERS, AUCTION MARKETS, TERMINAL SELLERS AND INTERMEDIATE SELLERS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1351.1402 (a) (6) is added, §§ 1351.1403 (d), 1351.1404, 1351.1405 (a), (c), and (e) (4) and Item No. 1 of § 1351.1416 (b) are amended and § 1351.1415a is added, as set forth below.

§ 1351.1402 *Sellers subject to the provisions of this Maximum Price Regulation No. 292.* (a) * * *

(6) Commission merchants.

§ 1351.1403 *Definition of citrus fruits and general instructions.* * * *

(d) *Freight.* Freight to be used in calculating any base price or maximum price pursuant to this regulation shall include actual charges for icing or refrigeration and shall mean freight by common carrier or contract carrier. In the event that the citrus fruit is transported by other means, freight shall be computed at the lowest available common carrier or contract carrier rate. Freight shall not include unloading or local trucking, but shall include charges for unloading cars for sale only at the terminal market.

§ 1351.1404 *Definition and maximum prices of packers, commission merchants, brokers, auction markets and terminal sellers.* (a) For the purposes of this regulation:

(1) A "packer" is a person who grades, sizes, packs, whether or not washed or waxed, or prepares citrus fruits for shipment to market. A person who has citrus fruit packed for him for sale shall be deemed to be a packer and the point of shipment shall be deemed his packing house.

(2) A "broker" is a person who acts as the packer's agent in the sale of citrus fruits and who does not warehouse, storage, or customarily distribute the citrus fruits.

(3) An "auction market" is a market to which citrus fruits are delivered and sold at auction for the account of the packer and which market charges a fee for such services.

(4) A "terminal seller" is a person who buys citrus fruits from a packer and customarily sells ex track, ex truck, or ex shipping shed, at the terminal market, who does not customarily warehouse and does not customarily deliver the citrus fruits beyond the terminal market area.

(5) A "commission merchant" is a person who receives citrus fruits on consignment from a packer and who sells in the same or similar manner as other wholesalers, for the account of the packer.

(b) The maximum price for direct sales of citrus fruits sold by a packer, f. o. b. packing house, shall be as set forth in this section and in § 1351.1416, Appendix A, of this regulation.

(c) The maximum price for direct sales of citrus fruits by a packer, on a delivered basis, shall be the packer's maximum price, f. o. b. packing house, plus freight to the point of delivery.

(d) The maximum price for sales of citrus fruits through a broker shall be the packer's maximum price for direct sales multiplied by 1.015. If the sale is made f. o. b. packing house, the packer's maximum price for direct sales, f. o. b. packing house, shall be used in such computation. If the sale is made on a delivered basis, the packer's maximum price for direct sales at the point of delivery shall be used in such computation.

(e) The maximum price for sales of citrus fruits at an auction market shall be the packer's maximum price for direct sales, delivered at the market, plus the usual auction charge or fee, computed on the basis of such delivered maximum price.

(f) The maximum price for sales of citrus fruits through a commission merchant shall be the packer's maximum price for direct sales, delivered at the commission merchant's customary receiving point, plus the usual charges, commissions or fees of the commission merchant, computed on the basis of such delivered maximum price.

(g) The maximum price for sales of citrus fruits by a terminal seller shall be the packer's maximum price for direct sales, delivered at the terminal market, multiplied by 1.015.

(h) Every sale of citrus fruits by a packer, commission merchant, broker, auction market or terminal seller, to an intermediate seller, shall be accompanied by a notification in writing to the intermediate seller, showing the maximum price permitted for such sale, which price shall be called the "base price" in such notice. The "base price" so reported shall be the maximum price determined under the foregoing paragraphs of this section, whether or not such maximum price was paid, except that in the event of a direct sale by a packer, or a sale by a packer through a broker, on an f. o. b. packing house basis, the "base price" so reported shall be the maximum price for such sale on a delivered basis at the purchaser's customary receiving point.

(i) Each packer, commission merchant, broker, auction market and terminal seller shall make and preserve for examination by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, such records as he or it customarily kept relating to the prices charged for each item of citrus fruits after the effective date of this regulation.

§ 1351.1405 *Definition and maximum prices of intermediate sellers.* (a) For the purposes of this regulation, the term "intermediate sellers" means any wholesale sellers, jobbers or any other persons who take title and purchase for the purpose of reselling and who customarily make sales to other wholesalers, retailers, or industrial, institutional or commercial users, except that the term "intermediate sellers" shall not include packers, commission merchants, brokers, auction markets, terminal sellers or retailers as defined in this regulation.

* * * * *

(c) The "base price" of any intermediate seller who purchases from a packer or broker, shall be the "base price" furnished to him by his supplier. The "base price" of any intermediate seller who purchases from an auction market, commission merchant, or terminal seller shall be the "base price" of his supplier, except that if his supplier is not within local hauling distance of his customary receiving point, the intermediate seller shall compute a new "base price" by adding to that "base price" the freight to his customary receiving point. If he resells to another intermediate seller, he shall give such purchaser notice in writing of his "base price," which shall be the "base price" reported to him by his

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9955, *supra*.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 135

supplier or his newly computed "base price," as the case may be.

* * * * * *

(e) * * *

(4) He shall then compute his maximum prices as follows:

(i) An intermediate seller in Class 1 or Class 2 who buys from a packer, broker, auction market or terminal seller, shall multiply his base price by 1.095.

(ii) An intermediate seller in Class 1 or Class 2, who buys from another intermediate seller or from a commission merchant, shall multiply his base price by 1.20.

(iii) An intermediate seller in Class 3 who buys from a packer, broker, auction market or terminal seller, shall multiply his base price by 1.21.

(iv) An intermediate seller in Class 3, who buys from another intermediate seller or from a commission merchant, shall multiply his base price by 1.32.

* * * * * *

§ 1351.1416 *Appendix A: Maximum prices of packers, f. o. b. packing house.* * * *

(b) Grapefruit.

MAXIMUM PRICES IN DOLLARS PER UNIT

Item No.	State or area	Variety	Seasons, all dates inclusive	Standard wooden box				* * *
				Packed wrapped	Packed 2 layers wrapped	Packed unwrapped	Loose	
1.....	California.....	All.....	(May 1 to Oct. 31.....	2.82	.....	2.77	1.89	* * *
			(Nov. 1 to Apr. 30.....	2.28	.....	2.23	1.35	* * *

* * * * * *

§ 1315.1415a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1351.1402 (a) (6), 1351.1403 (d), 1351.1404, 1351.1405 (a), (c), and (e) (4), 1351.1416 (b), Item No. 1, and § 1351.1415a) to Maximum Price Regulation No. 292 shall become effective on January 18, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of January 1943.

LEON HENDERSON,
Administrator.

Approved:

GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 43-622; Filed, January 13, 1943; 11:13 a. m.]

PART 1361—FARM EQUIPMENT

[MPR 246,[1] Amendment 3]

MANUFACTURERS' AND WHOLESALE PRICES FOR FARM EQUIPMENT

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Paragraph (c) of § 1361.53 is amended as set forth below:

§ 1361.53 *Maximum prices: items modified since March 31, 1942, sold by the manufacturer.* * * *

(c) *Approval of prices.* If the Office of Price Administration approves the proposed maximum prices or fails to disapprove them within thirty days after receiving such report, the proposed maximum prices shall become the maximum prices applicable to all subsequent sales and deliveries: *Provided,* That if the Office of Price Administration later determines that such prices were not calculated in accordance with this section such prices may at that time be disapproved, but such disapproval shall not be retroactive as to any deliveries made before the date of such disapproval. If the proposed maximum prices are at any time disapproved by the Office of Price Administration, the manufacturer shall file revised prices properly computed in accordance with the appropriate pricing formula provided in paragraph (a), and the provisions of this section shall apply in all respects to such revised prices. In the event that the office of Price Administration finds that the manufacturer's production experience does not yet warrant the establishment of a permanent maximum price, the Office of Price Administration may give temporary approval to a proposed maximum price and require a further filing under this section at a later date. Any disapproval of prices will be embodied in an order upon request made within thirty days of such disapproval.

* * * * * *

§ 1361.69 *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§§ 1361.53 (c)) to Maximum Price Regulation No. 246 shall become effective January 19, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-625; Filed, January 13, 1943; 11:12 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[Revised MPR 148,[1] Amendment 1]

DRESSED HOGS AND WHOLESALE PORK CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Redesignated: § 1364.27 (a) as §1364.27 (a) (1); Schedule III (c) (2) (iv) of § 1364.35 as Schedule III (c) (2) (v) of § 1364.35; Schedule II (d) of § 1364.35 as Schedule II (d) (1) of § 1364.35.

Amended: Paragraphs (e) and (f), the title and text of paragraph (g), the title of paragraph (h), and paragraph (h) (2) of § 1364.22; redesignated § 1364.27 (a) (1); subparagraphs (3) and (6) of § 1364.32 (a); the title of § 1364.35; the title of Schedule I, the explanatory data preceding the tables in Schedule I, Items 3, 4 and 5 of Schedule I (b), Items 2, 3 and 4 of Schedule I (c), Items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 18, 22, 23 and 24 of Schedule I (d), Item 11 of Schedule I (e), and the title and Items 5 and 10 of Schedule I (f) of § 1364.35; the title of Schedule II, and paragraphs (a) (2), (b), redesignated (d) (1) and (f) of Schedule II of § 1364.35; and the title of Schedule III and paragraphs (b), (c) and (e) of Schedule III of § 1364.35.

Added: § 1364.22 (h) (3) paragraphs (a) (2), (b) (4) and (c) of § 1364.27; § 1364.32 (a) (11), (12) and (13); § 1364.34a; Item 11a of Schedule I (d), Items 17, 18 and 19 of Schedule I (g), subparagraph (2) (iv) of Schedule II (d), subparagraph (2) (iv) of Schedule III (c), Schedule III (f) and Schedule IV of § 1364.35.

§ 1364.22 *Maximum prices for dressed hogs and wholesale pork cuts.* * * *

(e) *When products are delivered to the buyer.* Dressed hogs and wholesale pork cuts shall be deemed to be delivered to the buyer at the point where physical possession is taken by the buyer or his agent, or where the dressed hogs or wholesale pork cuts, consigned to the buyer,

(1) Are received by a common carrier or contract carrier, other than a railroad, and the charges of such carrier are paid directly to such carrier by the buyer;

(2) Are received by a railroad, for shipment at the railroad carload rate or for shipment to an agency of the United State government and the charges of such railroad are paid directly to such railroad by the buyer.

(f) *Maximum prices of wholesale pork cuts not listed in Appendix A.* Except as provided in paragraph (h) of this section, if the maximum price for any wholesale pork cut delivered to the buyer cannot be determined under the provisions of the foregoing paragraphs of this section, such maximum price shall be that of the nearest similar wholesale pork cut derived from the same primal cut or combination of primal cuts, making adjustment for the differences in the cost of producing such cuts. Each seller shall file with the Office of Price Administration, within 10 days of computation, each maximum price computed under the provisions of this paragraph (f) together with a sworn statement of the method of such computation and the comparative costs included therein, including costs of labor, materials and overhead, and shrinkage or gain in weight. Any maximum price so computed shall be subject to revision by the Price Administrator. No person shall sell any wholesale pork cut not listed in Schedule I of Appendix A (§ 1364.35), except fabricated pork cuts and canned meats made entirely from pork, without first filing with the Office of Price Administration at Washington, D. C., a maximum price for such cut as required by the provisions of this paragraph (f).

(g) *Maximum prices of dressed hogs, invoices.* (1) The maximum price for each dressed hog, dressed packer style or shipper style, delivered to the buyer shall be that ascertained in accordance with the pricing instructions contained in Schedule IV of Appendix A (§ 1364.35); and no person shall sell hogs dressed otherwise than packer style or shipper style.

(2) Every person who sells dressed hogs shall invoice such dressed hogs to the buyer by weight ranges set forth in the table in Schedule IV (a) of Appendix A (§ 1364.35), and dressed hogs falling in each such weight range shall be invoiced separately.

(h) *Maximum prices of products sold for export, canned products, and fabricated cuts sold by hotel supply houses.* * * *

(2) (i) The maximum price for each brand, type and container size of canned meat made entirely from pork shall be the highest price at which such brand or type and container size of canned meat was listed in the price list or lists upon the basis of which the seller made sales and deliveries at the delivery point during the period February 16, 1942 to February 20, 1942, inclusive, plus 1½ cents per lb.: *Provided,* That the seller must continue to allow all the deductions or discounts from his price list or lists which were customary during the 90-day period prior to March 9, 1942.

(ii) If the maximum price for any brand, type or container size of canned meat made entirely from pork cannot be determined under paragraph (h) (2) (i) of this section, the seller shall apply to the Office of Price Administration, Washington, D. C., for authorization to establish a maximum price, setting forth in such sworn application a detailed description of the canned meat and container size for which a price is sought, including, where appropriate: a description of the wholesale cuts used in processing such canned product and the nature and degree of processing; the maximum price, if any, established for the sale by the seller of other brands or types and container sizes of canned meat made entirely from pork, and the manner in which such other canned products differ from that for which the price application is being made; a statement of the reasons why the new manner of canning or processing is being undertaken; a statement of the price requested, and the method by which the requested price was arrived at; and a statement by the seller as to whether the granting of his application will require any price adjustment on behalf of the wholesalers or retailers to whom he proposes to sell his products. Authorization to establish a maximum price for such canned meat made entirely from pork shall be accompanied by instructions as to the method for determining the maximum price. Within ten days after such price has been determined, the seller shall report the price to the Office of Price Administration, Washington, D. C. The price so reported shall be subject to adjustment at any time by the Office of Price Administration.

(iii) The provisions of this paragraph (h) (2) shall not apply to any sales of canned meats to the Federal Surplus Commodities Corporation or to any purchasing agency of the armed forces of the United States.

(3) The maximum price for each fabricated pork cut sold by a hotel supply house to a purveyor of meals shall be determined as follows:

(i) The hotel supply house shall fix a price for each such fabricated pork cut on the basis of the relationship which prevailed during the month of October, 1942, between the price of such fabricated pork cut and the prices of other fabricated pork cuts derived from the same wholesale pork cut.

(ii) In the event that the total gross proceeds obtainable through sales at the prices so fixed of all fabricated pork cuts derived from such wholesale pork cut and sales at the maximum prices of all bones, fat, waste, trimmings and/or processed products obtained in making such fabricated pork cuts exceed by more than 15 percent the maximum price for such wholesale pork cut, the hotel supply house shall adjust downward the prices of such fabricated cuts to remove the excess. In making such adjustments, the hotel supply house shall not change the relationship of the prices of the fabricated cuts as established pursuant to paragraph (h) (3) (i). The price so fixed and adjusted shall be the maximum price of such hotel supply house for such fabricated pork cut.

(iii) "Fabricated pork cut" means any part or portion of a wholesale pork cut (i. e., pork chops, center ham slices, etc.) made for a purveyor of meals, which part or portion is obtained by boning or sawing through the bones of the wholesale pork cut so as to prepare the fabricated pork cut for cooking without further cutting or trimming and to produce a cut substantially different from any wholesale pork cut for which a price is listed in Appendix A (§ 1364.35). Wholesale pork cuts from which at least 25 percent of the bone has been removed in preparing them as roasts shall also be considered fabricated pork cuts.

* * * * * *

§ 1364.27 *Records and reports.* (a) (1) Every person making a sale of any dressed hogs or wholesale pork cuts on and after November 2, 1942, in the course of trade or business or otherwise dealing therein, shall make, and preserve for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each such sale, showing the date thereof, the name and address of the buyer and seller, the description, quantity and weight of all dressed hogs and wholesale pork cuts sold, and the price charged or received therefor.

(2) Every person making sales to purveyors of meals pursuant to the provisions of § 1364.22 (h) (3) shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, is in effect, a complete and accurate record in schedule form for each calendar month commencing with February 1943, showing separately

(i) The total inventory in pounds at the beginning of each month of all dressed hogs and each wholesale pork cut and fabricated pork cut, pork offal and pork by-product (bones, fat, waste, etc.); the total additions to inventory in pounds during the month of each such item; and the total inventory in pounds at the end of each month for each such item;

(ii) The total sales in pounds during the month of dressed hogs, each wholesale pork cut, fabricated pork cut, pork offal and pork by-product; bones, fat, waste, etc.; showing separately the sales in pounds of dressed hogs, each wholesale pork cut, and each fabricated pork cut to purveyors of meals and the sales in pounds made to other buyers;

(iii) The total sales realization for each dressed hog, and each type of wholesale pork cut and fabricated pork cut and the average ceiling price therefor.

(b) Persons subject to or affected by this Revised Maximum Price Regulation No. 148 shall submit to the Office of Price Administration at Washington, D. C.: * * *

(4) On or before January 30, 1943, sworn statements of the maximum prices of all fabricated pork cuts sold by them to purveyors of meals, which maximum prices shall be determined as provided in § 1364.22 (h) (3).

(c) Every person making a sale of any wholesale pork cut or fabricated pork cut shall furnish to the purchaser at the time of delivery of such pork cut a written statement setting forth the name and address of the buyer and seller; identifying by weight and description each such pork cuts sold; and setting forth the quantity and the price charged and received therefor.

* * * * * *

§ 1364.32 *Definitions.* (a) * * *

(3) "Wholesale pork cuts" means all cuts derived from the carcass of the hog or pig, dressed with head off and kidney and leaf fat out, including but not limited to the following:

(i) All cuts referred to in Appendix A (§ 1364.35):

(ii) Cuts rough or trimmed, bone in or boneless, whole or sliced;

(iii) Cuts fresh or frozen, cured, smoked, cooked, baked, barbecued, dried, canned, or ready-to-eat;

(iv) Cuts loose, wrapped or packed.

Fresh and frozen cuts shall not be considered separate wholesale pork cuts. Each brand, type and container size of canned meat made entirely from pork shall be considered a separate wholesale pork cut. No uncanned sausage made entirely from pork except sausage sold to the armed forces of the United States or the Federal Surplus Commodities Corporation, shall be considered a wholesale pork cut. * * *

(6) "Sales at retail" means sales to the ultimate consumer: *Provided,* That no wholesaler, processor, packer, slaughterer, branch house, car route, hotel supply house, purchaser for resale, commercial

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8587, 8948, 9039, 8 F.R. 236.

[1] 7 F.R. 8609, 9005, 8948.

user, purveyor of meals, war procurement agency, or other government agency shall be deemed to be an ultimate consumer, except that a sale to a purveyor of meals, on usual retail terms, by a retailer at least 80% of whose sales of meat during the preceding calendar month were made to ultimate consumers shall be deemed a sale at retail. • • •

(11) "Shipping container" means a sealed box which becomes the property of the buyer upon delivery of the wholesale pork cuts therein contained, or a returnable container of solid wood or metal which must be of a type and size which the seller has customarily used in making delivery of wholesale pork cuts and must be carried into the buyer's place of business in making delivery of products packed therein.

(12) "Hotel supply house" means a seller of pork who, as an established practice, handles wholesale pork cuts for the purpose of boning, trimming and cutting or otherwise fabricating such wholesale pork cuts for sale to hotels, restaurants or other purveyors of meals.

(13) "Wholesaler" means a person other than a hotel supply house who buys dressed hogs and/or wholesale pork cuts for resale other than at retail and who does not own or control, in whole or in substantial part, any slaughtering plant or facilities, and who is not owned or controlled in whole or in substantial part, by another person who owns or controls in substantial part any slaughtering plant or facilities.

• • • • •

§ 1364.34a *Effective date.* (a) Amendment No. 1 (Redesignated: § 1364.27 (a) as § 1364.27 (a) (1); Schedule III (c) (2) (iv) of § 1364.35 as Schedule III (c) (2) (v) of § 1364.35; Schedule II (d) of § 1364.35 as Schedule II (d) (1) of § 1364.35; Amended; paragraphs (e) and (f), the title and text of paragraph (g), the title of paragraph (h), and paragraph (h) (2) of § 1364.22; redesignated § 1364.27 (a) (1); subparagraphs (3) and (6) of § 1364.32 (a); the title of § 1364.35; the title of Schedule I, the explanatory data preceding the tables in Schedule I, Items 3, 4, and 5 of Schedule I (b), Items 2, 3 and 4 of Schedule I (c), Items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 18, 22, 23, and 24 of Schedule I (d), Item 11 of Schedule I (e), and the title and Items 5 and 10 of Schedule I (f) of § 1364.35; the title of Schedule II, paragraphs (a) (2), (b), redesignated (d) (1), and (f) of Schedule II of § 1364.35; and the title of Schedule III and paragraphs (b), (c), and (e) of Schedule III of § 1364.35; Added: § 1364.22 (h) (3); paragraphs (a) (2), (b) (4) and (c) of § 1364.27; § 1364.32 (a) (11), (12) and (13); § 1364.34a Item 11a of Schedule I (d), Items 17, 18 and 19 of Schedule I (g), subparagraph (2) of Schedule II (d), subparagraph (2) (iv) of Schedule III (c), Schedule III (f) and Schedule IV of § 1364.35) to Revised Maximum Price Regulation No. 148 shall become effective January 19, 1943.

§ 1364.35 *Appendix A: Schedules I, II, III and IV.*

SCHEDULE I—PRICES OF WHOLESALE PORK CUTS

(All prices are per hundred weight loose basis, and do not include boxing, transportation or delivery costs, except where indicated otherwise. Weights are by range and not by average.)

• • • • •

(B) FORK CUTS: GREEN OR FROZEN, CURED, SMOKED AND BARBECUED

Item	Weight	Green or frozen (dollars)	Cured (dollars)	Smoked (dollars)	Barbecued (dollars)
• • •	• • •	• • •	• • •	• • •	• • •
3. Bellies—dry salt (clear or r.b.)		16 00	16 00	18 75	
4. Plates and jowls					
Clear plates		11 00	11 00	14 00	
Regular plates		12 25	12 25	15 25	
Jowl butts		11 00	11 00	14 00	
Square jowl butts		12 75	13 75	wrapped 17 25	
5. Spare ribs					
Light	Under 3 lbs	18 25	18 25 [1] 19 25	24 75	
Medium	3-4 lbs	16 75	17 75 [1] 18 75	22 25	
Heavy	Over 4 lbs	14 25	14 25 [1] 15 25	20 75	
Barbecue, brisket bone off	Under 2½ lbs	20 75	20 75 [1] 21 75	27 25	27 25
Loin ribs		19 00	19 00 [1] 20 00	25 50	25 50
Square rib brisket bones		7 50	7 50 [1] 8 50	12 00	

[1] Packed in tierces.

(C) PORK CUTS: COOKED, BAKED, SMOKED, BARBECUED AND FRIED; WRAPPED

	Cooked		Cooked and smoked		Baked and barbecued	
	Weight	Price	Weight	Price	Weight	Price
	Pounds	Dollars	Pounds	Dollars	Pounds	Dollars
• • •	• • •	• • •	• • •	• • •	• • •	• • •
2. Hams—skinless—boneless and tied	Under 8	49 75	Under 8	51 50	Under 8	55 00
	8-10	48 00	8-10	49 75	8-10	53 00
	Over 10	47 50	Over 10	47 25	Over 10	50 25
3. Picnics—boneless and tied	All weights	42 00	All weights	43 25	All weights	47 25
4. Shoulders—skinned—boneless and tied	All weights	42 75	All weights		All weights	48 75
• • •	• • •	• • •	• • •	• • •	• • •	• • •

(D) PORK SAUSAGE MATERIAL AND MISCELLANEOUS PORK CUTS

	Fresh or frozen	Cured	Smoked
SAUSAGE MATERIAL	Dollars	Dollars	Dollars
1. Regular trimmings	21 25	21 25	
2. Neck bone trimmings	31 00	31 00	
3. Special lean trimmings	32 25	32 25	
4. Extra lean trimmings	34 25	34 25	
5. Blade meat	36 25	36 25	
6. Skinned neck fat	11 75		
7. Skin-on neck fat	11 00		
8. Skinned back fat	11 75		
9. Skinned ham fat	11 75		
10. Skinned shoulder fat	11 75		
11. S. P. ham fat		11 25	
11a. Trimmings with not more than 20% trimmable fat	31 00	31 00	
MISCELLANEOUS			
12. Hocks	15 75	15 75 [1] 16 75	19 75
13. Knuckles	12 25	12 25 [1] 13 25	16 25
• • •	• • •	• • •	• • •
15. Tails	11 25	11 25 [1] 12 25	15 25
• • •	• • •	• • •	• • •
18. Bacon skins	4 50	4 50	6 25
• • •	• • •	• • •	• • •
22. Semi-boneless loins, under 10 pounds	33 50		
23. Semi-boneless loins, 10-12 pounds	32 00		
24. Semi-boneless loins, 12-15 pounds	31 00		
• • •	• • •	• • •	• • •

[1] Packed in tierces.

(E) PORK CUTS PACKED IN WOOD CONTAINERS

• • • • •

11. Vinegar pickled pork feet, cooked bone in:

Tierces (300 pounds)	each	$29.50
Barrels (200 pounds)	do	20.50
½ barrels (75 pounds)	do	8.25
¼ barrels (35 pounds)	do	4.00
⅛ barrels (17 pounds)	do	2.25
Kits (13 pounds)	do	1.75

(F) CANNED PORK ITEMS

(Prepared for war procurement agencies according to United States Government specifications)

• • • • •

5. Pork sausage soyalinks:
1 lb. or 2 lb. cans, per cwt $27 50***

10. Pork soya segments:
1½ or 2 lb. cans, per cwt 26.00

(G) PRODUCTS FOR WAR PROCUREMENT AGENCIES

(Prepared according to United States Government specifications)

• • • • •

17. Mess pork in barrels:
(200 lbs. net green weight) ..per bbl.. $47 50

18. Pork sausages:

Bulk	29.00
In paper casings	30.00
In hog casings	32.00
In sheep casings	34.00

19. Fresh pork sides, packer dressed:

140 to 154 lbs	19.20
155 to 169 lbs	19.15
170 to 192 lbs	19.05
193 to 213 lbs	19.00
214 to 239 lbs	18.95
Over 239 lbs	18.90

SCHEDULE II—REQUIRED DEDUCTIONS FROM PRICES LISTED IN SCHEDULE I

(a) • • •

(2) For all wholesale pork cuts otherwise substandard because of trim, cutting, thick or wrinkled skin, bruises, abscesses, blood clots, accidental damage, or abnormal color, texture, odor, or consistency or character of the lean flesh and of the fat included therein, $1.00 per cwt.

• • • • •

(b) For the following wholesale pork cuts derived from oily hog carcasses, except when sold to an agency of the United States Government pursuant to United States Government specifications and except wholesale pork cuts listed in Schedule I (c) (9) of this Appendix A:

Description of cut:	Required deduction per cwt.
Hams	$1.00
Shoulders and shoulder cuts	3.00
Pork loins	3.00
Bellies	3.00
Slab bacon	3.00
Fat backs	1.00

• • • • •

(d) (1) For all wholesale pork cuts delivered in a straight or mixed shipment of 5,000 lbs. or more, but less than a carload, $0.50 per cwt.

(2) For all wholesale pork cuts delivered in a shipment of more than 500 lbs. of wholesale pork cuts but less than 5,000 lbs., $0.25 per cwt.

• • • • •

(f) For sliced bacon not packed in

(1) ½ lb., 1 lb., or 1½ lb. cartons or sealed cellophane or parchment packages, $0.75 per cwt.

(2) Cases of 12 lbs. or less, $0.25 per cwt.

• • • • •

SCHEDULE III—PERMITTED ADDITIONS TO PRICES LISTED IN SCHEDULE I

• • • • •

(b) For loins, shoulders, picnics, Boston butts, boneless butts, spareribs, tails and neck bones derived from hogs killed in each of the following regions and delivered fresh or frozen to the Federal Surplus Commodities Corporation, the armed forces of the United States, the United States Maritime Commission, the War Shipping Administration, or delivered fresh, for resale fresh, by local delivery within such region on the same market day as or on the market day after the initial cutting of the carcass from which such cuts are derived:

Regions and Permitted Additions

(1) New England; New Jersey; Delaware; Maryland; the District of Columbia; and those portions of New York and Pennsylvania lying east of the 77th meridian, $1.50 per cwt.

(2) Those portions of Pennsylvania and New York lying west of the 77th meridian, $1.00 per cwt.

(3) Virginia; West Virginia; Kentucky; Ohio; Indiana; Chicago, Illinois; and the lower peninsula of Michigan (that part of Michigan lying between Lake Michigan and Lake Huron), $0.50 per cwt.

(c) For packing in shipping containers:

(1) For domestic shipment (maximum addition permitted: $0.50 per cwt. No addition permitted where price in Schedule I includes shipping container):

(i) Packing in wood or metal boxes, $0.50 per cwt.

(ii) Packing in other boxes, barrels, sacks, or burlap wrappings, $0.25 per cwt.

(iii) Packing in returnable shipping containers of solid wood or metal, $0.25 per cwt.

(2) For export shipment, U. S. Government specifications: • • •

(iv) Canned products packed for export, 6 cans to the box, U. S. government specifications, $1.00 per cwt.

(v) Other products for export shipment, U. S. government specifications, $0.75 per cwt. • • •

(e) For all wholesale pork cuts sold by a hotel supply house to purveyors of meals, $0.50 per cwt.

(f) For all wholesale pork cuts and dressed hogs sold by wholesalers, $0.50 per cwt. (as to dressed hogs, this addition may be made to the slaughterer's maximum price computed as provided in Schedule IV of this Appendix A.)

SCHEDULE IV—DRESSED HOGS

(a) *Table of weight ranges and seasonal denominators*

Weights of dressed hogs (by range)		Related live hog weight classifications	Denominators by seasons			
			December, January, February, March, April, and May		June, July, August, September, October, and November	
Packer style (pounds)	Shipper style (pounds)	Live weight (pounds)	Packer style	Shipper style	Packer style	Shipper style
BUTCHER HOGS						
1. 73-89	81-99	120-140	1.53	1.45	1.54	1.46
2. 90-107	100-119	140-160	1.46	1.38	1.47	1.39
3. 108-121	120-136	160-180	1.43	1.35	1.44	1.36
4. 122-136	137-153	180-200	1.41	1.33	1.42	1.34
5. 139-154	154-171	200-220	1.40	1.32	1.41	1.33
6. 155-169	172-188	220-240	1.39	1.31	1.40	1.32
7. 170-192	189-213	240-270	1.385	1.305	1.395	1.315
8. 193-213	214-235	270-300	1.38	1.30	1.39	1.31
9. 214-239	236-265	300-330	1.375	1.295	1.385	1.305
10. Over 239	Over 265	Over 330	1.37	1.29	1.38	1.30
SLAUGHTER PIGS						
11. Under 73	Under 79	Under 120	1.61	1.53	1.62	1.54
SOWS						
12. 184-280	202-312	270-400	1.405	1.325	1.415	1.335
13. 280 and over	312 and over	400 and over	1.40	1.32	1.41	1.33

(b) *Definitions.* As used in this regulation, the term

(1) "Packer style" means a dressed hog with the head off, kidneys and leaf fat out, and ham facings off.

(2) "Shipper style" means a dressed hog with the head on, kidneys and leaf fat in, and ham facings on.

(3) "Current Chicago live hog price" of hogs other than oily hogs, stags and boars means the highest price quoted, for live hogs of the applicable weight, in the current Chicago Daily Livestock Market Report of the Agricultural Marketing Administration of the U. S. Department of Agriculture. "Current Chicago live hog price" of oily hogs means a price determined by deducting from the highest price quoted, for live butcher hogs of the applicable weight, in such current report, $1.00 per cwt. "Current Chicago live hog price" of stags and boars means a price determined by deducting from the highest price quoted for live sows or butcher hogs of the applicable weight, in such current report, $1.50 per cwt. in the case of stags, and $4.00 per cwt. in the case of boars. As to all shipments of dressed hogs from points east of the 85th meridian the current report shall be deemed to be that for the third market day preceding shipment of such dressed hogs. As to all shipments of dressed hogs from points west of the 109th meridian the current report shall be deemed to be that for the fifth market day preceding such shipment. As to all shipments of dressed hogs from points east of the 109th meridian and west of the 95th meridian and from points east of the Mississippi River, south of Kentucky and west of the 85th meridian, the current report shall be deemed to be that for the second market day preceding such shipment. As to all shipments of dressed hogs from any other point, the current report shall be deemed to be that for the market day preceding such shipment.

(4) "Designated transportation differential" means a transportation differential determined as provided in subparagraphs (1), (2), (3) and (4) of § 1364.22 (d).

(c) *Price instructions.* Except as provided in § 1364.22 (h), the maximum price for each dressed hog shall be fixed as follows:

(1) Ascertain the weight range applicable to the dressed hog to be priced. (Weight ranges for packer style dressed hogs are in the first column of the table in paragraph (a) of this Schedule IV, and weight ranges for shipper style dressed hogs are in the second column.) Ascertain the related live hog weight classification of such dressed hog (on the same line in the table, but in the third column). Multiply the current Chicago live hog price, for hogs of such related live hog weight classification, by the appropriate seasonal denominator (on the same line in the table, but in one of the last four columns).

Example: A butcher hog dressed shipper style and weighing 190 pounds falls in the 189 to 213 pound weight range and in the 240 to 270 pound related live hog weight classification. If it were slaughtered in New York City and shipped on November 24, 1942, the appropriate seasonal denominator would be 1.315 and the current Chicago live hog price would be that reported for Thursday, November 19, 1942, three market days prior to Tuesday, November 24, 1942 or $14.00 per cwt. $14.00 multiplied by 1.315 equals $18.41.

(2) To the price determined under paragraph (c) (1) of this Schedule, add 25¢ per cwt. if the seller delivers such dressed hog by a local delivery to a point more than 50 miles away from the shipping point.

Example: If in the example stated in paragraph (c) (1), such local delivery were made, 25¢ would be added to $18.41, giving a price of $18.66 per cwt.

(3) To the price determined under paragraph (c) (2), add the following permitted fresh kill addition, if the dressed hog is derived from a hog killed in the region where the addition is applicable and delivered by local delivery within such region on the same day as or on the day after killing or sold to the Federal Surplus Commodities Corporation:

Region	Permitted addition per cwt.
(I) New England, New Jersey, Delaware, Maryland, District of Columbia and those portions of New York and Pennsylvania lying east of the 77th meridian	50¢
(II) Those portions of Pennsylvania and New York lying west of the 77th meridian	35¢
(III) Virginia; West Virginia; Kentucky; Ohio; Indiana; Chicago, Illinois; and the local peninsula of Michigan (that part of Michigan lying between Lake Michigan and Lake Huron)	15¢

Example: In the example stated in paragraph (c) (2), if the dressed hog is sold to the Federal Surplus Commodities Corporation, or if local delivery is made to a buyer within the region described in subparagraph (3) (I), 50¢ would be added to $18.66, giving a price of $19.16 per cwt.

(4) The maximum price for each dressed hog delivered to the buyer within the Central Price Zone, or delivered outside the Central Price Zone by a local delivery beginning in the Central Price Zone, shall be the applicable price determined under paragraph (c) (1) or (c) (2) of this Schedule.

(5) Except as provided in paragraph (c) (4) of this Schedule, the maximum price for each dressed hog delivered to the buyer in the Chicago Price Zone, or delivered to the buyer outside the Chicago Price Zone and the Central Price Zone by a local delivery beginning in the Chicago Price Zone, shall be the applicable price determined under paragraph (c) (1), (c) (2) or (c) (3) of this Schedule, plus 25¢ per cwt.

(6) Except as provided in paragraphs (c) (4) and (c) (5) of this Schedule, the maximum price for each dressed hog delivered to the buyer outside the Central Price Zone and the Chicago Price Zone shall be the applicable price determined under paragraph (c) (1), (c) (2) or (c) (3) of this Schedule, plus the designated transportation differential.

(d) *Brokers' fees.* The maximum prices fixed pursuant to paragraph (c) of this Schedule IV shall include all charges for brokerage and no addition to such prices may be made for brokers' fees. If the seller pays no brokerage fees on shipments of carload lots, the maximum price shall be reduced by $0.125 per cwt. If the seller pays brokerage on such shipments in an amount less than $0.125 per cwt., the maximum price shall be reduced by the difference between the amount of brokerage actually paid by the seller and $0.125 per cwt.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-627; Filed, January 13, 1943; 11:13 a. m.]

PART 1404—RATIONING OF RUBBER FOOTWEAR

[Ration Order 6,[1] Amendment 8]

MEN'S RUBBER BOOTS AND RUBBER WORK SHOES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraph (b) of § 1404.6 is amended and a new paragraph (h) to § 1404.71 is added as set forth below:

Acquisition of Rubber Footwear by Consumers

§ 1404.6 *Eligibility.* • • •

(b) *Employer.* Persons having employees whose work is essential as set forth in paragraph (a) (1) of this section and who are exposed to the conditions described in paragraph (a) (2) of this section, when such persons have normally and customarily furnished rubber footwear for the use of such employees in connection with their work and retain title to the rubber footwear so furnished after the termination of the employer-employee relationship. However, in case of flood or other public disaster the Board, with the approval of the State Director, may issue a certificate to a person who meets all the requirements of this paragraph except the requirement that he have normally and customarily furnished rubber footwear to his employees.

Effective Date

§ 1404.71 *Effective dates of amendments.* • • •

(h) Amendment No. 8 (§ 1404.6 (b)) shall become effective January 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; W.P.B. Directive 1, 7 F.R. 562 and Supplementary Directive 1-N, 7 F.R. 7730; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of January 1943.

LEON HENDERSON
Administrator.

[F. R. Doc. 43-626; Filed, January 13, 1943; 11:12 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 214 Under § 1499.3 (b) of GMPR]

ELI LILLY AND CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1450 *Approval of maximum prices for sales of "Betalin Complex" by Eli Lilly and Company*—(a) *Sales by Eli Lilly and Company*—(1) *Maximum prices.* The maximum prices for sales by Eli Lilly and Company of "Betalin Complex" are established as set forth below:

Size of package:	Maximum price per package: To wholesalers	To retailers for account of wholesalers
Six 2-cc ampoules	$1.60	$1.92

(2) *Discounts, allowances, and price differentials.* Eli Lilly and Company shall apply to the maximum prices set forth in subparagraph (1) of this paragraph for its sales of "Betalin Complex" all quantity differentials, discounts for different classes of wholesalers, trade practices, credit terms, practices relating to the payment of transportation costs, and any other customary allowances which were in effect in March, 1942, on its sales of "Betalin S."

(b) *Sales by wholesalers*—(1) *Maximum price.* The maximum price for sales by wholesalers of "Betalin Complex" is established as set forth below:

Sizes of package:	Maximum price per package
Six 2-cc ampoules	$1.92

When used in this order the term "wholesaler" means any person who buys "Betalin Complex" and resells it, without substantially changing its form to retailers.

(2) *Discounts, allowances, and price differentials.* Any wholesaler making sales of "Betalin Complex" shall apply to the maximum price set forth for such sales in subparagraph (1) of this paragraph all quantity differentials, discounts for purchasers of different classes, trade practices, credit terms, practices relating to the payment of shipping charges, and other customary discounts or allowances which were in effect in March 1942 on sales by the wholesaler of "Betalin S" or on sales of the vitamin B complex or vitamin B_1 ampoule most nearly comparable to "Betalin Complex," if the wholesaler did not sell "Betalin S" in March 1942.

(c) *Sales by retailers*—(1) *Maximum price.* The maximum price for sales by retailers of "Betalin Complex," except for sales on prescription as provided in subparagraph (3) of this paragraph, is established as set forth below:

Size of package:	Maximum price per package
Six 2-cc ampoules	$2.88

When used in this order the term "retailer" means any person who buys "Betalin Complex" and resells it directly to consumers.

(2) *Discounts, allowances, and price differentials.* Any retailer making sales of "Betalin Complex" shall apply to the maximum price set forth for such sales in subparagraph (1) of this paragraph all quantity differentials, discounts for purchasers of different classes, trade practices, credit terms, practices relating to the payment of shipping charges, and other customary discounts or allowances which were in effect in March 1942 on sales by the retailer of "Betalin S" or on sales of the vitamin B complex or vitamin B_1 ampoule most nearly comparable to "Betalin Complex" if the retailer did not sell "Betalin S" in March 1942.

(3) *Sales on prescription.* The maximum price established by subparagraph (1) of this paragraph shall not apply to sales on prescription of "Betalin Complex". The maximum price for a sale on prescription of "Betalin Complex" shall be determined by the person making the sale on prescription in accordance with the provisions of § 1499.3 (a) of the General Maximum Price Regulation, except that no report of the maximum price so determined need be filed as required by that section.

(d) *Marking package with retail ceiling price.* Eli Lilly and Company shall mark each package of "Betalin Complex" sold by it with the words "Ceiling Price $2.88." These words shall be printed or stamped in letters at least one quarter as large as those used for the name of the product on the package in which "Betalin Complex" is customarily sold by the seller at retail to the ultimate consumer when it is not sold on prescription and the type shall be sufficiently bold and the words shall be printed or stamped in a color which sharply contrasts with the background so that the words are clearly legible. No retailer, except a person making a sale on prescription, shall make sales of "Betalin Complex" unless the package in which the product is sold is marked with the retail ceiling price as required by this paragraph.

(e) *Notification of maximum prices*—(1) *By Eli Lilly and Company to wholesalers.* Eli Lilly and Company shall supply to each wholesaler before or at the time of its first delivery of "Betalin Complex" a written notification of the maximum prices established by this order for sales by Eli Lilly and Company and by wholesalers. The written notification shall read as follows:

The OPA has authorized us to charge $1.60 for each package of six 2-cc ampoules of "Betalin Complex", subject to all customary discounts and allowances to different classes of wholesalers. Wholesalers are authorized to establish a ceiling price of $1.92 for each package of six 2-cc ampoules of "Betalin Complex", subject to all customary cash discounts and allowances.

(2) *By Eli Lilly and Company to retailers via wholesalers.* Eli Lilly and Company shall include with each shipping unit of "Betalin Complex" for a period of three months a written notification. If such notification is enclosed in a shipping unit, a legend shall be affixed outside of such unit to read "Retailer's Notice Enclosed." If the initial sale by a wholesaler to a retailer is a split-case sale, the wholesaler is required to provide such retailer with a copy of this notice. The written notification shall read as follows:

The OPA has authorized wholesalers to charge $1.92 for each package of six 2-cc ampoules of "Betalin Complex", subject to all customary cash discounts and allowances. Retailers are authorized to establish a ceiling price of $2.88 for each package of six 2-cc ampoules of "Betalin Complex", except for sales on prescription. The maximum price for sales on prescription shall be determined under section 3 (a) of the General Maximum Price Regulation, except that no report of the maximum price need be filed. If the initial sale by a wholesaler to a retailer is a split-case sale, the wholesaler is required to provide such retailer with a copy of this notice. OPA requires that you keep this notice for examination.

(3) *By Eli Lilly and Company to retailers.* Eli Lilly and Company shall supply to each retailer before or at the time of its first delivery of "Betalin Complex" to such retailer a written statement as follows:

The OPA has authorized us to charge on deliveries to retailers for the account of wholesalers $1.92 for each package of six 2-cc ampoules of "Betalin Complex". Your ceiling price is authorized to be $2.88 for each package of six 2-cc ampoules of "Betalin Complex", except for sales on prescription. Maximum prices for sales on prescription must be determined under section 3 (a) of the General Maximum Price Regulation, except that no report of the maximum price need be filed. OPA requires that you keep this notice for examination.

(f) *Definitions.* When used in this order the term:

(1) "'Betalin Complex'" means a package of six 2-cc ampoules, each ampoule of which contains a two cubic centimeter solution of the following amounts of specific vitamin substances:

	Mg.
Vitamin B_1 (Thiamin Chloride)	10
Vitamin B_2 (Riboflavin)	4
Nicotinamide	125
Calcium Pantothenate	5
Vitamin B_6 (Pyridoxine Hydrochloride)	10

(2) "'Betalin S'" means a package of six 1-cc ampoules, each ampoule of which contains a one cubic centimeter solution of 60 mg. of vitamin B_1 (Thiamin Chloride).

(g) This Order No. 214 may be revoked or amended by the Price Administrator at any time.

(h) This Order No. 214 § 1499.1450) shall become effective on January 14, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-633; Filed, January 13, 1943; 11:11 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 10 Under Supp. Reg 15 of GMPR]

VIRGINIA APPLE STORAGE, INC.

Order No. 10 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 of the General Maximum Price Regulation—Docket No. GF3-2149.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1310 *Adjustment of maximum prices for warehouse services sold by Virginia Apple Storage, Inc.* (a) Virginia Apple Storage, Inc., of Winchester, Virginia, may sell and supply, and any person may buy and receive from Virginia Apple Storage, Inc., the following services at charges not higher than those set forth below:

(1) Handling and cold storage of beer, 20¢ per half-barrel for the time it remains in storage.

(2) Handling and cold storage of dried fruit, 30¢ per hundred pounds per season, for the season commencing with the re-

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 7749, 7967, 8363, 8809, 9084, 9744, 10581, 10781.

ceipt of the fruit in the fall and ending on the following March 31.

(b) All prayers of the petition not granted herein are denied.

(c) This Order No. 10 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 10 (§ 1499.1310) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 10 (§ 1499.1310) shall become effective January 14, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-628; Filed, January 13, 1943; 11:11 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 157 Under § 1499.18 (b) of GMPR]

CARBIC COLOR AND CHEMICAL CO., INC.

Order No. 157 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-81.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1058 *Adjustment of maximum price for sales of certain Novochrome Brilliant Green FB by Carbic Color and Chemical Company, Inc.* (a) The maximum price for sales by Carbic Color and Chemical Company, Inc., New York City, of Novochrome Brilliant Green, FB, imported by it prior to April 1, 1942, shall be $5.23 per pound, f. o. b. New York City.

(b) All discounts, allowances, and trade practices in effect during March, 1942 with respect to sales of Novochrome Brilliant Green FB by Carbic Color and Chemical Company, Inc., New York City, shall remain in effect under this Order No. 157.

(c) All prayers of the applicant not granted herein are denied.

(d) This Order No. 157 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 157 (§ 1499.1058) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 157 (§ 1499.1058) shall become effective January 14, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-630; Filed, January 13, 1943; 11:09 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 158 Under § 1499.18 (b) of GMPR]

VULCAN CORPORATION

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1059 *Denial of application for adjustment of maximum price of wood heels sold by Vulcan Corporation, Portsmouth, Ohio.* (a) The application of Vulcan Corporation, Portsmouth, Ohio, docketed July 23, 1942, and assigned Docket No. GF3-852, requesting permission to increase its maximum prices of wood heels is denied.

(b) This Order No. 158 (§ 1499.1059) shall become effective January 13, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-631; Filed, January 13, 1943; 11:11 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 159 Under § 1499.18 (b) of GMPR]

NEPTUNE MANUFACTURING

Adjustment of maximum prices under § 1499.18 (b) of the General Maximum Price Regulation, Order 159—Docket No. GF3-2417.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1060 *Adjustment of maximum prices for construction specialties manufactured by the Neptune Manufacturing Company.* (a) On and after the effective date of this order, the maximum prices that may be charged by Neptune Manufacturing Company of Los Angeles, California, for construction equipment manufactured by it shall be the prices set forth in price list No. 32, issued by it in April of 1942, a copy of which has been received and is on file with this office.

(b) All prayers of the petition not granted herein are denied.

(c) This Order No. 159 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 159 (§ 1499.1060) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 159 (§ 1499.1060) shall become effective January 14, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250 7 F.R. 7871)

Issued this 13th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-632; Filed, January 13, 1943; 11:09 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 11 Under Supp. Reg. 15 of GMPR]

FRUIT BELT MOTOR SERVICE, INC.

Order No. 11 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 of the General Maximum Price Regulation—Docket No. GF3-1231.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1311 *Adjustment of maximum prices for contract carrier services sold by Fruit Belt Motor Service, Inc.* (a) Fruit Belt Motor Service, Inc., 1001 Pipestone Street, Benton Harbor, Michigan, may sell and deliver contract carrier services to Sears Roebuck & Company at its highest March prices plus an increase, in the case of each rate, not to exceed two-thirds of the amount of each increase appearing in its schedule MF-ICC No. 7 (effective May 7, 1942). Where fractions result an adjustment may be made to the nearest one-half cent.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 11 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 11 (§ 1499.1311) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 11 (§ 1499.1311) shall become effective January 14, 1943.

(Pub. Laws No. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-629; Filed, January 13, 1943; 11:11 a. m.]

TITLE 46—SHIPPING

Chapter II—Coast Guard: Inspection and Navigation

PART 136—"A" MARINE INVESTIGATION BOARD RULES

NOTICE OF CASUALTY AND VOYAGE RECORDS

Correction

The form number appearing in the last line of § 136.103 (page 10866, issue of Friday, December 25, 1942) should read "Form NCG 924e" instead of "Form NCG 924c".

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 1—RULES OF PRACTICE AND PROCEDURE

RATE INCREASES

The Commission, on January 12, 1943, effective immediately, adopted the following new section:

§ 1.482 *Rate increases; furnishing to Commission of data furnished to Office of Price Administration.* Any common carrier which proposes an increase in its rates or charges subject to the jurisdiction of the Commission, which is a "general increase" within the meaning of the regulations issued by the Office of Price Administration under the Emergency Price Control Act, as amended, shall furnish to this Commission, concurrently with the furnishing thereof to the Office of Price Administration, two copies of any notice or other data such carrier may furnish to that agency in connection

with such general increase. (Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i))

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-645; Filed, January 13, 1943; 11:36 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[General Order ODT 21, Amendment 4]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

SUBPART M—CERTIFICATES OF WAR NECESSITY FOR AND CONTROL OF COMMERCIAL MOTOR VEHICLES

Pursuant to Executive Orders 8989, 9156, and 9294, § 501.97, General Order ODT 21, as amended,[1] is hereby amended to read as follows:

§ 501.97 *Inspection of tires.* On and after February 28, 1943, no person shall operate any commercial motor vehicle, unless within the sixty (60) days immediately preceding such operation, or, in the event such motor vehicle has been operated more than five thousand (5,000) miles during such period, unless within the five thousand (5,000) miles last operated by such vehicle, all tires mounted upon the wheels thereof or carried for use on such vehicle have been inspected by an inspection agency designated by the Office of Price Administration, and unless such inspection agency has certified that such person has made all reasonable and necessary adjustments, repairs, retreading, recapping, replacement of parts or tires, and realignment of wheels, found by such inspection agency to be necessary to conserve and providently utilize such tires, unless such operator is unable, under then existing rationing regulations, to make such repairs, retreading, recapping or replacement of parts or tires.

This amendment shall become effective on January 15, 1943. (E.O. 8989, 9156, 9294; 6 F.R. 6725, 7 F.R. 3349, 8 F.R. 221).

Issued at Washington, D. C., this 12th day of January 1943.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 43-598, Filed, January 12, 1943; 1:09 p. m.]

[Exemption Order ODT 21-4]

PART 521—CONSERVATION OF MOTOR EQUIPMENT, EXCEPTIONS, PERMITS AND EXEMPTIONS

SUBPART M—CERTIFICATES OF WAR NECESSITY

CERTAIN SPECIAL TRAILERS

Pursuant to Executive Orders 8989 and 9156, *It is hereby ordered*, That:

§ 521.3503 *Partial exemption of certain special trailers.* Platform trailers, pole trailers, house hauling trailers, boat trailers, transformer oil tank trailers, live electric line tool trailers equipped with solid rubber tires or pneumatic tires, and other rubber-tired trailers the structure of which makes it impracticable to mount or otherwise carry on the vehicle the certificate of war necessity or fleet unit certificate pertaining thereto, are hereby exempted from the provisions of paragraph (c) of § 501.93 of General Order ODT 21, as amended: *Provided*, That each such certificate pertaining to a vehicle exempted hereby shall be kept available for inspection at the office or other place of business of the owner or operator of said vehicle at which are customarily kept the transportation records pertaining to the operation of said vehicle.

This exemption order (§ 521.3503) shall become effective January 13, 1943, and shall remain in full force and effect until further order. (E.O. 8989, 9156; 6 F.R. 6725, 7 F.R. 3349; Gen. Order ODT 21, 7 F.R. 7100, 9006, 9437, 10025)

Issued at Washington, D. C. this 13th day of January, 1943.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 43-646; Filed, January 13, 1943; 11:42 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-328]

SHELBY COAL CO., INC.

ORDER WITHDRAWING NOTICE OF AND ORDER FOR HEARING, AND TERMINATING MATTER WITHOUT PREJUDICE

In the matter of Shelby Coal Company, Inc., registered distributor, Registration No. 8320, and W. K. Jenne, an individual doing business under the name and style of Shelby Coal Co., registered distributor, Registration No. 4797.

The above-entitled matter having been instituted by Notice of and Order for Hearing dated September 16, 1942, and the hearing herein having been indefinitely postponed by subsequent Order of the Director to a date and place to be thereafter designated by an appropriate order; and

It appearing that the certificates of registration of said Shelby Coal Company, Inc., and said W. K. Jenne as registered distributors having been revoked by order of the Director issued in Docket No. D-15 on November 25, 1942:

Now, therefore, it is ordered, That the said Notice of and Order for Hearing dated September 16, 1942, be and the same is hereby withdrawn, and that the above-entitled matter be and the same hereby is terminated without prejudice.

Dated: January 9, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-596; Filed, January 12, 1943; 12:31 p. m.]

[Docket No. 1717-FD]

SHELBY COAL CO.

ORDER DISMISSING COMPLAINT, AND TERMINATING MATTER WITHOUT PREJUDICE

In the matter of Shelby Coal Company (W. K. Jenne), registered distributor, Registration No. 4797.

The above-entitled matter having been instituted by a complaint of Ferguson Creek Coal Company, Pikeville, Kentucky, filed with the Division on June 6, 1941, a hearing thereon having been scheduled by Notice of and Order for Hearing issued herein on July 23, 1941, and said hearing having been indefinitely postponed by subsequent order of the Director to a date and place to be thereafter designated by an appropriate order; and

It appearing that the certificate of registration of said Shelby Coal Company (W. K. Jenne) as a registered distributor having been revoked by order of the Director issued in Docket No. D-15 on November 25, 1942:

Now, therefore, it is ordered, That the said complaint filed with the Division on June 6, 1941, be and the same hereby is dismissed, and that the above-entitled matter be and the same hereby is terminated without prejudice.

Dated: January 9, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-597; Filed, January 12, 1943; 12:31 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[Suspension Order 184]

COCA COLA BOTTLING COMPANY OF JAMESTOWN

ORDER RESTRICTING TRANSACTIONS

The Coca Cola Bottling Company of Jamestown, Jamestown, North Dakota, a corporation, hereinafter called respondent, was duly served with a notice of specific charges of violations of Rationing Order No. 3, Sugar Rationing Regulations, issued by the Office of Price Administration. Pursuant to the notice, a hearing upon the charges was held in Bismarck, North Dakota, on November 16, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been considered by the Deputy Administrator in Charge of Rationing, it is hereby determined that:

(a) Respondent is an industrial user of sugar, doing business at 109 Second Avenue, S. E., Jamestown, North Dakota, and is engaged in the business of manufacturing soft drink beverages for sale at wholesale.

(b) Respondent has violated Rationing Order No. 3, Sugar Rationing Regulations (§§ 1407.83 and 1407.84), in that in registering as industrial user of sugar on OPA Form R-310 respondent declared that the inventory of sugar owned by it on April 28, 1942, was 14,400 pounds, whereas the inventory of sugar owned by respondent on that date was, in fact, 30,130 pounds, as respondent then knew.

[1] 7 F.R. 7100, 9003, 9437, 10025.

(c) Respondent has violated Rationing Order No. 3, Sugar Rationing Regulations, (§§ 1407.83 and 1407.85), in that on April 28, 1942, in registering as an industrial user of sugar, respondent declared on OPA Form R–310 that it used monthly quantities of sugar aggregating 109,400 pounds during the year 1941 in the production of bottled beverages, flavoring extracts and syrups; whereas, in fact, respondent used only 72,216 pounds of sugar during said year for such purposes as respondent then knew.

(d) By means of the misrepresentations made by respondent on OPA Form R–310 filed on April 28, 1942, concerning respondent's inventory of sugar on April 28, 1942, and the amount of sugar used by it during each of the twelve months of the year 1941, respondent obtained sugar purchase certificates for 25,350 pounds to which it was not entitled.

(e) Respondent has violated Rationing Order No. 3, Sugar Rationing Regulations, (§ 1407.141), in that on July 28, 1942, it assigned and transferred sugar purchase certificate No. C–29531488, having a weight value of 5,800 pounds, to the M. A. Nashold Company, a corporation, without receiving sugar in exchange therefor.

(f) On September 18, 1942, respondent, in filing an amended registration as an industrial user of sugar, declared on OPA Form R–310 that it used monthly quantities of sugar aggregating 84,116 pounds during the year 1941 in the production of bottled beverages, flavoring extracts and syrups; whereas, in fact, respondent used only 72,216 pounds of sugar during said year for such purposes.

Because of the great scarcity and critical importance of sugar in the United States, respondent's violations of Ration Order No. 3, Sugar Rationing Regulations, have resulted in the diversion of sugar from military and essential civilian uses into non-essential uses, in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Deputy Administrator in Charge of Rationing that further violations by respondent are likely unless appropriate administrative action is taken. *It is therefore ordered:*

(g) The amended registration filed by respondent on or about September 18, 1942, is hereby cancelled; but respondent may re-register as an industrial user of sugar and shall show in such registration the actual amount of sugar used by it for industrial purposes during each month of the year 1941.

(h) 50,700 pounds of sugar shall be deducted from the weight value of the sugar purchase certificates that respondent would otherwise be entitled to receive under the sugar rationing regulations upon his re-registration in accordance with paragraph (g) hereof. Respondent shall not receive any sugar purchase certificates until 25,350 pounds of this amount have been deducted. Deduction of the balance of 25,350 pounds may be spread over several allotment periods, but in no allotment period shall respondent be granted sugar purchase certificates for more than fifty per cent of its allotment for such period until such time as deductions have been made for the entire balance of 25,350 pounds.

(i) Any terms used in this Suspension Order No. 184 that are defined in the sugar rationing regulations shall have the meaning therein given them.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); W.P.B. Directive No. 1 (7 F.R. 562); W.P.B. Supplementary Directive No. 1E (7 F.R. 2965))

Issued and effective this 13th day of January 1943.

PAUL M. O'LEARY,
Deputy Administrator in Charge of Rationing.

[F. R. Doc. 43–638; Filed, January 13, 1943; 11:10 a. m.]

[Order 2 Under MPR 19]

WILLIAMS FURNITURE CO.

ORDER DISMISSING APPLICATIONS FOR ADJUSTMENT

Order No. 2 under Maximum Price Regulation No. 19—Southern Pine Lumber.

On the 20th day of October 1942, Williams Furniture Company, Sumpter, South Carolina, filed two applications for adjustment of the maximum prices established by Maximum Price Regulation No. 19 for certain Southern pine lumber.

Due consideration has been given to the applications, and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Secretary of the Office of Price Administration.

For the reasons set forth in the opinion, under the authority vested in the Price Administrator and in accordance with the Emergency Price Control Act of 1942, as amended, Executive Order 9250, and Procedural Regulation No. 6: *It is ordered,* That Applications Nos. 3019–6 and 3019–7 be and the same hereby are denied.

Unless a request for review is filed, any contracts entered into by the Williams Furniture Company at the prices requested in the Application shall be revised in accordance with the terms of this order and payments made to the Williams Furniture Company in excess of the maximum prices authorized by this Order shall be refunded to the purchasers, and, within 30 days after the date on which this order was mailed to it, the applicant shall file a statement with the regional office with which the Applications were originally filed to the effect that such contracts were revised in accordance with the terms of this order and that, wherever required, refunds were made. If a request for review is filed the provisions of § 1300.401 of Procedural Regulation No. 6 shall govern.

Issued and effective this 13th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43–634; Filed, January 13, 1943; 11:09 a. m.]

[Amendment 1 to Order 27 Under MPR 122]

C. K. SMITH AND COMPANY

ORDER GRANTING ADJUSTMENT

Amendment No. 1 to Order No. 27 under Maximum Price Regulation No. 122—Solid Fuels Delivered from Facilities Other Than Producing Facilities—Dealers—Docket No. 3122–39.

Paragraph (d) of Order No. 27 under Maximum Price Regulation No. 122[1] is amended to read as follows:

(d) This Order No. 27 shall be effective as of June 20, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued and effective this 13th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43–637; Filed, January 13, 1943; 11:10 a. m.]

[Order 7 Under MPR 127]

J. WEINSTEIN & SONS, INC.

ORDER GRANTING EXCEPTION

Order No. 7 under Maximum Price Regulation No. 127—Finished Piece Goods—Docket No. 3127–486.

On June 25, 1942, J. Weinstein & Sons, Inc., (herein referred to as Petitioner), 251–255 Fourth Avenue, New York, New York, filed a petition for exception pursuant to § 1400.82 (i) (3) of Maximum Price Regulation No. 127. Consideration has been given to the petition and an opinion in support of this Order No. 7 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration, *It is hereby ordered:*

(a) Petitioner is granted an exception from the provisions of § 1400.82 (i) (2) (v) of Maximum Price Regulation No. 127, to the extent that it may concurrently:

(1) Convert and sell, in finished form, grey goods purchased prior to May 4, 1942, and

(2) Charge a jobber's markup on sales of goods purchased in a finished state.

(b) The exception granted in paragraph (a) above, shall be subject to the following conditions:

(1) Petitioner shall file with the Office of Price Administration, Washington, D. C., within 15 days following the date of issuance of this order, a report showing the total yardage of grey goods that petitioner has on hand which were purchased prior to May 4, 1942.

(2) Petitioner shall file with the Office of Price Administration, Washington, D. C. on or before the 15th day following the last sale of those goods converted from the inventory purchased prior to May 4, 1942 a report showing the total yardage and dollar volume of sales of finished piece goods converted and sold from said inventory.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 7 may be revoked or amended at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1400.81 of Maximum Price Regulation No. 127 shall apply to the terms used herein.

(f) This Order No. 7 shall become effective January 14, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43–636; Filed, January 13, 1943; 11:10 a. m.]

[1] 7 F.R. 8370.

[Order 4 Under MPR 136 as Amended]

CHRYSLER CORPORATION

ORDER GRANTING IN PART AND DENYING IN PART

Order No. 4 under Maximum Price Regulation No. 136, as amended—Machines and Parts and Machinery Services—Docket No. 3136–171.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, § 1390.25 (a) of Maximum Price Regulation No. 136, as amended, and Procedural Regulation No. 6, *It is hereby ordered:*

(a) Chrysler Corporation of Detroit, Michigan is hereby authorized to enter into, offer to enter into and carry out contracts with the United States or any agency thereof covering the following marine engines at prices not in excess of the maximum prices set opposite each engine listed below:

	Model No.	Standard rotation	Opposite rotation
Crown Marine Engine			
Reverse Gear		$388.00	$364.00
Reduction Gear	1.43	433.00	440.00
Reduction Gear	1.95	438.00	445.00
Reduction Gear	2.56	449.00	456.00
Reduction Gear	3.46	481.00	487.00
Reduction Gear	4.91	588.00	594.00
Reduction Gear, "V" Type	1.44	512.00	519.00
Reduction Gear, "V" Type	2.05	513.00	519.00
Imail Marine Engine			
Reverse Gear		$510.00	$513.00
Reduction Gear	1.43	595.00	595.00
Reduction Gear	2.03	605.00	605.00
Reduction Gear	2.51	620.00	620.00
Reduction Gear	3.17	627.00	627.00
Reduction Gear	4.48	715.00	718.00

(b) To the extent that the application for adjustment filed by the Chrysler Corporation has not been granted by this order, the application is denied.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

(d) This order shall become effective January 14, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43–635; Filed, January 13, 1943; 11:09 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 59–47, and 54–63]

REPUBLIC SERVICE CORP., ET AL.

NOTICE AND ORDER SPECIFYING CERTAIN ISSUES TO BE CONSIDERED AT RECONVENED HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 9th day of January, 1943 A. D.

In the matter of Republic Service Corporation and its subsidiaries, respondents.

The Commission having by orders dated May 9 and June 17, 1942, instituted proceedings against Republic Service Corporation and its subsidiaries under sections 11 (b) (1) and 11 (b) (2) of the Public Utility Holding Company Act of 1935; hearings have been held thereon from time to time; the Trial Examiner having continued the hearings to 10:00 a. m., January 18, 1943, at the offices of the Commission, 18th and Locust Streets, Philadelphia, Pennsylvania;

It appearing appropriate at this time to consider what action should be taken by the Commission pursuant to sections 11 (b) (1) and 11 (b) (2) of the Act on the basis of the record already adduced and to be adduced at such reconvened hearing:

It is ordered, That without limiting the scope of issues to be considered in the proceeding evidence will be adduced and consideration will be given at the reconvening of the hearing to the following issues:

1. Whether the Commission should enter an order forthwith pursuant to section 11 (b) (1) of the Act requiring the divestment by Republic Service Corporation of all interests held by it, directly or indirectly, in the businesses conducted and properties owned by Page Power Company, Madison Power Company, Massanutten Power Corporation, Massanutten Water Corporation, Holston River Power Company, Lehigh Ice Company, and Susquehanna Ice Company.

2. Whether the Commission should enter an order forthwith pursuant to section 11 (b) (2) of the Act requiring the recapitalization of Republic Service Corporation so as to ensure that the corporate structure of Republic Service Corporation does not unduly or unnecessarily complicate the structure, or unfairly or inequitably distribute voting power among security holders, of the Republic Service Corporation holding company system.

Notice of the issues thus to be considered is hereby given to the Respondents, to the other interested parties, and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors and consumers.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43–600; Filed, January 12, 1943; 2:37 p. m.]

[File No. 59–9]

STANDARD POWER AND LIGHT CORP., ET AL.

ORDER GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 8th day of January, A. D. 1943.

In the matter of Standard Power and Light Corporation, Standard Gas and Electric Company and subsidiary companies thereof, respondents.

The Commission having by an order dated August 8, 1941, entered in the above styled and numbered matter pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935, directed Standard Gas and Electric Company, a registered holding company, to dispose of its interest in certain companies as designated therein; and having by the terms of said order reserved jurisdiction to enter such further orders as it might deem necessary or appropriate; and

The respondent, Standard Gas and Electric Company, having filed an application pursuant to section 11 (c) of said Act for an extension of time for the period of one year within which to comply with said order of August 8, 1941; and

The Commission having found that Standard Gas and Electric Company has been unable in the exercise of due diligence to comply with said order within the initial statutory period of one year from the date thereof, and that an extension of time is necessary and appropriate in the public interest and for the protection of investors;

It is ordered, That Standard Gas and Electric Company be and it is hereby granted an additional period of one year from August 8, 1942, within which to comply with said order of August 8, 1941.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43–599; Filed, January 12, 1943; 2:37 p. m.]

WAR PRODUCTION BOARD.

Notice to Builders and Suppliers of Issuance of Revocation Orders Revoking and Stopping Construction of Certain Projects

The Director General for Operations of the War Production Board has issued certain revocation orders listed in Schedule A below, revoking preference rating orders issued in connection with, and stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 12, 1943.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Project affected	Date of issuance of revocation
P-19-c	4441-E	Pennsylvania Department of Highways, Harrisburg, Pa.	Pennsylvania, SN-FA 233-A (2) (1941) SN-FA 930-B (1) (1943).	1/8/43
P-19-c	12030-E	Ohio Department of Highways, Columbus, Ohio	Ohio SN-FAP 1030-B (1)	1/8/43
P-19-c	12032-E	Ohio Department of Highways, Columbus, Ohio.	Penfield, Ohio, SN-FAP 1030-C (1) (188 C (2) & 488 A (3)).	1/8/43
P-19-c	2682-E	New Mexico State Highway Commission, Santa Fe, N. Mex.	New Mexico SN-FAP 90-C (1)	1/8/43
P-19-c	15902-E	Illinois Department of Public Works and Buildings, Division of Highways, Springfield, Ill.	Williamsville, Ill SN-FA 26 (25) (2)	1/8/43
P-19-c	12749	Illinois Department of Public Works and Buildings, Division of Highways, Springfield, Ill.	Illinois SN-FA 25J (1), Roadway-	1/8/43
P-19-h	2858	American Food Products Corporation, Chicago, Ill.	Klamath Falls, Oreg	1/6/43
P-19-a	2507-A	Telephone Corporation, Erie, Pa	Oil City, Pa	1/6/43

[F. R. Doc. 43-604; Filed, January 12, 1943; 4:04 p. m.]

Notice to Builders and Suppliers of Issuance of Revocation Orders Partially Revoking and Stopping Construction of Certain Projects

The Director General for Operations of the War Production Board has issued certain revocation orders listed in Schedule A below partially revoking preference rating orders issued in connection with, and partially stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project, and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Law. 89 and 507, 77th Cong.)

Issued January 12, 1943.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A

Preference rating order	Serial No.	Name and address of the builder	Project affected	Date of issuance of revocation
P-19-c	120-E	State Highway Commission of Montana, Helena, Mont.	Melstone, Mont FAP 328-1 (1) (Unit 1)	1/8/43
P-19-c	218-E	Louisiana Department of Highways, Baton Rouge, La.	Lake Brum, La Floodway 3 (1), Floodway 4 (1)	1/8/43
P-19-c	236	Delaware State Highway Department, Dover, Del.	Elsmere, Del. FAGM 166 D (1)	1/8/43
P-19-c	642-E	Colorado State Highway Department, Denver, Colo.	De Beque, Colo. SN-FAGH 210-D (1)	1/8/43
P-19-a P-19-i	C-77804 15116	Produce Terminal Corporation, Chicago, Ill.	Powerhouse, Chicago, Ill	1/6/43

[F. R. Doc. 43-605; Filed, January 12, 1943; 4:04 p. m.]

Notice to Builders and Suppliers of Issuance of Stop Construction Orders Stopping Construction of Certain Projects

The Director General for Operations of the War Production Board has issued certain stop construction orders listed in Schedule A below, stopping the construction of the projects affected. For the effect of each such order upon construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 12, 1943.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A

Name and address of the builder	Project affected	Date of issuance of stop construction order
South Carolina State Hwy. Dept., Columbia, S. C.	Westminster, S. C., SN-FAP 312-C (1).	1/8/43

[F. R. Doc. 43-606; Filed, January 12, 1943; 4:04 p. m.]

Notice to Builders and Suppliers of Issuance of Revocation Orders Partially Revoking and Partially Stopping Construction of Certain Projects

The Director General for Operations of the War Production Board has issued certain orders partially stopping construction and partially revoking applicable preference ratings stopping the construction of the project affected and partially revoking the ratings applicable thereto which orders are listed in Schedule A below. For the effect of each such order upon the construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 12, 1943.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A

Name and address of builder	Project affected	Date of issuance of revocation order
U. S. Department of Commerce, Civil Aeronautics Administration, Washington, D. C.	Airport Development Project, Devil's Lake, N. Dak.	1/4/43
U. S. Department of Commerce, Civil Aeronautics Administration, Washington, D. C.	Airport Development Project Montpelier, Idaho.	1/4/43
U. S. Department of Commerce Civil Aeronautics Administration, Washington, D. C.	Airport Development Project, Santa Fe, N. Mex.	1/4/43
U. S. War Department Corps of Engineers, Washington, D. C.	Flood Control Project, Wallace Lake Reservoir, La.	1/6/43
U. S. War Department Corps of Engineers, Washington, D. C.	Flood Control Project, Cincinnati, Ohio.	1/6/43
U. S. War Department Corps of Engineers, Washington, D. C.	Flood Control Project, John Martin Reservoir, Colo.	1/6/43
U. S. War Department Corps of Engineers, Washington, D. C.	Flood Control Project, Massillon, Ohio.	1/6/43
U. S. War Department, Corps of Engineers, Washington, D. C.	Flood Control Project, Paducah, Ky.	1/6/43
U. S. War Department, Corps of Engineers, Washington, D. C.	Flood Control Project, Plymouth, Pa.	1/6/43
U. S. War Department, Corps of Engineers, Washington, D. C.	Flood Control Project, York, Pa.	1/6/43
U. S. War Department, Corps of Engineers, Washington, D. C.	Flood Control Project, Kansas City, Mo., and Kansas.	1/6/43
U. S. War Department, Corps of Engineers, Washington, D. C.	Flood Control Project, Memphis, Tenn.	1/6/43
U. S. War Department, Corps of Engineers, Washington, D. C.	Flood Control Project, Wolf Creek Reservoir, Ky.	1/6/43
U. S. War Department, Corps of Engineers, Washington, D. C.	Flood Control Project, Bluestone Reservoir, W. Va.	1/6/43
U. S. War Department, Corps of Engineers, Washington, D. C.	Flood Control Project, Wilkes-Barre and Hanover, Pa.	1/6/43
U. S. War Department, Corps of Engineers, Washington, D. C.	Los Angeles and Long Beach Harbors, Calif.	1/6/43

[F. R. Doc. 43-607; Filed, January 12, 1943; 4:05 p. m.]

Notice to Builders and Suppliers of Issuance of Revocation Orders Revoking and Stopping Construction of Certain Projects

The Director General for Operations of the War Production Board has issued certain orders stopping construction and revoking applicable preference ratings stopping the construction of the project affected and revoking the ratings applicable thereto, which orders are listed in Schedule A below. For the effect of each such order upon the construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 12, 1943.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A

Name and address of builder	Project affected	Date of issuance of revocation order
U. S. Dept. of Commerce, Washington, D. C.	Airport Development Project, Saranac Lake, N. Y.	1/4/32
U. S. Dept. of Commerce, Washington, D. C.	Airport Development Project, Miami, Virginia Key (Miami Number Two) Fla.	1/4/43
U. S. Dept. of Commerce, Civil Aeronautics Administration, Washington, D. C.	Lighting Facilities, Purcell, Okla	1/4/43
U. S. Dept. of Commerce, Civil Aeronautics Administration, Washington, D. C.	Lighting Facilities, Blanchard, Okla	1/4/43

SCHEDULE A—Continued

Name and address of builder	Project affected	Date of issuance of revocation order
U. S. Dept. of Commerce, Civil Aeronautics Administration, Washington, D. C.	Lighting Facilities, New Orleans-Kenner, La	1/4/43
U. S. Dept. of Commerce, Civil Aeronautics Administration, Washington, D. C.	Lighting Facilities, Shawnee, Okla	1/4/43
U. S. Dept. of Commerce, Civil Aeronautics Administration, Washington, D. C.	Lighting Facilities, New Smyrna, Fla	1/4/43
U. S. Department of Commerce, Civil Aeronautics Administration, Washington, D. C.	Lighting Facilities—Arlington, Grand Prairie, Tex	1/4/43
U. S. Dept. of Commerce, Washington, D. C.	Airport Development Project, Artesia, N. Mex	1/4/43
U. S. Dept. of Commerce, Washington, D. C.	Airport Development Project, Donaldsonville, La	1/4/43
U. S. Dept. of Commerce, Washington, D. C.	Airport Development Project, Ruston, La	1/4/43
U. S. Dept. of Commerce, Washington, D. C.	Airport Development Project, Mason City, Iowa	1/4/43
U. S. Dept. of Commerce, Washington, D. C.	Airport Development Project, Wilkes-Barre, Pa	1/4/43
U. S. Dept. of Commerce, Washington, D. C.	Airport Development Project, Natchez, Miss	1/4/43
U. S. Dept. of Commerce, Washington, D. C.	Airport Development Project, Cushing, Okla	1/4/43
U. S. Dept. of Commerce, Washington, D. C.	Airport Development Project, Georgetown, Tex	1/4/43
U. S. Dept. of Commerce, Washington, D. C.	Airport Development Project, Nogales, Ariz	1/4/43
U. S. Dept. of Commerce, Washington, D. C.	Airport Development Project, Willcox, Ariz	1/4/43
U. S. Dept. of Commerce, Washington, D. C.	Airport Development Project, Helena, Mont	1/4/43
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U. S. War Dept., Corps of Engineers, Washington, D. C.	Sacramento River, Calif., Flood Control Project, Level reconstruction, left bank of Sacramento River at various locations between Knights Landing and Meridian.	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	Sacramento River, Calif.—Flood Control Project—Levee reconstruction right bank Sacramento River at various locations from Princeton to Glenn.	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	Sacramento River, Calif.—Flood Control Project—Channel clearing and snagging on upper reaches of Sacramento River and tributaries.	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	Sacramento River, Calif., Flood Control Project—Alterations of railroad and other bridges.	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	Sacramento River, Calif.—Flood Control Project, Levee reconstruction Georgiana Slough, Lindsey Slough, and other minor tributaries.	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	Alluvial Valley of Mississippi River, Flood Control Project—Corrective Dredging Atchafalaya River.	1/6/43
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U. S. War Dept., Corps of Engineers, Washington, D. C.	Alluvial Valley of Mississippi River—Flood Control Project, Seawall, Morgan City, La.	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	Alluvial Valley of Mississippi River—Flood Control Project, Red River Backwater Levees.	1/6/43
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U. S. War Dept., Corps of Engineers, Washington, D. C.	Elmira, New York, Section 2	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	Surry Mountain Reservoir, N. H	1/6/43

SCHEDULE A—Continued

Name and address of builder	Project affected	Date of issuance of revocation order
U. S. War Dept., Corps of Engineers, Washington, D. C.	Birch Hill, Reservoir, Mass.	1/6/43
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U. S. War Dept., Corps of Engineers, Washington, D. C.	Flisbee Creek, Miss. (Snagging)	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	Memphis, Tenn. (Sections 1, 2, 3, 5, 6 and 7)	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	Natchitoches Parish, La.	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	Hatchie River, Miss. and Tenn. (Snagging)	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	Obion River, Tenn. (Snagging)	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	Bayou Gallon, La. (Snagging)	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	Bear Creek, Miss. (Snagging)	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	Big Black River, Miss. (Snagging)	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	Big Creek, La. (Snagging)	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	Cross, Caney, Black and Kimball Bayous, La. (Snagging)	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	Little Creek, La. (Snagging)	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	Quiver River, Miss. (Snagging)	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	Yalabusha River, Miss. (Snagging)	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	Lavaca River, Tex. (Snagging)	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	Trinity River, Tex. (Snagging)	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	Blue Mountain Reservoir, Ark.	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	Clearwater Reservoir, Mo.	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	Lac Qui Parle Reservoir, Minn.	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	Columbia Drainage and Levee District, Ill.	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	Green Bay Levee and Drainage District, Iowa	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	Mounds and Mound City, Ill.	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	San Gabriel River Channel, Calif.	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	Sacramento River, Calif. (Snagging)	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	Stony Creek, Calif. (Snagging)	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	Napa River, Calif. (Snagging)	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	Malheur River, Oreg. (Snagging)	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	Westport District, Oreg.	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	Dorena Reservoir, Oreg. (Relocations)	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	River and Harbor Project—Columbia River, Vancouver, Washington, to Bonneville, Oreg.	1/6/43

SCHEDULE A—Continued

Name and address of builder	Project affected	Date of issuance of revocation order
U. S. War Dept., Corps of Engineers, Washington, D. C.	River and Harbor Project—Craney Island Anchorage, Norfolk Harbor, Va.	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	River and Harbor Project, New Bedford Harbor, Mass.	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	River and Harbor Project, Bridgeport Harbor, Conn.	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	River and Harbor Project, Old River, Calif.	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	River and Harbor Project, San Joaquin River, Calif.	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	River and Harbor Project, Ohio River (a) Dredging at Wheeling Island. (b) Dredging at Little Grave Creek Bar. (c) Dredging Straight Creek Bar. (d) Dredging upper approach to Dam # 53. (e) Access road to Dashields Locks.	1/8/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	River and Harbor Project, Mississippi River between Missouri and Minneapolis, Minn.: (a) Landward Lock #2, Hastings. (b) Pilot Channels at Locks 13, 14, 17, 18, 21. (c) Channel markers, Pools 20 and 26.	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	River and Harbor Project, Hudson River, N. Y., Contracts, W-1097—Eng. 1947 and 2087.	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	River and Harbor Project, Potomac River, North Side of Washington Channel, District of Columbia.	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	River and Harbor Project, Liberty Island Anchorage, New York Harbor.	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	River and Harbor Project, Thames River, Conn.	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	Portsmouth-New Boston, Ohio, Sections 4 to 6, inclusive.	1/6/43
U. S. War Dept., Corps of Engineers, Washington, D. C.	River and Harbor Project, Fort Peck Navigation.	1/8/43

[F. R. Doc. 43-608; Filed, January 12, 1943; 4:05 p. m.]

RESTORATION AND AMENDMENT OF PREFERENCE RATING

Preference Rating Order P-19-h, Serial No. 25530. Name of builder: Federal Works Agency, North Interior Building, Washington, D. C. Project: WPW 6-166, East Hartford, Connecticut.

The revocation issued December 24, 1942 of the above serially numbered preference rating order is hereby cancelled; the ratings assigned by said preference rating order are hereby restored; and said preference rating orders shall have full force and effect, as hereinafter amended.

The above serially numbered preference rating order is hereby amended to expire on June 30, 1943.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 12, 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-609; Filed, January 12, 1943; 4:05 p. m.]

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Washington, Friday, January 15, 1943

Regulations

TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine

[B. E. P. Q.—Q. 48]

PART 301—DOMESTIC QUARANTINE NOTICES

MODIFICATION OF JAPANESE BEETLE QUARANTINE REGULATIONS

Revision of Regulations 3 and 5, effective January 14, 1943.

Introductory Note: Extensions of the regulated areas in Maryland, New York, Pennsylvania, Virginia, and West Virginia are made in the following revision of regulation 3 (§ 301.48–3). In Maryland, considerable territory on both the Eastern and Western Shores of the State has been brought under regulation, resulting in the inclusion of the entire State except for the southernmost section of the Western Shore and two small areas in the westernmost counties of the State. In New York, the village of Silver Creek, in Chautauqua County, and the cities of Fulton and Oswego, in Oswego County, have been added. In Pennsylvania, the borough of Wesleyville, in Erie County, is the only addition. Virginia extensions include the towns of West Point, in King William County, Pulaski, in Pulaski County, Woodstock, in Shenandoah County, and the cities of Radford and Roanoke. The area in West Virginia has been extended to include the counties of Barbour, Lewis, and Upshur, and the city of Hinton, in Summers County, the districts of Charleston, Elk, Loudon, and Malden, the town of South Charleston, in Kanawha County, and the town of Rowlesburg, in Preston County.

Under regulation 5 (§ 301.48–5) the area from which the movement of fruits and vegetables by motortruck or refrigerator car is regulated has been extended to include a magisterial district each in the Virginia counties of Norfolk and Princess Anne, the remaining sections of the Eastern Shore of Maryland previously excluded from this heavily infested area, 9 townships in Cumberland and York Counties, Pa., and a few townships each in Bergen, Morris, Passaic, and Warren Counties, N. J.

[Amendment 1 to the Rules and Regulations Supplemental to Notice of Quarantine 48]

Pursuant to the authority conferred by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U.S.C. 161), §§ 301.48–3 and 301.48–5 of the subpart entitled "Japanese Beetle" of part 301, chapter III, title 7, Code of Federal Regulations [regulations 3 and 5 of the rules and regulations supplemental to Notice of Quarantine No. 48], which were promulgated effective March 24, 1942, are hereby amended effective January 14, 1943 to read as follows:

AREAS UNDER REGULATION

§ 301.48–3 *Regulated areas.* In accordance with the provisos to § 301.48, the Secretary of Agriculture designates as regulated areas for the purpose of these regulations the States, Districts, counties, townships, towns, cities, election districts, and magisterial districts listed below, including all cities, towns, boroughs, or other political subdivisions within their limits:

Connecticut. The entire State.

Delaware. The entire State.

District of Columbia. The entire District.

Maine. County of York; towns of Auburn and Lewiston, in *Androscoggin County;* towns of Cape Elizabeth, Gorham, Gray, New Gloucester, Raymond, Scarboro, Standish, and the cities of Portland, South Portland, Westbrook, and Windham, in *Cumberland County;* the city of Waterville, in *Kennebec County;* and the city of Brewer, in *Penobscot County.*

Maryland. The entire State except the counties of Garrett and St. Marys; the election districts of Orleans (No. 1), Oldtown (No. 2), Flintstone (No. 3), North Branch (No. 16), Gross (No. 21), and Kifer (No. 33), in *Allegany County;* the election districts of Hill Top (No. 2), Cross Roads (No. 3), Allens Fresh (No. 4), Harris Lot (No. 5), Bryantown (No. 8), Patuxent (No. 9), and Marbury (No. 10), in *Charles County;* and the election district of Hancock (No. 5), in *Washington County.*

Massachusetts. The entire State.

New Hampshire. Counties of Belknap, Cheshire, Hillsboro, Merrimack, Rockingham, Strafford, and Sullivan; towns of Brookfield, Eaton, Effingham, Freedom, Madison, Moultonboro, Ossipee, Sandwich, Tamworth, Tuftonboro, Wakefield, and Wolfeboro, in *Carroll County;* towns of Alexandria, Ashland,

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FEDERAL REGISTER

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Telephone information: District 0525.

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Bridgewater, Bristol, Canaan, Dorchester, Enfield, Grafton, Groton, Hanover, Hebron, Holderness, Lebanon, Lyme, Orange, and Plymouth, in *Grafton County*.

New Jersey. The entire State.

New York. Counties of Albany, Bronx, Broome, Chemung, Chenango, Columbia, Cortland, Delaware, Dutchess, Fulton, Greene, Kings, Madison, Montgomery, Nassau, New York, Oneida, Onondaga, Orange, Otsego, Putnam, Queens, Rensselaer, Richmond, Rockland, Saratoga, Schenectady, Schoharie, Suffolk, Sullivan, Tioga, Ulster, Washington, and Westchester; towns of Red House and Salamanca, and the city of Salamanca, in *Cattaraugus County*; city of Auburn and the towns of Fleming, Owasco, and Sennett, in *Cayuga County*; village of Silver Creek, in *Chautauqua County*; towns of Amherst, Cheektowaga, and Tonawanda, and the cities of Buffalo and Lackawanna, in *Erie County*; towns of Columbia, Danube, Fairfield, Frankfort, German Flats, Herkimer, Litchfield, Little Falls, Manheim, Newport, Salisbury, Schuyler, Stark, Warren, and Winfield, and the city of Little Falls, in *Herkimer County*; town of Watertown and city of Watertown in *Jefferson County*; town of Mount Morris and village of Mount Morris, in *Livingston County*; city of Rochester, towns of Brighton and Pittsford, and village of East Rochester, in *Monroe County*, town of Manchester, in *Ontario County*; cities of Fulton and Oswego, in *Oswego County*; towns of Catharine, Cayuta, Dix, Hector, Montour, and Reading, and the borough of Watkins Glen, in *Schuyler County*; towns of Caton, Corning, Erwin, Hornby, and Hornellsville, and the cities of Corning and Hornell, in *Steuben County*; towns of Caroline, Danby, Dryden, Enfield, Ithaca, Newfield, and the city of Ithaca, in *Tompkins County*; towns of Luzerne and Queensbury and the city of Glens Falls in *Warren County*.

Ohio. Counties of Belmont, Carroll, Columbiana, Cuyahoga, Guernsey, Harrison, Jefferson, Mahoning, Medina, Portage, Stark, Summit, Tuscarawas, and Wayne; the city of Coshocton, in *Coshocton County*; the city of Columbus, and villages of Bexley, Grandview, Grandview Heights, Hanford, Marble Cliff, and Upper Arlington, in *Franklin County*, townships of Kirtland, Mentor, and Willoughby, and the villages of Kirtland Hills, Lakeline, Mentor, Mentor-on-the-Lake, Waite Hill, Wickliffe, Willoughby, and Willowick, in *Lake County*; the township of Newark and the city of Newark, in *Licking County*; the township of Madison and the city of Mansfield, in *Richland County*; townships of Bazetta, Braceville, Brookfield, Champion, Fowler, Hartford, Howland, Hubbard, Liberty, Lordstown, Newton, Southington, Warren, Weathersfield, and Vienna, the cities of Niles and Warren, and the villages of Cortland, Girard, Hubbard, McDonald, Newton Falls, and Orangeville, in *Trumbull County*.

Pennsylvania. The entire State except the townships of Athens, Beaver, Bloomfield, Cambridge, Conneaut, Cussewago, East Fairfield, East Fallowfield, East Mead, Fairfield, Greenwood, Hayfield, North Shenango, Pine, Randolph, Richmond, Rockdale, Sadsbury, South Shenango, Spring, Steuben, Summerhill, Summit, Troy, Union, Venango, Vernon, Wayne, West Fallowfield, West Mead, West Shenango, and Woodcock, the boroughs of Blooming Valley, Cambridge Springs, Cochranton, Conneaut Lake, Conneautville, Linesville, Saegerstown, Springboro, Townville, Venango, and Woodcock, in *Crawford County*; the townships of Amity, Conneaut, Elk Creek, Fairview, Franklin, Girard, Greene, Greenfield, Harborcreek, Lawrence Park, Le Boeuf, McKean, North East, Springfield, Summit, Union, Venango, Washington, and Waterford, and the boroughs of Albion, Cranesville, East Springfield, Edinboro, Fairview, Girard, Middleboro, Mill Village, North East, North Girard, Platea, Union City, Waterford, and Wattsburg, in *Erie County*, the townships of Deer Creek, Delaware, Fairview, French Creek, Greene, Hempfield, Lake, Mill Creek, New Vernon, Otter Creek, Perry, Pymatuning, Salem, Sandy Creek, Sandy Lake, South Pymatuning, Sugar Grove, and West Salem, and the boroughs of Clarksville, Fredonia, Greenville, Jamestown, New Lebanon, Sandy Lake, Sheakleyville, and Stoneboro, in *Mercer County*

Rhode Island. The entire State.

Vermont. Counties of Bennington, Rutland, Windham, and Windsor; and the town of Burlington, in *Chittenden County*.

Virginia. Counties of Accomac, Arlington, Culpeper, Elizabeth City, Fairfax, Fauquier, Henrico, Loudoun, Norfolk, Northampton, Prince William, Princess Anne, and Stafford; magisterial districts of Bermuda, Dale, Manchester, and Matoaca, in *Chesterfield County*; town of Emporia, in *Greensville County*; town of West Point, in *King William County*; magisterial district of Sleepy Hole, in *Nansemond County*; village of Schoolfield, in *Pittsylvania County*, town of Pulaski, in *Pulaski County*; magisterial districts of Hampton Jackson, and Wakefield in *Rappahannock County*; town of Woodstock, in *Shenandoah County*; magisterial district of Courtland, in *Spotsylvania County*; town of Front Royal, in *Warren County*; magisterial district of Newport, in *Warwick County*; magisterial district of Washington, in *Westmoreland County*; and the cities of Alexandria, Charlottesville, Danville, Fredericksburg, Hampton, Newport News, Norfolk, Petersburg, Portsmouth, Radford, Richmond, Roanoke, South Norfolk, Suffolk, and Winchester.

West Virginia. Counties of Barbour, Brooke, Hancock, Harrison, Jefferson, Lewis, Marion, Monongalia, Ohio, Taylor, and Upshur; magisterial districts of Arden, Falling Waters, Hedgesville, and Opequon and the city of Martinsburg, in *Berkeley County*; districts of Charleston, Elk, Loudon, and Malden, the city of Charleston, and the town of South Charleston, in *Kanawha County*; magisterial districts of Sand Hill, Union, Washington, and Webster, in *Marshall County*; town of Keyser and magisterial district of Frankfort, in *Mineral County*; the town of Rowlesburg, in *Preston County*; city of Hinton, in *Summers County*; magisterial district of Lincoln, in *Tyler County*; town of Paden City, in *Tyler* and *Wetzel Counties*; the city of Parkersburg and magisterial districts of Lubeck and Tygart, in *Wood County*.

* * * * *

MOVEMENT OF FRUITS AND VEGETABLES

§ 301.48–5 *Restrictions on the movement of fruits and vegetables*—(a) *Control of movement*. (1) Unless a certificate shall have been issued therefor, by an inspector, except as provided in subdivisions (i) to (iv), inclusive, of this section, no fruits or vegetables of any kind shall be moved interstate via refrigerator car or motortruck from any of the areas listed below to or through any point outside the regulated areas:

Delaware. The entire State.

District of Columbia. The entire District.

Maryland. Counties of Baltimore, Caroline, Cecil, Dorchester, Harford, Kent, Queen Annes, Somerset, Talbot, Wicomico, and Worcester; election districts Nos. 3, 4, and 5, in *Anne Arundel County*; the city of Baltimore, election districts of Elk Ridge (No. 1), and Ellicott City (No. 2), in *Howard County*

New Jersey. Counties of Atlantic, Bergen, Burlington, Camden, Cape May, Cumberland, Essex, Gloucester, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Ocean, Salem, Somerset, and Union; townships of Boonton Chatham, Chester, Denville, East Hanover, Hanover, Harding, Mendham, Montville, Morris, Morristown, Parsippany-Troy Hills, Passaic, Randolph, and Washington, the town of Boonton and the boroughs of Chatham, Florham Park, Lincoln Park, Madison, Mendham, Morris Plains, and Mountain Lakes, in *Morris County*; townships of Little Falls and Wayne, the cities of Clifton, Passaic, Paterson, and the boroughs of Haledon, Hawthorne, North Haledon, Prospect Park Totowa, and West Paterson, in *Passaic County*; townships of Allamuchy, Franklin, Greenwich, Hackettstown, Independence, Lopatcong, Mansfield, Phillipsburg, Pohatcong, and Washington, and the boroughs of Alpha and Washington, in *Warren County*.

Pennsylvania. Counties of Bucks, Chester, Delaware, Lancaster, Montgomery, and Philadelphia; all of *Berks County* except the townships of Albany, Bethel, Centre, Greenwich, Jefferson, Marion, North Heidelberg, Penn, Perry, Tilden, Tulpehocken, Upper Bern, Upper Tulpehocken, and Windsor, and the boroughs of Bernville, Centreport, Hamburg, Lenhartsville, Shoemakersville, Strausstown, and West Leesport; townships of Lower Allen, Monroe, and Upper Allen, and boroughs of Lemoyne, Mechanicsburg, and New Cumberland, in *Cumberland County*; townships of Londonderry, Lower Paxton, Lower Swatara, Susquehanna, and Swatara, the city of Harrisburg, and the boroughs of Highspire, Middletown, Paxtang, Penbrook, Royalton, and Steelton, in *Dauphin County*; all of *Lehigh County* except the townships of Heidelberg, Lowhill, Lynn, Washington, and Weisenberg, and borough of Slatington; all of *Northampton County* except the townships of Bushkill, Lehigh, Moore, Plainfield, Upper Mount Bethel, and Washington, and boroughs of Bangor, Chapman, East Bangor, Pen Argyl, Portland, Roseto, Stockertown, Walnutport, and Wind Gap; and all of *York County* except the townships of Carroll, Codorus, Dover, Franklin, Heidelberg, Jackson, Manheim, Monaghan, Paradise, Penn, Warrington, Washington, and West Manheim, and boroughs of Dillsburg, Dover, Franklintown, Hanover, Jefferson, Spring Grove, and Wellsville.

Virginia. Counties of Accomac, Arlington, and Northampton; magisterial district of Tanners Creek, in *Norfolk County*, and magisterial district of Kempsville, in *Princess Anne County*:

Provided, That shipments of fruits and vegetables moving interstate from the area specified in paragraph (a) (1) of this section to other points in the regulated area and subsequently diverted to points outside the regulated area, shall be regarded as direct shipments from the points of origin. As such they require certification:

Provided further, That the Chief of the Bureau of Entomology and Plant Quarantine may by administrative instructions extend or reduce the areas specified in this section when in his judgment such action is considered advisable.

(i) No restrictions are placed on the interstate movement of fruits and vegetables between October 16 and June 14, inclusive, except that in the case of movement interstate from the following areas, the exemption applies only during the period from October 16 to May 31, inclusive:

Virginia. The counties of Accomac and Northampton; magisterial district of Tanners Creek, in *Norfolk County*, and magisterial district of Kempsville, in *Princess Anne County*.

(ii) No certificate or permit will be required for the interstate movement of fruits and vegetables when transported by a common carrier on a through bill of lading either from a point outside the area designated in this section through that area to another outside point, or from the area designated in this section through a nonregulated area to another regulated area, except that a certificate is required for interstate movement from the area specified in paragraph (a) (1) of this section to Toledo, Ohio, and Charlottesville and Winchester, Va. No restrictions are placed on the movement of fruits and vegetables from the above-named isolated points.

(iii) No restrictions are placed on the interstate movement of fruits and vegetables when they shall have been manufactured or processed in such a manner that in the judgment of the inspector no infestation could be transmitted.

(iv) No restrictions are placed on the interstate movement of fruits and vegetables from the area listed in paragraph (a) (1) of this section to the remainder of the regulated area, other than as specified in subdivision (ii) of this section.

(b) *Conditions of certification*. Certificates may be issued for the interstate movement of fruits and vegetables between June 15 and October 15, inclusive (or between June 1 and October 15, inclusive, when consigned from Accomac County, Northampton County, magisterial district of Tanners Creek, in *Norfolk County*, or magisterial district of Kempsville, in *Princess Anne County*, Va.) under one of the following conditions:

(1) When the fruits and vegetables moving by motortruck have actually been inspected by the United States Department of Agriculture and found free from infestation. The number of inspection points for such certification will be limited and their location determined by shipping needs and further conditioned on the establishment at such points of provisions satisfactory to the inspector for the handling and safeguarding of such shipments during inspection. Such inspection may be discontinued and certification withheld by the inspector during periods of general or unusual flight of the beetles.

(2) When the fruits and vegetables have been handled or treated under the observation of an inspector in manner and by method to free them from any infestation.

(3) When the fruits and vegetables have originated outside the areas designated in this section, and are to be reshipped directly from freight yards, transfer points, or unloading docks within such areas, under provisions satisfactory to the inspector for safeguarding of such shipments pending certification and reshipment. Certificates on this basis will be issued without inspection only in cases where, in the judgment of the inspector, the shipments concerned have not been exposed to infestation while within such freight yards, transfer points, or unloading docks.

(4) When the fruits and vegetables were grown in districts where the fact has been established to the satisfaction of the inspector that no infestation exists and are to be shipped directly from the farms where grown to points outside the areas designated in paragraph (a) (1) of this section, or are shipped from infested districts where the fact has been established to the satisfaction of the inspector that the Japanese beetle has not begun or has ceased its flight.

(5) When the fruits and vegetables moving via refrigerator car from the area designated in this section have been inspected and loaded in a manner to prevent infestation, in a refrigerator car with closed or adequately screened doors and hatches, which car prior to loading has been determined by an inspector as fumigated or thoroughly swept and cleaned by the common carrier in a manner to rid it of infestation. During the interval between fumigation or cleaning and loading, such refrigerator car must be tightly closed and sealed. (For further requirements on the cleaning of refrigerator cars, see § 301.48–13.)

(6) When the fruits and vegetables moving via refrigerator car from the area designated in this section have been fumigated in the car, when deemed necessary in the judgment of the inspector, and when the doors and hatches of the car have been tightly closed or adequately screened under the supervision of an inspector.

(7 CFR § 301.48; sec. 6, 39 Stat. 1165, 44 Stat. 250; 7 U.S.C. 161)

This amendment shall be effective on and after January 14, 1943.

Done at the city of Washington this 12th day of January 1943. Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43–593; Filed, January 12, 1943; 11:35 a. m.]

Chapter VIII—Sugar Agency

PART 802—SUGAR DETERMINATIONS

SUGAR CANE PRODUCTION IN PUERTO RICO DURING CROP YEAR 1943–44

Determination of farming practices to be carried out in connection with the production of sugarcane during the crop year 1943–44 in Puerto Rico, pursuant to the Sugar Act of 1937, as amended.

Pursuant to the provisions of section 301 (c) of the Sugar Act of 1937, as amended, the following determination is hereby issued:

§ 802.431 *Farming practices to be carried out in connection with the production of sugarcane during the crop year 1943–44*. The requirements of section 301 (c) of the Sugar Act of 1937, as amended, shall be deemed to have been met with respect to any farm in Puerto Rico if food crops for human consumption are grown during the period February 1, 1943, to January 31, 1944, on the type of land and in the manner set forth below:

(a) The land to be used for the production of the food crops shall be land suitable for the production of sugarcane.

(b) The food crops planted must be among the following: beans (any type), cowpeas, corn, rice, yams, potatoes (Irish and sweet), gandules (plant crop), tanier, apio, cassaba (yuca).

(c) The acreage of such food crops shall be equal to not less than 20% of the land on the farm on which sugarcane is growing at January 31, 1943 (but in no event less than one-tenth of an acre): *Provided, however*, That not less than 50% of such acreage shall be planted to the food crops specified in paragraph (b) which are legumes.

(d) The land devoted to the crops in question shall be suitably prepared by

Putnam, Queens, Rensselaer, Richmond, Rockland, Saratoga, Schenectady, Schoharie, Suffolk, Sullivan, Tioga, Ulster, Washington,

land, Windham, and Windsor; and the town of Burlington, in *Chittenden County*.

Washington, in *Warren County*.

plowing or disking, adequately seeded, and cultivated in a workmanlike manner to assure a good stand at the time of maturity. (Sec. 301, 50 Stat. 910; 7 U.S.C. 1940 ed. 1131)

Done at Washington, D. C., this 14th day of January 1943. Witness my hand and seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Assistant Secretary of Agriculture.

[F. R. Doc. 43-690; Filed, January 14, 1943; 11:11 a. m.]

TITLE 24—HOUSING CREDIT

Chapter IV—Home Owners' Loan Corporation

[Bulletin 153]

PART 403—PROPERTY MANAGEMENT DIVISION

PROPERTY COMMITTEE

The first paragraph of § 403.02 shall be amended to read as follows:

§ 403.02 *Property Committee.* The Property Committee is a part of the Home Office organization of the Property Management Division. It shall consist of not less than three nor more than five members.

All cases submitted to that committee shall be reviewed by at least three of its members. The concurrence of a majority of the members reviewing a case shall be sufficient to decide any question that may be presented, except in cases which are required by the manual to be submitted to the General Manager or Deputy General Manager in charge of property management.

Subject to the above limitations on the authority of the Property Committee, its functions shall be:

* * * * *

Paragraph (b) of § 403.02 shall be amended to read as follows:

(b) To review and render decisions with regard to all cases which the Regional Manager or Regional Property Committee may deem it advisable to submit or which may be submitted by the Regional Manager as an appeal from the decision of the Regional Property Committee.

Effective: January 16, 1943.

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by sec. 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (k); E.O. 9070, 7 F.R. (1529))

[SEAL] J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 43-655; Filed, January 13, 1943, 1:51 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket Nos. A-1773, A-1777]

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

ORDER GRANTING RELIEF, ETC.

Order granting motion to amend petition, amending petition, consolidating petitions and granting temporary relief and conditionally providing for final relief in the matter of the petitions of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of certain mines and for changes in shipping points for the coals of certain other mines.

Original petitions, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 2 and requesting changes in shipping points for the coals of certain other mines also located in District No. 2; and

A motion having been filed with the Division on December 15, 1942, by the above-named petitioner, requesting that its original petition filed in Docket No. A-1773 be amended by deleting therefrom paragraph 3 (a) relating to the request for a change in shipping point for the coals of Mine Index No. 2341, for the reason that such relief is now unnecessary; and

It appearing that said petitions should be consolidated and that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act:

It is ordered, That said petitions be, and the same hereby are, consolidated.

It is further ordered, That said motion be, and the same hereby is granted, and that the original petition heretofore filed in Docket No. A-1773 be, and the same hereby is amended by deleting paragraph 3 (a) therefrom;

It is further ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 322.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R-I and § 322.9 (*Special prices—(c) Railroad fuel*) is amended by adding thereto Supplement R-II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petitions in the above-entitled matters and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: January 1, 1943.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 2

NOTE: The matter contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto

§ 322.7 *Alphabetical list of code members*—Supplement R-I

FOR ALL SHIPMENTS EXCEPT TRUCK

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine Index No.	Code member	Mine name	Seam	Sub-dist. No.	Shipping point	Railroad	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	15	16
164	Buckeye Coal Co., The	Normadin	Pittsburgh	3	Normadin Works, Pa.	Monogh	35	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
164	Buckeye Coal Co., The	Normadin	Pittsburgh	3	Normadin, Pa.	Mon	River	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
83	Consumers Mining Co.	Harmar	Freeport	3	Harmar Quarry, Pa.	PRR	79	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
83	Consumers Mining Co.	Harmar	Freeport	3	Harmar, Pa.	PRR	River	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
144	Creighton Fuel Co.	Creighton	Freeport	3	Creighton Colliery, Pa.	PRR	74	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
144	Creighton Fuel Co.	Creighton	Freeport	3	Creighton, Pa.	Alle	River	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
53	Crucible Fuel Co.	Crucible	Pittsburgh	3	Crucible Works, Pa.	Monogh	35	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
53	Crucible Fuel Co.	Crucible	Pittsburgh	3	Crucible, Pa.	Monon	River	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
9	Emerald Coal and Coke Co	Emerald	Pittsburgh	3	Emerald #1, Pa.	Monogh	35	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
							River															
9	Emerald Coal and Coke Co	Emerald	Pittsburgh	3	Emerald #2, Pa.	Monon	35	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
							River															
56	Fancy Hill Coal Co.	Eagle	Pittsburgh	3	Lake Lynn, Pa.	B&O	80	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
56	Fancy Hill Coal Co.	Eagle	Pittsburgh	3	Fort Martin, Pa.	Dead	River	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
2173	Frick Coke Co., H. C.	Bridgeport	Pittsburgh	3	So. Brownsville, Pa.	Monogh	30	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
2173	Frick Coke Co., H. C.	Bridgeport	Pittsburgh	3	New Salem, Pa.	Monogh	River	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
2170	Frick Coke Co., H. C.	Buffington	Pittsburgh	3	Palmer Dock, Am. Fuel Co., Pa.	Monon	30	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
38	Frick Coke Co., H. C.	Colonial #3	Pittsburgh	3	Colonial Colliery #3, Pa.	PRR	31	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
38	Frick Coke Co., H. C.	Colonial #5	Pittsburgh	3	Colonial Dock, East Rosedo, Pa.	Monon	River	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
39	Frick Coke Co., H. C.	Colonial #1	Pittsburgh	3	Colonial Colliery #1, Pa.	PRR	114	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
40	Frick Coke Co., H. C.	Colonial #1	Pittsburgh	3	Colonial Dock, East Rosedo, Pa.	Monon	36	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
67	Frick Coke Co., H. C.	Continental #1	Pittsburgh	3	Continental Works, Pa.	B&O-PRR	River	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
67	Frick Coke Co., H. C.	Continental #1	Pittsburgh	3	Fairlark, Pa.	Monogh	50	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
77	Frick Coke Co., H. C.	Filbert	Pittsburgh	3	Palmer Dock, Antram, Pa.	Monon	River	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
77	Frick Coke Co., H. C.	Filbert	Pittsburgh	3	Gates, Pa.	Monogh	31	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
118	Frick Coke Co., H. C.	Gates	Pittsburgh	3	Gates, Pa.	PRR	River	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
2171	Frick Coke Co., H. C.	Gates	Pittsburgh	3	Kyle Colliery, Pa.	PRR	31	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
2171	Frick Coke Co., H. C.	Kyle	Pittsburgh	3	Leisenring #1, Pa.	PRR	River	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
146	Frick Coke Co., H. C.	Leisenring	Pittsburgh	3	Leisenring #1, Pa. and Dock, East Rosedo, Pa.	Monon	30	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
146	Frick Coke Co., H. C.	Maxwell	Pittsburgh	3	Maxwell, Pa.	Monogh	31	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
146	Frick Coke Co., H. C.	Maxwell	Pittsburgh	3	Maxwell, Pa.	Monon	30	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
194	Frick Coke Co., H. C.	Rostock	Pittsburgh	3	Hastings Colliery, Pa.	PRR	31	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
194	Frick Coke Co., H. C.	Rostock	Pittsburgh	3	Rostock, Pa.	Monogh	30	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
2173	Frick Coke Co., H. C.	Shaw	Pittsburgh	3	Shaw, Pa.	B&O	194	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
93	Greensburg-Connellsville Coal & Coke Co.	Hubbard (H)	Pittsburgh	3	Shaw Colliery, Pa.	PRR	82	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
93	Greensburg-Connellsville Coal & Coke Co.	Hubbard (H)	T. Freeport	3	Versailles, Pa.	PRR	River	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
93	Greensburg-Connellsville Coal & Coke Co.	Hubbard (W)	T. Freeport	3	McKeesport, Pa.	Youghio	82	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
93	Greensburg-Connellsville Coal & Coke Co.	Hubbard (W)	T. Freeport	3	McKeesport, Pa.	Youghio	River	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
58	Hillman Coal & Coke Co.	Edna #1	T. Freeport	3	Edna Colliery #1, Pa.	B&O-PRR	115	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
160	Hillman Coal & Coke Co.	Naomi (H)	Pittsburgh	3	Fayette City, Pa.	Ind.L.E.	73	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
160	Hillman Coal & Coke Co.	Naomi (H)	Pittsburgh	3	Fayette City, Pa.	Monon	River	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
160	Hillman Coal & Coke Co.	Naomi (W)	Pittsburgh	3	Fayette City, Pa.	Ind.L.E.	73	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
160	Hillman Coal & Coke Co.	Naomi (W)	Pittsburgh	3	Fayette City, Pa.	Monon	River	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
165	Hillman Coal & Coke Co.	Oakmont	Pittsburgh	3	Oakmont Colliery, Pa.	PRR	77	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
165	Hillman Coal & Coke Co.	Oakmont	Pittsburgh	3	Oakmont Colliery, Pa.	Alle	River	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
177	Hillman Coal & Coke Co.	Ontario	Pittsburgh	3	Ontario Colliery, Pa.	PRR	80	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
177	Hillman Coal & Coke Co.	Ontario	Pittsburgh	3	Ontario Mine, Pa.	PRR	River	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
180	Hillman Coal & Coke Co.	Leland #5	Pittsburgh	3	Leland Works #5, Pa.	Monogh	31	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
180	Hillman Coal & Coke Co.	Leland #5	Pittsburgh	3	Leland Works #5, Pa.	Monon	River	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
2213	Hillman Coal & Coke Co.	Mergrow, Robert J.	Pittsburgh	3	Mergrow, Pa.	PRR	31	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
49	McGrew, Robert J.	Crescent #1	Pittsburgh	3	Crescent Colliery #1, Pa.	PRR	River	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
49	Pittsburgh Coal Co.	Crescent #1	Pittsburgh	3	Crescent #1	Pittsburgh	9	E	E	E	E	E	E	E	E	E	E	E	E	E	E	D
					California, Pa.	Monon																

§ 322.7 *Alphabetical list of code members*—Supplement R–I—Continued

Mine index No.	Code member	Mine name	Seam	Subdist. No.	Shipping point	Railroad	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
21	Republic Steel Corp	Brownsville Jct	Pittsburgh	3	Brownsville Jct Mine, Pa	PRR-Mongh	71	(†)	(†)	(†)	(†)	(†)	D	(†)	(†)	(†)	(†)	(†)	(†)	(†)	F	F	E
33	Republic Steel Corp	Clyde #1	Pittsburgh	9	Fredericktown, Pa	PRR	34	(†)	(†)	(†)	(†)	C	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	C	C	C
34	Republic Steel Corp	Clyde #1	Pittsburgh	9	Fredericktown, Pa	Monon	River	(†)	(†)	(†)	(†)	C	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	C	C	C
35	Republic Steel Corp	Clyde #3 (R)	Pittsburgh	9	Clyde Works #3, Pa	Mongh	35	E	E	C	C	C	C	C	C	C	(†)	A	A	A	B	C	C
35	Republic Steel Corp	Clyde #3 (R)	Pittsburgh	9	Fredericktown, Pa	Monon	River	E	E	C	C	C	C	C	C	C	(†)	A	A	A	B	C	C
35	Republic Steel Corp	Clyde #3 (W)	Pittsburgh	9	Clyde Works #3, Pa	Mongh	35	(†)	(†)	A	A	A	A	A	A	A	(†)	A	A	A	A	A	A
35	Republic Steel Corp	Clyde #3 (W)	Pittsburgh	9	Fredericktown, Pa	Monon	River	(†)	(†)	A	A	A	A	A	A	A	(†)	A	A	A	A	A	A
2149	Rhodes, Ruth	Oaks	Pittsburgh	3	Crystal Mine Siding, Crystal, Pa	B & O	80	F	F	E	E	E	F	E	E	E	(†)	A	A	A	A	A	A
204	Shannopin Coal Co	Shannopin	Pittsburgh	3	Shannopin Works, Pa	Mongh	30	(†)	(†)	(†)	(†)	E	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	E	E	E
204	Shannopin Coal Co	Shannopin	Pittsburgh	3	Poland, Pa	Monon	River	(†)	(†)	(†)	(†)	E	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	E	E	E
241	Vesta Coal Co., The	Vesta #4	Pittsburgh	9	Vesta Colliery #4, Pa	PRR	74	(†)	(†)	(†)	(†)	C	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	E	E	E
241	Vesta Coal Co., The	Vesta #4	Pittsburgh	9	California, Pa	Monon	River	(†)	(†)	(†)	(†)	C	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	E	E	E
241	Vesta Coal Co., The	Vesta #4	Pittsburgh	9	Vesta Colliery #5, Pa	PRR	74	(†)	(†)	(†)	(†)	C	C	C	C	(†)	(†)	(†)	(†)	(†)	E	E	E
242	Vesta Coal Co., The	Vesta #5	Pittsburgh	9	Vestaburg, Pa	Monon	River	(†)	(†)	(†)	(†)	C	C	C	C	(†)	(†)	(†)	(†)	(†)	E	E	E
242	Vesta Coal Co., The	Vesta #5	Pittsburgh	9	Vesta Colliery #6, Pa	PRR	34	(†)	(†)	(†)	(†)	C	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	E	E	E
234	Vesta Coal Co., The	Vesta #6	Pittsburgh	9	Denbo, Pa	Monon	River	(†)	(†)	(†)	(†)	C	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	E	E	E
233	Vesta Coal Co., The	Vesta #6	Pittsburgh	9	Vestaburg, Pa	Monon	30	F	F	E	E	E	F	E	E	E	(†)	A	A	A	A	A	A
256	West Point-Marion Coal Co	Walnut Hill	Pittsburgh	3	Walnut Hill Works, Pa	Mongh	River	F	F	E	E	E	F	E	E	E	(†)	(†)	(†)	(†)	(†)	(†)	(†)
256	West Point-Marion Coal Co	Walnut Hill	Pittsburgh	3	Dilliner, Pa	Monon																	

†Indicates no classifications effective for these size groups.

NOTE: The above prices are applicable only via the respective Freight Origin Groups, Shipping Points, and Railroads shown for the respective mines. Freight Origin Groups, Shipping Points, and Railroads previously assigned to these mines are no longer applicable.

§ 322.9 *Special prices*—(c) *Railroad fuel*—Supplement R–II.

NOTE: In § 322.9 (c) in Minimum Price Schedule add the mine index numbers in groups shown.

Group No. 1: 21, 160; 33, 170; 49, 231; 58, 232; 93, 233. *Group No. 2:* 229. *Group No. 3:* 177, 2174. *Group No. 6:* 38, 176; 39, 2171; 40, 2173; 118. *Group No. 7:* 35, 164; 53, 180; 56, 194; 60, 204; 67, 236; 77, 2146; 146, 2170. *Group No. 9:* 48, 88, 165, 2113.

[F. R. Doc. 43–649; Filed, January 13, 1943; 12:24 p. m.]

[Docket Nos. A–1791, A–1793, A–1798]

PART 322—MINIMUM PRICE SCHEDULE. DISTRICT NO. 2

ORDER GRANTING RELIEF, ETC.

Order of consolidation and order granting temporary relief and conditionally providing for final relief in the matter of the petitions of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of certain mines and for changes in shipping points for the coals of certain other mines.

Original petitions pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 2 and requesting changes in shipping points for the coals of certain other mines also located in District No. 2; and

It appearing that said petitions should be consolidated, and that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matters; and

The following action being deemed necessary in order to effectuate the purposes of the Act:

It is ordered, That said petitions be, and the same hereby are, consolidated;

It is further ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 322.7 (*Alphabetical list of code members*) is amended by adding thereto Supplements R–I and R–III, § 322.9 (*Special prices—(c) Railroad fuel*) is amended by adding thereto Supplements R–II and R–IV, and § 322.23 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petitions in the above-entitled matters and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: January 1, 1943.

(SEAL) DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 2

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 322.7 *Alphabetical list of code members*—Supplement R–I

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Seam	Subdist. No.	Shipping point	Railroad	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
2608	Brown Coal Co. (W. E. Brown)	Union Valley	Pittsburgh	7	Finleyville, Pa	B&O	87	C	C	C	C	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2613	Dearth Coke Company (Lawrence Parshall).	Dearth (S)	Pittsburgh	3	Dearth, Pa	Mongh	30	E	E	C	C	B	B	B	B	B	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2611	Monongview Coal Co., c/o Carl W. Walker.	Martin #1 (S)	Pittsburgh	3	Martin Preparation Tipple, Martin, Pa.	Mongh	30	E	E	E	E	E	E	E	E	E	(†)	(†)	(†)	(†)	(†)	(†)	(†)
543	Morocco & Warren (Tony Morocco).	Naser (S)	Pittsburgh	9	Blackburn Siding, Trafford, Pa.	PRR	74	D	D	C	C	G	F	G	G	G	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2610	Mrozek, Steve	Baran (D)	Sewickley	3	Vance Mill, Pa	PRR	31	J	J	H	H	H	H	H	H	H	(†)	(†)	(†)	(†)	(†)	(†)	(†)
986	Tunnel Coal Co. (W. T. McGee)	Cornish (D)	Pittsburgh	3	Cornish Works, Pa	B&O	80	(†)	(†)	(†)	(†)	(†)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	E	E	E
2607	Wynn Coal & Coke Co. (Martin W. Brune).	Brunl (S)	Pittsburgh	3	Wynn, Pa	PRR	31	(†)	(†)	(†)	(†)	(†)	E	E	E	E	(†)	(†)	(†)	(†)	(†)	(†)	(†)

†Indicates no classifications effective for these size groups.
*Indicates classifications previously established for this size group.

§ 322.9 *Special prices*—(c) *Railroad fuel*—Supplement R–II.

NOTE: In § 322.9 (c) in Minimum Price Schedule, add the mine index numbers in groups shown.

Group No. 2: 543, 2608. *Group No. 7:* 986, 2607, 2611, 2613. *Group No. 8:* 2610.

§ 322.7 *Alphabetical list of code members*—Supplement R–III

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Seam	Subdist. No.	Shipping point	Railroad	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
1285	C. & I. Coal Company	Isabelle (D)	Pittsburgh	5	Derry, Pa	PRR	91	G	G	G	G	H	H	G	G	G	(†)	(†)	(†)	(†)	(†)	(†)	(†)
3076	Fraree, E. O. (Pt. Marion Coal Co.)	Liston 2	Pittsburgh	3	Crystal, Pa	B&O	80	F	F	E	E	E	E	E	E	E	(†)	(†)	(†)	(†)	(†)	(†)	(†)
499	Hoehheimer, G. M. (H. R. Sackett C. & C. Co.)	Morgan (S)	Pittsburgh	3	Rich Hill Siding, Outcrop, Pa.	B&O	80	(†)	(†)	(†)	(†)	(†)	E	E	E	E	(†)	(†)	(†)	(†)	(†)	(†)	(†)
2205	Hoehheimer, G. M. (H. R. Sackett C. & C. Co.).	Rich Hill 10 (D)	Pittsburgh	3	Rich Hill Siding, Outcrop, Pa.	B&O	80	(†)	(†)	(†)	(†)	(†)	E	E	E	E	(†)	(†)	(†)	(†)	(†)	(†)	(†)

†Indicates no classifications effective for these size groups.

NOTE.—The above prices are applicable only via the respective Freight Origin Groups, Shipping Points, and Railroads shown for the respective mines. Freight Origin groups, Shipping Points, and Railroads previously assigned to these mines are no longer applicable.

§ 322.9 *Special prices*—(c) *Railroad fuel*—Supplement R–IV.

NOTE: In § 322.9 (c) in Minimum Price Schedule, add the mine index numbers in groups shown.

Group No. 7: 499, 2205, 3076. *Group No. 18:* 1285.

FOR TRUCK SHIPMENTS

§ 322.23 *General prices*—Supplement T

Code member index	Mine index No.	Mine	Seam	Base sizes: Lump over 4"	Lump 4"	Lump 3"	Lump 2"	Egg 2" x 4"	Stove 1" x 4"	Pea ⅜" x 1¼"	Run of mine	2" N/S	1¼" slack	¾" slack
				1	2	3	4	5	6	7	8	9	10	11
FAYETTE COUNTY														
Ajax Coal Company (Earl F. Barnett)	2609	Ajax	Sewickley	295	285	275	260	240	230	230	230	215	210	195
Dearth Coal Company (Lawrence Parshall)	2613	Dearth (S)	Pittsburgh	310	300	290	270	250	240	235	240	225	220	195
Monongwa Coal Company c/o Carl W. Walker	2611	Martin #1 (S)	Pittsburgh	310	300	290	270	250	240	235	240	225	220	195
Mrozek, Steve	2610	Baran (D)	Sewickley	295	285	275	260	240	230	230	230	215	210	195
Wynn Coal & Coke Co. (Martin W. Ruane)	2607	Brumi (S)	Pittsburgh	310	300	290	270	250	240	235	240	225	220	195
WASHINGTON COUNTY														
Brown Coal Co. (W. F. Brown)	2608	Union Valley	Pittsburgh	315	305	295	270	260	240	240	245	210	195	150
WESTMORELAND COUNTY														
Beatty Coal Company	281	Duquesne (W)	Pittsburgh	(*)	(*)	(*)	(*)	(*)	(*)	240	(*)	(*)	(*)	(*)
Ford, Lee S. (Ford Coal Co.)	2612	Latrobe (S)	Pittsburgh	300	290	280	270	250	240	240	235	215	205	195
Paul, Weimer, & Leonard (Wm. P. Paul)	2585	Paul #2	Pittsburgh	330	320	310	290	270	260	255	265	230	220	195
King Coal Company (C. F. King)	2614	Barnhart	Redstone	285	275	265	250	245	235	215	220	200	190	180

(*) For mechanically cleaned coal add 10¢ to Size Group 7.
*Indicates prices previously established for these size groups.

[F. R. Doc. 43-650; Filed, January 13, 1943; 12:24 p. m.]

[Docket No. A-1551]

PART 327—MINIMUM PRICE SCHEDULE, DISTRICT NO. 7

ORDER GRANTING RELIEF, ETC.

Order of the director granting relief in the matter of the petition of District Board No. 7 for a change in price classifications in minimum prices in Size Group 7 for all shipments except truck and Size Group 4, for truck shipment, for the coals of Hunter No. 2 mine, Mine Index No. 84 of Fire Creek Fuel Company.

This proceeding was instituted upon a petition filed with the Bituminous Coal Division, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, by District Board No. 7 requesting that the price classification of "C" in Size Group 7, presently established for the coals of the Hunter No. 2 Mine (Mine Index No. 84) of the Fire Creek Fuel Company, be changed to classification "B" for all shipments except truck.

Pursuant to an appropriate order and after due notice, a hearing in this matter was held on October 6, 1942, before D. C. McCurtain, a duly designated Examiner of the Division, at a hearing room thereof in Washington, D. C., at which interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard.

District Board No. 7 and the Bituminous Coal Consumers' Counsel entered their appearances.

The preparation and filing of a report by the Examiner were waived by all parties thereto and the record was thereupon submitted to the undersigned.

The undersigned having made Findings of Fact and Conclusions of Law herein and having rendered an opinion in this matter, all of which are filed herewith;

Now, therefore, it is ordered, That commencing forthwith § 327.11 (*Low volatile coals: Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 327.34 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.[1]

It is further ordered, That the petition of District Board No. 7 be and it is hereby granted to the extent set forth herein and it is in all other respects hereby denied.

Dated: January 12, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-648; Filed, January 13, 1943; 12:24 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter III—Bureau of Mines

PART 303—GENERAL LICENSES PERTAINING TO EXPLOSIVES

SODIUM NITRATE USED AS FERTILIZER

The document dated December 7, 1942 (an extension of general purchaser's license for sodium nitrate used as fertilizer), published December 29, 1942, [7 F.R. 10925] under this title, is corrected by changing the section number appearing therein as "§ 303.7" to "§ 303.6," and the section number appearing therein as "§ 301.6" to "§ 303.6".

R. R. SAYERS, *Director.*

Approved: January 11, 1943.

OSCAR L. CHAPMAN, *Assistant Secretary*

[F. R. Doc. 43-675; Filed, January 14, 1943; 10:23 a. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1010—SUSPENSION ORDERS

[Suspension Order S-211]

TRU VAL PETROLEUM CO.

Sidney Smook, doing business as Tru Val Petroleum Company, located at Main Street and Carlton Avenue, Port Washington, New York, is engaged in the marketing of motor fuel to service stations and the maintenance and operation of service stations. During the months of April, May and June, 1942, Tru Val Petroleum Company delivered to five service stations including the Sidney Smook Service Station located at Farmingdale, New York, which is owned and operated by Tru Val Petroleum Company, approximately 48,476 gallons of motor fuel in excess of the amounts permitted to be delivered to such service stations in accordance with the provisions of Limitation Order L-70.

These violations of Limitation Order L-70 have impeded and hampered the war effort of the United States by diverting motor fuel to uses unauthorized by the War Production Board. In view of the foregoing facts, *It is hereby ordered*, That:

§ 1010.211 *Suspension Order S-211.* (a) Sidney Smook, doing business under the name of Tru Val Petroleum Company, or under any other name, his or its successors and assigns, shall not deliver or cause to be delivered, directly or indirectly, to any of the service stations listed below any motor fuel as the same is defined in Limitation Order L-70, except as specifically authorized by the Director General for Operations:

Bellwein Service Station, Inc., Great Neck New York.
Glen Shore Service Station, Inc., Glen Cove, New York.
Sidney Smook Service Station, Farmingdale, New York.
Boulevard Auto Service, Port Washington, L. I.
Boulevard Auto Service, Freeport New York.

(b) Sidney Smook and any other person or persons who may now or hereafter occupy the service station located at Farmingdale, New York, now or recently occupied by said Sidney Smook, shall not accept at that service station the delivery of any motor fuel as the same is defined in Limitation Order L-70, except as specifically authorized by the Director General for Operations.

[1] Not filed as part of the original document.

(c) No persons shall deliver any motor fuel as the same is defined in Limitation Order L-70 to the service station located at Farmingdale, New York, now or recently occupied by Sidney Smook.

(d) Nothing contained in this order shall be deemed to relieve Sidney Smook, doing business under the name of Tru Val Petroleum Company or under any other name, from any restriction, prohibition or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on January 15, 1943, and shall terminate on April 15, 1943, at which time the restrictions contained in this order shall be of no further effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 13th day of January 1943.

ERNEST KANZLER, *Director General for Operations.*

[F. R. Doc. 43-651; Filed, January 13, 1943; 1:20 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-213]

JULIUS HAAS

Julius Haas is the owner of the premises known as 2015 Walnut Street, Philadelphia, Pennsylvania. On or about September 7, 1942, Mr. Haas began construction, ordered, purchased and accepted delivery of materials in order to begin construction on the remodeling of said premises from a house into nine apartments, at an estimated cost of approximately $8,200.00, without having obtained specific authorization from the Director General for Operations. The construction is now partially completed, work having been stopped by the War Production Board approximately two months ago. At the time this construction began Julius Haas knew or should have known of the restrictions contained in Conservation Order L-41 and his acts constituted a wilful violation of said order.

This violation of Conservation Order L-41 has hampered and impeded the war effort of the United States by diverting scarce materials to uses not authorized by the War Production Board. In view of the foregoing facts, *It is hereby ordered*, That:

§ 1010.213 *Suspension Order S-213.* (a) Neither Julius Haas nor any other person shall order, purchase, accept delivery of, withdraw from inventory, or in any other manner secure or use material or construction plant in order to continue or complete construction of the apartment house located at 2015 Walnut Street, Philadelphia, Pennsylvania, except as specifically authorized by the Director General for Operations.

(b) For a period of three months from the effective date of this order, no application filed by Julius Haas or any other person for authorization to complete the apartment house mentioned in paragraph (a) hereof, shall be granted.

(c) Nothing contained in this order shall be deemed to relieve Julius Haas from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on January 15, 1943.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 13th day of January 1943.

ERNEST KANZLER, *Director General for Operations.*

[F. R. Doc. 43-652; Filed, January 13, 1943; 1:20 p. m.]

PART 978—UTILITIES: MAINTENANCE, REPAIR AND SUPPLIES

[Supplementary Preference Rating Order P-46-c]

In accordance with the provisions of § 978.1 *Preference Rating Order P-46*, as amended, which the following order supplements:

§ 978.4 *Supplementary Preference Rating Order P-46-c.* Notwithstanding the provisions of paragraph (f) (3) (ii) of Preference Rating Order P-46, as amended, electric service connections may be made by producers to permit the operation of farm production equipment, *Provided*, That all of the following conditions are satisfied:

(a) The prospective consumer possesses one of the following types of electric farm equipment of sufficient capacity for the use contemplated, or can obtain such equipment without priorities assistance, or a preference rating of AA-5 or better has been assigned to deliveries of such equipment to him:

(1) Water pump for livestock; (2) milking machine; (3) milk cooler; (4) incubator; (5) brooder; (6) feed grinder.

(b) There is no other means of operating such equipment on the premises.

(c) The length of such connection will not exceed 100 feet per animal unit determined in accordance with Schedule I annexed hereto, and will not exceed 5,000 feet total length, except upon specific authorization from the Director General for Operations.

(d) The prospective consumer will use electric service to operate equipment for farm production derived from animals aggregating not less than 10 animal units, determined in accordance with Schedule I annexed hereto.

(e) Primary lines are single phase and are constructed of No. 6 galvanized steel wire (except that copper-covered steel wire or No. 4 or No. 6 A. C. S. R. conductor may be used to the extent that it is available in the excess inventory of any producer).

(f) Secondary lines and services require not more than 30 pounds of copper for any prospective consumer.

(g) The prospective consumer's application for service is accompanied by a certification from his USDA County War Board in substantially the following form:

(To the Utility Addressed):

Mr. _____ is eligible for an electric connection of _____ feet under the terms of Preference Rating Order P-46-c. In the opinion of this USDA County War Board this connection will result in a substantial increase in farm production, or a substantial saving of farm labor, and is in accord with the spirit, as well as the letter, of Preference Rating Order P-46-c.

_____
(For USDA County War Board)

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 14th day of January 1943.

ERNEST KANZLER, *Director General for Operations.*

SCHEDULE I

EQUIVALENT ANIMAL UNITS

A. Livestock on hand:	
1 Milk cow	one unit
10 Beef cattle (all cattle, including calves, other than milk cows and cattle in feed lot)	one unit
30 Breeding ewes	one unit
3 Brood sows	one unit
75 laying hens	one unit
40 Turkeys or geese	one unit
B. Estimated production of livestock for market:	
20 Cattle (in feed lot) per year	one unit
160 Lambs (in feed lot) per year	one unit
30 Feeder pigs per year	one unit
250 Chickens (not broilers) per year	one unit
600 Chickens (broilers) per year	one unit

[F. R. Doc. 43-694; Filed, January 14, 1943; 11:27 a. m.]

Chapter XI—Office of Price Administration

PART 1394—RATIONING OF FUEL AND FUEL OIL PRODUCTS

[Ration Order 5C,[1] Amendment 13]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraph (b) of § 1394.7757, paragraph (c) of § 1394.7758, paragraph (e) of § 1394.8051, and paragraph (c) of § 1394.8052, are amended; a new paragraph (e) to § 1394.7705, a new paragraph (e) to §1394.7755, a new paragraph

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372.

(f) to § 1394.8051, a new § 1394.8111, and a new paragraph (m) to § 1394.8352, are added; as set forth below:

Supplemental Rations

§ 1394.7705 *Issuance of supplemental rations.* • • •

(e) In the gasoline shortage area, upon the allowance by the Board of any mileage whatsoever, the Board's action may be reviewed by the District Manager, State Director or Regional Administrator as provided in § 1394.8111.

Official and Fleet Rations (for Official and Fleet Passenger Automobiles and Motor Vehicles)

§ 1394.7755 *Issuance of official and fleet rations.* • • •

(e) In the gasoline shortage area, upon the allowance by the Board of any mileage whatsoever the Board's action may be reviewed by the District Manager, State Director or Regional Administrator as provided in § 1394.8111.

§ 1394.7757 *Issuance of rations for use with vehicles operated on dealer plates.* • • •

(b) Such ration shall be issued in the same manner as a fleet ration under the conditions provided in §§ 1394.7754 and 1394.7755, and application for such ration shall be made to a Board on Form OPA R–551: *Provided*, That the certification therein contained as to ownership of tires by the registered owner of the vehicle shall be revised to constitute a certification as to tires owned by the owner of the vehicle. The applicant shall annex to the application a written statement showing the Federal Use Tax Stamp number and the engine number of such vehicle.

• • • • •

§ 1394.7758 *Issuance of rations to lessee of passenger automobiles or motorcycles available for public rental.* • • •

(c) If the Board finds the facts as stated on the application to be true, it shall determine the allowed mileage for such vehicle in the manner provided in § 1394.7754 and shall issue a ration in accordance with the provisions of paragraphs (a), (b), (c) and (e) of § 1394.7755 except as otherwise provided herein. The Board issuing the ration shall, at the time of issuance, note on the cover of the book the name and address of the person to whom the ration is issued, and shall note on the book and on the application the date on which it expires. If the term of the lease remaining from the date of issuance of the ration is less than the valid period of the ration as determined in accordance with the provisions of paragraph (a) of § 1394.7755, the Board shall issue a ration containing coupons sufficient to allow the allowed mileage for only the remaining term of the lease, and shall remove from the ration book or books issued all coupons in excess of such number, and in such case the expiration date of the ration shall be the date on which the lease terminates.

• • • • •

Renewal of Rations and Issuance of Further Rations

§ 1394.8051 *Renewal of rations.* • • •

(e) In the gasoline shortage area the Board when renewing a supplemental ration issued after December 9, 1942, or a fleet or official ration or a ration issued pursuant to the provisions of § 1394.7757 or § 1394.7758 may issue books or coupons for a valid period no longer than the valid period of the books in the current ration or coupons not in excess of the number issued for the vehicle or vehicles in the current ration. In renewing supplemental rations issued before December 9, 1942 a Board in the gasoline shortage area may issue a ration which would permit driving not in excess of 75 per cent of the mileage allowed by the current ration.

(f) No Board in the gasoline shortage area (unless otherwise directed by the District Manager, State Director or Regional Administrator) may in renewing any of the rations specified in paragraph (e) issue a ration or coupons in excess of the amounts, or having a shorter valid period than that specified in paragraph (e), unless the application for renewal is reviewed and such issuance is recommended by the District Manager, State Director or Regional Administrator is provided in § 1394.8111.

§ 1394.8052 *Issuance of further ration for use prior to expiration date of current ration.* • • •

(c) If the Board determines that, for one or more of the reasons specified in paragraph (a) of this section, more mileage is needed, or in the case of a nonhighway ration, more gasoline is required than that stated in the application on the basis of which the current ration was issued, it may grant a further ration in accordance with the provisions of paragraph (b) of § 1394.8054. In any case in which application hereunder is made to compensate for a reduction in the unit value of Class A, B or C coupons held by the applicant the Board (unless otherwise directed by the District Manager, State Director or Regional Administrator) may not issue a further ration to compensate for mileage lost by reason of a reduction in the unit value of Class B or Class C coupons unless the application is reviewed by the District Manager, State Director or Regional Administrator as prescribed in § 1394.8111. The Board may grant a further ration to compensate for mileage lost by reason of a reduction in the unit value of Class A coupons only if it finds that the applicant still required the mileage lost by reason of such reduction.

• • • • •

§ 1394.8111 *Review and modification of rations by District Managers, State Directors and Regional Administrators in the gasoline shortage area.* (a) Any District Manager or State Director subject to the direction of the Regional Administrator, and any Regional Administrator, shall have power to review any supplemental, fleet or official ration or any ration under § 1394.7757 or § 1394.7758 issued after the date of this amendment or any renewal of any such ration or any further ration granted under § 1394.8052, or any application therefor, if such ration, renewal or further ration includes or represents a restoration of the reduction in mileage caused to any ration holder by change in unit value of coupons. Such review shall be made as the Regional Administrator may direct either before or after the issuance of any such ration, renewal or further ration. Pursuant to such review and in order to meet the deficiencies in supply, to conserve gasoline for the most essential uses, and to give full effect to the provisions in this order with reference to ride-sharing and alternative means of transportation, the District Manager or State Director, subject to the direction of the Regional Administrator, or the Regional Administrator may order, or direct the Board to order such ration to be withheld, modified, suspended or revoked in whole or in part.

(b) In making such review or in ordering such withholding, modification, suspension or revocation, the District Manager or State Director, as the Regional Administrator may direct, or the Regional Administrator, may obtain such additional information as he deems necessary. Any person whose ration has been withheld, suspended, modified, or revoked hereunder may appeal from such action on the part of the Board, the District Manager, the State Director or the Regional Administrator in accordance with the procedure of Procedural Regulation No. 9.

• • • • •

Effective Dates

§ 1394.8352 *Effective dates of amendments.* • • •

(m) Amendment No. 13 (paragraph (b) of § 1394.7757, paragraph (c) of § 1394.7758, paragraph (e) of § 1394.8051, and paragraph (c) of § 1394.8052, are amended; a new paragraph (e) to § 1394.7705, a new paragraph (e) to § 1394.7755, a new paragraph (f) to § 1394.8051, a new § 1394.8111, and a new paragraph (m) to § 1394.8352) to Ration Order No. 5C shall become effective January 13, 1943.

(Pub. Law 671, 76th Cong., 3d Sess., as amended by Pub. Law 89, 77th Cong., 1st Sess., and by Pub. Law 507, 77th Cong., 2d Sess., Pub. Law 421, 77th Cong., 2d Sess., W. P. B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 13th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43–662; Filed, January 13, 1943; 4:49 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 12,[1] Amendment 7]

COFFEE RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraph (a) of § 1407.1000 and paragraph (b) of § 1407.1004 are amended to read as follows; and paragraph (g) of § 1407.1090a and a new item to § 1407.1092 are added, as set forth below:

Institutional Users

§ 1407.1000 *Allotment certificates—*(a) *Application.* Application for allotment certificates shall be made by a registering unit for each period, as provided in this section. The first period for which allotment certificates may be granted shall be the period from the date of registration to January 31, 1943, inclusive, and application therefor shall be made at the time of registration. All subsequent applications for allotment certificates shall be for consecutive one-month periods, the first of which shall commence on February 1, 1943. Applications shall be made not later than the fifth day of the month for which application is being made and not earlier than the 15th day of the preceding month. The board, in its discretion, may permit an application to be made at any time after the time specified herein but in such case the board shall reduce the allotment by an amount which bears the same proportion to the allotment as the number of days which have elapsed from the start of the period bears to the total number of days in the period.

• • • • •

§ 1407.1004 *Establishments which were not in operation between September 1 and November 21, 1942.* • • •

(b) Each of the first two allotments of roasted coffee to be granted for such an institutional establishment shall be equal to one pound of roasted coffee for every 100 meals to be served by the institutional establishment during the allotment period for which application is made, as estimated by the registering unit and approved by the board. The amount of each subsequent allotment shall be equal to one pound of roasted coffee for every 100 meals served by the institutional establishment in the preceding allotment period. In all other respects the institutional establishment shall be treated as if it had been in operation between September 1 and November 21, 1942.

Schedules

§ 1407.1092 *Allotment percentage for institutional users.*

Period:	Percentage of base
• • •	• •
Feb. 1, 1943, to Feb. 28, 1943, inclusive	40

Effective Date

§ 1407.1090a *Effective dates of amendments.* • • •

(g) Amendment No. 7 (§§ 1407.1000 (a), 1407.1004 (b), 1407.1090a (g), and 1407.1092) shall become effective January 13, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 729, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1–R)

Issued this 13th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43–661; Filed, January 13, 1943; 4:49 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9710, 10380, 11071, 11072; 8 F.R. 28, 167.

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 288,[1] Amendment 2]

SPECIFIC MAXIMUM PRICES IN ALASKA

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subparagraph (5) is added to paragraph (a) of § 1418.363.

§ 1418.363 *Tables of maximum prices.* (a) • • •

(5) The above prices shall be for the months of November, December and January. For the remaining months of the year the following additions shall be made to each of the above prices:

	Cents
February	½
March	1
April	1½
May	2
June	2½
July	3
August	3½
September	2
October	1

§ 1418.362a *Effective dates of amendments.* • • •

(b) Amendment No. 2 (§ 1418.363 (a) (5)) to Maximum Price Regulation No. 288 shall become effective January 13, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 13th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43–663; Filed, January 13, 1943; 4:48 p. m.]

PART 1429—POULTRY AND EGGS

[RPS 269,[2] Amendment 3]

POULTRY

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new paragraph (c) is added to § 1429.14 as set forth below:

§ 1429.14 *Adjustment of maximum prices for live and dressed poultry.* • • •

(c) Each Regional Administrator is authorized to make adjustments or act upon applications for adjustment under this section.

[1] 7 F.R. 10581, 11012; 8 F.R. 28.

[2] 7 F.R. 10708, 10864, 11118.

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§ 1429.25 *Effective dates of amendments.* • • •

(c) Amendment No. 3 to Revised Maximum Price Regulation No. 269 (§ 1429.14 (c)) shall become effective January 13, 1943.

(Pub. Law No. 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43–664; Filed, January 13, 1943; 4:48 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[Temporary MPR 25]

CORN

In accordance with the direction of the President to take action which will stabilize prices affecting the cost of living, and under the authority therewith delegated by the President pursuant to the Act of Congress approved October 2, 1942, entitled "An Act to aid in stabilizing the cost of living" (H. R. 7565), 77th Congress, 2nd Session, and under the authority of the Emergency Price Control Act of 1942, as Amended, and Executive Order No. 9250, the Price Administrator, after consultation with the Secretary of Agriculture, hereby issues this Temporary Maximum Price Regulation No. 25 establishing as the maximum prices for corn the prices prevailing on January 11, 1943, or during the five days prior to the date of issuance of this regulation.

AUTHORITY: § 1439.51 to 1439.62, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1439.51 *Maximum prices.* From January 13, 1943, to March 13, 1943, inclusive, regardless of any contract, agreement or other obligation, no person shall sell or deliver corn, and no person in the course of trade or business shall buy or receive corn at prices higher than the maximum prices set forth in Appendix A of this Temporary Maximum Price Regulation No. 25; and no person shall agree, offer, solicit or attempt to do any of the foregoing. Lower prices may be charged, demanded, paid or offered.

§ 1439.52 *Exempt sales.* (a) This Temporary Maximum Price Regulation No. 25 shall not apply to the following:

(1) Sales and deliveries made directly by a farmer of corn produced on his farm. However, this Temporary Maximum Price Regulation No. 25 shall apply to a sale or delivery by a farmers' cooperative.

(2) Sales and deliveries of seed corn, popcorn, grain sorghums, sweet corn, broom corn, or any corn not included within the definition of corn in § 1439.59 hereof.

§ 1439.53 *Evasion.* The price limitations set forth in this Temporary Maximum Price Regulation No. 25 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery,

purchase or receipt of or relating to corn alone or in conjunction with any other commodity, or by way of any commission, service, transportation or other charge, discount, premium or other privilege or by tying-agreement or other trade understanding.

§ 1439.54 *Conditional agreements.* No seller of corn shall enter into an agreement permitting the adjustment of the prices to prices which may be higher than the maximum prices provided by this Temporary Maximum Price Regulation No. 25 in the event that this regulation is amended or is determined by a court to be invalid or upon any other contingency: *Provided*, That if a petition for amendment has been duly filed, and such petition requires extensive consideration, the Price Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment. Requests for such an exception may be included in the aforesaid petition for amendment.

§ 1439.55 *Sales for export.* The maximum prices at which a person may export corn shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[1] issued by the Office of Price Administration.

§ 1439.56 *Records and reports.* (a) As to all sales not specifically exempted by other sections of this Temporary Maximum Price Regulation No. 25, every person selling corn shall preserve for examination by the Office of Price Administration all his existing records relating to prices at which he delivered, supplied or contracted to buy or sell corn during the period from January 8, 1943, to January 12, 1943, inclusive.

(b) As to all sales not specifically exempted by other sections of this Temporary Maximum Price Regulation No. 25, every person selling corn shall keep and make available for examination by the Office of Price Administration records of the same kind as he has customarily kept relating to the prices which he charged for corn during the period from January 13, 1943, to March 13, 1943, inclusive.

(c) Such persons shall submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraphs (a) and (b) of this section as the Office of Price Administration may from time to time require.

§ 1439.57 *Enforcement.* (a) Persons violating any provisions of this Temporary Maximum Price Regulation No. 25 are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this Temporary Maximum Price Regulation No. 25 or of any price schedule, regulation, or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation are urged to communicate with the nearest district, state, field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1439.58 *Petitions for amendment.* Persons seeking modification of any provisions of this Temporary Maximum Price Regulation No. 25 or an adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[2] issued by the Office of Price Administration.

§ 1439.59 *Definitions.* (a) When used in this Temporary Maximum Price Regulation No. 25 the term:

(1) "Person" means an individual, corporation, partnership, association, or other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, any other government, or any of its political subdivisions, and any agencies of any of the foregoing.

(2) "Corn" means any grain which consists of 50 percent or more of shelled corn of the dent or flint varieties, and may contain not more than 10 percent of other grains for which standards have been established under the provisions of the United States Grain Standards Act.

(3) "Carload quantity" means a shipment or delivery of 60 000 pounds or more.

(4) "Less - than - carload quantity" means a shipment or delivery of less than 60,000 pounds.

(5) "Recognized cash grain market" means a market in which cash corn is regularly traded in substantial quantity. The term includes but is not restricted to the following markets:

Chicago, Ill	Indianapolis Ind
Omaha, Nebr	Baltimore, Md
St Louis, Mo.	Buffalo, N Y
Peoria, Ill	Kansas City, Mo
Louisville, Ky	Sioux City, Iowa
Boston, Mass	Cairo, Ill.
San Francisco, Calif	Cincinnati, Ohio
Minneapolis, Minn	Philadelphia, Pa
Cedar Rapids, Iowa	Portland, Oreg
Memphis, Tenn	

(6) "Interior point" means any point outside the switching limits of the recognized grain markets.

(7) "Transit billing" means freight bills or transit credits representing inbound shipments of grain duly recorded with railroads or railroad transit bureaus for transit purposes.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 and in the General Maximum Price Regulation, issued by the Office of Price Administration, shall apply to other terms used herein.

§ 1439.60 *Revocation or replacement of regulation.* This Temporary Maximum Price Regulation No. 25 may be revoked or replaced by a permanent maximum price regulation or order issued by the Office of Price Administration.

§ 1439.61 *Effective period.* This Temporary Maximum Price Regulation No. 25 (§§ 1439.51 to 1439.62, inclusive), shall become effective on January 13, 1943, and shall, unless earlier revoked or replaced, expire at 12 o'clock midnight, March 13, 1943.

§ 1439.62 *Appendix A*—(a) *Maximum prices per bushel for corn futures on the Commodity Exchanges in Chicago, Kansas City and Minneapolis.* (1) The maximum price per bushel at which a round lot contract or job lot contract for delivery in a future month may sell on the commodity exchanges of Chicago, Kansas City or Minneapolis shall be the highest price per bushel at which such contract for delivery in such future month was sold on such exchange during the trading session of Monday, January 11, 1943.

(2) If, at any one of such commodity exchanges, there was no trading in round lot or job lot contracts for delivery in some future delivery month on January 11, 1943, the maximum price per bushel for such a contract shall be the maximum price per bushel at which round lot or job lot contracts for delivery in May were traded on January 11, 1943, on such exchange, plus or minus the difference between the highest closing price per bushel for the May contract and the highest closing price per bushel for such contract on the first day prior to January 11, 1943, on which such contract and the May contract were both traded.

(b) *Maximum prices per bushel for any class and grade of corn in bulk, in carload quantities, in each recognized cash grain market.* (1) The maximum prices per bushel for any class and grade of corn in bulk, in carload quantities, in each recognized cash grain market shall be the highest price at which that class and grade was sold in that market on January 11, 1943.

(2) If there were no sale of any particular class and grade of corn at a particular recognized cash grain market on January 11, 1943, the maximum price per bushel shall be determined by adding to or subtracting from the highest price per bushel for the highest grade of that class of corn sold in that market on January 11, 1943, the difference between the highest price per bushel for this class and grade and the highest price per bushel for the class and grade on which the price is being determined, on the first day prior to January 11, 1943, when both such grades and classes were sold.

(c) *Maximum prices per bushel for each seller for any class and grade of corn in bulk, in carload quantities, delivered at interior points.* (1) The maximum prices per bushel for each seller for any class and grade of corn in bulk, in carload quantities, delivered at interior points shall be the highest of the prices determined as follows:

(i) The highest price at which the seller sold such class and grade of corn during the period January 8, 1943, to January 12, 1943.

(ii) The highest price at which the seller offered to sell such class and grade of corn during the period from January 8, 1943, to January 12, 1943.

(iii) The maximum price for such class and grade of corn at the nearest recognized grain market, or source of supply, plus the charge at the carload rail rate, flat or proportional, whichever is appropriate, from such recognized grain market to such interior point: *Provided*, That if the movement of corn to the interior point would normally be made on transit billing, the freight charge shall be calculated by using the normal transit balance rail rate applicable to such movement.

(d) *Maximum prices per bushel for shipments or deliveries of less-than-carload quantities.* Maximum prices per bushel for shipments or deliveries of less-than-carload quantities shall be the maximum carload price per bushel as determined in this Appendix A plus the differential per bushel charged by the seller for less-than-carload shipments or deliveries during the five days prior to January 13, 1943. If the seller made no less-than-carload shipments or deliveries during said period, he should take the differential charged during said period by his closest competitor.

(e) *Maximum prices per bushel for sacked corn.* Maximum prices per bushel for sacked corn shall be the maximum prices per bushel for corn, as determined in this Appendix A plus, if incurred by the seller, (1) the cost of sacks and (2) the cost of sacking.

Issued this 13th day of January 1943.

LEON HENDERSON,
Administrator.

Approved:

CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-660; Filed, January 13, 1943; 4:49 p. m.]

[1] 7 F.R. 5059, 7242, 8829, 9000, 10530.

[2] 7 F.R. 8961.

PART 1351—FOODS AND FOOD PRODUCTS

[MPR 237, Amendment 7]

ADJUSTED AND FIXED MARKUP REGULATION FOR SALES OF CERTAIN FOOD PRODUCTS AT WHOLESALE

Correction

In the document appearing on page 373 of the issue for Saturday, January 9, 1943, the figures listed in the table under "Class 3, service and delivery," and opposite items 11 and 12 should read "1.045" and "1.115." respectively, instead of "1.04" and "1.11".

PART 1388—DEFENSE-RENTAL AREAS

[Supp. Amendment 8A to Maximum Rent Regulations]

HOTELS AND ROOMING HOUSES

Correction

The text following the introductory paragraph of the document appearing on page 434 of the issue for Tuesday, January 12, 1943, should read as follows:

§ ---- *Prohibition.* • • •

(b) (1) No tenant shall be required to change his term of occupancy.

(2) Where, during June, 1942, a room was rented or offered for rent for a weekly or monthly term of occupancy, the landlord shall continue to offer the room for rent for that term of occupancy except that he is not required to rent for that term more than the greatest number of rooms which were rented for the term at any one time during June, 1942. However, if, during the year ending on June 30, 1942, a landlord had regular and definite seasonal practices with reference to the renting of rooms on a weekly or monthly basis, he may request the Administrator to approve such practices. When approval is given the landlord shall offer rooms for rent for weekly and monthly terms of occupancy pursuant to the practices so approved. The Administrator may withdraw approval at any time if he finds that the landlord has failed to conform to such practices, or if he finds that the effects of the approval are inconsistent with the Act or this maximum rent regulation or are likely to result in the circumvention or evasion thereof.

(3) Any tenant on a daily or weekly term of occupancy shall on request be permitted by the landlord to change to a weekly or monthly term unless the landlord is then renting for such term a number of rooms equal to the number which he is required to rent for that term under subparagraph (2). If the room occupied by such tenant was not rented or offered for rent for such term during June, 1942, the landlord may transfer the tenant to a room, as similar as possible, which was so rented or offered for rent.

• • • • • •

§ --- *Registration and records.* • • •

(e) (1) Every landlord of a room rented or offered for rent shall preserve, and make available for examination by the Administrator, all his existing records showing or relating to (i) the rent for each term and number of occupants for which such room was rented or regularly offered for rent during the thirty-day period determining the maximum rent for such room, (ii) the rent on any date determining a maximum rent for such room for a particular term and number of occupants under § ----[1] (c), and (iii) rooms rented and offered for rent on a weekly and monthly basis during June, 1942.

• • • • •

This supplementary amendment No. 8A to Maximum Rent Regulations for Hotels and Rooming Houses shall become effective January 20, 1943.

[1] The applicable section number is to be inserted for each maximum rent regulation. The respective section number to be inserted for each maximum rent regulation is as follows: 1388.1504, No. 21A; 1388.1554, No. 22A; 1388.1604, No. 23A; 1388.1854, No. 29A; 1388.1904, No. 30A; 1388.1954, No. 31A; 1388.2004, No. 32A; 1388.3004, No. 34A; 1388.4004, No. 36A; 1388.5004, No. 38A; 1388.6004, No. 40A; 1388.7004, No. 42A; 1388.8004, No. 44A; 1388.9004, No. 46A; 1388.84, No. 48A; 1388.184, No. 50A; 1388.334, No. 54A; 1388.434, No. 56A; 1388.634, No. 58A; 1388.734, No. 59A; 1388.834, No. 61A; and 1388.934, No. 63A.

PART 1499—COMMODITIES AND SERVICES

[Order 215 Under § 1499.3 (b) of GMPR]

HONEY BUTTER PRODUCTS CORP.

Maximum Prices Authorized under § 1499.3 (b) of the General Maximum Price Regulation—Order No. 215.

The Honey Butter Products Corporation, Groton, New York, has made application under § 1499.3 (b) of the General Maximum Price Regulation for determination of maximum prices for its product known as "Golden Bar Honey Butter". Due consideration has been given to the application, and an opinion in support of this order issued simultaneously herewith has been filed with the Division of the Federal Register.* For the reasons set forth in the opinion under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with § 1499.3 (b) of the General Maximum Price Regulation, *It is hereby ordered* That:

§ 1499.1451 *Authorization of maximum prices for the Honey Butter Products Corporation.* (a) On and after January 15, 1943, the Honey Butter Products Corporation may sell and deliver to wholesalers and chain stores its product known as "Golden Bar Honey Butter" at the following prices:

Size:	*Maximum price per dozen*
3½ ounce	$1.20
12 ounce	$3.60

(b) The prices set out next above shall be the maximum prices which the Honey Butter Products Corporation may receive for "Golden Bar Honey Butter" delivered in the states of Maine, New Hampshire, Vermont, New York, Massachusetts, Rhode Island, Connecticut, New Jersey, Pennsylvania, Ohio, West Virginia, Maryland, Delaware, and the District of Columbia.

(c) The maximum prices which the Honey Butter Products Corporation may receive for its product delivered to states other than those set forth in paragraph (b) shall be the maximum prices set forth in paragraph (a), plus the actual transportation charges incurred from the plant to the place of destination less 80¢ per cwt.

(d) Sellers at wholesale shall determine their maximum delivered selling price by adding to their net cost per dozen of each size a maximum profit of 25% of their net cost. "Net cost" for a wholesaler shall be his invoice cost at his customary receiving point less all discounts allowed him, except the discount for prompt payment. No local hauling, loading or unloading charges shall be included in the net cost.

(e) Sellers at retail shall determine their maximum delivered selling price per item by adding to their net cost per dozen a maximum profit of 40% and dividing the figure so obtained by 12. When the maximum prices so determined result in fractions of a cent the price per item may be adjusted to the

*Copies may be obtained from the Office of Price Administration.

next higher cent if the fraction is ½ cent or more, it shall be adjusted downward if the fraction is less than ½ cent. "Net cost" to a retailer shall mean his invoice price at his store less all discounts allowed him, except the discount for prompt payment.

The Honey Butter Products Corporation shall supply to their buyers, at the time of their first sale to such buyer, a written notice as follows:

The Office of Price Administration has authorized Honey Butter Products Corporation to sell "Golden Bar Honey Butter" at the following maximum delivered prices:

3½ ounce---------- $1.20 per dozen
12 ounce---------- $3.60 per dozen.

These are our maximum prices for "Golden Bar Honey Butter" delivered in the states of Maine, New Hampshire, Vermont, New York, Massachusetts, Rhode Island, Connecticut, New Jersey, Pennsylvania, Ohio, West Virginia, Maryland, Delaware, and the District of Columbia. Our maximum prices for these items delivered to states other than the aforementioned are the same as the prices set out above, plus the transportation from our plant less 80¢ per cwt.

The Office of Price Administration has authorized wholesalers to determine their maximum delivered selling prices per dozen by adding 25% to their net cost per dozen. "Net cost" means the invoice price less all discounts, except the discount for prompt payment.

(f) Honey Butter Products Corporation shall place on or in the smallest packing unit of each size a printed notice reading as follows:

The Office of Price Administration has authorized maximum ceiling prices for "Golden Bar Honey Butter" by specific Order No. 215. As a retailer, you are to determine your maximum delivered selling prices according to the provisions of this Order No. 215. This Order permits retailers to add to their net cost per dozen a maximum profit margin of 40% of this net cost. "Net cost" means the invoice price at your store less all discounts, except the discount for prompt payment. To arrive at your maximum selling price per item, divide the figure so obtained by 12. When the maximum prices so determined result in fractions of a cent, the price per item may be adjusted to the next higher cent if the fraction is ½¢ or more, and shall be adjusted downwards to the next lowest cent if the fraction is less than ½¢.

(g) This Order No. 215 may be revoked or amended by the Price Administrator at any time.

(h) This Order No. 215 (§ 1499.1451) shall become effective January 15, 1943.

(Pub. Law 421, and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 14th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-687; Filed, January 14, 1943; 10:45 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 216 Under § 1499.3 (b) of GMPR]

OLYMPIA CANNING CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1452 *Authorization of a maximum price for sales and deliveries prior to August 24, 1942, of 1942 pack of 3 plus 1 cold-pack Ettersburg strawberries packed in 50 gallon barrels by Olympia Canning Company, Olympia, Washington.* (a) On and after January 15, 1943, the maximum price for sales and deliveries prior to August 24, 1942, by Olympia Canning Company, Olympia, Washington, of 1942 pack of 3 plus 1 cold-pack Ettersburg strawberries packed in 50 gallon barrels shall be 14¢ per pound f. o. b. Olympia, Washington.

(b) Olympia Canning Company shall not change its customary discounts, allowances and price differentials, unless such change results in a lower selling price.

(c) Olympia Canning Company shall forthwith notify in writing purchasers from it of 1942 pack of 3 plus 1 cold-pack Ettersburg strawberries packed in 50 gallon barrels to whom sales and deliveries were made prior to August 24, 1942, as follows:

OPA has authorized us to charge you 14¢ per pound of 1942 pack of 3 plus 1 cold-pack Ettersburg strawberries packed in 50 gallon barrels for sales and deliveries prior to August 24, 1942, subject to all customary allowances and discounts. OPA requires you to keep this notice for examination.

(d) This Order No. 216 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 216 (§ 1499.1452) shall become effective January 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 14th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-688; Filed, January 14, 1943; 10:44 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 217 Under § 1499.3 (b) of GMPR]

WINTHROP CHEMICAL CO., INC.

Maximum Prices Authorized under § 1499.3 (b) of the General Maximum Price Regulation—Order No. 217.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

§ 1499.1453 *Approval of maximum prices for Vextra M Grade B sold by Winthrop Chemical Company, Inc.* (a) Winthrop Chemical Company, Inc., doing business in New York City, New York, may sell and deliver and any person may buy and receive from said company Vextra M Grade B, a compound for enriching flour, at the maximum prices hereinafter specified. The quality of Vextra M Grade B shall not differ from Vextra M Grade A, now and heretofore produced by said company, by more than 20 per cent reduction in strength taking a weighted average of the active ingredients. For each one per cent of reduction in strength of Vextra M Grade B from Vextra M Grade A the maximum price of Vextra M Grade B shall be reduced a like percentage from the present maximum price of Vextra M Grade A, to wit:

100 pound container---------- $3.50
25 pound container---------- $3.65
10 pound container---------- $3.80

All of the foregoing prices shall be f. o. b. producer's plant and the maximum delivered price shall be said f. o. b. maximum prices plus the lowest established transportation charge to the buyer's receiving point.

(b) This Order No. 217 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 217 (§ 1499.1453) shall become effective January 15, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 14th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-689; Filed, January 14, 1943; 10:44 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 160 Under § 1499.18 (b) of GMPR]

STANDARD BRANDS, INCORPORATED

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1061 *Adjustment of maximum prices for Standard Brands, Incorporated, brand Tenderleaf Tea.* (a) All wholesalers and retailers of Standard Brands, Incorporated, brand Tenderleaf Tea, throughout the continental United States, may sell and deliver; and any person may buy or receive the 1¼ ounce package of Tenderleaf Tea at the maximum price established for the 1½ ounce package by the General Maximum Price Regulation.

(b) At the time of the first delivery of the 1¼ ounce package of Tenderleaf Tea following the effective date of this order, Standard Brands, Incorporated, shall supply to any wholesaler or retailer taking such delivery a written notice and shall also include such written notice in the smallest multiple unit shipping package in which this item is customarily packed for shipment to retailers. If such notice is enclosed within the shipping package, a legend shall be attached outside the package to read "Ceiling Price Notice Enclosed." The written notice shall read as follows:

The 1½ ounce package of Tenderleaf Tea has been reduced to 1¼ ounces. The Office of Price Administration has authorized wholesalers and retailers to sell this 1¼ ounce package at the same ceiling price already established by each individual wholesaler and retailer for the 1½ ounce package. If the initial sale of this item to any retailer is in a quantity less than packed in the smallest multiple unit shipping package in which this item is customarily packed for shipment to retailers, the seller is required to supply such retailer with a copy of this notice. OPA requires wholesalers and retailers to keep this notice for examination.

(c) This Order No. 160 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 160 is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 160 (§ 1499.1061) shall become effective January 15, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 14th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-686; Filed, January 14, 1943; 10:44 a. m.]

*Copies may be obtained from the Office of Price Administration.

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

[Circular 1521]

PART 115—REVESTED OREGON AND CALIFORNIA RAILROAD AND RECONVEYED COOS BAY WAGON ROAD GRANT LANDS IN OREGON

PERMITS FOR RIGHTS-OF-WAY FOR LOGGING ROADS

Regulations governing permits for rights-of-way for logging roads over revested and reconveyed lands and intermingled public lands in Oregon.

Sec.
115.114 Statutory authority.
115.115 Tramroads defined.
115.116 Application.
115.117 Showing which must accompany application.
115.118 Trespass.
115.119 Rental charge.
115.120 Agreement required as a condition to issuance of permit.
115.121 Term of permit.
115.122 Action on application.
115.123 Disposition of papers and money.
115.124 Causes for cancellation of permit.
115.125 Disposition of property on termination of permit.
115.126 Assignment of permit.
115.127 Appeals and other proceedings.

AUTHORITY: §§ 115.114 to 115.127, inclusive, issued under the authority contained in 28 Stat. 635; 43 U.S.C. 956 and sec. 5, 50 Stat. 875.

§ 115.114 *Statutory authority.* The act of January 21, 1895 (28 Stat. 635; 43 U.S.C. 956), authorizes the Secretary of the Interior under such regulations as may be fixed by him to permit the use of rights-of-way over the public lands of the United States, for tramroads to the extent of 50 feet on each side of the center line of the tramroad, by any citizen or association of citizens of the United States, engaged in the business of mining, or quarrying, or of cutting timber and manufacturing lumber.

Section 5 of the Act of August 28, 1937 (50 Stat. 875), providing for the conservation management of the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands, authorizes the Secretary of the Interior to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of the Act into full force and effect.

By section 2 of the Act of June 9, 1916 (39 Stat. 219) and section 3 of the act of February 26, 1919 (40 Stat. 1180), the general laws relating to the granting of rights-of-way over or permits for the use of public lands were made applicable to the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands.

§ 115.115 *Tramroads defined.* Tramroads are considered as including tramways, narrow-gage railroads, and wagon or motor-truck roads, to be used in connection with mining, quarrying, logging, and the manufacturing of lumber.

§ 115.116 *Application.* All applications for permits for the temporary use of rights-of-way for logging road purposes over the Oregon and California Railroad and Coos Bay Wagon Road grant lands and intermingled public lands in the State of Oregon, under the jurisdiction of the Department of the Interior, should be submitted in duplicate, on form 4-980, which is made a part hereof,[1] and filed in the office of the Chief Forester, Oregon and California Revested Lands Administration, 410 Custom House, Portland, Oregon. Application forms will be furnished by the Chief Forester, upon request.

§ 115.117 *Showing which must accompany application.* Application by an individual must be accompanied by evidence of citizenship. The applicant must state in the application whether he is native born or a naturalized citizen. If naturalized, he must furnish the usual proof of naturalization.

(a) Application by a private corporation must be accompanied by a copy of its articles of incorporation duly certified by the proper officer of the company under its corporate seal or by the Secretary of the State where organized; also an uncertified copy. A company incorporated in a State other than the State of Oregon, must submit the certificate of the proper officer of the State of Oregon, that it has complied with the laws of that State governing foreign corporations to the extent required to entitle the company to operate in the State. If the company shall have previously filed the papers herein required, the requirement shall be held to be met if, in making subsequent applications specific reference is made to date and case number of such previous filings.

(b) A map prepared on tracing linen, with two print copies thereof, on a scale of 4 inches or 8 inches to the mile, showing the survey of the right-of-way properly located with relation to the public land surveys, so that the right-of-way may be accurately located on the ground by any competent engineer or forest officer. The map should comply with the following requirements:

Courses and distances of the center line of the right-of-way should be given; the courses referred to the true meridian and the distance in feet and decimals thereof.

The initial and terminal points of the survey should be accurately connected by course and distance to the nearest corner of the public land surveys.

All subdivisions of the public lands surveys any part of which is within the limits of the survey should be shown in their entirety, based upon the official subsisting plats with subdivision, section, township and range clearly marked.

The width of the right-of-way should be given and if not of uniform width, the location and amount of change must be definitely shown.

The map should bear upon its face the affidavit of the engineer who made the survey and the certificate of the applicant. (Forms 1 and 2 which are made a part hereof).[1]

§ 115.118 *Trespass.* The filing of an application for a temporary right-of-way permit will not authorize the applicant to use the right-of-way in any manner or for any purpose until a permit has been duly executed by the Chief Forester. Any unauthorized use of the right-of-way is a trespass. The Chief Forester will report such unauthorized use to the Regional Field Examiner and in no event shall a permit be issued for the right-of-way so used, or for any right-of-way, unless and until settlement has been made for the trespass.

§ 115.119 *Rental charge.* The charge for the use of rights-of-way for logging roads under a temporary permit shall be at the rate of five dollars ($5) per mile or fraction thereof per annum or any part thereof, the minimum charge to be five dollars ($5). No fee will be required on the filing of an application.

§ 115.120 *Agreement required as a condition to issuance of permit.* Before a permit will be issued for a logging road, the applicant will be required to execute and file an agreement on form 4-980a,[1] which is made a part hereof and shall constitute and form a part of the permit.

§ 115.121 *Term of permit.* When the necessary basic information has been secured, the Chief Forester, may in his discretion issue temporary permits for periods not to exceed two years.* When the permit expires, it may be renewed for periods not to exceed two years, in the discretion of the Chief Forester, upon such terms and conditions as he may prescribe.

§ 115.122 *Action on application.* When an application is received, the Chief Forester will assign thereto a number similar to that used in timber sales, with the symbol R.W.A., which will identify it as a right-of-way application and will secure from the Register of the District Land Office a status report of the lands involved. If the status of the lands is such as would not preclude the issuance of a permit the Chief Forester will then cause a field examination to be made, if necessary, to ascertain the amount of Government timber to be cut, removed or destroyed, if any, in the construction and operation of the road, and will make a determination as to the advisability of approval of the application. In making such determination, consideration will be

[1] Form filed as part of the original document.

given to the effect that the permit for the right-of-way will have on the removal of Government timber from the adjoining and adjacent revested and reconveyed areas, and as to whether the approval of the application will in any way interfere with the proper administration of the lands affected, or be inconsistent with the object of the Government, or adversely affect or impair watershed protection, stream-flow regulation and other conservation features enumerated in the act of August 28, 1937 (50 Stat. 874).

Upon determination that the use of the right-of-way applied for will not be contrary to public interest or inconsistent with the object of the Government, the Chief Forester will prepare a draft of agreement and permit, in quadruplicate, together with 2 copies thereof and shall transmit to the applicant the draft of agreement, in quadruplicate, for execution, allowing the applicant 10 days from receipt thereof in which to return the executed agreement, accompanied by such sum as may be specified by him as due in payment of the estimated damage to the Government timber which will be cut, removed, or destroyed, if any, in the construction of the road, plus the sum to cover the rental charge for the use of the right-of-way for the entire period specified in the agreement and permit. If the executed agreement is not returned, accompanied by the amounts due as rental and payment for damage to the Government timber, if any, or an application filed for the modification of any of its provisions, within the time specified, the application will be considered as abandoned and will be rejected.

If, within the time allowed, the applicant shall return the agreement properly executed, together with the sum due as rental and in payment for the damage to the Government timber, if any, the Chief Forester will date and sign the permit in quadruplicate, and make appropriate notations on the records of his office of the issuance of the permit.

§ 115.123 *Disposition of papers and money.* Upon the approval of the permit, the Chief Forester will forward one original to the permittee. One original permit and the duplicate application and a copy of the map will be retained by the Chief Forester for the files of his office. Two original permits with the two copies thereof, the original application, the original map and copy thereof, will be forwarded by the Chief Forester to the Register of the District Land Office for the district in which the land affected is located. The Register will not assign a serial number thereto but will make appropriate notations on his records of the permit, retaining one copy thereof and the copy of the map, and will transmit the two original permits and remaining copy together with the original application and map, to the Commissioner of the General Land Office.

(a) The moneys received in payment of rental charges and for damage to Government timber on revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands will be disposed of by the Chief Forester in the same manner as money received from the sale of Government timber on such lands. In all cases involving other than revested or reconveyed lands, the Chief Forester will transmit to the Register of the appropriate District Land Office, the rental for disposition in accordance with the regulations approved August 7, 1939 (43 CFR 244.9a; Circ. 1459).

§ 115.124 *Causes for cancelation of permit.* If the permittee shall fail to comply with any of the provisions of these regulations, or makes default in the performance or observation of any of the terms and conditions of the agreement and permit, and such default shall continue for 10 days after service of written notice thereof by the Chief Forester, then that officer may in his discretion terminate and cancel the permit.

§ 115.125 *Disposition of property on termination of permit.* Upon the termination of the permit by expiration or by prior cancelation, in the absence of any agreement to the contrary, the permittee will be allowed 6 months in which to remove or otherwise dispose of all property, or improvements of any kind owned or controlled by him; but if not removed within this period, all such property and improvements shall become the property of the United States.

§ 115.126 *Assignment of permit.* Proposed assignment of a permit must be submitted in duplicate to the Chief Forester, accompanied by the same showing by the assignee of qualification, as is required of the applicant for a permit; and must be supported by a stipulation that the assignee agrees to comply with and be bound by the terms and conditions of the permit.

§ 115.127 *Appeals and other proceedings.* All action taken by the Chief Forester adverse to the applicant or the permittee will be subject to appeal under the Rules of Practice of the Department of the Interior as in cases initiated before the Registers of the District Land Office.

FRED W. JOHNSON,
Commissioner.

Approved: January 5, 1943.

ABE FORTAS,
Acting Secretary of the Interior.

[F. R. Doc. 43-678; Filed, January 14, 1943; 10:27 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Service Order 103]

PART 95—CAR SERVICE

GRAIN FROM FOREIGN COUNTRY

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 12th day of January, A. D. 1943.

It appearing, that an unusual movement by railroad of grain, in carloads, from points in a foreign country through the United States to points in another foreign country may result in shortage of railroad equipment and congestion of traffic, and that the Office of Defense Transportation has requested this Commission to take action in the matter; and that an emergency exists requiring immediate action; *It is ordered*, That:

§ 95.4 *Grain from a foreign country.* (a) All common carriers by railroad are hereby ordered not to accept or move grain, in carloads, originating in a foreign country and moving by railroad through the United States, all-rail, to points in another foreign country; and all common carriers by railroad are hereby ordered not to furnish cars for such a movement.

(b) *Special and general permits.* The provisions of this order shall be subject to any special or general permit issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17)).

It is further ordered, That this order shall become effective immediately and shall remain in force until further order of the Commission; that copies of this order and direction shall be served upon all common carriers by railroad subject to the Interstate Commerce Act and upon the Association of American Railroads, Car Service Division; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register. The National Archives.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-656; Filed, January 13, 1943; 3:34 p. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

PART 27—SOUTHEASTERN REGION NATIONAL WILDLIFE REFUGES, SUPLEMENTARY REGULATIONS FOR THE ADMINISTRATION OF THE PIEDMONT NATIONAL WILDLIFE REFUGE, GEORGIA

GUIDES

Pursuant to section 84 of the act of March 4, 1909, as amended by the act of April 15, 1924, 43 Stat. 98; 18 U.S.C. 145, and section 10 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222; 16 U.S.C. 715i), as amended, and in extension of § 12.9 of the Regulations for the Administration of National Wildlife Refuges under the jurisdiction of the Fish and Wildlife Service, dated December 19, 1940,[1] *It is hereby ordered*, That the first sentence of § 27.732, paragraph (e) *Guides*, of the supplemental regulations dated December 19, 1941[2] governing the hunting of quail on the Piedmont National Wildlife Refuge, Georgia, be amended to read as follows:

(e) *Guides.* If and when so required by the Director of the Fish and Wildlife Service, each person or party of persons hunting on an open area of the refuge under appropriate State license and permit shall be accompanied by a guide who has been previously designated as such and shall be subject to the supervision and direction of such guide while so hunting on the refuge.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

DECEMBER 30, 1942.

[F. R. Doc. 43-657; Filed, January 13, 1943; 4:02 p. m.]

[1] 5 F.R. 5284
[2] 7 F.R. 129-130

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1768]

DISTRICT BOARD 2

ORDER GRANTING MOTION TO ADVANCE HEARING AND ADVANCING HEARING

In the matter of the petition of District Board No. 2 for a change in minimum prices and price classifications established for Size Groups 1 and 2 for rail shipments for the coals of the Midland Mine, Mine Index No. 148 in District No. 2.

The above-entitled matter having been scheduled for hearing on January 20, 1943, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, Washington, D. C. by a Notice of and Order for Hearing issued therein on December 21, 1942; and

A motion requesting that said hearing be advanced to January 19, 1943, having been filed with this Division by the above-named petitioner, and good cause therefor having been shown:

Now, therefore, It is ordered, That said motion be, and the same hereby is, granted:

It is further ordered, That said hearing be, and the same hereby is, advanced to January 19, 1943, at 10 o'clock in the forenoon of that day, at the place and before the officer or officers previously designated;

It is further ordered, That said Notice of and Order for Hearing dated December 21, 1942 shall, in all other respects, remain in full force and effect.

Dated: January 11, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-647; Filed, January 13, 1943; 12:24 p. m.]

Bureau of Mines.

EDWARD WEISNER

ORDER REVOKING LICENSE AND DIRECTING ITS SURRENDER

In the matter of Edward Weisner, Licensee. Proceeding for Revocation of License.

No. 10——3

To: Edward Weisner, Fallon, Montana.

Based upon the records in this matter, I, R. R. Sayers, Director of the Bureau of Mines, make the following findings of fact:

1. On December 17, 1942, a Specification of Charges against you, setting forth violations of the Federal Explosives Act (55 Stat. 863) and regulations pursuant thereto of which you were accused, was mailed to you at the above, your last known address, giving you notice to mail an answer within 15 days demanding a hearing if you wished to be heard on the charges against you.

2. More than 20 days have elapsed since the giving of said notice. The length of time required for mail to be delivered to the office of the Bureau of Mines, Washington, D. C., from Fallon, Montana, does not exceed five days. The only communication which I have received from you was your answer of December 23 in which you admitted having sold explosives to persons not licensed under the Federal Explosives Act. Your answer seeks to excuse your illegal actions on the grounds of ignorance of the law and your own personal knowledge of the persons to whom the sales were made. You have not demanded a hearing.

3. The charges against you are true. The excuse offered by you is not sufficient in view of the extended violations which you have committed and of the evidence before me indicating your actual and constructive notice of the Federal Explosives Act.

Now, therefore, by virtue of the authority vested in me by sections 8 and 18 of the Federal Explosives Act (55 Stat. 863) and § 301.22 of the regulations pursuant thereto (7 F.R. 5901), *It is hereby ordered*, That Vendor's License No. 38927 and all other licenses, if any, issued to you under the Federal Explosives Act (55 Stat. 863) be and they are hereby revoked; *And it is further ordered*, That you shall immediately surrender said licenses and all certified or photostatic copies thereof, if any, by delivering or mailing the same to the Director of the Bureau of Mines, Interior Department, Washington, D. C.

This order is effective on and after its date, except that you will be allowed not to exceed 10 days thereafter within which to sell or otherwise dispose of or to destroy all explosives or ingredients thereof now on hand. Sales must be only to persons licensed under the Federal Explosives Act and in accordance with the provisions of the act and the regulations thereunder. This exception does not authorize you to use explosives or ingredients thereof now on hand, nor does it authorize you to purchase or otherwise acquire explosives or ingredients thereof.

Failure to comply with any of the provisions of this order will constitute a violation of the Federal Explosives Act, punishable by a fine of not more than $5,000 or by imprisonment for not more than one year, or both by such fine and imprisonment.

Dated: January 11, 1943.

R. R. SAYERS,
Director.

[F. R. Doc. 43-676; Filed, January 14, 1943; 10:23 a. m.]

General Land Office.

UTAH

AIR-NAVIGATION SITE WITHDRAWALS

Air-Navigation Site Withdrawal No. 198 established. Air-Navigation Site Withdrawal No. 120 reduced.

By virtue of the authority contained in section 4 of the act of May 24, 1928, 45 Stat. 729 (U.S.C., title 49, sec. 214), and section 1 of the act of June 28, 1934, 48 Stat. 1269 (U.S.C., title 43, sec. 315), *It is ordered as follows:*

Subject to valid existing rights, the following-described tract of public land in Utah is hereby withdrawn from all forms of appropriation under the public-land laws and reserved for the use of the Civil Aeronautics Administration, Department of Commerce, as a beacon site, the reservation to be known as Air-Navigation Site Withdrawal No. 198:

SALT LAKE MERIDIAN

T. 21 S., R. 8 W.,
Sec. 20, NE¼NE¼.
The tract described contains 40 acres.

This order shall take precedence over, but shall not rescind or revoke, the order of the Secretary of the Interior dated April 8, 1935, establishing Grazing District No. 3, Utah.

The order of the Assistant Secretary of the Interior dated May 12, 1938, establishing Air-Navigation Site Withdrawal No. 120, is hereby revoked as to the following-described public lands, within Utah Grazing District No. 3:

SALT LAKE MERIDIAN

T. 21 S., R. 8 W.,
Sec. 29, S½SW¼;
Sec. 31, N½N½;
Sec. 32, N½NW¼.
The areas described aggregate 320 acres.

ABE FORTAS,
Acting Secretary of the Interior.

[F. R. Doc. 43-677; Filed, January 14, 1943; 10:23 a. m.]

DEPARTMENT OF AGRICULTURE.

Food Distribution Administration.

[Docket No. AO 160-A 1]

PHILADELPHIA, PENNSYLVANIA, MARKETING AREA

NOTICE OF HEARING ON HANDLING OF MILK

Proposed amendments to tentatively approved marketing agreement and order regulating the handling of milk in the Philadelphia marketing area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 et seq.), and in accordance with the applicable rules of practice and procedure thereunder (7 CFR 900.1–900.17; 6 F.R. 6570, 7 F.R. 3350), notice is hereby given of a hearing to be held in Court Room No. 6, U. S. Court House, 9th and Chestnut Streets, Philadelphia, Pennsylvania, beginning at 10 a. m., e. w. t., January 21, 1943, with respect to proposed amendments to the tentatively approved marketing agreement and the order regulating the handling of milk in the Philadelphia, Penn-

sylvania, marketing area. These amendments have not received the approval of the Secretary of Agriculture.

This public hearing is for the purpose of receiving evidence with respect to the economic or marketing conditions which relate to the amendments or any modification thereof, which are hereinafter set forth. Such evidence may also include economic or marketing data relative to the provisions of the said tentatively approved marketing agreement and order which will be affected by the approval of the proposed amendments or any modification thereof. The amendments which have been proposed are set forth below:

Proposed By Inter-State Milk Producers' Association, Inc.

1. In § 961.1 (a) (5) substitute the word "was" for the word "is" in line 5, and insert the words "during January 1943" immediately after the word "handler" in line 6.

2. In § 961.1 (a) (5) 3d and 4th lines from the end of the first paragraph delete the words "during any one of the months of October, November, December, and January" and substitute therefor the words "during any month except April, May, and June."

3. At the end of § 961.1 (a) (6) add the words "or who receives milk from producers regardless of where disposed."

4. Reconsider § 961.4 with particular reference to class prices.

5. In § 961.8 (c) in next to the last line substitute the figure "5" for the figure "4."

6. In § 961.8 (e) 2d and 3d lines from the end of the paragraph delete the words "and 3 cents per hundredweight at plants 31 miles or more."

Proposed By the Dairy and Poultry Branch, Food Distribution Administration

1. Reconsider § 961.4 (c), § 961.8 (d), and § 961.8 (e).

2. At the end of § 961.8 (c) add the sentence "The average butterfat content of each producer's deliveries shall be computed by obtaining the simple average of composite tests for each half of the month."

3. Delete § 961.8 (f).

4. Delete § 961.8 (g) and substitute therefor the following:

(f) *Premium for Grade A milk.* In addition to the uniform price and all other payments required pursuant to this section, each handler shall pay for milk sold as Grade A or which is delivered to another plant as Grade A as follows: For milk received from producers of less than 25,000 bacteria per cc. and butterfat content above 3.7 percent, 25 cents per hundredweight plus 2 cents per hundredweight for each one-tenth of 1 percent butterfat content above 3.7 percent, plus an additional 15 cents per hundredweight for milk having less than 10,000 bacteria per cc., times the ratio of the pounds of milk sold in retail packages under Grade A label to the total pounds of Grade A milk received from producers.

5. In § 961.9 lines 6 to 8 delete the words "received by him from producers or an association of producers or produced by him during such month, an amount not exceeding 2 cents per hundredweight" and substitute therefor the words "shipped to or distributed in the marketing area which was not received from another handler during such month, an amount not exceeding 3 cents per hundredweight."

6. Delete § 961.4 (d).

Copies of this notice of hearing, of the tentatively approved marketing agreement, and of the order now in effect, may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1331 South Building, Washington, D. C., or may be there inspected.

Dated: January 13, 1943.

[SEAL] THOMAS J. FLAVIN,
Assistant to the Secretary of Agriculture.[1]

[F. R. Doc. 43-691; Filed, January 14, 1943; 11:11 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO LANSDALE SHIRT FACTORY

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective January 14, 1943.

The employment of learners under these Certificates is limited to the terms and conditions as designated opposite the employer's name. These Certificates are issued upon the employers' representations and that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The Certificates may be cancelled in the manner provided for in the Regulations and as indicated on the Certificate. Any person aggrieved by the issuance of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE
Apparel Industry
Lansdale Shirt Factory, 526 N. Broad Street, Lansdale, Pennsylvania; Shirts & Shorts; 10 learners (T); Machine operator, Hand sewer, Presser, Finishing operation involving handsewing to have a learning period of 320 hours at 25¢ an hour; January 14, 1944.

[1] Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81; 7 F.R. 2656).

Signed at New York, N. Y., this 12th day of January 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-654; Filed, January 13, 1943; 1:42 p. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective January 14, 1943. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE
Apparel Industry
S. Weitz & Company, Inc., 2882 Detroit Avenue, Cleveland, Ohio; Men's overcoats and topcoats; 3 learners (T); January 14, 1944.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry
All American Dress Company, 7th & Mifflin Streets, Lebanon, Pennsylvania; Children's dresses, blouses and sportswear; 10 learners (T); January 14, 1944.
H. Bomze & Brother, Laurel, Delaware; Ladies' rayon and cotton dresses; 10 percent (T); January 14, 1944.
G. W. Pants Company, 76 Mechanic Street, Norwich, Connecticut; Pants; 10 percent (T); January 14, 1944.
B. S. Kahn & Company, 127 N. W. 2nd St., Miami, Florida; Ladies' slack sets, playsuits; 5 learners (T); January 14, 1944.
"Little Lady" Lingerie Co., 306-12th St., Oakland, California; Children's underwear and sleeping wear; 5 learners (T); January 14, 1944.
The Reliance Manufacturing Company, 1101 12th St., Bedford, Indiana; Work shirts, pants, Navy white pants; 10 percent (T); January 14, 1944.
Stock Shirt Manufacturing Company, 31 N. Cherry Avenue, York, Pennsylvania; Shirts; 10 percent (T); January 14, 1944.
Glove Industry
Eagle Glove and Garment Company, Conner Street, Noblesville, Indiana; Work gloves; 5 learners (T); January 14, 1944.
Eagle Glove and Garment Company, 215 N. Franklin Street, Muncie, Indiana; Work gloves; 5 learners (T); January 14, 1944.
Hosiery Industry
Browning Hosiery Mills, Bridgeport, Alabama, Seamless hosiery; 5 percent (T); September 28, 1943. (This certificate replaces the one you now have for five learners, bearing expiration date of September 28, 1943.)
Homestead Manufacturing Co., Inc., Bankhead Farmstead, Jasper, Alabama; Full-fashioned; 5 percent (T); January 14, 1944.
J. H. Kissinger Knitting Co., Inc., Market Street, Millersburg, Pennsylvania; Seamless hosiery; 5 learners (T); January 14, 1944.
Knitted Wear Industry
Wm. Bradford Company, 8th & Harrison Streets, Davenport, Iowa; Men's clothing and uniforms; 5 percent (T); January 14, 1944.
Oneita Knitting Mills, 851 Broad Street, Utica, New York; Cotton knit underwear; 5 percent (T); January 14, 1944.
Simon Knitting Mills, Goldens Bridge, New York; Knitted outerwear; 2 learners (T); January 14, 1944.
The Winsted Hosiery Co., Holabird Avenue, Winsted, Connecticut; Knitted underwear; 5 percent (T); January 14, 1944.
Telephone Industry
The United Telephone Company, Washington Street, St. Marys, West Virginia; To employ learners as commercial switchboard operators at its Washington Street exchange, located at St. Marys, West Virginia until January 14, 1944.

Signed at New York, N. Y., this 12th day of January 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-653; Filed, January 13, 1943; 1:42 p. m.]

CANCELLATION OF LEARNER EMPLOYMENT CERTIFICATES

FASHION DRESS COMPANY, INC.

Notice of cancellation of special certificate for the employment of learners in the single pants, shirts, and allied garments and women's apparel industries.

Notice is hereby given that the special certificate for the employment of learners, dated April 22, 1942, authorizing the employment of no more than ten (10) learners at any one time between April 27, 1942 and April 27, 1943, issued to the Fashion Dress Company, Inc., of Pittston, Pennsylvania, has been cancelled as of the first date of violation because of the violation of its terms.

The order of cancellation shall not become effective and enforceable until after the expiration of a fifteen day period following the date on which this notice appears in the FEDERAL REGISTER. During this time petitions for reconsideration or review may be filed by any directly interested and aggrieved party pursuant to § 522.13 of the Regulations. If a petition is properly filed the effective date of the order of the cancellation shall be postponed until final action is taken on the petition.

Signed at New York, New York, this 5th day of January 1943.

ISABEL FERGUSON,
Authorized Representative of the Administrator.

[F. R. Doc. 43-673; Filed, January 14, 1943; 9:49 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6470]

FISHER'S BLEND STATION, INC. (KJR)

NOTICE OF HEARING

In re application of Fisher's Blend Station, Inc. (KJR), dated June 23, 1942, for modification of Construction Permit; class of service, broadcast; class of station, broadcast; location, Seattle, Washington; operating assignment specified: Frequency, 1000 kc.; power, 50 kw (DA-night); hours of operation, unlimited.

You are hereby notified that the Commission has examined the above-described application and has designated the matter for hearing for the following reasons:

1. To determine the cost of completing the construction authorized in Permit No. B5-P-1281 and the financial outlay, if any, incurred in connection therewith by the applicant prior to April 27, 1942.

2. To determine when the construction heretofore authorized in Permit No. B5-P-1281 was actually commenced.

3. To determine what materials and equipment the applicant has on hand or available for the construction authorized by Permit No. B5-P-1281 and what additional materials and equipment, if any, will be necessary for the completion thereof.

4. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

5. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Fisher's Blend Station, Inc., Radio Station KJR, Skinner Building, 1326 Fifth Avenue, Seattle, Washington.

Dated at Washington, D. C., January 11, 1943.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-658; Filed, January 13, 1943; 4:02 p. m.]

[Docket No. 6407]

WSAV, INCORPORATED

NOTICE OF HEARING

In re application of WSAV, Incorporated, (WSAV), dated January 29, 1942, for Construction Permit; class of service, broadcast; class of station, broadcast; location, Savannah, Georgia; operating assignment specified: Frequency, 1370 kc.; power, 1 kw (DA-night); hours of operation, unlimited.

You are hereby notified that the Commission on August 18, 1942, denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

2. To determine, in view of the facts adduced under the foregoing issue, if the

public interest, convenience or necessity would be served by a grant of the instant application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: WSAV, Incorporated, Radio Station WSAV, c/o Mr. Harben Daniel, Liberty National Bank Building, Savannah, Georgia.

Dated at Washington, D. C., January 11, 1943.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 43-659; Filed, January 13, 1943; 4:02 p. m.]

[Docket No. 6478]

WJNO, INCORPORATED

NOTICE OF HEARING

In re application of WJNO, Incorporated, (WJNO), dated, January 24, 1942; for, Construction Permit; class of service, broadcast; class of station, broadcast; location, West Palm Beach, Florida; operating assignment specified: Frequency, 1230 kc.; power, 250 w.; hours of operation, for emergency purposes only.

You are hereby notified that the Commission has examined the above-described application and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

2. To determine whether, in view of the facts adduced under the foregoing issue, public interest, convenience or necessity would be served by the grant of the instant application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: WJNO, Incorporated, Radio Station WJNO, 1415 Okeechobee Road, West Palm Beach, Florida.

Dated at Washington, D. C., January 12, 1943.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 43-693; Filed, January 14, 1943; 11:20 a. m.]

[Docket No. 6477]

M AND M BROADCASTING COMPANY (WMAM)

NOTICE OF HEARING

In re application of M and M Broadcasting Company (WMAM), dated, October 28, 1942; for, modification of license; class of service, broadcast; class of station, broadcast; location, Marinette, Wisconsin; operating assignment specified: Frequency, 570 kc.; power, 100 w. night, 250 w. day; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above-described application and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the Standards of Good Engineering Practice, particularly in view of the expected nighttime interference limitation to the service of Station WMAM operating as proposed.

2. To determine whether Station WMAM operating as proposed would provide primary service to: (a) The business district and (b) the residential districts of Marinette, Wisconsin, as contemplated by the Standards of Good Engineering Practice.

3. To determine the extent of any interference which would result from the simultaneous operation of Station WMAM as proposed and Station WNAX.

4. To determine the areas and populations which would be deprived of primary service, particularly from Station WNAX, as a result of the operation of Station WMAM as proposed herein, and what other broadcast service is available to those areas, and populations.

5. To determine the areas and populations which may be expected to gain primary service should Station WMAM operate as proposed and what other broadcast service is available to those areas and populations.

6. To determine whether the granting of this application would be consistent with the Standards of Good Engineering Practice and proper allocation of broadcast facilities (Footnote 4, page 3, Standards of Good Engineering Practice).

7. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience and necessity would be served by the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: M & M Broadcasting Company, Radio Station WMAM, 400 Wells Street, Marinette, Wisconsin.

Dated at Washington, D. C., January 12, 1943.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 43-692; Filed, January 14, 1943; 11:20 a. m.]

OFFICE OF PRICE ADMINISTRATION

[Order 61 Under RPS 64]

TENNESSEE STOVE WORKS

APPROVAL OF MAXIMUM PRICE

Order No. 61 under Revised Price Schedule No. 64.[1]—Domestic Cooking and Heating Stoves.

On December 21, 1942, the Tennessee Stove Works, Chattanooga, Tennessee, completed by letter an application filed December 12 pursuant to Revised Price Schedule No. 64 for approval of a maximum price for a new model coal heating stove designated in the application as model M-20.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) Tennessee Stove Works may sell, offer to sell, transfer or deliver its model M-20 coal heating stove at a price not to exceed $29.57 f. o. b. factory to dealers, subject to discounts, allowances and terms no less favorable than those in effect with respect to its model P-22 as established under Revised Price Schedule No. 64.

(b) This Order No. 61 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 61 shall become effective on the 13th day of January 1943.

Issued this 13th day of January 1943.

LEON HENDERSON, *Administrator.*

[F. R. Doc. 43-665; Filed, January 13, 1943; 4:48 p. m.]

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[1] 7 F.R. 1329, 1836, 2000, 2132, 4411, 5172, 6221.

[Order 9 Under RPS 88]

SUNSET ELECTRIC CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 9 under § 1340.156 (c) of Revised Price Schedule No. 88—Petroleum and Petroleum Products—Docket No. 1088-39-P.

On October 1, 1942, Sunset Electric Company, 300 Westlake North, Seattle, Washington, filed a protest against the provisions of Revised Price Schedule No. 88. The facts, however, justify treatment of the protest not only as such but also as an application for adjustment filed pursuant to § 1340.156 (c) of the schedule, and it is therefore being so treated in accordance with § 1300.49 of Revised Procedural Regulation No. 1.

For the reasons set forth in the opinion issued simultaneously herewith, *It is ordered:*

Adjustment of maximum prices of all S. A. E. grades of Hyvis (Pennsylvania grade) motor oil sold to retail dealers by Sunset Electric Company. (a) Sunset Electric Company, Seattle, Washington, may sell and deliver to retail dealers and retail dealers may buy and receive from Sunset Electric Company, the following commodity at prices not higher than those set forth below:

All S. A. E. grades of Hyvis (Pennsylvania grade) motor oil—(1) F. o. b. all bulk plants of Sunset Electric Company, exclusive of taxes:

	Gallon
In bulk	$ .775
In one-quart cans	.89
In five-quart cans	.875
In 54 gallon drums	.745
In carload quantities	.665

(2) There shall be deducted from the foregoing maximum prices for sales in bulk, one and five-quart cans, the quantity discounts which Protestant had in effect on October 1, 1941. The maximum prices stated above for sales in 54 gallon drums and carload quantities are net prices.

(b) The adjustment granted to Sunset Electric Company in paragraph (a) is subject to the following conditions:

(1) Sunset Electric Company shall give written notification to its retail dealers in all S. A. E. grades of Hyvis (Pennsylvania grade) motor oil of the adjustment permitted by this Order by advising them as follows:

The Office of Price Administration has permitted us to increase our bulk plant prices for all S. A. E. grades of Hyvis (Pennsylvania grade) motor oil, exclusive of taxes from $.67 a gallon to $.775 a gallon in bulk, from $.77 a gallon to $.89 a gallon in one-quart cans, from $.77 a gallon to $.875 a gallon in five-quart cans, from $.640 a gallon to $.745 a gallon in 54 gallon drums, and from $.56 to $.665 a gallon in carload quantities. That Office has provided, however, that the quantity discounts which we had in effect on October 1, 1941 shall be maintained.

(c) This Order No. 9 may be revoked or amended at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.157 of Revised Price Schedule No. 88 shall apply to the terms used herein.

(e) This Order No. 9 shall become effective January 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 14th day of January 1943.

LEON HENDERSON, *Administrator.*

[F. R. Doc. 43-680; Filed, January 14, 1943; 10:45 a. m.]

[Rev. Order 81 Under MPR 120]

JOHNSTOWN COAL AND COKE COMPANY

ORDER GRANTING ADJUSTMENT

Revised Order No. 81 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120-106.

Order No. 81 under Maximum Price Regulation No. 120 is hereby revised and amended to read as set forth below:

For the reasons set forth in the opinion accompanying Order No. 81 and the opinion accompanying Revised Order No. 81, and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (e) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced by The Johnstown Coal and Coke Company, Johnstown, Pennsylvania, at its Logan No. 4 Mine, Mine Index No. 285, in District No. 1, may be sold and purchased for shipment by rail at prices not to exceed the following respective prices per net ton f. o. b. the mine:

Size groups	Price
3	$3.15
4	3.15
5	3.15

(b) Within thirty (30) days from the effective date of this order, The Johnstown Coal and Coke Company shall notify all persons purchasing its coals, of the adjustments granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in the order do not authorize any increase in the purchaser's resale prices except in accordance with and subject to the conditions stated in Maximum Price Regulation No. 122.

(c) This Revised Order No. 81 may be revoked or amended by the Administrator at any time;

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein;

(e) This Revised Order No. 81 shall become effective January 14, 1943.

Issued this 14th day of January 1943.

LEON HENDERSON, *Administrator.*

[F. R. Doc. 43-681; Filed, January 14, 1943; 10:43 a. m.]

[Order 138 Under MPR 120]

ECONOMY COAL COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 138 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 1120-157-P.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (b) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced by Economy Coal Company, Des Moines, Iowa, at its No. 3 mine, (Mine Index No. 293), District No. 12, may be sold and purchased at prices not to exceed the following prices per net ton, for shipment by truck or wagon:

Size Group 1	$4.45
Size Group 3	4.20
Size Group 7	4.35
Size Group 8	2.45

(b) Within thirty (30) days from the effective date of this order, the said Economy Coal Company shall notify all persons purchasing its coals of the adjustments granted by paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Maximum Price Regulation No. 122 in the resale of coal the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Maximum Price Regulation No. 122.

(c) This Order No. 138 may be revoked or amended by the Price Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

(e) This Order No. 138 shall become effective this 15th day of January 1943.

Issued this 14th day of January 1943.

LEON HENDERSON, *Administrator.*

[F. R. Doc. 43-682; Filed, January 14, 1943; 10:44 a. m.]

[Order 139 Under MPR 120]

STAR MINING CORPORATION

ORDER GRANTING ADJUSTMENT

Order No. 139 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120-73.

For the reasons set forth in the opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120, *It is hereby ordered:*

(a) Coals produced by The Star Mining Corporation at the Star Mining Cor-

poration Mine, Mine Index No. 1442, in District No. 4, may be sold and purchased at prices not to exceed the following prices per net ton f. o. b. the mine for shipment by truck:

Size group	2	4	6
Maximum prices	$4.25	$3.75	$3.25

(b) Within thirty (30) days from the effective date of this order, the said Star Mining Corporation shall notify all persons purchasing its coals of the adjustments granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Maximum Price Regulation No. 122.

(c) This Order No. 139 may be revoked or amended by the Price Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(e) This Order No. 139 shall become effective January 14, 1943.

Issued this 14th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-683; Filed, January 14, 1943; 10:43 a. m.]

[Order 140 Under MPR 120]

J. C. WEESE COAL MINES, INC.

ORDER GRANTING ADJUSTMENTS

Order No. 140 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120-278.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (b) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced by J. C. Weese Coal Mines, Inc., Keyser, West Virginia, at its Mount Alto Mine, Mine Index No. 2216, Mineral County, West Virginia, in District No. 1, may be sold and purchased for shipment by rail at prices not to exceed the following respective prices per net ton f. o. b. the mine;

Size groups	1-2	3	4-5
Maximum prices	$3.20	$2.95	$2.70

(b) Within thirty (30) days from the effective date of this order, the said J. C. Weese Coal Mines, Inc., shall notify all persons purchasing its coals of the adjustments granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Maximum Price Regulation No. 122.

(c) This Order No. 140 may be revoked or amended by the Administrator at any time.

(d) All prayers of the petition not granted herein are hereby denied.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(f) This Order No. 140 shall become effective January 14, 1943.

Issued this 14th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc 43-684; Filed, January 14, 1943; 10:43 a. m.]

[Order 141 Under MPR 120]

WALKER COAL MINING COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 141 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 1120-72-P.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced by Walker Coal Mining Company, Elkins, West Virginia, at its Big Sewell No. 2 Mine, Mine Index No. 1272, in District No. 3, may be sold and purchased at prices not to exceed the following prices per net ton, f. o. b. the mine for shipment by rail:

Size group:	*Maximum pri*
3	3 [illegible]
4	3 [illegible]
6	3 [illegible]
7	2 [illegible]
9	2 [illegible]

(b) Within thirty (30) days from the effective date of this order the said Walker Coal Mining Company shall notify all persons purchasing its coals of the adjustments granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subjected to Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Maximum Price Regulation No. 122.

(c) This Order No. 141 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(e) This Order No. 141 shall become effective January 14, 1943.

Issued this 14th day of January 1943.

LEON HENDERSON,
Administrator

[F. R. Doc. 43-685; Filed, January 14, 1943; 10:43 a. m.]

FEDERAL REGISTER

VOLUME 8 NUMBER 11

Washington, Saturday, January 16, 1943

Regulations

TITLE 10—ARMY: WAR DEPARTMENT

Chapter I—Aid of Civil Authorities and Public Relations

PART 7—MANUFACTURE OF DECORATIONS INSIGNIA; AUTHORIZATION OF SALES

Section 7.7 (a) (4) is hereby amended as follows:

§ 7.7 *Sales, to whom authorized*[1]—(a) *Individuals.* • • •

(4) Insignia, including buttons, as distinguished from decorations, medals, and badges prescribed or authorized by the War Department, may be sold by authorized dealers only to persons who present official War Department identification indicating their right to wear such insignia, or to members of the State Guard who present official identification of such membership issued by a State adjutant general. (42 Stat. 1286 as amended by 45 Stat. 437; 10 U.S.C. 1425; 47 Stat. 342, as amended by 53 Stat. 752; 18 U.S.C. 76a, 76b) [Par. 8*a*, AR 600–90, December 31, 1940, as amended by C 2, November 30, 1942]

• • • • •

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-701; Filed, January 14, 1943; 2:39 p. m.]

PART 12—PRISONERS[2]

APPLICATIONS FOR CLEMENCY

Sections 12.2 and 12.3 are retained without change in revision of AR 600–375 November 24, 1942, and § 12.1 (a) is hereby amended as follows:

§ 12.1 *Clemency*—(a) *Applications.* Applications for clemency may be made by or in behalf of a general prisoner. Such an application will be in writing, will set forth the grounds upon which the appeal is based, and will be forwarded through channels, with appropriate recommendations, to the commanding officer holding general court-martial jurisdiction over the prisoner. Good conduct cannot form a basis for clemency, but will aid in obtaining it. After the first application, applications by prisoners will be limited to one each year, unless new and material matter is presented which justifies immediate consideration. (38 Stat. 1074; 10 U.S.C. 1457a) [Par. 16, AR 600–375, November 24, 1942]

• • • • •

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-702; Filed, January 14, 1943; 2:39 p. m.]

Chapter III—Claims and Accounts

PART 36—CLAIMS AGAINST THE UNITED STATES

ABSENCE WITHOUT LEAVE, AMENDMENT

Section 36.22 is rescinded; paragraphs (a), (b), and (c) of § 36.31 are redesignated (b), (c), and (d), respectively, and a new paragraph (a) is added; and § 36.33 is amended as follows:

§ 36.31 *Definitions*—(a) *Absent without leave.* A person subject to military law who fails to repair at the fixed time to the properly appointed place of duty or goes from the same without proper leave, or absents himself from his command, guard, quarters, station, or camp without proper leave.

(b) *Deserter.* • • •

(c) *Military prisoner.* • • •

(d) *Military post.* • • •

(47 Stat. 1575; 10 U.S.C. 1431) [Par. 2, AR 35–2620, May 16, 1942, as amended by C 1, December 15, 1942]

§ 36.32 *Expenses for apprehension and delivery of enlisted men absent without leave.* [Rescinded] (47 Stat. 1575; 10 U.S.C. 1431) [Par. 3, AR 35–2620, May 16, 1942, as amended by C 1, December 15, 1942]

§ 36.33 *Payment for arrest and delivery of enlisted men absent without*

(Continued on next page)

[1] 6 F.R. 980, 4812; 7 F.R. 3507.
[2] 6 F.R. 2847; 7 F.R. 8345.

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FEDERAL REGISTER

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leave, deserters, and escaped military prisoners—(a) *Services for which payment will be made*—(1) *Arrest.* Fifteen dollars will be paid to the civil officer or other person arresting

(i) An enlisted man absent without leave when the arrest and detention is authorized by a military officer,

(ii) A deserter (other than a Philippine Scout), or

(iii) An escaped military prisoner (other than one who was a Phillippine Scout immediately before becoming a prisoner), and turning him over to a guard sent for him. For the same services with respect to a deserter from the Philippine Scouts or an escaped military prisoner who immediately before becoming such was a Philippine Scout, $10 will be paid.

(2) *Arrest and delivery.* Twenty-five dollars will be paid to the civil officer or other person arresting

(i) An enlisted man absent without leave when the arrest and detention is authorized by a military officer,

(ii) A deserter (other than a Philippine Scout), or

(iii) An escaped military prisoner (other than one who was a Philippine Scout immediately before becoming a prisoner) and delivering him at a military post. For the same services with respect to a deserter from the Philippine Scouts or an escaped military prisoner who immediately before becoming such was a Philippine Scout, $15 will be paid.

(b) *To whom paid.* The payment mentioned in subparagraph (1) or (2) of paragraph (a) of this section, as the case may be, will be made to the person or persons actually making the arrest of an enlisted man absent without leave, a deserter, or an escaped military prisoner and the turn-over or delivery of the person arrested. If two or more persons join in performing these services payment may be made to them jointly. Payment will be made whether the enlisted man absent without leave, deserter, or escaped military prisoner surrenders or is apprehended. Payment will not be made merely for information leading to an arrest, or for an arrest not followed by the return of the person arrested to military control.

(c) *By whom paid.* The payments mentioned in paragraph (a) of this section will be made by disbursing officers of the Finance Department, and will be in full satisfaction of all expenses of arresting, keeping, and delivering the enlisted man absent without leave, deserter, or escaped military prisoner.

(d) *Government officers and employees.* Officers and employees of the United States Government (as distinguished from those of a State, county, or city) may not legally be paid the payments mentioned in paragraph (a) of this section; but reimbursement may be made to them or to the department in which they are employed of actual expenses of arrest, detention, and return to military control of

(1) Enlisted men absent without leave when the arrest, detention, and return to military control is authorized by a military officer,

(2) Deserters liable to trial, and

(3) Escaped military prisoners, not exceeding $25 in each case. (47 Stat. 1575; 10 U.S.C. 1431) [Par. 4, AR 35–2620, May 16, 1942, as amended by C 1, December 15, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43–720; Filed, January 15, 1943; 9:37 a. m.]

PART 38—ALLOTMENTS OF PAY

DEDUCTIONS FOR SUPPORT OF DEPENDENTS, ETC., AMENDMENTS

Sections 38.1 (d) and 38.7 are hereby amended as follows:

§ 38.1 *Definitions.* • • •

(d) *Permanent civilian employees.* "Permanent civilian employees" are those appointed without limitation as to length of service or for definite periods in excess of 6 months (see AR 35–3900[1]). (Sec. 16, 30 Stat. 981; 40 Stat. 384; 52 Stat. 354; 10 U.S.C. 894) [Par. 2d, AR 35–5520, March 4, 1941, as amended by C3, December 22, 1942]

[1] Administrative regulations of the War Department relative to the pay of civilian employees in connection with absence from duty and holidays.

§ 38.7 *Deductions for support of dependents*—(a) *Enlisted men absent from permanent stations in United States.* Enlisted men absent from their permanent stations on extended temporary duty of maneuvers in the United States may, under the provisions of the act of March 2, 1899 (30 Stat. 981), as amended, authorize deductions from their pay for support of their dependents.

(b) *Personnel on duty outside continental limits of United States whose dependents are residing in same country in which such personnel may be serving.* Under the provisions of the act of March 2, 1899 (30 Stat. 981), as amended, the military and civilian personnel enumerated therein, while on duty outside the continental limits of the United States, may authorize monthly deductions from their pay for the support of their dependents where such dependents are residing in the same country in which such personnel may be serving, provided payments are not prohibited by Treasury Department regulations.

(c) *Personnel on duty outside continental limits of United States whose dependents are residing in foreign country other than that in which such personnel may be serving.* Under the provisions of the act of March 2, 1899 (30 Stat. 981), as amended, the military and civilian personnel enumerated therein, while on duty outside the continental limits of the United States, may authorize allotments from their pay for the support of their dependents where such dependents are residing in a foreign country other than that in which the allotters may be serving and in which foreign country an Army disbursing officer is stationed, provided payments of such allotments are not prohibited by Treasury Department regulations. Such allotments will be known as class X allotments.

(d) *On return of personnel and dependents to United States.* Class X allotments will be discontinued upon return of personnel and their dependents to the United States.

(e) *On return of personnel without dependents to United States.* In case military personnel who are allotters return to the United States without their dependents, and it is desired that the allotments continue to be paid, the local disbursing officer in the United States will follow the procedure set forth in Army regulations. Civilian employees are authorized to make allotments of their pay only when on duty in Alaska or outside the continental limits of the United States. (Sec. 16, 30 Stat. 981; 40 Stat. 384; 52 Stat. 354; 10 U.S.C. 894) [Pars. 28 and 29, AR 35–5520, March 4, 1941, as amended by C3, December 22, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43–721; Filed, January 15, 1943; 9:37 a. m.]

Chapter V—Military Reservations and National Cemeteries

PART 57—SERVICE CLUBS, HOSTESSES, AND LIBRARIANS[1]

EMPLOYMENT OF CIVILIAN CAMP LIBRARIANS

Section 57.11a is added as follows:

§ 57.11a *Library.* The employment of civilian camp librarians is authorized for the conduct of library services at:

(a) General hospitals.

(b) Post hospitals having 1,000 beds or more.

(c) Posts, camps, and stations having a total strength of 2,500 men or more, *Provided,* No librarian has been appointed under § 57.9.

(d) Posts, camps, and stations where justified by reason of isolation and lack of other recreational facilities, on the recommendation of the commanding officer and with the approval of the commanding general of the service command.

(R.S. 161, 5 U.S.C. 22) [Par. 15½, AR 850–80, August 26, 1942, as added by C 2, December 24, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43–703; Filed, January 14, 1943; 2:39 p. m.]

Chapter VI—Organized Reserves

PART 63—REGULAR ARMY RESERVES[2]

SUSPENSION OF CERTAIN PROVISIONS

The provisions of §§ 63.1–63.18, inclusive, are suspended for the duration of the war. (52 Stat. 221, 10 U.S.C. 343) [Cir. 6, W.D., January 2, 1943]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43–704; Filed, January 14, 1943; 2:39 p. m.]

Chapter VII—Personnel

PART 70—THE ARMY NURSE CORPS[3]

SALUTE PRIVILEGES

Section 70.2 (f) is hereby added as follows:

§ 70.2 *Rights and privileges.* The following rights and privileges are prescribed for the Army Nurse Corps by the Secretary of War in accordance with the act of June 4, 1920 (41 Stat. 768):

• • • • • •

(f) They are entitled to the same privileges with reference to salutes as are customarily enjoyed by and prescribed for commissioned officers of grades corresponding to their relative rank. (40 Stat. 879, 41 Stat. 767; 10 U.S.C. 161, 164) [Par. 2b, AR 40–20, August 15, 1942, as amended by C 1, December 11, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43–705; Filed, January 14, 1943; 2:39 p. m.]

[1] 7 F.R. 7185, 8628, 9449.
[2] 4 F.R. 2067, 2786, 4431; 5 F.R. 1149, 2955, 3828.
[3] 7 F.R. 7876, 9671.

PART 75—ADMISSION TO THE UNITED STATES MILITARY ACADEMY[1]

ENTRANCE REQUIREMENTS, ETC.

Sections 75.1, 75.7, 75.9 and 75.10, 75.12, 75.14, 75.18, and 75.19, 75.22, 75.23, and 75.25 are hereby amended as follows:

All sections of Part 75 are issued under the authority contained in R.S. 161; 5 U.S.C. 22.

The regulations contained in Part 75 are also contained in Information Relative to the Appointment and Admission of Cadets to the United States Military Academy, West Point, N. Y., W. D., November 28, 1942, the particular paragraphs being shown at the end of sections.

§ 75.1 *The Military Academy.* (a) The United States Military Academy is an institution established by the Government for the practical and theoretical training of young men for the military service. Its cadets are given a comprehensive and general education of collegiate grade and a sufficient basic military education and training to enable them to pursue their careers as officers of the Army.

(b) Direction and supervision of the Military Academy are vested by law in the War Department under such officer or officers as the Secretary of War may select, and, in accordance with this provision, the Secretary of War has placed it under the jurisdiction of the Commanding General, Services of Supply, except for the curriculum and doctrine which is under the Assistant Chief of Staff, G–3, War Department. [Pars. 1 and 2]

§ 75.2 *How to enter the Military Academy.* The candidate for a cadetship, who must never have been married and who will at the time of his proposed entrance come within the prescribed age limits and be a citizen of the United States, should follow the steps outlined below. He must first obtain an appointment to a vacancy, existing or prospective. He must then demonstrate that he measures up to certain physical and educational standards. His physical fitness is determined by examination; his educational qualifications may be shown by regular mental examination or by the submission of certain prescribed certificates with validating examination, or, in

[1] Communications relating to matters connected with the Military Academy shou'd be addressed to The Adjutant General, Washington, D. C.

certain special cases, by certificate without mental examination. (See §§ 75.13 and 75.14.) If he be accepted, he reports at the academy on the first weekday in July and, prior to admission, he is required to take the oath of allegiance and to subscribe to an engagement to serve the United States for a time subsequent to his graduation. (See § 75.23 (c).) [Par. 3]

§ 75.3 *Course as a cadet.* (a) The normal course at the Military Academy is 4 years. For the duration of the war, however, the course has been temporarily shortened to 3 years in accordance with an act of Congress approved October 1, 1942.

(b) During the war the classes will be designated as follows:

First year cadets—4th class.
Second year cadets—3d class.
Third year cadets—1st class.

There will be no 2d class in the 3-year course.

(c) Those cadets who take flying instruction are designated as "Air Cadets" while those not taking flying instruction are designated as "Ground Cadets."

(d) The academic year extends from September to May, inclusive, while the three summer months are devoted exclusively to military training. During his academic year a cadet receives from 1 to 2 hours of military training a day in addition to his academic studies.

(e) During the time he remains a cadet, he is paid $780 per annum and allowed the cost of 1 ration per day, which varies with the cost of food. Upon graduation he may be commissioned as a second lieutenant in one of the arms or services of the Army.

(f) The points brought out briefly in the paragraphs above are explained in detail in the following pages. [Par. 4]

§ 75.4 *Strength of the corps of cadets.* (a) Under an act of Congress approved June 3, 1942, the Corps of Cadets shall hereafter consist of 2,496 cadets, appointed in number and from sources as follows:

8 from each State at large	384
4 from each congressional district	1,740
4 from each Territory (Hawaii and Alaska)	8
6 from the District of Columbia	6
4 from natives of Puerto Rico	4
2 from Panama Canal Zone	2
172 from the United States at large [1]	172
180 from among the enlisted men of the Regular Army and of the National Guard, in number as nearly equal as practicable	180
Total	2,496

[1] Of whom 3 are appointed upon the recommendation of the Vice President, 40 are selected from among the honor graduates of those educational institutions designated as "honor military schools," and 40 are chosen from among the sons of veterans who were killed in action or died prior to July 2, 1921, of wounds received or disease contracted in line of duty during the first World War.

(b) Section 2 of the act of Congress approved June 3, 1942, provides: When on the date of admission of a new class the total number of cadets is below the number authorized, the Secretary of War may bring the Corps of Cadets to full strength by appointing qualified alternates and candidates recommended by the academic board, two-thirds thereof from qualified alternates and one-third thereof from qualified candidates: *Provided*, That any appointment made under this section shall be an additional appointment and shall not constitute an appointment otherwise authorized by law. [Par. 5]

§ 75.5 *Filipino cadets.* (a) In addition to the 2,496 mentioned above, the Secretary of War is authorized to permit not exceeding four Filipinos, to be designated by the President of the Commonwealth of the Philippine Islands, to receive instruction at the United States Military Academy, under the provision of the act of Congress approved May 28, 1908, as amended. These students execute an agreement to comply with all regulations for the police and discipline of the Academy to be studious, and to give their utmost efforts to accomplish the courses in the various departments of instruction.

(b) The act of Congress approved July 2, 1942, making appropriations for the Military Establishment for the fiscal year ending June 30, 1943, contains a provision which reads as follows:

> That no part of any appropriation contained in this Act shall be available for the pay of any person, other than military personnel, not a citizen of the United States, unless in the employ of the Government or in a pay status on the date of approval of this Act, under appropriations for the War Department, but nothing herein shall be construed as applying • • • to citizens of the Commonwealth of the Philippines, or to nationals of those countries allied with the United States in the prosecution of the war and whose employment is determined by the Secretary of War to be necessary, or to persons employed outside the continental limits of the United States • • •. [Par. 6]

§ 75.6 *Appointments, how made.* (a) The numbers mentioned above represent the maximum allowed at the Military Academy at any one time from the respective sources; consequently, no appointment can be made from any source except to fill a vacancy therefrom.

(b) All appointment are made by the President and as follows:

(1) From States at large and from congressional districts, upon the recommendations of the respective Senators and Representatives in Congress.

(2) From the Territories, upon the recommendations of the respective Delegates in Congress.

(3) From the District of Columbia, upon the recommendations of the commissioners thereof.

(4) From Puerto Rico, upon the recommendation of the resident commissioner. (Those cadets appointed from States at large, from congressional districts, from the Territories, from the District of Columbia, and from the island of Puerto Rico, must, under the law, be actual residents thereof, respectively.)

(5) From among the sons of civilians residing in the Canal Zone and the sons of civilian personnel of the United States Government and the Panama Railroad Company residing in the Republic of Panama to be selected by the Governor of the Panama Canal Zone.

(6) From among the honor graduates of educational institutions designated as "honor military schools," upon the recommendations of the heads of the respective schools.

(7) In 1943 the sources of admission from among members of the National Guard and Regular Army have been combined for the duration of the present war and opened to all enlisted men of the Army of the United States upon the recommendations of the commanding generals of the respective service and foreign commands.

(8) Appointments from the United States at large (excepting those from "honor military schools," those chosen from among the sons of deceased World War veterans, and those appointed upon the recommendation of the Vice President) are made by the President upon his own selection, and as the result of a competitive examination, identical in every respect with the regular entrance examination.

(9) Only such candidates as are fully qualified may be nominated subsequently to the holding of the scheduled examinations, and no nomination for appointment will be accepted if received in the War Department later than midnight on June 30th, preceding the regular date of admission to the Military Academy on July 1st. Letters whose post-office marks clearly show that they were placed in the mail prior to midnight of June 30th are held to meet the foregoing requirement. [Par. 7]

§ 75.7 *Selection of candidates*—(a) *From States at large, congressional districts, and Territories.* (1) The selection of candidates, by competitive examination or otherwise, for appointment from any State at large or congressional district, is entirely in the hands of the Senator or Representative in Congress who has the vacancy at his disposal, and all applications for appointment from those sources should be addressed to the proper Senator or Representative.

(2) For each vacancy from a State at large or congressional or Territorial district, four candidates should be nominated, one to be named as principal, one as first alternate, one as second alternate, and one as third alternate. The first alternate, if qualified, will be admitted in the event of the failure of the principal; the second alternate, if qualified, will be admitted in the event of the failure of both the principal and the first alternate; and the third alternate, if qualified, will be admitted in the event of the failure of principal, first and second alternate.

(3) In choosing candidates selected for appointment under the provisions of section 2 of the act of June 3, 1942, as quoted in paragraph 5, the Academic Board studies the records of all eligible candidates and makes its selection based upon consideration of the academic grades and other pertinent factors which affect the qualifications of the various candidates to become officers of the Army. The only candidates who are considered eligible for such appointments are those who have successfully passed the entrance examinations or otherwise qualified for entrance within the past 12 months.

(4) These candidates must, at date of admission, be between the ages of 17 and 22 years.

(b) *From "honor military schools."* Honor graduates of "honor military schools" are selected for appointment as cadets of the United States Military Academy in the following manner:

(1) There is maintained in the office of The Adjutant General a roster of "honor military schools" as determined by annual War Department inspections of educational institutions. At an early date in each year The Adjutant General will anticipate the vacancies in the Corps of Cadets which are open to honor graduates and will make an equitable distribution of those vacancies among the "honor military schools" and notify them accordingly.

(2) Each designated institution will at a specified time notify The Adjutant General of the names of the selected honor graduates, designating them as principal, first, second, and third alternate candidates. In considering graduates for this designation the institution is not limited to those graduating during the current year.

(3) An honor graduate, designated as principal, of a selected institution will be appointed a cadet of the United States Military Academy upon the certificate of the head of the institution that the appointee is an honor graduate of that institution of a year for which the institution was designated an honor military school. No student will be rated as honor graduate unless he has in his school work shown proficiency in subjects amounting to not less than the 15 units prescribed by the regulations for admission to the United States Military Academy. A certificate will be forwarded to the Adjutant, United States Military Academy, West Point, N. Y., when the appointment is made.

(4) In the event that the honor graduate designated as principal does not accept the appointment or fails to qualify for admission, the first alternate will, if qualified be appointed; in the event that neither the principal nor the first alternate qualifies, the second alternate will, if qualified, be appointed; and in the event that the principal, first, and second alternate candidates fail to qualify, the third alternate will, if qualified, be appointed.

(5) These candidates must at date of admission be between the ages of 17 and 22 years.

(6) All honor graduates are appointed subject to the same tests for mental and physical qualifications as are required of other candidates. (See §§ 75.13 and 75.14.)

(c) *From among sons of World War veterans.* (1) An act of Congress approved June 8, 1926, as amended by an act of Congress approved December 1, 1942, authorized 40 cadets to be appointed by the President from among the sons of officers, soldiers, sailors, and marines of the Army, Navy, and Marine Corps of the United States, including members of the Army Nurse Corps (female) and Navy Nurse Corps (female) employed in the active service by the War Department or Navy Department, who were killed in action or have died, or may hereafter die, of wounds or injuries received, or disease contracted, or preexisting injury or disease aggravated in active service during the World War (as defined by existing laws providing service connected compensation benefits for World War veterans and their dependents).

(2) Candidates appointed under this act must be between the ages of 17 and 22 years and meet the usual physical requirements, and will be required to undergo the regular entrance examination competitively, the vacancies available from this source being awarded to those physically qualified competitors who make the highest proficient ratings in the order of merit established by the examination mentioned. There is no restriction as to residence in the case of these appointees.

(3) No form is prescribed for making application, which should be by letter addressed to The Adjutant General, War Department, Washington, D. C., showing the full name, date of birth, and address of applicant, and the name, grade, and organization of the veteran parent, together with a brief statement showing the time and place of death, injury or disease contracted. If the parent was an enlisted man, his serial number should also be given.

(d) *From the National Guard and the Regular Army.* (1) The sources of admission from among members of the National Guard and the Regular Army have been combined for the duration of the present war and opened to all enlisted men of the Army of the United States. The law authorizing appointments from this source prescribes that the applicant must, at the date of admission, be between the ages of 19 and 22 years, and must have served as an enlisted man for not less than 1 year. It is not essential that the service shall have been continuous; therefore, prior Army or National Guard service may be counted in determining a soldier's eligibility.

(2) The candidates nominated for cadetships allotted to the enlisted men of the Army of the United States shall not exceed three times the number of existing vacancies from that source, and shall be distributed equitably among the service commands and foreign commands by the War Department. No preliminary mental examination will be conducted in order to determine the eligibility of applicants. Each designated candidate will be given a letter of appointment authorizing him to report for the regular Military Academy entrance examination, which he must undergo in competition with the entire number of Army candidates, the available vacancies being awarded to those physically qualified competitors making the highest proficient averages in the order of merit established at the last-mentioned examination, without regard to the service command or foreign command from which designated. The selections being made throughout by competition, alternates cannot be considered under any circumstances, nor can these candidates submit educational certificates with a view to qualifying in whole or in part thereon. Failure for any cause to appear for the examination at the time and place authorized will vacate the appointment. [Pars. 8, 9, 10, and 11]

§ 75.9 *Entrance examination, when held.* (a) The regular Military Academy entrance examination and the examination for validating certain classes of certificates are held beginning on the first Tuesday in March each year. Each candidate designated to take one of these examinations will receive from the War Department a letter of appointment, and he must appear for examination at the time and place designated therein before a board of Army officers convened by the War Department. Enlisted men appointed from the Army also receive authority from the War Department to report for examination, and must report at the time and place specified. No other regular mental examination is held during the year. The failure of candidates holding noncompetitive appointments to appear for examination unless prevented by sickness or other unavoidable cause shall vacate the appointment; the failure of candidates holding competitive appointments to report for examination for any cause shall vacate the appointment.

(b) A second validating examination is held on June 21 at West Point, N. Y., but is only for emergency vacancies which remain unfilled or occur after the March examination. Candidates appointed to such emergency vacancies must qualify by certificate or by certificate supplemented by the validating examination mentioned above. [Par. 13]

§ 75.10 *Entrance examination, where held.* Boards of officers are convened at certain designated places, which are listed below, for the purpose of conducting the regular entrance examinations. The place of examination selected by the War Department for each candidate is the one nearest or most convenient to his home or to the school at which he is in regular attendance.

Army and Navy General Hospital, Hot Springs National Park, Ark.
Army Medical Center, Washington, D. C.
Army Base, 808 Commonwealth Avenue, Boston, Mass.
William Beaumont General Hospital, El Paso, Tex.
Fort Benning, Ga.
Fort Bragg, N. C.
Canal Zone (such place as the Commanding General, Panama Canal Department, may designate).
Alaska (post to be designated).
Federal Office Bldg., 90 Church St., New York, N. Y.
Fitzsimons General Hospital, Denver, Colo.
Fort Douglas, Salt Lake City, Utah.
Fort Benjamin Harrison, Ind.
Fort Hayes, Columbus, Ohio.
Fort Sam Houston, Tex.
Jefferson Barracks, Mo.
Fort Knox, Ky.
Fort Leavenworth, Kans.
LaGarde General Hospital, New Orleans, La.
Letterman General Hospital, Presidio o. San Francisco, Calif.
Fort Lewis, Wash.

March Field, Calif.
Fort McPherson, Ga.
Fort Omaha, Nebr.
San Juan, P. R.
Fort Sheridan, Ill.
Fort Sill, Okla.
Fort Snelling, Minn.
Schofield Barracks, Honolulu, Hawaii.

§ 75.12 *Admission by regular mental examination* (See § 75.8 (a)). (a) All candidates take the regular mental examination who cannot qualify under §§ 75.13 or 75.14.

(Inasmuch as candidates from the United States at large and the Army of the United States are appointed to vacancies in the order of merit competitively established as a result of the regular mental entrance examination, such candidates are not permitted to submit educational certificates in lieu of that examination, and therefore, cannot qualify under §§ 75.13 or 75.14.)

(b) *Subjects.* * * *

(5) *History.* (i) Candidates will be required to pass a satisfactory examination in United States history and ancient history.

(ii) The examination in United States history will cover: Early discovery and settlements; the forms of government in the Colonies; the birth and development of a constitutional form of government; the causes, leading events, and results of wars; important events in the political and economic history of the Nation from its foundation to and including the national election of 1940; the location of places, areas, boundaries, and routes of outstanding historical significance.

(iii) The examination in ancient history will cover the period 750 B. C. to 814 A. D., emphasizing the rise, development, and decline of Greek and Roman civilization. It will also include the history of Mediterranean states in the period specified, and the development of western Europe after the break-up of the Roman Empire. The location of places, areas, boundaries, and routes of outstanding historical importance will be required. [Pars. 16, 17, and 21]

§ 75.14 *Admission by certificate* (See § 75.8 (c)). (a) The academic board will consider and may accept without other mental requirement:

(1) A properly attested college certificate that the candidate is, or was upon leaving, a regularly enrolled student in good standing without condition in a university, college, or technical school accredited by the United States Military Academy: *Provided*, That he entered college with the secondary school credits prescribed in § 75.13 (a); *And provided further*, That he has completed successfully at least one semester in college. If he lacks not more than 2 units of the prescribed secondary school credits, required or optional, he may make up this deficiency in college at the rate of one semester of college work to one year of secondary school study.

A full record of academic work at college, giving subjects taken and grades attained in each, should be presented on form I, which must be submitted in all cases where college work covers one semester or more.

If the college certificate covers less than 1 full year's work in college, it must be accompanied by a certificate covering work in secondary school, and the two certificates will be considered together in determining the candidate's mental qualifications.

(2) A properly attested certificate from the College Entrance Examination Board that the candidate has shown proficiency in the examinations set by the board in subjects amounting to the 15 units listed in § 75.13 (a).

(3) A properly attested certificate from the College Entrance Examination Board that the candidate has shown proficiency in the examination set by the board in the 8 required units from the list given below, and a properly attested certificate from the preparatory or public high school accredited by the United States Military Academy showing proficiency in 7 units of the optional subjects given hereafter. A College Entrance Examination Board certificate that does not cover all of the 8 required units will not be considered.

(4) A secondary school certificate as described in § 75.13 (a) and (b) supplemented by a report from the College Entrance Examination Board that the candidate has taken its Scholastic Aptitude Test and Mathematics Attainment Test[1] (Beta Section): *Provided*, The grades earned on these tests ars satisfactory. In case the candidate has graduated from secondary school prior to the date set for the validating examination (March or June), the Scholastic Aptitude Test and Mathematics Attainment Text[1] (Beta Section) must also have been taken and reported upon prior to that date. In case the candidate is in actual attendance in his senior year at a secondary school at the time set for the validating examination in March and has not yet taken these tests, he may decline to take the validating examination, electing instead to undergo the Scholastic Aptitude Test to be given by the College Entrance Examination Board in April of the same year. This privilege of electing to substitute the Scholastic Aptitude Test to be taken later is allowed for the March validating examination only.

(b) (1) A candidate, whose certificate has been rejected under § 75.14, will be required to take the regular entrance examination except in cases where the academic board approved his credits under § 75.13 for admission subject to the validating examination.

(2) The academic board may reject any certificate for low grades, or upon any evidence, whether contained in the certificate or not, that creates a reasonable doubt as to the candidate's mental qualifications for admission. A record in the entrance examination of a former year is considered excellent evidence of mental qualifications for admission and is given great weight when certificates are being evaluated. Taking the examination, when unprepared, merely for practice and failing on the same may, therefore, have an adverse effect if entrance by certificate is sought in a later year.

(3) A candidate, whose certificate has been accepted unconditionally under § 75.14, is excused from the mental examination but must appear for the physical examination.

(4) A candidate, whose certificate is approved under § 75.14 (a) (4) subject to later passing of the College Entrance Examination Board's Scholastic Aptitude Test,[1] is accepted as mentally qualified for admission if his record in this test proves satisfactory. He is rejected as mentally unqualified if it proves unsatisfactory. [Par. 23 and 24]

§ 75.18 *General information as to certificates.* (a) All necessary papers, including a set of blank certificate forms (Except form III which is sent only upon application), are furnished by The Adjutant General, Washington, D. C., to each duly nominated candidate (except where competition is specified) with his letter of appointment.

(b) Certificates should be submitted not later than February 15. A certificate received between February 15 and the examination will receive consideration, but, in view of the short time left to the academic board to investigate its value, no assurance will be given that such certificate can be acted on in time to exempt the candidate from the regular mental examination. Certificates received at West Point too late for full investigation and appraisal before 9 a. m. on the first Tuesday in March of each year will be filed without action thereon. Candidates will be notified of the time and date of the receipt of such certificates.

(c) Candidates who submit certificates on a date which does not allow the academic board sufficient time to investigate their value and notify them regarding the final action thereon prior to the day set for the examination should proceed with the regular examination.

(d) Candidates who are informed that their certificates have been accepted either provisionally or unconditionally, must present themselves at the regular time and place, as herein prescribed, for physical examination and, if required, for the validating examination.

(e) A candidate submitting a secondary school certificate who has taken the College Entrance Examination Board's Scholastic Aptitude Test should have his record in this test forwarded to the Adjutant, West Point, N. Y., at the same time as his school certificate. He should state on the latter that this is being done.

(f) A candidate in his last year in secondary school who elects not to take the validating examination in March but to depend for validation of his certificate upon the Scholastic Aptitude Test of April of the same year should include a statement to that effect when submitting his educational certificate. The latter should be submitted, as in the general case, when the blank form is received from The Adjutant General.

(g) A candidate whose certificate qualifications have been approved, provided he completes his regular high-school or preparatory-school course with good grades and graduates, must bring with him, and present on the day he reports for admission, his diploma or certificate of graduation, together with a certified statement of the grades attained in his academic work, in order that the academic board of the Military Academy may determine whether or not these provisions have been fulfilled. If approval of his certificate was also subject to passing the College Entrance Examination Board's Scholastic Aptitude Test at a later date, he should have a report of his record on this test sent to the Adjutant, West Point, N. Y., as soon as the marks are available. The foregoing does not apply to a candidate whose certificate has been approved unconditionally.

(h) A candidate who has once satisfactorily fulfilled all the mental requirements for entrance will be regarded as qualified at any subsequent apportunity which may arise for entrance with the same class.

(i) A certificate which is accepted as satisfactory for one examination will be regarded as satisfactory for any other examination which may be set for entrance with the same class, unless it has been voided in the meantime by failure in the first examination, in which event it will be reconsidered in connection with the results of that examination, should the candidate be reappointed with a view to admission the same year.

(j) Any certificate accepted for entrance with one class is not valid for entrance with a succeeding class unless reapproved. It must be resubmittted, accompanied by a full statement of the candidate's educational work in the interim, and both certificate and statement will be subject to careful scrutiny by the academic board.

(k) A candidate, not an ex-cadet who has once been declared mentally qualified for entrance upon written examination, either regular or validating, need not undergo a second mental examination in case of any subsequent appointment unless the requirements for entrance have been changed in the meanwhile. A candidate reported not qualified mentally in one or more subjects on one examination will be required to qualify in all subjects at any subsequent examination.

(l) Information on the Scholastic Aptitude Test mentioned in this pamphlet may be obtained from the College Entrance Examination Board. Address it for this purpose at P. O. Box 592, Princeton, N. J.

(m) Inasmuch as candidates from the United States at large and the Army of the United States are appointed to vacancies in the order of merit competitively established as a result of the regular entrance examination, such candidates are not permitted to submit educational certificates in lieu of the regular examination. [Par. 38]

§ 75.19 *Requirements as to age, height, and physical condition.* (a) Candidates are eligible for admission from the day they are 17 (or 19 if from the Army of the United States) until the day they become 22 years of age, on which latter day they are not eligible. The age requirements for all candidates as well as the service requirements for appointment from the Army of the United States are statutory and cannot be waived.

(b) No candidate shall be admitted who is less than 5 feet 6 inches in height, or who is deformed or afflicted with any disease or infirmity which would render him unfit for the military service, or who has, at the time of presenting himself, any communicable disease.

(c) Candidates must never have been married.

(d) Each candidate must, on reporting at West Point, present a certificate showing successful vaccination within 1 year; or a certificate of two vaccinations, made at least a month apart, within 3 months. [Par. 39]

§ 75.22 *Physical requirements*—(a) *Hearing.* Hearing must be normal (20/20) in each ear for the whispered voice and the ears must be free from acute or chronic disease. The following-named conditions are causes for rejection: The total loss of an ear, marked hypertrophy or atrophy, or disfiguring deformity of the organ; atresia of the external auditory canal, or tumors of this part; acute or chronic suppurative otitis media, or chronic catarrhal otitis media; mastoiditis, acute or chronic; existing perforation of the membrana tympani from any cause whatever.

(b) *Vision.* (1) Vision as determined by the visual test types (without a cycloplegic) must not fall below 20/30 in either eye without glasses, corrected with glasses to 20/30 in each eye, when no organic disease in either eye exists. Both eyes must be free from acute or chronic disease. Errors of refraction, if considered excessive, may be a cause for rejection even though the visual acuity falls within acceptable limits. Total hyperopia of more than two diopters or total myopia of more than three quarters (.75) diopter in any meridan in either eye is cause for rejection.

(2) The following-named conditions are also cause for rejection: Manifest disturbance of muscle balance; esophoria of more than 10 prism diopters, exophoria of more than 5 prism diopters, or hyperphoria of more than 1 prism diopter; impairment of the sense of color perception in a pronounced degree; trachoma, or xerophthalmia; chronic conjuctivitis; pterygium encroaching upon the cornia; complete or extensive destruction of the eyelids, disfiguring cicatrices, adhesions of the lids to each other or to the eyeball; inversion or eversion of the eyelids, or lagophthalmus; trichiasis, ptosis, blepharospasm, or chronic blepharitis; epiphora, chronic daeryocystitis, or lachrymal fistula; chronic keratitis, ulcers of the cornea, staphyloma, or corneal opacities encroaching on the pupillary area and reducing the acuity of vision below the standard noted above; irregularities in the form of the iris, or anterior or posterior synechiae sufficient to reduce the visual acuity below the standard; opacities of the lens or its capsule, sufficient to reduce the acuity of vision below the standard, or progressive cataract of any degree; extensive coloboma of the choroid or iris, absence of pigment, glaucoma, iritis, or extensive or progressive choroiditis, retinitis, detachment of the retina, neuroretinitis, optic neuritis, or atrophy of the optic nerve; loss or disorganization of either eye, or pronounced

[1] In cases where the Scholastic Aptitude Test taken includes a methematical section, the Mathematics Attainment Test is not required. These tests, prepared by the College Entrance Examination Board, 431 West One Hundred Seventeenth Street, New York, N. Y., are the only such tests accepted for exemption from entrance examinations. General information concerning such examinations may be obtained from the College Entrance Examination Board. Address it for this purpose at P. O. Box 592, Princeton, N. J. Tests prepared by State or other testing agencies are not accepted.

exophthalmus, pronounced nystagmus; or permanent or well-marked strabismus; diplopia, or night blindness; abnormal conditions of the eyes due to disease of the brain; malignant tumors of lids or eyeballs; asthenopia accompanying any ocular defect.

(c) *Teeth.* (1) No candidate will be accepted unless he has a minimum of 6 serviceable vital masticating teeth (bicuspids and molars) above and 6 below serviceably opposing and also 4 serviceable vital incisor teeth (incisors and cuspids) above and 4 below serviceably opposing. Therefore, the minimum requirement consists of a total of 12 masticating teeth and 8 incisor teeth, all of which must be so opposed as to serve the purpose of incision and mastication.

(2) Vital teeth properly filled with permanent filling material, or well crowned, will be considered serviceable if otherwise acceptable. A single tooth replacement by a standard method of fixed bridgework will be accepted in lieu of a serviceable vital tooth when the abutment teeth are otherwise acceptable and the bridge well constructed.

(3) A tooth will not be considered serviceable if it fails to enter into serviceable occlusion with an opposing tooth, if it has an unfilled cavity, if it supports a defective filling or crown, if it is nonvital, or if there is destruction of the supporting tissues of the tooth, such as results from chronic gingivitis, pyorrhea, etc.

(4) Causes for rejection are: Failure to meet the standard of minimum requirements outlined above; the loss of three adjoining masticating teeth in either side of the upper or lower jaw; disfiguring spaces between anterior teeth, such as result from the extraction of a tooth; marked irregularity of the teeth; and marked malocclusion. No candidate will be accepted until all cavities in the teeth have been filled with proper permanent fillings.

(d) *Physical exercises.* Due to the nature of the new cadets' training during their first 2 months at the academy, the physical requirements must, of necessity, be rather strenuous and exacting. Experience has indicated that those cadets who, prior to admission, have hardened themselves physically meet these requirements best. The cooperation of parents is enjoined to encourage future cadets to participate in some form of physical exercise prior to their arrival at the academy.

(e) *Physical proportions for height, weight, and chest measurements for all candidates except Filipinos.* (1) The requirements of the following tables of physical proportions are for growing youths and are for guidance in connection with the other data of the examination, a consideration of all of which will determine the candidate's physical eligibility. Mere fulfillment of the requirements of the standard tables does not determine eligibility.

Height, inches	Weight, pounds		Chest measure at expiration, inches
	Minimum	Maximum	
66	120	170	30 50
67	124	176	30 50
68	128	181	31 00
69	132	185	31 50
70	136	187	32 00
71	140	189	32 00
72	144	192	32 50
73	148	195	32 50
74	152	148	33 00
75	156	201	33 00
76	160	204	33 50

NOTE: Height to be taken without shoes, and weight without clothes.

(2) Fractions greater than ½ inch in height will be considered as an additional inch, but candidates must be at least 66 inches in height.

(3) Medical examiners will recommend rejection of individuals who show poor physical development and those who appear to be undesirable candidates because of excess fat, even though their measurements may come within the figures stated in the above table. In such instances, the report will show in detail the findings upon which recommendation for rejection is based.

(4) Recommendations for waiver of excess weight should be made in cases in which the general appearance and conformation of the candidate and the rest of the examination clearly indicate that he is of the robust type and that there is no tendency to obesity, endocrine imbalance, cardiovascular disease, or other defect which is likely to shorten the period of useful active service normally expected of an Army officer.

(f) *Minimum standards for Filipino applicants only.*

Height (inches)	Weight	Chest measurement at expiration
	Pounds	*Inches*
59	100	28½
60	101	29
61	102	29½
62	103	30
63	105	30½
64	107	30½
65	110	30
66	113	30½
67	118	30½
68	124	30½
69	127	31
70	130	31½

[Pars. 42, 43, and 44]

§ 75.23 *Admission to the academy*—(a) *Date of admission.* Candidates who fully conform to the requirements set forth in the preceding sections, and who report in person to the superintendent on the first week day in July, before 12 m., shall be admitted as cadets to the United States Military Academy and shall receive their warrants of appointment as soon as practicable. Candidates are received beginning at 8 a. m., and it is to their advantage to report as soon as practicable after that hour. Facilities are not available for the housing and feeding of new cadets reporting before that time.

* * * * *

§ 75.25 *Pay of cadets.* (a) The pay of a cadet is $780 per year plus the cost of 1 ration per day which varies with the cost of food, to commence with his admission to the academy.

(b) Mileage, at 5 cents per mile, while proceeding from his home to the Military Academy, is credited to the account of each cadet after his admission to the academy, except when War Department orders directing him to proceed to the Military Academy are received at a place other than his home and nearer to the Military Academy; in such cases the account will be credited with mileage only from the place of receipt of orders to report to the Military Academy.

(c) A cadet's initial deposit, together with his salary, is sufficient to meet his actual needs at the academy. It is not sufficient, however, to meet, in addition, the expenses of leaves of absence, especially if these involve considerable travel.

(d) Obtaining money from outside sources is regarded with disfavor, unless it be for the purpose of liquidating indebtedness at the cadet store or of defraying the expenses of a leave of absence.

(e) Whenever candidates possessing Government life insurance enter the Military Academy and wish to authorize pay roll deductions for premium payments, provisions may be made whenever outside funds are available for the deposit of additional funds equal to the amount of Government insurance premium payments. Such deposits may be made with the Treasurer, U. S. M. A., monthly, quarterly, semiannually, or annually. In this manner a cadet who authorizes pay roll deductions for insurance premiums will not tend to reduce the balance in his account to a lower level than the average of other cadets. [Par. 50]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-722; Filed, January 15, 1943; 9:37 a. m.]

PART 79—PRESCRIBED SERVICE UNIFORM

CHAPLAIN'S SCARF; CHRISTIAN FAITH

Section 79.62a (a) is hereby amended as follows:

§ 79.62a *Chaplain's scarf*[1]—(a) *Christian faith.* A scarf of standard ecclesiastical pattern, of suitable black material 9 feet long. On each end in gold color Schiffli work the coat of arms of the United States 3 inches high with the chaplain's insignia, Christian, 4 inches high, spaced ½ inch below the coat of arms. The bottom of the insignia to be 6½ inches from the end of the scarf. (R.S. 1296; 10 U.S.C. 1391) [Par. 62½ AR 600–35, November 10, 1941, as amended by C 9, December 24, 1942]

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[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-706; Filed, January 14 1943, 2:39 p. m.]

[1] 7 F.R. 7335.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 1

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 321, Minimum Price Schedule for District No. 1 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 321.7 *Alphabetical list of code members*—Supplement R–I

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group numbers]

Mine Index No.	Code member	Mine name	Subdistrict No.	Seam	Shipping point	Railroad	Freight origin group No.	1	2	3	4	5	6
3852	Armillin, James	Crafish	4	B	Sarah Furnace, Pa	PRR	11	(†)	(†)	G	(†)	(†)	
3852	Hazel Creek Coal Co. (Frank D. Flint).	Piney	4	A	Rimersburg, Pa	PRR	90	(†)	(†)	G	H	(†)	
3861	Cambria Mills Coal Co. #4 (Howard Agnew).	Cambria Mills #5	18	C	Glasgow, Pa	PRR	52	E	(†)	E	E	E	
3865	Eyerly, James F. (Hillside Coal Co., Agent).	Center Hall #2	21	A	Osceola Mills, Pa	PRR	45	H	(†)	H	H	H	
3838	Kronick, John P. (Patton Coal Co.).	Patton #1	24	D	St. Benedict, Pa	NYC	44	(†)	(†)	E	(†)	(†)	
3350	Roxby & Sons (Charles Roxby).	Roxby #2	34	B	(Llanfair Br.) Duello, Pa.	PRR	40	(†)	(†)	A	(†)	(†)	
204	Wallwork Coal Co. (Andrew C. Wallwork).	Hawthorn #1	4	E	Hawthorn, Pa	PRR	75	G	G	G	H	H	
724	Wallwork Coal Co. (Andrew C. Wallwork).	Hawthorn #3	4	E	Hawthorn, Pa	PRR	75	G	G	G	H	H	
3866	Yorkshire Coal Co.	Homestead #2	19	D	Barlan Jct., Pa	PRR	45	(†)	(†)	B	(†)	(†)	
3867	Yorkshire Coal Co.	Homestead #3	19	D	Barlan Jct., Pa	PRR	45	(†)	(†)	B	(†)	(†)	
3868	Yorkshire Coal Co.	Homestead #4	19	D	Barlan Jct., Pa	PRR	45	(†)	(†)	B	(†)	(†)	

†Indicates no classifications or prices effective for these size groups.
‡Indicates correction in seam designation. Seam B no longer applicable.

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1770]

PART 321—MINIMUM PRICE SCHEDULE, DISTRICT NO. 1

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 1 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 1.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 1 and requesting changes in certain shipping points and a change in seam designation; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 321.7 (*Alphabetical list of code members*) is amended by adding thereto Supplements R–I and R–II, and § 321.24 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: December 28, 1942.

[SEAL] DAN H. WHEELER,
Director.

§ 321.7 *Alphabetical list of code members*—Supplement R–II

[A cumulative listing of coal mines having railway loading facilities, showing price classifications by size group numbers]

Mine index No.	Code member	Mine name	Subdistrict No.	Seam	Shipping point	Railroad	Freight origin group No.	1	2	3	4	5
108	Consolidation Coal Co.	Consolidation #1	43	Big Vein	Osage, Md	C&P	66	D	D	D	D	D
109	Consolidation Coal Co.	Consolidation #3	43	Big Vein	Hoffman, Md	C&P	66	D	D	D	D	D
110	Consolidation Coal Co.	Consolidation #1	43	Big Vein	Eckhart, Md	C&P	66	D	D	D	D	D
111	Consolidation Coal Co.	Consolidation #10	43	Tyson	Eckhart, Md	C&P	66	E	E	E	E	E
113	Consolidation Coal Co.	Consolidation #17	43	Tyson	Carlos Jct, Md	C&P	66	(†)	(†)	E	(†)	(†)

†Indicates no prices or classifications effective for these size groups.

NOTE.—The above prices are applicable only via the respective Freight Origin Group, Shipping Point, and Railroad shown for the respective mines. Shipping Points previously assigned to these mines are no longer applicable.

FOR TRUCK SHIPMENTS

§ 321.24 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine Index No.	Mine	Subdistrict No.	County	Seam	All lump Coal: Double screened, top size 2" and over	Double screened, top size 2" and under	Run of mine, mechanically R.M.	2" and under, slack	¾" and under, slack
						1	2	3	4	5
Aquilina, James	3832	Codfish	4	Clarion	B	260	235	235	220	210
Hovard Coal Company (Frank D. Fair).	4803	Piney	4	Clarion	A	(†)	(†)	245	230	(†)
Cambria Mills Coal Co. #4 (Howard Apple).	3861	Cambria Mills #5	18	Cambria	C	270	(†)	245	235	225
Dorsch Coal Co. (Elmer E. Dorsch).	3831	Dorsch Coal Co	26	Cambria	B	(†)	(†)	255	(†)	(†)
Eyerly, James F. (Hillside Coal Co.).	3862	Center Hall #2	21	Centre	A	255	(†)	230	220	210
Kronick, John P. (Patton Coal Co.).	3828	Patton #1	24	Cambria	D	(†)	(†)	245	(†)	(†)
Lyda, W. J. (Lyda Coal Co.)	3859	Lyda #3	22	Indiana	Pittsburgh	(†)	(†)	245	(†)	(†)
McLaughlin, James M	3870	McLaughlin Coal	9	Centre	B	(†)	(†)	235	(†)	(†)
Rephann, James C	3619	Rephann	43	Allegany	Big Vein	(†)	(†)	240	(†)	(†)
Rothy & Sons (Charles Rothy)	3550	Rothy #2	34	Cambria	B	(†)	(†)	265	(†)	(†)
Wallwork Coal Co. (Andrew C. Wallwork).	201	Hawthorn #1	4	Clarion	E	260	235	235	220	210
Wallwork Coal Co. (Andrew C. Wallwork).	721	Hawthorne #3	4	Clarion	E	260	235	235	220	210
Yorkshire Coal Co	3869	Homestead #2	19	Clearfield	D	(†)	(†)	260	(†)	(†)
Yorkshire Coal Co	3867	Homestead #3	19	Clearfield	D	(†)	(†)	260	(†)	(†)
Yorkshire Coal Co	3868	Homestead #4	19	Clearfield	D	(†)	(†)	260	(†)	(†)

†Indicates no classifications or prices effective for these size groups.
‡Indicates correction in seam designation. Seam B no longer applicable.

[F. R. Doc. 43-698; Filed, January 14, 1943; 12:30 p. m.]

[Docket No. A-1799]

PART 331—MINIMUM PRICE SCHEDULE. DISTRICT NO. 11

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 11 for establishment of price classifications and minimum prices for Pell Mine No. 2.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Pell Mine No. 2, Mine Index No. 1372, of the Pell Coal Corporation; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 331.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 331.24 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: January 2, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 11

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 331, Minimum Price Schedule for District No. 11 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 331.5 *Alphabetical list of code members*—Supplement R

Mine index No.	Code member	Mine	Seam	Subdistrict	Freight origin group	Price group	Shipping point	Railroad
1372	Pell Coal Corporation	Pell No. 2	B	BC	33	15	Stearleys	PRR.

Mine Index No. 1372 shall be included in Price Group 15 and shall take the same f. o. b. mine prices as other mines in Price Group 15 in Price Schedule No. 1, District No. 11, For All Shipments Except Truck. It shall also take the same adjustments in f. o. b. mine prices on account of differences in freight rates as are accorded Mine Index No. 84 and to mines in Freight Origin Group No. 33 of the Brazil Clinton Subdistrict having the same freight rate.

Mine Index No. 1372 shall be accorded the same prices for railroad locomotive fuel, as shown in § 331.10 in Minimum Price Schedule No. 1, District No. 11, For All Shipments Except Truck, as are shown for Mine Index No. 84.

FOR TRUCK SHIPMENTS

§ 331.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine Index No.	Mine	Seam	Prices and size group Nos. 1	2	3	4	5	6	7	8	9	10, 11, 12	13	14	15	16	17	18, 19, 20	21	22	23	24	25	26	27	28, 29
CLAY COUNTY																											
Pell Coal Corporation	1372	Pell #2	B	315	290	270	260	255	250	220	220	200	190	160	150	85	55	(†)	(†)	(†)	(†)	(†)	(†)	(†)	170	160	105

†Indicates no classification or prices effective in these size groups.

[F. R. Doc. 43-699; Filed, January 14, 1943; 12:30 p. m.]

[Docket No. A-1771]

PART 340—MINIMUM PRICE SCHEDULE, DISTRICT NO. 20

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 20 for the establishment of price classifications and minimum prices for the coals of the Vulcan Mine.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Vulcan Mine (Mine Index No. 205) of the Vulcan Fuel Company in Subdistrict 1 in District No. 20 for shipments by rail and for shipments by truck; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 340.4 (*Code member price index*) is amended by adding thereto Supplement R–I, § 340.5 (*General prices; minimum prices for shipment via rail transportation*) is amended by adding thereto Supplement R–II, and § 340.21 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Petitioner requested price classifications and minimum prices for the coals of the Vulcan Mine for rail shipments moving only into Market Areas 234, 237 to 241, inclusive, and 247 to 254, inclusive. Price classifications and minimum price heretofore established for the coals of all other mines in Subdistrict 1 of District No. 20 for rail shipments apply to coals moving into all market areas. Therefore, for the purpose of uniformity, it is deemed advisable to establish price classifications and minimum prices for the coals of the Vulcan Mine for shipment by rail to all market areas.

Dated: January 1, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 20

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 340, Minimum Price Schedule for District No. 20 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

The following price classification and minimum prices shall be inserted in Minimum Price Schedule for District No. 20:

§ 340.4 *Code member price index*—Supplement R–I

Insert the following listing in proper alphabetical order under Code Member Index:

Producer	Mine	Mine index No.	County	Shipping point	Subdistrict price group	Railroad	F. O. G. No.	Prices section: Rail	Prices section: Truck
Vulcan Fuel Co	Vulcan	205	Carbon	Mine	1	D&RGW	10	§ 340.5	§ 340.21

§ 340.5 *General prices; minimum prices for shipment via rail transportation*—Supplement R–II

The Vulcan Mine (Mine Index No. 205) of the Vulcan Fuel Company shall be included in Subdistrict No. 1 in District No. 20 and the coals of that mine in the respective size groups shall be subject to the minimum f. o. b. mine prices for shipment via rail to all market areas, for all uses, that are presently in effect for the coals of the Spring Canon Mine (Mine Index No. 20) of the Spring Canon Coal Company in Subdistrict No. 1 in District No. 20.

FOR TRUCK SHIPMENTS

§ 340.21 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Insert the following code member's name, mine name, mine index number, and county under Subdistrict No. 1, and the following prices:

Code member	Mine name	Mine Index No.	County	Size groups 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Vulcan Fuel Co	Vulcan	205	Carbon	409	369	354	334	330	279	254	214	204	174	164	139	259	229	204

[F. R. Doc. 43-700; Filed, January 14, 1943; 12:31 p. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices

[1943 Dept. Circ. 1]

PART 129—VALUES OF FOREIGN MONEYS

CALENDAR YEAR 1943

JANUARY 1, 1943.

§ 129.6 *Calendar year 1943—(a) Quarter beginning January 1, 1943.* Pursuant to section 522, title IV, of the Tariff Act of 1930, reenacting section 25 of the act of August 27, 1894, as amended, the following estimates by the Director of the Mint of the values of foreign monetary units are hereby proclaimed to be the values of such units in terms of the money of account of the United States that are to be followed in estimating the value of all foreign merchandise exported to the United States during the quarter beginning January 1, 1943, expressed in any such foreign monetary units: *Provided, however*, That if no such value has been proclaimed, or if the

VALUES OF FOREIGN MONETARY UNITS AS FAR AS REGARDS GOLD UNITS; NONGOLD UNITS HAVE NO FIXED PAR WITH GOLD—Continued

Country	Monetary unit	Value in terms of U. S. money	Remarks
Indo-China	Piaster		Piaster pegged to French franc at the rate of 1 piaster=10 French francs; conversion of notes into gold suspended Sept. 27, 1936.
Ireland	Pound	$4.2387	Conversion of notes into gold suspended Sept. 21, 1931.
Italy	Lira	.0526	Now gold content of 46.77 milligrams of fine gold per lira established by monetary law of Oct. 5, 1936.
Japan	Yen	.4985	Embargo on gold exports Dec. 31, 1931. By act of Mar. 31, 1936, at 2,222 half-days on Sept. 13, 1939, a law was passed providing that if the pound sterling should depreciate by more than 5 percent with respect to the United States dollar, or the Swedish krona, the amount of gold backing the yen would be reduced correspondingly. The yen is now stable by basing it on gold of some other monetary unit.
Latvia	Lat		
Liberia	Dollar	1.0000	British money is principal circulating medium.
Lithuania	Litas	.1893	Free export of gold suspended Oct. 1, 1935.
Mexico	Peso	.2076	Decree of Aug. 28, 1936, left the monetary unit, the peso, on a free gold basis.
Netherlands and colonies	Guilder (florin)	.5629	Suspension of convertibility of notes into gold and restrictions placed on free gold exports, Sept. 26, 1936, gold export prohibition repealed by decree June 28, 1938, effective June 29, 1938. The Netherlands-United States financial agreement of June 14, 1940, established the official rate of exchange between the Netherlands Indies guilder and the pound sterling at 7.60 guilders for £1 sterling. By act of September 21, 1940, the Netherlands gold stock was impounded at the Bank of the Netherlands by law, so that the Java Bank shall fix the value of its stocks of gold coin and bullion at Fl. 2,121 per kilogram fine.
New Caledonia and dependencies	Piastre (franc)	.0084	Conversion of notes into gold suspended Sept. 29, 1931.
New Zealand	Pound	4.0387	Based upon official rate of exports in terms of the dollar as announced by the Bank of England. Conversion of gold into sterling suspended Sept. 21, 1931. Effective July 1, 1939, the British Treasury arrangement of June 14, 1940, established the official rate of exchange between the Netherlands Indies guilder and the pound sterling at 7.60 guilders for £1 sterling. By act of September 21, 1940, the Netherlands gold stock was impounded at the Bank of the Netherlands by law, so that the Java Bank shall fix the value of its stocks of gold coin and bullion at Fl. 2,121 per kilogram fine.
Nicaragua	Cordoba	1.0000	Conversion of notes into gold suspended Sept. 29, 1931.
Norway	Krone	.1337	Embargo on gold exports Nov. 19, 1931.
Panama	Balboa	1.0000	Conversion of notes into gold suspended Sept. 29, 1931.
Paraguay	Peso (Argentine)	.1383	U. S. money is principal circulating medium.
Peru	Sol	.0329	Petty transactions are largely carried on in silver. Conversion of notes into gold suspended Jan. 31, 1931.
Poland	Zloty	.1756	Obligation to pay out gold deferred Mar. 13, 1933; exchange control established Mar. 1, 1936.
Portugal	Escudo	.0499	Conversion of notes into gold suspended May 18, 1932.
Rumania	Leu	.0059	Treasury notes and notes of the three banks of issue (Bank of Rumania, Bank of Transylvania, and Bank of Bessarabia) are legal tender. Gold cannot be exported. Official control of exchange established Sept. 29, 1931.
Salvador	Colon	.4000	Obligation to sell gold at fixed monetary par suspended Sept. 21, 1931.
Spain	Peseta	.0513	Conversion of gold currency suspended Oct. 7, 1931.
Straits Settlements	Straits dollar	.4705	British pound sterling and Straits dollar and half dollar legal tender.
Sweden	Krona	.2681	Conversion of notes into gold suspended Sept. 29, 1931.
Switzerland	Franc	.2315	Order of Federal Council authorizing Swiss National Bank to maintain the gold parity of the franc at a value ranging between 190 and 215 milligrams of fine gold.
Thailand (Siam)	Baht (Tical)	.3144	Conversion of notes into gold suspended May 11, 1942.
Turkey	Pound	.4511	Conversion of notes into gold suspended Sept. 29, 1931. Obligation to sell gold at fixed monetary par suspended Feb. 28, 1939.
Union of South Africa	Pound	4.0387	Conversion of gold currency suspended Dec. 28, 1932.
United Kingdom	Pound Sterling	4.0387	Exchange control established Sept. 21, 1931. Obligation to sell gold at fixed monetary par suspended Sept. 21, 1931.
Uruguay	Peso	.4267	Conversion of notes into gold suspended Aug. 2, 1914; exchange control established Sept. 7, 1931. Now gold content of .8684 grams of fine gold per peso established by monetary law of Jan. 12, 1935.
Venezuela	Bolivar	.1929	Exchange control established Dec. 13, 1940.
Yugoslavia	Dinar	.0176	Exchange control established Oct. 7, 1941.

(Sec. 25, 28 Stat. 582; sec. 403, 42 Stat. 17; sec. 522, 42 Stat. 974; sec. 522, 46 Stat. 739; 31 U.S.C. 372) January 1, 1943.

[F. R. Doc. 43-674, Filed, January 14, 1943; 10:13 a. m.]

Value so proclaimed varies by 5 per centum or more from a value measured by the buying rate in the New York market at noon on the day of exportation, conversion shall be made at a value measured by such buying rate, as determined and certified by the Federal Reserve Bank of New York and published by the Secretary of the Treasury pursuant to the provisions of section 522, title IV, of the Tariff Act of 1930.

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.

VALUES OF FOREIGN MONETARY UNITS (AT PAR AS REGARDS GOLD UNITS; NONGOLD UNITS HAVE NO FIXED PAR WITH GOLD)

Country	Monetary unit	Value in terms of U. S. money	Remarks
Argentine Republic	Peso	$0.3333	Given valuation is of gold peso. Paper nominally convertible at 44% of face value. Conversion suspended Dec. 16, 1929.
Australia	Pound	4.2387	Conversion of gold stocks and exports authorized Dec. 17, 1939.
Belgium	Belga	.1695	By decree of Mar. 31, 1936, One Belga equals 5 Belgian francs. The Anglo-Belgian financial agreement of June 7, 1940, fixed the rate of exchange of the Belgian franc and the franc of the Belgian Congo at Two Belgian francs for 21 cents.
Bolivia	Boliviano	$0.1930	Conversion of notes into gold suspended Sept. 23, 1931.
Brazil	Cruzeiro (Milreis)	.0668	Based upon official rate of cruzeiro in terms of the dollar as announced by the Bank of Brazil. Conversion of gold into sterling suspended Sept. 21, 1931. Effective July 1, 1939, the British Treasury arrangement of June 14, 1940, established the official rate of exchange between the United States dollar and the pound sterling at 7.60 guilders for £1 sterling. By act of September 21, 1940, the Netherlands gold stock was impounded at the Bank of the Netherlands by law, so that the Java Bank shall fix the value of its stocks of gold coin and bullion at Fl. 2.121 per kilogram fine.
British Honduras	Dollar	1.0000	Exchange control established Oct. 10, 1940.
Bulgaria	Lev	.0122	Embargo on export of gold. Obligation to sell gold at fixed monetary par suspended Apr. 10, 1933.
Canada	Dollar	1.0031	Given valuation is of gold peso. Gold pesos are received for conversion at the rate of 4 paper pesos for one gold peso.
Chile	Peso	.3901	Conversion of notes into gold suspended Sept. 29, 1931. Gold exchange standard suspended July 31, 1941. Bank of Chile established under Currency Board control. Official exchange rate for British currency pegged at about 1 s. 2d., or about 25.20 C. S. per pound.
China	Yuan		Treasury notes and notes of the three banks of issue (Bank of China, Bank of Communications, and Central Bank of China) are legal tender. Gold cannot be exported. Official control of exchange established Sept. 29, 1941.
Hong Kong	Dollar	.2114	Obligation to sell gold at fixed monetary par suspended Sept. 21, 1931.
Colombia	Peso	.5714	Conversion of gold currency suspended Sept. 29, 1931. Gold exchange standard established Dec. 31, 1931. Exchange control established May 18, 1939.
Costa Rica	Colon	.1765	Conversion of notes into gold suspended Dec. 29, 1932.
Cuba	Peso	1.0000	Conversion of notes into gold suspended Sept. 29, 1933.
Czechoslovakia	Koruna	.0297	Exchange control established Sept. 29, 1931.
Denmark	Krone	.2681	Conversion of notes into gold suspended Feb. 9, 1933.
Dominican Republic	Dollar	1.0000	Conversion of notes into gold suspended Sept. 29, 1931.
Ecuador	Sucre	.0500	Conversion of notes into gold suspended Sept. 28, 1931.
Egypt	Pound (100 piastres)	4.9402	Conversion of notes into gold suspended Sept. 29, 1931.
Estonia	Kroon	.2682	Conversion of notes into gold suspended Mar. 8, 1933.
Finland	Markka	.0214	Official exports prohibited. Obligation to sell gold at fixed monetary par suspended Mar. 27, 1931. Foreign exchange control established Sept. 29, 1939.
France	Franc		Exchange control established July 13, 1936. Obligation to sell gold at fixed monetary par suspended Sept. 21, 1931.
Germany	Reichsmark	.4020	Exchange control established July 13, 1931.
Great Britain	Pound Sterling	4.0387	Obligation to sell gold at fixed monetary par suspended Sept. 21, 1931.
Greece	Drachma	.0220	Conversion of notes into gold suspended Mar. 8, 1932.
Guatemala	Quetzal	1.0000	Conversion of notes into gold suspended Dec. 24, 1936.
Haiti	Gourde	.2000	National bank notes redeemable on demand in U. S. dollars.
Honduras	Lempira	.4985	Free exports prohibited. Exchange control established May 27, 1941 by regulations of Sept. 29, 1939.
Hungary	Pengo	.2941	Exchange control established July 17, 1931.
India (British)	Rupee	.3782	Obligation to sell gold at fixed monetary par suspended Sept. 21, 1931.

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment 107]

PART 801—GENERAL REGULATIONS

PART 809—SHIPPING PRIORITY RATINGS

PROHIBITED EXPORTATIONS; CERTAIN PRINTED MATTER

Section 801.2 *Prohibited exportations* is hereby amended to change the wording of a commodity classification and to accomplish a division thereof as follows:

The commodity classification now reading:

Commodity:	Dept. of Comm. No.
Printed matter, n. e. s	9569.98

is hereby divided and amended to read:

Commodity:	Dept. of Comm. No.
Other printed matter, n. e. s	9569.98
Currency, banknotes, and uncancelled revenue stamps	9569.98

Paragraph (a) of § 809.6 *Ratings assigned articles and materials under general license* is hereby amended to accomplish a division of a commodity classification for the purpose of assigning a different shipping priority rating to one type of commodity included in the classification by the assignment of the following shipping ratings to the following described commodities:

Schedule "B" No.	Commodity	Shipping rating
9569.98	Other printed matter, n. e. s	D
9569.98	Currency, banknotes, and uncanceled revenue stamps	B

(Sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807)

PAUL CORNELL,
Chief of Office,
Office of Exports

JANUARY 9, 1943.

[F. R. Doc. 43-666; Filed, January 14, 1943; 9:22 a. m.]

[Amendment 108]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS; CLOCKS AND WATCHES

Section 801.2 *Prohibited exportations* is amended in the following particulars:

In the column headed "Gen. Lic. Group" the group designations assigned to the commodities listed below are amended to read as follows:

Commodity	Dept. of Commerce No.	Gen. Lic. Group
Clocks and watches:		
Watches, without jewels	9580	C
Watch parts	9589	C

(Sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807)

PAUL CORNELL,
Chief of Office,
Office of Exports.

JANUARY 9, 1943.

[F. R. Doc. 43-667; Filed, January 14, 1943; 9:22 a. m.]

[Amendment 109]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS; PETROLEUM PRODUCTS AND TETRAETHYL LEAD

Section 801.2 *Prohibited exportations* is amended in the following particulars:

In the column headed "Gen Lic. Group" the group designations assigned to the commodities listed below are amended to read as follows:

Commodity	Department of Commerce No.	Gen. Lic. Group
PETROLEUM PRODUCTS AND TETRAETHYL LEAD		
G—Other motor fuel and gasoline from which by commercial distillation there can be separated more than 3% of a total fraction having an A. S. T. M. end point of 300° F. which will have, with the addition of 3cc tetraethyl lead per gallon, an octane number by the A. S. T. M. Knock Test Method of 80 or more and not conforming to E of F	2017.07	C

(Sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807)

PAUL CORNELL,
Chief of Office,
Office of Exports.

JANUARY 9, 1943.

[F. R. Doc. 43-668; Filed, January 14, 1943; 9:22 a. m.]

[Amendment 110]

PART 808—PROCEDURE RELATING TO SHIPMENT OF LICENSED EXPORTS TO THE OTHER AMERICAN REPUBLICS

APPLICATION FORM PRESCRIBED

1. Section 808.5 *Application form prescribed* is hereby amended to read as follows:

§ 808.5 *Application form prescribed.* Applications for shipping space shall be made on the applicable form as follows:

(a) Form BEW-166 shall be used regardless of the weight of the shipment when:

(1) An individual export license is required for the proposed exportation.

(2) The entire exportation is at, or is ready for shipment to, or will be ready for shipment to the port of exit from the United States within two weeks from the date the individual export license is received by the applicant.

(b) Form BEW-138 shall be used when:

(1) The provisions for the use of Form BEW-166 are not applicable.

(2) The entire exportation is at, or is ready for shipment to, or will be ready for shipment to the port of exit from the United States within three weeks from the date the application for freight space is submitted.

2. Section 808.6 *Application procedure* is hereby amended in the following particulars:

1. Paragraph (c) *Time to apply* is hereby deleted.

2. Paragraphs now lettered (d) to (f), both inclusive, are hereby relettered (c) to (e).

(Sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807)

PAUL CORNELL,
Chief of Office,
Office of Exports.

JANUARY 14, 1943.

[F. R. Doc. 43-695; Filed, January 14, 1943; 11:30 a. m.]

[Amendment 111]

PART 804—INDIVIDUAL LICENSES

WEIGHT AND VOLUME TOLERANCE

Paragraph (e) of § 804.4 *Weight and volume tolerance* is hereby amended to read as follows:

(e) A tolerance up to ten (10%) per cent in volume over the volume specified on the license is allowed on shipments where there is a proportionate increase in quantity. The exporter may reduce the price per unit of quantity stated in the license whenever he so desires.

(Sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807)

PAUL CORNELL,
Chief of Office,
Office of Exports.

JANUARY 9, 1943.

[F. R. Doc. 43-670; Filed, January 14, 1943; 9:23 a. m.]

[Amendment 112]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS; AIRCRAFT, ETC.

Section 801.2 *Prohibited exportations* is hereby amended as follows:

1. The commodity description now appearing as follows:

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
Aircraft, Gliders	Units	7943	C

is amended to read:

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
Aircraft (including gliders) Licensed by State Department			

2. The commodity description now appearing as follows:

Commodity	Unit	Dept. of Comm. No.	Gen. Lic. Group
Gliders	Units	7943	C

is hereby deleted.

(Sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807)

PAUL CORNELL,
Chief of Office,
Office of Exports.

JANUARY 9, 1943.

[F. R. Doc. 43-671; Filed, January 14, 1943; 9:22 a. m.]

[Amendment 113]

PART 802—GENERAL LICENSES

SHIP AND PLANE STORES, SUPPLIES AND EQUIPMENT

Subparagraph (4) of paragraph (b) of § 802.13 *Ship and plane stores, supplies and equipment* is hereby amended in the following particulars:

1. Group A is amended by changing the provision respecting "Meats" to read as follows:

Meats { fresh (not to exceed .75 lbs.) / dried / canned (not to exceed .06 lbs.)

2. Group D is amended by changing the same to read as follows:

Vegetables { fresh / dried / canned (not to exceed .25 lbs.)

Fruits { fresh / dried / canned (not to exceed .25 lbs.)

Total for Group D .75 lbs.

3. Group F is amended by changing the same to read as follows:

Cocoa
Coffee (not to exceed .11 lbs.)
Tea

Total for Group F .25 lbs.

(Sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807)

PAUL CORNELL,
Chief of Office,
Office of Exports.

JANUARY 9, 1943.

[F. R. Doc. 43-672; Filed, January 14, 1943; 9:23 a. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 3123—FLOOR FINISHING AND FLOOR MAINTENANCE MACHINES AND INDUSTRIAL VACUUM CLEANERS

[Amendment 1 of Limitation Order L-222]

Section 3123.1, *Limitation Order L-222* [8 F.R. 356], is hereby amended in the following respects:

1. Paragraph (b) (2) (i) is amended by deleting "January 15, 1943" and inserting "February 15, 1943" in lieu thereof.

2. Paragraph (b) (2) (iii) is amended by deleting "March 15, 1943" and inserting "April 15, 1943" in lieu thereof.

3. Paragraph (b) (3) (i) is amended by deleting "January 15, 1943" and inserting "March 1, 1943" in lieu thereof.

4. Paragraph (b) (3) (ii) is amended by deleting "March 15, 1943" and inserting "June 1, 1943" in lieu thereof.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 14th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-719; Filed, January 14, 1943; 4:48 p. m.]

PART 977—MANILA FIBER AND MANILA CORDAGE

[General Preference Order M-36, as Amended Jan. 15, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of Manila fiber and Manila cordage for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

Now, therefore, it is hereby ordered, That:

§ 977.1 *General Preference Order M-36—*(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the provisions of priorities regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Manila fiber" means fiber which is commonly known in the trade by this term and also known as abaca or Manila hemp (either stripped or decorticated), Sumatra abaca and Panama abaca. Except as provided in paragraph (d) (1), Manila fiber does not mean the fiber grades of T, O, W, or Y, as established by the Insular Government of the Philippine Islands.

(2) "Manila cordage" means cable and ropes $\frac{3}{16}$ inch in diameter and larger, and twines used for fishing nets, in which Manila fiber either alone or in combination with other materials is used, but does not include Manila cordage sold or delivered for its scrap value.

(3) "Class A cordage" means Manila cordage which contains such a combination of grades of Manila fiber as will at least equal the fiber quality requirements of Federal Specification T-R-601a.

(4) "Class B cordage" means Manila cordage which contains such a combination of grades of Manila fiber as will give a Becker value not in excess of thirty-nine, such Becker value to be determined according to the methods set forth in said Federal Specification T-R-601a.

(5) "Cordage processor" means any person other than the Navy of the United States who spins, twists, weaves or otherwise uses Manila fiber in the production of Manila cordage.

(6) "Processing" means any use of Manila fiber for the manufacture of any other article or commodity into which the Manila fiber goes or of which it becomes a part.

(7) "Dealer" means any person who procures Manila cordage for storage or for sale, and includes selling agents, and other commerciallly recognized agents acting for their own account or for others, whether or not acquiring title to such Manila cordage, but shall not include an importer.

(8) "Basic monthly poundage" with respect to any cordage processor shall be the average number of pounds per month of Manila cordage sold by such processor during the period January 1 through December 31, 1939. Where this order specifies a percentage of the basic monthly poundage to be processed, sold or delivered during any period, any cordage processor keeping his books on a weekly basis shall apply the said percentage to the weekly periods most nearly approximating the period specified.

(9) "Import" means to transport in any manner into the continental United States from any foreign country or from any territory or possession of the United States, including the Philippine Islands. It includes shipments into a free port, free zone or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States, and shipments in bond into the continental United States for transshipment to Canada, Mexico or any foreign country.

(c) *Restrictions on deliveries of Manila fiber.* No person shall hereafter make or accept delivery of any Manila fiber unless specifically authorized by the Director General for Operations: *Provided, however,* That deliveries of Manila fiber may be made:

(1) By and to the Navy of the United States.

(2) By and to the Defense Supplies Corporation.

(3) By and to persons importing or otherwise handling Manila fiber in accordance with written instructions from the Navy of the United States or from Defense Supplies Corporation, provided that such Manila fiber is to be delivered, either processed or unprocessed, directly, or through one or more other persons, to the Navy of the United States or to Defense Supplies Corporation.

(4) By importers to cordage processors of Manila fiber rejected by the Navy of the United States or Defense Supplies Corporation as unfit for their use.

(5) By cordage processors to cordage processors of Manila fiber which at the time of any such delivery had been previously imported into the United States.

(d) *Restrictions on processing of Manila fiber.* (1) No person shall begin the processing of any Manila fiber, including the fiber of grades T, O, W, or Y, as established by the Insular Government of the Philippine Islands, except for the purpose of manufacturing Class A or Class B cordage for sale or delivery to fulfill the orders hereafter specified in paragraph (e) (2), or such cordage as may be required to meet the specifications of orders of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration or its operating or general agents.

(2) No cordage processor shall put into process in any month, commencing January 1, 1943, more Manila fiber than 37% of his basic monthly poundage, of which percentage not more than 20% shall be put into process to fill purchase orders for Manila cordage uses specified in paragraph (e) (2) (ii).

(3) Any cordage processor shall, notwithstanding the limitations of paragraphs (d) (2) and (e) (1), and in addition to any action permitted thereunder:

(i) Process into Manila cordage any Manila fiber furnished to the said cordage processor by the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration or its operating or general agents, and sell and deliver such cordage to, or for the account of, the agencies furnishing the fiber.

(ii) Process into Manila cordage such additional amounts of Manila fiber and sell and deliver such additional amounts of Manila cordage as may from time to time be determined by the Director General for Operations to be necessary in the public interest and to promote the national defense.

(e) *Restrictions on sales and deliveries of Manila cordage.* (1) During the period January 1 through March 31, 1943, no cordage processor shall sell or deliver more Manila cordage than 12½% of his basic monthly poundage, of which quantity not more than 20% shall be sold or delivered to fill purchase orders for Manila cordage uses specified in paragraph (e) (2) (ii).

(2) In addition to the limitations in paragraphs (e) (1) and (e) (3) no cordage processor or dealer shall sell or deliver any Manila cordage and no person shall purchase or accept delivery of any Manila cordage except to fill the following:

(i) Orders for Manila cordage for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration or its operating or general agents, or for physical incorporation in other products to be delivered to or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration or its general or operating agents. Every such purchase order for physical incorporation into products to be delivered to or for the account of the foregoing named agencies shall be accompanied by a certificate in substantially the following form

The undersigned hereby represents to his vendor and to the War Production Board that the Manila cordage covered by the annexed purchase order is for physical incorporation into the products to be delivered to

---

(Here insert name of one of the foregoing named agencies)

pursuant to contract No. ---

Name of purchaser

Date ---

By ---
Authorized person

(ii) Purchase orders for the following categories and uses:

(*a*) Purse lines for use in commercial fishing;

(*b*) Lines not less than 4½ inches in circumference used exclusively in towage or by ocean-going vessels engaged in the carriage of cargo and passengers as common carriers;

(*c*) Manila drilling cables for use in drilling oil wells, gas wells, and mines;

(*d*) Manila torpedo lines for use in handling explosives;

(*e*) Manila shot lines;

(*f*) Life boat falls for use on ocean, coastal or Great Lakes vessels of one thousand tons or over.

(iii) Purchase orders for Manila cordage:

(*a*) Carrying a preference rating of A-1-j or higher, evidenced by a preference rating certificate, or

(*b*) For use on vessels engaged in the carriage of cargo, as common carriers of passengers in towage, in lighterage or in fishing for commercial fish markets or canneries for use in hoisting for the loading or discharge of cargo of such vessels, and for uses of shipbuilding: *Provided, however,* That the Manila fiber for the manufacture of cordage covered by the purchase order of the type specified in this paragraph (e) (2) (iii) (*a*) shall have been put into process by a cordage processor on or before September 14, 1942: *And provided further,* That Manila fiber for the manufacture of cordage covered by purchase orders of the categories specified in paragraph (e) (2) (iii) (*b*) shall have been put into process by a cordage processor on or before July 4, 1942.

(iv) Orders placed by Defense Supplies Corporation or Metals Reserve Company: *Provided, however,* That no cordage processor or dealer shall deliver any Manila cordage upon any order placed with him pursuant to paragraph (e) (2) (ii) or (e) (2) (iii) (*b*), unless and until such processor or dealer shall have first received from the person placing such order a certificate signed on behalf of such person by a duly authorized individual in substantially the following form:

The undersigned hereby represents that the Manila cordage covered by this order will be used by the undersigned only for the uses specified in paragraph (e) (2) of General Preference Order M-36, as amended, with the terms of which the undersigned is familiar.

(3) No person, other than the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration or its operating or general agents, the Defense Supplies Corporation, the Metals Reserve Company or an importer, shall hereafter order or accept delivery of any Manila cordage if the amount of the Manila cordage held or under control of such person exceeds one and one half months' supply for such person; and no person, other than those hereinabove excepted, shall have outstanding at any one time orders for future deliveries of Manila cordage in an amount greater than one month's supply for such person. "Supply" as used in this paragraph means the average monthly amount of Manila cordage withdrawn from the inventory of such person, which has been resold or put into actual use by such person, in the three calendar months immediately preceding the calendar month in which said order is placed or delivery is accepted, or in the three calendar months of the previous year which immediately follow the calendar month of that year corresponding with the month in which said order is placed or delivery is accepted, whichever shall be the higher: *Provided, however,* No person shall be entitled to count as withdrawn from inventory and resold or put into actual use, for the purpose of calculating his permitted supply, any lots of Manila cordage purchased expressly for and resold or delivered to the Army or Navy of the United States, the United States Maritime Commission, the Defense Supplies Corporation, or the Metals Reserve Company, but every such person shall be entitled to include in the said calculation as withdrawn from inventory and resold or put into actual use any lots of Manila cordage sold to any of the foregoing from his general supply of Manila cordage where such lots, or their equivalent, were not purchased by him expressly for such resale: *And provided further,* That nothing herein contained shall prohibit the importation of, or restrict the inventory of, imported Manila cordage which may be held by any dealer for whose account such Manila cordage was imported.

(f) *Control of stocks of Manila fiber.* Control is hereby taken of the distribution and use of Manila fiber. Any Manila fiber at any time hereafter in the inventory of any person shall be sold and delivered by such person if and as specifically directed in any order of the

Director General for Operations which may be issued whenever the Director General for Operations shall determine that a shortage of any particular grade of Manila fiber for defense, or for private account and for export, renders it necessary or appropriate so to allocate such Manila fiber in the public interest or to promote the national defense by so directing its sale and delivery by such person. Any such sale shall be made at the established prices and terms of sale and payment therefor. No person shall dispose of or use Manila fiber in any manner inconsistent with any such order.

(g) *Exclusions from this order.* The terms and provisions of this order shall not apply to:

(1) Sales and/or deliveries by any cordage processor or dealer of Manila cordage of any class from stocks on hand or in process as of February 20, 1942, of the following types:

(i) Manila lariat rope,

(ii) Manila yacht lariat rope,

(iii) Manila transmission rope,

(iv) Manila left laid spinning lines, not including cordage of cable construction suitable for use as drilling cables even though such products may have been purchased or sold for spinning lines.

(2) Any sales and/or deliveries by any cordage processor or dealer of Manila cordage which on December 19, 1941, was in the form of cut lengths of less than 200 feet.

(3) Any stock of Manila cordage which contains no Manila fiber of the following grades—AB Davao or non-Davao, 1 Davao, JI Davao, G. Davao,—S2 Davao, and which is so processed that the Manila fiber therein contained is combined or mixed with at least an equal amount of fiber other than Manila fiber, in the hands of a dealer or cordage processor, or in transit on February 20, 1942, or made from Manila fiber actually placed on machines by a cordage processor on or prior to December 19, 1941.

(4) Any Manila cordage imported into the United States on or after July 4, 1942, and which has been offered for sale to, and rejected in writing by, any two of the following:

(i) The Army of the United States,

(ii) The Navy of the United States,

(iii) The United States Maritime Commission, or

(iv) The War Shipping Administration or its operating or general agents.

(5) Delivery by or to any person having temporary custody of Manila cordage or Manila fiber solely for the purposes of transportation or the public warehousing thereof.

(h) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of Manila fiber conserved, or that compliance with this order would disrupt or impair a program of conversion for nondefense work to defense work, may appeal to the Director General for Operations by letter or telegram Ref: M-36, setting forth the pertinent facts and the reason he considers he is entitled to relief, or upon such form or forms as may hereafter be prescribed. The Director General for Operations may thereupon take such action as he deems appropriate. Applications for specific exceptions from the limitations of paragraph (e) (3) should be made in writing by the person desiring to use the cordage.

(i) *Reports.* Every importer of Manila fiber or Manila cordage and every processor of Manila fiber shall file with the U. S. Tariff Commission, acting for the War Production Board, not later than the tenth day of the following month, a report on form PD-128 and/or PD-129, and all persons affected by this order shall file with the War Production Board such reports as may from time to time be required by said Board.

(j) *Records.* All persons affected by this order shall keep and preserve for not less than two (2) years accurate and complete records concerning inventories, production, sales and other transactions pursuant to this order, and shall from time to time, upon request, submit all records required to be kept by this order to audit and inspection by duly authorized representatives of the War Production Board.

(k) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(l) *Communications to the War Production Board.* All reports to be filed, appeals and other communications concerning this order, unless otherwise stated, shall be addressed to the War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Reference M-36.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 15th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-723; Filed, January 15, 1943; 9:21 a. m.]

PART 1052—KITCHEN, HOUSEHOLD AND OTHER MISCELLANEOUS ARTICLES

[Supplementary Limitation Order L-30-a, as Amended Jan. 15, 1943]

GALVANIZED WARE AND NON-METAL COATED METAL ARTICLES

§ 1052.2 *Supplementary Limitation Order L-30-a*—(a) *Definitions.* For the purposes of this order:

(1) "Restricted" when applied to any products or articles, means made of iron or steel which is zinc-coated or has a plain, japanned, painted, lithographed or lacquered finish.

(2) "Preferred order" means any purchase order, contract or subcontract for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(3) "Garbage, rubbish and ash receptacles" or "garbage cans and pails" do not include:

(i) Cans which are both specifically designed for, and of a type customarily used for, the disposal of oily waste or film scrap; or

(ii) Cans produced in fulfillment of preferred orders, provided such cans are constructed in accordance with United States Army Specifications Nos. 29-91 (dated October 18, 1939) or 29-91A (dated March 3, 1942), Federal Specification No. RR-C-81 (as amended May, 1936), Emergency Alternate Federal Specification No. E-RR-C-81 (dated April 30, 1941), or Bureau of Ships Specification No. 42C23 (INT) (dated June 1, 1942).

(4) "Pails," "buckets" or "tubs" do not include:

(i) Any pails, buckets or tubs designed expressly for use as packing or shipping containers; or

(ii) Any buckets produced in fulfillment of preferred orders, provided such buckets are constructed in accordance with Federal Specification No. RR-B-771a (dated March 3, 1939) or Emergency Alternate Federal Specification No. E-RR-B-771a (dated December 11, 1941).

(5) "Funnels" do not include any funnels produced in fulfillment of preferred orders, provided such funnels are constructed in accordance with Bureau of Ships Ad Interim Specification 41-F-6 (INT) For Funnels (dated December 1, 1941), or with Chemical Warfare Service Drawings Nos. E-81-5-6 (dated September 11, 1941), B-18-41-2 (revised January 27, 1942) or E-18-41-1 (revised November 22, 1941) or any subsequent drawings designed for Chemical Warfare Service needs.

(6) "Manufacturer" means any person who produces or assembles any restricted product or article, or any part for such product or article.

(7) "Put into process" means the first change by a manufacturer in the form of material from that form in which it is received by him.

(8) "Base period" means the twelve months ending June 30, 1941.

(b) *Restrictions on miscellaneous articles.* Except as provided in paragraph (g), on and after November 12, 1942, no manufacturer shall process, fabricate, work on or assemble any iron or steel for use in the production of any of the following restricted articles:

(1) Watering pots,

(2) Radiator and tractor filling cans (other than blitz cans),

(3) Foot baths,

(4) Liquid and dry measures (other than oil measures with flexible spouts), except in fulfillment of preferred orders,

(5) Dippers, except in fulfillment of preferred orders,

(6) Ash sifters,

(7) Coal hods and scuttles,

(8) Utility baskets.

(c) *Restrictions on garbage, rubbish and ash receptacles.* (1) Except as provided in paragraph (g), on and after November 12, 1942, no manufacturer shall process, fabricate, work on or assemble any iron or steel for use in the production of any restricted garbage, rubbish or ash receptacles except garbage cans and pails as permitted in Schedule A attached to this order.

(2) No manufacturer shall put into process more iron and steel, by weight, in the production of restricted garbage cans and pails permitted under Schedule A:

(i) During the period from November 1, 1942 to December 31, 1942, inclusive, than two times 50% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of restricted garbage, rubbish and ash receptacles; or

(ii) During the period of three months beginning January 1, 1943, and during each succeeding period of three months, than three times 50% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of restricted garbage, rubbish and ash receptacles.

(d) *Restrictions on pails, buckets and tubs.* (1) Except as provided in paragraph (g), on and after November 12, 1942, no manufacturer shall process, fabricate, work on or assemble any iron or steel for use in the production of any restricted pails, buckets or tubs (other than fire buckets) except pails and buckets and wash tubs as permitted under Schedule A.

(2) On and after January 1, 1943, no manufacturer shall process, fabricate, work on or assemble any iron or steel for use in the production of any restricted fire bucket.

(3) Except in fulfillment of preferred orders and orders placed by Rubber Reserve Corporation, U. S. Commercial Corporation and Defense Supplies Corporation, no manufacturer shall put into process more iron and steel, by weight, in the production of:

(i) Restricted pails and buckets permitted under Schedule A:

(*a*) During the period from November 1, 1942 to December 31, 1942, inclusive, than two times 50% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of restricted pails and buckets (other than fire buckets and wringer buckets); or

(*b*) During the period of three months beginning January 1, 1943 and during each succeeding period of three months, than three times 10% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of restricted pails and buckets (other than fire buckets and wringer buckets).

(ii) Restricted wash tubs permitted under Schedule A:

(*a*) During the period from November 1, 1942 to December 31, 1942, inclusive, than two times 50% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of restricted wash tubs; or

(*b*) During the period of three months beginning January 1, 1943, and during each succeeding period of three months, than three times 10% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of restricted wash tubs.

(iii) Restricted fire buckets during the period from November 1, 1942 to December 31, 1942, inclusive, than three times 50% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of restricted fire buckets.

(4) On and after January 15, 1943, no manufacturer shall sell, lease, trade, ship, deliver or transfer any new restricted pails, buckets or wash tubs, except:

(i) That any pail, bucket or wash tub actually in transit on January 15, 1943 may be delivered to its immediate destination;

(ii) In fulfillment of preferred orders;

(iii) To Rubber Reserve Corporation, U. S. Commercial Corporation or Defense Supplies Corporation;

(iv) Pursuant to an order accompanied by a written certification signed by the person placing the order (which shall constitute a representation to the manufacturer and to the War Production Board) that the pails, buckets or wash tubs are to be used for one or more of the following purposes:

(*a*) As receptacles for oily rags or oily paper in industrial plants (non-galvanized only),

(*b*) For mixing gunpowders in munitions plants,

(*c*) In the preparation or manufacture of rubber, agar or other chemicals or drugs,

(*d*) For holding cement or rivets on construction jobs or projects (non-galvanized only),

(*e*) For maintenance or operation of railroads or other means of public transportation, or

(*f*) For settling emery in optical plants; or

(v) With specific authorization of the Director General for Operations granted on Form PD-556, pursuant to an application filed on such form, which application should contain full information showing that the pails, buckets or wash tubs are to be used for industrial purposes where pails, buckets and tubs made from substitute materials cannot be used.

(e) *Restrictions on wash boilers and fire shovels.* (1) Except as provided in paragraph (g), on and after November 12, 1942, no manufacturer shall process, fabricate, work on or assemble any iron or steel for use in the production of any:

(i) Restricted wash boiler except as permitted in Schedule A; or

(ii) Restricted fire shovel more than 22 inches in length.

(2) No manufacturer shall put into process more iron and steel, by weight, in the production of:

(i) Restricted wash boilers permitted under Schedule A:

(*a*) During the period from November 1, 1942 to December 31, 1942, inclusive, than two times 50% of the average monthly amount of iron and steel, by weight, put into process by him in the base period in the production of wash boilers (whether restricted or not); or

(*b*) During the period of three months beginning January 1, 1943, and during each succeeding period of three months, than three times 50% of the average monthly amount of iron and steel, by weight, put into process by him in the base period in the production of wash boilers (whether restricted or not).

(ii) Restricted fire shovels:

(*a*) During the period from November 1, 1942 to December 31, 1942, inclusive, than two times 50% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of restricted fire shovels; or

(*b*) During the period of three months beginning January 1, 1943, and during each succeeding period of three months, than three times 50% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of restricted fire shovels.

(f) *Restrictions on funnels, refrigerator pans and cans designed for the storage of oil, gasoline or kerosene.* (1) Except as provided in paragraph (g), on and after November 12, 1942, no manufacturer shall process, fabricate, work on or assemble any iron or steel for use in the production of any restricted funnel except as permitted in Schedule A.

(2) On and after January 15, 1943, no manufacturer shall process, fabricate, work on or assemble any iron or steel for use in the production of:

(i) Any restricted funnels or refrigerator pans; or

(ii) Any restricted cans, with a capacity of one to five gallons, inclusive, designed for the storage of oil, gasoline or kerosene, except

(*a*) In fulfillment of preferred orders,

(*b*) Cans commonly known as safety cans, used for the storage of inflammable liquids, or

(*c*) Cans used as operating supplies by railroads or other common carriers, provided that all such cans are produced and sold only in fulfillment of purchase

orders from railroads or other common carriers;

(3) During the period from November 1, 1942 to December 31, 1942, inclusive, no manufacturer shall put into process in the production of:

(i) Restricted funnels, more than two times 50% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of restricted funnels;

(ii) Restricted refrigerator pans more than two times 50% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of restricted refrigerator pans; or

(iii) Restricted cans designed for the storage of kerosene with a capacity of from one to five gallons, inclusive, more than two times 50% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of such restricted cans.

(g) *Exceptions.* Notwithstanding the provisions of paragraphs (b), (c) (1), (d) (1), (e) (1) and (f) (1), a manufacturer may produce any restricted articles mentioned in these paragraphs from iron and steel which, on November 12, 1942, had been cut or blanked to size for such restricted article by him or by any other person: *Provided*, That such restricted article is completed on or before December 7, 1942, except for the application of a zinc or other coating and the attaching of bails, handles, spouts or ears, which may be done thereafter.

(h) *Applicability of other orders.* The provisions of this order shall supersede the provisions of Limitation Order L–30 in respect to restricted articles covered by this order, but nothing in this order shall be deemed in any way to affect the provisions of said Order L–30 and other orders in respect to any other articles or products. In so far as any other order restricts the use of any material in the production of any restricted articles to a greater extent than the limits imposed by this order, the restrictions of such other order shall govern unless otherwise specified therein.

(i) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(j) *Appeal.* Any appeal from the provisions of this order should be made on Form PD–500, directed to the War Production Board, Consumers' Durable Goods Division, Washington, D. C., Ref: L–30–a.

(k) *Avoidance of excessive inventories.* No manufacturer shall accumulate, for use in the manufacture of restricted articles covered by this order, inventories of raw materials, semi-processed materials, or finished parts in quantities in excess of the minimum amount necessary to maintain production of such restricted articles as permitted by this order.

(l) *Records.* All persons affected by this order shall keep and preserve for not less than two years, accurate and complete records concerning inventories, production and sales.

(m) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(n) *Reports.* (1) All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(2) Each manufacturer shall file with the War Production Board, on or before the tenth day of each calendar month, beginning December 10, 1942, a report on Form PD–655 showing all shipments of restricted articles covered by this order made during the preceding calendar month, together with a statement of stocks of such articles on hand at the beginning and end of such month.

(o) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(p) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers' Durable Goods Division, Washington, D. C., Ref: L–30–a.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 15th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A

NOTE. Schedule A was amended January 15, 1943.

Under paragraphs (c) (1), (d) (1), (e) (1) and (f) (1) of Limitation Order L–30–c except as provided in paragraph (g) of that order, on and after November 12, 1942, no manufacturer shall process, fabricate, work on or assemble any iron or steel for use in certain restricted articles unless such restricted articles fall within the permissible sizes and other limitations set forth in this schedule. When a manufacturer is permitted by this schedule to make more than one size of any restricted article, each size he manufactures shall fall within a different one of the size ranges specified.

Articles	Number of sizes permitted each manufacturer	Size (actual capacity or dimensions)	Gauges
Garbage cans and pails (covers must not be zinc-coated)	4	5–7 gallons	26–31 gauge.
		9–11 gallons	26–31 gauge.
		20 gallons*	26–31 gauge.
		27 gallons*	22–24 gauge.
Pails and buckets (other than fire buckets and wringer buckets)	2	10 quarts*	28 gauge and lighter.
		14 quarts*	28 gauge and heavier.
Wash tubs (without stands or legs)	1	14 gallons*	28 gauge and lighter.
Wash boilers	1	11 to 14½ gallons	Unlimited.
Funnels (with or without wire strainers)	Unlimited	10" to 15" in diameter of bowl by 9½" to 12½" deep.	

*The capacity or dimensions of these sizes may vary 10% from the figures stated.

[F. R. Doc. 43–724; Filed, January 15, 1943; 9:22 a. m.]

PART 1112—OFFICE MACHINERY

[General Limitation Order L–54–c, as Amended January 15, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain materials used in the production of office machinery for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1112.4 *General Limitation Order L–54–c*—(a) *Definitions.* For the purposes of this order:

(1) "Office machinery" means machinery, including attachments thereto, of the types listed on Lists A, B, C, or D attached to this order as amended from time to time.

(2) "New" office machinery means office machinery which has not been delivered to any person acquiring it for use. The term shall not describe any machine which has been delivered for trial, loan, rental or demonstration at any time prior to March 14, 1942. "Used" office machinery means office machinery other than new office machinery.

(3) "Restricted office machinery" means:

(i) Any new office machinery listed in Lists A, B, and C.

(ii) Any new machines and collateral equipment intended for use for dictating purposes.

(iii) Any used office machinery listed on Lists A, B, and C which on November 11, 1942 is in, or which thereafter comes into, the possession of its manufacturer for any purpose other than mere repair or reconditioning, and the manufacture of which was completed after December 31, 1940, and

(iv) Any used punched card tabulating machinery which on November 11, 1942 is in, or which thereafter comes into, the possession of its manufacturer for any purpose other than mere repair or reconditioning, regardless of its age.

(4) "Manufacturer" means any person manufacturing new office machinery or sets of parts, to the extent that he is engaged in such manufacture, and shall include majority-owned sales, distribution, and manufacturing subsidiaries.

(5) "Dealer" means any wholesaler, retailer or other distributor of restricted office machinery other than a sales or distribution subsidiary of a manufacturer, and shall include any person, firm or corporation normally receiving restricted office machinery on consignment.

(6) "Delivery" includes any physical transfer of restricted office machinery, and includes transfers for trial, loan, rental, demonstration or other use; but the terms shall not include the transfer to the consignee, designated on the shipping documents, of any new restricted office machinery actually in transit on June 1, 1942, or of any other restricted office machinery actually in transit on November 11, 1942.

(7) "Army or Navy of the United States" and "Maritime Commission" include the War Department, the Navy Department, and the Maritime Commission, respectively, but shall not include any privately operated plant, shipyard, training school, or other enterprise controlled or financed by the Army or Navy of the United States, the Maritime Commission, or any other agency of the United States Government, nor any plant or shipyard privately operated on a cost-plus-fixed-fee basis under the control or direction of the Army or Navy of the United States, the Maritime Commission, or any other agency of the United States Government.

(8) "Lend-Lease purchaser" means any person requesting authorization to receive delivery of restricted office machinery for export to any country, the government of which is entitled to the benefits of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States."

(9) "Sets of parts" means parts for office machinery produced at plants in the United States for shipment to foreign countries for assembly into new office machinery of the types listed on Lists A, B, and C.

(b) *Restrictions on production*—(1) *List A and List B quotas.* No manufacturer of any kind of new office machinery listed on List A or List B or of sets of parts for such kinds of machinery shall manufacture any such machinery or sets of parts in excess of the sum of the quotas established by paragraphs (b) (1) (i) and (b) (1) (ii) of this order.

(i) *1942 quotas.* Between June 1, 1942, and December 31, 1942, inclusive, a manufacturer of new office machinery of any kind listed on List A or List B, or of sets of parts for such kind of machinery, may manufacture a total dollar value of new office machinery of such kind (including sets of parts, but excluding special machines to be delivered under paragraph (c) (3) of this order and machines to be delivered free of restrictions pursuant to an election under paragraph (e) (1) (iv) of the original order L–54–c) equal to seven (7) times the percentage specified in Column I of List A or List B of the average monthly dollar value during the calendar year 1941 of the new office machinery of such kind billed to customers by such manufacturer plus the new office machinery of such kind exported in the form of sets of parts.

(ii) *1943 quotas.* Between January 1, 1943 and December 31, 1943, inclusive, a manufacturer of new office machinery of any kind listed on List A or List B, or of sets of parts for such kind of machinery, may manufacture a total dollar value of new office machinery of such kind (including sets of parts, but excluding special machines to be delivered under paragraph (c) (3) of this order and machines to be delivered free of restrictions pursuant to an election under paragraph (e) (1) (iv) of the original order L–54–c) equal to the percentage specified in Column II of List A or List B of the total dollar value of the new office machinery of such kind billed to customers by such manufacturer during the calendar year 1941 plus the new office machinery of such kind exported in the form of sets of parts during the calendar year 1941.

(iii) *Basis of leased machinery.* Any manufacturer whose customary practice has been to lease substantially all of any particular kind of new office machinery shall base his production quota of such kind of new office machinery upon the aggregate of the average monthly number of new units assembled and sets of parts exported during the calendar year 1941. The number of sets of parts exported in 1941 shall be considered as equal to the number of units into which such sets of parts were ultimately assembled.

(iv) *Valuation of production.* The dollar value of assembled new office machinery billed during the calendar year 1941 by the manufacturer to either domestic or foreign customers, and the dollar value of assembled new office machinery manufactured after June 1, 1942, shall be based upon the retail list price of such machinery to domestic customers. The dollar value of sets of parts shall be based upon the retail list price of the same kind of machinery, when assembled, to domestic customers. The number of sets of parts exported shall be considered as equal to the number of units into which such sets of parts were ultimately assembled.

(2) *Further restrictions on List A production.* (i) No manufacturer shall commence fabrication, or cause fabrication to be commenced, of any material for parts, or contract to purchase parts, for the assembly of any new office machinery listed on List A other than the machinery which he is allowed to produce under the terms of this order.

(ii) After December 31, 1942, no manufacturer shall fabricate, cause to be fabricated, or contract to purchase, parts for the assembly of new office machinery listed on List A.

(iii) After December 31, 1943, no manufacturer shall assemble any of the kinds of new office machinery listed on List A.

(3) *Further restrictions on List B production.* (i) No manufacturer shall commence fabrication, or cause fabrication to be commenced, of any material for parts, or contract to purchase parts, for the assembly of any new office machinery listed on List B other than the machinery which he is allowed to produce under the terms of this order.

(ii) After December 31, 1942, no manufacturer shall fabricate, cause to be fabricated, or contract to purchase, more than 25% of the parts required for the assembly of the new office machinery listed on List B (except calculating and computing machines) which he is permitted to manufacture during the entire period from June 1, 1942, to December 31, 1942.

(iii) After March 31, 1943, no manufacturer shall fabricate, cause to be fabricated or contract to purchase, parts for the assembly of new calculating or computing machines.

(4) *Restrictions on List C production.* (i) No manufacturer shall manufacture any new office machinery listed on List C or sets of parts therefor, except machines to fill orders approved under paragraphs (c) (2) through (c) (5) inclusive of this order, to fill orders of the Army or Navy of the United States or of the Maritime Commission which were actually on hand on November 11, 1942, and to maintain the minimum practicable working inventory under the circumstances.

(ii) No manufacturer shall commence fabrication, or cause fabrication to be commenced, of any material for parts, or contract to purchase parts, for the assembly of any new office machinery listed on List C other than the machinery which he is allowed to produce under the terms of this order.

(5) *Restrictions on List D production.* No manufacturer shall fabricate, cause to be fabricated, or contract to purchase, parts for the assembly of any new office machinery listed on List D. No manufacturer shall assemble any new office machinery listed on List D.

(6) *Repair and service parts.* The restrictions upon the manufacture of new office machinery contained in this paragraph (b) shall not apply to the manufacture of parts to be used to service or repair any kind of office machinery listed on Lists A, B, C, and D.

(7) *Discontinued new office machinery.* No manufacturer shall fabricate parts for any new office machinery or assemble any new office machinery of any kind which he elected to deliver free of all restrictions pursuant to paragraph (e) (1) (iv) of the original order L–54–c.

(c) *Restrictions on delivery*—(1) *General restrictions.* Regardless of the terms of any contract of sale or purchase, or other commitment, or of any preference rating, or any blanket preference rating order, no manufacturer or dealer shall deliver any restricted office machinery except as provided in para-

graphs (c) (2) to (c) (7) inclusive of this order other than machines which may be delivered free of restrictions pursuant to an election under paragraph (e) (1) (iv) of the original order L–54–c.

(2) *Back orders.* A manufacturer or dealer may deliver restricted office machinery to fill orders of the Army or Navy of the United States which were actually on hand on June 1, 1942.

(3) *Special orders.* Manufacturers or dealers may apply for authorization to deliver special restricted office machinery which, on June 1, 1942, was assembled, or in the process of fabrication and assembly, but which could not otherwise be delivered under the terms of this order. Such application may be made by filing with the War Production Board, in triplicate, plainly marked "Ref: L–54–c", a letter containing a list of all such orders, together with such information as will support the representation of the manufacturer or dealer that the machinery is special. As used in this paragraph, a "special" machine is a machine built to special specification for a customer, with features which render it unusable except by a small class of persons similarly situated.

(4) *Future orders of the Army, Navy and Maritime Commission.* From time to time, the Director General for Operations will notify manufacturers and dealers, on Form PD–423, of quantities of restricted office machinery which may be delivered without further authorization for the use of the Army or Navy of the United States, or the Maritime Commission, in preference to any other deliveries except when specifically instructed otherwise by the Director General for Operations. Manufacturers and dealers may not deliver restricted office machinery on preference rating certificates PD–3 and PD–3a, except to fill back orders of the Army or Navy of the United States pursuant to paragraph (c) (2) of this order.

(5) *Future orders of other persons.* (i) Except as provided in paragraphs (c) (2), (c) (3), (c) (4), and (c) (7) of this order, no manufacturer or dealer shall deliver any restricted office machinery to fill any order unless the order is accompanied by a preference rating certificate PD–1A issued after May 31, 1942 and prior to December 1, 1942, or by an authorization to deliver the machinery on a Form PD–688 signed by the Director General for Operations, surrendered to the manufacturer or dealer. Such preference rating certificate PD–1A, or Form PD–688, may be used to secure restricted office machinery only by the person to whom it was directly issued and only when such office machinery is expressly specified on the certificate.

(ii) Persons entitled to restricted office machinery by virtue of a preference rating certificate PD–1A who do not surrender such certificate, but retain the same, as permitted by Priorities Regulation No. 3, as amended from time to time, shall, in addition to furnishing the endorsement required by such Priorities Regulation No. 3, certify to the manufacturer or dealer from whom the machinery is to be acquired that the certificate was originally issued to such person and that the machinery was expressly specified on the certificate.

(iii) Except when specifically instructed otherwise by the Director General for Operations, the sequence of deliveries of machines authorized on PD–688 certificates shall be determined by the delivery dates specified in the respective certificates. In any case where delivery dates are the same, or it is impossible to make all deliveries on schedule, the sequence of deliveries shall be determined by the respective dates on which the PD–688 certificates were received by the supplier named in such certificates.

(6) *Intracompany deliveries.* Without further authorization, a manufacturer may for the purpose of redelivery, but not for use, deliver restricted office machinery from one branch, division or section of his enterprise, including majority-owned sales, distribution and manufacturing subsidiaries, to another branch, division or section of the same enterprise, including majority-owned sales, distribution and manufacturing subsidiaries, except that he may not deliver to a subsidiary, branch, or other outlet located outside of the United States, its territories, and possessions.

(7) *Delivery to dealers and returns to manufacturers.* Without further authorization, dealers may return restricted office machinery to any manufacturer willing to accept the same and manufacturers may accept all such restricted office machinery from dealers. Without further authorization, manufacturers or dealers may deliver restricted office machinery to dealers in the following instances only:

(i) To fill an order, authorized by the terms of the original order L–54–c or this order L–54–c as amended, already received by such dealer, or to replace restricted office machinery delivered by such a dealer from his inventory to fill an order authorized by the terms of the original order L–54–c or this order L–54–c as amended. In either case, such dealer shall furnish to the manufacturer or to the other dealer a photostat or certified copy of the PD–1A, PD–688, or other authorized basis for delivery of restricted office machinery. Reproduction of any PD–1A, PD–688, or any other document for such purpose is hereby permitted.

(ii) To store or display such restricted office machinery on the dealer's premises in the United States, its territories and possessions, provided that the restricted office machinery so stored or displayed is in the absolute control and ownership of the manufacturer or delivering dealer and may be removed, transferred or shipped by such manufacturer or delivering dealer at any time in his discretion.

(8) *Deliveries under General Conservation Order L–148.* The issuance of an authorization on Form PD–423 or on Form PD–688 to deliver a time stamp machine, a time recording machine, or collateral equipment shall constitute a preference rating of A–7 or higher within the meaning of § 1095.4, General Conservation Order L–148, for the particular items authorized to be delivered.

(d) *Special procedures and information.* (1) Private contractors engaged in construction work for the Army, Navy, Maritime Commission or Defense Plant Corporation and private operators of any plant, shipyard, training school or other enterprise controlled or financed, on a cost-plus-fixed-fee basis or otherwise, by the Army or Navy of the United States, the Maritime Commission or any other agency of the United States Government shall, when requesting restricted office machinery on Form PD–688, furnish a certification by the Government inspector assigned to the project (i) that no Government equipment is available for use in lieu of the equipment requested, (ii) that the contractor or operator has no equipment available from any other source for use in lieu of the equipment requested, and (iii) that the equipment requested is to be used exclusively by the contractor's or operator's private personnel for the duration of the project on work which the contractor is required to perform under the terms of his contract.

(2) Lend-Lease purchasers shall accompany their applications on Form PD–688 with a formal recommendation by the Lend-Lease Administration that such request be granted.

(3) Any person, other than the Army or Navy of the United States, the Maritime Commission, or any Lend-Lease purchaser, desiring to acquire restricted office machinery for export from the United States, except to Canada, must first apply to the Office of Export Control, Board of Economic Warfare, Washington, D. C., for an Export License accompanying such application with an application on Form PD–688 for permission to receive delivery. If the Office of Export Control decides that an Export License should be issued to the applicant, a statement of such decision, together with the application on Form PD–688 and a formal recommendation that the application be granted, is to be forwarded to the War Production Board.

(e) *Sets of parts.* No person shall deliver any sets of parts for export from the United States unless the Director General for Operations has authorized such delivery on Form PD–423. Any person desiring to deliver sets of parts for export shall apply by letter to the War Production Board, enclosing with his application a Form PD–423 duly prepared for authorization. He shall state in his application the number of units of machinery which may be assembled from such sets of parts, the model numbers of such machines, and the equivalent retail price of similar completed machines when sold in the United States. The authorization to produce sets of parts given by paragraph (b) of this order and the authorization to deliver sets of parts for export given by the Director General for Operations on Form PD–423 shall not be construed to authorize the exportation of such sets of parts unless an export license can be secured. No manufacturer so producing and delivering sets of parts for export shall directly or indirectly import any new office machinery of the kinds listed on List A, List B, or List C into the United States.

(f) *Restrictions on types, styles, models, specifications, and use of materials—*(1) *Elimination of models.* The Director General for Operations may, from time to time, order the cessation of production or delivery of any model, style, or type of office machinery, including attachments or repair parts thereof.

(2) *Issuance of schedules.* The Director General for Operations may, from time to time, issue schedules establishing simplified practices with respect to the types, sizes, forms, materials, or specifications of office machinery. After the effective date of any such schedule, no office machinery shall be fabricated or assembled, except such as conforms to the issued schedule and except as specifically permitted by such schedule.

(3) *Elimination of motor driven machines.* (i) On and after November 1, 1942, no manufacturer of new duplicating machines of the spirit, gelatin, or stencil types shall incorporate electric motors in more than 20 percent of the aggregate number of duplicating machines of those kinds that he is permitted to produce under his quotas. The incorporation of electric motors in other types of duplicating machines by their manufacturers shall be discontinued except for those styles of machines where motors are essential to their operation.

(ii) No manufacturer of adding machines shall incorporate any electric motor in a new adding machine except a machine for the assembly of which all the necessary parts, including motors not useful for any other purpose, were available or in process on September 8, 1942.

(g) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board as amended from time to time.

(h) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(i) *Records.* All manufacturers and dealers affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventory, production and sales of restricted office machinery, and shall, upon request, make such records available for audit and inspection by duly authorized representatives of the War Production Board.

(j) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and answers to questionnaires as the War Production Board shall from time to time request.

(k) *Violations.* Any person who wilfully violates any provision of this order, or who wilfully furnishes false information to the Director General for Operations in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using materials under priority control and may be deprived of priorities assistance by the Director General for Operations.

(l) *Communications to War Production Board.* All reports required to be filed hereunder, all communications concerning this order, and all applications shall, unless otherwise directed, be addressed to: War Production Board, Services Division, Washington, D. C.; Ref: L–54–c.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R.329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 15th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

LIST A

	I	II
1. Adding machines	55%	12%
2. Microfilm machines designed for office functions	50%	10%
3. Shorthand writing machines	70%	10%
4. Time stamp machines and collateral equipment	100%	42%

LIST B

NOTE: List B was amended January 15, 1943.

1. Accounting machines, bookkeeping machines, and billing machines (accounting principle). Also continuous forms handling machines typewriter principle, having carbon paper handling devices constructed as an integral part of the machine, and collateral equipment, except autographic registers	91%	30%
2. Addressing machines, including but not limited to embossing machines for plates, and stencil-cutting machines embodying typewriter principle	88%	42%
3. Calculating and computing machines	91%	23%
4. Duplicating machines, including but not limited to ink ribbon, gelatin, spirit, stencil and reproducing typewriter principle machines and multilith and Davidson duplicators	100%	48%
5. Office composing machines (changeable type, changeable horizontal and vertical spacing, uniform impression)	100%	100%
6. Punched card tabulating and accounting machines and collateral equipment	100%	25%
7. Time recording machines and collateral equipment, except watchmen's clocks	100%	64%

LIST C

1. Dictating types of machines embodying amplifiers and other facilities for recording telephone conversations, conferences, and wireless messages, with near and far voice control
2. Payroll denominating machines

LIST D

1. Autographic registers.
2. Cash (registering) machines.
3. Change making machines.
4. Check cancelling machines.
5. Check cutting machines.
6. Check dating machines.
7. Check endorsing machines.
8. Check numbering machines.
9. Check perforating machines.
10. Check protecting machines.
11. Check signing machines.
12. Check sorting machines.
13. Check writing machines.
14. Coin counting machines.
15. Coin sorting machines.
16. Coin wrapping machines.
17. Machines and collateral equipment intended for use for dictating, purposes.
18. Envelope contents folding machines.
19. Envelope handling machines.
20. Envelope mailing machines.
21. Envelope opening machines.
22. Envelope sealing machines.
23. Envelope stuffing machines.
24. Mail room folding machines.
25. Postal permit mailing machines
26. Stamp affixing machines.

INTERPRETATION 1

Under paragraph (e) (1) (iii) (a) of Order L–54–c, the Director General for Operations notifies manufacturers and dealers, on Form PD–423 of quantities of new office machinery which "shall be delivered to the Army, the Navy, or the Maritime Commission, without further authorization." Under paragraph (e) (1) (iii) (b) of the same order, manufacturers and dealers may not deliver new office machinery except pursuant to an order "(other than an order for the Army, the Navy or the Maritime Commission)" accompanied by a preference rating on Form PD–1A.

Whether a delivery is "to" the Army, Navy or Maritime Commission within the meaning of paragraph (e) (1) (iii) (a) and whether an order is "for" the Army, Navy or Maritime Commission within the meaning of paragraph (e) (1) (iii) (b) are determined by the use to be made of the machinery. Delivery is considered as being made "to" the person for whose use the machinery is intended, whether delivery is made directly to such person or through an intermediary. An order is considered to be "for" the person for whose use the machinery is intended, whether the order is placed directly by such person or through an intermediary.

The terms "Army of the United States," "Navy of the United States" and "Maritime Commission" are defined in paragraph (a) (6) to exclude certain cost-plus-fixed-fee contractors. Accordingly, if an order is placed for machinery to be installed by such a contractor but intended for use by the Army, Navy or Maritime Commission, authorization should be secured on Form PD–423. On the other hand, if an order is placed for machinery to be used by such a contractor during the performance of his contract, it must be accompanied by a preference rating on Form PD–1A. These rules apply irrespective of the person or agency which places the order. (Issued August 18, 1942.)

[F. R. Doc. 43–725; Filed, January 15, 1943; 9:21 a. m.]

PART 1198—GLASS CONTAINER AND CLOSURE SIMPLIFICATION

[Schedule E to Limitation Order L–103, as Amended Jan. 15, 1943]

GLASS CONTAINERS FOR PROTECTIVE COATINGS

§ 1198.6 *Schedule E to Limitation Order L–103*—(a) *Definitions.* For the purposes of this schedule:

(1) "Protective coatings" means paints (including paste water paints), varnishes, lacquers, shellacs, stains, linseed oil, turpentine, benzine, mineral spirits, varnish and paint removers, thinners and driers. The term shall not include inks or artists' supplies.

(2) A "standard glass container for protective coatings" means:

(i) A glass container described in Exhibits E–1 to E–8, inclusive, of this schedule;

(ii) A glass container described in Exhibits 6, 7, 10, 11, 15, 16, 18 and 24 of Limitation Order L–103;

(iii) The containers marked "gallon" and "half-gallon" in Exhibit 23 of Limitation Order L–103;

which possesses the finish prescribed for the respective container in the said Exhibits or any other Glass Container Association standard finish which is interchangeable therewith without alteration of the specified body mold.

(b) *Restrictions on use.* With the exceptions set forth in paragraph (c) of this schedule, on and after January 1, 1943,

(1) No person shall use a glass container other than a standard glass container as herein defined for the packaging of protective coatings for sale or for sample purposes.

(2) No person shall use the standard glass container described in Exhibit E–3 of this schedule for the packing, for sale or for sample purposes, of any commodity herein described as protective coatings, except:

(i) Those which require more than one pint of thinners (whether oil, varnish, spirit or water) per gallon to be added to the finished product, in order to make such product ready for use, and

(ii) Colors in oil and japan, and other tinting colors in paste form.

(3) No person shall use any standard glass containers with a finish larger than 38 mm. for the packing, for sale or for sample purposes, of shellacs and clear varnishes, and jobbing items (including but not limited to linseed oil, turpentine, benzine, mineral spirits, lacquer thinners, varnish and paint removers, and driers).

(c) *Exceptions.* (1) Nothing in this schedule shall prevent the use for the packaging of protective coatings of any non-standard glass containers which were completely manufactured on or before the 1st day of February, 1943, and in the hands of the user thereof on or before the 1st day of March, 1943: *Provided, however,* That, on and after April 1st, 1943, no person shall pack, for sale or for sample purposes, any product herein defined as protective coatings, except those described in paragraph (b) (2) of this order, in any glass container having a capacity of one quart or less with a finish size of more than 63 mm.

(2) Nothing in this schedule shall restrict the sale, delivery, use or manufacture of glass containers, made from a mold actually in existence on the 7th day of December, 1942, which have an overflow capacity of between 65 and 70 fl. oz. or between 130 and 140 fl. oz.; but such molds may not be replaced except in accordance with paragraph (d) of this schedule.

(3) Lettering on standard glass containers for protective coatings shall be limited to the manufacturers' identification (which may include trademark, name, symbol), place of manufacture, date of manufacture by year, design number, and mold or cavity number.

(d) *Manufacture.* On and after the 7th day of December, 1942, no molds may be manufactured for a protective coating jar or finish which does not conform to the specifications of a standard glass container for protective coatings, nor may any mold for a glass container for protective coatings be replaced—whether because of wear or for any other reason—except by a mold which conforms to the said specifications.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 15th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

EXHIBIT 1 OF SCHEDULE E

Standard Glass Container—Paint

ANY INTERCHANGEABLE FINISH MAY BE USED

EXHIBIT 2 OF SCHEDULE E

Standard Glass Container—Paint

ANY INTERCHANGEABLE FINISH MAY BE USED

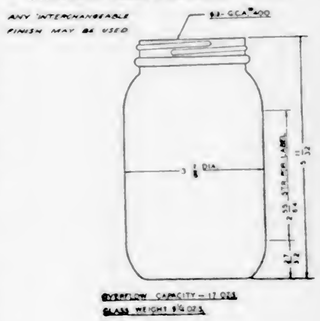


EXHIBIT 3 OF SCHEDULE E

Standard Glass Container—Paint

ANY INTERCHANGEABLE FINISH MAY BE USED

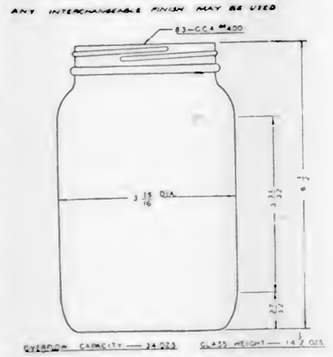


EXHIBIT 4 OF SCHEDULE E

Standard Glass Container—N. M. Round

ANY INTERCHANGEABLE FINISH MAY BE USED

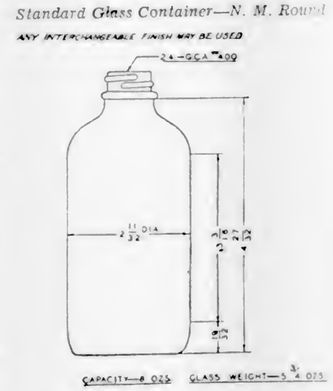


EXHIBIT 5 OF SCHEDULE E

Standard Glass Container—N. M. Round

ANY INTERCHANGEABLE FINISH MAY BE USED

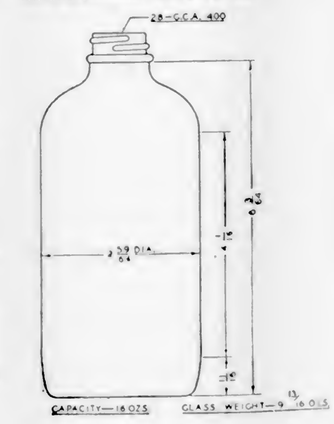


EXHIBIT 6 OF SCHEDULE E

Standard Glass Container—N. M. Round

ANY INTERCHANGEABLE FINISH MAY BE USED

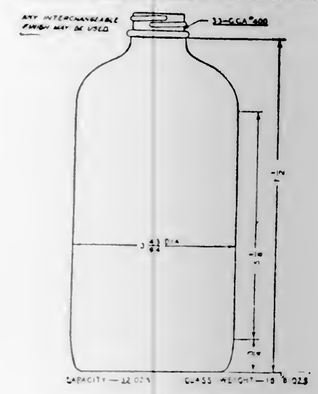


EXHIBIT 7 OF SCHEDULE E

Standard Glass Container—N. M. Round

ANY INTERCHANGEABLE FINISH MAY BE USED

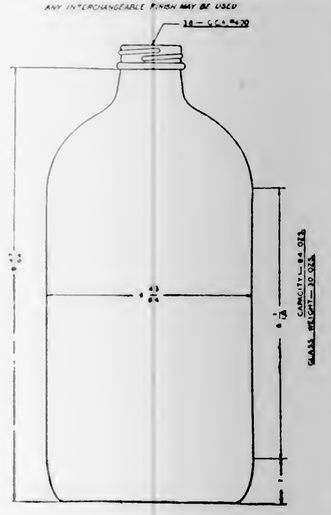
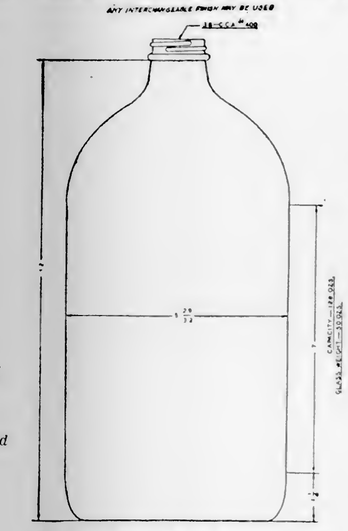


EXHIBIT 8 OF SCHEDULE E

Standard Glass Container—N. M. Round

ANY INTERCHANGEABLE FINISH MAY BE USED



[F. R. Doc. 43-729; Filed, January 15, 1943; 9:21 a. m.]

PART 1255—INVENTORY RESTRICTION EXCEPTIONS

[General Inventory Order M–161 as Amended Jan. 15, 1943]

§ 1255.1 *General Inventory Order M–161*—(a) *Exception to general inventory restrictions.* Notwithstanding the provisions of any regulation or order heretofore issued by the Director of Priorities of the Office of Production Management or by the Director of Industry Operations or the Director General for Operations of the War Production Board, or any other regulation or order which may be issued after June 1, 1942 but which does not expressly relate to a material listed on Schedule A attached hereto, any person may make deliveries of such material, and any person may accept deliveries of such material from any other person, although the inventory of such material in the hands of the person accepting such delivery is, or will by virtue of such acceptance become, in excess of a practicable working minimum.

(b) *Applicability of Priorities Regulation No. 1.* Except to the extent that the provisions of paragraph (a) are inconsistent therewith, all transactions involving any material listed on said Schedule A shall be subject to the provisions of Priorities Regulation No. 1 (Part 944) as amended from time to time.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 15th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A

NOTE: Schedule A was amended January 15, 1943.

Bentonite.
Kaolin.
Ball clay.
Stoneware clay.
Feldspar
Potter's flint.
Domestic andalusite.
Domestic dumcrtierite.
Pinite.
Pyrophyllite.
Soapstone.
Ilmenite.
Salt (sodium chloride) in bulk.
Sodium carbonate (soda ash).
Sodium hydroxide (caustic soda).
Sodium sulfate (salt cake).
Borax (hydrated and dehydrated).
Boric acid.
Silicate of soda.

Paper, paperboard, and paper products, including waste paper, provided that the exceptions granted by General Inventory Order M–161, while continuing with respect to waste paper until specifically withdrawn, shall expire with respect to other paper, paperboard and paper products on September 30, 1942

[F. R. Doc. 43-726; Filed, January 15, 1943; 9:21 a. m.]

PART 3025—FLUID MILK SHIPPING CONTAINERS

[Conservation Order M–200, as Amended Jan. 15, 1943]

The fulfillment of requirements for the defense of the United States has created

a shortage in the supply of certain metals and materials used in the production of fluid milk shipping containers, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3025.1 *Conservation Order M–200*—(a) *Definitions.* For the purposes of this order: (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Fluid milk shipping container" means a steel container, suitable for use in connection with the transportation in bulk of fluid milk and fluid milk products, which possesses the following characteristics:

(i) A substantially cylindrical shape.

(ii) A coating of tin or a substitute sanitary coating.

(iii) A "necked in" top so that the opening is smaller than any part of the body cylinder.

(3) "Cover" shall mean the device affixed or to be affixed on a fluid milk shipping container for the purpose of protecting and retaining the contents within the container.

(4) "Neck diameter" means the measurement of the diameter of the neck or throat of a fluid milk shipping container at any point between the base and the upper rim of such neck or throat, and, in addition, shall mean that design of opening or neck which is commonly referred to by manufacturers of fluid milk shipping containers by the dimensions stated.

(b) *Restrictions on manufacture.* On and after the 1st day of October, 1942, no person shall manufacture fluid milk shipping containers or covers except those complying with the following conditions, limitations, and specifications:

(1) *Capacity.* 4-quart, 8-quart, 10-quart, 12-quart, 20-quart, 32-quart, and 40-quart fluid milk shipping containers shall be manufactured exclusively.

(2) *20-quart fluid milk shipping containers*—(i) *Steel gauge.* Subject to rolling mill tolerances, 20-quart fluid milk shipping containers shall be constructed of the following maximum U. S. Standard gauge steel:

Breasts and necks, 20 gauge steel;
Cylinders, 22 gauge steel;
Bottoms, 18 gauge steel.

(ii) *Neck diameter.* Subject to normal operating tolerances, neck diameters are to equal $6\frac{1}{8}$" or 7"

(3) *32- and 40-quart fluid milk shipping containers*—(i) *Steel guage.* Subject to rolling mill tolerances, 32- and 40-quart fluid milk shipping containers shall be constructed of the following maximum U. S. standard gauge steel:

Breasts and necks, 18 gauge steel;
Cylinders, 18 gauge steel;
Bottoms, 16 gauge steel

(ii) *Neck diameter.* Subject to normal operating tolerances, neck diameters of 32-quart fluid milk shipping containers to equal $6\frac{1}{8}$" or $7\frac{1}{4}$", and neck diameters of 40-quart fluid milk shipping containers to equal $6\frac{1}{8}$", 7", or $7\frac{1}{4}$".

(4) *Standards applying to 20-quart, 32-quart and 40-quart fluid milk shipping containers*—(i) *Covers.* Sunken cup type covers without umbrella—commonly known in the industry as "plug covers"—only are to be manufactured. Covers to be constructed of 20 gauge steel (U. S. standard), maximum. Both fluid milk shipping containers and covers are to be so constructed as to enable the latter to be used interchangeably on all containers with the same or similar neck diameters.

(ii) *Handles.* Stamped steel upright handles, not tubular in form or construction, only, shall be manufactured and used for 20-quart, 32-quart, and 40-quart fluid milk shipping containers.

(c) *Restrictions on use of steel.* During the period from July 1, 1942 to June 30, 1943, no person shall put into process or process, for the manufacture of fluid milk shipping containers and covers, iron and steel of a total weight greater than the following:

(1) 65 percent of the total weight of iron and steel which he processed or put into process for said purpose during the period between July 1, 1941, and June 30, 1942, plus

(2) The difference between the weight of iron and steel actually put into process or processed for the manufacture of fluid milk shipping containers and covers since July 1, 1942, and prior to January 15, 1943, and that which would have been processed or put into process if all fluid milk shipping containers and covers so manufactured had conformed to the specifications of paragraph (b) of this order except with regard to capacities.

(d) *Exceptions.* (1) The provisions of subparagraphs (2), (3) and (4) of paragraph (b) hereof shall not apply to fluid milk shipping containers of other than 20-quart, 32-quart and 40-quart capacities.

(2) Nothing in this order shall be construed to prevent any person now engaged in the manufacture of fluid milk shipping containers from using steel of a gauge heavier than that permitted by paragraph (b) of this order, or material for handles other than that permitted by paragraph (b) (4) (ii) of this order, which he had on hand or on order on or before the 1st day of October, 1942, in the manufacture of any part of a fluid milk shipping container: *Provided,* That the manufacture of said fluid milk shipping container is completed on or before the 1st day of November, 1942.

(e) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) *Records.* All persons affected by this order shall keep and preserve for not less than two years after October 1, 1942, accurate and complete records concerning inventories, production, and sales.

(3) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(4) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that compliance therewith would disrupt or impair any program of conversion from non-defense to defense work, or that compliance therewith would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of materials conserved, may apply for relief to the War Production Board by letter or other written communication, setting forth the pertinent facts and the reason or reasons why such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he may deem appropriate.

(6) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington, D. C. Ref: M–200.

(P.D. Reg. 1, as amended, 6 F.R. 6680, WPB. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F. R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 15th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43–727; Filed, January 15, 1943; 9:22 a. m.]

PART 3122—ELECTRICAL MOTORS AND GENERATORS

[General Conservation Order L–221, as Amended Jan. 15, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials and facilities used in the manufacture of electric motors for defense, for private account, and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3122.1 *General Conservation Order L–221*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Motor" means any new rotating equipment or device used to transform electric energy into mechanical energy, and having a rating of one horsepower or more; except motors used in the operation of passenger automobiles, trucks, truck trailers, passenger carriers and off-the-highway motor vehicles, as defined in Order L–158, or in the operation of stationary automotive type engines.

(3) "Generator" means any new rotating equipment or device used to transform mechanical energy into electric energy, and having a rating of not less than $\frac{3}{4}$ KW and not more than 6000 KW; except generators used in the operation of passenger automobiles, trucks, truck trailers, passenger carriers and off-the-highway motor vehicles, as defined in Order L–158, or in the operation of stationary automotive type engines.

(4) "Manufacture" means the fabrication or assembly of motors or generators.

(5) "Manufacturer" means any enterprise to the extent that it is engaged in the business of manufacturing motors or generators.

(6) "Dealer" means any enterprise to the extent that it acquires motors or generators for resale.

(7) "Used motor or generator" includes reconditioned and rebuilt motors or generators.

(8) "Delivery" includes delivery of a motor or generator from one affiliate to another or from one branch, division or section of a single enterprise to another branch, division or section of the same enterprise where the recipient affiliate, branch, division or section will use the motor or generator or incorporate it into other machinery.

(9) "Order" means any commitment or other arrangement for the delivery of a new motor or generator whether by purchase, lease, rental or otherwise.

(10) "Army, Navy, Maritime Commission or War Shipping Administration" does not include any privately operated plant or shipyard financed by, or controlled by any of those organizations, or operated on a cost-plus-fixed-fee basis.

(b) *Restrictions on acceptance and delivery of orders.* (1) On and after January 15, 1943 no manufacturer or dealer shall accept any order for any motor or generator, except where the following conditions exist; and on and after February 1, 1943 no manufacturer or dealer shall make delivery, and no person shall accept delivery from a manufacturer or dealer, of any motor or generator, unless:

(i) The purchaser shall have no idle motor or generator in his possession which is adaptable to the purpose for which the new motor or generator is sought to be purchased;

(ii) The purchaser shall have attempted to obtain, from at least three dealers, a used motor or generator for the purpose for which the new motor or generator is sought to be purchased: *Provided, however,* That the provisions of this subparagraph shall not apply to any order for 10 or more new motors of an identical kind and rating by a purchaser who fabricates or assembles machinery or equipment into which such motors will be incorporated;

(iii) The motor or generator is not purchased for replacement of existing equipment; and

(iv) The motor or generator is required for installation within the shortest practicable time after delivery and is not for standby purposes. As applied to a person who purchases motors or generators for incorporation into other machinery manufactured by him, "installation" as used above refers only to such incorporation and not to the use of the other machinery. For the purpose of this subparagraph, a motor or generator shall be deemed installed (and not standby) equipment when it is connected to the purchaser's load and electrical system, notwithstanding that the purpose of such equipment may be emergency relief service.

(2) The provisions of paragraph (b) (1) shall not apply to (i) any order for motors or generators for the use of the Army, Navy, Maritime Commission or War Shipping Administration, or for incorporation into any machinery or equipment to be used by said agencies, or (ii) any order for special motors, by a person who fabricates or assembles machinery or equipment into which such special motors are to be incorporated: *Provided,* That, as of December 2, 1942, such special motors were required by the function and design of such machinery or equipment. As used in this subparagraph, the term "special motor" means any motor other than a general purpose, horizontal, continuous duty, open type 40° C. rise motor.

(3) On and after January 15, 1943, no manufacturer or dealer shall accept any order for any motor or generator, unless the order has a preference rating of AA–5 or higher.

(c) *Restrictions on types of motors.* Except as otherwise specifically provided herein or authorized by the Director General for Operations, on and after December 10, 1942 no manufacturer or dealer shall accept any order for any motor; and on and after February 1, 1943 no manufacturer or dealer shall deliver, and no person shall accept delivery from a manufacturer or dealer, of any motor; unless the motor is in compliance with the following standards and is otherwise of the simplest practicable mechanical and electrical design:

(1) *Mechanical and electrical design.* The following minimum standards shall be applied with respect to electrical and mechanical design:

(i) No motor shall have a temperature rise less than 40° C, for open type; 50° C, for splash-proof type; and 55° C for totally enclosed type motors: *Provided, however,* That the temperature rise of the motor may vary from the above standards to the extent that the manufacturer has heretofore provided tolerance therefrom in his design and manufacture of the same or a similar type motor rated 40° C, 50° C, or 55° C, as the case may be.

(ii) No motor shall include a special enclosure to make it other than open type; except that (*a*) a motor may be explosion proof type if it is to be used in a Class I hazardous location, as defined in Paragraph 5005, Article 500, Chapter 5 of the National Electrical Code approved by the American Standards Association August 7, 1940; (*b*) a motor may be totally enclosed if it is to be used in a Class II hazardous location, as defined in Paragraph 5006, Article 500, Chapter 5 of the above Code, or if it is to be used generally in an atmosphere which is corrosive or which contains such quantities of material particles, dust or fumes as to be destructive of an open type motor; (*c*) a motor may be splash-proof type in any case where the motor is to be permanently installed outdoors without other protection or where the motor will be subjected to continually falling material particles, or to drops of splashing or jet propelled liquids falling at regular intervals of not less than once a day; and that (*d*) the provisions of this paragraph (c) (1) (ii) shall not apply to any motor to be used on board any vessel owned or operated by the Army, Navy, Maritime Commission or War Shipping Administration: *Provided, however,* That in any case where the requirements of General Limitation Order L–147, or any action taken by the Director General for Operations thereunder shall be more restrictive than the requirements of this subparagraph, the former shall apply.

(iii) Where practicable, AC polyphase motors shall be single voltage.

(iv) All alternating current multi-speed motors shall be single-winding; except motors for use in metal cutting machines.

(v) No motor shall be of slip ring type, except for hoist, crane, conveyor, elevator, tow, or dragline duty.

(vi) No motor shall be direct current type; except (*a*) where only direct current is available to the user; or (*b*) for use on a metal cutting machine or on testing equipment; or (*c*) where speed matching is required.

(vii) No direct current motor shall have a lower base speed than as prescribed below:

Horsepower rating:	*Minimum base speed*
1 to 5 incl.	600 r. p. m.
5.1 to 25 incl.	450 r. p. m.
25.1 to 75 incl.	400 r. p. m.
75.1–200	300 r. p. m.

(2) *Horsepower loading.* The following standards shall be applied in determining horsepower loads for motor ratings:

(i) Horsepower required for purposes of ascertaining load as provided herein shall be determined by test or, where test is impossible, by careful calculation or comparison with known power requirements of similar apparatus.

(ii) Where the motor rated voltage will be maintained and the ambient temperature, normally, will be below 40° C, and will only occasionally, and for short periods, equal or exceed 40° C: (*a*) in the case of alternating current motors rated 40° C open type, continuous duty, the horsepower rating shall be not more than 80% of the determined horsepower

load; (b) in the case of alternating current or direct current motors rated 50° C semi-enclosed, or 55° C totally enclosed, continuous duty, the horsepower rating shall be not more than 91% of the determined horsepower load; and (c) in the case of direct current motors rated 40° C open type, continuous duty, the horsepower rating shall be not more than 87% of the determined horsepower load: *Provided, however,* That in any case where the application of any of the above formulae results in a horsepower rating, which is not a standard horsepower rating, the rating may be the standard horsepower rating next above the rating resulting from the application of the formula.

Example: Where the horsepower required as determined in subdivision (i), is 9.3 HP, of which 80% would be 7.44, a motor not exceeding 7.5 standard HP should be delivered.

(3) *Speed.* The following minimum standards shall be applied in determining motor speed:

(i) All alternating current motors, 25 horsepower and below shall have a synchronous speed of at least 1800 R. P. M. at 60 cycles (four pole winding), and corresponding speeds at other frequencies: *Provided, however,* That in any case where the purchaser deems such speed impracticable he shall endorse on the certification required by paragraph (d) below such facts as shall demonstrate such impracticability, and if the manufacturer shall likewise certify such impracticability on the order, the provisions of this subdivision (i) shall not apply.

(ii) All other motors shall be of the highest practicable speed for the purposes for which purchased.

(d) *Certification.* (1) Each person placing an order on and after December 10, 1942 with a manufacturer or dealer for delivery of a motor or generator, and each person who receives delivery of a motor or generator from a manufacturer or dealer on and after February 1, 1943, pursuant to an order placed prior to December 10, 1942, shall certify to the manufacturer or dealer, as a condition to receiving delivery, the following (in substantially the form described below) on the purchase order or in a separate document (except that there may be omitted therefrom any portion relating to provisions of this order which are inapplicable in the particular case):

The undersigned hereby certifies that:

(A) (i) He has no idle motor (or generator) in his possession, except the following which is not adaptable to his purpose for the reasons stated below:

(ii) He has been unable to obtain a used motor (or generator) for his purpose from the following dealers (at least three):

(iii) The motor (or generator) is not for purposes of replacement of existing equipment (except as otherwise authorized by the Director General for Operations, upon appeal, when copy of authorization is to be attached):

(iv) The motor (or generator) is required for installation within ——— days after delivery and is not for standby purposes.

(B) The motor or motors described in the within (or attached) order, or orders, are in compliance with paragraph (c) (1) of General Limitation Order L–221 as follows:

(Here explain how design of motor meets requirements of each subdivision of paragraph (c) (1)).

(C) Horsepower required has been carefully determined in accordance with paragraph (c) (2) (i) and the horsepower rating of the motor or motors is in accordance with paragraph (c) (2) (ii) as follows:

(Here describe method of determining horsepower rating in accordance with said paragraph)

(D) (If the motor is AC, 25 horsepower or below, and does not have a synchronous speed of at least 1800 R.P.M. at 60 cycles (4 pole winding) and corresponding speeds at other frequencies, here provide the purchaser's certification required by paragraph (c) (3) (i)).

——— Company

By ———
(Authorized official)

In any case where an order relates to motors or generators of the identical kind and rating covered by a certification previously furnished to the same manufacturer or dealer, any facts included in the previous certification and which have remained unchanged may be incorporated in the certification required with respect to the current order by reference to the previous certification.

(2) Such certification shall be signed by a duly authorized and responsible official, employee, or agent of the purchaser, and shall constitute a representation to the Director General for Operations, War Production Board, as well as to the supplier, of the facts certified therein.

No person shall make delivery under this order who has reason to believe that the purchaser has furnished a false certification; and no person shall falsely furnish the certification specified above.

Any manufacturer or dealer may rely upon the facts furnished in the above mentioned certification and shall not be responsible for any action taken by him under this order in reliance upon inaccurate or untrue statements therein, unless he has reason to believe that such statements are inaccurate or untrue.

(3) Each manufacturer who manufactures a motor for delivery as part of other machinery or equipment which he also manufactures shall provide and retain in his records, with respect to each such motor, a certification similar to that provided for in subparagraph (1) and (2) above, signed by a duly authorized and responsible official or employee connected with the production of such motor; but no certification shall be required by the purchaser of the machinery which includes the motor. Such certification by the manufacturer shall constitute a representation to the Director General for Operations, War Production Board, of the facts certified therein.

(e) *Authorization of Director General for Operations.* Application for the authorization of the Director General for Operations to deviate from the standards and conditions of paragraph (c) shall be made by the purchaser or proposed purchaser of the motor (or by the manufacturer in any case where the motor is to be incorporated into other machinery manufactured by the same manufacturer) by letter or telegram or other communication addressed to the General Industrial Equipment Division, War Production Board, setting forth facts sufficient to enable the Director General for Operations to determine the necessity for such authorization. If granted, the authorization shall be transmitted by the purchaser to his supplier.

(f) *Exemptions.* The limitations and restrictions of paragraphs (b), (c) and (d) of this order shall not apply (1) until March 2, 1943, to any motor or generator delivered to and for the direct use of the Army, the Navy, the Maritime Commission or the War Shipping Administration; (2) to any motor or generator delivered for use in any foreign country (except Canada); (3) to any motor or generator delivered to any manufacturer or dealer for resale as a motor or generator and not as part of other machinery or equipment: *Provided, however,* That all the limitations and restrictions of this order shall apply to any resale of any such motor or generator; (4) to any motor or generator to be used above deck on any vessel or to be used in the operation of combat equipment. As used herein, "combat equipment" means any combat end product (including but not limited to, ammunition and other ordnance, tanks, warships, and aircraft) prescribed for field or combat use by the Army or Navy of the United States.

(g) *Production schedules.* (1) On and after February 1, 1943, no manufacturer shall manufacture any motor or generator unless the motor or generator is included in a production schedule approved by the Director General for Operations as provided below.

(2) On or before the 20th day of December and of each succeeding calendar month, every manufacturer shall file with the Director General for Operations a report on Form PD–738 which shall include such manufacturer's proposed production schedules of motors and generators so far as then planned, and such other information as shall be required by said Form PD–738. The production schedule for the calendar month following the date of filing shall be deemed to be approved by the Director General for Operations upon receipt of the above mentioned report by the War Production Board unless and until the Director General for Operations shall otherwise direct. Regardless of the terms of any other order or rule or regulation of the War Production Board, or of any commitment by the manufacturer or any customer, the Director General for Operations may at any time change any schedule; direct the cancellation of any order held by any manufacturer whether or not included or reflected in any schedule; prescribe any other schedule for production; allocate any order theretofore received by the manufacturer to any other manufacturer; or direct the delivery of any motor or generator, in production or completed to any person, at the established price and terms. No manufacturer shall alter any approved or prescribed production schedule unless authorized or directed to do so by the Director General for Operations.

(h) *Miscellaneous provisions*—(1) *Records and reports.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production, and sales.

All persons affected by this order shall execute and file with the War Production Board, such reports and questionnaires as the Director General for Operations shall from time to time request.

(2) *Other limitation orders.* Nothing in this order shall be construed to permit any person to sell, deliver, or otherwise transfer, or any manufacturer to purchase, receive delivery of or otherwise acquire any raw materials, semi-processed parts, or finished products in contravention of the terms of any L or M Order, or amendments or supplements thereto or other regulations of the War Production Board effective at the date of any such sale, delivery, or other transfer. Where the limitations imposed by any other L or M Order are applicable to the subject matter of this order, the most restrictive limitation shall apply, unless otherwise specifically provided herein.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(5) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be adressed to: War Production Board, General Industrial Equipment Division, Washington, D. C. Ref.: L–221.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 15th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F R Doc. 43–728; Filed, January 15, 1943; 9:22 a. m.]

PART 940—RUBBER AND BALATA AND PRODUCTS AND MATERIALS OF WHICH RUBBER OR BALATA IS A COMPONENT

[Supplementary Order M–15–g]

RUBBER TIRES FOR INDUSTRIAL POWER TRUCKS

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of rubber for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 940.9 *Supplementary Order M–15–g*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Rubber" means any kind of crude rubber, latex, reclaimed rubber, scrap rubber or synthetic rubber.

(3) "Rubber tire" means any solid or pneumatic tire or tire tube made in whole or in part of any kind of rubber and used or designed for use on any industrial power truck.

(4) "Industrial power truck" means any self-power-propelled industrial truck or wheel tractor designed primarily for handling material (either by carrying or towing) on floors or paved surfaces in and around industrial plants, warehouses, docks, shipyards, airports or depots. The term shall not include automotive tractors, trucks, or wheel-type industrial tractors designed for use on tax-built highways, or in such operations as construction, earth-moving, mining, logging, industrial yard work, or petroleum development.

(b) *Restrictions on delivery or acquisition.* Except as permitted by paragraph (c) hereof, no person shall sell, lease, rent, deliver or otherwise transfer, or purchase, accept or otherwise acquire, any new rubber tire used or designed for use on any industrial power truck except under a purchase order rated A–1–a or better on a Preference Rating Certificate PD–1A.

(c) *Exceptions.* The prohibitions of paragraph (b) hereof shall not apply to the sale, lease, renting, delivery or transfer or purchase, acceptance or acquisition of any new rubber tire used or designed for use on any industrial power truck:

(1) *War orders.* When such tire is purchased or acquired to fill any war order, as defined in Supplementary Order M–15–b (§ 940.3), as amended from time to time.

(2) *Original equipment.* When such tire is purchased or acquired to equip any new industrial power truck, manufactured or delivered under the provisions of Limitation Order L–112 (§ 1210.1), as amended from time to time (including any such vehicles manufactured or delivered under appeals from said Limitation Order L–112): *Provided,* That no person shall purchase, receive or otherwise acquire any new rubber tires to be used as original equipment on new industrial power trucks in quantities which will result in such person having an inventory of rubber tires held for such purpose in excess of his requirements for thirty days.

(d) *Miscellaneous provisions*—(1) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(2) *Reports.* All persons affected by this order shall prepare and file such reports and questionnaires as may from time to time be requested by the Director General for Operations or the Rubber Director.

(3) *Audit and inspection.* All records required to be kept by this order or by any priorities regulation of the War Production Board shall, upon request, be submitted to audit and inspection by a duly authorized representative of the War Production Board.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Appeals.* Any appeal from the provision of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of appeal.

(6) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington, D. C., Ref.: M–15–g.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 15th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F R Doc 43–755; Filed, January 15, 1943; 11:39 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Supp. Order 5,[1] Amendment 3]

LICENSING DEALERS SELLING WASTE, SCRAP AND SALVAGE MATERIALS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Paragraphs (a), (b), and (c) (1) of § 1305.7 are amended to read as set forth below:

§ 1305.7 * *Provisions licensing dealers selling waste, scrap and salvage materials to consumers (and in the case of*

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3403, 6077, 9723.

iron and steel scrap to consumers or their brokers)—(a) *License required.* A license as a condition of selling is required of every dealer now or hereafter selling to a consumer (and in the case of iron and steel scrap to a consumer or his broker) any waste, scrap or salvage material for which maximum prices are established by the price schedules and price regulations specified in paragraph (b) hereof, or by any other price schedule or regulation now or hereafter issued or amended by the Office of Price Administration making applicable by reference the provisions of this order. No person whose license is suspended in proceedings under section 205 (f) (2) of the Emergency Price Control Act of 1942 shall, during the period of suspension, sell any waste, scrap or salvage materials as to which his license to sell is suspended.

(b) *License granted.* Effective May 20, 1942, every dealer now or hereafter selling to a consumer (and in the case of iron and steel scrap, to a consumer or his broker) any waste, scrap or salvage material for which maximum prices are established by Revised Price Schedules and Price Regulations Nos. 2, 3, 4, 8, 12, 20, 30, 47, 55, 70, 87, 90, 115, and 123, respectively[1] (as now or hereafter amended or supplemented), or by any other price schedule or regulation now or hereafter issued or amended by the Office of Price Administration making applicable by reference the provisions of this order, is by this Supplementary Order No. 5 granted a license as a condition of selling any such waste, scrap or salvage material. The provisions of this Supplementary Order No. 5 and of the price schedules and price regulations specified in this paragraph shall be deemed to be incorporated in the license hereby granted, and any violation of any provision so incorporated shall be a violation of the provisions of said license. The license granted by this Supplementary Order No. 5 shall, unless suspended as provided by the Act, continue in force so long as, and to the extent that, any of the said price schedules and price regulations, or any amendment or supplement thereto, remains in force.

(c) *Registration of licensees.* (1) Every dealer hereby licensed selling any waste, scrap or salvage material for which maximum prices are established by Revised Price Schedules or Regulation Nos. 2, 3, 4, 8, 12, 20, 30, 47, 55, 70, 87, 90, 115, or 123, is required to register with the Office of Price Administration on or before June 20, 1942. Dealers becoming subject to this order after said date, by reason of commencing to sell any of said materials for the first time, or by reason of making sales of a material for which a maximum price is established by some other schedule or regulation which shall, in the future, make applicable the provisions of this order, shall register within 5 days after becoming subject hereto. Registration shall be accomplished by filing with the Office of Price Administration a registration statement on OPA Form No. S05:1 obtainable at the Washington, D. C., Office, or at any regional, state or district office of the Office of Price Administration. Every licensee owning, operating, or maintaining more than one place of business shall file a separate registration statement for each place of business. In case a new, additional or different place of business is later established or acquired by a dealer now or hereafter subject to the provisions of this Supplementary Order No. 5, such dealer shall within five days after establishing or acquiring it, file a registration statement with respect to such new, additional or different place of business.

* * * * *

(g) *Effective date.* * * *

(4) Amendment No. 3 (§§ 1305.7 (a), (b), and (c) (1)) to Supplementary Order No. 5 shall become effective January 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 14th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-669; Filed, January 14, 1943; 3:49 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Ration Order 1A,[1] Amendment 6]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The text of § 1315.701 is amended as follows:

§ 1315.701 *Periodic inspection.* Every person controlling the use of a passenger automobile for which a current gasoline ration has been issued, shall be issued a tire inspection record (OPA Form R–534–B) and shall have the tires mounted on the automobile inspected by an inspector authorized by the Office of Price Administration, as follows:

Type of ration book issued	First inspection must be made by	Subsequent inspections
Class A	March 31, 1943	Within every six months period thereafter; i. e. on or between September 30 and March 31 of each year. Inspections must be at least 90 days apart.
Class B	February 28, 1943	Within every four months period thereafter, i. e. on or between June 30, October 31 and February 28 of each year. Inspections must be at least 60 days apart.
Class C or truck coupons	February 28, 1943	Within every three months period thereafter, i.e. on or between May 31, August 31, November 30 and February 28 of each year. Inspections must be at least 45 days apart.

The tires, at the time of inspection, shall be mounted on the vehicle for which the tire inspection record has been issued.

The provisions of this § 1315.701 shall not apply to motorcycles, passenger automobiles operating only on special rations, passenger automobiles not registered for use on the highway, or passenger automobiles not propelled by the use of gasoline as defined in Ration Order No. 5C.

* * * * *

§ 1315.1199 *Effective dates of amendments.* * * *

(f) Amendment No. 6 (§ 1315.701) to Ration Order No. 1A shall become effective January 14, 1943.

(Pub. Law No. 671, 76 Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, W.P.B. Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 14th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-709; Filed, January 14, 1943; 3:50 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[Corr. to Amendment 1 to MPR 269]

SALES BY CANNERS OF SALMON

The price "$15.00" in Item 3, "Red—1 lb. flats", in the table of § 1364.562 is corrected to read "$15.50".

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*Revised Price Schedule No. 2, 7 F.R. 1203, 1600, 1836, 2132, 3746, 4584, 5513, 6468, 7973, 8200, 8585, 8948, 9315.
Revised Price Schedule No. 3, 7 F.R. 1205, 1836, 2132, 3820, 5513, 8948, 10008.
Revised Price Schedule No. 4, 7 F.R. 1207, 1836, 2132, 2155, 2507, 3087, 3550, 3889, 4488, 6217, 8190, 8948, 10151.
Revised Price Schedule No. 8, 7 F.R. 1224, 1836, 2132, 2474, 2818, 3123, 3270, 3519, 4493, 5514, 8948.
Revised Price Schedule No. 12, 7 F.R. 1234, 1836, 2132, 3520, 5515, 8650, 8948, 9392.
Revised Price Schedule No. 20, 7 F.R. 1245, 1643, 1836, 2106, 2132, 2697, 2897, 3242, 3404, 3480, 5516, 6482, 6795, 8948.
Revised Price Schedule No. 30, 7 F.R. 1260, 1601, 1836, 2000, 2132, 2153, 3576, 3775, 4586, 8948.
Revised Price Schedule No. 47, 7 F.R. 1297, 1836, 2000, 2132, 2475, 3775, 7248, 8355, 8948.
Revised Price Schedule No. 55, 7 F.R. 1312, 1756, 1798, 1836, 2000, 2132, 2400, 2395, 2543, 3380, 3447, 3855, 8948, 10104, 10554, 10585.
Revised Price Schedule No. 70, 7 F.R. 1341, 1836, 2000, 2132, 2188, 2542, 3823, 5363, 5519, 5703, 8948.
Revised Price Schedule No. 87, 7 F.R. 1309, 1836, 2000, 2132, 4781, 5177, 6002, 8700, 8948.
Revised Price Schedule No. 90, 7 F.R. 1377, 1836, 2132, 3829, 8948.
Maximum Price Regulation No. 115, 7 F.R. 2949, 8948.
Maximum Price Regulation No. 123, 7 F.R. 3068, 3530, 3629, 6477, 8948, 9325, 10708.

[1] 7 F.R. 9160, 9392, 9724, 10072, 10336.

§ 1364.561a *Effective dates of amendments.* * * *

(c) Correction (§ 1364.562) (a) to Amendment 1 to Maximum Price Regulation No. 265 shall become effective January 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 14th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-710; Filed, January 14, 1943; 3:50 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5C,[1] Amendment 12]

MILEAGE RATIONING; GASOLINE REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sections 1394.7706 (f), 1394.7706 (j), 1394.7901 and 1394.7904 (a) are amended to read as follows:

Supplemental Rations

1394.7706 *Preferred mileage.* * * *

(f) For the transportation of nonportable photographic or sound-on-film equipment, for taking pictures for use in newsreels, newspapers or magazines or for industrial or governmental use, by a person regularly engaged in such activity.

* * * * *

(j) By a public health nurse (but not including a private nurse) employed by or serving under the direction of a clinic or hospital, governmental agency, industrial concern, or similar organization, for rendering necessary medical, nursing or inspection calls.

Non-Highway Rations

§ 1394.7901 *Persons entitled to non-highway rations.* Any person who requires gasoline for a non-highway purpose may obtain a non-highway ration authorizing the acquisition of the amount of gasoline required for such purpose, except as provided in § 1394.7904. Non-highway rations shall be issued for three-month periods.

§ 1394.7904 *Issuance of non-highway rations.* (a) The Board shall determine the amount of gasoline required for the three-month period referred to in paragraph (b) of § 1394.7903, and, subject to the provisions of paragraphs (b) and (c) of this section, shall issue to the applicant one or more Class E or Class R books, or any combination of them, containing a sufficient number of coupons to enable the applicant to acquire the amount of gasoline so determined to be necessary for such period: *Provided,* That the Board may refuse to issue such ration for the operation of machinery or equipment, other than boats or airplanes, used for athletic, recreational or amusement purposes within the gasoline shortage area, if in its opinion, taking into consideration the gasoline supply available, the use of gasoline for such purposes is not essential to the welfare of the area which it serves. Upon the issuance of any ration under this paragraph, the Board shall remove from the book and cancel any coupons in excess of the number allotted.

* * * * *

Effective Dates

§ 1394.8352 *Effective dates of amendments.* * * *

(l) Amendment No. 12 (§§ 1394.7706 (f), 1394.7706 (j), 1394.7901 and 1394.7904 (a)) to Ration Order No. 5C shall become effective January 20, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 9121; E.O. 9125, 7 F.R. 2719)

Issued this 14th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-712; Filed, January 14, 1943; 3:48 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11,[1] Amendment 27]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1394.5352, paragraph (a) is amended by deleting the period after the phrase "Form OPA R–1103" and inserting after such phrase, the phrase "or Form OPA R–1103A. In § 1394.5503, paragraph (a) is amended, in paragraph (b) the phrase "five (5) days" is amended to read "twenty (20) days," and a new paragraph (h) is added thereto; in § 1394.5551, paragraph (a) is amended by inserting the word "date" between the words "expiration" and "of"; paragraph (b) is amended, paragraph (c) is amended by inserting the phrase "and in paragraph (d) of this section" after the phrase "§ 1394.5552", and new paragraphs (d) and (e) are added thereto; and a new paragraph (aa) is added to § 1394.5902; as set forth below:

Expiration and Revocation of Rations

§ 1394.5503 *Surrender of expired coupon sheets and delivery receipts.* (a) Except as provided in paragraph (h) of this section, no ration may be used and no coupon sheet or delivery receipt shall be valid, after the expiration thereof, for the transfer of fuel oil to a consumer.

* * * * *

(h) If an application for a further ration has been made pursuant to § 1394.5551, the applicant may continue to use his current ration after the expiration date thereof and until the further ration is issued, but in no event in excess of fifteen (15) days after such expiration date.

Renewal of Rations and Issuance of Further Rations

§ 1394.5551 *Renewal of rations.* * * *

(b) Subject to the provisions of paragraph (d), an application for a further ration, for use upon or after expiration of the current ration, shall be made and passed upon in the same manner as an original application: *Provided,* That where such application is made prior to the expiration of a ration for purposes other than heat or hot water, or both, the further ration shall be determined for the three (3) months period beginning with the date of the application, and the coupon sheets, or other evidences, or delivery receipts, shall be validated for the period commencing upon the expiration of the current ration and expiring three (3) months from the date of the application.

* * * * *

(d) Application for a further ration for the operation of equipment used for domestic cooking or lighting, for use upon or after the expiration of a current ration, may be made in any of the following methods:

(1) Application may be made to the Board on Form OPA R–1103 which may be presented by the applicant in person or sent to the Board by mail. The applicant shall supply the information required by that form.

(2) Application may be made to the Board on Form OPA R–1103A. The applicant shall supply the information required by that form.

(3) If there have been no substantial changes since the date of the original application in the applicant's needs for such purpose, or in the equipment for use in which the original ration was issued, and if such original application accurately calculated the applicant's requirements for the original period, application may be made by executing a certification to the foregoing effect upon the application for the original ration.

(e) The person to whom a further ration has been issued pursuant to this section may use such ration during the period of fifteen (15) days prior to the date it becomes valid.

Effective Date

§ 1394.5902 *Effective date of corrections and amendments.* * * *

(aa) Amendment No. 27 (§§ 1394.5352, 1394.5503 and 1394.5551) to Ration Order No. 11 shall become effective on January 20, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 597; Pub. Law 421, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562; Supp. Directive No. 1–0, 7 F.R. 8418; Executive Order 9125, 7 F.R. 2719)

Issued this 14th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-711; Filed, January 14, 1943; 3:50 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8460, 8708, 8809, 8897, 9316, 9396, 9492, 9427, 9430, 9621, 9734, 10153, 10081, 10379, 10530, 10531, 10780, 10707, 11118, 11071; 8 F.R. 165, 237.

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11,[1] Amendment 28]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1394.5263, paragraph (a) is amended by inserting after the phrase "coupon sheets," the parenthetical phrase "(except as provided in paragraph (d) of § 1394.5264)"; § 1394.5264 is amended by inserting after the phrase "coupon sheets," the parenthetical phrase "(except as provided in paragraph (d) of this section)", and a new paragraph (d) is added to such section; in § 1394.5266, the text of paragraph (b) is amended and a new subparagraph (3) is added thereto, paragraph (e) is amended by inserting after the phrase "Class 2 coupon sheets", the parenthetical phrase "(except as provided in paragraph (h) of this section)", in paragraph (f), the phrase "subparagraph (2)" is amended to read "subparagraphs (2) and (3)", and a new paragraph (h) is added to said section; in paragraph (e) of §1394.5303, and in paragraph (c) of § 1394.5306, the phrase "or by a religious practitioner, other than a minister, who is duly authorized by an organized faith to render services of a religious nature to members of such faith," is inserted after the phrase "health nurse,"; and paragraph (f) of § 1394.5303 is amended; § 1394.5305 is amended by inserting after the phrase "Class 2 coupon sheets", the parenthetical phrase "(except as provided in paragraph (e) of this section"); and a new paragraph (e) is added to such section; § 1394.5454 is amended by adding thereto a new paragraph (d); and a new paragraph (bb) is added to § 1394.5902; as set forth below:

Heat and Hot Water Rations

§ 1394.5264 *Same: Heat and both heat and hot water.* * * *

(d) If the amount of fuel oil for which coupons are to be issued is two hundred (200) gallons or less, the Board shall issue Class 3 coupon sheets in lieu of Class 1 or Class 2 coupon sheets.

§ 1394.5266 *Same: Applications made on or after November 1, 1942—heat or both heat and hot water.* * * *

(b) The Board shall issue Class 1 or Class 2 coupon sheets (except as provided in paragraph (h) of this section) containing coupons equal in gallonage value to the allowable ration (after all deductions pursuant to paragraph (a) of this section), in accordance with the following provisions:

* * * * *

(3) If application is made on or after the date on which coupons numbered "3" become valid, pursuant to § 1394.5201, for the transfer of fuel oil to a consumer, currently valid coupons equal in gallonage value to the amount of fuel oil on hand shall be removed from the coupon sheets to be issued. If the amount of fuel oil on hand exceeds the gallonage value of the currently valid coupons to be issued, there shall be removed (in addition to the currently valid coupons removed) coupons of the series next to become valid equal in gallonage value to such excess.

* * * * *

(h) If the amount of fuel oil for which coupons are to be issued is two hundred (200) gallons or less, the Board shall issue Class 3 coupon sheets in lieu of Class 1 or Class 2 coupon sheets.

* * * * *

Auxiliary Rations

§ 1394.5303 *Auxiliary rations for heating premises.* * * *

(f) For the examination or treatment of the sick or of patients in premises (other than those specified in paragraph (c) of this section) primarily used by a duly licensed physician, surgeon, dentist, osteopath, chiropractor or religious practitioner, other than a minister, who is duly authorized by an organized faith to render services of a religious nature to members of such faith: *Provided*, That the applicant must submit with his application a certification by such physician, surgeon, dentist, osteopath, chiropractor or religious practitioner as to the temperature required for such purpose: *Provided further*, That in the case of a building other than a private dwelling, an auxiliary ration for the purposes specified in this paragraph may be obtained only for use in a space heater, unless such building is used primarily for such purpose.

* * * * *

§ 1394.5305 *Same: Issuance of auxiliary heat ration.* * * *

(e) If the amount of fuel oil for which coupons are to be issued is two hundred (200) gallons or less, the Board shall issue Class 3 coupon sheets in lieu of Class 1 or Class 2 coupon sheets.

* * * * *

General Provisions With Respect to Issuance of Rations

§ 1394.5454 *Acknowledgments of delivery.* * * *

(d) Notwithstanding any other provisions of Ration Order No. 11, coupon sheets or other evidences, or delivery receipts, may be issued by the Washington Office to the Washington headquarters of the agencies enumerated in paragraph (a) of this section, or to the law enforcement agencies of the United States, for the use of such agencies, or their officers, agents or employees, in the performance of official duties which depend upon secrecy. Application for such coupon sheets or other evidences, or delivery receipts, may be made on the official letterhead of the applicant and shall set forth the class and number of the coupon sheets, or other evidences, or delivery receipts, required and the use for which they are intended.

Effective Date

§ 1394.5902 *Effective dates of amendments and corrections.* * * *

(bb) Amendment No. 28 (§§ 1394.5263, 1394.5264, 1394.5266, 1394.5303, 1394.5305, 1394.5306, and 1394.5454) to Ration Order No. 11, shall become effective January 20, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562; Supp. Directive No. 1-O, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 14th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-713; Filed, January 14, 1943; 3:49 p. m.]

PART 1410—WOOL

[MPR 163,[1] Amendment 9]

WOOLEN OR WORSTED CIVILIAN APPAREL FABRICS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new paragraph (h) and a new subparagraph (f) (4) of § 1410.103 are added to read as set forth below:

§ 1410.103 *Maximum prices for woolen and worsted apparel fabrics sold by jobbers.* * * *

(f) *Customary discounts, trade practices and transportation costs.* * * *

(4) Sales of fabrics to religious institutions and members thereof for ecclesiastical use shall be excepted from the provisions of this paragraph (f).

* * * * *

(h) *Sales of fabrics to religious institutions and members thereof.*—(1) *Maximum prices.* The maximum price for sales and deliveries of woolen or worsted apparel fabrics by a jobber to a religious institution or to a member of a religious institution for ecclesiastical use shall be the quotient of the sum of (i) the manufacturer's net invoice price, whether or not the jobber has taken advantage of any term discounts offered, but in no case higher than the manufacturer's maximum price determined in accordance with § 1410.102, and (ii) the freight charges actually paid for the transportation of such fabric from the manufacturer's shipping point to the jobber's place of business, divided by .80.

(2) *Invoice requirements.* On and after January 20, 1943, every person making sales of woolen or worsted apparel fabrics subject to this paragraph shall with respect to each such sale, deliver to the purchaser an invoice or similar document, setting forth, in addition to the terms thereof, a statement that the divisioin factor used in computing the selling price was not lower than the applicable division factor provided for under this section and showing the division factor in figures.

§ 1410.117 *Effective dates of amendments.* * * *

(k) Amendment No. 9 (§§ 1410.103 (f) (4) and 1410.103 (h)) to Maximum Price Regulation No. 163 shall become effective on the 20th day of January 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 14th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-716; Filed, January 14, 1943; 3:49 p. m.]

PART 1427—MAGNESIUM

[MPR 302]

MAGNESIUM SCRAP AND REMELT MAGNESIUM INGOT

In the judgment of the Price Administrator it is necessary and proper to establish maximum prices for magnesium scrap and remelt magnesium ingot by specific maximum price regulation. The maximum prices established by this Maximum Price Regulation No. 302 are in line with the general level of prices established by the General Maximum Price Regulation.[1] So far as practicable the Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Administrator the maximum prices established by this regulation are generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Order No. 9250,[2] and in accordance with Revised Procedural Regulation No. 1,* issued by the Office of Price Administration, Maximum Price Regulation No. 302 is hereby issued.

Sec.
1427.1 Prohibition against dealing in magnesium scrap at prices above the maximum.
1427.2 Toll or conversion agreements.
1427.3 Prohibition against dealing in remelt magnesium ingot at prices above the maximum.
1427.4 Less than maximum prices.
1427.5 Applicability of General Maximum Price Regulation.
1427.6 Geographical applicability.
1427.7 Sales for export.
1427.8 Adjustable pricing.
1427.9 Evasion.
1427.10 Records.
1427.11 Reports.
1427.12 Enforcement.
1427.13 Petitions for amendment.
1427.14 Definitions.
1427.15 Effective date of Maximum Price Regulation No. 302.
1427.16 Appendix A: Maximum prices for magnesium scrap.
1427.17 Appendix B: Maximum prices for remelt magnesium ingot.

AUTHORITY: §§ 1427.1 to 1427.17, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1427.1 *Prohibition against dealing in magnesium scrap at prices above the maximum.* On and after January 20, 1943, regardless of any contract, agreement or other obligation, no person shall sell or deliver magnesium scrap to a consumer, and no consumer in the course of trade or business shall buy or receive magnesium scrap, at a price higher than the maximum prices established by Appendix A (§ 1427.16); and no person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided*, That contracts entered into prior to January 20, 1943, under the terms of, and at prices in conformance with, the General Maximum Price Regulation, may be carried out at contract prices until February 19, 1943.

§ 1427.2 *Toll or conversion agreements.* The maximum prices herein established shall have no application to the sale, delivery or transfer of magnesium scrap by the maker of such scrap to any person pursuant to a written agreement whereby such person agrees to smelt, remelt, fabricate or otherwise process such scrap and to return to the maker thereof processed material containing an amount of metal approximately equivalent to that contained in the scrap sold, delivered or transferred: *Provided*, That such agreement is specifically authorized by the War Production Board: *And provided further*, That the conversion or processing of magnesium scrap pursuant to such an agreement, so authorized, shall be deemed to be a service, and the price charged therefor shall not exceed the difference between the maximum price for such scrap established by this Maximum Price Regulation No. 302 and the maximum price for such processed material established by this Regulation or by any other price schedule, regulation or order issued by the Office of Price Administration.

§ 1427.3 *Prohibition against dealing in remelt magnesium ingot at prices above the maximum.* On and after January 20, 1943, regardless of any contract, agreement or other obligation, no person shall sell or deliver remelt magnesium ingot, and no person in the course of trade or business shall buy or receive remelt magnesium ingot, at a price higher than the maximum prices established by Appendix B (§ 1427.17); and no person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided*, That contracts entered into prior to January 20, 1943, under the terms of, and at prices in conformance with the General Maximum Price Regulation, may be carried out at contract prices until February 19, 1943.

§ 1427.4 *Less than maximum prices.* Lower prices than the maximum prices established by this Maximum Price Regulation No. 302 may be charged, demanded, paid or offered.

§ 1427.5 *Applicability of General Maximum Price Regulations.* The provisions of this Maximum Price Regulation No. 302 supersede the provisions of the General Maximum Price Regulation with respect to commodities, services, sales and deliveries for which maximum prices are established by this Maximum Price Regulation No. 302, or which are specifically exempt from this regulation.

§ 1427.6 *Geographical applicability.* The provisions of this Maximum Price Regulation No. 302 shall apply only to the 48 states of the United States and the District of Columbia.

§ 1427.7 *Sales for export.* The maximum price at which any person may export magnesium scrap or remelt magnesium ingot shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation,[4] issued by the Office of Price Administration.

§ 1427.8 *Adjustable pricing.* It is permissible under this regulation to provide in a contract that the price shall be adjustable to a price not higher than the maximum price in effect at the time of delivery.

§ 1427.9 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 302 shall not be evaded whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to magnesium scrap or remelt magnesium ingot, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1427.10 *Records.* (a) On and after January 20, 1943, every person making sales to a consumer and every consumer making purchases of magnesium scrap shall keep for inspection by the Office of Price Administration, as long as the Emergency Price Control Act, as amended, remains in effect, complete and accurate records of each such sale or purchase, showing:

(1) The date thereof;

(2) The name and address of the buyer or seller;

(3) The quantity in pounds of each kind or grade of magnesium scrap purchased or sold;

(4) The price paid or received;

(5) Delivery charges paid or received;

(6) The dates of settlement and method of payment; and

(7) Other terms of sale and shipment.

(b) On and after January 20, 1943, every sale of remelt magnesium ingot

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8480, 8708, 8809, 8897, 9316, 9396, 9492, 9427, 9430, 9621, 9784, 10153, 10081, 10379, 10530, 10531, 10780, 10707, 11118, 11071; 8 F.R. 165, 237.

[1] 7 F.R. 4513, 4733, 4734, 5827, 5872, 6973, 7454, 7603, 8941, 8948; 8 F.R. 262.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5481, 5565, 5775, 5783, 5784, 6007, 6053, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 8942, 9004, 9435, 9615, 9616, 9732, 10155, 10454.

[2] 7 F.R. 7671.

[3] 7 F.R. 8961.

[4] 7 F.R. 5059, 7242, 8829, 9000, 10530.

shall be invoiced by the seller. The original invoice shall be delivered to the buyer and shall state:

(1) The date of delivery;

(2) The names and addresses of the buyer and seller;

(3) The quantity in pounds ordered and delivered;

(4) The certified analysis of the ingot; and

(5) The price per pound, and the total amount payable by the buyer, showing separately the transportation costs, if such costs exceed those included in the maximum prices established in § 1427.17 and if the excess is payable by the buyer.

(c) As long as the Emergency Price Control Act of 1942, as amended, is in effect every buyer of remelt magnesium ingot shall preserve for inspection by the Office of Price Administration the original, and every seller of remelt magnesium ingot shall so preserve a copy, of each invoice required to be furnished by paragraph (b) of this section.

§ 1427.11 *Reports.* Persons affected by this Maximum Price Regulation No. 302 shall also submit such reports to the Office of Price Administration as the Administrator may from time to time require.

§ 1427.12 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 302 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 302 or any price schedule, regulation or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation, are urged to communicate with the nearest district, state or regional office of the Office of Price Administration or its principal office in Washington, D. C.

(c) The provisions of Supplementary Order No. 5 [1]—Licensing, are applicable to every dealer subject to this Maximum Price Regulation No. 302 selling magnesium scrap to a consumer. "Dealer" shall have the meaning given to it by Supplementary Order No. 5.

§ 1427.13 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 302 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1427.14 *Definitions.* (a) When used in this Maximum Price Regulation No. 302, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Magnesium scrap" includes all materials containing more than 50 percent magnesium by weight which are the waste or by-product of any kind of metal working or of any industrial use of magnesium. The term also includes articles containing more than 50 percent magnesium by weight which have been discarded from their original use because of obsolescence, failure or other reasons; it does not include articles, other than the waste or by-product materials referred to above, which are still useful in their existing state for their original purpose if such articles are bought and sold for reuse in their existing state for their original purpose.

(3) "Remelt magnesium ingot" includes all kinds and grades of ingot containing more than 50 per cent magnesium by weight, if the magnesium contained in such ingot is derived principally from magnesium scrap.

(4) "Consumer" includes any person whose business consists, in whole or in part, of smelting, refining, melting, or otherwise processing scrap into a form other than scrap or of having such scrap so processed for his account by another person under a toll or conversion agreement. Any parent or subsidiary of a consumer and any person owned, operated, affiliated with, under common control with, or otherwise controlled by, a consumer, and any person owned, operated or otherwise controlled by an officer, director, partner, or proprietor of a consumer shall also be considered to be a consumer for the purposes of this Maximum Price Regulation No. 302.

(5) "Point of shipment" means the point at which magnesium scrap is first loaded on a conveyance for transportation directly to the buyer's receiving point. This is usually the seller's plant, warehouse, or yard, but if the scrap is shipped directly to the buyer's receiving point from some point other than the seller's plant, warehouse, or yard, such other point is the point of shipment. In the case of scrap shipped by water from outside the limits of the continental United States, the point of shipment means the place within the limits of the continental United States where the material is loaded on a conveyance for transportation directly to the buyer's receiving point. If such scrap is brought into the continental United States by overland shipment from Mexico or Canada, the point of shipment means the freight station in the continental United States at or nearest the point on the boundary between the United States and Mexico or Canada, as the case may be, at which the scrap first enters the United States.

(6) "At the buyer's receiving point" means that magnesium scrap or remelt magnesium ingot has arrived at the buyer's plant, warehouse or yard and is ready for unloading.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used in this Maximum Price Regulation No. 302.

§ 1427.15 *Effective date of Maximum Price Regulation No. 302.* This Maximum Price Regulation No. 302 (§§ 1427.1 to 1427.17 inclusive) shall become effective January 20, 1943.

§ 1427.16 *Appendix A: Maximum prices for magnesium scrap*—(a) *Transportation charges.* The maximum prices established for magnesium scrap in this § 1427.16 are f. o. b. point of shipment. Actual costs of transportation from the point of shipment to the buyer's receiving point, and also the cost of returning steel drums or other containers to the seller, may be charged to, and paid by, the buyer.

(b) *Schedule of maximum prices.*

Grade of magnesium scrap	Maximum price per pound of [illegible] alloy content	
	In lots of less than 1,500 pounds	In lots of 1,500 pounds or more
(1) Segregated plant scrap:		
Pure solids	Exempt	Exempt
All other solids	Exempt	Exempt
Borings & turnings	8	9
(2) Mixed or contaminated plant scrap:		
Grade 1:		
Solids	11	12
Borings & turnings	7	8
Grade 2:		
Solids	9	10
Borings & turnings	6	7
(3) Obsolete scrap:		
Uncontaminated	11	12
Contaminated	9	10

NOTE 1. (a) "Plant scrap" means scrap which is generated in the course of fabrication or manufacture and includes new material or parts rejected or discarded because defective, damaged in processing, or otherwise unfit for use.

(b) The terms "solids" and "solid plant scrap" mean plant scrap generated by shearing, clipping, cutting, blanking, or other similar process, also defective or rejected castings and forgings, and gates, sprues, risers and similar foundry scrap.

(c) Magnesium scrap shall not be deemed to be segregated, whether in the form of solids or in the form of borings, turnings or other machinings, unless it consists of one alloy only and is so identified, handled and kept free from contamination as to conform to chemical specifications issued by the American Society for Testing Materials for the type of material from which it is generated (such as ASTM Designation B 80-41T, Sand Castings): *Provided*, That the alloys designated 4 and 17 may be combined.

(d) "Pure" solids shall contain 99.8 % or more magnesium by weight.

NOTE 2. (a) All plant scrap other than segregated plant scrap shall be deemed to be "mixed or contaminated" plant scrap.

(b) Mixed or contaminated plant scrap Grade 1, shall consist of scrap which conforms to the specifications set forth in § 1427.17 (c), Note 2, for Class B ingot.

(c) Mixed or contaminated plant scrap Grade 2, shall consist of scrap which conforms to the specifications set forth in § 1427.17 (c), Note 3, for Class C ingot.

(d) Mixed or contaminated plant scrap not conforming to the specifications of either Grade 1 or Grade 2 shall be bought and sold for not more than a price, below the maximum prices herein established for Grade 2, fairly reflecting the relative value of such scrap.

NOTE 3. (a) "Obsolete" scrap includes all scrap other than plant scrap.

(b) Obsolete scrap shall be deemed to be uncontaminated only if it is free from all metals, other than magnesium, which are not ingredients of an alloy containing more than 50% magnesium by weight. If obsolete scrap is contaminated the maximum prices herein established may be paid only on the basis of the actual weight of magnesium or magnesium alloy contained, and not for any metal not an ingredient of such an alloy.

NOTE 4. If borings and turnings contain oil, moisture, cutting compounds, or other forms of contamination, maximum prices may be paid only on the basis of the actual weight of magnesium or magnesium alloy contained; in addition, if such scrap contains more than 10% oil, by weight, the maximum price per pound of magnesium or magnesium alloy contained shall be reduced 1 cent per pound for each of the respective grades of scrap.

NOTE 5. The classification of magnesium scrap according to the grades set forth herein shall be determined by analysis. In all cases the analysis made by the buyer shall be controlling except that, at the election of the parties, the controlling analysis may be made by a third person acting as referee. The compensation of such a referee may be paid in whole or in part by the buyer: *Provided*, That no part of such compensation shall be directly or indirectly paid to or received by the seller.

NOTE 6. In determining whether the maximum prices set forth in Column I or those in Column II are applicable, the weight of any steel drums or other containers shall be deducted and the weight of the remaining material, at the buyer's receiving point, shall be used in all cases.

NOTE 7. The maximum prices herein established shall not be increased by any commission or other service charge, nor shall any premium for special preparation be charged, demanded, paid or offered.

NOTE 8. Neither this Maximum Price Regulation No. 302 nor the General Maximum Price Regulation shall apply to sales or deliveries of magnesium residues such as drosses, sludge, sawings, grindings, sweepings and filings.

§ 1427.17 *Appendix B: Maximum prices for remelt magnesium ingot*—(a) *Delivery charges.* The maximum prices for remelt magnesium ingot established in this § 1427.17 include transportation costs to any destination within the continental United States, not exceeding the lowest carload rate of rail freight, but in no event to exceed 75 cents per hundredweight. Actual transportation costs in excess of those so included may be charged to, and paid by, the buyer.

(b) *Quantity differentials.* The maximum prices established herein for remelt magnesium ingot are applicable if such ingot is sold or delivered in quantities of 20,000 pounds or more. The following premiums may be charged, in addition to the maximum prices set forth below, for the quantities specified:

Quantity:	Premium (*cents per pound*)
10,000 to 20,000 pounds	¼
1,000 to 10,000 pounds	½
Less than 1,000 pounds	1

In determining whether the quantity differentials herein provided are applicable, the quantity sold or the quantity delivered to one buyer at one time, whichever is larger, shall be used in all cases, and regardless of the fact that such sale or shipment may be composed of different classes of ingot: *Provided*, That if the quantity sold exceeds the amount which the buyer is authorized by the War Production Board to receive in any allocation period, the amount which the buyer is so authorized to receive may be used instead of the quantity sold.

(c) *Schedule of maximum prices.*

	Maximum price (*cents per pound*)
Class A	21½
Class B	18½
Class C	16

NOTE 1. Class A ingot shall conform to one of the following specifications:

Alloy	Al %	Mn % (min.)	Zn %	Si % (max.)	Cu % (max.)	Ni % (max.)	Fe % (max.)	Other impurities % (max.)	Magnesium
No. 2	9.4 to 10.6	0.13		0.2	0.04	0.02		0.3	Remainder.
No. 3	11.5 to 12.5	0.13		0.2	0.04	0.02		0.3	Remainder.
No. 4	5.5 to 6.5	0.18	2.7 to 3.3	0.2	0.04	0.02		0.3	Remainder.
No. 4X	5.5 to 6.5	0.18	2.7 to 3.3	0.2	0.04	0.003	0.003	0.3	Remainder.
No. 11		1.30		0.1	0.04	0.02		0.2	Remainder.
No. 12	9.4 to 10.6	0.13		1.0	0.04	0.02		0.3	Remainder.
No. 13	8.5 to 9.5	0.15	0.5 to 0.9	0.2	0.04	0.02		0.3	Remainder.
No. 13X	8.5 to 9.5	0.15	0.5 to 0.9	0.2	0.04	0.003	0.003	0.3	Remainder.
No. 14	9.4 to 10.6	0.13	0.7 to 1.3	0.2	0.04	0.02		0.3	Remainder.
No. 17	8.5 to 9.5	0.13	1.7 to 2.3	0.2	0.04	0.02		0.3	Remainder.
No. 17X	8.5 to 9.5	0.13	1.7 to 2.3	0.2	0.04	0.003	0.003	0.3	Remainder.
Nos. 4 & 17 combined.	5.5 to 9.5	0.13	1.7 to 3.3	0.2	0.04	0.02		0.3	Remainder.

NOTE 2. Class B ingot shall conform to the following specifications:

Aluminum	12% maximum.
Zinc	4% maximum.
Copper	0.20% maximum.
Nickel	0.02% maximum.
Silicon	0.30% maximum.
Manganese	No limits.
Other metals	0.60% maximum, but no single element in excess of 0.20%.
Magnesium	Remainder.

NOTE 3. Class C ingot shall conform to the following specifications:

Aluminum	20% maximum.
Zinc	4% maximum.
Nickel	0.10% maximum.
Manganese	No limits.
Other metals (including copper and silicon).	3% maximum, but no single element in excess of 2%.
Magnesium	Remainder.

NOTE 4. The seller of remelt magnesium ingot shall furnish to the buyer a certified analysis of the ingot sold.

NOTE 5. Remelt magnesium ingot not conforming to the specifications of Class A, Class B, or Class C shall be bought and sold for not more than a price, below the maximum price herein established for Class C ingot, fairly reflecting the relative value of such ingot.

Issued this 14th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-715; Filed, January 14, 1943; 3:48 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. Supp. Reg. 12 [1] to GMPR,[2] Amendment 1]

SALES OR DELIVERIES OF IMPORTED COMMODITIES

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1499.1402 (a) (2) and § 1499.1404 are amended and §1499.1410 is added, all to read as set forth below:

§ 1499.1402 * * *

(a) * * *

(2) If the importer did not deliver or offer for delivery the same commodity during March 1942, the higher price charged by him shall be subject to revision or adjustment by the Price Administrator if, in the opinion of the Price Administrator, such price exceeds the maximum price that he could have charged for the same or similar imported commodity under section 2 of the General Maximum Price Regulation by more that a fair allowance for any increase in the total landed costs of the commodity sold or delivered over the total landed costs of the same or similar imported commodity, upon which his maximum price under section 2 of the General Maximum Price Regulation was established. If the importer did not have a maximum price in March 1942 for the same or similar imported commodity under section 2 of the General Maximum Price Regulation, the price charged by him shall be subject to revision by the Price Administrator, if in the opinion of the Price Administrator, such price exceeds the total landed costs by more than a fair amount.

* * * * *

§ 1499.1404 *Exceptions.* (a) This regulation and the General Maximum Price Regulation shall not apply to:

(1) Purchases of commodities to be imported by a person who deals directly with a foreign seller outside the continental United States or his selling agent wherever located.

(2) Sales or deliveries of any imported commodity in its imported state, or after being subjected to a process which does not result in the production of a new and different article having a distinctive

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[1] 7 F.R. 3403, 6077, 9723

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10532.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4239, 4287, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 8942, 9004, 9435, 9515, 9616, 9732, 10155, 10454.

name, character or use, to the United States or any agency thereof, or to the government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States" or any agency of such government, or sales or deliveries to any person who will use such commodity to fulfill a contract with the United States or any agency thereof, or with any such other government or any agency thereof, or to fulfill a subcontract under any such contract: *Provided, however,* That this exception shall not apply to the following commodities:

(i) Fish and seafood: canned, salted, pickled, smoked, or frozen.

(ii) Other foodstuffs processed after importation.

(iii) Silver bullion.

(iv) Crude rubber, balata, and guayule.

(3) Sales or deliveries of any commodities excepted from the General Maximum Price Regulation.

(b) The provisions of § 1499.1402 of this regulation shall not apply to:

(1) Lumber and wood shingles produced in and imported from Canada or Mexico.

(2) Unmanufactured asbestos, asbestos crudes, fibers, stucco, and sand and refuse containing not more than 15 per centum of foreign matter.

§ 1499.1410 *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1499.1402 (a) (2), 1499.1404, 1499.1410) shall become effective January 20, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 14th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-717; Filed, January 14, 1943; 3:50 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 166 Under § 1499.18 (b) of GMPR]

NO-WORRY CHEMICAL COMPANY, INC.

Order No. 166 under § 1499.18 (b) of the General Maximum Price Regulation—GF3-1524.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1067 *Adjustment of maximum price for sales of No-Worry, a washing and cleaning fluid manufactured by No-Worry Chemical Company, Inc., of Newark, New Jersey.* (a) The maximum price for the sale of No-Worry, a washing and cleaning fluid principally composed of sodium hypochlorite, manufactured by No-Worry Chemical Company, Inc., of Newark, New Jersey, shall be as follows:

On sales to jobbers $.70 per case of 12 quart bottles.

On sales to retailers, $.80 per case of 12 quart bottles.

(b) The maximum prices on sales by jobbers and retailers of No-Worry, a washing and cleaning fluid manufactured by No-Worry Chemical Company, Inc., of Newark, New Jersey, shall be as follows:

On sales by jobbers, the jobber's present maximum price increased by $.15 per case.

On sales by retailers, the retailer's present maximum price creased by .01 per quart bottle.

(c) All discounts, allowances and trade practices in effect with respect to the sales of such No-Worry, a washing and cleaning fluid, by No-Worry Chemical Company, Inc., of Newark, New Jersey, and by jobbers and retailers of such commodity, in effect during March 1942 shall remain in effect under this Order No. 166.

(d) At the time of the first delivery of No-Worry washing and cleaning fluid by No Worry Chemical Company, Inc., at a price determined under this Order No. 166, such company shall furnish each purchaser a copy of the following notice:

The Office of Price Administration has permitted us, by Order No. 166 under § 1499.18 (b) of the General Maximum Price Regulation, to raise our maximum price of No-Worry, a washing and cleaning fluid, from $.55 to $.70 per case on sales to jobbers and from $.65 to $.80 per case on sales to retailers. This Order also adjusts the maximum prices on sales by jobbers and retailers by the addition of $.15 per case to the jobber's previous maximum price and by the addition of $.01 per bottle to the retailer's previous maximum price.

(e) All prayers of the applicant not granted herein are denied.

(f) This Order No. 166 may be revoked or amended by the Office of Price Administration at any time.

(g) This Order No. 166 (§ 1499.1067) is hereby incorporated as a section under Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(h) This Order No. 166 (§ 1499.1067) shall become effective January 14, 1943

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 14th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-714; Filed, January 14, 1943; 3:48 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[Correction to MPR 296[1]]

FLOUR FROM WHEAT, SEMOLINA, AND FARINA SOLD BY MILLERS AND BLENDERS

The figures $6.26 and $6.34 in paragraph (I) (b) of § 1351.1666, Appendix A, are hereby corrected to $6.16 and $6.30 respectively. A new § 1351.1665a is added as set forth below:

§ 1351.1665a *Effective dates of corrections and amendments.* (a) This correction (§ 1351.1666 (b)) to Maximum Price Regulation No. 296 shall become effective January 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-737; Filed, January 15, 1943; 10:29 a. m.]

PART 1355—LEAD

[RPS 69,[2] Amendment 3]

PRIMARY LEAD

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith, and has been filed with the Division of the Federal Register.*

Section 1355.9 is amended to read as follows:

§ 1355.9 *Appendix A: Maximum prices for primary lead*—(a) *Sold or shipped, delivered, or carried away in carload lots.*

Grade or type	Maximum price per pound (delivered buyer's rail receiving point)		
	St. Louis	New York	Other points
Pigs			
Common lead	6.35¢	6.50¢	Base price.
Corroding lead	6.45¢	6.60¢	Base price plus .15¢
Chemical lead	6.45¢	6.60¢	Base price plus .15¢
Copperized lead made from:			
Common lead	6.40¢	6.55¢	Base price plus .05¢
Corroding lead	6.50¢	6.65¢	Base price plus .15¢
Ingots, linked ingots, or billets			
Common lead	6.60¢	6.75¢	Base price plus .25¢
Corroding lead	6.70¢	6.85¢	Base price plus .35¢
Chemical lead	6.70¢	6.85¢	Base price plus .35¢
Copperized lead made from:			
Common lead	6.65¢	6.80¢	Base price plus .30¢
Corroding lead	6.75¢	6.90¢	Base price plus .40¢

Primary lead in shapes other than those provided for above may be sold at customary differentials above the maximum prices established for primary lead in pigs. Prices at which such sales take place shall be submitted with a complete description of the shape involved and a detailed description of the cost factors justifying the higher price to the Office of Price Administration. If the Price Administrator disapproves the price submitted, the selling price shall be revised downward to the maximum price which the Price Administrator may approve for that shape and any payment made in excess of the price so approved shall be refunded to the buyer. Thirty days after such price is submitted, in the absence of a notification to the contrary from the Office of Price Administration, the price shall stand approved and shall be the maximum price applicable to sales of primary lead in that particular shape.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 158.

[2] 7 F.R. 1339, 2132, 2278, 2997, 8948.

Contracts entered into prior to January 20, 1943, for primary lead in ingots, linked ingots, or other special shapes under the terms of and at prices in conformance with Revised Price Schedule No. 69, may be carried out at contract prices until February 19, 1943.

When used in paragraph (a) of this section, in reference to carload lots, the term "base price" means the price quoted in paragraph (c) of this section at the point of delivery. If the point of delivery is not listed, the price listed for the nearest point in distance to the point of delivery shall prevail.

The above grades of primary lead are to be determined in accordance with the specifications of the American Society for Testing Materials. Primary lead which fails to meet such standards should be sold at normal differentials below the established maximum prices.

The minimum quantity making up a carload lot for the purposes of Revised Price Schedule No. 69 shall be the minimum weight, as set forth in the tariffs of railroad carriers, upon which the lowest railroad carload rate from the point of shipment to the point of destination is based: *Provided, however,* That where a smaller quantity is shipped which would move at any railroad carload rate rather than at a railroad less-than-carload rate between such points, because a lower transportation charge is produced thereby, such smaller quantity shall be considered a carload lot. The seller may, upon shipping such smaller quantity, add to the carload lot prices applicable an amount per pound not to exceed the difference between (1) the rail transportation charge, on a per pound basis, actually paid for the quantity shipped and (2) the lowest railroad carload rate, on a per pound basis, applicable to a shipment from such point of shipment to such point of destination. Any such amount added as a transportation charge must be shown in all records or reports required to be kept or submitted in accordance with any provision of this schedule or any amendment thereto, and in all price quotations, bills, and invoices.

Whenever primary lead of two or more grades or forms is sold, shipped, delivered or transferred to the same purchaser, consignee, or transferee in carload lots, the carload lot maximum price shall apply to each grade or form although the amount of any such grade or form so sold, shipped, delivered or transferred may not alone constitute a carload lot.

(b) *Sold and shipped, delivered, or carried away in less than carload lots.* The term "carload maximum price" referred to in subparagraphs (1) and (2) below means the maximum price as determined in paragraph (a) of this section, except that for the purposes of subparagraphs (1) and (2) below the maximum price shall be determined at the point of shipment instead of at the point of delivery. In this determination, the term "base price" means the price quoted in paragraph (c) of this section at the point of shipment. If the point of shipment is not listed, the price listed for the nearest point in distance to the point of shipment shall prevail.

(1) *Sales of primary lead by the producer of the lead sold.*

For sale in lots of:	*Maximum price, per pound (f. o. b. point of shipment)*
20,000 lb. and less than a carload.	Carload maximum price plus .15¢
10,000 lb. and less than 20,000 lb.	Carload maximum price plus .25¢
2,000 lb. and less than 10,000 lb.	Carload maximum price plus .40¢
Less than 2,000 lb.	Carload maximum price plus .50¢

(2) *Sales by all other persons except plumbing supply houses.*

For sale in lots of:	*Maximum price, per pound (f. o. b. point of shipment)*
20,000 lb. and less than a carload.	Carload maximum price plus .65¢
10,000 lb. and less than 20,000 lb.	Carload maximum price plus .75¢
2,000 lb. and less than 10,000 lb.	Carload maximum price plus 1.00¢
Less than 2,000 lb.	Carload maximum price plus 1.50¢

(3) *Sales by plumbing supply houses.* No plumbing supply house shall sell, offer to sell, deliver, or transfer primary lead at higher prices than those resulting from applying to the cost of the material the same percentage mark-up obtained by such supply house on a sale on October 1, 1941, or on the last day previous thereto on which a sale took place of a similar quantity of the same grade of lead.

Any plumbing supply house first selling, offering for sale, delivering, or transferring primary lead after October 1, 1941, shall have his mark-up on such primary lead approved by the Office of Price Administration. Pending such approval by the Price Administrator, any plumbing supply house may sell and deliver or offer to sell and deliver, and any person, in the course of trade or business, may buy, offer to buy, or receive primary lead from a plumbing supply house at the cost of material plus the mark-up submitted for approval. If, however, the Price Administrator disapproves the mark-up submitted, the selling price shall be revised downward to the maximum price calculated by adding to the cost of material the mark-up which the Price Administrator may approve, and any payment made in excess of that price shall be refunded to the buyer. Thirty days after such mark-up is submitted, in the absence of a notification to the contrary from the Office of Price Administration, the mark-up submitted shall stand approved and shall be the maximum mark-up applicable.

(4) *Terms of sale.* The maximum prices set forth above are f. o. b. point of shipment. Primary lead in less than carload lots may, however, be sold, offered for sale, delivered, or transferred at a price delivered buyer's receiving point. In such cases, whenever the total delivered price exceeds the maximum f. o. b. point of shipment price fixed by Revised Price Schedule No. 69, in all price quotations (i) the transportation charge must be shown as a separate item and (ii) the price f. o. b. point of shipment, obtained by subtracting the transportation charge from the total delivered price, must not exceed the maximum f. o. b. point of shipment price set forth in Revised Price Schedule No. 69.

Whenever delivery is made in the seller's conveyance, the transportation charge shall not exceed the charge which would be applicable on an identical shipment from the same point of shipment to the same receiving point at the lowest available commercial transportation rate. In such cases the transportation charge must be shown as a separate item in all price quotations.

When used in Revised Price Schedule No. 69, the term "point of shipment" means the point from which the seller ships to the buyer. This is usually the seller's plant, warehouse, or yard, but, where the material is shipped directly to the buyer from some point other than the seller's plant, warehouse, or yard, such other point is the point of shipment.

(c) *Table of base prices.*

Basing point	*Price per lb. in cents*
Alabama:	
Birmingham	6.55
Fairfield	6.55
California:	
Los Angeles	6.50
Melrose	6.50
Oakland	6.50
San Francisco	6.50
Colorado:	
Denver	6.50
Connecticut:	
Bridgeport	6.55
New Haven	6.55
New London	6.55
Torrington	6.55
Waterbury	6.55
Waterville	6.55
Florida:	
Jacksonville	6.95
Pensacola	6.75
Tampa	7.10
Georgia:	
Atlanta	6.55
Macon	6.55
Idaho:	
Silver King	6.50
Illinois:	
Aurora	6.40
Chicago	6.40
Cicero	6.40
Dixon	6.40
East Alton	6.35
Evanston	6.40
Granite City	6.35
Greenville	6.40
Greenwood Blvd.	6.40
Joliet	6.40
Kensington	6.40
Pecria	6.40
Waukegan	6.40
W. Pullman	6.40
Indiana:	
Charlestown	6.50
Gary	6.40
Grasselli	6.40
Hammond	6.40
Indianapolis	6.50
Kokomo	6.50
Marion	6.50

Basing point—Continued	*Price per lb. in cents*
Indiana—Continued.	
Muncie	6 50
Whiting	6 40
Iowa:	
Davenport	6 35
Keoku	6 35
Kansas:	
Topeka	6 35
Kentucky:	
Louisville	6 50
Louisiana:	
Baton Rouge	6 50
New Orleans	6 50
Maryland:	
Baltimore	6 50
Massachusetts:	
Boston	6 55
Cambridge	6 55
Springfield	6 55
Worcester	6 55
Michigan:	
Detroit	6 50
Port Huron	6 50
River Rouge	6 50
Minnesota:	
Duluth	6 40
Minneapolis	6 40
St Paul	6 40
Mississippi:	
Hattiesburg	6 50
Missouri:	
Joplin	6 40
Kansas City	6 35
Neosho	6 40
St Louis	6 35
Montana:	
Anaconda	6 50
Black Eagle	6 50
Nebraska:	
Omaha	6 35
New Hampshire:	
Portsmouth	6 55
New Jersey:	
Bayonne	6 50
Bloomfield	6 50
Carney's Point	6 50
Dundee	6 50
Elizabeth	6 50
Grasselli	6 50
Irvington	6 50
Jersey City	6 50
Kearny	6 50
Newark	6 50
New Brunswick	6 50
Passaic	6 50
Paterson	6 50
Perth Amboy	6 50
Phillipsburg	6 50
Roebling	6 50
Trenton	6 50
New York:	
Albany	6 50
Brooklyn	6 50
Buffalo	6 50
Glendale, L. I	6 50
Glens Falls	6 55
Green Island	6 50
Hastings	6 50
Long Island City	6 50
Maspeth, L. I	6 50
New York	6 50
Niagara Falls	6 50
Richfield Springs	6 50
Rochester	6 50
Rome	6 50
Schenectady	6 50
Syracuse	6 50
West Albany	6 50
Yonkers	6 50
North Carolina:	
Charlotte	6 80
Durham	6 80
Jacksonville	6 85
Raleigh	6 80
Winston-Salem	6 50
North Dakota:	
Fargo	6 50

Basing point—Continued	*Price per lb. in cents*
Ohio:	
Akron	6 50
Canton	6 50
Cincinnati	6 50
Cleveland	6 50
Delta	6 50
E Liverpool	6 50
Lorain	6 50
Martins Ferry	6 50
Niles	6 50
Portsmouth	6 50
Reading	6 50
Oklahoma:	
Oklahoma City	6 50
Pennsylvania:	
Allentown	6 50
Ambridge	6 50
Crescentville	6 50
Donora	6 50
E Pittsburgh	6 50
Erie	6 50
Fort Washington	6 50
Monessen	6 50
New Brighton	6 50
New Castle	6 50
Philadelphia	6 50
Pittsburgh	6 50
Rankin	6 50
Reading	6 50
Scranton	6 50
Wilkes-Barre	6 50
Rhode Island:	
Bristol	6 55
Pawtucket	6 55
Phillipsdale	6 55
Providence	6 55
South Carolina:	
Charleston	6 80
Spartanburg	6 75
Tennessee:	
Lenoir City	6 70
Memphis	6 50
Texas:	
Dallas	6 50
El Paso	6 50
Houston	6 50
San Antonio	6 50
Virginia	
Norfolk	6 50
Richmond	6 50
Washington:	
Seattle	6 50
West Virginia:	
Charleston	6 50
Weirton	6 50
Wheeling	6 50
Wisconsin	
Burlington	6 40
Kenosha	6 40
Milwaukee	6 40
New Glarus	6 40
New London	6 40

§ 1355.8a *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§ 1355.9) to Revised Price Schedule No. 69 shall become effective January 20, 1943, for the District of Columbia and the forty-eight states of the United States, and shall become effective January 30, 1943, for the territories and possessions of the United States.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-738; Filed, January 15, 1943; 10:32 a. m.]

PART 1355—LEAD

[MPR 70]

LEAD SCRAP MATERIALS; SECONDARY LEAD; BATTERY LEAD SCRAP; AND PRIMARY AND SECONDARY ANTIMONIAL LEAD

The title and preamble are amended, and the sections of Revised Price Schedule No. 70 are renumbered and amended to read as set forth herein.

In the judgment of the Price Administrator, it is necessary and proper to revise Revised Price Schedule No. 70. The Price Administrator has given due consideration to the prices of lead scrap materials, secondary lead, battery lead scrap, and primary and secondary antimonial lead prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

The maximum prices established by this regulation are, in the judgment of the Price Administrator, generally fair and equitable, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1,[1] issued by the Office of Price Administration, Maximum Price Regulation No. 70 is hereby issued.

Sec.

1355.51 Maximum prices for lead scrap materials other than battery lead scrap.
1355.52 Maximum prices for secondary lead.
1355.53 Maximum prices for battery lead plates purchased and sold by brokers.
1355.54 Maximum prices for battery lead scrap purchased by smelters or battery manufacturers.
1355.55 Maximum prices for primary and secondary antimonial lead.
1355.56 Less than maximum prices.
1355.57 Evasion.
1355.58 Records and reports.
1355.59 Enforcement.
1355.60 Petitions for amendment.
1355.61 Definitions.
1355.62 Export sales.
1355.63 Effective date of Maximum Price Regulation No. 70.
1355.64 Appendix A: Maximum prices for lead scrap materials, other than battery lead scrap.
1355.65 Appendix B: Maximum prices for secondary lead.
1355.66 Appendix C: Maximum prices for battery lead plates purchased and sold by brokers.
1355.67 Appendix D: Maximum prices for battery lead scrap purchased by smelters or battery manufacturers.
1355.68 Appendix E: Maximum prices for primary and secondary antimonial lead.
1355.69 Appendix F: List of base prices.
1355.70 Appendix G: Terms of sale.

AUTHORITY: §§ 1355.51 to 1355.70 inclusive, issued pursuant to Public Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871.

§ 1355.51 *Maximum prices for lead scrap materials other than battery lead scrap.* On and after January 20, 1943, regardless of the terms of any contract of sale or purchase, or other commitment, no person shall sell, offer to sell, deliver or transfer lead scrap materials to a consumer, and no consumer in the course of trade or business shall buy, offer to buy, or accept delivery of lead scrap materials at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1355.64.

§ 1355.52 *Maximum prices for secondary lead.* On and after January 20, 1943, regardless of the terms of any contract of sale or purchase, or other commitment, no person shall sell, offer to sell, deliver or transfer secondary lead, and no person in the course of trade or business shall buy, offer to buy, or accept delivery of secondary lead at prices higher than the maximum prices set forth in Appendix B hereof, incorporated herein as § 1355.65. *Provided*, That contracts entered into prior to January 20, 1943, for secondary lead in ingots, linked ingots, or other special shapes under the terms of, and at prices in conformance with Revised Price Schedule No. 70, may be carried out at contract prices until February 19, 1943.

§ 1355.53 *Maximum prices for battery lead plates purchased and sold by brokers.* On and after January 20, 1943, regardless of the terms of any contract of sale or purchase, or other commitment, in the execution of a brokerage sale (a) no broker shall sell, offer to sell, deliver or transfer battery lead plates, and no broker shall buy, offer to buy, or accept delivery of battery lead plates, and (b) no person shall sell, offer to sell, deliver or transfer battery lead plates to a broker, and no person in the course of trade or business shall buy, offer to buy, or accept delivery of battery lead plates from a broker at prices higher than the maximum prices set forth in Appendix C hereof, incorporated herein as § 1355.66.

§ 1355.54 *Maximum prices for battery lead scrap purchased by smelters or battery manufacturers.* On and after January 20, 1943, regardless of the terms of any contract of sale or purchase, or other commitment, (a) no smelter or battery manufacturer shall buy, offer to buy, or accept delivery of battery lead scrap, and (b) no person shall sell, offer to sell, deliver or transfer battery lead scrap to such smelter or battery manufacturer at prices higher than the maximum prices set forth in Appendix D hereof, incorporated herein as § 1355.67.

§ 1355.55 *Maximum prices for primary and secondary antimonial lead.* On and after January 20, 1943, regardless of the terms of any contract of sale or purchase, or other commitment, no person shall sell, offer to sell, deliver or transfer antimonial lead, and no person in the course of trade or business shall buy, offer to buy or accept delivery of antimonial lead at prices higher than the maximum prices set forth in Appendix E hereof, incorporated herein as § 1355.68. *Provided*, That contracts entered into prior to January 20, 1943, for primary or secondary antimonial lead in ingots, billets or other special shapes under the terms of and at prices in conformance with Revised Price Schedule No. 70, may be carried out at contract prices until February 19, 1943.

§ 1355.56 *Less than maximum prices.* Lower prices than those set forth in Appendices A, B, C, D, E, and F may be charged, demanded, paid, or offered.

§ 1355.57 *Evasion.* (a) The price limitations set forth in Maximum Price Regulation No. 70 shall not be evaded whether by direct or indirect methods in connection with a purchase, sale, delivery, or transfer of lead scrap materials, secondary lead, battery lead scrap, or antimonial lead, alone or in conjunction with any other material, or by way of any commission, except as provided in § 1355.66 hereof, or by way of any service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or otherwise.

(b) Any purchase, sale, delivery or transfer of secondary lead or antimonial lead in quantities less than requested by the buyer in order to enable the seller to obtain a higher less-than-carload-lot differential shall be considered to be an evasion of Maximum Price Regulation No. 70, provided that the buyer is willing to accept delivery thereof in a single shipment.

(c) Any agreement or transaction in connection with which a smelter processes lead scrap materials or battery lead scrap for any person on toll shall be considered to be an evasion of Maximum Price Regulation No. 70, unless such agreement or transaction has first been approved in writing by the Office of Price Administration.

§ 1355.58 *Records and reports.* (a) Every smelter and battery manufacturer completing a brokerage sale as defined in § 1355.61 of Maximum Price Regulation No. 70 shall submit to the Office of Price Administration not later than the 30th day after the completion of delivery, a complete and accurate record of such brokerage sale showing:

(1) The date of the contract,

(2) The names and addresses of the contracting parties.

(3) The quantity contracted for and the quantity delivered,

(4) The dates of the first and last deliveries thereunder, and

(5) The amount of commission paid or due to be paid to the broker.

(b) Every person making a sale to a consumer; and every consumer making a purchase of lead scrap materials or battery lead scrap after January 19, 1943, shall keep for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each such purchase or sale, showing: The date thereof; the name and address of the buyer or the seller; the price paid or received, f. o. b. point of shipment; freight paid or charged, separately reported; and the quantity of each kind or grade of material purchased or sold.

(c) Every person making a sale or purchase of secondary lead or antimonial lead after January 19, 1943, shall keep for inspection by the Office of Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each such purchase or sale, showing: The date thereof; the name and address of the buyer or the seller; the price paid or received, f. o. b. point of shipment; freight paid or charged, separately reported; and the quantity of each kind or grade of material purchased or sold.

(d) In addition to fulfilling the other requirements of Maximum Price Regulation No. 70, every smelter or battery manufacturer making purchases of battery lead plates after January 19, 1943, shall keep for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records showing the quantity received and the results of the assay, where required, made in accordance with the requirements of Maximum Price Regulation No. 70.

(e) All records of the purchase, sale, or transfer after January 19, 1943, of lead scrap material, secondary lead, battery lead scrap, or antimonial lead shall be kept in the terms in which they are respectively classified in Maximum Price Regulation No. 70, in addition to such other classifications as may be employed by the maker or keeper of said records.

(f) Every person subject to this Maximum Price Regulation No. 70 shall submit such other reports and keep such other records as the Office of Price Administration may, from time to time, require, either in addition to, or in substitution for, records and reports herein required.

§ 1355.59 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 70 are subject to criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for in the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 70 or any price schedule, regulation, or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation, are urged to communicate with the

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8961.

nearest District, State or Regional Office of the Office of Price Administration, or its principal Office in Washington, D. C.

(c) The provisions of Supplementary Order No. 5[2]—Licensing, are applicable to every dealer subject to this Maximum Price Regulation No. 70, selling, offering to sell, delivering, or transferring lead scrap materials and battery lead scrap, to a consumer.

§ 1355.60 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 70, may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1355.61 *Definitions.* (a) When used in Maximum Price Regulation No. 70, the term:

(1) "Antimonial lead" includes both primary and secondary antimonial lead, and means any lead-antimony alloy containing not less than 98% antimony and lead combined, not less than .25% antimony, and not more than .50% tin;

(2) "Assay" means an assay made according to the requirements set forth in § 1355.67, Appendix D, of Maximum Price Regulation No. 70;

(3) "Battery lead plates" means scrap battery lead plates either with or without lugs, liners, separators, and/or battery mud;

(4) "Battery lead scrap" means the kinds, types, and grades of battery lead scrap set forth in Appendices C and D (§§ 1355.66 and 1355.67) of Maximum Price Regulation No. 70.

(5) "Broker" means any person who (1) contracts to supply a smelter or battery manufacturer with not less than 300 tons net shipping weight of battery lead plates to be delivered within a period of 30 days, and (2) routes all shipments under such contract from a point of shipment other than his plant, warehouse, or yard, directly to the smelter or battery manufacturer;

(6) "Brokerage sale" means a firm contract in which a broker agrees (1) to supply a smelter or battery manufacturer with not less than 300 tons net shipping weight of battery lead plates to be delivered within a 30 day period, and (2) routes all shipments under such contract from a point of shipment other than his plant, warehouse, or yard, directly to the smelter or battery manufacturer;

(7) "Carload lot" means the minimum quantity required to obtain railroad carload lot rates from the point of shipment to the point of destination;

(8) "Consumer" means any person who processes any lead scrap materials otherwise than by sorting, cleaning, baling, compressing or reducing in size by any means;

(9) "Dealer" means an individual, corporation, partnership, association, or any other organized group of persons, or the legal successor or representative of any of the foregoing, whose business includes the acquisition of any material for the purpose of sale as waste, scrap or salvage materials;

(10) "Hard lead scrap" means any scrap containing not less than 98% lead and antimony combined, and not less than .25% antimony;

(11) "Lead scrap materials" means the kinds, types, and grades of lead scrap materials set forth in § 1355.64, Appendix A, of Maximum Price Regulation No. 70;

(12) "Net shipping weight" means the gross weight of battery lead plates at the time of shipment, minus the weight of containers, if any.

(13) "On toll" means an arrangement whereby a servicing charge is paid a smelter for processing or treating the material;

(14) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government or any of its political subdivisions or any agency of the foregoing;

(15) "Point of shipment" means the point at which any commodity covered by Maximum Price Regulation No. 70 is loaded on a conveyance for transportation directly to the buyer's point;

(16) "Producer" means any person who makes pigs, ingots, linked ingots, or billets of lead or antimonial lead;

(17) "Secondary lead" means lead more than 50 percent of the lead content of which is obtained from scrap material;

(18) "Single shipment" means all deliveries made to a buyer by any one seller within a period of two consecutive days, excluding Sundays and legal holidays;

(19) "Smelter" means any person who melts or smelts lead scrap materials including, but not limited to, battery lead plates.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 as amended, shall apply to other terms used herein.

§ 1355.62 *Export sales.* The maximum prices at which a person may export any commodity covered by this Maximum Price Regulation No. 70 shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[1] issued by the Office of Price Administration.

§ 1355.63 *Effective date of Maximum Price Regulation No. 70.* This regulation (§§ 1355.51 to 1355.70, inclusive) shall become effective January 20, 1943 for the District of Columbia and the forty-eight states of the United States, and shall become effective January 30, 1943 for the territories and possessions of the United States.

§ 1335.64 *Appendix A: Maximum prices for lead scrap materials, other than battery lead scrap.* "Base price" means the price listed in § 1355.69, Appendix F hereof, at the point of shipment. If the point of shipment is not listed therein, the price listed for the nearest point in distance to the point of shipment shall prevail.

Grade or type of lead scrap material:	*Maximum price per pound (f. o. b. point of shipment)*
Soft lead scrap	Base price less .55¢
Hard lead scrap	Base price less .55¢
Battery lugs	Base price less .65¢
Lead content of lead-covered copper cable	Base price less .55¢
Cable lead scrap	Base price less .55¢

The maximum prices established herein are the maximum prices to be paid for the lead scrap materials enumerated above after any free iron, rubber and other foreign materials are removed.

The maximum price of the copper contained in lead-covered copper cable shall be determined in accordance with Revised Price Schedule No. 20,[3] as amended—*Copper scrap and copper alloy scrap.*

§ 1355.65 *Appendix B: Maximum prices for secondary lead.* "Base price" means the price listed in § 1355.69, Appendix F hereof, at the point of shipment. If the point of shipment is not listed therein, the price listed for the nearest point in distance to the point of shipment shall prevail.

(a) *Sold and shipped, delivered, or carried away in carload lots.*

Grade or type:	*Maximum price, per pound (f. o. b. point of shipment:)*
Low-grade secondary pig lead (containing less than 99.73% lead)	Base price less .15¢
Low-grade secondary lead ingots, linked ingots, and billets (containing less than 99.73% lead)	Base price plus .10¢
High-grade secondary pig lead (containing not less than 99.73% lead)	Base price
High-grade secondary lead ingots, linked ingots, and billets (containing not less than 99.73% lead)	Base price plus .25¢

Secondary lead in shapes other than those provided for above may be sold at customary differentials above the maximum prices established for secondary lead in pigs. Prices at which such sales take place shall be submitted with a complete description of the shape involved and a detailed description of the

[1] 7 F.R. 3403, 6077, 9123.

[2] 7 F.R. 5059, 7242, 8829, 9000, 10530.

[3] 7 F.R. 4213, 5218, 713, 815, 905, 1131, 1245, 1643, 1836, 2106, 2132, 2897, 3242, 3404, 3403, 3489, 3516, 6482, 6895, 8948; 8 F.R. 120.

cost factors justifying the higher price to the Office of Price Administration. If the Price Administrator disapproves the price submitted, the selling price shall be revised downward to the maximum price which the Price Administrator may approve for that shape and any payment made in excess of the price so approved shall be refunded to the buyer. Thirty days after such price is submitted, in the absence of a notification to the contrary from the Office of Price Administration, the price shall stand approved and shall be the maximum price applicable to sales of secondary lead in that particular shape.

(b) *Sold and shipped, delivered, or carried away in less than carload lots—*(1) *Sales of secondary lead by the producer of the lead sold.*

For sales of secondary lead in lots of:	*Maximum price per pound (f. o. b. point of shipment)*
20,000 lbs. and less than a carload	Carload price as determined in Paragraph (a) of this section plus .15¢
10,000 lbs and less than 20,000 lbs	Carload price as determined in Paragraph (a) of this section plus .25¢
2,000 lbs and less than 10,000 lbs	Carload price as determined in Paragraph (a) of this section plus .40¢
Less than 2,000 pounds	Carload price as determined in Paragraph (a) of this section plus .50¢

(2) *Sales by all other persons except plumbing supply houses.*

For sales of secondary lead in lots of:	*Maximum price per pound (f. o. b. point of shipment)*
20,000 lbs and less than a carload	Carload price as determined in Paragraph (a) of this section plus .65¢
10,000 lbs and less than 20,000 lbs	Carload price as determined in Paragraph (a) of this section plus .75¢
2,000 lbs and less than 10,000 lbs	Carload price as determined in Paragraph (a) of this section plus 1.00¢
Less than 2,000 pounds	Carload price as determined in Paragraph (a) of this section plus 1.50¢

(3) *Sales by plumbing supply houses.* No plumbing supply house shall sell, offer to sell, deliver, or transfer secondary lead at higher prices than those resulting from applying to the cost of the material the same percentage mark-up obtained by such supply house on a sale on October 1, 1941, or on the last day previous thereto on which a sale took place of a similar quantity of the same grade of lead.

Any plumbing supply house first selling, offering for sale, delivering, or transferring secondary lead after October 1, 1941, shall have his mark-up on such secondary lead approved by the Office of Price Administration. Pending such approval by the Price Administrator, any plumbing supply house may sell and deliver or offer to sell and deliver, and any person, in the course of trade or business, may buy, offer to buy, or receive secondary lead from a plumbing supply house at the cost of material plus the mark-up submitted for approval. If however, the Price Administrator disapproves the mark-up submitted, the selling price shall be revised downward to the maximum price calculated by adding to the cost of material the mark-up which the Price Administrator may approve, and any payment made in excess of that price shall be refunded to the buyer. Thirty days after such mark-up is submitted, in the absence of a notification to the contrary from the Office of Price Administration, the mark-up submitted shall stand approved and shall be the maximum mark-up applicable.

§ 1355.66 *Appendix C: Maximum prices for battery lead plates purchased and sold by brokers—*(a) *Maximum prices for brokerage sales—*(1) *Single shipments of 8,000 pounds or more, net shipping weight (gross weight at the time of shipment, minus the weight of containers, if any).* The maximum price per pound, f. o. b. point of shipment, shall be determined for each such shipment according to the following formula:

6.65¢
multiplied by

the percentage of lead and antimony in the plates as determined by the purchaser thereof by a sample assay upon receipt of the shipment at his plant

less
1.10¢

Provided, That the seller may charge and the buyer may pay for the copper content of terminals of submarine batteries in addition to the maximum price established by this section, the maximum price provided by Revised Price Schedule No. 20, as amended—Copper scrap and copper alloy scrap—for such copper scrap.

(2) *Single shipments of less than 8,000 pounds, net shipping weight.* For single shipments of less than 8,000 pounds, net shipping weight, not less than $3.00 shall be subtracted from the maximum price for the entire shipment as determined in accordance with subparagraph (a) (1) of this section.

(3) *Alternate method of determining the maximum price for single shipments of less than 8,000 pounds, net shipping weight.* For single shipments of less than 8,000 pounds, net shipping weight, the maximum price may be determined without recourse to the formula stated in subparagraph (a) (2) of this section. In that case the maximum price shall be $3.50 per cwt., f. o. b. point of shipment.

(4) *Weight of shipment for the purpose of maximum price determination.* The weight of the battery lead plates at the time the assay sample is taken shall be used to determine the maximum price where an assay is required by this section.

(b) *Commission on brokerage sales.* Any person who (1) contracts to supply a smelter or battery manufacturer with not less than 300 tons, net shipping weight, of battery lead plates to be delivered within a 30 day period, and (2) routes all shipments under such contract from a point of shipment other than his plant, warehouse, or yard, directly to the purchaser, may receive from the purchaser, upon completion of such contract, a brokerage commission not exceeding $1.00 a ton of the weight of battery lead plates received under such contract provided all of the following requirements are fulfilled:

(1) Complete delivery is made within a period of 30 days;

(2) The commission is shown as a separate charge on all records;

(3) The broker does not divide the commission with any other person;

(4) The contract is fully performed before the commission, or any portion thereof, is received by the broker; and

(5) Complete and accurate records of each such sale are submitted to the Office of Price Administration as required by § 1355.58 of Maximum Price Regulation No. 70.

§ 1355.67 *Appendix D: Maximum prices for battery lead scrap purchased by smelters or battery manufacturers—*(a) *Battery lead plates—*(1) *Single shipments of 8,000 pounds or more, net shipping weight (gross weight at the time of shipment, minus the weight of containers, if any).* The maximum price per pound, f. o. b. point of shipment, shall be determined for each such shipment according to the following formula:

6.65¢
multiplied by

the percentage of lead and antimony in the plates as determined by the purchaser thereof by a sample assay upon receipt of the shipment at his plant

less
1.10¢

Provided, That the seller may charge and the buyer may pay for the copper content of terminals of submarine batteries in addition to the maximum price established by this section, the maximum price provided by Revised Price Schedule No. 20, as amended—Copper scrap and copper alloy scrap—for such copper scrap.

(2) *Single shipments of less than 8,000 pounds, net shipping weight.* For single shipments of less than 8,000 pounds, net shipping weight, not less than $3.00 shall be subtracted from the maximum price for the entire shipment as determined in accordance with paragraph (a) (1) of this section.

(3) *Alternate method of determining the maximum price for single shipments of less than 8,000 pounds, net shipping weight.* For single shipments of less than 8,000 pounds, net shipping weight, the maximum price may be determined without recourse to the formula stated in paragraph (a) (2) of this section. In that case the maximum price shall be $3.50 per cwt., f. o. b. point of shipment.

(4) *Weight of shipment for the purpose of maximum price determination.* The weight of the battery lead plates at the time the assay sample is taken shall be used to determine the maximum price where an assay is required by this section.

(b) *Used storage batteries (in boxes) drained of liquid.* The maximum price per cwt., f. o. b. point of shipment, shall be $2.39.

Used storage batteries (in boxes) may be shipped to a smelter or battery manufacturer in an undrained condition, but the weight and price thereof shall be determined after the boxes are drained.

The maximum prices for used storage batteries (in boxes) set forth herein do not apply to rebuilders of used storage batteries.

(c) *Sample assay.* The assay of battery lead plates required to be made pursuant to Maximum Price Regulation No. 70 shall satisfy the following requirements:

(1) A chemical assay shall be made of the metal and dross derived from the sample.

(2) The sample shall be selected from the shipment in a manner consistent with the past practice of the trade and shall be of a size not smaller than is consistent with such past practice.

(3) The assay in every other respect shall be performed in a manner consistent with the purpose of determining accurately the lead and antimony content of the shipment of battery lead plates.

§ 1355.68 *Appendix E: Maximum prices for primary and secondary antimonial lead.* When used in Maximum Price Regulation No. 70, the term "base price" means the price quoted in § 1355.69, Appendix F hereof, at the point of shipment. If the point of shipment is not listed therein, the price listed for the nearest point in distance to the point of shipment shall prevail.

(a) *Sold and shipped, delivered, or carried away in carload lots.* The maximum price per pound, f. o. b. point of shipment, for any grade or type of antimonial lead sold in pigs shall be 15½¢ a pound for the antimony content plus the base price of lead for the remainder.

(b) *Sold and shipped, delivered, or carried away in less than carload lots.*

For sales of antimonial lead in lots of	Maximum price per pound (f. o. b. point of shipment)
20,000 lbs. and less than a carload	Carload price as determined in paragraph (a) of this section plus 15¢
10,000 lbs. and less than 20,000 lbs.	Carload price as determined in paragraph (a) of this section plus 25¢
2,000 lbs. and less than 10,000 lbs.	Carload price as determined in paragraph (a) of this section plus 40¢
Less than 2,000 lbs.	Carload price as determined in paragraph (a) of this section plus 50¢

(c) *Differentials for sales in special shapes.* For sales of antimonial lead in ingots, linked ingots, or billets, there may be added to the maximum prices set forth above a differential of .25¢ a pound.

Antimonial lead in shapes other than those provided for above may be sold at customary differentials above the maximum prices established for antimonial lead in pigs. Prices at which such sales take place shall be submitted with a complete description of the shape involved and a detailed description of the cost factors justifying the higher price to the Office of Price Administration. If the Price Administrator disapproves the price submitted, the selling price shall be revised downward to the maximum price which the Price Administrator may approve for that shape and any payment made in excess of the price so approved shall be refunded to the buyer. Thirty days after such price is submitted, in the absence of a notification to the contrary from the Office of Price Administration, the price shall stand approved and shall be the maximum price applicable to sales of antimonial lead in that particular shape.

§ 1355.69 *Appendix F: List of base prices.*

Basing point	*Price per lb. in cents*
Alabama:	
Birmingham	6.55
Fairfield	6.55
California:	
Los Angeles	6.50
Melrose	6.50
Oakland	6.50
San Francisco	6.50
Colorado:	
Denver	6.50
Connecticut:	
Bridgeport	6.55
New Haven	6.55
New London	6.55
Torrington	6.55
Waterbury	6.55
Waterville	6.55
Georgia:	
Atlanta	6.55
Idaho:	
Silver King	6.50
Illinois:	
Aurora	6.40
Chicago	6.40
Cicero	6.40
Dixon	6.40
E. Alton	6.35
Evanston	6.40
Granite City	6.35
Greenville	6.40
Greenwood Blvd	6.40
Joliet	6.40
Kensington	6.40
Peoria	6.40
Waukegan	6.40
West Pullman	6.40
Indiana:	
Charlestown	6.50
Gary	6.40
Grasselli	6.40
Hammond	6.40
Indianapolis	6.50
Kokomo	6.50
Marion	6.50
Muncie	6.50
Whiting	6.40
Iowa:	
Keokuk	6.45
Kansas:	
Topeka	6.50
Kentucky:	
Louisville	6.50
Louisiana:	
Baton Rouge	6.60
New Orleans	6.60
Maryland:	
Baltimore	6.50
Massachusetts:	
Boston	6.40
Cambridge	6.40
Springfield	6.40
Worcester	6.40
Michigan:	
Detroit	6.50
Port Huron	6.50
River Rouge	6.40
Minnesota:	
Duluth	6.35
Minneapolis	6.40
St. Paul	6.40
Missouri:	
Joplin	6.45
Kansas City	6.50
Neosho	6.40
St. Louis	6.50
Montana:	
Anaconda	6.50
Black Eagle	6.50
Nebraska:	
Omaha	6.50
New Hampshire:	
Portsmouth	6.50
New Jersey:	
Bayonne	6.50
Bloomfield	6.50
Carney's Point	6.50
Dundee	6.50
Elizabeth	6.50
Grasselli	6.50
Irvington	6.50
Jersey City	6.50
Kearny	6.50
Newark	6.50
New Brunswick	6.50
Passaic	6.50
Paterson	6.50
Perth Amboy	6.50
Phillipsburg	6.50
Roebling	6.50
Trenton	6.50
New York:	
Albany	6.50
Brooklyn	6.50
Buffalo	6.50
Glendale, L. I.	6.50
Green Island	6.50
Hastings	6.50
Long Island City	6.50
Maspeth, L. I.	6.50
New York	6.50
Niagara Falls	6.50
Richfield Springs	6.50
Rochester	6.50
Rome	6.50
Schenectady	6.50
Syracuse	6.50
West Albany	6.50
Yonkers	6.50

Basing point—Continued	*Price per lb. in cents*
North Carolina:	
Winston-Salem	6.50
North Dakota:	
Fargo	6.50
Ohio:	
Akron	6.50
Canton	6.50
Cincinnati	6.50
Cleveland	6.50
Delta	6.50
E. Liverpool	6.50
Lorain	6.50
Martins Ferry	6.50
Niles	6.50
Portsmouth	6.50
Reading	6.50
Oklahoma:	
Oklahoma City	6.50
Pennsylvania:	
Allentown	6.50
Ambridge	6.50
Crescentville	6.50
Donora	6.50
E. Pittsburgh	6.50
Erie	6.50
Fort Washington	6.50
Monessen	6.50
New Castle	6.50
New Brighton	6.50
Philadelphia	6.50
Pittsburgh	6.50
Rankin	6.50
Reading	6.50
Scranton	6.50
Wilkes-Barre	6.50
Rhode Island:	
Bristol	6.55
Pawtucket	6.55
Phillipsdale	6.55
Providence	6.55
Tennessee:	
Memphis	6.50
Texas:	
Dallas	6.50
El Paso	6.50
Houston	6.50
San Antonio	6.50
Virginia:	
Norfolk	6.50
Richmond	6.50
Washington:	
Seattle	6.50
West Virginia:	
Charleston	6.50
Weirton	6.50
Wheeling	6.50
Wisconsin:	
Burlington	6.40
Kenosha	6.40
Milwaukee	6.40
New Glarus	6.40
New London	6.40

§ 1355.70 *Appendix G—Terms of sale.* The maximum prices set forth in this Maximum Price Regulation No. 70 are f. o. b. point of shipment. Any commodity covered by Maximum Price Regulation No. 70 may, however, be sold, offered for sale, delivered, or transferred at prices delivered buyer's receiving point. In such cases, the maximum delivered price shall not exceed the f. o. b. point of shipment price plus whichever of the following transportation charges is applicable:

(a) When transportation to the buyer's receiving point is by public (common or contract) carrier, the actual transportation charge incurred;

(b) When transportation to the buyer's receiving point is by vehicle owned or controlled by the seller or is by private carrier not owned or controlled by the buyer, an amount not in excess of the following:

DISTANCE IN MILES

Over	But not over	Dollars per ton
0	10	1.10
10	15	1.25
15	20	1.35
20	25	1.45
25	30	1.55
30	35	1.65
35	40	1.75
40	50	1.90
50	60	2.05
60	70	2.20
70	80	2.35
80	90	2.50
90	100	2.65
100	110	2.75
110	120	2.85
120	130	2.95
130	140	3.05
140	150	3.15
150	160	3.25
160	170	3.35
170	180	3.45
180	190	3.55
190	200	3.65
200	210	3.75
210	220	3.85
220	230	3.95
230	240	4.05
240	250	4.15
250	260	4.25
260	270	4.35
270	280	4.45
280	290	4.55
290	300	4.65

For distances of more than 300 miles, an amount not in excess of the charge computed at the lowest railroad carload rate applicable to shipments of any commodity covered by Maximum Price Regulation No. 70, from the railroad siding nearest the point of shipment to the railroad siding nearest the point of delivery.

(1) For distances of 300 miles or less, all bridge, tunnel, and ferry tolls actually incurred may be added to the amount set forth in the table above.

(2) The distance shall be computed on the basis of the shortest public highway route available for the transportation of the shipment in question from point of shipment to buyer's receiving point. In the event of partial loading of a truck at each of two or more pick-up points, the transportation charge for each portion of the load delivered to the buyer shall be separately computed in accordance with the provisions of this paragraph (b).

(c) The seller shall furnish to the consumer on the invoice, or on a separate statement, the point or points of shipment, the amount of the load picked up at each point, the charge for delivery of that portion of the load picked up at each point, the mileage upon which each such portion of the charge is based, and the total delivery charge.

(d) When used in this § 1355.70, the term "point of shipment" means the point at which any commodity covered by Maximum Price Regulation No. 70, is loaded on a conveyance for transportation directly to the buyer's receiving point. This is usually the seller's plant, warehouse, or yard, but, where the material is shipped directly to the buyer from some point other than the seller's plant, warehouse, or yard, such other point is the point of shipment.

Issued this 15th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-739; Filed, January 15, 1943; 10:30 a. m.]

PART 1364—FRESH, CURED, AND CANNED MEAT AND FISH PRODUCTS

[MPR 303]

FROZEN CANADIAN SMELTS

In the judgment of the Price Administrator the prices of frozen Canadian smelts have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has ascertained and given due consideration to the prices of frozen Canadian smelts prevailing between October 1, 1941, and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable, and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The maximum prices established herein are not below the average price of such commodities in the year 1941.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 303 is hereby issued.

AUTHORITY: §§ 1364.851 to 1364.862, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1364.851 *Sales of frozen Canadian smelts at higher than maximum prices prohibited.* (a) On or after January 21, 1943, regardless of any contract, agreement, or other obligation, no person shall sell or deliver any frozen Canadian smelts, and no person in the course of trade or business shall buy or receive any Canadian smelts at prices higher than the maximum prices set by this regulation, and no person shall agree, offer, solicit, or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

§ 1365.852 *Where the regulation applies.* The provisions of this regulation shall apply to the forty-eight states of the United States and the District of Columbia.

§ 1364.853 *Sales to which this regulation does not apply.* (a) The provisions of this regulation shall not be applicable to sales or deliveries of frozen Canadian smelts to a purchaser if prior to January 21, 1943, such frozen Canadian smelts have been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

*Copies may be obtained from the Office of Price Administration.

(b) The provisions of this regulation shall not apply to any sales at retail. A sale at retail is a sale to an ultimate consumer, other than industrial or commercial user.

§ 1364.854 *Relation to other regulations.* (a) The provisions of this regulation repeal the provisions of the General Maximum Price Regulation[1] with respect to sales and deliveries for which maximum prices are established by this regulation.

(b) The maximum price at which a person may export frozen Canadian smelts shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[2] issued by the Office of Price Administration.

§ 1364.855 *Conditional agreement.* No seller of frozen Canadian smelts shall enter into an agreement permitting the adjustment of the prices to prices which may be higher than the maximum prices provided by § 1364.861; in the event that this regulation is amended or is determined by a court to be invalid or upon any other contingency: *Provided*, That if a petition for amendment has been duly filed, and such petition requires extensive consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment.

§ 1364.856 *Records and reports.* (a) Every person making a purchase or sale of frozen Canadian smelts in the course of trade or business or otherwise dealing therein, other than a purchaser at retail, after January 20, 1943, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended remains in effect, complete and accurate records of each such purchase or sale, showing the date thereof, the name and address of the buyer and of the seller, the price contracted for or received, the quantity and a description of the grade or brand, style of pack, and container size of frozen Canadian smelts.

(b) Such person shall submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraph (a) of this section as the Office of Price Administration may from time to time require.

§ 1364.857 *Evasion.* The price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to frozen Canadian smelts, alone or in conjunction with any other commodity, or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying agreement, or other trade understanding, or by changing the grade or style of processing or the packaging of frozen Canadian smelts.

§ 1364.858 *Enforcement.* (a) Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violations of this regulation or any price schedule, regulation, or order issued by the Office of Price Administration or of any act or practices which constitute such a violation are urged to communicate with the nearest district, state, or regional office of the Office of Price Administration or of its principal office in Washington, D. C.

§ 1364.859 *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1[3] issued by the Office of Price Administration.

§ 1364.860 *Definitions.* (a) When used in this maximum price regulation the term:

(1) "Person" includes any individual, corporation, partnership, association, or other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, or other government, or any of its political subdivisions, and any agency of the foregoing: *Provided*, That no punishment provided by this regulation shall apply to the United States or to any such government, political subdivision, or agency.

(2) "Frozen Canadian smelts" means natural or artificially frozen fish of the genus Osmerus mordax, where the same are caught in Canadian waters of the North Atlantic Ocean.

(3) "Dressed smelts" means beheaded and eviscerated No. 1 smelts.

(4) "Price per pound" means the price per 16 ozs. of frozen smelts.

(5) "Extra" means a whole smelt 7 inches or more in length.

(6) "No. 1" means a whole smelt 5½ to 7 inches in length.

(7) "Medium" means a whole smelt 4 to 5½ inches in length.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1364.861 *Maximum prices for frozen Canadian smelts.* (a) The prices set forth below are maximum prices per pound packed in the usual container f. o. b. shipping point in the metropolitan area of Boston, Massachusetts, New York, New York, and Philadelphia, Pennsylvania. The maximum prices are gross prices and the seller shall deduct therefrom his customary allowances, discounts, and differentials.

"Extras" per pound @ $.24
"No. 1s" per pound @ $.15
"Mediums" per pound @ $.08
"Dressed" per pound @ $.25

(b) The maximum price at which frozen Canadian smelts may be sold from any other shipping point shall be the price fixed in paragraph (a) to which the seller may add the carload freight rate, on a per pound basis, from Boston to the shipping point.

(c) For other sizes of frozen Canadian smelts not listed in paragraph (a) the maximum price shall be determined by the Office of Price Administration to be in line with the prices listed in paragraph (a). Such determination shall be made upon written request, addressed to the Office of Price Administration, Washington, D. C., and accompanied by sworn statements showing costs and usual differentials.

§ 1364.862 *Effective date.* This Maximum Price Regulation No. 303 (§§ 1364.851 to 1364.862) shall become effective January 21, 1943.

Issued this 15th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-740, Filed, January 15, 1943; 10:28 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 3,[1] Amendment 35]

SUGAR RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new item is added to § 1407.243 as set forth below:

Schedules

. . . . . .

§ 1407.243 *Schedule C: Designation of ration periods and weight value of stamps valid therein.*

Ration period	Stamp valid during ration period	Weight Value of stamp
. . .	. . .	. . .
No. 11 (February 1, 1943 to March 13, 1943).	Stamp No. 11.	3 pounds

Effective Date

. . . . . .

§ 1407.222 *Effective dates of amendments.* . . .

(jj) Amendment No. 35 (§ 1407.243) shall become effective January 21, 1943.

(Pub. Law 421, 77th Cong., W.P.B. Dir. No. 1, and Supp. Dir. No. 1E)

Issued this 15th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-742; Filed, January 15, 1943; 10:28 a. m.]

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[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5783, 5784, 6058, 6081, 6007, 6216, 6615, 6784, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454.

[2] 7 F.R. 5059, 7242, 8829, 9900, 10530.

[1] 8 F.R. 8961.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 2966, 3242, 3783, 4545, 4618, 5193, 5361, 6084, 6473, 6828, 6937, 7289, 7321, 7406, 7510, 7557, 8402, 8655, 8710, 8739, 8809, 8869, 8831, 9042, 9396, 9460, 9899, 10017, 10258, 10366, 10845; 8 F.R. 166, 262.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 12,[1] Amendment 6]

COFFEE RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraph (b) of § 1407.990 and paragraph (c) of § 1407.1071 are amended to read as follows and paragraph (f) of § 1407.1090a is added as set forth below:

Retailers and Wholesalers

§ 1407.990 *Compounders of coffee; reports.* . . .

(b) Every compounder shall maintain records showing the amounts of substitutes or substances, including but not limited to chicory, cereal, peas, or beans, blended, compounded, or mixed by him with coffee transferred by him during each month and, beginning in January 1943, shall, between the first and fifth days of each month, surrender to the Office of Price Administration, Washington, D. C., coffee stamps or certificates in weight value equal to the weight of the substitutes or other substances blended, compounded, or mixed by him with the coffee transferred by him during the preceding month. Such person shall, at the same time, report on O. P. A. Form R-1206 (1) the amount of substitutes and substances, including but not limited to chicory, cereal, peas, or beans, blended, compounded, or mixed by him with coffee transferred during the preceding month; (2) the total weight of such coffee (including the weight of the substitutes and substances referred to in (1)) transferred during the preceding month; and (3) such other information as is called for by said form. Such report shall be prepared in triplicate. The original and duplicate thereof shall be filed with the Office of Price Administration, Washington, D. C., and the triplicate copy shall be retained by the person making the report at his principal business office. The report made in January 1943 shall include the required information for the period from November 22 to December 31, 1942.

Reports and Records

§ 1407.1071 *By persons transferring or acquiring green coffee.* . . .

(c) The report referred to in paragraph (b) of this section shall be prepared on O. P. A. Form R-1205 and shall contain, in addition to the information required by paragraph (b) of this section, such other information as is called for by such form. The original and duplicate of each such report shall be sent to the Office of Price Administration, Washington, D. C., not later than the tenth day of each month; the triplicate copy shall be retained by the person reporting: *Provided, however*, That the report for the month of December 1942, which shall include the required information for the period from November 22 to December 31, 1942, inclusive, need not be sent to the Office of Price Administration prior to January 30, 1943.

Effective Date

§ 1407.1090a *Effective dates of amendments.* . . .

(f) Amendment No. 6 (§§ 1407.990 (b); 1407.1071 (c); and 1407.1090a (f)) to Ration Order No. 12, shall become effective January 21, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 729, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1-R)

Issued this 15th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-741; Filed, January 15, 1943; 10:28 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 219 Under § 1499.3 (b) of GMPR]

DELUXE BRANDS CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1455 *Authorization of maximum prices for sales of 4 ounce packages of "DeLuxe" Mushroom Soup Mix and 2 ounce packages of "DeLuxe" Mushroom Sauce Mix by DeLuxe Brands Co., 3709 W. Jefferson Blvd., Los Angeles, California, by wholesalers and by retailers:*

(a) On and after January 16, 1943, the maximum prices for sales by DeLuxe Brands Co., 3709 W. Jefferson Blvd., Los Angeles, California, of the following dehydrated food items shall be:

	Per dozen
4 oz. "DeLuxe" Mushroom Soup Mix	$1.48
2 oz. "DeLuxe" Mushroom Sauce Mix	1.25

These prices shall include prepaid freight to purchasers' stations.

(b) Sellers at wholesale shall determine their maximum delivered selling prices of "DeLuxe" Mushroom Soup Mix and "DeLuxe" Mushroom Sauce Mix by adding to their net cost of each item a mark-up of 20% of such net cost. The maximum delivered prices so determined shall not exceed the following:

	Per dozen
4 oz. "DeLuxe" Mushroom Soup Mix	$1.69
2 oz. "DeLuxe" Mushroom Sauce Mix	1.43

Where a maximum price per dozen determined by the provisions of this paragraph is a fractional cent price and the fraction of a cent is less than one-half cent, the price per dozen shall be lowered to the next lower cent. If the fraction is one-half cent or larger, the wholesaler may increase his maximum price per dozen to the next higher cent.

Net cost for a wholesaler as mentioned in this paragraph shall be his invoice price for the first delivery of "DeLuxe" Mushroom Sauce Mix delivered in a customary quantity for this type of item by the customary mode of transportation to his customary receiving point, less all discounts allowed him, except a discount for prompt payment. No charge or cost for unloading or local trucking shall be included in net cost.

(c) Sellers at retail shall determine their maximum selling prices of "DeLuxe" Mushroom Soup Mix and "DeLuxe" Mushroom Sauce Mix by adding to their net cost of each item a mark-up of 33⅓% of such net cost. The maximum prices so determined shall not exceed the following:

	Per package
4 oz. "DeLuxe" Mushroom Soup Mix	19¢
2 oz. "DeLuxe" Mushroom Sauce Mix	16¢

Where a maximum price per package determined by the provisions of this paragraph is a fractional cent price and the fraction of a cent is less than one-half cent, the price per package shall be lowered to the next lower cent. If the fraction is one-half cent or larger, the retailer may increase his maximum price per package to the next higher cent.

Net cost for a retailer as mentioned in this paragraph shall be his invoice price for the first delivery of "DeLuxe" Mushroom Soup Mix and "DeLuxe" Mushroom Sauce Mix delivered to his customary receiving point in a customary quantity of this type of item by a customary mode of transportation and from a customary source of supply, less all discounts allowed him, except a discount for prompt payment. No charge or cost for unloading or local trucking shall ever be included.

(d) No seller, except a seller at retail, shall change his customary discounts, allowances and price differentials applying to comparable items of dehydrated foods, in making sales of "DeLuxe" Mushroom Soup Mix and "DeLuxe" Mushroom Sauce Mix, unless such change in these customary discounts, allowances and price differentials results in lower selling prices.

(e) On and after January 16, 1943, DeLuxe Brands Co. shall supply written notification to each wholesaler before or at the time of first delivery of "DeLuxe" Mushroom Soup Mix and "DeLuxe" Mushroom Sauce Mix and for a period of three months thereafter shall include with each shipping unit of "DeLuxe" Mushroom Soup Mix and "DeLuxe" Mushroom Sauce Mix a written notification to retailers. If such retailer notification is enclosed *in* a shipping unit, a legend shall be affixed outside of such unit to read "Retailer's Notice Enclosed". The written notifications, for each type of purchaser may be prepared separately for each of the listed items or may refer to both of the listed items, and shall include the following appropriate statements:

Notification from DeLuxe Brands Co. to Wholesalers

The OPA has authorized us to charge wholesalers the following prices per dozen packages of "DeLuxe" Mushroom Soup Mix and "DeLuxe" Mushroom Sauce Mix, subject to all customary allowances and discounts:

	Per dozen
4 oz. "DeLuxe" Mushroom Soup Mix	$1.48
2 oz. "DeLuxe" Mushroom Sauce Mix	1.25

Wholesalers are authorized to establish a ceiling price for each item by adding to the net cost of the item 20% of such net cost, provided that the ceiling prices so determined

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9710, 10380, 11071, 11072; 8 F.R. 28, 167.

shall not exceed the following prices per dozen:

	Per dozen
4 oz. "DeLuxe" Mushroom Soup Mix	$1.69
2 oz. "DeLuxe" Mushroom Sauce Mix	1.43

Net cost is the invoice cost of the first delivery of a customary supply at the customary receiving point, less all discounts, other than for prompt payment, and excluding charges for local hauling. Retailers shall establish a ceiling price by adding to their net cost 33⅓% of such net cost. Each individual ceiling price determined by any seller shall be figured to the nearest cent (raise one-half cent fractions to the next even cent). A copy of a notification to retailers is included in every shipping unit of these items. If the initial sale of one of these items to any retailer is a split case sale, wholesalers are required to provide such retailer with a copy of the retail notification so enclosed. OPA requires that you keep this notice for examination.

Notification from DeLure Brands Co. to Retailers

The OPA authorizes retailers to establish ceiling prices for "DeLuxe" Mushroom Soup Mix and "DeLuxe" Mushroom Sauce Mix as listed below by adding to the net cost of each item 33⅓% of such net cost, provided that the ceiling prices so determined shall not exceed the following prices per package:

	Per package
4 oz. "DeLuxe" Mushroom Soup Mix	19¢
2 oz. "DeLuxe" Mushroom Sauce Mix	16¢

Net cost is the invoice cost of the first delivery of a customary supply at the customary receiving point, less all discounts, other than for prompt payment, and excluding charges for local hauling. Such ceiling prices shall be figured to the nearest cent (raise one-half cent fractions to the next even cent). OPA requires that you keep this notice for examination.

(f) This Order No. 219 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 219 (§ 1499.1455) shall become effective as of January 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-746; Filed, January 15, 1943; 10:32 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 161 Under § 1499.18 (b) of GMPR]

CORNELIUS PACKING COMPANY

Order No. 161 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-2016.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1062 *Adjustment of maximum prices for raw sheep casings sold by the Cornelius Packing Company.* (a) The Cornelius Packing Company, Los Angeles, California, may sell and deliver and any person may buy and receive from the Cornelius Packing Company raw sheep casings at a price not higher than $.18 per casing.

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 161 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 161 (§ 1499.1062) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 161 (§ 1499.1062) shall become effective January 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-743; Filed, January 15, 1943; 10:30 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 162 Under § 1499.18 (b) of GMPR]

FRANK A. DELANEY

Order No. 162 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-2812.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.1063 *Adjustment of the maximum price for the sale of Irish linen napkins, Style No. 141, by Frank A. Delaney.* (a) Frank A. Delaney, 377 Broadway, New York, New York, may sell and deliver, and any person may buy and receive from Frank A. Delaney the napkins described below at a price no higher than that set forth below:

Style No.	Description	Price per dozen
141	Irish linen napkins 12" x 12" Hemstitched	$2.75

(b) The maximum price set forth in paragraph (a) shall be subject to the same terms and conditions of sale as were granted to purchasers during March, 1942.

(c) Frank A. Delaney shall cause the following notice to be sent, in writing, to all persons purchasing the napkins described above:

The Office of Price Administration has permitted us to raise our maximum price for Irish linen napkins, Style No. 141, from $2.40 per dozen to $2.75 per dozen. This amount represents only that part of cost increases which we were unable to absorb, and it was granted with the understanding that retail prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for Irish linen napkins.

(d) All prayers of the petition not granted herein are denied.

(e) This Order No. 162 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 162 (§ 1499.1063) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 162 (§ 1499.1063) shall become effective January 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of January, 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-744; Filed, January 15, 1943; 10:32 a. m.]

Chapter XIII—Petroleum Administration for War

[Amendment 1 to Petroleum Administrative Order 1, as Amended January 11, 1943]

PART 1545—PETROLEUM SUPPLY

DELIVERY OF MOTOR FUEL AND FUEL OIL

1. Section 1545.1 *Petroleum Administrative Order 1* [8 F.R. 496] is hereby amended by changing paragraphs (b) (1) (iii) and (b) (1) (iv) to read as follows:

(b) *Restrictions on delivery of motor fuel and fuel oil.* • • •

(iii) As specifically authorized upon application filed under paragraph (h) of this order; or

(iv) As permitted under the terms of paragraph (e) of this order.

2. Section 1545.1 *Petroleum Administrative Order 1* is hereby amended by changing paragraph (e) (1) (iv) to read as follows:

(e) *Permitted deliveries.* • • •

(iv) Such withdrawal or delivery is made for ultimate use within the zone in which is located the bulk terminal or refinery from which the withdrawal or delivery is made: *Provided*, That this limitation shall not apply to any delivery between zones which are made in the established and regular course of business, and such deliveries shall be charged against the quota of the delivering supplier in the zone in which the delivery is made.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 14th day of January 1943.

R. K. DAVIES,
Acting Petroleum Administrator for War.

[F. R. Doc. 43-718; Filed, January 14, 1943; 4:19 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket Nos. B-112, B-275]

SAMUEL C. HAER AND FRED B. HAER

ORDER ADOPTING PROPOSED FINDINGS OF FACT, ETC.

In the matter of Samuel C. Haer and Fred B. Haer, individually and as copartners, doing business under the name and style of Samuel C. Haer and Fred B. Haer, code member.

In the matter of Samuel C. Haer, Arthur L. Haer and B. C. Stear, individually and as copartners, doing business under the name and style of Samuel C. Haer, Arthur L. Haer and B. C. Stear, code member.

Order approving and adopting the proposed findings of fact, proposed conclusions of law and recommendation of the examiner and revoking code membership.

The proceedings herein were instituted upon a complaint filed with the Bituminous Coal Division on October 16, 1941, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, by District Board 1, and were duly consolidated into one proceeding. The complaint alleged that Samuel C. Haer and Fred B. Haer, individually and as copartners, doing business under the name and style of Samuel C. Haer and Fred B. Haer, a code member of District 1, operating the Haer mine, Mine Index No. 1464, in District 1, wilfully violated the provisions of the Act, the Bituminous Coal Code, and the rules and regulations thereunder, and prayed that the Division either cancel and revoke the code membership of Samuel C. Haer and Fred B. Haer or, in its discretion, direct code member to cease and desist from violations of the code and the rules and regulations thereunder.

Hearings were held in the matters involved herein on January 9, and on July 30, 1942, before duly designated Examiners of the Division, at a hearing room thereof at Altoona, Pennsylvania. All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard. District Board 1 and code member appeared at the hearing.

Examiner Cuff, who was authorized to prepare and submit a report on the basis of the entire record, made and entered his Report, Proposed Findings of Fact, Proposed Conclusions of Law and Recommendation in this matter, dated September 10, 1942, finding that Samuel C. Haer, Arthur L. Haer and B. C. Stear, individually and as copartners, doing business under the name and style of Samuel C. Haer, Arthur L. Haer and B. C. Stear, a code member, wilfully violated sections 4 II (e) and 4 II (g) of the Act and Parts II (e) and II (g) of the Code by selling (1) during the period from October 3, 1940, through April 26, 1941, 734.66 net tons of run of mine coal produced at code member's Haer Mine, Mine Index No. 1464, located in Indiana County, Pennsylvania, in District 1, at a price of $2.25 per net ton delivered f. o. b. facilities of the purchaser, whereas the effective minimum price for such coal was $2.20 per net ton f. o. b. the mine and the transportation and other incidental charges thereon, were not less than 30 cents per net ton, and (2) during the period from May 3, 1941, through November 21, 1941, 857.73 tons of run of mine coal, likewise produced at said Haer mine, at a price of $2.40 per net ton delivered f. o. b. facilities of the purchaser, whereas the effective minimum price for such coal was $2.20 per net ton f. o. b. the mine and the transportation and other incidental charges thereon were not less than 30 cents per ton.

The Examiner further found and recommended that the membership in the Code of said Samuel C. Haer, Arthur L. Haer and B. C. Stear, individually and as copartners, doing business under the name and style of Samuel C. Haer, Arthur L. Haer and B. C. Stear, be cancelled and revoked and that prior to their restoration into membership in the Code, the partnership should be required to pay to the United States a tax in the amount of $1,366.27, in accordance with the provisions of section 5 (c) of the Act.

An opportunity was afforded to all parties to file exceptions to said Examiner's Report and supporting briefs, and no such exceptions or supporting briefs have been filed.

The undersigned has considered the record in these matters and has determined that the Proposed Findings of Fact, Proposed Conclusions of Law and the Recommendation of the Examiner should be approved and adopted as the Findings of Fact and Conclusions of Law of the undersigned.

Now, therefore, it is ordered, That the Proposed Findings of Fact and Proposed Conclusions of Law of the Examiner be, and the same are hereby approved and adopted as the Findings of Fact and Conclusions of Law of the undersigned;

It is further ordered, That effective fifteen (15) days from the date hereof, the code membership of Samuel C. Haer, Arthur L. Haer and B. C. Stear, individually and as copartners, doing business under the name and style of Samuel C. Haer, Arthur L. Haer and B. C. Stear, operating the Haer Mine, Mine Index No. 1464, located in Indiana County, Pennsylvania, in District 1, be and it hereby is cancelled and revoked.

It is further ordered, That prior to reinstatement of said Samuel C. Haer, Arthur L. Haer and B. C. Stear, individually and as copartners, doing business under the name and style of Samuel C. Haer, Arthur L. Haer and B. C. Stear, into membership in the Code, there shall be paid to the United States a tax, as provided in section 5 (c) of the Act, in the amount of $1,366.27.

Dated: January 12, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-696; Filed, January 14, 1943; 12:30 p. m.]

[Docket Nos. A-1787, A-1787, Part II]

DISTRICT BOARD 1

NOTICE OF AND ORDER FOR HEARING, ETC.

In the matter of the petition of District Board No. 1 for the establishment of price classifications and minimum prices for the coals of certain mines and for changes in shipping points for the coals of certain other mines.

In the matter of the petition of District Board No. 1 for a change of price classifications and minimum prices and for a change in seam designation for the coals of the Getch Coal Co. Mine, Mine Index No. 746 of Ellinger & Getch.

Order severing Docket No. A-1787, Part II from Docket No. A-1787, denying temporary relief in Docket No. A-1787, Part II, and notice of and order for hearing.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been filed with the Division requesting the establishment of price classifications and minimum prices, both temporary and permanent, for the coals of certain mines; corrections in the designations of the shipping points for the coals of certain other mines; a change in shipping point for the coals of Ray S. Walker (Bradford Coal Company) and a change in seam designation for the coals of the Getch Coal Co. Mine, Mine Index No. 746 of Ellinger and Getch; and

As indicated in a separate order entered this day in Docket No. A-1787, a reasonable showing of necessity having been made with respect to the request for relief contained in said original petition, except for that portion which relates to the request that the seam designation for the coals produced at the Gech Coal Co. Mine, Mine Index No. 746 of Ellinger and Getch be changed from "E" to "D"; that the classification of these coals be raised from "F" to "E" in Size Groups 3, 4, and 5, respectively, for all shipments except truck, and that the minimum f. o. b. mine prices applicable to such coals in Size Groups 3, 4, and 5 be increased to $2.45, $2.30, and $2.25 respectively, for truck shipments, as to which it appears that no final determination should be made at this time; and

No reasonable showing of necessity having been presented for the granting of temporary relief herein without a hearing; and

No petitions of intervention having been filed with the Division in this matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

Now, therefore, it is ordered, That the portion of Docket No. A-1787 relating to the coals of the Getch Coal Co. Mine, Mine Index No. 746 of Ellinger & Getch be, and it hereby is, severed from Docket No. A-1787 and designated as Docket No. A-1787, Part II.

It is further ordered, That the request for temporary relief be and the same hereby is denied without prejudice to the renewal of such request for temporary relief, upon further showing or upon the basis of the record to be made at the hearing to be held herein.

It is further ordered, That a hearing in the above-entitled matter under the applicable provisions of the Bituminous Coal Act of 1937 and the rules of the Division be held on January 28, 1943, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Di-

vision, Washington, D. C. On such day the Chief of the Records Section will advise as to the room where such hearing will be held.

It is further ordered, That D. C. McCurtain or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before January 23, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the request of District Board No. 1 that the seam designation for the coals produced at the Getch Coal Co. Mine, Mine Index No. 746 of Ellinger and Getch be changed from "E" to "D" and that the classification of these coals be raised from "F" to "E" in Size Groups 3, 4, and 5, respectively, for all shipments except truck, and that the minimum f. o. b. mine prices applicable to such coals in Size Groups 3, 4, and 5 be increased to $2.45, $2.30, and $2.25 respectively for truck shipments.

Dated: January 12, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-697; Filed, January 14, 1943; 12:30 p. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6485]

WJW, INC.

ORDER ON PETITION FOR REHEARING

In re WJW, Inc., Akron, Ohio, for modification of construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of January 1943.

The Commission having under consideration the petition for rehearing filed by National Broadcasting Company, Inc., on December 22, 1942, directed against the action of the Commission of December 2, 1942, granting the application of WJW, Inc., for modification of construction permit, and the opposition to the petition for rehearing filed by WJW, Inc. on January 11, 1943;

It is ordered, That a hearing be held in the above-entitled matter on issues to be specified;

It is further ordered, That petitioner's request for a stay be, and it is hereby, dismissed without prejudice to petitioner's right to renew the request if WJW, Inc., should seek authority actually to operate on 850 kc in Cleveland prior to a final decision by the Commission in this matter.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION.
T. J. SLOWIE, *Secretary.*

[F. R. Doc. 43-731; Filed, January 15, 1943; 10:20 a. m.]

[Docket No. 6484]

THE WESTERN UNION TELEGRAPH COMPANY AND POSTAL TELEGRAPH-CABLE COMPANY (NEW YORK)

ORDER FOR HEARING

In the matter of proposed "Longram" classification of telegraph communications.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 12th day of January 1943;

It appearing, that The Western Union Telegraph Company and the Postal Telegraph-Cable Company (New York) have filed with the Commission tariff schedules, to become effective February 1, 1943, proposing to establish a new classification of telegraph communications designated as "Longram" communications; said tariff schedules being designated as follows:

THE WESTERN UNION TELEGRAPH COMPANY

F. C. C. No. 176
5th Revised Page 2
3rd Revised Page 7
F. C. C. No. 177
3rd Revised Page 3
3rd Revised Page 4
4th Revised Page 5
F. C. C. No. 217
Supplement No. 90

POSTAL TELEGRAPH-CABLE COMPANY

F. C. C. No. 59
1st Revised Page 4
Original Page 4a
1st Revised Page 5
F. C. C. No. 61
1st Revised Page 266
F. C. C. No. 63
1st Revised Page 12
2nd Revised Page 36
2nd Revised Page 41
1st Revised Page 42
1st Revised Page 45
1st Revised Page 46
1st Revised Page 103
2nd Revised Page 104
2nd Revised Page 107

It further appearing, That the Commission is unable to decide that such proposed new "Longram" classification of telegraph communications provided for in said tariff schedules, and the charges, regulations, practices, and services for and in connection with such "Longram" classification which are provided for in said tariff schedules, are just and reasonable; and that such classification, and such charges, regulations, practices, and services, may be unjust and unreasonable, unjustly, unreasonably, or unduly discriminatory, preferential, prejudicial, advantageous, disadvantageous, or otherwise violative of the Communications Act of 1934, as amended; and it being the opinion of the Commission that the effective date of said tariff schedules, insofar as they relate to the "Longram" classification of telegraph communications, should be postponed pending hearing and decision on the lawfulness of such classification, and of the related charges, regulations, practices, and services;

It is ordered, That the Commission, upon its own motion, without formal pleading, enter upon a hearing concerning the lawfulness of the "Longram" classification of telegraph communications, provided for in the herein above-cited schedules, and of the charges, regulations, practices, and services for and in connection with such "Longram" classification;

It is further ordered, That the operation of the herein above-cited tariff schedules of The Western Union Telegraph Company and of the Postal Telegraph-Cable Company (New York), insofar as they provide for the "Longram" classification of telegraph communications, and for charges, regulations, practices, and services for and in connection with such classification, be suspended until further order of the Commission; that the use of the "Longram" classification, and of the charges, regulations, practices, and services for and in connection with such classification, stated in said tariff schedules, be deferred, unless otherwise ordered by the Commission; and that during said period of suspension no changes shall be made in such classification or in the charges, regulations, practices, and services for and in connection with such classification, unless authorized by special permission of the Commission.

It is further ordered, That a copy of this order be filed in the offices of the Federal Communications Commission with said tariff schedules herein suspended in part; that The Western Union Telegraph Company, the Postal Telegraph-Cable Company (New York), and the carrier parties to said tariff schedules be, and they are hereby, each made a party respondent to this proceeding; and that copies hereof be served upon each party respondent;

It is further ordered, That this proceeding be, and the same is hereby, assigned for hearing on the 3rd day of February, 1943, beginning at 10:00 a. m. at the offices of the Federal Communications Commission in Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 43-730; Filed, January 15, 1943; 10:20 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 201]

PATENTS OF ENEMY NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095 [7 F.R. 5205], as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title, interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents identified in volumes 1, 2, 3 and 4 of Exhibit A attached hereto and made a part hereof,

is property in which nationals of a foreign country or countries have interests, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on October 2, 1942.

[SEAL] LEO T. CROWLEY, *Alien Property Custodian.*

EXHIBIT A—VOLUME 1

Patents identified as follows, giving the number of the patent, the grantee's name, in some cases in abbreviated form, the title of the invention, the date of issue, and a code number representing the nationality of the grantee, such code numbers[1] having the following meanings:

6 Austria
28 Germany
34 Hungary
38 Italy
39 Japan
57 Rumania
11 Bulgaria

1,555,852; Heidemann Otto et al; John Max. Drop dispersing agent. Issued 10-6-25. (28)
1,555,940; Bultemann August. Process of making insulators. Issued 10-6-25. (28)
1,555,989; Kisse Konrad. Reenforcement system for concrete structures. Issued 10-6-25. (28)
1,556,095; Gans Otto. Swivel joint for dolls. Issued 10-6-27. (28)
1,556,116; All. Maschinenfabrik Koenig Werk GmbH. Paper feeding apparatus for printing presses folding machines and the like. Issued 10-6-27. (28)
1,556,201; Busemann Adolf. Apparatus for determining the torsional oscillatory strength of materials for engineering. Issued 10-6-27. (28)
1,556,210; All. Luftschiffbau Zeppelin GmbH. Airship. Issued 10-6-27. (28)
1,556,224; Klotz Alfred. Valve. Issued 10-6-27. (28)
1,556,299; Obermoser Karl. Automatic coupling. Issued 10-6-27. (28)
1,556,304; Pistolesi Enrico. Air propeller. Issued 10-6-27. (38)
1,556,325; Grumpelt Oskar Fritz Amandus Emil. Method for cutting metals by the aid of an electric current fed to a rotating cutting disk. Issued 10-6-27 (28)
1,556,379; Trailteur Friedrich Oskar V. Stop cylinder printing press with front delivery. Issued 10-6-27. (28)
1,556,494; All. Bek Ernst Gideon. Soldering machine Issued 10-6-27. (28)
1,556,407; Bottcher Alfred. Valve gear for pipes with several branches. Issued 10-6-27. (28)
1,556,479; Blauhorn Emanuel; Hajek Otto et al Lubricating oil pump. Issued 10-6-27. (6)
1,556,489; Carbone Domenico. Process for preparing cultures of bacillus felsineus. Issued 10-6-27 (38)
1,556,499; Deutsch Hermann. Recording device Issued 10-6-27. (28)
1,556,571; Dobbelstein Otto; Hess Hermann. Annular kiln for drying as well as for carbonizing solid carbonaceous or like materials Issued 10-6-27. (28)
1,556,637; Schuttler Hieronymus Paul. Two stroke cycle internal combustion engine. Issued 10-13-25. (28)
1,556,772; Endo Toshiichiro. Process of manufacturing seasonings or like foodstuffs from fish or shellfish. Issued 10-13-25. (39)
1,556,787; Grosse Eduard. Printing machine. Issued 10-13-25. (28)
1,556,844; Klepper Eberhard. Apparatus for producing crinkled paper. Issued 10-13-25. (28)
1,556,850; Kuhne Georg. Machine for sowing seed. Issued 10-13-25. (28)
1,556,865; Muller Bruno. Sun drying means for vegetable material. Issued 10-13-25. (28)
1,556,964; All Gewerkschaft Securitas. Electric ciphering apparatus. Issued 10-13-25 (28)
1,556,981; Voigt Ottomar. Device for closing preserve jars. Issued 10-13-25. (28)
1,556,982; All. Optische Anstalt C P Goerz A G Means for softening the contours of the images of photographic objectives. Issued 10-13-25. (28)
1,557,041; Frank Martin. Tea strainer. Issued 10-13-25. (28)
1,557,085; Piller Franz. Daylight plate changer. Issued 10-13-25. (28)
1,557,121; Vogel Max. Staple package. Issued 10-13-25. (28)
1,557,184; Muller Friedrich. Starting device for internal-combustion engines. Issued 10-13-25. (6)
1,557,338; Runkel Roland. Method of producing half stuffs and cellulose. Issued 10-13-25. (28)
1,557,397; Bagnulo Alberto. Injecting and carbureting apparatus for heavy oil high power engines. Issued 10-13-25 (38)
1,557,471; Basenach Nikolaus. Anchoring arrangement for airships. Issued 10-13-25. (28)
1,560,557; Freund Willy. Spinning machine. Issued 11-10-25 (28)
1,560,575; All. Anilin Fabrikation A G. Apparatus for treating artificial threads wound on bobbins. Issued 11-10-25. (28)
1,560,626; Welter Adolf. Process for the manufacture of high percentage nondecomposable durable soap. Issued 11-10-25. (28)
1,560,711; All. Bertram Hallesche Dampfbackofen. Dough dividing machine. Issued 11-10-25. (28)
1,560,806; Schuckhel Albert. Method of and apparatus for heating water Issued 11-10-25. (6)
1,560,885; Walter Richard. Method of making alloys Issued 11-10-25. (28)
1,560,918; Stubgen Rudolf. Automatic feeding of metal sheets and the like. Issued 11-10-25 (28)
1,560,933; All. Yamanouchi Teiji. Galvanizing flux Issued 11-10-25 (39)
1,560,982; Fprmach Giodp. Speed reducer and reverse gear for internal combustion engines. Issued 11-10-25 (38)
1,561,070; Fujiyama Tsuneichi. Process of and apparatus for producing cement. Issued 11-10-25. (39)
1,561,125; Thern Hermann Self igniting marine torch Issued 11-10-25 (28)
1,561,173; All. Zeiss Firm of Carl Method and device for examining end gauges. Issued 11-10-25 (28)
1,561,224; Fritsche Richard Electrical soldering device. Issued 11-10-25. (28)
1,561,258; Loewe Siegmund Process for testing spark stations. Issued 11-10-25 (28)
1,561,552; Ligniez Kurt Inlet control for reciprocating engines Issued 11-17-25 (28)
1,561,557; Maas Gottfried H J. Construction of railronds and tramways. Issued 11-17-25 (28)
1,561,731; All. Rheinische Metallwaaren Und. Electric arc furnace Issued 11-17-25. (28)
1,561,825; Schiff Ludwig; Bothe Otto et al Electric sound reproducing device Issued 11-17-25 (28)
1,561,863; Kuhne Joseph. Apparatus for making in the cold screw blanks rivets and similar headed articles. Issued 11-17-25 (28)
1,561,916; Ernst Gotthard. Swimming cushion. Issued 11-17-25. (28)
1,561,968; Burstyn Walther. Soldering iron. Issued 11-17-25 (28)
1,561,986; Kuppers Karl. Syringe. Issued 11-17-25. (28)
1,561,992; Marazzi Ettore. Machine gun mounting. Issued 11-17-25. (38)
1,562,017; Von Littrow Hans. Apparatus for cleaning windows. Issued 11-17-25. (28)
1,562,045; Pels Henry. Reciprocating shearing machine. Issued 11-17-25. (28)
1,562,062; Schmidt Lilly. Guide for violin bows. Issued 11-17-25. (28)
1,562,118; All. Lignojen maschinen und tar separator. Issued 11-17-25. (28)

[1] The code numbers throughout this Exhibit A Volume I appear in parentheses.

1,562,127; Schmid Francesco. Means for regulating moving torpedoes. Issued 11-17-25. (38)
1,562,134; Zander Hermann. Strainer for oil presses. Issued 11-17-25. (28)
1,562,220; Fritsch Rudolf. Device for moving curtainlike roundhorizons. Issued 11-17-25 (28)
1,562,227; All. Daluminothermie GmbH. Method of welding metals. Issued 11-17-25. (28)
1,562,243; All. Siemens & Halske Akg. Apparatus for continuously measuring the combustible constituents of waste gases. Issued 11-17-25. (28)
1,562,468; All. Badische Anilin and Soda Fabrik. Manufacture of vat dyestuffs. Issued 11-29-25. (28)
1,562,480; All. Badische Anilin and Soda Fabrik. Synthesizing higher molecular organic compounds containing oxygen. Issued 11-24-25. (28)
1,562,501; Von Frommer Rudolf. Sporting gun. Issued 11-24-25. (34)
1,562,510; All. Farbenfabriken Vorm Friedr Bayer and Co. Process for protecting wool furs and other materials against attack by moths. Issued 11-24-25. (28)
1,562,517; Porscke Rudolf. Electrolyte for galvanic elements. Issued 11-24-25. (28)
1,562,564; All. Frankensteiner Magnesitwerke A. G. Process for briquetting fuels. Issued 11-24-25. (28)
1,562,660; Simmelbauer Wilbelm. Safety razor. Issued 11-24-25. (28)
1,562,735; Bonglovanni Luca. Distribution and control arrangement for two stroke engines. Issued 11-24-25. (38)
1,562,796; All. Rheinische Metallwaaren Und Shell firing gun with two barrels. Issued 11-24-25. (28)
1,562,818; Maeder Horst; Wolfes Otto et al. Process for the purification of phosphoric acid containing arsenic. Issued 11-24-25 (28)
1,562,917; All. Anschutz and Co. Method of and means for increasing the turning moment in indicating devices. Issued 11-24-25. (28)
1,563,043; Rosenheim Karl. Locking device for skylights and the like. Issued 11-24-25 (28)
1,563,052; Vollmer Heinrich. Cartridge feed mechanism. Issued 11-24-25. (28)
1,563,110; All. Thyssen and Co. A G. Rotor for electrical machines. Issued 11-24-25 (28)
1,563,129; Weil Ludwig. Centrifugal pump or blower and similar machine. Issued 11-24-25. (28)
1,563,216; All. Amme Giesecke and Konegen A. G. Cast roller for mills. Issued 11-24-25. (28)
1,563,315; All. Krupp Fried A G Germaniawerft. Fuel injecting device for internal combustion engines. Issued 12-1-25. (28)
1,563,515; Monti Eudo. Preparation of concentrated unalterable foods. Issued 12-1-25. (38)
1,563,526; Purrer Anton. Piano action or movement. Issued 12-1-25. (6)
1,563,531; Schieferstein Georg Heinrich. Method of and means for balancing and coupling freely oscillating units and units with restrained oscillations. Issued 12-1-25. (28)
1,563,536; All. Chemische Fabrik Griesheim Elektron. Process for producing artificial cryolite free from iron from aluminum salt solutions containing iron. Issued 12-1-25. (28)
1,563,690; Christiani Severino. System for transmitting energy by means of steam working in a closed cycle. Issued 12-1-25. (38)
1,563,699; Franke Paul. Foot boring machine for [illegible] with driving motor. Issued 12-1-25. (28)
1,563,793; All. Pollak Fritz. Process for applying metallic coatings to porous bases. Issued 12-1-25. (6)
1,564,010; Nourney Carl. Translucent luminous advertising mirror. Issued 12-1-25. (28)
1,564,106; Patzschke Otto. Stretching apparatus for treating arm and leg fractures. Issued 12-1-25. (28)
1,564,141; Schmittutz Carl. Process for impregnating living trees. Issued 12-1-25. (28)
1,564,142; Schwalbe Carl Gustav. Utilizing sulphite cellulose dye. Issued 12-1-25. (281)
1,564,161; Weingarten Alfred. Method of procedure for sensitizing kinofilms for positive copies by means of solutions of bichromate. Issued 12-1-25. (28)
1,564,295; Thorner Walther. Cinematographic apparatus. Issued 12-8-25. (28)
1,56[illegible],344; Girard Fritz. Quartz lamp. Issued 12-8-25. (28)
1,564,354; Junkers Hugo. Armored aeroplane. Issued 12-8-25. (28)
1,564,355; Junkers Hugo. Flying machine. Issued 12-8-25. (28)
1,564,376; Sohner Robert. Clawed driving wheel for motor plows, tractors and the like. Issued 12-8-25. (6)
1,564,384; Von Thunger Konrad Freiherr. Appliance for securing caps on sticks or the like. Issued 12-8-25. (28)
1,564,500; Van De Voorde Eugene. Smokers pipe. Issued 12-8-25. (28)
1,564,508; Bauermeister Emil Ludwig Hermann. Blast sifter. Issued 12-8-25. (28)
1,564,562; Grunewald Hans. Manufacture of firework articles. Issued 12-8-25. (28)
1,564,591; Lansche Albert. Method of manufacturing backcut screw dies made in two parts with four chasers or cutting edges. Issued 12-8-25. (28)
1,564,600; Maly Hermann. Method of carding textile fibers and apparatus therefor. Issued 12-8-25. (28)
1,564,640; Stille Kurt. Phonograph having a casket like casing. Issued 12-8-25. (28)
1,564,660; All. Deutsche Telephonwerke GmbH. High frequency cable telegraphy. Issued 12-8-25. (28)
1,564,669; Hagemann Bernhard. Licker in device for carding engines. Issued 12-8-25. (28)
1,564,677; John Alfred Loom. Issued 12-8-25. (28)
1,564,678; John Alfred Locm. Issued 12-8-25. (28)
1,564,679; Johne Otto. Inking apparatus for platen presses. Issued 12-8-25. (28)
1,564,690; Kruh Osias et al; Wolf Ernst. Seal for leading in wires. Issued 12-8-25. (6)
1,564,722; All. Apparatebau Freiburg GmbH. Apparatus for inspecting film bands. Issued 12-8-25. (28)
1,564,835; Drager Alexander Bernhard. Self contained lung power breathing device. Issued 12-8-25. (28)
1,564,842; Fornaca Guido. Superfeed system for internal combustion engines. Issued 12-8-25. (38)
1,564,854; All. Machinenfabrik Augsburg Nurnberg Ag. Closure for dry gasometers. Issued 12-8-25. (28)
1,564,907; All. Chemische Werke Vormals Auergesellschaft. Process for producing enamels and glazes. Issued 12-8-25. (28)
1,565,051; All. Polte Firm. Device for operating gate valves. Issued 12-8-25. (28)
1,565,087; Galle Hugo Dec. Traveling or chain grate stoker. Issued 12-8-25. (28)
1,565,124; Vagedes Wilhelm. Protecting cover for bank notes, bonds and the like. Issued 12-8-25. (28)
1,565,205; Rudolph Paul. Photographic objective. Issued 12-8-25. (28)
1,565,209; Schwarzenhauer Waldemar. Electric toy cooking stove. Issued 12-8-25 (28)
1,565,231; All. Rumpler Edmund. Absorption refrigerating machine. Issued 12-8-25 (28)
1,565,276; Hoppner Georg. Machine for shaping leather leggings. Issued 12-15-25 (28)
1,565,340; Treiber Oskar. Manufacturing scissors and the like. Issued 12-15-25 (28)
1,565,345; All. Goldschmidt A G Th. Process of producing methyl alcohol and methylene chloride from methane. Issued 12-15-25. (28)
1,565,353; Estelle Axel Teodor Konstantin. Treatment of iron sulphide ores containing other metals. Issued 12-15-25. (28)
1,565,382; McClatchie Stanley. Vacuum cleaner device. Issued 12-15-25. (28)
1,565,635; All. Hesser firm Fr Maschinenfabrik A G. Method and machine for making paper tubes. Issued 12-15-25. (28)
1,565,812; All. Chemische Fabrik Kalk GmbH. Process for the vulcanization of caoutchouc. Issued 12-15-25. (28)
1,565,815; Renck Heinrich. Production of celluloid printing plates for use in the Bichromate printing process. Issued 12-15-25. (28)
1,565,964; All. Giesserei Union. Piston valve. Issued 12-15-25. (28)
1,566,128; Ritter Paul A., Takata Kamakichi et al. Internal combustion engine for kerosene and crude oil. Issued 12-15-25 (39)
1,566,142; All. Scheding Eugene. Feeding and delivering mechanism for platen presses. Issued 12-15-25. (28)
1,566,188; All. Bohn & Herber Maschinenfabrik Und. High speed cylinder printing press. Issued 12-15-25. (28)
1,566,189; All. Bohn & Herber Maschinenfabrik Und. Inking mechanism of printing presses. Issued 12-15-25. (28)
1,566,190; All. Bohn & Herber Maschinenfabrik Und. Pneumatic buffer. Issued 12-15-25. (28)
1,566,215; Kaufmann Albert. Casting machine. Issued 12-15-25. (28)
1,566,240; Walter Wilhelm. Protective casing for reserve spark plugs. Issued 12-15-25. (28)
1,566,244; Barducci Pilade. Drying plant. Issued 12-15-25. (38)
1,566,424; Poleschensky Raimund. Machine for sowing seeds. Issued 12-22-25. (28)
1,566,456; Weck Erwin Alexander. Mechanical stoker. Issued 12-22-25. (28)
1,566,496; Maus Karl. Desiccating and compressing pulpy material, particularly peat. Issued 12-22-25. (28)
1,566,565; All. Felten and Guilleaume Carlswerk A G. Method of equalizing pairs of self induction coils. Issued 12-22-25. (28)
1,566,718; Wolff Friedrich. Safety device for blast furnace gas pipes. Issued 12-22-25. (28)
1,566,757; Maraviglia Arturo. Safety razor. Issued 12-22-25. (38)
1,566,813; Blauhorn Emanuel, Hajek Otto et al. Variable stroke fluid pump. Issued 12-22-25. (6)
1,566,872; Ishizaka Sansaku. Water turbine generator. Issued 12-22-25. (39)
1,566,961; Hamann Christel. Automatic calculating machine. Issued 12-22-25. (28)
1,566,962; All. Mercedes Buromachinen Und. Calculating machine. Issued 12-22-25. (28)
1,567,073; Mocigemba Emanuel. Screw pump. Issued 12-29-25. (28)
1,567,086; All. Speidel Chain Co. Chain. Issued 12-29-25. (28)
1,567,230; Bothe Otto. Device for electrically reproducing sounds. Issued 12-29-25. (28)

1,567,299; Richter Theodor. Frame. Issued 12-29-25. (28)
1,567,334; Schieferstein Heinrich. Mowing machine. Issued 12-29-25. (28)
1,567,349; Weber Heinrich. Water cock. Issued 12-29-25. (28)
1,567,488; All. Gelsenkirchener Bergwerks A G. Centrifugal casting machine. Issued 12-29-25. (28)
1,567,531; Magni Piero. Variable fluid dynamic wings such as for aeroplanes. Issued 12-29-25. (38)
1,567,545; Schmitt Otto Schmitt Nikolaus et al. Electric mine fuse. Issued 12-29-25. (28)
1,567,556; All. B G Textilwerke GmbH. Balloon envelope material and process of manufacturing the same. Issued 12-29-25. (28)
1,567,564; Bergmann Jean. Calculating device. Issued 12-29-25. (28)
1,567,578; All. Luftschiffbau Zeppelin GmbH. Gas discharge from airships. Issued 12-29-25. (28)
1,567,593; Hirsch Eugen. Support for typewriting machine. Issued 12-29-25. (28)
1,567,604; Kirchhoff Richard. Rectum tube. Issued 12-29-25. (28)
1,567,644; Hell Johannes. Tanning of skins and hides. Issued 12-29-25. (28)
1,567,645; Hofmann Friedrich. Apparatus for levelling soles of shoes. Issued 12-29-25. (28)
1,567,654; All. Staatliche Porzellan Manufactur. Porcelain crucible. Issued 12-29-25. (28)
1,567,663; Marzola Ivo et al; Marpillero Paolo et al; Lorenzetti Lorenzo. Construction material and process for manufacturing same. Issued 12-29-25. (38)
1,567,668; Mosebach Gustav. Process for recovering the lye from disintegrated celluloses. Issued 12-29-25. (28)
1,567,700; Bonglovanni Luca. Forced feed system for internal combustion engines driving screw propellers. Issued 12-29-25. (38)
1,567,704; Bruggemann Franz. Electric power transmission gear. Issued 12-29-25. (28)
1,567,739; All. Benz Anton. Apparatus for making artificial hartshorn scales for pocketknives. Issued 12-29-25. (28)
1,567,746; Michetti Alessandro. Device adapted to maintain for a predetermined period of time a continuously moving band film or the like opposite a stationary body. Issued 12-29-25. (38)
1,567,755; All. Rhenania Verein Chemischer Fabriken. Process for obtaining alkali metal thiosulphate from solutions containing alkali metal sulphide. Issued 12-29-25. (28)
1,567,777; Wampach Joseph John. Mud guard for motor vehicles. Issued 12-29-25. (28)
1,567,795; Fornaca Guido. Motor controlling system. Issued 12-29-25. (38)
1,567,847; Kato Junshichi. Injection for hemorrhoids. Issued 12-29-25. (39)
1,567,868; All. Drager Dr Ing H C Alexander Bernhard. Apparatus for administering anaesthetic gases. Issued 12-29-25. (28)
1,567,893; Baratta Fausto. Safety magazine for explosives and ammunitions. Issued 12-29-25. (38)
1,567,940; All. Farbwerke Vorm Meister Lucius. Apparatus for measuring streams. Issued 12-29-25. (28)
1,567,959; Krauss Friedrich Emil. Fire extinguisher. Issued 12-29-25. (28)
1,567,983; Preller Heinrich. Apparatus for separating and extracting mineral oils from oily sand bitumen from oily chalk oily slate coal etc. Issued 12-29-25. (28)
1,567,993; Gerstenberger Albin. Rifle with pistol breech mechanism. Issued 12-29-25. (28)
1,567,994; Feser Fritz. Sterilizing apparatus for domestic use. Issued 12-29-25. (28)

1,569,023; Koch Fritz et al; Pohlmann Richard. Saw setting machine. Issued 11-12-26. (28)
1,569,027; Piccioni Igino. Method and apparatus for the accurate reproduction of paintings drawings or prints of all kinds with colored elements of any description. Issued 11-12-26. (38)
1,569,048; Stock Friedrich Johann Jacob. Apparatus for regenerating cinematographic films. Issued 11-12-26. (28)
1,569,111; All. Bensa Felice. Process for manufacturing a perylene vat dye. Issued 11-12-26. (38)
1,569,481; All. Deutsche Telephonwerke GmbH. High frequency generating system. Issued 1-12-26. (28)
1,569,533; Bilgery Constantin et al; Reutlinger Alexander. Wooden tool handle. Issued 1-12-26. (28)
1,569,545; Junghans Oskar. Mechanical time fuse. Issued 1-12-26. (28)
1,569,546; All. A E G Deutsche Werke A G. Typewriter. Issued 1-12-26. (28)
1,569,549; All. Blechspiel Warenfabrik Johann Distler. Aerial navigation toy. Issued 1-12-26. (28)
1,569,562; Moog Willy. Apparatus and process for the production of colored designs on leather. Issued 1-12-26. (28)
1,569,563; Muller Heinrich. Eye for plush toy figures. Issued 1-12-26. (28)
1,569,567; All. Koppers Heinrich. Burner for gas furnaces. Issued 1-12-26. (28)
1,569,569; Pels Henry. Metal cutting machine. Issued 1-12-26. (28)
1,569,578; Rohm Otto. Manufacture of tanning substances. Issued 1-12-26. (28)
1,569,656; Kehse Walter. Winding apparatus for the manufacture of insulating tubes consisting of paper and resin. Issued 1-12-26. (28)
1,569,789; Schuftan Eugen. Making moving pictures. Issued 1-12-26. (28)
1,569,797; All. Optische Anstalt C P Goerz A G. Temperature controlling system for railway cars. Issued 1-12-26. (28)
1,570,664; Amos Hermann. Artificial stone abrasive wheel. Issued 1-26-26. (28)
1,570,733; Eschbach Wilhelm. Electric time fuse for blasting cartridges. Issued 1-26-26. (28)
1,570,765; All. Thaleswerk M B H. Calculating machine provided with two counters. Issued 1-26-26. (28)
1,570,826. Dorneth Julius. Matrix setting and type bar casting machine. Issued 1-26-26. (28)
1,570,843; All. Kanegafuchi Boseki Kabushiki Kwaisha. Apparatus for drying live cocoons and the like. Issued 1-26-26. (39)
1,570,914; Muller Friedrich. Starting mechanism for internal combustion engines. Issued 1-26-26. (6)
1,570,915; Nose Toichi. Device for constructing culverts of concrete. Issued 1-26-26. (39)
1,570,969; Mayer Fredrich. Method of manufacturing coating for permanent metal molds. Issued 1-26-26. (28)
1,570,984; All. Selas A G. Gas mixer. Issued 1-26-26. (28)
1,570,990; All. Polte Firm. Steam cut off valve. Issued 1-26-26. (28)
1,571,056; Krenzler Gustav. Coupling for single thread lace braiding machines. Issued 1-26-26. (28)
1,571,058; Lengersdorff Nicola. Kiln and like structure and heat treatment. Issued 1-26-26. (28)
1,571,066; All. Optische Anstalt C P Goerz A G. Refractometer. Issued 1-26-26. (28)
1,571,075; Uhthoff Eduard. Type line setting and casting machine. Issued 1-26-26. (28)
1,571,177; Auspitzer Alfred Johann. Device for the adjustment of the side angle of sighting instruments. Issued 2-2-26. (28)

1,571,226; Barducci Pilade. Drying plant. Issued 2-2-26. (38)
1,571,227; Barducci Pilade. Drying plant. Issued 2-2-26. (38)
1,571,228; Barducci Pilade. Drying plant. Issued 2-2-26. (38)
1,571,238; Dornier Claudius. Wooden girder. Issued 2-2-26. (28)
1,571,294; All. O M I M Officina Meccanica Industria. Stop mechanism for knitting machines. Issued 2-2-26. (38)
1,571,325; Donner Carl Richard. Bunghole seat of metal. Issued 2-2-26. (28)
1,571,389; All. Krupp Fried A G Germaniawerft. Fuel injecting device for internal combustion engines. Issued 2-2-26. (28)
1,571,391; All. Krupp Fried A G. Sighting device for guns. Issued 2-2-26. (28)
1,571,410; Hendler Oscar. Holder for cigarettes and cigars. Issued 2-2-26. (6)
1,571,418; All. Fellner & Ziegler Firm. Coal dust and air supply in Siemens Martin and like furnaces. Issued 2-2-26. (28)
1,571,517; Fornaca Guido. Hydraulic brake system. Issued 2-2-26. (38)
1,571,520; All. Bleichert Adolf & Co. Aerial ropeway. Issued 2-2-26. (28)
1,571,833; All. Ansaldo San Giorgio S A. Submarine. Issued 2-2-26. (38)
1,571,986; All. Stinnes Zeche Mathias. Process for the purification of crude ammoniacal liquors. Issued 2-9-26. (28)
1,572,005; Grantzow Emil. Sharpening machine for pencils and other styles. Issued 2-9-26. (28)
1,572,044; Schwarz Leo. Rotating printing machine. Issued 2-9-26. (28)
1,572,272; All. Farbenfabriken Vorm Friedr Bayer. Automatic means for letting off steam from a container having in it a boiling liquid. Issued 2-9-26. (28)
1,572,336; Vogt Erich et al; Kirchhof Ludwig. Smelting or heating furnace with firing of coal dust. Issued 2-9-26. (28)
1,572,521; Fehler Otto. Electric incandescent lamp for advertising purposes. Issued 2-9-26. (28)
1,572,567; Skorka Michael. Roller skate. Issued 2-9-26. (34)
1,572,698; All. Badische Anilin & Soda Fabrik. Manufacture and production of alkyl esters. Issued 2-9-26. (28)
1,572,710; All. Bohn & Herber Maschinenfabrik. Gripper mechanism of printing presses. Issued 2-9-26. (28)
1,572,804; All. Alos apparatebau GmbH. Starter for electric motors. Issued 2-9-26. (28)
1,572,888; Danhardt Emil. Apparatus for separating solid substances from gases and vapors more especially blast furnace gases. Issued 2-16-26. (28)
1,572,976; Von Holningen Huene Franz Freiherr. Construction of sailing craft. Issued 2-16-26. (28)
1,572,984; All. Polte Firm. Gate valve. Issued 2-16-26. (28)
1,572,985; All. Polte Firm. Steam cut off valve or stop valve. Issued 2-16-26. (28)
1,573,006; Lampl Rosi. Polychromatic security print. Issued 2-16-26. (28)
1,573,009; Muller Otto. Molding machine. Issued 2-16-26. (28)
1,573,017; Podszus Emil. Process of obtaining powders of great fineness. Issued 2-16-26. (28)
1,573,138; Brase Wilhelm. Sewing machine. Issued 2-16-26. (28)
1,573,139; Brase Wilhelm. Sewing machine. Issued 2-16-26. (28)
1,573,251; Knoll Willy. Process of ornamenting leather. Issued 2-16-26. (28)
1,573,252; Knoll Willy. Process for producing shading off ornamentation on leather. Issued 2-16-26. (28)
1,573,253; Kujawa Lorenz et al; Kook Otto. Regulator for air or gas currents. Issued 2-16-26. (28)

1,573,335; Torda Lajos. Arrangement for the compensating winding of commutator motors with salient poles. Issued 2-16-26. (34)

1,573,370; Blumner Erwin. Method and apparatus for continuous distillation of tars and oils. Issued 2-18-26. (28)

1,573,518; Kaufmann Albert. Casting machine. Issued 2-16-26. (28)

1,573,526; All. Gruhler Walter. Faucet or tap for water pipes etc. Issued 2-16-26. (28)

1,573,571; Pohl Ernst. Table for X-ray transradiation. Issued 2-16-26. (28)

1,573,615; Koerner Ewald. Drying apparatus for tobacco and the like. Issued 2-16-26. (28)

1,573,616; Koerner Ewald. Cigarette making machine. Issued 2-16-26. (28)

1,573,625; Birkenhauer Carl. Single thread lace braiding machine. Issued 2-16-26. (28)

1,573,719; All. Klinger Rich GmbH. Water level indicator. Issued 2-16-26. (6)

1,573,751; All. Mercedes Buro Baschinen und. Power operated typewriter. Issued 2-16-26. (28)

1,573,752; Seligmann Arthur. Method for low temperature cooling liquefaction and separation of not easily condensable gases. Issued 2-16-26. (28)

1,573,772; McClathie Stanley. Vacuum cleaner. Issued 2-16-26. (28)

1,573,825; Grunfeld Alfred. Apparatus for viewing cinematographic film bands. Issued 2-23-26. (6)

1,573,872; Schwartz Alfred. Portable heating device. Issued 2-23-26. (28)

1,573,940; Tetetleni Armin. Hand press. Issued 2-23-26. (34)

1,574,116; All. Bensa Felice. Process for manufacturing improved vat dyes. Issued 2-23-26. (38)

1,574,119; Seligmann Arthur. Method for the liquefaction and separation of gases with the aid of external work. Issued 2-23-26. (28)

1,574,163; All. Gerasch Emil GmbH. Method and apparatus for the production of prints. Issued 2-23-26. (28)

1,574,173; All. Berlin Karlsruher Industrie Werke A G. Free wheel hub. Issued 2-23-26. (28)

1,574,236; Dufling Georg. Apparatus for lubricating the axle bearings of vehicles and the like. Issued 2-23-26. (28)

1,574,237; Edler Hans. Apparatus for the electrical purification of gases. Issued 2-23-26. (28)

1,574,242; All. Weser A G. Electric driving installation. Issued 2-23-26. (28)

1,574,256; Gallesio Piuma Michele Lorenzo. Method for the filling of honey combs with sweet liquid for the nourishment of bees. Issued 2-23-26. (28)

1,574,408; Oreglia Vittorio. Smoke pump. Issued 2-23-26. (28)

1,574,584; Lindner Wilhelm. Filler. Issued 2-23-26. (28)

1,574,701; Schmeisser Hans. Small arm with tubular cartridge magazine. Issued 2-23-26. (28)

1,574,786; All. Deckel Friedrich Fabrik Fur. Speed changing cam driving mechanism. Issued 3-2-26. (28)

1,574,875; All. Koepp Rudolph Co. Chemische Fabrik. Manufacture of sodium formate from carbon monoxide. Issued 3-2-26. (28)

1,574,902; Kowarski Gregor. Method for the manufacturing of wheels. Issued 3-2-26. (28)

1,575,049; All. Ozon Industrie A G. Method of cooling the electrodes in ozonizers. Issued 3-2-26. (28)

1,575,052; Hesse Leopold et al; Rathert Hermann. Process of manufacturing thin threads of artificial silk of highest degree of fineness from viscose. Issued 3-2-26. (28)

1,575,167; Kawakami Kaneshi. Process for manufacturing a lead accumulator. Issued 3-2-26. (39)

1,575,210; Kampf Adolf. Process for the manufacture of fibers tape etc from viscose. Issued 3-2-26. (28)

1,575,305; All. Fratelli Schwarzenbach & Co. Loom for weaving fine fabrics. Issued 3-2-26. (36)

1,575,464; Tamura Izo. Air tight cap for vessels. Issued 3-2-26. (39)

1,575,526; Bocher Karl. Method of and apparatus for cleaning and conserving hoist cables. Issued 3-2-26. (28)

1,575,627; All. Farbenfabriken Vorm Friedr. Electrode for use in the electrolytic evolution of gases. Issued 3-9-26. (28)

1,575,636; Meyer Heinrich. Miner's safety lamp. Issued 3-9-26. (28)

1,575,703; All. Chemische Produktion GmbH. Process for the manufacture of a highly active decolorizing charcoal. Issued 3-9-26. (28)

1,575,717; Plauson Hermann. Process and apparatus for disintegrating dry powders. Issued 3-9-26. (28)

1,575,889; Zuliani Pietro. Instrument for drawing ellipses. Issued 3-9-26. (38)

1,575,926; All. Metallogen GmbH. Plating device. Issued 3-9-26. (28)

1,575,936; Raabe Walter. Multichamber apparatus for conducting leaching washing or like operations on solid or semisolid material. Issued 3-9-26. (28)

1,575,995; Leinweber Adolf. Casting mold. Issued 3-9-26. (28)

1,576,172; All. Vogtlandische Maschinenfabrik Vormals. J C and H Dietrich A G. Shuttle box selecting mechanism for shuttle boxes with more than two compartments. Issued 3-9-26. (28)

1,576,240; Ligniez Kurt. Automatic inlet valve mechanism for reciprocating engines. Issued 3-9-26. (28)

1,576,378; Thies Bernhard Karl. Dyeing apparatus. Issued 3-9-26. (28)

1,576,408; Cajar Hermann. Process for the manufacture of printing colors or ink. Issued 3-9-26. (6)

1,576,525; Mayer Friedrich. Agitating and batting machine. Issued 3-16-26. (28)

1,576,533; Mckeitis Kurt. Moistener for postage stamps envelopes and the like. Issued 3-16-26. (28)

1,576,560; Teichmann Albert. Safety device for elevators conveyors and like apparatus. Issued 3-16-26. (28)

1,576,729; All. Oeltanks GmbH. Illuminating gas blowpipe. Issued 3-16-26. (28)

1,576,794; Sasse Wilhelm. Drilling tool. Issued 3-16-26. (28)

1,576,817; Fornaca Guido. Cooling arrangement for the valves of internal combustion engines. Issued 3-16-26. (38)

1,576,906; Greve Paul. Twine polishing and drying machine. Issued 3-16-26. (28)

1,576,916; All. Kohlenveredlung GmbH. Oven for the distillation of solid material. Issued 3-16-26. (28)

1,576,970; All. Zellstofffabrik Waldhof. Method of and system for regenerating sulphurous acid and waste heat from sulphite cellulose boilers. Issued 3-16-26. (28)

1,576,977; Junkers Hugo. Flying machine. Issued 3-16-26. (28)

1,577,097; Barthel Hermann. Machine for grinding rollers. Issued 3-16-26. (28)

1,577,105; Cattaneo Giustino. Fluid brake operator. Issued 3-16-26. (38)

1,577,118; Fioruzzi Vittorio. Cocoon unwinding device. Issued 3-16-26. (38)

1,577,167; Blume Emile. Exhaust pipe nozzle for locomotives. Issued 3-16-26. (28)

1,577,325; Lehmann Erich. Method of compensating differences of densities in cinematographic prints. Issued 3-16-26. (28)

1,577,347; Neumann Carl Franz. Grasping device for loading or piling bricks or the like. Issued 3-16-26. (28)

1,577,438; Andrioli Vittorio. Steam generator. Issued 3-23-26. (38)

1,577,807; Danninger Alois. Paper making machine. Issued 3-23-26. (6)

1,577,909; All. Siemens & Halske AG. Recording venturi meter. Issued 3-23-26. (28)

1,578,009; Burgers Franz. Process of treating and refining crude iron. Issued 3-23-26. (28)

1,578,073; Caproni Gianni et al; Nobile Umberto; Verduzio Rodolfo. Structure and composition of the fuselages and parts depending thereon for aeroplanes. Issued 3-23-26. (38)

1,578,112; Ernst Wilhelm Eberhard. Device for regulating temperatures. Issued 3-23-26. (28)

1,578,167; Nagele Hermann et al; Nagele Hermann. Animal intestine cleaner. Issued 3-23-26. (28)

1,578,278; All. Tafler Edgar and Co. Spring suspension arrangement more particularly for power driven vehicles. Issued 3-30-26. (6)

1,578,286; Harmatta Johann. Producing pipes by electrically welding. Issued 3-30-26. (34)

1,578,311; Grosset Paul. Screw joint. Issued 3-30-26. (28)

1,578,325; Kunze Willy. Method and device for determining the direction of sound. Issued 3-30-26. (28)

1,578,327; Lauckner Bruno. Method of manufacturing colored pressed articles. Issued 3-30-26. (28)

1,578,338; All. Maybach motorenbau GmbH. Internal combustion engine. Issued 3-30-26. (28)

1,578,374; Schultz Friedrich. Perpetual calendar. Issued 3-30-26. (28)

1,578,376; Seidenschnur Fritz. Method for the production of coke and tar from coal. Issued 3-30-26. (28)

1,578,587; De Agostini Gerardo. Automatic gate for railway crossings. Issued 3-30-26. (38)

1,578,647; De Meo Giovanni. Propelling system for ships. Issued 3-30-26. (38)

1,578,923; Schlotter Georg Arthur. Turbine. Issued 3-30-26. (28)

1,578,970; Feser Fritz. Means for preventing bagging at the knees of mens trousers. Issued 3-30-26. (28)

1,579,036; Schwabe Ludwig. Coating of webs of pasteboard fabric or the like. Issued 3-30-26. (28)

1,579,054; Armuth Samuel. Oscillating piston pump. Issued 3-30-26. (6)

1,579,110; Heuser Albert. Lubricator for car wheel flanges of rail vehicles. Issued 3-30-26. (28)

1,579,118; Kleinmann Ernst. Electrode cap. Issued 3-30-26. (28)

1,579,138; All. Elektrizitats AG Vormals Schuckert. Electrolytic cell. Issued 3-30-26. (28)

1,579,151; All. Mercedes Buro Maschinen und Waffen. Typewriting machine with power drive. Issued 3-30-26. (28)

1,579,162; All. Ozonhochfrequenz GmbH. Process for producing ozone. Issued 3-30-26. (28)

1,579,336; All. Conradty C. Collector for electric cars. Issued 4-6-26. (28)

1,579,337; All. Conradty C. Collector. Issued 4-6-26. (28)

1,579,351; All. Benz and Cie Rheinische Automobil U. Internal combustion engine. Issued 4-6-26. (28)

1,579,742; Von Frommer Rudolf. Automatic firearm. Issued 4-6-26. (34)

1,579,891; Sandoz Charles. Expansion vessel for use in rotary pumps for viscous liquids. Issued 4-6-26. (38)

1,579,910; Bauer Johann Josef. Method of and apparatus for combination printing with printing rollers. Issued 4-6-26. (34)

1,579,919; Drager Alexander Bernhard. Self contained breathing apparatus for use in noxious gases. Issued 4-6-26. (28)

1,579,940; Iversen Jacob. Apparatus for automatically regulating fluid pressures. Issued 4-6-26. (28)

1,579,957; All. Badische Anilin and Soda Fabrik. Treating tar water. Issued 4-6-26. (28)

1,579,989; All. Badische Anilin and Soda Fabrik. Making a calcium nitrate fertilizer. Issued 4-6-26. (28)

1,579,998; All. Ganz and Co Danubius Machine. Roller mill. Issued 4-6-26. (34)

1,580,035; Gusmer Hermann. Covering for railway track crossings. Issued 4-6-26. (28)

1,580,058; Linker Oskar. Method for the transformation of crude peat into a coal-like substance. Issued 4-6-26. (28)

1,580,080; Vogt Erich et al; Kirchhof Ludwig. Furnace fired with coal dust and like pulverulent fuel. Issued 4-6-26. (28)

1,580,196; Gubin Richard. Method and apparatus for manufacturing imitation metallic and coloring foil films. Issued 4-13-26. (6)

1,580,330; Rezsny Koloman. Furnace grate. Issued 4-13-26. (34)

1,580,386; Silo Hitosi. Apparatus for utilization of excessive power at electric sources. Issued 4-13-26. (39)

1,580,504; Mario Lave. Variable radiator. Issued 4-13-26. (38)

1,580,521; All. Hayashi Elizo. Mold for casting types. Issued 4-13-26. (39)

1,580,587; All. Dubelwerke GmbH. Reenforced railroad crosstie. Issued 4-13-26. (28)

1,580,572; Rathsburg Hans. Manufacture of detonating compositions. Issued 4-13-26. (28)

1,580,576; Weidner Edmund. Perfumed soap cake. Issued 4-13-26. (28)

1,580,577; Baumann Ernst Karl Alexander. Aeroplane. Issued 4-13-26. (28)

1,580,592; Eichholz Wilhelm, et al; Dalmer Otto. Injectable homogeneous oily preparation of bismuth and manufacture of the same. Issued 4-13-26. (28)

1,580,610; Keller August. Pulverizer mill. Issued 4-13-26. (28)

1,580,669; Nagel Carl. Automatic weighing apparatus. Issued 4-13-26. (28)

1,580,674; Pamperel Ernst. Term controlling apparatus for establishments for indicating the degree of occupation and the progress of work. Issued 4-13-26. (6)

1,580,804; All. Reiniger Gibbert & Seball A G. X-ray system. Issued 4-13-26. (28)

1,581,169; All. Gelsenkirchener Bergwerks A G. Metal casting machine. Issued 4-20-26. (28)

1,581,217; All. Soc Italiana Registratori Sir. Printing device for cash registering machines. Issued 4-20-26. (38)

1,581,245; Suzuki Tomonori. Machine for cleaning rice and the like. Issued 4-20-26. (39)

1,581,254; Walker Rudolf. Internal combustion engine. Issued 4-20-26. (6)

1,581,297; Schmuck Nicolai Heinrich. Mousetrap. Issued 4-20-26. (28)

1,581,329; Schutz Wilhelm. Masonry coat holder for mortar and the like. Issued 4-20-26. (28)

1,581,358; All. Magirus C D A G. Vehicular fire escape. Issued 4-20-26. (28)

1,581,511; All. Zellstofffabrik Waldhof. Method of utilizing waste heat from gas. Issued 4-20-26. (28)

1,581,522; Stehmann Harry. Device for burning cement magnesite lime etc. Issued 4-20-26. (28)

1,581,549; Schmidt Georg Karl Wilhelm. Brush. Issued 4-20-26. (28)

1,581,564; Dornier Claude. Twin motor flying machine. Issued 4-20-26. (28)

1,581,565; Dornier Claudius. Wing of flying machines. Issued 4-20-26. (28)

1,581,601; Speck Paul. Sanitary closet pan. Issued 4-20-26. (28)

1,581,632; De Fries Alfred. Hot nut press. Issued 4-20-26. (28)

1,581,697; Stockemann Ernst. Device for producing a constant cutting speed of lathes and other machine tools. Issued 4-20-26. (28)

1,581,725; Egersdorfer Fritz. Apparatus for atomizing liquid fuel. Issued 4-20-26. (28)

1,581,869; Reinhold Georg. Traveler ring for spinning and twisting machines. Issued 4-20-26. (28)

1,581,944; Hausmeister Paul. Production of compressed gases by electrolysis. Issued 4-20-26. (28)

1,581,945; All. Pfister and Langhauss A G. Hydraulic ram. Issued 4-20-26. (28)

1,582,036; Grunewald Heinrich. Annealing furnace. Issued 4-27-26. (28)

1,582,056; All. Kulas Carl. Process for the manufacture of resinous products of condensation from phenol and formaldehyde. Issued 4-27-26. (28)

1,582,097; All. Schmidt Sche Heissdampf GmbH. Water tube boiler. Issued 4-27-26. (28)

1,582,222; Planer Victor. Device for measuring values of resistance of cables and conductors. Issued 4-27-26. (28)

1,582,264; Grisbojedoff Nicolai. Air compressor. Issued 4-27-26. (28)

1,582,311; Schull Leopold. Pinching clutch for eccentric presses and shears. Issued 4-27-26. (6)

1,582,341; Miniotti Giovanni. Ball transmitting apparatus. Issued 4-27-26. (38)

1,582,361; Welsch Karl Hermann Paul. Bearing for the blades of wind or water wheels. Issued 4-27-26. (28)

1,582,391; Flettner Anton. Governing of surfaces moving within a nonrigid medium. Issued 4-27-26. (28)

1,582,398; Hausmeister Paul. Safety device for gas filled spaces. Issued 4-27-26. (28)

1,582,410; Lentz Hugo. Twin compound marine steam engine. Issued 4-27-26. (6)

1,582,423; All. Zaidan Hojin Rikagaku Kenkyujo. Process of electrodepositing iron from iron containing minerals. Issued 4-27-26. (39)

1,582,428; Pavesi Ugo. Vehicle wheel and traction device therefor. Issued 4-27-26. (38)

1,582,431; All. Bing Werke Vorm Gebr Bing A G. Key mechanism for typewriting machines. Issued 4-27-26. (28)

1,582,495; Walter Otto. Manufacture and treatment of leather. Issued 4-27-26. (28)

1,582,614; Kusunoki Shusaku et al; Yamamoto Seiji. Pneumatic hammer. Issued 4-27-26. (39)

1,582,650; All. Kohlenveredlung GmbH. Distilling oven. Issued 4-27-26. (28)

1,582,668; Dreifuss Max. Method of coating vessels. Issued 4-27-26. (28)

1,582,785; Ratti Giuseppe. Goggles. Issued 4-27-26. (38)

1,582,788; All. Mercedes Buro Maschinen Und Waffen. Typewriting machine with power drive. Issued 4-27-26. (28)

1,582,792; Schultz Franz. Diesel engine. Issued 4-27-26. (28)

1,582,824; All. Goshi Kaisha Sankosha. Projecting apparatus. Issued 4-27-26. (39)

1,582,849; Mensing Karl. Quartz lamp. Issued 4-27-26. (28)

1,582,851; All. Badische Anilin & Soda Fabrik. Effecting catalytic reactions particularly in catalytically producing hydrocyanic acid. Issued 4-27-26. (28)

1,583,056; All. Fesca C A Firm Sohn. Permanently acting centrifugal machine. Issued 5-4-26. (28)

1,583,305; Nehl Johann. Machine for cleansing kitchen utensils. Issued 5-4-26. (28)

1,583,420; Picard Hugo. Irradiating chamber for therapeutical uses. Issued 5-4-26. (28)

1,583,494; Sacco Andrea Pasquale. Vacuum tank. Issued 5-4-26. (38)

1,583,514; All. Dimler Mortoren Ges. Typewriting machine. Issued 5-4-26. (28)

1,583,739; Padelt Hermann Traugott. Channel oven for ceramic and chemical purposes. Issued 5-4-26. (28)

1,583,876; All. Signal GmbH. Submarine sound signaling apparatus. Issued 5-11-26. (28)

1,583,877; All. Signal GmbH. Method of testing materials. Issued 5-11-26. (28)

1,583,900; Schmittutz Carl. Hollow needle for vaccinating timber and the like. Issued 5-11-26. (28)

1,583,950; All. Nippon Yusen Co Ltd. Quadrant. Issued 5-11-26. (39)

1,583,997; All. Deghenghi Milan. Transfer process. Issued 5-11-26. (6)

1,584,034; Klotz Alfred. Pneumatic insertion for shoes. Issued 5-11-26. (28)

1,584,090; Grubler Erhard. Railroad motor car. Issued 5-11-26. (28)

1,584,129; All. Chemische Produkte Vormals H. Process for the manufacture of colloidal substances in the form of small balls or grains. Issued 5-11-26. (28)

1,584,149; Shimadzu Genzo. Method of manufacturing metal powder. Issued 5-11-26. (39)

1,584,150; Shimadzu Genzo. Process of manufacturing powder of lead suboxide intermingled with powder of metallic lead. Issued 5-11-26. (39)

1,584,151; Shimadzu Genzo. Process of manufacturing lead oxide. Issued 5-11-26. (39)

1,584,152; Shimadzu Genzo. Paint. Issued 5-11-26. (39)

1,584,160; Zimmerman Wilhelm. Pit sinking. Issued 5-11-26. (28)

1,584,317; Mechau Emil. Motion picture apparatus. Issued 5-11-26. (28)

1,584,449; Grutzner Arthur. Device for adjusting the stroke of feed pumps for lubricator pumps. Issued 5-11-26. (28)

1,584,485; All. Telegraphie GmbH System Stille. Cabinet talking machine. Issued 5-11-26. (28)

1,584,499; Zachhuber Franz. Method of and means for rendering metal bands supple. Issued 5-11-26. (28)

1,584,661; All. Jenaer Glaswerk Schott and Gen Device for fusing glass extensions onto glass vessels. Issued 5-11-26. (28)

1,585,065; Wilsing Paul. Electric winch. Issued 5-18-26. (28)

1,585,117; Schmal Johann Paul. Two stroke cycle internal combustion engine of the Diesel type. Issued 5-18-26. (28)

1,585,140; Erban Richard. Gearing for transmitting rotary motions. Issued 5-18-26. (6)

1,585,144; All. Kellner Alexis. Locking device for carriage doors. Issued 5-18-26. (28)

1,585,180; Arato Achille. Trailer. Issued 5-18-26. (38)

1,585,198; Matteucci Raffaele. Planetary gear. Issued 5-18-26. (38)

1,585,287; All. Deutsche Zundholzfabriken A G. Method of manufacturing magic candles. Issued 5-18-26. (28)

1,585,316; Plauln Rudolf. Process for production of lead acetate. Issued 5-18-26. (28)

1,585,337; Feuerlein Johannes. Apparatus for distributing railway vehicles from a main line over a group of lines. Issued 5-18-26. (28)

1,585,420; Scharfenberg Karl. Railway car coupling. Issued 5-18-26. (28)

1,585,484; Gasser Max. Process and apparatus for the production of aerogeodetical stereo photographs. Issued 5-18-26. (28)

1,585,530; All. Wanderer Werke Vorm Winklhofer. Typewriting and calculating machine. Issued 5-18-26. (28)

1,585,558; Muller Heinrich. Toy figure covered with fabric. Issued 5-18-26. (28)

1,585,591; Lowy Heinrich. Means for electric proof and measuring of the distance of electrically conductive bodies. Issued 5-18-26. (6)

1,585,667; Haas Hermann. Cloth shearing machine. Issued 5-25-26. (28)

1,585,753; Arato Achille. Steering gear for four wheel trailed vehicles. Issued 5-25-26. (28)

1,585,761; Canale Gian Battista. Funnel for measuring drawing and pouring liquids. Issued 5-25-26. (38)

1,585,792; Schlumberger Ernst. Compound having bactericidal and fungicidal properties and process for making the same. Issued 5-25-26. (28)

1,585,795; Speter Max. Electrotherapeutic apparatus. Issued 5-25-26. (28)

1,585,800; Thedinga Eddo. Electric joint. Issued 5-25-26. (28)

1,585,911. Heublein Wilhelm Oscar. Ampulla consisting of several parts. Issued 5-25-26. (28)

1,585,912; Heublein Wilhelm Oskar. Ampulla with separated compartments for liquids to be injected. Issued 5-25-26. (28)

1,586,004; Regelein Wilhelm et al; Glaubitz Arthur. Oscillation meter. Issued 5-25-26. (28)

1,586,048; Schmeisser Hans. Firing mechanism for machine pistols. Issued 5-25-26. (28)

1,586,098; Mandler Eugen et al; Mandler Otto. Adjustable manuscrip holder. Issued 5-25-26. (6)

1,586,106; All. Chemische Produktion GmbH. Process for making a highly active charcoal in grains. Issued 5-25-26. (28)

1,586,115; All. Chemische Fabrik Griesheim Elektron. Production of phosphorus products. Issued 5-25-26. (28)

1,586,116; All. Boehringer C H Sohn. Process for the production of glucosides of digitalis. Issued 5-25-26. (28)

1,586,129; All. Boehringer C H Sohn. Gelatine food. Issued 5-25-26. (28)

1,586,145; All. Boehringer C H Sohn Chemische Fabrik. Process for the production of pure lecithin. Issued 5-25-26. (28)

1,586,208; All. Maybach Motorenbau GmbH. Oil draining device for internal combustion engines. Issued 5-25-26. (28)

1,586,221. All. Werke Bing. Electric toy locomotive with electric reversing gear. Issued 5-25-26. (28)

1,586,314; Kiefer Michael. Clamp. Issued 5-25-26. (28)

1,586,340; Taraglia Giuseppe. Pneumatic elastic suspension for vehicles. Issued 5-25-26. (38)

1,586,357; Edeleanu Lazar. Manufacture of light hydrocarbons. Issued 5-25-26. (28)

1,586,366; Hugo Theodor. Machine for gumming envelopes paper bags and the like. Issued 5-25-26. (28)

1,586,377; Missy Paul. Method of dyeing hanks. Issued 5-25-26. (28)

1,586,380; Rathsburg Hans. Primer composition. Issued 5-25-26. (28)

1,586,593; Skrebba Hans. Tacking or stapling machine. Issued 6-1-26. (28)

1,586,623. Heidelberg Victor et al; Muller Rudolf. Method of and device for operating internal combustion engines. Issued 6-1-26. (28)

1,586,670; Girard Fritz. Quartz lamp for medical purposes. Issued 6-1-26. (28)

1,586,674; Hartel Emil. Process of manufacturing stable pavements. Issued 6-1-26. (28)

1,586,697; All. Farben Photo GmbH. Method for producing prints in natural colors according to multicolor photography. Issued 6-1-26. (28)

1,586,728; Zbar Isidor. Portable electric current generating plant. Issued 6-1-26. (28)

1,586,729; All. Bensa Felice. Process for manufacturing amino perylene quinones. Issued 6-1-26. (38)

1,586,730; All. Bensa Felice. Process for manufacturing vat dyes. Issued 6-1-26. (38)

1,586,731; Anft Paul. Method for the manufacturing of buttons. Issued 6-1-26. (28)

1,586,806; All. Siemens Schuckertwerke GmbH. Rotary pump. Issued 6-1-26. (28)

1,586,873; Witt Hans Dohrm. Swimming appliance. Issued 6-1-26. (28)

1,586,937; Yoshizawa Koreo. Process of producing tuberculin. Issued 6-1-26. (39)

1,587,019; All. Chemische Fabrik Griesheim Elektron. Process of quick tannage by means of the one bath method. Issued 6-1-26. (28)

1,587,038; Sandor Nicholas. Electric light container. Issued 6-1-26. (28)

1,587,079; All. Katakura Shuichi. Hose coupling. Issued 6-1-26. (2)

1,587,087; All. Universelle Cigarettenmaschinen. Driving mechanism for cigarette filling machines or the like. Issued 6-1-26. (28)

1,587,112; Gassen Josef. Rolling mill for pierced or solid metal blanks. Issued 6-1-26. (28)

1,587,184; Riebe August. Ball bearing. Issued 6-1-26. (28)

1,587,209; Bauer Josef. Collapsible water vehicle. Issued 6-1-26. (28)

1,587,238; Minzoni Alfonso. Movable bracket for flying scaffolding. Issued 6-1-26. (38)

1,587,251; Streicher Franz Xaver. Interchangeable pipe flange. Issued 6-1-26. (28)

1,587,343; Michel Hermann. Internal combustion engine. Issued 6-1-26. (28)

1,587,425; Schepp Otto. Cooling accumulator cell. Issued 6-1-26. (39)

1,587,531; Libani Romolo. Apparatus for launching lifeboats. Issued 6-8-26. (38)

1,587,550; All. Hesser Fr Maschinenfabrik A G. Machine for wrapping up piece goods. Issued 6-8-26. (28)

1,587,593. All. Cannstatter Misch and device for tipping vessels. Issued 6-8-26. (28)

1,587,598; Magg Wolfgang. Hand fire extinguisher. Issued 6-8-26. (6)

1,587,600; Nielsen Otto. Method of introducing additional agents into metallurgical baths. Issued 6-8-26. (28)

1,587,673. All. Gelsenkirchener Bergwerks A. G. Coke quenching containing. Issued 6-8-26. (28)

1,587,730. Irmischer Johannes Rudolf Paul. Shuttle. Issued 6-8-26. (28)

1,587,822; De Grahl Gustav. Flap door for locomotive furnaces and the like. Issued 6-8-26. (28)

1,587,827. Freudenberg Rudolf. Process for the manufacture of wood substitutes. Issued 6-8-26. (6)

1,587,933; Barme Friedrich. Process and apparatus for the production of double walled tubes. Issued 6-8-26. (28)

1,587,954; Horii Shinjiro. Stencil sheet. Issued 6-8-26. (39)

1,587,957; Huber Gustav. Machine for sewing together and covering the edges of knitted or woven fabrics. Issued 6-8-26. (28)

1,588,016; All. Luftschiffbau Zeppelin GmbH. Outer cover airships. Issued 6-8-26. (28)

1,588,052; All. Chemische Fabrik Griesheim Electron. Basic dyestuffs of the malachite green series. Issued 6-8-26. (28)

1,588,126; Meyer Johann Friedrich et al; Lucker Hans, Schmitz Carl. Centrifugal machine. Issued 6-8-26. (28)

1,588,141; Rohrbach Adolf. Flying machine. Issued 6-8-26. (28)

1,588,147; All. Luftschiffbau Zeppelin GmbH. Airship. Issued 6-8-26. (28)

1,588,154; Albrecht Emil. Means for sinking boreholes. Issued 6-8-26. (28)

1,588,164; Brunner Josef et al; Scheele Erich. Process of preserving articles. Issued 6-8-26. (6)

1,588,292; Bader Herbert. Apparatus for making threads and the like of artificial silk. Issued 6-8-26. (6)

1,588,402; All. Deutsche Luftfilter Baugesellschaft. Filtering apparatus. Issued 6-15-26. (28)

1,588,427; Karollus Edmund. Safety device for explosive cartridges. Issued 6-15-26. (6)

1,588,451; Eckert Wilhelm et al; Greune Heinrich. Vat dyestuff and process of making same. Issued 6-15-26. (28)

1,588,470; Schumann Hans. Device for determining the harmonic relations of musical notes. Issued 6-15-26. (28)

1,588,571; Busse Hans. Transformer for mercury vapor lamps. Issued 6-15-26. (28)

1,588,589; Knoblock Bruno. Knocking over bits of warp machines and hosiery machines and the like. Issued 6-15-26. (28)

1,588,612; All. Optische Anstalt C P Goerz A G. Photographic triplet. Issued 6-15-26. (28)

1,588,627; Seibt Georg. Loud speaking telephone. Issued 6-15-26. (28)

1,588,758. All. Farbenfabriken Vorm Friedr. Bayer. Apparatus for use in the working up of spinning solutions. Issued 6-15-26. (28)

1,588,831; Okoyama Masaji. Sign controller. Issued 6-15-26. (39)

1,588,854; Rommler Kurt. Manufacture of artificial cloth. Issued 6-15-26. (28)

1,588,868; All. Rhenania Verein Chemischer Fabriken. Method for the production of highly active charcoal from wood. Issued 6-15-26. (28)

1,588,870; All. Maschinenfabrik Augsburg. Starting valve for internal combustion engines. Issued 6-15-26. (28)

1,588,902. Oertge Georg et al; Schmitt Otto. Trousers press. Issued 6-15-26. (28)

1,588,911; Siebert Emma et al, Siebert Martha, Siebert Albert, Last. Issued 6-15-26. (28)

1,588,923; Wells Wilfrid Henry. Case for safety razor blades. Issued 6-15-26. (6)

1,588,957; Ferrabino Edoardo. Wire spoke wheel. Issued 6-15-26. (38)

1,588,992. Ragionieri Armando et al; Magagli Olinto. System for the Mechanical adjustment of the wick in so-called petroleum lights and new means for fixing the wick itself. Issued 6-15-26. (38)

1,589,044; All. Borsig A GmbH. Piston. Issued 6-15-29. (28)

1,589,108; Caretta Ettore. Flexible transmission. Issued 6-15-26. (38)

1,589,235; Schroder Edmund. Device for the local annealing of pressed parts. Issued 6-15-26. (28)

1,589,256; Spruth Hans. Lock. Issued 6-15-26. (28)

1,589,309; Bachruch Heinrich. Washboiler with furnace. Issued 6-15-26. (28)

1,589,333; All. Pressluft und Berieselung GmbH. Hydraulic lifting jack. Issued 6-15-26. (28)

1,589,336; Schoenen Gerhard. Turnable bed for motor cars. Issued 6-15-26. (28)

1,589,337; Severin Heinrich. Removal of glass from glass furnaces. Issued 6-15-26. (28)

1,589,382; All. Weser A G. Ship steering mechanism. Issued 6-22-26. (28)

1,589,463; Drager Alexander Bernhard. Supporting device for self contained breathing apparatus. Issued 6-22-26. (28)

1,589,524; All. Durkoppwerke A G. Machine for drawing out threads from tissues. Issued 6-22-26. (28)

1,589,656; Pels Henry. Billet shears. Issued 6-22-26. (28)

1,589,657; Pels Henry. Metal working machine. Issued 6-22-26. (28)

1,589,671; Vogel Josef. Carburetor. Issued 6-22-26. (28)

1,589,678; All. Stahn Albert. Removing broken tools from bore holes. Issued 6-22-26. (28)

1,589,700; All. Badische Anilin & Soda Fabrik. Manufacture of colored cellulose and solutions thereof. Issued 6-22-26. (28)

1,589,750; Gans Otto. Swivel joint for walking dolls. Issued 6-22-26. (28)

1,589,764; Rempt Walter. Sporting shotgun. Issued 6-22-26. (28)

1,589,796; All. Zeiss Carl Firm. Measuring machine. Issued 6-22-26. (28)

1,589,797; All. Zeiss Carl Firm. Measuring device. Issued 6-22-26. (28)

1,589,822; Sorge Otto. Condenser for waste steam. Issued 6-22-26. (28)

1,589,823; All. Neufeldt & Kuhnke Betriebs GmbH. Telephone receiver. Issued 6-22-26. (28)

1,589,833; Behnken Hermann et al,, Jaeckel Georg, Kutzner Walter. Measuring device for the examination of electromagnetic waves. Issued 6-22-26. (28)

1,589,864; Schneider Oskar Alban. Device for the starting of internal combustion engines in cold air. Issued 6-22-26. (28)

1,589,932; Bloss Adolf Ernst. Rail tie and fastening. Issued 6-22-26. (28)

1,589,963; Helmstadter Heinrich. Safety signaling apparatus on moving trains. Issued 6-22-26. (28)

1,589,982; Muller Friedrich. Method of supplying fuel to internal combustion engines. Issued 6-22-26. (6)

1,589,999; All. Schmidt Sche Heissdampf GmbH. Steam boiler. Issued 6-22-26. (28)

1,590,022; Grosser Hermann et al; Grosser Franz. Fixation of spark plug. Issued 6-22-26. (28)

1,590,091; All. Isabellenhutte GmbH. Issued 6-22-26. (28)

1,590,440; Pfiffner Emil. Excess voltage conductor for high. Issued 6-29-26. (34)

1,590,488; Zopp August. Fret saw. Issued 6-29-26. (6)

1,590,494; Busching Willi. Process of concentrating nitric acid in a column. Issued 6-29-26. (28)

1,590,534; Mader Otto. Turntable for portable railways. Issued 6-29-26. (28)

1,590,552; Reischl Ludwig. Feed mechanism for typewriting machines. Issued 6-29-26. (28)

1,590,640; All. Isomura Kotaro. Process of manufacturing oil of a low boiling point from mineral heavy oils. Issued 6-29-26. (39)

1,590,661; All. Bensa Felice. Process for manufacturing perylene compounds of quinone character. Issued 6-29-26. (38)

1,590,681; All. Berger Firm Alwin. Drilling head. Issued 6-29-26. (28)

1,590,703; Seibt Georg. Oscillatory body for sound reproductions. Issued 6-29-26. (28)

1,590,723; All. Bunse Fritz. Seed selecting and cleaning machine. Issued 6-29-26. (28)

1,590,724; Caretta Ettore. Flexible transmission. Issued 6-29-26. (38)

1,590,871; All. Schwarzenbach Fratelli and Co. Weaving loom. Issued 6-29-26. (38)

1,590,895; All. Kohlenveredlung GmbH. Distillation of solid material. Issued 6-29-26. (28)

1,590,913; Schmidt Fritz. Process for softening water. Issued 6-29-26. (28)

1,590,970; All. Sachsenwerk Licht und Kraft A G. Apparatus for measuring electric currents. Issued 6-29-26. (28)

1,590,999; Czapek Emil et al; Weingand Richard. Process for manufacturing foils. Issued 6-29-26. (28)

1,591,000; Czapek Emil et al; Weingand Richard. Process for the production of hollow bodies from viscose and similar cellulose solutions. Issued 6-29-26. (28)

1,591,111; Zipper Walter. Rim with removable flanges for automobile vehicles and the like. Issued 7-6-26. (6)

1,591,168; Lock Andreas. Carriage movement for typewriters. Issued 7-6-26. (28)

1,591,239; All. Ottensener Drahtindustrie GmbH. Nail making machine. Issued 7-6-26. (28)

1,591,879; Ochi Shuichiro et al; Kotera Fusaziro. Refining process of sugar juice by chlorination. Issued 7-6-26. (39)

1,591,922; Karplus Hans. Process of improving artificial silk staple fibers and textiles made therewith. Issued 7-6-26. (28)

1,592,019; Weber Otto. Safety towing device. Issued 7-13-26. (28)

1,592,026; All. Lindstrom Carl A G. Sound box for loud speakers telephones and the like. Issued 7-13-26. (28)

1,592,111; Klettner Martin. Automatic switch for electric heaters. Issued 7-13-26. (28)

1,592,141; All Speidel Chain Co. Chain link. Issued 7-13-26. (28)

1,592,191; All. De Limon Fluhme and Co. Membrane overflow valve. Issued 7-13-26. (28)

1,592,218; Motzko Ludwig. Arrangement for draining or drying damp walls. Issued 7-13-26. (6)

1,592,231; All. Farbenfabriken Vorm Friedr. Apparatus for intimately mixing gases and liquids. Issued 7-13-26. (26)

1,592,242; Welsch Karl Hermann Paul. Device for tripping the blades of wind and water wheels. Issued 7-13-26. (28)

1,592,301; All. Luftschiffbau Zeppelin GmbH. Airship. Issued 7-13-26. (28)

1,592,345; Drager Alexander Bernhard. Mouthpiece for respiratory apparatus. Issued 7-13-26. (28)

1,592,409; Zutter Theodor. Method and apparatus for analyzing gas. Issued 7-13-26. (28)

1,592,467; All. Pintsch Julius A G. Process for the distillation of solid bituminous fuels. Issued 7-13-26. (28)

1,592,516; All. A E G Deutsche Werke A G. Typewriter. Issued 7-13-26. (28)

1,592,520; Dechesne Josef. Cupola or hearth furnace. Issued 7-13-26. (28)

1,592,632; All. Woelm M A G. Ampule for substances easily decomposable in solutions. Issued 7-13-26. (28)

1,592,654; Bremer Hugo E. Vehicle for rough ground. Issued 7-13-26. (28)

1,592,677; Szente Aurel. Clock for motor cars and other vehicles. Issued 7-13-26. (6)

1,592,678; All. Sachs R GmbH. Anode battery. Issued 7-13-26. (28)

1,592,705; All. Jos Pe Farbenphoto GmbH. Camera for multicolor photography. Issued 7-13-26. (28)

1,592,772; Bergius Friedrich. Process for treating carbon and carbon compounds under heat and pressure. Issued 7-13-26. (28)

1,592,774; All. Kemma J Machinenfabrik und. Pivotable spur for driving wheels of motor plows and similar machines. Issued 7-13-26. (28)

1,592,781; All. Buchloh & Renkhoff GmbH. Tiltable sliding saddle for bicycles. Issued 7-13-26. (28)

1,592,812; All. Kneusel Carl. Can end folding machine. Issued 7-13-26. (28)

1,592,816; Aoki Tamotsu et al; Hagiwara Masuo. Time measuring apparatus. Issued 7-20-26. (39)

1,592,876; Von Gehlen Alfred August. Speed indicator. Issued 7-20-26. (28)

1,592,957; Nickel Richard. Apparatus for manufacturing endless grinding bands. Issued 7-20-26. (28)

1,593,135; Olivetti Camillo. Typewriting machine. Issued 7-20-26. (38)

1,593,169; Geiger Eugen. Rotating endless screen belt for the mechanical purification of water. Issued 7-20-26. (28)

1,593,191; Meyer Johann Friedrich. Manufacture of nonalcoholic beer and the like. Issued 7-20-26. (28)

1,593,224; Spiess Georg. Mechanical sheet feeding device for folding printing and like machines. Issued 7-20-26. (28)

1,593,296; Fues Ernst. Process for the production of moistness resisting papers. Issued 7-20-26. (28)

1,593,362; Righetto Marco et al; Zorzi Carlo. Rail fastening. Issued 7-20-26. (38)

1,593,463; All. Officina Meccanica Industria. Loop wheel of circular knitting frames. Issued 7-20-26. (38)

1,593,474; Serrao Giuseppe. Bearing. Issued 7-20-26. (38)

1,593,491; Gerson Kurt. Treatment of household and street waste. Issued 7-20-26. (28)

1,593,498; Kuhn Wilhelm. Variable capacity liquid motor. Issued 7-20-26. (28)

1,593,507; Guttinger Carl; Rieser Karl et al. Vehicle spring. Issued 7-20-26. (28)

1,593,514; All. Chemische Fabrik B'diesheim Elektron. Production of Phosphoric acid. Issued 7-20-26. (28)

1,593,674; David Dagobert; Rotter Arthur et al. Type inking mechanism. Issued 7-27-26. (28)

1,593,760; Dreyer Otto. Device for protecting electric circuits from overheating. Issued 7-27-26. (28)

1,593,762; Heitmann Moritz Joseph. Lubricating oil emulsion. Issued 7-27-26. (28)

1,593,770; Lang Anton. Sparking plug for internal combustion engines. Issued 7-27-26. (28)

1,593,799; All. Thaleswerk M B H. Combined adding and printing machine. Issued 7-27-26. (28)

1,593,814; Vogel Robert. Method for producing a substance adapted to tampon wounds. Issued 7-27-26. (28)

1,593,902; All. Michael J & Co. Process of producing barium chloride. Issued 7-27-26. (28)

1,593,923; All. Fursattel Hans. Distribution for internal combustion engines. Issued 7-27-26. (28)

1,594,094; Ernst Wilhelm Eberhard. Device for the improvement of the mixture in internal combustion engine. Issued 7-27-26. (28)

1,594,133; Tafel Wilhelm. Process of treating ingot iron. Issued 7-27-26. (28)

1,594,197; Hofmann Johannes Wilhelm. Hanger for insulator chains and the like. Issued 7-27-26. (28)

1,594,211; Nohse Carl. Automatic stop for railway wagons. Issued 7-27-26. (28)

1,594,231; Winterhalter Martin. Fastening for fabrics and the like. Issued 7-27-26. (28)

1,594,257; Guerrini Luigi. Vehicle wheel. Issued 7-27-26. (38)

1,594,279. Steinmetz Georg. Carrying frame for wall brackets suspension hooks and the like. Issued 7-27-26. (28)

1,594,319; Namiki Ryosuke. Fountain pen. Issued 7-27-26. (39)

1,594,336; Mewes Rudolf Ferdinand et al; Mewes Rudolf Karl Eduard. Process for separating gas mixtures more especially air or other difficulty liquefiable gas mixtures. Issued 7-27-26. (28)

1,594,370; Kubota Seiichi Reagent container. Issued 8-3-26. (39)
1,594,436; All. Wanderer Werke formerly Winklhofer and Jaenicke A G. Line spacing mechanism for type writing machines. Issued 8-3-26. (28)
1,594,470; Schwarz Robert. Photographic layer and method of making same. Issued 8-3-26. (28)
1,594,740; Levi Isaia. Fountain pen. Issued 8-3-26. (38)
1,595,017; Meyer Johann Friedrich et al; Lucker Hans Schmitz Carl. Centrifugal machine. Issued 8-3-26. (28)
1,595,050; Wolf Robert. Cystoscope and similar instrument. Issued 8-3-26. (28)
1,595,061; Valerius Johann. Electric cut out. Issued 8-3-26. (28)
1,595,092; Helmerdinger Rudolf. Micrometer indicator. Issued 8-10-26. (28)
1,595,169; Schieferstein Georg Heinrich. Means for producing curve shaped oscillations. Issued 8-10-26. (28)
1,595,170; Schieferstein Heinrich. Controlling device for clockworks and the like. Issued 8-10-26. (28)
1,595,183; All. Askania Werke A G Vormals Centralwerrstatt Dessau und Bamberg. Friedenau Carl. Cinematographic photographing and projection apparatus. Issued 8-10-26. (28)
1,595,201; Krause Walter. Irrigation system. Issued 8-10-26. (28)
1,595,431; Veitinger Albert. Process of producing transparent windows in paper cardboard and the like. Issued 8-10-26. (28)
1,595,445; Boggiano Pico Luigi. Apparatus for treating organic residues. Issued 8-10-26. (38)
1,595,510; All. Fischer H & Co. Toy lorry. Issued 8-10-26. (28)
1,595,525; Sachs Franz. Press mold for dental purposes Issued 8-10-26. (28)
1,595,529; Takayama Yoshitaro. Process of separating and collecting organic acids and bases from beetroot molasses. Issued 8-10-26. (39)
1,595,530; Walther Franz Metallic constructional toy Issued 8-10-26. (28)
1,595,538; All. Nosawa Yuji. Process of preparing pyrethrum insecticides. Issued 8-10-26. (39)
1,595,590; All. Ullman Firm & Co. Photographic printing frame. Issued 8-10-26. (28)
1,595,690; Schwarzkopf Jakob. Polishing composition. Issued 8-10-26. (28)
1,595,735; Schmierer Michel. Fluorescent tube Issued 8-10-26. (28)
1,595,740; Stumpf Johann. Operating mechanism for inlet valves Issued 8-10-26. (28)
1,595,849; Zimbel Wilhelm. Cylinder printing machine with reciprocating carrier. Issued 8-10-26. (28)
1,595,955; All. Ganden Bergersche Maschinenfabrik. Inking mechanism for platen printing presses. Issued 8-10-26. (28)
1,595,981; Ballert Otto. Hydraulic tipping device especially for power driven freight vehicles. Issued 8-17-26. (28)
1,595,982; Appel Gustav. Rotary pump. Issued 8-17-26. (28)
1,595,988; Bongardt Ernst. Self unloading vehicle. Issued 8-17-26. 28)
1,596,017; Harnisch Marie Elfriede. Method of producing polychromatic decorated candles. Issued 8-17-26. (28)
1,596,051; Kramer Erwin. Feeding mechanism for mills. Issued 8-17-26. (28)
1,596,065; Muller Kurt. Tube scraper. Issued 8-17-26. (28)
1,596,108; All. Kubler Carl. Calculating machine. Issued 8-17-26. (28)
1,596,129; Uhlich Rudolf. Slide Rule Issued 8-17-26. (28)
1,596,162; Drager Alexander Bernhard. Eyepiece. Issued 8-17-26. (28)
1,596,168; Fischbach Richard. Valve. Issued 8-17-26. (28)
1,596,194; Lang Franz. Fuel pump. Issued 8-17-26. (28)
1,596,210; All. Aero Motor und Auto Zupehor A G. Searchlight projector for closed vehicles. Issued 8-17-26. (28)
1,596,258; Tessky Karl. Tool slide. Issued 8-17-26. (28)
1,596,345; Gambarotta Piero. Speed indicating apparatus Issued 8-17-26. (38)
1,596,378; All. Rheinisch Metallwaaren und. Fuse for projectiles. Issued 8-17-26. (28)
1,596,405; Dechend Hermann V. Rontgen tube Issued 8-17-26. (28)
1,596,476; Zangi Josef. Vulcanizing apparatus. Issued 8-17-26. (28)
1,596,500; All. Gleich Richter GmbH. Mercury vapor arc rectifier of glass. Issued 8-17-26. (28)
1,596,511; Pistolesi Enrico. Control device for variable pitch propeller screws. Issued 8-17-26. (38)
1,596,522; All. Koch and Sterzer A G Firm. Transhormer. Issued 7-17-26. (28)
1,596,560; Takahashi Zensuke. Aluminum rectifier. Issued 8-17-26. (39)
1,596,601; Dornseif Hugo. Heel clamp for skates. Issued 8-17-26. (28)
1,596,629; All. Rheinisch Metallwaaren Und Gun for high and low angle firing. Issued 8-17-26. (28)
1,596,741; Kranz Richard. Filing device for cards and the like Issued 8-17-26. (28)
1,596,821; Fornaca Guido. Apparatus for use in rectifying cylinder bores. Issued 8-17-26. (38)
1,596,939; All. Magnet Werk GmbH Eisenach. Spezialfabrik fur elektromagnet apparate internal combustion locomotive Issued 8-24-26. (28)
1,596,977; All. Topf J A & Soehne. Apparatus for aerating seed drums. Issued 8-24-26. (28)
1,597,041; All. Motorenwerke Mannheim A G Vorm. Benz abt stationarer motorenbau Internal combustion engine with ignition chamber. Issued 8-24-26. (28)
1,597,176; All. Waggonfabrik A G Gauge drilling means. Issued 8-24-26. (28)
1,597,289; Reinhold Hermann Metal bedstead. Issued 8-24-26. (28)
1,597,324; Mauser Alfons. Container such as barrel drum or the like. Issued 8-24-26. (28)
1,597,369; All. Durkoppwerke A G. Sewing machine for making festoons. Issued 8-24-26 (28)
1,597,526; Krauss Friedrich Emil Cartridge for fire extinguishers and the like. Issued 8-24-26. (28)
1,597,528; Lauenstein Otto. Device for wrapping irregularly shaped objects Issued 8-24-26. (28)
1,597,602; Klein Paul. Transfer. Issued 8-24-26. (34)
1,597,635; Stickdorn Robert. Apparatus for cleaning conduits, etc. Issued 8-24-26. (28)
1,597,702; All. Gessner Ernest A G. Drying device for tubular fabrics. Issued 8-31-26. (28)
1,597,718; Bringhenti Plinio. Apparatus for recovering heat from coke slags ashes and other solid substances. Issued 8-31-26. (38)
1,597,727; All. I G Farbenindustrie A G. Film. Issued 8-31-26. (28)
1,597,730; Seidel Arnold. Change spur gearing especially for motor driven vehicles. Issued 8-31-26. (28)
1,597,731; Seiffert Otto. Automatically gripping chuck. Issued 8-31-26. (6)
1,597,749; Wolf Willy. Business book. Issued 8-31-26. (28)
1,597,760; Burstyn Walther. Vapor relay circuit controller. Issued 8-31-26. (28)
1,597,787; Hausser Friedrich et al; Ellerbusch Hermann. Method of and apparatus for regulating the fuel supply in internal combustion engines. Issued 8-31-26 (28)
1,597,802; Kaltenbach Hans. One blade reamer. Issued 8-31-26. (28)
1,597,818; All Jos Pe Farbenphoto GmbH Art of multiple color photography Issued 8-31-26. (28)
1,597,824; Reiter Peter. Heatable soldering copper with automatic solder supply by means of piston pressure. Issued 8-31-26 (28)
1,597,935; Turck Eugen. Table cover and process for manufacturing the same. Issued 8-31-26. (28)
1,597,964; Gluud Wilhelm. Method of removing sulphureted hydrogen from gases. Issued 8-31-26. (28)
1,598,018; 3/4 Koholyt Firm A G. Process of electrolytic decomposition of chlorides. Issued 8-31-26. (28)
1,598,035; Barabino Adolpo et al; Graeve Francesco. Machine for the manufacture of small packings. Issued 8-31-26. (38)
1,598,085; Kirschmann Leopold. Apparatus for heating and cooling victuals or beverages. Issued 8-31-26. (28)
1,598,089; Langkopf Theodor. Apparatus for hermetically closing preserve glasses. Issued 8-31-26 (28)
1,598,157; All. Berlin Karlsruher Industriewerke A G. Apparatus for spinning artificial silk. Issued 8-31-26. (28)
1,598,205; Lichtner Rudolph. Devise for dying suspended hank yarn. Issued 8-31-26 (38)
1,598,246; Meyer Robert. Method of combining leather and caoutchouc. Issued 8-31-26 (28)
1,598,276; Goldschmidt Julius. Direction indicator for motor vehicles. Issued 8-31-26 (28)
1,598,301; Mugler Julius. Evaporator plant Issued 8-31-26 (28)
1,598,390; All. Stettiner Chamotte Fabrik A G; Vormals Didier. Apparatus for incinerating refuse. Issued 8-31-26. (28)
1,598,452; All. Felten and Guilleaume Carlswerk A G Method of manufacturing uniformly loaded conductors. Issued 8-31-26. (28)
1,598,463; Vogel Ernst. Switching apparatus for pumping plants comprising a plurality of electrically operated pumps. Issued 8-31-26 (6)
1,598,473; Breisig Albert. Complete gasification of bituminous fuel. Issued 8-31-26 (6)
1,598,497; Oswald Fritz. Devise for advertising purposes. Issued 8-31-26 (28)
1,598,539; All. Maybach Motorenbau Firm GmbH. Carburetor. Issued 8-31-26 (28)
1,598,632; All Wimmer Firm & Co. Electric igniter. Issued 9-7-26 (28)
1,598,692; Sachau Henry Johannes Karl Feed regulating apparatus for sausage filling machines Issued 9-7-26. (28)
1,598,707; All. Koepp & Co Rudolph Process for the production of hydrocyanic acid Issued 9-7-26. (28)
1,598,734; Lichtenberg Jakob Safety device for mine cages Issued 9-7-26 (28)
1,598,775; Jensen Christian Peter. Doercher. Issued 9-7-26 (28)
1,598,952; All. Sachsische Maschinenfabrik Vorm Preparatory worsted spinning. Issued 9-7-26. (28)
1,599,011; Hohn Gerhard. Sock suspender garter or the like. Issued 9-7-26 (28)
1,599,192; Wikschtrom Jakob. Machine for manufeaturing wire tacks. Issued 9-7-26 (28)
1,599,250; Schatz Anton. Partitioned pedestal of armored concrete for masts. Issued 9-7-26 (28)
1,599,358; Bergmann Max et al; Immendorfer Eugen C. Process for removing the hair from green hides. Issued 9-7-26 (28)

1,599,363; All. I. G. Farbenindustrie A G. Recovering sulphur. Issued 9-7-26. (28)
1,599,386; Wever Fritz Dec. Machine for making feather lined and similar material. Issued 9-7-26. (28)
1,599,387; Wever Fritz Dec. Feather feeding device. Issued 9-7-26. (28)
1,599,388; Wever Fritz Dec. Feather feeding apparatus. Issued 9-7-26. (28)
1,599,406; All. Lanz Heinrich AKG. Waste heat boiler. Issued 9-14-26 (28)
1,599,407; All. Lanz Heinrich AKG. Steam superheater. Issued 9-14-26. (28)
1,599,469; All. Klein Johanna. Sham motor cycle for amusement purposes. Issued 9-14-26. (28)
1,599,481; Marcuse Adolf. Solar heater. Issued 9-14-26. (28)
1,599,681; Seligmann Arthur. Apparatus for drying and cooling gases preferably for the purpose of liquefaction of gas. Issued 9-14-26. (28)
1,599,751; All. Franken Herm AKT GES. Dust preventing emptying device for dustbins. Issued 9-14-26. (28)
1,599,813; Fischer H & Co. Sounding wheeled toy. Issued 9-14-26. (28)
1,599,897; Kanta Robert. Device for conveying medicaments for the disinfection of the urethra and its vicinity. Issued 9-14-26. (6)
1,599,912; Naujoks Rudolf. Electric cooking device. Issued 9-14-26. (28)
1,599,959; Fujimoto Buheiji. Atomizer. Issued 9-14-26. (39)
1,599,970; Meinke Max. Spinning apparatus. Issued 9-14-26. (28)
1,599,980; Dechend Hermann V. Rontgen tube and system and method for operating the same. Issued 9-14-26. (28)
1,600,088; Burstyn Walther. Mechanical rectifier. Issued 9-14-26. (28)
1,600,112; All. Schrauben und Schmiedewarenfabriks Industrie GmbH. Screw rolling machine. Issued 9-14-26. (6)
1,600,149; Surjaninoff Michael. Water tight bearing. Issued 9-14-26. (6)
1,600,160; Bartholome Robert. Pneumatic playing device for musical instruments. Issued 9-14-26 (28)
1,600,293; Namiki Ryosuke. Method of working upon surfaces of ebonite articles. Issued 9-21-26. (39)
1,600,332; Haslauer Josef. Voltmeter. Issued 9-21-26. (28)
1,600,339; All. Climax Werke A G AM AM Eskenberg. Pipe bending machine. Issued 9-21-26. (28)
1,600,353. Nose Toichi. Process of constructing culverts or pipes of concrete. Issued 9-21-26. (39)
1,600,407; All. Deckel Friedrich Pracisionsmechanik and Maschinenbau. Camera shutter. Issued 9-21-26. (28)
1,600,419; Mainelli Roberto. Rudder with horizontal axis. Issued 9-21-26. (38)
1,600,449; Ahlborn Carl. Automatic coupling for motor cars or other vehicles. Issued 9-21-26. (28)
1,600,478; Lawaczeck Franz. Electrolytic apparatus. Issued 9-21-26. (28)
1,600,523; All. Wittkop & Co. Saddle for bicycles, motor bicycles and the like. Issued 9-21-26. (28)
1,600,834; All. Junkers Hugo. Supporting structure for flying machines. Issued 9-21-26. (28)
1,600,903; Nordmann Max I. Holder for pencils, crayons and the like. Issued 9-21-26. (28)
1,601,042, Rosa Ferdinando. Electroscope and charging device therefor. Issued 9-28-26. (38)
1,601,196; Wolff Anton Wilhelm. Wire bale fastening apparatus Issued 9-28-26. (28)
1,601,214; All. Schnellpressenfabrik A G Heidelberg. Printing press. Issued 9-28-26. (28)
1,601,244; Falck Richard. Process for the production of solid alcohol structure soaps. Issued 9-28-26. (28)
1,601,245; Fornaca Guido. Coupling of tractors and trailers. Issued 9-28-26. (38)
1,601,253; Lumpp Jacob. Coiling machine for making paper tubes. Issued 9-28-26. (28)
1,601,265; Schlesinger Georg. Apparatus for manufacturing bands of veneer. Issued 9-28-26. (28)
1,601,287; Bertinetti Giovanni. Printing plate for duplicating machines. Issued 9-28-26. (38)
1,601,329; Siesazeck Carl. Rolling in tool for tubes. Issued 9-28-26. (28)
1,601,384; Vianello Emilio. Steam regenerating system. Issued 9-28-26. (38)
1,601,385; Wagner Heinrich. Vehicle coupling. Issued 9-28-26. (28)
1,601,440; All. Schmidt Sche Heissdampt GmbH. Method and apparatus for the generation of steam. Issued 9-28-26. (28)
1,601,447; Huck Robert. Skeleton for articulated toys especially dolls. Issued 9-28-26. (28)
1,601,464; Wille Friedrich. Ball game. Issued 9-28-26. (28)
1,601,526; Giehler Fritz. Shuttle. Issued 9-28-26. (28)
1,601,533; Klima Rudolf et al; Reischenbacher Hans. 1 snowplow for locomotive or railway engines. Issued 9-28-26. (6)
1,601,561; Coerper Wilhelm. Boot nailing machine. System of taking photographic and cinematographic pictures. Issued 9-28-26. (28)
1,601,917; Kinvall Hjalmar. Three wheeled motor vehicle. Issued 10-5-26. (28)
1,602,043; Priffner Emil. Arrangement for carrying off heat. Issued 10-5-26. (34)
1,602,070; Dragonetti Giovanni. Selenium cell without inertia. Issued 10-5-26. (38)
1,602,100; Carbone Tito Livio. Dec. Electric arc lamp. Issued 10-5-26. (28)
1,602,162; Monti Eudo. Pomace extract. Issued 10-5-26. (38)
1,602,163; Monti Eudo. Process of digesting and concentrating protein and preparing nonalcoholic drug extracts. Issued 10-5-26. (38)
1,602,236; All. Borsig, A GmbH. Valve. Issued 10-5-26. (28)
1,602,238; All. Quarzlampen GmbH. Mercury vapor apparatus. Issued 10-5-26. (28)
1,602,252; Ritzmann Albin. Hair cutting machine. Issued 10-5-26. (28)
1,602,253; Runkel Roland. Method of producing half stuffs and cellulose from vegetable fibers. Issued 10-5-26. (28)
1,602,259; Toyoda Kiichiro. Shuttle magazine for automatic looms. Issued 10-5-26. (39)
1,602,266; All. Spezial Bronzen und Metaliwalzwerk. Soldering bit. Issued 10-5-26. (6)
1,602,285; Schaber Fritz. Manifolding apparatus. Issued 10-5-26. (28)
1,602,301; Guttner Georg. Universal pump. Issued 10-5-26. (28)
1,602,308; Maly Hermann. Process of spinning drawing and doubling yarn. Issued 10-5-26. (28)
1,602,310; Melamid Michael. Splitting up of tars crude mineral oils and the like. Issued 10-5-26. (28)
1,602,355; Frank Paul A R. Method of treating sounding boards of stringed instruments. Issued 10-5-26. (28)
1,602,464; All. Kruckenberg Franz. Running gear for high speed suspension cars. Issued 10-12-26. (28)
1,602,489; Hochstetter Ferdinand; et al. Schmeidel Gustaf. Method or process of permanently preserving animals and plants. Issued 10-12-26. (6)
1,602,615; Jager Emil. Loom for weaving wire. Issued 10-12-26. (28)
1,602,662; Hackenberg Johann. Means for driving dynamos from vehicle wheel axles. Issued 10-12-26. (28)
1,602,859; Sikor Karl Otto. High frequency device for electromedical objects. Issued 10-12-26. (6)
1,602,908; Kohl Raimund. Clamping device for filing documents. Issued 10-12-26. (6)
1,602,921; Metzger Carl et al; Lutschen Ewald. Condenser. Issued 10-12-26. (28)
1,602,971; Fornaca Guido. Motor vehicle. Issued 10-12-26. (38)
1,602,994; Vigo Giovanni. Means for controlling electric circuits in automotive vehicles. Issued 10-12-26. (38)
1,602,998; Bertolotto Luigi. Annunciator for automobiles. Issued 10-12-26. (38)
1,603,080; All. Hoshino Shozaburo. Process for manufacturing artificial silk. Issued 10-12-26. (39)
1,603,110; Horten Alphons. Field watering plant. Issued 10-12-26. (28)
1,603,154; Schmierer Johannes Michael. Multiple fuse with rotary switch. Issued 10-12-26. (28)
1,603,228; Woerner Eugen. Oil pressure pump. Issued 10-12-26. (28)
1,603,327; Dickmann August. Pocket glass. Issued 10-19-26. (28)
1,603,364; Tamini Mario. Means for tightening the glands of stuffing boxes. Issued 10-19-26. (38)
1,603,427; Thormann Rudolf. Pendulum for clocks. Issued 10-19-26. (28)
1,603,474; Kirschmann Leopold. Cooling and freezing vessel. Issued 10-19-26. (28)
1,603,475; Kruckenberg Franz. Arrangement for the intensive transportation of persons. Issued 10-19-26. (28)
1,603,484; Meissner Arthur. Belt clamp. Issued 10-19-26. (28)
1,603,508; Brand Albert. Closure for containers. Issued 10-19-26. (28)
1,603,565; Voss Walter. Drop closure for bottles receptacles or the like. Issued 10-19-26. (28)
1,603,599; Heibel Alois. Power machine with helically curved blades to form correspondingly shaped compartments. Issued 10-19-26. (6)
1,603,612; Krautzberger Albert. Air and color spraying apparatus. Issued 10-19-26. (28)
1,603,647; Stender Friedrich. Machine tool. Issued 10-19-26. (28)
1,603,676; Forster Franz August Gerhard. Piano having quarter tones. Issued 10-19-26. (28)
1,603,776; Joly Franz Marie Joseph. Filing system. Issued 10-19-26. (39)
1,603,793; Otto Carl. Coke oven and process of operating same. Issued 10-19-26. (28)
1,603,803; Przedecki Ludwig. Straw band for the manufacture of cigarette mouthpieces. Issued 10-19-26. (28)
1,603,840; Corsi Luigi. Means of gasifying heavy fuel in two stroke engines. Issued 10-19-26. (38)
1,603,866; Rohrbach Adolf. Flying boat. Issued 10-19-26. (28)
1,603,998; All. Schmidt Sche Heissdampf GmbH. Manhole closure. Issued 10-19-26. (28)
1,604,058; Mager Herbert. Arrangement for roasting grinding and cooking coffee or the like. Issued 10-19-26. (6)
1,604,059; Matsumoto Shigeru Metallic link belt. Issued 10-19-26. (39)
1,604,089; Topfl Franz. Machine for testing springs. Issued 10-19-26. (28)
1,604,150; Klinkmann Ernest. Device for winding cylindrical wire. Issued 10-26-26. (28)
1,604,150. Klinkmann Ernest. Device for winding cylindrical wire. Issued 10-26-26. (28)
1,604,186; All. Lechler Paul. Gasometer. Issued 10-26-26. (28)

1,604,204; Tessky Karl. Stop for tool slides. Issued 10-26-26. (28)
1,604,246; Toyoda Kiichiro. Firn bobbin winding machine. Issued 10-26-26. (39)
1,604,332; Bruhn Frederich Silhelm Gustav. Locking mechanism for taximeter control levers. Issued 10-26-26. (28)
1,604,395; Ekert Fred M. Production and composition of porcelain. Issued 10-26-26. (28)
1,604,468; Mundorf Emil. Washing fulling and dyeing of fabrics. Issued 10-26-26 (28)
1,604,488. Seck Willy. Rotary valve. Issued 10-26-26. (28)
1,604,489; All. Seifert Franz Co. Method of making pipe bends. Issued 10-26-26. (28)
1,604,518; Kallmeyer Ernst. Catheter. Issued 10-26-26. (28)
1,604,544; Arnone Luigi. Special carbon for the starting of a voltaic arc with ultra violet rays. Issued 10-26-26. (38)
1,604,673; Andreas Arno. Compound drum mill. Issued 10-26-26. (28)
1,604,698; Kirchhof Arthur. Process of treating aluminum to facilitate the welding and soldering thereof. Issued 10-26-26. (28)
1,604,726. Strauter Daniel. Cutting apparatus with trailing cut for mowing machines. Issued 10-26-26. (28)
1,604,727; Volke Carl. Support for tourists cookers Issued 10-26-26. (28)
1,604,733; Baader Rudolph. Apparatus for boning large sized fish. Issued 10-26-26. (28)
1,604,738; All Deutsche Verkohlungs & Destillation Carbonizing apparatus. Issued 10-26-26. (28)
1,604,913; Hattingberg Walther Spring button fastening. Issued 10-26-26. (28)
1,604,930; All. Lechler Paul Firm. Method of treating paints. Issued 10-26-26. (28)
1,604,984; Fornaca Guido Gear cutting machine Issued 11-2-26 (38)
1,605,019; Wolf Paul. Electric headlamp more particularly for miners. Issued 11-2-26. (28)
1,605,025; Hilderbrandt Hermann. Comminuting and mixing of substances of all kinds. Issued 11-2-26. (28)
1,605,036; Junkers Hugo. Flying machine. Issued 11-2-26 (28)
1,605,039; Krantz Hubert. Tentering and drying machine. Issued 11-2-26. (28)
1,605,045; All. Junkers Hugo. Wing of flying machines. Issued 11-2-26. (28)
1,605,194; Kopf Carl. Machine for manufacturing flexible metal pipes. Issued 11-2-26. (28)
1,605,229; All. Schmidt, Sche Heissdampf Ges. Steam and water collector for high pressure boilers Issued 11-2-26. (28)
1,605,346; Herrmann Emil et al; Kaufman Karl. Elastic vehicle wheel. Issued 11-2-26. (28)
1,605,350; Klisch Gustav. Dust guard for motor cars. Issued 11-2-26. (28)
1,605,380; Wagner Fritz. Balanced valve. Issued 11-2-26 (28)
1,605,399; Fornaca Guido. Spring controlled valve. Issued 11-2-26. (38)
1,605,419; All. Chemische Fabrik Dr Hugo. Process for the manufacture of tartaric acid Issued 11-2-26. (34)
1,605,593; Kiss Eescgi Stefan. Manufacture of unwelded chains. Issued 11-2-26. (6)
1,605,671; Leroi Alfred. Handle for cold and hot water cocks Issued 11-2-26. (28)
1,605,727; Hilscher Curt. Apparatus for the production of horizontal stripes on the circular knitting frame. Issued 11-2-26. (28)
1,605,781. Rogowski Walter et al; Grosser Walter. Glowing cathode oscillograph. Issued 11-2-26. (28)
1,605,844. Jurges Ernst. Furnace. Issued 11-2-26 (28)
1,605,881; All. Bek Ernst Gideon. Ring mesh machine. Issued 11-2-26. (28)
1,605,886; All. Getriebebau GmbH. Variable feed gear. Issued 11-2-26. (28)
1,605,911; Banneitz Fritz. Electrostatic apparatus. Issued 11-9-26. (28)
1,605,948. Herzog Eugen. Grating or lattice for shutting off the queen in a beehive. Issued 11-9-26. (28)
1,606,390; All. Pharos Feuerstatten GmbH. Gas heater. Issued 11-9-26. (28)
1,606,482, Schufftan Eugen. Method and apparatus for producing composite motion pictures. Issued 11-9-26. (28)
1,606,483; Schufftan Eugen. Making motion pictures Issued 11-9-26. (28)
1,606,591; Muller Friedrich. Internal combustion engine working with auxiliary pump cylinders. Issued 11-9-26 (6)
1,606,636; All Ansaldo S A. Device permitting a closing variation of the sprayer S needle in Diesel motors Issued 11-9-26. (38)
1,606,678; von Marsovszky Jeno Tread operated circuit closer. Issued 11-9-26. (34)
1,606,812; Schieke Hubert. Carburetor Issued 11-16-26 (28)
1,606,834; All. Muller Johann Carl Firm. Means for packaging flat cigarettes Issued 11-16-26. (28)
1,606,861; All Wolf Georg GmbH Gastroscope. Issued 11-16-26. (28)
1,606,908; All. Ruppel Bros. Metallwarenfabrik firm Flying machine propeller. Issued 11-16-26 (28)
1,607,004; Kramer Erwin Sound recording and reproducing apparatus Issued 11-16-26 (28)
1,607,044; Bergmann Karl. Film pack Issued 11-16-26. (28)
1,607,175; Seifert Karl Adolf. Petroleum cooking and heating device Issued 11-16-26. (28)
1,607,191. Ferri Mario et al; Pascale Francesco. Advertising cash tray. Issued 11-16-26. (38)
1,607,192; All. Fischer H & Co. Jumping toy figure. Issued 11-16-26. (28)
1,607,202; Lichtenfeld Leopold. Parquet flooring Issued 11-16-26. (6)
1,607,260; Kruckenberg Franz Means for avoidance of side oscillations of monorail cars. Issued 11-16-26 (28)
1,607,433; Carbone Tito Livio. Electric arc lamp Issued 11-16-26. (28)
1,607,453; Gammay Hermann. Process for the production of camphor from isoborneol. Issued 11-16-26 (28)
1,607,493; Uhthoff Eduard. Type line setting and casting machine. Issued 11-16-26 (28)
1,607,567; Shimidzu Hanbey. Dry battery. Issued 11-16-26 (39)
1,607,666; De Haen Wilhelm. Process of manufacturing colloidal phosphate fertilizers. Issued 11-23-26. (28)
1,607,693; Schaffert Hubert. Furnace charging mechanism. Issued 11-23-26. (28)
1,607,696; Schroeder Curt et al; Keil Alfred. Tooth paste and process of making same. Issued 11-23-26 (28)
1,607,701; All. Vogtlandische Maschinenfabrik. Embroidering machine. Issued 11-23-26. (28)
1,607,734; Fortini Arturo. Hoisting mechanism. Issued 11-23-26. (38)
1,607,748; All. Buchloh & Renkhoff GmbH. Tiltable sliding seat for bicycles. Issued 11-23-26. (28)
1,607,754; All. Hoh & Hahne Firm. Oscillable stand for reproduction cameras. Issued 11-23-26 (28)
1,607,768; Meusel Hans Bronzing instrument. Issued 11-23-26 (28)
1,607,794; Lorant Fery Chin rest for violins. Issued 11-23-26. (28)
1,607,939; Bergius Friedrich. Process for hydrogenating and cracking hydrocarbons carbonaceous matters and the like. Issued 11-23-26 (28)
1,608,009; Strub Otto Hermann. Toy building blocks and the like. Issued 11-23-26. (28)
1,608,012; All. Wolters Otto. Composing punching machine for the production of registering strips for automatic type line casting machines. Issued 11-23-26. (28)
1,608,077; Wieser Heinrich Jr. Antiskid tire Issued 11-23-26. (28)
1,608,695; Franchetti Alessandro. Fuel pump for internal combustion engines. Issued 11-23-26. (38)
1,608,147; All. Trocknungs Anlagengesellschaft mbH Method and apparatus for withdrawing water from substances and immediately thereafter binding the water Issued 11-23-26. (28)
1,608,169; Hayward John Thompson. Rotary well drilling machinery. Issued 11-23-26 (57)
1,608,174; Heymann Hans. Dynamic testing means for building material. Issued 11-23-26 (28)
1,608,210; Heitmann Otto. Tunnel oven for the coking or distillation of fuels. Issued 11-23-26 (28)
1,608,269; Freund Johann Friedrich. Xray apparatus Issued 11-23-26. (28)
1,608,341; Schrauth Walther et al; Hausamann Hermann. Fat splitting agent and process for splitting fats. Issued 11-23-26 (28)
1,608,384; Giehler Gustav Friedrich. Loom Issued 11-23-26 (28)
1,608,385; Giehler Gustav Friedrich. Driver or picker apparatus for looms. Issued 11-23-26. (28)
1,608,434; All. Felten and Guilleaume Carlswerk A G Magnetizable material. Issued 11-23-26 (28)
1,608,446; Weber Carl Otto. Appliance for grinding milling boring machines and the like Issued 11-23-26. (28)
1,608,455; Zecha Aois et al; Zecha Franz Tin opener. Issued 11-23-26. (6)
1,608,604; All. Wolf Georg GmbH. Device for photographing the interior of tubes and cavities in the body. Issued 11-30-26 (28)
1,608,799. Marschner Eugen. Mercury arc rectifier Issued 11-30-26. (28)
1,608,854; Haas Hermann. Drying apparatus Issued 11-30-26. (28)
1,608,874; Yumura Gentaro. Ice box Issued 11-30-26. (39)
1,608,881; Horii Shinjiro. Stencil sheet Issued 11-30-26. (39)
1,608,904; Muller Heinrich. Fabric covered toy figure. Issued 11-30-26 (28)
1,608,996; Reiser Heinrich. Means for cooling the masonry for coal dust furnaces Issued 11-30-26. (28)
1,609,084; All. I G Farbenindustrie A G. Vat dyestuffs of the anthraquinone series and process of making same. Issued 11-30-26 (28)
1,609,119; Kassner Ernst. Ribbon reversing mechanism Issued 11-30-26. (28)
1,609,131; Schneider John Josef. Bearing with roller lubricators. Issued 11-30-26 (28)
1,609,133; Seo Keiichi. Process of clarifying sugar solutions Issued 11-30-26 (39)
1,609,169; Horn Guido. Mechanism for regulating the tension in machines for winding and conveying strips of fabric and similar goods. Issued 11-30-26. (28)
1,609,232; Weil Valentin. Color photography Issued 11-30-26 (28)
1,610,698; All. Dahlen Josef. Tube scraper Issued 12-14-26 (28)
1,611,344; All. Ihagee Kamerawerk Steenbergen Co Photographic camera. Issued 12-21-26. (28)

1,611,545; All Maybach Motorenbau GmbH. Mechanism for actuating motor clutches in motor vehicles. Issued 12-21-26. (28)
1,611,969; All. I G Farbenindustrie A G. Process for producing high grade half stuff. Issued 12-28-26. (28)
1,612,110; All. Kletzsch Edmund. Screw propeller. Issued 12-28-26 (28)
1,612,231; All. Steinmuller Firm L and C. Cleaning device for moving grates. Issued 12-28-26. (28)
1,612,479; All. Russfabrik Kahl Frim. Manufacture of lampblack cartridges and the like. Issued 12-28-26. (28)
1,612,774; All. I G Farbenindustrie A G. Process for obtaining liquids in a solid state. Issued 12-28-26. (28)
1,612,771; Pfeiffer Oswald. Collapsible grid. Issued 12-28-26. (28)
1,612,819; Huber Gustav. Seam for sewing together and covering for knitted and woven fabrics. Issued 1-4-27. (28)
1,612,820; Huber Gustav. Production of overseams. Issued 1-4-27. (28)
1,612,821; Huber Gustav. Sewing machine. Issued 1-4-27. (28)
1,612,824; Kuhne Joseph. Connecting rod bearing Issued 1-4-27. (28)
1,612,866; All. Schmidtsche Heissdampf Ges H Locomotive boiler. Issued 1-4-27. (28)
1,612,888; Schneggenburger Gunther. Pump with camcontrolled plungers. Issued 1-4-27. (28)
1,612,968; Dick Hermann. Two stroke cycle motor. Issued 1-4-27. (28)
1,613,082; All. Standard Compositor A G. Device for distributing the matrices patrices and the like for typographic machines. Issued 1-4-27. (28)
1,613,090; Fornaca Guido. Self centering chuck. Issued 1-4-27. (38)
1,613,127; Reyneri Carlo. Spoked wheel consructed of pressed or stamped metal sheets. Issued 1-4-27. (38)
1,613,149; All. I G Farbenindustrie A G. Decorticating device. Issued 1-4-27. (28)
1,613,172; All. Maschinenfabrik G Hausherr E Pneumatic tool. Issued 1-4-27. (28)
1,613,192; Pulz Willy. Weighing machine. Issued 1-4-27. (28)
1,613,195; All. Bing Werke Vorm Gebr Bing A G. Key mechanism for typewriting machines. Issued 1-4-27. (28)
1,613,201; Schufftan Eugen. Apparatus for composite cinematography. Issued 1-4-27. (28)
1,613,205; Soncini Cesare; Castelli Vittorio. Automatic firearm with recoiling barrel. Issued 1-4-27 (38)
1,613,210; Warschau Hans Albert Friedrich. Engine or pump. Issued 1-4-27. (28)
1,613,235; Maueler Wilhelm. Lacquering or varnishing apparatus. Issued 1-4-27. (28)
1,613,301; Umetsu Tadayoshi. Gyroscopic device. Issued 1-4-27. (39)
1,613,348; Falkenthal Erwin. Supporting surface for flying machines parachutes and the like; rudder surfaces and protecting surfaces. Issued 1-4-27. (28)
1,613,378; Boniforti Carlo. Cut film magazine. Issued 1-4-27. (38)
1,613,379; Boniforti Carlo. Cut film pack. Issued 1-4-27. (38)
1,613,412; All. Sachsenwerk Lichtund Kraft A G Oil insulated transformer. Issued 1-4-27. (28)
1,613,459; All. Himmelsbach Gebr A G. Process of treating wood. Issued 1-4-27. (28)
1,613,494; Von Lepel Egbert. Current converter. Issued 1-4-27. (28)
1,613,515; All. Vobach Willy. Method of producing cromophotographs on paper and chromodiapositives. Issued 1-4-27. (28)
1,613,531; All. Grill Eugen. Washing and mixing liquids. Issued 1-4-27. (28)

1,613,569; All. Chemosan A G. Process for the production of solutions mercury derivatives of hydroxy sulpho benzoic acids. Issued 1-4-27. (6)
1,613,583; All. Leitz Ernst Optische Werke. Illuminator for microscopes. Issued 1-4-27. (28)
1,613,618; Muller Friedrich. Multiple cylinder internal combustion engine. Issued 1-11-27. (6)
1,613,716; Mylaeus Carl. Adjustable support for branches. Issued 1-11-27. (28)
1,613,962; Schworetsky Gustav; Method of testing pressure storage vessels. Issued 1-11-27. (28)
1,613,972; Uhthoff Eduard. Typeline setting and casting machine. Issued 1-11-27. (28)
1,614,007; Mangold Hans. Toy figure. Issued 1-11-27 (28)
1,614,008; Martinetto Vittorio. Asynchronous induction electric machine. Issued 1-11-27. (38)
1,614,009; Martinetto Vittorio. Asynchronous machine. Issued 1-11-27. (38)
1,614,022; Teichmann Karl. Closure for preserving vessels and the like. Issued 1-11-27. (28)
1,614,043; Rehfeldt August. Ironing horse for sleeves. Issued 1-11-27. (28)
1,614,053; Wenzel Heinrich. Gun, Issued 1-11-27. (28)
1,614,059; Bilz Anton. Pile arrangement in sheet feeding apparatus. Issued 1-11-27. (28)
1,614,062; Engler Rudolf. Driving gear for paper sievestretching machine. Issued 1-11-27. (28)
1,614,067; Heublein Wilhelm Oskar.; Ampulla for injection liquids comprising separated compartments. Issued 1-11-27. (28)
1,614,069; Kesser Fritz. Flushing and disinfecting apparatus for spittoons. Issued 1-11-27. (28)
1,614,070; Kleinwort Heinrich. Machine for cutting and dredging ditches. Issued 1-11-27. (28)
1,614,071; Klohn Karl. Hinge for doors and windows. Issued 1-11-27. (28)
1,614,088; Spiess Georg. Sheet feed mechanism for folding Nes machines printing machines and the like. Dornier Claudius Girder. Issued 1-11-27. (28)
1,614,164; Von Littrow Hans et al; Zehl Franz Hermann. Windshield wiper. Issued 1-11-27. (28)
1,614,195; All. Boehringer C H and Sohn. Process for the manufacture of esters of oxy acids. Issued 1-11-27. (28)
1,614,200; Kattwinkel Hans. Manufacture of friction bodies for brakes and clutches. Issued 1-11-27. (28)
1,614,210; Schmitt Nicolaus. Method of manufacturing water tight electric fuses. Issued 1-11-27. (28)
1,614,257; Scheffler Fritz. Mine signal plant. Issued 1-11-27. (28)
1,614,311; Linner Eugen. Bottle stopper. Issued 1-11-27. (34)
1,614,316; Petersen Johannes. Boats crane. Issued 1-11-27. (28)
1,614,395; Roemer Curt. Cleaning device for tenter chains. Issued 1-11-27. (28)
1,614,479; Leinweber Adolf. Matrix Holder. Issued 1-18-27. (28)
1,614,519; All. Luftschiffbau Zeppelin GmbH. Airship with structural compensating surfaces. Issued 1-18-27. (28)
1,614,573; Regelein Wilhelm et al; Glaubitz Authur. Oscillation meter. Issued 1-18-27. (28)
1,614,636; Wachtel Wilhelm. Apparatus for transforming gelatinic colloids into globules or pearls. Issued 1-18-27. (28)
1,614,738; Koerner Ewald. Cigarette making machine. Issued 1-18-27. (28)
1,614,760; All. Behringer Matthaus. Apparatus for dental surgery. Issued 1-18-27. (28)
1,614,841; All. Kruckenberg Franz. Braking arrangement for highspeed suspension railway. Issued 1-18-27. (28)
1,614,842; All. Kruckenberg Franz. Emergency braking arrangement for high speed suspension railway. Issued 1-18-27. (28)
1,614,856; Overbeck Wilhelm Jr. Guard for motor cars against rope obstructions. Issued 1-18-27. (28)
1,614,858; All. Krupp Fried Germaniawerft AG. Diaphragm sounder Issued 1-18-27. (28)
1,614,906; Von Leper Egbert. Current converter for ignition system. Issued 1-18-27. (28)
1,614,950; All. Bergedorfer Eisenwerk AG. Sterilizing device. Issued 1-18-27. (28)
1,615,029; All. Gottlieb Liebender. Method of automatically manufacturing knotted or tufted carpets. Issued 1-18-27. (28)
1,615,086; Junker Otto. Mold for casting metals. Issued 1-18-27. (28)
1,615,102; Schwalbe Carl Gustav. Method of utilizing waste sulphite cellulose lye. Issued 1-18-27. (28)
1,615,107; Buddenberg Gerhard. Veneer jointing machine. Issued 1-18-27. (28)
1,615,124; Hoffmann Oswald. Process for dyeing yarns. Issued 1-18-27. (28)
1,615,128; All. Maglrus C D A G. Mast or support for life saving apparatus. Issued 1-18-27. (28)
1,615,143; Weis Edmund (6); Serravallo Vittorio et al. Motor fuel testing composition. Issued 1-18-27. (38)
1,615,146; Spindler Heinrich. Process for washing and cleaning fabrics and the like. Issued 1-18-27. (28)
1,615,159; All. Schottler Josef. Knapsacklike carrying frame and camp stool. Issued 1-18-27. (28)
1,615,176; All. Rosenthal Hugo. Belt fastener. Issued 1-18-27. (6)
1,615,179; Steinmetz Georg. Paper clip. Issued 1-18-27. (28)
1,615,223; All. Elektrotrennmaschinen GmbH. Method of disintegrating or cutting to pieces or demolishing wrecked ships or the like. Issued 1-25-27. (28)
1,615,227; All. Lehmann Ernst Paul Patentwerk. Locking means for the spring drums of clockwork mechanisms. Issued 1-25-27. (28)
1,615,248; All. Vogel and Halke firm. Weighing apparatus. Issued 1-25-27. (28)
1,615,295; All. Klein Friedrich Wilhelm. Electromagnetic light bathing apparatus. Issued 1-25-27. (28)
1,615,361; De Fries Alfred. Bolt finishing machine. Issued 1-25-27. (28)
1,615,415; All. Haubold C G A G. Fabric feeding apparatus. Issued 1-25-27. (28)
1,615 515; All. Rhenania Verein Chemischer. Process for making barium carbonate. Issued 1-25-27. (28)
1,615,517; Mundorf Emil. Fulled woven fabric. Issued 1-25-27. (28)
1,615,562; Jack Michael. Spout for delivering gas under pressure. Issued 1-25-27. (28)
1,615,588; Korngiebel Gustav. Regulator for the movements of air or smoke in flues. Issued 1-25-27. (28)
1,615,597; Seligmann Arthur. Method for low temperature cooling liquefaction and separation of gases. Issued 1-25-27. (28)
1,615,606; Wohler Lothar. A method for the testing of detonators. Issued 1-25-27. (28)
1,615,626; Jagenberg Emil. Cigarette packing machine. Issued 1-25-27. (28)
1,615,646; All. Beusa Felice. Process of manufacturing dyes. Issued 1-25-27. (38)
1,615,655; Schieferstein Georg Heinrich. Power transformation. Issued 1-25-27. (28)
1,615,656; Schmidt Josef. Swivel plow with subsoil loosener. Issued 1-25-27. (28)
1,615,659; All. I G Farbenindustrie A G. Manufacture of carbon disulphide. Issued 1-25-27. (28)

1,615,675; Bender Walter. Windwheel. Issued Issued 2-1-27. (28)
1,615,679; Bruning Ernst. Agricultural machine. Issued 1-25-27. (28)
1,615,759; Hausle Jacob. Folding ladder. Issued 1-25-27. (6)
1,615,805; Zenker Hermann. Weaving device. Issued 1-25-27. (28)
1,615,920; Steinkellner Walter. Machine for making buttered slices of bread or the like. Issued 2-1-27. (6)
1,616,210; Adler Ernst. Safety razor. Issued 2-1-27. (6)
1,616,228; All. Pintsch Julius A G. Valve Issued 2-1-27. (28)
1,616,239; Stumpf Johann. Method and means for delivering preheated feed water. Issued 2-1-27. (28)
1,616,279; Parode Roberto. Optical device for horizontal panoramic and zenithal view. Issued 2-1-27. (38)
1,616,292; Wilhelm Karl Friedrich. Process for extracting fatty acids from oils and fats. Issued 2-1-27. (28)
1,616,358; All. Hurwitz Hermann & Co. Process of multiplying original records and the plates used in said process. Issued 2-1-27. (28)
1,616,430; Methner Johann. Cutting mechanism for mowers with partly covering hood. Issued 2-1-27. (28)
1,616,468; Raschig Friedrich. Wood preserving composition. Issued 2-8-27. (28)
1,616,667; Peltzer Franz Ferdinand. Auxiliary exhaust valve for uniflow steam engines. Issued 2-8-27. (28)
1,616,723; All. Zeiss Carl Firm. Finder for photographic apparatus. Issued 2-8-27. (28)
1,616,883; Bockholt Germann. Plunger pump Issued 2-8-27. (28)
1,616,922; All. Deutsche Post und Eisenbahn. Rotary printing machine. Issued 2-8-27 (28)
1,617,047; Forner Georg. Steam plant. Issued 2-8-27. (28)
1,617,076; Mauser Alfons. Closure for receptacles. Issued 2-8-27. (28)
1,617,088; Tauschek Gustav. Tabulator particularly for calculating wages. Issued 2-8-27. (6)
1,617,092; Yamamoto Tadaoki et al. Kawarada Masataro. Induction synchronous motor. Issued 2-8-27. (39)
1,617,137; Stehmann Harry. Rotary kiln for burning cement magnesite lime and the like. Issued 2-8-27. (28)
1,617,277; Schmidt Alfred. Manufacture of pipe bends. Issued 2-8-27. (28)
1,617,296; Wolff Friedrich. Safety device for gas and air mixing plants. Issued 2-8-27. (28)
1,617,312; All. Deckel Friedrich Precisionsmechanik. Engraving machine. Issued 2-8-27. (28)
1,617,379; Dorn Conrad. Lifting mechanism for stampers in stamping mills. Issued 2-15-27. (28)
1,617,426; Tomioka Shunjiro. Method of producing paints for fishing nets. Issued 2-15-27. (39)
1,617,434; Binder Karl. Developer for photographic plates films papers and the like. Issued 2-15-27. (28)
1,617,454; Monaco Frederico. Guitar. Issued 2-15-27. (38)
1,617,519; All. Schmidt Sche Heissdampf GmbH. Apparatus for superheating steam by means of a high pressure medium. Issued 2-15-27. (28)
1,617,652; Sato Shizuo. Stethoscope. Issued 2-15-27. (39)
1,617,666; Cattaneo Giustino. Steering mechanism. Issued 2-15-27. (38)
1,617,704; All. Koholyt A G. Process and apparatus for moistening paper. Issued 2-15-27. (28)
1,617,713; All. Maschinenfabrik Augsburg Nuernberg A G. Starting and stopping device for off set printing machines. Issued 2-15-27. (28)
1,617,936; Bamberger Otto. Tube mill and process. Issued 2-15-27. (28)
1,618,079; Gerhard Ferdinand et al; Schumacher Ernst. Producer with cooling water jacket. Issued 2-15-27. (28)
1,618,095; Klages August. Process for the production of nuclear substituted aromatic cyanogen mercury compounds. Issued 2-15-27. (28)
1,618,173; Daiker Richard. Micrometer gauge. Issued 2-22-27. (28)
1,618,197; Hildebrand Wilhelm. Railway brake. Issued 2-22-27. (28)
1,618,230; All. Schmidt Sche Heissdampf GmbH. Steam superheater for steam engines. Issued 2-22-27. (28)
1,618,247; Von Frommer Rudolf. Sporting gun. Issued 2-22-27. (34)
1,618,411; Dornig Walter. Electrical frequency multiplying system. Issued 2-22-27. (28)
1,618,445; Kuhne Joseph. Single stroke heading machine. Issued 2-22-27. (28)
1,618,446; Kuhne Joseph. Method of making cold screw blanks, rivets and similar headed articles. Issued 2-22-27. (28)
1,618,479; Schull Leopold. Driving mechanism for presses. Issued 2-22-27. (6)
1,618,521; Ellert Adolf. Frame for stringed musical instruments. Issued 2-22-27. (28)
1,618,529; All. Maschinenfabrik Kappel Firma. Embroidery machine. Issued 2-22-27. (28)
1,618,535; Jordan Franz. Track brake. Issued 2-22-27. (28)
1,618,536; Junkers Hugo. Erection of the hulls and the like of flying machines. Issued 2-22-27. (28)
1,618,539; Lehner Alfred. Spinning machine. Issued 2-22-27. (28)
1,618,545; Mann Victor. Roller sluice. Issued 2-22-27. (28)
1,618,671; Pick Hans. Diaphragm valve. Issued 2-22-27. (28)
1,618,808; Burg Eugen. Apparatus for burning powdered fuel. Issued 2-22-27. (28)
1,618,836; Kurtosay Laszlo. Automatic coupling for railway vehicles. Issued 2-22-27. (34)
1,618,842; Von Der Marwitz Hugo. Device for filing letters and the like. Issued 2-22-27. (28)
1,618,889; All. Dubelwerke GmbH. Driver for driving thin walled dowels into railway sleepers. Issued 2-22-27. (28)
1,618,898; Uhlhoff Eduard. Type line setting and casting machine. Issued 2-22-27. (28)
1,618,905; Bacilsch Felix et al; Stober Alfred. Smoke damper. Issued 2-22-27. (28)
1,618,931; Kammerer Hermann. Process for producing photographic papers for making prints from tracings. Issued 2-22-27. (28)
1,618,934; Kuhn Paul. Smelting and refining of iron steel other metals in open hearth furnaces. Issued 2-22-27. (28)
1,618,950; All. Kupker Georg. Football. Issued 2-22-27. (28)
1,618,951; All. Kupker Georg. Football. Issued 2-22-27. (28)
1,618,954; Boscarelli Giovanni. Rolling mill appliance. Issued 2-22-27. (38)
1,619,004; Sternkopf Christian Jonathan. Process and apparatus for the production of wood pulp. Issued 3-1-27. (28)
1,619,041; Salinger Hans Werner Georg. Duplex arrangement for telegraph cables. Issued 3-1-27. (28)
1,619,104; Dorn Carl. Dough dividing machine. Issued 3-1-27. (28)
1,619,372; Rohrbach Adolf. Wing construction for metal airplanes. Issued 3-1-27. (28)
1,619,373; Rohrbach Adolf. Wing for flying machines. Issued 3-1-27. (28)
1,619,374; Rohrbach Adolf. Method and device for the increase of floating stability of airplanes. Issued 3-1-27. (28)
1,619,392; Akashi Kazue. Beam compass. Issued 3-1-27. (39)
1,619,438; Schoenke Walter. Appliance for practicing riding sport. Issued 3-1-27. (28)
1,619,447; All. Schmidt Sche Heissdampf GmbH. Steam boiler. Issued 3-1-27. (28)
1,619,485; Rehm Heinrich. Artificial knee joint. Issued 3-1-27. (28)
1,619,493; Wever Fritz Dec. Feather lined material and process of making the same. Issued 3-1-27. (28)
1,619,518; Junkers Hugo. Sheet metal trellis work. Issued 3-1-27. (28)
1,619,529; Muller Hans. Box for storing food. Issued 3-1-27. (28)
1,619,535; Otto Carl. Vertical chamber oven. Issued 3-1-27. (28)
1,619,609; Fejes Jeno. Chassis framing more particularly for motor vehicles. Issued 3-1-27. (34)
1,619,623; Magnifico Nicola. Phonograph. Issued 3-1-27. (38)
1,619,627; All. Elektrotrennmaschinen Gmbh. Method and apparatus for electrically cutting metal. Issued 3-1-27. (28)
1,619,645; All. Wolters Otto. Feeding mechanism for machines for punching controlling bands. Issued 3-1-27. (28)
1,619,666; Gaussen Robert. Process for the extraction of ammonium aluminum sulphate from aluminum sulphate solutions containing ferric compounds. Issued 3-1-27. (28)
1,619,813; Erban Richard. Swiveling gearing. Issued 3-8-27. (6)
1,619,822; Huber Walter. Watchcase. Issued 3-8-27. (28)
1,619,837; Wenz Jonathan et al; Alvera Josef Brunhubner Georg; Soldering art. Issued 3-8-27. (28)
1,619,926; Gerdes Adolf Friedrich. Magneto electric machine. Issued 3-8-27. (28)
1,619,948; Mangiameli Francesco. Device for proportionate feeding of gases. Issued 3-8-27. (38)
1,619,979; Kasantzeff Florentin. One hand air brake. Issued 3-8-27. (28)
1,620,093; Fornaca Guido. Device for preventing abnormal flexure of the springs of motor vehicles. Issued 3-8-27. (28)
1,620,212; Jourdan Felix. Process for the treatment of leucite and other sodium & potassium silicates with lime for the purpose of extracting potassium or sodium & aluminium values. Issued 3-8-27. (28)
1,620,215; Langer Julius. Fire bridge. Issued 3-8-27. (28)
1,620,245; Turner Albert Wilhelm. Device for closing the air bladders of sport balls of any kind. Issued 3-8-27. (28)
1,620,257; All. Lindstrom Carl A G. Turning machine. Issued 3-8-27. (28)
1,620,273; Mayer Karl. Turntable. Issued 3-8-27. (6)
1,620,449; All. Luftschiffbau Zeppelin GESmbH. Airship. Issued 3-8-27. (28)
1,620,462; All. Luftschiffbau Zeppelin GmbH. Controlling device for ballast containers in airships. Issued 3-8-27. (28)
1,620,496; Spieckermann Karl. Iron or steel rail with copper insert. Issued 3-8-27. (28)
1,620,507; All. Luftschiffbau Zeppelin GmbH. Hull construction of rigid airships. Issued 3-8-27. (28)
1,620,599; Fust Robert. Arrangement for removing secretions from dental cavities by suction. Issued 3-8-27. (28)
1,620,620; Alfani Guido et al; Mazza Isidro. Selector for automatic telephone exchanges. Issued 3-15-27. (38)
1,620,640; Friedrich Kurt Karl. Collapsible lantern. Issued 3-15-27. (28)

1,620,711; Barbieri Angelo. Perforating apparatus. Issued 3-15-27. (38)
1,620,942; Brasa Italo. Typewriter. Issued 3-15-27. (38)
1,621,133; Rottloff Oswin. Stocking with longitudinal and transverse reenforcements. Issued 3-15-27. (28)
1,621,136; Saupe Ernst. Axeless loop wheel for circular knitting machines. Issued 3-15-27. (28)
1,621,139; All. Kammer and Reinhardt A G. Dolls eyes with locking mechanism. Issued 3-15-27. (28)
1,621,143; Vogel Hans Edgar Richard. Process for bringing about physical and chemical changes in dielectric carbon compounds by means of ionized gases. Issued 3-15-27. (28)
1,621,145; Weber Carl Otto. Feeding device for grinding, milling or boring machines and the like. Issued 3-15-27. (28)
1,621,147; Winnertz Peter Ernst. Manufacturing hollow bodies from pulp fiber. Issued 3-15-27. (28)
1,621,153; Bunnenberg Helene. Galter. Issued 3-15-27. (28)
1,621,158; Edelmann Oskar. Spinning machine. Issued 3-15-27. (28)
1,621,168; Kluver Theodor. Towing device with safety device against capsizing for tugs. Issued 3-15-27. (28)
1,621,287; All. Speidel Chain Co. Chain. Issued 3-15-27. (28)
1,621,347; Biemer Heinrich. Padlock. Issued 3-15-27. (28)
1,621,409; Horn Heinrich. Manufacture of cocoa chocolate and the like. Issued 3-15-27. (28)
1,621,429; Petersen Waldemar. Series wound machine with additional excitation in bridge connection. Issued 3-15-27. (28)
1,621,477; Pilates Joe. Gymnastic apparatus. Issued 3-15-27. (28)
1,621,498; Drager Alexander Bernhard. Check valve for respirating apparatus. Issued 3-22-27. (28)
1,621,502; Freund Saly et al., Stauffer Bertram. Goldbeater's foil. Issued 3-22-27. (28)
1,621,505; All. Schmidt Sche Heissdampf. GmbH. Steam generator. Issued 3-22-27. (28)
1,621,521; Cappa Giulio Cesare. Means for cooling the valve stems and seats in internal combustion engines. Issued 3-22-27. (38)
1,621,522; Cappa Giulio Cesare. Valve gear for internal combustion engines. Issued 3-22-27. (38)
1,621,525; Corsi Luigi. Heavy oil internal combustion engines. Issued 3-22-27. (38)
1,621,670; All. Lindstrom Carl A G. Bound box diaphragm for use in telephones, loud speaker acoustic apparatus. Issued 3-22-27. (28)
1,621,907; Schuh Anton. Sealing means. Issued 3-22-27. (39)
1,621,926; Fujimoto Ukichi. X-ray tube. Issued 3-22-27. (39)
1,621,967; Butz Arthur. Safety plate against burning during cooking. Issued 3-22-27. (28)
1,621,987; Kasantzeff Florentin. Air brake for railways. Issued 3-22-27. (28)
1,621,991; Mayer Emil. Device for determining photographic exposures. Issued 3-22-27. (6)
1,622,062; All. Speidel Firm F R. Unsoldered hook element for watch bracelets. Issued 3-22-27. (28)
1,622,065; Symanzik Franz. Thrust ball bearing. Issued 3-22-27. (28)
1,622,071; Urban Bruno sr. House construction of tubes or tubular members. Issued 3-22-27. (28)
1,622,126; Wecker Ernst. Process for separating volatile substances. Issued 3-22-27. (28)
1,622,129; All. Riedel IDAG. Barbituric acid and process of making same. Issued 3-22-27. (28)
1,622,206; All. I. G. Farbenindustrie A G. Production of phosphorus pentoxide. Issued 3-22-27. (28)
1,622,260; All. Industriebedarf GmbH. Linen boiler. Issued 3-22-27. (28)
1,622,263; Schoeller Alfred. Electric cigar lighter. Issued 3-22-27. (28)
1,622,264; Streit Max. Change spur gearing. Issued 3-22-27. (28)
1,622,337; Naske Carl. Kiln for the burning of cement. Issued 3-29-27. (28)
1,622,364; Barbieri D'Angelo. Combined electric pianoforte and organ. Issued 3-29-27. (38)
1,622,372; Gluud Wilhelm. Process for the manufacture of hydrocyanic acid. Issued 3-29-27. (28)
1,622,375; All. Dusseldorfer Werk Zeugmaschinen. Head spindle stock guide. Issued 3-29-27. (28)
1,622,378; All. Universelle Cigarettenmaschinen. Rod cigarette machine. Issued 3-29-27. (28)
1,622,399; Schlesinger Georg. Bobbin bin and shelf therefor. Issued 3-29-27. (28)
1,622,629; Ehrlich Adolf. Aircraft with swinging wings. Issued 3-29-27. (34)
1,622,690; All. I G Farbenindustrie A G. Manufacture of azo dyestuffs derived from 2 hydroxynaphthalene 3 carboxylic acid arylamides. Issued 3-29-27. (28)
1,622,773; Fahnenschmidt Hans. Screw connection for siphons of washbasins, fountains and the like. Issued 3-29-27. (28)
1,622,810; Scharffe Carl Adolph. Liquid dispensing apparatus. Issued 3-29-27. (28)
1,622,876; Leo Hermann. Air pump. Issued 3-29-27. (28)
1,622,890; Thiel Anton Schmidt Willy et al. Apparatus for measuring limbs. Issued 3-29-27. (28)
1,622,893; Walker Carl. Raising fillet for raising machines. Issued 3-29-27. (28)
1,622,896; Lowenstein Karl Printz Zu. Device for drilling or chiseling away rock. Issued 3-29-27. (28)
1,622,911; All. Burgmann Feodor Firm. Packing of rotary shafts. Issued 3-29-27. (28)
1,622,931; Walcker Apul. Organ. Issued 3-29-27. (28)
1,622,939; All. Magnet Werk GmbH Eisenach. Electromagnetic friction clutch. Issued 3-29-27. (28)
1,623,008; Hirschmuller Albert. Spinning machine. Issued 3-29-27. (28)
1,623,016; Christel Carl. Device for cleaning matrices of type setting and casting machines. Issued 3-29-27. (28)
1,623,059; Lammine Theodor. Method of manufacturing seamless wrought iron annealing boxes. Issued 4-5-27. (28)
1,623,085; Bartels Amandus Miech Otto et al. Manufacture of shaped articles of casein. Issued 4-5-27. (28)
1,623,123; Lage Ernst August. Process for producing colored photographs, positive prints on paper or the like. Issued 4-5-27. (28)
1,623,175; Friedel Otto Bruno. Musical instrument. Issued 4-5-27. (28)
1,623,289; Vezzani Alberto. Cartridge for fire extinguishers. Issued 4-5-27. (38)
1,623,311; Hodecker Wilhelm. Method of manufacturing double walled glass vessels. Issued 4-5-27. (28)
1,623,539; Horten Alphons. Apparatus for forming concrete pipes. Issued 4-5-27. (28)
1,623,564; All. Wezel and Naumann AG. Advertising panel or decorative wall covering. Issued 4-5-27. (28)
1,623,569; All. Reiniger Gebbert and Schall AG. Apparatus for supplying electric current to vacuum tubes. Issued 4-5-27. (28)
1,623,648; Karl Wolff. Motor vehicle ignition and lighting system. Issued 4-5-27. (28)
1,623,653; All. Luftschiffbau Zeppelin GmbH. Gas inflated airship. Issued 4-5-27. (28)
1,623,660; De Grahl Gustav. Feed valve for locomotives. Issued 4-5-27. (28)
1,623,663; All. Luftschiffbau Zeppelin GmbH. Gas cell protection for airships. Issued 4-5-27. (28)
1,623,664; Eschbach Wilhelm. Explosive cap. Issued 4-5-27. (28)
1,623,680; All. Luftschiffbau Zeppelin GmbH. Outer cover on rigid airships. Issued 4-5-27. (28)
1,623,681; All. Luftschiffbau Zeppelin GmbH. Outer cover of rigid airships. Issued 4-5-27. (28)
1,623,705; All. Flexo Industrie GmbH. Chuck. Issued 4-5-27. (6)
1,623,754; All. Finckh Apparate GmbH DR. Food preserving jar. Issued 4-5-27. (28)
1,623,858; Wohl Paul Josef. Treatment of gut. Issued 4-5-27. (28)
1,623,951; All. Luftschiffbau Zeppelin GmbH. Airship frame. Issued 4-5-27. (28)
1,623,952; All. Luftschiffbau Zeppelin GmbH. Stabilizing apparatus for rigid airships. Issued 4-5-27. (28)
1,623,971; All. Standard Compositor AG. Matrix setting and line casting machine. Issued 4-12-27. (28)
1,623,995; All. Wanderer Werke Vorm Winklhofer and. Apparatus for driving typewriters provided with calculating mechanism. Issued 4-12-27. (28)
1,624,014; All. Niederbayerische Cellulosewerke. Apparatus for vaporizing liquids. Issued 4-12-27. (28)
1,624,025; Tessky Karl. Clutch. Issued 4-12-27. (28)
1,624,141; All. Kruckenberg Franz. Braking arrangement for high speed suspension railways. Issued 4-12-27. (28)
1,624,301; Masaji Yokoyama. Electrically operated automatic winding device. Issued 4-12-27. (39)
1,624,413; All. Lanz Heinrich AG. Fuel admission device for heavy oil. Issued 4-12-27. (28)
1,624,437; Savio Ignazio. Dinner table on ships. Issued 4-12-27. (38)
1,624,448; Ungerer Karl Friedrich. Rolling machine. Issued 4-12-27. (28)
1,624,521 All. Maschinefabrik Walter and Kuffer. Harrow. Issued 4-12-27. (28)
1,624,554; Kovacs Theodor. Reservoir pen. Issued 4-12-27. (28)
1,624,586; Czako Lazzio. Means for holding films in spaced coil forms. Issued 4-12-27. (34)
1,624,588; All. Ottensener Waagenfabrik Albert. Weighing scale. Issued 4-12-27. (28)
1,624,664; Jagenberg Emil. Filling and packing machine. Issued 4-12-27. (28)
1,624,674; Pollak Alfred. Process of producing lactic acid from sugar containing raw materials by means of lactic acid bacteria. Issued 4-12-27. (6)
1,624,733; All. Optische Anstalt C. P. Goerz A G. Periscope more particularly for submarines. Issued 4-12-27. (28)
1,624,746; Kumpmann Karl. Automatic machine for making the heads of slotted wooden or iron screws. Issued 4-12-27. (28)
1,624,786; Gerber Bernhard. Device for cleaning pipe lines. Issued 4-12-27. (28)
1,624,790; Klaften Berthold. Thermostat. Issued 4-12-27. (28)
1,624,810; Sulda Hermann. Process for the concentration of dilute acetic acid. Issued 4-12-27. (6)
1,624,811; Sulda Hermann. Concentration of dilute acetic acid. Issued 4-12-27. (6)
1,624,812; Sulda Hermann. Method of concentrating dilute acetic acid. Issued 4-12-27. (6)
1,624,815; Toennlessen Ernst. Four cylinder drawhead. Issued 4-12-27. (28)
1,624,884; Barth Friedrich Felix. Spool for sewing machines. Issued 4-12-27. (28)

1,624,898; All. Anker Werke A G. Thread tightener. Issued 4-12-27. (28)
1,624,901; Schwieger Adolf. Tin with tightly closing cover. Issued 4-12-27 (28)
1,624,902; Sprick Herbert. Nut tapping machine. Issued 4-12-27 (28)
1,624,988; Sieckmann Karl. Crane. Issued 4-19-27. (28)
1,625,029; Junkers Hugo. Erection of wings and the like for flying machines. Issued 4-19-27. (28)
1,625,082; Heibig Friedrich. Method of heating furnaces. Issued 4-19-27 (28)
1,625,117; Gollert Reinhold. Manufacture of semisolid rubber tires. Issued 4-19-27 (28)
1,625,123; Horten Alphons. Device for the production of concrete pipes and especially for devices for applying the concrete. Issued 4-19-27 (28)
1,625,356; All. Herzog Carl. Aseptic lighting torch. Issued 4-19-27 (28)
1,625,362; Hese Erich. Sanding device for power vehicles. Issued 4-19-27 (28)
1,625,372; Manni Menotti. Pneumatic connecting device. Issued 4-19-27. (38)
1,625,435; Stein Gerhard. Pot for glass melting furnaces. Issued 4-19-27. (28)
1,625,509; Togami Nobufumi. Electromagnetic switch. Issued 4-19-27 (39)
1,625,511; Ungerer Karl Friedrich. Shaft coupling. Issued 4-19-27. (28)
1,625,527; Demnitz Albert. Pneumatic sole laying machine. Issued 4-19-27. (28)
1,625,567; All. Siemens Schuckertwerke GmbH. Device for neutralizing the higher harmonics in high voltage line plants. Issued 4-19-27 (28)
1,625,596; Fornaca Guido. Speed reducer for internal combustion engines. Issued 4-19-27 (38)
1,625,597; Fornaca Guido. Forced feed internal combustion engine. Issued 4-19-27. (38)
1,625,632; Stumpf Johann. Valve gear for steam engines. Issued 4-19-27. (28)
1,625,650; Gottmanns Karl. Method of machining double conical work pieces. Issued 4-19-27 (28)
1,625,675; Noshiki Yoshitoshi. Electrical instrument for medical treatment. Issued 4-19-27. (39)
1,625,720; All. Hesser Fr Maschinenfabrik A G. Closing parcels. Issued 4-19-27. (28)
1,625,722; All. Heidenreich & Harbeck. Bevel wheel shaping device operating by rolling movements. Issued 4-19-27. (28)
1,625,760; All. Deutsche Werke A G. Alternating current motor. Issued 4-19-27. (28)
1,625,772; Moller Gustav. Sack closure. Issued 4-19-27. (28)
1,625,777; Kuchen Nicolaus. Brake for vehicles. Issued 4-19-27 (28)
1,625,794; Christlein Paul et al; Werner Karl. Pump having rolling pistons working in nuts. Issued 4-26-27 (28)
1,625,914; Seibt Georg. Method of making thin metal shapes. Issued 4-26-27. (28)
1,625,933; All. Magnet Werke GmbH Eisenach. Friction body for multiple disk clutches and the like. Issued 4-26-27. (28)
1,625,967; Von Mihaly Denes. Phototelegraphic apparatus. Issued 4-26-27. (34)
1,626,097; Saikawa Sakuhei. Arrangement for transforming direct current voltage. Issued 4-26-27 (39)
1,626,115; Egersdorfer Fritz. Rotary pump. Issued 4-26-27 (28)
1,626,199; Kesselring Fritz. Dynamo electric machine. Issued 4-26-27. (28)
1,626,217; Tauschek Gustav. Punching machine. Issued 4-26-27. (6)
1,626,337; Haenicke Arthur. Means for attaching buttons to cards. Issued 4-26-27. (28)
1,626,338; Heublein Wilhelm Oskar. Ampulla composed of several compartments adapted for the purpose of radiotherapeutics. Issued 4-26-27. (28)
1,626,358; Rower Heinrich et al; Rower Fritz. Attachment for plows. Issued 4-26-27. (28)
1,626,384; Boge Adolf. Latch lock. Issued 4-26-27. (28)
1,626,481; Roeder Julius et al; Wellmann Wilhelm. Method of rolling tubes. Issued 4-26-27. (28)
1,626,524; Gedien Paul et al; Schwade Karl. Device for the electrical welding of seamed tubes. Issued 4-26-27. (28)
1,626,529; Hanel Max. Ball securing means. Issued 4-26-27. (28)
1,626,533; All. Mittelland Gummiwerke A G. Figure of animate objects. Issued 4-26-27. (28)
1,626,536; Janzen Otto. Bearing for movements and driving gears. Issued 4-26-27. (28)
1,626,537; All. Sprenger Dr. Otto Patentverwertung. Variable condenser. Issued 4-26-27. (28)
1,626,543; Lauenstein Otto. Wrapping device for irregularly shaped delicate objects. Issued 4-26-27. (28)
1,626,553; Radtke Albert. Portable tree felling saw. Issued 4-26-27. (28)
1,626,558; All. Boehringer C F. Soehne GmbH. Art of making bisalkyl xanthogens. Issued 4-26-27. (28)
1,626,562; Silten Ernst. Process for making therapeutic materials. Issued 4-26-27 (28)
1,626,563; Simon Friedrich. Parachute. Issued 4-26-27. (28)
1,626,579, Baumgarten Crusius Carl Arthur. Process for obtaining a culture mixture for fertilizer production. Issued 4-26-27. (28)
1,626,816; Grether Carl. Brush. Issued 5-3-27. (28)
1,626,847; All. Baumgartner Dr Katz & Co GmbH. Apparatus for the manufacture of hollow bodies from fibrous pulp. Issued 5-3-27 (28)
1,626,912; Albert Brand. Machine for printing ampulle. Issued 5-3-27 (28)
1,626,937; Kaufmann Arno. Necktie holder. Issued 5-3-27 (28)
1,627,001; Yokoyama Masaji. System of unifying a group of clocks. Issued 5-3-27 (39)
1,627,037; Kampf Adolf. Krunewalder Karl. Method of loosening parallel fiber bunches by the wet process. Issued 5-3-27. (28)
1,627,039; Krauss Friedrich Emil. Portable fire extinguisher. Issued 5-3-27 (28)
1,627,073; Arnold Carl. Motor mechanism for toy boats. Issued 5-3-27 (28)
1,627,091; All. Boehringer C H. Sohn Chemische Fabrik. Making keto and aldo aliphatic carboxylic acids. Issued 5-3-27 (28)
1,627,104; All. Eternit Pietra Artificiale S A. Apparatus for the manufacture of tubes of cement asbestos or similar substances. Issued 5-3-27 (38)
1,627,112; Parodi Achille. Apparatus for cleaning potteries and the like. Issued 5-37-27 (28)
1,627,126; Tamini Mario. Driving arrangement for machines installed on automobiles. Issued 5-3-27. (38)
1,627,129; Unrath Gotthilf. Apparatus for washing refuse containing precious metal. Issued 5-3-27. (28)
1,627,144; All. Koep Rudolph & Co. Process for the production of hydrocyanic acid. Issued 5-3-27 (28)
1,627,169; All. Hesser F R. Maschinenfabrik A G. Machine for manufacturing filling and closing packages. Issued 5-3-27. (28)
1,627,227; Balke Paul et al; Leysieffer Gustav. Phonographic record. Issued 5-3-27. (28)
1,627,295; Schufftan Eugen. Method and apparatus for making composite motion pictures. Issued 5-3-27. (28)
1,627,342; Sabalitschka Theodor. Process of preserving food for men or animals. Issued 5-3-27. (28)
1,627,359; Truttwin Hans. Metal iodide alkali iodide compounds suitable for use in theropeuti and process for manufacturing them. Issued 5-3-27. (6)
1,627,365; Werlitz Arthur. Sounding figure. Issued 5-3-27. (28)
1,627,425; Bosshardt Edwin. Open hearth furnace. Issued 5-3-27. (28)
1,627,704; Izawa Riichiro. Bristle pointing device. Issued 5-10-27. (39)
1,627,724; Bildstein Paul, et al; Seidel Emil. Device for stopping railway trains independently of the driver. Issued 5-10-27 (28)
1,628,039; Fanella Carlo. Musical appliance. Issued 5-10-27. (38)
1,628,090; Weiss Johannes. Sound insulating plate, sheet or slab. Issued 5-10-27 (28)
1,628,385; Bauer Bruno. Casing or mold box for concrete beams or ties. Issued 5-10-27 (6)
1,628,457; Franz Josef. Cop tube. Issued 5-10-27. (28)
1,628,492; Dobrowolski Nikolaus, et al; Grether Otto. Driving gear for locomotives equipped with internal combustion engines. Issued 5-10-27. (28)
1,628,522; Vershofen Wilhelm. Process for the production of ceramic products. Issued 5-10-27. (28)
1,628,546; Koch August Wilhelm. Fertilizer distributing machine. Issued 5-10-27. (28)
1,628,558; Schulz Josef. Sheet metal casing for photographic films. Issued 5-10-27 (28)
1,628,560; Siegfried Wilhelm. Pin ticket. Issued 5-10-27. (28)
1,628,595; All. Kruckenberg Franz. Car for high speed suspension railways. Issued 5-10-27. (28)
1,628,625, Tammeo Aldo. Wing structure for aircraft. Issued 5-10-27. (38)
1,628,753; Storck Walter. Grinding device. Issued 5-17-27. (28)
1,628,794; Martignoni Luigi. Therapeutic appartus. Issued 5-17-27. (38)
1,628,837; Gebers Friedrich. Propelling mechanism for ships. Issued 5-17-27 (6)
1,629,077; Holken Martin, Sr. Production of fodder. Issued 5-17-27. (28)
1,629,089; Beckmann Johannes. Explosion-proof fitting for electric glowlamps. Issued 5-17-27 (28)
1,629,167; Krantz Hermann. Means for drying textile materials. Issued 5-17-27. (28)
1,629,192, Winzenburg Wilhelm et al, Nowak Friedrich. Reflector lamp for duplication for cinematography. Issued 5-17-27 (28)
1,629,199, Boulet Albert. Box of brick for building rooms inclosed by walls. Issued 5-17-27 (28)
1,629,200, Buhtz Ernst. Method of and apparatus for carrying out chemical reactions or physical processes. Issued 5-17-27 (28)
1,629,205; All. Spezial Werkzeug Bau GmbH. Wrench with head hinged on the shaft and with reversible ratchet mechanism. Issued 5-17-27 (28)
1,629,206; Dollmann Hans. Driving means for electrolocomotives. Issued 5-17-27 (28)
1,629,210, Ferraldi Enrico. Carburetor. Issued 5-17-27. (38)
1,629,214; Isringhaus Hugo. Button making machine. Issued 5-17-27. (28)
1,629,220; All. Patent Treuhand Elektrowerke. Machine for drilling drawing dies. Issued 5-17-27. (28)
1,629,224, Mohr Heinrich. Buffer for railway and like cars. Issued 5-17-27 (28)
1,629,227, Ruspoli Fabrizio. Maneuver indicator. Issued 5-17-27. (38)
1,629,241; Ubbelohde Leo. Process of treating fibers for spinning purposes. Issued 5-17-27. (28)

1,629,254; Carbone Tito Livio Dec. Flame arc lamp with inclosed arc. Issued 5-17-27. (28)
1,629,324; All. Neufeldt & Kuhnke. Relay armature suspension. Issued 5-17-27. (28)
1,629,359; Pause Ernst. Device for effecting a sterile closure for preserve containers. Issued 5-17-27. (28)
1,629,374; Avorio Luigi. Balloon capable of being employed as a captive observation balloon and as a dirigible. Issued 5-17-27. (38)
1,629,378; Cantono Eugenio. Shock preventing device for vehicles. Issued 5-17-27. (38)
1,629,417; Schmitz Alwin. Press for pressing hollow bronze objects. Issued 5-17-27. (28)
1,629,421; Stickdorn Robert. Flush device for water closets. Issued 5-17-27. (28)
1,629,437; Curti Ernesto. Apparatus for generating controlling and utilizing air currents. Issued 5-17-27. (38)
1,629,451; All. Beckel Friedrich Fabriken fur Lubrication for screw making and turning lathes. Issued 5-17-27. (28)
1,629,535; All. Maschinenfabrik A G Augsburg RG Nuernberg. Two stroke internal combustion engine. Issued 5-24-27. (28)
1,629,551; Stollberg Carl. Coupling for railway cars. Issued 5-24-27 (28)
1,629,572; Geiger Eugen. Rotating endless screen belt for the mechanical purification of water. Issued 5-24-27. (28)
1,629,640; All. Stotz GmbH Aby Der Brown Boveri Cie A G. Automatic Electric Circuit breaker. Issued 5-24-27. (28)
1,629,699; All. Goldschmidt A G Th. Process of improving aluminum alloys. Issued 5-24-27. (28)
1,629,715; Lenhardt Fritz. Resilient wheel. Issued 5-24-27. (28)
1,629,806; Valerius Johann. Push button switch. Issued 5-24-27. (28)
1,629,974; Russo Gioacchino. Opical apparatus as photographic camera for reproducing the objects with their natural colors. Issued 5-24-27. (38)
1,629,996; Delders Heinrich. Rail butt connection with fish plate. Issued 5-24-27. (28)
1,630,156; All. Atlas Werke Pohler and Co. Device for charging and discharging compressed air containers. Issued 5-24-27. (28)
1,630,202; All. Lechler Firm Paul. Method of coating gasometers. Issued 5-24-27. (28)
1,630,395; All. Deutsche Maschinenbu und Vertriebs. Duplicating apparatus. Issued 5-31-27. (28)
1,630,397; Marui Hyokichi. Fan. Issued 5-31-27. (39)
1,630,408; Rosenthal Hans. Gas pressure regulator. Issued 5-31-27. (28)
1,630,424; All. Felton & Guilleaume Carlswerk A G. Process for the production of insulating paper containing phenolresins. Issued 5-31-27. (28)
1,630,448; All. Glockenstahlwerke AG Vorm Rich. Steel alloy. Issued 5-31-27. (28)
1,630,485; Gerdts Gustav F. Determining critical temperature. Issued 5-31-27. (28)
1,630,535; Maul Hans. Pneumatic tire. Issued 5-31-27. (28)
1,630,630; Nishida Sukejiro. Governor for phonographs. Issued 5-31-27. (39)
1,630,689; Behm Alexander. Method for ascertaining the flying height of flying machines. Issued 5-31-27. (28)
1,630,771; Thoma Eugene. Process of soldering articles. Issued 5-31-27. (28)
1,630,886; Beyer Albert. Driving wheel. Issued 5-31-27. (28)
1,630,945; Jacobowitz Adolf. Cutting disk for high speed friction saws. Issued 5-31-27. (28)
1,631,047; Meyer Hermann. Boat. Issued 5-31-27. (28)
1,631,052; All. Metallbank und Metallurgische Ges AG. Process for the recovery of volatile solvents. Issued 5-31-27. (28)
1,631,058; All. Jos Pe Farvenphoto Ges Mit Be H. Apparatus for multiplex photography. Issued 5-31-27. (28)
1,631,388; Waschke Alexander. Gymnastic implement. Issued 6-7-27. (28)
1,631,410; Fornaca Guido. Valve mechanism for internal combustion engines. Issued 6-7-27. (38)
1,631,413; Gunther Albert et al; Gertloff Richard. Heat insulating bottle. Issued 6-7-27. (28)
1,631,420; Kloss Alex. Mud guard for vehicles. Issued 6-7-27. (28)
1,631,582; Demmel Paul. Device for milling polygonal holes. Issued 6-7-27. (28)
1,631,607; All. Siemens & Halske A G Wernerwerk. Hand telephone. Issued 6-7-27. (28)
1,631,654; Stoffel Oskar. Packing ring. Issued 6-7-27. (28)
1,631,692; Perogio Elio Adelfo. Felted fabric and process for the manufacture thereof. Issued 6-7-27. (38)
1,631,763; All. Siemens Schuckertwerke GmbH. Cooling electric machinery. Issued 6-7-27. (28)
1,631,783; Angelini Oreste. Arrangement for hydraulic internal reaction propulsion. Issued 6-7-27. (38)
1,631,815; Hildrebrand Wilhelm. Brake accelerator for single chamber compressed air brakes. Issued 6-7-27. (28)
1,631,861; Hanschke Adelheid. Flying machine. Issued 6-7-27. (28)
1,631,866; Heurung Anton. Apparatus for producing and projecting cinematographic pictures. Issued 6-7-27. (28)
1,631,895; All. Luftschiffbau Zeppelin GmbH. Gas cell of rigid airships. Issued 6-7-27. (28)
1,631,908; All. Luftschiffbau Zeppelin GmbH. Rigid airship. Issued 6-7-27. (28)
1,631,911; Brahm Albert. Connecting nipple for cast iron heating boiler elements. Issued 6-7-27. (28)
1,631,930; All. Vereinigte Aluminumwerke A G. Method of improving aluminum alloys. Issued 6-7-27. (28)
1,631,950; All. Zimmermann & Jansen GmbH. Means of working blast heaters used in connection with blast furnaces. Issued 6-7-27. (28)
1,632,027; Heitmann Moritz Joseph. Emulsified solid grease. Issued 6-14-27. (28)
1,632,136; Ikeda Iwao. Method of measuring maximum current. Issued 6-14-27. (39)
1,632,199; All. Kuxmann and Co Komm A G. Machine for spreading artificial manure. Issued 6-14-27. (28)
1,632,287; Grassmann Peter. Loud speaker for wireless telephony and other purposes. Issued 6-14-27. (28)
1,632,290; All. Kollmorgen Hans. Instrument for the inspection of pipes canals and cavities of the human or animal body. Issued 6-14-27. (28)
1,632,304; All. Maurer Textile Maschinen GmbH. Pump for vicous liquids. Issued 6-14-27. (28)
1,632,307; All. Leprestre Rene. Peroxide of lead zinc and sulphuric acid accumulators. Issued 6-14-27. (38)
1,632,317; Schlegel Heinrich. Means for the production of building blocks. Issued 6-14-27. (28)
1,632,321; All. Soc Industria Globeite. Blood treating process. Issued 6-14-27. (38)
1,632,491; Matthiessen Paul et al; Moller Adolf Detlef. Floating dry dock. Issued 6-14-27. (28)
1,632,508; Schantz Carl. Method of preserving wood and the like. Issued 6-14-27. (28)
1,632,575; All. Siemens Schuckertwerke GmbH. Arrangement or system for the generation of steam. Issued 6-14-27. (28)
1,632,604; Kittl Theodor; Kemp Paul et al. Bearing metal. Issued 6-14-27. (6)
1,632,608; Kreuzler Emil. Braiding machine. Issued 6-14-27. (28)
1,632,612; All. Wolf Georg GmbH. Gastroscope. Issued 6-14-27. (28)
1,632,716; Schweigert Otto. Shoulder strap for ladies underwear. Issued 6-14-27. (28)
1,632,717; Stumpe Otto. Pocket stand. Issued 6-14-27. (28)
1,632,829; Fleissner Hans. Method of drying coal and the like. Issued 6-21-27. (6)
1,632,925; All. Schmidt Sche Heissdampf GmbH. Power plant for warships. Issued 6-21-27. (28)
1,632,942; Alma Maximilian et al; Alma Carl Egon. Repositioning device for swinging coupling heads on railroad vehicles. Issued 6-21-27. (6)
1,632,957; All. Schmidt Sche Heissdampf GmbH. Closure means for manhole openings in steam boilers. Issued 6-21-27. (28)
1,632,959; Gartner Richard Hans. Method for removing tetranitromethane from trinitrotoluene. Issued 6-21-27. (28)
1,632,975; Kempter Fritz. Kneading and mixing machine. Issued 6-21-27. (28)
1,632,984; All. Maschinenfabrik Augsburg Nuernberg. Double acting two stroke internal combustion engine. Issued 6-21-27. (28)
1,633,027; Kreissig Ernst. Spring supporting means and the like. Issued 6-21-27. (28)
1,633,111; Kovacs Theodor. Reservoir pen. Issued 6-21-27. (28)
1,633,131; Schoen Karl. Knockdown cofferdam. Issued 6-21-27. (28)
1,633,132; Schoenhoefer Robert. Process for preparing a material for the manufacture of artificial stone and other stone or rock products. Issued 6-21-27. (28)
1,633,209; Henninger Albert Bertholdt. Steering gear for automobile vehicles. Issued 6-21-27. (28)
1,633,214; Kruckenberg Franz. Method for overcoming great differences of height with high speed passenger traffic. Issued 6-21-27. (28)
1,633,290; Sacerdote Secondo. Cooking stove with thermoelectric storage. Issued 6-21-27. (38)
1,633,307; All. Maschinenfabrik Moenus A G. Pegging machine. Issued 6-21-27. (28)
1,633,320; Franchetti Alessandro. Injector for mineral oil motors. Issued 6-21-27. (38)
1,633,383; Kubierschky Konrad et al; Schultze Willi. Fire extinguishing liquid. Issued 6-21-27. (28)

1,633,392; Boedecker Friedrich. Sedative and hypnotic ureides. Issued 6-21-27. (28)
1,633,422; All. Standard compositor A G. Matrix setting and line casting machine. Issued 6-21-27. (28)
1,633,466; Traxal Walther. Process of preparing stable colloidal solutions of silver. Issued 6-21-27. (6)
1,633,485; All. I G Farbenindustrie A G. Process of purifying alkali metal cyanide solutions containing sulphides. Issued 6-21-27. (28)
1,633,494; Neumann Ewald. Cooking utensil with hinged and removable lid. Issued 6-21-27. (28)
1,633,525; Girard Fritz. Reflector for quartz lamps. Issued 6-21-27. (28)
1,633,538; All. Quarzlampen GmbH. Lamp support. Issued 6-21-27. (28)
1,633,541; All. Deckel Friedrich Pracisionsmechanik. Internal combustion engine. Issued 6-21-27. (28)
1,633,681; Schuftan Richard. Fastener Particularly for bandages. Issued 6-28-27. (28)
1,633,745; All. Muller Bruno. Talking machine. Issued 6-28-27. (28)
1,633,746; All. Stock Motorpflug A G. Chain wheel for chain track drives. Issued 6-28-27. (28)
1,633,755; Wolkogon Wolynski Paul. Cutting machine. Issued 6-28-27. (28)
1,633,775; Esau Abraham. Antenna arrangement for short wave apparatus. Issued 6-28-27. (28)
1,633,836; Wustenhofer Julius. Safety catch for elevators lifts or the like. Issued 6-28-27. (28)
1,633,851; Durr Fritz. Internal combustion engine. Issued 6-28-27. (28)
1,633,896; Kovacs Theodor. Fountain pen. Issued 6-28-27. (38)
1,633,913; Wille Eduard. Screw cutter. Issued 6-28-27. (28)
1,633,946; All. Chemische Werke Vormals Eyeglass. Issued 6-28-27. (28)
1,633,948; Nathansohn Alexander. Producing lead compounds of chromic acids. Issued 6-28-27. (28)
1,633,959; Smolczyk Eduard. Method for imparting to drying means a large superficial area. Issued 6-28-27. (28)
1,633,962; Toyoda Kiichiro. Shuttle changing apparatus for automatic looms. Issued 6-28-27. (39)
1,633,968; Zehmann Arthur. Sliding window. Issued 6-28-27. (28)
1,633,984; Fornaca Guido. Brake of the expanding shoe type. Issued 6-28-27. (38)
1,633,986; Greiner Richard. Artificial eye. Issued 6-28-27. (28)
1,633,999; Riesebeck Curt. Elastic tire. Issued 6-28-27. (28)
1,634,017; Cappa Giulio Cesare. Internal combustion engine with inclined cylinders. Issued 6-28-27. (38)
1,634,027; Honigmann Ludwig et al; Bartling Friedrich. Furnace for the heat treatment of pulverulent granular or pulpy material. Issued 6-28-27. (28)
1,634,040; Parenti Armando et al; Bolognini Giovanni. Machine for the manufacture of cork taps. Issued 6-28-27. (38)
1,634,079; Nishi Tsunegoro. Process of manufacturing wall boards composed of rice hulls and plaster. Issued 6-28-27. (39)
1,634,090; All. I G Farbenindustrie A G. Di acylacetyl arylenediamine and process of making same. Issued 6-28-27. (28)
1,634,210; Reisz Eugen. Diaphragmless microphone. Issued 6-28-27. (28)
1,634,220; All. Ansaldo S A. Internal structure for large submarines with twin screw propellers. Issued 6-28-27. (38)
1,634,249; Lindequist Sven. Explosion engine with four or more working cylinders. Issued 6-28-27. (28)
1,634,433; Ortloff Albin. Self supporting carriage body for motor driven vehicles. Issued 7-5-27. (28)
1,634,466; All. Kraft & Steudel Fabrik. Embossing appliance for photographs and the like. Issued 7-5-27. (28)
1,634,468; Muller Friedrich. Four cycle internal combustion engine working with an injection air compressor. Issued 7-5-27. (6)
1,634,526; All. Maffei J A Firm. Locomotive. Issued 7-5-27. (28)
1,634,545; Levy Robert. Lamp Shade. Issued 7-5-27. (28)
1,634,661; All. Sachs R GmbH. Contrivance for rolling zinc and other sheet metal hollow ware. Issued 7-5-27. (28)
1,634,685; All. Bing Werke Formerly Gebruder Bing. Childs typewriting machine. Issued 7-5-27. (28)
1,634,704; Brand Hermann. Water heater. Issued 7-5-27. (28)
1,634,716; Kasmaier Wilhelm. Drill socket. Issued 7-5-27. (28)
1,634,725; All. Bing Werke. Child's typewriting machine. Issued 7-5-27. (28)
1,634,726; Bing Werke. Child's typewriting machine. Issued 7-5-27. (28)
1,634,731; Werner Karl. Process of producing sand molds for moulding stone pattern plates. Issued 7-5-27. (28)
1,634,735; Bredig Georg et al; Elod Egon. Process for production of hydrocyanic acid. Issued 7-5-27. (28)
1,634,753; Menzel Martin. Molding machine. Issued 7-5-27. (28)
1,634,756; All. Bingwerke Vorm Gebr Bing A G. Toy. Issued 7-5-27. (28)
1,634,757; Schweitzer Wilhelm Helmut. Process of treating tussah silk. Issued 7-5-27. (28)
1,634,760; Thorner Walter. Apparatus for projecting multicolor images in cinematography. Issued 7-5-27. (28)
1,634,867; Borletti Romualdo. Pump. Issued 7-5-27. (38)
1,634,870; All. Continentale A G fur Chemie. Process for the production of ammonium chloride and alkali metal sulphate. Issued 7-5-27. (28)
1,634,906; Klenzle Herbert. Method and apparatus for making lantern wheels for clocks and other purposes. Issued 7-5-27. (28)
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1,636,213; Cappa Giulio Cesare. Valve gear for explosion engines. Issued 7-19-27. (38)
1,636,214; Cappa Giulio Cesare. Head for explosion engines. Issued 7-19-27. (38)
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1,642,403; Buchholz Max. Protection of liquid insulated electric apparatus. Issued 9-13-27. (28)
1,642,404; Buchholz Max. Protective system for liquid insulated electric apparatus. Issued 9-13-27 (28)
1,642,405; Buchholz Max. Electric protective system. Issued 9-13-27. (28)
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1,642,407; Buchholz Max. System of protection of liquid insulated electric apparatus. Issued 9-13-27. (28)
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1,643,272; All. Riebeck Hugo Montan und Olwerke A G. Process of refining mineral oils. Issued 9-20-27. (28)
1,643,273; Imhoff Karl. Fishpond with sewage supply. Issued 9-20-27. (28)
1,643,384; Klafke Albert. Lock for nuts and screw heads. Issued 9-20-27. (28)
1,643,408; Fornaca Guido. Pneumatic buffer for reciprocating machine members. Issued 9-27-27. (38)
1,643,449; All. Maschinenfabrik Kappel A G. Jacquard mechanism for embroidering machines. Issued 9-27-27. (28)
1,643,490; Lapp Wilhelm Graf Rudolph et al. Glass ampul serving as packing receptacle for surgical sewing material. Issued 9-27-27. (28)
1,643,503; All. Gebruder Steimel. Dairy machine. Issued 9-27-27. (28)
1,643,529; Von Arx Rudolf. Production of pictures by the transfer process. Issued 9-27-27. (28)

1,643,562; Kucharski Stanislaus. Keyboard musical instrument. Issued 9-27-27. (28)
1,643,565; Simon Alexander. High tension insulator. Issued 9-27-27. (28)
1,643,571; Bielefeldt Herman. Device for producing offset prints. Issued 9-27-27. (28)
1,643,618; Bruck Walther. Dentifrice compound. Issued 9-27-27. (28)
1,643,619; Claasen Walther. Process for the production of new ester mixtures. Issued 9-27-27. (28)
1,643,626; May Joseph. Apparatus for observing the variation of the sole treading surface when the foot is under load and not under load. Issued 9-27-27. (28)
1,643,635; All. Deckel Friedrick fur Prazisionsmechanik und Maschinenbaufabrik. Screw making and turning machine. Issued 9-27-27. (28)
1,643,685; Stahlecker Wilhelm. Spinning machine. Issued 9-27-27. (28)
1,643,719; All. Wolf GmbH Firm of Georg. Device for light treatment of tubes and cavities of the body. Issued 9-27-27. (28)
1,643,724; Rall Osterwalder Gustav. Folding umbrella. Issued 9-27-27. (28)
1,643,732; All. Wolf GmbH Firm Georg. Device for examining tubes and cavities in the body. Issued 9-27-27. (28)
1,643,800; Bergfeld Carl. Apparatus for transmitting the position of signals. Issued 9-27-27. (28)
1,643,839; Ehrlich Adolf. Tugboat moved by means of two limbed oars. Issued 9-27-27. (34)
1,643,844; Grab Carl. Air moistener. Issued 9-27-27. (28)
1,643,865; All. Georz A G Optische Anstalt C P. Photographic two lens objective. Issued 9-27-27. (28)
1,643,983; Di Cristino Nunsio Riccardo. Apparatus to render possible the inhalation medicinal powders. Issued 10-4-27. (38)
1,644,054; All. Pracisionguss Fabrik Gebr Eckert. Automatic machine for casting metal under pressure. Issued 10-4-27. (28)
1,644,091; Schulze Max August Eduard. Closure for boxes trunks and the like. Issued 10-4-27. (28)
1,644,225; Barth Adolf. Syringe. Issued 10-4-27. (28)
1,644,267; All. Benzol Verband GmbH. Alcohol alcohol containing mixtures and similar liquids. Issued 10-4-27. (28)
1,644,370; Gaschler Alois. Method of artificially producing radioactive substances. Issued 10-4-27. (28)
1,644,439; All. I G Farbenindustrie A G. Method and agent for drying gases. Issued 10-4-27. (28)
1,644,446; Rapp Bernhard. Shadow producing agent and process for making the same. Issued 10-4-27. (28)
1,644,454; Tiedemann Robert. Bearing and direction indicator with section map for vehicles. Issued 10-4-27. (28)
1,644,517; All. Gebr Bauman Maschinen und. Internal combustion engine. Issued 10-4-27. (28)
1,644,555; Wagenback Anton. Gripping device for bending machines. Issued 10-4-27. (28)
1,644,597; All. Deutsche Maschinenbar und Vertriebs. Flexible printing sheet. Issued 10-4-27. (28)
1,644,601; Nickel Albert Paul Hans Gerd et al Spenner Johannes Joachim. Vacuum discharge tube. Issued 10-4-27. (28)
1,644,819; All. I G Farbenindustrie A G. Ruler for calendering machines. Issued 10-11-27. (28)
1,644,821; Eckart Jacob. Container. Issued 10-11-27. (28)
1,644,896; Buseklst Scharnweber Heinrich. Autogenous welding and electrode guiding machine. Issued 10-11-27. (28)
1,644,901; Stieglitz Konrad. Syringe with guide piston. Issued 10-11-27. (28)
1,644,953; Seyboth Fritz. Stepped furnace grate. Issued 10-11-27. (28)
1,644,966. Weski Oskar. Pressure bottle. Issued 10-11-27. (28)
1,645,031; Von Frommer Rudolf. Cartridge magazine. Issued 10-11-27. (34)
1,645,067; All. Universelle Cigaretten Maschinen. Feeding mechanism for cigarette machines. Issued 10-11-27. (28)
1,645,072. Prym Hans. Wire straightening machine. Issued 10-11-27. (28)
1,645,096; All. Gehe and Co A G. Manufacture of ergot preparation. Issued 10-11-27. (28)
1,645,117; All. I G Farbenindustrie A G. Ink. Issued 10-11-27. (28)
1,645,141; Horil Shinjiro. Stencil sheet. Issued 10-11-27. (39)
1,645,257; All. Deutsche Wollenwaren Manufaktur A G. Method of and apparatus for passing threads into fabrics. Issued 10-11-27. (28)
1,645,275; All. Rheinische Gummi und Celluloid. Manufacture of dolls and parts thereof from cellulose derivatives. Issued 10-11-27. (28)
1,645,311; Von Der Helde Max. Valve control device. Issued 10-11-27. (28)
1,645,312; Von Der Helde Richard. Breathing apparatus. Issued 10-11-27. (28)
1,645,337; Messer Adolf. Welding torch. Issued 10-11-27. (28)
1,645,350; Reineke Josef Heinz. Apparatus for regulating air supply. Issued 10-11-27. (28)
1,645,391; Muller Ernst. Fur testing and cutting device. Issued 10-11-27. (28)
1,645,526; All. Lorenz C A G. High frequency electric furnace. Issued 10-18-27. (28)
1,645,530; All. Riebeck Hugo Stinnes Montan und. Process of refining mineral oils. Issued 10-18-27. (28)
1,645,811; Junkers Hugo. Propeller. Issued 10-18-27. (28)
1,645,822; Schieferstein Georg Heinrich. Bellring machinery. Issued 10-18-27. (28)
1,645,842; Widmaier Otto. Envelope folding and sealing device. Issued 10-18-27. (28)
1,645,876; Schutte Johann Carl Friedrich Albert. Holding device for printing blocks or plates. Issued 10-18-27. (28)
1,645,878; Siegfried Wilhelm et al.; Dachs Artur. Ticket for marking delicate fabrics. Issued 10-18-27. (28)
1,645,883; Teichmann Albert. Safety device for elevators conveyers and like apparatus. Issued 10-18-27. (28)
1,645,911; Kramer Erwin. Device for recording and reproducing sound. Issued 10-18-27. (28)
1,645,926; Pfeufer Joseph. Brushing apparatus for washing the human body. Issued 10-18-27. (28)
1,645,930; Ritzerfeld Wilhelm. Process for multiplying records. Issued 10-18-27. (28)
1,645,944; Debor Hermann. Shell shaped body suitable for the allowance of high pressure stresses. Issued 10-18-27. (28)
1,646,014; All. Badische Anilin and Soda Fabrik. Manufacture of liquid fuels. Issued 10-18-27. (28)
1,646,017; Eckstein Andreas. Device for preventing boiling over of milk and for indicating the boiling of the milk. Issued 10-18-27. (28)
1,646,020; Fottinger Hermann. Differential gear for motor vehicles. Issued 10-18-27. (28)
1,646,113; Lanza Luigi. Construction of buildings. Issued 10-18-27. (38)
1,646,169; Rosenbaum Fritz. Toy automobile. Issued 10-18-27. (28)
1,646,178; Zach Johann. Water vehicle. Issued 10-18-27. (28)
1,646,182; Beck Sigmund. Paintbrush. Issued 10-18-27. (28)
1,646,194; Fischer Ernst. Orthopedic appliance. Issued 10-18-27. (34)
1,646,247; All. Jung Peter. Apparatus for ascertaining the composition of gaseous mixtures. Issued 10-18-27. (28)
1,646,283; All. Ernst Josef. Exhaust silencer. Issued 10-18-27. (28)
1,646,301; All. Schubert and Salzer. Production of rib top fabrics and mechanism for use in producing the same. Issued 10-18-27. (28)
1,646,310; Osthoff Max. Movement of vehicles. Issued 10-18-27. (28)
1,646,325; Strassmann Paul Gerhard. Closure for vertical retorts. Issued 10-18-27. (28)
1,646,375; Augenstein Wilhelm. Facet cutting machine. Issued 10-18-27. (28)
1,646,506; Velten Hugo. Method and apparatus for separating matter of different specific gravities. Issued 10-25-27. (28)
1,646,507; Wagner Rudolf. Counter propeller for air propeller driven craft. Issued 10-25-27. (28)
1,646,520; Bayer Gaudenz. Absorption refrigerating apparatus. Issued 10-25-27. (28)
1,646,532; Goebels Paul. Drum mill. Issued 10-25-27. (28)
1,646,576; Castan Karl. Manifolding device. Issued 10-25-27. (28)
1,646,590; Mildenberg Julius. Massage bandage and the like. Issued 10-25-27. (28)
1,646,789; Gatti Mario. Internal combustion engine. Issued 10-25-27. (38)
1,646,800; Valentini Aldo. Air core tire. Issued 10-25-27. (38)
1,646,904; Fischer Geza Stephan. Automatic circuit breaker. Issued 10-25-27. (28)
1,646,914; Kashiwagi Kosuke. Clinical thermometer and method of manufacture of same. Issued 10-25-27. (39)
1,646,945; All. Schmidt Sche Heissdampf GmbH. Method of and apparatus for automatically regulating the water level in steam boilers. Issued 10-25-27. (38)
1,646,986; Vidor Armin. Machine for forming rounded corners upon rectangular material. Issued 10-25-27. (34)
1,647,053; Pfaffle Robert. Pedestal lamp. Issued 10-25-27. (28)
1,647,060; All. Speidel fr Firm. Elastic ornamental band. Issued 10-25-27. (28)
1,647,070; Amann Adolf. Instrument sterilizer. Issued 10-25-27. (28)
1,647,089; Faitelowitz Arnold. Apparatus for the production of preserves of vegetable matters of unlimited durability. Issued 10-25-27. (28)
1,647,107; All. Ratti Giuseppe. Goggles. Issued 10-25-27. (38)
1,647,113; Keller Wilhelm. Loom for weaving wire fabric. Issued 10-25-27. (28)
1,647,183; Leggemann Albert. Disintegrating mill. Issued 11-1-27; (28)
1,647,231; Junkers Hugo. Starting internal combustion engines. Issued 11-1-27. (28)
1,647,249; All. Hartstoff Metall AKG. Rounding of metallic powder particles. Issued 11-1-27. (28)
1,647,283; Esau Abraham. Arrangement for improving short wave radiation into space. Issued 11-1-27. (28)
1,647,285; All. Bohn & Herber Maschinenfabrik. Two revolution printing press. Issued 11-1-27. (28)
1,647,299; Konig Otto. Respiration belt. Issued 11-1-27. (28)
1,647,312; Riller Heinrich. Violin Lute. Issued 11-1-27. (28)
1,647,371; All. Magnet Werk GmbH Eisenach. Apparatus for regenerating bulky waste metal. Issued 11-1-27. (28)
1,647,405; Giesen Paul. Pocket knife. Issued 11-1-27 (28)
1,647,426; Witter Wilhelm, et al; Nehring Paul. Process for recovering lead chloride. Issued 11-1-27. (28)
1,647,483; Suzuki Chujiro. Corn expansion machine. Issued 11-1-27. (39)
1,647,521; All. Kaspargetreideschalmaschine GmbH. Machine for shelling and polishing grain and the like. Issued 11-1-27. (28)

1,647,563; All. Pirelli & C. High tension electric cable. Issued 11-1-27. (38)
1,647,580; Puls Erich Friedrich. Speed controlling device. Issued 11-1-27. (28)
1,647,608; Corsalli Friedrich Wilhelm. Smelting furnace. Issued 11-1-27. (28)
1,647,614; All. Radiologie AKG. Rontgen ray device. Issued 11-1-27. (28)
1,647,675; Vedder Wilhelm. Burner for gaseous and powdered solid fuel. Issued 11-1-27. (28)
1,647,691; Firpo Costantino. Portable apparatus for producing and applying electric currents for therapeutic purposes. Issued 11-1-27. (38)
1,647,696; Herman Franz J. Thrashing machine. Issued 11-1-27. (28)
1,647,800; Beltrami Cesare. Vehicle elastic suspension. Issued 11-22-27. (38)
1,647,813; Reckmann Hugo. Sliding device for sails. Issued 11-1-27. (28)
1,647,829; Holzmann Paul. Device for emptying garbage bins into garbage collecting receptacles or carrying off cars in dustproof manner. Issued 11-1-27. (28)
1,647,894; All. Neufeldt & Kuhnke. Indicator. Issued 11-1-27. (28)
1,647,907; All. Heraus W C GmbH. Combination of glass and metal bodies. Issued 11-22-27. (28)
1,647,930; Spillner Karl. Guard and safety device for motor driven vehicles. Issued 11-22-27. (28)
1,647,951; All. Magnet Werk GmbH. Electromagnetic chuck. Issued 11-1-27. (28)
1,647,972; All. Maschinenfabrik Zell J Kruckels. Creel stand. Issued 11-1-27. (28)
1,648,034; Ungerer Fritz. Index plate. Issued 11-8-27. (28)
1,648,116; Ebel Siegfried Samuel. Electrotherapeutic device. Issued 11-8-27. (6)
1,648,142. Matteucci Raffaele. Planetary gear. Issued 11-8-27. (38)
1,648,161; All. Rohrbogenwerk GmbH. Machine for producing tubular bends and coils and for expanding tubes. Issued 11-8-27. (28)
1,648,203; Tensfeldt Ernst. Appliance for storing type bars. Issued 11-8-27. (28)
1,648,218; Deitenbeck Ernst. Tire. Issued 11-8-27. (28)
1,648,343; All. Schmidt' Sche Heissdampf GmbH. Means for regulating steam power and heating plants. Issued 11-8-27. (28)
1,648,396; All. Schmidt Sche Heissdampf GmbH. Locomotive boiler. Issued 11-8-27. (28)
1,648,442; Burchartz Heinrich. Apparatus for the centrifugal casting of hollow bodies. Issued 11-8-27. (28)
1,648,463; Rohrbach Adolf. Aircraft fitted with headlamps. Issued 11-8-27. (28)
1,648,485; Lang Josef Karl. Seat for water closets. Issued 11-8-27. (28)
1,648,504. All. Bayerische Spiegelglasfabriken. Apparatus for producing a silver coating on glass. Issued 11-8-27. (28)
1,648,505; Persu Aurel. Streamline power vehicle. Issued 11-8-27. (57)
1,648,517. All. Eisengiesserei Carl Luber Sohn. Magazine and slow burning stove. 11-8-27. (6)
1,648,526. All. Sandlinger Optische Glaswerke. Rontgen tube and manufacture of same. Issued 11-8-27. (28)
1,648,534. Breunich Adolf. Hand operated roller stamp. Issued 11-8-27. (28)
1,648,548. Habermann Otto. Separable syringe. Issued 11-8-27. (28)
1,648,569. Trapp Hans. Process for the manufacture of pure zirconium sulphate. Issued 11-8-27. (28)
1,648,620. Onishi Kasaburo. Reciprocating pump for use in deep wells. Issued 11-8-27. (39)
1,648,730. Mislowitzer Ernst. Apparatus for measuring ion concentration. Issued 11-8-27. (28)
1,648,768. Hugo Theodor. Manufacture of envelopes. Issued 11-8-27. (28)
1,648,769; Hugo Theodor. Feeding device for envelope or bag making machines. Issued 11-8-27. (28)
1,648,814; Kreidler Alfred. Wire drawing machine. Issued 11-8-27. (28)
1,648,833; Vincon Gustavo. Breech closing mechanism for automatic firearms. Issued 11-8-27. (38)
1,648,858; Melamid Mellach. Condensation product and method of making same. Issued 11-8-27. (28)
1,648,915; Schuler Max. Electric connecting system for the purposes of telecontrol. Issued 11-15-27. (28)
1,648,970; Strelow Walter. Swimming ring or belt. Issued 11-15-27. (28)
1,648,976; Wagner Emanuel. Stove and furnace. Issued 11-15-27. (34)
1,648,978; Zierenberg Wilhelm. Burglarproof picture frame. Issued 11-15-27. (28)
1,649,051; Wolffenstein Richard. Process for producing halogen albumin compounds. Issued 11-15-27. (28)
1,649,052; Zimmet Hillel. Shaving brush. Issued 11-15-27. (28)
1,649,057; Bunkenburg August. Blade or vane applicable to wind wheels propellers and the like. Issued 11-15-27. (28)
1,649,090; Willhoeft Carl. Regulating apparatus for central heating appliances. Issued 11-15-27. (28)
1,649,178; Nter Ernst Bruno. Lamp. Issued 11-15-27. (28)
1,649,201; Vanderstein Ewald. Furnace with blast heater. Issued 11-15-27. (28)
1,649,221; Goltz Konrad. Toy for playing with sand. Issued 11-15-27. (28)
1,649,271; All. Rohrseitz Karl Metallwarenfabrik. Toy talking machine. Issued 11-15-27. (28)
1,649,281; Billwiller John. Method of loosening vegetable fibers. Issued 11-15-27. (28)
1,649,335. Brecht Emil et al; Fugmann Rudolf C. Blowing machine for the manufacture of felts. Issued 11-15-27. (28)
1,649,347; Hardt Arthur. Pump. Issued 11-15-27. (28)
1,649,362; Nagel Carl. Method and apparatus for compressing loose material in bags. Issued 11-15-27. (28)
1,649,378. Behm Alexander. Means for sounding or measuring distance in water. Issued 11-15-27. (28)
1,649,379. Bergmann Jean. Calculating mechanism. Issued 11-15-27. (28)
1,649,405. Herrmann Josef et al; Stauber Max. Filter. Issued 11-15-27. (28)
1,649,408; All. Krupp Fried A G. Cash register. Issued 11-15-27. (28)
1,649,423; Stieglitz Konrad. Double spoon pliers for surgical operations. Issued 11-15-27. (28)
1,649,443; All. Krupp Fried A G. Cash register. 11-15-27. (28)
1,649,477; Kuchenmeister Heinrich J. Sound reproducing machine. Issued 11-15-27. (28)
1,649,482; Metzger Carl et al; Luetschen Ewald. Condenser. Issued 11-25-27. (28)
1,649,567; Bruckmann Ludwig. Chuck. Issued 11-15-27. (28)
1,649,648; Bangert Heinrich. Furnace. Issued 11-15-27. (28)
1,649,680; All. Bosch Robert A G. Electric lighting of automobile vehicles. Issued 11-15-27. (28)
1,649,701; All. Allgemeine gesellschaft fur. Process for obtaining liquid sulphurous acid from the products of combustion of sulphur or sulphurous pyrites. Issued 11-15-27. (28)
1,649,724; Olinger Josef. Lock. Issued 11-15-27. (28)
1,649,783; Hammes Paul. Boot block. Issued 11-15-27. (28)
1,649,910; All. Modern Jullus. Walking toy. Issued 11-22-27. (6)
1,649,943; Boeck Harry. Sun blind. Issued 11-22-27. (28)
1,649,966; Mariotti Temistocle. Apparatus for indicating internal relieves of hollow bodies. Issued 11-22-27. (38)
1,650,060; Bosselmann Richard. Differential pressure meter. Issued 11-22-27. (28)
1,650,122; Grantzdorffer August. Vacuum pan. Issued 11-22-27. (28)
1,650,145; Meyer Ulfilas. Method of diminishing the inductive disturbances in submarine telegraph cables. Issued 11-22-27. (28)
1,650,157; All. Bereinigte Stahlwerke AKG. Process for the elimination of phosphorus from pig iron. Issued 11-22-27. (28)
1,650,171; All. Polyphonwerke AKG. Horn for talking machines. Issued 11-22-27. (28)
1,650,282; All. Maschinenfabrik Augsburg Nuernburg. Two revolution fast printing press. Issued 11-22-27. (28)
1,650,283; All. Maschinenfabrik Augsburg Nuernburg. Roller inking apparatus for fast printing presses. Issued. 11-22-27. (28)
1,650,338; Fornaca Guido. Hydraulic brake for motor vehicles. Issued 11-22-27. (28)
1,650,339; All. Maschinenfabrik Augsburg Nuernburg. Intaglio printing machine for printing on sheets. Issued 11-22-27. (28)
1,650,475; Trefz Friedrich; Trefz Gustav et al. Free jet turbine. Issued 11-22-27. (28)
1,650,525; All. Metallstanzwerk GmbH Firm of. Device for making pins with base plates. Issued 11-22-27. (28)
1,650,555; Walcker Paul. Electrical controlling means for organs. Issued 11-22-27. (28)
1,650,563; All. Wolf Georg Firm of GmbH. Illuminating device for medical purposes. Issued 11-22-27. (28)
1,650,594; All. Magnet Werk GmbH Electromagnetic Variable speed gear. Issued 11-29-27. (28)
1,650,630; Klein Josef. Advertising apparatus. Issued 11-29-27. (28)
1,650,743; Seckbach Ernst. Headrest for barbers. Issued 11-29-27. (28)
1,650,851; Rosenberg Emanuel. Continuous current generator. Issued 11-29-27. (6)
1,650,856. Vetter Otto. Device for lubricating pneumatic tools. Issued 11-29-27. (28)
1,650,860; Askenasy Paul et al; Flod Ivan. Production of arsenic acid and its solutions. Issued 11-29-27. (28)
1,650,872; Meyer Christian Huls. Surface condenser. Issued 11-29-27. (28)
1,650,984; All. Koepp Rudolph and Co. Making sodium formate formic acid compounds. Issued 11-29-27. (28)
1,650,987; Holthaus Johann. Process of centrifugally molding metals. Issued 11-29-27. (28)
1,651,062; Juch Otto. Nose bridge of spectacles. Issued 11-29-27. (28)
1,651,086; Eckhardt Richard. Harrow. Issued 11-29-27. (28)
1,651,102; Peiseler Gottlieb. Automatic device for recording the movements of machines and the like. Issued 11-29-27. (28)
1,651,140. Mauser Alfons. Metal working machine. Issued 11-29-27. (28)
1,651,287; Mayer Hermann. Electric incandescent lamp made of glass tubing. Issued 11-29-27. (28)
1,651,328; Pfeiffer Karl; Edeleanu Lazar; Gans Karl. Jodec Paul. Arrangement for refining heavy mineral oils. Issued 11-29-27. (28)
1,651,358. Arendt Ernst. Card holder. Issued 12-6-27. (28)
1,651,414. All. Signal GmbH. Switching device. Issued 12-6-27. (28)
1,651,421. Ter Meer Gustav. Centrifugal separator. Issued 12-6-27. (28)
1,651,492; Walter Richard. Process of desulphurizing molten metal and briquettes used therefor. Issued 12-6-27. (28)
1,651,503; Belluzzo Giuseppe. Blade of internal combustion turbines. Issued 12-6-27. (38)

1,651,538; Muller Arthur Hugo. Plant for towing vessels on inland waterways. Issued 12-6-27. (28)
1,651,617; All. Verein fur Chemische Industrie A G. Extracting of guaiaco. Issued 12-6-27. (28)
1,651,644; Torriani Angelo. Thermoelectric heater. Issued 12-6-27. (38)
1,651,648; All. Zeiss Carl Firm of. Device for process work and the like. Issued 12-6-27. (28)
1,651,715; Klee Joseph. Disk wheel. Issued 12-6-27. (28)
1,651,716; All. Daimler Benz A G. Flying machine. Issued 12-6-27. (28)
1,651,729; All. Siemens Schuckertwerke GmbH. Device for the protection of communication systems. Issued 12-6-27. (28)
1,651,754; All. Luftschiffbau Zeppelin GmbH. Auxiliary device for assembling airships. Issued 12-6-27. (28)
1,651,755; All. Luftschiffbau Zeppelin GmbH. Fin and rudder of airships. Issued 12-6-27. (28)
1,651,756; All. Stern Julius. Means for augmenting adhesion between frictionally engaging surfaces. Issued 12-6-27. (28)
1,651,804; Bosch, Carl Friedrich. Clock. Issued 12-6-27. (28)
1,651,811; Ferrabino Edoardo. Vehicle wheel. Issued 12-6-27. (38)
1,651,812; Friedrich Gustav et al; Reich Ernst. Knotting and weaving loom. Issued 12-6-27. (6) (34)
1,651,816; Goldman Bronislaw. Raffle to be set automatically. Issued 12-6-27. (28)
1,651,904; Petzold Ewald et al; Sohnel Martin. Direction indicator. Issued 12-6-27. (28)
1,651,924; All. Deutsche Maschinenbau und Vertriebs. Duplicating apparatus. Issued 12-6-27. (28)
1,651,954; Heyer Arthur. Collapsible copying apparatus for photographic purposes. Issued 12-6-27. (28)
1,651,993; All. Standard Compositor A. G. Line cast machine. Issued 12-6-27. (28)
1,652,026; Loffler Stephan. Pumping plant for high pressure steam generators. Issued 12-6-27. (28)
1,652,027; Lohmann Hugo. Process for the manufacture of very hard metallic alloys. Issued 12-6-27. (28)
1,652,044; Nenzel Georg. Apparatus for feeding mechanical grinding machines for producing wood pulp. Issued 12-6-27. (28)
1,652,054; All. Starke and Hoffmann Maschinenbau. Valve for piping of large diameter. Issued 12-6-27. (28)
1,652,070; Trefz Friedrich. Automatic starting and stopping arrangement for turbines. Issued 12-6-27. (28)
1,652,228; Angelini Luigi. Carburetor. Issued 12-13-27. (38)
1,652,255; Schweydar Wilhelm. Gravitation meter for measuring the vertical gradient of the gravity of the earth. Issued 12-13-27. (28)
1,652,258; Stieler Heinrich. Fire lighting device. Issued 12-13-27. (28)
1,652,327; Richter Wilhelm. Instrument for electric ionic medication. Issued 12-13-27. (28)
1,652,332; Thomsen Theodor sr et al; Thomsen Theodore jr. Universal grate bar molding machine. Issued 12-13-27. (28)
1,652,339; Zernik Franz. Insecticide. Issued 12-13-27. (28)
1,652,343; All. Vogtlandische Maschinenfabrik. Embroidery machine. Issued 12-13-27. (28)
1,652,352; Georg Otto. Ruptural safety means. Issued 12-13-27. (28)
1,652,367; All. Robel & Co. Double acting ratchet wrench. Issued 12-13-27. (28)
1,652,448; Martienssen Oscar. Fire damp indicator. Issued 12-13-27. (28)
1,652,553; All. Leitz Ernst Optische Werke Firm. Focal plane shutter. Issued 12-13-27. (28)
1,652,711; Eggert Hans. Process of making substitutes for horn and ivory from viscose. Issued 12-13-27. (28)
1,652,849; Weissbach Paul. Process of making stockings. Issued 12-13-27. (28)
1,652,894; Gunther Alfred. Glass syringe for injections and similar purposes. Issued 12-13-27. (28)
1,652,921; Wimberger Leopold. Mercury vapor rectifier. Issued 12-13-27. (6)
1,652,957; Reckmann Hugo. Sliding device for sails. Issued 12-13-27. (28)
1,652,976; De Beneditti Francesco. Connecting member. Issued 12-13-27. (38)
1,652,986; Kasantzeff Florentin. Air brake of the one lined type. Issued 12-13-27. (28)
1,652,992; Krantz Hubert. Quick Traverse bobbin for dyeing, washing and like treatment. Issued 12-13-27. (28)
1,653,087; Cohn Henryk et al; Siebert Conrad. Process of producing a colloidal silver tannin albumen combination soluble in water. Issued 12-20-27. (28)
1,653,206; Friedrich Kurt Karl. Foldable lantern. Issued 12-20-27. (28)
1,653,314; All. I G Farbenindustrie AG. Bodies of desensitizing action and process of making same. Issued 12-20-27. (28)
1,653,352; Faudi Fritz. Ball and socket joint. Issued 12-20-27. (28)
1,653,405; Moll Hermann. Arrangement of the gas and air passages in reverberatory furnaces. Issued 12-20-27. (28)
1,653,482; Scherbaum Bernard. Pulverizing or grinding mill. Issued 12-20-27. (28)
1,653,482; All. I G Farbenindustrie AG. Flux applied in soldering aluminum and its alloys. Issued 12-20-27. (28)
1,653,555; Ellert Adolf. Frame for sounding boards of stringed musical instruments. Issued 12-20-27. (28)
1,653,615; Boerner Otto. Automatic train brake mechanism. Issued 12-27-27. (28)
1,653,704; All. Kellner Alexis. Motor carriage hood. Issued 12-27-27. (28)
1,653,730; Peetz Armin. Manufacture of chemical wood pulp. Issued 12-27-27. (28)
1,653,731; Reinstrom Gustav. Anodic current accumulator battery. Issued 12-27-27. (28)
1,653,759; Caretta Ettore. Liquid level indicator. Issued 12-27-27. (38)
1,653,774; Kuhtz Friedrich. Baking oven. Issued 12-27-27. (28)
1,653,784; Roebel Ludwig. Winding for electrical machines. Issued 12-27-27. (28)
1,653,820; Okutani Asagoro. Bottle sack made of sugar cane leaves. Issued 12-27-27. (39)
1,653,835; Benaglia Agide. Device for the production of any patterns with grooves and projecting portions on the surface of rubber tires during the tire regeneration. Issued 12-27-27. (38)
1,653,838; All. Schnellpressenfabrik AG Heidelberg. Platen printing press. Issued 12-27-27. (28)
1,653,839; All. Schnellpressenfabrik AG Heidelberg. Sheet feeding mechanism for printing machines and the like. Issued 12-27-27. (28)
1,653,863; Liedler Ludwig. Apparatus for use in erecting walls of blocks bricks or the like. Issued 12-27-27. (6)
1,653,894; All. Soc Italiana Pirelli. Machine for taping joints of electric cables. Issued 12-27-27. (38)
1,653,895; All. Soc Italiana Pirelli. High tension cable joint and method of making the same. Issued 12-27-27. (38)
1,653,910; Meyer Jagenberg Gunther. Labeling machine. Issued 12-27-27. (28)
1,653,963; Kral Ludwig. Magnesium burner and lamp. Issued 12-27-27. (6)
1,653,971; Salinger Hans. Duplex method for telegraph cables. Issued 12-27-27. (28)
1,654,012; Otte Rudolf. Magnesium lamp. Issued 12-27-27. (28)
1,654,046; All. Rutgerswerke AG Abteilung. Process for the production of arc light electrodes. Issued 12-27-27. (28)
1,654,099; Shiraishi Tsuneji. Colloidal calcium carbonate and method of producing the same. Issued 12-27-27. (39)
1,654,117; All. Vereinigte celluloidwarenfabriken GmbH. Hairdressing implement. Issued 12-27-27. (28)
1,654,119; Enders Karl. Internal combustion turbine with rotary slide valve. Issued 12-27-27. (28)
1,654,124; Hoffmann Otto Ernst. Oil returning device for axle bearings. Issued 12-27-27. (28)
1,654,144; Schubert Paul Gustav Franz. Container especially canister for automobile driving liquids. Issued 12-27-27. (28)
1,654,243; Eckschlager Heinrich. Light projector. Issued 12-27-27. (28)
1,654,248; Erdmann Friedrich. Illuminated level. Issued 12-27-27. (28)
1,654,384; Pirec Michele. Smoking pipe. Issued 12-27-27. (38)
1,654,441; All. Grimme Natalis and Co AG. Resetting mechanism for calculating machines. Issued 12-27-27. (28)
1,654,462; Horten Alphons. Method of and apparatus for manufacturing concrete pipes. Issued 12-27-27. (28)
1,654,471; Schrack Eduard. Grid for electron discharge tubes. Issued 12-27-27. (6)
1,654,520; Frohlich Walter. Water closet. Issued 12-27-27. (28)
1,654,554; Pasch Hugo. Underlayer for safety razor blades to be wrapped therewith in an envelope. Issued 1-3-28. (28)
1,654,557; All. Drager Alexander Bernhard. Autogenous cutting burner. Issued 1-3-28. (28)
1,654,818; Kampf Adolf. Process for precipitating artificial threads ribbons films and the like of viscose. Issued 1-3-28. (28)
1,654,832; Pohl Ernst August. Closet basin. Issued 1-3-28. (28)
1,654,835; Robeck Hermann. Telephone electrically driven sound box. Issued 1-3-28. (28)
1,654,837; Schmid Otto. Method of manufacturing barbed wire. Issued 1-3-28. (28)
1,654,838; Schroeder Wilhelm et al; Nolte Josef. Branch terminal for overhead lines. Issued 1-3-28. (28)
1,654,861; Cerati Ottorino. Transplanting machine particularly for rice plants and the like. Issued 1-3-28. (38)
1,654,869; Eichelgrun Martin. Inclined plane switch and curved track frame for field railway vehicles. Issued 1-3-28. (28)
1,654,874; Gusalli Luigi. Screen for sun cures. Issued 1-3-28. (38)
1,654,925; Drager Alexander Bernhard. Air purifying cartridge for breathing devices. Issued 1-3-28. (28)
1,654,938; Lang Franz. Fuel pump. Issued 1-3-28. (28)
1,654,969; Genest Werner. Stock recording apparatus. Issued 1-3-28. (28)
1,655,023; Pietro Fu Natale Bisutti. Cement molding apparatus. Issued 1-3-28. (38)
1,655,024; Pietro Fu Natale Bisutti. Cement molding apparatus. Issued 1-3-28. (38)
1,655,152; All. Union Special Maschinenfabrik GM. Intermediate gearing for sewing machines and the like. Issued 1-3-28. (28)
1,655,185; Hatschek Paul. Optical projection apparatus. Issued 1-3-28. (28)
1,655,191; Linnmann Wilhelm Jr. Apparatus for separating liquids of different gravity. Issued 1-3-28. (28)
1,655,197; Sauter Josef et al; Levy Franz. Process for diminishing the resistance of currents in conduit pipes. Issued 1-3-28. (28)
1,655,304; Arnold Carl. Pocket lamp. Issued 1-3-28. (28)
1,655,339; Rix Carl. Rotary pump. Issued 1-3-28. (28)

1,655,443; All. Von Frommer Rudolf. Shock absorber. Issued 1-10-28. (28)
1,655,446; Frommer Rudolf Von. Sporting gun. Issued 1-10-28. (34)
1,655,781; Caraccio Giovanni. Apparatus for electroplating. Issued 1-10-28. (38)
1,655,786; Guerritore Orazio. Vehicle spring suspension. Issued 1-10-28. (38)
1,655,888; All. Hamburg Amerikanische Uhrenfabrik. Savings clock. Issued 1-10-28. (28)
1,655,920; Roderwald Rudolf. Power transmitting or driving belt. Issued 1-10-28. (28)
1,655,932; Wroesmann Ferdinand. Centrifugal liquid atomizer. Issued 1-10-28. (28)
1,656,062; Harke Max. Starting crank for explosion engines locked against back rotation. Issued 1-10-28. (28)
1,656,120; Kempter Fritz. Production of viscose. Issued 1-10-28. (28)
1,656,138; Breslauer Max. Method and means for the photographic reproduction of books drawings and the like for reprints. Issued 1-10-28. (28)
1,656,164; All. Macao Walzenmuhlen GmbH. Apparatus for milling chocolate and like plastic materials. Issued 1-17-28. (28)
1,656,175; De Benedetti Francesco. Motor car. Issued 1-17-28. (38)
1,656,189; Fejes Jeno. Vehicle brake. Issued 1-17-28. (34)
1,656,235; All. Taeschner E Chemisch. Process for reducing photographic silver image layers. Issued 1-17-28. (28)
1,656,279; Kreissig Ernst. Shock absorbing device. Issued 1-17-28. (28)
1,656,309; Zahoransky Anton. Machine for treating brush stocks. Issued 1-17-28. (28)
1,656,344; Casoletti Vittorio. Apparatus for washing cups glasses and the like. Issued 1-17-28. (38)
1,656,502; All. Goldschmidt Th A G. Process of improving aluminum alloys. Issued 1-17-28. (28)
1,656,503; Scherbaum Johann Bernhard Christian. Grinding mill. Issued 1-17-28. (28)
1,656,544; Thoma Hans. Rotary pump and motor. Issued 1-17-28. (28)
1,656,559; All. Schmidtsche Heissdampf GmbH. Steam boiler. Issued 1-17-28. (28)
1,656,563; All. I G Farbenindustrie A G. Recovery of sulphur from ammonium polysulphide. Issued 1-17-28. (28)
1,656,569; All. Kruckenberg Franz. Shunting arrangement and arrangement for removing cars from and placing cars on to the rails of suspension railways. Issued 1-17-28. (28)
1,656,609; Seibt Georg. Telephone transmission. Issued 1-17-28. (28)
1,656,678; Pawlikowski Rudolf. Solid fuel internal combustion engine and method of operation thereof. Issued 1-17-28. (28)
1,656,680; Rosenthal Hans. Optical signal. Issued 1-17-28. (28)
1,656,681; Samuel Jacob. Method of manufacturing artificial sausage skins. Issued 1-17-28. (28)
1,656,769; Blanc Gian Alberto. Method for the separation of chlorides of aluminum and potassium present in mixed solutions obtained in the treatment of leucite. Issued 1-17-28. (38)
1,656,801; Valentin Carl. Automatic bobbin changing device for looms. Issued 1-17-28. (28)
1,656,804; Wolman Karl Heinrich. Wood preserving composition. Issued 1-17-28. (28)
1,656,810; All. Luftschiffbau Zeppelin GmbH. Hollow girder for light structures. Issued 1-17-28. (28)
1,656,817; Deppe Theodor. Safety apparatus for supporting ladders. Issued 1-17-28. (28)
1,656,832; All. Wiesenthal Maximilian. Interliner. Issued 1-17-28. (28)
1,656,863; Malenkovic Basilius Recte Vaso. Process for the preservation of wood. Issued 1-17-28. (6)
1,656,866; Muller Jacob. Loose leaf to be used with a carbon for bookkeeping machines or the like. Issued 1-17-28. (28)
1,656,895; Ackermann Hugo et al; Langenheim Wilhelm. Conical crushing mill. Issued 1-24-28. (28)
1,656,907; Bansen Hugo. Gas burner. Issued 1-24-28. (28)
1,656,932; Adler Friedrich. Stenciling and dyeing fabrics and the like. Issued 1-24-28. (28)
1,656,960; All. Soc Italiana Ernesto Breda. Device for lubricating automatic firearms. Issued 1-24-28. (38)
1,656,961; All. Soc Italiana Ernesto Breda. Safety lock for automatic firearms. Issued 1-24-28. (28)
1,656,995; All. Leubecker Maschinenbau Ges. Railroad truck with five or more axles. Issued 1-24-28. (28)
1,657,035; Richard Augusto. Suspension insulator with hood and deformable pivoting system forming an articulated joint. Issued 1-24-28. (38)
1,657,050; All. Kaiser Dr Med Kinderauger. Pocket sterilizer for nursing nipples. Issued 1-24-28. (28)
1,657,140; All. I G Farbenindustrie A G. Bleaching with hypochlorites. Issued 1-24-28. (28)
1,657,192; Belluzzo Giuseppe. Wheel for internal combustion turbines. Issued 1-24-28. (38)
1,657,202; Ellyson Frederick Washington. Water heater and steam generator. Issued 1-24-28. (28)
1,657,218; Mallickh Hermann. Pulping machine. Issued 1-24-28. (28)
1,657,266; Maas Georg. Sectional water tube boiler. Issued 1-24-28. (28)
1,657,270; All. Mey Karl. Stereoscopical color photography. Issued 1-24-28. (28)
1,657,281; All. Schneider C A and Dr ing Firm. Roller lubricating device for axles and the like. Issued 1-24-28. (28)
1,657,400; Kasantzeff Florentin. Straight air brake. Issued 1-24-28. (28)
1,657,411; All. Chiffriermaschinen A G. Ciphering machine. Issued 1-24-28. (28)
1,657,421; Trenel Max. Apparatus for the electrometric determination of hydrogen ion concentration. Issued 1-24-28. (28)
1,657,475; Inami Kakujiro. Apparatus for casting under pressure in dentistry. Issued 1-31-28. (39)
1,657,525; Cantono Eugenio. Suspension of vehicles. Issued 1-31-28. (38)
1,657,544; Mannich Charles. Alkyl derivatives of cyclo trimethylene aryl pyrazolones and process for the manufacture of same. Issued 1-31-28. (28)
1,657,581; Muzzali Oreste. Electrical heating apparatus for the crucibles of Linotype composing machines. Issued 1-31-28. (28)
1,657,591; All. Clusor GmbH. Device for binding paper sheets. Issued 1-31-28. (28)
1,657,631; Maggiora Ernesto. Explosion engine cylinder. Issued 1-31-28. (38)
1,657,677; All. Deutsche Werke Kiel A G. Compensated induction motor. Issued 1-31-28. (28)
1,657,798; Honing Hans. Toy figure imitating natural walking motions. Issued 1-31-28. (28)
1,657,800; Kemmler Albert. Process for the manufacture of chamois tanned leather. Issued 1-31-28. (28)
1,657,838; Nagel August. Apparatus for measuring liquid fuel. Issued 1-31-28. (28)
1,657,903; Rudert Franz. Fastening device for rails. Issued 1-31-28. (28)
1,657,970; Politi Ercole. Cone coupling for electrical cables. Issued 1-31-28. (38)
1,658,081; All. Standard Light GmbH. Burner for lamps for liquid fuel. Issued 2-7-28. (28)
1,658,082; Grieser Friedrich. Method and apparatus for producing permanent waves. Issued 2-7-28. (28)
1,658,087; Janzen Otto. Stop for the driving gears of dynamo pocket lamps operated by hand levers and toothed segments. Issued 2-7-28. (28)
1,658,088; Kibler Alois. Hand shears. Issued 2-7-28. (28)
1,658,091; Mertens Max. Carriage release mechanism for wire looms. Issued 2-7-28. (28)
1,658,114; Brunzel Karl. Means for drying air in mines. Issued 2-7-28. (28)
1,658,136; Nardone Ugo. Smoke generating furnace. Issued 2-7-28. (38)
1,658,142; All. Mannesmann Light A G. Electric dry battery. Issued 2-7-28. (28)
1,658,158; Dreyer Otto. Device for automatically disconnecting electric circuits. Issued 2-7-28. (28)
1,658,160; Krauss Georg. Flushing apparatus for water closets with closed flushing box. Issued 2-7-28. (28)
1,658,213; Strecker Otto C. Process for the production of cellulose by decomposition of vegetable fibers. Issued 2-7-28. (28)
1,658,281; All. Nowack Aug A G. Resin and method of preparing the same. Issued 2-7-28. (28)
1,658,316; Wickeland Johann. Railway signal. Issued 2-7-28. (28)
1,658,357; Schafer Otto. Machine for treating fibers or threads. Issued 2-7-28. (28)
1,658,375; All. Siemens Schuckertwerke GmbH. Device for regulating the generation of steam in heat power plants. Issued 2-7-28. (28)
1,658,397; Schmidt Alexander. Cutting tool for tunneling or mining machines. Issued 2-7-28. (34)
1,658,449; Loffler Stephen. Fluid level indicator for high pressure vessels or containers. Issued 2-7-28. (28)
1,658,467; All. Lanz Heinrich A G. Hardened cast iron. Issued 2-7-28. (28)
1,658,523; Girard Fritz. Microscope illuminating device. Issued 2-7-28. (28)
1,658,526; Kaufmann Albert. Carriage body wall especially for motor cars. Issued 2-7-28. (28)
1,658,530; Kirner Josef. Journaling of supporting rollers. Issued 2-7-28. (28)
1,658,705; Caproni Gianni. Centrifugal sucking and forcing pump. Issued 2-7-28. (38)
1,658,803; Heinrich Hugo. Engine pump compressor and the like. Issued 2-14-28. (28)
1,658,810; All. Hostmann Steinberg Sche Chr Valve. Issued 2-14-28. (28)
1,658,876; All. Luftschiffbau Zeppelin GmbH. Gas cell for airships. Issued 2-14-28. (28)
1,658,924; Helle Anton et al; Helle Fritz. Chain making machine. Issued 2-14-28. (28)
1,658,946; Schrack Eduard. Grid electrode for electron discharge tubes. Issued 2-14-28. (6)
1,658,953; All. Goldberg M J and Sohne GmbH. Signaling apparatus. Issued 2-14-28. (28)
1,659,043; Muller Friedrich. Method for increasing the efficiency of injection air compressors of internal combustion engines. Issued 2-14-28. (6)
1,659,141; Grupp Gottlieb Albert. Edge binding for coconut fiber mats. Issued 2-14-28. (28)
1,659,190; All. I G Farbenindustrie AG. Manufacture of pure urea. Issued 2-14-28. (28)
1,659,198; All. I G Farbenindustrie AG. Manufacture of ammonium phosphate. Issued 2-14-28. (28)

1,659,216; Prym Hans. Machine for manufacturing pins. Issued 2-14-28. (28)
1,659,217; Rakowitzky Selman et al; Rakowitzky Hirsch. Device for advancing bands of match cards in machines for the manufacture of matches. Issued 2-14-28. (6)
1,659,322; All. Kruckenberg Franz. Track for high speed suspension railways. Issued 2-14-28. (28)
1,659,372; Nagel August. Liquid measuring device. Issued 2-14-28. (28)
1,659,375; Schmidt Friedrich. Process for the manufacture of artificial sausage and other skins. Issued 2-14-28. (28)
1,659,383; All. Jenaer Glaswerk Schott and Gen Firm. Flask for laboratory purposes. Issued 2-14-28. (28)
1,659,390; Faber Jacob. Seamless hollow body and method of making the same. Issued 2-14-28. (28)
1,659,450; Stromeier Gustav. Device for preventing the escape of oil from journal and like bearings. Issued 2-14-28. (28)
1,659,476; All. Dynamiden Werk Engelhorn and Co. Method for producing highly refractory magnesite masses. Issued 2-14-28. (28)
1,659,483; Donagemma Giuseppe et al; Tolini Pietro; Valentini Melchiorre; Micozzi Ercole. Machine for spinning artificial silk. Issued 2-4-28. (38)
1,659,529; Hyuga Asamatsu. Hydrogen ion comparator. Issued 2-14-28. (39)
1,659,708; Rumsch Emil. Mangle with variable pressure rollers. Issued 2-21-28. (28)
1,659,752; All. Neufeldt and Kuhnke. Multiple controlled hydraulic servo motor. Issued 2-21-28. (28)
1,659,766; Cevolani Edoardo. Hub for free wheel bicycles and the like driven by oscillating pedal cranks. Issued 2-21-28. (38)
1,659,846; Wagner Fritz. Valve comprising an equalizing chamber a main and an auxiliary valve. Issued 2-21-28. (28)
1,659,850; Zorn Werner. Direction indicator. Issued 2-21-28. (28)
1,659,866; Fornaca Guido. Automatic system for cooling internal combustion engines. Issued 2-21-28. (38)
1,659,867; Frieser Leopold et al; Seewald Otto. Process for the production of a continuous floor for linoleum triolene or the like. Issued 2-21-28. (28)
1,659,896; Raym Willibald. Milling and like roll or cylinder and method of manufacturing the same. Issued 2-21-28. (28)
1,659,960; Rohrbach Adolf. Aircraft. Issued 2-21-28. (28)
1,659,961; Rohrbach Adolf. Aircraft. Issued 2-21-28. (38)
1,660,009; All. Chemische Fabrik in Billwarder Vorm. Process of obtaining high grade products from raw coal. Issued 2-21-28. (28)
1,660,036; Fornaca Guido. Wheel for motor vehicles. Issued 2-21-28. (38)
1,660,049; Riva Secondo et al; Pron Marino. Stranding machine for the rapid manufacturing of strands of textile fibers or wires either alone or coupled together. Issued 2-21-28. (28)
1,660,115; Bohm Viktor. Dyeing apparatus for hat bodies. Issued 2-21-28. (6)
1,660,130; Kolos Ludwig. Gymnastic apparatus. Issued 2-21-28. (34)
1,660,160; Hanel Paul Theodor. Means for removing compressed matter from containers. Issued 2-21-28. (28)
1,660,179; Scheide Mandel Hans. Device for assorting of molding for instance wooden boards. Issued 2-21-28. (28)
1,660,282; Von Frommer Rudolf. Single loading firearm. Issued 2-21-28. (34)
1,660,326; Engelhardt Georg. Foot arch measuring device. Issued 2-28-28. (28)
1,660,336; Postel Emil. Epicyclic change speed [illegible]. Issued 2-28-28. (28)
1,660,396; Tutzschke Fritz. Method of etching printing plates and composition of matter for use in connection therewith. Issued 2-28-28. (28)
1,660,384; All. Gieger Julius GmbH. Floor polishing apparatus. Issued 2-28-28. (28)
1,661,171; All. Colo Diesel Motorengesellschaft. Internal combustion engine. Issued 3-6-28. (28)
1,661,181; Junkers Hugo. Crank shaft. Issued 3-6-28. (28)
1,661,182; Junkers Hugo. Shock absorbing means. Issued 3-6-28. (28)
1,661,193; Junkers Hugo. Wall forming member. Issued 3-6-28. (28)
1,661,201; Sterm Ernst. Process of making starch products. Issued 3-6-28. (28)
1,661,203; Tomicio Carlo. Process for the rapid evaporation to dryness of ammonium nitrate solutions. Issued 3-6-28. (33)
1,661,204; Voith Walther. Writing device. Issued 3-6-28. (6)
1,661,211; Wussow Reinhard. Method for the dry cooling of coke. Issued 3-6-28. (28)
1,661,225; Kovacs, Theodor. Fountain pen. Issued 3-6-28. (28)
1,661,252; Fricke Richard et al; Mross Hans. Gas control apparatus. Issued 3-6-28. (28)
1,661,260; Muller Arthur. Electroller for sewing machines. Issued 3-6-28. (28)
1,661,291; Jeksch Rudolf. Automatic weighing apparatus. Issued 3-6-28. (6)
1,661,496; Pahl Karl. Metal sheet piling. Issued 3-6-28. (28)
1,661,515; Treichel Otto. Process of printing in greasy inks with gelatin printing surfaces. Issued 3-6-28. (28)
1,661,517; Bosse Julius Von. Metallizing process. Issued 3-6-28. (28)
1,661,538; Marzetti Manliao. Universal parallel drafting device. Issued 3-6-28. (38)
1,661,565; All. Allgemeine Ges Fur Chemische. Process of the conversion of high boiling hydrocarbons into low boiling hydrocarbons. Issued 3-6-28. (28)
1,661,566; All. Allegemeine Ges Fur Chemische. Motor fuel and process of refining oils. Issued 3-6-28. (28)
1,661,582; Szydlowski Josef. Piston engine. Issued 3-6-28. (28)
1,661,694; All. Krupp Fried A G. Electric resistance furnace adapted for heating by nitrogenization. Issued 3-6-28. (28)
1,661,762; Kreidel Hans. Direction indicator for vehicles. Issued 3-6-28. (28)
1,661,871; Binz Arthur et al; Rath Curt. Process for the preparation of hetero cyclic arsenic compounds. Issued 3-6-28. (28)
1,661,873; Buxbaum Berthold. Joint for the members of bar structures. Issued 3-6-28. (28)
1,661,887; Fiedler Hans Werner. Method of and means for preserving vulcanized rubber. Issued 3-6-28. (28)
1,661,907; All. Deutsche Edelstahlwerk A G. Steel alloy and process of making the same. Issued 3-6-28. (28)
1,662,037; Wichtendahl Rudolf. Variable chain drive. Issued 3-6-28. (28)
1,662,107; All. Soc. Italiana Pirelli. High tension electric cable. Issued 3-13-28. (38)
1,662,488; Burkhardt Otto. Stone saw. Issued 3-13-28. (28)
1,662,516; Hustadt Paul et al; Hustadt Karl. Machine for tempering saw blades, plane knives and similar tools. Issued 3-13-28. (28)
1,662,521; Kobis Carl. Grinding machine for twist drills. Issued 3-13-28. (28)
1,662,545; Spelta Egidio. Spray screen. Issued 3-13-28. (38)
1,662,547; All. Sartorio Giovanni. Apparatus for preparing coffee and other infusions. Issued 3-13-28. (33)
1,662,566; Dehle Fritz. Transmission mechanism. Issued 3-13-28. (28)
1,662,568; Foell Josef. Lamp suspension. Issued 3-13-28. (28)
1,662,569; Fornaca Guido. Brake of the expanding shoe type. Issued 3-13-28. (38)
1,662,576; All. Demag A G. Valve for pneumatic tools. Issued 3-13-28. (28)
1,662,590; Thormeyer Hans. Internal combustion engine. Issued 3-13-28. (28)
1,662,602; Dunkelberg Karl. Apparatus for cooling water. Issued 3-13-28. (28)
1,662,679; Kessel Heinrich. Cutlery grinding and polishing machine. Issued 3-13-28. (28)
1,662,717; Poeppel Otto. Method of rendering paper sheets locally transparent. Issued 3-13-28. (28)
1,662,750; Kaufmann Albert. Die casting machine. Issued 3-13-28. (28)
1,662,854; Freislinger Josef. Internal combustion engine provided with an auxiliary charging pump. Issued 3-20-28. (6)
1,662,970; Grosse Carl. Safety device for electric lines. Issued 3-20-28. (28)
1,663,073; Flamma Ermanno. Radio telemechanic system. Issued 3-20-28. (38)
1,663,137; Mack Richard. Electric spot welding machine. Issued 3-20-28. (28)
1,663,159; Ebers Karl. Process for purifying and bleaching heavy spar. Issued 3-20-28. (28)
1,663,346; Matthiessen Paul et al; Moller Adolf Detlef. Testing dock for submarines. Issued 3-20-28. (28)
1,663,350; All. Holzverkohlungs Industric AG. Method of producing acetone. Issued 3-20-28. (28)
1,663,353; Salinger Hans et al; Stahl Johann. Telegraph cable with loading coils. Issued 3-20-28. (28)
1,663,387; Richter Arthur. Device on cotton frames for the production of bodily thickenings of patterns. Issued 3-20-28. (28)
1,663,418; Seguchi Hiromu. Means for beating of bagasse for the imbibition of same in cane sugar making industry. Issued 3-20-28. (39)
1,663,448; All. Rodi and Wienenberger Fur. Machine for manufacturing chain mail in tubular shape. Issued 3-20-28. (28)
1,663,473; Windeknecht Carl August. Building. Issued 3-20-28. (28)
1,663,541; All. Standard Compositor A G. Typesetting and line casting machine. Issued 3-27-28. (28)
1,663,554; Meyer Jagenberg Gunther. Paper roll wrapping machine. Issued 3-27-28. (28)
1,663,613; Reinhardt Wilhelm. Combined gaiter and boot protector. Issued 3-27-28. (28)
1,663,615; Schmid Otto. Apparatus for manufacturing barbed wire. Issued 3-27-28. (28)
1,663,617; Steinmetz Georg. Loose leaf suspending file. Issued 3-27-28. (28)
1,663,629; Fritzsching Hans. Antifriction bearing. Issued 3-27-28. (6)
1,663,664; Kuchenmeister Heinrich J. Phonograph. Issued 3-27-28. (28)
1,663,710; Kopatschek Karl. Alarm clock. Issued 3-27-28. (28)
1,663,731; Redlich Victor. Centrifugal machine. Issued 3-27-28. (6)
1,663,733; Schmidinger Kurt. Method of making lacquers. Issued 3-27-28. (28)
1,663,734; All. I G Farbenindustrie A G. Apparatus for treating gases. Issued 3-27-28. (28)
1,663,830; Eirich Ludwig et al; Eirich Joseph. Discharging closure for mixing machines. Issued 3-27-28. (28)
1,663,878; All. Soc Italiana Pirelli. Multiple conductor high tension cable. Issued 3-27-28. (28)
1,663,879; Fahr Johann Heinrich. Grain and grass mowing machine. Issued 3-27-28. (28)
1,663,906; Finking Ernst. Sound conduit for sound recording and sound reproducing instruments. Issued 3-27-28. (28)
1,663,907; Friedrich Albert E. Grinding machine for safety razor blades. Issued 3-27-28. (28)

1,663,908; Fuld Ludwig. Porcelain handle brush. Issued 3-27-28. (28)
1,663,910; All. Schmidt Sche Heissdampf GmbH. Water tube boiler. Issued 3-27-28. (28)
1,663,944; All. Metallisator Berlin A G. Method for preventing scorification of fire bars grate surfaces and the like. Issued 3-27-28. (28)
1,663,962; Uhlig Willy Robert. Angling game requiring patience and skill. Issued 3-27-28. (28)
1,663,990; Marohn Albert Hermann Franz. Cupboard. Issued 3-27-28. (28)
1,664,027; Fillier Dominik. Electric flytrap. Issued 3-27-28. (6)
1,664,033; Horii Shinjiro. Stencil sheet. Issued 3-27-28. (39)
1,664,112; Junemann August. Surgical forceps. Issued 3-27-28. (28)
1,664,113; All. Kaisha Saibi Mojiami Kabushiki. Reed for net making machines. Issued 3-27-28. (39)
1,664,143; Weber Philipp. Device for manual producing of cigar fillers. Issued 3-27-28. (28)
1,664,238; All. Atlas Werke Pohler and Co. Footwear pounding or burnishing machine. Issued 3-27-28. (28)
1,664,275; All. Seitz Werke GmbH. Method of preparing filtering materials. Issued 3-27-28. (28)
1,664,324; Schell Hermann. Cooking apparatus with steam hood. Issued 3-27-28. (28)
1,664,357; Ernestus Carl et al; Lusebrink Wilhelm; Device for the manufacture of tape webbing gimp braid and similar materials. Issued 3-27-28. (28)
1,664,369; Maurer Jakob. Process and device for operating upon human teeth. Issued 3-27-28. (28)
1,664,372; Mohr Wilhelm. Machine for dividing and working dough. Issued 3-27-28. (28)
1,664,392; Baruch Alphons. Integral receiver for suspending toilet paper rolls. Issued 4-3-28. (28)
1,664,406; All. Deuta Werke Vormals Deutsche. Speedometer of the eddy current type. Issued 4-3-28. (28)
1,664,505; Franz Joseph. Machine for coating objects. Issued 4-3-28. (28)
1,664,678; Grimm Hans G. Process of stabilizing chemical substances. Issued 4-3-28. (28)
1,664,723; Young Niels. Degasification of coal. Issued 4-3-28. (28)
1,664,733; Braun Justus. Compressor. Issued 4-3-28. (28)
1,664,747; Kamensky Basile. Internal combustion engine without carburetor. Issued 4-3-28. (28)
1,664,750; Kirschner Felix. Process for the production of galvanic metal coatings. Issued 4-3-28. (6)
1,664,773; Edelhoff Alfred. Potato planting machine. Issued 4-3-28. (28)
1,664,788; Oberhammer Ludwig. Automatic or self loading small arm. Issued 4-3-28. (28)
1,664,973; Eickworth Regnier. Gas burner. Issued 4-3-28. (28)
1,664,985; Mauser Alfons. Container. Issued 4-3-28. (28)
1,664,987; Meyer Robert. Rotary engine. Issued 4-3-28. (28)
1,664,993; Osthoff Walter. Process for heating the singeing members of cylinder singeing machines. Issued 4-3-28. (28)
1,665,073; Schwanke Ewald. Clock and watch with twenty-four hour figure indication. Issued 4-3-28. (28)
1,665,076; Tessky Karl. Friction disk clutch. Issued 4-3-28. (28)
1,665,087; Fehrmann Adolf. Direction signal. Issued 4-3-28. (28)
1,665,104; Martienssen Ernest Eduard. Drainage system for playing grounds. Issued 4-3-28. (28)
1,665,105; Mezger Robert. Producing stable emulsions. Issued 4-3-28. (28)
1,665,149; Van Wienen Pieter Hendrik. Convertible skimming boat or like water craft. Issued 4-3-28. (28)
1,665,162; Freiberger Moritz et al; Holtmann August. Calico printing color composition and process. Issued 4-3-28. (28)
1,665,422; Setzer Rudolf. Device relating to ring spinning and twisting frames. Issued 4-10-23. (28)
1,665,453; Grunert Kurt. Process of producing artificial silk filaments by drawing. Issued 4-10-28. (38)
1,665,514; Toyoda Kiichiro. Buffer for the picking arms in weaving looms. Issued 4-10-28. (39)
1,665,543; All. Schmidt Sche Heissdampf GmbH. Traveling plant for the generation of high pressure steam. Issued 4-10-28. (28)
1,665,598; May Heinz. Restretchable tennis racket. Issued 4-10-28. (28)
1,665,665; Jahnke Kurt. Process for producing a hard low temperature coke. Issued 4-10-28. (28)
1,665,667; Kusters Wilhelm. Liquid level indicator. Issued 4-10-28. (28)
1,665,783; Hombrecher Albert. Spool carrier for plaiting knot work bobbin and lace making machines. Issued 4-10-28. (28)
1,665,784; All. Vox Maschinen A G. Electromagnetic talking machine. Issued 4-10-28. (28)
1,665,784; Iwadare Toru. Method of manufacturing a new syphilitis remedy from dihydroxy diamino arseno benzene monomethylene sulphonic acid. Issued 4-10-28. (39)
1,665,806; All. Eisenach Spezial Fabrik Fur. Method of and apparatus for disintegrating bulky scrap metal. Issued 4-10-28. (28)
1,665,822; Shimizu Seizo. Torsion meter. Issued 4-10-28. (39)
1,665,827; Tillmann Richard. Packing device for pressure vessels. Issued 4-10-28. (28)
1,665,872; All. Luftschiffbau Zeppelin GmbH. Assemblage point device. Issued 4-10-28. (28)
1,665,878; Glassel Karl. Regulating device for refrigerating machines. Issued 4-10-28. (28)
1,665,881; All. Lechler Paul Firm. Bituminous product and method of making same. Issued 4-10-28. (28)
1,665,886; All. Luftschiffbau Zeppelin GmbH. Gas inflated airship. Issued 4-10-28. (28)
1,665,895; All. Luftschiffbau Zeppelin GmbH. Shaft coupling. Issued 4-10-28. (28)
1,665,968; Liedtke Hans. Method of mending fabric articles. Issued 4-10-28. (28)
1,665,993; Tetens Oscas. Process for the production of unsintered binding means of oil shale and limestone and the like. Issued 4-10-28. (28)
1,666,076; Ufer Alfred. Economizer. Issued 4-17-28. (28)
1,666,090; Gahlert Fran Josef. Process for the aftertreatment of freshly spun artificial silk. Issued 4-17-28. (28)
1,666,128; Franco Attilio. Steam generator. Issued 4-17-28. (38)
1,666,208; All. Lanz Heinrich A G. Motor vehicle with horizontal engine. Issued 4-17-28. (28)
1,666,343; All. Kenkyujo Zaidan Hojin Rikagoku. Method of manufacturing piston rings. Issued 4-17-28. (39)
1,666,360; Tancetti Guglielmo. Cleaning device. Issued 4-17-28. (38)
1,666,372, Fejes Jeno. Vehicle brake. Issued 4-17-28. (34)
1,666,375; Guiducci Igino. Lock nut. Issued 4-17-28. (38)
1,666,428; Stobrawa Karl. Process of preparing pig iron in highly heated mixers. Issued 4-17-28. (28)
1,666,447; Goldschmidt Stefan. Process for the oxidation of alcohol. Issued 4-17-28. (28)
1,666,455; Klee Joseph et al; Schneider Alfons. Lifting jack for vehicles. Issued 4-17-28. (28)
1,666,472; Boltersdorf Josef; Seybold Christian et al. Paper making machine. Issued 4-17-28. (28)
1,666,557; A.I. Deckel Friedrich Firm. Camera shutter. Issued 4-17-28. (28)
1,666,560; Edeleanu Lazar et al; Pfeiffer Karl; Gress Karl. Jodeck Paul. Method of refining heavy mineral oils by means of sulphur dioxide in a continuous operation. Issued 4-17-28. (28)
1,666,573; Krantz Hubert. Device for returning water or condensation to boilers. Issued 4-17-28. (28)
1,666,579; Moller Franz et al; Moritz Martin; Gerstenberger Albin. Scaring pistol. Issued 4-17-28. (28)
1,666,584; Schindler Linus Paul. Safety device for printing machines. Issued 4-17-28. (28)
1,666,590; All. Soc Italiana Ernesto Breda. Steam turbine locomotive. Issued 4-17-28. (38)
1,666,609; Soffge Hermann. Pressure regulator. Issued 4-17-28. (28)
1,666,656; Bartling Friedrich, Honigmann Ludwig et al. Ring oven with revolving hearth. Issued 4-17-28. (28)
1,666,693; All. I G Farbenindustrie A G. Composition to be used in connection with antiknock compounds. Issued 4-17-28. (28)
1,666,695; Grebehem Hugo. Safety device for preventing railway accidents. Issued 4-17-28. (28)
1,666,696; All. I G Farbenindustrie A G. Process for utilization of Lignin. Issued 4-17-28. (28)
1,666,697; Grossmann Gustav. Diathermic apparatus. Issued 4-17-28. (28)
1,666,708; All. I G Farbenindustrie A G. Manufacture of paraformaldehyde. Issued 4-17-28. (28)
1,666,756; Sass Carl. Cleansing box for use in sewerage pipes. Issued 4-17-28. (28)
1,666,852; Grosse Friedrich. Stol shutter mechanism for photographic cameras. Issued 4-17-28. (28)
1,666,892; Ernst Wilhelm Eberhard. Apparatus for regulating mixture formation in carburetor systems. Issued 4-24-28. (28)
1,666,952; Tockhorn Hugo. Addressing device for printing presses for printing of fixed text with changeable address. Issued 4-24-28. (28)
1,666,958; Cederberg Ivar Walfrid. Catalytic combustion of ammonia oxygen mixtures. Issued 4-24-28. (28)
1,666,986; All. Jagenbergwerke A G. Cigarette packing machine. Issued 4-24-28. (28)
1,667,035; All. Jaroslaws Erste Glimmerwarenfabrik. Insulating tube. Issued 4-24-28. (28)
1,667,038; All. Borsig A GmbH. Refrigerating system. Issued 4-24-28. (28)
1,667,062; Tessky Karl. Automatic control mechanism. Issued 4-24-28. (28)
1,667,214; All. I G Farbenindustrie A G. Condensation product from olefines and hydrocarbons of the naphthalene series and process of making the same. Issued 4-24-28. (28)
1,667,221; Sakamoto Kyugoro. Let off for looms. Issued 4-24-28. (39)
1,667,237; Binz Arthur et al; Rath Curt. Process for the preparation of organic arsenic compounds. Issued 4-24-28. (28)
1,667,238; Binz Arthur et al; Rath Curt. Method for the reduction of arsonic acids. Issued 4-24-28. (28)
1,667,246; Dreyer Hans. Railway track inspection apparatus. Issued 4-24-28. (28)
1,667,423; Lichtenberger Theodor et al; Flor Konrad. Process for obtaining alkaline earth metal sulphides from alkaline earth metal sulphates. Issued 4-24-28. (28)

1,667,446; Steffen Carl Jr. Process for obtaining tricalcium saccharate. Issued 4-24-28. (6)
1,667,449; All. Faber A W Firm. Magnifying device for slide rules. Issued 4-24-28. (28)
1,667,461; All. Kaisha Saibi Mdjiami Kabushiki. Apparatus for arranging edges of net fabrics in net making machines. Issued 4-24-28. (39)
1,667,484; Liese Paul. Translucent wall ceiling and floor structure. Issued 4-24-28. (28)
1,667,517; Hausleiter Fritz Hermann. Metal framed half tone screen and method of forming the metal frame thereon. Issued 4-24-28. (28)
1,667,572; Toyoda Kiichiro. Shuttle changing apparatus for automatic looms. Issued 4-24-28. (39)
1,667,628; Fottinger Hermann. Direct reading torsion meter. Issued 4-24-28. (28)
1,667,630; All. Wolf George GmbH. Optical tube for cystoscopes, gastroscopes and the like. Issued 4-24-28. (28)
1,667,635; Nauss Friedrich. Knife edge bearing for weighing apparatus. Issued 4-24-28. (6)
1,667,642; Vanzetti Carlo. Method for prevention of cracking of castings. Issued 4-24-28. (38)
1,667,664; All. Deutsche Werke Kiel A G. Compensated induction motor for single or polyphase alternating current. Issued 4-24-28. (28)
1,667,703; Simon Ernst. Apparatus for charging fireplaces with highly inflammable loose fuel. Issued 4-24-28. (28)
1,667,709; Schlering Hermann et al; Reinhardt Arthur. Railway signaling device. Issued 4-24-28. (28)
1,667,742; Scheibel Kurt Gustav. Machine for perforating jacquard cards for embroidering machines. Issued 5-1-28. (28)
1,667,766; All. Magnet Werk GmbH Eisenach. Magnetic chuck. Issued 5-1-28. (28)
1,667,783; Harkort Hermann. Apparatus for determining the degree of fineness of pulverulent or fine granular masses by means of suspension. Issued 5-1-28. (28)
1,667,784; Haupt Hans. Collapsible umbrella. Issued 5-1-28. (28)
1,667,787; All. Trierer Walzwerk A G. Method of applying a plating of aluminum to iron and steel sheets and bands. Issued 5-1-28. (28)
1,667,793; Mauser Alfons. Method of reenforcing the walls of packing cases. Issued 5-1-28. (28)
1,667,817; Noishiki Yoshitoshi. Electrode. Issued 5-1-28. (39)
1,667,972; Horvath Ferdinand Sr. Album for photos and their negatives and or for index cards and the like. Issued 5-1-28. (28)
1,668,007; Eichelgrun Martin. Inclined plane switch. Issued 5-1-28. (28)
1,668,016; All. Neue Gluhlampen GmbH. Crystal wire filament for incandescent electric lamps and the method of winding it. Issued 5-1-28. (28)
1,668,133; Welchel Otto et al; Hollinderbaumer Wilhelm. Cupola furnace. Issued 5-1-28. (28)
1,668,172; Sasakawa Miki. Plastic composition for modeling. Issued 5-1-28. (39)
1,668,275; Hess Wilhelm. Treatment of hydrocarbons. Issued 5-1-28. (28)
1,668,292; Spiess Georg. Pneumatic sheet feeder. Issued 5-1-28. (28)
1,668,294; Walter Josef. Rail lifter. Issued 5-1-28. (6)
1,668,366; All. Sachsenwerk Licht und Kraft A G. Compensated asynchronous machine. Issued 5-1-28. (28)
1,668,382; Schroeder Curt et al; Keil Alfred. Base for ointments. Issued 5-1-28. (28)
1,668,398; Erismann Theodore. Tire valve. Issued 5-1-28. (28)
1,668,457; All. Siemens and Halske A G. Rate of flow indicator with electric integration for fluids and gases flowing through a venturi tube. Issued 5-1-28. (28)
1,668,531; All. Rheinische Metallwaaren und. Calculating machine. Issued 5-1-28. (28)
1,668,537; All. Junkers Hugo. Air heater. Issued 5-1-28. (28)
1,668,571; Niederberger Albert. Steering means for cycles motor cycles and other vehicles. Issued 5-8-28. (6)
1,668,590; Hilfreich Max. Process of manufacturing blocks of artificial resin in differently colored layers. Issued 5-8-28. (6)
1,668,660; Shimamoto Saichi. Method of treating pulverized vegetable fuels. Issued 5-8-28. (39)
1,668,755; Bergmann Georg. Packing. Issued 5-8-28. (28)
1,668,825; Sobek Emanuel. Discharge funnel for silos. Issued 5-8-28. (6)
1,668,927; Stumpf Johann. Noncondensing steam engine. Issued 5-8-28. (28)
1,669,005; Hustadt Karl Hustadt Paul et al; Heating element for tempering machines. Issued 5-8-28. (28)
1,669,021; Rockstroh Walter. Driving mechanism for flat form printing machines. Issued 5-8-28. (28)
1,669,046; All. Hesser FR Maschinenfabrik A G. Machine for wrapping loaves of bread. Issued 5-8-28. (28)
1,669,049; Grams Wilhelm. Cultivator. Issued 5-8-28. (28)
1,669,062; All. Menzel A G. Heat exchange apparatus. Issued 5-8-28. (28)
1,669,174; All. Siemens and Halske A G. Automatic telephone system. Issued 5-8-28. (28)
1,669,213; All. Minimax A G. Process of generating foam from foam developing substances. Issued 5-8-28. (28)
1,669,301; All. Triumph Werke Nurnberg A G. Ribbon shifting means for typewriters. Issued 5-8-28. (28)
1,669,303; Maltner Heinrich. Pocket lighter. Issued 5-8-28. (28)
1,669,317; Wolf Friedrich. Safety device for gas plants. Issued 5-8-28. (28)
1,669,333; All. Maschinenfabriken Tillm Gerber Sohne. Partition means for fluid containers particularly for dyeing machines and the like. Issued 5-8-28. (28)
1,669,395; Guttmann Eugen. Instrument for taking samples of secretions. Issued 5-8-28. (28)
1,669,410; Calestini Luigi. Automobile jack structure. Issued 5-15-28. (38)
1,669,424; All. Thyssen and Co AG. Valve. Issued 5-15-28. (28)
1,669,439; Berglus Friedrich. Process for distilling and liquefying coal. Issued 5-15-28. (28)
1,669,453; Brock Heinrich. Wiring system for transformers for multiphase furnaces. Issued 5-15-28. (28)
1,669,592; All. Luftschiffbau Zeppelin GmbH. Rigid airship. Issued 5-15-28. (28)
1,669,657; Dunkel Richard et al; Wilde Albert. Machine for roping straw or other vegetables. Issued 5-15-28. (28)
1,669,729; All. Pharmagans Pharmaceutisches Institut Ampule. Issued 5-15-28. (28)
1,669,793; All. Maschinenfabrik Laube Kurt U. Rudolf. Box making machine. Issued 5-15-28. (28)
1,669,819, Goltstein Ewald. Mercury vapor lamp. Issued 5-15-28. (28)
1,669,831; Kulas Carl. Method of producing artificial resin. Issued 5-15-28. (28)
1,669,840; Politz Friedrich. Powder for welding castings particularly of gray cast iron. Issued 5-15-28. (28)
1,669,846; Wenz Jonathan et al.; Alvera Josef; Brunhubner Georg. Soldering machine. Issued 5-15-28. (28)
1,669,892; Beck Carl. Sucking or feeding bottle. Issued 5-15-28.
1,669,993; Muller Heinrich. Toy figure. Issued 5-15-28. (28)
1,669,996; Naumann Willi. Cash register. Issued 5-15-28. (28)
1,669,997; Noll Friedrich. Persalts and process of making the same. Issued 5-15-28. (28)
1,670,006; Imamura Shinataro. Issued 5-15-28. (39)
1,670,358; Prym Hans. Wireworking machine. Issued 5-22-28. (28)
1,670,016; All. Treuhand GmbH. Bartmann and Co. Method of treating cereals. Issued 5-15-28. (28)
1,670,049; All. Goldschmidt th. A G. Production of solid finely divided material. Issued 5-15-28. (28)
1,670,064; Dittmar Udo. Drawing roller for spinning machines. Issued 5-15-28. (28)
1,670,203; Moller Rudolf. Automatic charging hopper for receptacles especially for producers. Issued 5-15-28. (28)
1,670,208; All. Officina Meccanica Industria. Apparatus for the manufacture of fancy knitted fabrics on circular knitting frames. Issued 5-15-28. (38)
1,670,217; Scheidt Ernest Otto. Sterilization of clear and turbid liquids by means of ultra violet rays produced in vacuum tubes by high voltage electric current. Issued 5-15-28. (28)
1,670,256; Gruber Karl et al; Stappen Albert. Work piece shifting device for use in connection with reciprocating or oscillating rolling mills. Issued 5-15-28. (28)
1,670,301; Eisenmenger Rudolf. Apparatus for producing or promoting artificial breathing or respiration. Issued 5-22-28. (6)
1,670,336; All. Krupp Firm Fried Grusonwerk A G. Extrusion press. Issued 5-22-28. (28)
1,670,341; Casale Luigi Dec. Process for the preparation of urea from carbonic anhydride and synthetic ammonia. Issued 5-22-28. (38)
1,670,413; Kneidl Hans. Milling machine having crank drive and automatic feed. Issued 5-22-28. (28)
1,670,449; Hashimoto Tokujiro. Cosmetic. Issued 5-22-28. (39)
1,670,470; All. Menck & Hambrock GmbH. Boom for shovel excavators. Issued 5-22-28. (28)
1,670,504; All. I. G. Farbenindustrie A G. Manufacture of di ammonium phosphate. Issued 5-22-28. (28)
1,670,577; Joannes Giuseppe. Thermometer. Issued 5-22-28. (38)
1,670,581; Kesselring Fritz. Continuous current variable speed machine. Issued 5-22-28. (28)
1,670,617; All. Grunhut Friedrich. Automatic brake device for trains. Issued 5-22-28. (28)
1,670,643; Weidner Edmund. Apparatus for the delivery of soap and the like in portions. Issued 5-22-28. (28)
1,670,661; Holtschmit Friedrich. Driving mechanism for hoists moving staircases and the like. Issued 5-22-28. (28)
1,670,681; Haas Rudolf. Rotary pump motor and meter. Issued 5-22-28. (28)
1,670,757; Von Bronk Otto. Apparatus for the electrical transmission of pictures. Issued 5-22-28. (28)
1,670,861; Ludowichi Johann Wilhelm. Photographic plate changing means. Issued 5-22-28. (28)
1,670,884; Erkens Paul. Paper making machine. Issued 5-22-28. (28)
1,670,914; Tessky Karl. Belt drive. Issued 5-22-28. (28)
1,670,991; Schilde Richard. Apparatus for drying fabrics and the like. Issued 5-22-28. (28)
1,670,999; Wiegand Hugo. Eye carrier and eyelid for dolls eyes. Issued 5-22-28. (28)

1,671,108; Frolich Ernst. Railway switching system. Issued 5-29-28. (28)
1,671,115; Linnmann Wilhelm Jr. Apparatus for separating liquids of different specific gravities. Issued 5-29-28. (28)
1,671,119; Medveczky Ladislaw. Safety stopper for bottles or other receptacles. Issued 5-29-28. (34)
1,671,245; Kraus Ferdinand. Alternating current rectifier. Issued 5-29-28. (28)
1,671,248; Lichtenstern Richard. Method for impregnation of unpaved streets. Issued 5-29-28. (6)
1,671,256; Rath Curt. Process for the preparation of 2 amino 5 iodo pyridine. Issued 5-29-28. (28)
1,671,257; Rath Curt. Process for the preparation of hydrazino pyridine compounds. Issued 5-29-28. (28)
1,671,291; Ihlefeldt Johannes. Multi chamber mill for grinding materials of all kinds. Issued 5-29-28. (28)
1,671,311; Pfarr Max. Hoeing machine. Issued 5-29-28. (28)
1,671,312; Pollak Robert. Pocket comb. Issued 5-29-28. (6)
1,671,448; Plassmann Josef. Retort for carbonizing bituminous fuels. Issued 5-29-28. (28)
1,671,453; Stier Hermann. Metal truck. Issued 5-29-28. (28)
1,671,469; All. Siemens Gebruder and Co. Electric resistance. Issued 5-29-28. (28)
1,671,532; Lemansky Alex et al; Ziepl Sebastian. Stringed musical instrument. Issued 5-29-28. (28)
1,671,549; All. Burger Eisenwerke GMBH. Furnace for domestic heating plants for solid fuel. Issued 5-29-28. (28)
1,671,678; All. Hartstoff Metall AG Hametag. Eddy or whirling mill. Issued 5-29-28. (28)
1,671,683; All. Hartstoff Metall AG Hametag. Method and device for producing finely granulated bodies from molten metal. Issued 5-29-28. (28)
1,671,712; Gebauer Ferencz. Machine gun for flying machines. Issued 5-29-28. (34)
1,671,722; Ishii Shokichi. Typewriter. Issued 5-29-28. (39)
1,671,730; Lange Felix. Method of alumino thermic pressure welding. Issued 5-29-28. (28)
1,671,917; Zobelein August. Conveying device. Issued 5-29-28. (28)
1,671,918; Zobelein August. Conveying device. Issued 5-29-28. (28)
1,671,922; Avorio Luigi. Slack balloon with elastic deformation. Issued 5-29-28. (38)
1,671,983; Faust Carl. Spring coiling tool. Issued 6-5-28. (28)
1,671,992; Mannborg Theodor. Bellows regulating device. Issued 6-5-28. (28)
1,672,008; Stiattesi Raffaello. Interliner. Issued 6-5-28. (38)
1,672,031; All. Lanz Heinrich AG. Internal combustion engine. Issued 6-5-28. (28)
1,672,138; All. Johne Werk Grafische maschinen AG. Cutting machine for paper cardboard and the like. Issued 6-5-28. (28)
1,672,144; Zanchi Attilio. Skein with the thread crossed in the form of a figure eight for the examination of the yarn and an apparatus for the production of the skein. Issued 6-5-28. (38)
1,672,172; All. Rump Joh Moritz AG. Method of annealing sheet metal. Issued 6-5-28. (28)
1,672,206; Gehring Rudolf. Fingerprint taking device. Issued 6-5-28. (28)
1,672,340; Rath Curt. Derivatives of 3 or 5 iodo pyridine. Issued 6-5-28. (28)
1,672,343; Rothmann Eduard. Steel engraving printing machine. Issued 6-5-28. (28)
1,672,345; Schneider John Josef. Oil retaining and dust excluding ring. Issued 6-5-28. (28)
1,672,420; Muller Friedrich. Small size barrel organ. Issued 6-5-28. (28)
1,672,473; Scheibert Friedrich. Inflatable and collapsible boat. Issued 6-5-28. (28)
1,672,527; Heintze Georg. Machine for drawing wool or other textile fiber materials. Issued 6-5-28. (28)
1,672,565; Giordano Filippo. Luminous number plate for motor vehicles. Issued 6-5-28. (38)
1,672,644; Hoffmann Helmut et al; Mark Hermann; Herzog Reginald Oliver. Nozzle for spinning artificial threads. Issued 6-5-28. (28)
1,672,688; Pommee Jean. Filling for dissolved gas and method of producing same. Issued 6-5-28. (28)
1,672,788; All. I G Farbenindustrie AG. Producing alumina free from iron. Issued 6-5-28. (28)
1,672,807; Etzel Heinrich. Driving mechanism for oscillating conveyers. Issued 6-5-28. (28)
1,672,915; All. Bing Werke. Connection plate for toy electric railways. Issued 6-13-28. (28)
1,672,936; Hara Shoyemon. Apparatus for sinking down dridge piers. Issued 6-12-28. (39)
1,672,948; All. I G Farbeindustrie AG. Process for the continuous purification of raw bisulphide of carbon. Issued 6-12-28. (28)
1,672,965; Szekeres Richard. Match box. Issued 6-12-28. (34)
1,673,053; Ohba Shintaro. Tuyere for blast furnaces. Issued 6-12-28. (39)
1,673,054; Rosenberger Paul. Metal casting apparatus. Issued 6-12-28. (28)
1,673,059; Baier Wilhelm. Garment hanger. Issued 6-12-28. (28)
1,673,060; Brinkmann Ernst. Multicolor printing on rotary presses. Issued 6-12-28. (28)
1,673,090; Real Walter. Paper filing device. Issued 6-12-28. (28)
1,673,197; Kollmann Hermann. Spring motor. Issued 6-12-28. (28)
1,673,208; All. Felten and Guilleaume Carswerk A G. Method of manufacturing uniformly loaded conductors used for signaling purposes. Issued 6-12-28. (28)
1,673,237; Gerdes Franz. Automatic crane grab. Issued 6-12-28. (28)
1,673,242; Hauptner Rudolf. Veterinary instrument for embryotomy. Issued 6-12-28. (28)
1,673,253; Krantz Hubert. Tentering and drying machine for textile fabrics. Issued 6-12-28. (28)
1,673,264; Nagasaki Haruzo. Method of treating tea. Issued 6-12-28. (39)
1,673,286; Inoue Kojiro. Attachment metal fitting for detachable bridge dentures. Issued 6-12-28. (39)
1,673,327; Hahn Paul. Lacing for apparel. Issued 6-12-28. (28)
1,673,375; All. Dienzle Uhrenfabriken A G. Fare indicator. Issued 6-12-28. (28)
1,673,481; All. Luftschiffbau Zeppelin GmbH. Airship hull. Issued 6-12-28. (28)
1,673,497; All. Luftschiffbau Zeppelin GmbH. Gas inflated airship. Issued 6-12-28. (28)
1,673,680; Hugershoff Reinhard. Device for copying from pairs of photographs. Issued 6-12-28. (28)
1,673,686; Kremmling Otto. Machine for coating or incrusting confectionery biscuits and the like. Issued 6-12-28. (28)
1,673,702; All. Bergmann Elektricitats werke A G. Loom. Issued 6-12-28. (28)
1,673,894; All. Neufeldt & Kuhnke Betriebsgellschaft Pointer telegraph. Issued 6-19-28. (28)
1,673,899; Brozeit Carl. Pneumatic apparatus for cutting coal and the like. Issued 6-19-28. (28)
1,674,007; All. C Otto & Co. GmbH. Coke pushing machine. Issued 6-19-28. (28)
1,674,077; All. IG Farbenindustrie AG. Production of alkali metal nitrates. Issued 6-19-28. (28)
1,674,105; Gascard Charles. Mine prop. Issued 6-19-28. (28)
1,674,112; Hering Friedrich. Device for the manufacture of metal balls. Issued 6-19-28. (28)
1,674,119; Miyaguchi Takeo. Method of making ferroboron and boron steel. Issued 6-19-28. (39)
1,674,120; Nozawa Ichiro. Steel or iron pillar particularly adapted for mounting electric wires. Issued 6-19-28. (39)
1,674,163; Diederichs Friedrich Josef. Fuel lighter. Issued 6-19-28. (28)
1,674,177; Nyakas Stefan. Speed aeroplane. Issued 6-19-28. (34)
1,674,182; Siegheim Fritz. Manufacture of double walled glass vessels. Issued 6-19-28. (28)
1,674,217; All. Officina Meccanica Industria Circular knitting frame. Issued 6-19-28. (38)
1,674,228; Schmidt Karl. Signaling apparatus for waiters. Issued 6-19-28. (28)
1,674,230; All. Fulmit GmbH. Process for drying and extracting gases from metallic powders. Issued 6-19-28. (28)
1,674,234; Adrian Jakob. Stopping mechanism for shoe sewing machines. Issued 6-19-28. (28)
1,674,236; Bauer Heinrich. Steel wire brush for cleaning the types on typewriting machines. Issued 6-19-28. (28)
1,674,326; Garbuio Giuseppe. Drying apparatus for the drying of alimentary paste. Issued 6-19-28. (38)
1,674,348; Szabo Sandor. Automatic feed pump especially for locomotive boilers. Issued 6-19-28. (34)
1,674,356; All. Koepp Firm of Rudolph & Co. Process for weighting silk. Issued 6-19-28. (28)
1,674,431; Giesecke Fritz. Apparatus for annealing metal. Issued 6-19-28. (28)
1,674,506; Ernst Hans. Valve for preserving receptacles. Issued 6-19-28. (28)
1,674,557; All. Maybach Firm Motorenbau GmbH. Controlling the transmission gear of motor vehicles. Issued 6-19-28. (28)
1,674,568; Raab Leopold. Internal combustion engine. Issued 6-19-28. (6)
1,674,676; All. Allgemeine Chemische Industrie. Process for treating oils with liquid sulphur dioxide. Issued 6-26-28. (28)
1,674,710; Wittek Herbert. Process of separating the neutral oils in tars tar oils and pitches from acid constituents. Issued 6-26-28. (28)
1,674,751; Von Luettwitz Ernst Freiherr. Equalized braking mechanism for single track vehicles. Issued 6-26-28. (28)
1,674,773; Fritzsche Johannes. Safety fuse. Issued 6-26-28. (6)
1,674,808; Suzuki Masoaki. Chalk holder. Issued 6-26-28. (28)
1,674,875; Schaurte Werner. Screw gauge. Issued 6-26-28. (28)
1,674,912; Meyer Ulfilas. Conductor braided with wound on conductors. Issued 6-26-28. (28)
1,674,963; All. Vereinigte seidenweberein A G. Loom lay mounting. Issued 6-26-28. (28)
1,674,969; Glaser Jakob. Apparatus for cutting rock coal and the like. Issued 6-26-28. (28)
1,674,984; Muller Karl. Automatic controlling apparatus for pumps compressors and the like. Issued 6-26-28. (28)
1,675,008; Von Rosthorn Oscar. Process for the manufacture of copper alloys. Issued 6-26-28. (6)
1,675,041; Nakahara Toichi. Door lock. Issued 6-26-28. (39)
1,675,205; All. Lurgi Apparatebau GmbH. Tiltable multiple contact switch. Issued 6-26-28. (28)
1,675,216; Heimberger Hermann. Endoscope. Issued 6-26-28. (28)

1,675,233; All. Atlas Werke Pohler and Co. Multiple sole pressing machine. Issued 6-26-28. (28)
1,675,272; Jung Peter. Process of making briquettes. Issued 6-26-28. (28)
1,675,320; Allzeit Emil. Piston valve. Issued 7-3-28. (28)
1,675,364; All. Wolf George GmbH. Optical apparatus for examining cavities and tubes in the body. Issued 7-3-28. (28)
1,675,402; Binz Arthur et al; Rath Curt. Method of preparing nitropyridine arsenic acids. Issued 7-3-28. (28)
1,675,495; All. Deutsche Werke Kiel AG. Protective device for compensated asynchronous motors. Issued 7-3-28. (28)
1,675,508; Muller Georg. Buttonhole sewing machine. Issued 7-3-28. (28)
1,675,522; All. Bayerische Celluloidwarenfabrik Vorm. Diver toy. Issued 7-3-28. (28)
1,675,664; Reuss Wilhelm. Welding medium for aluminum. Issued 7-3-28. (28)
1,675,674; Szarvasy Imre. Process for the production of carbon electrodes. Issued 7-3-28. (34)
1,675,676; Walther Ewald. Press for the cold extruding of tubes from metal disks. Issued 7-3-28. (28)
1,675,678; All. Junkers Hugo. Explosion motor to be utilized under various atmospheric conditions. Issued 7-3-28. (28)
1,675,735; Stolz Franz. Method of baking the linings of crucibles. Issued 7-3-28. (28)
1,675,742; All. Studiengesellschaft Fuer Wirtschaft. Electrode holder for electric furnaces. Issued 7-3-28. (28)
1,675,764; Mickel Georg. Sparking plug. Issued 7-3-28. (28)
1,675,799; Goldschmidt Rudolf. Mechanism for measuring the frequency of the pulse. Issued 7-3-28. (28)
1,675,800; Goldschmidt Rudolf. Mechanism for measuring the frequency of the pulse. Issued 7-3-28. (28)
1,675,833; Strittmatter August. Apparatus for the manufacture of artificial marble slabs. Issued 7-3-28. (28)
1,675,837; Beckmann Johannes. Explosion-proof fitting for electric glowlamps. Issued 7-3-28. (28)
1,675,873; Bauer Martin. Handpiece for tooth boring machines. Issued 7-3-28. (28)
1,675,887; Hammer Hans. Daybook. Issued 7-3-28. (28)
1,675,892; All. Schmidt Sche Heissdampf GmbH. Steam boiler. Issued 7-3-28. (28)
1,675,943; Malrich Carl. Bakehouse oven. Issued 7-3-28. (28)
1,675,960; All. Krupp Fried AG. Alternating current induction motor. Issued 7-3-28. (28)
1,675,966; Wolff Friedrich. Regulating device for gas and air mixing plants gas delivery plants and the like. Issued 7-3-28. (28)
1,675,974; Gambarotta Piero. Speed indicating device. Issued 7-3-28. (38)
1,675,977; All. Kenkyujo Zaidan Hojin Rikagaku. Process of making solvent oil. Issued 7-3-28. (39)
1,676,014; All. Ludenscheider Metallwerke AG Vorm. Safety locking device. Issued 7-3-28. (28)
1,676,015; Feick Otto. Sporting apparatus. Issued 7-3-28. (28)
1,676,026; All. Schmidt Sche Heissdampf GmbH. Water gauge for steam boilers. Issued 7-3-28. (28)
1,676,041; Nagao Seturo. Unloading machine. Issued 7-3-28. (39)
1,676,068; Bayer Gaudenz. Refrigerating apparatus. Issued 7-3-28. (28)
1,676,121; Von der Heide Richard. Process of transforming pieces of curds into cheese by treatment with salts. Issued 7-3-28. (28)

1,676,125; Wollin Karl et al; Smolczyk Eduard. Device for indicating admixtures to gases and liquids. Issued 7-3-28. (28)
1,676,175; Benz Johannes. Centering device for use in machining crank shafts eccentrics or the like. Issued 7-3-28. (28)
1,676,177; Claas August. Knotter for binding mowers and straw binders. Issued 7-3-28. (28)
1,676,267; Kunzel Kurt. Process of making glass in a shaft furnace. Issued 7-10-28. (28)
1,676,299; Stock Johann Jacob Friedrich. Device for cleaning and smoothing films and the like. Issued 7-10-28. (28)
1,676,333; Kattwinkel Hans. Resilient intermediate member for jointed couplings and the like. Issued 7-10-28. (28)
1,676,354; Sachsse Anna Elise. Back support for baths. Issued 7-10-28. (28)
1,676,367; Stockemann Ernst. Stageless change speed gearing. Issued 7-10-28. (28)
1,676,398; Lengemann Paul. Foot arch support. Issued 7-10-28. (28)
1,676,451; Lilge Friedrich. Packing or filling body. Issued 7-10-28. (28)
1,676,523; All. Schmiertechnik fur AG. Grease cup. Issued 7-10-28. (28)
1,676,550; Hanamann Anton. Water closet system. Issued 7-10-28. (6)
1,676,701; All. Suddeutschen Telephon Apparate Kabel. Method of manufacturing electron emitting cathodes. Issued 7-10-28. (28)
1,676,709; Polanyi Michael et al; Von Bogdandy Stephan. Process for determining the composition of copper and zinc alloys. Issued 7-10-28. (28)
1,676,862; All. Boehringer C H Sohn Chemische Fabrik. Process for the production of quinoline 4 carboxylic acids. Issued 7-10-28. (28)
1,676,981; De Renzis Guglielmo. Apparatus for the manufacture of bottles and other glass hollow ware. Issued 7-10-28. (38)
1,677,019; Casati Pietro et al; Antoniola Alessandro. Arrangement for eliminating the dangers due to back fires in carburetors. Issued 7-10-28. (38)
1,677,179; Gopel Carl. Device for discharging praline cores from the powdering box. Issued 7-17-28. (28)
1,677,216; Schauer Paul. Rotary compressor. Issued 7-17-28. (28)
1,677,219; Sussmann Hugo. Stocking frame. Issued 7-17-28. (28)
1,677,223; Wittig Auguste. Chamber pot. Issued 7-17-28. (28)
1,677,247; Neuhaus Gottfried. Sorting machine. Issued 7-17-28. (28)
1,677,257; All. Michael J and Co. Process for the manufacture of arsenic acid. Issued 7-17-28. (28)
1,677,263; Ballert Otto. Tipping car. Issued 7-17-28. (28)
1,677,409; Rottmann Fritz et al; Brohmeyer Friedrich. Absorption plant for gases and vapors. Issued 7-17-28. (28)
1,677,419; All. Benz and Cie Rheinische Automobil U. Steering gear. Issued 7-17-28. (28)
1,677,438; Frohnhauser Heinrich. Apparatus for producing meshed sheet metal flat bars and hoop iron. Issued 7-17-28. (28)
1,677,446; Hartmetz Ernst. Blower. Issued 7-17-28. (28)
1,677,450; Iden Max Wilhelm. Float. Issued 7-17-28. (28)
1,677,462; Roger Karl et al; Schoenleben Hans Walther Fritz. Matrix setting and type line casting machine. Issued 7-17-28. (28)
1,677,524; All. Maschinenfabrik Augsburg Neurnberg. Gasometer. Issued 7-17-28. (28)
1,677,529; Pollak Alfred. Manufacture of yeast especially by the aeration process. Issued 7-17-28. (6)
1,677,559; All. Perliner Stickmaschinenfabrik. Combined guiding and feeding device for crank embroidery machines and the like. Issued 7-17-28. (28)
1,677,661; Schlosshauer Alfred. Central lubricating apparatus for stiff lubricants. Issued 7-17-28. (28)
1,677,712; All. I G Farbenindustrie AG. Electrode holder. Issued 7-17-28. (28)
1,677,726; All. Badische Maschinenfabrik. Method of and apparatus for delivering sand into molds. Issued 7-17-28. (28)
1,677,730; All. I G Farbenindustrie AG. Manufacture of paraformaldehyde. Issued 7-17-28. (28)
1,677,731; Wilhelm Friedrich (57) Sautermeister Carl et al. Process of working up acid resins obtained from the refining of mineral oil derivatives into neutral bitumens. Issued 7-17-28. (28)
1,677,816; Daya Werner. Railway signal apparatus. Issued 7-17-28. (28)
1,677,875; Szilvay Cornelius. Apparatus for extinguishing fire. Issued 7-17-28. (34)
1,677,940; All. Kuttner Fr Firm. Spinning machine for spinning. Issued 7-24-28. (28)
1,678,020; All. Tischler and Seichter. Device for opening and closing attic windows. Issued 7-24-28. (28)
1,678,079; All. Doll and Co. AG. Rail joint connection for toy railways. Issued 7-24-28. (28)
1,678,089; Ullmann Gustav. Method of and apparatus for cleaning high pressure boiling apparatus. Issued 7-24-28. (6)
1,678,090; Wehrle Otto. Casing for electric transformers and the like. Issued 7-24-28. (28)
1,678,091; All. Maschinenfabrik Augsburg Nuernberg. Adjusting the proportion of color to thinning agent in connection with intaglio printing machines. Issued 7-24-28. (28)
1,678,153; Martin Karl. Price indicating balance. Issued 7-24-28. (28)
1,678,212; Ernst Wilhelm Eberhard. Auxiliary combustion space in internal combustion engines. Issued 7-24-28. (28)
1,678,235; All. Siemens Schuckertwerke GmbH. Steam boiler. Issued 7-24-28. (28)
1,678,238; All. Progress textilmaschinen GmbH. Crankshaft mechanism for the slay of looms. Issued 7-24-28. (28)
1,678,256; Klar Max. Process of manufacturing white acetate of lead solutions or crystals out of pyrolgneous acid. Issued 7-24-28. (28)
1,678,413; Zahringer Alexander. Grinding machine. Issued 7-24-28. (28)
1,678,428; Franco Attilio. Articulated coupling for rigid frame units. Issued 7-24-28. (38)
1,678,435; Hunnebeck Emil Moritz. Self contained latticework. Issued 7-24-28. (28)
1,678,447; Schwenke Robert. Driving device for the front wheels of motor cars. Issued 7-24-28. (28)
1,678,460; Breslauer Max. Photographic apparatus. Issued 7-24-28. (28)
1,678,480; All. Kienzle Uhrenfabriken AG. Fare indicator. Issued 7-24-28. (28)
1,678,536; All. Niederbayerische Cellulosewerke. Circulation of liquids in preheaters and steam generators. Issued 7-24-28. (28)
1,678,553; Brandegger Willy. Sound producing instrument. Issued 7-24-28. (28)
1,678,571; Meyer Friedrich Wilhelm. Process of purifying sugar solutions. Issued 7-24-28. (28)
1,678,572; Monforts Joseph. Fabric shearing machine. Issued 7-24-28. (28)

1,678,609; Spanier Fritz. Toothpick. Issued 7-24-28. (28)
1,678,655; All. Lanz Heinrich AG. Production of iron castings. Issued 7-31-28. (28)
1,678,709; Schurmann Walter. Sectional or link shaft. Issued 7-31-28. (28)
1,678,734; Kuhn Wilhelm. Fluid operated tool. Issued 7-31-28. (28)
1,678,747; All. Marx W and Co. Dough kneading machine for the production of dough portions ready for baking. Issued 7-31-28. (28)
1,678,751; All. Record Cement Industrie GmbH Method of distilling oil shale and providing a raw material suitable for the manufacture of hydraulic cement. Issued 7-31-28. (28)
1,678,759; All. Baumgartner F A Dr Katz and Co GmbH. Manufacture of hollow bodies from fibrous material pulp. Issued 7-31-28. (28)
1,678,760; Binz Arthur et al; Rath Curt. Process for the preparation of arsenic compounds. Issued 7-31-28. (28)
1,678,778; Harter Hans. Apparatus for carrying out chemical reactions between gases or vapors or gases and vapors. Issued 7-31-28. (28)
1,678,785; Pfaffenberger Hans. Toy vehicle. Issued 7-31-28. (28)
1,678,797; Arnold Carl. Spark producing figure wheeled toy. Issued 7-31-28. (28)
1,678,932; Buhler Georg. Suction apparatus. Issued 7-31-28. (28)
1,678,985; Kohlen Josef. Rock drill. Issued 7-31-28. (28)
1,679,018; Bartling Friedrich. Gas tight seal for relatively. Issued 7-31-28. (28)
1,679,034; Horii Shinjiro. Stencil sheet. Issued 7-31-28. (39)
1,679,037; All. De Haen E AG. Boiler composition and method of making same. Issued 7-31-28. (28)
1,679,055; All. I G Farbenindustrie AG. Crystallization apparatus. Issued 7-31-28. (28)
1,679,078; Fleissner Hans. Method of drying coal and like fuels. Issued 7-31-28. (6)
1,679,106; Weinstein Alfred. Sound producing device. Issued 7-31-28. (28)
1,679,267; Rieger Clara. Combined walking stick and tripod. Issued 7-31-28. (28)
1,679,308; Jordan Franz. Method of plating metals with aluminum. Issued 7-31-28. (28)
1,679,356; Grunewald Heinrich. Aeroplane. Issued 8-7-28. (28)
1,679,360; Jung Jacob. Die throwing device. Issued 8-7-28. (28)
1,679,363; Kohler Max. Work guide for overseaming machines. Issued 8-7-28. (28)
1,679,384; Stahl Hans. Facet tooth. Issued 8-7-28. (28)
1,679,428; Kohler Max. Circular looper. Issued 8-7-28. (28)
1,679,433; All. Cannstatter Misch und Knetmaschinen. Safety appliance for hydraulic accumulators. Issued 8-7-28. (28)
1,679,469; All. Maschinenfabrik Augsburg. Rail vehicles. Issued 8-7-28. (28)
1,679,482; Lerden Bernhard. Spectacles with lighting device. Issued 8-7-28. (6)
1,679,491; All. Maschinenfabrik Augsburg. Vertical internal combustion engine Issued 8-7-28. (28)
1,679,492; All. Maschinenfabrik Augsburg. Starting device for starting combustion engines. Issued 8-7-28. (28)
1,679,494; All. Maschinenfabrik Augsberg. Power plant. Issued 8-7-28. (28)
1,679,550; All. Luftschiffbau Zeppelin GmbH. Gas supported airship. Issued 8-7-28. (28)
1,679,564; All. Luftschiffbau Zeppelin GmbH. Gas container for airships. Issued 8-7-28. (28)
1,679,611; Kupelwieser Hans. Wall construction Issued 8-7-28. (6)
1,679,661; Hugershoff Reinhard Stereoscopic measuring instrument. Issued 8-7-28. (28)
1,679,680; All. Officina O M I M Industria. Stripping apparatus for circular hosiery machines. Issued 8-7-28. (38)
1,679,685; Schroder Wilhelm Gotthilf. Device for the cooling of fatty emulsions or the like. Issued 8-7-28. (28)
1,679,743; All. Maschinenfabrik Augsburg. Internal combustion engine with fuel injected sidewise. Issued 8-7-28. (28)
1,679,850; Berl Ernst. Process for the manufacture of threads films and the like from cellulose derivatives. Issued 8-7-27. (28)
1,679,851; Brecht Emil et al; Fugmann Rudolf. Blowing machine for the manufacture of hats. Issued 8-7-28. (28)
1,679,905; Kassner Ernst. Resetting mechanism. Issued 8-7-28. (28)
1,679,976; Junkers Hugo. Internal combustion engine. Issued 8-7-28 (28)
1,679,989; Roser Heinrich. Baking oven. Issued 8-7-28. (28)
1,679,993; All. Pfalzische Chamotte und Thonwerke. Heat exchanging structure for air heater and the like. Issued 8-7-28. (28)
1,680,008; All. Rohrbogenwerk GmbH. Apparatus for straightening the ends of bent pipes. Issued 8-7-28. (28)
1,680,017; Fornaca Guido. Two stroke engine of the opposed piston type. Issued 8-7-28 (38)
1,680,019; Guadagni Guiseppe. Apparatus for the formation of nitric acid or hydrochloric acid. Issued 8-7-28. (38)
1,680,052; Lanka Arthur. Accordion. Issued 8-7-28. (28)
1,680,066; All. Rhenania Verein Chemischer Process for obtaining pure alumina and alkali metal carbonates. Issued 8-7-28 (28)
1,680,183; Rozinek Arthur; Szikla Geza et al. Fuel dust furnace. Issued 8-7-28. (34)
1,680,186; Von Frommer Rudolf. Automatic Firearm. Issued 8-7-28. (34)
1,680,194; Akashi Kazue. Drawing compass having a lengthening device of legs. Issued 8-7-28. (39)
1,680,206; Cordes Walter. Dental engine. Issued 8-7-28. (28)
1,680,215; Friedel Paul. Device for stopping railroad vehicles independently of the driver. Issued 8-7-28 (28)
1,680,587; Binz Arthur et al; Rath Curt. Process for the manufacture of 2 hydroxy 3 bromo 5 pyridin arsonic acid. Issued 8-14-28 (28)
1,680,616; Horst Friedrich Wilhelm. Sealed Package. Issued 8-14-28 (28)
1,680,625; All. I G Farbenindustrie A G. Process of producing phosphoric acid. Issued 8-14-28 (28)
1,680,865; Fujii Masao. Method of neutralizing acidity or alkalinity of decomposed product or products by glutamic acid or its salts. Issued 8-14-28. (39)
1,680,906; Neumann Fritz. Centrifugal pump. Issued 8-14-28 (28)
1,680,908; Nishida Hirotaro et al; Shimada Keiichi. Method of preparing artificial petroleum from rubber scrap or vulcanized rubber waste. Issued 8-14-28 (39)
1,680,930; Ando Katsutaro. Combined lock and latch. Issued 8-14-28. (39)
1,681,043; Luyken Hugo. Cupola with forehearth. Issued 8-14-28. (28)
1,681,077; All. Bensa Felice. Manufacture of highly chlorinated perylenes. Issued 8-14-28. (38)
1,681,195; All. Rhenania Kunheim Verein. Process for producing zirconium compounds Issued 8-21-28. (28)
1,681,196; All. Siemens Schuckertwerke GmbH. Device for breaking the connections of electric circuits. Issued 8-21-28. (28)
1,681,315; Von Frommer Rudolf. Safety mechanism for firearms. Issued 8-21-28. (34)
1,681,320; All. Gottlieb Max Firm. Process for the preparation of a liquid for rinsing the mouth and means for applying it. Issued 8-21-28. (28)
1,681,341; Helbig Albin Berthold Water-cooled furnace wall. Issued 8-21-28 (28)
1,681,356; Luckwell Arthur. Process and apparatus for weaving together the ends of similarly woven belts and bands. Issued 8-21-28. (28)
1,681,379; All. Suzuki Saburosuke. Method of collecting inorganic potassium salt contain salt and glutamic acid from the waste liquor produced in distilling alcohol from fermented beet molasses. Issued 8-21-28 (39)
1,681,416; Lichtenberger Richard. Padlock Issued 8-21-28. (28)
1,681,460; Bruhn Friedrich Wilhelm Gustav Recording device. Issued 8-21-28. (28)
1,681,471; Eckhardt Fritz et al; Holinekamp Max. Safety device for series connected incandescent electric lamps. Issued 8-21-28 (28)
1,681,477; Hass Hans. Ships funnel Issued 8-21-28. (28)
1,681,538; Hoffmann Franz. Treatment of liquids such as milk with rays more particularly with ultra violet rays. Issued 8-21-28. (6)
1,681,583; Guttner Georg. Rotary motor or compressor Issued 8-21-28. (28)
1,681,593; Pahl Karl. Sheet piling Issued 8-21-28. (28)
1,681,605; Zweigle Gottlob Testing the quality of cotton fibers and the like. Issued 8-21-28. (28)
1,681,689; Stern Ottokar. Arrangement for laying foundations. Issued 8-21-28 (28)
1,681,694; Bock Max M. Planet gear. Issued 8-21-28 (28)
1,681,708; Murakoshi Kogoro. Induced current medical instrument with condenser. Issued 8-21-28. (39)
1,682,006; Franco Attilio. Steam locomotive. Issued 8-28-28. (38)
1,682,025; All. Luftschiffbau Zeppelin GmbH. Airship. Issued 8-28-28. (28)
1,682,074; Forster Bernhard. Method for the manufacturing of snappers for snap rings. Issued 8-28-28. (28)
1,682,087; Muller Emilie Elsa. Round knitting machine. Issued 8-28-28. (28)
1,682,091; All. Kuhl Transit Verkehrs AG Heat tight and air tight closing device for doors. Issued 8-28-28 (28)
1,682,121; Gebbert Arthur. High frequency oscillation system for medical apparatus Issued 8-28-28. (28)
1,682,131; Klein Hugo et al; Kuhn Paul Gridwork for air heaters. Issued 8-28-28 (28)
1,682,146; Riebe Carl. Device for producing confectionery containing an aromatic liquid. Issued 8-28-28 (28)
1,682,152; Szelinski Reinhold. Automatic railway coupling. Issued 8-28-28. (28)
1,682,155; Toenniessen Ernst. Wheel for pressing the empty tubes upon the spindles of spinning and doubling frames. Issued 8-28-28. (28)
1,682,156; Toenniessen Ernst. Pressing off device for tubes and yarn bodies of spinning and doubling frames. Issued 8-28-28 (28)
1,682,259; Wilden Albert. Identity card holder. Issued 8-28-28. (28)
1,682,261; Gabler Adlersfeld Hugo. Production of imitation paintings. Issued 8-28-28. (6)
1,682,262; Antoni Ugo. Body structure for aerial and land vehicles and marine craft. Issued 8-28-28. (38)
1,682,265; Bringhenti Plinio. Process and device for concentrating incrusting or corrosive solutions. Issued 8-28-28. (38)
1,682,290; Kuhnle Adolf. Connection device specially for jewelry. Issued 8-28-28 (28)

1,682,336; Hentschel Robert. Suction device for multistage centrifugal pumps. Issued 8-28-28. (28)
1,682,382; All. I G Farbenindustrie AG. Sulphonated cellulose derivatives and process of preparing them. Issued 8-28-28. (28)
1,682,405; All. Luft Fahrzeug GmbH. Non-rigid airship. Issued 8-28-28. (28)
1,682,434; All. I G Farbenindustrie AG. Manufacture of condensation products containing sulphur. Issued 8-28-28. (28)
1,682,521; Huttemann Wilhelm. Door lock. Issued 8-28-28. (28)
1,682,560; Gruber Hans. Explosive mine. Issued 8-28-28. (28)
1,682,628; Romanowicz Marian et al; Romanowicz Johann. Photographic film or plate pack. Issued 8-28-28. (6)
1,682,646; Weber Gustav. Machine for producing wood screws from pressed blanks. Issued 8-28-28. (28)
1,682,657; Blank Ernst. Brushlike implement for painting with liquid substances. Issued 8-28-28. (28)
1,682,724; Bungeroth Rudolf. Tube Expander. Issued 8-28-28. (28)
1,682,965; Heinitz Woldemar. Straight knitting frame. Issued 9-4-28. (28)
1,683,040; Junkers Hugo. Working oil engine Issued 9-4-28. (28)
1,683,050; All. Widerstand AG fur Elektro Warme Electric resistance for electrically heated boilers. Issued 9-4-28. (28)
1,683,144; All. Drager Alexander Bernhard. Inhaling apparatus for narcotics. Issued 9-4-28. (28)
1,683,176; Faulhaber Jocob. Catch drop for battles. Issued 9-4-28. (28)
1,683,206; All. Elektrizitats Sanitas GmbH. Surgical motor. Issued 9-4-28. (28)
1,683,316; Suchorzynski Anton von. Hearing apparatus. Issued 9-4-28. (28)
1,683,362; Loffler Stephan. Fluid level indicator and leading in arrangement for electrodes in hot high pressure rooms. Issued 9-4-28. (28)
1,683,470; Knope Carl. Process for the production of waterproof textile material paper and the like. Issued 9-4-28. (28)
1,683,507; Weber Richard. Process of producing baskets and other basketwork structures. Issued 9-4-28. (28)
1,683,560; Lage Ernst August. Process for the production of photographic plates films and the like for indirect three color photography. Issued 9-4-28. (28)
1,683,701; All. Bakelite GmbH. Artificial resin and making the same. Issued 9-11-28 (28)
1,683,709; All. Rangiertechnisch GmbH. safety contrivance on permanent railway tracks. Issued 9-11-28. (28)
1,683,714; All. Emmel Karl. Process for the production of iron castings with a low carbon content. Issued 9-11-28. (28)
1,683,715; Erban Richard. Pressure device for friction gears brakes couplings and the like Issued 9-11-28. (6)
1,683,753; Beeneken Adolf. Apparatus for obtaining synchronism between picture and music in cinematographic performances. Issued 9-11-28. (28)
1,683,764; All. Luftschiffbau Zeppelin GmbH Gas inflated airship. Issued 9-11-28. (28)
1,683,771; All. Hesser Fr Maschinenfabrik AG Closing bag. Issued 9-11-28. (28)
1,683,780; Hulsmeyer Christian. Method of and apparatus for purifying water. Issued 9-11-28 (28)
1,683,788; Mauser Alfons. Container such as Barrel drum or the like. Issued 9-11-28. (28)
1,683,900; Kabollus Edmund. Safety device for blasting or explosive cartridges. Issued 9-11-28. (6)
1,683,966; Forster Frigyes. Portable building. Issued 9-11-28. (34)
1,684,128; Edelmann Emil Oskar. Device for bringing and holding heavy working pieces in a suitable position during welding process. Issued 9-11-28. (28)
1,684,229; Koenigsberger Johann. Measuring instrument. Issued 9-11-28. (28)
1,684,320; Hermsdorf Ewald. Apparatus for feeding powdered fuel to a furnace. Issued 9-11-28. (28)
1,684,324; All. Hofbuchdruckerei von C Dunnhaupt. Register sheet for printing presses and the like. Issued 9-11-28. (28)
1,684,332; All. Patent Treuhand G fur Elektrische. Method of producing glass. Issued 9-11-28. (28)
1,684,336; Von Kornatzki Hans Hoffmuller. Medicinal soap. Issued 9-11-28. (28)
1,684,488; Haeusser Friedrich et al; Bestehorn clamping bow. Issued 9-11-28. (28)
1,684,354; Liebergeld Paul. Mechanical time fuse with clockwork. Issued 9-11-28. (28)
1,684,359; Muller Ernst. Fur testing and cutting device. Issued 9-11-28. (28)
1,684,363; All. Felten and Guilleaume Carlswerk AG. Lead sheathed telephone cable. Issued 9-11-28. (28)
1,684,372; Mainnlein Max. Metallic playing card. Issued 9-11-28. (6)
1,684,488; Haeusser Friedrich et al; Bestehorn Rudolf. Atomizer for liquids. Issued 9-18-28. (28)
1,684,519; Scheerbarth Friedrich Wilhelm. Apparatus for automatic regulation of different wave lengths for wireless receivers. Issued 9-18-28. (28)
1,684,562; All. Zaidan Hojin Rikagaku Kenkyujo. Process of producing a new acid and its salts strongly absorbing ultra violet rays. Issued 9-18-28. (39)
1,684,564; Toppe Friedrich Wilhelm Heinrich. Weel made of netting. Issued 9-18-28. (28)
1,684,680; Oess Gustav. Construction of tracks of street railways. Issued 9-18-28. (28)
1,684,691; All. Firma L and C Steinmiller. Water tube boiler. Issued 9-18-28. (28)
1,684,710; Methfessel Carl. Wax melting apparatus. Issued 9-18-28. (28)
1,684,712; Nitsche Max Paul. Process for the production of fertilizers. Issued 9-18-28. (28)
1,684,782; Rubinstein Hans. Process for the manufacture of double carbonate of sodium and magnesium. Issued 9-18-28. (6)
1,684,795; Gnudi Alfonso. Display method. Issued 9-18-28. (38)
1,684,849; Ruggeberg Carl Eduard. Device for firmly attaching exchangeable blades to hoes mattocks or the like. Issued 9-18-28. (28)
1,684,950; Dornself Hugo. Manufacture of skate blades with thickened edges. Issued 9-18-28. (28)
1,685,000; Resch Oskar. Device for moving the eyes of dolls. Issued 9-18-28. (28)
1,685,094; Punga Edwin Alwin Franklin. Method and device for balancing rotating machine parts. Issued 9-25-28. (28)
1,685,343; Stock Emil. Method for planning stormproof zones around or through wood districts. Issued 9-25-28. (28)
1,685,345; Voss Erdmann. Hair drying apparatus. Issued 9-25-28. (28)
1,685,346; Welskopf Otto. Tens carrying device for calculating machines. Issued 9-25-28. (28)
1,685,373; Ohagen Heinrich. Milling cutter for cutting sharply pointed angular incisions into wood. Issued 9-25-28. (28)
1,685,402; All. Vereinigte Staklwerke AG. Manufacture of highest pressure conduits. Issued 9-25-28. (28)
1,685,407; Mannich Charles. Dicyclic derivatives of pentamethylene and process for the manufacture of same. Issued 9-25-28. (28)
1,685,411; Arnold Carl. Interchangeable transparent disk on spark producing toys with changing pictures. Issued 9-25-28. (28)
1,685,412; Arnold Carl. Spark producing toy. Issued 9-25-28. (28)
1,685,450; Fornada Guido. Brake of the expanding shoe type. Issued 9-25-28 (38)
1,685,543; Lackner Michael Johann. Burner for regenerative furnaces. Issued 9-25-28. (28)
1,685,557; Regelsberger Hermann. Apparatus for analyzing the alveolar air from the lungs. Issued 9-25-28. (28)
1,685,589; All. Klenzle Uhrenfabriken AG. Fire indicator. Issued 9-25-28. (28)
1,685,601; All. Hesser Fr Maschinenfabrik AG. Machine for wrapping up razor blades. Issued 9-25-28. (28)
1,685,637; Kempter Fritz. Kneading machine. Issued 9-25-28. (28)
1,685,680; All. I G Farbenindustrie AG. Fulling wool and the like. Issued 9-25-28. (28)
1,685,693; Claus Bruno. Bed bidet. Issued 9-25-28. (28)
1,685,699; Krauth Julius. Apparatus for playing skittles. Issued 9-25-28. (28)
1,685,719; Neill David S. Lifeboat. Issued 9-25-28. (38)
1,685,724; Rosenthal Julius. Overhead traveling crane for lifting railroad vehicles. Issued 9-25-28. (28)
1,685,757; All. Loewe & Co AG. Circular grinding machine. Issued 9-25-28. (28)
1,685,810; Glebe Erich et al; Scheibe Adolf. Method of and apparatus for rendering visible oscillations of piezo electrical crystals. Issued 10-2-28. (28)
1,685,838; Dittmar Udo. Drawing mechanism for spinning fibrous materials. Issued 10-2-28. (28)
1,685,919; All. Hartstoff Metall AG Hametag. Bow trolley for electric vehicles. Issued 10-2-28. (28)
1,685,954; Morimoto Sataro. Method of fixing a thin layer of sponge rubber to the surface of india rubber goods. Issued 10-2-28. (39)
1,685,956; All. Hartstoff Metall AG Hametag. Whirling mill for the production of finely divided powder. Issued 10-2-28. (28)
1,686,098; Melwald Franz. Insulated flexible conductor and method of producing same. Issued 10-2-28. (6)
1,686,167; Neuy Heinrich. Vehicle for receiving and transporting refuse and the like. Issued 10-2-28. (28)
1,686,327; All. Elektrische Apparate GmbH. System for the telecontrol of objects. Issued 10-2-28. (28)
1,686,371; Fauser Giacomo. Apparatus for the production of synthetic ammonia. Issued 10-2-28. (38)
1,686,391; All. I G Farbenindustrie AG. Process of precipitating heavy metals from ammoniacal solutions. Issued 10-2-28. (28)
1,686,393; Oshima Kokichi. Method for preventing the blackening of tinned foods. Issued 10-2-28. (39)
1,686,409; Geuer Karl. Body tipping wagon. Issued 10-2-28. (28)
1,686,503; Schmidtke Frieda. Lamp. Issued 10-2-28. (28)
1,686,582; Stoltzenberg Hugo. Process for destroying cacti. Issued 10-9-28. (28)
1,686,627; Muller Friedrich Wilhelm. Typewriter. Issued 10-9-28. (28)
1,686,807; All. Horst Heinrich. Treatment of peat. Issued 10-9-28. (28)
1,686,827; Maag Gustav C. Automatic coupling device for transmission of power. Issued 10-9-28. (28)
1,686,865; Klotz Alfred. Electric heat applicator. Issued 10-9-28. (28)

1,686,866; Knoth Georg Wilhelm Friedrich Franz. Process for obtaining alkaloids. Issued 10-9-28. (28)

1,686,944; All. Optische Anstalt C P; Goerz A G. Photographic box camera. Issued 10-9-28. (28)

1,687,050; Yamamoto Shozo. Process for producing lipase. Issued 10-9-28. (39)

1,687,056; Carl Rudolf. Process of electrolytically separating the alloys of silver with other precious or base metals. Issued 10-9-28. (6)

1,687,064; All. Calabi Giacomo Achille. Device for facilitating the spreading of parachutes. Issued 10-9-28. (38)

1,687,070; Krause Gustav. Foot support. Issued 10-9-28. (28)

1,687,102; All. Metallogen GmbH. Method of treating the internal and external surfaces of elongated bodies. Issued 10-9-28. (28)

1,687,121; All. Siemens and Halske Wernerwerk AG. Bank contact for telephone switches. Issued 10-9-28. (28)

1,687,123; All. Deckel Friedrich Prazisionsmechanik. Camera shutter. Issued 10-9-28. (28)

1,687,140; All. Ebart Gebr. Watermarked paper. Issued 10-9-28. (28)

1,687,193; Bertele Ludwig. Cinematographic projection apparatus with optical compensation. Issued 10-9-28. (28)

1,687,282; Czapek Emil et al; Weingand Richard. Detaching hollow flexible bodies from their molds. Issued 10-9-28. (28)

1,687,311; All. Sachsenwerk Licht und Kraft AG. Compensated alternate current machine. Issued 10-9-28. (28)

1,687,358; Bach Henrik. Gas burner with automatically controlled safety valve. Issued 10-9-28. (57)

1,687,377; All. Union Special Maschinenfabrik GmbH. Sewing and edging machine. Issued 10-9-28. (28)

1,687,422; Bensien Wilhelm. Cultivator. Issued 10-9-28. (28)

1,687,531; All. Westfalische Metallwarenfabrik. Knob and knoblike device. Issued 10-16-28. (28)

1,687,563; Honigmann Ludwig et al; Bartling Friedrich. Revolving ring oven. Issued 10-16-28. (28)

1,687,608; Fornaca Guido. Expanding shoe brake. Issued 10-16-28. (38)

1,687,618; Lauenstein Georg Johann Wilhelm. Agricultural carriage. Issued 10-16-28. (28)

1,687,675; Lehmann Ernst Paul. Mechanical toy. Issued 10-16-28. (28)

1,687,683; All. Cartonnagen Industri Firm AG. Fur apparatus for the grooving of cardboard. Issued 10-16-28. (28)

1,687,717; Epstein Keili. Surgical appliance. Issued 10-16-28. (28)

1,687,849; Schmidt Theodor. Playing device for guitars and similar instruments. Issued 10-16-28. (28)

1,687,866; All. Richter David AG. Flat knitting machine. Issued 10-16-28. (28)

1,687,886; All. Magnetwerk the Firm GmbH. Apparatus for the utilization and treatment of difficultly manageable waste material. Issued 10-16-28. (28)

1,687,906; Switzeny Paul. Machine for fixing clasps. Issued 10-16-28. (6)

1,687,922; Baader Rudolph. Apparatus for filleting fish. Issued 10-16-28. (28)

1,687,941; Koenemann Ernst. Steam and other vapor power plant utilizing caustic soda or other auxiliary fluids. Issued 10-16-28. (28)

1,687,942; Kriegl Emmerich. Chenille making machine. Issued 10-16-28. (28)

1,687,978; Gerling Ernst. Apparatus for assembling knives. Issued 10-16-28. (28)

1,688,008; Engl Josef. Holding device. Issued 10-16-28. (28)

1,688,059; Sack Werner. Photo copying apparatus. Issued 10-16-28. (28)

1,688,127; All. Metallogen GmbH. Process for impregnating metal layers. Issued 10-16-28. (28)

1,688,159; All. Darmstadt Firm Drahtindustrie. Drawing ring for wire drawing machines. Issued 10-16-28. (28)

1,688,216; Wenzel Max. Apparatus for withdrawing air from suction boxes. Issued 10-16-18. (28)

1,688,228; All. Wulfing Johann A Von. Process for manufacturing albumin preparations. Issued 10-16-28. (28)

1,688,259; Zernik Franz. Light filter. Issued 10-16-28. (28)

1,688,357; Schrader Hans et al; Schoeller Harold. Sulphur of a high degree of dispersion and process of preparing same. Issued 10-23-28. (28)

1,688,433; Ratti Giuseppe. Goggles. Issued 10-23-28. (38)

1,688,500; Kulas Carl. Method of producing plastic and moldable composition. Issued 10-23-28. (28)

1,688,517; Beisler Josef. Method of and means for artificial tooth fastening. Issued 10-23-28. (28)

1,688,539; Fischer Johannes. Price scale. Issued 10-23-28. (28)

1,688,545; Kato Kitaro. Projected window. Issued 10-23-28. (39)

1,688,548; All. Auerbach L and Co. Bronze stamping mill. Issued 10-23-28. (28)

1,688,556; Riesz Ivan. Pulling over machine. Issued 10-23-28. (28)

1,688,720; Klages August. Treatment of seed. Issued 10-23-28. (28)

1,688,721; Kramer Johannes Wilhelm. Ear cap. Issued 10-23-28. (28)

1,688,782; Brugger Saverio. Stepping device for looms. Issued 10-23-28. (38)

1,688,837; All. Bensa Felice. Process of manufacturing dinitro derivatives of perylene and its compounds. Issued 10-23-28. (38)

1,688,857; Domoto Takanoshin. Lining composition for metallic containers. Issued 10-23-28. (39)

1,688,944; Schulz Waldemar. Internal combustion engine. Issued 10-23-28. (28)

1,689,142; Kohler Heinrich. Fountain pen. Issued 10-23-28. (28)

1,689,160; Siegrist Hermann. Turntable for motor driven vehicles. Issued 10-23-28. (28)

1,689,220; Arnold Carl. Spark producing toy with changing colors. Issued 10-30-28. (28)

1,689,241; Haber Eugen. Mechanical draft installation. Issued 10-30-28. (28)

1,689,273; Zipper Emil et al; Zipper Walter. Divided rim. Issued 10-30-28. (6)

1,689,368; All. Chemische Fabrik auf Actien Vorm E. Printing ink. Issued 10-30-28. (28)

1,689,370; Tessky Karl. Machine for generating and marking cams. Issued 10-30-28. (28)

1,689,380; De Bary Ervin Gustave. Game instrument for poker and similar card games. Issued 10-30-28. (28)

1,689,389; Horn Guido. Thread guide lever for braiding machines. Issued 10-30-28. (28)

1,689,506; Toyoda Kiichiro. Let off motion in weaving looms. Issued 10-30-28. (39)

1,689,507; Toyoda Sakichi. Taking up device for circular looms. Issued 10-30-28. (39)

1,689,553; Leonhardt Otto. Paper cardboard and pasteboard making machine. Issued 10-30-28. (28)

1,689,558; Patten Julius. Shin bone protecting shield for sports. Issued 10-30-28. (28)

1,689,559; Raettig Bruno. Automatic starting device for alternate current motors. Issued 10-30-28. (28)

1,689,578; Benz Ferdinand Franz. Rapid freezer. Issued 10-30-28. (28)

1,689,616; All. Magnet Werk GmbH Eisenach. Electromagnetic chuck. Issued 10-30-28. (28)

1,689,646; Tutsch Rudolf. Cover plate for cable channels and the like. Issued 10-30-28. (28)

1,689,678; Mauterer Arthur. Method of making piles. Issued 10-30-28. (28)

1,689,679; Mauz Karl. Machine for sorting bristles hairs fibers and the like according to desired lengths. Issued 10-30-28. (28)

1,689,731; Kohlen Josef. Percussive pneumatic tool. Issued 10-30-28. (28)

1,689,748; Oppe Alfred. Process of making alkali metal hypochlorites. Issued 10-30-28. (28)

1,689,754; Serra Luigi. Bearing device for rails on sleepers of reenforced cement. Issued 10-30-28. (38)

1,689,783; Kertesz Ferenc. Bearing especially for railway vehicles. Issued 10-30-28. (28)

1,689,834; Kreissle Hermann. Two stroke cycle internal combustion engine. Issued 10-30-28. (28)

1,689,855; Breitenbach Peter. Striping brush. Issued 10-30-28. (28)

1,689,868; Fink Wilhelm. Machine for washing fruits and vegetables. Issued 10-30-28. (28)

1,689,880; Kuchenmeister Heinrich Johannes. Sound reproducing instrument. Issued 10-30-28. (28)

1,689,895; All. I G Farbenindustrie AG. Method of spinning artificial silk. Issued 10-30-28. (28)

1,690,039; Schuffan Eugen. Art of making motion pictures. Issued 10-30-28. (28)

1,690,097; All. Brann and Wolff Firm. Safety valve. Issued 11-6-28. (28)

1,690,120; Kieselbach Clemens. Steam generating system. Issued 11-6-28. (28)

1,690,122; Kuchenmeister Heinrich J. Gramophone. Issued 11-6-28. (28)

1,690,126; Nielebock Walter. Reciprocating engine. Issued 11-6-28. (28)

1,690,268; Barth Hans. Reverse plating device for circular knitting machines. Issued 11-6-28. (28)

1,690,296; Hirth Albert. Crank shaft. Issued 11-6-28. (28)

1,690,349; Walther Franz. Toothed gearing for building toys. Issued 11-6-28. (28)

1,690,482; All. Mitteldeutsche Stahlwerke AG Basin. Issued 11-6-28. (28)

1,690,499; Nolte Karl. Connecting piece for iron sheet piling. Issued 11-6-28. (28)

1,690,524; A11. Siemensschuckertwerke GmbH. Switching system. Issued 11-6-28. (28)

1,690,635; All. Metallbank und Metallurgische. Apparatus for cleansing and cooling gases. Issued 11-6-28. (28)

1,690,651; All. Hannoverakassen GmbH. Calculating machine. Issued 11-6-28. (28)

1,690,682; Fries Franz; Imhoff Karl et al. Method of and apparatus for dealing with floating sludge in digestion chambers for sewage treatment. Issued 11-6-28. (28)

1,690,765; Antoni Ugo. Construction of flexible aeroplane wings with variable profile. Issued 11-6-28. (38)

1,690,784; Hilgers Wilhelm. Molding machine for butter, margarine and the like. Issued 11-6-28. (28)

1,690,788; All. Brose Metallwerk Max and Co. Speedometer. Issued 11-6-28. (28)

1,690,795; Sagramoso Guido. Electric furnace. Issued 11-6-28. (38)

1,690,805; Wolters Gustav Otto. Regenerative coke oven. Issued 11-6-28. (28)

1,690,837; Rehle Ignaz. Insertable arch support. Issued 11-6-28. (28)

1,690,880; Schmidt Otto Traugott Karl. Vacuum jacketed vessel. Issued 11-6-28. (28)

1,690,894; Dutzmann Wilhelm. Process for treating boards of alkali cellulose and the like. Issued 11-6-28. (28)

1,690,934; All. Metallbank und metallurgische. Apparatus for distilling combustible materials. Issued 11-6-28. (28)

1,691,070; All. Martini and Huneke Maschinenbau AG. Apparatus for dispensing liquids. Issued 11-13-28. (28)

1,691,075; All. Schloemann A G. Mandrel upsetting press. Issued 11-13-28. (28)

1,691,101; All. Holtzmann and Cie E A G. Wood grinder. Issued 11-13-28. (28)

1,691,210; Scherbaum Bernhard. Grinding and pulverizing mill. Issued 11-13-28. (28)

1,691,221; Bernhard Rudolf et al; Demann Walter. Hydrogenizing tar oil. Issued 11-13-28. (28)

1,691,233; Ehrlich Adolf. Vehicle propelled by steppers. Issued 11-13-28. (34)

1,691,314; Toyoda Sakichi. Shedding motion for circular looms. Issued 11-13-28. (39)

1,691,386; All. Rosenstein Paul. Surgical instrument for making ligatures. Issued 11-13-28. (28)

1,691,393; Kamps Johann. Stationary cowl with wind channels. Issued 11-13-28. (28)

1,691,532; All. I G Farbenindustrie A G. Solder for aluminum. Issued 11-13-28. (28)

1,691,575; Kruse Wilhelm. Impulse dial apparatus for automatic telephone systems. Issued 11-13-28. (28)

1,691,593; All. Rohrbach Metall Flugzeubau GmbH. Aircraft with pusher screw. Issued 11-13-28. (28)

1,691,636; Breisig Albert. Apparatus for producing gas and coke in alternately working water gas generators. Issued 11-13-28. (6)

1,691,648; Drager Alexander Bernhard Dec. Breathing device. Issued 11-13-28. (28)

1,691,827; Schuckher Albert. Apparatus for purifying and moistening air. Issued 11-13-28. (6)

1,691,836; Agatz Heinz. Electric cigar and pipe lighter with exchangeable incandescent body. Issued 11-13-28. (28)

1,691,898; Kosfeld Wilhelm. Machine for shaping and grinding stones for blast furnaces. Issued 11-13-28. (28)

1,691,913; Bangert Heinrich et al; Huhn Gustav. Regenerative furnace. Issued 11-20-28. (28)

1,691,918; All. Kohlenschiedungs GmbH. Boiler structure with pulverized coal burning furnace. Issued 11-20-28. (28)

1,691,931; Sander Wilhelm et al; Muller Karl. Bearing metal alloy. Issued 11-20-28. (28)

1,691,932; Muller Karl et al; Sander Wilhelm. Bearing metal alloy. Issued 11-20-28. (28)

1,691,953; Bacci Romeo et al; Vacca Guido. Decompressor valve. Issued 11-20-28. (38)

1,692,009; Wagele Emil. Remote control device for power winches and the like. Issued 11-20-28. (28)

1,692,105; Abromeit Alfred. Horoscopic interpretation apparatus for hours and days. Issued 11-20-28. (28)

1,692,143; Strunz Wilhelm. Apparatus for washing the eyes. Issued 11-20-28. (28)

1,692,144; Thielicke Karl. Automatic egg boiler. Issued 11-20-28. (28)

1,692,146; Arnold Carl. Spark toy. Issued 11-20-28. (28)

1,692,147; Arnold Carl. Spark producing toy with rack operated driving mechanism and changing colors. Issued 11-20-28. (28)

1,692,148; Arnold Carl. Spark toy. Issued 11-20-28. (28)

1,692,149; Castan Karl. Ruling apparatus for characters. Issued 11-20-28. (28)

1,692,162; Exsternbrink Otto. Wall coffee mill for two different grinding materials. Issued 11-20-28. (28)

1,692,168; Gluck Emil. Mechanism for direct mechanical adjusting of the abutment for the thread guides on flat hosiery frames. Issued 11-20-28. (28)

1,692,175; Kersten Julius. Furnace for the decomposition of alkali metal chlorides. Issued 11-20-28. (28)

1,692,219; Medveczky Ladislaw. Envelope and other article of paper. Issued 11-20-28. (34)

1,692,224; Ritsert Eduard. Amino aromatic esters for use as anaesthetics and method of making same. Issued 11-20-28. (28)

1,692,243; All. Schopper Alfred. Measuring apparatus for the thickness of webs. Issued 11-20-28. (28)

1,692,245; Brero Francesco. Electric machine for welding metallic tubes or pipes. Issued 11-20-28. (38)

1,692,272; Lampl Alfred. Supplemental resistance for serially mounted lamps. Issued 11-20-28. (28)

1,692,283; Adam Carl Andreas. Means for producing printing plates specially for poster printing. Issued 11-20-28. (28)

1,692,327; Brero Francesco. Electric upsetting or jolting machine. Issued 11-20-28. (38)

1,692,357; Turati Ambrogio. Machine for spinning cotton and other textile materials. Issued 11-20-28. (38)

1,692,373; Greve Paul. Drying means for yarn sizing machines. Issued 11-20-28. (28)

1,692,380; All. Aachener Maschinenbau GmbH. Needle feeding mechanism. Issued 11-20-28. (28)

1,692,397; Wagner Rudolf. Helicopter. Issued 11-20-28. (28)

1,692,411; Kassner Ernst. Check issuing and adding machine. Issued 11-20-28. (28)

1,692,417; All. Bensa Felice. Manufacture of cyanides of the perylene series. Issued 11-20-28. (38)

1,692,446; Imhoff Karl. Heatable sludge digestion chamber for sewage treatment. Issued 11-20-28. (28)

1,692,494; Eisele Leonhard. Support for knives of mowing machines. Issued 11-20-28. (28)

1,692,496; All. Seiffert Franz Co A G. Slide stop valve. Issued 11-20-28. (28)

1,692,502; Harm Rudolf. Suspension device for wall charts. Issued 11-20-28. (28)

1,692,519; Spilling Arthur. Society game. Issued 11-20-28. (28)

1,692,525; Werner Ernst. Calendar. Issued 11-20-28. (28)

1,692,527; Wiegel Albert. Sleeve holder. Issued 11-20-28. (28)

1,692,554; All. Leiter Josef Fabrik Chirurgischer. Device for illuminating all kinds of hollow members. Issued 11-20-28. (6)

1,692,597; All. Spiess Georg. Sheet feeding and delivering apparatus for platen printing presses. Issued 11-20-28. (28)

1,692,610; Barthelmess Emil. Silo. Issued 11-20-28. (28)

1,692,787; All. I G Farbenindustrie A G. Method of purifying gases containing phosphorous. Issued 11-20-28. (28)

1,692,802; Arnold Carl. Illuminated top. Issued 11-27-28. (28)

1,692,900; All. Chemisch Pharmazeutische AG Bad. Basic quinine solution. Issued 11-27-28. (28)

1,692,933; All. Maruichi Goshikaisha. Ferroreenforced concrete sleeper. Issued 11-27-28. (39)

1,692,936; Heusler Friedrich. Copper alloy. Issued 11-27-28. (28)

1,692,959; Steinert Johann. Glove. Issued 11-27-28. (28)

1,693,056; Schwarz Christian Johann Georg. Fastener for the mouth frames of hand bags. Issued 11-27-28. (28)

1,693,076; Geissler Franz. Casting apparatus for first quality and refined steels. Issued 11-27-28. (28)

1,693,091; Loth Julius. Method of manufacturing artificial limbs and similar devices. Issued 11-27-28. (28)

1,693,106; Brauckmeyer Rudolf. Method of degreasing raw wool. Issued 11-27-28. (28)

1,693,111; Fornaca Guido. Wheel suspension means for motor vehicles. Issued 11-27-28. (38)

1,693,134; Brendlin Adolf. Device for cleaning tubes or the like. Issued 11-27-28. (28)

1,693,150; All. Donner Julius. Box. Issued 11-27-28. (34)

1,693,151; Mayer Paul. Device for holding and applying cosmetics and the like. Issued 11-27-28. (6)

1,693,183; Rothmann Gerhard. Portable compressor plant. Issued 11-27-28. (28)

1,693,224; All. Drahtindustrie Peter Darmstadt & Co. Multiple wire drawing machine for drawing fine wires from suitable material. Issued 11-27-28. (28)

1,693,468; All. Klonee Aug Firm. Sealing piston for reservoirs for the storage of gas steam or easily evaporating liquids. Issued 11-27-28. (28)

1,693,520; Kondo Rennosuke. Cylinder of an internal combustion engine. Issued 11-27-28. (39)

1,693,524; Mundlos Rudolf. Feeding mechanism for sewing machines. Issued 11-27-28. (28)

1,693,558; Durr Karl. Automatic manufacturing of bead chains. Issued 11-27-28. (28)

1,693,563; Muller Heinrich. Hollow toy figure. Issued 11-27-28. (28)

1,693,582. Kochy Friedrich. Dough kneading machine. Issued 11-27-28. (28)

1,693,671; Schmidt Karl. Portable liquid fire extinguisher. Issued 12-4-28. (28)

1,693,697; Hafner Wilhelm. Composition of matter for use in honing razors and other knives. Issued 12-4-28. (28)

1,693,768; Steinruck Hermann. Screw thread tap. Issued 12-4-28. (28)

1,693,779; Franke Fritz. Swimming bladder. Issued 12-4-28. (28)

1,693,840; Faudi Fritz. Ball and socket joint. Issued 12-4-28. (28)

1,693,902; All. I G Farbenindustrie AG. Process for producing lithopone fast to light. Issued 12-4-28. (28)

1,693,953; All. Kasper Getreideschalmaschine GmbH. Machine for husking podding brushing or treating grain. Issued 12-4-28. (28)

1,693,983; All. Zellstofffabrik Waldholf. Apparatus for boiling cellulose. Issued 12-4-28. (28)

1,693,999; All. Zellsteffifabrik Waldhof Process for filling boilers for cellulose with sulphite solution. Issued 12-4-28. (28)

1,694,031; All. Deckel Friedrich Prazisionsmechanik. Gear transmission. Issued 12-4-28. (28)

1,694,032; Brecht Emil et al; Fugmann Rudolf. Manufacture of wool felts. Issued 12-4-28. (28)

1,694,104; Menschel Reinhold. Pump for atomizers. Issued 12-4-28. (28)

1,694,108; Stein Johann Georg. Diving contrivance adapted for deep sea diving. Issued 12-4-28. (28)

1,694,112; Windberger Othmar. Underframe for automobile vehicles. Issued 12-4-28. (6)

1,694,115; Buttcher Paul. Dovetailing cogging and indenting machine. Issued 12-4-28. (28)

1,694,127; All. I G Farbenindustrie AG. Process for the manufacture of cellulose ethers. Issued 12-4-28. (28)

1,694,228; All. Krah & Kirchhoff. Worm conveyer. Issued 12-4-28. (28)

1,694,305; Ascarelli Enrico. Swiveled axle for motor cars. Issued 12-4-28. (38)

1,694,426; Muller Adolf Max. Operating jack for double hooked needles in knitting machines. Issues 12-11-28. (28)

1,694,432; Schleifer Carlo. Device for delivering the tufts of textile fibers from combing machines having intermittently rotating nipper drums. Issued 12-11-28. (38)

1,694,480; Rubeinstein Leo. Machine for drying veneers. Issued 2-11-28. (6)

1,694,509; All. Luftschiffbau Zeppelin GmbH. Tensiometer. Issued 12-11-28. (28)
1,694,510; Kluftinger Hermann. Drawing frame. Issued 12-11-28. (28)
1,694,524; Zentner Karl Apparatus for kneading and forming amalgams. Issued 12-11-28. (28)
1,694,540; Harr Karl. Sintered magnesite brick and method of making the same. Issued 12-11-28. (28)
1,694,546; Lancia Vincenzo. Motor car. Issued 12-11-28. (38)
1,694,590; Gopel Carl. Device for dispowdering confectionery. Issued 12-11-28. (28)
1,694,628; Sauveur Harry. Tool for inserting stud bolts. Issued 12-11-28. (28)
1,694,631; Trojani Pietro D Ascanio Corradino et al; Electromechanical recording and controlling machine. Issued 12-11-28. (38)
1,694,648; All. Maschinenfabrik Augsburg Nuernberg. Locomotive. Issued 12-11-28. (28)
1,694,672; Rogler Max. Hair curling means. Issued 12-11-28. (28)
1,694,703; Doppenschmitt Friedrich. Beaded article of jewelry. Issued 12-11-28. (28)
1,694,718; Peters Emil. Dynamic and efficiency meter. Issued 12-11-28. (28)
1,694,831; All. Rhenania Kunheim Verein Chemischer. Process for the manufacture of glass containing barium. Issued 12-11-28. (28)
1,694,836; Ulbrich Wilhelm. Mercury vapor lamp. Issued 12-11-28. (28)
1,694,898; All. Vereinigte Stahlwerke A G. Device for fastening rails. Issued 12-11-28. (28)
1,694,999; Wittlinger Richard. Knife. Issued 12-11-28. (28)
1,695,011; Valve gear Issued 12-11-28. (28)
1,695,591; Juhasz Kalman. Pressure indicator. Issued 12-18-28. (28)
1,695,593; All. Hamburg Amerikanische Uhrenfabrik. Savings clock. Issued 12-18-28. (28)
1,695,630; Arima Hikosuke. Mechanism for automatically replenishing weft in power looms. Issued 12-18-28. (39)
1,695,656; All. Gehe and Co A G. Method of producing narcotica Issued 12-18-28. (28)
1,695,667; Schuster Rickard. Process for making electrolytes. Issued 12-18-28. (28)
1,695,730; Grohs Josef. Fixation device for rails with removable heads. Issued 12-18-28. (6)
1,695,794; Becker Otto Jr. Electric safety lamp for miners. Issued 12-18-28. (28)
1,695,808; Langbein John. Composition to be added to cement mixings for cold glazes or the like. Issued 12-18-28. (28)
1,695,825; Schurmann Julius. Electric fuse. Issued 12-18-28. (28)
1,695,930; All. Drager Alexander Bernhard Dec. Inhaling device for administering gases and the like. Issued 12-18-28. (28)
1,695,983; Saito Haruko Method of making bobbed hair holders. Issued 12-18-28. (39)
1,695,990; Altpeter Ludwig. Centrifuge. Issued 12-18-28. (28)
1,696,052; Ovtschinnikoff Alexander. Machine for manufacturing and packing matches Issued 12-18-28 (28)
1,696,110; Dobele Otto. Dental plate for sucker. Issued 12-18-28 (28)
1,696,125; Rantasa Jakob Propelling arrangement on sleighs. Issued 12-18-28. (6)
1,696,197; All. I G Farbenindustrie A G. Production of sodium nitrate. Issued 12-25-28 (28)
1,696,199 All. I G Farbenindustrie A G. Aromatic sulphonic acid. Issued 12-25-28. (28)
1,696,215; Spiess Georg. Apparatus for removing sheets from a pile. Issued 12-25-28. (28)
1,696,254; All. Siemens & Halske A G Wernerwerk. Automatic telephone system. Issued 12-25-28. (28)
1,696,419; All. Internationale Nahrungs und. Method of producing artificial coffee aroma. Issued 12-25-28. (28)
1,696,440; Lubke Aloys. Air blower for dental purposes. Issued 12-25-28 (28)
1,696,446; Otto Carl. Process for directly producing ammonia. Issued 12-25-28. (28)
1,696,507; Sthamer Erich Max Alfred. Foam producing composition. Issued 12-25-28. (28)
1,696,663; Becker Georg Friedrich. Connecter for incandescent lamps. Issued 12-25-28. (28)
1,696,797; Fornaca Guido. Spring controlled gear Issued 12-25-28. (38)
1,696,846; Imhoff Karl. Sewage treatment with the aid of a screen acting like a filter. Issued 12-25-28. (28)
1,696,899; Laccovich Celso Pietro. Cement. Issued 1-1-29. (38)
1,696,975; All. Rhenania Kunheim Verein Chemischer. Process for preparing fertilizer Issued 1-1-29. (28)
1,697,004; Gutermuth Max Friedrich. Automatically acting spring flap valve. Issued 1-1-29. (28)
1,697,006; Bartling Friedrich; Honigmann Ludwig et al. Revolving ring hearth oven. Issued 1-1-29. (28)
1,697,012; Kronenberg Rudolph. Rolling mill. Issued 1-1-29. (28)
1,697,021; All. Gebruder Siemens and Co. Alternating current arc lamp with inclosed arc. Issued 1-1-29. (28)
1,697,084; Pickel Georg. Spring brake for warp beams of looms. Issued 1-1-29. (28)
1,697,137; All. Bensa Felice. Process for quantitatively halogenating perylene and its derivatives. Issued 1-1-29. (38)
1,697,139; All. Essefi Chemische Industrie Und Double salts of carboxylic acids of aromatic sulphonic halogen alkallamides and process for manufacturing same. Issued 1-1-29. (6)
1,697,160; Berghaus Bruno. Sand thrower for foundries. Issued 1-1-29. (28)
1,697,187; Hochherz Carl. Absorption refrigerating apparatus. Issued 1-1-29. (28)
1,697,212; All. Vago Paldy GmbH. Securing together of sheets of paper. Issued 1-1-29. (28)
1,697,316; Horny Friedrich. Method of connecting the plates of electric condensers and the like to their supports. Issued 1-1-29. (6)
1,697,370; All. Ruppe Motor GmbH. Magneto generator Issued 1-1-29. (28)
1,697,372 Schwietzke Gottlieb. Milling machine. Issued 1-1-29. (28)
1,697,382; Burkard Ernst Paul. Image producer. Issued 1-1-29. (28)
1,697,459; Dorogi Istvan; Dorogi Lajos et al. Process of producing inflatable bodies for instance toys of flat rubber plates without the use of molds. Issued 1-1-29. (34)
1,697,541; All. Felten and Guilleaume Carlswerk A G. Armoring of single conductor electric power cables. Issued 1-1-29. (28)
1,697,543; Seidler Paul. Method of producing big crystals. Issued 1-1-29 (28)
1,697,546; All Warning Heinrich. Support. Issued 1-1-29 (28)
1,697,549; Wolff Friedrich. High pressure gas burner. Issued 1-1-29 (28)
1,697,568; Korn Hugo. System for simultaneously regulating prime movers and generators. Issued 1-1-29 (28)
1,697,609; Pivin Josef Polishing of glass surfaces Issued 1-1-29. (28)
1,697,682; Ferraris Attilio. Piston pump for corrosive liquids Issued 1-1-29. (38)
1,697,695; Robimarga Luigi. Device insuring in a continuous and automatic manner the synchronism between a gramophone and a cinematographic projection machine. Issued 1-1-29 (38)
1,697,713; Bucherer Hans. Process for the production of new derivates of the condensation products of aldehydes and phenols Issued 1-1-29. (28)
1,697,731; Muller Hermann Albrecht. Ethyl chloride tube. Issued 1-1-29. (28)
1,697,738; Suida Hermann. Process for the recovery of concentrated acetic acid. Issued 1-1-29. (6)
1,697,758; Ernemann Alexander. Cinematographic apparatus Issued 1-1-29. (28)
1,697,780; Sakakura Yukitoshi. Process for manufacturing incandescent lamps. Issued 1-1-29. (39)
1,697,936; All. Otto Theodor. Surface protecting paste. Issued 1-8-29. (28)
1,698,010; Barthel Hermann. Production of metallic bodies by a combined casting and pressing process. Issued 1-8-29. (28)
1,698,050; All. Prielli & C Firm. Cable for transmitting electrical energy. Issued 1-8-29. (38)
1,698,051; All. Soc Italiana Pirelli. Joint for high tension electric cables. Issued 1-8-29. (38)
1,698,200; All. Kenkyujo Zaidan Hojin Rikagaku. Apparatus for measuring pressure of piston rings. Issued 1-8-29. (39)
1,698,241; All. Junkers Hugo. Oiling device for crank shafts. Issued 1-8-29. (28)
1,698,272; Otto Carl. Coke oven. Issued 1-8-29. (28)
1,698,275; Plaat Carl. Method of and means for treating rubber films. Issued 1-8-29. (28)
1,698,280; All. Berliner Maschinenbau Ag Vormals. Inking device for printing presses. Issued 1-8-29. (28)
1,698,296; All. Grill Eugen Spezialmaschinenfabrik. Sound producing device. Issued 1-8-29. (28)
1,698,332; Gadeke Franz Henning Wilhelm et al. Ice apparatus. Issued 1-8-29 (28)
1,698,344; Mott Hans. Chair or similar seat. Issued 1-8-29. (28)
1,698,367; Kehren Gottfried. Pit furnace Issued 1-8-29. (28)
1,698,441; Kolb Robert. Device for casting metal in molds. Issued 1-8-29. (28)
1,698,445; Morita Yenjiro. Mechanical pencil. Issued 1-8-29. (39)
1,698,482; Nicin Vasa. Motor vehicle. Issued 1-8-29. (28)
1,698,515; Stewart Robert Thomson. Method of and means for use in dredging Issued 1-8-29. (28)
1,698,573; All. I G Farbenindustrie AG Production of formates. Issued 1-8-29 (28)
1,698,583; Empson Frederick James. Sound amplifying device for telephone receivers. Issued 1-8-29. (38)
1,698,598; Kussner Hans George. Counterpiston motor. Issued 1-8-29. (28)
1,698,607; Pflug Richard. Support for scaffolds and the like. Issued 1-8-29 (28)
1,698,645; Menz Emil. Automatic acetylene generator. Issued 1-8-29. (28)
1,698,705; Horii Shinjiro. Stencil sheet. Issued 1-8-29. (39)
1,698,775; Traut Adolf. Gas stove Issued 1-15-29. (28)
1,698,800; Dudecke Nelly; Ludkeeke Karl et al Process for the production of glycerin. Issued 1-15-29. (28)
1,698,854; Nagao Seturo. Unloading machine. Issued 1-15-29. (39)
1,699,041, Bauer Herman. Machine for treating feathers for use in beds and the like Issued 1-15-29. (28)
1,699,101; Drager Alexander Bernhard dec Device for feeding additional oxygen in freely portable respiratory apparatus Issued 1-15-29. (28)
1,699,137; Estelmann Heinrich. Fastening sets of artificial teeth. Issued 1-15-29 (28)
1,699,163; Schiske Rudolf. Device for measuring the quantity of a liquid or gaseous medium passing through the device in one unit of time. Issued 1-15-29 (6)
1,699,190; Hoffmann Alfred. Lock Issued 1-15-29. (28)

1,699,197; Lossl Carl. Traverse sleeper of armored concrete. Issued 1-15-29. (28)
1,699,205; All. Hartstoff Metall A. G. Hametag Process of producing metal powder articles of spherical shape. Issued 1-15-29. (28)
1,699,209; Rieck Wilhelm Otto Paul. Bottle stoppering machine. Issued 1-15-29. (28)
1,699,234; All. I G Farbenindustrie A G. Process for making mixed fertilizer. Issued 1-15-29. (28)
1,699,245; All. I G Farbenindustrie A G. Production of condensation products of metheyol compounds of a urea. Issued 1-15-29. (28)
1,699,254; All. I G Farbenindustrie A G. Mixed fertilizer. Issued 1-15-29. (28)
1,699,255; All. I G Farbenindustrie A G. Apparatus for refining raw carbon disulphide Issued 1-15-29. (28)
1,699,314; All. Vogtlandische Maschinenfabrik Pressure feet for vertical needle embroidery machines. Issued 1-15-29. (28)
1,699,388; All. Wagner Firm Gunther. Paint box. Issued 1-15-29. (28)
1,699,434, Jordan Franz. Method of uniting metallically the seams of aluminum plated sheet iron and vessel manufactured after this method. Issued 1-15-29. (28)
1,699,438; Meinhardt Hermann A. Soldering stick. Issued 1-15-29. (28)
1,699,440, Nagel August. Valve gear for liquid meters on vehicles or the like. Issued 1-15-29. (28)
1,699,441; Negro Luigi. Apparatus for the treatment of wheat. Issued 1-15-29. (57)
1,699,507; Spiess Georg. Web feeding mechanism. Issued 1-15-29. (28)
1,699,588; Hermsdorf Ewald. Apparatus for feeding powdered fuel. Issued 1-22-29. (28)
1,699,589, Hecht Hans; Hirsch Hans et al. Testing apparatus for measuring the compressibility of bodies softening when compressed. Issued 1-22-29. (28)
1,699,594; All. Kruckenberg Franz. Switch in particular for highspeed suspension railways. Issued 1-22-29. (28)
1,699,610; Ricci del Riccio Eduardo. Electric heating and cooking appliance. Issued 1-22-29. (38)
1,699,615; All. Iwasaki Toshiya. Process for manufacturing artificial silk and other filaments by applying electric current. Issued 1-22-29. (39)
1,699,643; All. I G Farbenindustrie A G. Producing alkali metal nitrate. Issued 1-22-29. (28)
1,699,644; All. I G Farbenindustrie A G. Production of alkali metal nitrate. Issued 1-22-29. (28)
1,699,652; Brinkhaus Hermann Friedrich Carl. Fume protecting device. Issued 1-22-29. (28)
1,699,665; Junker Otto. Brass composition and process of producing the same. Issued 1-22-29. (28)
1,699,682; Bertele Ludwig. Ocular. Issued 1-22-29. (28)
1,699,709; Ono Chozo. Disposition of sulkheads in oil carrying ships. Issued 1-22-29. (39)
1,699,799; Meyer Jagenberg Gunther. Manufacturing paper boxes and the like. Issued 1-22-29. (28)
1,699,823; All. Michael J & Co. Process for the manufacture of arsenic acid. Issued 1-22-29. (28)
1,699,919; All. Bergedorfer Eisenwerk A G. Firm. Liquid heater. Issued 1-22-29. (28)
1,699,991; Rohrbach Adolf. Hydroaeroplane. Issued 1-22-29. (28)
1,699,998; Stumpf Johann. Method and means for heating and purifying feed water for locomotive boilers and the like. Issued 1-22-29. (28)
1,700,010; Wolman Karl Heinrich. Wood preserving means. Issued 1-22-29. (28)
1,700,021; Bruckmann Ludwig. Pocket lighter. Issued 1-22-29. (28)
1,700,040; Grob Hugo. Device for regulating electric voltages. Issued 1-22-29. (28)
1,700,041; Grob Hugo. Means for compensating the forces in voltage regulators. Issued 1-22-29. (28)
1,700,042; Grob Hugo. Means for compensating the forces in voltage regulators. Issued 1-22-29. (28)
1,700,116; All. I G Farbenindustrie A G. Manufacture of calcium nitrate. Issued 1-29-29. (28)
1,700,133, All. Ringfeder GmbH. Power absorbing apparatus. Issued 1-29-29. (28)
1,700,381; All. Lehmann Ernst Paul. Spinning top. Issued 1-29-29. (28)
1,700,405; Guidi Alfredo. Apparatus for filling or charging containers with semisolid material. Issued 1-29-29. (38)
1,700,480; All. Schmidt Sche Heissdampf GmbH. High pressure steam boiler plant. Issued 1-29-29. (28)
1,700,628; Danielli Salvatore. Dress fastening. Issued 1-29-29. (38)
1,700,631; All. Societa Festini & C. Device for keeping motor cycle driving chains evenly tight. Issued 1-29-29. (38)
1,700,634; Hopt Paul. Grinding tool. Issued 1-29-29. (28)
1,700,657; All. Mayer J. & Sohn Firm. Process for recovering chromium from chromifercus waste materials. Issued 1-29-29. (28)
1,700,673; Eckhardt Fritz et al.; Hohnekamp Max. Pocket cycle and other lamp. Issued 1-29-29. (28)
1,700,708; All. I G Farbenindustrie Akg Firm. Production of phosphorus pentoxide and phosphoric acid. Issued 1-29-29. (28)
1,700,715; Ostertag Julius. Purification system for boilers. Issued 1-29-29. (28)
1,700,723; Umhoff Karl. Aerated contact filter for sewage treatment. Issued 1-29-29. (28)
1,700,781; Weickel Philipp. Bottle stopper with drip pipette secured thereto and extending into the bottle and air admission. Issued 2-5-29. (28)
1,700,812; Schiller Adolf. Preserve jar and the like. Issued 2-5-29. (28)
1,700,813; Schlumbohn Peter. Device for cooling Issued 2-5-29. (28)
1,700,849; All. Fischl A B Firm. Machine for dressing reeds used for cigarette mouthpieces. Issued 2-5-29. (28)
1,700,893; Meyer Jagenberg Gunther. Paper box machine and the like. Issued 2-5-29. (28)
1,700,898; All. Waggonfabrik A G. Railway car. Issued 2-5-29. (28)
1,700,913; Tawara Hikosaburo. Propelling apparatus for ships. Issued 2-5-29. (39)
1,700,914; Teniolo Carlo. Process for the manufacture of ammonium nitrate in water solution and simultaneous concentration thereof. Issued 2-5-29. (38)
1,700,942; Lederer Anton. Apparatus for the manufacture of carbon. Issued 2-5-29. (6)
1,700,946; Mahler Marie Antonie. Educational apparatus. Issued 2-5-29. (28)
1,701,007; Libani Romolo. Lowering gear for lifeboats. Issued 2-5-29. (38)
1,701,131; Stuhlmann Hans Caesar. Spool for winding yarns artificial silk horsehair bands and the like. Issued 2-5-29. (28)
1,701,222; Belati Umberto. Gear members. Issued 2-5-29. (38)
1,701,229; All. I G Farbenindustrie A G. Process for the manufacture of cellulose esters and conversion products therefrom. Issued 2-5-29. (28)
1,701,263; Heuzel John. Magazine pencil. Issued 2-5-29. (34)
1,701,269; May Joseph. Foot arch support. Issued 2-5-29. (28)
1,701,276; Schraub Christel. Device for stopping back flashings of the flames in pipings for feeding gases or gas mixtures. Issued 2-5-29. (28)
1,701,278; Silbermann Salman. High tension cable. Issued 2-5-29. (28)
1,701,279; Silbermann Salman. End sleeve and junction box for high tension cables. Issued 2-5-29. (28)
1,701,421; Ponti Ernesto Giuseppe. Rubber nozzle for clinical and like purposes. Issued 2-5-29. (38)
1,701,423; All. Flex O Industrie GmbH. Spindle releasing device for drilling machines. Issued 2-5-29. (28)
1,701,487; Kreuels Hubert. Rebounding bow. Issued 2-5-29. (28)
1,701,507; Roderwald Rudolf. Process for manufacturing V type belts. Issued 2-12-29 (28)
1,701,567; Hess Richard. Grass mower. Issued 2-12-29. (28)
1,701,568; Hubl Franz. Method of and means for spatter printing by means of a mechanically operated and controlled spatter or spraying nozzle. Issued 2-12-29. (6)
1,701,589; Nakatsu Chikayoshi. Coal washing and selecting apparatus. Issued 2-12-29. (39)
1,701,674; Hitosi Silo. Automatic insect trap using lamps. Issued 2-12-29. (39)
1,701,780; Junkers Adolf H. Process and apparatus for saturating yarn rolls with dyes. Issued 2-12-29. (28)
1,701,889; Junker Otto. Method for manufacturing metal sheets and strips. Issued 2-12-29. (28)
1,701,900; Uhlig Richard. Coal dust furnace. Issued 2-12-29. (28)
1,701,901; Waap Fritz. Hydraulic change gear. Issued 2-12-29. (28)
1,702,157; Gabutti Ugo. Automatic delivery apparatus. Issued 2-12-29. (38)
1,702,185; Weber Carl. Machine for gluing veneer strips and similar work. Issued 2-12-29. (28)
1,702,206; Fritzsche Johannes. Safety fuse and method of manufacturing the same. Issued 2-12-29. (6)
1,702,268; Palm Hermann. Mechanism for coloring and etching paper webs and the like and method thereof. Issued 2-19-29. (28)
1,702,298; Hetsch Franz Karl. Burner for furnaces. Issued 2-19-29. (28)
1,702,331; Angel Georg. Wire stretcher. Issued 2-19-29. (28)
1,702,332; Apt Richard. Electric cable and method of manufacturing same. Issued 2-19-29. (28)
1,702,333; Barthelmess Emil. Means for simultaneous drying and grinding. Issued 2-19-29. (28)
1,702,334; Rath Curt et al; Binz Arthur. Arseno compounds of the pyridine series and process of making them. Issued 2-19-29. (28)
1,702,335; All. Speidel Chain Co. Chain. Issued 2-19-29. (28)
1,702,339; Fukuhara Junkichi. Fuel injector for internal combustion. Issued 2-19-29. (39)
1,702,400; Drager Alexander Bernhard. Gas protective mask. Issued 2-19-29. (28)
1,702,406; Jucho Heinrich. Building structure. Issued 2-19-29. (28)
1,702,431; Friedmann Louis. Steam heating installation for railway cars. Issued 2-19-29. (6)
1,702,538; Friedel Otto Bruno. Mouth organ. Issued 2-19-29. (28)
1,702,623; All. Petrolignum Co Ltd. Method of manufacturing figures characters inscriptions frames utensils and other articles fancy goods and the like. Issued 2-19-29. (34)

1,702,645; Ehrlich Adolf. Steerage of winged aircraft. Issued 2-19-29. (34)
1,702,649; All. Gebr Korting Aktiengesellschaft. Compound pump operating means. Issued 2-19-29. (28)
1,702,660; Mockel Edmund. Device for insuring correct finger position in writing. Issued 2-19-29. (28)
1,702,699; Lutz Johann. Vertical coking oven. Issued 2-19-29. (28)
1,702,732; Iden Max Wilhelm. Inflatable valved bag by products or the like. Issued 2-19-29. (28)
1,702,831; All. Triumph Werke Nurnberg A G. Escapement mechanism. Issued 2-19-29. (28)
1,702,841; Ruping Max. Roadbed for railways. Issued 2-19-29. (28)
1,702,857; Arndt Karl Erich. Means for drying cigars and the like. Issued 2-19-29. (28)
1,702,860; Bottcher Paul. Double helical or double spiral gear. Issued 2-19-29. (28)
1,702,982; All. Drager Alexander Bernhard Dec. Apparatus for use in administering gases vapors and the like. Issued 2-19-29. (28)
1,703,001; All. Calabi Giaccmo Achille. Parachute. Issued 2-19-29. (38)
1,703,019; Spengler Oskar. Coating cast iron with lead. Issued 2-19-29. (28)
1,703,020; Suida Hermann. Process of concentrating acetic acid. Issued 2-19-29. (6)
1,703,027; Cavalli Italo. Desulphurization of pyrite cinders. Issued 2-19-29. (38)
1,703,037; All. Mannesmannrohrenwerke. Method of joining tubular members. Issued 2-19-29. (28)
1,703,041; Imhoff Karl. Means for uncoiling sewage or sludge. Issued 2-19-29. (28)
1,703,076; Krauss Herbert. Feeding device for circular milling machines. Issued 2-19-29. (28)
1,703,154; Lanzkron Anna. Vegetable slicer. Issued 2-26-29. (28)
1,703,159; Monheim Richard. Transformation box. Issued 2-26-29. (28)
1,703,230; Gillar Valerian. Iron frame window. Issued 2-26-29. (6)
1,703,237; Holtkamp Otto. Mattress with adjustable back rest and leg support. Issued 2-26-29. (28)
1,703,361; Pohl Ernest. Pump. Issued 2-26-29. (28)
1,703,362; All. Bayerische Stickstoff Werke A G. Process of stimulating the germination of seeds and other vegetable matter and in stimulated vegetable matter. Issued 2-26-29. (28)
1,703,385; Bost Paul. Cord for surgical ligatures. Issued 2-26-29. (28)
1,703,391; All. Sendlinger Optische Glaswerke GmbH. Rontgen tube. Issued 2-26-29. (28)
1,703,439; Dreyer Otto. Device for protecting electric circuits. Issued 2-26-29. (28)
1,703,462; All. Christoph and Unmack A G. Rail vehicle. Issued 2-26-29. (28)
1,703,488; Junkers Hugo. Start of flying machines. Issued 2-26-29. (28)
1,703,491; Kirner Anton. Control apparatus for vehicles machines and the like. Issued 2-26-29. (28)
1,703,492; Kuke Fritz. Multiple plug and socket for portable telephone stations. Issued 2-26-29. (28)
1,703,533; All. Deutsche Werke Kiel A G. Compensated asynchronous motor. Issued 2-26-29. (28)
1,703,577; Falkenberg Heinrich. Tungsten alloy. Issued 2-26-29. (28)
1,703,634; All. Hartstoff Metall A G Hametag. Pulverizing process. Issued 2-26-29. (28)
1,703,640; Schmidt Predari Albert. Electric heating element and method of manufacturing same. Issued 2-26-29. (28)
1,703,699; All. Maschinenefabrik Augsburg Nuernberg Intaglio. Printing machine for printing sheets on both sides. Issued 2-26-29. (28)
1,703,722; Carozzi Augusto. Means for propelling ships. Issued 2-26-29. (38)
1,703,739; Klepsch Wilhelm. Method of casting with the aid of gaseous pressure mediums. Issued 2-26-29. (6)
1,703,742; List Herman. Centrifugal apparatus. Issued 2-26-29. (28)
1,703,782; Schmidt Karl. Treating green food. Issued 2-26-29. (28)
1,703,783; Schmidt Karl. Apparatus for treating green food. Issued 2-26-29. (28)
1,703,798; Thirring Hans. Selenium cell. Issued 2-26-29. (6)
1,703,811; Blum Richard. Implement for supplying heat to the human body. Issued 2-26-29. (28)
1,703,961; All. I G Farbenindustrie A G. Process of producing papers having a glossy surface. Issued 3-5-29. (28)
1,704,006; Kopp Wilhelm. Auxiliary device for the production of hollow crowns of the teeth from cast metal. Issued 3-5-29. (28)
1,704,021; Schott William. Electric circulating heater. Issued 3-5-29. (28)
1,704,038; Ellyson Frederick Washington. Generator for superheated steam. Issued 3-5-29. (28)
1,704,218; All. Rhenania Verein Chemischer. Process for preparing fertilizers. Issued 3-5-29. (28)
1,704,220; All. Niederbayerische Cellulosewerke. Field tube boiler. Issued 3-5-29. (28)
1,704,269; Wattmann John. Method of transporting rails of relatively great length. Issued 3-5-29. (28)
1,704,278; Blumenthal Walter. Handle for vessels. Issued 3-5-29. (28)
1,704,302; All. Rheinische metallwaaren und electric percussion fuse. Issued 3-5-29. (28)
1,704,325; Hugo Junkers. Internal combustion engine and working same. Issued 3-5-29. (28)
1,704,326; Junkers Hugo. Corrugated sheet metal shape. Issued 3-5-29. (28)
1,704,330; All. Staatliche firm porzellan filtering apparatus. Issued 3-5-29. (28)
1,704,410; Stedefeld Curt. Method of welding rail joints. Issued 3-5-29. (28).
1,704,417; Zoll Karl 3d. Hydraulic engine built in a siphon piping. Issued 3-5-29. (28)
1,704,424; Bonom Alfred. Turbine. Issued 3-5-29. (38)
1,704,428; Mager Heinrich; Dempewolf Carl et al. Bank saw. Issued 3-5-29. (28)
1,704,434; Hass Hams. Stern frame with balanced rudder for ships. Issued 3-5-29. (28)
1,704,451; Windberger Othmar. Motor vehicle with tubular underframe. Issued 3-5-29. (6)
1,704,494; Boedecker Friedrich. Process for producing 1 propenyl 3 ethoxy 4 hydroxy benzene. Issued 3-5-29. (28)
1,704,523; All. Ullmann F GmbH. Process for the production of printing plates. Issued 3-5-29. (28)
1,704,567; Grunberg Josef. Press for the production of artistic prints and embossings. Issued 3-5-29. (28)
1,704,575; All. Ginjiro Jamada. Fan motor. Issued 3-5-29. (39)
1,704,589; Blathy Otto Titus. Rotating field magnet for turbo generators. Issued 3-5-29. (34)
1,704,599; All. Metallgesellschaft A O. Disintegrated alumina. Issued 3-5-29. (28)
1,704,605; Hintze Arthur. Apparatus for ascertaining colors. Issued 3-5-29. (28)
1,704,618; Mallaender Wilhelm. Application of sheets to printing machines. Issued 3-5-29. (28)
1,704,643; Wilts Rudolf. Luffing Crane. Issued 3-5-29. (28)
1,704,683; Buz Ernst. Folding walking stick or similar object usable as a seat. Issued 8-5-29. (28)
1,704,783; All. Magnet Werk GmbH Eisenach. Spezial fabrik fur elektromagnet apparate. Electromagnetic chuck. Issued 3-12-29. (28)
1,704,796; Honigmann Ludwig. Means for the continuous drying or distillation of fine granular masses. Issued 3-12-29. (28)
1,704,803; Milinko Janos. Differential gear for motor vehicles. Issued 3-12-29. (34)
1,704,872; All. Hydraulik GmbH. Hydraulic press. Issued 3-12-29. (28)
1,704,876; Weber Richard. Method of producing baskets and the like. Issued 3-12-29. (28)
1,704,909; All. I G Farbenindustrie A G. Manufacture of alkali of high concentration. Issued 3-12-29. (28)
1,705,057; Brandus Ernst. Method and apparatus for preparing materials and applications thereof. Issued 3-12-29. (28)
1,705,081; All. Maschinenfabrik Augsburg Multicolor intaglio printing machine. Issued 3-12-29. (28)
1,705,089; Kammuller Karl. Water chamber. Issued 3-12-29. (28)
1,705,099; All. Kiehnle Arthur. Cigarette holder. Issued 3-12-29. (28)
1,705,143; Schweter Erich. Water cooling radiator for use in heavy vehicles. Issued 3-12-29. (28)
1,705,153; Fuhr Karl. Method of manufacturing resonance bodies especially for musical instruments. Issued 3-12-29. (28)
1,705,212; Schwabe Hermann Johannes. Method of and means for dampening silk and like filaments for use on textile machines. Issued 3-12-29. (28)
1,705,360; Fritzsche Johannes. Safety fuse and method of manufacturing the same. Issued 3-12-29. (6)
1,705,388; Arnold Carl. Illuminated spinning top. Issued 3-12-29. (28)
1,705,421; Schauss Adolf Fritz. Typewriting machine. Issued 3-12-29. (28)
1,705,424; Strecker Otto Carl. Process for the production of cellulose by decomposition of vegetable fibers. Issued 3-12-29. (28)
1,705,437; Bohm Erich. Treatment of felt and felt hat bodies. Issued 3-12-29. (6)
1,705,451; Taricco Luigi. Tube cleaning and scale removing device. Issued 3-12-29. (38)
1,705,481; Karnath Kurt. Mechanical movement. Issued 3-19-29. (28)
1,705,487; All. Borsig A GmbH. Valve mechanism. Issued 3-19-29. (28)
1,705,505; Spiess Georg. Apparatus for feeding folded or unfolded sheets to a printing folding or other machine. Issued 3-19-29. (28)
1,705,506; Spiess Georg. Sheet lifting device working with suckers. Issued 3-19-29. (28)
1,705,617; Bartling Friedrich; Honigmann Ludwig et al. Drying and grading plants for granular water containing materials. Issued 3-19-29. (28)
1,705,641; Korn Willi. Permutating device for use in coding machines. Issued 3-19-29. (28)
1,705,643; All. Kenkyujo Zaidan Hojin Rikagaku. Method of manufacturing metallic rings for packing purposes. Issued 3-19-29. (39)
1,705,663; All. Lindstrom, Carl A G. Sound duct for talking machines. Issued 3-19-29. (28)
1,705,767; Izawa Riichiro. Device for planting bristles of brushes. Issued 3-19-29. (39)
1,705,860; Hagihara Eiichi. Knitting tool. Issued 3-19-29. (39)
1,705,892; Ballert Otto. Tipping device for vehicles. Issued 3-19-29. (28)
1,705,953; All. Bensa Felice. Manufacture of vat dyestuffs of the isodibenzanthrone series. Issued 3-19-29. (38)
1,705,957; All. Deckel Friedrich Fabrik Fur. Engraving machine. Issued 3-19-29. (28)

1,705,995; All. Edelgussverband GmbH. Process for the manufacture of a highly valuable cast iron. Issued 3-19-29. (28)
1,706,086; Tugendreich Julius. Dental clasp. Issued 3-19-29. (28)
1,706,127; Pensotti Ezio. Machine for molding baker's dough into loaves or cakes. Issued 3-19-29. (38)
1,706,152; Gergler Karl Jr. Registering speedometer. Issued 3-19-29. (28)
1,706,176; Lenart Paul. Mixing apparatus. Issued 3-19-29. (28)
1,706,177; Martin Karl. Lens. Issued 3-19-29. (28)
1,706,189; Schmidt Karl. Automatic glass washing device. Issued 3-19-29. (28)
1,706,196; Wachtendorf Wilhelm. Vohl Albert et al. Process for the purification of solutions of metal salts. Issued 3-19-29. (28)
1,706,229; All. Meissner Hans. Measuring and drawing instrument for making perspective pictures from nature. Issued 3-19-29. (28)
1,706,348; Buchert Gottfried. Machine for automatically coating tubes, pipes, etc. Issued 3-19-29. (28)
1,706,394; Fornaca Guido. Liquid operated brake for motor vehicles. Issued 3-26-29. (38)
1,706,397; All. Luftschiffbau Zeppelin GmbH. Airship. Issued 3-26-29. (28)
1,706,414; All. Luftschiffbau Zeppelin GmbH. Airship mooring and transporting device. Issued 3-26-29. (28)
1,706,415; All. Luftschiffbau Zeppelin GmbH. Anchoring device for airships. Issued 3-26-29. (28)
1,706,487; Gebauer Carl Paul. Vehicle spring, particularly for autovehicles. Issued 3-26-29. (28)
1,706,616; Kovacs Theodor. Fountain pen. Issued 3-26-29. (28)
1,706,694; Kimbel Wilhelm. Ventilating arrangement for vehicles. Issued 3-26-29. (28)
1,706,695; Klages August. Treatment of seed. Issued 3-26-29. (28)
1,706,716; All. Muller Johann Carl Firm. Machine for packeting cigarettes. Issued 3-26-29. (28)
1,706,717; All. Kuttner Fr Firm. Process of producing fine fiber artificial silk. Issued 3-26-29. (28)
1,706,763; Wilberz Johannes. Feed screw mechanism for lathes. Issued 3-26-29. (28)
1,706,767; All. Typograph GmbH. Matrix setting and line casting machine. Issued 3-26-29. (28)
1,706,771; Buttner Carl Artur. Coffee percolator. Issued 3-26-29. (28)
1,706,790; Lederer Robert. Folding seat. Issued 3-26-29. (28)
1,706,848; Germer Wilhelm Eduard. Arrangement for the measurement of large volumes of water for water turbines. Issued 3-26-29. (28)
1,706,888; Krauss Hans. Change speed or change speed and reversing gears for transferring rotary motion from a driving to a driven shaft. Issued 3-26-29. (28)
1,706,930; All. Wolf Georg GmbH. Optical system. Issued 3-26-29. (28)
1,706,939; Rosenthal Sallie. Evaporator. Issued 3-26-29. (28)
1,706,974; Beckert Hans. Swimming appliance. Issued 3-26-29. (28)
1,706,994; Beck Heinrich. Combination lock. Issued 3-26-29. (6)
1,707,001; Georg Otto. Frictional screw press. Issued 3-26-29. (28)
1,707,027; Schwarzenberger Hugo et al; Schmidt Willy. Expansible hinge for trunk cases. Issued 3-26-29. (28)
1,707,036; Zack Michael. Process of arc welding. Issued 3-26-29. (28)
1,707,039; All. Maschinenfabrik Augsburg Nuernberg. Packing of weirs. Issued 3-26-29. (28)

1,707,058; Kauwertz Hermann. Device for mixing liquids in variable proportions. Issued 3-26-29. (28)
1,707,099; Stein Bruno et al; Munzner Otto. Catching device for the cages of hoists, lifts, and the like. Issued 3-26-29. (28)
1,707,103; All. Vogel and Halke Firm. Coin actuated scale. Issued 3-26-29. (28)
1,707,125; Loffler Stephan. High pressure slide valve. Issued 3-26-29. (28)
1,707,143; All. Niederbayerische Cellulosewerke A G. Superheater. Issued 3-26-29. (28)
1,707,155; Alma Carl Egon et al; Alma Maximilian. Draft mechanism for railroad vehicles. Issued 3-26-29. (6)
1,707,184; Bauer Bartel. Society game with rotatable disk with groove and ball notches mounted above the field and covered with a transparent cover. Issued 3-26-29. (28)
1,707,210; Elbert Heinrich. Foot arch support. Issued 3-26-29. (28)
1,707,263; Gahlert Franz Josef et al; Bretschneider Max. Automatic embroidering machine. Issued 4-2-29. (28)
1,707,277; Okuri Torazo. Binder for laminated mica products. Issued 4-2-29. (39)
1,707,279; Retterath Valentin. Process for the mechanical working of metals. Issued 4-2-29. (28)
1,707,287; Sudzki Tomitaro. Fireproof shutter. Issued 4-2-29. (39)
1,707,298; Corleo Pietro Sirena. Adjustable obstetric forceps. Issued 4-2-29. (38)
1,707,303; Greve John Emil William. Adding machine. Issued 4-2-29. (28)
1,707,318; Reinhold Richard. Electrical oven. Issued 4-2-29. (28)
1,707,409; Natikamper Paul. Paving tile. Issued 4-2-29. (28)
1,707,510; Colditz Heinrich Max. Shoemaking apparatus. Issued 4-2-29. (28)
1,707,524; Kennerknecht Adalbert. Bottle closure. Issued 4-2-29. (28)
1,707,576; Schubert Alfred. Rack. Issued 4-2-29. (28)
1,707,773; All. Sachsenwerk licht und kraft AG. Electrical quantities measuring system. Issued 4-2-29. (28)
1,707,808; Jordan Paul. Insulated wire for electric installation. Issued 4-2-29. (28)
1,707,822; Stock Alfred. Magnetic balance. Issued 4-2-29. (28)
1,707,864; La Pegna Raffaello. Bookkeeping machine. Issued 4-2-29. (38)
1,707,871; Nozawa Ichiro. Steel or iron pillar particularly adapted for mounting electric wires. Issued 4-2-29. (39)
1,707,872; Ogawa Yukimasa. Automatic crossing bar apparatus for single track railways. Issued 4-2-29. (39)
1,707,898; Bock Josef. Concrete ore bunker plant. Issued 4-2-29. (28)
1,707,907; Gompf Rudolf. Machine for manufacturing triplicate notebooks. Issued 4-2-29. (28)
1,707,910. Haupt Hans. Telescopic umbrella. Issued 4-2-29. (28)
1,707,912; Heindorf Joseph Hermann Maria. Device for preventing transmission of shocks in liquid conduits. Issued 4-2-29. (28)
1,707,917; Lombardini Luigi. Card carrier for visible card indexes. Issued 4-2-29. (38)
1,707,937; Gerlach Josef Emil. Apparatus for charging tilting smelting furnaces. Issued 4-2-29. (28)
1,707,991; Oskamp Anton. Device for bending rails pipes and the like. Issued 4-9-29. (28)
1,707,995; Schlotter Max. Inking mechanism for printing presses and the like. Issued 4-9-29. (28)
1,707,996; All. Universelle Cigarettenmaschinen. Device for controlling the draw-off hook carried by the filling member in cigarette filling machines. Issued 4-9-29. (28)
1,708,013; All. Lampen und Metallwarenfabriken. Burner for liquid fuels. Issued 4-9-29. (6)
1,708,016; Grunig Albert. Cutting implement. Issued 4-9-29. (28)
1,708,019; Krotoschin Simon. Placard. Issued 4-9-29. (28)
1,708,032; Schleifer Carlo. Nip mechanism and controlling apparatus relating thereto in combers for textile fibers. Issued 4-9-29. (38)
1,708,066; All. Mercedes Buro Maschinen Werke A G. Means of shifting the platen or the like in typewriters. Issued 4-9-29. (28)
1,708,152; Raffloer Emil. Apparatus for coking solid fuel. Issued 4-9-29. (28)
1,708,157; Spiess Georg. Apparatus for feeding folded or unfolded sheets to printing folding or other machines. Issued 4-9-29. (28)
1,708,310; Korngiebel Gustav. Draft regulators for flues or chimneys. Issued 4-9-29. (28)
1,708,323; Pelz Max. Bucket with squeezing device. Issued 4-9-29. (28)
1,708,386; All. Piepmeyer & Co KG. Electrical prospecting device. Issued 4-9-29. (28)
1,708,535; Csapayl Michael et al; Curda Richard. Fuel supply apparatus. Issued 4-9-29. (6)
1,708,583; All. Duttner Fr A G. Method of treating cakes of artificial silk manufactured by the can spinning process. Issued 4-9-29. (28)
1,708,869; Buddecke Hartmut. Fire extinguisher. Issued 4-9-29. (28)
1,709,151; Podszus Leopold. Carburetor. Issued 4-16-29. (28)
1,709,215; Haas Rudolf. Apparatus for washing threads wound on bobbins. Issued 4-16-29. (28)
1,709,260; All. Bremer and Bruckmann A G. Closure for bottles jars and the like. Issued 4-16-29. (28)
1,709,290; Torriani Angelo. Large output express coffee machine. Issued 4-16-29. (38)
1,709,293; Walther Heinrich. Machine for attaching soles to lasted shoes. Issued 4-16-29. (28)
1,709,297; All. Kenkyujo Zaidan Hojin Rikagaku. Process of preparing maleic and succinic acid from furfural by electrolysis. Issued 4-16-29. (39)
1,709,309; All. Stinnes Zeche Mathias. Process for the separation of low hydrocarbons. Issued 4-16-29. (28)
1,709,353; Jungk Hugo. Sheet feeding machine. Issued 4-16-29. (28)
1,709,381; Urbinati Mario. Collector for electric engines with rotating brushes and stationary copper segments. Issued 4-16-29. (38)
1,709,399; All. Rheinische Metallwaaren und. Automatic firearm. Issued 4-16-29. (28)
1,709,414; Stendebach Friedrich. Projectile. Issued 4-16-29. (28)
1,709,430; All. Hentzschel Electro Bucher GmbH. Card filing and selecting apparatus. Issued 4-16-29. (28)
1,709,457; All. Messgerate Boykow GmbH. Stabilization of moving objects such as. Issued 4-16-29. (28)
1,709,499; All. Luftschiffbau Zeppelin GmbH. Method of manufacturing gas tight material. Issued 4-16-29. (28)
1,709,575; Horn Rudolf. Printing press. Issued 4-16-29. (28)
1,709,612; Ebers Karl. Process of bleaching raw heavy spar. Issued 4-16-29. (28)
1,709,620; Junkers Hugo. Signaling and projecting images on aerial craft. Issued 4-16-29. (28)
1,709,621; Junkers Hugo. Method and means for navigating aircraft. Issued 4-16-29. (28)
1,709,701; Althoff Walter. Metal barrel. Issued 4-16-29. (28)

1,709,702; Antonu Nicolae. Shirt collar. Issued 4-16-29. (57)
1,709,736; Patermann Myro. Tin opener. Issued 4-16-29. (28)
1,709,744; Schnurle Adolf. Atomizing oil. Issued 4-16-29. (28)
1,709,745; All. Kleinewefers Johannes. Economizer tube. Issued 4-16-29. (28)
1,709,789; Hietzgern Georg. Machine for hermatically closing preserve jars. Issued 4-16-29. (6)
1,709,798; Lebensart Salamon. Explosive projectiles. Issued 4-16-29. (6)
1,709,801; All. Mey Karl. Manufacture of thin metallic foils. Issued 4-16-29. (23)
1,709,812; Herman Hurwitz & Co. Printing press. Issued 4-16-29. (28)
1,709,827; Bauer Leo. Separable fastener. Issued 4-23-29. (28)
1,709,887; Sponholz Wilhelm. Textile fabric and method of making same. Issued 4-23-29. (28)
1,709,890; Wilckens Ernst. Signal buoy. Issued 4-23-29. (28)
1,709,957; Schoenemann Karl. Process of working down the products arising when coal is liquefied by hydrogenation. Issued 4-23-29. (28)
1,710,133; All. Zierer Alfred. Process for the preparation of a mild aromatic yoghurt curdled milk or a sweet yoghurt junket. Issued 4-23-29. (6)
1,710,193; Schaefer Wilhelm. Document file. Issued 4-23-29. (28)
1,710,195; Schwengler Johannes. Hollow body especially for airships. Issued 4-23-29. (28)
1,710,214; All. Armaturen and maschinenfabrik. Valve for hydraulic mains. Issued 4-23-29. (28)
1,710,219; All. Lehmann Ernst Paul. Gyrostatic toy. Issued 4-23-29. (28)
1,710,264; Yamamoto Sakao. Apparatus for recovering volatile oils from mixed gas. Issued 4-23-29. (39)
1,710,285; Yamamoto Sakao. Apparatus for recovering volatile oils from gases containthe same. Issued 4-23-29. (39)
1,710,357; Grunwald Arthur D. Table silver washing machine. Issued 4-23-29. (28)
1,710,431; Schlehan Hugo. Belt fastener. Issued 4-23-29. (6)
1,710,437; Stedefeld Curt. Vehicle carrying rail in particular for high speed suspended vehicle railways. Issued 4-23-29. (28)
1,710,463; All. Muller Karl Johannes. Loud speaking sound producer for telephones. Issued 4-23-29. (28)
1,710,502; All. Hohner Matth A G. Device for giving correct notes and harmonies in mouth organs. Issued 4-23-29. (28)
1,710,556; Von Girsewald Conway. Method for converting silicates containing lithia with neutral alkali metal salts. Issued 4-23-29. (28)
1,710,559; All. Jaeger G and J A G. Axle bearing. Issued 4-23-29. (28)
1,710,561; Zagorski Johann. Turbine engine particularly steam or gas turbine. Issued 4-23-29. (28)
1,710,572; Frenkel Richard. Sound amplifier. Issued 4-23-29. (28)
1,710,573; Gammay Hermann. Method for making camphor from borneols. Issued 4-23-29. (28)
1,710,584; All. Matro GmbH. Process for the manufacture of a therapeutically active iron preparation having yeast as its basic substance. Issued 4-23-29. (28)
1,710,585; Matthiessen Paul et al; Moller Adolf Detlef. Hinged gate for the testing cylinders of submarines. Issued 4-23-29. (28)
1,710,600; Zimmermann Heinrich. Horsehair spinning and curling machine. Issued 4-23-29. (28)
1,710,726; Elckworth Regnier. Gas burner. Issued 4-30-29. (28)
1,710,791; Steiner Hermann. Eyes for toy figures. Issued 4-30-29. (28)
1,710,799; All. Bachstein Hermann. Process for the manufacture of soft soap. Issued 4-30-29. (28)
1,710,813; Drager Alexander Bernhard DEC. Protective mask for use in noxious gases. Issued 4-30-29. (28)
1,710,843; All. Jahr M Rudolf Maschinenfabrik. Multitier stretching tentering and drying machine. Issued 4-30-29. (28)
1,711,133; Bornefeld Gottfried. Gas regulator. Issued 4-30-29. (28)
1,711,208; Rilling Ernst. Coffee mill. Issued 4-30-29. (28)
1,711,322; Menkel Berthold. Display case. Issued 4-30-29. (28)
1,711,347; Harter Ludwig. Method of determining the behavior of the individual particles of a body when subjected to stress. Issued 4-30-29. (28)
1,711,355; Krebs Ewald Arthur et al; Krebs Franz Alfred. Subsoil plow. Issued 4-30-29. (28)
1,711,393; Laufer August. Spike point. Issued 4-30-29. (6)
1,711,411; All. Schleiferwerke Ausdauer AG. Method of producing a viscous phenol condensation product. Issued 4-30-29. (28)
1,711,427; Sauveur Harry. Releasable drill holder. Issued 4-30-29. (28)
1,711,499; Hofsass Max. Method of hydrogenating and treating carbonaceous materials. Issued 5-7-29. (28)
1,711,508; Cotic Albert. Spindle bolster for roving machines. Issued 5-7-29. (28)
1,711,545; All. Riedel E De Haen I D AG. Process of disinfecting seeds and composition therefor. Issued 5-7-29. (28)
1,711,580; Binnemann Richard. Fixing device for cravats and ties. Issued 5-7-29. (28)
1,711,601; All. Stock Motorpflug AG. Tractor with chain track drive. Issued 5-7-29. (28)
1,711,602; All. Bergische Stahl Industrie. Brake. Issued 5-7-29. (28)
1,711,603; Lay Emil. Process for production of diffused layers on metals. Issued 5-7-29. (28)
1,711,624; Zimmermann Paul; Vorck Theodor et al. Manufacture of knitted warp fabrics. Issued 5-7-29. (28)
1,711,633; Dornseif Hugo. Apparatus for hardening the runners of ice skates. Issued 5-7-29. (28)
1,711,638; Frischer Hermann. Apparatus for treating solutions. Issued 5-7-29. (28)
1,711,693; All. Rheinische Metallwaaren und. Electric fuse for projectile. Issued 5-7-29. (28)
1,711,708; Westermann Jr Hans. Musical instrument spur. Issued 5-7-29. (28)
1,711,714; All. Christiani Severino. Vehicle lock. Issued 5-7-29. (38)
1,711,719; Brauer Reinhold. Traction machine. Issued 5-7-29. (28)
1,711,737; All. Union Special Maschinenfabrik. Ball crank. Issued 5-7-29. (28)
1,711,746; Rengmann Thure. Loose leaf binder. Issued 5-7-29. (28)
1,711,791; Kambo Luigi. Odograph. Issued 5-7-29. (38)
1,711,846; Heilborn Hermann. Filing device for dental purposes. Issued 5-7-29. (28)
1,711,865; Wilckens Ernst. Signal buoy. Issued 5-7-29. (28)
1,711,881; Fornaca Guido. Wheel suspension means for motor vehicles. Issued 5-7-29. (38)
1,711,882; Fornaca Guido. Internal combustion engine. Issued 5-7-29. (38)
1,711,893; Kelnning Gustav. Typewriting machine. Issued 5-7-29. (28)
1,711,902; Neumann Fritz. Water ring pump. Issued 5-7-29. (28)
1,712,017; All. Mishima Tsune Jiro. Artificial wheat straw braid. Issued 5-7-29. (39)
1,712,157; Morita Shosaku. Wearless geared pump. Issued 5-7-29. (39)
1,712,244; All. Bek Ernst Gideon. Process of finishing metal articles and the product thereof. Issued 5-7-29. (28)
1,712,288; Borgatta Giuseppe. Wave driven pumping gear. Issued 5-7-29. (38)
1,712,344; All. Schubert and Salzer Maschinenfabrik. Process for the manufacture of stockings. Issued 5-7-29. (28)
1,712,393; Merk Friedrich. Selector. Issued 5-7-29. (28)
1,712,399; All. Pollak Robert and Co. Crystal cutting machine. Issued 5-7-29. (6)
1,712,411; Walther Fritz. Automatic pistol. Issued 5-7-29. (28)
1,712,424; Doll Ludwig. Potato masher. Issued 5-7-29. (28)
1,712,497; All. Schmidt Sche Heiss Dampf GmbH. Apparatus for regulating the working of steam generating plants. Issued 5-14-29. (28)
1,712,524; Schultz Hermann. Method of preparing sections for aluminothermic welding. Issued 5-14-29. (28)
1,712,529; Taliel Guido. Mixed airship provided wit' parachute. Issued 5-14-29. (38)
1,712,622; All. Kruckenberg Franz. Radiator arrangement for cars with high speeds. Issued 5-14-29. (28)
1,712,669; All. Deutsche Werke Kiel AG. Compensated alternating current motor. Issued 5-14-29. (28)
1,712,808; All. Magnet Werke GmbH Eisenach. Electromagnetic separator. Issued 5-14-29. (28)
1,712,858; Tsuchi Rinkichi. Screen. Issued 5-14-29. (39)
1,712,975; Ameglio Pietro. Electrothermic fire alarm. Issued 5-14-29. (38)
1,713,017; Bacalu Adolf. Vehicle. Issued 5-14-29. (57)
1,713,176; Giannelli Odoardo. Water tube boiler. Issued 5-14-29. (38)
1,713,358; All. Dragerwerke Heinr & Bernh Drager. Connecting ring for the belt of breathing appliances. Issued 5-14-29. (28)
1,713,361; Zettel Gustav. Head support for operation chairs of any kind. Issued 5-14-29. (28)
1,713,369; Borrmann Willy. Hair clipper. Issued 5-14-29. (28)
1,713,394; All. Patent Treuhand Ges Fuer Elektrische. Process for the manufacture of translucent hollow glass articles particularly of milk glass bulbs for electric incandescent lamps. Issued 5-14-29. (28)
1,713,406; Suberkrub Franz. Paddle wheel for steamers. Issued 5-14-29. (28)
1,713,431; Gensecke Wilhelm. Apparatus for the distillation of fatty acids glycerin and the like. Issued 5-14-29. (28)
1,713,435; All. Vereinigte Stahlwerke AG. Method of working blast furnaces with the aid of furnace dust. Issued 5-14-29. (28)
1,713,436; All. Vereinigte Stahlwerke AG. Method of working blast furnaces. Issued 5-14-29. (28)
1,713,475; Matsumiya Kaoru; Makata Hisakazu et al. Process of preparing salvarsan. Issued 5-14-29. (39)
1,713,477; Meyer Georg Albrecht. First aid case. Issued 5-14-29. (28)
1,713,481; Robimarga Luigi. Sound reproducing machine. Issued 5-14-29. (38)
1,713,492; Garbade Heinrich. Safety mechanism for motor cars. Issued 5-14-29. (28)
1,713,514; Appel Rudolf. Process of electrolytically separating metallic chromium coatings on other metals. Issued 5-21-29. (28)
1,713,596; All. Hartmann Adolf. Artificial ice. Issued 5-21-29. (28)
1,713,641; Bohm Viktor. Treating the surfaces of hat bodies. Issued 5-21-29. (6)
1,713,677; All. Bek Ernst Gideon. Process of soldering and product thereof. Issued 5-21-29. (28)
1,713,708; All. Zeiss Firm of Carl. Photographic objective. Issued 5-21-29. (28)
1,713,718; Schwabach Max. Method and means for removing furnace residues. Issued 5-21-29. (28)

1,713,732; Zurch Hermann. Key box of typesetting and casting machines. Issued 5-21-29. (28)
1,713,752; Hohnekamp Max; Eckhardt Fritz et al. Electric incandescent lamp. Issued 5-21-29. (28)
1,713,877; Korosy Paul V. Apparatus for the filling of granular and powdered material. Issued 5-21-29. (34)
1,713,892; Dorin Anatol. Tool moving device for crank lathes. Issued 5-21-29. (28)
1,713,962; All. Vereinigte Stahlwerke AG. Collapsible draw mandrel. Issued 5-21-29. (28)
1,713,990; Wieland Max. Conical bobbin arranged with steps. Issued 5-21-29. (28)
1,714,029; Kuhn Karl. Device for strengthening the gums. Issued 5-21-29. (28)
1,714,031; Lehmann Ervst Paul. Toy figure. Issued 5-21-29. (28)
1,714,035; Mauler Carl. Process for ascertaining the resistance to rusting shown by iron steel and iron alloys. Issued 5-21-29. (6)
1,714,039; All. Kanega Juchi Boseki Kabushiki. Process of liquidation of natural silk threads. Issued 5-21-29. (39)
1,714,042; Oertz Max. Two part rudder for ships. Issued 5-21-29. (28)
1,714,084; Gassen Josef. Rolling mill. Issued 5-21-29. (28)
1,714,089; Grosskopf Richard. Rotary printing press. Issued 5-21-29. (28)
1,714,106; Ropke Christian. Counting frame. Issued 5-21-29. (28)
1,714,168; Heller Oswald. Plant for utilizing the sensible heat of hot coke. Issued 5-21-29. (28)
1,714,219; All. Maschinenfabrik Augsburg Nuernberg. Diesel locomotive. Issued 5-21-29. (28)
1,714,366; Hartung Carl Adolf. Process for the sterilization of liquids. Issued 5-21-29. (28)
1,714,375; Junkers Jugo. Runner for aircraft. Issued 5-21-29. (28)
1,714,418; All. Fabbrica Italiana di Penne A. Pencil. Issued 5-21-29. (38)
1,714,440; Sauveur Harry. Submerged lifting pump for deep wells. Issued 5-21-29. (28)
1,714,441; All. Hermes Magyar Altalonos Valtouzlet. Carburetor. Issued 5-21-29. (34)
1,714,443; Pineschi Lamberto; Quintiliani Arturo et al. Pneumatic vibrating capsule. Issued 5-21-29. (38)
1,714,445; Reuss Wilhelm. Soldering and welding medium for aluminum. Issued 5-21-29. (28)
1,714,481; All. Wolters Otto. Typographical machine. Issued 5-21-29. (28)
1,714,505; All. Schmidt Sche Heissdampf GmbH. Locomotive boiler and method of operating the same. Issued 5-28-29. (28)
1,714,527; Spiess Georg. Sheet feeding mechanism. Issued 5-28-29. (28)
1,714,565; All. I G Farbenindustrie A G. Manufacture of depolymerization or degradation products of carbohydrates of high molecular weight. Issued 5-28-29. (28)
1,714,615; Weber Kurt; Naumann Paul et al. Soldering iron. Issued 5-28-29. (28)
1,714,621; Posentrup Heinrich. Gripper brake for railways. Issued 5-28-29. (28)
1,714,635; Schafer Andreas. Veterinary appliance. Issued 5-28-29. (28)
1,714,669; Hildebrand Wilhelm. Fluid pressure brake apparatus for railway vehicles. Issued 5-28-22. (28)
1,714,835; Yokoyama Tatsuichi. Method of reclaiming vulcanized rubber. Issued 5-28-22. (39)
1,714,844; Bunge Friedrich Carl. Ship's side scuttle. Issued 5-28-22. (28)
1,715,187; Vollmert Arthur Detlef Joachim; Breitenbach Paul Julius et al. Apparatus for suspending skins, hides, and the like. Issued 5-28-22. (28)
1,715,251; Jacobson Heinrich; Sabalitschka Theodor et al. Disinfecting. Issued 5-28-22. (28)
1,715,313; Sulda Hermann. Process for the distillation and vapor phase extraction of volatile substances. Issued 5-28-22. (6)
1,715,331; Richter Erich. Ornament for bobbed hair. Issued 5-28-22. (28)
1,715,338; All. Maschinenfabrik einsiedel GmbH. Thread guide operating device for straight bar knitting machines. Issued 5-28-22. (28)
1,715,364; Collecting carts. Issued 6-4-29.
1,715,369; Kohler Max. Seaming machine. Issued 6-4-29. (28)
1,715,370; Kohler Max. Loop spreader mechanism for sewing machines. Issued 6-4-29. (28)
1,715,371; Kohler Max. Thread tension mechanism for sewing machines. Issued 6-4-29. (28)
1,715,373; Kohler Max. Overseaming machine. Issued 6-4-29. (28)
1,715,391; Scholler Heinrich. Separating switch for high voltage aerial conductors. Issued 6-4-29. (28)
1,715,424; Ohno Tadashi. Shutter. Issued 6-4-29. (39)
1,715,444; Bader Theodor. Vessel for heating purposes. Issued 6-4-29. (28)
1,715,451; Eller Fritz. Apparatus for printing tickets and the like. Issued 6-4-29. (28)
1,715,458; Kook Otto. Current regulator. Issued 6-4-29. (28)
1,715,461; Loeben Wilhelm. Core holder for artificial flowers. Issued 6-4-29. (28)
1,715,470; Peters Oscar. Siphon for decanting liquids. Issued 6-4-29. (28)
1,715,473; Schleifer Carlo. Machine for combing textile fibers with intermittently rotating nip drums. Issued 6-4-29. (38)
1,715,482; Vorck Theodor G. Knit fabric. Issued 6-4-29. (28)
1,715,489; Baer Alfred. Crank shaft. Issued 6-4-29. (28)
1,715,509; All. Vereinigte Stahlwerke AG. Process for obtaining cast iron. Issued 6-4-29. (28)
1,715,659; Joksch Rudolf. Gripping device. Issued 6-4-29. (6)
1,715,764; Kobayashi Hideo. Differential valve for the air brakes of cars. Issued 6-4-29. (39)
1,715,765; Kobayashi Hideo. Air brake apparatus. Issued 6-4-29. (39)
1,715,781; Pein Heinz; All. Schmidt and Melmer Firm of. Device for the dust free discharge of circular dustbins into refuse. Issued 6-4-29. (28)
1,715,782; Method and means for the electric transmission of written characters.
1,715,783; All. Siemens and Halske AG. Production of light by electricity. Issued 6-4-29. (28)
1,715,795; All. Internationale Nahrung und Genuss Mittel. Method of producing mercaptans of the furfuryl series. Issued 6-4-29. (28)
1,715,812; Bauer Friedrich. Method and apparatus for manufacturing tin openers. Issued 6-4-29. (28)
1,715,818; Custers Peter Wilhelm. Machine for moistening and cooling fabrics. Issued 6-4-29. (28)
1,715,842; All. Demag AG. Hammer drill. Issued 6-4-29. (28)
1,715,866; All. Neufeldt and Kuhnke Betrieb GmbH. Asynchronous machine with condensers. Issued 6-4-29. (28)
1,715,871; All. Meyer Huttenwerke Tempelhof A. Method of obtaining copper sulphate. Issued 6-4-29. (28)
1,715,893; Bertinetti Giovanni et al.; Gattino Edgardo. Duplicating apparatus. Issued 6-4-29. (38)
1,715,953; Sandner Erich. Device for damping torisional vibrations. Issued 6-4-29. (39)
1,715,999; Kelber Christian Flammer Ernst et al. Manufacture of soap. Issued 6-4-29. (28)
1,716,009; Schmidt Karl Wilhelm. Capsule filling and closing machine. Issued 6-4-29. (28)
1,716,012; All. Rohrbach Metall Flugzeubau GmbH. Wing box. Issued 6-4-29. (28)
1,716,053; All. Schmidt Sche Heissdampf. High pressure steam boiler. Issued 6-4-29. (28)
1,716,059; Huntemuller Carl. Tank charging appliance. Issued 6-4-29. (28)
1,716,087; Rauwald Ferdinand. Sheet metal piling. Issued 6-4-29. (28)
1,716,199; Von Hofe Christian et al.; Maurer Max. Wave transmitting apparatus. Issued 6-4-29. (6)
1,716,205; Bucher Christian. Method of rendering iron pipes immune from the attack by water and apparatus for performance of this method. Issued 6-4-29. (28)
1,716,241; All. Raimann B GmbH. Machine for swaging saw teeth. Issued 6-4-29. (28)
1,716,250; Thiele Werner. Manufacturing cigars. Issued 6-4-29. (28)
1,716,353; Kunze Ernst Ludwig. Shuttle driver for looms. Issued 6-4-29. (28)
1,716,362; All. Deutsche Maschinenfabrik AG. Straightening machine provided with rolls. Issued 6-11-29. (28)
1,716,374; Fleissner Hans. Benzene safety lamp for indicating fire damp. Issued 6-11-29. (6)
1,716,376; Geiger Eugen. Apparatus for the mechanical purification of waste water. Issued 6-11-29. (28)
1,716,379; Leysieffer Gustav. Method of manufacturing sheets slabs or molded articles from celluloid or celloidlike materials. Issued 6-11-29. (28)
1,716,408; All. Siemens Schuckertwerke GmbH. Hydraulic relay for regulating apparatus. Issued 6-11-29. (28)
1,716,532; All. Schutte Alfred H. Multispindle turret lathe. Issued 6-11-29. (28)
1,716,762; Bauxbaum Bertold. Adjustable setting up piece for tools and work pieces. Issued 6-11-29. (28)
1,716,978; All. Maschinenfabrik Augsburg Nuernberg. Combustion engine. Issued 6-11-29. (28)
1,716,988; Tacconi Guido. Carburetor. Issued 6-11-29. (38)
1,717,204; Gotz Richard. Needle bearing. Issued 6-11-29. (28)
1,717,227; All. Kanegafuchi Boseki Kabushiki. Method of cocoon storage by cooling and drying. Issued 6-11-29. (39)
1,717,237; Mager Herbert. Arrangement for cooling liquids or fluids. Issued 6-11-29. (6)
1,717,248; All. Soc Italiana Pirelli. Manufacture of rubber articles. Issued 6-11-29. (38)
1,717,249; Pferdmenges Heinrich. Machine for moistening yarn. Issued 6-11-29. (28)
1,717,277; Susz Samuel Jr et al; Susz Edmund. Siphon head with bayonet point. Issued 6-11-29. (34)
1,717,366; Buchholz Max. Protection of electric apparatus. Issued 6-18-29. (28)
1,717,385; Jung Karl. Controlling device for machine tools particularly grinding machines. Issued 6-18-29. (28)
1,717,441; Engel Stephan. Tub for infants and babies. Issued 6-18-29. (28)
1,717,462; All. Zoidan Hojin Rikagaku Kenkyujo. Electromagnetic chemical balance. Issued 6-18-29. (39)
1,717,470; Speidel Robert. Air filter. Issued 6-18-29. (28)
1,717,507; Hanns Arthur. Machine for manufacturing tubular bodies from plastic substances. Issued 6-18-29. (28)
1,717,548; Berg Fritz. Resilient wheel. Issued 6-18-29. (28)
1,717,553; Kelber Christian Flammer Ernst et al. Manufacture of soap. Issued 6-18-29. (28)
1,717,677; All. Glasel A and Co Saitenfabrik. String for string instrumeants. Issued 6-18-29. (28)

1,717,737; All. Berliner Maschinenbau A G Vormals L. Inking apparatus for printing machines. Issued 6-18-29. (28)
1,717,745; Tismer Friedrich. Propulsion screw. Issued 6-18-29. (28)
1,717,768; Fornaca Guido. Two stroke multicylinder superfed engine. Issued 6-18-29. (38)
1,717,774; All. Kellner Alexis. Collapsible carriage hood. Issued 6-18-29. (28)
1,717,776; All. Rheinische Metallwaaren Und. Safety device for automatic firearms. Issued 6-18-29. (28)
1,717,780; Imhoff Karl. Subdivided activated sludge system for sewage treatment. Issued 6-18-29. (28)
1,717,813; All. Freier Grunder Eisen Und. Melting furnace. Issued 6-18-29. (28)
1,717,825; Zilli Luigi. Hoffman furnace. Issued 6-18-29. (38)
1,717,855; Schleiff Karl. Shock absorber especially for motor vehicles. Issued 6-18-29. (28)
1,717,868; All. Blechspielwarenfabrik Johann Distler. Device for producing color and light effects. Issued 6-18-29. (28)
1,717,902; Wiencke Otto. Rotary plate like screen. Issued 6-18-29. (28)
1,717,909; Bayer Julius. Intermittently operating absorption refrigerating machine. Issued 6-18-29. (28)
1,717,920; Koppe Max. Machine for turning in edtes of high grade leather goods. Issued 6-18-29. (28)
1,717,935; Leybold Paul. Winding works. Issued 6-18-29. (28)
1,717,986; Liebau Gustav Otto Andreas. Apparatus for cleaning sewers and pipes. Issued 6-18-29. (28)
1,718,130; Frischmuth Ernst. Combination lock. Issued 6-18-29. (28)
1,718,140; Hagihara Masa. Knitting device. Issued 6-18-29. (39)
1,718,147; All. Guttmann Willy V. Driving device. Issued 6-18-29. (6)
1,718,173; Muller Karl. Photographic spring camera. Issued 6-18-29. (28)
1,718,190; Busch Otto. Drying system for use with annular kilns. Issued 6-18-29. (28)
1,718,226; All. Schanz Daniel. Ventilator for buildings. Issued 6-25-29. (28)
1,718,282; All. Elektro Osmose AG Graf Schwerin. Medical serum. Issued 6-25-29. (28)
1,718,295; Kuhne Martin. Knitting machine. Issued 6-25-29. (28)
1,718,300; Otto Michalk. Pressure applying air pad. Issued 6-25-29. (28)
1,718,401; All. Goldasch G and Co. Dice playing apparatus. Issued 6-25-29. (28)
1,718,422; All. Atlas Werke A G. Distance measuring with the aid of sound waves. Issued 6-25-29. (28)
1,718,427; All. Union special maschinenfabrik. Needle actuating mechanism for sewing machines. Issued 6-25-29. (28)
1,718,502; Vaders Eugen. Copper aluminum alloy. Issued 6-25-29. (28)
1,718,521; Bingler Franz. Ankle support with foot forming sole. Issued 6-25-29. (28)
1,718,542; Dobbelstein Otto. Apparatus for drying charring and otherwise treating loose material. Issued 6-25-29. (28)
1,718,543; Dobbelstein Otto Dec. Apparatus for drying charring and otherwise treating loose material. Issued 6-25-29. (28)
1,718,544; Dobbelstein Otto Dec. Apparatus for drying charring and otherwise treating loose material. Issued 6-25-29. (28)
1,718,548; All. I G Farbenindustrie A G. Process for the decreasing of raw wool and other textile fibers. Issued 6-25-29. (28)
1,718,581; Rockstroh Walter. Sheet feeding device with sheet separation by a blast of air. Issued 6-25-29. (28)
1,718,586; All. Motorenfabrik Deutz A G. Governing system for Diesel engines with arrangements to work with increased admission pressure supercharging. Issued 6-25-29. (28)
1,718,615; Uher Edmund Jr. Arrestment. Issued 6-25-29. (34)
1,718,653; All. Mauthe Friedrich GmbH. Device for escapement regulation of pendulum clocks. Issued 6-25-29. (28)
1,718,699; All. Christoph and Unmack A C G. Sleeping car with a slide passage or corridor. Issued 6-25-29. (28)
1,718,765; Speidel Friedrich. Ornamental link structure. Issued 6-25-29. (28)
1,718,788; Kappler Paul. Case shift mechanism. Issued 6-25-29. (28)
1,718,858; Frank Georg. Button. Issued 6-25-29. (28)
1,718,870; Noell Albert. Cooling Bed. Issued 6-25-29. (28)
1,718,899; Fischer Alois. Method of uniting radioactive material with a metallic carrier. Issued 6-25-29. (6)
1,718,900; Fischer Ferdinand. Offset printing machine. Issued 6-25-29. (28)
1,719,023; Pawlikowski Rudolf. Device for working combustion engines with liquid or pulverized fuels. Issued 7-2-29. (28)
1,719,032; All. Fiat SA; Change speed gear. Issued 7-2-29. (38)
1,719,035; All. Muller J C & Co Universelle Cigaret. Means for introducing materials between rollers. Issued 7-2-29. (28)
1,719,043; Bohm Viktor. Process for carroting animal fibers. Issued 7-2-29. (6)
1,719,059; Krupa Josef et al; Krupka Colestin. Water glide shoe. Issued 7-2-29. (6)
1,719,159; Woroshtzow Nikolai. Process for coloring organic fibers or articles such as skins furs paper etc consisting of animal and vegetable fibers. Issued 7-2-29. (28)
1,719,165; Boden Georg. Internal combustion engine. Issued 7-2-29. (28)
1,719,188; All. Maybach Motorenbau GmbH. Transmission gear. Issued 7-2-29. (28)
1,719,238; Sander Erich. Drilling milling and like machine. Issued 7-2-29. (28)
1,719,291; Federmann Hugo. Removing nicotine from tobacco. Issued 7-2-29. (28)
1,719,349; Welter Adolf. Process for producing soap. Issued 7-2-29. (28)
1,719,374; Ihara Chokichi. Fountain pen. Issued 7-2-29. (39)
1,719,390; Cappa Giulio Cesare. Stabilizing linkage for front wheel braked motor cars. Issued 7-2-29. (38)
1,719,483; Morioka Isao. Photographic method of reproducing original objects. Issued 7-2-29. (39)
1,719,548; Hufschmidt Carl. Water softening filter and process of regenerating and purifying the same. Issued 7-2-29. (28)
1,719,613; Kohler Max. Intermittent driving mechanism. Issued 7-2-29. (28)
1,719,654; Eckers Gustav Ferdinand Julius. Container for fluid. Issued 7-2-29. (28)
1,719,657; Goldmann Henryk. Method of treating antimonial ores. Issued 7-2-29. (28)
1,719,684; All. Chemisch Technische GmbH. Circulating apparatus for hot gases. Issued 7-2-29. (28)
1,719,699; Habann Wilhelm Eduard Erich. Thermionic tube. Issued 7-2-29. (28)
1,719,705; Kondo Rennosuke. Device for prevention of detonation in internal combustion engines. Issued 7-2-29. (39)
1,719,709; All. Union Special Maschinenfabrik GmbH. Looper actuating mechanism for overedge sewing machines. Issued 7-2-29. (28)
1,719,771; Krumm Carl. Spring balanced transverse support for bed bottoms in bedsteads. Issued 7-2-29. (28)
1,719,802; All. Soc Invenzioni Brevetti Anonima. Process of treating skin products and article. Issued 7-2-29. (38)
1,719,839; Hilscher Curt. Knitting machine. Issued 7-9-29. (28)
1,719,926; Damme Richard. Stencil sheet. Issued 7-9-29. (28)
1,719,937; Kunze Willy. Device for transmitting and receiving sound waves in water on board ship from ships. Issued 7-9-29. (28)
1,719,964; Bruhl Paul. Grinding machine. Issued 7-9-29. (28)
1,719,965; Bruhl Paul. Grinding machine. Issued 7-9-29. (28)
1,719,971; Fahland Karl. Drum mill feeder. Issued 7-9-29. (28)
1,719,996; Pelkert Heinrich. Transfer device for finely ground material. Issued 7-9-29. (28)
1,720,036; Dreyer Hans. Means for indicating at a distance the amplitude of movements in alternative directions. Issued 7-9-29. (28)
1,720,097; All. Marx W and Co. Cough cutting machine. Issued 7-9-29. (28)
1,720,111; Abel Emil. Arrangement for resetting derailed railway vehicles on the rails. Issued 7-9-29. (28)
1,720,130; Knupfer Bernhard. Oblique seat valve. Issued 7-9-29. (28)
1,720,138; Newmark Hans. Method for working up solutions obtained by leaching ores having been subjected to a chlorination roasting process. Issued 7-9-29. (28)
1,720,152; Sigmund Friedrich. Wire tier for sacks. Issued 7-9-29. (28)
1,720,159; Willmann Paul. Air pump. Issued 7-9-29. (28)
1,720,172; Dessauer Friedrich. Electron discharge tube and method of manufacturing the same. Issued 7-9-29. (28)
1,720,182; All. Maybach Motorenbau GmbH. Diesel engine. 7-9-29. (28)
1,720,203; All. Magnet Werk Firm GmbH Eisenach. Diesel locomotive control. Issued 7-9-29. (28)
1,720,210; Daumann Karl Wilhelm. Cathode arrangement for X ray tubes. Issued 7-9-29. (28)
1,720,227; Lure Karl. Wheel lathe. Issued 7-9-29. (28)
1,720,259; Bohme Martin. Distant indicating device. Issued 7-9-29. (28)
1,720,334; Langenstepen Wilhelm. Electric heater. Issued 7-9-29. (28)
1,720,487; Lichtenstern Richard. Process for making infusible asphalt masses of high elasticity. Issued 7-9-29. (6)
1,720,574; Schleferstein Georg Heinrich. Power transmitting means by oscillatory movements. Issued 7-9-29. (28)
1,720,582; Vieweg Volkmar. Device for measuring torsion. Issued 7-9-29. (28)
1,720,698; All. Rohrbach Metall Flugzeugbau GmbH. Seaplane. Issued 7-16-29. (28)
1,720,730; All. Stitch August. Apparatus for releasing ships lifeboats. Issued 7-16-29. (28)
1,720,735; Klug Alfred. Napping machine. Issued 7-16-29. (28)
1,720,782; Dommer Otto. Apparatus for determining the calorific value of gases. Issued 7-16-29. (28)
1,720,803; All. Bruning & Sohn A G. Machine for uniting veneer plates. Issued 7-16-29. (28)
1,720,842; Keinath Karl. Adjustable sofa arm. Issued 7-16-29. (28)
1,720,850; Negrini Bruno. Roller shutter for shop fronts doors windows and the like. Issued 7-16-29. (38)
1,720,907; Koerner Ewald. Device for placing cigarettes of flat or oval cross section side by side in an oblique position. Issued 7-16-29. (28)
1,720,910; Longhi Carlo. Process of treating material in liquid state electrochemically. Issued 7-16-29. (38)
1,720,928; All. Luftschiffbau Zeppelin GmbH. Airship truck. Issued 7-16-29. (28)
1,720,965; Kreth Wilhelm Moller Wilhelm et al. Preparation of solutions of hydrofluosilicic acid. Issued 7-16-29. (28)
1,720,968; Schmidt Julius. Method for the manufacturing of hollow bodies of circular cross section having entrance openings. Issued 7-16-29. (28)
1,720,981; All. Prym William GmbH. Press button. Issued 7-16-29. (28)
1,721,014; All. Muller Stefan. Optical advertising device. Issued 7-16-29. (28)

1,721,031; Noishiki Yoshitoshi. Induction current generating apparatus for medical treatment. Issued 7-16-29. (39)
1,721,033; Okochi Masatosi. Apparatus for collecting volatile substances. Issued 7-16-29. (39)
1,721,083; Mohr Wilhelm. Dough dividing and working machine. Issued 7-16-29. (28)
1,721,271; All. Du Prel Dr Elektrome dizinische. High frequency apparatus. Issued 7-16-29. (28)
1,721,275; Madaschi Giuseppe. Frame with down turnable wheels for alternative use as traction carriage for small guns and as platform for placing them in battery. Issued 7-16-29. (28)
1,721,303; Jacob Ernst. Method of removing the sprues from cutting tools and similar objects. Issued 7-16-29. (28)
1,721,369; All. Rheinische Gummi Und. Doll eyes. Issued 7-16-29. (28)
1,721,388; All. Glass Bernhard Sohne. Money box. Issued 7-16-29. (28)
1,721,392; Heumann Emil. Ditch digging and cleaning machine. Issued 7-16-29. (28)
1,721,398; Jacob Heinrich. Computing weighing scale. Issued 7-16-29. (28)
1,721,399; Klein Ernst. Method of manufacture of bags. Issued 7-16-29. (28)
1,721,402; Merk Friedrich. Desk telephone station. Issued 7-16-29. (28)
1,721,425; Winzenburg Wilhelm. Glass picture projecting device for cinematographic apparatus. Issued 7-16-29. (28)
1,721,462; Metz Heinrich. Two share plow. Issued 7-16-29. (28)
1,721,471; Rinau Wilhelm. Feed gear for disintegrators agitators mixers and kneaders. Issued 7-16-29. (28)
1,721,485; Kersten Julius. Process for the decomposition of chlorides and sulphates of alkali earth metals in molten state by steam. Issued 7-16-29. (28)
1,721,538; Wirth Alfred. Permanent way for railways. Issued 7-23-29. (6)
1,721,704; Madaschi Giuseppe. Apparatus for throwing bombs or torpedoes. Issued 7-23-29. (38)
1,721,783; All. Sachsische Maschinenfabrik Vorm. Cotton drawing frame with balling head. Issued 7-23-29. (28)
1,721,785; Meyer Ulfilas. Electric conductor with artificially increased self inductance. Issued 7-23-29. (28)
1,721,787; Nakanishi Kinjiro. Electrically controlled device for use in shedding motion in looms for weaving figured fabrics and for use in figured card cutting machines. Issued 7-23-29. (39)
1,721,798; Toniolo Carlo. Drying process for ammonium nitrate solutions. Issued 7-23-29. (38)
1,721,813; Geipert Rudolf. Method of and apparatus for testing coal. Issued 7-23-29. (28)
1,721,820; Ikeda Kikunae. Process of utilizing waste waters from beet sugar molasses. Issued 7-23-29. (39)
1,721,853; All. Messgerate Boykow GmbH. Electric current regulator. Issued 7-23-29. (28)
1,721,863; All. Linke Hofmann Werke. Wood pulp grinding plant and the art of operating the same. Issued 7-23-29. (28)
1,721,977; Sewerin Hermann. Gas indicator. Issued 7-23-29. (28)
1,721,985; Brunner Franz. Napping machine. Issued 7-23-29. (28)
1,721,990; Gammay Hermann. Process for the production of camphene. Issued 7-23-29. (28)
1,721,997; Jacobs Karl W J H. Low temperature distillation of carbonizable material. Issued 7-23-29. (28)
1,722,040; Dursch Christoph. Welding and soldering composition. Issued 7-23-29. (28)
1,722,063; Spitzenberg Georg Karl. Hand hoe. Issued 7-23-29. (28)
1,722,076; I G Farben Industrie A G. Stable iron carbonyl compositions and their manufacture. Issued 7-23-29. (28)
1,722,093; Jagschitz Konrad. Disk gas holder. Issued 7-23-29. (28)
1,722,095. Issued 7-23-29.
1,722,339; Pauling Harry. Combustion of ammonia. Issued 7-30-29. (28)
1,722,340; All. Lehmann Ernst Paul. Figure wheeled toy. Issued 7-30-29. (28)
1,722,375; Hipssich Karl. Diving apparel adapted to withstand high pressure. Issued 7-30-29. (28)
1,722,391; Pfrommer Bruno. Knitted fabric. Issued 7-30-29. (28)
1,722,397; All. Rheinische Metallwaaren und. Carriage for automatic firearms. Issued 7-30-29. (28)
1,722,403; Vetter Ludwig. Liquid sprayer. Issued 7-30-29. (28)
1,722,419; Reidl Anton et al; Otto Heinisch. System for the distribution of electric energy. Issued 7-30-29. (28)
1,722,425; Junkers Hugo. Internal combustion engine. Issued 7-30-29. (28)
1,722,440; Nardone Ugo. Plow tractor. Issued 7-30-29. (38)
1,722,582; Kloss Ulrich. D C railway system. Issued 7-30-29. (28)
1,722,637; Landau Robert. Cap shaped contrivance for closing vessels or receptacles. Issued 7-30-29. (6)
1,722,674; Oberschulte Hermann. Dolphin pile. Issued 7-30-29. (28)
1,722,752; Karnath Kurt. Slide valve. Issued 7-30-29. (28)
1,722,767; Schieferstein Georg Heinrich. Pneumatic oscillating system and loosely operative pneumatic coplings. Issued 7-30-29. (28)
1,722,863; All. Klonne Firm Aug. Sealing piston for reservoirs for the storage of gas steam or easily evaporating liquids. Issued 7-30-29. (28)
1,722,908; Geisler Heinz. Twine seal. Issued 7-30-29. (28)
1,722,909; Meyer Eberhard et al; Goltstein Ewald. Closure for bottles and like receptacles. Issued 7-30-29. (28)
1,722,914; All. I G Farbenindustrie AG. Manufacture of cellulose esters. Issued 7-30-29. (28)
1,722,926; Kreisel Franz Karl. Process for the preparation of letters, figures and like signs for fixing to windows and the like. Issued 7-30-29. (28)
1,722,935; Messter Oskar. Target practice apparatus. Issued 7-30-29. (28)
1,722,940; Pein Heinz. Method and apparatus for transmitting written characters. Issued 7-30-29. (28)
Juliusburger Josef. Machine for untwisting and carding fibrous materials (28)
1,722,124; Piel Carl et al; Adey Carl. Method of casting copper alloys. Issued 7-23-29. (28)
1,722,125; All. A T C Allgemeine Transportanlagen. Lifting machine such as a crane. Issued 7-23-29. (28)
1,722,153; All. Felten and Guilleaume Carlswerk AG. High tension cable. Issued 7-23-29. (28)
1,722,158; Reiffenstein Mansfred. Water power engine. Issued 7-23-29. (6)
1,722,184; Toyoda Kiichiro. Tail thread cutting mechanism in automatic looms. Issued 7-23-29. (39)
1,722,187; Wetzel Hugo A. Whipper for converting liquids into foam. Issued 7-23-29. (28)
1,722,248; Jammer Emil. Name plate with interchangeable characters. Issued 7-23-29. (28)
1,723,098; Ungerer Fritz. Method and apparatus for straightening plates. Issued 8-6-29. (28)
1,723,106; All. Rohrbach Metall Flugzeugbau. Device for cutting out plated work pieces. Issued 8-6-29. (28)
1,723,139; De Tovaros Julius Fischer. Sliding current collector for electric vehicles. Issued 8-6-29. (34)
1,723,157; All. Motor Pumpen GmbH. Screw pump. Issued 8-6-29. (28)
1,723,389; Thiel Heinrich. Device for putting under tension the tools of filing sawing and similar machines and machine tools. Issued 8-6-29. (28)
1,723,411; Dossmann Arturo. Process for the treatment of scrap iron. Issued 8-6-29. (38)
1,723,413; Drehmann Hugo. Device for roasting baking and steaming. Issued 8-6-29. (28)
1,723,431; Melamid Michael. Process of obtaining liquid products from coal and the like. Issued 8-6-29. (28)
1,723,443; Roth Ernst. Disintegrating machine. Issued 8-6-29. (28)
1,723,444; All. Schlesinger C and Trier K G. Method of producing metals. Issued 8-6-29. (28)
1,723,449; Tolkien Fritz. Slide valve gear for reciprocating steam engines. Issued 8-6-29. (28)
1,723,452; All. Bruning and Sohn A G. Veneer box and method of manufacturing the same. Issued 8-6-29. (28)
1,723,467; Ohno Tadashi. Shutter. Issued 8-6-29. (39)
1,723,510; All. Universelle. Cigarette machine. Issued 8-6-29. (28)
1,723,524; Rosa Augusto. Electric circuit for central telephone offices. Issued 8-6-29. (38)
1,723,530; All. Jffa GmbH. High pressure cartridge for fire extinguishing apparatus and the like. Issued 8-6-29. (28)
1,723,544; Etzelt Heinrich. Lubricating pump. Issued 8-6-29. (28)
1,723,545; All. I G Farbenindustrie AG. Process of preparing 1 phenyl 3 methyl 5 pyrazolone. Issued 8-6-29. (28)
1,723,613; All. Universelle Cigarettenmaschinen. Driving means for cigarette conveyers in cigarette rod machines. Issued 8-6-29. (28)
1,723,686; All. Sack Rudolf. Vehicle operated lift. Issued 8-6-29. (28)
1,723,697; All Schmidtsche Heissdampf GmbH. Superheating of steam in steam generating installations for high pressure and highly superheated steam. Issued 8-6-29. (28)
1,723,714; Stohrer Robert. Cleaning intestines. Issued 8-6-29. (28)
1,723,732; All. Sachsenwerk Licht und Kraft AG. Apparatus for the compensation of asynchronous machines by shunt commutator motors connected in cascade. Issued 8-6-29. (28)
1,723,791; Kyber Wladimir. Process for the production of phosphorous and fusion cement from natural phosphates. Issued 8-6-29. (28)
1,723,807; Raffloer Emil. Method of coking solid fuel. Issued 8-6-29. (28)
1,723,891; Schneider Emil. Accounting machine. Issued 8-6-29. (38)
1,723,892; Schonberger Moritz. Display stand or the like. Issued 8-6-29. (6)
1,723,940; Krantz Hubert J M C. Centrifugal machine. Issued 8-6-29. (28)
1,723,998; All. Soc Italiana Lavorazioni Meccaniche. Method of and apparatus for cutting lengths from a continuously fed bundle of artificial threads filaments and the like. Issued 8-13-29. (38)
1,724,009; All. Luftschiffbau Zeppelin GmbH. Rigid airship with separate gas cells. Issued 8-13-29. (28)
1,724,012; Fornaca Guido. Internal combustion engine cylinder. Issued 8-13-29. (38)
1,724,111; Richter Julius. Bandage or catamenial appliance. Issued 8-13-29. (6)
1,724,141; Nowotnick Johann Peter. Clothes peg. Issued 8-13-29. (28)
1,724,159; All. Magnet Werk GmbH. Eisenach. Change speed tooth gear. Issued 8-13-29. (28)

1,724,187; Galbarini Antonio. Signaling apparatus for automobiles and the like. Issued 8-13-29. (38)
1,724,220; Puccia Giovanni. Folding furniture. Issued 8-13-29. (38)
1,724,273; All. Soc. Italiana Vop. Means and device to vaporize heavy liquid fuel for use as driving power in gas engines generally. Issued 8-13-29. (38)
1,724,314; Rober Ewald. Rolling mill of the pilger type. Issued 8-13-29. (28)
1,724,319; All. Neuerburg Sche Messrs Verwaltungs. Apparatus for uniformly feeding cut tobacco to the rod forming mechanism of cigarette making machines. Issued 8-13-29. (28)
1,724,392; Busch Otto. Circular kiln. Issued 8-13-29. (28)
1,724,439; Von Hutschler Gustav. Therapeutic appliance. Issued 8-13-29. (28)
1,724,465; All. Muller C H F Rontgen Rohrenfabrik. Process of fusing metallic bodies to glass and the combination of metals used in said process. Issued 8-13-29. (28)
1,724,466. Erhart Julius et al; Lemberger Fritz Hehle Anton. Bottle closure device. Issued 8-13-29. (6)
1,724,468; Gambarotta Piero. Speed indicating apparatus. Issued 8-13-29. (38)
1,724,473. Grune Max. Method of and machine for manufacturing fillers for shoes and boots. Issued 8-13-29. (28)
1,724,480; Hentzler Hermann. Support for trousers. Issued 8-13-29. (28)
1,724,485; Kappler Paul. Ink ribbon vibrator mechanism in typewriters. Issued 8-13-29. (28)
1,724,513; Pollitzer Franz. Process for transferring heat from gases to other gases. Issued 8-13-29. (28)
1,724,516; Remedios Honor De Souza. Sanitary toothbrush container. Issued 8-13-29. (39)
1,724,519; Schellewald Eduard. Joint for flanged steel beams. Issued 8-13-29. (28)
1,724,572; Geisen Alois. Method of and apparatus for producing photoluminescent pictures. Issued 8-13-29. (28)
1,724,590; Horn Leonhard. Screw device. Issued 8-13-29. (28)
1,724,628; Vohs Norbert. Process for the manufacture of half linen. Issued 8-13-29. (28)
1,724,647; Eberspacher Paul. Traffic signal. Issued 8-13-29. (28)
1,724,653; Heitmann Moritz Joseph. Process for producing lubricants containing water. Issued 8-13-29. (28)
1,724,657; Jahne Ernst Hermann. Removing sheets from piles. Issued 8-13-29. (28)
1,724,715; All. Deutsch Luxemburgische Bergwerks. Automatic matching and doubling machine. Issued 8-13-29. (28)
1,724,730; All. Sachsenwerk Licht und Kraft AG. Compensated asynchronous machine with supply to the rotor. Issued 8-13-29. (28)
1,724,845; Lancia Vincenzo. Spar for vehicle frames. Issued 8-13-29. (38)
1,724,893; Baginski Leo Max. Massage apparatus. Issued 8-20-29. (28)
1,724,941; Kesselring Fritz. Starting device for internal combustion engines. Issued 8-20-29. (28)
1,724,953; Meyer Fritz. Method of and device for testing blood. Issued 8-20-29. (28)
1,725,006. Kelp Gustav Benno Moritz. Temperature control device. Issued 8-20-29. (28)
1,725,008; Kugler August. Adjustable and interchangeable advertising sign. Issued 8-20-29. (28)
1,725,012; All. Metallogen GmbH. Nozzle for atomizing wire shaped materials. Issued 8-20-29. (28)
1,725,013; Minck Paul Hermann. Machine for treating cottonseed hulls. Issued 8-20-29. (28)
1,725,045; Althoff Walter. Vat for washing fiber material and the like wound on bobbins. Issued 8-20-29. (28)
1,725,066; Egersdorfer Fritz. Atomizer for liquid fuel. Issued 8-20-29. (28)
1,725,175; All. Siemensschuckertwerke GmbH. Lead in construction for electric discharge tubes. Issued 8-20-29. (28)
1,725,272; All. Rheinische Metallwaaren Und. Automatic firearm. Issued 8-20-29. (28)
1,725,309; Spiess Georg. Folding device. Issued 8-20-29. (28)
1,725,310; Stedefeld Curt. Lateral springing for vehicle running gears. Issued 8-20-29. (28)
1,725,327; Biller Hans. Sound box for talking machines. Issued 8-20-29. (28)
1,725,330; Blau Ernst. Surface plate for wheel lathes. Issued 8-20-29. (28)
1,725,492; Tesiky Karl. Work piece feed for machine tools. Issued 8-20-29. (28)
1,725,591; All. Union Special Maschinenfabrik. Looper mounting for sewing machines. Issued 8-20-29. (28)
1,725,596; All. Bensa Felice. Process for manufacturing dyestuffs. Issued 8-20-29. (38)
1,725,620; All. I G Farbenindustrie A G. Esters of silicic acid. Issued 8-20-29. (28)
1,725,630; Gielow Christian. Rolling mill. Issued 8-20-29. (28)
1,725,653; Kruckenberg Franz. Arrangement for the intense transportation of persons. Issued 8-20-29. (28)
1,725,675; Sallmann Gotthardt A. Process of making texture having the appearance of leather. Issued 8-20-29. (28)
1,725,686; Ufer Hubert. File with double cut. Issued 8-20-29. (28)
1,725,733; Harter Ludwig. Detachable wheel rim. Issued 8-20-29. (28)
1,725,740; Schulte Karl. Roller conveyor. Issued 8-20-29. (28)
1,725,741; Strunz Heinrich. Guard for leather leggings. Issued 8-20-29. (28)
1,725,804; Krumper Friedrich. Shuttle for weaving looms. Issued 8-27-29. (6)
1,725,808, Liese Paul. Structure comprising glass tiles. Issued 8-27-29. (28)
1,725,837; Spiess Georg. Cross folding machine. Issued 8-27-29. (28)
1,725,863; Braune Anton et al; Heussler Josef. Gas cooker. Issued 8-27-29. (6)
1,725,873; Leege Karl. Laying over device for reaping and binding machines. Issued 8-27-29. (28)
1,725,881; All. Daimler Benz A G. Apparatus for operating liquid turbines by means of combustion machines. Issued 8-27-29. (28)
1,725,896; Beckert Hans. Device for preventing the breaking of fins in swimming shoes. Issued 8-27-29. (28)
1,725,941; Stein Otto. Painter's implement or pattern. Issued 8-27-29. (28)
1,725,950; Badermann Karl Robert Ernst. Airplane. Issued 8-27-29. (28)
1,726,037; Meyer Rudolf. Reversing gear. Issued 8-27-29. (28)
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1,726,117; Opitz Joseph. Trough for wet spinning machinery. Issued 8-27-29. (28)
1,726,194; All. Goldschmidt TH A G. Process of improving aluminum alloys. Issued 8-27-29. (28)
1,726,198; Stahl Eugen. Football boot and the like. Issued 8-27-29. (28)
1,726,242; Schwarz Philipp. Stamping process. Issued 8-27-29. (28)
1,726,252; All. I G Farbenindustrie A G. Complex compounds of aromatic paradiamines with sulphur dioxide and process of preparing same. Issued 8-27-29. (28)
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1,726,268; Jahr Rudolf. Optical instrument for the examination of spaces which are accessible only through narrow entrances. Issued 8-27-29. (28)
1,726,300; All. Testa GmbH. Metal tube press. Issued 8-27-29. (28)
1,726,320; Shimizu Seizo. Ship's log and speed indicator. Issued 8-27-29. (39)
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1,726,395; Kishimoto Taro. Clear vision apparatus for rapid running vehicles or ships. Issued 8-27-29. (39)
1,726,433; Greiner Fritz. Process for the manufacture of strong machinable cast iron. Issued 8-27-29. (28)
1,726,462; Wittig Karl. Compressed air engine. Issued 8-27-29. (28)
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1,727,162; Erkens Paul. Multiple wire paper machine. Issued 9-3-29. (28)
1,727,173; Muller Carl. System for selecting rays of different wave lengths from a source thereof. Issued 9-3-29. (28)
1,727,174; All. I G Farbenindustrie A G. Production of ammonia from its elements. Issued 9-3-29. (28)
1,727,251; All. Semer and Co GmbH. Method for removing the sap from felled trunks and for impregnating coloring or drying the same. Issued 9-3-29. (28)
1,727,274; De Tovaros Julius Fischer. Sliding current collector for electric vehicles. Issued 9-3-29. (34)
1,727,280; Fottinger Hermann. Internal combustion pump. Issued 9-3-29. (28)
1,727,449; Schulz Josef. Sheet metal casing for photographic films. Issued 9-10-29.
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1,727,497; Zwick Jacob. Nailbrush. Issued 9-10-29. (28)
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1,727,518; Gettinger Richard. Casting apparatus. Issued 9-10-29. (28)
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1,727,697; All. Maschinenfabrik. Double acting two stroke gas engine with slot scavenging. Issued 9-10-29. (28)
1,727,765; Greve John Emil William et al; Klaar Albert Max. Calculating machine. Issued 9-10-29. (28)
1,727,818; All. Von Hantelmann and Co. Mechanical toy figure. Issued 9-10-29. (28)
1,727,828; Heyn Werner. Self acting siphon. Issued 9-10-29. (28)
1,727,832; Kogure Rokuro. Apparatus for opening and shutting a filter press. Issued 9-10-29. (39)
1,727,919; All. Studiengesellschaft fuer Wirtschawt. Method of using ultra violet rays to aid the process of combustion in combustion motors etc. Issued 9-10-29. (28)
1,727,930; Bock Emil Heinrich. Safety device provided with cells which are sensitive to light. Issued 9-10-29. (28)
1,727,944; Schubert Herman. Support or carrier for material to be sifted. Issued 9-10-29. (28)
1,727,958; Borchardt Andreas. Gate valve cooling system. Issued 9-10-29. (28)
1,727,995; Lechler Wilhelm. Apparatus for disinfecting and extirpating vermin by means of a steam boiler. Issued 9-10-29. (28)
1,728,062; Ito Keisuke. Double folding umbrella. Issued 9-10-29. (39)
1,728,094; Wittek Herbert. Process of reducing zinc ores. Issued 9-10-29. (28)
1,728,206; All. I G Farbenindustrie A G. Process of treating cellulose with lactic acid and the product thereof. Issued 9-17-29. (28)

1,728,209; Malonyay John. Power operated plow or other agricultural implement. Issued 9-17-29. (34)
1,728,313; Treuner Feodor. Horizontal bar. Issued 9-17-29. (28)
1,728,321; Antonelli Leonida. Rotary pump. Issued 9-17-29. (38)
1,728,322; Badrian Max. Device for elastically clamping off the male uretha. Issued 9-17-29. (28)
1,728,347; Jager Emil. Wire weaving loom. Issued 9-17-29. (28)
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1,728,471; Bratring Kurt. Method of and apparatus for treating foils of cellulose or derivatives thereof by means of suitable fluids. Issued 9-17-29. (28)
1,728,482; Fischer Herbert et al; Grodnitzky Lasar. Pressure closure apparatus. Issued 9-17-29. (28)
1,728,567; Kohlschutter Ernst Wolfgand. Belting of woven fibrous material. Issued 9-17-29. (28)
1,728,598; Elrich Ludwig et al; Elrich Joseph. Discharging closure for mixing machines. Issued 9-17-29. (28)
1,728,657; All. Bamag Meguin A G. Screening plant for coke and similar materials. Issued 9-17-29. (28)
1,728,682; All. I G Farbenindustrie AG. Machinery for softening or breaking fibrous materials. Issued 9-17-29. (28)
1,728,686; All. I G Farbenindustrie A G. Process for the continuous purification of crude carbon disulphide. Issued 9-17-29. (28)
1,728,711; Yoshimatsu Tadao. Pencil. Issued 9-17-29. (39)
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1,728,748; All. Deutsche Gasgluhlicht Auer GmbH. Process for the manufacture of refractory substances. Issued 9-17-29. (28)
1,728,807, Schwalbe Carl Gustav. Method of carbonizing a cellulose containing substance such as wood pen and the like. Issued. 9-17-29. (28)
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1,728,826; Gruttmann Franz. Registering stamp. Issued 9-17-29. (28)
1,728,830; All. Schnellpressenfabrik AG Heidelberg. Platen printing press. Issued 9-17-29. (28)
1,728,878; All. Kohorn & Co Oscar. Device for the wet treatments of hanks and the like. Issued 9-17-29. (28)
1,728,993; Gerdes Adolf Friedrich. Adjoint piece for telescope sights. Issued 9-24-29; (28)
1,729,037; All. Kohlenscheidungs GmbH. Boiler arrangement. Issued 9-24-29. (28)
1,729,042; Junkers Hugo. Aviation motor. Issued 9-24-29. (28)
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1,729,185; Redlich Berthold. Process for preparing emulsions of liquid or dissolved substances. Issued 9-24-29. (28)
1,729,204; Braun Erich. Shoewear and process of manufacturing the same. Issued 9-24-29. (28)
1,729,217; Hufschmidt Carl. Powdered fuel furnace. Issued 9-24-29. (28)
1,729,254; Habicht Otto. Footwear. Issued 9-24-29. (28)
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1,729,296; Sarason David. Apparatus for hot treatment of the inner female genitals. Issued 9-24-29. (28)
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1,729,596; Herz Philipp. Process and device for the manufacture of seat air cushions. Issued 9-24-29. (28)
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1,729,809; Wilhelm Karl Kriedrich. Process of extracting fatty acids resins bitter substances and mucilage from oils and fats. Issued 10-1-29. (28)
1,729,810; Witzel Karl. Electric heating arrangement for heating the cooling water of combustion engines. Issued 10-1-29. (28)
1,729,836; Kilchling Karl. Torsion balance. Issued 10-1-29. (28)
1,729,926; Brusselbach Conrad. Steering post control. Issued 10-1-29. (28)
1,729,955; Matthael Curt. Apparatus for unwinding coiled wire band iron and the like. Issued 10-1-29. (28)
1,730,029; Beck Curt. Tracking moving machine. Issued 10-1-29. (28)
1,730,037; All. I G Farbenindustrie A G. Soap preparation. Issued 10-1-29. (28)
1,730,069; Gebser Paul. Tray for card index systems. Issued 10-1-29. (28)
1,730,154; Loeb James. Cupboard bookcase or the like. Issued 10-1-29. (28)
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1,730,201; Foss Wilhelm. Operating valve for air guns. Issued 10-1-29. (28)
1,730,217; Kessler Albert. Pot cleaner. Issued 10-1-29. (28)
1,730,244; Reinsch Rudolf. Book cover. Issued 10-1-29. (6)
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1,730,296; All. Lehmann Ernest Paul Patentwerk. Toy motor car. Issued 10-1-29. (28)
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1,730,427; Hosoi Isamu. Gearing for sound reproducing machines. (Issued 10-8-29. (39)
1,730,430; Kastner Johann Georg. Process for treating fibrous material of vegetable artificial or animal origin. Issued 10-8-29. (28)
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1,730,661; Klasen Hans. Renewable safety fuse. Issued 10-8-29. (28)
1,730,746; Roder Karl. Steam or gas turbine. Issued 10-8-29. (28)
1,730,749; Spiess Georg. Cross folding machine. Issued 10-8-29. (28)
1,730,821; Dempter Fritz. Caoutchouc cutting device. Issued 10-8-29. (28)
1,730,867; All. Schmidt Sche Geissdampf GmbH. Locomotive boiler. Issued 10-8-29. (28)
1,730,888; Heumann Albert. Fruit and like peeler. Issued 10-8-29. (28)
1,730,890; All. Metallgesellschaft AG. Automatic clutch. Issued 10-8-29. (28)
1,730,931; Giehler Fritz. Shuttle. Issued 10-8-29. (28)
1,730,937; All. Metallgesellschaft AG. Centrifugal friction clutch. Issued 10-8-29. (28)
1,730,950; Schmidt Benno, Hundt Otto. Thread moistening apparatus. Issued 10-8-29. (28)
1,730,958; Van Wienen Pieter. Cutting head for suction dredgers. Issued 10-8-29. (28)
1,730,960; Wust Fritz. Purifying pig iron. Issued 10-8-29. (28)
1,731,020; Messer Adolf. Burner for cutting and welding. Issued 10-8-29. (28)
1,731,021; Muller Karl et al; Sander Wilhelm. Bearing metal alloy. Issued 10-8-29. (28)
1,731,074; All. Union Special Maschinenfabrik. Strip feeding mechanism for sewing machines. Issued 10-8-29. (28)
1,731,112; All. Verein Fur Chemische Industrie A 7. Production of cellulose from highly lignified plants. Issued 10-8-29. (28)
1,731,134; Hirschson Franz. Photometer principally for photographit and ayrometric purposes. Issued 10-8-29. (28)
1,731,148; Otto William. Card cloth having a felt layer. Issued 10-8-29. (28)
1,731,149; Raffenbeul Rudolf. Shock absorber for vehicle couplings. Issued 10-8-29. (28)
1,731,152; All. Boehringer C. H. Sohn. Process for the manufacture of derivatives of dihydrocodeinone or its substitution products. Issued 10-8-29. (28)
1,731,273; All. Drager Heinrich Otto. Inhaling apparatus. Issued 10-15-29. (28)
1,731,354; Schwalbe Carl Gustav. Process of carbonizing the organic constituents of sulphur cellulose LHV. Issued 10-15-29. (28)
1,731,395; Radtke Albert. Instrument for writing characters on advertising boards. Issued 10-15-29. (28)
1,731,401; Teckenburg August. Clock with automatically traveling surface and annular gap for the block hands. Issued 10-15-29. (23)
1,731,433; All. I G Farbenindustrie A G. Nondeliquescent product from sulphite waste liquor. Issued 10-15-29. (28)
1,731,679; All. I G Farbenindustrie A G. Softening paper. Issued 10-15-29. (28)
1,731,686; Rinneberg Emil. Javelin. Issued 10-15-29. (28)
1,731,699; Cacalli Italo. Process for the extraction of mercury from its ores and from residues of their roasting. Issued 10-15-29. (38)
1,731,722; All. Maschinenbau A G. Gas burner. Issued 10-15-29. (28)
1,731,728; Sachs Ernest. Coaster brake for vehicles. Issued 10-15-29. (28)
1,731,729; Schlumbohm Peter. Device for injecting liquid into a cavity of the human body. Issued 10-15-29. (28)

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1,731,840; Brown Jegor Israel. Airship. Issued 10-15-29. (28)
1,731,847; Eckart Carl jr. Bronze and tincture container. Issued 10-15-29. (28)
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1,732,105; Merz Friedrich. Manufacture of ointments and particularly water ointments. Issued 10-15-29. (28)
1,732,106; Miyahara Masayasu. Mercuric cyanide tartrate and the process of making it. Issued 10-15-29. (39)
1,732,111; Rostin Heliodor. Process for conversion or purification of hydrocarbon fluids. Issued 10-15-29. (28)
1,732,117; Brandt Richard. Method for oxidizing potassium ferrocyanide to potassium ferricyanide. Issued 10-15-29. (28)
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1,732,317; All. Bek Ernst Gideon. Method of soldering of chain and ring mesh fabrics. Issued 10-22-29. (28)
1,732,373; All. I G Farbenindustrie A G. Catalytically manufacturing phosphoric acid and hydrogen. Issued 10-22-29. (28)
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1,732,382; Schultz Hermann. Mold for aluminothermic welding of parts. Issued 10-22-29. (28)
1,732,386; Sprockhoff Maximilian. Separator. Issued 10-22-29. (28)
1,732,388; Tessky Karl. Driving mechanism for machine tools. Issued 10-22-29. (28)
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1,732,396; Bock, Max. Telemetric gas analyzer. Issued 10-22-29 (28)
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1,732,615; All. Vereinigte Stahlwerke A G. Process for improving the strength qualities of steel wire. Issued 10-22-29. (28)
1,732,658; All. Kipping Thilo Trailer coupling for saddle tractors with run up rails. Issued 10-22-29 (28)
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1,732,664; Seelig Sigbert Apparatus for cracking oils. Issued 10-22-29. (28)
1,732,683; Hubl Franz Printing machinery. Issued 10-22-29. (38)
1,732,684; All. Serfix Serviettenhalter Fabrik. Napkin holder. Issued 10-22-29 (28)
1,732,692; Peiseler Alfred. Method for the production of saw blades. Issued 10-22-29. (28)
1,732,720; Hombrecher Albert. Crown beater for braiding and lace machines. Issued 10-22-29 (28)
1,732,788; Buddeus Wilhelm. Process of reducing ores and the like. Issued 10-22-29. (28)
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1,732,845; Hofer Walter Fastener attaching machine. Issued 10-22-29 (28)
1,732,856; Pawlikowski Rudolf. Cylinder for piston engines. Issued 10-22-29. (28)
1,732,895; All. Sachsenwerk Licht und Kraft A G. Uni or multi polar oil break switch. Issued 10-22-29. (28)
1,733,003; Boehm Heinrich. Display device. Issued 10-22-29. (28)
1,733,023; Kremenezky Johann. Adjustable high ohmic resistance and method of manufacturing same. Issued 10-22-29. (6)
1,733,032; All. Automobilwerke H. Bissing A G Driving mechanism for motor vehicles. Issued 10-22-29. (28)
1,733,078; Takahashi Tatsumi. Apparatus for measuring the period of reciprocating bodies. Issued 10-22-29. (39)
1,733,152; Frischer Hermann. Method of producing pure acids. Issued 10-29-29 (28)
1,733,162; All. Schuler L A G. Eccentric press. Issued 10-29-29. (28)
1,733,171; All. I G Farbenindustrie A G. Process for refining raw carbon disulphide. Issued 10-29-29 (28)
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1,733,234; Nistri Umberto. Film photographic camera. Issued 10-29-29. (38)
1,733,242; Mazza Silvio; Mazza Mario; Bolledi Luigi; Semenza Marco et al. System of electric plowing by direct traction. Issued 10-29-29. (38)
1,733,260. Hermanni Otto. Method of manufacturing forks with two and more prongs. Issued 10-29-29. (28)
1,733,272; All. I G Farbenindustrie A G. Process of separating solid salts of ammonium and of the alkalies or alkaline earths. Issued 10-29-29. (28)
1,733,292; Breisig Albert. Apparatus for vaporizing liquids by means of accumulated heat. Issued 10-29-29. (6)
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1,733,417; Loesche Ernst Curt Pulverizing mill. Issued 10-29-29. (28)
1,733,440; Zeitschel Franz Otto. Method of isolating alcohols or phenols from mixtures. Issued 10-29-29. (28)
1,733,454; Esau Abraham. Short wave oscillator. Issued 10-29-29. (28)
1,733,468; All. I G Farbenindustrie A G. Process of producing derivatives of 2 hydroxynaphthalene 3 carboxylic acid amide. Issued 10-29-29. (28)
1,733,476; Vogelbusch Wilhelm. Evaporation distillation or the like apparatus. Issued 10-29-29. (28)
1,733,695; Rath Curt. Process for the preparation of alphahydrazino beta nitro pyridine. Issued 10-29-29. (28)
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1,733,714. All. Magnet Werk GmbH Eisenack. Safety device for lifting electro magnets. Issued 10-29-29 (28)
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1,733,892; Lurf Karl. Clamping means for wheel lathes Issued 10-29-29. (28)
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1,734,559; Casale Luigi Dec. Process for the preparation of mixtures of carbon monoxide and hydrogen from hydrocarbons. Issued 11-5-29 (38)
1,734,693; All. Pollok Fritz. Process for the manufacture of film forming solutions. Issued 11-5-29 (6)
1,734,793; Bruninghaus Alfred. Bearing adjusting means for roller mills. Issued 11-5-29. (28)
1,734,801; Freise Heinrich. Aeroplane wing Issued 11-5-29. (28)
1,734,826; Pick Israel. Manufacture of partition and like building blocks. Issued 11-5-29. (28)
1,734,863; Kraft Stephan. Portfolio. Issued 11-5-29. (6)
1,734,865; Kruckenberg Franz. Stedefeld Curt et al. Rail bearer structure for high speed suspended railways. Issued 11-5-29 (28)
1,734,881; Ringelhan Gustav. Stamping tool for keys. Issued 11-5-29. (28)
1,734,957; Carl Albert. Kitchen range with grid iron for children. Issued 11-12-29 (28)
1,735,058; Schuler Max. Gyroscopic apparatus for extending the period of oscillation of bodies. Issued 11-12-29. (28)
1,735,064; Stehle Robert. Gramophone drive. Issued 11-12-29 (28)
1,735,099; Witte Martin. Device for extinguishing the flame of blasting charges. Issued 11-12-29. (28)
1,735,100; All. Vogtlandische Maschinenfabrik. Web registering means. Issued 11-12-29. (28)
1,735,145; Taubert Ernst. Apparatus for playing chords on stringed instruments. Issued 11-12-29. (28)
1,735,204; Krantz Hubert J M C. Control mechanism for centrifugal machines. Issued 11-12-29. (28)
1,735,231; All. Deckel Fabrik Fur Prazisionsmec. Screw slotting mechanism. Issued 11-12-29 (28)
1,735,276. Henk Wilhelm. Projector table. Issued 11-12-29. (6)
1,735,286; All. Zaidan Hojin Rikagaku Kenkyujo. Process of coating metallic aluminum or aluminum alloys with aluminum oxide skin. Issued 11-12-29. (39)
1,735,292; Moratz Ernst. Drawing board Issued 11-12-29. (28)
1,735,294; Okabe Kinjiro. Vacuum tube Issued 11-12-29 (39)
1,735,409; All. I G Farbenindustrie A G Production of carbon disulphide from acetic acid. Issued 11-12-29 (28)
1,735,552; Strauss Siegfried et al. Gerschin Severih. Hammock litter. Issued 11-12-29 (28)
1,735,726; Fornhardt Fritz. Device for stereoscopic Rontgenray fluoroscopy. Issued 11-12-29 (28)
1,735,776; Melaun Oscar. Method of producing clamping plates. Issued 11-12-29 (28)
1,735,814; All. Touodashiki Shokki Kabushiki Kaisho. Automatic stopping system of power loops. Issued 11-12-29. (39)
1,735,878; Pfanhauser Wilhelm Anton Franz. Device for measuring the current density of galvanic baths. Issued 11-19-29. (28)
1,735,890; Brune Rudolf. Core peeling device for foundries. Issued 11-19-29. (28)
1,735,976; Riemann Otto. Process for the production of starch from sweet potatoes. Issued 11-19-29. (28)

1,735,977; Rohm Otto. Treatment of hides. Issued 11-19-29. (28)
1,735,981; Schnell Karl. Plug in coupling for electric conductors. Issued 11-19-29. (28)
1,736,053; Rohn Wilhelm. Nickel chromium iron alloy and therefrom. Issued 11-19-29. (28)
1,736,091; Rademacher Erich. Device for the production of smoke and the like. Issued 11-19-29. (28)
1,736,093; Schlosser Gustav. Method of and device for conveying building materials. Issued 11-19-29. (28)
1,736,096; All. Brysilka Ltd. Method of and means for washing and conditioning artificial silk wound on bobbins or the like. Issued 11-19-29. (28)
1,736,112; Denzer Ludwig Paper holder for typewriters. Issued 11-19-29. (28)
1,736,262; Hanel Paul. Hydraulic pot press. Issued 11-19-29. (28)
1,736,301; Wustenhofer Julius. Miners stay. Issued 11-19-29. (28)
1,736,315; Kloess Hans Karl. Ship building. Issued 11-19-29. (28)
1,736,341; Eiser Fritz. Mattress for baby carriages and cribs. Issued 11-19-29. (28)
1,736,349; All. Fesca C A and Sohn. Continuous centrifugal machine. Issued 11-19-29. (28)
1,736,359; Pferdmenges Heinrich. Apparatus for moistening yarns threads and the like. Issued 11-19-29. (28)
1,736,360; Pizzorno Carlo. Power loom in order to obtain brocades therefrom. Issued 11-19-29 (38)
1,736,398; Glossl Rekte Schaffler Konrad et al. Electric incandescent igniter. Issued 11-19-29. (6)
1,736,431; All. Leipziger Schnellpressenfabrik A G. Means for preventing damage to the DR and printing cylinder of copper plate printing machines. Issued 11-19-29. (28)
1,736,448; Liebknecht Otto. Composition of matter and process for destroying noxious creatures. Issued 11-19-29. (28)
1,736,453; All. Union special maschinenfabrik GmbH. Hemmed seam and process of producing the same. Issued 11-19-29. (28)
1,736,456; Matthias Adolf. Cathode ray oscillograph. Issued 11-19-29. (28)
1,736,460; Pistoni Enrico et al; Pistoni Lorenzo. Coffee making apparatus. Issued 11-19-29. (38)
1,736,478; Bast Emil. Sanitary closet. Issued 11-19-29. (28)
1,736,630; Scharpenberg Ewald. Pipe clip. Issued 11-19-29. (28)
1,736,639; Szydlowski Josef. Driving mechanism for internal combustion engines. Issued 11-19-29. (28)
1,736,647; Braren Lorenz Konrad. Injection of liquid fuel in internal combustion engines. Issued 11-19-29. (28)
1,736,655; Lombardini Luigi. Visible card file cabinet. Issued 11-19-29. (38)
1,736,662; Munz Friedrich. Appliance for internal combustion engines. Issued 11-19-29. (28)
1,736,670; Schuttler Paul. Oscillation absorber for leaf springs. Issued 11-19-29. (28)
1,736,694; Blau Ernst. Stop for locating work in machine tools. Issued 11-19-29. (28)
1,736,745; Lohmann Hugo. Electrical heating body and method of manufacturing the same. Issued 11-19-29. (28)
1,736,754; Kosel Heinrich; Thoma Hans et al. Pump or motor. Issued 11-19-29. (28)
1,736,772; All. Speidel Chain Co. Chain. Issued 11-26-29. (28)
1,736,802; Schultze Willi. Process of treating talloel. Issued 11-26-29. (28)
1,736,811; All. Lorenz C. A G. Electrical condenser. Issued 11-26-29. (28)
1,736,826; Horst Ludwig. Colored film. Issued 11-26-29. (28)
1,736,832; All. I G Farbenindustrie A G. Manufacture of articles from molten carbon. Issued 11-26-29. (28)
1,736,850; All. Maschinenfabrik Augsburg Nuernber 7. Roller weir. Issued 11-26-29. (28)
1,736,851; All. Maschinenfabrik Augsburg Nuernber 7. Roller weir with extension gate. Issued 11-26-29. (28)
1,736,896; Yamanouchi Genkichi. Navigating machine. Issued 11-26-29. (39)
1,736,922; Kohlen Josef. Flushing device for rock drills. Issued 11-26-29. (28)
1,736,939; Probst Emil et&ol; Tolke. Friedrich. Open structure dam. Issued 11-26-29. (28)
1,736,950; Wangemann Paul. Means for fastening postage stamps in albums. Issued 11-26-29. (28)
1,736,961; Van Alvensleben Frieda. Handle supporting closure band for vessels. Issued 11-26-29. (28)
1,736,969; Greiser Erich. Atomizing device for pulverizing material. Issued 11-26-29. (28)
1,736,975; Krantz Hubert J M C. Safety device for centrifugal machine 2. Issued 11-26-29. (28)
1,737,011; Helfenstein Alois. Means for driving power operated vehicles particularly aircraft. Issued 11-26-29. (6)
1,737,075; Brandt Otto Fritz Karl. Plant for economically using caloric energy. Issued 11-26-29. (28)
1,737,083; Haager Hans. Refrigerating or cooling apparatus. Issued 11-26-29. (6)
1,737,104; Bergmann Max et al; Immendorfer Eugen; Loewe Hermann. Process for the treatment of animal and vegetable fibers. Issued 11-26-29. (28)
1,737,162; Kappler Paul. Paper guiding arrangement for typewriter and like machines. Issued 11-26-29. (28)
1,737,189; Haber Eugen. Heat exchanger. Issued 11-26-29. (28)
1,737,197; Oberlander Hermann. Knitting machine. Issued 11-26-29. (28)
1,737,201; Reimer Annemarie. Breeding mark for small animals. Issued 11-26-29. (28)
1,737,204; Spiess Georg. Mechanism for imparting intermittent motion to bands or webs. Issued 11-26-29. (28)
1,737,207; All. Taco Kraft Fahrzeug. Vehicle spring protection. Issued 11-26-29. (28)
1,737,208; Tessky Karl. Blank transferring device for machine tools. Issued 11-26-29. (28)
1,737,297; Buchner Max. Process of production of alkali carbonates and ammonia by saponification of calcium cyanide. Issued 11-26-29. (28)
1,737,301; Elrich Ludwig et al; Elrich Joseph. Closing means for discharge orifices. Issued 11-26-29. (28)
1,737,321; Minck Paul. Elastic coupling. Issued 11-26-29. (28)
1,737,328; Parisi Francesco. Spring suspension for vehicle bodies. Issued 11-26-29. (38)
1,737,346; Wilckens Ernst. Sound transmitting apparatus. Issued 11-26-29. (28)
1,737,463; Levi Isaia. Fountain pen. Issued 11-26-29. (38)
1,737,484; Walther Heinrich. Machine for manufacturing boots and shoes. Issued 11-26-29. (28)
1,737,486; All. Winter and Sohn Ernst. Apparatus for manufacturing rigid grinding bodies of emery carborundum or the like. Issued 11-26-29. (28)
1,737,495; Feldman Adalbert Bela. Stone drill. Issued 11-26-29. (28)
1,737,496; Feroldi Enrico. Carburetor. Issued 11-26-29. (38)
1,737,575; All. Drager Heinrich Otto. Apparatus for administering gas. Issued 12-3-29. (28)
1,737,602; All. Maschinenfabrik Augusburn. Fuel pump. Issued 12-3-29. (28)
1,737,605; Mauser Rudolf. Bung for iron transport casks. Issued 12-3-29. (28)
1,737,650; All. Soc Italiana Pirelli. Process for jointing splicing and impregnating electric cables. Issued 12-3-29. (38)
1,737,653; All. Motorenfabrik Deutz A G. Injecting nozzle for viscous fuels in Diesel engines. Issued 12-3-29. (28)
1,737,657; Hoffmann Max Fritz Gustav. Indicator. Issued 12-3-29. (28)
1,737,659; Beer Fritz; Jellinek Paul et al. Apparatus for calculating and measuring purposes. Issued 12-3-29. (6)
1,737,666; Milkutat Ernst. Auditorium. Issued 12-3-29. (28)
1,737,681; All. Chemisch Technische GmbH. Retort for carbonizing bituminous fuels. Issued 12-3-29. (28)
1,737,744; Wicklein Gottfried Display container. Issued 12-3-29. (28)
1,737,760; All. I. G. Farbenindustrie A G. Reduction of the swelling capacity of hydrated cellulose and the resulting product. Issued 12-3-29. (28)
1,737,772; Schleferstein Georg Heinrich. Oscillating system. Issued 12-3-29. (28)
1,737,792; All. I. G. Farbenindustrie A G. Manufacture of alkylated aromatic sulphonic acids. Issued 12-3-29. (28)
1,737,798; Kinzinger Adolf. Pencil holder for leads of different thickness or color. Issued 12-3-29. (28)
1,737,886; Kloess Hans Karl. Hull construction. Issued 12-3-29. (28)
1,737,910; Blank Wilhelm. Musical instrument. Issued 12-3-29. (28)
1,738,070; All. Allgemein Chemische. Apparatus for continuously expelling the sulphur dioxide from mixtures of sulphur dioxide and oil. Issued 12-3-29. (28)
1,738,343; All. Bensa Felice. Process for manufacturing chloroperylene quinones. Issued 12-3-29. (38)
1,738,373; Komusin Helen. Rolling stamp with counting mechanism for printing purposes of any kind. Issued 12-3-29. (28)
1,738,456; Smits Wytze Beije. Resistance element. Issued 12-3-29. (28)
1,738,568; Focke Heinrich. Aeroplane of duck type construction. Issued 12-10-29. (28)
1,738,586; All. Gebruder Brehmer Maschinenfabrik. Signature gathering and stitching machine. Issued 12-10-29. (28)
1,738,590; Langenkamp Paul. Stable pulverized hair dye. Issued 12-10-29. (28)
1,738,593; Lutzenkirchen Fritz. Process of and apparatus for producing pressed railway car axles AEU similar forgings. Issued 12-10-29. (28)
1,738,602; Mocigemba Emanuel. Gear pump or engine. Issued 12-10-29. (28)
1,738,604; Muller Heinrich. Toy. Issued 12-10-29. (28)
1,738,615; All. Universelle Cigarettenmaschinen. Transferring means for cigarette counter rolling machines. Issued 12-10-29. (28).
1,738,625; All. I G Farbenindustrie A G. Concentration and distillation of solutions of hydrogen peroxide. Issued 12-10-29. (28)
1,738,811; Wilsing Paul. Brake gear for electric winches. Issued 12-10-29. (28)
1,738,835; Lessing Hans. Fountain pen. Issued 12-10-29. (28)
1,738,841; All. Krah Adolf. Ingot heating furnace. Issued 12-10-29. (28)
1,738,950; All. Rheinische Metall Warren und. Issued 12-10-29. (28)
1,738,851; Tauscher Fritz. Jack sinker of special shape for knitting frames. Escapement mechanism for typewriters. Issued 12-10-29. (28).
1,738,965; Reina Gian Battista. Variable speed transmission. Issued 12-10-29. (38)
1,738,966; All. Maschinenfabrik Klessling A. G. Machine for scoring wooden boards. Issued 12-10-29. (28)

1,738,998; Inouye Jinkichi. Process of manufacturing acid proof and waterproof black ink. Issued 12-10-29. (39)
1,739,084; Muller Friedrich. Arrangement for facilitating the starting of internal combustion engines. Issued 12-10-29. (6)
1,739,129; Doblhoff Walter. Motor vehicle transmission mechanism. Issued 12-10-29. (6)
1,739,167; Muller Paul. Razor stropping means. Issued 12-10-29. (28)
1,739,183; Schuberth Paul. Truck for removing house refuse. Issued 12-10-29. (28)
1,739,200; Zsigmondy Adalbert. Stamping device especially for stamping pieces out of plates of artificial horn. Issued 12-10-29. (28)
1,739,246; Majce Johann. Method of manufacturing wire coils. Issued 12-10-29. (6)
1,739,267; Sporer Friedrich. Apparatus for collecting bronze dust from stamping mills. Issued 12-10-29. (28)
1,739,268; All. Voith J M. Device for copying on machine tools. Issued 12-10-29. (28)
1,739,299; All. Lorenz C A G. High frequency oscillator. Issued 12-10-29. (28)
1,739,402; Lombardi Lamberto. Flying machine. Issued 12-10-29. (38)
1,739,455; Habaan Wilhelm Eduard Erich. Method for transmitting the speech by high frequency waves. Issued 12-10-29. (28)
1,739,524; Schwarz Philipp. Stamping process for making sheet metal articles. Issued 12-17-29. (28)
1,739,562; Somajni Giacomo. Direct current system. Issued 12-17-29. (38)
1,739,569; Behn Karl. Musical toy. Issued 12-17-29. (28)
1,739,586; All. Kali Chemie A G. Disinfectant antiseptic and healing medium. Issued 12-17-29. (28)
1,739 614; All. Bing Werke Vorm Gebr Bing A G. Running toy figure. Issued 12-17-29. (28)
1,739,625; Wolters Edgar. Therapeutical device. Issued 12-17-29. (28)
1,739,662; Boedecker Friedrich. Barbituric acid derivative. Issued 12-17-29. (28)
1,739,737; Schlemper Carl. Pile cutter for looms. Issued 12-17-29. (28)
1,739,745; Wikschtrom Jakob. Machine for the manufacture of nails from wire. Issued 12-17-29. (28)
1,739,800; Patten Julius et al; Bangert Willi. Headlight. Issued 12-17-29. (28)
1,739,839; Jung Peter. Process of agglomerating ore mineral or other matter and the product produced thereby. Issued 12-17-29. (28)
1,739,860; Rinkel Paul. Folding frame aerial. Issued 12-17-29. (28)
1,739,863; All. I G Farbenindustrie A G. Production of esters of saccharides or higher unsaturated fatty acids. Issued 12-17-29. (28)
1,739,866; Schuh Franz. Wind and water wheel. Issued 12-17-29. (6)
1,739,884; Wiswedel Friedrich. Ships propeller. Issued 12-17-29. (28)
1,739,921; All. Rheinische Metallwaaren und. Operating electric projectile fuses. Issued 12-17-29. (28)
1,739,985; Rasmussen Carl Knud. Spring mattress. Issued 12-17-29. (28)
1,739 992, Schwarz Anton. Process of working up mixed shavings of white metal and red metal. Issued 12-17-29. (28)
1,739,993, All. Haubold C G Ag. Mechanism for guiding traveling webs. Issued 12-17-29. (28)
1,740,009; Diener Oskar. Manufacture of tools of tungsten. Issued 12-17-29. (28)
1,740,021; Junkers Hugo. Assembling and repairing flying machines. Issued 12-17-29. (28)
1,740,022; Kamei Torao et al; Kuwata Fukutaro. Terrestrial globe. Issued 12-17-29. (39)
1,740,027; Libani Romolo. Brake device for lifeboats. Issued 12-17-29. (38)
1,740,165; All. Siemens & Halske A G. Method for removing chlorine ions from electrolytic solutions. Issued 12-17-29. (28)
1,740,226; Weingand Richard; Czapek Emil et al. Manufacture of sheetlike articles and the like from cellulose. Issued 12-17-29. (28)
1,740,227; Weingand Richard; Czapek Emil et al. Cellulose precipitating agent. Issued 12-17-29. (28)
1,740,239; All. Schmidt Sche Heissdampf GmbH. Cylindrical marine boiler with superheater. Issued 12-17-29. (28)
1,740,254; Luffler Stephan. Method and apparatus for generating steam especially high pressure steam. Issued 12-17-29. (28)
1,740,306; All. Martini & Huncke Maschinenbau A G. Apparatus for storing and dispensing liquid fuels. Issued 12-17-29. (28)
1,740,322; Vogel Max. Stapling device. Issued 12-17-29. (28)
1,740,351; All. Zaidan Hojin Rikagaku Kenkyujo. Dehydrating substance. Issued 12-17-29. (39)
1,740,361; L Orange Prosper. Spray controlling device for road scavengering machines. Issued 12-17-29. (28)
1,740,399; Grunberg Josef. Press for the production of artistic prints and impressions. Issued 12-17-29. (28)
1,740,439; Setzer Rudolf. Appliance for opening fiber bundles. Issued 12-17-29. (28)
1,740,443; All. Siemens Schuckertwerke GmbH. Method of and apparatus for melting or fusing glass quartz or ceramic materials into metal caps and similar metal articles. Issued 12-24-29. (28)
1,740,476; Ovtschinnikoff Alexander. Multiple card match package. Issued 12-24-29. (28)
1,740,484; Von Behr Fritz. Impregnating process for dyeing or preserving wood. Issued 12-24-29. (28)
1,740,502; All. Fruh. Spool for looms and other textile machines. Issued 12-24-29. (28)
1,740,543; Allkali Chimie A G. Disinfectant antiseptic and medicament. Issued 12-24-29. (28)
1,740,700; Nickel Albert Paul Hans Gerd et al; Spanner Johannes Joachim. Electrical vacuum discharge device. Issued 12-24-29. (28)
1,740,756; All. Deutsche Schiff und Maschinenbau A G. Power transmission gear. Issued 12-24-29. (28)
1,740,776; Mural Teizo et al; Sata Heiichiro; Saeki Isao. Electric singeing machine. Issued 12-24-29. (39)
1,740,797; Thormann Wilhelm. Articulated tank locomotive. Issued 12-24-29. (28)
1,740,824; Vonlinprun Inka. Violin support. Issued 12-24-29. (28)
1,740,839; Ruess Ernst. Carrying body for rigid airships. Issued 12-24-29. (28)
1,740,852; Frischmuth Ernst. Nut locking washer. Issued 12-24-29. (28)
1,740,853; Guhl Martin. Needle guard for sewing machines. Issued 12-24-29. (28)
1,740,907; All. Rheinische Metallwaaren und. Carriage for light ordnance. Issued 12-24-29 (28)
1,740,926; All. Triumph Werke Nurnberg A G. Decimal tabulator for typewriters. Issued 12-24 29 (28)
1,740,927; Landini Adelimp. Elastic globe map of the world. Issued 12-24-29 (38)
1,740,928; Langguth Paul. Combination structural plate. Issued 12-24-29. (28)
1,741,082; Thiel Heinrich. Automatic feed for sawing machines or the like. Issued 12-24-29. (28)
1,741,291; All. Patent Treuhand Ges Fuer Elektrische. Current rectifier. Issued 12-31-29. (28)
1,741,374; Mortz Wilhelm Louis. Loading plant. Issued 12-31-29. (28)
1,741,378; All. Schmidt Sche Heissdampf GmbH. Process and apparatus for obtaining power and heat from steam. Issued 12-31-29. (28)
1,741,437; Ruggerberg Paul. Method of welding rails. Issued 12-31-29. (28)
1,741,472; All. I G Farbenindustrie A G. Manufacture of ethylated naphthalenes. Issued 12-31-29. (28)
1,741,473; All. I G Farbenindustrie A G. Manufacture of condensation products Issued 12-31-29. (28)
1,741,520; Jagenberg Emil. Roll cutting and winding machine. Issued 12-31-29. (28)
1,741,524; Kreher Max. Power transmission mechanism. Issued 12-31-29. (28)
1,741,525; Kreissig Ernst. Spring counterbalancing means. Issued 12-31-29. (28)
1,741,575; Leiter Friedrich Ferdinand. Endoscope. Issued 12-31-29. (6)
1,741,597; Achilles Friederich. Card clothing Issued 12-31-29. (28)
1,741,654; All. Kipping Thilo. Trailer coupling for tractor vehicles. Issued 12-31-29 (28)
1,741,722; Kremmling Otto. Method of and apparatus for mechanically treating objects. Issued 12-31-29. (28)
1,741,786; All. Chemische Fabrik Grunau. Landshoff Process of preparing medicines Issued 12-31-29. (28)
1,741,834; Fischer Franz. Process for purifying gases from organically combined sulphur. Issued 12-31-29. (28)
1,741,842; Holtschmit Friedrich. Moving staircase. Issued 12-31-29. (28)
1,741,851; Lehr Arthur. Marine life saving apparatus. Issued 12-31-29. (28)
1,741,884; Schmidt Emil. Machine for the mechanical production of paper cups pressed in folds. Issued 12-31-29. (28)
1,741,906; All. I G Farbenindustrie A G. Process for liquefying oxides of nitrogen Issued 12-31-29. (28)
1,741,912; Bicheroux Max. Manufacture of window glass. Issued 12-31-29. (28)
1,741,982; Ehmann Leo. Water replenisher and level maintainer. Issued 12-31-29. (6)
1,742,029; Fallot Alfred, Dec. Means for raising changing and driving the paper web rolls in printing machines and more particularly in rotary printing machines. Issued 12-31-29. (28)
1,742,067; Gompf Gustav Rudolf. Manifolding sales book. Issued 12-31-29. (28)
1,742,071; Hasse Max. Light advertising plant. Issued 12-31-29. (28)
1,742,085; Kuchenmeister Heinrich. Talking machine Issued 12-31-29. (28)
1,742,087; Lombardini Luigi. Visible card index file. Issued 12-31-29. (38)
1,742,111; Welshan Bernhard. Process for the production of soft iron. Issued 12-31-29 (28)
1,742,156; Brandau Georg. Mudguard for vehicles. Issued 12-31-29. (28)
1,742,192; Bayer Konrad. Brush body of metal. Issued 1-7-30. (28)
1,742,258; Kahl Leopold Discontinuous distillation of tars. Issued 1-7-30. (28)
1,742,331; Voigt Eduard Max. Collecting cup Issued 1-7-30. (28)
1,742,366; All. Yashima Yuka. Hydraulic accommodation fan. Issued 1-7-30. (34)
1,742,369; Tolke Friedrich; Probst Emil et al Dam. Issued 1-7-30. (28)
1,742,399; All. Teufel Wilhelm Julius. Suspensory bandage. Issued 1-7-30. (28)
1,742,406; Mascarini Giovanni. Automatic control for electric steam boilers. Issued 1-7-30. (38)
1,742,411; All. Schumachersche Fabrik GmbH. Porous molded body to be used in diffusion filtration etc. and process for making the same. Issued 1-7-30. (28)
1,742,417; Schrobsdorff Walter. Production of metal alloy and of articles made therefrom. Issued 1-7-30. (28)

1,742,423; Stern Ottokar. Method of laying foundations of structures buildings and the like. Issued 1-7-30. (6)
1,742,625; All. Studiengesellschaft Fuer. Process of uniting by sealing the insulating parts of high tension insulators. Issued 1-7-30. (28)
1,742,658; Loening Erich. Process for producing rotogravure mounting forms. Issued 1-7-30. (28)
1 742,733; Stoecker Julius. Device for retaining the flue dust in blast furnaces. Issued 1-7-30. (28)
1,742,774; Mairich Arthur. Dough dividing machine. Issued 1-7-30. (28)
1,742,866; Kurata Taizo. Process of making footwear. Issued 1-7-30. (39)
1 742,953; Bretschneider Max; Gahlert Franz Josef et al. Automatic single needle embroidering machine. Issued 1-7-30. (28)
1,742,975; All. Maschinenfabrik Esslingen. Process and apparatus for melding solid carbon dioxide. Issued 1-7-30. (28)
1 743,002; Plehler Karl. Apparatus for making concrete. Issued 1-7-30. (28)
1 743,030; Fejes Jeno. Valve actuating mechanism housing. Issued 1-7-30. (34)
1,743,031; Fejes Jeno. Manufacture of internal combustion engines. Issued 1-7-30. (34)
1 743,050; Straus Eduard Wilhelm. Air filter. Issued 1-7-30. (28)
1 743,054; Ullmann Gustav. Process for rendering harmless substances which cause hardness in soaping and washing operations and for the production of means suitable therefor. Issued 1-7-30. (6)
1 743,160; All. Suddeutsche Telefonapparate Kabel. Method of manufacturing alternating current rectifiers. Issued 1-14-30. (28)
1 743,223; Lowy Ludwig. Roller conveyer. Issued 1-14-30. (28)
1 743,257; All. Maschinenfabrik Augsburg Nuernberg. Tripping arrangement for rotary intaglio printing machines. Issued 1-14-30. (28)
1,743,268; All. C E A T Conduttori Elettrici Ed. Single electric cable. Issued 1-14-30. (38)
1 743,299; All. Lehmann Franz B. Cutting machine. Issued 1-14-30. (28)
1 743,347; Hilscher Curt. Process of producing stockings on flag knitting frames. Issued 1-14-30. (28)
1 743,357; Kita Hozumi. Door controlling switch lock apparatus. Issued 1-14-30. (39)
1 743,361; Levy Gustav. Picture frame. Issued 1-14-30. (28)
1 743,367; All. Maybach Motorenbau GmbH. Device for actuating the brakes of motor vehicles. Issued 1-14-30. (28)
1 743,368; All. Maybach Motorenbau GmbH. Carburetor. Issued 1-14-30. (28)
1 743,380; Nolze Heinrich F J. Disintegrator for cleaning gases and the like. Issued 1-14-30. (28)
1 743,451; All. Schmidtsche Heissdampf GmbH. High pressure steam boiler plant with generation of steam by indirect heating. Issued 1-14-30. (28)
1 743 469; May Joseph. Apparatus for observing the sole surface of a foot. Issued 1-14-30. (28)
1 743 507; Wersebe Fritz. Smokers ash receptacle. Issued 1-14-30. (28)
1 743,510; Zickmantel Carl. Eye protector. Issued 1-14-30. (28)
1 743,542; All. Grundmann & Kuhn. Lift truck. Issued 1-14-30. (28)
1 743,544; Helberg Oscar. Method of manufacturing tin closures. Issued 1-14-30. (28)
1 743 549; All. Lanz Heinrich A G. Motor vehicle. Issued 1-14-30. (28)
1,743 550; Imhoff Karl. Aeration tank with submerged contact aerators. Issued 1-14-30. (28)
1,743,564; All. Kayser J G A G. Ejecting implement for cold pressed headed bolts. Issued 1-14-30. (28)
1,743,601; Gross Willy. Spinning machine. Issued 1-14-30. (28)
1,743,666; All. Hesser F R Maschinenfabrik A G. Machine for wrapping loaves of bread. Issued 1-14-30. (28)
1,743,733; Spardel Emil. Catamenial appliance. Issued 1-14-30. (28)
1,743,786; Markstein Robert Peter. Fountain pen. Issued 1-14-30. (6)
1,743,790; Meyer Ulfilas. Method for repairing pupinized submarine cables. Issued 1-14-30. (28)
1,743,920; All. Eisenwerk und Maschinenbau A G. Inking mechanism of platen printing presses. Issued 1-14-30. (28)
1,743,951; Avorio Luigi. Parachute. Issued 1-14-30. (38)
1,744,065; Bauer Bruno. Reinforced concrete column. Issued 1-21-30. (6)
1,744,080; Prosdocimi Andrea. Supporting plane for aircraft comprising movable elements controlled by motors. Issued 1-21-30. (38)
1,744,088; Weber Richard. Basket with handles. Issued 1-21-30. (28)
1,744,099; Bode Adele. Vacuum cleaner. Issued 1-21-30. (28)
1,744,121; Kaisler Paul. Safety nut lock. Issued 1-21-30. (28)
1,744,138; Oertz Max. Arrangement of cut-water rudders for ships. Issued 1-21-30. (38)
1,744,173; Longhi Carlo. Process for treating organic substances in liquid state electrochemically. Issued 1-21-30. (38)
1,744,233; Locori Pietro. Projectile for anti-aircraft fire. Issued 1-21-30. (38)
1,744,347; Von Dryha Alexander. Coding machine. Issued 1-21-30. (28)
1,744,371; All. Benckiser Chemische Fabrik JOH A. Method of separating alkali earth metal phosphates from primary alkali phosphate solutions. Issued 1-21-30. (28)
1,744,373; Erich Walther. Box for filing index cards. Issued 1-21-30. (28)
1,744,398; Luhmann Karl. Method of drying ceramic articles of any kind in drying chambers and apparatus for carrying out the method. Issued 1-21-30. (28)
1,744,455; All. Maschinenfabrik Augsburg. Regulating device for gates of weirs. Issued 1-21-30. (28)
1,744,530; De Tovaros Julius Fischer. Sliding current collector for overhead wires of electric railways. Issued 1-21-30. (34)
1,744,560; All. Hinz Fabrik GmbH. Fastening device for flat articles. Issued 1-21-30. (28)
1,744,580; Schiske Hubert. Carburetor. Issued 1-21-30. (28)
1,744,593; All. Siemens & Halske AKG. Measured service telephone system. Issued 1-21-30. (28)
1,744,602; Yoshioka Eizo. Buoyant and oil proof India rubber. Issued 1-21-30. (39)
1,744,622; De Tovaros Julius Fischer. Current collector for electric vehicles. Issued 1-21-30. (34)
1,744,623; De Tovaros Julius Fischer. Current collector. Issued 1-21-30. (34)
1,744,642; Kondo Kenyu. Manufacture of reproduced diffraction gratings. Issued 1-21-30. (39)
1,744,669; Ottmann Erich. Table utensil clamp. Issued 1-21-30. (28)
1,744,691; Ulbing Alois. Focusing device for cameras. Issued 1-21-30. (6)
1,744,713; All. Soc Italiana Ernesto Breda. Bomb. Issued 1-21-30. (38)
1,744,726; Baader Rudolph. Apparatus for splitting open cleaning and removing the gills from herrings. Issued 1-28-30. (28)
1,744,731; All. Deutsche Maschinenfabrik A G. Pilgering mill. Issued 1-28-30. (28)
1,744,740; Bohm Vikton. Dyeing apparatus. Issued 1-28-30. (6)
1,744,741; Bohm Vikton. Dyeing apparatus. Issued 1-28-30. (6)
1,744,750; All. Soc Brevetti Cicali anonima. Calorimetric bomb for the Catalysis of ammonia. Issued 1-28-30. (38)
1,744,791; All. Friedmann Alex Firm Pump. Issued 1-28-30. (6)
1,744 803; Roth Otto. Razor blade. Issued 1-28-30. (28)
1,744,884; Greiner Carl Dec. Method and machine for the production of solid glue and gelatin in drop or lens shape. Issued 1-28-30. (28)
1,745,014. Isono Gunji. Track bumper. Issued 1-28-30. (39)
1,745,023. Lukaszyk Jacob. Hardening of the heads of railway rails. Issued 1-28-30. (28)
1,745,030; Schulte Karl. Roller conveyor. Issued 1-28-30. (28)
1,745,188; Pipirs Gerhard Johannes Wilhelm. Drawing instrument. Issued 1-28-30. (28)
1,745,247; Weingand Richard; Czapek Emil et al. Manufacture foils films ribbons and the like from viscose and similar cellulose solutions. Issued 1-28-30. (28)
1,745,262; Lombardini Luigi. Visible card index. Issued 1-28-30. (38)
1,745,266; Meyer Robert. Throttling governor for rotary engine. Issued 1-29-30. (28)
1,745,324; Grossmann Alexander; Grossmann Hermann et al. Machine for spirally sewing the initial parts of hats or other articles from strips of material and for finishing such articles. Issued 1-28-30. (28)
1,745,334; Bammann Heinrich. Rack for warp beams and the like. Issued 1-28-30. (28)
1,745,350; Frank Albert Rudolph; Caro Nikodem et al; Frank Hans Heinrich; Heimann Hugo. Preparation of cyanamides of the alkaline earth metals and magnesium. Issued 2-4-30. (28)
1,745,358; All. Windmoller & Holscher GmbH. Method of and apparatus for detaching sheets of paper of uniform length. Issued 2-4-30. (28)
1,745,388; Tauschek Gustav. Feeling device for machines for interpreting perforated cards. Issued 2-4-30. (6)
1,745,391; Yamagishi Hatsutaro. Method for fitting fuses to fire crackers. Issued 2-4-30. (39)
1,745,397; Bach Hermann. Process of biological purification of waste liquors from gas works ammonia recovery plants tar factories and similar industries. Issued 2-4-30. (28)
1,745,402, Bulck Karl Wilhelm. Wardrobe for hails. Issued 2-4-30. (28)
1,745,407; Colberg Alfred. Apparatus for displaying lighted advertisements. Issued 2-4-30. (28)
1,745,413; Forster Paolo. Electromagnetic clutch. Issued 2-4-30. (38)
1,745,417; Subal Hugo; Haakh Hermann et al. Process of treating felts made from animal hairs. Issued 2-4-30. (28)
1,745 440; All. Nollesche Werke Kommandit Ges. Pulling over machine. Issued 2-4-30. (28)
1,745,450; Poupiier Carl Caspar. Leaf spring. Issued 2-4-30. (28)
1,745,559; Schrack Eduard et al; Ettenreich Robert. Electron discharge tube generator. Issued 2-4-30. (6)
1,745,578; Kreissig Ernst. Balancing Device. Issued 2-4-30. (28)
1,745,657; Beckmann Hermann. Rubber substance and process of making same. Issued 2-4-30. (28)
1,745,734; All. Rhenania Verein in Chemischer. Method for making solutions of salts of alkali metal and aluminum. Issued 2-4-30. (28)
1,745,753; Franck Hans Heinrich et al; Heimann Hugo. Process for the preparation of Metallit cyanimides or mixtures containing them. Issued 2-4-30. (28)

1,745,758; Gruber Hans. Fuse for mines or the like. Issued 2-4-30. (28)
1,745,759; Gruber Hans. Device for converting projectiles bombs or the like into mines. Issued 2-4-30. (28)
1,745,764; Lankes Eduard. Printing surface and process of producing the same. Issued 2-4-30. (28)
1,745,768; Satow Teikichi. Method of forming a rapidly vulcanizing composition. Issued 2-4-30. (39)
1,745,798; Jackmann Otto. Soap box. Issued 2-4-30. (28)
1,745,821; Von Gribojedoff Nicolai. Internal combusion engine. Issued 2-4-30. (28)
1,745,824; Zeller Arnold. Two stroke cycle engine. Issued 2-4-30. (28)
1,745,853; Krantz Hubert J M C. Oiling system for centrifugal machines. Issued 2-4-30. (28)
1,745,916; All. Deutsche Werft A G. Balanced rudder. Issued 2-4-30. (28)
1,745,930; All. Eisenwerk und Maschinenbau A G. Platen printing press. Issued 2-4-30. (28)
1,745,956; Schlesinger Eugen. Photographic copying apparatus. Issued 2-4-30. (28)
1,745,958; All. Johne Werk Grafische. Paper and cardboard cutting machine or the like. Issued 2-4-30. (28)
1,745,964; All. Schmidt Sche Heissdampf GmbH. Resuperheating of interstage steam. Issued 2-4-30. (28)
1,745,984; Demnitz Albert. Sole laying device. Issued 2-4-30. (28)
1,746,003; All. Hostmann Steinberg Chr. Apparatus for the production of carbon black. Issued 2-4-30. (28)
1,746,078; Gensecke Wilhelm. Apparatus for purifying oils and fats in vacuo by means of steam or the like. Issued 2-4-30. (28)
1,746,104; Christiansen Robert. Steam distribution system for woolf S piston compound engines. Issued 2-4-30. (28)
1,746,130; Ruhling Waldemar. Device for measuring average velocity for an appreciable length of time. Issued 2-4-30. (28)
1,746,158; Loffler Stephan. Heating device for high pressure steam generators. Issued 2-4-30. (28)
1,746,170; Seck Willy (28); Ullmann Gustav et al. Process for carrying out washing operations with hard water. Issued 2-4-30. (6)
1,746,257; All. Universelle Cigarettmaschinen. Means of sharpening the fly cutters of cigarette rod machines. Issued 2-11-30. (28)
1,746,33[1]; Prashker Jehuda; Aftergut Max et al. Mechanical telautograph. Issued 2-11-30. (28)
1,746,333; All. Siemens Schuckertwerke GmbH. Means for feeding alternating current networks by asynchronous generators. Issued 2-11-30. (28)
1,746,344; All. Luftschiffbau Zeppelin GmbH. Light weight girder. Issued 2-11-30. (28)
1,746,350; Hayn Georg. Control device for fuel feeding mechanisms. Issued 2-11-30. (28)
1,746,361; Podszus Leopold. Carburetor. Issued 2-11-30. (28)
1,746,364; All. Rheinische Metallwaaren und. Automatic Firearm. Issued 2-11-30. (28)
1,746,365; All. Maghetwerk GmbH. Electromagnetic friction coupling. Issued 2-11-30. (28)
1,746,395; All. Minimax A G. Apparatus for charging and cleaning boreholes by means of compressed air. Issued 2-11-30. (28)
1,746,414; All. Chemische Fabric Auf Actien Vorm. Combined printing tabulating machine. Issued 2-11-30. (28)
1,746,425; Heckert Ernest. Mine gas detector. Issued 2-11-30. (28)
1,746,450; Weitz Emil August. Arrangement for rinsing of body hollows. Issued 2-11-30. (28)
1,746,460; Cavallini Virginio. Structure of hulls for mine laying submarine boats. Issued 2-11-30. (38)
1,746,467; Greiner Fritz. Process for producing cast iron of any desired structure. Issued 2-11-30. (28)
1,746,471; All. Rheinische Metallwaaren und. Automatic Firearm. Issued 2-11-30. (28)
1,746,489; Messner Christian. Pocket case. Issued 2-11-30. (28)
1,746,502; Sumi Rikichi et al; Kishi Tahira. Bumper for motor cars. Issued 2-11-30. (39)
1,746,534; Kerkhoff Theodor. Form for necktes. Issued 2-11-30. (28)
1,746,560; Schwarz Friedrich. Internal combustion engine. Issued 2-11-30. (28)
1,746,593; Izawa Riichiro. Device for pointing bristles of brushes. Issued 2-11-30. (39)
1,746,863; All. I G Farbenindustrie A G. Process for the etherification of carbohydrates. Issued 2-11-30. (28)
1,746,930; All. Eisenwerk und Maschinenbau A G. Platen printing press. Issued 2-4-30. (28)
1,746,936; Schlesinger Eugen. Photographic copying apparatus. Issued 2-4-30. (28)
1,746,958; All. Johne Werk Grafische. Paper and cardboard cutting machine or the like. Issued 2-4-30. (28)
1,746,964; All. Schmidt Sche Heissdampf GmbH. Resuperheating of interstage steam. Issued 2-4-30. (28)
1,746,984; Demnitz Albert. Sole laying device. Issued 2-4-30. (28)
1,747,003; All. Hostmann Steinberg Chr. Apparatus for the production of carbon black. Issued 2-4-30. (28)
1,747,078; Gensecke Wilhelm. Apparatus for purifying oils and fats in vacuo by means of steam or the like. Issued 2-4-30. (28)
1,747,104; Christiansen Robert. Steam distribution system for woolf S piston compound engines. Issued 2-4-30. (28)
1,747,130; Ruhling Waldemar. Device for measuring average velocity for an appreciable length of time. Issued 2-4-30. (28)
1,747,158; Loffler Stephan. Heating device for high pressure steam generators. Issued 2-4-30. (28)
1,747,170; Seck Willy (28); Ullmann Gustav et al. Process for carrying out washing operations with hard water. Issued 2-4-30. (6)
1,747,197; Von Girsewald Conway. Process for the production of aluminum silicon alloys free from carbide. Issued 2-18-30. (28)
1,747,209; All. Ilva Alti Forni Fonderie and Continuous heating furnace. Issued 2-18-30. (38)
1,747,237; All. United Cigarette Machine Co A G. Device for packing cigarettes cigarillos or similar shaped articles bearing an imprint. Issued 2-18-30. (28)
1,747,240; Haupt Robert Arno. Perforating machine. Issued 2-18-30. (28)
1,747,245; Koppel Georg; Johanson Hermann et al. Rotary force feed piston pump. Issued 2-18-30. (28)
1,747,366; Hoylandt Christian Wilhelm Paul. Method of and device for the regasification of liquefied gases. Issued 2-18-30. (28)
1,747,391; Sarsson David Enema. Issued 2-18-30. (28)
1,747,404; All. Muller Stefan. Advertising device. Issued 2-18-30. (28)
1,747,406; Waag Herman. Art and machine for cutting patterns into fur skins. Issued 2-18-30. (28)
1,747,475; Kempf Hubert. Device for manufacturing artificial silk. Issued 2-18-30. (28)
1,747,516; Krammer Otto. Brake for railroad vehicles. Issued 2-18-30. (28)
1,747,528; Pfiffner Emil. Arrangement for reducing the stray reactance of cascade transformers. Issued 2-18-30. (38)
1,747,547; Junghans Oskar. Means for automatically regulating clocks by means of electromagnetic waves. Issued 2-18-30. (28)
1,747,550; Klemburg Rudolf. Closing device. Issued 2-18-30. (6)
1,747,606; All. Siemens Schuckertwerke. GmbH. Driven well tool. Issued 2-18-30. (28)
1,747,668; Hamel Hermann. Spindle drive for spinning machines and twisting frames. Issued 2-18-30. (28)
1,747,738; Serog Hugo. Plane grate furnace. Issued 2-18-30. (6)
1,747,764; All. Deutsche Gasgluhlicht Auer GmbH. Eye ring for gas masks. Issued 2-18-30. (28)
1,747,796; Schorn Hans. Incorrodible aluminum alloy. Issued 2-18-30. (28)
1,747,797; Scheppmann Wilhelm. Short wave tube transmitter. Issued 2-18-30. (28)
1,747,808; Witkowski Ladislaus. Friction press. Issued 2-18-30. (6)
1,747,820; Falkenthal Erwin. Spark arrester. Issued 2-18-30. (28)
1,747,846; All. Keramische Industrie Bedarf A G. Process and apparatus for heating coal and other like furnaces. Issued 2-18-30. (23)
1,747,952; Reisz Eugen. Electrostatic loudspeaker. Issued 2-18-30. (28)
1,747,968; All. Friedrich Deckel Prazisionsmechanik. Reciprocating piston. Issued 2-18-30. (28)
1,748,165; Athenstedt Otto. Controlling apparatus for centrifugal machines. Issued 2-25-30. (28)
1,748,173; Helbig Albin Berthod. Pulverulent fuel firing system. Issued 2-25-30. (28)
1,748,229; Katz Ernst. Loose leaf pencil holder. Issued 2-25-30. (6)
1,748,289; Hinrich Josef. Machine for subdividing bars while being rolled. Issued 2-25-30. (28)
1,748,307; Peters Ernst. Means for reversing a lever upon alteration in the direction of rotation of a shaft. Issued 2-25-30. (28)
1,747,390, 1,748,445; Otto Fritz. Intermittent gear. Issued 2-25-30. (28)
1,748,437; Biersack Josef. Lid with sliding like gripper. Issued 2-25-30. (28)
1,748,438; Bernstein Arnold. Apparatus for raising ships cargoes. Issued 2-25-30. (28)
All. Fahdt Julius Machine Factory. Compound steam engine. (28)
1,748,453; All. Felten and Guilleaum Carlswerke. Method of repairing rupinized submarine cables. Issued 2-25-30. (28)
1,748,463; Richter Theodor. Frame for combined mowing and binding machine. Issued 2-25-30. (28)
1,748,470; All. Kaiserslautern Verbandstoff Bandage. Issued 2-25-30. (28)
1,748,514; Schmidt Arno et al; Kucharzik Adolf. Relatively stationary body with a single punctiform or approximately punctiform support or a plurality of such supports in one row. Issued 2-25-30. (28)
1,748,522; Schlemper Carl. Pile wire and method of making the same. Issued 2-25-30. (28)
1,748,527; All. Inga Internationale Nahrungs. Method of producing mercaptans of the furfuryl series. Issued 2-25-30. (28)
1,748,533; All. Bader und Verkehrs A G. Process of manufacturing durable soap creams containing highly concentrated soap solutions. Issued 2-25-30. (28)
1,748,551; Holle Carl. Electric pipe welding apparatus. Issued 2-25-30. (28)
1,748,671; Demnitz Albert. Machine for sticking the soles of shoes. Issued 2-25-30. (28)
1,748,677; Podszus Leopold. Carburetor. Issued 2-25-30. (28)
1,748,679; Roth Ernst. Disintegrating machine. Issued 2-25-30. (28)
1,748,680; Schrader Friedrich. Oil can with insertable nozzle. Issued 2-25-30. (28)
1,748,686; All. Schmidt August Heinrich. Saw sharpening machine. Issued 2-25-30. (28)
1,748,711; Gminder Emil. Slippage drawing roller. Issued 2-25-30. (28)
1,748,712; Gminder Emil. Method of and system for producing great draft in spinning. Issued 2-25-30. (28)
1,748,765; Hellermann Paul Friedrich. Method of binding insulated electrical conductors. Issued 2-25-30. (28)

[1] So in the original document.

1,748,868; All. Feldmuhle Papier und. Apparatus for the manufacture of films from cellulose solutions. Issued 2-25-30. (28)
1,748,870; Eberle Wilhelm. Machine for guiding cutting burners. Issued 2-25-30. (28)
1,748,881; Inaba Isamu. Switch. Issued 2-25-30. (39)
1,748,894; Neumann Albert. Stop cylinder printing machine with sheet delivery at the front. Issued 2-25-30. (28)
1,748,896; Olivetti Camillo. Margin adjusting device for writing machines. Issued 2-25-30. (38)
1,748,897; Oppe Alfred. Process for obtaining solid mixtures of alkali metal hypochlorite and alkali metal chloride. Issued 2-25-30. (28)
1,748,901, Reisz Eugen. Membrane for electrostatic loudspeakers. Issued 2-25-30. (28)
1,748,903; Rumpler Edmund. Motor vehicle. Issued 2-25-30. (28)
1,749,026; All. Radio S A. Cinematographic machine. Issued 3-4-30. (38)
1,749,075; All. Vereinigte Stahlwerke A G. Means for separating adhering rolled metal sheets. Issued 3-4-30. (28)
1,749,152; Muller Friedrich. Starting mechanism for internal combustion engines. Issued 3-4-30. (6)
1,749,220; All. Luftschiffbau Zeppelin GmbH. Stereoscope. Issued 3-4-30. (28)
1,749,249; Van Item Johan. Handling and transport of building blocks and the like. Issued 3-4-30. (28)
1,749,266; Sontag Walter. Baffling device. Issued 3-4-30. (6)
1,749,304; All. Lorenz C A G. Apparatus for speed regulation of rotating bodies. Issued 3-4-30. (28)
1,749,309; Beck Sigmund. Shaving brush. Issued 3-4-30. (28)
1,749,334; Georg Otto. Forging machine and the like. Issued 3-4-30. (28)
1,749,463; All. Bohme H TH A G. Process for obtaining sulphonation products from polymerized fats or oils or the acids thereof. Issued 3-4-30. (28)
1,749,479; All. Schubert and Salzer. Flat knitting frame. Issued 3-4-30. (28)
1,749,683; Windhoff Hans. Internal combustion engine. Issued 3-4-30. (28)
1,749,695; Drath Raimund. Fluid actuated valve. Issued 3-4-30. (28)
1,749,699; Feubel Albert. Weighting of silk. Issued 3-4-30. (28)
1,749,711; Meyer Hermann. Raft or boat. Issued 3-4-30. (28)
1,749,720; All. Soc Italiana Ernesto Breda. Impact ignition device. Issued 3-4-30. (28)
1,749,781; All. Goldschmidt TH A G. Method of obtaining lead oxide in a state of high dispersion. Issued 3-11-30. (28)
1,749,811; All. Wasserteredlung Groeck GmbH. Method and apparatus for mixing flowing media in equal proportions. Issued 3-11-30. (28)
1,749,812; Grube Paul. Process for pulverizing mountainash berries. Issued 3-11-30. (28)
1,749,817, Hermsdorf Ewald. Apparatus for supplying powdered fuel to furnaces. Issued 3-11-30. (28)
1,749,828; All. Zahnradfabrik A G. Gear. Issued 3-11-30. (28)
1,749,869, All. Deutsche Werke Kiel A G. Two stroke internal combustion engine. Issued 3-11-30. (28)
1,749,925; All. Miag Muhlenbau and Industrie A G. Apparatus for grinding grain into crushed malt and the like. Issued 3-11-30. (28)
1,749,961; Effing Paul et al; Stock Johann Jacob Friedrich. Method of producing cinematographic titles headlines announcements and the like. Issued 3-11-30. (28)
1,749,907; All. Speidel Chain Co. Extension device. Issued 3-11-30. (28)
1,750,000; Esau Abraham. Generator of short electric waves. Issued 3-11-30. (28)
1,750,003; Haas Hermann. Drying apparatus. Issued 3-11-30. (28)
1,750,018; Meyer Jagenberg Gunther. Cigarette packing machine. Issued 3-11-30. (28)
1,750,064; Stedefeld Curt. Running gear for high speed suspension cars. Issued 3-11-30. (28)
1,750,065; All. Steinmuller L and C. Traveling grate. Issued 3-11-30. (28)
1,750,068; Torriani Angelo. Express coffee machine set. Issued 3-11-30. (38)
1,750,078; Willheim Ernst. Control apparatus. Issued 3-11-30. (6)
1,750,083; Zaymusz Illes. Thrashing machine. Issued 3-11-30. (34)
1,750,088; All. Macaowalzenmuklen GmbH. Grinding mill. Issued 3-11-30. (28)
1,750,094; All. Von Loeben Rudolf Christian. Hand and face drying device. Issued 3-11-30. (28)
1,750,095; Ewig Friedrich. Hold for dredgers. Issued 3-11-30. (28)

EXHIBIT A, VOLUME 2

Patents identified as follows, giving the number of the patent, the grantee's name, in some cases in abbreviated form, the title of the invention, the date of issue, and a code number representing the nationality of the grantee, such code numbers[1] having the following meanings:

6 Austria
28 Germany
34 Hungary
38 Italy
39 Japan
57 Rumania
11 Bulgaria

1,750,111; All. Felten and Gutlleaume Carlswork A G. High tension cable. Issued 3-11-30. (28)
1,750,119; Muller Paul. Protective holder. Issued 3-11-30. (28)
1,750,167; Erban Richard. Frictional gearing. Issued 3-11-30. (6)
1,750,168; Erban Richard. Friction gear. Issued 3-11-30. (6)
1,750,202; Steeves Aubrey C. Land breaker and plow. Issued 3-11-30. (28)
1,750,206; Winarsky Edmund. Reducing valve. Issued 3-11-30. (28)
1,750,357; Raimdor Leopold. Strip feeding mechanism. Issued 3-11-30. (28)
1,750,363; Schmid Max. Paper carriage for typewriting machines. Issued 3-11-30. (28)
1,750,365; All. Vereinigte Stahlwerke A G. Rail. Issued 3-11-30. (28)
1,750,384; Bottcher Paul Jr. Method of and apparatus for cutting toothed gears. Issued 3-11-30. (28)
1,750,397, Faulstich Georg. Russian boot. Issued 3-11-30. (28)
1,750,407; Kopp Fritz. Wheel. Issued 3-11-30. (28)
1,750,410; Kovacs Theodor. Reservoir pen. Issued 3-11-30. (28)
1,750,421; All. Nollesche Werke Kommandit Ges. Pulling over machine. Issued 3-11-30. (28)
1,750,472; Huckinghaus Wilhelm. Handsaw. Issued 3-11-30. (28)
1,750,476; Killing Fritz. Means for facilitating the tying and sealing of packages. Issued 3-11-30. (28)
1,750,482; All. Kollmann Adolf Gustav. Mercury vapor lamp for alternating currents. Issued 3-11-30. (28)

[1] The code numbers throughout this Exhibit A, Volume II, appear in parentheses.

1,750,487; Okuura Wasaburo. Paper reeling machine. Issued 3-11-30. (39)
1,750,531; All. Deutsche Maschinenbau und Vertriebs. Cutting device for transversely cutting moving paper webs. Issued 3-11-30. (28)
1,750,540; All. Soc Italiana Pirelli. Manufacture of rubber. Issued 3-11-30. (38)
1,750,545; Stabernack Georg; Stabernack Richard et al. Packing container. Issued 3-11-30. (28)
1,750,554; Walter Josef. Bushing for lining the bores of joints. Issued 3-11-30. (6)
1,750,587; Fischer Ferdinand. Offset printing machine. Issued 3-11-30. (28)
1,750,591; Hafermann Alfred. Closure for nonrefillable bottles. Issued 3-11-30. (28)
1,750,609; All. Kleinschmidt Emil. Apparatus for binding pulverulent fuel. Issued 3-11-30. (28)
1,750,657; Adolph Gustav Pietzsch Albert et al; Bleaching process. Issued 3-18-30. (28)
1,750,707; All. Typograph GmbH. Matrix setting and line casting machine. Issued 3-18-30. (28)
1,750,717; Laube Clemens Otto Kurt Dec. Box making machine. Issued 3-18-30. (28)
1,750,732; Steven Otto Ludwig. Leather dressing process. Issued 3-18-30. (28)
1,750,773; All. Yacht und Bootswerft Burmester GmbH. Boat. Issued 3-18-30. (28)
1,750,782; Obermaier Otto Julius. Extractor for warp beams. Issued 3-18-30. (28)
1,750,802; Haferkorn Oswald. Switch rail for monorail suspended railways. Issued 3-18-30. (28)
1,750,814; All. Bergmann Elektricitatswerke A G. High pressure steam turbine. Issued 3-18-30. (28)
1,750,818; Sauveur Harry. Means for preventing leakage. Issued 3-18-30. (28)
1,750,895; Leyhausen Wilhelm. Automatic circuit breaker. Issued 3-18-30. (28)
1,750,919; Becker Gabriel. Supercharging method for internal combustion engines. Issued 3-18-30. (28)
1,751,007; Kreissig Ernst. Wheel and axle. Issued 3-18-30. (28)
1,751,032; Dienst Karl. Grinding of bread grain. Issued 3-18-30. (28)
1,751,103; Schroeder Max. Process for recovering gas constituents from gas mixtures. Issued 3-18-30. (28)
1,175,161; All. Zahn & Co GmbH. Calcining furnace and method of operating the same. Issued 3-18-30. (28)
1,751,163; Loessin Arthur. Method of manufacturing ceramic materials building elements and the like from mud. Issued 3-18-30. (28)
1,751,178; Taeschner Kurt. Process for the production of artificial teeth. Issued 3-18-30. (28)
1,751,180; Wenischiger Johann. Combined sitz bath. Issued 3-18-30. (6)
1,751,184; Wodarra Adolf. Door lock. Issued 3-18-30. (28)
1,751,185; Wast Fritz. Smelting process. Issued 3-18-30. (28)
1,751,211; Leonori Ovidio. Process for producing anhydrous alcohol. Issued 3-18-30. (38)
1,751,215; Muller Paul. Guard for safety razor blades. Issued 3-18-30. (28)
1,751,217; Rohm Otto. Emulsion. Issued 3-18-30. (28)
1,751,218; Schmidt Karl. Portable fire extinguisher. Issued 3-18-30. (28)
1,751,220; All. Sankyo Kabushiki Kaisha. Light filter. Issued 3-18-30. (39)
1,751,258; Vogl Hubert. Bark stripping machine. Issued 3-18-30. (6)
1,751,326; Hahn Martin. Process for producing an explosive. Issued 3-18-30. (28)
1,751,341; Leisse Matthias. Container. Issued 3-18-30. (28)

1,751,373; Wagner Gerhard et al; Heymanns Rudolf; Funke Friedrich. Adjustable tightening device for doors and the like. Issued 3-18-30. (28)
1,751,496; Sandner Erich. Torque cushioning shaft coupling. Issued 3-25-30. (39)
1,751,537; Vianello Emilio. Apparatus for compressing air gases or vapors. Issued 3-25-30. (38)
1,751,639; Junkers Hugo. Dock for flying machines. Issued 3-25-30. (28)
1,751,692; Fruhbeis Georg. Ice skate. Issued 3-25-30. (28)
1,751,761; Rodrian Albert. Type head for typewriters and the like. Issued 3-25-30. (28)
1,751,778; Von Girsewald Conway Freiherr et al; Neumark Hans. Method of making zinc from oxygen compounds of zinc or substances containing oxygen compounds of zinc. Issued 3-25-30. (28)
1,751,808; Gauthier Alfred. Photographic lens shutter. Issued 3-25-30. (28)
1,751,815; All. Lorenz C A G. Selector. Issued 3-25-30. (28)
1,751,885; Riehle Franz. Record card and cover therefor. Issued 3-25-30. (28)
1,751,911; All. Deutsche Asbestwerke A G. Brake block. Issued 3-25-30. (28)
1,751,932; All. I G Farbenindustrie A G. Salts of Alkaline earth metals. Issued 3-25-30. (28)
1,751,933; All. I G Farbenindustrie A G. Production of hydrocyanic acid. Issued 3-25-30. (28)
1,751,968; Yuasa Toichiro. Automatic filaturing machine. Issued 3-25-30. (39)
1,752,001; All. Sarotti A G. Method of making a chocolate covered confection having a liquid mass therein. Issued 3-25-30. (28)
1,752,076; Godet Raymond. Automatic control device for well drilling. Issued 3-25-30. (57)
1,752,086; Hirtz Heinrich. Process of recovering nitric acid from weak nitric liquors. Issued 3-25-30. (28)
1,752,090; All. Schaefer & Fiedelmeier. Closure for bottles and jars. Issued 3-25-30. (28)
1,752,101; Meutsch Heinrich. Mining prop. Issued 3-25-30. (28)
1,752,141; Beche Hans. Drop hammer. Issued 3-25-30. (28)
1,752,176; Hattori Kenzo. Method of preparing emulsions. Issued 3-25-30. (39)
1,752,185; Kuchenmeister Heinrich. Acoustic apparatus particularly signaling apparatus. Issued 3-25-30. (28)
1,752,188; Liebergeld Paul. Mechanical time fuse. Issued 3-25-30. (28)
1,752,219; Adam Otto. Stocking and sock holder. Issued 3-25-30. (28)
1,752,262; All. Muhlolf Werzeugfabrik Peter. Bit for boring long holes. Issued 3-25-30. (28)
1,752,338; Fujii Momotaro. Therapeutical instrument. Issued 4-1-30. (39)
1,752,340; All. Universelle Cigarettenmaschinen. Means for counterrolling a cigarette paper. Issued 4-1-30. (28)
1,752,341; All. Universelle Cigarettenmaschinen. Sharpening roller arrangement for the revolving sickleknives in cigarette rod machines. Issued 4-1-30. (28)
1,752,374; All. Siemens Friedrich A G. Process of producing steel in an open hearth furnace. Issued 4-1-30. (28)
1,752,383; All. Maschinenfabrik Augsburg. Gas reservoir. Issued 4-1-30. (28)
1,752,408; Zein Otto. Tube expander. Issued 4-1-30. (28)
1,752,596; All. I G Farbenindustrie A G. Process of replacing the water in a water moist cellulose by an organic liquid and the product thereof. Issued 4-1-30. (28)
1,752,636; Izumi Torazo. Device for manufacturing a tape having braidlike wrinkles or plaits from solidifiable viscous solution. Issued 4-1-30. (39)
1,752,646; Jakob Lukaszyk. Apparatus for strengthening the heads of railway ralls. Issued 4-1-30. (28)
1,752,680; Martin Karl et al; Tietze Paul. Optical means for producing color cinematographic pictures. Issued 4-1-30. (28)
1,752,799; Junkers Hugo. Riveting device. Issued 4-1-30. (28)
1,752,804; Nicolet Walter. Loom. Issued 4-1-30. (28)
1,752,826; All. Chemischefirm Fabrik Auf Actien. Composition of matter and method of producing same. Issued 4-1-30. (28)
1,752,855; Schonberger Fritz. Apparatus for measuring physical characteristics of flowing streams of fluid. Issued 4-1-30. (28)
1,752,874; All. Junkers Hugo. Flying boat. Issued 4-1-30. (28)
1,752,894; All. Howaldtswerke A G. Floating dock for water aircraft. Issued 4-1-30. (28)
1,752,901; Falkenburg Julius. Rowing apparatus for gymnastic exercises. Issued 4-1-30. (28)
1,752,911; Krell Otto. Hangar for airships. Issued 4-1-30. (28)
1,752,950; All. Schmidt & Melmer Firm. Refuse handling apparatus. Issued 4-1-30. (28)
1,752,953; All. Kahne Theodor Sohne. Method of manufacturing spectacle frames from tortoise shell and similar valuable material. Issued 4-1-30. (28)
1,752,955; All. Trinkl Hans Uhren Und. Cartridge cut out. Issued 4-1-30. (28)
1,752,963; Pettinelli Parisino. Grid for chemical storage batteries. Issued 4-1-30. (38)
1,753,020; All. Maschinenfabrik Augsburg. Reversible internal combustion engine of the fuel injection type. Issued 4-1-30. (28)
1,753,021; All. Maschinenfabrik Augsburg Process and apparatus for starting internal combustion engines. Issued 4-1-30. (28)
1,753,027; Sakuma Eikichi. Apparatus for making asphalt roofings. Issued 4-1-30. (39)
1,753,051; Junkers Hugo. Assembly unit. Issued 4-1-30. (28)
1,753,063; Nitzsche Fritz. Concrete foot for wooden poles. Issued 4-1-30. (28)
1,753,072; All. Rheinische Mettallwaaren und. Trigger apparatus for the single and continuous fire of automatic fire arms. Issued 4-1-30. (28)
1,753,081; Derossi Carlo. Automatic apparatus for the rapid production of aerated water. Issued 4-1-30. (38)
1,753,134; Schmid Max. Feed device for the carriage of typewriting machines. Issued 4-1-30. (28)
1,753,135; Schuberth Paul. Door for vehicles for removing house refuse. Issued 4-1-30. (28)
1,753,137; Selbt Georg. Electrostatic loud speaker. Issued 4-1-30. (28)
1,753,169; All. Deutsche telephonwerke und. Tubular postal section. Issued 4-1-30. (28)
1,753,196; All. Siemens & Halske AKG. Internal combustion engine. Issued 4-8-30. (28)
1,753,203; Hoetger Bernhard. Advertising device. Issued 4-8-30. (28)
1,753,205; Horii Shinjiro. Stencil sheet. Issued 4-8-30. (39)
1,753,389; Schwechten Wilhelm. Bridge for pianos. Issued 4-8-30. (28)
1,753,467; Kniepert Karl. Brick or block for regenerators. Issued 4-8-30. (6)
1,753,547; Bruhn Friedrich Wilhelm Gustav. Positive speed gauge. Issued 4-8-30. (28)
1,753,573; All. United Cigarette Machine Co AKG. Process and apparatus for preparing raw tobacco. Issued 4-8-30. (28)
1,753,577; Piccardo Cesare. Filtering and decanting apparatus. Issued 4-8-30. (38)
1,753,625; Saveur Harry. Regulator for controlling fluid pressure in submerged machines. Issued 4-8-30. (28)
1,753,626; Schlinck Julius et al; Munchmeyer Georg. Process for the manufacture of horn like material. Issued 4-8-30. (28)
1,753,706. Issued 4-8-30
1,753,658; All. Deutsche Gold Silber. Process for the preparation of sulphur compounds of pyridine. Issued 4-8-30. (28)
1,753,685; All. Krupp Grusonwerk AKG Fried Firm; Junkers Hugo. Discharge means for tube or ball mills. Issued 4-8-30. (28)
1,753,723; Allseiffert & Co AKG Firm. Valve. Issued 4-8-30. (28)
1,753,767; Asbeck Gustav. Rolling mill. Issued 4-8-30. (28)
1,753,790; Kawai Kametaro. Method of preparing concentrated cod liver oil. Issued 4-8-30. (39)
1,753,816; All. Riebeckscke Montanwerke AKG A. Production of montan wax. Issued 4-8-30. (28)
1,753,827; All. Schuler L A G Werkzeugmaschinen. Tube cutting machine. Issued 4-8-30. (28)
1,753,834; Ponisch Max. Machine for producing seamless bodies sweetmeats and other from plastic masses. Issued 4-8-30. (28)
1,753,835; All. Lowenthal & Weissberger GmbH. Pyrophoric hand lighter. Issued 4-8-30. (28)
1,753,836; Sandt Julius. Shoe machine. Issued 4-8-30. (28)
1,753,854; Fischer Anton. Electro galvanic medical apparatus. Issued 4-8-30. (28)
1,753,856;; Freundlich Erich. Evaporator for refrigerating plants. Issued 4-8-30. (28)
1,753,871; All. Jffa GmbH. High pressure gas developing cartridge. Issued 4-8-30. (28)
1,753,885; Gerhardt Oscar. Radiation apparatus. Issued 4-8-30. (28)
1,753,897; Siegmund Loeb. Heater for automobiles. Issued 4-8-30. (28)
1,753,987; All. Deutsche Telephonwerk und Tubular postal system. Issued 4-8-30. (28)
1,753,988; All. Deutsche Telephonwerke und. Tubular postal dispatching station. Issued 4-8-30. (28)
1,753,989; All. Deutsche Telephonwerke und Switch point for tubular postal systems. Issued 4-8-30. (28)
1,754,012; Donath Bruno. Incandescent cathode rectifier for medium voltages. Issued 4-8-30. (28)
1,754,031; All. I G Farbenindustrie AKG. Cyclic ketones of the aromatic series and process of making same. Issued 4-8-30. (28)
1,754,049; Rieckhof Christian. Method for determining the action of forces upon static constructions. Issued 4-8-30. (28)
1,754,127; All. Friedmann Alex Firm. Pipe coupling. Issued 4-8-30. (6)
1,754,146; Calvino Giovanni. Coffee filter. Issued 4-8-30. (38)
1,754,156; Frischer Hermann. Production of acids. Issued 4-8-30. (28)
1,754,163; All. Benckiser Chemische Fabrik Joh A. Process for stabilizing bleaching liquors. Issued 4-8-30. (28)
1,754,165; Fabian Paul. Lip protecting holdfast. Issued 4-8-30. (28)
1,754,167; All. Schmidtsche Heissdampf GmbH. Marine boiler. Issued 4-8-30. (28)
1,754,171; Kopplinger Hermann. Preparation for removing or preventing boiler scale and other like deposits. Issued 4-8-30. (6)
1,754,177; All. Soc Itallana Pirelli. Apparatus for regenerating vulcanized rubber. Issued 4-8-30. (38)
1,754,243; Satow Teikichi. Lacquer composition. Issued 4-15-30. (39)
1,754,264; Clausnitzer Rudolf Alban. Control means for superregenerative receivers. Issued 4-15-30. (28)

1,754,358; All. I G Farbenindustrie A G. Production of potassium ammonium sulphate. Issued 4-15-30. (28)
1,754,364; Kemp Paul. Bearing metal. Issued 4-15-30. (6)
1,754,399; Pascucci Giuseppe. Utilization of the force of gravity and relative appartus. Issued 4-15-30. (38)
1,754,419; All. Drager Heinrich Otto. Eyepiece for gas protective masks. Issued 4-15-30. (28)
1,754,427; Hoffman Konrad. Process and apparatus for the manufacture of artificial threads of derivatives of cellulose. Issued 4-15-30. (28)
1,754,434; Perino Josef. Process of manufacturing a vegetable alimentary extract. Issued 4-15-30. (28)
1,754,538; All. Muller Karl Johann. Tone amplifier for sound reproducing apparatus. Issued 4-15-30. (28)
1,754,586; Volcker Ernst. Combustion method for fuels. Issued 4-15-30. (28)
1,754,595; All. Sachs Marschel Frank A G in Chemnitz. Lady's breeches. Issued 4-15-30. (28)
1,754,599; Bollmann Hermann. Method of bleaching fatty oils mineral oil and the like. Issued 4-15-30. (28)
1,754,676; All. Deutsche Asbestwerke A G. Friction block for brakes friction clutches and the like. Issued 4-15-30. (28)
1,754,697; Saglioni Romeo. Change speed gearing. Issued 4-15-30. (38)
1,754,746; Ewig Friedrich. Suction dredger. Issued 4-15-30. (28)
1,754,867; Stoya Paul. Sliding catch. Issued 4-15-30. (28)
1,754,868; Wehling August. Device for indicating and controlling the speed of motor vehicles. Issued 4-15-30. (28)
1,754,883; All. Luftschiffbau Zeppelin GmbH. Airship. Issued 4-15-30. (28)
1,754,885; Frings Gerhard. Bitter cutter. Issued 4-15-30. (28)
1,754,935; All. Katscher Sigmund. Process of directly producing phenogram carriers suitable to be played off. Issued 4-15-30. (6)
1,754,983; Cumbo Ernesto. Motor boat. Issued 4-15-30. (38)
1,755,031; Schmuckler Hans. Welding table. Issued 4-15-30. (28)
1,755,034; All. Rheinische Metalwaaren und Automatic Firearm. Issued 4-15-30. (28)
1,755,066; All. Feldmuhle papier und device for drying cellulose films. Issued 4-15-30. (28)
1,755,080; All. Messrs Neuerburg Sche. Means for spreading cut tobacco in cigarette making machines. Issued 4-15-30. (28)
1,755,081; All. Messrs Neuerburg Sche. Means for loosening and spreading cut tobacco. Issued 4-15-30. (28)
1,755,106; Eckardt Emil Paul Bonifazius. Meter for compressed gas. Issued 4-15-30. (28)
1,755,768; Busching Willi. Denitration of waste acid mixtures. Issued 4-22-30. (28)
1,755,797; Schwenke Paul. Fuse for submarine bombs. Issued 4-22-30. (28)
1,755,826; Klein Eugen. Appliance for automatically regulating the entrance of fabrics or webs into lapping machines. Issued 4-22-30. (28)
1,755,842; Schoberl Robert. Chair convertible into a bedstead or couch. Issued 4-22-30. (34)
1,755,914; Colucci Giuseppe. Device for transforming a uniform rotary motion into an alternating motion with different speeds in two directions. Issued 4-22-30. (38)
1,755,946; Altenbach Otto. Knife handle. Issued 4-22-30. (28)
1,755,951; Dubsky Arthur. Pivotal wind screen for pyrophore cigar lighters. Issued 4-22-30. (6)
1,755,962; All. Gebruder Hardy Maschinenfabrik. Release valve for single chamber air pressure brakes. Issued 4-22-30. (6)
1,755,967; Pagani Antonio. Copying machine. Issued 4-22-30. (38)
1,755,979; Campos Gino. System for the protection of electrical installations again overvoltages. Issued 4-22-30. (38)
1,755,515; Rath Curt. Process for the manufacture of compound of isonaphthyridin. Issued 4-22-30. (28)
1,755,544; Jalowetz Eduard. Process of improving brewing waters. Issued 4-22-30. (6)
1,755,551; All. Zeiss Firm Carl. Holder with feeding arrangement for the positive electrode of a searchlight. Issued 4-22-30. (28)
1,755,559; Pietsch Carl. Galvanizing. Issued 4-22-30. (28)
1,755,575; Eckler Wilhelm. Nozzle for sand blast apparatus. Issued 4-22-30. (28)
1,755,656; All. I G Farbenindustrie A G. Process of preparing dihydroxyacetone. Issued 4-22-30. (28)
1,755,657; All. I G Farbenindustrie A G. Caustic soda solution of cellulose. Issued 4-22-30. (28)
1,755,668; All. I G Farbenindustrie A G. Process for refining the raw oil of turpentine. Issued 4-22-30. (28)
1,755,677; Imai Seichiro; Urano Saburo et al. Process of manufacturing basic calcium hypochlorites. Issued 4-22-30. (39)
1,755,683; All. Deutsche Gold und Silber. Production of glutaminic acid. Issued 4-22-30. (28)
1,755,689; All. Maschinenfabrik Augsburg Electrical switching apparatus. Issued 4-22-30. (28)
1,755,692; All. Consortium fur Elektrochemische. Process for the preparation of condensation products of ethyl alcohol. Issued 4-22-30. (28)
1,755,695; Reischenbacher Hans; Klima Rudolf et al. Steam operated ice and snow plow. Issued 4-22-30. (6)
1,755,696; Berthold Walter Kluge Kurt et al. Perpetual date indicator. Issued 4-22-30. (28)
1,755,712; All. Krupp Grusonwerk A G Fried. Process of recovering volatilizable metals from ores or the like. Issued 4-22-30. (28)
1,755,717; Wagner Karl. Saw. Issued 4-22-30 (28)
1,755,720; Dunnebier Max; Winkler Alfred et al. Apparatus for handling articles. Issued 4-22-30 (28)
1,755,721; Winkler Alfred et al; Dunnebier Max. Apparatus for handling articles. Issued 4-22-30. (28)
1,755,724; All. Yacht und Bootswerft Burmester M B H. Boat. Issued 4-22-30. (28)
1,755,730; Gosser Adolf. Game. Issued 4-22-30. (28)
1,755,737; Kesselring Fritz. Lamp shade. Issued 4-22-30. (28)
1,755,750; All. Schering Kahlbaum A G. Manufacture of esters of the borneols. Issued 4-22-30 (28)
1,755,752; All. Schering Kahlbaum A G. Process of manufacturing esters of the borneols. Issued 4-22-30. (28)
1,755,757; Zahn Otto. Connection apparatus for the wires of head receivers for broadcasting. Issued 4-22-30. (28)
1,755,759; Ohm Ludwig Ahmels Karl et al. Pocket microscope. Issued 4-22-30. (28)
1,755,765; Bomig Rudolf. Rail bonding means glowlamp. (28)
1,756,049; All. Goldschmidt Th A G. Method of utilizing bundled scrap metal. Issued 4-29-30. (28)
1,756,096; Novelli Francesco. Method of and apparatus for burning solid fuel. Issued 4-29-30. (38)
1,756,100; All. I G Farbenindustrie A G. Process for preparing colored nitrocellulose varnishes. Issued 4-29-30. (28)
1,756,152; Hashimoto Tokujiro. Process for manufacturing toilet material. Issued 4-29-30. (39)
1,756,359; Jagenberg Emil. Means for the manufacture of paper boxes cardboard boxes and the like. Issued 4-29-30. (28)
1,756,362; Junkers Hugo. Sheet metal cutter. Issued 4-29-30. (28)
1,756,381. Pahl August. Apparatus for the production of molten liquid coats of enamel glass and the like by spraying upon metal stone or other surfaces or bodies. Issued 4-29-30. (28)
1,756,382; Palme Gustav. Glue produce. Issued 4-29-30. (28)
1,756,516; Klopstock Hans. Cutting tool. Issued 4-29-30. (28)
1,755,983; All. Gustav Ganz and Co. Method and apparatus of introducing and fusing in the leading in wires into the tubular foot of an electric. Issued 4-22-30. (6)
1,755,179; All. I G Farbenindustrie A G. Sulphonic acids of high wetting cleaning and emulsifying power. Issued 4-22-30. (28)
1,755,180; All. Drahtlose Telegraphie GmbH. Arrangement for directional receiving. Issued 4-22-30. (28)
1,755,189; All. I G Farbenindustrie A G. Production of valuable products from montan wax. Issued 4-22-30. (28)
1,755,193; All. I G Farbenindustrie A G Production of acetone. Issued 4-22-30. (28)
1,755,202; Brecht Walter et al; Schaun Erich. Apparatus for regulating lateral movement of longitudinal sieves. Issued 4-22-30. (28)
1,755,267; Ostermayer Walter. Control device for electric illuminated signs. Issued 4-22-30. (28)
1,755,355; Kattwinkel Hans. Manufacture of friction bodies. Issued 4-22-30. (28)
1,755,361; Pfluger Albert et al; Haage Konrad. Mechanical hammer. Issued 4-22-30. (28)
1,755,433; Duskow Wilhelm. Closure device for perfume bottles or the like. Issued 4-22-30. (28)
1,755,436; Faudi Fritz. Stuffing box. Issued 4-22-30. (28)
1,755,491; Spigal Vincenzo Fausto. Automatic regulator for power factor improving apparatus. Issued 4-22-30. (38)
1,756,599; Kraney Karl Friedrich. Apparatus for dyeing hat bodies and materials. Issued 4-29-30. (28)
1,756,723; Bohn Erich. Process for treating animal hair and wool with chlorine. Issued 4-29-30. (6)
1,756,735; Funke Paul. Piston cooling device for internal combustion engines. Issued 4-29-30. (28).
1,756,760; Reich Otto. Ash tray or smokers stand. Issued 4-29-30. (6)
1,756,824; Hasemann Friedrich. Device for regulating flow of fluids. Issued 4-29-30. (28)
1,756,881; Reinz Hogo. Packing material. Issued 4-29-30. (28)
1,756,951; All. I G Farbenindustrie A G. Printing colors. Issued 5-6-30. (28)
1,756,969; Bergfeld Karl. Coal carbonizing apparatus for the extraction of bituminous materials. Issued 5-6-30. (28)
1,757,222; All. I G Farbenindustrie A G Mothproof material and process of making same. Issued 5-6-30. (28)
1,757,270; Stinner Otto. Device for generating and utilizing centrifugal forces. Issued 5-6-30. (28)
1,757,343; All. Steinmuller L. Means for supporting water tube boilers. Issued 5-6-30. (28)
1,757,368; All. Schmidtmann Aug. Card unit for visible card systems. Issued 5-6-30. (28)
1,757,370; Kilian Fritz. Apparatus for pressing pulverulent substances into boxes. Issued 5-6-30. (28)
1,757,384; Ponisch Max. Machine for kneading and turning upside down sugar mass. Issued 5-6-30. (28)
1,757,392; Schieferstein Georg Heinrich. Power transmission. Issued 5-6-30. (28)

1,757,441; All. I G Farbenindustrie A G. Cleansing and emulsifying agent. Issued 5-6-30. (28)
1,757,468; All. I G Farbenindustrie A G. Dehydration product of sorbitol and the process of making it. Issued 5-6-30. (28)
1,757,477; Rosenhoch Samuel. Process and device for ozonizing tobacco. Issued 5-6-30. (28)
1,757,492; Warsitz Robert. Industrial furnace. Issued 5-6-30. (28)
1,757,495; All. Lubecker Maschinenbau Ges. Tilting barge. Issued 5-6-30. (28)
1,757,553; Tauschek Gustav. Machine for shuffling cards. Issued 5-6-30. (6)
1,757,575; Ishibashi Shojiri. Shoe or boot for laborers. Issued 5-6-30. (39)
1,757,667; Hesse Erich. Device for regulating wind wheels. Issued 5-6-30. (28)
1,757,713; Hebler Felix. Coated phosphide and process for making. Issued 5-6-30. (28)
1,757,726; Liebscher Paul. Swiveling arbor support. Issued 5-6-30. (28)
1,757,828; Beckert Reinhard Willy. Punching machine. Issued 5-6-30. (28)
1,757,856; Drubba Otto Karl Leopold. Air moistener and cleaner. Issued 5-6-30. (28)
1,757,865; All. Bayerische Eggenfabrik A G. Harrow. Issued 5-6-30. (28)
1,757,949; Schlaich Herman. Indicator for distance type thermometers. Issued 5-6-30. (28)
1,757,961; Grob Hugo. Carbon resistance. Issued 5-13-30. (28)
1,757,979; Steffen Carl Jr. Process for continuous washing of tricalcium saccharate. Issued 5-13-30. (6)
1,758,134; Weingartner Eduard. Sheet delivering and stacking device for printing machines. Issued 5-13-30. (28)
1,758,213; Bartik Josef. Electrical heating apparatus Issued 5-13-30. (6)
1,758,241; All. I G Farbenindustrie A G. Process for the production of phosphorus and alumina cement. Issued 5-13-30. (28)
1,758,267; Wach Hans. Reciprocating steam engine. Issued 5-13-30. (28)
1,758,277; All. I G Farbenindustrie A G. Substituted arylsulphonic acids and process of making same. Issued 5-13-30. (28)
1,758,296; Schaumann Alfred. Body armor. Issued 5-13-30. (28)
1,758,334; Schleifer Wilhelm. Rider for registration cards. Issued 5-13-30. (6)
1,758,335; Schlumpf Jacques. Device for subdividing liquid containers. Issued 5-13-30. (28)
1,758,356; All. I G Farbenindustrie A G. Process for preparing nuclear substituted arylsulphonic acids. Issued 5-13-30. (28)
1,758,366; All. Maschinenfabrik Augsburg. Injection piping for internal combustion engines with solid fuel injection. Issued 5-13-30. (28)
1,758,374; All. Maschinenfabrik Augsburg. Combustion engine. Issued 5-13-30. (28)
1,758,375; All. Maschinenfabrik Augsburg. Internal combustion engine. Issued 5-13-30. (28)
1,758,471; Schmidt Georg Julius. Valve. Issued 5-13-30 (28)
1,758,486; Von Frommer Rudolf. Automatic firearm. Issued 5-13-30. (34)
1,758,515; Heiermann Hugo. Wrist pin construction Issued 5-13-30. (28)
1,758,531; All. Elektrodenzertstaubung GmbH. Vacuum dispersion coating process. Issued 5-13-30. (28)
1,758,542; Stern Emerich. Spark plug. Issued 5-13-30 (57)
1,758,586; Schmitz Carl. Separator. Issued 5-13-30. (28)
1,758,593; All. Feldmuhle Papier und. Apparatus for the treatment of a viscose film. Issued 5-13-30. (28)
1,758,595; All. Allgemeine Chemische Industrie. Process for recovery of sulphur dioxide from oils containing same. Issued 5-13-30. (28)
1,758,625; Saul Siegfried. Air valve for inflating hollow bodies. Issued 5-13-30. (28)
1,758,634; Wecker Ernst. Manufacture of esters of fatty acids and of mixture containing fatty acids. Issued 5-13-30. (28)
1,758,635; Welser Hans. Highly sensitive head impact fuse. Issued 5-13-30. (28)
1,758,665; Hofner Jakob. Method of and apparatus for finishing textile goods. Issued 5-13-30. (28)
1,758,669; All. Bruninghaus and Co. Method of and apparatus for sealing the ends of fastening strings wires and the like. Issued 5-13-30. (28)
1,758,676; All. Kalle and Co A G. Light sensitive layers and process of preparing them. Issued 5-13-30. (28)
1,758,706; Kelnhofer Franz. Last. Issued 5-13-30. (6)
1,758,784; Demnitz Albert. Sole setting machine. Issued 5-13-30. (28)
1,758,842; Liebergeld Paul Mechanical time fuse Issued 5-13-30. (28)
1,758,862; Sommer Karl. Device for uniformly moving on a paper strip for closet seats. Issued 5-13-30. (28)
1,758,874; Zahradnik Eustach. Dirigible headlight. Issued 5-13-30. (6)
1,758,984; All. Richter Curt. Apparatus for spraying heavy oils. Issued 5-20-30. (28)
1,758,996; All. Siemensschuckertwerke A G. Method of testing and starting high tension lines. Issued 5-20-30. (28)
1,759,024; Selbach Christian. Film winder. Issued 5-20-30. (39)
1,759,047; Kis George; Edelstein Arnold et al. Harness controlling mechanism for looms. Issued 5-20-30. (34)
1,759,137; Sartor Richard. Dough kneading machine. Issued 5-20-30. (28)
1,759,260; Hoffmann Oswald. Spinning process for polychromatic yarns device for said process and the product of said process. Issued 5-20-30. (28)
1,759,267; Merk Friedrich. Automatic telephone system. Issued 5-20-30. (28)
1,759,270; All. Vorwerk Edgar. Process of producing an artificial skating ground. Issued 5-20-30. (28)
1,759,277; All. Armamenti Militari S A. Automatic firearm. Issued 5-20-30. (38)
1,759,282; Schaefer Josef. Washer. Issued 5-20-30 (28)
1,759,294; All Haefeli Arnold. Carburetor. Issued 5-20-30. (28)
1,759,325; Schmidt Friedrich W. Rail machining device. Issued 5-20-30. (28)
1,759,327; Schultz Hermann. Apparatus for machining welded rail joints. Issued 5-20-30. (28)
1,759,356; Kattwinkel Hans. Power transmitting means. Issued 5-20-30. (28)
1,759,452; All. Schmidt Sche Heissdampf GmbH Process and apparatus for regulating multistage steam engines of the high pressure type. Issued 5-20-30. (28)
1,759,495; All. Kalle & Co A G. Process and device for drying tubular bodies. Issued 5-20-30. (28)
1,759,511; Kort Ludwig. Combined ship and propeller. Issued 5-20-30. (28)
1,759,512; Rossum Alfons Van; Kramer Heinrich et al. Egg separator. Issued 5-20-30. (28)
1,759,522; Schmitz Carl. Centrifugal separator Issued 5-20-30. (28)
1,759,529; All. Optische Anstalt C P Goerz A G. Ocular. Issued 5-20-30. (28)
1,759,535; Bach Carl Louis. Driving mechanism for intermittently rotating shafts. Issued 5-20-30. (28)
1,759,568; Fervers Carl. Feeder or teat for feeding bottles. Issued 5-20-30. (28)
1,759,574; Hollenweger Max. Water closet pan. Issued 5-20-30. (28)
1,759,617; All. Hoerbiger & Co. Gas compressor. Issued 5-20-30. (6)
1,759,661; All. I G Farbenindustrie A G. Finely divided metals from metal carbonyls. Issued 5-20-30. (28)
1,759,727; De Filippi Carlo; Baccich Mario et al. Hydropneumatic reservoir for petrol fuels and the like. Issued 5-20-30. (38)
1,759,735; Derossi Carlo. Automatic apparatus for preparing aerated water. Issued 5-20-30. (38)
1,759,746; Harder Arthur. Dental spoon. Issued 5-20-30. (28)
1,759,747; All. Universelle. Cigarette making machine. Issued 5-20-30. (28)
1,759,780; Figarl Francesco. Rigid joint pipe and its manufacture. Issued 5-20-30. (38)
1,759,804; All. Rudolph & Juhne GmbH. Device for drying textures. Issued 5-20-30. (28)
1,759,817; Roder Karl. Steam turbine. Issued 5-20-30. (28)
1,759,919; Singer Felix. Artificial plagioclase compound. Issued 5-27-30. (28)
1,759,986; Juliusburger Paul. Change over device for boiler feed water heaters and similar apparatus especially applicable for locomotives. Issued 5-27-30. (28)
1,760,010; Schultz Hermann. Casting mold for alumino thermic welding. Issued 5-27-30. (28)
1,760,034; All. Rothmuller S A G. Pendulum weigher. Issued 5-27-30. (6)
1,760,050; Eickworth Regnelr. Gas burner. Issued 5-27-30. (28)
1,760,056; Hartmann Gunther. Drying frame with transverse laths. Issued 5-27-30. (28)
1,760,171; Schoene Kurt. Pump and compressor. Issued 5-27-30. (28)
1,760,172; Schoene Kurt. Valve gear for pumps and compressors. Issued 5-27-30. (28)
1,760,174; All. Magnet Werk GmbH Eisenach. Electromagnetically operated friction coupling. Issued 5-27-30. (28)
1,760,199; All. Kromschroder G A G. Thermostatic regulator valve. Issued 5-27-30. (28)
1,760,214; Schubert Richard. Process of producing waterproof concrete specially for pavings. Issued 5-27-30. (28)
1,760,223; All. Nagnet Werk GmbH Eisenach. Friction coupling. Issued 5-27-30. (28)
1,760,232; Finken Hermann. Pruning shears. Issued 5-27-30. (28)
1,760,242; All. Lorenz C A G. Transmitter. Issued 5-27-30. (28)
1,760,448; Steinschneider Abraham. Case for books or the like. Issued 5-27-30. (28)
1,760,517; Rehfus Oberlander Carl Hans. Felting and fulling machine. Issued 5-27-30. (28)
1,760,563; Pawlikowski Rudolf. Material shaking mechanism. Issued 5-27-30. (28)
1,760,566; All. Fuld and Co Telephon und Microtelephone. Issued 5-27-30. (28)
1,760,572; Weck Alexander Erwin. Mechanically operated grate feeding means. Issued 5-27-30. (28)
1,760,623; Aurig Max. Apparatus for treating gases. Issued 5-27-30. (28)
1,760,682; Boysen Friedrich August. Collecting conduit for the exhaust pipes for internal combustion engines. Issued 5-27-30. (28)
1,760,700; Janik Eduard. Automatic variable speed gear. Issued 5-27-30. (6)
1,760,702; Kosfelo Wilhelm Friedrich. Wet tapping device. Issued 5-27-30. (28)
1,760,703; All. Maschinenfabrik Eisslingen GmbH. Straight knitting machine Issued 5-27-30. (28)
1,760,706; All. Zellstoffabrik Waldof. Apparatus for obtaining yeast. Issued 5-27-30. (28)

1,760,718; Pineschi Lamberto; Quintillani Arturo et al. Method and apparatus for the simultaneous recording or reproduction of motion and sound. Issued 5-27-30. (38)
1,760,737; Boden Georg. Two stroke cycle internal combusion engine. Issued 5-27-30. (28)
1,760,738; Bohm Erich. Process for increasing the luster of goods made of animal hair and wool. Issued 5-27-30. (6)
1,760,757; All. Demag A G. Pilgering rolling mill. Issued 5-27-30. (28)
1,760,767; All. Atrax GmbH. Illuminating structure. Issued 5-27-30. (28)
1,760,770; Otto Carl. Coke oven. Issued 5-27-30. (28)
1,760,776; Rengmann Thure. Paper file. Issued 5-27-30. (28)
1,760,780; All. Kalle and Co A G. Light sensitive layers and process preparing them Issued 5-27-30. (28)
1,760,788; All. I G Farbenindustrie A G. Production of chromates with simultaneous recovery of alumina. Issued 5-27-30. (28)
1,760,795; Szalay Ferenc. Device for the prevention of the tilting movement of current collector bowls. Issued 5-27-30. (34)
1,760,870; All. Krupp Fried A. G. Line adjusting mechanism. Issued 6-3-30. (22)
1,760,884; Pais Alexander. Heating device containing a fluid in its heating element. Issued 6-3-30 (57)
1,761,146; Muck Otto Resonance spring driving device. Issued 6-3-30. (28)
1,761,392; Hase Rudolf. Device for measuring the temperature of hot fluids. Issued 6-3-30. (28)
1,761,399; Kremmling Otto. Method of and machine for working pieces of dough. Issued 6-3-30. (28)
1,761,461; Apel Hermann. Switchboard and the like. Issued 6-3-30. (28)
1,761,468; Di Neuberg Ferdinando Brusch. Hub cap. Issued 6-3-30. (38)
1,761,471; Forstel Willifried. Closed Exhaust box for silencing internal combustion engines. Issued 6-3-30. (28)
1,761,478; Karlovitz Lasslo. Driving gear for motor driven vehicles. Issued 6-3-30. (34)
1,761,482; All. Felten & Guilleaume Carlswerk A G. Apparatus for manufacturing wire rope. Issued 6-3-30 (28)
1,761,503; Tonhardt Walter. Hand excavator. Issued 6-3-30 (28)
1,761,818; De Spuches Principe di Galati Antonio. Hydraulic wheels acting either as motors or as propellers. Issued 6-3-30. (38)
1,761,844; All. Maschinenfabrik Augsburg Nuernberg. Heating device for the suction air of combustion engines. Issued 6-3-30. (28)
1,761,882; Eberhard Heinrich. Piezo electric crystal controlled oscillation generator. Issued 6-3-30. (28)
1,761,888; Junkers Hugo. Method and means for upsetting sheet metal. Issued 6-3-30. (28)
1,761,893; All. I G Farbenindustrie A G. Manufacture of urea. Issued 6-3-30. (28)
1,761,993; Schmeisser Hugo. Air pistol. Issued 6-3-30. (28)
1,762,008; Burnengo Giuseppe. Regulating transformer. Issued 6-3-30. (38)
1,762,017; All. Maschinenfabrik Esslingen. Method of manufacture of squirrel cage rotors for electric machines. Issued 6-3-30. (28)
1,762,061; All. Muller & Grunstein Elgersburger. Pyrophoric lighter. Issued 6-3-30. (28)
1,762,069; All. Lechler Paul Firm. Bituminous paint. Issued 6-3-30. (28)
1,762,085; Stedefeld Curt. Apparatus for jointlessly welding rails. Issued 6-3-30. (28)
1,762,086; Stedefeld Curt. Method of jointlessly welding rails. Issued 6-3-30. (28)
1,762,232; All. Maschinen fabrik Augsburg Nuernberg. Fuel pump of internal combustion engines. Issued 6-10-30. (28)
1,762,380; All. Hartmann & Braun A G. Optical pyrometer. Issued 6-10-30. (28)
1,762,456; All. Pollak Fritz. Making condensation products of urea and aldehyde. Issued 6-10-30. (6)
1,762,479; All. Union Special Maschinenfabrik. Festoon sewing machine. Issued 6-10-30. (28)
1,762,505; Burg Eugen. Fireplace. Issued 6-10-30 (28)
1,762,641; All. Fuld H & Co Telephon und. Telephone instrument. Issued 6-10-30. (28)
1,762,655; Erdos William Joseph. Fire bar for furnaces. Issued 6-18-30. (34)
1,762,656; Fischer Oskar. Warp knotting machine. Issued 6-18-30. (28)
1,762,672; Spennemann Walter. Electric power distribution. Issued 6-10-30. (28)
1,762,681; Di Bono Saverio. Cork grinding machine. Issued 6-10-30. (38)
1,762,749; Tauschek Gustav. Paper feeding mechanism. Issued 6-10-30. (6)
1,762,807; Arnold Otto. Blood pipette. Issued 6-10-30. (28)
1,762,870; Lange Wilhelm. Buffer like guard for vehicles. Issued 6-10-30. (28)
1,762,880; Mundlos Rudolf. Driving gear for material feeders for sewing machines. Issued 6-10-30. (28)
1,762,893; Saul Siegfried. Filling tube for inflatable bodies. Issued 6-10-30. (28)
1,762,901; Weinberg Werner. Delivering apparatus for liquid soap. Issued 6-10-30. (28)
1,762,983; Heinrich Hugo. Engine pump compressor and the like. Issued 6-10-30. (28)
1,763,109; All. Luftschiffbau Zeppelin GmbH. Method of manufacturing balloon material. Issued 6-10-30. (28)
1,763,127; Beer Georg. Piston ring. Issued 6-10-30. (28)
1,763,307; All. Schmidt Kranz Co Nordhauser. Propulsion conveyer. Issued 6-10-30 (28)
1,763,453; Bartling Friedrich. Charging device for ovens of the rotary annular sole plate type. Issued 6-10-30. (28)
1,763,482; All. Lorenz C A G. Scanning device. Issued 6-10-30. (28)
1,763,485; Stern Ottokar. Machine for laying foundations of structures. Issued 6-10-30. (6)
1,763,515; All. Lorenz C A G. Piezo electric device. Issued 6-10-30. (28)
1,763,519; Heinemann Wilhelm. Lathe with capstan and cross slide rests. Issued 6-10-30. (28)
1,763,558; Kruckenberg Franz. Securing rails to high speed suspension monorailways. Issued 6-10-30. (28)
1,763,596; Sturmer Kurt. Process for tanning animal hides with salts of iron. Issued 6-10-30. (28)
1,763,769; All. Lubecker Maschinenbaugesellschaft. Excavating tool for ditching or dredging machines. Issued 6-17-30. (28)
1,763,823; All. Karges Gebr. Transporting vessel. Issued 6-17-30. (28)
1,763,918; All. Ofenbau GmbH. Apparatus for moving ingots or masses in furnaces. Issued 6-17-30. (28)
1,763,988; All. Rheinische Metallwaaren Und. Gun mounted on a wheel carriage. Issued 6-17-30. (28)
1,764,061; Wach Hans. Combined reciprocating engine and turbine. Issued 6-17-30. (28)
1,764,215; Kupper Josef. Method of manufacturing face masks pseudo reproductions of articles and the like and a device for carrying this method into practice. Issued 6-17-30. (28)
1,764,235; Wilmking Friedrich. Holder for cutting fruit. Issued 6-17-30. (28)
1,764,249; Erlenbach Edgar. Process of treating sawdust. Issued 6-17-30 (28)
1,764,250; Falkenthal Erwin. Separating and mixing apparatus. Issued 6-17-30. (28)
1,764,417; Satow Teikichi. Method of preparing colloidal silver. Issued 6-17-30. (39)
1,764,526; Rothmann Gerhard. Working piston for high speed reciprocating compressors. Issued 6-17-30 (28)
1,764,535; Simmon Hans. Apparatus for exchange of heat. Issued 6-17-30. (6)
1,764,540; Vydra Robert. Artificial tree. Issued 6-17-30. (28)
1,764,554; Focke Henrich. Arrangement of motors on the wings of aircraft. Issued 6-17-30. (28)
1,764,574; Nicolet Walter. Art of weaving. Issued 6-17-30. (28)
1,764,575; Nicolet Walter. Method and means for making a textile product. Issued 6-17-30. (28)
1,764,576; Nicolet Walter. Art of weaving. Issued 6-17-30. (28)
1,764,577; Nicolet Walter. Means for weaving fabrics. Issued 6-17-30. (28)
1,764,580; Ravighone Eugenio. Abstract card system or index. Issued 6-17-30. (38)
1,764,598; Asbeck Gustav. Rolling mill. Issued 6-17-30. (28)
1,764,604; All. Bok Ernst Gideon. Art of soldering. Issued 6-17-30. (28)
1,764,663; All. Universelle Cigaretten. Device for forming groups of a definite number of articles. Issued 6-17-30. (28)
1,764,664; All. Universelle Cigarettenmaschinen. Apparatus for collecting and superposing groups of cigarettes. Issued 6-17-30. (28)
1,764,683; Hoetger Bernhard. Traveling signboard Issued 6-17-30. (28)
1,764,714; All Messgerate Boykow GmbH. Gyroscope. Issued 6-17-30 (28)
1,764,750; Richte: Hans. Elastic or resilient connecting member. Issued 6-17-30. (6)
1,764,841; Kock Hans. Fermenting vat. Issued 6-17-30. (28)
1,764,844; Lukaszczyk Jacob. Process for improving the heads of railway rails Issued 6-17-30. (28)
1,764,846; All Union Special Maschinenfabrik. Apparatus for producing stitched trimming strips. Issued 6-17-30. (28)
1,764,862; All. Sachsische Metallwaren Fabrik. Cigar or cigarette extinguisher. 6-17-30. (28)
1,764,873; Feld Friedrich Wilhelm Carl Alex Apparatus for the generation of steam and hot water. Issued 6-17-30. (28)
1,764,969; Mockel Wilhelm. Rapid printing press. Issued 6-17-30. (28)
1,765,098; Rcozendaal Siegfried J. Method of repairing damaged spots in fabrics. Issued 6-17-30. (28)
1,765,118; Abriani Mario. Ship unloading device. Issued 6-17-30. (38)
1,765,179; Roders Wilhelm Jr. Tensioning spring. Issued 6-17-30. (28)
1,765,199; Bergmann Max. Process for depilating hides and skins. Issued 6-17-30. (28)
1,765,342; All. Union Special Maschinenfabrik. Presser foot and chain cutter for sewing machines. Issued 6-17-30. (28)
1,765,493; All. Union Special Maschinenfabrik. Chain cutter for sewing machines. Issued 6-24-30. (28)
1,765,642; All. Beckers Arnold. Sealing means for coke oven doors. Issued 6-24-30. (28)
1,765,702; Roser Edmund. Apparatus for gasifying and distilling solid fuel. Issued 6-24-30. (28)
1,765,725; Imbach Siegfried. Dress shield. Issued 6-24-30. (28)
1,765,784; Aldinger Otto. Carpet dust cleaner. Issued 6-24-30. (28)

1,765,794; Hirth Albert. Tubular container for viscous materials. Issued 6-24-30. (28)

1,765,795; Kessler Albert. Fabric with interwoven metal wire. Issued 6-24-30. (28)

1,765,805; Schlussler Alfred. Safety razor. Issued 6-24-30. (28)

1,765,856; All. Vereinigte Stahlwerke A G. Crossing composed of vignoles rails. Issued 6-24-30. (28)

1,765,880; All. Vogel M Geschaftsbucher und. Clamping device for files newspaper holders and the like. Issued 6-24-30. (28)

1,765,881; All. Schlafhorst W Co. Breakage indicating mechanism for warping machines and the like. Issued 6-24-30. (28)

1,765,883; Ruschke Ewald. Safety device for boiler feed and delivery pipings. Issued 6-24-30. (28)

1,765,895; Scherm Hans Jr. Machine for driving in and pulling out nails. Issued 6-24-30. (28)

1,765,899; Vates Adolf. Device for supplying water to stone saws. Issued 6-24-30. (28)

1,765,895, Wayland Georg. Multistage hot water centrifugal pump. Issued 6-24-30. (28)

1,765,900; Beckmann Johannes. Electric safety lamp. Issued 6-24-30. (28)

1,765,901; All. Heintze & Blanckertz. Pen for drawing and ruling purposes. Issued 6-24-30. (28)

1,765,909; Eberhardt Hermann. Apparatus for sorting guts. Issued 6-24-30. (28)

1,765,911; Fablanke Erich. Electrical illumination for tents. Issued 6-24-30. (28)

1,765,912; Fehrmann Woldemar. Apparatus for dyeing and wet treating of fabric. Issued 6-24-30. (28)

1,765,915; Haase Oskar. Automatic apparatus for washing and drying hands. Issued 6-24-30. (28)

1,765,919; Heumann Emil. Ditch digging and cleaning machine. Issued 6-24-30. (28)

1,765,922; All. Kleinewefers Joh Sohne Firm. Cleanser. Issued 6-24-30. (28)

1,765,923; Kuchenmerster Heinrich. Apparatus for making sound records. Issued 6-24-30. (28)

1,765,925; Lodige Wilhelm. Pigsty for rearing pigs. Issued 6-24-30. (28)

1,765,927, All. Union Special Maschinenfabrik. Sewing machine and actuating mechanism therefor. Issued 6-24-30. (28)

1,765,928; Majer Christian. Process and apparatus for producing paper sleeves and coils with reenforcements wound around. Issued 6-24-30. (28)

1,765,932; Meylein Andreas. Process of soldering ornamental and other chains and chain mail of wire of solid cross section. Issued 6-24-30. (28)

1,766,023; Hebenstreit Karl Oskar. Baking machine. Issued 6-24-30. (28)

1,766,025; Junkers Hugo. Arrangement of rudders for aircraft. Issued 6-24-30. (28)

1,766,078; Kellner Georg. Electrically controlled braking device for power vehicles. Issued 6-24-30. (28)

1,766,081. Ad Schlossfabrik Vorm Wilh Schulte A G. Device for adjustable attaching cylinder locks to doors and furniture locks. Issued 6-24-30. (28)

1,766,113; Dehne Karl. Molding apparatus for making dentures and plates for dental purposes. Issued 6-24-30. (28)

1,766,159; Will Heinrich. Whitening knife for treating leather. Issued 6-24-30. (28)

1,766,194. All. Vereingte Schuhfabriken Box with folding lid. Issued 6-24-30. (28)

1,766,276, Berg Wilhelm. Jaw chuck for machine tools. Issued 6-24-30. (28)

1,766,281. All. Allfemeine Ges Fur Chemische. Continuous treatment of hydrocarbons with sulphur dioxide. Issued 6-24-30. (28)

1,766,294. All. Ikarus Internationale Patent Aircraft Graph. Issued 6-24-30. (28)

1,766,344; All. I G Farbenindustrie A G. Condensation products of hydrogenated naphthalenes with ethylene. Issued 6-24-30. (28)

1,766,349; Nuber Otto. Knitted fabric. Issued 6-24-30. (28)

1,766,388; All. Huller Carl. Brush. Issued 6-24-30. (28)

1,766,389; Kramling Adolph Wilhelm. Device for spraying fuel into the cylinders of internal combustion engines. Issued 6-24-30. (28)

1,766,411. All. Zaidan Hojin Rika Gaku Kenkyujo. Filter for absorbing ultra violet light. Issued 6-24-30. (39)

1,766,512; All. Lederwerke Becker & Co. Method and device for compensating electricity on hides. Issued 6-24-30. (28)

1,766,513, Heller Josef. Decorticating machine. Issued 6-24-30. (6)

1,766,643; Janes Paul. Fluid mixing device. Issued 6-24-30. (6)

1,766,705; All. I G Farbenindustrie A G. Stable ammonium bicarbonate. Issued 6-24-30. (28)

1,766,715; All. I G Farbenindustrie A G. Production of lactic acid and its derivatives. Issued 6-24-30. (28)

1,766,722; All. I G Farbenindustrie A G. Process for the electrolytic manufacture of compounds containing active oxygen. Issued 6-24-30. (28)

1,766,728; Stein Hugo. Fountain pen. Issued 6-24-30. (6)

1,766,755; All. I G Farbenindustrie A G. Vulcanization accelerator. Issued 6-24-30. (28)

1,766,785; All. I G Farbenindustrie A G. Production of calcium nitrate alumina and phosphorus. Issued 6-24-30. (28)

1,766,817. All. Friedlander Hans. Substitute for hard paper ebonite fiber and the like and a process for manufacturing the same. Issued 6-24-30. (28)

1,766,822; All. I G Farbenindustrie A G. Process for the preparation of bodies from acidyl celluloses. Issued 6-24-30. (28)

1,766,860; All. Universelle Cigarettenmaschinen. Apparatus for closing packets provided with a closure flap. Issued 6-24-30. (28)

1,766,863; Wecker Ernst. Separating substances of dissimilar volatilities. Issued 6-24-30. (28)

1,766,893; All. Focke Wulfe Flugzeugbau Firm A G. Front wing for flying machines. Issued 6-24-30. (28)

1,766,943; Rausch Gottfried. Dough dividing and working machine. Issued 6-24-30. (28)

1,766,945; All. Maschinenfabrik Augsburg Nuernberg. Exhaust purifier. Issued 6-24-30. (28)

1,766,967, Dunnebier Max; Winkler Alfred et al. Apparatus for unpowdering sugar bodies. Issued 6-24-30. (28)

1,766,995, Hoffmann Johannes Wilhelm. Oscillation damping device free from radiation for electric lines. Issued 6-24-30. (28)

1,767,081 Karber Paul. Method and means for producing mosaic designs for porcelain or other fine ceramic materials. Issued 6-24-30. (28)

1,767,096. All. Vitale Francesco. Device for superheating and drying steam. Issued 6-24-30. (38)

1,767,110. Albrecht Ernst Gottlieb. Truing wedge for matrix setting and line casting machines. Issued 6-24-30. (28)

1,767,127. How Jakob. Adjustable propeller. Issued 6-24-30. (28)

1,767,181, Lisse Leopold. Blasting method and tamping cartridge with utilization of liquefied gases. Issued 6-24-30. (28)

1,767,182. Lisse Leopold. Blasting cartridge with cover and process of production. Issued 6-24-30. (28)

1,767,224; Mulka Friedrick. Automatic lathe. Issued 6-24-30. (28)

1,767,232; Uhlig Karl Robert. Ball catching and throwing device. Issued 6-24-30. (28)

1,767,294; Landeskroener Carl. Process of treating artificial filaments. Issued 6-24-30. (28)

1,767,302; All. I G Farbenindustrie A G. Manufacture of condensation products from olefines and naphthalene hydrocarbon compounds. Issued 6-24-30. (28)

1,767,314. Schmitz Carl. Centrifugal machine for clarifying liquids and the like. Issued 6-24-30. (28)

1,768,319; All. I G Farbenindustrie A G. Process for the dissociation of sulphur vapor. Issued 6-24-30. (28)

1,767,376; All. Deberag Deutsche Beratungsges fur. Disintegrating kneading mixing and drying machine. Issued 6-24-30. (28)

1,767,382; All. I G Farbenindustrie A G. Process for the conversion of difficultly soluble or insoluble carbohydrate ethers into a soluble state. Issued 6-24-30. (28)

1,767,456; Hulsmeyer Christian. Apparatus for producing nonoxydizing steam. Issued 6-24-30. (28)

1,767,597; All. Maschinenfabrik Augsburg. Fuel charging pump. Issued 6-24-30. (28)

1,767,697, Pabst Richard. Outlet coupling device for therapeutic bath coils. Issued 6-24-30. (28)

1,767,701; All. Maschinenfabrik Augsburg. Internal combustion engine of the solid fuel injection type. Issued 6-24-30. (28)

1,767,714; All. Siemens Schuckertwerke GmbH. Steam power plant for high pressure. Issued 6-24-30. (28)

1,767,799. All. Universelle Cigarettenmaschinen. Means for forming paper bags or cardboard boxes. Issued 6-24-30. (28)

1,767,824; All. Universelle Cigaretten. Means for transferring groups of oval cigarettes. Issued 6-24-30. (28)

1,767,845; All. Demag A G. Apparatus for drawing hollow blanks. Issued 6-24-30. (28)

1,767,858; All. Schering Kahlbaum A G. Washing drum for photographic pictures. Issued 6-24-30. (28)

1,767,886, All. Riebeck Sche a Montanwerke A G. Process for bleaching montan wax. Issued 6-24-30. (28)

1,767,896. All. Vereinigte Stahlwerke A G. Method of and apparatus for rolling tubes from a hollow block. Issue 6-24-30. (28)

1,767,899; Sattler Hans. Guide device for neckties. Issued 6-24-30. (28)

1,767,902; Sickel Helmut. Ampul filling device. Issued 6-24-30. (28)

1,767,906; All. Progress Ges Fuer Textilmaschinen. Loom operating device. Issued 6-24-30. (28)

1,767,932; Knochenhauer Wolfgang. Internal combustion engine. Issued 6-24-30. (28)

1,767,947. All. Pagliani Federico. Adjustable transformer for alternating current having variable transformation ratios. Issued 6-24-30. (38)

1,767,975; Gonyk Ignatz. Ladle for handling materials. Issued 6-24-30. (6)

1,768,047; Freidrich Wilhelm. Dry fire extinguisher containing a pressure gas cylinder. Issued 6-24-30. (28)

1,768,056. All. Schmidt Sche Heissdampf GmbH. Water tube boiler with steam superheater. Issued 6-24-30. (28)

1,768,057. All. Schmidt Sche Heissdampf GmbH. Boiler generating steam according to the indirect method. Issued 6-24-30. (28)

1,768,058. All. Schmidt Sche Heissdampf GmbH. Superheating of interstage steam. Issued 6-24-30. (28)

1,768,068; All. Kohl Emil. Ear protector. Issued 6-24-30. (28)

1,768,073; All. Kienzle Uhrenfabriken Schwenningen. Fare indicator. Issued 6-24-30. (28)

1,768,079; Kucharski Stanislaus. Means for playing musical instruments. Issued 6-24-30. (28)

1,768,089; Lindner Herbert. Thread cutter. Issued 6-24-30. (28)

1,768,100; All. Riese Adolf. Clock. Issued 6-24-30. (28)

1,768,126; All. Union Special Maschinenfabrik. Apparatus for forming bags. Issued 6-24-30. (28)

1,768,155; Schauss Adolf Fritz. Typewriter. Issued 6-24-30. (28)

1,768,156; Schroder Wilhelm Gotthilf. Cooling drum. Issued 6-24-30. (28)

1,768,169; Schmidt Sche Heissdampf GmbH. Superheating system for fire tube boilers. Issued 6-24-30. (28)

1,768,198; All. Schmidt Sche Heissdampf GmbH. Locomotive boiler. Issued 6-24-30. (28)

1,768,202; Kappler Felix. Match. Issued 6-24-30. (28)

1,768,217; Schlick Albert. Turntable or revolving show stand for shop windows and the like. Issued 6-24-30. (28)

1,768,222; All. Schmidt Sche Heissdampf GmbH. Heat transferrer. Issued 6-24-30. (28)

1,768,224; Welsch Egon. Automatic locking plant for vehicle doors. Issued 6-24-30. (28)

1,768,287; Brauer Ernst. Transmission of messages by electromagnetic waves. Issued 6-24-30. (28)

1,768,306; All. Rossel Schwarz Co A G. Message instrument. Issued 6-24-30. (28)

1,768,312; Fallot Alfred Dec. Two color rotary printing machine. Issued 6-24-30. (28)

1,768,319; All. Schmidt Sche Heissdampf GmbH. Superheating in high pressure locomotives. Issued 6-24-30. (28)

1,768,320; All. Schmidt Sche Heissdampf GmbH. High pressure locomotive. Issued 6-24-30. (28)

1,768,408; All. Kleinewefers Joh Sohne. Lettering and embossing machine for leather and the like. Issued 6-24-30. (28)

1,768,409; Kuczorra Wilhelm. Advertising device. Issued 6-24-30. (28)

1,768,448; All. Schmidt Sche Heissdampf GmbH. High pressure steam generator. Issued 6-24-30. (28)

1,768,529; Radbruch Franz Carl Theodor. Apparatus for closing milk bottles with cardboard dosis. Issued 7-1-30. (28)

1,768,532; All. Kaltechemie GmbH. Liquid mixture of low freezing point. Issued 7-1-30. (28)

1,768,779; Niemann Karl. Protective device for high tension circuits. Issued 7-1-30. (28)

1,768,808; Fischer Ernest. Orthopedic appliance. Issued 7-1-30. (34)

1,768,861; All. Sachsenwetk Licht und Kraft A G. Multipolar oil break switch. Issued 7-1-30. (28)

1,769,217; Franz Theodor. Process for dressing coal lignite and like materials. Issued 7-1-30. (28)

1,769,413; All. Bamag Meguin A G. Screening plant. Issued 7-8-30. (28)

1,769,648; All. Raschig Dr. F. Method of manufacturing chlorothymol. Issued 7-1-30. (28)

1,769,673; Blaschke Philipp. Switch device for automatic oil pressure control and signaling apparatus. Issued 7-1-30. (6)

1,769,674; All. Osterreichische Telephonfabrik A G. Relay. Issued 7-1-30. (6)

1,769,741; Kurokawa Kensuke. Machine for manufacturing hollow rubber balls. Issued 7-1-30. (39)

1,769,747; Major Emil. Device for the care of the teeth and mouth. Issued 7-1-30. (34)

1,769,748; All. Kroger and Co. Device for spraying cosmetics and other liquids. Issued 7-1-30. (28)

1,769,750; Niemann Gustav. Crane. Issued 7-1-30. (28)

1,769,752; Pais Alexander. Heating device with heat accumulators. Issued 7-1-30. (57)

1,769,830; Gioni Ulderico. Automatic alarm clock for hotels. Issued 7-1-30. (38)

1,769,848; Lebensart Salamon. Ignition device for projectiles. Issued 7-1-30. (6)

1,769,861; All. Rheinische Metallwaaren und. Fuse setting machine. Issued 7-1-30. (28)

1,769,896; Blank Ernst. Tobacco cartridge for pipes. Issued 7-1-30. (28)

1,770,008; Pabst Richard. Heating device for therapeutic baths. Issued 7-8-30. (28)

1,770,100; All. Typograph GmbH. Matrix setting and type line casting machine. Issued 7-8-30. (28)

1,770,135; All. Rheinische Metallwaaren und. Automatic firearm with sliding barrel and locked breech. Issued 7-8-30. (28)

1,770,228; Diezmann Arno. Bearing adjusting means. Issued 7-8-30. (28)

1,770,237; Kondo Rennosuke. Cooling device for internal combustion engines. Issued 7-8-30. (39)

1,770,312; All. Brehmer Gebruder Maschinenfabrik. Machine for folding paper. Issued 7-8-30. (28)

1,770,314; Lancia Vincenzo. Driving gear for vehicles. Issued 7-8-30. (38)

1,770,329; Van Hulst Laurens. Tilt for covering open trucks. Issued 7-8-30. (28)

1,770,336; Gruber Franz. Lead pencil sharpener. Issued 7-8-30. (28)

1,770,340; Lawaczeck Franz. Siphon spillway. Issued 7-8-30. (28)

1,770,412; Leuchs Karl. Process of treating artificial silk made from viscose. Issued 7-15-30. (28)

1,770,432; All. Pintsch Julius A G. Gas meter. Issued 7-15-30. (28)

1,770,488; Lachamp Edmond et al. Deep boring apparatus. Issued 7-15-30. (6)

1,770,489; Loffler Stephan. Method of regulating the operation of steam generators. Issued 7-15-30. (28)

1,770,505; Aeldert August. Machine for cleaning paper rags and the like. 7-15-30. (28)

1,770,562; Wagner Theodor Curt. Electric stop motion for looms. Issued 7-15-30. (28)

1,770,575; Ksoll Joseph. Aeroplane with supporting surface subdivided by gaps. Issued 7-15-30. (28)

1,770,577; Lebensart Salamon. Explosive missile. Issued 7-15-30. (6)

1,770,585; Steinruck Hermann. Screw tap. Issued 7-15-30. (28)

1,770,608; Fischer Hermann. Internal combustion engine. Issued 7-15-30. (28)

1,770,636; All. Sauerbrey G Maschinenfabrik A G. Apparatus for the destructive distillation of cereal husks and other vegetable waste. Issued 7-15-30. (28)

1,770,643; Giambertoni Andrea. Floor brush with electrical drive. Issued 7-15-30. (38)

1,770,652; Meiser Josef. Sheet piling in box form. Issued 7-15-30. (28)

1,770,671; Rudolph Wilhelm Georg. Rubber thread & method of connecting the same to shoes. Issued 7-15-30. (28)

1,770,696; All. Deutsche Telephonwerke und. Sluice for tubular dispatch systems. Issued 7-15-30. (28)

1,770,697; Horii Shinjiro. Stencil Sheet. Issued 7-15-30. (39)

1,770,719; Vohmann Fritz. Shunting apparatus for use on railways. Issued 7-15-30. (28)

1,770,734; All. I G Farbenindustrie A G. Manufacture of olefines. Issued 7-15-30. (28)

1,770,789; La Corsa Luigi Ughetti. Electrolyzer. Issued 7-15-30. (38)

1,770,793; Lombardini Luigi. Visible card file. Issued 7-15-30. (38)

1,770,814; All. Soc Invenzioni Brevetti Anonima. Pressure roller of machines for manufacturing felted sheets. Issued 7-15-30. (38)

1,770,894; Valerius Johann. Series switch. Issued 7-15-30. (28)

1,770,903; Wilichowski Godehard; Ach Narziss et al. Recording apparatus. Issued 7-22-30. (28)

1,770,940; Meissner Karl Leo. Method of manufacturing chemically pure aluminum by electrolysis. Issued 7-22-30. (28)

1,770,991; All. Bayerische Spiegelglas Fabriken. Manufacture of silvered glass. Issued 7-22-30. (28)

1,770,998; Schroder Hugo. Coke oven. Issued 7-22-30. (28)

1,771,068; Stubner Willy. Draft regulator for furnaces. Issued 7-22-30. (28)

1,771,084; All. Rheinische Metallwaaren und. Firearm arranged on mounting. Issued 7-22-30. (28)

1,771,091; All. Lawaczeck GmbH. Electrolytic cell. Issued 7-22-30. (28)

1,771,099; Righetto Marco. Machine for centrifugally casting sleepers. Issued 7-22-30. (38)

1,771,132; All. Safat S A Fabrica Armi Torino. Device for reducing the rate of fire of automatic firearms. Issued 7-22-30. (38)

1,771,135; Muck Otto. Remote control plant for extensive power distributing systems. Issued 7-22-30. (28)

1,771,142; All. Klenzie Uhren Fabriken A G. Fare indicator. Issued 7-22-30. (28)

1,771,151; Treichel Otto. Process for extinguishing fires. Issued 7-22-30. (28)

1,771,190; Polcich Guenther. Primary cell. Issued 7-22-30. (6)

1,771,222; Kalo Kitaro. Window. Issued 7-22-30. (39)

1,771,230; All. Soc Italiana Ernesto Breda Per. Adjustment of aeroplane ailerons. Issued 7-22-30. (38)

1,771,281; All. Demag A G. Electric hoisting gear. Issued 7-22-30. (28)

1,771,284; Berglin Joel. Radio control device. Issued 7-22-30. (28)

1,771,327; Dehne Karl. Holder for inlays tooth crowns and the like. Issued 7-22-30. (28)

1,771,390; All. Zellstoeffabrik Manuheim Waldhof. Twisting and reeling artificial silk. Issued 7-29-30. (28)

1,771,402; De Spuches Antonio. Method of propulsion by suction and repulsion. Issued 7-29-30. (38)

1,771,420; All. Vereingte Stahlwerke A G. Method of rolling tubes from hollow blocks. Issued 7-29-30. (28)

1,771,442; Lehmann Ernst Paul. Means for preventing strings from slipping off pulleys in toys and the like. Issued 7-29-30. (28)

1,771,449; Schleferstein Georg Heinrich. Method and means for supervising railroads. Issued 7-29-30. (28)

1,771,468; Schmitz Carl. Two speed drive for centrifuga' separators. Issued 7-29-30. (28)

1,771,469; Tamamura Yusuke. Clip for the Ropewau car or the like. Issued 7-29-30. (39).

1,771,472; Wattmann John. Method of alumino thermic welding. Issued 7-29-30. (28)

1,771,501; Magrini Luigi. Oil switch. Issued 7-29-30. (38)

1,771,505; Muller August. Stone crusher. Issued 7-29-30. (28)

1,771,517; Werner Fritz. Process for the production of a cooling liquid possessing a low freezing point. Issued 7-29-30. (28)

1,771,537; Grob Hugo. System and apparatus for electrical regulation. Issued 7-29-30. (28)

1,771,540; Jung Karl. Machine tool particularly a grinding machine. Issued 7-29-30. (23)
1,771,561; Genzecke Wilhelm. Distillation. Issued 7-29-30. (28)
1,771,564; Halbow Gustav. Composite jointed lever for the transmission of movement. Issued 7-29-30. (28)
1,771,608; Benzing Friedrich Ernest. Gear shift mechanism for motor vehicles. Issued 7-29-30. (28)
1,771,680; Ishisaka Sunsaku. Apparatus for electroplating. Issued 7-29-30. (39)
1,771,719; Meyer Friedrich Wilhelm. Process of reactivating decolorizing carbon. Issued 7-29-30. (28)
1,771,727; Braun Johann Julius. Landing method and apparatus for flying machines. Issued 7-29-30. (28)
1,771,730; Marcks Rudolf. Flotation bag. Issued 7-29-30. (28)
1,771,756; Bartling Friedrich; Honigmann Ludwig et al. Revolving ring hearth oven. Issued 7-29-30. (28)
1,771,759; Kress Hubert. X ray apparatus. Issued 7-29-30. (28)
1,771,780; Garabello Francesco Giovanni. Internal combustion engine. Issued 7-29-30. (38)
1,771,800; Marek Joseph. Safety device for preventing the unauthorized use of automatic telephone apparatus. Issued 7-29-30. (34)
1,771,816; Petersen Waldmar. Regulating transformer. Issued 7-29-30. (28)
1,771,825; Takehara Tsunetaro. Automatic steering apparatus of automobiles. Issued 7-29-30. (39)
1,771,833; Arnold Gustav. Machine for making bolts screws and the like. Issued 7-29-30. (28)
1,771,838; Bierbichler Luise. Baby's sucking bottle. Issued 7-29-30. (28)
1,771,839; Brecht Emil. Process and machine for felting bats for hats. Issued 7-29-30. (28)
1,771,852; All. United Cigarette Machine Co A G. Dust collector. Issued 7-29-30. (28)
1,771,858; Mohr Felix. Hardness testing apparatus. Issued 7-29-30. (28)
1,771,882; Elsner Heinrich. Riveting machine. Issued 7-29-30. (28)
1,771,887; Fujii Kitaro. Thermocouple. Issued 7-29-30. (39)
1,771,928; Jung Hans. Filter press. Issued 7-29-30. (28)
1,771,946; Zapf Georg. Paper insulation for electric cables and the like. Issued 7-29-30. (28)
1,771,968; All. Schufabrik Hassia A G. Edge folding machine. Issued 7-29-30. (28)
1,772,065; Bangert Heinrich. Metal bar heating furnace. Issued 8-5-30. (28)
1,772,076; Feldmeyer Josef. Permutation lock. Issued 8-5-30. (28)
1,772,109; All. Sachsische Maschinenfabrik Vorm. Means for imparting a false twist to textile rovings. Issued 8-5-30. (28)
1,772,154; Martin Robert. Visible record file. Issued 8-5-30. (28)
1,772,201; All. Vereinigte Stahlwerke A G. Sole plate for points. Issued 8-5-30. (28)
1,772,227; Revelli Bethel Abiel. Four barreled pistol. Issued 8-5-30. (38)
1,772,269; All. Rhenania Verein Chemisches Fabriken. Process for transforming the barium and strontium sulphates. Issued 8-5-30. (28)
1,772,291; All. Elfa Elektrotechnische Fabrik. Electric switch. Issued 8-5-30. (28)
1,772,307; Doebler Adolf. High pressure water tube boiler with divided header. Issued 8-5-30. (28)
1,772,309; Forsman Villehad Henrik. Pencil. Issued 8-5-30. (28)
1,772,318; Lontke Robert. Machine for coating sheets with bronze powder and the like. Issued 8-5-30. (28)
1,772,399; All. Still Carl Firm. Distillation or like column. Issued 8-5-30. (28)
1,772,402; All. Still Carl Firm. Operating device for coke oven doors. Issued 8-5-30. (28)
1,772,410; Abel August. Method and device for producing stroboscopic light effects. Issued 8-5-30. (28)
1,772,429; Petsch Hermann. Coke oven. Issued 8-5-30. (28)
1,772,675; Muller Paul. Shaving apparatus. Issued 8-12-30. (28)
1,772,688; Reano Alessandro. Single or double helical gear wheel with a plurality of axial pitches. Issued 8-12-30. (38)
1,772,721; Jung Karl. Grinding machine for finishing borings. Issued 8-12-30. (28)
1,772,769; Bauer Bruno. Cast iron core for the production of columns of braced reenforced concrete. Issued 8-12-30. (6)
1,772,799; Dietrich Friedrich Richard. Dirigible headlight. Issued 8-12-30. (28)
1,772,813; All. Knorr Bremse A G. Brake apparatus for aircraft. Issued 8-12-30. (28)
1,772,817; All. Rochling Sche Eisen Und Stahlwerke. Bearing for rolls in rolling mills. Issued 8-12-30. (28)
1,772,828; Egersdorfer Fritz. Fuel pump for internal combustion engines. Issued 8-12-30. (28)
1,772,832; Hildebrand Wilhelm. Compressed air brake. Issued 8-12-30. (28)
1,772,873; Memini Giacomo. Carburetor. Issued 8-12-30. (38)
1,772,888; Elia Giovanni Emanuele. Net for the capture of undersea boats and oversea ships. Issued 8-12-30. (38)
1,772,897; Jaeger Paul. Undercoating for accelerating the time of drying of oil paints and enamels. Issued 8-12-30. (28)
1,772,921; Tausz Jeno. Process for purifying hydrocarbon oils. Issued 8-12-30. (28).
1,772,928; All. Waggonfabrik A G. Wheel frame for rail vehicles. Issued 8-12-30. (28)
1,772,949; Jacoby Hermann. Vehicle tire pressure indicator. Issued 8-12-30. (28)
1,772,952; Knoth Georg. Manufacture of soldering pastes. Issued 8-12-30. (28)
1,772,963; Schmidt Kurt. Antileakage device. Issued 8-12-30. (28)
1,772,969; Takeuchi Nakaji. Menstruation band. Issued 8-12-30. (39)
1,772,972; Volcker Ernst. Method of heating boiler plants. Issued 8-12-30. (28)
1,772,975; All. Boehringer C H Sohn Chemische. Process for the production of antiseptic agents. Issued 8-12-30. (28)
1,772,995; Hastedt Johann Friedrich. Machine for making dough ware. Issued 8-12-30. (28)
1,773,012; All. Lindes Ges Eismaschinen A G. Process for the separation of gas mixtures. Issued 8-12-30. (28)
1,773,033; Engels Robert. Automatic brake shoe adjusting apparatus. Issued 8-12-30. (6)
1,773,038; All. Felten and Guilleaume Carlswerk A G. Stranding machine for the manufacture of wire ropes free from twist. Issued 8-12-30. (28)
1,773,047; Lawaczeck Franz. Railway system. Issued 8-12-30. (28)
1,773,056; Meyer Otto. Process of producing starch capable of swelling in cold water. Issued 8-12-30. (28)
1,773,059; Ohno Tadaski. Sash balance. Issued 8-12-30. (39)
1,773,062; Rothschild Heinrich. Running horse. Issued 8-12-30. (28)
1,773,065; Suitsu Kosaku. Stand for motor cycles. Issued 8-12-30. (39)
1,773,140; Heylandt Christian Wilhelm Paul. Method of preparing compressed gases. Issued 8-19-30. (28)
1,773,145; Kassner Ernst. Calculating machine. Issued 8-19-30. (28)
1,773,156; Thomka Zoltan. Device for preventing creep in railway rails. Issued 8-19-30. (34)
1,773,158; Zocher Curt. Foundation for embroidery. Issued 8-19-30. (28)
1,773,228; All. Schnellpressenfabrik Akt Ges. Grinding and separating mill. Issued 8-19-30. (28)
1,773,232; Lenders Mathias. Fabric stretching machine. Issued 8-19-30. (28)
1,773,239; All. Automaten & Fuellungs Manufaktur. Automatic weighing machine. Issued 8-19-30. (28)
1,773,262; De Tovaros Julius Fischer. Current collector for electric vehicles. Issued 8-19-30. (34)
1,773,288; All. Fiat Soc A. Transmission gearing. Issued 8-19-30. (38)
1,773,384; Wolf Felix. Manufacture of glass fabrics. Issued 8-19-30. (6)
1,773,392; All. Rheinische Metallwaaren und. Calculating machine for all species. Issued 8-19-30. (28)
1,773,441; All. Soc Italiana Ernesto Breda Per. Machine gun and other automatic firearm. Issued 8-19-30. (38)
1,773,491; Malyoth Gunther. Method of producing the blast required for blast furnaces or similar plants by means of calcium carbide. Issued 8-19-30. (28)
1,773,501; All. Leber Max. Table convertible to a chair. Issued 8-19-30. (6)
1,773,533; Kattwinkel Hans. Friction lady. Issued 8-19-30. (28)
1,773,568; All. Deckel Prazisionsmechanik. Gear transmission. Issued 8-19-30. (28)
1,773,664; Eberle Wilhelm. Transportable guiding device for cutting burners. Issued 8-19-30. (28)
1,773,700; Strudel Paterne. Unraveling machine. Issued 8-19-30. (28)
1,774,242; Schneider Arno. Splash guard for vehicle wheels. Issued 8-26-30. (28)
1,774,256; Egli Arnold. Form cylinder for intaglia printing. Issued 8-26-30. (28)
1,774,293; All. Rheinische Metallwaaren und Power producing system. Issued 8-26-30. (28)
1,774,341; All. Metallgesellschaft A G. Active carbon product and process for preparing same. Issued 8-26-30. (28)
1,774,366; All. Bergwerksverband Zur Verwertung Von. Chemical apparatus. Issued 8-26-30. (28)
1,774,384; All. I G Farben Industrie A G. Process of preparing homogeneous alloys of lead. Issued 8-26-30. (28)
1,774,394; Mueller Wilhelm. Gas off take pipe for fuel distillation retorts and coke ovens. Issued 8-26-30. (28)
1,774,399; All. Mauler Carl. Process for making nonalcoholic beverages. Issued 8-26-30. (6)
1,774,426; Erichsen Abraham M. Chill mold for casting noniron metals. Issued 8-26-30. (28)
1,774,489; Sarason David. Strip of striking plaster. Issued 8-26-30. (28)
1,774,507; All. I G Farbenindustrie A G. Process of concentrating aqueous crude acetaldehyde solutions. Issued 8-26-30. (28)
1,774,516; Kuchling Karl. Torsion balance for gravitational measurements. Issued 9-2-30. (28)
1,774,546; Claassen Hermann. Manufacture of baking yeast. Issued 9-2-30. (28)
1,774,554; Honigmann Ludwig et al; Bartling Friedrich. Apparatus for the recovery of dry distillation material. Issued 9-2-30. (28)
1,774,560; All. Chemische Fabriken Kunheim Co. A G. Sodium sulphide drops and method for making them. Issued 9-2-30. (28)
1,774,633; Bronn Jegor Israel et al; Fischer Georg. Process for the separation of. Issued 9-2-30. (28)
1,774,654; All. Siemens Schuckertwerke GmbH. Apparatus for generating steam. Issued 9-2-30. (28)
1,774,658; Muller Emil J. Fluid switch. Issued 9-2-30. (28)

1,774,669; Reehsing Ludwig Heinrich. Intermittently working refrigerator of the absorption type. Issued 9-2-30. (28)
1,774,712; All. Oscar Kohorn & Co. Process of making high grade viscose products. Issued 9-2-30. (28)
1,774,729; All. Motorenfabrik Deutz A G. Regulating device for multicylinder explosion motors. Issued 9-2-30. (28)
1,774,771; Stejskal Karl. Process for the production of nutritive substances. Issued 9-2-30. (6)
1,774,788; Contri Giovanni Dall Olio. Mechanical damper. Issued 9-2-30. (38)
1,774,798; Lentz Authur. Combined sorting and feeding machine. Issued 9-2-30. (28)
1,774,816; Schultz Hermann. Crucible for aluminothermic reactions. Issued 9-2-30. (28)
1,774,858; All. Deutsche Gasglublicht Auer GmbH. Method of uniting laminated materials. Issued 9-2-30. (28)
1,774,889; Kanning Wilhelm et al; Buschmann Oskar. Washout plug. Issued 9-2-30. (28)
1,774,922; All. I G Farbenindustrie A G. Supporting structure for rollers. Issued 9-2-30. (28)
1,774,955; Wagner Reinhold Richard. Gas holder. Issued 9-2-30. (28)
1,774,961; Buchholz Max. Optical protection of electrical apparatus. Issued 9-2-30. (28)
1,775,011; Wichmann Albert. Fastening for wearing apparel. Issued 9-2-30. (28)
1,775,018; Coenen Jacob. Container for gramaphone disk records. Issued 9-2-30. (28)
1,775,068; All. Fabrica Italiana Di Penne A. Fountain pen. Issued 9-2-30. (38)
1,775,109; Picker Rodolphe. Centrifuge tube and spoon therefor. Issued 9-9-30. (34)
1,775,136; All. Telephon Apparat Fabrik E Zweitusch. Dipping solution for electric condensers. Issued 9-9-30. (28)
1,775,175; All. I G Farbenindustrie A G. Production of artificial masses from casein. Issued 9-9-30. (28)
1,775,248; Kuchenmeister Heinrich. Method of and apparatus for increasing the volume of mechanically reproduced sounds. Issued 9-9-30. (28)
1,775,283; Juster Louis. Pedal operated beating mechanism for drums. Issued 9-9-30. (6)
1,775,369; Moog Otto. Roller grinding mill. Issued 9-9-30. (28)
1,775,442; Sarason David. Apparatus for the hot treatment of parts of the body. Issued 9-9-30. (28)
1,775,456; Grune Max. Apparatus for the manufacture of patterns for pressing molds and stamps. Issued 9-9-30. (28)
1,775,484; Brainich Ernst. Tank for transportation of volatile liquids. Issued 9-9-30. (28)
1,775,555; Dorndorf Heinrich. Method and device for making ribbed tubes with smooth ribs. Issued 9-9-30. (28)
1,775,570; All. Chemisch Technische GmbH. Apparatus for the carbonization of fuel. Issued 9-9-30. (23)
1,775,575; Spiegl Bela. Manufacture of alumina cement. Issued 9-9-30. (34)
1,775,581; Baer Alfred. Rotary valve for internal combustion engines. Issued 9-9-30. (28)
1,775,590; All. I G Farbenindustrie A G. Process for the extraction of fat from raw wool. Issued 9-9-30. (28)
1,775,595; Lieske Bernhard. Air piping device in connection with sunken submarine boats. Issued 9-9-30. (28)
1,775,604; Schulz Josef. Traffic airship of the rigid type. Issued 9-9-30. (28)
1,775,641; Haertl Paul. Sampling device and the like. Issued 9-16-30. (28)
1,775,737; All. Shutte Alfred H. Screw cutting lathe and like turning engine. Issued 9-16-30. (28)
1,775,819; Fischer Herbert et al; Grodnitzky Lasar. Cooling device. Issued 9-16-30. (28)
1,775,839; All. Bek Ernst Gideon. Art of soldering the links of wire chains or chain mesh. Issued 9-16-30. (28)
1,775,871; Schauberger Viktor. Method and apparatus for assorting timber. Issued 9-16-30. (6)
1,775,874; Sonnet Ernst. Chaplet. Issued 9-16-30. (28)
1,775,904; Kassebaum Heinrich. Pantographic scribing instrument. Issued 9-16-30. (28)
1,775,907; All. United Cigarette Machine Co A G. Apparatus for loosening and removing dust from tobacco. Issued 9-16-30. (28)
1,775,911; All. Badische Maschinenfabrik and. Nozzle. Issued 9-16-30. (28)
1,775,972; Schrelle Adolf et al; Lenz Johann. Drawing and pushing device for central couplings of vehicles. Issued 9-16-30. (6)
1,776,002; Korber Heinrich. Process of producing a substance for obtaining a high gloss and pure white color on paper and the like. Issued 9-16-30. (6)
1,776,031; All. Ludwig Firm Gebruder Maschinenfabrik. Liquid pump for the purpose of spinning mills. Issued 9-16-30. (28)
1,776,034; Krahn Heinrich. Dust cart. Issued 9-16-30. (28)
1,776,039; All. Riebeck Sche a Montanwerke A G. Refining of low boiling hydrocarbons. Issued 9-16-30. (28)
1,776,053; All. Gewerkschaft Wallram Abteilung. Apparatus for the manufacture of castings of difficulty meltable metals and metalloids. Issued 9-16-30. (28)
1,776,076; All. Brunsviga Maschinwerke Grimme. Printing mechanism for calculating machines. Issued 9-16-30. (28)
1,776,077; Messer Adolf. Combined water seal and check valve. Issued 9-16-30. (28)
1,776,155; Kogel Gustav. Light sensitive layer and process of preparing it. Issued 9-16-30. (28)
1,776,162; Martinka Michael. Heat regenerator. Issued 9-16-30. (34)
1,776,164; Nolte Karl. Sheet piling of box shape. Issued 9-16-30. (28)
1,776,244; All. Rabald Willy. Shearing machine. Issued 9-23-30. (28)
1,776,261; Kreissig Ernst. Spring supported vehicle and machine element. Issued 9-23-30. (28)
1,776,312; Czencz Stephen. Toothbrush. Issued 9-23-30. (34)
1,776,336; Rohrbach Adolf. Float construction for hydro planes. Issued 9-23-30. (28)
1,776,361; Krenzler Emil. Lace braiding machine. Issued 9-23-30. (28)
1,776,535; All. Bekk Dr and Kaulen Chemische. Process of etching printing forms for intaglio printing planographic printing and the like. Issued 9-23-30. (28)
1,776,591; Liers Fritz. Casting mold. Issued 9-23-30. (28)
1,776,600; Schneider Otto. Electric switch. Issued 9-23-30. (28)
1,776,601; Schultz Hermann. Casting mold for aluminothermic rail welding. Issued 9-23-30. (28)
1,776,614; Bauer Adam. Fastening for garments. Issued 9-23-30. (28)
1,776,637; Ostermeier Johannes. Flash lamp. Issued 9-23-30. (28)
1,776,665; All. Maschinenfabrik Augsburg. Double acting gas engine with slot scavenging. Issued 9-23-30. (28)
1,776,689; Reinhard Hugo. Treating waste and low grade pigments. Issued 9-23-30. (28)
1,776,692; Kamide Jutaro. Projecting apparatus. Issued 9-23-30. (39)
1,776,705; Scaglia Gregorio. Safety device for projectiles grenades and the like. Issued 9-23-30. (38)
1,776,711; Unger Paul. Method for producing the teeth on files saws and similar tools. Issued 9-23-30. (28)
1,776,752; All. Edeleanu GmbH. Deodorizing petroleum hydrocarbon distillates. Issued 9-23-30. (28)
1,776,753; All. Edeleanu GmbH. Manufacture of lubricating oils. Issued 9-23-30. (28)
1,776,758; Heiland Arthur. Automatic vending machine. Issued 9-23-30. (28)
1,776,787; All. Ragubn Anhalter Metallocherei. Net cathode. Issued 9-30-30. (28)
1,776,791; Herbst Paul. Submersible device. Issued 9-30-30. (28)
1,776,796; All. Rheinische Mettallwaaren Und. Electrical projectile igniter. Issued 9-30-30. (28)
1,776,800; Weiskopf Otto. Calculating machine. Issued 9-30-30. (28)
1,776,807; Gosmann Walter. Hand fire extinguisher. Issued 9-30-30. (28)
1,776,811; Junkers Hugo. Navigation of aircraft. Issued 9-30-30. (28)
1,776,817; Mugler Julius. Double jet control device. Issued 9-30-30. (28)
1,776,897; All. Hosser Fr Maschinenfabrik A G. Measuring device for filling machines. Issued 9-30-30. (28)
1,776,913; Kruckenberg Franz. Method of obtaining entry and exit times of any desired length in railways with very close train sequence. Issued 9-30-30. (28)
1,777,107; All. Chemieprodukte , GmbH. Method of protecting metal bodies from corrosive agencies. Issued 9-30-30. (28)
1,777,122; Lowenstein Hirsch. Process of working on beryllium sublimates containing sulphur and with a view to obtaining beryllium compounds. Issued 9-30-30. (28)
1,777,178; Pensotti Ezio. Method and device for dividing bread dough into cakes. Issued 9-30-30. (38)
1,777,183; All. I G Farbenindustrie A G. Liquid for producing low temperatures for cooling purposes. Issued 9-30-30. (28)
1,777,186; Thurkow Helmuth. Plow. Issued 9-30-30. (28)
1,777,190; Winkler Kurt. Wooden plate composed of separate plates or strips. Issued 9-30-30. (28)
1,777,199; All. Bezol Verband GmbH. Internal combustion engine. Issued 9-30-30. (28)
1,777,216; Meyer Ludwig. Polarimeter indicator. Issued 9-30-30. (28)
1,777,224; Reuther Johann Wilhelm. Packing device for automatic sack weighing machines. Issued 9-30-30. (28)
1,777,225; Rockstroh Walter. Printing machine. Issued 9-30-30. (28)
1,777,227; All. Miag Muhlenbau Und Industrie A G. Automatic bag weighing machine. Issued 9-30-30. (28)
1,777,234; All. Grubenholz Impragnierung GmbH. Process for preserving wood. Issued 9-30-30. (28)
1,777,242; Zerbone Remo. Device for fastening vehicle wheels. Issued 9-30-30. (38)
1,777,259; All. Ringfeder GmbH. Journal bearing. Issued 9-30-30. (28)
1,777,267; Loewenstein Hirsch. Method of recovering soluble beryllium compounds. Issued 9-30-30. (28)
1,777,276; Kegel Johannes. Machine for the production in molds of bodies covered with chocolate or similar plastic masses. Issued 9-30-30. (28)
1,777,361; All. United Cigarette Machine Co A G. means for turning cigarettes. Issued 10-7-30. (28)

1,777,404; All. Maschinenfabrik Augusburg Nurnberg. Mechanism for operating swinging doors of drum weirs. Issued 10-7-30. (28)
1,777,425; All. Chiffriermaschinen A G. Electric cipher writing machine. Issued 10-7-30. (28)
1,777,430; All. Wanderer Werke Vorm Winklhofer. Typewriter calculating machine. Issued 10-7-30. (28)
1,777,444; Miedbrodt Carl. Hydrogen generator. Issued 10-7-30. (28)
1,777,450. Rix Carl. Turbine Issued 10-7-30. (28)
1,777,649, Oberascher Franz. Device for evacuating pumps. Issued 10-7-30. (6)
1,777,692; Fuss Herbert. Calculating apparatus. Issued 10-7-30. (28).
1,777,706; Strecker Ottheinrich. Method for producing printing images on printing plates. (28)
1,777,733; Reich Ernest. Electrical measuring instrument. Issued 10-7-30. (34)
1,777 751; All. I G Farbenindustrie A G. Producing cellulose. Issued 10-7-30. (28)
1,777,793; Grunhut Friedrich. Luminous character Issued 10-7-30. (28)
1,777,825; All. Vereinigte Eisenbahn signalwerke. Electrically operated track switch. Issued 10-7-30. (28)
1,777,831; All. Soc Invenzioni Brevetti. Treating of animal skin products. Issued 10-7-30. (38)
1,777,832; All. Soc Invenzioni Brevetti. Treating of animal skin products Issued 10-7-30. (38)
1,777,833; All. Soc Invenzioni Brevetti. Treating of animal skin products. Issued 10-7-30. (38)
1,777,834; All. Soc Invenzioni Brevetti. Treating of animal skin products. Issued 10-7-30. (38)
1,777,835; All. Soc Invenzioni Brevetti. Treating of animal skin products. Issued 10-7-30. (38)
1,777,836. All. Soc Invenzioni Brevetti. Treating of animal skin products. Issued 10-7-30. (38)
1,777,837; All. Soc Invenzioni Brevetti. Treating of animal skin products. Issued 10-7-30. (38)
1,777,838; All. Soc Invenzioni Brevetti. Treating of animal skin products. Issued 10-7-30. (38)
1,777,839; All. Soc Invenzioni Brevetti. Treating of animal skin products. Issued 10-7-30. (38)
1,777841; All. Motorenfabrik Deutz A G. Two stroke cycle internal combustion engine equipped with scavenging pump annex Issued 10-7-30. (38)
1,777,851; Kuhn Wilhelm. Hydraulic gear. Issued 10-7-30. (28)
1 777,853; All. Zeiss Frim Carl Repeating theodolite Issued 10-7-30. (28)
1.777.861; All. Jenaer Glaswerk Schott and Gen Device for protecting the exhausting socket of vacuum glass vessels containing mercury. Issued 10-7-30. (38)
1,777,916; Schaffer Glossl Konrad. Method of manufacturing lowtension bridge fuses. Issued 10-7-30. (6)
1.777.920; Horii Shinjiro. Duplicator. Issued 10-7-30 (39)
1.777.937; All. Bosch Robert A G. Friction clutch. Issued 10-7-30. (28)
1.777.939; All. Aron Werke Elektrizitats A G Summation indicating instrument. Issued 10-7-30 (28)
1.777.957. All Deutsche Erdol A G Gas purifying apparatus. Issued 10-7-30. (28)
1,777,969. All. Bernitorfer Metallwarenfabrik. Steam heated vessel. Issued 10-7-30. (6)
1.777.974; Kaneko Shinuemon. Rat trap. Issued 10-7-30. (39)
1 777 982; Popp Karl. Hot air mat. Issued 10-7-30. (28)
1,777,996 Reckhard Julius. Incubator. Issued 10-7-30. (28)
1,778,026; Grob Hugo. Connection system for train lighting plants connected in parallel. Issued 10-14-30. (28)
1,778,039; Rogge Bernhard. Portable electric lamp. Issued 10-14-30. (28)
1,778,080; Kruckenberg Franz. Device for heating and ventilating suspended high speed railway cars. Issued 10-14-30. (28)
1,778,083; All. I G Farbenindustrie A G. Producing alumina. Issued 10-14-30. (28)
1,778,111; Kocks Fritz. Process of and apparatus for expanding blanks by rolling. Issued 10-14-30. (28)
1,778,205. Zepp Otto. Heating boiler. Issued 10-14-30. (28)
1,778,281; Sokeb Emanuel. Discharge funnel for kilns. Issued 10-14-30. (6)
1,778,285, Vorwerk Wilhelm. Hose or stocking supporter. Issued 10-14-30. (28)
1,778,287. Beck Heinrich. Device for recording the condition of railway tracks. Issued 10-14-30. (28)
1,778,288; Bicheroux Max. Grinding and polishing glass plates. Issued 10-14-30. (28)
1,778,318. Haas Hermann. Drying apparatus. Issued 10-14-30. (28)
1,778,326; Kutzer Adolf. Sink for the separation of volatile liquids from waste water. Issued 10-14-30. (28)
1,778,362; Heinemann Fritz. Railway track construction. Issued 10-14-30. (28)
1,778,369; All. Max & Genest A G Pneumatic dispatch system. Issued 10-14-30. (28)
1,778 374; Spielmann Emerich. Electric music instrument. Issued 10-14-30. (6)
1,778,390; All. Fabrik Explosionssicherer. Dispensing apparatus. Issued 10-14-30. (28)
1 778 394; Krell Otto. Ballasting device for moored dirigibles. Issued 10-14-30. (28)
1,778,444, All. Haefeli Arnold. Carburetor. Issued 10-14-30 (28)
1,778,494; Gronwald August Friedrich Universal attachment for lathes. Issued 10-14-30. (28)
1,778,501; Lehmann Gerhard P. Well drilling system. Issued 10-14-30. (57)
1,778 645; All Suddeutsche Telefonapparate. Electrical alternating current rectifier. Issued 10-14-30. (28)
1,778,665; All. Gebruder Siemens & Co. Manufacture of resistor rods with thickened portions. Issued 10-14-30. (28)
1,778,784; All. Schering Kahlbaum A G Making hydroxy compounds of pyridine. Issued 10-21-30. (28)
1,778,850; Duisenberg Georg. Roller skate. Issued 10-21-30. (28)
1,778,863; Maly Germann. Treating fabrics. Issued 10-21-30. (28)
1,778,868; All. Hermes Magyar Altalanos Valtouzelet. Carburetor. Issued 10-21-30. (34)
1,778,961; Peyinghaus Walter. Armoring of brasses or steps for bearings. Issued 10-21-30 (28)
1 778,977; All Vereinigte Stahlwerke A G. Follower for line templates. Issued 10-21-30 (28)
1,778 993; Akimoff Nicholas. Ships structure. Issued 10-21-30. (38)
1,7 002; Kawamori Matajiro. Automatically inking numbering machine. Issued 10-21-30 (39)
1,779,004; Krell Joseph. Card file of the sight type. Issued 10-21-30 (28)
1,779,009; Negro Luigo. Nozzle. Issued 10-21-30. (57)
1,779,014; Schafer Richard et al; Meier Andreas. Tire interliner. Issued 10-21-30. (28)
1,779 021; Taschner Wilhelm Skein yarn beating machine. Issued 10-21-30. (28)
1,779,078; Rohrbach Adolf. Engine cooling system for hydro aeroplanes. Issued 10-21-30 (28)
1,779,079; All. Atlas Werke Pohler & Co. Shoemaking machine. Issued 10-21-30 (28)
1,779,092; Harter Hans. Apparatus for carrying out exothermic catalytic gas reactions Issued 10-21-30. (28)
1,779,093; All. Schuler L A G. Press. Issued 10-21-30 (28)
1,779,130; Hepp Friedrich. Machine for assembling newspapers periodicals and the like Issued 10-21-30. (28)
1,779,185; Meiser Josef et al; Kohler Wilhelm Apparatus for the production of section iron with box shaped cross sections. Issued 10-21-30. (28)
1,779,229; All. Hawenta Platten GmbH Process of producing well adhering coatings on asbestos cement slate plates. Issued 10-21-30 (28)
1,779,233; Harms Hinrich. Stalk divider for mowing machines Issued 10-21-30. (28)
1,779,287; All. Deutsche Gasolin A G. Process for the separation of fatty or waxlike bodies from their solutions. Issued 10-21-30. (28)
1,779,309; All. Felten & Guilleaume Fabrik Method of and apparatus for manufacturing strands for wire ropes. Issued 10-21-30. (6)
1 779 310; All Maschinenfabrik Augsburg Nurnberg. Tripping mechanism for printing presses. Issued 10-21 30. (28)
1,779 345; All. I G Farbenindustrie A G Condensation products obtainable from unsaturated higher fatty acids and phenols Issued 10-21-30 (28)
1,779,486; Melamid Michael. Splitting up of mineral oils. Issued 10-28-30. (28)
1,779,524; Zaschka Engelbert. Helicopter Issued 10-28-30. (28)
1,779,549; All. Lawaczeck GmbH. Power plant. Issued 10-28-30 (28)
1,779,590; Eilers Johann. Web for swimming Issued 10-28-30. (28)
1,779,753; Schlumbohm Peter. Bidet. Issued 10-28-30. (28)
1,779,757; Streckert Karl. Hydraulic change speed gearing. Issued 10-28-30 (28)
1,779,863; Tschorner Ludwig. Television apparatus. Issued 10-28-30. (6)
1,779,880; Holzmann Anna. House boat adapted to be taken to pieces. Issued 10-28-30 (6)
1,779,909, Haagen Max Nonskid wheel. Issued 10-28-30 (28)
1,779,923; Wagner Emanuel. Device for transforming a rotary motion into a reciprocating motion. Issued 10-28-30. (34)
1,779,970; Grob Hugo. Device for pushing over a lever upon reversal in the direction of rotation of a shaft. Issued 10-28-30 (28)
1,779,97 ; Mock Nate. Ash tray. Issued 10-28-30. (28)
1,779,992; Stump Matthaus et al; Reviser Kurt. Device for ascertaining the energy spent during rowing. Issued 10-28-30 (28)
1,780,702; Dornig Walter. Constant speed multifrequency electrical generating apparatus. Issued 11-4-30. (28)
1,780,721; Scheidmandel Hans. Device for the manufacture of doweled wooden boards Issued 11-4-30. (28)
1,780,807; All. Stern Ges Fur Machine Grundbautchnik. Pile. Issued 11-4-30 (6)
1,780,816; All. Typograph GmbH Matrix setting and type line casting machine. Issued 11-4-30. (28)
1,780,819; Godefroid Armand. Coin assortor Issued 11-4-30. (28)
1,780 822; Honda Kotaro. Machine for testing and quantitatively indicating the cutting power and durability of blades and cutlery. Issued 11-4-30 (30)

1,780,829; All. Elite Diamantwerke A G. Piston for internal combustion engines. Issued 11-4-30. (28)
1 780,844; Shulze Hans F. Applying nitrocellulose varnishes. Issued 11-4-30. (28)
1 780,876; Grosse Carl. Vibratory apparatus. Issued 11-4-30. (28)
1 780,931; Konigsberger Walter. Garter. Issued 11-11-30. (28)
1 780,939; Patz Alexander. Switch operating mechanism for electric railways. Issued 11-11-30. (34)
1 780,944; All. Norddeutsche Affinerie method for refining antimony by electrolysis of acid electrolytes. Issued 11-11-30. (28)
1 780,946; Schroder Heinrich. Umbrella. Issued 11-11-30. (28)
1,780,947; Schiron Hans. Crank Shaft. Issued 11-11-30. (28)
1 780,972; Di Neuberg Ferdinando Brusch. Fluid operated apparatus for lifting automobile wheels. Issued 11-11-30. (38)
1 780,978; All. I G Farbenindustrie A G. Process for the securing of welds on bended bodies. Issued 11-11-30. (28)
1 780,983; All. I G Farbenindustrie A G. Tanning agent. Issued 11-11-30. (28)
1 780,992; Beckers Arnold. Coking oven. Issued 11-11-30. (28)
1 781,048; Braunstein Schulim. Container for storage and transport of liquefied gases. Issued 11-11-30. (28)
1 781,194; All. Maschinenfabrik Augsburg. Two cycle engine with slot scavenging and airless fuel injection. Issued 11-11-30. (28)
1 781,231; All. Werdohler Pumpenfabrik Paul. Artificial silk spinning machine. Issued 11-11-30. (28)
1 781,236; Lilge Friedrich. Whirl burner. Issued 11-11-30. (28)
1 781,243; Oreggia Vittorio. Closure for boxes and cases. Issued 11-11-3.. (38)
1 781,254, All. Drager Oto Heinrich. Gas protective or breathing filter. Issued 11-11-30. (28)
1 781,313; Blau Fritz. Picture. Issued 11-11-30. (28)
1 781,323; De Tovaros Julius Fischer. Current collector for electric railways. Issued 11-11-30. (34)
1 781,333; All. Lehmann Ernst Paul. Toy. Issued 11-11-30. (28)
1 781,346; Schmidt Karl. Dust cart. Issued 11-11-30. (28)
1 781,349; Tauschek Gustav. Pawl. Issued 11-11-30. (6)
1 781,365; Burgmann Robert. Packing or tightening plate. Issued 11-11-30. (28)
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1 781,451; Eckstein Gustav. Means for making double sided molds. Issued 11-11-30. (28)
1 781,485; All. I G Farbenindustrie A G. Generating power in internal combustion engines. Issued 11-11-30. (28)
1 781,567; All. Rohrbogenwerk GmbH. Apparatus for producing bent pipes of correct prescribed lengths. Issued 11-11-30. (28)
1 781,568. Broeker Friedrich. Steam drying or water separating apparatus for steam power plants. Issued 11-11-30. (28)
1 781 615; Von Loesen Emil. Pendulum hardness tester. Issued 11-11-30. (28)
1 781,659; Bartling Friedrich. Process for the thermal treatment of pulverulent material. Issued 11-11-30. (28)
1 781 693; Mewes Karl Eduard Rudolf. Process for liquefying and separating gas mixtures Issued 11-18-30. (28)
1 781,724, All. Rheinische metallwaren und. Spring arrangement. Issued 11-18-30. (28)
1 781 745; Bollmann Hermann. Apparatus for distilling fatty acids. Issued 11-18-30. (28)
1,781,749; All. Schmidtsche Heissdampf GmbH. Apparatus for maintaining a predetermined water level in steam boilers. Issued 11-18-30. (28)
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1,781,768; Spiess Georg. Folding machine. Issued 11-18-30. (28)
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1,781,954; Petersen Hugo. Manufacture of sulphuric acid. Issued 11-18-30. (28)
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1,781,984; Krantz Hubert. Centrifugal extractor. Issued 11-18-30. (28)
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1,782,038; All. I G Farbenindustrie AKG. Conversion of salts into globular or similar shaped bodies. Issued 11-18-30. (28)
1,782,153; Szepsy Ludovic et al; Windisch Ignacz. Rail tie. Issued 11-18-30. (57)
1,782,210; Nose Toichi. Aeroplane. Issued 11-18-30. (39)
1,782,252; Beyer Heinrich. Liquid pump. Issued 11-18-30. (28)
1,782,254. Breidenbach Max. Game. Issued 11-18-30 (28)
1,782,265; Haase Oto. Steering mechanism for vehicles. Issued 11-18-30. (28)
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1,782,281; Yonekura Tario. Cylinder mold of paper making machines. Issued 11-18-30. (39)
1,782,301; Handle Karl. String molding press. Issued 11-18-30. (28)
1,782,309; All. Hundertfeuer GmbH moderne liquid spraying device. Issued 11-18-30. (28)
1,782,323; Spiesa Georg. Cross folding machine. Issued 11-18-30. (28)
1,782,324; Tesky Karl. Shaft coupling. Issued 11-18-30 (28)
1,782,336; Bezner Hugo. Shirt collar. Issued 11-18-30 (28)
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1,782,479; Sadtler Wilhelm. Toy weapon. Issued 11-25-30. (28)
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1,782,549; Stansfield Emillo et al; Brunner Emilio. Drawing frame. Issued 11-25-30. (38)
1,782,555; Weinstein Alfred. Animated device. Issued 11-25-30. (28)
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1,782,627; All. Muller Johann Carl. Cigar making machine. Issued 11-25-30. (38)
1,782,634; Schroder Edmund. Three phase one phase converter especially for electric resistance heating and welding machines. Issued 11-25-30. (28)
1,782,717; Drewell Heinrich. Means for automatically copying pictures and making printing plates for printing pictures etc. Issued 11-25-30. (28)
1,782,722; All. Diamant Samu Es Fial Messrs. Machine for ironing furs. Issued 11-25-30 (34)
1,782,868; All. Siemens Schuckertwerke A G. High speed vessel. Issued 11-25-30. (28)
1,782,918; Erb Karl. Decorticating & depulping machine. Issued 11-25-30. (28)
1,782,953; Andreas Arno. Screen for disintegrating machines. Issued 11-25-30. (28)
1,782,957; Dierks Wilhelm. Stirrer mechanism. Issued 11-25-30. (28)
1,783,001; Raetz Guglielmo. Apparatus for making weaving knots. Issued 11-25-30. (38)
1,783,103; All. Kuttner A G. Apparatus for washing bleaching and dyeing artificial silk in hanks or spinning cakes. Issued 11-25-30. (28)
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1,783,114; Georg Otto. Frictional screw spindle press. Issued 11-25-30. (28)
1,783,125; All. Koch & Te Koch. Card saving motion. Issued 11-25-30. (28)
1,783,133; Othmar Neuscheiler Johanna; Ohle Heinz et al; Ethyl alcohol gel. Issued 11-25-30. (28)
1,783,134; Orenstein Max. Continuous soldering. Issued 11-25-30. (28)
1,783,137; All. Bensa Felice Process for manufacturing a green vat dyestuff from 1 12 perylene quinone. Issued 11-25-30. (28)
1,783,143; Schrempp Albert. Filter device. Issued 11-25-30 (28)
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1,783,258; Opitz Georg. Letter of credit form. Issued 12-2-30. (28)
1,783,326; Bottner August. Window pane. Issued 12-2-30. (28)
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1,783,524; All. Vereinigte Stahlwerke A. G. Method of heating rolls. Issued 12-2-30. (28)
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1,783,561; I G Farbenindustrie A G Production of improved magnetic cores. Issued 12-2-30. (28)
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1,783,858. All. Rohleder A. Valenciennes lace. Issued 12-2-30. (28)
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1,784,078; Simoni Armando. Device for automatically filling fountain pens. Issued 12-9-30. (38)
1,784,165; Tanaka Yoshio et al; Kuwata Tsutomu. Method of producing borneol and limonene. Issued 12-9-30. (39)
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1,784,184; All. Suddeutsche Telefon Apparate. Long distance cable installation. Issued 12-9-30. (28)
1,784,188; All. Saibi Mojiami Kabushiki Kaisha. Operating mechanism for net making machines. Issued 12-9-30. (39)
1,784,191; Ludwig Hans Shock absorber. Issued 12-9-30. (28)
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1,784,296; All. United Cigarette Machine Co A G. Process and device for improving cigarettes. Issued 12-9-30. (28)
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1,784,469; Sopranl Mario. Piano key action for accordions. Issued 12-9-30. (38)
1,784,501; All. Rohrbach Metall Flugzeugbau. Process of manufacture of wedge shaped hollow bodies. Issued 12-9-30. (28)
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1,784,582; Doppenschmitt Friedrich. Flexible structure. Issued 12-9-30. (28)
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1,784,664; Eickholt Friedrich. Separator. Issued 12-9-30. (28)
1,784,699; Merk Friedrich. Telephone system. Issued 12-9-30. (28)
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1,784,731; All. Brehmer Gebruder Maschinenfabrik. Paper folding machine. Issued 12-9-30. (28)
1,784,745; Nier Ernst Bruno. Means for effecting rotary operations in step presses. Issued 12-9-30. (28)
1,784,747; Peckelhoff Bruno. Fuel burner. Issued 12-9-30. (28)
1,784,769; All. Rhenania Kunheim Verein. Mold for casting sulphur. Issued 12-9-30. (28)
1,784,774; Avorio Luigi. Elastically deformable parachute. Issued 12-9-30. (38)
1,784,789; Jujii Isao. Matrix for typographical machines. Issued 12-9-30. (30)
1,784,791; Gruber Karl. Rolling mill. Issued 12-9-30. (28)
1,784,829. All. Lancier Peter. Underground cable pulling device. Issued 12-16-30. (28)
1,784,843; Losch Albert. Double pin holdfast. Issued 12-16-30. (28)
1,784,937; Kreslawsky Paul. Show article. Issued 12-16-30. (28)
1,784,943; Muller Ignaz. Separator for light liquids. Issued 12-16-30. (6)
1,785,045; Pedrini Eugenio. Carburetor for internal combustion engines. Issued 12-16-30. (38)
1,785,050; Schmid Alfred. Ceiling construction. Issued 12-16-30. (6)
1,785,129; Lehmann Ernst Paul. Means for connecting tubular members. Issued 12-16-30. (28)
1,785,142; Nerrlich Richard. Objective shutter. Issued 12-16-30. (28)
1,785,210; Renek Heinrich. Process for the production of printing. Issued 12-16-30. (28)
1,785,260; Horii Shinjiro. Stencil sheet. Issued 12-16-30. (39)
1,785,283; All. Hartstoff Metall A G. Hametag. Process for producing lamelliform metal powders. Issued 12-16-30. (28)
1,785,300; De La Tour Castellicala Filiberto. Rolling apron for airplane wings. Issued 12-16-30. (38)
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1,785,465; Von Diersburg Karl Freiherr Roeder. Moving lamp for signs and advertisements. Issued 12-16-30. (28)
1,785,484; Kastner Richard et al; Schmolka Herbert. Process of and apparatus for treating paperboard and the like. Issued 12-16-30. (6)
1,785,491; Messer Adolf. Method for the complete separation of liquid air into oxygen and nitrogen. Issued 12-16-30. (28)
1,785,551; All. Kienzle Uhrenfabriken A G. Automatic strike regulating means for clocks. Issued 12-16-30. (28)
1,785,553; All. Nollesche Werke Komm Ges. Lasting machine. Issued 12-16-30. (28)
1,785,570; All. Nollesche Werke Komm Ges. Tack feeding device. Issued 12-16-30. (28)
1,785,587; All. Siemens Bianlawerke A G. Fur Electrode joint. Issued 12-16-30. (28)
1,785,592; Nolze Ferdinand Johann. Electric gas purifier. Issued 12-16-30. (28)
1,785,606; Ullmann Friedrich. Preliminary treatment of metal plates for the production of printing plates. Issued 12-16-30. (28)
1,785,615; Caproni Gianni. Fusclage fitting. Issued 12-16-30. (38)
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1,785,991; All. Maschinenfabrik Augsburg Nuernberg. Rotary printing machine for combined intaglio and relief printing. Issued 12-23-30. (28)
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1,786,009; All. Maschinenfabrik Augsburg Nurnberg. Apparatus for mixing liquids. Issued 12-23-30. (28)
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1,786,096; All. Nomany Elektrische Apparate GmbH. Means for scraping off wooden surfaces. Issued 12-23-30. (28)
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1,786,275; Von Trumbach Johannes. Device for stopping delivery in spinning and twisting machines on the breaking of thread. Issued 12-23-30. (28)
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1,788,781; All. I G Farbenindustrie A G. Solution and plastic. Issued 1-13-31. (28)
1,788,813; All. Kienzle Taxameter und Apparate A G. Synchronous motor for driving clocks and the like. Issued 1-13-31. (28)
1,788,816; All. Fein Apparate GmbH. Type inking device. Issued 1-13-31. (28)
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1,788,890; All. Rheinische Metallwaaren Und. Spring mounting of field guns. Issued 1-13-31. (28)
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1,789,044; All. Kienzle Uhrenfabriken A G. Electrical striking mechanism for clocks. Issued 1-13-31. (28)
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1,789,053; Schudeisky Walter. Change Spur Gearing especially for motor cars. Issued 1-13-31. (28)
1,789,056; All. Fiat S A. Clutch. Issued 1-13-31. (38)
1,789,088; Soprony I Julius. Bathing box. Issued 1-13-31. (34)
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1,789,104; Kuchenmeister Heinrich. Transmitter for telephony. Issued 1-13-36. (28)
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1,789,248; Mobius Theodor Paul. Lead pencil sharpener with case. Issued 1-13-36. (28)
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1,789,661; All. Mercedes Buro Maschinen und. Typewriting machine with power drives. Issued 1-20-31. (28)
1,789,662; Spieff Georg. Platen printing press. Issued 1-20-31. (28)
1,789,676; All. I G Farbenindustrie A G. Electrically driven spindle for spinning yarn. Issued 1-20-31. (28)
1,789,721; Alvermann Ewald. Production of seamless tubes. Issued 1-20-31. (28)
1,789,731; Esmann Friedrich August Albert. Combined oscillatory or retractable crane and weighing scale. Issued 1-20-31. (28)
1,789,779; All. Rheinische Metallwaaren und. Barrel recoil gun having a fuse setting machine. Issued 1-20-31. (28)
1,789,783; Silberstrom Leo. Duplicating. Issued 1-20-31. (28)
1,789,800; Arnold Carl. Toy figure. Issued 1-20-31. (28)
1,789,872; All. Kruckenberg Franz. Arrangement for guiding suspended high speed railway vehicles. Issued 1-20-31. (28)
1,789,924; Krey Willi Binap Joseph et al. Oxidation of benzene compounds. Issued 1-20-31. (28)
1,790,009; Karnath Kurt. Stop valve. Issued 1-27-31. (28)
1,790,023; All. Rhenania Verein Chemischer Fabriken. Process for the transformation of gypsum. Issued 1-27-31. (28)
1,790,037; Zerollo Dante Davide. Sealing apparatus. Issued 1-27-31. (38)
1,790,043; All. Schlesische Spiegelglas Manufactur. Process and contrivance for the manufacture of wire glass plates with wires running in one direction. Issued 1-27-31. (28)
1,790,063. All. I G Farbenindustrie A G. Reeling of artificial threads. Issued 1-27-31. (28)
1,790,073; Pohl Ernst. Rontgen tube. Issued 1-27-31. (28)
1,790,113; All. Nigrolitwerke GmbH. Pressure frame or apparatus for use in the production of sound records. Issued 1-27-31. (28)
1,790,298; All. Aeg Deutsche Werke A G. Bookkeeping machine. Issued 1-27-31. (28)
1,790,300; All. Speidel Chain Co. Extension device. Issued 1-27-31. (28)
1,790,325; Sage in Bourbon del Monte Caterina. Block notes holder. Issued 1-27-31. (38)
1,790,361; Dunnebier Max Winkler Alfred et al. Process and apparatus for applying closures to hollow chocolate bodies. Issued 1-27-31. (28)
1,790,368; Crespi Giovanni. Continuous production press for the alimentary paste industry and similar industries. Issued 1-27-31. (38)
1,790,386; All. Union Special Maschinenfabrik. Feeding mechanism for sewing machines. Issued 1-27-31. (28)
1,790,394; Von Diersburg Freiherr Roeder. Fur substitute for skiing, etc. Issued 1-27-31. (28)
1,790,396; All. Schmidt sche Heissdampf GmbH. Boiler in which the steam is generated indirectly. Issued 1-27-31. (28)
1,790,433; Miduno Takeo. Ventilating apparatus. Issued 1-27-31. (39)
1,790,437; All. Ideal Werke A G fur Drahtlose. Loud speaker. Issued 1-27-31. (28)
1,790,438; Nolte Karl. Iron sheet piling wall. Issued 1-27-31. (28)
1,790,439; Patermann Myro. Can opener. Issued 1-27-31. (28)
1,790,540; All. Hacklander & Co. Electroscopic testing device. Issued 1-27-31. (28)
1,790,571; All. Still Firm Carl. Process of extracting benzene hydrocarbons from gases. Issued 1-27-31. (28)
1,790,597. Schroder Hugo. Coke oven. Issued 1-27-31. (28)
1,790,605; Thorbecke Carl. Limed bandage or ring for fruit trees and the like. Issued 1-27-31. (28)
1,790,612; Von Frommer Rudolpf. Breech bolt mechanism for sporting guns. Issued 1-27-31. (34)
1,790,615; All. Trebitsch Oskar. Process for the manufacture of metallized fibrous materials metallized with a noble metal. Issued 1-27-31. (6)
1,790,850; All. Selenophon Licht und Tonbilg GmbH. Selenium cell. Issued 2-3-31. (6)
1,790,853; Casale Luigi Dec. Apparatus for effecting reactions between gases at a raised temperature. Issued 2-3-31. (28)
1,790,967; Auerbach Rudolf. Apparatus for preparing emulsions. Issued 2-3-31. (28)
1,790,968; Baulino Carlo. Means for comparing the fuel consumption of the separate cylinders of engines for registering purposes. Issued 2-3-31. (38)
1,790,971; Broszeit Carl. Testing means for percussive tools. Issued 2-3-31. (28)
1,790,987; Horii Shinjiro. Stencil sheet. Issued 2-3-31. (39)
1,791,013; All. Electroacustic GmbH. Hydraulic protrudable device for sound apparatus. Issued 2-3-31. (28)
1,791,014; All. Electroacustic GmbH. Subaqueous sound apparatus. Issued 2-3-31. (28)
1,791,031; Keine Gustav. Tap hole socket for barrels and other like containers. Issued 2-3-31. (28)
1,791,038; Opavsky Walter. Apparatus for drying goods of any character. Issued 2-3-31. (28)
1,791,062; All. I G Farbenindustrie A G. Condensation product of urea. Issued 2-3-31. (28)
1,791,065; All. Soc Invenzioni Brevetti Anonima. Suction box for felted sheet making machines. Issued 2-3-31. (38)
1,791,074; Kappler Paul. Key action device for typewriting machines. Issued 2-3-31. (28)
1,791,077; Weber Ludwig. Method of Manufacturing briquettes from clay sulphite liquor and carbonaceous material. Issued 2-3-31. (28)
1,791,079; Wisniewski Vincent. Propelling device for aircraft. Issued 2-3-31. (28)
1,791,082; Bianco Giuseppe. Electrolytic zinc bath. Issued 2-3-31. (38)
1,791,092; D Obry Valdemar Willemoes. Process for the manufacture of unbleached paper cardboard and the like. Issued 2-3-31. (28)
1,791,229; Stampe Gerhard Karl Emil Heinrich. Respirating implement bag. Issued 2-3-31. (28)
1,791,242; All. Impreva Holzimprangnierung und. Log barking machine. Issued 2-3-31. (28)
1,791,320; Lewinsohn Hermann. Apparatus for cutting cardboard and similar substances for decorations of shop windows and sceneries. Issued 2-3-31. (28)
1,791,389; All. Selenophon licht und Tonbild GmbH. Light valve. Issued 2-3-31. (6)
1,791,403; Debuch Carl Paul. Treatment of ores with gases in rotary furnaces. Issued 2-3-31. (28)
1,791,413; All. Exploration GmbH. Apparatus for taking geophysical measurements by means of a rotable balance. Issued 2-3-31. (28)
1,791,419; All. Union Special Maschinenfabrik GmbH. Filled bag closing apparatus. Issued 2-3-31. (28)
1,791,424; Metzler Kurt. Rotary feed device for the work spindles of tool grinding machines. Issued 2-3-31. (28)

1,791,433; All. I G Farbenindustrie A G. Cyanamide formaldehyde condensation product and process of making same. Issued 2-3-31. (28)

1,791,434; All. I G Farbenindustrie A G. Cyanamide formaldehyde condensation product and process of making same. Issued 2-3-31. (28)

1,791,436; Ulrich Reimund. Valve for controlling gases and liquids. Issued 2-3-31. (28)

1,791,606; All. Rheinische Metallwaaren Und. Setting electric projectile fuses. Issued 2-10-31. (28)

1,791,671; Herschel Carl. Copying arrangement for commercial books. Issued 2-10-31. (28)

1,791,684; All. I G Farben industrie A G. Method of improving the properties of Portland cements. Issued 2-10-31. (28)

1,791,824; All. Climax Motorenwerke Und Schiffwerft. Cylinder of internal combustion engines. Issued 2-10-31. (6)

1,791,848; Semjni Giacomo. Control of direct current motors. Issued 2-10-31. (38)

1,791,867; All. Vereinigte Stahlwerke A G. Double slip point. Issued 2-10-31. (28)

1,791,869; All. Demag A G. Tube finishing or straightening rolling mill. Issued 2-10-31. (28)

1,791,962; All. Phoenix A G Fur Bergbau und. Apparatus for turning over the work in roll trains. Issued 2-10-31. (28)

1,791,976; Sanders Paul. Devise for selecting the needles of circular knitting machines. Issued 2-10-31. (28)

1,791,977; Seckendorf Paul. Tailpiece connecter for violins and the like. Issued 2-10-31. (28)

1,792,038; Rossi Luigi. Leaf spring suspension for vehicles. Issued 2-10-31. (38)

1,792,046; Skaupy Franz. Arrangement for singling out parallel monochromatic light rays from a cone of light. Issued 2-10-31. (28)

1,792,088; Haake Walter Haake Robert et al. Process for the manufacture of soluble starch. Issued 2-10-31. (28)

1,792,095; Horii Shinjiro. Stencil sheet. Issued 2-10-31. (39)

1,792,103; All. Deutsche Gold Siber Scheidenanstalt. Process for the stabilization of hydrocyanic acid. Issued 2-10-31. (28)

1,792,105; All. Rheinische Metallwarren und Typewriting and similar machine. Issued 2-10-31. (28)

1,792,131; Toyoda Kiichiro. Buffing device in power looms. Issued 2-10-31. (39)

1,792,133; Verwerk Wilhelm. Hose supporter. Issued 2-10-31. (28)

1,792,138; Bullert Gustav. Splash catcher. Issued 2-10-31. (28)

1,792,140; Brock Hugo. Boat. Issued 2-10-31. (28)

1,792,163; All. I G Farbenindustrie A G. Process of preparing carboxylicacid chlorides. Issued 2-10-31. (28)

1,792,178; Mirschka Carl. Combined gas and steam generator. Issued 2-10-31. (6)

1,792,206; Wenzel Karl Ernst. Weight automatic rail brake. Issued 2-10-31. (28)

1,792,305; All. Vereinigte Stahlwerke A G. Journal bearing for railway car axles. Issued 2-10-31. (28)

1,792,333; Takechi Shojiro. Method for concrete piling. Issued 2-10-31. (39)

1,792,377; Jordan Franz. Process for rolling out sheet and hoop or band iron. Issued 2-10-31. (28)

1,792,[illegible]; All. I G Farbenindustrie A G. Electrolytical manufacture of compounds containing active oxygen. Issued 2-10-31. (28)

1,792,390; Okamoto Tetsuo. Electric heating apparatus. Issued 2-10-31. (39)

1,792,392; Pelazza Francesco Carlo. Process for the manufacturing of turpentine pine oil and rosin from woody materials rich in oleoresin. Issued 2-10-31. (38)

1,792,410; Buchner Max. Process of producing alumina from aluminiferous substances. Issued 2-10-31. (28)

1,792,421; All. Ad Essich & Co. Letter file. Issued 2-10-31. (28)

1,792,428; Kappler Paul. Connection between typewriting and like machines and a baseboard. Issued 2-10-31. (28)

1,792,433; All. Liebetruth A GmbH. Sheet metal paint box. Issued 2-10-31. (28)

1,192,458; Barten Ernst. Rolling mill and method. Issued 2-10-31. (28)

1,792,528; Bleyer Hermann Robert. Talking machine. Issued 2-17-31. (28)

1,792,569; All. Krupp Fried A G. Differential mechanism for cash registers and calculating machines. Issued 2-17-31. (28)

1,792,578; Ebert Fritz. Chain stitch sewing machine of the zigzag type. Issued 2-17-31. (28)

1,792,580; Fehrenbach Fritz. Method for producing light metal pistons running in cylinders of harder material. Issued 2-17-31. (28)

1,792,585; Hertel Anton. Ventilator. Issued 2-17-31. (28)

1,792,591; Langner Curt. Packing device for engines. Issued 2-17-31. (28)

1,792,609; Schumacher Heinrich. Bandlike calendar. Issued 2-17-31. (28)

1,792,614; Stern Paul. Reenforcing structure for blast furnace casings. Issued 2-17-31. (28)

1,792,616; All. Telephon Apparat Fabrik E Zwietusch. Telephone repeating coil. Issued 2-17-31. (28)

1,792,633; All. I G Farbenindustrie A G. Production of compounds containing active oxygen. Issued 2-17-31. (28)

1,792,644; All. Brunsviga Maschinenwerke Grimme. Calculating machine. Issued 2-17-31. (28)

1,792,663; All. Pfalzische Chamotte und Ironwerke. Heat exchanging stone for air heaters and the like. Issued 2-17-31. (28)

1,792,665; Torre Egidio. Pilot valve steered slide valve. Issued 2-17-31. (38)

1,792,668; All. Goldschmidt Th A G. Process of & apparatus for producing alkyl oxides. Issued 2-17-31. (28)

1,792,686; All. Rheinische Metallwaaren und Air brake. Issued 2-17-31. (28)

1,792,702; All. Soc Italiana Pirelli. Manufacture of rubber goods. Issued 2-17-31. (38)

1,792,882; Wischin Rudolf A. Purification of lubricating oils. Issued 2-17-31. (28)

1,792,919; Mieder Fritz. Clarifying plant. Issued 2-17-31. (28)

1,792,935; All. Maschinenfabrik Imperial GmbH. Revoluble drying drum. Issued 2-17-31. (28)

1,792,939; All. Drager Otto Heinrich. Absorbent for gas filters particularly for breathing purposes. Issued 2-17-31. (28)

1,792,940; All. Deutsche Werke Kiel A G. Contrivance for stowing cargo on ships. Issued 2-17-31. (28)

1,792,944; Vanders Eugen. Copper silicon alloy. Issued 2-17-31. (28)

1,792,963; Bove Arne. Foam breaker. Issued 2-17-31. (28)

1,793,047; Bewitt Walter. Mold for aluminothermic welding. Issued 2-17-31. (28)

1,793,074; All. Koch & Sterzel A G. Apparatus for regulating transformer voltages. Issued 2-17-31. (28)

1,793,084; All. I G Farbenindustrie A G. Production of sugars from cellulosic material. Issued 2-17-31. (28)

1,793,096; All. Hartstoff Metall A G. Beetling mill with closed casing. Issued 2-17-31. (28)

1,793,097; All. Hartstoff Metal A G. Disintegrating mill beetle. Issued 2-17-31. (28)

1,793,098; All. Hartstoff Metal A G Hametag. Method of grinding. Issued 2-17-31. (28)

1,793,110; All. Haas Friedrich Joseph. Die casting machine. Issued 2-17-31. (28)

1,793,120; Morell Wilhelm. Speedometer. Issued 2-17-31. (28)

1,793,121; Muller Heinrich. Toy. Issued 2-17-31. (28)

1,793,127; Ostus Conrad. Holding means for glass. Issued 2-17-31. (28)

1,793,133; All. I G Farbenindustrie A G. Fertilizer obtainable by heating ammonium thiocyanate. Issued 2-17-31. (28)

1,793,169; Foerster Oswald Bruno. Automatic weighing apparatus. Issued 2-17-31. (28)

1,793,174; All. Chemische Fabriken J Bellak. Evaporator. Issued 2-17-31. (6)

1,793,181; All. I G Farbenindustrie A G. Apparatus for producing carbon disulphide. Issued 2-17-31. (28)

1,793,204; Altpeter Ludwig. Device for draining off fluid from fine granular material in centrifugal machines. Issued 2-17-31. (28)

1,793,205; All. Hannoversche Maschinenbau A G. Fire bridge especially for transportable furnace plants. Issued 2-17-31. (28)

1,793,228; All. Siemens Schuckertwerke A G. Valve regulating apparatus. Issued 2-17-31. (28)

1,793,230; Streckler Gerald Kirchner Ulrich et al. Cylinder paper mill. Issued 2-17-31. (28)

1,793,400; Herrmann Karl. Animal doll. Issued 2-17-31. (28)

1,793,434; Blathy Otto Titus. Electric machine. Issued 2-17-31. (34)

1,793,558; Nishimura Tokuzo. Portable automatic pencil sharpener. Issued 2-24-31. (39)

1,793,602; Feldmeyer Josef. Permutation lock. Issued 2-24-31. (28)

1,793,608; All. I G Farbenindustrie A G. Device for regulating the quantity and composition of gas mixtures. Issued 2-24-31. (28)

1,793,623; Konieczny Anton. Magnifying apparatus. Issued 2-24-31. (6)

1,793,624; Lang Josef. Tube expander. Issued 2-24-31. (28)

1,793,649; All. Vereinigte Glanzstoff Fabriken A G. Process for maintaining the composition of viscose precipitating baths containing magnesium sulphate. Issued 2-24-31. (28)

1,793,677. Casale Luigi Dec. Process for the reproduction of hydrogen. Issued 2-24-31. (38)

1,793,702; Ksoll Joseph. Aeroplane supporting surface. Issued 2-24-31. (28)

1,793,704; All. Barmer Maschinenfabrik A G. Double ring twisting frame specially for twisting artificial silk. Issued 2-24-31. (28)

1,793,738; Faudi Fritz. Stuffing box. Issued 2-24-31. (28)

1,793,938; All. Vereinigte Stahlwerke A G. Forging apparatus. Issued 2-24-31. (28)

1,793,962; Rath Curt. Process for the preparation of substitution products of pyridin. Issued 2-24-31. (28)

1,793,990; Bayer Josef. Device for sealing bottles. Issued 2-24-31. (28)

1,794,010; All. Hesser F R Maschinenfabrik A G. Package filling and closing machine. Issued 2-24-31. (28)

1,794,035; Schonfeld. Paul Linus. Process of lining for shoes. Issued 2-24-31. (28)

1,794,039; Silvano Emilio et al; Cerri Vincenzo Lombardi. Device for washing material. Issued 2-24-31. (38)

1,794,065; Erb Karl. Decorticating and pulping machine and method. Issued 2-24-31. (28)

1,794,084; All. I G Farbenindustrie A G. Production of condensation products of urea and formaldehyde. Issued 2-24-31. (28)

1,794,089; Muller Arthur Hugo. Suspension rail track system. Issued 2-24-31. (28)

1,794,127; Vorwerk Wilhelm. Hollow ribbon. Issued 2-24-31. (28)

1,794,145; All. Voran Automobil Bau A G. Motor vehicle. Issued 2-24-31. (28)

1,794,156; All. Siemens Schuckertwerke A G. Marine vessel. Issued 2-24-31. (28)

1,794,199; Nose Toichi. Device for constructing long culverts or continuous concrete tubes. Issued 2-24-31. (39)

1,794,247; Richter Arthur. High speed flat hosiery frame. Issued 2-24-31. (28)

1,794,259; Kristensson August Thorssell Theodor et al. Production of alkali sulphates. Issued 2-24-31. (28)

1,794,260; Kristensson August Thorssell Theodor et al. Process for the production of potassium carbonate. Issued 2-24-31. (28)

1,794,263; All. Fiat S A. Radiator for motor vehicles. Issued 2-24-31. (38)

1,794,264; All. Fiat S A. Variable speed gearing particularly for motor vehicles. Issued 2-24-31. (38)

1,794,270; Ackermann Gottlieb. Pressure regulator and safety valve. Issued 2-24-31. (28)

1,794,282; All. Union Special Maschinenfabrik. Cutting mechanism for sewing machines. Issued 2-24-31. (28)

1,794,287; All. Vereinigte Stahlwerke A G. Double slip point for rails. Issued 2-24-31. (28)

1,794,288; Goebeler Eberhardt. High frequency apparatus. Issued 2-24-31. (28)

1,794,299; All. Hennefer Maschinenfabrik C Reuther. Material receptacle for automatic weighing machines. Issued 2-24-31. (28)

1,794,325; All. Atlas Ago Chemische Fabrik. Process of preparing linoxyn or materials similar to linoxyn. Issued 2-24-31. (28)

1,794,402; All. Krantz H Firm. Suspension for centrifugal extractors. Issued 3-3-31. (28)

1,794,421; All. Rheinische Metallwaaren und. Electric percussion fuse for shells etc. Issued 3-3-31. (28)

1,794,500; Beckmann Erich. Alternating current indicator. Issued 3-3-31. (28)

1,794,575; Borletti Senatore. Controlling means for plunger pumps. Issued 3-3-31. (38)

1,794,624; Kastner Richard. Metallic cloth for paper making machines. Issued 3-3-31. (6)

1,794,633; Marchiano Rinaldo. Gas meter. Issued 3-3-31. (38)

1,794,653; Storch Lazar. Traveling trunk. Issued 3-3-31. (6)

1,794,686; Riedl Anton; Heinisch Otto et al. Safety system for electric plants. Issued 3-3-31. (28)

1,794,724; Meyer Ernst August. Device for preventing back drafts in fireplaces stoves and the like. Issued 3-3-31. (28)

1,794,875; All. I G Farbenindustrie A G. Process for producing substituted guanidines. Issued 3-3-31. (28)

1,794,898; Hillmann Hermann. Float for hydroplanes flying boats and the like. Issued 3-3-31. (28)

1,794,995; Voglsamer Peter. Liquid measuring device. Issued 3-3-31. (28)

—; [1] All. Bosch Robert A G. Electric switch box. (28)

1,795,025; Heitmuller Karl. Dental suction plate. Issued 3-3-31. (28)

1,795,110; Doerr Carl. Multipart articulated reinforced concrete sleeper. Issued 3-3-31. (28)

1,795,112; Eichelgrun Martin. Inclined plane curved switch. Issued 3-3-31. (28)

1,795,128; Honig Philipp. Apparatus for demonstration and advertising purposes. Issued 3-3-31. (28)

1,795,132; All. I G Farbenindustrie A G. Process for producing carbon disulphide. Issued 3-3-31. (28)

1,795,135; All. Zahnradfabrik A G. Gear. Issued 3-3-31. (28)

1,795,168; Habermehl Robert Dec. Casing in two parts for packing parachutes. Issued 3-3-31. (28)

[1] In the original document.

1,795,173; Lehrecke Hans. Process for rendering insoluble phosphates available. Issued 3-3-31. (28)

1,795,185; All. Krausewerk A G. Apparatus for copying on light sensitive surfaces. Issued 3-3-31. (28)

1,795,187; Vidor Armin. Machine for manufacturing book backs. Issued 3-3-31. (34)

1,795,188; Wagenbach Anton. Bending machine for rod and profile iron. Issued 3-3-31. (28)

1,795,211; All. Voigt and Haeffner A G. Electric switch. Issued 3-3-31. (28)

1,795,239; Still Carl. Coke oven and door therefor. Issued 3-3-31. (28)

1,795,324; All. Beckers Arnold. Coke oven. Issued 3-10-31. (28)

—; [1] All. Siemens & Halske A G. Circuit arrangement for automatic telephone systems. (28)

1,795,369; Lowenstein Karl Prinz Zu. Device for supplying fuel to internal combustion engines. Issued 3-10-31. (28)

1,795,373; All. Union Special Maschinenfabrik. Throat plate for sewing machines. Issued 3-10-31. (28)

1,795,378; Ritzerfeld Wilhelm. Duplicating method. Issued 3-10-31. (28)

1,795,379; Schmidt Carl. Method of making flanged cup shaped metal parts. Issued 3-10-31. (28)

1,795,382; All. Zeche Mathias Stinnes. Process for obtaining phenols from phenol bearing industrial liquors. Issued 3-10-31. (28)

1,795,384; Von Bosse Julius. Method of removing gases from metals. Issued 3-10-31. (28)

1,795,385; Yokoyama Hidesuke. Strand leading out device for net making machines. Issued 3-10-31. (39)

1,795,410; Siemens Friedrich Carl. Water cooled slide rail for reheating furnaces. Issued 3-10-31. (28)

1,795,435; Melzer Martha. Stretcher. Issued 3-10-31. (28)

1,795,506; All. Schlathorst & Co. Warp beaming machine. Issued 3-10-31. (28)

1,795,510; Kafka Heinz; Schanze Emil et al. Tapping device for closed vessels. Issued 3-10-31. (28)

1,795,513; Schmidt Karl. Packing for portable liquid fire extinguishers. Issued 3-10-31. (28)

1,795,535; Anders Ernst Rudolf. Tea and like infuser. Issued 3-10-31. (28)

1,795,537; All. Hannoversche Maschinenbau A G. Water boiler particularly for locomotives and locomobiles. Issued 3-10-31. (28)

1,795,556; Greis Theodor. Roll for calendering machines. Issued 3-10-31. (28)

1,795,559; Hellmann Heinrich. Method for the production of flap sliding buckles. Issued 3-10-31. (28)

1,795,633; All. Neurath Facob. Lead bearing alloy containing copper and nickel. Issued 3-10-31. (6)

1,795,658; Malenkovic Basilius Recte Vaso. Compound adapted for the preservation of wood. Issued 3-10-31. (6)

1,795,694; Wunsch Guido. Steering mechanism for aircraft. Issued 3-10-31. (28)

1,795,703; Baur Walter. Method of coating bodies of iron wood or other material. Issued 3-10-31. (28)

1,795,711; Winter Oskar; Conde Max et al. Track sander for motor vehicles. Issued 3-10-31. (28)

1,795,895; Saito Kosaku. Diestock. Issued 3-10-31. (39)

1,795,962; All. Carnitt Rostschutz & Farbstoff. Process of producing bright paints. Issued 3-10-31. (28)

1,795,972; All. Rheinische Metallwaaren und. Charging device for electrical fuses. Issued 3-10-31. (28)

1,795,977; Suida Hermann. Process for obtaining concentrated acetic acid from dilute acetic acid. Issued 3-10-31. (6)

1,795,995; Busching Willi. Process for the high concentration of impure sulphuric acid treated preliminarily in a dephlegmator. Issued 3-10-31. (28)

1,795,996; All. Michalk Otto. Gear. Issued 3-10-31. (28)

1,796,035; Maier Gustav. Folding box. Issued 3-10-31. (28)

1,796,067; All. Fiat S A. Variable speed gearing particularly for motor vehicles. Issued 3-10-31. (38)

1,796,100; All. Bamag Meguin A G. Distillation process and apparatus therefor. Issued 3-10-31. (28)

1,796,102; Hoffmann Karl Hildmar. Dough dividing and molding machine. Issued 3-10-31. (28)

1,796,107; All. I G Farbenindustrie A G. Process of extracting clay and other aluminous raw materials. Issued 3-10-31. (28)

1,796,134; Worner Albert. Vitamizing food products. Issued 3-10-31. (28)

1,796,215; Pelkert Heinrich. Air pressure conveyor. Issued 3-10-31. (28)

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1,805,967; Bauer Gustav. Superheater for water tube boilers. Issued 5-19-31. (28)
1,805,998; All. Schutte Alfred H firm. Screw cutting device for automatic lathes. Issued 5-19-31. (28)
1,806,022; Poth Richard. Ignition roof for traveling grate boiler plants. Issued 5-19-31. (28)
1,806,029; Thorssell Carl Theodor. Process for working up crude phosphate and potassium salts to mixed fertilizer. Issued 5-19-31. (28)
1,806,030; All. Schmidtsche Heissdampf GmbH. Boiler generating steam according to the indirect method. Issued 5-19-31. (28)
1,806,066; Kremmling Otto. Art of applying filling materials to pastry. Issued 5-19-31. (28)
1,806,125; Spohn Gottlob. Folding device for letter sheets. Issued 5-19-31. (28)
1,806,129; Strunk Gustav. Device for changing over the points in mine tracks from the traveling vehicle. Issued 5-19-31. (28)
1,806,162; Hahn Paul. Lace and like fastening. Issued 5-19-31. (28)
1,806,223; Samala Dino. Bomb for use with a special bomb thrower or with firearms already existing and having a smaller caliber than the bomb. Issued 5-19-31. (38)
1,806,232; Abe Shotaro. Photograph developing device. Issued 5-19-31. (39)
1,806,245; Esau Abrahan. Short wave oscillator. Issued 5-19-31. (28)
1,806,247; Fraunberger Fritz et al; Knoffler Georg. Process for the manufacture of oxidation products of siccative oils. Issued 5-19-31. (28)
1,806,290; All. I G Farbenindustrie A G. Cattle fodder. Issued 5-19-31. (28)
1,806,304; Miersbe Adolf. Steam heating plant. Issued 5-19-31. (28)
1,806,360; Moller Ernst. Diaphragm piston in particular for control valves for air brakes. Issued 5-19-31. (28)
1,806,378; Witzler Willi et al; Guth Paul Friedrich Gustav. Water heater. Issued 5-19-31. (28)
1,806,381; All. Schering Kahlbaum A G. Agitating device. Issued 5-19-31. (28)
1,806,419; All. Boehringer C H Sohn Chemische Fabrik. Purification of acetylene. Issued 5-19-31. (28)
1,806,443; All. Schiele & Bruchsaler Industriewerke. Thermal release device. Issued 5-19-31. (28)
1,806,488; Nagao Kikuro. Door opening and shutting device for automobiles. Issued 5-19-31. (39)
1,806,513; Von Waldenburg Straus Scharina Eduard Wilhelm. Filter for separating dust from air or gas. Issued 5-19-31. (28)
1,806,588; All. I G Farbenindustrie A G. Surface treatment of synthetic precious stones. Issued 5-26-31. (28)
1,806,589; All. I G Farbenindustrie A G. Surface treatment of articles made of synthetic corundum. Issued 5-26-31. (28)
1,806,689; Jontof Rudolf. Curved mouthpiece for mouthorgans. Issued 5-26-31. (28)
1,806,703; All. I G Farbenindustrie A G. Manufacture of cellulose. Issued 5-26-31. (28)
1,806,718; Spanier Fritz. Sectional wedge. Issued 5-26-31. (28)
1,806,787; Conradty Ottmar. Incandescent lamp. Issued 5-26-31. (28)
1,806,841; Czapek Emil et al; Weingand Richard. Process of manufacturing artificial leather leather board waxed cloth and the like. Issued 5-26-31. (28)
1,806,850; Giese Paul. Dimming device for searchlights. Issued 5-26-31. (28)
1,806,851; Hamel Hermann. Spinning machine for artificial silk. Issued 5-26-31. (28)
1,806,856; All. Maschinenfabrik Augsburg Nurnberg. Fore gripper mechanism. Issued 5-26-31. (28)
1,806,859; Mattei Diego. Self acting closure for water tight compartments. Issued 5-26-31. (38)
1,806,868; Wolf Paul. Miner's lamp. Issued 5-26-31. (28)
1,807,007; Otsuka Kanichi. Steam finishing apparatus. Issued 5-26-31. (39)
1,807,090; All. I G Farbenindustrie A G. Charging means for electric furnaces. Issued 5-26-31. (28)
1,807,105; Schliephake Erwin. Appliance for diathermic treatment by means of high frequency. Issued 5-26-31. (28)
1,807,122; Maruhn Johannes et al; Tubben Ludwig. Method of producing liquid hydrocarbons and apparatus therefor. Issued 5-26-31. (28)
1,807,208; Hankey John Leathart. Treating textile material with chromium. Issued 5-26-31. (28)
1,807,251; Ovenhausen Franz. Process of producing veneers. Issued 5-26-31. (28)
1,807,378; Budil Eleonore. Filter for air and gases. Issued 5-26-31. (28)
1,807,399; Friedrich Wilhelm. Dry fire extinguisher. Issued 5-26-31. (28)
1,807,424; All. Electa Apparatenbau GmbH. Apparatus for affixing stamps labels and the like. Issued 5-26-31. (6)
1,807,440; All. Speidel Chain Co. Elastic mesh bracelet. Issued 5-26-31. (28)
1,807,468; Brackelsberg Carl. Process and device for the production of iron alloys free from gases especially oxygen. Issued 5-26-31. (28)
1,807,495; All. Schlafhorst W Co. Exchanging the bobbins in preparatory weaving machines. Issued 5-26-31. (28)
1,807,530; All. Union Special Maschinenfabrik. Chain cutter for sewing machines. Issued 5-26-31. (28)
1,807,608; Stern Ernst. Method of preparing a calcium carbohydrate compound. Issued 6-2-31. (28)
1,807,652; Dietrich Ernst. Turret for multiple punching machines. Issued 6-2-31. (28)
1,807,656; All. Maschinenfabrik. Augsburg Nurnberg. Plural color printing machine. Issued 6-2-31. (28)
1,807,703; Osthoff Walter. Method of and apparatus for aingeing textile fabrics. Issued 6-2-31. (28)
1,807,708; All. Rheinische Metallwaaren und. Process of and means for timing electric fuses. Issued 6-2-31. (28)
1,807,723; All. United Cigarette Machine Co A G. Apparatus for turning cigarettes right side up as they are fed to the packing machine. Issued 6-2-31. (28)
1,807,731; All. Sack Firm Rud. Operater for agricultural cultivating implements. Issued 6-2-31. (28)
1,807,734; All. Vereinigte Stahlwerke A G. Rail point. Issued 6-2-31. (28)
1,807,738; All. United Cigarette Machine Co A G. Apparatus for turning cigarettes and similar rod shaped articles right side up when feeding same to packing machines. Issued 6-2-31. (28)
1,807,761; All. Kalle and Co A G. Process of improving the resistance of diazo types to water. Issued 6-2-31. (28)
1,807,780; All. Maschinenfabrik Augsburg. Lifting machinery especially for the ends of pivot bridges. Issued 6-2-31. (28)
1,807,788; Kemp Paul. Alloy of lead and antimony. Issued 6-2-31. (6)
1,807,830; Cattaneo Giustino. Lubricant purifier for connecting rod bearings. Issued 6-2-31. (38)
1,807,848; All. Knorr Bremse A G. Pressure medium brake and steering device for aircraft. Issued 6-2-31. (28)
1,807,897; Cicali Giovanni. Process of obtaining substantially pure hydrogen. Issued 6-2-31. (38)
1,807,933; All. Silfree A G Silfree Ltd. Apparatus for photographic copying purposes. Issued 6-2-31. (28)
1,808,032; Gebers Griedrich. Out of water propeller. Issued 6-2-31. (6)
1,808,046; Kuchenmeister Heinrich. Film of magnetizable material for episcopic projection. Issued 6-2-31. (28)
1,808,112; Horn Erhard. Speed indicator with several measuring ranges. Issued 6-2-31. (28)
1,808,123; Uher Edmund Jr. Method of producing photographed printing forms. Issued 6-2-31. (34)
1,808,125; Weissfloch Konrad Karl. Device for filling the crank cases of motor vehicles with lubricating oil. Issued 6-2-31. (28)
1,808,177; All. Deutsche Gasglühlicht Auer GmbH. Air purifying appliance. Issued 6-2-31. (28)
1,808,213; All. Rheinische Metallwaaren und. Calculating machine. Issued 6-2-31. (28)
1,808,270; Vogt Curt. Counting machine. Issued 6-2-31. (28)
1,808,271; Von Keussler Otto Peters Daniel et al. Process for dehydrating alcohol. Issued 6-2-31. (28)
1,808,339; Bellingeri Mario. Creel for winding warp beams. Issued 6-2-31. (38)
1,808,348; Gatzsche Richard. Reversing mechanism. Issued 6-2-31. (28)
1,808,356; All. Kleinewefers Firm Joh Schne. Hydraulic leather fabric or raper rolling machine. Issued 6-2-31. (28)
1,808,377; Reichenbach Albert. Fountain penholder. Issued 6-2-31. (28)
1,808,389; All. Vereinigte Stahlwerke A G. Frog for grooved rails. Issued 6-2-31. (28)
1,808,392; Waldrich Oskar. Apparatus for grinding rolls. Issued 6-2-31. (28)
1,808,407; All. Felten and Guilleaume Carlswerk A G. Wrapping paper for the insulation of electric cables. Issued 6-2-31. (28)
1,808,441; Trinkl Hans. Electromagnetic automatic circuit breaker. Issued 6-2-31. (28)
1,808,442; Weide Rudolph. Method of manufacturing cylindrical plates of glass or similar material for use in connection with polygraphic apparatus. Issued 6-2-31. (28)
1,808,449; Bellantoni Rocco. Speed change device for motor cars. Issued 6-2-31. (28)
1,808,457; All. Ade Fabrik Automatischer. Automatic inclination balance. Issued 6-2-31. (28)
1,808,463; Horn Guido. Round braiding machine. Issued 6-2-31. (28)

1,808,465; All. I G Farbenindustrie A G. Production of urea. Issued 6-2-31. (28)
1,808,517; All. Siemens Schukertwerke A G. Metal vapor rectifier. Issued 6-2-31. (28)
1,808,586; Winkler Alfred et al; Dunnebier Nax. Apparatus for the withdrawal of sheets or the like. Issued 6-2-31. (28)
1,808,590; Andernach August Wilhelm. Method of manufacturing paper pasteboard felt and the like. Issued 6-2-31. (28)
1,808,599; Galeazzi Roberto. Resistant submarine hull or the like. Issued 6-2-31. (38)
1,808,606; Pels Henry. Hydraulic safety device for power presses and the like. Issued 6-2-31. (28)
1,808,612; All. Dragerwerk. Device for dosing compressed gases. Issued 6-2-31. (28)
1,808,619; All. Schmidt Sche Heissdampf GmbH. Heat exchanger. Issued 6-2-31. (28)
1,808,620; All. Still Frim Carl. Coke oven and the like. Issued 6-2-31. (28)
1,808,631; Bungeroth Rudolf. Tube expander. Issued 6-2-31. (28)
1,808,661; Kemmann Gustav. Railway signaling system. Issued 6-2-31. (28)
1,808,663; Kock Hans Rudolf Friedrich et al; Quitt Karl Alfred Rudolf. Boiler and Evaporator. Issued 6-2-31. (28)
1,808,665; Konig Georg. Pencil sharpening device. Issued 6-2-31. (28)
1,808,666; All. Still Frim Carl. Distillation and like column. Issued 6-2-31. (28)
1,808,693; Terzoli Umberto. Tent. Issued 6-2-31. (38)
1,808,718; Bader Theodor. Heating means for casting pots. Issued 6-2-31. (28)
1,808,794; All. Universelle Cigarettenmaschinen. Means for spreading cut tobacco. Issued 6-9-31. (28)
1,808,795; All. Universelle Cigarettenmaschinen. Means for spreading cut tobacco. Issued 6-9-31. (28)
1,808,844; All. I G Farbenindustrie A G. Purification of wool grease. Issued 6-9-31. (28)
1,808,921; All. Weydmann Philipp August. Metallic filling for cold accumulators. Issued 6-9-31. (6)
1,808,957; All. Esser Heinrich. Manufacture of seamless tubes. Issued 6-9-31. (28)
1,808,974; Wildens Ferdinand. Means for cable laying. Issued 6-9-31. (28)
1,809,154; All. Junkers Hugo. Riveting. Issued 6-9-31. (28)
1,809,158; All. I G Farbenindustrie A G. Anhydrous metal chlorides and hydrogen chloride. Issued 6-9-31. (28)
1,809,173; Link Johann. Dirigible headlight. Issued 6-9-31. (28)
1,809,184; Schultz Oscar. Rudder arrangements for ships. Issued 6-9-31. (28)
1,809,189; All. United Cigarette Machine Co A G. Apparatus for turning cigarettes right side up as they are fed to the packing machine. Issued 6-9-31. (28)
1,809,161; All. Bronn Jegor Israel. Process for manufacturing nitrates. Issued 6-9-31. (28)
1,809,219; All. United Cigarette Machine Co A G. Apparatus for use with packing machines for feeding and adjusting cigarettes. Issued 6-9-31. (28)
1,809,220; Schuette Johann. Driving gear for airships of the rigid type. Issued 6-9-31. (28)
1,809,222; All. Soc Italiana Ernesto Breda Per. Automatic firearm having a recoiling barrel and an amplifying push lever. Issued 6-9-31. (38)
1,809,272; All. Siemens Bauunion GmbH. Supporting structure. Issued 6-9-31. (28)
1,809,414; Huser Johann. Grinding machine. Issued 6-9-31. (28)
1,809,422; Passek Friedrich. Method of manufacturing solutions of cholesterine. Issued 6-9-31. (28)
1,809,466; All. Maschinenfabrik Johannisberg. Intaglio printing machine. Issued 6-9-31. (28)
1,809,470; All. Chemische Fabrik Facobus GmbH. Dressing medium for textile matter and the process of manufacturing the same. Issued 6-9-31. (28)
1,809,472; All. Wezel and Naumann A G. Method for pressing corrugated card board flat in places. Issued 6-9-31. (28)
1,809,476; Eckholdt Erich. Process of making sodium fluoride. Issued 6-9-31. (28)
1,809,482; Huberti Victor. Reflooting of stranded ships. Issued 6-9-31. (28)
1,809,489; All. Friedmann Alex Firm. Pump for spinning liquid such as viscose. Issued 6-9-31. (6)
1,809,496; Suess Eduard. Siphon turbine. Issued 6-9-31. (6)
1,809,535; Torre Egidio. Feed regulator for steam boilers. Issued 6-9-31. (38)
1,809,538; Weisshaar Heinrich. Heat utilizer. Issued 6-9-31. (28)
1,809,659; All. Still Carl Firm. Coke oven and method of operating same. Issued 6-9-31. (28)
1,809,666; Bauer Gustav et al; Schmieske Carl. Supply conduit for steam and gas turbines. Issued 6-9-31. (28)
1,809,713; Kuhnert Walter et al; Maurer Max. Microphone. Issued 6-9-31. (6)
1,809,736; Speidel Robert. Washing machine for comestibles. Issued 6-9-31. (28)
1,809,737; All. Automobilwerke H Bussing A G. Driving mechanism for motor vehicles. Issued 6-9-31. (28)
1,809,738; Stuhlmann Paul. Process for treating resins. Issued 6-9-31. (28)
1,809,741; Von Frommer Rudolf. Automatic firearm. Issued 6-9-31. (34)
1,809,759; All. Steine and Hartung GmbH. Pressure gauge. Issued 6-9-31. (28)
1,809,777; All. Edeleanu GmbH. Dewaxing mineral oils. Issued 6-9-31. (28)
1,809,927; All. Soc Italiana Pirelli. Means for maintaining oil pressure in high tension electric cables. Issued 6-16-31. (38)
1,809,941; All. Union Special Maschinenfabrik. Bed structure for sewing machines. Issued 6-16-31. (28)
1,810,055; Muller Georg et al; Jaenicke Johannes. Method of reciprocal action between gases and finely subdivided materials. Issued 6-16-31. (28)
1,810,056; Papst Hermann. Rotor for asynchronous alternating current motors. Issued 6-16-31. (28)
1,810,076; Hansel Curt. Stiffening fabric for wearing apparel. Issued 6-16-31. (28)
1,810,090; All. Moller K & TH GmbH. Filtering apparatus. Issued 6-16-31. (28)
1,810,243; All. Theinische Metallwaaren und Trigger mechanism for firearms mounted on a carriage and having a pointing handle. Issued 6-16-31. (28)
1,810,253; Peterson Hugo. Manufacture of sulphuric acid. Issued 6-16-31. (28)
1,810,258; Aperber Bernhard. Egg boiling frame. Issued 6-16-31. (28)
1,810,262; Weber Ottomar. Means for covering cultivated ground. Issued 6-16-31. (28)
1,810,270; Erdmann Erich. Frictionless automatic device for raising wire windings on vertical conical winding up drums. Issued 6-16-31. (28)
1,810,271; Frainkel Ernst. Injecting and delivering machine for mortar and other materials. Issued 6-16-31. (28)
1,810,281; All. Haberfeld Erwin O. Method of manufacturing veneered metal surfaces. Issued 6-16-31. (28)
1,810,293; Reese Alfred. Door closer. Issued 6-16-31. (28)
1,810,307; Von Suchorzynski Anton. Diaphragm for sound reproduction. Issued 6-16-31. (28)
1,810,354; All. Rheinische Metallwaaren und. Wheel brake. Issued 6-16-31. (28)
1,810,379; Urbinati Mario. Current transformer. Issued 6-16-31. (38)
1,810,394; All. Schaumbad GmbH. Means for the production of foam. Issued 6-16-31. (28)
1,810,402; All. Rbenania Kunheim Verein Chemischer. Process for obtaining alumina and phosphates. Issued 6-16-31. (28)
1,810,427; All. Mauser Werke A G. Caliper. Issued 6-16-31. (28)
1,810,442; Spless Georg. Sheet cutting machine. Issued 6-16-31. (28)
1,810,449; Tahara Hisakichi. Movable dam. Issued 6-16-31. (39)
1,810,456; Yonekuraa Tario. Suction device of paper making machines. Issued 6-16-31. (39)
1,810,466; Deutsch Josef. Device for giving access to cavities of the animal and human body. Issued 6-16-31. (6)
1,810,470; Egli Arnold. Intaglio printing machine. Issued 6-16-31. (28)
1,810,495; Otto Carl. Closure for coke oven chambers. Issued 6-16-31. (28)
1,810,617; All. Union Special Maschinenfabrik. Overedge sewing machine. Issued 6-16-31. (28)
1,810,629; Still Carl. Coke oven. Issued 6-16-31. (28)
1,810,750; Braunstein Schullm et al; Meerson Simion. Process for the generation of a refrigerant jet for dental operations. Issued 6-16-31. (28)
1,810,759; Flammer Ernst et al; Kelber Christian. Manufacture of soap. Issued 6-16-31. (28)
1,810,765; Herdling Wilhelm. Sand spraying device for motor vehicles especially motor cars. Issued 6-16-31. (28)
1,810,801; Todt Wilhelm. Method of removing gases from molten light metals such as aluminum and its alloys. Issued 6-16-31. (28)
1,810,811; All. Fortuna Werke Spezial. Machine for milling and planing profiled elements of wood leather and the like. Issued 6-16-31. (28)
1,810,838; Marian Josef. Bottle capping machine. Issued 6-16-31. (6)
1,810,859; Thorssell Theodore et al; Kristensson August. Process for the decomposition of crude phosphate. Issued 6-16-31. (28)
of crude phosphate. Issued 6-16-31. (28)
1,810,882; All. Schenck Carl Eisengresserei und. Conveying of material. Issued 6-16-31. (28)
1,810,992; Von Dallwitz Wegner Richard. Method and means for determining the viscosity of liquid substances. Issued 6-23-31. (28)
1,811,016; Kumamoto Jinichi. Sleeper. Issued 6-23-31. (39)
1,811,029; All. Kalle & Co A G. Process of preparing light sensitive layers by means of diazo compounds and the products obtainable thereby. Issued 6-23-31. (28)
1,811,045; Gerdts Gustav F. Steam trap. Issued 6-23-31. (28)
1,811,068; Walter Richard R. Alloy. Issued 6-23-31. (28)
1,811,070; Weissfloch Konrad Karl. Placard typewriting machine. Issued 6-23-31. (28)
1,811,108; Bayer Josef. Strap stretching and fastening tool. Issued 6-23-31. (28)
1,811,118; Fischer Oskar. Copyholder for typewriters. Issued 6-23-31. (28)
1,811,121; Gastell Albert. Tracing device. Issued 6-23-31. (28)
1,811,151; Pfotzer Jakob. Safety valve for boiling vessels. Issued 6-23-31. (28)
1,811,157; Schwerdtfeger Walter. Centrifugal apparatus for purifying oil. Issued 6-23-31. (28)
1,811,165; Wolter Jonny. Dustbin. Issued 6-23-31. (28)
1,811,213; Rohn Wilhelm. Furnace heated by high frequency coils. Issued 6-23-31. (28)

1,811,239; Lenzkes Karl. Device for stopping electrically driven looms by the weft guard. Issued 6-23-31. (28)
1,811,288; All. Haefeli Arnold. Carburetor. Issued 6-23-31. (28)
1,811,322; Klausner Siegfried et al (6); Eichengrun Arthur; Rohm Richard. Opaque washable playing card and method of manufacturing same. Issued 6-23-31. (28)
1,811,357; Lorenz C A G. Wireless signaling apparatus. Issued 6-23-31. (28)
1,811,371; Takimizu Satoru et al; Idemitsu Hiroshi. Oil burner. Issued 6-23-31. (39)
1,811,546; Heine Martin. Traffic regulating sign. Issued 6-23-31. (28)
1,811,549; Langer Eduard. Rag grinding machine. Issued 6-23-31. (28)
1,811,559; Pronnecke Karl. Machine for making clothes pegs. Issued 6-23-31. (28)
1,811,586; Kronenberg Rudolf. Rolling mill. Issued 6-23-31. (28)
1,811,591; All. Hydor GmbH Regenanlagen. Periodic jet rotary sprinkler. Issued 6-23-31. (28)
1,811,637; Ladisch Carl. Spraying nozzle. Issued 6-23-31. (28)
1,811,695; All. Soc Italiana Pirelli. Manufacture of rubber articles from rubber latex. Issued 6-23-31. (38)
1,811,744; Bruninghaus Hugo. Method of and apparatus for tying packets. Issued 6-23-31. (28)
1,811,783; Elgerus Ernst. Method for making white and bleached wood pulp suitable for the manufacture of paper without addition of cellulose. Issued 6-23-31. (6)
1,811,784; Fischer Ferdinand. Offset printing machine. Issued 6-23-31. (28)
1,811,796; Kuehn Karl. Driving crank for piston engines. Issued 6-23-31. (28)
1,811,809; Schwarzkopf Karl. Pulverulent preparation for the production of a rinsing liquid for the after treatment of washed animal fibers woolen or silken fabrics and especially the hair of the head. Issued 6-23-31. (28)
1,811,813; Wagner Friedrich. Double sided warp goods. Issued 6-23-31. (28)
1,811,817; All. Telegraphie Patent Syndikat. Duplication of sound records obtained by magnetic means. Issued 6-23-31. (28)
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1,811,867; Serragli Giovanni. Self rotating air screw for the aerodynamic brakage of airplanes and the like. Issued 6-30-31. (38)
1,811,868; All. Rheinische Kampfer Fabrik GmbH. Process for preparing 1 8 cineol eucalyptol. Issued 6-30-31. (28)
1,811,869; Von Horvath Edmund et al; Vielwerth Peter. Method for removing the moldy smell and taste of tainted cereals and the like. Issued 6-30-31. (28)
1,811,940; Kappler Paul. Parallelogram type pantograph. Issued 6-30-31. (28)
1,811,972; Schmidt Fritz. Process for the production of artificial horn. Issued 6-30-31. (28)
1,812,132; All. Riedel A G J D. Production of vanillin and I vanillin. Issued 6-30-31. (28)
1,812,145; All. I G Farbenindustrie A G. Cellulose ester lacquer. Issued 6-30-31. (28)
1,812,155; All. Vereinigte Stahlwerke A G. A structural steel. Issued 6-30-31. (28)
1,812,178; Springmann Adolf. Fly catcher. Issued 6-30-31. (28)
1,812,224; Treibmann Ernst. Electrode for unipolar high frequency curative treatment. Issued 6-30-31. (28)
1,812,238; All. Braun Melsungen B. Process for preparing compressed iodine in the form of rods pencils or the like. Issued 6-30-31. (28)

[1] So in the original document.

1,812,239; All. Autogen Gasaccumulator A G. Method of the machine for cutting holes. Issued 6-30-31. (28)
1,812,250; All. Rhenania Verein Chemischer. Manufacture of barium hydroxide and strontium hydroxide. Issued 6-30-31. (28)
1,812,263; Hammer Arthur. Ironing machine. Issued 6-30-31. (28)
1,812,294; Al'. Universelle Cigarettenmaschinen. Means for dressing cigarettes and the like provided with imprints. Issued 6-30-31. (28)
1,812,333; All. Pintsch A G Julius. Gas meter. Issued 6-30-31. (28)
1,812,363; All. Metallurgica Brescinna gia Tempini. Device for loading firearms. Issued 6-30-31. (38)
1,812,380; All. Drager Dr Otto Heinrich. Gas protective mask for animals particularly for horses. Issued 6-30-31. (28)
1,812,391; Zechlau Walter. Piston for internal combustion engines. Issued 6-30-31. (28)
1,812,422; All. Gillette Safety Razor Ges mbH. Safety razor. Issued 6-30-31. (6)
1,812,459; All. I G Farbenindustrie A G. Fermentation of tobacco. Issued 6-30-31. (28)
1,812,514; Christian Kuno. Varnishing and printing machine for bands. Issued 6-30-31. (28)
1,812,518; All. Quendt Bernhard. Guide for current supply cable of electric irons. Issued 6-39-31. (28)
1,812,524; Frascani Arturo. Auxiliary keyboard for pianos. Issued 6-30-31. (38)
1,812,528; Gruter Reinhold. Pharmaceutical product. Issued 6-30-31. (28)
1,812,531; Hofer Paul. Producing potassium nitrate. Issued 6-30-31. (28)
1,812,536; Kovacs Theodore. Clip for securing articles to cloth. Issued 6-30-31. (28)
1,812,539; Ludowici Wilhelm. Self discharging wagon. Issued 6-30-31. (28)
1,812,547; Buwert Hans; Nowac Whilhelm et al. Advertising device. Issued 6-30-31. (28)
1,812,548; Obermiller Julius. Method of producing a constant degree of humidity in air or other gases. Issued 6-30-31. (28)
1,812,711; Pessione Luigi. Block for pavements and coverings. Issued 6-30-31. (38)
1,812,717; Rudolph Paul. Lens system. Issued 6-30-31. (28)
1,812,742; Fallot Alfred DEC. Means for raising changing and driving the paper web rolls in printing machines and more particularly in rotary printing machines. Issued 6-30-31. (28)
1,812,750; All. Industria S A. Apparatus for eliminating a substance from a gaseous mixture. Issued 6-30-31. (38)
1,812,760; Soprani Mario. Sound action for accordions harmonicas and like instruments. Issued 6-30-31. (38)
1,812,767; Bergfeld Karl. Gas washer. Issued 6-30-31. (28)
1,812,797; Lindemann Waldemar. Bundling press. Issued 6-30-31. (28)
1,812,804; Rieck Wilhelm Otto Paul. Sealing attachment for machines for applying crown corks to bottles or other containers. Issued 6-30-31. (28)
1,812,868; Dutschke Hermann Alwin. Indicating device for the power consumption in motor cars and the like. Issued 7-7-31. (28)
1,812,936; De Faveri Serafino. Cellular material for safety garments. Issued 7-7-31. (38)
1,812,948; Hacklander Carl Hermann. Carpet or rug. Issued 7-7-31. (28)
1,812,952; Herdling Wilhelm. Sand spraying device for motor vehicles. Issued 7-7-31. (28)

1,812,954; Heylandt Christian; Wilhelm Paul. Method and device for producing compressed gas from liquefied gas. Issued 7-7-31. (28)
1,813,008; Winkelmuller Karl. Furnace for smoking goods such as fish meat sausage and the like. Issued 7-7-31. (28)
1,813,145; Ceschi Eugenio; Cavicchioli Gioacchino et al. Vehicle door. Issued 7-7-31. (38)
1,813,161; All. Elektrische Lot und Schweiss GmbH. Electrically heated soldering iron. Issued 7-7-31. (28)
1,813,165; Jung Karl. Adjustment device particularly. Issued 7-7-31. (28)
1,813,166; Kahn Theodor. Talking machine recorder. Issued 7-7-31. (28)
1,813,175; All. Siemens & Halske Akg. Automatic telephone system. Issued 7-7-31. (28)
1,813,205; Scholz Werner; Frohberg Arno et al. Device for charging vessels. Issued 7-7-31. (28)
1,813,272; All. I G Farbenindustrie Akg. Dehydration. Issued 7-7-31. (28)
1,813,366; Teusch Heinrich. Method of removing the bitter taste from orange peel. Issued 7-7-31. (28)
1,813,497; All. I G Farbenindustrie Akg. Production of pure sulphur. Issued 7-7-31. (28)
1,813,575; All. I G Farbenindustrie Akg. Treatment of crude mineral salts. Issued 7-7-31. (28)
1,813,576; Kattwinkel Hans. Manufacture of friction bodies for brake and clutch purposes. Issued 7-7-31. (28)
1,813,585; Schilde Richard. Apparatus for drying textile bands yarns slivers tops and the like. Issued 7-7-31. (28)
1,813,608; Brosch Anton. Apparatus for submerged intestinal lavage. Issued 7-7-31 (6)
1,813,619; All. I G Farbenindustrie Akg. Cyanogen halide derivatives of cellulose and process of making. Issued 7-7-31. (28)
1,813,636; All. I G Farbenindustrie Akg. Process of separating formic acid from acetic acid. Issued 7-7-31. (28)
1,813,840; Fast Friedrich. Device for sorting coins. Issued 7-7-31. (28)
1,813,904; All. Bek Ernst Gideon. Method of soldering chains chain mesh or the like. Issued 7-14-31. (28)
1,813,921; All. Siemens Schuckertwerke A G. Vapor power plant. Issued 7-14-31. (28)
1,814,021; All. Schnellpressenfabrik AG. Sheet laying on device. Issued 7-14-31. (28)
1,814,024; All. Berliner Maschinenbau AG. Apparatus for removing any ink remains from the printing plate of the form cylinder of rotary intaglio printing machines. Issued 7-14-31. (28)
1,814,030; All. Getriebebau GmbH. Intermittent actuating gear. Issued 7-14-31. (28)
1,814,032; Haase Heinrich. Metallic ball hand hinge for non metallic spectacle frames. Issued 7-14-31. (28)
1,814,047; Kuchenmeister Heinrich. Portable talking machine. Issued 7-14-31. (28)
1,814,063; Strauss Siegmund. Current rectifier. Issued 7-14-31. (6)
1,814,102; Weiset Max. High tension electric cable with paper insulation. Issued 7-14-31. (28)
1,814,211; Garbarek Josef. Tool holder. Issued 7-14-31. (28)
1,814,215; Hanekop Georg. Grinding graphite. Issued 7-14-31. (28)
1,814,219; All. I G Farbenindustrie AG. Process of improving certain physical properties of synthetic precious stones. Issued 7-14-31. (28)
1,814,476; All. Vereinigte Stahlwerke A G. Rail structure. Issued 7-14-31. (28)

1,814,498; All. Schwarz Presse A G. Surface printing rotary sheet printing press. Issued 7-14-31. (28)
1,814,552; Heyman Ernst. Sieve. Issued 7-14-31. (28)
1,814,559; All. Hartstoff Metall A G. Beetling mill with closed casing. Issued 7-14-31. (28)
1,814,598; Herrmann Rudolf. Process for making mesh sieves. Issued 7-14-31. (28)
1,814,605; All. Siemens Schuckertwerke A G. Steam generator. Issued 7-14-31. (28)
1,814,859; Schwarz Julius. Tipped laces. Issued 7-14-31. (34)
1,814,881; All. Machinenfabrik Augsburg Nurnberg. Bottom packing for weir locks. Issued 7-14-31. (28)
1,814,891; All. Magnet Werk GmbH. Eisenach power transmission device for presses and the like. Issued 7-14-31. (28)
1,814,916; Hackl Heinrich. Manufacture of bisulphite liquor and dimagnesium phosphate. Issued 7-14-31. (28)
1,814,980; Thomas Friedrich. Process for the production of trinitrotoluine. Issued 7-14-31. (28)
1,814,989; Wessel Carl. Process for the distillation of coal tar and device for carrying out such process. Issued 7-14-31. (28)
1,815,040; All. Balz Erzrostung GmbH. Method of and means for roasting zinc blende and the like. Issued 7-21-31. (28)
1,815,093; All. Soc Alti Forni Fonderie Acciaierie. Centrifugal tube casting apparatus. Issued 7-21-31. (38)
1,815,112; Metzler Kurt. Tool grinding machine. Issued 7-21-31. (28)
1,815,146; Erber Bernhard. Method of producing openings passages and the like in molten or pressed glass bodies. Issued 7-21-31. (6)
1,815,164; Schneider Heinrich. Footwear. Issued 7-21-31. (28)
1,815,229; All. Siemens Schuckertwerke A G. Electron tube. Issued 7-21-31. (28)
1,815,253; Hanel Curt. Apparatus for printing and registering fare tickets and the like. Issued 7-21-31. (28)
1,815,409; Knuttel Ernst. Centrifugal apparatus. Issued 7-21-31. (28)
1,815,410; Lawaczeck Franz. Process and means for producing ammonia. Issued 7-21-31. (28)
1,815,452; All. Lorenz C A G. Arrangement for lighting trains. Issued 7-21-31. (28)
1,815,454; Urbinati Mario. Phase changing transformer. Issued 7-21-31. (38)
1,815,475; Kambo Luigi. Variable speed gear. Issued 7-21-31. (38)
1,815,504; All. Plushweberei Grefrath A G. Device for printing colored patterns on plush and like fabrics. Issued 7-21-31. (28)
1,815,507; Harter Ludwig. Rubber tire. Issued 7-21-31. (28)
1,815,510; Hotter Oscar. Construction of spring seats and mattresses. Issued 7-21-31. (28)
1,815,513; All. Feldmuhle Papier und Zellstoffwerke A G. Manufacture of cellulose films. Issued 7-21-31. (28)
1,815,521; Miyagi Shinsho. Apparatus for setting seed shellfish. Issued 7-21-31. (39)
1,815,581; All. I G Farbenindustrie A G. Production of phosphoric acid and hydrogen. Issued 7-21-31. (28)
1,815,677; Natta Giulio. Process for the manufacture of methanol. Issued 7-21-31. (38)
1,815,707; All. Lorenz C A G. High frequency transformer or the like. Issued 7-21-31. (28)
1,815,743; Stutz Benz Emil. Stopping device for spinning and doubling machines. Issued 7-21-31. (28)
1,815,815; Vossloh Karl. Rail fastening device. Issued 7-21-31. (28)

1,815,867; Wellmann Wilhelm; Roeder Julius et al. Rolling mill and process for rolling tubes. Issued 7-21-31. (28)
1,815,946; Langer Arthur. Extracting of iron. Issued 7-28-31. (6)
1,815,985; All. I G Farbenindustrie A G. Process for the manufacture of oxygenated organic compounds. Issued 7-28-31. (28)
1,816,003; All. Wulfing Johann A. Manufacture of esters of 2 phenylquinoline 4 carboxylic acid. Issued 7-28-31. (28)
1,816,071; All. Bohme H TH AG. Process for sulphonation of oils or. Issued 7-28-31. (28)
1,816,084; All. I G Farbenindustrie AG. Production of pure sulphur. Issued 7-28-31. (28)
1,816,087; All. I G Farbenindustrie AG. Production of carbamides including urea. Issued 7-28-31. (28)
1,816,091; Schmeisser Hugo. Repeating air gun. Issued 7-28-31. (28)
1,816,100; Ulrik Hans Georg. Method of and explosive member for the blasting of blast holes. Issued 7-28-31. (57)
1,816,114; Haegermann Friedrich. Prize trophy. Issued 7-28-31. (28)
1,816,168; All. Siemens Schuckertwerke GmbH. Gas discharge tube switch. Issued 7-28-31. (28)
1,816,244; All. Geiger Julius GmbH. Gauge. Issued 7-28-31. (28)
1,816,248; All. Riedel J D E De Haen AG. Manufacture of aromatic hydroxy aldehydes. Issued 7-28-31. (28)
1,816,255; Hessen Richard. Manufacture of condensation products from phenol and formaldehyde. Issued 7-28-31. (28)
1,816,261; Lombardini Luigi. Wing pocket for visible index card holders. Issued 7-28-31. (38)
1,816,264; All. Maschinenfabrik Moenus A G. Sole laying press. Issued 7-28-31. (28)
1,816,265; All. Soc Italiana Ernesto Breda Per. Portable firearm for casting bombs and grenades by means of ordinary bullet cartridges. Issued 7-28-31. (38)
1,816,282; Heyner Willi et al; Henkel Herman. Method and tool for securing wire screw threads to wooden members. Issued 7-28-31. (28)
1,816,297; All. Rashig Dr F. Manufacture of disinfectants. Issued 7-28-31. (28)
1,816,303; Thorssell Carl Thecdor et al; Dristensson August. Process for the production of potassium nitrate. Issued 7-28-31. (28)
1,816,325; All. Ringfeder GmbH. Friction spring. Issued 7-28-31. (28)
1,816,344; Schleifer Wilhelm. Tab for registration cards or the like. Issued 7-28-31. (6)
1,816,368; Fioruzzi Vittorio. Apparatus for breeding silkworms. Issued 7-28-31. (38)
1,816,369; Franco Attilio. Heating apparatus for railway cars. Issued 7-28-31. (38)
1,816,377; Hobracht Paul. Machine for bending and tempering leaf springs. Issued 7-28-31. (28)
1,816,385; Matthaei Curt. Device for unwinding coiled wires band iron and the like. Method of producing finely divided metal oxides. Issued 7-28-31. (28)
1,816,396; Oppenlander Emil. Combined insect catching lamp and killing device. Issued 7-28-31. (28)
1,816,398; All. I G Farbenindustrie AG. Cigarette tip coil. Issued 7-28-31. (28)
1,816,472; Dorogi Lajos et al; Dorogi Istvan. Hollow inflatable sheet rubber bodies and process of producing the same. Issued 7-28-31. (34)
1,816,523; All. Bergwerksverband zur Verwertungvon. Production of hydrogen. Issued 7-28-31. (28)
1,816,673; Foco Bruno. Spring washer. Issued 7-28-31. (38)
1,816,768; Elia Emanuele Giovanni. Torpedo. Issued 7-28-31. (38)

1,816,770; All. Mannesmannrohren Werke. Welded spigot and socket joint. Issued 7-28-31. (23)
1,816,782; Kuchenmeister Heinrich. Sound reproducing device. Issued 7-28-31. (28)
1,816,796; All. Rockstroh Werke A G. Rotary offset printing machine. Issued 7-28-31. (28)
1,816,819; Austin Herbert. Cylinder of internal combustion engines. Issued 8-4-31. (28)
1,816,964; Foth Carl Friedrich. Photographic shutter. Issued 8-4-31. (28)
1,816,969; Grinke Wilhelm. Machine for cleaning timbers especially boards beams or the like. Issued 8-4-31. (28)
1,816,989; All. Kalle and Co A G. Light sensitive layer. Issued 8-4-31. (28)
1,816,992; Vogt Hans. Sounding condenser. Issued 8-4-31. (28)
1,817,222; Zemke Heinrich. Washing apparatus. Issued 8-4-31. (28)
1,817,258; Klinger Karl. Stop cock. Issued 8-4-31. (6)
1,817,274; Schuette Johann. Airship. Issued 8-4-31. (28)
1,817,289; All. Siemens Schuckertwerke A G. Flanged coupling for conduits. Issued 8-4-31. (28)
1,817,313; Hoffmann Johannes Wilhelm. Suspending device for conducting cables. Issued 8-4-31. (28)
1,817,325; Sinkovich Dezso. Combination tie plate or iron tie and anticreeper for rails. Issued 8-4-31. (34)
1,817,326; All. Muller Johann Carl. Apparatus for forming cigar bunches. Issued 8-4-31. (28)
1,817,394; Pais Alexander. Heating device with heat accumulators. Issued 8-4-31. (57)
1,817,405; All. Deckel Friedrich Prazision Smechanik. Production of cycloidal curves. Issued 8-4-31. (28)
1,817,421; Saito Hachiro. Lining brick for rotary cement kilns. Issued 8-4-31. (39)
1,817,428; Takamatsu Kiyomoto. Coupon cutter. Issued 8-4-31. (39)
1,817,466; Seifert Kurt et al; Sachse Ernst. Ticket file. Issued 8-4-31. (28)
1,817,475; Becker Emil. Closure for bracelets and the like. Issued 8-4-31. (28)
1,817,557; Hart Hans. Folding boat. Issued 8-4-31. (28)
1,817,585; Samuel Max. Rubber brush. Issued 8-4-31. (28)
1,817,692; Kruger Kurt; Kloss Ulrich et al; Peters Albert. Electric tramway railway and the like system. Issued 8-4-31. (28)
1,817,695; Lauenstein Otto. Gripping device for praline and like wrapping machines. Issued 8-4-31. (28)
1,817,732; Boruss Stephen. Tube container. Issued 8-4-31. (34)
1,817,823; Ito Kinitsu. Medical moxa heater. Issued 8-4-31. (39)
1,817,829; Kuczorra Wilhelm. Advertising apparatus. Issued 8-4-31. (28)
1,817,855; Spuhr Max. Method of and apparatus for shrinking cloth or cloth goods. Issued 8-4-31. (28)
1,817,859; Cohen Venezian Carlo. Vehicle with load lifting means. Issued 8-4-31. (38)
1,817,864; Wilckems Ernst. Means for taking soundings at remote points. Issued 8-4-31. (28)
1,817,881; Drager Otto Heinrich. Oxygen breathing implement particularly for aeronauts. Issued 8-4-31. (28)
1,817,938; Posentrup Heinrich. Shiftable buffer stop. Issued 8-11-31. (28)
1,817,989; All. Lorenz C A G. Connection for telegraph plants. Issued 8-11-31. (28)
1,817,994; All. I G Farbenindustrie A G. Process of making cellulose nitro acetate. Issued 8-11-31. (28)
1,818,006; Ohagen Heinrich. Method of making and playing phonograph or sound records. Issued 8-11-31. (28)

1,818,011; Sachse Erich et al; Michalk Otto. Roughening tool for the working of leather. Issued 8-11-31. (28)
1,818,068; All. Ludwig Curt. Floatless carburetor. Issued 8-11-31. (28)
1,818,086; Allmauser Werke A G. Safety device for firearms. Issued 8-11-31. (28)
1,818,111; Bek Ernst Gideon. Manufacture of wire chain. Issued 8-11-31. (28)
1,818,341; All. Hirsch Kupfer and. Device for annealing metal rings. Issued 8-11-31. (28)
1,818,357; Rigotti Carlo. Pneumatic spring. Issued 8-11-31. (38)
1,818,556; All. I G Farbenindustrie A G. Method for the purification of iron and steel. Issued 8-11-31. (28)
1,818,558; Junkers Hugo. Construction of engine cylinders. Issued 8-11-31. (28)
1,818,615; Gluud Wilhelm. Process of eliminating sulphuretted hydrogen from gases. Issued 8-11-31. (28)
1,818,618; All. Holzhydrolyse A G. Method for the purification of carbohydrates obtained by hydrolysis of cellulose by means of hydrochloric acid. Issued 8-11-31. (28)
1,818,628; Kleinewefers Johannes. Calender with roll magazine. Issued 8-11-31. (28)
1,818,632; All. Krupp Fried A G. Setting mechanism for cash registers. Issued 8-11-31. (28)
1,818,647; Pronnecke Karl. Merry go round. Issued 8-11-31. (28)
1,818,661; All. Vesuvio Feuerungsbau GmbH. Heating furnace. Issued 8-11-31. (28)
1,818,683; All. Schuhfabrik Hassia A G. Boot and shoe. Issued 8-11-31. (28)
1,818,701; All. Koch and Sterzel A G. Rectifier. Issued 8-11-31. (28)
1,818,757; Samson Siegfried Vocke Alfred. et al. Device for reading maps and writings looking at pictures and the like. Issued 8-11-31. (28)
1,818,760; All. Egyesult Izzolampa Es Villamossagi Reszvenytarsasag. Process and apparatus for drawing electrical pictures. Issued 8-11-31. (34)
1,818,783; Bakonye Stefan. Method of producing butanol and acetone by fermentation. Issued 8-11-31. (28)
1,818,842; De Tovaros Gyula Fischer. Pantograph current collector for electric vehicle. Issued 8-11-31. (34)
1,818,845; All. Felten and Guilleaume. Method of and machine for stranding special or figured wires. Issued 8-11-31. (6)
1,818,864; Pavinghaus Walter. Axle box for vehicles. Issued 8-11-31. (28)
1,818,877; Zadnik Otto. Electric power transmission with automatic efficiency regulation for vehicles. Issued 8-11-31. (6)
1,818,881; All. I G Farbenindustrie A G. Manufacture of potassium. Issued 8-11-31. (28)
1,818,883; Dunholter Heinrich. Taximeter or fare recorder. Issued 8-11-31. (28)
1,818,890; All. Rheinische Metallwaaren und. Automatic firearm. Issued 8-11-31. (28)
1,818,897; Kumagawa Hachiro Shimomura Kamakichi et al. Method of preparing and separating the cellulose material suitable for paper manufacturing from plant raw material with pith fiber. Issued 8-11-31. (39)
1,818,915; Vossloh Karl. Nut lock. Issued 8-11-31. (28)
1,818,928; All. Ludwig Curt. Floatless carbureter. Issued 8-11-31. (28)
1,818,974; All. Leitz Ernst Optische Werke. Binocular microscope. Issued 8-18-31. (28)
1,819,060; Baader Rudolph. Machine for splitting open cleaning and boning fish. Issued 8-18-31. (28)
1,819,070; All. Koch Siedmund. Process for chemically impregnating jute sacks tent cloth and the like. Issued 8-18-31. (28)
1,819,077; De Filippi Carlo. Electric pneumatic thermoscope available as fire indicators and for like purposes. Issued 8-18-31. (38)
1,819,089; Gornick Hugo. Device for measuring slight forces. Issued 8-18-31. (28)
1,819,102; All. Sachtleben A G fur Bergbau und. Apparatus for drying. Issued 8-18-31. (28)
1,819,122; Resnati Aldo. Container and packing system for polishing cloths. Issued 8-18-31. (38)
1,819,128; All. Felten & Guilleaume Carlswerk A G. Coil junction box for submarine cables. Issued 8-18-31. (28)
1,819,130; All. Bek Ernst Gideon. Electroplating and electroplating apparatus. Issued 8-18-31. (28)
1,819,145; All. Deutsche Gold Silber. Method for the destruction of animal pests. Issued 8-18-31. (28)
1,819,185; Matshumoto Shigeru. Link belt. Issued 8-18-31. (39)
1,819,257; Multhaupt Paul. Mandrel for tube rolling mills. Issued 8-18-31. (28)
1,819,347, Unterholzner Josef. Temperature indicator. Issued 8-18-31. (28)
1,819,397; All. I G Farbenindustrie A G. Process of preparing cellulose nitroacetate. Issued 8-18-31. (28)
1,819,469; All. Drahtlose Telegraphie GmbH. Radio system. Issued 8-18-31. (28)
1,819,549, Flessler August. Pessary. Issued 8-18-31. (28)
1,819,561; Krell Joseph. Printing machine for printing strips of material. Issued 8-18-31. (28)
1,819,604; All. Siemens & Halske A G. Constant potential device. Issued 8-18-31. (28)
1,819,607; Kemp Paul. Method of treating waste alloys for the purpose of removing therefrom certain constituents whose presence renders the alloys unsuitable for certain uses. Issued 8-18-31. (6)
1,819,617; All. Drahtlose Telegraphie GmbH. Vibrating converter. Issued 8-18-31. (28)
1,819,955; All. Mess und Full Apparate GmbH. Apparatus for indicating the level of liquids. Issued 8-18-31. (28)
1,819,704, Fritz Adolph. Press. Issued 8-18-31. (28)
1,819,719, All. Schopper Louis Firm. Apparatus for testing tensile strength. Issued 8-18-31. (28)
1,819,722; All. Yasumoto Meijiro. Process for composite casting. Issued 8-18-31. (39)
1,819,744, All. Krupf Fried Germaniawerft A G. Internal combustion engine cooling system. Issued 8-18-31. (38)
1,819,759, All. Fiat S A. Cylinder for internal combustion engines. Issued 8-18-31. (38)
1,819,770; All. Deutsche Gasgluhlicht. Process for decomposing ores of the rare earths of zirconium and titanium in a cycle by means of sulphuric acid. Issued 8-18-31. (28)
1,819,797; Schimizu Seizo. Magnetometer. Issued 8-18-31. (39)
1,819,888, Gabel Georg. Shaker machine with automatic mold transport for shaking down chocolate or similar masses in the molds. Issued 8-18-31. (28)
1,819,034; All. Still Carl Firm. Coke oven. Issued 8-18-31. (28)
1,819,954, Hansen Friedrich Claus Heinrich. Automatic shooting machine. Issued 8-18-31. (28)
1,820,042; Meyer August; Baseler Wolfgang et al. Speed responsive apparatus. Issued 8-25-31. (28)
1,820,124; All. Dorogi es Tarsa Gummigyar R T DR. Rubber ball. Issued 8-25-31. (34)
1,820,160; All. Kali Chemie A G. Separating magnesium compounds from potash salts. Issued 8-25-31. (28)
1,820,223; All. Lorenz C A G. High frequency machine transmitter. Issued 8-25-31. (28)
1,820,239; Merz Karl. Means for and method of compensating oscillating masses. Issued 8-25-31. (28)
1,820,242; All. Siemens Reiniger Veifa G m b H Fur. Regulating system for transformers. Issued 8-25-31. (28)
1,820,246; Preis Georg. Gear. Issued 8-25-31. (28)
1,820,462; Kittay Paul. Grinding mill. Issued 8-25-31. (6)
1,820,553; All. Siemens Schuckertwerke A G. Device for cutting off vacuum vessels from the exhaust tubes of vacuum pumps. Issued 8-25-31. (28)
1,820,607; All. I G Farben Industrie A G. Nonirritating compositions containing organic compounds which irritate the skin. Issued 8-25-31. (28)
1,820,621; Junkers Adolf H. Apparatus for drying yarn. Issued 8-25-31. (28)
1,820,820, All. Rheinische Metallwaaren Und. Pointing mechanism for guns. Issued 8-25-31. (28)
1,820,822; All. Silurificio Whitehead Di Fiume S A. Torpedo. Issued 8-25-31. (38)
1,820,976; Imhoff Karl. Sewage treatment. Issued 9-1-31. (28)
1,820,977; Imhoff Karl. Complete sewage treatment plant with submerged contact aerators. Issued 9-1-31. (28)
1,820,978; Imhoff Karl. Digestion of coarse substances left on sewage screens in the sewage treatment. Issued 9-1-31. (28)
1,820,989; All. Chemnitzer Strickmaschinenfabrik A G. Circular knitting machine. Issued 9-1-31. (28)
1,821,117; Schreiner Aenne. Process for producing highly active carbon. Issued 9-1-31. (28)
1,821,121; Stedefeld Curt. Torpedo shaped suspended railway vehicle for high speeds. Issued 9-1-31. (28)
1,821,265; All. Lawaczeck GmbH. Operation of power plants. Issued 9-1-31. (28)
1,821,278; Schuster Ernst. Vacuum evaporating apparatus. Issued 9-1-31. (28)
1,821,302, All. Pluschweberei Grefrath A G. Apparatus for printing colored patterns on plush fabrics or the like. Issued 9-1-31. (28)
1,821,565; All. Imai Gosuke. Special mixed cement of a high grade strength. Issued 9-1-31. (39)
1,821,581, All. Fiat S A. Aeroplane control switch. Issued 9-1-31. (38)
1,821,626, Fleischer Fritz. Producing projection pictures. Issued 9-1-31. (28)
1,821,726; Saporta Alberto. Closure for pressure vessels. Issued 9-1-31. (38)
1,821,743; Dreyhaupt Rudolf. Method and device for turning out the rings of roller bearings and similar grooved rings. Issued 9-1-31. (28)
1,821,810; Ketzscher Kurt. Sight device for print mounting. Issued 9-1-31. (28)
1,821,811; Mai Kurt. Chin rest for violins and similar musical instruments. Issued 9-1-31. (28)
1,821,816; All. Prinz Hans. Device for preventing side slips in motor vehicles and the like. Issued 9-1-31. (28)
1,821,823; Wilckens Ernst. Sound transmitting apparatus. Issued 9-1-31. (28)
1,821,832; Lindhorst Heinrich; Georic Bauer et al. Hardening furnace with continuously operating charging device. Issued 9-1-31. (28)
1,821,859; Kristensson August; Thorell Theodor et al. Production of potassium nitrate with simultaneous obtainment of dimagnesium phosphate. Issued 9-1-31. (28)
1,821,984, Muller Imanuel Wilhelm. Issued 9-8-31. (28)

1,822,018; All. Aceta GmbH. Twisting continuously spun artificial threads. Issued 9-8-31. (28)
1,822,023; Giebeler Wilhelm. Paper machine. Issued 9-8-31. (28)
1,822,024; Gipfert Heinrich. Knitting machine. Issued 9-8-31. (28)
1,822,031; All. Brunsviga Maschinenwerke Grimme. Calculating machine. Issued 9-8-31. (28)
1,822,034; Jessen Theodor Adolph. Grate bar. Issued 9-8-31. (28)
1,822,036; Junkers Hugo. Metal casing. Issued 9-8-31. (28)
——; Wilberz Johannes. Method of and apparatus for trimming grinding wheels. (28)
1,822,138; Fricke Hermann. Insert for preserve tines for sausages. Issued 9-8-31. (28)
1,822,154; Horrmann Karl; Kraemer Ernst et al. Protection against poisonous gases. Issued 9-8-31. (28)
1,822,158; Majer Christian. Apparatus for drying sleeves. Issued 9-8-31. (28)
1,822,172; Oexmann Heinrich; Kruger Franz Pfleumer Hermann et al. Method of producing tablets of powdery material framed in metal. Issued 9-8-31. (28)
1,822,182; Wagner Karl Willy. Duplex system for telegraph cables with loading coils. Issued 9-8-31. (28)
1,822,189; All. Felten and Guilleaume Carlswerk A G. Method of reducing the extension of wire ropes. Issued 9-8-31. (28)
1,822,195; All. Baga GmbH. Clock. Issued 9-8-31. (28)
1,822,222; Jung Karl. Interior grinding machine for grinding out bores accurately. Issued 9-8-31. (28)
1,822,227; Lendrich Karl. Process of improving coffee beans. Issued 9-8-31. (28)
1,822,237; Roese Rudolf. Double sliding window. Issued 9-8-31. (28)
1,822,242; Schongut Gustav. Pump for liquids. Issued 9-8-31. (6)
1,822,247 All. Rohrbach Metall Flugzeugbau GmbH. Box shaped central portion of metal aircraft wing. Issued 9-8-31. (28)
1,822,300; Korner Ernst. Trolley. Issued 9-8-31. (28)
1,822,306; Nakanishi Kinjiro. Photoelectrically controlled pattern apparatus. Issued 9-8-31. (39)
1,822,319; Schwarz Karl. Boat closet. Issued 9-8-31. (28)
1,822,526; All. Consortium fur Elecktrochemisch. Shoe stiffener. Issued 9-8-31. (28)
1,822,574; Fricke Josef. Stereoprinting block. Issued 9-8-31. (28)
1,822,667, Proell Reinhold. Oil pressure regulating device for upholding an even speed of machines. Issued 9-8-31. (28)
1,822,673; All. Von Stilteneron Freiherr Iwan. Starting apparatus for motor vehicles with internal combustion engines. Issued 9-8-31. (28)
1,822,683; All. Deutsche Telephonwerke Und. Remote control indicator system. Issued 9-8-31. (28)
1,822,723; Blathy Otto Titus. Rotating field magnet for turbogenerators. Issued 9-8-31. (34)
1,822,746; Pouchain Adolfo. Lead plate for electric accumulators. Issued 9-8-31. (38)
1,822,751; All. Still Firm Carl. Process of extracting benzene hydrocarbons from gases. Issued 9-8-31. (28)
1,822,775; Henninger Albert Bertholdt. Self supporting car body of sheet metal for motor cars. Issued 9-8-31. (28)
1,822,778; Kaplan Victor. Hydraulic turbine. Issued 9-8-31. (6)
1,822,786; Raffo Andrea. Multiple gymnastic instrument. Issued 9-8-31. (38)
1,822,788; Stoffels Josef. Process and apparatus for producing solid carbon dioxide. Issued 9-8-31. (28)
1,822,793; All. Fiat S A. Traction device for wheels. Issued 9-8-31. (38)

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1,822,803; All. Danger H. Machine for automatically baking waffles and the like. Issued 9-8-31. (28)
1,822,810; Hart Hans. Devices for tautening the cover of folding boats. Issued 9-8-31. (28)
1,822,815; Kaiser Ludwig; Lichtenberger Theodor et al. Process for manufacturing pure white and finely distributed sulphate of bartum and sulphate of calcium. Issued 9-8-31. (28)
1,822,943; All. Rohrbach Metall Flugzeugbau GmbH. Plate wall girder. Issued 9-15-31. (28)
1,822,957; All. I G Farbenindustrie A G. Emulsifying agent. Issued 9-15-31. (28)
1,822,958; Donner Oswald Friedrich. Bathing suit. Issued 9-15-31. (28)
1,822,982; All. I G Farbenindustrie A G. Halogenated naphthalene. Issued 9-15-31. (28)
1,823,006; Soupal Wilhelm. Vavce. Issued 9-15-31. (6)
1,823,037; Fritzsche Curt. Process and apparatus for casting metals and ceramic masses according to the centrifuging method. Issued 9-15-31. (28)
1,823,045; Hommel Georg. Sliding caliper with automatic locking device. Issued 9-15-31. (28)
1,823,057; Marx Carl. Lace for footwear. Issued 9-15-31. (28)
1,823,080; All. Deutsche Maschinenfabrik A G. Manufacture of seamless tubes. Issued 9-15-31. (28)
1,823,095; All. Kali Chemie A G. Disinfectant. Issued 9-15-31. (28)
1,823,102; Homey Gerhard. Method of producing vessels from pressed wood or plywood. Issued 9-15-31. (28)
1,823,172; Schon Karl. Method of and apparatus for loading boats barges and like vessels. Issued 9-15-31. (28)
1,823,262; All. Soc. Italiana Registratori Sir. Computing machine. Issued 9-15-31. (38)
1,823,270; Hahn Robert. Device for the proportionate feeding of mixing ingredients to concrete and mortar mixing machines. Issued 9-15-31. (28)
1,823,367; Lorenz Ernst. Excavating device. Issued 9-15-31. (28)
1,823,394; Gieger Hellmut. Disk valve. Issued 9-15-31. (28)
1,823,416; Von Forster Hermann et al; Moser Ludwig. Metallic structural unit. Issued 9-15-31. (28)
1,823,467; Quendt Bernhard. Preliminary tanning process. Issued 9-15-31. (28)
1,823,673; Watanabe Asahi. Cap with a clip for fountain pens. Issued 9-15-31. (39)
1,823,751; Messter Oskar. Roll film camera. Issued 9-15-31. (28)
1,823,754; Nitta Chojiro. Process of making leather. Issued 9-15-31. (39)
1,823,789; Dohrn Peter Hermann. Transplanting implement. Issued 9-15-31. (28)
1,823,793; All. Engelhardt G & Co. Key operated foot measuring device. Issued 9-15-31. (28)
1,823,794; Esau Abraham. Wireless transmission system. Issued 9-15-31. (28)
1,823,800; All. Schmidtsche Heissdampf GmbH. Heat transferrer. Issued 9-15-31. (28)
1,823,847; All. I G Farbenindustrie A G. Formic acid ester of diethyl ether of cellulose and the process of preparing the same. Issued 9-15-31. (28)
1,823,849; All. Rhenania Kunheim Verein Chemischer. Process for the manufacture of manures. Issued 9-15-31. (28)
1,823,913; Pietsch Willy. Zip or lightning fastener. Issued 9-22-31. (28)
1,823,923; All. I G Farbenindustrie A G. Production of steam in the manufacture of phosphorous acids from phosphorus and steam. Issued 9-22-31. (28)
1,823,938; All. Wilkins M H & Sohne Akt G. Process for the production of silver plated metal articles such as table requisites. Issued 9-22-31. (28)
1,823,956; Schroeder Richard. Sectional mandrel. Issued 9-22-31. (28)
1,823,964; Wenzel Karl Ernst. Slidable block rail brake. Issued 9-22-31. (28)
1,824,098; Patzschke Fritz. Agricultural machine. Issued 9-22-31. (28)
1,824,217; Kreiner Friedrich. Door hinge. Issued 9-22-31. (28)
1,824,291; All. Bleichert Adolf & Co A G. Car for passenger ropeways. Issued 9-22-31. (28)
1,824,298; All. Rhenania Kunheim Verein Chemischer. Process for obtaining barium ortho silicate or barium tri silicate by the decomposition of barium carbonate. Issued 9-22-31. (28)
1,824,314; Wendt Adolf. Safety packing stick. Issued 9-22-31. (28)
1,824,371; Rapp August. Holder with pulley for drawing curtains. Issued 9-22-31. (28)
1,824,398; Fleischhacker Max. Holder for dentistry work. Issued 9-22-31. (28)
1,824,408; Rausch Gottfried. Loaf forming machine. Issued 9-22-31. (28)
1,824,448; Satow Teikichi. Waterproof glue. Issued 9-22-31. (39)
1,824,475; All. Berzelius Metallhuetten GmbH. Process for smelting material containing tin oxide. Issued 9-22-31. (28)
1,824,483; Voerkel Franz; Hubmann Otto et al. Apparatus for operating shaft furnaces in the thermal treatment of granular material. Issued 9-22-31. (28)
1,824,499; All. Vereinigte Stahlwerke A G. Reenforced pipe joint. Issued 9-22-31. (28)
1,824,500; All. Vereinigte Stahlwerke. Reenforced joint for socket pipes. Issued 9-22-31. (28)
1,824,574; Schunemann Emil. Device for increasing the water circulation and for decreasing boiler resistances to flow in central heating plants. Issued 9-22-31. (28)
1,824,656; Paolini Carlo; Carughi Achille et al. Process of and means for manufacturing chloride of lime. Issued 9-22-31. (38)
1,824,676; Mannich Charles. Aldehyde base and process for the manufacture of same. Issued 9-22-31. (28)
1,824,768; Braselmann Eugen. Car jack. Issued 9-29-31. (28)
1,824,809; Kelber Christian; Flammer Ernst et al. Manufacture of soap. Issued 9-29-31. (28)
1,824,815; Fuchs Fritz. Method of and means for preventing the sliding or skidding of vehicles. Issued 9-29-31. (6)
1,824,828; Maurer Georg. System for controlling electric switches. Issued 9-29-31. (28)
1,824,922; Otto Carl. Regenerative coke oven. Issued 9-29-31. (28)
1,824,960; All. Lawaczeck GmbH. Metallurgical process and apparatus. Issued 9-29-31. (28)
1,825,011; All. Vacuumschmelze G m b H. Metallurgical furnace. Issued 9-29-31. (28)
1,825,076; All. Lange and Co GmbH. Flag truck. Issued 9-29-31. (28)
1,825,100; Somajni Giacomo. Electric control apparatus. Issued 9-29-31. (38)
1,825,145; All. Lerch Israel Moses. Method of securing bundles of bristles in the bodies of brushes. Issued 9-29-31. (28)
1,825,161; Sacco Luigi Arnaldo. Torpedo. Issued 9-29-31. (38)
1,825,163; Schweter Erich. Device for altering the clearance space in piston machines. Issued 9-29-31. (28)
1,825,187; Hubner Hugo. Automatic fuel mixture regulator. Issued 9-29-31. (28)

1,820,883; Ulmer Adolf; Wagner Hermann et al. 1,821,838; Davis Frederick Walter et al. Process for the production of a fuel gas. Issued 9-1-31. (28)

1,825,198; Negrini Bruno. Truck and guide member for roller blinds. Issued 9-29-31. (38)

1,825,211; All. I G Farbenindustrie A G. Recovery of metals and metal compounds soluble in ammoniacal liquors. Issued 9-29-31 (28)

1,825,229; Hase Rudolf. Optical pyrometer. Issued 9-29-31. (28)

1,825,320; Kuerts Ernst. Block paving machine and the like. Issued 9-29-31. (28).

1,825,349; All. Miura Ryoji. Method of manufacturing paper pulp from bagasse and other gramineae plants. Issued 9-29-31. (39)

1,825,357; Lasselsberger Leopold. Disengageable coupling device. Issued 9-29-31. (6)

1,825,520; Grunfeld Franz Viktor. Robe. Issued 9-29-31. (28)

1,825,532; All. Liebetruth A and Co GmbH. Drawing slate. Issued 9-29-31. (28)

1,825,536. Miyake Masao. Process of reducing the quantity of sulphurous acid gas set free from copper glance on its roasting. Issued 9-29-31. (39)

1,825,545; All. Maschinenfabrik Augsburg. Internal combustion engine. Issued 9-29-31. (28)

1,825,549; All. Boehringer C H Sohn A G. 3 ethyl 4 cyclohexyl 1 2 4 triazole. Issued 9-29-31. (28)

1,825,555; Teves Alfred; All. Maschinen Und Armaturen Fabrik GmbH. Brake. Issued 9-29-31. (28)

1,825,562; All. Vereinigte Thuringer. Valve key. Issued 9-29-31. (28)

1,825,566; Wollny Karl. Polishing tool for shoes. Issued 9-29-31. (28)

1,825,597; All. Union Special Maschinenfabrik GmbH. Sewing machine for joining edge portions of fabric sections. Issued 9-29-31. (28)

1,825,606; All. Tiefbohrtechnik und Maschinenbau. Cutting and welding machine. Issued 9-29-31. (6)

1,825,636; All. Meffert Hermann. Reaction product of salicylic acid and hexamethylenetetramine and method of producing same. Issued 9-29-31. (28)

1,826,474; Kohler Fritz. Stand or support. Issued 10-6-31. (28)

1,826,484; Schultz Johann Berthold. Shuttle picker. Issued 10-6-31 (28)

1,826,579; Spiegler Gottfried et al; Bugler Ferdinand. X-Ray system. Issued 10-6-31. (6)

1,826,639; Stohr Rolf. Valve lifter for baths lavatories and the like. Issued 10-6-31. (28)

1,826,754; Ehrenhaft Franz. Method of and apparatus for making photophonographic records. Issued 10-13-31. (28)

1,826,790; Jalowetz Eduard et al; Hamburg Max C. Method of obtaining malt enzymes and beverage. Issued 10-13-31. (6)

1,826,813; Oberschulte Hermann. Device for use in forming undercut sections of rolled metal. Issued 10-13-31. (28)

1,826,831; All. I G Farbenindustrie AG. Process for the manufacture of chrome alum. Issued 10-13-31 (28)

1,826,844; Thorner Walther. Telescopic instrument for subjective determination of the refraction of the eye. Issued 10-13-31. (28)

1,826,873; All. Maschinenfabrik Augsburg Nurnberg. Diesel locomotive having power cylinders connected to the driving mechanism. Issued 10-13-31. (28)

1,826,895; Muller Wolf Johannes et al; Hillier Heinrich. Process for the preparation of Alumen. Issued 10-13-31. (6)

1,827,112; All. Telephon Apparat Fabrik E. Damp proof condenser. Issued 10-13-31. (28)

1,827,174; All. Hirsch Kupfer and Messingwerke AG. Method of melting oxidizable material. Issued 10-13-31 (28)

1,827,213; All. Luftschiffbau Zeppelin GmbH. Method of manufacturing gas tight material. Issued 10-13-31. (28)

1,827,214; All. Luftschiffban Zeppelin GmbH. Carburetor for internal combustion engines. Issued 10-13-31. (28)

1,827,356; All. Societa Invenzioni Brevetti Anonima. Treatment of animal fibers. Issued 10-13-31. (38)

1,827,385; Sachsischi Textilmaschinenfabrik Vorm Rich Hartman A G. Pull through drawing frame for medium and long fibrous material more particularly combed wool artificial silk ramie. Issued 10-13-31. (28)

1,827,477; Kotausek Josef. Reposing mat with foldable sunblind. Issued 10-13-31. (6)

1,827,552; All. Stern ges fur Moderne. Arrangement for forcing away the pile core from the point of the pile. Issued 10-13-31 (6)

1,827,568; Donadio Americo. Automobile radiator. Issued 10-13-31 (38)

1,827,569; All. Brehmergebruder Maschinen Fabrik. Paper folding machine. Issued 10-13-31. (28)

1,827,594; All. Union Special Maschinenfabrik. Looper operating mechanism for sewing machines. Issued 10-13-31. (28)

1,827,659; Jung Karl. Device for surfacing grindstones. Issued 10-13-31. (28)

1,827,848; Joksch Rudolf. Indicating mechanism for weighing apparatus. Issued 10-20-31. (6)

1,827,922; All. Dap Motor Patent AmbH. Two stroke cycle internal combustion engine. Issued 10-20-31. (28)

1,827,954; Ohm Johannes. Apparatus for producing nystagmus. Issued 10-20-31. (28)

1,828,034. Einfalt Johann. Toy swimming animal. Issued 10-20-31. (28)

1,828,041; Hamacher Wilhelm. Garter construction. Issued 10-20-31. (28)

1,828,050; Klopp Friedrich. Guard. Issued 10-20-31. (28)

1,828,138; Haga Sojiro. Means for protecting steam boilers against flowing back of boiler water when feeding system leaks. Issued 10-20-31. (39)

1,828,211; All. Settiner Chamotte Fabrik A G. Fire and acid proof elastic substance. Issued 10-20-31. (28)

1,828,215. Barenyi Arpad. Photographic shutter. Issued 10-20-31. (28)

1,828,219; All. Maschinenfabrik Augsburg. Lateral packing for weirs. Issued 10-20-31. (28)

1,828,240; Born Ernst Otto. Lock for producing purl work on flat knitting machines. Issued 10-20-31. (28)

1,828,244; All. Lehmann E P. Seesaw toy. Issued 10-20-31. (28)

1,828,254. Kleinmann Ernst; Mandel Alfred et al. Hair slide. Issued 10-20-31. (28)

1,828,255; Ohnesorge Otto. Rope gearing and the like. Issued 10-20-31. (28)

1,828,260; All. Telegraphie Patent Syndikat GmbH. Reproducing magnet for telegraphones. Issued 10-20-31. (28)

1,828,265; Walther Heinrich. Machine for the manufacture of glued shoes. Issued 10-20-31 (28)

1,828,325; Kurz Heinrich. Process for the manufacture of rails with hardened heads. Issued 10-20-31. (28)

1,828,346; Stammreich Hanns. Metal arc lamp. Issued 10-20-31 (28)

1,828,348; Turnbull Wallace R. Variable pitch propeller. Issued 10-20-31. (28)

1,828,422; Levy Leo. Toothbrush. Issued 10-20-31 (28)

1,828,606; Janik Eduard. Automatic variable speed gear. Issued 10-20-31 (6)

1,828,654. Galbarini Antonio. Acoustic instrument. Issued 10-20-31. (38)

1,828,663; Jopp August. Machine for grinding similtaneously two opposed surfaces of articles of prismatic or other shape especially nuts. Issued 10-20-31. (28)

1,828,664. Kahlhofer Heinz. Hot air hair waving device. Issued 10-20-31. (6)

1,828,680; Rado Leopold. Method of attaching sealing or labeling strips or the like to boxes cases and wrappings made of metal foilcovered paper cardboard and the like. Issued 10-20-31. (28)

1,828,756; All. I G Farbenindustrie A G. Process for the refining of chromium ores. Issued 10-27-31. (28)

1,828,789; Strobel Alfons. Blindstitch sewing machine. Issued 10-27-31. (28)

1,828,917; Goldberg Rudolf; Archangsky Alexander et al. Contact device for movable electrical apparatus. Issued 10-27-31 (28)

1,829,078; All. Motorenfabrik Deutz A G. Gearing device for internal combustion multicylinder oil engines. Issued 10-27-31 (28)

1,829,082; Steckhan Richard. Engelhardt Felix. Bergen Gustav et al. Process of manufacturing colored Portland cement. Issued 10-27-31. (28)

1,829,084; All. Krupp Fried A G. Blocking the setting means of cash registers. Issued 10-27-31. (28)

1,829,085; Buschmann Hans. Printing plate. Issued 10-27-31. (28)

1,829,099; Mager Jorg. Electro acoustic musical instrument. Issued 10-27-31. (28)

1,829,112; Schmidt Georg. Toy figure. Issued 10-27-31. (28)

1,829,115; All. Staedtler Firm J S. Decorating lead pencils. Issued 10-27-31. (28)

1,829,146; Kellner Alexis. Top structure for vehicles. Issued 10-27-31. (28)

1,829,162; All. Eisenwerk Weserhutte A G. Cable laying machine and method of laying cable. Issued 10-27-31. (28)

1,829,188. Kali Chemie AG. Making barium sulphide. Issued 10-27-31. (28)

1,829,249; All. Atlas Werke AG. Gear protection. Issued 10-27-31. (28)

1,829,291; All. Badische Maschinenfabrik and conduit for projecting sand. Issued 10-27-31. (28)

1,829,297; Rapp August. Device for drawing curtains and the like. Issued 10-27-31. (28)

1,829,370; All. Schwarzwaldwerke Lanz GmbH. Refrigerating apparatus. Issued 10-27-31. (28)

1,829,436; All. Schnellpressenfabrik A G Heidelberg. Cylinder printing press. Issued 10-27-31. (28)

1,829,452; Oberlin Max. Process for the production of 1 M amidophenyl 1 hydroxy 2 methylamido propane. Issued 10-27-31 (28)

1,829,596; Lality Georg et al; Karpati Nandor Lock. Issued 10-27-31. (34)

1,829,608; Otto Carl. Vertical chamber coke oven. Issued 10-27-31. (28)

1,829,650; All. Schubert and Salzer Maschinenfabrik. Method of knitting hoods on flat knitting machines. Issued 10-27-31 (28)

1,829,660; Knopp Gumal. Machine for manufacturing multiple course paper boards and the like. Issued 10-27-31 (28)

1,829,661. Krautzberger Albert. Spraying or squirting process and apparatus. Issued 10-27-31. (28)

1,829,669; Pavesi Ugo. Vehicle for the transport of artillery and especially anti-aerial artillery. Issued 10-27-31. (38)

1,829,691; Wagner Friedrich. Circular knitting machine. Issued 10-27-31. (28)

1,829,700; Adler Friedrich. Printing of fabrics. Issued 10-27-31. (28)

1,829,910; Midhat Chakir. Loud speaker. Issued 11-3-31. (39)

1,829,756; All. Siemens & Halske A G. Homogeneous body consisting of rhenium. Issued 11-3-31. (28)

1,829,867; Koster Friedrich. Holder for photographic color filters. Issued 11-3-31 (28)

1,829,880; Stockert Hermann. Link bow for jewelry purposes. Issued 11-3-31. (28)

1,829,883; Ulmer Adolf; Wagner Hermann et al. Watch protecting case. Issued 11-3-31. (28)

1,829,909; Midhat Chakir. Stringed loud speaker. Issued 11-3-31. (28)

1,829,910; Midhat Chakir. Loud speaker. Issued 11-3-31. (28)

1,829,937; Kolbus August. Machine for cutting cardboards for book covers or the like. Issued 11-3-31. (28)

1,829,938; All. Kromer Theodor GmbH. Door latch. Issued 11-3-31. (28)

1,830,134; Sacerdoti Camillo. Apparatus for lowering vessels lifeboats to the water with automatic disengagement of the suspension hooks. Issued 11-3-31. (38)

1,830,254; Behm Alexander. Acoustic sounding apparatus. Issued 11-3-31. (28)

1,830,255; All. H Thx Behme Co A G. Composition for finishing fabrics and fibrous materials. Issued 11-3-31. (28)

1,830,279; All. Bemberg I P A G. Device for mechanically lacing hanks of yarn. Issued 11-3-31. (28)

1,830,405; Ohno Tadashi. Shutter. Issued 11-3-31. (39)

1,830,433; All. Ruppert Josef. Electromagnetic unit for acoustic instruments. Issued 11-3-31. (28)

1,830,446; All. Neuerburgsche. Machine for fixing tubular mouth pieces to cigarettes. Issued 11-3-31. (28)

1,830,507; Ebert Bruno. Detachable collar. Issued 11-3-31. (28)

1,830,510; Giesecke Julius et al; Giesecke Hermann. Mirror displaying device. Issued 11-3-31. (28)

1,830,544; Herman Alexander. Sliding window. Issued 11-3-31. (28)

1,830,550; Kerekgyarto Gyorgy. Treating metal shapes. Issued 11-3-31. (34)

1,830,571; Sullwald Gustav. Packing cigarettes and the like. Issued 11-3-31. (28)

1,830,610; Linde Richard. Process of producing mixtures of hydrogen and nitrogen. Issued 11-3-31. (28)

1,830,647; Engel Theodor. Device for manufacturing arch supports. Issued 11-3-31. (28)

1,830,648; Engel Theodor. Device for aiding in manufacturing arch supports. Issued 11-3-31. (28)

1,830,683; All. Gutehoffnungshutte Oberhausen AG. Method of blowing blast into shaft furnaces. Issued 11-3-31. (28)

1,830,718; Richter Arthur. Jack motion. Issued 11-3-31 (28)

1,830,725; All. Still Firm Carl. Extraction of phenols from aqueous condensate from coal distillation. Issued 11-3-31. (28)

1,830,792; Herrmann Rudolf. Shaker sieve and method for producing the same. Issued 11-3-31 (28)

1,830,800; McClatchie Stanley. Electromagnetic pick up. Issued 11-10-31. (28)

1,830,801; McClatchie Stanley. Magnetic pick up device. Issued 11-10-31. (28)

1,830,881; Mulka Friedrich. Attachment for turning work pieces by means of broad cutters. Issued 11-10-31. (28)

1,830,906; All. Herold AG. Process for the production of varnish and enamel like coatings. Issued 11-10-31. (28)

1,830,958; Otto Carl. Coke oven door. Issued 11-10-31. (28)

1,831,050; Von Rottenburg Otto. Body hollow and solid made of paper pulp wood pulp or the like with metal reenforcing. Issued 11-10-31. (28)

1,831,155; Blau Martin et al; Frettag Emil. Four stroke cycle engine. Issued 11-10-31. (28)

1,831,167; All. F R Hesser Maschinenfabrik AG. Device for punching or similarly treating continuously running webs. Issued 11-10-31. (28)

1,831,193, Quitschalle Georg. Suspension device for fire extinguishers. Issued 11-10-31. (28)

1,831,285; Brunner Max. Bed fastening fitting. Issued 11-10-31. (6)

1,831,320; Pertz Ewald. Apparatus for the determination of the damping capacity of materials. Issued 11-10-31. (28)

1,831,326; Silvestri Enrico. Collapsible or folding ski. Issued 11-10-31. (38)

1,831,334; Wenzel Max. Roll suction device. Issued 11-10-31. (28)

1,831,369; Schirp Alois. Rotable plate type filter for gases. Issued 11-10-31. (28)

1,831,406; Beckmann Hermann. Rubber diaphragm. Issued 11-10-31. (28)

1,831,411; Dietz Friedrich. Pump. Issued 11-10-31. (28)

1,831,416; Junkers Hugo. Joint. 11-10-31. (28)

1,831,426; Schroeder Kurt. Underwater anchoring. Issued 11-10-31. (28)

1,831,427; Schroeder Kurt. Iron piling. Issued 11-10-31. (28)

1,831,430; Weis Richard. Bearing. Issued 11-10-31 (28)

1,831,449; All. Vereinigte Stahlwerke AG. Journal bearing for railway car axles. Issued 11-10-31 (28)

1,831,570; Krakowsky Moritz. Sliding fastener. Issued 11-10-31. (28)

1,831,583; Weiss Johann. Piston for internal combustion engines. Issued 11-10-31. (6)

1,831,584; Weiss Johann. Light metal alloy. Issued 11-10-31. (6)

1,831,609; All. Howaldt Fritz Firm. Garden shears. Issued 11-10-31. (28)

1,831,650; All. Deutsche Wollen Waren Manufaktur AG. Making tone in tone effects in woolen fabrics. Issued 11-10-31. (28)

1,831,669; Kona Yoshi. Device for moxa treatment. Issued 11-10-31. (39)

1,831,682; Nagele Georg. Apparatus for agitating the air. Issued 11-10-31. (28)

1,831,685; Pontecorvo Dello. Longitudinal suspension for overhead contact lines for electric railways, tramways, etc. Issued 11-10-31. (38)

1,831,696; All. Lehmann J M Maschinenfabrik. Roller mill. Issued 11-10-31. (28)

1,831,720; Riecke Paul. Electrically controlled opening and closing means for vertical chamber ovens. Issued 11-10-31. (28)

1,831,725; Taliani Tommaso. Road indicator for motor cars and the like. Issued 11-10-31. (38)

1,831,735; Blum Carl Robert. Synchronism system. Issued 11-10-31. (28)

1,831,740; Elod Egon et al; Thomas Ludwig. Production of fibers from cocoa nuts. Issued 11-10-31. (28)

1,831,751; Rado Leopold. Collapsible tube or container for pastes and the like. Issued 11-10-31. (28)

1,831,824; All. Rhenania Kunheim Verein Chemischer. Process for obtaining barium aluminate. Issued 11-17-31. (28)

1,831,889; All. Firm Elektra GmbH. Electrically heated cooking appliance. Issued 11-17-31. (6)

1,831,934; All. I G Farbenindustrie AG. Electrolytic apparatus. Issued 11-17-31. (28)

1,831,951; All. Speidel Chain Co. Flexible chain. Issued 11-17-31. (28)

1,832,052; Schmitt Nikolaus et al; Schmitt Otto. Electric Mine Firing Device. Issued 11-17-31. (28)

1,832,065; All. Universelle Cigarettenmaschinen. Apparatus for shaping and filling cigarette boxes. Issued 11-17-31. (28)

1,832,119; All. Universelle Cigarettenmaschinen. Means for loosening tobacco and separating foreign bodies and dust. Issued 11-17-31. (28)

1,832,120; All. Universelle Cigarettenmaschinen. Apparatus for dressing cigarettes having imprints. Issued 11-17-31. (28)

1,832,146; Somajni Giacomo. Electric control apparatus. Issued 11-17-31. (38)

1,832,150; All. Siemens Schuckertwerke GmbH. Apparatus for automatically controlling the steam generation in highpressure steam plants. Issued 11-17-31. (28)

1,832,151; All. Deuba Deutsche Bauten Trocknungs. Apparatus for heating and drying walls. Issued 11-17-31. (28)

1,832,179; Boggiano Pico Luigi. Plant for treating organic refuse. Issued 11-17-31. (38)

1,832,189; De Giorgi Achille Bagnagatte. Line switch driving arrangement for motor and hand operation. Issued 11-17-31. (38)

1,832,207; Helm Gotthilf. Roll indenting machine. Issued 11-17-31. (28)

1,832,337; All. Atlas Werke A G. Device for operating bulkhead doors. Issued 11-17-31. (28)

1,832,381; All. I G Farbenindustrie A G. Process of preparing cellulose esters of lower fatty acids. Issued 11-17-31. (28)

1,832,392 Hildebrand Wilhelm. Single chamber compressed air brake. Issued 11-17-31. (28)

1,832,393; Hildebrand Wilhelm. Single chamber compressed air brake. Issued 11-17-31. (28)

1,832,403; Loesche Ernst Curt. Grinding mill. Issued 11-17-31. (28)

1,832,423; All. Bergedorfer Eisenwerk. Heat exchanger. Issued 11-17-31. (28)

1,832,579; Perego Luigi. Fuse for bombs and the like. Issued 11-17-31. (38)

1,832,593; Szucs Josef. Process for the cultivation of edible fungi. Issued 11-17-31. (6)

1,832,602; Wirth Armin. Scale with pendulum weight. Issued 11-17-31. (28)

1,832,603; Witt Hermann. Mechanical illustrator of the eye. Issued 11-17-31. (28)

1,832,748; Starke Otto. Draft regulating means. Issued 11-17-31. (28)

1,832,760; Bertuletti Guido. Automatic spool change device for power looms. Issued 11-17-31. (38)

1,832,868; All. Hartstoff Metall A G. Method of manufacturing foil shaped metal grain. Issued 11-24-31 (28)

1,832,937; All. Hartstoff Metall A G Hametag. Mass core. Issued 11-24-31. (28)

1,832,971; All. I G Farbenindustrie A G. Shuttles from wood. Issued 11-24-31. (28)

1,832,988; All. Brehmer Gebruder Maschinen Fabrik. Paper folding machine. Issued 11-24-31. (28)

1,833,062; All. Wagner Fritz and Co. Valve comprising an equalizing chamber a main and an auxiliary valve. Issued 11-24-31. (28)

1,833,071; All. Mauthe Friedrich GmbH. Striking clock with electric winding mechanism and running reserve. Issued 11-24-31. (28)

1,833,072; Einfalt Johann. Sheet metal toy ship hull. Issued 11-24-31. (28)

1,833,078; All. Elektrizitats G Sanitas MbH. Rontgen apparatus. Issued 11-24-31. (28)

1,833,082; Klee Joseph et al; Schneider Alfons. Lifting jack. Issued 11-24-31. (28)

1,833,089; Morimoto Hikosaburo. Method for culturing mushrooms. Issued 11-24-31. (39)

1,833,120; Nitzsche Max. Device for taking down articles from high places and replacing same. Issued 11-24-31. (28)

1,833,127; Rinkel Otto. Projectile for small arms. Issued 11-24-31. (28)

1,833,244; All. Simplo Fullfeder Ges Voss. Magazine pencil. Issued 11-24-31. (28)

1,833,247; Fust Robert. Matrix for use in dentistry. Issued 11-24-31. (28)

1,833,265; All. Motorenfabrik Deutz AG. Internal combustion engine for gaseous and liquid fuels. Issued 11-24-31. (28)

1,833,267 Sommer August. Wood bending machine. Issued 11-24-31. (28)

1,833,270; All. I G Farbenindustrie AG. Alkyl aralkyl cellulose esters and process of making them. Issued 11-24-31. (28)

1,833,274; All. I G Farbenindustrie AG. Paint. Issued 11-24-31. (28)

1,833,276; All. I G Farbenindustrie AG. Recovery of copper from waste copper lyes. Issued 11-24-31. (28)

1,833,286; All. I G Farbenindustrie AG. Amino cellulose derivatives. Issued 11-24-31. (28)
1,833,291; Kraenzlein Georg et al; Samesreuther Richard. Heat exchange device. Issued 11-24-31. (28)
1,833,311; Winkler Alfred et al; Dunnebier Max. Apparatus for insertion or assembly of paper sheets. Issued 11-24-31. (28)
1,833,384; Torikata Ryuzo. Preparation of specific antigen coctoimmunogen. Issued 11-24-31. (39)
1,833,391; De Giorgio Ghino. Draft printing apparatus. Issued 11-24-31. (38)
1,833,404; Bamberger Isac. Flash light cartridge. Issued 11-24-31. (28)
1,833,433; Optiz Georg. Check book. Issued 11-24-31. (28)
1,833,443; Spangler Ludwig. Brake system for electrically operated vehicles. Issued 11-24-31. (6)
1,833,494; Otto Carl. Coke oven door. Issued 11-24-31. (28)
1,833,565; Fuchs Wilhelm. Tipping coin plate. Issued 11-24-31. (34)
1,833,566; Gattino Edgardo. Apparatus for delivering coins and small articles. Issued 11-24-31. (38)
1,833,571; Grathwohl Hermann. Machine for picking poultry. Issued 11-24-31. (28)
1,833,574; All. Schneider Hugo AG. Searchlight. Issued 11-24-31. (28)
1,833,593; Rudolph Paul. Photographic lens Issued 11-24-31. (28)
1,833,595; Samson Siegfried et al; Vocke Alfred. Device for looking at pictures reading maps and writings and the like. Issued 11-24-31. (28)
1,833,597; All. Boehringer Sohn Firm C H. Process for extracting theobromine from natural products containing theobromine. Issued 11-24-31. (28)
1,833,680; Kaselitz Oscar et al; Pohle Fritz. Mixed fertilizer. Issued 11-24-31. (28)
1,833,715; Klingspor Carl. Water proof polishing paper. Issued 11-24-31. (28)
1,833,727; Thurlings Hermann. Machine for kneading and pulling out dough like masses. Issued 11-24-31. (28)
1,833,804; Watanabe Ko. Manufacture of paper making material. Issued 11-24-31. (39)
1,833,817; Bing Andreas. Springing for upholstery. Issued 11-24-31. (28)
1,833,830; All. Typograph GmbH. Matrix bar for type line setting and setting and casting machines. Issued 11-24-31. (28)
1,833,862; Schneisser Hugo. Magazine for machine pistols. Issued 11-24-31. (28)
1,833,908; All. Maybach Motorenbau GmbH. Controlling device for carburetors of internal combustion engines. Issued 12-1-31. (28)
1,833,923; Uhl Josef. Machine for automatically spreading and cutting bar shaped lengths of dough pieces. Issued 12-1-31. (57)
1,833,927; Bauer Herman. Machine for sorting feathers. Issued 12-1-31. (28)
1,833,981; All. Wagner Fritz and Co. Valve. Issued 12-1-31. (28)
1,834,003; All. Oertz Anna Emilia. Hollow rudder for ships. Issued 12-1-31. (28)
1,834,256; Ruping Max. Rail fastening. Issued 12-1-31. (28)
1,834,444; Bock Heinrich. Method of welding. Issued 12-1-31. (28)
1,834,460; Lauenstein Otto. Wrapping machine for candy filled chocolates and other kinds of confectionery. Issued 12-1-31. (28)
1,834,474; Ringl Alois. Dough shaping implement. Issued 12-1-31. (6)
1,834,476; Siemens Friedrich Carl. Regenerative furnace. Issued 12-1-31. (28)
1,834,539; Jakobson Julius. Collar. Issued 12-1-31. (28)
1,834,608; All. Reinhardt Paul. Sparking plug. Issued 12-1-31. (28)
1,834,624; Kappler Paul. Brake device or coupling. Issued 12-1-31. (28)
1,834,639; Pedrazzo Giovanni. Automatic commutator. Issued 12-1-31. (38)
1,834,646; Sandor Nicholas. Apparatus for producing foam in fine bubbles. Issued 12-1-31. (28)
1,834,651; Schlupmann Heinrich. Two stroke cycle internal combustion engine. Issued 12-1-31. (28)
1,834,659; All. Nihon Densen Seizo Kabushiki Kaisha. Trolley wire. Issued 12-1-31. (39)
1,834,693; Frischer Hermann. Means of promoting chemical reactions. Issued 12-1-31. (28)
1,834,723; All. Universalle Cigarettenmaschinen apparatus for distributing cigarettes from containers. Issued 12-1-31. (28)
1,834,729; Pfluger Albert et al; Haage Konrad. Internal combustion engine. Issued 12-1-31. (28)
1,834,743; All. Universalle Cigarettenmaschinen. Method of and means for producing two box parts in a single operation. Issued 12-1-31. (28)
1,834,744; Schroeder Kurt. Symmetrical piling made of channel iron sections. Issued 12-1-31. (28)
1,834,761; All. Siemens Schuckertwerke AG. Electric discharge vessel. Issued 12-1-31. (28)
1,834,772; Ebers Karl. Process of breaking up raw heavy spar. Issued 12-1-31. (28)
1,834,799; Nickel Oscar et al; Markwitz Reinhold. Process for the manufacture of cement. Issued 12-1-31. (28)
1,834,806; All. Aceta GmbH. Manufacture of artificial threads. Issued 12-1-31. (28)
1,834,859; All. Kuorr Bremse AG. Control gear for aircraft. Issued 12-1-31. (28)
1,834,875; All. Herold A G. Acoustic testing apparatus for detecting irregularities of machines of any type. Issued 12-1-31. (28)
1,834,878; All. Baumwollspinnerei Gronau. Drawing mechanism for spinning and like frames. Issued 12-1-31. (28)
1,835,072; McClatchie Stanely. Electric pick up device. Issued 12-8-31. (28)
1,835,073; McClatchie Stanely. Phonograph pick up device. Issued 12-8-31. (28)
1,835,087; Rommel Otto. Identification plate for motor driven vehicles. Issued 12-8-31. (28)
1,835,164; Kuchenmeister Heinrich. Process for recording sound for talking machines. Issued 12-8-31. (28)
1,835,225; Knoringer Ernst et al; Woski Carl. Charging device for shaft furnaces. Issued 12-8-31. (28)
1,835,226; Kuchenmeister Heinrich J. Method of and apparatus for making photographic phonograph records. Issued 12-8-31. (28)
1,835,244; Schorn Hans. Manufacture of aluminum silicon alloys. Issued 12-8-31. (28)
1,835,367; Becker Enno et al; Brusch Friedrich Wilhelm. Sheet metal piling. Issued 12-8-31. (28)
1,835,385; Fujita Masa. Automatic switch for telephones. Issued 12-8-31. (39)
1,835,417; Mauterer Arthur. Pile wall. Issued 12-8-31. (28)
1,835,422; All. I G Farbenindustrie A G. Treating fibrous materials or textiles. Issued 12-8-31. (28)
1,835,438; All. Weisbach C H K G. Regulating the passage of cloth webs through cloth finishing machines. Issued 12-8-31. (28)
1,835,441; All. I G Farbenindustrie A G. Process for producing tri ammonium phosphate. Issued 12-8-31. (28)
1,835,501; All. Lubecker Maschinenbau Ges. Steering device of track chain vehicles. Issued 12-8-31. (28)
1,835,519; All. Feinmechanik A G Vormals Jetter. Scalpel. Issued 12-8-31. (28)
1,835,583; Altenbach Otto. Nail file and sheath therefor. Issued 12-8-31. (28)
1,835,667; All. Vereinigte Stahlwerke A G. Process of hardening copper containing steels for structural and similar purposes. Issued 12-8-31. (28)
1,835,704; All. I G Farbenindustrie A G. Production of potassium nitrate. Issued 12-8-31. (28)
1,835,836; All. Maschinenfabrik Johannisberg GmbH. Apparatus for applying etched tubes in intaglio printing machines. Issued 12-8-31. (28)
1,835,846; Caproni Gianni. Aeroplane fuselage fitted with arrangements for carrying and dropping large bombs. Issued 12-8-31. (39)
1,835,851; Duffing Georg. Oil pump. Issued 12-8-31. (28)
1,835,920; Werder Markus. Process for loading or impregnating silk and silk tissue. Issued 12-8-31. (28)
1,835,955; All. Lawaczeck GmbH. Electrolytic apparatus. Issued 12-8-31. (28)
1,835,972; All. Forderaulagen Ernst Heckel GmbH. Driving pulley for ropes or chains provided with gripping jaws. Issued 12-8-31. (28)
1,836,002; Balz Georg. Furnace for roasting zinc blende. Issued 12-15-31. (28)
1,836,111; All. Fiat S A. Means for simultaneously operating the valves in internal combustion engines. Issued 12-15-31. (38)
1,836,124; Kuchenmeister Heinrich. Film for phonographic records. Issued 12-15-31. (28)
1,836,135; All. I G Farbenindustrie A G. Manufacture of isopropyl and homologous esters of aliphatic acids and isopropyl and homologous alcohols. Issued 12-15-31. (28)
1,836,145; Winkler Alfred et al; Dunnebier Max. Roller machine for the manufacture of envelopes. Issued 12-15-31. (28)
1,836,150; Beppu Schichiro. Turn indicator for motor vehicles. Issued 12-15-31. (39)
1,836,174; Kattwinkel Hans. Brake covering and the like and process of manufacturing the same. Issued 12-15-31. (28)
1,836,175; Kida Yasuzo. Method of sinking and building wells. Issued 12-15-31. (39)
1,836,191; Seitz Xaver. Hood for motor cars and other vehicles. Issued 12-15-31. (28)
1,836,291; All. Fabrik Elektrischer Zunder GmbH. Electric blasting fuse. Issued 12-15-31. (28)
1,836,300; All. Fiat S A. Carburetor for aircraft engines. Issued 12-15-31. (38)
1,836,316; Esau Abraham. Method of testing the purity of solid or liquid hydrocarbons. Issued 12-15-31. (28)
1,836,330; All. Vereinigte Eisenbahn. Electric train control equipment. Issued 12-15-31. (28)
1,836,332; Muth Karl. Certificate or coupon sheet for use in statistic machines. Issued 12-15-31. (28)
1,836,335; All. Wanderer Werke Vorm Winkhofer. Feeding device for storage counting mechanisms in calculating machines. Issued 12-15-31. (28)
1,836,400; All. I G Farbenindustrie A G. Manufacture of soaps. Issued 12-15-31. (28)
1,836,402; All. Frankfurter Ges. Utilization of the heat of incandescent coke or the like material. Issued 12-15-31. (28)
1,836,481; Lutz Anton. Plate for supporting gas meters. Issued 12-15-31. (28)
1,836,498; All. Maschinenfabrik Aug-bier. Multicylinder combustion engine. Issued 12-15-31. (28)
1,836,526; All. Vulcan Feuerung A G. Operation of lime and dolomite kilns and furnaces. Issued 12-15-31. (28)
1,836,553; All. I G Farbenindustrie A G. Production of condensation products of carbamides and formaldehyde. Issued 12-15-31. (28)
1,836,588; All. I G Farbenindustrie A G. Wetting and emulsifying preparation. Issued 12-15-31. (28)

1,836,618; All. I G Farbenindustrie A G. Process for producing phosphorus. Issued 12-15-31. (28)
1,836,620; All. I G Farbenindustrie A G. Wood oil lacquer. Issued 12-15-31. (28)
1,836,621; Schubert Friedrich. Method of and arrangement for examining the local strength of fabrics paper rubber and the like. Issued 12-15-31. (6)
1,836,622; Silbermann Walter. Ventilating device for the interior of closed car bodies. Issued 12-15-31. (28)
1,836,623; Silvestri Enrico. Dismountable sleigh mounted upon skis. Issued 12-15-31. (38)
1,836,656; All. I G Farbenindustrie A G. Manufacture of artificial threads or the like. Issued 12-15-31. (28)
1,836,731; All. I G Farbenindustrie A G. Denatured alcohol. Issued 12-15-31. (28)
1,836,858; All. Matro GmbH. Method of dressing the germs or the components of the germs obtained in the malting house for rendering them suited as human food and for dietetic purposes. Issued 12-15-31. (28)
1,836,870; Quer Karl August. Education game for teaching arithmetic. Issued 12-15-31. (28)
1,836,899; Cahn Banjamin. Hair clasp especially for making curls. Issued 12-15-31. (28)
1,836,908; Diepold Max. Process for treating whale bone bristles. Issued 12-15-31. (28)
1,836,916; Godefroid Armand. Cash till. Issued 12-15-31. (28)
1,837,010; Brown Donald. Production of pure glycerine. Issued 12-15-31. (28)
1,837,034; Freund Edwin. Squeezing machine. Issued 12-15-31. (6)
1,837,068; Richter Karl. Receptacle for holding and forwarding victuals and foodstuffs. Issued 12-15-31. (28)
1,837,070; Roth Ernst. Apparatus for charging aluminum producing furnaces. Issued 12-15-31. (28)
1,837,079; All. Still Carl Firm. Process for obtaining ammonia as ammonium sulphate from gases. Issued 12-15-31. (28)
1,837,097; Barth Josef. Process and apparatus for thickening tube ends. Issued 12-15-31. (28)
1,837,103; Betz Wilhelm. Welded spigot and socket joint. Issued 12-15-31. (28)
1,837,124; Hering Fritz. Wire spoke wheel. Issued 12-15-31. (28)
1,837,161; Herz Walter. Method of rolling tubes. Issued 12-15-31. (28)
1,837,196; Berges Carl et al; Berges Wilhelm. Bending machine. Issued 12-22-31. (28)
1,837,336; Ritzerfeld Wilhelm. Duplicating apparatus. Issued 12-22-31. (28)
1,837,339; Schick Gustav. Atomizing nozzle. Issued 12-22-31. (28)
1,837,439; Holzwarth Hans. Turbine blade for gas and steam turbines. Issued 12-22-31. (28)
1,837,456; All. Siemens and Halske A G. Circuit arrangement for preselectors. Issued 12-22-31. (28)
1,837,612; All. Hesser Fr Maschinenfabrik A G. Device for laying off sections continuously severed from webs. Issued 12-22-31. (28)
1,837,642; Yamanaka Naojiro. Talking machine. Issued 12-22-31. (39)
1,837,679; All. Kalle and Co A G. Process for the development of diazo types. Issued 12-22-31. (28)
1,837,682; Scaright Richard Butler. Apparatus for producing webs of fabric coated with rubber. Issued 12-22-31. (28)
1,837,700; Bussenius Albert. Direction indicator. Issued 12-22-31. (28)
1,837,736; Thriene Ernst. Hair undulating apparatus. Issued 12-22-31. (28)
1,837,787; Meiser Josef. Iron coffer dam pile. Issued 12-22-31. (28)
1,837,794; Rauwald Ferinand. Sheet metal plank. Issued 12-22-31. (28)
1,837,845; All. Fiat S A. Fuel tank arranged on the dashboard of motor vehicles. Issued 12-22-31. (38)
1,837,867; Hilscher Curt. Hosiery knitting machine. Issued 12-22-31. (28)
1,837,871; All. Deutsche Gasgluhlicht Auer GmbH. Refrigerating plant. Issued 12-22-31. (28)
1,837,887; Schmidt Paul. Device for regulating the output of centrifugal pumps. Issued 12-22-31. (28)
1,837,896; Costanlevich Leone. Method of promoting propeller efficiency and means thereof. Issued 12-22-31. (38)
1,837,910; All. Brehmer Gebruder Maschinenfabrik. Paper folding and wire stitching machine. Issued 12-22-31. (28)
1,837,917; Muller Ernst. Whip stitch sewing machine. Issued 12-22-31. (28)
1,837,922; Preiss Paul. Water borne vehicle on wheels. Issued 12-22-31. (28)
1,837,926; Toenniessen Ernst. Multiple roller drawing frame with tilting lever weight. Issued 12-22-31. (28)
1,837,931; Walbrohl Wilhelm. Brush of steel wire springs. Issued 12-22-31. (28)
1,837,932; Weigle Ernst. Syringe. Issued 12-22-31. (28)
1,837,940; All. Ade Direktor Arthur. Trailer coupling. Issued 12-22-31. (28)
1,837,944; Blum Carl Robert. Method and apparatus for recording series of motion. Issued 12-22-31. (28)
1,837,988; Oberschulte Hermann. Delphin. Issued 12-22-31. (28)
1,837,999; Ristow Alfred. Radio receiving system. Issued 12-22-31. (28)
1,838,002; Sacerdoti Camillo. Electrically driven road vehicle. Issued 12-22-31. (38)
1,838,009; Strecker Gerald. Surface atomizer for liquid fuel. Issued 12-22-31. (28)
1,838,035; All. Fondera S A Del Pignone. Automatic parachute. Issued 12-22-31. (38)
1,838,064; All. Ges Wirtschaftlichen Bahnoberbau. Railway or tramway rail joint. Issued 12-22-31. (28)
1,838,260; All. Kern Adolf. Central cooling plant. Issued 12-29-31. (28)
1,838,265; All. Siemens Schuckertwerke A G. Automatic control system for steam generators. Issued 12-29-31. (28)
1,838,284; Refsgaard Anton Carl. Tune sheet key indicator. Issued 12-22-31. (28)
1,838,354; Bauer Fritz. Aircraft. Issued 12-29-31. (28)
1,838,389; Goldberg Emanuel. Statistical machine. Issued 12-29-31. (28)
1,838,479; All. Hesser Fr Maschinenfabrik A G. Wrapper feeding and gumming machine. Issued 12-29-31. (28)
1,838,480; All. Hesser Fr Maschinenfabrik A G. Device for continuously drying paper webs provided with areas of varnish. Issued 12-29-31. (28)
1,838,519; Antoni Ugo. Propeller for submerging and steering subaqueous and floating vessels. Issued 12-29-31. (38)
1,838,533; Crespi Giovanni. Dough kneading machine. Issued 12-29-31. (38)
1,838,541; All. Terni soc per l'industria e Siemens Martin. Furnace. Issued 12-29-31. (38)
1,838,551; Hubner Otto. Journal bearing for rail vehicles. Issued 12-29-31. (28)
1,838,556; All. Faber A W Castell Bleistift. Packing container. Issued 12-29-31. (28)
1,838,577; All. Ges fur lindes eismaschinen A G. Process for the purification of coke oven gases. Issued 12-29-31. (28)
1,838,629; Melazzo Giovanni. Synchronous motor driven converter. Issued 12-29-31. (38)
1,838,700; All. Ural maschinen. Portable motor. Issued 12-29-31. (6)
1,838,835; Hopper Franz Xaver. Press. Issued 12-29-31. (6)
1,838,895; All. Fiat S A. Engine hood for motor vehicles. Issued 12-29-31. (38)
1,838,998; Loesche Ernst Curt. Crushing mill. Issued 12-29-31. (28)
1,839,011; Bielicke Willy F. Lens combination. Issued 12-29-31. (28)
1,839,133; All. Schmidtsche Heissdampf GmbH. Superheater heated by superheated steam. Issued 12-29-31. (28)
1,839,137; Wunner Alois. Telephonic loud speaker. Issued 12-29-31. (28)
1,839,138; All. Krupp Fried A G. Bookkeeping machine. Issued 12-29-31. (28)
1,839,157; Mathesius Walther. Titanium steel and the process of manufacturing the same. Issued 12-29-31. (28)
1,839,163; Pelz Alfons. Formation of paper bags. Issued 12-29-31. (28)
1,839,168; All. Drager Otto Heinrich. Fabric for gas protection masks or the like and method for producing same. Issued 12-29-31. (28)
1,839,270; All. Senftner & Co GmbH. Radioactive means for activating water in bottles. Issued 1-5-32. (28)
1,839,335; Ohr Ludwig. Protective Device for film projecting apparatus. Issued 1-5-32. (28)
1,839,339; Peters Oskar Erich. Reel. Issued 1-5-32. (28)
1,839,347; Seppeler Eduard. Propeller. Issued 1-5-32. (28)
1,839,354; All. Losenhausenwerk. Device for measuring moments of torsion. Issued 1-5-32. (28)
1,839,355; All. Concordia S A Romana Pentru. Driving mechanism for lone stroke Canadian pumps of oil well rigs. Issued 1-5-32. (57)
1,839,356; Szente Aurel. Electromagnetic winding mechanism for clockwork. Issued 1-5-32. (6)
1,839,422; All. Universelle. Apparatus for shaping cigar bunches. Issued 1-5-32. (23)
1,839,454; Addicks Albert. Safety device for vehicles particularly power driven vehicles. Issued 1-5-32. (28)
1,839,565; All. Kock and Te. Device for looms employed in weaving preparatory chenille material for the manufacture of axminster carpets and the like. Issued 1-5-32. (28)
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1,839,702; All. I G Farbenindustrie A G. Recovery of volatile organic solvents. Issued 1-5-32. (28)
1,839,738; Casale Luigi. Dec. Apparatus for effecting catalytic reactions between gases under pressure and at high temperature. Issued 1-5-32. (38)
1,839,746; Eschbach Wilhelm et al; Friederich Walter. Electric fuse. Issued 1-5-32. (28)
1,839,747; Eschbach Wilhelm. Fuse composition streak member having reenforced ignition. Issued 1-5-32. (28)
1,839,784; Carcano Cristoforo. Continuous machine for making paper artificial leather and the like. Issued 1-5-32. (38)
1,839,878; All. Lanz A G Heinrich. Fuel delivering device. Issued 1-5-32. (28)
1,839,977; Lobbecke Karl. Process and apparatus for regulating furnaces working with different fuels. Issued 1-5-32. (28)
1,840,044; Mattes Hans. Tongs for splitting wood. Issued 1-5-32. (28)
1,840,103; Junkers Hugo. Riveting tool. Issued 1-5-32. (28)
1,840,143; Weindl Karl. Film cartridge. Issued 1-5-32. (28)
1,840,326; All. I G Farbenindustrie A G. Production of yellow iron oxide pigments. Issued 1-12-32. (28)
1,840,333; All. Kalle & Co A G. Solid sta & le diazo compounds and process of preparing them. Issued 1-12-32. (28)
1,840,363; Furst Camillo Dec; Illner Rudolf et al. Process for altering the physical properties of finely divided mineral substances. Issued 1-12-32. (6)

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1,840,448; All. Leitz Ernst Optische Werke. Illuminating device for microscopes. Issued 1-12-32. (28)
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1,840,478, Von Frommer Rudolf. Trigger and safety mechanism for sporting guns. Issued 1-12-32. (34)
1,840,491; All. Siemens planiawerke A G fur. Process of manufacturing carbon electrodes for electric furnaces. Issued 1-12-32. (28)
1,840,542; Taragno Pietro. Fuel injecting device for internal combustion engines. Issued 1-12-32. (38)
1,840,611; All. Drager Otto Heinrich. Method and apparatus for protecting a catalytically acting or purifying material against contact poisons. Issued 1-12-32. (28)
1,840,686; Zechmanek Karl. Color projecting and distributing apparatus for painters. Issued 1-12-32. (6)
1,840,717; All. Universelle Cigarettenmaschinen. Feeding of cigarettes to packing machines. Issued 1-12-32. (28)
1,840,726; Lange Bruno. Variable speed gear. Issued 1-12-32. (28)
1,840,765; All. Edeleanu GmbH. Process for the continuous treatment of Hydrocarbons. Issued 1-12-32. (28)
1,840,827; Albert Karl. Device for grinding pulpy fluid materials and mixtures. Issued 1-12-32. (6)
1,840,897, All. Liepziger Tangler Werk A G. Apparatus for the spraying and atomizing of melted substances such as paraffin wax or the like. Issued 1-12-32. (28)
1,840,914; Ottenstein Friedrich. Track for toy railways. Issued 1-12-32. (28)
1,840,923; Stutz Benz Emil Bobbin bank movement for spinning machines. Issued 1-12-32. (28)
1,840,976; Roos August. Autographic register. Issued 1-12-32. (28)
1,841,063; All. Kupfer Reinold. Episcopic projection apparatus for metallic films and the like. Issued 1-12-32. (28)
1,841,131; Kahlhofer Heinz. Apparatus for the production of hair waves. Issued 1-12-32. (6)
1,841,146; All. Preusse & Co A G Stitching machine Issued 1-12-32. (28)
1,841,155; Rober Ewald. Metal rolling mill. Issued 1-12-32 (28)
1,841,165; All. Girmes Messrs Johs & Co A G. Warp knitting machine. Issued 1-12-32. (28)
1,841,199; Nolte Karl. Sheet piling. Issued 1-12-32. (28)
1,841,200; Von Le Juge Serglus. Preheater for boiler feed water. Issued 1-12-32. (28)
1,841,217; All. Daimlerbenz A G. Pneumatically or hydraulically actuated tool. Issued 1-12-32 (28)
1,841,242; All. Elektrizitatsgesellschaft Roentgen apparatus. Issued 1-12-32. (28)
1,841,259; Simon Ernst Wooden tie or sleeper for railroads and similar purposes. Issued 1-12-32 (28)
1,841,338; All. Vereinigte Stahlwerke A G. Apparatus for moving tamping machines. Issued 1-12-32. (28)
1,841,344; Baer Alfred Packing for the rotary valves of internal combustion engines. Issued 1-12-32. (28)
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1,841,539; All Gebruder Brehmer Maschinenfabrik. Sheet edge pasting machine. Issued 1-19-32. (28)
1,841,565; Wunsch Guido. Burner for air heaters. Issued 1-19-32. (28)
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1,841,654, All. Drahtlose Telegraphie GmbH. Short wave transmission. Issued 1-19-32. (28)
1,841,754; All. I G Farbenindustrie A G. Method of purifying oils. Issued 1-19-32. (28)
1,841,758; Negrini Bruno. Machine for the manufacture of curled bendings at the longitudinal edges of metallic strips. Issued 1-19-32. (38)
1,841,759; Nolte Karl. Sheet piling. Issued 1-19-32 (28)
1,841,781; All. Siemens Schukertwerke A G. Blow striking implement. Issued 1-19-32. (28)
1,841,797; All. I G Farbenindustrie A G. Hardened albuminous article and process of manufacturing it. Issued 1-19-32. (28)
1,841,818, Kammuller Karl. Chamber water lock Issued 1-19-32. (28)
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1,841,855, Steiff Hugo. Hinge joint. Issued 1-19-32 (28)
1,841,857; Terzoli Umberto. Blocking device for cables Issued 1-19-32. (38)
1,841,858; All Union Special Maschinen. Feeding mechanism for sewing machines. Issued 1-19-32 (28)
1,841,859; All Union Special Maschien. Feeding mechanism for sewing machines. Issued 1-19-32. (28)
1,841,867; Wiegelmann Hubert. Device for producing shadow lines on work pieces. Issued 1-19-32. (28)
1,841,889; Grunwald Karl. Tobacco moistening device. Issued 1-19-32 (28)
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1,842,051; Renzelberg August. Dividers and adjustable point therefor. Issued 1-19-32. (28)
1,842,062; Becker Alfred Curt. Gas heated utensil. Issued 1-19-32. (28)
1,842,064; All Vereinigte Schuhfabriken. Turn camel hair shoe with felt and leather sole and with solid heel counter. Issued 1-19-32 (28)
1,842,129; Thomas Emil. Steering device for trailers attached to motor vehicles. Issued 1-19-32. (28)
1,842,189; All. Universelle Cigarettenmaschinen. Production of box or container parts with neck inserts. Issued 1-19-32. (28)
1,842,250, Nicolo A E Bob Rousky Teodoro et al. (34). Parenzan Ermanno. Aeroplane. Issued 1-19-32. (38)
1,842,264; Greter Carl. Electric switch. Issued 1-19-32. (28)
1,842,273; Lancia Vincenzo. Means for mounting wheels in vehicles. Issued 1-19-32. (38)
1,842,297; Reinhard Hugo. Method of and apparatus for producing zinc oxide. Issued 1-19-32. (28)
1,842,326; Kohlmeyer Ernst Justus. Process for dezincing of ores or smelter products. Issued 1-19-32. (28)
1,842,406; Kattwinkel Hans. Apparatus for applying frictional coverings to the laminations of friction clutches and the like. Issued 1-26-32. (28)
1,842,408; Zuckermann Clara. Clothes hanger. Issued 1-26-32 (6)
1,842,590; Dubosc Edgardo. Gear Wheel. Issued 1-26-32. (38)
1,842,636; All Fiat S A. Variable speed gearing particularly for motor vehicles. Issued 1-26-32 (38)
1,842,648; All Siemens & Halske A G. Electric condenser. Issued 1-26-32. (28)
1,842,668, Haarer Julius. Cigar making machine. Issued 1-26-32. (28)
1,842,675; Kannenberg Karl. Mask for welding and the like operations Issued 1-26-32 (28)
1,842,678; Kreuzeder Karl. Method of mechanically producing a bunch shaped hollow rib in the back plate of artificial teeth. Issued 1-26-32. (28)
1,842,702; Von Dombrowski Kathe. Attaching collars cuffs trimmings etc. to women's dresses Issued 1-26-32. (28)
1,842,710; All. Luftschiffbau Zeppelin GmbH. Device for drying lifting gas for airships. Issued 1-26-32 (28)
1,842,725, All. Fritz Werner A G. Driving mechanism for machine tools such as planing machines grinding machines and the like Issued 1-26-32. (28)
1,842,738; Welter Adolf. Compressed air soap. Issued 1-26-32. (28)
1,842,739; Welter Adolf Compressed air soap. Issued 1-26-32 (28)
1,842,788; Kramer Bernhard. Fluid controlling device. Issued 1-26-32 (28)
1,842,789; Langenbach Heinrich. Method of making circular saws with inserted teeth. Issued 1-26-32. (28)
1,842,843; All. Rhenania Kunheim Verein Chemischer. Method of making fertilizers. Issued 1-26-32. (28)
1,842,847; All. Rheinische Metallwaaren und. Safety device for firearms. Issued 1-26-32 (28)
1,842,857; All. Laszlo D Antal. Process of the manufacture of a composition of Linoleum. Issued 1-26-32. (34)
1,842,862; All. Eisenbau Wyhlen A G. Measuring cock Issued 1-26-32. (28)
1,842,877; All. Lechler Firma Paul. Apparatus for the preparation of emulsions. Issued 1-26-32. (28)
1,842,879, Piehler Karl. Concrete mixing machine. Issued 1-26-32. (28)
1,842,924; Wenzel Max. Roll suction device Issued 1-26-32. (28)
1,842,926; Winkler Alfred et al; Dunnebier Max Machine for the manufacture of loosely folded envelopes. Issued 1-26-32. (28)
1,842,975; Matticoli Alfredo. Multiplying mechanism for calculating machines. Issued 1-26-32. (38)
1,842,988; Kranz Friedrich Clemens. Mill provided with a conical runner. Issued 1-26-32. (28)
1,843,012; Bucherer Hans Theodor. Method of carrying out chemicals reactions Issued 1-26-32. (28)
1,843,027; All. Universelle Cigarettenmaschinen. Apparatus for shaping paper containers or cardboard boxes with flat reactangular bottoms. Issued 1-26-32 (28)
1,843,032; Koch Edmund. Respirator. Issued 1-26-32. (28)
1,843,040; Muller Carl Wilhelm. Adhesive applying device for cigarette machines in which the adhesive is forced out of reservoirs into distributing nozzles. Issued 1-26-32. (28)

1,843,058; Wrede Fritz. Silver salt of thiocellobiose and process of preparing the same. Issued 1-26-32. (28)
1,843,059; Ziehl Gustav. Runner for frameless sliding glass doors. Issued 1-26-32. (28)
1,843,099; Siemens Friedrich Carl Ingot reheating furnace Issued 1-26-32. (28)
1,843,119; All. Siemens Schuckertwerke A G. Rotary tiller. Issued 2-2-32. (28)
1,843,166; All Kienzle Uhrenfabriken A G. Fare indicator. Issued 2-2-32. (28)
1,843,168; All. Union Special Maschinenfabrik. Ruffling mechanism for sewing machines. Issued 2-2-32. (28)
1,843,265; Barenyi Arpad. Photographic shutter. Issued 2-2-32. (28)
1,843,316; All. I G Farbenindustrie A G. Detergent. Issued 2-2-32. (28)
1,843,382; Brainich Ernst. Tank car for conveying volatile liquids. Issued 2-2-32. (28)
1,843,393; All. Rheinische Metallwaaren und. Tripod carriage for machine guns. Issued 2-2-32. (28)
1,843,424; All. Kuhlmann Franz. Drafting machine. Issued 2-2-32. (28)
1,843,437; All. Rheinische Gummi Und Celluloid. Hair comb. Issued 2-2-32. (28)
1,843,446; Drager Alexander Bernard. Dec. Cartridge for independent breathing apparatus. Issued 2-2-32. (28)
1,843,449; All. Hesser Fr Maschinenfabrik A G. Machine for closing filled bags. Issued 2-2-32. (28)
1,843,493; Pfeifenbring Oscar. Support for raisedly standing and stepping. Issued 2-2-32. (28)
1,843,519; All. Zeiss Carl Firm. Projection objective. Issued 2-2-32. (28)
1,843,540; Casale Luigi Dec. Process for the production of hydrogen or hydrogen nitrogen mixtures or hydrogen carbon monoxide mixtures. Issued 2-2-32. (38)
1,843,582; Schmitt Georg Gustav Emil. Swimming appliance. Issued 2-2-32. (28)
1,843,586; Werchmeister Wilhelm. Lock protector for motor vehicles. Issued 2-2-32. (28)
1,843,616; Mackert Anton. Method for regenerating granular active charcoal. Issued 2-2-32. (28)
1,843,638; All. Oesterreichische Tabak Regie. Method and apparatus for reducing the percentage of nicotine contained in raw tobaccos in intermediary products and in tobacco products ready for use. Issued 2-2-32. (6)
1,843,639; Hansen Theodor. Hose filter. Issued 2-2-32. (28)
1,843,702; Ackermann Karl. Apparatus for manufacturing compound castings. Issued 2-2-32. (28)
1,843,708; All. Selenophon Licht Und Tonbildge. Apparatus for reproducing sounds recorded on films. Issued 2-2-32. (6)
1,843,713; Engstfeld Hans. Wet gas meter. Issued 2-2-32. (6)
1,843,716; Giller Theodor. Apparatus for transforming molten matter such as slag into frothy porous matter. Issued 2-2-32. (28)
1,843,720; Hagen Johannes. Shaving apparatus. Issued 2-2-32. (28)
1,843,798; Beuthner Kurt. Base closure for vertical gas retorts and gas chambers. Issued 2-2-32. (28)
1,843,801; Cattaneo Glustino. Air cooling of the cylinders of internal combustion engine. Issued 2-2-32. (38)
1,843,815; Walter Erich Hartung Carl A et al. Governor provided with an auxiliary force. Issued 2-2-32. (28)
1,843,822; Kogel Gustav. Photographic printing process. Issued 2-2-32. (28)
1,844,024; Weber Ottomar. Means for fastening trees to props. Issued 2-9-32. (28)
1,844,043; Picco Alfredo. Spring cushion inclosing shock absorbing means. Issued 2-9-32. (38)

1,844,140; Alten Victor. Trailer coupling for tractor vehicles. Issued 2-9-32. (28)
1,844,152; Funck Paul Wilhelm. Machine for forming hanks from threads of food paste. Issued 2-9-32. (28)
1,844,158; Hain Heinrich. Fruit picker. Issued 2-9-32. (28)
1,844,185; All. Amberger Flaschenhutten A G. Glass forming machine. Issued 2-9-32. (28)
1,844,191; Tessky Karl. Screw cutting appliance for lathes. Issued 2-9-32. (28)
1,844,218; All. Fabbrica Italiana Magneti Marelli. Ignition magneto. Issued 2-9-32. (38)
1,844,224; All. Telegraphic patent syndikat GmbH. Device for rewinding magnetic record carriers and the like. Issued 2-9-32. (28)
1,844,251; Heimberger Hermann. Hydraulic drive. Issued 2-9-32. (28)
1,844,296; All. Fabbrica Italiana Magneti Marelli. Ignition magneti. Issued 2-9-32. (38)
1,844,322; Golz Georg Emil Wilhelm. Electromagnetic power transmision mechanism. Issued 2-9-32. (28)
1,844,555; All. Deutsche Maschinenfabrik A G. Adjustable bearing for roll straightening machines. Issued 2-9-32. (28)
1,844,566; Dienes Karl Rudolf. Milling cutter pressed from sheet metal. Issued 2-9-32. (28)
1,844,589; All. Takata Masaru. Safety razor. Issued 2-9-32. (39)
1,844,754; Geller Robert. Manufacture of solid alcohols. Issued 2-9-32. (28)
1,844,957; Hofmann Johannes Wilhelm. Supporting or carrying clamp for electrical overhead or aerial lines. Issued 2-16-32. (28)
1,844,970; Muller Karl Arnold Paul et al. Steam cooking apparatus and closure therefor. Issued 2-16-32. (28)
1,844,994; All. Vereinigte Stahlwerke A G. Iron and steel. Issued 2-16-32. (28)
1,845,000; All. Deutsche Gasgluhlicht Auer GmbH. Method for indicating the exhaustion of substances used for cleaning gases. Issued 2-16-32. (28)
1,845,108; All. Fiat S A. Arrangement for operating rods. Issued 2-16-32. (38)
1,845,134; Denhof Hans. Process and machine for uniformly distributing impregnating mediums on articles of washing. Issued 2-16-32. (6)
1,845,155; Jordan Franz. Process for raising the resistance of zinc to tearing during rolling. Issued 2-16-32. (28)
1,845,224; Blanc Gian Alberto. Method for the separation of aluminum nitrate from potassium sodium iron calcium magnesium nitrates present in mixed solutions of these salts. Issued 2-16-32. (38)
1,845,228; Brackelsberg Karl Dec. Process and apparatus for melting down easily fusible alloys. Issued 2-16-32. (28)
1,845,289; Koenemann Ernst. Method of and plant for heating apparatus especially such forming parts of chemical plants. Issued 2-16-32. (28)
1,845,361; All. Vadasztolteny Gyutacs E S. Fire stone holder for pyrophoric lighters. Issued 2-16-32. (34)
1,845,461; Welter Adolf. Process for rendering odorless soaps bleached with hypochlorous acid. Issued 2-16-32. (28)
1,845,523; Schmidt Otto. Precision quick balance. Issued 2-16-32. (28)
1,845,560; Ruping Max. Securing means for rails. Issued 2-16-32. (28)
1,845,620; All. Motorenfabrik Deutz A G. Precombustion chamber for airless injection oil engines. Issued 2-16-32. (28)
1,845,755; All. I G Farbenindustrie A G. New acrolein condensation product. Issued 2-16-32. (28)
1,845,835; All. I G Farbenindustrie A G. Measuring the intensity of ultra violet rays. Issued 2-16-32. (28)
1,845,847; All. Hennefer Maschinenfabrik C Reuther. Baffle device for discharge funnels. Issued 2-16-32. (28)
1,845,876; All. Chemische Werke Vorm H & E Albert. Process for the production of alumina and alkali phosphates. Issued 2-16-32. (28)
1,845,893; All. Hartmann Rud A Co. Method and apparatus for treatment of animal matters. Issued 2-16-32. (28)
1,845,946; Weidenbacher Josef. Portable shed structure. Issued 2-16-32. (28)
1,845,955; Bonom Alfred. Turbine. Issued 2-16-32. (38)
1,845,989; All. Kalle & Co A G. Light sensitive layers and process of preparing them. Issued 2-16-32. (28)
1,846,092; Dietrich Walther et al; Bergi Klemens. Apparatus for the production of cold. Issued 2-23-32. (28)
1,846,110; All. Telegraphie Patent Syndikat GmbH. Magnetic sound record carrier. Issued 2-23-32. (28)
1,846,119; All. Brehmer Gebruder Maschinen Fabrik. Paper folding machine. Issued 2-23-32. (28)
1,846,148; Rumpf Ernst. Automatic feed weighing apparatus. Issued 2-23-32. (28)
1,846,156; All. Rheinische Metallwaaren und. Automatic firearm. Issued 2-23-32. (28)
1,846,165; Vogel Max. Stapling machine. Issued 2-23-32. (28)
1,846,166; Voss John. Elastic suspension for electric lamps and the like. Issued 2-23-32. (28)
1,846,175; Asbeck Gustav. Rolling mill. Issued 2-23-32. (28)
1,846,201; Hoffmeister Wilhelm Arno Max. Apparatus for and method of paraffining material. Issued 2-23-32. (28)
1,846,209; All. Gartstoff Metall A G Hametag. Separator. Issued 2-23-32. (28)
1,846,210; All. Hartstoff Metall A G. Air separator. Issued 2-23-32. (28)
1,846,229; Sternberg Emil. Lock for small arms. Issued 2-23-32. (28)
1,846,231; Susman Kate. Listening apparatus. Issued 2-23-32. (6)
1,846,234; Van Royen Herman Johan. Refining process for producing pure iron. Issued 2-23-32. (28)
1,846,237; All. Motorenfabrik Deutz A G. Hand control for Diesel vehicle motors. Issued 2-23-32. (28)
1,846,238; Windisch Gabriele. Penholder. Issued 2-23-32. (6)
1,846,276; Richter Arthur. Flat hosiery frame. Issued 2-23-32. (28)
1,846,280; Strichow Karl. Device for measuring and recording liquids in a predetermined quantity. Issued 2-23-32. (28)
1,846,281; Strichow Karl. Apparatus with a rotatable tilting drum for drawing off liquids. Issued 2-23-32. (28)
1,846,293; All. Altlas Werke A G. Device for operating bulkhead doors. Issued 2-23-32. (28)
1,846,332; Horn Guido. Brake for vehicles. Issued 2-23-32. (28)
1,846,341; Jung Karl. Surface grinding machine. Issued 2-23-32. (28)
1,846,428; Kunz Georg Albert. Vertical tube boiler for waste heat especially from water gas. Issued 2-23-32. (28)
1,846,531; All. Telegraphie Patent Syndikat GmbH. Electromagnetic recording arrangement for acoustic vibrations. Issued 2-23-32. (28)
1,846,549; Geiger Julius. Dredging machine. Issued 2-23-32 (28)
1,846,558; Junghans Siegfried. Process for making self improving aluminum alloys. Issued 2-23-32. (28)
1,846,559; All. Hennefer Maschinenfabrik C Reuther. Feeding device on automatic weighing machines. Issued 2-23-32. (28)

1,846,560; Kattwinkel Hans. Frictional body for couplings and the like and method of making same. Issued 2-23-32. (28)
1,846,562; Longo Antonio et al; Longo Gaetano. Rotating wing device for increasing the carrying capacity of aeroplane wings. Issued 2-23-32. (38)
1,846,575; Weingand Richard. Manufacturing articles from cellulose compounds. Issued 2-23-32. (28)
1,846,654; All. Maschinenfabrik Augsburg. Safety device for two stroke cycle gas engines. Issued 2-23-32. (28)
1,846,765; All. Kupfer Reinold. Protection of metallic films from galvanic reactions on photographic layers or the like being applied to them. Issued 2-23-32. (28)
1,846,785; All. Krupp Fried A G. Driving gear for cash registers and calculating machines. Issued 2-23-32. (28)
1,846,806; All. Hausen Josef. Absorbent for acetylene gas. Issued 2-23-32. (28)
1,846,807; All. Universelle Cigarettenmaschinen. Cutter for cigarette machines. Issued 2-23-32. (28)
1,846,808; All. Universelle Cigarettenmaschinen. Apparatus for mechanically separating cigarettes with tips differing from the normal length. Issued 2-23-32. (28)
1,846,859; Gminder Emil. Production of bast fibers from vegetable stalks. Issued 2-23-32. (28)
1,846,908; All. Merkel and Lienlin GmbH. Method of impregnating wool. Issued 2-23-32. (28)
1,846,910; Schneider Ferdinand. Electric wave indicator. Issued 2-23-32. (28)
1,846,964; All. Wurttembergische metallwarenfabrik. Steam cooking pot. Issued 2-23-32. (28)
1,846,991; Carlson Albin Vitalis. Method of increasing the output of mechanical ronstring furnaces and the like. Issued 2-23-32. (28)
1,847,001; All. Schmidt Sche Heissdampf GmbH. Steam generating plant indirectly heated by a circulating heat carrier. Issued 2-23-32. (28)
1,847,024; Stern Ottokar. Method of filling pits. Issued 2-23-32. (6)
1,847,040; Roth Erich. Process of transforming a uniform rotary motion. Issued 2-23-32. (28)
1,847,067; Brouwers Hermann Jr. Tag stapling device of the plier type. Issued 3-1-32 (28)
1,847,077; Boeck Alfred A. Window shade. Issued 3-1-32. (28)
1,847,098; Otto Carl. Apparatus for the regulation of pressure in the coking chambers of coke ovens. Issued 3-1-32. (28)
1,847,107; All. Wagner Fritz and Co. Valve comprising an equalizing chamber a main and an auxiliary valve. Issued 3-1-32 (28)
1,847,115; Hildenbrand Emil; Kummerle Adolf et al. Direction indicator for cycles and the like. Issued 3-1-32. (28)
1,847,173; Cohen Venezian Carlo. Aerial vehicle. Issued 3-1-32. (38)
1,847,200; Vollmerhaus Ewald. Pipe bending machine. Issued 3-1-32. (28)
1,847,203; Zerver David. Holder for tools or implements. Issued 3-1-32. (28)
1,847,341; All. Wirtschaftlichen Bahnoberbau. Railway rail joint. Issued 3-1-32 (28)
1,847,350; Mathesius Hans; Mathesius Walther et al. Process of manufacturing titanium steel. Issued 3-1-32. (28)
1,847,362; McClatchie Stanley. Silencing vacuum cleaners. Issued 3-1-32. (28)
1,847,465; Bergfeld Emil. Automatic indicating target. Issued 3-1-32. (28)
1,847,492; All. I G Farbenindustrie A G. Manufacture of hydrogen peroxide. Issued 3-1-32. (28)
1,847,497; Prinz Josef. Water heating apparatus. Issued 3-1-32. (28)
1,847,498; Richter Arthur. Flat hosiery frame. Issued 3-1-32. (28)
1,847,507; Wilhelmi Johannes Nicolaus. Metallic filing. Issued 3-1-32. (28)
1,847,534; All. Neuhut Emil. Luminous sign. Issued 3-1-32. (6)
1,847,547; All. Maschinenfabrik Moenus A G. Shoe pounding up machine. Issued 3-1-32. (28)
1,847,580; Vorwerk Wilhelm. Ribbon for supporting the button of garters. Issued 3-1-32. (28)
1,847,582; All. Gerrner Ernst A G. Twisting apparatus for ring spinning frames. Issued 3-1-32. (28)
1,847,591; All. Michalk Otto. Gear. Issued 3-1-32. (28)
1,847,607; Hardt Heinrich. Stethoscope. Issued 3-1-32. (28)
1,847,614; Kronenberger Bernard. Appliance for eye diagnosis. Issued 3-1-32. (28)
1,847,617; All. Hirsch Kupfer und Messingwerke A G. Hard alloy. Issued 3-1-32. (28)
1,847,618; Lutz Anton. Gas meter. Issued 3-1-32. (28)
1,847,634; Striffler Heinrich. Airship mast. Issued 3-1-32. (28)
1,847,730; Sobek Emanuel. Discharge funnel for kilns. Issued 3-1-32. (6)
1,847,749; All. Voran Automobilbau A G. Motor vehicle. Issued 3-1-32. (28)
1,847,769; Krucken Peter. Machine and method for treating cigars. Issued 3-1-32 (28)
1,847,778; Melamid Michael. Method of performing chemical reactions. Issued 3-1-32 (28)
1,847,786; Ritzmann Albin. Clipper. Issued 3-1-32. (28)
1,847,787; Schneider Alfons. Mechanism for operating vehicle lifting jacks. Issued 3-1-32. (28)
1,847,795; Kristensson August; Thorssell Theodor et al. Process for removing hydrogen sulphide from gases. Issued 3-1-32. (28)
1,847,810; Boueke Albert. Arch supporting insole. Issued 3-1-32. (28)
1,847,827; Gahlert Franz Josef. Process for the treatment of artificial silk yarns after spinning. Issued 3-1-32. (28)
1,847,837; All. Vereinigte Stahlwerke A G. Method of connecting pipes. Issued 3-1-32 (28)
1,847,838; Krell Joseph. Printing plate for addressing and other printing machines. Issued 3-1-32. (28)
1,847,840; Levy Elly. Box for cosmetics. Issued 3-1-32. (28)
1,847,873; All. Electro Acustic GmbH. Air sound apparatus. Issued 3-1-32. (28)
1,847,933; All. Maschinenfabrik Augsburg Nurnberg. Sluice gate for weirs. Issued 3-1-32. (29)
1,847,942; Grieser Friedrich. Hair treating Device. Issued 3-1-32. (28)
1,847,946; All. Holmberg & Co GmbH. Washing machine. Issued 3-1-32. (28)
1,847,978; Pisani Marino. Benzine filter. Issued 3-1-32. (38)
1,847,996; Belloni Angelo. Submarine rescue emerging compartment. Issued 3-1-32 (38)
1,848,026; Peyinghaus Walter. Axle bearing. Issued 3-1-32. (28)
1,848,039; Zimmermann Wilhelm. Deep boring machine. Issued 3-1-32. (28)
1,848,131; All. I G Farbenindustrie A G. Production of mixed crystals containing potassium and ammonium. Issued 3-8-32. (28)
1,848,231; All. Siemens A G. Reheating furnace. Issued 3-8-32. (28)
1,848,252; Hermann Franz Josef. Dust removing device for threshing machines. Issued 3-8-32. (28)
1,848,255; All. Ludwig Curt. Floatless carburetor. Issued 3-8-32. (28)
1,848,295; All. Bayerische Stickstoffwerke A G. Process for production of phosphoric acid and hydrogen. Issued 3-8-32. (28)
1,848,312; All. Bandini Raffaele Archimede. Manufacture of glass filled screw plug bases. Issued 3-8-32. (38)
1,848,336; Ferrero Paola. Noting apparatus. Issued 3-8-32. (38)
1,848,360; Krell Otto. Rotable hangar for airships. Issued 3-8-32. (28)
1,848,448; Weidner Edmund. Folding machine for folding letters printed matter or the like. Issued 3-8-32. (28)
1,848,504; All. I G Farbenindustrie A G. Process for producing formic acid. Issued 3-8-32. (28)
1,848,524; All. G Farbenindustrie A G. Cellulose esters of inorganic acids. Issued 3-8-32. (28)
1,848,549; Rieger Gotthilf. Calculating machine. Issued 3-8-32. (28)
1,848,581; Stein Johann Georg. Method of raising sunken ships. Issued 3-8-32. (28)
1,848,615; Fottinger Hermann. Power transmitting system. Issued 3-8-32. (28)
1,848,616; Fottinger Hermann. Device for coupling or braking. Issued 3-8-32. (28)
1,848,617; Friedrich Bruno. Parallel vise chuck & similar clamping device. Issued 3-8-32. (6)
1,848,660; All. Stahl Chemie GmbH. Process of manufacturing a red pigment of iron oxide. Issued 3-8-32. (28)
1,848,687; Baldus Berta. Button in two portions. Issued 3-8-32. (28)
1,848,707; All. Hesser Fr Maschinenfabrik A G. Device for introducing folding boxes in packing machines. Issued 3-8-32. (28)
1,848,712; All. Hanns and Romer. Machine for molding plastic material. Issued 3-8-32. (28)
1,848,730; Lange Heinrich. Well filter. Issued 3-8-32 (28)
1,848,756; Thorssell Carl Theodor. Process for the production of potassium nitrate and sodium carbonate. Issued 3-8-32 (28)
1,848,872; Hauseiter Fritz Hermann. Photomechanical printing. Issued 3-8-32. (28)
1,848,785; Jung Max. Method of & apparatus for removing moisture from solid materials Issued 3-8-32. (28)
1,848,786; All. Berlin Karlsruher Industrie Werke AG. Method of making spinning bobbins. Issued 3-8-32. (28)
1,848,788; All. Wolf Georg GmbH. Appliance for examination of hollow spaces through a narrow opening. Issued 3-8-32 (28)
1,848,795; Nier Ernst Richard. Target practice apparatus. Issued 3-8-32. (28)
1,848,799; Papalia Michelangelo. Device for automatic telegraphic transmission. Issued 3-8-32. (38)
1,848,802; Piller Franz Jr. Process for making multicolor copying screens. Issued 3-8-32 (28)
1,848,803; All. Siemensschuckertwerke A G. Automatic furnace regulating device for steam boilers. Issued 3-8-32. (28)
1,848,882; All. Neufeldt & Kuhnke. Light electric regulating device. Issued 3-8-32 (28)
1,848,926; Barenyi Arpad. Photographic shutter. Issued 3-8-32. (28)
1,848,958; Lindhorst Heinrich. Process for the hardening of iron and the like with the aid of a gas generated in the hardening furnace. Issued 3-8-32. (28)
1,848,043; All. Rhenania Kunheim Verein Chemischer. Production of solid ammonium carbonate. Issued 3-8-32. (28)
1,849,176; De Fries Alfred. Windscreen. Issued 3-15-32. (28)
1,849,192; Kriedl Ignaz. Opacifying substance for enamels glasses and the like. Issued 3-15-32 (6)
1,849,202; Pfluger Rudolf. Great circle sailing device. Issued 3-15-32. (28)

1,849,209; Cremer Conrad; Hecking Arnulf; Schlotterbeck Fritz; Stockhausen Hans et al. Process of sulphonating oils and fats. Issued 3-15-32. (28)
1,849,220; Boessenecker Johann Christian. Monocycle internal combustion engine. Issued 3-15-32. (28)
1,849,230; Greineisen Wilhelm. Stocking suspender. Issued 3-15-32. (28)
1,849,242; Moll Hermann. Reversing valve. Issued 3-15-32. (28)
1,849,317; Schaeller Alfred. Carburetor. Issued 3-15-32 (28)
1,849,325; Gussalli Luigi. Vehicle for undulating ground. Issued 3-15-32. (38)
1,849,441; Sprenger Arthur. Steel melting furnace and process of manufacturing the same. Issued 3-15-32. (28)
1,849,463; Lindstedt Otto. Device for improving the tone of steel strings. Issued 3-15-32. (28)
1,849,464; Mader Emil. Demountable wheel rim assembly. Issued 3-15-32. (28)
1,849,496; Magnus Hans. Apparatus for vacuum dehydration of hydrocarbons. Issued 3-15-32. (28)
1,849,559; Troger Herbert. Tanning for the production of leathers of various kinds. Issued 3-15-32. (28)
1,849,567; All. Dragerwerk Heinr and Barnh Drager. Breathing implement. Issued 3-15-32. (28)
1,849,569; Coco Biagio Antonino; Condorelli Pietro et al. Process for extracting the juice from liquorice. Issued 3-15-32. (38)
1,849,588; All. Schmidt Sche Heissdampf GmbH. Two pressure boiler installation. Issued 3-15-32. (28)
1,849,591; Rado Leopold. Device for cutting continuous sheets of a very thin material. Issued 3-15-32. (28)
1,849,593; Schonfeld Paul. Hosiery. Issued 3-15-32. (28)
1,849,611; All. Officine Lombarde Apparechi Di. Process and apparatus for ascertaining the ordnance data necessary for firing missiles into the air. Issued 3-15-32. (38)
1,849,626; All. Vereinige Stahlwerke AG. Machine for automatically shaping stones and the like. Issued 3-15-32. (28)
1,849,728; Bachmann Heinrich. Taper pin. Issued 3-15-32. (28)
1,849,741; Doppenschmitt Friedrich. Flexible band. Issued 3-15-32. (28)
1,849,926; Holtkamp Otto. Table for invalids beds. Issued 3-15-32. (28)
1,849,948; Muchler Fritz. Hose clip. Issued 3-15-32. (28)
1,849,949; Muller Erich. Pipe stopping apparatus. Issued 3-15-32. (28)
1,849,962; Sindermann Adolf. Means for the surface dressing of materials in particular of hairy materials. Issued 3-15-32. (6)
1,849,973; Buchwald Reinhard. Rolling tube. Issued 3-15-32. (28)
1,849,983; Junkers Adolf Heinrich. Device for forming a yarn store. Issued 3-15-32. (28)
1,849,986; Merk Friedrich. Automatic telephone switch. Issued 3-15-32. (28)
1,849,992; All. Fiat S A. Throttle and ignition control. Issued 3-15-32. (38)
1,849,995; Schiegries Eduard. Tamping machine. Issued 3-15-32. (28)
1,850,022; Tubben Ludwig; Maruhn Johannes et al. Method of producing hydrocarbons. Issued 3-15-32. (28)
1,850,026; Meiser Josef. Rolling of channel sections with wide flanges. Issued 3-15-32. (28)
1,850,034; Samaia Dino. Bomb thrower divisible in two parts adapted to be carried on man's back. Issued 3-15-32. (38)
1,850,036; Steffen Carl Jr. Support for the feet process for obtaining tricalcium saccharate rich in sugar and poor in lime and of a very high degree of purity. Issued 3-15-32. (6)
1,850,041; All. Fiat S A. Variable speed gearing particularly for motor vehicles. Issued 3-15-32. (38)
1,850,099; Friedrich Karl et al; Friedrich Curt. Process of producing articles covered by cold process with a glaze like coating. Issued 3-22-32. (28)
1,850,107; All. I G Farbenindustrie A G. Treatment with liquid of fibers wound upon permeable spools. Issued 3-22-32. (28)
1,850,126; Bruckner Gustav. Automatic welding machine. Issued 3-22-32. (28)
1,850,143; All. Minimax A G. Precipitation of dust. Issued 3-22-32. (28)
1,850,150; Horn Heinrich. Machine for working liquid pulverulent and granular masses. Issued 3-22-32. (28)
1,850,243; Schneider Anton. Floating frame for reduction of road vibration. Issued 3-22-32. (28)
1,850,253; All. Deutsche Gasgluhlicht Auer GmbH. Apparatus for stenciling luminous dials for clocks measuring instruments and the like. Issued 3-22-32. (28)
1,850,331; Ohler Johann Friedrich. Positively actuated grinding wheel feed for saw sharpening machines. Issued 3-22-32. (28)
1,850,334; Rado Leopold. Process and apparatus for the production of multicolored representations. Issued 3-22-32. (28)
1,850,475; Mayerhofer Lipot; Reich Jeno et al. Adjustable tensioning weight for the lace thread in the lace bone or bobbin. Issued 3-22-32. (34)
1,850,477; Roth Ernst. Producing metallic ingots. Issued 3-22-32. (28)
1,850,502; Hilker Heinrich. Fluff removal device for looms. Issued 3-22-32. (28)
1,850,515; Peltz Georg. Device for joining carbon electrodes. Issued 3-22-32. (28)
1,850,548; All. Lorenz A G. Wireless signal. Issued 3-22-32. (28)
1,850,636; Schauer Ignaz. Folding table. Issued 3-22-32. (6)
1,850,648; Wiedemann Hans. Apparatus for carbonizing solid carbonizable material. Issued 3-22-32. (28)
1,850,655; All. Heintze Firm and Blanckertz. Engraving tool. Issued 3-22-32. (28)
1,850,682; All. I G Farbenindustrie A G. Substituted guanidines. Issued 3-22-32. (28)
1,850,799; All. Werner Fritz A G. Grinding machine particularly for spline shafts. Issued 3-22-32. (28)
1,850,997; All. I G Farbenindustrie A G. Production of resistant silver surfaces. Issued 3-29-32. (28)
1,851,040; All. I G Farbenindustrie A G. Production of chloropropionic esters. Issued 3-29-32. (28)
1,851,074; Wagener Theodor. Concrete conveying bucket. Issued 3-29-32. (28)
1,851,080; Becker Otto. Safety belt. Issued 3-29-32. (28)
1,851,155; All. Deutsche Elektrizitatswerke Zu. Induction motor. Issued 3-29-32. (28)
1,851,168; Lorster Franz August Gerhard. Quarter tone keyboard musical instrument. Issued 3-29-32. (28)
1,851,210; Palazzo Francesco Carlo et al; Palazzo Fortunato. Process for producing mixtures of mono calcium and di calcium phosphates. Issued 3-29-32. (38)
1,851,215; All. Neuerburg Sche. Process for measuring quantities of loose material more particularly cut tobacco for continuously fed machines. Issued 3-29-32. (28)
1,851,236; Baseler Wolfgand et al; Hofmann Fritz. Device for the optical transmission of signals. Issued 3-29-32. (28)
1,851,251; Hurlimann Oskar. Device for distributing air or gases in fluids. Issued 3-29-32. (28)
1,851,252; Junkers Adolf Heinrich. Device for forming yarn stores. Issued 3-29-32. (28)
1,851,298; Volmer Max. Process of recording electric impulses. Issued 3-29-32. (28)
1,851,317; Leitz Ernst Firm. Apparatus for making stereograms. Issued 3-29-32. (28)
1,851,328; Rausch Gottfried. Dough dividing and kneading machine. Issued 3-29-32. (28)
1,851,391; Korten Ernst. Process for producing amino derivatives of hexahydrodiphenyl. Issued 3-29-32. (28)
1,851,401; All. Tasma Addieb Maschinen GmbH. Calculating machine. Issued 3-29-32. (28)
1,851,418; Buchner Max. Process for the production of alkali, metal hydroxide by conversion of alkali metal salts with alkaline earth metal hydroxide. Issued 3-29-32. (28)
1,851,476; All. I G Farbenindustrie A G. Decomposing beryl. Issued 3-29-32. (28)
1,851,503; All. Enn Werke Neu and Neuburger. Electric torch. Issued 3-29-32. (28)
1,851,649; Schindler Kurt. Punching ball. Issued 3-29-32. (28)
1,851,652; All. I G Farbenindustrie A G. Process of separating hydrogen fluoride from silicon fluoride. Issued 3-29-32. (28)
1,851,684; Pruss Max. Clarification plant. Issued 3-29-32. (28)
1,851,763; Goller Karl Hermann. Process of bating hides and skins. Issued 3-29-32. (28)
1,851,786; Volcker Ernst. Vertical tube boiler. Issued 3-29-32. (28)
1,851,787; Vorwerk Wilhelm. Tab for hose or stocking supporters. Issued 3-29-32 (28)
1,851,822; All. Holzhydrolyse A G. Process for the saccharification of vegetable material containing pentosansa. Issued 3-29-32. (28)
1,851,829; Gonyk Ignatz. Scythe straw knife and the like. Issued 3-29-32. (6)
1,851,848; All. Fereinigte Stahlwerk A G. Rolling mill roll. Issued 3-29-32. (28)
1,851,863; Nobst Georg. Jacquard apparatus for textile machines with movable implements for forming loops. Issued 3-29-32. (28)
1,851,872; All. Sohn C H Boehringer. Method for obtaining theobromine. Issued 3-29-32. (28)
1,851,882; All. Hermsdorf Schomburg. Suspension insulator. Issued 3-29-32. (28)
1,851,884; All. Fiat S A. Device for cambering spring leaves. Issued 3-29-32. (38)
1,851,893; All. Deutsche Wollen Waren Manufakture A G. Preparation of wool containing fabrics for dyeing purposes. Issued 3-29-32. (28)
1,851,898; Eckhardt Fritz et al; Hohnekamp Max. Safety device for electric incandescent lamps. Issued 3-29-32. (28)
1,851,945; Kremmling Otto. Apparatus for expressing bakers material. Issued 3-29-32. (28)
1,851,970; Heller Alfred; Askenasy Paul et al. Process of chlorinating ethylene. Issued 4-5-32. (28)
1,852,040; Blank Carl. Surgical bandage. Issued 4-5-32. (28)
1,852,043; All. New York Hamburger Gummi Waren Sle. Chlorination of rubber. Issued 4-5-32. (28)
1,852,046; Ficken Hermann. Liquid spray for perfume or medicinal purposes. Issued 4-5-32. (28)
1,852,065; All. I G Farbenindustrie A G. Impregnating webs cloths and fabrics. Issued 4-5-32. (28)
1,852,097; All. Wiede S Carbidwerk Freyung MBH. Synthetic spinel. Issued 4-5-32. (28)
1,852,132; Sieprath Heinrich. Laminated spring. Issued 4-5-32. (28)
1,852,209; Kirchner Carl. Electric truck with steering axles. Issued 4-5-32. (28)
1,852,247; All. Zahnradfabrik A G. Gear. Issued 4-5-32. (28)

1,852,293; All. Schmidt Sche Heissdampf GmbH. High pressure boiler. Issued 4-5-32. (28)

1,852,397; All. United Cigarette Machine Co. A G. Cutting device for cigarette strand machines. Issued 4-5-32. (28)

1,852,419; Kuchenmeister Heinrich. Film advancing appliance. Issued 4-5-32. (28)

1,852,726; All. Johne Werk Grafische Maschinen A G. Cutting machine for paper and the like. Issued 4-5-32. (28)

1,852,732; All. Oesterreicheschen Fezfabriken A G. Joint for endless bands such as felts. Issued 4-5-32. (6)

1,852,786; All. Deutsche Gasglühlicht Auer GmbH. Method of accelerating the action of breathing cartridges filled with peroxide. Issued 4-5-32. (28)

1,852,872; Batke Richard. Card file. Issued 4-5-32. (28)

1,852,879; Gluckauf Max. Orthopedic sole. Issued 4-5-32. (28)

1,852,865; Goetz Carl. Process for obtaining metals from ores. Issued 4-5-32. (28)

1,853,074; Mulka Friedrich. Controlling means for automatic lathes. Issued 4-12-32. (28)

1,853,150; Schultes Paul. Spring controlled roller for roller blinds. Issued 4-12-32. (28)

1,853,414; All. I G Farbenindustrie A G. Wetting and cleaning agents. Issued 4-12-32. (28)

1,853,437; Kuttner Ernst Wolfgang. Process for producing an insulating coating on articles containing aluminum. Issued 4-12-32. (28)

1,853,438; Lambach Wilhelm. Pot with signal whistle for boiling milk in steam baths. Issued 4-12-32. (28)

1,853,462; All. Kalle & Co A G. Diazo types and process of making the same. Issued 4-12-32. (28)

1,853,471; Storch Friedrich Conrad Martin. Electromagnetic apparatus. Issued 4-12-32. (28)

1,853,530; All. Siemens Schuckertwerke A G. Vapor generator. Issued 4-12-32. (28)

1,853,570; All. Bleichert Adolf & Co. Car for passenger ropeways. Issued 4-12-32. (28)

1,853,674; All. Leitz Ernst Optische Werke. Microscope with inclined oculars. Issued 4-12-32. (28)

1,853,688; Leifer Louis Georg. Apparatus for converting hydrocarbons. Issued 4-12-32. (28)

1,853,689; All. Leitz Ernst Optische Werke. Illuminating device for microscopes. Issued 4-12-32. (28)

1,853,694; Melcher Franz. Counter running double propeller. Issued 4-12-32. (6)

1,853,699; Rahmann Emil. Process of making artificial resin and wax and the like from coal. Issued 4-12-32. (28)

1,853,731; All. Wagner Gunther. Reservoir pen. Issued 4-12-32. (28)

1,853,743; Pollitzer Franz. Process for the separation of mixtures of gases. Issued 4-12-32. (28)

1,853,748; Schleppig Otto. Treading surface for footgear. Issued 4-12-32. (28)

1,853,764; All. Koch & Sterzel A G. High potential measuring transformer. Issued 4-12-32. (28)

1,853,793; Wollmer Christian. Furniture joint. Issued 4-12-32. (28)

1,853,804; Sack Rud Firm. Lifting and lowering mechanism for tractors and the like. Issued 4-12-32. (28)

1,853,820; Krantz Hubert. Steam heating system. Issued 4-12-32. (28)

1,853,821; Krantz Hubert. Centrifugal extractor. Issued 4-12-32. (28)

1,853,941; Spiess Georg. Device for coupling a printing press with a sheet feeding device. Issued 4-12-32. (28)

1,853,979; Johannsen Hans. Automatic target. Issued 4-12-32. (28)

1,854,038; Jollenbeck Eduard. Stay bolt connection for fire boxes of boilers. Issued 4-12-32. (28)

1,854,040; Junkers Adolf Heinrich. Apparatus for treating yarn. Issued 4-12-32. (28)

1,854,063; Rakowitzky Hirsch; Rakowitzky Selman et al. Process for the manufacture of book matches from continuous strips. Issued 4-12-32. (6)

1,854,064; Revelli Bethel Abiel. Automatic flier. Issued 4-19-32. (28)

1,854,082; All. Fiat S A. Variable speed gearing particularly for motor vehicles. Issued 4-12-32. (38)

1,854,161; Hellmann Otto. Oven for treatment of fuel by heat. Issued 4-12-32. (28)

1,854,168; All. Elektrische Isolierungen GmbH. Apparatus for the production of fibrous tubing. Issued 4-19-32. (28)

1,854,284; Walther Heinrich. Shoe cementing machine. Issued 4-19-32. (28)

1,854,361; Zientek Paul. Rail joint. Issued 4-19-32. (6)

1,854,583; Friedrich Waldemar. Steam purifier. Issued 4-19-32. (28)

1,854,640; Binder Ludwig et al; Heyne Hans. Means for measuring high electrical potentials. Issued 4-19-32. (28)

1,854,652; Kirchner Ulrich et al; Strecker Gerald. Drum type mill for paper and pulp manufacture. Issued 4-19-32. (28)

1,854,656; Kohlen Josef. Pneumatically actuated percussive tool. Issued 4-19-32. (28)

1,854,669; Lehmann Karl. Process of dressing coal. Issued 4-19-32. (28)

1,854,670; Ridder Otto. Rotary engine. Issued 4-19-32. (28)

1,854,684; All. I G Farbenindustrie A G. Production of aluminum. Issued 4-19-32. (28)

1,854,687; All. Preussische Bergwerks und Huten A G. Extraction and manufacture of sulphate of potassium from calcium containing sulphates. Issued 4-19-32. (28)

1,854,739; All. Reinhardt G E Linier Maschinen. Ruling machine. Issued 4-19-32. (28)

1,854,765; All. Rhenania Kunhalm Verein Chemischer. Process for obtaining alumina and phosphates. Issued 4-19-32. (28)

1,754,772; Stuken Hubert. Wall tile covering. Issued 4-19-32. (28)

1,854,816; Wach Hans. Combined reciprocating steam engine and turbine. Issued 4-19-32. (28)

1,854,817; Wach Hans. Reciprocating engine and turbine. Issued 4-19-32. (28)

1,854,818; Wach Hans. Steam engine turbo combination. Issued 4-19-32. (28)

1,854,833; Gobbo Domenico. Breech loading gun. Issued 4-19-32. (38)

1,854,847; Kuhn Richard. Process for catalytically oxidizing hydrogen sulphide. Issued 4-19-32. (28)

1,854,851; All. Union Special Maschinenfabrik. Article positioning device for sewing machines. Issued 4-19-32. (28)

1,854,864; All. Kupfer Reinhold. Metal film or lamina for use in cinematography. Issued 4-19-32. (28)

1,854,871; Traunder Heinrich. Beehive. Issued 4-19-32. (6)

1,854,878; All. Zimmerman Max. Pasting machine. Issued 4-19-32. (28)

1,854,880; All. Paalen Gustav Robert. Electric liquid heater. Issued 4-19-32. (28)

1,854,950; All. Universelle Cigarettenmaschinen. Cigarette packing machine. Issued 4-19-32. (28)

1,854,954; Pulz Willy. Dust remover for threshing machines. Issued 4-19-32. (28)

1,854,985; Doerr Carl Sr. Electric lighter for cigars cigarettes and the like. Issued 4-19-32. (28)

1,855,001; Schneider Adolf. Steam generator. Issued 4-19-32. (28)

1,855,058; Katscher Sigmund. Sound box guiding mechanism. Issued 4-19-32. (6)

1,855,072; Sulda Hermann. Production of concentrated acetic acid. Issued 4-19-32. (6)

1,855,090; Brandt Richard. Method of obtaining potassium and or sodium ferrocyanide in the purification of coal gas. Issued 4-19-32. (28)

1,855,106; Gonyk Ignatz. Valve. Issued 4-19-32. (6)

1,855,113; Nolte Karl. Sheet piling. Issued 4-19-32. (28)

1,855,124; Barwolf Richard. Gas cooler. Issued 4-19-32. (28)

1,855,186; All. Schroder Hugo. Coke oven. Issued 4-26-32. (28)

1,855,213; Alma Carl Egon; Alma Maximilian Dec, et al. Draft gear. Issued 4-26-32. (6)

1,855,301; All. Union Special Maschinenfabrik Gmbh. Chain cutter for sewing machines. Issued 4-26-32. (28)

1,855,377; All. Steinhorst Wilhelm. Coating material for metal articles. Issued 4-26-32. (28)

1,855,393; Gluud Wilhelm. Process for making sodium nitrate. Issued 4-26-32. (28)

1,855,416; All. Siemens & Halske A G. Telephone system. Issued 4-26-32. (28)

1,855,573; Haber Gustav. Dental gear. Issued 4-26-32. (28)

1,855,656; Voglmayer Maximilian. Method of folding closing and opening letters rendered inaccessible without envelopes. Issued 4-26-32. (6)

1,855,675; All. Hoffmeister Hanna Gerda. Can filling apparatus. Issued 4-26-32. (28)

1,855,830; All. Weber & Seelander Maschinenfabrik. Rubbing mill. Issued 4-26-32. (28)

1,855,839; All. Lubecker Maschinenbau Ges. Truck chain bogie of carriages. Issued 4-26-32. (28)

1,855,902; Bauer Karl. Girder. Issued 4-26-32. (28)

1,855,965; Hildebrand Wilhelm et al; Hildebrand Ewald. Plowing machine. Issued 4-26-32. (28)

1,855,970; Kaltenbach Alois et al; Voigt Reinhard. Angle piece for dental boring milling and grinding tools. Issued 4-26-32. (28)

1,855,972; All. Rationelle Verbrennung GmbH. Fuel Atomizer. Issued 4-26-32. (28)

1,855,982; Mohr Otto. Purification of waste aqueous liquor. Issued 4-26-32. (28)

1,855,984; All. Chemische Fabrik Kalk GmbH. Process of producing concentrated gaseous hydrochloric acid. Issued 4-26-32. (28)

1,856,003; Thelen Peter. Waste trap for basins and the like. Issued 4-26-32. (28)

1,856,007; All. Zahnradfabrik A G Friedrichshafen. One way drive power transmission. Issued 4-26-32. (28)

1,856,020; All. Bohme H Th A G. Method for increasing the wetting and penetrating capacity of treatment liquids. Issued 4-26-32. (28)

1,856,067; Bausch Viktor et al; Franz Kurt. Transparent foils of paper fabric webs and the like. Issued 5-3-32. (28)

1,856,144; All. I G Farbenindustrie A G. Production of phosphoric acid. Issued 5-3-32. (28)

1,856,181; All. Brauer Carl Fr GmbH. Rotary printing cylinder. Issued 5-3-32. (28)

1,856,201; Wiese Franz. Closure for containers. Issued 5-3-32. (28)

1,856,267; All. Universelle Cigarettenmaschinen. Method of forming box parts. Issued 5-3-32. (28)

1,856,293; Reitmeister Wilhelm. Process of melting and deoxidizing metals and alloys. Issued 5-3-32. (28)

1,856,308; Barenyi Arpad. Photographic shutter. Issued 5-3-32. (28)

1,856,332; Hein Hermann. Landing device for aircraft. Issued 5-3-32. (28)

1,856,344; Leopold Otto. Sound recording and reproducing apparatus. Issued 5-3-32 (28)

1,856,358; Posentrup Heinrich. Adjustable fish plates engaging the rail heads. Issued 5-3-32. (28)

1,856,382; All. Gassan Arthur. Casting mold for manufacturing zinc containers for galvanic elements batteries or the like. Issued 5-3-32. (28)

1,856,383; Gerdes Adolf Friedrich. Friction wheel differential gear. Issued 5-3-32. (28)

1,856,384; Haber Eugen. Apparatus for building iron plate chimneys from several sections. Issued 5-3-32. (28)

1,856,385; Haupt Hans. Telescopically collapsible umbrella. Issued 5-3-32. (28)

1,856,394; Lettermann Adolf. Device for taking foot impressions. Issued 5-3-32. (28)

1,856,403; All. Kienzle Uhrenfabriken A G. Fare indicator. Issued 5-3-32. (28)

1,856,443; Stoecklcht Wilhelm. Bevel wheel gearing. Issued 5-3-32. (28)

1,856,529; All. Fiat S A. Propeller hub for aircraft engines with a reducing gear of the sun and planet wheel type. Issued 5-3-32. (38)

1,856,567; Tayenthal Kurt Kleinert Theodor et al. Process of decomposing vegetable fibrous matter for the purpose of the simultaneous recovery both of the cellulose and of the incrusting ingredients. Issued 5-3-32. (6)

1,856,607; Walter Richard R. Process for producing sintered alloys. Issued 5-3-32. (28)

1,856,642; Karollus Edmund. Fire damp proof time fuse. Issued 5-3-32. (6)

1,856,688; All. Neuerburg Sche. Tobacco feeding apparatus for cigarette machines. Issued 5-3-32. (28)

1,856,716; Maschmeyer Hermann. Elongated tilting hearth furnace. Issued 5-3-32. (28)

1,856,717; Meyer Emil. Photographic film roll. Issued 5-3-32. (6)

1,856,789; All. Rheinische Metallwaaren Und. Electrical time switch. Issued 5-3-32. (28)

1,856,823; Aivaz Doris. Production of supply spools of strip material. Issued 5-3-32. (34)

1,856,854; Schwanhausser Waldemar. Manicure device. Issued 5-3-32. (28)

1,856,937; Ungerer Karl Friedrich. Straightening and rolling machine. Issued 5-3-32. (28)

1,856,940; Alvera Josef et al; Schofer Karl. Apparatus for the production of ornamental chains so called snake chains. Issued 5-3-32. (28)

1,856,961; Foerster Bernhard. Device for feeding the guide sleeves for spring rings to the points for working. Issued 5-3-32. (28)

1,856,952; Foerster Bernhard. Process for working guide sleeves for spring rings. Issued 5-3-32. (28)

1,856,953; Foerster Bernhard. Machine for the production of split rings. Issued 5-3-32. (28)

1,857,032; All. Union Special Maschinenfabrik. Hem folder for sewing machines. Issued 5-3-32. (28)

1,857,056; All. Union Special Maschinenfabrik. Trimming device for sewing machines. Issued 5-3-32. (28)

1,857,057; All. Union Special Maschinenfabrik. Sewing machine. Issued 5-3-32. (28)

1,857,058; All. Union Special Maschinenfabrik. Sewing machine for inserting elastic bands in stitched articles. Issued 5-3-32. (28)

1,857,109; Laur Hermann. Links for serial lamp supports. Issued 5-3-32. (28)

1,857,239; Dinaro Salvatore. Elastic wheel. Issued 5-10-32. (38)

1,857,262; Schipper Friedrich. Apparatus for measuring the output of refrigerating machines. Issued 5-10-32. (28)

1,857,263; All. I G Farbenindustrie A G. Process of strengthening cotton artificial silk artificial foils of cellulose viscose or the like and material prepared by this process. Issued 5-10-32. (28)

1,857,268; Wirtschafter Hugo. Apparatus for protecting diapositives. Issued 5-10-32. (6)

1,857,292; Udet Ernst. Means for displaying a sign in the air. Issued 5-10-32. (28)

1,857,325; Ottenstein Friedrich. Device for bending toy rails. Issued 5-10-32. (28)

1,857,346; All. I G Farbenindustrie A G. Process for the recovery of nitric acid. Issued 5-10-32. (28)

1,857,415; All. Udet Schleppschrift GmbH. Aerial advertising and apparatus. Issued 5-10-32. (28)

1,857,549; Jereczek Viktor. Grinding machine. Issued 5-10-32. (28)

1,857,565; Heimann Heinrich; Pahl August et al. Surface carburetor. Issued 5-10-32. (28)

1,857,567; Plesch Johann. Blood pressure tourniquet. Issued 5-10-32. (28)

1,857,583; All. Rohrbogenwerk GmbH. Apparatus for straightening out the ends of bent pipes. Issued 5-10-32. (28)

1,857,628; All. Blechdosen und Plakatfabrik K G. Box stamping and drawing tool. Issued 5-10-32. (28)

1,857,658; Pfretzschner Adolf. Apparatus for stunning animals to be slaughtered. Issued 5-10-32. (28)

1,857,678; Sukohl Heinrich. Screw propeller for use upon aircraft. Issued 5-10-32. (28)

1,857,733; Manzotti Eugenio; Manzotti Erminio et al. Apparatus for printing positive photographic pictures with continuous automatic action. Issued 5-10-32. (38)

1,857,735; All. Monforts A. Fabric doubling machine. Issued 5-10-32. (28)

1,857,737; Nebich Rude. Flat hosiery knitting. Issued 5-10-32. (28)

1,857,769; Silberstein Isidor. Method of and apparatus for manufacturing high ohmic resistances. Issued 5-10-32. (28)

1,857,781; All. Multiplex Gasfernzunder GmbH. Electrically heatable kitchen utensil. Issued 5-10-32. (28)

1,857,864; All. Knorr Bremse A G. Duplex pump. Issued 5-10-32. (28)

1,857,893; Udet Ernst. Moving target for practice shooting. Issued 5-10-32. (28)

1,857,914; Keyssner Ernst et al; Mengdehl Helmut. Mixed fertilizer. Issued 5-10-32. (28)

1,857,931; All. Hinrich Springer. Capsular pump. Issued 5-10-32. (28)

1,857,963; All. Luftschiffbau Zeppelin GmbH. Airship. Issued 5-10-32. (28)

1,858,032; All. Steatit Magnesia A G. Filling apparatus for powdered or granular material. Issued 5-10-32. (28)

1,858,308; Schiller Walter. Apparatus for the preparation of films of blood. Issued 5-17-32. (6)

1,858,309; Schwarz Philipp. Necktie stretcher. Issued 5-17-32. (28)

1,858,328; All. Schenck Carl Eisengiesserei Und. Conveying of material. Issued 5-17-32. (28)

1,858,330; Horning Franz. Installation for heating the ground. Issued 5-17-32. (28)

1,858,332; All. Elektrizitatsgesellschaft Sanitas. Method of and apparatus for recording the frequency of impulses. Issued 5-17-32. (28)

1,858,361; Desirello Narciso. Optical device for resolving and combining light rays. Issued 5-17-32. (38)

1,858,385; All. Leitz Ernst Optische Werke. Photographic camera. Issued 5-17-32. (28)

1,858,409; Mittelsteiner Erich. Process for measuring water contents. Issued 5-17-32. (28)

1,858,414; All. Malmedie & Co. Machine for making indented taper pins. Issued 5-17-32. (28)

1,858,467; Sigbert Seelig. Apparatus for distilling oil. Issued 5-17-32. (28)

1,858,553; Ligouri Giovanni. Method of and means for recording and reproducing sounds. Issued 5-17-32. (28)

1,858,626; All. Krupp Fried A G. Cash register. Issued 5-17-32. (28)

1,858,630; All. Krupp Fried A G. Transfer mechanism. Issued 5-17-32. (28)

1,858,631; Leiser Heinrich. Process for producing a coating of chromium on objects of iron and steel or aluminum and particularly on knives, forks and spoons. Issued 5-17-32. (28)

1,858,633; Mallaender Wilhelm. Rotary deep impressing printing machine. Issued 5-17-32. (28)

1,858,651; All. Hurwitz Herman Co. Apparatus for displacing the counter pressure roller on the missing of a sheet in multiple reproduction apparatus. Issued 5-17-32. (28)

1,858,664; Friedel Georg. Emergency closure or lock for weirs, sluice gates and the like. Issued 5-17-32. (28)

1,858,692; Tacke Albert. Driving gear for drums. Issued 5-17-32. (28)

1,858,707; Haage Konrad; Pfluger Albert et al. Mechanical percussive tool. Issued 5-17-32. (28)

1,858,708; Hoffmeister Hermann. Potato gathering machine. Issued 5-17-32. (28)

1,858,719; Queens Hugo. Prop construction for mines. Issued 5-17-32. (28)

1,858,731; All. I G Farbenindustrie A G. Process of preparing ethers of carbohydrates. Issued 5-17-32. (28)

1,858,739; Hofrichter Charles. Wagon tilt. Issued 5-17-32. (28)

1,858,745; Mackert Anton. Process for the reactivation of powdered or fine grained adsorptive carbon. Issued 5-17-32. (28)

1,858,754; Tessky Karl. Lathe. Issued 5-17-32. (28)

1,858,770; Etheridge Herbert. Typewriter. Issued 5-17-32. (28)

———; All. Siemens & Halske A G. Process for the production of beryllium oxide or beryllium hydroxide from technical alkali beryllium double halides in particular fluorides. Issued 5-17-32. (28)

1,858,777; Hilscher Curt. Jacquard design mechanism for flat knitting machines. Issued 5-17-32. (28)

1,858,788; Rohn Wilhelm Julius Paul. Rolling mill. Issued 5-17-32. (28)

1,858,794; Vallecchi Enrico. Device for the mechanical obtainment of a changeable paper or similar covering for the seats of water closet basins. Issued 5-17-32. (38)

1,858,807; All. Rheinische Metallwaaren und. Calculating machine controlling one or more secondary machines. Issued 5-17-32. (28)

1,858,824; All. Motorenfabrik Deutz A G. Method and high compression internal combustion engine for working with gas and liquid fuel. Issued 5-17-32. (28)

1,858,831; Kremmling Otto. Automatic dough dividing and working machine. Issued 5-17-32. (28)

1,858,859; Katz Ernst. Process of producing leather imitation, particularly an imitation of the so-called antique leather. Issued 5-17-32. (6)

1,858,860; Kurz Heinrich. Apparatus for the manufacture of rails with hardened heads. Issued 5-17-32. (28)

1,858,904; Roebel Ludwig. Compressor without glands for use especially in refrigerating machines. Issued 5-17-32. (28)

1,858,911; All. Fiat S A. Device for coupling two aircraft engines with pulling or tractive screw propellers rotating in opposite directions. Issued 5-17-32. (38)

1,858,934; Neurath Werner. Transmission gear. Issued 5-17-32. (6)
1,858,935; Peyinghaus Walter. Axle bearing. Issued 5-17-32. (28)
1,858,940; All. Lehman Ernst Paul Patentwerk. Locking device in children's wheeled toys. Issued 5-17-32. (28)
1,858,956; Hepperle Heinrich. Molding machine. Issued 5-17-32. (28)
1,858,959; Koch Leonhard. Weft pile carpet. Issued 5-17-32. (28)
1,858,960; Kruger Paul. Parasol or umbrella. Issued 5-17-32. (28)
1,858,968; Ploch Walter. Means for hanging up hats. Issued 5-17-32 (28)
1,858,969; All. Rheinische Metallwaaren und. Electric fuse for projectiles. Issued 5-17-32. (28)
1,858,971; Seitz Xaver. Shock absorbing device for motor cars. Issued 5-17-32. (28)
1,858,996; Lesage Alfred. Change speed gear. Issued 5-17-32. (28)
1,859,081; Eisner Heinrich. Riveting machine. Issued 5-17-32. (28)
1,859,102; Meyer August. Car retarding apparatus. Issued 5-17-32. (28)
1,859,107; Muss Wilhelm. Heavier than air aircraft. Issued 5-17-32. (28)
1,859,112; Silberstein Isidor. Method of manufacturing electrical resistances. Issued 5-17-32. (28)
1,859,135; Fuchs Rudolf. Shoe nail for mountain shoes. Issued 5-12-32. (6)
1,859,170; Reisz Eugen. Electrostatic telephone and microphone. Issued 5-17-32. (28)
1,859,250; Bertel Rudolf. Manufacture of dry yeast. Issued 5-17-32. (6)
1,859,396; Jager Carl. Phonographic record. Issued 5-24-32 (28)
1,859,410; Schellin Bruno. Rail joint. Issued 5-24-32 (28)
1,859,453; All. Porzellanfabrik C Mhutschenreuther. Artificial tooth. Issued 5-24-32. (28)
1,859,456; Nestler Richard. Drawing table. Issued 5-24-32. (28)
1,859,472; Rolshoven Eduard. Rail joint. Issued 5-24-32. (28)
1,859,473; Schlenstedt Oswig. Metal extrusion press. Issued 5-24-32. (28)
1,859,502; Erban Richard. Speed change gear. Issued 5-24-32. (6)
1,859,511; Tladen Herbert; Herzogenrath Heinrich et al. Picture and like frame. Issued 5-24-32. (28)
1,859,669; Harms Richard. Holder for neckties. Issued 5-24-32. (28)
1,859,715; All. Magdeburger Werk Zeugmaschinenfabrik. Arrangement on lathes and other machine tools with drive by hydraulic stepless gearings. Issued 5-24-32. (28)
1,859,720; All. Rheinische Metallwaaren und. Safety device for firearms having a longitudinally movable closure element. Issued 5-24-32 (28)
1,859,726; Von Dosky Alfred. Apparatus for the manufacture of brake linings and the like. Issued 5-24-32. (28)
1,859,741; Klapperstuck Friedrich. Pouring and closing lid for milk tins. Issued 5-24-32 (28)
1,859,762; Blum Peter. Dough dividing machine. Issued 5-24-32. (28)
1,859,880; All. Schlesische Spiegelglas Manufactur. Apparatus for forming reenforced glass. Issued 5-24-32 (28)
1,859,989; All. Schiess Defries A G. Turning ring bearing for machine tools. Issued 5-24-32 (28)
1,860,126; All. I G Farbenindustrie A G. Distillation of crude turpentine. Issued 5-24-32 (28)
1,860,256; Liebergeld Paul Mechanically operated time fuse for projectiles. Issued 5-24-32. (28)
1,860,276. All. Soc Italiana Miglioramento Armi. Firearm. Issued 5-24-32. (38)
1,860,292; Neuhaus Fritz. Steel messel and method of producing the same. Issued 5-24-32. (28)
1,860,298; All. Otto Heinrich Drager. Method for regenerating the breathing air in closed rooms. Issued 6-24-32. (28)
1,860,558; All. Toyo Compressol Kabushiki Kaisha. Molding device for concrete piles. Issued 5-31-32. (39)
1,860,564; Wikschtrom Jakob. Tool for manufacturing wire tacks and nails. Issued 5-31-32. (28)
1,860,568; Borggrafe Friedrich. Process for manufacturing shear resisting iron such as iron for die casting nuts iron for screws and the like. Issued 5-31-32. (28)
1,860,573; All. Mautner Isidor. Radiator. Issued 5-31-32. (6)
1,860,576; Graupner Fritz. Fluid gear. Issued 5-31-32. (28)
1,860,578; All. Schubert & Salzer Maschinenfabrik. Row counter for flat knitting machines. Issued 5-31-32. (28)
1,860,580; All. Blistein Hans. Hand stamping apparatus. Issued 5-31-32. (28)
1,860,584; Koidl Thomas. Method of and means for closing the ends of the channels of molded hollow channel bricks and building blocks. Issued 5-31-32. (6)
1,860,756; All. Rheinische Metallwaaren und. Hydraulic Brake. Issued 5-31-32. (28)
1,860,758; Weidlich Max. Machine for fastening reeds without rivets on the sound plates of reed instruments. Issued 5-31-32. (28)
1,860,785; Picollo Mario. Security device against robbery of motor cars. Issued 5-31-32 (38)
1,860,818; All. I G Farbenindustrie A G. Production of alkali metal phosphates. Issued 5-31-32. (28)
1,861,058; All. I G Farbenindustrie A G. Recovery of sulphides. Issued 5-31-32. (28)
1,861,078; All. Maschinenfabrik Augsburg Nurnburg. Lifting device. Issued 5-31-32. (28)
1,861,088; Kamel Hermann. Coupling device. Issued 5-31-32. (28)
1,861,103; Wild Melchior. Spinning machine. Issued 5-31-32. (38)
1,861,147; Steimel Peter. Automatic sacking balance with a. Issued 5-31-32. (28)
1,861,156; All. I G Farbenindustrie A G. Apparatus for the separation of finely divided substances. Issued 5-31-32. (28)
1,861,171; Zimmerman Otto. Penholder. Issued 5-31-32. (28)
1,861,180; Grob Hugo. Means for regulating circumferential velocity. Issued 5-31-32. (28)
1,861,256; Barenyi Arpad. Photographic shutter. Issued 5-31-32. (28)
1,861,257; Barenyi Arpad. Photographic shutter Issued 5-31-32. (28)
1,861,307, Gernhardt Berthold. Apparatus for the automatic production of inspissated sugar fruits. Issued 5-31-32. (28)
1,861,362; All. Maschinenfabrik Augsburg Nurnberg. Injection combustion engine having an air granary. Issued 5-31-32 (28)
1,861,385; Gentil Ignaz Josef. Device for facilitating the putting on and taking off of stockings. Issued 5-31-32. (28)
1,861,388; All. Rolfs Kohlenoxyd Verbrenner GmbH. Fire bridge. Issued 5-31-32. (28)
1,861,398; Lant Richard. Aqueous emulsions of hydrocarbon oils and process for manufacturing the same. Issued 5-31-32. (6)
1,861,443; Holzapfel Karl Ernst Eberhardt. Method and apparatus for filling bags. Issued 6-7-32. (28)
1,861,540; All. Union Special Maschinenfabrik. Looper operating mechanism for sewing machines Issued 6-7-32. (28)
1,861,563; All. Berkenhoff and Drebes A G. Drawing bench. Issued 6-7-32. (28)
1,861,593; Christoph Alfred. Shuttle. Issued 6-7-32. (28)
1,861,670; Kroatewitz Walter; Wagner Johannes et al. Device for the working of metal bands especially lines for typographic purposes. Issued 6-7-32. (28)
1,861,674; Winterhoff Adolf. Casing for ball valves. Issued 6-7-32 (28)
1,861,701; Konig Max. Manufacturing films and the like from cellulose solutions. Issued 6-7-32. (28)
1,861,723; Seeleke Heinrich. Braking apparatus for trailer vehicles. Issued 6-7-32. (28)
1,861,898; Baum Eugen Raven Rosen et al; Domscheit Alfred. Cooling device for milk receiving containers of vacuum milking machines. Issued 6-7-32. (28)
1,861,912; All. Aceta GmbH. Apparatus for heating air in dry spinning of artificial threads. Issued 6-7-32. (28)
1,861,931; Moldenhauer Erich. Change speed gearing. Issued 6-7-32. (28)
1,861,946; Wilhelmi Alfred. Carrier for slaughter pans and the like. Issued 6-7-32. (28)
1,861,979; All. Schwarzwaldwerke Lanz GmbH. Refrigerating apparatus. Issued 6-7-32. (28)
1,861,989; Trebitsch Bruno. Gas indicating apparatus Issued 6-7-32. (6)
1,862,037; Schlenker Ernst. Process for the separation of liquids and solid fatty acids. Issued 6-7-32. (28)
1,862,213; Emisch Emil. Cowl. Issued 6-7-32. (28)
1,862,240; All. Mercedes Buro Maschinenwerke A G. Calculating typewriting machine. Issued 6-7-32. (28)
1,862,242; Schwien Fritz. Electric switch. Issued 6-7-32. (28)
1,862,248; Wesnigk Erwin. Electromotor drive Issued 6-7-32. (28)
1,862,270; All. Silesia Verein Chemischer. Process for stabilizing natural and artificial types of caoutchouc. Issued 6-7-32 (28)
1,862,304; Grams Wilhelm. Tool support for cultivators. Issued 6-7-32. (28)
1,862,320; Ruef August. Press button lock Issued 6-7-32. (28)
1,862,345; Wolf Gustav. Apparatus for manufacturing wire ropes and the like. Issued 6-7-32. (28)
1,862,359; Ferragamo Salvatore. Shoe shank stiffener Issued 6-7-32. (38)
1,862,386; All. Universelle Cigarettenmaschinen. Apparatus for removing articles from a pile. Issued 6-7-32. (28)
1,862,390; All. Universelle Cigarettenmaschinen. Method of forming boxes or box parts with curved bottoms. Issued 6-7-32 (28)
1,862,423; Otto Kurt Willy. Playing coin Issued 6-7-32. (28)
1,862,426; Prielipp Walther. Sheet piling Issued 6-7-32. (28)
1,862,428; Riotte Jakob. Electrical resistance Issued 6-7-32 (28)
1,862,435; Schmid Adolf. Device for ascertaining the number of days between any two given dates. Issued 6-7-32. (6)
1,862,437; Signorini Luigi. Golf ball cleaning device. Issued 6-7-32. (38)
1,862,461; Birtel Wilhelm Boring and tapping tool. Issued 6-7-32. (28)
1,863,560; Konemann Heinrich. Apparatus for recording electric alternating currents by means of a voltaic arc. Issued 6-21-32 (28)
1,863,587; Arnold Carl. Mechanical toy. Issued 6-21-32. (28)
1,863,601; Kreidel Hans. Liquid atomizer Issued 6-21-32. (28)
1,863,612; All. I G Farbenindustrie A G Chemically resistant silver alloy. Issued 6-21-32 (28)
1,863 642; Borchers Wilhelm. Manufacture of alloys. Issued 6-21-32. (28)

1,863,645; All. I G Farbenindustrie A G. Chemically resistant silver alloy. Issued 6-21-32. (28)
1,863,654; All. Holzhydrolyse A G. Purification of wood sugar. Issued 6-21-32. (28)
1,863,661; All. I G Farbenindustrie A G. Manufacture of fluorine. Issued 6-21-32. (28)
1,863,666; All. United Cigarette Machine Co A G. Method of and apparatus for loosening tobacco particles and freeing them from dust. Issued 6-21-32. (28)
1,863,686; Corsalli Friedrich Wilhelm. Device for the refining mixing and purifying of molten metals and metal alloys. Issued 6-21-32. (28)
1,863,708; Zotos Georg. Process of and means for melting glass and the like. Issued 6-21-32. (28)
1,863,716; All. Electroacustic GmbH. Apparatus for the reception and transmission of wave energy in space. Issued 6-21-32. (28)
1,863,745; All. I G Farbenindustrie A G. Process of preparing cellulose derivatives from alkali cellulose in the ferm of pulp boards by means of esterifying and etherifying agents in the gaseous state. Issued 6-21-32. (28)
1,863,807; All. Norddeutsche Affinerie. Process for the treatment of materials containing nickel and or cobalt together with copper iron lead and precious metals. Issued 6-21-32. (28)
1,863,881; All. I G Farbenindustrie A G. Synthetic resin. Issued 6-21-32. (28)
1,863,984; Spath Wilhelm. Means of converting electrical energy into rotary oscillation of a mass. Issued 6-21-32. (28)
1,863,952; Weiss Ernst. Rotary furnace. Issued 6-21-32. (28)
1,863,966; All. Rheinische West Falische Kalkwerke. Process for extracting magnesia from dolomite. Issued 6-21 32. (28)
1,863,976; Fischer Ferdinand. Lithographic or offset printing plate. Issued 6-21-32. (28)
1,863,986; Jourdan Felix. Process for the treatment of leucitic rocks with nitrous vapors in a continuous cycle. Issued 6-21-32. (38)
1,864,003; Springorum Kurt. Method of manufacturing spoons and similar articles. Issued 6-21-32. (28)
1,864,006; Weingand Richard. Apparatus for manufacturing seamless flexible tubes from cellulose solutions. Issued 6-21-32. (28)
1,864,023; All. Patent Treuband Ges Fuer Elektrische. Ampul machine. Issued 6-21-32. (28)
1,864,024; Lowy Heinrich. Method of exploring ground. Issued 6-21-32. (6)
1,864,079; Luther Martin et al; Klein Hans. Oxidation of liquid hydrocarbons. Issued 6-21-32. (28)
1,864,116; All. Schoeller Felix & Bausch Corp. Production of papers for security purposes. Issued 6-21-32. (28)
1,864,119; Braun Rudolf Max. Call answering device for telephone stations. Issued 6-21-32. (6)
1,864,161; All. Lissauer M & Cie. Separating and recovering nonferrous metals from metallic initial materials. Issued 6-21-32. (28)
1,864,173; Creuels Stefan. Device for controlling internal combustion engines. Issued 6-21-32. (28)
1,864,192; All. Maschinenfabrik Augsburg Nurnberg A G. Rotogravure printing machine. Issued 6-21-32. (28)
1,864,237; Fauth Philipp Lorenz. Extracting and filtering apparatus. Issued 6-21-32. (28)
1,864,249; Horn Guido. Round braiding machine. Issued 6-21-32. (28)
1,864,344; All. Montecatini Soc Generale Per. Electrolyzer for the production of hydrogen and oxygen. Issued 6-21-32. (38)
1,864,374; All. Rhein Ischemetallwaaren Und. Firearm. Issued 6-21-32. (28)
1,864,401; Bernlohr Eugen. Machine for dividing and working dough. Issued 6-21-32. (28)
1,864,421; Ferrabino Edoardo. Wheel for pneumatic tires. Issued 6-21-32. (38)
1,864,423; Forkardt Paul. Chuck. Issued 6-21-32. (28)
1,864,446; All. Krupp Fried A G. Issuing vouchers in cash registers. Issued 6-21-32. (28)
1,864,451; Lungen Robert. Core. Issued 6-21-32. (28)
1,864,452; All. Union Special Maschinenfabrik. Feeding mechanism for sewing machines. Issued 6-21-32. (28)
1,864,453; All. Union Special Maschinenfabrik. Feeding mechanism for sewing machines. Issued 6-21-32. (28)
1,864,474; Rosenbaum Wilhelm. Electric Lock Issued 6-21-32. (28)
1,864,501; All. Union Special Maschinenfabrik. Fabric guide support for sewing machines. Issued 6-21-32. (28)
1,864,502; All. Union Special Machinenfabrik. Feeding mechanism for sewing machines. 6-21-32. (28)
1,864,503; All. Union Special Maschinenfabrik. Combination hemmer and strip guide. Issued 6-21-32. (28)
1,864,567; Walter Richard R. Alloy of azotized character. Issued 6-28-32. (28)
1,864,635; Hille Alwin; Beutner Richard et al. Driving mechanism for the roughing rolls of a card roughing machine. Issued 6-28-32. (28)
1,864,639; All. Printz Ernst. Operating cultivators. Issued 6-28-32. (28)
1,864,673; All. I G Farbenindustrie A G. Production of pure metals. Issued 6-28-32. (28)
1,864,681; All. Haubold C G A G. Apparatus for feeding knitted goods made from rayon or artificial silk to tentering machines. Issued 6-28-32. (28)
1,864,694; All. Fiat S A. Antiflocking brake for aeroplane wheels. Issued 6-28-32. (38)
1,864,743; Kuckuck Heinrich. Ventilator. Issued 6-28-32. (28)
1,864,831; Joksch Rudolf. Weighing apparatus with a load balancing lever. Issued 6-28-32. (6)
1,864,911; All. Edelcanu GmbH Apparatus for refining heavy mineral oils. Issued 6-28-32. (28)
1,864,997; Ghirardi Luigi. Hull. Issued 6-28-32. (38)
1,865,078; Bare Nyi Arpad. Photographic shutter Issued 6-28-32. (28)
1,865,111; Kaufmann Hans. Process for preparing compounds of alkaline earth metal nitrites with methyl xanthines and the products. Issued 6-28-32. (28)
1,865,123; Marangoni Luigi. Machine and transplanting edible grain plants. Issued 6-28-32. (38)
1,865,135; Kahle Heinrich; Pollitzer Franz et al. Apparatus for the separation of gas mixtures. Issued 6-28-32. (28)
1,865,145; Seidemann Wilhelm Sand distributor for filling molding boxes and the like with molding sand. Issued 6-28-32. (28)
1,865,200; All. Siemens & Halske A G. Telephone system. Issued 6-28-32. (28)
1,865,201; All. Siemens & Halske A G. Automatic telephone system. Issued 6-28-32. (28)
1,865,314; Gruber Karl. Chuck for holding a mandrel stem. Issued 6-28-32. (28)
1,865,335; Peyinghaus Walter. Two part axle bearing block or casing for railway vehicles. Issued 6-28-32. (28)
1,865,405; All. Stickstoffdunger A G. Process of preparing acetic anhydride. Issued 6-28-32. (28)
1,865,418; All. Miag Muhlenbau Und Industrie A G. Process of manufacturing white Portland cement etc. Issued 6-28-32. (28)
1,865,425; Bartling Friedrich. Apparatus for separating flowing mediums. Issued 7-5-32. (28)
1,865,551; Belluzzo Giuseppe. Reversing steam turbine with variable velocity. Issued 7-5-32. (38)
1,865,583; Onken Heinrich. Circuit testing instrument. Issued 7-5-32. (23)
1,865,588; Reimann Albert. Process for the production of a sodium phosphate with two molecules of water of crystallization. Issued 7-5-32. (28)
1,865,597; Switzeny Paul. Stapling device. Issued 7-5-32. (6)
1,865,602; All. Maschinenfabrik Augsburg. Rotary printing machine. Issued 7-5-32. (28)
1,865,621; All. Maschinenfabrik Augsburg. Actuating device for lever draw bridges. Issued 7-5-32. (28)
1,865,666; Aruga Giuseppe. Rotary engine. Issued 7-5-32. (38)
1,865,684; All. Klonne Firm Aug. Ladder device for ascending gas containers. Issued 7-5-32. (28)
1,865,687; Graf Wilhelm. Method of locating the fault in the case of multiconductor cables damaged by short circuiting. Issued 7-5-32.. (28)
1,865,698; All. Zeiss Firm of Carl. Hydrostatic load factor indicator for aircraft. Issued 7-5-32. (28)
1,865,869; All. Kaiser Wilhelm Institut fur. Process for the magnetic treatment of iron ores. Issued 7-5-32. (28)
1,865,878; All. Wilhelm Kaiser Institute fur. Method and means for measuring the temperatures of incandescent bodies. Issued 7-5-32. (28)
1,865,880; Oberlin Max. Process for the production of normal levorotatory 1 para aminophenyl 2 methylamino propanol 1. Issued 7-5-32. (28)
1,865,883; All. Krupp Fried A G. Cash register. Issued 7-5-32. (28)
1,865,893; Ebert Fritz. Device in sack sewing machines for separating the warp between the sacks. Issued 7-5-32. (28)
1,865,908; Hengst Walter. Control button for thread bobbins. Issued 7-5-32 (28)
1,865,917; Katz Walter; Kaselitz Oscar et al. Recovery of nitrogen oxides. Issued 7-5-32. (28)
1,865,918; Junkers Hugo. Impeller and method of making same. Issued 7-5-32. (28)
1,865,945; All. Monforts A. Cloth doubling machine. Issued 7-5-32. (28)
1,865,946; All. Lawaczeck GmbH. Decomposer particularly for the electrolysis of water under pressure. Issued 7-5-32. (28)
1,865,953; All. Meffert Hermann. Quinine preparation. Issued 7-5-32. (28)
1,865,958; Prinz Josef. Boiler for hot water and low pressure steam heating. Issued 7-5-32. (28)
1,865,968; Schuppe Walther. Production of monopotassium phosphate. Issued 7-5-32. (28)
1,865,969; All. Klonne Firm Aug. Sealing means for fluid storing containers. Issued 7-5-32. (28)
1,865,988; Wiedeck Max. Apparatus for target practice. Issued 7-5-32. (28)
1,866,022; Findeisen Paul. Four stroke internal combustion engine. Issued 7-5-32. (28)

1,866,026; Gerken Heinrich. Pump. Issued 7-5-32. (28)
1,866,043; Konigsberger Erich. Headrest for telephones. Issued 7-5-32. (28)
1,866,045; All. Steidinger Christian. Speed governor for gramophones. Issued 7-5-32. (28)
1,866,067; Strober Ludwig. Lock nut. Issued 7-5-32. (28)
1,866,206; All. Friedmann Firm Alex. Driving mechanism of lubricating pumps. Issued 7-5-32. (6)
1,866,209; Hein Paul. Shank piece for shoes. Issued 7-5-32. (28)
1,866,235; All. Felten and Guilleaume Carlswerk A G. Junction sleeve or the like for deep sea cables. Issued 7-5-32. (28)
1,866,418; Neuhold Walter. Cable impregnating apparatus. Issued 7-5-32. (28)
1,866,487; All. Ritter Firm F and Sohn. Device for squeezing segmental fruit slices. Issued 7-5-32. (28)
1,866,608; All. I G Farbenindustrie A G. Manufacture of chromium oxide. Issued 7-12-32. (28)
1,866,648; All. I G Farbenindustrie A G. Working up of chromium ores. Issued 7-12-32. (23)
1,866,717; All. I G Farbenindustrie A G. Production of aromatic carboxylic acids. Issued 7-12-32. (28)
1,866,744; All. Rosin Paul. Pneumatic drying of materials. Issued 7-12-32. (28)
1,866,746; Borsetti Gaspare. Fire extinguisher. Issued 7-12-32. (38)
1,866,764; Gerisch Richard. Tuyere for cupola furnaces. Issued 7-12-32. (28)
1,866,775; All. Chemische Fabrik Kalk GmbH. Process for the production of zinc. Issued 7-12-32. (28)
1,866,875; Bauer Bruno. Ventilation and construction of dye works. Issued 7-12-32. (6)
1,866,969; Fredenhagen Karl. Electrolytic production of fluorine. Issued 7-12-32. (28)
1,866,980; Leschhorn Heinrich. Form of the kind used in office work. Issued 7-12-32. (28)
1,867,010; Kampes Hermann. Yielding joint for thresholds and sills. Issued 7-12-32. (28)
1,867,022; All. I G Farbenindustrie A G. Wetting cleansing and emulsifying agents and process of making same. Issued 7-12-32. (28)
1,867,043; Wirschitz Eduard. Clamping means. Issued 7-12-32. (28)
1,867,050; All. I G Farbenindustrie A G. Cellulose ethers and process of preparing them. Issued 7-12-32. (28)
1,867,079; All. Maxaner Karl. Calendar. Issued 7-12-32. (28)
1,867,087; Muller Adolf Max. Needle operating mechanism. Issued 7-12-32. (28)
1,867,101; All. Stug Kohlenstaubfeuerung. Cleaning device for pulverized fuel furnaces. Issued 7-12-32. (28)
1,867,107; Schmidt Johann Peter Jr. Corner bracket. Issued 7-12-32. (28)
1,867,120; Vollmer August. Means for rolling out a tube with an internal thickening at the rear end from tubular blank. Issued 7-12-32. (28)
1,867,124. All. Vereinigte Eisenbahn Signalwerke. Safety contrivance on permanent railway tracks. Issued 7-12-32. (28)
1,867,163; Simons Paul. Insulating tape. Issued 7-12-32. (28)
1,867,188; Witte Erhard Stoeckly Johann Joseph et al. Methods of forming artificial silk etc of mat appearance. Issued 7-12-32. (28)
1,867,254; Curti Ernesto. Pneumatic tool operating apparatus. Issued 7-12-32. (38)
1,867,256. Egli Arnold. Method of and apparatus for drying sheets in multicolor intaglio printing. Issued 7-12-32. (28)
1,867,335; Strecker Gerald. Cross cutter. Issued 7-12-32. (28)
1,867,342; Wieg Bruno. Device for removing finger rings. Issued 7-12-32. (28)
1,867,400; Ernst Richard. Blotting device. Issued 7-12-32. (28)
1,867,442; All. Hennefer Maschinenfabrik C Reuther. Automatic feed weigher. Issued 7-12-32. (28)
1,867,454; Hermann Alexander. Window. Issued 7-12-32. (28)
1,867,478; All. Dragerwerk Heinr & Bernh Drager. Nonreturn valve for breathing appliances. Issued 7-12-32. (28)
1,867,490; All. Deckel Friedrich Fabrik fur. Belt gearing. Issued 7-12-32. (28)
1,867,491; All. Deckel Friedrich Prazisionsmechanik. Injection of liquid fuel in internal combustion engines. Issued 7-12-32. (28)
1,867,492; Braren Lorenz Konrad. Gear transmission. Issued 7-12-32. (28)
1,867,494; Buchner Carl Theodor. Container for toilet preparations. Issued 7-12-32. (28)
1,867,512; Kusch Max. Apparatus for the purification of waste water. Issued 7-12-32. (28)
1,867,534; All. Vereinigte Stahlwerke A G. Rail brake. Issued 7-12-32. (28)
1,867,666; All. I G Farbenindustrie A G. Process of preparing alkali hypochlorite solutions. Issued 7-19-32. (28)
1,867,690; Wendorff Gustav. Playing card mixing device. Issued 7-19-32. (28)
1,867,712; Reitzig Albert. Insulation apparatus for stripping electric wires and for binding the end of the same. Issued 7-19-32. (28)
1,867,715; Seidel Arnold. Air propeller with angle of pitch changeable in flight. Issued 7-19-32. (28)
1,867,773; All. Trojani Pietro. Propeller for helicopters. Issued 7-19-32. (38)
1,867,781; All. I G Farbenindustrie A G. Age improver. Issued 7-19-32. (28)
1,867,852; All. Neuerburg Sche. Machine for making cigarettes. Issued 7-19-32. (28)
1,867,942; All. I G Farbenindustrie A G. Cellulose esters of high molecular organic acids and process of making the same. Issued 7-19-32. (28)
1,867,989; Schieferstein Georg Heinrich. Method of and means for transmitting energy in the form of mechanical oscillations. Issued 7-19-32. (28)
1,868,010; All. Exploration Bodenuntersuchungs Torsion balance. Issued 7-19-32. (28)
1,868,012; All. Universelle Cigarettenmaschinen. Cigarette rod cutting device for cigarette machines. Issued 7-19-32. (28)
1,868,026; All. Universelle Cigarettenmaschinen. Tobacco spreading device for cigarette machines. Issued 7-19-32. (28)
1,868,044; All. Vereinigte Stahlwerke A G. Method of producing ironcarbonyl. Issued 7-19-32. (28)
1,868,049; Deichmann Artur Otto Wilhelm. Jointed figure with adjustable limbs. Issued 7-19-32. (28)
1,868,065; All. Sendlinger Optische Glaswerke. Colorless glass. Issued 7-19-32. (28)
1,868,077; All. I G Farbenindustrie A G. Process for producing low boiling dichloro ethylene. Issued 7-19-32. (28)
1,868,097; Egli Arnold. Bearing arrangement for multicolor printing machines. Issued 7-19-32. (28)
1,868,106; All. I G Farbenindustrie A G. Production of urea. Issued 7-19-32. (28)
1,868,131; All. Deutsche Schiff- und Maschinenbau A G. Turbine installation. Issued 7-19-32. (28)
1,868,209; Fapernick Georg Friedrich. Model fitting head for opticians. Issued 7-19-32. (28)
1,868,220; Rohr Gustav. Automobile. Issued 7-19-32. (28)
1,868,223; Schaefer Josef. Regenerative coke oven. Issued 7-19-32. (28)
1,868,224; All. Fabrik Elektrischer Zunder GmbH. Electric fuse. Issued 7-19-32. (28)
1,868,227; Esser Heinrich. Rolling mill. Issued 7-19-32. (28)
1,868,245; Obermoser Karl. Electric motor starting clutch. Issued 7-19-32. (28)
1,868,253; Rackebrandt Heinrich. Heat responsive closure. Issued 7-19-32. (28)
1,868,258; Schieferstein Georg Heinrich. Method of and means for suspension of vehicles. Issued 7-19-32. (28)
1,868,327; All. Hartstoff Metall A G Hamet. Mass core and means for and a method of making it. Issued 7-19-32. (28)
1,868,362; Nowak Karl Georg. Eye finde[r] gles and the like. Issued 7-19-32. (6)
1,868,376; All. Bohme H Th A G. Te[x]tile treatment liquid. Issued 7-19-32. (28)
1,868,381; All. Schnellpressenfabrik A G Heidelberg. Sheet supplying device for printing machines. Issued 7-19-22. (28)
1,868,387; Grunberg Josef. Printing and impressing press. Issued 7-19-32. (28)
1,868,420. Kraemer Ludwig. Light metal piston. Issued 7-19-32. (28)
1,868,475; Thies Bernhard. Dyeing or bleaching carding bands. Issued 7-19-32. (28)
1,868,573; Herman Alexander. Manufacture of furniture. Issued 7-26-32. (28)
1,868,574; Hofmann Carl Fritz. Ring for spinning and doubling machines. Issued 7-26-32. (28)
1,868,577; All. I G Farbenindustrie A G. Precipitating bath for making threads of the like from viscose. Issued 7-26-32. (28)
1,868,584; Ottenstein Friedrich. Electric toy railway track. Issued 7-26-32. (28)
1,868,637; All. Schuler L A G. Die cushion for presses. Issued 7-26-32. (28)
1,868,666; Langer Arthur. Extracting of iron. Issued 7-26-32. (6)
1,868,676; Stoeckicht Wilhelm. Friction roller gearing. Issued 7-26-32. (28)
1,868,692; Bruckmann Heinrich. Lamp shade with a fabric cover. Issued 7-26-32. (28)
1,868,715; Mrochem Jacob; Mochalle Paul et al. Concentrated sulphur suspension and process of making same. Issued 7-26-32. (28)
1,868,769; Schuler Max. Pendulum for measuring time. Issued 7-26-32. (28)
1,868,787; Ziegner Heinrich. Process of manufacturing a composition containing matter of the character of caoutchouc. Issued 7-26-32. (28)
1,868,843; All. I G Farbenindustrie A G. Process for removing ammonia and hydrogen sulphide from gases. Issued 7-26-32. (28)
1,868,861; Vossloh Karl. Nut lock. Issued 7-26-32. (28)
1,868,868; All. I G Farbenindustrie A G. Production of nitric and sulphuric acid. Issued 7-26-32. (28)
1,868,891; Faudi Fritz. Coupling. Issued 7-26-32. (28)
1,868,906; Keulers Jakob. Flange pipe connection. Issued 7-26-32. (28)
1,868,908; Lindley Henry William. Microscope refractometer. Issued 7-26-32. (28)
1,868,999; Strobach Otto et al; Wickmann Paul Albert. Method for the extraction of tea aroma. Issued 7-26-32. (28)
1,869,079; Rosenberg Emanuel. Device for mechanically operated welding. Issued 7-26-32. (6)
1,869,116; Rambold Adolf. Machine for closing little bags. Issued 7-26-32. (28)
1,869,170; Richter Alwin. Air pump valve. Issued 7-26-32. (28)
1,869,197; Holz Josef. Instrument for removing corns and callosities without damage. Issued 7-26-32. (28)
1,869,221; All. Oesterreichische Brown Boveri. Indicating and recording apparatus. Issued 7-26-32. (6)

1,869,233; All. Koch and Sterzel A G. High potential transformer. Issued 7-26-32. (28)
1,869,235; Bartling Friedrich. Process for the conservation of unstable hygroscopic or volatile granular masses. Issued 7-26-32. (28)
1,869,257; Hitzler Theodor. Insole. Issued 7-26-32. (28)
1,869,275; Planer Paul. Process of projecting bright backgrounds by oblique projections. Issued 7-26-32. (6)
1,869,290; Venzlaff Richard R W et al; Buck Otto F. Endless traction belt. Issued 7-26-32. (28)
1,869,305; All. Soc Italiana Pirelli. Process for impregnating insulating materials. Issued 7-26-32. (38)
1,869,329; Wrobbel Gustav Friedrixh Karl. Frame system for ships of iron construction. Issued 7-26-32. (28)
1,869,361; All. Siemens Schuckertwerke GmbH. High pressure steam plant with multistage power engine. Issued 8-2-32. (28)
1,869,374; All. Universelle Cigarettenmaschinen. Machine for applying sealing strips to cigarette containers. Issued 8-2-32. (28)
1,869,395; All. Universelle Cigarettenmaschinen. Tobacco spreader. Issued 8-2-32. (28)
1,869,396; All. Muller Johann Carl Frim. Method of producing cigar fillers by arranging the tobacco from which they are to be made between profiled dies. Issued 8-2-32. (28)
1,869,423; Heuer Emil Georg. Automobile body. Issued 8-2-32. (28)
1,869,463; Caprotti, Arturo. Poppet valve for valve distributing gears. Issued 8-2-32. (28)
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1,869,481; Kahl Leopold. Process for producing pure anthracene. Issued 8-2-32. (28)
1,869,485; All. Kremsebroder G AKG. Gas meter. Issued 8-2-32. (28)
1,869,493; Osborg Hans. Lithium alloys and processes of producing the same. Issued 8-2-32. (28)
1,869,494; Osborg Hans. And silicon and processes of producing same. Issued 8-2-32. (28)
1,869,495; Osborg Hans. Process of treating molten metals and alloys with compositions containing lithium and products resulting from such treatments. Issued 8-2-32. (28)
1,869,496; Osborg Hans. Art of treating metals. Issued 8-2-32. (28)
1,869,497; Osborg Hans. Process of treating molten ferrous metals and alloys with compositions containing lithium alkali alloys and products resulting from such treatments. Issued 8-2-32. (28)
1,869,498; Osborg Hans. Process of treating molten copper and copper alloys with compositions containing lithium alkali alloys and products resulting from such treatments. Issued 8-2-32. (28)
1,869,499; Osborg Hans. Process of treating molten nickel and nickel alloys with compositions containing lithium alkali alloys and products resulting from such treatments. Issued 8-2-32. (28)
1,869,511; Schmidt Ernst. Sheet metal container. Issued 8-2-32. (28)
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1,869,589; Tischer Max. Filter for liquids and gases. Issued 8-2-32. (28)
1,869,683; All. I G Farbenindustrie AKG. Method for manufacturing mixed fertilizers. Issued 8-2-32. (28)
1,869,840; All. Messgerate Boykow GmbH. Stabilizing apparatus. Issued 8-2-32. (28)
1,869,879; Balz Otto et al; Wagner Wilhelm. Decomposition of crude phosphates. Issued 8-2-32. (28)
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1,869,979; Osborg Hans. Art of treating metals. Issued 8-2-32. (28)
1,869,980; Osborg Hans. Process of treating molten metals and alloys with compositions containing lithium and products resulting from such treatment. Issued 8-2-32. (28)
1,870,077; Ulrich Otto. Advertising device. Issued 8-2-32. (28)
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1,870,116; Hein Hermann. Aircraft landing sail. Issued 8-2-32. (28)
1,870,131; Meier August. Process for the production of a mixed fertilizer consisting of ammonium bicarbonate and ammonium sulphate. Issued 8-2-32. (28)
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1,870,205; Sachs Hugo. Electromagnetic pick up. Issued 8-2-32. (28)
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1,870,313; Kuchenmeister Heinrich Johannes. Selenium cell. Issued 8-9-32. (28)
1,870,323; Cattaneo Giustino. Manufacture of insulating material. Issued 8-9-32. (38)
1,870,329; Happel Otto. Hothouse installation. Issued 8-9-32. (28)
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1,870,346; All. I G Farbenindustrie A G. Decomposition product of urea as or in fertilizers. Issued 8-9-32. (28)
1,870,379; Peruzzini Carlo. Weighing machine. Issued 8-9-32. (38)
1,870,510; Hespeler Max. Device for carrying power lines. Issued 8-9-32. (28)
1,870,526; Ottenstein Friedrich. Electric toy railway. Issued 8-9-32. (28)
1,870,528; Rado Leopold. Corner holder for pictures or the like. Issued 8-9-32. (28)
1,870,531; Schroeder Wilhelm Gotthilf. Refrigerating process & apparatus for cooling fat emulsions such as margarine and the like. Issued 8-9-32. (28)
1,870,535; Stellmacher Max. Swimming belt. Issued 8-9-32. (28)
1,870,571; Kadzik Otto. Machine for the spherical grinding of billiard balls and other blanks. Issued 8-9-32. (6)
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1,870,763; Znidersic Anton. Cabinet. Issued 8-9-32. (38)
1,870,924; Platzer Karl. Stand attachment for fountain pens. Issued 8-9-32. (6)
1,870,927; Schoene Kurt. Valve especially for pumps & compressors. Issued 8-9-32. (28)
1,870,930; All. Kalle & Co A G. Light sensitive layer. Issued 8-9-32. (28)
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1,871,122; Kretzschmar Alfred. Filter for liquids. Issued 8-9-32. (28)
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1,871,838; All. Schnellpressenfabrik A G. Cylinder printing press. Issued 8-16-32. (28)
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1,871,961; All. Lange Arthur. Change speed gear. Issued 8-16-32. (28)
1,872,038. Hitzler Franz. Rudder arrangement. Issued 8-16-32. (28)
1,872,078; All. Soc Costruzione Apparecchi. Fan. Issued 8-16-32. (38)
1,872,148; All. Voigt & Haeffner A G. Manufacture of electric heating bodies. Issued 8-16-32. (28)
1,872,190; Sindl Otto. Capsuling machine. Issued 8-16-32. (28)
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1,872,432; All. I G Farbenindustrie A G. Process of separating condensation products of acetylene and ammonia. Issued 8-16-32. (28)
1,872,435; All. Koch & Sterzel A G. Transforming device. Issued 8-16-32. (28)
1,872,501; Rehlander Paul. Optical system for color photography. Issued 8-16-32. (28)
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1,872,755; All. Sohne Firm Brockhaus. Vise. Issued 8-23-32. (28)
1,872,929; Gluud Wilhelm et al; Keller Konrad. Process of producing ferricyanides. Issued 8-23-32. (28)
1,872,946; All. Electroacustic GmbH. Arrangement of sound transmitters and sound receivers on ships. Issued 8-23-32. (28)
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1,873,149; Perez Fernando. Microscope for examining pictures with rasant lateral lighting. Issued 8-23-32. (38)
1,873,155; All. Deutsch Atlantische. Ferromagnetic materials. Issued 8-23-32. (28)
1,873,335; Schmidt Hans. Diaphragm for sound receiving reproducing amplifying and transmitting instruments. Issued 8-23-32. (28)

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1,873,487; Schonfeld Paul. Elastic top in hosiery or the like. Issued 8-23-32. (28)
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1,873,686; Wagner Friedrich. Double warp frame. Issued 8-23-32. (28)
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1,875,014; Kaselitz Oscar. Production of alkali metal nitrates. Issued 8-30-32. (28)
1,875,094; Mietke Walter. Lamp shade. Issued 8-30-32. (28)
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1,875,202; Aftergut Max. Automatic glass blowing machine. Issued 8-30-32. (28)
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1,875,456; Heerdt Walter. Folding bedstead. Issued 9-6-32. (28)
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1,875,567; Daniels Theo. Wrapping machine. Issued 9-6-32. (28)
1,875,608; Huntemuller Wolf. Steam boiler. Issued 9-6-32. (28)
1,875,765; Scherbius Arthur. Vacuum switch. Issued 9-6-32. (28)
1,875,811; Hilgers Wilhelm. Machine for illuminating sorting and stamping eggs. Issued 9-6-32. (28)
1,875,875; All. Deutsche Gasgluhlicht Auer GmbH. Refrigerating method and apparatus. Issued 9-6-32. (28)
1,875,939; All. Eumuco A G. Power hammer. Issued 9-6-32. (28)
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1,875,999; Gerlach Robert Maria. Heavy metal napthenate. Issued 9-6-32. (28)
1,876,022; Rausch Gottfried. Dough dividing & kneading machine. Issued 9-6-32. (28)
1,876,052; Haendel Walter. Process for dyeing and figuring woven knitted & plaited fabrics leather and other materials. Issued 9-6-32. (28)
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1,876,075; Reichert Carl Sr et al; Reichert Karl Jr. Electric cutting machine for cutting out woven fabrics. Issued 9-6-32. (28)
1,876,137; Engelen Carl. Harvesting machine. Issued 9-6-32. (28)
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1,876,170; All. Pomosin Werke GmbH. Hardening of steel. Issued 9-6-32. (28)
1,876,229; Herzog Reginald Oliver et al; Berenyi Ludwig. Process of manufacturing hollow molded articles from solutions of film forming cellulosic materials. Issued 9-6-32. (28)
1,876,235; All. Toa Denki Kabushiki Kaisha. Commutator shorting device for motors. Issued 9-6-32. (39)
1,876,261; Pemetzrieder Georg. Apparatus for casting metals and metalloids. Issued 9-6-32. (28)
1,876,262; Pemetzrieder Georg. Alloy with copper as primary metal. Issued 9-6-32. (28)
1,876,263; Pittroff Andreas. Lacing shoe or boot. Issued 9-6-32. (28)
1,876,326; Lant Richard. Treatment of petrol & other organic liquids containing water. Issued 9-6-32. (6)
1,876,417; Hilscher Curt. Knock over bit apparatus. Issued 9-6-32. (28)
1,876,442; All. Siemens & Halske A G. Device for copying films. Issued 9-6-32. (28)
1,876,461; Kutter Leopold. Fountain pen. Issued 9-6-32. (6)
1,876,499; Hoffman Emil. Hoop iron band or the like tensioning and fastening device. Issued 9-6-32. (28)
1,876,563; All. Papyrus A G. Paper making machine. Issued 9-13-32. (28)
1,876,687; Kappler Paul. Ribbon reverse for typewriters and like machines. Issued 9-13-32. (28)
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1,876,765; Scharff Willy. Adjustable bearing bush. Issued 9-13-32. (28)
1,876,804; Von Stumm Herbert. Vehicle auxiliary lamp. Issued 9-13-32. (28)
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1,876,817; Wolferts Jean. Waste and overflow for lavatories bidets bathtubs or the like. Issued 9-13-32. (28)
1,876,846; All. Vereinigte Stahlwerke A G. Welding agent. Issued 9-13-32. (28)
1,876,890; All. I G Farbenindustrie A G. Manufacture of artificial fibers. Issued 9-13-32. (28)
1,876,920; All. I G Farbenindustrie A G. Manufacture of carbohydrate derivatives. Issued 9-13-32. (28)
1,876,991; All. Deutsche Gluhfadenfabrik Rich Kurtz. Electric discharge tube. Issued 9-13-32. (28)
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1,877,081; Teves Alfred. Fluid pressure brake. Issued 9-13-32. (28)
1,877,099; All. Manfred Weiss Stahl und Metallwerke. Refuse receptacle. Issued 9-13-32. (34)
1,877,107; Dunnebier Max; Winkler Alfred et al. Feeding apparatus. Issued 9-13-32. (28)
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1,877,182; Konecke Friedrich. Overshoe. Issued 9-13-32. (28)
1,877,239; All. Badische Machinenfabrik & Machine for the manufacture of match boxes. Issued 9-13-32. (28)
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1,877,498; De Bernardi Mario. Combined controlling device for steering and stabilizing aircraft. Issued 9-13-32. (38)
1,877,499; De Bernardi Mario. Combined steering and stabilizing control device for aircraft. Issued 9-13-32. (38)
1,877,506; Heertsch Willy. Direction indicator. Issued 9-13-32. (28)
1,877,511; All. Felten & Guilleaume Carlswerk A G. Amplifier station for deep sea signaling cables. Issued 9-13-32. (28)
1,877,522; May Joseph. Arch support for footwear. Issued 9-13-32. (28)
1,877,608; All. Vereinigte Stahlwerke A G. Apparatus for sintering roasted materials. Issued 9-13-32. (28)
1,877,616; Strelitz Franz Philipp. Face massaging apparatus. Issued 9-13-32. (28)
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1,877,854; All. I G Farbenindustrie A G. Elastic product. Issued 9-20-32. (28)
1,877,855; All. I G Farbenindustrie A G. Process of preserving wood. Issued 9-20-32. (28)
1,877,856; All. I G Farbenindustrie A G. Manufacture of mixed cellulose ethers. Issued 9-20-32. (28)
1,877,858; All. Lorenz A G C. System of multiple radio transmission. Issued 9-20-32. (28)
1,877,933; All. I G Farbenindustrie A G. Manufacture of artificial textiles. Issued 9-20-32. (28)
1,877,961; All. I G Farbenindustrie A G. Process for the production of tungsten metal. Issued 9-20-32. (28)
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1,877,984; Schmidt Johann Peter Jr. Curtain drawing device. Issued 9-20-32. (28)
1,878,043; Wagner Theodore Curt. Warp stop motion for looms. Issued 9-20-32. (28)
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1,878,217; All. Schmidt Sche Heissdampf GmbH. Apparatus for regulating the operation of steam generating plants especially for locomotives. Issued 9-20-32. (28)
1,878,272; Erban Richard. Friction gear. Issued 9-20-32. (6)
1,878,344; Strelow Wilhelm. Dry gas meter. Issued 9-20-32. (28)
1,878,434; Belloni Angelo. Life saving hood. Issued 9-20-32. (38)
1,878,474; All. Drager Otto Heinrich. Life saving gear. Issued 9-20-32. (28)
1,878,507; Meitner Walter. Process for the recovery of tin compounds in the art of loading silk. Issued 9-20-32. (6)
1,878,514; All. Schmidt Sche Heissdampf GmbH. Combined steam generator and feed water preheater and purifier. Issued 9-20-32. (28)
1,878,517; All. Hiltebrandt Zahnfabrik AG. Dr. Artificial tooth. Issued 9-20-32. (28)
1,878,561; Wippermann Erich. Piston internal combustion engine with cylinder stars arranged one behind the other in a common frame. Issued 9-20-32. (28)
1,878,595; Moller Fritz. Rolling mill. Issued 9-20-32. (28)
1,878,646; Schneider Bernhard. Light reflector. Issued 9-20-32. (28)
1,878,652; Von Herz Edmund. Process of initial detonating explosive matter and for the manufacture of detonating caps in accordance therewith. Issued 9-20-32. (28)
1,878,715; Saul Siegfried. Air valve for bladders and other inflatable hollow bodies. Issued 9-20-32. (28)
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1,878,905; All. Ingersoll Rand Co. Rock drill. Issued 9-20-32. (28)
1,878,938; Steinmuller Lebrecht. Water tube boiler. Issued 9-20-32. (28)
1,878,940; All. I G Farbenindustrie AG. Decomposition of waxes. Issued 9-20-32. (28)
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1,878,975; Lesage Alfred. Bicycle with auxiliary motor. Issued 9-20-32. (28)
1,878,976; Lesage Alfred. Motorcycle. Issued 9-20-32. (28)
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1,879,013; Arnold Carl. Winding device for spinning toys. Issued 9-27-32. (28)
1,879,031; All. I G Farbenindustrie AG. Process of preparing vulcanized fibers. Issued 9-27-32. (28)
1,879,032; Becker Heinz. Smoking process. Issued 9-27-32. (28)
1,879,045; All. I G Farbenindustrie AG. Paint. Issued 9-27-32. (28)
1,879,071; All. I G Farbenindustrie AG. Precipitation of heavy metal hydroxides. Issued 9-27-32. (28)
1,879,124; De Dominicis Gaetano. Taping machine. Issued 9-27-32. (38)
1,879,156; Forster Bernhard. Device for the automatic single feeding of ring shaped blanks to working points. Issued 9-27-32. (28)
1,879,169; Friedinger Albert. Electric time switch. Issued 9-27-32. (28)
1,879,212; Hainlen Adolf. Apparatus for cooking or frying. Issued 9-27-32. (28)
1,879,238; All. Schmidt Sche Heissdampf GmbH. High pressure locomotove with interstage superheating. Issued 9-27-32. (28)
1,879,312; Killius Eduard Otto. Current supply regulating apparatus. Issued 9-27-32. (28)
1,879,327; Kremmling Otto. Process and apparatus for expressing bakers material. Issued 9-27-32. (28)
1,879,328; All. Kremmling Aribert. Apparatus for manufacturing pastries and confectionery. Issued 9-27-32. (28)
1,879,337; All. I G Farbenindustrie AG. Process for the manufacture of a naphthol. Issued 9-27-32. (28)
1,879,351; All. I G Farbenindustrie AG. Process for suppressing the growth of micro organisms. Issued 9-27-32. (28)
1,879,356; Lindemann Waldemar. Briquetting press. Issued 9-27-32. (28)
1,879,417; Muzzioli Gaetano. Process for printing inscriptions and drawings intended to be placed upon wood fabrics and other absorbent materials. Issued 9-27-32. (38)
1,879,577; All. I G Farbenindustrie AG. Process for precipitating iron from the solutions freed from copper obtained by burning pyrites with chlorine. Issued 9-27-32. (28)
1,879,724; Wolpert Emil. Seat. Issued 9-27-32. (28)
1,879,726; Berger Emil. Swimming device with automatic gas filling. Issued 9-27-32. (6)
1,879,743; All. Demag AG. Guide for the mandrel shafts in tube drawing benches. Issued 9-27-32. (28)
1,879,745; Henker Max Albert. Floating support. Issued 9-27-32. (28)
1,879,835; All. Nollesche Werke Kommandit Ges. Machine for the manufacture of templates. Issued 9-27-32. (28)
1,879,838; All. Krupp Fried A G. Printing mechanism for cash registers. Issued 9-27-32. (28)
1,879,842; Conradty Ottmar. Electrolytic cell and in anodes used in such cells. Issued 9-27-32. (28)
1,879,847; Gorhan Adolf. Production of waterfree ethyl alcohol. Issued 9-27-32. (6)
1,879,850; Klopp Friedrich. Device for hardening the surfaces of cylindrical bodies. Issued 9-27-32. (28)
1,879,866; All. Photogrammetrie GmbH. Mechanism of film propulsion. Issued 9-27-32. (28)
1,879,903; Kleiber Kurt. Closing device for collar buttons. Issued 9-27-32. (28)
1,879,904; All. I G Farbenindustrie A G. Positive electrode and process of preparing the same. Issued 9-27-32. (28)
1,879,912; All. I G Farbenindustrie A G. Alkyl naphthalenes and process for preparing the same. Issued 9-27-32. (28)
1,879,913; Schneider Ferdinand. Electrical advertisement clock. Issued 9-27-32. (28)
1,879,940; Mangiameli Francesco. Method of supplying gases to welding torches and the like. Issued 9-27-32. (28)
1,879,944; Muth Emil. Apparatus for conveying goods in bales sacks or the like. Issued 9-27-32. (28)
1,879,985; All. Motorenfabrik Deutz A G. Cooled nozzle for fuel valves in internal combustion engines. Issued 9-27-32. (28)
1,880,010; Bennhold Walter. Water gas generator. Issued 9-27-32. (28)
1,880,067; Barthelemy Henri Louis. Manufacture of cellulose acetate. Issued 9-27-32. (38)
1,880,159; All. Johne Werk Grafische Maschinen A G. Pile compressing means for paper cutting machines and the like. Issued 9-27-32. (28)
1,881,430; All. I G Farbenindustrie A G. Process for the manufacture of solutions containing a compound of fluorine and aluminum. Issued 10-11-32. (28)
1,881,545; All. Schmidt Sche Heissdampf GmbH. Steam boiler especially marine boiler with indirect generation of the working steam. Issued 10-11-32. (28)
1,881,563; All. I G Farbenindustrie AKG. Production of esters. Issued 10-11-32. (28)
1,881,724; All. I G Farbenindustrie AKG. Magnetic piston pump. Issued 10-11-32. (28)
1,881,745; All. Chemische Fabrik Milch A G. Process of bleaching dyeing and printing vegetable and animal fiber material fabrics or felt. Issued 10-11-32. (28)
1,881,872; Neumann Wilhelm. Method of producing aluminum and aluminum alloys. Issued 10-11-32. (28)

1,881,927; Broche Hans; Pott Alfred et al. Process of hydrogenating solid carbonaceous material particularly solid fuels such as coal. Issued 10-11-32. (28)
1,881,972; All. Electroacustic GmbH. A carrying device for subaqueous sound apparatus. Issued 10-11-32. (23)
1,882,017; All. Deutsche Gasgluhlicht Auer GmbH. Life restoring apparatus. Issued 10-11-32. (28)
1,882,033; All. Fiat S A. Reducing gear for coaxial shafts. Issued 10-11-32. (38)
1,882,090; Palm Hermann. Pattern rolls for applying colored designs on paperboard or the like webs. Issued 10-11-32. (28)
1,882,105; Wender Eugen. Movable clamp for metallic roof coverings. Issued 10-11-32. (28)
1,882,137; Fruchtenicht Heinrich. Screen for dual intensity headlights. Issued 10-11-32. (28)
1,882,162; Rosenberg Emanuel. Device for connecting and switching the windings of dynamos. Issued 10-11-32. (6)
1,882,171; Wolff Card. Warning and sounding device for ships. Issued 10-11-32. (28)
1,882,175; Bosse August. Process for the preparation of cellular raw material particularly artificial silk. Issued 10-11-32. (28)
1,882,187; Langenbacher Jakob. Paper making machine. Issued 10-11-32. (28)
1,882,328; Kinkel Heinrich. Blade for hack saws. Issued 10-11-32. (28)
1,882,360; Hilgenberg Ludwig Robert. Top for vehicles. Issued 10-11-32. (28)
1,882,507; Kronenberg Rudolf. Constructional form of rolling mill. Issued 10-11-32. (28)
1,882,518; All. I G Farbenindustrie AKG. The process of preparing organic bases. Issued 10-11-32. (28)
1,882,533; Walther Heinrich. Machine for cementing leather soles to shoes. Issued 10-11-32. (28)
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1,882,593; Rentschel Erich. Transfer picture and process for its manufacture. Issued 10-11-32. (28)
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1,882,643; Junkers Hugo. Doorlock. Issued 10-11-32. (28)
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1,882,819; All. Lorenz C A G. Device for the quick control of voltage in dynamo electric machines. Issued 10-18-32. (28)
1,882,989; All. Lorenz C A G. Thermostatically controlled piezo crystal. Issued 10-18-32. (28)
1,883,014; All. Furukawa Kenki Kogyo. Method of manufacturing storage battery plates. Issued 10-18-32. (39)
1,883,124; All. Schmidt Sche Heissdampf GmbH. Indirectly heated steam generator. Issued 10-18-32. (28)
1,883,194; All. Schmidt Sche Heissdampf GmbH. Indirectly heated steam generator. Issued 10-18-32. (28)
1,883,638; Egli Arnold August. Multicolor intaglio printing machine. Issued 10-18-32. (28)
1,883,648; All. Soc Italiana Pirelli. Multicore oil filled high tension electric cable. Issued 10-18-32. (38)
1,883,676; Helferich Burckhardt; Fredenhagen Karl et al. Degradation of wood and other polysaccharids. Issued 10-18-32. (28)
1,883,677; Helferich Burckhardt; Fredenhagen Karl et al. Degradation of wood and other polysaccharides. Issued 10-18-32. (28)
1,883,685; Al. Junkers Hugo. Hydraulic clutch. Issued 10-18-32. (28)
1,883,690; Gilgenberg Paul. Device for withdrawing low pressure gases from high pressure vessels. Issued 10-18-32. (28)
1,883,743; All. Maybach Motorenbau GmbH. Change speed gear. Issued 10-18-32. (28)
1,883,754; Beck Jakob. File. Issued 10-18-32. (28)
1,883,853; Bergmann Jean. Calculating machine. Issued 10-18-32. (28)
1,883,855; All. Librawerk M B H. Automatic weighing machine. Issued 10-18-32. (28)
1,883,858; Spiess Georg. Sheet cutting machine. Issued 10-18-32. (28)
1,883,859; All. Adrian Firm and Busch. Shoe sewing machine. Issued 10-18-32. (28)
1,883,860; All. Bohme H Th A G. Wetting agent. Issued 10-25-32. (28)
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1,883,960; All. Koppel Arthur Fritz. Stop valve for liquid or gaseous substances. Issued 10-25-32. (28)
1,884,004; All. Lieberknecht Karl GmbH. Straight knitting machine attachment. Issued 10-25-32. (28)
1,884,025; All. Union special machinenfabrik. Filled bag closing machine. Issued 10-25-32. (28)
1,884,026; All. Union special maschinenfabrik. Feeding mechanism for sewing machines. Issued 10-25-32. (28)
1,884,027; All. Union special maschinenfabrik. Ornamental stitch sewing machine. Issued 10-25-32. (28)
1,884,028; All. Union special maschinenfabrik. Thread controller for sewing machines. Issued 10-25-32. (28)
1,884,032; All. Union special maschinenfabrik. Apparatus for stitching bag material. Issued 10-25-32. (28)
1,884,033; All. Union special maschinenfabrik. Machine for edging fabric sections. Issued 10-25-32. (28)
1,884,185; Peiseler Alfred. File. Issued 10-25-32. (28)
1,884,214; Priemer Fritz. Printing roller and means for making the same. Issued 10-25-32. (28)
1,884,291; All. Felten & Guilleaume Carlswerk A G. Ingot mold. Issued 10-25-32. (28)
1,884,342; All. Drager Otto Heinrich. Production of masks of rubber or other suitable artificial substances. Issued 10-25-32. (28)
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1,884,881; Schmitthenner Carlos. Safety device for wing type turbines pumps and similar pieces of apparatus with movable vanes. Issued 10-25-32. (28)
1,884,981; Otto Fritz. Flexible suspension for rope hoisting equipment and in particular for mine cage winding. Issued 10-25-32. (28)
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1,885,063; All. Silfree A G Silfree Ltd. Method of treating photo sensitive bodies. Issued 10-25-32. (28)
1,885,140; Rehse Matthias. Submerged alternating current drive. Issued 11-1-32. (28)
1,885,178; Bsteh Rudolf. Die lapping and grinding machine. Issued 11-1-32. (6)
1,885,208; Koeppe Leonhard. Projection screen. Issued 11-1-32. (28)
1,885,251; All. Alpine A G. Machinenfabrik and crushing and grinding machine. Issued 11-1-32. (28)
1,885,341; Grauert Erich. Exchangeable heel. Issued 11-1-32. (28)
1,885,386; Stroher Karl. Hair Roll. Issued 11-1-32. (28)
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1,885,396; All. Gessner Ernst A G. Conditioning machine for cloths. Issued 11-1-32. (28)
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1,885,413; All. Automobili Ansaldo S A. Change speed gear for motor cars. Issued 11-1-32. (38)
1,885,451; All. I G Farbenindustrie A G. Process of preparing an active mass for cathodes of electric alkaline accumulators. Issued 11-1-32. (28)
1,885,475; All. I G Farbenindustrie AG. Artificial products from cellulose derivatives and process of preparing the same. Issued 11-1-32. (28)
1,885,495; Urbinati Mario. Starting device for mercury arc rectifiers. Issued 11-1-32. (38)
1,885,553; Schieferstein Georg Heinrich. Method of and means for transforming oscillatory movements into rotary movement. Issued 11-1-32. (28)
1,885,557; Serra Luigi M. Rotary engine. Issued 11-1-32. (38)
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1,885,628; All. Reinecker J E A G. Arbor support for gear cutting machines. Issued 11-1-32. (28)
1,885,637; All. Piepmeyer and Co K G. Metal arc lamp. Issued 11-1-32. (28)
1,885,636; Steinmetz Samuel. Doormat. Issued 11-1-32. (34)
1,885,673; Bartling Friedrich. Rotary annular sole oven. Issued 11-1-32. (28)
1,885,694; Dyckerhoff Adolf. Lock nut. Issued 11-1-32. (28)
1,885,704; All. Terni Soc per L Industria E Regenerator of Siemens Martin furnaces. Issued 11-1-32. (38)
1,885,707; All. Krakow Wilhelm. Doorlock with multiple action spring. Issued 11-1-32. (28)
1,885,719; All. Motorenfabrik Deutz A G. Combustion chamber for internal combustion engines. Issued 11-1-32. (28)
1,885,726; Isabella Gioachino Benvenuto. Rail cleaning and greasing apparatus. Issued 11-1-32. (38)
1,885,732; Krohn Fritz. Raising and traversing mechanism for suspended street lamps. Issued 11-1-32. (28)
1,885,747; Maurer Alfred. Drawing apparatus with pivotally movable lips for the manufacture of cellulose films of various thicknesses. Issued 11-1-32. (38)
1,885,819; Geffcken Heinrich H et al; Richter Hans R. Photo electric tube. Issued 11-1-32. (28)
1,885,864; Schmitt Heinrich. Stop valve. Issued 11-1-32. (28)
1,885,902; Quante Wilhelm; Eufinger Peter et al. Machine for splicing cables. Issued 11-1-32. (28)
1,885,917; Kelemen Lewis et al; Keleti Zoltan. Inflatable rubber article. Issued 11-1-32. (34)
1,885,950; Sandig Maximilian et al; Buck David. Toothbrush. Issued 11-1-32. (6)
1,885,967; All. Fiat S A. Change speed mechanism. Issued 11-1-32. (38)
1,885,969; All. Universelle Cigarettenmaschinen. Cigarette rod machine. Issued 11-1-32. (28)
1,886,016; All. Universelle Cigarettenmaschinen. Detecting device for cigarette turning machines. Issued 11-1-32. (28)
1,886,025; Jereczek Viktor. Twist drill grinding machine. Issued 11-1-32. (28)
1,886,029; Krauter Hermann. Massaging and stimulating implement. Issued 11-1-32. (6)

1,886,047; All. United Cigarette Machine Co A G. Cigarette packing machine. Issued 11-1-32. (28)
1,886,050; All. Bleichert Adolf and Co A G. Process for the working of passenger ropeways with continuous traffic. Issued 1-1-32. (28)
1,886,054; All. Universelle Cigarettenmaschinen. Device for producing box parts with inserted edge lining. Issued 11-1-32. (28)
1,886,055; All. Universelle Cigarettenmaschinen. Method of forming boxes consisting of two parts one of which has a curved wall. Issued 11-1-32. (28)
1,886,061; Speidel Robert. Apparatus for peeling potatoes. Issued 11-1-32. (28)
1,886,064; All. Steinmuller L and C. Furnace. Issued 11-1-32. (28)
1,886,076; All. Siemens Schuckertwerke GmbH. Method of generating working steam. Issued 11-1-32. (28)
1,886,100; Hochstrasser Alfred R. Friction wheel lighter for solid fuel. Issued 11-1-32. (6)
1,886,101; All. Maschinenfabrik Augsburg. Gasometer. Issued 11-1-32. (28)
1,886,102; All. Universelle Cigarettenmaschinen. Device for detaching labels from a pile. Issued 11-1-32. (28)
1,886,115; Muller Carl Wilhelm. Tube like container for cigars. Issued 11-1-32. (28)
1,886,153; Perrotti Francesco. Electric switch. Issued 11-1-32. (38)
1,886,206; All. Climax Motorenwerke und Schiffswerft. Rotary blower. Issued 11-1-32. (6)
1,886,258; All. Gerbruder Haff GmbH. Ruling pen. Issued 11-1-32. (28)
1,886,268; Sprenger Arthur. Method for producing refractory bodies. Issued 11-1-32. (28)
1,886,275; All. Vereinigte Stahlwerke A G. Method of joining pipe ends. Issued 11-1-32. (28)
1,886,277; Winkler Alfred. Method and apparatus for galvanizing fancy chains and the like. Issued 11-1-32. (28)
1,886,283; All. Ludwig Lothar GmbH. Camera shutter. Issued 11-1-32. (28)
1,886,297; Hermann Ludwig M; Neuber Therese; Neuber Friedrich et al. Cooking plate. Issued 11-1-32. (28)
1,886,319; Venezian Carlo Cohen. Vahicle. Issued 11-1-32. (38)
1,886,376; All. Windmoller & Holscher GmbH. Machine for automatically opening square bottom paper bags. Issued 11-8-32. (28)
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1,886,425; Rawitzki Leo. Coin operated vending apparatus. Issued 11-8-32. (28)
1,886,426; Reichmann Heinrich. Automatic grab. Issued 11-8-32. (28)
1,886,442; Wimmer Heinrich. Mechanically operated toy figure. Issued 11-8-32. (28)
1,886,501; Schreiber David. Turned shoe. Issued 11-8-32. (6)
1,886,531; Dalchow Franz. Method and device to direct the shoots of young trees. Issued 11-8-32. (28)
1,886,547; Hoffmann Josef. Design forming apparatus for woven fabrics and the like. Issued 11-8-32. (28)
1,886,576; All. Ott A Firm. Integrator. Issued 11-8-32. (28)
1,886,591; Rothmund Leopold. Sluice or lock. Issued 11-8-32. (28)
1,886,596; Schlomer Michael. Apparatus for treating films. Issued 11-8-32. (28)
1,886,609; Von Frommer Rudolf. Breech bolt for automatic firearms. Issued 11-8-32. (34)
1,886,636; All. Soc Italiana Perelli. Vulcanization of rubber. Issued 11-8-32. (38)
1,886,702; Litty Paul. Controlling device for long lengths of spinning material having an appreciable width. Issued 11-8-32. (28)
1,886,784; All. Andreas Daub A G. Chain. Issued 11-8-32. (28)
1,886,840; Schoene Kurt. Valve. Issued 11-8-32. (28)
1,886,860; Zickmantel Carl. Shaving utensil. Issued 11-8-32. (28)
1,886,915; All. Goldschmidt TH A G. Process for the production of colloidal white lead basic lead carbonate from lead oxide. Issued 11-8-32. (28)
1,886,920; Thomas Kurt. Water closet douche. Issued 11-8-32. (28)
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1,886,982; Simon Otto. Process of producing cements for teeth. Issued 11-8-32. (28)
1,887,006; All. Schering Kahlbaum A G. Packing for the stuffing boxes and covers or lids of apparatus and machines subjected to a high gas pressure. Issued 11-8-32. (28)
1,887,014; Durst August. Sparking plug controlling device for internal combustion engines. Issued 11-8-32. (28)
1,887,050; All. I G Farbenindustrie A G. Extraction of organic substances. Issued 11-8-32. (28)
1,887,063; Nast Karl. Rail joint. Issued 11-8-32. (28)
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1,887,166; Nuber Otto. Manufacture of knit goods. Issued 11-8-32. (28)
1,887,167; Pouchain Adolfo. Electric accumulator. Issued 11-8-2. (38)
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1,887,214; Otto Carl. Regenerative coke oven. Issued 11-8-32. (28)
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1,887,454; All. Fabbrica Italiana Magneti Marelli. Ignition magneto. Issued 11-8-32. (38)
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1,887,468; All. Soc Italiana Ernesto Breda Per. Impact ignition device and bomb or the like. Issued 11-8-32. (38)
1,887,472; All. Telehor A G. Picture scanning and assembling device for television and picture transmission. Issued 11-8-32. (28)
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1,887,579; Carozzi Augusto. Elastic vehicle suspension with shock compensation. Issued 11-15-32. (38)
1,887,593; Guman Eugene. Mechanical integrating instrument. Issued 11-15-32. (57)
1,887,604; All. Toyo Kompuresoru Kabushiki Kaisha. Apparatus for forming concrete piles. Issued 11-15-32. (39)
1,887,633; All. Maschinenfabrik Augsburg Nurnberg. Internal combustion locomotive. Issued 11-15-32. (28)
1,887,634; All. Maschinenfabrik Augsburg Nurnberg. Internal combustion locomotive. Issued 11-15-32. (28)
1,887,649; Kumpmann Karl SR. Nut tapping machine. Issued 11-15-32. (28)
1,887,661; All. Maschinenfabrik Augsburg Nurnberg. Internal combustion engine. Issued 11-15-32. (28)
1,887,673; All. Firm Oscar Gossler. Arrangement for teasing and layering spun glass. Issued 11-15-32. (28)
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1,887,891; All. Stug Kohlenstaubfeuerung. Pulverized fuel furnace. Issued 11-15-32. (28)
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1,887,917; All. Maschinenfabrik Augsburg Nurnberg. Stereotype plate casting machine. Issued 11-15-32. (28)
1,887,958; All. I G Farbenindustrie A G. Weighting animal hairs. Issued 11-15-32. (28)
1,888,016; All. Hydrometer A G Breslau. Boiler feeding device. Issued 11-15-32. (28)
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1,888,054; Tipecska Geza et al; Mach Lugwig C. Apparatus for reproducing Literary and pictorial matter. Issued 11-15-32. (28)
1,888,156; Bielicke Willy F. Objective lens system. Issued 11-15-32. (28)
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1,888,264; All. Felten & Guilleaume Carlswerk A G. Loaded submarine cable. Issued 11-22-32. (28)
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1,888,303; All. Rotophot A G Fuer Graphische. Method of producing intaglio printing forms. Issued 11-22-32. (28)
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1,888,367; Zorn Carl. Automatically filling fountain pen. Issued 11-22-32. (28)
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1,888,519; Traverso Francesco. Elastic suspension. Issued 11-22-32. (38)
1,888,532; Hultstrom David Carl Alfred. Diaphragm for loud speakers. Issued 11-22-32. (28)
1,888,574; Schabet Leopold. Two part case for cinematographs. Issued 11-22-32. (28)
1,888,808; All. Universelle Cigarettenmaschinen. Machine for producing two part boxes. Issued 11-22-32. (28)
1,888,831; All. Universelle Cigarettenmaschinen. Apparatus for distributing cigarettes from a container. Issued 11-22-32. (28)

1,888,832; All. Universelle Cigarettenmaschinen. Apparatus for packeting goods. Issued 11-22-32 (28)
1,888,867; Schmitt Georg Custav Emil. Swimming appliance. Issued 11-22-32. (28)
1,888,873; Eisele Albert. Lock. Issued 11-22-32. (28)
1,888,877; Mauser Karl Wilhelm. Reenforcing means for the rims of openings in metal containers Issued 11-22-32 (28)
1,888,891; Schmidt Alfred Process for manufacturing bent pipes. Issued 11-22-32 (28)
1,888,893; Tscherner Ludwig Picture reproducing device for television. Issued 11-22-32. (6)
1,888,898; Wickel Friedrich Karl. Quill like structure in the form of a rigid waterproof and if desired transparent tube. Issued 11-22-32 (28)
1,888,904; Brauer Ernst Station calling device Issued 11-22-32 (28)
1,888,913; Erichsen Abraham Martinius. Mold for casting metals and metal alloys. Issued 11-22-32. (28)
1,888,926; All. Still Carl Coke oven Issued 11-22-32. (28)
1,888,936; All. Mauterer Arthur Joint for iron pilings. Issued 11-22-32 (28).
1,888,943; Giersbach Julius C; Von Reiche Ludwig et al. Proceeding and arrangement for making of foamy dry dross Issued 11-22-32. (28)
1,888,944; Andreae Fritz Warp pile fabric. Issued 11-22-32 (28)
1,888,968; Mauterer Arthur Interlocking sheet piling Issued 11-22-32. (28)
1,888,989; Kratky Hans Springing system for power driven. Issued 11-29-32 (6)
1,889,047; All. Rheinische Metallwaaren und Coupling for typewriter line spacing wheels. Issued 11-29-32 (28)
1,889,076; Mutter Karl Loom Issued 11-29-32. (28)
1,889,090; All. Heyl and Co Chemischpharmazeutische. Compound of nexamethylenetetramine and diphosphoric acid and process 3 of making same Issued 11-29-32. (28)
1,889,096; All. Fabrik Explosionssicherer Gefasse. Device for measuring liquids Issued 11-29-32. (28)
1,889,104; All. Shibuya Shinzaburo Manila hemp beater Issued 11-29-32 (39)
1,889,126, Malin Richard Carburetor Issued 11-29-32. (28)
1,889,147. Kruger Hermann Method and mold for the local strengthening of the silver coating of galvanically silvered spoons and forks Issued 11-29-32 (28)
1,889,179. Lobl Arnold Casing for light signs and signaling apparatus Issued 11-29-32. (6)
1,889,236. Burmeister Hans Process of producing foam products Issued 11-29-32 (28)
1,889,290; All. Fiat S A Lubricating device for internal combustion engines with inverted cylinders Issued 11-29-32 (38)
1,889,291; All. Fiat S A Friction clutch. Issued 11-29-32 (38)
1,889,292; All. Brevetti Italiana Esteri S A B 1 radio signaling system Issued 11-29-32 (38)
1,889,294; All. Fiat S A Triangular plane girder for aeroplanes Issued 11-29-32 (38)
1,889,295; All. Fiat S A Differential and simultaneous control for the engines of multiple engine machines Issued 11-29-32 (38)
1,889,296. All Lubecker Maschinenbau Ges Supporting means for conveying and transporting vehicles Issued 11-29-32. (28)
1,889,304; All Fiat S A Carburetor of aircraft engines for insuring the regular engine working in inverted load conditions. Issued 11-29-32 (38)
1,889,305; All. Fiat S A. Engine drive for aircraft propellers. Issued 11-29-32. (38)
1,889,314; All. Demag A G. Tube drawing bench. Issued 11-29-32. (28)
1,889,320; All. Demag A G. Push bench mandrel guide. Issued 11-29-32 (28)
1,889,339; Weiss Ernst. Collar stud and necktie retainer. Issued 11-29-32. (28)
1,889,350; Cohen Venezian Carlo Aerofoil carrying rack. Issued 11-29-32. (38)
1,889,364; All. Brehmer Gebruder Method of and mechanism for opening sheets in sheet handling machines. Issued 11-29-32. (28)
1,889,374; Renck Heinrich. Method and means for renewing ink repellant surfaces on mercury printing plates. Issued 11-29-32. (28)
1,889,375; Renck Heinrich. Method and means for renewing ink repellant surfaces on mercury printing plates. Issued 11-29-32. (28)
1,889,376; Renck Heinrich. Procedure for freshening up amalgamated printing spots. Issued 11-29-32. (28)
1,889,463; Cederberg Ivar Walfrid. Catalyzer for the oxidation of ammonia with oxygen or with gases containing oxygen Issued 11-29-32 (28)
1,889,472; Godefroid Armand. Cash till with a coin assorter. Issued 11-29-32. (28)
1,889,482; All. Vereinigte Stahlwerke A G Steel having a high yield point and a good notch toughness Issued 11-29-32 (28)
1,889,492; All. Maschinenfabrik Augsburg. Piston cooling for combustion power engines Issued 11-29-32. (28)
1,889,500; Schmidt Paul. Loom. Issued 11-29-32 (28)
1,889,557; Lange Hellmuth. Delivery device. Issued 11-29-32. (28)
1,889,574; All. Universelle Cigarettenmaschinen Folding machine. Issued 11-29-32 (28)
1,889,591; Boerlage Johann Reciprocating piston lubrication for pumps Issued 11-29-32 (28)
1,889,606 All. Hartsteinwerk Niedersachsen GmbH Cover closing for steam barrels heating boilers and the like. Issued 11-29-32 (28)
1,889,644. De La Roche Hans Rudolph Schmedes Method of refractory covering iron and metal structures. Issued 11-29-32. (28)
1,889,671; Koehn Wilhelm. Method for cooling centrifugally cast hollow metal blooms Issued 11-29-32. (28)
1,889,678; Mannich Charles. Aromatic esters of amino alcohols and process of manufacture Issued 11-29-32 (28)
1,889,719. All. Werner Fritz A G. Measuring apparatus Issued 11-29-32 (28)
1,889,785 Hoppe Gotthold Intermittently acting feeding device Issued 12-6-32 (28)
1,889,791; All I G Farbenindustrie A G Production of artificial resins Issued 12-6-32 (28)
1,889,803. Henkels Hugo Device for the manufacture of separable fasteners. Issued 12-6-32. (28)
1,889,812; Salvi Alessandro Antivibrating self balanced suspension clamp. Issued 12-6-32 (38)
1,889,825; All. Technische Chemikalien Cie GmbH. Manufacture of rubber goods. Issued 12-6-32. (28)
1,889,898; Kellermann Heinrich. Pyrophoric lighter Issued 12-6-32 (28)
1,889,899; Langenhaun Max. Billiard table. Issued 12-6-32 (28)
1,889,960; All. I G Farbenindustrie A G Process for increasing the solubility of water soluble salts. Issued 12-6-32. (28)
1,890,023; Schroder Carl Sr. Process for covering plaster carrying wire netting Issued 12-6-32 (28)
1,890,027, Brinkmann Theodor. Casting runner. Issued 12-6-32. (28)
1,890,042; Morandi Antonio. Clamping means. Issued 12-6-32 (28)
1,890,079; Focke Heinrich. Aircraft wing Issued 12-6-32. (28)
1,890,087; Kasantzeff Florentin. Triple valve for automatic railway brakes. Issued 12-6-32. (28)
1,890,088; Kasantzeff Florentin. Triple valve for direct acting railway brakes. Issued 12-6-32. (28)
1,890,147; Cotti Aldo. Hand apparatus for roughing cloth. Issued 12-6-32. (38)
1,890,156; Konig Wenzel. Shower rose. Issued 12-6-32. (28)
1,890,168; Stoltz Otto. Dummy rifle. Issued 12-6-32. (28)
1,890,200; Thierfelder Guido. Flat hosiery frame. Issued 12-6-32. (28)
1,890,274; All. Magyar Fem Es Lampa Aru Gyar. Hand grenade. Issued 12-6-32 (34)
1,890,300; Nagele Karl Friedrich. Device for automatically arranging the elements of sliding clasp fasteners. Issued 12-6-32 (28)
1,890,304; Scholler Heinrich. Process & device for the saccharification of cellulose and the like. Issued 12-6-32. (28)
1,890,332; All. Eisenwerk Wufel. Flexible elastic coupling. Issued 12-6-32 (28)
1,890,347; Voss Walter. Drop closure for bottles receptacles and the like. Issued 12-6-32. (28)
1,890,351; All. Rheinische Metallwaaren und Sighting device for ordnance. Issued 12-6-32 (28)
1,890,360; Bauermeister Wilhelm. Rotary shutter for rontgen apparatus. Issued 12-6-32. (28)
1,890,415; Ruping Max. Device for stressing springs Issued 12-6-32 (28)
1,890 459; All Von Radowitz Wilhelm. Process of making fertilizers from feces or the like Issued 12-13-32 (28)
1,890,491; All. Holzhydrolyse A G. Consolidated lignin and method of producing the same Issued 12-13-32 (28)
1,890,492; All Bohme H Th A G Process of improving the efficiency of refining baths of the textile art the refining bath and the process of refining textile material. Issued 12-13-32. (28)
1,890,533; Sollich Robert. Process and apparatus for manufacturing sugar sweetmeats and the like. Issued 12-13-32. (28)
1,890,535; Ern Carl Friedrich. Safety device for razor blades Issued 12-13-32 (28)
1,890,537; Frank Armin. Hoe Issued 12-13-32 (28)
1,890,542; All. Roosen Richard. Controlling coal dust furnaces. Issued 12-13-32 (28)
1,890,604; Gottmanns Karl. Bearing. Issued 12-13-32 (28)
1,890,634; Wenzel Max. Flow rectifier for paper stock. Issued 12-13-32. (28)
1,890,713; Zuber Ludwig. Shock absorber Issued 12-13-32 (28)
1,890,723; All. New York Hamburger Gummiwaaren Cie. Coating material Issued 12-13-32. (28)
1,890,783; All Smyrna Automat GmbH Machine for the manufacturing of knotted carpets and the like. Issued 12-13-32 (28)
1,890 793; All I G Farbenindustrie A G Process for the execution of gas reactions Issued 12-13-32. (28)
1,890,959. Vohs Norbert Woven fabric Issued 12-13-32. (28)
1,890,993; All. Strobach Paul Firm. Multiphase protective system. Issued 12-13-32 (28)
1,890,996; Kurz Hans et al; Albert Karl Ink for intaglio printing and improvement in the production of such inks. Issued 12-13-32. (6)
1,891,007; Piazzo Francesco Carlo. Process for producing calcium phosphates rich in phosphoric acid soluble in water. Issued 12-13-32. (38)

1,891,043; All. I G Farbenindustrie A G. Hydro aromatic ketones. Issued 12-13-32. (28)
1,891,105; Meyer Freidrich Wilhelm. Chain saw structure for portable motor tree saws. Issued 12-13-32. (6)
1,891,165; Knupfer Paul R V. Roller mill. Issued 12-13-32. (28)
1,891,282; Junghans Helmut. Electrically wound clock. Issued 12-20-32. (28)
1,891,286; All. Reinhardt Messrs G E. Sheet delivering and piling apparatus for printing ruling cutting machines and the like. 12-20-32. (28)
1,891,290; Tessky Karl. Work piece guide for machine tools. Issued 12-20-32. (28)
1,891,309; Hein Hermann. Skimming aircraft landing sail. Issued 12-20-32. (28)
1,891,340; Baldid Cinc; Ammirandoli David et al. System for reducing shocks. Issued 12-20-32. (38)
1,891,363; Rohn Otto. Egg yolk substitute for tanning. Issued 12-20-32. (28)
1,891,390; Liebig Heinrich. Ventilator for motor cars. Issued 12-20-32. (28)
1,891,393; Oppenlander Karl. Collapsible dinner or tea wagon. Issued 12-20-32. (28)
1,891,412; Grune Max. Process for binding together two or more layers of leather more particularly for the manufacture of boots and shoes. Issued 12-20-32. (28)
1,891,414; All. Printator GmbH Writing and drawing pad. Issued 12-20-32. (28)
1,891,564; Regneni Romualdo; Mazza Leandro et al. Circuit arrangement for telegraphic apparatus. Issued 12-20-32. (38)
1,891,586; Woerner Eugen. Pressure operated valve. Issued 12-20-32. (28)
1,891,593; All. Deutsche Geld und Silber. Apparatus for the manufacture of water free ethyl alcohol. Issued 12-20-32. (28)
1,891,678; All. Maybach Motorenbau GmbH. Change speed gear. Issued 12-20-32. (28)
1,891,700; All. Still Carl Firm. Method of heating coke ovens. Issued 12-20-32. (28)
1,891,810; Gianolio Giuseppe. Level gauge indicating at a distance the level of a liquid contained in a tank. Issued 12-20-32. (38)
1,891,815; Heidrich Helene. Bodkin for drawing material through hollow hems. Issued 12-20-32. (28)
1,891,822; Kahn Theodor. Apparatus for making sound records. Issued 12-20-32. (28)
1,891,829; Nathansohn Alexander Process of highly polymerizing cellulose acetate and the product thereof. Issued 12-20-32. (28)
1,891,833; All. Fabl & Grun. Frame for hand bags and like containers. Issued 12-20-32. (6)
1,891,849; All. Zaidan Hojin Rikagaku Kenkyujo Process of making projecting screens. Issued 12-20-32. (39)
1,891,873; Elbe Rudolf. Apparatus for treating food stuffs such as meat and fish. Issued 12-20-32. (28)
1,891,941; Messerschmitt Willy. Flying machine. Issued 12-27-32. (28)
1,891,974; Fischer Franz. Method of purifying gases. Issued 12-27-32. (28)
1,892,063; Maier Franz Xaver. Permanent hair waving apparatus. Issued 12-27-32. (28)
1,892,251; Rausch Gottfried. Automatic dough dividing and rolling machine. Issued 12-27-32. (28)
1,892,277; Junkers Hugo. Cylinder for internal combustion engines. Issued 12-27-32. (28)
1,892,325; Wist Engelbert. Means for converting the electric arc into an elongated flame. Issued 12-27-32. (6)
1,892,335; All. Teves Alfred Maschinen und Armaturen Fabrik GmbH. Hydraulic brake. Issued 12-27-32. (28)
1,892,342; Haselbach Albrecht. Process for the preparation of beers weak in alcohol. Issued 12-27-32. (28)
1,892,369; Tibaldi Giuseppe. Self filling fountain pen. Issued 12-27-32. (38)
1,892,410; Hess Heinrich; Rohm Otto et al; Fischer Herbert. Tanning process. Issued 12-27-32. (28)
1,892,424; De Geronimi Baldano. Moving picture screen. Issued 12-27-32. (38)
1,892,456; Bennhold Walter. Apparatus for producing water gas. Issued 12-27-32. (28)
1,892,459; Engels Bernard. Process for drawing a glass band from the surface of the molten glass metal. Issued 12-27-32. (28)
1,892,470; Pragerstorfer Anton Stefan. Band saw blade guide. Issued 12-27-32. (6)
1,892,479; Arato Achille. Mounting for steering wheels of vehicles. Issued 12-27-32. (38)
1,892,532; Oberlin Max. Process for the production of 1 para aminophenyl 2 methylamino propanol 1. Issued 12-27-32. (28)
1,892,574; Huhn Gustav. Plug cock. Issued 12-27-32 (28)
1,892,586; Sacerdoti Camillo. Boat apparatus for lowering lifeboats to the water from ships. Issued 12-27-32. (38)
1,892,597; All. Fiat S A. Automatic device for limiting the speed of internal combustion engines more particularly of tractor engines or the like. Issued 12-27-32. (38)
1,892,628; Peyinghaus Walter. Journal bearing. Issued 12-27-32. (28)
1,892 633; All. Herm Bertram Hallesche. Machine for dividing and working dough. Issued 12-27-32. (28)
1,892,746; Colonnese Vittorino. Float structure. Issued 1-3-33. (38)
1,892,815; Stuhler Martin. Centrifugal machine for making conical hollow bodies particularly reenforced concrete poles. Issued 1-3-33 (28)
1,892,840; Kamps Otto. Aluminum alloy. Issued 1-3-33. (28)
1,892,843; Klopp Friedrich. Apparatus for surface hardening of the inner wall of hollow bodies. Issued 1-3-33. (28)
1,892,967; All. Ruthsaccumulator A B. Energy distribution system. Issued 1-3-33. (28)
1,892,968; Schieferstein Georg Heinrich. Method of and means for improvements in mechanical oscillators. Issued 1-3-33. (28)
1,892,971; Schweitzer Otto. Regenerative reverberatory furnace. Issued 1-3-33. (28)
1,892,987; All. Brehmer Gebruder maschinenfabrik. Flat gluing machine. Issued 1-3-33. (28)
1,893,014; All. Maschinenfabrik Augsburg Nurnberg. Eccentric lifting device. Issued 1-3-33. (28)
1,893,035; Pawlikowski Rudolf. Internal combustion engine for pulverulent fuel. Issued 1-3-33. (28)
1,893,053; Funcke Karl. Perforating device for printing presses. Issued 1-3-33. (28)
1,893,057; All. Universelle Cigarettenmaschinen cigarette machine. Issued 1-3-33. (28)
1,893,077; Garweg August. Hardening medium and process for hardening tools of iron or steel. Issued 1-3-33. (28)
1,893,081; Herzstark Samuel Jacob. Printing or typing adding or subtracting machine or typing calculating machine. Issued 1-3-33. (6)
1,893,086; Keller Georg. Arrangement for consecutively addressing any number of envelopes without carbon copy by means of a typewriter. Issued 1-3-33. (28)
1,893,090; Kreidler Alfred. Indicating device. Issued 1-3-33. (28)
1,893,092; Liberman Alexander Jezekil. Device for cutting out sections of a photographic film for development. Issued 1-3-33. (28)
1,893,122; Baldeweg Max. Roll film box camera. Issued 1-3-33. (28)
1,893,130; Frulli Dino; Chelazzi Mirko et al. Issued 1-3-33. (38)
1,893,187; Schneider Arthur (28); Urbanek Julius et al (6). Cushioning mechanism for power hammers. Issued 1-3-33.
1,893,227; Cohen Venezian Carlo. Vehicle for carrying aircraft parts and other loads. Issued 1-3-33. (38)
1,893,266; All. Soc Italiana Reti Telefoniche. Electric cable. Issued 1-3-33. (38)
1,893,331; Kangro Walther et al; Lindner Agnes. Process of separating beryllium compounds from beryllium containing minerals or other substances. Issued 1-3-33. (28)
1,893,384; Werner John. Method of producing imitations of valuable sorts of wood and tarsia style coatings. Issued 1-3-33. (28)
1,893,389; All. Universelle cigarettenmaschinen apparatus for erecting box shells. Issued 1-3-33. (28)
1,893,410; Guerri Giuseppe. Method of and means for raising and lowering tractor drawn implements. Issued 1-3-33. (38)
1,893,411; Hallermann Adolf. Process and apparatus for clarifying or separating the head from the fermenting liquor in brewing or in other fermentation processes. Issued 1-3-33. (28)
1,893,421; All. Oesterreichische Brown Boveri. Indicating and recording apparatus. Issued 1-3-33. (6)
1,893,423; Loffler Stephan Dec. Process for treating coals tars mineral oils and the like by hydrogenation under high pressure and at high temperature. Issued 1-3-33. (28)
1,893,447; All. Schmid Karl. Process of an apparatus for nitrating glycerine glycol and similar alcohols. Issued 1-3-33. (28)
1,893,495; Eberhard Rudolf. Process for making coating materials for deoxidation of rust. Issued 1-10-33. (28)
1,893,623; Imhoff Karl. Sewage purification. Issued 1-10-33. (28)
1,893,657; Schafer Carl. Device for simultaneously opening a plurality of valves. Issued 1-10-33. (28)
1,893,741; All. Electroacustic GmbH. Arrangement for directional transmission and reception with a plurality of oscillators. Issued 1-10-33. (28)
1,893,758; Bloch Max. Machine for steeping pelts. Issued 1-10-33. (28)
1,893,770; Garbe Ernst August. Disinfecting medium and the process of manufacturing the same. Issued 1-10-33. (28)
1,893,777; All. Autogenwerk Sirius GmbH. Production of gases from carbides and water. Issued 1-10-33. (28)
1,893,778; All. Gebruder Brehmer. Paper feeding. Issued 1-10-33. (28)
1,893,786; Reiner Otto. Reversing gear for furnaces. Issued 1-10-33. (28)
1,893,800; Home Hugo. Shock absorber for vehicles. Issued 1-10-33 (28)
1,893,855; Baer Alfred. Cooling means for rotary valves. Issued 1-10-33. (28)
1,893,916; Waldrich Oskar. Copying mechanism. Issued 1-10-33. (28)
1,893,945; Kaselitz Oscar. Production of potassium nitrate. Issued 1-10-33. (28)
1,893,946; Kaselitz Oscar. Production of calcium nitrate. Issued 1-10-33. (28)
1,893,948; Klotz Wilhelm. Door key attachment. Issued 1-10-33. (28)
1,893,949; Koller Kurt. Couch bed. Issued 1-10-33. (28)
1,893,951; Kuhner Otto. Sheet metal press. Issued 1-10-33. (28)
1,893,995; Jung Karl. Bearing for accurately running shafts using ball bearings. Issued 1-10-33. (28)
1,894,077; Winkler Alfred et al; Dunnebier Max. Chocolate and the like coating machine. Issued 1-10-33. (28)
1,894,121; All. Jahn Reinhard Bad Suderode. Clothes peg. Issued 1-10-33. (28)
1,894,128; Schult Kurt. Holding clip consisting of a spring for cigarettes or cigars. Issued 1-10-33. (28)

1,894,135; Torok Gabriel et al; Becze Georg. Making dough and bread. Issued 1-10-33. (34)

1,894,142; Wurzburger Paul. Polishing appliance for finger nails. Issued 1-10-33. (28)

1,894,149; Bartling Friedrich. Process for conserving granular materials. Issued 1-10-33. (28)

1,894,181; Lebert Alfred. Tool and apparatus for leveling cylindrical surfaces from grinding disks. Issued 1-10-33. (28)

1,894,208; All. Metall Gesellschaft A G. Method of producing alumina. Issued 1-10-33. (28)

1,894,239; All. I G Farbenindustrie A G. Production of molybdenum and tungsten carbonyls. Issued 1-10-33. (28)

1,894,245; All. Luftschiffbau Zeppelin GmbH. Airship. Issued 1-10-33. (28)

1,894,288; Weigel Hans. Rolling process. Issued 1-17-33. (28)

1,894,313; Hoffmann August. Thread guide advancing device for bobbin winding machines. Issued 1-17-33. (28)

1,894,369; Duffing Georg. Viscometer. Issued 1-17-33. (28)

1,894,378; Lesage Alfred. Starting device for outboard motors. Issued 1-17-33. (28)

1,894,419; Pott Alfred. Purification of coal distillation gases. Issued 1-17-33. (28)

1,894,449; Sandvoss Herrmann. Meter for heat quantities. Issued 1-17-33. (28)

1,894,467; All. I G Farbenindustrie A G. Production of foils and apparatus therefor. Issued 1-17-33. (28)

1,894,485; Frankl Jacques. Clothes trunk. Issued 1-17-33. (6)

1,894,489; All. Hirose Kito. Folding stool ladder. Issued 1-17-33. (39)

1,894,553; Dudew Christo Dimitroff. Safety razor. Issued 1-17-33. (11)

1,894,588; Lolmann Anton Hilscher Curt et al. Knock over bit apparatus. Issued 1-17-33. (28)

1,894,697; Lulki Alexander. Indicator. Issued 1-17-33. (28)

1,894,718; All. Stern Karl. Stamp and drawing press. Issued 1-17-33. (6)

1,894,765; All. I G Farbenindustrie A G. Production of acetylene. Issued 1-17-33. (28)

1,894,769; Hoffmann Kurt. Revolving fire preventing shutter for cinematographic projection apparatus. Issued 1-17-33. (28)

1,894,808; Witte Martin. Rapid determination of the percentages of light and black constituents of finely grained mixtures. Issued 1-17-33. (28)

1,894,809; Witte Martin. Testing of coal dust mineral dust mixtures. Issued 1-17-33. (28)

1,894,839; Werner Karl. Suspension spring. Issued 1-17-33. (28)

1,894,852; All. Felton and Guilleaume Carlswerk. Coil piece for deep sea signaling cables. Issued 1-17-33. (28)

1,894,877; All. Lange and Gellien. Centrifugal mold filling apparatus. Issued 1-17-33. (28)

1,894,883; All. Ural Maschinen. Motor for tree saws. Issued 1-17-33. (6)

1,894,893; Schlumbohm Peter. Apparatus for absorbing aqueous vapors by means of a hygroscopic liquid such as sulphuric acid in a vacuum. Issued 1-17-33. (28)

1,894,922; Riess Hermann. Pressure fluid generator. Issued 1-17-33. (28)

1,894,988; Garbe Herman. Water tube boiler. Issued 1-24-33. (28)

1,894,029; Elsele Albert. Speedometer. Issued 1-24-33. (28)

1,895,043; Macaluso Eugenio. Propeller. Issued 1-24-33. (38)

1,895,047; Neumann Rudolf. Gas pressure regulator. Issued 1-24-33. (28)

1,895,049; Rosenberg Emanuel. Regulating pole for electric machines. Issued 1-24-33. (6)

1,895,057; Von Frommer Rudolf. Tool holder. Issued 1-24-33. (34)

1,895,070; Czerweny Viktor. Cardboard box & the like. Issued 1-24-33. (6)

1,895,126; Hilgenberg Robert. Talking machine. Issued 1-24-33. (28)

1,895,135; Rohn Wilhelm. Water cooled mold. Issued 1-24-33. (28)

1,895,192; All. I G Farbenindustrie A G. Spinning cellulose solution. Issued 1-24-33. (28)

1,895,194; Kutzner Willy et al; Kutzner Fred. Process of the production of dry glue. Issued 1-24-33. (28)

1,895,200; All. I G Farbenindustrie A G. Stabilized solutions of siccatives. Issued 1-24-33. (28)

1,895,207; All. Berlin Karlsruher Industriewerke A G. Method of forming projectiles. Issued 1-24-33. (28)

1,895,240; All. Elektrische apparate GmbH. Electrical distand control system. Issued 1-24-33. (28)

1,895,249; Julfa Wilhelm. Container for the packing of articles. Issued 1-24-33. (28)

1,895,263; All. Jahr M Rudolf Firm. Method for carbonizing woolen fabrics. Issued 1-24-33. (28)

1,895,265; Merk Friedrich. Multiple brush selector with mechanical brush selection. Issued 1-24-33. (28)

1,895,271; Tonnies Hans Ferdinand. Photographic exposuremeter. Issued 1-24-33. (28)

1,895,329; Ipatieff Wladimir et al; Freitag Carl. Process of producing phosphoric acid and hydrogen. Issued 1-24-33. (28)

1,895,338; Neumann Georg. Foldable travelers table and the like. Issued 1-24-33. (28)

1,895,350; Snay Carl. Time Switch. Issued 1-24-33. (28)

1,895,353; Sturm Erwin. Rotary engine. Issued 1-24-33. (28)

1,895,389; 101 Recktenwald Margarete Theusner Geb Heel protecting cap. Issued 1-24-33. (28)

1,895,397; Pouchain Adolfo. Negative electrode for electric accumulators. Issued 1-24-33. (38)

1,895,555; Reckmeier Emil. Three color photographic camera. Issued 1-31-33. (28)

1,895,599; Zimmer Otto. Corner holder. Issued 1-31-33. (28)

1,895,601; Beuthner Kurt. Purification of gases and apparatus therefor. Issued 1-31-33. (28)

1,895,645; Rostock Otto et al; Claussen Jurgen. Device for cleaning matrices. Issued 1-31-33. (28)

1,895,666; Junghans Helmut. Anchor escapement for clocks and the like. Issued 1-31-33. (28)

1,895,667; Junkers Hugo. Structural member. Issued 1-31-33. (28)

1,895,668; Junkers Hugo. Riveting device. Issued 1-31-33. (28)

1,895,745; All. Frecaldo Automaten. Automatic selling machine. Issued 1-31-33. (6)

1,895,747; Beldimano Alexander. Pressure accumulator for gases and liquids. Issued 1-31-33. (28)

1,895,751; Bulow August. Steering gear for motor vehicles. Issued 1-31-33. (28)

1,895,754; Finkenwirth Max. Measuring stick. Issued 1-31-33. (28)

1,895,763; Lubbertsmeier Adolf. Safety razor blade. Issued 1-31-33. (28)

1,895,877; Bernfus Erich. Means for forming the top layer of packed fruit. Issued 1-31-33. (6)

1,895,982; All. Soc Italiana Pirelli. Device for reducing the current in the lead sheaths of cables. Issued 1-31-33. (38)

1,895,983; All. Soc Italiana Pirelli. Apparatus for degasifying liquids. Issued 1-31-33. (38)

1,896,002; Lant Richard. Waterproofing and to the treatment of materials with a view to rendering them resistant to the action of atmospheric conditions. Issued 1-31-33. (6)

1,896,019; All. Hintsches Karl. Device for preventing carburetor fires. Issued 1-31-33. (28)

1,896,022; All. Egyesult Izzolampa es. Plated metal body and method of producing same. Issued 1-31-33. (34)

1,896,092; Mangiameli Francesco. Apparatus for mixing gases. Issued 2-7-33. (28)

1,896,138; Gunzel Arno. Vehicle Wheel. Issued 2-7-33. (28)

1,896,139; Hayn Georg. Coal dust furnace. Issued 2-7-33. (28)

1,896,140; Kaufmann Alois. Pocket lighter. Issued 2-7-33. (6)

1,896,199; Peiseler Alfred. Apparatus for the production of files and file casings. Issued 2-7-33. (28)

1,896,203; All. Fiat S A. Aircraft door. Issued 2-7-33. (38)

1,896,282; Schimtz Helmuth; Broche Hans et al. Process for the production of hydrogenated naphthalenes from technical naphthalene. Issued 2-7-33. (28)

1,896,328; All. Franke Frida. Electrical transformer for special purposes. Issued 2-7-33. (28)

1,896,426; Schmidt Carl. Machine for manufacturing hollow rotary elements from circular blanks of sheet metal. Issued 2-7-33. (28)

1,896,433; Windeknecht Carl August. Arrangement for producing open spaces on buildings. Issued 2-7-33. (28)

1,896,443; All. Fabbrica Italiana Magneti Marelli. Electric connecter. Issued 2-7-33. (38)

1,896,444; All. Fabbrica Italiana Magneti Marelli. Sparking plug. Issued 2-7-33. (38)

1,896,449; Kreidler Anton. Cam gear for internal combustion engines. Issued 2-7-33. (28)

1,896,467; Scheiber Johannes. Process for the treatment of fatty oils. Issued 2-7-33. (28)

1,896,489; All. I G Farbenindustrie A G. Production of cyanamides of the alkaline earth metals. Issued 2-7-33. (28)

1,896,490; Komm Ernst. Process for the treatment of wheat germs. Issued 2-7-33. (28)

1,896,520; Komm Ernst. Process for the manufacture of a disembittered product of wheat germ. Issued 2-7-33. (28)

1,896,521; Komm Ernst. Process for obtaining high valued nutrients from the products of cereals and legumens. Issued 2-7-33. (28)

1,896,557; All. Fiat S A. Carburetor. Issued 2-7-33. (38)

1,896,581; All. I G Farbenindustrie A G. Electric insulating material. Issued 2-7-33. (28)

1,896,651; Turkenburg Felix Ritter Kalbacher V. Mercury vapor lamp. Issued 2-7-33. (28)

1,896,697; Buchner Max. Process of decomposition of complex hydrofluoric salts. Issued 2-7-33. (28)

1,896,718; Noeggerath Jacob Emil. Electrode vessel for electrolytic apparatus. Issued 2-7-33. (28)

1,896,739; Breslauer Rudolf. Production of color plates. Issued 2-7-33. (28)

1,896,807; Bauer Georg. Process for the recovery of platinum and its bymetals from mattes. Issued 2-7-33. (28)

1,896,926; Von Frommer Rudolf. Back sight for firearms. Issued 2-7-33. (34)

1,896,936; All. Krupp Fried A G. Bookkeeping machine. Issued 2-7-33. (28)

1,896,945; Friederich Walter. Process of manufacturing nitrous oxide. Issued 2-7-33. (28)

1,896,958; Kohl Karl. System for producing high frequency waves. Issued 2-7-33. (28)

1,896,959; Kurtossy Laszlo. Automatic coupling for railway vehicles. Issued 2-7-33. (34)

1,896,981; All. Shizuoka Boeki Kabushiki Kaisha. Tea container. Issued 2-7-33. (39)

1,897,175; Meyer Arthur. Automatic flat bottom unloading device. Issued 2-14-33. (28)

1,897,177; Pohl Ernst. Supporting frame for Rontgen ray apparatus. Issued 2-14-33. (28)

1,897,184; Zopp August. Induction motor. Issued 2-14-33. (6)

1,897,191. Farina Giovanni. Explosion engine. Issued 2-14-33. (38)

1,897,197; Jolas Franz. Heating plate. Issued 2-14-33. (28)

1,897,313; Linnmann Wilhelm. Separator. Issued 2-14-33. (28)

1,897,528; All. I G Farbenindustrie A G. Paint. Issued 2-14-33. (28)

1,897,687; All. Kubodera Hisakichi. Valve. Issued 2-14-33. (39)

1,897,688; Ambronn Richard. Method of and apparatus for electric earth exploration. Issued 2-14-33. (28)

1,897,705; All. Chemische Werke Vorm H & E Albert. Method of producing or regenerating alkali carbonates from alkaline phosphate solutions. Issued 2-14-33. (28)

1,897,722; Dahmen Karl. Sound recording and reproducing means. Issued 2-14-33. (28)

1,897,740; All. I G Farbenindustrie A G. Purification of aluminum sulphate solutions. Issued 2-14-33. (28)

1,897,770; Severin Jose. Apparatus for rolling seamless tubes. Issued 2-14-33. (28)

1,897,810; Pawlikowski Rudolf. Internal combustion engine for liquid and solid fuels. Issued 2-14-33. (28)

1,897,824; Scholz William. Rudder for ships. Issued 2-14-33. (28)

1,897,828; All. Bekk Dr & Kaulen Chemische. Process for photochemical production of aluminum printing forms. Issued 2-14-33. (28)

1,897,861; Quay Marion Pryde. Casing for key bows. Issued 2-14-33. (38)

1,897,863; All. Rheinische Metallwaaren. Contact device for transferring electrical energy into projectile igniters. Issued 2-14-33. (28)

1,897,875; Werner John. Process for transferring prints on to surfaces. Issued 2-14-33. (28)

1,897,877; Zotos Georg. Distillation retort. Issued 2-14-33. (28)

1,897,885; Borocki Georg. Universal hoeing and cultivating machine. Issued 2-14-33. (6)

1,897,932; All. Astrawerke AG. Adding and calculating machine. Issued 2-14-33. (28)

1,898,047; All. Versuchs und lehranstalt fur. Beer manufacture. Issued 2-21-33. (28)

1,898,142; Pongiluppi Mario. Resilient wheel. Issued 2-21-33. (38)

1,898,199, Mannich Carl Ulrich Franz. Crystallized digitalis glucoside and method of producing the same. Issued 2-21-33. (28)

1,898,232; Widmann Wilhelm. Backpiece for films cameras. Issued 2-21-33. (28)

1,898,236; Blank Ernst. Sterile packing for dressings. Issued 2-21-33. (28)

1,898,239; Braun, Karl. Device for cleaning pipe bowls. Issued 2-21-33. (6)

1,898,267; Schaefer Josef. Utilization of the perceptible heat of finished coke. Issued 2-21-33. (28)

1,898,317; Schlenk Rudolf. Refrigerator. Issued 2-21-33. (6)

1,898,398; Sabatini Washington. Machine for the calculation of reenforced concrete. Issued 2-21-33. (38)

1,898,413; Wenzel Max. Winding band to be wound on rolls used in the paper making and allied trades. Issued 2-21-33. (28)

1,898,418; Zwilling Ludwig. Electric gas lighter. Issued 2-21-33. (28)

1,898,429; Domenego Moriz. Bookmark. Issued 2-21-33. (6)

1,898,461; All. I G Farbenindustrie A G. Process of separating primary from secondary aliphatic amines. Issued 2-21-33. (28)

1,898,502; All. I G Farbenindustrie A G. Artificial thread. Issued 2-21-33. (28)

1,898,506; All. I G Farbenindustrie A G. Process for producing double compounds of aluminum fluoride alkali fluoride. Issued 2-21-33. (28)

1,898,528; Rihosek Jchann; Engels Robert et al. Apparatus for varying the leverage of the link and lever gearing of vehicles brakes. Issued 2-21-33. (6)

1,898,544; Kappler Felix. Device for manufacturing cardboard strl; matches in book form. Issued 2-21-33. (28)

1,898,564; All. I G Farbenindustrie A G. Hydraulic brake fluid. Issued 2-21-33. (28)

1,898,595; All. Glanzstoff Courtaulds GmbH. Apparatus for treating spun cakes of artificial silk or the like. Issued 2-21-33. (28)

1,898,691; Schafer Gustav. Electric switch. Issued 2-21-33. (28)

1,898,731; All. I G Farbenindustrie A G. Manufacture of models of jaws. Issued 2-21-33. (28)

1,898,732; Krohne Gustav. Milling cutter. Issued 2-21-33. (28)

1,898,767; All. Vereinigte Stahlwerke A G. Welded lock joint for sheet piling. Issued 2-21-33. (28)

1,898,777; Kappler Paul. Carriage shift typewriter. Issued 2-21-33. (28)

1,898,779; All. Vereinigte Stahlwerke A G. Method of rolling tubes with internally thickened ends. Issued 2-21-33. (28)

1,898,794; Spiess Georg. Cross folding machine. Issued 2-21-33. (28)

1,898,811; .... Uteg Metallwaren GmbH Hermann. Apparatus for supplying fuel to floatless carburetors. Issued 2-21-33. (28)

1,898,831; All. Lorenz A G C. Arrangement for indicating the position of vessels. Issued 2-21-33. (28)

1,898,850; Papo Armando et al; Gentilini Augusto. Moving picture machine. Issued 2-21-33. (38)

1,898,881; Magnani Alessandro. Manufacture of tubes from fibrous pulps. Issued 2-21-33. (38)

1,898,903; Schroder Richard. Hydrometer. Issued 2-21-33. (28)

1,898,917; All. Vereinigte Silberhammerwerke Hetzmt. Process of welding aluminum or alloys thereof to other metals. Issued 2-21-33. (28)

1,898,931; All. Koch & Sterzel A G. High tension transformer. Issued 2-21-33. (28)

1,898,944; All. Koch & Sterzel A G. High tension transformer. Issued 2-21-33. (28)

1,898,957; All. Schubert & Salzer Maschinenfabrik. Stocking and method of knitting same on flat knitting machines. Issued 2-21-33. (28)

1,898,965; All. Teeverwertung GmbH. Process for hydrogenating organic substances. Issued 2-21-33. (28)

1,898,966; Spliker Adolf. Hydrogenation of hydrocarbons. Issued 2-21-33. (28)

1,898,971; All. I G Farbenindustrie A G. Production of fertilizer salts. Issued 2-21-33. (28)

1,898,976; All. Riebeck Sche Montanerke A G. Extraction of montan wax. Issued 2-21-33. (28)

1,898,060; Schmidt Leopold. Device for rotating and at the same time lifting the gondolas of round abouts. Issued 2-28-33. (28)

1,899,073; Arnold Carl. Siren toy with spark producing device. Issued 2-28-33. (28)

1,899,102; Michael Hugo. Hair clipper. Issued 2-28-33. (28)

1,899,114; Schmidt Edmund. Machine for manufacturing dry cells. Issued 2-28-33. (28)

1,899,123; Uebler Bruno. Recovery of chlorine from gas mixtures. Issued 2-28-33. (28)

1,899,124; All. Schiess Defries A G. Boring and turning machine. Issued 2-28-33. (28)

1,899,225; All. Vereinigte Stahlwerke A G. Apparatus for rolling sheet metal. Issued 2-28-33. (28)

1,899,236; Foerster Ernst. Time recording device. Issued 2-28-33. (28)

1,899,259; Wendlandt Rudolf; Caro Nikodem et al; Frank Albert Rudolph; Fischer Thomas. Process of refrigeration. Issued 2-28-33. (28)

1,899,397; All. Stettiner Chamotte Fabrik A G. Method of drying granular or powdered material by means of a fluid. Issued 2-28-33. (28)

1,899,434; Drexl Martin. Propeller arrangement. Issued 2-28-33. (28)

1,899,455; All. Krupp Fried A G. Total taking mechanism. Issued 2-28-33. (28)

1,899,464; Hufschmidt Carl. Powdered fuel furnace. Issued 2-28-33. (28)

1,899,465; Kamps Otto. Aluminum alloy. Issued 2-28-33. (28)

1,899,490; All. Zahnradfabrik Friedrichshafen A G. Mechanism for driving propellers. Issued 2-28-33. (28)

1,899,512; Lewinson Adolf. Process for making alcohol weak beverages. Issued 2-28-33. (28)

1,899,513; Loewe Bernard. Reeling off silk cocoons. Issued 2-28-33. (38)

1,899,607; Buchner Max. Process of producing salts of dcfluosilicic acid. Issued 2-28-33. (28)

1,899,816; All. Union Special Maschinenfabrik. Feeding mechanism for sewing machines. Issued 2-28-33. (28)

1,899,870; Kellner Alexis. Collapsible hood for vehicles. Issued 2-28-33. (28)

1,899,934; All. Leitz Ernst Optische Werke GmbH. Ultralight intensive objective. Issued 3-7-33. (28)

1,899,972; All. Byk Guldenwerke Chemische Fabrik A G. Process for toning silver pictures. Issued 3-7-33. (28)

1,899,999; Ballentine Walter; Mielke Genannt; Uhlich Erich et al. Sun and planet wheel gear. Issued 3-7-33. (28)

1,900,037; All. Barmer Maschinenfabrik A G. Device for equalizing the thread tensions for twisting devices. Issued 3-7-33. (28)

1,900,046; Denzer Ludwig. Type pad for typewriters. Issued 3-7-33. (28)

1,900,060; Heuer Josef. Traffic signal apparatus. Issued 3-7-33. (28)

1,900,067; Messerschmitt Willy. Spar for airplanes. Issued 3-7-33. (28)

1,900,117; Loria Francesco. Sundial. Issued 3-7-33. (38)

1,900,165; All. Fabrica Italiana Magneti Marelli 2 A. Power transmission mechanism. Issued 3-7-33. (38)

1,900,179; Geist Joseph. Grab. Issued 3-7-33. (28)

1,900,206; Silberstein Isidor. Electric resistance. Issued 3-7-33. (28)

1,900,282; All. Bergische Stahl Industrie. Mechanical brake for railway motor cars. Issued 3-7-33. (28)

1,900,291; Kuhner Otto. Sheet metal drawing press. Issued 3-7-33. (28)

1,900,367. All. Hannoversche Maschinenbau A G. Means for starting internal combustion engines. Issued 3-7-33. (28)
1,900,502; Junkers Hugo. Aircraft. Issued 3-7-33. (28)

EXHIBIT A—VOLUME 3

Patents identified as follows, giving the number of the patent, the grantee's name, in some cases in abbreviated form, the title of the invention, the date of issue, and a code number[1] representing the nationality of the grantee, such code numbers having the following meanings:

6 Austria
28 Germany
34 Hungary
38 Italy
39 Japan
57 Rumania
11 Bulgaria

1,900,599; Elod Egon. Process for the production of cellulose formates. Issued 3-7-33. (28)
1,900,600; All. Soc Italiana Pirelli. High tension electric cable. Issued 3-7-33. (38)
1,900,606; Kipper Ewald. Medicine package. Issued 3-7-33. (28)
1,900,607; Dremmling Aribert. Machine for feeding plastic material such as dough through dies or like apertures. Issued 3-7-33. (28)
1,900,616; Pouchain Adolfo. Electric accumulator. Issued 3-7-33. (38)
1,900,620; Stauber Georg. Rotary mechanical apparatus. Issued 3-7-33. (28)
1,900,624; Voortmann Walter. Safety device for blasting charges employed in mining and similar work. Issued 3-7-33. (28)
1,900,630; Wesnigk Erwin; Zagorski Johann et al. Rolling mill. Issued 3-7-33. (28)
1,900,635; All. Soc Ital Transfers Albini S I T A. Process for printing transfers. Issued 3-7-33. (38)
1,900,663; All. Radiochemisches Forschungs. Manufacture of caoutchouc lacquers or varnisher. Issued 3-7-33. (28)
1,900,690; Benzing Hugo. Power driven typewriter. Issued 3-7-33. (28)
1,900,728; All. Chemische Fabrik Kalk GmbH. Vulcanized rubber composition and process of vulcanizing rubber. Issued 3-7-33. (28)
1,900,743; All. Luftschiffbau Zeppelin GmbH. Airship. Issued 3-7-33. (28)
1,900,744; All. Luftschiffbau Zeppelin GmbH. Airship. Issued 3-7-33. (28)
1,900,766; All. Ruthsaccumulator A B. Steam power plant. Issued 3-7-33. (28)
1,900,773; All. Automobilwerke H Bussing A G. Motor vehicle. Issued 3-7-33. (28)
1,900,808; All. Brunsviga Maschinenwerke Grimme. Carrying mechanism for calculating machines and the like. Issued 3-7-33. (28)
1,900,818; Jager Franz. Repeating firearm with bolt action and case magazine. Issued 3-7-33. (28)
1,900,823; All. Bohme Dr. Martin Firm. Differential pressure gauge for measuring flow of fluids in conduits. Issued 3-7-33. (28)
1,900,929; Haag Leonhard. Electric switch. Issued 3-14-33. (28)
1,900,973; All. Bohme H Th A G. Phosphoric acid esters. Issued 3-14-33. (28)
1,900,977; All. Voigt & Haeffner A G. Contact device. Issued 3-14-33. (28)
1,900,986; All. Maschinenfabrik Johannisberg GmbH. Device for the clamping of flexible printing blocks or stereos on the form cylinder of copperplate or intaglio printing machines. Issued 3-14-33. (28)

[1] The code numbers throughout this Exhibit A, Volume III appear in parentheses.

1,900,994; All. Sachtleben A G Fur Bergbau und. Purifying of natural heavy spar. Issued 3-14-33. (28)
1,901,003; All. Schmid Karl. Process of washing nitroglycerine and similar esters. Issued 3-14-33. (28)
1,901,004; Seibt Georg. Electric glow discharge tube. Issued 3-14-33. (28)
1,901,254; Messer Adolf. Cutting mechanism. Issued 3-14-33. (28)
1,901,264; Schlotterhose Conrad. Method of producing animal food. Issued 3-14-33. (28)
1,901,274; All. Garda Enrico. Controlling means for electric lighting installation of railway cars. Issued 3-14-33. (38)
1,901,374; All. I G Farbenindustrie A G. Production of masses resembling linoxyn. Issued 3-14-33. (28)
1,901,407; Osborg Hans. Electrolytic process for producting alloys of lithium. Issued 3-14-33. (28)
1,901,416; Schroeder Max. Production of gaseous mixtures containing sulphur dioxide. Issued 3-14-33. (28)
1,901,419; Steinert Marie Helene. Tooth cleaner. Issued 3-14-33. (28)
1,901,467; Otto Carl. Vacuum cleaning apparatus. Isued 3-14-33. (28)
1,901,506; All. I G Farbenindustrie A G. Wetting agent. Issued 3-14-33. (28)
1,901,507; All. I G Farbenindustrie A G. Mixtures of sulphonated alkylated nondyeing aromatic carbocyclic compoueus and their salts. Issued 3-14-33. (28)
1,901,651; All. Muelhens Paul Peter. Nonrefillable container for powder. Issued 3-14-33. (28)
1,901,693; All Siemens & Halske A G. Air cooled cylinder. Issued 3-14-33. (28)
1,901,709; Erren Rudolf. Method for driving internal combustion engines. Issued 3-14-33. (28)
1,901,720; Barwinkel Moritz. Upholstering spring. Issued 3-14-33. (28)
1,901,745; All. Schubert & Salzer Maschinenfabrik. Row counter for flat knitting machines. Issued 3-14-33. (28)
1,901,757; All. Lieberknecht Karl Richard GmbH. Process for making full fashioned stockings. Issued 3-14-33. (28)
1,901,770; All. Still Carl Firm. Gas fired furnace. Issued 3-14-33. (28)
1,901,774; All. Pulsgetriebe GmbH. Brake band apparatus. Issued 3-14-33. (28)
1,901,790; Wolfram Gerhard. Portable work bench. Issued 3-14-33. (28)
1,901,817; Neidl Georg. Compressor. Issued 3-14-33. (28)
1,901,946; Buck Walter. Tree planer for cutting or working out resin passages. Issued 3-21-33. (28)
1,901,953; Ferrario Achille. Propeller with automatic regulation. Issued 3-21-33. (38)
1,902,102; All. I G Farbenindustrie A G. Manufacture of viscose. Issued 3-21-33. (28)
1,902,113; Zahoransky Anton. Brush making machine. Issued 3-21-33. (28)
1,902,280; All. I G Farbenindustrie A G. Process of making mixed cellulose esters and cellulose ether esters. Issued 3-21-33. (28)
1,902,286; All. Brehmer Gebruder. Method of and mechanism for extracting interconnecting threads between stitched books. Issued 3-21-33. (28)
1,902,293; Ritzerfeld Wilhelm. Manifolding machine. Issued 3-21-33. (28)
1,902,323; All. Fabrica Italiana Magneti. Chamber of variable volume. Issued 3-21-33. (38)
1,902,337; All. I G Farbenindustrie A G. Manufacture of films lacquers and the like. Issued 3-21-33. (28)

1,902,356; All. Fabrica Italiana Magneti Marelli. System for transmitting movement. Issued 3-21-33. (38)
1,902,358; Faigle Friedrich et al; Faigle Carl C. Apparatus for the multiple or multicolor dyeing of hanks of yarn. Issued 3-21-33. (6)
1,902,364; All. I G Farbenindustrie A G. Method of preparing fatty acid esters of borneol and isoborneol. Issued 3-21-33. (28)
1,902,374; All. Fiat Soc A. Reducing gear. Issued 3-21-33. (38)
1,902,377; All. Rosenberg Walter. Flash light. Issued 3-21-33. (28)
1,902,400; All. Kohlentechnik Mbh. Process of producing guanidinethiocyanate. Issued 3-21-33. (28)
1,902,429; All. Gessner Ernst A G. Moistening cloth. Issued 3-21-33. (28)
1,902,513; All. Gewerkschaft Wallram. Method of making and hardening steel tools provided with hard metal members. Issued 3-21-33. (28)
1,902,539; Brauer Carl Friedrich. Stencil. Issued 3-21-33. (28)
1,902,554; Grob Hugo. Voltage regulating apparatus. Issued 3-21-33. (28)
1,902,659; All. Zellstofffabrik Firma Waldhof. Apparatus for the continuous control of the properties of solid bodies dispersed in a liquid. Issued 3-21-33. (28)
1,902,684; Asser Erich. Method of treating drying oils. Issued 3-21-33. (28)
1,902,728; Schmidt Paul. Conveying liquids at high pressure by means of ejectors. Issued 3-21-33. (28)
1,902,729; Schmidt Paul. Multistage liquid driven ejector for delivering liquids. Issued 3-21-33. (28)
1,902,748; Ziehl Gustav Hermann. Drawer guide. Issued 3-21-33. (28)
1,902,752; Baumgartel Carl. Straight bar knitting machine. Issued 3-21-33. (28)
1,902,756; Binz Arthur et al; Rath Curt. Heterocyclic arseno compounds and process of purifying same. Issued 3-21-33. (28)
1,902,774; Haupt Hans. Telescopic umbrella. Issued 3-21-33. (28)
1,902,782; Kovacs Theodor. Writing drawing or ruling pen. Issued 3-21-33. (28)
1,902,783; Kruckenberg et al; Stedefeld Curt. Side wind protection for railway systems. Issued 3-21-33. (28)
1,902,819; Arato Achille. Brake control for vehicle wheels. Issued 3-28-33. (38)
1,902,834; Cohen Venezian Carlo. Tail supporting truck for aeroplanes. Issued 3-28-33. (38)
1,902,840; Deutsch Leonhard. Coupling device for keyboards. Issued 3-28-33. (6)
1,902,864; All. Brehmer Gebruder. Method of and mechanism for extracting interconnecting threads between stitched books. Issued 3-28-33. (28)
1,902,873; Marone Alfredo. Chain conveying apparatus. Issued 3-28-33. (38)
1,902,907; All. Reinhold Kupfer. Episcopic projector. Issued 3-28-33. (28)
1,902,914; All. Wagner Gunther. Duplicating stencil. Issued 3-28-33. (28)
1,902,916; All. Strecker Firm Dr. Otto C. Process for decomposing plant fiber material by cooking with phenolates. Issued 3-28-33. (28)
1,902,922; Viviani Ettore. Apparatus for dry spinning artificial fibers with recovery of the volatile solvents. Issued 3-28-33. (38)
1,902,954; All. Deutsche Telephonwerke Und. Small variable potential electric motor. Issued 3-28-33. (28)
1,902,964; All. Lorenz C A G. Supervisory device for telegraph apparatus. Issued 3-28-33. (28)
1,903,038; All. Yamamoto Eijiro. Felt rubber roller. Issued 3-28-33. (39)

1,903,049; John Ferdinand. Rotary key clutch. Issued 3-28-33. (28)
1,903,053; Kuba Franz. Screw gear. Issued 3-28-33. (6)
1,903,073; Throssell Carl Theodor. Process for the production of soda and potassium hydroxide. Issued 3-28-33. (28)
1,903,076; Winkler Kurt. Wood plate. Issued 3-28-33. (28)
1,903,179; All. Astrawerke A G. Calculating machine. Issued 3-28-33. (28)
1,903,184; All. Brehmer Gebruder. Method of and mechanism for mechanically extracting the interconnecting threads between stitched books. Issued 3-28-33.
1,903,192; Ozieberger Rudolf. Alloy of nickel silver tin and copper. Issued 3-28-33. (6)
1,903,245; Ruska Max Otto. Manufacture of blanks and similar articles with jumped heads. Issued 3-28-33. (28)
1,903,249; Stroher Karl Georg. Hair clamp for permanent hair waving. Issued 3-28-33. (28)
1,903,303; Tiling Reinhold. Flying rocket. Issued 4-4-33. (28)
1,903,323; Brodl Jakob. Insole. Issued 4-4-33. (28)
1,903,421; Bernhardt Otto et al; Vormann Ernst. Top member for fastening illuminating bodies to ceilings. Issued 4-11-33. (28)
1,903,708; All. Bensa Felice. Process for manufacturing vat dyestuffs of the perylene series. Issued 4-11-33. (38)
1,903,710; All. Gyrorector GmbH. Gyroscopically stabilized pendulum. Issued 4-11-33. (28)
1,903,719; All. Climax Motorenwerke Und. Multicylinder internal combustion engine. Issued 4-11-33. (6)
1,903,724; Robin Wilhelm. Multihigh rolling mechanism. Issued 4-11-33. (28)
1,903,751; Bader Kaspar. Device for feeding the casting pots of linotype and similar machines working with soft metals. Issued 4-18-33. (28)
1,903,799; Wagenbach Anton. Bending machine. Issued 4-18-33. (28)
1,903,838; Ringer Ferdinand. Ignitible stick. Issued 4-18-33. (6)
1,903,860; All. I G Farbenindustrie A G. Preparation of metallic coatings. Issued 4-18-33. (28)
1,903,869; Meister Franz et al; Maul Johann. Pillar or post standing in the street traffic. Issued 4-18-33. (28)
1,903,898; Kranzlein Georg et al; Samesreuther Richard. Heat exchange device. Issued 4-18-33. (28)
1,903,920; Hunten Alfred Theodor Dec et al. Automatic machine for the manufacture of soap bars. Issued 4-18-33. (28)
1,904,003; Kohl Julius. Process and plant for extracting glue from glue containing material. Issued 4-18-33. (28)
1,904,116; All. Felten and Guilleaume Carlswerk A & X. Steel aluminum cable. Issued 4-18-33. (28)
1,904,117; Becker Gabriel. Starting device for internal combustion engines. Issued 4-18-33. (28)
1,904,119; All. Siemens Schuckertwerke A G. Support for electrodes in vacuum vessels. Issued 4-18-33. (28)
1,904,131; All. Hesser F R Maschinenfabrik A G. Combined machine for making filling closing bags. Issued 4-18-33. (28)
1,904,148; All. I G Farbenindustrie A G. Process for accelerating the retting of flax. Issued 4-18-33. (28)
1,904,172; Rostin Heliodor. Process for treating low boiling hydrocarbons. Issued 4-18-33. (28)
1,904,180; Wagner Richard P. Connecting rod connection. Issued 4-18-33. (28)
1,904,181; Wagner Richard P. Booster. Issued 4-18-33. (28)

1,904,205; Del Riccio Eduardo Ricci. Electric heating and cooking appliance. Issued 4-18-33. (28)
1,904,211; Vollmer Hermann; Eisner Hans et al. Procedure in the production of a perfume or cosmetic. Issued 4-18-33. (28)
1,904,235; All. Zellstofffabrik Waldhof. Method of improving cellulose raw material of all kinds. Issued 4-18-33. (28)
1,904,241; Kammerer Erwin. Compound metal stock. Issued 4-18-33. (28)
1,904,243; Landecker Max. Molding powder and method of molding. Issued 4-18-33. (28)
1,904,244; Landecker Max. Plastic mass and process for making same. Issued 4-18-33. (28)
1,904,282; Ern Robert. Polishing apparatus specially for knives forks and spoons. Issued 4-18-33. (28)
1,904,392; Stintzing Hugo et al; Huber Eugen. Joint for members provided in a wall separating spaces of different pressures. Issued 4-18-33. (28)
1,904,430; All. Zanzi Ditta Giovanni. Method making valves for explosion engines. Issued 4-18-33. (38)
1,904,467; Karnath Kurt. Valve. Issued 4-18-33. (28)
1,904,516. Otto Carl. Regenerative coke oven. Issued 4-18-33. (28)
1,904,528; All. I G Farbenindustrie A G. Lacquers films artificial masses and the like. Issued 4-18-33. (28)
1,904,529; All. I G Farbenindustrie A G. Manufacture of artificial masses. Issued 4-18-33. (28)
1,904,548; All. I G Farbenindustrie A G. Revolving tube furnace. Issued 4-18-33. (28)
1,904,596; All. Vereinigte Stahlwerke A G. Arch particularly for use in metallurgical furnaces. Issued 4-18-33. (28)
1,904,616; All. Bek Ernst Gideon. Method of soldering. Issued 4-18-33. (28)
1,904,660; Jahn Albert. Fountain pen. Issued 4-18-33. (28)
1,904,661; Lowenstein Walter H. Device for drying razor blades. Issued 4-18-33. (28)
1,904,666; Sack Hans. Apparatus for laying drain pipes or cables. Issued 4-18-33. (28)
1,904,695; All. Leitz Ernst Optische Werke. Epidiascope. Issued 4-18-33. (28)
1,904,714; Benz Johannes. Butter and like molding device. Issued 4-18-33. (28)
1,904,734; Schlaa Friedrich I M. Machine for rolling rings. Issued 4-18-33. (28)
1,904,787; Hitzler Josef et al; Merz Friedrich Carl Julius. Device for shrinking leather. Issued 4-18-33. (28)
1,904,791; All. Fettsaure und Glycerin Fabrik. Process for making sulphonated products. Issued 4-18-33. (28)
1,904,829; All. Fabrik Explosionssicherer Gefasse. Liquid delivery and measuring device. Issued 4-18-33. (28)
1,904,830; Kaffer Hans. Process for the production of motor driving spirits. Issued 4-18-33. (28)
1,904,831; Keup Albert. Apparatus for casting hollow bodies in chill molds rotatable about vertical axes. Issued 4-18-33. (28)
1,905,065; All. Zimmermann & Jansen GmbH. Valve actuating means for air heaters. Issued 4-25-33. (28)
1,905,198; Wendtland Heinz. Water lock for acetylene generators. Issued 4-25-33. (28)
1,905,358; Zimmermann Gustav. Lowering device in molding machines. Issued 4-25-33. (28)
1,905,390; Lindner Herbert. Device for shaping and truing grinding rolls. Issued 4-25-33. (28)
1,905,418; Meves Robert Hermann. Letter file. Issued 4-25-33. (28)
1,905,424; Schlieper Rudolf. Hydraulic driven washing apparatus. Issued 4-25-33. (28)

1,905,426. All. Chemnitzer Strickmaschinen Fabrik. Winding frame. Issued 4-25-33. (28)
1,905,432; All. Rohm & Haas A G. Manufacture of hydrogen chloride or hydrogen bromide or their corresponding acid solutions. Issued 4-25-33. (28)
1,905,466; All. I G Farbenindustrie A G. Process of preparing acetic anhydride. Issued 4-25-33. (28)
1,905,530; Ungerer Fritz. Adjusting device for plate straightening machines. Issued 4-25-33. (28)
1,905,564. Kliem Max. Newspaper stand. Issued 4-25-33. (28)
1,905,593; Korl Willi. Coding machine. Issued 4-25-33. (28)
1,905,963; Flether Walter. Leaf turner. Issued 4-25-33. (28)
1,906,012; All. Borsig A GmbH. Regulator for multistage compressor systems. Issued 4-25-33. (28)
1,906,015; Schwarzkopf Otto. After treatment of artificial silk. Issued 4-25-33. (6)
1,906,026; All. Riel Richard F A. Tilting device for sliding windows. Issued 4-25-33. (28)
1,906,050; Desenberg Josef. Machine for grinding and polishing optical lenses spectacle glasses and the like. Issued 4-25-33. (28)
1,906,107; All. Sack Rud. Agricultural implement. Issued 4-25-33. (28)
1,906,139; Weichert Max; Denstadt Friedrich; Denstadt Hermann. Machine for setting rows of plants deeper. Issued 4-25-33. (28)
1,906,160; Kgemmling Aribert. Apparatus for forming molded or embossed articles of plastic material. Issued 4-25-33. (28)
1,906,199; Rado Leopold. Metal film. Issued 4-25-33. (28)
1,906,200; Reuter Baptist. 4 brom diethylacetylamino 1 phenyl 2 3 dimethy 5 pyrazolone and the process of preparing the same. Issued 4-25-33. (28)
1,906,211; Junker Otto. Tensioning device for maintaining a given catenary curve in metal strips continuously pulled through an annealing furnace. Issued 4-25-33. (28)
1,906,455; Fahrlander ersin. Salt bath for annealing metal articles. Issued 5-2-33. (28)
1,906,459; All. Goldrei S B Firm. Egg testing apparatus. Issued 5-2-33. (28)
1,906,493; Staats Franz. Tiltable fountain bottle. Issued 5-2-33. (28)
1,906,509; All. Photogrammetrie GmbH. Correction for distortion the component pictures produced from different photographic registering devices. Issued 5-2-33. (28)
1,906,609; All. Esslen Eugen. Meat chopper. Issued 5-2-33. (28)
1,906,671; Thunert Felix. Cellulose wool and paper product. Issued 5-2-33. (28)
1,906,779; Von Kalmann Robert. Lubricating pump. Issued 5-2-33. (28)
1,906,785; Bandini Franco. Brick making process in which quick drying and burning are combined and in a single operation. Issued 5-2-33. (38)
1,906,789; All. Terni Societa per L Industria E. Cooling device for the heads of furnaces. Issued 5-2-33. (38)
1,906,798; Lerner Friedrich. Machine for the manufacturing of mouthpiece plugs and for their insertion in cigarettes tubes. Issued 5-2-33. (6)
1,906,803; Mueller Carl. Means for controlling radiations. Issued 5-2-33. (28)
1,906,805; All. Krupp Fried A G. Cash register. Issued 5-2-33. (28)
1,906,806; Plesch Johann. Oscillograph. Issued 5-2-33. (28)
1,906,818; Seufert Friedrich. Cinematographic apparatus. Issued 5-2-33. (28)

1,906,850; Gminder Emil. Apparatus for treating fibrous material. Issued 5-2-33. (28)

1,906,881; Olas Ludwig. Saw sharpening tool. Issued 5-2-33. (6)

1,906,917; All. I G Farbenindustrie A G. Process of separation of mixtures of the rare gases. Issued 5-2-33. (28)

1,906,924; All. Bohme H Th A G. Production of aliphatic sulphonic acid compounds. Issued 5-2-33. (28)

1,906,946; Bornemann Johann Heinrich. Braiding machine and the like. Issued 5-2-33. (28)

1,907,232; All. Aronwerke Elektrizitats A G. Station indicator for radio receivers. Issued 5-2-33. (28)

1,907,260; Marone Alfredo. Device for filling containers with liquids. Issued 5-2-33. (38)

1,907,277; All. Bamag Megnin A G. Waterless gas holder. Issued 5-2-33. (28)

1,907,311; Gutmann Hermann; Weil Valentin et al. Wire drawing machine. Issued 5-2-33. (28)

1,907,368; All. Rockstroh Werke A G. Plate cylinder for offset printing machines. Issued 5-2-33. (28)

1,907,370; Schoeller Wilhelm. Vacuum cleaner. Issued 5-2-33. (28)

1,907,397; Kosik Adalbert. Pipe joint. Issued 5-2-33. (28)

1,907,398; Schmidt Alexander. Ironing and steaming device. Issued 5-2-33. (28)

1,907,437; Nopper Max. Motion picture camera. Issued 5-9-33. (28)

1,907,479; Bendix George. Feeding chain for woodworking machines. Issued 5-9-33. (28)

1,907,523; Zottan L Egressi et al; Huszar Laszlo. X ray apparatus. Issued 5-9-33. (34)

1,907,539; Hartmann Reinhold. Machine for labeling and wrapping circular and angular articles. Issued 5-9-33. (28)

1,907,549; Kahrs Johannes. Method of measuring speed photographically. Issued 5-9-33. (28)

1,907,551; Kraft Anton. Twisting machine especially for wire rope making. Issued 5-9-33. (28)

1,907,619; All. Zahnradfabrik A G. Claw coupling. Issued 5-9-33. (28)

1,907,640; All. Siemens Reiniger Veifa Ges Fur. X ray apparatus. Issued 5-9-33. (28)

1,907,645; Glaser Amandus. Frame for bicycles or motorcycles. Issued 5-9-33. (28)

1,907,882; All. I G Farbenindustrie A G. Production of acetone from acetylene. Issued 5-9-33. (28)

1,907,972; Jander Hans. Clutch operating means. Issued 5-9-33. (28)

1,908,028; All. Kampnagel Eisenwerk Vorm Nagel &. Jib crane. Issued 5-9-33. (28)

1,908,051; Reichl Heinrich. Massage implement. Issued 5-9-33. (28)

1,908,085; Ydvary Franz et al; Koller Karl. Grain planting and sorting machine. Issued 5-9-33. (34)

1,908,114; Cante Cornelius. Electrical heater for circulating water. Issued 5-9-33. (28)

1,908,161; All. Gewerkshaft Wallram. Coal cutting chisel with hard metal cutting edge. Issued 5-9-33. (28)

1,908,246; Hohner Ernst. Bass mechanism for accordions. Issued 5-9-33. (28)

1,908,247; Hohner Ernst. Piano keyboard accordion. Issued 5-9-33. (28)

1,908,321; Conradty Ottmar. Arc lamp. Issued 5-9-33. (28)

1,908,470; Beuttner Hans. Holder for glass plates especially for decoration purposes. Issued 5-9-33. (28)

1,909,478; Eisele Felix. Machine tool. Issued 5-9-33. (28)

1,908,515; Keller Konrad. Treating thiocyanate solutions. Issued 5-9-33. (28)

1,908,516; Klempt Walter. Process of manufacturing ferricyanides. Issued 5-9-33. (28)

1,908,559; Roser Edmund. Radiator. Issued 5-9-33. (28)

1,908,646; All. Edeleanu GmbH. Treatment of mineral oils with liquid sulphur dioxide. Issued 5-9-33. (28)

1,908,714; Schneider Anton. Floating isle floating bridge floating dock and similar construction. Issued 5-16-33. (28)

1,908,725; All. Rompler Julius A G. Elastic fabric. Issued 5-16-33. (28)

1,908,729; All. Humboldt Deutzmotoren A G. Internal combustion locomotive. Issued 5-16-33. (28)

1,908,711; All. Universelle cigarettenmaschinen. Automatically operating discharge device for cigarette machines. Issued 5-16-33. (28)

1,908,774; Maier Gustav. Device for producing imitation gems. Issued 5-16-33. (28)

1,908,777; All. Vereinigte Stahlwerke A G. Chuck. Issued 5-16-33. (28)

1,908,886; Brandt Richard. Apparatus for oxidizing potassium ferrocyanide to potassium ferricyanide. Issued 5-16-33. (28)

1,908,902; Knoll Willy. Upholstery for all kinds of furniture. Issued 5-16-33. (28)

1,908,915; Nardi Valentino. Spoon knife and fork polishing machine. Issued 5-16-33. (38)

1,908,916; All. I G Farbenindustrie A G. Tanning preparation. Issued 5-16-33. (28)

1,908,932; Tiburtius Carl. Storage tank with heater. Issued 5-16-33. (28)

1,908,945; All. Deutsche Hydrierwerke A G. Biochemical fermentation process. Issued 5-16-33. (28)

1,908,948; All. Telephon Apparat Fabrik E. Coin collector. Issued 5-16-33. (28)

1,908,978; All. I G Farbenindustrie A G. Production of noncaustic calcium cyanamide. Issued 5-16-33. (28)

1,908,992; Martin Josef. Stoking grate. Issued 5-16-33. (28)

1,909,015; Schubert Hermann. Centrifugal machine. Issued 5-16-33. (28)

1,909,056; Haubold Rudolf. Binding attachment for reaping machines. Issued 5-16-33. (28)

1,909,110; Krug Carl. Building up of machine tools specially grinding machines. Issued 5-16-33. (28)

1,909,118; Raab Leonhard. Diaphragm apparatus for X ray tubes. Issued 5-16-33. (28)

1,909,219; All. Immalin Werke Chemische Fabrik. Process of producing high percent caoutchouc solutions. Issued 5-16-33. (28)

1,909,235; All. I G Farbenindustrie A G. Cutting device. Issued 5-16-33. (28)

1,909,388; All. Tres Gyogyszer Vegyeseti Iparies. Production of tetra acyl glyco cholyl thujylamines. Issued 5-16-33. (34)

1,909,468; All. Kulmbacher Spinnerei. Double or multiple woven fabric for shirt collars and like purposes. Issued 5-16-33. (28)

1,909,586; All. Hartstoff Metall A G Hametag. Bronze colors polishing machine. Issued 5-16-33. (28)

1,909,731; Thorner Walther. Method of and apparatus for taking and projecting multiple images such as are used in color photography. Issued 5-16-33. (28)

1,909,829; All. I G Farbenindustrie A G. Production of fertilizer salts. Issued 5-16-33. (28)

1,909,845; Hafner Raoul; Nagler Bruno et al. Helicopter aircraft. Issued 5-16-33. (6)

1,909,923; Von Bertrab Hermann. Geodetic instrument. Issued 5-16-33. (28)

1,909,987; Goltl Authur Steinner. Device for grinding razor blades. Issued 5-23-33. (6)

1,910,001; Carughi Achille et al; Paoloni Carlo. Process for the manufacture of chloride of lime. Issued 5-23-33. (38)

1,910,027; All. I G Farbenindustrie A G. Bottom for reaction towers. Issued 5-23-33. (28)

1,910,047; All. Fabbriche Formenti S A. Flexible blinds. Issued 5-23-33. (38)

1,910,101; Frischer Hermann. Apparatus for the treatment of acids and acid materials. Issued 5-23-33. (28)

1,910,104; Hartmann Gunther. Truck for conveying brick frames. Issued 5-23-33. (28)

1,910,169; Kaselitz Oscar. Recovery of magnesia from minerals. Issued 5-23-33. (28)

1,910,200; Buckling Hans Jakob. Sewing machine. Issued 5-23-33. (28)

1,910,201; Cordt Hugo. Calculating machine. Issued 5-23-33. (28)

1,910,214; Durr Karl. Automatic machine for producing spring ring casings. Issued 5-23-33. (28)

1,910,223; Leibbrandt Fritz. Copper arsenic compound of palmitic acid and process of preparing it. Issued 5-23-33. (28)

1,910,263; Seyffert Eduard. Rotary drying drum. Issued 5-23-33. (28)

1,910,317; Bohne Wilhelm. Compass. Issued 5-23-33. (28)

1,910,341; All. Edeleanu GmbH. Method of separating sulphur dioxide and the like from liquid hydrocarbons. Issued 5-23-33 (28)

1,910,459; All. Bohme H Th A G. Process for preparing sulphonic acids of the aliphatic series. Issued 5-23-33. (28)

1,910,474; Michalk Otto. Heating device for shoe sticking presbvs. Issued 5-23-33 (28)

1,910,486; Wagner Rudolf. Heat exchange apparatus. Issued 5-23-33. (28)

1,910,549; Junker Otto. Method for increasing the rate of heat absorption of bright surface materials to be annealed. Issued 5-23-33. (28)

1,910,565; Refsgaard Anton Carl. Automobile heater and muffler. Issued 5-23-33. (28)

1,910,571; All. Mauser Werke A G. Calculating machine. Issued 5-23-33. (28)

1,910,574; Tessky Karl. Machine tool. Issued 5-23-33. (28)

1,910,602; All. Gaa Kommanditgessels haft. Starched turn down collar. Issued 5-23-33 (28)

1,910,608; Junkers Hugo. Structural element. Issued 5-23-33. (28)

1,910,670; All. I G Farbenindustrie A G. Treatment of webs and sheets with fluids. Issued 5-23-33. (28)

1,910,675; Bruhn Bruno. Cement and process of producing the same. Issued 5-23-33 (28)

1,910,702; Lebius Franz. Illuminated display. Issued 5-23-33. (28)

1,910,716; All. Astrawerke A G. Totalizer selecting means. Issued 5-23-33. (28)

1,910,718; Strecker Otto Heinrich. Medium for cleaning and reducing the swelling of rubber guttapercha and articles made therefrom. Issued 5-23-33. (28)

1,910,735; All. Buttnerwerke A G. Burner for coal dust firing. Issued 5-23-33. 28)

1,910,759; Engels Bernhard. Drawing nozzle for the manufacture of flashed glass. Issued 5-23-33. (28)

1,910,773; Richter Richard. Show case. Issued 5-23-33. (28)

1,910,787; Bignami Giovanni. Apparatus for skinning animals. Issued 5-23-33. (38)

1,910,801; All. Oesterreichische Schmidstahlwerke. High speed tool steel. Issued 5-23-33. (6)

1,910,814; All. Lorenz C A G. Neutralized tube transmitting apparatus. Issued 5-23-33. (28)

1,910,815; All. I G Farbenindustrie A G. Production of acetone. Issued 5-23-33 (28)

1,910,858; All. Maschinenfabrik Meenus A G. Sole pressing machine. Issued 5-23-33. (28)

1,910,879; All. Zellstoffabrikwaldhof. Production of artificial filaments from viscose solution. Issued 5-23-33. (28)

1,910,998; All. Santagostino Guido. Device for automatic mooring and depth taking under water of buoys mines and other apparatus. Issued 5-23-33. (38)

1,911,009; All. Gert & Co. Process for the acceleration of meat pickling processes. Issued 5-23-33. (6)

1,911,254; All. Rotophot A G fur Graphische. Process for the production of endless intaglio printing forms. Issued 5-30-33. (28)

1,911,300; Brauer Ernst Wasa. Feeding of vapor turbines. Issued 5-30-33. (28)

1,911,317; All. Schubert & Salzer Maschinenfabrik. Flat knitting machine. Issued 5-30-33. (28)

1,911,318; All. Schubert & Salzer Maschinenfabrik. Straight knitting machine. Issued 5-30-33. (28)

1,911,329; Staufert Carl. Spindle fitted with roller or ball bearings. Issued 5-30-33. (28)

1,911,379; Marx Peter. Cupla furnace. Issued 5-30-33. (28)

1,911,504; Heinz Edwin. Heating device on coffee machines and similar boilers. Issued 5-30-33. (28)

1,911,523; All. Koch & T E Koch Firm. Card saving motion for jacquards. Issued 5-30-33. (28)

1,911,580; All. I G Farbenindustrie A G. Production of calcium nitrateurea double compound. Issued 5-30-33. (28)

1,911,589; All. I G Farbenindustrie A G. Synthesis of acetyl chloride. Issued 5-30-33. (28)

1,911,616; Gruber Ludwig. Closure for tubes. Issued 5-30-33. (28)

1,911,733; All. Brunsviga Maschinenwerke Grimme. Calculating machine. Issued 5-30-33. (28)

1,911,790; Blathy Otto Titus. Rotary field magnet. Issued 5-30-33. (34)

1,911,821; All. Hesser Fr Maschinenfabrik A G. Self locking device for adjusting apparatus in packing machines. Issued 5-30-33. (28)

1,911,825; Hofer Paul. Door insertion with name plate. Issued 5-30-33. (28)

1,911,827; Knaus Anton. Means for propelling ships. Issued 5-30-33. (6)

1,911,859; Frommer Rudolf V. Trigger and safety device for firearms. Issued 5-30-33. (34)

1,911,895; Hemscheidt Hermann. Loading machine for heaped material of every description. 5-30-33. (28)

1,911,896; Hertzsch Paul. Drying and cleaning hides. Issued 5-30-33. (28)

1,911,900; Juhasz Bela. Arrangement for the transmission of pictures by electrical means. Issued 5-30-33. (34)

1,911,908; Lell Wilhelm. Method of manufacturing containers. Issued 5-30-33. (6)

1,911,909; Tubben Ludwig Maruhn Johannes et al. Hydrogenating apparatus. Issued 5-30-33. (28)

1,911,928; Bley Hellmuth; Seibt Georg et al. Electric glow discharge amplifying tube. Issued 5-30-33. (28)

1,911,930; Schultze Walter. Traveling cleaning device for the stretching mechanism or delivery mechanism of spinning or twisting machines. Issued 5-30-33. (28)

1,911,970; Richter Alwin. Spray producer. Issued 5-30-33. (28)

1,912,058; Bansbach Hermann. Pipe cutting appliance. Issued 5-30-33. (28)

1,912,087; All. Fuld H & Co Telephon und. Selector switch. Issued 5-30-33. (28)

1,912,133; All. Deutsche Telephonwerke und. Motor driven computing machine. Issued 5-30-33. (28)

1,912,237; Zemke Heinrich. Washing machine. Issued 5-30-33. (28)

1,912,247; Bartling Friedrich. Distillation of fine granular solid carbonizable material. Issued 5-30-33. (28)

1,912,250; Borletti Senatore. Bobbin winding device. Issued 5-30-33. (38)

1,912,251; Bruck Stephan. Gripping device. Issued 5-30-33. (28)

1,912,275; All. I G Farbenindustrie A G. Process of acetylating cellulose. Issued 5-30-33. (28)

1,912,527; All. Brehmer Gebruder. Method of and mechanism for superimposing a sheet upon and attaching it to a selected book section or the like in a sheet pasting machine. Issued 6-6-33. (28)

1,912,543; Sendler Theodor. Mop. Issued 6-6-33. (28)

1,912,626; All. I G Farbenindustrie A G. Waterproof building material. Issued 6-6-33. (28)

1,912,807; All. Soc Italiana Pirelli. Process for the manufacture of structures wholly made of rubber. Issued 6-6-33. (38)

1,912,849; All. I G Farbenindustrie A G. Heterocyclic bases of the aminoimidazoline series and process of preparing them. Issued 6-6-33. (28)

1,912,895; Gossel Fritz. Process for converting soya beans and the like seeds into a condition suitable for nutrition. Issued 6-6-33. (28)

1,913,008; Sondermann Hermann. Hydraulic machine for testing pipes and the like. Issued 6-6-33. (28)

1,913,119; Jeschimczyk Martin. Apparatus for making blanks for envelopes or paper bags. Issued 6-6-33. (28)

1,913,212; Ristow Carl. Process and apparatus for manufacturing receptacles. (28)

1,913,213; Ristow Carl. Closure device for paper receptacles. Issued 6-6-33. (28)

1,913,237; Hilleband Hermann. Continuous water gas generation. Issued 6-6-33. (28)

1,913,265; Pokorny Max; Oliver David et al. Door. Issued 6-6-33. (28)

1,913,286; Ottenstein Friedrich. Toy railway track. Issued 6-6-33. (28)

1,913,358; All. Klockner Werke A G Abt Georgs. Mold for casting metal. Issued 6-13-33. (28)

1,913,420; Bley Kurt. Closing band for piston rings. Issued 6-13-33. (28)

1,913,471; Behrens Martin. Process of separating active constituents of animal glands. Issued 6-13-33. (28)

1,913,480; All. I G Farbenindustrie Akg. Manufacture of synthetic spinels. Issued 6-13-33. (28)

1,913,487; All. I G Farbenindustrie Akg. Solution of milk fibroin and the wastes thereof. Issued 6-13-33. (28)

1,913,515; Schmitt Caspar. Method of extracting vitamin substances from cottonseed. Issued 6-13-33. (28)

1,913,539; Friedrich Hans. Producing magnesium ammonium phosphate. Issued 6-13-33. (28)

1,913,600; Krauss Friedrich Emil. Centrifugal machine. Issued 6-13-33. (28)

1,913,601; Leppin Hans. Vat for wet treating of lengths of fabric. Issued 6-13-33. (28)

1,913,616; Sailer Adolf. Ring spinning and twisting machine. Issued 6-13-33. (28)

1,913,658; All. Edeleanu GmbH. Recovery of So2 used in oil refining. Issued 6-13-33. (28)

1,913,685; All. Maschinenfabrik Augsburg. Manufacture of locking nuts. Issued 6-13-33. (28)

1,913,711; Kamp Eugen. Process for the production of forged shafting. Issued 6-13-33. (28)

1,913,785; All. Aoyagi Zaidan Hojin Kenkyusho. Tungsten arc lamp. Issued 6-13-33. (39)

1,913,801; All. Fabbrica Italiana Magneti. Ignition magneto. Issued 6-13-33. (38)

1,913,812; All. Fuld & Co H Telephon. Lifting device for selectors in telephone exchanges. Issued 6-13-33. (28)

1,913,868; Andreas Arno. Machine for weighing and packing powdered material. Issued 6-13-33. (28)

1,913,892; All. Mercedes Buromaschinen Werke Akg. Typewriting and calculating machine. Issued 6-13-33. (28)

1,913,896; Pogioli Vittorio et al; Parravicini Giuseppe. Control apparatus for the trolley pole of Tramway cars and the like. Issued 6-13-33. (38)

1,913,907; All. Malsh & Ambronn Firm. Receptacle for floor polishing substances and the like. Issued 6-13-33. (28)

1,913,908; Wolf Paul. Electric accumulator. Issued 6-13-33. (28)

1,913,912; Baldeweg Max. Roll film box camera. Issued 6-13-33. (28)

1,913,930; Kiefert Paul et al; Peter Paul. Screw threading machine. Issued 6-13-33. (28)

1,914,019; Holscher Fritz. Machine for making square bottomed paper bags with stepwisely fed paper tubes. Issued 6-13-33. (28)

1,914,043; All. Brevetti Italiani Esteris A. Radio telegraphic and telegraphic receiving system. Issued 6-13-33. (38)

1,914,044; Seibt Georg et al; Bley Hellmath. Glow tube for amplifying detecting and other purposes. Issued 6-13-33. (28)

1,914,045; Seibt Georg. Electric glow discharge tube. Issued 6-13-33. (28)

1,914,283; Otto Wolfgang. Control of the brakes and the throttles of automobiles. Issued 6-13-33. (28)

1,914,314; Walton George William. Television and the like. Issued 6-13-33. (28)

1,914,331; All. I G Farbenindustrie AKG. Treatment of textile materials with aqueous liquids. Issued 6-13-33. (28)

1,914,335; All. I G Farbenindustrie AKG. Purification of anhydrous aluminum chloride con ining iron. Issued 6-13-33. (28)

1,914,488; Custers Peter Wilhelm. Machine for moistening and cooling yarns and fabrics. Issued 6-20-33. (28)

1,914,564; All. Egyesult Izzolampa Es. Forming electrode surfaces. Issued 6-20-33. (34)

1,914,565; Grothkopp Walter. Grinding measuring device. Issued 6-20-33. (28)

1,914,596; Diehl Conrad. Bandage. Issued 6-20-33. (28)

1,914,598; Feig Max. Drip catcher for retailing and dispensing vessels. Issued 6-20-33. (28)

1,914,606; Kinna Franziska et al; Hagemeier Heinrich. Dental plate. Issued 6-20-33. (28)

1,914,672; Pawlikowski Rudolph. Four stroke internal combustion engine. Issued 6-20-33. (28)

1,914,674; All. I G Farbenindustrie A G. Process for the conversion of butene 1 into butene 2. Issued 6-20-33. (28)

1,914,714; Schmauss Julius; Gold Richard et al. Electromotor. Issued 6-20-33. (6)

1,914,739; Gorke Heibert et al; Neuhaus Carl. Device for cleaning vehicles. Issued 6-20-33. (28)

1,914,756; All. Universelle Cigarettenmaschinen. Cutting apparatus for cigarette making machines. Issued 6-20-33. (28)

1,914,758; Riccardi Gaetano Schiari. Machine for dyeing hanks and skeins of yarn and thread. Issued 6-20-33. (38)

1,914,768; Bucher Max. Process of producing pure aluminiu mcombinations adapted for the production of aluminium. Issued 6-20-33. (28)

1,914,786; All. Flat S A. Valve. Issued 6-20-33. (38)

1,914,793; Szydlowski Josef. Air cooled two stroke cycle engine. Issued 6-20-33. (28)

1,914,818; Rockendorf Rudolf. Dirigible head lamp for motor vehicles automatically operated. Issued 6-20-33. (28)

1,914,824; Eberhard Rudolf. Process for the preparation of humous colloids. Issued 6-20-33. (28)
1,914,829; Brinkhaus Paul; Imhoff Karl et al; Sierp Friederich. Household filter. Issued 6-20-33. (28)
1,914,833; Nacken Walther. Multiple wire drawing machine. Issued 6-20-33. (28)
1,914,834; Otto Carl. Vacuum cleaning apparatus. Issued 6-20-33. (28)
1,914,848; Czeczowiczka Oskar. Machine for sowing seeds. Issued 6-20-33. (6)
1,914,857; Honig Edgar. Building for industrial purposes. Issued 6-20-33. (28)
1,914,897; All. Chemieprodukte GmbH. Means for protecting gas or water pipes electric cables or the like. Issued 6-20-33. (28)
1,914,938; Boninger Moritz Heinrich. Toy. Issued 6-20-33. (28)
1,914,957; Neuss Oscar. Process for the manufacture of condensation products from urea and formaldehyde. Issued 6-20-33. (28)
1,915,018; All. I G Farbenindustrie A G. Thawing composition. Issued 6-20-33. (28)
1,915,022; Kampf August. Apparatus for casting metal. Issued 6-20-33. (28)
1,915,026; Meyer Jagenberg Gunther. Receptacle glued up from a paper blank and manufacturing process of the same. Issued 6-20-33. (28)
1,915,027; Meyer Jagenberg Gunther. Moistureproof paper container with closure. Issued 6-20-33. (28)
1,915,028; Meyer Jagenberg Gunther. Electric cigarette turning process and apparatus. Issued 6-20-33. (28)
1,915,033; Schlichter Wilhelm. Optical photometer especially for photographic appliances. Issued 6-20-33. (28)
1,915,038; Troche Alfred. Device for adjusting altering and changing scales and graphic nets. Issued 6-20-33. (28)
1,915,096; All. Kienzle Uhrenfabriken A G. Mounting and assembly of clockworks and bezels to clock casings. Issued 6-20-33. (28)
1,915,174; All. Boehringer C H Sohn A G. Process for the separation of the optically active isomers of lobelia alkaloids their derivatives and allied compounds. Issued 6-20-33. (28)
1,915,189; Koehl Herman. Garter clasp. Issued 6-20-33. (28)
1,915,195; Martin Karl. Method of and machine for grinding in valves and cocks. Issued 6-20-33. (28)
1,915,218; All. Motoren Werke Mannheim A G Vorm. Diesel engine. Issued 6-20-33. (28)
1,915,257; Breitenbach Karl. Machine for the manufacture of sheet metal tubes and other tubular members. Issued 6-20-33. (28)
1,915,332; All. Maschinenfabrik Augsburg Nurnburg. Crosshead guide for piston machines. Issued 6-27-33. (28)
1,915,374; All. Magdeburger Werkzeugmaschinenfabrrs. Device for shifting the wheels in gear boxes of lathes and other machine tools. Issued 6-27-33. (28)
1,915,375; All. Magdeburger Werkzeugmaschinenfabrrs. Machine tool with reciprocating carriage turret lathe or the like. Issued 6-27-33. (28)
1,915,453; Simonides Bruno. Stocking drying and shaping form. Issued 6-27-33. (28)
1,915,454; Steigenberger Friedrich. Device for opening the mouth of an animal and holding it open. Issued 6-27-33. (28)
1,915,462; Zuckschwerdt Fritz. Mercury switch. Issued 6-27-33. (28)
1,915,475; Richter Paul. Ramming machine for preparation of solid and hollow bodies from ceramic concrete and like material. Issued 6-27-33. (28)
1,915,481; Ziegler Julius Franz. Supporting plane for aircraft. Issued 6-27-33. (6)
1,915,501; All. Gewerkschaft Eisenhutte Westfalia. Rope flanking sheave. Issued 6-27-33. (28)
1,915,502; Lucas Paul. Burner for liquid fuel. Issued 6-27-33. (28)
1,915,532; Jaeschke Ernst. Rubbing club for use in washing linen. Issued 6-27-33. (28)
1,915,541; Lenz Hans. Sowing machine. Issued 6-27-33. (28)
1,915,545; All. Reemtsma Cigarettenfabriken Gmb&y. Storing cut tobacco. Issued 6-27-33. (28)
1,915,546; All. Aldinger Otto. Screw driver. Issued 6-27-33. (28)
1,915,649; All. Daimler Benz A G. Motor vehicle provided with four independent wheels. Issued 6-27-33. (28)
1,915,665; Gromoll Willy. Holder for boot and shoe laces. Issued 6-27-33. (28)
1,915,708; Wirth Alfred. Combined drilling and milling machine. Issued 6-27-33. (28)
1,915,724; Finkelstein Alexis. Manufacture of lead oxide. Issued 6-27-33. (28)
1,915,740; Kaiser Christian. Auxiliary lamp. Issued 6-27-33. (28)
1,915,741; Lomnitz Alfred. Display device. Issued 6-27-33. (28)
1,915,748; All. Sachtleben A G Fur Gergbau und. Process for manufacturing barium sulphate of definite granule size. Issued 6-27-33. (28)
1,915,755; All. I G Farbenindustrie A G. Process for purifying coal gases. Issued 6-27-33. (28)
1,915,761; All. Hydrometer A G Breslau. Speedometer. Issued 6-27-33. (34)
1,915,770; Tessmer Max. Railway vehicle with armored front ends. Issued 6-27-33. (28)
1,915,794; Leonhardt Wilhelm. Pessary. Issued 6-27-33. (28)
1,915,811; All. Wolf GmbH Georg. Instrument for examining tubes and cavities in the human and other bodies. Issued 6-27-33. (28)
1,915,882; Ehmke Karl. Process for attachment of rubber plates to leather or the like. Issued 6-27-33. (28)
1,915,888; All. Universelle. Packing of cigarettes. Issued 6-27-33. (28)
1,915,904; All. Gunther Wagner. Stencil sheet. Issued 6-27-33. (28)
1,915,931; Herrmann Rudolf. Shaker sieve made of wire gauze and used for vibrators. Issued 6-27-33. (28)
1,915,948; Pedrazzo Giovanni. Contact finger for electric machines and apparatus. Issued 6-27-33. (38)
1,915,955; All. Silesia Verein Chemischer Fabriken. Process of preparing mercaptobenzothiazole. Issued 6-27-33. (28)
1,916,034; Bierling Florus. Process of producing artificial stone plates. Issued 6-27-33. (28)
1,916,051; All. Maschinenfabrik Augsburg Nuernberg. Method of constructing telescoping gasometers. Issued 6-27-33. (28)
1,916,058; All. Union Special Maschinenfabrik. Combined hemmer and elastic strip guide for sewing machines. Issued 6-27-33. (28)
1,916,060; Menini Giacomo. Aircraft carburetor. Issued 6-27-33. (38)
1,916,061; Menini Giacomo. Aircraft carburetor. Issued 6-27-33. (38)
1,916,062; Menini Giacomo. Carburetor. Issued 6-27-33. (38)
1,916,069; Obermaier Otto Julius. Skewer for cross wound bobbins with spring locking caps. Issued 6-27-33. (28)
1,916,090; Woelm Max. Process for the production of morphine solutions. Issued 6-27-33. (28)
1,916,172; Koenemann Ernst. Art of heating steam boilers and similar apparatus. Issued 6-27-33. (28)
1,916,211; Gahler Heinrich. Meter for hot water. Issued 7-4-33. (28)
1,916,224; All. Lorenz C A G. Self contained oscillator tube. Issued 7-4-33. (28)
1,916,293; Andreas Arno. Method and apparatus for manufacturing valve bags. Issued 7-4-33. (28)
1,916,376; Kohler Walter. Dentists model. Issued 7-4-33. (28)
1,916,427; All. Hydraulik GmbH. Pressure responsive electric switch. Issued 7-4-33. (28)
1,916,428; Kovacs Nikolaus. Medical syringe. Issued 7-4-33. (6)
1,916,454; Wohlrabe Otto. Four cylinder sheet fed rotary offset press. Issued 7-4-33. (28)
1,916,487; Nistri Umberto. Photogrammetric apparatus. Issued 7-4-33. (38)
1,916,584; All. I G Farbenindustrie A G. Impregnating and adhesive composition. Issued 7-4-33. (28)
1,916,592; All. Stickstoffdunger A G. Process of preparing acetylene. Issued 7-4-33. (28)
1,916,594; All. I G Farbenindustrie A G. Production of phosphoric acid and hydrogen. Issued 7-4-33. (28)
1,916,603; Buchner Max et al; Geweck Fritz. Process of producing aluminum sulphate. Issued 7-4-33. (28)
1,916,617; All. I G Farbenindustrie A G. Manufacture of mixed fertilizers. Issued 7-4-33. (28)
1,916,629; All. I G Farbenindustrie A G. manufacture of condensation products from carbazole compounds and olefines. Issued 7-4-33. (28)
1,916,641; Seeliger Hermann. Toothbrush. Issued 7-4-33. (28)
1,916,697; All. Lonza Werke Elektrochemisch. Process for the preparation of alkaline earth aluminates. Issued 7-4-33. (28)
1,916,805; All. I G Farbenindustrie A G. Production of siccatives on the base of naphthenic acid. Issued 7-4-33. (28)
1,916,841; All. I G Farbenindustrie A G. Ammonium nitrate sulphite fertilizer salt and method of making same. Issued 7-4-33. (28)
1,916,947; Haendel Walter. Machine for impressing patterns on materials. Issued 7-4-33. (28)
1,916,954; All. I G Farbenindustrie A G. Making porous material. Issued 7-4-33. (28)
1,916,975; Grob Hugo. Electric regulation. Issued 7-4-33. (28)
1,917,032; All. Graf und Co Verpackungs Maschinen. Photographic printing paper. Issued 7-4-33. (28)
1,917,105; Esau Abraham. Device for generating short waves. Issued 7-4-33. (28)
1,917,116; All. Samsonwerk GmbH. Fluid distributor device for fluid driving gears. Issued 7-4-33. (28)
1,917,153; All. Beusa Felice. Process of manufacturing perylene tetracarboxylic acid anhydride. Issued 7-4-33. (38)
1,917,156; Rauschenbusch Felix; Rauschenbusch Carl Theodor et al. Method of and apparatus for separating ore or metal of high specific gravity. Issued 7-4-33. (28)
1,917,166; All. Schmidt Sche Heissdampf GmbH. Indirect generation of steam by means of super heated heating steam. Issued 7-4-33. (28)
1,917,168; Uhlmann Alfred. Process for treating fibrous material. Issued 7-4-33. (28)
1,917,182; All. Drager Heinrich Otto. Breathing apparatus. Issued 7-4-33. (28)
1,917,207; Kaufmann Ludwig. Triaryl-stibine solutions. Issued 7-4-33. (28)

1,917,310; Lesage Alfred. Air cleaning apparatus. Issued 7-11-33. (28)
1,917,331; All. Porzellanfabrik Kahla. Resistance body. Issued 7-11-33. (28)
1,917,336; Spitz Karl. Turn up table. Issued 7-11-33. (6)
1,917,377; Leiter Inga. Clamping clip. Issued 7-11-33. (28)
1,917,434; All. Lubecker Maschinenbau Ges. Barge. Issued 7-11-33. (28)
1,917,445; All. Nier & Ehmer. Coin freed automatic shooting machine. Issued 7-11-33. (28)
1,917,447; Koch Emil. Lubricating arrangement for use in bearings. Issued 7-11-33. (28)
1,917,448; All. Vereinigte Stahlwerke A G. Pilgering rolling mill. Issued 7-11-33. (28)
1,917,455; All. Armaturen und Maschinenfabrik A G. Pressure fluid control valve. Issued 7-11-33. (28)
1,917,464; Scharnowski Ernst. Color displaying device. Issued 7-11-33. (28)
1,917,465; All. I G Farbenindustrie A G. Process and apparatus for testing evacuated ampules. Issued 7-11-33. (28)
1,917,527; All. Vereinigte Stahlwerke A G. Structural steel. Issued 7-11-33. (28)
1,917,676; Wertheim Hugo. Process for the simultaneous production of butyl alcohol and acetone by fermentation. Issued 7-11-33. (6)
1,917,677; Wertheim Hugo. Process for producing butyl alcohol and acetone by fermentation. Issued 7-11-33. (6)
1,917,680; Witt Dietrich. Process for the manufacture of a carbon dioxide manure. Issued 7-11-33. (28)
1,917,691; Belt Franz. Capstan. Issued 7-11-33. (6)
1,917,713; Hessen Richard. Preparation of resitols. Issued 7-11-33. (28)
1,917,726; All. Union Special Maschinenfabrik. Blind stitch sewing machine. Issued 7-11-33. (28)
1,917,729; All. Glanzstoff Courtaulds GmbH. Device for the treatment of artificial silk. Issued 7-11-33. (28)
1,917,736; All. Edeleanu GmbH. Purification of S O recovered from refining hydrocarbons with S O. Issued 7-11-33. (28)
1,917,738; Schlagintweit Friedrich. Apparatus for molding concrete and like plastic substances. Issued 7-11-33. (28)
1,917,813; All. Rheinische Metallwaaren und. Device for providing energy for electrical ignitors. Issued 7-1-33. (28)
1,917,814; All. Rheinische Metallwaaren und. Circuit connections for feeding energy to electric ignitors. Issued 7-11-33. (28)
1,917,964; Fuschi Giovanni et al; Korach Maurizio. Proceeding for burning in piles the articles of nonglazed porcelain especially suitable for cooling use. Issued 7-11-33. (38)
1,918,014; Bianchi Giuseppe. Safety device for one man vehicles. Issued 7-11-33. (38)
1,918,077; Agostoni Giuseppe Giovanni. Internal grinding apparatus. Issued 7-11-33. (38)
1,918,108; Jonkhoff Henri Wouter. Tubular shaft coupling. Issued 7-11-33. (28)
1,918,118; Marzocchi Luigi. Automatic machine for filling and sealing ampules phials and the like vessels. Issued 7-11-33. (38)
1,918,182; Eller Franz. Tiltable casing for concrete construction. Issued 7-11-33. (28)
1,918,183; Fiedler Curt. Latch needle for picking up loops. Issued 7-11-33. (28)
1,918,185; Hoflus Heinrich Wilhelm. Swimming appliance with flap drive. Issued 7-11-33. (28)
1,918,202; Wiehagen Carl. Wood drill with cutter transversely adjustable in the drill shank. Issued 7-11-33. (28)
1,918,209; Laub Hans. Heating system. Issued 7-11-33. (28)
1,918,221; Weber Anton et al; Weber Ludwig. Tractor. Issued 7-11-33. (28)
1,918,338; Kaufmann Hans. Process of making silicyl compounds. Issued 7-18-33. (28)
1,918,348; Neddermeyer Otto. Removing and cleaning ballast. Issued 7-18-33. (28)
1,918,351; Schulze Max. Haemacytometer. Issued 7-18-33. (28)
1,918,354; Schneider Arthur (28); Urbanek Julius et al. Hydraulic brake for drop hammers. Issued 7-18-33. (6)
1,918,369; Bechtold Arthur. Device for cutting chenille textures. Issued 7-18-33. (28)
1,918,370; All. New York Hamburger Gummi Waaren Comp. Plant for manufacturing chlorination products of caoutchouc. Issued 7-18-33. (28)
1,918,377; Buchner Max. Apparatus for the decomposition of complex hydrofluoric salts. Issued 7-18-33. (28)
1,918,383; Czapek Emil et al; Bauer Erwin. Making hollow bodies from cellulose compounds and the like. Issued 7-18-33. (28)
1,918,385; Englsch Otto. Evaporator. Issued 7-18-33. (28)
1,918,386; Esau Abraham. Apparatus for diathermic treatment by means of high frequency. Issued 7-18-33. (28)
1,918,404; Kovacs Theodor. Fountain pen. Issued 7-18-33. (28)
1,918,418; Munch Carl. Method of producing abrasive paper and the like. Issued 7-18-33. (28)
1,918,477; All. I G Farbenindustrie A G. Purification of electrolytes. Issued 7-18-33. (28)
1,916,482; All. Brehmer Gebruder. Mechanism for automatically selecting and severing the terminal threads of 1 stitched book or the like. Issued 7-18-33. (28)
1,918,560; Rehlander Paul. Method of making a photographic element for color photography. Issued 7-18-33. (28)
1,918,568; All. Luftschiffbau Zeppelin GmbH. Ventilating means on ships or aircraft. Issued 7-18-33. (28)
1,918,619; All. Gunze Seishi Kabushiki Kwaisha. Process of producing microscopic specimens for the observation of the surfaces of substances. Issued 7-18-33. (39)
1,918,629; All. Typograph GmbH. Matrix setting and type line casting machine. Issued 7-18-33. (28)
1,918,637; All. I G Farbenindustrie A G. Electric heater for circulating fluids. Issued 7-18-33. (28)
1,918,643; Heck Valentin. Quilter for sewing machines. Issued 7-18-33. (28)
1,918,644; Hofmann Carl. Ring for spinning and doubling frames. Issued 7-18-33. (28)
1,918,649; Krohl Fritz. Bevel drive for the steering wheels of motor vehicles. Issued 7-18-33. (28)
1,918,682; All. Siemens Schuckertwerke A G. Process for conditioning air or the like. Issued 7-18-33. (28)
1,918,741; Bagnagatti De Giorgi Achille. Disconnecting switch. Issued 7-18-33. (38)
1,918,765; Lombardini Luigi. Vertical card filing cabinet. Issued 7-18-33. (38)
1,918,788; Thorner Walther. System for projecting motion pictures. Issued 7-18-33. (28)
1,918,852; Marx Erich. Internal cylinder grinding tool. Issued 7-18-33. (28)
1,918,858; All. Vereinigte Deutsche Metallwerke A & X. Matrix for extruding metals. Issued 7-18-33. (28)
1,918,893; Beckmann Hermann. Porous body. Issued 7-18-33. (28)
1,918,896; Bruch Heinrich. Closet for sick beds. Issued 7-18-33. (28)
1,918,906; Grohmann Hans. Safety device for containers for explosives particularly explosive gases. Issued 7-18-33. (28)
1,918,907; All. Electricitats Ges Sanitas M B H. Diathermic and Rontgen apparatus. Issued 7-18-33. (28)
1,918,909; Hertzsch Paul. Apparatus for drying and and cleaning hides. Issued 7-18-33. (28)
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1,926,556; All. I G Farbenindustrie A G. Dyeing wool. Issued 9-12-33. (28)
1,926,563; All. Preussische Gewerkshaft Raphael. Method of & means for cracking hydrocarbons in a metal bath. Issued 9-12-33. (28)
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1,929,578; Schramm Emil; Ellinger Otto Kurt. grinding and polishing cylinders. Issued 10-10-33. (28)
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1,934,145; Roebel Ludwig. Refrigeration apparatus. Issued 11-7-33. (28)
1,934,146; Roebel Ludwig. Refrigeration apparatus. Issued 11-7-33. (28)
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1,934,825; All. Hesser Fr Maschinenfabrik A G. Labeling machine. Issued 11-14-33. (28)
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1,934,863; All. Optische Werke G Rodenstock. Galilean telescope. Issued 11-14-33. (28)
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1,935,862; Tebaldi Alessandro. Spark plug. Issued 11-21-33. (38)
1,935,973; Altmann Max. Hand apparatus for mouth or dental treatment. Issued 11-21-33. (28)
1,935,975; Donandt Hermann. Safety appliance for rotary winding members of hauling machines. Issued 11-21-33. (28)
1,935,993; Reutter Wilhelm. Carriage body for automobiles. Issued 11-21-33. (28)
1,935,999; Tessky Karl. Bar guide for machine tools. Issued 11-21-33. (28)
1,936,005; Bay Zoltan. Method of and device for operating luminous tubes. Issued 11-21-33. (28)
1,936,011; All. Brunsviga Maschinenwerke Grimme Calculating machine. Issued 11-21-33. (28)
1,936,012; Ghirardi Luigi. Safety apparatus for shipwrecked persons. Issued 11-21-33. (38)
1,936,019; All. Vereinigte Stahlwerke A G. Apparatus for rolling seamless hollow bodies. Issued 11-21-33. (28)
1,936,023; Jorkan Andreas. Grindstone for grinding wood pulp. Issued 11-21-33. (28)
1,936,034; All. Mercedes Buromaschinen Werke A G. Calculating typewriter. Issued 11-21-33. (28)
1,936,053; Ghirardi Luigi. Propelling and steering device. Issued 11-21-33. (38)
1,936,054; Harzbecker Rudolf. Protective device for motor cars and other vehicles. Issued 11-21-33. (28)
1,936,123; Willstatter Richard. Preservation of animal and vegetable substances. Issued 11-21-33. (28)
1,936,169; Le Bret Ludwig et al; Schneggenburger Gunther. Multiple delivery liquid pump. Issued 11-21-33. (28)
1,936,281; Goller Hubert C; Winkler Egon Carl et al. Process for disembittering and improving soya beans or like legumines. Issued 11-21-33. (6)
1,936,293; Daub Ernst. Heat exchanger. Issued 11-21-33. (28)
1,936,318; Windberger Othmar. Automobile vehicle. Issued 11-21-33. (6)
1,936,321; Ambronn Richard. Process of and device for detecting and measuring minimum accelerations. Issued 11-21-33. (28)
1,936,322; All. Leitz Ernst Optische Werke GmbH. Photographic device. Issued 11-21-33. (28)
1,936,370; All. Officina Meccanica St Andrea Novalo. Artificial silk ring doubler. Issued 11-21-33. (38)
1,936,409; Scholz William. Rudder. Issued 11-21-33. (28)
1,936,475; Fritsch Hermann. Feeding device for Pilger rolling mills. Issued 11-21-33. (28)
1,936,478; All. Pintsch Julius A G. Illuminating lamp. Issued 11-21-33. (28)
1,936,545; All. Wagner Fritz and Co. Boiler feed system. Issued 11-21-33. (28)
1,936,707; Buchholz Max. Method of protecting electrical apparatus. Issued 11-28-33. (28)
1,936,790; All. Demag A G. Tube drawing apparatus. Issued 11-28-33. (28)
1,936,819; All. Ulde Friedrich. Production of liquid products from solid or liquid carbonaceous materials. Issued 11-28-33. (28)
1,936,822; Boenecke Alfred. Box especially for viscous substances. Issued 11-28-33. (28)
1,936,836; All. Deutsche Gold und Silber. Manufacture of water free ethyl alcohol. Issued 11-28-33. (28)
1,936,860; Ruberg Josef. Photographic camera. Issued 11-28-33. (28)
1,936,957; All. Kalle & Co A G. Light sensitive layer. Issued 11-28-33. (28)
1,936,963; Dutzmann Heinrich. System of distributing and testing terminals arranged in rows. Issued 11-28-33. (28)
1,936,965; Kaempf Walter. Rail fastening. Issued 11-28-33. (28)
1,936,966; Kasantzeff Florentin. Triple valve for compressed air brakes. Issued 11-28-33. (28)
1,936,976; All. I G Farbenindustrie A G. Cellulose ester. Issued 11-28-33. (28)
1,936,985; All. I G Farbenindustrie A G. Phosphorous and phosphoric acid esters. Issued 11-28-33. (28)
1,936,995; All. I G Farbenindustrie A G. Production of nitrogenous condensation products from acetylene and ammonia. Issued 11-28-33. (28)
1,937,007; All. Maschinenfabrik Augsburg. Hydraulic press control mechanism. Issued 11-28-33. (28)
1,937,015; All. Hesser Fr Maschinenfabrik A G. Device for opening flat bags. Issued 11-28-33. (28)
1,937,032; Schlosshauer Alfred. Central lubricating apparatus for consistent grease. Issued 11-28-33. (28)
1,937,054; Cremer Carl et al; Weiset Max. Oil filled cable. Issued 11-28-33. (28)
1,937,063; All. I G Farbenindustrie A G. Artificial resins derived from mixtures of olefine benzenes or naphthalenes and unsaturated ketones. Issued 11-28-33. (28)
1,937,068; ½ Ausnit Edgar (57), ½ Kelsen Ernst et al. Method of depositing iron. Issued 11-28-33. (6)
1,937,073; Stüve Heinrich. Disbarking machine. Issued 11-28-33. (28)
1,937,152; Junk Walter. Positive valve control for internal combustion engines. Issued 11-28-33. (28)
1,937,158; All. Bergmann Carl. Device for conveying cut tobacco to cigarette making machines. Issued 11-28-33. (28)
1,937,183; Arquint Hans. Vehicle body framework. Issued 11-28-33. (28)
1,937,206; All. Leitz Ernst Optische Werke. Thermomicroscopic arrangement. Issued 11-28-33. (28)
1,937,210; Vogler Bruno. Powder distributor. Issued 11-28-33. (28)
1,937,212; Waap Fritz. Method of obtaining supporting power for aircraft. Issued 11-28-33. (28)
1,937,226; Horch Rudolf. Apparatus for maintaining the temperature of a fermenting liquid. Issued 11-28-33. (28)
1,937,229; Kantorowicz Hermann. Process of cleaning and disinfecting metallic articles. Issued 11-28-33. (28)
1,937,267; All. Grazer Waggon und Maschinen. Apparatus for varying the leverage of the link and lever gearing of vehicle brakes. Issued 11-28-33. (6)
1,937,320; All. I G Farbenindustrie A G. Separation of volatile substances from vegetable oils and fats and apparatus therefor. Issued 11-28-33. (28)
1,937,413; All. Mag Muhlenbau und Industrie A G. Apparatus for heat treating materials. Issued 11-28-33. (28)
1,937,446; All. Drager Bernhard. Purifying device for air and gas and method of producing the same. Issued 11-28-33. (57)
1,937,460; Muhlendyck Wilhelm. Process for removing naphthalene from gases. Issued 11-28-33. (28)
1,937,853; Still Carl. Chamber oven for the production of gas and coke. Issued 12-5-33. (28)
1,937,866; Bertram Friedrich. Winding gear for tape measures and the like. Issued 12-5-33. (6)
1,937,966; Junkers Hugo. Propeller for aircraft. Issued 12-5-33. (28)
1,937,977; Meyer Arthur. Device for displacing from the axis to the pipe wall the highest speed in tubes being flowed through. Issued 12-5-33. (28)

1,938,007; Bottcher Paul. Car body for closed passenger automobiles. Issued 12-5-33. (28)
1,938,011; Soc Italiana Pirelli. Manufacture of rubber and the like. Issued 12-5-33. (38)
1,938,016; All. Weile Paul. Coal saving spark catcher. Issued 12-5-33. (28)
1,938,028; All. Chiffriermaschinen A G. Electrical coding and decoding device. Issued 12-5-33. (28)
1,938,044; All. I G Farbenindustrie A G. Process of preparing esters of the carbohydrates. Issued 12-5-33. (28)
1,938,048; Schulze Ernst. Mechanism for the continuous production of slabs of edible fats and the like. Issued 12-5-33. (28)
1,938,070; Friedler Fritz. Preparation of sausage casings for stuffing. Issued 12-5-33. (6)
1,938,073; All. Lorenz C A G. Electric wave filter. Issued 12-5-33. (28)
1,938,129; Arnold Carl. Toy with driving mechanism. Issued 12-5-33. (28)
1,938,137; Dietzel Erich. Pulverized fuel furnace. Issued 12-5-33. (28)
1,938,144; Herbst Gottfried Johann. Comb cleaner. Issued 12-5-33. (28)
1,938,146; All. Hessen Nassauischer Huttenverein. Washing machine. Issued 12-5-33. (28)
1,938,154; Scheller Curt. Flat hosiery frame. Issued 12-5-33. (28)
1,938,243; Bek Ernst Gideon. Art of forming and soldering the ends of split rings or links. Issued 12-5-33. (28)
1,938,248; All. Soc Italiana Ernesto Breda Per. Valve for continuous automatic mod-erable brakes. Issued 12-5-33. (38)
1,938,298; Meissner Otto. Carburetor. Issued 12-5-33. (28)
1,938,483; All. Drager Otto Heinrich. Respiration apparatus. Issued 12-5-33. (28)
1,938,508; All. Felten and Guilleaume Carlswerk. Switch gear installation. Issued 12-5-33. (28)
1,938,513; All. Deutsche Gasolin A G. Process for working up naphthenic acids soap containing oily residues. Issued 12-5-33. (28)
1,938,527; Marelli Angelo. Grated cheese basin with automatic opening and shutting device. Issued 12-5-33. (38)
1,938,584; Drexl Martin. Apparatus for producing accompanying music. Issued 12-12-33. (28)
1,938,637; All. Rohrbacher Lederfabrik Josef. Suction chest facing for paper machines and method of manufacturing the same. Issued 12-12-33. (6)
1,938,746; All. I G Farbenindustrie A G. Process for rendering fibrous materials noninflammable. Issued 12-12-33. (28)
1,938,752; Merk Friedrich. Flat bank multiple for selectors in telephone exchanges. Issued 12-12-33. (28)
1,938,804; Burak Mendel. Method of producing solvents and emulsifying agents. Issued 12-12-33. (28)
1,939,123; Loblich Werner et al; Loblich Helmuth. Tightening and closing device. Issued 12-12-33. (28)
1,939,138; Schol Carl Heinrich. Apparatus for treating liquid furnace material. Issued 12-12-33. (28)
1,939,162; Caro Nikodem et al; Siebert Werner; Fischer Thomas; Frank Albert Rudolph; Wendlandt Rudolph. Process of producing concentrated nitric acid. Issued 12-12-33. (28)
1,939,165; All. I G Farbenindustrie A G. Fertilizers stable for storage and capable of being scattered. Issued 12-12-33. (28)
1,939,173; Junkers Hugo. Vibration damper. Issued 12-12-33. (28)
1,939,174; Kaselitz Oskar. Production of alkali metal sulphates. Issued 12-12-33. (28)
1,939,193; Winkler Alfred et al; Dunnebier Max. Apparatus for withdrawing single sheets from a stack of sheets. Issued 12-12-33. (28)
1,939,195; Baier Wilhelm. Closing device for sliding roofs of motor vehicles. Issued 12-12-33. (28)
1,939,197; All. Europa Schreibmaschinen A G. Line selector for typewriters. Issued 12-12-33. (28)
1,939,220; Mommertz Peter et al; Lenze Franz. Derrick with hauling engine installation for shaft plants with high conveying and rope speeds. Issued 12-12-33. (28)
1,939,229; Schmitthenner Carlos. Turbine construction. Issued 12-12-33. (28)
1,939,299; Hardt Karl. Wheel brake for motor vehicles. Issued 12-12-33. (28)
1,939,313; Lossl Carl. Reenforced concrete sleeper. Issued 12-12-33. (28)
1,939,319; All. Koch & Sterzel A G. Transformer apparatus. Issued 12-12-33. (28)
1,939,343; Feil Edmund. Stereoscopic projection apparatus. Issued 12-12-33. (28)
1,939,345; All. Lorenz C A G. Device for influencing the direction of electric waves. Issued 12-12-33. (28)
1,939,347; Greiner Max. Electric horn or other acoustic signal producer. Issued 12-12-33. (28)
1,939,350; Jendrassik George. Internal combustion engine. Issued 12-12-33. (34)
1,939,355; Konemann Heinrich. Process and apparatus for the production of sounds of any desired tone color. Issued 12-12-33. (28)
1,939,400; Lerche Hugo. Depositing and decorating device. Issued 12-12-33. (6)
1,939,449; Horn Oskar. Holder or support for telephone instruments. Issued 12-12-33. (6)
1,939,457; Merkel Georg. Process of manufacturing low volatile coke. Issued 12-12-33. (28)
1,939,463; Rockinger Johann Jr. Automatic trailer coupling. Issued 12-12-33. (28)
1,939,484; All. Felten & Guilleaume Carlswerk A G. Deep sea submarine cable. Issued 12-12-33. (28)
1,939,498; Herzberg Franz. Process for gasifying finely divided solid and liquid fuels. Issued 12-12-33. (28)
1,939,505; Lieberknecht Karl Richard. Attachment for flat knitting machines. Issued 12-12-33. (28)
1,939,508; All. Maybach Motorenbau GmbH. Change speed gear. Issued 12-12-33. (28)
1,939,510; Michalk Otto. Twin sole laying press. Issued 12-12-33. (28)
1,939,521; All. Vereinigte Stahlwerke A G. Centrifugal process of lining tubes with a bituminous or like material. Issued 12-12-33. (28)
1,939,552; All. Jaroslaws Erste Glimmerwaren. Conducting wire. Issued 12-12-33. (28)
1,939,568; Panhorst Gustav. Adjustable reclining chair. Issued 12-12-33. (28)
1,939,625; All. Koepp Rudolph Co Chem Fabrik A G. Method of producing formate of potassium from potassium sulphate and calcium formate or mixtures of constituents adapted to form the latter by way of reaction. Issued 12-12-33. (28)
1,939,634; Schmid Arnold Dec. Apparatus for the continuous separation and after separation of nitroglycerine and residuary acid. Issued 12-12-33. (6)
1,939,799; All. I G Farbenindustrie A G. Lead of high resistance against the action of hot sulphuric acid. Issued 12-19-33. (28)
1,939,806; All. Speidel Chain Co. Process for making a chain structure. Issued 12-19-33. (28)
1,939,890; Frischer Hermann. Structural material capable of withstanding halogen hydracids. Issued 12-19-33. (28)
1,939,899; All. Fabrik Explosionssicherer. Apparatus for delivering and measuring liquids. Issued 12-19-33. (28)
1,939,924; Schimrigk Friedrich. Sewage treatment plant. Issued 12-19-33. (28)
1,939,937; Werner Fritz. Brine for the transmission of heat and cold. Issued 12-19-33. (28)
1,939,942; Baller Anton. Electrical machine. Issued 12-19-33. (6)
1,940,049; All. Dap Motor Patent GmbH. Machine having pistons and cylinders arranged around a circumference. Issued 12-19-33. (28)
1,940,074; Burmeister Joachim Heinrich Gustav. Joint for pipes and the like. Issued 12-19-33. (28)
1,940,096; All. I G Farbenindustrie A G. Additional agent for motor fuels. Issued 12-19-33. (28)
1,940,105; All. Badische Maschinenfabrik &. Method of and apparatus for manufacturing composition cork sheets. Issued 12-19-33. (28)
1,940,187; Salchow Willy. Dark slide for photographic apparatus. Issued 12-19-33. (28)
1,940,201; Winkler Kurt. Table. Issued 12-19-33. (28)
1,940,290; All. Leitz Ernst Optische Werke GmbH. Opaque illuminator for microscopes. Issued 12-19-33. (28)
1,940,341; All. Krupp Fried A G. Treating iron baths. Issued 12-19-33. (28)
1,940,358; All. Union Special Maschinenfabrik. Feeding mechanism for sewing machines. Issued 12-19-33. (28)
1,940,384; Zoller Arnold. Rotary compressor. Issued 12-19-33. (28)
1,940,385; All. I G Farbenindustrie A G. Electrode for accumulators. Issued 12-19-33. (28)
1,940,387; All. Elektrische Apparate GmbH. Gyroscopic pendulum. Issued 12-19-33. (28)
1,940,427; All. Motorenfabrik Deutz A G. Vertical multicylinder four stroke cycle internal combustion engine. Issued 12-19-33. (28)
1,940,430; Morterra Augusto. Peg for holding tents or hangars or for anchoring aircraft and the like. Issued 12-19-33. (38)
1,940,434; Nistri Umberto. Wind driven photomachine gun. Issued 12-19-33. (38)
1,940,510; Ratellier Parchet Alfred. Fuel injecting device. Issued 12-19-33. (38)
1,940,526; All. Universelle Cigarettenmaschinen. Apparatus for sorting cigarettes. Issued 12-19-33. (28)
1,940,535; All. Klonne Aug Firm. Apparatus for drawing off heavy gases from above the sealing piston in waterless gas holders. Issued 12-19-33. (28)
1,940,542; Goth Imre. Shoe with elastic rubber inlets. Issued 12-19-33. (28)
1,940,562; All. Still Carl Firm. Apparatus for charging a horizontal coke oven with a rammed coal charge. Issued 12-19-33. (28)
1,940,567; Still Carl. Production of coke and gas in chamber ovens. Issued 12-19-33. (28)
1,940,570; Welter Adolf. Process for making shaped rapidly and easily soluble mixtures of soaps and persalts. Issued 12-19-33. (28)
1,940,585; Fauth Philipp Lorenz. Continuous extraction and filtration apparatus. Issued 12-19-33. (28)
1,940,589; All. I G Farbenindustrie A G. Soluble cellulose esters of higher fatty acids. Issued 12-19-33. (28)
1,940,616; All. Demag A G. Excavator. Issued 12-19-33. (28)
1,940,629; All. Elektronmetall GmbH. Piston alloy. Issued 12-19-33. (28)

1,940,758; All. Metallgesellschaft A G. Process for burning phosphorus. Issued 12-26-33. (28)
1,940,795; Gerardi Aldo. Pendular suspension for rear driving wheels of motor vehicles. Issued 12-26-33. (38)
1,940,842; Blanc Alberto Carlo. Process for the crystallization of aluminum nitrate obtained in the treatment of leucite and similar silicates. Issued 12-26-33. (38)
1,940,944; Fischer Franz; Lieske Rudolf. Process for biologically transforming carbon monoxide into methane. Issued 12-26-33. (28)
1,941,036; Lenk Wilhelm. Device for the magneto-electric generation of alternating currents for sound production. Issued 12-26-33. (6)
1,941,039; Luschenowsky Alexander. Magnesium alloy. Issued 12-26-33. (28)
1,941,040; Mann Carl. Process and device for cleaning precious metals especially silver. Issued 12-26-33. (28)
1,941,044; All. Universelle Cigarettenmaschinen. Process of crosswise wrapping of goods. Issued 12-26-33. (28)
1,941,056; Rohrbeck Fritz. Method and device for polishing two edged razor blades. Issued 12-26-33. (6)
1,941,060; All. Universelle Cigarettenmaschinen. Apparatus for manufacturing cigar fillers. Issued 12-26-33. (28)
1,941,062; Tober Carl. Comb making device. Issued 12-26-33. (28)
1,941,094; Kosik Adalbert. Method of shaping hollow bodies. Issued 12-26-33. (28)
1,941,101; Meyer Hans. Process for producing a steel having a lesser tendency to blue fracture and brittleness due to ageing. Issued 12-26-33. (28)
1,941,115; All. Vereinigte Stahlwerke A G. Welded spigot and socket safety joint. Issued 12-26-33. (28)
1,941,182; All. Nihon Sekiyu Kabushiki Kaisha. Flash point testing machine. Issued 12-26-33. (39)
1,941,190; All. Universelle Cigarettenmaschinen. Tobacco supply means for cigarette machines. Issued 12-26-33. (28)
1,941,219; All. Universelle Cigarettenmaschinen. Apparatus for directing oval cigarettes. Issued 12-26-33. (28)
1,941,268; All. Schmidt Sche Heissdampf. Boiler. Issued 12-26-33. (28)
1,941,292; All. Deckel Friedrich. Photographic shutter. Issued 12-26-33. (28)
1,941,295; All. Schmidtsche Heissdampf des GmbH. Locomotive. Issued 12-26-33. (28)
1,941,309; All. Brunsviga Maschinenwerke Grimme. Calculating machine. Issued 12-26-33. (28)
1,941,343; Epp Wilhelm. Apparatus for making brushes. Issued 12-26-33. (28)
1,941,369; Thomas Heinrich. Sash window. Issued 12-26-33. (28)
1,941,391; All. Maschinenfabrik Carl Zangs A G. Machine for winding disk coils. Issued 12-26-33. (28)
1,941,392; Engels Bernhard. Process and apparatus for producing compound glass sheets. Issued 12-26-33. (28)
1,941,399; All. Maste Karl. Hydraulic buffer with closing. Issued 12-26-33. (28)
1,941,416. Pettersson Werner. Improved tobacco product. Issued 12-26-33. (28)
1,941,429; All. Universelle Cigarettenmaschinen. Apparatus for supplying a machine with. Issued 12-26-33. (28)
1,941,501; Steiner Leo. Grinding and polishing machine for cutting tools. Issued 1-2-34. (34)
1,941,506; All. Lissauer M and Cie. Process for recovering nonferrous metals from melts containing metal oxides. Issued 1-2-34. (28)
1,941,545; Wark Nikolaus; Eichenberg Georg et al. Process for reducing the dust losses from shaft furnaces. Issued 1-2-34. (28)
1,941,621; Ringer Ferdinand. Igniting stick. Issued 1-2-34. (6)
1,941,624; Salchow Willy. Photographic apparatus. Issued 1-2-34. (28)
1,941,625; Salchow Willy. Dark slide. Issued 1-2-34. (28)
1,941,654; Bertsch Rudolf. Shoe lace clasp. Issued 1-2-34. (28)
1,941,658; Bucherer Mac. Carburetor. Issued 1-2-34. (28)
1,941,684; Hiller August. Band for jewelry purposes. Issued 1-2-34. (28)
1,941,699; Loffler Heinrich. Sock suspender. Issued 1-2-34. (28)
1,941,712; Ohta Chisada. Hermetic seal for bottles. Issued 1-2-34. (39)
1,941,715; Pfisterer Karl. Wide span cable connecter for high voltage lines. Issued 1-2-34. (28)
1,941,736; All. Metallrelief GmbH. Process of producing plastic pictures from metal foil. Issued 1-2-34. (28)
1,941,867; All. Brehmer Gebruder. Pasting mechanism for stitching machines. Issued 1-2-34. (28)
1,941,932; Deutsch Emerich. Lock. Issued 1-2-34. (6)
1,941,938; Heinemann Karl. Conveying apparatus. Issued 1-2-34. (28)
1,941,946; All. Peyinghaus Walter. Lubricating of axle bearings for rail vehicles. Issued 1-2-34. (28)
1,941,949; Gerolimich Ermanno; Martinoli Federico et al. Submarine mine layer. Issued 1-2-34. (38)
1,941,953; Pump Ernest. Process and machine for manufacturing tubes. Issued 1-2-34. (28)
1,941,956; Siebt George. System of electrodes for electric glow discharge tubes. Issued 1-2-34. (28)
1,941,957; All. Johne Werk Grafische Maschinen A G. Knife carrier for paper cutting machines. Issued 1-2-34. (28)
1,942,040; Wolff Franz. Dashpot for time lag relays. Issued 1-2-34. (28)
1,942,102; All. Chisada Ohta. Hermetic seal for bottles. Issued 1-2-34. (39)
1,942,128; Sommer Ernest. Work supporting and guiding means. Issued 1-2-34. (28)
1,942,150; Rohn Wilhelm. Alloy for surgical needles. Issued 1-2-34. (28)
1,942,159; Andreas Arno. Bag-folding machine. Issued 1-2-34. (28)
1,942,165; Richter Hans R; Geffcken Heinrich H et al. Photoelectric tube. Issued 1-2-34. (28)
1,942,235; Boggio Aldo. Method and relative device for applying brakes to aeroplane wheels. Issued 1-2-34. (38)
1,942,243; All. Schnellpressenfabrik Koening. Plate depositing table for casting machines. Issued 1-2-34. (28)
1,942,249; All. Brehmer Gebr. Apparatus for producing wire staples in coherent strips. Issued 1-2-34. (28)
1,942,324; Brangs Julius Jr. Scissors and method of manufacturing the same. Issued 1-2-34. (28)
1,942,326; All. Typograph GmbH. Matrix-setting and type-line casting machine. Issued 1-2-34. (28)
1,942,340; Wompner Fritz. Slide rule. Issued 1-2-34. (28)
1,942,403; All. Siemens & Halske A G. Feeding device for a special lathe. Issued 1-9-34. (28)
1,942,478; All. Siemens Elektro Osmose GmbH. Electro-osmotic fractionation of glue and gelatin. Issued 1-9-34. (28)
1,942,481; Lobl Oskar. Voltage regulating transformer. Issued 1-9-34. (28)
1,942,527; Winkler Alfred et al; Dunnebier Max. Method and apparatus for withdrawing lowest sheets. Issued 1-9-34. (28)
1,942,572; Flegler E. Cathode Ray Oscillograph. Issued 1-9-34. (28)
1,942,675; Wigger Carl et al; Bomeke Reinold. Wood chipping machine. Issued 1-9-34. (28)
1,942,754; Heyssler Heinrich. Time interval indicator. Issued 1-9-34. (6)
1,942,778; Scheiber Johannes. Castor oil derivative drying oil and process of producing the same. Issued 1-9-34. (28)
1,942,779; Schiffler Hermann Joseph. Alloy steel. Issued 1-9-34. (28)
1,942,841; Shimizu Takeo. Daylight screen. Issued 1-9-34. (39)
1,942,886; Uebler Bruno. Method of producing nitrates and recovery of nitric oxide. Issued 1-9-34. (28)
1,942,887; Vanni Pier Giorgio. Piston. Issued 1-9-34. (38)
1,943,013; All. Hesser Machinfabrik AG. Filling device for packing machines. Issued 1-9-34. (28)
1,943,022; Koster Friedrich. Mount for pictures photographs and the like. Issued 1-9-34. (28)
1,943,031; Meissner Josef. Process of continuous production of nitropentaerythrite tetranitromethylaliine trinitroresorcine and similar nitrocompounds. Issued 1-9-34. (28)
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1,950,315; Gerngross Otto; Ulrich Werner; Lockemann Georg et al; Rulke Kurt. Disinfectant composition. Issued 3-6-34. (28)
1,950,332; Von Pechmann Paul. Hydraulic actuating means for lathe slides. Issued 3-6-34. (28)
1,950,333; Von Szeszich Lajos. Destructive hydrogenation of carbonaceous materials. Issued 3-6-34. (28)
1,950,416; All. Grimes Johs & Co. Process of making imitation astrachan fur. Issued 3-13-34. (28)
1,950,460; Steffen Erich et al. Process for the conversion of oxygen containing carbon substances. Issued 3-13-34. (28)
1,950,473; Brand Hans Bartolo et al. Apparatus for producing films which being exhibited show stereoscopic cinematographic pictures. All. Schering Kahlbaum A G. Hydroxy 3 5 di Iodo pyridine 2; carboxylic acid. Issued 3-13-34. (28)
1,950,651; All. Eubersteehandel GmbH. Process for gluing wood in the manufacture of plywood. Issued 3-13-34. (28)
1,950,701; Spangenberg Paul. Method of treating seeds with a nutrient salt solution. Issued 3-13-34. (28)
1,950,702; Thoma Friedrich. Nipple fastener for nursing bottles. Issued 3-13-34. (28)
1,950,740; Muller Carl Wilhelm. Cigarette carton. Issued 3-13-34. (28)
1,950,820; All. Deutsche Tornesit GmbH. Coating materials. Issued 3-13-34. (28)
1,950,827; All. I G Farbenindustrie A G. Process for the manufacture of alkyl halides. Issued 3-13-34. (28)
1,950,831; Wikkenhauser Gustav; Von Okolicsanyi Franz et al. Synchronizing apparatus for television receivers. Issued 3-13-34. (28)
1,950,843; Fischer Alexander Otto. Thermostatically-controlled latch. Issued 3-13-34. (28)
1,950,844; Forster Albert. Change speed gear. Issued 3-13-34. (38)
1,950,866; All. Universelle Cigarettenmaschinen. Pressing apparatus for the manufacture of cigar fillers. Issued 3-13-34. (28)
1,950,942; Haas Hermann. Drying apparatus. Issued 3-13-34. (28)
1,950,981; All. Kohlentechnik GmbH. Treatment and purification of certain gases. Issued 3-13-34. (28)
1,951,042; All. Pfingstmann Werke A G. Roller bearing cage. Issued 3-13-34. (28)
1,951,152; Janssen Guido. Sheet metal piling unit. Issued 3-13-34. (28)
1,951,213; Schlumbohm Peter. Color filter mirror. Issued 3-13-34. (28)
1,951,214; Schlumbohm Peter. Tinted toilet mirror. Issued 3-13-34. (28)
1,951,224; Von Obeastadt Peter Franz Graf Bopp. Master cylinder for brakes. Issued 3-13-34. (28)

1,951,250; Maister Hanns Georg. Process of producing calcium butyrate. Issued 3-13-34. (28)
1,951,254; All. Leitz Ernst Optische Werke Gmh8. Electro-optical testing device for acoustic signals and sounds. Issued 3-13-34. (28)
1,951,260; All. Chemische Produkte Vormals H. Method of Producing glue from bones. Issued 3-13-34. (28)
1,951,264; All. Leitz Ernst Optische Werke GmbH. Setting for the objective of photographic cameras. Issued 3-13-34. (28)
1,951,334; Bohling Rudolf Hieronymus Method and apparatus for manufacturing pipe bends and the like. Issued 3-20-34 (28)
1,951,422; Klemperer Edith. Anatomical model. Issued 3-20-34. (6)
1,951,517; Maul Michael. Record sheet feed mechanism. Issued 3-20-34. (28)
1,951,518; All. I G Farbenindustrie A G. Production of solid urea or products rich in urea. Issued 3-20-34. (28)
1,951,535; All. Hartmann Rud A. A G. Apparatus for supplying the material to be treated into boilers under pressure. Issued 3-20-34. (28)
1,951,572; All. Hesser Fr Maschinenfabrik A G. Machine for filling and closing bags. Issued 3-20-34 (28)
1,951,589; All. Universelle Cigarettenmaschinnen. Means for distributing cigarettes delivered from a continuous rod cigarette machine. Issued 3-20-34. (28)
1,951,618; Lindemann Herbert. Method of making rubber sponge. Issued 3-20-34. (28)
1,951,682; Varren Alexander. Zero printing device for cash registers and calculating machines. Issued 3-20-34. (28)
1,951,693; Gualtierotti Gualtiero. System for colored cinematographic projection by addition synthesis. Issued 3-20-34 (38)
1,951,943; All. Iso GmbH. Method of producing a prepared breaking point in ampullae. Issued 3-20-34. (28)
1,951,814; All. Lawaczeck GmbH. Insulating element for electrolytic cells. Issued 3-20-34. (28)
1,951,827; Frommer Geza. process and machine for combing and ironing of skins. Issued 3-20-34. (34)
1,951,828; Ohly Carl et al; Heymann Hans. Unbalance indicating device. Issued 3-20-34. (28)
1,951,880; Niederhofer Johann. Electric device for cutting gypso-plastic dressings. Issued 3-20-34. (28)
1,951,893; Winklers Julius Jr. Electro deposition of metal alloys. Issued 3-20-34. (28)
1,951,895; Bauer Karl. Stair. Issued 3-20-34. (28)
1,951,896; Bermpohl Wilhelm. Photographic camera. Issued 3-20-34. (28)
1,951,914; Junkers Hugo. Riveting device. Issued 3-20-34. (28)
1,951,934; Horii Shinjiro. Duplicator. Issued 3-20-34. (39)
1,951,939; Konemann Heinrich. Light source. Issued 3-20-34. (28)
1,951,968; All. Vogel & Noot. Device for the tightening of radiators. Issued 3-20-34. (6)
1,951,977; Hanus Ewald. Grinding the treads of wheel rims for rail vehicles and the like. Issued 3-20-34. (28)
1,951,990; All. Pintsch Julius A G. Water gas generator. Issued 3-20-34. (28)
1,951,996; All. Mlag Muhlenbau und Industrie A G. Brewing pan. Issued 3-20-34. (28)
1,952,006; Wloka Max. Automatic razor blade etching machine. Issued 3-20-34. (28)
1,952,032; All. Schnellpressenfabrik Koenig & Baunz. Printing press. Issued 3-20-34. (6)
1,952,035; Bruck Stephan. Chuck for gripping the inner and the outer periphery of hollow articles. Issued 3-20-34. (28)
1,952,232; Axien Leo. Flexible coupling. Issued 3-27-34. (28)
1,952,233; All. I. G. Farbenindustrie A G. Process for the manufacture of conversion products of colophony and product thereof. Issued 3-20-34. (28)
1,952,241; All. Eckert and Ziegler GmbH. Extrusion press for theormoplastic materials. Issued 3-27-34. (28)
1,952,243; All. I G Farbenindustrie A G. Easily workable masses from phenoliformaldehyde condensation. Issued 3-27-34. (28)
1,952,255; All. I G Farbenindustrie A G. Synthetic precious stone. Issued 3-27-34. (28)
1,952,256; All. I. G. Farbenindustrie A G. Synthetic precious stone. Issued 3-27-34. (28)
1,952,290; All. Norddeutsche Affinerie. Process for the recovery of arsenic. Issued 3-27-34. (28)
1,952,236; All. Universelle Cigarettenmaschinen. Tobacco feeding apparatus. Issued 3-27-34. (28)
1,952,359; Bosco Adalgiso. Phonographic apparatus and phonographic record. Issued 3-27-34. (38)
1,952,380; Leemann Edwin. Wall structure. Issued 3-27-34. (38)
1,952,487; Biffi Egisto. Metallic cover for boxes tins flasks and like articles. Issued 3-27-34. (38)
1,952,540; Donath Erika. Round game. Issued 3-27-34. (28)
1,952,560; Moller Heinrich. Drawing process for production of round rods. Issued 3-27-34. (28)
1,952,598; All. I G Farbenindustrie A G. Production of condensation products of urea and formaldehyde. Issued 3-27-34. (28)
1,952,646; Ackermann Gottlieb. Safety valve. Issued 3-27-34. (28)
1,952,668; Gotti Pietro. Tensioning device for wires cables and the like. Issued 3-27-34. (38)
1,952,676; All. I G Farbenindustrie A G. Oil soluble synthetic resins. Issued 3-27-34. (28)
1,952,809; Kuchenmeister Heinrich. Sound reproducing apparatus. Issued 3-27-34. (28)
1,952,848; Eckler Wilhelm. Method of and apparatus for treating the inner surface of tabular bodies with blasts. Issued 3-27-34. (28)
1,952,871; Kaufmann Hans. Process of making saturated acids by simultaneous dissociation and hydrogenation. Issued 3-27-34. (28)
1,952,878; Marschutz Carl. Ladder and like structure. Issued 3-27-34. (28)
1,952,947; Schott Carl Franz Heinrich. Baking powder. Issued 3-27-34. (28)
1,952,952; Steiff Hugo. Model airplane. Issued 3-27-34. (28)
1,952,985; All. Deutsche Kuhl und Kraftmaschinen. Refrigerator. Issued 3-27-34. (28)
1,952,987; Jagenberg Gunther Meyer. Process and machine for automatic manufacture of one-piece boxes. Issued 3-27-34. (28)
1,953,004; Muller Carl Ferdinand Otto. Anti-dazzle lamp. Issued 3-27-34. (28)
1,953,212; Bley Kurt. Device for shapening reamers. Issued 4-3-34. (28)
1,953,218; All. Maschinenfabrik Vorm Georg Dorst I G. Driving device for the charging slide in friction wheel spindle presses. Issued 4-3-34. (28)
1,953,234; Junkers Hugo. Aircraft. Issued 4-3-34. (28)
1,953,239; All. Lorenz C A G. Supervisory apparatus for radio beacons. Issued 4-3-34. (28)

1,953,249; Michel Max. Method of standardizing roentgen ray photographs. Issued 4-3-34. (28)
1,953,259; Peters Eugen. Device for drying and airing clothes and the like. Issued 4-3-34. (28)
1,953,260; Petzoldt Karl. Loom. Issued 4-3-34. (28)
1,953,443; Spagliardi Riccardo. Nonreturn valve adapted to avoid back firing in internal combustion engines. Issued 4-3-34. (38)
1,953,458; Bauer Gustav; et al. Schmieske Carl. Hydraulic coupling. Issued 4-3-34. (28)
1,953,481; All. Badische Maschinenfabrik & Matchmaking machine. Issued 4-3-34. (28)
1,953,486; Kiep Johann Nikolaus. Engine plant. Issued 4-3-34. (28)
1,953,494; All. I G Farbenindustrie A G. Process of preparing substituted guanidines. Issued 4-3-34. (28)
1,953,509; All. Gessner Max. Process for the carbonization of rags. Issued 4-3-34. (28)
1,953,511; Sellin Walter. Time mechanism for operating electrict switches or the like. Issued 4-3-34. (28)
1,953,557; Greve John Emil William. Calculating machine. Issued 4-3-34. (28)
1,953,561; All. Heindl & Petters. Device for locking the platen of typewriters. Issued 4-3-34. (6)
1,953,564; All. Friedmann Alex. Oil distributing and apportioning device. Issued 4-3-34. (6)
1,953,596; All. Ufficio Tecnico Impianti Nafta. Steam generator. Issued 4-3-34. (38)
1,953,600; Grothe Alfred. Automatically acting fire protecting device for cinematographs. Issued 4-3-34. (28)
1,953,654; Metzler Kurt. Apparatus for producing leno fabric in particular for the production of chenille cloth. Issued 4-3-34. (28)
1,953,694; Takahaskh Teizo. Process for preparing gluconic acid. Issued 4-3-34. (39)
1,953,929; All. Mix & Genest A G. Electromagnetic relay. Issued 4-10-34. (28)
1,954,020; All. Universelle Cigarettenmaschinen. Packing machine for flattened or oval cigarettes. Issued 4-10-30. (28)
1,954,110; All. Siemens & Halske A G. Automatic battery-charging system. Issued 4-10-34. (28)
1,954,184; Schlumbohm Peter. Optical device. Issued 4-10-34. (28)
1,954,315; All. Badische Maschinenfabrik & dipping apparatus for match making machines. Issued 4-10-34. (28)
1,954,332; Seitz Friedrich. Machine for the manufacture of shells for metal cups and similar articles. Issued 4-10-34. (28)
1,954,417; Lentz Hugo. Valve gear for steam engines. Issued 4-10-34. (6)
1,954,573; Moehrle Eduard. Process for the treatment of heavy hydrocarbons. Issued 4-10-34. (28)
1,954,618; All. Brunsviga Maschinenwerke. Adding machine printing mechanism. Issued 4-10-34. (28)
1,954,715; Sprenger Arthur. Highly refractory mass and process of producing same. Issued 4-10-34. (28)
1,954,755; All. Leitz Ernst Optische Werke. Microscope. Issued 4-10-34. (28)
1,954,759; Spetz Wilhelm. Chuck. Issued 4-10-34. (28)
1,954,882; All. Donner Julius. Sealing bottles, jars and other receptacles. Issued 4-17-34. (34)
1,954,902; Vianini Guido. Manufacture of pipes or hollow ware of fibrous cement mortar or the like. Issued 4-17-34. (38)
1,954,908; All. Universelle Cigarettenmaschinen. Device for opening and folding of outside boxes. Issued 4-17-34. (28)
1,954,933; All. Heseper Torfwerk Gmbh. Machine for cutting raising conveying and depositing peat sods. Issued 4-17-34. (28)
1,954,945; Oltersdorf Hermann. Spring structure. Issued 4-17-34. (28)
1,954,964; Tesaky Karl. Device for feeding bar stock to machine tools. Issued 4-17-34. (28)
1,954,982; Bolla Giovanni. Valve gear for steam engines. Issued 4-17-34. (38)
1,954,998; Hoffmann August. Gyroscopic inclinometer for aircraft. Issued 4-17-34. (28)
1,955,024; All. Felten & Guilleaume Carlswerk A G. Electric cable. Issued 4-17-34. (28)
1,955,031; Steudemann Wilhelm. Method of precipitating and separating sodium nitrate and ammonium chloride. Issued 4-17-34. (28)
1,955,036; All. Typograph GmbH. Matrix-setting and type-line casting machine. Issued 4-17-34. (28)
1,955,048; Biey Kurt. Device for inserting the piston pin in the piston and the piston rod. Issued 4-17-34. (28)
1,955,072; Jordan Franz. Device for introducing superposed plates of different metals. Issued 4-17-34. (28)
1,955,075; Klenig Georg. Adhesive foil. Issued 4-17-34. (28)
1,955,133; Kovacs Charles Paul. Rotary frequency and phase converter. Issued 4-17-34. (34)
1,955,155; All. Klenzle Taxameter und Apparate A G. Retarded stop signal for synchronous motor-driven electrical clocks. Issued 4-17-34. (28)
1,955,221; All. I G Farbenindustrie A G. Copper ammonia fibroin solutions. Issued 4-17-34. (28)
1,955,230; Ebneking Fritz. Haymaker. Issued 4-17-34. (28)
1,955,235; Freiberger Moritz; Holtzmann August et al. Process of preparing ungreenable aniline black. Issued 4-17-34. (28)
1,955,237; All. Siemens Elektro Osmose GmbH. Process of purifying glycerine. Issued 4-17-34. (28)
1,955,239; All. I G Farbenindustrie A G. Manufacture of viscose. Issued 4-17-34. (28)
1,955,481; Wirtz Adolf. Process for the production of pig iron having a fine graphitic texture. Issued 4-17-34. (28)
1,955,510; All. Toden Denkyu Kabushiki Kwaisha. Gas sealed incandescent lamp or the like. Issued 4-17-34. (39)
1,955,619; All. Typograph GmbH. Matrix setting and type line casting machine. Issued 4-17-34. (28)
1,955,624; All. Typograph GmbH. Matrix setting and type line casting machine. Issued 4-17-34. (28)
1,955,632; All. Schubert & Salzer Maschinenfabrik. Method of knitting. Issued 4-17-34. (28)
1,955,683; Reiffenstein Manfred. Water power engine. Issued 4-17-34. (6)
1,955,696; Holm Waldemar; Von Schutz Friedrich et al. Gas meter. Issued 4-17-34. (28)
1,955,804; Gualtierotti Gualtiero. Process for bichromatic recording and projection of images in natural colors. Issued 4-24-34. (38)
1,955,819; Maul Michael. Record card controlled machine. Issued 4-24-34. (28)
1,955,882; All. I G Farbenindustrie A G. Process of preparing acetoethyl alcohol. Issued 4-24-34. (28)
1,955,889; All. Kelima GmbH. Tool for producing woolen carpets, blankets or the like. Issued 4-24-34. (28)
1,956,017; Gasper Bela. Method of indirectly producing color photographs. Issued 4-24-34. (28)
1,956,048; Sai Carlo. Fruit washing device for table use. Issued 4-24-34. (38)
1,956,051; All. Luftschiffbau Zeppelin GmbH. Pivotally supported gearing. Issued 4-24-34. (28)
1,956,058; Bost Paul. Process for obtaining fibers fit to be spun from muscular flesh. Issued 4-24-34. (28)
1,956,071; Kraft Andreas. Cap closure for bottles. Issued 4-24-34. (28)
1,956,333; Olmo Enrico. Submarine barrier and launching and arming means therefor. Issued 4-24-34. (38)
1,956,349; All. Brunsviga Maschinenwerke Grimme. Calculating machine. Issued 4-24-34. (28)
1,956,352; All. Maschinenfabrik Augsburg Nurnberg & A G. Separating and purifying means for the sealing liquid of waterless gas holders. Issued 4-24-34. (28)
1,956,354; Junkers Hugo. Structural element. Issued 4-24-34. (28)
1,956,355; Junkers Hugo. Internal combustion engine. Issued 4-24-34. (28)
1,956,391; Hoffmann Kurt, Kuppenbender Heinz et al. Cinematographic apparatus. Issued 4-24-34. (28)
1,956,438; Eichenauer Rudolf. Device for protecting motor cars against theft. Issued 4-24-34. (28)
1,956,443; Hertel Anton. Apparatus for punching belt joints. Issued 4-24-34. (28)
1,956,447; Laessker Fritz. Mechanical infinitive variable speed transmission. Issued 4-24-34. (28)
1,956,457; Violante Pasquale. Device for printing cutting lines for men's and women's garments. Issued 4-24-34. (38)
1,956,461; All. Elektrizitats A G Vorm W Lahmeyer. Apparatus for protecting electric appliances. Issued 4-24-34. (28)
1,956,482; All. Boehringer C H Sohn. Process for preparing maleic anhydride and maleic acid. Issued 4-24-34. (28)
1,956,486; All. Frank Ernst. Stop mechanism for looms. Issued 4-24-34. (28)
1,956,487; All. Frank Ernst. Apparatus for indicating faulty grips with thread gripping pliers. Issued 4-24-34. (28)
1,956,512; Muller Albano. Metal cask. Issued 4-24-34. (28)
1,956,533; All. Magyar Ruggyantaaruk. Method for producing inflatable rubber articles. Issued 4-24-34. (34)
1,956,545; Windhorn Heinrich; Meyer Hermann; Schrader Ernst et al. Presser bar for vulcanizing machines. Issued 4-24-34. (28)
1,956,618; All. Vereinigte Stahlwerke A G. Process for the manufacture of rings and especially of wheel tires. Issued 5-1-34. (28)
1,956,655; Rossi Pietro. Apparatus for filling jars and the like simultaneously. Issued 5-1-34. (38)
1,956,658; Schmidt Wilhelm. Engaging and disengaging device for presses stamping machines and similar machine tools. Issued 5-1-34. (28)
1,956,695; Reinitz Emil. Flat furuncle plaster. Issued 5-1-34. (6)
1,956,728; All. Chemischer A G Werte. Disinfecting and sterilizing liquids and the like. Issued 5-1-34. (28)
1,956,736; Thun Rudolf. Motion picture apparatus. Issued 5-1-34. (28)
1,956,748; Schroff Alfons. Tenoning machine. Issued 5-1-34. (28)
1,956,751; All. Vereinigte Eisenbahn Signalwerke. Interlocking gears for the locking of point throwing levers and the like. Issued 5-1-34. (28)
1,956,762; All. Hesser Fr Maschinenfabrik A G. Device for detecting and indicating insufficiently filled packages in packing machines. Issued 5-1-34. (28)

1,956,837; Schmidt Fritz. Sound record of condensation products of polyvinyl alcohol aldehyde condensation product. Issued 5-1-34. (28)
1,956,900; Huhn Gustav. Carbon ring packing for the shafts of turbines and the like. Issued 5-1-34. (28)
1,956,910; Roth Ernst. Method for casting blocks of metal. Issued 5-1-34. (28)
1,956,923; Jendrassik George. Fuel injection pump. Issued 5-1-34. (34)
1,956,948; Haas Otfried Fattinger Franz et al. Radioactive artificial fiber. Issued 5-1-34. (6)
——;[1] Lahge Fritz Dahl Max Brasch Arno et al. Impulse generator. (28)
1,957,009; Broemel Louis Emil. Process of rolling metallic strips and sheets of thin sections of any desired length. Issued 5-1-34. (28)
1,957,014; All. Lampen und Metallwarenfabriken. Petroleum Wick Burner. Issued 5-1-34. (6)
1,957,021; All. Eumuco A G fur Maschinenbau. Drop hammer. Issued 5-1-34. (28)
1,957,024; All. Jaeger Emil. Weft mechanism for positive motion looms. Issued 5-1-34. (28)
1,957,028; Maurer Albrecht. Machine tool for generating the teeth of bevel gears. Issued 5-1-34. (28)
1,957,089; All. I G Farbenindustrie A G. Process of preparing nitro B hydroxy pyridines. Issued 5-1-34. (28)
1,957,129; All. Alterum Kredit A G. Production of highly active alkali carbon briquettes for the preparation of alkali cyanides. Issued 5-1-34. (28)
1,957,130; All. Alterum Kredit A G. Method of absorbing nitrogen oxide gases mixed with oxygen or air. Issued 5-1-34. (28)
1,957,157; Bosch Fritz. Case for watches instruments and the like. Issued 5-1-34. (28)
1,957,183; All. Voith J M. Hydraulic machine. Issued 5-1-34. (28)
1,957,260; Gaeler Arthur. Machine for separating macerate parts of sheet paper. Issued 5-1-34. (28)
1,957,294; All. Maschinenfabrik Augsburg. Internal combustion engine. Issued 5-1-34. (28)
1,957,358; Scheele Erich. Process of producing caffein-free coffee. Issued 5-1-34. (28)
1,957,386; Bungeroth Rudolf. Tube expanding roller mill. Issued 5-1-34. (28)
1,957,394; All. Schubert and Salzer. Bobbin winding machine. Issued 5-1-34. (28)
1,957,401; Wiedenmann Fritz. Mattress and heating means therefor. Issued 5-1-34. (28)
1,957,408; All. Lechler Firma Paul. Process of preparing bituminous emulsions. Issued 5-1-34. (28)
1,957,427; All. Vereinigte Stahlwerke A G. Process for increasing the mechanical strength properties of steel. Issued 5-8-34. (28)
1,957,591; All. Reuter Hanns. Implement to clean textiles. Issued 5-8-34. (28)
1,957,666; Quante Wilhelm. Double throw switch. Issued 5-8-34. (28)
1,957,667; Ritter Malte Block Friedrich Wilhelm Mobius Walter Rothenberg Otto et al. Chip-flow lathe for hard metal and diamond tools. Issued 5-8-34. (28)
1,957,678; Staby Wilhelm. Umbrella locking device. Issued 5-8-34. (28)
1,957,697; Arnold Carl. Toy with spark producing device. Issued 5-8-34. (28)
1,957,716; Koster Johann Friedrich. Album for photographic pictures and the like. Issued 5-8-34. (28)
1,957,724; Otto Fritz. Intermediate connection for haulage cages. Issued 5-8-34. (28)
1,957,741; Toreky Alexander. Apparatus for heating water. Issued 5-8-34. (34)
1,957,872; Wolman Karl Heinrich. Preservative for wood. Issued 5-8-34. (28)
1,957,873; All. Grubenholzimpragnierung GmbH. Wood preservative. Issued 5-8-34. (28)
1,957,918; Tanaka Tomoichiro. Process of making sulphur soap. Issued 5-8-34. (39)
1,957,940; Conradty Ottmar. Body for use in electrolysis. Issued 5-8-34. (28)
1,957,988; All. I G Farbenindustrie A G. Production of diphenyl substances. Issued 5-8-34. (28)
1,957,995; All. Soc Italiana Pirelli. High tension cable. Issued 5-8-34. (38)
1,958,037; All. Demag A G. Grab winch. Issued 5-8-34. (28)
1,958,054; Linnmann Wilhelm Jr. Apparatus for separating liquids of different gravity. Issued 5-8-34. (28)
1,958,055; Linnmann Wilhelm Jr. Tank structure. Issued 5-8-34. (28)
1,958,100; De Beresini August. Apparatus for medical purposes. Issued 5-8-34. (28)
1,958,207; All. Wurker GmbH Stickautmatenfabrik. Means for making hemstitched seams and the like. Issued 5-8-34. (28)
1,958,350; Schneider Ferdinand. Clock winding mechanism. Issued 5-8-34. (28)
1,958,369; All. Edeleanu GmbH. Process of extracting lubricating oils. Issued 5-8-34. (28)
1,958,666; Honigmann Ludwig. Device for drying and roasting granular material. Issued 5-15-34. (28)
1,958,742; Cauer Wilhelm. Artificial network. Issued 5-15-34. (28)
1,958,751; All. Humboldt Deutzmotoren A G. Governing diesel marine engines. Issued 5-15-34. (28)
1,958,821; Hamburger Karl. Method of making artificial leather. Issued 5-15-34. (28)
1,958,827; Krausen Carl. Wreath Hoop Wire. Issued 5-15-34. (28)
1,958,831; Lorenz Emil. Marker. Issued 5-15-34. (28)
1,958,863; All. Cassa Autonoma A Monopolurier. Treating tobacco leaf. Issued 5-15-34. (57)
1,958,875; Weichert Max. Method and device for transplanting rows of plants. Issued 5-15-34. (28)
1,958,948; All. Daimler Benz A G. Fuel pump. Issued 5-15-34. (28)
1,959,041; Schimanek Emil. Method for starting diesel engines. Issued 5-15-34. (34)
1,959,240; Josky Walter. Device for applying antiskidding media to the tires of motor vehicles. Issued 5-15-34. (28)
1,959,304; All. Von Baumbach Friedrich. Drying plant for moist substances. Issued 5-15-34. (28)
1,959,307; Sanger Wilhelm. Device for cleaning the hearths of baking ovens. Issued 5-15-34. (28)
1,959,425; All. Demag A G. Cushioned push bench. Issued 5-22-34. (28)
1,959,458; Christiansen Heinrich. Tamping device for railway sleepers. Issued 5-22-34. (28)
1,959,462; Salda Cesare Della. Compensated Asynchronous motor. Issued 5-22-34. (38)
1,959,470; Haasis Paul. Signal instrument. Issued 5-22-34. (28)
1,959,476; Janik Eduard. Adjusting mechanism for variable speed gears. Issued 5-22-34. (6)
1,959,488; Meyer Johann. Method of and apparatus for manufacturing V belts of finite length. Issued 5-22-34. (28)
1,959,493; Muller Heinrich. Toy. Issued 5-22-34. (28)
1,959,500; Rogowski Walter. Cathode ray oscillograph. Issued 5-22-34. (28)
1,959,503; Seuffert Otto et al; Ihwe Egon. Manufacture of hydrazine. Issued 5-22-34. (28)
1,959,534; All. Maschinenfabrik Augsburg Nurnberg. Apparatus for heating the contents of the bottom cup of a gas holder. Issued 5-22-34. (28)
1,959,548; Ries Gottfried. Steering gear for motor cars. Issued 5-22-34. (28)
1,959,569; Carozzi Augusto. Machine for the automatic continuous production of alimentary paste of the macaroni and vermicelli type. Issued 5-22-34. (38)
1,959,630; Keitel Hans Julius. Elastic rapid coupling for pipes and hoses. Issued 5-22-34. (20)
1,959,640; All. Knorr Bremse A G. Air chamber of pumps. Issued 5-22-34. (28)
1,959,701; All. Balcg Gustav. Method of manufacturing high quality seamless rubber articles. Issued 5-22-34. (6)
1,959,720; Keczi Ludwig. Device for tying packages. Issued 5-22-34. (6)
1,959,730; Meissner Josef. Process of uninterruptedly boiling fulminating mercury. Issued 5-22-34. (28)
1,959,731; Meissner Josef. Process of uninterruptedly carrying out the precipitation of heavy metallic azids particularly silver and lead azid. Issued 5-22-34. (28)
1,959,734; Palazzo Fortunato; Palazzo Francesco Carlo et al. Process for producing practically pure cellulose alpha cellulose from raw cellulose of any origin. Issued 5-22-34. (38)
1,959,738; All. Fuchigami Iwao. Apparatus for supplying ozone for internal combustion engines. Issued 5-22-34. (39)
1,959,750; All. Masuda Matanemon. Process of extracting proteolytic enzymes from figs mulberries papayas pineapples and bananas. Issued 5-22-34. (39)
1,959,754; Zipper Emil. Vehicle wheel. Issued 5-22-34. (6)
1,959,779; All. Mercedes Buromaschinen Werke A G. Calculating machine. Issued 5-22-34. (28)
1,959,791; All. Krupp A G. Welding iron steel and their alloys. Issued 5-22-34. (28)
1,959,889; Wunsch Guido. Device for compensating a deflection of a control member which has been affected by a change in the impulse value. Issued 5-22-34. (28)
1,959,947; Droege Karl. Copying process for zincography. Issued 5-22-34. (28)
1,959,959; All. Wagner Gunther Firm. Ink phial or filler. Issued 5-22-34. (28)
1,960,024; Paris Paul. Locking device for open windows. Issued 5-22-34. (28)
1,960,044; All. Leitz Ernest Optische Werke G M B & Y. Setting for the objectives of photographic cameras. Issued 5-22-34. (28)
1,960,068; Ruppel Sigwart. Excess voltage protective system for electric feeders. Issued 5-22-34. (28)
1,960,098; Breitenbach August. Humidifier or vaporizer. Issued 5-22-34. (28)
1,960,107; All. Schubert and Salzer Maschinenfabrrs. Stocking in the correct form manufactured on the flat hosier knitting machine and method for manufacturing the same. Issued 5-22-34. (28)
1,960,125; Schorn Karl. Shearing machine. Issued 5-22-34. (28)
1,960,141; All. Trojani Pietro. Helicopter. Issued 5-22-34. (38)
1,960,158; Lehmann Otto. Mean pressure gauge. Issued 5-22-34. (28)
1,960,178; Albert Werner. Pilger rolling mill. Issued 5-22-34. (28)
1,960,190; All. Hermsdorf Schomburg Isolatoren. Suspension insulator. Issued 5-22-34. (28)
1,961,149; All. Lohusta Elektro Akustik GmbH. Loudspeaker diaphragm. Issued 6-5-34. (28)
1,961,165; All. Raschig Dr F GmbH. Process for recovering phenols from phenol-carrying distillation gas and the like. Issued 6-5-34. (28)
1,961,207; Dierfeld Benno R. Brake for motor cars. Issued 6-5-34. (28)
1,961,282; Dellenbach Walter. Actuating device. Issued 6-5-34. (28)

[1] So in the original document.

1,961,287; Faber Ernst. Washing machine. Issued 6-5-34. (28)
1,961,301; Nier Bruno. Apparatus for coating objects with a liquid. Issued 6-5-34. (28)
1,961,309; Thorner Walther. Ophthalmoscope. Issued 6-5-34. (28)
1,961,310; Traitteur Friedrich Oskar V. Die stamping press. Issued 6-5-34. (28)
1,961,316; Weingand Richard. Manufacturing flat walled or sheet libv. Issued 6-5-34. (28)
1,957,008; Cellulose products. Issued 5-1-34.
1,961,396; Rothe Gerhard; Schmitt Wilhelm et & ol. Gear cutting machine. Issued 6-5-34. (28)
1,961,422; All. Brehmer Gebruder Firm. Mechanism for automatically severing the terminal threads of a stitched book or the like. Issued 6-5-34. (28)
1,961,547; Busch Wilhelm. Spoon for feeding children and for dispensing medicines. Issued 6-5-34 (28)
1,961,551; Chiashi Eizo. Method of preserving sweetened condensed milk. Issued 6-5-34. (39)
1,961,603; All. Jenaer Glaswerk Schott and General. Heat absorbing glass. Issued 6-5-34. (28)
1,961,647; Sonoda Soshichi. Thread gauge. Issued 6-5-34. (39)
1,961,648; Spiess Georg. Paper folding machine. Issued 6-5-34. (28)
1,961,654; von Schutz Friedrich. Gas meter reversing mechanism. Issued 6-5-34 (28)
1,961,660; Fehrmann Karl. Heat exchange apparatus. Issued 6-5-34. (28)
1,961,675; All Chemieprodukte GmbH. Packing and process of making same. Issued 6-5-34
1,961 691; All. Bayerische Stickstoffwerke A A. Process for the production of phosphorus and hydrogen. Issued 6-5-34. (28)
1,961,792; All. Rekuperator GmbH. Heat exchanger. Issued 6-5-34. (28)
1,961,824; Goldberg Max. Molded article. Issued 6-5-34. (28)
1,961,881; Krantz Hubert Tentering and drying machine. Issued 6-5-34. (28)
1,961,953; Bauer Gustav. Ship propelling plant Issued 6-5-34. (28)
1,961,970; All. Union Special Maschinenfabrik. Method of and machine for edging pile fabrics. Issued 6-5-34. (28)
1,961,981; Pechstadt Herbert. Machine for molding pipes and other hollow articles. Issued 6-5-34. (28)
1,962,015; Haugg Stefan. Necktie holder. Issued 6-5-34. (28)
1,962,016; Henckell Peter. Combined heating arrangement especially for baking ovens & for producing steam. Issued 6-5-34. (28)
1,962,017; All. Pohlig J A G. Automatic bunker discharge. Issued 6-5-34. (28)
1,962,021; Lobbenberg Hans. Garter. Issued 6-5-34. (28)
1,962,037; Schofer Eugen Chain-mail band for articles of jewelry. Issued 6-5-34. (28)
1,962,044; von Schutz Friedrich. Dry gas meter. Issued 6-5-34. (28)
1,962,048; Alpeter Ludwig Centrifuge. Issued 6-5-34. (28)
1,962,051; All. Vereinigte Stahlwerke A G. Process for working up gas-purifying masses. Issued 6-5-34. (28)
1,962,059; All. Soc Italiana Pirelli. High-tension electric cable. Issued 6-5-34. (38)
1,962,065; Friederich Walter. Process for the manufacture of explosive materials. Issued 6-5-34. (28)
1,962,185; All. Montecatini Soc Generale per Lindustria. Process for the production of solid ammonium salts. Issued 6-12-34. (38)
1,962,224; Wolf Emil. 6 7 diethoxy 1 3 4 diethoxy benzyl isoquinoline. Issued 6-12-34. (34)
1,962,247; Lesage Alfred. Multiple disk clutch. Issued 6-12-34. (28)
1,962,265; All. Gessner Ernst A G. Ring Spinning Frame. Issued 6-12-34. (28)
1,962,267; All. Grunwald Julius. Electromotor enclosed in a water proof casing. Issued 6-12-34. (28)
1,962,375; All. Wolters Otto. Keyboard operated signal storage device. Issued 6-12-34. (28)
1,962,444; Hesselberger Wilhelm. Treatment of skins pelts hides and leathers. Issued 6-12-34. (28)
1,962,448; All. Maschinenfabrik Augsburg Nurnberg. Device for adjusting the throttle valve in the air-suction pipe of combustion power machines. Issued 6-12-34. (28)
1,962,559; All. I G Farbenindustrie A G. New alkalimetal cupri-alkalino-cyanides. Issued 6-12-34. (28)
1,962,574; Salge Wilhelm. Marine high pressure superheated steam plant. Issued 6-12-34. (28)
1,962,607; Maul Michael. Punching machine for records. Issued 6-12-34. (28)
1,962,638; Czerweny Viktor. Box making machine. Issued 6-12-34. (6)
1,962,862; All. Berlin Karlsruher Industrie Werke. Bobbin for spinning. Issued 6-12-34. (28)
1,962,794; Von Karman Theodor. Process and apparatus for making aerial propellers. Issued 6-12-34. (28)
1,962,823; Kurz Hans et al; Albert Karl. Intaglio printing ink. Issued 6-12-34 (6)
1,962,830; All. Vereinigte Stahlwerke A G. Steel sheet piling of Z shaped sheet piling iron. Issued 6-12-34. (28)
1,962,831; Moskovits Miklos. Manufacture of yeast of high enzymatic activity. Issued 6-12-34. (34)
1,962,985; Dichter Jakob. Machine for the manufacture of ampullas and the like glass bodies. Issued 6-12-34. (28)
1,963,113; Borsalino Teresio. Machine for the treating of hat felts. Issued 6-19-34. (38)
1,963,167; Heller Max. Method of and apparatus for generating water gas from pulverized fuel. Issued 6-19-34 (28)
1,963,226; Cosman Claus. Rubber cord. Issued 6-19-34. (28)
1,963,286; Ballert Otto. Hydraulic tilting device especially for tilting the bodies of motor vehicles. Issued 6-19-34. (28)
1,963,287; Ballert Otto. Hydraulic tilting device for trucks. Issued 6-19-34. 28.
1,963,288, Ballert Otto. Device for emptying refuse receptacles. Issued 6-19-34 (28)
1,963,296; All Typograph GmbH. Matrix-setting and type-line casting machine. Issued 6-19-34. (28)
1,963,301; Gloystein Friedrich. Hollow dowel. Issued 6-19-34. (28)
1,963,308; Molinelli Mario. Selective gear for portable cranes. Issued 6-19-34. (38)
1,963,324; All. Deckel Friedrich Prazisionsmechanrs. Camera shutter. Issued 6-19-34. (28)
1,963,330; Lumme Willy. Rotary meter. Issued 6-19-34. (28)
1,963,343; Winkelmuller Karl. Drying of bark tanned leather. Issued 6-19-34. (28)
1,963,345; Zwilling Ludwig. Wick lighter. Issued 6-19-34. (28)
1,963,468; All. I G Farbenindustrie A G. Process of preparing storage battery plates. Issued 6-19-34. (28)
1,963,469; All. Alpine A G Eisengiesserei Und. Separator Issued 6-19-34. (28)
1,963,550; Greger Herbert Hans. Process for the production of electricity by means of a fuel cell. Issued 6-19-34. (39)
1,963,576; Boerlage Johann. Piston fluid pulsator with hand controlled valves. Issued 6-19-34. (28)
1,963,638; All. Demag A G. Magnetic clutch. Issued 6-19-34. (28)
1,963,691; Bruninghaus Hugo. Tool for straining a wire and fastening the wire ends by twisting. Issued 6-19-34. (28)
1,963,697; Galbani Egidio. Casing box for cheese to be cut. Issued 6-19-34. (38)
1,963,707; All. Jasmatzi Anton. Toning process particularly for toning the red color component image for multicolor photography. Issued 6-19-34. (6)
1,963,717; Rittmeister Wilhelm. Method for the heat treatment of high boiling hydrocarbons. Issued 6-19-34. (28)
1,963,757; Moehrle Eduard. Process for the treatment of high boiling hydrocarbons Issued 6-19-34 (28)
1,963,761; All. Raschig F GmbH. Process of making chlorobenzene. Issued 6-19-34 (28)
1,963,762; All. I G Farbenindustrie A G Production of artificial masses. Issued 6-19-34. (28)
1,963,809; All. Lindes Eismachinen A G Process of obtaining constituents of air having a higher boiling point than oxygen. Issued 6-19-34. (28)
1,963,874; All. Drager Bernhard. Gas mask canister. Issued 6-19-34. (57)
1,963,912; Honnef Hermann. Wind motor Issued 6-19-34. (28)
1,964,048; All. Lorenz C A G. Power line for antennae. Issued 6-26-34. (28)
1,964,081; Rausch Gottfried. Intermittent-drive mechanism. Issued 6-26-34. (28)
1,964,125; Kutter Leopold. Fountain pen holder. Issued 6-25-34. (6)
1,964,135; Peyinghaus Walter. Ring lubricator. Issued 6-26-34. (28)
1,964,136; Dulik Karl; Prufer Heinrich et al Light sensitive layer. Issued 6-26-34. (6)
1,964,139; All. I G Farbenindustrie A G Process for the production of ferrobor Issued 6-26-34. (28)
1,964,140; All. Vereinigte Kugellagerfabriken A G. Floating bearing. Issued 6-26-34 (28)
1,964,142; Sachs Ludwig Staple band for stapling devices of all kinds. Issued 6-26-34. (6)
1,964,207; Koller Karl et al; Galocsy Zsigmond. Process of manufacturing producer gas of high calorific value. Issued 6-26-34. (34)
1,964,213; All. Schutte Alfred H. Turret bearing for automatic multi-spindle turret lathes. Issued 6-26-34. (28)
1,964,218; All. Hannoversche Maschinenbau A G. Means for filtering the fuel supplied to the injector nozzles of internal combustion engines. Issued 6-26-34. (28)
1,964,226; All. Saige Willy and Co Technische. Control of consecutively arranged inlet and exhaust valves in piston steam engines. Issued 6-26-34. (28)
1,964,233; All. Deutsche Niles Werke A G Method of grinding straight and helical teeth on spur wheels. Issued 6-26-34 (28)
1,964,358; All. Kalle and Co A G. Light sensitive layers containing a titanium salt of an organic hydroxy acid and process of preparing them. Issued 6-26-34. (28)
1,964,654; All. I G Farbenindustrie A G Sulphonation products of urethanes and process for making same. Issued 6-26-34 (28)
1,964,676; Schmitz Fritz. Scissors or like cutting instrument. Issued 6-26-34.
1,964,768; All. Raschig Dr F GmbH. Manufacture of phenols Issued 7-3-34. (28)
1,964,815; Goedecke Richard. Container for storing frying pans. Issued 7-3-34.
1,964,830; Schack Alfred Pohl Hans et al Checkerwork for multizone regenerators. Issued 7-3-34. (28)

1,964,834; Thun Rudolph. Photographic printing apparatus. Issued 7-3-34. (28)
1,964,841; Lahl Alfred Amann Max et al. Type printing or setting machine. Issued 7-3-34 (28)
1,964,857; All. Halle Max Abraham. Electrically-driven clock. Issued 7-3-34 (28)
1,964,869; Boykow Johann Maria. Stabilizing apparatus Issued 7-3-34 (28)
1,964,875; All. Harburger Olwerke Brinckman. Method of removing impurities from oils and fats. Issued 7-3-34. (28)
1,964,900; Alt Hermann. Gearing for performing movements with intercalated periods of standstill. Issued 7-3-34. (28)
1,964,907; All. Soc Italiana Pirelli. Electric cable. Issued 7-3-34. (38)
1,964,925; Jagenberg Gunther Meyer. Machine for packing cigarettes into boxes. Issued 7-3-34 (28)
1,964,931; Spiess Georg. Sheet feeding device. Issued 7-3-34. (28)
1,965,008; All. I G Farbenindustrie A G. Process of preparing alkoxy compounds. Issued 7-3-34 (28)
1,965,029; All. Schnellpressenfabrik Koenig & Process and apparatus for cutting printed paper webs. Issued 7-3-34. (28)
1,965,035; Godzlewski Hermann. Machine for cutting screw threads. Issued 7-3-34. (28)
1,965,037; Werner Arnold Hardtmann Max et al. Treatment of steel tools. Issued 7-3-34. (28)
1,965,051; Nier Bruno. Hurricane lamp. Issued 7-3-34. (28)
1,965,059; Seibt Georg. Apparatus for producing high ohmic resistances or the like. Issued 7-3-34. (28)
1,965,146; All. Bicknase Fritz. Telephone call system. Issued 7-3-34. (28)
1,965,169; Becker Enno. Anchoring member for sheet pilings. Issued 7-3-34. (28)
1,965,243; All I G Farbenindustrie A G. Coating lining and cementing agent. Issued 7-3-34. (28)
1,965,301; All. Ruhrchemie A G. Process for producing mixed fertilizers. Issued 7-3-34 (28)
1,965,327; Boenecke Alfred Voelk Ottomar et al. Container Issued 7-3-34. (28)
1,965,345; Jung Willy. Toy top. Issued 7-3-34. (28)
1,965,436; All Lanz Heinrich Process for the production of cast iron. Issued 7-3-34. (28)
1,965,445; All. Alterum Kredit A G. Method of producing sodium carbonate and ammonium chloride Issued 7-3-34 (28)
1,965,485; All. Elektrizitats A G. Earth leakage protection of apparatus and machines. Issued 7-3-34. (28)
1,965,509; All. Chemische Produkte Vormals. Method of forming small particle products from gelatinizing substances. Issued 7-3-34. (28)
1,965,636; Krafft Robert Forster Friedrich et al. Heat insulating wall. Issued 7-10-34 (28)
1,965,729; Tessky Karl Antifriction bearing. Issued 7-10-34 (28)
1,965,732; Bisterfeld Ernst. Hot molding machine. Issued 7-10-34. (28)
1,965,742; Junkers Hugo. Driving mechanism for aircraft. Issued 7-10-34. (28)
1,965,914; Tolkien Fritz. Motor with fluid actuated valve. Issued 7-10-34. (28)
1,965,919; Bieger Alexander Bieger Ulrich et al Caster for powdered condiments. Issued 7-10-34. (28)
1,965,923; All. I G Farbenindustrie A G. Base exchange body. Issued 7-10-34. (28)
1,965,930; Pacilli Emidio. Control device for railway signals and switches and the like. Issued 7-10-34 (38)
1,966,013; All. Schluter Theodor Sen. Auxiliary baking means. Issued 7-10-34. (28)
1,966,024; Arndt Walter. Device for facilitating the manual transporting of sacks. Issued 7-10-34. (28)
1,966,026; Boedecker Friedrich. Process of producing hydroxyquinoline. Issued 7-10-34. (28)
1,966,033; Schmitz Hillebrecht Ernst Helferich Burckhardt et al. Production of glucosides. Issued 7-10-34 (28)
1,966,105; All. Heuser and Co GmbH. Method of and apparatus for searching for ores Issued 7-10-34. (28)
1,966,168; All. Riebeckshe Montanwerkeag A. Process for raising the melting point of montan wax. Issued 7-10-34. (28)
1,966,172; All. Klingelnberg W Ferd Sohne. Method of and apparatus for lapping gears. Issued 7-10-34. (28)
1,966,287; All. Maschinenfabrik Augsberg Nurnberg. Sheet-fed rotary printing machine. Issued 7-10-34. (28)
1,966,314; All. Klingelnberg W Ferd Sohne. Automatic indexing device. Issued 7-10-34. (28)
1,966,488; All. I G. Farbenindustrie A G. Production of aralkyl alcohols. Issued 7-17-34. (28)
1,966,544; All. Lubecker Maschinenbau. Endless-track vehicle. Issued 7-17-34. (28)
1,966,545; All. Typograph GmbH. Matrix-setting and type line casting machine. Issued 7-17-34 (28)
1,966,549; Guerrieri Antonio Battaglia. Relay. Issued 7-17-34. (38)
1,966,615; Croning Johannes. Metal casting process Issued 7-17-34. (28)
1,966 649; All. Krupp Fried Grusonwerk A G. Process for working up cryolite. Issued 7-17-34. (28)
1,966,698; Ansaldo pericle. Multiple and transformable theater stage. Issued 7-17-34 (38)
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1,966,755; All. Kalle and Co. A G. Process of preparing diazo types. Issued 7-17-34. (28)
1,966,756; All. I G Farbenindustrie A G. dissolving fibroin Issued 7-17-34. (28)
1,966,757; All. I G Farbenindustrie A G. High molecular cellulose ester. Issued 7-17-34. (28)
1,966,758; Haverbeck Edgar. Sheet metal press. Issued 7-17-34 (28)
1,966,763; Kuhlmann Hermann August; Kuhlmann Hermann et al. Palate plate. Issued 7-17-34. (28)
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1,966,775; Weis Richard. Cage for antifriction bearings. Issued 7-17-34. (28)
1,966,830; Spanner Johannes Joachim; Nickel Albert Paul Hans Gerd et al. Electrical gaseous discharge device. Issued 7-17-34. (28)
1,966,963; Jordan Kurt Robert. Sliding clasp fastening. Issued 7-17-34. (28)
1,966,984; Mauch Hans; Lichtenberger Fritz et al. Welded joint tester. Issued 7-17-34. (28)
1,966,997; Schless Stefan. Process of producing articial wood. Issued 7-17-34. (6)
1,967,003; Becker Diedrich. Abdominal belt. Issued 7-17-34. (28)
1,967,945; Wehmeyer Werner. Chuck and press actuating mechanism. Issued 7-17-34. (28)
1,967,063; All. Maschinenfabrik Augsberg. Piston rod connection. Issued 7-17-34. (28)
1,967,150; Presti Michele Lo. Luminous cinematography. Issued 7-17-34. (38).
1,967,181; Winkler Kurt. Table. Issued 7-17-34. (28)
1,967,216; Lahl Alfred Amann Max et al. Telegraph receiver. Issued 7-24-34. (28)
1,967,279; All. Leitz Ernest Optische GmbH. Photographic camera. Issued 7-24-34. (28)
1,967,306; All. Lorenzo A G. Testing device for modulated high frequency. Issued 7-24-34 (28)
1,967,329; Serragli Giovanni. System of rotating wings controlled by an automatic rudder. Issued 7-24-34. (38)
1,967,347; All. I G Farbenindustrie A G. Process for producing a cellulose of high content of alpha cellulose. Issued 7-24-34. (28)
1,967,371; All. Kalle & Co A G. Process of preparing copies. Issued 7-24-34 (28)
1,967,415; LeSage Alfred. Motorcycle. Issued 7-24-34 (28)
1,967,520; Tomura Masanobu. Furnace for heating metal wire. Issued 7-24-34. (39)
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1,967,548; Bartels Friedrich. Arrangement for producing multiple total reflections. Issued 7-24-34. (28)
1,967,553; Ruben Eugen Dietzel Otto Paul et al. Apparatus for carbonating beverages. Issued 7-24-34 (28)
1,967,561; Pasini Giovanni. Reenforced concrete conduit for electric cables. Issued 7-24-34. (38)
1,967,562; Piel Werner. Handle fastening of tools Issued 7-24-34 (28)
1,967,565; All. Hansella GmbH. Machine for the production of bonbons. Issued 7-24-34. (28)
1,967,576; All. Maschinenfabrik Augsberg Nurnberg A G Device for supplying a greasy packing substance to the tightening spaces of dry gas holders. Issued 7-24-34. (28)
1,967,582; Marischka Carl. Combined gas and steam produced. Issued 7-24-34. (6)
1,967,630; All. Kali Chemie A G. Making potassium bicarbonate and magnesium carbonate trihydrate from engel salt. Issued 7-24-34. (28)
1,967,656; All. Bohme A G H TH. Agent for wetting dispersing etc. Issued 7-24-34. (28)
1,967,668; All. I G Farbenindustrie A G. Process of preparing anhydrides of halogen fatty acids. Issued 7-24-34. (28)
1,967,679; All. I G. Farbenindustrie A G. Treatment of hides skins and pelts. Issued 7-24-34. (28)
1,967,740; All. Schering Kahlbaum A G. Method of manufacturing molds. Issued 7-24-34. (28)
1,967,787; Seiferth Hugo. Apparatus for rolling sections having transverse ribs. Issued 7-24-34. (28)
1,967,788; Seiferth Hugo. Apparatus for producing profile metal articles. Issued 7-24-34 (28)
1,967,897; All. I G Farbenindustrie A G. Separation of mixtures of alkali metal-nitrates with ammonium chloride. Issued 7-24-34. (28)
1,967,927; All. Schering Kahlbaum A G. Device for inserting medicaments into the body by iontophoresis. Issued 7-24-34. (28)
1,967,938; Schmalfuss Hans; Jantzen Ernst et al. Foam separator for fermentation plants and the like. Issued 7-24-34 (28)
1,967,975; Schaefer Josef. Regenerative coke oven with vertical heating flues. Issued 7-24-34. (28)
1,968,002; Bottger Erich; Nowicki Martin et al. Distance meter especially for photographic cameras. Issued 7-24-34. (28)
1,968,116; Zipper Emil et al; Zipper Walter. Wheel for automobile vehicles and the like. Issued 7-31-34. (6)
1,968,134; Eschbach Wilhelm et al; Wippenhohn Heinrich. Combined initial and percussion composition. Issued 7-31-34. (28)
1,968,158; All. Dynamit A G Vormals Alfred Nobel. Process for the production of ammonium nitrate base explosive charges capable of being poured or cast. Issued 7-31-34. (28)

1,968,162; Nebel Max. Knitting machine. Issued 7-31-34. (28)
1,968,171; Reiss August et al; Christ Joseph Peter. Steam circulating system. Issued 7-31-34. (28)
1,968,175; Schnurle Adolf et al; Elwert Otto. Rotary machine. Issued 7-31-34. (28)
1,968,179; Suganuma Kumazo et al; Goto Kan Ichiro. Method of manufacturing acetyl ester compounds. Issued 7-31-34. (39)
1,968,201; All. Deutsche Telephonwerke und. Calculating machine. Issued 7-31-34. (28)
1,968,220; All. Vereinigte Stahlwerke A G. Butt welded joint for sheet pilings. Issued 7-31-34. (28)
1,968,241; Becker Enno. Iron sheet piling. Issued 7-31-34. (28)
1,968,287; Farina Emanuele G. Device for translating signs agreed upon. Issued 7-31-34. (38)
1,968,318; Seligmann Arthur. Apparatus for producing solid carbon dioxide. Issued 7-31-34. (28)
1,968,335; De Kramolin Leon Ladislas. Radio receiving apparatus. Issued 7-31-34. (28)
1,968,346; Neiss Oskar. Method of producing an unsymmetrical alternating voltage. Issued 7-31-34. (28)
1,968,352; Poeggel Erich. Cutting setting and sharpening saws. Issued 7-31-34. (28)
1,968,470; Szombathy Max. Power transmission for internal combustion engines. Issued 7-31-34. (6)
1,968,486; Gilli Paul. Heating apparatus for indirectly heating high temperature drying plants and the like. Issued 7-31-34. (6)
1,968,487; Hayashi Tomokichi. Paper bag. Issued 7-31-34. (39)
1,968,647; Jonas Hans. Electric switch. Issued 7-31-34. (28)
1,968,690; All. Krauss Friedrich Emil. Linen wringing machine. Issued 7-31-34. (28)
1,968,692; Krauss Friedrich Emil. Centrifugal machine. Issued 7-31-34. (28)
1,968,693; Kroger Otto Henry Amandus et al; Oswald Otto Adolf. Apparatus for the production of glass silk. Issued 7-31-34. (28)
1,968,700; Milotta Karl. Hydraulic driving device for clamping chucks and the like. Issued 7-31-34. (28)
1,968,703; Peyinghaus Walter. Core molding apparatus. Issued 7-31-34. (28)
1,968,730; All. Vereinigte Stahlwerke A G. Weir. Issued 7-31-34. (28)
1,968,739; Bruni Riccardo. Radio receiving system. Issued 7-31-34. (38)
1,968,756; Franzen Karl August. Portfolio lock. Issued 7-31-34. (28)
1,968,918; Toth Joseph. Air propeller. Issued 8-7-34. (34)
1,968,933; Feldman Ernst. Means for producing tin oxide. Issued 8-7-34. (28)
1,968,963; Schiffers August. Nap raising sleeking and the like fabric dressing machine. Issued 8-7-34. (28)
1,969,005; All. Electroacustic GmbH. Apparatus for the directional transmission and reception of wave energy. Issued 8-7-34. (28)
1,969,031; All. Maschinenfabrik Augsburg Nurnberg A G. Housing for a vertical combustion power engine. Issued 8-7-34. (28)
1,969,049; Spiess George. Folding machine. Issued 8-7-34. (28)
1,969,085; All. Leistenschneider. Automatic lead pencil. Issued 8-7-34. (28)
1,969,181; Miersbe Adolf. Steam circulation heating plant. Issued 8-7-34. (28)
1,969,282; Szikla Geza et al; Merse Paul; Von Vago Paul. Heat accumulator. Issued 8-7-34. (34)
1,969,291; Antoni Alwin. Artificial wood board and a process for manufacturing the same. Issued 8-7-34. (28)
1,969,292; Asser Erich. Hardened resin. Issued 8-7-34. (28)
1,969,317; Muller Hans. Forging machine. Issued 8-7-34. (28)
1,969,343; Windisch Ignacz. Rail tie. Issued 8-7-34. (57)
1,969,417; Lentz Hugo. Distributing valve gear for steam engines. Issued 8-7-34. (28)
1,969,600; Koch Friedrich; Farber Eduard et al. Method of saccharifying cellulose-containing substances such as wood by means of mineral acids. Issued 8-7-34. (28)
1,969,610; Jager Carl H. Window-forming machine. Issued 8-7-34. (28)
1,969,624; Salzbrenner Rudolf. Limit sliding gauge. Issued 8-7-34. (28)
1,969,639; Brenner Gustav Claas August et al. Threshing apparatus with vertical drum. Issued 8-7-34. (28)
1,969,643; Spath Hermann Fuchs Gottfried et al. Beer cooling and dispensing apparatus. Issued 8-7-34. (28)
1,969,650; All. Kohlentechnik GmbH. Process for the manufacture of fertilizer. Issued 8-7-34. (28)
1,969,651; Kretschmer Heinrich. Machine with oscillating rolling disks. Issued 8-7-34. (28)
1,969,664; Rupp Albert. Propeller hub. Issued 8-7-34. (28)
1,969,711; Hein Bruno. Rotary engine. Issued 8-7-34. (28)
1,969,712; All. Schutte Lanz Holzwerke A G. Manufacture of dried wood veneer. Issued 8-7-34. (28)
1,969,774; Bauer Bruno. Concrete column reenforced joint. Issued 8-14-34. (6)
1,969,864; Tebaldi Alessandro. Oil cooler. Issued 8-14-34. (38)
1,969,931; All. Brehmer Gebruder. Sheet feed mechanism in sheet handling machines. Issued 8-14-34. (28)
1,969,949; Denstadt Hermann Schroder Stranz Friedrich et al. Denstadt Friedrich. Method and apparatus for working arable land especially for the deeper setting of plants. Issued 8-14-34. (28)
1,970,059; Schotter Karl. Pipe coupling. Issued 8-14-34. (6)
1,970,067; Halbrock Fritz Wallman Carl et al; Kumpmann Emil. Process for the production of age-resisting iron and steel. Issued 8-14-34. (28)
1,970,086; Frost Gertrud. Means for erecting and straightening the eyelashes. Issued 8-14-34. (28)
1,970,148; All. Pomilio Alessandro. Process for the continuous treatment of vegetables with soda and gaseous chlorine for the industrial production of cellulose. Issued 8-14-34. (38)
1,970,162; All. Hartmann & Braun A G. Reversible induction motor. Issued 8-14-34. (28)
1,970,164; Stiu Erwin; Breuer Anton et al. Bituminous road surfacing material. Issued 8-14-34. (28)
1,970,176; Konig Carl. Block signaling system for railways. Issued 8-14-34. (28)
1,970,177; Lehmann Ernst Paul. Toy. Issued 8-14-34. (28)
1,970,188; All. Schlafhorst W Anc Co. Winding machine with mechanical charging of bobbins. Issued 8-14-34. (28)
1,970,265; All. Schumag Schumacher Metallwerke A 7. Machine for drawing and cutting stock. Issued 8-14-34. (28)
1,970,236; Bollinger Hanns Stephan Wilhelm; Kluge Hans Wilhelm Johannes Karl et al. Hydrodynamic power transmission device. Issued 8-14-34. (28)
1,970,271; Bergmann Max. Process of tanning hides. Issued 8-14-34. (28)
1,970,303; All. Kohlentechnik GmbH. Method of purifying ammonium thiocyanite. Issued 8-14-34. (28)
1,970,306; Mertens Erich; Hanack Bernhard et al. Baking agent and process of improving dough. Issued 8-14-34. (28)
1,970,309; Hoyer Ewald. Floor and ceiling. Issued 8-14-34. (28)
1,970,338; Roebel Ludwig. Constant-current direct-current generator. Issued 8-14-34. (28)
1,970,385; All. Maybach Motorenbau GmbH. Lubricating system for transmission gears. Issued 8-14-34. (28)
1,970,430; Nussbaum Wilhelm. Manufacture of nuts from balls. Issued 8-14-34. (28)
1,970,467; All. Otavi Minen Und. Process for working up ferrovanadium-containing products. Issued 8-14-34. (28)
1,970,476; Schutze Eugen. Scribing or marking device. Issued 8-14-34. (28)
1,970,539; Bausch Viktor Jr. Process for electrochemically producing stable images and characters. Issued 8-21-34. 28.
1,970,541; Bolognini Giovanni. Permutation lock. Issued 8-21-34. (38)
1,970,907; Grade Hans. Three-wheeled vehicle body. Issued 8-21-34. (28)
1,970,981; Schneider Emil. Bookeeping machine. Issued 8-21-34. (38)
1,970,995; All. Berkenhoff & Drebes A G. Apparatus for winding wire on rotary drums. Issued 8-21-34. (28)
1,971,026; Bothe Otto. Acoustic advertising device. Issued 8-21-34. (28)
1,971,042; Kreidl Ignaz. Process for the photochemical oxidation of organic and inorganic compounds. Issued 8-21-34. (6)
1,971,045; All. Zahnradfabrik Friedrichshafen A G. Change speed gear. Issued 8-21-34. (28)
1,971,061; All. Zeiss Carl. Microscope. Issued 8-21-34. (28)
1,971,070; Heinzmann Max Joseph. Centrifugal spring governor. Issued 8-21-34. (28)
1,971,083; Schlaa Friedrich Im. Production of ball races and the like. Issued 8-21-34. (28)
1,971,092; Anger Paul. Jet impact pulverizer. Issued 8-21-34. (28)
1,971,131; Cornetto Guiseppe. Apparatus for purifying and regenerating air. Issued 8-21-34. (38)
1,971,175; Max Diepold. Broom. Issued 8-21-34. (28)
1,971,276; All. Silfrec; A G. Silfree Ltd Viduz. Production of sound images on film plates by means of the chromate process. Issued 8-21-34. (28)
1,971,279; Schwietzke Gunther. Process and contrivance for producing hollow bodies by casting. Issued 8-21-34. (28)
1,971,314; Lauenstein Otto. Machine for the manufacture of chocolate. Issued 8-21-34. (28)
1,971,398; All. I G Farbenindustrie A G. Coating material useful in the manufacture of artificial leather. Issued 8-28-34. (28)
1,971,403; All. Voigt & Haeffner A G. Electric switch with quenching liquid. Issued 8-28-34. (28)
1,971,453; Horn Guido. Thread tension device. Issued 8-28-34. (28)
1,971,494; Lesage Alfred. Carburetor. Issued 8-28-34. (28)
1,971,562; All. Schench Carl Eisen Gie und. Dynamic balancing of rotating bodies. Issued 8-28-34. (28)
1,971,630; Von Schorzynski Anton. Electric hearing apparatus for the deaf. Issued 8-28-34. (28)
1,971,638; Berg Wilhelm. Motor operated chuck for lathes and other machine tools. Issued 8-28-34. (28)
1,971,639; All. Smelting Kohaszati es Fembuvek. Manufacturing zinc oxide. Issued 8-28-34. (34)
1,971,644; All. Dossmann & Co. Needle case with windows. Issued 8-28-34. (28)
1,971,652; Haessler Paul. Device for casting under pressure. Issued 8-28-34. (28)
1,971,660; Sander Ernst. Thermophoric composition. Issued 8-28-34. (28)
1,971,688; All. Electroacustic GmbH. Electrical compensator. Issued 8-28-34. (28)
1,971,694; Nogamy Yaejy. Adjusting device of warp tension in automatic looms. Issued 8-28-34. (38)

1,971,888; All. I G Farbenindustrie A G. Catalytic process for manufacturing phthalic anhydride. Issued 8-28-34. (28)
1,971,911; All. Lorenz C A G. Electric receiver for signaling arrangements. Issued 8-28-34. (28)
1,971,937; All. Schuler L A G. Power press. Issued 8-28-34. (28)
1,971,972; All. Enzinger Union Werke A G. Filter element. Issued 8-28-34. (28)
1,972,032; Reimann Albert. Process for making neutral sodium pyrophosphate. Issued 8-28-34. (28)
1,972,119; Wernhardt Kurt. Dowel pin for connecting parts of machinery apparatus and the like. Issued 9-4-34. (28)
1,972,131; Dick Federico. Braiding machine. Issued 9-4-34. (38)
1,972,178; All. Koch & Sterzel A G. High potential lead in. Issued 9-4-34. (28)
1,972,199; Merk Friedrich. Telephone installation. Issued 9-4-34. (28)
1,972,204; Schoene Kurt. Pump. Issued 9-4-34. (28)
1,972,232; All. I G Farbenindustrie A G. Compound of the carbazole group. Issued 9-4-34. (28)
1,972,234; Neumann Rudolf. Diaphragm pressure regulator. Issued 9-4-34. (28)
1,972,243; All. Koch & Sterzel A G. Method of and apparatus for testing instrument transformers. Issued 9-4-34. (28)
1,972,249; Schneider Heinrich. Shoe. Issued 9-4-34. (28)
1,972,270; All. Ledoga S A Prodotti Chimici. Quinazoline compounds. Issued 9-4-34. (38)
1,972,306; Linker Arthur. Connecter for electric circuits. Issued 9-4-34. (28)
1,972,310; All. Durkoppwerke A G. Process for producing pure whites and a pure yellow in screened photographic pictures. Issued 9-4-34. (28)
1,972,314; Rado Leopold. Process for the production of sensitized films. Issued 9-4-34. (28)
1,972,356; Pfleiderer Ernst. Method of generating high pressure steam. Issued 9-4-34. (28)
1,972,378; Demnitz Albert. Hat press. Issued 9-4-34. (28)
1,972,401; All. Kragenfabrik W R GmbH. Stamped collar. Issued 9-4-34. (28)
1,972,435; Ackermann Gottlieb. Safety valve. Issued 9-4-34. (28)
1,972,446; Jander Hans. Regulating device for an automatic automobile clutch. Issued 9-4-34. (28)
1,972,496; All. Maschinenfabrik Augsburg Nurnberg. Irrigating and draining device. Issued 9-4-34. (28)
1,972,504; All. Schmidt Sche Heissdampf GmbH. Water tube boiler. Issued 9-4-34. (28)
1,972,560; Heller Ernst. Machine tool feeding means. Issued 9-4-34. (28)
1,972,574; Salchow Willy. Apparatus for photographing copy. Issued 9-4-34. (28)
1,972,575; Schmidt Wilhelm Kurt. Double swinging door. Issued 9-4-34. (28)
1,972,578; Opitz Herwart et al; Wallichs Adolf. Measuring instrument. Issued 9-4-34. (28)
1,972,608; All. Christian Dierig A G. Method and means for treating fibrous material with electric current. Issued 9-4-34. (28)
1,972,640; All. Leitz Optische Werke GmbH. Photographic camera. Issued 9-4-34. (28)
1,972,658; Koch Fritz. Station selector for radio receivers. Issued 9-4-34. (28)
1,972,667; Schiffler Hermann Josef. Filling material for welding scale-resisting steels containing aluminum. Issued 9-4-34. (28)
1,972,676; All. Schnellpressenfabrik Koenig & Bauer. Device for automatically regulating the tension of the web in rotary printing machines. Issued 9-4-34. (28)
1,972,686; Lorenzen Christian. Carburetor. Issued 9-4-34. (28)
1,972,764; All. Harburger Oelwerke Brinckman und. Process for the production of stable water containing emulsions of vegetable lecithin. Issued 9-4-34. (28)
1,972,805; Vanni Pier Giorgio. Internal combustion engine. Issued 9-4-34. (38)
1,972,910; All. Deckel Friedrich. Copying and engraving machine. Issued 9-11-34. (28)
1,972,974; Becker Otto Jr. Circulatory lubricating system for rotary blowers. Issued 9-11-34. (28)
1,972,997; Junkers Hugo. Structural element. Issued 9-11-34. (28)
1,973,042; Boykow Johann Maria. Gyroscopic pendulum. Issued 9-11-34. (28)
1,973,058; All. Hesser Fr Maschinenfabrik A G. Rotary printing machine. Issued 9-11-34. (28)
1,973,082; Koros Laszlo. Circuit connection for thermionic tubes. Issued 9-11-34. (34)
1,973,247; All. Quleta Werke Alfred Kasper. Device for the extraction and stemming of raw unroasted coffee beans. Issued 9-11-34. (28)
1,973,270; Schulwitz Richard. Plant for drying moist materials. Issued 9-11-34. (28)
1,973,333; Craemer Paul. Hardness Tester. Issued 9-11-34. (28)
1,973,385; All. Fernseh A G. Television apparatus. Issued 9-11-34. (28)
1,973,389; Pieper Erich. Device for displaying flags and the like on airplanes. Issued 9-11-34. (28)
1,973,394; Schmittutz Carl. Method of impregnating wood. Issued 9-11-34. (28)
1,973,432; All. Ehrenreich A & Cie. Cushioning of the handle of compressed air hammers. Issued 9-11-34. (28)
1,973,510; Schieferstein Georg Heinrich. Device for balancing the action of forces and inertia. Issued 9-11-34. (28)
1,973,524; All. Gassificatore Lampo S A. Naphtha Gasifier or vaporizer. Issued 9-11-34. (38)
1,973,632; All. Brehmer Gebruder. Method of and mechanism for automatically opening closed book signatures and the like. Issued 9-11-34. (28)
1,973,647; Nagai Chogi Dec. Process of synthetically producing ephedrin homologue and its salts. Issued 9-11-34. (39)
1,973,656; All. Fiat S A. Multiple-way cock for use in the pneumatic control of change speed gears. Issued 9-11-34. (38)
1,973,739; All. Allioni Umberto. Device more particularly adapted for sharpening blades. Issued 9-18-34. (38)
1,973,741; Bauer Bruno. Steel structure. Issued 9-18-34. (6)
1,973,742; Bauer Bruno. Arch construction. Issued 9-18-34. (6)
1,973,781; Richter Theodor. Flat hosiery frame. Issued 9-18-34. (28)
1,973,816; Stedefeld Curt Druckenberg Franz et al. Vehicle roller mounting. Issued 9-18-34. (28)
1,973,864; Biffar Andreas. Centrifugal sieving machine. Issued 9-18-34. (28)
1,973,874; Marischka Carl. Gas generator. Issued 9-18-34. (6)
1,973,896; All. Astrawerke A G. Multiple counter calculating and registering machine. Issued 9-18-34. (28)
1,973,979; Fuchs Gottfried Spath Hermann et al. Method of ignition and mixture compressing internal combustion engine. Issued 9-18-34. (28)
1,973,989; All. Hinz Fabrik GmbH. Fastening device for flat articles. Issued 9-18-34. (28)
1,973,998; All. Aceta GmbH. Sizing artificial silk. Issued 9-18-34. (28)
1,974,028; All. Schluter Theodor Sen. Process for the baking of bread. Issued 9-18-34. (28)
1,974,034; Pelleriti Vincenzo Carmelo. Fire prevention device for storage tanks. Issued 9-18-34. (38)
1,974,046; All. Hesser Fr Maschinenfabrik A G. Machine for wrapping up oranges or similar articles. Issued 9-18-34. (28)
1,974,121; Normelli Wulff Berzelius. Control device for a heat transfer system. Issued 9-18-34. (28)
1,974,157; All. Toa Denki Kabushiki Kaisha. Brush actuating device for a repulsion-starting electric motor. Issued 9-18-34. (39)
1,974,243; All. Brehmer Gebruder. Mechanism for connecting signatures in a signature handling machine. Issued 9-18-34. (28)
1,974,281; Karollus Edmund. Blasting and dynamiting. Issued 9-18-34. (6)
1,974,336; Kremmling Aribert. Depositing machine. Issued 9-18-34. (28)
1,974,337; Magnani Alessandro. Process for obtaining hollow bodies formed of plastic materials. Issued 9-18-34. (38)
1,974,433; Riszdorfer Edmond. Arrangement for the automatic regulation of the length of time of exposure in taking photographic pictures. Issued 9-25-34. (34)
1,974,435; All. Vereinigte Stahlwerke A G. Method of increasing the resistance to corrosion of steel and cast iron. Issued 9-25-34. (28)
1,974,478; Weber Guglielmo. Apparatus for producing blocks of carbon dioxide snow by means of liquid CO. Issued 9-25-34. (38)
1,974,482; All. Barmer Maschinenfabrik A G. Thread guide drive for centrifugal spinning machines. Issued 9-25-34. (28)
1,974,490; Schaffler Glossl Konrad. Electromagnetic spark ignition apparatus. Issued 9-25-34. (6)
1,974,497; All. Barmer Maschinenfabrik A G. Twisting machine for conical cross bobbins specially for artificial silk. Issued 9-25-34. (28)
1,974,504; Mohrenwitz Friedrich. Safety razor. Issued 9-25-34. (28)
1,974,507; All. I G Farbenindustrie A G. Process of producing heavy metal and alkali earth metal salts of naphthenic acids. Issued 9-25-34. (28)
1,974,513; All. Markmiller Ludwig. Automatic feed welding and fusion cutting machine. Issued 9-25-34. (28)
1,974,514; Schieferstein Georg Heinrich. Driving gear with automatically-alternating transmission. Issued 9-25-34. (28)
1,974,515; Schinze Otto. Card filing folder. Issued 9-25-34. (28)
1,974,516; All. Lehmann Ernst Paul. Top. Issued 9-25-34. (28)
1,974,545; Salto Salvatore. Wireless transmission system. Issued 9-25-34. (38)
1,974,548; All. Magyr Ruggyantaarugyar. Process for the production of rubber toys. Issued 9-25-34. (34)
1,974,554; All. Weidner Catharina. Process for the production of amino acids from substances containing keraczn. Issued 9-25-34. (28)
1,974,714; Junghanel Richard et al; Gross Hans. Compound for preparing matrices for printing purposes. Issued 9-25-34. (28)
1,974,730; Zollinger Fritz. Steel girder for concrete structures. Issued 9-25-34. (28)
1,974,743; Junker Otto. Electric muffle furnace. Issued 9-25-34. (28)
1,974,746; Kuhnen Hermann. Removable wheel for motor and other vehicles. Issued 9-25-34. (28)
1,974,760; Usbeck Christian. Box opener with rotary drive. Issued 9-25-34. (28)
1,974,820; Krell Jr Otto. Appliance for treatment by sun rays. Issued 9-25-34. (28)
1,974,838; Schmid Max. Screwless metal constructional set. Issued 9-25-34. (28)
1,974,876; Schack Alfred. Heat Exchanger. Issued 9-25-34. (28)
1,974,884; Von Opel Fritz. Steering apparatus for aircraft. Issued 9-25-34. (28)

1,974,911; Buecker Hubert; Buecker Heinrich et al. Television. Issued 9-25-34. (28)
1,974,920; All. Electroacustic GmbH. Subaqueous sound device with inclined diaphragms. Issued 9-25-34. (28)
1,974,951; Doorentz Richard. Sound damping intermediate layer for ceilings walls and the like. Issued 9-25-34. (28)
1,975,033; All. Selas A G. Oil burner. Issued 9-25-34. (28)
1,975,043; Hoffmann Paul. Building element. Issued 9-25-34. (28)
1,975,115; Dahl Otto; Masing Georg et al. Article subject to abrasion. Issued 10-2-34. (28)
1,975,205; Frandfurther Paul. Double stand-up collar. Issued 10-2-34. (28)
1,975,212; Kobayashi Terusa. Net making machine. Issued 10-2-34. (39)
1,975,216; Wecker Joseph. Copper base alloy. Issued 10-2-34. (28)
1,975,431; Okume Yeiichi. Net making machine. Issued 10-2-34. (39)
1,975,534; Brusch Friedrich Wilhelm. Flanged iron section. Issued 10-2-34. (28)
1,975,560; Sollich Robert. Apparatus for boiling viscous solutions. Issued 10-2-34. (28)
1,975,567; Dossmann Wilhelm. Fastening device for rotary brushes and the like. Issued 10-2-34. (28)
1,975,709; Vitale Giorgio. Fluid-tight glass closure for metallic containers. Issued 10-2-34. (38)
1,975,712; Bretschneider Max. Device for producing adjusting motions in automatic machinery. Issued 10-2-34. (28)
1,975,714; Dallenbach Walter. Arrangment for controlling the gas discharge in electric discharge vessels. Issued 10-2-34. (28)
1,975,723; Johnssen Heinrich. Pencil. Issued 10-2-34. (28)
1,975,840; All. Maschinenfabrik Augsburg Nurnberg. Combustion power locomotive with direct and indirect transmission to the drive wheels. Issued 10-9-34. (28)
1,975,897; All. I G Farbenindustrie A G. Manufacture of cellulose mixed esters. Issued 10-9-34. (28)
1,975,899; Jung Karl. Machine for grinding the inner surfaces of cylinders or the like. Issued 10-9-34. (28)
1,975,954; All. Klockner Werke A G. Method of producing magnesia deficient in lime and calcium nitrate from dolomite. Issued 10-9-34. (28)
1,975,971; All. Vogel M A G. Holder for loose leaf binders and the like. Issued 10-9-34. (28)
1,975,972; Peschke Arno. Insole. Issued 10-9-34. (28)
1,975,978; Schieferstein Georg Heinrich. Means for transmitting energy in oscillatory form. Issued 10-9-34. (28)
1,975,983; Spengler Johann Peter. Continuously-operating sliding press provided with a rectilinearly-reciprocating press table guided in the carriage. Issued 10-9-34. (28)
1,976,090; Platzer Josef. Variable speed gear. Issued 10-9-34. (6)
1,976,143; All. Drews Paul. Cooling device for the glass plates of copying frames. Issued 10-9-34. (28)
1,976,148; Sonntag Xaver. Machine for beading over sheet metal flanges. Issued 10-9-34. (28)
1,976,158; All. Typograph GmbH. Matrix setting and type line casting machine. Issued 10-9-34. (28)
1,976,182; All. I G Farbenindustrie A G. Drier for coating material. Issued 10-9-34. (28)
1,976,188; Nozawa Ichiro. Arcuate truss. Issued 10-9-34. (39)
1,976,210; Bardt Hans. Method of hardening iron and steel. Issued 10-9-34. (28)
1,976,233; All. Vereinigte Stahlwerke A G. Grinding apparatus. Issued 10-9-34. (28)
1,976,247; Rohn Wilhelm. Wire drawing machine. Issued 10-9-34. (28)
1,976,256; Fruh Karl. Grater for potatoes or the like. Issued 10-9-34. (28)
1,976,259; All. Universelle cigarettenmaschinen. Machine for folding paper bags. Issued 10-9-34. (28)
1,976,281; All. Rado Leopold. Affixable corner mount for pictures. Issued 10-9-34. (28)
1,976,282; Izumiyama Kichiro. Acoustic wall board. Issued 10-9-34. (39)
1,976,285; All. Brehmer Gebruder. Wire stitching machine for stitching corrugated cardboard cartons or the like. Issued 10-9-34. (28)
1,976,286; Kreidler Anton. Cam gear for internal combustion engines. Issued 10-9-34. (28)
1,976,287; Lauenstein Otto. Wrapping and labeling small articles. Issued 10-9-34. (28)
1,976,288; Ludewigs Carl. Pocket stamp. Issued 10-9-34. (28)
1,976,293; Prandtl Wilhelm. Process for the separation of hafnium and zirconium. Issued 10-9-34. (28)
1,976,325; Caprotti Arturo. Poppet valve gear. Issued 10-9-34. (38)
1,976,352; Maul Micheal. Perforating machine for records. Issued 10-9-34. (28)
1,976,357; All. Schumag Schumacher Metallwerke A 7. Machine for straightening drawing and polishing rods. Issued 10-9-34. (28)
1,976,369; All. Vereinigte Eisenbahn Signalwerke. Apparatus for counting the axles of a train. Issued 10-9-34. (28)
1,976,402; All. Knorr Bremse A G. Power operated mechanism. Issued 10-9-34. (28)
1,976,447; Keck Karl. Hydro-mechanically operated tube extrusion press. Issued 10-9-34. (28)
1,976,486; All. Typograph GmbH. Matrix-setting and type-line casting machine. Issued 10-9-34. (28)
1,976,540; All. Maschinenfabrik Augsburg Nurnberg. Stereotyping apparatus. Issued 10-9-34. (28)
1,976,564; Jourdan Felix. Process for the treatment of silicates with acids in order to obtain their soluble salts. Issued 10-9-34. (38)
1,976,631; Pferdmenges Heinrich. Stuff for garments. Issued 10-9-34. (28)
1,976,677; All. I G Farbenindustrie A G. Production of alkylene derivatives from alkylene oxides. Issued 10-9-34. (28)
1,976,679; All. I G. Farbenindustrie A G. Production of dispersions. Issued 10-9-34. (28)
1,976,691; Rambold Adolf. Conveying and flattening device for small bags filled with tea or the like. Issued 10-9-34. (28)
1,976,710; Carpentieri Vincenzo. Tomato peeling machine. Issued 10-16-34. (38)
1,976,793; Mangold Stefan. Air tight closed hollow body. Issued 10-16-34. (6)
1,976,870; Weber Anton. Cooking range flame protector. Issued 10-16-34. (6)
1,977,095; Spielmann Emerich. Photo-electric musical instrument. Issued 10-16-34. (6)
1,977,104; Wittmers Otto. Device for the releasable fixing of the reed of looms. Issued 10-16-34. (28)
1,977,151; Schottky Walter. Electric fire lighting apparatus. Issued 10-16-34. (28)
1,977,178; All. I G Farbenindustrie A G. Production of 1 3 5 trimethyl benzene. Issued 10-16-34. (28)
1,977,382; Gruis Adolph. Appliance for driving in nails. Issued 10-16-34. (28)
1,977,383; Gruis Adolph. Device for hammering in nails. Issued 10-16-34. (28)
1,977,388; Ilberg Heinz. Induction electric furnace. Issued 10-16-34. (28)
1,977,420; Beche Hans. Hammer top. Issued 10-16-34. (28)
1,977,525; All. Chemische und Pharmazeutische. Manufacture of adenosine phosphoric acid. Issued 10-16-34. (28)
1,977,671; All. Egyesult Izzolampa es process of sealing of gas filled containers. Issued 10-23-34. (34)
1,977,689; Muller Paul. Optical system. Issued 10-23-34. (28)
1,977,752; Baj Alessandro. Internal combustion engine. Issued 10-23-34. (38)
1,977,851; Hepperle Heinrich. Stamper and hammer for foundries. Issued 10-23-34. (28)
1,977,923; All. Holzhdrolyse A G. Process for separating dissolved volatile substances from their solvents. Issued 10-23-34. (28)
1,977,924; All. Saige Willy and Co Technisch. Eccentric reversing device for multiple cylinder engines. Issued 10-23-34. (28)
1,977,943; All. Nazionale Ci Aeronautica. Planetary reduction gearing for radial aeroplane engines. Issued 10-23-34. (38)
1,977,946; Kammer Karl. Apparatus for connecting together individual articles. Issued 10-23-34. (28)
1,977,950; Morhard Friedrich. Variable speed electric motor. Issued 10-23-34. (28)
1,977,952; Offenbacher Emil. Cutting and grinding disk. Issued 10-23-34. (28)
1,977,973; Rohm Otto. Treatment of skins and hides. Issued 10-23-34. (28)
1,977,974; All. Electroacustic GmbH. Apparatus for the directional ----.[1] Issued 10-23-34. (28)
1,977,978; All. I G Farbenindustrie A G. Carrying out catalytic oxidation. Issued 10-23-34. (28)
1,977,979; All. I G Farbenindustrie A G. Production of resinous condensation products. Issued 10-23-34. (28)
1,978,024; Lorenz Anton. Sitting and resting furniture. Issued 10-23-34. (28)
1,978,067; All. Lorenz C A G. High power short wave transmitting apparatus. Issued 10-23-34. (28)
1,978,146; All. Rheinische Metallwaaren Und. Method of charging small caliber high-explosive shells. Issued 10-23-34. (28)
1,978,153; All. Demag A G. Cooling bank plant with several delivery channels. Issued 10-23-34. (28)
1,978,281; Pfaff Karl. Sewing machine. Issued 10-23-34. (28)
1,978,304; Gunzel Rudolf. Nonrefillable bottle. Issued 10-23-34. (28)
1,978,306; All. Schubert & Salzer Machinenfabrik. Method of knitting stockings. Issued 10-23-34. (28)
1,978,307; All. Schubert & Salzer Machinenfabrik. Fabric for stockings and methods of knitting same. Issued 10-23-34. (28)
1,978,308; All. Schubert & Salzer Machinenfabrik. Flat hosiery frame. Issued 10-23-34. (28)
1,978,332; All. Stern Ges Fur Moderne. Apparatus for forming columns in situ. Issued 10-23-34. (6)
1,978,363; Fuchs Gottfried et al; Spath Hermann. Method and apparatus for electric riveting. Issued 10-23-34. (28)
1,978,392; Von Brockdorff Rudolf. Liquid level indicating means. Issued 10-23-34. (28)
1,978,494; Junkers Hugo. Hollow structural element. Issued 10-30-34. (28)
1,978,495; All. Elektricitatsgesellschaft Sanitas. Medical instrument. Issued 10-30-34. (28)
1,978,541; All. Bremc Milko. Holder for toilet sticks or the like. Issued 10-30-34. (6)

[1] So in original document.

1,978,550; All. Schlafhorst W and Co. Supply holder for winding machines with automatic feed of the full supply bobbins. Issued 10-30-34. (28)
1,978,556; Sturner Otto. Device for producing changing inscriptions. Issued 10-30-34. (28)
1,978,591; Meiwald Franz. Electric cable. Issued 10-30-34. (6)
1,978,624; Colloseus Heinrich. Primary cell. Issued 10-30-34. (28)
1,978,629; All. Chemische Fabrik Budenheim A G. Softening water. Issued 10-30-34. (28)
1,978,811; Muller Georg. Stave. Issued 10-30-34. (28)
1,978,821; Schmidt Fritz. Process of hardening condensation products from phenols and aldehydes. Issued 10-30-34. (28)
1,978,823; Stohr Josef. Process for the preparation of alumina poor in silicic acid from alkaline earth aluminates. Issued 10-30-34. (28)
1,978,866; All. Teves Alfred Maschinen. Fluid pump and drive means therefor. Issued 10-30-34. (28)
1,978,930; All. Kraupp Fried A G. Lens transfer device. Issued 10-30-34. (28)
1,979,013; All. Felten & Guilleaume Carlswerk A G. Rolling of stranded electrical conductors. Issued 10-30-34. (28)
1,979,015; All. Vereinigte Stahlwerke A G. Steel alloy. Issued 10-30-34. (28)
1,979,033; All. I G Farbenindustrie A G. Process for the manufacture of sulphoethyl compounds of arylamino sulphonic acids. Issued 10-30-34. (28)
1,979,121; Rotta Walter. Method for treating textile goods of any description. Issued 10-30-34. (28)
1,979,137; All. Alterum Kredit A G. Manufacture of sodium carbonate ammonium chloride sodium nitrate and hydrochloric acid. Issued 10-30-34. (28)
1,979,149; All. Pirelli S I. Stop joint for liquid-filled cables. Issued 10-30-34. (38)
1,979,150; All. Soc Italiana Pirelli. Feeding joint. Issued 10-30-34. (38)
1,979,151; All. Alterum Kredit A G. Manufacture of alkali carbonate or alkali hydroxide. Issued 10-30-34. (28)
1,979,161; Klein Wilhelm et al; Moering Georg. Multiple-expansion engine. Issued 10-30-34. (28)
1,979,176; Schicht Friedrich. Pneumatic conveyor. Issued 10-30-34. (28)
1,979,184; Ziegler Julius Franz. Transverse-driven body. Issued 10-30-34. (6)
1,979,186; Biemer Heinrich. Lock. Issued 10-30-34. (28)
1,979,201; Krauss Friedrich Emil. Method of extending the cooling action of ice. Issued 10-30-34. (28)
1,979,232; All. Edeleanu GmbH. Method of recovering So used in refining mineral oils. Issued 10-30-34. (28)
1,979,393; Marguerre Fritz. Thermodynamic energy storage method. Issued 11-6-34. (28)
1,979,396; All. Durkopp Werke A G. Stretching and cutting device on machines for pulling out threads. Issued 11-6-34. (28)
1,979,412; Schwarz Phillip. Spool or bobbin for roll films. Issued 11-6-34. (28)
1,979,419; Still Carl. Leveling bar. Issued 11-6-34. (28)
1,979,467; Hellmuth Fritz. Temperature regulating device for beds or bedrooms. Issued 11-6-34. (28)
1,979,495; Scheiber Johannes. Process for the manufacture of varnishes and the like. Issued 11-6-34. (28)
1,979,496; All. Hesser F R. Device for closing filled bags. Issued 11-6-34. (28)
1,979,545; Heidemann Georg. Automotive vehicle. Issued 11-6-34. (28)

1,979,624; All. Universelle Cigarettenmaschinen. Apparatus for the uniform distribution of tobacco in the spreader of a cigarette making machine. Issued 11-6-34. (28)
1,979,626; Koidl Thomas. Means for manufacturing hollow buildings. Issued 11-6-34. (28)
1,979,629; All. Vereingte Stahlwerke Aktien. Steel and process for its production. Issued 11-6-34. (28)
1,979,645; All. I G Farbenindustrie Aktiengesell. Coating preparations. Issued 11-6-34. (28)
1,979,648; All. Universelle Cigarettenmaschinen. Method and apparatus for making cigar fillers. Issued 11-6-34. (28).
1,979,663; All. Breuning Friedrich. Ball and roller bearing. Issued 11-6-34. (28)
1,979,719; Weisse Ernst. Photographic camera. Issued 11-6-34. (28)
1,979,909; Schulz Herbert. Continuously operating centrifugal machine. Issued 11-6-34 (28)
1,979,930; Schmieske Carl. Bauer Gustav. et al. Power transmitter. Issued 11-6-34. (28)
1,979,931; Beche Hans. Swaging hammer. Issued 11-6-34. (28)
1,980,137; All. Lindstrom Carl Aktiengesellschaft. Electrical reproducer for disk records. Issued 11-6-34. (28)
1,980,199; All. Elektricitatsgesellschaft Sanitas. Walter Faucet. Issued 11-13-34. (28)
1,980,270; Harkort Hermann. Process for manufacturing hollow building plates from ceramic material. Issued 11-13-34. (28)
1,980,277; All. Rhein Scheide Ges fur Ingenieurwebvn. Motor-driven vehicle. Issued 11-13-34. (28)
1,980,278; All. Lehmann Carl J. Sewing machine. Issued 11-13-34. (28)
1,980,333; Haessler Paul. Pressure die casting machine with device for uniformly controlling the movable parts by means of gaseous and hydraulic pressure media. Issued 11-13-34 (28)
1,980,342; All. Chemische Fabrik R Baumheier A G. Sulphonated oils fats or acids thereof and the process of manufacturing the same. Issued 11-13-34. (28)
1,980,346; Meckel Josef Heinrich Jr. Bookkeeping machine. Issued 11-13-34. (28)
1,980,350; Okado Hiroshi. Reservoir pen. Issued 11-13-34. (39)
1,980,414; All. Oranienburger Chemische Fabrik A G. Process for the production of sulpho-acids of high molecular weight. Issued 11-13-34. (28)
1,980,498; Nitsche Alfred. Method for mercerizing cotton fibers. Issued 11-13-34. (28)
1,980,519; All. Rompler Julius A G. Radioactive rubber threads. Issued 11-13-34. (28)
1,980,554; All. Klingelnberg W Ferd Sohne Firm. Method of and device for producing conjugate worm gearings. Issued 11-13-34. (28)
1,980,556; Sintich Viktor. Photographic surveying apparatus. Issued 11-13-34. (28)
1,980,558; All. Haubold C G A G. Drying of fabrics. Issued 11-13-34. (28)
1,980,560; Thyssen Gustav. Duplicating block. Issued 11-13-34. (28)
1,980,608; All. Oesterreichischen Fezfabriken A G. Felt for paper machines. Issued 11-13-34. (6)
1,980,616; All. Teves Alfred. Cylinder for hydraulic brakes. Issued 11-13-34. (28)
1,980,617; All. Teves Alfred Co. Hydraulic opening and closing device. Issued 11-13-34. (28)
1,980,638; All. Boehringer C H Sohn Firm. Method for making hydrogenation products of ketones of the pyridine and piperidine series. Issued 11-13-34. (28)
1,980,639; Schlesinger Alfred. Inking apparatus and method of operating the same. Issued 11-13-34. (28)
1,980,640; Schneider Georg. Drinking trough for animals. Issued 11-13-34. (28)
1,980,659; Boldt Johannes. Note block. Issued 11-13-34. (28)
1,980,719; All. Volta GmbH. Heating element for electric cooking and heating apparatus. Issued 11-13-34. (28)
1,980,741; Bevacqua Aldo. Piston and cylinder assembly. Issued 11-13-34. (38)
1,980,763; Schreiber Otto. Dust exhausting apparatus. Issued 11-13-34. (28)
1,980,868; Maltner Carl. Friction lighter. Issued 11-13-34. (28)
1,980,873; Niederreither Hans. Electrolyzer and electric accumulator. Issued 11-13-34. (28)
1,980,874; All. Mauser Werke A G. Quick firing pistol. Issued 11-13-34. (28)
1,980,959; All. I G Farbenindustrie A G. Artificial mass. Issued 11-13-34. (28)
1,981,086; Beauvisage Johann. Device for uniting package and bale hoops. Issued 11-20-34. (28)
1,981,105; Hieber Karl Victor. Elastic knife edge bearing for measuring appliances. Issued 11-20-34. (6)
1,981,111; Landau Robert. Method of and machine for applying caps to the openings of receptacles such as bottles. Issued 11-20-34. (6)
1,981,195; All. Losenhausenwerk. Device for the indication of alternating pressures. Issued 11-20-34. (28)
1,981,322; Nakajima Tomomasa et al; Takayanagi Kenjiro. Cathode ray tube. Issued 11-20-34. (39)
1,981,323; Palazzo Francesco Carlo et al; Palazzo Fortunato. Process for producing wood cellulose comparable to cotton with high tenor of alkali resisting cellulose. Issued 11-20-34. (38)
1,981,390; All. Felten & Guilleaume Carlswerk A G. Manufacture of stranded electric multicore cables. Issued 11-20-34. (28)
1,981,397; Tabozzi Giacinto. Filter. Issued 11-20-34. (38)
1,981,416; Korfmacher Anton. Metering pump. Issued 11-20-34. (28)
1,981,582; Colucci Giuseppe. Friction change speed gears. Issued 11-20-34. (38)
1,987,659; Muller Georg. Stave or bottom for barrels and vats, etc. Issued 11-30-34. (28)
1,981,675; Stapp Philipp. Method of producing solid carbon dioxide. Issued 11-20-34. (28)
1,981,676; Stapp Philipp. Apparatus for the production of solid carbon dioxide. Issued 11-20-34. (28)
1,981,682; All. Schiess Defries A G. Machine tool. Issued 11-20-34. (28)
1,981,692; Dichter Jakob. Feeding means for glass tube manipulating machines. Issued 11-20-34. (28)
1,981,722; All. Koppel Rudolf Heinrich. Manufacture and production of porous rubber. Issued 11-20-34. (28)
1,981,732; Kaiser Friedrich. Method and device for mechanically attaching pins to fly catcher tapes. Issued 11-20-34. (28)
1,981,766; All. Dortmund Hoerder Huttenverein A G. Burner for liquid fuel especially for cutting and welding under water. Issued 11-20-34. (28)
1,981,917; Kimura Kesao. Multicolor pencil. Issued 11-27-34. (39)
1,982,017; Oser Alfred. Apparatus for multiplying records. Issued 11-27-34. (6)
1,982,027; Sieper Fritz. Casing for circular piston engines. Issued 11-27-34. (28)
1,982,468; Drapal Ottokar. Endless track for vehicles. Issued 11-27-34. (6)

1,982,472; Heetkamp Heinrich. Revolving device for pilger mills. Issued 11-27-34. (28)

1,982,513; All. Edeleanu GmbH. Process for continuous refining of mineral oils with liquid SO_2 and the like. Issued 11-27-34. (28)

1,982,530; Mikut Paul Oskar. Method of projecting cinematographic pictures in natural colors. Issued 11-27-34. (28)

1,982,537; All. Reiss & Klemm. Oscillating motor fan. Issued 11-27-34. (28)

1,982,563; Wimmer Anton. Method of plating iron with aluminum and product thereof. Issued 11-27-34. (28)

1,982,604; All. I G Farbenindustrie A G. Process for the manufacture of white pigment. Issued 11-27-34. (28)

1,982,672; All. Drucktransformatoren Koenemann. Process for the simultaneous generation of coldness and steam under pressure. Issued 12-4-34. (28)

1,982,743; All. Brehmer Gebruder. Wire stitching or stapling machine. Issued 12-4-34. (28)

1,982,745; All. Drucktransformatoren Koenemann. Method of transforming heat energy. Issued 12-4-34. (28)

1,982,747; Kurth Franz Josef. Ventilating device. Issued 12-4-34. (28)

1,982,760; All. I G Farbenindustrie A G. Solvent for preparing cellulose ethel lacquers. Issued 12-4-34. (28)

1,982,765; All. I G Farbenindustrie A G. Artificial mass. Issued 12-4-34. (28)

1,982,774; All. I G Farbenindustrie A G. Mirror. Issued 12-4-34. (28)

1,982,841; Tamini Mario. Priming mechanism for portable pumps. Issued 12-4-34. (38)

1,982,881; All. I G Farbenindustrie A G. Manufacture of coatings and the like artificial masses. Issued 12-4-34. (28)

1,982,985; All. I G Farbenindustrie A G. Process of preparing hydrogenated amines. Issued 12-4-34. (28)

1,983,005; All. Zaiden Hojin Rikagaku Kenkyujo. Positive sensitized paper. Issued 12-4-34. (39)

1,983,006; All. I G Farbenindustrie A G. Antirust paint. Issued 12-4-34. (28)

1,983,035; Izawa Riichiro. Means for manufacturing brush handles. Issued 12-4-34. (39)

1,983,038; All. Barmer Maschinenfabrik A G. Drive arrangement for twisting machines with spindles arranged on both sides. Issued 12-4-34. (28)

1,983,090; Kolsch Reinhard. Machine for universally milling grinding and drilling workpieces of all kinds. Issued 12-4-34. (28)

1,983,194; All. Rekuperator GmbH. Recuperator. Issued 12-4-34. (28)

1,983,214; Bryiski Lukas. Apparatus for grinding and stropping hollow ground razor blades. Issued 12-4-34. (28)

1,983,226; All. Gretsch Unitas GmbH. Skitie. Issued 12-4-34. (28)

1,983,231; Keitel Hans Julius. Fluid meter. Issued 12-4-34. (28)

1,983,238; Mucklich Max. Antiskid tire for motor vehicles. Issued 12-4-34. (28)

1,983,242; Rohn Wilhelm. Induction furnace. Issued 12-4-34. (28)

1,983,260; Zorzi Carlo. Combined motor and compressor. Issued 12-4-34. (38)

1,983,261; Zorzi Carlo. Pump or compressor. Issued 12-4-34. (38)

1,983,262; Zorzi Carlo. Combined motor and compressor. Issued 12-4-34. (38)

1,983,276; All. Kuchenmeister S Internationale. Driving apparatus for sound films. Issued 12-4-34. (28)

1,983,296; All. Lawaczeck GmbH in Liquidation. Arrangement in multicell electrolyzers. Issued 12-4-34. (28)

1,983,313; Schonfelder Robert. Sulfur separator. Issued 12-4-34. (28)

1,983,405; Schmidt Paul. Method of producing motive forces on aircraft by the explosion of inflammable mixtures of substances. Issued 12-4-34. (28)

1,983,413; All. Soc Italiana Pirelli. Device for twisting textile filamentary material. Issued 12-4-34. (38)

1,983,465; All. Brehmer Geb. Thread severing mechanism. Issued 12-4-34. (28)

1,983,472; Lancia Vincenzo. Sprag device for automotive vehicles. Issued 12-4-34. (38)

1,983,497; Henninger Albert Berthold. Self supporting car body made of sheet metal. Issued 12-4-34. (28)

1,983,587; Abel August. Device for recording check values and maintaining balance. Issued 12-11-34. (28)

1,983,623; Ludecke Georg. Method of making a dry cell bobbin. Issued 12-11-34. (28)

1,983,690; Behrens Josef. Method of manufacturing wall paper. Issued 12-11-34. (28)

1,983,756; Hessmert August. Handle grip. Issued 12-11-34. (28)

1,983,773; Prina Giuseppe. Combination lock. Issued 12-11-34. (38)

1,983,896, Bottcher Paul. High speed double rotor motor. Issued 12-11-34. (28)

1,983,908; Lippmann Ludwig Max. Method of denicotinizing tobacco. Issued 12-11-34. (28)

1,983,955; All. Zahnradfabrik Friedrichshafen A G. Change speed gear. Issued 12-11-34. (28)

1,983,960, All. Fuld H and Co Telehon und Current impulse transmitter. Issued 12-11-34. (28)

1,983,964; Berardinelli Alfredo. Hull construction. Issued 12-11-34. (38)

1,983,972; All. Soc. Italiana Pirelli. Manufacture of rubber and articles thereof. Issued 12-11-34. (38)

1,983,977; Geiger Carl. Pipe coupling. Issued 12-11-34. (28)

1,983,982; Knollenberg Rudolf. Apparatus for applying liquid fats fat emulsions and the like to a rotating drum. Issued 12-11-34. (28)

1,984,015; Ganz Joseph. Pedal arrangement for vehicles. Issued 12-11-34. (28)

1,984,044; Sukohl Heinrich. Propeller and method of manufacturing the same. Issued 12-11-34. (28)

1,984,100; Von Schutz Friedrich. Prepayment mechanism for gas meters. Issued 12-11-34. (28)

1,984,141; All. Paasch Johannes. Value stamping machine. Issued 12-11-34. (28)

1,984,164; All. Degea A G Auergesellschaft. Process and apparatus for purifying air vitiated with mercury vapors. Issued 12-11-34. (28)

1,984,263; All. Schon and Cie A G. Machine for delasting boots and shoes. Issued 12-11-34. (28)

1,984,264; Gualtierotti Gualtiero. Cinematographic picture-taking and projecting machine. Issued 12-11-34. (38)

1,984,369; All. Drucktransformatoren Koenemann. Heat carrier for high temperatures. Issued 12-18-34. (28)

1,984,417; All. I G Farbenindustrie A G. Production of artificial masses. Issued 12-18-34. (28)

1,984,471; All. Siemens & Halske A G. Lenticulated film. Issued 12-18-34. (28)

1,984,472; All. Aceta GmbH. Manufacture of artificial threads. Issued 12-18-34. (28)

1,984,477; All. I G Farbenindustrie A G. Articles from cellulose derivatives of the higher fatty acids. Issued 12-18-34. (28)

1,984,501; All. Anker Werke A G. Thread drawing machine. Issued 12-18-34. (28)

1,984,531; All. Siemens Schuckertwerke A G. Sprayer employed in watering areas of land. Issued 12-18-34. (28)

1,984,625; Baldauf Gustav. Process for the production of facings of pressed cork for rollers drums pulleys and the like. Issued 12-18-34. (28)

1,984,640; Grotewold Otto. Collar button. Issued 12-18-34. (28)

1,984,664; Teves Alfred. Sectional rotary compressor. Issued 12-18-34. (28)

1,984,671; All. I G Farbenindustrie A G. Splinterless material particularly splinterless glass. Issued 12-18-34. (28)

1,984,745; All. Erben Von Giesches Georg Firm. Electrodeposition of zinc. Issued 12-18-34. (28)

1,984,746; All. Austro Daimler Puchwerke A G. Railroad vehicle. Issued 12-18-34. (6)

1,984,757; All. I G Farbenindustrie A G. Process of decomposing thiocyanic acid. Issued 12-18-34. (28)

1,984,837; Kronenberg Rudolf. Measuring apparatus for rolled material. Issued 12-18-34. (28)

1,984,898; All. Durkopp Werke A G. Process and apparatus for copying photographs. Issued 12-18-34. (28)

1,984,926; All. Anker L Maschinenfabrik Manufacture of galvanic cells. Issued 12-18-34. (28)

1,984,929, Janzen Otto. Synchronous motor. Issued 12-18-34. (28)

1,984,962, All. United Cigarette Machine Co A G. Device for reversing cigarettes and similarly shaped articles of manufacture when packing same. Issued 12-18-34. (28)

1,984,980; All. Universelle Cigarettenmaschinen. Apparatus for conveying cut tobacco. Issued 12-18-34. (28)

1,984,981; All. Universelle Cigarettemaschinen. Devise for transferring articles from and continuously moving conveyor band to another conveyor band. Issued 12-18-34. (28)

1,985,056; Pferdmenges Heinrich. Method and apparatus for regulating the weight of the laps produced by the--------[1] Issued 12-18-34. (28)

1,985,072; All. Zeiss Carl Firm. Device for illuminating microscopic objects with incident light. Issued 12-18-34. (28)

1,985,091; All. Kienzie taxameter und Apparate A G. Rotor for self starting synchronous electric motors for clocks and the like. Issued 12-18-34. (28)

1,985,241; Daya Werner. Device for removing disturbances in wireless transmission. Issued 12-25-34. (28)

1,985,258; All. Faithauser Willy. Bottle closure. Issued 12-25-34. (28)

1,985,415; All. Lorenz C A G. Signaling system. Issued 12-25-34. (28)

1,985,441; Bossner Franz et al; Marischka Carl. Production of gases poor in carbon monoxide. Issued 12-25-34. (6)

1,985,462; Schapiro Georg. Method of and machine for producing bundled small wood. Issued 12-25-34. (28)

1,985,463; All. Lehmann Ernst Paul. Spinning top toy. Issued 12-25-34. (28)

1,985,553; Ruff Wolfram. Process of making cast iron. Issued 12-25-34. (28)

1,985,661; All. Bohme H Th A G. Process for drenching hides. Issued 12-25-34. (28)

1,985,737; Mayr Hermann. Process of manufacturing of light nailable bricks. Issued 12-25-34. (28)

1,985,751; Vogel Max. Match case. Issued 12-25-34. (28)

1,985,784; Jordan Franz. Process for the production of aluminum plated zinc sheet. Issued 12-25-34. (28)

1,985,795; All. Vereinigte Stahlwerke A G. Sheet piling. Issued 12-25-34. (28)

1,985,828; Himmelmann Adolf. Protective rolling screen for windows doors and the like. Issued 12-25-34. (28)

[1] So in original document.

1,985,833; All. Berlin Karlsruher Industrie Werke. Method of making grooved sleeves. Issued 12-25-34. (28)

1,985,858; Gerdts Gustav Friedrich. Discharge valve for tank cars. Issued 12-25-34. (28)

1,985,861; Jereczek Viktor. Thread spindle gearing. Issued 12-25-34. (28)

1,985,927; Jansen Bernhard. Step-switch arrangement for tapping transformers. Issued 1-1-35. (28)

1,985,928; Jansen Bernhard. Load changeover switch for step transformers. Issued 1-1-35. (28)

1,985,937; All. I. G. Farbenindustrie A G. Product of methylolurea. Issued 1-1-35. (28)

1,986,040; Buhler Georg. Plain bearing. Issued 1-1-35. (6)

1,986,044; Casaburi Vittorio. Process of producing fungicides and insecticides. Issued 1-1-35. (38)

1,986,053; Friess Hans. Rewinding apparatus for sound films. Issued 1-1-35. (28)

1,986,060; Heller Maximilian. Easy chair and the like. Issued 1-1-35. (6)

1,986,070; Rosenfeld Hermann. Creping of paper the longitudinal direction. Issued 1-1-35. (28)

1,986,072; IM Schlaa Friedrich. Device for the manufacture of shaped pieces from annular blanks. Issued 1-1-35. (28)

1,986,080; Still Carl. Recovery of byproducts from distillation gases. Issued 1-1-35. (28)

1,986,083; Tolkein Fritz. Steam engine valve gear. Issued 1-1-35. (28)

1,986,084; Tolkien Fritz. Controlling means for double acting reciprocating engines without flywheel. Issued 1-1-35. (28)

1,986,137; All. Brunsviga Maschinenwerke Grimme. Adding machine. Issued 1-1-35. (28)

1,986,177; Zastoupil Robert. Roller planet gear. Issued 1-1-35. (6)

1,986,280; All. Durkopp Werke A G. Process for the production of colored photographic pictures. Issued 1-1-35. (28)

1,986,335; Halbach Karl. Hydraulic and similar cement. Issued 1-1-35. (28)

1,986,368; Schwarz Benno. Induction motor winding. Issued 1-1-35. (28)

1,986,480; Mahle Ernst. Piston. Issued 1-1-35. (28)

1,986,485; Schmidt Carl. Rolling mill. Issued 1-1-35. (28)

1,986,539; Schmidt Fritz. Forced lubrication system. Issued 1-1-35. (28)

1,986,544; All. Eckert & Ziegler GmbH. Die casting machine. Issued 1-1-35. (28)

1,986,606; All. Maschinenfabrik Augsburg Nurnberg. Mixing and stirring device. Issued 1-1-35. (28)

1,986,646; Schade Alfred. Foot support. Issued 1-1-35. (28)

1,986,654; Walbinger Else. Colored picture and device for producing such picture. Issued 1-1-35. (28)

1,986,692; All. Steiles Heinrich August. Fireproof construction material. Issued 1-1-35. (28)

1,986,698; All. Vereinigte Stahlwerke A G. One-piece disk wheel. Issued 1-1-35. (28)

1,986,701; All. Vereinigte Stahlwerke A G. Bottom seal for gates or the like. Issued 1-1-35. (28)

1,986,702; Angelini Virginio. Manufacture of iron alloys. Issued 1-1-35. (38)

1,986,707; Bezner Albert. Decorticating device for timber. Issued 1-1-35. (28)

1,986,708; Bezner Albert. Decorticating device for timber. Issued 1-1-35. (28)

1,986,717; Ehrich Joseph; Ehrich Ludwig et al. Feeding device for chaff-cutting machines and the like. Issued 1-1-35. (28)

1,986,749; Reuter Baptist. Manufacturing of stable solutions of eye sodium salt of diaminodioxy arsenobenzene methylensulphinic acid and the like. Issued 1-1-35. (28)

1,986,944; Schoene Kurt. Annular valve. Issued 1-8-35. (28)

1,987,028; Schlingplasser Otto. Suction sweeper. Issued 1-8-35. (28)

1,987,046; All. Rodas Maschinenfabrik Roderick W. Device for spraying freshly printed sheets with a subsequently solidifying liquid. Issued 1-8-35. (28)

1,987,171; All. I G Farbenindustrie A G. Production of conversion products of caoutchouc. Issued 1-8-35. (28)

1,987,220; Skaupy Franz. Method and apparatus for operating incandescent bodies. Issued 1-8-35. (28)

1,987,250; All. Gessner A G Ernst. Suspension drying apparatus. Issued 1-8-35. (28)

1,987,318; Backenecker Fritz. Device for making rolls of sliced ham. Issued 1-8-35. (28)

1,987,330; Fischer Alexander Otto. Automatic door and like controlling device. Issued 1-8-35. (28)

1,987,435; All. Teves Alfred. Brake arrangement. Issued 1-8-35. (28)

1,987,440; Habann Erich. Alternating current signaling system. Issued 1-8-35. (28)

1,987,488; Morelli Eugenio. Sliding flexible blind for a veranda. Issued 1-8-35. (38)

1,987,499; Tabozzi Giacinto. Union for flexible pipes. Issued 1-8-35. (38)

1,987,505; All. Schumann & Co. Pressure regulator. Issued 1-8-35. (28)

1,987,509 Kendoff Antal. Sorting machine. Issued 1-8-35. (34)

1,987,523; All. Seidel Naumann A G. Marginregulating stop. Issued 1-8-35. (28)

1,987,532; Koito Genrokuro. Device for changing lamps in an illuminating unit. Issued 1-8-35. (39)

1,987,552; All. Montecatini Societa Generale Per. Process for the preparation of ammonium nitrate. Issued 1-8-35. (38)

1,987,626; All. Deutsche Werke Kiel A G. Process of and apparatus for filling cracks and crevices. Issued 1-15-35. (28)

1,987,631; All. Holzwarth Gasturbinen GmbH. Compound explosion turbine. Issued 1-15-35. 28)

1,987,654; All. Vereingte Eisenbahn Signalwerke. Universal relay particularly suitable for railroad safety equipment. Issued 1-15-35. (28)

1,987,712; Nussbaum Robert Schroder Hermann et al. Artificial teeth. Issued 1-15-35. (28)

1,987,765; All. Zeiss Carl Firm. Range finder for photographic purpcses. Issued 1-15-35. (28)

1,987,826; Heumann Gustav. Showcase clamp. Issued 1-15-35. (28)

1,987,864; Nogamy Yaeyj. Adjusting device for warp tension in automatic looms. Issued 1-15-35. (39)

1,987,878; Tronnier Albrecht Wilhelm. Photographic objective. Issued 1-15-35. (28)

1,987,958; All. Deutsche Werke Kiel A G. Method and means for filling in concrete rocks and the like. Issued 1-15-35. (28)

1,987,985; Bauer Gustav et al; Schmieske Carl. Power transmission mechanism. Issued 1-15-35. (28)

1,988,035; Fernholz Ernst. Installation for producing carbonated beverages. Issued 1-15-35. (28)

1,988,039; Grob Hugo. Generator armature. Issued 1-15-35. (28)

1,988,049; Reiner Theodor. Door-barring device. Issued 1-15-35. (28)

1,988,050; Revery Gustav Rosenbusch Richard et al. Process of producing powdered phosphatide preparations. Issued 1-15-35. (28)

1,988,052; All. Erz und Kohle Flotation GmbH. Process for concentrating carbonate and oxidized ores and minerals. Issued 1-15-35. (28)

1,988,060; All. Barmer Maschinenfabrik A G. Apparatus for twisting yarn and winding on conical cross-wound bobbins. Issued 1-15-35. (28)

1,988,067; All. Barmer Maschinenfabrik A G. Driving gear for artificial silk bobbry spinning machines. Issued 1-15-35. (28)

1,988,075; Fiorini Guido. Building construction. Issued 1-15-35. (38)

1,988,223; Voss Walter. Closure for heat insulated containers. Issued 1-15-35. (28)

1,988,270; All. Lorenz C A G. Telegraphic transmitter. Issued 1-15-35. (28)

1,988,275; All. Lorenz C A G. Equal wavelength broadcasting. Issued 1-15-35. (28)

1,988,367; All. Uhertype A G. Copying camera. Issued 1-15-35. (28)

1,988,390; All. Busch Emil A G. Change focus objective. Issued 1-15-35. (28)

1,988,409; Lahl Alfred Amann Max et al. Type printing device. Issued 1-15-35. (28)

1,988,413; All. Magnet Werke GmbH. Friction coupling. Issued 1-15-35. (28)

1,988,545; All. Arduino la Victoria. Cock for coffee making machines. Issued 1-22-35. (38)

1,988,546; Duhan Franz. Apparatus with locking device and pressure actuated button for the delivery of products of tobacco and other cylindrical goods. Issued 1-22-35. (6)

1,988,559; Koch Hans. Electric circuit. Issued 1-22-35. (28)

1,988,564; Nernst Hermann Walther. Instrument producing music. Issued 1-22-35. (28)

1,988,675; Tessky Karl. Apparatus for indexing turret heads. Issued 1-22-35. (28)

1,988,676; Andreas Arno. Turbine for filling bags with finely divided materials. Issued 1-22-35. (28)

1,988,705; All. Andreas GmbH. Bag chair for bag filling machines. Issued 1-22-35. (28)

1,988,777; Bohrisch Gotthard. Concrete core for earth dams. Issued 1-22-35. (28)

1,988,799; All. Yuasa Storage Battery Co. Ltd. Manufacture of manganese dioxide. Issued 1-22-35. (39)

1,988,862; All. Demag A G. Control for excavators. Issued 1-22-35. (28)

1,988,864; Berve Heinrich. Method of making double boomed sheet pile. Issued 1-22-35. (28)

1,988,884; Westphal Albert. Measuring device. Issued 1-22-35. (28)

1,988,895; All. Lindner Herbert GmbH. Device for dressing profiled grinding wheels. Issued 1-22-35. (28)

1,988,896; All. Astrawerke A G. Multiple register machine. Issued 1-22-35. (28).

1,988,899; All. Schubert and Salzer Maschinenfabrrs. Stocking and method of knitting same. Issued 1-22-35. (28)

1,988,902; Keppeler Franz. Process of working up vulcanized rubber waste. Issued 1-22-35. (28)

1,988,903; Krauss Friedrich. Issued 1-22-35. (6)

1,988,905; English Frank A Kroch Heinz et al. Manufacture of leather. Issued 1-22-35. (28)

1,988,913; All. Olivetti Ing C and C. Typewriter. Issued 1-22-35. (38)

1,988,916; Prosdocimi Giuseppe Andrea. Horizontal louverlike wings rotating flying machine with beating and slidiex opposite directions. Issued 1-22-35. (38)

1,988,918; All. Schlafhorst W and Co. Yarn beaming machine. Issued 1-22-35. (28)

1,988,923; All. Utilities Improvements Ltd. Purification of sugar juices. Issued 1-22-35. (28)

1,988,968; Gautzsch Rudolf. Boiler flue. Issued 1-22-35. (28)

1,988,982; All. Ehrenreich A and Cie. Cushioning device for pneumatic hammers. Issued 1-22-35. (28)

1,989,014; Mazzucchi Mario. Anthrax vaccine. Issued 1-22-35. (38)

1,989,065; All. Kalle and Co A G. Process for preparing diazo types and light sensitive layers therefor. Issued 1-22-35. (28)

1,989,134; All. Siemens & Halske A G. Shutter for reproducing and copying lenticulated films. Issued 1-29-35. (28)
1,989,171; All. Flottmann A G. Shank collar for boring drilling punching and like tools and in appliances for attaching the same. Issued 1-29-35. (28)
1,989,259; All. Junkers Hugo. Structural member nitrogen tetroxide. Issued 1-29-35. (28)
1,989,267; Frank Albert Rudolf; Caro Nikodem et al; Wendlandt Rudolf. Issued 1-29-35. (28)
1,989,273; Tramm Heinrich; Fischer Thomas; Grimme Walter et al. Production of acetylene. Issued 1-29-35. (28)
1,989,292; All. Kwalsha Toden Denkyu Kabushiki. Incandescent electric lamp or the like and means for manufacturing same. Issued 1-29-35. (39)
1,989,304; All. Verpackungsbedarf GmbH. Bag and method of making same. Issued 1-29-35. (28)
1,989,346; All. Felten & Guilleaume Carlswerk Activn. Multicore power cable. Issued 1-29-35. (28)
1,989,369; Krenzler Emil. Bobbin or braiding machine. Issued 1-29-35. (28)
1,989,370; All. Staedtler J S. Improved graphic writing and drawing lead. Issued 1-29-35. (28)
1,989,396; Bohne Wilhelm. Apparatus for dividing curved surfaces. Issued 1-29-35. (28)
1,989,425; All. I G Farbenindustrie A G. Production of butylene from ethylene. Issued 1-29-35. (28)
1,989,446; Ganz Joseph. Driving block arrangement for motor vehicles. Issued 1-29-35. (28)
1,989,448; Hasselmann Otto. Auxiliary device for pistols. Issued 1-29-35. (28)
1,989,453; Kasantzeff Florentin. Triple valve for direct acting automatic brakes. Issued 1-29-35. (28)
1,989,454; Koster Johan Friedrich. Apparatus for storing and observing pictures especially small photographic pictures. Issued 1-29-35. (28)
1,989,456; Luschenowsky Alexander. Flux for the smelting and refining of magnesium and magnesium alloys. Issued 1-29-35. (28)
1,989,539; Bazzecchi Aldo. Indeformable bobbin for spinning artificial yarns. Issued 1-29-35. (38)
1,989,545; Cauer Wilhelm. Electric wave filter. Issued 1-29-35. (28)
1,989,557; All. Kuppers Metallwerke GmbH. Soldering flux. Issued 1-29-35. (28)
1,989,564; Stauber Georg. Rotary machine or power engine. Issued 1-29-35. (28)
1,989,573; Von Loutzkoy Boris. Monotrack vehicle. Issued 1-29-35. (28)
1,989,579; All. Alterum Kredit Aktien Ges. Process for the production of alkaline hydrates from alkaline bicarbonate or carbonate. Issued 1-29-35. (28)
1,989,594; Gonyk Ignatz. Shuttle casing for sewing machines. Issued 1-29-35. (6)
1,989,638; Goldschmidt Max L. Reversible cuff. Issued 1-29-35. (28)
1,989,668; Garthe Fritz. Mixing apparatus. Issued 2-5-35. (28)
1,989,748; All. Siemens and Halske A G. Multicolor filter used in taking and projecting photos on lenticulated films. Issued 2-5-35. (28)
1,989,877; Michels Julius. Mixing machine. Issued 2-5-35. (28)
1,990,021; Bollinger Hanns Stephan Wilhelm. Hydrodynamic coupling for rotary shafts. Issued 2-5-35. (28)
1,990,028; Horn Guido. Braiding machine. Issued 2-5-35. (28)
1,990,029; Isabella Gioachino Benvenuto. Device for the cleaning of grooved rails. Issued 2-5-35. (38)
1,990,036; All. Bosch Robert A G. Electric small tool. Issued 2-5-35. (28)
1,990,089; Otto Carl. Process for filling joints and crevices in underburner coke oven brickwork. Issued 2-5-35. (28)
1,990,097; Scholler Heinrich et al; Karsch Walter. Process of converting cellulose and like into sugar with dilute acids under pressure. Issued 2-5-35. (28)
1,990,106; Wilhelm Ottmar. Method of making duplicating forms. Issued 2-5-35. (28)
1,990,122; Hauser Michael. Electrical overload circuit breaker. Issued 2-5-35. (28)
1,990,138; Schuster Hans. Measuring device for tube walls. Issued 2-5-35. (28)
1,990,140; Seiferth Hugo. Method and apparatus for producing metal bars with transverse ribs. Issued 2-5-35. (28)
1,990,144; Solterbeck Otto. Gearing. Issued 2-5-35. (28)
1,990,158; Albertz Hans. Routing machine. Issued 2-5-35. (28)
1,990,160; Arnold Carl. Floating toy with device for firing projectiles or rockets whilst floating. Issued 2-5-35. (28)
1,990,249; Pieron Hugo. Silencer for internal combustion engines. Issued 2-5-35. (28)
1,990,253; All. Demag A G. Track sanding device. Issued 2-5-35. (28)
1,990,255; Sonntag Xaver. Machine for flanging sheet metal plates. Issued 2-5-35. (28)
1,990,277; Feussner Otto et al; Jedele Alfred. Metals of the platinum group and certain alloys. Issued 2-5-35. (28)
1,990,279; Glossl Konrad Schaffler. Casing for electric shot firing machines. Issued 2-5-35. (6)
1,990,319; All. Heisser Fr Maschinenfabrik A G. Device for piling and counting blanks of paper or the like. Issued 2-5-35. (28)
1,990,325; Hopkes Henry. Dispensing device. Issued 2-5-35. (23)
1,990,343; Naruse Kunimaro. Process for preparing food for silk worms. Issued 2-5-35. (39)
1,990,349; Ritzerfeld Wilhelm. Manifolding machine. Issued 2-5-35. (28)
1,990,350; All. Mauser Werke A G. Calculating machine. Issued 2-5-35. (28)
1,990,385; Kurz Georg Jr. Bracelet extension device. Issued 2-5-35. (28)
1,990,415; Nocken Heinrich. Thrust rod typewriter without shifting device. Issued 2-5-35. (28)
1,990,510; Winkler Franz. Coaster brake for bicycles. Issued 2-12-35. (28)
1,990,588; All. I G Farbenindustrie A G. Artificial fibroin thread. Issued 2-12-35. (28)
1,990,606; All. Junkers Motorenbau GmbH. Shafting for power transmission. Issued 2-12-35. (28)
1,990,607; Kocks Fritz. Rolling mill having inclined rolls. Issued 2-12-35. (28)
1,990,615; All. I G Farbenindustrie A G. Wax. Issued 2-12-35. (28)
1,990,618; Schoene Kurt. Pump. Issued 2-12-35. (28)
1,990,715; Steffen Otto. Sliding device. Issued 2-12-35. (28)
1,990,993; All. Luftschiffbau Zeppelin GmbH. Airship. Issued 2-12-35. (28)
1,991,048; Bratke Otto. Process for producing an oleaginous color matrix. Issued 2-12-35. (28)
1,991,054; Hampke Otto. Pocket mirror for reflecting positive images. Issued 2-12-35. (28)
1,991,122; Schmidt Hermann. Winding device for tops. Issued 2-12-35. (28)
1,991,153; All. Martini Huneke und Salzkotten. Liquid measuring and tapping device. Issued 2-12-35. (28)
1,991,212; Herrmann Hans. Braking device for aircraft catapults. Issued 2-12-35. (28)
1,991,282; Kchl Karl. Electron tube. Issued 2-12-35. (28)
1,991,285; Lindner Herbert. Machine tool with rotary tool. Issued 2-12-35. (28)
1,991,300; Tichy Gustav et al; Klas Heinrich. Process of producing protective coatings on metal surfaces. Issued 2-12-35. (28)
1,991,302; Von Frommer Rudolf. Automatic firearm with a movable barrel. Issued 2-12-35. (34)
1,991,361; Hammerle Adolf. Partition wall. Issued 2-19-35. (6)
1,991,452; All. Montecatini Soc Generale. Process for the preparation of concentrated nitric acid starting from the oxidation of ammonia. Issued 2-19-35. (38)
1,991,509; All. Lanz Heinrich A G. Collapsible pipe and pneumatic transmission. Issued 2-19-35. (28)
1,991,585; Teichmann Albert. Means for guiding plansifter brushes. Issued 2-19-35. (28)
1,991,676; Huwyler Oswald. Oil cataract control gear. Issued 2-19-35. (6)
1,991,685; All. Vereinigte Stahlwerke A G. Method of producing steel in basic open hearth furnaces. Issued 2-19-35. (28)
1,991,707; All. Melrowsky & Co A G. High tension condenser. Issued 2-19-35. (28)
1,991,757; All. Bergmann Carl. Tobacco cutting device. Issued 2-19-35. (28)
1,991,786; All. Zellstoffabrik Waldhof. Manufacture of cellular substances. Issued 2-19-35. (28)
1,991,805; Kluger Leo. High-speed turning bit milling tool and similar tool and process for manufacturing the same. Issued 2-19-35. (6)
1,991,837; Bauer Fritz. Building element. Issued 2-19-35. (28)
1,991,918; Pick Margit Berchtold Nee. Method of manufacturing blue glazed ceramic articles. Issued 2-19-35. (38)
1,991,927; Herrmann Ernst; Herrmann Richard et al. Electrically controlled screw cutting machine. Issued 2-19-35. (28)
1,991,957; Ranieri Luigi. Motion picture projection apparatus. Issued 2-19-35. (28)
1,991,994; Wimmer Anton. Method of plating iron with aluminum and product of such method. Issued 2-19-35. (28)
1,992,023; Cahn Benjamin. Clasp or clip for hair waving. Issued 2-19-35. (28)
1,992,073; Hempel Alfred. Isolating plug for fixing electric wiring on walls. Issued 2-19-35. (28)
1,992,100; Stein Wilhelm. Testing flaws and the like in working materials. Issued 2-19-35. (28)
1,992,131; Sajak Emil. Leather dressing composition. Issued 2-19-35. (28)
1,992,134; All. Kienzle Taxameter und Apparate A 7. Apparatus for recording vibrations. Issued 2-19-35. (28)
1,992,278; Aliquo Francesco. Mechanical fuse for time and percussion projectiles. Issued 2-26-35. (38)
1,992,279; All. Siemens & Halske A G. Apparatus for goffering lenticulated films. Issued 2-26-35. (28)
1,992,289; Caro Nikodem et al; Franck Hans Heinrich Frank Albert Rudolph. Process for preparing alkaline earth cyanamides. Issued 2-26-35. (28)
1,992,324; All. Kali Chemie A G. Manufacture of potassium carbonate and sodium sulphate. Issued 2-26-35. (28)
1,992,325; All. Vereinigte Deutsche Metallwerke A & X. Process of normalizing ternary and multiple alloys forming solid solutions. Issued 2-26-35. (28)
1,992,346; Bartholomaus Rudolf. Tool for drilling polygonal holes. Issued 2-26-35. (28)
1,992,372; All. Bohler Gebr & Co. A G. Issued 2-26-35. (28)
1,992,380; All. Rheinische Metallwaaren und Retaining device for interchangeable magazines of firearms. Issued 2-26-35. (28)

1,992,396; Rosenberg Aron Hersz. Recovering silk from knit goods. Issued 2-26-35. (6)
1,992,403; All. Wanderer Werke Vorm Winklhofer &. Milling machine. Issued 2-26-35. (28)
1,992,478; All. Internationale Galalith Ges Hoff. Process for accelerating the hardening of shaped casein articles. Issued 2-26-35. (28)
1,992,515; All. Aktis Studienges fur Kohleforschuex. Apparatus for the preparation of foodstuff. Issued 2-26-35. (28)
1,992,534; All. Leitz Ernst Optische Werke GmbH. Combination distance meter and telescope range finder. Issued 2-26-35. (28)
1,992,565; Biegmann Otto. Safety razor blade. Issued 2-26-35. (28)
1,992,623; Karlovszky Geyza. Fastener for wrist watches. Issued 2-26-35. (34)
1,992,637; All. I G Farbenindustrie A G. Production of nitroso compounds of cobalt. Issued 2-26-35. (28)
1,992,672; May Joseph. Orthopedic boot or shoe. Issued 2-26-35. (28)
1,992,678; All. Norddeutschen Seekabelwerke A G. Manufacture of flexible tubes of artificial substances. Issued 2-26-35. (28)
1,992,684; Weinberger Max. Apparatus for the evaporation of chemicals in rooms. Issued 2-26-35. (28)
1,992,698; Hansen Carl Philipp. Toy vehicle for children. Issued 2-26-35. (28)
1,992,705; Lellep Otto. Apparatus for burning materials. Issued 2-26-35. (28)
1,992,742; Dreyer Adolf. Ball mill. Issued 2-26-35. (28)
1,992,778; All. Dierig Christian A G. Method and means for treating fibrous materials. Issued 2-26-35. (28)
1,992,864; All. Nazionale Aeronautica Cia. Radial internal combustion engine. Issued 2-26-35. (38)
1,992,882; Ovenhausen Franz. Transparent arrangement. Issued 2-26-35. (28)
1,992,888; All. Lindstrom Carl A G. Electric discharge tube. Issued 2-26-35. (28)
1,993,062; All. Benno Schilde Maschinenbau A G. Apparatus for drying material. Issued 3-5-35. (28)
1,993,131; Borgna Giulio. Change speed device. Issued 3-5-35. (38)
1,993,247; All. Fiat S A. Fluid pressure change speed gear control device for motor vehicles especially motor rail cars. Issued 3-5-35. (38)
1,993,299; Prott Karl August. Air humidifier. Issued 3-5-35. (28)
1,993,456; Roscher Ernst Karl. Rail motor vehicle for high speed railways. Issued 3-5-35. (28)
1,993,469; Wille Rudolf. Means for cleansing the skin. Issued 3-5-35. (28)
1,993,476; Fontana Cesare. Reduction gear for the reduction ratio with automatic variation. Issued 3-5-35. (38)
1,993,564; All. Fernseh A G. Television apparatus. Issued 3-5-35. (28)
1,993,565; All. Fernseh A G. Braun tube. Issued 3-5-35. (28)
1,993,605; All. Universelle. Apparatus by which folding cartons intended for the reception of cigarettes or the like are formed. Issued 3-5-35. (28)
1,993,619; All. Universelle. Apparatus for removing the bottom cigarette group from a cigarette distributing chamber. Issued 3-5-35. (28)
1,993,913; All. I G Farbenindustrie A G. Process of preparing stabilized chlorinated rubbers. Issued 3-12-35. (28)
1,993,914; All. Westinghouse Cooper Hewitt GmbH. Device for regulating the voltage in alternating current lines. Issued 3-12-35. (28)
1,993,940; All. Knorr Bremse A G. Brake [illegible] vent valve device. Issued 3-12-35. (28)
1,994,009; All. Herpen & Vorkauf Firm. Heat exchanger. Issued 3-12-35. (28)
1,994,029; Schmidt Karl. Rotary converter. Issued 3-12-35. (28)
1,994,038; All. I G Farbenindustrie A G. Hydroxyalkylcellulose ester. Issued 3-12-35. (28)
1,994,050; Satow Teikichi. Waterproof glue product and method of making the same. Issued 3-12-35. (39)
1,994,106; Kowada Isoji. Automatic reeling machine. Issued 3-12-35. (39)
1,994,115; All. Vereinigte Stahlwerke A G. Tuyere for shaft furnaces. Issued 3-12-35. (28)
1,994,117; Strobel Alfons. Blind stitch sewing machine. Issued 3-12-35. (28)
1,994,124; All. Friedmann Alex. Nonlifting injector. Issued 3-12-35. (6)
1,994,146; All. Borsig A Maschinenbau A G. Means for regulating compressors. Issued 3-12-35. (28)
1,994,297; Witterf Hans. Loud speaker device. Issued 3-12-35. (28)
1,994,313; Jacobs Gustav. Spinning process. Issued 3-12-35. (28)
1,994,388; Erichsen Abraham Martinius. Apparatus for measuring and indicating forces. Issued 3-12-35. (28)
1,994,404; All. Schlafhorst W Co. Winding machine with individual driving for the spindle units. Issued 3-12-35. (28)
1,994,459. 1,994,608; All. I G Farbenindustrie AG. Manufacture of esters of polymerized carbohydrates. Issued 3-19-35. (28)
1,994,613; All. Brehmer Gebruder. Sheet handling device in bookstitching machines. Issued 3-19-35. (28)
1,994,681; Blumenfeld Julius. Shoe insole layer. Issued 3-19-35. (28)
1,994,687; Maschinenfabrik Augsburg Nurnberg A G Weir. Issued 3-19-35. (28)
1,994,688; All. Maschinenfabrik Augsburg Nurnberg A G Weir. Issued 3-19-35. (28)
1,994,717; All. Maschinenfabrik Augsburg Nurnberg A G. Method and device for transporting and laying railway switches. Issued 3-19-35. (28)
1,994,862; Muller Friedrich Wilhelm. Game apparatus. Issued 3-19-35. (28)
1,994,863; All. Vereinigt Stahlwerke AG. Method of manufacturing forged pressed or rolled work pieces especially crane shafts. Issued 3-19-35. (28)
1,994,952; Kayser Otto. Folding article of furniture. Issued 3-19-35. (28)
1,995,136; All. I G Farbenindustrie AG. Production of hydrocarbons rich in carbon from those poorer in carbon. Issued 3-19-35. (28)
1,995,140; Andreas Arno. Bag support for filling machines. Issued 3-19-35. (28)
1,995,196; All. Wolf Georg GmbH. Instrument for examining tubes and cavities in the human and other bodies. Issued 3-19-35. (28)
1,995,210; Leibfarth Reinhold. Paper bottle. Issued 3-19-35. (28)
1,995,224; Pruss Max. Settling pond. Issued 3-19-35. (28)
1,995,225; All. Michaelis Karl. Method of preventing tarnishing of metal articles. Issued 3-19-35. (28)
1,995,229; Schulte Fritz. Automatic machine. Issued 3-19-35. (28)
1,995,230; All. Nihon Kogyo Kabushiki Kaisha. Rock drill. Issued 3-19-35. (39)
1,995,247; All. Haring Hermann Wilhelm. Material for repelling insects. Issued 3-19-35. (28)
1,995,248; Herman Alexander. Carrier consisting of a braced metal frame. Issued 3-19-35. (28)
1,995,253; Knoll Max. Cathode ray tube. Issued 3-19-35. (28)
——; [1] Beisser Gerog Dec. Process for preserving material of animal origin. (28)
1,994,517; All. Siemens and Halske AG. Issued 3-19-35. (28)

[1] So in the original document.

1,995,429; Laura Giovanni Batista Dec. Machine for the manufacture of shoes with rubber soles. Issued 3-26-35. (38)
1,995,455; All. Universelle Cigarettenmaschinen. Machine for the manufacture of paper containers. Issued 3-26-35. (28)
1,995,462; All. Heubold C G A G. Strip guider. Issued 3-26-35. (28)
1,995,467; Bonglovanni Luca. Reversing gear for flying machines. Issued 3-26-35. (38)
1,995,473; Giahetti Alberto. Cable laying apparatus. Issued 3-26-35. (38)
1,995,533; All. Barmer Maschinenfabrik A G. Arrangement of the thread winding off spools in double twist twisting spindles. Issued 3-26-35. (28)
1,995,547; Menzel Erich. Stand for fountain pens and the like. Issued 3-26-35. (28)
1,995,563; All. Schnellpressenfabrik A G. Platen printing press. Issued 3-26-35. (28)
1,995,568; All. I G Farbenindustrie A G. Process of preparing chlorocresols. Issued 3-26-35. (28)
1,995,586; All. Schopper Louis Firm. Manufacture of paper. Issued 3-26-35. (28)
1,995,587; All. Pallas Apparate GmbH. Carburetor. Issued 3-26-35. (28)
1,995,590; Staab Gisela Staab Ludwig et al. File for perforated sheets. Issued 3-26-35. (28)
1,995,602; Cho Toda. Rectum syringe. Issued 3-26-35. (39)
1,995,607; All. Koepp Rudolph and Co Chemische. Process for the production of calcium formate. Issued 3-26-35. (28)
1,995,626; Schreder Karl. Manufacture of minim alcohol beverage. Issued 3-26-35. (6)
1,995,707; Fattinger Franz. Method of producing radio active textile fibers and product thereof. Issued 3-26-35. (6)
1,995,708; All. Electroacustic GmbH. Electrical compensator for the directional transmission or reception of wave energy. Issued 3-26-35. (28)
1,995,742; Linnmann Wilhelm Jr. Liquid separator. Issued 3-26-35. (28)
1,995,843; Elbert Fritz. Adjustable type guide for typewriters. Issued 3-26-35. (28)
1,995,844; Eichenauer Emil; shoe for horses and like animals. Issued 3-26-35. (28)
1,995,861; Muraki Kojiro. Oil burning apparatus. Issued 3-26-35. (39)
1,995,885; Gutermuth Max F. Distributing valve. Issued 3-26-35. (28)
1,995,977; Gonda Vilmos. Method of producing hollow objects. Issued 3-26-35. (34)
1,995,978; Gotz Richard Dec. Cageless roller bearing. Issued 3-26-35. (28)
1,996,055; All. Elektrische Apparate GmbH. Stabilizer. Issued 4-2-35. (28)
1,996,160; All. Teves Alfred Maschinen Und Armaturen Fabrik GmbH. Driving unit for fluid pumps. Issued 4-2-35. (28)
1,996,189; All; Universelle Cigarettenmaschinen. Weighing scale for cigarettes. Issued 4-2-35. (28)
1,996,197; Freund Ernst. Method of producing purified viscose solutions. Issued 4-2-35. (6)
1,996,199; Grethe Theodor. Process of producing theine free tea. Issued 4-2-35. (28)
1,996,206; All. Universelle Cigarettenmaschinen. Device for wrapping cigarettes and similar articles. Issued 4-2-35. (28)
1,996,222; Vogel Max. Stapling machine. Issued 4-2-35. (28)
1,996,270; Behrens Carl. Process for the manufacture of boots and shoes. Issued 4-2-35. (28)
1,996,324; Chiti Aroldo. Sewing mechanism for sewing machines. Issued 4-2-35. (38)
1,996,336; All. Junkers and Co GmbH. Burner for liquid fuel. Issued 4-2-35. (28)
1,996,533; Weickel Philipp. Dropping stopper. Issued 4-2-35. (28)

1,996,591; All. Blagosch Karl. Cutting machine for paper cardboard and the like provided with automatic means for feeding the material to be cut. Issued 4-2-35. (28)
1,996,632; Treppenhauer Martin. Vacuum cleaner. Issued 4-2-35. (28)
1,996,679; All. Humboldt Deutzmotoren A G. Regulating apparatus. Issued 4-2-35. (28)
1,996,688; Porsche Ferdinand. Universal joint for motor vehicles. Issued 4-2-35. (28)
1,996,702; All. Rheinische Metallwaaren und. Fuse setting apparatus. Issued 4-2-35. (28)
1,996,707; Nathansohn Alexander. Manufacture of paper and the like. Issued 4-2-35. (28)
1,996,709; Ritzerfeld Wilhelm. Duplicating machine. Issued 4-2-35. (28)
1,996,716; All. Agahd Walter. Nut locking device. Issued 4-2-35. (28)
1,996,849; Bauer Siegmund. Switch clutch. Issued 4-9-35. (28)
1,996,866; All. Maschinenfabrik Augsburg. Two cycle gas engine. Issued 4-9-35. (28)
1,996,870; Kratky Friedrich et al; Grohmann Friedrich Alfred. Apparatus for cooling and propelling air. Issued 4-9-35. (6)
1,996,885; Schemmann Walter et al; Kottmann Fritz. Centrifugal device for throwing abrasive. Issued 4-9-35. (28)
1,996,941; Vogt Curt. Counting device for paper money. Issued 4-9-35. (28)
1,996,945; Ballert Otto. Self loading vehicle. Issued 4-9-35. (28)
1,996,960; Haupt Hans. Telescopic umbrella. Issued 4-9-35. (28)
1,997,055; Graefe Edmund. Glass container and method of producing same. Issued 4-9-35. (28)
1,997,117; All. Fabrica Italiana Magneti Marelli. Automatic brake actuating device for trailed vehicles. Issued 4-9-35. (38)
1,997,141; Guerine Berardo. Improved process for bronzing articles and parts made of iron and alloys of iron and carbon. Issued 4-9-35. (38)
1,997,148; All. Brehmer Gebruder. Method of and mechanism for the severance of threads. Issued 4-9-35. (28)
1,997,154; Schmitt Hans. Damping device for overhead cables. Issued 4-9-35. (28)
1,997,170; All. Krupp Fried A G. Draft gear for railway vehicles. Issued 4-9-35. (28)
1,997,189; Christ Hellmuth; Gerngross Otto et al. Method of and apparatus for reenforcing the margins of paper. Issued 4-9-35. (28)
1,997,215; All. Maschinenfabrik Esslingen. Steam boiler. Issued 4-9-35. (28)
1,997,235; Schrodel Georg. Trick device. Issued 4-9-35. (28)
1,997,289; Atherton Charles M H. Automobile ignition lock. Issued 4-9-35. (6)
1,997,366; All. Chemische Fabik R Baumheier A G. Sized paper and process of manufacturing the same. Issued 4-9-35. (28)
1,997,368; All. Brehmer Gebruder. Method of and apparatus for opening the signatures fed to a signature handling machine. Issued 4-9-35. (28)
1,997,369; All. Tabakforschungsinstitut fur Das. Method for cultivating tobacco. Issued 4-9-35. (28)
1,997,375; Naruse Tomi Saburo. Method to frost the inner surface of a glass bulb for electric lamps. Issued 4-9-35. (39)
1,997,385; All. Andreas GmbH. Dustproof seal for bag filling machines. Issued 4-9-35. (28)
1,997,420; Kiekert Friederich Wilhelm. Multipartite sliding door. Issued 4-9-35. (28)
1,997,423; Loser Ugo. Apparatus for compensating vibrations in ships and other structures. Issued 4-9-35. (38)
1,997,435; Schneider Julius. Matrix band. Issued 4-9-35. (28)
1,997,500; Swarovski Daniel. Method of manufacturing new articles of jewelry and ornaments. Issued 4-9-35. (6)
1,997,502; Gumprecht Arnold; von Seld Alex Freiherr Jr. Air cooled cylinder for internal combustion engines. Issued 4-9-35. (28)
1,997,504; Wisbrun Walter. Foot support. Issued 4-9-35. (28)
1,997,512; Einfalt Georg. Toy railway. Issued 4-9-35. (28)
1,997,516; All. Rheinische Metallwaaren und. Issued 4-9-35. (28)
1,997,525; Lefnaer Otto. Extrusion press for the treatment of plastic materials. Issued 4-9-35. (6)
1,997,545; All. Holzhydrolyse A G. Method of purifying carbohydrate solutions obtained in the saccharification of cellulose containing materials. Issued 4-9-35. (28)
1,997,548; All. Nollesche Werke Kom Ges. Hammering machine. Issued 4-9-35. (28)
1,997,725; Gaede Wolfgang. High vacuum pump. Issued 4-16-35. (28)
1,997,745; Renker Max. Process for the manufacture of photographic films. Of carriers for the same. Issued 4-16-35. (28)
1,997,753; All. Aceta GmbH. Manufacture of artificial threads from cellulose esters or cellulose ethers. Issued 4-16-35. (28)
1,997,881; Mitsuda Ryotaro. Arc commutator. Issued 4-16-35. (39)
1,997,907; Laudert Hermann. Reversible base plate for casting steel ingots in molds. Issued 4-16-35. (28)
1,997,961; Berin Antonio. Mechanism for the transmission of rotary motion. Issued 4-16-35. (38)
1,998,060; Seibt Georg. Coating apparatus. Issued 4-16-35. (28)
1,998,174; Siewers Heinrich. Drinking device for poultry. Issued 4-16-35. (28)
1,998,179; Wolf Eduard Julius. Physiologically balanced salt mixture. Issued 4-16-35. (28)
1,998,204; Rosatelli Celestino. Aircraft tail chassis. Issued 4-16-35. (38)
1,998,205; Roscher Ernst Karl. Steel permanent way for high speed railways. Issued 4-16-35. (28)
1,998,209; All. Rheinische metallwaaren und Ward Leonard control system. Issued 4-16-35. (28)
1,998,213; Winkler Franz. Internal hub brake for cycles. Issued 4-16-35. (28)
1,998,240; All. Silesia Verein Chemischer Fabrikes. Process for the preparation of dibenzothiazyldisulphide from mercaptobenzothiazole hard metal alloy. Issued 4-16-35. (28)
1,998,300; Ackermann Hugo. Gas burner. Issued 4-16-35. (28)
1,998,337; Spiess Georg. Folding machine. Issued 4-16-35. (28)
1,998,341; Strobel Alfons. Blind stitch sewing machine. Issued 4-16-35. (28)
1,998,361; Dietrich Gustav Herbert. Method of transferring a stocking structure and device therefor. Issued 4-16-35. (28)
1,998,368; All. Schubert & Salzer Maschinenfabrik. Method of and apparatus for casting of loops on flat knitting machines. Issued 4-16-35. (28)
1,998,369; All. Schubert & Salzer Maschinenfabrik. Stocking. Issued 4-16-35. (28)
1,998,382; All. Universelle Cigarettenmaschien. Process for removing batches of goods. Issued 4-16-35. (28)
1,998,388; Scharfenberg Karl. Draw and buffer gear. Issued 4-16-35. (28)
1,998,413; All. I G Farbenindustrie A G. Process of producing unsaturated esters. Issued 4-16-35. (28)
1,998,516; Monzer Arthur. Method for uniting steel and bronze intimately with one another and an improved mold for carrying out this method. Issued 4-23-35. (28)
1,998,526; Schubert Philipp. Domino. Issued 4-23-35. (28)
1,998,538; All. I G Farbenindustrie A G. Process for the manufacture of one chloro ethylbenzes. Issued 4-23-35. (28)
1,998,541; All. I G Farbenindustrie A G. Iron oxide pigment and process of producing the same as by products of the reduction of aromatic nitro compounds. Issued 4-23-35. (28)
1,998,544; All. I G Farbenindustrie A G. Agent for sizing textile fibers. Issued 4-23-35. (28)
1,998,592; All. Siemens Schuckertwerke A G. Spraying device. Issued 4-23-35. (28)
1,998,667; Fritz Helmut et al; Glaser Emil. Method of manufacture of a plastic material capable of being hardened. Issued 4-23-35. (6)
1,998,685; Adamoli Carlo; Panchianco Gino et al. Method of extracting oxide of beryllium direct from the minerals containing same. Issued 4-23-35. (38)
1,998,712; Fischer Dietrich. Supporting device for the trailers of saddle tractors. Issued 4-23-35. (28)
1,998,764; All. Voigt & Haeffner A G. Electric hot plate. Issued 4-23-35. (28)
1,998,796; Von Varendorff Curt. Mounting for glass panels. Issued 4-23-35. (28)
1,998,846; Schauss Adolf Fritz. Writing machine for accountancy work. Issued 4-23-35. (28)
1,998,860; Becker Enno. Anchoring device. Issued 4-23-35. (28)
1,998,865; Fekete Antalne. Drawers. Issued 4-23-35. (34)
1,999,026; All. Ruhrchemie A G. Production of fertilizers. Issued 4-23-35. (28)
1,999,047; All. Lorenz C A G. System for landing aircraft. Issued 4-23-35. (28)
1,999,081; All. Schwelmer Eisenwerk Muller Co A&X. Cream ripening vat. Issued 4-23-35. (28)
1,999,091; All. Vereingte Deutsche Metallwerke A G. Adjusting gearing for variable pitch propellers. Issued 4-23-35. (28)
1,999,103; Lewin Alfred. Adjustable dummy bust. Issued 4-23-35. (28)
1,999,104; Merk Friedrich. Telephone installation. Issued 4-23-35. (28)
1,999,106; Muller Hans. Travel support device for bedsteads and the like. Issued 4-23-35. (28)
1,999,120; All. Universelle Cigarettemaschinen. Tobacco spreader for rod cigarette making machines. Issued 4-23-35. (28)
1,999,143; Pungs Leo. Telephonic transmitter. Issued 4-23-35. (28)
1,999,155; Karnath Kurt. Slide valve. Issued 4-23-35. (28)
1,999,244; Ludowici Wilhelm. Roofing tile. Issued 4-30-35. (28)
1,999,282; Clemens Ludwig. Wrapper pad. Issued 4-30-35. (28)
1,999,283; Clemens Ludwig. Process of manufacturing wrapper pads. Issued 4-30-35. (28)
1,999,312; All. Stern Ges Fur Moderne. Weighing scale. Issued 4-30-35. (6)
1,999,316; All. Studiengesellschaft Der Deutschen. Method of tanning hides and skins. Issued 4-30-35. (28)
1,999,317; Brix Hans. Apparatus for the wet treatment of textile goods. Issued 4-30-35. (28)
1,999,324; Esser Heinrich. Method of producing an end thickening in tubular bodies made by rolling with skew rolls. Issued 4-30-35. (28)
1,999,331; Lorant Hermann. Liquid dispensing device. Issued 4-30-35. (6)
1,999,332; All. Konig and Ebhardt J C Ledger file. Issued 4-30-35. (28)
1,999,343; All. Wanderer Werke Von Winklhofer. Noiseless typewriter. Issued 4-30-35. (28)

1,999,366; All. Maybach Motorenbau GmbH. Controlling device for the main clutch in motor vehicles. Issued 4-30-35. (28)
1,999,479; Reder Otto. Arrangement for producing illuminated advertisements on aeroplanes. Issued 4-30-35. (28)
1,999,514; Mueller Wilhelm. Regenerative coke oven. Issued 4-30-35. (28)
1,999,559; Brendlin Adolf. Apparatus for cleaning tubes. Issued 4-30-35. (28)
1,999,582; All. Maschinenfabrik Augsburg Nurnberg. Drum weir. Issued 4-30-35. (28)
1,999,703; Lesage Alfred. Flywheel magneto apparatus. Issued 4-30-35. (28)
1,999,738; All. I G Farbenindustrie A G. Purification of polynuclear aromatic hydrocarbons. Issued 4-30-35. (28)
1,999,747; Aragone Carlo. Projectile. Issued 4-30-35. (38)
1,999,748; Baratelli Ambrogio. Device for the correct steering of trailers. Issued 4-30-35. (38)
1,999,780; All. Still Carl GmbH. Regenerative chamber oven for the production of coke and gas. Issued 4-30-35. (28)
1,999,883; Michaelis Wolfgang. Manufacture of pile fabrics. Issued 4-30-35. (28)
1,999,889; Anselmi Ernesto. Optical instrument for testing organic liquids. Issued 4-30-35. (38)
1,999,936; All. Kampnagel A G. Vormals nagel and lifting device. Issued 4-30-35. (28)
1,999,942; Nacken Walther. Multiple wire drawing machine. Issued 4-30-35. (28)
2,000,002; All. Bosch Robert A G. Control valve for gas burners. Issued 4-30-35. (28)
2,000,018; All. Siemens Schuckertwerke A G. Method for the separation of emulsions by electrical action. Issued 5-7-35. (28)
2,000,037; Riszdorfer Odon. Apparatus for automatically determining the exposure in photographic apparatus. Issued 5-7-35. (34)
2,000,135; All. I G Farbenindustrie A G. Pigment. Issued 5-7-35. (28)
2,000,150; All. Demag A G. Excavator. Issued 5-7-35. (28)
2,000,171; All. Siemens Schuckertwerke A G. Electrical cleaning of fluids. Issued 5-7-35. (28)
2,000,261; Spiess Georg. Sheet separating and conveying device. Issued 5-7-35. (28)
2,000,355; Sichtermann Eugen. Deep sea electric telephone cable. Issued 5-7-35. (28)
2,000,372; All. I G Farbenindustrie A G. Spinning bobbin. Issued 5-7-35. (28)
2,000,388; All. I G Farbenindustrie A G. Manufacture of ribbons. Issued 5-7-35. (28)
2,000,414; All. I G Farbenindustrie A G. Explosive composition. Issued 5-7-35. (28)
2,000,434; Pletsch Karl Baudouin Charles et al. Ampulla syringe. Issued 5-7-35. (28)
2,000,480; Gorissen Engelbert. Blower more particularly for use in. Issued 5-7-35. (28)
2,000,497; Pohl Ernest. Method of and apparatus for making Rontgen projections. Issued 5-7-35. (28)
2,000,532; All. Atlas Ago Chemische Fabrik A G. Waterproof abrasive paper. Issued 5-7-35. (28)
2,000,617; Schaffler Glossl Konrad. Electric time fuse. Issued 5-7-35. (6)
2,000,783; Muller Otto Max. Adjustable gauge. Issued 5-7-35. (28)
2,000,799; Tesch Franz Heinz et al.; Tesch Elisabeth. Necktie. Issued 5-7-35. (28)
2,000,903; All. Heinrich Kamper Motorenfabrik A G. Diesel engine. Issued 5-14-35. (28)
2,000,949; All. Schrauben und Schmiedewaarenfabriss. Foot arch support. Issued 5-14-35. (6)
2,001,017; Feussner Otto et al.; Jedele Alfred. Metal article. Issued 5-14-35. (28)
2,001,065; Klein Maurus. Manufacture of electric cables. Issued 5-14-35. (28)
2,001,120; Brase Wilhelm. Clutching device. Issued 5-14-35. (28)
2,001,201; All. I. G. Farbenindustrie A G. Pyridino compounds and their production. Issued 5-14-35. (28)
2,001,202; Kunze Ernst Ludwig. Shock absorber. Issued 5-14-35. (28)
2,001,206; Matthes Ernst Clemens. Hair thinning device. Issued 5-14-35. (28)
2,001,226; Viewegh Heinrich. Hot water central heating system for a plurality of consumer units with indirect measurement of the heat consumed. Issued 5-14-35. (6)
2,001,231; All. Elin A G Fur Eledtrische Industrie. Apparatus for automatic electric arc welding. Issued 5-14-35. (6)
2,001,292; All. Zahnradfabrik Friedrichshafen A G. Clutch device for motor vehicles. Issued 5-14-35. (28)
2,001,304; All. Accumulator Ruths Aktb. Accumulating system. Issued 5-14-35. (28)
2,001,336; All. Von Vago Paul. Hydraulic device. Issued 5-14-35. (34)
2,001,444; Zotos Georg. Process of refining oils and the like by steam treatment. Issued 5-14-35. (28)
2,001,459; Grassmann Peter. Electric variable condenser. Issued 5-14-35. (28)
2,001,462; Hiller Friedrich. Index card. Issued 5-14-35. (28)
2,001,529; Dornier Claude. Rotor for helicopters. Issued 5-14-35. (28)
2,001,554; Sussmuth Karl Wilhelm. Beverage product. Issued 5-14-35. (28)
2,001,564; Barth Karl et al; Wanger Julius; Schuler Karl. Apparatus for aerating beer wort. Issued 5-14-35. (28)
2,001,625; Muller Heinrich. Wheeled toy. Issued 5-14-35. (28)
2,001,675; Elsgruber Georg. Closed removable needle bearing. Issued 5-14-35. (28)
2,001,840; Buhrle Karl; Gauthier Alfred et al. Lens shutter with combined exposure meter new finder and distance meter. Issued 5-21-35. (28)
2,001,928; Alfano Antonino. Placard. Issued 5-21-35. (38)
2,001,930; Daranyi Stephan Carl. Process and apparatus for the fermentation of carbohydrates. Issued 5-21-35. (28)
2,001,989; Theuerkauf Friedrich. Apparatus and method of transporting live fishes. Issued 5-21-35. (28)
2,002,056; All. Rheinische Metallwaaren und. Automatic fuze setting apparatus. Issued 5-21-35. (28)
2,002,063; All. I G Farbenindustrie A G. Manufacture of fibroin solutions. Issued 5-21-35. (28)
2,002,126; Ohnesorge Otto. Friction drive. Issued 5-21-35. (28)
2,002,134; Baj Alessandro. Fuel spray injection for internal combustion engines. Issued 5-21-35. (38)
2,002,280; All. Schering Kahlbaum A G. Amino anthyridines and process of making same. Issued 5-21-35. (28)
2,002,282; Tessky Karl. Workpiece guide for machine tools. Issued 5-21-35. (28)
2,002,287; Flettner Anton. Flying machine. Issued 5-21-35. (28)
2,002,321; Kluitmann Leo. Rotary duplicator. Issued 5-21-35. (28)
2,002,329; All. Knorr Bremse A G. Pressure medium conduit. Issued 5-21-35. (28)
2,002,342; All. Koepp & Co Chemische Fabrik A G. Process for the production of caustic potash and oxalic acid. Issued 5-21-35. (28)
2,002,347; Griesel Heinrich. Structure for building. Issued 5-21-35. (28)
2,002,376; Mannheimer Manfred. Searchlight reflector. Issued 5-21-35. (28)
2,002,397; Home Hugo. Hydraulic shock absorber for automobiles. Issued 5-21-35. (28)
2,002,398; Home Hugo. Stabilizer for vehicles. Issued 5-21-35. (28)
2,002,399; Kaden Karl. Flat spring and method of making the same. Issued 5-21-35. (28)
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2,002,437; Maul Michael. Mechanical method of preparing statements bills and the like. Issued 5-21-35. (28)
2,002,513; All. Junkers and Co GmbH. Controlling arrangement for a gas burner. Issued 5-28-35. (28)
2,002,527; All. Magyar Ruggyantaarugyar. Method of securing a preformed and continuous sheet of unvulcanized rubber to a portion of a fabric upper. Issued 5-28-35. (34)
2,002,614; All. Still Firm Carl. Process and apparatus for compressing coal in a chamber oven retorts and the like. Issued 5-28-35. (28)
2,002,616; All. Universelle. Device for introducing cigarettes or similar articles into pocket like packages. Issued 5-28-35. (28)
2,002,656; Caro Nikodem et al; Frank Albert Rudolph; Franck Hans Heinrich. Process for the production of calcium carbamate. Issued 5-28-35. (28)
2,002,681; Thorsell Carl Thedor et al; Kristensson August. Process for the production of potassium carbamate. Issued 5-28-35. (28)
2,002,684; All. Alterum Kredit A G. Method of preparing potassium carbonate or potassium hydroxide. Issued 5-28-35. (28)
2,002,735; Fuchs Carl. Adjustable blade runner. Issued 5-28-35. (28)
2,002,822; All. I G Farbenindustrie A G. Artificial products of regenerated cellulose. Issued 5-28-35. (28)
2,002,881; Bretschneider Erich. Track. Issued 5-28-35. (28)
2,002,986; Kopétz Josef. Method of and means for the manufacturing of helically grooved endless hose and tubing. Issued 5-28-35. (6)
2,002,932; All. Vereinigte Stahlwerke A G. Steel for railroad rails wheel tires plank piles and other objects. Issued 5-28-35. (28)
2,002,957; Longobardi Cesare. Explosion and combustion motor. Issued 5-28-35. (38)
2,003,091; All. Falthauser Willy. Method of and device for closing up vessels especially bottles. Issued 5-28-35. (28)
2,003,102; Baer Julius. Traveling set. Issued 5-28-35. (28)
2,003,180; All. Carburatori S A Olii Pesanti. Method for carbureting heavy liquid fuels. Issued 5-28-35. (38)
2,003,181; All. Carburator S A Olii Persanti. Burner for heavy liquid fuels. Issued 5-28-35. (38)
2,003,184; Friedrich Wilhelm. Method and means for producing foam for fire extinction. Issued 5-28-35. (28)
2,003,189; All. Schubert and Salzer. Stocking made in a single operation and method for making same. Issued 5-28-35. (28)
2,003,191; Mittkowski Hermann; Hinrichs Wilhelm J H et al. Method of preserving fruit. Issued 5-28-35. (28)
2,003,192; Wittkowski Hermann; Hinrichs Wilhelm J H. et al. Method of producing moisture proof and air tight coatings. Issued 5-28-35. (28)
2,003,271; Hagenbeck Johann; Beimann Wilhelm et al. Hurdle washer. Issued 5-28-53. (28)
2,003,417; Andreas Arno. Feeding mechanism for filling machines. Issued 6-4-35. (28)
2,003,434; All. I G Farbenindustrie A G. Phonograph. Issued 6-4-35. (28)
2,003,469; Ritzerfeld Wilhelm. Duplicating apparatus. Issued 6-4-35. (28)
2,003,474; All. I G Farbenindustrie A G. Fluid flow meter. Issued 6-4-35. (28)

2,003,636; Maul Michael. Printing and punching record controlled machine. Issued 6-4-35. (28)
2,003,637; Maul Michael. Record controlled punching machine. Issued 6-4-35. (28)
2,003,649; Hasselbach Alexander. Heat exchange apparatus. Issued 6-4-35. (28)
2,003,721; All. Soc Italiana Pirelli. Manufacture of threads or strips of rubber or the like. Issued 6-4-35. (38)
2,003,775; Schlesinger Kurt. Braun tube. Issued 6-4-35. (28)
2,003,795; All. Demag A G. Clutch and brake mechanism for winches. Issued 6-4-35. (28)
2,003,844; Tintner Fritz. Foldable stretcher. Issued 6-4-35. (6)
2,003,883; All. Ges Des Achten Naxos Schmirgels. Device for spherical grinding on circular grinding machines. Issued 6-4-35. (28)
2,003,891; Kaczmarek Eugen. Dental plate. Issued 6-4-35. (28)
2,003,894; Luedtke Hans. Keyboard Issued 6-4-35. (28)
2,003,903; All. Schlafhorst W and Co. Cop winding machine. Issued 6-4-35. (28)
2,003,941; All. Rutgerswerke A G. Process for the production of phenol. Issued 6-4-35. (28)
2,003,965; Bloch Ignaz. Method for production of pure white sugar. Issued 6-4-35. (28)
2,004,036; Coenning Ernst. Antiskidding tire. Issued 6-4-35. (28)
2,004,042; All. Riehecksche A Montanwerke A G. Process of cleaning heating surfaces. Issued 6-4-35. (28)
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2,004,075; All. Ges Fur Druck Transformatoren. Evaporator especially for high pressure steam. Issued 6-4-35 (28)
2,004,188; All. Dortmund Hoerder Huettenverein A G. Reverse angle interlock piling. Issued 6-11-35 (28)
2,004,243; All. I G Farbenindustrie A G. Method of and means for operating breathing apparatus. Issued 6-11-35. (28)
2,004,266; Beimann Wilhelm. Liquid seal for collecting mains of distillation ovens or the like. Issued 6-11-35. (28)
2,004,306; Breddin Paul et al; Wittmers Otto. Mechanism for actuating the slay of weaving looms. Issued 6-11-35. (28)
2,004,400; Thomae Alfred Otto. Process for the preparation of talking machines plates. Issued 6-11-35. (28)
2,004,453; Watanabe Shumpei. Method of recording sounds. Issued 6-11-35. (39)
2,004,508; Neubert Curt. Process for the manufacture of printiex rollers. Issued 6-11-35. (28)
2,004,545; All. I G Farbenindustrie A G. Production of porous building materials. Issued 6-11-35. (28)
2,004,546; All. I G Farbenindustrie A G. Sulphonic acid Issued 6-11-35. (28)
2,004,555; Kleinmann Ernst et al; Mendel Alfred. Method and apparatus for the manufacture of electrical contact plug. Issued 6-11-35. (28)
2,004,593; Andreas Arno. Filling machine. Issued 6-11-35 (28)
2,004,630; Krug Carl. Grinding disk. Issued 6-11-35 (28)
2,004,662; Junkers Hugo et al; Wigge Heinrich. Means for measuring the distance of aircraft from ground. Issued 6-11-35. (28)
2,004,663; Kaselitz Oskar. Method of utilizing the nitrogen in nitrosyl chloride. Issued 6-11-35. (28)
2,004,680; Volmer Max. Open electric arc lamp for the generation of ultra violet radiations. Issued 6-11-35. (28)
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2,004,703; Magnani Alessandro. Process for the direct manufacture of fibrous cement tubes between couples of rotating cylinders. Issued 6-11-35. (38)
2,004,740; Winkler Franz. Spring mounted cycle hub with brake. Issued 6-11-35. (28)
2,004,744; Balleri Otto. Hydraulic rear tipper for fast delivery vans. Issued 6-11-35. (28)
2,004,785; All. Luftschiffbau Zeppelin GmbH. Method of bracing the circumference of gas inflated rigid air ships. Issued 6-11-35. (28)
2,004,826; Nier Bruno. Hurricane lantern. Issued 6-11-35. (28)
2,004,836; All. Vereinigte Stahlwerke A G. Process for the production of chromium steel alloys by the basic process. Issued 6-11-35. (28)
2,004,867; All. Koepp Rudolph and Co Chem Fabrik A G. Process for making potassium oxalate. Issued 6-11-35. (28)
2,005,013; Teves Alfred. Evaporator for refrigeration machines. Issued 6-18-35. (28)
2,005,020; Bossert Fritz. Bookkeeping machine. Issued 6-18-35. (28)
2,005,021; Brasch Arno et al; Lange Fritz. Vacuum tube. Issued 6-18-35. (28)
2,005,031; All. Elin Ag Fur Elektrisch Industrie. Air cooling of glass bulb rectifiers. Issued 6-18-35. (6)
2,005,053; All. Rheinische Metallwaaren Und. Fuse for projectiles and particularly for small caliber high explosive projectiles. Issued 6-18-35. (28)
2,005,060; All. Bekk Dr and Kaulen Chemische. Shellac solution for the production of etched photographic printing forms and method of preparing it. Issued 6-18-35. (28)
2,005,183; All. I G Farbenindustrie A G. Catalytic oxidation of ketones. Issued 6-18-35. (28)
2,005,244; Schmidt Wilhelm. Vaporizer Issued 6-18-35. (28)
2,005,267; Rehder Christian. Pipe flange connection. Issued 6-18-35. (28)
2,005,270; All. Vereinigte Metalltuch Fabriken. Process and apparatus for the manufacture of wire gauze. Issued 6-18-35. (28)
2,005,273; All. Norddeutsche Seekabelwerke A G. Submarine signaling cable. Issued 6-18-35. (28)
2,005,295; All. I G Farbenindustrie A G. Process of polymerizing organic compounds containing a double linkage and products obtainable thereby. Issued 6-18-35. (28)
2,005,296; All. Sachtleben A G Fur Bergbau Und. Method of purifying natural heavy spar Issued 6-18-35. (28)
2,005,320; All. I G Farbenindustrie A G. Process of preparing chlorinated rubbers. Issued 6-18-35. (28)
2,005,403; Wender Eugen. Combined gas and liquid shut off device for gas heated liquid heaters. Issued 6-18-35. (28)
2,005,438; Ohnesorge Otto. Rope gearing. Issued 6-18-35. (28)
2,005,488; All. Farbwerke Brander Chemische Fabrik. Process for the production of silicofluorides. Issued 6-18-35. (28)
2,005,504; Prautzsch Richard. Pump for automatic periodically working gas analyzers. Issued 6-18-35. (28)
2,005,505; Reuter Baptist. Process of producing 1 phenyl 2 3 dimethyl 5 pyrazolone. Issued 6-18-35. (28)
2,005,506; Reuter Baptist. Process of producing 4 dimethylamino 1 phenyl 2 3 dimethyl 5 pyrazolone. Issued 6-18-35. (28)
2,005,520; Friedmann Otto. Cleaning attachment for combs. Issued 6-18-35. (6)
2,005,526; All. Hauser and Co GmbH. Seal for axle boxes. Issued 6-18-35. (28)
2,005,530; Boykow Johann Maria. Automatic control device for aircraft. Issued 6-18-35 (28)
2,005,543; Graafen Ferdinand. Water tube boiler. Issued 6-18-35. (28)
2,005,544; Graafen Ferdinand. Furnace grate Issued 6-18-35. (28)
2,005,657; Ludwig Richard. Pilger rolling mill. Issued 6-18-35. (28)
2,005,661; Muller Carl Wilhelm. Process and apparatus for the manufacture of cigarettes with a short mouthpiece of wadding crepe paper or the like. Issued 6-18-35. (28)
2,005,718; Desenberg Josef. Grinding. Issued 6-25-35. (28)
2,005,721; Joksch Rudolf. Line indicator for copyholder for typists. Issued 6-25-35. (6)
2,005,790; All. Lorenz C A G High frequency telegraph transmitter. Issued 6-25-35. (28)
2,005,811; Steimmig Franz. Method of preparing and maturing alkali cellulose. Issued 6-25-35. (28)
2,005,914; Freund Berthold. Apparatus for making and reproducing sound and picture records. Issued 6-25-35. (28)
2,006,007; Zimmer Josef. Camera for taking instantaneous color photographs. Issued 6-25-35. (28)
2,006,020; Jacubson Hirsch Gregor. Process for preparing a substance derived from an amino aliphatic acid and phenylquinoline orthocarboxylic acid which is capable of lowering the uric acid level. Issued 6-25-35. (28)
2,006,021; Jessen Theodor. Horn and hawser for marine and naval use. Issued 6-25-35 (28)
2,006,028; Netzband Alfred et al; K Ow Bruno. Sprinkler. Issued 6-25-25. (28)
2,006,038; Yamaki Masuji. Vehicle tire Issued 6-25-35. (39)
2,006,059; Rudorff Dagobert W. Heater Issued 6-25-35. (28)
2,006,102; Junkers Hugo. Booster brake for vehicles. Issued 6-25-35. (28)
2,006,106; All. Universelle. Knife mounting for machines. Issued 6-25-35. (28)
2,006,107; All. Universelle. Machine for cutting thin leaves. Issued 6-25-35. (28)
2,006,113; All. Universelle. Apparatus for applying a cigar wrapper to a bunch. Issued 6-25-35. (28)
2,006,114; Rosenmund Karl Wilhelm et al. Kulz Fritz. Aliphatic aromatic amine and process of making same. Issued 6-25-35 (28)
2,006,115; Schaefer Josef. Operation of coke ovens and ovens therefor. Issued 6-25-35 (28)
2,006,116; All. Universelle. Method and apparatus for applying paper bands and the like to cigars. Issued 6-25-35. (28)
2,006,148; Plaschka Karl. Muffle for use in connection with the casting of precious metals. Issued 6-25-35. (6)
2,006,154; Bazzocchi Aldo. Washing and bleaching apparatus for artificial yarns. Issued 6-25-35. (38)
2,006,236; All. Soc Italiana Pirelli. Feeding reservoir for oil filled cables. Issued 6-25-35. (38)
2,006,252; All. Vereinigte Stahlwerke A G. Movable weir. Issued 6-25-35. (28)
2,006,253; All. Vereinigte Stahlwerke A G. Movable weir. Issued 6-25-35. (28)
2,006,258; All. Minimax A G. Device for forming fire extinguishing gas into storage bodies carrying more or less fine materials Issued 6-25-35. (28)
2,006,266; All. Vereinigte Stahlwerke A G. Process for cooling furnaces by means of cooling chambers. Issued 6-25-35 (28)
2,006,268; Geiger Ludwig Thomas et al; Gross Richard. Fastener for bags. Issued 6-25-35. (6)

2,006,281; Schwarz Philipp. Method of manufacturing bobbins particularly film bobbins. Issued 6-25-35. (28)
2,006,338; All. Voith J M. Hydraulic machine. Issued 7-2-35. (28)
2,006,339; All. Voith J M. Hydraulic machine. Issued 7-2-35. (28)
2,006,340; All. Voith J M. Hydraulic machine. Issued 7-2-35. (28)
2,006,505; Lentschewsky Boris. Tank roof. Issued 7-2-35. (28)
2,006,507. All. I. G. Farbenindustrie A G. Manufacture of fibroin salt solutions. Issued 7-2-35. (28)
2,006,516; Severin Heinrich. Charging machine for bottle manufacture. Issued 7-2-35. (28)
2,006,569; Bock Fritz. Bridge support for eyeglass frames. Issued 7-2-35. (28)
2,006,572; Hermann Walter. Injection device. Issued 7-2-35. (28)
2,006,576; All. Voss & Sasse Stuhlfabriken. Frame for chairs tables and the like. Issued 7-2-35. (28)
2,006,598; All. Oesterreichische Dynamit Nobel A G. Corrosion resistant and malleable alloy. Issued 7-2-35. (6)
2,006,599; All. Oesterreichische Dynamit Nobel A G. Mechanically workable alloy. Issued 7-2-35. (6)
2,006,600; All. Oesterreichische Dynamit Nobel A G. Corrosion resistant and malleable Alloy. Issued 7-2-35. (6)
2,006,601; All. Oesterreichische Dynamit Nobel A G. Corrosion resistant mechanically workable alloy. Issued 7-2-35. (6)
2,006,605; Putnoky Ferdinand. Pick-up arm guide for sound boxes of talking machines. Issued 7-2-35. (28)
2,006,621; Berg Wilhelm. Motor operated chuck for lathes and other machine tools. Issued 7-2-35. (28)
2,006,678; Kappler Felix. Folding box. Issued 7-2-35. (28)
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2,006,684; Meininghaus Ulrich. Blade ring for radial flow machines. Issued 7-2-35. (28)
2,006,692; Sugihara Saburo Kojima Kenichi Go Teikichi et al. Ash pot. Issued 7-2-35. (39)
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2,006,723; Schafer Max. Shuttle drive. Issued 7-2-35. (28)
2,006,763; Geidner Wilhelm. Dyeing spindle. Issued 7-2-35. (28)
2,006,834; All. Perutz Trockenplattenfabrik. Process of developing photographic images with conversion from negative to positive. Issued 7-2-35. (28)
2,006,854; Winter Ellhelm. Device for setting and protecting diamond-edged tools and the like. Issued 7-2-35. (28)
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2,006,968; All. Vereinigte Kugellagerfabriken A G. Textile spindle mounting. Issued 7-2-35. (28)
2,007,016; All. Leitz Optische Werke GmbH. Ernst. Photographic camera. Issued 7-2-35. (28)
2,007,017; All. Leitz Optische Werke GmbH Ernst. Microosciligraph. Issued 7-2-35. (28)
2,007,032; Wach Hans. Combined reciprocating engine and turbine. Issued 7-2-35. (28)
2,007,096; All. Druckzersetzer GmbH. Pressure electrolyzer for the production of hydrogen and oxygen. Issued 7-2-35. (28)
2,007,135; All. Perutz Trockenplattenfabrik. Apparatus for applying indications to film strips. Issued 7-2-35. (28)
2,007,255; Rehr Gustav. Frame for autocars. Issued 7-9-35. (28)

2,007,282; All. Durkopp Werke A G. Method of producing a multicolor screen for the production of photographic color pictures. Issued 7-9-35. (28)
2,007,283; All. Durkopp Werke A G. Method of producing two-color or multicolor photographic pictures. Issued 7-9-35. (28).
2,007,285; Schauffele Ekkehard. Examination of high-grade alloyed steels. Issued 7-9-35. (28)
2,007,306; Peuker Franz. Weighing scale. Issued 7-9-35. (28)
2,007,308; Sambraus Adolf. Method of soldering. Issued 7-9-35. (28)
2,007,314; All. Wanderer Werke Vorm Winklhofer and. Knee and column milling and like machine. Issued 7-9-35. (28)
2,007,317; Von Bohuszewicz Oscar. Weighing machine. Issued 7-9-35. (28)
2,007,318; Wilhelm Rudolf. Coke oven door. Issued 7-9-35. (28)
2,007,459; All. Goldschmidt Th A G. Process of manufacturing lead glass. Issued 7-9-35. (28)
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2,007,575; Lesage Alfred. Two stroke explosion motor. Issued 7-9-35. (28)
2,007,585; Satow Teikichi. Building material and method of making the same. Issued 7-9-35. (39)
2,007,692; Reiter Adolf. Closure for containers. Issued 7-9-35. (6)
2,007,693; All. Novopan Studiengesellschaft Zur. Chemical process for the production of husked grain both germinated and ungerminated. Issued 7-9-35. ((28)
2,007,724; Palli Stefano. Tubular rubber tire with metal springs. Issued 7-9-35. (38)
2,007,725; Pettazzoni Ernesto. Bicycle. Issued 7-9-35. (38)
2,007,741; Broche Hans. Method of desulphurating coal distillation gases. Issued 7-9-35. (28)
2,007,770; All. Anticoman GmbH. Polymethylenediguanidine compounds and process of making said compounds. Issued 7-9-35. (28)
2,007,813; All. Boehringer C H Sohn A G. Process for production of T lactones. Issued 7-9-35. (28)
2,007,818; Still Carl. Coke oven. Issued 7-9-35. (28)
2,007,913; All. Luftschiffbau Zeppelin GmbH. End connection for wires cables and the like. Issued 7-9-35. (28)
2,007,984; Quendt Bernhardt. Method of slackening animal hides and skins and slackening solutions. Issued 7-16-35. (28)
2,008,055; Angelini Virginio. Method of producing ferro chromium. Issued 7-16-35. (38)
2,008,058; All. Deutsche Luftfahrt und Handels. Apparatus for determining the true horizon independently of sight. Issued 7-16-35. (28)
2,008,066; All. Quarzlampen GmbH. Gas or vapor discharge tube. Issued 7-16-35. (28)
2,008,067; Faber Ernst. Vacuum cleaner Issued 7-16-35. (28)
2,008,074; Isman Umberto. Process for the manufacture of tubes of cement material. Issued 7-16-35. (38)
2,008,075; Kraft Anton. Strand or rope making machine. Issued 7-16-35. (28)
2,008,079; Mauser Karl Wilhelm. Bung closure for metal vessels. Issued 7-16-35. (28)
2,008,083; Muller Ludwig. Machine for measuring and machining frames and underframes of vehicles especially railway bogies. Issued 7-16-35. (28)
2,008,130; Damm Felix. Injector burner for autogenous metal working. Issued 7-16-35. (28)
2,008,131; Dieck Wilhelm et al; Schiff Sally. Process for manufacturing bactericidal products and resulting product. Issued 7-16-35. (28)
2,008,165; Wormser Arthur. Method of and means for feeding sheet material. Issued 7-16-35. (28)
2,008,196; Weber Karl. Centrifugal casting machine. Issued 7-16-35. (28)
2,008,236; Winkler Alfred et al; Dunnebier Max. Machine for manufacturing window envelopes. Issued 7-16-35. (28)
2,008,248; Fluck Gisbert. Multidirectional control of liquid gas flow. Issued 7-16-35. (28)
2,008,251; Hillebrand Hubert. Surgical instrument. Issued 7-16-35. (28)
2,008,253; All. Kohlentechnik GmbH. Process of separating hydrocyanic acid. Issued 7-16-35. (28)
2,008,367; Kanamori Shigeyuki. Twigged pile. Issued 7-16-35. (39)
2,008,350; All. Siemens Schuckertwerke A G. Absorption refrigerating apparatus. Issued 7-16-35. (28)
2,008,383; All. Seidel & Naumann A G. Shift mechanism. Issued 7-16-35. (28)
2,008,384; All. Seidel & Naumann. Type bar actuating means. Issued 7-16-35. (28)
2,008,392; Heller Maximilian. Cushioning device for seats and the like. Issued 7-16-35. (6)
2,008,464; Nishi Hirohisa. Arrangement for starting flight requiring no gliding. Issued 7-16-35. (39)
2,008,509; All. Waldes & Ko. Device for punching and reenforcing documents or the like. Issued 7-16-35. (28)
2,008,521; Takechi Shojiro. Piling. Issued 7-16-35. (39)
2,008,626; Murakami Yoshimichi. Method for manufacturing metallic materials by rotating rolls or wheels containing a molten metal between them. Issued 7-16-35. (39)
2,008,658; Otto Carl. Regenerative oven. Issued 7-16-35. (28)
2,008,831; Kruse Hermann. Method and apparatus for nailing flanges. Issued 7-23-35. (28)
2,008,876; Rehder Otto. Device for starting and stopping an electrically driven cinematographic projection apparatus. Issued 7-23-35. (28)
2,008,937; Thoma Hans. Hydraulic motor and pump. Issued 7-23-35. (28)
2,008,985; Latteman Emil. Inner sole. Issued 7-23-35. (28)
2,009,021; Maul Michael. Record controlled printing machine. Issued 7-23-35. (28)
2,009,022; Maul Michael. Record controlled printing machine. Issued 7-23-35. (28)
2,009,177; Ravasio Vittorio; Guseo Camillo et al. Reel for making automatically tied up or crossed hanks. Issued 7-23-35. (38)
2,009,181; Kabay Janos. Process for obtaining opium alkaloids from dried poppy straw. Issued 7-23-35. (34)
2,009,183; Kaufmann Hans. Difficulty dissociable acyl derivatives of salicylic acid and process of making same. Issued 7-23-35. (28)
2,009,193; All. Junkers & Co GmbH. Gas switch. Issued 7-23-35. (28)
2,009,249; Castelli Emilio. Yarn twisting device. Issued 7-23-35. (38)
2,009,307; Belluzzo Giuseppe. Steam turbine for naval propulsion. Issued 7-23-35. (38)

2,009,313; All. Rheinische Metallwaaren und. Fuse setting machine. Issued 7-23-35. (28)
2,009,371; All. Reiniecker J E A G. Change gear mechanism. Issued 7-23-35. (28)
2,009,394; Fiedler Hans Werner. Depilator and method of applying same. Issued 7-30-35. (28)
2,009,424; All. Rochling Robert. Color photography. Issued 7-30-35. (28)
2,009,454; All. Edeleanu GmbH. Dewaxing of hydrocarbons. Issued 7-30-35. (28)
2,009,474; Castelli Cesare. Climber for poles of hard material. Issued 7-30-35. (38)
2,009,489; Fritzsche Curt. Centrifugal casting apparatus for dental purposes. Issued 7-30-35. (28)
2,009,498; Kerr Alexander. Television apparatus. Issued 7-30-35. (28)
2,009,555; Mathiesen Wilhelm. Means of changing the condition and the actinic qualities of open electric arc lights. Issued 7-30-35. (28)
2,009,559; Mieder Fritz. Sand settling plant. Issued 7-30-35. (28)
2,009,562; Okumura Yasujiro. Stimulus acupuncturator. Issued 7-30-35. (39)
2,009,657; All. I G Farbenindustrie A G. Esters of polymeric carbohydrates. Issued 7-30-35. (28)
2,009,665; All. Automatic fur Automatische. Folding machine. Issued 7-30-35. (28)
2,009,772; Hayn Fritz. Advertising apparatus. Issued 7-30-35. (28)
2,009,807; All. Victoria Vegyeszeti Muvek R T. Process for producing a material for protecting surfaces against rust decomposition heat fire and the like. Issued 7-30-35. (34)
2,009,816; All. Siemens & Halske A G. Optical reversing system. Issued 7-30-35. (28)
2,009,912; Wiesell Kurt. Harvester reel. Issued 7-30-35. (28)
2,009,922; All. Schubert & Salzer. Thread guide control for bobbin winding machines. Issued 7-30-35. (28)
2,009,923; All. Schubert & Salzer. Reenforced stocking and method of knitting same. Issued 7-30-35. (28)
2,009,924; All. Schubert & Salzer. Blind point. Issued 7-30-35. (28)
2,009,925; All. Schubert & Salzer. Lace attachment. Issued 7-30-35. (28)
2,009,962; All. Kalle & Co A G. Apparatus for gaseous development of light sensitive material especially of diazo type by means of ammonia gas. Issued 7-30-35. (28)
2,009,998; Gonyk Ignatz. Sewing machine. Issued 8-6-35. (6)
2,010,132; Bischoff Johannes Christian. Device for cooling the body by means of light volatile chemicals. Issued 8-6-35. (28)
2,010,160; Meyer Gerhard. Instrument for teaching calculation. Issued 8-6-35. (28)
2,010,184; All. Felten and Guilleaume Carlswerk. Wire cable. Issued 8-6-35. (28)
2,010,190; All. Universelle Cigarettenmaschinenfabrik. Apparatus for separating waste goods particularly incorrectly filled cigarette packets. Issued 8-6-35. (28)
2,010,196; Muller Carl Wilhelm. Wrapping mechanism. Issued 8-6-35. (28)
2,010,214; Braun Karl. Compensating device for sash windows and the like. Issued 8-6-35. (28)
2,010,239; Martin John B. Apparatus for recovering ore values from a solution. Issued 8-6-35. (39)
2,010,248; Winkler Franz. Change speed gear for bicycles. Issued 8-6-35. (28)
2,010,254; All. Vereinigte Stahlwerke A G. Iron pile. Issued 8-6-35. (28)
2,010,255; All. Barmer Maschinenfabrik A G. Multistory twisting machine. Issued 8-6-35. (28)
2,010,304; Herman Alexander. Fastening and connection for glass plates. Issued 8-6-35. (28)
2,010,400; All. Vereinigte Stahlwerke A G. Method of manufacturing tubes and pipes. Issued 8-6-35. (28)
2,010,411; Papst Hermann. Scanning device. Issued 8-6-35. (28)
2,010,416; All. Vereinigte Stahlwerke A G. Water sluice valve for pipings. Issued 8-6-35. (28)
2,010,465; All. Schlafhorst W and Co. Winding machine. Issued 8-6-35. (28)
2,010,469; All. Humboldt Deutzmotoren A G. Process and means for starting and accelerating Diesel locomotives with direct drive on the axles. Issued 8-6-35. (28)
2,010,480; All. Internationale Galalith Ges Hoff. Process for coloring hardened masses made from casein and other protein substances. Issued 8-6-35. (28)
2,010,486; All. Universelle. Delivery device for cigarette rod machines. Issued 8-6-35. (28)
2,010,520; Klekert Friederich Wilhelm. Metal door. Issued 8-6-35. (28)
2,010,635; Kantorowicz Julius. Method of manufacturing wetproof cellulose products. Issued 8-6-35. (28)
2,010,690; L Orange Rudolf. Fuel pump for internal combustion engines. Issued 8-6-35. (28)
2,010,762; All. Junkers and Co GmbH. Gas heated appliance. Issued 8-6-35. (28)
2,010,763; All. Junkers and Co GmbH. Gas heating appliance. Issued 8-6-35. (28)
2,010,778; Stechert Hermann. Driving device for making cast concrete pile plankings in subsoil. Issued 8-6-35. (28)
2,010,867; Kubo Hisaji. Postcard for phonographic recording. Issued 8-13-35. (39)
2,010,918; All. I G Farbenindustrie A G. Manufacture of solutions of silk fibroin. Issued 8-13-35. (28)
2,010,919; Grethe Theodor. Method of producing tea free from therve. Issued 8-13-35. (28)
2,011,117; Richter Alfred. Ventilating system. Issued 8-13-35. (28)
2,011,119; All. Rekuperator GmbH. Method of protecting heating surfaces against overheating. Issued 8-13-35. (28)
2,011,217; Gebhardt Georg. Apparatus for the sterilization and sterile filling of vessels and the like. Issued 8-13-35. (28)
2,011,252; All. Vetreria Italiana Balzaretti. Glass article. Issued 8-13-35. (38)
2,011,263; All. Siemens and Halske A G. Device for working with lenticulated films. Issued 8-13-35. (28)
2,011,281; All. Sachtleben Ag fur Bergbau und. Process for the preparation of pure barium zincates and pure barium compounds from the latter. Issued 8-13-35. (28)
2,011,286; Junghans Helmut. Mechanical time fuse for artillery projectiles. Issued 8-13-35. (28)
2,011,365; All. Lanz Heinrich A G. Adjustable sieve. Issued 8-13-35. (28)
2,011,400; All. Sachtleben Ag fur Bergbau und. Process of treating zinciferous iron ores. Issued 8-13-35. (28)
2,011,411; All. Berliner Verkehrs A G. Brake for motor rail vehicles. Issued 8-13-35. (28)
2,011,413; Metz Fritz. Rust and scale removing implement. Issued 8-13-35. (28)
2,011,452; Lutz Alfred. Manufacturing paper tubes and the like. Issued 8-13-35. (28)
2,011,454; Nagai Chogi Dec. Process of synthetically producing ephedrin homologue and its salts. Issued 8-13-35. (39)
2,011,463; Vianini Guido. Pipe manufacturing machine. Issued 8-13-35. (38)
2,011,467; All. Maschinenfabrik Augsburg. Bascule bridge. Issued 8-13-35. (28)
2,011,673; All. I G Farbenindustrie A G. Process for the manufacture of new conversion products from natural resins and esters thereof. Issued 8-20-35. (28)
2,011,737; Thun Rudolph. Apparatus for picture transmission. Issued 8-20-35. (28)
2,011,744; Wormser Arthur. Sheet feeding device. Issued 8-20-35. (28)
2,011,745; Wormser Arthur. Method of and means for feeding sheet material. Issued 8-20-35. (28)
2,011,776; Reinartz Robert. Device for feeding sheet material to a machine particularly to a printing machine. Issued 8-20-35. (28)
2,011,781; Tobozzi Giacinto. Flexible pipe for oil essence and the like especially for aerial machines. Issued 8-20-35. (38)
2,011,861; Knumann Hugo. Terminal post. Issued 8-20-35. (28)
2,011,907; Peters Fritz. Tube making. Issued 8-20-35. (28)
2,011,918; All. Stedefeld Curt. Bogie truck. Issued 8-20-35. (28)
2,011,963; Altenbach Otto. Pocket implement. Issued 8-20-35. (28)
2,011,976; All. Vereinigte Stahlwerke A G. Cobalt tungsten iron alloy. Issued 8-20-35. (28)
2,011,979; Martienssen Oscar. Means for marking cores in bore holes. Issued 8-20-35. (28)
2,012,093; Beiersdorf Hans. Door tension device for motor vehicles. Issued 8-20-35. (28)
2,012,098; All. Preussische Bergwerks und Hutten. Apparatus for treating mineral salts. Issued 8-20-35. (28)
2,012,116; Andreas Arno. Filling nozzle. Issued 8-20-35. (28)
2,012,174; All. I G Farbenindustrie A G. Production of nitrogenous condensation products from acetylene and ammonia. Issued 8-20-35. (28)
2,012,189; All. Schnellpressenfabrik Koenig and. Automatic casting machine for metal bars as used in composing machines. Issued 8-20-35. (28)
2,012,198; All. Soc Italiana Ernesto Breda Per. Metal structure. Issued 8-20-35. (38)
2,012,292; All. Zahnradfabrik Friedrichs & Afen A G. Power transmitting mechanism in motor driven vehicles. Issued 8-27-35. (28)
2,012,318; Pfirmann Theodor Wilhelm. Process of hydrogenating carbonaceous materials. Issued 8-27-35. (28)
2,012,319; All. Hochdruck Apparate Bau GmbH. Pressure releasing device. Issued 8-27-35. (28)
2,012,330; Widmaier Hans. Listing calculating machine. Issued 8-27-35. (28)
2,012,338; Dietrich Friedrich Richard. Reflector for lamps. Issued 8-27-35. (28)
2,012,355; Schonfeld Paul. Manufacture of warp goods. Issued 8-27-35. (28)
2,012,363; Vogel Robert. Surgical device. Issued 8-27-35. (28)
2,012,373; Borrmann Waldemar et al; Alwas Friedrich. Piston for internal combustion engines. Issued 8-27-35. (28)
2,012,382; All. I G Farbenindustrie A G. Manufacture of silk fibroin soluble in water. Issued 8-27-35. (28)
2,012,396; Luce Charles Elmer. Device for discharging pasty viscous or liquid substances. Issued 8-27-35. (28)
2,012,403; Reimann Otto. Method and apparatus for producing wooden wall coverings. Issued 8-27-35. (28)
2,012,472; All. Luka Handelsgesellschaft Ludewigs. Stamping device. Issued 8-27-35. (28)
2,012,480; Reich Max. Measurement of the phase displacement of alternating currents or voltages. Issued 8-27-35. (28)
2,012,485; Spiess Georg. Tipping suction device for sheet separating machines. Issued 8-27-35. (28)
2,012,517; Ohnesorge Otto. Friction drive. Issued 8-27-35. (28)

2,012,577; All. Deutsche Perrot Bremse GmbH. Wheel brake. Issued 8-27-35. (28)
2,012,619; Ritzerfeld Wilhelm. Duplicating apparatus. Issued 8-27-35. (28)
2,012,631; Kindermann Grete Kindermann Hanns et al. Electrically heated cushion. Issued 8-27-35. (28)
2,012,649; Yamaki Masuji. Rubber heel. Issued 8-27-35. (39)
2,012,667; Heinemann Rudolf. Vehicle direction indicator. Issued 8-27-35. (28)
2,012,693; Rieback Rudolf. Doorlock. Issued 8-27-35. (28)
2,012,762; All. Chemische Fabrik R Baumheier A G. Method of and system for testing the imperviousness to water of impregnated textiles. Issued 8-27-35. (28)
2,012,770; All. Fabbrica Italiana Magneti Marelli. Connecter for electric cables. Issued 8-27-35. (38)
2,012,776; Roeder Hans Albert. Ligator. Issued 8-27-35. (28)
2,012,860; Winkler Franz. Spring mounted eccentric hub with brabv and buffer spring. Issued 8-27-35. (28)
2,012,877; Iwasa Morizo. Hearing appliance. Issued 8-27-35. (39)
2,012,893; Schmidt Hans Schmidt Hermann et al. Free wheel hub with brake device. Issued 8-27-35. (28)
2,012,946; Biller Hans. Hand operated toy. Issued 9-3-35. (28)
2,012,975; All. Osmose Holzimpraegnierungs GmbH. Method of impregnating wood. Issued 9-3-35. (28)
2,012,976; All. Osmose Holzimpraegnierungs GmbH. Composition for impregnating wood. Issued 9-3-35. (28)
2,012,997; All. Juners Motorenbau GmbH. Supporting propeller shafts. Issued 9-3-35. (28)
2,013,008; Riccardi Aristide. Automatic train signal for level crossings. Issued 9-3-35. (38)
2,013,009; Satzinger Gebhard. Machine for comminuting foodstuffs. Issued 9-3-35. (28)
2,013,054; Kallos Johann. Automatic depositing device for meat and sausage slicing machines with rotary circular knives. Issued 9-3-35. (34)
2,013,178; All. I G Farbenindustrie A G. Projection apparatus. Issued 9-3-35. (28)
2,013,197; Zipper Walter. Powder box. Issued 9-3-35. (6)
2,013,211; Herkenberg Karl. Process for the production of extensikte electric conductors. Issued 9-3-35. (28)
2,013,362; Riszdorfer Odon. Automatic Diaphragm. Issued 9-3-35. (34)
2,013,363; Riszdorfer Odon. Photographic apparatus. Issued 9-3-35. (34)
2,013,480; Sandvoss Hermann. Temperature regulator. Issued 9-3-35. (28)
2,013,584; Schwanhausser Erich. Process of making writing pencil leads. Issued 9-3-35. (28)
2,013,611; Haufmann Hans. Process for the manufacture of facsimiles on wood. Issued 9-3-35. (28)
2,013,635; Serafinowicz Oscar. Floating bathing and swimming device. Issued 9-3-35. (28)
2,013,766; Sandvoss Hermann. Pressure regulator. Issued 9-10-35. (28)
2,013,768; Seidler Otto. Building or paving brick. Issued 9-10-35. (28)
2,013,769; Spelling Richard. Process and apparatus for the recovery of the constituents of photographic film material. Issued 9-10-35. (28)
2,013,779; Helbig Paul. Door securing device. Issued 9-10-35. (28)
2,013,967; All. Bothe Hermann. Apparatus for equalizing driving belts. Issued 9-10-35. (28)
2,013,977; All. I G Farbenindustrie AKG. Production of potassium bicarbonate. Issued 9-10-35. (28)
2,013,984; All. I G Farbenindustrie AKG. Process for the oxidation of nitrites to nitrates. Issued 9-10-35. (28)
2,014,026; Nebel Max. Knitted fabric. Issued 9-10-35. (28)
2,014,041; Elrich Joseph Elrich Ludwig et al. Closure for discharge openings. Issued 9-10-35. (28)
2,014,048; All. Orenstein & Koppel AKG. Light signaling arrangement. Issued 9-10-35. (28)
2,014,049; All. Orenstein & Koppel AKG. Light signaling circuit. Issued 9-10-35. (28)
2,014,051; Nishi Hirohisa. Arrangement for starting flight requiring no gliding. Issued 9-10-35. (39)
2,014,157; All. Enzinger Union Werke AKG. Device for inserting packing disks in bottle closures. Issued 9-10-35. (28)
2,014,171; Fischel Hermann Albert. Sectional boiler. Issued 9-10-35. (28)
2,014,181; All. Brehmer Gebruder. Sheet feed device. Issued 9-10-35. (28)
2,014,184; All. Rheinische Metallwaaren und. Firearm with exchangeable barrel. Issued 9-10-35. (28)
2,014,189; All. Vereinigte Stahlwerke A K G. Apparatus for cracking hydrocarbons. Issued 9-10-35. (28)
2,014,308; Brenner Herbert. Trousers press. Issued 9-10-35. (28)
2,014,325; Grilli Iginio. Beverage making machine. Issued 9-10-35. (38)
2,014,369; All. Gothaer Waggonfabrik A G. Tipping apparatus for railway trucks and the like. Issued 9-17-35. (28)
2,014,400; Still Carl. Process for charging and compressing loosely charged coal within oven chambers. Issued 9-17-35. (28)
2,014,426; All. Hungarian Rubber Goods Factory Ltd. Inflatable rubber article provided with fiber cover & process for their production. Issued 9-17-35. (34)
2,014,432; Gerhold Guido. Auxiliary Keyboard. Issued 9-17-35. (6)
2,014,471; All. Edyesult Izzolampa es Villamossag. Process of sealing off vessels containing gas. Issued 9-17-35. (34)
2,014,499; Kraus Otto. Signaling apparatus. Issued 9-17-35. (28)
2,014,504; All. I G Farbenindustrie A G. Chlorinated rubber. Issued 9-17-35. (28)
2,014,512; All. I G Farbenindustrie A G. Production of carbamates and conversion product of the same. Issued 9-17-35. (28)
2,014,544; All. Demag A G. Crane. Issued 9-17-35. (28)
2,014,548; All. Maschinenfabrik Augsburg Nurnberg & A T. Drum weir. Issued 9-17-35. (28)
2,014,617; All. Hesser F R Maschinenfabrik A G. Measuring and filling device. Issued 9-17-35. (28)
2,014,668; Rinderknecht August. Means for examining gear wheels. Issued 9-17-35. (28)
2,014,671; Rothe Franz. Spraying and squirting device. Issued 9-17-35. (28)
2,014,678; Zoller Arnold. Internal combustion engine. Issued 9-17-35. (28)
2,014,684; All. Junkers Motorenbau GmbH. Apparatus for measuring the performance of engines. Issued 9-17-35. (28)
2,014,687; All. Union Special Maschinenfabrik G M & S. Sewing machine. Issued 9-17-35. (28)
2,014,701; Seligmann Arthur. Refrigerating plant. Issued 9-17-35. (28)
2,014,823; Tramm Heinrich. Absorption vessel for gases and vapors. Issued 9-17-35. (28)
2,014,864; Schlemper Paul. Pile cutting knife. Issued 9-17-35. (28)
2,014,889; Mayrhofer Rudolf; Goldschmidt Stefan et al. Method of producing condensation products of formaldehyde and urea with the conjoint use of the condensation products derived from glycerine and phithalic anhydride. Issued 9-17-35. (28)
2,014,914; All. Kroch Fritz. Envelope. Issued 9-17-35. (28)
2,014,934; All. Kienzle Uhrenfabriken A G. Synchronous motor driven chime movement for clocks. Issued 9-17-35. (28)
2,014,944; All. Klein Schanzlin & Becker A G. Hydrodynamic gear. Issued 9-17-35. (28)
2,014,945; Mayer Edmund. Mashing apparatus. Issued 9-17-35. (28)
2,015,000; Beringer Christian August. Sail rig for water craft. Issued 9-17-35. (28)
2,015,010; All. Richter David A G. Manufacture of stockings. Issued 9-17-35. (28)
2,015,127; Rieger Emil. Plant for conveying liquids. Issued 9-24-35. (28)
2,015,133; All. Patin Albert. Photoelectric tube. Issued 9-24-35. (28)
2,015,181; All. Knorr Bremse A G. Driver's brake valve for compressed air brakes. Issued 9-24-35. (28)
2,015,194; Ruping Max. Resilient rail fastening. Issued 9-24-35. (28)
2,015,309; Igarashi Tomehiko. Automatic starting stopping apparatus for a Diesel engine. Issued 9-24-35. (39)
2,015,310; Jonkhoff Henri Wouter. Vehicle bogie construction. Issued 9-24-35. (28)
2,015,311; Jonkhoff Henri Wouter. Vehicle bogie construction. Issued 9-24-35. (28)
2,015,332; All. Voith J M. Hydraulic machine. Issued 9-24-35. (28)
2,015,451; All. Demag Elektrostahl GmbH. Apparatus for charging furnaces. Issued 9-24-35. (28)
2,015,457; Morioka Isao. Process for manufacturing a relief by the aid of photography. Issued 9-24-35. (39)
2,015,488; Manabe Takeo. Concrete plant. Issued 9-24-35. (39)
2,015,501; Sorge Otto. Rotary machine or engine. Issued 9-24-35. (28)
2,015,583; Bartsch Alfred. Cleaning machine. Issued 9-24-35. (28)
2,015,604; Molienelli Marlo. Portable Jib crane. Issued 9-24-35. (38)
2,015,638; Kohn Hans. Transmission gear. Issued 9-24-35. (28)
2,015,652; All. Rodas Maschinen Fabrik Roderick. Device utilized in conjunction with sheet printing presses for spraying the printed sheets with liquid paraffin or the like. Issued 10-1-35. (28)
2,015,735; Thomalla Theo. Safety lock. Issued 10-1-35. (28)
2,015,745; Deri Max. Electrical system. Issued 10-1-35. (38)
2,015,775; Abraham Manfred. Electrically heated sterilizing and cooling apparatus adapted to be used as an ice box. Issued 10-1-35. (28)
2,015,787; Dietrich Karl. Coin freed locking device for typewriters. Issued 10-1-35. (28)
2,015,799; Hoffmann Theodor. Press button control for elevators and the like. Issued 10-1-35. (28)
2,015,818; Schonfeld Paul. Manufacture of ribbed warp fabric. Issued 10-1-35. (28)
2,015,820; All. Pulvermacher Ernst. Box shaped spring. Issued 10-1-35. (28)
2,015,846; Falthauser Willy. Expanding closing capsule for bottles and other containers. Issued 10-1-35. (28)
2,015,867; Noack Karl. New process for lubricating. Issued 10-1-35. (28)
2,015,912; All. Chemische Fabrik Grunau Landhoff. Method of treating high molecular split off products of albumin with higher fatty acid chlorides and product of said method. Issued 10-1-35. (28)
2,015,970; Schoene Josef. Injection syringe. Issued 10-1-35. (28)

2,016,052; Roeder Fritz. Combined paper punching and folding machine. Issued 10-1-35. (28)
2,016,058; Steiner Kurt. Reflex camera. Issued 10-1-35. (28)
2,016,064; All. Vereinigte Stahlwerke A G. Iron sheet piling. Issued 10-1-35. (28)
2,016,098; All. Schenck Carl Eidengiesserei & Automatic scale. Issued 10-1-35. (28)
2,016,102; All. I G Farbenindustrie A G. Production of conversion products of rubber. Issued 10-1-35. (28)
2,016,109; All. I G Farbenindustrie A G. Sulphuric ester of mono acetals. Issued 10-1-35. (28)
2,016,315; Calzoni Alfredo. Revolving piston machine. Issued 10-8-35. (38)
2,016,322; Eyer Philipp. Process for producing enameled iron articles. Issued 10-8-35. (28)
2,016,331; All. Junkers & Co. GmbH. Hot water system. Issued 10-8-35. (28)
2,016,423; Frey Walter. Needle threader. Issued 10-8-35. (28)
2,016,426; All. I G Farbenindustrie A G. Purification of pyridine. Issued 10-8-35. (28)
2,016,442; Kilgus Alfred. Production of gases by decomposition of aqueous electrolytes. Issued 10-8-35. (28)
2,016,446; Merkenschlager Karl. Galvanizing apparatus. Issued 10-8-35. (28)
2,016,464, Thomas Johannes Robert Wilhelm. Slipping coupling device. Issued 10-8-35. (28)
2,016,572; All. I G Farbenindustrie A G. Chlorinated organic compounds containing substantial amounts of acetylene tetrachloride. Issued 10-8-35. (28)
2,016,614; Rawetzky Louise Gebr. Bust support with extended body portion. Issued 10-8-35. (28)
2,016,617; Schlubach Hans. Process for decomposition of highly polymerized carbohydrates. Issued 10-8-35. (28)
2,016,624; Bulgarini Maria Ciulli Ruggieri. Wrench. Issued 10-8-35. (38)
2,016,628; Dallenbach Walter. Direct current converter. Issued 10-8-35. (28)
2,016,633; All. Oberschlesischer Berg und. Method for the obtention of phenols from coal tars and lignite tars. Issued 10-8-35. (28)
2,016,634; Grethe Theodor. Method of producing coffee free from caffeine. Issued 10-8-35. (28)
2,016,637; All. Rothenberg E. Refrigerator. Issued 10-8-35. (28)
2,016,646; Mancini Niccolo. Automatic firearm. Issued 10-8-35. (38)
2,016,653; Reiner Theodor. Door barring device. Issued 10-8-35. (28)
2,016,658; All. Ruhrchemie A G. Chlorination of hydrocarbons. Issued 10-8-35. (28)
2,016,674; Hamasumi Matsujiro. Centrifugal cast iron pipe. Issued 10-8-35. (39)
2,016,720; Krause Georg. Heat exchanging pipe. Issued 10-8-35. (28)
2,016,721; Kunze Paul William. Process of obtaining asphalt and asphaltlike substances from acid resins and acid tar. Issued 10-8-35. (28)
2,016,734; Wittenberg Otto et al; Harsanyi Eugene. Internal combustion motor. Issued 10-8-35. (34)
2,016,750; Mancini Niccolo. Detachable feed belt for automatic firearms. Issued 10-8-35. (38)
2,016,807; All. Staedtler J S. Firm. Improved black writing pencil leads. Issued 10-8-35. (28)
2,016,972; Schieferstein Georg Heinrich. Mechanically oscillating screening apparatus. Issued 10-8-35. (28)
2,017,011; All. Patent treuhand ges fur elektrische. Method of manufacturing electric resistances. Issued 10-8-35. (28)
2,017,236. Enkle Joseph. Free balance escapement. Issued 10-15-35. (28)
2,017,279. Gruter Paul Reinhold. Process for making readily soluble complex theophylline compounds. Issued 10-15-35. (28)
2,017,282; All. Brehmer Gebruder. Automatic sheet handling arrangement in stitching machines. Issued 10-15-35. (2d)
2,017,313; Kuwada Gompei. Free running spinning ring. Issued 10-15-35. (39)
2,017,367; Kurz Konrad. Method of producing an embossing foil by providing a support adapted to be embossed with a mirror coating. Issued 10-15-35. (28)
2,017,376; Rother Paul et al; Grau Georg. Determination of the percentage of water in wood textiles and other substances. Issued 10-15-35. (28)
2,017,397; Esser Heinrich. Method and apparatus for welding tubes. Issued 10-15-35. (28)
2,017,398; All. Soc Italiana Pirelli. Manufacture of porous rubber. Issued 10-15-35. (38)
2,017,475; Schmidt Adam; Machine for the guidance of tools and more particularly of fusing burners. Issued 10-15-35. (6)
2,017,478; Stoffel Anna. Device for ironing neckties. Issued 10-15-35. (28)
2,017,481; Von Opel Fritz. Closed cycle internal combustion engine and method of operating same. Issued 10-15-35. (28)
2,017,558; All. Stickstoffdunger A G. Process of preparing calcium carbide. Issued 10-15-35. (28)
2,017,619; All. Schnellpressenfabrik Koenig &. Folding device for rotary printing machines. Issued 10-15-35. (28)
2,017,624; Janzen Otto. Synchronous motor. Issued 10-15-35. (28)
2,017,628; Lancia Vincenzo. Means for resiliently mounting engines on automobile vehicles. Issued 10-15-35. (38)
2,017,640; Ubbelohde Leo. Treatment of felts for paper machines. Issued 10-15-35. (28)
2,017,695; Hahnemann Walter. Apparatus for generating or receiving mechanical oscillations. Issued 10-15-35. (28)
2,017,896; Hesse Walther. Stylus for making sound records. Issued 10-15-35. (28)
2,017,733; Sakakura Yukitoshi. Process for frosting glass bulbs for incandescent lamps. Issued 10-15-35. (39)
2,017,772; Schildgen Georg et al; Wehr Georg. Bearing cage. Issued 10-15-35. (28)
2,017,796; Freytag Heinrich. Table skittle alley. Issued 10-15-35. (28)
2,017,814; Henkels Hugo. Device for the manufacture of sliding clasp fastenings. Issued 10-15-35. (28)
2,018,058; All. Torpedo Werke A G Fahrrader und Typewriter. Issued 10-22-35. (28)
2,018,080; Martienssen Oscar. Method of and device for differentiating between geologic strata traversed by bore holes. Issued 10-22-35. (28)
2,018,090; Reiner Ernst et al; Huper Arnold. Vehicle. Issued 10-22-35. (28)
2,018,123; Flagiello Vincenzo. Machine for finishing armor plate piercing shells. Issued 10-22-35. (38)
2,018,136; Lange Emil. Electric switch. Issued 10-22-35. (28)
2,018,207; Giambertoni Andrea. Vacuum cleaner. Issued 10-22-35. (38)
2,018,223; Otto Carl. Refractory brick. Issued 10-22-35. (28)
2,018,231; All. Lorenz C A G. Self inductance variometer. Issued 10-22-35. (28)
2,018,249; Caro Nikodem et al; Frank Albert Rudolf Wendlandt Rudolf Fischer Thomas. Process of carrying through gas reactions. Issued 10-22-35. (28)
2,018,262; Hoshino Yukitsune et al; Ogushi Iwao. Audiphone for deaf mutes. Issued 10-22-35. (39)
2,018,300; Esser Heinrich. Method of producing industrial iron by means of iron sponge. Issued 10-22-35. (28)
2,018,400; All. Ungerer Fritz. Device for straightening plates wires and the like. Issued 10-22-35. (28)
2,018,417; Peyinghaus Walter. Rail vehicle axle journal brass. Issued 10-22-35. (28)
2,018,422; Sakakura Yukitoshi. Process for frosting glass bulbs in gradation. Issued 10-22-35. (39)
2,018,456; Jonas Hans. Embroidering or like machine. Issued 10-22-35. (28)
2,018,561; Lucich Giovanni. Gas mixer. Issued 10-22-35. (38)
2,018,602; All. Schnellpressenfabrik A G. Apparatus for adjusting and stopping the printing in automatic platen printing presses. Issued 10-22-35. (28)
2,018,616; All. Klein Schanzlin and Becker A G. Hydrodynamic gear. Issued 10-22-35. (28)
2,018,697; All. Deckel Friedrich. Pantograph engraving and copying machine. Issued 10-29-35. (28)
2,018,752; Walter Richard R. Alloy. Issued 10-29-35. (28)
2,018,781; Gehrke August. Method for the production of storable mixtures of lecithin and oil. Issued 10-29-35. (28)
2,018,783; Graf Leo. Electric spark plug. Issued 10-29-35. (28)
2,018,794; All. Humboldt Deutzmotoren A G. Mounting for internal combustion engines. Issued 10-29-35. (28)
2,018,837; Collatz Ewald. Centrifugal device. Issued 10-29-35. (28)
2,018,914; All. Maschinenfabrik Augsburg Nurnberg. Internal combustion engine. Issued 10-29-35. (28)
2,018,918; All. Bergmann Carl. Method and device for separating coherent tobacco leaves. Issued 10-29-35. (28)
2,018,987; All. Bayerische A G. Fur Chemische. Process of preparing active bleaching clays. Issued 10-29-35. (28)
2,019,002; Drohmann Carl et al; Munz Karl. Machine for packing nutrient fats. Issued 10-29-35. (28)
2,019,006; Ferrari Lorenzo. Change speed gear. Issued 10-29-35. (38).
2,019,007; Guhl Hermann. Cock for gas ranges and the like. Issued 10-29-35. (28)
2,019,020; Noguchi Shigeo. Sound recording system. Issued 10-29-35. (39)
2,019,081; Koppel Rudolf Heinrich. Universal rolling mill. Issued 10-28-35. (28)
2,019,135; Jaeger Karl. Railway buffer stop. Issued 10-29-35. (28)
2,019,160; Semsch Franz. Flexible container. Issued 10-29-35. (28)
2,019,207; Alexander Walter. Vulcanized rubber solution. Issued 10-29-35. (28)
2,019,225; All. I G Farbenindustrie A G. Manufacture of fibroin solutions. Issued 10-29-35. (28)
2,019,234; Nistri Umberto. Optical device for the control of flight. Issued 10-29-35 (38)
2,019,268; Monheim Richard. Machine for the delivery of tokens. Issued 10-29-35. (28)
2,019,356; Normelli Wulff Berzellius. Befrigerating machine operating with a solid absorbent. Issued 10-29-35. (28)
2,019,362; All. Electricitatsgesellschaft Rontgen ray apparatus. Issued 10-29-35. (28)
2,019,373; Von Hayn Albert. Metal heel. Issued 10-29-35. (28)
2,019,390; All. Anker Werke A G. Locking device for bobbin housings of sewing machines. Issued 10-29-35. (28)
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2,019,567; Heini Franz. Hot water accumulator plant for locomotives. Issued 11-5-35. (6)
2,019,570; Kind Oscar. Wire strapping for packages with twisted tie. Issued 11-5-35. (28)
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2,020,633; All. I G Farbenindustrie A G. Device for equalizing fluctuations produced in masses delivered by spinning pumps. Issued 11-12-35. (28)
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2,020,762; Baumhuter Heinrich. Treatment of twines cords and the like made of hard fibers. Issued 11-12-35. (28)
2,020,793; Meininghaus Ulrich. Turbine. Issued 11-12-35. (28)
2,020,795; All. Dortmund Horder Huttenverein A G. Pile construction. Issued 11-12-35. (28)
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2,020,885; Gatta Filiberto. Wheel cover. Issued 11-12-35. (38)
2,020,893; Kegel Ludwig. Vending machine. Issued 11-12-35. (28)
2,020,894; Kurtz Hans. Method of making endless metal cloths or wire fabrics. Issued 11-12-35. (28)
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2,021,525; Steinhart Rudolf (6); Hunter Anna. Electrical preheater for carburetors. Issued 11-19-35. (28)
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2,021,557; Kolarz Josef. Power current transmission within limited districts. Issued 11-19-35. (6)
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2,021,669; All. Brehmer Gebruder. Mechanism for automatically severing the terminal threads of a stitched book or the like. Issued 11-19-35. (28)
2,021,685; Pornaci Curio. Armor piercing projectile. Issued 11-19-35. (38)
2,021,750; All. Lorenz C A G. Electric discharge device. Issued 11-19-35. (28)
2,021,768; Epp Wilhelm. Roller brush. Issued 11-19-35. (28)
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2,021,999; All. Schwarz Gustav GmbH. Air propeller. Issued 11-26-35. (28)
2,022,006; All. Krupp Fried Germaniawerft AKG. Safety device for reversible internal combustion and other machines. Issued 11-26-35. (28)
2,022,009; Rocca Agostino. Machine for coating metallic cores with cement plaster by spiral windings provided with devices to regulate the forming and conveying rollers and belts. Issued 11-26-35. (38)
2,022,010; Schopper Alfred. Paper pulp testing device. Issued 11-26-35. (28)
2,022,038; All. Electroacustic GmbH. Streamlined sword carrier for subaqueous sound apparatus. Issued 11-26-35. (28)
2,022,056; Schneider Ernst. Ship and ship construction. Issued 11-26-35. (6)
2,022,139; All. I G Farbenindustrie AKG. Disinfecting and preserving agent. Issued 11-26-35. (28)
2,022,180; Braun Theodor et al; Vogt Wilhelm. Method of and means for separation and sorting. Issued 11-26-35. (6)
2,022,329; All. Goshi Kaisha Tsudashiki. Pump. Water clarifying apparatus. Issued 11-26-35. (39)
2,022,418; All. Schubert & Salzer. Method of making beginning courses for knitted webs. Issued 11-26-35. (28)
2,022,424; All. Barmer Maschinenfabrik AKG. Arrangement on double twist twisting spindles. Issued 11-26-35. (28)
2,022,448; Wirth Emil. Guide needle lapping machine. Issued 11-26-35. (28)
2,022,456; All. I G Farbenindustrie AKG. Manufacture of new condensation products from natural resins. Issued 11-26-35. (28)
2,022,562; All. Grumpelt Propellerbau GmbH. Propeller. Issued 11-26-35. (28)
2,022,563; All. Cartonnagen Industrie AKG. Process and apparatus for the formation of channels in sheets of cardboard corrugated cardboard or the like. Issued 11-26-35. (28)
2,022,565; All. Universelle Cigarettenmaschinen. Apparatus for closing folded boxes or containers. Issued 11-26-35. (28)
2,022,575; All. Universelle Cigarettenmaschinen. Apparatus for transferring a cigar filler from the rolling device into the pressing mold. Issued 11-26-35. (28)
2,022,593; Fuykers Theodor. Apparatus and method for drying printed webs. Issued 11-26-35. (28)
2,022,597; Hein Paul. Shoemaker's last. Issued 11-26-35. (28)
2,022,614; All. I G Farbenindustrie AKG. Stable halogen derivatives of caoutchouc and a process of preparing same. Issued 11-26-35. (28)
2,024,185; Rober Ewald. Push bench for drawing tubes. Issued 12-17-35. (28)
2,024,186; Rober Ewald. Metal drawing bench. Issued 12-17-35. (28)
2,024,190; Sumi Rikichi et al; Sasayama Nakaji. Automobile parking storage machine. Issued 12-17-35. (39)
2,024,196; All. Deckel Friedrich. Cutter bearing. Issued 12-17-35. (28)
2,024,200; Barsuk Juriy. Device for automatically writing the music played on instruments provided with keyboard or in any case with fixed tuning. Issued 12-17-35. (38)
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2,024,264; Zipper Emil et al; Zipper Walter. Wheel for power driven vehicles and the like. Issued 12-17-35. (6)
2,024,274; Campini Secondo. Reaction propulsion method and plant. Issued 12-17-35. (38)
2,024,308; Schol Carl Heinrich. Process for causing liquid slags melts to set in a highly porous fashion. Issued 12-17-35. (28)
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2,024,661; Riszdorfer Odon. Apparatus for controlling photographic exposures. Issued 12-17-35. (34)
2,024,676; All. Sachsisches Serumwerk A G. Production and concentration of an antithyroid component. Issued 12-17-35. (28)
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2,024,890; Stoeger Otto. Indicating apparatus for sizing machines. Issued 12-17-35. (38)
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2,024,946; Morgenstern Max. Umbrella. Issued 12-17-35. (6)
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2,025,353; All. Maschinenfabrik Augsburg. Internal combustion engine. Issued 12-24-35. (28)
2,025,366; von Mihaly Denes. Portable sound film reproducing apparatus. Issued 12-24-35. (28)

2,025,391. Kaselitz Oskar. Production of nitric oxide and hydrogen chloride from nitrosyl chloride. Issued 12-24-35. (28)
2,025,394. Langen Erich. Cotton drawing frame. Issued 12-24-35. (28)
2,025,404. Stahn Albert. Sand core forming apparatus. Issued 12-24-35. (28)
2,025,415. Kramer Alfred. Machine for manufacturing cigars. Issued 12-24-35. (28)
2,025,448. Hebbinghaus Helmut. Furniture caster with footplate. Issued 12-24-35. (28)
2,025,460. All. Barmer Maschinenfabrik A G. Double twist twisting spindle. Issued 12-24-35. (28)
2,025,602. Maul Michael. Sorting machine for record cards. Issued 12-24-35. (28)
2,025,609. All. Ihagee Kammerawerk Steenbergen. Reflex camera. Issued 12-24-35. (28)
2,025,617. Schramm Otto. Temperature measuring appliance for hot fluid masses. Issued 12-24-35. (28)
2,025,650. Deuker Wilhelm. Footwear. Issued 12-24-35. (28)
2,025,658. Gaspar Bela. Process for the production of a colored sound film. Issued 12-24-35. (28)
2,025,661. Hayashida Ichi. Combined double color mechanical pencil and fountain pen. Issued 12-24-35. (39)
2,025,675. All. Kalle and Co A G. Light sensitive layers. Issued 12-24-35. (28)
2,025,764. Maul Michael. Record card controlled machine. Issued 12-31-35. (28)
2,025,842. Africano Elia. Apparatus for describing and tracing curves. Issued 12-31-35. (38)
2,025,888. Olivero Fernando. Glass cleaner. Issued 12-31-35. (38)
2,025,900. All. I G Farbenindustrie A G. Recording and reproduction apparatus for mechanical sound records. Issued 12-31-35. (28)
2,025,915. All. Ruhrchemie A G. Fertilizer method. Issued 12-31-35. (28)
2,025,916. All. Ruhrchemie A G. Method of producing fertilizers. Issued 12-31-35. (28)
2,025,922. Weinrich Otto. Method for the production of fusion welded hollow bodies. Issued 12-31-35. (28)
2,026,002. Schmidt Ernest. Sealing means for sheet metal containers. Issued 12-31-35. (28)
2,026,176. All. Sendlinger Optische Glaswerke. Magnifying glass. Issued 12-31-35. (28)
2,026,289. Yasuhiko Asahina; Ishidate Morizo; Tamura Kenzo. Process for the manufacture of paradiketocamphan carboxylic acid and hydroxy oxo camphan carboxylic acid. Issued 12-31-35. (39)
2,026,315. All. Schlafhorst W Co. Beaming machine for cross winding. Issued 12-31-35. (28)
2,026,329. Tauschek Gustav. Reading machine. Issued 12-31-35. (6)
2,026,384. Hauck Alois. Window and the like. Issued 12-31-35. (6)
2,026,390. Kamura Hachachi. Method of manufacturing magnetic iron and steel. Issued 12-31-35. (39)
2,026,435. Ratti Giuseppe. Goggle. Issued 12-31-35. (38)
2,026,436. Reiffenstrin Manfred. Control device for impulse turbines. Issued 12-31-35. (6)
2,026,457. Breitbart Hans. Apparatus and method for making centrifugal castings. Issued 12-31-35. (28)
2,026,459. Caretta Ettore. Transmission gear for distant control or motion. Issued 12-31-35. (38)
2,026,482. Mattioli Gian Domenico. Control for aerofoils. Issued 12-31-35. (38)
2,026,504. All. Hauser & Co GmbH. Axle and axle bearing. Issued 12-31-35. (28)
2,026,664. Bartling Hermann. Row of houses with displaced gangways. Issued 1-7-36. (28)
2,026,667; Braibanti Giuseppe; Braibanti Mario et al. Machine for preparing pastes. Issued 1-7-36. (38)
2,026,688. Lebert Alfred. Balancing machine. Issued 1-7-36. (28)
2,026,706. Rath Rudolf. Solid web for artificial tooth backing. Issued 1-7-36. (28)
2,026,846. All. Maschinenfabrik Augsburg Nurnberg. Locomotive. Issued 1-7-36. (28)
2,026,860. Bender Carl. Grip mechanism for cableways. Issued 1-7-36. (28)
2,026,863. All. I G Farbenindustrie A G. Mercaptobenzothiazyl aryldisulphides. Issued 1-7-36. (28)
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2,027,184. All. I G Farbenindustrie A G. Vulcanization accelerator. Issued 1-7-36. (28)
2,027,277. Habanne Erich. Contact device. Issued 1-7-36. (28)
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2,027,288. All. Vereinigte Stahlwerke A G. Sheet piling. Issued 1-7-36. (28)
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2,027,294. Silberknopf Hans. Lighter. Issued 1-7-36. (6)
2,027,302. All. Austro Daimler Puchwerke A G. Rail wheel. Issued 1-7-36. (6)
2,027,303. All. Austro Daimler Puchwerke A G. Running gear. Issued 1-7-36. (6)
2,027,304. All. Austro Daimler Puchwerke A G. Running gear for vehicles. Issued 1-7-36. (6)
2,027,314. Heinlein Eugene. Method of manufacturing thinwalled shaped bodies. Issued 1-7-36. (28)
2,027,386. Krummer Adolf. System for moving bodies towards and away from each other. Issued 1-14-36. (28)
2,027,399. Michel Johann; Ostermeier Johannes et al. Electric control apparatus. Issued 1-14-36. (28)
2,027,455. Seibt Max. Check valve. Issued 1-14-36. (28)
2,027,502. Weismuller Friedrich. Sylvicultural machine. Issued 1-14-36. (28)
2,027,554. All. Krupp Fried A G. Chrome nickel steel alloy product and method of making the same. Issued 1-14-36. (28)
2,027,571. All. Siemens Schuckertwerke A G. Method for the transformation of heat. Issued 1-14-36. (28)
2,027,610. All. Siemens Schuckertwerke A G. System for the conversion of heat. Issued 1-14-36. (28)
2,027,621. All. Klingelnberg Firm W Ferd Sohne. Method of and machine for producing hob cutters. Issued 1-14-36. (28)
2,027,655. Stoeckicht Wilhelm. Planet gearing. Issued 1-14-36. (28)
2,027,695. All. Carbo Norit Union Verwaltungs. Process for the preparation of activated or absorbent carbon or decolorizing carbon. Issued 1-14-36. (28)
2,027,780. All. Vereinigte Stahlwerke A G. Process of treating cobalt tungsten chromium alloys. Issued 1-14-36. (28)
2,027,781. Lieberknecht Paul. Method of making hosiery. Issued 1-14-36. (28)
2,027,856. All. I G Farbenindustrie A G. Process for preparing substituted aldols. Issued 1-14-36. (28)
2,027,885. All. Frapido Spielwarenfabrik Alfred. Building element for constructional games. Issued 1-14-36. (28)
2,027,965. All. Maschinenfabrik Augsburg. Method of demulsifying the sealing oils of waterless gasholders. Issued 1-14-36. (28)
2,027,994. Mishima Tokushichi. Magnet steel containing nickel and aluminum. Issued 1-14-36. (39)
2,028,000. Mishima Tokushichi. Permanent magnet containing nickel aluminum and vanadium. Issued 1-14-36. (39)
2,028,121. All. Edeleanu GmbH. High octane number gasoline and method of manufacture. Issued 1-14-36. (28)
2,028,132. Bienenstock Moritz. Process for recovering pure germinal substance from seed kernels. Issued 1-21-36. (34)
2,028,203. Fuchs Henry; Gorler Ernst et al. Visual signaling device. Issued 1-21-36. (28)
2,028,228. Ludowici Wilhelm. Roofing tile. Issued 1-21-36. (28)
2,028,258. Surmann Jahannes Rudolph. Device for storing eggs or the like. Issued 1-21-36. (28)
2,028,315. Neugart Franz; Bruhl Paul et al. Grinding machine. Issued 1-21-36. (28)
2,028,331. All. Junkers Hugo Bayrisch Zell. Free piston engine compressor. Issued 1-21-36. (28)
2,028,362. Tessky Karl. Automatic lathe. Issued 1-21-36. (28)
2,028,460. Landauer Kurt. Holder for match packages. Issued 1-21-36. (28)
2,028,496. Chiti Aroldo. Moving and changing sign. Issued 1-21-36. (38)
2,028,510. All. Lorenz C A G. Transmitter for electromagnetic waves. Issued 1-21-36. (28)
2,028,512. All. Zahnradfabrik Friedrichshafen A G. Freewheeling device for motor vehicles. Issued 1-21-36. (28)
2,028,530. Steiner Leo. Clamping buckle. Issued 1-21-36. (34)
2,028,577. Vincenzoni Alvaro. Speed transmission mechanism. Issued 1-21-36. (38)
2,028,664. Heinemann Rudolf. Vehicle direction indicator. Issued 1-21-36. (28)
2,028,718. All. Leitz Ernst Optische Werke. Ball bearing for scientific instruments. Issued 1-21-36. (28)
2,028,752. All. Deckel Friedrich. Photographic camera. Issued 1-28-36. (28)
2,028,875. Kuwada Gompei. Doubling spindle. Issued 1-28-36. (39)
2,029,004. Varni Alfredo. Method of and apparatus for molding concrete. Issued 1-28-36. (38)
2,029,060. All. Soc Italiana Pirelli. Vulcanizing press for pneumatic tires inner tubes and similar articles. Issued 1-28-36. (38)
2,029,066. All. Kugelfischer Erste Automatische method of measuring the hardness of abrasive disks. Issued 1-28-36. (28)
2,029,077. Lejeune Franz. Process for the production of colored photographs particularly in natural colors on papers films and the like. Issued 1-28-36. (6)
2,029,128. All. Tietze Elisabeth. Stamp. Issued 1-28-36. (28)
2,029,163. Giovenale Benedetto. Automatic air vent for pipe lines under pressure. Issued 1-28-36. (38)
2,029,169. Hironaka Yasusaburo. Internal combustion engine. Issued 1-28-36. (39)
2,029,174. All. Reinecker Jeag. Change gear mechanism. Issued 1-28-36. (28)
2,029,331. Meininghaus Ulrich. Apparatus for regulating turbo machines. Issued 2-4-36. (28)
2,029,403. Andreas Arno. Device for conveying finely divided material. Issued 2-4-36. (28)

2,029,417. Forster Arthur. Neck protector for use with hair dressers wrappers or the like. Issued 2-4-36. (28)
2,029,450. All. Liesen & Co. Heat exchanger. Issued 2-4-36. (28)
2,029,588. All. I G Farbenindustrie. A G. Film forming compositions. Issued 2-4-36. (28)
2,029,614. All. Siemens & Ahlske A G. Apparatus for taking or projecting lenticulated films. Issued 2-4-36. (28)
2,029,618. All. I G Farbenindustrie A G. Production of alcohols. Issued 2-4-36. (28)
2,029,623. All. I G Farbenindustrie A G. Working up of natural and industrial salt mixtures. Issued 2-4-36. (28)
2,029,666. All. Marklin Apparatebau GmbH. Carburetor. Issued 2-4-36. (28)
2,029,692. Zindel Ernst. Firearm equipment for aircraft. Issued 2-4-36. (28)
2,029,700. All. Deutsche Luftfahrt und Handels A 7. Inclination responsive device for aircraft. Issued 2-4-36. (28)
2,029,738. All. I G Farbenindustrie A G. Process for the production of alkali nitrate. Issued 2-4-36. (28)
2,029,790. All. Corballo gesellschaft MbH. Flinging device for ball games. Issued 2-4-36. (28)
2,029,827. Majer Christian. Machine for continuously inserting bottoms and lids in finished vessel walls of paper cardboard and the like. Issued 2-4-36. (28)
2,029,857. All. Conradty C. Trolley system. Issued 2-4-36. (28)
2,029,899. All. Nestler Albert A G. Ruler attachement. Issued 2-4-36. (28)
2,029,939. Niccolai Ruggero. Hydrostatic valve more particularly for siphon discharge apparatus. Issued 2-4-36. (38)
2,029,943. All. Schlafhorst W. Co. Yarn and thread tensioning mechanism for cop winding and like textile machines. Issued 2-4-36. (28)
2,029,957. Trachtenberg Jakow. Electrical multiple typewriter. Issued 2-4-36. (28)
2,029,980. Besag Ernst. Releasing arrangement for electric switches. Issued 2-4-36. (28)
2,030,009. Lederle Ekbert. Red pigments. Issued 2-4-36. (28)
2,030,082. All. Goldschmit Th A G. Making potash. Issued 2-11-36. (28)
2,030,225. Poeggel Erich. Means for cutting setting and_____[1]. Issued 2-11-36. (28)
2,030,229. Schwarzkopf Paul. Process of making compound structural material and shaped articles thereof. Issued 2-11-36. (6)
2,030,334. Still Carl. Apparatus for the production of coke and gas in horizontal chamber ovens. Issued 2-11-36. (28)
2,030,366. Grave Otto. Electric vacuum cleaner. Issued 2-11-36. (28)
2,030,367. Grave Otto. Electric vacuum cleaner. Issued 2-11-36. (28)
2,030,375. Kort Ludwig. Combined device of a ships propeller enclosed by a nozzle. Issued 2-11-36. (28)
2,030,481. All. Wanderer Werke Vorm Winklhofer machine tool particularly milling machine having a counter support. Issued 2-11-36. (28)
2,030,486. Weiss Ernst. Movement for kicking dolls. Issued 2-11-36. (28)
2,030,495. Retschneider Max. Embroidering machine. Issued 2-11-36. (28)
2,030,506. Driescher Fritz. Distribution board with fuses adapted to be cut out by hand. Issued 2-11-36. (28)
2,030,526. Meizer Carl Gottfried Rudolf. Process for concentrating all kinds of precious metal ores by froth flotation. Issued 2-11-36. (28)

[1] So in original document.

2,030,527. Meyer Hans. Device for simultaneously regulating the pressure of a series of pressure rolls adjacent a heating table. Issued 2-11-36. (28)
2,030,545. Schulze Hermann. Porous boot or shoe sole. Issued 2-11-36. (28)
2,030,583. All. Wintershall A G. Process for avoiding setting phenomena in commercially prepared salts. Issued 2-11-36. (28)
2,030,609. Quittner Heinrich. Closure device. Issued 2-11-36. (6)
2,030,619. All. Chemische Fabrik Joh A Benckiser. Process for making anhydrous citric acid. Issued 2-11-36. (28)
2,030,642. Kremmling Aribert. Mold for molding or embossing or the like plastic material such as dough. Issued 2-11-36. (28)
2,030,644. All. Peyinghaus Walter. Axle bearing lubrication device. Issued 2-11-36. (28)
2,030,655. Roch Rudolf et al; Roch Hennry. Combined billiard table and expanding table. Issued 2-11-36. (28)
2,030,695. Erber Bernhard. Electric lamp. Issued 2-11-36. (6)
2,030,752. All. Maybach Motorenbau GmbH. Change speed gear. Issued 2-11-36. (28)
2,030,771. Still Carl. Apparatus for the expansion of hydrocarbons for cracking and distillation. Issued 2-11-36. (28)
2,030,781. Dallenbach Walter. Arrangement for supervising the vacuum i e the gas or vapor pressure in vacuum discharge apparatus. Issued 2-11-36. (28)
2,031,059. Natella Matteo. Transmission mechanism. Issued 2-18-36. (38)
2,031,078. Georg Spiess. Sheet separating and feeding device. Issued 2-18-36. (28)
2,031,122. Mueller Wilhelm. Furnace for roasting sulphurous ores. Issued 2-18-36. (28)
2,031,133. Schumann Robert. Electric hand tool. Issued 2-18-36. (28)
2,031,149. Eirich Ludwig et al; Eirich Joseph. Edge runner like mixing and kneading machine. Issued 2-18-36. (28)
2,031,180. All. Kali Chemie A G. Making water soluble barium salts and hydrogen peroxide. Issued 2-18-36. (28)
2,031,243. Wolf Eduard Julius. Treatment of organic cellular materials. Issued 2-18-36. (28)
2,031,318. All. Junkers Motorenbau GmbH. Engine. Issued 2-18-36. (28)
2,031,433. Sosso Giulio. Ammunition loading device with chain conveyer for small arms. Issued 2-18-36. (38)
2,031,436. Thormeyer Hans. Turbine driven vessel. Issued 2-18-36. (28)
2,031,567. All. Lechler Firma Paul. Method and apparatus for manufacturing packing. Issued 2-18-36. (28)
2,031,569. Maul Michael. Verifying machine for perforated records. Issued 2-18-36. (28)
2,031,586. All. I G Farbenindustrie A G. Process for the manufacture of condensation products. Issued 2-25-36. (28)
2,031,675. Schweiger Curt Wilhelm. Sewing machine. Issued 2-25-36. (28)
2,031,702. All. Degea A G Auergesellschaft. Silencer for internal combustion engines. Issued 2-25-36. (28)
2,031,711. All. Carbo Norit Union Verwaltungs G M & S H. Purifying of water. Issued 2-25-36. (28)
2,031,714. All. Silesia Verein Chemischer Fabrikes. Process for the production of disulphides from mercaptothiazols. Issued 2-25-36. (28)
2,031,776. Honigsberg Robert. Stiffening of double collars. Issued 2-25-36. (6)
2,031,904. All. Krupp Fried A G. Machine parts & apparatus intended for high temperature operation. Issued 2-25-36. (28)
2,032,014. All. Sohne H Krants. Tentering & drying machine. Issued 2-25-36. (28)
2,032,019. Jordon Kurt Robert. Lock for interlocking fasteners. Issued 2-25-36. (28)
2,032,123. All. Freudenberg Carl GmbH. Process of converting a fibrous material. Issued 2-25-36. (28)
2,032,152. Saupe Georg. Flat warp knitting machine. Issued 2-25-36. (28)
2,032,153. Schneider Hermann. Multicompartment container. Issued 2-25-36. (28)
2,032,166. Breuer Armin. Paper conveying device for sheets especially for use in office printing machines. Issued 2-25-36. (28)
2,032,243. Wolff Otto. Sheet iron piling. Issued 2-25-36. (28)
2,032,262. Cori Blanche. Gas filter. Issued 2-25-36. (28)
2,032,444. All. Klangfilm GmbH. Speed regulation. Issued 3-3-36. (28)
2,032,556. All. Vereinigte Kugellagerfabriken A G. Tension pulley. Issued 3-3-36. (28)
2,032,564. All. Wehrle Werk A G. Device for charging gas generators and the like. Issued 3-3-36. (28)
2,032,587. All. Zahnradfabrik Friedrichshafen A G. Change speed gear. Issued 3-3-36. (28)
2,032,720. Sander Karl. Pipe connection. Issued 3-3-36. (28)
2,032,847. Kleinmann Ernst et al; Mendel Alfred. Electrical contact plug. Issued 3-3-36. (28)
2,032,857. All. Luftschiffbau Zeppelin GmbH. Balloon envelope material and method of manufacturing the same. Issued 3-3-36. (28)
2,032,858. Schaper Wolfgang. Separable fastener. Issued 3-3-36. (28)
2,032,949. Nebel Max. Flat knitting machine. Issued 3-3-36. (28)
2,032,992. Lant Richard. Woven or knitted fabric mainly consisting of cellulosic fibers and method of manufacturing same. Issued 3-3-36. (6)
2,033,000. Pampinella Antonio. Davit for lifeboats. Issued 3-3-36. (38)
2,033,006. Pruss Max. Sludge digestion chamber. Issued 3-3-36. (28)
2,033,031. Jasicek Alfons et al (6); Polnauer Fritz. Textile machinery. Issued 3-3-36. (28)
2,033,034. Knaff Albert. Grinding and polishing device. Issued 3-3-36. (28)
2,033,097. All. Koepp Rudolph and Co Chemische Fabrik. Process for the preparation of potassium oxalate from potassium formate. Issued 3-3-36. (28)
2,033,103. Beyersdorfer Paul. Process for making glass enamels, glazes and the like containing lead. Issued 3-3-36. (28)
2,033,297. Pott Alfred et al; Broche Hans; Ehrmann Kuno. Method of purifying and stabilizing aromatic light oil. Issued 3-10-36. (28)
2,033,310. All. Universelle Cigarettenmaschinen. Machine for making cigar rolls. Issued 3-10-36. (28)
2,033,439. All. Mercedes Buromaschinen Werke AKG. Calculating machine. Issued 3-10-36. (28)
2,033,444. Nisizawa Yusiti. Method of etching aluminum. Issued 3-10-36. (39)
2,033,582. Materno Arthur. Dispensing container for toilet paper. Issued 3-10-36. (6)
2,033,605. All. Seidel & Naumann Vorm AKG. Joint for connecting movable members of typewriters or the like. Issued 3-10-36. (28)
2,033,664. All. Pichtel & Sachs AKG. Overflow valve for hydraulic shock absorbers. Issued 3-10-36. (28)
2,033,688. All. Doehner Lina. Production of ladderproof knitted fabric. Issued 3-10-36. (28)
2,033,714. All. Lampen und Metallwarenfabriken. Burner for liquid fuels. Issued 3-10-36. (6)

2,033,717; Kopetz Josef. Device for making flexible tubing from strip material. Issued 3-10-36. (6)

2,033,718; Kraus Wilhelm. Condensation products of the carbamide formaldehyde type and process of making same. Issued 3-10-36. (6)

2,033,732; All. Hanseatische Muhlenwerke AKG. Process for the working up of soaps. Issued 3-10-36. (28)

2,033,738; All. Schlafhorst & Co W. Apparatus for beaming yarn. Issued 3-10-36. (28)

2,034,057; All. Wurttembergische Metallwarren. Electrodeposited cooking utensils. Issued 3-17-36. (28)

2,034,123; All. Junkers and Co GmbH. Liquid heater. Issued 3-17-36. (28)

2,034,168; Wittmers Otto. Device for moving the lay of mechanical weaving looms. Issued 3-17-36. (28)

2,034,206; Rauchbaar Wilhelm. Reversible sliding sash window. Issued 3-17-36. (28)

2,034,207, Ritzerfeld Wilhelm. Duplicating apparatus. Issued 3-17-36. (28)

2,034,208; Ritzerfeld Wilhelm. Duplicating apparatus. Issued 3-17-36. (28)

2,034,209 Ritzerfeld Wilhelm. Moistener for duplicating apparatus. Issued 3-17-36. (28)

2,034,248; All. Schlafhorst & Co. Bobbin changing device for pivot winding frames. Issued 3-17-36. (28)

2,034,258; Hausser Ernst Hermann. Locking washer. Issued 3-17-36. (28)

2,034,297; All. Farbenindustrie A G. Binding agents and a process of preparing them. Issued 3-17-36. (28)

2,034,332; All. Koepp Rudolph Co Chemische. Process for concentrating aqueous formic acid. Issued 3-17-36. (28)

2,034,334; Falkenthal Erwin. Photoelectric cell. Issued 3-17-36. (28)

2,034,355; All. Schlafhorst W Co. Cop winding machine. Issued 3-17-36. (28)

2,034,356; All. Schlafhorst & Co. Yarn tensioning device for textile machines. Issued 3-17-36. (28)

2,034,388; Cemach Alexander. Appliance for the treatment of the larynx with ultra violet rays. Issued 3-17-36. (6)

2,034,467; Haber Eugen. Apparatus for removing of solid or liquid particles from gases or vapors. Issued 3-17-36. (28)

2,034,474; Knetsch Guido. Riding saddle frame. Issued 3-17-36. (28)

2,034,616; Goesler Heinrich. Signaling device for power vehicles. Issued 3-17-36. (28)

2,034,670; All. Vereinigte Kugellagerfabriken A G. Planting bearing. Issued 3-17-36. (28)

2,034,692; Breitbart Hans. Apparatus for making centrifugal castings. Issued 3-24-36. (28)

2,034,704; Takayanagi Kenjiro; Nakashima Tomomasa et al. Television receiving system. Issued 3-24-36. (39)

2,034,913; Kros Josef. Electric hand lamp. Issued 3-24-36. (28)

2,034,969, All. Rud Otto Meyer. Apparatus for effecting the growth of crystals in vacuo. Issued 3-24-36. (28)

2,034,986; Mislowitzer Ernst. Device for dispatching swabs blood samples and the like for bacteriological and diagnostic purposes. Issued 3-24-36. (28)

2,034,999; All. I G Farbenindustrie A G. Joint production of a soda lye poor in sodium chloride and of glauber salt. Issued 3-24-36. (28)

2,035,031; Von Koczian Gustav. Adjustable fastener. Issued 3-24-36. (28)

2,035,048; Daranyi Stephan Carl. Manufacture of yeast. Issued 3-24-36. (28)

2,035,107; Voss Gunther. Cable crane. Issued 3-24-36. (28)

2,035,119; Folsche Wiktor. Indicating device for use in connection with grinding tools. Issued 3-24-36. (28)

2,035,140; Brill Eugen. Composition for making dental fillings. Issued 3-24-36. (28)

2,035,145; Cohn Henryk et al, Siebert Conrad. Metallo albumin tannin compounds. Issued 3-24-36. (28)

2,035,206; All. Lintz and Eckhardt. Sewing and embroidering machine with top feed and oscillating needle. Issued 3-24-36. (28)

2,035,210; Zinner Elizar. Mitten for children to prevent sucking of thumbs. Issued 3-24-36. (28)

2,035,211; Aivaz Boris. Cigarette tube and apparatus for making such tubes. Issued 3-24-36. (34)

2,035,217; All. Vereinigte Stahlwerke A G. Iron pile. Issued 3-24-36. (28)

2,035,249; Steiner Leo. Means for guiding the workpiece in sharpening machines. Issued 3-24-36. (34)

2,035,257; Blaser Rudolf. Belt for supporting wearing apparel. Issued 3-24-36. (28)

2,035,317; All. Chemische Fabriken Dr Joachim Wiernik and Co A G. 5 Isopropyl 5 furomethyl barbituric acid. Issued 3-24-36. (28)

2,035,398; Muller Carl Wilhelm. Filter mouthpiece cigarette. Issued 3-24-36. (28)

2,035,417; All. Bosch Robert A G. Cage for rolling bearings. Issued 3-24-36. (28)

2,035,550, Karwat Ernst. Process for producing pig iron or steel simultaneously with portland cement. Issued 3-31-36. (28)

2,035,645; All. Bembery I P A G. Cuprammonium cellulose film. Issued 3-31-36. (28)

2,035,692; Dietrich Friedrich Richard. Divided piston. Issued 3-31-36. (28)

2,035,721; All. Schlafhorst W Co. Winding cop. Issued 3-31-36. (28)

2,035,725; Dueball Emil; Senkel Richard et al. Machine for reading perforated cards. Issued 3-31-36. (28)

2,035,729; Takahashi Tatsumi. Pneumatic hammer testing machine. Issued 3-31-36. (39)

2,035,765; Schmidt Adam. Autogenous welding and cutting machine. Issued 3-31-36. (6)

2,035,798; All. Goldveck Heinrich. Flexible key. Issued 3-31-36. (28)

2,035,800; Drauz Gustav. Body for power vehicles. Issued 3-31-36. (28)

2,035,801; Gastrow Hans. Control for die casting machines for plastic masses. Issued 3-31-36. (28)

2,035,804; All. Preussische Bergwerks und Hutten A G. Manufacture of potassium nitrate. Issued 3-31-36. (28)

2,035,809; Hingst Hermann Gustav Christian. Shock absorbing device for motor vehicle. Issued 3-31-36. (28)

2,035,812; Janzen Otto. Electric hand lamp. Issued 3-31-36. (28)

2,035,825; All. Durkipp Werke A G. Process of producing colored pictures. Issued 3-31-36. (28)

2,035,844; Stachow Carl Friedrich. Arrangement of door buffers on the doors of motor cars. Issued 3-31-36. (28)

2,035,894; All. Ruetgers Werke A G. Wetting agent. Issued 3-31-36. (28)

2,035,917; All. Raschig F Dr GmbH. Manufacture of phenol. Issued 3-31-36. (28)

2,035,953; Fernholz Ernst. Nonreturn valve for use with compressed or liquid gases. Issued 3-31-36. (28)

2,035,960; All. Schubert & Salzer Maschinenfabrik. Lace attachment for knitting machines. Issued 3-31-36. (28)

2,036,101; Rohn Wilhelm. Continuous rolling mill. Issued 3-31-36. (28)

2,036,104; Strobel Alfons. Improvements in sewing machines. Issued 3-31-36. (28)

2,036,117; Cante Cornelius. Electric heater for liquids. Issued 3-31-36. (28)

2,036,129. Franke Alfred. Friction wheel spindle press for producing ceramic tiles. Issued 3-31-36. (28)

2,036,146; Kampfer Adolf. Reflecting sign. Issued 3-31-36. (28)

2,036,945; Lierg Friedrich. Process for the production of colored pictures particularly in natural colors on paper films and the like. Issued 4-7-36. (6)

2,036,950, Meyer Felix. Regulating the flow of fluids. Issued 4-7-36. (28)

2,037,087; Ninelt Fred. Device for producing artificial silk threads of perfectly uniform cross sectional shape. Issued 4-14-36. (28)

2,037,134; Jaeger Fritz. Filter. Issued 4-14-36. (28)

2,037,149; Reiner Otto. Reversible regenerative furnace. Issued 4-14-36. (28)

2,037,178; All. Schoenfelder Paul Emil. Typewriting and similar machine. Issued 4-14-36. (28)

2,037,261; Nenninger Eugen. Locking device. Issued 4-14-36. (28)

2,037,314; All. I G Farbenindustrie A G. Printing part color picture. Issued 4-14-36 (28)

2,037,324; Heusinkveld Friedrich Wilhelm et al; Brauckmann Ernst Grosse. Device for winding up electric flexible cords. Issued 4-14-36. (28)

2,037,348; Stein Marcel. Automatic lap winding machine. Issued 4-14-36. (34)

2,037,349; Svetlik Kurt. Waxing apparatus. Issued 4-14-36. (28)

2,037,350; Tabozzi Giacinto. Flexible tube and union. Issued 4-14-36. (38)

2,037,478; Livraghi Erminia. Thermochemical process for the production of an antidetonating fuel for explosion engines. Issued 4-14-36. (38)

2,037,483; All. Glanzstoff Courtaulds Gmbh. Method of and apparatus for drying artificial silk cakes. Issued 4-14-36. (28)

2,037,490; All. Harpen und Vorkauf Ingenieure. Rotary heat exchanger. Issued 4-14-36. (28)

2,037,512; Kahlisch Gustav. Method of producing cross wound warp beams and apparatus therefor. Issued 4-14-36. (28)

2,037,542; All. Kalle and Co A G. Light sensitive materials containing light sensitive diazo compounds. Issued 4-14-36. (28)

2,037,553; All. Suddeutsche Metallwaren Fabrik. Portable lemon slice squeezer for table use. Issued 4-14-36. (28)

2,037,587; Otto Carl et al; Stackel Walter. Producing gas and coke in chamber ovens. Issued 4-14-36. (28)

2,037,595; All. Collin and Co. Process for the production of crystals of slats. Issued 4-14-36. (28)

2,037,599; All. Metallgesellschaft A G. Process for reacting rubber with halogen and oxygen gases. Issued 4-14-36. (28)

2,037,690, Baier Georg. Operating mechanism for typewriters. Issued 4-21-36. (28)

2,037,860; All. Magirus C D A G. Extension ladder. Issued 4-21-36. (28)

2,037,871; All. Vereinigte Stahlwerke A G. Resilient wagon wheel. Issued 4-21-36 (28)

2,037,930; All. Klingelnberg Firm W Ferd Sohne. Machine for cutting bevel gears with longitudinally curved teeth. Issued 4-21-36. (28)

2,037,943; Stiehl Otto Ernst et al; Lohr Ernst Jr. Knife with handle casing. Issued 4-21-36. (28)

2,037,990; Martin Josef. Ash removing mechanism. Issued 4-21-36. (28)

2,038,261; All. Leitz Ernst. Coupling for distance meters and objectives of photographic cameras. Issued 4-21-36. (28)

2,038,372; Linz Bernhard. Lay figure for garment displays. Issued 4-21-36. (28)

2,038,440; Natta Giulio. Manufacturing process for obtaining hydrogen by conversion of water gas. Issued 4-21-36 (38)

2,038,444; Ragg Alphonse Friedrich Manfred. Anticorrosive paint. Issued 4-21-36. (28)

2,038,449; Richter Arthur. Flat knitting frame. Issued 4-21-36. (28)

2,038,486; Glas Emil. Electrochemical recording of electric currents. Issued 4-21-36. (6)

2,038,494; Kampfer Adolf. Method of producing laminated glass. Issued 4-21-36. (28)

2,038,569; Kaselitz Oscar. Production of alkali metal nitrates. Issued 4-28-36. (28)

2,038,583; All. Ketten P J V & Getriebe GmbH. Power transmitting chain. Issued 4-28-36. (28)

2,038,670; All. Holzwarth Gasturbinen GmbH. Method of fixing turbine blades in plate. Issued 4-28-36. (28)

2,038,711; Branchini Luigi. Measuring instrument for use of tailors. Issued 4-28-36. (38)

2,038,739; All. Henneter Maschinen Fabrik C Reuthnz. Locking device for automatic weighing machines or scales. Issued 4-28-36. (28)

2,038,787, Guerra Ugo. Earth inductor compass. Issued 4-28-36. (38)

2,038,839; Gross Karl. Printing ink. Issued 4-28-36. (28)

2,038,841; All. Minimax A G. Device for fog forming apparatus of long duration with increased starting effect. Issued 4-28-36. (28)

2,038,877; Spiess Georg. Sheet separating and feeding device. Issued 4-28-36. (28)

2,038,960; All. Ostwald Dr Eugen. Device for producing periodical current impulses. Issued 4-28-36. (28)

2,039,078; Hertwig August. Means for consolidating the ground. Issued 4-28-36. (28)

2,039,152; All. Mayer & Schmidt Schleifmaschinen. Adjustable bearing. Issued 4-28-36. (28)

2,039,165; Hayakawa Kazuma. Method of treating aluminium or aluminium alloy. Issued 4-28-36. (39)

2,039,166; Hoepfner Karl. Spading wheel tractor. Issued 4-28-36. (28)

2,039,170; All. I G Farbenindustrie A G. Absorption of ethers. Issued 4-28-36. (28)

2,039,179; Mazzini Franco. Air circulation valve in the supporting surfaces of aeroplanes. Issued 4-28-36. (38)

2,039,181; Muller Fritz. Rail fastening. Issued 4-28-36. (28)

2,039,185; Pfastershammer Josef. Climbing iron. Issued 4-28-36. (6)

2,039,192; Schober Alfred et al; Wegmann Alfred. Bearing for the trunnions of ladles and the like. Issued 4-28-36. (28)

2,039,196; All. Ringedorff Werke A G. Brush holder for electrical [illegible]. Issued 4-28-36. (28)

2,039,201; Trautwein Friedrich. Arrangement for the production of musical sounds by electrical means. Issued 4-28-36. (28)

2,039,205; All. Weissenbeck Frida. Pocket powder case. Issued 4-28-36. (6)

2,039,231; Lindner Herbert. Device for measuring the adjustment of machine tool carriages. Issued 4-28-36. (28)

2,039,232; Lindner Herbert. Rectilinear adjustment of machine parts. Issued 4-28-36. (28)

2,039,243; All. I G Farbenindustrie A G. Production of artificial resins. Issued 4-28-36. (28)

2,039,342; All. Augsburg Nurnberg A G. Spring element. Issued 5-5-36. (28)

2,039,458; All. Vereinigte Leichtmetallwerke GmbH. Aluminium alloys. Issued 5-5-36. (28)

2,039,567; All. Soc Italiana Pirelli. Fluid filled electric cable system. Issued 5-5-36. (38)

2,039,675; Wisbrun Walter. Foot arch support. Issued 5-5-36. (28)

2,039,687; Ficker Johannes et al; Eckert Emil. Pencil sharpener. Issued 5-5-36. (28)

[1] So in original document.

2,039,734; All. I G Farbenindustrie AKG. New compositions of matter containing luminous substances. Issued 5-5-36. (28)

2,039,795; Henzelmann Karl Otto Reinhold. Calculating machine. Issued 5-5-36. (28)

2,039,802; Kaufmann Hans. Quinine compound and process of making the same. Issued 5-5-36. (28)

2,039,839; Seibel Rudolf. Beer clarifier. Issued 5-5-36. (28)

2,039,994; Herker Kurt Heinrich Wilhelm. Escalator. Issued 5-5-36. (28)

2,040,006; Konig Jozsef. Apparatus for producing vibrating light effects. Issued 5-5-36. (34)

2,040,017; All. Scholtes Josef. Apparatus for cutting foods and the like. Issued 5-5-36. (28)

2,040,018; All. Berning & Co Otto. Photographic camera. Issued 5-5-36. (28)

2,040,023; All. Schlafhorst W Co. Winding machine with mechanical charging of bobbins. Issued 5-5-36. (28)

2,040,066; All. Busch Emil A G Optische Industrie. Comparison microscope. Issued 5-5-36. (28)

2,040,142; Lant Richard; Koreska Wilhelm et al. Recording support. Issued 5-12-36. (6)

2,040,158, Turk Wilhelm. Support for inking mechanism. Issued 5-12-36. (28)

2,040,203; All. Grazer Waggon und. Automatic brake shoe pressure adjusting apparatus for railway vehicles. Issued 5-12-36. (6)

2,040,204; All. Soc Italiana Pirelli. Means for maintaining fluid pressure in sheathed electric cables. Issued 5-12-36. (38)

2,040,207; Kraus Wilhelm. Process for the production of condensation products. Issued 5-12-36. (6)

2,040,225; All. Vomag Betriebs A G. Cuck. Issued 5-12-36. (28)

2,040,280; All. Siemens & Halske A G. Method of copying lenticulated films. Issued 5-12-36. (28)

2,040,326; Nebel Ax. Apparatus for making plush fabric. Issued 5-12-36. (28)

2,040,419; Wirth Thomas. Indicating device. Issued 5-12-36. (28)

2,040,444; Rancke Hinrich. Flushing device. Issued 5-12-36. (28)

2,040,445; Sakamoto Taneyoshi. Vertical lift bridge. Issued 5-12-36. (39)

2,040,460; All. I G Farbenindustrie A G. Process for the manufacture of rubber conversion products. Issued 5-12-36. (28)

2,040,553; All. Raffenbeul Gust GmbH. Production of drawing pins wire tacks and the like. Issued 5-12-36. (28)

2,040,571; All. Egyesult Izzolampa es Villamossag. Discharge vessel and method of making same. Issued 5-12-36. (34)

2,040,581; Voortmann Walter. Mine blasting and similar operations. Issued 5-12-36. (28)

2,040,608; Hinrichs Wilhelm J H. Method of producing moistureproof and airtight materials. Issued 5-12-36. (28)

2,040,612; Kocks Fritz. Rolling mill with inclined rolls. Issued 5-12-36. (28)

2,040,721; All. Vereinigte Stahlwerke A G. Lock gate. Issued 5-12-36. (28)

2,040,722; All. Vereinigte Stahlwerke A G. Lock and gate structure. Issued 5-12-36. (28)

2,040,735; Gerdts Gustav Friedrich. Steam trap. Issued 5-12-36. (28)

2,040,742; Holy Josef. Sound record reproducing device. Issued 5-12-36. (6)

2,040,755; Meyer Eduard. Regulating means for rolling mechanisms. Issued 5-12-36. (28)

2,041,088; All. Unde Friedrich Ingenieur Buro. Method of making granulated materials. Issued 5-19-36. (28)

2,041,123; Foppl Otto. Key and key joint. Issued 5-19-36. (28)

2,041,152; Scupin Werner. Device for accommodating wound film bands. Issued 5-19-36. (28)

2,041,237; All. Smelting Metallurgische und. Process for producing zinc oxide. Issued 5-19-36. (34)

2,041,253; Leussler Emil. Cartridge shell. Issued 5-19-36. (28)

2,041,271; Stuting Heinrich. Rolling mill. Issued 5-19-36. (28)

2,041,286; All. Ganz Gustav and Co. Indirectly heated cathode. Issued 5-19-36. (6)

2,041,422; L Orange Rudolf. Fuel pump for internal combustion engines. Issued 5-19-36. (28)

2,041,433; All. Lorenz C A G. High frequency receiver. Issued 5-19-36. (28)

2,041,438; Siewers Heinrich. Table. Issued 5-19-36. (28)

2,041,454; All. Barmer Maschinenfabrik A G. Gear pump for artificial silk spinning machines. Issued 5-19-36. (28)

2,041,465; All. I G Farbenindustrie A G. Device for obturating multicolor filters. Issued 5-19-36. (28)

2,041,474; Kirschmann Leopold. Adjustable and clampable stand for electric lamps and for displaying articles. Issued 5-19-36. (28)

2,041,480; Oexmann Heinrich. Carrier for magnetic recording. Issued 5-19-36. (28)

2,041,502; All. I G Farbenindustrie A G. Artificial masses. Issued 5-19-36. (28)

2,041,570; Reiffenstein Manfred. Turbo machine. Issued 5-19-36. (6)

2,041,632; All. Leitz Ernst Optische Werke. Cinematographic and photographic camera. Issued 5-19-36. (28)

2,041,633; All. Leitz Ernst GmbH. Photographic camera. Issued 5-19-36. (28)

2,041,635; All. Vereinigte Stahlwerke A G. Steel for railroad rails wheel tires plankpiles and other objects which are subjected to heavy wear. Issued 5-19-36. (28)

2,041,663; Marx Erwin. Means for converting alternating current into direct current and vice versa. Issued 5-19-36. (28)

2,041,893; Winkler Franz. Freewheel hub with coaster brake and brake locking device. Issued 5-26-36. (28)

2,041,918; Freund Willy. Spinning and doubling machine. Issued 5-26-36. (28)

2,041,941; Matuschke Walter et al; Blasing Erich. Printing plate matrix. Issued 5-26-36. (28)

2,041,957; All. Pape & Co GmbH. Method of working up low valued materials such as pitch acid sludge and the like. Issued 5-26-36. (28)

2,042,007; Kennedy Jerome Francis. Constructional toy elements consisting of tubes plates and connecting pieces. Issued 5-26-36. (28)

2,042,018; Papst Hermann. Method of producing mirrow wheels. Issued 5-26-36. (28)

2,042,043; Garelli Adalberto. Reciprocating engine. Issued 5-26-36. (38)

2,042,049; Heidenhain Johannes. Method for the production of dials scales and the like. Issued 5-26-36. (28)

2,042,122; Piccardo Cesare. Automatic discharge of mud from steam boilers and heaters of liquids system for the prevention of scale formation and for the continuous[illegible]. Issued 5-26-36. (38)

2,042,131; Spiess Georg. Feed regulating device. Issued 5-26-36. (28)

2,042,132; Treskow Robert. Pipe joint. Issued 5-26-36. (28)

2,042,161; Satzinger Gebhard. Comminuting machine for foodstuffs. Issued 5-26-36. (28)

2,042,369; Von Kilian Albert. One button switch. Issued 5-26-36. (28)

2,042,543; Maus Johann. Ski tie. Issued 6-2-36. (28)
2,042,552; All. Deutsche Rohrenwerke A G. Process for producing seamless tubes. Issued 6-2-36. (28)
2,042,613; Mancini Niccolo. Discharge methanism for automatic firearms. Issued 6-2-36. (38)
2,042,623; Conradty Ottmar. Collector for electric cars. Issued 6-2-36. (28)
2,042,687; Tessky Karl. Automatic lathe. Issued 6-2-36. (28)
2,042,690; Weber Paul. Heating apparatus employing catalytic combustion. Issued 6-2-36. (28)
2,042,768; Fallscheer Fritz. Yarn bobbin or tube particularly for use in looms. Issued 6-2-36. (28)
2,042,720; Lindner Herbert. Jig boring machine. Issued 6-2-36. (28)
2,042,735; All. Vereinigte Stahlwerke A G. Method of avoiding coarse crystallization at the solidification of metallic castings. Issued 6-2-36. (28)
2,042,754; All. Vereinigte Stahlwerke A G. Pressing vehicle wheel. Issued 6-2-36. (28)
2,042,769; All. Schnellpressenfabrik A Gheidelbert. Inking apparatus for platen printing presses. Issued 6-2-36. (28)
2,042,896; Seikel Willi; Hofler Gregor et al. Potato planter. Issued 6-2-36. (28)
2,042,986; All. Brunsviga Maschinenwerke Grimme. Calculating machine. Issued 6-2-36. (28)
2,043,002; Lechler Wilhelm. Apparatus for neutralizing noxious organisms. Issued 6-2-36. (28)
2,043,066; All. I G Farbenindustrie A G. Production of coarsely crystalline amonium sulphates. Issued 6-2-36. (28)
2,043,067; All. I G Farbenindustrie A G. Production of coarsely crystalline ammonium sulphate. Issued 6-2-36. (28)
2,043,068; All. I G Farbenindustrie A G. Production of coarsely crystalline ammonium sulphate. Issued 6-2-36. (28)
2,043,069; All. I G Farbenindustrie A G. Preparation of dyed filaments and films. Issued 6-2-36. (28)
2,043,119; Pruss Max. Sludge digestion tank. Issued 6-2-36. (28)
2,043,120; Roos Hermann; Punga Franklin et al. Cooling the inductors of ...[1] Issued 6-2-36. (28)
2,043,129; All. Bahlsens H Keksfabrik A G. Device for ripping open paper envelopes. Issued 6-2-36. (28)
2,043,130; All. Norddeutsche Seekabelwerke A G. Method of manufacturing stranded conductors. Issued 6-2-36. (28)
2,043,139; All. Rosing Mühlen A G. Process for making baked goods for diabetics. Issued 6-2-36. (28)
2,043,183; Mauser Karl Wilhelm. Double walled vessel. Issued 6-2-36. (28)
2,043,212; All. I G Farbenindustrie A G. Welding. Issued 6-2-36. (28)
2,043,222; All. Jenaer Glaswerk Schott and Gen. Method of making ceramic objects. Issued 6-9-36. (28)
2,043,322; Galante Aldo. Automatical gradual clutch. Issued 6-9-36. (38)
2,043,344; Alma Maximilian Dec; Alma Carl Egon et al. Continuous draft gear. Issued 6-9-36. (6)
2,043,416; Lueg Paul. Process of silencing sound oscillations. Issued 6-9-36. (28)
2,043,422; All. Elektrizitatsgesellschaft Sanitas. Diathermic apparatus for generating short or ultra short waves. Issued 6-9-36. (28)
2,043,486; Muller Erich. Free wheel mechanism and back pedal brake. Issued 6-9-36. (28)

[1] See in original document.

2,043,503; Aschenborn Helmut. Device for producing plastic reproductions of corporeal forms. Issued 6-9-36. (28)
2,043,507; All. Gothaer Waggonfabrik A G. Means for transporting railway vehicles by road. Issued 6-9-36. (28)
2,043,520; All. Officina Mecannica St Andrea. Automatic lubricating device for the ring and the traveler in ring spinning or doubling frames or the like. Issued 6-9-36. (38)
2,043,534; All. Koepp and Co Chemische Fabrik A G. Process for preparing potassium formac. Issued 6-9-36. (28)
2,043,552; All. Kobe Seiko Sho Ltd. Spinning centrifugal motor arrangement. Issued 6-9-36. (39)
2,043,625; Lindner Herbert. Adjustment of the carriage of machine tools. Issued 6-9-36. (28)
2,043,631; All. Bereinigte Stahlwerke A G. Chromium aluminium steel adapted to be used for articles exposed to high temperatures. Issued 6-9-36. (28)
2,043,637; Von Littrow Hans et al; Zehl Franz Hermann. Power driven window cleaner. Issued 6-9-36. (28)
2,043,768; All. Bohme H Th A G. Process for producing aliphatic carbonyl compounds and alcohols. Issued 6-9-36. (28)
2,043,719; Telgmann Bernhard. Mechanically moved grate. Issued 6-9-36. (28)
2,043,722; Ziegner Heinrich. Process for producing filaments from a raw material which has been solidified by the action of solid liquid or gaseous media. Issued 6-9-36. (28)
2,043,733; Brasch Arno et al; Lange Fritz. High voltage vacuum discharge tube. Issued 6-9-36. (28)
2,043,891; Grave Otto. Piling. Issued 6-9-36. (28)
2,043,945; Beimann Wilhelm. Underfired cke oven. Issued 6-9-36. (28)
2,043,970; All. Leitz Ernst GmbH. Enlargement apparatus with automatic focusing device. Issued 6-9-36. (28)
2,044,116; All. I G Farbenindustrie A G. Process for the separation of carbonic acid from gases containing the same. Issued 6-16-36. (28)
2,044,167; All. Bayerische Stickstoff Werke A G. Process of producing ammonium sulphate. Issued 6-16-36. (28)
2,044,275; All. Mauser Werke A G. Method of and machine for effecting combined fastening and seam covering stitches. Issued 6-16-36. (28)
2,044,321; Nozawa Ichiro. Method of constructing arcuate structures with no staging. Issued 6-16-36. (39)
2,044,343; Angeloni Ernesto. Gyroscopic device. Issued 6-16-36. (38)
2,044,381; All. Goldbeck Heinrich. Lock with bolt operating mechanism remaining permanently in the case. Issued 6-16-36. (28)
2,044,450; Schol Carl H. Apparatus for blowing up liquid slag or melt into a highly porous mass of the character of pumice. Issued 6-16-36. (28)
2,044,528; Guhl Hermann. Process for producing Bunsen burners. Issued 6-16-36. (28)
2,044,531; All. Kaspar Getreideschalmaschine GmbH. Device for hulling and polishing cereals and podded grains. Issued 6-16-36. (28)
2,044,535; Luzzati Salvatore et al; Molinari Cesare. Wood tile for flooring and paneling. Issued 6-16-36. (38)
2,044,560; Barbareschi Carlo. Pump for gaseous fluids. Issued 6-16-36. (38)
2,044,640; Schuster Fritz. Pressing or treatment roller. Issued 6-16-36. (28)
2,044,691; Heflinger Bruno. Device for collecting the blood at a certain part of the human body. Issued 6-16-36. (28)

2,044,692; Huhn Gustav. Packing for the shafts of steam turbines. Issued 6-16-36. (28)
2,044,844; Griesel Heinrich. Construction of buildings. Issued 6-23-36. (28)
2,044,852; All. Lorenz C A G. Electric indicator for comparing field intensities. Issued 6-23-36. (28)
2,045,058; All. Teves Alfred Maschinen Und Armaturlvn. Grinding mill. Issued 6-23-36. (28)
2,045,062; Asahina Yasuhiko et al; Ishida Morizo. Process for preparing D trans 11 oxo camphor from iso ketopinic acid. Issued 6-23-36. (39)
2,045,086; Kastner Alfred. Elastic clutch. Issued 6-23-36. (28)
2,045,122; Cases Armando Levi. Four stroke cycle engine with combined admission and exhaust valve gear. Issued 6-23-36. (38)
2,045,162; Petzoldt Karl. Jacquard machine. Issued 6-23-36. (28)
2,045,186; Honsel Fritz. Combined electrical and key operated lock. Issued 6-23-36. (38)
2,045,191; Kreidler Alfred. Gradometer. Issued 6-23-36. (28)
2,045,196; All. Krupp Germaniawerft A G. Fried. Fuel injecting pump for internal combustion engines. Issued 6-23-36. (28)
2,045,202; All. Schlaefhorst W Co. Cop winding machine. Issued 6-23-36. (28)
2,045,203; All. Kali Chemie A G. Decomposition of Engel salt. Issued 6-23-36. (28)
2,045,214; Coenning Ernst. Antiskid device. Issued 6-23-36. (28)
2,045,226; Goetz Carl. Process for extracting metals from ores. Issued 6-23-36. (28)
2,045,340; All. Anker Werke A G. Zigzag stitching machine. Issued 6-23-36. (28)
2,045,384; Gerb William. Method of producing insulating mats. Issued 6-23-36. (28)
2,045,501; All. Chemische Fabrik Florsheim Vorm. Colloidal graphite suspensions. Issued 6-23-36. (28)
2,045,521; De Hertelendy Andor. Wind direction indicator. Issued 6-23-36. (34)
2,045,639; All. Sachtleben Fur Berghau Und. Process for the production of molten iron or steel by the direct method. Issued 6-30-36. (28)
2,045,729; All. Gross Ernst. Small electric motor. Issued 6-30-36. (28)
——; All. Schloemann A G. Method of making tubes by extrusion. (28)
2,045,824; All. Maschinenfabrik Augsburg Nurnberg. Packing for movable dam structures. Issued 6-30-36. (28)
2,045,825; All. Maschinenfabrik Augsburg Nurnberg. Packing for movable dam structures. Issued 6-30-36. (28)
2,045,850; Grafe Viktor. Method for improving and refining victuals and table luxuries containing cellulose. Issued 6-30-36. (6)
2,045,872; All. Schlafhorst W Co. Winding machine. Issued 6-30-36. (28)
2,045,905; Futran Simon. Locking device for safety purposes. Issued 6-30-36. (28)
2,045,914; Ikeda Miyokichi. Water tube boiler having steam superheater interchangeable to feed preheater. Issued 6-30-36. (39)
2,045,949; Hatta Kiyonobu. Method of preparing meat. Issued 6-30-36. (39)
2,045,964; All. Berlin Karlsruher Industrie Werke. Casing projectile. Issued 6-30-36. (28)
2,046,002; Hunter Anna. Manicure appliance. Issued 6-30-36. (28)
2,046,008; Von Sauer Walter. Electric heating installation. Issued 6-30-36. (28)
2,046,013; All. Siemens Schuckertwerke A G. Tracer control for material working machines. Issued 6-30-36. (28)
2,046,039; Schaar Arnold. Textile article. Issued 6-30-36. (6)

2,046,055; Breddin Heinrich. Apparatus for extracting drugs and the like. Issued 6-30-36. (28)
2,046,069; Greissinger Georg. Knee joint for artificial legs. Issued 6-30-36. (28)
2,046,072; All. Schubert & Salzer Maschinenfabrik. Selecting device. Issued 6-30-36. (28)
2,046,094; Schmidt Ferdinand. Permanent holder for catheters. Issued 6-30-36. (28)
2,046,113; Gerdts Gustav Friedrich. Fluid flow indicator for steam traps. Issued 6-30-36. (28)
2,046,266; Huhn Gustav. Valve. Issued 6-30-36. (28)
2,046,279; Von Der Lahr Karl. Open hearth furnace. Issued 6-30-36. (28)
2,046,345; All. Hanseatische Muhlenwerke A G. Method of producing concentrated phytosterin containing products. Issued 7-7-36. (28)
2,046,392; Lesage Alfred. Two stroke combustion engine. Issued 7-7-36. (28)
2,046,426; Rausch Martin. Sheaf gatherer for mowing and binding machines. Issued 7-7-36. (28)
2,046,448; Buigne Gustav F De. Wheel for railway vehicles. Issued 7-7-36. (6)
2,046,523; All. Goldberg Richard. Firearm. Issued 7-7-36. (28)
2,046,524; All. Mercedes Buromaschinen Werke A G. Mechanism for typewriter calculating machines. Issued 7-7-36. (28)
2,046,538; Palumbo Manfredi. Screw propeller. Issued 7-7-36. (38)
2,046,541; All. Naturin GmbH. Device for producing artificial sausage skins from pasty fibrous masses of animal or vegetable origin. Issued 7-7-36. (28)
2,046,631; Janicke Hermann Junkers Hugo. Multistage free piston motor compressor. Issued 7-7-36. (28)
2,046,761; Andreas Arno. Bag filling spout. Issued 7-7-36. (28)
2,046,795; All. Chemische Fabrik Johann A Wulfing. Process for making compounds containing heavy metals and sulphhydryl groups from keratinates. Issued 7-7-36. (28)
2,046,946; All. Chemische Fabriken Dr. Joachim. Process for the production of diaminoalcohols of the aromatic series. Issued 7-7-36. (28)
2,046,947; All. Chemische Fabriken Dr. Joachim. Process for the production of diaminoalcohols of the aromatic series. Issued 7-7-36. (28)
2,046,971; Esch Wilhelm Schrumann Ernst et al. Process for the purification of asbestos. Issued 7-7-36. (28)
2,046,998; Boykow Johann Maria. Gyroscopic Pendulum. Issued 7-7-36. (28)
2,047,036; Schulz Paul. Motor driven linen pounder. Issued 7-7-36. (28)
2,047,037; Schwarz Alfred. Direction indicator. Issued 7-7-36. (28)
2,047,070; Horner Erich. Device for photographic survey from aircraft. Issued 7-7-36. (28)
2,047,071; Huwyler Oswald. Draft regulator for locomotives. Issued 7-7-36. (6)
2,047,074; Knoller Erich. Mounting of aircraft guns. Issued 7-7-36. (6)
2,047,091; Amann Max et al. Double current telegraph installation. Issued 7-7-36. (28)
2,047,119; Storace Giovanni Battista. Road and like paving. Issued 7-7-36. (38)
2,047,121; Winterfeldt Franz. Air heater for indoor use. Issued 7-7-36. (28)
2,048,797; Kulle Paul. Soap. Issued 7-28-36. (28)
2,048,816; Roehrich Carl. Apparatus for the production of lens line screen films for color photography. Issued 7-28-36. (28)
2,048,821; All. I G Farbenindustrie A G. Manufacture of substituted acid amides. Issued 7-28-36. (28)

2,048,889; Panzer Bernhard. Boundary net for tenni courts and the like. Issued 7-28-36. (6)
2,048,945; Pascheka Alfred. Movable automobile front bumper. Issued 7-28-36. (28)
2,048,963; Nonaka Sueto. Parachute. Issued 7-28-36. (39)
2,048,970; All. Brehmer Gebruder. Method of and mechanism for automatically severing the terminal threads of a stitched book. Issued 7-28-36. (28)
2,049,082; Sanger Jakob. Cuff link. Issued 7-28-36. (6)
2,049,088; Singer Franz. Construction of buildings. Issued 7-28-36. (6)
2,049,092; Sturm Erwin. Rotary piston engine especially for fluid gears. Issued 7-28-36. (28)
2,049,119; Home Hugo. Compensating device for motor vehicles. Issued 7-28-36. (28)
2,049,122; Kuba Franz. Gear for conveying rotary motion. Issued 7-28-36. (6)
2,049,126; All. Maybach Motorenbau GmbH. Claw coupling. Issued 7-28-36. (28)
2,049,127; All. Maybach Motorenbau GmbH. Claw coupling. Issued 7-28-36. (28)
2,049,142; Ungerer Fritz. Plate straightening machine. Issued 7-28-36. (28)
2,049,158; All. Wirtschaftsbedarf GmbH. Valve for steam cookers. Issued 7-28-36. (28)
2,049,202; All. Ringfeder GmbH. Ring rolling mill. Issued 7-28-36. (28)
2,049,208; Leistenscheider August. Magazine for lead pencils. Issued 7-28-36. (28)
2,049,260; Hase Rudolf. Pyrometer. Issued 7-28-36. (28)
2,049,272; Otto Carl. Regenerator with checkerwork for vertical flow of the gaseous media. Issued 7-28-36. (28)
2,049,374; Harter Ludwig. Elastic wheel for vehicles. Issued 7-28-36. (28)
2,049,396; All. I G Farbenindustrie A G. Process of preparing compositions containing wool grease naphthenates. Issued 7-28-36. (28)
2,049,481; Walterspiel Alfred. Symmetrical vertical roaster with air cooled drip pan. Issued 8-4-36. (28)
2,049,483; Dunnebier Max; Winkler Alfred et al. Machine for manufacture of window envelopes and like containers. Issued 8-4-36. (28)
2,049,544; Mucklich Max. Screw calk for horseshoes. Issued 8-4-36. (28)
2,049,564; Hintermeyer Willy. Keyboard for accompaniment for hand accordions and similar musical instruments. Issued 8-4-36. (28)
2,049,570; Schoene Kurt. Pump. Issued 8-4-36. (28)
2,049,629; All. Fernsh A G. Television receiving apparatus. Issued 8-4-36. (28)
2,049,694; All. I G Farbenindustrie A G. Photographic printing. Issued 8-4-36. (28)
2,049,752; Steinhart Ferdinard. Welding joint for wire cloth. Issued 8-4-36. (28)
2,049,765; Fischer Hellmuth. Luminescent glass and method of making same. Issued 8-4-36. (28)
2,049,797; All. Barmer Maschinenfabrik A G. Gear pump for artificial silk spinning machines. Issued 8-4-36. (28)
2,049,812; Loacker Albert. Device for drying containers internally. Issued 8-4-36. (6)
2,049,823; All. Krauss & Reichert. Cloth cutting machine. Issued 8-4-36. (28)
2,049,826; All. Wanderer Werke Vorm Winklhofer &. Carriage feeding device for typewriters. Issued 8-4-36. (28)
2,049,835; All. Pirelli S I. Method of joining fluid filled electric cables. Issued 8-4-36. (38)
2,049,869; Rohrs John Ernst. Button. Issued 8-4-36. (28)
2,049,880; Winkler Franz. Roller clutch for freewheel cycle hub. Issued 8-4-36. (28)

2,049,905; Gminder Emil. Method of drawing bast fiber roving. Issued 8-4-36. (28)
2,049,963; Lancia Vincenzo. Wheel mounting means for motor vehicles. Issued 8-4-36. (38)
2,049,965; Leistenschneider August. Lead pencil. Issued 8-4-36. (28)
2,050,004; All. Cohn Carl. Process for coating articles of food. Issued 8-4-36. (28)
2,050,017; All. Silurificio Whitehead Di Fiume S I. Course governor for dirigible crafts. Issued 8-4-36. (38)
2,050,100; Kopp Peter. Method and apparatus for the production of molded articles. Issued 8-4-36. (28)
2,050,131; All. Leo Scharf. Coin freed liquid dispensing apparatus. Issued 8-4-36. (6)
2,050,281; Dietrich Gabriele. Heating device for automobiles. Issued 8-11-36. (28)
2,050,370; All. I G Farbenindustrie A G. High molecular products containing sulphur in combination. Issued 8-11-36. (28)
2,050,417; Bocca Carlo. Method for superposing partial images of polychromatic selection and projecting them to obtain an image in natural colors. Issued 8-11-36. (38)
2,050,583; All. I G Farbenindustrie A G. 1Sulphurized aliphatic halogen compounds and process of making same. Issued 8-11-36. (28)
2,050,631; All. Schlayer Clotilde. Axial threshing and straw reducing machine. Issued 8-11-36. (28)
2,050,641; All. Vereinigte Stahlwerke A G. Disk wheel and process of producing the same. Issued 8-11-36. (28)
2,050,676. Thomas Ernst. Damper for stamps envelopes and the like. Issued 8-11-36. (28)
2,050,677; All. Waldschock Ottilie. Table. Issued 8-11-36. (28)
2,050,752; All. I G Farbenindustrie A. G. Production of acrylic acid chloride. Issued 8-11-36. (28)
2,050,763; Rabeck Karl. Copying attachment for typewriters. Issued 8-11-36. (6)
2,050,777; All. Rotaprint A G. Office printing sheet. Issued 8-11-36. (28)
2,050,780; All. Wurker GmbH. Automatic mechanism for frame embroidery machines. Issued 8-11-36. (28)
2,050,796; Kerschbaum Friedrich Paul et al; Gooch Stapleton D. Recovery of phosphorus. Issued 8-11-36. (28)
2,050,799; Landau Robert. Closure cap. Issued 8-11-36. (6)
2,050,850; Krug Carl. Grinding Wheel. Issued 8-11-36. (28)
2,050,860; All. Siemens and Halske A G. Apparatus for projecting images on lenticulated films. Issued 8-11-36. (28)
2,050,919; Brauer Ernst. Ciphering machine. Issued 8-11-36. (28)
2,050,959; Normalli Wulff Berzelius. Periodic absorption refrigerating apparatus. Issued 8-11-36. (28)
2,050,960; Olivetti Camillo. Sliding surface or guide for rollers or balls in machine parts. Issued 8-11-36. (38)
2,051,061; Tonnies Hans Ferdinand. Exposure apparatus for cameras. Issued 8-18-36. (28)
2,051,078; Drechsel Armin. Motor car without rotary swinging movement. Issued 8-18-36. (28)
2,051,109; Silbermann Eugen. Gas turbine. Issued 8-18-36. (57)
2,051,174. Levigard Martin. Clip. Issued 8-18-36. (28)
2,051,416; All. Hermann Tschentschel. Double collar. Issued 8-18-36. (28)
2,051,440; Elcken Hermann. Device for atomizing powder. Issued 8-18-36. (28)
2,051,472; All. Gustav Ganz & Co. Discharge tube. Issued 8-18-36. (6)

2,051,510. Dunnebier Max Winkler Alfred et al. Mechanism for the manufacture of envelopes with pasted in windows. Issued 8-18-36. (28)

2,051,657. Stiebel Theodor. Electrically heated water reservoir. Issued 8-18-36. (28)

2,051,658. Stiebel Theodor. Electrically heated hot water reservoir. Issued 8-18-36. (28)

2,051,663. Werth Friedrich. Process of obtaining perforations in metal. Issued 8-18-36. (28)

2,051,709. All. Krafft & Weichardt. Landing sail side beam. Issued 8-18-36. (28)

2,051,718. Voigt Richard Kaltenbach Alois et al. Angle piece for dental purposes. Issued 8-18-36. (28)

2,051,749. Schmid Max. Mechanical toy. Issued 8-18-36. (28)

2,051,756. Tolk Anton. Compression refrigerating machine. Issued 8-18-36. (6)

2,051,779. All. Pfenning Schumacher Werke GmbH. Process for the production of casein powder adapted to be molded directly. Issued 8-18-36. (28)

2,051,821. Christiansen Heinrich. Power operated shunting gear for rolling stock. Issued 8-25-36. (28)

2,051,836. All. Telefunken Ges Fur Drahtlose. Quartz crystal oscillator. Issued 10-1-35. (28)

2,051,897. Ritzerfeld Wilhelm. Manifolding apparatus for printing from mirror script originals on premoistened sheets or the like. Issued 8-25-36. (28)

2,051,937. All. Vereinigte Stahlwerke Aktiengesel. Steel alloy rivet. Issued 8-25-36. (28)

2,051,947. Hunsdiecker Heinz et al; Vogt Egon. Wetting cleansing and emulsifying agents method of producing the same. Issued 8-25-36. (28)

2,051,951. Krauss Ferdinand et al; Kopke Adolph. Process and apparatus for producing hydrogen peroxide. Issued 8-25-36. (28)

2,051,955. Lieberknecht Karl Richard. Device for actuating the thread guide of flat knitting machines. Issued 8-25-36. (28)

2,051,967. Toyonaka Cho Seizo Saito et al; Yamamoto Nobutaka. Brake apparatus for wheels. Issued 8-25-36. (39)

2,051,968. Toyonaka Cho Seizo Saito et al; Yamamoto Nobutska. Brake apparatus for wheels. Issued 8-25-36. (39)

2,052,000. All. I G Farbenindustrie A G. Lacquer. Issued 8-25-36. (28)

2,052,073. All. I G Farbenindustrie A G. Process for the manufacture of new conversion products from natural resins and esters thereof. Issued 8-25-36. (28)

2,052,086. Dornier Claude. Flying machine. Issued 8-25-36. (28)

2,052,158. Zink Josef. Cartridge for separately storing components of dental amalgams. Issued 8-25-36. (28)

2,052,206. Beisser Georg Dec. Method of preserving substances of animal origin. Issued 8-25-36. (28)

2,052,207. Berberich Willi. Loose leaf book. Issued 8-25-36. (28)

2,052,215. All. Neufeld M & Co. Process for producing a soya flour with changed flavor and the product thereof. Issued 8-25-36. (28)

2,052,222. Ebert Fritz. Folding attachment for sewing machines. Issued 8-25-36. (28)

2,052,228. Horn Ernst. Track for toy vehicles. Issued 8-25-36. (28)

2,052,266. Wieneke Hans. Reproducing crayon. Issued 8-25-36. (28)

2,052,291. All. Greif Werke Vorm Deutsche. Manufacture of stencil sheets. Issued 8-25-36. (28)

2,052,342. Fauser Felice Dornig Mario et al. Shaft coupling device. Issued 8-25-36. (38)

2,052,349. All. Elektricitatsgesellschaft Sanitas. Apparatus for hair waving and curling. Issued 8-25-36. (28)

2,052,352. All. Elektricitatsgesellschaft Sanitas. Hair waving apparatus. Issued 8-25-36. (28)

2,052,353. All. Elektricitatsgesellschaft Sanitas. Hair waving apparatus. Issued 8-25-36. (28)

2,052,361. All. Soc Italiana Pirelli. Manufacture of elastic rubber thread cord strip and the like. Issued 8-25-36. (38)

2,052,467. Herman Rudolf. Wire sifting screen. Issued 8-25-36. (28)

2,052,597. All. Mix and Genest A G. Tubular conveyer system. Issued 9-1-36. (28)

2,052,599. Bolter Wilhelm. Cloth feeder. Issued 9-1-36. (28)

2,052,615. Foellmer Johannes. Device for inserting tabs in piles of sheets. Issued 9-1-36. (28)

2,052,632. All. Brehmer Gebruder. Sheet separating. Issued 9-1-36. (28)

2,052,636. Lesage Alfred. Elastic fastening appliance for outboard motors. Issued 9-1-36. (28)

2,052,656. Prien Otto Carl. Massage machine. Issued 9-1-36. (28)

2,052,693. Bredtschneider Kurt. Lock for the release of erosive fluids under pressure. Issued 9-1-36. (28)

2,052,713. Juffa Wilhelm. Reducing piece for standard ground surfaces. Issued 9-1-36. (28)

2,052,773. Junghans Helmut. Process for fabricating metal bobbins for automatic looms. Issued 9-1-36. (28)

2,052,815. All. Demag A G. Control gearing. Issued 9-1-36. (28)

2,052,820. All. Karke Hans. Envelope moistening device. Issued 9-1-36. (28)

2,052,836. Lowy Rudolf. Brush especially for massage purposes. Issued 9-1-36. (6)

2,052,856. All. Liesen and Co. Steam generator. Issued 9-1-36. (28)

2,052,861. All. Anker Werke A G. Bookkeeping machine. Issued 9-1-36. (28)

2,052,895. All. Schlafhorst W and Co. Creeling winding frame. Issued 9-1-36. (28)

2,052,904. All. Nestler Albert A G. Drawing machine. Issued 9-1-36. (28)

2,052,920. Icaro Nikodem. Process of producing calcium cyanamide. Issued 9-1-36. (28)

2,053,011. Schulz Hans Isaac et al. Appel Julius. Protective cellulose foil. Issued 9-1-36. (28)

2,053,021. All. Moneta Gemma Barelli. Apparatus for filtration of infusions. Issued 9-1-36. (38)

2,053,031. Hessenland Max et al; Splitter Hans; Kublun Helmut. Method of producing resin from trees. Issued 9-1-36. (28)

2,053,089. Kuppenbender Heinz. Photographic camera. Issued 9-1-36. (28)

2,053,108. Rabald Willy. Talking machine for recording and reproduction. Issued 9-1-36. (28)

2,053,149. Johannsen Friedrich. Process of producing iron alloys. Issued 9-1-36. (28)

2,053,249. All. Grillo Wilhelm. Process of treating zinc oxide. Issued 9-1-36. (28)

2,053,258. Axien Leo. Shaving implement. Issued 9-8-36. (28)

2,053,302. Yamamoto Nobutaka; Saito Seizo et al. Brake apparatus for a wheel. Issued 9-8-36. (39)

2,053,392. Chailler Mario. Metal cutting tool. Issued 9-8-36. (38)

2,053,396. All. I G Farbenindustrie AKG. Reproduction of sound. Issued 9-8-36. (28)

2,053,524. Heegner Kurt. Crystal oscillator. Issued 9-8-36. (28)

2,053,525. Kaiser Karl. Regeneration of photographic fixing baths. Issued 9-8-36. (28)

2,053,572. Moster Fritz. Guide and feed device on sewing machines. Issued 9-8-36. (28)

2,053,573. Mueller Wilhelm. Regenerative compound coke ovens. Issued 9-8-36. (28)

2,053,683. Schlumbohm Peter. Cooling system. Issued 9-8-36. (28)

2,053,694. Schlumbohm Peter. Method of cooling. Issued 9-8-36. (28)

2,053,694. All. Rhein Schelde Ges Fur Universal rolling mill. Issued 9-8-36. (28)

2,053,696. Capponi Amato. Mine laying submarine. Issued 9-8-36. (38)

2,053,728. Mienes Karl. Surgical bandage. Issued 9-8-36. (28)

2,053,758. Zschernitz Hans. Device for waving and doubling over the edge of crepe paper for decorative purposes. Issued 9-8-36. (28)

2,053,760. Monti Gaetano; Bedeschi Gaetano et al. Process and apparatus for registering and reproducing sounds. Issued 9-8-36. (38)

2,053,844. Schlumbohm Peter. Bottle cooling apparatus. Issued 9-8-36. (28)

2,053,846. All. Vereinigte Stahlwerke AG. Article made from steel and cast iron with reduced tendency to corrode. Issued 9-8-36. (28)

2,054,005. Scharfenberg Karl. Car coupler. Issued 9-8-36. (28)

2,054,287. All. Kupfer Asbest Co. Safety razor. Issued 9-15-36. (28)

2,054,329. Kurtossy Laszlo. Friction shock absorbing device. Issued 9-15-36. (34)

2,054,370. Gross Fritz. Apparatus for making conical tubular bodies. Issued 9-15-36. (28)

2,054,379. Hubner Frieda nee Hildebrandt. Holding device for collar studs. Issued 9-15-36. (28)

2,054,389. All. I G Farbenindustrie A G. Protecting of light metals. Issued 9-15-36. (28)

2,054,418. All. Kupfer Asbest Co. Safety razor. Issued 9-15-36. (28)

2,054,444. All. Dynamit A G Vormals Alfred Nobel. Process for the production of resin impregnated cellulosic material and the products obtainable thereby. Issued 9-15-36. (28)

2,054,498. Ebert Fritz. Overcasting sewing machine. Issued 9-15-36. (28)

2,054,500. Grapengeter Ernst Heinrich Christian. Process for treatment of foodstuffs. Issued 9-15-36. (28)

2,054,505. Laessker Fritz. Clamp on paper cutting machine. Issued 9-15-36. (28)

2,054,657. All. Siemens & Halske A G. Automatic selective fading control circuits. Issued 9-15-36. (28)

2,054,658. All. Telefunken Ges fur Drahtlose. Temperature regulating system. Issued 9-15-36. (28)

2,054,707. Naruse Tomisaburo. Process of manufacturing inside frosted bulbs. Issued 9-15-36. (39)

2,054,710. Okada Jiro. Low temperature liquid pump. Issued 9-15-36. (39)

2,054,714. Reich Ernest. Cooking equipment. Issued 9-15-36. (34)

2,054,763. Wulf Gerhard. Printing of paper or textile strips. Issued 9-15-36. (28)

2,054,851. Haage Konrad; Dornfeld Reinhold et al. Power ram. Issued 9-22-36. (28)

2,054,885. All. Drager Otto Heinrich. Method of detecting the presence of mustard gas yperite. Issued 9-22-36. (28)

2,054,890. All. Drager Bernhard. Purifying device. Issued 9-22-36. (57)

2,054,891. Zimmermann Emil Benno. Adjustable piece of furniture for printing composing and the like. Issued 9-22-36. (28)

2,054,900. All. Friedmann Alex Firm. Safety device for fluid brakes. Issued 9-22-36. (6)

2,054,903. All. I G Farbenindustrie A G. Polymerization product. Issued 9-22-36. (28)

2,054,912. Riebe August. Journal bearing. Issued 9-22-36. (28)

2,055,051. Sandt Julius. Stamping machine with movable stamp carriage for leather and like soft materials. Issued 9-22-36. (28)

2,055,069. All. I G Farbenindustrie A G. Photographic printing. Issued 9-22-36. (28)

2,055,087. Reineke Josef Heinrich. Automatic regulator. Issued 9-22-36. (28)

2,055,111. All. Demag A G. Excavator. Issued 9-22-36. (28)

2,055,156. Nakashima Tomomasa et al; Takayanagi Kenjiro. Amplifying system for television. Issued 9-22-36. (89)

2,055,162. Weber Friedrich August. Chamber or tower filled with filling material. Issued 9-22-36. (28)

2,055,192. All. Maschinenfabrik Augsburg Nuernberg. Weir. Issued 9-22-36. (28)

2,055,196. All. Voith J M. Hydraulic machine. Issued 9-22-36. (28)

2,055,231. All. Leitz Ernst Optische Werke GmbH. Electrooptical testing device for timepieces. Issued 9-22-36. (28)

2,055,235. All. Leitz Ernst Optische Werke. Photographic enlargement apparatus. Issued 9-22-36. (28)

2,055,236. All. Leitz Ernst Optische Werke. Photographic enlargement apparatus. Issued 9-22-36. (28)

2,055,259. Nagasaki Gennosuke. Steering wheel made of bended wood. Issued 9-22-36. (39)

2,055,264. Schottle Robert. Vacuum cleaner. Issued 9-22-36. (28)

2,055,286. Gerolami Ermanno et al; Arata Silvio. Salvage device for submarines. Issued 9-22-36. (38)

2,055,287. Giraud Carlo. Separating emptying cleaning device for liquid containing pipings. Issued 9-22-36. (38)

2,055,413. All. Deutsche Perrot Bremse GmbH. Brake. Issued 9-22-36. (28)

2,055,487. Geoffeken Heinrich H et al; Richter Hans R. Photoelectric tube. Issued 9-29-36. (28)

2,055,553. Nicolet Walther. Method and means for ribbon weaving. Issued 9-29-36. (28)

2,055,578. All. Bosch Robert A G. Fuel supply and regulating system for internal combusting engines. Issued 9-29-36. (28)

2,055,583. Neber Peter Wilhelm. Method of preparing cyclic 1 2 amino ketones. Issued 9-29-36. (28)

2,055,584. All. Suddeutsche Telefon Apparate. Light valve. Issued 9-29-36. (28)

2,055,591. All. Englebert Sally. Method of producing oscillations of high frequency. Issued 9-29-36. (28)

2,055,595. Surjaninoff Maria. Winding for electric machines. Issued 9-29-36. (6)

2,055,611. Nakashima Tomomasa et al; Takayamagi Kenjiro. Saw tooth wave form current and voltage generating device. Issued 9-29-36. (39)

2,055,620. Boehme Gustav. Toy airplane. Issued 9-29-36. (28)

2,055,669. Normelli Wulf Berzelius. Intermittently operating absorption. Issued 9-29-36. (28)

2,055,689. With calculating machines[1] refrigerator.[1] All. Petzholdt J S.[1] and granular masses.[1] Machine for working liquid pulverulen.[1] Issued 9-29-36. (28)

2,055,732. Schertel Ludwig. Process of recovering tin. Issued 9-29-36. (28)

2,055,827. Palazzo Francesco Carlo et al; Palazzo Fortunato. Process for bleaching refining and cottonizing raw cellulose. Issued 9-29-36. (38)

2,055,884. Theiler Ewald. Glass molding machine. Issued 9-29-36. (28)

2,055,944. All. Transforma A G. Device for producing die castings from metal alloys in which the material to be pressed is forced from a pressure chamber under a high pressure into a permanent mold. Issued 9-29-36. (6).

2,055,952. Summa Hans Bobbin. Issued 9-29-36. (28)

2,055,955. Wagenbach Anton. Bending machine. Issued 9-29-36. (28)

2,056,159. Albrecht Ernst. Machine for cleaning the matrices of typesetting machines. Issued 10-6-36. (28)

2,056,336. All. Joachimcyk Martin. Envelope making machine. Issued 10-6-36. (28)

2,056,354. Horn Erhard. Rate of climb indicator. Issued 10-6-36. (28)

2,056,370. Rosenberg Egon et al; Happel Paul. Device for radioactive impregnation of materials. Issued 10-6-36. (28)

2,056,373. Steinmetz Michel. Horseshoe. Issued 10-6-36. (28)

2,056,378. Weigel Walter. Talking machine. Issued 10-6-36. (28)

2,056,397. Gruner Anton. Shuffling device for playing cards. Issued 10-6-36. (28)

2,056,434. Muller Eugen Ludwig. Lubricating apparatus. Issued 10-6-36. (28)

2,056,440. All. Fiat S A. All metal automobile door. Issued 10-6-36. (38)

2,056,441. Ishidate Morizo; Asahina Yasuhiko et al. Process for preparing optically active trans pi hydroxycamphor from optically active alpha pi trans dihalogen camphor. Issued 10-6-36. (39)

2,056,444. Briggen Hans. Roof glazing structure. Issued 10-6-36. (6)

2,056,470. Kraft Anton. Rope making machine. Issued 10-6-36. (28)

2,056,504. Conradt Friedrich. Wind instrument. Issued 10-6-36. (28)

2,056,570. Elia Giovanni Emanuele. Submarine barrier. Issued 10-6-36. (38)

2,056,573. Gollner Richard. Device for the regulation of the ---------[1] in funnels. Issued 10-6-36. (28)

2,056,585. All. Auto Union A G. Motor car. Issued 10-6-36. (28)

2,056,591. All. Vereinigte Stahlwerke AG. Articles with reduced tendency to corrode. Issued 10-6-36. (28)

2,056,595. All. Naturin GmbH. Method for working up fibrous material from hides. Issued 10-6-36. (28)

2,056,596. All. Preudenberg Carl GmbH. Process for the manufacture of shaped products. Issued 10-6-36. (28)

2,056,603. Elrich Ludwig et al; Elrich Joseph. Rotary closure for orifices. Issued 10-6-36. (28)

2,056,611. Loewe Bernard. Method of reeling off silk cocoons. Issued 10-6-36. (38)

2,056,708. Boecker Gustav. Process of producing hard metal alloys. Issued 10-6-36. (28)

2,056,746. Strupp Ernst. Method for carbonization of all kinds of pulp waste lyes. Issued 10-6-36. (28)

2,056,937. All. Singer Alexander. Dry masonry. Issued 10-13-36. (6)

2,057,232. All. Possehl S Apparatebau und. Process of activating bleaching clays. Issued 10-13-36. (28)

2,057,282. All. Ruhrchemie A G. Production of hydrocyanic acid. Issued 10-13-36. (28)

2,057,306. Koppelmann Alfred; Martin Friedrich et al; Grimme Walter. Aluminum catalyst. Issued 10-13-36. (28)

2,057,310. Prielipp Walther. Metal pile. Issued 10-13-36. (28)

2,057,313. Richter Arthur. Textile machinery. Issued 10-13-36. (28)

2,057,396. Seidel Julius Richard. Massage device. Issued 10-13-36. (28)

2,057,415. Capo Edoardo. Wheel for road and rail transport. Issued 10-13-36. (38)

2,057,416. Castellazzi Giacomo Arturo. Steam heating plant. Issued 10-13-36. (38)

2,057,427. Giordani Aldo et al; Giordani Arconne. Retarded electric interrupter and switch. Issued 10-13-36. (38)

2,057,524. Herzbruch Hugo. Wall construction for tunnels shafts and pipe. Issued 10-13-36. (28)

2,057,567. Fries Franz. Sewage sludge digester. Issued 10-13-36. (28)

2,057,663. Mathee Albert. Rail joint. Issued 10-20-36. (28)

2,057,745. Scheyer Sophie et al; Arcari Sandro. Liquid container. Issued 10-20-36. (28)

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2,057,921. Santoni Ermenegildo. Photogrammetric restitution apparatus. Issued 10-20-36. (38)

2,057,929. Stiegler Gerhard. Stocking. Issued 10-20-36. (28)

2,057,955. Kahn Myrtil. Rails for vehicles running on rails. Issued 10-20-36. (28)

2,057,956. Kaselitz Oskar. Production of monocalcium phosphate. Issued 10-20-36. (28)

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2,058,006. Dornbusch Paul. Leather printing and tipping machine. Issued 10-20-36. (28)

2,058,007. All. Ringfeder GmbH. Production of preliminary shaped annular blanks. Issued 10-20-36. (28)

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2,058,053. Beyschowetz Josef. Mosquito-proof retreat. Issued 10-20-36. (6)

2,058,095. Nakanishi Kinsaku. Pattern mechanism for looms. Issued 10-20-36. (39)

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2,058,367. Steiner Max. Shirt. Issued 10-20-36. (6)

2,058,399. All. Lorenz C AG. Electromagnetic talking machine. Issued 10-27-36. (28)

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2,059,462; All. Kali Chemie A G. Hexamethylenetetramine compound and the process of producing the same. Issued 11-3-36. (28)
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2,062,081; All. Rutgerswerke A G. Wooden plug. Issued 11-24-36. (28)
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2,062,496; Brokel Otto. Carburetor. Issued 12-1-36. (28)
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2,062,647; Fuchs Gottfried et al; Spath Hermann. Machine for the electric welding of the feet of knitting machine needles. Issued 12-1-36. (28)
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2,062,651; Hennig Albert. Refrigerator. Issued 12-1-36. (28)
2,062,667; Kondo Heizaburo et al; Ikawa Shunichi, Kobayashi Yoshito. Method of preparing pseudobufotalin. Issued 12-1-36. (39)
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2,062,689; All. Herbort Kricheldorff & Bruser. Fruit Dicing Machine. Issued 12-1-36. (28)
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2,062,938; All. Gross Ernst. Permanent magnet for small electrical machines. Issued 12-1-36. (28)
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2,063,146; All. Vereinigte Stahlwerke A G. Pile. Issued 12-8-36. (28)
2,063,150; All. Conradty C. Trolley system. Issued 12-8-36. (28)
2,063,159; Groove Egbert. Constructional element for building. Issued 12-8-36. (28)
2,063,163; Botticher Reinhold; Hessenland Max et al. Method of obtaining resin from trees. Issued 12-8-36. (28)
2,063,164; All. Pintsch Julius A G. Reversing mechanism for dry gas meters. Issued 12-8-36. (28)
2,063,173; Lange Emil. Arc rupturing device for electric switches. Issued 12-8-36. (28)
2,063,206; Szalay Franz. Collector for electric current. Issued 12-8-36. (34)
2,063,209; All. I G Farbenindustrie A G. Process of making wool like artificial fibers. Issued 12-8-36. (28)
2,063,241; Gangler Paul. Parking device. Issued 12-8-36. (28)
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2,063,265; All. Anker Werke A G. Cash register and the like. Issued 12-8-36. (28)

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2,063,277; Von Mihaly Denes. Slit forming device for recording or reproducing photographic sound records. Issued 12-8-36. (28)
2,063,296; Braune Albert. Apparatus of a light filter for electric lamps. Issued 12-8-36. (28)
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2,063,435; All. I G Farbenindustrie A G. Spinning nozzle for the dry spinning process. Issued 12-8-36. (28)
2,063,500; All. Lorenz C A G. Single wave transmitting system. Issued 12-8-36. (28)
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2,063,643; Von Okolicsanyi Franz. Television receiver. Issued 12-8-36. (28)
2,063,664; Ebert Fritz. Differential work feeder for sewing machines. Issued 12-8-36. (28)
2,063,667; Harteck Paul; Parkas Ladislaus et al. Filling cavities. Issued 12-8-36. (28)
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2,063,832; All. Kalle and Co A G. Light sensitive diazo layers. Issued 12-8-36. (28)
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2,064,215; Noe Rudolf. Shooting seat. Issued 12-15-36. (28)
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2,064,249; All. Mauser Werke A G. Garment such as knickers and the like. Issued 12-15-36. (28)
2,064,278; Tappe Wilhelm. Apparatus for extinguishing fires. Issued 12-15-36. (57)
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2,064,482; Maul Michael. Perforated record controlled machine. Issued 12-15-36. (28)
2,064,545; Kleinmann Ernst et al; Mendel Alfred. Electrical contact plug or pin. Issued 12-15-36. (28)
2,064,547; All. Rheinmetall Borsig A G. Bombing mechanism for aircraft. Issued 12-15-36. (28)
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2,064,650; All. Soc Italiana Pirelli. Apparatus for degasifying liquids. Issued 12-15-36. (38)
2,064,684; Ostendorf Peter. Method of welding. Issued 12-15-36. (6)
2,064,709; Wirth Herbert. Warp frame attachment. Issued 12-15-36. (28)
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2,064,879; Bosmann Wilhelm. Apparatus for carbonating and dispensing liquid. Issued 12-22-36. (28)
2,064,891; All. Krupp Fried A G. Draft gear for railway vehicles. Issued 12-22-36. (28)
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2,064,915; All. I G Farbenindustrie A G. Manufacture of shaped articles from viscose. Issued 12-22-36. (28)
2,064,916; All. Maschinenfabrik Augsburg. Bell gasholder. Issued 12-22-36. (28)
2,064,976; All. Junkers Therese. Regulation of free piston motor compressors. Issued 12-22-36. (28)
2,064,978; Kaselitz Oskar. Recovering nitrogen from nitrosyl chloride. Issued 12-22-36. (28)
2,064,979; Kaselitz Oskar. Production of alkali phosphates. Issued 12-22-36. (28)
2,064,983; Lesage Alfred. Two stroke piston controlled engine. Issued 12-22-36. (28)
2,064,989; Ritzerfeld Wilhelm. Duplicating apparatus. Issued 12-22-36. (28)
2,065,029; All. Universelle Cigarettenmaschinen. Apparatus and method of making and applying bands. Issued 12-22-36. (28)
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2,065,176; All. Teves Alfred Maschinen Und. Vehicle brake. Issued 12-22-36. (28)
2,065,186; All. Heko Werk Chemische Fabrik A. G. Heater casing for use with a dental press. Issued 12-22-36. (28)
2,065,188; All. I G Farbenindustrie A G. Manufacture of viscose. Issued 12-22-36. (28)
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2,065,373; Karageorgieff Christoph. Tapping and refill controlling device. Issued 12-22-36. (6)
2,065,584; Hempel Anna. Rubber brush. Issued 12-29-36. (28)
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2,065,863; All. Madaus Dr & Co. Method of preserving vegetable matter. Issued 12-29-36. (28)
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2,066,892; All. Arenella Societa Italiana Per. Manufacture of citric acid. Issued 1-5-37. (38)
2,066,895; All. Fahlberg List A G. Water soluble seed disinfectant. Issued 1-5-37. (28)
2,066,918; All. Kalle & Co A G. Light sensitive material and a process of producing pictures. Issued 1-5-37. (28)
2,066,954; Von Herz Edmund. C nitrotetrazole compounds. Issued 1-5-37. (28)
2,066,991; Lutz Alfred. Manufacturing paper tubes and pipes and the like. Issued 1-5-37. (28)
2,066,996; Moricka Isao. Process for manufacturing statues similar to objects. Issued 1-5-37. (39)
2,067,036; Wimmer Anton. Process of producing metals for electrical purposes. Issued 1-5-37. (28)
2,067,157; Maul Michael. Perforated record controlled machine. Issued 1-5-37. (28)
2,067,268; Hans Hans. Device for promoting respiration Issued 1-12-37. (28)
2,067,274; L Orange Prosper Internal combustion engine. Issued 1-12-37. (28)
2,067,275; Luschenowsky Alexander. Purification and refinement of magnesium and magnesium alloys. Issued 1-12-37. (28)
2,067,288; All. Maschinenfabrik Augsburg Nurnberg A G. Internal combustion engine. Issued 1-12-37. (28)
2,067,305; Wagner Fritz. Feed water purifier plant for locomotive boilers. Issued 1-12-37. (28)
2,067,314; Debelack-August. Piston. Issued 1-12-37. (6)
2,067,317; Gruber Heinrich. Method of converting barbituric acids into stable aqueous solutions. Issued 1-12-37. (28)
2,067,319; Haag Wilhelm. Safety lock. Issued 1-12-37. (28)
2,067,393; Habann Erich. Arrangement for amplifying alternating currents. Issued 1-12-37. (28)
2,067,522; All. Bemberg I P A G. Method of producing cellulosic films. Issued 1-12-37. (28)
2,067,544; All. Zellstoffabrik Waldhof. Production of craped or crimped artificial yarns. Issued 1-12-37. (28)
2,067,618; All. Hegenscheidt Wilhelm A G. Clamping device. Issued 1-12-37. (28)
2,067,633; Hafner Raoul. Rotative wing aircraft. Issued 1-12-37. (6)
2,067,634; Hafner Raoul. Aircraft tailplane. Issued 1-12-37. (6)
2,067,685; Schaper Otto. Series clutch mechanism for motor vehicles. Issued 1-12-37. (28)
2,067,768; Krefft Friedrich. Ball and socket joint for pipes. Issued 1-12-37. (28)
2,067,816; All. Schniewind H E. Process of making ornamented fabric. Issued 1-12-37. (28)
2,067,841; All. Schubert and Salzer. Auxiliary device for fabric holdingdown attachments. Issued 1-12-37. (28)
2,067,843; Tonnies Hans Ferdinand. Photoelectric photometer. Issued 1-12-37. (28)
2,067,962; All. Deckel Friedrich. Engraving and copying machine. Issued 1-19-37. (28)
2,068,045; Wohlmeyer Josef. Piston pile driver. Issued 1-19-37. (6)
2,068,077; All. Rosin Paul. Pneumatic drying device. Issued 1-19-37. (28)
2,068,185; Kreis Fritz. Automatic clutch. Issued 1-19-37. (28)
2,068,294; All. I G Farbenindustrie A G. Inorganic colored pigment and a process of preparing the same. Issued 1-19-37. (28)
2,068,296; All. Albert Dr. Kurt GmbH. Process for the precipitation of copper and for the treatment of substances containing copper and nickel. Issued 1-19-37. (28)
2,068,301; Nagel Wilhelm. Optical color matching apparatus. Issued 1-19-37. (28)
2,068,308; Zever Alfred. Holder of tools. Issued 1-19-37. (28)
2,068,409; Hahnle Hermann. Device for feeding high pressure boilers. Issued 1-19-37. (28)
2,068,424; All. I G Farbenindustrie A G. Production of polymerization products. Issued 1-19-37. (28)
2,068,446; Brodewitz Olga. Clothes hanger. Issued 1-19-37. (28)
2,068,541; Erdmann Wilhelm. Nonskidding device for use on road vehicles. Issued 1-19-37. (28)
2,068,547; Jung Joseph. Dressing case. Issued 1-19-37. (28)
2,068,622; Ufer Hubert. Method of making double cut files. Issued 1-19-37. (28)
2,068,714; Stedefeld Curt. Elastic permanent way. Issued 1-26-37. (28)
2,068,770; Schwarzschild Alfred M. Printed textile fabric. Issued 1-26-37. (28)
2,068,788; All. Triumph Werke Nurnberg A G. Typewriter. Issued 1-26-37. (28)
2,068,793 Frauenknecht Hans. Process for the rapid recarburization of pig iron melted in a cupola furnace. Issued 1-26-37. (38)
2,068,817; All. Osnabrucker Firma Kupfer und. Copper alloy amenable to heat treatment. Issued 1-26-37. (28)
2,068,821; All. Soc Italiana Ernesto Breda Pe. Portable firearm for firing bombs. Issued 1-26-37. (38)
2,068,823; Schmeisser Hugo. Air gun. Issued 1-26-37. (28)
2,068,919; Kogel Gustav. Process for the production of sound records. Issued 1-26-37. (28)
2,068,968; Heinzl Hans, Urbanek Julius et al. Movable staybolt. Issued 1-26-37. (6)
2,069,006; Ebert Fritz. Presser foot for sewing machines. Issued 1-26-37. (28)
2,069,007; Fontana Cesare. Device for automatically changing transmission ratio. Issued 1-26-37. (38)
2,069,024; All. Forderanlagen Ges Ernst Heckel. Process and apparatus for clarifying coal slurry and the like. Issued 1-26-37. (28)
2,069,035; All. Drager Otto Heinrich. Device for detecting the presence of foreign gases or suspensions in air or other gas. Issued 1-26-37. (28)
2,069,056; Barry Paul. Stuffing box packing. Issued 1-26-37. (28)
2,069,101; Tabozzi Giacinto. Aerial flare. Issued 1-26-37. (38)
2,069,109; Loimann Anton. Needle bar. Issued 1-26-37. (28)
2,069,112; Oppenheim Sally. Device for treating the toe root membrane. Issued 1-26-37. (28)
2,069,128; Blatz Valentin Otto. Valve for pneumatic tires for motor driven vehicles giving acoustic signals. Issued 1-26-37. (28)
2,069,142; Haberfeld Erwin Otto. Manifold bookkeeping leaf. Issued 1-26-37. (28)
2,069,146; Haupt Wilhelm. Roadway bridge connection. Issued 1-26-37. (28)
2,069,349; Bergschicker Heinrich. Adjusting device for throttle valves. Carburetors. Issued 2-2-37. (28)
2,069,366; Heerdt Otto. Control element for the flushing device in hydraulic gears. Issued 2-2-37. (28)
2,069,405; De Kramolin Leon Ladislas. Radio receiving arrangement. Issued 2-2-37. (28)
2,069,410; Hochstadter Otto. Container closure. Issued 2-2-37. (28)
2,069,432; Watanabe Saburo. Automatic device for automatic firearms. Issued 2-2-37. (39)
2,069,459; Neubronner Carl. Carrying device formed by an adhesive strip. Issued 2-2-37. (28)
2,069,544; Altmann Walter. Advertising hood. Issued 2-2-37. (28)
2,069,647; De La Tour Filiberto. System of sculptural reproduction in three dimensions by means of instantaneous photography. Issued 2-2-37. (38)
2,069,683; Scholl Roland et al; Donat Joachim; Meyer Kurt. Mono ketones of the pyrene series and process of making the same. Issued 2-2-37. (28)
2,070,275; All. I G Farbenindustrie A G N. Colored salts of organic ammonia. Derivatives and acid derivations of nitrated anilines. Issued 2-9-37. (28)
2,070,361; Klemm Willi. Wire loom with wait grab bars. Issued 2-9-37. (28)
2,070,362; All. Schull Felix. Method of making chains. Issued 2-9-37. (28)
2,070,364; Lesage Alfred. Outboard motor. Issued 2-9-37. (28)
2,070,461; All. Namiki Mfg Co Ltd. Piston fountain pen. Issued 2-9-37. (39)
2,070,465; All. Horn Ernst. Toy vehicle. Issued 2-9-37. (28)
2,070,474; Dacco Aldo. Zinc alloy. Issued 2-9-37. (38)
2,070,503; Ammon Christian. Method for converting carbon monoxide into formic acid. Issued 2-9-37. (28)
2,070,558; Beck August. Process for refining chocolate masses. Issued 2-16-37. (28)
2,070,612; Niederreither Hans. Method of producing storing and distributing electrical energy by operating gas batteries particularly oxy hydrogen gas batteries and electrolyzers. Issued 2-16-37. (28)
2,070,657; Hafner Raoul. Rotative wing aircraft. Issued 2-16-37. (6)
2,070,672; Moczala Hans Josef. Method of producing double wall vessels of ceramic material and with rarefaction of the air within the wall spaces. Issued 2-16-37. (28)
2,070,679; Bergstein Kurt; Pebock Rudolf et al. Process for preparing nonmetallic articles for electro plating. Issued 2-16-37. (28)
2,070,684; Ritzerfeld Wilhelm. Delivery device for duplicating machines. Issued 2-16-37. (28)
2,070,697; All. Kaiser Wilhelm Institute Fur. Process for producing fertilizers. Issued 2-16-37. (28)
2,070,731; All. Knote Rudolf. Device for measuring the elastic properties of materials. Issued 2-16-37. (28)
2,070,738; Klein Wilhelm. Pump with cam drive. Issued 2-16-37. (28)
2,070,753; Schatzky Franz. Sliding clasp fastener for fabric edges joining in a curved line. Issued 2-16-37. (28)
2,070,758; Spatz Fritz. Motor vehicle. Issued 2-16-37. (28)
2,070,803; Oblak Hans. Safe and the like. Issued 2-16-37. (6)
2,071,010; Weberling Heinrich. Color photography. Issued 2-16-37. (28)
2,071,210; Kramer Wilhelm. Manufacture of wire netting. Issued 2-16-37. (28)

2,071,214; All. Soc Italiana Pirelli. Process for the manufacture of rubber compositions from latex and like aqueous rubber dispersions. Issued 2-16-37. (38)
2,071,217; Zipernovszky Franz; Reich Ernest et al. Calibrating meter having a plurality of constants. Issued 2-16-37. (34)
2,071,271; Mayer Karl. Apparatus for turning in toe and heel caps for footwear. Issued 2-16-37. (28)
2,071,282; All. Bergwerksverband Zur Verwertung. Method of separating aminoacids readily soluble in water and ammonium sulphate. Issued 2-16-37. (28)
2,071,405; Jahnel Ernst. Winch with geared transmission. Issued 2-23-37. (28)
2,071,441; All. Nathan Adolf. Manifolding pattern sheet. Issued 2-23-37. (28)
2,071,465; Huber Joseph. Freezing apparatus. Issued 2-23-37. (28)
2,071,471; All. I G Farbenindustrie A G. Device for indicating the temperature distribution of hot bodies. Issued 2-23-37. (28)
2,071,477; All. Pintsch Julius A G. Apparatus for recording sound on or reproducing from an endless band of film. Issued 2-23-37. (28)
2,071,510; Durrier Wilhelm. Selective magazine pench. Issued 2-23-37. (28)
2,071,523; Hessen Richard. Preparation of artificial resin. Compression mixtures. Issued 2-23-37. (28)
2,071,524; Hessen Richard. Process for the production of lacquers and lacquer starting materials containing artificial resins. Issued 2-23-37. (28)
2,071,526; All. Linde S Eismaschinen A G. Overflow conduit for rectifying columns. Issued 2-23-37. (28)
2,071,555; Meder Heinrich. Process for producing a completely insulating air & acidproof protective coating especially for mirrors. Issued 2-23-37. (28)
2,071,593; Thormann Wilhelm. Boot especially for sport. Issued 2-23-37. (28)
2,071,596; Ungerer Fritz. Method for the hot straightening of plates. Issued 2-23-37. (28)
2,071,651; Neill Davids. Process & device for degumming ramie and other similar fibers. Issued 2-23-37. (38)
2,071,704; All. Bohme Fettchemie GmbH. Process for producing tetrahydrofurfuryl alcohol. Issued 2-23-37. (28)
2,071,707; All. Patent Treuhand Ges Fuer Elektrische. Electric furnace for melting glass. Issued 2-23-37. (28)
2,071,712; Stuting Heinrich. Roll stand unit for a continuous reducing mill. Issued 2-23-37. (28)
2,071,728; Bursitzky Hans. Apparatus for utilizing blocks of carbon dioxide ice. Issued 2-23-37. (28)
2,071,739; All. Electroacoustic GmbH. Amplifier arrangement for listening devices. Issued 2-23-37. (28)
2,071,821; Eckardt Emil Eduard. Photographic image bearer & method of making same. Issued 2-23-37. (28)
2,071,868; Von Lude Kurt. Recovery of moisture for use on lighter than air aircraft. Issued 2-23-37. (28)
2,071,880; All. Mercedes Buromaschinen Werke A G. Printing adding machine. Issued 2-23-37. (28)
2,071,894; All. Herrmann Emil. Bow for stringed instruments. Issued 2-23-37. (28)
2,071,988; Sasse Carl. Comfort chair. Issued 2-23-37. (28)
2,072,089; Fink Hermann. Method of obtaining and isolating finely dispersed substances possessing an electrical charge from strongly diluted solutions. Issued 3-2-37. (28)
2,072,197; Bergmann Theodor Emil. Automatic firearm. Issued 3-2-37. (28)
2,072,205; Halpern Adolf. Combined light and heat radiator with reflector for medical purposes. Issued 3-2-37. (6)
2,072,222; Schuttkus Richard Arthur. Device for conveying loads over inclined or stepped surfaces. Issued 3-2-37. (28)
2,072,224; All. Menck & Hambrock GmbH. Impact device. Issued 3-2-37. (28)
2,072,235; Wormser Arthur. Method of and means for detecting misfed sheets. Issued 3-2-37. (28)
2,072,236; Wormser Arthur. Sheet detector. Issued 3-2-37. (28)
2,072,241; All. Lorenz C A G. Means for carrying coils of wire or tape shaped bodies. Issued 3-2-37. (28)
2,072,262; All. Lorenz C A G. Reflecting structure for electric waves. Issued 3-2-37. (28)
2,072,266; All. Knorr Bremse A G. Percussive tool driven by an internal combustion engine. Issued 3-2-37. (28)
2,072,267; All. Lorenz C A G. System for landing aircraft. Issued 3-2-37. (28)
2,072,268; All. Lorenz C A G. Transmitter for electromagnetic waves. Issued 3-2-37. (28)
2,072,363; Frenzel Kurt. Automatic numbering device. Issued 3-2-37. (28)
2,072,396; All. I G Farbenindustrie A G. Printing lenticular film. Issued 3-2-37. (28)
2,072,402; All. Krause Medico GmbH. Dietetic foodstuff and process for preparing same. Issued 3-2-37. (28)
2,072,408; Pollak Elly. Method of treating porous masses. Issued 3-2-37. (6)
2,072,475; All. Chemische Fabrik R Baumheier A G. Manufacture of wetting penetrating frothing and washing agents. Issued 3-2-37. (28)
2,072,485; Meyer Kurt; Donat Joachim; Scholl Roland et al. Vat dyestuffs of the anthraquinone series and process of making the same. Issued 3-2-37. (28)
2,072,492; Anger Paul. Jet impact pulverizer. Issued 3-2-37. (28)
2,072,500; Gaul Max. Thermostat. Issued 3-2-37. (28)
2,072,521; Kolbe Joachim. Motor vehicle. Issued 3-2-37. (28)
2,072,530; Ricevuto Andrea et al; Bennett Alexander Hutcheon. Process for the manufacture of citrate of lime from citrus fruits. Issued 3-2-37. (38)
2,072,629; Fernholz Ernst. Coupling device for carbonators. Issued 3-2-37. (28)
2,072,675; All. Schmidtsche Heissdampf GmbH. Boiler. Issued 3-2-37. (28)
2,072,741; All. I G Farbenindustrie A G. Apparatus for projection of lenticular film. Issued 3-2-37. (28)
2,072,742; All. Soc Italiana Pirelli. Stop joint for oil filled cables. Issued 3-2-37. (38)
2,072,780; All. Gebruder Brehmer. Paper folding machine. Issued 3-2-37. (28)
2,072,849; Dietrich Friedrich Richard. Searchlight with ellipsoid mirror. Issued 3-9-37. (28)
2,072,971; Walter Georg. Process for the manufacture of condensation products from non aliphatic sulphamides and aldehydes. Issued 3-9-37. (6)
2,073,004; All. I G Farbenindustrie A G. Fireproof material. Issued 3-9-37. (28)
2,073,071; Nernst Walther. Instrument producing music. Issued 3-9-37. (28)
2,073,191; Belluzzo Giuseppe. Combustion turbine. Issued 3-9-37. (38)
2,073,201; Esau Abraham. Method of diathermic treatment by means of high frequency. Issued 3-9-37. (28)
2,073,204; Friedrich Wilhelm. Method and apparatus for producing fire extinguishing foam. Issued 3-9-37. (28)
2,073,237; All. Todendenkyu Kabushiki Kaisha. Inside frosted incandescent electric lamp bulb. Issued 3-9-37. (39)
2,073,297; All. Luftschiffbau Zeppelin GmbH. Ring bracing of rigid airships. Issued 3-9-37. (28)
2,073,323; All. Universelle. Packaging short filler tobacco. Issued 3-9-37. (28)
2,073,412; Cappelli Bruno. Device for recording sound originating in the human body. Issued 3-9-37. (38)
2,073,928; All. Schloemann A G. Reel for coiling wire. Issued 3-16-37. (28)
2,073,956; All. Maschinenfabrik Augsburg. Dam. Issued 3-16-37. (28)
2,074,020; Marholt Karl. Hair cutting machine. Issued 3-16-37. (6)
2,074,226; All. Kunz Josef. Method of and apparatus for rendering objects visible in infrared rays. Issued 3-16-37. (6)
2,074,251; Braun August Wilhelm. Arrangement for the automatic steering of motor vehicles. Issued 3-16-37. (6)
2,074,285; All. Norddeutsche Seekabelwerke A G. Manufacture of flexible bands threads foils and tubes of artificial substances. Issued 3-16-37. (28)
2,074,289; All. Daimler Benz A G. Power driven vehicle. Issued 3-16-37. (28)
2,074,293; Wohlmeyer Josef. Traveling motor compressor. Issued 3-16-37. (6)
2,074,320; Bauer Bruno. Combination wrapping. Issued 3-23-37. (6)
2,074,470; Hermann Richard. Screw cutting machine. Issued 3-23-37. (28)
2,074,510; All. Junkers Flugzeug Und. Centrifugal friction clutching device. Issued 3-23-37. (28)
2,074,556; Pilz Josef. Drawing mechanism of spinning machines. Issued 3-23-37. (6)
2,074,583; Golz Emil. Hydraulic power transmitting mechanism. Issued 3-23-37. (28)
2,074,605; Eggemann Johannes. Boring tool. Issued 3-23-37. (28)
2,074,612; Lange Emil. Arc rupturing device for electric safety fuses. Issued 3-23-37. (28)
2,074,643; Domenego Mauriz. Device for holding ornaments illumination devices and so forth. Issued 3-23-37. (6)
2,074,652; Kalber Albert. Device for firing flashlight cartridges. Issued 3-23-37. (28)
2,074,656; Luhl Fritz. Wall or roof construction. Issued 3-23-37. (28)
2,074,690; Gerdts Gustav Friedrich. Steam trap. Issued 3-23-37. (28)
2,074,787; Herbst Paul. Piston pump for gases and liquids. Issued 3-23-37. (28)
2,074,806; All. Berzelius Melatthutten GmbH. Process for the extraction of cadmium. Issued 3-23-37. (28)
2,074,811; Schuh Felix. Device for moistening envelopes. Issued 3-23-37. (28)
2,074,884; Beisser Georg Dec. Scale. Issued 3-23-37. (28)
2,074,907; Heinemann Rudolf. Direction indicator. Issued 3-23-37. (28)
2,074,930; Marx Erwin. Current converting system. Issued 3-23-37. (28)
2,075,134; Reiman Julius. Card for congratulation and advertisement purposes. Issued 3-30-37. (28)
2,075,139; Scheller Curt. Jacquard apparatus for flat knitting looms. Issued 3-30-37. (28)
2,075,155; Zipper Emil et al; Zipper Walter. Vehicle wheel. Issued 3-30-37. (6)
2,075,200; Ibuka Masaru. Means for lighting gas discharge tubes. Issued 3-30-37. (39)
2,075,210; Kugener Eugen. Process for the agglomeration of fine iron ores. Issued 3-30-37. (28)
2,075,230; All. I G Farbenindustrie A G. Production of siccatives. Issued 3-30-37. (28)
2,075,283; All. I G Farbenindustrie A G. Production of magnetizable alloy. Issued 3-30-37. (28)
2,075,306; All. Kalle & Co. A. G. Device for developing photographic prints. Issued 3-30-37. (28)

2,075,360; All. Fernseh A G. Television apparatus. Issued 3-30-37. (28)
2,075,368; Squassi Gaetano Camillo. Means for heating rooms. Issued 3-30-37. (38)
2,075,390; Forster Karl August. Bee poison preparation. Issued 3-30-37. (28)
2,075,398; Kunath Paul. Car jack. Issued 3-30-37. (28)
2,075,400; Mazzucchelli Vittorio. Apparatus for the linear measurement of strip material. Issued 3-30-37. (38)
2,075,544; All. Schlafhorst W Co. Cop doffing and tube donning mechanism for cop winding machines. Issued 3-30-37. (28)
2,075,546; Rinagl Franz. Apertured structural elements and machine parts. Issued 3-30-37. (6)
2,075,551; Stahl Carl. Paring machine. Issued 3-30-37. (28)
2,075,607; Griesel Heinrich. Molding apparatus. Issued 3-30-37. (28)
2,075,631; Stroher Karl Georg. Means for making permanent waves. Issued 3-30-37. (28)
2,075,648; Huttner Fritz. Power plant. Issued 3-30-37. (28)
2,075,651; Kund Ede. Internal combustion engine control. Issued 3-30-37. (34)
2,075,678; All. Machinerieen en Apparatenfabrieken. Transferring combustile liquefied gases. Issued 3-30-37. (28)
2,075,688; All. Bamag Meguin A G. Electrolytic apparatus. Issued 3-30-37. (28)
2,075,720; Hoffmann Emil. Appliance for tensioning and fastening bale ties. Issued 3-30-37. (28)
2,075,746; Neiman Abram. Suspension and springing means for motor cars and motor vehicles. Issued 3-30-37. (28)
2,075,785; Van Caneghem Achilles Eduard Freiherr. Motorcycle. Issued 3-30-37. (28)
2,075,841; Wertheimer Adolf. Electric advertising device. Issued 4-6-37. (28)
2,075,856; All. Leitz Ernst GmbH. Optical drilling tool. Issued 4-6-37. (28)
2,075,857; Loef Jakob. Hydraulic brake especially for. Issued 4-6-37. (28)
2,075,992; Lux Elisabeth et al; Daniels Joseph. Production of compact molded bodies from ceramic masses concrete or the like. (28)
2,076,049; Seitz Georg Heinrich. Sheet filter. Issued 4-6-37. (28)
2,076,103; Thorner Walther. Apparatus for producing cinematographic combination films. Issued 4-6-37. (28)
2,076,130; All. I G Farbenindustrie A G. Process of manufacturing polyvinyl derivatives containing nitrogen. Issued 4-6-37. (28)
2,076,203; Mallander Willy. Photogravure plate printing press. Issued 4-6-37. (28)
2,076,219; Belloni Angelo. Means for facilitating escape from submerged craft. Issued 4-6-37. (38)
2,076,281; All. Junkers Flugzeug und Motorenwerke A G. Aluminium alloy and article made therefrom. Issued 4-6-37. (28)
2,076,481; Riszdorfer Odon. Photographic camera for determining the exposures. Issued 4-6-37. (34)
2,076,482; Riszdorfer Odon. Photographic apparatus. Issued 4-6-37. (34)
2,076,512; Schaffer Glossl Konrad. Blasting equipment. Issued 4-6-37. (6)
2,076,686; All. Schneider Jos and Co Optotechnische. Photographic objective. Issued 4-13-37. (28)
2,076,760; Arnold Carl. Toy vehicle with spark producing device. Issued 4-13-37. (28)
2,076,762; All. Barmer Maschinenfabrik A G. Spool holder for double twist twisting spindles. Issued 4-13-37. (28)
2,076,786; Kolbe Jonchim. Body suspension for vehicles of all kinds. Issued 4-13-37. (28)
2,076,951; Kono Masaye. High speed spinning. Issued 4-13-37. (39)
2,076,966; Schultze Marta. Device for cleaning and removing dust from mops and other similar kinds of brooms. Issued 4-13-37. (28)
2,076,996; All. Brehmer Gebruder. Sheet feed device. Issued 4-13-37. (28)
2,077,029; All. Mineralochemie A G fur Gas exhaustion from locomotives and other furnaces. Issued 4-13-37. (6)
2,077,058; Rambausek Hugo. Friction coupling for change gears. Issued 4-13-37. (28)
2,077,103; Franz Ehrhart. Bleaching process. Issued 4-13-37. (28)
2,077,123; All. Mahr Carl GmbH. Gauge. Issued 4-13-37. (28)
2,077,164; Brandes Rudolf. Preliminary maturing of alkalicellulose. Issued 4-13-37. (28)
2,077,203; All. Maschinenfabrik Augsburg Dam. Issued 4-13-37. (28)
2,077,246; Mayr Wilhelm. Device for cleansing razor blades. Issued 4-13-37. (28)
2,077,304; Bartha Alfred. Machine for joining skins. Issued 4-13-37. (34)
2,077,340; Longo Luigi. Penholder with ink guard. Issued 4-13-37. (38)
2,077,518; All. I G Farbenindustrie A G. Manufacture of lenticular sound film. Issued 4-20-37. (28)
2,077,531; All. Durkoppwerk A G. Thread cutting device for buttonhole and similar sewing machines. Issued 4-20-37. (28)
2,077,533; Werner Hans; Schmalfuss Hans et al. Process for the treatment of the flesh marine mammals. Issued 4-20-37. (28)
2,077,641; All. Schmidt Sche Heissdampf GmbH. Process for connecting pipes. Issued 4-20-37. (28)
2,077,643; All. Gross Ernst. Electric pocket fan. Issued 4-20-37. (28)
2,077,748; Farina Giovanni. Hydraulic operating mechanism for motor vehicle brakes. Issued 4-20-37. (38)
2,077,792; All. Leitz Ernst Optische Werke. Illuminator attachment for microscopes. Issued 4-20-37. (28)
2,077,809; All. Leitz Ernst Optische Werke GmbH. Microphotographic apparatus with mirrorscope camera. Issued 4-20-37. (28)
2,077,835; All. Schubert and Salzer. Method of widening fabrics. Issued 4-20-37. (28)
2,077,840; Koros Laszlo. Potential divider. Issued 4-20-37. (28)
2,077,841; Kraus Wilhelm. Condensation products and process of making same. Issued 4-20-37. (6)
2,077,856; Rohm Otto. Method for producing stable alkali polysulphides. Issued 4-20-37. (28)
2,077,986; Cassani Francesco. Swash plate device. Issued 4-20-37. (38)
2,078,009; All. Mauser Maschinenbau GmbH. Tension ring closure for packing containers. Issued 4-20-37. (28)
2,078,011; Neher Carl Anton. Shed. Issued 4-20-37. (28)
2,078,028; All. Batterien U Elemente Fabrik. Flashlight. Issued 4-20-37. (28)
2,078,113; Zecha Otto. Sound recording apparatus. Issued 4-20-37. (6)
2,078,188; Dunnebier Max; Winkler Alfred et al. Apparatus for manufacturing at choice bags pockets double pockets and envelopes. Issued 4-20-37. (28)
2,078,385; Kato Tooru. Small receiver. Issued 4-27-37. (39)
2,078,391; Last Erwin. Condenser type electrode. Issued 4-27-37. (6)
2,078,535; All. I G Farbenindustrie A G. Manufacture of relief printing forms. Issued 4-27-37. (28)
2,078,545; All. Metallgesellschaft A G. Process for the production of halogenation products of rubber and like substances. Issued 4-27-37. (28)
2,078,561; Cavalletti Eubole. Apparatus for making infusions. Issued 4-27-37. (38)
2,078,564; Crosti Pietro. Multiple unit steam locomotive with boilers arranged in thermal cascade and with cycles equilibrated by thermal valves. Issued 4-27-37. (38)
2,078,565; Thieme Max; Durst Oskar; Durst Emanuel et al. Vacuum press and the like. Issued 4-27-37. (28)
2,078,663; Hafner Raoul. Control lever for aircraft or similar rocking lever devices in control mechanisms. Issued 4-27-37. (6)
2,078,702; Urbaniak Ignatz. Device for cutting dividing and condensing ingots of cruciform cross section. Issued 4-27-37. (28)
2,078,764; Kielmansegg Georg. Non-skid device for vehicle wheels. Issued 4-27-37. (6)
2,078,799; Hummel Karl Jr. Razor strop. Issued 4-27-37. (28)
2,078,812; Rudiger Ernst. Weighing scale. Issued 4-27-37. (28)
2,078,820; All. Komet Stahlhalter und Topf holder. Issued 4-27-37. (28)
2,078,824; All. Sauter August Precisions Waagen. Fixing means for elements of prismatic contour. Issued 4-27-37. (28)
2,078,840; All. Corp of Junker Ruh A G. Vaportight exteriorly heated electric baking oven. Issued 4-27-37. (28)
2,078,841; All. Verwertung Fauth Schutz Patente. Apparatus for continuous distillation and deodorization. Issued 4-27-37. (28)
2,078,871; All. Vanderer Werke Vorm Wanderhofer. Machine tool. Issued 4-27-37. (28)
2,078,918; All. Tobis Tonbild Syndikat A G. Sound recording. Issued 4-27-37. (28)
2,079,653; All. Schenck Carl Eisengiesserei and. Vibrating mechanism. Issued 5-11-37. (28)
2,079,810; Mahler Robert. Automatic feed water valve for boilers. Issued 5-11-37. (6)
2,079,925; All. I G Farbenindustrie A. Process of testing the tightness of protective coatings. Issued 5-11-37. (28)
2,079,949; Novati Mario. Coupling for pipes and the like. Issued 5-11-37. (38)
2,079,966; All. Schlafhorst and Co W. Cop and tube therefor. Issued 5-11-37. (28)
2,079,973; All. Chemische Fabrik Stockhausen and Cie. Water soluble sulphonation products of phosphatides and process for preparing same. Issued 5-11-37. (28)
2,079,974, Traut Rudolf. Sawing apparatus. Issued 5-11-37. (28)
2,079,975; Volkmann Willy et al; Kleist Walter. Protecting device for water closets. Issued 5-11-37. (28)
2,080,087; All. Nippon Sekiyu Kabushiki Kaisha. Method of refining cracked oils. Issued 5-11-37. (39)
2,089,182; Olivotti Antonio et al; Olivotti Elia. Charge forming apparatus. Issued 5-11-37. (38)
2,080,184; Quaglia Giovanni. Apparatus for the recovery of objects. Issued 5-11-37. (38)
2,080,201; All. Soc an Salbe. Elastic pipe. Issued 5-11-37. (38)
2,080,234; Schlotter Max. Anode for electroplating by hand. Issued 5-11-37. (28)
2,080,287; Mayer Edmund. Method of treating mash. Issued 5-11-37. (28)
2,080,349; Uhlig Paul Richard Dec. Right and left full fashioned foot hosiery and the method of manufacturing the same. Issued 5-11-37. (28)
2,080,372; All. Mont Blanc Simplo GmbH. Tip for propelling pencils. Issued 5-11-37. (28)

2,080,377. Nebel Max. Circular knitting machine. Issued 5-11-37. (28)
2,080,557; Bravi Giuseppe. Chain machine for the production of wood chips or shavings. Issued 5-18-37. (38)
2,080,589; All. I G Farbenindustrie A G. Separating after chlorinated polyvinylchloride from its solutions. Issued 5-18-37. (28)
2,080,606; Frudua Mario. Skinning apparatus. Issued 5-18-37. (38)
2,080,613; Lange Bruno. Light operated electric photometer. Issued 5-18-37. (28)
2,080,619; Majer Christian. Method and machine for manufacturing paper tubes especially conical tubes. Issued 5-18-37. (28)
2,080,635; All. Baumwollspinnerei Gronau. Device for mercerizing cellulose fibers of all kinds. Issued 5-18-37. (28)
2,080,643; All. Vomag Betriebs A G. Multiple spindle boring machine. Issued 5-18-37. (28)
2,080,777, Lebensart Salamon. Explosive projectile. Issued 5-18-37. (6)
2,080,901; Nagatsuka Masanori; Takahashi Hideaki et al. Apparatus for showing pictures. Issued 5-18-37. (39)
2,080,951; Pfeiffer Paul. Pile driver. Issued 5-18-37. (28)
2,080,952; Rathje Johannes. Rotary table and drive therefor. Issued 5-18-37. (28)
2,080,953, Rensch Carl Friedrich. Instrument for indicating foreign matter in gases. Issued 5-18-37. (28)
2,080,967; Jona Alberto. Airplane. Issued 5-18-37. (38)
2,081,007; Geissen Carl. Railway train chassis. Issued 5-18-37. (28)
2,081,008; All. Deutsche Telephonwerke und. Calculating machine. Issued 5-18-37. (28)
2,081,060; Modigliani Piero. Process for the mechanical production of glass felt. Issued 5-18-37. (38)
2,081,137; Dornier Claude. Flying machine. Issued 5-25-37. (28)
2,081,148; Meininghaus Ulrich. Disk construction for radial flow machines. Issued 5-25-37. (28)
2,081,150; Meininghaus Ulrich. Disk construction for radial flow machines. Issued 5-25-37. (28)
2,081,205; Marsiske Hans. Radio circuit. Issued 5-25-37. (28)
2,081,274; All. Lorenz C A G. Antenna structure. Issued 5-25-37. (28)
2,081,327. Franz Ehrhart. Process for bleaching. Issued 5-25-37. (28)
2,081,355; All. I G Farbenindustrie A G. Process of preparing glyoxylic acid. Issued 5-25-37. (28)
2,081,404; All. Losenhausenwerk. Process and apparatus for applying alternating positive and negative loads. Issued 5-25-37. (28)
2,081,406; Mazza Edoardo. Method for concentrating and separating the components of caseous mixtures. Issued 5-25-37. (38)
2,081,429; Gaede Wolfgang. Electron tube and method of operating the same. Issued 5-25-37. (28)
2,081,458; Lentz Hugo. Cam actuated poppet valve gear. Issued 5-25-37. (28)
2,081,460; Lorentz Valentin. Tobacco cutting device. Issued 5-25-37. (28)
2,081,477. Egersdorfer Fritz. Pump. Issued 5-25-37. (28)
2,081,481, All. Gschopf Richard. Process for the production of natural colored images on paper and diapositives cinematographic films. Issued 5-25-37. (6)
2,081,484, All. Tsuji Minato. Cooling system of internal combustion engines. Issued 5-25-37. (39)
2,081,506; All. Bohme Fettchemie GmbH. Process for producing aliphatic carbonyl compounds. Issued 5-25-37. (28)
2,081,541. Joosten Hugo. Process for solidifying oils. Issued 5-25-37. (28)
2,081,649. Suberkrub Franz. Paddle wheel propeller for ships. Issued 5-25-37. (28)
2,081,712; Rohmann Carl. Local anaesthetically active pharmaceutical preparation and method of preparing the same. Issued 5-25-37. (28)
2,081,807; All. Maschinenfabrik A Weiss & Co. Knife blade for meat cutters or the like. Issued 5-25-37. (6)
2,081,880; All. Soc Italiana Pirelli. High tension electric cable. Issued 5-25-37. (38)
2,081,894; All. Patent Treuhand Ges Fur Elektrische. Resistance body made from semi conductive substances. Issued 5-25-37. (28)
2,081,926; Gyuris Janos. Primary element. Issued 6-1-37. (34)
2,081,996; All. Austro Daimler Puchwerke A G. Rail vehicle. Issued 6-1-37. (6)
2,082,021; All. Deutsche Perrot Bremse GmbH. Automatic brake adjusting mechanism. Issued 6-1-37. (28)
2,082,040; Wilkens Fredrik Wilhelmson. Power transmission. Issued 6-1-37. (28)
2,082,126; Schulz Rudolf. Method of manufacturing porous metallic bodies. Issued 6-1-37. (28)
2,082,154; All. I G Farbenindustrie A G. Apparatus for projecting lenticular film. Issued 6-1-37. (28
2,082,155; Errera Attilio. Cash register and computing machine. Issued 6-1-37. (38)
2,082,198; All. Saatgut Erzeugungs GmbH. Method of producing animal feed. Issued 6-1-37. (28)
2,082,215; Otto Carl. Regenerative coke oven. Issued 6-1-37. (28)
2,082,277; Dierfeld Benno R. Brake for motor vehicles. Issued 6-1-37. (28)
2,082,284; Goetz Carl. Process for extracting metals from ores. Issued 6-1-37. (28)
2,082,385; All. Lieberknecht GmbH. Production of hosiery. Issued 6-1-37. (28)
2,082,399; Modiano Ettore, Isman Umberto et al. Railway sleeper. Issued 6-1-37. (38)
2,082,456; All. Klangfilm GmbH. Arrangement for recording reproducing and printing films. Issued 6-1-37. (28)
2,082,548; Pape Wilhelm. Action for keyboard instruments. Issued 6-1-37. (28)
2,082,849; Rudmann Demeter. Depth regulator for submarine mines in tidal waters. Issued 6-8-37. (38)
2,082,915; Sontag Oskar. Ampul of the multiple compartment type. Issued 6-8-37. (28)
2,082,962; Kehr Wilhelm; Lesjal, Michael et al. Developing tank for roll films. Issued 6-8-37. (28)
2,083,097; Sandt Julius. Cutting press. Issued 6-8-37. (28)
2,083,111; Benscheidt Karl Jr. Dowel for lasts. Issued 6-8-37. (28)
2,083,124; Rambold Adolf. Machine for making filling closing and wrapping bags. Issued 6-8-37. (28)
2,083,166, Jonkhoff Henri Wouter. Bogie vehicle steering mechanism. Issued 6-8-37. (28)
2,083,193; All. Grassian. Bruder. Device for preparing dyestuff solutions. Issued 6-8-37. (11)
2,083,201; Poppe Wilhelm. Process for the production of patterned rubber slabs for covering floors walls and ceilings. Issued 6-8-37. (28)
2,083,206; Schoeller Walther. Safety paper. Issued 6-8-37. (28)
2,083,287; Birkenstein Ferdinand. Frames of spectacles and the like. Issued 6-8-37. (28)
2,083,302; Kimura Kintaro. Manufacture of canned refreshing food. Issued 6-8-37. (39)
2,038,347; Eickemeyer Rudolf; Scholler Heinrich et al. Method of fermenting solutions and producing yeast. Issued 6-8-37. (28)
2,038,348; Eickemeyer Rudolf; Scholler Heinrich et al. Apparatus for the production of micro organisms and for the fermentation of solutions. Issued 6-8-37. (28)
2,083,377; All. Schubert and Salzer. Auxiliary presser for flat knitting machines. Issued 6-8-37. (28)
2,083,406; Schlemper Paul. Tool for cutting the loops of velvet and like pile fabrics. Issued 6-8-37. (28)
2,083,482; All. I G Farbenindustrie A G. Carbocyclic compounds containing acid salt forming groups. Issued 6-8-37. (28)
2,083,601; Haberfeld Erwin Otto. Bookkeeping leaf. Issued 6-15-37. (28)
2,083,652; Kaselitz Oskar. Separate recovery of potassium. Issued 6-15-37. (28)
2,083,653; Kasemann Erwin. Transmission system. Issued 6-15-37. (28)
2,083,654; Kochmann Wilhelm. Braking system. Issued 6-15-37. (28)
2,083,702; Franzen Karl August. Trunk lock. Issued 6-15-37. (28)
2,083,757; Vogel Max. Card filing system. Issued 6-15-37. (28)
2,083,905; Grab Carl. Air moistener. Issued 6-15-37. (28)
2,083,908; Matsumura Konomu, Ishihara Kiyoyuki; Hata Sahachiro et al. Method of preparing 9 amino 3 6 dimethoxy 10 methyl acridinium chlorides. Issued 6-15-37. (39)
2,083,960; Nakanishi Kinsaku. Apparatus and method for simultaneously manufacturing brocades and pattern cards. Issued 6-15-37. (39)
2,083,990; All. Telephon apparat fabrik E Zwietusch. Measuring device. Issued 6-15-37. (28)
2,084,004; Riccioni Bindo. Method and apparatus for producing special electric fields. Issued 6-15-37. (38)
2,084,065; All. Wormser Arthur. Sheet feeding machine. Issued 6-15-37. (28)
2,084,111; Schicht Friedrich. Axial flow fan or pump. Issued 6-15-37. (28)
2,084,116; Zaruba Antonin Jan. Resilient constructional element. Issued 6-15-37. (6)
2,084,201; Karolus August. Light rela. Issued 6-15-37. (28)
2,084,217; All. Tabbrica Italiana Magneti Marelli. Radio receiver scale. Issued 6-15-37. (38)
2,084,250; Fritze Albrecht. Process for the production of starch. Issued 6-15-37. (28)
2,084,282; Schmidt Alexander Hugo. Steam generator for cloth pressing and steaming devices. Issued 6-15-37. (28)
2,084,286; Dobowolny Josef. Rail joint. Issued 6-15-37. (6)
2,084,292; Steiner Rudolf. Compact. Issued 6-15-37. (6)
2,084,429; All. Voran Automobilbau A G. Steering wheel drive for power vehicles. Issued 6-22-37. (28)
2,084,473; All. Leitz Ernst GmbH. Camera film guiding mechanism. Issued 6-22-37. (28)
2,084,509; All. Lorenz C A G. Voltage controlling arrangement. Issued 6-22-37. (28)
2,084,517; Vogel Hans. Pneumatic insert for shoes. Issued 6-22-37. (28)
2,084,533; Lerner Friedrich. Machine for packing zigzag interfolded paper leaves in cardboard covers. Issued 6-22-37. (6)
2,084,539; Schneider Julius. Machine for producing justified lines of printing types. Issued 6-22-37. (28)
2,084,639; All. Simplex Schiebefenster GmbH. Sash window. Issued 6-22-37. (28)
2,084,676; Friz Adolf. Machine for the gluing together of the edges of veneer sheets. Issued 6-22-37. (28)
2,084,681; Grun Arnold. Eyeshield for welding devices. Issued 6-22-37. (28)
2,084,702; All. Soc. Italiana Pirelli. Method of making extruded rubber articles from aqueous dispersions of rubber. Issued 6-22-37. (38)
2,084,714; All. Schneider Corp Jos and Co. Unsymmetrical photographic objective. Issued 6-22-37. (28)

2,084,716; All. Polensky Firm und Zollner. Process of obtaining zinc oxide. Issued 6-22-37. (28)
2,084,728; Eberhardt Alois. Indexing device for data on a circulating band. Issued 6-22-37. (28)
2,084,947; All. Selenophon Licht und. Apparatus for reproducing sounds recorded on strips. Issued 6-22-37. (6)
2,084,956; Hessel Karl. Method of preserving preliminarily dried fruit. Issued 6-22-37. (28)
2,085,081; Curry Manfred H. Weather indicator. Issued 6-29-37. (28)
2,085,188; All. Klangfilm GmbH. Film developing apparatus. Issued 6-29-37. (28)
2,085,205; All. Klangfilm GmbH. Method and means to scan sound films with a plurality of scanners Issued 6-29-37. (28)
2,085,252; Daniel Karl. Device for automatically transmitting and recording messages. Issued 6-29-37 (28)
2,085,265; All. Telephon Apparat Fabrik E Zwietusch. Control station for postal pneumatic tube plants. Issued 6-29-37. (28)
2,085,297; Deibel Gottfried. Discharging device for gases and vapors. Issued 6-29-37. (28)
2,085,353; All. Gothaer Waggonfabrik A G. Conveyance for transporting railway cars and the like by road. Issued 6-29-37. (28)
2,085,383; All. Diktiermaschinen Patentverwertungs. Sound recording and reproducing machine. Issued 6-29-37. (6)
2,085,400; All. Nippon Kogaku Kogyo Kabushiki Kaisha. Method and apparatus for reproducing sculptured Objects. Issued 6-29-37. (39)
2,085,643; All. Mauser Werke A G. Trimming mechanism for sewing machines. Issued 6-29-37. (28)
2,085,656; All. Schubert & Salzer Maschinenfabrik A G. Auxiliary presser for flat knitting machines. Issued 6-29-37. (28)
2,085,709; All. I G Farbenindustrie A G. Composition for combating foam. Issued 6-29-37. (28)
2,085,771; Soprani Mario. Accordion. Issued 7-6-37. (38)
2,085,835; Strecker Gerald et al; Gockel Theodor Slitting machine. Issued 7-6-37. (28)
2,085,904; All. Klangfilm GmbH. 1 pressure roller for film handling apparatus. Issued 7-6-37. (28)
1,085,952; Cauer Wilhelm et al; Glowatzki Ernst. Artificial network. Issued 7-6-37. (28)
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2,086,033; Huttner Fritz. Power plant. Issued 7-6-37. (28)
2,086,064; Carpzow Johannes Benedict. Process for preparing chemically active artificial asphalts. Issued 7-6-37. (28)
2,086,072; All. Verwertung Fauth Scher Patente MmbH. Process for dehydrating and rendering flesh. Issued 7-6-37. (28)
2,086,074; Del Genovese Pietro. Ejector head of burners atomizers and similar nozzles. Issued 7-6-37 (38)
2,086,162; All. Junkers Therese. Free piston motor compressor. Issued 7-6-37. (28)
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2,086,171; All. Bayerische Stickstoff Werke A G. Process of treating the residual gases formed in the production of calcium cyanamide from ammonia. Issued 7-6-37. (28)
2,086,183; Gellner Ludwig et al; Gellner Anton. Apparatus for spraying of colors and the like. Issued 7-6-37. (28)
2,086,208; Brekelbaum Erwin Carl Helmet for electric arc welders. Issued 7-6-37. (28)
2,086,218; All. Junkers Flugzeug und Motorenwerke. Manufacture of rivet connections. Issued 7-6-37. (28)
2,086,228; All. Junkers Therese. Free piston motor compressor. Issued 7-6-37. (28)
2,086,284; All. Krause Drnst & Co A G. Precision boring machine. Issued 7-6-37. (6)
2,086,285; All. Industriegas A G Verwertung. Mouthpiece for hollow strand presses for the production of closed hollow bricks from plastic materials. Issued 7-6-37 (28)
2,086,300; Moffa Cesare. Packing for glass bulbs or phials. Issued 7-6-37. (38)
2,086,319; Koch Paul. Sheet fed intaglio rotary printing machine. Issued 7-6-37. (28)
2,086,321; All. Kobe Seikosho Co Ltd. Spring. Issued 7-6-37. (39)
2,086,339; Sosso Giullo. Magazine for firearms. Issued 7-6-37. (38)
2,086,407; All. Mauser Werke A G. Cutting device for sewing machines. Issued 7-6-37. (28)
2,086,448; Takata Akira. Fiber dressing machine. Issued 7-6-37 (39)
2,086,466; Bruhl Paul Dec. Two row ball bearing. Issued 7-6-37. (28)
2,086,470; Campani Nello. Antiskid attachment for the wheels of vehicles. Issued 7-6-37. (38)
2,086,499; All. Zschimmer & Schwarz Chemische Fabrik. Process for the manufacture of stable solid water soluble aluminum acetate. Issued 7-6-37. (28)
2,086,506; All. I G Farbenindustrie A G. Splinterless materials particularly splinterless glass. Issued 7-6-37 (28)
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2,086,624; All. Telephon Apparat Fabrik E Zwietusch. Telephone pay station tariff indicator. Issued 7-13-37. (28)
2,086,676; All. Deutsche Kunstseiden. Process for improving wool. Issued 7-13-37. (28)
2,086,711; Friedrich Wilhelm. Apparatus for producing fire extinguishing foam. Issued 7-13-37. (28)
2,086,723; All. Maybach Motorenbau GmbH. Change speed gear. Issued 7-13-37. (28)
2,086,809; Kreis Fritz. Universal gear. Issued 7-13-37. (28)
2,086,859; All. I G Farbenindustrie A G. Printing of lenticular film. Issued 7-13-37. (28)
2,086,907; Goldschmidt Max Extension device for collars. Issued 7-13-37. (28)
2,086,912; Kaselitz Oskar. Process of producing dicalcium phosphate and ammonium phosphate. Issued 7-13-37. (28)
2,086,915; Kopp Fritz. Machine tool. Issued 7-13-37. (28)
2,086,933; All. Internationaler Maratti. Circular warp knitting machine. Issued 7-13-37. (28)
2,086,947; Schmid Max. Mechanical toy. Issued 7-13-37. (28)
2,086,963; Scholler Heinrich. Apparatus for the saccharification of cellulose. Issued 7-13-37. (28)
2,087,007; Ryba Anton. Driving means for watercraft. Issued 7-13-37 (38)
2,087,059; Kottlors Ernst. Process for fermenting sugar containing liquids. Issued 7-13-37. (28)
2,087,184; All. Maybach Motorenbau GmbH. Ball and roller bearing. Issued 7-13-37. (28)
2,087,213; All. Schering Kahlbaum A G. Acyl derivatives of phenols and a method of producing the same. Issued 7-13-37. (28)
2,087,229; Baffi Giuseppe. Gas meter. Issued 7-20-37. (38)
2,087,277; All. Madaus Dr & Co. Production of preparations containing the volatile constituents of vegetable products. Issued 7-20-37. (28)
2,087,377; Geissen Carl. High speed train. Issued 7-20-37. (28)
2,087,420; Wiederholt Vincenz. Clamp for clotheslines and the like. Issued 7-20-37 (28)
2,087,461; Wittenberg Siegbert. Fastener attaching machine. Issued 7-20-37. (28)
2,087,584; Staudinger Georg. Apparatus for measuring the pressure in the surface of contact between a yielding and substantially unyielding body. Issued 7-20-37. (28)
2,087,650; All Elite Diamantwerke A G. Pearl knitting machine. Issued 7-20-37. (28)
2,087,657; Schmidt Hermann. Freewheel hub with coaster brake and locking means therefor. Issued 7-20-37. (28)
2,087,676; Schimmel Friedrich. Apparatus for sealing preserving glasses and similar vessels. Issued 7-20-37. (28)
2,087,677; Seifer Theo. Boring motor. Issued 7-20-37. (28)
2,087,701; Ohmoto Torajiro Tens carrying mechanism. Issued 7-20-37. (39)
2,087,762; Krefft Hermann. Glass composition for electric gaseous discharge devices. Issued 7-20-37. (28)
2,087,802; Krucsay Dezso de Bayer. Light filter. Issued 7-20-37. (34)
2,087,822; All. Pollak Rudin Adolf. Absorption cooling machine. Issued 7-20-37. (6)
2,087,903; All. Telephon Apparat Fabrik E Zwietusch. Telephone paystation circuit. Issued 7-27-37. (28)
2,087,912; Wiesmann Clemens; Horlebeck Albert et al. Method of producing crustless fancy bread. Issued 7-27-37. (28)
2,087,916; Lanninger Karl Ludwig. Pipe joint. Issued 7-27-37. (28)
2,087,937; Kuwada Gompei. Single piston gas meter. Issued 7-27-37. (39)
2,087,947; Dichter Jakob. Manufacture of glass vessels from tubing. Issued 7-27-37. (28)
2,087,995; All. Koch and Sterzel A G. Arrangement for measuring direct current. Issued 7-27-37. (28)
2,087,997; All. Wormser Arthur. Sheet feeding mechanism. Issued 7-27-37. (28)
2,088,005; Vogel Max. Method of forming wire staples. Issued 7-27-37. (28)
2,088,047; All. Lorenz C A G. Spool unit for electromagnetic talking machines. Issued 7-27-37. (28)
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2,088,063; Kassebaum Heinrich. Scribing device. Issued 7-27-37. (28)
2,088,127; All. Bauermann W & Sohne. Telescopic umbrella. Issued 7-27-37. (28)
2,088,131; Cambeis Walter. Means for expanding hollow bodies. Issued 7-27-37. (28)
2,088,134; Haessler Paul. Die casting and pressure molding machine. Issued 7-27-37 (28)
2,088,140; All. I G Farbenindustrie A G Metal primer. Issued 7-27-37. (28)
2,088,144; Kuhlmann Hermann Auguste Tochtermann Ulrich et al. Hydraulic press especially for producing palate plates. Issued 7-27-37. (28)
2,088,175; Ritzerfeld Wilhelm. Method and apparatus for duplicating records. Issued 7-27-37. (28)
2,088,214; All. Friedrich Uhde Ingenieur Buro. Process of hydrogenating carbonaceous materials. Issued 7-27-37. (28)
2,088,218; All. Stotz Kontakt GmbH. Electrical fitting. Issued 7-27-37. (28)
2,088,233; Colloseus Beinrich. Positive electrode for galvanic cells. Issued 7-27-37 (28)
2,088,236; Faber Ernst. Portable vacuum cleaner. Issued 7-27-37. (28)
2,088,257; Beisser Georg Dec. Device for pickling meat with the aid of pickling brine to be introduced into the latter. Issued 7-27-37. (28)

2,088,261; Dienenthal Herbert. System of control for groups of gate valves or the like. Issued 7-27-37. (28)
2,088,263; Grouven Paul. Shoe. Issued 7-27-37. (28)
2,088,267; All. Elact Ges Fur Elektrische apparate. Process of reducing by washing the acidity of dairy products. Issued 7-27-37. (6)
2,088,276; All. Siemens Schuckertwerke A G. System for the conversion of heat. Issued 7-27-37. (28)
2,088,277; Normelli Wulff Berzelius. Absorption refrigerating apparatus. Issued 7-27-37. (28)
2,088,279; Plachmann Josef. Device for keeping outbursts of fire in film projectors under local control. Issued 7-27-37. (28)
2,088,282; Van Royen Herman Johan. Process for the production of rails. Issued 7-27-37 (28)
2,088,294; Geiger Hellmut. Sand trap. Issued 7-27-37. (28)
2,088,324; All. Electroacustic GmbH. Magneto strictive electromechanical sound device. Issued 7-27-37. (28)
2,088,331; All. Allgauer Alpenmilch A G. Food for infants and the like and the process of making same. Issued 7-27-37.
2,088,339; Preinerstorfer Franz. Optical arrangement for use in color photography. Issued 7-27-37. (6)
2,088,345; Ritzerfeld Wilhelm. Automatic feeding device for feeding sheets of paper. Issued 7-27-37. (28)
2,088,346; Ritzerfeld Wilhelm. Duplicating apparatus. Issued 7-27-37. (28)
2,088,347; All. Boehringer C H Sohn A G Chemische. Manufacture of anhydrides of citraconic acid and itaconic acid. Issued 7-27-37. (28)
2,088,977; Eickmeyer Rudolf; Scholler Heinrich et al. Apparatus for removing residues. Issued 8-3-37. (28)
2,088,984; All. Haubold C G Akg. Setting device for the entry section of tensioning or tentering and drying machines for webs. Issued 8-3-37. (28)
2,089,003; Sack Hans. Friction variable speed gear. Issued 8-3-37. (28)
2,089,116; Dyckerhoff Hanns. Process for treating coffee. Issued 8-3-37. (28)
2,089,159; All. I G Farbenindustrie Akg. Manufacture of artificial threads. Issued 8-3-37. (28)
2,089,304; Stein Paul. Jet pipe for fire extinguishing purposes with a widening mouthpiece. Issued 8-10-37. (28)
2,089,330; All. Leitz Ernst GmbH. Motion picture film cassette. Issued 8-10-37. (28)
2,089,444; All. I G Farbenindustrie A G. Polymerized styrene. Issued 8-10-37. (28)
2,089,540; Dallenbach Walter. Mercury vapor rectifier. Issued 8-10-37. (28)
2,089,541; Dallenbach Walter. Electrode lead in for metal vacuum vessels. Issued 8-10-37 (28)
2,089,542; Dallenbach Walter. Electric vacuum discharge apparatus. Issued 8-10-37. (28)
2,089,588; Von Mihaly Denes. Television apparatus. Issued 8-10-37. (28)
2,089,601; Faber Ernst. Vacuum cleaner. Issued 8-10-37. (28)
2,089,615; Mayer Reinhold. Racing shoe. Issued 8-10-37. (28)
2,089,623; Semmler Kurt. Stocking. Issued 8-10-37. (28)
2,089,628; Still Carl. Carbonizing retort for use in coke and gas producing chamber ovens. Issued 8-10-37. (28)
2,089,638; Becker Wilhelm. Device for connecting bands to wrist watches. Issued 8-10-37. (28)
2,089,646; Friedrich Wilhelm. Apparatus for producing a fire extinguishing foam. Issued 8-10-37. (28)
2,089,677; Von Kramolin Leon Ladislaus et al; Spanner Hans Joachim. Device for tracing the movements of objects. Issued 8-10-37. (28)
2,089,714; Schuler Max. Holding device. Issued 8-10-37. (28)
2,089,723; All. Radiologie A G. High tension proof rentgen tube. Issued 8-10-37. (28)
2,089,751; Lang Otto. Method of manufacturing pressureproof insulating bodies especially for electrolytic cells. Issued 8-10-37. (28)
2,089,752; Lang Otto. Pressureproof insulating bodies especially for electrolytic cells. Issued 8-10-37. (28)
2,089,756; All. Knorr Bremse A G. Device for increasing the speed of transmission of pressure alteration impulses in pneumatic brake pipes. Issued 8-10-37. (28)
2,089,761; All. Maschinenfabrik Augsburg. Resilient shock absorbing cushioning of engines. Issued 8-10-37. (28)
2,089,827; Dornier Claude. Rotary wing flying machine. Issued 8-10-37. (28)
2,089874; All. Glashutte Brehmenstall. Dropping bottle. Issued 8-10-37. (28)
2,089,889; Giordani Raffaele. Sheet metal structure for cycles. Issued 8-10-37. (38)
2,089,898; Kappler Felix. Production of corrugated cardboard. Issued 8-10-37. (28)
2,089,915; Gilli Paul. Accumulator plant. Issued 8-10-37. (6)
2,089,927; Stechert Hermann. Antidazzle headlight. Issued 8-10-37. (28)
2,089,998; Gerdts Gustav. Steam trap. Issued 8-17-37. (28)
——; [1] Alloys.
2,090,074; Rohn Wilhelm. Induction furnace. Issued 8-17-37. (28)
2,090,098; All. Jenaer Glaswerk Schott & Gen. Glass resisting metal vapors. Issued 8-17-37. (28)
2,090,126; Hugel Ernst. Automatic fire extinguishing apparatus. Issued 8-17-37. (28)
2,090,252; Damm Walter Dec. Automatic tobacco weigher. Issued 8-17-37. (28)
2,090,361; Steinmetz Fritz. Printing press. Issued 8-17-37. (28)
2,090,381; Zagorski Johann. Valve. Issued 8-17-37. (28)
2,090,385; Faigle Friedrich et al; Faigle Carl. Device for the treatment of hanks of yarn particularly for the dyeing thereof. Issued 8-17-37. (6)
2,090,389; Kunstadter Vilmos. Photoprinting and developing apparatus. Issued 8-17-37. (34)
2,090,392; Meuth Hermann. Suction device for chimneys. Issued 8-17-37. (28)
2,090,415; Homey Gerhard. Method of and apparatus for manufacturing wooden vessels. Issued 8-17-37. (28)
2,090,441; All. I G Farbenindustrie A G. Device for illuminating lenticular film. Issued 8-17-37. (28)
2,090,450; Kigel Gustav. Photographic dusting on process by the employment of acetals as the light sensitive material. Issued 8-17-37. (28)
2,090,451; Kruth Oslas. Manufacture of aluminum. Issued 8-17-37. (6)
2,090,452; All. Pfenning Schumacher Werke GmbH. Transparent molded article from casein and urea formaldehyde condensation products. Issued 8-17-37. (28)
2,090,502; Oshima Ryoji. Method and apparatus for manufacturing cut filament sliver from continuous filament tape. Issued 8-17-37. (39)
2,090,535; Knoll Werner. Process and apparatus for the production of seamless tubes. Issued 8-17-37. (28)
2,090,727; All. Concordia Elektrizitats A G. Foam producing device. Issued 8-24-37. (28)
2,090,728; All. Klockner Werke A G. Sheet piling. Issued 8-24-37. (28)
2,090,753; All. Tobis Tonbild Syndikat A G. Recording of sound. Issued 8-24-37. (28)
2,090,820; All. Lorenz C A G. Method of modulating high frequency transmitters. Issued 8-24-37. (28)
2,090,894; Matuenaga Yonosuke. Aluminium alloy. Issued 8-24-37. (39)
2,090,895; Matuenaga Yonosuke. Aluminium alloy. Issued 8-24-37. (38)
2,090,899; Roesch Karl et al; Schleimer Otto Josef. Manufacture of articles from malleable cast iron. Issued 8-24-37. (28)
2,090,901; All. I G Farbenindustrie A G. Composition of matter containing chlorinated caoutchouc. Issued 8-24-37. (28)
2,090,902; All. Freudenberg Carl GmbH. Method of producing fibrous materials from animal skins. Issued 8-24-37. (28)
2,090,904; Singer Emil. Dental matrix. Issued 8-24-37. (6)
2,091,029; All. Piaggio & Co S A. Adjustable propeller. Issued 8-24-37. (38)
2,091,097; All. Iris Type GmbH. Method of stamping printing type with aligning marks. Issued 8-24-37. (28)
2,091,115; All. Zwietusch Telephon Apparat. Substation telephone circuit. Issued 8-24-37. (28)
2,091,133; All. Mercedes Buromaschinen Werke A G. Typewriting calculating machine typewriting machine or the like. Issued 8-24-37. (28)
2,091,210; Mattia Pietro. Change speed mechanism. Issued 8-24-37. (38)
2,091,211; Mattia Pietro. Change speed mechanism. Issued 8-24-37. (38)
2,091,293; Steuermann Sergey. Process for introducing liquids into loose material. Issued 8-31-37. (28)
2,091,325; All. I G Farbenindustrie A G. Production of casein glue and casein glue preparation. Issued 8-31-37. (28)
2,091,334; All. Gessner Ernst A G. Silver bobbin. Issued 8-31-37. (28)
2,091,370; All. Junders Flugzeug Und. Internal combustion engine. Issued 8-31-37 (28)
2,091,415; All. Mauser Maschinenbau GmbH. Internal construction of ships. Issued 8-31-37. (28)
2,091,573; Theobald Ernst. Process for the manufacture of aromatic compounds containing selenium nitrogen and sulphur and products produced thereby. Issued 8-31-37. (28)
2,091,587; All. Schmidtsche Heissdampf GmbH. Revolving grate. Issued 8-31-37. (28)
2,091,589; Finzl Gino. Fire extinguishing bomb. Issued 8-31-37. (38)
2,091,661; Grill Leopold; Van Forster Hermann et al. Calculating device. Issued 8-31-37. (28)
2,091,727; All. Wurker GmbH. Multiple head embroidery machine. Issued 3-31-37. (28)
2,091,739; All. Eisen U Stahlwerk Walter Peyinghaus. Oil and dust packing for rotating axles and shafts. Issued 8-31-37. (28)
2,091,747; All. Fiat S A. Packing for vehicle doors. Issued 8-31-37. (38)
2,091,861; Junge Alfred. Wooden mast. Issued 8-31-37. (28)
2,091,871; All. Braunschweiger Huttenwerk GmbH. Method of welding alloys to a base metal. Issued 8-31-37. (28)
2,091,872; Muller Heinrich. Toy vehicle. Issued 8-31-37. (28)
2,091,884; Rottner Emil. Method and apparatus for defrosting refrigerators. Issued 8-31-37. (28)
2,091,896; Ubbelohde Leo. Arrangement for testing the viscosity of liquid materials. Issued 8-31-37. (28)
2,092,073; All. I G Farbenindustrie A G. Production of ammonium sulphate in the form of scales. Issued 9-7-37. (28)
2,092,123; Kaselitz Oskar. Method of producing fertilizers. Issued 9-7-37. (28)

[1] So in the original document.

2,092,133; Neumann Willy. Method of producing sensitive electrical resistances. Issued 9-7-37. (28)
2,092,141; Rowold Otto. Bow for handbags. Issued 9-7-37. (28)
2,092,142; Schuz Hans. Automatic machine tool control. Issued 9-7-37. (28)
2,092,186; All. Sachsische Textilmaschinenfabrik. Device on combing machines for piecing the tufts of slivers. Issued 9-7-37. (28)
2,092,203. All. I G Farbenindustrie A G. Process for the desulphurization and after treatment of viscose artificial silk. Issued 9-7-37. (28)
2,092,215. Jung Karl. Automatic internal grinding machine. Issued 9-7-37. (28)
2,092,216; Junghans Helmut. Balance spring arrangement for clockworks. Issued 9-7-37. (28)
2,092,218; Kitsuda Kenzo. Portable electric lamp with igniter. Issued 9-7-37. (39)
2,092,339; Steenbeck Wilhelm. Electric motor. Issued 9-7-37. (28)
2,092,340; All. Haubold C G A G. Fabric feed control. Issued 9-7-37. (28)
2,092,383; All. Ruhrchemie A G. Process for the production of alkali metal nitrates by reaction of alkali metal chlorides and nitric acid. Issued 9-7-37. (28)
2,092,407; All. Klangfilm GmbH. Method of noiseless recording. Issued 9-7-37. (28)
2,092,419; All. Shinagawadenki Kabushiki Kaisha. Radio receiving system. Issued 9-7-37. (39)
2,092,588; All. Leitz Ernst GmbH. Light gauge for photometers. Issued 9-7-37. (28)
2,092,594; Silberknopf Hans. Pyrophoric lighter. Issued 9-7-37. (6)
2,092,624; Memelsdorff Max. Multiple brush selector. Issued 9-7-37. (28)
2,092,675; Koch Fritz. Multiumit variable condenser. Issued 9-7-37. (28)
2,092,676; Kolbe Joachim. Motor vehicle. Issued 9-7-37. (28)
2,092,702; All. Studiengesellschaft Fur. Process for rendering textiles water repellent. Issued 9-7-37. (28)
2,092,782; Serafinowicz Oscar. Collapsible open air swimming bath. Issued 9-14-37. (28)
2,092,826; All. Metrawatt A G. Photoelectric exposure meter. Issued 9-14-37. (28)
2,092,868; All. Klangfilm GmbH. Recording of sound. Issued 9-14-37. (28)
2,092,901; All. Vereinigte Deutsche Metallwerke A G. Nose cap. Issued 9-14-37. (28)
2,093,027; Boenecke Alfred. Fastener. Issued 9-14-37. (28)
2,093,054; Negrini Bruno; blade member for rigid roller blinds. Issued 9-14-37. (38)
2,093,058; All. Soc Italiana Ernesto Breda Per. Portable firearms for firing bombs. Issued 9-14-37. (38)
2,093,059; Schroder Erwin. Apparatus for drying safety razors. Issued 9-14-37. (28)
2,093,068; All. Deuta Werke Vorm Deutsche Mileage counter. Issued 9-14-37. (28)
2,093,075; Dominici Ettore. Comb with receptacle for liquids. Issued 9-14-37. (38)
2,093,086; Luzzatto Ruggero. Manifold stack. Issued 9-14-37. (38)
2,093,098; Renck Heinrich. Method for producing chemicals especially amalgamated printing plates. Issued 9-14-37. (28)
2,093,100; All. Montecatini Soc Generale Per. Process for the purification of synthetic camphor. Issued 9-14-37. (38)
2,093,101; Sendler Theodro. Cleaning device. Issued 9-14-37. (28)
2,093,120; All. Taeschner E Chem Pharm Fabrik. Barbituric acid compound. Issued 9-14-37. (28)
2,093,138; Riesebeck Curt. Apparatus for feeding articles to machines. Issued 9-14-37. (28)
2,093,140; All. I G Farbenindustrie A G. Manufacture of artificial silk. Issued 9-14-37. (28)
2,093,141; Sonalla Waldemar. Hydraulic weighing device. Issued 9-14-37. (28)
2,093,157; Nakashima Tomomasa et al; Takayanagi Kenjiro. Television receiving system. Issued 9-14-37. (39)
2,093,176; All. Kaiser Wilhelm Institut Fur. Treatment of raw phosphates. Issued 9-14-37. (28)
2,093,208; All. Dortmund Hoerder Huttenverein A G. Method of making sheet metal piling. Issued 9-14-37. (28)
2,093,221; Dunnebier Max; Winkler Alfred et al. Device for applying liquid adhesive to paper and similar materials. Issued 9-14-37. (28)
2,093,244; Kocks Fritz. Tube rolling mill. Issued 9-14-37. (28)
2,093,255; Stahlecker Wilhelm. Spindle bearing. Issued 9-14-37. (28)
2,093,281; Kreuser Adolf dec. Friction coupling. Issued 9-14-37. (28)
2,093,290; Zimmermann Otto. Photographic view finder. Issued 9-14-37. (28)
2,093,889; Lindner Herbert. Radio signals. Issued 9-21-38. (28)
2,094,534; All. Halle Horst Gunther. Device to be worn in the ear for eliminating or damping noise reaching the ear of the wearer. Issued 9-28-37. (28)
2,094,541; Kolbe Joachim. Steering arrangement for motor vehicles. Issued 9-28-37. (28)
2,094,564; All. Deutsche Hydrierwerke A G. Antifreezing liquid. Issued 9-28-37. (28)
2,094,715; Nagele Karl Friedrich. Apparatus for the manufacture of zip fasteners. Issued 10-5-37. (28)
2,094,718; All. Bahlsens H Keksfabrik A G. Waffle cutting machine. Issued 10-5-37. (28)
2,094,723; All. I G Farbenindustrie A G. Recording sound photographically. Issued 10-5-37. (28)
2,094,741; Grussendorf Hanns et al; Varren Alexander. Traffic light post. Issued 10-5-37. (28)
2,094,798; All. Deutsche Waffen Und. Press. Issued 10-5-37. (28)
2,094,801; Mass Willy. Roof for gardens. Issued 10-5-37. (28)
2,094,902; All. Sachtleben A G Fur Bergbau und. Process of producing barium sulphate from barium sulphide. Issued 10-5-37. (28)
2,094,937; Alvaz Boris. Paper coil. Issued 10-5-37. (34)
2,094,938; Blatzheim Johann. Delivery device for rotary printing machines. Issued 10-5-37. (28)
2,094,944; Hansen Siegfried Egger. Exhibiting means for weighing scales. Issued 10-5-37. (6)
2,094,950; All. Remy Van Der Zypen & Co. Guiding and holding of long metal bands. Issued 10-5-37. (28)
2,094,954; Kleinmann Ernst; Mendel Alfred et al. Electrical connecting cap. Issued 10-5-37. (28)
2,094,959; Pulidori Palmiro. Burner for liquid fuels. Issued 10-5-37. (38)
2,094,996; All. Lowenstein Alfons. Sawing machine. Issued 10-5-37. (28)
2,095,118; Basler Hermann. Device for the manufacture of plates sheets or slabs of various properties from vegetable fibrous pulp. Issued 10-5-37. (28)
2,095,122; Berla Antonio. Method of winding artificial yarns. Issued 10-5-37. (38)
2,095,142; Lurenbaum Karl. Elastically suspended test bench for testing vehicle engines. Issued 10-5-37. (28)
2,095,160; Uchida Kiyoshi. Wall cabinet safe. Issued 10-5-37. (39)
2,095,163; Yamagishi Hatsutaro. Packed fire cracker. Issued 10-5-37. (39)
2,095,167; Burghauser Franz. Screw pump. Issued 10-5-37. (28)
2,095,168; Burghauser Franz. Axial pump. Issued 10-5-37. (28)
2,095,188; All. Deutsche Houghton Fabrik GmbH. Iron and steel cementing bath composition. Issued 10-5-37. (28)
2,095,193; Haar Otto. Eye protecting device. Issued 10-5-37. (6)
2,095,347; All. Maschinen Bau A G Golzern Grimma. Method of and apparatus for preparing in the pure state acetone ethyl alcohol and butyl alcohol from watery solutions. Issued 10-12-37. (28)
2,095,529; Pastor Carl Theodor. Process to make rubber thread and rubber thread textiles. Issued 10-12-37. (28)
2,095,530; All. Schlafhorst W and Co. Spinning apparatus. Issued 10-12-37. (28)
2,095,583; All. Junkers Therese. Method of producing arched metal panels. Issued 10-12-37. (28)
2,095,543; Doll Peter. Container for dental amalgams. Issued 10-12-37. (28)
2,095,549; Hoffmann Emmerich. Folding spade and hoe. Issued 10-12-37. (34)
2,095,644; All. Barmer Maschinenfabrik A G. Double twist twisting spindle. Issued 10-12-37. (28)
2,095,734; Dornier Claude. Rotor flying machine. Issued 10-12-37. (28)
2,095,785; Biegenbein Marie. Device for connecting the ends of a neckerchief. Issued 10-12-37. (28)
2,095,838; Semmler Fridolin et al; Fischer Hans. Apparatus for manifold bookkeeping. Issued 10-12-37. (28)
2,096,173; Guerrini Renzo. Surgical clip applier. Issued 10-19-37. (38)
2,096,243; All. Demag A G. Tube pushing bench. Issued 10-19-37. (28)
2,096,297; Bock Wilhelm; Goldner Hans et al. Refrigerating machine. Issued 10-19-37. (28)
2,096,326; Kengerer Karl. Molding plant. Issued 10-19-37. (28)
2,096,345; Schrem Albert. Tripping press. Issued 10-19-37. (28)
2,096,369; All. Muller Robert. Gas burner. Issued 10-19-37. (28)
2,096,410; Siegert Joachim. Container. Issued 10-19-37. (28)
2,096,440; Wetzlar Rudolf. Automatic charging device. Issued 10-19-37. (28)
2,096,445; All. Lorenz C. A G. Electromagnetic talking machine. Issued 10-19-37. (28)
2,096,451; Parodi Delfino Paolo. Nitrocellulose propellant powder containing triacetate of alkyl trimethylolmethane. Issued 10-19-37. (38)
2,096,515; All. Rauter Vita Zahnfabrik H Offene. Dental bridge. Issued 10-19-37. (28)
2,096,518; Janzen Otto. Self starting synchronous motor of low speed. Issued 10-19-37. (28)
2,096,524; All. Busch Emil A G Optische Industrie. Magnifying lens. Issued 10-19-37. (28)
2,096,630; Fiedler Else. Chute device for ash, garbage and dust bins. Issued 10-19-37. (28)
2,096,815; All. Leitz Ernst GmbH. Camera. Issued 10-26-37. (28)
2,096,840; All. Siemens Schuckertwerke A G. High tension rubber insulated cable. Issued 10-26-37. (28)
2,096,856; All. Ihagee Kamerawerk Steenbergen Co. Photographic lamp. Issued 10-26-37. (28)
2,096,870; All. Barmer Maschinenfabrik A G. Gear spinning pump. Issued 10-26-37. (28)
2,096,919; All. Universelle Cigarettenmaschinen. Process for applying a wrapper by mechanical means to a cigar bunch. Issued 10-26-37. (28)

2,096,924; Schwarzkopf Paul. Composite structure product & method of making the same. Issued 10-26-37. (6)
2,096,973; All. Atlas Ago Chemische Fabrik A G. Method of producing paper having a mirror like luster. Issued 10-26-37. (28)
2,096,974; Rausch Martin. Reaping machine. Issued 10-26-37. (28)
2,097,002; All. Pohl Ernst. X ray tube. Issued 10-26-37. (28)
2,097,010. Arnegger Alfred. Tooth brush. Issued 10-26-37. (28)
2,097,024; Enders Walter. Production of a protective layer on iron. Issued 10-26-37. (28)
2,097,042; Rausch Gottfried. Vertical head dough divider & Molder. Issued 10-26-37. (28)
2,097,121; All. Lehmann & Voss Co. Process for prevention and removal of foam in the manufacture of paper. Issued 10-26-37. (28)
2,097,134; Schneider Ferdinand. Armature for small electric motors. Issued 10-26-37. (28)
2,097,275. Fischer Hellmuth. Glass composition for electrical discharge devices. Issued 10-26-37. (28)
2,097,283; Kohn Hans. Change speed mechanism. Issued 10-26-37. (28)
2,097,586. Schroder Edmund; Bock Georg et al. Electrode for electric arc welding. Issued 10-26-37. (28)
2,097,494; All. Leitz Ernst GmbH. Illuminating device for microscopes. Issued 11-2-37. (28)
2,097,577; All. Markes & Co. GmbH. Single phase alternating current motor. Issued 11-2-37. (28)
2,097,650; All. Drager Otto Heinrich. Device for detecting the presence of foreign gases or suspensions in air or gaseous medium. Issued 11-2-37. (28)
2,097,652; Vater Willy. Ball and cup game. Issued 11-2-37. (28)
2,097,726; All. I G Farbenindustrie A G. Process for the manufacture of sulphonic acids from aryl ethylenes and the products thereof. Issued 11-2-37. (28)
2,097,738; All. Toyo Cotton Mills Co Ltd. Skylight. Issued 11-2-37. (39)
2,097,740; All. Toho Kagakukogyo Kabushiki. Emergency stopping device for motor cars. Issued 11-2-37. (39)
2,097,747. All. Nihon Kogyo Kabushiki Kaisha. Reciprocating scraping machine. Issued 11-2-37. (39)
2,097,752; All. Leitz Ernst GmbH. Workshop microscope. Issued 11-2-37. (28)
2,097,762. All. Leitz Ernst. Microscope. Issued 11-2-37. (28)
2,097,814. Gotz Konrad. Mechanical toy. Issued 11-2-37. (28)
2,097,854. All. Sachsische Textilmaschinenfabrik. Combing machine for wool cotton and the like. Issued 11-2-37. (28)
2,097,926. Junghans Helmut. Mechanical time fuse having a centrifugal drive. Issued 11-2-37. (28)
2,097,931; Wenzl Richard. Air cooler. Issued 11-2-37. (28)
2,097,934. All. I G Farbenindustrie A G. Cyclopentadienone condensation compounds and process of making them. Issued 11-2-37. (28)
2,097,945; Zagorski Johann. Valve. Issued 11-2-37. (28)
2,097,971. All. I G Farbenindustrie A G. Process of producing an embossing roller for manufacturing lenticular film. Issued 11-2-37. (28)
2,097,[illegible]. All. Deutsche Erdo A G. Process of cracking hydrocarbons by means of [illegible]. Issued 11-2-37. (28)
2,098,012. Horii Shinjiro. Stencil sheet. Issued 11-2-37. (39)
2,[illegible]. Horii Shinjiro. Stencil sheet. Issued 11-2-37. (39)
2,098,132; All. Lindner Herbert. Mechanism for producing accurately pitched cutting on circular work. Issued 11-2-37. (28)
2,098,154; All. Telephon Apparat Fabrik E Zwietusch. Transfer device. Issued 11-2-37. (28)
2,098,159; All. Blagosch Karl. Cutting device. Issued 11-2-37. (28)
2,098,171; Van De Voorde Eugen. Impregnating and freshing up device for dry ink ribbons of typewriting machines. Issued 11-2-37. (28)
2,098,840; Thode Adolf. Nut lock. Issued 11-9-37. (28)
2,098,852; All. Naturin GmbH. Device for hardening structures produced from hide substance. Issued 11-9-37. (28)
2,098,862; Ebert Fritz et al; Ebert Erich. Safety razor with resilient detachable support. Issued 11-9-37. (28)
2,098,864; Forster Albert. Spur gear. Issued 11-9-37. (38)
2,098,889; Schmitz Carl. Separator with discharge of the centrifuged substance through a hollow spindle. Issued 11-9-37. (28)
2,098,895; Velten Wilhelm Lothar. Tamping machine. Issued 11-9-37. (28)
2,098,937; Brinkmann Heinrich. Ladle for casting fluid metal. Issued 11-16-37. (28)
2,099,045; Zoltos Georg. Method for charging high speed rotary furnaces. Issued 11-16-37. (28)
2,099,060; All. Wankerer Werke Vorm Winklhofer &. Calculating machine. Issued 11-16-37. (28)
2,099,079; All. I G Farbenindustrie A/G. Production of coarsely crystalline ammonium sulphate. Issued 11-16-37. (28)
2,099,278; Schimanek Emil. Internal combustion engine. Issued 11-16-37. (34)
2,099,284; Strelow Max; Strelow Wilhelm et al. Gas valve construction. Issued 11-16-37. (28)
2,099,266; Usbeck Christian. Paste cutting roller. Issued 11-16-37. (28)
2,099,320; Stelkens Willy. Method of uniting curved bodies including boots and shoes. Issued 11-16-37. (28)
2,099,327; Lange Fritz; Brasch Arno et al. Apparatus for producing extremely fast corpuscular rays. Issued 11-16-37. (28)
2,099,360; All. Nihon Denki Kogyo Kabushiki Kaisha. Process of producing pure alumina and crude potassium sulphate from alunite. Issued 11-16-37. (39)
2,099,365; All. Krauss Friedrich Emil. Linen wringing machine. Issued 11-16-37. (28)
2,099,385; Clamberlini Ugo. Pneumatic tachometer working independently of the external pressure. Issued 11-16-37. (38)
2,099,395; All. Lorenz C A G. System for high frequency transmissions. Issued 11-16-37. (28)
2,099,401; Jungmann Martin. Orthopedic correcting appliance. Issued 11-16-37. (6)
2,099,404; All. Kalle & Co A G. Light sensitive colloid layers and tanned pictures therefrom. Issued 11-16-37. (28)
2,099,449; All. Vereinigte Deutsche Metallwerke A G. Method of making dry cells. Issued 11-16-37. (28)
2,099,461; All. Monforts A. Fabric treating machine. Issued 11-16-37. (28)
2,099,589; Armbruster Ludwig. Skeleton structure. Issued 11-16-37. (28)
2,099,593; All. Buderus Sche Eisenwerke. Process for refining or separating electrically conductive liquids. Issued 11-16-37. (28)
2,099,602; Fischer Hellmuth. Luminescent glass. Issued 11-16-37. (28)
2,099,616; Muller Ludwig F; Zier Paul; Muck Otto et al. Time and zone metering device. Issued 11-16-37. (28)
2,099,641; Kurz Konrad; Bach Stefan et al. Gold leaf substitute. Issued 11-16-37. (28)
2,099,646; Busch Leo. Roll carrier for photographic strip film. Issued 11-16-37. (28)
2,099,699; Meininghaus Ulrich. Turbine. Issued 11-23-37. (28)
2,099,812; All. Koepp Rudolph Co Chemische. Manufacture of shaped products impermeable to moisture. Issued 11-23-37. (28)
2,099,968; Szikla Geza et al; Rozinek Arthur. Gas producer. Issued 11-23-37. (34)
2,099,976; All. I G Farbenindustrie A G. Manufacture of shaped articles. Issued 11-23-37. (28)
2,099,999; Bessert Christian. Slide pencil. Issued 11-23-37. (28)
2,100,037; Sandvoss Hermann. Thermostat. Issued 11-23-37. (28)
2,100,047; Plauson Hermann; Braun Karl et al. Process of manufacturing soap. Issued 11-23-37. (28)
2,100,063; All. Kalle & Co A G. Process for the production of tanned pictures. Issued 11-23-37. (28)
2,100,067; Sieber, Conrad; Cohn Henryk et al. Volumincusly swellable substance and process of making same from waxes. Issued 11-23-37. (28)
2,100,081; All. Madaus Dr & Co. Process for the production of preparations containing the active constituents of vegetable products. Issued 11-23-37. (28)
2,100,108; All. Universelle. Cigar bunch trimmer. Issued 11-23-37. (28)
2,100,134; All. I G Farbenindustrie A G. Apparatus for projecting lenticular film. Issued 11-23-37. (28)
2,100,138; Heldt Friedrich. Bristle for cleaning devices. Issued 11-23-37. (28)
2,100,139; Honda Kikutaro. Apparatus for giving drafts to cotton slivers. Issued 11-23-37. (39)
2,100,147; Oe' men Hans. Steering wheel. Issued 11-23-37. (28)
2,100,153; All. Vereinigte Stahlwerke A G. Iron sleeper. Issued 11-23-37. (28)
2,100,187; All. Porzellanfabrik Kahla. Entrance insulation for electrical conductors. Issued 11-23-37. (28)
2,100,194; Loef Jakob. Lifting truck. Issued 11-23-37. (28)
2,100,411. All. Vereinigte Leichtmetall Werke M B H. Method of increasing the corrosion resistance of aluminum alloys and products resulting therefrom. Issued 11-30-37. (28)
2,100,453; All. Fabbrica Italiana Magneti Marelli. Tuning dial for radio sets. Issued 11-30-37. (38)
2,100,588; All. Zellstoffabrik Waldhof. Manufacture of wool like artificial fibers. Issued 11-30-37. (28)

EXHIBIT A—VOLUME 4

Patents identified as follows, giving the number of the patent, the grantee's name, in some cases in abbreviated form, the title of the invention, the date of issue, and a code number [1] representing the nationality of the grantee, such code numbers having the following meanings:

6 Austria
28 Germany
34 Hungary
38 Italy
39 Japan
57 Rumania
11 Bulgaria

2,100,593; Hessel Georg et al; Maier Hans. Process of preparing a substance increasing the blood pressure. Issued 11-30-37. (28)
2,100,660; Greiner Max. Electromagnetic tool of the percussion type. Issued 11-30-37. (28)

[1] The code numbers throughout this Exhibit A, Volume IV appear in parenthesis.

2,100,666; Müller Alfred Ski binding. Issued 11-30-37. (28)
2,100,672; Odon Riszdorfer. Photographic camera. Issued 11-30-37. (34)
2,100,680; All. Emil Wirth Wirkmanschinenfabrik. Thread delivery device for warp knitting machines. Issued 11-30-37. (28)
2,100,775; All. Maschinenfabrik Augsburg Nurnberg. Welded box frame for vertical internal combustion engines. Issued 11-30-37. (28)
2,100,797; Dallenbach Walter. Electric discharge apparatus. Issued 11-30-37. (28)
2,100,798. All. I G Farbenindustrie A G. Condensation products of carbenium compounds and process of preparing the same. Issued 11-30-37. (28)
2,100,815; All. Durkoppwerke A G. Cutting device for buttonhole or other sewing machines. Issued 11-30-37. (28)
2,100,827; All. Chemische Fabrik Buckau. Process for the poduction of potassium formate. Issued. 11-30-37. (28)
2,101,030; Kunze Willy. Expansion plug for barrels and other tank fire tube and water tube boilers. Issued 12-7-37. (28)
2,101,213; Dichter Jakob. Machine for producing glass vessels from tubing. Issued 12-7-37. (28)
2,101,225; Rambold Adolf. Production of wrappers. Issued 12-7-37. (28)
2,101,232; All. Verpackungsbedarf GmbH. Filling machine. Issued 12-7-37. (28)
2,101,234; All. Maschinenfabrik Augsburg Nurnberg. Sluice gate. Issued 12-7-37. (28)
2,101,253; All. Patentverwertung Dr Martin. Process for producing artificial threads fibers and the like. Issued 12-7-37. (28)
2,101,267; Nestler Edmund. Humidifier. Issued 12-7-37. (28)
2,101,286; Theunissen Heinrich. Method of producing double warp pile fabrics with figured backs. Issued 12-7-37. (28)
2,101,386; All. Norddeutsche Seekabelwerke A G. Submarine signaling cable. Issued 12-7-37. (28)
2,101,390; All. Vorwerk & Co. Blower for vacuum cleaners. Issued 12-7-37. (28)
2,101,395; Kato Etsuro. Operating apparatus for flyer frames. Issued 12-7-37. (39)
2,101,404; Mahle Ernst. Chill mold. Issued 12-7-37. (28)
2,101,409; Nier Bruno. Storm lantern. Issued 12-7-37. (28)
2,101,419; All. Klangfilm GmbH Recording of electrical impulses. Issued 12-7-37. (28)
2,101,423; Beck Stefan. Furnace. Issued 12-7-37. (34)
2,101,446; Neiman Abram. Safety locking device. Issued 12-7-37. (28)
2,101,460; Schmidt Ulrich. Sound-muffling device. Issued 12-7-37. (28)
2,101,511; Rohm Otto. Sole leather and process of preparing the same. Issued 12-7-37. (28)
———:[1] All. Atlas Werke A G. Means for mounting submarine signaling apparatus. (28)
2,101,939; All. Hydro Groeck GmbH. Cooking or extracting process. Issued 12-14-37. (28)
2,101,943; All Kulmbacher Spinnerei. Method of manufacturing yarns. Issued 12-14-37. (28)
2,101,958; Sachsenroder Gustav. Artificial sausage casing and process for making same. Issued 12-14-37. (28)
2,101,967; Walterspiel Alfred. Roasting toasting grilling and cooking apparatus. Issued 12-14-37. (28)
2,101,973; All. Maschinenfabrik Augsburg Nurnberg. Double walled sluice gate. Issued 12-14-37. (28)

[1] So in original document.

2,102,101; Takamiya Etsuo. Process of preparing fat and oil splitting enzyme from plant seeds. Issued 12-14-37. (39)
2,102,121; All. Junkers Hugo Dec. Free piston engine. Issued 12-14-37. (28)
2,102,151; All. Asahi Garasu Kabushiki Kaisha. Method of manufacturing metallic sodium. Issued 12-14-37. (39)
2,102,202; All. Mauser Werke A. G. Differential feed device for sewing machines. Issued 12-14-37.* (28)
2,102,224; Ruppel Ernst. Electric lamp. Issued 12-14-37. (28)
2,102,241; Stroher Georg. Hair waving appliance. Issued 12-14-37. (28)
2,102,307; Chwala August et al; Waldmann Edmund; Martina Aldo. Process for preparing oil varnishes. Issued 12-14-37. (6)
2,102,315; All. Karreth August. Process of preparing an enzyme from mold. Issued 12-14-37. (28)
2,102,487; All. Metallwerk Alfred Schwarz GmbH. Defrosting screen. Issued 12-14-37. (28)
2,102,506; Bland Frederick Oliver Smith. Freezing medium method of production and application for freezing purposes. Issued 12-14-37. (28)
2,102,591; Hagemeier Heinrich. Dental syringe. Issued 12-21-37. (28)
2,102,630; Kretdl Ignaz. Clouded vitreous enamel. Issued 12-21-37. (6)
2,102,637; Meininghaus Ulrich. Arrangement of radially traversed blades in rotary machines. Issued 12-21-37. (28)
2,102,753; All. Klangfilm GmbH. Recording of electrical impulses. Issued 12-21-37. (28)
2,102,907; All. Deutsche Getriebe GmbH. Damping the oscillations of vehicles in particular rail vehicles. Issued 12-21-37. (28)
2,102,933; All. Shozaburo Hashno. Spinning liquor for artificial silks. Issued 12-21-37. (39)
2,102,951; All. Lorenz C AKG. Generator of electric relaxation oscillations. Issued 12-21-37. (28)
2,102,953; All. Nix & Genest AKG. Automatic telephone system. Issued 12-21-37. (28)
2,102,977; Porsche Ferdinand Universal joint. Issued 12-21-37. (28)
2,104,080; Karageorgieff Christoph. Tapping and refill controlling device. Issued 1-4-38. (6)
2,104,157; Forcella Pietro. Rail joint. Issued 1-4-38. (38)
2,104,160; Hengel Karl. Adjusting device in particular electrical condenser. Issued 1-4-38. (28)
2,104,170; All. Klangfilm GmbH. Sound recording device. Issued 1-4-38. (28)
2,104,213; All. Voith J M. Hydraulic forward and reverse drive. Issued 1-4-38. (28)
2,104,295; De Varda Giuseppe. Process for recovery of calcium phosphate alumina and potassium values from their insoluble minerals. Issued 1-4-38. (38)
2,104,299; All. Dampfwerk Achten Ges Des Naxos. Machine tool. Issued 1-4-38. (28)
2,104,325; Juffa Wilhelm. Mixing pipette. Issued 1-4-38. (28)
2,104,365; Fuchs Karl. Steerable and reversible toy vehicle. Issued 1-4-38. (28)
2,104,372; Matthies August. Reclining couch for use in motor vehicles. Issued 1-4-38. (28)
2,104,378; Pychlau Herbert. Output does meter. Issued 1-4-38. (28)
2,104,421; All. Bohme Fettchemie Ges MbH. Production of amines of high molecular—[1] Issued 1-4-38. (28)
2,104,427; Kreidl Alexander. Method of pretreating iron surfaces. Issued 1-4-38. (6)
2,104,443; Szego Stephan. Floor roof and like structures. Issued 1-4-38. (28)
2,104,454; All. Enzinger Union Werke A G. Filling device. Issued 1-4-38. (28)
2,104,497; Shulte Fritz. Automatic vending machine. Issued 1-4-38. (28)
2,104,508; Demeter Ladislaus. Fuse for hand grenades and projectiles. Issued 1-4-38. (34)
2,104,510; Einfalt Georg. Toy railway. Issued 1-4-28. (28)
2,104,517; Heerde Alfred. Rotary engine with gyratory piston. Issued 1-4-38. (28)
2,104,533; Von Kramolin Leon Ladislaus. Method and means for controlling gas filled tubes. Issued 1-4-38. (28)
2,104,613; All. Schmidt Sche Heissdampf. Apparatus for generating steam. Issued 1-4-38. (28)
2,104,666; Molnar Sandor. Easy chair or the like convertible into couch divan bed or the like. 1-4-38. (34)
2,104,728; All. Bohme Fettchemie GmbH Wetting and dispersing agents and process of making the same. Issued 1-11-38. (28)
2,104,973; Dassler Adolf. Galvanic battery. Issued 1-11-38. (28)
2,105,035; All. Freudenberg Carl GmbH. Process for the manufacture of spun goods fabrics and the like. Issued 1-11-38. (28)
2,105,036; All. Freudenberg Carl GmbH. Process for the manufacture of spun goods fabrics and other textiles. Issued 1-11-38. (28)
2,105,080; Jagschitz Konrad. Method of erecting collapsible gasholders. Issued 1-11-38. (28)
2,105,098; Schlumbohm Peter. Refrigerating process. Issued 1-11-38. (28)
2,105,140; All. Maschinenfabrik Carl Zangs A G. Cross winding machine. Issued 1-11-38. (28)
2,105,166; Schwarzkopf Paul. Electrical heating element. Issued 1-11-38. (6)
2,105,249; All. Dresden Leipziger Schnellpressen. Copper plate printing machine. Issued 1-11-38. (28)
2,105,261; Pohler Bruno. Cylinder machine. Issued 1-11-38. (28)
2,105,271; Schleiffer Carlo. Wharve for spindles for spinning twisting winding and similar machines. Issued 1-11-38. (38)
2,105,283; All. Degea A G Auergesellschaft. Heat resistant alloys. Issued 1-11-38. (28)
2,105,287; Lewy Hermann. Collar stud to be sewn. Issued 1-11-38. (28)
2,105,291; Maul Michael. Record card controlled machine. Issued 1-11-38. (28)
2,105,292; Nier Bruno. Hurricane lantern. Issued 1-11-38. (28)
2,105,381; Steiner Eugen. Insole arch support. Issued 1-11-38. (57)
2,105,394; All. Soc Italiana Pirelli. Manufacture of zinc oxide. Issued 1-11-38. (38)
2,105,423; Junghans Helmut. Detonator. Issued 1-11-38. (28)
2,105,429; All. Maybach Motorenbau GmbH. Clutch operating means on motor vehicles. Issued 1-11-38. (28)
2,105,432; Nier Bruno. Storm lantern. Issued 1-11-38. (28)
2,105,434; All. Auto Union A G. Motor vehicle. Issued 1-11-38. (28)
2,105,529; All. Klangfilm GmbH Speed control system. Issued 1-18-38. (28)
2,105,534; All. Lorenz C A G. Radio receiving arrangement. Issued 1-18-38. (28)
2,105,537; All. Lorenz C A G. Signaling method and arrangement therefor. Issued 1-18-38. (28)
2,105,553; Schroter Hans O; Schroter Kurt et al. Chassis of vehicles. Issued 1-18-38. (28)
2,105,604; Leyhausen Wilhelm. Electromagnetic overload circuit breaker. Issued 1-18-38. (28)
2,105,625; Wichtendahl Rudolf. Hydraulically actuated friction clutch. Issued 1-18-38. (28)

2,105,628; All. Leitz Ernst GmbH. Film loading casette. Issued 1-18-38. (28)
2,105,630; All. Leitz Ernst GmbH. Photographic film camera. Issued 1-18-38. (28)
2,105,631; Becker Helmut. Motion picture camera. Issued 1-18-38. (28)
2,105,661; All. Klangfilm GmbH. Multiplex film phonograph. Issued 1-18-38. (28)
2,105,698; All. I G Farbenindustrie A G. Apparatus for projecting picture or sound films. Issued 1-18-38. (28)
2,105,710; Wadel Josef. Casing for suppositories. Issued 1-18-38. (28)
2,105,782; All. Verwertung Gauth Scher Patent. Apparatus for dehydrating oil containing material having a high water content particularly whale flesh. Issued 1-18-38. (28)
2,105,787; Herpich Carl. Traveling or like rug. Issued 1-18-38. (28)
2,105,799; All. Schneider Jos Anc Do Optotechnische. Photographic objective. Issued 1-18-38. (28)
2,105,961; Andreini Michele. Carriage for roentgen apparatus. Issued 1-18-38. (38)
2,106,010; Mariotti Alberto, Ciarrocchi Igino; Levi Mario Giacomo et al. Process of purification and regeneration of used lubricating oils. Issued 1-18-38. (38)
2,106,028; All. Bloch Julius. Closure for tubes and the like. Issued 1-18-38. (28)
2,106,032; Lange Emil. Arc rupturing device for electric switches. Issued 1-18-38. (28)
2,106,077; All. Schneider Jos and Co. Corrected objective. Issued 1-18-38. (28)
2,106,111; All. I G Farbenindustrie A G. Manufacture of alkali cellulose. Issued 1-18-38. (28)
2,106,126; All. Volmer Prof Dr Max. Electrode for open arc lamps. Issued 1-18-38. (28)
2,106,199; All. Faber and Schleicher A G. Sheet delivery device and method. Issued 1-25-38. (28)
2,106,221; Luschenowsky Alexander. Process for the refinement of magnesium and magnesium alloys. Issued 1-25-38. (28)
2,106,259; All. Vereinigte Leichtmetallwerke GmbH. Coated aluminum product. Issued 1-25-38. (28)
2,106,358; Ohnesorge Otto. Rope transmission. Issued 1-25-38. (28)
2,106,372; Ezaki Selichi. Process of producing powdered cocoa substitute. Issued 1-25-38. (39)
2,106,382; Schmidt Karl. Process and composition for dyeing with aniline black. Issued 1-25-38. (28)
2,106,393; All. I G Farbenindustrie A G. Oxygen emergency apparatus with closed respiratory circuit. Issued 1-25-38. (28)
2,106,418; Wagner Hans. Car ventilator. Issued 1-25-38. (28)
2,106,424; Einfalt Georg. Traffic line toy. Issued 1-25-38. (28)
2,106,428; All. Elektricitatsgesellschaft Sanitas. Diathermic apparatus with quenched spark gap. Issued 1-25-38. (28)
2,106,429; All. Elektricitatsgesellschaft Sanitas. Electrotherapeutic apparatus. Issued 1-25-38. (28)
2,106,440; Smith Ewen Ross. Apparatus for the forming of thick paper articles such as barrels tubs plates and the like. Issued 1-25-38. (28)
2,106,441; All. Universelle Cigarettenmaschinen. Apparatus for placing wrappers on the rolling apron of a cigar rolling device. Issued 1-25-38. (28)
2,106,465; All. I G Farbenindustrie A G. Mercapto thiazole derivatives. Issued 1-25-38. (28)
2,106,609; Krauss Friedrich Emil. Centrifugal extractor. Issued 1-25-38. (28)
2,106,807; Brunhuber Rudolf C; Locke Karl et al. Zero resetting mechanism for registers. Issued 2-1-38. (28)
2,106,869; Barthelmess Emil C; Falkenstein Engelbert et al. Drier for granular and like materials. Issued 2-1-38. (28)

2,106,914; L Orange Prosper. Internal combustion engine. Issued 2-1-38. (28)
2,106,938; All. Ruhrchemie A G. Fireproofing of wood. Issued 2-1-38. (28)
2,106,939; All. Junkers Flugzeug und Motorenwerke. Crankcase for internal combustion engines. Issued 2-1-38. (28)
2,106,953; Ludwig Richard. Cross folding machine. Issued 2-1-38. (28)
2,106,956; Nakamura Uhei. Device for supporting steam pipe lines. Issued 2-1-38. (39)
2,106,991; All. Pannonia Baranybornemesito Es. Machine for smoothing and combing skins and the like. Issued 2-1-38. (34)
2,107,009; Mahle Ernst. Apparatus for molding strut pistons. Issued 2-1-38. (28)
2,107,101; Bredtschneider Walter. Indirect generating of superheated steam. Issued 2-1-38. (28)
2,107,218; Scharfenberg Karl. Automatic car coupler. Issued 2-1-38. (28)
2,107,260; All. Nippon Gaishi Kabushiki Kaisha. Corrosion resisting pump and blower. Issued 2-1-38. (39)
2,107,358; Aghito Marco. Safety razor. Issued 2-8-38. (38)
2,107,359; All. Mauser Werke A. G. Barrel-holding device for automatic pistols. Issued 2-8-38. (28)
2,107,363; Binder Anna. Climbing device for skis. Issued 2-8-38. (28)
2,107,372; Edenburg Josef. Friction wheel pocket lighter. Issued 2-8-38. (6)
2,107,374; All. Wanderer Werke Vorm Winklhofer. Device for calculating machines accounting machines writing and like machines. Issued 2-8-38. (28)
2,107,378; Kato Etsuro. Fine spinning frame. Issued 2-8-38. (39)
2,107,478; Happel Otto. Air cooled surface condenser. Issued 2-8-38. (28)
2,107,549; Schmalfeldt Hans. Process for the reduction of fine iron ores. Issued 2-8-38. (28)
2,107,607; Gobel Kraft. Machine for treating resilient material. Issued 2-8-38. (28)
2,107,676; Neumann Friedrich. Awning. Issued 2-8-38. (28)
2,107,701; All. Preussische Bergwerks und Hutten A. G. Method of manufacturing granulated potassium fertilizers from potassium sulphate or from sulphate of potassium and magnesium. Issued 2-8-38. (28)
2,107,702; All. Preussische Bergwerks und Hutten A. G. Improved method of manufacturing an agglomerated potassium chloride fertilizer. Issued 2-8-38. (28)
2,107,785; All. Schwarz Gustav GmbH. Variable-pitch propeller for aircraft. Issued 2-8-38. (28)
2,107,797; Messer Adolf. Apparatus for producing and storing oxygen. Issued 2-8-38. (28)
2,107,807; Suida Herman et al; Nowak Alfred; Poll Hans. Process for separating mineral oil products. Issued 2-8-38. (6)
2,107,814; Billand Carl. Molding by sand blowing. Issued 2-8-38. (28)
2,107,819; Ferber Ernst. Vacuum cleaner. Issued 2-8-38. (28)
2,107,830; Liebesny Paul et al; Werthelm Hugo. Method of influencing enzymes and technically useful micro organisms and the like. Issued 2-8-38. (6)
2,107,845; Albert Carl. Ash receptacle. Issued 2-8-38. (28)
2,107,878; Strauss Siegmund. Safety buckle. Issued 2-8-38. (6)
2,107,959; All. I G Farbenindustrie A G. Manufacture of artificial articles from fibrein solutions. Issued 2-8-38. (28)
2,107,960; Schuster Fritz. Matting process. Issued 2-8-38. (28)
2,107,966; Taguchi Junzo. Attachment for artificial teeth. Issued 2-8-38. (39)
2,107,985; All. Schubert and Salzer. Straight knitting machine. Issued 2-8-38. (28)

2,108,019; All. I G Farbenindustrie A G. Method of producing colored smoke. Issued 2-8-38. (28)
2,108,338; Juchheim Erich. Thermostat. Issued 2-15-38. (28)
2,108,340; Ikawa Shunichi; Kondo Helzaburo et al; Kobayashi Yoshito. Desacetyl pseudo bufotalin haloid and method of preparing same. Issued 2-15-38. (39)
2,108,359; All. Fiat SA. Lock for automobile doors. Issued 2-15-38. (38)
2,108,361; Asakawa Yukichi. Apparatus for manufacturing luster-free rayon. Issued 2-15-38. (39)
2,108,380; Lentschewsky Boris. Peripheral sealing means for tanks. Issued 2-15-38. (28)
2,108,385; Murakami Masasuke. Rotary engine. Issued 2-15-38. (39)
2,108,387; Nardelli Nelio. Viscous waterproof and insulating composition with a basis of rubber to be used hot or cold. Issued 2-15-38. (38)
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2,108,437; All. Mix & Genest A G. Automatic telephone system. Issued 2-15-38. (28)
2,108,468; All. I G Farbenindustrie A G. Preparation of high molecular sulphur-containing plastics. Issued 2-15-38. (28)
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2,108,568; Takata Akira. Hemp-dressing machine. Issued 2-15-38. (39)
2,108,569; Togami Nobufumi. Electric hair clipper. Issued 2-15-38. (39)
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2,108,924; All. Fabbrica Italiana Magneti. Ignition magneto. Issued 2-22-38. (38)
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2,109,307; All. I G Farbenindustrie A G. Process of making wool-like artificial fibers. Issued 2-22-38. (28)
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2,110,954; Grossman Gustav. Apparatus for making radiographs. Issued 3-15-38. (28)
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2,111,829; Winterer Franz et al; Stadler Karl. Orientation compass. Issued 3-22-38. (6)
2,111,883; Burghauser Franz. Pump. Issued 3-22-38. (28)
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2,111,889; All. Junkers Flugzeug und Motorenwerke. Wind brake for aircraft. Issued 3-22-38. (28)
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2,112,578; Rohrig Hans. Sheathed electric Issued 3-29-38. (28)

[1] So in original document.

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2,112,934; Lebedenko Nikosaus. Stinne: Hanns Heinz et al. Swash plate drive system and the like. Issued 4-5-38. (28)
2,112,965; All. Siemens apparate und Maschinen. Regulator for aircraft driving gears. Issued 4-5-38. (28)
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2,113,096; Rocca Enrico. Device for drying compacting gauging and polishing pipes and casings of fibrocement and similar material. Issued 4-5-38. (38)
2,113,142; Randall Harry. Method for the production of grinding rings and grinding cylinders from emery and a binding medium of raw rubber. Issued 4-5-28. (28)
2,113,147; All. Barmer Maschinenfabrik A G. Gear pump especially for artificial silk spinning machines. Issued 4-5-38. (28)
2,113,149; All. Salge Willy & Co Technische Ges. Valve gear. Issued 4-5-38. (28)
2,113,197; All. Oesterr Ung Optische Anstalt C P. Angle value transmitting device. Issued 4-5-38. (6)
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2,113,320; Fend Kurt. Selective multiple lead pencil. Issued 4-5-38. (28)
2,113,338; Wohldorf Hans. Vehicular coupling. Issued 4-5-38. (28)
2,113,407; All. Leitz Ernst GmbH. Image erecting prism telescope for photographic purposes. Issued 4-5-38. (28)
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2,113,475; Faber Ernst. Polishing machine. Issued 4-5-38. (28)
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2,113,525; Wirth Emil Wirkmaschinenfabrik. Rib warp frame. Issued 4-5-38. (28)
2,113,559; All. Siemens Schuckertwerke A G. Steam generator. Issued 4-12-38. (28)
2,113,583; Finzel Herrmann. Upsetting apparatus. Issued 4-12-38. (28)
2,113,614; Dornbusch Paul. Leather printing and tipping machine. Issued 4-12-38. (28)
2,113,668; Tessky Karl. Lather. Issued 4-12-38. (28)
2,113,670. Cleff Wilhelm. Apparatus for producing plastic surfaces on wood. Issued 4-12-38. (28)
2,113,685; Micheluzzi Fu Leopoldo Mario. Rotary vehicle. Issued 4-12-38. (38)
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2,114,782; Kohler Gunther Erich. Apparatus for treating metal sheets in liquids. Issued 4-19-38. (28)
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2,115,108; Horn Ernst. Electric track for toy vehicles. Issued 4-26-38. (28)
2,115,185; All. Lorenz C A G. Printing telegraph transmitter. Issued 4-26-38. (28)
2,115,198; All. I G Farbenindustrie A G. Engraving roller for the manufacture of lenticular film. Issued 4-26-38. (28)
2,115,315; All. Muller Heinrich. Toy or amusement device. Issued 4-26-38. (28)
2,115,333; Isaac Minna. Arm shield for dresses. Issued 4-26-38. (28)
2,115,436; Utsunomiya Kenzp. Electric arc breaker. Issued 4-26-38. (39)
2,115,460; All. Plon Johannes. Sliding comb. Issued 4-26-38. (28)
2,115,461; All. Junkers Flugzeug und. Polishing machine. Issued 4-26-38. (28)
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2,115,682; All. Lechler Paul. Expansion joint. Issued 4-26-38. (28)
2,115,725; Koch Paul. Rotary printing machine. Issued 5-3-38. (28)
2,115,737; Menschner Johannes. Process and apparatus for measuring running webs. Issued 5-3-38. (28)
2,115,746; Peyinghaus Walter. Lubricated axle bearing. Issued 5-3-38. (28)
2,115,767; Gruttmann Franz. Control stamp. Issued 5-3-38. (28)
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2,115,829; All. Universelle Cigarettenmaschinen. Cigar-making machine. Issued 5-3-38. (28)
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2,116,015; All. Triton Belco A G. Sanitary basin and the like. Issued 5-3-38. (28)

2,116,027; Kolbe Joachim. Motor vehicle. Issued 5-3-38. (28)
2,116,037; Nonaka Sueto. Parachute. Issued 5-3-38. (39)
2,116,083; Rusch Willy. Rubber tube for medical use. Issued 5-3-38. (28)
2,116,112; All. Telefunken ges fur Drahtlose Magnetron discharge tube circuit. Issued 10-1-40. (28)
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2,116,205; Kaufmann Hans. Transfer for applying designs to wood and other surfaces. Issued 5-3-38. (28)
2,116,266; All. Norddeutsche Seekabelwerke A G. Insulating joint for electric cables. Issued 5-3-38. (28)
2,116,267; All. Felten & Guilleaume Carlswerke A G. Conductor with air space insulation. Issued 5-3-38. (28)
2,116,268; All. Felten & Guilleaume Carlswerke A G. High frequency conductor. Issued 5-3-38. (28)
2,116,273; Matuenaga Yonosuke. Aluminum alloy. Issued 5-3-38. (39)
2,116,274; Matuenaga Yonosuke. Aluminum alloy. Issued 5-3-38. (39)
2,116,275; Matuenaga Yonosuke. Aluminum alloy. Issued 5-3-38. (39)
2,116,277; All. Felten & Guilleaume Carlswerk A G. Sealing insertion. Issued 5-3-38. (28)
2,116,291; Tsuchiya Inosuke. Lawn rake. Issued 5-3-38. (39)
2,116,293; Weitkowitz Franz. Device adapted to loudspeakers telephones or relays. Issued 5-3-38. (28)
2,116,332; Weiss Hugo. Method for bleaching cotton and analogous textile fibers. Issued 5-3-38. (28)
2,116,355; All. Nationale de Matieres Colorantes et. Disazod cystuffs and their production. Issued 5-3-38. (28)
2,116,399; Marth Paul. Process for making shaped bodies from hard substances. Issued 5-3-38. (28)
2,116,400; Marth Paul. Hard substance alloy. Issued 5-3-38. (28)
2,116,446; All. Jidosha Koki Kabushiki Kaisha. Apparatus to open or shut the doors of automobiles. Issued 5-3-38. (38)
2,116,461; Fottinger Hermann. Hydraulic transmission gear. Issued 5-3-38. (28)
2,116,636; Neumann Georg. Device for indicating the amount of material in a tank. Issued 5-10-38. (28)
2,116,640; All. Chemische Fabrik Theod Rotta. Production of molecular compounds. Issued 5-10-38. (28)
2,116,705; Moglich Otto. Marx Franz et al. Pipe joint. Issued 5-10-38. (28)
2,116,841; Mauser Karl Wilhelm. Closure for packing containers. Issued 5-10-38. (28)
2,116,893; All. I G Farbenindustrie A G. Process of chlorinating and brominating carbonyl compounds. Issued 5-10-38. (28)
2,116,953; Sambraus Adolf. Airplane structure. Issued 5-10-38. (28)
2,116,956; Vorwerk Wilhelm. Antislip device for footwear. Issued 5-10-38. (28)
2,116,990; Watanabe Yoshito. Selector apparatus. Issued 5-10-38. (39)
2,117,036; All. Maschinenfabrik Augsburg Nurnberg. Engine frame. Issued 5-10-38. (28)
2,117,113; All. Hansa Muhle A G. Continuous oil extracting apparatus. Issued 5-10-38. (28)
2,117,132; Baermann Max Jr. Releasable permanent magnet holding device. Issued 5-10-38. (28)
2,117,152; Crisci Pietro. Pipe joint. Issued 5-10-38. (38)
2,117,158; All. Freyberg Ernst Chemische Fabrik. Method of exterminating corn beetles and other vermin. Issued 5-10-38. (28)
2,117,177; Kell Kornel. Production of bitumen. Issued 5-10-38. (28)
2,117,179; Kopp Peter. Apparatus for production of molded articles. Issued 5-10-38. (28)
2,117,216; Ruthardt Gustav. Sparking plug. Issued 5-10-38. (28)
2,117,235; All. Triumph Werke Nuernberg A G. Typewriter. Issued 5-10-38. (28)
2,117,280; Alexander Oskar Martin. Track body. Issued 5-17-38. (28)
2,117,281; All. Soc an Finanziaria Fiammiferi. Manufacture of match bocks. Issued 5-17-38. (38)
2,117,340; All. P I V Ketten und Getriebe GmbH. Stepless change gear. Issued 5-17-38. (28)
2,117,363; All. Nototyp Rundstatler GmbH. Music typewriter. Issued 5-17-38. (28)
2,117,507; Schneider Ferdinand. Contact device for electric master clocks. Issued 5-17-38. (28)
2,117,508; Schneider-Ferdinand. Electrically driven master clock. Issued 5-17-38. (28)
2,117,523; Strohl Walter August. Automatic barrel treating machine. Issued 5-17-38. (28)
2,117,593; Backofen Fritz. Damping roll tor lithographing presses. Issued 5-17-38. (28)
2,117,626; All. I G Farbenindustrie A G. Process of preparing sulphamides. Issued 5-17-38. (28)
2,117,631; All. I G Farbenindustrie A G. Process of softening water. Issued 5-17-38. (28)
2,117,655; Deghenghi Milan. Support for tubular tungsten filament lamps. Issued 5-17-38. (6)
2,117,675; Negishi Eizaburo. High speed spinning machine. Issued 5-17-38. (39)
2,117,694; All. Leitz Ernst GmbH. Shutter mechanism for moving picture cameras. Issued 5-17-38. (28)
2,117,732; All. Gemeinert Horst. Method of and device for shaping shoe uppers. Issued 5-17-38. (28)
2,117,734; All. Leitz Ernst GmbH. Exposure meter. Issued 5-17-38. (28)
2,117,737; All. Leitz Ernst GmbH. Illuminating means for projection apparatus. Issued 5-17-38. (28)
2,117,738; All. Vereinigte Deutsche Metallwerke A G. Packing for perishable victuals. Issued 5-17-38. (28)
2,117,819; Okada Jiro. Apparatus for filling high pressure gas containers. Issued 5-17-38. (39)
2,117,826; All. Mauser Werke A G. Firearm. Issued 5-17-38. (28)
2,117,848; All. Lorenz C A G. Direction finding method. Issued 5-17-38. (28)
2,117,856; All. Lorenz C A G. Method of producing iron cores for electromagnetic coils. Issued 5-17-38. (28)
2,117,863; Szekely Georg. Electrically driven compressor. Issued 5-17-38. (6)
2,118,005; All. Norddeutsche Kabelwerke A. G. Electric cable. Issued 5-17-38. (28)
2,118,047; Kreidl Ignaz. White clouded vitreous enamel. Issued 5-24-38. (6)
2,118,078; Flugel Heinrich. Drying method and apparatus. Issued 5-24-38. (28)
2,118,193; Griesel Heinrich. Building construction. Issued 5-24-38. (28)
2,118,203; Junghans Helmut. Alarm clock. Issued 5-24-38. (28)
2,118,205; Klone Kurt. Apparatus for briquetting metal shavings. Issued 5-24-38. (28)
2,118,235; Satake Iwajiro. Broom or rake. Issued 5-24-38. (39)
2,118,285; All. Deutsche Edelstahlwerke A G. Composite permanent magnets of mixed comminuted alloys. Issued 5-24-38. (28)
2,118,317; All. Junkers Flugzeug und Motorenwerke. Machining of engine cylinder liners. Issued 5-24-38. (28)
2,118,387; All. Lindner Herbert. Drilling spindle drive for vertical drilling machines. Issued 5-24-38. (28)
2,118,421; Steinmann Wilhelm. Apparatus for treating animal material. Issued 5-24-38. (28)
2,118,424; Watanabe Yoshito. Relay system for measuring the time of the continuous flow of an electric current. Issued 5-24-38. (39)
2,118,518; Neumann Georg. Distance measuring system. Issued 5-24-38. (28)
2,118,519; Noack Franz. Color film. Issued 5-24-38. (28)
2,118,662; All. I G Farbenindustrie A G. Production of ethyl chloride. Issued 5-24-38. (28)
2,118,696; All. Junkers Flugzeug und Motorenwerke. Aluminum alloy. Issued 5-24-38. (28)
2,118,713; All. I G Farbenindustrie A G. Manufacture of nitrogen containing derivatives of polymerized vinyl esters of halogen fatty acids. Issued 5-24-38. (28)
2,118,766; All. Edeleanu GmbH. Treatment of hydrocarbon oils using sulphonyl halides. Issued 5-24-38. (28)
2,118,771; All. Edeleanu GmbH. Solvent treatments of naphthas and the like. Issued 5-24-38. (28)
2,118,772; All. Edeleanu GmbH. Treatment of hydrocarbons with chromylchloride. Issued 5-24-38. (28)
2,118,802; All. Zahn and Co GmbH. Method of conserving pickling liquor. Issued 5-31-38. (28)
2,118,877; Arx Rudolf Von. Mordant dye image and process of producing the same. Issued 5-31-38. (28)
2,118,893; All. Felten and Guilleaume. Jointing of tubes of thermoplastic material. Issued 5-31-38. (28)
2,118,901; All. I G Farbenindustrie A G. Manufacture of fluorohydrocarbons. Issued 5-31-38. (28)
2,118,907; All. Peltenand Guilleaume Carlswerk. Multicore high frequency conductor. Issued 5-31-38. (28)
2,118,909; All. Krafft and Weichardt. Apparatus for manipulating aircraft landing sails. Issued 5-31-38. (28)
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2,118,929; All. Lorenz C A G. Submarine beacon. Issued 5-31-38. (28)
2,118,934; Madzar Rudolf. Artificial tooth. Issued 5-31-38. (6)
2,118,947; Schimanek Emil. Carburetor. Issued 5-31-38. (34)
2,118,963; Beria Biagio. Ribbon feed mechanism. Issued 5-31-38. (38)
2,118,978; All. Maybach Motorenbau GmbH. Gear changing device for motor vehicles. Issued 5-31-38. (28)
2,119,064; Watanabe Yoshito. Automatic telegraph receiving machine. Issued 5-31-38. (39)
2,119,065; Zaeckel Johann Heinrich. Motor control system. Issued 5-31-38. (28)
2,119,076; All. Maybach Motorenbau GmbH. Instrument for measuring elongation. Issued 5-31-38. (28)
2,119,104; All. Hirth Motoren GmbH. Engine structure. Issued 5-31-38. (28)
2,119,121; Steinlein Gustav. Two-cycle combustion engine. Issued 5-31-38. (28)
2,119,158; Frey Karl. Metallic packing. Issued 5-31-38. (28)
2,119,169; All. Knorr Bremse A G. Compressed operated gun loading device. Issued 5-31-38. (28)
2,119,175; Niederdrenk Paul. Door lock. Issued 5-31-38. (28)
2,119,189; Sedlmayr Gerhard. Parachute. Issued 5-31-38. (28)

2,119,190; Wieneke Hans. Method of reproducing engraved drawings. Issued 5-31-38. (28)
2,119,295; All. Klingelnberg W. Ferd Sohne. Machine for generating gears. Issued 5-31-38. (28)
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2,119,374; Wulff Peter et al. Kordatski Willy. Method of and apparatus for measuring electric values. Issued 5-31-38. (28)
2,119,375; All. Leitz Ernst GmbH. Photographic film camera. Issued 5-31-38. (28)
2,119,465; All. Harburger Gummiwaren Fabrik. Method of manufacturing commercial rubber tubes or fabric hose. Issued 5-31-38. (28)
2,119,523; All. Bohme A. G. H. Th. Pyrophosphate ester bleaching agent. Issued 6-7-38. (28)
2,119,625; All. Nippon Kanagu Kabushiki Kwaisha. Safety apparatus of a door closer. Issued 6-7-38. (39)
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2,119,649; Rossen Rudolf. Sound producer. Issued 6-7-38. (28)
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2,119,816; Iida Koji. Butterfly valve. Issued 6-7-38. (39)
2,119,819; List Heinrich. Brake. Issued, 6-7-38. (28)
2,119,822; Maychara Toichiro. Process for manufacturing a powdered product from mucilaginous substance of eel. Issued 6-7-38. (39)
2,119,863; Van Kempen Peter Anton. Machine for measuring and marking sheets of material. Issued 6-7-38. (28)
2,119,872; All. Chemische Fabrik Grunau Landshoff &. Higher molecular substituted protein cleavage products and methods for their preparation. Issued 6-7-38. (28)
2,119,904; Caprotti Arturo. Variable valve lift for oscillating valve gears. Issued 6-7-38. (38)
2,119,920; Konigsmann Herbert. Flask for dental purposes. Issued 6-7-38. (28)
2,119,922; Lutz Alfred. Carburetor. Issued 6-7-38. (28)
2,119,926; All. Lowit & Comp Firm. Collapsible tube container. Issued 6-7-38. (6)
2,119,928; All. Olympia Buromaschinen Werke A G. Noise-damping device for power-driven typewriters. Issued 6-7-38. (28)
2,119,951; Dunnebier Max. Process and apparatus for the manufacture of envelopes bags and similar articles. Issued 6-7-38. (28)
2,119,996; Massholder Edgar. Locking device with a plurality of latches. Issued 6-7-38. (28)
2,120,004; All. Daimler Benz A G. Cooling arrangement for internal combustion engines. Issued 6-7-38. (28)
2,120,154; Wehr Georg Schildgen Georg et al. Axial-thrust ball bearing. Issued 6-7-38. (28)
2,120,178; Hausrath Herbert. Electromagnet Device. Issued 6-7-38. (28)
2,120,333; All. Nihon Magnesium Kabushiki Kaisha. Die casting apparatus. Issued 6-14-38. (39)
2,120,394; Dastner Erich. Tree-felling device. Issued 6-14-38. (28)
2,120,397; Durr Fritz. Dust aspirator. Issued 6-14-38. (28)
2,120,415; Meyer Gustav. Coupling device for motor lorry trains. Issued 6-14-38. (28)
2,120,416; Renck Carl et al; Renck Hens Hermann Heinrich. Process of manufacturing chemical picture carriers. Issued 6-14-38. (28)
2,120,492; All. Werth Karl. Sparking plug. Issued 6-14-38. (28)
2,120,539; All. Demag A G. Rolling mill. Issued 6-14-38. (28)
2,120,553; All. Olympia Buromaschinenwerke A G. Key cap. Issued 6-14-38. (28)
2,120,591; Herman Alexander. Watercraft. Issued 6-14-38. (28)
2,120,713; Zenner Alma Rottke GEB et al; Rottke Elsbeth. Leg-straightening attachment. Issued 6-14-38. (28)
2,120,740; All. Hochofenwerk Lubeck A G. Production of iron. Issued 6-14-38. (28)
2,120,749; All. Schubert & Salzer Maschinenfabrik. Knockover device. Issued 6-14-38. (28)
2,120,750; All. Schubert & Salzer Maschinenfabrik. Flat rib knitting machine. Issued 6-14-38. (28)
2,120,757; Landauer Gustav. Production of a high luster of dyed fibers. Issued 6-14-38. (28)
2,120,850; Amann Max et al; Hatzinger Hans Lahl Alfred. Printing telegraph receiver. Issued 6-14-38. (28)
2,120,851; All. Freudenberg Carl GmbH. Process for the manufacture of spun goods fabrics and other textiles. Issued 6-14-38. (28)
2,120,881; All. Continental Gummi Werke A G. Method of making molds. Issued 6-14-38. (28)
2,120,889; All. Soc Italina Pirelli. Stop joint for fluid-filled cables. Issued 6-14-38. (38)
2,120,894; Haag Johannes. Method of producing free cutting steel. Issued 6-14-38. (28)
2,120,907; Nier Bruno. Storm lantern burner. Issued 6-14-38. (28)
2,120,914; Vogel Ernst. Electromotor. Issued 6-14-38. (6)
2,120,924; Stillschweig Sigismund. Separable fastener. Issued 6-14-38. (28)
2,121,034; All. I G Farbenindustrie A G. Apparatus for generating oxygen especially for breathing purposes. Issued 6-21-38. (28)
2,121,059; Suberkrub Franz. Device for paddle wheel propellers. Issued 6-21-38. (28)
2,121,084; Kruh Osias. Production of beryllium. Issued 6-21-38. (6)
2,121,133; Still Carl. Furnace chraging device. Issued 6-21-38. (28)
2,121,143; Engels Bernhard. Method of feeding molten glass. Issued 6-21-38. (28)
2,121,183; All. I G Farbenindustrie A G. Process for the manufacture of condensation products of dicarboxylic acid anhydrides. Issued 6-21-28. (28)
2,121,215; All. Titangesellschaft M B H. Preparation of titanium oxygen compounds. Issued 6-21-38. (28)
2,121,250; Koschwitz Alfred. Device for the massage of the foot muscles. Issued 6-21-38. (28)
2,121,277; All. Blisterfeld Ernst. Bearing. Issued 6-21-38. (28)
2,121,305; All. Goldschmidt Th A G. Manufacture of emulsions. Issued 6-21-38. (28)
2,121,306; Schreiber Franz. Method for the deoxidation of technically pure zinc. Issued 6-21-38. (28)
2,121,345; Hafner Raou. Rotative wing aircraft. Issued 6-21-38. (6)
2,121,347; All. I. G. Farbenindustrie A. G.. Apparatus for generating oxygen especially for breathing purposes. Issued 6-21-38. (28)
2,121,393; Braun Matthaus. Method for coppering of seamless tubes. Issued 6-21-38. (28)
2,121,415; Vom Braucke Adolf. Process for the manufacture of sheets bands tubes rods and the like and in particular wire. Issued 6-21-38. (28)
2,121,458; Vogelbusch Wilhelm. Apparatus and process for aerating wort in yeast production. Issued 6-21-38. (6)
2,121,462; Winterlich Arthur. Conveyor screw. Issued 6-21-38. (28)
2,121,464; Zagorski Johann. Annular valve seat. Issued 6-21-38. (6)
2,121,578; All. Stickstoffdunger A G. Means for adjusting the electrodes of electric furnaces. Issued 6-21-38. (28)
2,121,687; Daus Otto. Cross country vehicle. Issued 6-21-38. (28)
2,121,689; All. Mauser Werke A G. Sewing machine with looped thread control. Issued 6-21-38. (28)
2,121,696; Horn Ernst. Switch for toy vehicle tracks. Issued 6-21-38. (28)
2,121,698; Jager Carl Hugo. Device for drying the closing flaps of letter envelopes bags etc. Issued 6-21-38. (28)
2,121,699; Janzen Otto. Self starting single phase alternating current synchronous motor. Issued 6-21-38. (28)
2,121,720; Von Wedelstaedt Wolff. Control for the movement of vehicle bodies. Issued 6-21-38. (28)
2,121,873; Hebel Martin et al; Gundlfinger Karl. Telegraph printer. Issued 6-28-38. (28)
2,121,875; All. Angelmi Curt. Process for sterilizing and disinfecting. Issued 6-28-38. (28)
2,121,879; All. Beco Maschinenfabrik GmbH. Tobacco cutting device. Issued 6-28-38. (28)
2,121,917; Kreidl Ignaz. Process for making phenol cresol or the like resins. Issued 6-28-38. (6)
2,121,923; All. Reinecker J E A G. Milling machine. Issued 6-28-38. (28)
2,121,929; Puppe Heinz. Rolling mill. Issued 6-28-38. (28)
2,121,941; All. Apparatebau Ges Neumann and Borm. Sound transmitting apparatus. Issued 6-28-38. (28)
2,122,011; Czapp Erich; Schoenbeck Friedrich et al. Dental filling composition. Issued 6-28-38. (28)
2,122,053; All. Accumulatoren Fabrik A G. Process of manufacturing porous metallic bodies. Issued 6-28-38. (28)
2,122,089; All. Herbig Haarhaus A G. Process for the manufacture of artificial resins. Issued 6-28-38. (28)
2,122,094; Frontallini Alfredo. Resounding board for accordions. Issued 6-28-38. (38)
2,122,100; All. Chemische Fabrik R Baumheier. Process for coloring and waterproofing textile material. Issued 6-28-38. (28)
2,122,105; Mauser Karl Wilhelm. Metal container. Issued 6-28-38. (28)
2,122,118; All. Norddeutsche Seekabelwerke A G. Submarine cable. Issued 6-28-38. (28)
2,122,133; All. I G Farbenindustrie A G. Iron tanned leather. Issued 6-28-38. (28)
2,122,146; All. Krantz Firm H Sohne. Finishing planiform textile fabric. Issued 6-28-38. (28)
2,122,170; Zotos Georg. Method for withdrawing materials from high-speed rotary furnaces. Issued 6-28-38. (28)
2,122,172; Bergmann Adolf. Furniture frame. Issued 6-28-38. (28)
2,122,183; Schwarzer Fritz. Method of and arrangement for stepwise-tuning of electric circuits. Issued 6-28-38. (28)
2,122,281; All. Soc Italiana Pirelli. High tension electrical apparatus. Issued 6-28-38. (38)
2,122,323; Lobbenberg Hans. Device for fastening corsets. Issued 6-28-38. (28)
2,122,344; All. Schubert and Salzer. Narrowing device for flat knitting machines. Issued 6-28-38. (28)
2,122,346; Horn Ernst. Toy airplane. Issued 6-28-38. (28)
2,122,347; Lasch Werner. Seat. Issued 6-28-38. (28)
2,122,352; Rummel Roman. Rotary blower gas meter liquid meter rotary compressor and rotary pump. Issued 6-28-38. (6)
2,122,502; Wallner Otto. Padding for gentlemens and ladies clothes. Issued 7-5-38. (28)

2,122,541; Kreisinger Julius; Solterbeck Otto et al. Reversing gear. Issued 7-5-38. (28)
2,122,671; All. Leitz Ernst GmbH. Camera shutter mechanism. Issued 7-5-38. (28)
2,122,694; Muller Curt. Electric iron. Issued 7-5-38. (28)
2,122,732, Uyeda Katsujiro et al; Wooga Itsuo. Square. Issued 7-5-38. (39)
2,122,774; Horii Shinjiro. Stencil sheet Issued 7-5-38. (39)
2,122,801; All. I. G. Farbenindustrie A G Manufacture of artificial threads. Issued 7-5-38. (28)
2,122,805; All. I G Farbenindustrie A G. Production of thermoplastic merization products. Issued 7-5-38. (28)
2,122,870, Santoni Ermenegildo. Automatic aerophotographic camera with a rotary annular plate magazine. Issued 7-5-38. (38)
2,122,945; Kleinschmidt Hans Erich. Method of and machine for marking leather or the like. Issued 7-5-38. (28)
2,122,961; All. Auto Union A G. Wheel suspension for automobiles. Issued 7-5-38. (28)
2,123,120; Reiffenstein Manfred. Turbo machine. Issued 7-5-38. (6)
2,123,138, Hiemenz Hans. Production of magnetizable materials. Issued 7-5-38. (28)
2,123,243; Janert Heinz. Apparatus for manufacturing drain pipes in the earth. Issued 7-12-38. (28)
2,123,276; Eckerlin Hermann. Method of making ruled screens. Issued 7-12-38. (28)
2,123,298; All. Klein Schanzlin and Becker A G. Mechanical control mechanism. Issued 7-12-38. (28)
2,123,307, Kattwinkel Hans. Flexible Universal coupling. Issued 7-12-38. (28)
2,123,317; Schless Stefan. Making colored plates from mixtures of hydraulic binding agents and fibrous substances. Issued 7-12-38. (28)
2,123,323; All. Pintsch Julius A G. Sound record. Issued 7-12-38. (28)
2,123,325; Zeissl Ignaz. Engine with radially arranged working cylinders and piston scavenging pumps. Issued 7-12-38. (6)
2,123,334; All. I G Farbenindustrie A G. Inhaling apparatus. Issued 7-12-38. (28)
2,123,357; Grah Carl Gustav et al; Giesen Paul. Nippers for skin and fingernails. Issued 7-12-38. (28)
2,123,380; Pott Alfred et al; Broche Hans Method of producing extracts from solid carbonaceous materials. Issued 7-12-38. (28)
2,123,429; Klemm Hanns. Monospar cantilever aircraft wing. Issued 7-12-38. (28)
2,123,460; Burschkies Hans Wolfgang. Apparatus for stopping internal combustion engines or the like employing oil lubrication. Issued 7-12-38. (28)
2,123,461; Burschkies Hans Wolfgang. Device for stopping internal combustion engines or the like employing oil lubrication. Issued 7-12-38. (28)
2,123,472; Lohsee Wilhelm. Intermediate weft stop motion for looms. Issued 7-12-38. (28)
2,123,489, Schneider Ernst Walter. Light metal pistons for internal combustion engines. Issued 7-12-38. (28)
2,123,494; All. Leitz Ernst GmbH. Photographic camera. Issued 7-12-38. (28)
2,123,495; All. Leitz Ernst GmbH. Motion picture film contafner. Issued 7-12-38. (28)
2,123,514; Martens Friedrich. Device for delivering slips of memorandum paper. Issued 7-12-38. (28)
2,123,571; Lessel Wolfgang. Electric Welding. Issued 7-12-38. (28)
2,123,645; Beck Heinz. Arc lamp with automatic regulation of the negative electrode. Issued 7-12-38. (28)
2,123,661; All. I G Farbenindustrie A G. Process for preparing ammonium nitrate of low weight per unit of volume. Issued 7-12-38. (28)
2,123,730; Muller Adolf Max. Knitting machine. Issued 7-12-38. (28)
2,123,793; All. Siemens Reiniger Werke A G. Roentgen apparatus. Issued 7-12-38. (28)
2,123,794; Nier Bruno. Burner for hurricane lanterns. Issued 7-12-38. (28)
2,123,937; Engels Bernhard. Method of molding hollow bodies of glass. Issued 7-19-38. (28)
2,123,959; Pawlikowski Rudolf. Oil catcher. Issued 7-19-38. (28)
2,124,031; All. Klangfilm GmbH. Light and electrical impulse conversion apparatus. Issued 7-19-38. (28)
2,124,139; All. I G Farbenindustrie A G. Apparatus for projecting lenticular film. Issued 7-19-38. (28)
2,124,216; Tessky Karl. Lathe. Issued 7-19-38. (28)
2,124,248; All. Lampen Und Metallwarenfabrieken. Camera diaphragm adjusting and indicating mechanism. Issued 7-19-38. (6)
2,124,255; Leitner Franz. Process for the production of core electrodes. Issued 7-19-38. (6)
2,124,267; All. Janzer Carl. Driving gear for continuous working photographic copying machines. Issued 7-19-38. (28)
2,124,276; Steigenberger Friedrich. Connection for straps chains or the like. Issued 7-19-38. (28)
2,124,285; Bucherer Hans Theodor. Process for preparing mixed esters from phenolaldehyde resins. Issued 7-19-38. (28)
2,124,310; Murr Max Jr. Boot. Issued 7-19-38. (28)
2,124,316; Schonfeld Paul. Warp fabric. Issued 7-19-38. (28)
2,124,318; All. Lorenz C A G. Broadcast system. Issued 7-19-38. (28)
2,124,371; All. Gschopf Richard. Methods of producing photographic image carriers provided with precipitants for coloring dyes. Issued 7-19-38. (6)
2,124,373; Kurtz Hans. Endless screen wire fabric and method of making same. Issued 7-19-38. (28)
2,214,376; Rona Josef. Printing apparatus. Issued 7-19-38. (34)
2,124,404; All. Fahlberg Chemische Fabriken A G. Method of improving vermin exterminating compositions and the resulting compositions. Issued 7-19-38. (28)
2,125,186; All. Rheinische Metallwaaren Und. Means for transporting guns. Issued 7-26-38. (28)
2,125,339; Grimm Oskar. Method for producing a fabric with close setting of the weft threads. Issued 8-2-38. (28)
2,125,360; Schmitt Karl Josef. And the like,[1] Issued 8-2-38. (28)
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2,125,407; Tsuneda Kenjiro. Variable compression ratio internal combustion engine. Issued 8-2-38. (39)
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2,125,552; All. Kronprinz Ag fur Metallindustrie Threadless tube connection. Issued 8-2-38. (28)
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2,125,584; Rotzoll Erich. Adjusting device for machine tools. Issued 8-2-38. (28)

[1] So in original document.

2,125,586; Pohl Ernst. Stand more particularly for Roentgen apparatus. Issued 8-2-38. (28)
2,125,607; Fuchs Leo. Combination lock. Issued 8-2-38. (28)
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2,125,616; Laudano Filippo. Telegraphic receiver. Issued 8-2-38. (38)
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2,125,632; Harkert Hermann. Process for the production of lead glazes. Issued 8-2-38. (28)
2,125,664; Barme Friedrich. Iron annealing receptacle. Issued 8-2-38. (28)
2,125,694; Sattig Philipp. Double layer cardboard roof. Issued 8-2-38. (28)
2,125,698; Ulbricht Otto. Separable fastener. Issued 8-2-38. (28)
2,125,712; All. Eberspacher GmbH. Device for extinguishing the flame and deadening the noise of the exhaust gases in internal-combustion engines. Issued 8-2-38. (28)
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2,125,826; All. Olympia Buromaschinenwerke A G. Typewriter. Issued 8-2-38. (28)
2,125,913; Goebels Paul. Method and apparatus for mixing finely divided material. Issued 8-9-38. (28)
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2,125,997; All. Cargo Norit Union Verwaltungs GmbH. Process of treating gases containing polymerizable substances. Issued 8-9-38. (28)
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2,126,042; Reinz Hugo. Laminated spring Issued 8-9-38. (28)
2,126,069; All. Norddeutsche Kabelwerke A G. Electric cable. Issued 8-9-38. (28)
2,126,157; All. Zahnradfabrik Friedrichshafen A G. Measuring system for determining the efficiency of rotary motion transmitting devices by comparing torques. Issued 8-9-38. (28)
2,126,188; Goetz Adolf. Airship. Issued 8-9-38. (28)
2,126,233; All. Riedel E J D De Haen A G Luminescent composition and method of making the same. Issued 8-9-38. (28)
2,126,239; All. Otto Dr C and Co GmbH Door for horizontal oven chambers. Issued 8-9-38. (28)
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2,126,296; Weihe Hermann Kurt. Hydraulic brake. Issued 8-9-38. (28)
2,126,321; All Freudenberg and Co GmbH. Process for finishing leather articles. Issued 8-9-38. (28)
2,126,409; Pfeiffer Paul. Diesel pile driver. Issued 8-9-38. (28)
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2,126,432; Von Opel Fritz. Automatic traffic control system. Issued 8-9-38. (28)
2,126,483; L Orange Prosper. Internal-combustion engine. Issued 8-9-38. (28)
2,126,509; All. Deutsche Rohrenwerke A G. Tube-rolling mill. Issued 8-9-38. (28)
2,126,769; All. Siemens Reiniger Werke A G Cassette particularly for X-ray exposures. Issued 8-16-38. (28)
2,126,846; Watanabe Yoshito. Multiple selector system. Issued 8-16-38. (39)
2,126,881; Gatzke Paul. Apparatus for firing ceramic material. Issued 8-16-38. (28)
2,126,978; Sander Ernst. Refrigeration machine. Issued 8-16-38. (28)

2,127,070; All. Soc Italiana Pirelli. Manufacture of rubber thread. Issued 8-16-38. (38)
2,127,075; All. Soc Italiana Pirelli. Composite pneumatic tire. Issued 8-16-38. (38)
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2,127,164; All. Stahl R A G. Escalator. Issued 8-16-38. (28)
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2,127,360; All. Nitrokemia Ipartelepek Reszveny. Process for the removal of acid from nitrated starch. Issued 8-16-38. (34)
2,127,367; All. Bohme H Th A G. Hydrogenation of higher fatty acids. Issued 8-16-38. (28)
2,127,404; All. Bisonit GmbH. Process and apparatus for the manufacture of patterned articles. Issued 8-16-38 (28)
2,127,414; Lohsse Wilhelm. Remote-controlled electrical reversing switch. Issued 8-16-38. (28)
2,127,450; Schneider Albert et al; Gaisser Friedrich. Process for preparing water for industrial purposes of all kinds especially boiler feed water. Issued 8-16-38. (28)
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2,129,104 Seifer Theo. Hydraulic motor. Issued 9-6-38. (28)
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2,129,187; Wesnigk Erwin. Automobile. Issued 9-6-38. (28)
2,129,195, Bocca Carlo et al; Amati Luigi Color filter. Issued 9-6-38. (38)
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2,129,206; Ellinghausen Hermann. Means for mounting propeller blades. Issued 9-6-38. (28)
2,129,213; All. I G Farbenindustrie A G. Manufacture of threads bands films and the like. Issued 9-6-38. (28)
2,129,219; Koga Moichiro. Method and apparatus for manufacturing feather cottons. Issued 9-6-38. (39)
2,129,276; All. Niederrheinische Maschinenfabrik. Press for connecting veneer or similar strips. Issued 9-6-38. (28)
2,129,289; All. I G Farbenindustrie A G. Manufacture of new fluorine compounds. Issued 9-6-38. (28)
2,129,290; All. Trurnit Firm Friedr. Method and apparatus for producing screw threads. Issued 9-6-38. (28)
2,129,295; All. Kali Chemie A G. Screen for X-ray photographs. Issued 9-6-38. (28)
2,129,296, All. Kali Chemie A G. Screen for X-ray photography. Issued 9-6-38. (28)
2,129,332; Mastini Domenico. Telephone system. Issued 9-6-38. (38)
2,129,359; Pommer Erwin Capping device. Issued 9-6-38. (6)
2,129,362; Piwowarsky Eugen. Method of centrifugally casting pipes in chilled molds. Issued 9-6-38. (28)
2,129,683; Kuhn Ferdinand; Gontermann Hans et al. Manufacturing compound rolls. Issued 9-13-38. (28)
2,129,709; All. I G Farbenindustrie A G. Production of new high molecular sulphur-containing condensation products. Issued 9-13-38. (28)
2,129,774; Kuhner Otto. Draw press. Issued 9-13-38. (28)
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2,129,956; Pastor Carl Theodor. Spiral covering machine. Issued 9-13-38. (28)
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2,130,137; Klotz Alfred. Papain product and method of preparing same. Issued 9-13-38. (28)
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2,130,150; Nathansohn Alexander. Process for the treatment of textiles. Issued 9-13-38. (28)
2,130,166; Watanabe Yoshito. Automatic telegraph receiving machine. Issued 9-13-38. (39)
2,130,209; Von Brun Carmen. Process for the making of artificial flowers. Issued 9-13-38. (28)
2,130,210; Von Haken Kurd. Separation and gas treatment of gas dust mixtures. Issued 9-13-38. (28)
2,130,224; All. Deutsche Luftfahrt und Handels A G. Navigational instrument. Issued 9-13-38. (28)
2,130,240; All. Klockner Werke A G. Process of producing magnesia and nitrogenous fertilizers from dolomite. Issued 9-13-38. (28)
2,130,310; All. Brevetti Zarlatti S A. Locomotive with pneumatic transmission by means of a mixture of compressed air and steam. Issued 9-13-38. (38)
2,130,336; Bonn Fredrich. Recording device for telephone sets. Issued 9-20-38. (28)
2,130,342; All. Fahlberg List A G Chemische Fabriken. Condensation products of an alkali metal salt of toluenesulphonamide with formaldehyde. Issued 9-20-38. (28)
2,130,376; Becker Otto Alfred. Finding device for index cards notes or the like arranged in or on conveying devices. Issued 9-20-38. (28)
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2,130,422; Gamerdinger Friedrich et al; Weber Otto. Apparatus for caps for shoes. Issued 9-20-38. (28)
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2,130,493; All. Leitz Ernst GmbH. Illuminating device for microscopes. Issued 9-20-38. (28)
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2,130,521; All. Deckel Friedrich. Pump. Issued 9-20-38. (28)
2,130,552; All. Meincke August. Band. Issued 9-20-38. (28)
2,130,600; Ritzerfeld Wilhelm. Duplicating apparatus. Issued 9-20-38. (28)
2,130,655; Schonfeld Paul. Manufacture of warp goods. Issued 9-20-38. (28)
2,130,656; Taguchi Junzo. Attachment for artificial teeth. Issued 9-20-38. (39)
2,130,704; Patzwaldt Karl. Sound-permeable picture projection screen and method of making same. Issued 9-20-38. (28)
2,130,718; Fujita Zensei. Device for purifying the breathing air in a vapor bath for therapeutical use. Issued 9-20-38. (39)
2,130,720; Junghans Helmut. Centrifugal fuse. Issued 9-20-38. (28)
2,130,726; Ardelt Robert. Mold for centrifugal casting. Issued 9-20-38. (28)
2,130,735; Eckardt Emil Eduard. Method of producing a printing plate. Issued 9-20-38. (28)
2,130,745; Rosenbauer Konrad. Firehose nozzle. Issued 9-20-38. (6)
2,130,776; Oser Alfred. Apparatus for mounting samples on cards and the like. Issued 9-20-38. (6)
2,130,815; All. Steatit Magnesia A G. High-frequency iron core coil. Issued 9-20-38. (28)
2,130,887; Kremmling Otto. Dough molding machine. Issued 9-20-38. (28)
2,130,958; Kramer Max. Landing flap on aircraft. Issued 9-20-38. (28)
2,130,983; All. Vogle Joseph A G. Grinding mill. Issued 9-20-38. (28)
2,131,137; Franz Ehrhart. Washing process for textile materials. Issued 9-27-38. (28)
2,131,228; L Orange Rudolf. Fuel injection pump. Issued 9-27-38. (28)
2,131,307; Behrendt Gerhard. Chill for continuous string casting. Issued 9-27-38. (28)
2,131,328; All. Neufeldt and Kuhne GmbH. Light-controlled signaling system. Issued 9-27-38. (28)
2,131,330; All. Hikari Shoji Kabushiki Kaisha. Method of making Urushi or Japanese lacquer films having pictures or letters. Issued 9-27-38. (39)
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2,131,357; Reeh Erich. Torsion balance. Issued 9-27-38. (28)
2,131,359; Seffzig Otto. Method of punching multicolor printing plates. Issued 9-27-38. (28)

2,131,384; Mauthner Desider. Working process for internal combustion engines and apparatus for carrying the same into effect. Issued 9-27-38. (34)
2,131,392; Seifer Theo. Motor working in a bore hole by means of a rinsing liquid. Issued 9-27-38. (28)
2,131,409; All. Chatillon S A Italiana per le. Washing desulphurizing bleaching finishing and like treatments of artificial yarns. Issued 9-27-38. (38)
2,131,519; All. Nippon Sekiyu Kabushiki Kaisha. Method of refining cracked oil by using metallic soaps of naphthenic acid. Issued 9-27-38. (39)
2,131,549; All. Metallochemische Fabrik A G. Cleansing means for metal and metal alloys. Issued 9-27-38. (28)
2,131,592; All. Accumulatoren Fabrik A G. Electric battery particularly secondary battery and method of operating the same. Issued 9-27-38. (28)
2,131,678; All. Schreker Rudolf. Match lighting device. Issued 9-27-38. (34)
2,131,701; Achterfeldt Carl Alexis. Gas burner. Issued 9-27-38. (28)
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2,131,936; Del Genovese Pietro. Control device for atomizer nozzles. Issued 10-4-38. (38)
2,131,979; Seidl Erich. Appliance for testing vehicle tires and road surfaces. Issued 10-4-38. (28)
2,131,987; All. Norddeutsche Seekabelwerke A G. Electric cable with air space insulation. Issued 10-4-38. (28)
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2,132,086; Scheffler Max Friedrich. Printing apparatus. Issued 10-4-38. (28)
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2,132,167; All. Hauser and Sobotka A G. Process of producing dry enzymatic preparation from animal organs. Issued 10-4-38. (28)
2,132,189; All. Metallschlauch Fabrik. Flexible metal tube. Issued 10-4-38. (28)
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2,132,227; Winkler Alfred et al; Dunnebier Max. Process and apparatus for the manufacture of envelopes bags and other like articles. Issued 10-4-38. (28)
2,132,259; All. Soc Italiana Pirelli. Electric cable. Issued 10-4-38. (38)
2,132,313; Namiki Ryosuke. Closure of ink bottles. Issued 10-4-38. (39)
2,132,361; All. I G Farbenindustrie A G. Process of chlorinating methyl aromatic compounds. Issued 10-4-38. (28)
2,132,452; All. Deckel Friedrich. Engraving machine. Issued 10-11-38. (28)
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2,132,646; Rieppel Paul et al; Grantz Siegfried. Method of operating internal combustion engines having regulations of charge quantities. Issued 10-11-38. (28)
2,132,673; All. Siemens reiniger Werke AKG. Unitary roentgen apparatus. Issued 10-11-38. (28)
2,132,890; All. Peyinghaus Walter. Lubricating means for bearings. Issued 10-11-38. (28)
2,132,893; All. I G Farbenindustrie AKG. Photographic printing. Issued 10-11-38. (28)
2,132,900; Koch Imre; Hunyadi Laszlo et al. Oil distilling apparatus. Issued 10-11-38. (34)
2,132,904; Martinez Arturo et al; Martinez Angelo; Martinez Matteo. Screen for three dimensional projections. Issued 10-11-38. (38)
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2,133,038; All. Muller Heinrich. Blow switch operated toy. Issued 10-11-38. (28)
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2,133,056; All. Telefonbau und Normalzeit AKG. Telegraph transmitter. Issued 10-11-38. (28)
2,133,105; Messer Adolf. Apparatus for separating oxygen from air and delivering the oxygen under pressure. Issued 10-11-38. (28)
2,133,124; Tornow Maximilian Albrecht. Safety device for gas systems. Issued 10-11-38. (28)
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2,133,194; Horn Ernst. Toy. Issued 10-11-38. (28)
2,133,197; Innocenti Ferdinando. Device for uniting tubes of metallic structures. Issued 10-11-38. (38)
2,133,203; Wertheim Hugo; Liebesny Paul et al. Method of promoting the growth and activity of microorganisms. Issued 10-11-38. (6)
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2,133,458; Lesage Alfred. Cooling system for sideboard motors. Issued 10-18-38. (28)
2,133,478; All. Adlerwerke Vorm Heinrich. Internal combustion engine. Issued 10-18-38. (28)
2,133,479; Schmalfeldt Hans. Method for gasifying finely divided fuel with circulating gas. Issued 10-18-38. (28)
2,133,521; Fechner Fritz W; Wussow Reinhard et al. Ice making apparatus. Issued 10-18-38. (28)
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2,133,634; Rohn Wilhelm. Electric induction furnace. Issued 10-18-38. (28)
2,133,660; Eckl Karl. Overhead wire clamp. Issued 10-18-38. (28)
2,133,661; All. Rheinmetall Borsig A G. Automatic firearm. Issued 10-18-38. (28)
2,133,705; Juffa Wilhelm. Glass apparatus for chemical laboratories. Issued 10-18-38. (28)
2,133,707; All. Ehrich and Graetz A G. Burner for incandescent light. Issued 10-18-38. (28)
2,133,713; Nespor Peter. Process for the production of color films and color photographs. Issued 10-18-38. (6)
2,133,738; Chaoul Henri. Method of and apparatus for making radiographs of body layers. Issued 10-18-38. (28)
2,133,895; Kuhl Georg Walter. Process of softening water. Issued 10-18-38. (28)
2,133,947; Boecler Albert. Dipping machine for producing seamless articles from substances in solution. Issued 10-25-38. (28)
2,133,984; ½. Heller Gebruder. Tonga. Issued 10-25-38. (28)
2,134,063; All. Magyar Rugygyantaarugyar. Rubber toy. Issued 10-25-38. (34)
2,134,084; Hausdorf Erich. Telephone earpiece. Issued 10-25-38. (28)
2,134,132; All. Siemens Apparate UFN. Method and system for the vertical navigation of blind landing airplanes. Issued 10-25-38. (28)
2,134,160; Kornegg Oscar Freiherr von Kapfhorn ZU. Manufacture of artificial staple fibers. Issued 10-25-38. (28)
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2,134,227; Forkardt Hermann Paul Max DEC. Operating mechanism for chucks. Issued 10-25-38. (28)
2,134,235; Pollak Fritz. Production of moldable compositions. Issued 10-25-38. (28)
2,134,276; All. Seelig & Hille. Preparation of self filtering ground coffee. Issued 10-25-38. (28)
2,134,300; Guberan Christian. Portable advertising device. Issued 10-25-38. (28)
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2,134,329; All. Mauser Werke A G. Differential material feeder for sewing machines of the supporting arm type. Issued 10-25-38. (28)
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2,134,494; Winterstein Helene. Face paint base. Issued 10-25-38. (6)
2,134,621; All. Eisen U Stahlwerk Walter. Bearing. Issued 10-25-38. (28)
2,134,804; All. Rekuperator GmbH. Air heater for blast furnaces. Issued 11-1-38. (28)
2,134,923; Mauser Alfons. Tool for applying seal caps. Issued 11-1-38. (28)
2,134,951; All. Prazisions Werkstatten Seeger Co. Time-delay relay. Issued 11-1-38. (28)
2,135,013; Hagemann Johanna; Nitz Ewe et al. Clamping means for folders. Issued 11-1-38. (28)
2,135,016; Sandt Kurt. Sole pressing last. Issued 11-1-38. (28)
2,135,026; All. Leitz Ernst GmbH. Moving picture camera. Issued 11-1-38. (28)
2,135,142; Obermayr Paul. Knitting darning machine. Issued 11-1-38. (28)
2,135,395; All. Frolich Ernst. Manufacture of multicolored rubber mixings. Issued 11-1-38. (28)
2,135,529; Puening Franz. Coke oven with internally heated heating walls. Issued 11-8-38. (28)
2,135,608; Valentin Carl et al; Halle; Erwin. Shuttle changing device for looms. Issued 11-8-38. (28)
2,135,639; Gorham William R. Turret centering and locking mechanism. Issued 11-8-38. (39)
2,135,640; Holtmeier Anton. Lathe with horizontal faceplate. Issued 11-8-38. (28)
2,135,777; All. Korting and Mathiesen A G. Apparatus for feeding rod shaped articles. Issued 11-8-38. (28)
2,135,816; Hintsches Karl. Method for the production of the contours in the drawing to be transferred by heliogravure upon the intaglio cylinders or plates. Issued 11-8-38. (28)
2,135,845; Reusch Hans. Multiple lead pencil. Issued 11-8-38. (28)
2,135,850; Schmid Max. Mechanical toy. Issued 11-8-38. (28)
2,135,883; Dallenbach Walter. Electric discharge apparatus. Issued 11-8-38. (28)
2,135,992; All. Walther Carl. Automatic pistol. Issued 11-8-38. (28)

2,136,013; Lentz Hugo Johannes. Insert for converting piston valve engines into poppet valve engines. Issued 11-8-38. (6)
2,136,049; Herimg Ewald. Transmission mechanism. Issued 11-8-38. (28)
2,136,062; All. Rheinmetall Borsig Agwerk Borsig. Apparatus for extracting paraffin from mineral oils. Issued 11-8-38. (28)
2,136,148; All. Ihagee Kamerawerk Steenbergen and Co. Reflex camera. Issued 11-8-38. (28)
2,136,149; All. Ihagee Kamerawerk Steenbergen and Co. Lens mount. Issued 11-8-38. (28)
2,136,154; Specht Max. Process of conserving roasted coffee. Issued 11-18-38. (28)
2,136,208; All. Rutgerswerke A G. Process for converting liquid pitch into a fragmentary transportable form. Issued 11-8-38. (28)
2,136,266; All. Re Necker J E A G. Teeth generating machine. Issued 11-8-38. (28)
2,136,288; All. Mauser Werke A G. Throat plate for sewing machine. Issued 11-8-38. (28)
2,136,290; Fend Kurt. Interchangeable lead pencil. Issued 11-8-38. (28)
2,136,309; All. Korting and Mathiesen A G. Arc lamp. Issued 11-8-38. (28)
2,136,322; Sebastiani Peter. Fire protecting device with film projectors in cinemas. Issued 11-8-38. (28)
2,136,485; Berka Fritz et al; Giller Alexander. Method of denicotinizing tobacco. Issued 11-15-38. (6)
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2,136,853; Krecht Alfred. Filter. Issued 11-15-38. (28)
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2,136,949; All. I G Farbenindustrie A G. Acceleration of vulcanization of rubber. Issued 11-15-38. (28)
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2,136,994; Pauling Harry. Manufacture of calcium nitrate from ammoniacal gases. Issued 11-15-38. (28)
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2,136,996; All. Goldschmidt Th A G. Decomposition of complex sulphate salts containing alkali sulphates and alkaline earth sulphates. Issued 11-15-38. (28)
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2,137,280; Hartmann Fritz. High temperature thermocouple. Issued 11-22-38. (28)
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2,137,466; Tonnles Hans Ferdinand. Photoelectric photometer. Issued 11-22-38. (28)
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2,137,977; Kattwinkel Hans. Laminated disk clutch. Issued 11-22-38. (28)
2,138,059; All Leitz Ernst GmbH. Photographic camera. Issued 11-29-38. (28)
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2,138,142; All. Maschinenfabrik Augsburg Nurnberg. Pressure adjusting device. Issued 11-29-38. (28)
2,138,178; All. Dresden Leipziger Schnellpressen. Sheet delivery device for printing machines. Issued 11-29-38. (28)
2,138,179; All. Dresden Leipziger Schnellpressen. rotary printing machine. Issued 11-29-38. (28)
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2,138,619; Bruckmoser Ludwig; Steinlein Gustav et al. Freewheel brake hub driven by a motor mounted in the driving wheel. Issued 11-29-38. 28.
2,138,666; Pestarini Giuseppe M. Direct current dynamo electric machine. Issued 11-29-38. (38)
2,138,667; Pestarini Joseph M. Direct current commutating type dynamo electric machine. Issued 11-29-38. (38)
2,138,703; Matuschke Walter. Method of printing. Issued 11-29-38. (28)
2,138,704; Matuschke Walter. Method of preparing a press for printing and printing press. Issued 11-29-38. (28)
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2,138,939; All. Durkoppwerke A G. Bobbin case controlling device. Issued 12-6-38. (28)
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2,138,987; All. Wanderer Werke Vorm Winklhofer &. Machine Tool and the like. Issued 12-6-38. (28)
2,139,095; All Wanderer Werke Vorm Winklofer. Typewriting machine. Issued 12-6-38. (28)
———; [1] All. Siemens & Halske A G. Telephone system. (28)
2,139,185; All. Teves Alfred Maschinen und. Pressure actuated piston lock release. Issued 12-6-38. (28)
2,139,192; Krekel Paul. Aircraft undercarriage. Issued 12-6-38. (28)
2,139,209; Rohm Otto. Method for producing dehaired hides with the aid of mold tryptases in alkaline solution. Issued 12-6-38. (28)
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2,139,819; Graetz Fritz. Preheater. Issued 12-13-38. (28)
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2,139,830; Kepmann Wilhelm. Bakers mold. Issued 12-13-38. (28)
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2,140,093; All. Universelle Cigarettenmaschinen. Cigar-shaping machine. Issued 12-13-38. (28)
2,140,134; Petzoldt Karl; Kohler Hermann et al. Double shed loom. Issued 12-13-38. (28)
2,140,205; All. Delmag Deutsche Elektromaschinen. Diesel engine. Issued 12-13-38. (28)
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2,140,237; Leitner Franz. Welding wire for carbon electrode arc welding. Issued 12-13-38. (6)
2,140,238; Leitner Franz. Welding wire for electric arc welding. Issued 12-13-38. (6)
2,140,240; Lieberknecht Karl Richard. Device for regulating the length of the loops in straight bar knitting machines. Issued 12-13-38. (28)
2,140,435; Stieber Wilhelm Gustav Otto. Bearing. Issued 12-13-38. (28)
2,140,485; All. Edeleanu GmbH. Method of refining mineral oils. Issued 12-13-38. (28)
2,140,630; Illguth Gustav. Helmet. Issued 12-20-38. (28)
2,140,653; All. Bernheimer Norbert. Multiple lead pencil. Issued 12-20-38. (28)
2,140,667; All. Bamag Meguin A G. Apparatus for controlling power operated valves. Issued 12-20-38. (28)
2,140,693; All. Mauser Werke A G. Machine for producing combined cross and covering seams. Issued 12-20-38. (28)
2,140,709; All. Mauser K G. Constructional element. Issued 12-20-38. (28)
2,140,719; Rohrbacker Karl. Method & device for feeding leaflike workpieces to a separating device. Issued 12-20-38. (28)
2,141,080; All. Pintsch Julius K G. Ultra short wave tube. Issued 12-20-38. (28)
2,141,112. Neupert Bernhard. Egg carrying device. Issued 12-20-38. (28)
2,141,166; Bischof Bernhard. Hydraulic transmission. Issued 12-27-38. (28)
2,141,167; Bischof Bernhard. Control means for hydraulic transmission. Issued 12-27-38. (28)
2,141,168; Bischof Bernhard. Slide valve arrangement for hydraulic gears. Issued 12-27-38. (28)
2,141,247; All. Lorenz C A G. Arrangement for wireless signaling. Issued 12-27-38. (28)
2,141,269; All. Wanderer Werke Verm Winklhofer and. Control mechanism for calculating machines. Issued 12-27-38. (28)
2,141,345; Coenen Heinrich. Protective means for shoes. Issued 12-27-38. (28)
2,141,349; All. Carbo Nérit Union Verwaltungs GmbH. Process for the recovery of carbon disulphide from industrial effluent waters. Issued 12-27-38. (28)
2,141,360; All. Mahler Robert. Liquid fuel burner. Issued 12-27-38. (6)
2,141,365; All. Pallas Apparate GmbH. Fuel regulater for carburetors. Issued 12-27-38. (28)
2,141,390; Hintsches Karl. Means for fixing the picture carrier on copper intaglio printing cylinders. Issued 12-27-38. (28)
2,141,401; Martinka Michael. Gas turbine. Issued 12-27-38. (28)
2,141,407; Ritzerfeld Wilhelm. Duplicating apparatus. Issued 12-27-38. (28)
2,141,429; All. Lange and Gellen. Fluid control system for hydraulic motors. Issued 12-27-38. (28)
2,141,463; All. Telephon Apparat Fabrik E Zwietusch. Telephone metering system. Issued 12-27-38. (28)
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2,141,615; Pott Alfred. Production of extracts from carbonaceous material. Issued 12-27-38. (28)
2,141,699; Stern Eugen. Foot arch support. Issued 12-27-38. (28)
2,141,749; Hatiser Michael. Maximum current switch. Issued 12-27-38. (23)
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2,141,995; Leitner Franz. Welding wire. Issued 12-27-38. (6)
2,141,996; Leitner Franz. Wire for electric welding. Issued 12-27-38. (6)
2,141,997; Linde Richard et al; Hausen Helmuth. Process for the decomposition of air by liquefaction and rectification. Issued 12-27-38. (28)
2,142,003; Morgelin Konrad. Conveyor chain. Issued 12-27-38. (28)
2,142,011; Spless Georg. Sheet delivery apparatus for folding machines. Issued 12-27-38. (28)
2,142,193; Janz Franzjakob. Cold sealing mass. Issued 1-3-39. (28)
2,142,214. Scharpenberg Ewald. Arm and plate tongs. Issued 1-3-39. (28)
2,142,271; All. Universelle Cigarettenmaschinen. Transfer or delivery device for cigarette rod machines. Issued 1-3-39. (28)
2,142,279; All. I G Farbenindustrie A G. Adhesive. Issued 1-3-39. (28)
2,142,308; All. Drela Flechtmaterial GmbH. Twisted strand. Issued 1-3-39. (28)
2,142,311; Heidenhain Johannes. Process for the preparation of washed out reliefs. Issued 1-3-39. (28)
2,142,312; Heinz Karl Heinrich. Multiple pencil especially for make up sticks. Issued 1-3-39. (28)
2,142,348; Dornseifer Heinrich. Means for gumming or moistening labels envelopes or the like. Issued 1-3-39. (28)
2,142,369; Miller Christoph. Vehicle shock-responsive device. Issued 1-3-39. (28)
2,142,389; All. Weissenberg Carl. Process of producing artificial threads. Issued 1-3-39. (28)
2,142,446; All. Lindes Eismaschinen A G. Ges. Process and apparatus for the separation of gases by rectification. Issued 1-3-39. (28)
2,142,473; All. Schmidt Sche Heissdampf Ges M H. Method and apparatus for regulating the operation of steam-boiler planta particularly for deep drilling operations. Issued 1-3-39. (28)
2,142,480; Satzinger Gebhard. Food-comminuting machine. Issued 1-3-39. (28)
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2,142,628; Ballert Otto. Control device for reciprocating working pistons. Issued 1-3-39. (28)
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2,142,790; Kodaira Otozo. Container for oil lard or the like. Issued 1-3-39. (39)
2,142,802; All. Leitz Ernst GmbH. Dilatometer. Issued 1-3-39. (28)
2,142,976; All. Vasanta Maschinenfabrik A G. Gear. Issued 1-3-39. (28)
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2,143,195; All. Vereinigte Spielwarenfabriken. Track for toy railways. Issued 1-10-39. (28)
2,143,209; Rambold Adolf. Apparatus for perforating bands of cellulose foil metal foil and the like. Issued 1-10-39. (28)
2,143,214; All. Egyesult Izzolampa es Villamossagi. Production of images. Issued 1-10-39. (34)
2,143,218; Thurner Michael. Device for lifting and lowering heavy office machines in desks. Issued 1-10-39. (28)
2,143,252; Von Kohorm zu Kornegg Otto Freiherr. Cutting or shearing device. Issued 1-10-39. (28)
2,143,297; All. Barmer Maschinenfabrik A G. Winding machine with driving drum drive for the winding bobbin. Issued 1-10-39. (28)
2,143,308; Flach Paul. Folded box. Issued 1-10-39. (28)
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2,143,322; Knobel Franz Jr. Ball joint coupling for trailers of motor vehicles. Issued 1-10-39. (28)
2,143,325; All. Konstruktion und Verwertung. Cogwheel change speed gearing. Issued 1-10-39. (28)
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2,143,524; Renck Hans Hermann Heinrich et al; Renck Carl. Process for producing planographic printing plates. Issued 1-10-39. (28)
2,143,553; Hamaguchi Kaijiro. Emergency brake for automobiles. Issued 1-10-39. (39)
2,143,562; Kros Josef. Securing means for the screw threaded bases of electric current leads. Issued 1-10-39. (28)
2,143,610; All. Farbenindustrie A G. Apparatus for treating solids with physical and chemical reactants. Issued 1-10-39. (28)
2,143,630; Nebel Max. Circular knitting machine. Issued 1-10-39. (28)
2,143,741; All. Mercedes Buromaschinen Werke A G. Shift device for calculating machines. Issued 1-10-39. (28)
2,143,778; Jacobi Willy. Collar and cuff shirt. Issued 1-10-39. (28)
2,143,793; Niederreither Hans. Bracing for assembled electrolytic cell bodies or the like. Issued 1-10-39. (28)
2,143,915; All. Telefunken Ges fur Drahtlose. Indirectly heated cathode. Issued 1-17-39. (28)
2,143,986; All. Bohme H TH A G. Emulsion and process of making the same. Issued 1-17-39. (28)
2,143,987; Koller Karl. Gas producer. Issued 1-17-39. (34)
2,144,036; All. Siemens & Halske A G. Amplitude limiting device. Issued 1-17-39. (28)

2,144,040; All. Kali Chemie A G. Intensifying foil for X-ray photography. Issued 1-17-39. (28)
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2,144,074; All. Maybach Motorenbau GmbH. Automatic clutch control device. Issued 1-17-39. (28)
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2,144,095; All. Deckel Friedrich Prazisionsmechanick. Cutter grinding machine. Issued 1-17-39. (28)
2,144,135; All. Junkers Flugzeug und. Rudder brake. Issued 1-17-39. (28)
2,144,151; Heinen Andreas. Method and apparatus for shrinking of knitted textile fabrics. Issued 1-17-39. (28)
2,144,176; Amann Max. Communication system. Issued 1-17-39. (28)
2,144,202; All. I G Farbenindustrie A G. Saponifying cellulose esters. Issued 1-17-39. (28)
2,144,222; All. Telefunken Ges fur Drahtlose. Electron discharge device. Issued 1-17-39. (28)
2,144,237; All. Allgemeine Elektricitatis Ges. Amplifier arrangement. Issued 1-17-39. (28)
2,144,296; Namiki Ryosuke. Fountain pen. Issued 1-17-39. (39)
2,144,297; All. I G Farbenindustrie A G. Manufacture of tanning materials. Issued 1-17-39. (28)
2,144,325; All. Telefunken ges fur Drahtlose. Tuning dial arrangement. Issued 1-17-39. (28)
2,144,332; Glaser Amandus. Method of soldering hollow bodies. Issued 1-17-39. (28)
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2,144,370; All. Telefunken ges fur Drahtlose. Method of cutting bodies soluble in liquid. Issued 1-17-39. (28)
2,144,421; Wangemann Paul. Rectifier of heavy electric currents. Issued 1-17-39. (28)
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2,144,509; All. Telefunken ges fur Drahtlose. Circuit arrangement for a variable electric resistance. Issued 1-17-39. (28)
2,144,901; All. Lindner Herbert. Profiling diamonds. Issued 1-24-39. (28)
2,144,911; Cohn Martin. Apparatus for the manufacturing of flakes. Issued 1-24-39. (28)
2,144,936; All. Lorenz A G C. Arrangement for electric intercommunication. Issued 1-24-39. (28)
2,144,955; All. Ufficio Tecnico Industriale Tessili. Lathe. Issued 1-24-39. (38)
2,144,964; De Falco Mario. Aperiodic oscillating coupling joint with constant transmission ratio. Issued 1-24-39. (38)
2,144,993; All. Oesterreichische Dynamit Nobel A G. Copper zinc alloys. Issued 1-24-39. (6)
2,144,995; Pulvari Pulvermacher Karl. Means for avoiding disturbances in the reception of electric oscillations. Issued 1-24-39. (34)
2,145,017; Tsuneda Kenjiro. Variable compression ratio internal combustion engine. Issued 1-24-39. (39)
2,145,065; All. Vereinigte Deutsche Metallwerke A G. Drawn brass bearing alloys. Issued 1-24-39. (28)
2,145,158; Dammann Karl. Method of applying tar or bitumen to road surfaces. Issued 1-24-39. (28)
2,145,185; All. Edeleanu GmbH. Process for refining hydrocarbon oils by means of esters. Issued 1-24-39. (28)
2,145,328; Walther Fritz. Automatic firearm. Issued 1-31-39. (28)
2,145,355; Jereczek Viktor. Milling machine. Issued 1-31-39. (28)
2,145,845; Borrmann Waldermar et al; Keune Albert. Piston for internal combustion engines. Issued 2-7-39. (28)
2,146,751; Linder Willy. Industrial furnace and the like. Issued 2-14-39. (28)
2,146,827; Kruspi Friedrich. Liquid flow meter. Issued 2-14-39. (28)
2,146,842; Niessen Hubert et al; Ulbrich Max. Splint. Issued 2-14-39. (28)
2,146,872; All. Deutsche Eisenwerke A G. Method for operating cupola shaft furnaces. Issued 2-14-39. (28)
2,146,888; Fisch Arthur. Elastic sock for footwear. Issued 2-14-39. (28)
2,146,892; Frey Alfred et al; Gluck Hans. Process of producing butyl alcohol and acetone by fermentation. Issued 2-14-39. (28)
2,146,906; All. Lindner Herbert. Device for adjusting a rotatable and tiltably mounted table with respect to the axis of a drilling spindle. Issued 2-14-39. (28)
2,146,914; All. Pintsch Julius. Potential regulating apparatus. Issued 2-14-39. (28)
2,146,919; Stihl Andreas. Two-stroke internal combustion engine. Issued 2-14-39. (28)
2,146,938; Claus Bruno. Production of photographic emulsions. Issued 2-14-39. (28)
2,146,943; Doblhoff Walther. Spring arrangement. Issued 2-14-39. (6)
2,146,945; Ehrig Hans et al; Keilhauer Ulrich. Sheet feeder. Issued 2-14-39. (28)
2,146,958; All. Carbo Norit Union Verwaltungs. Process of removing objectionable smell or taste from flour or similar ground products. Issued 2-14-39. (28)
2,146,963; All. Dresden Leipzinger Schnellpressen. Rotary printing machine. Issued 2-14-39. (28)
2,146,987; All. Steatit Magnesia A G. High frequency iron core. Issued 2-14-39. (28)
2,147,094; All. Maschinenfabrikheckmann GmbH. Distilling rectifying fractionating or washing column. Issued 2-14-39. (28)
2,147,106; All. Ihagee Kamerawerk Steenbergen. Roll film cushion. Issued 2-14-39. (28)
2,147,109; Sander Ernst. Apparatus for treating gases. Issued 2-14-39. (28)
2,147,177; All. Minami Manshu Tetsudo. Method of hydrogenation of fatty acid glycerides. Issued 2-14-39. (39)
2,147,278; All. Universelle. Machine for the manufacture of filters for cigarettes. Issued 2-14-39. (28)
2,147,381; All. Vertriebs ges des Leipziger. Generation of extremely large short duration energy impulses. Issued 2-14-39. (28)
2,147,396; All. Metrawatt A G Fabrik. Photoelectric exposure meter. Issued 2-14-39. (28)
2,147,408; Kaufer Rudolf. Means for securely fastening a photograph on a certificate of identity for passports. Issued 2-14-39. (28)
2,147,424; All. Siemens Reiniger Werke A G. Roentgen tube control. Issued 2-14-39. (28)
2,147,435; Gehrcke Ernst. Apparatus and method for improving the air. Issued 2-14-39. (28)
2,147,512; Toshi Asanuma. Circuit breaker. Issued 2-14-39. (39)
2,147,518; All. Auto Union A G. Spring suspension. Issued 2-14-39. (28)
2,147,549; Roselius Ludwig. Process for the manufacture of a food product from cocoa powder grape sugar dextrose and mineral salts. Issued 2-14-39. (28)
2,147,615; Baroni Augusto. Optical device for panoramic telescopes and the like equivalent to the amici rotating prism. Issued 2-14-39. (34)
2,147,687; Becker Emil. Apparatus for crosswise riveting and for other striking work. Issued 2-21-39. (28)
2,147,714; Pastor Carl Theodor. Electrospindle and spindle for high speeds. Issued 2-21-39. (28)
2,147,753; Broche Hans Pott Alfred et al. Production of extracts from solid carbonaceous material. Issued 2-21-39. (28)
2,147,763; Becker Emil. Flush or countersunk riveting. Issued 2-21-39. (28)
2,147,813; All. C Lorenz A G. High frequency receiver. Issued 2-21-39. (28)
2,147,814; All. C Lorenz A G. Antenna structure. Issued 2-21-39. (28)
2,147,820; All. C Lorenz A G. Circuit arrangement for recording telephonic communications. Issued 2-21-39. (28)
2,147,848. Lange Emil. Arc-rupturing device for electric safety fuses. Issued 2-21-39. (28)
2,147,862; Sollinger Hans. Beer dispensing apparatus. Issued 2-21-39. (6)
2,147,949; Muller Heinrich. Blow switch operated toy. Issued 2-21-39. (28)
2,147,961; All. Metrawatt A G Fabrik Elektrische. Photoelectric exposure meter. Issued 2-21-39. (28)
2,147,975; Giesau Reinhold. Traveling grate for flue tube boilers. Issued 2-21-39. (28)
2,147,988; Pauling Harry. Production of alkali metal nitrates. Issued 2-21-39. (28)
2,147,993; All. Junkers Flugzeug und Motorenwerke. Means for separating gases from liquids. Issued 2-21-39. (28)
2,147,994; All. Fr Hesser Maschinenfabrik A G. Machine for withdrawing from a pile and opening collapsed folding boxes. Issued 2-21-39. (28)
2,147,997; Sprenger Arthur. Compound firing for gas heated zone thrust furnaces. Issued 2-21-39. (28)
2,147,999; Tonnies Hans Ferdinand. Exposure meter. Issued 2-21-39. (28)
2,148,015; All. Universelle Cigarettenmaschinen. Machine for stripping and sorting tobacco leaves. Issued 2-21-39. (28)
2,148,025; Koehler Karl. Locomotive superheater. Issued 2-21-39. (28)
2,148,040; Schwarzkopf Paul. Method of manufacturing composite materials and shaped bodies thereof. Issued 2-21-39. (6)
2,148,045; All. Bernhard Berghaus. Method of cathode disintegration. Issued 2-21-39. (28)
2,148,046; All. Bernhard Berghaus. Method of metal coating by cathode disintegration. Issued 2-21-39. (28)
2,148,124; All. Carl Nelthold. Holder for transparent pictures. Issued 2-21-39. (28)
2,148,215; Nier Bruno. Hurricane Lantern. Issued 2-21-39. (28)
2,148,225; Zecha Otto. Sound record disk. Issued 2-21-39. (6)
2,148,334; Wortmann Ernst. Rot protecting covering for wooden posts sleepers and the like. Issued 2-21-39. (28)
2,148,397; Bock Fritz. Ophthalmic mounting. Issued 2-21-39. (28)
2,148,523; Baermann Max Jr. Apparatus for weighing. Issued 2-28-39. (28)
2,148,545; Kelting Max Tramm Henrich Dorndorf Heinrich et al. Apparatus for carrying through catalytic reactions. Issued 2-28-39. (28)
2,148,585; Schlesinger Ernst Oskar. Clasp for bracelets wrist watches waist girdles etc. Issued 2-28-39. (6)
2,148,594; All. Olympia Buromaschinenwerke A G. Calculating mechanism. Issued 2-28-39. (28)
2,148,624; Janowitz Arnold. Display device. Issued 2-28-39. (28)
2,148,636; All. Franke & Heidecke Fabrik. Film feed mechanism for photographic roll film cameras. Issued 2-28-39. (28)
2,148,639; All. Maschinenfabrik Augsburg Nurnberg. Engine frame. Issued 2-28-39. (28)
2,148,641; Reich Erno. Transformer for electrical measuring instruments. Issued 2-28-39. (34)

2,148,696; Kampfer Adolf. Apparatus for removing the solvent from solutions of resilient substances which are applied in considerable thickness to the single sheets of laminated glass for forming the nonsplintering intermediate layers. Issued 2-28-39. (28)
2,148,802; All. Buderus Sche Eisenwerke. Apparatus for the manufacture of centrifugally-cast pipes. Issued 2-28-39. (28)
2,148,818; Kattwinkel Hans. Vehicle brake. Issued 2-28-39. (28)
2,148,862; All. Chemische Fabrik R. Baumheier. Anticorrosion agent. Issued 2-28-39. (28)
2,148,867; Lesage Alfred. Divisible Bowden device. Issued 2-28-39. (28)
2,148,917; Von Heinrich Friedrich. Wiping device. Issued 2-28-39. (34)
2,148,923; Beisser Georg. Dec. Apparatus for automatically indicating the weight of the pickling brine to be supplied to mea for the purpose of pickling the latter. Issued 2-28-39. (28)
2,148,934; All. Lampen und Metallwaren Fabrieken R. Cinematographic camera. Issued 2-28-39. (6)
2,148,935; Gehhardt Hans. Acetylene gas producing plant. Issued 2-28-39. (28)
2,148,937; Gerb William. Apparatus for damping vibrations. Issued 2-28-39. (28)
2,148,938; Goldschmid Otto et al; Goldschmid Kurt. Shuttle. Issued 2-28-39. (6)
2,148,950; Maier Friedrich Eugen. Car body for automobiles. Issued 2-28-39. (28)
2,148,953; All. Heinkel Ernst. Adjustable seat with movable back for airplanes. Issued 2-28-39. (28)
2,148,955; All. Zahnradfabrik Friedrichshafen A G. Method of and means for dressing rotating disks for grinding gears with inclined teeth. Issued 2-28-39. (28)
2,148,956; All. Zahnradfabrik Friedrichshafen A G. Method of and means for truing grinding disks. Issued 2-28-39. (28)
2,148,963; Rauch Curt. Photographic camera. Issued 2-28-39. (28)
2,148,967; All. Arado Flugzeugwerke GmbH. Wing flap. Issued 2-28-39. (28)
2,148,996; Pastor Carl Theodor. Device for twisting textile threads or the like. Issued 2-28-39. (28)
2,149,020; Hering Ewald. Change speed gear. Issued 2-28-39. (28)
2,149,031; Schonfeld Paul. Manufacture of warp goods provided with rubber threads. Issued 2-28-39. (28)
2,149,032; Schoenfeld Paul. Production of plain warp goods. Issued 2-28-39. (28)
2,149,040; Klein Hermann; Binder Richard et al. Hydraulic shock absorber. Issued 2-28-39. (28)
2,149,056; All. Universelle Cigarettenmaschinen Fabrik sc Mueller Co. Apparatus for supplying cut tobacco to cigarette machines. Issued 2-28-39. (28)
2,149,160; Hartmann Otto; Block Berthold et al. Method for purifying steam. Issued 2-28-39. (28)
2,149,179; Moser Johannes. Method of improving tobacco by fermentation. Issued 2-28-39. (28)
2,149,180; Muller Heinrich. Mechanically propelled toy with automatic reversal in the opposite direction. Issued 2-28-39. (28)
2,149,181; Krautzberger Albert. Spray gun for paints and the like. Issued 2-28-39. (28)
2,149,193; All. Auja Industrie Kommanditgesellschaft. Knife. Issued 2-28-39. (28)
2,149,194; All. Lindner Herbert. Screw threaded spindle and method of making same. Issued 2-28-39. (28)
2,149,218; Schencke Karl; Heinisch Paul et al. Motion picture camera. Issued 2-28-39. (28)
2,149,232; Schnudtmann Emil. Tunnel construction. Issued 2-28-39. (28)
2,149,249; Nitsche Paul. Process for the production of aqueous solutions of sulphur and metal sulphides. Issued 2-28-39. (28)
2,149,353; Lentz Hugo. Reversing gear for steam engines with poppet valve gear especially for locomotive and marine steam engines. Issued 3-7-39. (28)
2,149,384; All. Leitz Enst GmbH. View finder for photographic cameras. Issued 3-7-39. (28)
2,149,385; Bendele Adolf. Pane fastener. Issued 3-7-39. (28)
2,149,419; Bruse Walter. Link type connecting rod. Issued 3-7-39. (28)
2,149,425; Draemann Max. Rubber thread and method of making same. Issued 3-7-39. (28)
2,149,434; All. Soprani Mario. Valve structure for musical instruments. Issued 3-7-39. (38)
2,149,436; Trede Hans; Hartmann Otto H et al. Boiler. Issued 3-7-39. (28)
2,149,444; Kohlmann Gerhard. Automatic coin counting and wrapping machine. Issued 3-7-39. (28)
2,149,445; Kreiten Paul. Dispensing and closing device for tablets pills and the like. Issued 3-7-39. (28)
2,149,446; Kunz Alfonz. Fire extinguisher. Issued 3-7-39. (34)
2,149,460; Muller Eugen Ludwig. Carbureting in internal combustion engines. Issued 3-7-39. (28)
2,149,477; All. Schmidt Sche Heissdampf GmbH. Marine water tube boiler. Issued 3-7-39. (28)
2,149,521; Georgl Fritz. Roofing Tile. Issued 3-7-39. (28)
2,149,524; Juhn Gustav. Packing for the shafts of rotary machines turbines and the like. Issued 3-7-39. (28)
2,149,540; Muller Waldemar. Parachute. Issued 3-7-39. (28)
2,149,554; All. Universelle Cigarettenmaschinen Fabrik J C Muller. Machine for the production of box parts. Issued 3-7-39. (28)
2,149,562; All. Ruhrchemie A G. Process for producing liquid fuels from gaseous olefins. Issued 3-7-39. (28)
2,149,625; Pabst Hans. Folding box. Issued 3-7-39. (28)
2,149,671; Wilm Diederich; Franck Hans Heinrich et al. Process for purifying carbon black which has been formed on iron containing contacts. Issued 3-7-39. (28)
2,149,672; Zieke Karl; Hey Emil; Franck Hans Heinrich; Frank Albert Rudolph et al. Process for making a press powder. Issued 3-7-39. (28)
2,149,711; Stock Friedrich J J. Fountain brush. Issued 3-7-39. (28)
2,149,785; All. Junkers Flugzeug und Motorenwerke. Machine set. Issued 3-7-39. (28)
2,149,791; All. Reinecker J E A G. Machine tool. Issued 3-7-39. (28)
2,149,793; All. Junkers Flugzeug und Motorenwerke. Internal combustion engine. Issued 3-7-39. (28)
2,149,895; Maruhn Herbert. Springing. Issued 3-7-39. (28)
2,149,907; All. Steffen Otto. Universal joint. Issued 3-7-39. (28)
2,149,912; All. Netzschkauer Maschinenfabrik Franz Stark. Method for the manufacture of clear ice. Issued 3-7-39. (28)
2,149,919; Krenzler Emil. Shaping machine. Issued 3-7-39. (28)
2,149,932; Zippel Richard. Spraying apparatus. Issued 3-7-39. (28)
2,149,986; Welker William. Flat knitting frame. Issued 3-7-39. (28)
2,150,047; All. Metrawatt A G Fabrik Elektrischer. Photoelectric exposure meter. Issued 3-7-39. (28)
2,150,057; Fisch Arthur. Shoe sole. Issued 3-7-39. (28)
2,150,285; Marek Bela et al; Sebesta Claude. Hair curling apparatus. Issued 3-14-39. (34)
2,150,321; Grunbaum Ludwig. Automatic coin-operated time control switch mechanism. Issued 3-14-39. (28)
2,150,340; Rohn Wilhelm. Cooling roller mill. Issued 3-14-39. (28)
2,150,354; Berndt Karl. Method and apparatus for simultaneously spinning and twisting artificial threads. Issued 3-14-39. (28)
2,150,365; Dziewior Kurt. Photographic camera with automatic exposure adjustment. Issued 3-14-39. (28)
2,150,394; All. Sachtleben A G fur Bergbau und. Method of recovering zinc and barium from waste waters. Issued 3-14-39. (28)
2,150,395; All. Riken Almite Kogyo Kabushiki. Method of coloring the surface of aluminium or its alloys for acid proof and alkali proof. Issued 3-14-39. (39)
2,150,409; All. Riken Arumaitokogyo Kabushiki Kaisha. Process of dyeing anodic oxidized coating of aluminium or its alloys. Issued 3-14-39. (39)
2,150,500; All. Werth Karl. Sparking plug. Issued 3-14-39. (28)
2,150,613; Stassinet Theodor. Continuous heating furnace. Issued 3-14-39. (28)
2,150,617; Weihe Hermann Kurt. Hydraulic brake. Issued 3-14-39. (28)
2,150,715; De Falco Mario. One-way clutch mechanism. Issued 3-14-39. (38)
2,150,790; Szeszich Lajos Von. Method of producing high quality carbon black. Issued 3-14-39. (28)
2,150,950; Thoma Hans. Power transmission mechanism. Issued 3-21-39. (28)
2,150,964; Dornseif; Hugo. Skate. Issued 3-21-39. (28)
2,150,968; All. I G Farbenindustrie A G. Production of conversion products from cellulose or cellulosic materials. Issued 3-21-39. (28)
2,150,969; Hafner Raoul. Rotary wing aircraft. Issued 3-21-39. (6)
2,150,977; Kraft Josef. Electrically operated stopping device for high speed rope-making machines. Issued 3-21-39. (28)
2,150,996; All. Soc Italiana Sfruttamento. Double ignition system for internal combustion engines. Issued 3-21-39. (34)
2,151,017; Dorrer Johannes. Tailor's model. Issued 3-21-39. (28)
2,151,022; All. Alkaliwerke Westeregeln GmbH. Process for the manufacture of alkali metal fluorides and hydroxides. Issued 3-21-39. (28)
2,151,087; Dietze Reinhold. Heat exchange apparatus. Issued 3-21-39. (28)
2,151,132; All. Maybach Motorenbau GmbH. Change speed gear. Issued 3-21-39. (28)
2,151,165; All. Fewerkschaft Auguste. Process of treating carbon or Carbonaceous compounds. Issued 3-21-39. (28)
2,151,166; All. Gewerkschaft Auguste. Process of treating cellulosic material. Issued 3-21-39. (28)
2,151,167; All. Gewerkschaft Auguste. Process of treating colloidal hydrocarbons. Issued 3-21-39. (28)
2,151,168; All. Gewerkschaft Auguste. Process of treating organic oxygen compounds. Issued 3-21-39. (28)
2,151,212; All. Silesia Verein Chemischer Fabrieken. Process for the manufacture of polysulphide plastics. Issued 3-21-39. (28)
2,151,267; Finsterwalder Ulrich. Truss girder and method of producing the same. Issued 3-21-39. (28)
2,151,287; All. Agahd Walter. Steering device for endless track driven vehicles. Issued 3-21-39. (28)
2,151,288; All. Rheinmetall Borsig A G. Gun loading device. Issued 3-21-39. (28)

2,151,324; Jordan Wolfgang. Freewheel hub with coaster brake. Issued 3-21-39. (28)
2,151,370; Asahine Yasuhiko. Process for preparing a new tetralin derivative. Issued 3-21-39. (39)
2,115,371; Asahina Yasuhiko. Process for preparing acyl derivatives of tetralyiquinol. Issued 3-21-39. (39)
2,151,398; All. Fabrik Chemischer praeparate. Method of producing air foam. Issued 3-21-39. (28)
2,151,514; All. Kali Forschungs Anstalt GmbH. Method of and apparatus for conveying material containing at least one expansible constituent. Issued 3-21-39. (28)
2,151,532; All. Kalle and Co A G. Light sensitive layers. Issued 3-21-39. (28)
2,151,540; Varga Alexander. Heat exchanger and method of making same. Issued 3-21-39. (34)
2,151,546; Arnold Carl. Mechanical toy in the form of a soldier throwing a hand grenade. Issued 3-21-39. (28)
2,151,558; Maueler Carl. Process for varnishing sliding clasp fasteners. Issued 3-21-39. (28)
2,151,566; Sander Wilhelm. Nonskid cap for bicycle dynamos. Issued 3-21-39. (28)
2,151,572; Stadelbauer Walter. Truing tool for grinding wheels. Issued 3-21-39. (28)
2,151,585; Buxbaum Bertold. Mineral oil. Issued 3-21-39. (28)
2,151,596; All. Dinglerwerke A G. Valve. Issued 3-21-39. (26)
2,151,619; All. Deutsche Erdol A G. Process for obtaining pure paraffin. Issued 3-21-39. (28)
2,151,630; All. Rheinmetall Borsig A G. Gun having means for directly canting the trunnion axis. Issued 3-21-39. (28)
2,151,652; All. Hoffman Donner Dorothy. Device for articles of clothing or washable undergarments. Issued 3-21-39. (6)
2,151,713; Niemann Hans. Arrangement to avoid condensation within cold insulations. Issued 3-28-39. (28)
2,151,714; Pavesi Ugo Dec. Change speed device. Issued 3-28-39. (38)
2,151,735; All. Bresser Maria. Colored picture projector. Issued 3-28-39. (28)
2,151,759; Hardensett Heinrich. External combustion engines. Issued 3-28-39. (28)
2,151,793; Patin Albert. Positional receiver. Issued 3-28-39. (28)
2,151,817; Wenschow Karl. Process for the production of plane photographs having plastic or relief effects. Issued 3-28-39. (28)
2,151,830; Buhl Paul Dec. Radial antifriction bearing. Issued 3-28-39. (28)
2,151,838; All. Schnellpressenfabrik A G. Single revolution cylinder printing press. Issued 3-28-39. (28)
2,151,855; All. Maschinenfabrik Esslingen. Compressor for carbon dioxide snow. Issued 3-28-39. (28)
2,151,884; All. Lorenz C A G. Combined space and wired radio receiver. Issued 3-28-39. (28)
2,151,885; All. Lorenz A G. Electric discharge vessel. Issued 3-28-39. (28)
2,151,889; All. Lorenz C A G. Electromagnetic recording arrangement. Issued 3-28-39. (28)
2,151,912; All. Lorenz C A G. High frequency generator. Issued 3-28-39. (28)
2,151,921; All. Lorenz C A G. Method of modulating high frequency transmitters. Issued 3-28-39. (28)
2,151,922; All. Lorenz C A G. Receiver for electromagnetic waves. Issued 3-28-39. (28)
2,151,936; All. Lorenz C A G. Character transmitting system. Issued 3-28-39. (28)
2,151,942; All. Lorenz C A G. Television method. Issued 3-28-39. (28)
2,151,976; All. Siemens Apparate und. Instrument arrangement for aircraft motors. Issued 3-28-39. (28)
2,152,062; Kolarik Michael. Siphon discharge apparatus. Issued 3-28-39. (6)
2,152,185; All. Posnansky Karl Werner. Process for sulphurizing organic compounds having unsaturated linkages of an aliphatic character. Issued 3-28-39. (28)
2,152,327; All. Pintsch Julius. Alternating current commutator machine. Issued 3-28-39. (28)
2,152,353; Lewin Hans. Roentgen photography. Issued 3-28-39. (28)
2,152,410; Illy Francesco. Apparatus for the preparation of coffee infusions. Issued 3-28-39. (38)
2,152,411; Isendahl Herbert. Gas producer. Issued 3-28-39. (28)
2,152,427; Wolf Hermann. Stabilizing device. Issued 3-28-39. (28)
2,152,726; Baroni Augusto. Universal panoramic telescope. Issued 4-4-39. (38)
2,152,805; All. Gustav Schwarz Kommanditgesellschaft. Air propeller. Issued 4-4-39. (28)
2,152,817; Reusch Hans. Multiple lead pencil. Issued 4-4-39. (28)
2,152,903; Mastini Domenico. Radio receiver combined with coin collector boxes. Issued 4-4-39. (38)
2,152,925; Saraga Ernest. Manufacture of transparent flexible sheets. Issued 4-4-39. (57)
2,152,947; All. Rheinmetall Borsig A G. Switching apparatus for electrically counting rapid reciprocating movements. Issued 4-4-39. (28)
2,152,956; Etzkorn Rudolf. Mixing system. Issued 4-4-39. (28)
2,152,976; All. Boehringer C H Sohn. Racemization of optically active compounds. Issued 4-4-39. (28)
2,153,001; All. Siemens Schuckertwerke A G. Steam generator with forced passage of the operating medium. Issued 4-4-39. (28)
2,153,024; Pulidori Palmiro. Atomizer for liquids in general and in particular for liquid fuels. Issued 4-4-39. (38)
2,153,028; Schanzer Felix. Bearing. Issued 4-4-39. (28)
2,153,089; Kubler Carl. Means for mounting an adding and subtracting device on slide rules. Issued 4-4-39. (28)
2,153,105; Szecsi Istvan. Device for laboratorical measuring of liquids. Issued 4-4-39. (34)
2,153,107; Torma Stefan. Automatic central buffer coupling for railway cars. Issued 4-4-39. (34)
2,153,276; Schwabach Georg. Device for removing ashes. Issued 4-4-39. (28)
2,153,331; All. Nitro Kemia Ipartelepek. Process for the preparation of gun powder by means of an acetone and alcohol solvent mixture. Issued 4-4-39. (34)
2,153,379; All. Ehrich & Graetz A G. Device for feeding liquid fuel. Issued 4-4-39. (28)
2,153,464; Haag Johannes. Supporting plate for chill molds. Issued 4-4-39. (28)
2,153,606; All. Leitz Ernst GmbH. Camera carrying case. Issued 4-11-39. (28)
2,153,629; All. Maschinenfabrik. Method and apparatus for making dry ice. Issued 4-11-39. (28)
2,153,645; Schonfeld Paul. Warp goods provided with rubber threads. Issued 4-11-39. (28)
2,153,653; Stux Gustav. Irradiated dusting powder. Issued 4-11-39. (6)
2,153,659; All. Doppenschmitt Firm Ph. Band body for ornamental and practical purposes. Issued 4-11-39. (28)
2,153,717; Kiss Wilhelm. Combined hot water and steam. Generating device. Issued 4-11-39. (34)
2,153,719; Kuhsel Joseph Albert. Convertible excavator. Issued 4-11-39. (28)
2,153,720; All. Olivetti firm Ing C and C. Noiseless typewriter. Issued 4-11-39. (38)
2,153,726; Scoppola Giorgio. Vent device for hot water heating apparatus. Issued 4-11-39. (38)
2,153,735; All. Triumph Werke Nurnberg A G. Noiseless one-way clutch mechanism for the silent return of the paper carriage in writing machines. Issued 4-11-39. (28)
2,153,758; Junghans Helmut. Mechanical time fuse. Issued 4-11-39. (28)
2,153,765; Mahlke Wilhelm. Elevator door lock. Issued 4-11-39. (6)
2,153,805; Kammer George Stephen. Internal combustion engine. Issued 4-11-39. (34)
2,153,820; Volk Franz. Process for producing water gas free from tar and hydrocarbons. Issued 4-11-39. (6)
2,153,982; All. Universelle. Tobacco spreader for cigarette making machines. Issued 4-11-39. (28)
2,153,984; All. Universelle. Pneumatic conveying pipe. Issued 4-11-39. (28)
2,154,150; De Becze George. Apparatus for carrying out physical and chemical reactions. Issued 4-11-39. (34)
2,154,264; All. Siemens Schuckertwerke A G. Vapor electric device. Issued 4-11-39. (28)
2,154,288; All. Telefunken Ges fur Drahtlose. Electrical recorder. Issued 4-11-39. (28)
2,154,324; Couyoumdjian Aeop Ohan. Photographic camera with exposure meter. Issued 4-11-39. (28)
2,154,333; Kampfer Adolf. Process for extruding plastic masses onto sheets. Issued 4-11-39. (28)
2,154,361; Schleferstein Georg Heinrich. System for the transmission of mechanical power. Issued 4-11-39. (28)
2,154,534; Schuster Hans. Method of manufacturing annular disks. Issued 4-18-39. (28)
2,154,578; Pallesen Hans Peter. Self-inking stamping machine for linen or the like. Issued 4-18-39. (28)
2,154,710; Thoma Hans. Power transmission. Issued 4-18-39. (28)
2,154,758; All. Pintsch Kg Julius. Electronic tube. Issued 4-18-39. (28)
2,154,823; Reicherter Georg. Hardness testing machine. Issued 4-18-39. (28)
2,154,851; Kind Oscar. Device for tensioning metal binding strips for packages and the like. Issued 4-18-39. (28)
2,154,866; Renck Heinrich. Printers ink. Issued 4-18-39. (28)
2,154,934; Hahn Georg. Purified bee poison. Issued 4-18-39. (28)
2,154,938; All. Zahnradfabrik Friedrichshafen A G. Truing device for grinding wheels. Issued 4-18-39. (28)
2,154,941; Kampschulte Josef. Atomizer for liquids. Issued 4-18-39. (28)
2,154,953; Majer Christian. Tube making machine. Issued 4-18-39. (28)
2,154,961; All. Sachsische Textilmaschinenfabrik. Mule spinning machine. Issued 4-18-39. (28)
2,154,979; Geneff Christo Nikoloff. Process for the manufacture of A 3 Alkoxy 4 hydroxy benzaldehyde. Issued 4-18-39. (11)
2,154,987; Martin Erich. Saw set device. Issued 4-18-39. (28)
2,154,988; All. Nippon Sekiyu Kabushiki Kaisha. Method of refining cracked oil by using metallic soaps. Issued 4-18-39. (39)
2,155,074; Avorio Luigi. Parachute pack with a single releasing hook. Issued 4-18-39. (38)
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2,155,095; Kramer Wilhelm. Electrowelding of wire nettings. Issued 4-18-39. (28)

2,155,098; All. Krupp Germaniawerft A G Fried. Fuel injecting device for internal combustion engines. Issued 4-18-39. (28)
2,155,100; Scelzo Luigi. Safety device for projectile fuses. Issued 4-18-39. (38)
2,155,121; Finsterwalder Ulrich. Ferro-concrete beam. Issued 4-18-39. (28)
2,155,130. Hanel Franz. Antiskidding device for motor vehicles. Issued 4-18-39. (28)
2,155,134; All. Deutsches Reich Reichsmonopolver. Fermentation process. Issued 4-18-39. (28)
2,155,148. Rinne Albert. Method of manufacturing caffeine-containing chocolate. Issued 4-18-39. (28)
2,155,283; All. Deutsche Edelstahlwerke A G. Ingot mold. Issued 4-18-39. (28)
2,155,307; All Kuppers Metallwerk Kom Ges Bonn. Soldering agent. Issued 4-18-39. (28)
2,155,325; All. Neilsen. Process for removing bismuth from copper or copper containing melts and products. Issued 4-18-39. (28)
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2,155,602; All. Deutsche Rohrenwerke AG. Apparatus for testing pipe connections. Issued 4-25-39. (28)
2,155,653; Graf Hugo. Method for freshing up ink ribbons. Issued 4-25-39. (28)
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2,155,762; All. Tensfeldt Ernst. Device for issuing tickets cards and the like. Issued 4-25-39. (28)
2,155,767; Pfannekuchen Ernst. Stage device for conjuring sensations. Issued 4-25-39. (28)
2,156,048. All. Lorenz C AG. Electric discharge device. Issued 4-25-39. (28)
2,156,051; All. Lorenz C AG. Ultra short wave transmitter. Issued 4-25-39. (28)
2,156,055. All. Lorenz C AG. Goniometer. Issued 4-25-39. (28)
2,156,056. All. Lorenz C AG. Method of producing carrier frequencies. Issued 4-25-39. (28)
2,156,060; All. Lorenz C AG. System for determining positions by radio beacons. Issued 4-25-39. (28)
2,156,061; All. Lorenz C AG. System for determining positions by radio beacons. Issued 4-25-39. (28)
2,156,080; All. Lorenz C AG. Alarm device. Issued 4-25-39. (28)
2,156,094; All. Lorenz C AG. Method of reproducing telephonic communications. Issued 4-25-39. (28)
2,156,098; All Lorenz C AG. Method of transmitting characters. Issued 4-25-39. (28)
2,156,099; All Lorenz C AG. Condenser. Issued 4-25-39. (28)
2,156,188; Meyer Hermann. Vulcanizing apparatus. Issued 4-25-39. (28)
2,156,238; Frankmann Hans et al; Haakh Hermann. Method of manufacturing hats and products thereof. Issued 4-25-39. (6)
2,156,263; All. Minami Manshu Tetsudo Kabushiki. Method of manufacturing iron by direct reduction. Issued 5-2-39. (39)
2,156,330; All. Barmer Maschinenfabrik A G. Double-twist twisting spindle. Issued 5-2-39. (28)
2,156,338; Henkel Hermann; Heyner Willi et al. Screw-threaded connecting means. Issued 5-2-39. (28)
2,156,348. A 11. Oesterreichische Dynamit Nobel AG. Copper zinc alloys. Issued 5-2-39. (6)
2,156,360; Stahn Albert. Arc lamp. Issued 5-2-39. (28)
2,156,369; All. Egyesult Izzolampa es Villamossagi. High pressure arc lamp. Issued 5-2-39. (34)
2,156,371; All. Wanderer Werke Verm Winklhofer. Line spacing mechanism. Issued 5-2-39. (28)
2,156,387; Goldfinger Isidoro. Electromagnetic latch bolt. Issued 5-2-39. (38)
2,156,399; All. Mauser Werke A G. Presser foot for sewing machines. Issued 5-2-39. (28)
2,156,400; All. Klonne Aug. Spherical container for storing fluids such as gas and liquids. Issued 5-2-39. (28)
2,156,402; All. Raschig F GmbH. Process for separating phenol and hydrogen chloride from the mixture of vapors obtained by passing chlorobenzene vapor and steam over a contact at a raised temperature. Issued 5-2-39. (28)
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2,156,477. Keller Anton M. Table tennis racket. Issued 5-2-39. (6)
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2,156,517; Stam Erich. Combination tea strainer and drop catcher. Issued 5-2-39. (28)
2,156,536. All. Union Special Maschinenfabrik. Sewing machine. Issued 5-2-39. (28)
2,156,767; Michalk Otto. Shoemaking machine. Issued 5-2-39. (28)
2,156,780; All. Universelle. Apparatus for forming cigar tips. Issued 5-2-39. (28)
2,156,848; Groote Andreas. Bearing block or pedestal for marine vessels. Issued 5-2-39. (28)
2,156,851; Hansgirg Fritz. Production of heavy water. Issued 5-2-39. (39)
2,156,922. All Universelle. Cigar making machine. Issued 5-2-39. (28)
2,156,924; All. Buttner Werke AG. Pneumatic circulation drier. Issued 5-2-39. (28)
2,157,013; Pommer Erwin. Bottle sealing apparatus. Issued 5-2-39. (6)
2,157,032; Strobel Oskar. Sewing machine. Issued 5-2-39. (28)
2,157,061; Siegling Ernst. Driving belt. Issued 5-2-39. (28)
2,157,088; All. Vasanta Maschinenfabrik A G. Speed regulating device. Issued 5-2-39. (28)
2,157,090; Niederreither Hans. Method of insulating electrolytic apparatus operated under pressure. Issued 5-2-39. (28)
2,157,146; All. Deutche Edelstahlwerke A G. Scale resisting steel alloy. Issued 5-9-39. (28)
2,157,284; Egersdorfer Fritz. Fuel feeding device for internal combustion engines. Issued 5-9-39. (28)
2,157,285; Egersdorfer Fritz. Fuel feeding device for internal combustion engines. Issued 5-9-39. (28)
2,157,288; Gauss Eugen. Attaching hook for watch wristlets. Issued 5-9-39. (28)
2,157,300; Neuhauss Arthur. Circular knitting machine. Issued 5-9-39. (28)
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2,157,564; All. Seiffert Franz Co A G. Expansion bend. Issued 5-9-39. (28)
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2,157,683; Vollrath Paul. Device for mixing sifting and kneading. Issued 5-9-39. (28)
2,157,801; Repper Ludwig. Apparatus for the charging of cigarette making machines. Issued 5-9-39. (28)
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2,157,952; All. Pintsch Julius Kommanditgesellschaft. Thermionic valve. Issued 5-9-39. (28)
2,157,969; Rohm Otto. Method for producing hides with the aid of mold tryptases. Issued 5-9-39. (28)
2,157,986; Hossenfelder Georg. Arrangement for connectin, structural elements. Issued 5-9-39. (28)
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2,158,286; All. Goebel A G. Web cutting and rewinding machine. Issued 5-16-39. (28)
2,158,331. Lentz Hugo. Poppet valve control for steam locomotives. Issued 5-16-39. (28)
2,158,385; Schwein Carl Fritz. Electric coupling for vehicles. Issued 5-16-39. (28)
2,158,427; Reichert Joseph. Process for extracting oil or fat containing substances and the like. Issued 5-16-39. (28)
2,158,499; Grassmann Wolfgang et al; Reich Hans. Method for decomposing scleroproteins and new products obtained thereby. Issued 5-16-39. (28)
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2,158,607. All. Barmer Maschinenfabrik A G. Thread drawing off device on double twisting machines. Issued 5-16-39. (28)
2,158,622; Festenberg Pakisch Bruno V. Driving chain. Issued 5-16-39. (28)
2,158,663; Leyst Kuchenmeister Carl. Process for manufacturing soap. Issued 5-16-39. (28)
2,158,723; Junghans Helmut. Means for controlling pendulum clocks. Issued 5-16-39. (28)
2,158,836; All. Kalle and Co A G. Production of light sensitive diazotype layers. Issued 5-16-39. (28)
2,158,893; Beiersdorf Hans. Door tension device for motor vehicles. Issued 5-16-39. (28)
2,158,894; Brintzinger Wilhelm. Testing plant for internal combustion engines. Issued 5-16-39. (28)
2,158,897; Cippico Giuseppe. Smoking device. Issued 5-16-39. (38)
2,158,905; All. Friedmann Firm Alex. Axle bearing for railway vehicles. Issued 5-16-39. (6)
2,158,951; Szigeti Ladislaus. Process for selecting single colors or color tones from pictures comprising several colors or color tones especially for reproduction purposes. Issued 5-16-39. (34)
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2,159,086; All. Krupp Fried A G. Manufacture of high speed steels. Issued 5-23-39. (28)

2,159,142; All. Siemens Apparate und Maschinen. Automatic rudder control for aircraft. Issued 5-23-39. (28)
2,159,170; All. Maybach Motorenbau GmbH. Device for actuating a clutch and a change speed gear in automobiles. Issued 5-23-39. (28)
2,159,242; Yanagi Masaji. Pipe joint. Issued 5-23-39. (39)
2,159,294; Schimanek Emil. Carburetor. Issued 5-23-39. (34)
2,159,302; Rab Karl et al; Walter Karl. Decorative covering for flowerpots. Issued 5-23-39. (28)
2,159,456; Spiess Georg. Automatic sheet-feeding device. Issued 5-23-39. (28)
2,159,462; Vincenzoni Alvaro. Transmission gear having an automatically variable transmission ratio. Issued 5-23-39. (38)
2,159,545; All. Carobronze Rohrenwerk GmbH. Bearing. Issued 5-23-39. (6)
2,159,574; Tschortner Carl August. Small film cinecamera. Issued 5-23-39. (28)
2,159,588; All. Bekk & Kaulen Chemische Fabrik. Process for the photomechanical manufacture of printing forms for intaglio printing. Issued 5-23-39. (28)
2,159,604; All. I G Farbenindustrie A G. Metallic article. Issued 5-23-39. (28)
2,159,677; All. Schmidt Maria Geb Salm. Chord-engaging device for musical instruments. Issued 5-23-39. (28)
2,159,694; Gorham William R. Driving gear. Issued 5-23-39. (39)
2,159,695; Gorham William R. Induction motor rotor. Issued 5-23-39. (39)
2,159,706; All. Maschinenfabrik Moenus A G. Lasting machine. Issued 5-23-39. (28)
2,159,712; All. Fernseh A G. Electron ray tube. Issued 5-23-39. (28)
2,159,947; Gansel Imre. Fixer for permanent catheters. Issued 5-23-39. (34)
2,159,964; All. Von Giesches Georg Erben. Magnesium alloy. Issued 5-30-39. (28)
2,159,969; All. Schlafhorst W and Co. Appliance for testing the tension of textile threads or yarn. Issued 5-30-39. (28)
2,160,026; Martin Josef. Ash removing device. Issued 5-30-39. (28)
2,160,148; Hunyady Istvan. Treatment of aluminum ores. Issued 5-30-39. (34)
2,160,170; All. Ruhrchemie A G. Heat treatment of hydrocarbon gases to dehydrogenate the same. Issued 5-30-39. (28)
2,160,231; Schaefer Gerhart. Umbrella frame. Issued 5-30-39. (28)
2,160,312; All. Continental Gummi Werke A G. Apparatus for vulcanizing rubber articles. Issued 5-30-39. (28)
2,160,313; Norres Wilhelm. Wire joint especially for electrical shot firing outfits or similar provision electrical circuits. Issued 5-30-39. (28)
2,160,330; All. Pintsch Julius K G. Door mounting and latching means. Issued 5-30-39. (28)
2,160,341; All. Deutsche Gold und Silber. Process for the carbonization of organic cellulosic materials of vegetable origin. Issued 5-30-39. (28)
2,160,440; All. Krafft and Weichardt. Apparatus for the starting and landing of aircraft. Issued 5-30-39. (28)
2,160,462; Schieferstein Georg Heinrich. Ramming machine. Issued 5-30-39. (28)
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2,160,545; Honda Kikutaro. Drafting apparatus for slivers for the production of spun yarns. Issued 5-30-39. (39)
2,160,565; Savio Michele. Fluid pressure cylinder. Issued 5-30-39. (38)
2,160,698; Herbst Hans. Permutation lock. Issued 5-30-39. (28)
2,160,738; Horn Ernst. Device for winding up spring-driven clockworks of toy vehicles. Issued 5-30-39. (28)
2,160,818; All. Leitz Ernst GmbH. Transmission mechanism for photographic cameras. Issued 6-6-39. (28)
2,160,890; All. Leitz Ernst GmbH. Ventilating device for projection apparatus. Issued 6-6-39. (28)
2,160,905; All. Faber & Schleicher A G. Sheet feeding mechanism. Issued 6-6-39. (28)
2,160,906; All. Faber & Schleicher A G. Sheet feeding and registering device. Issued 6-6-39. (28)
2,160,951; Alice Francesco. Process and device for the reproduction of designs on printing plates by means of photoelectrically controlled gravers. Issued 6-6-39. (38)
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2,161,096; Schieferstein Georg Heinrich. Conical type stone crusher. Issued 6-6-39. (28)
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2,161,181; Marx Peter. Melting furnace. Issued 6-6-39. (28)
2,161,273; All. Lorenz C A G. Electromagnetic recording arrangement. Issued 6-6-39. (28)
2,161,289; All. Lorenz C A G. Bridging condenser for high frequency arrangements. Issued 6-6-39. (28)
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2,161,305; All. Lorenz C A G. Television arrangement. Issued 6-6-39. (28)
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2,161,320; All. Lorenz C A G. Modulation system for radio transmitters. Issued 6-6-39. (28)
2,161,385; Ringer Ferdinand. Solid fuel for lighters. Issued 6-6-39. (6)
2,161,386; Ringer Ferdinand. Cigar lighter. Issued 6-6-39. (6)
2,161,439; Thoma Hans. Control mechanism for hydraulic transmissions and pumps. Issued 6-6-39. (28)
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2,161,507; Eggersdorfer Fritz. Fuel feeding device for internal combustion engines. Issued 6-6-39. (28)
2,161,533; All. Heine Hugo. Means for protecting wooden propellers. Issued 6-6-39. (28)
2,161,541; Tinter Fritz. Transport apparatus for stretchers and the like. Issued 6-6-39. (6)
2,161,609; Brinkmann Ewald et al; Arning Paul. Arrangement for working the peripheral surfaces of grinding disks and the like. Issued 6-6-39. (28)
2,161,623; Hensoldt Hans. Prism system. Issued 6-6-39. (28)
2,161,690; Windberger Othmar. Radiator arrangement for motor vehicles. Issued 6-6-39. (6)
2,161,724; Scharfenberg Kar. Automatic car coupler. Issued 6-6-39. (28)
2,161,753; All. Edeleanu GmbH. Process for refining hydrocarbon oils by means of halogen compounds. Issued 6-6-39. (28)
2,161,760; All. Steyr Daimler Puch A G. Automobile vehicle. Issued 6-6-39. (6)
2,161,817; All. Maschinenfabrik A G Augsburg. Gas holder without dead space. Issued 6-13-39. (28)
2,161,859; Geffcken Heinrich H et al; Richter Hans R. Photoelectric tube. Issued 6-13-39. (28)
2,161,872; All. Reeser Wilhelm Ernst. Electrical pocket writing and reading lamp. Issued 6-13-39. (6)
2,161,908; All. Naturin GmbH. Method of and apparatus for making artificial sausage casings. Issued 6-13-39. (28)
2,161,971; Muller Heinrich. Toy vehicle. Issued 6-13-39. (28)
2,161,972; All. Atlas Ago Chemische Fabrik A G. Material for manufacturing paper collars and the like. Issued 6-13-39. (28)
2,162,150; All. Junkers Flugzeug und Motorewerke. Control of aircraft. Issued 6-13-39. (28)
2,162,217; Hilbers Johann. Method for the production of yeast. Issued 6-13-39. (28)
2,162,256; Herrmann Richard et al. Skutta Theodor. Control arrangement for refrigerator. Issued 6-13-39. (6)
2,162,291; All. Auto Union A G. Springing arrangement for vehicles. Issued 6-13-39. (28)
2,162,309; Junghans Helmut. Movable dustproof bush for winding keys. Issued 6-13-39. (28)
2,162,311; All. Staedtler J S. Process for producing graph writing and drawing leads. Issued 6-13-39. (28)
2,162,320; All. Auto Union A G. Automobile. Issued 6-13-39. (28)
2,162,385; Langguth Erich. Process of manufacturing large surface electrodes. Issued 6-13-39. (28)
2,162,386; Neuhof Bruno. Process for the manufacture of insulating bodies. Issued 6-13-39. (28)
2,162,443; All. Universelle Cigarettenmaschinen. Method regulating the tobacco rod in cigarette-making machines. Issued 6-13-39. (28)
2,162,449; Thies Heinrich Paul. Method of fermenting milk. Issued 6-13-39. (28)
2,162,456; All. Kalle & Co A G. Photographic printing material. Issued 6-13-39. (28)
2,162,603; Bothe Otto. Valve for tires and the like. Issued 6-13-39. (28)
2,162,691; All. Mercedes Buromaschinen Werke A G. Computing mechanism. Issued 6-20-39. (28)
2,162,826; Ries Adolf. Necktie smoother and stretcher. Issued 6-20-39. (28)
2,162,834; All. Still Carl GmbH. Coke oven. Issued 6-20-39. (28)
2,162,862; All. Siemens Apparate und Maschinen. Attitude control means for aircraft. Issued 6-20-39. (28)
2,162,922; Schmidt Ferdinand. Process for siloing green fodder. Issued 6-20-39. (28)
2,162,975; Schmidt Arno. Furniture. Issued 6-20-39. (28)
2,163,143; Gallo Giuseppe et al; Calliera Giuseppe Bassi Giovanni Battista Bassi Felice Bassi Luigi. Brake shoe. Issued 6-20-39. (38)
2,163,200; Heimann Eberhard. Malt enzyme extraction in beer making. Issued 6-20-39. (28)
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2,163,209; All. Kohle und Eisenforschung GmbH. Welded structural element. Issued. 6-20-39. (28)
2,163,213; Springer Berthold. Process and device for the production of electrolytic condensers. Issued 6-20-39. (28)
2,163,254; Binder Richard et al; Klein Hermann. Hydraulic shock absorber with regulating device. Issued 6-20-39. (28)
2,163,264; All. Bakelite GmbH. Condensation products from formaldehyde and urea. Issued 6-20-39. (28)
2,163,276; All. Siemens and Halske A G. Apparatus for cleaning metallic articles. Issued 6-20-39. (28)

2,163,448; All. Steatit Magnesia A G. Variable inductance device. Issued 6-20-39. (28)
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2,163,494; Kleinschmidt Hans Erich. Machine for marking leather and the like. Issued 6-20-39. (28)
2,163,496; All. Siemens Apparate und. Permanent magnet dynamo electric machine. Issued 6-20-39. (28)
2,163,498; All. Deutsche Waffen und Munitions; Fabriden A G. Detonating compositions. Issued 6-20-39. (28)
2,163,515; Fend Kurt. Interchangeable lead pencil. Issued 6-20-39. (28)
2,163,517; All. Henschel Flugzeug Werke A G. Press for the flawless deforming of flat blanks. Issued 6-20-39. (28)
2,163,522; Wehinger Robert et al; Feldkirch Nofel. Fuel evaporating device for internal combustion engines. Issued 6-20-39. (6)
1,163,528; All. Siemens Apparate und Maschinen. Direct current motor. Issued 6-20-39. (28)
2,163,530; Thieme Romeo Fritz. Color motion picture system. Issued 6-20-39. (28)
2,163,563; All. Deutsche Hydrierwerke A G. Method of reclaiming mineral oils. Issued 6-20-39. (28)
2,163,564; All. Edeleanu GmbH. Method of refining mineral oils. Issued 6-20-39. (28)
2,163,589; All. Pintsch Julius Electron tube. Issued 6-27-39. (28)
2,163,725; Bergmann Theodor Emil. Metallic cartridge belt. Issued 6-27-39. (28)
2,163,730; Goetze Manlio. Integrating calorimeter. Issued 6-27-39. (38)
2,163,735; Muller Willy. Electrically driven vehicle jack. Issued 6-27-39. (28)
2,163,883; All. Universelle. Apparatus for comminuting and classifying tobacco. Issued 6-27-39. (28)
2,163,870; All. Pintsch Julius Kommanditgesellschaft. Endless film band reeling apparatus. Issued 6-27-39. (28)
2,163,983; Ona Masahisa. Process of reproducing cells for oxide film arresters. Issued 6-27-39. (39)
2,163,984; Petkovic Valentin Anton. Process for the preparation of a rust-preventing coating on metallic objects. Issued 6-27-39. (28)
2,163,992; Yoneta Takeo. Safety razor. Issued 6-27-39. (39)
2,164,003; Scheelhaase Herman. Method of building subterranean structures. Issued 6-27-39. (28)
2,164,028; All. Leitz Ernst GmbH. Photographic objective. Issued 6-27-39. (28)
2,164,043; Rossler Theodor. Wire netting machine. Issued 6-27-39. (28)
2,164,044; All. Dyckerhoff Dr Ing E H Eduard. Device for mixing fibrous material with binders such as plaster cement magnesite and the like. Issued 6-27-39. (28)
2,164,109; Guiducci Igino. Double safety washer for nuts of threaded bolts. Issued 6-27-39. (38)
2,164,134; Hahnle Hermann. Method and means for obtaining power outputs. Issued 6-27-39. (28)
2,164,153; Friedrich Wilhelm. Apparatus for producing fire extinguishing foam. Issued 6-27-39. (28)
2,164,178; All. Heinrich Maltner Kom Ges. Pocket lighter. Issued 6-27-39. (28)
2,164,245; Kienzle Otto. Spindle press. Issued 6-27-39. (28)
2,164,262; Wagner Johann. Air distributor. Issued 6-27-39. (28)
2,164,306; Bohringer Rolf et al; Germar Ruthard. Speed regulating mechanism. Issued 7-4-39. (28)
2,164,376; Berndt Karl. Device for simultaneously spinning and twisting artificial silk threads. Issued 7-4-39. (28)
2,164,394; Carpentieri Vincenzo. Tomato and fruit peeling machine. Issued 7-4-39. (38)
2,164,407; Jarchow Otto. Dust pan and collector. Issued 7-4-39. (28)
2,164,412; All. Siemens Apparate Und. Navigating apparatus for instruction purposes. Issued 7-4-39. (28)
2,164,430; Schmidt Friedrich Paul. Collapsible tubular container. Issued 7-4-39. (28)
2,164,528; Knotz Alois. Money plate. Issued 7-4-39. (6)
2,164,679; All. Felten and Guilliaume Carlswerk A G. Process of and apparatus for manufacturing helices. Issued 7-4-39. (28)
2,164,695; All. Tobis Tonbild Syndikat A G. Adjusting device for photographic and cinematographic objectives. Issued 7-4-39. (28)
2,164,744; Huth Fritz. Blade mounting for aircraft. Issued 7-4-39. (28)
2,164,755; All. Pertrix Chemische Fabrik A G. Galvanic battery. Issued 7-4-39. (28)
2,164,804; Dyckerhoff Hanns. Process for the manufacture of thrombin. Issued 7-4-39. (28)
2,164,906; All. Lorenz C A G. Television apparatus. Issued 7-4-39. (28)
2,164,910; All. Lorenz C A G. Electronic discharge tube. Issued 7-4-39. (28)
2,164,946; All. Lorenz C A G. Picture telegraph device. Issued 7-4-39. (28)
2,164,959; Steiner Leo. Sharpening metal strips. Issued 7-4-39. (34)
2,165,120; Ammendola Giuseppe. Tube cleaning device. Issued 7-4-39. (38)
2,165,152; Blunk Heinrich Pruss Max et al. Separating of heavy materials from a stream of liquid of varying quantity. Issued 7-4-39. (28)
2,165,160; Spiess Georg. Automatic feeding device. Issued 7-4-39. (28)
2,165,161; Spiees George. Feed table. Issued 7-4-39. (28)
2,165,358; All. Teves Alfred Maschinen Und. Vehicle brake. Issued 7-11-39. (28)
2,165,465; Ehrhardt Paul G et al; Sprater Adolf. Retractable alighting gear for airplanes. Issued 7-11-39. (28)
2,165,554; All. Vereinigte Chemische Fabriken. White opaque vitreous enamel frit. Issued 7-11-39. (28)
2,165,711; Kreidler Alfred. Extrusion press. Issued 7-11-39. (28)
2,165,719; Munnich Richard et al, Blechschmidt Hermann. Apparatus for reproducing rotary motion. Issued 7-11-39. (28)
2,165,728; Rosenfeld Hermann et al; Morhard Josef. Apparatus for creping sheet material. Issued 7-11-39. (28)
2,165,729; All. Kali Chemie A G. Manufacture of ignited phosphates. Issued 7-11-39. (28)
2,165,731; Schurmann Carl. Elastic coupling. Issued 7-11-39. (28)
2,165,736; Twele Otto. Advertising apparatus. Issued 7-11-39. (28)
2,165,737; All. Felten and Guilleaume Carlwerk A G. Tubular conductor. Issued conductor. Issued 7-11-39. (28)
2,165,755; Lentz Hugo. Idle running and starting device for poppet valve geared steam locomotives. Issued 7-11-39. (28)
2,165,819; All. Steatit Magnesia A G. Electric insulator and method of making same. Issued 7-11-39. (28)
2,165,857; All. Snock Gustav. Solidified normally-liquid substances. Issued 7-11-39. (28)
2,165,867; Lohrey Friedrich. Device for printing designs on walls surfaces or the like. Issued 7-11-39. (28)
2,165,903; All. Ihagee Kamerawerk Steenbergen and. Reflex camera. Issued 7-11-39. (28)
2,165,967; Haupt Hans. Folding umbrella. Issued 7-11-39. (28)
2,165,970; Jaspers Bernhard. Electric heating system operating by heat radiation. Issued 7-11-39. (28)
2,166,047; Frey Alfred et al; Gluck Hans; Oehme Hermann. Production of butanol and acetone by the fermentation of wash. Issued 7-11-39. (28)
2,166,101; All. Lindner Herbert. Centering means for drilling machine spindles. Issued 7-11-39. (28)
2,166,156; All. Maschinenfabrik Augsburg Nuernberg. Dry gas holder. Issued 7-18-39. (28)
2,166,280; Finke Max. Impressed picture medium. Issued 7-18-39. (28)
2,166,321; Pott Alfred. Method of producing semicoke or coke from carbonizable solid fuel material. Issued 7-18-39. (28)
2,166,338; All. Von Giesches Georg Erben. Deep drawing zinc alloy. Issued 7-18-39. (28)
2,166,340; All. Von Giesche S Georg Erben. Plastic zinc alloy of constant dimension. Issued 7-18-39. (28)
2,166,341; All. Von Giesche S Georg Erben. Machinable plastic zinc alloy. Issued 7-18-39. (28)
2,166,364; All. I G Farbenindustrie A G. Method of stabilizing alkali metal nitrate melts used in the heat treatment of metals. Issued 7-18-39. (28)
2,166,383; All. Wanderer Werke Vorm Winklhofer & Typewriter. Issued 7-18-39. (28)
2,166,491; Gromus Karl. Light control device. Issued 7-18-39. (6)
2,166,511; Witzenmann Emil. Pneumatic tire. Issued 7-18-39. (28)
2,166,533; Oetel Erwin. Suspension device. Issued 7-18-39. (28)
2,166,606; All. Achslager Syndikat. Axle lubricator. Issued 7-18-39. (28)
2,166,634; Lesage Alfred. Process for making engine cylinders with an inner lining. Issued 7-18-39. (28)
2,166,638; All. Kjellberg Elektroden & Maschinen. Arc welding apparatus with coated electrodes. Issued 7-18-39. (28)
2,166,652; Zinsser Ludwig. Machine for washing or disintegrating materials of all kinds especially for husking grains. Issued 7-18-39. (28)
2,166,670; All. Eberspacher J. Silencer. Issued 7-18-39. (28)
2,166,705; All. Askania Werke A G. Fluid pressure relay. Issued 7-18-39. (28)
2,166,731; All. Klingelnberg W Ferd Sohne. Method of and apparatus for hardening gears. Issued 7-18-39. (28)
2,166,734; Ewald Walter et al; Strube Rudolf. Low frequency induction furnace. Issued 7-18-39. (28)
2,166,784; Pommer Erwin. Device for applying and attaching.[1] Issued 7-18-39. (6)
2,166,853; All. Schacht & Westerich. Device for receiving written and graphic matter. Issued 7-18-39. (28)
2,166,896; Nissen Hans Gregers. Crankshaft arrangement for internal combustion engines. Issued 7-18-39. (28)
2,166,997; All. Stickstoffsduenger Akt. Process of distilling organic acid anhydrid. Issued 7-25-39. (28)
2,167,043; Haneschka Hans. Method of recovering fats oils and proteins from animal and vegetable starting materials and more particularly from waste plants. Issued 7-25-39. (6)
2,167,053; Riszdorfer Odon. Photographic camera built integral with an electric exposure meter. Issued 7-25-39. (34)
2,167,077; All. Siemens Apparate und Maschinen. Control apparatus for airplanes. Issued 7-25-39. (28)
2,167,150; Haberfeld Erwin Otto. Keyboard for typewriting machines and other commercial machines. Issued 7-25-39. (28)

[1] So in original document.

2,167,181; Michalk Otto. Hammering roller with balls. Issued 7-25-39. (28)
2,167,186; All. Vereinigte Deutsche Metallwerke Akg. Sound recording and reproducing element and more particularly a permanent magnet therefor. Issued 7-25-39. (28)
2,167,201; All. Pintsch Julius K G. Electron tube. Issued 7-25-39. (28)
2,167,250; All. Uhde Friedrich. Process of making a solid bituminous hydrocarbon product. Issued 7-25-39. (28)
2,167,265; Geffcken Heinrich; Honnef Hermann et al. Power generator. Issued 7-25-39. (28)
2,167,295; Dome Robert et al; Jaross Paul. Driving gear of motor cars. Issued 7-25-39. (34)
2,167,299; All. Schmidtsche Heissdampf GmbH. Method and apparatus for preventing excess pressure increase in steam generators with low water content. Issued 7-25-39. (28)
2,167,302; Junghans Helmut. Barrel safety means for fuses. Issued 7-25-39. (28)
2,167,304; Kloz Gerhard. Supervision of the uniformity of galvanic baths. Issued 7-25-39. (28)
2,167,308; All. Guhring Alfred. Machine tool for bar stock. Issued 7-25-39. (28)
2,167,319; All. Blank Carl K G. Process for the manufacture of polysulphides of organic bases and of their solutions. Issued 7-25-39. (28)
2,167,320; Yabe Shigeru. Air hammer. Issued 7-25-39. (39)
2,167,325; All. I G Farbenindustrie Akg. Agents of capillary activity. Issued 7-25-39). (28)
2,167,326; All. I G Farbenindustrie AKG. Agents of capillary activity. Issued 7-25-39. (28)
2,167,376; All. Auto Union AKG. Vehicle body. Issued 7-25-39. (28)
2,167,388; Kremmling Otto. Biscuit molding machine. Issued 7-25-39. (28)
2,167,409; Schmidt Walter. Automatic door check with tension contrivance and mechanical brake. Issued 7-25-39. (28)
2,167,421; All. Siemens Apparate und. Automatic control device for vehicles. Issued 7-25-39. (28)
2,167,422; All. Siemens Apparate und. Apparatus for establishing an artificial horizon. Issued 7-25-39. (28)
2,167,477; Glunz Fritz. Printing and duplicating machine. Issued 7-25-39. (28)
2,167,495; Wimmersperg Heinrich. Firearm. Issued 7-25-39. (6)
2,167,496; All. Lorenz C AKG. Glow discharge oscillator. Issued 7-25-39. (28)
2,167,500; Dornfeld Reinhold et al; Haage Konrad. Ditch cutting device. Issued 7-25-39. (28)
2,167,506; All. Lorenz C AKG. Piezoelectric apparatus. Issued 7-25-39. (28)
2,167,509; All. Lorenz C AKG. Telegraph system. Issued 7-25-39. (28)
2,167,511; All. Lorenz C AKG. High frequency transmitter. Issued 7-25-39. (28)
2,167,512; All. Lorenz C AKG. Electrical oscillatory circuits. Issued 7-25-39. (28)
2,167,515; All. Lorenz C AKG. Electronic discharge tube. Issued 7-25-39. (28)
2,167,517; All. Universelle Cigarettenmaschinen. Weight recording and registering apparatus. Issued 7-25-39. (28)
2,167,522; All. Lorenz C AKG. Electric separating filter. Issued 7-25-39. (28)
2,167,523; Reichenbach Karl. Fountain brush. Issued 7-25-39. (28)
2,167,565; All. Elina G Fur Elektrische Industrie. Method of connecting the electrodes in automatic electric arc welding. Issued 7-25-39. (6)
2,167,728; Satragno Francesco. Device for the automatic application of antiseptic insulating ribbons to the edges of drinking glasses cups and the like. Issued 8-1-39. (38)
2,167,805; Hummel Oscar. Apparatus for mixing different or similar substances. Issued 8-1-39. (28)
2,167,808; Litty Paul. Means for producing a testing thread. Issued 8-1-39. (28)
2,167,812; All. Firma A G Vorm Seidel and Naumann. Escapement device for typewriting machines. Issued 8-1-39. (28)
2,167,815; All. Montblanc Simplo GmbH. Fountain pen. Issued 8-1-39. (28)
2,167,820; All. Wever Paul. Belt hook press. Issued 8-1-39. (28)
2,167,906; Pell Carl. Process of casting. Issued 8-1-39. (28)
2,167,911; Schleferstein Georg Heinrich. Suspension system for vehicles. Issued 8-1-39. (28)
2,167,978; Jennerich Balthasar. Insect trap. Issued 8-1-39. (28)
2,167,983; All. Meco Brennkraft Maschinen GmbH. Ramming device on the diesel principle. Issued 8-1-39. (28)
2,168,000; All. Bauer and Schaurte Rheinische. Screw or screw bolt. Issued 8-1-39. (28)
2,168,110; Woerner Eugen. Chainless cycle with pedal-levers. Issued 8-1-39. (28)
2,168,122; All. Junkers Flugzeug und Motorenwerke. Piston pump. Issued 8-1-39. (28)
2,168,131; All. Junkers Flugzeug und Motorenwerke. Internal combustion engine. Issued 8-1-39. (28)
2,168,138; Sakurai Hyosuke. Method of manufacturing chicken feed and the composition of the same. Issued 8-1-39. (39)
2,168,168; Matthael Curt. Closing device for belt fasteners. Issued 8-1-39. (28)
2,168,194; Dietrich Herbert. Flat knitting frame. Issued 8-1-39. (28)
2,168,205; All. Huttenwerke Siegerland A G. Machine for receiving and conveying into and out of the pickling tanks piles of sheet billets semifinished rolled products sheets and other material to be pickled. Issued 8-1-39. (28)
2,168,215; All. Dornier Werke GmbH. Hydraulic transmission system. Issued 8-1-39. (28)
2,168,225; Lewin Hans. Photographic image and method of and apparatus for viewing the same. Issued 8-1-39. (28)
2,168,247; Staufert Carl. Spindle and spindle bearing. Issued 8-1-39. (28)
2,168,249; Staufert Carl. Brake for spinning or twisting spindles. Issued 8-1-39. (28)
2,168,275; All. Reinecker A G. Slideway for wheel carriages of gear grinding machines. Issued 8-1-39. (28)
2,168,287; All. Fidenza Soc A. Glass slab for the construction of walls and illuminated covers. Issued 8-1-39. (38)
2,168,385; Baumgarten Imre. Circular loom. Issued 8-8-39. (34)
2,168,398; Dietrich Herbert. Method of separately working heel portions onto stockings. Issued 8-8-39. (28)
2,168,433; Parvopassu Pietro. Cinematographical projecting apparatus with optical compensation. Issued 8-8-39. (38)
2,168,449; All. Gessner Ernst A G. Ring spinning frame. Issued 8-8-39. (28)
2,168,464; All. Yamagoshi Choshichi. Roentgenometer. Issued 8-8-39. (39)
2,168,467; Blum Carl Robert. Phonorhythm process and apparatus for carrying it out. Issued 8-8-39. (28)
2,168,481; All. Quarzlumpen GmbH. Apparatus for making prints. Issued 8-8-39. (28)
2,168,482; Junghans Helmut. Mechanical detonator. Issued 8-8-39. (28)
2,168,483; Junghans Helmut. Photographic shutter. Issued 8-8-39. (28)
2,168,667; All. Maybach Motorenbau GmbH. Control device for change speed gears. Issued 8-8-39. (28)
2,168,695; Asari Kumaki. Diving mask. Issued 8-8-39. (39)
2,168,717; Ritzerfeld Wilhelm. Stop device for movable parts on rotary reprinting machines. Issued 8-8-39. (28)
2,168,792; All. Tefi Apparatebau Dr Daniel K G. Sound recording and reproducing apparatus. Issued 8-8-39. (28)
2,168,807; Schlupmann Heinrich. Metal spraying pistol. Issued 8-8-39. (28)
2,168,864; All. Telephon Apparat Fabrik E Zwietusch. Telephone pay station. Issued 8-8-39. (28)
2,168,979; Erdmann Georg. Handle for hand grenades. Issued 8-8-39. (28)
2,169,159; Moller Georg. Means for accurate screw cutting. Issued 8-8-39. (28)
2,169,166; All. Universelle Cigarettenmaschinen. Apparatus for forming cigar tips. Issued 8-8-39. (28)
2,169,345; All. Jagenberg Werke A G. Method and machine for producing paper containers. Issued 8-15-39. (28)
2,169,704; Mazza Adolfo. Sleeper for railways tramways and the like of cement asbestos with metallic reinforcements. Issued 8-15-39. (38)
2,169,707; Oberme & T Fritz. Peeling machine for potatoes etc. Issued 8-15-39. (28)
2,169,718; All. Sprengund Tauchgesellschaft M B H. Hydraulic earth boring apparatus. Issued 8-15-39. (28)
2,169,724; All. Spreng und Tauchgesellschaft M B H. Method of blasting moory soil. Issued 8-15-39. (28)
2,169,826; All. Bayerische Stickstoff Werke A G. Process of producing highly concentrated nitric acid. Issued 8-15-39. (28)
2,169,839; Hochherr Ferdinand. Cigar mold. Issued 8-15-39. (28)
2,169,841; All. Rheinmetall Borsig A G Werk Borsig. Polishing means. Issued 8-15-39. (28)
2,169,924; Ohreneder Karl. Time switch. Issued 8-15-39. (6)
2,169,927; Riszdorfer Odon. Photographic film camera with electric exposure meter built in. Issued 8-15-39. (34)
2,169,937; Wempe Bernhard. Method of producing perforated metal sheets. Issued 8-15-39. (28)
2,169,947; All. Freudenberg Carl GmbH. Absorbent wadding particularly for surgical purposes. Issued 8-15-39. (28)
——;[1] All. I G Farbenindustrie Akg. Sulpho carboxylic esters suitable as assistants for the textile and related industries. (28)
2,170,020; All. Junkers Flugzeug und Motorenwerke. Internal combustion engine. Issued 8-22-39. (28)
2,170,036; Schumann Robert. Small electric machine tool. Issued 8-22-39. (28)
——;[1] All. Siemens & Halske Akg. Permanent magnet of copper cobalt nickel alloy. (28)
2,170,052; All. Heim Moses Leib. Oxygen generating composition. Issued 8-22-39. (28)
2,170,054; Jeschor Paul. Apparatus for boring crankcase beafings. Issued 8-22-39. (28)
2,170,079; Junghans Helmut. Alarm clock. Issued 8-22-39. (28)
2,170,368; Gentilini Augusto. Illuminated advertising apparatus with a scintillating effect. Issued 8-22-39. (38)
2,170,371; All. I G Farbenindustrie Akg. Apparatus for testing magnetizable workpieces. Issued 8-22-39. (28)
2,170,373; Kind Oscar. Apparatus for playing a table game. Issued 8-22-39. (28)
2,170,376; Mayer Karl. Method of stiffening shoes. Issued 8-22-39. (28)
2,170,406; All. Deutsche Telephonwerke und. Calculating machine. Issued 8-22-39. (28)
2,170,431; All. Molybdenum Co N V. Alloy. Issued 8-22-39. (6)
2,170,458; All. Luftschiffbau Zeppelin GmbH. Light-weight girder especially for aircraft. Issued 8-22-39. (28)
2,170,486; Ruppik Herbert. Yieldable core for casting heavy hollow steel blocks. Issued 8-22-39. (28)

[1] So in the original document.

2,170,488; Spiess Georg. Method and device of feeding sheets to printing and other sheet working machines. Issued 8-22-39. (28)

2,170,489; Spiess Georg. Sheet feeding device. Issued 8-22-39. (28)

2,170,513; Asbeck Gustav. Apparatus for reducing tubes. Issued 8-22-39. (28)

2,170,582; Wolter Robert. Slide gauge. Issued 8-22-39. (28)

2,170,648; All. Lorenz C Akg. Electric discharge tube. Issued 8-22-39. (28)

2,170,657; All. Lorenz C Akg. Electron tube. Issued 8-22-39. (28)

2,170,659; All. Lorenz C Akg. Direction finding arrangement. Issued 8-22-39. (28)

2,170,697; Richter Richard. Warp loom. Issued 8-22-39. (28)

2,170,713; Fattinger Hans. Stock food and method of producing the same. Issued 8-22-39. (6)

2,170,768; Schieferstein Georg Heinrich. Grinding & the like apparatus. Issued 8-22-39. (28)

All. Siemens and Halske A G. Telephone system. (28)

2,170,931; Schafer Hans. Method for the production of patterned objects from powdered materials and the like. Issued 8-29-39. (28)

2,170,979; Straubel Rudolf. Optical system for searchlights. Issued 8-29-39. (28)

2,171,009; Rostin Heliodor et al; Schuster Karl. Oil refining process. Issued 8-29-39. (28)

2,171,074; Bartscherer Franz. Process for improving the texture of rolled products. 8-29-39. (28)

2,171,084; Fasce Angelo. Dining table. Issued 8-29-39. (38)

2,171,093; Klima Rudolf et al; Pellischek Paul. Adaptable rail trolley. Issued 8-29-39. (6)

2,171,100; Sakurai Hyosuke. Impulse type rotary crusher. Issued 8-29-39. (39)

2,171,149; Schroter Kurt et al; Schroter Hans O. Resilient mounting. Issued 8-29-39. (28)

2,171,166; Seel Willy. Condensation product from p dichlorbenzol and sulphuric anhydride and its derivatives. Issued 8-29-39. (38)

2,171,185; Maier Friedrich Eugen. Longitudinal spring for telescopic tubular guides. Issued 8-29-39. (28)

2,171,222; Meyer Georg. Process for the preparation of sales of cellulose ether carboxylic acids. Issued 8-29-39. (28)

2,171,246; Schweiger Julius. Advertising and display device. Issued 8-29-39. (34)

2,171,366; All. Muller Willy. Telephonograph. Issued 8-29-39. (28)

2,171,388; Berger Ludwig. Method and means for binding fibrous building material. Issued 8-29-39. (6)

2,171,399; All. Peters Louis. Method and apparatus for homogenizing powdered mixtures. Issued 8-29-39. (28)

2,171,406; All. Klingelnberg W Ferd Sohne. Spiral rolling generating process for bevel gears and apparatus therefor. Issued 8-29-39. (28)

2,171,469; All. Auto Union A G. Automobile. Issued 8-29-39. (28)

2,171,491; Endres Rudolf. Brake and pressure fluid. Issued 8-29-39. (28)

2,171,492; Errera Attilio. Coin collecting and object distributing machine. Issued 8-29-39. (38)

2,171,493; Hechtheimer Ernst. Mirror device for looms for ascertaining from the position of the weaver breaking of warp threads or the like in the loom. Issued 8-29-39. (28)

2,171,552; All. Semperit Oesterreichisch. Process for making rubber articles. Issued 9-5-39. (6)

2,171,640; All. Leitz Ernst GmbH. Photographic objective. Issued 9-5-39. (28)

2,171,641; All. Leitz Ernst GmbH. Photographic objective. Issued 9-5-39. (28)

2,171,660; All. Leitz Ernst GmbH. Shutter mechanism for roll film cameras. Issued 9-5-39. (28)

2,171,808; All. Junkers Fulgzeug Und Motorenwerke. Vibration generator for test purposes. Issued 9-5-39. (38)

2,171,810; Steinlein Gystav et al; Bruckmoser Ludwig. Motor-driven freewheel brake hub for bicycles. Issued 9-5-39. (28)

2,171,811; Steinlein Gustav et al; Bruckmoser Ludwig. Freewheel brake hub driven by a motor mounted in the driving wheel. Issued 9-5-39. (28)

2,171,817; All. Junkers Flugzeug Und Motorenwerke A. Radiator for aviation engines. Issued 9-5-39. (28)

2,171,818; All. Junkers Flugzeug Und Motorenwerke. Wall structure for aircraft compartments. Issued 9-5-39. (28)

2,171,831; Hiromi Tetsutaro. Manufacturing method of the piston ring operative on every part of the cylinder with balanced compression. Issued 9-5-39. (39)

2,171,912; All. Auto Union A G. Internal combustion engine. Issued 9-5-39. (28)

2,171,923; All. Vereinigte Spielwarenfabriken. Wheel for toy electric trains. Issued 9-5-39. (28)

2,171,965; All. Deutsche Celluloid Fabrik Oily to resinous condensation products and a process of preparing them. Issued 9-5-39. (28)

2,171,968; All. Kupfer Asbest Co. Gustav Bach. Packing. Issued 9-5-39. (28)

2,171,977; Friz Adolf. Heating plate. Issued 9-5-39. (28)

2,171,981; Heimberger Walter. Cleaning of metallic surfaces. Issued 9-5-39. (28)

2,172,034; All. Elektrische Gluhlampenfabriken Joh. Device for measuring and testing electric resistances. Issued 9-5-39. (6)

2,172,036; Schmeisser Hugo. Air rifle. Issued 9-5-39. (28)

2,172,042; Wieland Georg. Process and device for producing expansion joints in concrete. Issued 9-5-39. (28)

2,172,054; Di Brazza Savorgnan Ascanio. Projectile having its center of gravity in front of the center of resistance. Issued 9-5-39. (38)

2,172,058; Busching Willi. Process for the concentration of corrosive substances. Issued 9-5-39. (28)

2,172,063; Hara Nobushiro. Chair for use in medical treatment. Issued 9-5-39. (39)

2,172,076; All. I G Farbenindustrie A G. Production of porous building materials. Issued 9-5-39. (28)

2,172,103; Kotaki Teizo. Pump. Issued 9-5-39. (39)

2,172,128; Mitschele Carl. Warning and stopping device for knitting machines. Issued 9-5-39. (28)

——; [1] All. Zeiss Ikon A G. Photoelectric cathode. (28)

2,172,350; Heyner Willi et al; Henkel Hermann. Screw connection. Issued 9-12-39. (28)

2,172,441; Goethal Herbert et al; Tramm Heinrich. Method of producing lubricating oils. Issued 9-12-39. (28)

2,172,455; Samuel Max. Bandage package. Issued 9-12-39. (28)

2,172,473; All. Fichtel & Sachs A G. Bicycle drive. Issued 9-12-39. (28)

2,172,531; Ekhard Willy. Fermentation process for improving vegetable and animal oils and fats as well as other glycerides of the fatty acids. Issued 9-12-39. (28)

2,172,548; Schwarzkopf Paul. Shaped bodies for electric purposes particularly leading in wires and bars for electric current. Issued 9-12-39. (6)

2,172,562; Lentz Hugo Johannes. Valve gear for reversible reciprocating fluid pressure engines especially for locomotives. Issued 9-12-39. (6)

2,172,697; Ciclin Paul. Movable siphon weir. Issued 9-12-39. (6)

2,172,699; Cohn Martin. Process of treating seeds for the production of food. Issued 9-12-39. (28)

2,172,704; Gentilli Paolo. Mechanical mixer. Issued 9-12-39. (38)

2,172,714; Pohl Eduard Dec.; Schack Alfred et al. Filling block and honeycomb work for regenerators. Issued 9-12-39. (28)

2,172,717; All. Chemische Fabrik Johann A Wulfing. Heavy metal compounds of sulphyfryl deratinic acid and process for preparing the same. Issued 9-12-39. (28)

2,172,751; All. Rheinmetall Borsig AKG. Compressor. Issued 9-12-39. (28)

2,172,779; All. Pintsch Julius. Film apparatus. Issued 9-12-39. (28)

2,172,809; All. Maschinenfabrik Augsburg. Method of controlling the supercharging pressure in internal combustion engines. Issued 9-12-39. (28)

2,172,854; Schneider Julius. Casting mold for type casting machines. Issued 9-12-39. (28)

2,172,860; All. Pannonia Baranybornemesito. Machine for ironing furs. Issued 9-12-39. (34)

2,172,979; Rouette Eduard; Standop Wilhelm; Kohler Fritz et al. Soldering agent. Issued 9-12-39. (28)

2,172,988; All. Universelle Cigarettenmaschinen. Production of cardboard box cuttings. Issued 9-12-39. (28)

2,173,087; All. Universelle. Tobacco sorting and separating machine. Issued 9-19-39. (28)

2,173,088; All. Universelle. Separating device. Issued 9-19-39. (28)

2,173,194; Abendroth Wilhelm. Sliding door. Issued 9-19-39. (28)

2,173,196; Bornemann Otto. Wind screen attachment. Issued 9-19-39. (28)

2,173,205; All. Rochling Sche Eisen und Stahlwerke. Process for the deoxidation of steel baths. Issued 9-19-39. (28)

2,173,217; Thomsen Hans. Support for plants. Issued 9-19-39. (28)

2,173,240; All. Siemens & Halske A G. Method for manufacturing magnetic material of high permeability in sheet form. Issued 9-19-39. (28)

2,173,263; Nier Richard. Heating device for windshields of motor vehicles. Issued 9-19-39. (28)

2,173,279; Kraemer Lodovico. Propelling pencil. Issued 9-19-39. (38)

2,173,305; All. I G Farbenindustrie A G. Resins soluble in alcohol umbrella. Issued 9-5-39. (28)

2,173,312; All. Heraeus Vacuum Schmelze A G. Silicon iron alloy. Issued 9-19-39. (28)

2,173,332; Hoffmann Max. Card index system. Issued 9-19-39. (28)

2,173,541; Rieger Willy et al; Hartmann Otto H. Compound engine. Issued 9-19-39. (28)

2,173,555; All. Forg Franz. Grinding disk. Issued 9-19-39. (28)

2,173,574; Binder Eichard et al; Klein Hermann. Slide controlled hydraulic shock absorber. Issued 9-19-39. (28)

2,173,578; Egersdorfer Fritz et al; Wuchner Franz. Apparatus for feeding fuel to internal combustion engines. Issued 9-19-39. (28)

2,173,595; All. Maschinenfabrik Augsburg Nurnberg. Turbine driven blower. Issued 9-19-39. (28)

2,173,625; Takenouchi Toshitaro; Fujii Shuhei et al. Lightning arrester. Issued 9-19-39. (39)

2,173,630; Mori Kanjiro. Rice cleaning machine. Issued 9-19-39. (39)

[1] So in the original document.

2,173,635; All. Mercedes Buromaschinen Werke A G. Calculating machine. Issued 9-19-39. (28)

2,173,636; All. Mercedes Buromaschinen Werke A. G. Value transferring mechanism. Issued 9-19-39. (28)

2,173,676; Brendlin Adolf. High pressure bellows structure. Issued 9-19-39. (28)

2,173,685; Grassmann Erich. Lifting jack. Issued 9-19-39. (28)

2,173,756; Kronenberg Paul. Process of producing fog or mist by partial and flameless combustion. Issued 9-19-39. (28)

2,173,787; Luckel Willi. Cap for tubes containers or the like. Issued 9-19-39. (28)

2,173,794; All. Oesterr Saurer Werke A G. Convertible vehicle of the caterpillar type with retractable road wheels. Issued 9-19-39. (28)

2,173,851; August Bernhard. Method and apparatus for increasing the sharpness of tuning. Issued 9-26-39. (28)

2,173,902; All. Lorenz C A G. Common wave transmitter system. Issued 9-26-39. (28)

2,173,906; All. Lorenz C A G. Discharge tube. Issued 9-26-39. (28)

2,173,991; All. Leitz Ernst GmbH. Shutter release mechanism. Issued 9-26-39. (28)

2,174,013; Schrey Adolf. Device for and method of treating fabrics and yarns. Issued 9-26-39. (28)

2,174,048; Trujen Willy. Machine for sharpening knives for plush and velvet cutting. Issued 9-26-39. (28)

2,174,064; All. Wanderer Werke Vorm Winklhofer and line spacing mechanism. Issued 9-26-39. (28)

2,174,113; Thienel Max. Washing implement. Issued 9-26-39. (28)

2,174,128; Jyrch Herbert. Loudspeaker. Issued 9-26-39. (28)

2,174,129; Van Kempen Peter Anton. Apparatus for measuring and marking web materials. Issued 9-26-39. (28)

2,174,132; All. Frenkel Hermann. Producing resistant varnish coatings on wood. Issued 9-26-39. (28)

2,174,133; Mayer Karl. Apparatus for making boots and shoes. Issued 9-26-39. (28)

2,174,205; All. Mauser Werke AG. Method of and apparatus for performing looping on a multineedle seam covering sewing machine. Issued 9-26-39. (28)

2,174,209; All. Genest, Vibration damper. Issued 9-26-39. (28)

2,174,219; Balma Aldo. Stapling pliers. Issued 9-26-39. (38)

2,174,229; Rosselli Alfredo. Device for connecting the shoe of a rail to a carrier of concrete or the like. Issued 9-26-39. (38)

2,174,264; Halbach Karl. Road covering. Issued 9-26-39. (28)

2,174,350; Montu Ernesto. Three dimension radio bearing indicator. Issued 9-26-39. (38)

2,174,459; All. Soc an Rolla Traverso and Storace. Multiple clamp. Issued 9-26-39. (38)

2,174,475; All. Henning Dr Georg Chem Pharm. Enzymatic manufacture of nuclecides. Issued 9-26-39. (28)

2,174,571; Eller Fritz. Cash register. Issued 10-3-39. (28)

2,174,614; Bornemann Ferdinand et al; Huber Hans. Method of producing polyphosphates and polyphosphate mixtures. Issued 10-3-39. (28)

2,174,628; Gerull Hans. Method of welding and soldering. Issued 10-3-39. (6)

2,174,647; Wiessner Kurt. Shoe sole. Issued 10-3-39. (6)

2,174,672; All. Zahnradfabrik Friedrichshafen A G. Planet gear. Issued 10-3-39. (28)

2,174,722; Herrmann Ferdinand Artur. Process of electrolytic cleansing. Issued 10-3-39. (28)

2,174,881; All. Miller Ella. Brassiere. Issued 10-3-39. (28)

2,175,000; Schlesinger Sigmund. Apparatus for the picking up of loops or meshes dropped in hosiery and knitted goods. Issued 10-3-39. (34)

2,175,114; Friedmann Ernst et al; Reiffenstein Bruno. Arrangement for taking parallactic Panorama stereograms. Issued 10-3-39. (6)

2,175,334; Wollheim Ernst. Process for obtaining a substance lowering the blood pressure. Issued 10-10-39. (28)

2,175,354; Lewin Egon. Electrostatic relay. Issued 10-10-39. (28)

2,175,505; Furstenthal Hermann. Illuminated advertising apparatus. Issued 10-10-39. (28)

2,175,556; Haustein Karl Ewald. Manufacture of artificial building bodies. Issued 10-10-39. (28)

2,175,627; All. Siemens Apparate und Maschinen. Disengaging means for automatic control systems for aircraft. Issued 10-10-39. (28)

2,175,631; All. Siemens Apparate und Maschinen. Gyroscopic apparatus for determining the inclination of an airplane. Issued 10-10-39. (28)

2,175,712; All. Eberspacher J Firm. Pipe joint. Issued 10-10-39. (28)

2,175,961; Kampfer Adolf. Apparatus for the production of foils and plates particularly from highly elastic polymerization products. Issued 10-10-39. (28)

2,175,990; Hirsch Nicholas. Process and arrangement for increasing the maximum output of electron tubes. Issued 10-10-39. (34)

2,176,123; Denzer Ludwig. Type lever pad attachment for typewriting machines. Issued 10-17-39. (28)

2,176,124; All. Waldmann Adolf. Selective magazine pencil. Issued 10-17-39. (28)

2,176,142; Merges Herbert Alfred et al; Behnsen Karl. Cooling means for grinding mill disks. Issued 10-17-39. (28)

2,176,181; Hunsdiecker Heinz et al; Hunsdiecker Clare; Vogt Egon. Method of manufacturing organic chlorine and bromine derivatives. Issued 10-17-39. (28)

2,176,193; All. Deckel Friedrich. Engraving and copying machine. Issued 10-17-39. (28)

2,176,388; All. Barmer Maschinenfabrik A G. Gear pump. Issued 10-17-39. (28)

2,176,547; All. Wurker. Frame embroidery machine. Issued 10-17-39. (28)

2,176,781; Ascari Luta Nelusco. Accumulator. Issued 10-17-39. (38)

2,176,787; Burghauser Franz. Pump or motor. Issued 10-17-39. (28)

2,176,801; Pinazza Glouse. Percussion implement. Issued 10-17-39. (38)

2,176,815; Hirohashi Tannen. Cutting and folding machine. Issued 10-17-39. (39)

2,176,816; Huhn Gustav. Process of assembling packings linings and the like. Issued 10-17-39. (28)

2,176,916; All. Maybach Motorenbau GmbH. Control device for gear changing mechanism in motor vehicles. Issued 10-24-39. (28)

2,176,977; Nicolay Karl. Hand guided mechanically driven intermittently operated sewing device. Issued 10-24-39. (28)

2,177,040; Huhn Gustav. Hollow cylinder or ring for packings bearings linings and the like. Issued 10-24-39. (28)

2,177,042; Michael Paul. Tire tread and pressure regulating device. Issued 10-24-39. (28)

2,177,081; All. Klangfilm GmbH. Recording and reproduction of sound. Issued 10-24-39. (28)

2,177,227; All. Mauser Werke A G. Firearm. Issued 10-24-39. (28)

2,177,228; All. Hungaria Kunstdunger Schwefelsaure method of preparing ore briquettes. Issued 10-24-39. (34)

2,177,244; Clamberlini Ugo. Anemometer with altitude correction. Issued 10-24-39. (38)

2,177,315; De Caria Ugo. Air propeller with automatically variable pitch. Issued 10-24-39. (38)

2,177,435; All. Kammerer Fr A G. Method of making round compound metallic articles. Issued 10-24-39. (28)

2,177,441; All. Achslager Syndikat. Oil and dust packing for rotating axles or shafts. Issued 10-24-39. (28)

2,177,494; All. Stickstoffdunger A G. Process of preparing aliphatic acid anhydrides. Issued 10-24-39. (28)

2,177,572; Kogel Gustav. Cinematograph or like projection surface and method of making same. Issued 10-24-39. (28)

2,177,584; Salansky Franz. Method of making bushings. Issued 10-24-39. (6)

2,177,608; Hebel Martin. Telephone installation. Issued 10-24-39. (28)

2,177,613; Molly Hans; Thoma Hans et al. Hydraulic device. Issued 10-24-39. (28)

2,177,771; Grauert Heinz. Luminous sign. Issued 10-31-39. (28)

2,177,808; Pohl Ernst. Tiltable couch for X-ray diagnosing purposes. Issued 10-31-39. (28)

2,177,862; Buttner Hugo. Apparatus for making spring assemblies or spring fillings. Issued 10-31-39. (28)

2,177,904; All. Maybach Motorenbau GmbH. Fluid control mechanism for a change speed gear transmission operated by fluid pressure. Issued 10-31-39. (28)

2,178,025; Richter Eduard. Composite shoe. Issued 10-31-39. (28)

2,178,122; All. Deckel Friedrich. Power equalizing device. Issued 10-31-39. (28)

2,178,131; All. Deckel Friedrich. Copying and engraving machine. Issued 10-31-39. (28)

2,178,306; All. Siemens Apparate und Maschinem G. Course device for vehicles. Issued 10-31-39. (28)

2,178,344; All. Leitz Ernst GmbH. Photographic camera. Issued 10-31-39. (28)

2,178,346; All. Leitz Ernst GmbH. Film reel attachment. Issued 10-31-39. (28)

2,178,348; Ruthardt Gustav. Sparking plug. Issued 10-31-39. (28)

2,178,352; Unglaube Emil et al; Kiehlmann Georg. Projection apparatus for a small planetarium. Issued 10-31-39. (28)

2,178,361; All. Leitz Ernst GmbH. Combined camera and exposure meter. Issued 10-31-39. (28)

2,178,458; All. Fernseh A G. Braun tube. Issued 10-31-39. (28)

2,178,482; List Heinrich. Instrument for stroboscopic observations. Issued 10-31-39. (28)

2,178,486; Menozzi Giuseppe. Device for signaling the presence of illuminating gas in inhabited premises. Issued 10-31-39. (38)

2,178,487; Menozzi Giuseppe. Device for signaling the presence of illuminating gas in inhabited premises. Issued 10-31-39. (38)

2,178,506; All. Edeleanu GmbH. Method of recovering pyridine in the solvent refining of oils. Issued 10-31-39. (28)

2,178,641; Neumann Georg. Magnetic coupling. Issued 11-7-39. (28)

2,178,955; Draemann Max. Production of rubber filaments. Issued 11-7-39. (28)

2,178,978; Uemura Taiju. Automatically and continuously working phonograph. Issued 11-7-39. (39)

2,179,037; Goldschmidt Martha. Sealing and handle attaching device for packages. Issued 11-7-39. (28)

2,179,179; All. Siemens Apparate and Maschinen GmbH. Servomotor for the remote control of aircraft. Issued 11-7-39. (28)

2,179,361; Weber Walter; Von Braunmuhl Hans Jochim et al. Condenser microphone. Issued 11-7-39. (28)

2,179,405; De Falco Mario. Power transmission mechanism. Issued 11-7-39. (38)

2,179,411; Junghans Helmut. Pendulum clockwork. Issued 11-7-39. (28)
2,179,442; All. Westfalia Dinnendahl Groppel A G. Sifter or conveyor device. Issued 11-7-39. (28)
2,179,478; Bruckmoser Ludwig. Motor bicycle. Issued 11-14-39. (28)
2,179,744; Junghans Helmut. Clutch releasing mechanism for automatic lathers. Issued 11-14-39. (28)
2,179,764; Bruckmoser Ludwig; Steinlein Gustav et al. Air cooled bicycle motor. Issued 11-14-39. (28)
2,179,771; Wienand Fritz. Tie holder. Issued 11-14-39. (28)
2,179,827; Meller William. Change speed gear. Issued 11-14-39. (34)
2,179,899; Rohm Otto. Process for preparing hides. Issued 11-14-39. (28)
2,179,908; Uchiumi Yonai. Abdominal exerciser. Issued 11-14-39. (39)
2,179,960; Schwarzkopf Paul. Agglomerated material in particular for electrical purposes and shaped bodies made therefrom. Issued 11-14-39. (6)
2,180,046; Gleissner Paul. Calendering machine. Issued 11-14-39. (28)
2,180,064; All. Ihagee Kamerawerk Steenbergen. Camera. Issued 11-14-39. (28)
2,180,148; Imhoff Karl. Aerating tank. Issued 11-14-39. (28)
2,180,165; Nietiedt August. Method for pickling meat. Issued 11-14-39. (28)
2,180,206; Honnef Hermann. Wind operated electrical power station. Issued 11-14-39. (28)
2,180,227; Ahresmann Adam et al; Streibel Ludwig. Soling machine. Issued 11-14-39. (28)
2,180,234; Haber Christian et al; Haumann Ernst. Production of boots and shoes. Issued 11-14-39. (28)
2,180,254; Pfeiffer Paul. Device for governing the fuel pump of a diesel ram. Issued 11-14-39. (28)
2,180,262; All. Wulfing Johann A. Process for preparing metal sulphhydryl compounds from keratin degradation products. Issued 11-14-39. (28)
2,180,273; Bayer Ludwig. Machine for splitting fibers. Issued 11-14-39. (28)
2,180,303; Baader Rudolf. Fish treating machine and method. Issued 11-14-39. (28)
2,180,325; Toenniessen Ernst. Drawing frame for textile fibers. Issued 11-14-39. (28)
2,180,405; Einfalt Georg. Toy railway. Issued 11-21-39. (28)
2,180,473; Lange Karl. Moving coil induction meter. Issued 11-21-39. (28)
2,180,490; Vogel Max. Card index device. Issued 11-21-39. (28)
2,180,613; Schmidt Fritz. Elastic mounting device. Issued 11-21-39. (28)
2,180,673; Galetti Mario. Articulator. Issued 11-21-39. (38)
2,180,704; All. Siemens Apparate und Maschinen. Interference preventing arrangement for internal combustion engines. Issued 11-21-39. (28)
2,180,713; Lorant Hermann. Case for the reception of elongated articles. Issued 11-21-39. (6)
2,180,715; Messer Adolf. Liquefaction and separation of gases. Issued 11-21-39. (28)
2,180,758; All. Honigsberg Robert. Article of linen or garment. Issued 11-21-39. (6)
2,180,770; Pferdmenges Heinrich. Plural-ply woven fabrics. Issued 11-21-39. (28)
2,180,791; All. I G Farbenindustrie A G. Condensation products and a process of preparing them. Issued 11-21-39. (28)
2,180,807; Haber Christian et al; Haumann Ernst. Device for finishing the soles of shoes. Issued 11-21-39. (28)
2,180,850; All. Lorenz C A G. Self inductance device. Issued 11-21-39. (28)
2,180,853; All. Lorenz C A G. Shaft arrangement. Issued 11-21-39. (28)
2,180,855; All. Lorenz C A G. Antenna system. Issued 11-21-39. (28)
2,180,972; All. Klangfilm GmbH. Method of measuring the quality of an optical slit. Issued 11-21-39. (28)
2,181,038; All. Wimberger L K G & Co Patent. Dry shaving device. Issued 11-21-39. (6)
2,181,110; Esser Heinrich. Heel with exchangeable tip. Issued 11-21-39. (28)
2,181,115; All. Tefi Apparatebau Dr Daniel K G. Sound reproducing apparatus for endless band sound carriers. Issued 11-21-39. (28)
2,181,130; Horlebeck Albert et al; Wiesmann Clemens. Steam oven for baking. Issued 11-28-39. (28)
2,181,232; Haag Johannes. Device for flued chimneys & the like. Issued 11-28-39. (28)
2,181,241; All. Brehmer Gebruder Maschinenfabrik. Paper sheet feeding mechanism. Issued 11-28-39. (28)
2,181,252; Vogel Max. Safety envelope. Issued 11-28-39. (28)
2,181,347; Shimada Manjiro. Multicolor pencil. Issued 11-28-39. (39)
2,181,383; Schleussner Carl Adolf. Process for the preparation of light sensitive emulsions. Issued 11-28-39. (28)
2,181,460; All. Maybach Motorenbau GmbH. Change speed gear. Issued 11-28-39. (28)
2,181,465; Schneider Berthold. Chair for doctors dentists hairdressers and the like. Issued 11-28-39. (28)
2,181,549; Grethe Theodor. Process for the improvement of tea free from or poor in caffeine and improved decaffeinized tea. Issued 11-28-39. (28)
2,181,550; Haupt Wilhelm. Riveted joint. Issued 11-28-39. (28)
2,181,669; Scholder Rudolf. Process for the extraction of bauxite and other aluminum-containing substances. Issued 11-28-39. (28)
2,181,805; All. Ural Maschinenvertriebsgesellschaft. Starting device for internal combustion motors and similar engines. Issued 11-28-39. (6)
2,812,016; Deutsch Fritz Albert. Fluid retarding or braking device. Issued 12-5-39. (28)
2,182,019; All. Wanderer Werke Vorm Winklhofer & Guide for machine tools. Issued 12-5-39. (28)
2,182,193; Blaschke Emil. Process and device for cutting fibers in rope form especially synthetic fibers. Issued 12-5-39. (28)
2,182,285; De Garia Ugo. Adjusting mechanism for propeller blades and the like. Issued 12-5-39. (38)
2,182,289; Eisenlohr Hans. Hydraulically operated hacksaw. Issued 12-5-39. (28)
2,182,349; Pagnacco Arrigo. Yarn tester. Issued 12-5-39. (38)
2,182,440; All. Junkers Flugzeug Und Motorenwerke. Process of extinguishing burning light metals and preventing their ignition. Issued 12-5-39. (28)
2,182,534; All. Siemens Apparate Und Maschinen. Gyroscope. Issued 12-5-39. (28)
2,182,695; Honda Kikutaro. Spinning frame. Issued 12-5-39. (39)
2,182,727; All. Siemens Apparate Und Maschinen. Telephone set for communications in airplanes. Issued 12-5-39. (28)
2,182,867; All. Bohme Fettchemie GmbH. Sizing of rayon. Issued 12-12-39. (28)
2,182,904; Rover Wilhelm. Incandescent lamp. Issued 12-12-39. (28)
2,182,907; All. Genschow Gustav & Co A G. Automatic firearm. Issued 12-12-39. (28)
2,182,908; All. Klopp Friedrich. Hydraulic drive for machine tools. Issued 12-12-39. (28)
2,182,912; Brauer Ernst. Relay. Issued 12-12-39. (28)
2,182,925; Lentz Hugo Johannes. Rolling lever valve motion for locomotive and marine steam engines. Issued 12-12-39. (6)
2,182,933; Schimanek Emil. Regulation of internal combustion engines. Issued 12-12-39. (34)
2,183,061; All. Barmer Maschinenfabrik A G. Cam follower. Issued 12-12-39. (28)
2,183,082; Montagne Anton. Grinding wheel for soft materials. Issued 12-12-39. (28)
2,183,108; Schonfeld Paul. Warp goods. Issued 12-12-39. (28)
2,183,117; Daniel Karl. Sound record carrier. Issued 12-12-39. (28)
2,183,129; Klein Hermann; Binder Richard et al. Hydraulic shock absorber for vehicles. Issued 12-12-39. (28)
2,183,130; Binder Richard. Disk coupling provided with vibration absorbers. Issued 12-12-39. (28)
2,183,202; Misciattelli Paolo. Process for obtaining copper linings. Issued 12-12-39. (38)
2,183,284; Wiebicke Paul. Fuel injection plug nozzle for Diesel motors. Issued 12-12-39. (28)
2,183,288; Cicin Paul. Double sluice wall. Issued 12-12-39. (6)
2,183,301; Marischka Carl; Bossner Franz et al. Process for converting gases containing carbon monoxide. Issued 12-12-39. (28)
2,183,306; Dietrich Johannes Gotthilf. Animal figure. Issued 12-12-39. (28)
2,183,309; All. Fernseh A G. Electron multiplier. Issued 12-12-39. (28)
2,183,372; Thoma Hans. Hydraulic device. Issued 12-12-39. (28)
2,183,451; Forster Friedrich. Arched roof construction. Issued 12-12-39. (28)
2,183,474; Burgmer Josef. Manufacture of carbon paper. Issued 12-12-39. (28)
2,183,802; All. Deckel Friedrich. Photographic shutter. Issued 12-19-39. (28)
2,183,908; Gladitz Walter. Welding device. Issued 12-19-39. (28)
2,183,949; All. Klangfilm GmbH. Light trap for sound recording. Issued 12-19-39. (28)
2,183,961; Fischer Hellmuth. Method of manufacturing multihollow glass bodies. Issued 12-19-39. (28)
2,184,030; All. Deutsche Waffen und Machine for rolling the bases of cartridge cases. Issued 12-19-39. (28)
2,184,089; All. Schuler L A G. Means for receiving bodies of tins and feeding them to soldering or folding mandrels. Issued 12-19-39. (28)
2,184,197; All. Maschinenfabrik Augsburg Nurnberg A G. Turbine driven blower. Issued 12-19-39. (28)
2,184,218; All. Spiess Georg. Device for eliminating differences in register. Issued 12-19-39. (28)
2,184,229; Spiess Georg. Control device for sheet feeding apparatus. Issued 12-19-39. (28)
2,184,230; Sudmann Alfred. Cuff link. Issued 12-19-39. (28)
2,184,305; Kropf Alfred. Corrosion-resisting chromium manganese iron alloys. Issued 12-26-39. (28)
2,184,331; All. Leitz Ernst GmbH. Reflex camera. Issued 12-26-39. (28)
2,184,452; Grunert Kurt. Machine for cutting lengths of thread or the like. Issued 12-26-39. (28)
2,184,480; All. Telefunken Ges Fur Drahtlose. Electric valve circuit. Issued 12-26-39. (28)
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2,184,586; All. Snia Viscosa Soc Naz. Conversion of waste regenerated cellulose to cellulose xanthate. Issued 12-26-39. (38)
2,184,598; Jahn Georg. Device for the separation of solids of various particle sizes contained in a fluid especially in the manufacture of starch. Issued 12-26-39. (28)
2,184,599; Jenny Alexander et al; Budilo Nikolai; Becker Hans; Anton Kurt. Photographic reproduction. Issued 12-26-39. (28)

2,184,604; Konopicky Kamillo. Manufacture of ceramic ware. Issued 12-26-39. (28)
2,184,637; Ekhard Willy. Fermentation process for treating crude ethereal oils. Issued 12-26-39. (28)
2,184,712; Fleissig Ernst Walter. Container. Issued 12-26-39. (6)
2,184,747; Leval Julius. Flexible link bar. Issued 12-26-39. (34)
2,184,750; All. Leitz Ernst GmbH. Comparison microscope. Issued 12-26-39. (28)
2,184,795; All. Klonne Aug. Gas holder. Issued 12-26-39. (28)
2,184,821; All. Lorenz C A G. Braun tube. Issued 12-26-39. (28)
2,184,835; All. Lorenz C A G. System for transmitting communications. Issued 12-26-39. (28)
2,184,836; All. Lorenz C A G. Telegraph system. Issued 12-26-39. (28)
2,184,841; All. Lorenz C A G. Electric discharge tube. Issued 12-26-39. (28)
2,184,842; All. Mix & Genest A G. Intercommunication system. Issued 12-26-39. (28)
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2,184,855; Stieber Wilhelm Gustav Otto. Clamp connection. Issued 12-26-39. (28)
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2,187,857; Kammer George Stephen. Internal combustion engine. Issued 1-23-40. (34)
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2,188,193; Scholler Heinrich. Fermentation process of treating sugar worts. Issued 1-23-40. (28)
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2,188,408; Kluftinger Hermann. Passage type drawing frame for spinning fibers of various staple dimensions. Issued 1-30-40. (28)
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2,188,834; All. Siemens Apparate und. Control apparatus for vehicles. Issued 1-30-40. (28)
2,189,751; Bocca Carlo et al; Rudatis Domenico. Method for obtaining in projection images in colors. Issued 2-13-40. (38)
2,189,793; Haehn Hugo. Production of glycerin by fermentation. Issued 2-13-40. (28)
2,189,874; All. Lorenz C A G. Electron tube mounting. Issued 2-13-40. (28)
2,189,889; Engel Walter. Molded article of synthetic resin. Issued 2-13-40. (28)
2,189,896; All. Lorenz C A G. Phase modulation indicator. Issued 2-13-40. (28)
2,189,897; All. Lorenz C A G. Modulation system. Issued 2-13-40. (28)
2,189,906; All. Lorenz C A G. Electronic discharge tube. Issued 2-13-40. (28)
2,189,910; All. Lorenz C A G. Antenna arrangement. Issued 2-13-40. (28)
2,189,916; All. Lorenz C A G. Television receiver. Issued 2-13-40. (28)
2,189,928; All Lorenz C A G. Electric discharge vessel. Issued 2-13-40. (28)
2,189,942; Ebert Fritz. Motor driven carriage return mechanism for typewriters. Issued 2-13-40. (28)
2,190,120; Kohler Johannes. Oil-actuated braking system for vehicles. Issued 2-13-40. (28)
2,190,121; Misciattelli Paolo. Process for obtaining copper linings. Issued 2-13-40. (38)
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2,190,156; Junghans Helmut. Pallet lever for clockwork mechanisms. Issued 2-13-40. (28)
2,190,157; Junghans Helmut. Centrifugal operating means for fuses. Issued 2-13-40. (28)
2,190,158; Junghans Helmut. Clock case of stoneware or like brittle material. Issued 2-13-40. (28)
2,190,191; All. I G Farbenindustrie A G. Manufacture or recovery of polynuclear ---------[1] Issued 2-13-40. (28)
2,190,248; Wollheim Ernst. Process for obtaining a substance lowering the blood pressure. Issued 2-13-40. (28)
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2,190,391; All. Siemens Apparate und Maschinen. Aircraft control. Issued 2-13-40. (28)
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[1] So in original document.

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2,191,838; Von Horst Louis Anton Freiherr. Preparation of hop extract. Issued 2-27-40. (28)
2,191,841; Zwerina Rudolf. Rocket. Issued 2-27-40. (6)
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2,192,108; All. Rekuperator GmbH. Steel smelting furnace. Issued 2-27-40. (28)
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2,195,780; Muller Carl Wilhelm. Tobacco spreading means for cigarette forming machines. Issued 4-2-40. (28)
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2,203,100; Osenberg Werner. Art of bonding metal to insulation. Issued 6-4-40. (28)
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2,204,568; All. Von Giesches Georg Erben. Magnesium alloy. Issued 6-18-40. (28)
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2,206,403; Jaruschka Hans. Wall. Issued 7-2-40. (6)
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2,206,515; All. Lorenz C A G. Electric discharge vessel. Issued 7-2-40. (28)

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2,207,474; Backer Heinz. Gas furnace. Issued 7-9-40. (28)
2,207,486; Junghans Helmut. Supporting structure for the mechanisms and or dials of clocks. Issued 7-9-40. (28)
2,207,492; Spiess Georg. Suction gripper. Issued 7-9-40. (28)
2,207,495; All. Barmer Maschinenfabrik A G. Roller bearing twisting spindle. Issued 7-9-40. (28)
2,207,593; Lorant Hermann. Case for cigarettes or cigars. Issued 7-9-40. (6)
2,207,639; Schrems Theobald. Instructional apparatus for teaching music. Issued 7-9-40. (28)
2,207,666; Hirabayashi Hirobume. Automatic stop for automobiles. Issued 7-9-40. (39)
2,207,806; All. Deutsche Werke Kiel A G. Controlling means for aircraft catapults. Issued 7-16-40. (28)
2,207,850; All. Siemens Apparate und Maschinen. Gyroscopic device. Issued 7-16-40. (28)
2,207,862; All. Hansel & Co A G. Woven interlining fabric. Issued 7-16-40. (28)
2,207,875; All. Siemens Apparate und Maschinen. Gyroscope. Issued 7-16-40. (28)
2,207,925; Kinne Otto. Sheet treating apparatus. Issued 7-16-40. (28)
2,208,034; Borgo Antonino Dal; Korach Maurizio et al. Glassy shapes and method of producing same. Issued 7-16-40. (38)
2,208,106; All. Kalle & Co A G. Device for the development of light sensitive materials. Issued 7-16-40. (28)
2,208,148; Schafer Max. Change speed gear. Issued 7-16-40. (28)
2,208,176; Arnold Carl. Mechanical toy vehicle. Issued 7-16-40. (28)
2,208,180; Delleani Maurizio. Reinforced valve body. Issued 7-16-40. (38)
2,208,207; All. Deutsche Luftfahrt und Handels A G. Stabilizing and orienting apparatus. Issued 7-16-40. (28)
2,208,222; All. Voigtlander & Sohn A G. Range finder. Issued 7-16-40. (28)
2,208,291; Halpern Adolf; Halpern Lilli et al. Apparatus for the artificial production of climatic remedies for therapeutic treatments. Issued 7-16-40. (6)
2,208,348; All. Lorenz C A G. Character transmitting device. Issued 7-16-40. (28)
2,208,368; Hauck Julius. Apparatus for the production of goods by centrifugal casting. Issued 7-16-40. (6)
2,208,370; All. Lorenz C A G. Screening high frequency devices. Issued 7-16-40. (28)
2,208,390; Richter Hans. Steam trap. Issued 7-16-40. (28)
2,208,413; All. Lorenz C A G. Antenna arrangement especially for radio beacons. Issued 7-16-40. (28)
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2,208,730; Pfeiffer Paul. Diesel monkey. Issued 7-23-40. (28)
2,208,743; Aurig Max. Device for purifying cooling and mixing gases. Issued 7-23-40. (28)
2,208,773; Muller Georg. Head for barrels. Issued 7-23-40. (28)
2,208,804; Pfauter Michael. Gear cutting or other milling machine. Issued 7-23-40. (28)
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2,208,930; All. Schlafhorst & Co. Winding machine. Issued 7-23-40. (28)
2,208,934; Meissner Josef. Manufacture of trimethylene trinitramine hexogen. Issued 7-23-40. (28)
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2,208,980; Horii Shinjiro. Stencil sheet. Issued 7-23-40. (39)
2,208,981; Horii Shinjiro. Stencil sheet. Issued 7-23-40. (39)
2,208,984; All. Heinkel Ernst. Cooling system. Issued 7-23-40. (28)
2,208,986; Jereczek Viktor. Driving device for milling machines. Issued 7-23-40. (28)
2,209,042; All. Wetzel Eugen. Fountain pen. Issued 7-23-40. (28)
2,209,113; All. Warmetechnische Ges Frankfurt A M. Moistening device for web materials. Issued 7-23-40. (28)
2,209,114; Dorr Arnold. Apparatus for producing endless extended coil structure. Issued 7-23-40. (28)
2,209,118; Goldfinger Isidoro. Circuit control device for motor vehicles. Issued 7-23-40. (38)
2,209,123; Koelbel Herbert. Process for the treatment of coal tar oil. Issued 7-23-40. (28)
2,209,129; Mengele Hans et al; Huber Hans. Plant pest control composition. Issued 7-23-40. (28)

2,209,138; Rosenberger Reinhold. Electrometer. Issued 7-23-40. (28)
2,209,141; Schnell Fritz. Machine for making pressed articles. Issued 7-23-40. (28)
2,209,144; Vogt Richard. Control gear. Issued 7-23-40. (28)
2,209,203; All. Schlafhorst & Co. W. Creel frame. Issued 7-23-40. (28)
2,209,207; All. Schlafhorst & Co. Winding of sops. Issued 7-23-40. (28)
2,209,208; All. Schlafhorst & Co. Cop winding mechanism. Issued 7-23-40. (28)
2,209,239; Sterzenbach Ralph. Flexible metal pipe. Issued 7-23-40. (28)
2,209,261; Eicken Hermann. Spraying appliance. Issued 7-23-40. (28)
2,209,417; Obermoser Albert. Stepless gear control. Issued 7-30-40. (28)
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2,209,535; Nolte Carl Hans. Reproduction of records. Issued 7-30-40. (28)
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2,209,569; Keller Georg. Interchangeable pencil. Issued 7-30-40. (28)
2,209,639; Tonnies Hans Ferdinand. Camera diaphragm. Issued 7-30-40. (28)
2,209,669; All. Fides Ges Fur Die Verwaltung und. Magnetic lens for electron microscopes. Issued 7-30-40. (28)
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2,209,867; Wohlhaupter Emil. Machine tool. Issued 7-30-40. (28)
2,209,878; All. Flender A Friedr and Co. Friction gearing. Issued 7-30-40. (28)
2,209,879; Focke Henrich. Rotating wing aircraft. Issued 7-30-40. (28)
2,209,950; All. Italiana Chatillon S A Per Le Fibre. Apparatus for treating artificial yarns. Issued 8-6-40. (38)
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2,210,298; All. Kroch. Method and apparatus for producing envelopes paper money bags or the like. Issued 8-6-40. (28)
2,210,307; Stolle Willibald. Type tying up device. Issued 8-6-40. (28)
2,210,318; Eckert Carl. Apparatus for sterilizing toothpicks or the like. Issued 8-6-40. (28)
2,210,322; Korner Erich. Pocket lighter. Issued 8-6-40. (28)
2,210,330; Hirt Rolf; Sequin Amalie Vera et al. Device for the prevention of accidents due to overtiredness. Issued 8-6-40. (28)
2,210,331; Bindernagel Hermann. Float actuated valve mechanism. Issued 8-6-40. (28)
2,210,343; All. Sachsische Textilmaschinenfabrik. Drawing off device for combing machines. Issued 8-6-40. (28)
2,210,349; Van Beeck Peter. Instrument for extracting tooth roots. Issued 8-6-40. (28)
2,210,352; All. Konig Robert. Electric soldering device. Issued 8-6-40. (28)
2,210,358; All. Barmer Maschinenfabrik A G. Twisting spindle especially for artificial silk. Issued 8-6-40. (28)
2,210,367; Halbach Karl. Method of producing binding agents. Issued 8-6-40. (28)
2,210,445; Cerny Jacob et al; Grinspun Isac. Portable apparatus for developing and printing films in daylight. Issued 8-6-40. (57)
2,210,459; All. Schuler L A G. Friction clutch. Issued 8-6-40. (28)
2,210,465; Orsenigo Vittorio. Scaffold. Issued 8-6-40. (38)
2,210,472; Strothmann Hugo. Cash register. Issued 8-6-40. (28)
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2,210,663; All. Lorenz C A G. High frequency cable. Issued 8-6-40. (28)
2,210,666; All. Lorenz C A G. High frequency radiation structure. Issued 8-6-40. (28)
2,210,667; All. Lorenz C A G. Arrangement for feeding radio transmitters and the like. Issued 8-6-40. (28)
2,210,806; Etbauer Theodor Paul. Screen. Issued 8-6-40. (28)
2,211,133; Krosta Victor. Method of producing casting molds. Issued 8-13-40. (28)
2,211,185; Wahl Karl. Process of projecting films. Issued 8-13-40. (28)
2,211,377; All. Siemens Apparate und Maschinen. Steering control. Issued 8-13-40. (28)
2,211,475; Nebel Max. Stocking. Issued 8-13-40. (28)
2,211,490; All. Naturin Werk Becker & Co. Process and apparatus for simultaneously drying and conveying tubular products. Issued 8-13-40. (28)
2,211,511; Siegmund Herbert; Melzer Ernst et al; Kalep Georg. Button feeding device for sewing machines. Issued 8-13-40. (28)
2,211,638; Penz Johannes. Apparatus for molding and otherwise handling plastic material. Issued 8-13-40. (28)
2,211,655; Hilgers Wilhelm. Butter cutting machine. Issued 8-13-40. (28)
2,211,661; Krell Joseph. Address printing machine with Bland feeding mechanism. Issued 8-13-40. (28)
2,211,754; Mathias Maximilian. Apparatus for recording telephone call charges. Issued 8-20-40. (28)
2,211,870; All. Junkers Flugzeug und Motorenwerke. Means for balancing the torques acting on control surfaces. Issued 8-20-40. (28)
2,211,871; All. Junkers Flugzeug und Motorenwerke. Means for transferring air from one portion of the skin layer to another. Issued 8-20-40. (28)
2,212,114; Diestelkamp Fritz. Window casement rotatable about two axes. Issued 8-20-40. (28)
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2,212,231; All. Lorenz C A G. Ultra short wave device. Issued 8-20-40. (28)
2,212,258; Beck Ludwig. Carburetor. Issued 8-20-40. (28)
2,212,259; Binder Richard. Shock absorber especially for motor vehicles. Issued 8-20-40. (28)
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2,212,279; Steinlein Gustav et al; Bruckmoser Ludwig. Motor driven bicycle. Issued 8-20-40. (28)
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2,212,484; All. Wolf Georg GmbH. Telescopic instrument for the examination of body cavities. Issued 8-20-40. (28)
2,212,500; Huhn Gustav. Stuffing box packing. Issued 8-27-40. (28)
2,212,556; All. Lorenz C A G. Method of manufacturing electric discharge tubes. Issued 8-27-40. (28)
2,212,578; All. Lorenz C A G. Electron tube. Issued 8-27-40. (28)
2,212,643; All. Stabilovolt GmbH. Discharge tube for keeping voltages constant. Issued 8-27-40. (28)
2,212,664; Kuhnel Carl. Electrical lamp. Issued 8-27-40. (28)
2,212,743; Kremmling Otto. Biscuit molding machine. Issued 8-27-40. (28)
2,212,769; All. Auto Union A G. Spring suspension. Issued 8-27-40. (28)
2,212,776; Hamel Edmund. Movable carrier for winding bobbins in winding frames. Issued 8-27-40. (28)
2,212,779; Klein Ludwig. Pulley. Issued 8-27-40. (28)
2,212,782; Lauffer Andreas. Self starting synchronous motor. Issued 8-27-40. (28)
2,212,794; Salinski Bruno. Electrically heating foodstuffs. Issued 8-27-40. (28)
2,212,796; All. Oberdorfer F GmbH. Wire fabric. Issued 8-27-40. (28)
2,212,822 All. Siemens Schuckertwerke A G. Washing machine. 8-27-40. (28)
2,212,844, Nagatsuka Junjiro. Apparatus for casting hollow bodies. Issued 8-27-40. (39)
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2,212,959; All. Kalle & Co. A G. Photographic processing process. Issued 8-27-40. (28)
2,213,029; Union Special Maschinenfabrik GmbH. Feeding mechanism for sewing machines. Issued 8-27-40. (28)
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2,213,134; Kirchhoff Paul; Eschert Paul et al. Tree protector. Issued 8-27-40. (28)
2,213,136; Keller and Knappich GmbH. Electric welding pliers. Issued 8-27-40. (28)
2,213,139; All. Zschimmer & Schwarz Chemische. Increasing the wetting power of strong alkaline lyes. Issued 8-27-40. (28)
2,213,149; All. Lieberknecht Karl Oberlungwitz. Knitting machine. Issued 8-27-40. (28)
2,213,302; Buske Alfred. Journal bearing. Issued 9-3-40. (28)
2,213,316; Koga Moichiro. Method and apparatus for manufacturing feather cotton. Issued 9-3-40. (69)
2,213,357; All. Siemens Apparate und Maschinen GmbH. Direction indicating means. Issued 9-3-40. (28)
2,213,407; All. Uhde Friedrich. Production of liquid fuel. Issued 9-3-40. (28)
2,213,415; All. Gewerkschaft Auguste Method of producing a mixture of hydrocarbons. Issued 9-3-40. (28)
2,213,417; All. Brandenburgische Motorenwerke. Torsional oscillation damper. Issued 9-3-40. (28)
2,213,507; Ungerer Fritz. Straightening machine. Issued 9-3-40. (28)
2,213,613; Sassoli Mario. Motion picture projector. Issued 9-3-40. (38)

2,213,642; Tonnies Hans Ferdinand. Photographic exposure apparatus. Issued 9-3-40. (28)
2,213,665; All. Bauer and Schaurte. Device for dressing screw thread grinding disks. Issued 9-3-40. (28)
2,213,707; All. Muller Johann Carl. Device for securing edging strips to boxes. Issued 9-3-40. (28)
2,213,754; Thirring Hans. Braking device for skiing. Issued 9-3-40. (6)
2,213,756; All. Deckel Friedrich. Grinding machine. Issued 9-3-40. (28)
2,213,811; Goll Richard. Refining machine for cocoa containing and like masses. Issued 9-3-40. (28)
2,213,815; Jaeger Fritz. Horizontal press. Issued 9-3-40. (28)
2,213,818; Krause Friedrich Walter. Wall plug. Issued 9-3-40. (28)
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2,213,847; Pauling Harry. Apparatus for the concentration of sulphuric acid. Issued 9-3-40. (28)
2,213,859; All. Lorenz C A G. Antenna system. Issued 9-3-40. (28)
2,213,902; Daniels Theodor. Manufacture of chocolate coated sweetmeats. Issued 9-3-40. (28)
2,213,915; Katz Georg. Rubbish receptacle. Issued 9-3-40. (28)
2,213,939; Jendrassik George. Apparatus for gas turbines. Issued 9-3-40. (34)
2,213,940; Jendrassik George. Rotor for gas turbines and rotary compressors. Issued 9-3-40. (34)
2,213,942; Riszdorfer Odon. Light measuring apparatus for photographic cameras. Issued 9-3-40. (34)
2,214,081; Kramer Ewald. Electrical connector. Issued 9-10-40. (28)
2,214,087; Schlenk Georg. Apparatus for preshrinking textile fabrics. Issued 9-10-40. (28)
2,214,096; Weiss Johann. Labeling device. Issued 9-10-40. (28)
2,214,106; Mayr Hermann. Motor drive for cycles. Issued 9-10-40. (28)
2,214,111; Schmieglitz Willy. Multicolor pencil with exchangeable leads. Issued 9-10-40. (28)
2,214,133; Hauck Julius. Apparatus for centrifugal casting of molten metal. Issued 9-10-40. (6)
2,214,279; All. Demag A G. Continuously running rolling mill for producing tubes. Issued 9-10-40. (28)
2,214,299; Heller Siegried. Apparatus for investigating heart action. Issued 9-10-40. (28)
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2,214,406; All. Tefi Apparatebau Dr Daniel K G. Method of duplicating endless band sound carriers. Issued 9-10-40. (28)
2,214,407; All. Reeser Wilhelm Ernst. Toothbrush with brush head made in three parts. Issued 9-10-40. (6)
2,214,500; All. Maschinenfabrik Augsburg Nuremberg. Observation apparatus for printing presses and the like. Issued 9-10-40. (28)
2,214,509; All. Telefunken Ges fur Drahtlose. Pick up support. Issued 9-10-40. (28)
2,214,541; Siegling Ernst. Belt drive. Issued 9-10-40. (28)
2,214,672; All. Lindes Eismachinen A G Ges. Heat storer. Issued 9-10-40. (28)
2,214,688; Wiebicke Paul. Diesel motor. Issued 9-10-40. (28)
2,214,782; All. Schulz Fritz A G. Insecticide. Issued 9-17-40. (28)
2,214,893; Von Hassel Georg M. Process for the extraction of fibers from fiber containing material. Issued 9-17-40. (28)
2,214,895; All. Anker Werke A G. Serial number mechanism. Issued 9-17-40. (28)
2,214,902; All. Lorenz C A G. Method of producing cathode materials. Issued 9-17-40. (28)
2,214,915; All. Lorenz C A G. High frequency current transformer. Issued 9-17-40. (28)
2,214,927; All. Lorenz C A G. Apparatus for determining positions by radio beacons. Issued 9-17-40. (28)
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2,215,055; Rohm Otto. Method for preparing hides using mold tryptases and a neutral to weakly acid reaction. Issued 9-17-40. (28)
2,215,056; Ropohl Franz. Electrical musical instrument. Issued 9-17-40. (28)
2,215,082; Mehnert Volkhart Walter. Method of operating pearl knitting machines. Issued 9-17-40. (28)
2,215,107; Mulka Friedrich. Screw feed mechanism. Issued 9-17-40. (28)
2,215,114; Baader Rudolf et al; Schlichting Karl Friedrich. Fish fillet skinning machine and method. Issued 9-17-40. (28)
2,215,150; Hannen Clemens. Process for treating mineral fibrous substances such as glass wool slag wool or the like. Issued 9-17-40. (28)
2,215,237; Von Hayn Albert. Light metal heel. Issued 9-17-40. (28)
2,215,263; Eichler Ulrich. Motor driven calculating machine. Issued 9-17-40. (28)
2,215,266; Garelli Adalberto. Apparatus for compressing and cooling air. Issued 9-17-40. (38)
2,215,277; All. Rheinmetall Borsig A G Werk Borsig. Chilling apparatus. Issued 9-17-40. (28)
2,215,367; All. I G Farbenindustrie A G. Condensation products of acid amidelike constitution and process of preparing them. Issued 9-17-40. (28)
2,215,388; All. Heinkel Ernst. Riveting machine. Issued 9-17-40. (28)
2,215,424; Klein Fredrich Wilhelm. Roll. Issued 9-17-40. (28)
2,215,445; Vaders Eugen. Aluminum alloy as bearing metal. Issued 9-17-40. (28)
2,215,453; All. Rakonitz Jeno. Method for the manufacture of sterilized catgut. Issued 9-24-40. (34)
2,215,478; All. Porzellanfabrik Kahla. Manufacture of ceramic dielectrics. Issued 9-24-40. (28)
2,215,620; Skumburdis Konstantin. Composition of matter for removing poison from tobacco smoke. Issued 9-24-40. (28)
2,215,738; Kohler Eduard. Umbrella frame. Issued 9-24-40. (28)
2,215,752; Enya Hachiro. Grinding machine for injection needles. Issued 9-24-40. (39)
2,215,786; All. Lorenz C A G. System for landing airplanes. Issued 9-24-40. (28)
2,215,800; All. Lorenz C A G. Keying arrangement for radio transmitters. Issued 9-24-40. (28)
2,215,809; Eschner Josef. Pack parachute. Issued 9-24-40. (6)
2,215,943; Traut Rudolf. Method for the production of hollow bodies closed at one side by punching of four edged blocks. Issued 9-24-40. (28)
2,215,987; All. Friedmann Alex. Lubricating pump. Issued 9-24-40. (28)
2,216,003; All. Zeiss Carl. Microscope for examining profiles of surfaces of bodies by the optical intersection method. Issued 9-24-40. (28)
2,216,074; All. Maschinenfabrik Augsburg Nurnberg. Internal combustion engine or printing machines.[1] Issued 9-24-40. (28)
2,216,081; All. Wanderer Werke A G. Paper feeding arrangement on writing. Issued 9-24-40. (28)
2,216,083; All. Maschinenfabrik Augsburg Nurnberg. Internal combustion engine. Issued 9-24-40. (28)

[1] So in original document.

2,216,132; All. I G Farbenindustrie A G. Process for the production or recovery of unitary polynuclear carbon compounds. Issued 10-1-40. (28)
2,216,137; All. Kalle & Co A G. Diazotype photographic printing paper. Issued 10-1-40. (28)
2,216,386; Nehmiz Gerhard; Cords Otto et al. Air space insulated electric cable. Issued 10-1-40. (28)
2,216,416; All. Junkers Flugzeug und Motorenwerke. Means for braking aircraft. Issued 10-1-40. (28)
2,216,419; All. Norddeutsche Kabelwerke A G. Air space insulated electric cable. Issued 10-1-40. (28)
2,216,421; All. Vogel & Halke. Weighing machine. Issued 10-1-40. (28)
2,216,422; Schimanek Emil. Charge former. Issued 10-1-40. (34)
2,216,425; Werkenthin Albert. Artificial tooth. 10-1-40. (28)
2,216,491; All. Maschinenfabrik Augsburg Nurnberg. Internal combustion engine. Issued 10-1-40. (28)
2,216,494; All. Maschinenfabrik Augsburg Nurnberg. Internal combustion engine. Issued 10-1-40. (28)
2,216,620; List Heinrich. Electromagnetic device. Issued 10-1-40. (28)
2,216,646; Mautz Wolfgang. Liquid filter. Issued 10-1-40. (28)
2,216,717; Alessio Emilio. Protecting cap for the valves of pressure gas bottles. Issued 10-8-40. (38)
2,216,743; Halasz Denes; Karlovitz Bela et al. Vapor electric device. Issued 10-8-40. (34)
2,216,758; Schmidt Rudolf. Twisting reinforcements for concrete. Issued 10-8-40. (6)
2,216,844; Kuhl Georg Walter. Process for softening water. Issued 10-8-40. (28)
2,217,091; All. Deckel Friedrich. Feeding device for machine tools. Issued 10-8-40. (28)
2,217,106; Focke Henrich. Rotor for rotating wing aircraft. Issued 10-8-40. (28)
2,217,107; Focke Henrich. Rotor device for rotating wing aircraft. Issued 10-8-40. (28)
2,217,108; Focke Henrich. Rotating wing aircraft. Issued 10-8-40. (28)
2,217,133; All. Overlack and Co K G. Machine for the multicolor printing of textile fabrics. Issued 10-8-40. (28)
2,217,145; Stihl Andreas. Saw sharpening machine. Issued 10-8-40. (28)
2,217,240; Stumpf Pleikart. Method and apparatus for making motion pictures. Issued 10-8-40. (28)
2,217,254; All. Siemens Apparate und Maschinen. Means for automatic control of aircraft. Issued 10-8-40. (28)
2,217,255; All. Siemens Apparate und Maschinen. Gyroscope. Issued 10-8-40. (28)
2,217,259; Schack Ernst. Cage for roller bearings. Issued 10-8-40. (28)
2,217,398; All. Lorenz C A G. Electric discharge tube. Issued 10-8-40. (28)
2,217,404; All. Lorenz C A G. System and method for landing airplanes. Issued 10-8-40. (28)
2,217,413; All. Lorenz C A G. Radio direction finding system. Issued 10-8-40. (28)
2,217,420; All. Lorenz C A G. High tension electric insulator. Issued 10-8-40. (28)
2,217,424; All. Lorenz C A G. Radio transmitting arrangement. Issued 10-8-40. (28)
2,217,427; All. Lorenz C A G. Thermionic valve. Issued 10-8-40. (28)
2,217,461; Weihe Hermann Kurt. Hydraulic brake apparatus. Issued 10-8-40. (28)
2,217,546; All. Berghaus Bernhard. Electric resistance welding. Issued 10-8-40. (28)
2,217,571; Susskind Albert. Endpiece for stringers of separable fasteners. Issued 10-8-40. (28)
2,217,573; Terrell John Robert Francis. Controlling electric circuits. Issued 10-8-40. (6)

2,217,575; All. Drager Otto Heinrich. Respiratory appliance. Issued 10-8-40. (28)
2,217,586; All. Berghaus Bernhard. Method for burnishing iron and steel articles. Issued 10-8-40. (28)
2,217,853; Baer Alfred. Seal for rotary valves in internal combustion engines. Issued 10-15-40. (28)
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2,218,034; All. Carbobronze Rohrenwerk GmbH. Bearing. Issued 10-15-40. (6)
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2,218,080; Bottaro Giacomo Process for countercurrent extraction. Issued 10-15-40. (38)
2,218,081; Zappulli Odoardo, Romanelli Lina; Brichieri Colombi Luigi et al. Massage device. Issued 10-15-40. (38)
2,218,084; Civita Cesare. Device comprising blocks of sheets of paper or the like for the representation of animated pictures. Issued 10-15-40. (38)
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2,218,294; Muller Josef. Foam producing device for fire extinguishing purposes. Issued 10-15-40. (28)
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2,218,867; Beldimano Alessandro Wind power plant. Issued 10-22-40. (38)
2,218,876; Elrich Gustav; Elrich Joseph et al. Disk mill. Issued 10-22-40. (28)
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2,219,005; Daeves Karl et al; Becker Gottfried, Steinberg Fritz Formation of chromium containing layers on the surface of ferrous articles. Issued 10-22-40. (28)
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2,219,081; All. Henschel and Sohn GmbH. Individual axle drive for rail vehicles. Issued 10-22-40. (28)
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2,219,535; Schmidt Carl Wilhelm. Pessary. Issued 10-29-40. (28)
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2,219,612; All. Berghaus Bernhard Electric reaction furnace. Issued 10-29-40. (28)
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2,219,615; All. Berghaus Bernhard. Electrical discharge apparatus. Issued 10-29-40 (28)
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2,221,884; Schmidt Fritz. Elastic bearing. Issued 11-19-40 (28)
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2,222,372; Puppe Heinz. Reheating metal and Furnace. Issued 11-19-40 (28)
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2,223,033; All. Klangfilm GmbH. Strip feeding for sound and sound picture systems. Issued 11-26-40. (28)
2,223,066; Lorenz C A G Direction finding system. Issued 11-26-40. (28)
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2,223,116; All. Felten and Guilleaume Carlswerk. Tubular conductor. Issued 11-26-40. (28)
2,223,119; Muller Heinrich. Toy automobile. Issued 11-26-40. (28)
2,223,140; All. Felten and Guilleaume Carlswerk Cable. Issued 11-26-40. (28)
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2,223,747; All. Maschinen und Metallwaren. apparatus for continuous extraction of oil from seed Issued 12-3-40. (28)
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2,223,895; All S I M B I Soc An. Electric hammer. Issued 12-3-40. (38)
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2,223,903, Kothe Alois; Von Drathen Eduard et al. Method of producing a perborate of light weight in bulk Issued 12-3-40. (28)
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2,223,905. All. Vereinigte Spielwarenfabriken. Toy electric railway. Issued 12-3-40. (28)
2,223,921. Rudiger Ernst. Eraser. Issued 12-3-40 (28)
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2,223,929; Lowenstein Leo. Process for electrolytically producing arsenates. Issued 12-3-40. (28)
2,223,971; Bruckmoser Ludwig; Steinlein Gustav et al. Carburetor combined with a fuel pump. Issued 12-3-40. (28)
2,224,068; All. Quester Wilhelm Koeln Factory of. Articulated driving belt or chain for use with V groove pulleys. Issued 12-3-40. (28)
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2,224,316; Rolfes Bernhard. Kitchen stove. Issued 12-10-40. (28)
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2,224,532; Ziller Hans Joachim. Connecting hook for conveyer bands and the like. Issued 12-10-40. (28)
2,224,643; Calini Gino. Expansion valve. Issued 12-10-40. (38)
2,224,647; Grocholl Karl. Sand centrifuging cleaning machine. Issued 12-10-40. (28)
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2,225,267; Gottfried Siegfried. Fur or skin & process for its production. Issued 12-17-40. (34)
2,225,279; Munz Karl; Rupprecht Friedrich et al. Steering gear. Issued 12-17-40. (28)
2,225,386; Hebel Martin. Telephone installation. Issued 12-17-40. (28)
2,225,451; All. Hirth Motoren GmbB. Crankshaft. Issued 12-17-40. 28)
2,225,480; Kohn Hans. Epicyclic transmission gear. Issued 12-17-40. (28)
2,225,489; Tessky Karl. Device for dressing grinding tools. Issued 12-17-40. (28)
2,225,509; Schober Helene. Apparatus for use with telephone mouthpieces. Issued 12-17-40; (28)
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2,225,658; Rauchfuss Franz. Kitchen and like utensil Issued 12-24-40. (28)
2,225,715; Schneider Johann. Electric locking device. Issued 12-24-40. (6)
2,225,794; Ota Keisaburo. Method of manufacturing curved constructional metal members. Issued 12-24-40. (39)
2,225,797; Plauson Hermann. Colloidal mill. Issued 12-24-40. (28)
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2,226,247; Lesage Alfred. Freewheel locking device more particularly for the hub of bicycles. Issued 12-24-40. (28)
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2,226,328; Bornemann Theodor; Stahn Albert et al. Electric irradiator. Issued 12-24-40. (28)
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2,226,492; Helmig Carl Friedrich. Barrel rolling and tilting apparatus. Issued 12-24-40. (28)
2,226,549; All. Von Giesches Georg Erben. Magnesium alloy. Issued 12-31-40. (28)
2,226,550; All. Van Giesches Georg. Magnesium alloy. Issued 12-31-40. (28)
2,226,616; Kraus Michael. Electric lighting device for the drill head of a dental drill. Issued 12-31-40. (28)
2,226,653; All. Pintsch Julius K G. Electromagnetic oscillation apparatus. Issued 12-31-40 (28)
2,226,718; All. Lorenz A Z G. Method of landing airplanes. Issued 12-31-40. (28)
2,226,725; All. Mix and Genest A G. Manual telephone exchange. Issued 12-31-40. (28)
2,226,726; All. Lorenz A Z G. Educational appliance for aircraft navigation. Issued 12-31-40. (28)
2,226,746; All. Lorenz C A G. Low frequency amplifier. Issued 12-31-40. (28)
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2,226,968; Clerici Carlo. Basin for clarifying and cleansing dirty and drain waters. Issued 12-31-40. (38)
2,227,166; Tonnies Hans Ferdinand. Photoelectric exposure meter. Issued 12-31-40. (28)
2,227,176; All. Berghaus Bernhard. Method of sintering hard substances in vacuum. Issued 12-31-40. (28)
2,227,177; All. Berghaus Bernhard. Method of sintering metal. Issued 12-31-40. (28)
2,227,186; Hamel Edmund. Apparatus for producing staple fiber. Issued 12-31-40. (28)
2,227,344; Hartmann Willy. Liquid filter. Issued 12-31-40. (28)
2,227,369; Schneider Johann Friedrich. Welded rail bond. Issued 12-31-40. (28)
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2,227,783; All. Norddeutsche Affinarie. Process for dissolving metallic copper and reprecipitating the same from the resulting solution in metallic form. Issued 1-7-41. (28)
2,227,867; Steinhaus Lothar. Means for generating rapid mechanical oscillations. Issued 1-7-41. (28)
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2,227,885; Hessen Richard. Process for the separation of phenol aldehyde resins. Issued 1-7-41. (28)
2,228,013; All. Heinkel Ernst. Light metal alloy parts. Issued 1-7-41. (28)
2,228,035; All. Mercedes Buromaschinen Werke A G. Device for the approximation of a value. Issued 1-7-41. (28)
2,228,172; Luttichau Georg Graf. Hoeing machine. Issued 1-7-41. (28)

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2,228,400; Otto Karl. Four links chain mechanism with two armed link motion. Issued 1-14-41. (28)
2,228,406; All. Cotonificio S A Valle Di Susa Bearing for spinning machine rollers. Issued 1-14-41. (38)
2,228,424; Tonnies Hans Ferdinand. Electrical measuring instrument. Issued 1-14-41. (28)
2,228,462; Kienzle Herbert. Device for registering physical changes in systems. Issued 1-14-41. (28)
2,228,741; All. Chemische Fabrik Grunau Capillary active composition. Issued 1-14-41. (28)
2,228,761; Groetschel Erlaf. Loom. Issued 1-14-41. (28)
2,228,762; Hafstein Franz et al. Borst Helmut Forstmann Walther. Process for the production of photographs of luminous images and particularly of X-ray cinematographic images and developing solutions therefor. Issued 1-14-41. (28)
2,228,830; All. Wanderer Werke A G Calculating machine. Issued 1-14-41. (28)
2,228,931; Rysick Arno. Recording and reproducing machine. Issued 1-14-41. (28)
2,228,952; Fluger Paul. Type line trimming machine. Issued 1-14-41. (28)
2,229,026; Kirchner Emil. Sash window. Issued 1-21-41. (28)
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2,229,214; Lacher Ludwig. Sawing machine. Issued 1-21-41. (28)
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2,229,261; Stiebel Theodor. Electrically heated hot water reservoir. Issued 1-21-41. (28)
2,229,302; All. Busch Emil A G. Projecting television image. Issued 1-21-41. (28)
2,229,544; Bauer Gustav. Power plant. Issued 1-21-41. (28)
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2,229,618; Abeles Paul et al. Grimm Albert. Centrifugal casting machine. Issued 1-21-41. (6)
2,229,619; Abeles Paul. Concave reinforced concrete beam. Issued 1-21-41. (28)
2,229,774; All. C Lorenz A G. Common wave radio transmitter system. Issued 1-28-41. (28)
2,229,882; All. I G Farbenin Industrie A G. Process for the production of coating preparations. Issued 1-28-41. (28)
2,230,066; Noja Antonio. Gas lighter. Issued 1-28-41. (38)
2,230,078; All. Ural Maschinen Vertriebsgesellschaft. Portable motor. Issued 1-28-41. (28)
2,230,130; Bucherer Herbert. Method of obtaining microbian enzymes. Issued 1-28-41. (28)
2,230,168; Spiess Georg. Buckling folding machine. Issued 1-28-41. (28)
2,230,181; Pfeiffer Paul; Cordes Hugo et al. Starting device. Issued 1-28-41. (28)
2,230,277; All. Deutsche Waffen und. Circuit breaker. Issued 2-4-41. (28)
2,230,281; Schlichting Karl Friedrich; Baader Rudolf et al. Fish treating machine. Issued 2-4-41. (28)
2,230,297; Inoue Hitoshi. System of translating the minute variation of inductance or capacity into the variation of electric current or voltage. Issued 2-4-41. (39)
2,230,307; Munch Carl. Method of filtering solutions and apparatus therefor. Issued 2-4-41. (28)
2,230,316; All. Westfalia Groppel A G. Sieve and conveyer. Issued 2-4-41. (28)
2,230,317; Zettelmeyer Peter. Road roller. Issued 2-4-41. (28)
2,230,400; Cadirola Alessandro. Revolving circular sheet cutting device. Issued 2-4-41. (38)
2,230,519; Weithaler Anton. Process for the production of cement coatings on walls and the like. Issued 2-4-41. (28)
2,230,622; L Orange Rudolf. Fuel pump for internal combustion engines. Issued 2-4-41. (28)
2,230,627; All. Michalk Hans Joachim. Change speed gear of the friction type. Issued 2-4-41. (28)
2,230,668; Ohrtmann August. Steel tape measure. Issued 2-4-41. (28)
2,231,027; Renner Oskar Jr. Method of producing welded joints. Issued 2-11-41. (34)
2,231,104; All. Berghaus Bernhard. Electric reaction furnace. Issued 2-11-41. (28)
2,231,105; Block Otto et al; Bing Julius. Counting device of axles of rail vehicles. Issued 2-11-41. (28)
2,231,109; All. Koreska Wilhelm. Polygraphing machine. Issued 2-11-41. (28)
2,231,120; Herrmann Gerth. Process for producing malleable iron castings. Issued 2-11-41. (28)
2,231,141; Sakamoto Kyugoro. Traverse motion mechanism of drum winders. Issued 2-11-41. (39)
2,231,145; Watanable Shinnosuke. Speed control device for reeling apparatus. Issued 2-11-41. (39)
2,231,296; Sartori Charles. High speed boat. Issued 2-11-41. (28)
2,231,306; Wagenbach Anton. Method of and means for bending iron bars. Issued 2-11-41. (28)
2,231,338; Kolbe Joachim. Steering gear for curve compensating vehicles. Issued 2-11-41. (28)
2,231,343; Mader Otto. Aerodynamic means for braking aircraft. Issued 2-11-41. (28)
2,231,580; Jacoby Max. Illuminated advertising device. Issued 2-11-41. (28)
2,231,581; Junghans Helmut. Percussion igniting device for clockwork fuses. Issued 2-11-41. (28)
2,231,589; Olivetti Camillo. Driving mechanism for milling boring and like machines. Issued 2-11-41. (38)
2,231,594; All. Vereinigte Glanzstoff Fabrieken A G. Process for producing improving products for pelts furs hairs and textiles of all kinds. Issued 2-11-41. (28)
2,231,597; Shibata Saburo. Process of obtaining fuel oil from digested sludge. Issued 2-11-41. (39)
2,231,627; Jansen Bernhard. Step switch device for regulating transformers. Issued 2-11-41. (28)
2,231,639; Ritzerfeld Wilhelm. Control device for rotary duplicating machines. Issued 2-11-41. (28)
2,231,784; All. Zahnradfabrik Friedrichshafen A G. Planetary gear. Issued 2-11-41. (28)
2,231,881; All. Von Giesche S Georg Erben. Magnesium alloy. Issued 2-18-41. (28)
2,231,956; Schwier Wilhelm. Pit heating furnace. Issued 2-18-41. (28)
2,232,153; Vohrer Herbert. Diaphragm for dialysers. Issued 2-18-41. (28)
2,232,290; Rozinek Arthur; Szikla Geza et al. Protection of the walls of gasifying apparatus. Issued 2-18-41. (34)
2,232,293; All. Vereinigte Deutsche metallwerke A G. Stuffing box packing. Issued 2-18-41. (28)
2,232,329; All. Nollesche Werke Komm Ges. Lock stitch sewing machine. Issued 2-18-41. (28)
2,232,450; All. Berghaus Bernhard. Method and apparatus for resistance welding. Issued 2-18-41. (28)
2,232,494; Stieber Wilhelm Gustav Otto. Closure union and adapter. Issued 2-18-41 (28)
2,232,644; Kohler Walter. Apparatus for the manufacture of molded articles from solid or semi solid polymerization products. Issued 2-18-41. (28)
2,232,673; Pfirrmann Theodor Wilhelm. Production of high quality benzine and diesel motor fuels. Issued 2-18-41. (28)
2,232,737; Seidel Max. Process for recovering volatile substances from fermentation waste gases. Issued 2-25-41. (28)
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2,233,039; Vianzone Pietro. Electric lighting device for bicycles and similar road vehicles. Issued 2-25-41. (38)
2,233,244; Compare Manrico. Sound reproducer. Issued 2-25-41. (38)
2,233,354; All. Eckert and Ziegler GmbH. Injection molding machine. Issued 2-25-41. (28)
2,233,493; All. Universelle Cigarettenmaschinen Manufacture of cigars. Issued 3-4-41. (28)
2,233,494; All. Universelle Cigarettenmaschinen. Tobacco guide device for cigar making machines. Issued 3-4-41. (28)
2,233,526; All. Berghaus Bernhard. Apparatus for double spot or seam welding. Issued 3-4-41. (28)
2,233,538; Kunze Armin. Apparatus for wrapping carbon dollies. Issued 3-4-41. (28)
2,233,591; Dulovits Jeno. Soft effect screen lens. Issued 3-4-41. (34)
2,233,614; Krotoschiner Heinz. Casing for photographic appliances. Issued 3-4-41 (28)
2,233,675; All. Silesia Verein Chemischer Fabriken. Device for heating liquids. Issued 3-4-41. (28)
2,233,722; Weigele Bruno. Apparatus for the production of dentures and method of making such apparatus. Issued 3-4-41. (28)
2,233,822; All. Auebach and Scheibe. Drilling machine. Issued 3-4-41. (28)
2,233,834; Michalk Otto; Colditz Heinrich Max et al. Welt retainer. Issued 3-4-41. (28)
2,233,855; All. Maschinen und Metallwaren Separating device. Issued 3-4-41. (28)
2,233,921; Junghans Helmut. Anchor escapement for clocks and the like. Issued 3-4-41. (28)
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2,234,113; Frische Kurt. Device for obtaining spinnable fibers from fiber containing strips of bark. Issued 3-4-41. (28)
2,234,117; All. Vertriebsgesellschaft Deutsche Leipziger. Welding control system. Issued 3-4-41. (28)
2,234,182; Lauer Ambrosius. Slant rolling. Issued 3-11-41. (28)
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2,234,292; All. C Lorenz A G. Braun tube. Issued 3-11-41. (28)
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2,234,354; All. Schlafhorst W Co. Cop winding frame. Issued 3-11-41. (28)
2,234,355; All. Schlafhorst W Co. Cop winding mechanism. Issued 3-11-41. (28)
2,234,356; All. Schlafhorst W Co. Cop winding machine. Issued 3-11-41. (28)
2,234,362; All. Carl Hofbauer. Cigarette case having an extractible petrol lighter. Issued 3-11-41. (28)

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2,236,972; Kasemann Erwin. Polarizing body. Issued 4-1-41. (28)
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2,237,350; Hollmann Heinrich. Production of artificial teeth. Issued 4-8-41. (28)
2,237,363; All. Ritzerfeld Wilhelm. Method of and apparatus for copying printed matter. Issued 4-8-41. (28)
2,237,489; Karbe Johannes. Spraying device. Issued 4-8-41. (28)
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2,238,055; All. Kulmbacher Spinnerei. Carding device. Issued 4-15-41. (28)
2,238,167; Genest Werner. Apparatus for preventing or diminishing sound transmission. Issued 4-15-41. (28)
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2,238,261; All. Lorenz C A G. Radio beacon system. Issued 4-15-41. (28)
2,238,269; All. Lorenz C A G. Radio direction finder or emitter. Issued 4-15-41. (28)
2,238,286; Pungs Leo. Modulation system. Issued 4-15-41. (28)
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2,238,412; Daniel Karl. Mechanical sound recording and reproduction. Issued 4-15-41. (28)
2,238,427; Schmid Alfred. Structural material. Issued 4-15-41. (28)
2,238,529; Kubler Hans Wolfgang. Calculating instrument. Issued 4-15-41. (28)
2,238,562; Hartmann Otto. Generation of high pressure steam with low salt content. Issued 4-15-41. (28)
2,238,612; Tsuchiya Tsurukichi. Apparatus for putting phonograph records in order after use. Issued 4-15-41. (39)
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2,238,846; All. Ruhrchemie A G. Process of improving lubricating oils. Issued 4-15-41. (28)
2,238,888; Kluth Bruno. Dispensing closure member. Issued 4-22-41. (28)
2,238,903; Lieneweg Fritz. Electrode for measuring the conductivity of liquids. Issued 4-22-41. (28)
2,239,103; Jung Karl. Headstock for machine tools particularly grinding machine. Issued 4-22-41. (28)
2,239,230; Hartmann Otto. Heat exchanger. Issued 4-22-41. (28)
2,239,252; Sander Karl. Pipe coupling. Issued 4-22-41. (28)
2,239,305; Tacconi Guido. Carburetor. Issued 4-22-41. (38)
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2,239,459; Kattwinkel Hans. Multiple disk brake. Issued 4-22-41. (28)
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2,239,477; Yasuda Kenichi. Braiding machine. Issued 4-22-41. (39)
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2,239,678; Jobst Gunther. Shock excitation system. Issued 4-29-41. (28)
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Marzoll Luigi. Holding and centering device for spinning twisting and like machines. (38)
2,240,017; Primavesi Otto. Process for producing white mechanical wood pulp from pine wood. Issued 4-29-41. (28)
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2,240,100; Schmidt Martin. Water tube steam generator and parts thereof. Issued 4-29-41. (28)
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2,240,214; All. Lehmann J M. Conveyer system for the molds in machines for casting or molding chocolate or like masses. Issued 4-29-41. (28)
2,240,262; Honnef Hermann et al; Geffcken Heinrich. Power generating system. Issued 4-29-41. (28)
2,240,271; All. Bakelite GmbH. Method for producing ureaformaldehyde resins. Issued 4-29-41. (28)
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2,240,690; Diemer Anton. Door latch. Issued 5-6-41. (28)
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2,243,377; Haller Ludwig. Set of false teeth. Issued 5-27-41. (28)
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2,243,403; Von Adrenne Manfred. Magnetic objective for electron microscopes. Issued 5-27-41. (28)
2,243,429; All. Langbein Pfanhauser Werke A G. Electroplating of nonconductive surfaces. Issued 5-27-41. (28)
2,243,467; Jendrassik George. Process and equipment for gas turbines. Issued 5-27-41. (34)
2,243,608; Schaurte Werner T. Process of making plug gauges. Issued 5-27-41. (28)
2,243,616; Bing Julius et al; Block Otto. Lifting magnet. Issued 5-27-41. (28)
2,243,760; All. Ruhrchemie A G. Process for producing Diesel oils. Issued 5-27-41. (28)
2,244,047; All. Heinkel Ernst. Holder up for riveting. Issued 6-3-41. (28)
2,244,048; All. Heinkel Ernst. Rivet guiding means. Issued 6-3-41. (28)
2,244,190; Ehrenberg Hermann. Profile copying machine. Issued 6-3-41. (28)
2,244,197; Hessler Christian Rudolph. Bearing. Issued 6-3-41. (28)
2,244,210; Nashan Paul. Method for partially oxidizing methane. Issued 6-3-41. (28)
2,244,408; Schonwald Alexander. Electric motor. Issued 6-3-41. (28)
2,244,453; Wille Rudolf Fottinger Hermann et al. Scavenging of two stroke cycle internal combustion engines. Issued 6-3-41. (28)
2,244,561; Lombardini Luigi. Vertical file drawer. Issued 6-3-41. (38)
2,244,603; Bauer Karl. Gyroscopic apparatus. Issued 6-3-41. (28)
2,244,653; All. Kienzle Taxameter und Apparate A G. Indicating and recording apparatus. Issued 6-3-41. (28)
2,244,697; Hell Fritz. Spotlight. Issued 6-10-41. (28)
2,244,733; All. Klangfilm GmbH. Sound recording apparatus. Issued 6-10-41. (28)
2,244,784; All. Lorenz C A G. High frequency arrangement. Issued 6-10-41. (28)
2,244,851; All. Schlafhorst W and Co. Cop winding machine. Issued 6-10-41. (28)
2,244,906; All. Telephone apparat fabrik E. Telephone system. Issued 6-10-41. (28)
2,245,139; Beck Ludwig. Starting device for carburetors. Issued 6-10-41. (28)
2,245,169; Geffcken Heinrich; Von Ende Emil Freiherr et al. Compressed fibrous material. Issued 6-10-41. (28)
2,245,170; Geffcken Heinrich; Von Ende Emil Freiherr et al. Method of producing veneers. Issued 6-10-41. (28)
2,245,266; Marzocchi Luigi. Electromagnetic sound recording. Issued 6-10-41. (28)
2,245,366; Bollenrath Franz; Cornelius Heinrich; Rohn Wilhelm et al. Hardening cobalt nickel chromium iron alloys. Issued 6-10-41. (28)
2,245,368; Schlick Hellmut. Device for maintaining a constant tension on yarns in warping. Issued 6-10-41. (28)
2,245,389; Cremer Leonhard. Coffee brewing apparatus. Issued 6-10-41. (28)
2,245,459; Buhler Georg. Copper alloy. Issued 6-10-41. (28)
2,245,470; Fuchs Gunter. Ceiling heating system. Issued 6-10-41. (28)
2,245,506; Skrebba Ida Geb Stuhlinger. Stapling apparatus. Issued 6-10-41. (28)
2,245,522; All. Metrawatt A C. Photoelectric exposure meter. Issued 6-10-41. (28)
2,246,259; Machts Ludwig. Apparatus for making geophysical or other measurements. Issued 6-17-41. (28)
2,246,439; Hennicke Alfred et al; Bossel Hugo. Stereoscopic camera. Issued 6-17-41. (28)
2,246,473; All. Vereinigte Kugellagerfabriken A G. Pawl for spindle swing arms. Issued 6-17-41. (28)
2,246,474; All. Vereinigte Kugellagerfabriken A G. Guiding arrangement for top weighting rolls. Issued 6-17-41. (28)
2,246,475; All. Vereinigte Kugellagerfabriken A G. Upper part for spindles. Issued 6-17-41. (28)
2,246,515; All. Maschinen und metallwaren. Compressor. Issued 6-24-41. (28)

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2,246,536; Reinthaler Josef. Thermostat and other thermomotive means. Issued 6-24-41. (28)
2,246,538; Rezsny Koloman. Driving device for the transmission of power by rolling elements especially for driving timing mechanisms of tachometers. Issued 6-24-41. (34)
2,246,938; Holub Adolf. Slide needle for taking up loops. Issued 6-24-41. (28)
2,246,990; Wuppermann Wilhelm. Apparatus for spinning rayon. Issued 6-24-41. (28)
2,246,997; Kudar Hans. Color photography. Issued 6-24-41. (28)
2,247,014; All. Olympia Buromaschinenwerke A G. Tabulating and margin setting mechanism. Issued 6-24-41. (28)
2,247,038; Uriga Leopold. Time delay switch. Issued 6-24-41. (28)
2,247,174; All. Bruder Elsert A G. Combined cigarette case and lighter. Issued 6-24-41. (28)
2,247,185; Caccioppoli Lorenzo. Distillation process. Issued 6-24-41. (38)
2,247,223; All. Siemens and Halske A G. Telephone system. Issued 6-24-41. (28)
2,247,242; Kreidel Hans. Nipple with coupling head for high pressure lubricant devices. Issued 6-24-41. (28)
2,247,287; All. Biancelli Luigi. Device for the suction of foul air water closet basin. Issued 6-24-41. (38)
2,247,298; Kattwinkel Hans. Multiple disk brake coupling and the like. Issued 6-24-41. (28)
2,247,303; Lieberknecht Karl Richard. Needle bar for flat hosiery machines. Issued 6-24-41. (28)
2,247,313; Schwarz Benno. Alternating current series motor. Issued 6-24-41. (28)
2,247,462; All. Deckel Friedrich. Milling and copying machine. Issued 7-1-41. (28)
2,247,523; All. Deutsche Erdol A G. Process for refining phenols. Issued 7-1-41. (28)
2,247,527; Stinnes Hanns Heinz. Swash ring driving mechanism. Issued 7-1-41. (28)
2,247,605; Casagrande Aldo. Centrifugal drier for textile fibers. Issued 7-1-41. (38)
2,247,637; Lombardini Luigi. Filing device. Issued 7-1-41. (38)
2,247,643; Bollenrath Franz; Cornelius Heinrich; Rohn Wilhelm et al. Hardening cobalt nickel chromium iron alloys. Issued 7-1-41. (28)
2,247,656; Friedrich Bruno. Vise. Issued 7-1-41. (28)
2,247,783; Massolle Joseph. Machine for the production of alternating energy from direct current sources. Issued 7-1-41. (28)
2,247,847; Pfleumer Fritz. Recording and reproducing device for magnetic sound writing. Issued 7-1-41. (28)
2,247,854. All. Mitteldeutsche Stahlwerke A G. Tank for galvanizing metal articles by the lead zinc process. Issued 7-1-41. (28)
2,247,889; Paolillo Cesare. Liquid fuel burner. Issued 7-1-41. (38)
2,247,984; Jansen Rohdolf; Wetzold Otto; Bensinger Wolf Dietrich et al; Packing for rotary valves in internal combustion engines. Issued 7-1-41. (28)
2,247,985; Bergward Carl. Control gear for motor vehicles with four wheel steering arrangement. Issued 7-1-41. (28)
2,247,991; All. Tefi Apparatebau Dr Daniel K G. Method of duplicating sound records. Issued 7-1-41. (28)
2,247,995; Gilbert Ernst. Antifriction journal bearing. Issued 7-1-41. (28)
2,248,008; Miesen Erich. Ski with antislip means. Issued 7-1-41. (28)
2,248,241; Hasegawa Shuji; Kondo Heisaburo et al. Method of preparing alkaloids from kito tsuzurafuji stephania sasakii hayata. Issued 7-8-41. (39)
2,248,279; Nepoti Agostino. Welding rod. Issued 7-8-41. (38)
2,248,439; All. Wurker. Blind stitching and fique machine. Issued 7-8-41. (28)
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2,248,534; Meyer Jagenberg Gunther et al; Plotze Adolf Conrad. Method of making paper containers. Issued 7-8-41. (28)
2,248,535; Meyer Jagenberg Gunther et al; Kuchler Karl. Process and apparatus for manufacturing paper containers. Issued 7-8-41. (28)
2,248,639; Miksits Reinhold. Rotary piston machine. Issued 7-8-41. (28)
2,248,913; Heller Maximilian. Upholstery springing. Issued 7-8-41. (28)
2,249,094; All. Quarzlampen Ges mbH. Electric discharge tube. Issued 7-15-41. (28)
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2,249,186; Spiess Georg. Conveying table for the transverse feeding of material in sheet form. Issued 7-15-41. (28)
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2,249,294; Kohler Erwin. Device for preventing the unintentional shutting of dogs. Issued 7-15-41. (28)
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2,250,067; Martin Josef. Mechanical stoker. Issued 7-22-41. (28)
2,250,240; All. Junkers flugzeug und motorenwerke A G. Load carrier for aircraft. Issued 7-22-41. (28)
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2,250,786; Yamashita Sonosuke. Manifold of an internal combustion engine. Issued 7-29-41. (39)
——:[1] All. Klockner Humboldt Deutz A G. Fuel injector for internal combustion engine. (28)
2,250,898; Tonnies Hans Ferdinand. Photographic apparatus. Issued 7-29-41. (28)
2,251,078; All. Colorrip Reissverschluss. Zip fastener. Issued 7-29-41. (28)
2,251,174; Sosso Giulio. Sear mechanism. Issued 7-29-41. (38)
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2,248,691; Tombolini Alfredo. Type bar mechanism for typewriters. Issued 7-8-41. (38)
2,248,693; Bartscherer Franz. Method for producing hollow bodies in centrifugal casting molds rotatable about the vertical axis. Issued 7-8-41. (28)
2,248,752; All. Lorenz A G. Radio transmitter for obtaining course lines. Issued 7-8-41. (28)
2,248,754; All. Lorenz A G. Band filter device. Issued 7-8-41. (28)
2,248,762; All. Lorenz A G. Directional antennae. Issued 7-8-41. (28)
2,248,771; All. Lorenz A G. Television receiver. Issued 7-8-41. (28)
2,248,772; All. Lorenz A G. Television system. Issued 7-8-41. (28)
2,248,774; All. Fides Ges fur die Verwaltung und. Mechanical impulse repeater. Issued 7-8-41. (28)
2,248,782; All. Lorenz A G. Practicing. Issued 7-8-41. (28)
——:[1] All. Erben Georg Von Giesche S. Magnesium alloy. (28)
2,251,510; All. Berghaus Bernahrd. Method of coating metallic articles. Issued 8-5-41. (28)
2,251,516; Dorner Ernst. Control device for carburetors on motor vehicles. Issued 8-5-41. (28)

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2,251,666; All. Telephon Apparat Fabrik E. Impulse sender. Issued 8-5-41. (28)
2,251,728; Artana Renzo Aldo. Card for punched card accounting machines. Issued 8-5-41. (38)
2,251,741; All. Junkers Flugzeug und Motorenwerke. Mechanism for producing curved metal articles. Issued 8-5-41. (28)
2,251,836; Schmidt Adam. Pneumatic machine gun adapter for. Issued 8-5-41. (6)
2,251,877; All. Bernhard Berghaus. Electric resistance welding installation. Issued 8-5-41. (28)
2,251,879; Akaboshi Sokichi. Spinning apparatus. Issued 8-5-41. (39)
2,252,059; All. Siemens Apparate und Maschinen. Method and a device for determining the magnitudes of magnetic fields. Issued 8-12-41. (28)
2,252,465; Kraft Anton. Rope twisting and laying machine. Issued 8-12-41. (28)
2,252,467; Luzzati Tommaso Riccardo. Projector for stereoscopic images. Issued 8-12-41. (38)
2,252,477; Bauer Wilhelm. Cultivating machine. Issued 8-12-41. (28)
2,252,502; Frische Kurt. Device for removing woody matter from fibre containing stalks. Issued 8-12-41. (28)
2,252,574; Leitz Ludwig. Photographic distance meter. Issued 8-12-41. (28)
2,252,608; Ballert Otto. Dust cart. Issued 8-12-41. (28)
2,252,615; Breuer Leo. File for form slips and the like. Issued 8-12-41. (28)
2,252,621; Eichler Ulrich. Calculating machine. Issued 8-12-41. (28)
2,252,640; Nuchterlein Karl. Reflex camera. Issued 8-12-41. (28)
2,252,660; Kulikoff Waldemar. Hydraulic device for stabilizing and steering purposes. Issued 8-12-41. (28)
2,252,905; Wendland Heinrich. Safety device for gas systems. Issued 8-19-41. (28)
2,253,067; Draemann Max. Production of rubber threads. Issued 8-19-41. (28)
2,253,104; Barosi Cinzio. Elastic half belt for trousers. Issued 9-19-41. (38)
2,253,125; Hauschild Walter; Heineke Heinrich et al. Fishing hook particularly for the catching of big fish. Issued 8-19-41. (28)
2,253,291; All. Magyar Ruggyantaarugyar. Process for the manufacture of hollow rotating bodies. Issued 8-19-41. (34)
2,253,426; Graefe Kurt Heinz. Method for producing luminescent screens. Issued 8-19-41. (28)
2,253,427; Hatchtel Wilhelm. Curtain rod of the railway type. Issued 8-19-41. (28)
2,253,437; Leimer Karl. Hydraulic pot press which serves for pressing cocoa butter from the liquid cocoa mass. Issued 8-19-41. (28)
2,253,438; Lutz Hans. Tractor with gas producer arranged thereon. Issued 8-19-41. (28)
2,253,446; Spiess Georg. Buckling folding machine. Issued 8-19-41. (28)
2,253,512; Fechner Fritz Wilhelm et al; Wussow Reinhard. Apparatus for the production of ice. Issued 8-26-41. (28)
2,253,696; Lauth Philipp Lorenz. Method for extraction of oil seeds. Issued 8-26-41. (28)
2,253,701; Grunbaum Heinrich. Apparatus for measuring the length of strip material. Issued 8-26-41. (28)
2,253,728; Schonfeld Paul. Warp machine. Issued 8-26-41. (28)
2,253,738; Totschnig Karl. Closure for tubes. Issued 8-26-41. (28)
2,253,750; Beier Josef. Friction gearing. Issued 8-26-41. (28)
2,253,795; List Heinrich. Oscillation scanning and measuring apparatus. Issued 8-26-41. (28)
2,253,858; Dathe Max; Lucas Helmut et al. Automatic page turning block. Issued 8-26-41. (28)

2,253,897; Doderer Wilhelm. Contrivance for treating materials within a gas atmosphere of increased pressure. Issued 8-26-41. (28)
2,253,904; All. Kupper Asbest Co. Packing ring. Issued 8-26-41. (28)
2,253,998; Hebel Martin; Beermann Friedrich et al. Telephone system. Issued 8-26-41. (28)
2,254,042; Lihotzky Emil. Mixing device for dough and the like. Issued 8-26-41. (28)
2,254,195; Cicin Paul. Stepless mechanical torque converter. Issued 8-26-41. (28)
2,254,242; Righi Aldo. Indicating measuring apparatus. Issued 9-2-41. (38)
2,254,293; Kaehlert Arthur. Sawing machine. Issued 9-2-41. (28)
2,254,330; Stiebel Theodor. Electric immersion heater. Issued 9-2-41. (28)
2,254,429; Kreutzer Conradin. Method of producing selenium coated electrodes. Issued 9-2-41. (28)
2,254,638; Wienand Heiner. Method and apparatus for molding artificial teeth. Issued 9-2-41. (28)
2,254,660; Killer Karl et al; Galocsy Zsigmond. Treatment of ferriferous ores. Issued 9-2-41. (34)
2,254,677; Festini Bortolo. Rotary brush. Issued 9-2-41. (38)
2,254,686; Kampfer Adolf H; Schaltmann Albert. Apparatus for producing additive color films. Issued 9-2-41. (28)
2,254,793; Burstyn Walther. Grid controlled tube with electron multiplier. Issued 9-2-41. (28)
2,254,805, Junker Erich et al; Leitgebel Willibald. Process for the separation of metals. Issued 9-2-41. (28)
2,254,916; Schneider Paul Ernst. Direction indicator. Issued 9-2-41. (28)
2,254,940; Endres Gunther. Rust prevention. Issued 9-2-41. (28)
2,255,000; Haber Christian et al; Haumann Ernst. Production of boots and shoes. Issued 9-2-41. (28)
2,255,014; Roder Kurt. Producing stockings in a single operation. Issued 9-2-41. (28)
2,255,109; Fischer Hellmuth. Luminescent glass and electric discharge lamp made therefrom. Issued 9-9-41. (28)
2,255,135; Tornow Maximilian. Safety device for gas systems. Issued 9-9-41. (28)
2,255,184; Osenberg Werner. Method of bonding metal to insulation. Issued 9-9-41. (28)
2,255,209; Fischer Karl. Method of manufacturing electric heating plates. Issued 9-9-41. (28)
2,255,215; All. Maschinen und Metallwaren. Regulating means. Issued 9-9-41. (28)
2,255,426; All. Schlesische Apiegelglas Manufactur. Method of winding thin threads or filaments. Issued 9-9-41. (28)
2,255,458; Tominaga Masaichi. Acoustic device. Issued 9-9-41. (39)
2,255,482; Deeves Karl et al; Becker Gottfried; Steinberg Fritz. Process which consists in causing chromium to diffuse.. Issued 9-9-41. (28)
2,255,532. Rank Werner. Method of introducing gases into liquids. Issued 9-9-41. (28)
2,255,548; All. Universelle Cigarettenmaschinen. Tobacco cutting machine. Issued 9-9-41. (28)
2,255,559; Daniel Karl. Process for producing endless sound recording tapes joined together in crossed fashion. Issued 9-9-41. (28)
2,255,560; All. Siemens Apparate und Maschinen. Hydraulic power system. Issued 9-9-41. (28)
2,255,594; Berndt Karl. Apparatus for the twist spinning of artificial threads. Issued 9-9-41. (28)
2,255,608; All. Teltsch Arnold. Circular loom. Issued 9-9-41. (34)
2,255,820; Schieferstein Georg Heinrich. Oscillating mechanical system of the resonance type. Issued 9-16-41. (28)
2,255,821; Schlipp Ludwig et al; Boettle Max. Double tape drawing frame for spinning and similar machines. Issued 9-16-41. (28)
2,255,855; Matthael Curt. Device for attaching belt hooks. Issued 9-16-41. (28)
2,255,915; De Kramolin Leon Ladislas. Tuning arrangement. Issued 9-16-41. (28)
2,255,925; Heylandt Christian Wilhelm Paul. Multistage internal combustion engine. Issued 9-16-41. (28)
2,255,980; Kuhlmann Heinrich. Grain harvester. Issued 9-16-41. (28)
2,256,034; All. Freudenberg Carl. Artificial Leather substitute. Issued 9-16-41. (28)
2,256,040; Becker Oskar Walter et al; Weiss Emil. Process for drying artificial gut produced from animal fibrous material. Issued 9-16-41. (28)
2,256,068; Vester Reinhold. Strap connector. Issued 9-16-41. (28)
2,256,172; Schatz August et al; Braun Josef; Heim Rudolf. Roll film camera. Issued 9-16-41. (28)
2,256,198; All. Heinkel Ernst. Aircraft power plant. Issued 9-16-41. (28)
2,256,208; Leitz Ludwig et al; Broschke Heinrich. Combined camera and exposure meter. Issued 9-16-41. (28)
2,256,228; Zimmerman Otto. Optical system for measuring purposes. Issued 9-16-41. (28)
2,256,233; All. Lorenz C AKG. Differential condenser circuits. Issued 9-16-41. (28)
2,256,253; Neuss Oscar. Production of protein containing urea formaldehyde plastics. Issued 9-16-41. (28)
2,256,260; Galanit Valentino. Accordion. Issued 9-16-41. (38)
2,256,274; All. Riedel J D E De Haen A G. Salicyclic acid sulphonyl sulphanilamide. Issued 9-16-41. (28)
2,256,393; All. Junkers Flugzeug und. Cooling the charge of internal combustion engines. Issued 9-16-41. (28)
2,256,421; All. Linde S Eismaschinen A G. Process for the separation of air by liquefaction and rectification. Issued 9-16-41. (28)
2,256,440; All. Maybach Motorenbau GmbH. Control mechanism for power operated gear shifting apparatus. Issued 9-16-41. (28)
2,256,563; All Lanz Heinrich A G. Root harvesting machine. Issued 9-23-41. (28)
2,256,682; Machino Torahachi. Duplex tone changing and adjusting device for harmonicas. Issued 9-23-41. (39)
2,256,738; Gilli Paul. Means for operating fireless locomotives. Issued 9-23-41. (28)
2,256,771; All. Berghaus Bernhard. Method of coating articles by cathode disintegration. Issued 9-23-41. (28)
2,256,786, All. Ural Maschinen Vertriebsgesell. Portable motor driven saw. Issued 9-23-41. (28)
2,256,845; Lanninger Karl Ludwig. Pipe coupling. Issued 9-23-41. (28)
2,256,847; All. Kerb Konus Ges Dr. Carl Eibes. Tool. Issued 9-23-41. (28)
2,256,851; Schnorr Adolf. Locking device for nuts bolts and screws. Issued 9-23-41. (28)
2,256,852; Schubert Karl. Apparatus for feeding cloth samples from a supply thereof in a magazine. Issued 9-23-41. (28)
2,256,855; All. Luftfahrtforschungsanstalt. System for investigating density fields. Issued 9-23-41. (28)
2,256,977; Graßbeuer Richard. Case display carton and the like. Issued 9-23-41. (28)
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2,257,026; Szauer Sandor. Shoe sole. Issued 9-23-41. (34)
2,257,028; Westerkamp Hugo. Sound recorder for sound tapes. Issued 9-23-41. (28)
2,257,040; All. Tefi Apparatebau Dr Daniel K G. Sound apparatus. Issued 9-23-41. (28)
2,257,064; Muller Heinrich. Traveling toy. Issued 9-23-41. (28)
2,257,222; Bergmann Armin. Process for the manufacture of artificial sausage skins. Issued 9-30-41. (28)
2,257,223; Borgmann Johann. Rammer especially for road making. Issued 9-30-41 (28)
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2,257,406; Von Burenbach Hanns Freiherr Schertel. Supporting plane for hydroplanes. Issued 9-30-41. (28)
2,257,411; All. Berghaus Bernhard. Method of cathode disintegration. Issued 9-30-41. (28)
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2,257,422; Maier Friedrich Eugen. Joint for wheel suspension devices. Issued 9-30-41 (28)
2,257,428; Ruegenberg Gottfried. All around extensible paper. Issued 9-30-41. (28)
2,257,429; Ruegenberg Gottfried. Process for producing all around extensible paper. Issued 9-30-41. (28)
2,257,668; Steinberg Fritz; Becker Gottfried et al. Formation of protective layers on iron and steel articles. Issued 9-30-41. (28)
2,257,695; Lihotzky Emil. Worm press for the manufacture of alimentary pastes. Issued 9-30-41. (28)
2,257,829; Winkler Alfred et al; Dunnebier Max. Method and apparatus for forming windows in blanks for envelopes and other articles. Issued 10-7-41. (28)
2,257,877; Binder Richard. Disk clutch. Issued 10-7-41. (28)
2,257,917; Pungs Leo. Multiple telegraphy and telephony. Issued 10-7-41. (28)
2,257,954; Henkels Kurt. Slide fastener tape. Issued 10-7-41. (28)
2,258,083; All. Wolf Georg GmbH. Instrument for examining body cavities. Issued 10-7-41. (28)
2,258,090; All. Wanderer Werke Vorm Winklhofer &. Bookkeeping machine. Issued 10-7-41. (28)
2,258,091; All. Wanderer Werke A G. Zero printing control mechanism. Issued 10-7-41. (28)
2,258,093; Gastrow Hans. Mold closing mechanism. Issued 10-7-41. (28)
2,258,371; Wernert Karl. Rotary piston machine with rotor of yieldable material Issued 10-7-41. (28)
2,258,378; Collmann Nanno Theodor Jurgen. Machine for preparing pneumatic tires for retreading. Issued 10-7-41. (28)
2,258,380; Moauro Alessandro; Ferraris Italo et al. Process of color analysis and color synthesis for the projection of colored pictures in photography and cinematography. Issued 10-7-41. (38)
2,258,382, Goebel Joseph. Apparatus for the projection of upright pictures. Issued 10-7-41. (28)
2,258,510; All. Zahnradfabrik Friedrichshafen A G. Method and machine for grinding toothed spur wheels. Issued 10-7-41. (28)

2,258,556; Schirm Erik. Protecting goods from vermin. Issued 10-7-41. (28)
2,258,560; Trunzer Erich. Advertising pillar. Issued 10-7-41. (28)
2,258,635; Uffrecht Bernhard. Adjustment of cameras. Issued 10-14-41. (28)
2,258,743; Dax Albert. Stethoscope. Issued 10-14-41. (34)
2,258,813; Schon Ludwig. Exciting direct current generator. Issued 10-14-41. (28)
2,258,830; Vollrath Paul. Electric stirring apparatus actuated by hand. Issued 10-14-41. (28)
2,258,938; Petersen Hugo. Process for the manufacture of sulphuric acid. Issued 10-14-41. (28)
2,259,079; All. Schlafhorst & Co W. Creel mechanism of warping frames. Issued 10-14-41. (28)
2,259,084; Rosenhaft Walter. Hand camera for the production therewith of small sized photographs in series. Issued 10-14-41. (38)
2,259,116; Ritzerfeld Wilhelm. Form receptacle for duplicating machines. Issued 10-14-41. (28)
2,259,226; Kuhne Kurt. Hydraulic towing device for river craft. Issued 10-14-41. (28)
2,259,344; Kiel Wilhelm. Multiple totalizer structure. Issued 10-14-41. (28)
2,259,404; Walther Fritz. Pistol firing mechanism. Issued 10-14-41. (28)
2,259,656; Neumann Willy. Internal combustion engine fitment. Issued 10-21-41. (28)
2,259,708; Schlebold Ernst. Testing materials by X-ray. Issued 10-21-41. (28)
2,259,850; Zundorf Helmut. Sheathed electric cable. Issued 10-21-41. (28)
2,259,966; Tappe Wilhelm. Fire extinguishing apparatus. Issued 10-21-41. (57)
2,260,157; All. Friedrich Deckel Munich Prinz. Counterbalancing means for engraving and copying machines. Issued 10-21-41. (28)
2,260,486; Schmeck Paul. Copy printing machine. Issued 10-28-41. (28)
2,260,688; L Orange Prosper. Regulation of the supply of fuel to internal combustion engines. Issued 10-28-41. (28)
2,260,755; All. Obermaier and Cie. Bobbin for the wet treatment of artificial silk spinning cake. Issued 10-28-41. (28)
2,260,776; Gerecht Ludwig. Process and apparatus for purifying or dressing clay. Issued 10-28-41. (28)
2,260,779; Hoffmann Ernst. Method of making ferroconcrete reinforcing elements. Issued 10-28-41. (28)
2,260,906; Hudec Erich. System for producing telegraph signals. Issued 10-28-41. (28)
2,260,912; Mahlke Wilhelm. Elevator door lock. Issued 10-28-41. (28)
2,260,988; Dersen Heinrich. Cop frame. Issued 10-28-41. (28)
2,261,075; All. Gewerkschaft Mathias Stinnes. Process for producing readily inflammable solid fuels and driving substances. Issued 10-28-41. (28)
2,261,360; Gerendas Miksa. Device for the protection of trees and the like against insects and caterpillars. Issued 11-4-41. (34)
2,261,368, Hecht Walter. Method of treating plants to produce artificial or abnormal growths. Issued 11-4-41. (28)
2,261,463; All. Maschinenfabrik Augsburg Nurnberg. Impeller. Issued 11-4-41. (28)
2,261,502; Tonnies Hans Ferdinand. Photographic apparatus. Issued 11-4-41. (28)
2,261,747; Vegh Janos. Hairdressers implement. Issued 11-4-41. (34)
2,261,856; All. Junkers Flugzeugund. Fuel pump control by variable transmisison. Issued 11-4-41. (28)
2,261,925 Salzer Albert. Pressure fluid servomotor for high potential switches. Issued 11-4-41. (28)
2,262,103; All. Zahnradfabrik Friedrichshafen A G. Dividing apparatus for grinding machines. Issued 11-11-41. (28)
2,262,205; All. Stotz Kontakt GmbH. Automatic cutout switch with bimetallic strip control. Issued 11-11-41. (28)
2,262,289; Kolbe Joachim. Curve compensation device for the superstructure of motor vehicles. Issued 11-11-41. (28)
2,262,617; L Orange Prosper. System for feeding liquids in gas free condition to devices using or disposing of the same. Issued 11-11-41. (28)
2,262,881; Boenecke Alfred. Method of producing sliding clasp fasteners. Issued 11-18-41. (28)
2,262,889; Streibel Ludwig; Ehresmann Adam et al. Sole sewing machine. Issued 11-18-41. (28)
2,262,966; Rohde Lothar. Piezoelectric crystal filter. Issued 11-18-41. (28)
2,262,968; All. Dornier Werke GmbH. Airplane control. Issued 11-18-41. (28)
2,263,165; All. United Incandescent Lamp. Suppression of disturbances in radio receiving sets. Issued 11-18-41. (34)
2,263,195; Inoue Yoshiyuki; Shikata Seishichi et al. Manufacture of higher alcohols by reduction with sodium amalgam. Issued 11-18-41. (39)
2,263,283; Becker Emil. Riveting method and apparatus. Issued 11-18-41. (28)
2,263,460; All. Lorenz C A G. Antenna structure. Issued 11-18-41. (28)
2,263,521; Schieferstein Georg Heinrich. Rubber spring arrangement. Issued 11-18-41. (28)
2,263,601; Wendler Alfred. Method for encasing or coating wires rods or tubes with glass or other thermoplastic substances. Issued 11-25-41. (28)
2,264,003; Osenberg Werner. Process for incorporating metal in resin structures. Issued 11-25-41. (28)
2,264,008; All. Lorenz C A G. Magnetic sound recording device. Issued 11-25-41. (28)
2,264,209; Krause Friedrich. Packing for vacuum and pressure apparatus. Issued 11-25-41. (28)
2,264,210; Krause Karl. Means for mounting objects in electron microscopes. Issued 11-25-41. (28)
2,264,456; All. Vereinigte Leichmetall Werke GmbH. Method of casting metals. Issued 12-2-41. (28)
2,264,457; All. Vereinigte Leichmetall Werke GmbH. Method of casting composite metals. Issued 12-2-41. (28)
2,264,463; All. Ichimura Kiyoshi. Mechanical pencil. Issued 12-2-41. (39)
2,264,645; Schafer Josef. Coke oven. Issued 12-2-41. (28)
2,264,648; Tebaldi Alessandro. Explosion engine. Issued 12-2-41. (38)
2,264,661; Kramolin Ladislas de. Tuning arrangement for oscillatory circuits. Issued 12-2-41. (28)
2,264,662; All. Rhcinmetall Borsig A G. Sighting device for antiaircraft guns. Issued 12-2-41. (28)
2,264,914; L Orange Rudolf. Injection nozzle. Issued 12-2-41. (28)
2,264,916; Neumann Willy. Process and apparatus for reducing wear and tear in internal combustion engines. Issued 12-2-41. (28)
2,265,045; Pfeiffer Alfred. Pressure gauge and more particularly a barograph. Issued 12-2-41. (28)
2,265,048; Tsuchiya Tsurukichi. Device for inverting record disks automatically. Issued 12-2-41. (39)
2,265,110; Brauer Ernst. Method and apparatus for operating power motors with fuel gases of low boiling point. Issued 12-2-41. (28)
2,265,125; All. Officine di Villar Perosa S A. Cash register. Issued 12-9-41. (38)
2,265,282; All. Maschinenund Metallwaren. Regulating device. Issued 12-9-41. (28)
2,265,366; Hafner Raoul. Rotary wing aircraft. Issued 12-9-41. (6)
2,265,400; Schonfeld Paul et al; Barthel Kurt. Warp machine. Issued 12-9-41. (28)
2,265,481; Hartmann Otto. Heavy duty high pressure drumless boiler. Issued 12-9-41. (28)
2,265,622; Basler Hermann. Method and apparatus for disintegrating fibrous materials. Issued 12-9-41. (28)
2,265,806; Goldschmied Livio. Pump. Issued 12-9-41. (38)
2,265,900; Gilbert Ernst. Journaling of shafts. Issued 12-9-41. (28)
2,265,995; All. Eckert & Ziegler GmbH. Die or pressure casting machine for plastic masses. Issued 12-16-41. (28)
2,266,112; All. Wirth Wirkmaschinenfabrik. Pattern presser. Issued 12-16-41. (28)
2,266,145; Del Bianco Cesare. Rail joint. Issued 12-16-41. (38)
2,266,182; All. Wanderer Werke A G. Calculating machine. Issued 12-16-41. (28)
2,266,213; Kattwinkel Hans. Brake device particularly for automobile vehicles. Issued 12-16-41. (28)
2,266,218; Krause Friedrich. Electron microscope vacuum system. Issued 12-16-41. (28)
2,266,275; All. Wanderer Werke A G. Platen for typewriters adding machines and the like. Issued 12-16-41. (28)
2,266,284; All. Universelle Cigarettenmaschinenfabrik. Apparatus for producing uniform. Issued 12-16-41. (28)
2,266,349; Wempe Bernhard. Method of producing holes in thin sheets of metal or glass. Issued 12-16-41. (28)
2,266,366; All. Mercedes Buromaschinen Werke A G. Electric calculating machine. Issued 12-16-41. (28)
2,266,453; All. Muller and Wagner. Machine for electromagnetically separating casting residues. Issued 12-16-41. (28)
2,266,656; All. Kamerawerk Steenbergen and Co. Indicator for cameras. Issued 12-16-41. (28)
2,266,673; Becker Emil. Conveyor. Issued 12-16-41. (28)
2,266,734; All. Hutte August Thyssen A G. Ingot mold lining. Issued 12-23-41. (28)
2,266,735; All. Berghaus Bernhard. Glow discharge oven. Issued 12-23-41. (28)
2,266,777; Lieser Theodor. Polyisocyanate derivatives of polyhydroxy alcohols. Issued 12-23-41. (28)
2,266,784; Matteucci Raffaele. Means controlling propeller pitch and speed of propelling engine. Issued 12-23-41. (38)
2,267,018; All. Gutmann Alfred A G. Apparatus for cleaning castings and the like. Issued 12-23-41. (28)
2,267,019; All. Gossler Oscar Glasgespinst. Apparatus for the production of glass threads. Issued 12-23-41. (28)
2,267,240; Kummel Paul. Process for preventing the deposition of dispersed substances in dispersions. Issued 12-23-41. (28)
2,267,422; Rakowitzky Gregor H. Closing of tins. Issued 12-23-41. (6)
2,267,461; All. Heylandt Christian Wilhelm Paul. Two stage two stroke internal combustion engine. Issued 12-23-41. (28)
2,267,468; All. Lorenz C A G. System for landing aircraft. Issued 12-23-41. (28)
2,267,488; All. Naturin Werk Becker and Co. Method and apparatus for producing sausage skins. Issued 12-23-41. (28)
2,267,508; Spengler Johann Peter. Hydraulic Press. Issued 12-23-41. (28)
2,267,518; All. Deckel Friedrich. Photographic camera and shutter construction. Issued 12-23-41. (28)
2,267,578; Schonfeld Paul. Production of warp fabric. Issued 12-23-41. (28)
2,267,625; Wolfson Samuel. Container for tooth paste. Issued 12-23-41. (38)

2,267,659; Magnaghi Mario. Process for the purification of zinc sulphate solutions. Issued 12-23-41. (38)
2,267,712; Bauer Walter. Polymerization of symmetrical dichlorethylene. Issued 12-30-41. (28)
2,267,769; Von Ardenne Manfred. Microscope for ultraviolet light. Issued 12-30-41. (28)
2,267,899; Dersen Heinrich. Cop frame. Issued 12-30-41. (28)
2,267,956; Steinlein Gustav et al; Bruckmoser Ludwig. Freewheel brake hub driven by a motor mounted in the driving wheel. Issued 12-30-41. (28)
2,267,991; Ohkouchi Shinichi. Producing harmonic tones in pianos. Issued 12-30-41. (39)
2,268,093; Rummel Theodor. Arrangement for preventing electric discharges from assuming the form of an arc. Issued 12-30-41. (28)
2,268,100; Zunckel Berthold. Continuous casting apparatus. Issued 12-30-41. (28)
2,268,132; Candellero Adelchi. Hub cap attachment. Issued 12-30-41. (38)
2,268,166; A.G. Mercedes Buromaschinen Werke A.G. Carriage Shift Control mechanism. Issued 12-30-41. (28)
2,268,306; Sarti Tino. Vibration dampening device. Issued 12-30-41. (38)
2,268,462; Sachsenröder Gustav et al; Brossette Alois. Tube container. Issued 12-30-41. (29)
2,268,472; Bungeroth Karl et al; Heetkamp Heinrich. Ingot for press piercing and shaping arrangement therefor. Issued 12-30-41. (28)
2,268,483; Hilgenstock Paul. Oven for producing coke and gas. Issued 12-30-41. (28)
2,268,489; Kampfer Adolf. Method of uniting laminae to form laminated glass. Issued 12-30-41. (28)
2,268,602; Lichtenstern Richard. Process for preparing seed material for the improvement of bituminous substances of low qualities. Issued 1-6-42. (28)
2,268,606; Maxur Erwin. Release mechanism for fluid brake systems. Issued 1-6-42. (28)
2,268,636; Becker Emil. Means for connecting metal sheets. Issued 1-6-42. (28)
2,268,680; Von Linde Robert. Heat exchanger with wire heat conductors. Issued 1-6-42. (28)
2,268,823; All. Telefunken Ges Fur Drahtlose. Method to diminish damping of crystals. Issued 1-6-42. (28)
2,268,830; All. Telefunken Ges Fur Drahtlose. Discharge tube arrangement. Issued 1-6-42. (28)
2,268,832; All. Koepp Rudolph and Co Chemische. Process for softening artificial cellulose materials. Issued 1-6-42. (28)
2,268,859; All. Telephon Apparat Fabrike Impulse sender. Issued 1-6-42. (28)
2,268,917; Abelmann Rudolf. Drawer for articles of furniture. Issued 1-6-42. (28)
2,268,965; Schuman Artur. Method of molding reinforced building panels. Issued 1-6-42. (28)
2,268,975; Verwerk Edgar. Extinguisher for cigars cigarettes and the like. Issued 1-6-42. (28)
2,269,215; All. Zahnradfabrik Friedrichshafen A.G. Vehicle change speed gear. Issued 1-6-42. (28)
2,269,614; All. Zahnradfabrik Friedrichshafen A.G. Sliding current collector for slip rings. Issued 1-13-42. (28)
2,269,617; All. Junkers Flugzeug und Motorenwerke. Liquid tank or container for use in vehicles and aircraft. Issued 1-13-42. (28)
2,270,143; Schaich August. Separating mill. Issued 1-13-42. (28)
2,270,144; Scherpe Carl et al; Kohler Fritz. Device for turning welts. Issued 1-13-42. (28)
2,270,171; Ottaviani Nicola. Shelling almonds and similar fruits. Issued 1-13-42. (38)
2,270,173; Schulz, Herbert. Cinetifuge for separating solids from liquids. Issued 1-13-42. (28)
2,270,320; Liguori Giovanni. Magnetic head for electromagnetic sound recording and reproducing apparatus. Issued 1-20-42. (38)
2,270,558; Riegler Friedrich. Adjustable spectacle temples. Issued 1-20-42. (28)
2,270,718; Weissenberg Gustav; Skaupy Franz et al. Article of vitreous quartz and process for producing and working it. Issued 1-20-42. (28)
2,270,794; Feldmar Bela. Automatic closure for collapsible tubes. Issued 1-20-42. (34)
2,270,860; Kahle Heinrich. Separation of krypton and xenon from air. Issued 1-27-42. (28)
2,270,996; All. Pintsch Julius K.G. Arrangement and process for the production of endless sound films. Issued 1-27-42. (28)
2,271,006; All. Maschinenfabrik Augsburg. Gas engine. Issued 1-27-42. (28)
2,271,030; Palanti Mario. Building block or element. Issued 1-27-42. (38)
2,271,169; All. Maybach Motorenbau GmbH. Control mechanism for power operated gear shifting apparatus. Issued 1-27-42. (28)
2,271,218; Baudisch Friedrich. Method of decomposing maize straw for textile purposes. Issued 1-27-42. (28)
2,271,246; Borgward Carl Friedrich Wilhelm. Motor vehicle body. Issued 1-27-42. (28)
2,271,275; Ritscher Karl. Antiskid device. Issued 1-27-42. (28)
2,271,691; Schlumberger Ernst; Grasshof Harald et al. Paper sizing medium and process for its production. Issued 2-3-42. (28)
2,271,938, Etzrodt Adalbert. Electric discharge container. Issued 2-3-42. (28)
2,271,995; Baroni Cesare. Electrical resistance. Issued 2-3-42. (38)
2,272,013; Kida Yasuzo. Method of mining. Issued 2-3-42. (39)
2,272,104; Zaccheo Ferdinando et al; Willson Victor. Electric rectifier. Issued 2-3-42. (38)
2,272,451; All. Maschinen und Metallwaren. Issued 2-10-42. (28)
2,272,509; Cavallo Friedrich. Variable speed friction gear power transmission device. Issued 2-10-42. (28)
2,272,562; Iwamae Hiromu. Process for manufacturing vegetable proteins. Issued 2-10-42. (39)
2,272,563, Iwamae Hiromu. Process for manufacturing vegetable proteins. Issued 2-10-42. (39)
2,272,570, All. Zahnradfabrik Friedrichshafen A.G. Electromagnetic clutch. Issued 2-10-42. (28)
2,272,571, All. Maybach Motorenbau GmbH. Gear shift and clutch control apparatus. Issued 2-10-42. (28)
2,272,606, All. Lorenz C.A.G. Electron tube mounting. Issued 2-10-42. (28)
2,272,650; All. Freudenberg Carl GmbH. Fluid seal for direct insertion between relatively moving machine parts. Issued 2-10-42. (28)
2,272,662; Fischl Alfred. Process and apparatus for the production of an extremely thin film of cellulose ester or the like. Issued 2-10-42. (28)
2,272,685; Volk Alfred. Separator means for use in vertical filing systems. Issued 2-10-42. (28)
2,272,689; Falla Caravino Ezio. Safety secret lock. Issued 2-10-42. (38)
2,272,777; Reuter Georg. Cadmium coating. Issued 2-10-42. (28)
2,272,794; De Kramolin Leon Ladislas. Apparatus for producing high tension direct current. Issued 2-10-42. (28)
2,272,986; Weinkauff Bruno. Gyroscopic apparatus. Issued 2-10-42. (28)
2,272,995; Neumann Willy. Apparatus for cleaning air and other gases. Issued 2-10-42. (28)
2,273,121; List Heinrich. Stroboscope. Issued 2-17-42. (28)
2,273,135; Flanze Gunter; Ohnesorge Wilhelm et al; Gladenbeck Friedrich. Electric cable. Issued 2-17-42. (28)
2,273,196; All. Boehringer Sohn C.H. Process for the preparation of uscharin and uscharidin. Issued 2-17-42. (28)
2,273,235; Von Ardenne Manfred. Ultraviolet or electronic microscope. Issued 2-17-42. (28)
2,273,285; Richter Georg. Narrowing device for flat knitting machines. Issued 2-17-42. (28)
2,273,411; Maybach Karl. Device for regulating the fuel admission of internal combustion engines. Issued 2-17-42. (28)
2,273,831; All. Von Giesches Georg Erbe. Magnesium alloy. Issued 2-24-42. (28)
2,273,895; Roterberg Werner. Roller or ball bearing. Issued 2-24-42. (28)
2,273,916, Westerkamp Hugo. Installation for mechanically recording sound on endless tapes coated with wax. Issued 2-24-42. (28)
2,273,936; Ceroni Leonardo. Opaque and slide projection apparatus. Issued 2-24-42. (38)
2,274,570; Westerkamp Hugo. Process for producing sound films and matrix therefor. Issued 2-24-42. (28)
2,274,573; Ziegler Serge. Oil burner. Issued 2-24-42. (28)
2,274,748; Seidel Max. Method for obtaining dissolved volatile substances from solutions. Issued 3-3-42. (28)
2,274,863, Leuser Josef. Soldering alloy. Issued 3-3-42. (28)
2,274,922; Fischer Emil. Reaction vessel. Issued 3-3-42. (28)
2,274,958; Hautsch Hans. Machine drive & control therefor. Issued 3-3-42. (28)
2,275,085; Michel Karl et al; Hutzel-Daub Eugen. Gasket material. Issued 3-3-42. (28)
2,275,341, Brabender Carl Willy. Means for testing dough. Issued 3-3-42. (28)
2,275,344, All. Metrawatt A.G. Fabrik Elektrischer. Measuring instrument particularly an exposure meter. Issued 3-3-42. (28)
2,275,672; Pietro Brunl; Bruni Carina Bergamini et al. Apparatus for dry disinfection of razors surgical instruments and the like. Issued 3-10-42. (38)
2,275,804; All. Deutsche Niles Werke A.G. Schaft. Apparatus for grinding gear teeth. Issued 3-10-42. (28)
2,275,863; Rauch Curt. Photo viewer and projector. Issued 3-10-42. (28)
2,275,912; Lehmann Karl. System of working bedlike deposits particularly thick beds of lignite and mineral coal. Issued 3-10-42. (28)
2,276,009; Baldwin Philip Sidney. Hydraulic brake master cylinder. Issued 3-17-42. (38)
2,276,206, Klaue Hermann. Automatically acting adjusting device for friction brakes. Issued 3-10-42. (28)
2,276,408; Marcora Giovanni. Yarn feeding device for shuttles. Issued 3-17-42.
2,276,417; All. Vereinigte Gluhlampen und Electric amplifier circuits. Issued 3-17-42. (34)
2,276,583, Laubmeyer Gunther. Electric heating element. Issued 3-17-42. (28)
2,276,608; Bugge Gunther. Production of woven fabrics. Issued 3-17-42. (28)
2,276,662; Matuschke Walter. Inking mechanism for printing machines. Issued 3-17-42. (28)
2,276,695; Lavarello Ernesto. Steam turbine. Issued 3-17-42. (38)

2,276,702; Riparbelli Carlo et al; De Martino Nicola. Transmission mechanism with automatically variable ratio. Issued 3-17-42. (28)
2,276,794; Ricci Francesco. Fuel feed control for internal combustion engines. Issued 3-17-42. (38)
2,277,100; Hartmann Otto. High pressure steam generator. Issued 3-24-42. (28)
2,277,119; All. Szekely Istvan Tividar. Manually operated weaving apparatus. Issued 3-24-42. (34)
2,277,249, Nebel Max. Production of single tops for stockings. Issued 3-24-42. (28)
2,277,277, Tombolini Alfredo, Typewriter. Issued 3-24-42. (38)
2,277,456, All. Weser Flugzeubau GmbH. Aircraft wing construction. Issued 3-24-42. (28)
2,277,465; Thoma Hans. Hydraulic device. Issued 3-24-42. (28)
2,277,467; All. Krucken Peter. Aiming or shooting device. Issued 3-24-42. (28)
2,278,338, Tonnies Hans Ferdinand. Photoelectric apparatus for cameras. Issued 3-31-42. (28)
2,278,396; aur Karl. Servomotor control. Issued 3-31-42. (28)
2,278,438. Gerstenberger Albin. Weapon having multiple load magazine. Issued 4-7-42. (28)
2,278,487, Rakos Aexander. Electrical welding. Issued 4-7-42. (6)
2,278,536; All. Telephon Apparat Fabrik E. Telephone pay station. Issued 4-7-42. (28)
2,278,630, All. Vereinigte Gluhlampen und. Electron valve. Issued 4-7-42. (34)
2,278,817, Donati Renato; Greguoli Lazzaro Alfredo et al. Process for the solidification of a liquid fuel allowing the total regeneration of the same from the solid combustible. Issued 4-7-42. (38)
2,278,943, Oesterreich Carl Ernst Willy. Process for the production of rubberlike binding agent for fiber substances. Issued 4-7-42. (28)
2,279,374; All. Lublinski Hugo. Washing installation. Issued 4-14-42. (28)
2,279,446, Ziegler Serge. Igniting means for fuel air burners. Issued 4-14-42. (28)
2,279,723; Tonnies Hans Ferdinand. Photoelectric exposure determining apparatus. Issued 4-14-42. (28)
2,279,924, Marowsky Max. Preheater for lighting and heating apparatus. Issued 4-14-42. (28)
2,280,344, Nebel Bruno Max. Latch needle for circular knitting machines. Issued 4-21-42. (28)
2,280,434, All. Lorenz C.A.G. Electric discharge vessel. Issued 4-21-42. (28)
2,280,467, Heylandt Christian Welhelm Paul. Compound expansion internal combustion engine. Issued 4-21-42. (28)
2,280,576, Gluck Istavan. Means for changing the expression of the face. Issued 4-21-42. (34)
2,280,594, All. Morini & Rossi Di Morini Amadeo. Adjustable wrench for nuts. Issued 4-21-42. (38)
2,280,624, All. Junkers Flugzeug und Motorenwerke. Control of adjustable screw propeller. Issued 4-21-42. (28)
2,280,643, Bach John. Production of rubber thread. Issued 4-28-42. (34)
2,281,150, Forster Friedrich. Building element. Issued 4-28-42. (28)
2,281,274, Wilckens Ernst; Pupp Wolfgang; Dannenbach Walter et al. Ultra short wave radiator. Issued 4-28-42. (28)
2,281,[illegible], Rodiger Werner. Envelope. Issued 4-28-42. (28)
2,281,875; Gleissner Paul. Power transmitting mechanism. Issued 5-5-42. (28)
2,282,346; Stark Stephan. Apparatus for charging acetylene cylinders. Issued 5-12-42. (28)
2,282,466; Etzkorn Rudolf. Fibrous material. Issued 5-12-42. (28)
2,283,054; All. Lorenz C.A.G. Directional transmitter. Issued 5-12-42. (28)
2,283,111; Walther August. Shoe cementing press with controlled press points. Issued 5-12-42. (28)
2,283,285; Pohlman Reimar. Massage. Issued 5-19-42. (28)
2,283,319; Dienst Karl. Vertical grain drier. Issued 5-19-42. (28)
2,283,419; Dersen Heinrich. Thread guide for thread winding machines. Issued 5-19-42. (28)
2,283,456; All. Noblee & Thorl GmbH. Process for separating unsaponifiable substances from their mixtures or compounds with saponifiable substances. Issued 5-19-42. (28)
2,283,476; All. Vereinigte Deutsche Metallwerke A.G. Electrically operated retractable and extensible telescopic strut. Issued 5-19-42. (28)
2,283,947, Praemassing Adolf. Device for the production of metal band joints. Issued 5-26-42. (28)
2,284,028; Ubbelohde Leo. Dry spinning process. Issued 5-26-42. (28)
2,284,386; Frick Henry G. Envelope. Issued 5-26-42. (38)
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[F.R. Doc 42-13843; Filed, December 23, 1942; 3:12 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 142 Under MPR 120]

KRAY COAL COMPANY, INC.

ORDER GRANTING ADJUSTMENT

Order No. 142 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 1120-88-P. Granting adjustment and denying protest insofar as relief is not granted.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (b) of Maximum Price Regulation No. 120; *It is hereby ordered:*

(a) *Granting adjustment.* (1) Coals in Size Groups 6, 7, 8 and 9, produced by the Kray Coal Company, Inc., Crellin, Maryland, at its Pete Greaser and Ream No. 9 Mines (Mine Index Nos. 637 and 1300, respectively), in District No. 3 may be sold and purchased, for shipment by rail, at prices not in excess of the following respective prices per net ton, f. o. b. the mine:

Size group	6	7	8	9
Maximum price	$2.35	$2.25	$2.25	$2.10

(2) Within thirty (30) days from the effective date of this Order, the said Kray Coal Company shall notify all persons purchasing its coals of the adjustments granted by paragraph (a) of this Order, and shall include a statement that if the purchaser is subject to Maximum Price Regulation No. 122 in the resale of coals the adjustments granted in this Order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Maximum Price Regulation No. 122.

(b) *Denial of protest except insofar as relief is granted by this Order No. 142.* The protest filed by Kray Coal Company, Inc., against the provisions of Maximum Price Regulation No. 120 and assigned Docket No. 1120-88-P is hereby denied except insofar as relief is granted in paragraph (a) of this Order No. 142.

(c) This Order No. 142 may be revoked or amended by the Price Administrator at any time;

(d) Unless the context otherwise requires, the definitions set forth in § 1340.-208 of Maximum Price Regulation No. 120 shall apply to the terms used herein;

(e) This Order No. 142 shall become effective January 16, 1943.

Issued this 15th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc 43-735; Filed, January 15, 1943; 10:32 a. m.]

[Order 143 Under MPR 120]

MCNITT COAL CO. AND SHAW BIG VEIN COAL CO.

ORDER GRANTING ADJUSTMENT

Order No. 143 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket Nos. 1120-100-P and 3120-228.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (b) of Maximum Price Regulation No. 120, *It is hereby ordered:*

(a) Coals produced by McNitt Coal Company, Frostburg, Maryland, at its Hamill Mine, Mine Index No. 193, District No. 1, may be sold and purchased for shipment by rail, by truck or wagon, and for all uses except smithing coal use at prices not to exceed $2.85 per net ton in Size Group 3, f. o. b. the mine.

(b) Coals produced by Shaw Big Vein Coal Company, Frostburg, Maryland, at its Shaw Big Vein No. 1 and No. 2 Mines, Mine Index Nos. 463 and 464, respectively, District No. 1, may be sold and purchased for shipment by rail in Size Group 3 at prices not to exceed $2.70 per net ton f. o. b. the mine, for all uses except smithing coal use, in the case of Redstone Seam coals, and for railroad fuel use in the case of Big Vein Seam coals.

(c) Within thirty (30) days from the effective date of this order, each of the petitioners, McNitt Coal Company and Shaw Big Vein Coal Company, shall notify all persons purchasing its coals of the adjustment granted by this order and shall include a statement that if the purchaser is subject to Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted by this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Maximum Price Regulation No. 122.

(d) This Order No. 143 may be revoked or amended by the Administrator at any time.

(e) This Order No. 143 shall become effective January 16, 1943.

Issued this 15th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-736; Filed, January 15, 1943; 10:29 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 812-302, 812-303, 812-304]

PROVIDENTIA, LTD., ET AL.

NOTICE OF AND ORDER FOR HEARING; AND ORDER CONSOLIDATING PROCEEDINGS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa. on the 12th day of January, A. D., 1943.

In the matter of Providentia, Ltd., The Nineteen Corporation and Instoria, Inc.

Applications having been filed by Providentia, Ltd., The Nineteen Corporation and Instoria, Inc., under and pursuant to section 6 (c) of the Investment Company Act of 1940, for orders granting an extension of exemptions from all the provisions of the Investment Company Act heretofore granted to applicants for one year by order of the Commission dated February 2, 1942; or, in the alternative, for orders making said exemptions permanent;

It appearing to the Commission that said applications are related and present questions of law and fact common to each of said applications;

It is ordered, That the proceedings on the three applications be and the same hereby are consolidated;

It is further ordered, That a hearing on the consolidated matter under and pursuant to the applicable provisions of said Act and the rules of the Commission adopted thereunder be held on January 23, 1943 at 10:00 o'clock in the forenoon of that day in Room 318 in the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania;

It is further ordered, That Charles S. Lobingier, Esq., or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on this matter. The officer so designated to preside at this hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the above named applicants and to any other person or persons concerned or to any person or persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-707; Filed, January 14, 1943; 2:40 p. m.]

FEDERAL REGISTER

VOLUME 8 NUMBER 12

Washington, Tuesday, January 19, 1943

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

PART 10—FEDERAL LAND BANKS

REVISION OF REGULATIONS

Part 10 of Chapter I, Title 6, Code of Federal Regulations is hereby amended to read as follows:

Sec.
10.3 Definitions.
10.10 Farm unit; required area and yield of farm.
10.25 Normal agricultural value basis.
10.28 Special interest rates.
10.29 Special payments.
10.31 Conditional payments.
10.33 Division of loans.
10.101 Executors and administrators (including temporary administrators).
10.103 Heirs (including a sole heir taking without administration), devisees, and grantees of a deceased owner of farm land.
10.104 Trustees (whether appointed by will or deed), and other fiduciaries.
10.105 Guardians.
10.107 Persons not legally competent (including infants, insane persons, and incompetents) when not represented by a guardian.
10.108 Landlords.
10.109 Owners of future interests.
10.110 Tenants for years.
10.112 Life tenants.
10.114 Husband and wife.
10.115 Aliens.
10.116 Individuals taking title from a corporation (bona fide ownership required).
10.117 Corporations.
10.118 Livestock corporations.
10.148 Computing amount loanable to one borrower.
10.174 Applicability of association loan regulations.
10.175 Receipt evidencing stock subscriptions.

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10.240 Interest liability.
10.241 Application of conditional payments on indebtedness.
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10.244 Indebtedness current before conditional payments accepted.
10.245 Compensation for conditional payments held.
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10.383 Conversion of direct loan into association loan.
10.522 Exchange of consolidated bonds.

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10.523 Bonds issued by individual banks.
10.524 Owner of lost bond to file bond of indemnity.
10.525 Consolidated bonds.

§ 10.3 *Definitions.* For the purposes of section 12 (Fourth) of the Federal

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FEDERAL REGISTER

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Farm Loan Act, as amended (12 U.S.C. 771 (4)), the terms "equipment" and "improvement" are defined as follows:

(a) *Equipment.* The term equipment shall include implements appropriate for the operation of a farm, and may consist of teams as well as machinery, tools, and like articles.

(b) *Improvement.* The term improvement shall include any beneficial structure or any useful, permanent physical change tending to increase the productive value of the farm, such as clearing, tiling, drainage, fencing, building, and preparations for irrigation. (Sec. 6, 47 Stat. 14, Sec. 12 "Fourth" (c), 39 Stat. 370, as amended; 12 U.S.C. 665, 771 "Fourth" (c).

§ 10.10 *Farm unit; required area and yield of farm.* To constitute a proper unit for a bank loan, a farm must be of sufficient area to yield at the hands of an ordinarily capable farmer, putting it to the use to which it is generally adapted, using average methods, and receiving normal prices, an income sufficient to maintain the family of the applicant, pay operating expenses and taxes, maintain the property, and discharge the interest and amortization payments on his loan. Since the earning power of land varies because of difference in the quality of soils, climatic conditions, crop adaptation, market facilities, and standards of living, no arbitrary acreage limit should be established as necessary for a farm unit. Any decision that a particular property does not constitute a proper farm unit should be reached only after careful consideration of the factors of production and the earning power of the individual farm. (Sec. 6, 47 Stat. 14, Sec. 12 "Fifth", 39 Stat. 370, as amended; 12 U.S.C. 665, 771 "Fifth")

§ 10.25 *Normal agricultural value basis.* The normal value of farms for agricultural purposes shall be the basis of appraisal for loans. For the purpose of such appraisal, commodity prices received by farmers during the period from 1909 to 1914, with such adjustment as may be necessary because of the change in the economic position of particular products, shall be the basis for determining the earning power of farm land. The normal agricultural value of a farm may be defined as the amount a typical purchaser would, under usual conditions, be willing to pay and be justified in paying for the property for customary agricultural uses, including farm home advantages, with the expectation of obtaining average production and of receiving normal prices for farm commodities. (Sec. 6, 47 Stat. 14, Secs. 12 "Fifth", 13 "Second", 39 Stat. 370, 372, as amended; 12 U.S.C. 665, 771 "Fifth", 781 "Second").

§ 10.28 *Special interest rates.* For bank loans secured by first mortgages on the following farm property in the continental United States:

(a) Land that is employed primarily in the production of naval stores as defined by section 2 of the Naval Stores Act (Sec. 2, 42 Stat. 1435; 7 U.S.C. 92);

(b) Land used for the raising of livestock, in estimating the earning power and in establishing the value of which leases or permits for the use of other lands were taken into consideration and were a factor in determining the amount of the loan; and

(c) A farm property, a substantial part of the earnings from which is from orchard crops;

approval has been given to the following interest rates:

(1) For loans through associations, 1 and one-half per centum per annum in excess of the interest rate in the last series of consolidated Federal farm loan bonds, such interest rate not to exceed 6 per centum per annum;

(2) For direct loans, one-half of 1 per centum per annum in excess of the interest rate approved for loans through associations under (1) preceding; and

(3) For loans under section 25 (b) of the Farm Credit Act of 1937 (50 Stat. 711; 12 U.S.C., Sup., 724) through associations, the capital stock of which is impaired, one-fourth of 1 per centum per annum less than the interest rate approved for direct loans under (2) preceding. (Sec. 6, 47 Stat. 14, Secs. 7 (b), 12 "Second", 17 (b), 39 Stat. 365, 370, 375, Sec. 25 (b), 50 Stat. 711; 12 U.S.C. 665, 723 (b), 771 "Second", 831 (b), 724)

§ 10.29 *Special payments.* A bank may accept special payments on a bank loan or payment in full thereof either before or after 5 years from the date the loan was made. Where payment arises from the refinancing of the loan from a non-Government lending source and the loan has not been in force for at least 5 years, the bank may collect from the borrower such a sum as will reimburse it for the expense of making the loan. In all other cases of special principal payments or full payment of bank loans, the bank should not charge either a prepayment fee or interest beyond the date the funds are received. (Sec. 6, 47 Stat. 14, Sec. 12 "Second", 39 Stat. 370, as amended; 12 U.S.C. 665, 771 "Second")

§ 10.31 *Conditional payments.* Conditional payments shall be held for subsequent credit upon indebtedness to the bank or the Corporation, except in cases of unusual circumstances where the release of the funds is justified. Interest shall be allowed on such payments held for more than 1 month at the effective interest rate applicable to the indebtedness in connection with which such conditional payment is held. (Sec. 4, 39 Stat. 363, Sec. 17, 50 Stat. 708; 12 U.S.C. 676, 781 "Eighteenth")

§ 10.33 *Division of loans.* In dividing a bank loan between separate owners of the mortgaged property in the continental United States, whether by means of new loans or otherwise, each bank may in its discretion retain for the resulting or new loans the contract interest rate of the original loan, or the rate currently applicable to new loans of the same class, or some intermediate rate. Within these limits, the policy to be followed by each bank shall be determined by its board of directors. An important factor to be considered in connection with any policy involving a reduction in interest in connection with divisions of loans is the extent to which it may induce other borrowers to seek a reduction in their interest rates and the effect it may have on the repayment of loans. The policy for each bank should be set out in a general resolution adopted by the board of directors, a copy of which should be submitted to the Commissioner for consideration; but such resolutions need not be submitted for prior approval. (Sec. 6, 47 Stat. 14, Secs. 12 "Second", 17 (b), 39 Stat. 370, 375, Sec. 26, 48 Stat. 44, Sec. 25 (b), 50 Stat. 711; 12 U.S.C. 665, 771 "Second", 831 (b), 723 (b) and Sup., 724 (a), (b) "Second")

§ 10.101 *Executors and administrators (including temporary administrators).* Bank loans may be made to executors and administrators (including temporary administrators) when (a) either some individual beneficiary of the decedent's estate, or the executor, administrator, or any coexecutor or coadministrator of the estate, independently of his representative capacity, is (1) eligible as a borrower, and (2) owns, or is about to become the owner of, an interest in the property on which the loan is sought, and (3) can and will incur personal liability for the loan and assume the obligations of national farm loan association membership; and (b) a valid lien can and will be given on the property on which the loan is sought. As used in this paragraph, the term "eligible as a borrower" means a person who is engaged in farming operations, or who is shortly to become engaged in farming operations, or who derives the principal part of his income from farming operations. (Sec. 6, 47 Stat. 14, Secs. 7, 9, 12 "Sixth", 39 Stat. 365, 368, 370, as amended; 12 U.S.C. 665, 716, 745, 771 "Sixth")

§ 10.103 *Heirs (including a sole heir taking without administration), devisees, and grantees of a deceased owner of farm land.* Loans may be made to heirs including a sole heir taking without administration), devisees and grantees of a deceased owner of farm land under the same conditions as will permit a loan's being made to any other owner of farm land. (Sec. 6, 47 Stat. 14, Sec. 12 "Sixth", 39 Stat. 370, as amended; 12 U.S.C. 665, 771 "Sixth", as amended)

AUTHORITY: §§ 10.104 to 10.108 inclusive, issued under the authority contained in Sec. 6, 47 Stat. 14, Secs. 7, 9, 12 "Sixth", 39 Stat.

365, 368, 370, as amended; 12 U.S.C. 665, 745. 771 "Sixth", as amended.

§ 10.104 *Trustees (whether appointed by will or deed), and other fiduciaries.* Bank loans may be made to trustees (whether appointed by will or deed) when (a) the trustee in his fiduciary capacity is engaged, or shortly to become engaged, in farming operations, or the beneficiaries of the trust are engaged in farming operations or derive the principal part of their income from farming operations; and (b) a valid lien can and will be given on the property on which the loan is sought; and (c) the trustee, or any cotrustee, or some individual beneficiary of the trust can and will incur personal liability for the loan, and assume the obligations of national farm loan association membership.

§ 10.105 *Guardians.* Bank loans may be made to guardians when (a) the guardian in his fiduciary capacity is engaged, or shortly to become engaged, in farming operations, or the wards are engaged in farming operations or derive the principal part of their income from farming operations; and (b) a valid lien can and will be given on the property on which the loan is sought; and (c) the guardian, or any coguardian, independently of his fiduciary capacity owns an interest in the property, and can and will incur personal liability for the loan and assume the obligations of national farm loan association membership.

§ 10.107 *Persons not legally competent (including infants, insane persons, and incompetents) when not represented by a guardian.* Loans may not be made to persons not legally competent (including infants, insane persons, and incompetents) when not represented by a guardian; and property in which such a person, not represented by a guardian, owns an interest is ineligible as security for a loan.

§ 10.108 *Landlords.* Loans may be made to landlords when (a) the landlord has the right to and does exercise substantial control over the management of the farm on which the loan is sought; or (b) he is engaged, or shortly to become engaged, in farming operations, independently of his capacity as landlord of the farm on which the loan is sought; or (c) the principal part of his income is derived from farming operations.

AUTHORITY: §§ 10.109 to 10.115 inclusive, issued under the authority contained in Secs. 2, 12 "First", 12 "Sixth", 39 Stat. 360, 370, as amended; 12 U.S.C. 642, 771 "First", 771 "Sixth", as amended

§ 10.109 *Owners of future interests.* Loans may be made to owners of future interests when (a) all interests necessary to the creation of a fee simple estate in the land on which the loan is sought are included in the mortgage; and (b) the owner of the future interest is engaged, or shortly to become engaged, in farming operations independently of his capacity as owner of a future interest in the farm on which the loan is sought, or derives the principal part of his income from farming operations.

§ 10.110 *Tenants for years.* Bank loans may not be made to tenants for years.

§ 10.112 *Life tenants.* Loans may be made to life tenants when (a) all interests necessary to the creation of a fee simple estate in the land on which the loan is sought are included in the mortgage; and (b) the life tenant, by reason of farming operations conducted by him on the land covered by his life interest, or otherwise, is eligible as a borrower. As used in this paragraph, the term "eligible as a borrower" means a person who is engaged in farming operations, or who is shortly to become engaged in farming operations, or who derives the principal part of his income from farming operations.

§ 10.114 *Husband and wife.* Loans may be made on their respective lands to a husband and wife owning land in severalty.

§ 10.115 *Aliens.* To the extent that State laws do not restrict the right of aliens to hold and convey real estate, loans may be made to aliens upon the same basis as to citizens: *Provided, however,* That such loans are not prohibited by and are made in conformity with the provisions of the Trading with the Enemy Act, as amended, the Foreign Funds Control regulations, and any other applicable laws and regulations relating to transactions with or property of enemy or other aliens.

AUTHORITY: §§ 10.116 to 10.118, inclusive, issued under the authority contained in Sec. 6, 47 Stat. 14, Sec. 12 "Sixth," 39 Stat. 370, as amended; 12 U.S.C. 665, 771 "Sixth," as amended

§ 10.116 *Individuals taking title from a corporation (bona fide ownership required).* Loans which are otherwise qualified may be made to individuals who have taken title from a corporation in which they were interested as stockholders, provided the transfer is in good faith and not a mere temporary expedient for the purpose of evading the provisions of the Federal Farm Loan Act, which preclude loans to corporations other than corporations engaged in the raising of livestock.

§ 10.117 *Corporations.* Loans may be made to corporations (in addition to those engaged in raising livestock, when acting solely in a representative or fiduciary capacity for individual beneficiaries, provided the conditions of §§ 10.101, 10.102, 10.104, 10.105, and 10.106 are satisfied.

§ 10.118 *Livestock corporations.* Loans may be made to livestock corporations, provided the corporation is primarily engaged in the raising of livestock. It may also be engaged in such general farming operations as are incidental to its livestock raising. If it engages in any secondary operations not strictly incidental to livestock raising, such secondary operations may constitute only a minor part of the corporation's activities.

§ 10.148 *Computing amount loanable to one borrower.* In determining the aggregate amount of existing and prospective bank loans to any one borrower for the purpose of applying the limitation provided for in section 12 (Seventh) of the Federal Farm Loan Act (12 U.S.C. 771 (7)), there shall be included (a) the amount of the unpaid principal of loans made by a bank which are secured by mortgages on property owned by the applicant, except loans secured by purchase money mortgages not made on a basis which qualifies them for deposit with the registrar as collateral security for farm loan bonds; (b) the amount of the unpaid principal of bank loans made to the applicant, or assumed by him with the permission of the bank, which are secured by mortgages on property he no longer owns, except loans secured by mortgages which have been assumed with the permission of the bank by a subsequent owner of the property in accordance with section 12 (Sixth) of the Federal Farm Loan Act (12 U.S.C. 771 (6)); and (c) the amount of the unpaid principal of mortgages which are liens on property owned by the applicant and which have been acquired by a bank under the provisions of section 13 (Second) of the Federal Farm Loan Act (12 U.S.C. 781 (2)). (Sec. 12 "Seventh", 39 Stat. 370, as amended; 12 U.S.C. 771 "Seventh")

§ 10.174 *Applicability of loan regulations.* Except as otherwise specifically provided in these direct bank loan regulations and in section 7 of the Federal Farm Loan Act, as amended (12 U.S.C. 711–723), all provisions of said act and of the rules and regulations adopted thereunder which are applicable with respect to loans made through national farm loan associations shall, insofar as practicable, apply with respect to direct loans. (Sec. 7, 39 Stat. 365, as amended; 12 U.S.C. 723 (a))

§ 10.175 *Receipt evidencing stock subscription.* Each borrower who obtains a direct loan shall be furnished by the bank with a receipt evidencing his subscription and payment for, and the issuance to him of, shares of the capital stock of said bank, the number and amount of such shares to be stated in said receipt. Each such receipt shall contain the following statement:

The shares of stock hereinbefore mentioned are held by the Federal land bank as collateral security for the direct loan obtained by said borrower; said stock is nonvoting, and may be transferred only on the books of said bank and with its permission, as provided in section 12 (Sixth) of the Federal Farm Loan Act (12 U.S.C. section 771 (Sixth)), or to the Federal Farm Mortgage Corporation as authorized in section 7 of the act (12 U.S.C. 723 (c)). Said stock will be canceled by the bank if and when said borrower becomes a member of a duly organized national farm loan association, and in such event there will be issued in the name of said national farm loan association an equal number of shares of the capital stock of the bank, such shares to be held by the bank as collateral security for the loan of said borrower. The shares of stock of the Federal land bank issued to said borrower shall, if still outstanding, upon payment in full of said loan or foreclosure of the mortgage securing the same, be canceled at par, or, in the event that such stock shall have become impaired, at the estimated value thereof as approved by the Land Bank Commissioner, and the proceeds thereof shall be paid to the borrower: *Provided, however,* That all sums accruing and payable as dividends on such stock, and/or proceeds of such stock upon payment in full of said loan or foreclosure of said mortgage, shall be subject to the right of the bank to retain and apply the same upon any obligation(s) due and unpaid under the terms of said mortgage.

(Sec. 7, 39 Stat. 365, as amended; 12 U.S.C. 723 (a), (c), (d))

INSURANCE REQUIREMENTS FOR BANK LOANS

AUTHORITY: §§ 10.183 to 10.197, inclusive, issued under the authority contained in Sec. 12 "Ninth", 39 Stat. 370; 12 U.S.C. 771 "Ninth".

§ 10.183 *Buildings on which insurance must be maintained by mortgagor; amount and type of insurance.* All buildings, the value of which was a factor in determining the amount of a bank loan, shall be kept insured against fire and any other risks specified by the bank, in amounts fixed by it aggregating not less than 60 percent of the value thereof to the farm for agricultural purposes, as shown by the report of the land bank appraiser upon which such loan was based. If a building be substituted for a building the value of which was a factor in determining the amount of a loan, the substituted building shall be kept insured in like manner and the aggregate amount of insurance required by this paragraph shall not be reduced by reason thereof.

§ 10.184 *Additional insurance requirable.* Nothing contained in these insurance regulations (§§ 10.183 to 10.197) shall prevent a bank from requiring that any other building on a farm mortgaged to the bank shall be kept insured in such amounts and/or against such risks as shall be deemed advisable for the protection of the bank's interests.

§ 10.185 *Reduced insurance to be maintained when full amount cannot be provided.* If, when insurance must be renewed or obtained in order to comply with these insurance regulations (§§10.183 to 10.197), the aggregate insurable value of the buildings insured and or to be insured be less than the amount required by § 10.183, the said buildings shall be kept insured for the full insurable value thereof.

§ 10.186 *Reduction of insurance under certain circumstances.* A bank may reduce the amount of insurance theretofore required or discontinue such requirement in whole or in part, provided the bank deems the reduction or discontinuance of insurance advisable in the light of all pertinent factors: (a) whenever the unpaid balance of the mortgage debt does not exceed $200; or (b) whenever it is found that the land, without the buildings mentioned in § 10.183, would afford ample security under the provisions of the Federal Farm Loan Act for a new loan in the amount of the unpaid balance of the mortgage debt. On each request for reduction in the amount of insurance or for discontinuance of the insurance requirement, in whole or in part, such information in writing should be obtained as will enable the bank to act advisedly. The chief appraiser or his assistant should recommend whether or not an appraiser's report or other information is necessary and, subject to the approval of the bank, take steps to obtain such information. The bank may request any further information or investigation. Insurance is not required in excess of the unpaid balance of the mortgage debt; however, there may be conditions under which the bank would be warranted in requiring additional insurance.

§ 10.187 *Acceptable insurers.* Insurance required under § 10.183 shall be evidenced by a lawful policy or policies, issued by any reputable insurance company including any State supervised mutual insurance company which is satisfactory to the bank: *Provided,* That such company be authorized to do such insurance business, and be subject to service of process in suits brought, in the State in which the insured property is located, except that, when insurance is procured and paid for by the bank upon default under the mortgage, such insurance company may be one which is subject to service of process in suits brought in the State where the bank is located. The acceptance by a bank of insurance from an organization other than one provided for by this paragraph shall be subject to the approval of the Commissioner.

§ 10.188 *Losses to be made payable to bank; exception.* Insurance shall be made payable to the bank, as mortgagee, as its interest may appear at time of loss, but the bank may, in its discretion, permit individual losses of $50 or under to be paid directly to the mortgagor for use in the prompt reconstruction of the buildings destroyed. The provisions of §§ 10.189 to 10.197, inclusive, of these regulations shall not be applicable to losses of $50 or under which are paid directly to the mortgagor, with the permission of the bank, for use in reconstruction.

§ 10.189 *Mortgagor's option to use loss proceeds for reconstruction.* At the option of the mortgagor and subject to the provisions of these regulations any sum received by a bank in settlement of a loss covered by insurance required by these regulations may be used to pay for the reconstruction of the buildings involved; provided that the bank may charge and collect from the mortgagor the reasonable cost of appraisal and of any investigation to determine the priority of the bank's mortgage over any lien by reason of such construction, and may withhold from such sum the amount of any such charge not otherwise paid.

§ 10.190 *Subsequent owner deemed "mortgagor" under certain circumstances.* When a subsequent owner of premises mortgaged to a bank has assumed the mortgage and stock interests of the original mortgagor in accordance with the provisions of section 12 (Sixth) of the Federal Farm Loan Act (12 U.S.C. 771 (6)), and is primarily liable therefor, and not otherwise, the term "mortgagor" shall be deemed for the purposes of these regulations to refer to such subsequent owner.

§ 10.191 *Manner in which mortgagor's option to use loss proceeds shall be exercised.* The bank as promptly as possible after the receipt of the sum referred to in § 10.189 shall send to the mortgagor a notice in writing thereof. Within 30 days after such notice is sent, if the mortgagor desires to exercise his option, he shall so notify the bank in writing. With such notice to the bank or within 30 days thereafter, unless such time for good cause be extended by the bank, the mortgagor shall furnish the bank information in such form as shall be satisfactory to it covering the plans of the mortgagor for the reconstruction of the building involved in sound and serviceable form and condition, at least equal to that which existed immediately prior to the loss. Within said 30 days the mortgagor shall also furnish assurance satisfactory to the bank that such reconstruction will be completed within a reasonable time, and that there will be no unsatisfied liens for labor, material, and/or other expenses that will have priority over the bank's mortgage when such reconstruction shall have been completed or when the said sum received by the bank shall have been paid by the bank to or for the account of the mortgagor.

§ 10.192 *Reconstruction of improvements in different form.* If the mortgagor desires to use the insurance money, in whole or in part, in order to replace the building involved with an insurable building of less expensive type, or to substitute any other insurable building, the said fund may be used for such purpose, provided the land bank is satisfied that the proposed building will be suitable and adequate to the agricultural needs of the farm.

§ 10.193 *Evidence that mortgagor can supply additional funds; meaning of term "reconstruction."* If the sum received by the bank (after making the deductions, if any, authorized by these regulations) be inadequate to enable the mortgagor to reconstruct as herein provided, and he desires nevertheless to do so, he shall furnish the bank assurance satisfactory to it that he will have the necessary additional funds. Where, under these regulations, a building may be repaired, replaced, or substituted, the operations involved shall be deemed to be covered by the words "reconstruct" or "reconstruction," as the case may require.

§ 10.194 *Loss proceeds not to be disbursed in absence of evidence that prior liens will not attach.* No sum so received by the bank shall be paid to or for the account of the mortgagor for the purpose of enabling him to reconstruct a building until it is satisfied that no lien by reason of reconstruction of the buildings covered by such insurance will have priority over its mortgage thereon. If, however, in any case the sum received by the bank be less than $100, the bank may pay over such sum to or for the account of the mortgagor upon assurance satisfactory to the bank that such sum will be used for the reconstruction of the building involved and that there will be no lien against

such building which would have priority over the bank's mortgage.

§ 10.195 *Application of loss proceeds to mortgage debt.* If the mortgagor fails or refuses to exercise his option in accordance with these regulations, or to comply with all of the conditions of these regulations with respect thereto, or if the mortgage be in process of foreclosure, or if the mortgagor be in default in such manner that the mortgage is subject to foreclosure, the sum received by the bank may be retained by it for application upon the indebtedness secured by such mortgage or as collateral security therefor. Any portion of the sum received by the bank which is not used for reconstruction or withheld for cost of appraisal and investigation in accordance with § 10.189 of these regulations may also be retained by the bank for application upon the indebtedness or as collateral security therefor.

§ 10.196 *Circumstances under which mortgagor's option to use loss proceeds does not obtain.* The option of the mortgagor referred to in these regulations shall not apply in the case of any sum received by the bank (a) under a policy of insurance which was not provided or paid for by the mortgagor, or (b) in settlement of a loss on buildings not required by these regulations to be insured. Such option shall not apply to any sum with respect to which liability to the mortgagor is denied by the insurer, unless and until such denial be rescinded or until final judgment of a court of competent jurisdiction that the insurer is liable to the mortgagor. In either event the mortgagor shall initiate the steps otherwise necessary under these regulations for the exercise of his option within 30 days after the establishment of the liability of the insurer to him for such loss.

§ 10.197 *Conditional release of loss proceeds.* No insurance proceeds may be released unconditionally to a borrower or a junior lienor except for the purpose and under the conditions hereinbefore set forth, unless the remaining security for the loan meets the provisions of the Federal Farm Loan Act relating to new loans, that is, unless the unpaid balance of the loan does not exceed 50 percent of the value of the land and 20 percent of the value of the permanent, insured improvements remaining thereon. Exceptions to this requirement may be made only where it is clearly to the best interest of the bank to do so. Where insurance proceeds are released unconditionally to a borrower or junior lienor the procedure governing the release of funds received from the sale of part of the security shall be followed so far as applicable.

§ 10.222 *Refinancing mortgages purchased from joint stock land banks.* In connection with the purchase of a mortgage from a joint stock land bank, the right given a mortgagor to refinance under the provisions of section 13 (Second) of the Federal Farm Loan Act, as amended (12 U.S.C. 781 (2)), is a personal privilege granted only to the owner of the property at the time the mortgage is purchased by the Federal land bank. It is the responsibility of the Federal land bank to notify such an owner of his right to have his indebtedness refinanced. A reasonable time of not to exceed 6 months should be specified in the notice as the period in which he may file an application for a refinancing loan. (Sec. 13 "Second", 39 Stat. 372, as amended; 12 U.S.C. 781 "Second")

AUTHORITY: §§ 10.236 to 10.246 inclusive issued under the authority contained in Sec. 4, 39 Stat. 363, Sec. 17, 50 Stat. 708; 12 U.S.C. 676, 781 "Eighteenth".

§ 10.236 *Conditional payments; joint indebtedness to a bank and the Corporation.* In cases where the respective indebtednesses of the borrower to the bank and Corporation are secured by the same or common real property, amounts to be accepted as conditional payments (by the bank for subsequent credit on its indebtedness and by the Corporation for subsequent credit on its indebtedness should be allocated to each indebtedness in such manner as to assure the borrower of relatively the same security against future delinquency on the respective indebtednesses.

§ 10.237 *Reports; conditional payments; joint indebtedness to a bank and the Corporation.* Each bank should review at least annually its entire operation in connection with the acceptance and application of conditional payments on joint indebtedness of borrowers to the bank and the Corporation and submit a detailed report of its findings, with comments or suggestions thereon, to the Commissioner as soon as practicable after December 31 of each year.

§10.238 *Conditional payments; unrelated loans.* In those cases in which a borrower has indebtedness to the bank and/or Corporation, which are not secured by the same or common real property, determination should be made by the bank, on the basis of the facts in each case, as to the indebtedness or indebtednesses on which conditional payments are to be accepted and held for subsequent credit. A subsequent report of the action taken should be made by the bank to the Commissioner with a brief statement of the reasons therefor. When conditional payments are accepted in these cases, they shall be subject to all the provisions of these regulations governing conditional payments insofar as practicable.

§ 10.239 *Interest allowance.* Interest shall be allowed on conditional payments in accordance with the following terms and conditions:

(a) The rate(s) at which interest is allowed the borrower on a conditional payment shall be the rate(s) effective on those installment dates of the indebtedness to which the conditional payments are applied and which installment dates occurred during the period such conditional payments were held. As used herein, "effective interest rate" means the rate actually charged the borrower on the indebtedness on which a conditional payment is applied.

(b) Interest shall be allowed on conditional payments from the date of acceptance of such payments to the date of application on the borrower's indebtedness and such interest shall be compounded as of the installment dates of such indebtedness which occurred during the period the conditional payments were held by the bank; *Provided*, That interest shall not be allowed upon any amount which has not been held for the credit of the borrower as an unapplied conditional payment for the period of at least 1 month.

(c) Interest allowed on a conditional payment shall be credited to the borrower as of the date of application of a conditional payment on his indebtedness or returned to him in accordance with § 10.242.

§ 10.240 *Interest liability.* The books and statements of condition of the bank and Corporation shall reflect the liability for interest accrued in connection with conditional payments held for subsequent application. Such liability shall be accrued on installment dates and for the periods provided in § 10.239 for determining interest allowances, at the rate actually charged the borrower on the unmatured portion of the indebtedness in connection with which such conditional payment is held. Such accruals shall be subject to any adjustment required upon application of the conditional payment in order that the interest allowed on the conditional payment shall conform to the provisions of § 10.239.

§ 10.241 *Application of conditional payments on indebtedness.* Conditional payments shall be applied on the borrower's indebtedness in connection with which they are held, or on the borrower's indebtedness to the Corporation when such indebtedness is secured by the same or common real property, in accordance with the following terms and conditions:

(a) As the borrower may direct in writing, the bank shall pay out of conditional payments to the borrower's credit any portion of the indebtedness to the bank on regular installment dates.

(b) At its option the bank may pay out of conditional payments to the borrower's credit on his bank indebtedness any portion of the indebtedness to the bank as and when the same becomes due and payable, if it is not otherwise paid by the borrower at or before maturity.

(c) At the borrower's written direction the bank shall pay out of conditional payments to the borrower's credit on his bank indebtedness, any portion of the borrower's indebtedness to the Corporation, which is secured in whole or in part by the same real property securing the indebtedness to the bank, as and when the same becomes due and payable, if it is not otherwise paid by the borrower at or before maturity. With the consent of the Corporation the bank may pay out of conditional payments to the borrower's credit on his bank indebtedness any portion of the borrower's indebtedness to the Corporation which is secured in whole or in part by the same real property securing the indebtedness to the bank, if it is not otherwise paid by the borrower on or prior to 60 days after maturity. Such payments transferred by the bank shall not include any interest allowance to the borrower; however, the Corporation shall allow interest to the borrower on such payments in accordance with § 10.239 (a) from the date(s) such payments were accepted by the bank to the date of maturity of the indebtedness upon which such payments are applied. The first amount accepted as conditional payments by the bank shall be considered as the first amount paid out of conditional payments either on the indebtedness to the bank or on the indebtedness to the Corporation.

(d) If at any time the balance of unapplied conditional payments to a borrower's credit together with the interest allowance thereon equals or exceeds the total amount of the indebtedness, the whole indebtedness shall become due and payable at once and shall be paid out of such balance.

(e) In the event of the borrower's death or bankruptcy, or in the event of transfer of the indebtedness by the bank or conveyance of title to the property securing the indebtedness by the borrower, the bank at its option may apply all or any portion of the conditional payments to the borrower's credit on the indebtedness.

§ 10.242 *Disposition of unapplied conditional payments after payment of indebtedness in full.* Any balance of unapplied conditional payments together with interest allowance thereon held in connection with the borrower's indebtedness shall be refunded to the borrower by the bank when the indebtedness is paid in full: *Provided, however*, That amounts of conditional payments held by the bank in connection with an indebtedness secured by the same or common real property upon which the borrower is indebted to the Corporation, may, at the written direction of the borrower, be transferred to the Corporation, when the borrower's indebtedness to the bank is paid in full. Such payments transferred shall be subject to an interest allowance by the Corporation, in accordance with §§ 10.239 (a) and 10.241 (c).

§ 10.243 *Evidence of acceptance of conditional payments.* Upon acceptance of a conditional payment, the bank shall furnish the borrower with a receipt, which shall identify the indebtedness in connection with which the conditional payment is accepted, and set forth generally the conditions under which such payments are held. The form of receipt used by a bank shall have the approval of the Administration.

§ 10.244 *Indebtedness current before conditional payments accepted.* Conditional payments shall not be accepted by a bank while there are outstanding unpaid matured obligations of the borrower to the bank on such indebtedness or to the Corporation on an indebtedness secured by the same or common real property; provided that at the direction of the borrower funds tendered as conditional payments may be used to pay such matured and unpaid obligations and any balance remaining may be accepted as conditional payments.

§ 10.245 *Compensation for conditional payments held.* The bank shall compensate the Corporation for the use of conditional payment funds transferred in accordance with §§ 10.241 (c) and 10.242 at a rate prescribed by the Commissioner for the period from the date the conditional payments were received by the bank to the date of maturity of the indebtedness upon which such payments are applied.

§ 10.246 *Rate of compensation for conditional payments held.* The present rate of compensation for conditional payments held by the bank and transferred to the Corporation shall be 2 percent per annum.

§ 10.275 *Subrogation of insurer following payment of loss.* An insurance company which has made payment to a bank under the uniform loss payable clause, but which denies liability to the mortgagor, is not entitled to subrogation against the endorsing association because of such payment. Nor can such an insurer, in the case of an association-endorsed or direct loan, obtain an interest in the bank stock pledged with the bank as security for the loan. No assignment of mortgage or other form executed by a bank in favor of such an insurer shall by express provision or by implication undertake (a) to transfer any right of the bank against the endorsing association or any interest in the bank stock pledged by the association in connection with the loan, or (b) in the case of a direct loan, to transfer any right or interest to the insurance company in the direct loan stock. (Sec. 17, 39 Stat. 375, Sec. 6, 47 Stat. 14; 12 U.S.C. 831 (i), 665)

§ 10.383 *Conversion of direct loan into Association loan.* The provisions of section 7 of the Federal Farm Loan Act, as amended (12 U.S.C. 723 (d)), with respect to the reduction of interest rates and issuance of association stock in lieu of stock in the bank shall be applicable also to a borrower who has obtained a direct loan and who subsequently is elected to membership in an existing association whose endorsement at the time is acceptable to the bank. (Sec. 6, 47 Stat. 14, Sec. 7, 39 Stat. 365, as amended; 12 U.S.C. 665, 723 (a), (b), (c))

AUTHORITY: §§ 10.522 to 10.525, inclusive, issued under the authority contained in Sec. 6, 47 Stat. 14, 12 U.S.C. 665.

§ 10.522 *Exchange of consolidated bonds.* Consolidated bonds issued by the 12 Federal land banks may be exchanged for bonds of the same issue, and assignments of registered consolidated bonds of all issues may be effected, under and in accordance with the regulations of the United States Treasury Department governing exchange and transfers of United States bonds.

LOST, STOLEN, DESTROYED, MUTILATED, OR DEFACED BONDS AND COUPONS

§ 10.523 *Bonds issued by individual banks.* Whenever it appears to the Land Bank Commissioner, by clear and satisfactory evidence, that any interest-bearing bond or any coupon thereof issued by any Federal land bank or joint stock land bank has, without bad faith on the part of the owner, been lost, stolen, or destroyed, and is not lawfully held by any person as his own property, or has been so mutilated or defaced as to impair its value to the owner, and is identified by number and description, the Land Bank Commissioner may authorize payment to be made (upon approval of the proofs of loss, etc., bonds of indemnity and related papers filed with the banks of issue in such cases, detailed information as to which has been furnished the banks) without requiring the issuance of any new bonds for record purposes.

§ 10.524 *Owner of lost bond to file bond of indemnity.* The owner of any such lost, stolen, or destroyed coupon bond or coupon thereof shall file with the bank of issue a bond of indemnity in a penal amount double the sum of the face amount of such coupon bond and the interest due and unpaid to the date when the bond was called or matured; and the owner of any such lost, stolen, or destroyed registered bond shall file with the bank of issue a bond of indemnity in a penal amount equal to the sum of the face amount of such bond and the interest thereon due and unpaid to the date when the bond was called or matured; with good and sufficient corporate surety to be approved by the bank of issue and the Land Bank Commissioner, and with conditions to indemnify and save harmless the bank of issue from all claims, demands, or loss, on account of the bond for which payment is requested.

§ 10.525 *Consolidated bonds.* The statutes of the United States, now or hereafter in force, and the regulations of the Treasury Department, now or hereafter in force, governing relief on account of loss, theft, destruction, mutilation, or defacement of United States securities, and the regulations of the Treasury Department, now or hereafter in force, governing the payment of mutilated or defaced coupons of United States securities, so far as such statutes and regulations may be applicable, and as modified to relate to consolidated Federal farm loan bonds, and coupons of such bonds, shall govern the granting of relief on account of lost, stolen, destroyed, mutilated, or defaced consolidated Federal farm loan bonds, and mutilated or defaced coupons of such bonds.

PART 11—NATIONAL FARM LOAN ASSOCIATIONS

REVISION OF REGULATIONS

Part 11 of Chapter I, Title 6, Code of Federal Regulations is hereby amended to read as follows:

Sec.
11.172 Stock subscription required.
11.373 Merger of shareholder groups in associations operating under section 25 (b).
11.374 Definitions.
11.375 Procedure.

RETIREMENT OF STOCK UPON REPAYMENT OF LOANS

Sec.
11.392 Classification of associations.
11.393 Disposition of stock proceeds where association is in Class 1.
11.394 Disposition of stock proceeds where association is in Class 2.
11.395 Disposition of stock proceeds where association is in Class 3 or 4.
11.1011 Eligibility determined by location of land.
11.1012 Husband or wife as sole owner.
11.1013 Joint owners.
11.1014 Livestock corporations.
11.1015 Other corporations.
11.1016 Voting by proxy.
11.1017 Participation certificates.

§ 11.172 *Stock subscription required.* Where an additional bank loan as defined in § 19.329 is applied for, the capital stock of the association through which the outstanding loan was made is not impaired or the only stock outstanding in connection with the outstanding loan is bank stock, and the applicant is entitled to the proceeds of the stock in the association or the bank which was issued in connection with such loan, the Administration approves the retirement, under section 7 of the Federal Farm Loan Act (12 U.S.C. 721), of stock of the bank held as security in connection with such loan in an amount sufficient to permit the applicant to use the proceeds of the association or bank stock to purchase the stock required in connection with the additional loan: *Provided*, That such retirement is authorized by the board of directors of the bank: *And provided further*, That the outstanding stock shall not be reduced to an amount less than 5 percent of the unmatured principal balance of the outstanding loan. If the total of the unmatured principal balance of the outstanding loan plus the amount of the additional loan exceeds the original face amount of the outstanding loan, it will be necessary under this procedure for the borrower to purchase additional stock only in an amount equal to 5 percent of the excess. (Sec. 6, 47 Stat. 14, Sec. 7, 39 Stat. 365; 12 U.S.C. 665, 721)

AUTHORITY: §§ 11.373 to 11.375, inclusive, issued under the authority contained in Sec. 6, 47 Stat. 14, Sec. 25 (b), 50 Stat. 711; 12 U.S.C. 665, 724 (d).

§ 11.373 *Merger of shareholder groups in associations operating under section 25 (b).* The following regulations are issued pursuant to the fourth paragraph of section 25 (b) of the Farm Credit Act of 1937 (title 12, U.S.C. 724(d)):

§ 11.374 *Definitions.* For the purpose of these regulations the following words and phrases shall have the meanings herein ascribed to them:

(a) "To merge" shall mean to combine pursuant to an agreement authorized by the fourth paragraph of said section 25 (b) and entered into in accordance with these regulations and "merger" shall describe the consummation of the union provided for in such an agreement.

(b) "Group 1" shall mean those shareholders of an association with loans which were made prior to the date on which the first member was admitted to such association pursuant to said section.

(c) "Group 2" shall mean those shareholders of an association with loans which were made on or after the date on which the first member was admitted to the association pursuant to said section and with respect to whom the special provisions of paragraphs "First" to "Sixth" of that section have become applicable.

(d) "When all impairment is removed," as used in the fourth paragraph of said section, shall mean when the Administration shall determine that the aggregate corporate liabilities of a group in an association authorized to operate under said section, including capital stock, do not exceed in amount the fair value of the total assets of such group, or, if there is an excess of such liabilities over such assets, that excess reasonably may be regarded, under all the circumstances, as negligible in amount or percentage, as apparent rather than real, or as temporary only.

§ 11.375 *Procedure.* Whenever, in an association authorized to operate under section 25 (b) of the Farm Credit Act of 1937, all impairment is removed in the stock owned by shareholders in group 1, and there is no impairment in the stock owned by shareholders in group 2, such groups may merge in the manner hereinafter set forth:

(a) The board of directors of the association shall call separate special meetings of the shareholders of group 1 and the shareholders of group 2 for the purpose of considering a proposed resolution of merger in a form prescribed by the Administration. Such meetings shall be called and held in accordance with the provisions of the association's bylaws applicable to meetings of association shareholders. The notice of the meetings shall contain a statement that a merger of the two groups of association shareholders will be voted upon and should contain a brief statement of the nature and effect of the proposal. At these meetings the effect of the proposed merger should be fully explained to the shareholders.

(b) The approval of two-thirds of the shareholders present and entitled to vote at each meeting at which the resolution of merger is considered shall be requisite for the adoption of such resolution.

(c) At least three copies of such resolution shall be prepared, and, when the resolution has been duly adopted by both groups, three copies shall be forwarded to the bank.

(d) The bank may request an examination of the association either on or before the adoption of the merger resolution. An examination may be required by the Land Bank Commissioner at any stage in the proceedings if it appears necessary in the interests of the shareholders.

(e) The bank shall forward to the Administration the three copies of the resolution, a current financial statement of groups 1 and 2, and its recommedation as to whether the merger should be approved.

(f) No merger shall be effective unless or until it has been approved by the Commissioner. If the merger resolution is approved by the Commissioner, the effective date will be specified in his written approval and the bank and association will be notified of the approval and effective date by letter; and each will be sent one copy of the merger resolution for its files. Upon receipt of the approval notice the bank shall take such steps as it deems necessary to assist the secretary-treasurer of the association in consolidating the accounts and records of the two groups pursuant to the merger resolution. Such consolidation of accounts and records shall be made as of the close of business on the effective date of the merger. As soon as the merger has been completed, the secretary-treasurer shall notify each of the members of the association that the merger has been effected. A copy of that notice shall be sent to the Administration.

RETIREMENT OF STOCK UPON REPAYMENT OF LOANS

AUTHORITY: §§ 11.392 to 11.395, inclusive, issued under the authority contained in Sec. 6, 47 Stat. 14, Secs. 7, 8, 39 Stat. 365, 367, 12 U.S.C. 665, 721, 733.

§ 11.392 *Classification of associations.* Each bank shall establish a practical procedure for carrying out the provisions of the Federal Farm Loan Act, as amended, with respect to the retirement of the capital stock of the banks and national farm loan associations in the case of repayment of loans. In making a specific application of the general legal principles of stock retirement to the problems presented by the individual associations in its district, each bank should classify such associations with respect to their financial condition on the following general basis:

(a) Associations able to meet their obligations currently and free from distressed loans are to be placed in class 1;

(b) Associations apparently unable to meet their obligations currently without a present impairment of their capital, but, in the opinion of the bank, able to work out of their difficulties within a reasonable time, are to be placed in class 2;

(c) Associations unable to meet their obligations currently without a material impairment of their capital, although to an extent not exceeding the aggregate amount thereof, and, in the opinion of the bank, unable to work out of their difficulties within a reasonable time, are to be placed in class 3;

(d) Associations whose unsatisfied obligations equal or exceed the amount of their capital are to be placed in class 4.

§ 11.393 *Disposition of stock proceeds where association is in class 1.* When a borrower pays his mortgage debt in full and the association through which the loan was made is in class 1, the bank shall retire the stock standing on its books in the name of the association which was subscribed for by it at the time the loan was made, and shall pay the par value of such stock to the association. In that event, if the association does not have other outstanding obligations to such an extent that the association's capital has thereby become impaired, the association shall pay to the retiring borrower the par value of said stock less any personal indebtedness of said borrower to the association: *Provided, however*, That the bank may, upon the order and with the consent of the association, credit the par value of said stock upon the retiring borrower's mortgage, after the bank has satisfied itself that the association does not have outstanding obligations to persons other than the bank to such an extent that the association's capital has thereby become impaired.

§ 11.394 *Disposition of stock proceeds where association is in Class 2.* Where the association is in class 2, the bank after retiring its stock may, in its discretion, pay to the association all or a portion of the proceeds of such retired stock. If the bank pays to the association in cash a portion of the proceeds of its retired stock, the association may pay the retiring stockholder a similar amount, less any personal indebtedness of the borrower to the association, in full settlement of the value of his stock. If, however, the bank elects to retain all the proceeds of its retired stock, the association, unless it has other funds available, may not make a payment to the retiring borrower until it has paid, or has made adequate provision for paying, its indebtedness to its creditors and has sufficient funds available for distribution among its former shareholders on a pro rata basis. In such cases the association may issue to each retiring borrower a certificate which would recite, in effect that "the holder of this certificate is entitled to share pro rata on the basis of _____ shares of capital stock of the aggregate par value of $_____, of the _____ National Farm Loan Association of _____, in the distribution of the net proceeds of all its capital stock after all of its indebtedness has been satisfied."

§ 11.395 *Disposition of stock proceeds where association is in Class 3 or Class 4.* Where the association is in class 3 or 4, the bank shall retain the full amount of the proceeds of such retired stock and apply the same as a credit on the debts due by such association to the bank: *Provided, however*, That where the association is in class 3 the bank may pay to the association from the proceeds of such retired stock an amount sufficient to permit the association to make settlements under section 29 of the Federal Farm Loan Act as amended by section 25 (d) of the Farm Credit Act of 1937, in which case any balance of such proceeds shall be retained by the bank and applied as a credit on the indebtedness of the association to it.

AUTHORITY: §§ 11.1011 to 11.1016, inclusive, issued under the authority contained in Sec. 6, 47 Stat. 14, Secs. 7, 8, 9, 12 "Sixth", 39 Stat. 365, 367, 369, 370, as amended, 12 U.S.C. 665, 716, 733, 745, 771 "Sixth".

§ 11.1011 *Eligibility determined by location of land.* A farm owner shall be eligible to membership in the national farm loan association within whose chartered territory any part of the land to be mortgaged is located, regardless of the applicant's place of residence. If the farm to be mortgaged lies within the territory of two or more associations, the applicant shall be eligible to join any one of the associations, but if the lands to be mortgaged are not adjoining, they will be treated as a single farm for loan purposes only if the separate units are under common management and are in such proximity to each other as to constitute practically one operative agricultural unit.

§ 11.1012 *Husband or wife as sole owner.* When husband and wife both sign a mortgage but one or the other is sole owner, the one in whose name the title stands is the one who is eligible to membership in the association.

§ 11.1013 *Joint owners.* In cases of joint ownership, each owner who assumes personal liability for a loan must be elected to membership in the association through which the loan is made and the association stock must be issued jointly to all such owners.

§ 11.1014 *Livestock corporations.* Corporations engaged in the raising of livestock are eligible to become members of national farm loan associations. If a livestock corporation which is eligible for a loan, purchases property mortgaged to a land bank it may, with the approval of the bank, assume the mortgage and stock interests of the vendor. If an association approves the application of a livestock corporation, the corporation itself should be elected to membership and the association stock issued in its name. The corporation must authorize, by power of attorney, one of its shareholders to act for it in all association matters. The person so authorized to act for the corporation may be elected a director of the association, provided he is a bona fide resident of the territory within which the association is authorized to do business. The power of attorney referred to should be so drawn that it will continue in full force and effect until the association has received another power of attorney to supersede the old one or until the old power has been revoked.

§ 11.1015 *Other corporations.* In the event a corporation becomes the purchaser of the mortgaged property, while it may assume the payment of the existing mortgage, it cannot become a member of or an actual stockholder in an association unless it qualifies as engaged in the raising of livestock. However, any corporation may purchase the equity of redemption of the original borrower in such stock and thereby become entitled to any dividends on said stock and ultimately to the proceeds thereof. Stock that has been so purchased cannot be transferred on the stock certificate book of the association, but the fact that an assignment has been made may be noted on the back of the certificate so that the proceeds, including the dividends, may be paid the person equitably entitled thereto. In this connection, it should be borne in mind that the stock in the association is collateral security for the payment of the loan, and, in addition, may carry the statutory double liability. The original owner, so far as the association is concerned, remains the stockholder whether the purchaser of the equity does or does not agree to assume the liability.

§ 11.1016 *Voting by proxy.* Voting by proxy shall not be permitted at stockholders' meetings of associations unless the proxy holder is (a) the person authorized to act for a livestock corporation owning the stock, (b) a joint owner of the stock, or (c) the husband or wife of the owner of the stock. In the latter case, said husband or wife shall not be eligible to any office in the association.

§ 11.1017 *Participation certificates.* If any shareholder or former shareholder does not desire to settle on the basis of the fair book value of the stock of the association as determined in conservatorship proceedings pursuant to section 29 of the Federal Farm Loan Act, as amended by section 25 (d) of the Farm Credit Act of 1937, he may, in lieu thereof, be given a participation certificate which will entitle him to share pro rata on the basis of the number of shares of stock which he owned in the association in the distribution of any assets of the association which is made after all its indebtedness to creditors has been satisfied, but not to exceed the par value of such shares. The holder of a participation certificate may, at any time, by surrendering the certificate to the secretary-treasurer of the association, receive the amount which is being paid to retired shareholders at the date of such surrender as the fair book value of the stock of the association less the amount of the credit for, or proceeds of, such stock which already shall have been allowed or distributed: *Provided, however*, That if the person surrendering such certificate shall have acquired his interest in the claim evidenced thereby through a voluntary assignment or pledge made after the commencement of any conservatorship proceedings in the association, such certificate shall not be redeemed at a value in excess of the fair book value of the association stock as of the date when the initial holder thereof became entitled to receive such certificate. Settlements with holders of participation certificates in accordance with the preceding sentence should be made only on condition that they accept the settlement as payment in full. Unless the holder surrenders his participation certificate as herein provided, he shall receive no cash payments in connection with such certificate, except as follows:

(a) If the association is liquidated by receivership or otherwise, he shall be entitled to share pro rata with other persons having similar rights in the distribution of any assets of the association which is made after all of its indebtedness to creditors has been satisfied.

(b) If, prior to liquidation as provided in (1) above, the fair book value of the stock of the association reaches par, he shall be entitled to receive par for such certificate.

(c) If, prior to liquidation as provided in (1) above, all indebtedness of the association is paid but the fair book value of the stock is not par, he may share pro rata with other persons having similar rights in the distribution of any assets of the association which may

be made from time to time. [S-41] (Sec. 6, 47 Stat. 14, Sec. 25 (d), 50 Stat. 713; 12 U.S.C. 665, 967)

PART 12—FEDERAL FARM MORTGAGE CORPORATION

REVISION OF REGULATIONS

Part 12 of Chapter I, Title 6, Code of Federal Regulations is hereby amended to read as follows:

Sec.
12.1 Applicability of Federal Land Bank rules and regulations to Federal Farm Mortgage Corporation.
12.102 Executors and administrators (including temporary administrators).
12.106 Trustees (whether appointed by will or deed), guardians and other fiduciaries.
12.111 Tenants for years.
12.150 Computing amount loanable to one borrower.

INSURANCE REQUIREMENTS FOR COMMISSIONER LOANS

12.199 Insurance in connection with first mortgage loans.
12.200 Insurance in connection with second mortgage loans.
12.201 Insurance in connection with chattel mortgages.

§ 12.1 *Applicability of Federal land bank rules and regulations to Federal Farm Mortgage Corporation.* Insofar as they are not in conflict with the provisions of Part 12, the rules and regulations pertaining to the Federal land banks heretofore set out in Part 10 apply also to the Federal Farm Mortgage Corporation except to such extent as those rules and regulations, by their terms or necessary inference, are inapplicable to the Federal Farm Mortgage Corporation. (Secs. 33, 34, 1, 2, 48 Stat. 49, 344, 345, as amended; 12 U.S.C. 1017, 1018, 1020, 1020 (a))

AUTHORITY: §§ 12.102 to 12.150, inclusive, issued under the authority contained in Secs. 32, 33, 48 Stat. 48, 49, as amended; 12 U.S.C. 1016, 1017.

§ 12.102 *Executors and administrators (including temporary administrators).* Commissioner loans may be made to executors and administrators (including temporary administrators) when (a) the decedent was engaged in farming operations or derived the principal part of his income from farming operations, or the executor or administrator in his representative capacity is engaged, or shortly to become engaged, in farming operations, or the principal part of the income of the estate is derived from farming operations; and (b) a valid lien can and will be given on the property on which the loan is sought; and (c) the executor or administrator or some individual beneficiary of the decedent's estate can and will incur personal liability for the loan, or the executor or administrator can and will charge the general assets of the estate with liability for the loan.

§ 12.106 *Trustees (whether appointed by will or deed), guardians, and other fiduciaries.* Commissioner loans may be made to trustees (whether appointed by will or deed), guardians, and other fiduciaries when (a) the trustee or guardian in his fiduciary capacity is engaged, or shortly to become engaged, in farming operations, or the beneficiaries of the trust or wardship are engaged, or shortly to become engaged, in farming operations or derive the principal part of their income from farming operations; and (b) a valid lien can and will be given on the property on which the loan is sought; and (c) the trustee or guardian or some individual beneficiary of the trust or wardship can and will incur personal liability for the loan, or, in the event the beneficiaries are not sui juris and the trustee or guardian will incur liability in his fiduciary capacity only, some other person intimately connected by blood or interest with a beneficiary can and will incur personal liability for the loan as a coobligor with the trustee or guardian.

§ 12.111 *Tenants for years.* Commissioner loans may be made to tenants for years to the extent of the value as security of the leasehold interest on which the loan is sought if the tenant, by reason of farming operations conducted by him on the land covered by his leasehold, or otherwise, is eligible as a borrower. As used in this paragraph, the term "eligible as a borrower" means a person who is engaged in farming operations, or who is shortly to become engaged in farming operations, or who derives the principal part of his income from farming operations.

§ 12.150 *Computing amount loanable to one borrower.* If a Commissioner loan has been obtained on farm property owned by one or more persons, Commissioner loans on other property which such person or persons may own individually or jointly with others may only be made in an amount which, when added to the amount of the unpaid balance of the previous loan or loans, does not exceed a maximum of $7,500.

INSURANCE REQUIREMENTS FOR COMMISSIONER LOANS

AUTHORITY: §§ 12.199 to 12.201, inclusive, issued under the authority contained in Secs. 32, 33, 34, 48 Stat. 48, 49, Secs. 1, 2, 3, 48 Stat. 344, 345, as amended; 12 U.S.C. 1016, 1017, 1018, 1020, 1020 (a), 1020 (b).

§ 12.199 *Insurance in connection with first mortgage loans.* Every borrower from the Commissioner whose loan is secured by a first mortgage on real estate shall provide insurance under a policy (or policies) to which there is attached a mortgage clause running in favor of the Commissioner and the Corporation as their respective interests may appear. Such mortgage clause shall contain the provisions of the New York standard mortgage clause or shall contain provisions which will afford the Commissioner and the Corporation the same protection and privileges as would be theirs under the New York standard mortgage clause. Insurance on farm properties mortgaged as security for Commissioner first mortgage loans shall be for the full insurable value, or the value to the farm, whichever is lower, of the farm buildings and other improvements which are necessary for the proper operation of the mortgaged premises, unless such value be greater than the amount of the mortgage debt, in which event the insurance shall be for at least the amount of the debt. Such insurance shall provide coverage against loss by fire and/or such other risk or risks as the bank deems advisable to include in the coverage, upon consideration of the hazards ordinarily insured against by reasonably prudent lending agencies in the locality where the mortgaged farm is situated.

§ 12.200 *Insurance in connection with second mortgage loans.* Every borrower from the Commissioner whose loan is secured by a second mortgage on real estate shall, if practicable, provide insurance in accordance with the requirements for first mortgage Commissioner loans. Where the borrower is unable to comply with the requirements for first mortgage Commissioner loans, by reason of a policy taken out, or to be taken out, in favor of the first mortgagee, he shall procure and cause to be affixed to such policy a mortgage clause providing that any loss which is not payable under the policy to the first mortgagee shall be payable to the Commissioner and the Corporation as their respective interests may appear. Such mortgage clause shall contain provisions of the New York standard mortgage clause or shall contain provisions which will afford the Commissioner and the Corporation the same protection and privileges as would be theirs under the New York standard mortgage clause. Except where the policy is held by the bank as first mortgagee, the borrower shall furnish a certificate from the company issuing the policy that the interests of the Commissioner and the Corporation are insured thereunder, and the bank may, in addition, require a statement from the first mortgagee (or other holder of the policy) that a mortgage clause in favor of the Commissioner and the Corporation has been attached to the policy. Insurance on farm properties mortgaged as security for Commissioner second mortgage loans shall be for the full insurable value, or the value to the farm, whichever is lower, of the farm buildings and other improvements which are necessary for the proper operation of the mortgaged premises, except that the insurance need not be for a greater amount than the sums of the first and second mortgage debts. The borrower shall provide insurance in accordance with the provisions of this paragraph against loss by fire and/or such other risk or risks as the bank deems advisable.

§ 12.201 *Insurance in connection with chattel mortgages.* Where a Commissioner loan is secured by a mortgage covering crops and/or personal property, the borrower shall provide insurance against such risks, in such form and to such amounts as the bank deems advisable.

PART 14—JOINT STOCK LAND BANKS

APPLICABILITY OF FEDERAL LAND BANK RULES AND REGULATIONS TO JOINT STOCK LAND BANKS

Section 14.1 of Title 6, Code of Federal Regulations is hereby amended to read as follows:

§ 14.1 *Applicability of Federal land bank rules and regulations.* The following rules and regulations pertaining to the Federal land bank system set out heretofore in Part 10 apply also to joint stock land banks except to such extent as the rules and regulations, by their terms or necessary inference, are restricted to Federal land banks or are otherwise inapplicable to joint stock land banks:

Sec.
10.25 Normal agricultural value basis.
10.29 Special payments.
10.183 to 10.197 Insurance requirements for bank loans.
10.523 to 10.525 Lost, stolen, destroyed, mutilated, or defaced bonds and coupons.

(Sec. 6, 47 Stat. 14, Sec. 16, 39 Stat 374; 12 U.S.C. 665, 813)

PART 19—FEES AND CHARGES ON LAND BANK AND COMMISSIONER LOANS

REVISION OF REGULATIONS

Part 19 of Chapter I, Title 6, Code of Federal Regulations is hereby amended to read as follows:

Sec
19.282 Forbearance agreements.
19.320 Association application fees.
19.322 Bank application fees.
19.323 Local correspondent's fees.
19.324 Association closed loan fees.
19.325 Bank closed loan fees.
19.326 Appraisal and title determination fees.
19.329 Additional loans; association fees.
19.330 Additional loans; bank fees.
19.331 Fee on application for transfer of loan from one association to another.
19.332 Association transfer fees.
19.333 Bank transfer fees.
19.335 Conversion of direct loans; association fees.

§ 19.282 *Forbearance agreements.* No fees may be charged in connection with forbearance agreements but borrowers may be charged with direct outlays for determination of title including filing or notarial expense. (Secs. 11 "Third", 13 "Ninth", 17 (d), 39 Stat. 365, 372, 375, Secs. 26, 32, 48 Stat. 44, 48, as amended; 12 U.S.C. 761 "Third", 781 "Ninth", 831 (d), 723 (e), 1016 (e))

§ 19.320 *Association application fees.* Associations may collect an association application fee of not more than $5.00 in connection with each application for $5,000.00 or less, and an association application fee of not more than $10.00 in connection with each application for over $5,000.00: *Provided, however,* That the amount of any such fee shall not exceed 1 percent of the amount of the loan applied for. This fee may be collected at the time the application is filed. It may be retained by the association regardless of whether the loan is rejected or closed as a bank loan, a Commissioner loan, or a joint bank and Commissioner loan; *Provided, however,* That if no association appraisal is made after this fee has been collected, the amount of such fee, less $1.00 shall be refunded. (Secs. 11 "Third", 17 (d), 39 Stat. 369, 375, as amended; 12 U.S.C. 761 "Third", 831 (d))

§ 19.322 *Bank application fees.* The banks may collect an application fee of not to exceed $10.00 on applications for loans of $5,000.00 or less: *Provided, however,* That with the approval of the Commissioner a fee of $15.00 may be collected on applications for $5,000.00 or less which fall within special classes of cases in connection with which appraisal costs are unusually high. On applications for more than $5,000.00, bank application fees shall be governed by the schedules approved for the respective banks. The application fees herein authorized shall be refunded if the application is rejected without appraisal and shall be credited on the appraisal and title determination fees if a loan is granted. (Secs. 12 "Ninth", 17 (d), 39 Stat. 372, 375, Secs. 26, 32, 48 Stat. 44, 48, as amended; 12 U.S.C. 781 "Ninth", 831 (d), 723 (e), 1016 (e))

§ 19.323 *Local correspondent's fees.* Regardless of the amount applied for, an authorized local correspondent of the bank in direct loan territory may collect $1.00, and no more, in connection with each application for assisting the applicant in filling out his application. No other or additional fee shall be collected by the local correspondent, directly or indirectly, for his services in connection with taking the application or closing the loan, except amounts paid to him by the bank. (Sec. 6, 47 Stat. 14, Secs. 7, 13 "Ninth", 17 (d), 39 Stat. 365, 372, 375, Secs. 33, 34, 48 Stat. 49 as amended; 12 U.S.C. 665, 723 (a), 781 "Ninth", 831 (d), 1017, 1018)

§ 19.324 *Association closed loan fees.* When a bank loan is closed, associations may collect a closed loan fee in an amount which, when added to the association application fees already collected, will equal but not exceed 1 percent of the amount of the bank loan closed. The application fees provided in § 19.320 may be retained by associations, even though the loan is rejected or the amount of such fees is more than 1 percent of the land bank loan closed, but in such event no closed loan fee may be collected. (Sec. 11 "Third", 17 (d), 39 Stat. 369, 375, as amended; 12 U.S.C. 761 "Third", 831 (d))

§ 19.325 *Bank closed loan fees.* The banks may collect a closed loan fee not to exceed 1 percent of the amount of the loan closed, including the $1.00 local correspondent's fee, in connection with each direct loan closed. (Secs. 13 "Ninth", 17 (d), 39 Stat. 372, 375, Secs. 26, 32, 48 Stat. 44, 48, as amended; 12 U.S.C. 781 "Ninth", 831 (d), 723 (e), 1016 (e))

§ 19.326 *Appraisal and title determination fees.* Appraisal and title determination fees to be charged in connection with bank and Commissioner loans shall be in accordance with schedules approved by the Commissioner for the respective banks. (Secs. 13 "Ninth", 17 (d), 39 Stat. 372, 375, Secs. 32, 33, 34, 48 Stat. 48, 49, as amended; 12 U.S.C. 781 "Ninth", 831 (d), 1016 (e), 1017, 1018)

§ 19.329 *Additional loans: association fees.* When an applicant for a loan offers as security therefor property which is mortgaged, in whole or in part, to a bank, the Corporation, or both, the provisions of § 19.320 and the last sentence of § 19.324 shall apply in determining the amount of the application fee which may be collected and retained by the association through which such application is submitted, except that the maximum association application fee which may be collected in accordance with § 19.320 shall be based upon the difference between the amount of the loan applied for and the total unmatured principal, as of the date of the application, of the outstanding loan held by the bank or the Corporation or both. Where, upon the basis of such application, a bank loan is closed through an association which endorsed the outstanding bank loan, the association may, whether the transaction is completed by way of a supplemental loan or a rewriting of the outstanding loan, collect a closed loan fee which, when added to the association application fee already collected, will not exceed 1 percent of the amount of the new note or notes which represents other than principal of the outstanding bank loan unmatured as of the date of the application. Where, upon the basis of such application, a bank loan is closed through a different association than that which endorsed the outstanding bank loan, or through any association if only a loan held by the Corporation was outstanding, the association may collect a closed loan fee which, when added to the association application fee already collected, will not exceed 1 percent of the amount for which it endorses the bank loan. (Secs. 11 "Third", 17 (d), 39 Stat. 369, 375, as amended; 12 U.S.C. 761 "Third", 831 (d))

§ 19.330 *Additional loans; bank fees.* When an applicant for a loan offers as security therefor property which is mortgaged, in whole or in part, to a bank, the Corporation, or both, the application fee collected by the bank shall not exceed an amount computed in accordance with approved schedules upon the basis of the difference between the amount of the loan applied for and the total unmatured principal as of the date of the application, of the outstanding loan held by the bank or the Corporation or both. The balance of the appraisal and title determination fees collected by a bank in such cases shall not exceed an amount computed in accordance with approved schedules upon the amount of the new note or notes which represents other than principal of the outstanding loan held by the bank or the Corporation or both, unmatured as of the date of the application. The bank's direct loan closed loan fee in such cases shall not exceed 1 percent of the amount included in the new note or notes which represents other than principal of the outstanding bank loan unmatured as of the date of the application. (Secs. 13 "Ninth", 17 (d), 39 Stat. 372, 375, Secs. 26, 32, 48 Stat. 44, 48, as amended; 12 U.S.C. 781 "Ninth", 831 (d), 723 (e), 1016 (e))

§19.331 *Fee on application for transfer of loan from one association to another.* In connection with each application for a transfer of a loan from another association to it, an association may:

(a) Absorb expenses incurred in connection with such application including the cost of its inspection; or

(b) Require the payment of a fee of not to exceed $5.00 to cover the cost of its inspection before it considers the application: *Provided, however,* That the total amount so collected shall not, in any case, exceed 1 percent of the unpaid balance of the indebtedness: *And provided further,* That an association operating under a plan intended to compensate it for total operating expenses shall not require such payment. If the transfer is being made at the request of and for the convenience of the bank, the bank may pay the fee required by the association. If, however, the transfer is being made at the request of and for the convenience of the borrower, he may be required to pay the association fee. No fee may be collected by the transferor association. (Sec. 6, 47 Stat. 14, Secs. 11 "Third", 17 (d), 39 Stat. 369, 375, as amended; 12 U.S.C. 665, 761 "Third", 831 (d))

§ 19.332 *Association transfer fees.* In order to reimburse associations for expenses incurred in transferring the mortgage and stock interest of their members, or in transferring a mortgage endorsed by the association, each association is authorized to collect a fee which shall not exceed $5.00 for each such transfer: *Provided, however,* That the total amount so collected shall not, in any case, exceed 1 percent of the unpaid amount of the indebtedness secured by the mortgage so transferred: *And provided further,* That an association operating under a plan intended to compensate it for total operating expenses shall not collect such a fee. Where an application for the transfer of a mortgage endorsed by the association or of the mortgage and stock interests of a borrower through the association is withdrawn by the applicant or rejected by the bank after the association has given its approval to such application, an association may provide that any fee collected under the authority of the preceding sentence shall not be refunded. (Sec. 6, 47 Stat. 14, Secs. 11 "Third", 17 (d), 39 Stat. 369, 375, as amended; 12 U.S.C. 665, 761 "Third", 831 (d))

§ 19.333 *Bank transfer fees.* In connection with the transfer of the mortgage and stock interests of a direct loan borrower, banks are authorized to collect a fee of $5.00 for each such transfer: *Provided, however,* That the total amount so collected shall not, in any case, exceed 1 percent of the unpaid amount of the indebtedness secured by the mortgage so transferred. (Secs. 7, 13 "Ninth", 39 Stat. 365, 372, as amended; 12 U.S.C. 723 (a) and (e), 781 "Ninth")

§ 19.335 *Conversion of direct loans; association fees.* An association may collect from each direct borrower applying for membership in the association a fee of not to exceed $5.00 or ¼ of 1 percent of the unpaid amount of the indebtedness secured by the mortgage, whichever fee is the greater: *Provided, however,* That the amount of the fee collected shall not exceed 1 percent of the unpaid amount of the indebtedness secured by the direct loan mortgage; *And provided further,* That an association operating under a plan intended to compensate it for total operating expenses shall not collect such a fee. No other or additional association fee may be collected in connection with the conversion of a direct loan. If an application is rejected without association appraisal after a fee provided for in this paragraph has been collected, the amount of such fee, less $1.00, shall be refunded. (Secs. 7, 11 "Third", 17 (d), 39 Stat. 365, 369, 375, as amended; 12 U.S.C. 723 (a), 761 "Third", 831 (d))

[SEAL] W. E. RHEA,
Land Bank Commissioner.

[F. R. Doc. 43-94; Filed, January 1, 1943, 5:02 p. m.]

PART 19—FEES AND CHARGES ON LAND BANK AND COMMISSIONER LOANS

FEES

Part 19 of Chapter I, Title 6, Code of Federal Regulations, is hereby amended by adding § 19.344, as follows:

§ 19.344 *Associations operating under section 25 (b) of Farm Credit Act of 1937.* The association and bank fee regulations herein contained and the resolutions adopted by the association in pursuance thereof will govern fees to be collected by an association operating under section 25 (b) of the Farm Credit Act of 1937 in connection with applications for 25 (b) loans.

(Sec. 6, 47 Stat. 14, sec. 25 (b), 50 Stat. 711, secs. 7, 11 "Third", 17 (d), 39 Stat. 365, 369, 375, as amended; 12 U.S.C. 665, 724, 723 (a), 761 "Third", 831 (d))

[SEAL] W. E. RHEA.
Land Bank Commissioner.

[F. R. Doc. 43-708, Filed, January 14, 1943, 3:11 p. m.]

Chapter II—Commodity Credit Corporation

[Amendment 2 to Oilseed Order 6]

PART 250—CONTROL OF VEGETABLE OIL SEEDS AND PRODUCTS THEREFROM

INVENTORY LIMITATION OF OILSEED PRODUCTS

Pursuant to the authority vested in the Commodity Credit Corporation by Directive No. 7 of the War Production Board, issued August 15, 1942, *It is hereby ordered,* That Oilseed Order No. 6,[1] issued December 24, 1942, be amended as follows:

[1] 7 F.R. 10901.

Section 250.30 *Definitions*[1] is amended by revising paragraph (2) thereof to read as follows:

(2) "Fifteen days' supply" means the total tonnage of any oilseed product which, based on his current method and rate of operation, is needed by a person to fill his manufacturing, sales, or consumption requirements during the period of fifteen days next succeeding the estimated date of receipt thereof, such date to be determined by adding to the date of shipment specified in the purchase order therefor the usual number of days required for transit from shipping point to destination.

Section 250.31 *Inventory limitation*[1] is amended by revising the proviso therein to read as follows:

* * * *Provided,* That the foregoing inventory limitation (i) shall not restrict purchases of oilseed products by any person in minimum carload lots as determined by Office of Defense Transportation regulations if such purchases are made in quantities and at intervals which are in accordance with purchases regularly made by such person, (ii) shall not restrict purchases by any person of oilseed products in quantities of 1,000 pounds or less if such purchases are made in quantities and at intervals which are in accordance with purchases regularly made by such person, and (iii) shall not restrict purchases by any ranchman of oilseed products if such purchases are made in quantities and at intervals which are in accordance with purchases regularly made by such ranchman, and such purchases are necessary for economical use of transportation facilities under Office of Defense Transportation regulations and to provide a readily available supply of oilseed products for ranch feeding purposes.

Issued this 14th day of January 1943.

[SEAL] J. B. HUTSON,
President.

[F. R. Doc. 43-757; Filed, January 15, 1943, 11:25 a. m.]

TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine

[B. E. P. Q. 503, 4th Rev.; Supp. 1, 1st Rev.]

PART 301—DOMESTIC QUARANTINE NOTICES

WHITE-FRINGED BEETLE INSTRUCTIONS MODIFIED; AUTHORIZED TREATMENT

Introductory note: Recent investigational work has shown that it is possible to kill all stages of the different white-fringed beetles by methyl bromide fumigation under partial vacuum under a series of dosage schedules modified to compensate for variations in the soil-ball temperatures. It has also been found that *Pantomorus peregrinus* is slightly more resistant to fumigation than the other species, therefore a separate series of schedules has been developed for that

species. These schedules permit fumigation of plants at the existing soil temperature in most instances, without the necessity of heating soil balls to a prescribed temperature of 70° F. as required heretofore. The administrative instructions as to fumigation of plants in pots or in soil balls, as specified in circular B. E. P. Q. 503, Fourth Revision, and supplement No. 1, which became effective May 6, 1942, are hereby further revised accordingly. All authorized treatments are now set forth in the above circular and in the current supplement.

Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by paragraph (a) of § 301.72–5, Chapter III, Title 7, Code of Federal Regulations [Regulation 5 of Notice of Quarantine No. 72 on account of the white-fringed beetle as revised] subparagraph (2) of paragraph (a) of § 301.72–5c [page 2 of the mimeographed edition of circular B. E. P. Q. 503, Fourth Revision] is hereby modified further effective January 18, 1943, to read as follows:

§ 301.72–5c[1] *Administrative instructions; treatments authorized.* * * *

(a) * * *

(2) *Methyl bromide fumigation under partial vacuum.* (i) Fumigation under partial vacuum equivalent to at least 24.5 inches of mercury may be done with dosage schedules as prescribed below. The vacuum shall be maintained during the entire period. The period of fumigation shall be 1½ hours in all instances.

Species	Soil temperatures at least	Dosage per 1,000 cubic feet
For *Pantomorus* spp. (except *P. peregrinus*)	°F.	*Pounds*
	50	5.5
	55	4.5
	60	4.0
	65	3.5
	70	3.0
	75	2.5
For *P. peregrinus* or mixed species including *P. peregrinus*	50	5.5
	55	5.0
	60	4.5
	65	4.0
	70	3.5
	75	3.0

(ii) The soil masses shall have a diameter of not more than 16 inches if spherical, or if not spherical the masses or pots shall be of such size that no point within them will be more than 8 inches from the nearest point on the surface.

(iii) The soil shall not be puddled or saturated and must be in a condition which in the judgment of the inspector is suitable for fumigation.

(iv) The fumigant-air mixture shall be circulated in the fumigation chamber by means of a fan the first 15 minutes of the exposure period to mix the vaporized fumigant thoroughly with the air in the chamber and to bring it in contact with the surface of the soil balls. The soil balls shall be washed with one or more changes of air at the end of the exposure period.

(v) A standard vacuum fumigation chamber that can be closed tight and will withstand an external pressure of at least one atmosphere is required. A vacuum pump of sufficient capacity to reduce the pressure within the vacuum chamber to the equivalent of 3 inches of mercury (a 27-inch vacuum at sea level) in not more than 20 minutes is necessary.

The following paragraphs concerning the effects of methyl bromide, as quoted from circular B. E. P. Q. 503, Fourth Revision, are brought forward as a precaution to persons concerned.

(d) *Disclaimer.* There has been opportunity to test these treatment on only relatively few varieties of plants and in authorizing the movement of potted plants, nursery stock, or soil treated according to the requirements stated above, it is understood that no liability shall attach either to the United States Department of Agriculture or to any of its employees in the event of injury to either plants or operators.

(e) *Caution*—(1) *Methyl bromide.* (i) Methyl bromide is a gas at ordinary temperatures. It is colorless and practically odorless in concentrations used for fumigation of plants or potting soil. It is a poison and the operators should use gas masks approved by the United States Bureau of Mines for use with methyl bromide, when exposed to the gas in concentrations used in fumigation, or while preparing the solution. The plants in the fumigation chamber should be well aerated by blowing air through them, and the room adequately ventilated before it is entered. After fumigating the potting soil by methyl bromide the cover should be removed and the soil allowed to become aerated.

(7 CFR § 301.72–5; sec. 8 39 Stat. 1165, 44 Stat. 250; 7 U.S.C. 161)

Done at Washington, D. C., this 7th day of January 1943, effective January 18, 1943.

[SEAL] P. N. ANNAND,
Chief.

[F. R. Doc. 43-817; Filed, January 16, 1943; 11:40 a. m.]

[1] Superseding §§ 301.72–5a and b.

Chapter VII—Agricultural Adjustment Agency

[ACP-1942-19]

PART 701—AGRICULTURAL CONSERVATION PROGRAM

ALLOTMENTS, YIELDS, GRAZING CAPACITIES, ETC.

Pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, the 1942 Agricultural Conservation Program, as amended, is further amended as follows:

Section 701.301 (c), subparagraph (1) is amended to read as follows:

§ 701.301 *Allotments, yields, grazing capacities, payments and deductions.* * * *

(c) *Peanuts.* * * *

(1) *National and State acreage allotments.* The national and State peanut acreage allotments, as established by the Secretary, are as follows:

State	*Allotment in acres*
Alabama	274,907
Arkansas	5,473
State—Continued	*Allotment in acres*
California	1,257
Florida	73,236
Georgia	550,694
Louisiana	353
Mississippi	2,476
New Mexico	3,673
North Carolina	225,702
Oklahoma	61,607
South Carolina	18,375
Tennessee	4,766
Texas	246,373
Virginia	141,108
Total	1,610,000

Section 701.301 (c), subparagraph (3) is amended by adding the following:

(3) *Normal yields.* * * *

The 1942 county average yields of peanuts, as established by the Secretary, are as follows:

Counties and yields per acre in pounds:

Alabama: Autauga, 522; Baldwin, 590; Barbour, 620; Bibb, 590; Blount, 590; Bullock, 567; Butler, 618; Chambers, 662; Chilton, 584; Clarke, 441; Coffee, 771; Conecuh, 638; Covington, 728; Crenshaw, 689; Cullman, 590; Dale, 722; Dallas, 542; Elmore, 685; Escambia, 642; Etowah, 590; Geneva, 767; Hale, 515; Henry, 734; Houston, 755; Lee, 540; Lowndes, 496; Macon, 494; Madison, 590; Marengo, 449; Marion, 590; Marshall, 590; Mobile, 590; Monroe, 665; Montgomery, 624; Perry, 707; Pike, 700; Randolph, 590; Russell, 537; Shelby, 590; Sumter, 441; Talladega, 590; Tallapoosa, 590; and Wilcox, 450.

Arkansas: Crawford, 345; Cross, 631; Faulkner, 560; Franklin, 591; Hempstead, 392; Johnson, 502; Little River, 544; Logan, 335; Nevada, 307; Poinsett, 670; Pope, 583; St. Francis, 529; and Sebastian, 335.

California: Madera, 913; Merced, 1,155; and Stanislaus, 1,481.

Florida: Alachua, 573; Bay, 655; Bradford, 562; Calhoun, 691; Citrus, 489; Columbia, 609; Dixie, 551; Escambia, 659; Gadsden, 609; Gilchrist, 500; Hamilton, 649; Hernando, 562; Holmes, 685; Jackson, 660; Jefferson, 520; Lafayette, 572; Leon, 528; Levy, 622; Madison, 598; Marion, 596; Okaloosa, 578; Santa Rosa, 745; Suwannee, 545; Union, 550; Wakulla, 622; Walton, 663; and Washington, 578.

Georgia: Appling, 630; Atkinson, 660; Bacon, 583; Baker, 632; Baldwin, 590; Ben Hill, 739; Berrien, 657; Bibb, 580; Bleckley, 665; Brooks, 669; Bryan, 597; Bulloch, 707; Burke, 682; Butts, 646; Calhoun, 666; Candler, 649; Chattahoochee, 495; Clay, 657; Coffee, 738; Colquitt, 749; Columbia, 701; Cook, 733; Coweta, 627; Crawford, 510; Crisp, 613; Decatur, 593; Dodge, 679; Dooly, 800; Dougherty, 603; Early, 718; Effingham, 686; Emanuel, 705; Evans, 583; Fayette, 597; Glascock, 657; Grady, 712; Hancock, 590; Harris, 555; Heard, 566; Henry, 601; Houston, 765; Irwin, 836; Jasper, 588; Jeff Davis, 619; Jefferson, 677; Jenkins, 706; Johnson, 641; Jones, 480; Lanier, 670; Laurens, 616; Lee, 633; Lowndes, 682; McDuffie, 698; Macon, 626; Marion, 533; Meriwether, 592; Miller, 683; Mitchell, 721; Monroe, 580; Montgomery, 666; Muscogee, 551; Newton, 661; Peach, 764; Pierce, 619; Pike, 609; Pulaski, 693; Put-

nam, 590; Quitman, 723; Randolph, 704; Richmond, 699; Rockdale, 590; Schley, 558; Screven, 673; Seminole, 656; Spalding, 600; Stewart, 630; Sumter, 718; Talbot, 512; Tattnall, 632; Taylor, 622; Telfair, 615, Terrell, 767; Thomas, 612; Tift, 787; Toombs, 619; Troup, 618; Turner, 777; Twiggs, 586; Upson, 603; Ware, 619; Washington, 673; Wayne, 644; Webster, 702; Wheeler, 655; Wilcox, 712; Wilkes, 590; Wilkinson, 536; and Worth, 748.

Louisiana: Lincoln, 525; Rapides, 629; Union, 637; and Washington, 836.

Mississippi: Forrest, 493; Greene, 477; Harrison, 485; Lauderdale, 478; Neshoba, 485; Rankin, 478; Smith, 512; Stone, 502; and Winston, 474.

New Mexico: DeBaca, 940; Roosevelt, 1,100.

North Carolina: Beaufort, 1,099; Bertie, 1,168; Bladen, 1,062; Brunswick, 920; Camden, 1,181; Chowan, 1,270; Columbus, 1,098; Craven, 893; Cumberland, 961; Currituck, 1,146; Dùplin, 913; Edgecombe, 1,169; Franklin, 929; Gates, 1,192; Greene, 926; Halifax, 1,167; Harnett, 898; Hertford, 1,169; Hoke, 948; Johnston, 880; Jones, 913; Lenoir, 893; Martin, 1,144; Moore, 870; Nash, 1,254; New Hanover, 912; Northampton, 1,202; Onslow, 939; Pamlico, 892; Pasquotank, 1,177; Pender, 896; Perquimans, 1,232; Pitt, 1,061; Robeson, 1,045; Sampson, 914; Scotland, 880; Tyrrell, 1,161; Wake, 800; Warren, 935; Washington, 1,144; Wayne, 952; and Wilson, 1,055.

Oklahoma: Atoka, 483; Bryan, 460; Caddo, 461; Canadian, 477; Carter, 493; Choctaw, 444; Cleveland, 518; Coal, 483; Creek, 569; Garvin, 493; Grady, 483; Harmon, 493; Haskell, 461; Hughes, 520; Jefferson, 447; Johnston, 526; Latimer, 422; Le Flore, 495; Lincoln 499; Love, 456; McClain, 550; McCurtain, 453; McIntosh, 506; Marshall, 470; Mayes, 468; Murray, 453; Muskogee, 449; Okfuskee, 495; Oklahoma, 467; Okmulgee, 511; Osage, 525; Pawnee, 472; Payne, 439; Pittsburg, 520; Pontotoc, 533; Pottawatomie, 504; Pushmataha, 469; Rogers, 461; Seminole, 509; Sequoyah, 397; Stephens, 445; Tulsa, 471; Wagoner, 483; and Washita, 460.

South Carolina: Abbeville, 554; Aiken, 662; Allendale, 700; Bamberg, 663; Barnwell, 713; Calhoun, 680; Charleston, 684; Chesterfield, 665; Colleton, 762; Darlington, 829; Dillon, 787; Edgefield, 582; Fairfield, 660; Florence, 915; Hampton, 741; Horry, 833; Kershaw, 686; Lancaster, 698; Lee, 781; Lexington, 825; Marion, 860; Orangeburg, 790; Sumter, 862; and Williamsburg, 750.

Tennessee: Benton, 777; Decatur, 832; Fayette, 458; Hardeman, 550; Hickman, 802; Humphreys, 1,002; and Perry, 769.

Texas: Anderson, 494; Atascosa, 448; Bailey, 365; Bastrop, 448; Bee, 431; Bexar, 429; Blanco, 455; Bosque, 404; Bowie, 474; Brazos, 440; Brooks, 389; Brown, 449; Burnet, 448; Caldwell, 457; Callahan, 429; Cherokee, 588; Clay, 372; Coleman, 359; Comanche, 471; Cooke, 392; Coryell, 421; Dallas, 459; Denton, 481; De Witt, 448; Dickens, 378; Dimmit, 300; Duval, 351; Eastland, 427; Erath, 462; Fannin, 520; Fayette, 504; Fort Bend, 518; Freestone, 412; Frio, 392; Garza, 386; Gillespie, 491; Goliad, 422; Gonzales, 458; Grayson, 463; Grimes, 432; Guadalupe, 450; Hamilton, 425; Harris, 569; Henderson, 497; Hill, 433; Hood, 433; Hopkins, 478; Houston, 503; Jack, 410; Jim Hogg, 383; Jim Wells, 479; Johnson, 424; Jones, 404; Karnes, 429; Kent, 348; Lamar, 546; Lamb, 365; La Salle, 373; Lavaca, 447; Lee, 463; Leon, 446; Liberty, 518; Live Oak, 437; Llano, 434; Lubbock, 402; Lynn, 328; McCulloch, 365; McLennan, 435; McMullen, 402; Marion, 483; Mason, 451; Medina, 438; Milam, 461; Mills, 360; Montague, 387; Montgomery, 466; Morris, 458; Nacogdoches, 451; Palo Pinto, 427; Parker, 474; Polk, 487; Rains, 477; Red River, 481; Runnels, 373; Rusk, 462; San Saba, 402; Smith, 486; Somervell, 434; Stephens, 388; Tarrant, 460; Taylor, 355; Terry, 365; Titus, 468; Upshur, 460; Waller, 587; Webb; 352; Williamson, 457; Wilson, 467; Wise, 405; Wood, 468; and Zavala, 346.

Virginia: Amelia, 840; Brunswick, 770; Charles City, 985; Chesterfield, 840; Dinwiddie, 910; Greensville, 1,150; Hanover, 845; Isle of Wight, 1,240; James City, 1,115; Mecklenburg, 830; Nansemond, 1,240; New Kent, 1,140; Norfolk, 1,235; Nottoway, 1,000; Powhatan, 845; Prince George, 920; Princess Anne, 1,120; Southampton, 1,210; Surry, 1,160; Sussex, 1,105; and York, 1,150.

§ 701.301 (d) (1) is amended to read as follows:

(d) *Potatoes.* • • •

(1) *National and state acreage allotments.* The national and State potato acreage allotments for States in the commercial potato-producing area, as established by the Secretary, are as follows:

State	Allotments in acres
Alabama	22,210
Arizona	1,793
Arkansas	2,820
California	70,593
Colorado	92,199
Connecticut	10,415
Delaware	673
Florida	28,036
Georgia	3,088
Idaho	118,750
Illinois	4,247
Indiana	22,288
Iowa	7,154
Kansas	11,850
Kentucky	6,199
Louisiana	26,756
Maine	145,326
Maryland	10,307
Massachusetts	7,850
Michigan	112,393
Minnesota	170,000
Mississippi	822
Missouri	14,261
Montana	8,904
Nebraska	67,620
Nevada	1,700
New Hampshire	1,994
New Jersey	50,144
New York	118,314
New Mexico	3,083
North Carolina	36,731
North Dakota	136,270
Ohio	41,583
Oklahoma	4,140
Oregon	31,902
Pennsylvania	85,221
Rhode Island	3,603
South Carolina	11,886
South Dakota	19,600
Tennessee	4,100
Texas	20,294
Utah	7,586
Vermont	2,238
Virginia	51,679
Washington	32,764
West Virginia	1,333
Wisconsin	90,591
Wyoming	17,000
Total	1,740,280

Section 701.301 (d) (3) is amended by adding the following:

(5) *Normal yields.* • • •

The 1942 county average yields of potatoes in the commercial potato-producing area, as established by the Secretary, are as follows:

Counties and yields per acre in bushels:

Alabama: Baldwin, 134; Colbert, 110; Covington, 136; Cullman, 135; De Kalb, 125; Elmore, 140; Escambia, 142; Etowah, 125; Jackson, 120; Lauderdale, 120; Madison, 118; Marshall, 125; Mobile, 136; Monroe, 120; Morgan, 120; Perry, 129; and Sumter, 142.

Arizona: Coconino, 76; Greenlee, 100; Maricopa, 164; Pima, 115; Yavapai, 150; and Yuma, 79.

Arkansas: Bradley, 118; Craighead, 158; Crawford, 105; Faulkner, 124; Franklin, 111; Grant, 99; Hempstead, 102; Hot Spring, 108; Independence, 114; Johnson, 106; Lincoln, 129; Logan, 128; Mississippi, 128; Nevada, 98; Quachita, 85; Pope, 108; Pulaski, 99; Saline, 118; Sebastian, 119; and White, 109.

California: Alameda, 254; Butte, 220; Contra Costa, 275; Fresno, 193; Humboldt, 250; Inyo, 303; Kern, 314; Lake, 110; Lassen, 127; Los Angeles, 244; Madera, 205; Marin, 168; Mendocino, 180; Merced, 192; Modoc, 333; Mono, 151; Monterey, 165; Orange, 179; Plumas, 127; Riverside, 259; San Benito, 220; San Bernardino, 224; San Diego, 177; San Joaquin, 306; San Luis Obispo, 194; San Mateo, 92; Santa Barbara, 320; Santa Clara, 101; Santa Cruz, 258; Shasta, 162; Siskiyou, 339; Sonoma, 200; Stanislaus, 200; Sutter, 180; Tulare, 224; and Ventura, 319.

Colorado: Adams, 99; Alamosa, 130; Archuleta, 52; Boulder, 65; Chaffee, 76; Conejos, 98; Costilla, 123; Custer, 61; Delta, 144; Dolores, 69; Eagle, 190; Elbert, 25; El Paso, 43; Fremont, 53; Garfield, 177; Gilpin, 62; Grand, 72; Gunnison, 105; Huerfano, 39; Jefferson, 34; La Plata, 122; Larimer, 131; Logan, 45; Mesa, 133; Moffat, 75; Montezuma, 104; Montrose, 165; Morgan, 177; Ouray, 102; Park, 44; Phillips, 25; Pitkin, 189; Prowers, 37; Rio Blanco, 102; Rio Grande, 169; Routt, 110; Saguache, 110; San Miguel, 77; Sedgwick, 135; Summit, 69; Teller, 58; Washington, 59; Weld, 178; and Yuma, 46.

Connecticut: Fairfield, 215; Hartford, 279; Litchfield, 220; Middlesex, 220; New Haven, 210; New London, 210; Tolland, 279; and Windham, 242.

Delaware: Kent, 104; New Castle, 133; and Sussex, 107.

Florida: Alachua, 110; Baker, 100; Bradford, 100; Broward, 125; Clay, 110; Dade, 158; De Soto, 105; Escambia, 125; Flagler, 100; Gadsden, 75; Glades, 105; Hardee, 100; Highlands, 90; Hillsborough, 100; Holmes, 75; Lee, 150; Manatee, 90; Martin, 100; Osceola, 100; Palm Beach, 105; Polk, 115; Putnam, 132; St. Johns, 135; St. Lucie, 100; Santa Rosa, 100; Sarasota, 105; Seminole, 115; Union, 110; Volusia, 105; and Washington, 50.

Georgia: Berrien, 67; Brooks, 67; Bryan, 67; Bulloch, 75; Chatham, 152; Cook, 76; Dade, 69; Effingham, 143; Fannin, 72; Gilmer, 72; Habersham, 59; Lanier, 108; Lowndes, 67; Lumpkin, 67; Rabun, 96; Screven, 67; Telfair, 67; Thomas, 67; Towns, 75; Twiggs, 67; Union, 84; Walker, 63; and Wayne, 75.

Idaho: Ada, 241; Adams, 151; Bannock, 202; Bear Lake, 111; Benewah, 89; Bingham, 253; Blaine, 153; Boise, 151; Bonner, 99; Bonneville, 254; Boundary, 113; Butte, 192; Camas, 101; Canyon, 254; Caribou, 89; Cassia, 250; Clark, 151; Clearwater, 77; Custer, 163; Elmore, 201; Franklin, 241; Fremont, 202; Gem, 201; Gooding, 226; Idaho, 75; Jefferson, 213; Jerome, 252; Kootenai, 93; Latah, 80; Lemhi, 231; Lewis, 80; Lincoln, 211; Madison, 210; Minidoka, 226; Nez Perce, 117; Oneida, 196; Owyhee, 254; Payette, 257; Power, 221; Teton, 141; Twin Falls, 257; Valley, 189; and Washington, 257.

Illinois: Adams, 102; Alexander, 125; Boone, 84; Bureau, 125; Cass, 140; Cook, 125; De Kalb, 92; Du Page, 125; Henderson, 125; Jo Daviess, 106; Kane, 125; Kankakee, 140; Lee, 100; Livingston, 125; McHenry, 125; McLean, 90; Madison, 125; Marshall, 125; Monroe, 150; Ogle, 76; Randolph, 125; Rock Island, 87; St. Clair, 130; Shelby, 125; Stephenson, 125; Union, 80; Whiteside, 130; Will, 125; Winnebago, 125; and Woodford, 125.

Indiana: Adams, 123; Allen, 118; Bartholomew, 113; Blackford, 113; Carroll, 133; Cass, 127; Clark, 97; De Kalb, 121; Delaware, 132; Elkhart, 124; Floyd, 98; Fountain, 111; Franklin, 116; Fulton, 154; Grant, 138; Hamilton, 136; Harrison, 101; Hendricks, 122; Henry, 132; Howard, 143; Huntington, 127; Jasper, 107; Jay, 114; Jefferson, 103; Jennings, 97; Kosciusko, 169; Lagrange, 100; Lake, 102; La Porte, 112; Madison, 120; Marion, 127; Marshall, 120; Miami, 139; Monroe, 103; Montgomery, 127; Morgan, 129; Newton, 119; Noble, 124; Ohio, 107; Owen, 96; Porter, 112; Pulaski, 107; Putnam, 107; Randolph, 128; Rush, 138; St. Joseph, 118; Starke, 120; Steuben, 104; Tippecanoe, 119; Union, 150; Vanderburgh, 110; Wabash, 120; Warren, 114; Warrick, 100; Wayne, 133; White, 118; and Whitley, 127.

Iowa: Adams, 65; Allamakee, 150; Benton, 175; Black Hawk, 200; Boone, 74; Bremer, 180; Buchanan, 184; Buena Vista, 163; Butler, 200; Calhoun, 120; Carroll, 242; Cass, 113; Cedar, 175; Cerro Gordo, 300; Cherokee, 116; Clay, 223; Clayton, 200; Dallas, 250; Delaware, 77; Des Moines, 99; Dickinson, 144; Emmet, 209; Fayette, 162; Floyd, 200; Franklin, 264; Greene, 92; Grundy, 118; Hamilton, 197; Hancock, 207; Hardin, 210; Humboldt, 214; Iowa, 138; Jasper, 100; Jones, 80; Kossuth, 233; Lee, 146; Linn, 141; Louisa, 70; Marshall, 200; Mills, 150; Mitchell, 161; Monona, 173; Muscatine, 69; O'Brien, 200; Osceola, 371; Page, 152; Palo Alto, 219; Plymouth, 137; Pocahontas, 241; Polk 167; Pottawattamie, 91; Sac, 150; Scott, 136; Shelby, 171; Sioux, 144; Story, 151; Tama, 192; Taylor, 150; Union, 100; Wapello, 76; Warren, 110; Washington, 113; Webster, 149; Winnebago, 296; Woodbury, 129; Worth, 291; and Wright, 253.

Kansas: Cheyenne, 75; Clay, 80; Cowley, 100; Douglas, 144; Finney, 100; Ford, 100; Geary, 100; Grant, 100; Gray, 100; Jackson, 90; Jefferson, 149; Jewell, 75; Johnson, 140; Labette, 100; Leavenworth, 148; Marshall, 100; Pawnee, 100; Pottawatomie, 100; Rawlins, 75; Reno, 90; Riley, 120; Scott, 143; Sedwick, 100; Shawnee, 153; Sherman, 75; Sumner 100; Wabaunsee, 100; and Wyandotte, 147.

Kentucky: Bullitt, 152; Caldwell, 119; Daviess, 150; Fayette, 167; Jefferson, 114; Jessamine, 200; Kenton, 144; Lewis, 400; Nelson, 100; and Oldham, 118.

Louisiana: Ascension, 86; Assumption, 78; Bossier, 85; East Baton Rouge, 98; East Feliciana, 108; Evangeline, 94; Iberia, 90; Iberville, 75; Jefferson, 72; Lafayette, 88; La Fourche, 78; Lincoln, 96; Livingston, 100; Orleans, 86; Ouachita, 115; Plaquemines, 95; Pointe Coupee, 95; Rapides, 94; St. Charles, 72; St. Helena, 96; St. James, 82; St. John the Baptist, 83; St. Landry, 90; St. Mary, 76; St. Tammany, 98; Tangipahoa, 102; Terrebonne, 83; Washington, 102; West Baton Rouge, 94; West Feliciana, 100; and Winn, 95.

Maine: Androscoggin, 240.3; Aroostook, 303.9; Cumberland, 222.0; Franklin, 205.0; Hancock, 236.8; Kennebec, 233.6; Knox, 205.6; Lincoln, 240.3; Oxford, 235.3; Penobscot, 275.0; Piscataquis, 262.2; Sagadahoc, 240.3; Somerset, 250.0; Waldo, 264.3; Washington, 260.0; and York, 190.8.

Maryland: Allegany 126; Anne Arundel, 100; Baltimore, 120; Carroll, 110; Cecil, 165; Dorchester, 150; Frederick, 134; Garrett, 200; Howard, 115; Kent, 150; Montgomery, 118; Prince Georges, 119; Queen Annes, 150; St. Marys, 162; Somerset, 155; Washington, 149; Wicomico, 138; and Worcester, 140.

Massachusetts: Barnstable, 200; Berkshire, 198; Bristol, 226; Dukes, 175; Essex, 197; Franklin, 221; Hampden, 229; Hampshire, 234; Middlesex, 246; Nantucket, 175; Norfolk, 168; Plymouth, 201; and Worcester, 218.

Michigan: Alcona, 136; Alger, 136; Allegan, 125; Alpena, 136; Antrim, 149; Arenac, 136; Baraga, 146; Barry, 127; Bay, 141; Benzie, 119; Berrien, 108; Branch, 119; Calhoun, 122; Cass, 119; Charlevoix, 141; Cheboygan, 141; Chippewa, 137; Clare, 112; Clinton, 131; Crawford, 125; Delta, 152; Dickinson, 140; Eaton, 131; Emmet, 152; Genesee, 134; Gladwin, 125; Gogebic, 134; Grand Traverse, 141; Gratiot, 116; Hillsdale, 121; Houghton, 163; Huron, 136; Ingham, 114; Ionia, 130; Iosco, 125; Iron, 141; Isabella, 130; Jackson, 116; Kalamazoo, 125; Kalkaska, 138; Kent, 130; Kowsena, 112; Lake, 114; Lapser, 138; Leclanau, 143; Lenawes, 130; Livingston, 117; Luce, 130; Mackinac, 119; Macomb, 134; Manistee, 119; Marquette, 152; Mason, 119; Mecosta, 132; Menominee, 141; Midland, 119; Missaukee, 136; Monroe, 130; Montcalm, 141; Montmorency, 138; Muskegon, 108; Nowaygo, 127; Oakland, 119; Oceana, 125; Ogemaw, 130; Ontonagon, 134; Osceola, 132; Oscoda, 119; Otsego, 136; Ottawa, 108; Presque Isle, 140; Roscommon, 108; Saginaw, 132; St. Clair, 152; St. Joseph, 108; Sanilac, 138; Schoolcraft, 130; Shiawassee, 128; Tuscola, 136; Van Buren, 125; Washtenaw, 117; Wayne, 117; and Wexford, 124.

Minnesota: Aitkin, 105; Anoka, 85; Becker, 85; Beltrami, 120; Benton, 85; Big Stone, 80; Blue Earth, 90; Brown, 90; Carlton, 108; Carver, 90; Cass, 108; Chippewa, 85; Chisago, 86; Clay, 87; Clearwater, 100; Cottonwood, 85; Crow Wing, 100; Dakota, 100; Dodge, 88; Douglas, 86; Faribault, 100; Fillmore, 90; Freeborn, 140; Goodhue, 96; Grant, 84; Hennepin, 103; Houston, 88; Hubbard, 90; Isanti, 85; Itasca, 121; Jackson, 84; Kanabec, 85; Kandiyohi, 82; Kittson, 89; Koochiching, 105; Lac qui Parle, 80; Lake of the Woods, 105; Le Sueur, 90; Lincoln, 85; Lyon, 84; McLeod, 86; Mahnomen, 83; Marshall, 92; Martin, 95; Meeker, 84; Mille Lacs, 91; Morrison, 89; Mower, 90; Murray, 82; Nicollet, 90; Nobles, 84; Norman, 89; Olmsted, 90; Otter Tail, 88; Pennington, 90; Pine, 100; Pipestone, 80; Polk, East, 92; Polk West, 95; Pope, 82; Ramsey, 98; Red Lake, 92; Renville, 84; Rice, 90; Rock, 80; Roseau, 98; St. Louis, 123; Scott, 90; Sherburne, 85; Sibley, 86; Stearns, 85; Steele, 91; Stevens, 83; Swift, 85; Todd, 86; Traverse, 80; Wabasha, 87; Wadena, 86; Waseca, 90; Washington, 93; Watonwan, 85; Wilkin, 82; Winona, 100, Wright, 85; and Yellow Medicine, 80.

Mississippi: Adams, 114; Claiborne, 134; Jones, 112; Lamar, 123; Lauderdale, 103; Marion, 134; Stone, 116; and Walthall, 115.

Missouri: Andrew, 135; Buchanan, 140; Butler, 135; Callaway, 135; Cape Girardeau, 135; Carroll, 135; Charlton, 135; Clay, 140; Cole, 140; Jackson, 160; Jasper, 119; Jefferson, 140; Lafayette, 135; Macon, 108; Mississippi, 135; Nodaway, 129; Osage, 135; Perry, 135; Platte, 140; Ray, 151; St. Francois, 129; St. Louis, 151; Saline, 135; Stoddard, 135; and Warren, 135.

Montana: Beaverhead, 176; Big Horn, 139; Blaine, 176; Broadwater, 118; Carbon, 140; Carter, 74; Cascade, 127; Chouteau, 139; Custer, 97; Daniels, 65; Dawson, 65; Deer Lodge, 176; Fallon, 39; Fergus, 78; Flathead, 149; Gallatin, 197; Garfield, 53; Glacier, 139; Golden Valley, 74; Granite, 190; Hill, 119; Jefferson, 145; Judith Basin, 83; Lake, 176; Lewis and Clark, 176; Liberty, 69; Lincoln, 148; McCone, 53; Madison, 228; Meagher, 83; Mineral, 176; Missoula, 211; Musselshell, 57; Park, 192; Petroleum, 57; Phillips, 113; Pondera, 100; Powder River, 74; Powell, 149; Prairie, 130; Ravalli, 197; Richland, 105; Roosevelt, 79; Rosebud, 114; Sanders, 175; Sheridan, 61; Stillwater, 132; Sweet Grass, 33; Teton, 101; Toole, 69; Treasure, 98; Valley, 97; Wheatland, 78; Wibaux. 61; and Yellowstone, 142.

Nebraska: Adams, 116; Banner, 68; Boone, 120; Box Butte, 61; Brown, 95; Buffalo, 224; Burt, 45; Cass, 55; Chase, 68; Cherry, 48; Cheyenne, 95; Custer, 113; Dakota, 100; Dawes, 62; Dawson, 145; Deuel, 81; Dodge, 73; Douglas, 60; Fillmore, 75; Gage, 45; Garden, 78; Garfield, 119; Greeley, 120; Hall, 150; Harlan, 100; Hitchcock, 100; Howard, 120; Jefferson, 45; Kearney, 113; Keith, 102;

Kimball, 77; Knox, 114; Lancaster, 45; Lincoln, 77; Loup, 119; Madison, 120; Merrick, 76; Morrill, 138; Nance, 120; Nemaha, 75; Perkins, 75; Phelps, 100; Pierce, 120; Polk, 40; Red Willow, 100; Richardson, 72; Sarpy, 55; Saunders, 50; Scotts Bluff, 175; Sheridan, 60; Sherman, 120; Sioux, 125; Stanton, 45; Thayer, 60; Thurston, 55; Valley, 119; Washington, 55; and York, 75.

Nevada: Churchill, 142; Douglass, 220; Elko, 122; Eureka, 125; Humboldt, 122; Lander, 125; Lincoln 140; Lyon, 190; Nye, 115; Pershing, 126; Storey, 115; Washoe, 178; and White Pine, 123.

New Hampshire: Belknap, 229; Carroll, 266; Cheshire, 293; Coos, 297; Grafton, 246; Hillsboro, 225; Merrimack, 240; Rockingham, 218; Strafford, 210; and Sullivan, 255.

New Jersey: Atlantic, 160; Bergen, —; Burlington, 190; Camden, 190; Cape May, 160; Cumberland, 202; Essex, —; Gloucester, 190; Hudson, —; Hunterdon, 190; Mercer, 202; Middlesex, 202; Monmouth, 202; Morris, 190; Ocean, 190; Passaic, —; Salem, 202; Somerset, —; Sussex, 180; Union, —; and Warren, 190.

New York: Albany, 176; Allegany, 145; Bronx, —; Broome, 155; Cattaraugus, 155; Cayuga, 166; Chautauqua, 153; Chemung, 160; Chenango, 170; Clinton, 190; Columbia, 151; Cortland, 184; Delaware, 141; Dutchess, 153; Erie, 140; Essex, 190; Franklin, 190; Fulton, 126; Genesee, 158; Greene, 146; Hamilton, —; Herkimer, 178; Jefferson, 147; Kings, —; Lewis, 141; Livingston, 153; Madison, 200; Monroe, 165; Montgomery, 150; Nassau, 245; New York, —; Niagara, 147; Oneida, 195; Onondaga, 172; Ontario, 178; Orange, 202; Orleans, 220; Oswego, Otsego, 136; Putnam, 180; Queens, —; Rensselaer, 150; Richmond, —; Rockland, —; St. Lawrence, 141; Saratoga, 153; Schenectady, 172; Schoharie, 135; Schuyler, 135 Seneca, 135; Steuben, 140; Suffolk, 220; Sullivan, 135; Tioga, 153; Tompkins, 160; Ulster, 176; Warren, 150; Washington, 150; Wayne, 175; Westchester, 180; Wyoming, 150; and Yates, 135.

New Mexico: Catron, 150; Colfax, 95; Grant, 150; Hidalgo, 158; Lea, 74; Luna, 150; Mora, 35; Quay, 101; Rio Arriba, 35; Roosevelt, 100; and San Juan, 126.

North Carolina: Alleghany, 140; Ashe, 140; Avery, 130; Beaufort, 160; Bertie, 193; Brunswick, 130; Buncombe, 125; Caldwell, 120; Camden, 144; Carteret, 162; Chowan, 140; Columbus, 135; Craven, 155; Cumberland, 135; Currituck, 144; Duplin, 150; Edgecombe, 135; Gates, 125; Haywood, 125; Henderson, 125; Hertford, 125; Hyde, 140; Johnston, 125; Jones, 125; Madison, 120; Martin, 140; Mitchell, 125; New Hanover, 140; Onslow, 140; Pamlico, 162; Pasquotank, 144; Pender, 135; Perquimans, 140; Pitt, 150; Polk, 120; Robeson, 130; Sampson, 135; Swain, 120; Tyrrell, 145; Washington, 145; Watauga, 140; Wayne, 150; Yadkin, 120; and Yancey, 125.

North Dakota: Adams, 42; Barnes, 70; Benson, 70; Billings, 35; Bottineau, 66; Bowman, 46; Burke, 37; Burleigh, 48; Cass, 85; Cavalier, 90; Dickey, 46; Divide, 41; Dunn, 41; Eddy, 57; Emmons, 47; Foster, 70; Golden Valley, 42; Grand Forks, 93; Grant, 48; Griggs, 65; Hettinger, 49; Kidder, 50; La Moure, 44; Logan, 49; McHenry, 55; McIntosh, 43; McKenzie, 60; McLean, 52; Mercer, 43; Morton, 46; Mountrail, 45; Nelson, 61; Oliver, 55; Pembina, 103; Pierce, 68; Ramsey, 75; Ransom, 57; Renville, 55; Richland, 74; Rolette, 67; Sargent, 64; Sheridan, 54; Sioux, 44; Slope, 47; Stark, 43; Steele, 85; Stutsman, 47; Towner, 70; Traill, 92; Walsh, 95; Ward, 54; Wells, 62; and Williams, 44.

Ohio: Allen, 124; Ashland, 135; Ashtabula, 135; Auglaize, 126; Butler, 110; Carroll, 140; Champaign, 133; Clark, 118; Clermont, 118; Clinton, 145; Columbiana, 160; Coshocton, 170; Crawford, 125; Cuyahoga, 145; Darke, 137; Defiance, 142; Delaware, 116; Erie, 129; Fairfield, 171; Franklin, 153; Fulton, 147; Gallia, 131; Geauga, 136; Greene, 112; Guernsey, 135; Hamilton, 126; Hancock, 153; Hardin, 149; Henry, 118; Highland, 118; Hocking, 147; Holmes, 139; Huron, 147; Knox, 131; Lake, 139; Lawrence, 142; Licking, 149; Logan, 137; Lorain, 150; Lucas, 138; Madison, 222; Mahoning, 149; Marion, 157; Medina, 145; Meigs, 131; Mercer, 128; Miami, 129; Monroe, 131; Montgomery, 129; Morgan, 162; Morrow, 167; Muskingum, 166; Ottawa, 157; Paulding, 97; Perry, 163; Pickaway, 154; Portage, 158; Preble, 110; Putnam, 132; Richland, 153; Ross, 147; Sandusky, 143; Scioto, 160; Seneca, 135; Shelby, 112; Stark, 137; Summit, 141; Trumbull, 162; Tuscarawas, 170; Van Wert, 97; Warren, 119; Washington, 145; Wayne, 158; Williams, 157; Wood, 139; and Wyandot, 114.

Oklahoma: Bryan, 61; Canadian, 67; Choctaw, 74; Grady, 58; Haskell, 104; Hughes, 88; Le Flore, 96; McCurtain, 83; McIntosh, 95; Murray, 62; Muskogee, 100; Okfuskee, 78; Oklahoma, 69; Osage, 79; Pawnee, 80; Pittsburg, 89; Pottawatomie, 71; Sequoyah, 102; Tulsa, 89; Wagoner, 99; and Washington, 80.

Oregon: Baker, 155; Benton, 115; Clackamas, 120; Clatsop, 115; Columbia, 178; Coos, 125; Crook, 267; Curry, 110; Deschutes, 184; Douglas, 115; Gilliam, 100; Grant, 130; Harney, 100; Hood River, 178; Jackson, 125; Jefferson, 200; Josephine, 100; Klamath, 309; Lake, 260; Lane, 153; Lincoln, 155; Linn, 137; Malheur, 231; Marion, 117; Morrow, 120; Multnomah, 158; Polk, 120; Sherman, 90; Tillamook, 120; Umatilla, 121; Union, 121; Wallowa, 120; Wasco, 120; Washington, 160; Wheeler, 100; and Yamhill, 165.

Pennsylvania Adams, 190; Allegheny, 175; Armstrong, 195; Beaver, 175; Bedford, 185; Berks, 190; Blair, 298; Bradford, 207; Bucks, 195; Butler, 192; Cambria, 202; Cameron, 175; Carbon, 190; Centre, 201; Chester, 195; Clarion, 197; Clearfield, 180; Clinton, 185; Columbia, 208; Crawford, 192; Cumberland, 195; Dauphin, 200; Delaware, 183; Elk, 193; Erie, 185; Fayette, 191; Forest, 191; Franklin, 209; Fulton, 200; Greene, —; Huntingdon, 185; Indiana, 193; Jefferson, 179; Juniata, 180; Lackawanna, 182; Lancaster, 200; Lawrence, 199; Lebanon, 193; Lehigh, 204; Luzerne, 199; Lycoming, 190; McKean, 180; Mercer, 180; Mifflin, 185; Monroe, 195; Montgomery, 198; Montour, 182; Northampton, 212; Northumberland, 175; Perry, 192; Philadelphia, 165; Pike, 232; Potter, 195; Schuylkill, 182; Snyder, 170; Somerset, 209; Sullivan, 190; Susquehanna, 165; Tioga, 171; Union, 194; Venango, 187; Warren, 193; Washington, 199; Wayne, 205; Westmoreland, 194; Wyoming, 192; and York, 180.

Rhode Island: Bristol, 200; Kent, 160; Newport, 257; Providence, 160; and Washington, 300.

South Carolina: Allendale, 125; Beaufort, 189; Berkeley, 161; Calhoun, 100; Charleston, 161; Chesterfield, 100; Clarendon, 105; Colleton, 137; Darlington, 100; Dillon, 105; Dorchester, 135; Florence, 100; Georgetown, 115; Hampton, 145; Horry, 143; Jasper, 154; Lee, 105; Marion, 105; Orangeburg, 127; Sumter, 105.

South Dakota: Aurora, 44; Beadle, 50; Bennett, 44; Bon Homme, 64; Brookings, 79; Brown, 62; Brule, 41; Buffalo, 40; Butte, 81; Campbell, 41; Charles Mix, 55; Clark, 89; Clay, 76; Codington, 94; Corson, 40; Custer, 61; Davison, 45; Day, 69; Deuel, 98; Dewey, 40; Douglas, 44; Edmunds, 43; Fall River, 49; Faulk, 42; Grant, 91; Gregory, 43; Haakon, 41; Hamlin, 92; Hand, 43; Hanson, 49; Harding, 48; Hughes, 40; Hutchinson, 57; Hyde, 42; Jackson, 40; Jerauld, 44; Jones, 42; Kingsbury, 64; Lake, 69; Lawrence 65; Lincoln, 72; Lyman, 43; McCook, 65; McPherson, 42; Marshall, 75; Meade, 54; Mellette, 40; Miner, 48; Minnehaha, 78; Moody, 72; Pennington, 72; Perkins, 50; Potter, 40; Roberts, 86; Sanborn, 45; Shannon, 43; Spink, 57; Stanley, 40; Sully, 40; Todd, 44; Tripp, 44; Turner, 67; Union, 81; Walworth, 41; Washabaugh, 40; Washington, 41; Yankton, 72; and Ziebach, 40.

Tennessee: Anderson, 100; Bledsoe, 100; Blount, 100; Campbell, 100; Carter, 100; Coffee, 105; Cumberland, 110; Davidson, 100; Fentress, 110; Franklin, 112; Giles, 100; Grundy, 105; Hamilton, 100; Johnson, 112; Lawrence, 97; Lewis, 98; Lincoln, 99; Marion, 91; Maury, 100; Morgan, 118; Pickett, 125; Putnam, 75; Rhea, 100; Roane, 118; Robertson, 120; Scott, 115; Sequatchie, 100; Shelby, 75; Unicol, 110; Warren, 98; and Washington, 120.

Texas: Atascosa, 81; Bailey, 122; Bastrop, 75; Bexar, 92; Bowie, 90; Briscoe, 92; Brooks, 56; Brown, 58; Cameron, 91; Camp, 81; Cass, 79; Castro, 101; Colorado, 78; Comanche, 60; Dallam, 97; Deaf Smith, 112; Erath, 61; Floyd, 87; Fort Bend, 62; Hale, 111; Harris, 66; Henderson, 76; Hidalgo, 81; Hockley, 87; Hood, 66; Hopkins, 88; Kaufman, 82; Lamar 75; Lamb, 96; Leon, 81; Liberty, 66; Lubbock, 87; Medina, 89; Parmer, 106; Potter, 102; Red River, 85; Smith, 76; Swisher, 97; Terry, 82; Upshur, 84; Van Zandt, 81; Walker, 86; Wharton, 76; Wise, 55; and Wood, 79.

Utah: Beaver, 171; Box Elder, 216; Cache, 204; Carbon, 125; Daggett, 105; Davis, 230; Emery, 155; Garfield, 180; Iron, 190; Juab, 173; Millard, 192; Morgan, 215; Piute, 193; Rich, 115; Salt Lake, 220; San Juan, 50; Sanpete, 185; Sevier, 190; Tooele, 174; Utah, 221; Wasatch, 200; Washington, 192; Wayne, 190; and Weber, 222.

Vermont: Addison, 214; Bennington, 202; Caledonia, 270; Chittenden, 229; Essex, 283; Franklin, 223; Grand Isle, —; Lamoille, 264; Orange, 260; Orleans, 256; Rutland, 223; Washington, 245; Windham, 283; and Windsor, 229.

Virginia: Accomac, 140; Amelia, 40; Amherst, 81; Botetourt, 110; Caroline, 161; Culpeper, 125; Elizabeth City, 119; Fairfax, 100; Floyd, 120; Gloucester, 150; Goochland, 165; Grayson, 100; Henrico, 110; Henry, 100; Isle of Wight, 124; James City, 125; King William 130; Lancaster, 152; Madison, 150; Mathews, 150; Middlesex, 150; Nansemond, 145; New Kent, 126; Norfolk, 140; Northampton, 150; Northumberland, 100; Page, 140; Powhatan, 170; Prince George, 75; Princess Anne, 140; Rockbridge, 130; Rockingham, 192; Spotslyvania, 165; Warwick, 120; Westmoreland, 170; Wise, 87; Wythe, 100; and York, 130.

Washington: Adams, 60; Benton, 165; Chelan, 103; Clark, 140; Columbia, 70; Douglas, 67; Franklin, 160; Grant, 175; Grays Harbor, 110; Island, 150; Jefferson, 103; King, 200; Kittitas, 275; Klickitat, 110; Okanogan, 120; Pierce, 163; San Juan, 116; Skagit, 203; Skamania, 100; Snohomish, 200; Spokane, 70; Stevens, 89; Thurston, 105; Walla Walla, 125; Whatcom, 170; Whitman, 85; and Yakima, 252.

West Virginia: Berkeley, 190; Braxton, 192; Brooke, 180; Clay, 155; Fayette, 187; Grant, 125; Hampshire, 163; Hancock, 200; Harrison, 182; Jackson, 130; Jefferson, 250; Lewis, 280; Marshall, 194; Mason, 205; Monroe, 176; Nicholas, 225; Pleasants, 300; Pocahontas, 213; Preston, 215; Putnam, 244; Raleigh, 208; Randolph, 259; Tucker, 260; Upshur, 147; Wayne, 200; and Wood, 298.

Wisconsin: Adams, 76; Ashland, 113; Barron, 104; Bayfield, 112; Brown, 118; Buffalo, 109; Burnett, 95; Calumet, 131; Chippewa, 107; Clark, 104; Columbia, 100; Crawford, 120; Dane, 116; Dodge, 129; Door, 123; Douglas, 115; Dunn, 109; Eau Claire, 111; Florence, 112; Fon du Lac, 122; Forest, 97; Grant, 118; Greene, 105; Green Lake, 92; Iowa, 117; Iron, 112; Jackson, 97; Jefferson, 109; Juneau, 99; Kenosha, 115; Kewaunee, 131; La Crosse, 119; Lafayette, 117; Langlade, 115; Lincoln, 109; Manitowoc, 133; Marathon, 97; Marinette, 106; Marquette, 77; Milwaukee, 106; Monroe, 98; Oconto, 112; Oneida, 96; Outagamie, 112; Ozaukee, 107; Pepin, 123; Pierce, 114; Polk, 100; Portage, 84; Price, 100; Racine, 121; Richland, 120; Rock, 113; Rusk, 106; St. Croix, 103; Sauk, 121; Sawyer, 91; Shawano, 109; Sheboygan, 125; Taylor, 107; Trempealeau, 112; Vernon, 119; Vilas, 103; Walworth, 102; Washburn, 89; Washington, 124; Waukesha, 101; Waupaca, 101; Waushara, 79; Winnebago, 109, and Wood, 97.

Wyoming: Albany, 39; Carbon, 61; Converse, 76; Crook, 34; Fremont, 139; Goshen, 137; Hot Springs, 84; Johnson, 60; Laramie, 70; Lincoln, 91; Niobrara, 33; Park, 141; Platte, 118; Sheridan, 86; Sublette, 61; Sweetwater, 88; Teton, 103; Uinta, 99; Washakie, 152; and Weston, 26.

Section 701.301 (f) (1) is amended to read as follows:

(f) *Tobacco.* * * *

(1) *National and State acreage allotments.* The national and State acreage allotments of flue-cured tobacco, as established by the Secretary, are as follows:

State:	*Allotments in acres*
Alabama	500
Florida	15,170
Georgia	81,063
North Carolina	564,388
South Carolina	94,249
Virginia	85,797
Total	841,167

The national and State acreage allotments of fire-cured tobacco, as established by the Secretary, are as follows:

State:	*Allotments in acres*
Illinois	15
Kentucky	33,415
Missouri	13
Tennessee	35,176
Virginia	16,056
Total	84,675

The national and State acreage allotments of Burley tobacco, as established by the Secretary, are as follows:

State:	*Allotments in acres*
Alabama	167
Arkansas	95
Georgia	136
Illinois	38
Indiana	10,751
Kansas	456
Kentucky	265,439
Missouri	5,673
North Carolina	8,042
Ohio	13,705
Oklahoma	8
South Carolina	101
Tennessee	63,772
Virginia	10,620
West Virginia	4,057
Total	383,050

The national and State acreage allotments of dark air-cured tobacco, as established by the Secretary, are as follows:

State:	*Allotments in acres*
Indiana	382
Kentucky	30,989
Missouri	7
Tennessee	4,702
Total	36,080

The national and State acreage allotment of Virginia sun-cured tobacco, as established by the Secretary, is as follows:

State:	*Allotments in acres*
Virginia	3,100

The national and State acreage allotment of cigar filler Type 41 tobacco, as established by the Secretary, is as follows:

State:	*Allotments in acres*
Pennsylvania	30,500

The national and State acreage allotments of cigar filler and binder tobacco (except Types 41 and 45), as established by the Secretary, are as follows:

State:	*Allotments in acres*
Connecticut	11,715
Illinois	15
Indiana	17
Massachusetts	5,190
Minnesota	779
New Hampshire	33
New York	1,360
Ohio	17,649
Pennsylvania	489
Vermont	30
Wisconsin	24,905
Total	62,182

The national and State acreage allotments of Georgia-Florida Type 62 Tobacco, as established by the Secretary, are as follows:

State	*Allotments in acres*
Florida	2,349
Georgia	551
Total	2,900

Section 701.301 (f) (3) (iii) is amended by the addition of the following:

(3) *Normal yields.* * * *

(i) The 1942 county average yields of flue-cured tobacco, as established by the Secretary, are as follows:

Counties and yields per acre in pounds:

Alabama: Autauga, 800; Butler, 744; Coffee, 800; Conecuh, 800; Covington, 836; Bale, 840; Etowah, 840; Geneva, 838; Henry, 797; Houston, 853; Jackson, 700; and Randolph, 700.

Florida: Alachua, 948; Baker, 820; Bay, 810; Bradford, 890; Calhoun, 820; Citrus, 714; Columbia, 909; Dixie, 811; Gadsden; 821; Gilchrist, 898; Hamilton, 941; Hernando, 921; Hillsborough, 850; Holmes, 878; Jackson, 879; Jefferson, 842; Lafayette, 850; Lake, 809; Leon, 865; Levy, 868; Madison, 900; Marion, 852; Nassau, 825; Okaloosa 870; Pasco, 820; Polk, 820; St. Johns, 900; Santa Rosa, 869; Seminole, 900; Sumter, 889; Suwannee, 909; Taylor, 890; Union, 918; Wakulla, 900; and Washington, 851.

Georgia: Appling, 977; Atkinson, 1,017; Bacon, 976; Baker, 851; Barrow, 812; Ben Hill, 898; Berrien, 1,039; Brantley, 1,028; Brooks, 1,020; Bryan, 786; Bulloch, 918; Burke, 799; Calhoun, 976; Camden, 872; Candler, 844; Charlton, 943; Chatham, 861; Chattahoochee, 800; Cherokee, 816; Clarke, 816; Clayton, 753; Clinch, 944; Coffee, 1,030; Colquitt, 1,033; Cook, 1,041; Crawford, 812; Crisp, 882; Decatur, 854; DeKalb, 812; Dodge, 847; Dooly, 895; Dougherty, 891; Early, 877; Echols, 848; Effingham, 841; Emanuel, 820; Evans, 854; Fayette, 816; Glynn, 1,011; Glascock, 940; Grady, 880; Gwinnett, 812; Hall, 799; Heard, 812; Henry, 795; Houston, 880; Irwin, 995; Jeff Davis, 1,034; Jefferson, 828; Jenkins, 739; Johnson, 721; Lanier, 1,042; Laurens, 855; Lee, 943; Liberty, 814; Long, 863; Lowndes, 995; McIntosh, 970; Madison, 812; Marion, 776; Miller, 880; Mitchell, 899; Monroe, 812; Montgomery, 856; Pierce, 989; Pulaski, 805; Quitman, 756; Richmond, 812; Schley, 816; Screven, 810; Seminole, 904; Stewart, 757; Sumter, 900; Taliaferro, 826; Tattnall, 879; Taylor, 816; Telfair, 838; Terrell, 799; Thomas, 1,011; Tift, 991; Toombs, 830; Treutlen, 781; Troup, 812; Turner, 906; Walton, 804; Ware, 1,036; Washington,

816; Wayne, 998; Webster, 800; Wheeler, 850; Wilcox, 849; Wilkes, 812; Wilkinson, 797; and Worth, 999.

North Carolina: Alamance, 738; Alexander, 870; Anson, 871; Beaufort, 907; Bertie, 973; Bladen, 879; Brunswick, 869; Burke, 775; Cabarrus, 832; Caldwell, 806; Camden, 744; Carteret, 854; Caswell, 834; Catawba, 826; Chatham, 743; Chowan, 868; Cleveland, 826; Columbus, 1,020; Craven, 856; Cumberland, 860; Currituck, 826; Davidson, 823; Davie, 744; Duplin, 891; Durham, 717; Edgecombe, 945; Forsyth, 840; Franklin, 883; Gaston, 723; Gates, 785; Granville, 745; Greene, 921; Guilford, 841; Halifax, 974; Harnett, 878; Hertford, 961; Hoke, 871; Hyde, 934; Iredell, 811; Johnston, 915; Jones, 875; Lee, 845; Lenoir, 900; Lincoln, 688; Martin, 960; Mecklenburg, 806; Montgomery, 697; Moore, 763; Nash, 908; New Hanover, 856; Northampton, 821; Onslow, 904; Orange, 754; Pamlico, 802; Pender, 847; Perquimans, 826; Person, 820; Pitt, 872; Randolph, 769; Richmond, 834; Robeson, 957; Rockingham, 883; Rowan, 781; Sampson, 866; Scotland, 841; Stanley, 681; Stokes, 847; Surry, 823; Tyrrell, 826; Union, 843; Vance, 825; Wake, 820; Warren, 788; Washington, 791; Wayne, 900; Wilkes, 691; Wilson, 956; and Yadkin, 822.

South Carolina: Aiken, 617; Allendale, 747; Bamberg, 771; Barnwell, 831; Berkeley, 750; Calhoun, 689; Charleston, 700; Cherokee, 700; Chester, 768; Chesterfield, 820; Clarendon, 864; Colleton, 855; Darlington, 883; Dillon, 932; Dorchester, 857; Edgefield, 624; Fairfield, 666; Florence, 917; Georgetown, 930; Greenville, 801; Hampton, 752; Horry, 1,076; Jasper, 830; Kershaw, 735; Lancaster, 785; Laurens, 700; Lee, 832; Lexington, 828; McCormick, 906; Marion, 926; Marlboro, 882; Newberry, 994; Orangeburg, 817; Richland, 719; Saluda, 834; Sumter, 891; Williamsburg, 927; and York, 649.

Virginia: Amelia, 840; Amhurst, 750; Appomattox, 800; Bedford, 860; Brunswick, 780; Buckingham, 750; Campbell, 785; Carroll, 800; Charlotte, 828; Chesterfield, 780; Cumberland, 838; Dinwiddie, 785; Floyd, 700; Fluvanna, 750; Franklin, 862; Gloucester, 750; Goochland, 770; Greensville, 790; Halifax, 760; Henrico, 760; Henry, 750; Isle of Wight, 910, Lunenburg, 780; Mecklenburg, 780; Middlesex, 760; Nansemond, 840; New Kent, 800; Norfolk, 800; Nottoway, 800; Patrick, 815; Pittsylvania, 790; Powhatan, 790; Prince Edward, 845; Prince George, 741; Smyth, 750; Southampton, 750; Surry, 895; and Sussex, 800.

(ii) The 1942 county average yields of fire-cured tobacco, as established by the Secretary, are as follows:

Counties and yields per acre in pounds:

Illinois: Johnson, 851; Massac, 860.

Kentucky: Ballard, 920; Caldwell, 830; Calloway, 830; Carlisle, 880; Christian, 825; Crittenden, 851; Fulton, 851; Graves, 830; Hickman, 857; Hopkins, 796; Livingston, 805; Logan, 860; Lyon, 840; McCracken, 829; Marshall, 808; Muhlenberg, 737; Simpson, 960; Todd, 800; Trigg, 835.

Missouri: Butler, 860.

Tennessee: Carroll, 790; Cheatham, 876; Coffee, 739; Davidson, 921; Dickson, 823; Dyer, 495; Franklin, 741; Giles, 750; Henry, 809; Henderson, 600; Hickman, 681; Houston, 832; Humphreys, 792; Lawrence, 833; Macon, 1,100; Montgomery, 822; Moore, 863; Obion, 860; Robertson, 889; Stewart, 840; Sumner, 864; Warren, 650; Weakley, 840; and Williamson, 802.

Virginia: Albemarle, 700; Amelia, 830; Amherst, 795; Appomattox, 850; Bedford, 875; Botetourt, 900; Brunswick, 940; Buckingham, 795; Campbell, 850; Charlotte, 850; Chesterfield, 880; Cumberland, 830; Dinwiddie, 880; Floyd, 800; Franklin, 825; Frederick, 800; Greensville, 610; Halifax, 800; Henry, 700; Lunenburg, 885; Mecklenburg, 800; Nelson, 795; Nottoway, 880; Pittsylvania, 840; Powhatan, 830; Prince Edward, 860; Roanoke, 750; Rockbridge, 950; and Sussex, 750.

(iii) The 1942 county average yields of Burley tobacco, as established by the Secretary, are as follows:

Counties and yields per acre in pounds:

Alabama: Calhoun, 845; Cullman, 845; Jackson, 765; Lauderdale, 550; Limestone, 823; Madison, 837; Marshall, 845; Sumter, 845; Tuscaloosa, 660; and Winston, 693.

Arkansas: Baxter, 800; Benton, 850; Carroll, 857; Clay, 800; Fulton, 800; Sharp, 700; Van Buren, 800; Washington, 650; and White, 495.

Georgia: Banks, 849; Catoosa, 844; Cherokee, 819; Dade, 850; Fannin, 850; Floyd, 850; Gilmer, 860; Gordon, 845; Habersham, 850; Hall, 850; Hancock, 850; Monroe, 851; Murray, 850; Pickens, 850; Rabun, 852; Towns, 863; Union, 845; Walker, 850; and Whitfield, 861.

Illinois: Clark, 400; Crawford, 857; Effingham, 850; Hamilton, 837; Moultrie, 850; Vermillon, 849; Warren, 814; and Will, 800.

Indiana: Bartholomew, 909; Brown, 833; Clark, 778; Crawford, 693; Daviess, 660; Dearborn, 825; Decatur, 784; Dubois, 823; Fayette, 945; Floyd, 809; Fountain, 1,219; Franklin, 804; Grant, 1,140; Greene, 942; Harrison, 729; Hendricks, 1,421; Henry, 852; Howard, 823; Jackson, 726; Jefferson, 939; Jennings, 727; Johnson, 1,219; Lawrence, 776; Madison, 852; Martin, 852; Monroe, 886; Marion, 852; Morgan, 1,028; Ohio, 899; Orange, 824; Owen, 814; Parke, 852; Perry, 767; Putnam, 852; Randolph, 852; Ripley, 817; Rush, 936; Scott, 760; Shelby, 741; Spencer, 698; Sullivan, 823; Switzerland, 910; Tipton, 852; Union, 1,123; Wabash, 852; Warrick 822; and Washington, 777.

Kansas: Atchison, 740; Brown, 869; Doniphan, 909; Jefferson, 821; Johnson, 912; Leavenworth, 885; Linn, 906; Miami, 841; and Wyandotte, 841.

Kentucky: Adair, 768; Allen, 815; Anderson, 804; Ballard, 700; Barren, 804; Bath, 815; Bell, 721; Boone, 950; Bourbon 993; Boyd, 638; Boyle, 892; Bracken, 840; Breathitt, 688; Breckenridge, 709; Bullitt, 768; Butler, 715; Caldwell, 753; Calloway, 757; Campbell, 845; Carlisle, 759; Carroll, 946; Carter, 718; Casey, 793; Christian, 803; Clark, 938; Clay, 737; Clinton, 805; Crittenden, 748; Cumberland, 704; Daviess, 766; Edmondson, 739; Elliott, 726; Estill, 679; Fayette, 1,010; Fleming, 861; Floyd, 750; Franklin, 849; Fulton, 600; Gallatin, 940; Garrard, 845; Grant, 940; Graves, 801; Grayson, 704; Green, 754; Greenup, 709; Hancock, 722; Hardin, 783; Harlan, 600; Harrison, 892; Hart, 734; Henderson, 756; Henry, 865; Hickman, 792; Hopkins, 719; Jackson, 741; Jefferson, 799; Jessamine, 889; Johnson, 710; Kenton, 870; Knott, 600; Knox, 682; Larue, 805; Laurel, 734; Lawrence, 710; Lee, 611; Leslie, 610; Letcher, 622; Lewis, 789; Lincoln, 828; Livingston, 607; Logan, 874; Lyon, 741; McCracken 666; McCreary, 730; McLean, 745; Madison, 862; Magoffin, 641; Marion, 836 Marshall, 691; Mason, 862; Meade, 750, Menifee, 686; Mercer, 869; Metcalfe, 730, Monroe, 730; Montgomery, 907; Morgan, 720; Muhlenberg, 686; Nelson, 872; Nicholas, 882; Ohio, 680; Oldham, 811; Owen, 887; Owsley, 680; Pendleton, 840; Perry, 599; Pike, 740; Powell, 635; Pulaski, 765, Robertson, 808; Rockcastle, 736; Rowan, 720; Russell, 748; Scott, 980; Shelby, 914; Simpson, 891; Spencer, 810; Taylor, 799; Todd, 780; Trigg, 761; Trimble, 940; Union, 785; Warren, 894; Washington, 858; Wayne, 830; Webster, 796; Whitley, 659; Wolfe, 725; and Woodford, 1,006

Missouri: Adair, 854; Andrew, 965; Atchison, 860; Bates, 716; Bollinger, 641; Boone, 809; Buchanan, 965; Caldwell, 934; Calloway, 916; Cape Girardeau, 748; Carroll, 864; Carter, 500; Cass, 874; Charlton, 889; Clay, 965; Clinton, 965; Cole, 799; Cooper, 890; Daviess, 937; DeKalb, 937; Gentry, 862; Grundy, 878; Holt, 860; Howard, 866; Howell, 858; Jackson, 962; Knox, 828; Lafayette, 937; Lawrence, 600; Lewis, 800; Lincoln, 972; Linn, 916; Livingston, 801; McDonald, 854; Macon, 922; Maries, 600; Marion, 826; Mercer, 682; Miller, 533; Monroe, 922; Moniteau, 910; Oregon, 942; Pike, 814; Platte, 965; Randolph, 801; Ray, 937; Reynolds, 500; St. Clair, 845; Saline, 908; Schuyler, 808; Scotland, 808 Scott, 748; Shelby, 876; Stone, 666; Taney, 700; Warren, 600; Webster, 748; and Worth, 850.

North Carolina: Alleghany, 981; Ashe, 987; Avery, 948; Buncombe, 927; Burke, 856; Caldwell, 852; Cherokee, 896; Clay, 938; Cleveland, 826; Davidson, 827; Davie, 927; Durham, 600; Forsyth, 762; Gasten 762; Graham, 944; Haywood, 943; Henderson, 871; Jackson, 928; McDowell, 841; Macon, 880; Madison, 900; Mecklenburg, 887; Mitchell, 926; Polk, 762; Rutherford, 725; Swain, 874; Transylvania, 936; Watauga, 997; Wilkes, 730; and Yancey, 926.

Ohio: Adams, 829; Belmont, 1,312; Brown, 863; Butler, 761; Clark, 678; Clermont, 859; Clinton, 831; Coshocton, 901; Fairfield, 897; Fayette, 857; Gallia, 955; Greene, 1,028; Guernsey, 901; Hamilton, 863; Highland, 922; Hocking, 901; Jackson, 938; Knox, 1,000; Lawrence, 852; Meigs, 771; Miami, 987; Monroe, 781; Montgomery, 988; Morgan, 901; Muskingum, 901; Noble, 871; Pickaway, 994; Pike, 782; Preble, 817; Ross, 897; Scioto, 837; Shelby, 988; Union, 725; Vinton, 813; Warren, 867; and Washington, 1,106.

Oklahoma: Delaware, 850; and Mayes, 850.

South Carolina: Abbeville, 875; Anderson, 875; Cherokee, 871; Chester, 875; Greenville, 870; Laurens, 875; McCormick, 875; Oconee, 874; Pickens, 874; Saluda, 875; Spartanburg, 868; Union, 875; and York, 835.

Tennessee: Anderson, 825; Bedford, 835; Bledsoe, 740; Blount, 980; Bradley, 869; Campbell, 860; Cannon, 735; Carter, 993; Cheatham, 900; Claiborne, 960; Clay, 735; Cocke, 880; Coffee, 630; Cumberland, 702; Davidson, 886; DeKalb, 815; Dickson, 879; Dyer, 934; Fentress, 762; Franklin, 802; Giles, 799; Grainger, 1,000; Greene, 925; Grundy, 680; Hamblen, 994; Hamilton, 732; Hancock, 997; Hawkins, 915; Hickman, 788; Houston, 900; Humphreys, 721; Jackson, 815; Jefferson, 1,003; Johnson, 1,112; Knox, 982; Lawrence, 784; Lewis, 676; Lincoln, 835; Loudon, 934; McMinn, 860; Macon, 830; Marion, 787; Marshall, 831; Maury, 842; Meigs, 810; Monroe, 880; Montgomery, 785; Moore, 846; Morgan, 602; Obion, 880; Overton, 769; Perry, 670; Pickett, 810; Polk, 793; Putnam, 822; Rhea, 885; Roane, 865; Robertson, 840; Rutherford, 810; Scott, 740; Sequatchie, 760; Sevier, 970; Smith, 840; Stewart, 791; Sullivan, 960; Sumner, 845; Trousdale, 840; Unicoi, 900; Union, 930; Van Buren, 610; Warren, 702; Washington, 980; Wayne, 770; White, 905; Williamson, 845; and Wilson, 869.

Virginia: Albemarle, 825; Amelia, 825; Amherst, 825; Appomatox, 825; Bedford, 875; Bland, 1,149; Botetourt, 950; Brunswick, 975; Buchanan, 960; Buckingham, 960; Campbell, 825; Carroll, 875; Charlotte, 825; Chesterfield, 825; Cumberland, 849; Dickenson, 960; Dinwiddie, 825; Floyd, 1,000; Fluvanna, 850; Franklin, 825; Frederick, 900; Giles, 825; Goochland, 825; Grayson, 1,090; Halifax, 825; Henrico, 850; Lee, 1,000; Lunenburg, 800; Mecklenburg, 860; Montgomery, 1,000; Nottoway, 825; Orange, 800; Powhatan, 860; Patrick, 825; Prince Edward, 850; Pulaski, 1,000; Rockbridge, 850; Russell, 1,190; Scott, 1,030; Smyth, 1,125; Spotsylvania, 900; Tazewell, 1,200; Washington, 1,125; Wise, 960; and Wythe, 1,027.

West Virginia: Boone, 683; Cabell, 698; Clay, 641; Jackson, 723; Kanawha, 630; Lincoln, 640; Logan, 611; Mason, 762; Mercer, 1,190; Mingo, 741; Monroe, 1,175; Putnam, 659; Roane, 660; Wayne, 737; Wirt, 628; and Wood, 609.

(iv) The 1942 county average yields of dark air-cured tobacco, as established by the Secretary, are as follows:

Counties and yields per acre in pounds:

Indiana: Dubois, 865; Perry, 1,092; Pike, 730; Posey, 860; Spencer, 872; and Warrick, 825.

Kentucky: Allen, 950; Breckinridge, 795; Butler, 808; Caldwell, 830; Calloway, 830; Carlisle, 857; Christian, 825; Crittenden, 851; Daviess, 920; Fulton, 851; Graves, 818; Grayson, 738; Hancock, 990; Hardin, 1,100; Henderson, 910; Hickman, 857; Hopkins, 796; Logan, 860; Lyon, 840; McCracken, 829; McLean, 875; Marshall, 808; Monroe, 850; Muhlenberg, 737; Ohio, 850; Simpson, 960; Todd, 800; Trigg, 835; Union, 860; Warren, 965; and Webster, 840.

Missouri: Ripley, 860; and Texas, 860.

Tennessee: Bedford, 750; Benton, 822, Carroll, 586; Giles, 837; Henry, 809; Jackson, 800; Lewis, 600; Macon, 861; Montgomery, 855; Obion, 860; Overton, 659; Pickett, 660; Robertson, 824; Sumner, 836; Trousdale, 666; Warren, 650; Weakley, 830; and Williamson, 700.

(v) The 1942 county average yields of Virginia Sun-cured tobacco, as established by the Secretary, are as follows:

Counties and yields per acre in pounds:

Virginia: Amelia, 830; Buckingham, 795; Caroline, 1,000; Charlotte, 850; Chesterfield, 840; Cumberland, 830; Dinwiddie, 800; Essex, 945; Fluvanna, 800; Goochland, 750; Hanover, 840; Henrico, 850; King and Queen, 909; King William, 910; Louisa, 800; Lunenburg, 800; Powhatan, 830; Prince George, 750; and Spotsylvania, 835.

(vi) The 1942 county average yields of cigar filler tobacco, Type 41, as established by the Secretary, are as follows:

Counties and yields per acre in pounds:

Pennsylvania: Berks, 1,218; Chester, 1,381; Dauphin, 1,148; Lancaster, 1,278; Lebanon, 1,200; and York, 1,293.

(vii) The 1942 county average yields of cigar filler and binder tobacco (other than Types 41 and 45) as established by the Secretary, are as follows:

Counties and yields per acre in pounds:

Connecticut: Fairfield 1,500; Hartford, 1,586; Litchfield, 1,500; Middlesex, 1,500; and Tolland, 1,585.

Illinois: Boone, 1,000.

Indiana: Randolph, 896; and Wayne, 896.

Massachusetts: Franklin, 1,568; Hampden, 1,568; and Hampshire, 1,568.

Minnesota: Benton, 914; Fillmore, 956; Freeborn, 1,021; Houston, 1,000; Meeker, 1,065; Mille Lacs, 1,010; Sherburne, 893; Scott, 1,000; Stearns, 1,237; and Winona, 686.

New Hampshire: Cheshire, 1,489.

New York: Cayuga, 1,187; Chemung, 1,298; Onondaga, 1,262; Oswego, 1,148; Steuben, 1,231; and Wayne, 1,185.

Ohio: Butler, 1,155; Clark, 968; Darke, 936; Greene, 1,032; Miami, 951; Montgomery, 991; Preble, 975; Shelby, 898; and Warren, 1,081.

Pennsylvania: Bradford, 1,130; Northumberland, 1,268; Clinton, 1,297; Juniata, 1,402; Lycoming, 1,375; Snyder, 1,280; Tioga, 1,099; and Union, 1,375.

Vermont: Windham, 1,489.

Wisconsin: Barron, 1,058; Buffalo, 1,200; Chippewa, 1,239; Columbia, 1,303; Crawford, 1,371; Dane, 1,390; Dunn, 1,045; Grant, 1,243; Green, 1,308; Jackson, 1,103; Jefferson, 1,278; Juneau, 1,031; La Crosse, 1,355; Monroe, 1,316; Richland, 1,369; Rock, 1,342; St. Croix, 1,356; Sauk, 1,354; Trempealeau, 1,155; and Vernon, 1,329.

(viii) The 1942 county average yields of Georgia-Florida Type 62 tobacco, as established by the Secretary, are as follows:

Counties and yields per acre in pounds:

Georgia: Decatur, 1,047; and Grady, 1,050.

Florida: Gadsden, 1,019; Leon, 900; and Madison, 970.

(Secs. 7 to 17, as amended, 49 Stat. 1148, 1915; 50 Stat. 329; 52 Stat. 31, 204, 205; 53 Stat. 550, 573; 54 Stat. 216, 727; 16 U.S.C. 1940 ed. 590g–590q; 55 Stat. 257, 860; Pub. Law 439, approved February 6, 1942)

Done at Washington, D. C., this 14th day of January 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Assistant Secretary of Agriculture.

[F. R. Doc. 43-774; Filed, January 15, 1943; 11:25 a. m.]

Chapter XI—Food Distribution Administration

[Food Directive 1]

PART 1400—DELEGATIONS OF AUTHORITY

DELEGATION OF AUTHORITY WITH RESPECT TO RATIONING CONTROL OF PROCESSED FOODS

§ 1400.1 *Food Directive 1; processed foods.* (a) In order to permit the effective rationing of processed foods the authority heretofore delegated to the Office of Price Administration by the War Production Board in Directive No. 1 and all supplements thereto relating to food is hereby extended to include the exercise of control over the sale, transfer, delivery or other disposition of processed foods by any person or to any person and to the acquisition, use or distribution of processed foods by any person. The authority delegated by War Production Board Directive No. 1 and supplements thereto is hereby ratified and confirmed in all respects insofar as it affects food.

(b) The authority delegated herein shall not include the power to limit or restrict the quantity of processed foods which may be obtained by or for any agency of the United States for export to, and consumption or use in, any foreign country or by or for the Army, Navy, Marine Corps, Coast Guard, War Shipping Administration, Food Distribution Administration, or Office of Lend Lease Administration.

(c) The authority herein conferred shall also include the power to regulate or prohibit the sale, transfer, delivery or other disposition of processed foods to, or the acquisition or use of processed foods by, any person who has acted in violation of any rationing, allocation or restriction order or regulation concerning food issued by the Office of Price Administration.

(d) As used in this Directive, the term "processed foods" means and includes:

(1) All fruits, fruit juices, vegetables, vegetable juices, soups, baby foods of all kinds, fish, shellfish, and milk packed in hermetically sealed containers of any type and sterilized by the use of heat.

(2) All jams, jellies, preserves, fruit butters, pickles and relishes.

(3) All frozen fruits and vegetables.

(4) All dried and dehydrated fruits and vegetables.

(5) All combinations of any of the foregoing with meat.

(6) All combinations of any of the foregoing.

(e) This Food Directive No. 1 shall become effective January 16th, 1943.

Issued this 16th day of January 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-876; Filed, January 18, 1943; 11:10 a. m.]

[Food Distribution Order 3, Amendment 1]

PART 1405—FRUITS AND VEGETABLES

RESTRICTIONS ON MANUFACTURE AND SALE OF CITRUS FRUIT JUICE

Section 1405.1 (g) (8 F.R. 255) is hereby amended to read as follows:

(g) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the United States Department of Agriculture, Food Distribution Administration, Washington, D. C., Ref: FD 3.

(E.O. 9280, 7 F.R. 10179)

Issued this 16th day of January 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-818; Filed, January 16, 1943; 11:40 a. m.]

[Food Distribution Order 1, Amendment 1]

PART 1404—BAKERY PRODUCTS

MANUFACTURE AND SALE OF BREAD AND ROLLS

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, Food Distribution Order No. 1,

Section 1404.1 (8 F.R. 11105), is amended by:

1. Striking out paragraph (a) (7);
2. Renumbering paragraphs (a) (8), (9) and (10), as paragraphs (a) (7), (8) and (9) respectively;
3. Striking out paragraph (b) (1) and inserting in lieu thereof:

(1) No baker may perform the process of twisting or cross-panning in the manufacture of any pan bread. The making of twin loaves shall not be construed as cross-panning under this restriction;

4. Inserting in paragraph (b) (2) after the words "sliced bread" the words "or rolls"; and after the words "may be sliced" the words "and sold to restaurants, hotels, institutions, or commissaries for service with meals";
5. Striking out in paragraph (b) (3) the word "double" after the words "except that" and inserting in lieu thereof the words "more than one";
6. Inserting in paragraph (b) (4) after the words "any bread" the words "or rolls";
7. Inserting in paragraph (b) (6) after the words "shall make" in the first line the words "in any one bakery"; after the words "he made" the words "in such bakery"; and after the words "any baker" the words "in or from such bakery";
8. Inserting in paragraph (b) (7) after the words "printing of bread" the words "or roll"; and
9. Striking out in paragraph (b) (9) the words "milk solids" and inserting in lieu thereof the words "solids of milk or skim milk" and adding at the end of said paragraph the following:

* * * *Provided*, That white bread other than pan bread may for a period of 90 days from the effective date of this order contain less than three parts of solids of milk or skim milk.

(E.O. 9280, 7 F.R. 10179)

Issued this 13th day of January 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-756; Filed, January 15, 1943; 11:26 a. m.]

[Food Distribution Order 4-2]

PART 1450—TOBACCO

RESTRICTIONS ON SALE AND ACQUISITION OF 1942 CROP BURLEY TOBACCO

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, Food Distribution Order No. 4, § 1450.1 (8 F.R. 335), is amended by striking out paragraph (b) (2) and inserting in lieu thereof:

§ 1450.1 *1942 crop burley tobacco, allocation and restrictions on acquisitions.* * * *

(b) *Restrictions.* * * *

(2) No person shall offer or cause to be offered for resale at auction burley tobacco of the 1942 crop, which has been sold after January 15, 1943, on an auction market.

(E.O. 9280, 7 F.R. 10179)

Issued this 16th day of January 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-877; Filed, January 18, 1943; 11:10 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter I—Aid of Civil Authorities and Public Relations

PART 5—SAFEGUARDING TECHNICAL INFORMATION

ADMISSION TO WAR DEPARTMENT OR COMMERCIAL MANUFACTURING ESTABLISHMENTS

Section 5.18 (c) (3) is hereby amended as follows:

§ 5.18 *Authority for admission.* * * *

(c) *United States citizens.* Subject to the approval of the commanding officer or the contractor, United States citizens, except those representing a foreign government, firm, or corporation, may be admitted to War Department or commercial manufacturing establishments engaged on classified work or projects under the following conditions:

* * * * *

(3) Accredited reporters, photographers, and other representatives of publicity agencies may be admitted to manufacturing establishments engaged on work for the War Department: *Provided*, Classified matter, projects, or processes of manufacture are not shown or discussed with them. News items, photographs, and motion pictures resulting from the visit must be submitted to the War Department Bureau of Public Relations for review prior to publication. (R.S. 161; 5 U.S.C. 22) [Par. 59c, AR 380-5, September 28, 1942, as amended by C 4, January 1, 1943]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-836; Filed, January 16, 1943; 2:39 p. m.]

PART 7—MANUFACTURE OF DECORATIONS

INSIGNIA; AUTHORIZATION FOR SALES

Section 7.3a is added and §§ 7.3 and 7.7 are amended as follows:

§ 7.3 *Medals, etc.* (a) Authority may be granted to sell or to manufacture:

* * * * *

(14) All insignia prescribed by the War Department with the exception of that mentioned in § 7.3a. (42 Stat. 1286 as amended by 45 Stat. 437; 10 U.S.C. 1425; 47 Stat. 342 as amended by 53 Stat. 752; 18 U.S.C. 76a, 76b) [Par. 4, AR 500-90, December 31, 1940, as amended by C3 December 31, 1942]

* * * * *

§ 7.3a *Certificate of authority.* No certificate of authority is required for the sale of cloth insignia such as chevrons, shoulder sleeve and other patch type insignia. (42 Stat. 1286 as amended by 45 Stat. 437; 10 U.S.C. 1425; 47 Stat. 342 as amended by 53 Stat. 752; 18 U.S.C. 76a, 76b) [Par. 4½, AR 600-90, December 31, 1940, as amended by C3, December 31, 1942]

§ 7.7 *Sales, to whom authorized—(a) Individuals.* * * *

(4) Insignia, including buttons, as distinguished from decorations, medals, and badges prescribed or authorized by the War Department, may be sold by authorized dealers only to persons who present official War Department identification indicating their right to wear such insignia.

(5) Insignia of grade, arm or service may be purchased by members of the State Guard who present official identification of such membership issued by a State adjutant general. The sale of buttons, cap devices, and other insignia authorized for use on uniforms of Federal forces to members of the State Guard is prohibited. (42 Stat. 1286 as amended by 45 Stat. 437; 10 U.S.C. 1425; 47 Stat. 342 as amended by 53 Stat. 752; 18 U.S.C. 76a, 76b) [Par. 8a, AR 600-90, December 31, 1940, as amended by C3, December 31, 1942]

* * * * *

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-862; Filed, January 18, 1943; 9:53 a. m.]

PART 15—REGULATIONS FOR CORRESPONDENTS ACCOMPANYING U. S. ARMY FORCES IN THE FIELD

ACCREDITED AND VISITING CORRESPONDENTS

Sections 15.2, 15.7, and 15.9 (b) are hereby amended as follows:

§ 15.2 *Definition.* The term "correspondent" as used in this manual includes journalists, feature writers, radio commentators, motion picture photographers, and still picture photographers accredited by the War Department to a theater of operations or a base command within or without the territorial limits of the United States in time of war. Correspondents are classed as "accredited" and "visiting." This manual pertains principally to the former. (See § 15.18 for instructions concerning visiting correspondents.) Correspondents have the status of noncombatants. (R.S. 161; Sec. 1 41 Stat. 787; 5 U.S.C. 22, 10 U.S.C. 1473) [Par. 2, F.M. 30-26, January 21, 1942, as amended by C 2, July 25, 1942]

§ 15.7 *Agreement — (a) Accredited correspondents.* Before final acceptance an accredited correspondent will be required to sign an agreement, in triplicate, as follows:

WAR DEPARTMENT
BUREAU OF PUBLIC RELATIONS
Washington
_____
(Date)

Agreement

In connection with authority granted by the War Department to me, the undersigned, to accompany _____
(Name of field force)
for the purpose of securing news or story material, still or motion pictures, or to engage in radio broadcasting, I subscribe to the following conditions:

1. That, as a civilian accredited to the Army of the United States within or without the territorial limits of the United States, I am subject to the Articles of War and all regulations for the Government of the Army issued pursuant to law.
2. That, I will govern my movements and actions in accordance with the instructions of the War Department and the commanding officer of the Army unit to which I am accredited, which includes the submitting for the purposes of censorship all statements, written material, and all photography intended for publication or release either while with the Army or after my return, if the interviews, written matter, or photography are based on my observations made during the period or pertain to the places visited under this authority. I further agree that I will submit for purposes of censorship all such material even though written after my return, if the interviews, written material, or statements are based on my observations made during the period or pertain to the places visited under this authority. This includes all lectures, public talks, "off the record" speeches, and all photography intended for publication or release, either while with the armed forces or after my return, if they are based upon my observations during this period or pertain to the places visited.
3. That, I waive all claims against the United States for losses, damages, or injuries which may be suffered as a result of this authority.
4. That, this authority is for the period _____ to _____ and subject to revocation at any time.
5. That at the termination of my assignment, I will surrender my credentials without delay to the Bureau of Public Relations, War Department.

Signed: _____
Representing: _____
(Company, syndicate, or agency)
Witnessing officer: _____
(Name)
_____
(Grade and organization)

This form will be executed in triplicate.

(b) *Visiting correspondents.* Visiting correspondents will sign the following form:

WAR DEPARTMENT
BUREAU OF PUBLIC RELATIONS
Washington
_____
(Date)

Agreement (Visiting)

In connection with recognition as a war correspondent outside the continental limits of the United States, granted by the War Department to me, the undersigned, for purpose of securing news or story material, still or motion pictures, or to engage in radio broadcasting I subscribe to the following conditions with reference to United States military and naval activities:

1. That as a civilian recognized as a war correspondent outside the continental limits of the United States, I am subject to the Articles of War and all regulations for the government of the Army issued pursuant to law, when with such forces.
2. That, I will govern my movements and actions in accordance with the instructions of the War Department and the commanding officer of the Army unit to which I am accredited, which includes submitting, for purposes of censorship, all statements or written material, lectures, public talks, "off the record" speeches, and all photography intended for publication or release either while with the Army or after my return, if the interviews, written matter, lectures, public talks, or "off the record" speeches are based on my observations made during the period or pertain to the places visted under this authority.

It is further understood and agreed that undeveloped film which cannot be processed and passed by the unit intelligence officer will be forwarded by him to the War Department.

3. That I waive all claims against the United States for losses, damages, or injuries which may be suffered as a result of this authority.
4. That this authority is subject to revocation at any time.
5. That at the termination of my assignment I will surrender my credentials without delay to the Bureau of Public Relations, War Department.

Signed: _____
Representing: _____
(Company, syndicate, or agency)
Witnessing officer: _____
(Name)
_____
(Grade and organization)

This form will be executed in triplicate. (R.S. 161; sec. 1, 41 Stat. 787; 5 U.S.C. 22, 10 U.S.C. 1473) [Par. 7, F.M. 30-26, January 21, 1942, as amended by C 2, July 25, 1942 and C 3, December 23, 1942]

§ 15.9 *Uniform.* * * *

(b) The uniform includes the official brassard worn on the left sleeve. This is a green cloth band, 4 inches wide, with a 2-inch white block letter "C" or "P", indicating the function of the correspondent. Journalists, feature writers, and radio commentators will wear "C" brassards. Photographers operating still or motion equipment will wear "P" brassards. (R.S. 161; sec. 1, 41 Stat. 787; 5 U.S.C. 22, 10 U.S.C. 1473) [Par. 9, F.M. 30-26, January 21, 1942, as amended by C 2, July 25, 1942]

* * * * *

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-775; Filed, January 15, 1943; 2:45 p. m.]

Chapter V—Military Reservations and National Cemeteries

PART 54—EXCHANGES

LIMITATIONS OF CERTAIN SALES TO ENLISTED MEN

Section 54.3 (b) (5) is hereby amended to read as follows:

§ 54.3 *Activities.* * * *

(b) *Limitations.* * * *

(5) The sale to enlisted men of regulation trousers, shirts, caps, belts, ties, socks, underwear, metal insignia and cloth insignia, such as chevrons, shoulder sleeve and other patch type insignia, is authorized. The sale of articles of the uniform, except those specified above, similar to, or as substitutes for those issued by supply services of the Army is forbidden. (R.S. 161; 5 U.S.C. 22) [Par. 9b, AR 210-65, July 1, 1941, as amended by C 3, December 30, 1942]

* * * * *

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-835; Filed, January 16, 1943; 2:39 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Amendment 61-2, C. A. Regs.]

PART 61—SCHEDULED AIR CARRIER RULES

PILOTS' COMPARTMENT; TRAINEES

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 8th day of January 1943.

Acting pursuant to sections 205 (a), 601, and 604 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective January 8, 1943, Part 61 of the Civil Air Regulations is amended as follows:

By adding a new subparagraph (7) to paragraph (c) of § 61.7803[1] to read as follows:

§ 61.7803 *Pilots' compartment.*

* * *

(c) * * *

(7) Pilot trainees in the employ of the air carrier. This provision shall terminate at the end of the war.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN, *Secretary.*

[F. R. Doc. 43-891; Filed, January 18, 1943; 12:03 p. m.]

[Amendment 61-3, C. A. Regs.]

PART 61—SCHEDULED AIR CARRIER RULES

DE-ICING EQUIPMENT FOR AIR CARRIER OPERATIONS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 13th day of January 1943.

Acting pursuant to sections 205 (a), 601, and 604 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective January 13, 1943, Part 61 of the Civil Air Regulations is amended as follows:

By striking § 61.7700 and inserting in lieu thereof the following:

§ 61.7700 *Icing conditions.* No air carrier shall dispatch or operate aircraft in air transportation through any known or probable icing condition unless the aircraft is equipped for de-icing wings, propellers; and for such other parts of the aircraft as the Administrator may prescribe to assure safety of the flight under the particular conditions to be encountered. When an icing condition is encountered in flight the pilot shall, if possible, immediately notify his radio ground station of such fact and the company shall immediately transmit such information to the nearest office of the United States Weather Bureau in accordance with § 61.733.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN, *Secretary.*

[F. R. Doc. 43-892; Filed, January 18, 1943; 12:03 p. m.]

[1] 6 F.R. 1334, 5485; 7 F.R. 1664, 8 F.R. 65

Chapter II—Office of the Administrator of Civil Aeronautics

PART 532—REPRODUCTION AND DISSEMINATION OF CURRENT EXAMINATION MATERIALS

PROHIBITION

JANUARY 15, 1943.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and finding that this action is required to best effectuate the policies of said Act, and is desirable in the public interest, I hereby issue the following regulation:

§ 532.1 *Prohibition against the reproduction and dissemination of current examination materials.* No person shall use, reproduce, publish, or disseminate in whole or in part, without the consent of the Administrator:

(a) Any examination questions in use by the Administration for the examination of applicants for airman or ground instructor certificates, or

(b) Any material which purports to be a key sheet of specific answers to any multiple choice examination paper in use by the Administration for the examination of applicants for airman or ground instructor certificates.

This regulation shall become effective January 1, 1943.

C. I. STANTON, *Administrator.*

[F. R. Doc. 43-865, Filed, January 18, 1943; 10:07 a. m.]

PART 600—DESIGNATION OF CIVIL AIRWAYS

[Amendment 16]

REDESIGNATION OF AMBER CIVIL AIRWAY NO. 2; DELETION OF BOUNDARY, ALASKA, TO FAIRBANKS, ALASKA, CIVIL AIRWAY

JANUARY 13, 1943.

Acting pursuant to the authority vested in me by section 302 of the Civil Aeronautics Act of 1938, as amended, I hereby amend Part 600 of the regulations of the Administrator of Civil Aeronautics as follows:

1. By amending § 600.10101 *Amber Civil Airway No. 2* to read as follows:

§ 600.10101 *Amber civil airway No. 2 (Daggett, Calif., to U. S.—Canadian Border).* From the Daggett, Calif., radio range station, via the Silver Lake, Calif., radio range station; the intersection of the center lines of the on course signals of the northeast leg of the Silver Lake, Calif., radio range and the Southwest leg of the Las Vegas, Nev., radio range; Las Vegas, Nev., radio range station; Mormon Mesa, Nev., radio range station; Enterprise, Utah, radio range station; Milford, Utah, radio range station; Delta, Utah, radio range station; Tintic, Utah, radio range station; the intersection of the center lines of the on course signals of the northeast leg of the Tintic, Utah, radio range and the south leg of the Salt Lake City, Utah, radio range; to the Salt Lake City, Utah, radio range station. From the Ogden, Utah, radio range station, via the Plymouth, Utah, radio range station; Pocatello, Idaho, radio range station; Idaho Falls, Idaho, radio range station; Dubois, Idaho, radio range station; Dillon, Mont., radio range station; Whitehall, Mont., radio range station; Helena, Mont., radio range station; the intersection of the center lines of the on course signals of the north leg of the Helena, Mont., radio range and the southwest leg of the Great Falls, Mont., radio range; Great Falls, Mont., radio range station; to the intersection of the center line of the on course signal of the southeast leg of the Lethbridge, Alberta, Canada, radio range and the U. S.-Canadian border. From the intersection of the center line of the on course signal of the southeast leg of the Northway, Alaska, radio range and the U. S.-Canadian Border, via the Northway, Alaska, radio range station, the Tanacross, Alaska, radio range station, Big Delta, Alaska, radio range station, and the intersection of the center lines of the on course signals of the northwest leg of the Big Delta radio range and the south leg of the Fairbanks, Alaska, radio range, to the Fairbanks, Alaska, radio range station.

2. By striking § 600.10405 *Boundary, Alaska, to Fairbanks, Alaska, Civil Airway.*

This amendment shall become effective 0001 E. W. T. January 30, 1943.

C. I. STANTON, *Administrator.*

[F. R. Doc. 43-863; Filed, January 18, 1943; 10:07 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4872]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

PURITY CANDY COMPANY

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* In connection with offer, etc., of candy, or any other merchandise, (1) supplying, etc., others with push or pull cards, punch boards, or other lottery devices, either with assortments of candy or other merchandise or separately, which said push or pull cards, punch boards or other lottery devices are to be used or may be used in selling or distributing such candy or other merchandise to the public; (2) selling, etc., candy or any merchandise so packed and assembled that sales of said candy or other merchandise to the public are to be made or, due to the manner in which such merchandise is packed and assembled at the time it is sold by respondents, may be made by means of a game of chance, gift enterprise or lottery scheme; and (3) selling, etc., any merchandise by means of a game of chance, gift enterprise or lottery scheme; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45 (b) [Cease and desist order, Purity Candy Company, Docket 4872, January 5, 1943]

In the Matter of Peter Anastasoff and James Anastasoff, Individuals, Trading as Purity Candy Company

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 5th day of January, A. D. 1943.

This proceeding having been heard by the Federal Trade Commisison upon the complaint of the Commission and the answer of respondents, in which answer respondents admit all the material allegations of fact set forth in said complaint and state that they waive all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusion that said respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, Peter Anastasoff and James Anastasoff, individually and trading as Purity Candy Company, or trading under any other name, and their representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of candy or any other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Supplying to or placing in the hands of other push or pull cards, punch boards or other lottery devices, either with assortments of candy or other merchandise or separately, which said push or pull cards, punch boards or other lottery devices are to be used or may be used in selling or distributing such candy or other merchandise to the public.

2. Selling or distributing candy or any merchandise so packed and assembled that sales of said candy or other merchandise to the public are to be made or, due to the manner in which such merchandise is packed and assembled at the time it is sold by respondents, may be made by means of a game of chance, gift enterprise or lottery scheme.

3. Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise or lottery scheme.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-760; Filed, January 15, 1943; 11:27 a. m.]

[Docket No. 4708]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

JOSEPH G. BRANCH INSTITUTE OF ENGINEERING AND SCIENCE

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Individual or private business as educational, religious or research institution:* § 3.96 (b) *Using misleading name—Vendor—Individual or private business being educational, religious or research institution.* In connection with offer, etc., in commerce, or respondent's courses of study or instruction, and among other things, as in order set forth, (1) using the word "Institute", or any abbreviation or simulation thereof, as a part of respondent's trade name or as a part of the name of respondent's school; or otherwise representing, directly or by implication, that respondent's school is an institute or that it was organized or established or is equipped to carry on the work of an institute; (2) using the word "University", or any abbreviation or simulation thereof, to designate, describe, or refer to respondent's school; or otherwise representing, directly or by implication, that the business conducted by respondent is a university or an educational institution of higher learning; or (3) representing, through the use of the word "University" or any other word, or by any other means, that respondent's school is an educational institution of higher learning with power to confer degrees; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Joseph G. Branch Institute of Engineering and Science, Docket 4708, January 5, 1943]

§ 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Individual or private business as educational, religious or research institution.* In connection with offer, etc., in commerce, of respondent's courses of study or instruction, and among other things, as in order set forth, representing, through the issuance of so-called degrees or other documents which purport to have been issued by a duly qualified educational institution of higher learning authorized to confer academic or scientific title or rank, that respondent's school is a university or institution of higher learning; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Joseph G. Branch Institute of Engineering and Science, Docket 4708, January 5, 1943]

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Government endorsement:* § 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Reputation, success or standing:* § 3.18 *Claiming indorsements or testimonials falsely.* In connection with offer, etc., in commerce, of respondent's courses of study or instruction, and among other things, as in order set forth, using the words "officially recognized", or any other word or words of similar import, in connection with respondent's school; or otherwise representing, directly or by implication, that respondent's school is recognized or approved as an institution of learning by the United States Government or any state of the United States, or by any agencies thereof; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Joseph G. Branch Institute of Engineering and Science, Docket 4708, January 5, 1943]

§ 3.69 (5) *Misrepresenting oneself and goods—Business status, advantages or connections—Government indorsement, sanction or sponsorship:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Reputation, success or standing.* In connection with offer, etc., in commerce, of respondent's courses of study or instruction, and among other things, as in order set forth, (1) representing, through the use of certificates of acknowledgment or authentication executed by notaries public or other public officials and affixed to so-called diplomas and degrees or other similar documents, that respondent's school is an institution of learning recognized by the Government of the United States or by any state of the United States; or (2) representing in any other manner or by any other means, either directly or indirectly, that respondent's school is an accredited institution, or that the so-called diplomas or degrees or any other similar documents issued by it are recognized or accepted by any governmental agency or any reputable college or university; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Joseph G. Branch Institute of Engineering and Science, Docket 4708, January 5, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 5th day of January, A. D. 1943.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence in support of and in opposition to the allegations of the complaint taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence and the exceptions to such report, briefs in support of and in opposition to the complaint, and oral argument; and the Commission having made its findings as to the facts[1] and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act.

It is ordered, That the respondent, Joseph G. Branch, individually and trading as Joseph G. Branch Institute of Engineering and Science, or trading under any other name, and his agents, representatives and employees, directly or through any corporate of other device, in connection with the offering for sale, sale and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of respondent's courses of study or instruction, do forthwith cease and desist from:

1. Using the word "Institute," or any abbreviation or simulation thereof, as a part of respondent's trade name or as a part of the name of respondent's school; or otherwise representing, directly or by implication, that respondent's school is an institute or that it was organized or

[1] Filed as part of the original document.

established or is equipped to carry on the work of an institute.

2. Using the word "University," or any abbreviation or simulation thereof, to designate, describe, or refer to respondent's school; or otherwise representing, directly or by implication, that the business conducted by respondent is a university or an educational institution of higher learning.

3. Representing, through the use of the word "University" or any other word, or by any other means, that respondent's school is an educational institution of higher learning with power to confer degrees.

4. Representing, through the issuance of so-called degrees or other documents which purport to have been issued by a duly qualified educational institution of higher learning authorized to confer academic or scientific title or rank, that respondent's school is a university or institution of higher learning.

5. Using the words "officially recognized," or any other word or words of similar import, in connection with respondent's school; or otherwise representing, directly or by implication, that respondent's school is recognized or approved as an institution of learning by the United States Government or any state of the United States, or by any agencies thereof.

6. Representing, through the use of certificates of acknowledgment or authentication executed by notaries public or other public officials and affixed to so-called diplomas and degrees or other similar documents, that respondent's school is an institution of learning recognized by the Government of the United States or by any state of the United States.

7. Representing in any other manner or by any other means, either directly or indirectly, that respondent's school is an accredited institution, or that the so-called diplomas or degrees or any other similar documents issued by it are recognized or accepted by any governmental agency or any reputable college or university.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-867; Filed, January 18, 1943; 10:27 a. m.]

TITLE 21—FOODS AND DRUGS

Chapter I—Food and Drug Administration

[Docket Nos. 12 and 29]

PART 19—CREAM CHEESE, NEUFCHATEL, CHEESE, COTTAGE CHEESE, AND CREAMED COTTAGE CHEESE: DEFINITIONS AND STANDARDS OF IDENTITY

ORDER CHANGING EFFECTIVE DATE

An order having been issued on December 22, 1942, (7 F.R. 10755, 10835) promulgating regulations fixing and establishing definitions and standards of identity for cream cheese, neufchatel cheese, cottage cheese, and creamed cottage cheese, which standards exclude as optional ingredients, sodium, and calcium propionates; and a notice having been issued this day, of a hearing to be held upon a proposal to amend said definitions and standards to include as optional ingredients sodium propionate and calcium propionate;

Now, therefore, it is ordered, That notwithstanding the provisions of the last paragraph of said order dated December 22, 1942, and in lieu of the effective date therein specified, such regulations shall, to the extent that such standards exclude sodium and calcium propionate, become effective on the ninetieth day after the date of publication in the FEDERAL REGISTER of the final order issued with respect to said proposal to amend such standards.

[SEAL] WATSON B. MILLER,
Acting Administrator.

JANUARY 16, 1943.

[F. R. Doc. 43-889; Filed, January 18, 1943; 11:57 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter III—Proclaimed List of Certain Blocked Nationals

CUMULATIVE SUPPLEMENT 3, JANUARY 16, 1943 TO REVISION IV OF NOVEMBER 12, 1942

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, the Secretary of Commerce, the Board of Economic Warfare, and the Coordinator of Inter-American Affairs, by Proclamation 2497 of the President of July 17, 1941 (6 F.R. 3555), the following Supplement 3[1] containing certain additions to, amendments to, and deletions from The Proclaimed List of Certain Blocked Nationals, Revision IV of November 12, 1942 (7 F.R. 9510), is hereby promulgated.

By direction of the President:

CORDELL HULL,
Secretary of State.
RANDOLPH PAUL,
Acting Secretary of the Treasury.
FRANCIS BIDDLE,
Attorney General.
JESSE H. JONES,
Secretary of Commerce.
MILO PERKINS,
Executive Director,
Board of Economic Warfare.
NELSON A. ROCKEFELLER,
Coordinator of Inter-American Affairs.

JANUARY 16, 1943.

[F. R. Doc. 43-815; Filed, January 16, 1943; 10:44 a. m.]

[1] Filed with the Division of the Federal Register. Inquiries should be addressed to the Department of State.

TITLE 24—HOUSING CREDIT

Chapter IV—Home Owners' Loan Corporation

[Bulletin 156]

PART 403—PROPERTY MANAGEMENT DIVISION

MISCELLANEOUS AMENDMENTS

The fifth paragraph of § 403.00 shall be amended to read as follows:

§ 403.00 *Jurisdiction.* * * *

Public improvements. The Regional Manager, with the advice of the Regional Counsel, may in his discretion bind the Corporation to expend such sums for sidewalks, street improvements or other local improvements affecting property under the jurisdiction of the Property Management Division, or for the general improvement of the neighborhood in which any such property is located, as he may deem to be for the interest of the Corporation, and may on behalf of the Corporation join in and sign petitions or requests therefor, subject to limitations prescribed in § 403.14. Consents to proposed improvements out of which assessments or levies will arise shall be executed pursuant to the provisions of Part 2 of this chapter.

The first and second paragraphs of § 403.06–10 shall be amended to read as follows:

§ 403.06–10 *Listing procedure.* It shall be the responsibility of the Analysis Section to furnish to the Listing Subsection pertinent data in order to enable that Subsection to prepare a specific listing of the property either for sale or rent, or jointly for sale and rent and to forward such listing to the Contract Broker who has been designated for that purpose. The preparation of listings with brokers and the maintenance of appropriate records will be performed by the Listing Subsection of the Regional Office. The Assistant Regional Manager in charge of Property Management shall designate the Contract Broker with whom the property is to be listed.

When the property is listed with a Contract Sales Broker, the Corporation shall distribute, on authorized forms, listings of any such property to Approved Sales Brokers within a reasonably effective area of the property. In cases where the use of standard listing forms is not expedient, properties may be listed with brokers by letter or other means deemed appropriate by the Assistant Regional Manager in Charge of Property Management.

The fourth paragraph of § 403.07–1 shall be amended to read as follows:

§ 403.07–1 *Sales broker's commissions.* * * *

Conditional authorization of sale. Notwithstanding any other provision of this section, the Home Office Property Committee, Regional Property Committee or Regional Manager, when authorizing the acceptance of a specific offer to purchase, may issue such authorization upon the condition that the broker effecting the sale shall agree to a commission below the rate established by the Corporation for the particular locality, or that the Contract Sales Broker shall agree to accept as his override commission an amount smaller than provided in this section.

The first and second paragraphs of § 403.10 shall be amended to read as follows:

§ 403.10 *Plans and terms of sale.* The General Manager, with the approval of the General Counsel, is authorized to determine the plans of sale of real properties under the jurisdiction of the Property Management Division and of any leasehold or other interests therein. The General Manager is authorized to determine the terms of payment for the sale of such properties or interest therein: *Provided, however*, That in no event shall the term of repayment under any mortgage or other security instrument or instalment or like contract exceed fifteen years from the date of delivery of the deed or of such contract. The General Manager is authorized to dispose of any personal property, or any right or interest therein, acquired by the Corporation and under the jurisdiction of the Property Management Division, in such manner and for such consideration as he may determine. The authority herein vested in the General Manager may be exercised also by the Regional Manager, under procedure and limitations elsewhere provided in the Regulations.

The Regional Manager shall have authority to effect sales of real properties under the jurisdiction of the Division and of any leasehold or other interests therein at or above the minimum sales price which shall be fixed in accordance with established procedure. Once a minimum sales price has been fixed in accordance with established procedure such price need not be revised by reason of subsequently authorized expenditures for reconditioning or other purposes unless such expenditures in the opinion of the Regional Manager enhance the value of the property. In cases where the value of the property is enhanced the new minimum sales price then shall be established by the Regional Manager. In those cases where the General Manager, Deputy General Manager in Charge, Home Office or Regional Property Committee has not established a minimum sales price for the property "as is" but has established such a price "as reconditioned" in accordance with a specific reconditioning program, the Regional Manager may determine to hold the property "as is" or to proceed only with limited repairs. In such cases he is authorized to reduce the minimum sales price previously set by such amount as, in his opinion, is appropriate but in no event by an amount in excess of the estimated cost of reconditioning items which he determines should not be performed. The authority granted to the Regional Manager in this paragraph shall not be exercised in any case where the General Manager, Deputy General Manager in Charge, Home Office or Regional Property Committee has directed otherwise.

The concluding paragraph of § 403.10 shall be amended to read as follows:

Tax and insurance accounts in term sales. Obligations taken for the unpaid balance of the purchase price in connection with the sale of real property, or of any interest therein, shall provide for interest at the rate of 4½% per annum. In sales on terms, the purchaser shall be required (a) to establish and maintain a Tax and Insurance Account pursuant to the provisions of Part 2 of this Chapter, (b) to pay into such account at time of sale closing a lump sum in such amount, if any, as the Corporation may estimate to be necessary to avoid deficiencies in such account during the 12 months next succeeding the sale closing, and (c) to furnish insurance pursuant to Part 2 of this Chapter. In sales on terms, the General Manager may generally or specially authorize or approve the waiver by the Corporation of payment by the purchaser at or prior to sale closing of all or any part of the cash down payment on account of the purchase price, if the amount so waived is included in the purchaser's note, bond or installment contract and if the purchaser in writing agrees to such arrangement. In sales on terms, the General Manager may also generally or specially authorize or approve the addition to the purchaser's note, bond or installment contract of all or any part of any moneys payable by the purchaser at or prior to the sale closing for credit to the Tax and Insurance Account and of all or any part of any net adjustment found to be due the Corporation at time of sale closing. In sales on terms, any net adjustment found to be due the purchaser at sale closing in excess of any amounts then payable by the purchaser for credit to the Tax and Insurance Account shall not be applied in reduction of the cash down payment or of the principal amount of the purchaser's note, bond or installment contract, but shall be applied to the purchaser's account subsequent to the sale closing either in direct reduction of principal or as a prepayment, as the purchaser shall elect. The authority in this paragraph vested in the General Manager may also be exercised by the Regional Manager.

Section 403.10–2 (c) shall be amended to read as follows:

§ 403.10–2 *Functions.* * * *

(c) Maintain an active up-to-date record of all inquiries received in the Regional Office from prospective purchasers and advise the Contract Sales Broker with whom the property is listed of such inquiries.

Section 403.10–12 shall be amended to read as follows:

§ 403.10–12 *Preparation of Form PM–412 and of agreement for sale of real estate.* The prospective purchaser shall be required to submit a credit statement on Form PM–412 on which the Contract Sales Broker shall endorse his recommendation. The Corporation's approved form of agreement for the sale of real estate will then be prepared. This agreement may be prepared in the Regional Office, or the Contract Sales Broker may cause such agreement to be prepared. Form PM–412, the agreement for the sale of real estate, and the prospective purchaser's deposit shall then be transmitted by the broker to the Regional Office. Upon receipt of these papers, a credit report shall be obtained by the Property Management Division from an established credit reporting agency unless such report has previously been ordered. The representations made by the prospective purchaser on Form PM–412 shall be checked by the Regional Manager who shall endorse thereon his decision as to the acceptability of the prospective purchaser as a credit risk. In all cases where the cash payment offered by the prospective purchaser is equal to or in excess of 25% of the purchase price, the credit report may be waived.

Section 403.10–13 *Submission of file to Regional Office* shall be revoked.

Section 403.10–14 shall be amended to read as follows:

§ 403.10–14 *Execution of agreement for sale.* Any agreement for the sale of real estate, signed by a purchaser whose credit standing is satisfactory to the Regional Manager, may be executed on behalf of the Corporation when the amount of the offer is not less than the minimum sales price and the terms thereof conform to the regulations. Such agreement may be referred to the Regional Counsel for advice as to its legal sufficiency and the time therein provided for closing. Upon the execution of such agreement on behalf of the Corporation one executed copy thereof shall be promptly transmitted to the purchaser, either directly or through the Contract Sales Broker, and the Contract Sales Broker shall be advised of the execution of the agreement by the Corporation. When the executed agreement for sale provides that the Corporation shall furnish title evidence in addition to that then held by it, the Property Management Division shall at the same time transmit or cause to be transmitted direct to the Regional Counsel all title evidence in the case which is available in the Regional Office and the original executed agreement of sale.

Section 403.10–16 shall be amended to read as follows:

§ 403.10–16 *Preparation for closing.* Promptly upon the execution on behalf of the Corporation of the agreement for the sale of real estate, the Property Management Division shall transmit or cause to be transmitted to the Regional Counsel the agreement for sale and all available title evidence, instruments and insurance, tax and other information in pursuance of the general advice of the Regional Counsel.

The Regional Counsel shall advise the Regional Manager generally of the title evidence, instruments and insurance tax, and other information which the Property Management Division shall assemble in order to enable the Legal Department to close sales in each jurisdiction within the Region.

Section 403.10–19 shall be amended to read as follows:

§ 403.10–19 *Preparation of agreements for sale.* Agreements for the sale of real estate may be prepared by Contract Sales Brokers and by salaried personnel of the Property Management Division on approved Corporation forms.

In special and unusual cases the Property Management Division may request the Regional Counsel to prepare such agreements.

Section 403.10–20 shall be amended to read as follows:

§ 403.10–20 *Instructions for such preparation.* The Regional Manager, with the advice and approval of the Regional Counsel, shall issue from time to time for each State within the Region general instructions relating to the preparation of agreements for the sale of real estate, adjustments, leases, and other pertinent matter to be provided for in such agreements. The Regional Manager may issue specific instructions or directions with respect to the preparation of any particular agreement for the sale of real estate. General and special instructions shall not be inconsistent with the regulations of the Corporation. Copies of such general instructions shall be furnished to the Regional Counsel and the Supervising Auditor, and three copies shall be forwarded to the Deputy General Manager in Charge of Property Management for distribution to the Associate General Counsel and the Auditor.

The first paragraph of § 403.10–31 shall be amended to read as follows:

§ 403.10–31 *Provisions in Form 653–B.* In Plan B sales the agreement for sale shall require the purchaser to furnish insurance and to establish and maintain a Tax and Insurance Account. In Plan B sales such agreement shall further require the purchaser to pay a lump sum for credit to such account in such amount, if any, as the Corporation may deem necessary to avoid deficiencies in such account during the 12 months next succeeding the sale closing and shall provide that any net adjustment due at the closing of the sale from the Corporation to the purchaser in excess of any amounts to be credited to the Tax and Insurance Account shall not be applied in reduction of the cash down payment or of the principal amount of his note, bond or installment contract, but shall be applied subsequent to the sale closing either in reduction of the principal balance of the vendee account or as a prepayment, as the purchaser may direct.

The fourth paragraph of § 403.10–31 shall be amended to read as follows:

Adjustments at sale closing. If in the closing of any Plan B sale the net adjustment is in favor of the Corporation, the Regional Manager is authorized to direct in the individual case that all or any part of such net adjustment not paid by the purchaser in cash may be added to the principal amount of the purchaser's note, bond or installment contract. Any such direction shall be furnished to the Legal Department in writing.

The ninth paragraph of § 403.10–31 shall be amended to read as follows:

Insurance. In any Plan B sale, the Regional Manager may waive the requirement that the purchaser furnish required insurance at time of sale closing in any case where in his opinion such action will be in the Corporation's interest in the circumstances of the particular case. When the Regional Manager has authorized the closing of a Plan B sale without any insurance being furnished by the purchaser, the required insurance shall be purchased by the Corporation and shall be ordered by it through carriers under contract at the time the closed sales file is received by the Insurance Section, and the amount credited to the Tax and Insurance Account for such insurance shall be thirty-six times the monthly accrual shown on Form 198. In Plan B sales where the Regional Manager has authorized the acceptance of insurance pursuant to the provisions of Part 2 of this Chapter, no additional insurance will be ordered by the Corporation by reason of such authorization and no adjustment shall be made at sales closing with respect to insurance.

The first paragraph of § 403.10–32 shall be amended to read as follows:

§ 403.10–32 *Reconditioning in connection with sales.* In connection with the sale of its property the Corporation may agree to perform at its expense any reconditioning of the property sold which is authorized by the regulations governing the reconditioning of properties under the jurisdiction of the Property Management Division. Such reconditioning by the Corporation shall be authorized by the Regional Manager, subject to the limitations contained in § 403.14, either by his execution of the agreement for sale or by issuance of Form PM–409 or Form PM–431, and the reconditioning may be undertaken and completed prior or subsequent to the sale closing. Such reconditioning shall be performed under the direction and supervision of the Reconditioning Section: *Provided, however,* That if such reconditioning consists wholly of maintenance items the case may, at the discretion of the Regional Manager, be supervised either by the Property Management Division through the facilities of the contract broker, or by the Reconditioning Section.

The third paragraph of § 403.10–32 shall be amended to read as follows:

Reconditioning by Corporation. The agreement for such reconditioning by the Corporation shall specify all reconditioning to be performed thereunder in such detail as will, in the opinion of the Regional Manager, avoid any future controversy as to the scope of the reconditioning. In the event the scope of reconditioning is insufficiently described, the Regional Manager may order an R–4–D report from the Reconditioning Section in order to insert in such agreement adequate specifications covering the reconditioning work to be performed by the Corporation. Such R–4–D reports shall be based upon an inspection of the property, if the information available to the Reconditioning Section is inadequate. In determining whether or not an R–4–D report shall be obtained in the particular case, consideration shall also be given to the scope of the reconditioning, the amount involved and the technical nature of the work. If the Regional Manager determines that the description of the reconditioning to be performed by the Corporation is not adequate, the instruments containing the offer to purchase shall be modified or redrawn, and the purchaser's signature thereon shall be secured before they are executed on behalf of the Corporation. If the closing of the sale is to be deferred until the reconditioning is completed, the agreement for sale shall so provide.

The third, fourth and fifth paragraphs of § 403.10–33 shall be amended respectively to read as follows:

§ 403.10–33 *Reconditioning by purchaser.* * * *

Whenever a sale of Corporation property is negotiated on condition that the purchaser perform reconditioning, the Regional Manager shall determine whether to require the purchaser to perform the reconditioning under the supervision of the Corporation or to permit him to perform the work independently of the Corporation, after considering the competency of the purchaser to perform or supervise the reconditioning; the nature, extent, and cost of the reconditioning; and any other factors which may affect the interest of the Corporation.

In the event the Regional Manager decides to require supervision by the Corporation it shall be stipulated accordingly in the agreement for sale, and in any supplemental agreement which may be required by the Regional Manager.

The agreement for such reconditioning by the purchaser shall specify all reconditioning to be performed thereunder in such detail as will in the opinion of Regional Manager avoid any future controversy as to the scope of the reconditioning. In the event the scope of reconditioning is insufficiently described, the Regional Manager may order an R–4–D report in order to insert in such agreement adequate specifications covering the reconditioning work to be performed by the purchaser. Such R–4–D report shall be based upon an inspection of the property, if the information available to the Reconditioning Section is inadequate. In determining whether or not an R–4–D report shall be obtained in the particular case, consideration shall be given to the scope of the reconditioning, the amount involved, and the technical nature of the work. If the Regional Manager determines that the description of the reconditioning to be performed by the purchaser is not adequate, the instruments containing the offer to purchase shall be modified or redrawn, and the purchaser's signature thereon shall be obtained before they are executed on behalf of the Corporation.

Section 403.11–11 shall be amended to read as follows:

§ 403.11–11 *Repairs during receivership.* Where there is a receiver for the property, the Regional Manager, shall, if he deems it practicable to do so, first request the receiver to make the necessary or emergency repairs and in the event of the refusal of the receiver to proceed without the assurance of the Corporation that it will advance funds for the same, the Regional Manager is authorized in his discretion to give such assurance and to take such other steps as he may deem necessary to the end that the repairs may be promptly and properly completed.

Section 403.11–12 shall be amended to read as follows:

§ 403.11–12 *Procedure where receiver requests advances for repairs.* In cases where the receiver requests the Corporation to make an advance for such repairs, he should make such request to the Property Management Division on Form R–100–A or on such other approved form or forms as may be satisfactory to the Regional Counsel. If the Regional Manager approves the advance he shall request the Legal Department to obtain appropriate court authority where necessary, or desirable, and shall thereafter assign the case to the Reconditioning Section for processing in accordance with the applicable provisions of the Reconditioning Chapter.

Disbursement. After the Reconditioning Section has certified that the work has been completed in accordance with the contract and to the satisfaction of the receiver, the Regional Manager, subject to limitations as to amount set forth in § 403.14, may authorize payment to or for the account of the receiver upon the obtaining of such evidence of debt owing by the receiver to the Corporation as may be required by the court order, if any, or such as the Regional Counsel may prescribe or approve and upon obtaining such evidence as to the release or satisfaction of all liens as required by Part 5 of this Chapter.

The first paragraph of § 403.11–17 shall be amended to read as follows:

§ 403.11–17 *Supervision of repairs by reconditioning section or by broker.* Maintenance repairs and the purchase of equipment incident to maintenance shall be accomplished under the direction of the broker with whom the property has been listed except in those cases where the Property Management Division requests the Reconditioning Section to supervise such maintenance repairs and purchases of equipment. If the property is listed with a Contract Broker and the cost of the repairs does not exceed the amount of the expenditure which the broker is authorized to incur without the prior approval of the Regional Manager, the work shall be performed under the supervision of the broker. If the cost of the maintenance repairs recommended by the broker is in excess of such amount, the work shall be accomplished by the broker with whom the property is listed or by the Reconditioning Section, at the discretion of the Regional Manager. In exercising this discretion, due regard shall be given to the amount involved, the technical nature of the work, and the experience and facilities of the broker. If the repairs recommended by the broker constitute reconditioning other than maintenance, the work shall be processed in accordance with the provisions of Part 5 of this Chapter.

Section 403.11–19 shall be amended to read as follows:

§ 403.11–19 *Competitive bids.* Before incurring any charges for repairs, the purchase of materials necessary to effect such repairs or the purchase of equipment, the broker shall obtain the prior approval of the Regional Manager unless the cost of such charges does not exceed the limitations on the broker's authority as provided in § 403.14–2. The broker shall be responsible for the completion of such repairs in a good and workmanlike manner, for the selection of appropriate equipment, and for the proper installation of such equipment. Competitive bids are not required if the cost of the repairs or purchases does not exceed $25.00. If the cost exceeds $25.00 the broker shall obtain competitive bids unless such bids are waived as hereinafter provided. In any case where the repairs cost in excess of $25.00 and the broker is required to obtain the approval of the Regional Manager before incurring any charges therefor, he shall forward to the Regional Manager for approval the bids, if any, secured by him, together with his recommendations.

With respect to the installation of items of new equipment or in replacement of old equipment costing in excess of $25.00, such as gas stoves, refrigerators, heating plants, incinerators, or other similar items, the Contract Broker shall obtain such bids in the number and manner as the Corporation may prescribe, and shall forward such bids, accompanied by his recommendations to the Regional Manager. The Corporation reserves the right to specify to the Contract Broker what products and materials shall be used in making repairs. In the purchase of supplies and any authorized equipment, the Contract Broker shall follow such precedure as the Corporation may prescribe.

The Regional Manager may waive competitive bids for repairs or purchases of equipment where it is not feasible to obtain bids because of the urgency of the situation, the limited number of contractors or vendors willing or able to submit bids, or if there is a reasonable possibility that the loss of time resulting from obtaining bids might cause the loss of a prospective sale or tenancy. Competitive bids in connection with repairs may also be waived by the Contract Broker for the same reasons in any case where under § 403.14–2 he is authorized to incur charges without the prior approval of the Regional Manager.

In all cases where the Contract Broker pursuant to the provisions of the next preceding paragraph has waived the obtaining of competitive bids in connection with repairs costing in excess of $25.00, he shall forward to the Corporation a written statement justifying the awarding of the contract without bids and said statement shall accompany vouchers to secure payment, or shall be transmitted with the copy of the Broker's Monthly Operating Report forwarded to the Property Management Division in the event payment has been made by the Broker out of funds collected by him from the properties listed with him for management. In any case where the Regional Manager has authorized repairs or the purchase of equipment without competitive bids, he shall state the reason for waiving bids on the voucher submitted to secure payment to the contractor or vendor.

The Regional Manager may further authorize the purchase of standard equipment costing in excess of $25.00 at standard prices without competitive bids where in his opinion the obtaining of such bids would serve no useful purpose. In communities where it is feasible, the Regional Manager may obtain, through the Reconditioning Section and as provided in Part 5 of this Chapter, price lists, catalogs or offers for periodic purchases from competitive concerns containing prices at which standard equipment may be purchased during a stipulated time. Purchases of equipment may be made on the basis of such price lists without other bids from such concerns.

The first paragraph of § 403.11–30 shall be amended to read as follows:

§ 403.11–30 *Authority to rent.* The Regional Manager, Assistant Regional Manager in Charge of Property Management, Property Management Field Supervisor, Supervisor of the Management Section and Contract Management Broker shall, subject to the control of the Deputy General Manager in Charge, have authority to effect any month-to-month rental agreement, and in connection with properties owned by the Corporation any lease for not longer than one year which by its terms permits its cancellation by the Corporation upon not more than one month's notice in event of sale of any of the property leased, and to execute on behalf of the Corporation leases and rental agreements therefor on authorized forms. All other leases recommended for approval by the Regional Manager shall be submitted to the Home Office Property Committee, except that the Deputy General Manager in Charge may authorize the Regional Manager to effect such leases for periods not exceeding two years. When the Regional Manager is so authorized, or when leases have been approved by the Home Office Property Committee, such leases shall be executed by such officers as are authorized by the regulations of the Corporation.

The first paragraph of § 403.11–32 shall be amended to read as follows:

§ 403.11–32 *Terms on which properties are rented.* The terms on which properties are to be rented shall be fixed by the Regional Manager or by the Home Office Property Committee. All rents should be due and payable on the first of each month in advance. In those cases where tenants take possession on dates other than the first of the month and pay a full month's rent in advance, the rent shall be adjusted at the beginning of the period of occupancy so that on the first succeeding regular billing, the tenant shall be billed for the balance of the calendar month remaining after the expiration of the first month's occupancy by the tenant and that monthly

certificates, title insurance policies; at-

management: *Provided,* That if the for the purpose of effecting consumma-

rent thereafter shall be due and payable in advance on the first of each month. Where possible, rent should be computed on the basis of thirty days to the calendar month. The Property Management Division shall specifically advise the Accounting Division, in all cases, of the amount of rent which is applicable to the month in which the tenancy begins, and the amount, if any, applicable to a future period.

The third paragraph of § 403.11–33 shall be amended to read as follows:

§ 403.11–33 *Approved forms to be used; waivers.* * * *

When rental agreement to be obtained. Unless waived by the Regional Manager pursuant to the next preceding paragraph, the Corporation requires that a written rental agreement be obtained from the occupant of property under the jurisdiction of the Property Management Division if the Corporation desires to enter into the relationship of landlord and tenant with such occupant and has the legal right to do so. Once a rental agreement has been entered into between the Corporation and such tenant, no new rental agreement shall be required, unless there is a subsequent change in the rental agreement, such as a change in the rental rate or in the expiration date of the rental agreement. Unless the Regional Counsel otherwise directs, no new rental agreement is required solely for the purpose of evidencing the amortization of rental delinquencies. Where a new agreement is required under the ruling of the Regional Counsel, the rental rate shall not be increased by reason of such amortization and any payments to be made on account of rental delinquencies shall be shown separately in such new rental agreement.

Section 403.11–38 shall be amended to read as follows:

§ 403.11–38 *Duplicate copies Form 416.* At the same time that the original Monthly Operating Report of Contract Management Broker is mailed to the Regional Treasurer, the broker shall send to the Property Management Division a duplicate copy of the report accompanied by receipted bills for all disbursements reported by the broker and by original and duplicate copies of new written leases or rental agreements.

The second paragraph of § 403.11–41 shall be amended to read as follows:

§ 403.11–41 *Certification in lieu of receipted bill.* * * *

In cases where it is impracticable for the broker to obtain a receipted bill, the Official in Charge of Management is authorized to waive the necessity of obtaining such receipted bill upon certification by the broker, preferably, on the bill or letterhead of the broker, that it was impracticable to obtain a receipted bill and stating the reasons therefor, and upon satisfactory evidence that payment, in fact, has been made.

Section 403.11–42 shall be amended to read as follows:

§ 403.11–42 *Delinquencies.* The Official in Charge of Management shall cause to be reviewed all delinquencies, as disclosed by the Monthly Operating Report by Contract Management Brokers. Appropriate action shall be taken promptly upon a default in the payment of rent so that the tenant will in no case remain in possession of the property when the deliquency is forty-five days old, except upon the approval of the Regional Manager. Where it has been decided by the Official in Charge of Management that a delinquent tenant should be required to move, a notice to vacate in form satisfactory to Regional Counsel should be forwarded to the Contract Management Broker for immediate service on such tenant. If extensions are granted to delinquent tenants the Contract Management Broker shall be notified immediately of the terms of said extensions.

Section 403.11–49 shall be amended to read as follows:

§ 403.11–49 *Identification card.* Property Management representatives and Property Management field supervisors shall be furnished with Identification Card, Form 61–A, which must be carried whenever they are on official business and be exhibited upon request.

Section 403.13–1 shall be amended to read as follows:

§ 403.13–1 *Reconditioning contracts.* The Regional Manager is authorized to sign or approve contracts for repairs, reconditioning, and for the purchase of equipment in all cases where the acceptable bid does not exceed the limitations as to amount placed upon his authority to incur charges as provided in § 403.14 of this Part and in all cases where the items and amounts included in the scope of the work have been authorized by higher authority.

Section 403.13–2 shall be amended to read as follows:

§ 403.13–2 *Contracts for public utilities.* The Regional Manager, Assistant Regional Manager in Charge of Property Management, Supervisor of the Management Section and Contract Management Broker are authorized to execute in behalf of the Corporation contracts for water, gas, electricity, and other services furnished by public utilities, where, in their opinion, such services are necessary or desirable in the management of properties under the jurisdiction of the Property Management Division, and where it is the established local custom that such services be furnished at the expense of the landlord.

The third paragraph of § 403.14 shall be revoked. (This is the paragraph relating to the authority of state and district managers.)

The fourth paragraph of § 403.14 shall be amended to read as follows:

§ 403.14 *Limitation on authority of Regional Managers.* * * *

In adddition to the limitations imposed by this section on the authority of Regional Managers to incur or approve charges or expenses, the prior approval of the Home Office Property Committee shall be first obtained in any case involving reconditioning, repairs or purchases of equipment and supplies in excess of $100.00, provided the expenditure is to be capitalized and is not due to an insurance loss or loss covered by the Reserve for Losses from Fire and Other Hazards, and further provided that it appears from the latest quarterly report of the Accounting Division received by the Regional Manager, or from the Property Ledger Card maintained by the Accounting Division, that the cumulative amount of disbursements capitalized for repairs, reconditioning and the purchase of equipment and supplies on the property subsequent to the effective date of the transfer of the account from loan or vendee status, when added to the amount to be authorized, exceeds either $1,500.00 or 50% of the difference between (a) the current minimum sales price of the property in its then condition, and (b) the cumulative amount of such disbursements. In the event no current minimum sales price has been established for the property in its condition at the time the additional amount is to be authorized, the current market price of the property in its then condition as established by the Property Management Division shall be used in lieu of such minimum sales price for the purpose of applying the provisions of this paragraph.

The sixth paragraph of § 403.14 shall be amended to read as follows:

The Regional Manager is authorized and directed, within the limitations herein provided, to determine the necessity for any expenditures incurred or approved by him in accordance with the provisions of this Part and the amounts thereof.

The seventh paragraph of § 403.14 shall be amended to read as follows:

Expenditures by brokers. Contract Management Brokers and Contract Sales Brokers may incur charges in behalf of the Corporation in connection with properties assigned to them by the Corporation, subject to procedures and limitations elsewhere prescribed in the regulations.

Section 403.14–1 shall be amended to read as follows:

§ 403.14–1 *General.* Charges and bills incurred or approved by the Regional Manager shall upon certification by the Auditor or an authorized deputy be paid by the Regional Treasurer from the Regional Working Fund or from such other fund as may be provided elsewhere in the regulations, except in those cases where disbursements are authorized to be made by brokers out of funds in their possession received from the income of properties listed with them. Vouchers shall be accompanied by the proper receipts and releases except as provided elsewhere in the regulations.

The authority of the Regional Managers contained in § 403.14 shall not extend to payrolls, travel or any other expenditure for which there is an established procedure requiring payment from the Home Office; nor to any compensation of fee attorneys; expenses for abstracts, surveys, title searches, title certificates, title insurance policies; attorneys' fees for deeds in lieu of foreclosure, foreclosures or other litigation, or expenses of litigation. Any legal fees and expenses shall be incurred, approved and paid in the manner provided in Part 6 of this Chapter.

The first paragraph of § 403.14–2 shall be amended to read as follows:

§ 403.14–2 *Limitations on brokers to incur charges.* The Contract Broker is authorized to incur charges in the performance of any of the functions or duties required or authorized to be done by Part 403 of this Chapter, including charges for maintenance, repairs, and for the purchase of supplies, and of items of new equipment costing not in excess of $25.00 and for coal or other fuel, water, gas, electricity, or janitor service: *Provided,* The total cost of such charges does not exceed $25.00 during any monthly accounting period on any particular property listed with him containing not more than one unit or $50.00 on any property containing more than one unit except in cases requiring emergency repairs for which the broker may incur charges not exceeding $100.00. Where the cost of such items other than for emergency repairs exceeds these limitations on any particular property during any monthly accounting period, or in any case where the purchase of items of new equipment or in replacement of old equipment costing more than $25.00 is required, the broker shall not incur such charges without the approval of the Regional Manager. The Regional Manager may authorize the broker in writing, either generally or with respect to any specific property, to incur charges of a recurring nature such as expenditures for fuel, water, gas, electricity, or janitor service, in which event future expenditures for any such items shall not be taken into consideration in computing the limitations of $25.00 or $50.00 provided for in this section. Copies of such authorizations shall be maintained by the Property Management Division and shall be furnished to the Regional Supervising Auditor. Notwithstanding the above limitations, where repairs are required immediately in order to prevent impairment of health or to protect the property from imminent damage as a result of breakage, storm, fire, or other casualty, the Contract Broker is authorized to award a contract or contracts to effect such repairs in a sum not to exceed $100.00 without first receiving authorization from the Regional Manager. However, in each such case where the cost of such emergency repairs exceeds $25.00 on any property containing not more than one unit, or $50.00 on any property containing more than one unit, the Contract Broker shall submit promptly to the Regional Manager a detailed explanation of the necessity for such expenditure. Charges or expenses duly incurred or approved under authority of this section with respect to any individual Corporation property listed with the Contract Broker may be paid by such Contract Broker out of any revenues received by him from any Corporation properties listed with him for management: *Provided,* That if the amounts of such charges or expenses exceed $300.00 in any individual case, the same shall be paid by voucher submitted by such broker to the Corporation in accordance with the regular procedure provided therefor.

Section 403.14–4 shall be amended to read as follows:

§ 403.14–4 *Advances to receivers.* The Regional Managers may authorize advances to be made to receivers of properties under the jurisdiction of the Property Management Division for emergency and necessary repairs and for any other items authorized by this Part, subject, however, to the limitations as to amount provided for in § 403.14.

The third paragraph of § 403.19 shall be amended to read as follows:

§ 403.19 *Payments of water rents and other charges.* * * *

The authority vested in the General Manager by this section may be exercised also by the Regional Manager, with the advice of the Regional Counsel.

The first paragraph of § 403.19–8 shall be amended to read as follows:

§ 403.19–8 *Compromises.* The Regional Manager, with the advice of the Regional Counsel, is authorized to approve and execute on behalf of the Corporation any agreements with municipalities or private companies furnishing property services to compromise charges for property services in connection with any particular property or properties in any State or locality. A copy of all agreements affecting more than one property shall be forwarded to the General Manager.

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by sec. 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (k); E.O. 9070; 7 F.R. 1529)

Effective: January 11, 1943.

[SEAL] J. FRANCIS MOORE, *Secretary.*

[F. R. Doc. 43–776; Filed, January 15, 1943; 2:54 p. m.]

[Bulletin 162]

PART 406—LEGAL DEPARTMENT

CONVEYANCE UNDER INSTALLMENT CONTRACT

Section 406.16–11 is amended to read as follows:

§ 406.16–11 *Conveyance under installment contract.* When the Corporation's vendee or his successor in interest has requested the Corporation to convey to him the property purchased by him under an installment contract or like instrument prior to full payment of the purchase price thereunder and when such request has been duly approved on behalf of the Corporation, and when the Accounting Division has prepared a statement of account and executed Block III of Form 196, the entire file with two copies of completed Form 196 and such other instruments and information as the Regional Counsel shall request, shall be forwarded to the Regional Counsel for the purpose of effecting consummation of the transaction. Such transactions shall be processed and consummated pursuant to the regulations governing the processing and closing of sales of Corporation property, insofar as they are applicable, and pursuant to the general or special instructions of the Legal Department and the provisions of Articles 221–4 and 221–5 of the Corporation's Manual. A new instrument providing for a Tax and Insurance Account pursuant to § 402.11 (a) of Part 402 of this Chapter shall be taken from the purchaser at the consummation of the transaction, unless Form 196 affirmatively directs that the converted account will not have a Tax and Insurance Account.

The new instruments taken from the purchaser to evidence and secure his indebtedness to the Corporation shall bear interest at the rate specified in the original installment contract or like instrument. Such instruments shall provide that interest shall commence on the date shown as the effective date in Block III of Form 196. It is not required, however, that the conversion be accomplished in fact on a cycle date. The instruments need not bear the date shown on Form 196 as the effective date, but may bear such date as Regional Counsel shall direct. The approved attorney or title company consummating the transaction shall collect from the vendee all fees and expenses which he is to pay in connection therewith and shall make a report of the consummation of the transaction on a form approved for that purpose. If required by the Regional Counsel, the approved attorney or title company shall furnish a certificate as to title and the priority and validity of the Corporation's lien instruments. The Regional Counsel shall promptly transmit the closed file to the Regional Accountant, but if the transaction fails of closing, the Regional Counsel shall promptly return the file thereof to the Regional Loan Service Division with a statement of the reasons for failure to close.

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by sec. 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (k); E.O. 9070; 7 F.R. 1529.)

Effective: January 15, 1943.

[SEAL] J. FRANCIS MOORE, *Secretary.*

[F. R. Doc. 43–777; Filed, January 15, 1943; 2:54 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

[T. D. 5214]

PART 18—REFUNDS UNDER SECTION 203 OF THE PUBLIC SALARY TAX ACT OF 1939

INCOME TAX

Refunds under section 203 of the Public Salary Tax Act of 1939, as amended by section 509 of the Revenue Act of 1942.

Pursuant to the authority contained in the Public Salary Tax Act of 1939 (Public, No. 32, 76th Congress), approved

April 12, 1939, as amended by the Revenue Act of 1940 (Public, No. 656, 76th Congress), approved June 25, 1940, and by the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, the following regulations are prescribed:

Sec.
18.0 Introductory.
18.1 Definitions.
18.2 Claims filed after January 18, 1939.
18.3 Application of section 203.
18.4 Effective date of regulations.

AUTHORITY: §§ 18.0 to 18.4 issued under section 203 of the Public Salary Tax Act of 1939 (Pub. No. 32, 76th Cong.), as amended by section 509 of the Revenue Act of 1942 (Pub. Law 753, 77th Cong.).

SOURCE: Treasury Decision, 5214, approved Jan. 15, 1943.

§ 18.0 *Introductory.* (a) Section 203 (as amended by section 509 of the Revenue Act of 1942), section 204, section 205 (as amended by section 401 of the Revenue Act of 1940), section 206, and section 210 of the Public Salary Tax Act of 1939 provide:

SEC. 203. (a) Any amount of income tax (including interest, additions to tax, and additional amounts) collected on, before, or after the date of the enactment of this Act for any taxable year beginning prior to January 1, 1939, to the extent attributable to compensation for personal service as an officer or employee of a State, or any political subdivision thereof, or any agency or instrumentality of any one or more of the foregoing, shall be credited or refunded in the same manner as in the case of an income tax erroneously collected, if claim for refund with respect thereto is filed after January 18, 1939, and the Commissioner of Internal Revenue, under regulations prescribed by him with the approval of the Secretary of the Treasury, finds that disallowance of such claim would result in the application of the doctrines in the cases of Helvering against Therrell (303 U. S. 218), Helvering against Gerhardt (304 U. S. 405), and Graves et al. against New York ex rel. O'Keefe, decided March 27, 1939, extending the classes of officers and employees subject to Federal taxation.

(b) Any amount of income tax (including interest, additions to tax, and additional amounts) for taxable years beginning after December 31, 1938, to the extent attributable to compensation for personal service rendered in a taxable year beginning prior to January 1, 1939 (other than compensation received as a pension, retirement pay, or similar allowance), as an officer or employee of a State, or any political subdivision thereof, or any agency or instrumentality of any one or more of the foregoing—

(1) Shall not be assessed; and

(2) If assessed, the assessment shall be abated and any amount collected in pursuance of such assessment shall be credited or refunded in the same manner as in the case of an income tax erroneously collected,

if the Commissioner of Internal Revenue, under regulations prescribed by him with the approval of the Secretary of the Treasury, finds that assessment of such tax, or disallowance of a claim for credit or refund, except for Title I of this Act, would result in the application of the doctrines in the cases of Helvering against Therrell (303 U. S. 218), Helvering against Gerhardt (304 U. S. 405), and Graves et al. against New York ex rel. O'Keefe (306 U. S. 466), extending the classes of officers and employees subject to Federal taxation.

SEC. 204. Neither section 201 nor section 203 shall apply in any case where the claim for refund, or the institution of the suit, or the filing of the petition with the Board, was, at the time filed or begun, barred by the statute of limitations properly applicable thereto.

SEC. 205. Compensation shall not be considered as compensation within the meaning of sections 201, 202, and 203 to the extent that it is paid directly or indirectly by the United States or any agency or instrumentality thereof. If the amount of the deficiency in income tax for any taxable year beginning before January 1, 1939, attributable to compensation paid indirectly by the United States, or any agency or instrumentality thereof, for personal service as an officer or employee of a State, or any political subdivision thereof, or any agency or instrumentality of any of the foregoing, is paid on or before March 15, 1941, then with respect to failure to pay such amount or make return of such compensation: (a) No criminal penalty shall apply; and (b) the additions to tax provided in sections 291 and 293 of the Internal Revenue Code shall not apply.

SEC. 206. The terms used in this Act shall have the same meaning as when used in Chapter I of the Internal Revenue Code.

SEC. 210. For the purposes of this Act, the term "officer or employee" includes a member of a legislative body and a judge or officer of a court.

(b) In Helvering v. Therrell, 303 U. S. 218, the Supreme Court held that compensation paid to individuals acting as liquidators and attorneys for insolvent State banking and insurance corporations was subject to Federal income tax where such compensation was paid from corporate assets and not from funds belonging to the State. In Helvering v. Gerhardt, 304 U. S. 405, the court held that compensation of employees of the Port of New York Authority, a bi-state corporation created by a compact between New York and New Jersey and approved by Congress, was subject to Federal income tax. In Graves et al. v. New York ex rel. O'Keefe, 306 U. S. 466, the court overruled Collector v. Day (11 Wall. 113), so far as that case recognized an implied constitutional immunity from Federal income taxation of the compensation of officers and employees of State and local governments or their instrumentalities. Each of those decisions extended the classes of State and local officers and employees subject to Federal income taxation on their compensation. Under prior Supreme Court decisions the taxability of compensation of a State or local officer or employee depended upon the nature of his office or employment, i. e., whether he was engaged in the exercise of an essential governmental function or a proprietary function. (See Helvering v. Powers et al., 293 U. S. 214, and Brush v. Commissioner, 300 U. S. 352.) Section 509 (b) of the Revenue Act of 1942 provides that the amendments made by section 509 of that Act shall be effective as of the date of enactment of the Public Salary Tax Act of 1939.

§ 18.1 *Definitions.* As used in these regulations:

(1) The term "act" means the Public Salary Tax Act of 1939, as amended by section 401 of the Revenue Act of 1940 and by section 509 of the Revenue Act of 1942.

(2) The term "State employee" means an officer or employee of a State, or any political subdivision thereof, or any agency or instrumentality of one or more States or political subdivisions; and includes a member of a State or local legislative body and a judge or officer of a State or local court.

(3) The term "compensation" does not include any amount paid directly or indirectly by the United State or any agency or instrumentality thereof.

(4) The term "claim" means a claim for refund filed within the period of limitations provided by the applicable revenue law.

§ 18.2 *Claims filed after January 18, 1939.* Section 203 (a) of the act describes the circumstances under which a claim filed after January 18, 1939, by a State employee for refund of tax attributable to his compensation for personal services as a State employee for any taxable year beginning prior to January 1, 1939, shall be allowed. If, under these regulations, the Commissioner of Internal Revenue finds that disallowance of such claim would result in the application of the doctrines announced in Helvering v. Therrell 303 U. S. 218; Helvering v. Gerhardt 304 U. S. 405; and Graves et al. v. New York ex rel. O'Keefe, 306 U. S. 466, extending the classes of State employees subject to Federal income tax, then such claim shall be allowed. Section 203 (b) of the act provides that compensation (other than pensions, retirement pay, or similar allowance) of a State employee received in a taxable year beginning after December 31, 1938, for personal services rendered in a taxable year beginning prior to January 1, 1939, is not taxable if the collection or retention of tax on such compensation, except for Title I of the Public Salary Tax Act of 1939, would result in the application of the doctrine of the Therrell, Gerhardt, and O'Keefe cases. If the tax attributable to the compensation referred to in section 203 (b) of the act has been assessed and any amount collected pursuant to such assessment, a claim may be filed by the taxpayer for credit or refund.

If, under Supreme Court decisions rendered prior to 1938 on the question of the constitutional immunity of compensation of State employees from Federal income taxation, an assessment of such tax or a disallowance of such claim would be proper, then the tax shall be assessed (or if already assessed the assessment shall not be abated) or the claim shall be disallowed; but if under such decisions an assessment of such tax or a disallowance of such claim would not be proper, then the tax shall not be assessed (or if assessed the assessment shall be abated) or the claim shall be allowed.

A taxpayer is entitled to the benefits of section 203 of the act, therefore, if under these regulations, the Commissioner of Internal Revenue finds that such compensation was for personal services rendered in the exercise of an essential governmental function as distinguished from a proprietary function.

A claim under section 203 of the act shall not be disallowed solely because of the provisions of section 322 (c) of the Revenue Act of 1938 and corresponding sections of prior revenue acts relating to the prohibition against the allowance of a credit or refund.

Amounts properly subject to credit or refund under section 203 of the act include interest, additions to tax, and additional amounts paid with respect to the tax. Such amounts shall be credited or refunded in the same manner as in the case of an erroneously collected income tax. The tax on amounts received as a pension, retirement pay, or similar allowance is not subject to credits or refunds under section 203 (b) of the act.

Section 203 (a) of the act has no application to a case in which a State employee files a claim prior to January 19, 1939, for refund of tax attributable to his compensation for any taxable year beginning prior to January 1, 1939.

§ 18.3 *Application of section 203.* The application of section 203 of the act may be illustrated as follows:

Claims shall be allowed if filed, for example, by State public-school teachers, receivers and masters appointed by State courts, liquidators of banks and insurance companies taken over by a State, and officers and employees of a city engaged in maintenance, operation or regulation of public parks and playgrounds, or of water supply. Similarly, in the case of such individuals, assessments will not be made, or if made shall be abated and any amount collected in pursuance of such assessment credited or refunded.

Claims shall not be allowed if filed, for example, by State liquor store employees or municipal railway employees. Likewise, with respect to such persons, assessments will be made, or if made shall not be abated or any amount collected pursuant thereto credited or refunded.

§ 18.4 *Effective date of regulations.* These regulations are effective as of April 12, 1939, the date of enactment of the Public Salary Tax Act of 1939. Treasury Decision 4904 [Part 18, Title 26, Code of Federal Regulations, 1939 Sup.] is hereby revoked as of the date of its approval.

GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: January 15, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-853; Filed, January 16, 1943; 4:28 p. m.]

TITLE 29—LABOR

Chapter VII—War Manpower Commission

[Amendment 2]

PART 901—TRANSPORTATION OF WORKERS

TRANSPORTATION OF WORKERS TO NON-FERROUS METAL PRODUCING AREAS AND LUMBER PRODUCING AREAS

The "Regulations Governing Transportation of Workers to Non-Ferrous Metal Producing Areas," [7 F.R. 8457, 10253] promulgated by the Chairman of the War Manpower Commission on October 17, 1942, pursuant to the letter of the President dated October 8, 1942, allocating certain sums from the Emergency Fund for the President to the War Manpower Commission, as amended by Amendment No. 1, dated December 4, 1942, are hereby further amended as follows:

I. The title and introductory paragraph of said regulations are amended, effective December 1, 1942, to read as follows:

Title: Transportation of Workers to Non-Ferrous Metal and Lumber Producing Areas.

Introductory paragraph: By virtue of and pursuant to the authority vested in me by Executive Orders No. 9139, 9247, and 9279, and by the letter of the President dated October 8, 1942, allocating certain sums from the Emergency Fund for the President, National Defense, 1942 and 1943, to the War Manpower Commission, as amended by the letter of the President dated December 1, 1942, I hereby prescribe the following regulations:

II. Section 901.2 of said regulations is amended to read as follows:

§ 901.2 *Prerequisites to transportation.* (a) No transportation shall be provided for any worker, his dependents, and household effects, and no reimbursement shall be made to any worker for transportation, or to any employer for advances made by him to any worker for transportation unless (1) reasonably adequate use is being made of the local labor supply at the proposed place of employment, and (2) the employer and the worker have entered into a contract of employment which includes the provisions contained in forms provided by the United States Employment Service for such purposes. Such contract shall provide for a ninety-day period of employment (or for such shorter period as may be specifically authorized in exceptional types of cases by the Director of the Bureau of Placement in the War Manpower Commission) beginning on the day the worker begins travel to the place of employment, and shall include provisions for reimbursement to the United States by the worker or the employer, as the case may be, of the costs of transportation furnished pursuant to these regulations in the event that the employment is terminated without good cause prior to the expiration of such ninety-day or authorized shorter period.

III. Section 901.3 of said regulations is amended, effective December 1, 1942, to read as follows:

§ 901.3 *Persons for whom transportation provided.* In furtherance of the plan for "Employment Stabilization in Non-Ferrous Metals and Lumbering Activities," transportation may be provided for a worker qualified for employment in critical occupations as defined in said plan, and not to exceed three dependents of any such worker, from points in the continental United States to places of employment in the nonferrous metal and lumbering industry. For the purposes of these regulations, "dependent" means a wife or minor child of the worker or a person whose support the worker has assumed in good faith, *Provided*, That the worker maintains a bonafide family relationship in his home with such wife, child or other person.

(E.O. 9139, 9247, 9279; 7 F.R. 2919, 7379, 10177)

PAUL V. MCNUTT,
Chairman.

JANUARY 14, 1943.

[F. R. Doc. 43-765; Filed, January 15, 1943; 12:09 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1805]

PART 324—MINIMUM PRICE SCHEDULE, DISTRICT NO. 4

ORDER GRANTING RELIEF, ETC.

Memorandum opinion and order granting temporary relief and conditionally providing for final relief in the matter of petition of District Board No. 4 for the revision of the effective minimum prices for the coals of the Apex Mine, Mine Index No. 7, of the Haverhill Coal Company for shipment into Market Areas 20, 21 and 23 for use as off-line railroad fuel.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, has been duly filed with this Division by District Board No. 4, requesting that the Note added in § 324.11 (*Special prices*—(a) *Railroad fuel prices for all movements exclusive of lake cargo railroad fuel*) of the Schedule of Effective Minimum Prices for District No. 4 For All Shipments except Truck by the order issued in Docket No. A-1019 on March 16, 1942, 7 F.R. 2125, be modified by excluding from the operation of this Note, the coals of the Apex Mine, Mine Index No. 7, ("Apex") operated by Haverhill Coal Company ("Haverhill"), a code member located in Subdistrict 3 of District No. 4, when for shipment into Market Areas 20, 21, and 23, respectively, for use as off-line railroad fuel. This request, if granted, it is alleged in the petition filed herein, will establish minimum f. o. b. mine prices for the coals of the Apex Mine for movement to Market Areas 20, 21 and 23, for use as off-line railroad fuel, at parity with competitive coals moving to these destinations for this use from mines located in Subdistricts 1, 2, 3, 4 and 6 of District No. 4.

The gravamen of this petition lies in the freight rate structure applicable to the coals of Haverhill and to the coals of code members located in Subdistricts 1, 2, 3, 4, and 6, with which the Haverhill coals are competitive, for movement into Market Areas 20, 21, and 23, for use as off-line railroad fuel.

It appears that the coals produced at this mine are included in Freight Origin Group No. 81 and, for movement into Market Areas 20, 21, and 23, take the same freight rates as those applicable to competitive coals moving into these market areas for this use from lines located in Subdistricts 1 and 2 of District No. 4. These rates are 10 cents per ton higher than the freight rates applicable to other coals produced in Subdistrict 3 for movement to these market areas for this use.

The increase established by the Order of March 16, 1942, failed to take into account the fact that the freight rates applicable to the Apex coals for movement to these market areas for this use were 10 cents per ton higher than those applicable to other Subdistrict 3 coals. Consequently, the increase resulted in pricing the Apex coals at 10 cents per net ton higher than similar coals produced in Subdistrict 1, 2, and 3 for movement to these market areas for this use, and placed the Apex coals at a competitive disadvantage to that extent.

Accordingly, it appears to the Director that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; that no petitions of intervention have been filed with the Division in the above-entitled matter; and that the following action is necessary to effectuate the purposes of the Act.

Therefore, it is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, the Schedule of Effective Minimum Prices for District No. 4 For All Shipments Except Truck be, and the same hereby is, amended by adding the following proviso to the note appearing in § 324.11 (*Special prices (a) Railroad fuel prices for all movements exclusive of lake cargo railroad fuel*) of said schedule:

• • • *Provided, however*, That such increase shall not be applicable to the coals of the Apex Mine, Mine Index No. 7, of the Haverhill Coal Company.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: January 13, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-769; Filed, January 15, 1943; 12:17 p. m.]

[Docket No. A-1784]

PART 327—MINIMUM PRICE SCHEDULE, DISTRICT NO. 7

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 7 for the establishment of minimum prices for the coals of Mill Creek Colliery Co.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Mill Creek No. 2 Mine, Mine Index No. 124, operated by Mill Creek Colliery Co., for truck shipment; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 327.34 (*General prices in cents per net ton for shipment into any market area*) is amended by adding thereto Supplement T, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: January 2, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 7

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 327, Minimum Price Schedule for District No. 7 and supplements thereto.

FOR TRUCK SHIPMENTS

§ 327.34 *General prices in cents per net ton for shipment into any market area*—Supplement T

Code member index	Mine	Index No.	Subdistrict No.	County	Seam	All lump, ¾" or larger, all egg and stove 1	All nut or pea 1¼" top size or smaller 2	Screened M/R 3	Straight mine run 4	1¼" screenings 5	¾" screenings 6
Mill Creek Colliery Company	No. 2	124	2	Fayette	No. 2 Gas	335	270	(*)	(*)	210	(*)

* When shown under a Size Group Number, this symbol indicates coals previously classified in this Size Group.

[F. R. Doc. 43-768; Filed, January 15, 1943; 12:17 p. m.]

[Docket No. A-1769]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of certain mines and for changes in shipping points of certain other mines.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines, requesting changes of shipping points for certain other mines, and requesting a change of shipping point, Freight Origin Group Number and railroad, for a certain other mine, all located in District No. 8.

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 328.11 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 328.34 (*General prices for high volatile coals in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: January 2, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 8

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No. 8 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 328.11 *Alphabetical list of code members*—Supplement R

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine Index No.	Code member	Mine Name	High volatile seam	Sub-district No.	Shipping point	Railroad	Freight origin group No.	Price classifications by size group Nos. For destinations other than Great Lakes: 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27	For Great Lakes cargo only: 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27
2146	Clark, Ellis & Sam Gilbert (Ellis Clark)	J. W. Baker	No. 5	7	Matney, Va.[1]	L&N & Southern	204	(*) (*)	(*) (*)
12650	Coker, Frank	Frank Coker	Glen Mary	6	Crosses Crossing, Tenn.[2]	Tenn.	71	(*) (*)	(*) (*)
3807	Dark Ridge Coal Co. (Moss Gas)	Godsey-Johnson	Mason	6	Colmar, Ky.	L&N	111	(*) (*)	(*) (*)
2864	Dorfiled, F. P. (Dorfield Coal Co.)	Hensley	Pond Creek	8	McVeigh, Ky.	N&W	130	(*) (*)	(*) (*)
5775	Dorfiled, E. F. (Dorfield Coal Co.)	Reed No. 1	Pond Creek Elkhorn	8	McVeigh, Ky.	N&W	130	(*) (*)	(*) (*)
2953	Fields, Walter	Dry Fork	Garrison	6	Whitesburg, Ky.	L&N	100	(*) (*)	(*) (*)
822	Garrison, Thos.	Garrison	Elkhorn	6	Manchester, Ky.	L&N	111	(*) (*)	(*) (*)
5840	Greene, A. M.	Wilton-Jellico No. (6)	Jellico	6	Woodbine, Ky.	L&N	111	(*) (*)	(*) (*)
5829	Guaranty Elkhorn Coal Co	Turner No. 5	Elkhorn No. 2	1	Drift, Ky.	C&O	91	(*) (*)	(*) (*)
23	Harly-Burlingham Mining Co., The	Hardhurly	Hazard No. 7	3	Hardhurly, Ky.	L&N	100	(*) (*)	(*) (*)
2040	Jackson Bros. (W. I. Jackson)	Jackson Bros.	Coal Creek	6	Oliver Springs, Tenn.[3]	L&N & Southern	260	(*) (*)	(*) (*)
5841	McGhee, Edwin (Mountain Coal Co.)	Mountain No. 1	Elkhorn No. 3	1	Pikeville, Ky.	C&O	91	(*) (*)	(*) (*)
5799	Moore, Elmer	Moore	Penn Lee	7	Manges, Va.	L&N & Southern	204	(*) (*)	(*) (*)
5843	Napier & Hensley (John L. Napier)	Matoka	Straight Creek	6	Pineville, Ky.	L&N	111	(*) (*)	(*) (*)
5777	P. H. Elkhorn Coal Co. (Hugh H. Hayes)	P. H. Elkhorn C. Co.	Elkhorn No. 1	1	Hosee, Ky.	C&O	91	(*) (*)	(*) (*)
5827	Profitt, S. G.	Profitt No. 5	Hazard No. 4	3	Jackson, Ky.	L&N	100	(*) (*)	(*) (*)
5745	Pugh Bros. (Lawrence Pugh)	Pugh Bros. No. 2	Bon Air No. 2	6	Campbell Jct., Tenn.	TC	72	(*) (*)	(*) (*)
5790	Ratcliff-Wyoming Mining Co.	No. 6	No. 2 Gas	4	Edwight, W. Va.	C&O	123	(*) (*)	(*) (*)
5818	Rock Creek Mining Co.		No. 2 Gas	4	Rock Creek, W. Va.	C&O	123	(*) (*)	(*) (*)
2555	Shell, A. D.	Shell	Pine Mountain	2	Baxter, Ky.	L&N	80	(*) (*)	(*) (*)
5786	Shouse, Bill	Shouse	Jackson	3	Elkatawa, Ky.	L&N	100	(*) (*)	(*) (*)
5787	Stemp, C. S.	Stemp Coal Co.	Upper Banner	7	Coeburn, Va.[4]	N&W	30	(*) (*)	(*) (*)

[1] Mine Index No. 510. Originally assigned to this mine, shall no longer be applicable.
[2] Denotes new shipping point. Shipping point at St. Charles, Va. shall no longer be applicable.
[3] Denotes new shipping point. Shipping point at Huntsville, Tenn. shall no longer be applicable.
[4] Denotes new shipping point, railroad and Freight Origin Group number. Shipping point at Robbins, Tenn., on the CSX&TP Ry., in freight origin group No. 70 shall no longer be applicable.
(*) Indicates no classification effective for these size groups.
(**) Indicates previously classified these size groups.

FOR TRUCK SHIPMENTS

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine	Mine Index No.	Seam	Base sizes: Lump over 2", egg 4" x 6"	Lump 2" and under, egg 3" x 6"	Lump ¾" and under	Egg 2" x ¾", egg 2" x 3"	Stove 3" and under, nut 2" and under	Straight mine run	2" and under, slack	¾" and under, slack
				1	2	3	4	5	6	7	8
SUBDISTRICT No. 1—BIG SANDY-ELKHORN											
FLOYD COUNTY, KY.											
Guerrant Elkhorn Coal Co	Turner No. 5	5823	Elkhorn No. 2	305	285	245	250	235	230	195	185
P. H. Elkhorn Coal Co. (Raph H. Hayes).	P. H. Elkhorn C. Co.	5777	Elkhorn No. 1	305	285	245	250	235	230	195	185
PIKE COUNTY, KY.											
McCoy, Edwin (Mountain Coal Co.).	Mountain No. 1	5841	Elkhorn No. 3	260	275	240	250	235	230	195	185
SUBDISTRICT No. 3—HAZARD											
BREATHITT COUNTY, KY.											
Proffitt, S. G.	Proffitt No. 5	5827	Hazard No. 4	285	265	230	220	210	220	165	160
Skinner, Bell	Skinner	5780	Jackson	285	265	230	227	210	220	165	160
WOLFE COUNTY, KY.											
Buck, Millar	Buck	5798		285	265	230	240	227	230	170	165
SUBDISTRICT No. 4—KANAWHA											
BOONE COUNTY, W. VA.											
Rock Creek Mining Co.		5818	No. 2 Gas	290	270	250	270	225	240	185	180
RALEIGH COUNTY, W. VA.											
Raleigh-Wyoming Mining Co.	No. 6	5790	No. 2 Gas	275	255	(*)	250	235	(*)	220	215
SUBDISTRICT No. 6—SOUTH-EASTERN APPALACHIAN											
BELL COUNTY, KY.											
Dick Ridge Coal Co. (Mose Godsey).	Godsey-Johnson	5857	Marsh	305	285	240	260	230	250	175	170
Napier & Hensley (Edith L. Napier).	Mahaley	5845	Straight Creek	317	297	242	262	232	295	185	180
KNOX COUNTY, KY.											
Gentry, A. M.	Wilton-Jellico No. 60	5840	Jellico	275	255	215	240	225	235	175	170
Widener, James W.	Widener Blue Gem #2	5855	Blue Gem	305	335	255	280	245	245	165	160
WHITLEY COUNTY, KY.											
Fredericks, Bill	Fredericks No. 3	5820	Blue Gem	305	335	255	280	245	245	165	160
Shaw, Finley	Finley No. 2	5817	Jellico	305	285	245	260	235	235	190	185
Stevens, Lee	Stevens No. 2	5819	Jellico	305	285	245	260	235	235	190	185
CUMBERLAND COUNTY, TENN.											
Pugh Brothers (Lawrence Pugh).	Pugh Bros. No. 2	5745	Burt Air No. 2	270	250	225	230	205	215	155	150
DICKETT COUNTY, TENN.											
Kisner, Porter	Perry	5797	No. 3	270	250	225	230	205	215	155	150
Swallens, Charles		5796	No. 3	270	250	225	230	205	215	155	150
SUBDISTRICT No. 7—VIRGINIA											
LEE COUNTY, VA.											
Fultz, General	General Fultz	5828	No. 3	285	265	235	240	225	225	175	170
Miller, Esther	Miller	5794	Penn Lee	285	265	235	240	225	225	175	170
WISE COUNTY, VA.											
Stuart, C. S.	Stuart Coal Co.	5787	Upper Banner	285	265	240	240	235	250	175	170
SUBDISTRICT No. 8—WILLIAMSON											
WAYNE COUNTY, W. VA.											
Johnson, David	Lemon Block #2	5858		290	247	227	230	205	215	165	160

*Insufficient data currently compiled these size groups.

[F. R. Doc. 43-767; Filed, January 15, 1943; 12:17 p. m.]

[Docket No. A-1745]

PART 324—MINIMUM PRICE SCHEDULE DISTRICT NO. 4

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 4 for the establishment of price classifications and minimum prices for rail and truck shipments and for change of shipping point for the coals of a certain mine in District No. 4.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for certain mines in District No. 4 and for a change of shipping point for the coals of the May Mine, Mine Index No. 856 of D. S. Thomas Coal Company; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act:

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 324.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 324.24 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That, commencing forthwith the shipping point of Crooksville, Ohio, on the New York Central Railroad be, and the same hereby is, deleted as a shipping point for the coals of the May Mine, Mine Index No. 856 of D. S. Thomas Coal Company, and in lieu thereof Tropic, Ohio, on the New York Central Railroad be, and the same hereby is, established as the shipping point for the coals of this mine.

It is further ordered, That no relief be granted herein for the coals of the Davis #2 Mine, Mine Index No. 3068 of A. R. Davis and Emory Baughman (A. R. Davis) for the reason that the coals of this mine have been heretofore priced for truck shipments in Docket No. A-1703.

It is further ordered, That, upon the request of the petitioner, the price classifications and minimum prices proposed by it for the coals of the E. E. Richards & Son Mine, Mine Index No. 3062, of E. E. Richards & Son (E. E. Richards) in Size Groups Nos. 7 and 8, respectively, for shipment via truck into all market areas, be deleted from said petition, and that there be established and made effective in lieu thereof, the price classifications and minimum prices appearing in said Supplement T for said coals, in order that said coals may be classified and priced at parity with analogous coals produced at the Richard Mine, Mine Index No. 295 of J. G. McKitterick (McKitterick Coal Co.).

It is further ordered, That no relief be granted herein for the coals of the Balser Mine, Mine Index No. 2505, of Balser Coal Company, Howard, pending further investigation and clarification of the Code member-ship status of this producer.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered. That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: January 2, 1943.

[SEAL] DAN H. WHEELER, *Director*.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 4

NOTE. The material in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 324, Minimum Price Schedule for District No. 4 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 324.7 *Alphabetical list of code members*—Supplement R

[Alphabetical list of code members having railroad loading facilities, showing price classification by price group numbers]

Mine index No.	Code member	Mine name	Seam	Type	Sub-district No.	Shipping points in Ohio	Freight origin group No.	Railroad	Price group No.	Railroad fuel price group No.: On line	Railroad fuel price group No.: Off line
3080	Buckeye Coal Mining Company, Inc., The	Buckeye #1	6	Strip	4	Lisbon	71	Erie	72	108	202-204
3061	Dontigy, Charles	Dontigy	7	Deep	5-2	New Straitsville	72	C&O	21	103	201-203
3054	Dowmont, Ellsworth F.	Dowmont	7	Deep	7-3	Jackson	42	DT&I	55	105	201-203
3063	Hamilton & Myers	Possum Hill	6A	Deep	3	Beechdale	52	NYC	110	110	201-203
3073	McCormick, Frank (McCormick Coal Co.)	Marjorie #1	8	Strip	1-5	Bethesda	11	C&O	84	102	202-204
2382	Pugh-Wright Coal Company (Donald Lantz)	Pugh-Wright C. Co.	6	Deep	7-6	Murray City	42	C&O	21	105	201-203
3062	Richards, E. E. & Son (E. E. Richards)	E. E. Richards & Son	6	Deep	6-5	Logan	42	NYC	82	110	201-203
1013	Snyder, George H.	Wilton	6	Deep	6-5	Saltillo	42	C&O	42	103	201-203
3065	Wilson, Sam	Wilson	6	Deep	6	Starr	52	DT&I	51	103	201-203
3043	Wilkinson Coal Co. (Walter W. Wilkinson).	Wilkinson	6	Strip	4	Dover	53	ERIE	65	118	202-204

FOR TRUCK SHIPMENTS

§ 324.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member	Mine	Mine Index No.	Type	Seam	Base sizes: 6" lump	3" x 6", 3" lump	2" lump	2" x 4" egg, 2" x 3" egg, 1¼" x 2½" egg, 1¼" lump, ¾" x 1¼" egg	Mine run, mine run and prep	2" x 0 slack	¾" x 0 slack	
					1	2	3	4	5	6	7	8
SUB-DISTRICT NO. 1—EASTERN OHIO												
BELMONT COUNTY												
McCormick, Frank (McCormick Coal Co.)	Marjorie #1	3073	Strip	8	295	285	270	245	240	230	210	180
SUB-DISTRICT NO. 2—CAMBRIDGE												
NOBLE COUNTY												
McConnell, M. R.	McConnell	3067	Deep	8	290	280	265	240	240	240	220	210
Smithberger, Raymond	Thompson	3064	Deep	8	290	280	265	240	240	240	220	210
Iyle, Homer	Archer	3065	Deep	8	290	280	265	240	240	240	220	210
SUB-DISTRICT NO. 4—MIDDLE												
COLUMBIANA COUNTY												
Buckeye Coal Mining Company, Inc., The	Buckeye #1	3086	Strip	6	320	310	295	270	265	240	225	215
Excelsior Fire Clay Co., The	Excelsior	3066	Strip	7	320	310	295	270	265	240	225	215
COSHOCTON COUNTY												
McCoy Coal Co. (Ed. McCoy)	McCoy #2	3087	Deep	6	300	290	280	255	250	215	185	175
GUERNSEY COUNTY												
Alexander, Everett	Alexander	3055	Deep	6	300	290	280	255	250	215	185	175
Chambers, Bert	Chambers	3056	Deep	6	300	290	280	255	250	215	185	175
STARK COUNTY												
Garaux Brothers Company, The	Garaux #14	3085	Strip	5A	295	285	270	255	235	230	210	200
Hi-Heat Coal Co. (William Longworth)	Camp Creek	3067	Deep	A 1	360	350	335	310	300	265	255	245
SUMMIT COUNTY												
Massillon Mining Co., The (Robert D. Paul)	Massillon Mining	3088	Deep	1	360	350	335	310	300	265	255	245
TUSCARAWAS COUNTY												
Wilkinson Coal Company (Walter W. Wilkinson)	Wilkinson	3043	Strip	6	295	285	270	255	235	230	210	200
SUB-DISTRICT NO. 5—HOCKING												
HOCKING COUNTY												
Rose, Clayton & Charles (Clayton Rose)	Tick Ridge #2	3005	Deep	6	315	305	295	270	265	215	185	175
PERRY COUNTY												
Donley, Charles	Donley	3001	Deep	6	315	305	295	270	265	215	185	175
SUB-DISTRICT NO. 6—CROOKSVILLE												
MORGAN COUNTY												
Francis, M. P.	Hilton	3060	Deep	8	300	290	280	255	250	215	185	185
MUSKINGUM COUNTY												
Mansuetto Coal Company (Donald S. Christy)	Schlaegel	3058	Deep	6	300	290	280	255	250	215	185	185
SUB-DISTRICT NO. 7—JACKSON												
JACKSON COUNTY												
Dowmard, Elsworth F.	Dawmard	3054	Deep	1	315	305	295	270	265	215	195	185
LAWRENCE COUNTY												
Richards, F. E. & Son (E. E. Richards)	E. E. Richards & Son.	3062	Strip	5	315	305	295	270	265	215	185	175

[F. R. Doc. 43-808; Filed, January 16, 1943; 10:38 a. m.]

[Docket No. A-1788]

PART 327—MINIMUM PRICE SCHEDULE, DISTRICT NO. 7

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 7 for the establishment of price classifications and minimum prices for the coals of the Bower Mine of Chas. H. Bower and the Dash Mine of John C. Dash, Jr. in District No. 7.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Bower Mine of Chas. H. Bower, Mine Index No. 331 and the Dash Mine of John C. Dash, Jr., Mine Index No. 702, in District No. 7; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 327.11 (*Low volatile coals: Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 327.34 (*General prices in cents per net ton for shipment into any market area*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: January 6, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 7

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 327, Minimum Price Schedule for District No. 7 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 327.11 *Low volatile coals: Alphabetical list of code members*—Supplement R

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Code member	Mine name	Sub-district No.	Low volatile seam	Shipping point	Railroad	Freight origin group No.	Price classification by size group No. 1	2	3	4	5	6	7	8	9	10
Bower, Chas. H.	Bower	5	Poca. #5	Harinco, W. Va.	Vgn.	14	(1)	(1)	(1)	(1)	(1)	B	(1)	(1)	(1)	(1)
Dash, John C., Jr.	Dash	4	War Creek	War, W. Va.	N&W	30	D	(1)	(1)	(1)	(1)	E	D	(1)	11	(1)

(1) When shown under a Size Group Number, this symbol indicates no classification effective for this size group.

FOR TRUCK SHIPMENTS

§ 327.34 *General prices in cents per net ton for shipment into any market area*—Supplement T

Code member index	Mine	Mine Index No.	Subdistrict No.	County	Seam	All lump 3" or larger, all egg and stove	All nut or pea 1¼" top size or smaller	Screened M/R	Straight mine run	1¼" screenings	¾" screenings
						1	2	3	4	5	6
Bower, Chas. H.	Bower	331	5	Wyoming	Poca. #5			300	235		

[F. R. Doc. 43-809; Filed, January 16, 1943; 10:38 a. m.]

[Docket No. A-1779]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 8 for permission to combine Mine No. 4 with the existing Mine No. 2, Mine Index No. 162, under the single index number of Mine No. 2, Mine Index No. 162.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting permission to combine Mine No. 4 with the existing Mine No. 2 under the single index number of Mine Index No. 162 for Mine No. 2, operated by Detroit Mining Company, without changing the seam designation or price classifications and minimum prices for Mine No. 2, and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 328.11 (*Alphabetical list of code members*) and § 328.34 (*General prices for high volatile coals in cents per net ton for shipment into all market areas*) in the Schedules of Effective Minimum Prices for District No. 8 for All Shipments Except Truck and for Truck Shipments are amended by changing the name of Mine No. 2, Mine Index No. 162 of Detroit Mining Company to Mine No. 2 and 4, Mine Index No. 162; and it is further ordered that the price classifications and minimum prices heretofore applicable to said Mine No. 2 be and the same hereby are applicable to said Mine No. 2 and 4, Mine Index No. 162.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: January 1, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-807; Filed, January 16, 1943; 10:38 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices

PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

[General License 9]

REVOCATION OF GENERAL LICENSE RELATIVE TO FOREIGN FUNDS CONTROL

JANUARY 15, 1943.

General License No. 9 is hereby revoked.

(Sec. 5 (b), 40 Stat. 415 and 966; Sec. 2, 48 Stat. 1; 54 Stat. 179; Public No. 354, 77th Congress, 55 Stat. 838; E.O. 8389, April 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, December 9, 1941, and E.O. 8998, December 26, 1941; E.O. 9193, July 6, 1942; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941)

[SEAL] RANDOLPH PAUL, *Acting Secretary of the Treasury.*

[F. R. Doc. 43-761; Filed, January 15, 1943; 11:31 a. m.]

APPENDIX B—PUBLIC CIRCULARS UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

[Public Circular 21]

PUBLIC CIRCULAR RELATING TO FOREIGN FUNDS CONTROL

JANUARY 15, 1943.

Public Circular No. 21 under Executive Order No. 8389, as amended, Executive Order No. 9193, sections 3 (a) and 5 (b) of the Trading With the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

(1) *Status of sub-accounts.* Each sub-account of a blocked account is deemed to be a separate blocked account.

(2) *Certain transactions not authorized by General Licenses No. 1, No. 1A, No. ½ and No. 27.* (a) On and after January 16 1943, General Licenses No. 1, No. 4 and No. 27 shall not be deemed to authorize the crediting of the proceeds of the sale of securities held in a blocked account or a sub-account thereof, or the income derived from such securities, to a blocked account or sub-account under any name or designation which differs from the name or designation of the specific blocked account or sub-account in which such securities were held;

(b) On and after January 16, 1943, General License No. 1A shall not be deemed to authorize the transfer of securities held in a blocked account or sub-account thereof to a blocked account or sub-account under any name or designation which differs from the name or designation of the specific blocked account or sub-account in which such securities were held.

(3) *Certain transactions not authorized by specific licenses.* On and after January 16, 1943, no specific license shall

be deemed to authorize (a) the crediting of the proceeds of the sale of securities held in a blocked account or sub-account thereof, (b) the crediting of the income derived from such securities or (c) the transfer of such securities, to a blocked account or sub-account under any name or designation which differs from the name or designation of the specific blocked account or sub-account in which such securities were held, unless such specific license by its terms expressly authorizes such crediting or transfer.

(Sec. 5 (b), 40 Stat. 415 and 966; Sec. 2, 48 Stat. 1; 54 Stat. 179; Public No. 354, 77th Congress, 55 Stat. 838; E.O. 8389, April 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, December 9, 1941, and E.O. 8998, December 26, 1941; E.O. 9193, July 6, 1942; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941)

[SEAL] RANDOLPH PAUL,
Acting Secretary of the Treasury.

[F. R. Doc. 43-762; Filed, January 15, 1943; 11:31 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment 114]

PART 802—GENERAL LICENSES

PART 805—SELECTED DESTINATIONS CLEARANCE PROCEDURE

Section 802.10 *General licenses which permit shipments not exceeding a specified value* is hereby amended in the following particulars:

1. Paragraph (a) is amended by revising the paragraph preceding the list of commodities to read as follows:

(a) General licenses are hereby issued permitting exportation to destinations in general license country group K, as set forth in § 802.3 (a) of this subchapter, and to Liberia, of all commodities where, in a single shipment, the net value (net value is defined to mean the invoice price exclusive of shipping charges) of such commodities classified under the same Department of Commerce Schedule B or F number does not exceed $25 with exception of the commodities listed below (which, when preceded by an asterisk, shall be construed to include their forms, conversions and derivatives):

2. Paragraph (b) is hereby amended by revising the paragraph preceding the list of commodities to read as follows:

(b) General licenses are hereby issued permitting exportation to destinations in general license country group K, as set forth in § 802.3 (a) of this subchapter, of all commodities excepted from paragraph (a) of this section when the net value (net value is defined to mean the invoice price exclusive of shipping charges) of a single shipment of such commodities does not exceed $1.00: *Provided*, That the following commodities may not be exported under these general licenses in any amount:

3. Paragraph (d) is hereby amended by revising the paragraph preceding the list of commodities to read as follows:

(d) General licenses are hereby issued permitting exportation to destinations in general license country group K, as set forth in § 802.3 (a) of this subchapter, of all medicinals, pharmaceuticals and chemicals used solely for medicinal purposes, except those listed in paragraph (a) of this section, where, in a single shipment, the net value (net value is defined to mean the invoice price exclusive of shipping charges) of such commodities classified under a single Department of Commerce Schedule B or F number does not exceed $100: *Provided, however*, That any medicinal commodity listed below (including its forms, conversions and derivatives, and whether or not contained in a preparation) may not be exported under these general licenses to destinations in general license country group K in an amount exceeding $25 net value (as above defined):

Section 805.2 *Selected destinations* is hereby amended by deleting Liberia G-91 from the list of countries designated selected destinations.

Section 805.3 *General license provisions* is hereby amended by deleting Liberia from the list of countries therein.

(Sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807)

PAUL CORNELL,
Chief of Office,
Office of Exports.

JANUARY 14, 1943.

[F. R. Doc. 43-732; Filed, January 15, 1943; 10:24 a. m.]

[Amendment No. 115]

PART 802—GENERAL LICENSES

Paragraph (a) of § 802.11 *Personal baggage* is hereby amended to read as follows:

§ 802.11 *Personal baggage.* (a) General licenses are hereby issued, subject to the restrictions contained in paragraphs (c) and (d) of this section, permitting exportation to all destinations of the following classes of commodities when exported by persons leaving the United States solely for the use of themselves and their families and not for resale or other commercial purpose:

(1) Household articles, including furniture, refrigerators, radios, decorations and other household furnishings.

(2) Personal effects, including clothing, books, toilet articles, souvenirs, articles of personal adornment, personal firearms, hunting guns, etc. (restricted to three guns per person), cameras and similar articles.

(3) Professional instruments and tools of trade, including typewriters, which have been used by the passenger in his occupation, profession or employment.

(4) Passenger automobiles when the personal property of persons departing from this country and not being exported for purposes of resale. The passenger must file with the collector of customs an affidavit certifying that the exportation is not for resale.

(Sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Public Law 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807.)

PAUL CORNELL,
Chief of Office,
Office of Exports.

JANUARY 14, 1943.

[F. R. Doc. 43-733; Filed, January 15, 1943; 10:24 a. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1010—SUSPENSION ORDERS

[Suspension Order S-214]

COVE, INC.

Cove, Inc., is a Pennsylvania corporation formed for the purpose of operating a restaurant and taproom in the premises situated at 1301-03 Locust Street, Philadelphia, Pennsylvania. Subsequent to September 7, 1942, Cove, Inc., began construction, as defined in Conservation Order L-41, as amended September 7, 1942, on the remodeling of the premises situated at 1301-03 Locust Street, Philadelphia, Pennsylvania, into a restaurant and taproom without specific authority from the Director General for Operations. The estimated cost of this construction was considerably in excess of $200.00. The construction is now partially complete, having been stopped by the War Production Board approximately two months ago. At the time of the beginning of said construction the principal officers of the corporation knew, or should have known, of the restrictions contained in Conservation Order L-41, as amended. These acts constituted a wilful violation of said order.

This violation of said order has hampered and impeded the war effort of the United States by diverting scarce materials to uses not authorized by the War Production Board. In view of the foregoing, *It is hereby ordered:*

§ 1010.214 *Suspension order S-214.* (a) Neither Cove, Inc., nor any other person shall order, purchase, accept delivery of, withdraw from inventory or in any other manner secure or use material or construction plant in order to continue or complete construction of the remodeling of the premises situated at 1301-03 Locust Street, Philadelphia, Pennsylvania, except as specifically authorized by the Director General for Operations.

(b) For a period of ninety days from the effective date of this order no application filed by Cove, Inc., or any other person for authorization to complete the said construction of the remodeling of the premises situated at 1301-03 Locust Street, Philadelphia, Pennsylvania, shall be granted.

(c) Nothing contained in this order shall be deemed to relieve Cove, Inc., from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on January 18, 1943.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 15th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-770; Filed, January 15, 1943; 2:16 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-215]

A. B. MILES

A. B. Miles of Philadelphia, Pennsylvania, is a general contractor. Subsequent to September 7, 1942, he began construction, ordered, purchased and accepted materials to begin construction of the remodeling of the premises situated at 1301-03 Locust Street, Philadelphia, Pennsylvania, into a restaurant and taproom at an estimated cost in excess of $200.00, without specific authority from the Director General for Operations. At the time he began construction he knew, or should have known, of the restrictions contained in Conservation Order L-41, as amended September 7, 1942. These acts constituted a wilful violation of said order.

This violation of Conservation Order L-41 has hampered and impeded the war effort of the United States by diverting scarce materials to uses not authorized by the War Production Board. In view of the foregoing, *It is hereby ordered:*

§ 1010.215 *Suspension Order S-215.* (a) A. B. Miles, his successors and assigns, are hereby prohibited from ordering, purchasing, accepting delivery of, withdrawing from inventory, or in any other manner securing or using material or construction plant in order to begin erection, or continue construction, remodeling or rehabilitation of any building, structure or project or additions thereto or extensions or alterations thereof, including maintenance and repair, except as specifically authorized in writing by the Regional Compliance Chief of the Philadelphia Regional Office of the War Production Board.

(b) Deliveries of material to A. B. Miles, his successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned or applied to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the Director of Industry Operations or the Director General for Operations except as specifically authorized by the Director General for Operations.

(c) No allocation shall be made to A. B. Miles, his successors and assigns, of any material, the supply or distribution of which is covered by any order of the Director of Industry Operations or the Director General for Operations except as specifically authorized by the Director General for Operations.

(d) Nothing contained in this order shall be deemed to relieve A. B. Miles from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect January 18, 1943 and shall expire on April 18, 1943, at which time the restrictions contained in this order shall be of no further effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 15th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-771; Filed, January 15, 1943; 2:16 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-216]

ALVIN FIXTURE CO.

T. B. Corenblum, doing business as the Alvin Fixture Company, Birmingham, Alabama, is engaged in the business of manufacturing various types of wooden engineer chests for the United States Army. On or about October 1, 1942, the Alvin Fixture Company began the erection of a new plant consisting of a building 60 x 200 feet in area, a paint shop 30 x 60 feet in area and a boiler room and dry kiln which was to be used for the expanded manufacture of wooden engineer chests. The estimated cost of construction of this project was substantially in excess of the cost permitted by Conservation Order L-41 as amended September 2, 1942, and was begun without the authorization required by such order. T. B. Corenblum was aware of the existence of Conservation Order L-41 and of the restrictions of that order upon new construction. Consequently, the beginning of construction without authorization constituted a wilful violation of Conservation Order L-41 as amended September 2, 1942.

About October 1, 1942, the Alvin Fixture Company extended a preference rating of A-1-j to the delivery of certain steel sashes, for installation in the above structure, although that rating had been assigned to the Alvin Fixture Company for the procurement of material to be incorporated in engineer chests. The extension of this rating for the procurement of material not authorized by the terms of such preference rating constituted a wilful violation of Priorities Regulation No. 3 as amended.

These violations have hampered and impeded the war effort of the United States by diverting scarce material to uses not authorized by the War Production Board. In view of the foregoing, *It is hereby ordered:*

§ 1010.216 *Suspension Order S-216.* (a) Neither T. B. Corenblum, individually or doing business as the Alvin Fixture Company, nor any other person shall order, purchase, accept delivery of, withdraw from inventory, or in any other manner secure or use material or construction plant in order to begin, continue, or complete construction of a new structure 60 x 200 feet in area, together with other new structures to be used in connection therewith or with the present plant of the Alvin Fixture Company whether adjacent to the new structure or present plant or otherwise, except as specifically authorized by the Director General for Operations.

(b) For a period of nine months from the effective date of this order, no application filed by T. B. Corenblum, individually or doing business as, the Alvin Fixture Company, or any other person, for authorization to complete the construction described in paragraph (a) hereof, shall be granted.

(c) Nothing contained in this order shall be deemed to relieve T. B. Corenblum, individually or doing business as the Alvin Fixture Company, his or its successors and assigns from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on January 18, 1943.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 15th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-772; Filed, January 15, 1943; 2:16 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-217]

MCPHERSON HOTEL CORP.

McPherson Hotel Corporation is a New Jersey corporation, operating the Hotel Hildebrecht in Trenton, New Jersey. During the month of August, 1942, the McPherson Hotel Corporation began construction and ordered, purchased and withdrew from inventory materials to begin construction on the remodeling of the coffee shop of the Hotel Hildebrecht without authorization from the Director General for Operations. The estimated cost of this construction, as defined in Conservation Order L-41, substantially exceeded $1,000.00.

This constituted a wilful violation of Conservation Order L-41 which has

hampered and impeded the war effort of the United States by diverting scarce materials to uses not authorized by the War Production Board. In view of the foregoing: *It is hereby ordered:*

§ 1010.217 *Suspension Order S–217.* (a) Neither the McPherson Hotel Corporation nor any other person shall order, purchase, accept delivery of, withdraw from inventory or in any other manner secure or use material or construction plant in order to continue or complete construction of the remodeling of the coffee shop at the Hotel Hildebrecht, Trenton, New Jersey, except as specifically authorized by the Director General for Operations.

(b) For a period of six months from the effective date of this order no application filed by the McPherson Hotel Corporation or any other person for authorization to complete the said construction of the remodeling of the coffee shop at the Hotel Hildebrecht, Trenton, New Jersey, shall be granted.

(c) Nothing contained in this order shall be deemed to relieve the McPherson Hotel Corporation from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on January 18, 1943.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 15th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43–773; Filed, January 15, 1943; 2:16 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–204]

LOMBARD IRON WORKS

Lombard Iron Works, Augusta, Georgia, operates a cast iron foundry, machine shop, boiler shop, and plating shop. It is a Class 1 producer within the meaning of Priorities Regulation No. 11. This Company was formed about September 1, 1942, and began operations about October 1, 1942. Despite the fact that the Company was a Class 1 producer, it failed to file Form PD–25–a for the fourth quarter of 1942 within a reasonable time after becoming a Class 1 producer and failed to file Form PD–25–a for the first quarter of 1943 as required by Priorities Regulation No. 11. The responsible officers of the Company had full knowledge during this entire period that they were required to operate under the Production Requirements Plan, but nonetheless failed to make any reasonable efforts to prepare and file the required applications. The Company also obtained material by extension of customers ratings after having failed to file an application on Form PD–25–a. This failure to file Form PD-25-a for either the fourth quarter of 1942 or the first quarter of 1943 and the extension of customers ratings to obtain material after having failed to file Form PD–25–a constituted a violation of Priorities Regulation No. 11.

The negligent failure to comply with the provisions of Priorities Regulation No. 11 has shown a lack of responsibility on the part of the managers of the Lombard Iron Works and thus necessitates the imposition of closer controls over that Company's operations in order to insure the production of important war material and to insure that the Company complies with the regulations set up for the distribution of critical materials. In view of the foregoing facts, *It is hereby ordered:*

§ 1010.204 *Suspension Order S–204.* (a) Deliveries of material to the Lombard Iron Works, its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned or applied to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other order or regulation of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Regional Compliance Chief, War Production Board, Atlanta, Georgia.

(b) Lombard Iron Works, its successors and assigns, shall not receive, put in process, process, manufacture, use or deliver any of the metals specified on the Metals List attached to Priorities Regulation No. 11 in any form except as specifically authorized by the Regional Compliance Chief, War Production Board, Atlanta, Georgia.

(c) Nothing contained herein shall be deemed to relieve Lombard Iron Works, its successors and assigns, from any restriction, prohibition or provisions contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations except in so far as the same may be inconsistent with the provisions hereof.

(d) This order is to take effect on January 23, 1943, and will expire on April 23, 1943, at which time it will have no further effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 16th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43–837; Filed, January 16, 1943; 2:57 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–218]

BUTANE GAS & PLUMBING CO., INC.

Butane Gas & Plumbing Company, Inc. of Cotton Port, Louisiana, is engaged in the business of selling and installing butane gas heating equipment. On May 27, 1942, this company, after having been charged with installation of new butane gas heating equipment in violation of General Limitation Order L–86 was specifically advised that such installations could not be made by it under the order and was warned against making any further installations. Thereafter, between that date and July 25, 1942, the company sold and installed new butane gas heating equipment in fifteen instances under circumstances similar to the installation in May, 1942. The company knew that these installations, without prior approval of the War Production Board, were in violation of General Limitation Order L–86, and its violations were wilful.

These violations of said order have hampered and impeded the war effort of the United States by diverting scarce materials to uses not authorized by the War Production Board. In view of the foregoing, *It is hereby ordered,* That:

§ 1010.218 *Suspension order S–218.* (a) For a period of three months from the effective date of this order, Butane Gas & Plumbing Company, Inc., its successors and assigns, shall not install or deliver for installation purposes any liquefied petroleum gas equipment as the same is defined in General Limitation Order L–86, whether new or used, except as specifically authorized by the Director General for Operations.

(b) Deliveries of material to Butane Gas & Plumbing Company, Inc., its successors and assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference ratings shall be assigned or applied to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other order or regulation of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) No allocation shall be made to Butane Gas & Plumbing Company, Inc., its successors and assigns, of any material the supply or distribution of which is governed by any Order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(d) Nothing contained in this order shall be deemed to relieve Butane Gas & Plumbing Company, Inc. from any restriction, prohibition or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect January 19, 1943.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 16th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43–838; Filed, January 16, 1943; 2:57 p. m.]

PART 933—COPPER

[Amendment 1 to Conservation Order M–9–c, as Amended Dec. 26, 1942]

Section 933.4 *Conservation Order M–9–c* is hereby amended in the following respects:

By amending the item on List A–2 which reads as follows:

Blow torches, gasoline and alcohol, (except when the only copper products or copper base alloy products used are for the pump valve, pump check valve assembly, pump cylinder cap, brazing material, pack nut, valve stem, valve body and jet block), Jan. 20, 1943.

to be and read as follows:

Blow torches, gasoline and alcohol, (except when the only copper products or copper base alloy products used are for the pump barrel, pump check valve assembly, pump cylinder cap, brazing material, pack nut, valve stem, valve body and jet block), Jan. 20, 1943.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 18th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43–875; Filed, January 18, 1943; 11:02 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Regulation 9, as Amended Jan. 18, 1943]

PRIORITIES ASSISTANCE UNDER FORM PD–311 REVISED OR OTHER PRESCRIBED FORM

Section 944.30 *Priorities Regulation 9* is hereby amended to read as follows:

§ 944.30 *Priorities Regulation 9—*(a) *Forms for export; scope of regulation.* Priorities assistance for export may hereafter be made available pursuant to application on Form PD–311 Revised or other prescribed form filed by or in the name of the person desiring the export of the material involved. Such person is hereinafter referred to as the applicant, which term shall also include any agency authorized to place purchase orders for such person. This regulation shall be applicable to priorities assistance granted pursuant to application on such form or any other form prescribed exclusively for exports which by its terms is expressly subject to this regulation.

(b) *Application and extension of preference ratings.* (1) One copy of Form PD–311 Revised or other prescribed form will be returned to the applicant accompanied or followed by a statement indicating the ratings assigned to deliveries of those quantities of material specified on such form, or indicating the granting of other priorities assistance. Such preference ratings shall be applied and extended only in the manner provided in (2) and (3) below.

(2) The applicant, in order to apply a preference rating assigned pursuant to the provisions of this regulation, must have received an export license, a statement of export clearance, or a statement of authority to export (or a copy thereof if authorized by the issuing agency) and must endorse on, or attach to, each contract or purchase order placed by him to which such a rating is to be applied, a certification in the following form (or, if appropriate, at the applicant's option, in the form prescribed in General Export Order M–148, as amended from time to time) signed manually or as provided in Priorities Regulation No. 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned purchaser hereby represents to the seller and to the War Production Board that he has received an export license, a statement of export clearance, or a statement of authority to export, that he is entitled to apply the preference ratings indicated opposite the items shown in this purchase order, and that such application is in accordance with Priorities Regulation No. 9, as amended, with the terms of which the undersigned is familiar.

(Name of purchaser) (Address)

By (Signature and title of duly authorized officer) (Date)

The person receiving the certification and rating shall be entitled to rely on such representation, unless he knows or has reason to believe it to be false. Each person applying ratings must maintain at his regular place of business all documents, including purchase orders and preference rating orders and certificates, upon which he relies as entitling him to apply such ratings, segregated and available for inspection by representatives of the War Production Board, or filed in such manner that they can be readily segregated and made available for such inspection.

(3) A supplier with whom a purchase order or contract has been placed for a delivery to the applicant, to which purchase order or contract the rating has been applied as provided in (2) above, may extend such ratings to his suppliers and they may in turn extend such rating to their suppliers only in conformity with the applicable provisions of Priorities Regulations Nos. 3 and 11, as such regulations may be amended from time to time.

(c) *Effect of revocation.* If the export license, statement of export clearance or statement of authority to export any material is revoked, any preference rating subject to this regulation which has been assigned to the delivery of material shall be automatically cancelled, as regards delivery to the applicant; and no delivery of such material shall be made to or received by the applicant. As regards each supplier of the applicant or of another supplier, who has extended such rating, it shall likewise be automatically cancelled, and each such supplier shall promptly notify his suppliers of such cancellation; *Provided, however,* That if, in the opinion of any supplier, cancellation of the rating would seriously interfere with any program of war work, he may make application in writing to the Director General for Operations, Washington, D. C., Att: Petroleum Administration for War, requesting continuation of the rating. The Director General for Operations may thereupon grant such relief as he may deem appropriate.

(d) *Limitation on other forms of priorities assistance.* No person who is entitled to obtain a preference rating or any other form of priorities assistance pursuant to application on Form PD–311 (or any other form prescribed pursuant to this regulation) for an operation shall apply any preference rating otherwise obtained, or use any form of priorities assistance otherwise granted, with respect to a delivery of material for such operation; except that this provision shall not prevent application of any rating lawfully assigned prior to January 18, 1943 or the rerating of any delivery pursuant to Priorities Regulation No. 12.

(e) *Revocation of Preference Rating Order P–98–d.* Section 1041.5 *Preference Rating Order P–98–d* is revoked as of January 18, 1943.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 18th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43–873; Filed, January 18, 1943; 11:02 a. m.]

PART 1041—PRODUCTION, TRANSPORTATION, REFINING AND MARKETING OF PETROLEUM

[Revocation of Preference Rating Order P–98–d]

Section 1041.5 *Preference Rating Order P–98–d* hereby is revoked as of this 18th day of January 1943.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125; 7 F.R. 2719; sec. 2 (a), Pub. Law

671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 18th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-874; Filed, January 18, 1943; 11:02 a. m.]

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[General Imports Order M-63 as Amended Jan. 18, 1943]

§ 1042.1 *General Imports Order M-63*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether or not incorporated.

(2) "Owner" of any material means any person who has any property interest in such material except a person whose interest is held solely as security for the payment of money.

(3) "Consignee" means the person to whom a material is consigned at the time of importation.

(4) "Import" means to transport in any manner into the continental United States from any foreign country or from any territory or possession of the United States (including the Philippine Islands). It includes shipments into a free port, free zone, or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States and shipments in bond into the continental United States for transshipment to Canada, Mexico, or any other foreign country.

(5) "Place of initial storage" means any warehouse, yard ground storage, or other place, to which the person making the entry or withdrawal from custody of the United States Bureau of Customs of material imported subject to this order directs or has directed that such material be transported from the port of entry to be held until disposed of pursuant to this order.

(6) Material shall be deemed "in transit" if it is afloat, if an on board ocean bill of lading has actually been issued with respect to it, or if it has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States.

(7) "Governing date" with respect to any material means the date when such material first became subject to General Imports Order M-63.

(b) *Restrictions on imports of materials*—(1) *General restriction.* No person, except as authorized in writing by the Director General for Operations, shall purchase for import, import, offer to purchase for import, receive, or offer to receive on consignment for import, or make any contract or other arrangement for the importing of, any material subject to this order after the governing date. The foregoing restrictions shall apply to the importation of any material subject to the order, regardless of the existence on the governing date or thereafter of any contract or other arrangement for the importation of such material. The materials subject to this order are those listed from time to time upon List I, List II, and List III attached hereto.

(2) *Authorization by Director General for Operations.* Any person desiring such authorization, whether owner, purchaser, seller, or consignee of the material to be imported, or agent of any of them, shall make application therefor in duplicate on Form PD-222C, addressed to the War Production Board, Ref.: M-63, Washington, D. C. Unless otherwise expressly permitted, such authorization shall apply only to the particular material and shipment mentioned therein and to the persons and their agents concerned with such shipment; it shall not be assignable or transferable either in whole or in part.

(3) *Restrictions on financing of imports.* No bank or other person shall participate, by financing or otherwise, in any arrangement which such bank or person knows or has reason to know involves the importation of any material subject to this order after the governing date unless such bank or person has received either a copy of the authorization issued by the Director General for Operations, or, if the transaction comes within the exceptions set forth in paragraph (b) (4), an affidavit stating the facts which show the exception.

(4) *Exceptions.* Unless otherwise directed by the Director General for Operations, the restrictions set forth in this paragraph (b) shall not apply:

(i) To the Board of Economic Warfare, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation, or any agent acting for any such department, agency, or corporation; or

(ii) To any material of which any United States governmental department, agency, or corporation is the owner at the time of importation, or to any material which the owner at the time of importation had purchased or otherwise acquired from any United States governmental department, agency, or corporation; or

(iii) To any material which on the governing date was in transit to a point within the continental United States.

(iv) To materials imported by mail where the value of the shipment is less than $100.00; or

(v) To materials consigned as gifts or as samples, or for use as samples, or imported for personal use, where the value of each consignment or shipment is less than $200.00; or

(vi) To materials consigned as gifts for personal use by or to members of the Armed Services of the United States.

(vii) To any material on List I or List II imported by any person under any contract or other arrangement made before, or in existence on, the governing date and which, on December 28, 1942, was in transit to a point within the continental United States.

(c) *Restrictions on disposition of List I material.* Except as hereinafter specifically provided in paragraph (d) hereof:

(1) *Restrictions upon owners and consignees.* No owner or consignee of any material on List I which is imported after the governing date shall in any way, directly or indirectly:

(i) Dispose of any interest in such material;

(ii) Process or in any way change the physical condition of such material;

(iii) Transfer possession, or cause or permit a transfer of possession, of such material except to the port of entry and from the port of entry to the place of initial storage of such material; or

(iv) Change, or cause or permit a change of, the location of such material except to the port of entry and from the port of entry to the place of initial storage of such material.

Provided: That a consignee of such material may dispose of his interest in such material to the extent necessary to complete any commitment or contract made prior to the governing date. The person to whom he disposes of such interest shall be subject to all restrictions imposed upon owners by this order.

(2) *Restrictions upon banks and persons similarly situated.* No bank or other person which, as agent, pledgee, beneficiary under a trust receipt, or otherwise, has possession of or any interest in any written instrument evidencing any interest in any material on List I shall in any way, directly or indirectly, dispose of any such interest, or transfer possession, or cause or permit a transfer of possession, of such instrument, unless:

(i) Such material was imported before the governing date; or

(ii) Such person neither knows nor has reason to know that such material was imported after the governing date, or

(iii) Such disposition or transfer is necessary to permit a consignee to make a permissible disposition of material in accordance with subparagraph (1) of this paragraph (c); or

(iv) Such disposition or transfer is made to the owner of the material and such owner has complied with all the provisions of this order.

(d) *Permissible disposition of List I materials*—(1) *Transfer to Governmental agency.* Nothing contained in this order shall prohibit an owner or consignee of any material on List I imported after the governing date, or a bank or other person having possession of, or an interest in, a written instrument evidencing an interest in such material, from disposing of, or making any arrangement to dispose of, any interest in such material to the Board of Economic Warfare, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation.

(2) *Authorization by Director General for Operations.* Notwithstanding the provisions of paragraph (c), an owner or consignee of material on List I imported after the governing date or a bank or other person having possession of or an interest in a written instrument evidencing an interest in such material, may process such material or may dispose of any interest in such material or any such written instrument, or transfer possession or change the location thereof, or cause or permit such a transfer of possession or change of location, upon written authorization by the Director General for Operations. Any such person may make application in duplicate for such an authorization on Form PD-222A, which form shall be addressed to the War Production Board. Ref.: M-63, Washington, D. C.

(3) *Exceptions.* The restrictions set forth in paragraph (c) shall not apply to any material after any United States governmental department, agency, or corporation becomes the owner thereof, and shall not apply to any material of which any United States governmental department, agency, or corporation is the owner at the time of importation, and shall not apply to any material purchased or otherwise acquired from any United States governmental department, agency, or corporation.

(e) *Restrictions on disposition of List II or List III material.* Any material on List II or List III, which is imported after the governing date, may be sold, delivered, processed, consumed, purchased, or received without restriction under this order, but all such transactions shall be subject to all applicable provisions of the regulations of the War Production Board and to all orders and directions of the Director General for Operations which now or hereafter may be in effect with respect to such material.

(f) *Reports*—(1) *Reports on customs entry.* No material which is imported after the governing date, including materials imported by or for the account of the Board of Economic Warfare, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation, shall be entered through the United States Bureau of Customs for any purpose, whether for consumption, for warehouse, in transit, in bond, for re-export, for appraisal, or otherwise, unless the person making the entry shall file with the entry Form PD-222B in duplicate. The filing of such form a second time shall not be required upon any subsequent entry of such material through the United States Bureau of Customs for any purpose; nor shall the filing of such form be required upon the withdrawal of any material from bonded custody of the United States Bureau of Customs, regardless of the date when such material was first transported into the continental United States. Both copies of such form shall be transmitted by the Collector of Customs to the War Production Board, Division of Stockpiling and Transportation, Ref.: M-63, Washington, D. C.

(2) *Other reports.* All persons having any interest in, or taking any action with respect to, any material imported after the governing date, whether as owner, agent, consignee, or otherwise, shall file such other reports as may be required from time to time by the War Production Board.

(g) *Routing of communications.* All communications concerning this order shall, unless otherwise herein directed, be addressed to: War Production Board, Washington, D. C., Ref.: M-63.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or who furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority assistance.

(i) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(j) *Effective date.* This order shall take effect at 12:01 a. m. on the 28th day of December, 1942, and shall continue in effect until revoked.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 18th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

LIST I

NOTE: List I was amended in its entirety January 18, 1943.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below.

Material	Commerce Import Class No.	Governing date
Abaca logs	N. S. C.	1-18-43
Abaca lumber	N. S. C.	1-18-43
Alpaca, llama, and vicuna hair	3435.000	1-7-42
Asphalt	2505.400 2505.100 5079.100 2504.000	7-2-42 7-2-42 7-2-42
Beef and mutton tallow—includes oleo stock	0070.000	7-22-42
Beef and mutton tallow (medicinal)—includes oleostock	0815.600	7-22-42
Brazilian pebble (quartz crystals), unmanufactured	5120.600	10-6-42
Brazilian pebble (quartz crystals), manufactured and semimanufactured in blanks, slabs, bars, etc.	N. S. C.	10-6-42
Bristles, hog and pig	0917.000	1-13-42
Cacahuananche oil	0979.100 N. S. C.	1-25-42 1-18-43
Castor beans	2231.600	4-8-42
Cinchona bark or other bark from which quinine may be extracted	2291.000	8-22-42
Coal oil	0804.000	7-22-42
Coir fiber	3409.000	11-23-42
Coir yarn	3420.000	11-23-42
Coir manufactures, other than pile mats, floor coverings, mattings, etc.	N. S. C.	11-23-42
Columbium ore (columbite) or concentrates	0270.300	4-8-42
Cottonseed oil, crude, refined	1723.100 1723.200	8-22-42 8-22-42
Divi-divi pods	2420.140	7-2-42
Divi-divi, hemlock, and chestnut extracts	2047.000	7-2-42
Flax, unmanufactured (all types)	3284.000 3262.200 3262.600 3262.700 3262.800	7-2-42 4-8-42 4-8-42 7-2-42 7-1-42
Flaxseed (linseed)	2202.100 2233.000	7-2-42 8-22-42
Goosedown	N. S. C.	7-2-42
Graphite or plumbago:		
Amorphous, natural (except of Mexican origin)	5730.100	4-8-42
Crystalline, flake	5730.200	12-28-41
Crystalline, crucible lump and chip graphite	5730.410	4-8-42
Crystalline, dust and other crystalline lump and chip graphite	5730.490	4-8-42
Hemp (Cannabis Sativa type) only, unmanufactured:		
Hackled, including "line of hemp"	3283.000	9-11-42
Not hackled	3283.200	9-11-42
Tow	3283.300	9-11-42
Horse mane and tail hair, raw and drawn, including switches	3694.000	3-14-42
	3694.100	3-14-42
Jute: crude, seed, button and stick	2105.000	3-14-42
Linseed oil, and combinations and mixtures, in chief value of such oil	2354.000	8-22-42
Mangrove extract (including Philippine cutch)	2242.000	7-2-42
Muru muru nut oil	N. S. C.	8-24-42
Myrobalan fruit and extract	2201.000	7-2-42
	2445.800	7-2-42
Neatsfoot oil and animal oils known as neatsfoot stock	0848.[illegible]	[illegible]-42

[1] Moved from List III effective date.
[2] Moved from List II 11-23-42.
[3] Moved from List II 10-6-42.

Material	Commerce import Class No.	Governing date
Oiticica oil	0036.200	8/21/42
Pearlnut (ground nut) oil	1427.000	8/22/42
Pyrethrum, or insect flowers	2202.000	10/21/42
Pyrethrum, or insect flowers, advanced in value or condition	2220.310	10/21/42
Quebracho extract	2344.000	7/2/42
Rod squid	2210.650	10/21/42
Rotenone-bearing roots (cube root (tuba or barbasco), derris and timbo), crude and advanced	2220.280	5/4/42
	2220.300	5/4/42
	2220.360	5/4/42
	2220.370	5/4/42
Rubber, crude	2220.700	5/22/42
Rubber seed oil	N. S. C.	5/22/42
Sandbox	6270.200	12/28/41
Sun-bleached or refined and denatured	1421.000	5/22/42
Sandalwood	2247.000	5/22/42
Tantalum ore (tantalite)	6270.400	4/8/42
Tarai	2020.200	7/2/42
Tarapoto oil	N. S. C.	8/21/42
Valonia beards and valonia extract	2307.000	7/2/42
Wattle extract	2345.500	7/2/42
Whale oil (other than sperm)	0843.500	5/22/42
Wool grease, including degras or (known wool grease) all grades	0813.200	5/22/42
	0813.300	5/22/42
	0813.500	5/22/42
Zaratonite ore	6270.500	12/28/41

N. S. C.—No separate class. Commodity number has not yet been assigned by the Department of Commerce Statistical Classification of Imports.

List II

NOTE: List II was amended in its entirety January 18, 1943.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (Issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below.

Material	Commerce Import Class No.	Governing date
Agave manufactures and semi-manufactures:		
Sisal cordage, including cables, tarred or untarred, composed of three or more strands, each strand composed of two or more yarns	3417.010	1/18/43
	3417.110	1/18/43
Carpet yarns of agave, dyed or undyed	N. S. C.	7/21/42
Cordage of agave fibers, other than sisal	N. S. C.	1/18/43
Cords and twines of agave fibers	N. S. C.	1/18/43
Fabrics woven of agave fiber	N. S. C.	9/11/42
Other manufactures of agave fibers	N. S. C.	1/18/43
Aluminum scrap	6402.300	6/1/42
Antimony	6620.000	12/28/41
	6651.000	12/28/41
	6651.100	12/28/41
	6880.180	12/28/41
	6880.210	12/28/41
Asbestos, unmanufactured (crude), milled or Rhodesian or Union of South Africa	5500.010	1/13/42
	5500.020	1/13/42
	5500.050	1/13/42
	5500.300	1/13/42
	5500.500	1/13/42
	5501.000	1/13/42
	5501.100	1/13/42
	5501.900	1/13/42
	5502.100	1/13/42
Babassu nuts and kernels	2239.130	4/8/42
	2239.150	4/8/42
Babassu nut oil	2237.100	4/8/42
Balsa wood:		
Logs	4029.100	6/10/42
Sawed boards, planks, deals and sawed timber	4118.000	6/10/42
Beryl ore or beryllium ore	6270.000	5/4/42
Beryllium oxide, carbonate and other beryllium salts	6880.963	5/4/42
Carbon tail kernel oil	2237.900	4/8/42

Material	Commerce import Class No.	Governing date
Cashew nut shell oil	2990.050	4/8/42
Castor oil	2990.020	4/8/42
Cattle, ox, and calf tail hair including switches	3096.100	7/2/42
Chrome ore (chromite)	6213.100	12/28/41
	6213.300	12/28/41
	6213.500	12/28/41
	6503.000	12/28/41
Coconut oil	2242.000	1/13/42
Cohune nuts and kernels	N. S. C.	4/8/42
Colombi nut oil	N. S. C.	9/11/42
Copper	6401.500	12/28/41
	6417.100	7/14/42
	6430.000	3/14/42
	6418.300	6/1/42
Copper and brass scrap	6401.500	12/28/41
	6418.100	7/2/42
	6451.000	6/1/42
	6760.020	6/1/42
Chyra	2232.000	1/13/42
Corn or maize oil (edible)	1422.000	5/22/42
Corundum and emery in grains, or ground, pulverized, or refined	5470.610	5/22/42
Corundum ore	5460.000	5/22/42
Cotton linters, munitions or chemical grades only (Grades 3-6 according to Department of Agriculture Classification)	N. S. C.	4/8/42
Cotton yarns and fabrics:		
Airplane cloth, type MM	N. S. C.	8/21/42
Bulloon fabric, type HH	N. S. C.	8/21/42
Balloon fabric, type SS	N. S. C.	8/21/42
Cotton rope for spinning mules	N. S. C.	11/23/42
Dressing apron fabric	N. S. C.	11/23/42
English spun combed cotton yarn, single or plied, in counts of 88's and finer	N. S. C.	11/23/42
Filter cloth	N. S. C.	11/23/42
Grey tracing cloth fabric	N. S. C.	11/23/42
Lithograph pigskin cloth	N. S. C.	11/23/42
Printers molleton	3970.000	8/21/42
Tracing cloth	N. S. C.	8/21/42
Typewriter ribbon fabric	N. S. C.	8/21/42
Cottonseed hull fiber	N. S. C.	7/21/42
Cresylic acid, crude and refined	8200.100	5/22/42
	8204.100	5/22/42
Croton seed	0711.400	7/21/42
Goat and kid skin furs		
Hides and skins:		
Buffalo hides, dry and wet	0203.000	1/14/42
	0203.100	1/14/42
Calcutta skins or hair sheepskins	0235.000	7/2/42
Calf, dry and wet	0206.000	1/13/42
	0206.100	1/13/42
Cattle hides, dry and wet	0201.000	1/13/42
	0202.000	1/13/42
Goat and kidskins, dry and wet	0241.000	7/2/42
	0242.000	7/2/42
Kip, dry and wet	0205.000	1/13/42
	0206.000	1/13/42
Shearlings (includes dry and green salted skins)	0231.300	7/2/42
Iron and steel scrap, fit only for remanufacture	6404.000	6/1/42
	6404.100	6/1/42
Istle or tampico fiber manufactures (including all istle products)	N. S. C.	11/23/42
Istle or tampico fiber, unmanufactured (including istle waste)	3407.000	3/14/42
Jute, unmanufactured	3241.000	10/6/42
Jute butts, unmanufactured	3242.000	10/6/42
Kapok	3403.000	7/2/42
Kyanite and sillimanite	6930.950	12/28/41
Lead	6501.000	12/28/41
	6505.000	1/9/42
	6506.100	12/28/41
	6506.150	1/9/42
	6506.500	1/9/42
	6506.900	6/1/42
	6507.000	1/9/42
	6509.000	1/9/42
Loofa (Luffa) sponges	N. S. C.	8/21/42
Magnesium, metallic and scrap	6760.310	6/1/42
Maguey or cantala, unmanufactured	3409.200	1/18/43
Mahogany logs	4001.000	7/2/42
Mahogany, rough (not further manufactured than sawed)	4202.100	7/21/42
Mahogany, dressed (sawed and not further manufactured than planed, tongued, and grooved)	4204.100	7/21/42
Mahogany manufactures and semi-manufactures	N. S. C.	1/18/43
Mercury-bearing ores and concentrates	N. S. C.	1/18/42
Mercury or quicksilver (metallic)	6902.000	12/28/41
Meshta fiber	N. S. C.	10/6/42
Metallic beryllium, caesium, lithium, and potassium	6880.870	5/4/42
Metallic mineral substances in crude form, not otherwise classified (such as drosses, skimmings, residues, brass foundry ash, and flue dust)	6740.100	5/4/42

Material	Commerce import Class No.	Governing date
Mica	5560.700	3/14/42
	5560.800	3/14/42
	5560.910	3/14/42
	5560.920	3/14/42
	5560.930	3/14/42
	5560.940	3/14/42
	5560.950	3/14/42
	5560.960	3/14/42
	5560.970	3/14/42
	5560.980	3/14/42
	5560.990	3/14/42
	5561.000	3/14/42
	5561.700	7/21/42
	5561.800	3/14/42
	5561.810	3/14/42
	5561.820	3/14/42
	5561.830	3/14/42
	5561.850	3/14/42
	5561.900	3/14/42
	5564.000	3/14/42
	5564.700	3/14/42
Milkweed	N. S. C.	1/18/43
Nottalls or gall nuts	2310.000	9/11/42
Oiticica oil	2265.600	4/8/42
Ouricury (uricury) nuts and kernels	2239.610	5/22/42
	2239.620	5/22/42
Ouricury (uricury) oil, inedible and edible	2257.800	5/22/42
	2257.820	5/22/42
Palm nut kernels	2226.500	4/8/42
Palm kernel oil	2248.000	4/8/42
Palm oil	2243.000	11/23/42
Rapeseed oil, denatured and not denatured	2246.000	5/22/42
	2253.000	5/22/42
Shellac, unbleached and bleached	2107.200	5/4/42
	2148.000	5/4/42
Silk:		
Cocoons	3703.000	10/6/42
Partially manufactured silk, and silk noils exceeding 2 inches in length, not twisted or spun	3709.000	10/6/42
Raw silk in skeins, reeled from the cocoon, or re-reeled, not wound, doubled, twisted, or advanced	3702.000	10/6/42
Silk waste	3704.000	10/6/42
Wild silk or tussah	3702.100	10/6/42
Silver:		
Ores, concentrates, and base bullion, valuable chiefly for silver content	6819.500	7/2/42
Bullion, refined	6819.600	7/2/42
Coin, foreign	6819.800	7/2/42
Sweepings and scrap, including silver sulphides	6819.900	7/21/42
Semiprocessed items, valuable chiefly for silver content	N. S. C.	7/2/42
Compounds, mixtures and salts, valuable chiefly for silver content	N. S. C.	7/2/42
Sisal and henequen, unmanufactured	3401.000	1/18/43
Sperm oil, crude, refined or otherwise processed	0803.000	5/22/42
	0803.100	5/22/42
Talc, steatite (magnesium silicate), containing not to exceed 1½% lime and 1½% ferric oxide	N. S. C.	11/23/42
Crude and unground	N. S. C.	11/23/42
Ground, washed, powdered, or pulverized	N. S. C.	11/23/42
Tin		
Alloys, chief value tin, n. s. p. f. (including alloy scrap)	6551.900	6/1/42
Bars, blocks, pigs, grain or granulated	6551.300	6/1/42
Metallic scrap (except alloyed scrap)	6551.500	6/1/42
Tin-plate scrap	6740.050	7/2/42
Tung oil (China wood oil)	2241.000	1/18/43
Tungsten ore and concentrates	6202.000	12/28/41
Urena lobata fiber	N. S. C.	1/18/43
Vanadium ore	6260.000	12/28/41
Wool, apparel, finer than 44's	3520.000	7/2/42
	3521.100	7/2/42
	3521.200	7/2/42
	3521.300	7/2/42
	3522.000	7/2/42
	3523.100	7/2/42
	3523.200	7/2/42
	3523.300	7/2/42
	3526.000	7/2/42
	3527.100	7/2/42
	3527.200	7/2/42
	3527.300	7/2/42
	3528.000	7/2/42
	3529.100	7/2/42
	3529.200	7/2/42
	3529.300	7/2/42

Material	Commerce import Class No.	Governing date
Wool (apparel, finer than 40's but not finer than 44's)	3513.000	7/2/42
	3514.100	7/2/42
	3514.200	7/2/42
	3514.300	7/2/42
	3524.000	7/2/42
	3525.100	7/2/42
	3525.200	7/2/42
	3525.300	7/2/42
Zinc, blocks, pigs, or slabs	6558.200	12/28/41
Zinc, dross and skimmings	6558.100	1/18/43
Zinc, old and worn out, fit only for remanufacture	6558.000	1/18/43

N. S. C.—No separate class. Commodity number has not yet been assigned by the Department of Commerce Statistical Classification of Imports.

List III

NOTE: List III was amended in its entirety January 18, 1943.

Material	Commerce import Class No.	Governing date
Abalones and other pickled or salted fish, n. s. p. f.	0073.300 inc. 0073.900 inc.	7/2/42
Alfalfa seed	2401.000	7/2/42
Anchovies, canned, not in oil or in oil and other substances	0067.000	7/2/42
Anchovies, in oil or in oil and other substances	0064.200	1/18/43
	0064.300	1/18/43
Annatto and annatto extracts	2920.000	7/2/42
Argols, tartar and wine lees, and crude calcium tartrate	8329.000	7/2/42
	8330.000	7/2/42
	8380.013	7/2/42
Balsams, crude, not containing alcohol (except Canada balsam)	2141.000	7/2/42
	2141.300	7/2/42
	2141.400	7/2/42
	2141.500	7/2/42
	2141.980	7/2/42
Bamboos, green or ripe	1801.000	7/2/42
Barley malt	1083.000	7/2/42
Baskets and bags of wood, straw, etc.	4221.000	7/2/42
	4221.200	7/2/42
	4221.500	7/2/42
	4221.600	7/2/42
	4221.900	7/2/42
Beans, dried	1102.000	7/2/42
Beef and veal, pickled or cured	0029.000	7/2/42
Beef, canned, including corned beef	0028.000	7/2/42
Beeswax	0972.000	7/2/42
	0972.100	7/2/42
	0974.000	7/2/42
Blood, dried	8505.000	7/2/42
Bone black, bone char, and blood coal	0660.130	7/2/42
Bones, crude	0941.200	7/2/42
Bones, ground, ash, dust, meal and flour	0941.300	7/2/42
Boxwood logs	4003.000	7/2/42
Bran, pollards, and other wheat by-product feeds	1181.000	7/2/42
Brewers cream nuts	1396.000	7/2/42
	1397.000	7/2/42
Brimstone	2506.000	11/23/42
Butter	0044.000	7/2/42
Cacao butter (cocoa butter)	1420.000	7/2/42
Cacao bean hulls	2452.000	7/2/42
Cacao bean shells	2452.500	7/2/42
Candelilla wax	2232.000	7/2/42
Carnauba wax	2231.000	7/2/42
Cattle hair	4092.800	7/2/42
Cattle manufactures	N. S. C.	1/18/43
Cayenne pepper	N. S. C.	10/6/42
Cheese or lactarene	0943.000	7/2/42
Cashew nuts and kernels	1377.000	4/8/42
Cassia buds, unground	1553.000	10/6/42
Cassia, cassia vera, unground	1553.100	10/6/42
Cassia, cassia buds and cassia vera, ground	1550.070	10/6/42
Castor bean pomace (castor oil cake and castor oil cake meal)	8369.100	1/18/43
Chars	0045.100 inc. 0046.900 inc.	7/2/42
Chickpeas and garbanzos, dried	1200.000	7/2/42
Chicle, crude and refined or advanced	2131.000	7/2/42
	2189.300	7/2/42

Material	Commerce import Class No.	Governing date
China clay or Kaolin	5300.000	8/21/42
Cinnamon and chips of, unground	1526.000	10/6/42
Cinnamon and chips of, ground	1650.030	10/6/42
Cocoa beans or cacao beans	1501.300	7/2/42
Cocoa powder, unsweetened and sweetened	1502.100	1/18/43
	1502.300	1/18/43
	1502.400	1/18/43
Coconuts, in the shell	1351.000	10/21/42
Coconut meat, shredded and dessiccated or similarly prepared	1379.000	10/21/42
Coffee, raw or green; roasted or processed	1511.000	7/2/42
	1511.100	7/2/42
Combinations and mixtures of animal, vercetable, or mineral oils, or any of them, with or without other substances, not specifically provided for	2260.120	7/21/42
Corn	1031.000	7/2/42
Corn, cracked	1090.180	7/2/42
Cotton linters, other than munitions, & chemical grades (Grades 1-2 according to Department of Agriculture Classification)	N. S. C.	7/2/42
Cotton, raw (all staple length)	3001.000	7/2/42
	3003.600	7/2/42
	3003.700	7/2/42
	3003.800	7/2/42
Cotton waste	3006.100	7/2/42
	3006.200	7/2/42
	3006.310	7/2/42
	3006.330	7/2/42
	3009.350	7/2/42
	3006.600	7/2/42
	3230.380	7/2/42
	3230.390	7/2/42
Cotton—Merino waste	9850.902	7/2/42
Crabs, fresh or frozen, prepared or preserved	0086.400	7/2/42
	0086.500	7/2/42
Dog food	1190.700	7/2/42
	1190.800	7/2/42
Eggs (chicken), whole, in the shell	0088.100	7/2/42
Ergot	2210.380	10/6/42
Fatty acids, not specifically provided for, derived from vegetable oils, animal or fish oils, animal fats and greases, not elsewhere specified:		
Cottonseed oil	2260.220	5/22/42
Linseed oil	2260.210	7/21/42
Soybean oil	2260.250	7/21/42
Other, not elsewhere specified	2260.240	7/21/42
Fatty alcohols and fatty acids sulphated, not elsewhere specified, and salts of fatty acids sulphated not elsewhere specified	2260.280	7/21/42
Fish scrap and fish meal	0676.000	7/2/42
	8509.700	7/2/42
Floor coverings:		
Carpets and carpeting, mats, rugs, art squares, etc., of wool, n. s. p. f.	3060.000 inc. 3070.570 inc.	10/21/42
Pile mats and floor coverings of cocoa fiber (coir fiber)	3860.100	10/21/42
Pile mats and floor coverings of rattan	3860.300	10/21/42
Matting and articles of cocoa fiber (coir fiber) or rattan	3863.000	10/21/42
Floor coverings of grass or rice straw, not in chief value of cotton	3863.200	10/21/42
Textile floor coverings, other than wool, cotton, silk, rayon, etc., n. e. s.	3863.600	10/21/42
Fluorspar	5301.000	7/2/42
	5301.100	7/2/42
	1285.000	7/2/42
Garlic		
Ginger root, unground, not preserved or candied	1596.100	10/6/42
Ginger root, ground, not preserved or candied	1550.080	10/6/42
Glue, except glue size and fish glue (value—under 40¢ lb.)	0940.100	7/2/42
Goat and kid hair except Angora (mohair) and Cashmere	3696.200	7/2/42
Grapefruit and pomeloes	1302.000	7/2/42
Grapes, fresh (other than hothouse)	1318.500	7/2/42
Guano	8504.000	7/2/42
Gum arabic or senegal (Acacia gum)	2161.000	10/21/42
Gum ghatti	N. S. C.	10/21/42
Gum kadaya (karaya) and talka	2163.600	10/21/42
Gum tragacanth	2162.000	10/21/42
Hempseed	2238.000	5/22/42
Hempseed oil	2260.030	7/21/42
Herring (including sprats, pilchards and anchovies), all types	0070.000 inc. 0070.900 inc.	7/2/42
Hibiscus cannabinus or ferox	N. S. C.	7/2/42

Material	Commerce import Class No.	Governing date
Hide cuttings, raw	0030.800	7/2/42
Hides and skins:		
Deer: buck, or doe	0293.100	9/11/42
Horse, colt, and ass	0211.100	7/2/42
	0211.300	7/2/42
	0212.100	7/2/42
	0212.200	7/2/42
	0212.300	7/2/42
	0212.500	7/2/42
Sheep and lamb skins, except shearlings, cabrettas, etc.:		
Pickled skins, not split, no wool	0231.600	7/2/42
Pickled fleshers, split, flesh side	0234.100	7/2/42
Pickled skivers, split, grain side	0234.200	7/2/42
Slats, dry, no wool	0231.700	7/2/42
Other wooled, (wool on) except shearlings	0231.500	7/2/42
Honey	1654.800	7/2/42
Hydrogenated or hardened oils and fats, vegetable or animal	2260.100	7/21/42
Ilmenite (including ilmenite sand)	0270.100	7/2/42
Iodine	8300.000	7/2/42
	8380.630	7/2/42
Ipecac, crude and advanced in value or condition	2210.450	1/18/43
	2220.150	1/18/43
Iron ore	6001.000	7/2/42
Kola nuts	2210.400	7/2/42
Lamb and sheep fur, except Caracul and Persian lamb	0711.300	7/21/42
Leather, unmanufactured	0300.100-0345.900 inc.	7/2/42
Lentils	1199.000	7/2/42
Licuisoe oil or Bois de Rose	2280.270	7/2/42
Limes	1300.000	7/2/42
Lobsters, canned and not canned	0083.000	7/2/42
	0084.000	7/2/42
Lupines	1199.100	7/2/42
Mace, unground	1540.000	10/6/42
Mace, ground	1550.060	10/6/42
Mace, Bombay or wild, unground	1549.200	10/6/42
Mace, Bombay or wild, ground	1550.100	10/6/42
Mangrove bark	2220.180	7/2/42
Maté	2210.570	7/2/42
Maté, Yerba, advanced in value or condition (Paraguay tea)	1770.960	10/6/42
Meats, canned, n. e. s., and prepared or preserved meats, n. s. p. f. (include liver paste; also include mutton)	0032.900 inc.	10/21/42
Meat extracts, including fluid	0096.000	7/2/42
Melons	1330.420	7/2/42
	1330.430	7/2/42
Milk, condensed and evaporated	0040.000	7/2/42
	0040.100	7/2/42
	0040.700	7/2/42
Mohair, Angora goat hair	3530.000 inc. 3530.400 inc.	7/2/42
Mohair tops	3560.100	1/18/43
Mohair yarns	3570.500 inc. 3570.600 inc.	1/18/43
Molasses and sugar sirup, edible and inedible	1620.480 inc. 1640.000 inc.	7/2/42
Monazite sand and other thorium ore	5930.500	7/2/42
Muru muru nuts and kernels	2239.600	4/8/42
	2239.650	5/22/42
Nitrates, Sodium and Potassium	8505.000	7/2/42
	8527.500	7/2/42
	8527.900	7/2/42
Nitrogenous material, n. s. p. f. (including hoof meal and horn meal)	8509.800	1/18/43
Nutmegs, unground	1539.000	10/6/42
Nutmegs, ground	1550.110	10/6/42
Oats, hulled and unhulled	1041.000	7/2/42
	1041.100	7/2/42
Oiticl, edible	0023.600	7/2/42
Oil cake and oil cake meal, made of cottonseed, peanut, hempseed, and others (except coconut or copra, soybean and linseed)	1114.000	7/2/42
	1119.600 inc. 1119.800 inc.	7/2/42
Oleo stearin	0039.300	7/2/42
Onions, edible	1208.100	7/2/42
Orange flower or neroli oil	2280.280	1/18/43
Orange oil (including mandarin)	2277.000	1/18/43
Orange oil, terpeneless (including mandarin)	2277.100	1/18/43
Ouricury (uricury) wax	2252.300	7/2/42
Paper base stock:		
Rags for paper stock	4091.000	7/2/42
Waste bagging, gunny cloth and bags	4092.000	7/2/42
Grasses, fibers, waste, shavings, clippings, etc., n. e. s.	4092.900	7/2/42
Peaches, green, ripe, or in brine	1330.610	7/2/42
Pears, green, ripe or in brine	1330.660	7/2/42
Peas, dried and split	1197.000	7/2/42
	1198.000	7/2/42
Peppers	1210.050	7/2/42
Piassava fiber	3409.350	7/2/42

Material	Commerce import Class No.	Governing date
Pigeons, racing or fancy	(895.500) N. S. C.	7/2/42
Pimento, other	1543.000	7/2/42
Pimento (allspice), unground	1550.130	10/6/42
Pimento (allspice), ground	0721.000	10/6/42
Pony fur skins, undressed		1/18/43
Pork, hams, shoulders, bacon, sausage; prepared, cooked, boned, canned, etc.	(0630.500) (0631.900)	7/2/42
Quebracho wood	2503.000	7/2/42
Rapeseed	2237.000	5/22/42
Rice, broken	1059.200	7/2/42
Rye	1044.000	7/2/42
Salts derived from vegetable oils, animal oils, fish oils, animal fats and greases, not elsewhere specified, or from fatty acids thereof	2240.260	7/21/42
Sausage casings, sheep, lamb and goat only	(0634.000)	7/2/42
Sausage casings, other	(0635.500)	7/2/42
Sesame oil, edible and inedible	1428.200	7/21/42
Sesame seed	2240.000	7/21/42
Soap (except Castile) and soap powder	2234.000	5/22/42
Soap bark or quillaya	(8712.300-8719.900 inc.)	7/2/42
Sugar, cane	2210.820	7/2/42
Sunflower seed	(1610.750 1610.000 inc.)	7/2/42
Tallow, vegetable	2240.000	5/22/42
Tankage (incl. cracklings, greave cakes, liver meal, meat meal, meat flour, meat scrap, etc.)	2259.000	7/2/42
Tanning extracts, not specially provided for	(0975.000 8509.600)	7/2/42
Tapioca, tapioca flour, and cassava (including mandioca flour)	2345.900	7/2/42
Tea, not specially provided for	1228.000	7/2/42
Textile waste, not elsewhere specified (incl. jute thread and flax, etc.)	1521.000	7/21/42
Tobacco, unmanufactured	9850.905 (2601.000-2610.000 inc.	7/2/42
Tonka beans	1546.000	7/2/42
Tops of hair other than camel's hair, mohair, and wool (including alpaca and vicuna), n. e. s.	3560.500	1/18/43
Tucum nuts and kernels	2239.650	5/22/42
Tuna fish, fresh or frozen	2239.660	5/22/42
Turtles	0058.000	7/2/42
Vanilla beans	0686.200	7/2/42
Vegetable ivory or tagua nuts	1545.000	7/2/42
Vegetable oil foots, other than olive	2911.000	7/2/42
Vegetable soapstock	N. S. C.	7/21/42
Wattle bark	N. S. C.	7/21/42
Wool, advanced, n. e. s.	2100.000 1560.000	7/2/42 1/18/43
Wool, apparel, 40's or coarser	(1500.000-1509.300 inc.	7/2/42
Wool, apparel, finer than 40's, not finer than 44's on the skin	1514.000	7/2/42
Wool, carpet	1525.000 (1501.000-1502.300)	7/2/42
Wool mungo	3553.000	11/23/42
Wool noils and wastes	(1510.000-1553.700 inc.	7/2/42
Wool press cloth waste	9850.903	7/2/42
Wool rags	3554.000	11/23/42
Wool shoddy and wool extract	1551.800	11/23/42
Wool tops	3560.400	1/18/43
Wool yarns and yarns of other hair	(1574.300-1574.600 inc.	1/18/43
Yarns wholly or in chief value of Angora rabbit hair	(1573.400-1573.800 inc.	1/18/43

N. S. C.—No separate class. Commodity number has not yet been assigned by the Department of Commerce, Statistical Classification of Imports.

INTERPRETATION 1

No authorization under paragraph (b) of the order is necessary for the release or withdrawal of materials on List II or List III from a free port, a free zone, or the bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States regardless of the date when such materials first entered such place. The actual importation, which is the subject of restriction under paragraph (b), is deemed to have occurred before the question of release or withdrawal arises. Also, no authorization under paragraph (d) of the order is necessary for the subsequent disposition, processing, or shipment of such released or withdrawn List II and List III materials.

As to List I materials which are similarly situated, no authorization under paragraph (b) of the order is necessary for their release or withdrawal from free port, free zone, or bonded custody, but authorization under paragraph (d) of the order is necessary for their subsequent disposition, processing, or shipment unless they are shipped in bond to Canada, Mexico, or some other foreign country, in which event the foreign destination is deemed to be the place of initial storage as such term is used in the order.

[F. R. Doc 43-870; Filed, January 18, 1943, 11:02 a. m.]

PART 1114—TIRE RETREADING, RECAPPING AND REPAIR EQUIPMENT

[General Limitation Order L-61, as Amended Jan. 18, 1943]

Whereas the shortage of crude rubber for military requirements and essential civilian uses has created an abnormal demand for retreading and recapping equipment for rubber tires; and

Whereas the supply of existing retreading and recapping equipment, if supplemented by careful selection of locations for small quantities of additional equipment, is adequate to satisfy the demand for retrpading and recapping of rubber tires; and

Whereas the production for delivery of retreading and recapping equipment, if unregulated, will duplicate existing facilities and thus utilize quanutities of scarce and critical materials as to which defense requirements have created a shortage for defense, private account and export, and it is necessary, in the public interest and to promote defense of the United States, to take the measures hereinafter set forth, and to regulate the production and delivery of retreading and recapping equipment.

Now, therefore, it is hereby ordered, That:

§ 1114.1 *General Limitation Order L-61*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or any organized group of persons, whether incorporated or not.

(2) "Retreading, recapping and repair equipment" means any mechanical device used in connection with applying uncured rubber (in the form of camelback, patching rubber or otherwise) to rubber casings or inner tubes for the purpose of renewing or repairing a rubber casing or inner tube. The term includes, but is not limited to, full circle molds, full circle matrices, holders, tables, steam chambers, kettle curing devices, curing rings, curing bands, pressure plates, spacer rings, curing rims, sectional molds, sectional matrices, tire and tube repair and spot equipment, tire spreaders, tire buffers, mechanical stitchers, mechanical rollers, and regroovers. It does not include, however, small tools, such as knives, hand rollers, hand stitchers, jacks, shears, and other miscellaneous shop tools and supplies.

(b) *Restrictions on manufacture and distribution.* No person shall produce any new retreading, recapping and repair equipment, or parts therefor, and no person shall sell, lease, rent, deliver or otherwise transfer, or purchase, accept or otherwise acquire, any new or used retreading, recapping or repair equipment, or parts therefor; except (i) under purchase orders rated A-9 or higher on a preference rating certificate PD-1A, PD-1X or PD-200, or forms of the PD-408 series, issued by the Director General for Operations, or (ii) pursuant to written or telegraphic authorization of the Director General for Operations: *Provided,* That any manufacturer of retreading, recapping and repair equipment or of component parts thereof may fabricate component parts of retreading, recapping and repair equipment in advance of the receipt of purchase orders which are either rated A-9 or higher or are covered by special written or telegraphic authorization (as contemplated by clauses (i) and (ii) of this paragraph (b)), but only in such quantities that such manufacturer shall not have in his inventories at any time an amount of such component parts in excess of one-sixth of his total production of such component parts during the calendar year 1941. No such component parts shall be assembled in the manufacture of new retreading, recapping and repair equipment except upon compliance with either clause (i) or clause (ii) of this paragraph (b).

(c) *Criteria for issuing preference rating certificates.* In issuing ratings on preference rating certificates, the Director General for Operations will consider the following factors, to the extent feasible, among others:

(1) The number and capacity of retreading, recapping and repair equipment facilities at present available in the particular locality.

(2) The anticipated need for retreading, recapping and repair equipment in the particular locality.

(3) The amount of uncured rubber (in the form of camelback, patching rubber or otherwise) expected to be made available in the particular locality.

(d) *Exceptions with respect to small equipment and repair or maintenance of existing equipment.* The prohibitions of paragraph (b) hereof shall not apply to the manufacture, sale, lease, loan, renting, delivery, transfer, purchase, acceptance or acquisition of:

(i) Any item of tube repair or spot equipment having a retail value of $100 or less, or any tire spreader having a retail value of $25 or less; provided that no person shall, for the purpose of qualifying under this exception, divide a single order, or place separate orders when in the usual course of business he would have placed a single order.

(ii) Parts to be used to repair or maintain existing retreading, recapping or repair equipment or to repair or maintain equipment delivered in accordance with the provisions of this General Limitation Order No. L-61.

(e) *Production requirements plan.* Pursuant to paragraph (c) of Priorities Regulation No. 11, any person manufacturing retreading, recapping, or repair equipment, who desires priorities assistance in procuring materials to be used in such manufacture, is hereby required, unless exempted by the Director General for Operations, to file a PRP application, to qualify as a PRP unit, and to operate under the Production Requirements Plan after January 1, 1943.

(f) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time, except that notwithstanding the provisions of Priorities Regulation No. 3, any person applying or extending a preference rating for retreading, recapping, or repair equipment shall certify on his purchase order or contract whether the preference rating is one assigned by a preference rating certificate PD-1A or PD-1X, or by a form of the PD-408 series, issued by the Director General for Operations.

(g) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Washington, D. C., Ref: L-61.

(h) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the Director General for Operations Washington, D. C., Ref: L-61, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Records.* Each manufacturer or distributor of new retreading, recapping and repair equipment affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventory, production and sales of such equipment.

(k) *Reports.* Each person affected by this order shall execute and file with the War Production Board, such reports and answers to questionnaires as the Board shall from time to time request.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 18th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-871; Filed, January 18, 1943; 11:02 a. m.]

PART 1222—EXPORTS UNDER LICENSES ISSUED BY THE BOARD OF ECONOMIC WARFARE

[General Exports Order M-148, as Amended Jan. 18, 1943]

§ 1222.1 *General Exports Order M-148*—(a) *Requirement of delivery for export.* Any person receiving, from the holder of an export license issued by the Board of Economic Warfare, a purchase order for material covered by such license, to which a preference rating has been assigned by the Board of Economic Warfare, shall accept such order and make delivery thereunder in accordance with such rating, unless such order would be in excess of any export quota relating to such material previously established for such person by the Director General for Operations. Such delivery shall be made regardless of any order of the Director General for Operations restricting inventories of material or uses thereof in manufacture or otherwise, or requiring certificates with respect to such inventories or uses, insofar as such inventories are maintained or such uses occur in the country to which such material is to be exported, but shall be subject to such restrictions with respect to inventories maintained or uses occurring within the United States prior to export. Such preference ratings shall be assigned by the Board of Economic Warfare only pursuant to specific authority granted, from time to time, by the Director General for Operations with respect to specified quantities of material.

(b) *Reports.* Any person accepting a purchase order to which a preference rating has been assigned by the Board of Economic Warfare shall promptly send to the War Production Board, Washington, D. C., Ref: M-148, a copy of the purchase order, bearing thereon the export license number and the United States Department of Commerce Export Classification Code Schedule B and F Number. Such further and other reports shall also be made by any person operating under this order as may be required from time to time by the Director General for Operations.

(c) *Violations.* Any person who wilfully violates any provision of this order or who wilfully furnishes false information to the Director General for Operations in connection with this order is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(d) *Application or extension of rating.* Notwithstanding the provisions of Priorities Regulation No. 3, a rating assigned by the Board of Economic Warfare may be applied, by the holder of the export license for the material ordered, only by endorsing on, or attaching to, the contract or purchase order to which the rating is to be applied, a certification in substantially the following form (or, if appropriate, and at the holder's option, in the form prescribed in Priorities Regulation No. 9, as amended from time to time) signed manually or as provided in Priorities Regulation No. 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned hereby represents to the seller and the War Production Board that he is entitled to apply the preference ratings indicated opposite the items shown on this purchase order, pursuant to an assignment thereof by the Board of Economic Warfare upon Export License Number ____, and that this purchase order is subject to the provisions of General Exports Order No. M-148. This material is to be charged to the period: -------- to --------.

---------- ----------
(Name) (Address)

(Date)

By ----------
(Signature and title of duly authorized officer)

Any extension of any such rating shall be pursuant to the provisions of Priorities Regulation No. 3.

(e) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the provisions of all priorities regulations, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

This order shall take effect October 1, 1942, and shall continue in effect until revoked by the Director General for Operations.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 18th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-872; Filed, January 18, 1943; 11:02 a. m.]

Chapter XI—Office of Price Administration

PART 1499—COMMODITIES AND SERVICES

[Order 218 Under § 1499.3 (b) of GMPR]

WILLIAM C. KABEL

Maximum prices for special item of storm sash (insulating window sash).

William C. Kabel of Lynbrook, New York, has made application under § 1499.3 (b) of the General Maximum Price Regulation for specific authorization to determine the maximum price for a commodity which cannot be priced under § 1499.2 thereof. Due consideration has been given to the application and an opinion in support of the order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250: *It is ordered:*

§ 1499.1454 *Approval of maximum prices for sale by William C. Kabel of a special item of insulating window sash consisting of sets of two, small sash made with $\frac{5}{8}$" x $\frac{3}{4}$" frames containing B single window glass.* (a) On and after January 15, 1943, William C. Kabel of Lynbrook, New York, may sell and deliver, and any person may purchase and receive from William C. Kabel, a special item of insulating window sash consisting of sets of two small sash made with $\frac{5}{8}$" x $\frac{3}{4}$" frames containing B single window glass, one to screw on the outside of the top sash and one on the inside of the bottom sash of a double hung window, at a price not in excess of the following for the following window opening sizes; f. o. b. mill:

SPECIAL STORM SASH INVENTED BY MR. WILLIAM C. KABEL IN SETS OF 2, GLAZED

MAXIMUM PRICES

Window opening size	F. o. b. factory per set—Any quantity	
	Carton packed	No carton
2' 0" x 2' 0"	$1.65	$1.04
2' 0" x 2' 10"	1.78	1.70
2' 0" x 3' 0"	1.90	1.81
2' 0" x 3' 6"	2.06	1.97
2' 0" x 4' 0"	2.29	2.16
2' 6" x 2' 0"	2.44	2.31
2' 6" x 2' 10"	1.71	1.60
2' 6" x 3' 0"	1.81	1.69
2' 6" x 3' 6"	1.97	1.80
2' 6" x 4' 0"	1.49	1.41
2' 6" x 4' 10"	1.68	1.61
2' 6" x 5' 0"	1.73	1.62
2' 6" x 5' 10"	1.86	1.79
2' 6" x 6' 0"	1.91	1.85
2' 6" x 6' 10"	2.11	2.02
2' 6" x 7' 0"	2.34	2.12
2' 6" x 8' 0"	2.57	2.42
All 2'6" width sash, same price in 2'7" width for identical heights		
2' 10" x 2' 0"	1.58	1.49
2' 10" x 2' 10"	1.41	1.32
2' 10" x 3' 0"	1.52	1.43
2' 10" x 3' 6"	1.67	1.58
2' 10" x 4' 0"	1.71	1.61
2' 10" x 4' 10"	1.74	1.65
2' 10" x 5' 0"	1.88	1.78
2' 10" x 5' 10"	2.07	1.98
2' 10" x 6' 0"	2.26	2.14
2' 10" x 6' 10"	2.56	2.44
2' 10" x 7' 0"	2.63	2.45
2' 10" x 8' 0"	2.91	2.72
3' 0" x 2' 0"	1.46	1.37
3' 0" x 2' 10"	1.52	1.43
3' 0" x 3' 0"	1.61	1.52
3' 0" x 3' 6"	1.81	1.74
3' 0" x 4' 0"	1.81	1.74
3' 0" x 4' 10"	2.06	1.92
3' 0" x 5' 0"	2.06	1.92
3' 0" x 5' 10"	2.19	2.04
3' 0" x 6' 0"	2.44	2.29
3' 0" x 6' 10"	2.79	2.54
3' 0" x 7' 0"	2.72	2.54

(b) On and after January 15, 1943, any resellers of this product may add the same average mark-up as allowed the particular seller under the General Maximum Price Regulation on sales of $1\frac{1}{8}$" two light storm sash.

(c) This Order No. 218 may be revoked or amended at any time.

(d) This Order No. 218 (§ 1499.1454) shall become effective January 15, 1943.

(Pub. Law 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-745; Filed, January 15, 1943; 10:30 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 194, Amendment 10]

ALASKA

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1418.61 is amended as set forth below:

§ 1418.61 *Applicability of other maximum price regulations.* The provisions of this Maximum Price Regulation No. 194 supersede the provisions of all other maximum price regulations, except where other maximum price regulations provide that notwithstanding Maximum Price Regulation No. 194 such other regulations shall be applicable in the Territory of Alaska.

§ 1418.66 *Effective dates of amendments.* * * *

(j) Amendment No. 10 (§ 1418.61) to Maximum Price Regulation No. 194 shall become effective January 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-780; Filed, January 15, 1943; 3:42 p. m.]

PART 1429—POULTRY AND EGGS

[Revised MPR 269, Amendment 3]

POULTRY

Correction

The bracketed head on the document appearing on page 567 of the issue for Friday, January 15, 1943, should read "Revised MPR 269, Amendment 3" instead of "RPS 269, Amendment 3."

PART 1300—PROCEDURE

[Procedural Reg. 9,[1] Amendment 1]

UNIFORM APPEAL PROCEDURE UNDER RATION ORDERS

Paragraph (d) to § 1300.602 is amended and new §§ 1300.610 and 1300.611 are added to read as set out below.

§ 1300.602 *Definitions.* * * *

(d) "State Director" means the person holding the office of State Director in a district or State office or the office of District Manager in a district office who has been designated by the Regional Administrator to decide appeals from the decisions of local war price and rationing boards located within the area of his jurisdiction.*

§ 1300.610 *Effective dates of amendments.* (a) Amendment No. 1 (§ 1300.602 (d)) to Procedural Regulation No. 9 shall become effective January 16, 1943.

§ 1300.611 *Appendix A: List of district and State offices designated by regional administrators to decide appeals.*—(a) *Region I.* Connecticut: Hartford. Maine: Augusta; Massachusetts: Boston; New Hampshire: Concord; Rhode Island: Providence; Vermont: Montpelier.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5909, 6268, 6744, 8023, 8358, 8917, 9195, 10231, 10790, 11012.

[2] 7 F.R. 8796.

*See appendix A, § 1300.611.

(b) *Region II.* New York: New York, Albany, Buffalo, Rochester, Syracuse; New Jersey: Newark, Trenton; Pennsylvania: Philadelphia, Altoona, Pittsburgh, Scranton, Williamsport; Maryland: Baltimore; Delaware: Wilmington; Washington, D. C.: Washington, D. C.

(c) *Region III.* Indiana: Indianapolis; Kentucky: Louisville; Michigan: Detroit; Ohio: Columbus; West Virginia: Charleston.

(d) *Region IV.* Alabama: Montgomery, Birmingham; Florida: Jacksonville, Tampa; Georgia: Atlanta, Savannah; Mississippi: Jackson; North Carolina: Raleigh, Charlotte; South Carolina: Columbia; Tennessee: Nashville, Memphis; Virginia: Richmond, Roanoke.

(e) *Region V.* Arkansas: Little Rock; Kansas: Wichita; Louisiana: Baton Rouge; Missouri: St. Louis, Kansas City; Oklahoma: Oklahoma City; Texas: Ft. Worth.

(f) *Region VI.* Illinois: Chicago, Springfield; Iowa: Des Moines; Minnesota: St. Paul; Nebraska: Lincoln; North Dakota: Bismarck; South Dakota: Pierre; Wisconsin: Milwaukee.

(g) *Region VII.* Colorado: Denver; Idaho: Boise; Montana: Helena; New Mexico: Albuquerque; Utah: Salt Lake City; Wyoming: Cheyenne.

(h) *Region VIII.* Arizona: Phoenix; California: Los Angeles, San Francisco; Nevada: Reno; Oregon: Portland.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562; E.O. 9125, 7 F.R. 2719)

Issued this 16th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-829; Filed, January 16, 1943; 12:39 p. m.]

PART 1304—IRON AND STEEL SCRAP

[RPS 4,[1] Amendment 10]

IRON AND STEEL SCRAP

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraph (c) of § 1304.6 is added; § 1304.13 (a) (2), (a) (5) (i), (e) (2), (e) (4) and (e) (5) are amended; item 21 in the table in § 1304.13 (a) (2) is revoked; item 21 in § 1304.13 (f), item 2 in § 1304.15 (a) (1) and item 2 in § 1304.15 (c) are revoked; subparagraph (6) is added to § 1304.13 (e); subparagraphs (1), (3), (4), (8), (9), (10), (11), (13), (16), (18), (19), (20), (22), (23), (28a) of § 1304.13 (f) are amended; subparagraph (4) of § 1304.14 (e) is amended; the text of § 1304.15 (a) (2) is designated subdivision (i) and a new subdivision (ii) is added to such section. § 1304.15 (a) (1) and (a) (5) are amended; items 1, 3, 4, and 7 in § 1304.15 (c) are amended; all to read as set forth below:

§ 1304.6 *Commissions.* * * *

(c) Notwithstanding any provision to the contrary in paragraph (a) of this § 1304.6, if scrap is sold to a consumer and is to be prepared in-transit pursuant to the provisions of § 1304.13 (e) (4), (5) or (6) or § 1304.14 (e) (4), the fact that the preparation is to be performed by the person selling the scrap to the consumer shall not preclude such person from charging a commission.

* * * * *

§ 1304.13 *Appendix A: Maximum prices for iron and steel scrap other than railroad scrap:* (a) * * *

(2) *Basing point prices of standard grades.* * * *

Standard grades	Adjustments (plus or minus)
Basic open hearth grades:	
* * * * *	
8. Machine shop turnings	−$5.00
Blast furnace grades:	
9. Mixed borings and turnings	−5.00
10. Shovelling turnings	−3.00
* * * * *	
Electric furnace, acid open hearth and foundry grades—for electric furnace, acid open hearth and foundry use only:[1]	
* * * * *	
18 Cut structural and plate scrap, 3 ft. and under	+1.50
19 Cut structural and plate scrap, 2 ft. and under	−2.00
20. Cut structural and plate scrap, 1 ft. and under	−2.50
22 Foundry steel, 2 ft. and under	−1.50
23. Foundry steel, 1 ft. and under	−2.00
* * * * *	

(5) (i) *Prohibition against special preparation charges.* Except upon prior approval by the Office of Price Administration, no charge may be made for special preparation.

* * * * *

(e) *Unprepared scrap.* * * *

(2) For unprepared scrap, maximum prices shall be $3.50 (and in the case of the material from which No. 1, No. 2, and No. 3 bundles are made, $4.00) less than the maximum prices for the corresponding grade or grades of prepared scrap. In no case, however, shall electric furnace, acid open-hearth and foundry grades, listed in paragraph (a) of this section be used as the "corresponding grade or grades of prepared scrap".

* * * * *

(4) Where a consumer purchases unprepared remote scrap in rail carload lots, if no adequate facilities for preparation exist at or near the shipping point, the consumer may designate a dealer or dealers to prepare such scrap on a preparation fee basis. The maximum preparation fee shall be $4.00 per gross ton for No. 1, No. 2, and No. 3 bundles, and $3.50 per gross ton for all other grades. The maximum delivered price shall be the maximum shipping point price for the unprepared scrap at the remote shipping point, plus the rail transportation charges incurred in moving the scrap to the dealer's yard, plus the applicable maximum preparation fee, plus transportation charges from the dealer's yard to the point of delivery. The transportation charges from the dealer's yard to the point of delivery shall be computed in the same manner as the charges allowable under § 1304.13 (d) on an identical tonnage of scrap shipped by the dealer from his yard to the same point of delivery. The maximum delivered price of such scrap shall not exceed by more than $5.00 the price at the basing point nearest the consumer's plant except upon prior approval of the Office of Price Administration as provided in Exception 3 in paragraph (d) of this section. Every purchase of scrap on this preparation fee basis shall likewise be subject to all the filing and other requirements in Exception 3 of paragraph (d) of this section. At no time shall ownership of such scrap reside in the dealer to whom the preparation fee is paid.

(5) If unprepared scrap in rail carload lots is allocated by the War Production Board to a consumer lacking facilities for preparing such scrap, such consumer may designate a dealer or dealers to prepare such scrap in-transit on a preparation fee basis. The maximum preparation fee shall be the differential established in paragraphs (a) and (e) of this section between the unprepared scrap and the listed grade into which the scrap is prepared—e. g. $3.50 per gross ton for No. 1 heavy melting steel, $5.50 per gross ton for foundry steel, 1 foot and under, and $4.00 per gross ton for No. 1, No. 2 and No. 3 bundles. If the unprepared scrap is scrap rails in random lengths, the maximum preparation fee shall be as follows: $2.00 per gross ton for rails cut 3 feet and under; $2.25 per gross ton for rails cut 2 feet and under; and $2.50 per gross ton for rails cut 18 inches and under. The maximum delivered price shall be the maximum shipping point price for the unprepared scrap at the original shipping point, plus the rail transportation charges incurred in moving the scrap to the dealer's yard, plus the applicable maximum preparation fee, plus transportation charges from the dealer's yard to the point of delivery. The transportation charges from the dealer's yard to the point of delivery shall be computed in the same manner as the charges allowable under § 1304.13 (d) on an identical tonnage of scrap shipped by the dealer from his yard to the same point of delivery pursuant to an allocation order. At no time shall the ownership of such scrap reside in the dealer to whom the preparation fee is paid.

(6) If the War Production Board allocates machine shop turnings, Item 8, in rail carload lots to a consumer, such consumer may designate a dealer or dealers to prepare such scrap in-transit, into baled machine shop turnings, Item 28a. The maximum preparation fee for such service shall be $5.00 per gross ton. The maximum delivered price shall be the maximum shipping point price for machine shop turnings, Item 8, at the original shipping point, plus the rail

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1207, 2132, 2155, 2507, 3087, 3550, 3889, 4488, 6217, 8190, 8948, 10151.

transportation charges incurred in moving the scrap to the dealer's yard, plus the $5.00 per gross ton preparation fee, plus transportation charges from the dealer's yard to the point of delivery. The transportation charges from the dealer's yard to the point of delivery shall be computed in the same manner as the charges allowable under § 1304.13 (d) on an identical tonnage of scrap shipped by the dealer from his yard to the same point of delivery pursuant to an allocation order. At no time shall the ownership of such scrap reside in the dealer to whom the preparation fee is paid.

(f) *Definitions of grades referred to in paragraph (a).* • • •

(1) *No. 1 heavy melting steel.* Clean wrought iron or steel scrap ¼ inch and over in thickness, not over 18 inches in width and not over 5 feet in length. Individual pieces must be free from attachments and so cut as to lie flat in the charging box. May include heavy forgings, forge butts, billet, bloom, slab or bar crops not conforming to chemical analysis required for electric furnace or acid open hearth use. May include new mashed pipe ends, original diameter 4 inches and over. May not include auto body and fender stock.

• • • • • •

(3) *No. 1 busheling.* Clean wrought iron or steel scrap ⅛ inch and over in thickness, not exceeding 12 inches in any dimension. May not contain burnt material, or auto body and fender stock. Must be free of metal coated, limed, or porcelain enameled stock.

(4) *No. 1 bundles.* New black steel sheet scrap, clippings, or skeleton scrap, hydraulically compressed or hand bundled to charging box size and weighing not less than 75 pounds per cubic foot. (Hand bundles must also be tightly secured and stand handling with a magnet.) Must be free of paint or protective coating of any kind. May include Stanley balls, or mandrel wound bundles or skeleton reels, tightly secured. May not include detinned scrap, electrical sheets, or any material over 0.5% of silicon.

• • • • • •

(8) *Machine shop turnings.* Clean steel or wrought iron turnings, (including high sulphur shell turnings), free of cast or malleable iron borings, non-ferrous metals in a free state, scale, or excessive oil. May not contain badly rusted or corroded stock.

(9) *Mixed borings and turnings.* Clean, short, steel or wrought iron turnings (including high sulphur shell turnings), drillings, screw cuttings, and cast or malleable iron borings and drillings, free of nonferrous metals in a free state, scale, or excessive oil. May not contain badly rusted or corroded stock.

(10) *Shovelling turnings.* Clean, short, steel or wrought iron turnings (including high sulphur shell turnings), drillings, or screw cuttings. May include any such material whether resulting from crushing, raking, or other processes. Must be free of stringy, bushy, tangled or matted material, lumps, nonferrous metals in a free state, excessive oil, or scale.

(11) *No. 2 busheling.* Cut hoops, netting, cut unbaled fence wire, light sheets, rusted car sides, cotton ties, and galvanized light material. No dimension over 12 inches. May be black or galvanized. May include oil field or similar cable cut to lengths of 2 feet or less. No hard steel, porcelain enameled, or metal coated material may be included.

• • • • • •

(13) *Billet, bloom and forge crops.* Billet, bloom, axle, slab, heavy plate and heavy forge crops, not over 0.05% phosphorus or sulphur, not over 0.5% silicon and free from alloys. Must be not less than 2 inches in thickness, not over 18 inches in width, and not over 36 inches in length. Must be new material.

• • • • • •

(16) *Punchings and plate scrap.* Punchings, plate scrap, and bar crops, not over 0.05% of phosphorus or sulphur, not over 0.5% of silicon and free of alloys. All material must be cut 12 inches and under. Punchings may not be less than ¼ inch in diameter.

• • • • • •

(18) *Cut structural and plate scrap, 3 feet and under.* Clean, open-hearth steel plates, structural shapes, crop ends, shearings, or broken steel tires. Must be not less than ¼ inch thick, cut to 3 feet and under in length and 18 inches and under in width. Not over 0.05% of phosphorus or sulphur.

(19) *Cut structural and plate scrap, 2 feet and under.* Clean, open-hearth steel plates, structural shapes, crop ends, shearings, or broken steel tires. Must be not less than ¼ inch thick, cut to 2 feet and under in length and 18 inches and under in width. Not over 0.05% of phosphorus or sulphur.

(20) *Cut structural and plate scrap, 1 foot and under.* Clean, open-hearth steel plates, structural shapes, crop ends, shearings, or broken steel tires. Must be not less than ¼ inch thick, cut to 1 foot and under in length and width. Not over 0.05% of phosphorus or sulphur.

• • • • • •

(22) *Foundry steel, 2 feet and under.* Steel scrap ⅛ inch and over in thickness, not over 2 feet in length or 18 inches in width. Individual pieces must be free from attachments. May not include nonferrous metals, metal coated material, cast or malleable iron, wrought iron, pipe, body and fender stock, cable, enameled or galvanized material.

(23) *Foundry steel, 1 foot and under.* Steel scrap ⅛ inch and over in thickness, not over 1 foot in length or width. Individual pieces must be free from attachments. May not include nonferrous metals, metal coated material, cast or malleable iron, wrought iron, pipe, body and fender stock, cable, enameled or galvanized material.

• • • • • •

(28a) *Baled machine shop turnings.* Machine shop turnings, Item 8, hydraulically compressed into bundles weighing not less than 75 pounds per cubic foot. May include not over 25% (by weight) black sheet scrap used for binding or wrapping purposes.

§ 1304.14 *Appendix B: Maximum prices for iron and steel scrap originating from railroads.* • • •

(e) *Unprepared scrap.* • • •

(4) Where a consumer purchases grades of unprepared scrap for which maximum prices have been authorized under paragraph (a) (1) (ii) or paragraph (b) (2) of this section, the consumer may designate a dealer or dealers to prepare such scrap on a preparation fee basis. The maximum preparation fee shall be the applicable differential established in paragraphs (a) and (e) of § 1304.13 or paragraphs (a) and (e) of § 1304.14, whichever is applicable, between the unprepared scrap and the listed grade into which the scrap is prepared—e. g. $3.50 per gross ton for No. 1 heavy melting steel, $6.00 per gross ton for cut structural and plate scrap 1 foot and under, and $2.50 per gross ton for scrap rails 18 inches and under. In such cases the maximum delivered price shall be the maximum delivered price applicable to an identical shipment of the unprepared scrap direct to such consumer, plus the applicable maximum preparation fee. At no time shall ownership of such scrap reside in the dealer to whom the preparation fee is paid.

• • • • • •

§ 1304.15 *Appendix C: Maximum prices for cast iron scrap other than railroad scrap*—(a) *Maximum prices at shipping point*—(1) *Listed grades.* • • •

	Group A	Group B	Group C
•	•	•	•
4 Unstripped motor blocks...	$15.50	$16.50	$17.50
•	•	•	•

(2) *Special preparation charges.* (i) Except upon prior approval by the Office of Price Administration, no charge may be made for special preparation.

(ii) Whenever scrap has arrived at the point of delivery, and the consumer engages a dealer to prepare such scrap, no charge may be made for such service unless prior approval is secured from the Office of Price Administration.

• • • • • •

(5) *Purchases by basic open hearth.* Except in the case of Item 4 (unstripped motor blocks) and Item 7 (charging box cast) no basic open hearth (and, in the case of Item 8, miscellaneous malleable no consumer other than a malleable foundry) may pay for any grade a price in excess of the price listed in this paragraph for Item 6 (heavy breakable cast). The restrictions in this subparagraph shall not apply to scrap shipped pursuant to an allocation order issued by the War Production Board.

• • • • • •

(c) *Definitions of grades referred to in paragraph (a).*

Item 1. No. 1 cupola cast. Clean cast iron scrap, including machinery cast iron scrap, cast iron parts of agricultural machinery and iron castings of a miscellaneous nature. Must be cupola size, not over 24 inches by 30 inches, and no piece to weigh over 150 pounds. Must be free of stove plate, burnt iron and foreign material.

• • • • • •

Item 3. Clean auto cast. Clean auto blocks, free of all steel parts except camshafts, valves, valve springs and studs.

Item 4. Unstripped motor blocks. Automobile motors from which steel and nonferrous fittings have not been removed. Must be free of transmissions, parts of frames, drive shafts, and differentials.

• • • • • •

Item 7. Charging box size cast. Clean cast iron scrap, such as columns, pipes, plates and castings of miscellaneous nature, but free from stove plate. Must be 18 inches by 5 feet and smaller, except that unbroken cast iron car wheels may be included.

• • • • • •

§ 1304.12a *Effective dates of amendments.* • • •

(j) Amendment No. 10 (§§ 1304.6 (c), 1304.13 (a), 1304.13 (e), 1304.13 (f), 1304.14 (e), 1304.15 (a), 1304.15 (c)) to Revised Price Schedule No. 4 shall become effective January 22, 1943.

(Pub. Law 421, 77th Cong., Pub. Law 729, 77th Cong.; and E.O. 9250, 7 F.R. 7871)

Issued this 16th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-828; Filed, January 16, 1943; 12:40 p. m.]

PART 1340—FUEL

[RPS 88,[1] Amendment 59]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subdivision (iii) of § 1340.159 (c) (6) is amended to read as set forth below:

§ 1340.159 *Appendix A: Maximum prices for petroleum and petroleum products.* • • •

(c) *Specific prices.* • • •

(6) *Residual fuel oils.* • • •

(iii) *Wyoming.* The maximum price for No. 6 fuel oil f. o. b. refinery or shipping point in the State of Wyoming shall be 75c per barrel in bulk lots for delivery by motor transport or tank car.

• • • • • •

§ 1340.158a *Effective dates of amendments.* • • •

(ggg) Amendment No. 59 (§ 1340.159 (c) (6) (iii)) to Revised Price Schedule No. 88 shall become effective January 22, 1943.

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1107, 1371, 1798, 1799, 1886, 2132, 2304, 2352, 2634, 2945, 3463, 3482, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 4857, 5481, 5867, 5868, 5988, 5983, 6057, 6067, 6471, 6680, 7242, 7838, 8433, 8478, 9120, 9134, 9335, 9425, 9460, 9620, 9621, 9817, 9820, 10684, 11069, 11112, 11075; 8 F.R. 157, 232, 233.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-832; Filed, January 16, 1943; 12:38 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[Correction to MPR 285]

IMPORTED FRESH BANANAS, SALES EXCEPT AT RETAIL

Section 1351.1258 is hereby added to read as follows:

§ 1351.1258 *Evasion.* The price limitations which are set forth in this Maximum Price Regulation No. 285 shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relationship to imported fresh bananas, alone or in conjunction with any other commodity or by way of commission, service, transportation, discount, premium, or other privilege, or by way of tying agreement, or other trade understanding, or by changing a business practice relating to the sale of imported fresh bananas or otherwise.

§ 1351.1266a *Effective dates of amendments.* • • •

(b) This correction (§ 1351.1258) to Maximum Price Regulation 285 shall become effective January 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7870)

Issued this 16th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-831; Filed, January 16, 1943; 12:37 p. m.]

PART 1381—SOFTWOOD LUMBER

[Correction to MPR 94]

WESTERN PINE AND ASSOCIATED SPECIES OF LUMBER

In Appendix A, § 1381.513, following Table 14, under the heading, *Differentials and Rules Applicable to All Grades of Ponderosa Pine*, the amount of "$7.50" in item 13 is corrected to read "$2.50".

Issued this 16th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-834; Filed, January 16, 1943; 12:37 p. m.]

PART 1389—APPAREL

[Correction to MPR 287[1]]

MANUFACTURERS' PRICES FOR WOMEN'S, GIRLS' AND CHILDREN'S OUTERWEAR GARMENTS

In the pricing chart in § 1389.371, the minimum allowable cost figure "3.55", in column F, is corrected to read "3.65".

[1] 7 F.R. 10460, 8 F.R. 323.

§ 1389.369a *Effective dates of corrections and amendments.* • • •

(c) Correction (§ 1389.371) to Maximum Price Regulation No. 287 shall be effective as of December 15, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-833; Filed, January 16, 1943; 12:37 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 87 to Supp. Reg. 14[1] to GMPR[2]]

MIXED FEEDS FOR ANIMALS AND POULTRY

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.* A new subparagraph (55) is hereby added to paragraph (a) of § 1499.73 of the General Maximum Price Regulation as set forth below.

§ 1499.73 *Modification of the maximum prices established by § 1499.2 of the General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

• • • • • •

(55) *Mixed feed for animals and poultry*—(i) *Definitions.* As used in this subparagraph the following terms shall have the following meanings:

(a) "Mixed feed" is a mixture or blend of more than one feed ingredient for the purpose of feeding animals and poultry except the following commodities:

(1) Those commodities listed in § 1499.9 (a) (7) of the General Maximum Price Regulation as exempt from said regulation.

(2) The following commodities:

(A) A mixture resulting from the blending or mixing of offals or byproducts from a single vegetable, plant or other agricultural product.

(B) Screenings as defined in the official publication of the Association of the American Feed Control Officials, Inc. for 1942.

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[1] 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 9900, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9495, 9496, 9639, 9786, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10537, 10557, 10583, 10865, 11005; 8 F.R. 276.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5764, 5763, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9044, 8942, 9435, 9615, 9616, 9732, 10155, 10454.

which commodities shall be and remain subject to § 1499.2 and other applicable provisions of the General Maximum Price Regulation;

(3) Cat and dog foods on which a maximum price has been determined under § 1499.263 of this General Maximum Price Regulation, which cat and dog foods shall be and remain subject to said provision; and

(4) All other cat and dog food shall be and remain subject to the General Maximum Price Regulation.

(b) "Pelleted mixed feed" is a mixed feed further processed into pellets.

(c) "Mineral mixed feed" is a mixed feed ninety percent of which consists of a mixture of two or more chemicals or minerals suitable for feeding animals or poultry, with or without mixture with other ingredients.

(d) "Manufacturer" is one who produces and sells a mixed feed by grinding, mixing or blending whether by stationary or portable equipment.

(e) A "class A manufacturer" is a manufacturer who computes his maximum prices under subdivision (ii) hereof.

(f) A "class B manufacturer" is any manufacturer who computes his maximum prices under subdivision (iii) hereof.

(g) A "mineral mixed feed manufacturer" is a manufacturer who produces and sells mineral mixed feeds.

(h) A "custom mixer" is one who furnishes to a consumer for a recompense the service of producing mixed feeds. Either the custom mixer or the consumer or both may furnish the ingredients for the mixed feeds.

(i) A "private brand dealer" is one who resells mixed feed ordered and bought by him from a manufacturer who produced and packed the same in containers bearing the dealer's private brand.

(j) A "class A private brand dealer" is a private brand dealer who computes his maximum prices under subdivision (vi) hereof.

(k) A "class B private brand dealer" is a private brand dealer who computes his maximum prices under subdivision (vii) hereof.

(l) A "wholesaler" is one who buys mixed feed and unloads his purchase into a warehouse and resells the same to retailers.

(m) A "retailer" is one who buys mixed feed and resells the same to consumers.

(n) A "consumer" is one who buys mixed feeds for the purpose of actually feeding it to animals or poultry.

(o) A "billing charge" is the charge or entry as a part of the bookkeeping system of debits and credits made between different departments, branches or units of one concern or between different units of an affiliated group of concerns or organizations for services rendered or commodities produced by one and furnished or delivered by another.

(p) Whenever reference is made in this subparagraph (55) to "transportation or freight charges", the tax imposed by section 620 of the Revenue Act of 1942 (Pub. Law 753, 77th Cong., approved October 21, 1942) shall be deemed to be a part of and shall be included in said charges with like effect as if it were a like increase in the rate or the amount charged by the carrier for the transportation in question. The provisions of Supplementary Order No. 31 issued by the Office of Price Administration on November 26, 1942, shall have no application to sales of mixed feed as governed by this subparagraph (55) of this § 1499.73 (a).

(q) Whenever reference is made in this subparagraph (55) to "carload lots or quantities" the same shall be deemed to include sales or shipments in pool cars or assorted cars.

(ii) *Maximum prices of class A manufacturers.* Every class A manufacturer of mixed feeds shall determine his maximum price per ton in carload quantities sacked for each mixed feed other than pelleted or mineral mixed feeds produced by him as follows:

(a) He shall first compute his costs for a ton of the commodity to be priced as follows:

(1) He shall include the cost of all mill feeds, fish meal or fish scrap, animal feedingstuffs, and soybean, cottonseed and peanut oil meals and cakes used at the maximum price thereof to him per ton in carload quantities at the time of the calculation as prescribed by the Office of Price Administration. Said maximum price shall be the maximum price at his producing plant except that where in his purchase a rate point is selected as the destination to secure favorable transit rates and balances said maximum price shall be the maximum price at said rate point.

(2) He shall include the cost of every other ingredient used which is subject to maximum prices prescribed by the Office of Price Administration at the actual cost thereof to him at the time of the calculation not exceeding the maximum price (and applicable transportation charges where said maximum price is fixed on an f. o. b. basis) thereon to him at said time for the quantities normally purchased by him as prescribed by the Office of Price Administration: *Provided*, That said actual cost (and said maximum price) shall be the actual cost (and the maximum price) at his producing plant except that where in his purchase a rate point is selected as the destination to secure favorable transit rates and balances said actual cost (and said maximum price) shall be the actual cost (and the maximum price) at said rate point.

(3) He shall include the cost of every other ingredient used which is not subject to maximum prices prescribed by the Office of Price Administration at the reasonable market value thereof to him at the time of the calculation for the quantities normally purchased by him: *Provided*, That said reasonable market value shall be such value at his producing plant except that where in his purchase a rate point is selected as the destination to secure favorable transit rates and balances the reasonable market value shall be such value at said rate point.

(4) He shall include the cost of twenty 100 pound bags for the sacking of one ton of the commodity to be priced at the maximum price thereof to him at the time of the calculation as prescribed by the Office of Price Administration: *Provided* (A) He shall give due credit for the bags received in his purchase of the ingredients; (B) he shall give due credit for the bags returned by his buyer from former purchases from him; and (C) he shall not include any cost for bags if the buyer furnishes bags other than by a return of bags as last above mentioned in inferior subdivision (B) hereof.

(b) For sales to each private brand dealer, whether class A or class B, to whom he sold in 1942, he shall next ascertain the average of the margins per ton on the same or the most nearly similar commodity to the commodity being priced as sold during the months of January, March, May, October, November and December, 1942 for shipment in carload quantities to the private brand dealer in question for further resale. He shall ascertain these average margins by deducting from the selling price of each ton of such commodity sold to said private brand dealer during each such month, the replacement cost at the time of the sale of every ingredient used therein and of twenty 100 pound bags if furnished by him. Said replacement cost shall be the replacement cost at his producing plant except that where in his initial purchase a rate point was selected as the destination to secure favorable transit rates and balances said replacement cost shall be the replacement cost at said rate point.

He shall next average the margin so ascertained for each of said months to obtain an average margin for all of the said months.

He shall then add the total of the costs specified in inferior subdivision (a) to the markup determined under this subparagraph and the resultant figure shall be his maximum price to the private brand dealer in question per ton in carload quantities, sacked, f. o. b. his producing plant except that it shall include the transportation to the rate point to a like extent as his costs are computed under inferior subdivision (a) at that rate point and provided that he may add all other actual costs of transportation to the buyer's receiving point.

In like manner, the manufacturer shall determine his maximum price to other private brand dealers to whom he sold in 1942.

To determine a maximum price for a new private brand dealer, whether class A or class B, to whom the manufacturer did not sell in 1942, the manufacturer shall proceed in like manner to ascertain his costs as specified in inferior subdivision (a) to which he shall add the average of his margins per ton on the same or the most nearly similar commodity to the commodity being priced as sold during the months of January, March, May, October, November, and December 1942 for shipments in carload lots to all his private brand dealers for further resale. The resultant figure shall be his maximum price to new private brand dealers per ton in carload quantities, sacked, f. o. b. his producing plant except that it shall include transportation to the rate point to a like extent as costs are computed under inferior subdivision (a) at that rate point and provided that he may add all other actual costs of transportation to the buyer's receiving point.

(c) For sales in carload quantities to retailers and for deliveries in carload quantities to his established retail outlets other than sales to consumers at his producing plant, he shall (after computing costs as specified in inferior subdivision (a)) next ascertain the average of the margins per ton on the same or the most nearly similar commodity to the commodity being priced during the months January, March, May, October, November, and December, 1942, on all such sales and deliveries. He shall ascertain these average margins by deducting from the selling price or billing charge for all such sales or deliveries of each ton of such commodity during each such month the replacement cost of every ingredient used therein and of 20–100 pound bags if furnished by him provided that said replacement cost shall be the replacement cost at his producing plant except that where in his initial purchase a rate point was selected as the destination to secure favorable transit rates or balances said replacement cost shall be the replacement cost at said rate point.

The average margins so obtained for each month shall be averaged for all of said months.

He shall then add the total of the costs specified in inferior subdivision (a) to the margin determined under this inferior subdivision (c) and the resultant figure shall be his maximum price and billing charge on all such sales and deliveries per ton in carload quantities, sacked, f. o. b. his producing plant except that it shall include transportation to the rate point to a like extent as costs are computed under inferior subdivision (a) at that rate point and provided that he may add all other actual costs of transportation to the receiving point.

The maximum price or billing charge so ascertained under this inferior subdivision shall also be known as his list price.

(d) For sales in carload quantities to wholesalers and for deliveries in carload quantities to his established wholesale outlets including his producing plant by class A manufacture, the maximum price and billing charge shall be his maximum price and billing charge as ascertained under the last inferior subdivision (c) hereof less the differential given by him in 1942 from his 1942 single carload list price on each such sale or delivery and for new such sales or deliveries less the reasonable differential normal to the trade, and provided that except to the extent shipped under the transit billing he may add all actual costs of transportation to the receiving point.

(e) For sales to consumers by a class A manufacturer at his producing plant, the maximum price shall be the maximum price of his nearest retailer competitor whose maximum price is fixed under subdivision (x) hereof and provided that except to the extent shipped under transit billing he may add all actual costs of transportation to the buyer's receiving point.

(f) For sales or deliveries in l. c. l. quantities by a class A manufacturer at his producing plant to other than consumers, the maximum price and billing charge shall be his maximum price and billing charge as ascertained under said inferior subdivision (c) hereof plus an addition at the rate of $1.00 per ton and he may add all actual costs of transportation to the receiving point.

(g) For sales of pelleted mixed feeds by a class A manufacturer, the maximum price shall be the applicable maximum price as above set forth plus an addition at the rate of $1.50 per ton.

(h) For sales in seller's bags less than 100 pound bags.

(1) For fifty-pound bags, the maximum price shall be the applicable maximum price as above set forth plus an addition at the rate of $1.00 per ton.

(2) For twenty-five-pound bags the maximum price shall be the applicable maximum price as above set forth plus an addition at the rate of $1.50 per ton.

(3) For ten-pound bags the maximum price shall be the applicable maximum price as above set forth plus an addition at the rate of $5.00 per ton.

(4) For five-pound bags the maximum price shall be the applicable maximum price as above set forth plus an addition at the rate of $6.00 per ton.

(5) For any other container the maximum price shall be the applicable maximum price as above set forth plus the differential above given for the weight nearest the weight of the container in question.

(A) For sales in buyer's bags less than 100 pounds the maximum price shall be the applicable maximum price as above set forth plus only the actual cost of filling the containers of the size in question.

(iii) *Maximum prices for class B manufacturers.* Every class B manufacturer of mixed feeds shall determine his maximum price per 100 pound sellers' bag for l. c. l. quantities for each mixed feed other than pelleted or mineral mixed feed as follows:

(a) He shall compute his costs per one 100-pound bag of the commodity to be priced as follows:

(1) He shall include the cost of all mill feeds, fish meal or fish scraps, animal feedingstuffs and soybean, cottonseed and peanut oil meals and cakes used at the maximum price thereof to him for the quantities normally purchased by him at the time of the calculation as prescribed by the Office of Price Administration; provided that said maximum price shall be the maximum price at his producing plant except that where in his purchase a rate point is selected as the destination to secure favorable transit rates and balances said maximum price shall be the maximum price at said rate point.

(2) He shall include the cost of every other ingredient used which is subject to maximum prices prescribed by the Office of Price Administration at the actual cost thereof to him at the time of the calculation not exceeding the maximum price (and applicable transportation charges where said maximum price is fixed on an f. o. b. basis) thereon to him at said time for the quantities normally purchased by him as prescribed by the Office of Price Administration; provided that said actual cost (and said maximum price) shall be the actual cost (and the maximum price) at his producing plant except that where in his purchase a rate point is selected as the destination to secure favorable transit rates and balances said actual cost (and maximum price) shall be the actual cost (and the maximum price) at said rate point.

(3) He shall include the cost of every other ingredient used which is not subject to maximum prices prescribed by the Office of Price Administration at the reasonable market value thereof to him at the time of the calculation for the quantities normally purchased by him; provided that said reasonable market value shall be such value at his producing plant except that where in his purchase a rate point is selected as the destination to secure favorable transit rates and balances the reasonable market value shall be such value at said rate point.

(4) He shall include the cost of one 100-pound bag for the sacking of one such bag of the commodity to be priced at the maximum price thereof to him at the time of the calculation as prescribed by the Office of Price Administration; provided (A) he shall give due proportional credit for the bags received in his purchase of the ingredients; (B) he shall give due proportional credit for the bags returned to him by his buyer from former purchases from him, and (C) he shall not include any cost for bags if the buyer furnishes bags other than by a return of bags as last above mentioned in inferior subdivision (B) hereof.

(b) For sales to consumers at his producing plant and for deliveries to his other established retail outlets in lots of one to five 100-pound bags he shall next ascertain the average of the margins per one 100-pound bag on the same or the most nearly similar commodity to the commodity being priced during the months of January, March, May, October, November and December, 1942, on all such sales or deliveries. He shall ascertain those average margins by deducting from the selling price or billing charge for all such sales or deliveries during each such month the replacement cost of every ingredient used therein and of the 100-pound bags if furnished by him; *Provided*, That said replacement cost shall be the replacement cost at his producing plant except where in his initial purchase a rate point was selected as the destination to secure favorable transit rates and balances said replacement cost shall be the replacement cost at said rate point. He shall next average the margins so obtained for each of said months to obtain an average for all of said months.

He shall then add the total of the costs specified in inferior subdivision (a) to the margin determined under this in-

ferior subdivision (b) and the resultant figure shall be his maximum price or billing charge per 100-pound bags on all such sales and deliveries f. o. b. his producing plant and he may add, except to the extent shipped under transit billing, all actual costs of transportation to the receiving point.

The maximum price or billing charge so determined under this inferior subdivision shall also be known as his list price.

(c) For sales to any other class of purchaser and for deliveries to his established wholesale and retail outlets by a class B manufacturer in quantities greater than lots of one to five 100-pound bags the maximum price shall be the maximum price as above ascertained for lots of one to five 100-pound bags less the differential given by him in 1942 under his 1942 list price for sales in lots of one to five 100-pound bags on each such sale or delivery, and for new such sales or deliveries less the reasonable differential normal to the grade and he may add, except to the extent shipped under transit billing, all actual costs of transportation to the receiving point.

(d) For sales to private brand dealers, whether class A or class B, by a class B manufacturer the maximum price shall be ascertained in like manner as the maximum price for sales to private brand dealers by a class A manufacturer.

(e) For sales of pelleted mixed feed by a class B manufacturer the maximum price shall be the applicable maximum price as above set forth plus an addition at the rate of $1.50 per ton.

(f) For sales in seller's bags less than 100 pound bags.

(1) For fifty pound bags, the maximum price shall be the applicable maximum price as above set forth plus an addition at the rate of $1.00 per ton.

(2) For twenty-five pound bags the maximum price shall be the applicable maximum price as above set forth plus an addition at the rate of $1.50 per ton.

(3) For ten pound bags the maximum price shall be the applicable maximum price as above set forth plus an addition at the rate of $5.00 per ton.

(4) For five pound bags the maximum price shall be the applicable maximum price as above set forth plus an addition at the rate of $6.00 per ton.

(5) For any other container the maximum price shall be the applicable maximum price as above set forth plus the differential above given for the weight nearest the weight of the container in question.

(g) For sales in buyers' packages less than 100 pound bags the maximum price shall be the applicable maximum price as above set forth plus only the actual cost of filling the containers of the size in question.

(iv) *Maximum prices for mineral mixed feed manufacturers.* Every mineral mixed feed manufacturer shall determine his maximum prices for each mineral mixed feed produced by him in like manner as a class B manufacturer determines his maximum prices for mixed feeds produced by him; provided that all persons other than said manufacturer selling such mineral feeds to consumers shall be deemed to be retailers for the purposes of subdivision (x) hereof whether such person takes title to the mineral mixed feeds, acts as agent of the mineral mixed feed manufacturer, or sells on a commission basis under arrangement with the mineral mixed feed manufacturer.

(v) *Maximum prices for custom mixer.* The maximum price of a custom mixer for the production of mixed feed for a consumer shall be the total of the following:

(a) The service charge for the production of the mixed feed in question at the maximum price heretofore established by the Office of Price Administration for such service; plus (b) the cost of all ingredients and bags, if any, furnished by the custom mixer for the mixed feed in question at the maximum price thereof to him at the time of the service rendered as prescribed by the Office of Price Administration (plus all applicable transportation charges to his producing plant where such charges are not included in said maximum price) or if no such maximum price has been established at the reasonable market value thereof at his producing plant at the time of the service rendered plus an addition at the rate of $7.50 per ton on all ingredients so furnished by the custom mixer for the production of the mixed feed in question, and (c) he may add all actual costs of transportation to the buyer's receiving point.

(vi) *Maximum prices for class A private brand dealers.* (a) The maximum price or billing charge for sales in carload quantities to retailers and for deliveries in carload quantities to his established retail outlets, per ton sacked, of the commodity to be priced shall be the maximum price which may be charged by the manufacturer to him hereunder and the transportation charges, if any, to his place of business for carload quantities of the mixed feed to be priced plus a markup ascertained as follows: The average of the margins per ton on the same or the most nearly similar commodity to the commodity being priced during the months of January, March, May, October, November and December 1942, on all such sales or deliveries. He shall ascertain these average margins by deducting from the selling price or billing charge for all such sales or deliveries of each ton of such commodity during each month the replacement cost of the mixed feed from the same manufacturer at the time of the sale. The average margins so ascertained for each such month shall be averaged for all of said months. The resultant figure shall be his maximum price and billing charge per ton sacked for all such sales and deliveries in carload quantities f. o. b. manufacturer's production plant except that it shall include the transportation charges to the rate point to a like extent as the maximum price of the manufacturer to him includes transportation charges to said rate point and provided that he may add all other actual costs of transportation to the receiving point. All other transportation charges to the receiving point shall be borne or charged against the receiver. The maximum price or billing charge so determined under this inferior subdivision shall also be known as his list price.

(b) For sales in carload quantities to wholesalers and for deliveries in carload quantities to his established wholesale outlets in carload lots by a class A private brand dealer the maximum price and billing charge shall be his maximum price and billing charge in carload lots as ascertained under the last inferior subdivision (a) hereof less the differential given by him in 1942 from his 1942 single carload list price on each such sale or delivery and for new sales and deliveries less a reasonable differential normal to the trade and provided that except to the extent shipped under transit billing he may add actual transportation costs to the receiving point.

(c) For sales by a class A private brand dealer to consumers other than through a wholesale or retail outlet owned or controlled by him the maximum price shall be the maximum price of his nearest retail competitor whose maximum price is fixed under subdivision (x) hereof and provided that he may add the actual costs of transportation to the buyer's receiving point.

(d) For sales or deliveries by a class A private brand dealer in less than carload quantities to other than consumers the maximum price and billing charge shall be the maximum price and billing charge as ascertained under inferior subdivision (a) hereof plus an addition at the rate of $1.00 per ton and provided that he may add the actual costs of transportation to the receiving point.

(vii) *Maximum prices for class B private brand dealers.* (a) The maximum prices for sales of mixed feed by class B private brand dealers in lots of one to five 100 pound bags shall be the maximum price therefor which may be charged by the manufacturer to him hereunder and transportation charges to his place of business, if any, plus a markup ascertained as follows: The average of the margins per bag on the same or the most nearly similar commodity to the commodity being priced during the months of January, March, May, October, November and December, 1942, on all sales in lots of one to five 100-pound bags. He shall ascertain these margins by deducting from the selling price of each bag of such commodity sold during each such month replacement cost of the mixed feed from the same manufacturer at the time of the sale and transportation charges to his place of business, if any. The average margins so ascertained for each such month shall be averaged for all of said months. The resultant figure shall be his maximum price for sales in lots of one to five 100-pound bags f. o. b. his place of business and provided that he may add all actual transportation charges to the buyer's receiving point. The maximum price or billing charge so determined under this inferior subdivision shall also be known as his list price.

(b) The maximum price for sales of mixed feed by class B manufacturers in lots of more than five 100-pound bags shall be his maximum price as ascertained under inferior subdivision (a) hereof less the differential given by him in 1942 from his 1942 list price for lots of one to five 100-pound bags to each class of purchasers and for new classes of purchasers less a reasonable differential natural to the trade.

(viii) *Maximum prices of manufacturers, private brand dealers, custom mixer and mineral feed manufacturers who did not engage in business during specified months of 1942.* The maximum prices of every manufacturer and of every private brand dealer, and of every custom mixer and of every mineral feed manufacturer who did not engage in business in the months January, March, May, October, November, and December 1942 shall be and he shall be governed by the maximum prices of his closest competitor for whom maximum prices are prescribed hereunder.

(ix) *Maximum prices for wholesalers.* The maximum price that a wholesaler and a wholesale outlet of a class A or B manufacturer or of a class A private brand dealer may charge for sales of mixed feed shall be $2.50 per ton (maximum profit margin) over the list price of his supplier hereunder together with all applicable transportation charges to his place of business (where transportation charges are not included in said maximum price) and he may add all actual transportation costs from his place of business to the receiving point; provided that for sales of mixed feed in packages of 3 pounds or less his maximum profit margin to each class of purchasers shall be the average profit margin to each such class of purchasers on sales of such packages during December, 1942.

(x) *Maximum prices of retailers.* The maximum price that a retailer and a retail outlet of a class A or B manufacturer or of a class A private brand dealer may charge for sales of mixed feed shall be $7.50 per ton (maximum profit margin) over his supplier's list price hereunder or his wholesaler's maximum price hereunder, from whichever he purchased, together with all applicable transportation charges to his place of business (where transportation charges are not included in said maximum price) and he may add all actual transportation costs from his place of business to the buyers receiving point; provided that for sales of mixed feeds in packages of 3 pounds or less his maximum profit margin to each class of purchasers shall be the average profit margin to each such class of purchasers on sales of such packages during December, 1942.

(xi) *Rounding of maximum prices.* (a) In ascertaining maximum prices hereunder on a per ton basis round the figure obtained as the maximum price to the nearest even 20¢.

(b) In ascertaining maximum prices hereunder on a one 100 pound bag basis round the figure obtained as the maximum price to the nearest one cent.

(xii) *Dealings between persons of the same class.* No person shall sell mixed feed or mineral mixed feed bought from a person of the same class to which he belongs at higher than the maximum price at which he may buy the same from such person hereunder.

(xiii) *Time for calculating maximum prices.* (a) Within one week after the effective date of this amendment every manufacturer and mineral mixed feed manufacturer shall compute his maximum prices hereunder.

(b) Within two weeks after the effective date of this amendment every other person subject hereto shall compute his maximum prices hereunder.

(c) Every person hereinbefore in this subdivision (xiii) mentioned shall also select one day of the week as the day upon which he shall thereafter recompute his maximum prices hereunder.

(d) On the selected day of each succeeding week thereafter every person hereinbefore in this subdivision (xiii) mentioned shall recompute his maximum prices hereunder. If the selected day falls on a holiday he shall recompute his maximum prices hereunder for that week on the nearest business day preceding or succeeding said holiday at his option.

(e) For the initial calculation of maximum prices as herein provided every manufacturer may select whether he will compute his maximum prices under subdivision (ii) or (iii) hereof and every private brand dealer may select whether he will compute his maximum prices under subdivision (vi) or (vii) hereof, but for each succeeding weekly calculation he shall recalculate under the same subdivision under which he made his initial calculation.

(f) Every custom or batch mixer shall compute his maximum prices hereunder at or within one week prior to the date of the production of the mixed feed involved in each transaction.

(xiv) *Prohibition against selling mixed feed unless maximum prices are computed within time limits.* No mixed feed shall be sold by any person subject hereto unless the maximum prices thereon have been computed as and in the manner hereinbefore provided and within a time not exceeding more than one week last past from the date of the transaction in question.

(xv) *Publication of maximum prices.* (a) Every class A manufacturer shall post in his place of business and mail to all his wholesalers and retailers, and deliver to others upon request, a copy of his list prices and mail to each of his private brand dealers a copy of his maximum prices as to him, all as computed weekly hereunder.

(b) Every class B manufacturer shall post in his place of business a copy of his list prices, as computed weekly hereunder and advise in some manner all his wholesaler and retailer customers and others upon request thereof and mail to each of his private brand dealers a copy of his maximum prices as to him as in the case of a class A manufacturer.

(c) Every custom mixer shall prior to the production of the mixed feed in each transaction advise the person procuring the service of his maximum price thereon calculated as hereinbefore provided.

(d) Every wholesaler or retailer shall post in his place of business a copy of his maximum prices as computed weekly hereunder.

(b) *Effective dates.* * * *

(88) This Amendment No. 87 (§ 1499.73 (a) (55)) to Supplementary Regulation No. 14 shall become effective the 22d day of January 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871).

Issued this 16th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-830; Filed, January 16, 1943; 12:39 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 88 to Supp. Reg. 14[1] Under GMPR[2]]

SALT

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (56) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of the General Maximum Price Regulation for certain commodities, services, and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided:

* * * * * *

(56) *Sales of certain grades of salt obtained from producers in Louisiana—(i) Maximum prices for sales by first buyers situated in certain parts of Florida.* Any seller obtaining the grades of salt listed here directly from producers in Louisiana or such producers' agents and reselling the same may, at his option, establish as his maximum prices therefor, the prices set forth in this subdivision (i) in lieu of the maximum prices therefor established pursuant to other provisions of the General Maximum Price Regulation.

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7265, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8861, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9395, 9495, 9496, 9639, 9786, 9900, 9731, 10069, 10011, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10537, 10557, 10583.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4887, 5027, 4659, 4738, 5276, 5192, 5365, 5445, 5775, 5784, 5783, 6058, 6081, 5484, 5565, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371.

Grade and quantity:	*Maximum cash price F. O. B. seller's shipping point*
100 lbs. C–A, No. 1, 2, 3 and 4	$1.22
100 lbs. Cotton, kiln dried, rock	1.32
6/10 lb. Pockets fine rock	1.16
15/4 lb. Pockets fine rock	1.20
50 lbs. plain stock blocks	.66
50 lbs. sulfur stock blocks	.77
50 lbs. iodized stock blocks	.93

These maximum prices for the grades mentioned above shall also be the maximum prices for other grades whose cost to the seller is within two cents per hundred pounds, per 6/10 lb. pockets or 15/4 pound pockets, or per 50-pound block, as the case may be, of the cost to the seller of the grades of salt specifically enumerated above.

This subdivision (i) is applicable only to sellers whose place of business is situated within one of the following-named counties in Florida and only to sales made from a shipping point located in one of such counties:

Marion	Hillsborough
Volusia	Polk
Seminole	Osceola
Orange	Manatee
Lake	Hardee
Sumter	Highlands
Citrus	Desoto
Hernando	Sarasota
Pasco	Charlotte
Pinellas	Lee

(ii) *Maximum prices for sales by retailers of salt obtained from a seller described in subdivision (i).* Any retailer obtaining salt at a maximum price determined under subdivision (i) may, at his option, establish as his maximum price therefor, a price which is the sum of his maximum price established pursuant to other provisions of the General Maximum Price Regulation and the difference in dollars and cents between the seller's [the seller meant is the seller described in subdivision (i)] former maximum price and the seller's maximum price under subdivision (i).

(iii) *Records and reports of sellers determining maximum prices under subdivision (i).* Any seller who determines his maximum selling price for any salt under subdivision (i) shall, within 10 days of his first sale at the maximum price so determined, file with the Office of Price Administration in Washington, D. C., a statement containing the following information with respect to each such commodity:

(a) The name of the commodity and the name of its producer.

(b) His maximum selling price on such commodity as established under § 1499.2 of the General Maximum Price Regulation together with his maximum selling price as adjusted under this amendment.

(c) The average percentage mark-up enjoyed by him during March 1942 over the manufacturer's carload price after cash discount on such commodity.

(iv) *Notification to retailers by sellers determining maximum prices under subdivision (i).* Any seller who determines his maximum price for any salt under subdivision (i) shall deliver invoices to retailers covering sales subject to this subparagraph (56) to § 1499.73 (a), and at the time of delivery attach to his first invoice to each such retailer on any sale at a price so determined a notice as follows:

The Office of Price Administration has permitted us to raise our maximum prices on certain grades of salt. These grades, with our previous and new maximum prices are as follows:

Grade and quantity	(1) Previous maximum price	(2) New maximum cash price f. o. b. our shipping point	Difference between columns "(1)" and "(2)"
100 lbs. C–A, No. 1, 2, 3 and 4	.....	$1.22	.....
100 lbs. Cotton kiln dried rock	.....	1.32	.....
6/10 lb. Pockets fine rock	.....	1.16	.....
15/4 lb. Pockets fine rock	.....	1.20	.....
50 lbs. Plain stock blocks	.....	.66	.....
50 lbs. Sulfur stock blocks	.....	.77	.....
50 lbs. Iodized stock block	.....	.93	.....
.....	.....	.....	.....
.....	.....	.....	.....

These increases represent only that part of cost increases which we were unable to absorb. Your maximum price for a sale of any of the above named grades and quantities may be increased by the difference in dollars and cents between our previous and our new maximum price for that grade and quantity, as shown in the column numbered "(3)" above. If you sell any of the above listed grades in smaller quantities than those listed, you may add to your former maximum price for that smaller quantity an amount which bears the same proportional relationship to your maximum price increase for the quantity listed above as the smaller quantity bears to the quantity listed above. O. P. A. requires that you keep this notice for examination.

(b) *Effective dates.* * * *

(89) Amendment No. 88 (§ 1499.73 (a) (56)) to Supplementary Regulation No. 14 shall become effective January 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-826; Filed, January 16, 1943; 12:38 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 163 Under § 1499.18 (b) of GMPR]

TOBIN PACKING COMPANY

Order No. 163 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3–669.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1064 *Adjustment of maximum prices of hog intestines sold by the Tobin Packing Company.* (a) The Tobin Packing Company, Los Angeles, California, may sell and deliver and any person may buy and receive from the Tobin Packing Company hog intestines at a price not higher than $.15 per intestine.

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 163 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 163 (§ 1499.1064) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 163 (§ 1499.1064) shall become effective as of May 11, 1942

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-821; Filed, January 16, 1943; 12:39 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 164 Under § 1499.18 (b) of GMPR]

BALAB

Order No. 164 Under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3–1973.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1065 *Adjustment of maximum prices for "Bubblebreaker", manufactured by Fred Bresee, Jr., doing business as Balab.* (a) Fred Bresee, Jr., doing business as Balab, 422 Tehama Street, San Francisco, California may sell and deliver, and any person may buy and receive from Fred Bresee, Jr., doing business as Balab, "Bubblebreaker", at prices not higher than the following:

	Cents per pound f. o. b. applicant's plant
Bubblebreaker:	
Evaporator type	11¼
Carbonator type	10¼

(b) This Order No. 164 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 164 (§ 1499.1065) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(d) This Order No. 164 (§ 1499.1065) shall become effective January 18, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-822; Filed, January 16, 1943; 12:40 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 165 Under § 1499.18 (b) of GMPR]

N. BEARD'S BAKERY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1066 *Denial of application for adjustment of maximum price of bread sold by Morris Segal, doing business as N. Beard's Bakery, 706–08 South Street, Philadelphia, Pennsylvania.* (a) The application of Morris Segal, doing business as N. Beard's Bakery, 706–08 South Street, Philadelphia, Pennsylvania, filed September 12, 1942, and assigned Docket Number GF3–1952, requesting permission to increase the maximum price of bread sold by him, is denied.

(b) This Order No. 165 (§ 1499.1066) shall become effective January 18, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-824; Filed, January 16, 1943; 12:37 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 4 Under 1499.18 (c) of GMPR]

BANKER COFFEE CORPORATION

Order No. 4 under § 1499.18 (c), as amended, of the General Maximum Price Regulation—Docket No. GF3–2938.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1504 *Authorization of a maximum price for sale of Red Head Brand Coffee by the Banker Coffee Corporation, by wholesalers and by retailers.* (a) On and after January 18, 1943, the Banker Coffee Corporation of Evansville, Indiana may sell and deliver and any person may buy and receive from the Banker Coffee Corporation "Red Head Brand Coffee" packed in one pound paper bags at a price of 21¢ per pound, delivered to the buyer's customary place of acceptance.

(b) Banker Coffee Corporation shall continue the customary allowances, discounts, price differentials and trade practices existing in March 1942 unless a change results in a lower selling price.

(c) Sellers at wholesale shall determine their maximum prices for Red Head Brand Coffee by applying the provisions of Maximum Price Regulation 237 as amended.

(d) Sellers at retail shall determine their maximum prices for Red Head Brand Coffee by applying the provisions of Maximum Price Regulation 238 as amended.

(e) All prayers of the applicant not granted herein are denied.

(f) This Order No. 4 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 4 (§ 1499.1504) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 4 (§ 1499.1504) shall become effective January 18, 1943.

(Public Laws 421 and 729, 77th Cong.; E.O. 9250, F.R. 7871)

Issued this 16th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-827; Filed, January 16, 1943; 12:37 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 7 Under § 1499.18 (c) of GMPR]

STORAGE AND WAREHOUSING; REVOCATION OF ORDER

An opinion has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Order No. 7 (§ 1499.357) under § 1499.18 (c) of the General Maximum Price Regulation is hereby revoked.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued and effective this 16th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-825; Filed, January 16, 1943; 12:38 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 49 Under § 1499.18 (c) of GMPR]

ABSHIRE WAREHOUSE ET AL.

Amendment No. 1 to Order No. 49 under § 1499.18 (c) of the General Maximum Price Regulation—Dockets Nos. GF3–1770 to GF3–1819 incl., GF3–1829, and GF3–1892 to 1897 incl.

An opinion accompanying this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

The items of § 1499.399 (e) listed below are amended and new paragraphs (f) and (g) are added, to read as follows:

§ 1499.399 *Adjustment of maximum prices for storage and warehousing of rough rice in the State of Louisiana by certain companies.* (a) The persons whose names and addresses are set forth in Appendix A hereto may sell and deliver, and any person may buy and receive from any of such persons, storage and warehousing of rough rice and services incident thereto at prices not higher than the prices set forth in said Exhibit A in conjunction with the names and addresses of such persons, respectively.

* * * * *

(e) *Appendix A.*

Names and addresses	Maximum prices in cents per barrel						
	1st Mo.	2nd Mo.	3rd Mo.	4th Mo.	5th Mo.	6th Mo.	Total for season
* * *							
Abshire Warehouse, Lake Charles, La	10	6	4	2	.....	.....	**22
Campbell Warehouses, Welsh, La	9	6	3	.....	.....	.....	**18
Eunice Warehouse, Eunice, La	12	2	2	2	.....	.....	**18
A. L. (Pat) Guillory Bonded, Eunice, La	12	2	2	2	.....	.....	**18
Gulf Coast Warehouse, Welsh, La	9	6	3	.....	.....	.....	**18
W. C. McManus Warehouse, Elton, La	8	4	.....	.....	.....	.....	**12
W. C. McManus Warehouse, Eunice, La	12	2	2	2	.....	.....	**18
Mutual Warehouse Co., Inc., Welsh, La	9	6	3	.....	.....	.....	**18
* * *							

(f) This Amendment No. 1 may be revoked or amended by the Price Administrator at any time.

(g) This Amendment No. 1 (§ 1499.399) shall become effective January 18, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R Doc. 43-823; Filed, January 16, 1943; 12:40 p. m.]

PART 1305—ADMINISTRATION

[General Ration Order 3]

RATION BANKING; BANKS

Pursuant to the authority vested in the Administrator by Pub. Laws 421, 507, and 729, 77th Cong., by Executive Order No. 9125, issued by the President on April 7, 1942, *It is hereby ordered*, That:

SCOPE OF GENERAL RATION ORDER NO. 3

Sec.
1305.401 Territorial limitation.
1305.402 Effect of this order on other orders.

DEFINITIONS

1305.405 Definitions.

ADMINISTRATION AND PERSONNEL

1305.406 Administration and personnel.

GENERAL PROVISIONS

1305.411 Nature and effect of participation by banks.
1305.412 Operation of ration bank accounts.
1305.413 Bank endorsements.
1305.414 Bank records and accounts confidential.
1305.415 Prohibition.

EFFECTIVE DATE

1305.419 Effective date of General Ration Order No. 3

*Copies may be obtained from the Office of Price Administration.

AUTHORITY: §§ 1305.401 to 1305.419, inclusive, issued pursuant to Pub. Laws 421, 507, and 729, 77th Cong.; Executive Order No. 9125, 7 F.R. 2719, issued by the President on April 7, 1942; W.P.B. Dir. No. 1, 7 F.R. 562.

SCOPE OF GENERAL RATION ORDER NO. 3

§ 1305.401 *Territorial limitation.* Except as otherwise expressly provided, all of the provisions of this General Ration Order No. 3 shall apply to the entire area included within the continental limits of the United States.

§ 1305.402 *Effect of this order on other orders.* This order shall not be construed to permit any act or omission which would be in violation of any order of the Office of Price Administration.

DEFINITIONS

§ 1305.405 *Definitions.* When used in this order, unless the context otherwise requires:

(a) "Account" means a ration bank account maintained by a participating bank in which the bank keeps a record of deposits of ration evidences and transfers of ration credits.

(b) "Bank" means any bank or trust company organized under any State or Federal law, which is authorized to and does, on the effective date of this order, maintain dollar accounts (not including savings accounts), subject to withdrawal by check or other order payable on demand.

(c) "Check" means a non-transferable ration check drawn against a ration bank account and payable to the account of a named person.

(d) "Depositor" means a person who maintains a ration bank account. A person shall be deemed a depositor with respect to each of his accounts.

(e) "District office" means the district office of the Office of Price Administration having jurisdiction over the area in which the bank is located, or, if there is no district office having jurisdiction over that area, the State office of the Office of Price Administration having jurisdiction over that area.

(f) "Evidence" means a ration evidence authorizing the transfer, delivery, or acquisition of rationed commodities issued or authorized by the Office of Price Administration, including stamps, coupons, certificates, and other similar instruments which from time to time may be issued or authorized by the Office of Price Administration, and ration checks.

(g) "Manual of Operating Procedure" means the general instructions issued by the Office of Price Administration to the participating banks governing the procedure to be followed in maintaining and operating ration bank accounts in accordance with this order.

(h) "Office of Price Administration" means the Office of Price Administration, Washington, D. C., and any regional, State, or district office thereof.

(i) "Participating bank" means a bank which has opened a ration bank account, in accordance with the provisions of this order.

(j) "Person" means an individual, corporation, partnership, joint-stock company, trust, trustee, unincorporated association, government or governmental agency, and any other organized group or enterprise.

ADMINISTRATION AND PERSONNEL

§ 1305.406 *Administration and personnel.* This order shall be administered by the Office of Price Administration through participating banks and such other agencies and personnel as the Office of Price Administration may designate.

GENERAL PROVISIONS

§ 1305.411 *Nature and effect of participation by banks*—(a) *Becoming a participating bank.* Upon opening any account in accordance with § 1305.412 (a) (1), a bank shall become a participating bank, and shall thereupon notify the district office in writing of the date of the opening of such account.

(b) *Effect of becoming a participating bank.* Participating banks shall act as agencies of and under the direction and supervision of the Office of Price Administration and shall be responsible only to the Office of Price Administration. Each participating bank shall have all the rights and powers and assume all the duties provided in this order and any amendments thereto.

(c) *Reimbursement of participating banks.* Each participating bank shall be reimbursed by the Office of Price Administration in accordance with the following schedule, which schedule is based upon the cost of operating ration bank accounts and the expenses incidental thereto:

(1) Each participating bank shall receive thirty (30) cents for the first account opened for any depositor at any one office of the bank, plus five (5) cents for each additional account opened for that same depositor at the same bank office.

(2) Each participating bank shall receive a maintenance charge of ten (10) cents for each account carried on its books on the 15th day of each month.

(3) Each participating bank shall receive five (5) cents for each deposit made, plus one-half (½) cent for each item included in the deposit.

(4) Each participating bank shall receive four cents for each ration check properly debited to an account.

(5) As used in this paragraph (c), the following terms have the following meanings:

(i) Any opening of an account, even though an old account is supplanted, shall be deemed the opening of a new account. The moving of an account from one branch of a bank to another branch thereof shall not be deemed the opening of a new account.

(ii) Where several accounts are opened at the same bank office, each of which serves a separate establishment of one person, that person shall be deemed the depositor as to all such accounts.

(iii) A credit to an account made on the order of the Office of Price Administration shall be deemed to be a deposit.

(iv) Each separate evidence shall be deemed to be a separate item, except that, in the case of coupons or stamps required by order of the Office of Price Administration to be affixed to a card or sheet, each card or sheet bearing stamps or coupons shall be deemed one item. A deposit slip shall not be deemed an item.

(v) A debit to an account made on the order of the Office of Price Administration shall be deemed the debit of a ration check to the account.

Such reimbursement shall be made promptly after receipt and approval by the Office of Price Administration of quarterly reports of ration banking transactions by the participating bank. Reimbursement at such rate shall be made to the date upon which the bank voluntarily withdraws or is required to withdraw from participation in ration banking, as provided in paragraph (d) of this section. No participating bank shall receive any further payment from the Office of Price Administration, or from any other person, for any service rendered pursuant to the provisions of this order, amendments thereto, or instructions issued from time to time by the Office of Price Administration.

(d) *Withdrawal of participating banks*—(1) *Voluntary withdrawal.* Any bank may at any time withdraw from participation in ration banking by sending, registered mail, return receipt requested, to the district office, written notice of intention to withdraw. The withdrawal shall become effective thirty (30) days after the receipt of the notice by the district office and the bank, unless specifically authorized by the Office of Price Administration, shall not refuse to open any new accounts until the expiration of the thirty (30) day period: *Provided, however,* That a bank may, upon written notice forwarded by registered mail to the district office, withdraw immediately after the publication in the FEDERAL REGISTER of any amendment to this order or any other order of the Office of Price Administration, which is effective at a date sooner than thirty (30) days after such publication, and which in any way alters the provisions contained in §§ 1305.411 (c), 1305.411 (d) (1), 1305.411 (d) (2), 1305.412 (a) (1), 1305.412 (a) (2), 1305.412 (a) (3), 1305.412 (a) (4), 1305.412 (a) (6), 1305.412 (a) (7), 1305.412 (a) (10), 1305.412 (a) (11), 1305.412 (a) (14) and 1305.413 of this order, and is not acceptable to the participating bank.

(2) *Involuntary withdrawal.* The Deputy Administrator in Charge of Rationing of the Office of Price Administration may, upon written notice sent by registered mail, require any bank to withdraw from participation in ration banking within thirty (30) days after receipt of such notice. Upon receipt of such notice such bank shall refuse to open any new accounts.

(3) *Closing out accounts.* Any bank withdrawing from ration banking shall close out all its accounts in the manner prescribed in the Manual of Operating Procedure issued by the Office of Price Administration. The bank shall also dispose of all its ration banking records and take all other steps necessary to conclude its participation in ration banking in accordance with written instructions from the Office of Price Administration. The Office of Price Administration shall issue to the bank a receipt for all documents delivered under its instructions. Such receipt shall be conclusive evidence of the delivery of the documents described therein.

§ 1305.412 *Operation of ration bank accounts.* (a) Participating banks shall:

(1) *Opening of accounts.* Open an account for any person authorized by the Office of Price Administration to maintain an account, upon receipt of a proper application. Investigate the identity of each depositor and report to the district office upon any depositor whose identity has not been verified.

(2) *Acceptance of deposits.* Accept deposits of all evidences presented in proper form for deposit. Count, verify, and maintain proper control over all evidences deposited. Credit the proper accounts with the amounts of all apparently valid evidences deposited.

(3) *Disposal of ration evidences other than ration checks.* Retain all stamps and coupons for at least fifteen days and then destroy them. Certify to such destruction periodically to the district office, which certification in the absence of fraud, collusion, or wilful misconduct shall be conclusive evidence of destruction as between the participating bank and the Office of Price Administration only. Endorse and forward all evidences received, other than stamps, coupons, or checks, to the district office.

(4) *Acceptance of checks constituting overdraft.* Accept for credit to the account of a depositor any check presented in proper form, whether or not such check constitutes an overdraft on the drawer's account.

(5) *Clearance.* Clear all checks back to the drawee bank and debit to the proper account all checks received which are drawn on accounts maintained by the bank.

(6) *Certification.* Certify only checks payable to the Office of Price Administration and immediately charge the account of the drawer.

(7) *Reversal of credits.* Reverse or cancel a credit resulting from the deposit of evidences only upon order of the Office of Price Administration.

(8) *Report and disposal of invalid ration evidences and overdrafts.* Report to the district office all items lost in transit or misplaced, and all overdrafts on accounts, and at the time the next statement is due to the depositor, forward to the district office the statement and all cancelled checks for the period in which any overdraft occurs, unless otherwise instructed by the Office of Price Administration. Forward to the district office all items received for deposit in a transaction that appears to the bank to constitute fraud.

(9) *Statements and return of checks.* Issue a statement of each account to each depositor at least quarterly and return to the depositor all checks drawn by him and debited to his account during the period covered by the statement, except as provided in paragraph (a) (8) of this section.

(10) *Disputes over balances.* Refer all disputes over the balance in any account to the district office.

(11) *Stop orders.* Refuse to honor stop orders, except those received from the Office of Price Administration.

(12) *Adjustment of accounts.* Debit, credit, close out or otherwise deal with any account maintained by it upon specific written instructions of the Office of Price Administration. Refuse to close out or transfer any accounts, except upon order of the Office of Price Administration.

(13) *Forms.* Furnish signature cards, deposit slips, ration checks, and forms used by participating banks in their internal operations in connection with ration banking, printed according to specifications prescribed by the Office of Price Administration. Issue ration checks only to depositors.

(14) *Records and reports.* Preserve, maintain and keep available for inspection by the Office of Price Administration and its authorized agents such records, and make such reports to the district office, as the Office of Price Administration may from time to time prescribe. In the absence of fraud, collusion or wilful misconduct, a report shall be final and conclusive evidence, as between the participating bank and the Office of Price Administration only, of the correctness of the matters contained therein after six (6) months from its receipt by the district office.

(b) All of the foregoing shall be done in accordance with the provisions of the Manual of Operating Procedure and such other written instructions as may from time to time be issued by the Office of Price Administration.

§ 1305.413 *Bank endorsements.* In making any endorsement, a participating bank shall not be responsible for prior endorsements notwithstanding the wording of the endorsement stamp used by the bank, but such endorsement shall constitute a certification that the item has been deposited in an account standing in the same name as appears in the endorsement next preceding the bank's endorsement.

§ 1305.414 *Bank records and accounts confidential.* All ration banking records kept by any bank and the contents thereof shall be confidential. However, they shall be subject to inspection by State and national bank examiners authorized by the Office of Price Administration to examine ration banking operations and to inspection, removal or other disposition by the Department of Justice, the Office of Price Administration and such other persons as the Office of Price Administration may from time to time direct. The records of an account shall also be subject to inspection by the depositor.

§ 1305.415 *Prohibition.* No individual shall, in any record, report or other statement made or kept pursuant to, or required by the provisions of this order, make or cause to be made any untrue statement of any fact, or omit, or cause to be omitted any statement of any fact required to be stated therein or necessary to make the statements therein not misleading.

EFFECTIVE DATE

§ 1305.419 *Effective date of General Ration Order No. 3.* General Ration Order No. 3 (§§ 1305.401 to 1305.419, inclusive) shall become effective 12:01 a. m., January 27, 1943.

Issued this 4th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-849; Filed, January 16, 1943; 4:31 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 300]

MAXIMUM MANUFACTURERS' PRICES FOR RUBBER DRUG SUNDRIES

In the judgment of the Price Administrator the prices of rubber drug sundries have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of rubber drug sundries prevailing between October 1 and October 15, 1941, and has made adjustment for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of considerations involved in the issuance of this Regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1,[1] issued by the Office of Price Administration, Maximum Price Regulation No. 300 is hereby issued.

Sec.

1315.1751 Applicability of this Maximum Price Regulation No. 300.
1315.1752. Maximum manufacturers' prices for victory line rubber drug sundries.
1315.1753 Maximum manufacturers' prices for rubber drug sundries, other than victory line, which have not been changed substantially since December 1, 1941.
1315.1754 Maximum manufacturers' prices for rubber drug sundries, other than victory line, which are not covered by § 1315.1753.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8961.

Sec.
1315.1755 Maximum manufacturers' prices for rubber drug sundries, other than victory line, which cannot be priced under §§ 1315.1753 or 1315.1754.
1315.1756 Terms and conditions of sale.
1315.1757 Sales for export.
1315.1758 Federal and state taxes.
1315.1759 Transfers of business or stock in trade.
1315.1760 Less than maximum prices.
1315.1761 Evasion.
1315.1762 Records.
1315.1763 Reports
1315.1764 Notification
1315.1765 Marking of rubber drug sundries by the manufacturer
1315.1766 Enforcement.
1315.1767 Petitions for amendment.
1315.1768 Applicability of the General Maximum Price Regulation.
1315.1769 Definitions.
1315.1770 Effective date
1315.1771 Appendix A: Definition of rubber drug sundries.
1315.1772 Appendix B: Maximum manufacturers' prices for victory line rubber drug sundries.

AUTHORITY: §§ 1315.1751 to 1315.1772, inclusive, issued pursuant to Pub Laws 421 and 729, 77th Cong; E.O. 9250, 7 F.R. 7871.

§ 1315.1751 *Applicability of this Maximum Price Regulation No. 300—(a) What commodities must be priced under this regulation.* This regulation applies to the commodities listed in Appendix A (§ 1315.1771) which will be called "rubber drug sundries," in this regulation. However, this regulation is applicable to those commodities only if they are produced in the continental United States or the District of Columbia on or after February 1, 1943. This regulation does not apply to rubber drug sundries produced before February 1, 1943, the maximum prices of which are established by the General Maximum Price Regulation.

(b) *To what types of sellers this regulation applies.* This regulation applies to all manufacturers of rubber drug sundries.

(c) *Geographical applicability of this regulation.* This regulation applies to the continental United States and the District of Columbia, but not to the territories and possessions of the United States.

(d) *Effect of this regulation.* This regulation establishes maximum manufacturers' prices for rubber drug sundries. On and after February 1, 1943, the date this regulation takes effect, regardless of any contract or other obligation, no manufacturer is permitted to sell or deliver any rubber drug sundries produced on or after February 1, 1943, at a price which is higher than the maximum price fixed by this regulation, and no person is permitted to buy or receive any rubber drug sundries produced on or after February 1, 1943, from a manufacturer in the course of trade or business at a price which is higher than the maximum price.

§ 1315.1752 *Maximum manufacturers' prices for victory line rubber drug sundries.* The maximum manufacturers' prices for victory line rubber drug sundries are set forth in Appendix B, incorporated herein as § 1315.1772. The term "victory line rubber drug sundries" is defined in that section.

§ 1315.1753 *Maximum manufacturers' prices for rubber drug sundries, other than victory line, which have not been changed substantially since December 1, 1941—(a) Applicability of this section.* This section is applicable to any type of rubber drug sundry, other than victory line, which the manufacturer was producing on December 1, 1941, or which has not been modified sufficiently since that date to result in a change of more than 5 percent in its factory costs. Factory costs shall be determined in accordance with the provisions of paragraph (c) of the next section (§ 1315.1754).

(b) *Maximum prices.* The maximum price for a sale by a manufacturer of any rubber drug sundry covered by this section shall be the first applicable among the following prices, less the deduction required by paragraph (c) of this section, wherever applicable, and all discounts, allowances, and other deductions which the manufacturer had in effect for a purchaser of the same class on December 1, 1941:

(1) The price stated in the published price lists of the manufacturer in effect on December 1, 1941, for a rubber drug sundry which is the same as the rubber drug sundry being priced.

(2) The price the manufacturer regularly quoted, other than through the medium of published price lists, to a purchaser of the same class on December 1, 1941, for a rubber drug sundry which is the same as the rubber drug sundry being priced.

(3) The highest price at which the manufacturer during the period October 1 to December 1, 1941, inclusive, delivered, or if no delivery was made, at which he offered to deliver a rubber drug sundry, which is the same as the rubber drug sundry being priced, to a purchaser of the same class.

(4) For the purposes of this paragraph (b) a rubber drug sundry formerly produced by the manufacturer will be deemed to be "the same as" the rubber drug sundry being priced if it is of the same type as the rubber drug sundry being priced and if its factory costs do not differ from the factory costs of the rubber drug sundry being priced by more than 5 percent. Factory costs shall be determined in accordance with the provisions of paragraph (c) of the next section (§ 1315.1754).

(c) *Deduction of amount of the federal excise tax.* If, on December 1, 1941, the manufacturer did not bill the federal excise tax on rubber products separately, he shall deduct the amount of such tax from the price determined in accordance with the provisions of paragraph (b) of this section.

§ 1315.1754 *Maximum manufacturers' prices for rubber drug sundries, other than victory line, which are not covered by § 1315.1753—(a) How the seller calculates his maximum price.* The seller is required to calculate each maximum price for a rubber drug sundry, other than victory line, which is not covered by § 1315.1753 or which is of a type produced by the manufacturer for the first time after December 1, 1941, as follows:

(1) The manufacturer should first find the rubber drug sundry he must use in determining the maximum price of the rubber drug sundry being priced. The method for selecting this rubber drug sundry is explained in paragraph (b) of this section. The manufacturer should then find the maximum price for each class of purchaser (in accordance with the provisions of paragraph (b) of § 1315.1753) of that rubber drug sundry.

(2) The manufacturer should then determine the "factory costs" of the rubber drug sundry being priced and of the rubber drug sundry he must use as a basis for determining the maximum price of the rubber drug sundry being priced. The method for computing "factory costs" is explained in paragraph (c) of this section.

(3) The manufacturer will then find the maximum price of the rubber drug sundry being priced by adding to or subtracting from the maximum price to each class of purchaser (as determined by paragraph (b) of § 1315.1753) of the rubber drug sundry used as a basis for determining the maximum price, the amount by which the "factory costs" of the rubber drug sundry being priced is greater or less than the "factory costs" of the rubber drug sundry used as a basis for determining the maximum price.

(4) Once the manufacturer has determined his maximum price for a rubber drug sundry under this section, that price is his maximum thereafter so long as the article is not modified sufficiently to result in a change of more than 5 percent in factory costs. If the article is modified to this extent, its maximum price must be recomputed in accordance with the provisions of this section. Factory costs must be determined in accordance with the provisions of paragraph (c) of this section.

(b) *Method of selecting the rubber drug sundry used in determining the maximum price.* The manufacturer shall use the first applicable of the following rubber drug sundries, which he offered for sale on December 1, 1941, in determining the maximum price of the rubber drug sundry being priced:

(1) The rubber drug sundry which would be the same as the rubber drug sundry being priced but for changes in specifications that have taken place since December 1, 1941.

(2) The rubber drug sundry manufactured by the same processes as the rubber drug sundry being priced. If there is more than one rubber drug sundry which is manufactured by the same processes as the rubber drug sundry being priced, the manufacturer shall use that one of those rubber drug sundries whose direct labor costs are nearest to the direct labor costs of the rubber drug sundry being priced. Direct labor costs shall be determined in accordance with the provisions of paragraph (c) (1) of this section.

(3) The rubber drug sundry having the same use as the rubber drug sundry being priced. If there is more than one rubber drug sundry which has the same use as the rubber drug sundry being priced, the manufacturer shall use that one of those rubber drug sundries whose direct labor costs are nearest to the direct labor costs of the rubber drug sundry being priced. Direct labor costs shall be determined in accordance with the provisions of paragraph (c) (1) of this section.

(4) The rubber drug sundry whose direct labor costs are nearest to the direct labor costs of the rubber drug sundry being priced. Direct labor costs shall be determined in accordance with the provisions of paragraph (c) (1) of this section.

(c) *Computation of factory costs.* The factory costs of a rubber drug sundry shall be the sum total of direct labor costs, direct materials costs including waste, and factory overhead costs. The direct labor costs shall be determined by multiplying the estimated number of hours of each type of labor required in the manufacture of the rubber drug sundry by the wage rates determined in accordance with subparagraph (1) of this paragraph. The direct materials costs shall be determined by multiplying the estimated quantity of each type of material required in the manufacture of the rubber drug sundry by the materials prices determined in accordance with subparagraph (2) of this paragraph. Waste shall be determined by applying the same methods as were used or would have been used by the manufacturer in similar production on December 1, 1941, adjusted to reflect the actual quantity of waste in the production of the rubber drug sundry being priced. Factory overhead costs shall be determined in the manner set forth in subparagraph (3) of this paragraph.

(1) *Wage rates.* The wage rates applicable to any rubber drug sundry shall be the basic wage rates in effect in the manufacturer's plant on December 1, 1941, for each class of labor involved in the production of the rubber drug sundry. If the manufacturer did not employ a given class of labor on December 1, 1941, he shall use the wage rate paid on December 1, 1941, by the nearest employer operating under comparable conditions who employed that class of labor on that date, if that information is available.

(2) *Materials prices.* The price of any materials used in a rubber drug sundry shall be the highest price charged on December 1, 1941, by the manufacturer's supplier; except that if the Office of Price Administration has established a lower maximum price for the sale of that material to the manufacturer by his supplier, such lower price shall govern. If the material was not delivered or offered for delivery by the manufacturer's supplier on December 1, 1941, the material price shall be the first price at which the manufacturer's supplier offered to sell the material to a purchaser of the same class as the manufacturer after December 1, 1941, or the maximum price for the material established by the Office of Price Administration, whichever is the lower. The manufacturer's supplier shall be, (i) his December 1941 supplier of the material, or (ii) lacking a December 1941 supplier of the material, his most recent supplier of the material. If neither of these exists, it shall be his potential supplier. For the purposes of this subparagraph (2) if the manufacturer shall receive a written statement from the seller that the material is being sold at a price which is not in excess of the maximum price established by the Office of Price Administration, and if the manufacturer shall have no cause to doubt the accuracy of the statement, the price as stated by the seller shall be deemed not to be in excess of the maximum price established by the Office of Price Administration for that material.

(i) When used in this subparagraph (2), the phrase "highest price charged on December 1, 1941," means:

(*a*) The highest price at which the seller delivered, or if he did not deliver, at which he offered the commodity for delivery, on December 1, 1941, to the same manufacturer in a quantity normal for that manufacturer;

(*b*) If the seller made no such delivery or offer for delivery on December 1, 1941, to the same manufacturer, the highest price at which the seller delivered, or if he did not deliver, at which he offered the commodity for delivery, on December 1, 1941, to a purchaser of the same class as the manufacturer in a quantity normal for that purchaser;

(*c*) If the seller made no such delivery or offer for delivery on December 1, 1941, to the same manufacturer or to a purchaser of the same class, the highest price at which the seller delivered, or, if he did not deliver, at which he offered the commodity for delivery, on December 1, 1941, to a purchaser of a different class, in a quantity normal for that purchaser, adjusted to reflect the seller's customary differential between the two classes of purchasers.

(3) *Factory overhead costs.* Factory overhead costs shall be determined by using the same methods and the same rates that the manufacturer used on December 1, 1941, in determining the factory overhead costs of the rubber drug sundry that he is required by paragraph (b) of this section to use as a basis for determining the maximum price of the rubber drug sundry being priced. It shall include only those costs which the manufacturer on December 1, 1941, used in calculating the factory overhead.

(d) *Reports of maximum prices.* If a manufacturer produces after January 31, 1943, a rubber drug sundry for which a maximum price must be determined under this section (§ 1315.1754), he shall report to the Office of Price Administration, Washington, D. C., within five days after a purchaser first agrees to buy such goods, the maximum price as computed by him and his selling prices. The report shall contain a full description of the rubber drug sundry being priced and of any innovation in manufacturing processes involved and a detailed explanation of the computation of factory costs and of the maximum price. It shall also contain a description of the rubber drug sundry used in determining the maximum price of the rubber drug sundry being priced and the maximum price, factory costs and an explanation of the reasons for the selection of that rubber drug sundry. The manufacturer may not accept payment for the rubber drug sundry, mark the maximum retail price on the rubber drug sundry or the unit of sale container, or notify any person of the maximum wholesale or retail price until the price so reported is approved in writing by the Office of Price Administration or fifteen days have elapsed after the mailing of the report. Within this fifteen day period the price so reported shall be subject to adjustment by the Office of Price Administration. Subsequent to this fifteen day period, such price shall be subject to adjustment (not to apply retroactively) at any time upon the written order of the Office of Price Administration.

§ 1315.1755 *Maximum manufacturers' prices for rubber drug sundries, other than victory line, which cannot be priced under §§ 1315.1753 or 1315.1754.* The maximum manufacturers' price for any rubber drug sundry, other than victory line, which cannot be priced under §§ 1315.1753 or 1315.1754 shall be a price in line with the level of prices established by this regulation determined by the seller after specific authorization from the Office of Price Administration. A seller who seeks an authorization to determine a maximum price under the provisions of this section shall file with the Office of Price Administration in Washington, D. C., on application setting forth:

(a) A description in detail of the rubber drug sundry for which a maximum price is sought (including the manufacturing process); (b) a statement of the facts which make it impossible for him to use the methods for determining the maximum price set forth in §§ 1315.1753 and 1315.1754; (c) his proposed pricing method; and (d) a statement of the reasons why he believes that the use of this method will result in prices in line with the level of prices established by this Maximum Price Regulation No. 300. Such authorization will be in writing prescribing a method of determining the maximum price for some or all of the rubber drug sundries manufactured by the applicant which cannot be priced under §§ 1315.1753 or 1315.1754.

§ 1315.1756 *Terms and conditions of sale.* (a) The maximum prices established by this Maximum Price Regulation No. 300 shall not be increased by any charges for the extension of credit.

(b) No manufacturer shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery of rubber drug sundries, than the seller required purchasers of the same class to pay during December 1941 on deliveries of the same or similar types of commodities.

§ 1315.1757 *Sales for export.* The maximum price at which a person may export any rubber drug sundry shall be determined in accordance with the pro--

vision of the Revised Maximum Export Price Regulation.

§ 1315.1758 *Federal and state taxes.* Any tax upon, or incident to, the sale, delivery or processing of rubber drug sundries imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price: If the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

§ 1315.1759 *Transfers of business or stock in trade.* If the business, assets or stock in trade are sold or otherwise transferred after January 31, 1943, and the transferee carries on the business, or continues to deal in the same type of commodities, in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this regulation.

§ 1315.1760 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 300 may be charged, demanded, paid or offered.

§ 1315.1761 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 300 shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase of or relating to rubber drug sundries, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1315.1762 *Records.* To aid in the enforcement of this regulation every manufacturer is required to keep certain records for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect. These records are described in three paragraphs as follows:

(a) *Records of sales.* Every person engaged in the business of selling rubber drug sundries shall keep for inspection by the Office of Price Administration complete and accurate records of every sale of rubber drug sundries, including: (1) the date thereof; (2) the name and address of the buyer; (3) the quantity of each class, kind, type, condition and grade of rubber drug sundries sold; and (4) the price per unit received.

(b) *Records of the bases on which maximum prices are determined.* Every manufacturer subject to the provisions of this Maximum Price Regulation No. 300 shall keep for inspection by the Office of Price Administration, in addition to the records required by paragraph (a) of this section, complete and accurate records of the following:

(1) Published price lists, discount sheets and all other regularly quoted prices in effect on December 1, 1941.

(2) For those rubber drug sundries for which there were no published price lists or other regularly quoted prices in effect on December 1, 1941, the highest price at which he delivered, or if he did not deliver, at which he offered to deliver, each of those rubber drug sundries during the period October 1 to December 1, 1941, inclusive.

(3) Labor rates, materials prices and waste and factory overhead-rates in effect to him on December 1, 1941.

(4) Detailed cost estimate sheets and other data showing the calculations of prices of all rubber drug sundries sold or delivered after January 31, 1943, for which the maximum price must be determined in accordance with the provisions of §§ 1315.1754 or 1315.1755 of this regulation.

(c) *Records of notifications of maximum prices given to wholesalers and retailers.* Every manufacturer subject to the provisions of this Maximum Price Regulation No. 300 shall keep for inspection by the Office of Price Administration, in addition to the records required by paragraphs (a) and (b) of this section, exact copies of all notifications of maximum prices given to wholesalers and retailers.

§ 1315.1763 *Reports* (a) Every manufacturer subject to the provisions of this Maximum Price Regulation No. 300 shall file with the Office of Price Administration, Washington, D. C., on or before March 1, 1943, a report stating the maximum prices established by this Maximum Price Regulation No. 300 for all rubber drug sundies, other than victory line, he was producing on February 1, 1943, the method by which he determined those maximum prices, and the discounts, allowances, and other price differentials in effect therefor on December 1, 1941.

(b) Every manufacturer who produces victory line hot water bottles shall report to the Office of Price Administration, Washington, D. C., each brand name which he uses for colored and black victory line hot water bottles, respectively, within fifteen days after he starts production of a bottle bearing that brand name. Colored and black victory line hot water bottles are distinguished in footnotes six and seven to Table II in § 1315.1772.

(c) Every manufacturer subject to this Maximum Price Regulation No. 300 shall submit such other reports to the Office of Price Administration in addition to or in place of the reports required in paragraphs (a) and (b) of this section as the Office of Price Administration may from time to time require or permit.

§ 1315.1764 *Notification*—(a) *Notification of price charged.* Every manufacturer shall give each person purchasing rubber drug sundries from him an invoice showing the date of the transaction and the price charged for each type, brand and grade of rubber drug sundries sold.

(b) *Notification of maximum retail and wholesale prices of rubber drug sundries, other than victory line*—(1) *Notification to wholesalers.* Before or at the time of the first delivery of any rubber drug sundry, other than victory line, to a wholesaler after January 31, 1943, the manufacturer shall notify the wholesaler of the maximum wholesale price of that article. This notification shall include the brand and the type or description of the rubber drug sundry and the maximum wholesale price applicable thereto. For those rubber drug sundries, other than victory line, of a type that are sold at retail this notification shall include also the maximum retail price and a statement that the wholesaler is required by Maximum Price Regulation No. 301 to notify any retailer to whom he sells that rubber drug sundry of that price unless the manufacturer has marked the rubber drug sundry or the unit of sale container in which it is sold at retail with the maximum retail price.

(i) *Method by which the manufacturer calculates the maximum retail and wholesale price for notification to wholesalers.* The manufacturer shall calculate the maximum retail and wholesale price as follows:

The manufacturer shall first calculate the base price. This price is his maximum price for the sale of the rubber drug sundry in question to that class of wholesalers to which he sold the largest volume of rubber drug sundries during the calendar year 1942. The manufacturer will then calculate the maximum retail and wholesale prices by multiplying the base price by the following percentages which varies with the kind of seller. These percentages are shown in the following table:

Kind of seller:	Percentage by which the manufacturer's base price is to be multiplied—percent
Seller at wholesale, other than a dental, surgical or hospital supply house	133⅓
Dental, surgical or hospital supply house	142
Seller at retail, except a mail order house	233⅓

(2) *Notification to retailers, other than mail order houses.* Before or at the time of the first delivery of any rubber drug sundry, other than victory line by a manufacturer to a retailer after January 31, 1943, the manufacturer shall notify the retailer of the maximum retail price of that article unless the manufacturer has marked the maximum retail price on the rubber drug sundry or on the unit of sale container in which it is sold at retail. This notification shall include the brand and the type or description of the rubber drug sundry and the maximum retail price applicable thereto.

(i) *Method by which the manufacturer calculates the maximum retail price for notification to retailers.* The manufacturer shall calculate the maximum retail price as follows:

(a) *Rubber drug sundries for which the manufacturer can calculate a maximum wholesale price.* The manufacturer shall calculate the maximum retail prices of those rubber drug sundries for which he can calculate a maximum wholesale price in accordance with the provisions of § 1315.1753 or 1315.1754 of this regulation as follows:

The manufacturer shall first calculate the base price. This price is his maximum price for the sale of the rubber drug sundry in question to that class of wholesalers to which he sold the largest volume of rubber drug sundries during the calendar year 1942. The manufacturer will then calculate the maximum retail price by multiplying the base price by 233⅓ percent.

(b) *Rubber drug sundries for which the manufacturer can not calculate a maximum wholesale price.* The manufacturer shall calculate the maximum retail prices of those rubber drug sundries for which he can not determine a maximum wholesale price in accordance with the provisions of § 1315.1753 or 1315.1754 of this regulation as follows:

The manufacturer shall first calculate the base price. This price is his maximum price for the sale of the rubber drug sundry in question to that class of retailers to which he sold the largest volume of rubber drug sundries during the calendar year 1942. The manufacturer will then calculate the maximum retail price by multiplying the base price by 210 percent.

(3) *Rubber drug sundries to which this paragraph is not applicable.* Anything in this paragraph (b) to the contrary notwithstanding, this paragraph (b) is not applicable to the types of rubber drug sundries listed in paragraph (h) of Appendix A (§ 1315.1771).

(c) *Notification to mail order houses of the price to be used by the mail order house as a basis for determining its maximum prices for rubber drug sundries, other than victory line.* This paragraph (c) is applicable to all rubber drug sundries, other than victory line, except those listed in paragraph (h) of Appendix A (§ 1315.1771). Before or at the time of the first delivery after January 31, 1943, of any such rubber drug sundry to a mail order house, the manufacturer shall notify the purchaser of the price that the purchaser must use as a basis for determining his maximum price. This figure is the manufacturer's maximum price for a sale of the particular rubber drug sundry to the class of sellers at wholesale which during the calendar year 1942 purchased the largest quantity of rubber drug sundries from the manufacturer. If the manufacturer can not calculate the maximum wholesale price of the rubber drug sundry in question in accordance with the provisions of § 1315.1753 or 1315.1754 of this regulation, the manufacturer shall notify the mail order house of the manufacturer's maximum price to the class of sellers at retail which during the calendar year 1942 purchased the largest quantity of rubber drug sundries from the manufacturer.

§ 1315.1765 *Marking of rubber drug sundries by the manufacturer.* On or after February 1, 1943, before delivery of any rubber drug sundries the manufacturer shall mark them or have them marked as follows:

(a) *Victory line rubber drug sundries sold to any person, except a mail order house.* Victory line rubber drug sundries which are sold to any person, except a mail order house, shall be marked as follows:

(1) *Victory line rubber drug sundries, other than the hospital grade of hot water bottle.* Victory line rubber drug sundries, other than the hospital grade of hot water bottle, shall be marked with the maximum retail price thereof, set forth in Maximum Price Regulation No. 301. The maximum retail price shall be marked as follows: "Retail Ceiling $------."

(2) *Victory line hospital grade of hot water bottles.* The hospital grade of victory line hot water bottles shall be marked with the maximum price thereof for sale to a consumer set forth in Maximum Price Regulation No. 301. This maximum price shall be marked as follows: "Hospital Ceiling $------."

(b) *Victory line rubber drug sundries sold to mail order houses.* Victory line rubber drug sundries which are sold to mail order houses shall be marked with a "V."

(c) *Rubber drug sundries, other than victory line.* Rubber drug sundries, other than victory line, shall be marked with either an "R" or the maximum retail price, calculated in the manner set forth in paragraph (b) of § 1315.1764 of this regulation.

(d) *Method of marking.* The marking required by paragraphs (a), (b), or (c) of this section shall be done in a manner so as to make it plainly visible to the purchasing public. The marking shall be placed on the rubber drug sundry itself, on the unit of sale container in which the rubber drug sundry is sold at retail, on a tag which is firmly affixed to the rubber drug sundry or in some other manner approved by the Office of Price Administration in writing.

§ 1315.1766 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 300 are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 300 or any price schedule, regulation, or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to commmunicate with the nearest field, district, state or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1315.1767 *Petitions for amendment.* Any person seeking a modification of any provision of this Maximum Price Regulation No. 300 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

§ 1315.1768 *Applicability of the General Maximum Price Regulation.*[2] The provisions of this Maximum Price Regulation No. 300 supersede the provisions of the General Maximum Price Regulation, including §§ 1499.11, 1499.12, 1499.13, 1499.14 and 1499.25 thereof, with respect to sales and deliveries for which maximum prices are established by this regulation.

§ 1319.1769 *Definitions.* (a) When used in this Maximum Price Regulation No. 300 the term:

(1) "Manufacturer" means any person engaged in the production of rubber drug sundries.

(2) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any agency of any of the foregoing.

(3) "Purchaser of the same class" and "class of purchaser" refer to the practice adopted by the seller in setting different prices for commodities for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or for purchasers located in different areas or for different quantities or grades or under different conditions of sale.

(4) "Rubber drug sundries" means the articles set forth in Appendix A.

(5) "Rubber" means substitute rubber and all forms and types of rubber, including synthetic and reclaimed rubber.

(6) "Synthetic rubber" means a material obtained by chemical synthesis, possessing the approximate physical properties of natural rubber, when compared in either the vulcanized or unvulcanized condition, which can be vulcanized with sulphur or other chemicals with the application of heat, and which, when vulcanized, is capable of rapid elastic recovery after being stretched to at least twice its length at temperatures ranging from 0° F. to 150° F. at any humidity.

(7) "Substitute rubber" means a substance made in whole or part by a chemical process or from natural gums, resins or oils which in physical properties sufficiently resembles natural or synthetic rubber to replace either of them for particular uses, including uses where only some and not all of the physical characteristics of natural or synthetic rubber are needed, and which serves the same use as natural or synthetic rubber in the particular application in which it is applied.

(b) Unless the context otherwise requires, the definitions set forth in the General Maximum Price Regulation shall apply to other terms used herein.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454.

§ 1315.1770 *Effective date.* This maximum Price Regulation No. 300 (§§ 1315.1751 to 1315.1772, inclusive) shall become effective February 1, 1943.

§ 1315.1771 *Appendix A: Definition of rubber drug sundries.* When used in this Maximum Price Regulation No. 300 the term "rubber drug sundries" means the articles listed in the following paragraphs, when made in whole or in part of rubber:

NOTE: Many of the items included in this list are not permitted to be produced out of crude, latex, synthetic, reclaimed or scrap rubber by the War Production Board

(a) Water bottles, ice bags, syringes and other flat goods, including, but not limited to:

Air cushions
Bedpans
Combination syringes
Face and baby bottles
Fountain syringes
Hot water bottles
Ice bags and caps
Invalid rings and cushions

(b) Baby supplies, including, but not limited to:

Baby pants
Baby bibs
Breast pumps
Breast shields
Crib sheets
Diapers, diaper covers and diaper bags
Feeding nipples
Infant bottle combinations
Nipple shields
Nursery bottle caps
Pacifiers
Play pads
Teething rings

(c) Rubber tubing, stopples and irrigators for medical, surgical, dental, mortuary, veterinary and laboratory purposes, including, but not limited to:

Catheters
Irrigators
Rubber policemen
Stopples
Tubes and tubing

(d) Rubber dental supplies, including, but not limited to:

Abrasive wheels
Cut-off wheels
Dental dams
Dental separating strips and mouth props
Orthodontia bands
Plaster bowls
Polishing cups, discs and points
Rubber denture, denture suction and model formers
Soft rubber wheels

(e) Bulb and bulb goods for medical, surgical, dental, mortuary, veterinary and laboratory purposes, including, but not limited to:

Atomizers
Bulb syringes
Cautery bulb sets
Chip blower bulbs
Household bulb syringes
Politzer syringes
Sinus bulb sets
Spray douches

(f) Rubber gloves and finger cots, including, but not limited to:

Autopsy and mortuary gloves
Household gloves and cots
Industrial gloves and cots
Medical and surgical gloves and cots
Obstetrical gloves and sleeves

(g) Hospital and surgical supplies, including, but not limited to:

Air mattresses, beds and pillows
Hospital blankets
Mattress covers
Obstetricians' aprons
Operating cushions
Patient's bibs and throws
Pillow cases
Surgeons' aprons
Surgical cases
Urologists' aprons

(h) Prophylactics and other devices for the prevention of disease, including, but not limited to:

Diaphragms
Fitting rings
Pessaries
Prophylactics
Vaginal applicators

(i) Hard rubber for medical, surgical, dental, veterinary, mortuary and laboratory equipment and parts, including, but not limited to:

Stoppers
Syringes
Tubes, pipes, connections and accessories

(j) All other rubber medical, surgical, orthopedic, pharmaceutical and laboratory goods, including, but not limited to:

Acid bottles
Blood pressure bags, bulbs and tubing
Blood transfusion connectors
Brain surgery caps
Caps and closures
Colonic bags
Colostomy outfits
Crutch parts
Dilators
Cushions—ear, elbow and heel
Evacuators
Foot appliances—corrective
Funnels
Heating pads
Hagner bags
Inhalation bags and face pieces (medical, surgical, dental, veterinary and laboratory)
Insufflators
Intravenous connectors
Medicine droppers and bulbs
Microscope covers
Orsat bags
Orthopedic pads and parts
Parts for medical, surgical, dental, veterinary and mortuary instruments
Parts for acoustic aids
Prostatic bags
Prosthetic devices
Rubber bands and cushions for artificial limbs
Rubber suppositories
Sinus pads and bags
Spatulas
Splint cushions
Steam vaporizers
Thermapeutic applicators
Thermometer cases
Tourniquets
Truss parts
Umbilical belts
Urinals, individual wear
Veterinary sleeves
X-ray sheets, gloves, aprons and cooling hose

§ 1315.1772 *Appendix B: Maximum manufacturers' prices for victory line rubber drug sundries.* (a) The maximum manufacturers' prices for victory line rubber drug sundries shall be the prices listed in Table I. The specifications of the items priced in Table I will be found in paragraph (b) of this section.

TABLE I—MAXIMUM MANUFACTURERS' PRICES FOR VICTORY LINE RUBBER DRUG SUNDRIES[1]

Item	Maximum prices for sales by manufacturers		
	To wholesalers[2]	To mass retail distributors[3]	To other retailers[4] and ultimate consumers
Hot water bottles:			
Hospital grade (cloth inserted 2 quart)	$1.13		
Hospital grade (molded)	.55		
Consumer grade—colored—(molded)	.42	$.47	
Consumer grade—black—(molded)	.32	.36	
Combination syringes (molded) equipped with 4'8" regular flow tubing, stopper, shut-off and screw socket:			
Consumer grade—colored:			
Group I—2 slip pipes, adult rectal and vaginal	.56	.63	
Group II—2 screw pipes, adult rectal and vaginal plus screw pipe connections	.61	.69	
Group III—3 screw pipes, infant rectal, adult rectal, and balloon vaginal plus screw pipe connection, and rapid flow accessories	.80	.90	
Consumer grade—black:			
Group I—2 slip pipes, adult rectal and vaginal	.46	.51	
Group II—2 screw pipes, adult rectal and vaginal plus screw pipe connections	.51	.56	
Group III—3 screw pipes, infant rectal, adult rectal, and balloon vaginal plus screw pipe connection and rapid flow accessories	.70	.77	
Combination syringe attachment sets—to include 4'8" regular flow tubing, stopper, shut-off and screw sockets:			
Group I—2 slip pipes, adult rectal and vaginal	.15	.17	
Group II—2 screw pipes, adult rectal and vaginal plus screw pipe connections	.20	.22	
Group III—3 screw pipes, infant rectal, adult rectal and balloon vaginal plus screw pipe connection, and rapid flow accessories	.40	.44	
Ice caps (molded)	.45	.50	
Invalid rings and cushions (molded—all rubber):			
Size 12 inches	1.08	1.20	
14 inches	1.17	1.30	
16 inches	1.30	1.44	
18 inches	1.55	1.72	
Invalid rings and cushions (cloth inserted):			
Size 12 inches	1.26	1.40	
14 inches	1.32	1.47	
16 inches	1.45	1.61	
18 inches	1.71	1.90	

[1] These maximum prices are subject to the terms and conditions of sale set forth in § 1315.1756.
[2] "Wholesaler" means any seller at wholesale and includes dental, surgical and hospital supply houses.
[3] "Mass retail distributor" means (a) a seller at retail who during 1942 purchased any of the types of rubber drug sundries listed in Table I at a discount of 25 percent or more from the manufacturer's list price; (b) a seller at retail who purchased during 1942 any private brand rubber drug sundries listed in Table I; or (c) any seller at retail who in the future buys in the same quantities, manner, and conditions as those which during 1942 qualified purchasers who sell at retail to receive a discount of 25 percent or more from the manufacturer's list price or to buy private brand merchandise.
[4] "Other retailer" means any seller at retail who is not a mass retail distributor.

(b) "Victory line rubber drug sundries" means the items listed in Table II, manufactured after January 31, 1943, which can meet the minimum physical specifications set forth in that table.

TABLE II—MINIMUM PHYSICAL SPECIFICATIONS FOR VICTORY LINE RUBBER DRUG SUNDRIES[1]

	Minimum tensile strength (per sq. inch)	Minimum ultimate elongation (%)	Resistance to boiling water[2] (%)	Resistance to heat[3] (%)	Minimum wall thickness (in.)
Hot water bottles:					
Hospital grade (cloth inserted 2 quart):[4]			(5)		.020
Hospital grade (molded)	1650	500	40	80	.028
Consumer grade—colored[6] (molded)	1250	400	40	75	.025
Consumer grade—black[7] (molded)	1250	400	40	75	.025
Combination syringes (molded):[8] Consumer grade	1250	400	40	75	.025
Ice caps and bags (molded):[9] Consumer grade	1250	400		75	.025
Invalid rings (molded):					
(All sizes)	1650	500		80	
Cloth inserted (all sizes)[4]					.030
Tubing for combination syringe (4'8" lengths)	700	500			

[1] Testing and sampling shall be done by the methods provided by federal specifications ZZ-R-601, ZZ-B-581 ZZ-B-588, ZZ-I-121, ZZ-C-796, and ZZ-C-791 and all emergency specifications.
[2] Percent of original tensile strength and ultimate elongation retained after 6 days in boiling water and 24 hours after removal in the case of the hospital grade bottles, or percent retained after 4 days in boiling water and 24 hours after removal in the case of the consumer grade bottles, and combination syringes.
[3] Percent of original tensile strength and ultimate elongation after seven days in air at 158° F. and 24 hours after removal.
[4] The article shall withstand a compressed oxygen test ("bomb" test) for ten days at 48 to 52 pounds pressure per square inch and at a temperature of 70° C without becoming significantly softer or stiffer than the original, shall not be tacky, and shall show no other change which might adversely affect its serviceability.
[5] After boiling in water for six continuous days the bottle shall be free from blisters and other defects which might affect its serviceability.
[6] A "colored hot water bottle" is one made in any color but black. In addition, such a bottle may only bear a brand name, which the manufacturer placed on bottles that he sold on December 1, 1941, at a net price of $0.36 or more and which the manufacturer has not reported for use on black bottles. Also, a "colored hot water bottle" must not bear a brand name which was placed on it by a mold, which on Jan. 16, 1943 bore a different brand name without written permission from the Office of Price Administration. "Net price" as used in this footnote 6, means the lowest price arrived at after deducting the federal excise tax on rubber products and all discounts except cash discount. The term "black hot water bottle" is defined in footnote 7. The manufacturer is required to report the brand name he uses for colored bottles in accordance with the provisions of paragraph (b) of § 1315.1763.
[7] A "black hot water bottle" is one which is made in no other color but black. The manufacturer is required to report the brand names he uses for black bottles in accordance with the provisions of paragraph (b) of § 1315.1763. Once a brand name has been reported for use on a black bottle, it may not be used on a colored bottle.

(c) If after January 31, 1943, a manufacturer produces a factory second or rubber drug sundry listed in Table II which does not meet the minimum specifications set forth in that table, the maximum price for that rubber drug sundry shall be 75 percent of the price set forth in Table I for a sale of the same type of rubber drug sundry to the same class of purchasers.

Issued this 16th day of January, 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-851; Filed, January 16, 1943; 4:32 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 301]

RETAIL AND WHOLESALE PRICES FOR RUBBER DRUG SUNDRIES

In the judgment of the Price Administrator the prices of rubber drug sundries have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of rubber drug sundries prevailing between October 1 and October 15, 1941, and has made adjustment for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this Regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedure Regulation No. 1[1] issued by the Office of Price Administration, Maximum Price Regulation No. 301 is hereby issued.

Sec.
1315.1776 Applicability of this Maximum Price Regulation No. 301.
1315.1777 Maximum retail and wholesale prices for victory line rubber drug sundries.
1315.1778 Maximum prices for sales at wholesale of rubber drug sundries, other than victory line.
1315.1779 Maximum prices for sales at retail of rubber drug sundries, other than victory line.
1315.1780 Terms and conditions of sale.
1315.1781 Sales for export.
1315.1782 Federal and state taxes.
1315.1783 Transfers of business or stock in trade.
1315.1784 Less than maximum prices.
1315.1785 Evasion.
1315.1786 Records.
1315.1787 Notification of maximum prices for sales at retail.
1315.1788 Sales slips and receipts.
1315.1789 Enforcement.
1315.1790 Petitions for amendment.
1315.1791 Licensing: Applicability of the registration and licensing provisions of the General Maximum Price Regulation.
1315.1792 Applicability of the General Maximum Price Regulation.
1315.1793 Definitions.
1315.1794 Effective date.
1315.1795 Appendix A: Definition of rubber drug sundries.
1315.1796 Appendix B: Maximum retail and wholesale prices for victory line rubber drug sundries.

*Copies may be obtained from the Office of Price Administration.
[1] 7 F.R. 8961.

AUTHORITY: §§ 1315.1776 to 1315.1796, inclusive, issued pursuant to Pub. Laws 521 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1315.1776 *Applicability of this Maximum Price Regulation No. 301.*—(a) *What commodities must be priced under this regulation.* This regulation applies to the commodities listed in Appendix A (§ 1315.1795). These commodities will be called "rubber drug sundries" in this regulation. However, this regulation applies to these commodities only if they are produced in the continental United States or the District of Columbia on or after February 1, 1943. This regulation does not apply to rubber drug sundries produced before February 1, 1943, the maximum prices of which are established by the General Maximum Price Regulation. In order that you may know what rubber drug sundries are covered by this regulation all manufacturers of rubber drug sundries are required by Maximum Price Regulation No. 300 to mark the container of a rubber drug sundry produced after January 31, 1943, or the rubber drug sundry itself with either its maximum retail price or an "R" or a "V".

(b) *To what types of sellers this regulation applies.* This regulation applies to all sellers who sell at retail or at wholesale.

(c) *Geographical applicability of this regulation.* This regulation applies to the continental United States and the District of Columbia, but not to the territories and possessions of the United States.

(d) *Effect of this regulation.* This regulation establishes maximum prices for rubber drug sundries produced after January 31, 1943. On and after February 1, 1943, the date this regulation takes effect, regardless of any contract or other obligation, no person is permitted to sell or deliver at retail or wholesale any rubber drug sundries produced after January 31, 1943, at a price which is higher than the maximum price fixed by this regulation, and no person is permitted to buy or receive any rubber drug sundries produced after January 31, 1943, in the course of trade or business at a price which is higher than the maximum price.

§ 1315.1777 *Maximum retail and wholesale prices for victory line rubber drug sundries.*—(a) *Maximum wholesale*

prices. The maximum prices for sales at wholesale of victory line rubber drug sundries are set forth in Appendix B, incorporated herein as § 1315.1796.

(b) *Maximum retail prices.* The maximum retail price for a victory line rubber drug sundry is the price placed on the rubber drug sundry or the unit of sale container by the manufacturer. If there is no maximum retail price on the rubber drug sundry or the unit of sale container, the maximum retail price is the price set forth in Appendix B (§ 1315.1796). This price is the same price that the manufacturer is required to place on the rubber drug sundry or the unit of sale container.

(c) *Identification of victory line rubber drug sundries.* In order that you may know what rubber drug sundries are "victory line rubber drug sundries" they or their unit of sale container will be marked either with the maximum retail price or with a "V".

§ 1315.1778 *Maximum prices for sales at wholesale of rubber drug sundries, other than victory line.* This section is applicable to rubber drug sundries, other than victory line. The maximum price for sales at wholesale of such articles is the maximum price for the particular type of sale, furnished the wholesaler by the manufacturer. This maximum price must be furnished by the manufacturer in accordance with the provisions of paragraph (b) of § 1315.1764 of Maximum Price Regulation No. 300. If the manufacturer has not notified the wholesaler of the maximum price, the wholesaler shall not deliver the article until he has obtained the maximum price from the manufacturer.

§ 1315.1779 *Maximum prices for sales at retail of rubber drug sundries, other than victory line*—(a) *Sales by persons other than mail order houses.* This paragraph (a) is applicable to all sales at retail of rubber drug sundries, other than victory line, except those made by mail order houses. The maximum price for such sales shall be determined as follows:

(1) *Where the maximum retail price has been placed on the rubber drug sundry or the unit of sale container.* The maximum retail price shall be the price the manufacturer has placed on the rubber drug sundry or the unit of sale container. This maximum price must be determined by the manufacturer in accordance with the provisions of Maximum Price Regulation No. 300.

(2) *Where the maximum retail price has not been placed on the rubber drug sundry or the unit of sale container.* If the manufacturer has not placed the maximum retail price on the rubber drug sundry or the unit of sale container, the maximum retail price of that rubber drug sundry shall be determined as follows: The maximum price shall be the maximum retail price furnished the retailer by the person from whom he purchased the rubber drug sundry. If that person is a wholesaler, he must furnish that maximum price in accordance with the provisions of this Maximum Price Regulation No. 301. If that person is a manufacturer, he must furnish that maximum price in accordance with the provisions of Maximum Price Regulation No. 300. If the retailer has not been notified of the maximum retail price, he may not sell the rubber drug sundry until he has obtained the maximum retail price from the person who sold it to him.

(b) *Sales by mail order houses of rubber drug sundries purchased from manufacturers.* This paragraph (b) is applicable to rubber drug sundries, other than victory line, which have been purchased from a manufacturer. The maximum price for sales by mail order houses of such rubber drug sundries shall be determined as follows: If the mail order house is notified by the manufacturer of the manufacturer's maximum price for the sale of the rubber drug sundry being priced to the class of sellers at wholesale which purchased the largest quantity of rubber drug sundries from the manufacturer during the calendar year 1942, the mail order house shall determine its maximum price by multiplying this figure by 200 percent for sales by mail and by 233⅓ percent for all other sales. If the mail order house is notified by the manufacturer of the manufacturer's maximum price for the sale of the rubber drug sundry being priced to the class of sellers at retail which purchased the largest quantity of rubber drug sundries from the manufacturer during the calendar year 1942, the mail order house shall determine its maximum price by multiplying this figure by 180 percent for sales by mail and by 210 percent for all other sales.

(c) *Sales of baby feeding nipples.* Notwithstanding any other provisions of this section (§ 1315.1779), the maximum price for sales at retail of baby feeding nipples shall be determined in accordance with the applicable provisions of paragraphs (a), (b) or (c) of this section (§ 1315.1779), but in no case shall that price exceed three for $0.25. However, where the purchaser requests less than three baby feeding nipples that price shall not exceed $0.10 each.

§ 1315.1780 *Terms and conditions of sale.* (a) The maximum prices established by this Maximum Price Regulation No. 301 shall not be increased by any charges for the extension of credit.

(b) No seller shall require any purchaser, and no purchaser shall be permitted to pay a larger proportion of transportation costs incurred in the delivery of rubber drug sundries, than the seller required purchasers of the same class to pay during December 1941 on deliveries of the same or similar types of commodities.

§ 1315.1781 *Sales for export.* The maximum price at which a person may export any rubber drug sundry shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation.

§ 1315.1782 *Federal and state taxes.* Any tax upon, or incident to, the sale, delivery, or processing of rubber drug sundries imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price: If the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does separately state it, the seller may collect in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

§ 1315.1783 *Transfers of business or stock in trade.* If the business, assets or stock in trade are sold or otherwise transferred after January 31, 1943, and the transferee carries on the business, or continues to deal in the same type of commodities, in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this Maximum Price Regulation No. 301.

§ 1315.1784 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 301 may be charged, demanded, paid or offered.

§ 1315.1785 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 301 shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase of or relating to rubber drug sundries, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1315.1786 *Records.* To aid in the enforcement of this regulation every seller is required to keep certain records for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect. These records are described in three paragraphs as follows:

(a) *Records of purchases and sales.* The seller must preserve all records showing his purchases and sales of each class, kind, type, condition and brand of rubber drug sundries and all invoices showing purchases of rubber drug sundries after January 31, 1943.

(b) *Customary records of prices charged.* The seller must continue to keep records of the same kind as he has customarily kept showing the prices actually charged by him after the effective date of this regulation for rubber drug sundries produced after January 31, 1943.

(c) *Notifications of maximum prices of rubber drug sundries, other than victory line.* The seller must preserve all notifications of the maximum prices of rubber drug sundries, other than victory line, received by him. These notifications shall be kept for inspection by any person during ordinary business hours.

§ 1315.1787 *Notification of maximum prices for sales at retail*—(a) *Notification of maximum retail price of rubber drug sundries, other than victory line, to be given by wholesaler.* Before or at the time of the first delivery after January 31, 1943, of any rubber drug sundry, other than victory line, by a wholesaler to a retailer, the wholesaler shall notify the retailer of the maximum retail price of that article, unless the maximum retail price has been marked on the rubber drug sundry or the unit of sale container in which it is sold at retail. This notification shall include the brand and the type or description of the rubber drug sundry and the maximum retail price applicable thereto. The wholesaler will be furnished this maximum retail price by the manufacturer in accordance with the provisions of paragraph (b) of § 1315.1764 of Maximum Price Regulation No. 300. If the manufacturer has not notified the wholesaler of the maximum retail price, the wholesaler shall not deliver the article until he has obtained the maximum retail price from the manufacturer.

(b) *Marking of maximum retail price by mail order houses.* On or after February 1, 1943, before delivery of any victory line rubber drug sundries every mail order house selling any victory line rubber drug sundries at retail shall mark or cause to have marked the maximum price established by this Maximum Price Regulation No. 301 for the sale of that rubber drug sundry on the rubber drug sundry itself, on the unit of sale container in which the rubber drug sundry is sold at retail, on a tag which is firmly affixed to the rubber drug sundry, or in some other manner approved by the Office of Price Administration in writing. The maximum price shall be marked as follows: "Retail Ceiling $------." The marking shall be large enough to make it plainly visible to the purchasing public.

§ 1315.1788 *Sales slips and receipts.* Any person who has regularly furnished customers with invoices, sales slips, receipts or similar documents shall continue to do so. Every person shall, regardless of previous custom, upon request of the customer, give such customer a signed receipt showing the date of the transaction, the type, brand and grade of the rubber drug sundries sold and the price charged therefor.

§ 1315.1789 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 301 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 301 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field, district, state or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1315.1790 *Petitions for amendment.* Any person seeking a modification of any provision of this Maximum Price Regulation No. 301 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

§ 1315.1791 *Licensing: Applicability of the registration and licensing provisions of the General Maximum Price Regulation.*[2] The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Maximum Price Regulation No. 301 selling rubber drug sundries at wholesale or retail. When used in this section the terms "selling at wholesale" and "selling at retail" have the definitions given to them by §§ 1499.20 (p) and 1499.20 (o), respectively, of the General Maximum Price Regulation.

§ 1315.1792 *Applicability of the General Maximum Price Regulation.* Except as provided in § 1315.1791, the provisions of this Maximum Price Regulation No. 301 supersede the provisions of the General Maximum Price Regulation, including §§ 1499.11, 1499.12, 1499.13, 1499.14 and 1499.25 thereof, with respect to sales and deliveries for which maximum prices are established by this Maximum Price Regulation No. 301.

§ 1315.1793 *Definitions.* (a) When used in this Maximum Price Regulation No. 301 the term:

(1) "Rubber drug sundries" means the articles set forth in Appendix A (§ 1315.1795).

(2) "Rubber" means substitute rubber and all forms and types of rubber, including synthetic, reclaimed and balata rubber.

(3) "Sale at retail" or "selling at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user, except that (i) a "sale at retail" shall not include any sale by a producer, manufacturer, or fabricator of any commodity produced, manufactured, or fabricated by him, and (ii) a "sale at retail" shall not include any sale to the United States, any other government or any of its political subdivisions, any religious, educational or charitable institution, any institution for the sick, deaf, blind, disabled, aged or insane, or any school, hospital, library, or any agency of any of the foregoing.

(4) "Sale at wholesale" means a sale by a person who buys a commodity and resells it, without substantially changing its form, to any person other than the ultimate consumer, except that a sale at wholesale shall include any sale by such person to an industrial or commercial user, the United States, any other government or any of its political subdivisions, any religious, educational or charitable institution, any institution for the sick, deaf, blind, disabled, aged or insane, or any school, hospital, library or any agency of any of the foregoing.

(b) Unless the context otherwise requires, the definitions set forth in the General Maximum Price Regulation shall apply to other terms used herein.

§ 1315.1794 *Effective date.* This Maximum Price Regulation No. 301 (§§ 1315.1776 to 1315.1796, inclusive) shall become effective February 1, 1943.

§ 1315.1795 *Appendix A: Definition of rubber drug sundries.* When used in this Maximum Price Regulation No. 301 the term "rubber drug sundries" means the articles listed in the following paragraphs, when made in whole or in part of rubber:

(NOTE: Many of the items included in this list are not permitted to be produced out of crude, latex, synthetic, reclaimed or scrap rubber by the War Production Board.)

(a) Water bottles, ice bags, syringes and other flat goods, including, but not limited to:

Air cushions
Bedpans
Combination syringes
Face and baby bottles
Fountain syringes
Hot water bottles
Ice bags and caps
Invalid rings and cushions

(b) Baby supplies, including, but not limited to:

Baby pants
Baby bibs
Breast pumps
Breast shields
Crib sheets
Diapers, diaper covers and diaper bags
Feeding nipples
Infant bottle combinations
Nipple shields
Nursery bottle caps
Pacifiers
Play pads
Teething rings

(c) Rubber tubing, stopples and irrigators for medical, surgical, dental, mortuary, veterinary and laboratory purposes, including, but not limited to:

Catheters
Irrigators
Rubber policemen
Stopples
Tubes and tubing

(d) Rubber dental supplies, including, but not limited to:

Abrasive wheels
Cut-off wheels
Dental dams
Dental separating strips and mouth props
Orthodontia bands
Plaster bowls
Polishing cups, discs and points
Rubber denture, denture suction and model formers
Soft rubber wheels

(e) Bulb and bulb goods for medical, surgical, dental, mortuary, veterinary and laboratory purposes, including, but not limited to:

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454.

Atomizers
Bulb syringes
Cautery bulb sets
Chip blower bulbs
Household bulb syringes
Politzed syringes
Sinus bulb sets
Spray douches

(f) Rubber gloves and finger cots, including, but not limited to:

Autopsy and mortuary gloves
Household gloves and cots
Industrial gloves and cots
Medical and surgical gloves and cots
Obstetrical gloves and sleeves

(g) Hospital and surgical supplies, including, but not limited to:

Air mattresses, beds and pillows
Hospital blankets
Mattress covers
Obstetricians' aprons
Operating cushions
Patients' bibs and throws
Pillow cases
Surgeons' aprons
Surgical cases
Urologists' aprons

(h) Hard rubber for medical, surgical, dental, veterinary, mortuary and laboratory equipment and parts, including, but not limited to:

Stoppers
Syringes
Tubes, pipes, connections and accessories.

(i) All other rubber medical, surgical, orthopedic, pharmaceutical and laboratory goods, including, but not limited to:

Acid bottles
Blood pressure bags, bulbs and tubing
Blood transfusion connectors
Brain surgery caps
Caps and closures
Colonic bags
Colostomy outfits
Crutch parts
Dilaters
Cushions—ear, elbow and heel
Evacuators
Foot appliances—corrective
Funnels
Heating pads
Hagner bags
Inhalation bags and face pieces (medical, surgical, dental, veterinary and laboratory)
Insufflators
Intravenous connectors
Medicine droppers and bulbs
Microscope covers
Orsat bags
Orthopedic pads and parts
Parts for medical, surgical, dental, veterinary and mortuary instruments
Parts for acoustic aids
Prostatic bags
Prosthetic devices
Rubber bands and cushions for artificial limbs
Rubber suppositories
Sinus pads and bags
Spatulas
Splint cushions
Steam vaporizers
Thermapeutic applicators
Thermometer cases
Tourniquets
Truss parts
Umbilical belts
Urinals, individual wear
Veterinary sleeves
X-Ray sheets, gloves, aprons and cooling hose

§ 1315.1796 *Appendix B: Maximum wholesalers' and retailers' prices for victory line rubber drug sundries.* (a) The maximum prices for sales at wholesale and retail (except sales by mail by mail order houses) of victory line rubber drug sundries shall be the prices listed in Table I.

TABLE I—MAXIMUM WHOLESALERS' AND RETAILERS' PRICES FOR VICTORY LINE RUBBER DRUG SUNDRIES[1]

	Maximum price for sales at wholesale	Maximum price for sales at retail
Hot water bottles		
Hospital grade (cloth inserted 2 quart)	1.51	-------
Hospital grade (molded)	.74	-------
Consumer grade—colored—(molded)	.57	1.00
Consumer grade—black—(molded)	.43	.75
Combination syringes (molded) equipped with 4'8" regular flow tubing, stopper, shut-off and screw socket		
Consumer grade—colored		
Group I—2 slip pipes, adult rectal and vaginal	.75	1.35
Group II—2 screw pipes, adult rectal and vaginal plus screw pipe connections	.82	1.45
Group III—3 screw pipes, infant rectal, adult rectal, and balloon vaginal plus screw pipe connection, and rapid flow accessories	1.07	1.90
Consumer grade—black		
Group I—2 slip pipes, adult rectal and vaginal	.62	1.10
Group II—2 screw pipes, adult rectal and vaginal plus screw pipe connections	.68	1.20
Group III—3 screw pipes, infant rectal, adult rectal, and balloon vaginal plus screw pipe connection and rapid flow accessories	.94	1.65
Combination syringe attachment sets—to include 4'8" regular flow tubing, stopper, shut-off and screw socket		
Group I—2 slip pipes, adult rectal and vaginal	.20	.35
Group II—2 screw pipes, adult rectal, and vaginal plus screw pipe connections	.27	.60
Group III—3 screw pipes, infant rectal, adult rectal and balloon vaginal plus screw pipe connection, and rapid flow accessories	.54	.95
Ice caps (molded)	.60	1.05
Invalid rings and cushions (molded)—all rubber)		
Size 12 inches	1.44	2.50
14 inches	1.56	2.75
16 inches	1.74	3.05
18 inches	2.07	3.60
Invalid rings and cushions (cloth inserted)		
Size 12 inches	1.68	2.95
14 inches	1.76	3.10
16 inches	1.91	3.40
18 inches	2.28	4.00

[1] These prices are subject to the terms and conditions of sale set forth in § 1315.1790.

(b) The maximum price for sales by mail, by mail order houses, of any victory line rubber drug sundry shall be the lower of the following: (1) the price stated in Table I for sales at retail of the rubber drug sundry in question; or (2) a price obtained by multiplying by 180 percent the manufacturer's maximum price (as established by Maximum Price Regulation No. 300) for the sale of the rubber drug sundry in question to mass distributors at retail.

Issued this 16th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-852; Filed, January 16, 1943; 4:32 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 93 to Supp. Reg. 14[1] to GMPR[2]]

VULCANIZED VEGETABLE OIL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (59) is added to paragraph (a) of § 1499.73, as set forth below:

§ 1499.73 *Modifications of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided:

* * * * *

(59) *Vulcanized vegetable oil.* Any seller or purchaser may contract that if the maximum price for any vulcanized vegetable oil made in whole or in part of rapeseed oil is increased by the Office of Price Administration, the selling price on any such vulcanized vegetable oil delivered between January 16, 1943, and the date of such increase in maximum price will be increased to such new maximum price.

(b) *Effective dates.* * * *

(94) Amendment No. 93 (§1499.73 (a) (59)) to Supplementary Regulation No. 14 shall become effective January 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of January, 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-850; Filed, January 16, 1943; 4:31 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 280,[1] Amendment 6]

MAXIMUM PRICES FOR SPECIFIC FOOD PRODUCTS

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new paragraph (d) is added to § 1351.803; a new paragraph (h) is added to § 1351.808; and a new subparagraph (5) is added to § 1351.816 (a), as set forth below:

§ 1351.803 *Maximum prices.* * * *

(d) The provisions of this Maximum Price Regulation No. 280 do not apply to fluid milk sold at wholesale other than in glass or paper containers to stores, hotels, restaurants, and institutions in the "Dallas Regional area". Maximum Prices for such sales are set in subdivision (vi) of § 1499.73 (a) (1) of Supplementary Regulation No. 14 to the General Maximum Price Regulation. (Amendment No. 89 to Supplementary Regulation No. 14, issued January 16, 1943 and effective January 18, 1943.)

§ 1351.808 *Exempt sales.* * * *

(h) Fluid milk sold at wholesale in bulk to stores, hotels, restaurants, and institutions in the Dallas Regional area. Maximum prices for such sales are set in subdivision (vi) of § 1499.73 (a) (1) of Supplementary Regulation No. 14, to the General Maximum Price Regulation. (Amendment No. 89 to Supplementary Regulation No. 14, issued January 16, 1943, and effective January 18, 1943).

§ 1351.816 *Definitions.* (a) When used in this Maximum Price Regulation No. 280, the term: * * *

(5) "Dallas Regional area" means the States of Arkansas, Kansas, Louisiana, Missouri, Oklahoma, and Texas.

§ 1351.821 *Effective dates of amendments.* * * *

(f) Amendment No. 6 (§§ 1351.803, 1351.816, and 1351.808) to Maximum Price Regulation No. 280 shall become effective January 18, 1943.

(Pub. Laws 421 and 729; 77th Cong.; E.O. 9250; 7 F.R. 7871)

Issued this 16th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-854; Filed, January 16, 1943; 5:10 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 280,[1] Amendment 7]

MAXIMUM PRICES FOR SPECIFIC FOOD PRODUCTS

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new paragraph (e) is added to § 1351.803; a new paragraph (i) is added to § 1351.808; and a new subparagraph (6) is added to § 1351.816 (a), as set forth below:

§ 1351.803 *Maximum prices.* * * *

(e) The provisions of this Maximum Price Regulation No. 280 do not apply to fluid milk sold at wholesale other than in glass or paper containers to stores, hotels, restaurants, and institutions in the "Memphis, Tennessee area". Maximum prices for such sales are set in subdivision (ii) of § 1499.73 (a) (1) of Supplementary Regulation No. 14 to the General Maximum Price Regulation. (Amendment No. 95 to Supplementary Regulation No. 14.)

§ 1351.808 *Exempt sales.* * * *

(i) Fluid milk sold at wholesale in bulk to stores, hotels, restaurants, and institutions in the Memphis, Tennessee area. Maximum prices for such sales are set in subdivision (ii) of § 1499.73 (a) (1) of Supplementary Regulation No. 14 to the General Maximum Price Regulation. (Amendment No. 95 to Supplementary Regulation No. 14).

* * * * *

§ 1351.816 *Definitions.* (a) When used in this Maximum Price Regulation No. 280, the term: * * *

(6) "Memphis, Tennessee area" means the territory included in the marketing area geographically defined in Federal Milk Marketing Order O-64, effective October 4, 1942, issued by the Secretary of Agriculture.

§ 1351.821 *Effective dates of amendments.* * * *

(g) Amendment No. 7 (§§ 1351.803, 1351.816, and 1351.808) to Maximum Price Regulation No. 280 shall become effective January 16, 1943.

(Pub. Laws 421 and 729; 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-855; Filed, January 16, 1943; 5:11 p. m.]

PART 1363—FEEDING STUFFS

[Revised MPR 73,[1] as Amended, Amendment 2]

FISH MEAL AND FISH SCRAP

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sections 1363.9 (a) (4), 1363.12 (a) and (h), 1363.14 and 1363.16 are amended as set forth below.

§ 1363.9 *Definitions.* (a) When used in this Revised Maximum Price Regulation No. 73, as amended, the term: * * *

(4) "Grade" means the actual percentage of protein of the fish meal or fish scrap.

* * * * *

§ 1363.12 *Maximum prices for sales of fish meal and fish scrap*—(a) *Maximum prices for sales of fish meal f. o. b. conveyance at fish reduction plant*—(1) *Schedule of percentages and corresponding prices in seller's new burlap bags.*

Unit percentage of protein per ton	Pacific coast dollars per ton	Atlantic and Gulf coast dollars per ton
40	$46.50	$48.50
41	47.50	49.50
42	49.00	51.00
43	50.00	52.00
44	51.00	53.00
45	52.00	55.00
46	53.50	55.50
47	54.50	57.00
48	55.50	58.00
49	57.00	59.00
50	58.00	60.50
51	59.00	61.50
52	60.50	63.00
53	61.50	64.00
54	62.50	65.00
55	64.00	66.50
56	65.00	68.00
57	66.00	69.00
58	67.50	70.00
59	68.50	71.50
60	69.50	72.50
61	71.00	74.00
62	72.00	75.00
63	73.00	76.00
64	74.00	77.50
65	75.50	78.50
66	76.50	79.50
67	77.50	81.00
68	79.00	82.50
69	80.00	83.50
70	81.00	84.50
71	82.50	86.00
72	83.50	87.00
73	84.50	88.50
74	86.00	89.50
75	87.00	90.50
76	88.00	92.00
77	89.50	93.00
78	90.50	94.50
79	91.50	95.50
80	93.00	96.50

(2) *Limitations on open billing.* No contract for the sale of fish meal shall be executed unless at the time of the execution thereof the percentage of protein in the fish meal covered thereby is specified at least to the extent of a range not exceeding five per cent, also known to the trade as five points. In the event the fish meal tendered to the buyer named in said contract is lower in protein content than the lowest percentage of said specified range, and if delivery of the fish meal in question is nevertheless accepted by the buyer, the maximum price therefor shall not exceed the maximum price for the lowest percentage of said specified range, less the following deductions therefrom as a penalty, to wit:

(i) $1.50 for the first one per cent or fraction thereof below the lowest percentage of said specified range.

(ii) $3.00 for each succeeding one per cent or fraction thereof below the limit last mentioned.

In the event that the fish meal tendered under such contract is higher in protein content than the highest percentage of said specified range therein, and the buyer accepts delivery thereof, the maximum price therefor shall not exceed the maximum price for the highest percentage of said specified range.

(3) *Maximum prices for sales of fish meal in used burlap bags.* To determine the maximum price per ton for fish meal sold in used burlap bags, deduct one dollar ($1.00) from the prices specified in subparagraph (1) of this paragraph.

(4) *Maximum prices for sales of fish meal sold in bulk.* To determine the

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6577, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7369, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7535, 7739, 7671, 7812, 7814, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8891, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9495, 9496, 10381, 9639, 9436, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10583, 10537, 10705, 10557, 10583, 10865, 11005; 8 F.R. 276, 439, 535, 494.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4333, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9782, 10454, 10155; 8 F.R. 371.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10144, 10337, 10475, 10585, 10786, 10995, 8 F.R. 158.

[1] 7 F.R. 2475, 2637, 8591, 8948.

maximum price per ton for fish meal sold in bulk, deduct three dollars ($3.00) from the prices specified in subparagraph (1) of this paragraph.

(5) *Maximum prices for sales of fish meal sold in bags other than burlap bags.* To determine the maximum price per ton for fish meal sold in bags other than burlap bags, add the cost of the bags at replacement value to the prices specified in subparagraph (4) of this paragraph.

* * * * *

(h) *Maximum prices for sales by commercial distributors.* (1) The maximum price of a commercial distributor purchasing fish meal or fish scrap for resale from a producer shall not exceed the maximum price which said producer may charge hereunder plus a mark-up not exceeding the mark-up (or weighted average of mark-ups) which said commercial distributor used in January 1942 on sales of like fish meal or fish scrap.

(2) The maximum price of a commercial distributor purchasing fish meal or fish scrap for resale from another commercial distributor (who in turn purchased directly from a producer) shall not exceed the maximum price which said last mentioned commercial distributor may charge hereunder plus a mark-up not exceeding the mark-up (or weighted average of mark-up) which said first mentioned commercial distributor used in January 1942 on sales of like fish meal or fish scrap.

(3) Any commercial distributor not in business in January 1942, shall adopt and use the mark-up of that commercial distributor who is his closest competitor.

(4) If a commercial distributor buys from a commercial distributor who did not purchase directly from a producer he cannot resell for more than the maximum price of the commercial distributor from whom he purchased.

§ 1363.14 *Duty to describe classification and grade.* (a) No person shall sell or offer to sell and no person in the course of trade or business shall buy or receive any fish meal or fish scrap which has not been described as hereinafter required.

(b) The description of fish meal and fish scrap sold in bags or other containers (except fish meal or fish scrap produced outside the several states of the United States from its time of entry into any state of the United States to delivery at first distributing point) shall be by means of a label or tag describing the classification and grade printed on or attached to the bags or other containers.

(c) The description in the case of sales in bulk and of all fish meal or fish scrap produced outside the several states of the United States from its time of entry into any state of the United States to delivery at the first distributing point, shall be by means of tag or certificate accompanying the shipment and describing the classification and grade. A duplicate thereof shall be attached to the invoice, bill of lading, or other document accompanying the shipment.

§ 1363.16 *Inclusion of 3 per cent freight tax in transportation charges.* (a) Whenever provision is made in this regulation for the addition of transportation or freight charges in determining maximum prices hereunder and whenever any other reference is herein made to such charges, the tax imposed by section 620 of the Revenue Act of 1942 (Pub. Law 753—77th Cong., approved October 21, 1942) shall be deemed to be a part of and shall be included in said charges with like effect as if it were a like increase in the rate or amount charged by the carrier for the transportation in question.

(b) The provisions of Supplementary Regulation No. 31 issued by the office of Price Administration on November 26, 1942 (Docket Number 7623) shall have no application to this Revised Maximum Price Regulation No. 73, as amended.

§ 1363.11 *Effective dates of amendments.* * * *

(c) Amendment No. 2 to Revised Maximum Price Regulation No. 73, as amended (§§ 1363.9 (a) (4), 1363.12 (a) and (b), 1363.14 and 1363.16) shall become effective January 16, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9350, 7 F.R. 7871)

Issued this 16th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-856; Filed, January 16, 1943; 5:11 p. m.]

PART 1429—POULTRY AND EGGS

[Rev. MPR 269,[1] Amendment 4]

POULTRY

A statement of the considerations involved in the issuance of this Amedment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

The reference to January 15, 1943 in § 1429.27 of Revised Maximum Price Regulation No. 269 is amended to read February 15, 1943.

§ 1429.25 *Effective date of amendment.* * * *

(d) Amendment No. 4 (§ 1429.27) to Revised Maximum Price Regulation No. 269 shall be effective as of January 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871).

Issued this 15th day of January 1943.

LEON HENDERSON,
Administrator.

Approved:

GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 43-857; Filed, January 16, 1943; 5:10 p. m.]

[1] 7 F.R. 10708, 10864, 11118, 8 F.R. 567.

PART 1499—COMMODITIES AND SERVICES

[Amendment 95 to Supp Reg 14[1] to GMPR[2]]

MEMPHIS AREA PRICES FOR FLUID MILK AND CREAM

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new inferior subdivision (*p*) is added to subdivision (i) of § 1499.73 (a) (1); a new inferior subdivision (*p*) is added to subdivision (ii) of § 1499.73 (a) (1); and a new inferior subdivision (*r*) is added to subdivision (vii) of § 1499.73 (a) (1), as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services, and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided:

(1) *Fluid milk and cream*[3]—(i) *Maximum prices for fluid milk sold at retail in specified localities.* The maximum price of fluid milk sold and delivered at retail, in the localities set forth below, shall be the seller's maximum price as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, or the applicable adjusted maximum price specified in the schedule set forth below, whichever is higher: *Provided*, That where the adjusted maximum price is expressed as "plus" a specified amount, the amount specified is to be added to the seller's maximum price as determined under said § 1499.2.

* Copies may be obtained from Office of Price Administration.

[1] 7 F.R. 5486, 5709, 5911, 6008, 6271, 6369, 6473, 6477, 6774, 6775, 6776, 6793, 6887, 6892, 6930, 6965, 7011, 7012, 7203, 7250, 7289, 7365, 7400, 7401, 7453, 7510, 7511, 7535, 7536, 7538, 7604, 7739, 7671, 7812, 7914, 7946, 8024, 8199, 8237, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 8950, 8954, 8955, 8953, 9043, 9082, 9131, 9196, 9391, 9397, 9495, 9496, 9639, 9786, 9900, 9901, 10096, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10537, 10557, 10583, 10705, 10865, 11005; 8 F.R. 276, 439, 535, 494

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7753, 7913, 8431, 8881, 8942, 9004, 9435, 9615, 9816, 9732, 10155, 10454; 8 F.R. 371.

[3] *Fractions of a cent.* *In the case of single unit sales at retail*, any maximum price resulting in a fraction of a cent must be reduced to the lowest even cent if the fraction is less than ½¢ and may be increased to the nearest higher even cent if the fraction is ½¢ or more. Home-deliveries shall be considered multiple unit sales unless separate collections are made for single units delivered.

[4] This pricing formula is not applicable to certain retail sales in the New York Metropolitan area and the Memphis, Tennessee area under inferior subdivisions (*a*) and (*p*) below. Specific maximum prices listed supersede entirely the seller's ceiling prices as determined under § 1499.2, General Provisions, of General Maximum Price Regulation.

OUT-OF-STORE SALES AND HOME-DELIVERIES

Locality	Special type	Grade	Type of delivery	Container size	Type of container	Adjusted maximum price (cents)
(*p*) Memphis, Tennessee area.		Approved	Out of store	Quart	Glass or paper	13
		Approved	To the home	Quart	Glass or paper	13½
		Approved	Out of store or to the home.	Pint	Glass or paper	8
	Premium (5% butterfat content).	Approved	Out of store	½ pint	Glass or paper	5
		Approved	Out of store	Quart	Glass or paper	15
		Approved	To the home	Quart	Glass or paper	15½
		Approved	Out of store or to the home.	Pint	Glass or paper	9
	Chocolate drink	Approved	Out of store	½ pint	Glass or paper	6
		Approved	Out of store	Quart	Glass or paper	15
		Approved	To the home	Quart	Glass or paper	15½
		Approved	Out of store or to the home.	Pint	Glass or paper	9
	Skim buttermilk	Approved	Out of store	½ pint	Glass or paper	5
		Approved	Out of store or to the home.	Quart	Glass or paper	9
		Approved	Out of store or to the home.	½ pint	Glass or paper	5
	Skimmed milk	Approved	Out of store or to the home.	Quart	Glass or paper	11

Maximum prices for retail sales to other classes of purchasers. Maximum prices for retail sales to classes of purchasers not included in out-of-store sales and deliveries to the home shall be calculated as follows: add 1½¢ per quart, or a proportionate amount for a part of a quart, to the seller's established maximum price for sales to such classes of purchasers, as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation: *Provided, however*, That the adjusted maximum prices shall in no event be higher than the specific maximum prices listed in the table above.

* * * * *

(ii) *Maximum prices for fluid milk sold at wholesale in specified localities.* The maximum prices of fluid milk sold and delivered at wholesale, in the localities set forth below, shall be the seller's maximum price as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, or the applicable adjusted maximum price specified in th schedule set forth below, whichever is higher[4]: *Provided*, That where the adjusted maximum price is expressed as "plus" a specified amount, the amount specified is to be added to the seller's maximum price as determined under said § 1499.2.

[4] This pricing formula is not applicable to certain sales at wholesale in the New York Metropolitan area and the Memphis, Tennessee area under inferior subdivisions (*h*) and (*p*) below. Specified maximum prices listed supersede entirely the seller's ceiling prices as determined under § 1499.2, General Provisions, of General Maximum Price Regulation.

SALES TO STORES, HOTELS, RESTAURANTS, AND INSTITUTIONS

Locality	Special type	Grade	Container size	Type of container	Adjusted maximum price (cents)
(*p*) Memphis, Tennessee area.		Approved	Quart	Glass or paper	11½
		Approved	Pint	Glass or paper	7
		Approved	½ pint	Glass or paper	4
	Premium (5% butterfat content).	Approved	Quart	Glass or paper	13½
		Approved	Pint	Glass or paper	8
	Chocolate drink	Approved	½ pint	Glass or paper	4½
		Approved	Quart	Glass or paper	13½
		Approved	Pint	Glass or paper	8
	Skim buttermilk	Approved	½ pint	Glass or paper	4
		Approved	Quart	Glass or paper	7½
	Skimmed milk	Approved	Pint	Glass or paper	4
		Approved	Quart	Glass or paper	9

Maximum prices for sales at wholesale to other classes of purchasers. Maximum prices for sales at wholesale to classes of purchasers not included in sales to stores, hotels, restaurants or institutions shall be calculated as follows: add 1½¢ per quart, or a proportionate amount for a part of a quart, to the seller's established maximum price for sales to such classes of purchasers, as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation: *Provided, however*, That the adjusted maximum prices shall in no event be higher than the specific maximum prices listed in the table above.

Maximum prices for bulk sales at wholesale to stores, hotels, restaurants, and institutions. Maximum prices for sales at wholesale other than in glass or paper containers, to stores, hotels, restaurants, and institutions shall be as follows:

(i) Sales of less than 5 gallons: 43¢ per gallon.

(ii) Sales totaling between 5 and 10 gallons: 42¢ per gallon.

(iii) Sales totaling between 10 and 30 gallons: 41¢ per gallon.

(iv) Sales over 30 gallons: 40¢ per gallon.

The applicable listed maximum prices apply to bulk sales according to the total volume involved, regardless of the units or container sizes in which delivery is made, whether one gallon or multiples of one gallon.

* * * * *

(vii) *Definitions.* For purposes of this subparagraph (1):

* * * * *

(*r*) "Memphis, Tennessee area" means the territory included in the marketing area geographically defined in Federal Milk Marketing Order O-64, effective October 4, 1942, issued by the Secretary of Agriculture.

(b) *Effective dates.* * * *

(96) Amendment No. 95 (§ 1499.73 (a) (1)) to Supplementary Regulation No. 14 shall become effective January 16, 1943.

(Pub. Laws 421 and 729; 77th Cong.; E.O. 9250; 7 F.R. 7871)

Issued this 16th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-859; Filed, January 16, 1943; 5:11 p. m.]

Chapter XIII—Petroleum Administration for War

PART 1526—MARKETING FUEL OIL

[Petroleum Administrative Order 3]

The fulfillment of the requirements for the defense of the United States has created in certain areas a shortage in the supply of fuel oil for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest, to promote the national defense, and to provide adequate supplies of fuel oil for military and other essential uses;

§ 1526.1 *Petroleum Administrative Order 3*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Petroleum" means petroleum, petroleum products, and associated hydrocarbons.

(3) "Fuel oil" means any liquid petroleum product commonly known as fuel oil, including Grades Nos. 1, 2, 3, 4, 5, and 6, Bunker "C", Diesel oil, kerosene, range oil, gas oil, or any other liquid petroleum product used for the same purposes as any such product.

(4) "Commercial, industrial or governmental consumer" means any person as to whom the Office of Price Administration has determined, pursuant to § 1394.5402 of Ration Order No. 11, as amended, an "allowable ration" for any current period of more than 9,000 gallons of fuel oil for purposes other than space heating or hot water, but shall include such person only to the extent that he receives fuel oil for such purposes.

[NOTE: § 1394.5402 appears at 7 F.R. 8697]

(5) "Refiner" means any person engaged in the refining or compounding of finished or unfinished petroleum.

(6) "Asphalt" means asphalt of petroleum origin and all asphalt products of petroleum origin, including but not limited to paving asphalts, roofing asphalts, industrial asphalts, asphalt fluxes, and road oils.

(7) "District One" means the States of Maine, New Hampshire, Vermont,

Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, and Florida, and the District of Columbia.

(b) *Restrictions on delivery of fuel oil.* (1) Fifteen days after the effective date of this order no person may deliver or otherwise supply fuel oil to any commercial, industrial or governmental consumer for purposes other than furnishing space heating or hot water and no such consumer may accept delivery of fuel oil for such purposes unless:

(i) In the case of a commercial, industrial or governmental consumer whose use of fuel oil is exclusively in any operation or operations listed in Schedule A, he shall first have filed Form PAW 1, in accordance with paragraph (d) of this order and so certifies as set forth in paragraph (c) (1) of this order;

(ii) In the case of any commercial, industrial or governmental consumer whose use of fuel oil is not exclusively in any operation or operations listed in Schedule A, he shall first have surrendered the fuel oil ration issued to him by the Office of Price Administration for redetermination pursuant to § 1394.5402 of Ration Order No. 11, as amended, of the Office of Price Administration and so certifies as set forth in paragraph (c) (2) of this order.

(2) The Petroleum Administrator for War may from time to time certify to the Office of Price Administration for appropriate action any modification of the fuel oil ration of any commercial, industrial or governmental consumer, whether or not such consumer's operations are listed in Schedule A, which the Petroleum Administrator for War may determine to be necessary or appropriate. The Petroleum Administrator for War shall send a copy of such certification to the consumer affected thereby and to the appropriate Regional Office of the Office of Price Administration. The consumer shall immediately present his copy of such certification to his war price and ration board or to such State, District or Regional Office of the Office of Price Administration as may be designated by its Regional Administrator for the region in which the consumer's board is located, and such board or office will thereupon take appropriate action for the cancellation or withdrawal of all or any part of his ration or for the increase of his ration, in accordance with the certification of the Petroleum Administrator for War.

(c) *Certification required for delivery of fuel oil.* Paragraph (b) requires that a certification in substantially the following form be delivered to the delivering supplier before the first delivery of fuel oil to the consumer subsequent to fifteen days after the issuance date of this order, signed by a duly authorized official:

(1) *Where the commercial, industrial or governmental consumer's use of fuel oil is exclusively in any operation or operations listed in Schedule A.*

---------- (Date)

To the PETROLEUM ADMINISTRATOR FOR WAR:

The undersigned consumer certifies that his use of fuel oil is exclusively in operations listed in Schedule A of Petroleum Administrative Order No. 3, that he has filed Form PAW 1 for confirmation of his Schedule A operations, and that this delivery is in accordance with Petroleum Administrative Order No. 3 and Ration Order No. 11, as amended, of the Office of Price Administration, with the terms of which he is familiar.

---------- (Name of Commercial, Industrial or Governmental Consumer)

By ---------- (Signature of Duly Authorized Official)

---------- (Address of Such Consumer)

(2) *Where the commercial, industrial or governmental consumer's use of fuel oil is not exclusively in operations listed in Schedule A.*

---------- (Date)

To the PETROLEUM ADMINISTRATOR FOR WAR:

The undersigned consumer certifies that he has surrendered his fuel oil ration issued by the Office of Price Administration for redetermination pursuant to § 1394.5402 of Ration Order No. 11, as amended, and that this delivery is in accordance with Petroleum Administrative Order No. 3 and Ration Order No. 11, as amended, of the Office of Price Administration, with the terms of which he is familiar.

---------- (Name of Commercial, Industrial or Governmental Consumer)

By ---------- (Signature of Duly Authorized Official)

---------- (Address of Such Consumer)

No person may deliver or otherwise supply fuel oil to any commercial, industrial or governmental consumer where he knows or has reason to believe such consumer's certification to be false.

(d) *Confirmation of Schedule A operations.* Within fifteen days after the effective date of this order each commercial, industrial or governmental consumer whose use of fuel oil is exclusively for any operation or operations listed in Schedule A shall file Form PAW 1 for confirmation of his Schedule A operations. Such form shall be filed in quintuplicate: 4 copies to the District Director in Charge, Petroleum Administration for War, 122 East 42nd Street, New York, New York. Ref: PAO 3, and 1 copy to the Regional Office of the Office of Price Administration for the region in which the consumer's war price and ration board is located.

(e) *Inventory restrictions.* No person may deliver or otherwise supply fuel oil to any commercial, industrial or governmental consumer, and no such consumer may accept delivery of fuel oil where such consumer has more than 10 days' rationed requirements of fuel oil for his operations: *Provided*, That any single delivery of fuel oil by means of a transportation facility generally used in such delivery, which brings the amount of fuel oil in the commercial, industrial or governmental consumer's possession to more than 10 days' requirements for such operations, may be completed.

(f) *Restrictions on production and movement of asphalt.* (1) No person may deliver or otherwise supply asphalt from outside District One to any person within District One, and no person within District One may accept delivery of asphalt from outside District One, except where the delivery of such asphalt does not involve the use of a tanker, barge, tank car, tank truck or tank truck trailer: *Provided*, That the delivery of any asphalt loaded on an interstate common carrier on the effective date of this order may be completed.

(2) No refiner within District One may produce asphalt, and no person may accept delivery of asphalt from any refiner within District One where he knows or has reason to believe such asphalt was produced after the effective date of this order.

(g) *Reports.* All persons affected by this order shall execute and file with the Petroleum Administration for War such reports and questionnaires as the Petroleum Administrator for War may from time to time request.

(h) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship on him may appeal for relief to the Petroleum Administrator for War, who, after clearance with the War Production Board, shall take such action as may appear necessary or appropriate and shall notify the appropriate Regional Office of the Office of Price Administration of any such action. Such appeal shall be filed in quadruplicate on Form PAW 2 and shall be addressed to the District Director in Charge, Petroleum Administration for War, 122 East 42d Street, New York, New York.

(i) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to the District Director in Charge, Petroleum Administration for War, 122 East 42d Street, New York, New York, Ref PAO 3.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, by any act or omission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. Any person who wilfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or such other action may be taken as is deemed appropriate.

(k) *Area of applicability.* Paragraphs (b), (c), (d), and (e) shall apply only to any person, or to the delivery of fuel oil, in District One.

(l) *Effective date.* This order shall take effect on the date of issuance and shall continue in effect until April 1, 1943, unless sooner revoked.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 18th day of January 1943.

HAROLD L. ICKES,
Petroleum Administrator for War.

SCHEDULE A

1.00 Hospitals.
2.00 Food—Facilities for agricultural, commercial, and industrial food production, food processing, and food preservation except restaurants, hotels, and retail stores.
3.00 Transportation services:
3.01 Urban, suburban, and interurban common or contract carriers of passengers or freight, including terminals.
3.02 Railways, including terminals.
3.03 Waterborne shipping, including locks and terminals.
3.04 Airports and airfields.
3.05 Oil pipe lines and pumping stations.
3.06 Maintenance and repair yards or shops used exclusively for the maintenance or repair of the above transportation services.
4.00 Public utility services, including the production, generation, transmission, or distribution of the following for general use by the public:
4.01 Electric energy.
4.02 Natural gas.
4.03 Manufactured gas.
4.04 Water.
5.00 Public communications services:
5.01 Newspapers.
5.02 Radio communication and broadcasting.
5.03 Telephone and telegraph systems.
6.00 Sanitation services, including sewer systems and collection and disposal of refuse.
7.00 Metal production:
7.01 Metal ore mining.
7.02 Metal and metal ore refining.
7.03 Metal mills.
8.00 Producers and refiners of petroleum and petroleum products.
9.00 Natural and synthetic rubber plants.
10.00 Industrial plants to the extent of their minimum necessary requirements for the production or processing of the following:
10.01 Aircraft, aircraft engines, aircraft parts.
10.02 Airplane landing mats.
10.03 Arms and armament.
10.04 Artillery.
10.05 Ammunition and ammunition boxes.
10.06 Ships and ship parts.
10.07 Combat tanks and parts.
10.08 Combat vehicles and parts.
10.09 Military radio and radar equipment.
10.10 Track-laying tractors.
10.11 Steam engines.
10.12 Turbines.
10.13 Explosives and pyrotechnics.
10.14 Navigation instruments.
10.15 Searchlights.
10.16 Power boilers above 100 lbs. pressure.
10.17 Metal tanks.
10.18 Steam condensers.
10.19 Carbon, graphite products.
10.20 Electric motors and generators.
10.21 Switch gear.
10.22 Reciprocating compressors and vacuum pumps and power-driven pumps (except farm).
10.23 Blowers, fans (except ventilators).
10.24 Mechanical power transmission equipment.
10.25 Fabricated pipe.
10.26 Welding rods.
10.27 Abrasives.
10.28 Heat exchangers.
10.29 Industrial stokers.
10.30 Machine tools and attachments.
10.31 Transformers, capacitors, and switchboard apparatus.
10.32 Pressure vessels.
10.33 Diesel and gas engines.
10.34 Water purification equipment.
10.35 Locomotives and railroad cars.
10.36 Surgical, medical, and dental equipment and supplies.
10.37 Optical instruments and lenses.
10.38 Construction machinery and equipment.
10.39 Liquid oxygen.
11.00 Scientific testing and research laboratories, to the extent that they are engaged in any operation relating to the production or processing of any munition equipment or material listed in paragraph 10.00.

[F. R. Doc. 43-890; Filed, January 18, 1943; 12:01 p. m.]

TITLE 35—PANAMA CANAL

Chapter I—Canal Zone Regulations

PART 4—OPERATION AND NAVIGATION OF PANAMA CANAL AND ADJACENT WATERS

HANDLING, LOADING, AND UNLOADING OF EXPLOSIVES IN CANAL ZONE PORTS

Sections 4.115a to 4.115o, inclusive, governing the handling, loading, and unloading of explosives in Canal Zone ports, are added as follows, supplementing §§ 4.106 to 4.115:

Sec.
4.115a Application.
4.115b Classification of explosives.
4.115c Inspection for and report of fires.
4.115d Authorization to load or unload explosives.
4.115e Loading or unloading explosives at same time as other cargo.
4.115f Preparations before handling, loading or unloading explosives.
4.115g Manner of handling, loading or unloading explosives.
4.115h Chute used in loading or unloading explosives.
4.115i Equipment for loading or unloading explosives.
4.115j Lights, firearms, matches, cigarette lighters, bale hooks, oily rags, metallic tools, footwear.
4.115k Fires on docks, lighters, or vessels.
4.115l Smoking prohibited.
4.115m Persons under influence of liquor or drugs.
4.115n Damaged or leaking containers of explosives.
4.114o Damaged or leaking containers of explosives not to be accepted for transportation.

AUTHORITY: §§ 4.115a to 4.115o, inclusive, issued under Rule 9, E.O. 4314, Sept. 25, 1925. (§ 4.11)

SOURCE: Governor's Regs., Sept. 18, 1942, as amended Dec. 29, 1942.

§ 4.115a *Application.* Sections 4.115a to 4.115o apply to all vessels, domestic and foreign, regardless of character, tonnage, size, service, and whether self-propelled or not, and whether arriving or departing, or under way, moored, anchored, or aground, except tankers: *Provided, however*, That said sections shall not be construed to apply to the transportation of military or naval forces with their accompanying munitions of war or stores. [Reg. 88.A-11]

§ 4.115b *Classification of explosives.* Explosives are classified for purposes of §§ 4.115a to 4.115o as follows:

CLASS A—DANGEROUS EXPLOSIVES

Ammunition for cannon with explosive projectiles.
Ammunition for cannon with explosive gas projectiles.
Ammunition for cannon with explosive smoke projectiles.
Ammunition for cannon with explosive incendiary projectiles.
Ammunition for small arms with explosive bullets.
Black powder.
Blasting powder.
Blasting caps—more than 1,000.
Blasting caps with safety fuse—more than 1,000.
Blasting caps, electric—more than 1,000.
Boosters (explosive). Detonating fuses.
Explosive bombs.
Explosive mines.
Explosive rifle grenades.
Explosive projectiles.
Explosive torpedoes.
Explosive hand grenades.
High explosives.
Low explosives.
Initiating explosives.
Wet fulminate of mercury.
Wet diazodinitrophenol.
Wet pentaerythrite tetranitrate.
Wet lead azide.

CLASS B—LESS DANGEROUS EXPLOSIVES

Ammunition for cannon with empty projectiles.
Ammunition for cannon with sand loaded projectiles.
Ammunition for cannon with solid projectiles.
Ammunition for cannon without projectiles.
Deteriorated smokeless powder for cannon.
Smokeless powder for cannon.
Smokeless powder for cannon or small arms in water.
Smokeless powder for small arms.
Fireworks.

CLASS C—RELATIVELY SAFE EXPLOSIVES

Ammunition for small arms. Small arms primers.
Blasting caps—1,000 or less caps.
Blasting caps with safety fuse—1,000 or less caps.
Cartridge bags, empty, with black powder igniters.
Cartridge, cases, empty, primed.
Combination fuses. Combination primers. Cordeau detonant.
Delay electric igniters. Electric blasting caps—1,000 or less.
Electric squibs. Safety squibs.
Empty cartridge bags. Black powder igniters.
Empty cartridge cases primed.
Fuse igniters. Fuse lighters. Fuse, safety. Igniters.
Fuses, combination, percussion, time or tracer. Instantaneous fuse. Grenades, empty, primed.
Percussion caps. Percussion fuses. Primers. Toy caps. [Reg. 88. A-12]

§ 4.115c *Inspection for and report of fires.* The master of any vessel having on board explosives or other dangerous articles or substances as cargo and about to enter a port of the Canal Zone shall make or cause to be made an inspection prior to entering such port. If the inspection discloses the presence of fire or any other hazardous condition, such condition shall immediately be reported to the Captain of the Port and the master or person in charge of such vessel shall com-

ply with the instructions given by the Captain of the Port as to procedure to be followed in entering port. [Reg. 88. A–13]

§ 4.115d *Authorization to load or unload explosives.* Shipments of Class A explosives in amount exceeding 500 pounds shall not be loaded on or unloaded from any vessel in Canal Zone ports until authorization for such loading or unloading has been obtained from the Port Captain concerned. [Reg. 88. A–14]

§ 4.115e *Loading or unloading explosives at same time as other cargo.* Explosives shall not be loaded or unloaded at the same time that other cargo is being loaded or unloaded unless approval is obtained from the Port Captain concerned: *Provided*, That in no case shall drums or other containers of inflammable liquids classed as Grade "A," "B," or "C" by § 4.116 be loaded or unloaded at the same time that explosives are being loaded or unloaded. [Reg. 88. A–15]

§ 4.115f *Preparations before handling, loading or unloading explosives.* All decks, gangways and hatches over or through which explosives must be passed or handled in loading or unloading, shall be freed of all loose material and shall be swept broom clean both before and after loading or unloading. The hatches and cargo ports opening into a compartment in which explosives are stowed shall be kept closed at all times, except during loading or unloading of the compartment. When closed the hatches shall be covered with tarpaulins securely battened. [Reg. 88.A–16]

§ 4.115g *Manner of handling, loading or unloading explosives.* All explosives must be handled carefully. Packages of explosives must not be thrown, dropped, rolled, dragged or slid over each other or over the decks. In transferring explosives to or from a pier or another vessel the packages must be handled by hand or by using a regulation chute and mattress. If the difference in elevation between the vessels or a vessel and the dock, or conditions of weather render it difficult to safely load or unload by hand or chute, mechanical hoist, crates, rope-net slings or basket may be used. The maximum load handled in crates, rope-net slings or baskets per draft shall not exceed 2,400 pounds. No containers of explosives shall be loaded above the side of any crate or basket nor shall rope-net slings be so loaded as to prevent the sling from encompassing the entire load on its top side. Explosives shall not be handled roughly. They must be hoisted and lowered carefully and only deposited or lowered onto a mattress. Blasting caps, detonating fuses, fulminate of mercury and other initiating or priming explosives as defined in these regulations shall be considered as constituting a distinct class of dangerous explosives and because of the hazard involved they shall be handled with extreme care. "Can" hooks shall not be used for raising or lowering barrel, drum, or other container of explosives. Metal bale hooks shall not be used in handling packages of explosives. Transfer trucks equipped with "electric motor" means of propulsion shall not be used in handling any high explosive, low explosive, black powder or smokeless powder. [Reg. 88.A–17]

§ 4.115h *Chute used in loading or unloading explosives.* The incline of the chute to be used in loading or unloading explosives shall be such that the velocity of the packages sliding will not be great enough to cause violent shock when coming in contact with the other packages, on the chute or when reaching the bottom of chute. If otherwise, men shall be stationed alongside the chute to retard and control the velocity of the packages. Chutes shall be carefully wiped down with waste moistened with machine oil when packages of explosives are being used. [Reg. 88.A–18]

§ 4.115i *Equipment for loading or unloading explosives.* Before explosives are loaded or unloaded from a vessel the master or other person in charge of the vessel shall be required to ascertain by examination the condition and working of all slings, crates, baskets, boxes, chutes, mattresses, tackle and other equipment to be used in the transfer operation. Any and all equipment which in the judgment of the master or other person in charge of the vessel is not in safe working condition shall be rejected and the master or such other person shall prohibit its use and take such precautions as he may deem necessary to be certain such rejected equipment is not used for the purpose of loading or unloading explosives. The master or other person in charge of the vessel shall keep watch of all equipment used during the transfer of explosives and if any part of the equipment shows any defect or is damaged in use, work shall be stopped and the damage or defective equipment repaired or replaced before permitting the loading or unloading to continue. This inspection of cargo working equipment shall apply to the vessel's equipment and to stevedore or other contractor's equipment. [Reg. 88.A–19]

§ 4.115j *Lights, firearms, matches, cigarette lighters, bale hooks, oily rags, metallic tools, footwear.* No artificial light except electric lights or electric lamps or flood lights shall be used while loading or unloading explosives. Flash lights of a non-spark type shall be provided by the vessel owner or operator for persons required to enter holds in which explosives are stowed. Members of the crew of the vessel and other persons permitted on board the vessel to aid and assist in loading or unloading explosives shall not be permitted to have or carry on their persons firearms, matches, cigarette lighters, bale hooks, oily rags, or metallic tools. No person engaged in loading or unloading Class A dangerous or Class B less dangerous explosives (except fireworks) shall wear boots or shoes shod or strengthened with iron nails or metal, unless such boots or shoes are covered with rubber, leather, felt or some such nonsparking material. [Reg. 88.A–20]

§ 4.115k *Fires on docks, lighters, or vessels.* No unnecessary fire shall be permitted on docks, lighters or vessels, while loading or unloading explosives. Fires deemed necessary must be properly safeguarded and left in constant charge of some competent person assigned for that purpose by the master for the entire period of cargo transfer. A line of fire hose of sufficient length to cover the area of loading or unloading operations and connected with an adequate water supply shall be laid ready for use. [Reg. 88.A–21]

§ 4.115l *Smoking prohibited.* Smoking is prohibited on or near any vessel loading or unloading explosives. "No Smoking" warning signs shall be posted during operations of loading or unloading such cargo. "No Smoking" signs shall be located on the pier at a safe distance from the vessel when such loading or unloading is taking place at a pier [Reg. 88.A–22]

§ 4.115m *Persons under influence of liquor or drugs.* No person who, in the judgment of the master or other person in charge of the vessel, may be considered as being under the influence of liquor or drugs, shall be permitted on board a vessel while loading or unloading or transporting explosives. [Reg. 88.A–23]

§ 4.115n *Damaged or leaking containers of explosives.* If upon arrival of a vessel in port it is found that a container of explosives has been damaged or is leaking the master of the vessel shall consult the port authorities and request instructions as to disposition of the insecure container. Any container of explosives showing evidence of damage or leakage of a liquid ingredient shall not be handled with other explosives being loaded or unloaded but shall be segregated and held for inspection and disposition [Reg. 88.A–24]

§ 4.115o *Damaged or leaking containers of explosives not to be accepted for transportation.* Any container of an explosive when offered for transportation or storage in the Canal Zone showing excessive dampness or escaping nitrous fumes, or which is moldy or shows outward signs of any oil stain or other indication that the absorption of the liquid part of the explosive is not perfect, or that the amount of the liquid part of the explosive is greater than the absorbent can carry, shall not be accepted for transportation. The master or person in charge must substantiate any claim that a stain is due to accidental contact with grease, oil, or similar substance. In case of doubt the container shall be refused. [Reg. 88.A–25]

GLEN E. EDGERTON,
Governor

[F. R. Doc 43-816; Filed, January 16, 1943 10:16 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 2—ADJUDICATION: VETERANS' CLAIMS

JURISDICTION

Revision of § 2.1007.

§ 2.1007 *Information on all decisions to be furnished to veterans.* The claimant will, in all cases in which he appears personally before a rating board, be informed by the board of the decision reached and the reason therefor. The claimant will also be advised upon completion of adjudicative action based upon the decision, of the provisions thereof, and his entitlement or non-entitlement thereunder and of his right of appeal, and of the time within which appeal must be taken. While failure to receive written notice of right to, and time for, appeal will not extend the time for filing appeal, it will not preclude an administrative review in a meritorious case upon a proper authorization. (January 18, 1943) (48 Stat. 9; 38 U.S.C. 707)

[SEAL] FRANK T. HINES,
Administrator.

[F. R. Doc. 43-763; Filed, January 15, 1943; 11:37 a. m.]

PART 30—BOARD OF VETERANS' APPEALS

JURISDICTION OF THE BOARD OF VETERANS' APPEALS

Revision of § 30.9803.

§ 30.9803 *Appeals filed under the laws repealed by Public No. 2, 73d Congress.* (a) The board of veterans' appeals shall have jurisdiction to consider appeals from decisions rendered under the laws in force on March 19, 1933, relating to claims for pension, compensation, or emergency officers' retirement pay, in all cases reviewed pursuant to the provisions of paragraph 2 of section 20, Public No. 78, 73d Congress, including claims for increase of such benefits. The board of veterans' appeals shall also have jurisdiction to consider appeals either by the claimant or his authorized representative or by an authorized employee of the Veterans Administration properly filed prior to March 20, 1933, in accordance with the then existing procedure, in claims for pension, compensation, or emergency officers' retirement pay, including claims for increase of such benefits, where the claim has been continuously prosecuted. (January 18, 1943) (48 Stat. 10; 38 U.S.C. 709)

No change in (b) and (c).

[SEAL] FRANK T. HINES,
Administrator.

[F. R. Doc. 43-764; Filed, January 15, 1943; 11:37 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Reclamation

[No. 3]

PART 402—ANNUAL WATER CHARGES

YAKIMA PROJECT, WASH.; ROZA DIVISION

JANUARY 1, 1943.

Whereas, I have determined that it is factually impossible, in view of provision for construction of distribution works by the United States under the contract with the Roza Irrigation District dated December 13, 1935, to make water available for diversion by said District for irrigation use as contemplated in article 16 of the contract of July 8, 1921, as amended by the contract with the said District dated April 15, 1935; and

Whereas, it is factually impossible to promulgate during the year 1943, any of the public notices of construction charges contemplated in article 12 of said contract dated December 13, 1935, because construction work contemplated by said contract is not sufficiently advanced; therefore

3. Announcement is hereby made, pursuant to article 31 of the contract dated December 13, 1935, that water may be furnished, if and when available, during the irrigation season of 1943 (from April 1 to October 31, inclusive) for the irrigation of Roza Irrigation District lands, hereinafter described, upon a water rental basis, at rates and upon terms following:

(a) For privately owned lands under the Yakima Ridge Canal in the following sections:

Sections 17, 20, 29, and 32, township 14 north, range 19 east, W. M.;

Sections 16, 22, 23, 25, 26, and 36, township 13 north, range 19 east, W. M.;

Sections 30–31, and 32, township 13 north, range 20 east, W. M.;

Sections 4, 5, 6, 7, 8, 9, 17, 18, 28, 29, 30, 31, 32, 33, and 34, township 12 north, range 20 east, W. M.;

Sections 1 11, 12, 13, and 14, township 12 north, range 19 east, W. M.;

Sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 24, and 25, township 11 north, range 20 east, W. M.;

Sections 7, 17, 18, 19, 20, 21, 22, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36, township 11 north, range 21 east, W. M.;

Sections 1, 2, 3, and 4, township 10 north, range 21 east, W. M.;

Sections 29, 30, 31, 32, and 33, township 11 north, range 22 east, W. M.;

Sections 4, 5, and 6, township 10 north, range 22 east, W. M.

(b) A minimum charge of one dollar ($1.00) per irrigable acre for each irrigable acre of the legal subdivision for which such service is requested for two (2) acre-feet per acre per annum, and payable by the District to the United States in advance of delivery of water. Additional water will be furnished at the following rates payable by the District in advance:

	Per acre-foot
Third acre-foot per acre	$0.75
Fourth acre-foot per acre	1.00
Fifth acre-foot per acre	1.25

4. Water will be delivered and measured at the tap or weir nearest to the individual farms.

5. The District will request water delivery for, and certify to the United States as entitled to receive water, only such lands as are owned or are held under contract of purchase by persons duly qualified to receive water under the terms of said Reclamation Act of June 17, 1902 (32 Stat., 388), and acts of Congress supplementary thereto or amendatory thereof, and who have duly complied with the requirements of the contract of December 13, 1935, between the United States and the Roza Irrigation District, including:

(a) The execution and delivery of the recordable contract,

(b) The execution and delivery of an application for water service, as provided for in article 28 of said contract; and

(c) The execution and delivery of a valid recordable contract, in the case of ownership of excess land, as provided for in article 29 of said contract.

6. Applications for water on the basis of this announcement will be received at the office of the Secretary of the Roza Irrigation District at Zillah, Washington, and payments will be made to that office.

(Act of June 17, 1902, 32 Stat. 388, as amended and supplemented)

ABE FORTAS,
Under Secretary.

[F. R. Doc. 43-813; Filed, January 16, 1943; 10:16 a. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order 8, (Rev.), Supp. 9]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

PAYMENT ON ACCOUNT; RIGHTS THEREUNDER

Whereas, the War Shipping Administrator authorized the payment on account in the amount of only seventy-five per cent of the amount of hire stipulated in time charters and fifty per cent of the amount of hire stipulated in bareboat charters covering requisitioned vessels, and directed the withholding of the balance of such hire as set forth in the communication addressed by the Secretary, War Shipping Administration, "To the Owners of All Vessels Purchased, Chartered, or Requisitioned for Use or Title by the War Shipping Administration" dated December 17, 1942, and

Whereas, for administrative convenience and to avoid unnecessary duplication of legal and administrative documents and to facilitate operations, it is desirable to make provision for blanket reservations of all legal rights.

It is ordered, That General Order 8 (Revised), be amended by adding the following:

§ 302.88 *Payment on account; rights thereunder.* In cases where the War Shipping Administrator has authorized or hereafter shall authorize payment on account in the amount of only seventy-five (75) per cent of the amount of hire stipulated in time charters and fifty (50) per cent of the amount of hire stipulated in bareboat charters covering requisitioned vessels, and has directed or hereafter shall direct the withholding of the balance of such hire, payment of the said seventy-five (75) per cent or fifty (50) per cent of the hire, as the case may be, or any modifications thereof, by the War Shipping Administration shall be without prejudice of any of the rights, claims or defenses of the United States of whatsoever kind or nature and acceptance of said seventy-five (75) per cent or fifty (50) per cent of hire, as the case may be, or any modifications thereof, by the owner, or any other person entitled to receive the hire, of any chartered vessel shall be deemed to have been made under protest and shall not constitute an accord and satisfaction of hire due, or

[illegible] tabulation in § 402.2e.

powder. [Reg. 88.A-17]

period of cargo transfer. A line of fire

claimant will also be advised upon

waiver of the right, if any, to claim and sue for the full hire due, with interest, and shall be without prejudice to the rights, if any, of the parties under the charter agreements and the Constitution and Laws of the United States. (E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND, *Administrator.*

JANUARY 15, 1943.

[F. R. Doc. 43-814; Filed, January 16, 1943; 10:56 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Amendment 1 to Service Order 102[1]]

PART 97—ROUTING OF TRAFFIC

COAL TO TOLEDO, OHIO, AND MICHIGAN

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 14th day of January, A. D. 1943.

Good cause appearing therefor and upon further representations from the Office of Defense Transportation: *It is ordered*, That

Section 97.5 (a) [8 F.R. 449] be, and it is hereby, amended to read as follows:

§ 97.5 *Coal to Toledo, Ohio, and Michigan.* (a) All cars loaded with coal originating on the Chesapeake and Ohio Railway in the states of Kentucky, Virginia, West Virginia and Ohio, or delivered to the Chesapeake and Ohio Railway by other railroads in those states, with destinations at Toledo, Ohio, or points in the state of Michigan, or moving through those points destined to points beyond, shall be transported by the Chesapeake and Ohio Railway to Toledo, Ohio, for delivery or further movement, notwithstanding shippers' routing instructions to the contrary, except cars routed via the Detroit, Toledo and Ironton Railroad. Cars loaded with coal originating on the Norfolk and Western Railway in the states of Virginia and West Virginia, or delivered to the Norfolk and Western Railway by other railroads in those states, with destinations at Toledo, Ohio, or points in the state of Michigan, or moving through those points destined to points beyond, not to exceed 100 cars per day, shall be diverted to the Detroit, Toledo and Ironton Railroad at Glen Jean, Ohio, notwithstanding shippers' routing instructions to the contrary.

It is further ordered, That the effective date of this order shall be postponed to February 1, 1943; that copies of this amendment be served upon the carriers named in the original order and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this amendment be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 43-778; Filed, January 15, 1943; 3:30 p. m.]

[1] 8 F.R. 449.

[Service Order 102-A]

PART 97—ROUTING OF TRAFFIC

REVOCATION OF CAR SERVICE AGREEMENT

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 15th day of January, A. D. 1943.

Good cause appearing therefor and upon further representations from the Office of Defense Transportation: *It is ordered*, That:

Service Order No. 102, dated January 8, 1943, as amended January 14, 1943, § 97.5 of Part 97, be, and the same is hereby, vacated and set aside.

It is further ordered, That copies of this order be served upon the carriers named in Service Order No. 102 and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 43-887; Filed, January 18, 1943; 11:42 a. m.]

[2] 7 F.R. 9054.

[Amendment 2 to Posting Order 308]

PART 148—POSTING TARIFFS AT STATIONS

MODIFICATION OF POSTING REQUIREMENTS

In the matter of modification of the provisions of section 6 of the Act with regard to posting freight or passenger tariffs at stations.

The modification of the posting requirements made by Posting Order No. 308 of April 30, 1942, as amended November 2, 1942, being under further consideration, and good cause appearing therefor:

It is ordered, That the list of localities specifically named in the eighth paragraph (§ 148.8) of the Commission's order of October 12, 1915, as amended by Posting Order No. 308 of April 30, 1942 and Amendment No. 1 thereto dated November 2, 1942,[1] be, and it is hereby further amended by adding to said list of localities at which complete public files of tariffs shall be provided and maintained, the following item:

Fordyce and Princeton R. R. Co., Little Rock, Ark.

And it is further ordered, That this order shall continue in force until further order of the Commission.

Dated at Washington, D. C., this 14th day of January, 1943.

By the Commission, Commissioner Aitchison.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 43-889; Filed, January 18, 1943; 11:42 a. m.]

[1] 7 F.R. 9054.

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-78]

TECUMSEH COAL CORP.

MEMORANDUM OPINION, ETC.

In the matter of the petition of Tecumseh Coal Corporation for revision of the effective minimum prices for the coals of Mine Index No. 105, District No. 11, in size groups 17 to 25, inclusive, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Memorandum opinion and order granting motion of District Board No. 11 and notice of and order for hearing.

This proceeding was instituted upon an original petition filed pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 by Tecumseh Coal Corporation, requesting a revision of the effective minimum prices for the coals of its Tecumseh Mine, Mine Index No. 105, District 11, in Size Groups 17-25, inclusive. Pursuant to appropriate order and after due notice, a hearing was held before H. A. Gray, the then Director of the Division. Thereafter, on November 2, 1942, the undersigned issued an opinion stating that he was not inclined to establish a special minimum price for petitioner's coals for shipment to a single consumer, and an order affording petitioner leave to amend its petition in accordance with the opinion.

On November 16, 1942, petitioner filed its amended petition requesting that the relief requested be made applicable for shipments of coal into Market Areas 21-28, inclusive, and 30-34, inclusive.

On November 27, 1942, District Board No. 11, an intervenor, filed a motion to postpone the reopened hearing for a sufficient length of time to enable the district board to make further investigation of the coals produced by the Tecumseh Mine and by other fifth vein mines in District 11, suggesting that such investigation would require from 60 to 90 days.

Good cause therefor having been shown, the motion of District Board 11 should be granted.

The hearing should be reopened, but at a date approximately sixty (60) days hence.

It is, therefore, ordered, That the hearing in this proceeding be reopened and held, under the applicable provisions of the Act and the rules of the Division, on March 9, 1943, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in Room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Charles S. Mitchell or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, to examine witnesses, to take evidence, to continue said hearing from time to time, to consider as part of the record in this matter the transcript of the hearing heretofore held before H. A. Gray, as above mentioned, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person who has not heretofore filed a petition of intervention in this matter and who desires to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the amended petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before March 1, 1943.

The matter concerned herewith is in regard to the propriety of a revision of the effective minimum prices, as established in Docket 15-A, for coals in Size Groups 17-25, inclusive, produced by Tecumseh Coal Corporation at its Tecumseh Mine, Mine Index No. 105, in District 11, particularly, but not necessarily exclusively, for shipment to Market Areas 21-28, inclusive, and 30-34, inclusive.

Dated: January 14, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-766; Filed, January 15, 1943; 12:17 p. m.]

[Docket No. A-1757]

DISTRICT BOARD 1

NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 1 for changes in price classification and minimum prices and in subdistrict designations for the coals of certain mines in District No. 1.

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on January 28, 1943, at 10 o'clock in the forenoon of that day, Washington, D. C. On such day the Chief of the Records Section will advise as to the room where such hearing will be held.

It is further ordered, That D. C. McCurtain or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before the 23d day of January, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 1 for changes in price classifications and minimum prices and in subdistrict designations for the coals of certain mines in District No. 1, as shown in Exhibit A attached hereto and made a part hereof.[1]

It is further ordered, That the request for temporary relief be, and the same hereby is, denied without prejudice to the renewal of such request for temporary relief, upon further showing or upon the basis of the record to be made at the hearing to be held herein.

Dated: January 15, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-811; Filed, January 16, 1943; 10:37 a. m.]

[1] Filed as part of the original document.

[Docket No. A-1694 Part II]

DISTRICT BOARD 9

ORDER GRANTING MOTION TO WITHDRAW PETITION, AND CANCELLING HEARING

In the matter of the Petition of District Board No. 9 requesting reclassification of the coals of the Ashmore & Poe Brothers' Mine, Mine Index No. 860, in District No. 9.

An original petition was filed with the Division by District Board 9 in Docket No. A-1694, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting the establishment of temporary and permanent price classifications and minimum prices for the coals of certain mines in District No. 9 and also requesting the reclassification of the coals of Ashmore & Poe Brothers' Mine (Mine Index No. 860) for rail and truck shipments.

By an order dated December 2, 1942 the portion of Docket No. A-1694 relating to the reclassification of the coals of Mine Index No. 860 was severed from the remainder of Docket No. A-1694 and designated as Docket No. A-1694, Part II; the request for temporary relief in Docket No. A-1694, Part II was denied, and a hearing in the matter was scheduled to be held on January 26, 1943.

On December 31, 1942, District Board 9 filed a motion to withdraw the part of the petition in the above entitled matter which pertains to Ashmore & Poe Brothers' Mine (Mine Index No. 860) on the ground that operation has ceased at Mine Index No. 860, and requested that the hearing in this matter be cancelled.

Now, therefore, It is ordered, That the motion of District Board 9 to withdraw that part of its petition in the above entitled matter which pertains to Ashmore & Poe Brothers Mine (Mine Index No. 860) be, and it hereby is, granted.

It is further ordered, That the hearing in Docket No. A-1694, Part II, heretofore scheduled to be held on January 26, 1943 be, and it hereby is, cancelled.

Dated: January 15, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-810; Filed, January 16, 1943; 10:37 a. m.]

[Docket No. B-285]

P. S. NICHOL LUMBER COMPANY

ORDER ADOPTING PROPOSED FINDINGS OF FACT, ETC.

In the matter of P. S. Nichol, doing business under the name and style of P. S. Nichol Lumber Company, registered distributor, Registration No. 6859.

Order approving and adopting the proposed findings of fact, proposed conclusions of law and recommendation of the examiner, and revoking certificate of registered distributor.

This proceeding was instituted upon a Notice of and Order for Hearing dated July 2, 1942, issued by the Bituminous Coal Division pursuant to section 4 II (h) of the Bituminous Coal Act of 1937

and § 304.14 of the Rules and Regulations for the Registration of Distributors, to investigate and determine whether P. S. Nichol, an individual doing business under the name and style of P. S. Nichol Lumber Company, a registered distributor, Registration No. 6859, of St. Charles, Illinois, has violated any provision of the Act, the Code, the rules and regulations of the Division, including the Marketing Rules and the Distributors' Rules, or the Agreement executed by said P. S. Nichol as a registered distributor, and whether, if such violation occurred, the registration of respondent should be revoked or suspended or other appropriate orders, should be issued.

Pursuant to Notice of and Order for Hearing, and after due notice to all interested persons, a hearing in this matter was held on August 5, 1942, before Charles O. Fowler, a duly designated Examiner of the Division, at a hearing room thereof at Chicago, Illinois. All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard. P. S. Nichol, respondent, appeared.

The Examiner made and entered his Report, Proposed Findings of Fact, Proposed Conclusions of Law, and Recommendation in this matter, dated October 9, 1942, in which he found that P. S. Nichol, an individual doing business under the name and style of P. S. Nichol Lumber Company, a registered distributor, Registration No. 6859, had wilfully violated the Act, the Code, the Rules and Regulations, and the Orders of the Division, as alleged in the Notice of and Order for Hearing, during the period from November 19, 1940, to February 9, 1942, in that he accepted and retained discounts from the West Kentucky Coal Company, a code member, in the sum of $81.25, and from the Old Ben Coal Company, a code member, in the sum of $4.72, to which discounts he was not entitled.

The Examiner recommended that an order be entered cancelling and revoking the registration of said P. S. Nichol as a registered distributor and providing that no petition by said Nichol seeking reinstatement as a registered distributor be entertained within a period of 60 days from the effective date of said revocation, and that any petition for reinstatement presented by P. S. Nichol be supported by his affidavit affirming that during the period in which his registration as a registered distributor was cancelled and revoked he neither directly nor indirectly transacted any business as a registered distributor, nor received, nor was promised any discounts to which distributors are entitled by virtue of their registration, and further affirming that he has returned to the aforementioned code members the discounts unlawfully retained by him, specifying the amounts thereof and the dates when such discounts were returned.

An opportunity was afforded to all parties to file exceptions to the Examiner's report and to file supporting briefs, and no such exceptions or supporting briefs have been filed.

The undersigned has considered the record in this matter and has determined that the Proposed Findings of Fact, Proposed Conclusions of Law, and Recommendation of the Examiner should be approved and adopted as his Findings of Fact and Conclusions of Law.

Now, therefore, It is ordered, That the Proposed Findings of Fact and Proposed Conclusions of Law of the Examiner be and the same are hereby approved and adopted as the Findings of Fact and Conclusions of Law of the undersigned.

It is further ordered, That effective fifteen (15) days from the date hereof the registration of P. S. Nichol, an individual doing business under the name and style of P. S. Nichol Lumber Company, a registered distributor, Registration No. 6859, be, and it hereby is, cancelled and revoked.

It is further ordered, That no petition of said P. S. Nichol seeking reinstatement as a registered distributor shall be entertained before a period of 60 days from the effective date of the revocation of his certificate as a registered distributor shall have expired.

It is further ordered, That any petition of said P. S. Nichol for reinstatement as a registered distributor shall be supported by his affidavit which shall affirm that during the period in which his registration was cancelled and revoked he has neither directly nor indirectly transacted any business as a registered distributor, nor received nor was promised any discounts which distributors are entitled to receive by virtue of their registration, and which shall further affirm that he has returned to the code members named all discounts unlawfully retained by him, specifying the amounts so returned and the dates when such discounts were returned.

Dated: January 14, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-812; Filed, January 16, 1943; 10:37 a. m.]

[Docket No. C-24]

B. F. GOODRICH CO.

ORDER POSTPONING HEARING

In the matter of the application of the B. F. Goodrich Company for exemption pursuant to section 4–A of the Bituminous Coal Act of 1937.

The applicant in the above-entitled matter having moved that the hearing in said matter, heretofore scheduled for January 28, 1943, be postponed until February 20, 1943, or thereafter, and good cause having been shown why said motion should be granted;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be postponed from January 28, 1943, until 10 o'clock in the forenoon of February 23, 1943, at the place and before the officers heretofore designated.

Dated: January 16, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-868; Filed, January 18, 1943; 10:42 a. m.]

General Land Office.

[Stock Driveways 209, Oreg. 26 and 238, Oreg. 36]

OREGON

MODIFICATION AND REDUCTION OF STOCK DRIVEWAY WITHDRAWALS

By virtue of the authority contained in section 7 of the act of June 28, 1934, 48 Stat. 1272, as amended by the act of June 26, 1936, 49 Stat. 1976 (U.S.C., title 43, sec. 315f), and in section 10 of the act of December 29, 1916, 39 Stat. 865, as amended by the act of January 29, 1929, 45 Stat. 1144 (U.S.C., title 43, sec. 300): *It is ordered*, As follows:

The following-described public lands in Oregon are hereby classified as necessary and suitable for the purpose and, excepting any mineral deposits therein, are withdrawn from all disposal under the public-land laws and reserved, subject to valid existing rights, for the use of the general public as an addition to Stock Driveway Withdrawal No. 209, Oregon No. 26:

WILLAMETTE MERIDIAN

T. 12 S., R. 26 E.,
sec. 13, W½W½;
sec. 25, W½W½;
sec. 35, W½SW¼.
T. 13 S., R. 26 E.,
sec. 3, lot 1, SE¼NE¼, and E½SE¼;
sec. 10, NE¼NE¼.

The areas described aggregate 599.95 acres.

Any mineral deposits in the lands shall be subject to location and entry only in the manner prescribed by the Secretary of the Interior in accordance with the provisions of the aforesaid act of January 29, 1929, and existing regulations.

The orders of the Assistant Secretary of the Interior of February 25, 1930, May 11, 1931, August 9, 1933, and January 19, 1937, establishing and modifying Stock Driveway Withdrawals Nos. 209 and 238, Oregon Nos. 26 and 36, are hereby revoked so far as they affect the following-described lands:

WILLAMETTE MERIDIAN

T. 11 S., R. 26 E.,
sec. 35, NE¼SE¼ and S½S½.
T. 12 S., R. 26 E.,
sec. 14, E½, E½;
sec. 26, E½E½;
sec. 30, E½E½;
sec. 32, W½W½;
sec. 34, E½SW¼.
T. 13 S., R. 26 E.,
sec. 4, E½;
sec. 6, lots 2, 3, 4, 5, 6, and 7;
sec. 7, lots 1, 2, and E½NW¼;
sec. 10, NW¼NW¼, S½NW¼, NE¼SW¼, and W½SE¼;
sec. 14, SW¼NW¼, SW¼, and W½SE¼;
sec. 24, NE¼NW¼.

The areas described aggregate 2,197.78 acres.

OSCAR L. CHAPMAN
Assistant Secretary of the Interior

JANUARY 8, 1943.

[F. R. Doc. 43-806; Filed, January 16, 1943; 10:16 a. m.]

Office of Indian Affairs.

OROVILLE—TONASKET IRRIGATION DISTRICT, WASHINGTON

CANCELLATION OF ACCRUED CHARGES

Whereas, The Act of Congress approved June 22, 1936 (49 Stat. 1803), authorized and directed the Secretary of the Interior to cause an investigation to be made to determine whether the owners of non-Indian lands within Indian irrigation projects and under projects where the United States has purchased water rights for Indians are unable to pay irrigation charges, and

Whereas, the said Act provides in part as follows:

> Where the Secretary finds that said landowners are unable to make payment due to the existence of such causes, he may adjust, defer, or cancel such charges, in whole or in part, as the facts and conditions warrant. In adjusting or deferring any such charges the Secretary may enter into contracts with said landowners for the payment of past due charges, but such contracts shall not extend the payment of such charges over a period in excess of ten years,

and

Whereas, such investigation and report covering the Oroville-Tonasket Irrigation District, Washington, have been completed, showing it to be economically infeasible for many of the owners now in possession of lands formerly in Indian ownership to pay the accrued construction, operation, and maintenance charges against them and that the collection of such charges should be adjusted, canceled in part, and payment of the balance to be made either in cash by the District or in installments by the individual landowners spread over periods of years, and

Whereas, it appears that the United States of America has paid $65,324.59 for the water right and for operation and maintenance for 908.47 acres of land formerly in Indian ownership but now owned by non-Indians, and

Whereas, it appears that $11,963.76 of said amount should be canceled on account of 168.74 acres of land, which it is no longer economically feasible to irrigate, and that further adjustments should be made in the balance of $53,360.83 then remaining chargeable against the balance of the acreage totaling 739.73 acres; and

Whereas, it appears that the sum of $25,315.52 should be spread over 739.73 acres (908.47 acres less 168.74 acres), and that a net credit of $6,778.15 ($8,278.95 gross receipts minus an economic credit of $1,500.80), representing repayments heretofore made by certain landowners should be given for such lands and the balance of $18,537.37 should be collected on account of said lands,

Now, therefore, I, Harold L. Ickes, Secretary of the Interior, pursuant to authority vested in me by the Act of June 22, 1936, and subject to confirmation by Congress as provided in section 6 of said Act hereby

(1) Cancel $40,009.07 of unpaid charges and adjust and restate the account between the United States of America and individual landowners within the Oroville-Tonasket Irrigation District, as follows:

Paid by the United States of America for water right on 908.47 acres		$61,603.35
Paid by the United States of America for operation and maintenance costs		3,721.24
Total amount paid by the United States		$65,324.59
Cancel on account of 168.74 acres of non-irrigable land	$11,963.76	
Cancel for enonomic reasons on condition $18,537.37 is paid	28,045.31	
Total cancellations		40,009.07
Balance recommended for collection		25,315.52
Receipts	$8,278.95	
Less: Amounts not recommended for refund	1,500.80	
Net repayments		6,778.15
Balance due the United States from individual landowners		18,537.37

Provided, That cancellation of $28,045.31 shall become effective upon the repayment, or upon the execution of contracts with individual landowners providing for the repayment in full, of the adjusted balance of $18,537.37, as specified on pages 69, 70, and 71 of the said report: *Provided, however*, That the District may pay the amount due in one payment, in which event the Government's lien shall be assigned to the District;

(2) Find that liens existing against each allotment of former Indian land affected by this order should be continued in full force and effect until the balance due against lands within such allotment shall have been so paid to the United States;

(3) Find that no landowner should be reimbursed for payments heretofore made by himself or his predecessors to the United States even though such payments exceed the adjusted amounts charged against his land before credit for repayments has been given.

Done at Washington, D. C., this 19th day of May 1942.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 43-866; Filed, January 18, 1943; 10:07 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Marketing Administration.

HANDLING OF MILK IN FALL RIVER, MASS., AREA

Notice of report and opportunity to file written exceptions with respect to a proposed marketing agreement, as amended, and Amendment 2 to Order 47, as amended, regulating the handling of milk in the Fall River, Massachusetts, Marketing Area.

Pursuant to § 900.12 (a), General Regulations, as Amended, Agricultural Marketing Administration, United States Department of Agriculture, notice is hereby given of the filing with the hearing clerk of this report of the Administrator of the Agricultural Marketing Administration with respect to an amended marketing agreement and to Amendment 2 to the order regulating the handling of milk in the Fall River, Massachusetts, marketing area. Interested parties may file exceptions to this report with the Hearing Clerk, Room 1329, Department of Agriculture, Washington, D. C., not later than the close of business on the 10th day after publication of this notice in the FEDERAL REGISTER.

The proceeding was initiated by the Agricultural Marketing Administration as the result of written petitions filed by the Fall River Milk Producers' Association, Inc., and the New England Milk Producers' Association, Inc., for a public hearing to receive evidence on several amendments they proposed. Other amendments were proposed by handlers after all interested parties had been notified by letter of the pending petition. It was concluded from consideration of the various proposed amendments that the hearing should be held and a notice of hearing was accordingly issued on April 18, 1942. The hearing was convened October 1, 1942, at Westport, Massachusetts. The hearing included, in addition to the industry proposals, consideration of proposals for amendments made by the Dairy and Poultry Branch, Agricultural Marketing Administration. The major issues developed at the hearing were concerned with (1) the classification of milk actually lost in handling operations (commonly known as shrinkage) and the classification of buttermilk, (2) the level of prices for Class I milk both inside and outside the marketing area, (3) the Class II skim milk price level, and (4) classification of interhandler transactions, particularly as between Fall River and Boston handlers.

With respect to these issues it is concluded from the record:

(1) The Class I price level should be increased 23 cents per hundredweight.

(2) Actual plant shrinkage should be reclassified from the present arrangement, which requires shrinkage associated with the handling of each class of milk to be in the respective class, to an arrangement whereby all actual shrinkage up to 2 percent of the quantity of milk received by handlers from producers shall be Class II milk.

(3) The Class II skim value should be revised to provide a value for skim milk based on prices published by the United States Department of Agriculture for roller process skim milk powder for both human consumption and animal feed, the yield factor and manufacturing cost factor to be as now provided in milk marketing Order 27 (New York metropolitan marketing area).

(4) The present paragraph in § 947.3 labeled, "Disposition of milk to other markets," should be revised to eliminate a present inconsistency between that provision and part (2) of the next succeeding provision labeled, "Disposition of milk to other markets," with respect to milk sold by a Fall River handler in the Boston marketing area. This revision will allow deletion of § 947.3 (e) (2).

(5) Administrative amendments should be made to revise the definition of the term "Secretary" to include any person who may be authorized to exercise the powers and to perform the duties of the Secretary, to amplify the powers of the market administrator to disseminate

statistics and information concerning the administration of the order, to amplify the provision relating to the responsibility of handlers in establishing the classification of milk, to clarify the powers of the administrator with respect to access to books and records necessary to verify reports of handlers, to reduce the size of the market administrator's cash balance in his producer-settlement fund, which now appears to be larger than necessary, to allow handlers 2 days longer to pay their equalization and administration assessments, and to add a new section entitled "Agents" which will allow the Secretary to designate in writing any officer or employee of the United States or any division of the United States Department of Agriculture to act as his agent in connection with this regulation.

From the evidence in the record it is concluded that other proposals for amendment heard at the hearing should not be adopted. These include reclassification of buttermilk from Class I to Class II and provision for pricing Class I milk sold outside the market area at prevailing prices in such outside markets if they differ from the Fall River prices.

The following proposed amendment prepared by the Administrator pursuant to § 900.12 (a) of the General Regulations, as amended, Agricultural Marketing Administration, is recommended as the detailed means by which these conclusions may be carried out. The proposed amended marketing agreement is not included in this report because the provisions thereof will be the same as the provisions of the proposed amendment to the order.

PROPOSED AMENDMENT 2 TO THE ORDER, AS AMENDED, REGULATING THE HANDLING OF MILK IN THE FALL RIVER, MASSACHUSETTS, MARKETING AREA

It is found upon the evidence introduced at the public hearing held at Westport, Massachusetts, October 1, 1942:

Findings

1. That prices calculated to give milk produced for sale in the marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8c (50 Stat. 246; 7 U.S.C. 1940 ed. 602, 608c), are not reasonable in view of the available supplies of feeds, the price of feeds, and other economic conditions which affect the supply of and demand for such milk and that the minimum prices set forth in this amendment to said order are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and that the fixing of such prices does not have for its purpose the maintenance of prices to producers above the levels which are declared in the act to be the policy of Congress to establish;

2. That the order, as amended by this amendment, regulates the handling of milk in the same manner as and is applicable only to handlers defined in a marketing agreement, as amended, upon which a hearing has been held; and

3. That the issuance of this amendment to the order, as amended, and all of the terms and conditions of the order, as so amended, tend to effectuate the declared policy of the act.

Provisions

1. Delete § 947.1 (a) (2) and substitute therefor the following:

(2) The term "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the United States Department of Agriculture who is, or who may hereafter be, authorized to exercise the powers and perform the duties of the Secretary of Agriculture of the United States.

2. Add a new subparagraph to § 947.2 (b) as follows:

(4) Prepare and disseminate, for the benefit of producers, consumers, and handlers, such statistics and information concerning the operation of this order as do not reveal confidential information.

3. Delete § 947.3 (a) (2) (ii) and substitute therefor the following:

(ii) All milk accounted for as actual plant shrinkage not in excess of 2 percent of milk received from producers including milk of the handler's own production.

4. From § 947.4 (a) delete the words "for delivery periods prior to April 1, 1943, and thereafter $3.42 per hundredweight," and delete the present table of prices and substitute therefor the following:

92-score butter, wholesale, at New York average of quotations of the United States Department of Agriculture for 30 days immediately preceding the 25th day of each month (cents per pound).	Class I price for the delivery period following the 25th day of each month
	Dollars per hundredweight
Under 40	4.88
40 or over but under 45	4.11
45 or over	4.44

5. Delete the proviso in § 947.4 (b) and substitute therefor the following:

Provided, That for all delivery periods, except April, May, and June, any plus amount for skim value shall be added which results from the following computation: compute the average for all the dry skim milk powder quotations for carlots for "human food products (roller process) in barrels" and for "animal food products (hot roller) in bags," (using midpoint of any range as one quotation), published during such delivery period by the United States Department of Agriculture for New York City, subtract 4.0 cents, and multiply by 7.5; and that for the delivery periods of April, May, and June, compute any plus amount for skim value which results from the average of the skim value computed above and a value obtained as follows: compute the average of all quotations (using midpoint of any range as one quotation), published during the delivery period in the "Oil, Paint, and Drug Reporter" for domestic 20–30 mesh casein in bags in carlots at New York, subtract 6.6 cents and multiply by 2.2: *Provided further*, That if either computation results in a minus amount, the other shall be used in lieu of the average.

6. Add a new paragraph to § 947.3 as follows:

(a) *Responsibility of handlers in establishing the classification of milk.* In establishing the classification of any milk received by a handler from producers, the burden rests upon the handler who receives milk from producers to account for the milk and to prove that such milk should not be classified as Class I milk.

7. Delete § 947.3 (b) and substitute therefor the following:

(b) *Sales of milk from handlers to other handlers or nonhandlers.* Milk disposed of from one handler to another handler, to persons who distribute milk or manufacture milk products, or milk disposed of in other ways outside of the marketing area shall be classified, subject to verification by the market administrator, as follows:

(1) Disposition from a handler to a producer-handler shall be Class I.

(2) Disposition from a handler to another handler or to a plant subject to another order of the Secretary, except as provided in (1) of this paragraph, shall be Class I: *Provided*, That if such milk or skim milk is reported as having been utilized as Class II by the person who received it or by the disposing handler, it shall be classified accordingly.

(3) Disposition from a handler to persons not handlers or producer-handlers who distribute milk or manufacture milk products, and exclusive of milk disposed of to a plant subject to another order of the Secretary, shall be Class I, not to exceed the total quantity of Class I milk, or skim milk, at such plant.

8. Delete § 947.3 (c) (2).

9. Delete § 947.5 (c) and substitute therefor the following:

(c) *Verification of reports.* For the purpose of ascertaining the correctness of any report made to the market administrator as required by this order or for the purpose of obtaining the information required in any such report where it has been requested and has not been furnished, each handler shall permit the market administrator or his agent, during the usual hours of business to (1) examine such books, papers, records, copies of income tax reports, accounts, correspondence, contracts, documents, and memoranda as the market administrator deems relevant and which are within the control of any such handler from whom such report was requested; or of any person having, either directly or indirectly, actual or legal control of or over such handler; or of any subsidiary of any such handler; (ii) weigh, sample, and test milk; and (iii) make such examination of operations, equipment, and facilities as the market administrator deems necessary.

10. Delete § 947.7 (b) (4) and substitute therefor the following:

(4) Add the cash balance, if any, in his hands from payments made by handlers, during the delivery period next preceding, to meet the obligations arising out of § 947.9 (d).

11. In § 947.9 (c) and § 947.11 (a) delete the words "13th day" and substitute therefor the following: "15th day."

12. In § 947.9 (d) delete the words "15th day" and substitute therefor the following: "16th day."

13. In § 947.10 (a) preface the present language with the words, "On or before the 15th day after the end of each delivery period," and delete the words "On or before the end of such delivery period."

14. In § 947.10 (b) preface the present language with the words, "On or before the 17th day after the end of each delivery period," and delete the words "On or before the end of each delivery period."

15. Add a new section as follows:

§ 947.13 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States or name any bureau or division of the United States Department of Agriculture to act as his agent or representative in connection with any of the provisions hereof.

This report filed at Washington, D. C., the 16th day of January 1943.

[SEAL] C. W. KITCHEN,
Acting Administrator.

[F. R. Doc. 43–819; Filed, January 16, 1943; 11:40 a. m.]

DEPARTMENT OF COMMERCE.

Office of the Administrator of Civil Aeronautics.

[Order 7]

SPORTSMAN AIRPORT, EAST MOLINE, ILL.

CANCELLATION OF LANDING AREA DESIGNATION

JANUARY 15, 1943.

It appearing that:

1. The Sportsman Airport, East Moline, Illinois, has been designated as a "Designated Landing Area", into and out of which civil aircraft may operate pursuant to the provisions of the Civil Air Regulations; and

2. Said airport has failed to maintain the minimum standards upon which the designation as a "Designated Landing Area" was granted, and has failed to conduct its operations in accordance with "Instructions to Designated Landing Area Registrar and Clearance Officers", issued by the Civil Aeronautics Administration January 15, 1942; and

3. Official requests by authorized inspectors of the Civil Aeronautics Administration to remedy such condition have been disregarded;

Now, therefore, acting pursuant to the authority vested in me by § 60.953 (c) of the Civil Air Regulations, and finding that this action is necessary to the public safety and in the interest of national defense:

It is ordered, That the designation as a "Designated Landing Area", issued to the Sportsman Airport, East Moline, Illinois, dated May 11, 1942, is cancelled. No application for designation as a "Designated Landing Area" shall be accepted from the owners and operators of said airport for a period of 6 months from the date hereof.

C. I. STANTON,
Administrator.

[F. R. Doc. 43–864; Filed, January 18, 1943; 10:07 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO ARTEX RUG MANUFACTURING CO.

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective January 18, 1943.

The employment of learners under these Certificates is limited to the terms and conditions as designated opposite the employer's name. These Certificates are issued upon the employers' representations and that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The Certificates may be cancelled in the manner provided for in the Regulations and as indicated on the Certificate. Any person aggrieved by the issuance of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE

Artex Rug Manufacturing Company, East Hagert & Emerald Streets, Philadelphia, Pennsylvania; Mohair and Jacquard rugs; Sewing machine operators; 2 learners; (T) 30 cents per hour; March 15, 1943.

Signed at New York, N. Y. this 16th day of January 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43–860; Filed, January 18, 1943; 9:24 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4233).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective January 18, 1943. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel Industry

Kramer Tie Co., 26 E. 14th St., Bayonne, New Jersey; Men's neckwear; 5 learners (T); January 18, 1944.

Stevens Hat Company, 30 South 7th Street, St. Joseph, Missouri; Men's caps; 4 learners (T); January 18, 1944.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-lined Garments Divisions of the Apparel Industry

Barrow Manufacturing Company, Candler Street, Winder, Georgia; Single pants, Gov't cotton khaki pants; 10 percent (T); January 18, 1944.

Berry Garment Mfg. Company, 422 N. Kansas St., Columbus, Kansas; H. T. suits, denim jacket & overalls; 10 learners (T); January 18, 1944.

Co-Ed Frocks Incorporated, White Hall, Illinois; Women's wear and service apparel; 110 learners (E); April 19, 1943.

Empire Garment Company, 92 S. Empire St., Wilkes-Barre, Pennsylvania; Ladies' dresses; 40 learners (E); July 18, 1943.

Israel Feather, 88 Kingston St., Boston, Massachusetts; Cotton dresses; 10 learners (T); January 18, 1944.

Morris Freezer & Company, Inc., Wytheville, Virginia; Army shirts; 10 percent (T); January 18, 1944.

Hospital Clothing Company, 1107 Walnut St., Philadelphia, Pennsylvania; Nurses' uniforms; 5 learners (T); January 18, 1944.

Jacobs, Grossman & Rosenberg, Inc., 1027 Arch Street, Philadelphia, Pennsylvania; Children's cotton dresses; 30 learners (E); July 18, 1943.

Louis Lewin Company, 1108 So. Fourth Street, Clinton, Indiana; Work clothing; 25 learners (E); July 18, 1943.

Night Comfort, Inc., Cressona, Pennsylvania; Pajamas and shirts; 10 percent (T); January 18, 1944.

Shelbaker Mfg. Co., York Springs, Adams County, Pennsylvania; Work shirts; 10 learners (T); January 18, 1944.

Sidran Sportswear, Wharton, Texas; Ladies' slacks and blouses; 75 learners (E); July 18, 1943.

Southeastern Shirt Company, Lafollette, Tennessee; Dress shirts & military shirts; 10 percent (T); January 18, 1944.

The Star Union Company, Lumberton, North Carolina; Pajamas; 10 learners (T); January 18, 1944.

Wolens Trouser Company, 4th & Water Streets, Kankakee, Illinois; Single trousers; 10 learners (T); January 18, 1944.

Glove Industry

Neubert Clausen, Mt. Road, Delaware Water Gap, Pennsylvania; Leather dress and knit fabric gloves; 2 learners (T); January 18, 1944.

John E. Fuchs Corporation, 443 4th Avenue, New York, New York; Leather dress gloves; 5 learners (T); January 18, 1944.

Hosiery Industry

Glen Raven Knitting Mills, Altamahaw, North Carolina; Full fashioned; 5 percent (T); January 18, 1944.

S & F Hosiery Mills, Incorporated; Dayton, Tennessee; Full-fashioned hosiery; 5 learners (T); January 18, 1944.

Knitted Wear Industry

Kingsboro Silk Mills, Inc., Sparta Street, McMinnville, Tennessee; Underwear, commercial knitting; 26 learners (E); July 18, 1943.

Independent Telephone

The Harrison Telephone Company, 114 South Walnut Street, Harrison, Ohio; To employ learners as commercial switchboard operators at its Harrison exchange, located at Harrison, Ohio, until January 18, 1944.

Jasper County Telephone Company, 116 North Cullen Street, Rensselaer, Indiana; To employ learners as commercial switchboard operators at its Rensselaer exchange, located at 116 North Cullen Street, Rensselaer, Indiana, until January 18, 1944.

North Side Telephone Company, 3rd Main Street, Parkville, Missouri; To employ learners as commercial switchboard operators at its Parkville exchange, located at 3rd Main Street, Parkville, Missouri; until January 18, 1944.

Textile Industry

Galax Weaving Company, Oldtown Street, Galax, Virginia; Cotton and rayon; 3 percent (T); January 18, 1944.

The Springs Cotton Mills, Kershaw, South Carolina; Combed cotton cloth; 3 percent (T); January 18, 1944.

Trio Braid Company, 1238 Callowhill Street, Philadelphia, Pennsylvania; Textile & braid; 3 learners (T); January 18, 1944.

Signed at New York, N. Y., this 16th day of January 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F R Doc. 43-861; Filed, January 18, 1943; 9:24 a. m.]

FEDERAL SECURITY ADMINISTRATION.

Food and Drug Administration.

[Docket No. 29 (a)]

DEFINITIONS AND STANDARDS OF IDENTITY FOR CREAM CHEESE, NEUFCHATEL CHEESE, COTTAGE CHEESE, AND CREAMED COTTAGE CHEESE

NOTICE OF HEARING

Notice is hereby given that the Administrator, by virtue of provisions of the Federal Food, Drug, and Cosmetic Act (secs. 407 and 701, 52 Stat. 1046, 1055; 21 U.S.C. secs. 341 and 371), will hold a public hearing upon a proposal to amend the definitions and standards of identity for cream cheese, neufchatel cheese, cottage cheese, and creamed cottage cheese prescribed by regulations promulgated by order dated December 22, 1942 (7 F.R. 10755, 10835), to include as optional ingredients sodium propionate and calcium propionate.

The hearing herein announced will be held on Tuesday, March 2, 1943, beginning at 10 o'clock in the forenoon of that day in Room 3046, South Building, U. S. Department of Agriculture, Independence Avenue at 14th Street SW., Washington, D. C.

Testimony at the hearing will be stricted to that which is relevant and material to the questions inherent in the proposal. The record on which the order of December 22, 1942, is based will be considered as a part of the record of the hearing herein announced.

Affidavits submitted in lieu of oral testimony as provided in the Rules of Practice applicable to this hearing (21 CFR, § 2.701 et seq.) shall be submitted by delivering them to the presiding officer in care of the hearing clerk at Room 2242, South Building, Independence Avenue at 14th Street SW., Washington, D. C., at or before the commencement of the hearing. All affidavits submitted are required to be submitted in quintuplicate.

It is not to be inferred from the fact of the issuance of the proposal that it represents the views of the Federal Security Agency.

Joseph L. Maguire is hereby designated as presiding officer to conduct the hearing in place and stead of the Administrator, with full authority to administer oaths and affirmations and to do all other things appropriate to the conduct of the hearing.

[SEAL] WATSON B. MILLER,
Acting Administrator.

JANUARY 16, 1943.

[F R. Doc. 43-888, Filed, January 18, 1943, 11:57 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 589]

SAFE DEPOSIT BOX LEASED BY ALBERT E DOMAN

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1 Finding that Albert E Doman, whose last known address was represented to the undersigned as being Feldening, Germany, is a citizen of Germany and is a national of a designated enemy country (Germany);

2. Finding that all right, title and interest (including the right of access to the safe deposit box hereinafter mentioned) of said Albert E Doman in and to his contract with the Corn Exchange Safe Deposit Company, New York, New York, pursuant to which said Albert E. Doman leased a safe deposit box numbered 396 located in the Corn Exchange Safe Deposit Company, West 231st Street Branch, 5581 Broadway, New York, New York, is property within the United States owned or controlled by a national of a designated enemy country (Germany);

3. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid enemy designated country (Germany);

4 Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5 Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on December 29, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-754; Filed, January 15, 1943; 11:14 a. m.]

[Vesting Order 642]

ESTATE OF PAULINE M. DICKEL

In re: Estate of Pauline M. Dickel, deceased—File F-28-15205; E. T. Sec. 1432.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Union Bank & Trust Company of Los Angeles, Trustee, acting under the judicial supervision of the Superior Court in and for the County of Los Angeles, State of California;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals	*Last known address*
Living lineal descendants, names unknown, of Kutcher Steus, of Steus Gasse, Stuttgart, Germany, resident of Germany at time of death of Louise Mezger (10-29-41).	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of the Living Lineal descendants, names unknown, of Kutcher Steus, of Steus Gasse, Stuttgart, Germany, resident of Germany at time of death of Louise Mezger (10-29-41) in and to the Trust Estate created under the Will of Pauline M. Dickel, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 9, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-747, Filed, January 15, 1943; 11:13 a. m.]

[Vesting Order 644]

ESTATE OF KATE FRAASS

In re: Estate of Kate Fraass, deceased—D-28-1577; E. T. Sec. 324.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The American National Bank of Denver as Executor acting under the judicial supervision of the County Court of the City and County of Denver, Colorado;

(2) Such property and interests are payable or deliverable to, or claimed by, designated nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Mrs. Caroline Wells	Merchingen, Amt. Adelsheim, Baden, Germany.
Mrs. Sophia Wagner	Niedenaustrasse 10 Frankfort on the Main, Germany.
Anton Beckenbach	Reinhauerstrasse 66, Mannheim, Baden, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Mrs. Caroline Wells, Mrs. Sophia Wagner and Anton Beckenbach and each of them in and to the Estate of Kate Fraass, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 9, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-752; Filed, January 15, 1943; 11:14 a. m.]

[Vesting Order 646]

ESTATE OF J. F. HASSELL

In re: Estate of J. F. Hassell, deceased—File D-28-1440; E. T. Sec. 104.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests described in subparagraph (a) are property which is in the process of administration by W. C. Mantey, Executor, acting under the judicial supervision of the Probate Court of Barber County, Kansas;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Wilhelm Stenzel	Germany.
Gustave Stenzel	Germany.
Wilhelm Hassel	Germany.
Karl Hassel	Germany.
Fritz Hassel	Germany.
August Hassel	Germany.
Auguste Schmidt Schwering	Germany.
Marie Schmidt Rieso	Germany.
Marie Hassel Wiegmann	Germany.
Auguste Hassel	Germany.
Gustave Hassel	Germany.
Leni Hassel Meier	Germany.
Carl Hassel, Jr.	Germany.
Helmut Hassel	Germany.

(3) The property and interests described in subparagraph (b) are property within the United States owned or controlled by the aforesaid nationals of a designated enemy country, Germany; and

Determining that—

(4) If such nationals are persons not within any designated enemy country, the national

interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

(a) All right, title, interest, and claim of any kind or character whatsoever of Wilhelm Stenzel, Gustave Stenzel, Wilhelm Hassel, Karl Hassel, Fritz Hassel, August Hassel, Auguste Schmidt Schwering, Marie Schmidt Rieso, Marie Hassel Wiegmann, Auguste Hassel, Gustave Hassel, Leni Hassel Meier, Carl Hassel, Jr. and Helmut Hassel and each of them in and to the Estate of J. F. Hassell, deceased; and

(b) All right, title, interest, and estate, both legal and equitable of Wilhelm Stenzel, Gustave Stenzel, Wilhelm Hassel, Karl Hassel, Fritz Hassel, August Hassel, Auguste Schmidt Schwering, Marie Schmidt Rieso, Marie Hassel Wiegmann, Auguste Hassel, Gustave Hassel, Leni Hassel Meier, Carl Hassel, Jr. and Helmut Hassel and each of them in and to the real property situated in Barber County, Kansas, and described as follows:

Northwest Quarter ($NW\frac{1}{4}$) of Section 9; East half of Southwest Quarter ($E\frac{1}{2}SW\frac{1}{4}$) and West half of Southeast Quarter ($W\frac{1}{2}SE\frac{1}{4}$) of Section 4 all in Township 31, Range 10, Barber County, Kansas Together with all improvements and appurtenances thereunto belonging.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 9 1943.

[SEAL] LEO T CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-751; Filed, January 15, 1943; 11:13 a. m.]

[Vesting Order 647]

ESTATE OF JOHN KLINTWORT

In re: Estate of John Klintwort, deceased—File D–28–1809; E. T. Sec. 1083.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Louvenia Madeline Klintwort, Executrix, acting under the judicial supervision of the County Court of El Paso County, Colorado.

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Lene Pahl	Germany
Anna Pahl	Germany
Heinrich Pahl	Germany
Johannes Rehder	Germany
Friedrich Rehder	Germany
Claus Rehder	Germany
Luisa Brandt	Germany

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany, and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever, of Lene Pahl, Anna Pahl, Heinrich Pahl, Johannes Rehder, Friedrich Rehder, Claus Rehder, and Luisa Brandt, and each of them, in and to the estate of John Klintwort, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 9, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-750; Filed, January 15, 1943; 11:13 a. m.]

[Vesting Order 648]

ESTATE OF CHARLES B. MAYER

In re: Estate of Charles B. Mayer, deceased—File D–28–1436; E. T. Sec. 105.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Elizabeth E. Mayer and John C. Hoenninger, Trustees acting under the judicial supervision of the Surrogate's Court, Queens County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Josephine Mayer or her surviving issue	Germany
Marie Kaune	Germany
Josephine Rief	Germany
Hans Kurry	Germany
Anna Kurry	Germany
Josephine Kurry	Germany
Ida Kurry	Germany
Otto Andelfinger	Germany

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany, and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Josephine Mayer or her surviving issue, Marie Kaune, Josephine Rief, Hans Kurry, Anna Kurry, Josephine Kurry, Ida Kurry and Otto Andelfinger and each of them in and to the Trust Fund created under the will of Charles B Mayer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated January 9, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-749; Filed, January 15, 1943; 11:13 a. m.]

[Vesting Order 651]

ESTATE OF CHRISTINA LOUISE PETERSEN

In re: Estate of Christina Louise Petersen, deceased—File D–28–1561; E. T. Sec. 40.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Carlton O. Gorder, A. H. Shostrom and B. K. Bettelheim as Trustees acting under the judicial supervision of the County Court of Lawrence County, South Dakota;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Carsten Friis	Kiel, Germany.
Marie Rossow	Flensburg, Germany.
Ella Timm	Berlin, Germany.
Inge Johannisson	Flensburg, Germany.
Christine Belzersen	Hamburg, Germany.
Jenni Petersen	Sylt, Germany.
Sofie Wreds	Kiel, Germany.
Helma Schmidt	Lensahn, 1/H, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Carsten Friis, Marie Rossow, Ella Timm, Inge Johannisson, Christine Balzersen, Jenni Petersen, Sofie Wreds and Helma Schmidt and each of them in and under a trust created by the will of Christina Louise Petersen, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated January 9, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-748; Filed, January 15, 1943; 11:13 a. m.]

[Vesting Order 652]

ESTATE OF MARY RIESTER

In re: Estate of Mary Riester, deceased—File D–28–1650; E.T. Sec. 488.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Charles J. Schuck, Executor, acting under the judicial supervision of the County Court for Ohio County, West Virginia;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Heirs and assigns, names unknown, of Louisa Beiter, who died in Germany.	Germany.
Katherine Volk	Germany.
Antonia Weeh	Germany.
Bertha Findling	Germany.
Theresa Vollmer	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of the Heirs and assigns, names unknown, of Louisa Beiter, who died in Germany, Katherine Volk, Antonia Weeh, Bertha Findling and Theresa Vollmer and each of them in and to the Estate of Mary Riester, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 9, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-753; Filed, January 15, 1943; 11:14 a. m.]

[Vesting Order 641]

ESTATE OF WILLIAM BERNHARD

In re: Estate of William Bernhard, deceased—File D–28–1777; E. T. Sec. 960.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by H. A. Gebhardt, Trustee, acting under the judicial supervision of the Superior Court of the State of California in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Kinderheim Kerzenheim	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Kinderheim Kerzenheim in and to the Trust Fund created under the Will of William Bernhard, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property

Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 9, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–878; Filed, January 18, 1943; 11:29 a. m.]

[Vesting Order 643]

ESTATE OF GUSTAV EPHRAIM

In re: Estate of Gustav Ephraim, deceased—File D–28–1580; E. T. Sec. 388.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are the property which is in the process of administration by The American National Bank of Denver, Trustee, acting under the judicial supervision of the County Court of Arapahoe County, Colorado;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Fanny Neumark, also known as Fanny Newmark.	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Fanny Neumark, also known as Fanny Newmark, in and to the Trust Estate created under the Will of Gustav Ephraim, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 9, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–879; Filed, January 18, 1943; 11:29 a. m.]

[Vesting Order 645]

ESTATE OF JOSEF FRENKEL

In re: Estate of Joseph Frenkel, deceased—File D–34–63; E. T. Sec. 802.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Kings County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of designated enemy countries, Rumania and Hungary, namely,

Nationals:	*Last known address*
Jewish Congregation of Baia Mare.	Rumania
Bertha Frenkel Dessone	Hungary
Sandor Frenkel	Hungary
Layos Frenkel	Rumania
Mikolos Frenkel	Hungary
Esther Frenkel	Hungary
Sari Frenkel	Hungary
Piroska Frenkel	Hungary
Edi Frenkel	Rumania
Layos Frenkel	Hungary

And determining that—

(3) If such nationals are persons not within any designated enemy country, the national interest of the United States requires that such persons be treated as nationals of designated enemy countries, Rumania and Hungary, and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Jewish Congregation of Baia Mare, Bertha Frenkel Dessone, Sandor Frenkel, Layos Frenkel, Rumania, Mikolos Frenkel, Esther Frenkel, Sari Frenkel, Piroska Frenkel, Edi Frenkel and Layos Frenkel, Hungary, in and to the Estate of Josef Frenkel, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 9, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–880; Filed, January 18, 1943; 11:28 a. m.]

[Vesting Order 649]

ESTATE OF ERA E. MCMURTRIE

In re: Estate of Era E. McMurtrie, deceased—File D–38–459; E. T. Sec. 706

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the International Trust Company, Administrator, c. t. a., d. b. n. and Trustee, acting under the judicial supervision of the County Court of the City and County of Denver, Colorado.

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

National:	*Last known address*
Era McMurtrie Licari	Italy.
Giovanna Licari	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Era McMurtrie Licari and Giovanni Licari, and each of them, in and to a trust created under the will of Era E. McMurtrie, deceased, and all right, title, interest, and claim of any kind or character whatsoever of Giovanni Licari in and to the estate of Era E. McMurtrie, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 9, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–881; Filed, January 18, 1943; 11:28 a. m.]

[Vesting Order 650]

TRUST UNDER WILL OF LOUISE PAULSEN

In re: Trust under will of Louise Paulsen, deceased—File D–28–3320; E. T. Sec. 671.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The First National Bank of Danville, Virginia, Trustee, acting under the judicial supervision of the Corporation Court of Danville, Virginia; and

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany namely, Margaret Sadebeck, whose last known address is Berlin, Germany; and

Determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Margaret Sadebeck, in and to the Trust Estate created under the Last Will and Testament of Louise Paulsen, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, and to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 9, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–882; Filed, January 18, 1943; 11:28 a. m.]

[Vesting Order 653]

ESTATE OF CHRISTIANA WEBER

In re: Estate of Christiana Weber, deceased—File F–28–14585; E. T. Sec. 1263.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Land Title Bank and Trust Company, Administrator, D. B. N. C. T. A., of 100 South Broad Street, Philadelphia, Pennsylvania, acting under the judicial supervision of Orphans' Court of the State of Pennsylvania, in and for the County of Philadelphia;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Christina G. Loehr	Germany.
Margaret G. Lehleicher	Germany.
Mary G. Gesswein	Germany.
Christop Gesswein	Germany.
Katie G. Herman	Germany.
John Gesswein	Germany.
Henry Gesswein	Germany.
George Gesswein	Germany.
Gunda Gesswein	Germany.
Katie Grauel	Germany.
John Gesswein	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Christina G. Loehr, Margaret G. Lehleicher, Mary G. Gesswein, Christop Gesswein, Katie G. Herman, John Gesswein, Henry Gesswein, George Gesswein, Gunda Gesswein, Katie Grauel, and John Gesswein, and each of them, in and to the Estate of Christiana Weber, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 9, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–883; Filed January 18, 1943; 11:28 a. m.]

[Vesting Order 659]

INTEGRITY TRUST CO.—KARL ROTH

In re: Mortgage Participation Fund of Integrity Trust Company—File F–28–9965; E. T. Sec. 1268.)

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Land Title Bank and Trust Company, Substituted Trustee of the Mortgage Participation Fund of the Integrity Trust Company, Philadelphia, Pennsylvania, acting under the judicial supervision of Court of Common Pleas of the State of Pennsylvania, in and for the County of Philadelphia;

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely, Karl Roth, whose last known address is Germany; and

Determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Karl Roth in and to the Mortgage Participation Fund of the Integrity Trust Company,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 9, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–884; Filed, January 18, 1943; 11:29 a. m.]

[Vesting Order 660]

INTEGRITY TRUST CO.—ELSIE SCHNITZ

In re: Mortgage Participation Fund of Integrity Trust Company—File F–28–14168; E. T. Sec. 1266.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Land Title Bank and Trust Company, Substituted Trustee of the Mortgage Participation Fund of the Integrity Trust Company, Philadelphia, Pennsylvania, acting under the judicial supervision of Court of Common Pleas of the State of Pennsylvania, in and for the County of Philadelphia;

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely, Elsie Schnitz, whose last known address is Germany; and

Determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Elsie Schnitz in and to the Mortgage Participation Fund of the Integrity Trust Company,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 9, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–885; Filed, January 18, 1943; 11:28 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 14 Under MPR 152]

PAULUS BROTHERS PACKING COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 14 under Maximum Price Regulation No. 152—Canned Vegetables.

Approval of maximum prices for Paulus Brothers Packing Company, Salem, Oregon.

The Paulus Brothers Packing Company has filed an application for specific authorization to charge maximum prices pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by applicant with respect to the packing of Blue Lake Beans meeting the following specifications as to size of container, grade, and style of pack:

Size of container:	*Grade and style of pack*
No. 303 size can	Choice, No. 4 Sieve Cut.
No. 303 size can	Standard, No. 5 Sieve Cut.
No. 303 size can	Short Cut, No. 2, 3 & 4 Sieve.
No. 2 size can	Fancy, No. 3 Sieve Whole
No. 2 size can	Choice, No. 4 Sieve Whole
No. 10 size can	Fancy, No. 1 Sieve Whole
No. 10 size can	Fancy, No. 2 Sieve French Sliced
No. 211 size can	Short Cut.

For the reasons set forth in the opinion which accompanies this Order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250: *It is hereby ordered*, That:

(a) Paulus Brothers Packing Company may sell, offer to sell, or deliver and any person may buy, offer to buy or receive Blue Lake Beans packed according to the following specifications at the maximum prices indicated:

Size of container	Commodity	
No. 303 can	Choice, No. 4 Sieve Cut 2	
No. 303 can	Standard, No. 5 Sieve Cut	
No. 303 can	Short Cut, No. 2, 3 & 4 Sieve	
No. 2 can	Fancy, No. 3 Sieve Whole	
No. 2 can	Choice, No. 4 Sieve Whole	
No. 10 can	Fancy, No. 1 Sieve Whole	
No. 10 can	Fancy, No. 2 Sieve French Sliced	
No. 211 can	Short Cut	

(b) This Order No. 14 may be revoked as amended by the Price Administrator at any time.

(c) The applicant, Paulus Brothers Packing Company, shall not change its customary allowances, discounts or price differentials unless such change results in a lower price.

(d) Unless the context otherwise requires the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(e) This Order No. 14 shall become effective on January 16, 1943.

Issued this 15th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43–734; Filed, January 15, 1943; 10:33 a. m.]

[Order 125 Under MPR 188]

CERTAIN READY MIXED EXTERIOR LINSEED OIL PAINTS

APPROVAL OF MAXIMUM PRICES

Order No. 125 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Price Administrator under the Emergency Price Control Act of 1942, as amended Executive Order No. 9250 and § 1499.158: *It is ordered:*

(a) Changes in the formulae of ready mixed exterior linseed oil paints may be made by manufacturers thereof, without a reduction in the maximum prices therefor: *Provided*, That brushing properties and durability are not impaired: *And provided further*, That the formula of such paints, as changed, shall meet at least the following specifications:

(1) The vehicle shall contain not less than 65 per cent by weight of non-volatile matter;

(2) Not more than 50 per cent of non-volatile shall be bodied linseed oil;

(3) If less than 50 per cent of Z–4 bodied linseed oil is used the non-volatile matter shall be no less than the minimum percentage obtained in accordance with the following calculation:

(i) $65 + \left(\frac{50 - \%\text{ of Z–4 bodied oil in non-volatile}}{2}\right) =$ minimum per cent of non-volatile matter in the vehicle.

For example: If 40% bodied oil is used, $65 + \left(\frac{50-40}{2}\right) = 70$ per cent = minimum non-volatile.

(ii) If bodied linseed oil other than Z–4 is used (lighter than Z–1 not being permissible) the ratio of non-volatile matter to the vehicle shall be adjusted accordingly, so that equivalent viscosity is maintained.

(4) The kauri reduction of the non-volatile matter in the vehicle shall be not less than 280 per cent; and

(5) The amount and composition of the pigment shall remain the same, except that the percentage of opaque pigment shall be increased, if necessary, to maintain the hiding units and may be increased, if desired, to increase the hiding units.

(6) Each manufacturer changing the formula for any paint under the provisions of the preceding paragraph shall submit a report of the changes in composition and unit costs to the Office of Price Administration in Washington, D. C. An example of such report is set out below:

	Formula before change	Formula after change	Before change	After change	Before change	After change	Before change	After change
PIGMENT	*Pounds*	*Pounds*	*Yield in gallons*	*Yield in gallons*	*Unit cost*	*Unit cost*	*Total cost*	*Total cost*
Basic carbonate white lead	500	.....	9.0	.....	$0.0825 lb.	.....	$41.25	.....
Zinc oxide	400	.....	8.5	.....	.0725	.....	29.00	.....
Asbestine	100	.....	4.2	.....	.009	.....	.90	.....
Vehicle								
Raw linseed oil	551	.....	71.0	.....	.93 gal.	.....	66.03	.....
Bodied linseed oil (indicate viscosity)		.....		.....		.....		.....
Driers	28.4	.....	4.0	.....	.60 gal.	.....	2.40	.....
V. M. P. naphtha	30.9	.....	5.0	.....	.12 gal.	.....	.60	.....
Calculated yield	1,610.3	.....	101.7	.....	.....	.....	140.18	.....
Manufacturing loss 2½ percent	.....	.....	2.5	.....	.....	.....	.....	.....
Actual yield	.....	.....	99.2	.....	.....	.....	.....	.....
Material cost per gallon	.....	.....	.....	.....	.....	.....	1.41	.....

Fifteen days after the mailing of such report, in the absence of a notification to the contrary from the Office of Price Administration, the change in formula without a change in maximum price shall stand approved. Such approval shall be subject to revocation at any time.

(c) This Order No. 125 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 125 under § 1499.158 of Maximum Price Regulation No. 188, as amended, shall become effective January 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43–779; Filed, January 15, 1943; 3:42 p. m.]

[Order 144 Under MPR 120]

FRANKLIN GEM COAL COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 144 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120–280.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with §1340.207 (b) of Maximum Price Regulation No. 120, *It is ordered*:

(a) Coals produced by Franklin Gem Coal Company, Black Diamond, Washington, at its Franklin Gem Mine, Mine Index No. 162, in District No. 23, may be sold and purchased for shipment by rail and truck at prices not to exceed the following respective prices per net ton, f. o. b. the mine:

Size groups:	*4*	*23*
Rail	$5 75	$4 20
Truck	6 10	4 50

(b) Within thirty (30) days from the effective date of this order, the said Franklin Gem Coal Company shall notify all persons purchasing its coals, of the adjustments granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in the order do not authorize any increase in the purchaser's resale prices except in accordance with and subject to the conditions stated in Maximum Price Regulation No. 122.

(c) This Order No. 144 may be revoked or amended by the Administrator at any time;

(d) Unless the context otherwise requires, the definitions set forth in §1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein;

(e) This Order No. 144 shall become effective January 18, 1943.

Issued this 16th day of January 1943.

LEON HENDERSON.
Administrator.

[F. R. Doc. 43–820; Filed, January 16, 1943; 12:38 p. m.]

[Order 130 Under MPR 188]

NATIONAL TILE CO., INC., ET AL.

ORDER SETTING TEMPORARY MAXIMUM PRICES

Order No. 130 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods—Other Than Apparel.

Temporary maximum prices for certain new fireplace grates manufactured from substitute materials.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250: *It is ordered:*

(a) This Order No. 130 sets temporary maximum prices for sales of certain new fireplace grates manufactured from substitute materials. It applies only to the

grates which have been described in applications submitted by the manufacturers to the Office of Price Administration. The order is temporary. No sales or deliveries may be made under its authority after the 1st day of April 1943.

Listed below are the maximum prices for sales by the manufacturers, wholesalers, and retailers. The prices listed below may be charged only if the manufacturer attaches to the grate the written warranty described in paragraph (b). If the manufacturer does not make the warranty, the maximum prices for sales by the manufacturer, wholesalers, and retailers shall be computed by deducting 15% from the prices listed in the table.

Name of manufacturer	Factory to jobber price	Factory to retailer price	Wholesale price	Retail price
The National Tile Co., Inc., Anderson, Ind.	$5.50	$6.05	$7.33	$11.00
Parry Brick Co., 8 Newbury St., Boston, Mass.	4.38	4.81	5.83	8.75
Presbrey Refractories Corp., Taunton, Mass.	5.50	6.05	7.33	11.00
A. N. Verner, doing business as Kim-Keal Fire Grates, 34 Abbottsford Road, Brookline, Mass.	6.75	7.50	9.00	13.50

(1) The price listed under "factory to jobber" in the above table is the maximum price for sales by the named manufacturer to wholesalers or jobbers. The price is f. o. b. factory.

(2) The price listed under "factory to retailer" in the above table is the maximum price for sales by the manufacturer to retailers. The price is f. o. b. factory.

(3) The price listed under "wholesale price" in the above table is the maximum price for sales at wholesale by a person other than the manufacturer. The price is f. o. b. the seller's city.

(4) The price listed under "retail price" in the above table is the maximum price for sales at retail.

(b) The maximum prices set forth in the table contained in paragraph (a) can be charged only if the manufacturer sells the grate with a written warranty in the following form:

---------- the manufacturer
(Insert name of manufacturer)
of this grate, warrants to the retailer and to any person buying from him that it is fit for burning coal or wood in a fireplace.

If the manufacturer desires to do so, he may add:

This warranty, however, does not protect against rough handling by the consumer.

The warranty shall be attached to the grate by the manufacturer and shall not be detached until after the grate has been delivered to the consumer.

(c) Before delivery of a fireplace grate to any purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail ceiling price of the grate. For example, a statement in the following form on a grate sold by The National Tile Company, Incorporated, would be sufficient: "Retail Ceiling Price $11.00." The tag or label shall not be detached until the grate has been delivered to the consumer.

(d) At or before the time of first delivery after the effective date of this order, the manufacturer shall notify in writing every person who buys from him of the maximum price set by this Order No. 130 for resales by the purchaser. This written notice may be given in any convenient manner; for example, it may be shown on or attached to the invoice, or packed with the merchandise.

(e) Within fifteen days after March 1, 1943, each manufacturer shall prepare and mail to the Office of Price Administration, Washington, D. C., a report covering his operations during the sixty day period which ends February 28, 1943. The report shall contain the following information:

The number of units manufactured during the period, the number of units sold, total gross sales, total returns and allowances, and costs per unit for materials, direct labor, and factory overhead. The method of computation of costs should be explained and supporting details should be furnished.

(f) This Order No. 130 may be revoked or amended by the Price Administrator at any time.

(g) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to terms used herein.

(h) This Order No. 130 shall become effective on the 16th day of January, 1943, and shall terminate on the 1st day of April, 1943.

Issued this 16th day of January, 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-847; Filed, January 16, 1943; 4:31 p. m.]

[Order 147 Under MPR 120]

BUCKLIN COAL MINING CO.

ORDER GRANTING ADJUSTMENT

Order No. 147 under Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant—Docket No. 3120-65.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (b) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced by Bucklin Coal Mining Company, Kansas City, Missouri, at its Bucklin Mine (Mine Index No. 24) in District No. 15, may be sold and purchased for shipment by truck or wagon or by rail at prices not to exceed the following respective prices per net ton, f. o. b. the mine:

Size groups	1	2	3	6	12	15
Max. prices	$3.50	$3.50	$3.50	$3.25	$3.25	$1.75

and for shipments by rail only at prices not to exceed the following per net ton, f. o. b. the mine:

Size group	14
Max price	$1.75

(b) Within thirty (30) days from the effective date of this order, Bucklin Coal Mining Company shall notify all persons purchasing its coals of the adjustment granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the provisions of Maximum Price Regulation No. 122.

(c) This Order No. 147 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(e) This Order No. 147 shall become effective January 16, 1943.

Issued this 16th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-848; Filed, January 16, 1943; 4:31 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 59-56]

NEW ENGLAND GAS AND ELECTRIC ASSOCIATION

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 13th day of January 1943.

The Commission having issued on September 26, 1942, a Notice of and Order for Hearing pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935, with respect to New England Gas and Electric Association; and said order having designated November 30, 1942, as the date for public hearing in the matter embraced by said order; and the Commission having postponed said hearing to January 18, 1943; and

New England Gas and Electric Association having requested that the hearing in this matter be further postponed because of hearings being presently held in certain suits involving New England Gas and Electric Association which were instituted prior to the Commission's order of September 26, 1942, and that witnesses and counsel for the Association necessary in the pending section 11 (b) (1) proceedings are presently engaged in the suits and will not be available for said proceedings scheduled for January 18, 1943; and

The Commission having considered said request, and it appearing that under the circumstances of this particular matter, the hearing in this matter should be postponed to February 24, 1943;

It is ordered, That the hearing in this matter previously scheduled for January 18, 1943, be and hereby is postponed to February 24, 1943, at the same time and place, and before the same trial examiner as heretofore designated.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-758; Filed, January 15, 1943; 11:29 a. m.]

[File No. 70-579]

TRI-CITY UTILITIES COMPANY AND ASSOCIATED ELECTRIC COMPANY

ORDER MODIFYING CONDITIONS AND GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 13th day of January 1943.

Declarations having been filed with this Commission pursuant to section 12 of the Public Utility Holding Company Act of 1935 and Rules U-42 and U-43 of the General Rules and Regulations promulgated thereunder, by Associated Electric Company, a registered holding company, and Tri-City Utilities Company, a wholly-owned subsidiary thereof, with respect to the reduction by Tri-City Utilities Company of its capital stock from time to time through the purchase and retirement of its common stock, at its par value, in amounts equal to the cash available for such purposes; and

The Commission having by order dated November 16, 1942, permitted the declarations to become effective subject to the terms and conditions prescribed in Rule U-24 and subject to the further condition that Tri-City Utilities Company purchase at this time the common stock held by Associated Electric Company only to the extent of the cash Tri-City Utilities Company holds as proceeds from sales of its water systems located in Mayfield and Murray, Kentucky, such cash totaling $482,000; and

Associated Electric Company and Tri-City Utilities Company having requested that the said conditions be modified to the extent necessary to extend the time within which the transactions, as set forth in the declarations, may be made to January 31, 1943; and the Commission deeming it appropriate that such requests be granted;

It is ordered, That the conditions contained in the order of November 16, 1942 be and hereby are modified to the extent necessary to extend the time within which such transactions may be made to January 31, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-759; Filed, January 15, 1943; 11:29 a. m.]

[File No. 1-1729]

BUCKEYE UNION OIL CO.

ORDER FOR HEARING AND DESIGNATING OFFICER TO TAKE TESTIMONY

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 14th day of January, A. D. 1943.

In the matter of proceeding under section 19 (a) (2) of the Securities Exchange Act of 1934, as amended, to determine whether the registration of Buckeye Union Oil Company Common and Preferred Stock, $1.00 Par Value should be suspended or withdrawn.

I. It appearing to the Commission, That the Buckeye Union Oil Company, a corporation organized under the laws of the State of California, is the issuer of preferred and common stock, $1.00 par value; and

That the Buckeye Union Oil Company registered such securities on the Los Angeles Stock Exchange, a national securities exchange, by filing with the Exchange and with the Commission on or about June 3, 1935, an application on Form 10 pursuant to section 12 (b) and (c) of the Securities Exchange Act of 1934, as amended, and Rule X-12B-1, as amended, promulgated by the Commission thereunder, registration pursuant to such application having become effective on July 3, 1935, and remaining in effect to and including the date hereof; and

It further appearing to the Commission, That Rule X-13A-1, promulgated pursuant to section 13 of said Securities Exchange Act of 1934, as amended, did and does require that an annual report for each issuer of a security registered on a national securities exchange shall be filed on the appropriate form prescribed therefor; and

That Rule X-13A-2, promulgated pursuant to section 13 of the Securities Exchange Act of 1934, as amended, did and does prescribe Form 10-K as the annual report form to be used for the annual reports of all corporations except those for which another form is specified, and that no other form was or is specified for use by the said Buckeye Union Oil Company; and

That said Rule X-13A-1 requires that said annual report be filed not more than 120 days after the close of each fiscal year or such other period as may be prescribed in the instruction book applicable to the particular form; that the Instruction Book for Form 10-K does not prescribe any period other than such 120 days; and that pursuant to said Rule X-13A-1 the annual report must be filed within such period unless the registrant files with the Commission a request for an extension of time to a specified date within six months after the close of the fiscal year; and

That said Buckeye Union Oil Company has a fiscal year ended December 31; that the annual report for its fiscal year ended December 31, 1941 was due to be filed not later than April 30, 1942; that registrant made no request for extension of time within which to file said report; that the time for filing was not extended by the Commission; that the annual report for the fiscal year ended December 31, 1941 was not filed within the time prescribed for filing said report or at any later date;

II. The Commission having reasonable cause to believe that, The said Buckeye Union Oil Company has failed to comply with the provisions of section 13 of the Securities Exchange Act of 1934, as amended, and Rules X-13A-1 and X-13A-2 promulgated thereunder, in that (1) it has failed to file its annual report for the year ending December 31, 1941 within the date prescribed for filing said report and (2) it has failed to file such annual report at any later date; and

III. It being the opinion of the Commission that the hearing herein ordered to be held is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Securities Exchange Act of 1934, as amended;

It is ordered, Pursuant to section 19 (a) (2) of said Act, That a public hearing be held to determine whether Buckeye Union Oil Company has failed to comply with section 13 of the Securities Exchange Act of 1934, as amended, and the Rules, Regulations and Forms promulgated by the Commission thereunder, in the respects set forth above; and if so, whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding twelve months or to withdraw the registration of the common and preferred stock, $1.00 par value, of said Buckeye Union Oil Company on said Los Angeles Stock Exchange;

It is further ordered, pursuant to the provisions of section 21 (b) of the Securities Exchange Act of 1934, as amended, That for the purpose of such hearing, John G. Clarkson, an officer of the Commission, is hereby designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take testimony and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law;

It is further ordered, That the taking of testimony in this hearing begin on the 26th day of January, 1943, at 10:00 A. M. Pacific War Time at the Subregional Office of the Securities and Exchange Commission, 312 North Spring Street, Los Angeles, California, and continue thereafter at such time and place as the officer hereinbefore designated may determine.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-839; Filed, January 16, 1943; 3:12 p. m.]

[File No. 1-2290]

ROLAND W. SCHOETTLER ET AL.

ORDER FOR HEARING AND DESIGNATING OFFICER TO TAKE TESTIMONY

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 14th day of January, A. D. 1943.

In the matter of proceeding under section 19 (a) (2) of the Securities Exchange Act of 1934, as amended, to determine whether the registration of Voting Trust Certificates of Roland W. Schoettler et al., Voting Trustees for Preferred and Common Stocks of Buckeye Union Oil Company, $1.00 par value should be suspended or withdrawn.

I. It appearing to the Commission, that said Roland W. Schoettler, E. Foster Brigham and Frank J. Brick, voting trustees, are the issuer of voting trust certificates for preferred and common stocks of Buckeye Union Oil Company, $1.00 par value; and

That said Roland W. Schoettler et al., voting trustees, registered such voting trust certificates on the Los Angeles Stock Exchange by filing with the Exchange and with the Commission on or about August 20, 1935, an application on Form 16, pursuant to section 12 (b) and (c) of the Securities Exchange Act of 1934, as amended, and Rule X-12B-1, as amended, promulgated by the Commission thereunder, registration pursuant to such application having become effective September 17, 1935, and remaining in effect to and including the date hereof; and

It further appearing to the Commission, that Rule X-13A-1, promulgated pursuant to section 13 of said Securities Exchange Act of 1934, as amended, did and does require that an annual report for each issuer of a security registered on a national securities exchange shall be filed on the appropriate form prescribed therefor; and

That Rule X-13A-2, promulgated pursuant to section 13 of the Securities Exchange Act of 1934, as amended, did and does prescribe Form 16-K as the annual report form to be used for annual reports relating to voting trust certificates and underlying securities, and that no other form was or is specified for use by Roland W. Schoettler et al., voting trustees for the preferred and common stocks of Buckeye Union Oil Company; and

That said Rule X-13A-1 requires that said annual report be filed not more than 120 days after the close of each fiscal year or such other period as may be prescribed in the instruction book applicable to the particular form; that the Instruction Book for Form 16-K does not prescribe any period other than such 120 days; and that pursuant to said Rule X-13A-1 the annual report must be filed within such period unless the registrant files with the Commission a request for an extension of time to a specified date within six months after the close of the fiscal year; and

That said Roland W. Schoettler et al., voting trustees for the preferred and common stocks of Buckeye Union Oil Company, have a fiscal year ended December 31, 1941; that the annual report for their fiscal year ended December 31, 1941 was due to be filed not later than April 30, 1942; that the registrants made no request for extension of time within which to file such report; that the time for filing was not extended by the Commission; that the annual report for the fiscal year ended December 31, 1941 was not filed within the time prescribed for filing said report or at any later date;

II. The Commission having reasonable cause to believe that Roland W. Schoettler et al., voting trustees for the preferred and common stocks of Buckeye Union Oil Company have failed to comply with the provisions of section 13 of the Securities Exchange Act of 1934, as amended, and Rules X-13A-1 and X-13A-2 promulgated thereunder, in that (1) they have failed to file their annual report for the year ended December 31, 1941, within the date prescribed for filing said report and (2) they have failed to file such annual report at any later date; and

III. It being the opinion of the Commission that the hearing herein ordered to be held is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Securities Exchange Act of 1934, as amended;

It is ordered, pursuant to section 19 (a) (2) of said Act, That a public hearing be held to determine whether Roland W. Schoettler et al., voting trustees for the preferred and common stocks of Buckeye Union Oil Company, have failed to comply with section 13 of the Securities Exchange Act of 1934, as amended, and the Rules, Regulations and Forms promulgated by the Commission thereunder, in the respects set forth above; and if so, whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding twelve months or to withdraw the registration of the voting trust certificates of Roland W. Schoettler et al., voting trustees for the preferred and common stocks of Buckeye Union Oil Company, on said Los Angeles Stock Exchange;

It is further ordered, pursuant to the provisions of section 21 (b) of the Securities Exchange Act of 1934, as amended, That for the purpose of such hearing, John G. Clarkson, an officer of the Commission, is hereby designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take testimony and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law;

It is further ordered, That the taking of testimony in this hearing begin on the 26th day of January, 1943, at 10:00 A. M. Pacific War Time at the Subregional Office of the Securities and Exchange Commission, 312 North Spring Street, Los Angeles, California, and continue thereafter at such time and place as the officer hereinbefore designated may determine.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F R Doc 43 841; Filed January 16, 1943; 3 12 p m]

[File No 70-656]

THE NORTH AMERICAN COMPANY

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its offices in the City of Philadelphia, Pa., on the 15th day of January 1943.

The North American Company, a registered holding company, having filed an application pursuant to section 10 of the Public Utility Holding Company Act of 1935 with respect to the acquisition of approximately 12,500 shares of the capital stock of The Detroit Edison Company, an electric utility company, by purchases on the New York Stock Exchange or otherwise which shares are required to make possible the payment of the next quarterly dividend on the common stock of The North American Company, payable in stock of The Detroit Edison Company, on the same basis as the last seven quarterly distributions (if the Board of Directors determines so to do); and

A public hearing having been held after appropriate notice, and the Commission having considered the record and having made and filed its Findings and Opinion herein; and

The Commission deeming it appropriate in the public interest and for the interest of investors and consumers to grant the application pursuant to the applicable sections of the Act; and the Commission having found that the statutory requirements have been satisfied;

It is ordered, That said application be and it is hereby granted forthwith subject to the following terms and conditions:

(1) That purchases by The North American Company of shares of capital stock of The Detroit Edison Company otherwise than on the New York Stock Exchange shall be at prices not higher than the last sales price on the New York Stock Exchange and that no shares shall knowingly be purchased from any officer or director of The North American Company, or from any officer or director of any of its subsidiaries or affiliates;

(2) That no purchases of shares of the capital stock of The Detroit Edison Company shall be made after February 20, 1943: *Provided, however*, That The North American Company may prior to said date request additional time;

(3) That The North American Company shall furnish to this Commission promptly after the end of each week before such purchases have terminated, a schedule showing for each day covered by such schedule, the number of shares purchased, the price at which purchased, and in respect of purchases effected otherwise than on the New York Stock Exchange, the name of the person from whom purchased; and that The North American Company shall give appropriate notice to this Commission at the time when the purchases have been completed;

(4) The terms and conditions prescribed in Rule U-24.

It is further ordered, That jurisdiction be and is hereby reserved to enter any further order in connection herewith which the Commission may deem necessary or appropriate in the public interest or for the protection of investors or consumers.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43 840; Filed, January 16, 1943; 3:12 p. m.]

WAR PRODUCTION BOARD.

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS PARTIALLY REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain Revocation Orders listed in Schedule A below, partially revoking Preference Rating Orders issued in connection with, and partially stopping the construction of the projects affected. For the effect of each such Order upon Preference Ratings, construction of the project, and delivery of materials therefore, the Builder and Suppliers affected shall refer to the Specific Order issued to the Builder.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 16, 1943.

ERNEST KANZLER, *Director General for Operations.*

SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Project affected	Date of issuance of revocation order
P-19-a	3276-A	Missouri Power & Light Co., Jefferson City, Mo.	5,000 kw. turbo-generator and 70,000 lb. per hr. steam generator at Mexico, Mo., steam electric generating station.	1/13/43
PD-1	12925	General Electric Co., Schenectady, N. Y.	1,400 kw. general electric steam turbine for the Marshfield Power Plant, Marshfield, Wis.	1/11/43
PD-2	10563A			
P-19-a	2534-A	Gulf Power Co., Pensacola, Fla.	Crestview, Fla.	1/9/43
P-19-a	None	Missouri State Hwy. Comm., Jefferson City, Mo.	Mo. FAQ-133A (3), FAGH-133A (4), FAP-133A (5).	1/16/43
P-19-a	557-E	Wisconsin St. Hwy. Comm., Madison, Wis.	Wis., FAS 022-A (2); FAS 622-C (1); FAS 289-M (1); FAS 212-A (1); FAS 212-B (1).	1/12/43

[F. R. Doc. 43-846; Filed, January 16, 1943; 4:12 p. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain Revocation Orders listed in Schedule A below, revoking Preference Rating Orders issued in connection with, and stopping the construction of the projects affected. For the effect of each such Order upon Preference ratings, construction of the project and delivery of materials therefor, the Builder and Suppliers affected shall refer to the specific Order issued to the Builder.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 16, 1943.

ERNEST KANZLER, *Director General for Operations.*

SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Project affected	Date of issuance of revocation order
P-19-e	23730	Illinois Dept. of Pub. Wks. & Bldgs., Div. of Hwys. Springfield, Ill.	Illinois SN-FAP 113 B (1)	1/15/43
P-19-e	20883	Illinois Dept. of Pub. Wks. & Bldgs., Div. of Hwys., Springfield, Ill.	Illinois SN-FA 113 D (1)	1/15/43
P-19-e	32075	Illinois Dept. of Pub. Wks. & Bldgs., Div. of Hwys., Springfield, Ill.	Illinois SN-FA 25 A (1) Bridge	1/15/43
P-19-e	758-E	Texas State Hwy. Dept., Austin, Tex.	Perryton, Texas FAS 662-A (2)	1/15/43
P-19-e	266-E	Arkansas State Hwy. Dept., Little Rock, Ark.	Portia, Ark. FAP 455-A (3)	1/15/43
P-19-e	301-E	New Jersey State Hwy. Dept., Trenton, N. J.	Middlesex Co., N. J., FAGM 28-A (1) (OFF), FAGM 32 (1) (OFF).	1/15/43
P-19-e	143-E	Michigan State Hwy. Dept., Lansing, Mich.	Manistee, Mich., SN-FAP 129-H (1).	1/15/43
P-19-e	174-E	Virginia Dept. of Hwys., Richmond, Va.	Dewitt, Va. SN-FAP 321-E (5)	1/13/43
P-19-e	37528	Illinois Dept. of Pub. Wks. & Bldgs., Div. of Hwys., Springfield, Ill.	Litchfield, Ill. SN-FA 166-D (4) SN-FA 166-D (4), SN-FA 166-D (2), SN-FA 166-D (5).	1/12/43
P-19-e	32786	Illinois Dept. of Pub. Wks. & Bldgs., Div. of Hwys., Springfield, Ill.	Ill. SN-FAP 25-H (1)	1/12/43
P-19-e	32768-E	South Carolina St. Hwy. Dept., Columbia, S. C.	S. C. SN-FA 2301-B (2)	1/12/43
P-19-e	15266-E	New York Dept. of Pub. Wks., Div. of Hwys., Albany, N. Y.	N. Y. SN-FAP 1058-A (1)	1/12/43
P-19-e	32808	Illinois Dept. of Pub. Wks. & Bldgs., Div. of Hwys., Springfield, Ill.	Ill. SN-FA-166 D (3) Roadway	1/12/43
P-19-e	32789	Illinois Dept. of Pub. Wks. & Bldgs., Div. of Hwys., Springfield, Ill.	Ill. SN-FA-166-D (3) Bridges	1/12/43
P-19-e	13992-E	Virginia Dept. of Hwys., Richmond, Va.	West of Smyth Co. Line SN-FAP 197 (2), SN-FAP 197-B (2).	1/12/43
P-19-e	14240	Illinois Dept. of Pub. Wks. & Bldgs., Div. of Hwys., Springfield, Ill.	Ill. SN-FA 9-0 (2) F. A. Route 12, Sec. V-2A, Ill. SN-FA 9-0 (2) F. A. Route 12, Sec. P-2A, Ill. SN-FA 9-0 (2) F. A. Route 12, Sec. 0-2A, Ill. SN-FA 9-0 (2) F. A. Route 12, Section 0-1X.	1/12/43
P-19-e	346-E	Colorado St. Hwy. Dept., Denver, Colo.	Manitou, Colo., FAP 125 (4)	1/16/43
P-19-e	347-E	Colorado St. Hwy. Dept., Denver, Colo.	Durango, Colo. FAP 300-G (1)	1/16/43
P-19-e	490-E	South Dakota St. Hwy. Comm., Pierre, S. Dak.	Mayes, S. D. FAP 457-B (1)	1/16/43
P-19-e	480-E	New Mexico St. Hwy. Comm., Santa Fe, N. Mex.	Ft. Sumner, N. Mex. FACH 90 (3)	1/16/43
P-19-e	526-E	Massachusetts Dept. of Pub. Wks., Boston, Mass.	Worcester, Mass. SN-FAP 256-D (2)	1/16/43
P-19-e	522-E	Maine State Hwy. Comm., Augusta, Maine.	Maine SN-FAGH 150-B (2) (ON); SN-FAGM150-F (2) (ON); SN-FAP 121-A (2); SN-FAP 377-A (2).	1/16/43
P-19-a	576-A	Wabash Portland Cement Co., Osborne, Ohio.	Wabash Portland Cement Co., Osborne, Ohio.	1/13/43

[F. R. Doc. 43-844; Filed, January 16, 1943; 4:12 p. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain orders stopping construction and revoking applicable Preference Ratings stopping construction of the project affected and revoking the ratings applicable thereto, which orders are listed in Schedule A below. For the effect of each such Order upon the construction of the project and delivery of materials therefor, the Builder and Suppliers affected shall refer to the specific Order issued to the Builder.

(P.D Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 16, 1943.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A

Name and address of builder	Project affected	Date of issuance of revocation order
U. S. Department of Commerce, Civil Aeronautics Authority, Washington, D. C.	Airport Development Project, Twin Falls, Idaho	1/15/43
U. S. Department of Commerce, Civil Aeronautics Authority, Washington, D. C.	Airport Development Project, Alva, Okla.	1/15/43
U. S. Department of Commerce, Civil Aeronautics Authority, Washington, D. C.	Airport Development Project, Uvalde, Tex.	1/15/43
U. S. Department of Commerce, Civil Aeronautics Authority, Washington, D. C.	Airport Development Project, Peoria, Ill.	1/15/43
U. S. Department of Commerce, Civil Aeronautics Authority, Washington, D. C.	Airport Development Project, Hattiesburg, Miss.	1/15/43
U. S. Department of Commerce, Civil Aeronautics Authority, Washington, D. C.	Airport Development Project, Longview, Tex.	1/15/43
U. S. Department of Commerce, Civil Aeronautics Authority, Washington, D. C.	Airport Development Project, Parksley, Va.	1/15/43
U. S. Department of Commerce, Civil Aeronautics Authority, Washington, D. C.	Airport Development Project, Tarpon Springs, Fla.	1/15/43
U. S. Department of Commerce, Civil Aeronautics Authority, Washington, D. C.	Airport Development Project, East Hampton, N. Y.	1/15/43
U. S. Department of Commerce, Civil Aeronautics Authority, Washington, D. C.	Airport Development Project, Hightstown, N. J.	1/15/43
U. S. Department of Commerce, Civil Aeronautics Authority, Washington, D. C.	Airport Development Project, Bendix, N. J.	1/15/43
U. S. Department of Commerce, Civil Aeronautics Authority, Washington, D. C.	Airport Development Project, Whitefield, N. H.	1/15/43
U. S. Department of Commerce, Civil Aeronautics Authority, Washington, D. C.	Airport Development Project, Princeton, Maine	1/15/43
U. S. Department of Commerce, Civil Aeronautics Authority, Washington, D. C.	Airport Development Project, Willimantic, Conn.	1/15/43

[F. R. Doc. 43-843; Filed, January 16, 1943; 4:12 p. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS PARTIALLY REVOKING AND PARTIALLY STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain orders partially stopping construction and partially revoking applicable Preference Ratings stopping the construction of the project affected and partially revoking the ratings applicable thereto which orders are listed in Schedule A below. For the effect of each such order upon the construction of the project and delivery of materials therefor, the Builder and Suppliers affected shall refer to the specific Order issued to the Builder.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Laws 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 16, 1943.

ERNEST KANZLER
Director General for Operations.

SCHEDULE A

Name and address of builder	Project affected	Date of issuance of revocation order
U. S. Department of Commerce, Civil Aeronautics Authority, Washington, D. C.	Airport Development Project, Easton, Md.	1/15/43
U. S. Department of Commerce, Civil Aeronautics Authority, Washington, D. C.	Airport Development Project, Hyannis, Mass.	1/15/43
U. S. Department of Commerce, Civil Aeronautics Authority, Washington, D. C.	Airport Development Project, Athol Orange, Mass.	1/15/43
U. S. Department of Commerce, Civil Aeronautics Authority, Washington, D. C.	Airport Development Project, Allentown Bethlehem, Pa.	1/15/43
U. S. Department of Commerce, Civil Aeronautics Authority, Washington, D. C.	Airport Development Project, Bradford-Kane, Pa.	1/15/43
U. S. Dept. of Agriculture, Washington, D. C.	Soil Conservation Service, Carbondale, Illinois Lake Project, Little Grassy Dam.	1/12/43
U. S. Dept. of Agriculture, Washington, D. C.	Buffalo Rapids Farms, Miles City, Mont.	1/12/43
U. S. Dept. of Agriculture, Washington, D. C.	Buford-Trenton, N. Dak.	1/12/43
U. S. Dept. of Agriculture, Washington, D. C.	Soil Conservation Service, Carbondale, Ill., Lake Project—Devil's Kitchen Dam.	1/12/43
U. S. Dept. of Agriculture, Washington, D. C.	Dyess Farms, Dyess, Mississippi Co., Ark.	1/12/43
U. S. Dept. of Agriculture, Washington, D. C.	Eden Valley Farms, Eden Valley, Wyo.	1/12/43
U. S. Dept. of Agriculture, Washington, D. C.	Glades Farms, Port Mayaca, Fla.	1/12/43
U. S. Dept. of Agriculture, Washington, D. C.	Water Facilities & Soil Conservation Program, Mirage Flats, Nebr.	1/12/43

[F. R. Doc. 43-845; Filed, January 16, 1943, 4.12 p. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF STOP CONSTRUCTION ORDERS STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain Stop Construction Orders listed in Schedule A below, stopping the construction of the projects affected. For the effect of each such order upon construction of the project and delivery of materials therefor, the Builder and Suppliers affected shall refer to the specific Order issued to the Builder.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 16, 1943.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A

Name and address of builder	Project affected	Date of issuance of stop construction order
Georgia State Hwy. Board, Atlanta, Ga.	Effingham County, Ga., SAP 1937-A (4)	1/15/43
Georgia State Hwy. Board, Atlanta, Ga.	Barrow & Jackson Counties SAP 1899-B & 1899-C	1/15/43
Georgia State Hwy. Board, Atlanta, Ga.	Rockdale County, Ga., SAP 1922-B (1)	1/15/43
Georgia State Hwy. Board, Atlanta, Ga.	Wheeler County, Ga., SAP 1952 (3)	1/15/43
Georgia State Hwy. Board, Atlanta, Ga.	Telfair County, Ga., SAP 1896 (1)	1/15/43
Michigan State Hwy. Dept., Lansing, Mich.	Michigan FAS 160-A (1)	1/15/43
California Dept. of Pub. Wks., Dept. of Hwys., Sacramento, Calif.	Calif. SN-FAP 174 E (1)	1/12/43

[F. R. Doc. 43-842, Filed, January 16, 1943; 4:12 p. m.]

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FEDERAL REGISTER

VOLUME 8 NUMBER 13

Washington, Wednesday, January 20, 1943

Regulations

TITLE 7—AGRICULTURE

Chapter X—Food Production Administration

[Food Production Order 6]

PART 1215—SEEDS AND GRASSES

RESTRICTIONS ON TRANSFER OF BERMUDA AND CARPET GRASS SEEDS

Pursuant to the authority vested in the Secretary of Agriculture by Executive Order No. 9280, dated December 5, 1942, and to assure an adequate production of food to meet war and civilian needs: *It is hereby ordered*, That:

§ 1215.1 *Restrictions on transfer of Bermuda and carpet grass seeds*—(a) *Definitions*. For the purposes of this order:

(1) "Person" means any individual, partnership, corporation, association, or any other organized group of "persons" and shall include any agent, agency, or any "person" acting for or on behalf of any of the foregoing. The term "person" shall also include the United States or any agency thereof, and a State or any political subdivision or agency thereof.

(2) "Bermuda grass seed" means seed of the species Cynodon dactylon whether separate or mixed with alfalfa seed.

(3) "Carpet grass seed" means seed of the species Axonopus compressus.

(4) "Transfer" means any actual or purported act or transaction, whether or not evidenced by writing, the purpose, intent, or effect of which is to create, surrender, release, change or alter, directly or indirectly, any right, title, interest, or possession with respect to any Bermuda grass seed or carpet grass seed, and without limitation upon the foregoing shall include the making, execution, or delivery of any bill of sale, chattel mortgage, receipt, agreement, contract, certificate, gift, loan, lease, sale, barter or exchange, the creation or transfer of any lien, the issuance, docketing, filing or the levy of or under any judgment, decree, attachment, execution, or other judicial process or order. Transfer shall also include delivery of any Bermuda grass seed or carpet grass seed from any person to any agent or agency of such person and the delivery thereof to any person acting on behalf of such person.

(5) "Director" means the Director of Food Production or, in his absence, the Acting Director of Food Production.

(b) *Restrictions*. Notwithstanding the terms of any contract of sale or purchase or other commitment, whenever made, no person shall, after January 20, 1943, transfer or mix or accept a transfer of any Bermuda grass seed or any carpet grass seed, except that:

(1) Any person may transfer Bermuda grass seed or carpet grass seed to the Commodity Credit Corporation, the Army, Navy, Marine Corps, Coast Guard or Public Roads Administration (for work that is contracted under a Directive from the Army or Navy), and any such agency may accept transfers of Bermuda grass seed or carpet grass seed.

(2) Any person may transfer Bermuda grass seed or carpet grass seed to any contractor or subcontractor of the Army, Navy, Marine Corps, Coast Guard or Public Roads Administration (for work that is contracted under a Directive from the Army or Navy), *Provided*, Each such agency approves in writing each such transfer to its contractors or subcontractors and any such contractor or subcontractor may accept a transfer of Bermuda grass seed or carpet grass seed, *Provided*, That such written approval is obtained.

(3) Any person may clean Bermuda grass seed or carpet grass seed.

(c) *Reports*. Every person to whom this order is applicable who owns or controls stocks of Bermuda grass seed or carpet grass seed in an amount of 1000 pounds or more shall, on or before February 2, 1943, execute and file with the Department of Agriculture a report disclosing the amount of Bermuda grass seed and carpet grass seed which he owns or controls and the place where such seed is located. Persons to whom this order is applicable shall execute and file with the Department of Agriculture such further reports as the Department may from time to time require.

(d) *Records*. Persons to whom this order is applicable shall keep and preserve for not less than two years accurate and complete records concerning

(Continued on next page)

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FEDERAL REGISTER

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purchases, sales and stocks of Bermuda grass seed and carpet grass seed.

(e) *Audits and inspections.* Every person to whom this order applies shall, upon request, submit for audit and inspection by duly authorized representatives of the Department of Agriculture his books, records and accounts.

(f) *Violations.* Any person who willfully violates any provisions of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, or who conspires with another to perform any of such acts, is guilty of a crime and upon conviction may be punished by fine and imprisonment. In addition, any such person may by administrative suspension order be prohibited from receiving any deliveries of or selling or otherwise disposing of or using any Bermuda grass seed or carpet grass seed or any other material now or hereafter authorized to be rationed or allocated by, or subject to the priority control of, the Secretary of Agriculture, and may be deprived of any such priority assistance. Further, the Director of Food Production may recommend to the Office of Price Administration or to the War Production Board that any person who violates any provision of this order or any amendment or supplement thereto be denied the right to receive, use, sell or otherwise dispose of any other materials which now are or in the future may be under allocation.

(g) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director of Food Production, setting forth in such petition all pertinent facts and information. The Director may, upon the basis of such application and other information, take such action as he deems appropriate. The decision of the Director shall be in writing and shall be final and conclusive.

(h) *Delegation of authority.* The administration of this Food Production Order No. 6 and the powers conferred upon the Secretary of Agriculture by Executive Order No. 9280, insofar as such powers relate to the administration of this order, are hereby delegated to the Director of Food Production or, in his absence, to the Acting Director of Food Production. The Director of Food Production shall be assisted in the administration of this order by such employees of the Department of Agriculture as he may designate, and such employees are herby authorized to administer the provisions of this order.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the United States Department of Agriculture, Food Production Administration, Washington, D. C., Ref. FPA 6.

(j) *Effective date.* This order shall become effective 12:01 a. m., e. w. t., January 20, 1943.

(E.O. 9280, 7 F.R. 10179)

Done at Washington, D. C., this 19th day of January, 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F.R. Doc. 43-924; Filed, January 19, 1943; 11:15 a. m.]

Chapter XI—Food Distribution Administration

[Food Distribution Order 7]

PART 1430—SUGAR

DISTRIBUTION OF RAW SUGAR

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to assure an adequate supply and efficient distribution of food to meet war and civilian needs, *It is hereby ordered as follows:*

§ 1430.1 *Importation, sale, and delivery of raw sugar*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Raw sugar" means any grade or type of saccharine product derived from sugarcane which is in crystalline form and which polarizes 98.50 or less, and any saccharine product of sugarcane in liquid form which is produced outside the continental Uniter States and which contains non-sugar solids (excluding any foreign substance which may have been added) equal to 6 per centum or less of the total soluble solids.

(3) "Refiner" means any person in the continental United States who was engaged in the refining of raw sugar during the calendar year 1941.

(4) "Manufacturer" means any person in the continental United States who in 1941 bought or accepted delivery from any source of raw sugar to use it in the manufacture of any product for human consumption, other than direct-consumption sugar.

(5) "Delivery" means as follows:

(i) For raw sugar from foreign countries, arrival at a port of entry in the continental United States under customs' control.

(ii) For raw sugar from insular domestic areas, receipt at a port of entry in the continental United States.

(iii) For raw sugar produced in the continental United States delivery as defined in the administration of the Sugar Act of 1937.

(b) *Restrictions on refiners and manufacturers.* Unless specifically authorized by the Director of Food Distribution:

(1) No person other than a refiner or a manufacturer, or the agent of a refiner or a manufacturer, shall purchase, import, or accept delivery of raw sugar.

(2) No refiner shall purchase, import, or accept delivery of raw sugar in excess of any allotment which may be established from time to time for such refiner by the Director of Food Distribution nor in violation of any order or regulation which may from time to time be prescribed by the Director of Food Distribution.

(c) *Records.* Each person participating in any transaction to which this order applies shall keep and preserve for a period of not less than two years accurate and complete records of his inventories of the material or materials to which such order relates and of the details of all transactions in such materials. Such records shall include the dates of all contracts or purchase orders accepted, the delivery dates specified in such contracts or purchase orders, and in any preference rating certificates accompanying them, the dates of actual deliveries thereunder, description of the material covered by such contracts or purchase orders, description of deliveries by classes, types, quantities, weights and values, the parties involved in each transaction, the preference ratings, if any, assigned to deliveries under such contracts or purchase orders, details of defense orders and all other rated orders either accepted or offered and rejected, and other pertinent information.

(d) *Reports.* (1) Each person participating in any transaction to which this order applies shall execute and file with the Food Distribution Administration of the Department of Agriculture such reports and questionnaires as the Director of Food Distribution shall from time to time prescribe.

(2) Each refiner accepting delivery of raw sugar shall report to the Food Distribution Administration of the Department of Agriculture the information on the forms now required in the administration of the quota provisions of the Sugar Act of 1937.

(e) *Appeal.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him, may apply for relief to the Food Distribution Administration of the Department of Agriculture by telegram or letter, setting forth the pertinent facts and the reason such person considers that he is entitled to relief.

(f) *Violations.* Any person who willfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Communications.* Appeals and other communications concerning this order should be addressed to Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref: FD—7.

(h) *Supersedure.* This order shall supersede Conservation Order M-98,[1] as amended October 30, 1942.

(E.O. 9280, 7 F.R. 10179)

Issued this 15th day of January 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-895; Filed, January 18, 1943; 8:23 p. m.]

[1] 7 F.R. 8828.

TITLE 10—ARMY: WAR DEPARTMENT

Chapter III—Claims and Accounts

PART 36—CLAIMS AGAINST THE UNITED STATES

DEATH GRATUITY PAY

Sections 33.1, 33.3, and 33.5 are retained with change in revision of AR 35-1540, December 19, 1942; §§ 33.2 and 33.6 are amended and §§ 33.7 and 33.8 are added as follows:

§ 33.2 *Exempt from indebtedness.* The amount of the 6 months' pay cannot be used for the debts of the officer or enlisted man, not even for overpayments. (See MS. Comp. Dec., May 14, 1913.) (Secs. 1, 2, 41 Stat. 367, sec. 9, 41 Stat. 766, 42 Stat. 1385; 10 U. S. C. 903) [Par. 4, AR 35-1540, December 19, 1942]

§ 33.6 *Payments, general*—(a) *Beneficiaries.* Payments of the 6 months' gratuity pay may be made to beneficiaries in the order indicated below:

(1) If there be a widow, payment will be made to the widow only.

(2) If there be no widow, payment will be made to the child or children, if there are any entitled to payment.

(3) If there be no widow or child, payment will be made to the dependent relative previously designated by the deceased as his beneficiary to whom the gratuity is to be paid.

The classes of relatives who may properly be designated as beneficiaries are stated in § 33.4.

(b) *Evidence.* (1) The evidence required to establish the right, under the law, of any person to receive payment of the 6 months' gratuity is set forth for the different classes of beneficiaries shown in the following table:

Class of beneficiary	Evidence of—					
	Nonexistence of preferred beneficiaries	Relationship	Age	Conjugal condition	A degree of actual dependency	Designation as beneficiary
Widow	Not required	Required	Not required	Not required	Not required	Required.[1]
Unmarried child or children under 21 years of age.	Evidence that there is no widow required.	do	Required	Required	do	Do.[1]
Married child or children, any age.	do	do	do	do	Required	Do.[1]
Child or children over 21 years of age.	do	do	do	do	do	Do.[1]
Other beneficiaries	Evidence that there is no widow or child required	do	Not required	Not required	(See par. (b) (2) below.	Do.[2]

[1] The fact, if it be a fact, that the widow or child (children), as the case may be, was designated as beneficiary will in itself be regarded ordinarily as sufficient to establish the identity of the payee. Where payment is to be made to a widow or child (children) not previously designated as beneficiary, affidavits from two disinterested persons not related by blood, certifying to the length of time they have known the beneficiary and that he or she is the person represented will be obtained and filed with the voucher.

[2] If it be a fact, the last line of paragraph 12, W.D. F.D. Form No. 6, will include "deceased left neither widow nor child (children)."

(2) Hereafter, no affirmative showing of dependency will be required in making payments of 6 months' death gratuity pay authorized by the act of December 17, 1919, as amended, to fathers, mothers, brothers, or sisters, designated as beneficiaries of deceased Army personnel, who had an insurable interest in the life of the deceased by reason of relationship alone, but, as to more distant relatives, more evidence of insurable interest will be required than heretofore. (See 4 Comp. Gen. 554, modified; 22 id. 85.) (Secs. 1, 2, 41 Stat. 367, sec. 9, 41 Stat. 766, 42 Stat. 1385; 10 U.S.C. 903) [Par. 7, AR 35-1540, December 19, 1942]

§ 33.7 *Persons missing, or missing in action.* Claims of beneficiaries of persons missing or missing in action, are payable upon expiration of 12 months from the date the person is reported as missing, or missing in action. In the absence of an official report of death of the missing person, the Secretary of War will make the finding of death of such person. (See AR 35-1320.[4]) (Secs. 1, 2, 41 Stat. 367, sec. 9, 41 Stat. 766, 42 Stat. 1385; 10 U.S.C. 903) [Par. 9, AR 35-1540, December 19, 1942]

§ 33.8 *Settlement of arrears of pay.* The accounts of deceased Army personnel are settled by the General Accounting Office, Claims Division, Washington, D. C., to which office any claim for arrears of pay, that is, the pay due the deceased at the time of his death, should be made by the nearest heir, executor, or administrator of the estate. Standard Form No. 1055 will be used for the purpose. For officers and enlisted men on active duty, post adjutants or disbursing officers will forward application to next of kin, without request; for retired officers or enlisted men, next of kin should request form from post adjutant or Chief of Finance. Letters testamentary, if claim is filed by executor or administrator of the estate, and receipted itemized undertaker's bill, if claim is made for reimbursement of funeral expenses, will accompany the claim when forwarded. (Secs. 1, 2, 41 Stat. 367, sec. 9, 41 Stat. 766, 42 Stat. 1385; 10 U.S.C.

[4] Administrative regulations of the War Department relating to pay of military personnel.

903) [Par. 10, AR 35-1540, December 19, 1942]

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-894; Filed, January 18, 1943; 2:45 p. m.]

TITLE 29—LABOR

Chapter II—National Labor Relations Board

PART 206—CERTIFICATION AND SIGNATURE OF DOCUMENTS

By virtue of the authority vested in it by the National Labor Relations Act, approved July 5, 1935, the National Labor Relations Board hereby issues the following amendments to its Rules and Regulations — Series 2 — as amended (General Rules and Regulations) which it finds necessary to carry out the provisions of said Act. Said amendments to the Rules and Regulations—Series 2—as amended, shall become effective upon the signature of the original amendments by the members of the Board, and upon the publication thereof in the FEDERAL REGISTER.

Sections 206.1 and 206.2, National Labor Relations Board Rules and Regulations—Series 2—as amended, are hereby amended in the following manner: § 206.1 is amended by striking out the words "The Executive Secretary of the Board" in the first sentence thereof and by substituting therefor the words "The Chief of the Order Section," and by striking out the words "the Director of Field Division of the Board" in the first sentence thereof and by substituting therefor the words "whosoever may be designated by the Board in his place and stead."

Section 206.2 is amended by striking out the words "The Executive Secretary of the Board" in the first sentence thereof and by substituting therefor the words "The Chief of the Order Section," and by striking out the words "the Director of Field Division of the Board" in the first sentence thereof and by substituting therefor the words "whosoever may be designated by the Board in his place and stead." As amended, §§ 206.1 and 206.2, Rules and Regulations—Series 2—as amended, shall read as follows:

§ 206.1 *Certification of papers and documents.* The Chief of the Order Section, or in the event of his absence or disability, whosoever may be designated by the Board in his place and stead, shall certify copies of all papers and documents which are a part of any of the files or records of the Board as may be necessary or desirable from time to time.

§ 206.2 *Signatures of orders and complaints.* The Chief of the Order Section, or in the event of his absence or disability, whosoever may be designated by the Board in his place and stead, is hereby authorized to sign all orders of the Board, and sign and issue all complaints authorized to be issued by the Board.

(Sec. 6 (a), 49 Stat., 452; 29 U.S.C., Sup. IV, 156)

Signed at Washington, D. C., this 18th day of January 1943.

H. A. MILLIS,
Chairman.
GERARD D. REILLY,
Member.

[F. R. Doc. 43-893; Filed, January 18, 1943; 2:16 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket Nos. A-1766 and A-1786]

PART 324—MINIMUM PRICE SCHEDULE, DISTRICT NO. 4

ORDER GRANTING RELIEF, ETC.

Order consolidating Docket Nos. A-1766 and A-1786 and granting temporary relief and conditionally providing for final relief in the matter of the petition of Sheban Mining Company for the establishment of price classifications and minimum prices for rail shipment and the petition of District Board No. 4 for the establishment of price classifications and minimum prices for the coals of certain mines and for changes in shipping points for the coals of certain other mines.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 (the "Act") having been filed in Docket No. A-1766 by Sheban Mining Company, requesting the establishment of price classifications and minimum prices, for shipment via rail for coals produced at the Sheban Mine ("Sheban Mine"), Mine Index No. 2314, located in District No. 4; and

An original petition, pursuant to said section of the Act having been filed in Docket No. A-1786, by District Board No. 4, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 4, including the said Sheban Mine, and for a change in shipping points for certain other mines; and

An amended petition, pursuant to said section of the Act, having been filed in Docket Nos. A-1766 and A-1786 by Sheban Mining Company requesting the establishment both temporary and permanent of price classifications and minimum prices for shipment by rail for coals produced at the said Sheban Mine; and

It appearing that the amended petition filed in Docket No. A-1766 and the original petition filed in Docket No. A-1786 request the establishment of price classifications and minimum prices for the said Sheban Mine for rail shipment from the shipping point, Willowcrest, Ohio; and

It further appearing that the coals produced at the said Sheban Mine are mined from the Cannel Seam and not Seam 4 as stated in the original petition filed in Docket No. A-1786; and

It further appearing that Docket Nos. A-1766 and A-1786, should be consolidated and that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in either Docket Nos. A-1766 and A-1786; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That Docket Nos. A-1766 and A-1786 shall be, and the same hereby are, consolidated;

It is further ordered, That, pending final disposition of this matter, temporary relief is granted as follows: Commencing forthwith § 324.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 324.24 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof;

It is further ordered, That, commencing forthwith the Freight Origin Group Numbers and shipping points appearing in the aforesaid Supplement R for Mine Index Nos. 516 and 1436 shall be established and made effective in lieu and in place of the Freight Origin Group Numbers and shipping points heretofore established and made effective for said mines;

It is further ordered, That no relief be granted herein for the coals of the B & W Coal Co., Mine Index No. 2274, operated by Esther L. Wedding, for the reason that price classifications and minimum prices were established for this mine in Docket No. A-1147 under the name of Williams Mine, operated by W. J. Benton;

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937;

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: December 28, 1942.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 4

Note. The material in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 324, Minimum Price Schedule for District No. 4 and supplements thereto.

§ 324.7 *Alphabetical list of code members*—Supplement R

FOR ALL SHIPMENTS EXCEPT TRUCK

[Alphabetical list of code members having railroad loading facilities, showing price classification by price group numbers]

Mine Index No.	Code member	Mine name	Seam	Type	Sub-district No.	Shipping points in Ohio	Freight origin group No.	Railroad	Price group No.	Railroad fuel price group No. On line	Railroad fuel price group No. Off line	River shipment price group No.
3100	Brain, Ernest	Robinson Clay Products	5	Strip	4	Bolivar	56	W&LE	65	119	202-301	
516	Cook, Arnold	Lucy	8	Deep	1	North 1	14	W&LE	1	115	201-303	
2456	East Fairfield Coal Company, The	Middleton	6	Strip	4	Woodsworth	74	Y&S	72	120	202-304	
3075	Lasmill Coal Company (Herman R. Eberle)	Mt. Carmel	5	Deep	7	Wellston	41	H&O	10	101	201-303	
3097	Marshall Mining Company	Beaver Creek	6 & 7	Strip	5	Lisbon	73	Erie	56	106	201-301	
2838	Perry L. Coal Co. (C. L. Wickliffe)	Perry L.	6	Strip	5	Mineral City	73	C&O	72	104	202-301	
2314	Sheban Mining Co. (Sheban Mining Company)	Sheban	Cannel	Strip	4	Willowcrest	74	Y&S	72	120	202-301	
1436	Swearingen, Lloyd R. (a/a Mineral Company)	L. R. Swearingen	6	Deep	4	Conmar C. Co. Dock Ohio River on Yellow Creek.[1]						501

[1] Shipping Point at Stewartsville, Ohio, on the Baltimore & Ohio Railroad established for Mine Index No. 516 in a previous Docket shall no longer be applicable.
[2] River Loading Point at Parsons' Dock, East Liverpool, Ohio, on the Ohio River, established for Mine Index No. 1436 in a previous Docket shall no longer be applicable. Prices for Mine Index No. 1436, located in Sub-district No. 4, shall be the same as those shown in § 324.11 (c) (Price Group Ohio No. 501), Minimum Price Schedule of the Effective Minimum Prices.

FOR TRUCK SHIPMENTS

§ 324.24 *General prices in cents per net ton for shipment into all market areas—* Supplement T

Code member	Mine	Mine index No.	Type	Seam	Base sizes: 6" lump	3"-4"-5" lump	2" lump	2" x 4" egg, 2" x 5" egg	1 ¼" lump, 1¼" x 4" egg	Mine run, mill run, prep.	2" x 0 slack	¾" x 0 slack
					1	2	3	4	5	6	7	8
SUBDISTRICT NO. 1—EASTERN OHIO												
BELMONT COUNTY												
Bailey, Chaney S.	Bailey	446	Deep	8A	305	295	280	255	250	240	220	210
Holland, Elmer F.	Holland	3071	Deep	8	305	295	280	255	250	240	220	210
JEFFERSON COUNTY												
Hunter, Charles W.	Hunter	3034	Strip	8	295	285	270	245	240	230	210	200
SUBDISTRICT NO. 2—CAMBRIDGE												
NOBLE COUNTY												
Crum, Roscoe & Son (William R. Crum)	Crum	3081	Deep	8	290	280	265	240	240	240	220	210
La Hue, Fredrick Eugene	La Hue	3076	Deep	8	290	280	265	240	240	240	220	210
Miller, Adam Joseph & Son (Adam Joseph Miller).	Miller	3104	Deep	8	290	280	265	240	240	240	220	210
WASHINGTON COUNTY												
Antill, Clarence R.	Antill	3083	Deep	8	290	280	265	240	240	240	220	210
Dennis, Floyd A.	Dennis	3084	Deep	8	290	280	265	240	240	240	220	210
Miller, Walter C.	Miller	3082	Deep	8	290	280	265	240	240	240	220	210
SUBDISTRICT NO. 4—MIDDLE												
COLUMBIANA COUNTY												
Kosko, John (Hollow Coal Co.)	Hollow Coal Co	3090	Deep	6	320	310	295	270	265	245	225	215
Marshall Mining Company	Beaver Creek	3097	Strip	6 & 7	320	310	295	270	265	245	225	215
COSHOCTON COUNTY												
Grace, Byrl	Byrl Grace	3098	Deep	6	300	290	280	255	250	215	185	175
SUBDISTRICT NO. 4—MIDDLE												
STARK COUNTY												
Bay, Cooper (The Penn Coal Co.)	Bay No. 2	3103	Deep	6	295	285	270	255	255	240	210	200
TUSCARAWAS COUNTY												
Bruns, Ernest	Robinson Clay Products	3100	Strip	5	295	285	270	255	255	230	210	200
King, Victor	King	3085	Deep	6	295	285	270	255	255	240	210	200
SUBDISTRICT NO. 5—HOCKING												
ATHENS COUNTY												
Andrews, Frank & Philip Losey (Frank Andrews).	Andrews & Losey	3072	Deep	7	300	290	280	255	250	215	185	175
SUBDISTRICT NO. 6—CROOKSVILLE												
MUSKINGUM COUNTY												
Harmon, Earl	Harmon	3078	Strip	7A	300	290	280	255	250	215	185	185
PERRY COUNTY												
Cable, Hugh	Cable Coal Co. #3	3101	Deep	5	300	290	280	255	250	215	185	175
SUBDISTRICT NO. 7—JACKSON												
JACKSON COUNTY												
Lesmill Coal Company (Herman R. Ebert).	Mt. Carmel	3075	Deep	5	315	305	295	270	265	215	195	185

[F. R. Doc. 43-869; Filed, January 18, 1943; 10:42 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

MEN EMPLOYED IN ALASKA BY U. S. NAVY

ORDER PERMITTING INDUCTION INTO NAVAL FORCES

Under and by virtue of the authority vested in me by § 603.1, Selective Service Regulations,[1] and notwithstanding any other orders, directives, rules or regulations, I hereby direct the State Director of the Territory of Alaska to take the necessary steps in order to permit men between the ages of 18 and 38 who are registered with local boards outside the Territory of Alaska and who are now or have until recently been employed either by the United States Navy or by persons performing work under contract for the United States Navy to volunteer for induction and be inducted into the naval forces of the United States through a convenient local board in the Territory of Alaska.

The State Director of Alaska shall arrange for the completion of Form 165, Form 151 and Form 221 covering each registrant inducted under the provisions of this order and shall forward such completed forms to the registrant's local board through the proper State Director of Selective Service.

LEWIS B. HERSHEY,
Director.

[F. R. Doc. 43-912; Filed, January 18, 1943; 4:20 p. m.]

Chapter VII—Board of Economic Warfare

[Order 5]

PART 800—ORDERS AND DELEGATIONS OF AUTHORITY

IMPORTED MATERIALS CONTRACTS; AUTHORITY DELEGATION

Providing for additional delegations of authority and prescribing procedures and methods of administration with respect to imported materials contracts.

Pursuant to the authority conferred by Executive Order No. 8839[2] of July 30, 1941, as amended, and Executive Order No. 9128[3] of April 13, 1942, and in order to avoid duplication of functions and personnel and to increase efficiency of operations, the following procedures and methods are prescribed with respect to the procurement and production of imported commodities financed through the Defense Supplies Corporation, the Metals Reserve Company, the U. S. Commercial Company and the Defense Plant Corporation:

§ 800.5 *Order No. 5.* (a) Effective February 25, 1943, and except as may thereafter be expressly provided by the Chairman of the Board, the negotiation, preparation, supervision, and administration both in the United States and abroad of all existing or future imported materials contracts (as defined in the published Rules and Regulations of the Board of Economic Warfare, effective April 20, 1942) financed by any of the above-named agencies, including development, preclusive operations and related activities, but not including the corporate execution of contracts, the disbursement of funds, the necessary accounting with respect to such disbursements, or the acceptance of delivery of commodities and materials, shall be carried on by the Office of Imports of the Board of Economic Warfare and through the foreign representatives of the Board assigned to such functions, under the direction of the Assistant Director in charge of said Office, subject to the general supervision and direction of the Chairman and Executive Director of the Board. All negotiations abroad shall be conducted in complete accordance with the provisions of the Clarification and Interpretation of Executive Order No. 9128 of April 13, 1942, in Respect of Certain Functions of the Department of State and the Board of Economic Warfare, issued by the President on May 20, 1942.

(b) The above-named agencies shall continue to be responsible for and conduct the corporate execution of imported materials contracts, the disbursement of funds thereunder, the necessary accounting with respect to such disbursements, and the acceptance of delivery of commodities and materials, pursuant to directives from the Board of Economic Warfare, in accordance with the published Rules and Regulations of said Board.

(c) Effective February 25, 1943, all correspondence and communications relating to such negotiation, preparation, supervision or administration of imported materials contracts shall, except as may be thereafter provided by the Chairman of the Board, be conducted by said Office of Imports or through said foreign representatives of the Board; and all such correspondence and communications to and from persons or missions sent abroad by the Board or any agency named in this Order shall be conducted by said Office of Imports through the facilities of the Department of State and the diplomatic missions, unless other means are agreed upon with the Department of State, in complete accordance with the Clarification and Interpretation of Executive Order No. 9128, of April 13, 1942, in Respect of Certain Functions of the Department of State and the Board of Economic Warfare, issued by the President on May 20, 1942.

(d) On or before February 10, 1943, the Executive Director of the Board, after consultation with the head of each of said agencies and the Director of the Bureau of the Budget, shall submit to the Civil Service Commission, pursuant to War Manpower Commission Directive No. 10,[4] effective September 27, 1942, entitled "Directive with Respect to the Transfer and Release of Government Employees", a request for the transfer to the Board of Economic Warfare of such of the employees of such agencies as are engaged, entirely or primarily, in the negotiation, preparation, supervision or administration of imported materials contracts.

(e) In order to avoid the possibility of delays or disruptions in foreign procurement and development activities, the Office of Imports, with the approval of the Chairman of the Board and the consent of the agency concerned, shall be authorized to utilize, under its administrative direction, any of the employees of any of the agencies named in this order whose requested transfer pursuant to section 4 of this order has not been completed by February 25, 1943.

(f) Nothing in this order shall in any way modify or affect relations or arrangements heretofore existing between the War Production Board and the Board of Economic Warfare.

Dated: January 19, 1943.

H. A. WALLACE,
Chairman.

[F. R. Doc. 43-922; Filed January 19, 1943; 10:32 a. m.]

[1] 6 F.R. 6826, 7 F.R. 650.
[2] 6 F.R. 3823.
[3] 7 F.R. 2809.
[4] 7 F.R. 7298.

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1010—SUSPENSION ORDERS

[Revocation of Suspension Order S-15]

MATTHEW G. LEPLEY

Section 1010.15, Suspension Order S-15, issued March 21, 1942 [7 F.R. 2236, 9121] is hereby revoked.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 18th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-914; Filed, January 18, 1943; 4:24 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-219]

E. C. JOHNSTON

E. C. Johnston, Longview, Tex., is a lessee of oil well properties, an operator of oil wells and a drilling contractor both for himself and others. He is the lessee of certain property in the Tinsley Field, Yazoo County, Mississippi.

On or about April 25, 1942, E. C. Johnston spudded his Well No. 15, located in said field, and thereafter used material to complete the drilling of such well. This well does not conform to a uniform well-spacing pattern of not more than one single well to each 40 surface acres and the use of materials for the drilling of this well constituted a violation of Conservation Order M-68 as amended February 18, 1942. At the time Mr. Johnston drilled this well he was familiar with the restrictions contained in Conservation Order M-68 and acted in reckless disregard of such restrictions.

This violation of Conservation Order M-68 has hampered and impeded the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.219 *Suspension Order S-219.* (a) E. C. Johnston, his successors and assigns, shall not order, purchase, accept delivery of, withdraw from inventory or in any other manner, directly or indirectly, secure or use material for the construction, reconstruction, expansion, remodelling, replacement, or improvement of any facilities used in the production of petroleum either for his own account or for the account of others, except as specifically authorized by the Director General for Operations.

(b) The restrictions of paragraph (a) hereof shall not apply to the drilling of the Hawkins Well, located 660 feet north, 330 feet east of the south and west lines respectively of the SW¼ of the NE¼ of Section 1, T. 9N., R. 3W., Yazoo County, Mississippi.

(c) Nothing contained in this order shall be deemed to relieve E. C. Johnston from any restriction, prohibition, or provision contained in any order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on January 22, 1943, and shall expire on April 22, 1943, at which time the restrictions contained in this order shall be of no further effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 18th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-915; Filed, January 18, 1943; 4:24 p. m.]

PART 3123—FLOOR FINISHING AND FLOOR MAINTENANCE MACHINES AND INDUSTRIAL VACUUM CLEANERS

[Limitation Order L-222, as Amended Jan. 14, 1943[1]]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account and for export of the materials used in the manufacture of floor finishing and floor maintenance machines and industrial vacuum cleaners; and the following order is deemed necessary and appropriate in the public

[1] This document is a restatement of Amendment 1 to Limitation Order L-222 which appeared in the FEDERAL REGISTER of January 16, 1943, page 592 and reflects the order in its completed form as of January 14, 1943.

interest and to promote the national defense:

§ 3123.1 *Limitation Order L–222*—(a) *Definitions.* For the purpose of this order:

(1) "Floor finishing or floor maintenance machines" means any motorized or hand-powered mechanical device, designed for the purpose of floor finishing or maintenance. The term includes, but is not limited to, the types of machines on List A attached to this order as amended from time to time, and excludes independent motor-operated vacuum producing units, floor sanding machines and machines specifically designed for the manipulation of wet cement.

(2) "Floor finishing" and "floor maintenance" include, but are not limited to, the operations of grinding, staining, sealing, scraping, oiling, waxing or polishing floors or decks, and the collection and removal of dust, grime, oil, reclaimable materials or refuse from floors or decks, either separately or in conjunction with the operations of washing, scraping, sterilizing and wiping floors or decks.

(3) "Floor sanding machines" means machines used for the smoothing of floors or decks, other than stone or tile floors, by the use of abrasives such as, but not limited to, sandpaper and steel wool.

(4) "Vacuum cleaners" means machines in which a combination of a motor operated vacuum producer (stationary or portable), an air impeller line, and a portable tool with attachments is used for the collection and removal by suction of dust, oil, reclaimable materials or refuse, in either the wet or dry state.

(5) "Industrial vacuum cleaners" means all vacuum cleaners other than those designed primarily for household use, exclusive of motor-operated vacuum producing units incorporated in floor sanding, floor finishing or floor maintenance machines.

(6) "Blowers" means machines in which a combination of a motor operated air pressure producer, an air impeller line, and a portable tool with attachments is used for the removal of dust, materials or refuse by air pressure.

(7) "New machines" means machines which have neither been used nor sold, rented or lent for the purpose of being used for floor sanding, floor finishing, floor maintenance or vacuum cleaning, and also machines which have been used solely for demonstration or trial loans.

(8) "Supplies" means replaceable items, such as, but not limited to, polishing brushes, cleaning brushes, sanding drums and discs, stones, hoses and bags, which are expended in the operations of floor sanding, floor finishing, floor maintenance, and vacuum cleaning.

(9) "Manufacturer" means any person engaged in the fabrication or assembly of new floor sanding machines, new floor finishing or floor maintenance machines, or new industrial vacuum cleaners, or of parts designed specifically for such machines, and includes wholesaling or retailing subsidiaries or divisions of such a person.

(10) "Distributor" means any person engaged in the business of selling, renting or lending new floor sanding machines, new floor finishing or floor maintenance machines, or new industrial vacuum cleaners, other than a manufacturer.

(b) *Restrictions on production*—(1) *Floor sanding machines.* No manufacturer shall fabricate or assemble any new floor sanding machines or parts for such new machines except as follows:

(i) On and before January 15, 1943, but not thereafter, a manufacturer may start to fabricate parts, for the assembly of new floor sanding machines, from materials which are still in the form in which he received them, provided that the materials which he starts to fabricate can be fabricated into parts and can be assembled into new floor sanding machines within the time limits set by paragraphs (b) (1) (ii) and (b) (1) (iii) of this order.

(ii) On and before March 15, 1943, but not thereafter, a manufacturer may fabricate parts for the assembly of new floor sanding machines.

(iii) On and before March 15, 1943, but not thereafter, a manufacturer may assemble new floor sanding machines.

(2) *Floor finishing or floor maintenance machines.* No manufacturer shall fabricate or assemble any new floor finishing or floor maintenance machines or parts for such new machines, except as follows:

(i) On and before February 15, 1943, but not thereafter, a manufacturer may start to fabricate parts, for the assembly of new floor finishing or floor maintenance machines, from materials which are still in the form in which he received them, provided that the materials which he starts to fabricate can be fabricated into parts and can be assembled into new floor finishing or floor maintenance machines within the time limits sets by paragraphs (b) (2) (ii) and (b) (2) (iii) of this order.

(ii) On and before March 15, 1943, but not thereafter, a manufacturer may fabricate parts for the assembly of new floor finishing or floor maintenance machines.

(iii) On and before April 15, 1943, but not thereafter, a manufacturer may assemble new floor finishing or floor maintenance machines.

(3) *Industrial vacuum cleaners.* No manufacturer shall fabricate any parts for new industrial vacuum cleaners except as follows:

(i) On and before March 1, 1943, but not thereafter, a manufacturer may start to fabricate parts, for the assembly of new industrial vacuum cleaners, from materials which are still in the form in which he received them, provided that the materials which he starts to fabricate can be fabricated into parts within the time limit set by paragraph (b) (3) (ii) of this order.

(ii) On and before June 1, 1943, but not thereafter, a manufacturer may fabricate parts for the assembly of new industrial vacuum cleaners, provided that if the Director General for Operations shall fix a production quota for such manufacturer, the number of machines for the assembly of which such manufacturer fabricates parts shall not exceed such production quota. Whenever production quotas are assigned by the Director General for Operations, he will take into consideration the number of machines already completed and the number of machines needed to be completed to meet, but not to exceed, the total requirements for such machines as determined by the Standard Products Committee.

(4) *Repair parts other than supplies.* (i) During the calendar quarter commencing January 1, 1943, and during any calendar quarter thereafter, no manufacturer shall fabricate repair parts having an aggregate manufacturing cost in excess of two per cent of that manufacturer's billed sales of new floor sanding machines, new floor finishing and floor maintenance machines, and new industrial vacuum cleaners during the calendar year of 1941.

(5) *Supplies.* Except as otherwise specifically provided, the restrictions of paragraph (b) of this order shall not apply to supplies other than suction attachments used in the conversion of portable industrial blowers to industrial vacuum cleaners.

(c) *Restrictions on transfer.* (1) No manufacturer or distributor shall sell, rent, lend or deliver any of the following types of new machines without authorization on Form PD–722:

(i) Drum type floor sanding machines making an eight-inch path or wider.

(ii) Disc type floor sanding machines making a twelve-inch path or wider.

(iii) Drum type floor finishing or floor maintenance machines making an eight-inch path or wider.

(iv) Disc type floor finishing or floor maintenance machines making a twelve-inch path or wider.

(v) Industrial vacuum cleaners.

Such authorizations shall expire thirty days after the date of their issuance unless served in the interim upon the supplier named therein. Within five days after their expiration, all expired authorization forms shall be returned for cancellation to the War Production Board, Service Equipment Division, Washington, D. C., Ref: L–222.

(2) Nothing in this paragraph shall be construed to prohibit the sale, rental, loan, or delivery of new machines from one manufacturer or distributor to fill an order, or part of an order received by the latter for such machines if the filling of the order has been authorized on Form PD–722.

(d) *Procedure for authorization.* All persons making application for the authorization required by paragraph (c) hereof shall make such application on Form PD–722.

(e) *Applicability of other orders and priorities regulations.* (1) This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board as amended from time to time.

(2) Nothing in this order shall be construed to permit the production of any machines whose production is prevented by any other orders or regulations of the War Production Board, including § 1174.1 *Limitation Order L–91*, and § 1176.1 *Conservation Order M–126*, as amended from time to time.

(f) *Records.* All persons to whom this order applies shall keep and preserve for not less than two years accurate and complete records concerning inventories, production, sales, leases, and rentals.

(g) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(h) *Reports.* (1) All persons affected by this order shall execute and file with the War Production Board such reports and answers to questionnaires as the War Production Board shall from time to time request.

(2) On or before January 28, 1943, for the month of December, and on or before the 15th day of each month thereafter for the preceding month, each manufacturer or distributor of new floor sanding machines, new floor finishing or floor maintenance machines, or new industrial vacuum cleaners shall file a monthly report on Form PD–723.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Appeals.* Any appeal from this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(k) *Communications.* All reports to be filed hereunder, or communications concerning this order, should be addressed to: War Production Board, Service Equipment Division, Washington, D. C., Ref: L–222.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 14th day of January, 1943.

ERNEST KANZLER,
Director General for Operations.

LIST A

Terrazzo grinders.
Waxing and polishing machines.
Disc type scrubbers, either wet or dry.
Drum type scrubbers, either wet or dry.
Combination scrubbers and water pickup.
Drum type sweepers.
Drum type scarifying machines.
Disc type scarifying machines.

[F. R. Doc. 43–913; Filed, January 18, 1943; 4:24 p. m.]

PART 1002—IRON AND STEEL PRODUCTION, MAINTENANCE, REPAIR, AND SUPPLIES

[Preference Rating Order P–68 as Amended January 19, 1943]

For the purpose of facilitating the acquisition of material for operating supplies and for the maintenance and repair of property and equipment used in the production of iron, steel, blast furnace coke, ferroalloys, and detinned iron and steel scrap, preference ratings are hereby assigned to deliveries of such material on the terms hereinafter set forth. Such terms shall control until such time as the War Production Board certifies specific quantities of such material to which the preference ratings herein assigned may be applied.

§ 1002.1 *Preference Rating Order P–68*—(a) *Definitions.* (1) "Producer" means any person operating a plant physically situated within the limits of the United States, its territories, or its possessions, or the Dominion of Canada, and actually engaged in the production of any one or more of the materials or products listed in Schedule A hereto.

(2) "Operating material" means material required by a producer for repair, maintenance or operating supplies used in the production of any one or more of the materials and products listed in Schedule A hereto.

(b) *Assignment of preference ratings.* Subject to the terms of this Order, a preference rating of AA–1 is hereby assigned to deliveries of operating material to producers, but nothing herein contained shall prevent the use of any other or higher rating to which any person may be entitled by reason of any other preference rating certificate or order.

(c) *Other preference ratings assignable.* The Director General may also upon written or telegraphic request assign such ratings as may be required to obtain deliveries of operating material to a producer when and only when there has been an actual breakdown or suspension of operations because of damage, wear and tear, destruction or failure of parts, or the like, and the essential material is not otherwise available. Requests for this rating must describe the material needed and the nature of the emergency.

(d) *Application and extension of preference ratings.* (1) No producer shall apply any preference rating assigned by or pursuant to this order until it has filed with the Iron and Steel Branch, War Production Board, a statement on form PD–148 and has received a serial number hereunder.

(2) Preference ratings assigned by or pursuant to this order shall be applied by a producer and extended by his suppliers in accordance with the terms of Priorities Regulation No. 3, as from time to time amended. A producer in applying such a preference rating shall also endorse on his contract or purchase order his serial number hereunder.

(e) *Restrictions on use of rating*—(1) *Restrictions on producer.* The producer may not apply any rating hereby assigned to obtain delivery of material on earlier dates than required for the operation, maintenance or repair of its property or equipment.

(2) *Restrictions on supplier.* (i) No supplier may apply the rating to obtain material in greater quantities or on earlier dates than required to enable him to make on schedule a delivery rated hereunder or, within the limitations of (ii) and (iii) below, to replace in his inventory material so delivered. He shall not be deemed to require such material if he can make his rated delivery and still retain a practicable working minimum inventory thereof; and if, in making such delivery, he reduced his inventory below such minimum, he may apply the rating only to the extent necessary to restore his inventory to such minimum.

(ii) A supplier who supplies material which he has in whole or in part manufactured, processed, assembled or otherwise physically changed may not apply the rating to restore his inventory to a practicable working minimum unless he applies the rating before completing the rated delivery which reduces his inventory below such minimum.

(iii) A supplier who supplies material which he has not in whole or in part manufactured, processed, assembled or otherwise physically changed may defer applications of the rating hereunder to purchase orders or contracts for such material to be placed by him until he can place a purchase order or contract for the minimum quantity procurable on his customary terms: *Provided*, That he shall not defer the application of any rating for more than three months after he becomes entitled to apply it.

(f) *Restrictions of inventory.* (1) A producer shall not, during any calendar quarter, accept, and a supplier shall not knowingly make to a producer, deliveries (whether or not rated pursuant to this section) of any material to be used as operating supplies or for maintenance or repair the aggregate dollar volume of which shall exceed 55 percent of the aggregate dollar volume of the withdrawals for such purposes by the producer from stores or inventory during the preceding calendar half-year unless such deliveries shall be specifically authorized in advance by the War Production Board on the producer's application therefor.

(2) A producer shall not at any time accept deliveries (whether or not rated pursuant to this section) of any material to be used as operating supplies or for maintenance or repair until the producer's inventory and stores of such material have been reduced to a reasonable minimum, unless such delivery shall be specifically authorized in advance by the War Production Board on the producer's application therefor. Such reasonable minimum shall in no case exceed 125 percent of the aggregate dollar volume of such material in inventory and stores on the last day of the preceding calendar half-year.

(3) A producer shall not, during any calendar quarter, make withdrawals from stores or inventory of any material to be used as operating supplies or for maintenance or repair the aggregate dollar volume of which shall exceed 55 per-

cent of the aggregate dollar volume of the withdrawals of such material during the preceding calendar half-year, unless such withdrawals shall be specifically authorized in advance by the War Production Board on the producer's application therefor.

(g) *Relief.* If the sound working condition of a producer is adversely affected by any provision or application of this order or by inability to obtain material essential for repair, maintenance or operating supplies, the producer may apply for relief to the Director General for Operations. The Director General for Operations may thereupon take such action as he deems appropriate.

(h) *Resale of material prohibited.* Except with specific permission of the Director General for Operations, a producer shall not resell any material acquired for repair, maintenance or operating supplies (whether or not obtained pursuant to rating assigned by this section): *Provided*, That nothing herein contained shall prohibit sale by the producer of used material acquired prior to October 31, 1941.

(i) *Conservation and standardization.* Every person affected by this order shall use his best efforts to effectuate conservation of materials by elimination, simplification or standardization of types, sizes or forms or otherwise, and shall cooperate in any program developed for such purpose by the War Production Board. The Director General for Operations may from time to time issue specific directions as to conservation, elimination, and standardization.

(j) *Records, audits and reports.* Each producer and each supplier shall keep and preserve for a period of not less than two years accurate and complete records of all transactions affected by this order, and shall submit from time to time to audit and inspection by duly authorized representatives of the War Production Board. Each producer and each supplier shall execute and file with the War Production Board, or other designated agency, such reports in such form as the War Production Board shall from time to time require. Until further direction, each producer shall file a quarterly report on form PD–228.

(k) *Violations.* Any person who willfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order may be prohibited from receiving further deliveries of any material subject to allocation, and such further action may be taken as is deemed appropriate, including a recommendation for prosecution under section 35 (A) of the Criminal Code (18 U.S.C. 80).

(l) *Revocation or modification.* This order may be revoked or modified by the Director General for Operations at any time as to any producer or supplier. In the event of revocation or modification, or upon expiration of this order, deliveries already rated pursuant to this order shall be completed in accordance with said rating, unless said rating has been specifically revoked or modified with respect thereto. No additional application of said rating to any other deliveries shall thereafter be made by any producer or supplier affected by such revocation, modification or expiration.

(m) *Amendment of prior orders.* The provisions of Preference Rating Orders P–22 and P–100 shall not apply to deliveries to which a preference rating is assigned by this Order.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 19th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A

1. Pig iron and ferroalloys.

2. The following iron and steel products, including alloys: Ingots, blooms (including forged), billets (including forged), slabs (including forged), tube rounds, sheet and tin bars, structural shapes, piling, plates (universal and sheared), rails, tie plates, track spikes, splice bars, rail joints, hot rolled bars (including hoops and bands and concrete reinforcing bars), cold finished bars, pipe and tubes (except conduit), wire rods, wire as drawn (not including further fabrications therefrom), black plate, tin and terne plate, sheets, strip, tool steel bars (including high speed), steel wheels and axles (for railroad use only), railroad locomotive tires, armor plate, ordnance forgings, steel castings (rough as cast), skelp, rolling mill rolls, ingot molds.

3. Coke for use in the production of pig iron and ferroalloys.

4. Detinned scrap iron and steel, and tin produced in the detinning process.

[F. R. Doc. 43-925; Filed, January 19, 1943; 11:24 a. m.]

PART 1029—FARM MACHINERY AND EQUIPMENT AND ATTACHMENTS AND REPAIR PARTS THEREFOR

[Limitation Order L–170, as Amended Jan. 19, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage of critical materials entering into the manufacture of farm machinery and equipment and attachments and repair parts therefor, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1029.10 *Limitation Order L–170*—(a) *Applicability of priorities regulations.* (1) This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(2) *Protection of production schedules.* Producers of any items of farm machinery and equipment and repair parts under the terms of this order may, notwithstanding the provisions of Priorities Regulation No. 1, as amended, schedule their production of such items as if the orders therefor bore a rating of AA–3.

(b) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person, other than a supplier, engaged in the manufacture of farm machinery and equipment or of repair parts for farm machinery and equipment; *Provided*, That:

(i) No person who did not manufacture any farm machinery and equipment or repair parts in 1940 or 1941 shall be deemed a "producer", nor shall any such person manufacture any such products of an aggregate value exceeding $2,500 for the period November 1, 1942 to October 31, 1943, inclusive; and

(ii) No state prison institution shall engage in the manufacture of any such products until such time as it has received a specific quota from the Director General for Operations.

(3) "Class A producer" means any producer whose total net sales (including sales of all affiliates of such producer) of all products during the calendar year 1941 exceeded $10,000,000 in value (including domestic sales and exports).

(4) "Class B producer" means any producer whose total net sales (including sales of all affiliates of such producer) of all products during the calendar year 1941 exceeded $750,000 but did not exceed $10,000,000 in value (including domestic sales and exports).

(5) "Class C producer" means any producer whose total net sales (including sales of all affiliates of such producer) of all products during the calendar year 1941 did not exceed $750,000 in value (including domestic sales and exports).

(6) "Affiliate" of a producer means any subsidiary thereof; any subsidiary of such a subsidiary, any parent company, and any subsidiary or parent of such a parent company.

(7) "Supplier" means any person engaged in the manufacture (for sale to a producer) of materials, parts, assemblies or sub-assemblies to be physically incorporated into farm machinery and equipment or repair parts manufactured by such producer, or to be resold by such producer as repair parts.

(8) "Distributor" means any person not a producer whose business consists, in whole or in part, of the sale of farm machinery and equipment or attachments and repair parts from inventory, and includes wholesalers, jobbers, retailers and other persons performing similar functions.

(9) "Farm machinery and equipment" means agricultural machinery, mechanical equipment and implements (including all attachments used in conjunction therewith) used for the production or care of crops, livestock, livestock products, or other produce on a farm (or elsewhere in the case of poultry), including irrigation and drainage equipment (excluding tile), horseshoes (including muleshoes), horseshoe nails, harness hardware and water well casing; but excluding repair parts, and also excluding all of the following: tracklaying type tractors, equipment ordered by the United States Department of Agriculture or other United States Government agencies, buildings and repairs thereto, fencing, poultry nettings and wire, wire fencing, bale ties or straps, oil well casing and water pipe, nails (other than horseshoe nails) and sundry hardware, grain bins and corn cribs (other than those made of iron or steel).

(10) "Attachment" for farm machinery and equipment means a supplementary appliance which may be added to an otherwise complete machine to extend the utility of such machine.

(11) "Repair parts" means all types of replacement parts considered separately or as assemblies which are manufactured for use and used in the repair and maintenance of farm machinery and equipment, and shall include plow shares and shapes, and water pump cylinders.

(12) "Base production" means the weight of a producer's total production of any item of farm machinery and equipment during either the calendar year 1940 or 1941, in whichever year such weight was the greater; except that, as to items which are bracketed together in Schedule A, the base production shall be the weight of the total production of each group of items so bracketed; and except that, as to silos (item 296 of Schedule A), the base production shall be the total weight of iron and steel entering into the production of such items.

(13) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind, which will be physically incorporated into any item of farm machinery and equipment or repair parts.

(14) "Weight" means the net shipping weight of any item of farm machinery and equipment which is completely manufactured, or completely fabricated and ready for shipment in knock-down form; except that, as to silos (Item 296 of Schedule A), weight means the total weight of iron and steel entering into the production of such items.

(15) "Schedule A" means the schedule of quota percentages attached hereto and made a part hereof, as amended from time to time. If any item of farm machinery and equipment or repair parts is not specifically listed or otherwise provided for in such schedule, the quota percentage therefor shall be deemed to be 0%.

(16) "Lend-lease order" means any order for farm machinery and equipment or repair parts placed by any agency of the United States Government in response to a requisition filed pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(c) *General restrictions on production for domestic use (including "concentration of production").* (1) Except as provided in paragraph (g) hereof, and subject to the provisions of paragraphs (d) (2), (d) (3) and (e) hereof, during the period November 1, 1942, to October 31, 1943, inclusive, no producer shall:

(i) Manufacture, for sale in the continental United States, a total quantity by weight of any item of farm machinery and equipment listed in Schedule A in excess of that quantity obtained by multiplying the applicable quota percentage (designated in the appropriate column of said Schedule A for Class A producers, Class B producers and Class C producers respectively) for such item by his base production of such item for such sale; except that wherever, in said Schedule A, two or more items are bracketed together and only one quota percentage assigned thereto, such percentage shall be applied to such producer's total base production of all such bracketed items, and the total permissible weight thus determined may be distributed among all or any one or more of such bracketed items at his election; and except that, as to silos (Item 296 of Schedule A), the permitted production of a producer shall not exceed the number of units produced by him during either 1940 or 1941, whichever was the greater;

(ii) Manufacture, for sale in the continental United States, a total quantity of repair parts of a value (manufacturer's current selling price at the factory) in excess of an aggregate of 130% of one-half the total value (manufacturer's selling price at the factory during 1940 and 1941) of his entire net sales of repair parts during the calendar years 1940 and 1941 combined;

(iii) Manufacture, for sale in the continental United States, any farm machinery and equipment requiring rubber tires;

(iv) Sell in the continental United States any quantity of farm machinery and equipment or repair parts which is in excess of the quantity thereof authorized to be manufactured for such sale by the provisions of this order.

(2) The Director General for Operations may, by specific directions issued to any one or more producers, increase or decrease any such producer's quotas as to all or any one or more items authorized to be produced by him by this paragraph (c), and may transfer any portion of such quotas between any such producers (including the transfer thereof from producers located in critical areas as the same may be designated from time to time by the War Manpower Commission).

(3) As to any portion of any such producer's quota as so established which he may decide not to produce at any time after November 1, 1942, he shall immediately notify the War Production Board, so that appropriate action can be taken to transfer such portion of his quota.

(d) *General restrictions on production for export.* (1) Except as provided in paragraph (g) hereof, and subject to the provisions of paragraphs (d) (2), (d) (3) and (e) hereof, during the period November 1, 1942, to October 31, 1943, inclusive, no producer shall manufacture for shipment, or ship:

(i) To all foreign countries within any group of countries listed respectively on Schedules B–1, B–2, B–3, B–4, B–5, and B–6, attached hereto and made a part hereof, as amended from time to time, a quantity of farm machinery and equipment and repair parts in the aggregate in excess of a designated percentage (listed respectively on each such schedule) of one-half the net shipping weight of the total quantity thereof exported by said producer during the calendar years 1940 and 1941 in the aggregate to all such countries within the particular group;

(ii) To Canada a quantity of any item of farm machinery and equipment or attachments and repair parts (as listed in Schedule B–7, attached hereto and made a part hereof, as amended from time to time) in excess of that quantity obtained by multiplying the quota percentage designated in said Schedule B–7 for such item by the quantity thereof shipped by said producer to Canada during the calendar year 1940;

(iii) To any foreign country (including Canada and territories and possessions of the United States) any farm machinery and equipment requiring rubber tires.

(2) Except as to items destined for Canada (Schedule B–7) and for territories and possessions of the United States (Schedule B–6), no producer shall fabricate or process any material to be physically incorporated into any item of farm machinery and equipment which may be authorized to be manufactured for export by paragraph (d) (1) above, unless and until he has received from the Director General for Operations specific authorization for such fabrication or processing as to any or all such items, application for which may be by letter setting forth the pertinent facts: *Provided*, That nothing in this paragraph (d) (2) shall be deemed to prevent any such producer from earmarking for export, within his export quota, any items of farm machinery and equipment or repair parts from his inventory, whether or not such items were manufactured specifically for export.

As to any portion of any such producer's export quota, as established by paragraph (d) (1) above, which he may decide not to produce at any time after November 1, 1942, he shall immediately notify the War Production Board, so that appropriate action can be taken to transfer such portion of his export quota.

(3) The Director General for Operations may, by specific directions issued to any one or more producers, increase or decrease any such producer's quotas as established by paragraph (d) (1) above, and may transfer any portion of such quotas between any such producers (including the transfer thereof from producers located in critical areas as the same may be designated from time to time by the War Manpower Commission).

(e) *Further restrictions on production*—(1) *Restrictions on production for specific periods.* The Director General for Operations may from time to time issue supplementary orders (or specific directions to any one or more producers) governing the production of all or any one or more items of farm machinery and equipment or repair parts for specified monthly, bi-monthly or quarterly periods. On and after the effective date of any such supplementary order or specific

direction, no producer affected thereby shall, notwithstanding the provisions of this Order L–170, manufacture any such item during the period specified except in accordance with the terms of such supplementary order or specific direction.

(2) *Items containing iron and steel.* On and after November 1, 1942, no producer shall put into process any iron or steel (excluding screws, nails, rivets, bolts, or wire, strapping or small hardware for joining or other similar essential purpose) to make any of the following items of farm machinery and equipment:

Barnyard stock tanks.	Hog troughs.
Bee hives.	Laying nests.
Butter churns.	Livestock feeders.
Butter molds.	Marking poles.
Canopies for electric brooders	Milk stools.
Cattle stalls.	Nick yokes.
Corn cribs.	Poultry feeders.
Doubletrees.	Singletrees.
Farm gates.	Stanchions.
Grain bins.	Stock pens.
Grit boxes.	Thills.
Guide handles.	Tongues.
Hobbles (all types).	Weaners.

(f) *Overproduction under Order L–26.* Any items of farm machinery and equipment or attachments and repair parts which have been manufactured and/or sold by any producer prior to November 1, 1942, and which are in excess of such producer's authorized quota under Limitation Order L–26 (including all amendments thereto and appeals granted thereunder), shall be deducted from such quotas as may be authorized for such producer by the provisions of this order or subsequent orders: *Provided*, That no such deduction shall constitute a condonation of any violation of any order or regulation of the War Production Board.

(g) *Exceptions.*—(1) To the extent that the weight of any item or items of a producer's quota as established by paragraph (c) (1) hereof has been or will be increased by his substituting for more critical materials entering into such item or items any one or more of the following materials:

Glass or other ceramic products.
Plain concrete.
Fibre board.
Wood fibre products.
Plywood (produced with binder or adhesive not restricted by Conservation Order M–25 or any other applicable M or L order).
Gum and other hardwood lumber.
Softwood lumber (subject to the restrictions of Conservation Order M–208 or any other applicable M or L order);

such increased weight shall not operate to reduce the number of units which he could have otherwise manufactured pursuant to paragraph (c) (1) above. In addition, if any such producer has made, or shows that he can make, in any item or items of his quota as established by paragraphs (c) and (d) hereof, a substitution of any of the materials listed above for more critical materials entering into such item or items, he may apply by letter to the Director General for Operations for reconsideration of his quota, based on such substitution.

(2) Any item of farm machinery and equipment or attachments and repair parts which was manufactured for sale within the continental United States by a producer within his authorized quota under Limitation Order L–26 (including all amendments thereto and appeals granted thereunder), and which is, prior to November 1, 1942, completely manufactured, or completely fabricated and ready for shipment in knock-down form, may be sold on and after such date without reference to the provisions of this order.

(3) Nothing in paragraph (d) of this order shall be deemed to prohibit or control the shipment of any item of farm machinery and equipment or attachments and repair parts which:

(i) Was manufactured for export by a producer within his authorized quota under paragraph (c) (1) (iii) of Limitation Order L–26 (including all amendments thereto and appeals granted thereunder), and

(ii) Is covered by either an export license issued by the Board of Economic Welfare or by a lend-lease order, dated prior to November 1, 1942, (except as to items destined for Canada and territories and possessions of the United States), and

(iii) Is, prior to such date, completely manufactured or completely fabricated and ready for shipment in knock-down form.

Any such items for export which, prior to November 1, 1942, are in production or on order but not completely manufactured or ready for shipment in knock-down form, shall be deducted from such export quotas as may be authorized for such producer by the provisions of this order or subsequent orders, and shall not be manufactured on and after such date except in accordance with the provisions of paragraph (d) above.

(h) *Restrictions on sales for domestic use.* Subject to such directions as may be issued from time to time as to rationing control, by, or pursuant to delegations from, the Director General for Operations,

(1) No person shall sell any item of new farm machinery and equipment (except horseshoes, muleshoes, horseshoe nails and harness hardware) which he knows or has reason to know will not be used in the hands of the ultimate consumer for the production or care of crops, livestock, livestock products or other produce on a farm (or elsewhere in the case of poultry), except to fill a contract or purchase order bearing a preference rating of A–9 or higher;

(2) On and after November 1, 1942, no distributor shall sell or deliver to a consumer any new repair part which he knows or has reason to know will not be incorporated reasonably promptly into farm machinery and equipment in the possession of such consumer.

(i) *Inventory provisions.* (1) No distributor shall keep in his inventory, in his possession or under his control, for a period of more than thirty days, any used, traded-in, imperfect or non-usable item of farm machinery and equipment or repair parts which cannot be reconditioned, but must dispose of the same through the customary disposal or scrap channels.

(2) Any producer may sell to any other producer any material in his inventory which is in excess of his requirements for the items of farm machinery and equipment and repair parts permitted to be manufactured under the provisions of this order. Such sales shall be expressly permitted within the terms of paragraph (c) (3) of Priorities Regulation No. 13 as amended.

(j) *Standardization, simplification, substitution, and conservation of critical materials.* (1) In the manufacture of any item of farm machinery and equipment or repair parts, no producer shall use any alloy steel, stainless steel, aluminum, magnesium, copper, brass, bronze, zinc, nickel, tin, cadmium or fabricated rubber products for any purpose where the use of other less critical materials will not impair the efficiency of operation of such item.

No materials shall be used which are prohibited by M–Orders or other restrictions on use of critical materials as now or hereafter ordered by the Director General for Operations.

(2) The Director General for Operations may from time to time issue supplementary orders or schedules establishing required specifications with respect to the production of any item or items of farm machinery and equipment and repair parts. "Required specifications" may include requirements to standardize or simplify the types, sizes or models of, or the specifications for, any such item or items; to eliminate, reduce or conserve the use of critical materials in the production thereof; and to substitute less critical for more critical materials in the production thereof. On and after the effective date of any such supplementary order or schedule, no farm machinery and equipment and repair parts affected thereby shall be produced, fabricated, assembled, or delivered, if such production, fabrication, assembly, or delivery is prohibited by the terms thereof.

(k) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(l) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(m) *Reports.* (1) All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(2) Each producer shall file not later than thirty days after October 19, 1942, a report of his production quotas on Form PD–629.

(3) Each producer shall file by the 10th day of each month a report on Form PD–630 of his production during the preceding month, the first report to be made on or before December 10, 1942.

(4) Each producer affected by paragraph (d) hereof shall file by the 10th day of each month a report on Form PD–387 (revised) of his shipments during the preceding month (starting with November, 1942) to all foreign countries (including all countries listed on Schedules B–1, B–2, B–3, B–4, B–5, B–6, and B–7).

(n) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(o) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him in comparison with others similarly situated, may appeal to the War Production Board, setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(p) *Communications.* All communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Farm Machinery and Equipment Division, Washington, D. C. Ref.: L–170.

(q) *Inconsistent orders.* This order supersedes as of November 1, 1942, Limitation Order L–26, and Supplementary Limitation Orders L–26–a and L–26–d, and all amendments thereto and appeals granted thereunder.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 19th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A

NOTE: Groups 4, 7, 14, 16, and 19 were suspended January 19, 1943.

SCHEDULE OF QUOTAS COVERING THE DOMESTIC PRODUCTION OF FARM MACHINERY AND EQUIPMENT AND REPAIR PARTS THEREFOR FOR THE PERIOD NOVEMBER 1, 1942, TO OCTOBER 31, 1943

Quotas for repair parts are expressed as a percentage of the average dollar value of all repair parts sold during the years 1940 and 1941. Quotas for new machinery and equipment including attachments are expressed as a percentage of the weight of each item produced during 1940 or 1941, whichever was higher. Producers of these items must use the percentages set forth in the respective columns, depending upon whether they are Class A, Class B, or Class C producers. Production of "bracketed items" may be distributed among all or any one or more items included in the particular bracket so long as the total weight of material used does not exceed that determined by the quota percentage assigned to the particular bracket.

Any item of farm machinery and equipment not provided for in this Schedule A shall not be manufactured, unless specifically exempted by Order L–170.

GROUP 1: PLANTING, SEEDING AND FERTILIZING MACHINERY

Item		Class of producer "A"	Class of producer "B"	Class of producer "C"
	DIVISION 1: PLANTERS (HORSE AND TRACTOR DRAWN)	*Percent*	*Percent*	*Percent*
1	One row, one horse corn planters	0	0	44
2	One row, one horse corn and cotton planters	0	0	25
3	One row, two horse corn and cotton planters	0	0	0
4	Two row, corn planters	3	75	75
5	Two row, corn and cotton planters	0	10	25
6	Three row and over, corn planters	11	75	75
7	Three row and over, corn and cotton planters	0	0	0
	DIVISION 2: PLANTERS (TRACTOR MOUNTED)			
8	One row, corn planters	15	15	15
9	One row, corn and cotton planters			
10	Two row, corn planters			
11	Two row, corn and cotton planters			
12	Three row and over, corn planters			
13	Three row and over, corn and cotton planters			
	DIVISION 3: POTATO PLANTERS			
14	Horse or tractor drawn	0	10	75
	DIVISION 4: TRANSPLANTERS			
15	Horse or tractor drawn	0	0	34
16	Hand			
	DIVISION 5: LISTERS WITH PLANTING ATTACHMENTS (HORSE OR TRACTOR DRAWN)			
17	One row	8	75	75
18	Two row			
19	Three row and over			
	DIVISION 6: LISTERS WITH PLANTING ATTACHMENTS (TRACTOR MOUNTED)			
20	One row	12	12	12
21	Two row			
22	Three row and over			
	DIVISION 7: BEET DRILLS			
23	Horse or tractor drawn	15	75	75
	DIVISION 8: GRAIN DRILLS			
24	One horse, 3 or 5 disc drills	0	0	22
25	Fertilizer drills, horse or tractor drawn	8	75	75
26	Plain drills, horse or tractor drawn			
	DIVISION 9: BROADCAST SEEDERS			
27	Wheeled, horse or tractor	0	0	0
28	Endgate	0	32	75
29	Hand, wheel, arrow and other	0	0	8
	DIVISION 10: GARDEN PLANTERS			
30	Hand	0	0	14
31	Horse or tractor drawn	0	0	15
	DIVISION 11: FERTILIZER DISTRIBUTORS			
32	Horse or tractor drawn	0	0	15
	DIVISION 12: LIME SPREADERS (SOWERS)			
33	Wheeled type, horse or tractor drawn	0	0	17
34	Endgate type	0	0	8
35	Truck body type	0	0	9
	DIVISION 13: MANURE SPREADERS			
36	Four wheeled, horse or tractor drawn	0	10	75
37	Two wheeled, tractor drawn			
	DIVISION 14: OTHER PLANTING, SEEDING AND FERTILIZING MACHINERY			
	Other planting, seeding and fertilizing machinery including, but not limited to, potato seed cutters, farm limestone pulverizers, manure loaders, vegetable planters. (List each item separately.)			
38		0	0	9
39		0	0	9
40		0	0	9
	DIVISION 15: ATTACHMENTS			
41	Attachments for all items in Group 1 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 2: PLOW AND LISTERS

Item		Class of producer "A"	"B"	"C"
	DIVISION 1: MOLDBOARD PLOWS (HORSE DRAWN)	*Percent*	*Percent*	*Percent*
42	Walking, one horse, steel bottom	0	0	11
43	Walking, one horse, chilled bottom	0	0	12
44	Walking, two horse and larger	0	0	28
45	Sulky	0	0	0
46	Gang, two bottom and larger	0	0	0
	DIVISION 2: MOLDBOARD PLOWS (TRACTOR DRAWN OR MOUNTED)			
47	One bottom, tractor drawn	9	75	75
48	Two bottom, tractor drawn			
49	Three bottom, tractor drawn			
50	Four bottom, tractor drawn	0	0	0
51	Five bottom, and larger, tractor drawn	13	13	13
52	One bottom, tractor mounted			
53	Two bottom, tractor mounted			
	DIVISION 3: DISC PLOWS (HORSE DRAWN)			
54	Single disc and larger	0	0	0
	DIVISION 4: DISC PLOWS (TRACTOR DRAWN OR MOUNTED)			
55	One disc, tractor drawn	0	0	17
56	Two disc, tractor drawn			
57	Three disc, tractor drawn	8	8	8
58	One disc, tractor mounted			
59	Two disc, tractor mounted			
60	Four disc, tractor drawn	0	0	0
61	Five disc, tractor drawn			
62	Six disc and larger, tractor drawn			
	DIVISION 5: ONE WAY DISC PLOWS OR TILLERS			
63	One way plows	0	5	75
	DIVISION 6: LISTERS (HORSE OR TRACTOR DRAWN) (Middlebusters without planting attach.)			
64	One row, horse or tractor drawn	0	0	19
65	Two row, horse or tractor drawn			
66	Three row and larger horse or tractor drawn			
	DIVISION 7: LISTERS (TRACTOR MOUNTED) (Middlebusters without planting attach.)			
67	One row, tractor mounted	18	18	18
68	Two row, tractor mounted			
69	Three row and larger, tractor mounted			
	DIVISION 8: SUBSOIL PLOWS			
70	Horse drawn	0	0	0
71	Tractor drawn	0	0	0
72	Tractor mounted	0	0	0
	DIVISION 9: PLOW STOCKS			
73	Single or double stocks	0	0	12
	DIVISION 10: OTHER PLOWS AND LISTERS (List each item separately)			
74		0	0	34
75		0	0	34
76		0	0	34
	DIVISION 11: ATTACHMENTS			
77	Attachments for all items in Group 2 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 3: HARROWS, ROLLERS, PULVERIZERS AND STALK CUTTERS

	DIVISION 1: HARROWS			
78	Spike tooth harrow sections, horse or tractor drawn	0	0	24
79	Spring tooth harrow sections, horse or tractor drawn	0	34	75
80	Disc harrows, horse or tractor drawn	2	75	75
81	Disc harrows, tractor mounted	22	22	22
	DIVISION 2: SMOOTH LAND ROLLERS			
82	Smooth land rollers, not including lawn rollers	0	0	0
	DIVISION 3: SOIL PULVERIZERS AND PACKERS			
83	Soil pulverizers and packers	0	0	19
	DIVISION 4: STALK CUTTERS			
84	Stalk cutters	0	0	35
	DIVISION 5: RIDGE BUSTERS			
85	Ridge busters, horse or tractor drawn	0	0	14
86	Ridge busters, tractor mounted			

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 3: HARROWS, ROLLERS, PULVERIZERS AND STALK CUTTERS—Continued

Item		Class of producer "A"	"B"	"C"
	DIVISION 6: OTHER HARROW AND ROLLERS (List each item separately)	*Percent*	*Percent*	*Percent*
87		0	0	14
88		0	0	14
89		0	0	14
	DIVISION 7: ATTACHMENTS			
90	Attachments for all items in Group 3 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 4: CULTIVATORS AND WEEDERS

	DIVISION 1: CULTIVATORS (HORSE AND TRACTOR DRAWN)			
91	One horse, all types	0	0	15
92	One row, walking, two horse	0	0	65
93	One row, riding, two horse	2	75	75
94	Two row and over, riding	0	0	0
95	Beet cultivator	12	75	75
96	Field cultivator	0	0	62
96a	Field cultivator and tiller, tractor mounted	9	9	9
97	Hand cultivator, not including blade and tined hoes, rakes and similar equipment	0	0	15
	DIVISION 2: CULTIVATORS (TRACTOR MOUNTED)			
98	One row	20	20	20
99	Two row			
100	Three and four row			
101	Five row and over			
	DIVISION 3: ROTARY HOES			
102	Rotary hoes, horse or tractor drawn	0	0	82
	DIVISION 4: WEEDERS			
103	Rod weeders, horse or tractor drawn	0	0	30
104	Tooth weeders, horse or tractor drawn	0	0	32
104a	Tooth weeders, tractor	15	15	15
	DIVISION 5: OTHER CULTIVATORS AND WEEDERS (List each item separately)			
105		0	0	34
106		0	0	34
	DIVISION 6: ATTACHMENTS			
107	Attachments for all items in Group 4 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 5: SPRAYERS, DUSTERS AND ORCHARD HEATERS

	DIVISION 1: POWER SPRAYERS			
108	Power sprayers	0	0	43
109	Traction sprayers	0	0	21
	DIVISION 2: HAND SPRAYERS WITH TANK, BARREL, KNAPSACK, ETC., WITH COMPLETE EQUIPMENT (CAP. 1 QT. OR OVER BUT LESS THAN 6 GALS.)			
110	Compressed air	0	0	9
111	Knapsack, self contained			
112	Trombone, pump type			
113	Bucket pump type, single cylinder			
114	Bucket pump type, double cylinder			
115	Atomizing, single action (1 qt. and larger cap.)			
116	Atomizing, continuous (1 qt. and larger cap.)			
	DIVISION 3: SPRAYERS, WITH TANK, BARREL, KNAPSACK, ETC., WITH COMPLETE EQUIPMENT (CAP. 6 GALS. OR MORE)			
117	Barrel pump type with complete equipment	0	0	86
118	Wheelbarrow type with complete equipment			
	DIVISION 4: SPRAY PUMPS (POWER)			
119	Spray pumps, power	0	0	23
	DIVISION 5: WEED AND PEAR BURNERS			
120	Weed and pear burners	0	0	23
	DIVISION 6: DUSTERS			
121	Power dusters	0	0	19
122	Traction dusters	0	0	23
123	Hand dusters (agricultural only)	0	0	66
	DIVISION 7: ORCHARD HEATERS			
124	Orchard heaters	0	0	11
	DIVISION 8: ATTACHMENTS			
125	Attachments for all items in Group 5 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 6: HARVESTING MACHINERY

Item		Class of producer "A"	"B"	"C"
	DIVISION 1: COMBINES (HARVESTER THRESHERS)	*Percent*	*Percent*	*Percent*
126	Width of cut, 6 feet and under	24	24	24
127	Width of cut, over 6 feet including 10 feet			
128	Width of cut, over 10 feet			
	NOTE. Out of his total quota for combines, no Class "A" producer may manufacture Items 127 and 128 in excess of 10% of his 1940-1941 average annual production of these items.			
	DIVISION 2: GRAIN AND RICE BINDERS			
129	Grain binders (ground drive)	0	75	75
130	Grain binders (power take-off drive)	43	75	75
131	Rice binders			
	DIVISION 3: CORN BINDERS			
132	Corn binders (row binder) horse or tractor drawn	13	75	75
	DIVISION 4: CORN PICKERS			
133	One row, mounted type	33	33	33
134	Two row, mounted type			
135	One row, pull type	0	71	75
136	Two row, pull type			
	DIVISION 5: FIELD ENSILAGE HARVESTERS (ROW TYPE)			
137	Field ensilage harvesters, row type	14	75	75
	DIVISION 6: POTATO DIGGERS			
138	Walking plow type	0	0	28
139	Horse or tractor	0	0	42
	DIVISION 7: PEA AND BEAN HARVESTERS (ROW TYPE)			
140	Horse or tractor, row type	0	0	32
	DIVISION 8: BEET LIFTERS			
141	Horse or tractor	16	75	75
	DIVISION 9: OTHER HARVESTING MACHINERY			
	Other harvesting machinery including, but not limited to, windrowers grain type, seed harvesters and strippers, potato pickers, cane harvesters, hop pickers, beet loaders, peanut diggers, cotton harvesters. (List each item separately.)			
142		0	0	51
143		0	0	51
144		0	0	51
	DIVISION 10: ATTACHMENTS			
145	Attachments for all items in Group 6 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 7: HAYING MACHINERY

	DIVISION 1: MOWERS (GROUND-DRIVE)			
146	Horse or tractor drawn (ground drive)	8	75	75
	DIVISION 2: MOWERS (POWER TAKE-OFF DRIVE)			
147	Tractor mtd. or semi-mtd. (power take-off drive)	28	28	28
	DIVISION 3: RAKES			
148	Sulky, dump	9	75	75
149	Side delivery incl. comb. side rakes and tedders	17	75	75
150	Sweep	0	0	47
	DIVISION 4: HAY LOADERS			
151	Hay loaders	9	75	75
	DIVISION 5: STACKERS			
152	Stackers (stationary type)	0	0	19
152a	Combination stacker-loaders	0	0	75
	DIVISION 6: PICK-UP BALERS			
153	Pick-up hay balers	0	45	75
	DIVISION 7: OTHER HAYING MACHINERY			
	Other haying machinery, including, but not limited to, field bale loaders, field hay choppers. (List each item separately):			
154		0	0	41
155		0	0	41
156		0	0	41
	DIVISION 8: ATTACHMENTS			
157	Attachments for all items in Group 7 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 8: MACHINES FOR PREPARING CROPS FOR MARKET OR USE

Item		Class of producer "A"	"B"	"C"
	DIVISION 1: STATIONARY THRESHERS (GRAIN, RICE AND ALFALFA)	*Percent*	*Percent*	*Percent*
158	Threshers, width of cylinder under 28 inches	0	0	48
159	Threshers, width of cylinder 28 inches and over			
	DIVISION 2: STATIONARY PEA AND BEAN THRESHERS			
160	Stationary pea and bean threshers	0	0	25
	DIVISION 3: PEANUT PICKERS			
161	Peanut pickers	0	0	75
	DIVISION 4: ENSILAGE CUTTERS (SILO FILLERS)			
162	Ensilage cutters (silo fillers)	0	0	65
	DIVISION 5: FEED CUTTERS (HAND AND POWER)			
163	Feed cutters, hand and power	0	0	80
	DIVISION 6: CORN SHELLERS			
164	Corn shellers, hand	0	0	19
165	Power corn shellers, spring (2, 4, 6 and 8 hole)	0	0	0
166	Power corn shellers, cylinder (150 bu. & under)	0	0	22
167	Power corn shellers, cylinder (over 150 bu.)	0	75	75
	DIVISION 7: CORN HUSKERS AND SHREDDERS			
168	Combination corn husker-shredders	0	0	23
169	Corn huskers	0	0	23
170	Corn shredders	0	0	23
	DIVISION 8: STATIONARY HAY BALERS			
171	Horse	0	0	0
172	Engine or belt power	0	0	75
	DIVISION 9: FEED GRINDERS AND CRUSHERS			
173	Hand	0	0	13
174	Power, burr type	0	0	51
175	Hammer and roughage mills	0	8	75
	DIVISION 10: CLEANERS AND GRADERS (CORN AND GRAIN)			
176	Cleaners and graders (corn and grain)	0	0	12
	DIVISION 11: POTATO SORTERS AND GRADERS			
177	Potato sorters and graders	0	0	23
	DIVISION 12: MAPLE SIRUP EVAPORATORS			
178	Complete sets of pans, not including furnace	0	0	53
179	Furnaces	0	0	20
	DIVISION 13: CANE SIRUP EVAPORATORS			
180	Complete sets of pans, not including furnaces	0	0	53
181	Furnaces	0	0	20
	DIVISION 14: CANE MILLS (FARM SIZE)			
182	Cane Mills (farm size)	0	0	82
	DIVISION 15: CIDER MILLS AND FRUIT PRESSES			
183	Cider mills and fruit presses	0	0	12
	DIVISION 16: OTHER MACHINES FOR PREPARING CROPS FOR MARKET OR USE			
	Other machines for preparing crops for market or use, including but not limited to, broom corn shredders, feed mixers, fruit, nut and vegetable graders sorters, washers and sackers. (List each item separately.)			
184		0	0	13
185		0	0	13
186		0	0	13
	DIVISION 17: ATTACHMENTS			
187	Attachments for all items in Group 8 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 9: FARM ELEVATORS AND BLOWERS

	DIVISION 1: ELEVATORS (PORTABLE)			
188	Elevators, portable	0	0	83
	DIVISION 2: ELEVATORS (STATIONARY)			
189	Elevators, stationary	0	0	21
	DIVISION 3: BLOWERS (GRAIN AND FORAGE)			
190	Blowers (grain and forage)	0	0	83
	DIVISION 4: ATTACHMENTS			
191	Attachments for all items in Group 9 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 10: TRACTORS

Item		Class of producer "A"	"B"	"C"
	DIVISION 1: TRACTORS, WHEEL TYPE	*Percent*	*Percent*	*Percent*
192	Tractors, wheel, special purpose, under 30 h. p.	14	14	14
193	Tractors, wheel, special purpose, 30 & over h. p.			
194	Tractors, wheel, all purpose, under 30 h. p.			
195	Tractors, wheel, all purpose, 30 & over h. p.			
	DIVISION 2: GARDEN TRACTORS (INCLUDING MOTOR TILLERS)			
196	Garden tractors (including motor tillers)	0	0	27
	DIVISION 3: ATTACHMENTS			
197	Attachments for all items in Group 10 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 11: ENGINES

	DIVISION 1: ENGINES (UNDER 1 H. P.)			
198	Air cooled	0	0	0
	DIVISION 2: ENGINES (ONE OR MORE BUT UNDER 5 H. P.)			
199	Air cooled	0	2	75
200	Water cooled	4	75	75
	DIVISION 3: ENGINES (FIVE OR MORE BUT UNDER 10 H. P.)			
201	Air cooled	0	24	75
202	Water cooled	0	24	75
	DIVISION 4: ENGINES (TEN OR MORE BUT UNDER 25 H. P.)			
203	Water cooled	0	0	0
	DIVISION 5: ATTACHMENTS			
204	Attachments for all items in Group 11 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 12: FARM WAGONS AND TRUCKS

	DIVISION 1: WAGONS			
205	Wagons, farm without boxes	0	0	32
	DIVISION 2: TRUCKS			
206	Trucks, farm (not motortrucks)	0	30	75
	DIVISION 3: WAGON BODIES			
207	Wagon and truck boxes, farm	0	0	29
	DIVISION 4: FARM SLEIGHS			
208	Sleighs and bob-sleds	0	0	25
	DIVISION 5: TRAILERS (FARM)			
209	Trailers, farm	0	0	0
	DIVISION 6: OTHER TRANSPORTING EQUIPMENT			
	(Not motortrucks—list each item separately)			
210		0	0	25
211		0	0	25
	DIVISION 7: ATTACHMENTS			
212	Attachments for all items in Group 12 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 13: DOMESTIC WATER SYSTEMS

	DIVISION 1: DEEP WELL			
213	Deep well, reciprocal	0	0	48
214	Deep well, jet pumps	0	0	36
	DIVISION 2: SHALLOW WELL			
215	250–499 gals. per hour	0	0	33
216	500 gals. per hour and over	0	0	35
	DIVISION 3: POWER PUMPS			
217	Horizontal type, up to and including 75 gals. per minute, 100 lb. pressure	0	6	75
	DIVISION 4: WATER STORAGE TANKS			
218	Storage tanks, other than stock tanks, farm			
	DIVISION 5: ATTACHMENTS			
219	Attachments for all items in Group 13, expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 14: FARM PUMPS AND WINDMILLS

Item		Class of producer "A"	"B"	"C"
	DIVISION 1: PUMPS, WATER	*Percent*	*Percent*	*Percent*
220	Pitcher pumps	0	18	75
221	Hand and windmill pumps	0	16	75
	DIVISION 2: WINDMILLS			
222	Windmill heads	0	0	56
223	Windmill towers	0	0	59
	DIVISION 3: PUMP JACKS			
224	Pump jacks	0	6	30
	DIVISION 5: ATTACHMENTS			
226	Attachments for all items in Group 14 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 15: IRRIGATION EQUIPMENT

	DIVISION 1: IRRIGATION PUMPS			
227	Turbine pumps, 0 to 1,200 GPM	0	0	31
228	Turbine pumps 1,200 GPM and up, belt driven	0	0	13
229	Centrifugal pumps	0	0	26
230	Hydraulic rams	0	0	0
	DIVISION 2: DISTRIBUTION EQUIPMENT			
231	Land leveling equipment, ditchers, corrugators and scrapers (excluding power ditchers, draglines and other self-powered machines)	0	0	18
232	Portable pipe and extensions, sprinklers, valves and gates, expressed in terms of net shipping weight in pounds	0	0	18
	DIVISION 3: OTHER FARM IRRIGATION EQUIPMENT			
	(List each item separately)			
233		0	0	18
234		0	0	18
235		0	0	18
	DIVISION 4: ATTACHMENTS			
236	Attachments for all items in Group 15, expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 16: DAIRY FARM MACHINES AND EQUIPMENT

	DIVISION 1: MILKING MACHINES			
237	Milking machines	0	32	75
	DIVISION 2: FARM CREAM SEPARATORS			
238	Farm cream separators, capacity 250 lbs. per hr. or less	0	7	75
	DIVISION 3: FARM CREAM SEPARATORS			
239	Farm cream separators, capacity 251 lbs. to 800 lbs. per hour	7	75	75
	DIVISION 4: FARM CREAM SEPARATORS			
240	Farm cream separators, capacity 801 lbs. to 1500 lbs. per hour	0	0	0
	DIVISION 5: FARM MILK COOLERS			
241	Immersion type	0	0	48
242	Surface or tubular type			
	DIVISION 6: FARM BUTTER MAKING EQUIPMENT			
243	Butter churns (See Paragraph (c) (2) of L-170)	0	0	23
244	Butter molds (See Paragraph (c) (2) of L-170)			
	DIVISION 7: OTHER DAIRY FARM MACHINES AND EQUIPMENT			
	Other dairy farm machines and equipment including but not limited to milk pails, milk strainers, sterilizing tanks, washing tanks and water heaters. (List each item separately).			
245	Milk pails	0	86	75
246	Milk strainers			
247		0	0	86
248				
	DIVISION 8: ATTACHMENTS			
249	Attachments for all items in Group 16 expressed in terms of net shipping weight in pounds.	(1)	(1)	(1)

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 17: BARN AND BARNYARD EQUIPMENT

Item		Class of producer "A"	"B"	"C"
	DIVISION 1: FEED CARRIERS, LITTER CARRIERS, AND FEED TRUCKS	*Percent*	*Percent*	*Percent*
250	Feed carriers	0	0	25
251	Litter carriers	0	0	25
252	Track for feed and litter carriers	0	0	71
253	Feed trucks	0	0	33
	DIVISION 2: HAY UNLOADING EQUIPMENT			
254	Hay carriers	0	0	72
255	Track for hay carriers	0	0	71
256	Hay forks, harpoon and grapple	0	0	33
257	Pulleys and fittings	0	0	71
	DIVISION 3: CATTLE STALLS AND PEN EQUIPMENT			
258	Cattle stalls and fittings (See Paragraph (e) (2) of L-170)	0	8	75
259	Livestock pens (See Paragraph (e) (2) of L-170)	0	27	75
	DIVISION 4: CATTLE STANCHIONS			
260	Cattle stanchions and fittings (See Paragraph (e) (2) of L-170)	0	0	59
	DIVISION 5: LIVESTOCK DRINKING CUPS AND WATERING BOWLS			
261	Livestock drinking cups	0	0	49
262	Outside livestock watering bowls	0	0	16
	DIVISION 6: BARNYARD STOCK TANKS AND HOG TROUGHS			
263	Barnyard stock tanks (See Paragraph (e) (2) of L-170)	0	0	49
264	Hog troughs (See Paragraph (e) (2) of L-170)	0	0	58
	DIVISION 7: FEEDERS, FEED COOKERS, AND TANK HEATERS			
265	Livestock feeders (See Paragraph (e) (2) of L-170)	0	0	43
266	Feed cookers	0	0	15
267	Tank heaters	0	0	37
	DIVISION 8: BARN DOOR TRACK AND HANGERS			
268	Barn door track	0	9	75
269	Barn door hangers			
	DIVISION 9: OTHER BARN AND BARNYARD EQUIPMENT			
	Including but not limited to ventilating equipment, livestock dipping tanks, hog waterers, dairy scales, cattle and horse clippers, and bull staffs. (List each item separately.)			
270		0	0	22
271				
272				
	DIVISION 10: ATTACHMENTS			
273	Attachments for all items in group 17 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 18: FARM POULTRY EQUIPMENT

	DIVISION 1: INCUBATORS			
274	Incubators, 1,000-egg capacity and smaller	0	0	31
275	Incubators, over 1,000-egg capacity	0	0	36
	DIVISION 2: FLOOR BROODERS			
276	Oil	0	8	75
277	Coal	0	21	75
278	Gas	0	0	40
279	Wood	0	21	75
280	Electric	0	0	72
	DIVISION 3: BATTERY BROODERS (HEATED)			
281	Three deck and smaller (heated)	0	0	26
282	Four deck (heated)			
283	Five deck (heated)			
	DIVISION 4: GROWING AND LAYING BATTERIES			
284	Growing	0	0	21
285	Laying	0	0	0
	DIVISION 5: POULTRY FEEDERS			
286	Poultry feeders (see par. (e) (2) of L-170)	0	0	36
	DIVISION 6: POULTRY WATERERS			
287	Poultry waterers	0	0	63
	DIVISION 7: LAYING NESTS AND GRIT BOXES			
288	Laying nests (see par. (e) (2) of L-170)	0	0	38
289	Grit boxes (see par. (e) (2) of L-170)			

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 18: FARM POULTRY EQUIPMENT—Continued

Item		Class of producer "A"	"B"	"C"
	DIVISION 8: OTHER FARM POULTRY EQUIPMENT	*Percent*	*Percent*	*Percent*
	Including but not limited to, egg scales, egg baskets, egg graders, and leg bands. (List each item separately.)			
290		0	0	18
291				
292				
	DIVISION 9: ATTACHMENTS			
293	Attachments for all items in Group 18 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 19: MISCELLANEOUS FARM EQUIPMENT

	DIVISION 1: BEEKEEPERS' SUPPLIES			
294	Beekeepers' supplies (except bee hives)	0	0	38
295	Bee hives (See paragraph (e) (2) of L-170)	0	0	57
	DIVISION 2: SILOS			
296	Silos (total weight of iron and steel) (NOTE: Number of units limited to 1940 or 1941 production, whichever was greater.)	0	0	16
	DIVISION 3: HORSE SHOES (INCLUDING MULE SHOES)			
297	Horse shoes (including mule shoes) (NOTE.—Calks and nails are considered as repairs.)	0	45	75
	DIVISION 4: HARNESS HARDWARE			
298	Harness hardware	31	31	31
	DIVISION 5: POWER SHEEP SHEARING MACHINES			
299	Power sheep shearing machines	100	100	100
	DIVISION 6: ELECTRIC FENCE CONTROLLERS			
300	Electric fence controllers	0	0	46
301	Electric fence accessories			
	DIVISION 7: FARM HAND TOOLS, INCLUDING BUT NOT LIMITED TO HOES, RAKES, FORKS SCYTHES, SHOVELS			
302		43	43	43
303				
304				
305				
306				
307				
308				
	DIVISION 8: FARM WOOD-SAWING MACHINES			
309	Farm wood-sawing machines	0	0	16
	DIVISION 9: FARM GATES			
310	Farm gates (See paragraph (e) (2) of L-170)	0	0	40
	DIVISION 10: FARM LIGHTING PLANTS			
311	Farm lighting plants	0	0	0
	DIVISION 11: ATTACHMENTS			
312	Attachments for all items in group 19 expressed in terms of net shipping weight in pounds.[1]	(1)	(1)	(1)

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

EXPORT SCHEDULES

SCHEDULE OF EXPORT QUOTAS BY GROUPS OF COUNTRIES AND QUOTA PERCENTAGES COVERING THE SHIPMENT OF FARM MACHINERY AND EQUIPMENT AND REPAIR PARTS FOR THE PERIOD OF NOVEMBER 1, 1942, TO OCTOBER 31, 1943

(Quotas shown are expressed as a percentage of one half the total weight of shipments made to all the countries in the particular group during the calendar years 1940 and 1941.)

Schedule B-1

Quota Percentage=111%

United Kingdom:

Great Britain
Northern Ireland
Scotland
Wales

Schedule B-2

Quota Percentage=118%

Australia
Union of South Africa
Egypt
British India
Palestine
Liberia
Iran
Turkey
French Oceania
Free French Areas Thereof
British East Africa
Other British West Africa
New Zealand
No. & So. Rhodesia
Gold Coast
Arabia
Russia
Belgian Congo
Madagascar
French Cameroun
Ethiopia
Syria
Gozo
Ceylon
Other British So. Africa
Nigeria
Iraq
China
Iceland
British Oceania
Other French Africa
Cyprus
Malta
Falkland Islands

Schedule B-3

Quota Percentage=39%

Argentine
Chile
Dominican Republic
Guatemala
Mexico
Paraguay
Uruguay
Bolivia
Colombia
Cuba
Haiti
Nicaragua
Peru
Venezuela
Brazil
Costa Rica
Ecuador
Honduras
Panama Republic
Salvador

Schedule B-4

Quota Percentage=61%

Mozambique
Portugal
Switzerland
Newfoundland
Eire
Spain
Angola
Labrador
French West Indies
Sweden
Greenland

Schedule B-5

Quota Percentage=34%

British Guiana
Bermuda
Barbados
Trinidad
Surinam
Jamaica
Curacao
British Honduras
Bahamas
Other British W. Indies

Schedule B-6

Quota Percentage=37%

Alaska
Virgin Islands
Hawaii
Puerto Rico

Schedule B-7

SCHEDULE OF QUOTAS BY ITEMS COVERING THE SHIPMENT TO CANADA OF FARM MACHINERY AND EQUIPMENT AND REPAIR PARTS THEREFOR AND THE PERIOD NOVEMBER 1, 1942, TO OCTOBER 31, 1943

(Quotas shown are expressed as a percentage of the number of units of each item shipped to Canada during the calendar year 1940. Items not listed are not to be manufactured for shipment to Canada.)

	Quota percentage
Group I—Seeding and Fertilizing Machinery:	
Grain Drill (Plain)	22
Grain Drill (Press)	0
Corn Planter and Drill	25
Potato Planter	20
Manure Spreader	30
Other Planting and Seeding (including Beet Drills and Transplanter)	20
Group II—Plows:	
Walking Plow—1 furrow	33
Tractor Plow	22
Disc Plow	0
Harrow Plow—One Way Disc—Tiller	32
All other Plows (including Integral)	31
Group III—Tillage and Cultivating Machinery:	
Scufflers and Horse Hoes	25
Corn Cultivators	25
Field Cultivators	30
All other Cultivators (including Beet, Tobacco, and Integral)	20
Drag Harrow Sections	7
Spring Tooth Harrows	23
Disc Harrows	25
Group IV—Haying Machinery:	
Mower	30
Hayloader	35
Side Rake and Tedder	25
Dump Rake	25
Pick-up Baler and Hay	100
All other Haying Machines (including Hay forks, knives, etc.)	25

	Quota
Group V—Harvesting Machinery:	*percentage*
Horse Drawn Grain Binder	0
Tractor Grain Binder	0
Corn Binder	25
Combine—Reaper, Thresher	33
Swather	20
Stationary Thresher	0
Potato Digger	25
Corn Sheller	25
Corn Picker (150 units Mfgr. designated later)	
Other Harvesting Equipment, including Beet Lifters)	25
Group VI—Sundry Machines for Preparing Crops for Market or Use:	
Grinder, Feed Cutter, Roller, Pulper	50
Ensilage Cutter	35
Hammer Mill	7
Grain Loader or Elevator	25
Group VII—Farm Power:	
Wheel Tractor	24
Stationary Engine	50
Group VIII—Wagons, Trucks, Sleighs:	
Wagon Gears	60
Farm Truck	60
Group IX—Dairy Equipment:	
Milking Machine Complete	100
Cream Separator	84
Churn	100
Group X—Sprayers and Dusters:	
Potato and Orchard Sprayer and Duster	50
Sprayer Pump	54
Group XI—Domestic Water System:	
Well or Cistern Pump	50
Pump Jack	50
Windmill Head	50
Domestic Water Pressure System	25
Group XII—Barn and Barnyard Equipment	0
Group XIII—Miscellaneous Equipment:	
Incubator	40
Brooder (Floor Type)	40
Wheel Barrow (Wood Only)	53
Sheep Shearers and Animal Clippers	239
Attachments and Repair Parts	150

[INTERPRETATION 1]

In order to clarify the classification of producers under paragraphs (b) (3), (4), (5) and (6) of § 1029.10 *Limitation Order L–170*, resulting from transfers of quotas pursuant to § 944.28 (Interpretation of Limitation and Conservation Orders with respect to the Assignability of Quotas), the following official interpretation is hereby issued with respect to said § 1029.10:

(1) Whenever a producer's total farm equipment business has been or may be sold as a going concern, continuing, in the hands of the purchaser, to make substantially the same product at the same plant and with substantially the same personnel (other than executive officers), the classification of the purchaser shall be based upon his total net sales (including those of affiliates) of all products during 1941, plus total sales of farm machinery and equipment and repair parts by the acquired company during 1941. However, if the purchaser uses the acquired company's 1940 base production under paragraph (b) (12) of Order L–170, then, for purposes of the purchaser's classification, sales of the acquired company during 1940, rather than 1941, must be used.

(2) Any other arrangement whereby a producer purports, or has purported, to assign to another person his quota (or a portion thereof) for the production of farm machinery and equipment or repair parts is invalid, unless specifically authorized for the period covered by Order L–170 by the Director General for Operations pursuant to an appeal, which should be made jointly. If such an appeal is granted, the classification of the assignee, unless otherwise directed, will be based upon his total net sales (including those of affiliates) of all products during 1941, plus the 1941 sales of that portion of the assignor's farm machinery and equipment or repair parts business acquired by the assignee. If the assignee is authorized to use the assignor's 1940 base production of such portion, then, for purposes of the assignee's classification, sales of the assignor during 1940, rather than 1941, must be used.

(3) Assignments of quota specifically authorized by appeal under Limitation Order L–26 for the period ending October 31, 1942, are not recognized for the period covered by Order L–170. Accordingly, a new appeal should be made in each case where the assignee wishes to continue producing pursuant to an assignment of quota authorized under Order L–26. Appeals by any such assignee and his classification are governed by § 944.28 and paragraph (2) above. (Issued December 12, 1942.)

[F. R. Doc. 43–926; Filed, January 19, 1943; 11:23 a. m.]

PART 1269—ISOPROPYL ALCOHOL

[Preference Order M–168, as Amended Jan. 19, 1943]

Section 1269.1 *Preference Order M–168* is hereby amended to read:

§ 1269.1 *Preference Order M–168*—(a) *Definitions.* (1) "Isopropyl alcohol" means isopropyl alcohol, dimethyl carbinol, pseudopropyl alcohol, pseudo propanol, isopropanol, secondary propanol, or secondary propyl alcohol of any grade and from whatever source derived.

(2) "Producer" means any person engaged in the production of isopropyl alcohol and includes any person who has isopropyl alcohol produced for him pursuant to toll agreement.

(3) "Distributor" means any person who has purchased or purchases isopropyl alcohol for purposes of resale.

(b) *Restrictions on deliveries and use.* (1) Subject to paragraph (c) hereof, no producer or distributor shall deliver or use isopropyl alcohol, and no person shall accept delivery of isopropyl alcohol from a producer or distributor, except as specifically authorized or directed by the Director General for Operations.

(2) Authorizations or directions with respect to deliveries to be made or accepted in each calendar month (and with respect to use in any month by producers) will so far as practicable be issued by the Director General for Operations prior to the commencement of such month, but the Director General for Operations may at any time at his discretion and notwithstanding the provisions of paragraph (c) hereof, issue directions with respect to deliveries to be made or accepted or with respect to use by producers. He may also at any time issue directions with respect to the use or uses which may or may not be made by any person of material to be delivered or then on hand, or issue directions to a producer with respect to the grade of isopropyl alcohol which he may or must manufacture.

(3) Each person specifically authorized to accept delivery of isopropyl alcohol shall use such material for the purpose authorized, and only for such purpose, except as otherwise specifically directed.

(4) Isopropyl alcohol allocated for inventory shall not be used except as specifically authorized or directed by the Director General for Operations. Isopropyl alcohol allocated to fill a specified order or class of orders shall revert to inventory where and to the extent that such order or class of orders is for any reason not filled.

(c) *Small order exemption.* No specific authorization or direction of the Director General for Operations shall be required for:

(1) Acceptance of delivery by any person in any one calendar month of 54 gallons or less of isopropyl alcohol in the aggregate; provided, that such person has not been specifically authorized to accept delivery of any quantity of such material during such month;

(2) The delivery by any producer or distributor to any person who shall have filed with him a certificate in substantially the following form:

The undersigned purchaser hereby certifies to the War Production Board and to his supplier that the isopropyl alcohol hereby ordered for delivery in _____, 194_ does not, taken with all other isopropyl alcohol delivered or to be delivered in such month, exceed 54 gallons.

_____
(Name of purchaser)

By _____ _____
(Authorized official) (Title)

Provided, however, That no producer shall deliver an aggregate amount of isopropyl alcohol in any one calendar month pursuant to this paragraph (c) in excess of 2% of the amount of his estimated production of isopropyl alcohol for such month.

(3) The use by any producer in any calendar month of 54 gallons or less of isopropyl alcohol in the aggregate.

(d) *Applications for delivery of isopropyl alcohol and reports.* (1) Each person seeking authorization to accept delivery of isopropyl alcohol during any calendar month, whether for his own consumption or resale, (and each producer seeking authorization to use isopropyl alcohol during any calendar month) shall file application therefor on or before the 10th day of the month preceding the month for which authorization for delivery or use is requested, except that requests for delivery from a distributor shall be filed not later than the 7th day of such preceding month. In each case, such application shall be made on Form PD–600 in the manner prescribed therein (except that applications for acceptance of delivery or use in January or February, 1943, may be made in the applicant's discretion on Form PD–521), subject to the following special instructions:

(i) Copies of Form PD–600 may be obtained at local field offices of the War Production Board.

(ii) Five copies shall be prepared of which one shall be forwarded to supplier and three forwarded to the War Production Board, Chemicals Division, Washington, D. C., Ref: M–168, the fifth to be retained for applicant's files.

(iii) In the heading, under name of chemical, specify "isopropyl alcohol"; under WPB Order No., specify "M–168"; under unit of measure, specify gallons; under name of company, specify name and mailing address; and specify the month and year for which authorization for acceptance of delivery is sought.

(iv) In Columns 1, 11 and 19, indicate grade in terms of the following: 91%, 95% or 99%.

(v) In Columns 3, 20 and 22, specify your primary product in terms of the following:

Acetone
Hydraulic brake fluid
Cleaning compound
Cosmetics
Drugs and pharmaceuticals
Disinfectants and germicides
Gasoline inhibitors
Isopropyl acetate
Oil emulsions
Pectin
Resins
Technical coatings
Textiles
Waterproofing
Xanthates
Other (specify)
Resale (as isopropyl alcohol)
Inventory (as isopropyl alcohol)

(vi) In Column 4, specify ultimate use of product. For example, if the "primary product" called for in Column 3 is "isopropyl acetate", the "ultimate use" of the product might be "shell lacquer". Also, specify in each case whether your customer is Army, Navy, other government agency, Lend-Lease or commercial customer, and give government specification number, if any. Where the Form PD–600 is an application for isopropyl alcohol for resale to others, leave Column 4 blank. Where the Form PD–600 is an application for isopropyl alcohol for inventory, applicant shall specify in Column 4 the amount, if any, considered necessary to bring his inventory to a safe working minimum.

(2) Each producer or distributor seeking authorization to make delivery of isopropyl alcohol during any calendar month, shall file application on or before the 20th day of the month preceding the month for which authorization is requested. In each case, application shall be made on Form PD–601 (except that application for authorization to deliver in February, 1943, may be filed in applicant's discretion on Form PD–522), subject to the following special instructions:

(i) Copies of Form PD–601 may be obtained at local field offices of the War Production Board.

(ii) Four copies shall be prepared, of which three shall be filed with the War Production Board, Chemicals Division, Washington, D. C., Ref: M–168, the fourth to be retained for applicant's files. A separate set of Form PD–601 shall be filed for each grade of isopropyl alcohol for which authorization to deliver is sought, viz. 91%, 95%, or 99%.

(iii) Producers and distributors who have filed application on Form PD–600, specifying themselves as their suppliers, shall list their own names as customers on Form PD–601, and shall list their requests for allocation in the manner prescribed for other customers.

(iv) In the heading, under name of chemical, specify "isopropyl alcohol"; under WPB Order No., specify "M–168"; under name of company, state your name and mailing address; under unit of measure, specify gallons; and state the month and year during which deliveries covered by the application are to be made.

(v) List all customers alphabetically. The names of customers to whom small order deliveries are to be made during the next month pursuant to paragraph (c) of this order need not be given, but insert in Column 1 "Total small order deliveries (estimated)" and in Column 4 specify the estimated quantity. If it is necessary to use more than one sheet to list customers, number each sheet in order and show grand total for all sheets on the last sheet which is the only one that need be certified.

(vi) Column 5 may, at your discretion, be left blank.

(vii) Leave Column 6 blank.

(3) The Director General for Operations may require each person affected by this order to file such other reports as may be prescribed, and may issue other and further directions with respect to preparing and filing Forms PD–600 and PD–601.

(e) *Notification of customers.* Each supplier shall notify his regular customers as soon as possible of the requirements of this order but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(f) *Miscellaneous provisions.*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board priorities regulations as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C., Ref: M–168.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 19th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43–927; Filed, January 19, 1943; 11:24 a. m.]

PART 3159—BISMUTH

[Conservation Order M–276]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of bismuth for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3159.1 *Conservation Order M–276*—(a) *Definitions.* For the purposes of this order:

(1) "Bismuth" means refined bismuth in such forms as bars, ingots, pigs, sticks, slabs, cakes, moss powder or other shapes, suitable for production of industrial or medicinal products.

(2) "Producer" means any person who produces bismuth as a primary or secondary metal or as by-product in the conduct of any enterprise.

(3) "Distributor" means any person regularly engaged in the business of buying and selling bismuth.

(4) "Consumer" means any person who uses bismuth in the manufacture of alloys, solders, compounds, salts, mixtures, medicinal products or other bismuth-bearing materials.

(b) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(c) *Restrictions on deliveries.* (1) Notwithstanding any contract or agreement to the contrary or the receipt of any preference rating, no person shall deliver bismuth after January 31, 1943, except as follows:

(i) To a producer or distributor or to Metals Reserve Company or to any other corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act as amended (15 U. S. C., section 606 (b)) or to any duly authorized agent of any such corporation;

(ii) To a consumer if the amount delivered to him, together with all other amounts delivered to him during the month in which delivery is made, will not exceed 50 pounds. No delivery shall be made pursuant to this sub-paragraph unless the consumer shall furnish the person making delivery with a duplicate statement in writing to the effect that deliveries of bismuth to the consumer had not exceeded 50 pounds, inclusive of the amount then being delivered, in the month of delivery, one copy of which shall be forwarded to the Tin and Lead Division, War Production Board, Washington, D. C., Ref: M–276; or

(iii) Pursuant to the specific authorization of the Director General for Operations based on an application of the consumer on Form PD–776 or otherwise.

(2) No person shall accept delivery of bismuth in violation of the provisions of paragraph (c) (1) above.

(3) No distributor shall accept delivery of bismuth without the specific authorization of the Director General for Operations:

(i) If the inventory of the distributor of bismuth is, or will by virtue of such acceptance become, in excess of the practicable minimum working inventory reasonably necessary to meet deliveries of bismuth on the basis of the distributor's current rate of sale; or

(ii) If such distributor has failed to file such reports as may be required by the Director General for Operations of the War Production Board.

(d) *Restrictions on use.* Notwithstanding any contract or agreement to the contrary or the receipt of any preference rating, no consumer shall, after January 31, 1943, put into process or change the form or shape of bismuth, except as follows:

(i) In amounts of less than a total of 50 pounds in any month; or

(ii) Pursuant to a specific authorization of the Director General for Operations based upon an application of the consumer on Form PD-776, or otherwise.

(e) *Reports.* Reports shall be made at such times and on such forms as may be prescribed therefor by the Director General for Operations, War Production Board.

(f) *Communications.* All reports to be filed, and other communications concerning this order should be addressed to: War Production Board, Tin and Lead Division, Washington, D. C., Ref.: M-276.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control, and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 19th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-928; Filed, January 19, 1943; 11:24 a. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL

[MPR 120,[1] Amendment 33]

MAXIMUM PRICES FOR BITUMINOUS COAL PRODUCED IN DISTRICT NO. 13

Amendment No. 33 to Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Dockets Nos. 3120-288, 3120-289, 3120-294.

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1340.224 a new inferior subdivision (c) is added to paragraph (b) (3) (i), to read as set forth below:

§ 1340.224 *Appendix M: Maximum Prices for Bituminous Coal Produced in District No. 13.* • • •

(b) • • •

(3) *Maximum prices in cents per net ton for railroad fuel.* • • •

(i) *Special price instructions.* • • •

(c) Maximum prices for railroad fuel for sale to the St. Louis-San Francisco Railway for consignment west of the Mississippi River shall not exceed $2.75 per net ton.

• • • • • •

§ 1340.211a *Effective dates of amendments.* • • •

(hh) Amendment No. 33 (§ 1340.224 (b) (3) (i) (c)) to Maximum Price Regulation No. 120 shall become effective January 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-910; Filed, January 18, 1943; 3:51 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Restriction Order 1,[1] Amendment 11]

MEAT RESTRICTION

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new paragraph (c) is added to § 1407.904; § 1407.913 (b), (c) and (d) are amended; a new paragraph (k) is added to § 1407.925, to read as set forth below:

§ 1407.904 *Deliveries of non-quota slaughterers restricted.* • • •

(c) A non-quota slaughterer, in computing the conversion weight of controlled meat resulting from his own slaughter delivered during Base Period 1 and Quota Period 1, shall use the conversion factors specified in § 1407.913 (b), and in computing the conversion weight of controlled meat resulting from his own slaughter delivered during subsequent base periods and quota periods, shall use the conversion factors specified in § 1407.913 (c).

§ 1407.913 *Conversion weight factors.* • • •

(b) For the purpose of computing the quota base for each quota period, pursuant to § 1407.906, and for the purpose of computing deliveries charged against quota during Quota Period 1, pursuant to § 1407.907, the conversion weight of carcasses, and of cuts and trimmings of controlled meat derived therefrom, and of sausage and canned meat produced therefrom, shall be determined by multiplying the weight thereof by the appropriate conversion factor set forth below:

Type of controlled meat and description of product:	*Conversion factor (multiplier)*
BEEF	
Dressed carcasses and cuts not boned, fresh (chilled) or frozen	1.00
Boned beef and trimmings, fresh (chilled) or frozen	1.41
Cured other than dried	1.00
Dried (including smoked)	2.00
VEAL	
Dressed carcasses hide off, and cuts, not boned, fresh (chilled) or frozen	1.00
Dressed carcasses hide on, fresh (chilled) or frozen	.90
Boned, fresh (chilled) or frozen	1.41
LAMB AND MUTTON	
Dressed carcasses pluck out, and cuts, not boned, fresh (chilled) or frozen	1.00
Dressed carcasses pluck in, fresh (chilled) or frozen	.90
Boned, fresh (chilled) or frozen	1.41
PORK	
Dressed carcasses (with cutting fats on), fresh (chilled) or frozen	.83
Cuts:	*Not boned* / *Boned*
Fresh (chilled)	1.00 / 1.15
Wiltshire sides, fresh or cured	1.00
Cured	1.00 / 1.10
Smoked	1.10 / 1.20
Cooked	1.20 / 1.35
Trimmings:	
Fresh (chilled) or frozen	1.10

The conversion weight of controlled meat of each type used in the preparation of sausage or canned meat shall be computed by determining, on the basis of the manufacturing formula, the net weight of controlled meat of such type used in the processing thereof, and multiplying such net weight by 1.41 in the case of boned beef, veal, lamb and mutton, and 1.10 in the case of pork. The net weight of controlled meat which is cooked and used in the preparation of canned meat shall be the weight thereof before cooking.

(c) For the purpose of computing deliveries charged against quota during quota periods subsequent to Quota Period 1, pursuant to § 1407.907, the conversion weight of carcasses, and of cuts and trimmings of controlled meat derived therefrom, and of sausage and canned meat produced therefrom, shall be determined by multiplying the weight thereof by the appropriate conversion factor set forth below:

Type of controlled meat and description of product:	*Conversion factor (multiplier)*
BEEF	
Dressed carcasses and cuts, not boned, fresh (chilled) or frozen	1.00
Boned beef and trimmings, fresh (chilled) or frozen	1.41
Cured other than dried—not boned	.95
Cured other than dried—boned	1.34
Dried (including smoked)	2.20

[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218, 6265, 6272, 6472, 6325, 6524, 6744, 6896, 7777, 7670, 7914, 7942, 8354, 8650, 8948, 9783, 10470, 10581, 10780, 10993, 11008, 11012.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 7839, 8217, 8524, 9247, 9250, 9639, 10258, 10621, 10704; 8 F.R. 179.

Type of controlled meat and description of product—Continued.	*Conversion factor (multiplier)*
VEAL	
Dressed carcasses hide off, and cuts, not boned, fresh (chilled) or frozen	1.00
Dressed carcasses hide on, fresh (chilled) or frozen	.90
Boned, fresh (chilled) or frozen	1.41
LAMB AND MUTTON	
Dressed carcasses pluck out, and cuts, not boned, fresh (chilled) or frozen	1.00
Dressed carcasses pluck in, fresh (chilled) or frozen	.90
Boned, fresh (chilled) or frozen	1.41
Telescoped carcass lambs (shanks off)	1.03
Telescoped carcass sheep (shanks off, kidney out)	1.05
PORK	
Dressed carcasses (with cutting fats on), fresh (chilled) or frozen	.83
Cuts:	*Not boned* / *Boned*
Fresh (chilled)	1.00 / 1.15
Wiltshire sides, fresh or cured	1.00
Cured	1.00 / 1.10
Smoked	1.10 / 1.20
Cooked	1.20 / 1.45
Pork loins	---- / 1.33
Fatted, skinless hams and shoulders	---- / 1.33
Fatted, skinless picnics	---- / 1.45
Trimmings:	
Fresh (chilled) or frozen	---- / 1.00
Chopped ham	1.28
Luncheon meat	1.35
Corned pork	2.22
Tushonka	1.80
Issue bacon	1.18
Sliced bacon	1.25
Dehydrated pork (10% maximum moisture content)	4.75
Dehydrated beef (10% maximum moisture content)	5.00

The conversion weight of controlled meat of any type used in the preparation of sausage, or in the preparation of canned meat not specified above, shall be computed by determining, on the basis of the manufacturing formula, the net weight of controlled meat of such type used in the processing thereof, and multiplying such net weight by the applicable conversion factor set forth above for such type of controlled meat. The net weight of controlled meat which is cooked and used in the preparation of canned meat not specified above shall be the weight thereof before cooking.

(d) In paragraphs (b) and (c) of this section, "boned" describes cuts from which 50 per cent or more of the bone by weight has been removed by the process of boning, and "not boned" describes cuts from which none, or less than 50 percent, of the bone by weight has been removed, and primal cuts which contain no bone.

§ 1407.925 *Effective dates of amendments.* • • •

(k) Amendment No. 11 (§§ 1407.904 (c), 1407.913 (b), (c), (d), and 1407.925 (k)) to Restriction Order No. 1 shall become effective January 23, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507, and 729, 77th Cong.; W.P.B. Directive No. 1, Supp. Dir. No. 1-M, 7 F.R. 562, 7234)

Issued this 18 day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-907; Filed, January 18, 1943; 3:52 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 50 to Supp. Reg. 1,[1] to GMPR[2]]

DEHYDROGENATED CATALYSTS

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* A new phrase is added to subdivision (iv) of § 1499.26 (a) (25) as set forth below:

§ 1499.26 • • •

(a) • • •

(25) • • •

(iv) • • •; dehydrogenation catalysts including but not limited to chrome-alumina and magnesia-alumina dehydrogenation catalysts, and physical carrier agents for such catalysts, including but not limited to silica gel.

(e) *Effective dates.* • • •

(51) Amendment No. 50 (§ 1499.26 (a) (25) (iv)) to Supplementary Regulation No. 1 shall become effective January 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-909; Filed, January 18, 1943; 3:52 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 220 Under § 1499.3 (b) of GMPR]

THE SMITHS, INCORPORATED

Maximum prices for bed rails and bed ends manufactured from gum lumber.

The Smiths, Incorporated, of Barnesville, Georgia has made application under § 1499.3 (b) of the General Maximum Price Regulation for specific authorization to determine the maximum price for a commodity which cannot be priced under § 1499.2 thereof. Due consideration has been given to the application and an opinion in support of the order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250; *It is ordered:*

§ 1499.1456 *Approval of maximum prices for sale by The Smiths, Incorporated, of bed rails and bed ends.* (a) On and after January 18, 1943, the Smiths Inc., of Barnesville, Georgia, may sell and deliver, and any person may purchase and receive from The Smiths, Incorporated, a set of bed rails consisting of 8 rails of the following specifications and assembled bed ends of the following specifications at a price not in excess of $1.99½ per set of bed rails f. o. b. mill and $1.54½ per bed end f. o. b. mill:

(1) Set of bed rails.

4 rails $1^{1}/_{16}$" x $3^{1}/_{2}$" x 6'.
4 rails $1^{1}/_{16}$" x $3^{1}/_{2}$" x 2' 11" manufactured from gum lumber.

(2) Assembled bed end consisting of:

2 posts $1^{3}/_{4}$" x $1^{3}/_{4}$" x 64".
4 rails $^{13}/_{16}$" x $3^{1}/_{2}$" x $34^{3}/_{4}$" mortised into posts with over-all measurement of $36^{1}/_{4}$", manufactured from gum lumber.

(b) This Order No. 220 may be revoked or amended at any time.

(c) This Order No. 220 (§ 1499.1456) shall become effective January 18, 1943.

Issued this 18th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-911; Filed, January 18, 1943; 3:50 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 221 Under § 1499.3 (b) of GMPR]

BERST-FORSTER-DIXFIELD COMPANY

Maximum prices for ±2 white birch bars 80% free from defects.

Berst-Forster-Dixfield Company of Oakland, Maine, has made application under § 1499.3 (b) of the General Maximum Price Regulation for specific authorization to determine the maximum price for a commodity which cannot be priced under §1499.2 thereof. Due consideration has been given to the application and an opinion in support of the order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, *It is ordered:*

§ 1499.1457 *Approval of maximum prices for sale by Berst-Forster-Dixfield Company of ±2 white birch bars 80% free from defects, random sizes.* (a) On and after January 18, 1943, Berst-Forster-Dixfield Company, of Oakland, Maine, may sell and deliver, and any person may purchase and receive from Berst-Forster-Dixfield Company, ±2 white birch bars 80% free from defects,

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3158, 3488, 3892, 4183, 4410, 4428, 4487, 4488, 4493, 4669, 5066, 5192, 5276, 5366, 5484, 5607, 5717, 5942, 6082, 6473, 6685, 7011, 7250, 7317, 7598, 7604, 7739, 8336, 8652, 8798, 8930, 8833, 9082, 9131, 9616, 9622, 9975, 9976, 10022.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371.

random sizes, at a price not in excess of $58.00 per M feet board measure f. o. b. mill.

(b) This Order No. 221 may be revoked or amended at any time.

(c) This Order No. 221 (§ 1499.1457) shall become effective January 18, 1943.

Issued this 18th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-908; Filed, January 18, 1943; 3:53 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 222 Under § 1499.3 (b) of GMPR[1]]

NICKEY BROTHERS, INCORPORATED

Maximum prices for chair stock (small dimension) manufactured from red or white oak lumber.

Nickey Brothers, Inc. of Memphis, Tennessee, has made application under § 1499.3 (b) of the General Maximum Price Regulation for specific authorization to determine the maximum price for a commodity which cannot be priced under § 1499.2 thereof. Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

§ 1499.1458 *Approval of maximum prices for sale by Nickey Brothers, Inc., of chair stock.* (a) On and after January 18, 1943, Nickey Brothers, Inc. of Memphis, Tennessee, may sell and deliver, and any person may purchase and receive from Nickey Brothers, Inc., chair stock (small dimension) manufactured from white or red oak lumber and consisting of the following specified pieces at a price not in excess of $132.00 per M feet board measure f. o. b. the plant of Nickey Brothers, Inc.:

2 pieces $\frac{25}{32}$'' x 1¾'' x 27⅛'', beaded both sides to count as 1'' x 2'' x 27''.

2 pieces $\frac{25}{32}$'' x 1½'' x 22⅛'' beaded both sides to count as 1'' x 1¾'' x 22''.

1 piece 49/64''x1¾''x17½'' S4S eased edges to count as 1''x2''x17½''

1 piece 49/64''x1¾''x15⅝'' S4S eased edges to count as 1''x2''x15⅝''

(b) This Order No. 222 may be revoked or amended at any time.

(c) This Order No. 222 (§ 1499.1458) shall become effective January 18, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 18th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-918; Filed, January 18, 1943; 4:54 p. m.]

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4330, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431 8881, 8942, 9004, 9435, 9615, 9616, 9732, 10155.

PART 1499—COMMODITIES AND SERVICES

[Order 223 Under § 1499.3 (b) of GMPR]

CLARK THREAD COMPANY

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register; *It is hereby ordered:*

§ 1499.1459 *Maximum prices for sales of hand knitting wool yarns by the Clark Thread Company to Patons and Baldwins, Incorporated.* (a) The Clark Thread Company, Newark, New Jersey, may sell and deliver to Patons and Baldwins, Incorporated hand knitting wool yarns at prices no higher than those determined in accordance with paragraph (b) below.

(b) Maximum prices shall be the "base cost" of the hand knitting wool yarns sold, plus a flat charge of $4,000 per month. The term "base cost" for any particular hand knitting wool yarn means the fixed cost for such yarn in effect during March 1942 for sales by the Clark Thread Company to Patons and Baldwins, Incorporated.

(c) This Order No. 223 may be revoked or amended by the Office of Price Administration at any time.

(d) This Order No. 223 (§ 1499.1459) shall become effective January 18, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-919; Filed, January 18, 1943; 4:54 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 13 Under § 1499.29 of GMPR]

LINCOLN MANUFACTURING COMPANY

Order No. 13 under § 1499.29 of the General Maximum Price Regulation—Docket No. III-1499.29 (b)-2.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is hereby ordered;* That:

§ 1499.413 *Authorization of a maximum price for certain spigots for the Lincoln Manufacturing Company.* (a) The Lincoln Manufacturing Company of Detroit, Michigan, may sell and deliver to Kimball-Tyler Company of Baltimore, Maryland, brass breaker spigots, No. 45-S-775, at a price of $.4014 each f. o. b. point of manufacture.

(b) This Order No. 13 shall cover only the sale of the spigots described in paragraph (a) above to Kimball-Tyler Company for use in the manufacture of certain water casks for life boats under prime Government Contract No. N 102s-36385.

(c) If the contract between the Lincoln Manufacturing Company and Kimball-Tyler Company has been negotiated at a price higher than that established by this Order No. 13, such price shall be adjusted downward to the established price. If any payment has been made under such contract at a price higher than that established by this Order No. 13, refund of the excess must be made to Kimball-Tyler Company.

(d) This Order No. 13 (§ 1499.413) is hereby incorporated as a section of Supplementary Regulation No. 4 which contains modifications of maximum prices established by § 1499.2.

(e) All prayers of the application not granted herein are denied.

(f) This Order No. 13 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 13 (§ 1499.413) shall become effective January 18, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F. R. 7871)

Issued this 18th day of January 1943

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-916; Filed, January 18, 1943; 4:54 p. m.]

Chapter XIII—Petroleum Administration for War

PART 1525—MARKETING MOTOR FUEL

[Petroleum Administrative Order 4]

SERVICE STATION HOURS OF DISTRIBUTION

The fulfillment of the requirements for the defense of the United States threatens a shortage of motor fuel distribution facilities, for defense, for private account, and for export; and the following order is deemed necessary in the public interest, to promote the national defense and to provide adequate supplies of petroleum for military and other essential purposes:

§ 1525.2 *Petroleum Administrative Order 4*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Motor fuel" means any liquid fuel, including Diesel fuel, used for the propulsion of motor vehicles or motor boats and shall include any liquid fuel to which Federal gasoline taxes apply except liquid fuel used for the propulsion of aircraft.

(3) "Service station" means any place of business or part thereof, where motor fuel normally is sold and delivered into the fuel supply tanks of motor vehicles.

(b) *Service station hours of distribution.* (1) No person shall deliver motor fuel from any service station where motor fuel is delivered during more than 12 hours (which shall not be divided into units of less than 2 consecutive hours) of any calendar day or during more than 72 hours of any calendar week; *Provided,* That:

(i) Deliveries of motor fuel may be made at any time for official use in motor vehicles or motor boats owned or operated by the Army, Navy, Marine Corps, Coast Guard, Maritime Commission, or War Shipping Administration or to any persons in the event of any emergency involving life, health or property.

(ii) Deliveries of motor fuel in exchange for "T" coupons may be made at any time into the fuel tank of any motor vehicle displaying a "T" ration sticker in accordance with the provisions of Ration Order No. 5C where the following conditions are all fully complied with.

(*a*) Such service station shall at all times remain open to sell and deliver motor fuel.

(*b*) For the same 12 consecutive hours of the calendar day and for not more than 72 hours during any calendar week, such service station shall deliver motor fuel to any person requesting motor fuel in accordance with Ration Order No. 5C.

(*c*) During all of the remaining hours of each day of each week, such service station shall deliver motor fuel only to motor vehicles displaying "T" ration stickers.

(2) Each service station shall post prominently in a conspicuous place a notice of the hours during which motor fuel will be regularly delivered by such service station. Where the provisions of paragraph (b) (1) (ii) apply the hours selected and posted shall clearly distinguish the hours during which motor fuel will be delivered only to motor vehicles displaying "T" ration stickers and shall remain in effect for a period of not less than 30 consecutive days and shall not be changed during such period. In all other cases the hours selected and posted shall remain in effect at least seven consecutive days and shall not be changed during such period.

(c) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may file an appeal setting forth the pertinent facts and the reasons why he considers himself entitled to relief. All appeals shall be filed in triplicate.

(d) *Appeals and correspondence.* (1) All correspondence and all appeals filed under paragraph (c) shall, unless otherwise directed, be addressed to the District Director of Marketing, Petroleum Administration for War at:

(i) 122 East 42nd Street, New York, New York, if the motor fuel is to be delivered or used in the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia West Virginia, North Carolina, South Carolina, Georgia, Florida, or the District of Columbia.

(ii) Twelfth Floor, Blum Building, 624 South Michigan Avenue, Chicago, Illinois, if the motor fuel is to be delivered or used in the States of Ohio, Kentucky, Tennessee, Indiana, Michigan, Illinois, Wisconsin, Minnesota, Iowa, Missouri, Oklahoma, Kansas, Nebraska, South Dakota, or North Dakota.

(iii) 245 Mellie Esperson Building, Houston, Texas, if the motor fuel is to be delivered or used in the States of Alabama, Mississippi, Louisiana, Arkansas, Texas, or New Mexico.

(iv) 320 First National Bank Building, Denver, Colorado, if the motor fuel is to be delivered or used in the States of Montana, Wyoming, Colorado, Utah, or Idaho

(v) 855 Subway Terminal Building, Los Angeles, California, if the motor fuel is to be delivered or used in the States of Arizona, California, Nevada, Oregon, or Washington.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, by any act or omission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or such other action may be taken as is deemed appropriate.

(f) *Effective date.* This order shall take effect five days after date of issuance and shall remain in effect until revoked.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 18th day of January 1943.

HAROLD L. ICKES,
Petroleum Administrator for War.

[F. R. Doc. 43-929; Filed, January 19, 1943; 11:43 a. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

PART 303—CONTRACTS FOR CARRIAGE ON VESSELS OWNED OR CHARTERED BY THE WAR SHIPPING ADMINISTRATION

[General Order 16, Supp. 7]

UNIFORM OCEAN BILL OF LADING (SHORT FORM)

§ 303.32 *Uniform ocean bill of lading, short form.* (a) All operators of vessels owned by or under bareboat or time charter to or operated by or for the use or account of the United States of America, may on or before February 1, 1943, on all outbound shipments from continental United States ports excluding Alaska, and as soon thereafter as possible on all other shipments, and on all subsequent shipments, use or cause to be used, in their discretion, the uniform short form of bill of lading designated as "Warshipshortlading 12/15/42" which shall be in the form attached.

(b) Said bill of lading when printed shall be of a uniform size of 8½ inches by 11 inches, to be printed in type no smaller than 6 point. Otherwise operator may arrange the form in the manner most suitable to his use.

(c) All operators may at their own expense under agency agreements now or hereafter in effect, cause such bill of lading to be printed as aforesaid and any such operator shall indicate its name and may also print appropriate and customary house flags, office address, etc. on the face thereof.

(d) The operator shall upon previous advice to WSA and approval by them incorporate in such bills of lading any special arrangements on the face thereof and any other special clauses respectively appropriate or necessary to trade and route undertaken which is felt to be necessary.

(e) Only the government form of bill of lading (Standard Form 1058) shall be used as the bill of lading covering consignments of property of the United States, made by an agency of the United States.

(f) The right is reserved to approve other forms of bills of lading or clauses as the Administrator may deem appropriate in special circumstances.

Warshipshortlading
12-15-42 B L No. ------

XYZ SHIPPING COMPANY, Master's Agent

BILL OF LADING

(Short Form)

Received on board from the shipper hereinafter named the goods, or packages said to contain goods, hereinafter mentioned in apparent good order and condition unless otherwise indicated in this bill of lading, to be transported to the port of discharge and there to be delivered or transshipped on the terms hereinafter stated. In every contingency whatsoever and even in case of deviation or of unseaworthiness of the ship at time of loading or at any subsequent time, the rights and obligations, whatsoever they may be, of each and every person having any interest or duty whatsoever in respect of the receipt, care, custody, carriage, delivery or transshipment of the goods whether as shipper, consignee, holder or endorsee of the bill of lading receiver or owner of the goods, master of the ship, carrier, shipowner, demise charter time charterer, operator, agent, bailee, warehouseman, forwarder, or otherwise howsoever, shall be subject to and governed by the terms of the Uniform Bill of Lading (Warshiplading 7-1-42) adopted by General Order No. 16 of the Administrator, War Shipping Administration, July 4, 1942, which shall be deemed to be incorporated herein, including any amendments thereto or special provisions thereof which may be in effect at the time the goods are received for shipment and applicable to the intended voyage. Copies of such Uniform Bill of Lading and amendments may be obtained on application to the War Shipping Administration, Washington, D. C., or to any of its District Offices or to the Agent of the Master at the port of shipment or port of discharge. This shipment shall have effect subject to the provisions of the Carriage of Goods by Sea Act of the United States, approved April 16, 1936, which shall be deemed to be incorporated herein and nothing herein contained shall be deemed a surrender by the carrier of any of its rights or immunities or an increase of any of its responsibilities or liabilities under said Act. The provisions stated in said Act shall (except as may be otherwise specifically provided in the bill of lading referred to above) govern before the goods are loaded on and after they are discharged from the ship and throughout the entire time the goods are in the custody of the carrier. Nothing herein contained, whether by express statement, reference, implication or otherwise, shall be deemed a surrender of any rights or immunities or an increase of any responsibilities or liabilities which the ship, her owner, charterer, operator, agent or master or any carrier, bailee, warehouseman, or forwarder of the goods or the agent of any of them would have in the absence of this bill of lading. None of the terms of this bill of lading shall be deemed to have been waived by any person unless by express waiver signed by such person, or his duly authorized agent.

Ship { M.S. / S.S. } _____ Voyage No._____
Port of loading_____
Shipper_____
Consignee_____
If consigned to order, arrival notice to be addressed to_____
_____
(Without liability to carrier, see Clause 12 of Warshiplading referred to herein)
Port of discharge from ship_____
Destination of goods (if goods to be transshipped at port of discharge) _____
(See Clause 11 of Warshiplading referred to herein)
The scope of the voyage is referred to in the preamble and Clause 3 of "Warshiplading" referred to herein.

PARTICULARS FURNISHED BY SHIPPER OF GOODS

Marks and numbers	Quantity or number of pieces or packages	Description of goods	Gross weight (pounds)	Measurement

FREIGHT AND CHARGES

_____ @ _____ per 100 lbs. $_____
_____ @ _____ per 2240 lbs $_____
___ ft. ___ in. @ ____ per cub. ft. $_____
___ ft. ___ in. @ ____ per 40 cub. ft. $_____
_____ @ _____ per _____ $_____
_____ $_____
_____ Pkgs. @ _____ per pkg $_____
• Freight { To be prepaid / To collect } $_____

• (Cross out words not applicable)

In accepting this bill of lading, the shipper, consignee, pledgee, holder or endorser of this bill of lading, receiver, owner of the goods and each of them agree that all freight engagements, dock receipts or other agreements whatsoever in respect of the shipment of the goods are superseded by this bill of lading, and agree to be bound by all its terms whether written, printed or stamped on the front or back thereof or incorporated by reference therein, any local customs or privileges to the contrary notwithstanding.

If requested, one signed bill of lading duly endorsed must be surrendered to the agent of the ship at the port of discharge in exchange for delivery order.

If the ship is not owned by or chartered by demise to the War Shipping Administration or to the Company signing this bill of lading for the Master (as may be the case notwithstanding anything that appears to the contrary) this bill of lading shall take effect only as a contract with the owner or demise charterer, as the case may be, as principal, made through the agency of the War Shipping Administration or the Company signing this bill of lading for the Master; which acts as agent only and shall be under no personal liability whatsoever in respect thereof.

In witness whereof, the Master of the said ship has affirmed to _____ bills of lading, all of this tenor and date, one of which being accomplished, the others to stand void.
Dated_____ this_____ day of_____ 19____.
For the Master
By_____
(Name of agent in print)
As agent for the Master.
By_____

Notice

If the goods herein covered are carried on a vessel owned by or under bareboat charter to the United States and which is a Public Vessel of the United States, War Shipping Administration, on behalf of the United States, hereby assumes all liabilities it would have with respect to the carriage of such goods if the vessel were a merchant vessel except with respect to cargo owned by the United States or any Agency or Department thereof, and lend-lease cargo. This clause is to be construed only as an agreement that such cargo when carried on such a Public Vessel shall be treated as though the carrying vessel were a merchant vessel with respect to liabilities for loss or damage to such cargo.

Caution

This document contains information affecting the national defense of the United States within the meaning of the Espionage Act, 50 U. S. C., 31 and 32 as amended. Its transmission or the revelation of its contents in any manner to an unauthorized person is prohibited by law.

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

JANUARY 18, 1943.

[F. R. Doc. 43-920; Filed, January 19, 1943; 9:47 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Exemption Order ODT 21-5]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—EXCEPTIONS, PERMITS AND EXEMPTIONS

SUBPART M—CERTIFICATES OF WAR NECESSITY

Pursuant to Executive Orders 8989, 9156 and 9294, *It is hereby ordered*, That:

§ 521.3504 *Certain unlicensed and limited-license commercial motor vehicles exempted from tire inspection.* Any commercial motor vehicle that is not licensed for highway operation, or which by reason of limited license cannot be operated over highways necessary to be traveled in order to obtain tire inspection, is hereby exempted from the provisions of § 501.97[1] of General Order ODT 21, as amended: *Provided*, That this exemption order shall not be applicable to any commercial motor vehicle when the owner or operator thereof, or his agent, is, or is qualified to become, duly designated as a tire inspector for such commercial motor vehicle by the Office of Price Administration.

This exemption order (§ 521.3504) shall become effective January 18, 1943. (E.O. 8989, 9156 and 9294; 6 F.R. 6725, 7 F.R. 3349, 8 F.R. 221; Gen. Order ODT 21, 7 F.R. 7100, 9006, 9437, 10025, 8 F.R. 551)

Issued at Washington, D. C., this 18th day of January 1943.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 43-921; Filed, January 19, 1943; 10:45 a. m.]

[1] 8 F.R. 551.

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1744]

DISTRICT BOARD 11

ORDER POSTPONING HEARING

In the matter of the petition of District Board No. 11 for the establishment of price classifications and minimum prices for slurry produced at Mine Index Nos. 63, 101, 108 and 112 in District No. 11.

District Board No. 11, the original petitioner herein, having moved that the hearing in the above-entitled matter, heretofore scheduled to be held on February 2, 1943, at 10 o'clock in the forenoon of that day, be postponed until a date not earlier than February 15, 1943, and having shown good cause therefor,

It is ordered, That the hearing in the above-entitled matter be and it hereby is postponed from 10 o'clock in the forenoon of February 2, 1943, until 10 o'clock in the forenoon of February 17, 1943, at the place and before the officers heretofore designated.

Dated: January 18, 1943.

[SEAL] DAN H. WHEELER
Director.

[F. R. Doc. 43-929; Filed, January 19, 1943; 11:19 a. m.]

DEPARTMENT OF AGRICULTURE.

Food Distribution Administration.

[Docket No. AAO 122-A 3]

SIOUX CITY, IOWA, MARKETING AREA

NOTICE OF HEARING ON HANDLING OF MILK

Proposed amendments to tentatively approved marketing agreement, as amended, and ordered, as amended, regulating the handling of milk in the Sioux City marketing area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 et seq.), and in accordance with the applicable rules of practice and procedure thereunder (7 CFR 900.1-900.17; 6 F.R. 6570, 7 F.R. 3350), notice is hereby given of a hearing to be held in the Court Room, Post Office Building, Sioux City, Iowa, beginning at 10 a. m., c. w. t., January 27, 1943, with respect to proposed amendments to the tentatively approved marketing agreement, as amended, and the order, as amended, regulating the handling of milk in the Sioux City, Iowa, marketing area. These amendments have not received the approval of the Secretary of Agriculture.

This public hearing is for the purpose of receiving evidence with respect to the economic or marketing conditions which relate to the amendments or any modification thereof, which are hereinafter set forth. Such evidence may also include economic or marketing data relative to the provisions of the said tentatively approved marketing agreement and order which will be affected by the approval of the proposed amendments or any modification thereof. The amendments which have been proposed are set forth below:

1. Delete § 948.1 (a) (3) and substitute therefor:

(3) "Producer" means any person irrespective of whether such person is also a handler who, in conformity with the applicable health regulations, produces milk which is received at the plant of a handler from which milk is disposed of in the marketing area.

2. Delete § 948.1 (a) (4) and substitute therefor:

(4) "Handler" means any person who, on his own behalf or on behalf of others, purchases or receives milk from producers, associations of producers or other handlers, all or a portion of which milk is disposed of as milk in the marketing area and who, on his own behalf or on behalf of others, engages in such handling of milk as is in the current of interstate commerce or which directly burdens, obstructs, or affects interstate commerce in milk and its products. This definition shall be deemed to include a cooperative association with respect to milk caused to be delivered from a producer to a plant from which no milk is disposed of in the marketing area, for the account of such cooperative association and for which such cooperative association collects payment.

3. Delete § 948.1 (a) (6) and substitute therefor:

(6) "Delivery period" means the period from the effective date hereof to and including the end of the calendar month in which such effective date occurs and thereafter such term shall mean any calendar month.

4. Add as § 948.1 (a) (10):

(10) "Emergency milk" means milk received by a handler from sources other than producers or other handlers under a temporary permit issued by the proper health authorities.

5. Delete § 948.3 (d).

6. Delete § 948.4 and substitute therefor:

§ 948.4 *Minimum prices.* Each handler shall pay at the time and in the manner set forth in § 948.8 not less than the following prices for milk of 3.5 percent butterfat content:

(a) *Class I milk.* The price per hundredweight for Class I milk during each delivery period shall be as set forth in the table in paragraph (b) of this section:

(b) *Class II milk.* The price per hundredweight for Class II milk during each delivery period shall be as set forth in the following table:

When the price computed pursuant to paragraph (d) of this section is—	The Class I price shall be—	The Class II price shall be—
Under $1.00	$1.60	$1.30
$1.00 or more but under $1.20	1.80	1.50
$1.20 or more but under $1.40	2.00	1.70
$1.40 or more but under $1.60	2.20	1.90
$1.60 or more but under $1.80	2.40	2.10
$1.80 or more but under $2.00	2.60	2.30
$2.00 or more but under $2.20	2.80	2.50
$2.20 or more but under $2.40	3.00	2.70
$2.40 or more but under $2.60	3.20	2.90
$2.60 or more but under $2.80	3.40	3.10
$2.80 or over	3.60	3.30

(c) *Class III milk.* The price per hundredweight for Class III milk shall be the price resulting from the following computation by the market administrator: determine the average of the prices per hundredweight ascertained to have been paid for milk of 3.5 percent butterfat content received during the delivery period at the following plants:

Concern:	*Location of plant*
Carnation Milk Co	Northfield, Minn.
Carnation Milk Co	Waverly, Iowa.
Borden Milk Products Co.	Sterling, Ill.
Libby, McNeill & Libby	Morrison, Ill.

(d) *Basic formula price.* The basic price to be used in determining the Class I and Class II prices shall be computed as follows: multiply by 3.5 the average price per pound of 92-score butter at wholesale in the Chicago market, as reported by the United States Department of Agriculture for the immediately preceding delivery period, add 20 percent thereof, and add or subtract 3½ cents for each full one-half cent that the price of dry skim milk for human consumption is above or below 5½ cents per pound. For purposes of determining this adjustment the price per pound of dry skim milk for human consumption f. o. b. manufacturing plant, as published by the United States Department of Agriculture for the Chicago area during the immediately preceding delivery period, including in such average the quotations published for any fractional part of the previous delivery period which were not published and available for the price determination of such dry skim milk for the previous delivery period. In the event the United States Department of Agriculture does not publish carlot prices for dry skim milk for human consumption f. o. b. manufacturing plant, the average of the carlot prices for dry skim milk for human consumption delivered at Chicago shall be used. In the latter event such price shall be subject to the following adjustments: Add or subtract 3½ cents per hundredweight for each full one-half cent that the price of dry skim milk for human consumption, delivered at Chicago, is above or below 7½ cents per pound.

7. Add as § 948.5 (a) (2):

(2) On or before the 5th day after the end of each delivery period, the receipts, if any, of emergency milk as follows: (i) the amount of such milk and the average butterfat test thereof, (ii) the date or dates upon which such milk was received during the delivery period, (iii) the plant from which such milk was shipped, (iv) the price per hundredweight paid or to be paid for such milk, and (v) such other information with respect thereto as the market administrator may request.

8. Renumber § 948.6 (c) as § 948.6 (d) and add as § 948.6 (c):

(c) *Purchases of emergency milk.* The market administrator, before making the computation pursuant to § 948.7, shall deduct pro rata out of each class the total pounds of emergency milk received by handlers during the delivery period.

9. Delete § 948.8 (a) (2) and substitute therefor:

(2) To a cooperative association for milk which is caused to be delivered to a handler from producers by a cooperative association, and for which such cooperative association collects payments, a total amount equal to not less than the sum of the individual payments otherwise payable to such producers under subparagraph (1) of this paragraph.

10. Delete the period (.) at the end of § 948.8 (b) (5) and add the words "but less than 50 cents".

11. Add as § 948.8 (b) (6):

(6) Five and one-half cents per hundredweight when such average price of 92-score butter is 50 cents or more, but less than 55 cents.

12. Add as § 948.8 (b) (7):

(7) Six cents per hundredweight when such average price of 92-score butter is 55 cents or more.

13. In § 948. 8 (d) delete the words "subject to the provisions of paragraph (e) of this section".

14. Delete § 948.8 (e) and (f) and substitute therefor:

(e) *Payments out of producer-settlement fund.* On or before the 9th day after the end of each delivery period, the market administrator shall pay to each handler for payment to producers the amount, if any, by which the total utilization value of such milk of producers received by such handler, during the delivery period, is less than the sum obtained by multiplying the hundredweight of such milk of producers by the appropriate prices required to be paid by handlers pursuant to paragraph (a) of this section. On or before the 9th day after the end of each delivery period the market administrator shall pay to each cooperative association with respect to milk of producers which it caused to be delivered to a plant from which no milk is disposed of in the marketing area, for the account of such cooperative association, and for which such cooperative association collects payment, for payment to producers, the amount, if any, by which the total utilization value of such milk is less than the sum obtained by multiplying the hundredweight of such milk by the appropriate prices required to be paid by handlers pursuant to paragraph (a) of this section. If at such time the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available. No handler who, on the 10th day after the end of the delivery period, has not received the balance of such reduced payment from the market administrator, shall be deemed to be in violation of paragraph (a) of this section if he reduces his payments to producers by not more than the amount of the reduction in payment from the producer-settlement fund.

15. Renumber § 948.8 (g) as § 948.8 (f).

16. In § 948.9 delete the words "2 cents" and substitute therefor the words "4 cents".

17. Add as § 948.11:

§ 948.11 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States, or name any bureau or division in the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.

18. Delete the words "new producer" wherever appearing in the order.

Copies of this notice of hearing, of the tentatively approved marketing agreement, as amended, and of the order, as amended, now in effect, may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1331 South Building, Washington, D. C., or may be there inspected.

Dated: January 18, 1943.

[SEAL] THOMAS J. FLAVIN,
Assistant to the Secretary of Agriculture.[1]

[F. R. Doc. 43-936; Filed, January 19, 1943; 11:15 a. m.]

[Docket No. AO 86-A 4]

OMAHA-COUNCIL BLUFFS MARKETING AREA

NOTICE OF HEARING ON HANDLING OF MILK

Proposed amendments to tentatively approved marketing agreement, as amended, and order, as amended, regulating the handling of milk in the Omaha-Council Bluffs marketing area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 et seq.), and in accordance with the applicable rules of practice and procedure thereunder (7 CFR 900.1-900.17; 6 F.R. 6570, 7 F.R. 3350), notice is hereby given of a hearing to be held in the Court Room, Post Office Building, Omaha, Nebraska, beginning at 10 a. m., c. w. t., January 26, 1943, with respect to proposed amendments to the tentatively approved marketing agreement, as amended, and the order, as amended, regulating the handling of milk in the Omaha-Council Bluffs marketing area. These amendments have not received the approval of the Secretary of Agriculture.

This public hearing is for the purpose of receiving evidence with respect to the economic or marketing conditions which relate to the amendments or any modification thereof, which are hereinafter set forth. Such evidence may also include economic or marketing data relative to the provisions of the said tentatively approved marketing agreement and order which will be affected by approval of the proposed amendments or any modification thereof. The amendments which have been proposed are set forth below:

1. Amend § 935.1 (a) (3) as follows:

After the word "handler" in the third line insert the words "other than himself."

2. In § 935.1 (a) (4) delete the words, "to a handler, or causes milk of a producer to be delivered."

[1] Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81; 7 F.R. 2656).

3. Add as § 935.1 (a) (10):

(10) "Emergency milk" means milk received by a handler from sources other than producers or other handlers under a temporary permit issued by the proper health authorities.

4. In § 935.3 (c) delete the words, "which is not a cooperative association."

5. Delete § 935.3 (d).

6. Delete § 935.4 and substitute therefor:

§ 935.4 *Minimum prices.* Each handler shall pay at the time and in the manner set forth in § 935.8 not less than the following prices for milk of 3.8 percent butterfat content:

(a) *Class I milk.* The price per hundredweight for Class I milk during each delivery period shall be as set forth in the table in paragraph (b) of this section.

(b) *Class II milk.* The price per hundredweight for Class II milk during each delivery period shall be as set forth in the following table:

When the price computed pursuant to paragraph (c) of this section is—	The Class I price shall be—	The Class II price shall be—
Under $1.50	$2.00	$1.65
$1.50 or more but under $1.70	2.20	1.85
$1.70 or more but under $1.90	2.40	2.05
$1.90 or more but under $2.10	2.60	2.25
$2.10 or more but under $2.30	2.80	2.45
$2.30 or more but under $2.50	3.00	2.65
$2.50 or more but under $2.70	3.20	2.85
$2.70 or more but under $2.90	3.40	3.05
Over $2.90	3.60	3.25

(c) *Class III milk.* The price per hundredweight for Class III milk during each delivery period shall be computed by the market administrator as follows: Multiply by 3.8 the average price of 92-score butter at wholesale in the Chicago market, as reported by the United States Department of Agriculture for the delivery period during which such milk is received, plus or minus 0.95 cent per hundredweight for each 1 cent that such average price of 92-score butter is above or below 20 cents, add 21 cents, and add a figure determined as follows: add 3 cents per hundredweight for each full one-half cent that the price of dry skim milk for human consumption is above 7 cents per pound. For purposes of determining this adjustment, the price per pound of dry skim milk to be used shall be the average of the carlot prices for dry skim milk for human consumption delivered at Chicago, as reported by the United States Department of Agriculture during the delivery period, including in such average the quotations published for any fractional part of the preceding delivery period which were not published and available for the price determination of such dry skim milk for the previous delivery period. In the event the United States Department of Agriculture does not publish carlot prices for dry skim milk for human consumption delivered at Chicago, the average of the carlot prices for dry skim milk for human consumption f. o. b. manufacturing plant, as reported by the United States Department of Agriculture for the Chicago area, shall be used. In the latter event such price shall be subject to the following adjustments: add or subtract 3 cents per hundredweight for each full one-half cent that the price of dry skim milk for human consumption, f. o. b. manufacturing plant, is above or below 5 cents per pound.

7. Delete § 935.5 (a) and substitute therefor:

(a) *Periodic reports.* Each handler shall report to the market administrator, in the detail and on forms prescribed by the market administrator as follows:

(1) On or before the 5th day after the end of each delivery period, (i) the receipts at each plant of milk from producers, (ii) the receipts at each plant of milk and cream from other handlers, (iii) the receipts at each plant of milk produced by him, if any, (iv) the receipts at each plant of milk and cream from any other source with the source indicated, and (v) the utilization of all receipts of milk and cream for the delivery period.

(2) On or before the 5th day after the end of each delivery period, the receipts, if any, of emergency milk as follows: (i) the amount of such milk and the average butterfat test thereof, (ii) the date or dates upon which such milk was received during the delivery period, (iii) the plant from which such milk was shipped, (iv) the price per hundredweight paid or to be paid for such milk, and (v) such other information with respect thereto as the market administrator may request.

8. Add as § 935.6 (d) the following:

(d) *Purchases of emergency milk.* The market administrator, before making the computations pursuant to § 935.7 shall deduct pro rata out of each class the total pounds of emergency milk received by handlers during the delivery period.

9. Delete § 935.8 (a) and substitute therefor:

(a) *Time and method of payment.* On or before the 10th day after the end of each delivery period, each handler shall make payment subject to the butterfat differential set forth in paragraph (b) of this section for milk received by such handler during such delivery period as follows:

(1) To each producer, except as set forth in subparagraph (2) of this paragraph, not less than the uniform price per hundredweight, computed pursuant to § 948.7 (b); and

(2) To a cooperative association for milk which is canned to be delivered to a handler from producers by a cooperative association, and for which such cooperative association collects payments, a total amount equal to not less than the sum of the individual payment otherwise payable to such producers under subparagraph (1) of this paragraph.

10. Delete § 935.8 (d) and (e) and substitute therefor:

(d) *Payments out of producer-settlement fund.* On or before the 10th day after the end of each delivery period, the market administrator shall pay to each handler for payment to producers, the amount, if any, by which the total value of such milk received from producers by such handler is less than the amount obtained by multiplying the hundredweight of such milk received from producers by such handler at the uniform price. On or before the 10th day after the end of each delivery period, the market administrator shall pay to a cooperative association which is a handler, for payment to producers, the amount, if any, by which the total value of milk of producers caused to be delivered to a plant from which no milk is disposed of in the marketing area by such cooperative association is less than the amount obtained by multiplying the hundredweight of such milk by the uniform price. If at such time the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available. No handler who, on the 10th day after the end of the delivery period has not received the balance of such reduced payment from the market administrator shall be deemed to be in violation of paragraph (a) of this section if he reduces his payments to producers by not more than the amount of the reduction in payment from the producer-settlement fund.

11. Renumber § 935.8 (f) and (g) as § 935.8 (e) and (f). Change the period (.) at the end of § 935.8 (f) to a comma (,) and add the following:

but less than 40 cents, 4½ cents if such average price of butter is 40 cents or more but less than 45 cents, 5 cents if such average price of butter is 45 cents or more but less than 50 cents, or 5½ cents if such average price of butter is 50 cents or more.

12. Add as § 935.12 the following:

§ 935.12 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States, or name any bureau or division in the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.

Copies of this notice of hearing, of the tentatively approved marketing agreement, as amended, and of the order, as amended, now in effect, may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1331 South Building, Washington, D. C., or may be there inspected.

Dated: January 18, 1943.

[SEAL] THOMAS J. FLAVIN,
Assistant to the Secretary of Agriculture.[1]

[F. R. Doc. 43-935; Filed, January 19, 1943; 11:15 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 28 Under RPS 57]

FIRTH CARPET COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 28 Under Revised Price Schedule No. 57—Wool Floor Covering.

[1] Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81; 7 F.R. 2656).

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and by virtue of the authority vested in the Price Administrator under the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) Firth Carpet Company may sell, offer to sell, deliver or transfer the new fabric designated as Swedish Unison at prices no higher than those set forth below:

$6.15 per square yard f. o. b. mill roll,
$75.15 per 9 x 12 size f. o. b. mill,

subject to discounts, allowances, and rebates no less favorable than those in effect as to Swedish Primitive under § 1352.1 of Revised Price Schedule No. 57. Other sizes and zone maximum prices of Swedish Unison shall be determined on the basis of the same differentials as established by Revised Price Schedule No. 57 between the square yard f. o. b. mill and the other sizes and zone maximum prices of Swedish Primitive.

(b) This Order No. 28 may be revoked or amended by the Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1352.11 of Revised Price Schedule No. 57 shall apply to terms used herein.

(d) This Order No. 28 shall become effective on the 18th day of January 1943.

Issued this 18th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-899; Filed, January 18, 1943; 3:50 p. m.]

[Order 29 Under RPS 57]

ALEXANDER SMITH & SONS CARPET COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 29 under Revised Price Schedule No. 57—Wool Floor Coverings.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and by virtue of the authority vested in the Price Administrator under the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250: *It is hereby ordered:*

(a) Alexander Smith & Sons Carpet Company may sell, offer to sell, deliver or transfer the new fabric designated as Alpine at prices no higher than those set forth below:

$2.08 per square yard f. o. b. mill roll,
$24.95 per 9 x 12 size f. o. b. mill,

subject to discounts, allowances, and rebates no less favorable than those in effect as to Special Axminster under § 1352.1 of Revised Price Schedule No. 57. Other sizes and zone maximum prices of Alpine shall be determined on the basis of the same differentials as established by Revised Price Schedule No. 57 between the square yard f. o. b. mill and the other sizes and zone maximum prices of Special Axminster.

(b) This Order No. 29 may be revoked or amended by the Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1352.11 of Revised Price Schedule No. 57 shall apply to terms used herein.

(d) This Order No. 29 shall become effective on the 18th day of January, 1943.

Issued this 18th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-900; Filed, January 18, 1943; 3:50 p. m.]

[Order 30 Under RPS 57]

ROXBURY CARPET COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 30 under Revised Price Schedule No. 57—Wool Floor Covering.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and by virtue of the authority vested in the Price Administrator under the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) Roxbury Carpet Company may sell, offer to sell, deliver or transfer the new fabric designated as Hinsdale at prices no higher than those set forth below:

Hinsdale at $2.24 per square yard f. o. b. mill roll,
Hinsdale at $26.85 per 9 x 12 size f. o. b. mill,

subject to discounts, allowances, and rebates no less favorable than those in effect as to Concord under § 1352.1 of Revised Price Schedule No. 57. Other sizes and zone maximum prices of Hinsdale shall be determined on the basis of the same differentials as established by Revised Price Schedule No. 57 between the square yard f. o. b. mill and the other sizes and zone maximum prices of Saxonville.

(b) This Order No. 30 may be revoked or amended by the Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1352.11 of Revised Price Schedule No. 57 shall apply to terms used herein.

(d) This Order No. 30 shall become effective on the 18th day of January 1943.

Issued this 18th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-901; Filed, January 18, 1943; 3:50 p. m.]

[Order 62 Under RPS 64]

A. & J. MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICE

Order No. 62 under Revised Price Schedule No. 64—Domestic Cooking and Heating Stoves.

On December 21, 1942, the A. & J. Manufacturing Co., Gadsden, Alabama, completed an application filed pursuant to Revised Price Schedule No. 64 on December 8, for approval of a maximum price for a new model coal heating stove

designated in the application as model 500.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) A. & J. Manufacturing Co. may sell, offer to sell, transfer or deliver its model 500 coal heating stove at a price no higher than $23.60 f. o. b. factory to dealers, subject to discounts, allowances and terms no less favorable than those in effect with respect to the comparable model 24A.

(b) This Order No. 62 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 62 shall become effective on the 18th day of January 1943.

Issued this 18th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-903; Filed, January 18, 1943; 3:50 p. m.]

[Order 63 Under RPS 64]

ENTERPRISE FOUNDRY, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 63 under Revised Price Schedule No. 64—Domestic Cooking and Heating Stoves.

On December 18, 1942, Enterprise Foundry, Inc., Belleville, Illinois, completed three applications pursuant to § 1356.1 (d) of Revised Price Schedule No. 64 for approval of maximum prices for five new models of stoves. Three, designated as models C-816, C-818, C-820, are new model coal heating stoves. One, designated as model 4916 CE, is a coal and wood range; and one, designated as model K-2-E, is a coal and wood kitchen heater.

Due consideration has been given to the applications and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) Enterprise Foundry, Inc., may sell, offer to sell, transfer or deliver the following new model stoves at prices no higher than those specified:

	F. o. b. factory to dealers
Model No. C-816	$39.72
Model No. C-818	46.13
Model No. C-820	49.81
Model No. 4916 CE	35.24
Model No. K-2-E	18.58

subject to discounts, allowances and terms no less favorable than those in effect with respect to the comparable model 4484.

(b) This Order No. 63 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 63 shall become effective on the 18th day of January, 1943.

Issued this 18th day of January, 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-917; Filed January 18, 1943; 4:56 p. m.]

[Order 3 Under MPR 19]

BROOKS-SCANLON CORP., ET AL.

APPROVED ESTIMATED WEIGHTS

Order No. 3 under § 1381.212 (d) (5) of Maximum Price Regulation No. 19—Southern Pine Lumber.

For the reasons set forth in the opinion which accompanies this order, *It is hereby ordered,* That:

(a) The following companies which have filed certified lists of estimated weights for their longleaf yellow pine lumber, which lists have been approved by the Office of Price Administration, may and any sellers of their lumber may use the following approved estimated weights in computing transportation costs:

BROOKS-SCANLON CORPORATION, FOLEY, FLORIDA

	Pounds
3/8 x 3 1/4" SRRB Ceiling	1,000
1/2 x 6" Bevel Siding; 4/4 Resawn to Square Edge Siding SIS	1,100
11/16 x 3 1/4" Ceiling	1,200
5/8 x 4" Ceiling; 5/8 x 6" Bevel Siding	1,400
9/16 x 3 1/8" Ceiling; 1/2 x 5 1/2" Square Edge Siding S4S	1,500
11/16 x 3 1/8" Ceiling; 3/4 x 5 1/8" Drop Siding ≠117	1,800
1 x 3 E. M. Flooring; 3/4 x 3 1/4" Partition; 3/4 x 5 1/4" Drop Siding ≠105	2,000
1 x 4 E. M. Flooring; 25/32 x 2 3/8" Heart Flat, Sap Flat and E. G. Flooring	2,100
25/32 x 3 1/4" Heart and Sap Flat Flooring; 3/4 x 7 1/4" Drop Siding ≠105	2,200
3/4 x 5 1/4" Sap Flat Flooring; 5/4 x 3", 5/4 x 4" Heart Flat Flooring; 1 1/16 x 2 3/8 and 3 1/4" Sap Flat Flooring; 3/4 x 5 1/4" Ceiling, Partition and Drop Siding; 1 x 2, 1 x 3 and 1 x 4", S4S, Shiplap	2,400
1 x 5, 1 x 6 and 1 x 8" S4S	2,600
1 x 10, 1 x 12, 5/4 x 3, 4 and 6", 6/4 x 3, 4 and 6", 8/4 x 3, 4, 5, 6, 8 and 10" S4S 1 3/8	2,800
2 x 10 dressed 1 5/8"	2,900
6/4 x 12, 6/4 x 12 and 7/4 x 12 S4S; 2 x 12 dressed 1 5/8"	3,000
4/4, 5/4 and 6/4, Rough, Kiln dried	3,800
2 x 4, 2 x 6 and 2 x 8" Rough	4,000
2 x 10 and 2 x 12" S4S	4,300
2 x 10 and 2 x 12" Rough	4,700
Timbers—S4S 1/2"	4,200
Timbers—S4S 3/8"	4,400
Timbers—S4S 1/4"	4,600
Timbers—S2S	4,800
Timbers—Rough	5,000
Timbers, T & G—G2E—Deduct	300
5/8 x 1 1/2"—4' Lath, Green	1,000
5/8 x 1 1/2"—4' Lath, Kiln dried	500

PEAVY-WILSON LUMBER CO., INC., HOLOPAW, FLORIDA

	Pounds
Bevel Siding and Square Edge Siding from 1" stock	1,200
5/16" Ceiling	1,300
Bevel Siding and Square Edge Siding from 1 1/4" stock	1,500
9/16 x 4" Ceiling	1,600
11/16" Ceiling	2,000
3/4" Partition	2,100
1x6" Drop Siding ≠105 and Bond	2,200
1 x 3" and 1 x 4" Flooring; 1 x 8" and 1 x 10" Drop Siding ≠105 and Bond; Moulded Casing and Base all widths; 1" Jambs; 1 x 2 to 1 x 4" D & M	2,300
1 x 4 and 1 x 6" Car Siding, Lining and Roofing, T & G 25/32"	2,400
1 x 4 and 1 x 6" Car Siding, Lining and Roofing, T & G 13/16"; 5/4 x 3 and 3/4 x 4" Flooring; 3/4 x 2" Jambs	2,500
1 x 4 and 1 x 6" S2S 25/32"; 1 x 6, 8 and 10" D & M and Shiplap	2,600
1 x 4 and 1 x 6" S2S 13/16"; 1 x 12 D & M Shiplap	2,700
1 x 2 to 1 x 10 Finish and Boards S3S or S4S 25/32"	2,800
1 x 2 to 1 x 10 S3S or S4S 1 3/16; 1 x 12 S3S or S4S 25/32", Finish and Boards	2,900
1 x 12 Finish and Boards S3S or S4S 1 3/16"; 2 x 2 to 2 x 4 dressed 1 5/8"; 2 x 6 and 2 x 8 S2S T & G Car Decking 1 3/4" dry	3,000
5/4 and 6/4 x 2 to 10" Boards S3S or S4S; 5/4 x 2 to 2 x 10 Finish S4S; 2 1/2 x 6 to 3 x 8 T & G Decking, dry	3,100
5/4 and 6/4 x 12" Boards S3S or S4S; 5/4 x 2 to 2 x 10 Finish S4S; 2 x 6 and 2 x 8" Dressed 1 5/8"	3,200
2 x 10 and 2 x 12" dressed 1 5/8"	3,300
2 x 2 to 2 x 4 dressed 1 3/4"	3,400
2 x 6 to 2 x 8" dressed 1 3/4"	3,600
2 x 10 and 2 x 12 dressed 1 3/4"	3,700
2 x 6 to 3 x 8" S2S T & G Green	3,800
2 x 4 to 2 x 12 dressed 1 5/8" Green; Heavy Joists, Timbers, etc. (over 2" thick) small sizes S4S 1/4", scant, green	4,000
Heavy Joists, Timbers, etc. (over 2" thick) S4S 3/8" scant, green	4,100
1 x 2 to 1 x 10" Boards, rough; 1 x 2 to 2 x 10 Finish rough; 2 x 2 to 2 x 8" rough, dry; Heavy Joists, Timbers, etc. (over 2" thick) S4S 1/4" scant, green	4,300
1 x 12" Boards, rough; 1 x 12 to 2 x 12" Finish, rough; 2 x 10 and 2 x 12" rough, dry	4,400
2 x 4 to 2 x 12" rough, green; Heavy Joists, Timbers, etc., (over 2" thick) rough, green	5,000
Boards dressed 3/4", all workings, Deduct	100
Boards dressed 13/16", all workings, Deduct	300
Boards dressed 5/8", all workings, Deduct	500
2" stock, D & M Shiplap and Grooved for Splines—Deduct	200
Heavy Joists, Timbers, etc (over 2" thick) T & G, Shiplap, Grooved for splines—Deduct	300
For Resawing, for each cut—Deduct	200
1 x 3"-4'6" Bed Slats (8 pieces per set) per set	24
1 x 3"-3'3" Bed Slats (8 pieces per set) per set	18

DOWLING & CAMP, INCORPORATED, SLATER, FLORIDA

	Pounds
1 x 3" Flooring, Kiln dried	2,700
1 x 4" Flooring and Ceiling, Kiln dried	2,900
1 x 6, 1 x 8" Dressed, Kiln dried	3,400
2 x 3" to 2 x 12" S4S, Standard, air dried	4,500
4 x 4" and up S4S, heavy framing	5,000
Framing, S4S net	5,300
Rough, Green	6,000

(b) This Order No. 3 may be revoked or amended by the Price Administrator at any time by similar publication in the Federal Register for change of status of any of the persons named herein.

(c) This Order No. 3 to Maximum Price Regulation No. 19 shall become effective this 18th day of January, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of January, 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-898; Filed, January 18, 1943; 3:51 p. m.]

[Revised Order 2 Under MPR 120]

DURHAM COALS, INC.

ORDER GRANTING ADJUSTMENT

Revised Order No. 2 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120-3.

Order No. 2 under Maximum Price Regulation No. 120 is amended to read as set forth below:

Pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and Revised Procedural Regulation No. 1, and in accordance with § 1340.207 (b) of the regulation: *It is ordered:*

(a) Coals in Size Group 3 and washed coals in Size Groups 10 and 11, produced by Durham Coals, Inc., at its mine, Mine Index No. 92, District No. 13, may be sold and purchased at prices not in excess of $4.15, $3.60 and $3.60, respectively, per net ton, f. o. b. the mine, for shipment by rail.

(b) Within thirty (30) days from the effective date of this order, the said Durham Coals, Inc. shall notify all persons purchasing its coals of the adjustments granted by paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Maximum Price Regulation No. 122 in the resale of coal the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Maximum Price Regulation No. 122.

(c) This Revised Order No. 2 may be revoked or amended by the Price Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

(e) All prayers of the petition not granted herein are denied.

(f) This Revised Order No. 2 shall become effective January 18, 1943.

(Pub Laws 421 and 729, 77th Cong.; E.O. No. 9250, 7 F.R. 7871)

Issued this 18th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F R Doc 43-897; Filed, January 18, 1943; 3:51 p. m.]

[Order 145 Under MPR 120]

ILLINOIS POCAHONTAS COAL COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 145 under Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant—Docket No. 1120-45-P.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (d) of Maximum Price Regulation No. 120: *It is ordered:*

(a) Coals produced by the Illinois Pocahontas Coal Company, 320 North Fourth Street, St. Louis, Missouri, at its Pocahontas No. 1 Mine, Mine Index No. 138, located in Bond County, Illinois, in District No. 10, may be sold and purchased for shipment by truck and wagon at prices not to exceed the following respective prices per net ton, f. o. b. the mine:

Size group:	*Maximum prices*
1	3.25
3	3.00
6	2.75
14	2.00

(b) Within thirty (30) days from the effective date of this order, the said Illinois Pocahontas Coal Company shall notify all persons purchasing its coals of the adjustments granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Maximum Price Regulation No. 122.

(c) This Order No. 145 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(e) This Order No. 145 shall become effective January 18, 1943.

Issued this 18th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-906; Filed, January 18, 1943; 3:52 p. m.]

[Order 31 Under Rev. MPR 148]

CUDAHY PACKING COMPANY

ORDER DENYING APPLICATIONS FOR ADJUSTMENT

Order No. 31 Under Revised Maximum Price Regulation No. 148—Dressed Hogs and Wholesale Pork Cuts—Docket Nos. 3148-54, 3148-56.

On August 7, 1942, Cudahy Packing Company, Chicago, Illinois, pursuant to Supplementary Order No. 9 and Procedural Regulation No. 6 filed two applications for the adjustment of its maximum prices for pork loins sold to the armed forces of the United States and to the Federal Surplus Commodities Corporation. Due consideration has been given to these applications and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Order No. 9250 and in accordance with Procedural Regulation No. 6 issued by the Office of Price Administration: *It is ordered:*

(a) These applications should be and hereby are denied.

(b) Any contract entered into by the Cudahy Packing Company at the prices requested in these applications shall be revised in accordance with the terms of this order, and any payment made to the Cudahy Packing Company in excess of the maximum prices established under Maximum Price Regulation No. 148 for sales made prior to November 2, 1942, and in excess of the permissible prices under Revised Maximum Price Regulation No. 148 for sales made subsequent to November 2, 1942 shall be refunded to the purchaser.

(c) This Order No. 31 shall become effective January 18, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-902; Filed, January 18, 1943; 3:53 p. m.]

[Order 119 Under MPR 188]

LEATHERCRAFT FURNITURE MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICE

Order No. 119 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum price for sale by the Leathercraft Furniture Manufacturing Company of utility tables.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) The Leathercraft Furniture Manufacturing Company, 3045 East Eleventh Street, Los Angeles, California is authorized to sell and deliver the following articles at prices no higher than those set forth below:

(1) Number 351 Table @ $10.75
(2) Number 352 Table @ $12.75

terms no less favorable than those in

⅝ x 1½"—4' Lath, Kiln dried	600

or amended by the Price Administrator

(b) This Order No. 119 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 119 shall become effective on the 18th day of January 1943.

Issued this 18th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-904; Filed, January 18, 1943; 3:53 p. m.]

[Order 120 Under MPR 188]

VAN SLOTEN FRAME AND CARVING SHOP

APPROVAL OF MAXIMUM PRICES

Order No. 120 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum prices for sales by Van Sloten Frame and Carving Shop, of a new baby walker.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control act of 1942, as amended, and Executive Order No. 9250; *It is ordered:*

(a) Van Sloten Frame and Carving Shop, 4900 Compton Avenue, Los Angeles, California, is authorized to sell and deliver its new baby walker, designated as #75 Baby Walker, at prices to retailers, f. o. b. Los Angeles, California, no higher than those set forth below:

Baby Walker without carton	$5 50
Packed in carton	$5.70

(b) This Order No. 120 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 120 shall become effective on the 18th day of January 1943.

Issued this 18th day of January 1943.

JOHN E. HAMM.
Acting Administrator.

[F. R. Doc. 43-905; Filed January 18, 1943; 3 53 p. m.]

[Order 1 Under MPR 214]

STANDARD ALLOY CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1 under Maximum Price Regulation No. 214—High Alloy Castings—Docket No. 3214-2.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration: *It is hereby ordered:*

Adjustment of maximum prices of Standard Alloy Company on sales of certain high alloy castings to specified purchasers. (a) Notwithstanding anything to the contrary contained in Maximum Price Regulation No. 214, Standard Alloy Company, Cleveland, Ohio, may sell and deliver heat-resistant high alloy castings of an analysis of 25% chromium, 12% nickel and an analysis of 35% nickel 15% chromium to the following companies at prices not to exceed 45 cents per pound for the 25% chromium, 12% nickel analysis and at prices not to exceed 52 cents per pound for the 35% nickel 15% chromium analysis:

Surface Combustion, Toledo, Ohio.
Lindberg Engineering Company, Chicago, Ill
George J. Hagan Company, Pittsburgh, Pa.
Continental Industrial Engineers, Inc., Chicago, Ill
Gas Machinery Company, Cleveland, Ohio.

and said companies may buy and receive castings of said analyses from Standard Alloy Company as above.

(b) All prayers of petition not granted herein are denied.

(c) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 1 shall become retroactively effective December 10, 1942, the date on which Standard Alloy Company filed its application for adjustment.

Issued this 18th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-896; Filed, January 18, 1943; 3:53 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-1632]

THE POTTER COMPANY

ORDER FOR HEARING, ETC.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of January, A. D. 1943.

Order setting hearing on application to withdraw from listing and registration.

The Potter Company pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its Common Stock, $1 Par Value, from listing and registration on the Chicago Stock Exchange; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Wednesday, February 24, 1943, at the office of the Securities and Exchange Commission, 105 West Adams Street, Chicago, Illinois, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Henry Fitts, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-930; Filed January 19, 1943; 11:29 a. m.]

[File No. 7-675]

BOSTON STOCK EXCHANGE

ORDER GRANTING APPLICATION FOR PERMISSION TO EXTEND UNLISTED TRADING PRIVILEGES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of January, A. D. 1943.

The Boston Stock Exchange having made application to the Commission, pursuant to section 12 (f) of the Securities Exchange Act of 1934 and Rule X-12F-1 for permission to extend unlisted trading privileges to the Common Stock, $1.00 Par Value, of Pepsi-Cola Company; and

After appropriate notice a hearing having been held in this matter at the Boston Regional Office of the Commission; and

The Commission having this day made and filed its findings and opinion herein:

It is ordered, Pursuant to section 12 (f) of the Securities Exchange Act of 1934, that the application of the Boston Stock Exchange for permission to extend unlisted trading privileges to the Common Stock, $1.00 Par Value, of Pepsi-Cola Company be and the same is hereby granted.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-931; Filed January 19, 1943; 11:29 a. m.]

[File No. 60-15]

BLAIR & CO., INC., ET AL.

ORDER DECLARING STATUS AND DISMISSING PROCEEDINGS IN PART

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of January A. D. 1943

In the matter of Blair & Co., Inc; Schroder, Rockefeller & Co., Incorporated; Emanuel & Co., A. C. Allyn and Company, Incorporated; W. C. Langley & Co.; Granbery, Marache & Lord.

Proceedings having been instituted by the Commission pursuant to section 2 (a) (7) (B) of the Public Utility Holding Company Act of 1935 to determine whether Blair & Co., Inc., Schroder, Rockefeller & Co., Incorporated, Emanuel & Co., A. C. Allyn and Company, Incorporated, W. C. Langley & Co., and Granbery, Marache & Lord, or any one or more of them should be found to be holding companies; and

Further proceedings having been instituted pursuant to section 2 (a) (11) (D) of the Public Utility Holding Company Act of 1935 to determine whether Blair & Co., Inc., Schroder, Rockefeller & Co., Incorporated, Emanuel & Co., A. C. Allyn and Company, Incorporated, W. C. Langley & Co., and Granbery, Marache & Lord, or any one or more of them, should be found to be affiliates of Standard Power and Light Corporation, and/or any of the subsidiaries thereof; and

A hearing having been held after appropriate notice, the Commission being fully advised and having this day issued its Findings and Opinion herein:

It is ordered, On the basis of said Findings and Opinion:

(1) That the proceedings under section 2 (a) (7) (B) with respect to each of the above enumerated respondents be and they hereby are dismissed;

(2) That the proceeding under section 2 (a) (11) (D) with respect to Granbery, Marache and Lord be and it hereby is dismissed;

(3) That Blair & Co., Inc., Schroder, Rockefeller & Co., Incorporated, Emanuel & Co., A. C. Allyn and Company, Incorporated and W. C. Langley & Co., be and they hereby are declared to be affiliates of Standard Power and Light Corporation and its subsidiaries under section 2 (a) (11) (D) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-932; Filed, January 19, 1943; 11:29 a. m.]

[File No. 70-663]

AMERICAN UTILITIES SERVICE CORPORATION

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 18th day of January 1943.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by American Utilities Service Corporation ("American"), a registered holding company. All interested persons are referred to said document which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

1. American Utilities Service Corporation proposes to sell to Walter Jensen, John A. Larson, Frank N. Dahlberg, Oscar G. Dahlberg, Fred E. Dahlberg and Carl Dahlberg, all (2,000 shares, par value $100 per share) of the issued and outstanding common stock of Northwestern Wisconsin Electric Company ("Northwestern") an electric utility company and a subsidiary company of American, for a cash consideration of $210,000 plus an amount equal to the earned surplus per books of Northwestern as of December 31, 1942, plus interest on the aggregate of such two amounts at the rate of 5% per annum from January 1, 1943, to closing date, or an aggregate of approximately $260,000. It is contemplated that said sale and purchase will be consummated in no event later than March 16, 1943.

2. American will deliver the proceeds of the sale to Continental Illinois National Bank and Trust Company of Chicago, as Trustee, pursuant to the terms of the Indenture securing its Collateral Trust 6% Bonds, Series A. American plans to request the Trustee to use such proceeds for the purchase and/or call of not to exceed $250,000 of its aforementioned 6% Bonds. American will request the Trustee, pursuant to the Indenture, to advertise for tenders of $250,000 of said Bonds, to be purchased at the option of American with the "release monies" so held by the Trustee. American has filed a copy of the material to be used in connection with such call for tenders.

3. Proceedings are now pending before the Commission, pursuant to sections 11 (e), 11 (b) (1) and 11 (b) (2) of the Public Utility Holding Company Act of 1935 with respect to the simplification and integration of the holding company system of American. American states that the proposed transaction herein is in furtherance of its program whereby American will cease to be a holding company under the Act.

4. The said declaration or application contains a request that the Commission enter an order reciting in substance that the said transfers are necessary or appropriate to effectuate the provisions of section 11 (b) of the Act.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters, and that said declaration should not become effective nor said application be granted except pursuant to further order of this Commission;

It is ordered, That a hearing on such matters under the applicable provisions of said Act and Rules of the Commission thereunder be held on February 5, 1943 at 10:00 o'clock, A. M., E. W. T., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held. At such hearing, cause shall be shown why such declaration and application shall become effective or shall be granted. Notice is hereby given of said hearing to the above named declarant and applicant and to all interested persons, said notices to be given to said declarant and applicant by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That Willis E. Monty, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That, without limiting the scope of the issues presented by said declaration or application otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the consideration to be paid, including all fees, commissions and other remuneration to whomsoever paid in connection with the proposed transactions, is fair and reasonable.

2. Whether competitive conditions have been maintained for the sale of the securities.

3. The propriety of the proposed accounting treatment of the transactions on the books of the declarant or applicant.

4. The identity of the purchasers, and their interest, if any, in any other public utility.

5. Whether the Commission should enter an order pursuant to section 11 (b) or 11 (e) of the Act requiring or approving the action proposed.

6. Whether the action proposed to be taken is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

7. Whether the action proposed to be taken is fair and equitable to the persons affected thereby.

8. Whether it is necessary or appropriate to impose terms or conditions in the public interest or for the protection of investors.

9. Generally, whether all actions proposed to be taken comply with the requirements of the Public Utility Holding Company Act of 1935 and Rules, Regulations or Orders promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-934; Filed, January 19, 1943; 11:29 a. m.]

[File No. 70-665]

ASSOCIATED UTILITIES CORPORATION, AND E. M. GILBERT ENGINEERING CORPORATION

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of January 1943.

Notice is hereby given that a joint application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Associated Utilities Corporation, a registered holding company, and its subsidiary, E. M. Gilbert Engineering Corporation; and

Notice is further given that any interested person may, not later than February 4, 1943, at 5:30 p. m., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of such interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such joint application-declaration, as filed or as amended, may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pur-

suant to said Act. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to the said joint application-declaration which is on file in the office of the said Commission, for a statement of the transaction therein proposed, which is summarized below:

E. M. Gilbert Engineering Corporation proposes to merge into Associated Utilities Corporation, the owner of all its outstanding capital stock. Applicants-declarants propose that Associated Utilities Corporation assume all the liabilities (alleged to consist of current accounts payable and accrued taxes), and acquire all the assets (alleged to consist of cash in bank and current accounts receivable) of E. M. Gilbert Engineering Corporation. In return, it is proposed that E. M. Gilbert Engineering Corporation be given its entire outstanding issue of 10 shares of common capital stock which will be retired and cancelled.

Applicants-declarants state that the transaction is proposed in order to eliminate the E. M. Gilbert Engineering Corporation from the holding company system of the Trustees of Associated Gas and Electric Corporation, a registered holding company, which is the parent of Associated Utilities Corporation, and that such elimination will tend towards simplifying the corporate structure of such holding company system in compliance with section 11 (b) (2) of the Public Utility Holding Company Act of 1935.

Sections 12 (c) and 12 (f) of the Public Utility Holding Company Act of 1935, and Rule U-42 promulgated thereunder, have been indicated as the applicable provisions and Rule under which the filing is made.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-933; Filed January 19, 1943; 11:29 a. m.]

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JAN 25 '43

FEDERAL REGISTER

VOLUME 8 NUMBER 14

Washington, Thursday, January 21, 1943

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter II—Commodity Credit Corporation

[1942 C. C. C. Corn Form 1]

PART 234—CORN LOANS

INSTRUCTIONS CONCERNING LOANS ON 1942 CORN

Commodity Credit Corporation has authorized the making of loans and the purchase of eligible paper secured by corn stored on farms in certain areas. These instructions state the requirements of Commodity Credit Corporation with reference to making such loans on corn and the purchase of notes secured by corn.

Sec.
- 234.1 Definitions.
- 234.2 Corn areas.
- 234.3 Amount.
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AUTHORITY: §§ 234.1 to 234.14, inclusive are issued under sec. 302 of the Agricultural Adjustment Act of 1938, as amended (52 Stat. 43; 7 U. S. C., 1940 ed., 1302), and the Act of May 26, 1941 (55 Stat. 203; 7 U. S. C., 1940 ed., Supp. I, 1330), as amended by the Act of December 26, 1941 (55 Stat. 860), and as further amended by the Act of October 2, 1942 (Public No. 729, 77th Congress).

§ 234.1 *Definitions.* For the purpose of these instructions and the notes and mortgages relating thereto, the following terms shall be construed, respectively, to mean:

(a) *Eligible producer*—(1) *Commercial corn area.* An eligible producer in the commercial corn area shall be any person, partnership, association, or corporation producing corn as landowner, landlord, or tenant:

(i) Upon whose farm the 1942 acreage planted to corn does not exceed the 1942 corn acreage allotment by more than 3 acres or 3 percent of the allotment, whichever is larger.

(ii) Whose aggregate share of the 1942 acreage of corn on all farms in the county in which he has an interest does not exceed his aggregate share of the permitted corn acreage or the larger of the 1942 corn allotment plus 3 acres, or 103 percent of the corn allotment for such farms.

(iii) Upon whose farm the sum of the 1942 acreages of corn, cotton, wheat, and tobacco on the farm does not exceed the sum of the following:

(*a*) The larger of the corn allotment plus 3 acres, or 103 percent of the corn allotment.

(*b*) The permitted cotton acreage or the larger of the cotton allotment plus 3 acres, or 103 percent of the cotton allotment.

(*c*) The permitted acreage of wheat or the larger of the wheat allotment plus 3 acres, or 103 percent of the wheat allotment.

(*d*) The permitted acreage of tobacco or the tobacco allotment.

(2) *Noncommercial corn area.* An eligible producer in the noncommercial corn area shall be any person, partnership, association, or corporation producing corn as landowner, landlord, or tenant:

(i) Upon whose farm the sum of the 1942 acreages of wheat, cotton, and tobacco does not exceed the sum of the following:

(*a*) The permitted cotton acreage or the larger of the cotton allotment plus 3 acres, or 103 percent of the cotton allotment.

(*b*) The permitted acreage of wheat or the larger of the wheat allotment plus 3 acres, or 103 percent of the wheat allotment.

(*c*) The permitted acreage of tobacco or the tobacco allotment, determined for the farm under the 1942 Agricultural Conservation Program.

(ii) Either 20 percent of the crop land on the farm is devoted to the conserva-

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tion uses as defined in § 701.301 (i) (1) of ACP 1942 as amended, (6 F.R. 5521) or there is an acreage of erosion-resisting crops or land uses equal to 25 percent or more of the crop land, whichever is applicable, or

(iii) In lieu of the provisions in item (ii), 60 percent or more of the soil-building allowance for the farm under the 1942 Agricultural Conservation Program is earned.

(b) *Eligible corn.* Ear corn, from December 1, 1942, to September 30, 1943, inclusive, and shelled corn from June 1, 1943, to September 30, 1943, inclusive, produced in 1942, shall be eligible in all areas except the area in which corn is subject to Angoumois moth infestation, provided:

(1) The beneficial interest to such corn is and always has been in the eligible producer; or

(2) Such corn was purchased by an eligible producer who will operate a different farm in 1943 (or 1944) from that operated in 1942 (or 1943) from another eligible producer, and the number of bushels placed under loan is not in excess of the number of bushels produced by the borrower on the farm operated by him as an eligible producer in 1942; or

(3) Such corn is merchantable field corn which grades No. 3 or better (except for moisture content, or grading No. 4 on test weight only) as defined in the Official Grain Standards of the United States, and that the moisture content is not in excess of the following:

Ear Corn

	Percent
From Dec. 1, 1942, to Mar. 31, 1943, both inclusive	20.5
From Apr. 1, 1943, to Apr. 30, 1943, both inclusive	17.5
From May 1, 1943, to Sept. 30, 1943, both inclusive	15.5

Shelled Corn

From June 1, 1943, to Sept. 30, 1943, both inclusive	13.5

Where corn is otherwise eligible, but subject to Angoumois moth infestation, eligibility is confined to ear corn pledged for loan between December 1, 1942, and March 31, 1943, both inclusive. The Angoumois moth infestation area shall be designated by the State Agricultural Conservation Committee, subject to approval of the Regional Director, Agricultural Adjustment Agency.

(c) *Eligible storage.* Eligible storage shall consist of cribs or bins which are of such substantial and permanent construction as to afford protection against rodents, other animals, thieves, and weather, as determined by the county agricultural conservation committee.

(d) *Lending agency.* Any bank, cooperative marketing association, corporation, partnership, or person, making loans in accordance with these instructions upon C.C.C. Grain Form A (Revised), secured by chattel mortgages on C.C.C. Grain Form AA (Revised), which has executed the Contract to Purchase on 1940 C.C.C. Form E.

(e) *Eligible paper.* For the purpose of the Contract to Purchase (1940 C.C.C. Form E), eligible paper shall consist of producers' notes (C.C.C. Grain Form A, Revised) which have been approved by a member of the county agricultural conservation committee.

§ 234.2 *Corn areas.* Commercial and noncommercial corn counties in the various States are listed in § 234.2a (1942 C.C.C. Corn Form 1—Supplement 1).

§ 234.3 *Amount.* Loans will be made on eligible corn to eligible producers in accordance with the county loan rates as indicated in § 234.2a (1942 C.C.C. Corn Form 1—Supplement 1). The rate for corn classified as "Mixed Corn," shall be 2 cents less per bushel. A bushel of ear corn shall be determined by using not less than 2.5 cubic feet of ear corn testing not more than 15.5 percent in moisture content. An adjustment in the number of bushels of ear corn will be made for moisture content in excess of 15.5 percent in accordance with the following schedule:

Moisture content (percent):	*Adjustment factor (percent)*
15.6 to 16.5	98
16.6 to 17.5	96
17.6 to 18.5	94
18.6 to 19.5	92
19.6 to 20.5	90
Above 20.5	No loan

A bushel of shelled corn shall be determined by using not less than 1.25 cubic feet of shelled corn.

The loan rate applicable to the corn produced on any farming unit, regardless of where stored, shall be the loan rate established for the county in which such farming unit is listed under the Agricultural Conservation Program. When a producer stores corn for a loan in a county other than the county in which the farm is listed, the committee for the county where the corn is stored must secure a written certification of eligibility from the county committee where the farm is listed before certifying the loan.

§ 234.4 *Maturity and interest rate.* Loans will be available from December 1, 1942, to September 30, 1943, inclusive, and bear interest at the rate of three percent (3%) per annum. Loans mature on August 1, 1945, unless they are called at an earlier date by Commodity Credit Corporation.

§ 234.5 *Farm storage.* The county agricultural conservation committees will supervise the inspection of storage structures, measuring, and sealing the corn by an inspector, and will arrange for moisture testing and grading of samples. Chattel mortgages covering the corn must be executed and filed in accordance with the applicable State law. Producers may obtain information and assistance from the county agricultural conservation committee in regard to the execution and filing of such chattel mortgages. Where the borrower is a tenant, the expiration date of the lease must be given in section 1 (e) of the chattel mortgage. If the expiration date of the lease is prior to September 30, 1945, the landlord shall execute the Consent for Storage, section 6 of C.C.C. Grain Form AA (Revised). The consent agreement must also be signed by any other party or parties entitled to possession of the farm prior to September 30, 1945. Although no loan will be approved unless the borrower has control over, or proper consent for, the storage of the corn until September 30, 1945, borrowers completing their loans prior to April 1, 1943, shall be permitted to deliver collateral between August 1, 1943, and October 31, 1943. Delivery will be accepted at a later date provided a justifiable reason has been approved by the county committee, and any borrower who does not wish to continue his loan until August 1, 1945, may deliver the collateral in satisfaction of the loan between August 1, 1944, and October 31, 1944. In any of the foregoing events, borrowers must give their county agricultural conservation committee 30 days' written notice of intention prior to delivery. In the event the note is paid or delivery of the collateral accepted in payment of the note prior to maturity of the loan, it shall be understood that the Consent for Storage agreement is terminated. Producers delivering collateral in satisfaction of loans on or after January 1, 1944, in accordance with the above provisions, will receive a storage allowance as indicated below, less any deficiency due the Corporation.

Storage Allowance

Delivered on or after the following dates:	*Amount of credit per bushel (cents)*
January 1, 1944	3/4
February 1, 1944	1 1/2
March 1, 1944	2 1/4
April 1, 1944	3
May 1, 1944	3 3/4
June 1, 1944	4 1/2
July 1, 1944	5 1/4
August 1, 1944	6

No storage payment will be made if it is determined that there is fraudulent representation on the part of the borrower in connection with the loan.

§ 234.6 *Execution and filing of chattel mortgage.* All chattel mortgages will be prepared in quadruplicate, and the original or duplicate copy shall be filed for record in accordance with the respective State laws. The receipt of the recorder, the register of deeds, county clerk, auditor, or similar authorized county official, must be completed and executed on one copy of the mortgage to indicate the date of filing or recordation. Such copy shall be held in the office of the county association. In those instances in which chattel mortgages must be filed in both the county in which the mortgagor resides and in the county in which the corn is stored, the quadruplicate copy of the mortgage must be used for this purpose and an additional receipt from the county official typed or stamped on the copy of the mortgage held in the office of the county association. Except where required for filing, the quadruplicate copy of the mortgage, with the duplicate copy of the note, should be delivered to the mortgagor. In case the quadruplicate copy is used for filing, the mortgagor should be given a copy of the mortgage which may be completed on any copy of the form. A separate mortgage must be completed for corn stored in each quarter section. Triplicate copies of chattel mortgages shall be forwarded to the Chicago office weekly on all indirect loans and should accompany the original note when such note is submitted to the Chicago office as a direct loan.

§ 234.7 *Liens.* The corn collateral must be free and clear of all liens except in favor of the lienholders listed in the space provided therefor in C.C.C. Grain Form AA (Revised). The names of the holders of all existing liens on the pledged or mortgaged corn, such as landlord, laborers, or mortgagees, must be listed in the space provided therefor in the mortgage. The waiver of priority and consent to pledge or mortgage the corn and the payment of the proceeds of the loan and the proceeds of the sale of the corn solely to the producer, as contained in the mortgage or in C.C.C. Form AB, must be signed personally by all lienholders listed or by their authorized agents; or, if a corporation, by the designated officer thereof customarily authorized to execute such instruments. The producer must direct in his note that the proceeds of the loan be made payable to him and/or such other person or concern as he may direct thereon. Producers should read carefully all real estate or other mortgages previously given by them in order to determine whether crops are covered thereby. Any fraudulent representation made in the execution of the note and mortgage and related forms shall render the producer personally liable for the amount of the loan and subject to the provisions of the United States Criminal Code.

§ 234.8 *Insurance.* Commodity Credit Corporation will not require producers to insure their 1942 corn placed under loan. In the event a total loss of collateral occurs from an external cause, with the exception of a loss caused by conversion, negligence, or vermin, the Commodity Credit Corporation will mark the note paid and return it to the borrower. In case of a partial loss, from an external cause except conversion, negligence, or vermin, the note will be credited at loan value, plus interest, for the number of bushels on which the loss occurred. If the loss occurs on or after January 1, 1944, the total storage allowance of 6 cents per bushel will be paid the producer for the number of bushels on which the loss occurs. No loss will be assumed if it is determined that there is fraudulent representation on the part of the borrower in connection with the loan.

(a) *Loss adjustments.* Liability of the Corporation for losses assumed will begin with the date of disbursement of the loan and terminate on the date funds for repayment of the note are delivered to a representative of Commodity, the date such funds are placed in the mail if submitted direct to Commodity by the producer, or the date title to the corn is acquired by the Corporation, whichever is earlier. In case of damage to 100 bushels or less, the county committee shall immediately dispose of the damaged collateral to the highest bidder. If more than 100 bushels are damaged, the county committee shall write, or, in urgent cases, wire the Corporation for instructions. In case of theft, proof of theft must be presented by the producer, and, unless satisfactory evidence can be presented, the producer will be liable for the loss. In the event only part of the collateral is damaged, the undamaged portion may be resealed in eligible farm storage. In case the Corporation requests that the damaged corn be delivered to a designated delivery point or the corn is sold subject to delivery, the producer will be required to deliver or to pay the cost of delivery (including shelling of corn) to the designated delivery point. In case the producer fails to make delivery or to pay the cost of transporting the corn to the designated delivery point, the Corporation shall pay the cost of delivery and file a set-off for such an amount against the producer.

§ 234.9 *Producer responsibility.* The note and mortgage govern the responsibility of the producer and should be read carefully. In case the producer delivers the corn collateral in payment of his loan, he shall deliver a quantity of shelled corn, grading No. 3 or better (except No. 4 on test weight only), equal to the number of bushels upon which the loan was computed. It is important that the producer place his corn in good storage structures and maintain such structures in good repair and protect the corn collateral against damage from weather, rodents, and insects. In those areas subject to insect infestation, careful supervision must be maintained and infestation reported immediately to the county committee. Producers are responsible for any deterioration in quantity or quality of the collateral due to insect infestation. In the event producers desire to shell the collateral corn and store same in satisfactory storage, they should request the county agricultural conservation committee for authority to do so.

§ 234.10 *Approval of 1942 corn loans by a member of the county agricultural conservation committee.* C.C.C. Grain Form A (Revised) must be approved by a member of the county committee of the county in which the corn is stored. The date of approval must not be prior to the date of the note, or the date of the chattel mortgage securing such note.

The member of the county agricultural conservation committee signing in the space provided on the grain producer's note (C.C.C. Grain Form A, Revised) certifies for and on behalf of the county committee that the corn securing the note, the storage structure(s) in which such corn is stored, and the class, quality, and quantity of such corn have been inspected, determined, and sealed in accordance with the requirements of the Commodity Credit Corporation and the Secretary of Agriculture; that the representations set forth in the chattel mortgage securing such note are true and correct; that the chattel mortgage has been properly executed and filed for record in accordance with the State's legal requirements; that satisfactory evidence of the authority of all parties executing the note and chattel mortgage, lien waivers, and consents for storage, has been received, and any documentary evidence of authority will be held by the committee; that the original or duplicate copy of said mortgage bearing receipt of the county recording official is held by the committee; that a careful search has been made of lien records and, to the best of the knowledge and belief of the committee, that priority on all existing liens on the corn covered by said mortgage has been duly waived; that consents for storage, where necessary, have been executed.

§ 234.11 *Preparation of documents.* Loan documents will be prepared by county agricultural conservation committees. All blanks in C C C. Grain Forms A (Revised) and AA (Revised) must be filled in with ink, typewriter, or indelible pencil. Substitutions for these forms will not be acceptable.

§ 234.12 *Source of loans.* Loans may be obtained from Commodity Credit Corporation or any approved lending agency. Notes representing loans made direct with Commodity Credit Corporation should indicate Commodity Credit Corporation as payee and should be mailed to the Chicago office of the Corporation. Notes representing loans made with other agencies should bear the name and address of the lending agency as payee.

§ 234.13 *Purchase of loans.* Commodity Credit Corporation will purchase, without recourse, eligible paper as defined in § 234.1 (e) hereof, only from lending agencies which have executed and delivered to the Regional Director of Commodity Credit Corporation serving the area a Contract to Purchase (1940 C.C.C. Form E). Notes held by lending agencies may be tendered to Commodity Credit Corporation, Chicago, Illinois, at any time prior to July 1, 1945, but must be tendered for purchase upon request of the Commodity Credit Corporation and, in no event, later than July 1, 1945. The purchase price to be paid by Commodity Credit Corporation for notes accepted will be the face amount of such notes, plus accrued interest from the respective dates of disbursement to the date of payment of the purchase price at the rate of 1½ percent per annum. Under the terms of the Contract to Purchase, lending agencies are required to report weekly on 1940 C.C.C. Form F all payments or collections on producers' notes held by them, and to remit promptly to Commodity Credit Corporation an amount equivalent to one and one-half percent (1½%) interest per annum on the principal amount collected from the date of disbursement on the note to the date of payment. In connection with the 1942 Corn Loan Program, lending agencies must submit notes and reports to the Regional Director, Commodity Credit Corporation, 208 South La Salle Street, Chicago, Illinois.

§ 234.14 *Release of collateral held by Commodity Credit Corporation.* A producer may obtain release of the collateral by paying to the lending agency or to Commodity Credit Corporation, whichever holds the note, the principal amount of the note plus interest. If the note is held by an out-of-town lending agency or by Commodity Credit Corporation, the producer may request that the note be forwarded to a local bank for collection. In such case, the local bank should be instructed to return the note to the sender if payment is not effected within 15 days. All charges and expenses of the collecting bank shall be paid by the producer. County agricultural conservation committees will be requested to release the mortgage of record after payment in full either by the filing of an instrument of release or by a margin release on the county records.

If the producer's note is made payable direct to Commodity Credit Corporation, and he desires to obtain the release of collateral upon payment, as aforesaid, he should notify the Chicago office of Commodity Credit Corporation. If his note was made payable to a payee other than Commodity Credit Corporation, the producer should notify the payee named therein.

Producers may obtain release of all or part of the collateral under loan by paying to the holder of the note the loan value, plus accrued interest, for the number of bushels released. Form Commodity Loan 29 must be executed in accordance with instructions issued by the Agricultural Adjustment Agency for each partial redemption, and one copy submitted to the Chicago office of Commodity Credit Corporation.

Commodity Credit Corporation will purchase notes on which partial releases have been made by lending agencies, provided the note is credited by the lending agency for the full amount of the loan on the corn released, plus interest at the rate of 3 percent per annum, and 1½ percent interest per annum when such principal amount collected has been submitted to the Regional Director of the Chicago office.

Dated: November 20, 1942.

[SEAL] J. B. HUTSON, *President.*

[F. R. Doc. 43-938, Filed, January 19, 1943; 11:15 a. m.]

[1942 C C C. Corn Form 1, Supp. 1]

PART 234—CORN LOANS

AREAS AND LOAN RATES FOR 1942 CORN LOANS

Pursuant to the provisions of Title III, section 302 of the Agricultural Adjustment Act of 1938, as amended (52 Stat. 43; 7 U.S.C., 1940 ed., 1302), and the Act of May 26, 1941 (55 Stat. 203; 7 U.S.C., 1940 ed., Supp. I, 1330) as amended by the Act of December 26, 1941 (55 Stat. 860), and as further amended by the Act of October 2, 1942 (Public No. 729, 77th Cong.), Commodity Credit Corporation has authorized the making of loans on, and the purchase of eligible paper secured by corn stored on farms in certain areas, in accordance with the regulations in this part (1942—C.C.C. Corn Form 1—Instructions). Such regulations are hereby supplemented as follows:

Section 234.2, *Corn areas,* is supplemented by adding at the end thereof the following section:

§ 234.2a *Areas and loan rates for 1942 corn loans.* Loan values on eligible corn (except eligible corn grading "mixed", which is two cents per bushel less) for the States of Colorado, Delaware, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Michigan, Minnesota, Missouri, Nebraska, New Mexico, North Carolina, North Dakota, Ohio, Pennsylvania, South Dakota, Tennessee, Virginia, West Virginia, Wisconsin, and Wyoming, covering the counties specified.

Colorado (*Code No. 84*). All counties in Colorado are noncommercial corn counties and the corn loan value on eligible corn is 63 cents per bushel.

Delaware. Counties and loan values (in cents per bu.): Kent (52-001), 97; New Castle (52-002), .96; Sussex (52-003), .73.

Illinois. Counties and loan values (in cents per bu.):

Adams (33-001), .81; Alexander (33-002), .85; Bond (33-003), .80; Boone (33-004), .83; Brown (33-005), .80; Bureau (33-006), .80; Calhoun (33-007) .81; Carroll (33-008), .82; Cass (33-009), .80; Champaign (33-010, .79; Christian (33-011), .80; Clark (33-012), .80; Clay (33-013), .81; Clinton (33-014), .81; Coles (33-015), .79; Cook (33-016), .83; Crawford (33-017), .80; Cumberland (33-018), .80; De Kalb (33-019), .82; De Witt (33-020), .79; Douglas (33-021), .79; Du Page (33-022), .83; Edgar (33-023), .79; Edwards (33-024), .82; Effingham (33-025), .80; Fayette (33-026) .80; Ford (33-027), .80; Franklin (33-028), .62; Fulton (33-029), .80; Gallatin (33-030), .85; Greene (33-031), .81; Grundy (33-032), .80; Hamilton (33-033), .83; Hancock (33-034), .81; Hardin (33-035), .85; Henderson (33-036) .80; Henry (33-037), .80; Iroquois (33-038), .80; Jackson (33-039), .83; Jasper (33-040), .80; Jefferson[1] (33-041), .62; Jersey (33-042), .81; Jo Daviess (33-043), .83; Johnson (33-044), .83; Kane (33-045), .81; Kankakee (33-046), .80; Kendall (33-047), .81; Knox (33-048), .80; Lake (33-049), .83; La Salle (33-050), .80; Lawrence (33-051), .81; Lee (33-052), .81; Livingston (33-053), .80; Logan (33-054), .79; McDonough (33-055), .80; McHenry (33-056), .83; McLean (33-057), .79; Macon (33-058), .79; Macoupin (33-059), .80; Madison (33-060), .82; Marion (33-061), .81; Marshall (33-062), .80; Mason (33-063), .80; Massac (33-064), .85; Menard (33-065), .80; Mercer (33-066), .80; Monroe (33-067), .82; Montgomery (33-068), .80; Morgan (33-069), .80; Moultrie (33-070), .79; Ogle (33-071), .82; Peoria (33-072), .80; Perry (33-073), .82; Piatt (33-074), .79; Pike (33-075), .81; Pope (33-076), .85; Pulaski (33-077), .85; Putnam (33-078), .80; Randolph (33-079), .82; Richland (33-080), .81; Rock Island (33-081), .80; St. Clair (33-082), .82; Saline (33-083), .83; Sangamon (33-084), .80; Schuyler (33-075), .80; Scott (33-084), .81; Shelby (33-087), .80; Stark (33-088), .80; Stephenson (33-089), .83; Tazewell (33-090), .80; Union (33-091), .84; Vermilion (33-092), .79; Wabash (33-093), .82; Warren (33-094), .80; Washington (33-095), .82; Wayne (33-096), .82; White (33-097), .84; Whiteside (33-098), .81; Will (33-099), .82; Williamson[1] (33-100), .62; Winnebago (33-101), .83; Woodford (33-102), .80.

[1] Noncommercial corn county.

Indiana. Counties and loan values (in cents per bu.):

Adams (32-001), .82; Allen (32-002), .82; Bartholomew (32-003), .84; Benton (32-004), .80; Blackford (32-005), .81; Boone (32-006), .80; Carroll (32-008), .80; Cass (32-009), .80; Clay (32-011), .81; Clinton (32-012), .80; Daviess (32-014), .83; Dearborn (32-015), .88; Decatur (32-016), .84; De Kalb (32-017), .82; Delaware (32-018), .81; Dubois (32-019), .85; Elkhart (32-020), .81; Fayette (32-021), .84; Fountain (32-023), .80; Franklin (32-024), .86; Fulton (32-025), .80; Gibson (32-026), .84; Grant (32-027), .80; Greene (32-028), .82; Hamilton (32-029), .80; Hancock (32-030), .82; Hendricks (32-032), .80; Henry (32-033), .82; Howard (32-034), .80; Huntington (32-035), .81; Jackson, (32-036), .84; Jasper (32-037), .80; Jay (32-038), .81; Jennings (32-040), .86; Johnson (32-041), .82; Knox (32-042), .82; Kosciusko (32-043), .80; Lagrange (32-044), .82; Lake (32-045), .81; La Porte (32-046), .81; Lawrence (32-047), .84; Madison (32-048), .80; Marion (32-049), .80; Marshall (32-050), .80; Martin (32-051), .83; Miami (32-052), .80; Monroe (32-053), .82; Montgomery (32-054), .80; Morgan (32-055), .81; Newton (32-056), .80; Noble (32-057), .81; Orange (32-059), .85; Owen (32-060), .81; Parke (32-061), .80; Pike (32-063), .84; Porter (32-064), .81; Posey (32-065), .86; Pulaski (32-066), .80; Putnam (32-067), .80; Randolph (32-068), .81; Ripley (32-069), .86; Rush (32-070), .84; St. Joseph (32-071), .81; Scott (32-072), .86; Shelby (32-073), .82; Spencer (32-074), .87; Starke (32-075), .80; Steuben (32-076), .83; Sullivan (32-077), .82; Tippecanoe (32-079), .80; Tipton (32-080), .80; Union (32-081), .84; Vanderburgh (32-082), .86; Vermillion (32-083), .80; Vigo (32-084), .81; Wabash (32-085), .80; Warren (32-086), .80; Warrick (32-087), .86; Washington (32-088), .85; Wayne (32-089) .82; Wells (32-090), .81; White (32-091), .80; Whitley (32-092), .81.

All counties in Indiana not listed above are noncommercial corn counties and the corn loan value is 65 cents per bushel.

Iowa. Counties and loan values (cents per bu.): Adair (42-001), .78; Adams (42-002), .79; Allamakee (42-003), .80; Appanoose (42-004), .80; Audubon (42-005), .77; Benton (42-006), .79; Black Hawk (42-007), .78; Boone (42-008), .75; Bremer (42-009), .78; Buchanan (42-010), .79; Buena Vista (42-011), .75; Butler (42-012), .76; Calhoun (42-013), .74; Carroll (42-014), .76; Cass (42-015), .77; Cedar (42-016), .80; Cerro Gordo (42-017), .76, Cherokee (42-018), .76; Chickasaw (42-019), .79; Clarke (42-020), .80; Clay (42-021), .75; Clayton (42-022), .80; Clinton (42-023), .80; Crawford (42-024), .77; Dallas (42-025), .77; Davis (42-026), .80; Decatur (42-027), .80; Delaware (42-028), .80; Des Moines (42-029), .80; Dickinson (42-030), .74; Dubuque (42-031), .80; Emmet (42-032), .74; Fayette (42-033), .80; Floyd (42-034), .77; Franklin (42-035), .75; Fremont (42-036), .79; Greene (42-037), .75; Grundy (42-038), .76; Guthrie (42-039), .77; Hamilton (42-040), .74; Hancock (42-041), .75; Hardin (42-042), .75; Harrison (42-043), .77; Henry (42-044), .80; Howard (42-045), .79; Humboldt (42-046), .74; Ida (42-047), .76; Iowa (42-048), .79; Jackson (42-049), .80; Jasper (42-050), .77; Jefferson (42-051), .80; Johnson (42-052), .79; Jones (42-053), .80; Keokuk (42-054), .79; Kossuth (42-055), .74; Lee (42-056), .80; Linn (42-057), .79; Louisa (42-058), .80; Lucas (42-059), .80; Lyon (42-060), .75; Madison (42-061), .78; Mahaska (42-062), .79; Marion (42-063), .79; Marshall (42-064), .76; Mills (42-065), .78; Mitchell (42-066), .77; Monona (42-067), .77; Monroe (42-068), .80; Montgomery (42-069), .78; Muscatine (42-070), .80; O'Brien (42-071), .76; Osceola (42-072), .75; Page (42-073), .79; Palo Alto (42-074), .74; Plymouth (42-075), .77; Pocahontas (42-076), .74; Polk (42-077), .77; Pottawattamie (42-078), .77; Poweshiek (42-079), .78; Ringgold (42-080), .80; Sac (42-081), .75; Scott (42-082), .80; Shelby (42-083), .77; Sioux (42-084), .76; Story (42-085), .75; Tama (42-086), .78; Taylor (42-087), .80; Union (42-088), .80; Van Buren (42-089), .80; Wapello (42-090), .80; Warren (42-091), .78; Washington (42-092), .79; Wayne (42-093), .80; Webster (42-094), .74; Winnebago (42-095), .75; Winneshiek (42-096), .80; Woodbury (42-097), .77; Worth (42-098), .76; Wright (42-099), .74.

Kansas. Counties and loan values (in cents per bu.):

Anderson (49-002), .82; Atchison (49-003), .82; Brown (49-007), .81; Coffey (49-016), .82; Doniphan (49-022), .82; Douglas (49-023), .82; Franklin (49-030), .82; Jackson (49-043), .81; Jefferson (49-044), .82; Jewell (49-045), .80; Johnson (49-046), .82; Leavenworth (49-052), .82; Linn (49-054), .82; Marshall (49-059), .80; Miami (49-061), .82; Nemaha (49-066), .80; Norton (49-069), .79; Osage (49-070), .82; Phillips (49-074), .80; Pottawatomie (49-075), .80; Republic (49-079), .80; Riley (49-081), .80; Shawnee (49-089), .82; Smith (49-092), .80; Washington (49-101), .80.

All counties in Kansas not listed above are noncommercial corn counties and the corn loan value is 62 cents per bushel.

Kentucky—(1) *Commercial Corn Counties.* Counties and loan values (in cents per bu.):

Ballard (61-004), .88; Carlisle (61-020), .88; Crittenden (61-028), .90; Davies (61-030), .91; Fulton (61-038), .88; Hancock (61-046), .91; Henderson (61-051), .90; Hickman (61-053), .88; Livingston (61-070), .90; McLean (61-075), .92; Union (61-113), .90; Webster (61-117), .91.

Kentucky—(2) *Noncommercial Corn Counties.* Counties and loan values (in cents per bu.):

Adair (61-001), .74; Allen (61-002), .74; Anderson (61-003), .73; Barren (61-005), .74; Bath (61-006), .72; Bell (61-007), .74; Boone (61-008), .69; Bourbon (61-009), .73; Boyd (61-010), .70; Boyle, (61-011), .74; Bracken (61-012), .69; Breathitt (61-013), .74; Breckinridge (61-014), .68; Bullitt (61-015), .70; Butler (61-016), .70; Caldwell (61-017), .68; Calloway (61-018), .67; Campbell (61-019), .69; Carroll (61-021), .70; Carter (61-022), .71; Casey (61-023), .74; Christian (61-024), .69; Clark (61-025), .74; Clay (61-026), .74; Clinton (61-027), .74; Cumberland (61-029), .74; Edmonson (61-031), .71; Elliott (61-032), .72; Estill (61-033), .74; Fayette (61-034), .73; Fleming (61-035), .70; Floyd (61-036), .74; Franklin (61-037), .73; Gallatin (61-039), .70; Garrard, (61-040), .74; Grant (61-041), .71; Graves (61-042), .66; Grayson (61-043), .70; Green (61-044), .74; Greenup (61-045), .69; Hardin (61-047), .70; Harlan (61-048), .74; Harrison (61-049), .72; Hart (61-050), .74; Henry (61-052), .71; Hopkins (61-054), .69; Jackson (61-055), .74; Jefferson (61-056), .68; Jessamine (61-057), .74; Johnson (61-058), .74; Kenton (61-059), .69; Knott (61-060), .74; Knox (61-061), .74; Larue (61-062), .71; Laurel (61-063), .74; Lawrence, (61-064), .72; Lee (61-065), .74; Leslie (61-066), .74; Letcher (61-067), .74; Lewis (61-068), .69; Lincoln (61-069), .74; Logan (61-071), .72; Lyon (61-072), .68; McCracken (61-073), .66; McCreary (61-074), .74; Madison (61-076), .74; Magoffin (61-077), .74; Marion (61-078), .72; Marshall (61-079), .67; Martin (61-080), .74; Mason (61-081), .69; Meade (61-082), .68; Menifee (61-083), .72; Mercer (61-084), .73; Metcalfe (61-085), .74); Monroe (61-086), .74); Montgomery (61-087), .74; Morgan (61-088), .72; Muhlenberg (61-089), .70; Nelson (61-090), .71; Nicholas (61-091), .72; Ohio (61-092), .70; Oldham (61-093), .70; Owen (61-094), .71; Owsley (61-095), .74; Pendleton (61-096), .71; Perry (61-097), .74; Pike (61-098), .74; Powell (61-099), .74; Pulaski (61-100), .74; Robertson (61-101), .70; Rockcastle (61-102), .74; Rowan (61-103), .72; Russell (61-104), .74; Scott (61-105), .73; Shelby (61-106), .72; Simpson (61-107), .73; Spencer (61-108), .71; Taylor (61-109), .74; Todd (61-110), .70; Trigg (61-111), .69; Trimble (61-112), .70; Warren 61-114), .73; Washington (61-115), .72; Wayne (61-

[1] Noncommercial corn county.

116), .74; Whitley (61-118), .74; Wolfe (61-119), .74; Woodford (61-120), .74.

Maryland—(1) *Commercial corn counties.* Counties and loan values (in cents per bu.):

Baltimore (51-003), .95; Caroline (51-005), .97; Carroll (51-006), .95; Cecil (51-007), .96; Frederick (51-010), .95; Harford (51-012), .96; Howard (51-013), .95; Kent (51-014), .97; Montgomery (51-015), .95; Queen Annes (51-017), .97; Washington (51-021), .95.

Maryland—(2) *Noncommercial corn counties.* Counties and loan values (in cents per bu.):

Allegany (51-001), .71; Anne Arundel (51-002), .71; Calvert (51-004), .72; Charles (51-008), .72; Dorchester (51-009), .73; Garrett (51-011), .71; Prince Georges (51-016), .71; St. Marys (51-018), .72; Somerset (51-019), .73; Talbot (51-020), .73; Wicomico (51-022), .73; Worcester (51-023), .73.

Michigan. Counties and loan values (in cents per bu.):

Berrien (35-011), .82; Branch (35-012), .83; Calhoun (35-013), .83; Cass (35-014), .82; Hillsdale (35-030), .84; Jackson (35-038), .85; Kalamazoo (35-039), .83; Lenawee (35-046), .85; Monroe (35-058), .85; St. Joseph (35-075), .82; Washtenaw (35-081), .85; Wayne (35-082), .85.

All counties in Michigan not listed above are noncommercial corn counties and the corn loan value is 65 cents per bushel.

Minnesota. Counties and loan values (in cents per bu.):

Big Stone (41-006), .73; Blue Earth (41-007), .73; Brown (41-008), .73; Carver (41-010), .74; Chippewa (41-012), .73; Cottonwood (41-017), .73; Dakota (41-019), .76; Dodge (41-020), .77; Faribault (41-022), .73; Fillmore (41-023), .79; Freeborn (41-024), .75; Goodhue (41-025), .77; Grant (41-026), .73; Hennepin (41-027), .76; Houston (41-028), .79; Jackson (41-032), .74; Kandiyohi (41-034), .73; Lac Qui Parle (41-037), .73; Le Sueur (41-040), .73; Lincoln (41-041), .73; Lyon (41-042), .73; McLeod (41-043), .74; Martin (41-046), .73; Meeker (41-047), .74; Mower (41-050), .77; Murray (41-051), .73; Nicollet (41-052), .73; Nobles (41-053), .74; Olmsted (41-055), .79; Pipestone (41-059), .73; Pope (41-061), .73; Redwood (41-064), .73; Renville (41-065), .73; Rice (41-066), .75; Rock (41-067), .74; Scott (41-070), .74; Sibley (41-072), .73; Stearns (41-073), .74; Steele (41-074), .75; Stevens (41-075), .73; Swift (41-076), .73; Traverse (41-078), .73; Wabasha (41-079), .79; Waseca (41-081), .73; Washington (41-082), .77; Watonwan (41-083), .73; Winona (41-085), .79; Wright (41-086), .75; Yellow Medicine (41-087), .73.

All counties in Minnesota not listed above are noncommercial corn counties and the corn loan value is 57 cents per bushel.

Missouri. Counties and loan values (in cents per bu.):

Adair (44-001), .84; Andrew (44-002), .84; Atchison (44-003), .82; Audrain (44-004), .84; Bates (44-007), .83; Benton (44-105), .84; Boone (44-010), .84; Buchanan (44-011), .84; Caldwell (44-013), .84; Callaway (44-014), .84; Cape Girardeau (44-016), .84; Carroll (44-017), .84; Cass (44-019), .83; Charlton (44-021), .84; Clark (44-023), .83; Clay (44-024), .84; Clinton (44-025), .84; Cooper (44-027), .84; Daviess (44-031), .84; De Kalb (44-032), .84; Dunklin (44-035), .84; Gentry (44-038) .84; Grundy (44-040), .84; Harrison (44-041), .83; Henry (44-042), .83; Holt (44-044), .82; Howard (44-045), .84; Jackson (44-048), .83; Johnson (44-051), .83; Knox (44-052), .84; Lafayette (44-054), .83; Lewis (44-056), .84; Lincoln (44-057), .84; Linn (44-058), .84; Livingston (44-059), .84; Macon (44-061), .84; Marion (44-064), .84; Mercer (44-065), .83; Mississippi (44-067), .84; Moniteau (44-068), .84; Monroe (44-069), .84; Montgomery (44-070), .84; New Madrid (44-072), .84; Nodaway (44-074), .82; Pemiscot (44-078), .84; Perry (44-079), .84; Pettis (44-080), .84; Pike (44-082), .84; Platte (44-083), .84; Putnam (44-086), .83; Ralls (44-087), .84); Randolph (44-088), .84; Ray (44-089), .84; St. Charles (44-092), .84; St. Clair (44-093), .83; Saline (44-097), .84; Schuyler (44-098), .83; Scotland (44-099), .83; Scott (44-100), .84; Shelby (44-102), .84; Stoddard (44-103), .84; Vernon (44-108), .83; Worth (44-113), .83.

All counties in Missouri not listed above are noncommercial corn counties and the corn loan value is 63 cents per bushel.

Nebraska. Counties and loan values (in cents per bu.):

Adams (48-001), .78; Antelope (48-002), .77; Boone (48-006), .77; Buffalo (48-010), .78; Burt (48-011), .77; Butler (48-012), .77; Cass (48-013), .78; Cedar (48-014), .77; Chase (48-015), .77; Clay (48-018), .77; Colfax (48-019), .77; Cuming (48-020), .77; Custer (48-021), .78; Dakota (48-022), .77; Dawson (48-024), .78; Dixon (48-026), .77; Dodge (48-027), .77; Douglas (48-028), .78; Fillmore (48-030), .77; Franklin (48-031), .79; Frontier (48-032), .78; Furnas (48-033), .79; Gage (48-034), .79; Gosper (48-037), .78; Greeley (48-039), .77; Hall (48-040), .78; Hamilton (48-041), .77; Harlan (48-042), .79; Hayes (48-043), .77; Hitchcock (48-044), .78; Howard (48-047), .78; Jefferson (48-048), .79; Johnson (48-049), .78; Kearney (48-050), .78; Knox (48-054), .77; Lancaster (48-055), .78; Lincoln (48-056), .77; Madison (48-060), .77; Merrick (48-061), .77; Nance (48-063), .77; Nemaha (48-064), .79; Nuckolls (48-065), .79; Otoe (48-066), .78; Pawnee (48-067), .79; Perkins (48-068), .77; Phelps (48-069), .78; Pierce (48-070), .77; Platte (48-071), .77; Polk (48-072), .77; Redwillow (48-073), .79; Richardson (48-074), .80; Saline (48-076), .78; Sarpy (48-077), .78; Saunders (48-078), .77; Seward (48-080), .77; Sherman (48-082), .78; Stanton (48-[illegible]), .77; Thayer (48-085), .79; Thurston (48-087), .77; Valley (48-088), .77; Washington (48-089), .78; Wayne (48-090), .77; Webster (48-091), .79; York (48-093), .77.

All counties in Nebraska not listed above are noncommercial corn counties and the corn loan value is 59 cents per bushel.

New Mexico (*Code No. 85*). All counties in New Mexico are noncommercial corn counties and the corn loan value on eligible corn is 69 cents per bushel.

North Carolina (*Code No. 55*). All counties in North Carolina are noncommercial corn counties and the corn loan value on eligible corn is 74 cents per bushel.

North Dakota (*Code No. 46*). All counties in North Dakota are noncommercial corn counties and the corn loan value on eligible corn is 58 cents per bushel.

Ohio. Counties and loan values (in cents per bu.): Adams (31-001), .88; Allen (31-002), .83; Ashland (31-003), .85; Auglaize (31-006), .82; Brown (31-008), .88; Butler (31-009), .86; Champaign (31-011), .82; Clark (31-012), .83; Clermont (31-013), .88; Clinton (31-014), .86; Coshocton (31-016), .86; Crawford (31-017), .85; Darke (31-019), .82; Defiance (31-020), .83; Delaware (31-021), .85; Erie (31-022), .85; Fairfield (31-023), .86; Fayette (31-024), .86; Franklin (31-025), .85; Fulton (31-026), .85; Greene (31-029), .84; Hamilton (31-031), .88; Hancock (31-032), .84; Hardin (31-033), .83; Henry (31-035), .84; Highland (31-036), .87; Holmes (31-038), .86; Huron (31-039), .85; Jackson (31-040), .89; Knox (31-042), .85; Licking (31-045), .86; Logan (31-046), .83; Lorain (31-047), .85; Lucas (31-048), .85; Madison (31-049), .84; Marion (31-051), .85; Medina (31-052), .86; Mercer (31-054), .82; Miami (31-055), .82; Montgomery (31-057), .84; Morrow (31-059), .85; Muskingum (31-060), .87; Ottawa (31-062), .85; Paulding (31-063), .83; Perry (31-064), .87; Pickaway (31-065), .86; Pike (31-066), .88; Preble (31-068), .84; Putnam (31-069), .84; Richland (31-070), .85; Ross (31-071), .87; Sandusky (31-072), .85; Scioto (31-073), .89; Seneca (31-074), .85; Shelby (31-075), .82; Stark (31-076), .88; Union (31-080), .84; Van Wert (31-081), .83; Warren (31-083), .86; Wayne (31-085), .86; Williams (31-086), .84; Wood (31-087), .85; Wyandot (31-088), .84.

All counties in Ohio not listed above are noncommercial corn counties and the corn loan value is 67 cents per bushel.

Pennsylvania. Counties and loan values (in cents per bu.):

Adams (23-001), .95; Berks (23-006), .96; Chester (23-015), .96; Cumberland (23-021), .95; Dauphin (23-022), .96; Franklin (23-028), .95; Fulton (23-029), .95; Lancaster (23-036), .96; Lebanon (23-038), .96; Perry (23-050), .95; York (23-067), .95.

All counties in Pennsylvania not listed above are noncommercial corn counties and the corn loan value is 72 cents per bushel.

South Dakota. Counties and loan values (in cents per bu.):

Bon Homme (47-005), .76; Brookings (47-006), .73; Clay (47-014), .77; Deuel (47-020), .73; Grant (47-026), .73; Hamlin (47-029), .73; Hanson (47-031), .75; Hutchinson (47-034), .76; Kingsbury (47-039), .73; Lake (47-040), .73; Lincoln (47-042), .76; McCook (47-044), .75; Minnehaha (47-050), .75; Moody (47-051), .73; Roberts (47-055), .73; Turner (47-063), .76; Union (47-064), .77; Yankton (47-068), .76.

All counties in South Dakota not listed above are noncommercial corn counties and the corn loan value is 57 cents per bushel.

Tennessee. Counties and loan values (in cents per bu.):

Anderson (63-001), .74; Bedford (63-002), .74; Benton (63-003), .69; Bledsoe (63-004), .74; Blount (63-005), .74; Bradley (63-006), .74; Campbell (63-007), .74; Cannon (63-008), .74; Carroll (63-009, .67; Carter (63-010), .74; Cheatham (63-011), .70; Chester (63-012), .67; Claiborne (63-013), .74; Clay (63-014), .74; Cocke (63-015), .74; Coffee (63-016), .74; Crockett (63-017), .67; Cumberland (63-018), .74; Davidson (63-019), .72; Decatur (63-020), .70; De Kalb (63-021), .74; Dickson (63-022), .70; Dyer (63-023), .67; Fayette (63-024), .67; Fentress (63-025), .74; Franklin (63-026), .74; Gibson (63-027), .67; Giles (63-028), .74; Grainger (63-029), .74; Greene (63-030), .74; Grundy (63-031), .74; Hamblen (63-032), .74; Hamilton (63-033), .74; Hancock (63-034), .74; Hardeman (63-035), .68; Hardin (63-036), .70; Hawkins (63-037), .74; Haywood (63-038), .67; Henderson (63-039), .67; Henry (63-040), .67; Hickman (63-041), .72; Houston (63-042), 69; Humphreys (63-043), .70; Jackson (63-044), .74; Jefferson (63-045), .74; Johnson (63-046), .74; Knox (63-047), .74; Lake (63-048), .67; Lauderdale (63-049), .67; Lawrence (63-050), .73; Lewis (63-051), .72; Lincoln (63-052), .74; Loudon (63-053), .74; McMinn (63-054), .74; McNairy (63-055), .68; Macon (63-056), .74; Madison (63-057), .67; Marion (63-058), .74; Marshall (63-059), .74; Maury (63-060), .74; Meigs (62-061), .74; Monroe (63-062), .74; Montgomery (63-063), .70; Moore (63-064), .74; Morgan (63-065), .74; Obion (63-066), .67; Overton (63-067), .74; Perry (63-068), .70; Pickett (63-069), .74; Polk (63-070), .74; Putnam (63-071), .74; Rhea (63-072), .74; Roane (63-073), .74; Robertson (63-074), .72; Rutherford (63-075), .74; Scott (63-076), .74; Sequatchie (63-075), .74; Sevier (63-078), .74; Shelby (63-079), .67; Smith, (63-080), .74; Stewart (63-081), .69; Sullivan (63-082), .74; Sumner (63-083), .74; Tipton (63-084), .67; Trousdale (63-085), .74; Unicoi (63-086), .74; Union (63-087), .74; Van Burean (63-088), .74; Warren (63-089), .74; Washington (63-090), .74; Wayne (63-091), .71; Weakley (63-092), .67; White (63-093), .74; Williamson (63-094), .72; Wilson (63-095), .74.

Virginia. Counties and loan values (in cents per bu.):

Accomac (53-001), .73; Albemarle (53-002), .71; Alleghany (53-003), .71; Amelia (53-004), .71; Amherst (53-005), .71; Appomattox (53-006), .71; Arlington (53-007), .71; Augusta (53-008), .71; Bath (53-009), .71; Bedford (53-010), .71; Bland (53-011), .74; Botetourt (53-012), 71; Brunswick (53-013), .71; Buchanan (53-014), .74; Buckingham (53-015), 71; Campbell (53-016), .71; Caroline (53-017), .71; Carroll (53-018), .74; Charles City (53-019), .71; Charlotte (53-020), .71; Chesterfield (53-021), .71; Clarke (53-022), .71; Craig (53-023), .71; Culpeper (53-024), .71; Cumberland (53-025), .71; Dickenson (53-026), .74; Dinwiddie (53-027), .71; Elizabeth City (53-028), .71; Essex (53-029), .71; Fairfax (53-030), .71; Fauquier (53-031), .71; Floyd (53-032), .74; Fluvanna (53-033), .71; Franklin (53-034), .74; Frederick (53-035), .71; Giles (53-036), .71; Gloucester (53-037), .71; Goochland (53-038), .71; Grayson (53-039), .74; Greene (53-040), .71; Greensville (53-041), .71; Halifax (53-042), .74; Hanover (53-043), .71; Henrico (53-044), .71; Henry (53-045), .74; Highland (53-046), .71; Isle of Wight (53-047), .71; James City (53-048), .71; King and Queen (53-049), .71; King George (53-050), .71; King William (53-051), .71; Lancaster (53-052), .71; Lee (53-053), .74; Loudoun (53-054), .71; Louisa (53-055), .71; Lunenburg (53-056), .71; Madison (53-057), .71; Mathews (53-058), .71; Mecklenburg (53-059), .74; Middlesex (53-060), .71; Montgomery (53-061), .71; Nansemond (53-062), .71; Nelson (53-063), .71; New Kent (53-064), .71; Norfolk (53-065), .71; Northampton (53-066), .73; Northumberland (53-067), .71; Nottoway (53-068), .71; Orange (53-069), 71; Page (53-070), .71; Patrick (53-071), .74; Pittsylvania (53-072), .74; Powhatan (53-073), .71; Prince Edward (53-074), .71; Prince George (53-075), .71; Prince William (53-076), .71; Princess Anne (53-077), .71; Pulaski (53-078), .74; Rappahannock (53-079), .71; Richmond (53-080), .71; Roanoke (53-081), .71; Rockbridge (53-082), .71; Rockingham (53-083), .71; Russell (53-084), .74; Scott (53-085), .74; Shenandoah (53-086), .71; Smyth (53-087) .74; Southampton (53-088), .71; Spotsylvania (53-089), .71; Stafford (53-090), .71; Surry (53-091), 71; Sussex (53-092), .71; Tazewell (53-093), .74; Warren (53-094), .71; Warwick (53-095), .71; Washington (53-096), .74; Westmoreland (53-097), .71 Wise (53-098), .74; Wythe (53-099), .74 York (53-100), .71.

West Virginia. Counties and loan values (in cents per bu.):

Barbour (54-001), .71; Berkeley (54-002), .71; Boone (54-003), .73; Braxton (54-004), .71; Brooke (54-005), .69; Cabell (54-006), .70; Calhoun (54-007), .71; Clay (54-008), .71; Doddridge (54-009), .70; Fayette (54-010), .73; Gilmer (54-011), .71; Grant (54-012), .71; Greenbrier (54-013), .72; Hampshire (54-014), .71; Hancock (54-015), .68; Hardy (54-016), .72; Harrison (54-017), .70; Jackson (54-018), .69; Jefferson (54-019), .71; Kanawha (54-020), .71; Lewis (54-021), .71; Lincoln (54-022), .71; Logan (54-023), .73; McDowell (54-024), .72; Marion (54-025), .70; Marshall (54-026), .69; Mason (54-027), .69; Mercer (54-028), .72; Mineral (54-029), .71; Mingo (54-030), .72; Monongalia (54-031), .70; Monroe (54-032), .72; Morgan (54-033), 71; Nicholas (54-034), .71; Ohio (54-035), .69; Pendleton (54-036), .72; Pleasants (54-037), .69; Pocahontas (54-038), .71; Preston (54-039), .71; Putnam (54-040), .70; Raleigh (54-041), .73; Randolph (54-042), .72; Ritchie (54-043), .70; Roane (54-044), .70; Summers (54-045), .72; Taylor (54-046), .70; Tucker (54-047), .71; Tyler (54-048), .69; Upshur (54-049), .71; Wayne (54-050), .71; Webster (54-051), .71; Wetzel (54-052), .69; Wirt (54-053), .70; Wood (54-054), .69; Wyoming (54-055), .73.

Wisconsin. Counties and loan values (in cents per bu.):

Columbia (36-011), .86; Crawford (36-012), .83; Dane (36-013), .86; Grant (36-022), .83; Green (36-023), .86; Iowa (36-025), .85; Jefferson (36-028), .86; Lafayette (36-033), .85; Richland (36-052), .85; Rock (36-053), .86; Sauk (36-056), .86; Walworth (36-064), .86.

All counties in Wisconsin not listed above are noncommercial corn counties and the corn loan value is 65 cents per bushel.

Wyoming (*Code No. 83*). All counties in Wyoming are noncommercial corn counties and the corn loan value on eligible corn is 62 cents per bushel.

Dated: November 20, 1942.

[SEAL] J. B. HUTSON,
President.

[F. R. Doc. 43-937; Filed, January 19, 1943; 11:16 a. m.]

TITLE 7—AGRICULTURE

Chapter X—Food Production Administration

PART 1202—FARM MACHINERY AND EQUIPMENT

REDESIGNATION OF ORDERS PREVIOUSLY ISSUED

Pursuant to the authority vested in the Secretary of Agriculture by Executive Order 9280,[1] dated December 5, 1942, *It is hereby ordered*, That:

Temporary Rationing Order A,[2] including all amendments and supplements thereto, is assigned, in place of the heading originally assigned thereto, a new heading as follows: "Food Production Order 1".

Each section number of the said Temporary Rationing Order A, including all amendments and supplements thereto, is changed so that the figure "2" which prefixes such number shall be replaced by the figure "1202." For example, § 2.1 shall be § 1202.1.

Temporary Rationing Order B,[3] including all amendments and supplements thereto, is assigned, in place of the heading originally assigned thereto, a new heading as follows: "Food Production Order 2".

[1] 7 F.R. 10179.
[2] 7 F.R. 7301, 7768, 8575, 8819
[3] 7 F.R. 8723, 9067, 9475.

chanan (44-011), .84; Caldwell (44-013), .84; Callaway (44-014), .84; Cape Girardeau (44-016), .84; Carroll (44-017), .84; eligible corn is 69 cents per bushel.

North Carolina (Code No. 55). All counties in North Carolina are noncom- and the corn loan value is 57 cents per bushel.

Each section number of the said Temporary Rationing Order B, including all amendments and supplements thereto, is changed so that the figure "2" which prefixes such number shall be replaced by the figure "1202." For example, § 2.101 shall be § 1202.101.

Rationing Order C,[1] including all amendments and supplements thereto, is assigned, in place of the heading originally assigned thereto, a new heading as follows: "Food Production Order 3".

Each section number of the said Rationing Order C, including all amendments and supplements thereto, is changed so that the figure "2" which prefixes such number shall be replaced by the figure "1202." For example, § 2.201 shall be § 1202.201.

This order shall become effective January 21, 1943.

Done at Washington, D. C., this 20th day of January 1943. Witness my hand and the seal of the Department of Agriculture.

GROVER B. HILL,
Acting Secretary.

[F. R. Doc. 43-988; Filed, January 20, 1943; 11:39 a. m.]

[Amendment 1 to Food Production Order 3[1]]

PART 1202—FARM MACHINERY AND EQUIPMENT

NEW FARM MACHINERY AND EQUIPMENT

Schedules I and II are amended, §§ 2.234 and 2.241 are amended, and a new section, § 2.243, is added:

Schedule I is amended by deleting therefrom, under the main heading "Planting, Seeding and Fertilizing Machinery," the following:

Listers with planting attachments, horse or tractor drawn.
One row.

That part of Schedule I from which the above is deleted will then read as follows:

Listers with planting attachments, horse or tractor drawn:
Two row.
Three row or more.

Schedule I is further amended by deleting therefrom, under the main heading "Planting, Seeding and Fertilizing Machinery," the following:

Fertilizer distributors, horse or tractor drawn.

Schedule I is further amended by deleting therefrom, under the main heading "Plows and Listers," the following:

Listers, horse or tractor drawn (Middlebusters without planting attachment):
One row, horse or tractor drawn.

That part of Schedule I from which the above item is deleted will then read as follows:

Listers, horse or tractor drawn (Middlebusters without planting attachment):
Two row, horse or tractor drawn.
Three row and larger, horse or tractor drawn.

Schedule I is further amended by deleting therefrom, under the main heading "Harrows, Rollers, Pulverizers," the following:

Ridge busters:
Ridge busters, horse or tractor drawn
Ridge busters, tractor mounted.

The effect of the above deletions from Schedule I in each case is to remove from the provisions of Rationing Order C[1] the items which are deleted.

The following amendments to Schedule I are made to correct typographical errors:

The section of Schedule I which follows the main heading "Sprayers, Dusters and Orchard Heaters" is amended to read as follows:

Power sprayers.
Traction sprayers.
Spray pumps, power.
Dusters:
Power dusters with tractor mounted dusters.
Traction dusters.

Under the main heading "Harvesting Machinery," the first four lines are amended to read as follows:

Combines, harvester-threshers:
Width of cut, 6 feet and under.
Width of cut, over 6 feet, up to and including 10 feet.
Width of cut, over 10 feet.

Under the main heading "Harvesting Machinery," the ninth line is amended to read as follows:

Corn binders (row binder), horse or tractor drawn.

Under the main heading "Harvesting Machinery," the word "drawn," which appears on a line by itself below the subheading "Corn Pickers," is deleted.

Under the main heading "Irrigation Equipment" the last line is amended to read as follows:

Portable pipes and extensions, sprinklers.

Schedule II is amended by deleting therefrom the following:

Planters, horse and tractor drawn:
One row, one horse corn planters.
One row, one horse corn and cotton planters.
One row, two horse corn and cotton planters.
Broadcast Seeders: Endgate.

PLOWS AND LISTERS

Moldboard plows, horse drawn:
Walking, one horse, steel bottom.
Walking, one horse, chilled bottom.
Walking, two horse and larger.

ROLLERS AND STALK CUTTERS

Stalk cutters

Schedule II is further amended by deleting therefrom, under the subheading "Cultivators, horse drawn," the following:

One horse, all types.
One row, walking, two horse.

Schedule II will then read as follows:

PLANTING, SEEDING AND FERTILIZING MACHINERY

Garden Planters, Horse or tractor drawn.

CULTIVATORS AND WEEDERS

Cultivators, horse drawn:
One row, riding, two horse.
Two row and over, riding.

The effect of these deletions from Schedule II is to remove from the provisions of Rationing Order C the items which are deleted.

§ 2.234 *Records to be kept by dealers.*

* * *

(d) Any person required by this Rationing Order C, or any supplement or amendment hereto, to maintain records of any kind shall permit duly authorized representatives of the Department of Agriculture to audit and inspect such records and to inspect inventories of farm machinery and equipment held by such persons.

§ 2.241 *Effect on Temporary Rationing Orders A and B.* After the effective date of this Amendment No. 1 to Rationing Order C, Temporary Rationing Order B and Temporary Rationing Order A, insofar as it is applicable to the continental United States, are superseded by Rationing Order C: *Provided, however,* That Temporary Rationing Order B and Temporary Rationing Order A shall continue to remain in full force and effect for the purpose of allowing or sustaining any suit, action, prosecution, or administrative or other proceedings heretofore or hereafter commenced with respect to any violation committed or right or liability incurred under or pursuant to the terms of such orders prior to the effective date of this Amendment No. 1 to Rationing Order C.

§ 2.243 *Effective dates of amendments.* (a) This Amendment No. 1 (Schedule I, Schedule II, §§ 2.234, 2.241 and 2.243) to Rationing Order C shall become effective this 21st day of January 1943.

Done at Washington, D. C., this 20th day of January 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 43-989; Filed, January 20, 1943; 11:38 a. m.]

[1] Formerly Rationing Order C.
[2] 7 F.R. 9647, 9795, 9796, 11100.

[1] 7 F.R. 9647, 9795, 9796.

[Food Production Order 5]

PART 1206—FERTILIZER

CHEMICAL FERTILIZER

Pursuant to the authority vested in the Secretary of Agriculture by Executive Order No. 9280, dated December 5, 1942, and to assure an adequate production of food to meet war and civilian needs, *It is hereby ordered,* That:

§ 1206.1 *Chemical fertilizer*—(a) *Definitions.* For the purposes of this order: (1) "Chemical fertilizer" means any material used as a plant food containing one of more of the following: Nitrogen, phosphorus, or potassium, excluding, however, animal manures and animal, fish, and plant residues, unless mixed with a chemical fertilizer.

(2) "Grade" means the minimum guaranteed plant food content of any fertilizer expressed in percentages of its principal plant food components; namely, nitrogen, available phosphoric acid and water-soluble potash. In expressing grades the percentage of nitrogen content is stated first, the percentage of available phosphoric acid is stated second, and the percentage of water-soluble potash is stated third. For example, 2–12–6 means a fertilizer containing 2 percent nitrogen, 12 percent phosphoric acid, and 6 percent potash; 0–14–7 means a fertilizer containing no nitrogen, 14 percent phosphoric acid, and 7 percent potash.

(3) "Superphosphate" means any plant food product which is obtained by mixing rock phosphate with either or both sulfuric acid and phosphoric acid.

(4) "Potash" means any compound of potassium containing, or capable of releasing in the soil, any water-soluble compound of potassium including, but not limited to, muriate of potash, sulfate of potash, and manure salts.

(5) "Organic nitrogen" means nitrogen derived from any plant or animal organism containing nitrogen, including, but not limited to, animal, fish and other tankages, castor pumace, tobacco stems, cotton seed meal, peanut meal, soy bean meal, sewage sludge, cocoa shell meal, peat, and humus.

(6) "Chemical nitrogen" means any nitrogen, other than organic nitrogen, including, but not limited to, amonium sulfate, sodium nitrate, calcium cyanamid, urea, and nitrogen-bearing solutions.

(7) "Fertilizer manufacturer" means any person who manufactures or mixes chemical fertilizer.

(8) "Dealer" means any person, other than a fertilizer manufacturer, who purchases or has purchased chemical fertilizer for resale.

(9) "Agent" means any person, other than a fertilizer manufacturer, who receives or has received chemical fertilizer on a consignment basis for resale.

(10) "Person" means any individual, partnership, corporation, association, or any other organized group of "persons," and shall include any agent, agency, or any "person" acting for or on behalf of any of the foregoing. The term "person" shall also include the United States or any agency thereof, and a State or any political subdivision or agency thereof.

(11) "Director" means the Director of Food Production, or, in his absence, the Acting Director of Food Production.

(12) "Group A crop" means any crop listed in Schedule III hereof.

(13) "Group B crop" means any crop not listed in Schedule III. It shall not, however, include any crop to the extent that the use of chemical fertilizer containing chemical nitrogen in the production of such crop is prohibited by the terms of this order.

(b) *Restrictions on use and delivery of fertilizer.* (1) On and after January 18, 1943, no fertilizer manufacturer, dealer, or agent, shall, subject to the exemptions provided for in paragraph (c) hereof, deliver, and no person, including fertilizer manufacturers, dealers, and agents, shall use on crops, in any of the states listed in Schedule I attached hereto, any grade of chemical fertilizer other than the grades designated on such schedule as applicable to the respective states listed thereon, and where a particular grade is designated on such schedule as available only for a particular crop, such grade shall be sold or used only for the production of such crop.

(2) In addition to the restrictions provided for in paragraph (b) (1) hereof, but subject to the exemptions provided for in paragraph (c) hereof, on and after January 18, 1943:

(i) No fertilizer manufacturer, dealer, or agent shall deliver any chemical fertilizer containing chemical nitrogen for use on lawns, golf courses, parks, cemeteries, roadsides, or noncommercial plantings of trees, shrubs, or flowers, and no person, including fertilizer manufacturers, dealers, and agents, shall use any chemical fertilizer containing chemical nitrogen for any of such purposes. The restriction provided for in this paragraph (b) (2) (i) shall apply to the use by any landscape gardener or nurseryman of any chemical fertilizer containing chemical nitrogen on lawns, trees, shrubs, or flowers planted on the premises of his customers.

(ii) No fertilizer manufacturer, dealer, or agent shall deliver any chemical fertilizer containing chemical nitrogen in packages of less than one hundred (100) pounds: *Provided, however,* That any fertilizer manufacturer, dealer, or agent holding stocks of chemical fertilizer containing chemical nitrogen in bags of not less than eighty (80) pounds on September 12, 1942, or having stocks of fertilizer bags of not less than eighty (80) pounds capacity on September 12, 1942, shall have the right to deliver chemical fertilizer containing chemical nitrogen in packages of not less than eighty (80) pounds until such time as his existing stock of chemical fertilizer in bags of not less than eighty (80) pounds, and of fertilizer bags of not less than eighty (80) pounds capacity, is exhausted.

(iii) No fertilizer manufacturer shall deliver to any consumer any superphosphate which carries less than 18% available phosphoric acid except as specifically designated on Schedule I hereof.

(3) No person shall accept delivery of any chemical fertilizer which he knows or has reason to believe is delivered in violation of this order.

(c) *Exemptions.* (1) The restrictions provided for in paragraph (b) (1) hereof, shall not apply to:

(i) Deliveries by dealers or agents of stocks of unapproved grades of chemical fertilizer in their hands on September 12, 1942, or to the use by any person of any chemical fertilizer delivered pursuant to this paragraph (s) (1) (i) or to the use by any person of any chemical fertilizer on hand on September 12, 1942.

(ii) Deliveries by any person of any chemical fertilizer to a fertilizer manufacturer for use in the manufacture of chemical fertilizer.

(iii) Deliveries of any chemical fertilizer containing nitrogen where the entire nitrogen content thereof consists of organic nitrogen, or to the use by any person of any chemical fertilizer delivered pursuant to this paragraph (c) (1) (iii).

(iv) Deliveries by any fertilizer manufacturer of stocks of unapproved grades of chemical fertilizer held on September 12, 1942, in any warehouse located fifty miles or more from his nearest fertilizer plant, or to the use by any person of any chemical fertilizer delivered pursuant to this paragraph (c) (1) (iv); *Provided, however,* That no fertilizer manufacturer shall make any delivery under this paragraph (c) (1) (iv) unless such manufacturer filed with the War Production Board on or before December 31, 1942, the certificate required by section (c) (1) (iv) of War Production Board Order M-231.[1]

(2) The restrictions provided for in paragraphs (b) (1), (b) (2), and (f) (3) hereof, shall not apply to:

(i) Deliveries by fertilizer manufacturers, dealers, or agents of any chemical fertilizer in their hands, and packaged in packages containing less than eighty (80) pounds, on September 12, 1942, or to the use by any person of any chemical fertilizer delivered pursuant to this paragraph (c) (2) (i).

(ii) Deliveries by fertilizer manufacturers, dealers, or agents of any chemical fertilizer in pressed tablet form in their hands, or manufactured from raw materials in their hands, on September 12, 1942, or to the use by any person of any chemical fertilizer delivered pursuant to this paragraph (c) (2) (ii).

(iii) Deliveries by fertilizer manufacturers, dealers, or agents of any chemical fertilizer prepared exclusively for use in hydroponics, either in the form of a completely soluble powder or in the form of a liquid, in their hands, or manufactured from raw materials in their hands on September 12, 1942, or to the use by any person of any chemical fertilizer delivered pursuant to this paragraph (c) (2) (iii).

[1] 7 F.R. 7234, 7530, 9420, 10135; 8 F.R. 96.

(iv) Deliveries by fertilizer manufacturers, dealers, or agents of any chemical fertilizer for use in establishing and maintaining grass and other vegetation at Air Force Stations of the United States Army, Navy, Marine Corps, and Coast Guard, and at other military installations for establishing and maintaining grass and other vegetation where such is essential for training activities, operations, or health, or to the use by any person of any chemical fertilizer delivered pursuant to this paragraph (c) (2) (iv).

(3) The restrictions provided for in this order shall not apply to deliveries of chemical fertilizer for experimental purposes to educational institutions or publicly owned agricultural institutions, or to the use of chemical fertilizer by such institutions for such purposes.

(d) *Directions.* (1) Each fertilizer manufacturer shall comply with such directions as may be issued from time to time by the Director with respect to the quantities, grades, and kinds of mixed fertilizer to be manufactured and with respect to the use or delivery of any fertilizer materials including nitrogen-bearing materials.

(2) Each fertilizer manufacturer, dealer, and agent shall comply with such directions as may be issued from time to time by the Director with respect to the delivery and use of chemical fertilizers.

(e) *Substitution of grades.* (1) Set forth in Schedule II attached hereto is a list of the grades (stated on a nitrogen content basis or on a crop basis) of chemical fertilizer used in each of the states designated on such schedule during the 1940–1941 season (July 1, 1940–June 30, 1941) and a list of the approved grades for each of such states for the 1942–1943 season (July 1, 1942–June 30, 1943). The 1940–1941 grades and the 1942–1943 grades are listed in groups—each group being identified by a group number. The grades listed in a particular 1942–1943 group are the grades approved for substitution during 1942–1943 for the grades of the 1940–1941 group bearing the corresponding group number. Where a grade in one of the 1940–1941 groups was used on a particular crop during the 1940–1941 season, no grade other than a grade appearing in the corresponding 1942–1943 group shall be used on such crop during the 1942–1943 season, except as otherwise provided in this paragraph (e) (1). For example, where a person used a grade carrying 2% nitrogen on a particular crop in Connecticut during the 1940–1941 season, he shall not use any grade other than a 0–14–14, 0–20–20 or a 0–9–27 grade on such crop during the 1942–1943 season. Notwithstanding any other provision of this paragraph (e) (1) or of paragraph (e) (2), grades containing four or less percent nitrogen manufactured, delivered and used in 1940–1941 on crops described as vegetable crops in Schedule III may be replaced by approved grades containing the same percentage of nitrogen as the grade replaced. This paragraph (e) (1) shall not prevent the delivery and use in the 1942–1943 season, at the election of the user, of a grade having a nitrogen content lower than that authorized for use in such 1942–1943 season. In the event that information covering use in the 1940–1941 season is not available, use in the 1942–1943 season may be based on grades used in 1941–1942.

(2) Except as otherwise permitted in paragraph (e) (1) hereof, each fertilizer manufacturer shall, during the 1942–1943 season, manufacture or mix and make available for distribution during the 1942–1943 season in each state supplied by him during the 1940–1941 season, tonnages of each group of the 1942–1943 approved grades containing chemical nitrogen in the same ratio which the tonnages of each group of the 1940–1941 grades containing chemical nitrogen delivered during the 1940–1941 season in the state involved bore to each other. For example, if the amount of chemical fertilizer with a nitrogen content of 5% supplied by a manufacturer for distribution in the State of Tennessee during the 1940–1941 season represented 25% of the total amount of chemical fertilizer containing chemical nitrogen supplied by him in Tennessee during that season, then such fertilizer manufacturer shall manufacture or mix and make available for distribution in Tennessee during the 1942–1943 season such amounts of grades 4–8–8, 4–10–4 and 4–12–4 as shall equal 25% of the amount of all chemical fertilizer containing chemical nitrogen produced by him for distribution in Tennessee during the 1942–1943 season.

(f) *Additional restrictions.* On and after January 18, 1943:

(1) No fertilizer manufacturer, dealer, or agent shall deliver any chemical fertilizer containing chemical nitrogen for use on melon or cucumber crops except where grown specifically for seed production, or in the case of cucumbers where grown for processing, and no person, including fertilizer manufacturers, dealers, or agents, shall use any chemical fertilizer containing chemical nitrogen for any purpose restricted by this paragraph (f) (1).

(2) No fertilizer manufacturer, dealer or agent shall deliver any mixed chemical fertilizer containing chemical nitrogen for use prior to July 1, 1943, on spring-sown small grains to be harvested for grains, and no person, including fertilizer manufacturers, dealers and agents, shall use any mixed chemical fertilizer containing chemical nitrogen for such purpose.

(3) No fertilizer manufacturer, dealer or agent shall deliver any chemical fertilizer containing chemical nitrogen for use on victory gardens other than the grade of 3–8–7. Such 3–8–7 grade shall be labeled "Victory Garden Fertilizer—For Food Production Only", and no person including fertilizer manufacturers, dealers and agents, shall use any chemical fertilizer containing chemical nitrogen other than a grade so labeled, for such purpose. Notwithstanding any provision in this order to the contrary, victory garden fertilizer may be packaged in packages of 5, 10, 25, 50, and 100 pounds net weight and may be used on victory gardens regardless of the crops raised thereon. The term "victory garden" for the purposes of this paragraph (f) (3) means any garden planted primarily for the non-commercial production of vegetables and small fruits. Nothing in this paragraph shall prohibit any person who purchases chemical fertilizer pursuant to this order for use other than on his victory garden from obtaining and using on his victory garden chemical fertilizer of the grade or grades so purchased.

(g) *Restriction on the use of organic nitrogen.* On and after January 18, 1943, no person shall deliver any mixed fertilizer, the nitrogen content of which consists entirely of organic nitrogen, unless the nitrogen content thereof is at least three percent and the total nitrogen available phosphoric acid and water-soluble potash content thereof is at least fourteen percent: *Provided, however,* That the restriction provided for in this paragraph (g) shall not apply to deliveries by any person of any mixed fertilizer on hand on September 12, 1942.

(h) *Distribution and delivery.* (1) Each fertilizer manufacturer, dealer, and agent shall during the 1942–1943 season make chemical fertilizer containing chemical nitrogen available according to crop requirements in each geographical locality in which such manufacturer, dealer, and agent made chemical fertilizer containing chemical nitrogen available for use in the 1941–1942 season, unless such manufacturer, dealer or agent has adequate proof that the crop requirements for chemical fertilizer containing chemical nitrogen in any such locality are being adequately served by other manufacturers, dealers, or agents.

(2) No fertilizer manufacturer, dealer, or agent shall deliver chemical fertilizer containing chemical nitrogen to any person in excess of such person's requirements, as provided for in paragraph (i) and no person including fertilizer manufacturers, dealers, and agents, shall use any chemical fertilizer containing chemical nitrogen in excess of his requirements as provided for in paragraph (i).

(3) In making deliveries of chemical fertilizer containing chemical nitrogen, fertilizer manufacturers, dealers, and agents shall fill orders for such fertilizer for use on Group A crops before filling orders for such fertilizer for use on Group B crops requiring such fertilizer at the same time or at a later time.

(4) Prior to May 1, 1943, no fertilizer manufacturer, dealer, or agent shall deliver for use, and no person shall accept for use, on field corn or cotton of varieties normally stapling less than one and one-eighth inches, chemical nitrogen as straight material in excess of 75 percent of such person's requirement as provided for in paragraph (i).

(5) Prior to April 1, 1943, no fertilizer manufacturer, dealer, or agent shall deliver for use, and no person shall accept for use, on field corn in Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin, mixed chemical fertilizer containing chemical nitrogen in excess of 50 percent of such person's requirement as provided for in paragraph (i).

(6) In accepting orders for, or making deliveries of, chemical nitrogen as straight material no fertilizer manufacturer, dealer, or agent shall discriminate against persons who order such chemical nitrogen for home mixing: *Provided,* That the amount of such chemical nitrogen as straight material delivered to any person for home mixing shall not exceed the amount of chemical nitrogen which such person would be eligible to purchase in mixed fertilizer pursuant to the provisions of this order.

(i) *Requirements.*—(1) *Group A crops.* (i) The requirement of any person for chemical fertilizer containing chemical nitrogen for use on any Group A crop, other than cotton, soybeans and peanuts, shall be the acreage of the crop to be grown by such person multiplied either by the rate of application per acre recommended by the State Agricultural Experiment Station or by the average rate of application per acre previously used by such person or previously used on the farm for which fertilizer is being requested or by the rate of application per acre customarily used in the area, but in no case to exceed the rate of application per acre recommended by the State Agricultural Experiment Station for the approved grade (straight or mixed) to be used on such crop.

(ii) The requirement of any person for chemical fertilizer containing chemical nitrogen for use on Group A cotton shall be the acreage of such Group A cotton to be grown by such person multiplied by either the average rate of application per acre previously used by such person or previously used on the farm for which fertilizer is being requested: *Provided,* That such rate of application per acre shall not exceed the rate of application per acre recommended by the State Agricultural Experiment Station for the approved grade (straight or mixed) to be used on such crop.

(iii) The requirement of any person for chemical fertilizer containing chemical nitrogen for use on peanuts or soybeans shall be the acreage of the crop to be grown by such person multiplied by the rate of application per acre recommended by the State Agricultural Experiment Station for the approved grade to be used on such crop except that if the State Agricultural Experiment Station has not recommended the use of chemical fertilizer containing chemical nitrogen on peanuts or soybeans the rate of application per acre used in determining the requirement of such person shall not exceed the rate of application per acre previously used by such person on such crop.

(2) *Group B crops.* The requirement of any person for chemical fertilizer containing chemical nitrogen for use on any Group B crop shall be the acreage of the crop to be grown for which fertilizer is requested by such person, multiplied by the rate of application per acre used by such person or used on the farm for which fertilizer is being requested, in either the 1940–1941 or 1941–1942 seasons: *Provided, however,* That if information as to neither of such rates of application per acre is available, then the rate of application per acre shall be the same as that being used to determine the requirements for persons operating comparable farms in the same area growing the same crop: *Provided, further,* That in no case shall the rate of application per acre exceed the rate of application per acre recommended by the State Agricultural Experiment Station for the approved grade to be used on such Group B crop. No fertilizer manufacturer, dealer, or agent shall deliver and no person shall accept chemical fertilizer containing chemical nitrogen for use on any Group B crop during the 1942–1943 season unless chemical fertilizer containing chemical nitrogen was used, in the 1940–1941 or 1941–1942 seasons, on any Group B crop by such person or on any Group B crop on the farm for which such fertilizer is being requested.

(3) "Rate of application per acre" as used in this order means the pounds of chemical fertilizer applied per acre.

(j) *Records.* (1) No manufacturer, dealer or agent shall, in the year ending June 30, 1943, deliver to any person other than a manufacturer, dealer or agent chemical fertilizer (except victory garden fertilizer 3–8–7 and any grade of fertilizer the nitrogen content of which consists entirely of organic nitrogen), unless prior to such delivery, he shall have received from the person to whom delivery is to be made for use (hereinafter referred to as the applicant) a written statement containing the following information:

(i) The quantity of fertilizer used during the season July 1, 1940 to June 30, 1941 (or during the season July 1, 1941 to June 30, 1942, if information for the prior season is not available), by quantity, grade or material, crops and acreage of crops fertilized.

(ii) That the applicant is or is not farming the same land in the 1942–1943 season as in the season for which information is given in response to paragraph (j) (1) (i).

(iii) The total fertilizer requirements for the season which began July 1, 1942, by crops, acreage of crops, grades of mixed fertilizer or materials and quantity required.

(iv) The fertilizer, if any, which has been ordered from any other supplier, but which has not been delivered.

(v) The fertilizer which the applicant has used since July 1, 1942, to take care of the above requirements, and also the fertilizer which he has on hand.

(vi) Signature and address of applicant, date of signing statement and the name of the dealer, agent or manufacturer to whom the statement is given.

(2) Each manufacturer shall provide a sufficient quantity of the form of statement provided for by paragraph (j) (1) for his own use and the use of his agents and dealers, such statements to be signed in duplicate, one of the copies to be given to the applicant for his files, and the other to be retained by the manufacturer or his dealer or agent.

(3) No manufacturer, dealer or agent shall use on his own crops any chemical fertilizer (except victory garden fertilizer 3–8–7 and any grade of fertilizer the nitrogen content of which consists entirely of organic nitrogen), unless he has executed the form of statement provided for in paragraph (j) (1).

(4) Each manufacturer, dealer or agent who on or after January 18, 1943, delivers any chemical fertilizer to any person other than a manufacturer, dealer or agent (or uses any chemical fertilizer on his own crops) shall keep a record of each such delivery, showing the person to whom delivery is made, the date of delivery, and the quantity of fertilizer materials or grade of mixed fertilizer (and a similar record of use on his own crops), and each such manufacturer, dealer or agent shall retain for not less than two years records of such delivery (or own use) and all statements received by him pursuant to paragraph (j) (1) hereof.

(5) Each person affected by this order shall furnish such additional information in such form and at such times as may be requested by the Director.

(k) *State regulations.* Nothing contained in this order shall be construed to permit the delivery or use of any grade of chemical fertilizer in any State where the use or delivery of such grade in such State is specifically prohibited by such State.

(l) *Notification of customers.* Manufacturers, dealers and agents shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but failure to give such notice shall not excuse any person from complying with the terms hereof.

(m) (1) *Audits and inspections.* Each fertilizer manufacturer, dealer, or agent to whom this order applies shall, upon request, submit his books, records, and accounts for audit and inspection by duly authorized representatives of the Department of Agriculture.

(2) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, or who conspires with another to perform any of such acts, is guilty of a crime and upon conviction may be punished by fine and imprisonment. In addition, any such person may by administrative suspension order be prohibited from receiving any deliveries of or selling or otherwise disposing of or using any chemical fertilizer or any other material now or hereafter authorized to be rationed or allocated by, or subject to the priority control of, the Secretary of Agriculture, and may be deprived of any priority assistance. Further, the Director of Food Production may recommend to the Office of Price Administration or to the War Production Board that any person who violates any provision of this order or any amendment or supplement thereto be denied the right to receive, use, sell or otherwise dispose of any other

materials which now are or in the future may be under allocation.

(n) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth in such petition all pertinent facts and information. The Director may, upon the basis of such application and other information, take such action as he deems appropriate. The decision of the Director shall be in writing and shall be final and conclusive.

(o) *Delegation of authority.* The administration of this Food Production Order No. 5 and the powers conferred upon the Secretary of Agriculture by Executive Order No. 9280, insofar as such powers relate to the administration of this order, are hereby delegated to the Director or in his absence to the Acting Director. The Director of Food Production shall be assisted in the administration of this order by such employees of the Department of Agriculture as he may designate, and such employees are hereby authorized to administer the provisions of this order.

(p) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued, be addressed to the United States Department of Agriculture, Food Production Administration, Washington, D. C., Ref. FPA 5.

(q) *Effect on War Production Board Order M–231.* On and after January 18, 1943, War Production Board Order M–231 is superseded by this Food Production Order No. 5: *Provided, however,* That War Production Board Order M–231 shall continue to remain in full force and effect for the purpose of allowing or sustaining any suit, action, prosecution, or administrative or other proceeding heretofore or hereafter commenced with respect to any violation committed or right or liability incurred prior to January 18, 1943, under or pursuant to the terms of War Production Board Order M–231.

(r) This order shall become effective 12:01 a. m., e. w. t., January 18, 1943.

(E.O. 9280, 7 F.R. 10179)

Done at Washington, D. C. this 18th day of January 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

SCHEDULE I

Alabama: 0-14-10; 4-10-4; [1] 4-12-4, 4-10-7.

All grades listed below under the heading, "Grades applicable to all states"

[1] For commercial floricultural use only.

Arizona: 4-8-0 (manure base only); 4-16-0; 4-19-5; 4-12-4; 5-10-3; 5-15-0; 6-12-0; 6-18-0; 8-12-0; 8-16-0; 8-32-0; 10-10-0; 10-20-0; 10-38-0; 14-6-0.

All grades listed below under the heading, "Grades applicable to all states."

Arkansas: 0-14-7; 0-10-20; 3-12-6; 3-12-12; 3-9-18; 4-12-4, 4-10-7, 4-8-12.

All grades listed below under the heading, "Grades applicable to all states."

California: 0-10-12; 2-10-8; 3-12-5; 4-6-8; 4-10-10; 4-12-4; 4-18-18; 5-10-3; 5-12-5; 5-14-9; 5-5-20; 6-10-4; 6-9-6; 6-12-8; 8-8-4; 8-6-8; 8-0-12; 8-10-12; 8-24-8; 10-10-5; 10-5-10; 10-12-10; 10-10-0; 10-5-5; 10-16-8; 10-20-0; 12-0-14; 12-6-0; 14-0-8; 17-7-0; 18½-0-0

All grades listed below under the heading, "Grades applicable to all states."

Connecticut: 0-14-14; 0-9-27; 0-20-20; 3-10-10; 3-12-6; 3-12-15; 4-9-7; 4-12-4; 4-10-10; 4-16-20; [1] 5-3-5; 5-20-10; [1] 6-3-6; 6-15-15.

All grades listed below under the heading "Grades applicable to all states."

[1] For tobacco only.

Delaware: 0-14-7; 0-12-12; 0-16-8; 0-14-14; 0-20-20; 0-24-12; 2-8-10; 2-12-6; 2-12-12; 3-8-12; 3-12-6; 3-9-15; 3-18-9; 3-12-15; 4-12-4; 4-8-12; 4-12-8; 4-16-8; 4-16-20; 4-24-12, [1] 6-10-5; 7-21-7; [2] 10-0-10; [3] 10-6-4.

All grades listed below under the heading, "Grades applicable to all states."

[1] For vegetables and potatoes only

[2] For side and top-dressing fruits and vegetables only.

Florida: 0-16-0 plus Mn; 0-14-5, 0-8-12; 0-10-10; 0-14-10; 0-12-16; 0-8-24; 2-8-6; 2-10-4; 2-8-10; 3-8-5; 3-6-10; 3-8-8; 4-4-8; 4-5-7; 4-7-5; 4-8-4; 4-9-3; 4-6-8; 4-8-6; 4-8-8; 4-12-4; 4-10-7; 4-12-6; 5-7-5; 5-5-8; 5-6-10; 5-8-8; 6-4-8; 6-6-6; 8-0-8; 8-0-12; 12-0-10.

All grades listed below under the heading, "Grades applicable to all states"

Georgia 0-14-10; 2-12-6; 3-8-5; 3-9-6; 3-9-9; 3-12-6; [1] 4-2-10; 4-8-4; [2] 4-9-3; 4-8-6; 4-8-8; 4-12-4; [3] 10-0-10.

All grades listed below under the heading "Grades applicable to all states."

[1] For shade tobacco only.

[2] For tobacco plant beds only.

[3] For side-dressing only.

Idaho 0-12-20; 3-10-10; 3-10-20, 4-12-4; 4-24-0; 4-24-4, 5-6-8; 6-30-0; 9-4-6; 17-4-4; 17-12-0.

All grades listed below under the heading "Grades applicable to all states."

Illinois: 0-14-7; 0-12-12; 0-16-8; 0-14-14; 0-20-10; 0-9-27; 0-20-20; 0-12-36; 2-12-6; 2-16-8; 3-12-12; 3-9-18; 3-18-9; 4-10-6 4-12-4; 4-24-12; [1] 10-6-4.

All grades listed below under the heading "Grades applicable to all states."

[1] For side or top-dressing vegetables only.

Indiana: 0-14-7; 0-12-12; 0-16-8; 0-14-14; 0-10-20; 0-20-10; 0-9-27; 0-12-24; 0-20-20; 0-12-36; 2-12-6; 2-8-16; 2-16-8; 3-12-12; 3-9-18; 3-18-9; 4-10-6 4-12-4; 4-24-12; [1] 10-6-4.

All grades listed below under the heading "Grades applicable to all states."

[1] For side or top-dressing vegetables only.

Iowa: 0-14-7; 0-12-12; 0-16-8; 0-14-14; 0-20-10; 0-9-27; 0-20-20; 0-12-36, 2-12-6; 3-12-12; 3-9-18; 3-18-9; 4-10-6; 4-12-4 4-16-4; 4-24-12; [1] 10-6-4

All grades listed below under the heading, "Grades applicable to all states."

[1] For side or top-dressing vegetables only.

Kentucky: 0-14-7; 0-12-12; 0-16-8; 0-14-14; 0-20-10; 0-20-20; 2-12-6; 3-9-6, 3-12-3; 3-12-12; 3-9-18; 3-18-9; 4-8-8; 4-10-6; 4-12-4; 4-12-8; 4-16-4; 5-10-10.

All grades listed below under the heading, "Grades applicable to all states."

Louisiana: 0-14-7; 0-14-14; [1] 3-15-0, 3-12-6; 3-12-9; 3-12-12; 4-12-4; 4-10-7; 4-8-12; [2] 9-9-0.

All grades listed below under the heading, "Grades applicable to all states."

[1] For rice only.

[2] For sugarcane only.

Maine: 0-14-14; 0-20-20; 3-10-10; 3-12-6; 3-12-15; 4-9-7; 4-12-4; 4-8-12; 4-10-10; 4-16-20; 5-20-10; 6-9-15; 6-12-18; 6-15-15.

All grades listed below under the heading, "Grades applicable to all states."

Maryland and District of Columbia: 0-14-7; 0-12-12; 0-16-8; 0-14-14; 0-24-12; 0-20-20; 2-8-10; 2-12-6; 2-12-12; 3-8-12; 3-12-6; 3-9-15; 3-12-15; 4-9-7; 4-12-4; 4-10-10; 4-16-8; 4-16-20; 4-24-12; 4-12-4; [1] 5-10-5, [2] 6-6-8; 7-21-7; [3] 10-0-10; [3] 10-6-4.

All grades listed below under the heading, "Grades applicable to all states."

[1] For vegetables and potatoes only.

[2] For side-dressing only.

[3] For side or top-dressing fruits and vegetables only.

[4] For tobacco plant beds only.

Massachusetts: 0-14-14; 0-9-27; 0-20-20; 3-10-10; 3-12-6; 3-12-15; 4-9-7; 4-12-4; 4-10-10; 4-16-20; [1] 5-3-5; 5-20-10; [2] 6-3-6; 6-15-15

All grades listed below under the heading, "Grades applicable to all states."

[1] For tobacco only

Michigan: 0-14-7; 0-12-12; 0-16-8; 0-14-14 0-10-20; 0-20-10; 0-9-27; 0-12-24; 0-20-20; 0-12-36; 2-12-6; 2-8-16; 2-16-8; 3-12-12; 3-9-18; 3-18-9; 4-10-6; 4-12-4; 4-16-4; 4-24-12, [1] 10-6-4.

All grades listed below under the heading "Grades applicable to all states."

[1] For side or top-dressing vegetables only.

Minnesota: 0-14-7; 0-12-12; 0-16-8; 0-14-14; 0-10-20; 0-20-10; 0-9-27; 0-12-24; 0-20-20; 0-12-36; 2-12-6; 2-16-8; 3-12-12; 3-9-18; 3-18-9; 4-10-6; 4-12-4; 4-24-12; 8-16-12, 10-6-4

All grades listed below under the heading, "Grades applicable to all states."

[1] For side or top-dressing vegetables only.

Mississippi: 0-14-7; 4-8-4; 4-8-8.

All grades listed below under the heading, "Grades applicable to all states."

Missouri: 0-14-7; 0-12-12; 0-16-8; 0-14-14, 0-10-20; 0-20-10; 0-12-24; 0-20-20; 2-12-6, 3-12-12; 3-9-18; 3-18-9; 4-10-6; 4-12-4, 4-16-4; 4-24-12; [1] 10-6-4.

All grades listed below under the heading, "Grades applicable to all states."

[1] For side or top-dressing vegetables only.

New Hampshire: 0-14-14; 0-9-27; 0-20-20; 3-10-10; 3-12-6; 3-12-15; 4-9-7; 4-12-4, 4-10-10; 4-16-20; [1] 5-3-5, 5-20-10; [2] 6-3-6; 6-15-15.

All grades listed below under the heading "Grades applicable to all states."

[1] For tobacco only.

New Jersey: 0-14-7; 0-12-12; 0-16-8; 0-14-14; 0-24-12; 0-20-20; 2-8-10, 2-12-6; 3-12-6, 3-12-15; 3-18-9; 4-12-4; 4-10-5; 4-8-12; 4-10-10; 4-12-8; 4-16-8.

All grades listed below under the heading, "Grades applicable to all states."

New York: 0-14-7; 0-12-12; 0-16-3; 0-14-14, 0-24-12; 0-20-20; [1] 2-8-10; 3-12-6; 3-12-15, 4-10-5; 4-12-4; 4-8-12; 4-10-10; 4-16-4, 4-16-8

All grades listed below under the heading, "Grades applicable to all states."

[1] For vegetables only, primarily muck soils

North Carolina: 0-10-10 (basic); 0-14-7, 2-8-10 (basic); 2-10-6; 2-12-6; 3-8-5, 3-8-6, 3-9-9; 3-12-6; 4-8-4; [1] 4-9-3; 4-8-6; 4-8-8, 4-10-6; 4-12-4; 4-12-8; [2] 5-7-5; [3] 5-5-20, [1] 10-0-10.

All grades listed below under the heading, "Grades applicable to all states."

[1] For tobacco plant beds only.

[2] For side dressing only

[3] For side dressing tobacco only.

[4] For vegetables and potatoes only.

Ohio: 0-14-7; 0-12-12; 0-16-8; 0-14-14, 0-10-20; 0-20-10; 0-9-27; 0-12-24; 0-20-20; 0-12-36; 2-12-6; 3-12-12; 3-9-18; 3-18-9, 4-8-8; 4-10-6; 4-12-4; 4-16-4; 4-24-12; 5-10-10; [1] 10-6-4.

All grades listed below under the heading, "Grades applicable to all States."

[1] For side or top-dressing vegetables only

Oklahoma: 0-14-7; 3-12-6; 3-12-9; 4-10-7, 4-12-4.

All grades listed below under the heading, "Grades applicable to all states."

Oregon: 0-12-20; 3-10-10; 3-10-20; 4-12-4; 4-24-0; 4-24-4; 5-6-8; 6-30-0; 9-4-6; 17-4-4; 17-12-0.

All grades listed below under the heading, "Grades applicable to all states."

Pennsylvania: 0-14-7; 0-12-12; 0-16-8; 0-14-14; 0-24-12; 0-20-20; 2-8-10; 2-12-6; 3-8-12; 3-12-6; 3-12-15; 3-18-9; 4-10-5; 4-12-4; 4-8-12; 4-10-10; 4-16-4; 4-16-8; 4-12-8; 4-12-12; 4-16-8; 4-16-20; 4-24-12; 6-15-15; 7-21-7; [1] 10-6-4.

All grades listed below under the heading, "Grades applicable to all states."

[1] For side or top-dressing fruits and vegetables only.

Rhode Island: 0-9-27; 0-14-14; 0-20-20; 3-10-10; 3-12-6; 3-12-15; 4-9-7; 4-12-4; 4-10-10; 4-16-20; 5-20-10; 6-15-15.

All grades listed below under the heading, "Grades applicable to all states."

South Carolina: 0-14-7; 0-12-12; 2-12-6; 3-8-5, 3-9-6; 3-9-9; 3-12-6; [1] 4-9-3; 4-8-4; 4-8-6; 4-8-8; 4-12-4; 4-12-8; [2] 5-7-5.

All grades listed below under the heading, "Grades applicable to all states."

[1] For tobacco plant beds only.

[2] For vegetables and potatoes only.

Tennessee: 0-14-7; 0-12-12; 2-8-10; 2-12-6; 3-9-6; 4-10-4; 4-8-8; 4-12-4; [1] 5-10-5.

All grades listed below under the heading, "Grades applicable to all states."

[1] For vegetables only.

Texas: 0-14-7; 3-15-0; 3-12-6; 4-12-4; 4-10-7, 4-8-12; [1] 10-10-0; [1] 10-20-0.

All grades listed below under the heading, "Grades applicable to all states."

[1] For vegetables and fruits in the Rio Grande Valley only

Vermont: 0-14-14; 0-20-20; 3-10-10; 3-12-6; 3-12-15; 4-9-7; 4-12-4; 4-10-10; 4-16-20; 5-3-5; 5-20-10; [1] 6-3-6; 6-15-15.

All grades listed below under the heading, "Grades applicable to all states."

For tobacco only.

Virginia: 0-14-7; 0-12-12; 0-16-8; 0-14-14; 0-24-12; 0-20-20; 2-8-10; 2-12-6; 2-12-12; 3-8-5, 3-9-6; 3-12-6; 3-9-15; 3-12-15; 3-18-9; 4-8-4 [1] 4-9-3; 4-8-6; 4-12-4; 4-8-12; 4-12-8; 4-16-4, 4-16-8; [2] 5-10-5; [3] 10-0-10; [2] 10-6-4.

All grades listed below under the heading, "Grades applicable to all states."

[1] For tobacco plant beds only.

[2] For vegetables and potatoes only.

[3] For side or top-dressing fruits and vegetables only.

West Virginia: 0-14-7; 0-16-8; 0-24-12; 2-12-6, 3-18-9; 4-12-4; 4-12-8; [1] 10-6-4.

All grades listed below under the heading, "Grades applicable to all states."

[1] For side or top-dressing fruits and vegetables only.

Wisconsin: 0-14-7; 0-12-12; 0-16-8; 0-14-14; 0-20-10; 0-9-27; 0-20-20; 0-12-36; 2-12-6; 3-12-12; 3-9-18; 3-18-9; 4-10-6; 4-12-4; 4-24-12; [1] 10-6-4.

All grades listed below under the heading, "Grades applicable to all states."

For side or top-dressing vegetables only.

Grades Applicable to All States

Nitrate of soda	16-0-0
Nitrate of soda-potash	14-0-14
Sulphate of ammonia	20 (or higher)-0-0
Cyanamid	20 (or higher)-0-0
Uramon	42-0-0
Ammonium phosphate	11-48-0
	16-20-0

Grades Applicable to All States—Con.

Superphosphate	0-18 (or higher)-0
Muriate of potash	0-0-50 (or higher)
Sulphate of potash	0-0-48 (or higher)
Manure salts	0-0-22 (or higher)
Sulphate of potash-magnesia	0-0-18 (or higher)
Basic slag	Any grade
Ground phosphate rock	Any grade
Colloidal phosphate	Any grade
Cotton hull ash	Any grade
Wood ash	Any grade
Victory garden fertilizer	3-8-7

SCHEDULE II

ALABAMA

Group	1940-41 grades	1942-43 approved grades	Group
(1)	Those with no N to be replaced by	0-14-10	(1)
(2)	Those with 3%, 4%, and 6% N to be replaced by	4-10-4 4-10-7 4-12-4	(2)

ARKANSAS

(1)	Those with 2% or less N to be replaced by	0-14-7 (0-10-20)	(1)
(2)	Those with 3% and 4% N to be replaced by	3-9-18 3-12-6 3-12-12	(2)
(3)	Those with 5% or more N to be replaced by	4-10-7 4-12-4 4-8-12	(3)

CONNECTICUT

(1)	Those with 2% or less N to be replaced by	(0-14-14 (0-20-20 0-9-27	(1)
(2)	Those with 3% and 4% N to be replaced by	3-10-10 3-12-6 3-12-15	(2)
(3)	Those with 5% or more N to be replaced by	4-9-7 4-12-4 4-10-10 5-3-5 6-3-6	(3)
(4)	Multiple-strength grades	4-16-20 5-20-10 6-15-15	(4)

DELAWARE

(1)	All grades used on small grains and those with less than 2% N used on other crops to be replaced by.	0-12-12 (0-14-7 0-14-14 0-16-8 0-20-20 0-24-12	(1)
	For grades used on crops other than small grains:		
(2)	Those with 2% N to be replaced by.	2-8-10 2-12-6 2-12-12	(2)
(3)	Those with 3% and 4% N to be replaced by.	3-8-12 3-9-15 3-12-6	(3)
(4)	Those with 5% N to be replaced by.	4-8-12 4-12-4 4-12-8	(4)
(5)	Those with 6% or more N to be replaced by.	5-10-5 10-0-10 10-6-4	(5)
(6)	Multiple-strength grades.	3-12-15 3-18-9 4-16-8 4-16-20 4-24-12 7-21-7	(6)

GEORGIA

(1)	Those with less than 2% N to be replaced by	0-14-10	(1)
(2)	Those with 2% N to be replaced by	2-12-6	(2)
(3)	Those with 3% N to be replaced by	2-12-6 or [1] 3-8-5 [1] 3-9-6 [1] 3-9-9 [1] 3-12-6	(3)

[1] Which must carry at least one unit of organic nitrogen.

GEORGIA—Continued

Group	1940-41 grades	1942-43 approved grades	Group
(4)	Those with 4% N to be replaced by	3-9-6 3-9-9 3-12-6 4-2-10 4-9-3	(4)
(5)	Those with 5% or more N to be replaced by	4-8-4 4-8-6 4-8-8 4-12-4 10-0-10	(5)

ILLINOIS

(1)	All grades used on small grains and those with less than 2% N used on other crops to be replaced by.	0-12-12 (0-12-36 0-9-27 (0-16-8 (0-14-7 (0-14-14 0-20-10 (0-20-20	(1)
	For grades used on crops other than small grains:		
(2)	Those with 2% N to be replaced by.	2-12-6 2-16-8	(2)
(3)	Those with 3% N to be replaced by.	3-9-18 3-12-12	(3)
(4)	Those with 4% or more N to be replaced by.	4-10-6 4-12-4 10-6-4	(4)
(5)	Multiple-strength grades.	3-18-9 4-24-12	(5)

INDIANA

(1)	All grades used on small grains and those with less than 2% N used on other crops to be replaced by.	0-9-27 (0-10-20 (0-12-12 0-14-7 (0-12-36 (0-12-24 0-16-8 (0-14-14 (0-20-10 0-20-20	(1)
	For grades used on crops other than small grains:		
(2)	Those with 2% N to be replaced by.	2-8-16 2-12-6 2-16-8	(2)
(3)	Those with 3% N to be replaced by.	3-9-18 3-12-12	(3)
(4)	Those with 4% or more N to be replaced by.	4-10-6 4-12-4 10-6-4	(4)
(5)	Multiple-strength grades.	3-18-9 4-24-12	(5)

IOWA

(1)	All grades used on small grains and those with less than 2% N used on other crops to be replaced by.	0-9-27 0-12-12 0-14-7 0-12-36 0-14-14 0-16-8 0-20-20 0-20-10	(1)
	For grades used on crops other than small grains:		
(2)	Those with 2% N to be replaced by.	2-12-6	(2)
(3)	Those with 3% N to be replaced by.	3-9-18 3-12-12	(3)
(4)	Those with 4% or more N to be replaced by.	4-10-6 4-16-4 4-12-4 10-6-4	(4)
(5)	Multiple-strength grades.	3-18-9 4-24-12	(5)

KENTUCKY

(1)	Those with less than 2% N to be replaced by.	0-12-12 0-14-7 0-14-14 0-16-8 0-20-20 0-20-10	(1)
(2)	Those with 2% N to be replaced by.	2-12-6	(2)
(3)	Those with 3% N to be replaced by.	2-12-6 or [1] 3-9-6 [1] 3-9-18 [1] 3-12-3 [1] 3-12-12	(3)

KENTUCKY—Continued

Group	1940-41 grades	1942-43 approved grades	Group
(4)	Those with 4% N to be replaced by.	3-9-6 3-9-18 3-12-3 3-12-12	(4)
(5)	Those with 5% or more N to be replaced by.	4-8-8 4-10-8 4-12-4	(5)
(6)	Multiple-strength grades....	3-18-9 4-12-8 4-16-4 5-10-10	(6)

LOUISIANA

Group	1940-41 grades	1942-43 approved grades	Group
(1)	Those with 2% or less N to be replaced by.	0-14-7 0-14-14	(1)
(2)	Those with 3% and 4% N to be replaced by.	3-12-6 3-12-9 3-12-12	(2)
(3)	Those with 5% or more N to be replaced by.	4-15-0 4-16-7 4-16-12 4-12-4 9-9-0	(3)

MAINE

Group	1940-41 grades	1942-43 approved grades	Group
(1)	Those with 2% or less N to be replaced by.	0-14-14 0-20-20	(1)
(2)	Those with 3% and 4% N to be replaced by.	3-10-10 3-12-6	(2)
(3)	Those with 5% or more N to be replaced by.	3-12-15 4-8-12 4-9-7 4-12-4 4-10-10	(3)
(4)	Multiple-strength grades....	4-16-20 5-20-10 6-9-15 6-12-18 6-15-15	(4)

MARYLAND AND DISTRICT OF COLUMBIA

Group	1940-41 Grades	1942-43 Approved Grades	Group
(1)	All grades used on small grains and those with less than 2% N used on other crops to be replaced by.	0-12-12 0-14-7 0-14-14 0-16-18 0-20-20 0-24-12	(1)
	For grades used on crops other than small grains:		
(2)	Those with 2% N to be replaced by	2-8-10 2-12-6 2-12-12	(2)
(3)	Those with 3% N to be replaced by.	2-8-10 2-12-6 2-12-12 or †3-8-12 †3-9-15 †3-12-6	(3)
(4)	Those with 4% N to be replaced by.	3-8-12 3-9-15 3-12-6	(4)
(5)	Those with 5% N to be replaced by	4-8-12 4-12-4 4-12-8 4-16-4	(5)
(6)	Those with 6% or more to be replaced by.	5-10-5 10-0-10 10-6-4 6-6-8	(6)
(7)	Multiple-strength grades..	3-12-15 3-18-9 4-16-8 4-16-20 4-24-12 7-21-7	(7)

MASSACHUSETTS

Group	1940-41 grades	1942-43 approved grades	Group
(1)	Those with 2% or less N to be replaced by.	0-9-27 0-14-14 0-20-20	(1)
(2)	Those with 3% and 4% N to be replaced by.	3-10-10 3-12-6 3-12-15	(2)
(3)	Those with 5% or more N to be replaced by.	4-9-7 4-10-10 4-12-4 5-3-5 6-3-6	(3)
(4)	Multiple-strength grades....	4-16-20 5-20-10 6-15-15	(4)

MICHIGAN

Group	1940-41 grades	1942-43 approved grades	Group
(1)	All grades used on small grains and those with less than 2% N used on other crops to be replaced by.	0-12-12 0-10-20 0-12-36 0-20-10 0-14-14 0-12-24 0-14-7 0-20-20 0-9-27 0-16-8	(1)
	For grades used on crops other than small grains:		
(2)	Those with 2% N to be replaced by.	2-8-16 2-12-6 2-16-8	(2)
(3)	Those with 3% N to be replaced by.	3-9-18 3-12-12	(3)
(4)	Those with 4% or more N to be replaced by.	4-10-6 4-12-4 4-16-4 10-6-4	(4)
(5)	Multiple-strength grades....	3-18-9 4-24-12	(5)

MINNESOTA

Group	1940-41 grades	1942-43 approved grades	Group
(1)	All grades used on small grains and those with less than 2% N used on other crops, to be replaced by.	0-9-27 (0-10-20) 0-12-12 0-14-7 0-12-36 0-12-24 0-14-14 0-16-8 0-20-20 0-20-10	(1)
	For grades used on crops other than small grains:		
(2)	Those with 2% N to be replaced by.	2-12-6 2-16-8	(2)
(3)	Those with 3% N to be replaced by.	3-9-18 3-12-12	(3)
(4)	Those with 4% or more N to be replaced by.	4-10-6 4-12-4 4-12-4 10-6-4	(4)
(5)	Multiple-strength grades....	3-18-9 4-24-12 8-16-12	(5)

MISSISSIPPI

Group	1940-41 grades	1942-43 approved grades	Group
(1)	Those with no N to be replaced by.	0-14-7	(1)
(2)	Those with 3%, 4%, 6% and 8%N to be replaced by.	4-8-4 4-8-8	(2)

MISSOURI

Group	1940-41 grades	1942-43 approved grades	Group
(1)	All grades used on small grains and those with less than 2% N used on other crops, to be replaced by.	0-12-12 0-10-20 0-14-14 0-14-7 0-16-8 0-20-20 0-12-24 0-20-10	(1)
	For grades used on crops other than small grains:		
(2)	Those with 2% N to be replaced by.	2-12-6	(2)
(3)	Those with 3% N to be replaced by.	3-9-18 3-12-12	(3)
(4)	Those with 4% or more N to be replaced by.	4-10-6 4-16-4 4-12-4 10-6-4	(4)
(5)	Multiple-strength grades....	3-18-9 4-24-12	(5)

NEW HAMPSHIRE

Group	1940-41 grades	1942-43 approved grades	Group
(1)	Those with 2% or less N to be replaced by.	0-9-27 0-14-14 0-20-20	(1)
(2)	Those with 3% and 4% N to be replaced by.	3-10-10 3-12-6 3-12-15	(2)
(3)	Those with 5% or more N to be replaced by.	4-9-7 4-10-10 4-12-4 5-3-5 6-3-6	(3)
(4)	Multiple-strength grades....	4-16-20 5-20-10 6-15-15	(4)

NEW JERSEY

Group	1940-41 grades	1942-43 approved grades	Group
(1)	All grades used on small grains and those with less than 2% N used on other crops, to be replaced by.	0-12-12 0-14-7 0-14-14 0-16-8 0-20-20 0-24-12	(1)
	For grades used on crops other than small grains		
(2)	Those with 2% N to be replaced by.	2-8-10 2-12-6	(2)
(3)	Those with 3% N to be replaced by.	3-12-6	(3)
(4)	Those with 4% or more N to be replaced by.	4-8-12 4-10-5 4-10-10 4-12-4 4-16-4 10-6-4	(4)
(5)	Multiple-strength grades....	3-12-15 3-18-9 4-16-8	(5)

NEW YORK

Group	1940-41 grades	1942-43 approved grades	Group
(1)	All grades used on small grains and those with less than 2% N used on other crops, to be replaced by.	0-12-12 0-14-7 0-14-14 0-16-8 0-20-20 0-24-12	(1)
	For grades used on crops other than small grains		
(2)	Those with 2% N to be replaced by.	2-8-10	(2)
(3)	Those with 3% N to be replaced by.	3-12-6	(3)
(4)	Those with 4% or more N to be replaced by.	4-8-12 4-10-5 4-10-10 4-12-4 4-16-4	(4)
(5)	Multiple-strength grades....	3-12-15 4-16-8	(5)

NORTH CAROLINA

Group	1940-41 grades	1942-43 approved grades	Group
(1)	Those with less than 2% N to be replaced by.	†10-10-10 0-14-7	(1)
(2)	Those with 2% N to be replaced by.	†2-8-10 2-10-6 2-12-6	(2)
(3)	Those with 3% N to be replaced by.	†2-8-10 2-10-6 2-12-6 or †3-8-5 †3-9-6 †3-9-9 †3-12-6	(3)
(4)	Those with 4% N to be replaced by.	3-9-6 3-9-9 3-12-6	(4)
(5)	Those with 5% or more N, except those used on vegetables and potatoes to be replaced by.	4-9-3 4-8-4 4-8-6 4-8-8 4-10-6 4-12-4 4-12-8 10-0-10	(5)
(6)	Those with 5% or more N used on vegetables and potatoes to be replaced by.	5-5-20 5-7-5	(6)

† Which must carry at least one unit of organic nitrogen.
‡ Basic.

OHIO

Group	1940-41 grades	1942-43 approved grades	Group
(1)	All grades used on small grains and those with less than 2% N used on other crops, to be replaced by.	0-12-12 0-14-14 0-20-20 0-10-20 0-12-24 0-9-27 0-12-36 0-14-7 0-16-8 0-20-10	(1)
	For grades used on crops other than small grains:		
(2)	Those with 2% N to be replaced by.	2-12-6	(2)
(3)	Those with 3% N to be replaced by.	3-9-18 3-12-12	(3)
(4)	Those with 4% or more N to be replaced by.	4-8-4 4-8-8 4-12-4 10-6-4	(4)
(5)	Multiple-strength grades	3-18-9 4-24-12 5-10-10	(5)

OKLAHOMA

Group	1940-41 grades	1942-43 approved grades	Group
(1)	Those with 2% or less N to be replaced by.	0-14-7	(1)
(2)	Those with 3% and 4% N to be replaced by.	3-12-6 3-12-9	(2)
(3)	Those with 5% or more N to be replaced by.	4-10-7 4-12-4	(3)

PENNSYLVANIA

Group	1940-41 grades	1942-43 approved grades	Group
(1)	All grades used on small grains and those with less than 2% N used on other crops, to be replaced by.	0-12-12 0-14-7 0-14-14 0-20-20 0-16-8 0-24-12	(1)
	For grades used on crops other than small grains:		
(2)	Those with 2% N to be replaced by.	2-8-10 2-12-6	(2)
(3)	Those with 3% N to be replaced by.	3-8-12 3-12-6	(3)
(4)	Those with 4% or more N to be replaced by.	4-8-12 4-8-16 4-10-5 4-10-10 4-12-4 4-12-8 4-12-12 4-16-4 10-6-4	(4)
(5)	Multiple-strength grades....	3-12-15 3-18-9 4-16-20 4-24-12 4-16-8 6-15-15 7-21-7	(5)

RHODE ISLAND

Group	1940-41 grades	1942-43 approved grades	Group
(1)	Those with 2% or less N to be replaced by.	0-9-27 0-14-14 0-20-20	(1)
(2)	Those with 3% and 4% N to be replaced by	3-10-10 3-12-6 3-12-15	(2)
(3)	Those with 5% N or more to be replaced by.	4-9-7 4-10-10 4-12-4	(3)
(4)	Multiple-strength grades....	4-16-20 5-20-10 6-15-15	(4)

SOUTH CAROLINA

Group	1940-41 grades	1942-43 approved grades	Group
(1)	Those with less than 2% N to be replaced by.	0-12-12 0-14-7	(1)
(2)	Those with 2% N to be replaced by.	2-12-6	(2)
(3)	Those with 3% N to be replaced by.	2-12-6 or †3-9-6	(3)
(4)	Those with 4% N to be replaced by.	3-9-6	(4)
(5)	Those with 5% N to be replaced by.	4-8-8 4-10-4 4-12-4	(5)
(6)	Those with 6% or more N to be replaced by.	5-10-5	(6)

TEXAS

Group	1940-41 grades	1942-43 approved grades	Group
(1)	Those with 2% or less N to be replaced by.	0-14-7	(1)
(2)	Those with 3% and 4% N to be replaced by.	3-12-6 3-15-0	(2)
(3)	Those with 5% or more N to be replaced by.	4-8-12 4-10-7 4-12-4 10-10-0 10-20-0	(3)

VERMONT

Group	1940-41 grades	1942-43 approved grades	Group
(1)	Those with 2% or less N to be replaced by.	0-14-14 0-20-20	(1)
(2)	Those with 3% and 4% N to be replaced by.	3-10-10 3-12-6 3-12-15	(2)
(3)	Those with 5% or more N to be replaced by.	4-9-7 4-10-10 4-12-4 5-3-5 6-3-6	(3)
(4)	Multiple-strength grades....	4-16-20 5-20-10 6-15-15	(4)

VIRGINIA

Group	1940-41 grades	1942-43 approved grades	Group
(1)	Those with less than 2% N to be replaced by.	0-12-12 0-14-7 0-20-20 0-14-14 0-16-8 0-24-12	(1)
(2)	Those with 2% N to be replaced by.	2-8-10 2-12-6 2-12-12	(2)
(3)	Those with 3% N to be replaced by.	2-8-10 2-12-6 2-12-12 or †3-8-5 †3-9-6 †3-9-15 †3-12-6	(3)
(4)	Those with 4% N to be replaced by.	3-9-6 3-9-15 3-12-6	(4)
(5)	Those with 5% N to be replaced by.	4-9-3 4-8-4 4-8-6 4-8-12 4-12-4 4-16-4	(5)
(6)	Those with 6% or more N to be replaced by.	5-10-5 10-0-10 10-6-4	(6)
(7)	Multiple-strength grades....	3-12-15 3-18-9 4-12-8 4-16-8	(7)

WEST VIRGINIA

Group	1940-41 grades	1942-43 approved grades	Group
(1)	All grades used on small grains and those with less than 2% N used on other crops, to be replaced by.	0-14-7 0-16-8 0-24-12	(1)
	For grades used on crops other than small grains:		
(2)	Those with 2% and 3% N to be replaced by.	2-12-6	(2)
(3)	Those with 4% or more N to be replaced by.	4-12-4 4-12-8 10-6-4	(3)
(4)	Multiple-strength grades....	3-18-9	(4)

WISCONSIN

Group	1940-41 grades	1942-43 approved grades	Group
(1)	All grades used on small grains and those with less than 2% N used on other crops, to be replaced by.	0-9-27 0-12-12 0-12-36 0-14-7 0-14-14 0-16-8 0-20-20 0-20-10	(1)
	For grades used on crops other than small grains:		
(2)	Those with 2% N to be replaced by.	2-12-6	(2)
(3)	Those with 3% N to be replaced by.	3-9-18 3-12-12	(3)
(4)	Those with 4% or more N to be replaced by.	4-10-6 4-12-4 10-6-4	(4)
(5)	Multiple-strength grades	3-18-9 4-24-12	(5)

SCHEDULE III

GROUP A—CROPS

I. Field crops
(a) Castor beans
(b) Cotton (varieties with staple 1⅛" or longer)
(c) Flax (fiber and seed)
(d) Guayule
(e) Hemp (fiber and seed)
(f) Hybrid corn for production of seed only
(g) Peanuts
(h) Soybeans
II. Vegetable crops
(a) Beans, dried
(b) Beans, snap
(c) Beans, lima For all purposes
(d) Beets
(e) Cabbage
(f) Carrots
(g) Kale
(h) Onions
(i) Peas, dried edible
(j) Peas
(k) Peppers
(l) Potatoes, Irish
(m) Potatoes, sweet
(n) Spinach
(o) Sweet corn
(p) Tomatoes
(q) Vegetable seeds
III. Other crops
(a) Tung
(b) Dried fruits
1. Prunes for drying
2. Figs for drying
3. Raisins for drying
4. Apricots for drying
5. Peaches for drying

[F. R. Doc. 43-923; Filed, January 19, 1943; 11:17 a. m.]

Chapter XI—Food Distribution Administration

[Food Distribution Order 8]

PART 1401—DAIRY PRODUCTS

RESTRICTIONS ON PRODUCTION OF FROZEN DAIRY FOODS AND MIX

Pursuant to the authority vested in me by Executive Order No. 9280, dated De-

cember 5, 1942, and to assure an adequate supply and efficient distribution of dairy products to meet war and essential civilian needs, *It is hereby ordered as follows:*

§ 1401.31 *Frozen dairy foods and mix, limitations with respect to production thereof*—(a) *Definitions.* When used in this regulation, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "processor" means any person engaged in the manufacture of frozen dairy foods or mix.

(2) The term "frozen dairy foods" means any frozen or partially frozen food products (including ice cream, French ice cream, ice milks, milk ices, frozen custards, sherbets, and other similar preparations) containing milk solids and sugar together with stabilizers, extracts, fruits, nuts, coloring, or flavoring materials.

(3) The term "mix" means any liquid or dried unfrozen preparation (including ice cream mix, ice cream powders, milk ice mix, ice milk mix, milk shake mix, and other similar preparations), containing milk solids and sugar, that is used directly in the freezing of a frozen dairy food.

(4) The term "ice cream" means any frozen dairy food containing 8 per centum or more (by weight) of milk fat included in 14 per centum or more (by weight) of total milk solids.

(5) The term "person" means any individual, partnership, corporation, association, or other business entity.

(6) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(7) The term "base period" means the period from December 1, 1941, to November 30, 1942, both dates inclusive.

(8) The term "allocation period" means any period, specified by the Director, to which quotas, reports, and other regulations herein provided are applicable.

(b) *Restrictions on production of frozen dairy foods and mix.* (1) No processor may, during any allocation period specified by the Director pursuant hereto, utilize in the production of frozen dairy foods or mix more than 65 per centum of the total milk solids used by the respective processor in the production of such products, respectively, during the corresponding portion of the base period. The milk solids used in frozen dairy foods or mix manufactured for, delivered to, and for the account of an agency specified in or pursuant to paragraph (c) hereof shall be excluded from the amount of milk solids to which the aforesaid 65 per centum is applicable.

(2) The maximum total milk solids content of frozen dairy foods manufactured, sold, or delivered by any person after January 31, 1943, shall be 22 per centum by weight.

(3) The milk solids-not-fat (sometimes referred to as serum solids) content of ice cream or ice cream mix manufactured, sold, or delivered by any person after January 31, 1943, shall not exceed 80 per centum by weight of the milk fat content of such ice cream and ice cream mix, respectively.

(4) Frozen dairy foods other than ice cream or mixes for ice cream are exempt from the provisions of (b) (3) hereof, but no processor shall, during any allocation period specified by the Director pursuant hereto, use in the production of such products more than 10 per centum (by weight) of the total milk solids available to him under the provisions in (b) (1) hereof or more than 100 per centum (by weight) of the amount of milk solids used by the respective processor for the production of such products in the corresponding portion of the base period. The milk solids used in frozen dairy foods or mix manufactured for, delivered to, and for the account of any agency specified in or pursuant to paragraph (c) hereof shall be excluded from the amount of milk solids to which the aforesaid 100 per centum is applicable.

(c) *Military exemption.* Frozen dairy foods or mix manufactured for delivered to, and for the account of the Army or Navy, including the U. S. Army Post Exchanges, U. S. Navy Ship's Service Departments, and U. S. Marine Corps Post Exchanges, shall be exempt from the provisions of paragraphs numbered (b) (1) and (b) (4) hereof: *Provided*, That such Exchanges or Departments shall comply with the requirements prescribed by the Director pursuant hereto, including, but not being limited to the submission of reports with respect to the purchases of frozen dairy foods or mix in each allocation period and with respect to the estimates of prospective purchases in designated allocation periods.

(d) *Equitable distribution.* Each processor shall make equitable distribution, among those persons supplied by such processor during the base period, of the frozen dairy foods and mix manufactured by such processor.

(e) *Option with respect to multiple plant operations.* Upon approval by the Director of a written request from a processor having multiple plant operations, such plants shall be considered separately in the application of the provisions hereof.

(f) *Records and reports.* Each person to whom this order applies shall maintain such records for such periods of time, and shall execute and file such reports and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe.

(g) *Audits and inspections.* Each person to whom this order applies shall permit the Director or any person designated by him to inspect (1) the stocks of frozen dairy foods and mix, (2) the premises used for the manufacture of such products, and (3) the books, records, and accounts of the respective person subject to the provisions of this order.

(h) *Territorial scope.* Any processor doing business in one or more of the forty-eight States or the District of Columbia is subject to the provisions hereof, but the provisions hereof shall not apply to any processor doing business exclusively in any Territory or Possession of the United States.

(i) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth, in said petition, all pertinent facts and the reasons for such petition being approved. The Director may thereupon take such action as he deems appropriate.

(j) *Communications to Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref: FD–8.

(k) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control, and may be deprived of priority assistance.

(l) *Delegation of authority.* The Director is hereby designated to administer the provisions hereof.

(m) *Effective date.* This order shall be effective as of 12:01 a. m., E. W. T., February 1, 1943.

(E.O. 9280, 7 F.R. 10179)

Issued this 19th day of January 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-941; Filed, January 19, 1943; 2:59 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regulations, Serial No. 254]

PART 239—CHARTER TRIPS AND SPECIAL SERVICES

AIR CARRIERS HOLDING CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSSITY

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 18th day of January, 1943

The Civil Aeronautics Board, acting pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a) and 401 (f) thereof, and deeming its action necessary to carry out the provisions of said Act and to exercise its powers and perform its duties thereunder, hereby makes and promulgates the following regulation:

Effective January 18, 1943, § 239.1 of the Economic Regulations is amended in its entirety to read as follows:

§ 239.1 *Charter trips and special services by air carriers holding certificates of public conveniences and necessity*—(a) *Approval required for special service.* No air carrier holding a certificate of public convenience and necessity shall operate any charter trip or other special service (except flights originating and terminating in the territory comprised of Mexico, Central America, South America, and to the countries and islands in the Caribbean area) either between points named in its certificate or otherwise, unless it shall have first secured approval thereof by the Commanding General, The Air Transport Command, or his designee, or unless authorized by such further regulations as the Board may from time to time promulgate.

Exceptions. The provisions of paragraph (a) shall not apply to any charter trip or special service operated at the request of, and in aircraft owned by, the Navy Department.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 43-980; Filed, January 20, 1943; 11:04 a. m.]

TITLE 15—COMMERCE

Subtitle B—Regulations Relating to Commerce

Chapter I—Bureau of the Census, Department of Commerce

[Foreign Commerce Statistical Decision—36]

PART 30—FOREIGN TRADE STATISTICS

DECLARATIONS FOR EXPORTS

JANUARY 20, 1943.

Section 30.33 (a) is amended to read as follows:

§ 30.33 *Declarations for exports by railways, ferryboats, and vehicles.* (a) Any person who delivers merchandise to any transportation company for exportation from the United States to a foreign country by rail, ferryboat, or vehicle must deliver to the Collector of Customs at the port through which the merchandise passes into foreign territory export declarations in duplicate on Commerce Form 7525, showing the kinds, quantities, and values of all merchandise delivered by him or his agent to such carrier for exportation.

Section 30.38 (a) is amended to read as follows:

§ 30.38 *Car manifests; shipper's export declarations.* (a) Upon arrival of merchandise for exportation at a border port the carrier must deliver to the Collector of Customs a car manifest, giving marks and numbers, the name of the shipper or consignor, description of the goods, and the destination thereof. This manifest may be the waybill, or a copy thereof, or a copy of the manifest prepared for the foreign customs. The required shippers' export declarations in duplicate must be attached to the car manifest or waybill when delivered to the Collector.

Section 30.39 is amended to read as follows:

§ 30.39 *Exportation by ferry or vehicle, shipper's export declarations.* The shipper or his agent must deliver shipper's export declarations in duplicate to the customs officer covering all goods exported by ferry, wagon, or other vehicle. The customs officer will retain the original declaration and deliver a certified duplicate to the shipper, master or driver as a permit for the exportation of the goods. The driver or person in charge of a vehicle will deliver the certified duplicate to the customs officer when the goods are taken out of the country. The master of a ferry will deliver to the customs officer at the close of each day all duplicates received during that day, accompanied by a statement that such duplicate declarations cover all goods exported on such ferry during that day.

Sections 30.42 (a), 30.42 (d), and 30.42 (e) are amended to read as follows:

§ 30.42 *Shipments from the interior for export; shipments or declarations originating at a port of exportation.* (a) For goods shipped on a through export bill of lading from an interior point to a foreign country or to a noncontiguous territory of the United States, the shipper must prepare and deliver to the carrier the export declaration in triplicate to accompany the waybill to the seaport, airport, or border port of exportation: *Provided, however*, That the export declaration shall be delivered to the carrier in duplicate instead of in triplicate for shipments by rail, car, ferryboat, or vehicle.

* * * * *

(d) For shipments to Canada or Mexico by rail consisting of two or more cars, a separate shipper's export declaration shall be furnished for each car in order to avoid possible delay at the border.

(e) If the shipment originates or the shipper's export declaration is prepared at the port of exportation, the shipper must deliver the declaration in triplicate to the Collector of Customs: *Provided, however*, That the declaration shall be delivered in duplicate instead of in triplicate for shipments by rail, car, ferryboat, or vehicle. Collectors shall retain the original and indicate on the duplicate copy, which is for presentation by the shipper to the transportation company to be attached to the outward vessel, aircraft, or car manifest, that it has been verified as a copy of the declaration retained by the Collector. This duplicate copy when returned to the Collector shall be forwarded by the Collector to the Section of Customs Statistics, Division of Foreign Trade Statistics, Bureau of the Census, Customhouse, New York, New York. In those cases where triplicate copies of declarations are required the triplicate copy shall be retained by the Collector.

Section 30.43 is amended to read as follows:

§ 30.43 *Divided shipments.* If a shipment is divided at the port of exit by accident or intention, part being exported in one vessel, airplane, or car, and part in another, the agent of the carrier will note the amount shipped on the declaration attached to the vessel, air, or car manifest. Declarations covering subsequent shipments must be prepared by the carrier's agent in triplicate for shipments by vessel or aircraft or in duplicat for shipments by rail, car, ferryboat, or vehicle from records of the previous shipment and be presented to the Collector when the remainder is shipped. The number of the original declaration must be noted on each of the copies of the declaration.

(R.S. 161, sec. 4, 32 Stat. 826; 5 U.S.C. 22, 601)

[SEAL] WAYNE C. TAYLOR,
Acting Secretary of Commerce.

[F. R. Doc. 43-987; Filed, January 20, 1943; 11:43 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment 116]

PART 802—GENERAL LICENSES

CONSIGNEE CONTROL

Subparagraph (5) of paragraph (b) of § 802.5 *Consignee control under general license*[1] is hereby amended to read as follows:

(5) To any member of the armed forces of an enemy country who is a prisoner of war or to any interned national of an enemy country.

(Sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807)

Dated: January 19, 1943.

PAUL CORNELL,
Chief of Office,
Office of Exports.

[F. R. Doc. 43-990; Filed, January 20, 1943; 11:42 a. m.]

[Amendment 117]

PART 804—INDIVIDUAL LICENSES

APPLICATIONS FOR LICENSES

Paragraph (c) of § 804.2 *Applications for licenses*[2] is hereby amended to read as follows:

(c) A separate and complete application must be submitted for each commodity to be exported to each consignee in each country of destination, except that a single application may be filed covering any number of commodities for which certificates of necessity are not required classifiable under the Department of Commerce Schedule B numbers listed in one of the following numbered groups where all such commodities included in a single application are destined for a single consignee in a single country of destination:

[1] 7 F.R. 5001, 9028.
[2] 7 F.R. 5010, 8517, 8633, 10280.

Group and commodity:	Dept. of Comm. Schedule B Numbers
1. Animals, edible	0010.00 thru 0019.00.
2. All fresh, frozen, pickled, or cured meat products	0020.00 thru 0035.00 and 0040.00 thru 0045.00.
3. All canned meats	0036.15 thru 0039.00.
4. Hog casings, beef casings, and other casings	0046.00, 0047.00 and 0049.00
5. Animal oils and fats, edible	0050.00 thru 0059.
6. Dairy products	0060.00 thru 0069.00.
7. All fresh dried or cured fish or fish products	0070.00 thru 0079.98 and 0090.98
8. All canned fish	0084.00 thru 0088.98.
9. Other edible animal products	0092.00 thru 0099.00.
10. Hides and skins, raw except furs	0201.00 thru 0250.98.
11. Leather	0300.00 thru 0303.00 0307.00 thru 0330.00 (except 0324.00) 0336.00 thru 0359.00.
12. Leather	0304.10 thru 0305.20, 0324.00, 0332.05, 0332.98.
13. Leather manufactures	0690.00 thru 0699.00 (except 0680.00).
14. Furs and manufactures	0711.00 thru 0759.00.
15. Animal oils and greases, inedible	0809.01 thru 0858.98.
16. Other inedible animals and animal products	0900.00 thru 0990.98.
17. Grains and preparations	1011.00 thru 1099.00.
18. Fodders and feeds	1101.00 thru 1199.00.
19. All dried and fresh vegetables	1201.10 thru 1224.00.
20. All canned vegetables	1241.00 thru 1249.00.
21. All other vegetable preparations	1250.00 thru 1259.98.
22. All fresh fruits	1302.00 thru 1319.90.
23. All dried and evaporated fruits	1321.00 thru 1330.98.
24. Canned and other fruit preparations	1342.00 thru 1350.98.
25. Nuts	1374.00 thru 1379.98.
26. Vegetable oils and fats, edible	1420.00 thru 1449.98.
27. Cocoa beans, cocoa, chocolate	1501.00, 1502.00 and 1503.00.
28. Coffee and tea	1511.00 thru 1521.05.
29. Molasses, honey, glucose and sirup	1629.00, 1642.00, 1643.00, 1644.00 and 1647.00.
30. Chocolate candy, other candy and confections, n. e. s.	1634.00 thru 1637.00.
31. All malt sirups and liquors, distilled liquors and wines.	1701.00 thru 1750.00.
32. Mineral waters, sirups and flavors for beverages, and other beverages.	1761.00, 1766.00 and 1780.00.
33. All fruit juices	1772.00 thru 1779.00.
34. Rubber, reclaimed and scrap	2011.00 thru 2012.98.
35. Rubber footwear and materials	2031.00 thru 2038.00.
36. Druggists rubber sundries	2040.00 and 2042.00.
37. Hard rubber goods	2053.00 thru 2059.00.
38. Tires and inner tubes	2060.00 thru 2067.00.
39. Tire repair materials	2014.00, 2069.05, 2069.98 and 2084.00.
40. Rubber belts, belting, hose, tubing and packing	2085.00 thru 2093.00.
41. Rubber thread	2095.10 and 2095.20.
42. Other rubber and manufactures	2016.00, 2017.00, 2043.00 thru 2049.00, 2098.00 and 2099.90.
43. Naval stores	2110.00 thru 2118.60.
44. Other gums and resins	2180.00 thru 2189.98.
45. Oilseeds	2210.00 thru 2220.98 (except hempseed 2220.20).
46. Expressed oils and fats, inedible	2230.00 thru 2249.98 (except 2249.01).
47. Essential or distilled oils and blended, compounded, or mixed perfume-flavor oils	2268.00 thru 2280.00.
48. Vegetable dyeing and tanning extracts	2311.00 thru 2339.98.

Group and commodity—Continued	Dept. of Comm. Schedule B Numbers
49. Seeds except oilseeds	2401.00 thru 2468.90.
50. Nursery and greenhouse stock	2535.00 thru 2599.98.
51. Tobacco and manufactures	2601.00 thru 2629.00.
52. Miscellaneous vegetable products	2811.00 thru 2999.98.
53. All cotton rags, batting, and mill waste	3008.00 thru 3010.60, 3011.10 and 3011.20.
54. Cotton yarn	3012.00 thru 3013.20.
55. Other cotton yarn	3015.00 thru 3018.00.
56. Cotton thread twine, cordage and rope	3020.00 and 3021.00.
57. Tire fabrics	3023.00, 3025.00, 3026.00, and 3062.00.
58. Cotton duck	3090.00 thru 3129.00 (also see No. 70).
59. Cotton wearing apparel	3191.10 thru 3196.00.
60. Cotton bags and canvas articles	3031.10 thru 3033.20, 3036.00 thru 3061.00, 3067.00 thru 3089.50, 3140.00 thru 3189.00, 3199.00, and 3210.00.
61. All other cotton manufactures	3622.00 thru 3633.00.
62. Wool	3642.00 thru 3666.01.
63. Wool manufactures	3675.00 thru 3681.00 (also see No. 70).
64. Wool wearing apparel	3690.50 thru 3699.00.
65. Hair and manufactures	3710.00 thru 3799.00.
66. Silk manufactures	3845.00 thru 3849.90.
67. All piece goods of rayon, nylon and other synthetic textiles	3852.00 thru 3857.70.
68. All wearing apparel of rayon, nylon, and other synthetic textiles (also see No. 70).	3858.10 thru 3858.58.
69. Ribbons, braids, fringes, and narrow trimmings	3090.00 thru 3129.00, 3675.00 thru 3681.00, 3852.00 thru 3857.70.
70. Cotton, wool, or rayon wearing apparel	3901.00 thru 3999.00.
71. Miscellaneous textile products	4001.00 thru 4039.00.
72. Wood, unmanufactured	4060.00 thru 4159.00.
73. Sawmill products	4201.10 thru 4299.00.
74. Wood manufactures	4302.00 thru 4309.98.
75. Cork manufactures	4660.00 and 4690.00 thru 4699.98.
76. Paper base stocks	4601.00 thru 4619.00.
77. Wood pulp	4711.00 thru 4799.00.
78. Paper and manufactures	5001.00 thru 5004.00.
79. Coal and related fuels	5011.03 thru 5059.00.
80. Petroleum and products	5101.00 thru 5171.00.
81. Stone, hydraulic cement and lime	5212.00 thru 5299.00.
82. Glass and glass products	5303.00 thru 5379.98.
83. Clay and clay products	5409.05, 5409.10, 5990.05 and 5990.98.
84. Diamonds, diamond dust, and diamond grinding wheels.	5472.01 and 5472.98.
85. Graphite	5473.01 and 5473.05.
86. Carbon and graphite electrodes	5510.00 and 5512.00.
87. Mica	5960.10 and 5960.15.
88. Cryolite	5409.00 thru 5990.98.
89. Other non-metallic minerals, except groupings 84, 85, 86, 87, and 88	6112.00 thru 6209.98 (except 6147.05 and 6152.85).
90. Iron and steel advanced manufactures, except those in group No. 91.	6154.43 thru 6156.05, 6167.43 and 6168.43, 6169.43 and 6178.90 thru 6178.95.
91. Tools	6300.00 thru 6305.60.
92. Aluminum	6367.00 thru 6369.98.
93. Aluminum manufactures	6401.00 thru 6439.98.
94. Copper	

Group and commodity—Continued	Dept. of Comm. Schedule B Numbers
95. Brass and bronze	6440.00 thru 6479.98.
96. Lead	6507.00 thru 6515.98.
97. Tin	6565.01 thru 6565.98 (except 6565.08).
98. Zinc	6571.00 thru 6572.09, 6568.00 thru 6589.98.
99. Platinum and allied metals	6920.00 thru 6929.98.
100. Silverware, solid or plated	6955.00 thru 6959.00.
101. Electrical apparatus, except batteries	7030.05 thru 7055.98 (except 7013.03 thru 7018.00) and 7099.95.
102. Batteries	7013.00 thru 7018.00.
103. Portable electric tools and parts	7056.05, 7056.98 and 7099.94.
104. Electric refrigerators and parts	7057.00, 7058.00 and 7059.00.
105. Electrical appliances, except lamps	7060.00 thru 7073.98 (except 7063.05 thru 7065.55.
106. Electric incandescent lamps	7063.05 thru 7065.55.
107. X-ray and other therapeutic apparatus and parts	7075.10 thru 7075.90.
108. Radio receiving sets, parts and accessories, except tubes.	7077.05, 7077.98, and 7079.01 thru 7081.98.
109. Telegraph and telephone apparatus and parts	7082.00 thru 7087.00.
110. Other electrical apparatus	7094.15 thru 7099.18.
111. Power generating machinery and parts	7111.00 thru 7163.00 (except 7143.00).
112. Construction and conveying machinery	7291.00 thru 7291.00.
113. Mining and quarrying machinery	7305.00 thru 7339.00.
114. Well and refining machinery	7342.00 thru 7350.00.
115. Pumping equipment	7355.05 thru 7369.98.
116. Power-driven metal-working machinery	7400.00 thru 7485.98 (except 7455.03 and 7485.12).
117. Textile machinery and parts	7500.00 thru 7549.00.
118. Sewing machines and parts	7551.00 thru 7553.98.
119. Cream separators and other dairy equipment	7592.00 and 7593.00.
120. Sugar mill machinery	7612.00 and 7619.00.
121. Woodworking machinery	7631.00 thru 7639.00.
122. Refrigerating equipment	7652.00 thru 7654.00.
123. Ball and roller bearings and parts	7691.00 thru 7693.00.
124. Air compressors	7704.00 thru 7706.00.
125. Laundry machinery	7737.00 and 7738.00.
126. Industrial furnaces other than electric	7750.22 and 7750.25.
127. Office appliances	7752.00 thru 7779.00.
128. Printing and bookbinding machinery	7790.00 thru 7795.00.
129. Agricultural machinery and implements	7800.00 thru 7870.00.
130. Motor trucks, busses and chassis (new)	7879.00 thru 7899.98.
131. Passenger cars and chassis (new)	7901.01 thru 7904.68.
132. Automotive parts and accessories	7907.00 thru 7910.00.
133. Automobile service equipment	7913.00 thru 7927.00.
134. Parachutes and parts	7934.00 thru 7936.00.
135. Aircraft engine parts and accessories	7945.05 thru 7945.98.
136. Aircraft instruments and parts	7947.05 and 7947.98.
137. Internal combustion marine engines and parts	7948.01 thru 7948.98.
138. Railway cars and parts	7957.00, 7959.00 and 7159.00.
139. Coal-tar products, except commodities requiring a Certificate of Necessity.	7960.00 thru 7969.00, 8005.00 thru 8069.98.
140. Medicinal and pharmaceutical preparations, except commodities requiring a Certificate of Necessity.	8113.00 thru 8180.98.
141. Chemical specialties, except commodities requiring a Certificate of Necessity.	8200.00 thru 8299.90.
142. Industrial chemicals, except commodities requiring a Certificate of Necessity.	8300.00 thru 8398.98.
143. Pigments, paints, and varnishes	8401.00 thru 8442.00.
144. Fertilizers and fertilizing materials	8509.03 thru 8551.98.
145. Explosives, fuses, etc.	8604.00 thru 8629.00.
146. Soap and toilet preparations	8710.00 thru 8770.00.
147. Cameras, projectors, and other photographic equipment	9000.00 thru 9112.00, and 9140.00.
148. Exposed film	9121.21 thru 9124.01.
149. Ophthalmic lenses, sun or glare glasses and sun goggles, mica spectacles or eyeglasses, and other spectacles, eye glasses, goggles, lenses, n. e. s. and frames.	9142.00 thru 9143.98.
150. Lenses, not fitted to instruments, binoculars, microscopes and accessories, and other optical goods.	9147.00 thru 9149.50 and 9149.98.
151. Dental, surgical and medical instruments, teeth, precious metal for dentistry, dental office equipment and other dental supplies, n. e. s.	9150.00 thru 9158.00.
152. Military equipment, apparatus, and parts, containing optical elements.	9159.01 thru 9159.79.
153. Surveying and engineering instruments, equipment and parts (including instruments with optical systems, n. e. s.)	9160.11 thru 9160.29.
154. Musical instruments	9211.00 thru 9297.00.
155. Miscellaneous office supplies	9301.00 thru 9399.00.
156. Toys, athletic and sporting goods	9400.00 thru 9450.00.
157. Firearms, ammunition and fireworks, except commodities requiring white licenses.	9470.03 thru 9497.98.
158. Books, maps, pictures, and other printed matter	9510.00 thru 9569.98.
159. Clocks and watches	9570.00 thru 9589.00, (except 9581.00).
160. Jewelry	9693.00 thru 9699.00.
161. Buttons and button parts	9711.00 thru 9713.00.
162. Composition roofing	9693.00 thru 9699.00.
163. Lamps and illuminating devices, except electric	9791.00 thru 9799.00.
164. Toothbrushes, toilet brushes, and household brushes	9822.00, 9824.00, and 9826.1.
165. Smokers' articles	9828.00 and 9829.00.
166. Coin-operated machines, except musical	9871.00 and 9872.00.
167. Commodities exported for relief or charity	9998.1 thru 9998.90.

When an application is filed covering a number of commodities included within one of the above-numbered groups, the Office of Exports may issue a license for only some of such commodities and reject the application as to the others. In such case, the rejected commodities will be blocked out before the license is issued.

(Sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9307)

Dated: January 19, 1943.

PAUL CORNELL,
Chief of Office,
Office of Exports.

[F. R. Doc. 43-991; Filed, January 20, 1943; 11:42 a. m.]

[Amendment 118]

PART 804—INDIVIDUAL LICENSES

APPLICATIONS TO EXPORT CERTAIN COMMODITIES

Paragraph (b) of § 804.7 *Special provisions concerning applications to export certain commodities*[1] is hereby amended to read as follows:

(b) *Diamonds, tools and jewelry containing diamonds.* In the space provided in the prescribed application form for the prescription of the diamonds desired to be exported the following provisions relating to such description shall be observed:

(1) *Loose diamonds.* An application to export loose diamonds shall state

[1] F R 6931, 7992, 8823, 9025, 9923, 10280.

whether the diamonds are of polished, rough (industrial), or rough (suitable for polishing) variety. The diamonds shall be listed in groups so that there is a maximum variation of 50 100 carat between the lightest and heaviest diamond in each group. The number of diamonds, value per carat, and total value of each group shall be given.

(2) *Tools incorporating industrial diamonds.* An application to export tools containing industrial diamonds shall state the number of diamonds incorporated in each tool.

The diamonds shall be listed in groups so that there is a maximum variation of 50 100 carat between the lightest and heaviest diamond in each group. The number of diamonds, value per carat, and total value of each group shall be given. In the case of diamond wheels whose diamond content is entirely composed of diamond dust or crushed bort the total carat weight of such material in each wheel will be sufficient.

(3) *Jewelry containing diamonds.* An application to export jewelry containing diamonds shall state the number of diamonds contained in such jewelry, their total carat weight, and their value per carat.

(Sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807)

Dated: January 19, 1943.

PAUL CORNELL,
Chief of Office,
Office of Exports.

[F R Doc 43-992; Filed, January 20, 1943; 11:42 a. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 978—UTILITIES: MAINTENANCE, REPAIR AND SUPPLIES

[Supplementary Preference Rating Order P-46-c as Amended Jan. 20, 1943]

In accordance with the provisions of § 978.1 *Preference Rating Order P-46*, as amended, which the following order supplements:

§ 978.4 *Supplementary Preference Rating Order P-46-c.* Notwithstanding the provisions of paragraph (f) (3) (ii) of Preference Rating Order P-46, as amended, electric service connections may be made by producers to permit the operation of farm production equipment, *Provided*, That all of the following conditions are satisfied:

(a) The prospective consumer possesses one of the following types of electric farm equipment of sufficient capacity for the use contemplated, or can obtain such equipment without priorities assistance, or a preference rating of AA-5 or better has been assigned to deliveries of such equipment to him:

(1) Water pump for livestock; (2) milking machine; (3) milk cooler; (4) incubator; (5) brooder; (6) feed grinder.

(b) There is no other means of operating such equipment on the premises.

(c) The length of such connection will not exceed 100 feet per animal unit determined in accordance with Schedule I annexed hereto, and will not exceed 5,000 feet total length, except upon specific authorization from the Director General for Operations.

(d) The prospective consumer will use electric service to operate equipment for farm production, and has livestock on hand which, together with his estimated production of livestock for market, aggregates not less than 10 animal units, determined in accordance with Schedule I annexed hereto.

(e) Primary lines are single phase and are constructed of No. 6 galvanized steel wire (except that copper-covered steel wire or No. 4 or No. 6 A. C. S. R. conductor may be used to the extent that it is available in the excess inventory of any producer).

(f) Secondary lines and services require not more than 30 pounds of copper for any prospective consumer.

(g) The prospective consumer's application for service is accompanied by a certification from his USDA County War Board in substantially the following form:

(To the Utility Addressed):

Mr. ---------- is eligible for an electric connection of ------- feet under the terms of Preference Rating Order P-46-c. In the opinion of this USDA County War Board this connection will result in a substantial increase in farm production, or a substantial saving of farm labor, and is in accord with the spirit, as well as the letter, of Preference Rating Order P-46-c

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(For USDA County War Board)

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 20th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE I

EQUIVALENT ANIMAL UNITS

A. Livestock on hand:	
1 Milk cow	one unit
10 Beef cattle (all cattle, including calves, other than milk cows and cattle in feed lot)	one unit
30 Breeding ewes	one unit
3 Brood sows	one unit
75 laying hens	one unit
40 Turkeys or geese	one unit
B. Estimated production of livestock for market:	
20 Cattle (in feed lot) per year	one unit
160 Lambs (in feed lot) per year	one unit
30 Feeder pigs per year	one unit
250 Chickens (not broilers) per year	one unit
600 Chickens (broilers) per year	one unit

[F. R. Doc 43-974; Filed, January 20, 1943; 10:40 a. m.]

PART 1055—WOOL

[General Conservation Order M-73 as Amended Jan. 20, 1943]

§ 1055.1 *Conservation Order M-73 as amended December 10, 1942—(a) Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(b) *Curtailment of use of wool for nondefense orders for period August 3, 1942, through July 31, 1943.* During the period August 3, 1942, through July 31, 1943, no person shall put into process for nondefense orders any wool except as hereinafter provided.

(c) *Quota for worsted system.* Any person having a basic quarterly poundage on the worsted system shall be entitled to put into process:

(1) During the period from August 3, 1942, through January 31, 1943, an amount of wool owned by him not in excess of 25% of such basic quarterly poundage for the manufacture of fabrics and yarns of any wool content, and an additional amount of wool owned by him not in excess of 30% of such basic quarterly poundage for the manufacture of fabrics and yarns containing not more than 65% wool.

(2) During the period from February 1, 1943, through May 2, 1943, an amount of wool owned by him not in excess of 15% of such basic quarterly poundage for the manufacture of fabrics and yarns of any wool content, and an additional amount of wool owned by him not in excess of 20% of such basic quarterly poundage for the manufacture of fabrics and yarns containing not more than 65% wool.

(3) During the period from May 3, 1943, through July 31, 1943, an amount of wool owned by him not in excess of 15% of such basic quarterly poundage for the manufacture of fabrics and yarns of any wool content, and an additional amount of wool owned by him not in excess of 20% of such basic quarterly poundage for the manufacture of fabrics and yarns containing not more than 65% wool.

(d) *Quota for woolen and other systems.* Any person having a basic quarterly poundage on the woolen, cotton, felt, or any other system shall be entitled to put into process:

(1) During the period from August 3, 1942, through January 31, 1943, an amount of wool owned by him not in excess of 5% of such basic quarterly poundage for the manufacture of fabrics and yarns of any wool content, and an additional amount of wool owned by him not in excess of 25% of such basic quarterly poundage for the manufacture of fabrics and yarns containing not more than 65% wool.

(2) During the period from February 1, 1943, through May 2, 1943, an amount of wool owned by him not in excess of 5% of such basic quarterly poundage for the manufacture of fabrics and yarns of any wool content, and an additional amount of wool owned by him not in excess of 10% of such basic quarterly poundage for the manufacture of fabrics and yarns containing not more than 65% wool.

(3) During the period from May 3, 1943, through July 31, 1943, an amount of wool owned by him not in excess of 5% of such basic quarterly poundage for the manufacture of fabrics and yarns of any wool content, and an additional amount of wool owned by him not in excess of 10% of such basic quarterly poundage for the manufacture of fabrics and yarns containing not more than 65% wool.

(e) *Additional allotment of wool for use in certain knitted wear.* In addition to the amount of wool which any person may put into process pursuant to paragraphs (c) and (d) such person shall be entitled to put into process for the manufacture of machine knitting yarns suitable for making machine knitted sweaters, shawls, or underwear, an amount of wool not in excess of 10% of his basic quarterly poundage to fill orders placed with him after October 30, 1942, by manufacturers of machine knitted sweaters, shawls or underwear, or by jobbers who deal in machine knitting yarn: *Provided*, That each such order is accompanied by a certificate signed by the purchaser, or by a person duly authorized to sign in his behalf, in substantially the following form:

The undersigned hereby certifies to his vendor and to the War Production Board that he is entitled under the provisions of paragraph (e) of M-73 to purchase machine knitting yarns made from the special allotment of wool granted therein, and that the knitting yarns covered by the annexed purchase order will be put into process by him prior to January 15, 1943, and only in the manufacture of machine knitted sweaters, shawls or underwear, containing not more than 65% wool, or will be put into process by others for his account for such purposes before such date, or will be sold by him only upon the receipt of a similar certificate from his purchaser.

For the purpose of the above certificate "put into process" shall mean the first operation on knitting yarn performed by the knitter, such as dyeing, scouring, winding or knitting or otherwise, as the case may be. Persons putting wool into process pursuant to the provisions of this paragraph shall report the amount of wool so put into process in their monthly reports on Form PD-274 under the heading "Special Wool Grant, Series S."

(f) *Bonus for use of certain types of wool.* Any person shall, for each pound of wool of grades 44s and lower (including carpet wool), coarse alpaca fleece, alpaca seconds or short fleece, (unless from Arequipa), huarizo (unless from Arequipa), llama (unless from Arequipa) or pieces or locks of alpaca or llama, owned, or hereafter acquired by such person and put into process within the limits of paragraphs (c) (d) and (e), be entitled to put into process:

(1) On the worsted system, an additional two pounds of such material owned or hereafter acquired by him.

(2) On the woolen, cotton, or felt system, an additional five pounds of such material owned or hereafter acquired by him.

(g) *Quota for manufacturers of floor covering.* Notwithstanding the provisions of paragraph (c), (d), (e), and (f) any person whose basic quarterly poundage is calculated from wool put into process for the manufacture of floor covering shall only be entitled to put into process:

(1) Amounts of wool of grades 44s and lower, fine carpet wools, coarse carpet wools, coarse alpaca fleece, alpaca seconds, or short fleece, (unless from Arequipa), huarizo (unless from Arequipa), llama, (unless from Arequipa) or pieces or locks of alpaca or llama, owned by such person, for the manufacture of wool products other than floor covering, and

(2) Amounts of coarse carpet wool for the manufacture of floor covering,

but shall be entitled to put into process during the period from August 3, 1942, through January 31, 1943, a total amount of such wools for the purposes prescribed which is not in excess of 50 per cent of such basic quarterly poundage calculated from the manufacture of floor covering; during the period from February 1, 1943, through May 2, 1943, an amount for such purposes which is not in excess of 25% of such basic quarterly poundage; and during the period from May 3, 1943, through July 31, 1943, an amount for such purposes which is not in excess of 25% of such basic quarterly poundage.

(h) *Carry-over of unused portions of quotas.* Any amounts of wool which a person may be entitled to put into process during either the period from August 3, 1942, through January 31, 1943, or the period from February 1, 1943, through May 2, 1943, pursuant to paragraphs (c), (d), (f), and (g), and which are not put into process during that period may be carried over to the following period or periods covered by this order and operate to increase the corresponding quota of such following period or periods to that extent.

(i) *Special provisions for manufacture of yarn for use in manipulated fabrics.* (1) For the purposes of paragraphs (c) and (d) the putting into process of wool for the manufacture of yarns for sale to knitters or weavers to be manufactured by them into fabrics or garments containing not more than 65% wool shall be considered as the putting into process of wool for the manufacture of such fabrics: *Provided*, That each sale of such yarn to a knitter or weaver is made only upon the receipt from such knitter or weaver of a certificate in duplicate, signed on behalf of the knitter or weaver placing such order by a duly authorized person in substantially the following form:

The undersigned hereby certifies to his vendor and to the War Production Board that the yarn covered by this purchase order will be used by the undersigned for the manufacture of fabrics or garments containing not more than 65% wool as the term is defined in Conservation Order M-73.

And provided further, That one of the duplicate certificates required for each such sale shall be filed with the War Production Board on or before the 15th day of the month following the month in which such sales were made.

(2) No knitter or weaver furnishing the certificate mentioned in subparagraph (1) of this paragraph for the purchase of yarn shall use or dispose of such yarn except in the knitting or weaving of fabrics or garments which contain not more than 65% wool.

(j) *Restrictions on use of certain types of wool and of wool content of certain products—(1) Restriction on wool content of blankets and lounging wear for non-defense use.* No person shall manufacture for non-defense order any blanket, or any "feminine lounging wear" as defined in Limitation Order L-118, or any "masculine lounging wear" as defined in Limitation Order L-130, containing more than 65 per cent of wool.

(2) *Restrictions on use of certain wools in drapery and upholstery fabrics for nondefense use.* No person shall put into process or cause to be put into process by others for his account for nondefense order for the manufacture of any drapery or upholstery fabrics any wool other than coarse carpet wool.

(3) *Restrictions on use of certain wools in floor coverings.* No person shall put into process, or cause to be put into process by others for his account any wool other than coarse carpet wool for the manufacture of floor covering.

(4) *Restrictions on use of alpaca, huarizo and llama.* No person shall put into process any No. 1 alpaca fleece from Arequipa, Callao or Tacna, No. 1 skin Alpaca fleece from Arequipa, alpaca seconds or short fleece from Arequipa, huarizo fleece from Arequipa, or llama fleece from Arequipa, and no person shall use or process any alpaca tops, except for the manufacture of fabrics or yarn to be delivered to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration, or in the manufacture of fabrics or yarns to fill orders therefor accompanied by a certificate, signed by the purchaser, or by a person duly authorized to sign in his behalf, in substantially the following form:

The undersigned hereby certifies to his vendor and to the War Production Board that the yarns or fabrics covered by the annexed purchase order will be used by him in the manufacture of material or equipment to be delivered to or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration.

(k) *Defense orders filled out of inventory.* The filling of a defense order out of stocks on hand, which stocks were not manufactured on defense order, shall operate to increase the amount of wool which a person may put into process on nondefense order in the period in which such defense order is filled, to the extent of the amount of wool contained in the goods used to fill such defense order.

(l) *Assignment of preference rating for certain uniform fabrics.* Any order for fabric to be used in the manufacture

of the following types of uniforms is hereby assigned a preference rating of A-10.

(1) U. S. Bureau of Customs personnel.

(2) U. S. Forest Service personnel.

(3) U. S. Immigration and Naturalization Service personnel.

(4) U. S. Post Office Department personnel.

(5) Federal, State, county, municipal or local government policemen, guards or militia.

Flying personnel with commercial airlines.

(7) Organized civilian personnel assigned to the Armed Forces of the United States.

(8) Plant and airport guards.

(9) Nurses.

Provided, however, That each such order is accompanied by a certificate in duplicate signed by the purchaser, or by a person duly authorized to sign in his behalf in substantially the following form:

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply the preference rating indicated opposite the items shown on this purchase order, and that such application is in accordance with Priorities Regulation No. 3 as amended, with the terms of which the undersigned is familiar. The undersigned further certifies that the fabrics hereby ordered will be used by the undersigned only for the manufacture of one or more of the types of uniforms set forth in paragraph (i) of General Conservation Order M-73, or resold only for such use, and this order is therefore entitled to a preference rating of A-10

(m) *General exceptions.* The prohibitions and restrictions of this order shall not apply to any person to the extent that such person puts wool into process for the making of wool products entirely by hand, including the spinning, and weaving of the fabrics.

(n) *Prohibition against sales or deliveries.* No person shall hereafter sell or deliver any material to any person if he knows, or has reason to believe, such material is to be used in violation of this order.

(o) *Fair distribution of products.* In making sales or deliveries of wool yarn, fabrics, styles or patterns, no person shall make discriminatory cuts in amounts or quantities in acceptance of orders or deliveries between former customers and new customers who meet such person's regularly established prices and terms, or between former customers, new customers and his own consumption of these products, or any of them.

(p) *Definitions.* For the purposes of this order

(1) "Wool" means the fiber from the fleece of the sheep or lamb, or the hair of the Cashmere goat or camel or the alpaca, llama, vicuna, and related fibers, including fine carpet wool and coarse carpet wool, but (except for the purposes of paragraph (o)) shall not include mohair, noils, waste, reprocessed or reused wool, or yarn or cloth.

(2) "Fine carpet wool" means wool which, under paragraph 1101 of the Tariff Act of 1930, may be imported free of duty for the manufacture of floor covering (but which under the terms of this order may only be used for the manufacture of wool products other than floor covering, and other than drapery and upholstery fabrics on nondefense orders) identifiable under the following names: Persian Gulf fleece, New Zealand fleece, Criolla, Joria, Thibet number one white, and Iceland wool.

(3) "Coarse carpet wool" means wool which, under paragraph 1101 of the Tariff Act of 1930, may be imported free of duty for the manufacture of floor covering, not specifically named in subparagraph (2) above.

(4) "Manufacture" means any and all processing on any system beyond the scouring operation, excepting only the carding and combing operations on the worsted system.

(5) "Put into process" means:

(i) On the worsted system, the first process of drawing after combing.

(ii) On any other system using tops, cut tops or broken tops, the first operation of cutting, breaking, picking or carding as the case may be.

(iii) On the woolen, felt, or any other system not using tops, the first step after scouring, carbonizing, dusting or similar cleaning or preparatory process.

and shall include the causing to be put into process by another for one's account.

(6) "Basic quarterly poundage" for any single system of manufacture shall mean one half of the number of pounds of wool and mohair, either kid or adult, put into process on that system by a person during the period from December 29, 1940 to June 28, 1941, both inclusive or for the period from January 1, 1941, to June 30, 1941, both inclusive, according to the method of keeping production records maintained by such person during such period. Such poundage shall be determined as follows:

(i) On the worsted system or any other system using tops, the weight of tops put into process at 15 percent moisture regain, $3\frac{1}{4}$ per cent of oil and natural fats.

(ii) On the woolen system, scoured wool and mohair, either kid or adult, at 12 per cent moisture.

(iii) On the felt or any other system, the weight of wool and mohair, either kid or adult, in the stage immediately preceding putting into process.

(q) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(r) *Violations.* Any person who wilfully violates any provisions of this order, or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(s) *Reports and records.* (1) Each person who puts wool into process shall file with the War Production Board, such reports or forms, setting forth the amount of wool put into process in any period, the yardage of fabrics and of the amount of yarns produced therefrom and the fiber content of each type thereof, and such other information, as the Director General for Operations may prescribe.

(2) All persons who put wool into process shall keep and preserve such records as will clearly and adequately show their methods and amounts of consumption hereunder.

(t) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Reference M-73.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 20th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-975; Filed, January 20, 1943, 10:39 a. m.]

PART 1073—FIRE PROTECTIVE, SIGNAL AND ALARM EQUIPMENT

[General Limitation Order L-39, as Amended Jan. 20, 1943]

Part 1073—General Limitation Order L-39 is amended to read: "Fire Protective, Signal and Alarm Equipment."

Section 1073.1 *General Limitation Order L-39* is amended to read:

The fulfillment of requirements for the defense of the United States has created shortages in the supplies of materials entering into the production of fire protective, signal and alarm equipment, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1073.1 *General Limitation Order L-39*—(a) *Definitions.* For the purpose of this order:

(1) "Fire protective equipment" means: sprinkler systems, couplings, playpipes and allied fittings, fire hose, fire hydrants, fire pumps, hose dryers, hose racks, indicator posts, lightning rods, piped extinguishing systems, portable fire extinguishers including back pack types, foam generators, stirrup pumps, water spray nozzles, and all other fire protective equipment for preventing or extinguishing fires, excepting self-propelled motorized fire apparatus and auxiliary units including trailer, skid, front mounted and portable apparatus.

(2) "Signal or alarm equipment" means fire, police, and protective alarm and signal systems, including central station, proprietary, auxiliary and automatic fire alarms; watchmen's time recording, burglar, bank vault, hold-up and intrusion systems; and all other instruments and devices to detect, signal or warn against fire or other casualty, except air raid warning devices.

(3) "Dry-pendant sprinkler head" means a sprinkler head for use in a pendant position on a dry pipe system and permanently attached to an extension nipple so as to exclude water from the nipple.

(4) "Incendiary bomb control equipment" means any pump, device, instrument, or material designed for the removal, control or extinguishment of incendiary bombs.

(5) "Stirrup pump" means a manually operated pump used to draw water or other liquid from a separate container to extinguish or control fires.

(6) "Air raid warning device" means any siren, whistle, horn, diaphone, signal or device used or intended for use to warn or signal civilians in connection with air raids or other war hazards.

(7) "Copper base alloy" means any alloy in the composition of which the weight of copper equals or exceeds 40 percent of the weight of all metal in the alloy.

(b) *General restrictions*—(1) *Restrictions on use of scarce materials.* Except as provided in paragraph (c) of this order, no person shall incorporate in any fire protective equipment, signal or alarm equipment, air raid warning device, or parts thereof, any aluminum, bismuth, cadmium, chromium, copper, lead, mercury, monel metal, nickel, tin, stainless steel, zinc, or alloy of any of said metals, asbestos, rubber, neoprene, or other synthetic rubber, except to the extent permitted in Appendix A hereof.

(2) *Restrictions on fire hose couplings.* Except as provided in paragraph (c) of this order, no brass fire hose couplings in the possession or control of any coupling manufacturer, fire hose manufacturer or distributor on April 27, 1942, shall be transferred, sold or incorporated in the manufacture or assembly of any fire hose.

(3) *Restrictions on foam extinguishers.* No person shall purchase or accept delivery of any foam extinguisher except for use in the protection of inflammable liquids, and no person shall sell or deliver any foam extinguisher which he knows or has reason to believe will be used in violation of this paragraph (b) (3).

(4) *Restrictions on manufacture of alkali metal (loaded stream) extinguishers.* No person shall in any quarter complete the manufacture of any type of alkali metal salt solution (loaded stream) extinguishers in excess of 25 percent of the total of such type (irrespective of size) manufactured by such person during the twelve month period ending November 30, 1941, except to fill purchase orders or contracts from any agency or government listed in subdivisions (i), (n), and (iii) of this paragraph (b) (4). In determining the number of extinguishers manufactured during said twelve month base period ending November 30, 1941, extinguishers manufactured to fill contracts or purchase orders from, or for delivery to, any of the following shall be excluded:

(i) The Army or Navy of the United States, United States Maritime Commission, War Shipping Administration, Panama Canal, Coast and Geodetic Survey, Coast Guard, Civil Aeronautics Authority, National Advisory Committee for Aeronautics, the Office of Scientific Research and Development;

(ii) The Government of any of the following countries: the United Kingdom, Canada, and other dominions, Crown Colonies and protectorates of the British Empire, Belgium, China, Greece, the Kingdom of the Netherlands, Norway, Poland, Russia, and Yugoslavia;

(iii) Any agency of the United States Government for delivery to or for the account of any country listed above or any other country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(5) *Restriction on manufacture of stirrup pumps.* No person shall manufacture any stirrup pumps or parts thereof, except:

(i) To fill purchase orders from the Army or Navy of the United States, United States Maritime Commission, War Shipping Administration, Defense Supplies Corporation, or from the government of, or for delivery to, any country entitled to deliveries pursuant to the Act of Congress of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or

(ii) In accordance with specifications accepted in writing as satisfactory by the national headquarters of the Office of Civilian Defense, and provided that the materials incorporated do not include any of the following: metal; metal alloy; organic plastic or cellulose derivative other than cellulose acetate or acetate-butyrate; rubber; synthetic rubber; resin other than rosin; drying oil other than linseed oil; cork; lumber other than No. 2 or No. 3 hardwood or No. 4 or No. 5 Northern or Idaho white, sugar or ponderosa pine; leather; graphite; any textile product other than cotton; or organic pigments.

(6) *Restrictions on fire sprinkler systems.* (i) No person shall sell, purchase, deliver, install or accept delivery of any new or used fire sprinkler system or parts thereof, except pursuant to a preference rating of A-9 or higher.

(ii) No person shall manufacture any dry-pendant sprinkler heads or any equipment designed to control thermostatically the flow of water into a fire sprinkler system, except pursuant to specific authorization of the Director General for Operations.

(7) *Restrictions on signal or alarm equipment.* (i) No person shall sell, deliver, rent, purchase, install or accept delivery of any new or used signal equipment valued at retail at fifty dollars or more, except pursuant to a preference rating of A-9 or higher.

(ii) Except upon specific authorization of the Director General for Operations, no person shall manufacture, deliver, install or accept delivery of any smoke, fire, or intrusion detector employing photo-electric principles, except to fill purchase orders from a purchaser listed in paragraph (b) (4) hereof, and unless such item is for use on board ship.

(8) *Restrictions on air raid warning devices.* (i) No person shall manufacture, sell, purchase, deliver, install, or accept delivery of any air raid warning device which requires for operation a motor in excess of three (3) horse power, except pursuant to purchase orders bearing preference ratings which had been assigned on preference rating certificates issued prior to January 20, 1943.

(ii) No person shall sell, deliver, rent, purchase or accept delivery of any new or used air raid warning device valued at retail at twenty-five dollars or more, except pursuant to a preference rating of A-9 or higher.

(9) *Restrictions on cotton rubber lined fire hose.* (i) No person shall sell, purchase, deliver or accept delivery of any new or used cotton rubber lined fire hose, except pursuant to a preference rating of A-9 or higher.

(ii) Unless upon specific authorization of the Director General for Operations, no person shall manufacture any multiple jacketed or equivalent weight cotton rubber lined fire hose, except for delivery to, or for the account of:

(a) The Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration for use on board ship;

(b) The Panama Canal; or

(c) Any person for use on fire trucks, in plants manufacturing explosives for the Army or Navy of the United States.

(10) *Restrictions on manufacture of incendiary bomb control equipment.* Effective thirty days after January 20, 1943, no person shall manufacture any incendiary bomb control equipment, except when and to the extent authorized by the Director General for Operations pursuant to application on Form PD-740, or to the extent permitted by paragraph (b) (5) of this order.

(c) *General exceptions.* Paragraphs (b) (1) and (b) (2) shall not apply to:

(1) Brass fire hose couplings, rings or fittings, provided that such couplings, rings or fittings are delivered to or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration and are for use on board ship, or are delivered to or for the account of the Panama Canal, or are for use on board ships warranted by the United States Maritime Commission.

(2) Carbon dioxide extinguishers manufactured in accordance with specifications of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration.

(d) *Representations on orders from government agencies.* Any purchase order or contract from any agency or government named in paragraph (b) (4) of this order shall constitute a representation that the conditions exist under which such purchase order or contract may be filled within the terms of this order.

Said representation may be relied on by the person with whom the purchase order or contract is placed and by his subcontractors and suppliers.

(e) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(f) *Reports.* Each person to whom this order applies shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(g) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(i) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board as amended from time to time.

(j) *Correspondence.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Safety and Technical Equipment Division, Washington, D. C., Ref.: L–39.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125; 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 20th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

APPENDIX A

In accordance with the provisions of paragraph (b) (1) of this order, the materials named in this Appendix A may be incorporated in the manufacture of fire protective equipment, signal or alarm equipment, and air-raid warning devices, and in component parts thereof, to the extent indicated in this Appendix A

(1) Aluminum, primary or secondary:

(i) In extinguishers for use in airplanes,

(ii) As foil in electric condensers for fire, police and protective alarm systems, to the extent essential to the efficient functioning of such condensers and when approved by Underwriters' Laboratories, Inc., or Factory Mutual Laboratories,

(iii) (Secondary aluminum only) in zinc die castings

(2) Bismuth

(i) As a component of fusible link alloy;

(ii) Up to five and one-half (5½) per cent in solder

(3) Cadmium, as a component of fusible link alloy.

(4) Chromium:

(i) For plating of parts of fire, police, and protective alarm systems and sprinkler heads to the extent essential to the efficient functioning of such systems or heads;

(ii) As a component of stainless steel, the use of which is permitted by paragraph (10) hereof.

(5) Copper or copper base alloys (where copper base alloys are permitted, the alloys used shall be of the lowest type and grade that are practical for the particular application) in:

(i) Pumps for vaporizing liquid extinguishers;

(ii) Lock nuts on removable hose connections;

(iii) Bodies, ends, inner chambers, valves and their component parts for vaporizing liquid and loaded stream extinguishers;

(iv) Caps on 2½-gallon foam extinguishers;

(v) Fittings, strainers, syphon tubes and valves for carbon dioxide and gas operated dry powder extinguishers;

(vi) Snap clamps, clamp pins and wire springs for "Jones" type fire hose couplings;

(vii) Latch assemblies for "British" type fire hose couplings to the extent essential to the efficient functioning of the parts;

(viii) Swivels and wires for screw type fire hose couplings;

(ix) Swivels, wires, and rollers for suction hose couplings;

(x) Couplings for potable water purification plants and for ¾" and 1" chemical or booster hose;

(xi) Hose and hydrant adapters;

(xii) Swivels, wires, clappers and seats for Siamese connections;

(xiii) Playpipes made only from drawn, brazed sheet or cast brass, not more than 2½" in diameter at the base, and not more than 15" long;

(xiv) Ball and cylinder type shut-off nozzles;

(xv) Nozzle tips for playpipes, and not exceeding 1½" diameter at discharge ends,

(xvi) Portable deluge nozzles, not including tips or handles;

(xvii) The following hydrant fittings to the extent essential to their efficient functioning: valve seats, discs, guides, operating valve stems, stuffing boxes, bushings, rivets, retainer rings, and outlet nipples;

(xviii) The following indicator post fittings to the extent essential to their efficient functioning: valve stems, seats, discs, packing glands and glands of bonnet openings;

(xix) The following parts of portable generators and fixed piped systems to the extent essential to their efficient functioning: generator bodies except bases; shut-off valves except handles; screens and check valves,

(xx) Water spray nozzles,

(xxi) Valve seats, discs, stems and guides;

(xxii) The following parts of automatic sprinkler systems and signal or alarm equipment; actuating, indicating and recording units of alarms or signal systems, condenser parts, contacts, diaphragm assemblies, labels of inspecting laboratories, closed sprinkler heads, links, tubing and fittings, valves not over 2", wire and cable, impellers and rings for fire pumps and for water flow alarms,

(xxiii) Impellers, retaining rings and bushings for fire pumps,

(xxiv) Watchmen's time recording systems where required for efficient functioning;

(xxv) The following parts of air raid warning devices: motors up to three horse power, actuating units, wire and cable, control and reducer valves only to the extent necessary to the efficient functionig thereof

(6) Lead

(i) As a component of fusible link alloy or solder,

(ii) In underground pipe connections to the extent essential to efficient functioning of such connections, and in hose connections for hydrants;

(iii) In copper base alloys, the use of which is permitted by paragraph (5) hereof.

(iv) In alarm systems and as a coating on automatic sprinkler heads;

(v) As required for extinguisher nozzles, castings and valve assemblies for vaporizing liquid extinguishers, coatings of steel shells for foam or vaporizing liquid extinguishers and coatings for couplings; and as a component of seat rings for dry pipe valves

(7) Mercury, as required in gravity tank gauges

(8) Nickel, in signal or alarm systems as a component of bi-metal thermal discs for thermostats, as plating for protection against corrosion where magnetic properties of nickel are essential, as a component of wire wound resisters, as a component of thermocouple wire and as a component of permanent magnets.

(9) Tin:

(i) As a component of fusible link alloy, and in dry pipe valve seat rings, but not to exceed fifty per cent in weight;

(ii) In copper base alloys the use of which is permitted by paragraph (5) hereof, but only where no tin-free alloy can be used, and only to the extent essential to efficient functioning;

(iii) Up to ten per cent by weight in metals used in the coating of copper or of copper alloys for anti-corrosion protection;

(iv) Up to ten per cent by weight in metal for coating steel shells for foam and vaporizing liquid extinguishers;

(v) In solder up to twenty-one per cent by weight.

(10) Stainless steel (non-nickel bearing)

(i) In hinge pins used in dry pipe valves of automatic sprinkler systems, and in impeller shafts for fire pumps;

(ii) In nozzles and linings for automatic vaporizing liquid sprinkler units approved by Underwriters' Laboratories, Inc., or Factory Mutual Laboratories;

(iii) In the following parts of signal or alarm systems: cylinders, ratchet pins and small shafts for signal or alarm mechanisms where the use of any less scarce material is impracticable, mercury check valves ball bearings, latching parts, and pileup and adjusting screws where the use of any less scarce material is impracticable

(11) Monel metal, in balls for ball-type check valves for dry pipe valves of automatic sprinkler systems.

(12) Zinc:

(i) In essential parts of alarm and signal systems when a less critical material as a substitute would not be suitable;

(ii) In copper alloys, the use of which is permitted by paragraph (5) hereof;

(iii) In die cast parts;

(iv) As protection against corrosion of iron or steel parts in extinguishers pump tanks, fire hose couplings, and expansion rings;

(v) As sheet to the extent that corrosion-resistant metal is essential to efficient functioning and galvanized steel sheet is not suitable.

(13) Asbestos:

(i) In gaskets for hydrants, fixed foam applicator pipes and alarm systems;

(ii) As packing for vaporizing liquid extinguishers

(14) Crude or reclaimed rubber for diaphragms, gaskets, and lining for carbon rubber lined hose, and reclaimed rubber for hose for fire extinguishers

(15) Synthetic rubber other than neoprene, to the extent essential to efficient functioning.

[F. R. Doc. 43–973; Filed, January 20, 1943; 10:38 a. m.]

PART 1221—FEMININE LOUNGING WEAR AND CERTAIN OTHER GARMENTS

[Limitation Order L–118 as Amended January 20, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of wool, silk, rayon, cotton, linen and other materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1221.1 *General Limitation Order L–118.*—(a) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(b) *Definitions.* For the purpose of this order:

(1) "Women's" means lounging wear of sizes 36, 38, 40, 42, 44, 46, 48, 50, 52.

(2) "Misses" means lounging wear of sizes 10, 12, 14, 16, 18, 20.

(3) "Junior misses" means lounging wear of sizes 9, 11, 13, 15, 17.

(4) "Teen age" means lounging wear of sizes 10, 12, 14, 16.

(5) "Girls" means lounging wear of sizes 7, 8, 9, 10, 12, 14.

(6) "Children's" means lounging wear of sizes 2, 3, 4, 5, 6.

(7) "Wool cloth" means any cloth containing any percentage of new wool, reprocessed wool or reused wool.

(8) "Feminine lounging wear" means women's and children's robes, bathrobes, housecoats, negligees, brunch coats, demi-housecoats, beach coats, and lounging pajamas.

(9) "Lounging pajama" means a one or two piece garment with trouser leg worn by women and children for informal indoor wear.

(10) "Put into process" means the first cutting operation in the manufacture of any lounging wear for sale, resale or on commission, including but not being limited to cutting by manufacturers to the trade, tailors, and home dressmakers.

(11) Measurements. Particular measurements set forth in this order shall refer to finished measurements after all manufacturing operations have been completed and the garment is ready for shipment, as follows:

(i) All measurements for length of robes, bathrobes, housecoats, brunch coats, beach coats, demi-housecoats, negligees and pajama tops for all sizes and ranges are from nape of neck to bottom of finished garment. No garment shall exceed the maximum length herein prescribed at any point in its circumference.

(ii) All measurements for lounging pajama trousers are to be outseam overall measurements, including turn-up and waist band.

(12) "Sweep" means amount of material in circumference of the garment.

(13) "Unusual height" means 5'8½" or more without shoes.

(14) "Abnormal size" means the size of any person requiring feminine lounging wear with measurements exceeding the maximum schedule attached hereto.

(15) "Rayon cloth" means cloth made from rayon fiber or yarn produced from cellulose or with cellulose base, whether under the viscose, acetate, cuprammonium, or other processes.

(16) Unless otherwise expressly defined, all terms shall have their usual trade meaning.

(c) *General provisions with respect to finished garments.* Except as provided in paragraph (h) (1) the prohibitions and restrictions of this order shall not apply to articles of lounging wear, the cloth for which was put into process prior to May 25, 1942, or to articles of lounging wear in existence May 25, 1942, or to second-hand articles of lounging wear.

(d) *General exceptions.* The prohibitions and restrictions of this order shall not apply to lounging wear manufactured or sold for use as:

(1) Infants' and toddlers' size ranges 1 to 3.

(2) Lounging wear for persons who, because of unusual height, abnormal size, or physical deformities, require additional material for proportionate length or sweep of robe, bathrobe, housecoat, negligee, or lounging pajama.

(3) Historical costumes for theatrical productions: *Provided, however,* That no feminine apparel manufactured or sold pursuant to this paragraph shall be used for any purpose other than those for which it was so manufactured or sold, unless altered to conform to the provisions of this order, applicable to such other use.

(e) *General restrictions on the manufacture and sale of all articles of feminine lounging wear.* Except as otherwise herein expressly provided, no person shall, after May 25, 1942:

(1) Put into process or cause to be put into process by others for his account, any cloth for the manufacture of, or sell, or deliver any lounging wear:

(i) [Revoked January 20, 1943.]

(ii) With a sleeping pajama, nightgown, slip, or any kind of accessory at a unit price.

(iii) With French facings.

(iv) With balloon, kimona, dolman, or leg-of-mutton sleeves.

(v) Whose fabric has been reduced from normal width or length by all over shirring, tucking, or pleating, except on skirts when said fabrics, before tucking, pleating, or shirring operation does not contain more material than permitted for sweeps as specified in this order; and except for minor trimmings.

(vi) With more than one pocket.

(vii) With a hem at bottom of garment exceeding ½ inch.

(viii) With a hood.

(ix) [Revoked January 20, 1943.]

(2) Sell or deliver at one unit price any articles of feminine lounging wear which cannot be purchased from the manufacturers thereof, at one unit price.

(3) Change any garment from its manufactured size marking to denote a different size range.

(f) *Curtailment on women's and children's lounging wear.* No person shall after May 25, 1942, put into process or cause to be put into process for his account, any cloth for the manufacture of, and no person shall sell or deliver any:

(1) Robe, bathrobe, negligee, housecoat, or beach robe as follows:

(i) Exceeding measurements of Schedule A attached hereto, except that robes, bathrobes, negligees and housecoats made for maternity wear may have a sweep of 94 inches for a size 36, other sizes and variations in normal proportion, with a maximum allowance of 2 inches for each size.

(ii) With a belt exceeding 1½ inches in width.

(2) Lounging pajamas, as follows:

(i) Exceeding measurements of Schedule B.

(ii) With a separate or attached belt of self or any contrasting material at a unit price.

(g) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of wool, silk, rayon, cotton, linen, or other fabrics conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board by letter or telegraph, Reference L–118, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(h) *Certificate.* (1) Any person making sales or deliveries to persons other than ultimate consumers, of any articles of feminine lounging wear in existence on, or the cloth for which was put into process prior to May 25, 1942 except second-hand articles, shall attach to the purchaser's copy of invoice for such feminine lounging wear, a certificate signed by an individual authorized to sign for such person, in substantially the following form:

The undersigned hereby certifies to his vendee and to the War Production Board that the articles of feminine lounging wear covered by our invoice No. ——— of ——— day of ———, 19— were in existence or the cloth for same was put into process prior to the effective date of General Limitation Order L–118.

———
Name of seller

by ———
Authorized individual

(2) Any person putting cloth into process for the manufacture of any feminine lounging wear after May 25, 1942, shall endorse upon or attach to the purchaser's copy of invoice for such feminine lounging wear sold by him, a certificate signed by an individual authorized to sign for such person, in substantially the following form:

The undersigned hereby certifies to his vendee and to the War Production Board that the articles of feminine lounging wear covered by our invoice No. ——— of ——— day of ———, 19— have been manufactured and are being sold in accordance with

the provisions of General Limitation Order L–118.

Name of seller

by

Authorized individual

(3) Any jobber, wholesaler, or other person making sales or deliveries to persons other than ultimate consumers, of articles of feminine lounging wear not manufactured by him, except lounging wear in existence on, or the cloth for which was put into process prior to May 25, 1942 shall endorse upon, or attach to the purchaser's copy of invoice for such feminine lounging wear sold by him, a certificate in substantially the following form:

The undersigned hereby certifies to his vendee and to the War Production Board that the articles of feminine lounging wear covered by our invoice No. _____ of _____ day of _____, 19__ were purchased by us from a manufacturer who furnished us with a certificate stating that they had been manufactured and sold in accordance with the provisions of General Limitation Order L–118, and we have no reason to believe that the said manufacturer's certificate is false in any respect, and our sale to you is in accordance with all of the provisions of the said order, with the terms of which we are familiar.

Name of seller

by

Authorized individual

(i) *Reports and records.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be required by said Board from time to time. The certificate required under paragraph (h) shall be retained by the vendee for a period of one year after receipt.

(j) *Violations.* Any person who wilfully violates any provision of this order, L–118, or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 20th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

Maximum measurements for women's and children's robes, bathrobes, negligees and housecoats

SCHEDULE A

Misses' sizes	10	12	14	16	18	20	
Length	54	54	54	54	54	54	
Sweep	74	75	76½	78	79½	81	
Any hem	½	½	½	½	½	½	
Sleeve circumference	13	13¼	13½	14	14½	15	
Women's sizes	36	38	40	42	44	46	48	50	52	54
Length	55	55	55	55	55	55	55	55	55	55
Sweep	78	80	82	84	86	88	90	92	94	96
Any hem	½	½	½	½	½	½	½	½	½	½
Sleeve circumference	14½	15	15½	16	16½	17	17½	18	18	18½
Junior misses' sizes	9	11	13	15	17					
Length	53	53	53	53	53					
Sweep	74	75	76½	78	79½					
Any hem	½	½	½	½	½					
Sleeve circumference	13	13¼	13½	14	14½					
Teen age sizes	10	12	14	16						
Length	50	51	52	53						
Sweep	62	66	68	70						
Any hem	½	½	½	½						
Girls' sizes	7	8	10	12	14					
Length	40	42	44	46	48					
Sweep	46	48	52	56	60					
Any hem	½	½	½	½	½					
Children's sizes	3	4	5	6	6X					
Length	30	32	34	36	38					
Sweep	41	42	43	44	45					
Any hem	½	½	½	½	½					

Maximum measurements for women's and children's lounging pajamas

SCHEDULE B

Misses' sizes	10	12	14	16	18	20
Length top of two-piece pajama	22	23	24	25	26	27
Length trouser from top of waist band and including turn-up at bottom	43	43½	44	44½	45	45½
Circumference of each trouser leg	18	18½	19	19	19½	20
Hem of top	½	½	½	½	½	½
Sleeve circumference	13	13¼	13½	14	14½	15
Junior misses' sizes	9	11	13	15	17	
Length top of two-piece pajama	21	22	23	24	25	
Length trouser from top of waist band and including turn-up at bottom	42½	43	43½	44	44½	
Circumference of each trouser leg	18	18½	19	19	19½	
Hem of top	½	½	½	½	½	
Sleeve circumference	13	13¼	13½	14	14½	

Maximum measurements for women's and children's lounging pajamas—Con.

SCHEDULE B—Continued

Women's sizes	36	38	40	42	44	46	48
Length top of two-piece pajama	26	27	27	28	28	28	28
Length trouser from top of waist band and including turn-up at bottom	45	45½	46	46½	46½	47	47½
Circumference of each trouser leg	20	21	22	22	23	23	24
Hem of top	½	½	½	½	½	½	½
Girls' sizes	7	8	10	12	14	16	
Length top of two-piece pajama	18	19	20	21	22	23	
Length trouser from top of waist band and including turn-up at bottom	32	33	36½	39	41	41½	
Circumference of each trouser leg	17¼	17½	18	18¼	18½	19	
Hem of top	½	½	½	½	½	½	
Children's sizes	3	4	5	6	6X		
Length top of two-piece pajama	14	15	16	17	18		
Length trouser from top of waist band and including turn-up at bottom	23	24½	26	27½	28		
Circumference of each trouser leg	15½	15¾	16	16¼	16½		
Hem of top	½	½	½	½	½		

[F. R. Doc. 43-976; Filed, January 20, 1943; 10:38 a. m.]

PART 1238—MEN'S AND BOYS' APPAREL FOR MASCULINE LOUNGING WEAR AND CERTAIN OTHER GARMENTS

[Limitation Order L–130 as Amended January 20, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of wool, silk, rayon, cotton, linen and other materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1238.1 *General Limitation Order L–130*—(a) *Definitions.* For the purpose of this order:

(1) "Boys'" means sizes 2, 4, 6, 8, 10, 12, 14, 16, 18 and 20.

(2) "Men's" means sizes small, medium, large and extra large.

(3) "Wool cloth" means any cloth containing any percentage of new wool, reprocessed wool or reused wool.

(4) "Masculine lounging wear" means men's and boys' robes, bathrobes and beachcoats.

(5) "Put into process" means the first cutting of cloth in the manufacture of any lounging wear for sale, resale, or on commission, including but not being limited to, cutting by the following: manufacturers to the trade, tailors, and home dressmakers.

(6) Measurements—Particular measurements set forth in this order shall refer to finished measurements after all manufacturing operations have been completed and the garment is ready for shipment, as follows:

(i) All measurements for length of robes, bathrobes and beachcoats for all sizes and ranges are to be made from nape of neck to bottom of finished garment. No garment shall exceed its maximum length at any point in its circumference.

(7) "Sweep" means maximum circumference of the garment.

(8) Unless otherwise expressly defined, all trade terms shall have their usual trade meaning.

(b) *Provisions with respect to finished garments, manufacture and sale of articles of masculine lounging wear.* Except as provided in paragraph (c), no person shall put into process or cause to be put into process by others for his account any cloth for the manufacture of, or sell, or deliver any masculine lounging wear:

(1) [Revoked January 20, 1943.]

(2) With another garment or article at a unit price.

(3) With more than one pocket.

(4) With a cuff, including any type of simulated cuff.

(5) Exceeding measurements of the following tables:

Maximum Measurements for Men's and Boys' Robes and Beachcoats

SCHEDULE A

	Men's sizes			
	Small	Medium	Large	Extra large
Length	47	49	51	52
Sweep	57	61	65	69
Hem	1	1	1	1

	Boys' sizes									
	2	4	6	8	10	12	14	16	18	20
Length	26	28	30½	35	38	42	43	45	47	48
Sweep	38	40	41	44	47	50	52	54	56	58
Hem	1	1	1	1	1	1	1	1	1	1

(c) *General exceptions.* The prohibitions and restrictions of this order shall not apply to lounging wear:

(1) When manufactured or sold for use as:

(i) Infants' and toddlers' size ranges 1 to 3;

(ii) Lounging wear for persons who, because of unusual height, abnormal size, or physical deformities, requires measurements exceeding maximum measurements of Schedule A, paragraph (b) (5) for proportionate length of sweep: *Provided, however,* That the prohibitions of paragraphs (b) (2), (3) and (4) shall nevertheless apply to such lounging wear;

(iii) Historical costumes for theatrical productions; provided, however, that no masculine lounging wear manufactured or sold pursuant to this subparagraph shall be used for any purposes other than those for which it was so manufactured or sold, unless altered to conform to the provisions of this order.

(2) When manufactured for or sold to the Army of the United States, the United States Navy or the United States Maritime Commission.

(3) When manufactured in foreign countries and imported and received in customs in the United States prior to October 1, 1942.

(d) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of cloth conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board by letter or telegram, Reference: L–130, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(e) *Certificate.* No person who has heretofore or shall after August 29, 1942 put into process or cause to be put into process by others for his account any masculine lounging wear, shall after August 29, 1942 sell such lounging wear without furnishing to his purchaser, other than an ultimate consumer, a certification, and no such purchaser shall accept delivery of such lounging wear without a certification signed by an individual duly authorized to sign for such person, in substantially the following form:

The undersigned hereby certifies to his purchaser and the War Production Board that the masculine lounging wear covered by his invoice No. dated has been manufactured or sold in accordance with the curtailments and exceptions of General Limitation Order No. L–130.

(f) *Reports and records.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be required by said Board from time to time. The certificate required under paragraph (e) shall be retained by the vendee for a period of one year after receipt.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 20th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-977; Filed, January 20, 1943; 10:38 a. m.]

PART 3039—MANUFACTURED GAS

[Limitation Order L–174 as Amended Jan. 20, 1943]

ORDER CURTAILING CONSUMPTION OF MANUFACTURED GAS

Whereas because of increased manufactured gas requirements for war production and civilian uses, because of scarcity of materials for the construction and operation of manufactured gas plants, mains and other facilities, and because of shortages of transportation facilities to haul fuel and materials used in the production of manufactured gas, shortages of manufactured gas have occurred in certain areas of the United States and are threatened in others; and

Whereas during periods of adverse weather conditions, the demand for manufactured gas in many areas may increase beyond the capacity for existing facilities to meet such demand; and

Whereas the limitations upon deliveries of manufactured gas hereinafter ordered are necessary in order to maintain deliveries of manufactured gas to war industries and essential civilian services; *Now, therefore, it is ordered:*

§ 3039.1 *General Limitation Order L–174*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) "Utility" means any person in the United States engaged in producing, transmitting or supplying manufactured

gas directly or indirectly for general use by the public. Any system supplying natural or mixed natural and manufactured gas is not subject to this order but is subject to the provisions of Limitation Order L-31.

(3) "Non-utility producer" means any person who owns or operates any gas production or transmission facilities and who is not included in the definition of "utility" in paragraph (a) (2).

(4) "Consumer" means any ultimate user of manufactured gas produced, transmitted or distributed by any utility or by any non-utility producer which is interconnected with any utility.

(5) "Manufactured gas" means any combustible gas produced by any manufacturing process (other than liquefied petroleum gas unmixed with any gas produced by any other manufacturing process).

(6) "Standby facilities" means equipment designed to use a fuel other than fuel oil to replace manufactured gas, and for the operation of which a supply of such fuel is obtainable.

(7) "Space heating equipment" means equipment used for the purpose of raising atmospheric temperature in any building or portion thereof.

(b) *Gas system operations.* (1) Each utility shall so operate its gas manufacturing, transmission, storage, distribution, and other facilities, as to achieve so far as practicable the maximum output of gas in any area in which a shortage of manufactured gas exists or is imminent. Where necessary for the above purposes, the Director General for Operations will from time to time issue directions as to the operation of gas manufacturing, transmission, storage, distribution or other facilities, and as to deliveries of gas.

(2) Each utility shall, as soon as practicable, make an investigation of the type, amount, and availability of any manufactured gas production facilities owned or operated by any non-utility producer located in or near its operating area, whether or not interconnected with such utility, and shall make such arrangements (including arrangements for interconnections where feasible) as can be made by means of voluntary agreement among the parties and as may be necessary or advisable to meet or to anticipate shortages of manufactured gas. Where such arrangements require the use of materials in excess of those available under any priority order issued by the Director General for Operations, application for authority to use or to acquire such materials shall be made to the Director General for Operations in accordance with established procedures. In any case in which efforts to complete voluntary arrangements fail, the utility shall report the fact to the Director General for Operations, setting forth all pertinent information. The Director General for Operations will, where necessary to accomplish the purposes of this order, issue specific directions to utilities and non-utility producers as to the integration of manufactured gas facilities.

(3) Upon notice from the Director General for Operations to any non-utility producer that a gas shortage exists or is imminent in any area served by any utility with which such non-utility producer is interconnected, such non-utility producer shall so order its operations as to make available for delivery to such utility all manufactured gas which it is capable of producing or supplying and which is not essential for its own operations, unless the Director General for Operations shall, upon application, determine that such gas, because of differences in heat value or chemical composition, cannot practicably be mixed with the gas supplied by such utility. It shall also make available for delivery to such utility further quantities of gas in accordance with directions of the Director General for Operations.

(c) *Limitations on deliveries of manufactured gas.* (1) In the event of a gas shortage in any area, each utility supplying such area shall reduce deliveries to consumers in accordance with the following schedule and with such further directions as the Director General for Operations may, from time to time, issue: *Provided*, That to the extent, if any, required by the emergency nature of the shortage, such utility may in the first instance reduce deliveries without regard to such schedules, but shall as soon as possible thereafter readjust its operations and deliveries to confirm in all respects to such schedule during the continuance of the gas shortage.

(i) First, the utility shall, within the limits of its contractual rights, reduce deliveries to all consumers purchasing manufactured gas under contracts permitting the supplier to interrupt deliveries: *Provided*, That deliveries of gas necessary for the maintenance of the war production and essential civilian services listed in Exhibit A, as the same may be amended from time to time, shall be reduced only to the extent that the fuel requirements for such production and services can be supplied from the consumer's standby facilities.

(ii) Second, the utility shall without regard to its contractual rights or those of any consumer, reduce deliveries to all consumers who have standby facilities to the extent to which the operation of such facilities can directly or indirectly alleviate the shortage of manufactured gas in the area.

(iii) Third, the utility shall to the extent necessary, reduce deliveries to all commercial and industrial consumers except to the extent that such deliveries are necessary for the maintenance of the war production and essential civilian service listed in Exhibit A or to prevent permanent damage to the production facilities of such consumers. Such reductions shall be made insofar as practicable on a uniform proportionate basis.

(iv) Fourth, if after effectuating the reduction in deliveries of gas required by or pursuant to the foregoing provisions of this paragraph, it becomes necessary to curtail deliveries of gas for the maintenance of the war production and essential civilian service listed in Exhibit A, the utility shall insofar as practicable reduce such deliveries on a uniform proportionate basis.

(v) Notwithstanding any other provision of this order, if the Director General for Operations, after investigation, shall determine that any consumer having standby facilities has failed to provide himself with an adequate supply of fuel for the operation of such standby facilities despite the availability of such fuel, the Director General for Operations, may prohibit deliveries of gas to, and acceptances of gas by, such consumer to the extent that his requirements of gas could have been decreased through the operation of such standby facilities.

(2) The Director General for Operations may issue such directions with respect to reductions in deliveries to residential consumers as may be necessary to alleviate gas shortages.

(3) The Director General for Operations may require any utility to file a specific curtailment schedule listing consumers proposed to be curtailed and the order of their curtailment during gas shortages and may issue such directions with respect thereto as may be necessary to assure compliance with the provisions of this paragraph (c).

(4) Whenever, pursuant to paragraph (c) (1) or (c) (2) above or any directions issued thereunder, any utility is obliged to reduce deliveries to any consumer, such utility shall so inform each consumer to be curtailed, and each such consumer shall, upon such notification, reduce his acceptance of deliveries of manufactured gas in accordance with such notification.

(5) Whenever any utility finds it necessary to reduce deliveries, pursuant to this paragraph (c), such utility shall immediately notify the Power Division of the War Production Board, Ref.: L-174, of such curtailment by telegram. Following each such curtailment, the utility shall submit to the Power Division a detailed report of the duration of curtailment and the extent to which deliveries to such consumers were curtailed. Such report shall be filed on Form PD-628.

(d) *Restrictions upon deliveries to consumers other than domestic consumers.* No utility shall deliver manufactured gas to any consumer other than a domestic consumer, and no consumer other than a domestic consumer may accept such deliveries, for the operation of any gas-fired equipment (including space-heating equipment) which was not installed (or if converted from some other fuel, such conversion was not completed) at the same premises prior to September 1, 1942, unless:

(1) Such equipment is non-space heating equipment and has an aggregate input capacity of less than 150 cubic feet per hour.

(2) Such equipment replaces similar type gas-fired equipment of equal or greater capacity previously installed or operated by the same consumer at the same premises for the same purposes, or

(3) Such deliveries are specifically approved in advance by the Director General for Operations. Any consumer or utility which considers that such deliveries are necessary for war production or the operation of an essential civilian service may apply for such approval to the Director General for Operations.

No person shall install gas-fired equipment designed to receive deliveries of manufactured gas from any utility if such deliveries are prohibited by this paragraph.

(e) *Restrictions upon deliveries to domestic consumers for space heating.* Except where otherwise directed by the Director General for Operations, no utility shall deliver to any domestic consumer and no such consumer shall accept deliveries of manufactured gas for the operation of any space-heating equipment unless such equipment:

(1) Was installed (or if converted from some other fuel to manufactured gas, such conversion was completed) at the same premises prior to September 1, 1942, or

(2) Replaces similar type space-heating equipment of equal or greater capacity previously installed or operated at the same premises whether by the same or by another consumer, or

(3) Was installed prior to November 15, 1942, in a new building, and such equipment was specified in the construction contract, and the foundation under the main part of the structure in which the equipment is to be installed was completed prior to September 1, 1942.

No person shall install space-heating equipment designed to receive deliveries of manufactured gas from any utility if such deliveries are prohibited by this paragraph.

(e-1) *Restrictions upon deliveries when conversion to less critical fuels has been ordered.* If the Director General for Operations, after investigation, shall determine:

(1) That the gas-fired equipment owned or operated by any person can, without unreasonable expense or hardship to such person, be converted to the use of, or be replaced by equipment using, a less critical fuel of which a supply is available, and

(2) That such conversion or replacement will contribute to the alleviation of actual or prospective gas shortages, or to the maintenance of gas deliveries to war producers or essential civilian services,

the Director General for Operations may upon sufficient notice to permit such conversion or replacement, prohibit further deliveries or acceptances of manufactured gas for the operation of such gas-fired equipment.

(f) *Applications to Director General for Operations.* (1) Any person who considers that any reduction in or prohibition of deliveries of manufactured gas made or proposed to be made pursuant to paragraphs (c) (1) or (e) or any direction issued thereunder interferes or will interfere materially with war production or the operation of an essential civilian service, may apply for relief to the Director General for Operations who may grant such specific exemptions or take such other action as may be consistent with the purposes of this order. Such application shall state the nature of the war materials being manufactured or the nature of the service, the extent to which such production or service has been or may be curtailed because of reduced delivery of manufactured gas or inability to use gas for space heating, and the increase in deliveries of manufactured gas required for restoration of full production or service.

(2) Any utility which considers that the capacity of its gas manufacturing equipment and the supply of fuel oil, coal, coke or other fuel available for gas manufacturing are sufficient to take care of all existing and estimated future requirements of war industry and unrestricted civilian use, may apply for exemption of the system or any portion thereof from the provisions of this order or any direction issued hereunder to the Director General for Operations who may grant such exemptions or take such other action as may be consistent with the purposes of this order.

(3) Applications by all consumers for exemption from the space-heating restrictions of this order shall be made on Form PD-673. Applications by non-residential consumers for exemption from the restrictions on deliveries for non-space heating purposes shall be made on Form PD-672.

(g) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship on him may appeal for relief to the Director General for Operations who may grant such specific exemptions or take such other action as may be consistent with the purposes of this order.

(h) *Violations.* Any person who willfully violates any provision of this order or any direction of the Director General for Operations issued hereunder, or who wilfully furnishes false information to the Director General for Operations in connection with this order, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from obtaining deliveries of manufactured gas or from making or obtaining further deliveries of, or from processing or using, other material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(i) *Reports and information.* (1) Each utility shall keep and preserve for not less than two years accurate and complete records concerning deliveries of manufactured gas to consumers.

(2) Such records shall be subject to inspection by duly authorized representatives of the War Production Board.

(3) All persons affected by this order shall execute, and file with the War Production Board such reports and questionnaires as said Board shall, from time to time, request.

(j) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to Power Division, War Production Board, Washington, D. C. Ref: L-174.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 20th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

EXHIBIT A

WAR PRODUCTION AND ESSENTIAL CIVILIAN SERVICES

1. Fire and police stations, post offices, court houses, schools, hospitals, and prisons.
2. Public eating establishments, including restaurants, cafes, etc.
3. Bakeries, dairies and meat-packing establishments.

4. Water, sewage, and sanitation systems to the extent that gas is required for the disposal of sewage and garbage and for the operation of power equipment.
5. Scientific testing and research laboratories.
6. Repair yards or shops to the extent they are engaged in the maintenance or repair of transportation equipment.
7. Industrial plants to the extent they are engaged in the production or processing of the following munitions, equipment or materials:
(a) Airplanes, airplane engines, and parts.
(b) Naval and merchant ships and parts.
(c) Ordnance items, including guns, ammunition, explosives, combat and military vehicles, radio equipment and parts.
(d) Copper, brass, tin, lead, magnesium, aluminum and alumina, zinc, manganese, mercury, nickel, cadmium or monel metal.
(e) Abrasives.
(f) Graphite electrodes.
(g) Forgings.
(h) The following machinery and equipment:
Power boilers.
Searchlights.
Electrical measuring instruments.
Generators.
Transformers, electrical control and switchboard apparatus.
Heat exchangers.
Pressure vessels.
Wire and cable.
Steam engines.
Steam turbines.
Diesel engines.
Gas engines.
Track-laying tractors.
Mining machinery and equipment.
Machine tools.
Machine tool accessories and machinists precision tools.
Pumps and compressors.
Conveyors and conveying equipment.
Industrial cars and trucks.
Industrial blowers, exhaust and ventilating fans.
Mechanical testing equipment.
Ball and roller bearings and parts
Mechanical power transmission equipment.
Water purification equipment.
Locomotives and railroad cars.
Navigation instruments.
Surgical, medical and dental equipment and supplies.
Optical instruments and lenses
Construction machinery and equipment.
(i) Iron ore, pig iron, steel and ferroalloys.
(j) Sulphuric acid.
(k) Liquid oxygen.
(l) Rubber.
(m) Alcohol.

[F. R. Doc. 43-978; Filed, January 20, 1943; 10:39 a. m.]

PART 3186—DELETERIOUS ANTI-FREEZE SOLUTIONS

[Limitation Order L-258]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of automotive transportation for private account, for military purposes and for export; and urgent necessity has arisen to preserve existing automotive transportation, both that held for rationing and that in circulation in aid of the national defense; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3186.1 *Limitation Order L-258*—(a) *Definitions.* For the purposes of this order:

(1) "Deleterious anti-freeze solution" means a solution designed to prevent freezing in the cooling systems of automotive and other types of internal combustion engines of the liquid-cooled type, when compounded of aqueous solutions of inorganic salts, including, but not limited to solutions of calcium chloride, magnesium chloride or sodium chloride; or when compounded of petroleum distillates, including, but not limited to kerosene and/or fractions of higher boiling ranges.

(2) "Producer" means any individual, partnership, association, corporation or other organization engaged in the production of deleterious anti-freeze solutions.

(b) *Prohibition of manufacture of deleterious anti-freeze solutions.* On and after January 23, 1943, no producer shall manufacture any deleterious anti-freeze solution.

(c) *Violations.* Any person who wilfully violates any provisions of this order or who wilfully furnishes false information to the Director General for Operations in connection with this order is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(d) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(e) *Communications.* All communications concerning this order shall be addressed to: War Production Board, Automotive Division, Washington, D. C., Ref.: Order L-258.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 20th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-979; Filed, January 20, 1943, 10:43 a. m.]

PART 3172—DENTAL EQUIPMENT

[General Limitation Order L-249]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account and for export of materials entering into the production of dental equipment; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3172.1 *General Limitation Order—L-249*—(a) Definitions. For the purposes of this order:

(1) "Dental equipment" means the following articles: dental units, dental chairs, dental cuspidors, dental engines, bracket tables, dental lathes, operating stools and dental lights. The aforementioned articles, as each is hereafter defined, shall not include used or rebuilt equipment, nor any parts or material for the repair or maintenance of existing equipment.

(2) "Dental unit" means equipment which contains facilities for the use and control of water, compressed air, vacuum, heat, light, mechanical power, and/or water waste designed for use in connection with the performance of dental procedures.

(3) "Dental chair" means a chair designed for the seating of patients during the performance of dental procedures and shall include chairs for use in the office or in the field.

(4) "Dental cuspidor" means a cuspidor with water facilities and waste outlet, designed for use in connection with the performance of dental procedures.

(5) "Dental engine" means a fractional horsepower electric motor and a sectional belt-arm or flexible shaft which is designed for use in connection with the performance of dental procedures.

(6) "Bracket table" means a table supported by an extendable arm which is designed for use in connection with the performance of dental procedures. It is also known as an "accessory table".

(7) "Dental lathe" means a fractional horsepower electric motor designed or adapted for use in connection with the performance of dental laboratory procedures.

(8) "Operating stool" means a stool with a movable shaft designed for use in the dental operating room.

(9) "Dental light" means an electric light on an adjustable arm which is designed for use in the dental operating room. The term shall include lights which are designed to be attached to the dental unit as well as lights which are designed to be separate from the dental unit.

(10) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(b) *Restrictions on the delivery of dental units and dental chairs.* (1) Subject to any additional restrictions contained in paragraph (c) of this order no person shall sell or deliver any dental unit or dental chair, except to or for the account of:

(i) The Army or Navy of the United States:

(ii) Any agency of the United States government for delivery to or for the account of the government of any country pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act); or

(iii) Any person to whom an export license covering the specific equipment has been issued by the Board of Economic Warfare: *Provided, however,* That delivery shall not be made to any person holding an export license which was issued prior to January 20, 1943, unless such export license has been revalidated by the Board of Economic Warfare after said date.

(2) No person shall purchase or accept delivery of any dental unit and/or dental chair if he knows or has reason to believe that the sale or delivery of such dental unit and/or dental chair is prohibited by the terms of subparagraph (1) of this paragraph (b).

(c) *Production and shipping schedules and restrictions thereon for dental units and dental chairs.* On or before January 27, 1943, and on or before the 15th day of each succeeding calendar month, each manufacturer of dental units and/or dental chairs shall file in triplicate on Form PD-774, his proposed production and shipping schedule of dental units and dental chairs for such period, not less than three months, as production and shipping may be planned. Such production and shipping schedules of dental units and dental chairs shall be deemed to be approved as of the first day of the calendar month following receipt of such Form PD-774 by the War Production Board, unless the Director General for Operations shall otherwise direct. No manufacturer shall produce or ship any dental unit or dental chair except in accordance with his production and shipping schedule as approved or changed by the Director General for Operations, without specific authorization of the Director General for Operations.

(d) *Restrictions on the manufacture of certain dental equipment.* Unless specifically authorized by the Director General for operations, no person shall manufacture or continue the manufacture of any dental cuspidors, dental engines, bracket tables or dental lights (other than such as are manufactured as part of or for attachment to a new dental unit) nor any dental lathes or operating stools, except to fill specific purchase orders or contracts for delivery to or for the account of:

(1) The Army or Navy of the United States;

(2) Any agency of the United States government for delivery to or for the account of the government of any country pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act); or

(3) Any person to whom an export license covering the specific equipment has been issued by the Board of Economic Warfare.

(e) *Reports.* (1) Any person having any dental units or dental chairs, as defined in this order, in his possession or control for the purpose of sale on January 20, 1943, shall file a report in duplicate on Form PD-773, setting forth the information required thereon. Such report form shall be filed with the War Production Board (Ref. L-249), on or before February 1, 1943. Any dental units or dental chairs in transit to a person for the purpose of resale on January 20, 1943 shall be reported by the consignee of such equipment.

(2) All persons affected by this order shall file such other reports as may be required from time to time by the War Production Board.

(f) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance

(h) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(i) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board as amended from time to time.

(j) *Correspondence.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Safety and Technical Equipment Division, Washington, D. C., Ref.: L-249.

(P.D Reg. 1, as amended 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 20th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-981; Filed, January 20, 1943; 11:21 a. m.]

Chapter XI—Office of Price Administration

PART 1300—PROCEDURE

[Procedural Regulation 7,[1] Amendment 1]

ADJUSTMENT OF MAXIMUM PRICES

Procedure for the adjustment of maximum prices in the Territories and possessions under § 1499.202 of Supplementary Regulation 13 to General Maximum Price Regulation.

Section 1300.502 is amended and § 1300.511 is added to read as set forth below:

§ 1300.502 *Right to apply for adjustment.* (a) Any seller who finds that the maximum price of a commodity established for him under the provisions of the General Maximum Price Regulation,[2] or under the provisions of any other maximum price regulation, or any order, is abnormally low:

(1) Because of increased cost of importation resulting from increased rail and ocean freight and increased war risk insurance; or

(2) Because of the high cost of a commodity received by the seller on or before August 1, 1942; and that this abnormality subjects him to substantial hardship, may apply for adjustment of that maximum price in the manner set forth below.

In establishing substantial hardship, the applicant shall produce evidence showing the loss suffered on the particular commodity as a result of the maximum prices established, and the effect of such loss on his overall operations.

(b) Any seller or group of sellers may apply for adjustment of a maximum price established for him by the General Maximum Price Regulation or any other maximum price regulation or any order when it appears:

(1) That there exists or threatens to exist in a particular locality a shortage in the supply of a commodity or service which aids directly in the war program or is essential to a standard of living consistent with the prosecution of the war; and

(2) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of such seller and of like sellers for such commodity or service; and

(3) That such adjustment will not create or tend to create a shortage, or a need for increase in prices, in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

§ 1300.511 *Effective dates of amendments.* (a) Amendment No. 1 (§ 1300.502) to Procedural Regulation No. 7 shall become effective February 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-971; Filed, January 19, 1943; 5:04 p. m.]

PART 1306—IRON AND STEEL

[MPR 159,[1] Amendment 2]

FABRICATED CONCRETE REINFORCING BARS

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1306.375 is revoked and § 1306.363, paragraph (a) of § 1306.365, paragraph (a) of § 1306.367, § 1306.368, § 1306.369, subparagraphs (2) and (6) of paragraph § 1306.372 (a), and § 1306.374 are amended; a new § 1306.367a and a new paragraph (b) to § 1306.373a are added to read as set forth below:

§ 1306.363 *Adjustable pricing.* Any person may offer or agree to adjust prices to or at prices not in excess of the maximum prices in effect at the time of delivery and, where a petition for amendment has been made pursuant to § 1306.368 of this Maximum Price Regulation No. 159, may offer or agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1306.365 *Records and reports.* (a) Every person making purchases from a fabricator and every fabricator making sales of fabricated concrete reinforcing bars in the course of trade or business on and after June 15, 1942, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect, or for two years, whichever is less, complete and accurate records of each such purchase or sale, showing the date thereof, the name and address of the buyer or the seller, either the shipping point or delivered price paid or received, and transportation charges or allowances, if any.

* * * * *

§ 1306.367 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 159 are subject to the criminal penalties, civil enforcement actions, license suspension procedure, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

* * * * *

§ 1306.367a *Licensing.* The provisions of Supplementary Order No. 17,[3] licensing persons subject to Revised Price Schedules 46[4] and 49,[5] and Maximum Price Regulation No. 159 are applicable to every person selling fabricated concrete reinforcing bars for which maximum prices are established by Maximum Price Regulation No. 159. That order provides in substance that a license is required of every person selling fabricated concrete reinforcing bars for which maximum prices are established by this Maximum Price Regulation No. 159, that every person subject to this regulation is granted a license as a condition of selling fabricated concrete reinforcing bars hereunder, and that every such person may in the future be required to register with the Office of Price Administration at such time and in such manner as the Administrator may prescribe. Licensees violating any of the provisions of this regulation or of said license are subject to the license suspension proceedings provided in the Emergency Price Control Act of 1942.

§ 1306.368 *Petitions for amendment.* Any person seeking an amendment of any provision of this maximum price regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.*

§ 1306.369 *Federal and State taxes.* Any tax upon, or incident to, the sale, delivery, processing, or use of fabricated concrete reinforcing bars, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such fabricated concrete reinforcing bars and in preparing the records of such seller with respect thereto:

(a) *As to a tax in effect on June 15, 1942.* (1) If the seller paid such tax, or if the tax was paid by any prior vendor, irrespective of whether the amount thereof was separately stated and collected from the seller, but the seller did not customarily state and collect separately from the purchase price on June 15, 1942, the amount of the tax paid by him or tax reimbursement collected from him by his vendor, the seller may not collect such amount in addition to the maximum price, and in such case shall include such amount in determining the maximum price under Maximum Price Regulation No. 159. (2) In all other cases, if, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount in determining the maximum price under this Maximum Price Regulation No. 159.

(b) *As to a tax or increase in a tax which becomes effective after June 15, 1942.* If the statute or ordinance imposing such tax or increase does not prohibit the seller from stating and collecting the tax or increase separately from the purchase price, and the seller does separately state it, the seller may collect in addition to the maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

§ 1306.372 *Definitions.* (a) When used in this Maximum Price Regulation No. 159, the term: * * *

(2) "Concrete reinforcing bars" means and includes all plain or deformed steel bars, customarily used in concrete construction and whether square or round, of the following areas and sizes:

Areas (in square inches):	Sizes (in inches)
0.05	¼ round.
.11	⅜ round.
.20	½ round.
.25	½ square.
.31	⅝ round.
.44	¾ round.
.60	⅞ round.
.79	1 round.
1.00	1 square.
1.27	1 1/8 square.
1.56	1 ¼ square.

and also means and includes all plain round steel rods or wire, customarily used in concrete construction, of the following areas and diameters:

Areas (in square inches):	Diameters (inches)
0.05	¼
.11	⅜
.20	½
.31	⅝

* * * * *

(6) "Fabricator" means a person in the business of selling fabricated concrete reinforcing bars who (i) maintains a warehouse stock of such materials; (ii) operates a plant or plants equipped with adequate machinery for the cutting and bending of concrete reinforcing bars; and (iii) maintains engineering service. It also means and includes a person in the business of selling fabricated concrete reinforcing bars who maintains an engineering service and who purchases for resale concrete reinforcing bars fabricated pursuant to his instructions.

* * * * *

§ 1306.374 *Appendix A: Maximum delivered prices.* (a) *Base prices.*—(1) *General.* Except as otherwise provided in this section, the maximum price for delivery within the forty-eight states of the United States and the District of Columbia is $2.40 per hundred pounds.

(2) *Gulf ports.* Where the concrete reinforcing bars were obtained by the fabricator at a Gulf port basing point price, the maximum price is $2.77 per hundred pounds.

(3) *Pacific Coast.* Where the concrete reinforcing bars were obtained by the fabricator at a Pacific Coast basing point price, the maximum price is $2.80 per hundred pounds.

(4) *Carload in Toledo.* The maximum price for carload quantities for delivery within the switching limits of the City of Toledo, Ohio, is $2.57 per hundred pounds.

(5) *Carload in Detroit.* The maximum price for carload quantities for delivery within the switching limits of the City of Detroit, Michigan, is $2.52 per hundred pounds.

(6) *Less carload in Detroit.* The maximum price for less than carload quantities for delivery within the switching limits of the City of Detroit, Michigan, is $2.61 per hundred pounds.

(7) *Spirals.* The maximum price for fabricated concrete reinforcing bars, known as spirals, coiled to a specified diameter with spacers attached is $4.45 per hundred pounds when they are made from bars, rods or wire ¼" in diameter and $3.95 per hundred pounds when made from bars, rods or wire ⅜" or larger in diameter: *Provided,* That (i) where spacers are not furnished, $0.25 per hundred pounds shall be deducted and (ii) where spirals are made from cold drawn wire, $0.50 per hundred pounds may be added.

(8) *Welded stirrups.* The maximum price for fabricated concrete reinforcing bars, known as welded stirrups is $7.80 per hundred pounds when they are made from bars, rods or wire ¼" in diameter and $6.55 per hundred pounds when made from bars, rods or wire ⅜" in diameter and $5.80 when made from bars, rods or wire ½" or larger in diameter.

(9) *Carload quantities of mill or random stock lengths.* Where a carload or more of mill lengths or random stock lengths or both are specified by the purchaser as all or part of a sale and the quantity of such lengths exceeds 25% by weight of the total quantity, for such portion of the quantity as is furnished in such lengths $0.25 per hundred pounds shall be deducted from the maximum prices as otherwise established in this section.

(10) *Lump sum and average price bids and contracts.* The maximum price for lump sum and average price bids for fabricated, concrete reinforcing bars shall not exceed an amount equal to the sum of the products of the totals of estimated weights of each category of bars multiplied by the applicable maximum prices therefor as otherwise established by this regulation: *Provided,* That where such a bid is accepted the total amount which may be charged by the seller or paid by the purchaser for fabricated concrete reinforcing bars delivered pursuant to such contract shall not exceed the applicable maximum prices set forth in this regulation for such bars and within ten days after final shipment the seller shall furnish the purchaser with a written statement of the total weights of and prices for all deliveries made under such contract which statement shall separately reveal the price for each of the following items: (1) the bars exclusive of extras; (2) each extra, if any; and (3) transportation charges. Nothing in this paragraph shall be construed to prohibit such interim invoicing as the parties may agree upon. If in any case the total amount which is paid on interim invoices exceeds the applicable maximum prices for the total of all deliveries as shown on the seller's statement as required above, the seller shall refund to the purchaser the amount of such excess.

(b) *Extras.* The following extras may be added where applicable:

(1) *Size extras:*

¾" and larger	Base.
⅝"	$0.10 per cwt.
½"	0.20 per cwt.
⅜"	0.40 per cwt.
¼"	1.00 per cwt.

(2) *Quantity extras:*

Less than 20 tons, but not less than 5 tons	$0.25 per cwt.
Less than 5 tons, but not less than 1 ton	0.35 per cwt.
Less than 1 ton	0.50 per cwt.

(3) *Bending extras:*

Heavy bending:	
Includes bars other than ¼" and ⅜" bent at not more than 6 points; also radius bending and types not otherwise defined as light bending	$0.40 per cwt.
Light bending:	
Includes all ¼" and ⅜" bars and ½" stirrups and column ties and all bars of any size bent at more than 6 points	$0.90 per cwt.

(4) *Milled or square cut ends:*

Bars 4'0" long and over	$0.20 per cwt.
Bars less than 4'0"	0.30 per cwt.

(5) *Galvanizing extra:* A charge may be made for galvanizing not in excess of the actual cost of the galvanizing to the seller.

(6) *Restrictive specification extras:*

For a tensile range for structural or intermediate grade, more restricted than the ASTM specification, the restriction to be not more than 5,000 lbs. per square inch—ADD, $0.05 per cwt.

For a weight tolerance more restrictive than the ASTM specification of latest adoption, but in no case restricted to less than 2½% over or under for lot shipments—ADD, $0.10 per cwt.

(7) *Engineering extras:*

(i) Details and placing plans, including listing, from designs by others:

	Per 100 pounds	Maximum charge
Less than 5 tons	$0.50	$35
5 tons to 19.99 tons	.35	120
20 tons to 199.99 tons	.30	120
200 tons to 499.99 tons	.20	1,500
500 tons and over	.15	None

In no case need the charge on any single order be less than $10.

(ii) Listing where no extras are added pursuant to § 1306.374 (b) (7) (i), $0.05 per 100 pounds.

(iii) Design: For designing, $0.30 per 100 pounds may be added to above detailing extras.

(c) *Transportation charges.* The following are the transportation charges which may be added:

(1) *Incoming freight.* (i) Except as provided in (4), (5) and (6) of this paragraph, where delivery of the concrete re-

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[1] 7 F.R. 4779

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6939, 6794, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4339, 4423, 5710, 8948.

[2] F.R. 7239, 11007.

[3] 7 F.R. 1295, 2132, 2508, 3446, 8948, 10[illegible]

[4] 7 F.R. 1300, 2132, 2473, 2540, 3320, 4342, 5176, 6385, 6893, 6935, 7239, 8948, 10[illegible]; 8 F.R. 319

[5] 7 F.R. 8961.

inforcing bars is made to the fabricator outside of the limits of the switching district of a basing point, there may be added the lowest applicable railroad charge for the transportation of an identical quantity of concrete reinforcing bars from the applicable basing point to the railroad siding nearest the plant of the fabricator. (ii) Where delivery of the concrete reinforcing bars is made to the fabricator within the limits of the switching district of a basing point, there may be added the applicable switching charge under Revised Price Schedule No. 6 for an identical quantity: *Provided*, That such switching charge may not exceed $0.025 per hundred pounds for a sale in carload quantities of twenty-five tons or more, or $0.10 per hundred pounds for a sale in less than carload quantities, except that for deliveries of 30 tons or more within the limits of the switching district of Chicago, Illinois such charge may not exceed $0.03 per hundred pounds; and that in no instance need the switching charge provided for in this subparagraph fall below $2.00 for any single sale.

(2) *Outgoing freight.* Except as otherwise provided in this paragraph, there may also be added the lowest applicable railroad charge for the transportation of an identical quantity of fabricated concrete reinforcing bars from the plant of the fabricator to the point of delivery to the consumer: *Provided*, That where such delivery is made in whole or in part by truck, $0.10 per hundred pounds may also be added.

(3) *Fabrication in transit.* Except as otherwise provided in this paragraph, if the privilege of fabrication in transit at the plant of the fabricator is available between the point of origin of the concrete reinforcing bars and the point of delivery to the consumer, and yields a charge lower than the total charge calculated pursuant to the provisions of paragraphs (c) (1) and (c) (2) for the transportation of an identical quantity from the applicable basing point to the point of delivery to the consumer, the total transportation charge which may be added under paragraph (c) (1) and (c) (2) of this paragraph shall not exceed such lower charge.

(4) *Michigan and Toledo.* (i) No additions for transportation charges may be made on less than carload quantities for delivery within the switching limits of the City of Detroit, Michigan. (ii) No additions for transportation charges may be made on carload quantities for delivery within the switching limits of the City of Toledo, Ohio or the City of Detroit, Michigan. (iii) On less than carload quantities for delivery in the State of Michigan, other than the switching limits of the City of Detroit there may be added: (*a*) where the lowest applicable railroad charge at the carload rate from Pittsburgh, Pennsylvania, to the point of delivery to the consumer is 34 cents or less per hundred pounds, 17 cents per hundred pounds plus the difference between the lowest applicable railroad charge for the transportation of an identical quantity from Pittsburgh, Pennsylvania, to the point of delivery to the consumer and the lowest railroad charge at the carload rate; or (*b*) where the lowest applicable railroad charge at the carload rate from Pittsburgh, Pennsylvania, to the point of delivery to the consumer is more than 34 cents per hundred pounds, the lowest applicable railroad charge for the transportation of an identical quantity from the applicable basing point to the point of delivery to the consumer. (iv) On carload quantities for delivery in the State of Michigan other than the switching limits of the City of Detroit there may be added: (*a*) where the lowest applicable railroad charge at the carload rate from Pittsburgh, Pennsylvania, to the point of delivery to the consumer is 34 cents or less per hundred pounds, 17 cents per hundred pounds; or (*b*) where the lowest applicable railroad charge at the carload rate from Pittsburgh, Pennsylvania, to the point of delivery to the consumer is more than 34 cents per hundred pounds, the lowest applicable railroad charge for the transportation of an identical quantity from the applicable basing point to the point of delivery to the consumer. In any case where the transportation charges in this subparagraph (4) are applicable and where delivery is made in whole or in part by truck, $0.10 per hundred pounds may also be added.

(5) *Direct shipments.* Where a shipment is made directly from the mill to the consumer, irrespective of whether the bars are fabricated or not, the maximum charge which may be added for transportation is the lowest applicable railroad charge for the transportation of an identical quantity from the applicable basing point to the consumer: *Provided*, That where such delivery is made in whole or in part by truck, $0.10 per hundred pounds may also be added. This subparagraph (5) does not apply to sales for delivery within the State of Michigan and within the switching limits of the City of Toledo, Ohio.

(6) *Segregation.* In computing the rail freight charges pursuant to this paragraph, the specific concrete reinforcing bars or fabricated concrete reinforcing bars purchased and sold need not be segregated or otherwise identified by the fabricator: *Provided*, That during any year beginning January 1, 1943, should the difference between the total amounts invoiced by a fabricator for freight charges on sales from any plant, office or point of shipment and the total amounts for freight charges actually incurred by the fabricator at the same plant, office or point of shipment result in an excess or a deficit to the fabricator at such plant, office or point of shipment, such excess shall be dissipated or such deficit may be retrieved by the fabricator by adjustment of freight charges on outgoing shipments from said plant, office or point of shipment on sales during the first three months following such year or, if there are no sales or sales are insufficient during said three months, as soon as sufficient sales are made. In the event a fabricator intends to liquidate his business at any plant, office or point of shipment such excess shall be dissipated immediately on freight charges to be invoiced on subsequent deliveries. In computing rail freight charges for the purposes of this paragraph no dissipation is required of an excess occasioned for shipments to a purchaser in less than carload quantities where the concrete reinforcing bars were received at the plant of the fabricator in carload quantities and the fabricator subsequently invoiced his purchaser on a less than carload basis for the incoming shipment. Furthermore, in computing the amount of rail freight charges pursuant to this paragraph the fabricator shall adjust for amounts due from carriers under shipments on the basis of a fabrication-in-transit privilege.

§ 1306.373a *Effective dates of amendments.* • • •

(b) Amendment No. 2 (§§ 1306.363, 1306.365 (a), 1306.367 (a), 1306.167a, 1306.368, 1306.369, 1306.372 (a) (2) and (6), 1306.373a (b), and 1306.374) to Maximum Price Regulation No. 159 shall become effective January 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-952; Filed, January 19, 1943; 5:05 p. m.]

PART 1307—RAW MATERIALS FOR COTTON TEXTILES

[RPS 7,[1] Amendment 9]

COMBED COTTON YARNS AND THE PROCESSING THEREOF

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1307.1 paragraph (a) is amended; and in § 1307.12 subdivisions (d) (4) (i) and (ii) are revoked, the title to subdivision (d) (4) (vii) is amended and inferior subdivision (d) (4) (vii) (*d*) is revoked.

§ 1307.1 *Maximum prices for combed yarns and for mercerizing, bleaching, and gassing.* (a) On or after the applicable ceiling date, regardless of the terms of any contract of sale, or purchase or other commitment (except as provided in paragraph (c) of this section and Appendix A, incorporated herein as § 1307.12), no person shall sell, offer to sell, deliver or transfer combed yarn and no person shall buy, offer to buy, or accept delivery of combed yarn, at a price higher than the applicable maximum prices set forth in Appendix A: *Provided*, That the provisions of this Revised Price Schedule No. 7 shall not apply to (1) retail sales of combed yarns; (2) sales or purchases of 2 ply mercerized or gassed grey yarn, Nos. 56's and finer imported from England and sold exclusively for use by hosiery manufacturers and (3) sales or deliveries which are covered by the Revised Maximum Export Price Regulation.

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§ 1307.12 *Appendix A: Maximum prices for combed yarns and for mercerizing, bleaching, and/or gassing thereof.* • • •

(d) *Maximum prices for combed yarns not covered by contract prior to December 24, 1941, and for mercerizing, bleaching, and/or gassing.* • • •

(4) *Premiums.* • • •

(vii) *Other premium yarns.* • • •

§ 1307.11 *Effective dates of amendments.* • • •

(q) Amendment No. 9 (§§ 1307.1 (a) and 1307.12 (d) (4) (i) and (ii), (d) (4) (vii) and (*d*)) to Revised Price Schedule No. 7 shall become effective January 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

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PART 1314—RAW MATERIALS FOR SHOES AND LEATHER PRODUCTS

[RPS 61,[1] as Amended, Correction to Amendment 1]

LEATHER

Section 1314.52 is corrected to include the original first sentence of said section, which was inadvertently omitted; the section in its entirety should read as set forth below:

§ 1314.52 *Premiums to cover increases in war risk and marine insurance costs.* In addition to the maximum price for any type or grade of leather established by this Revised Price Schedule No. 61, as amended, an amount may be added by the seller as set forth below:

The seller shall determine (1) the invoice cost of each class[2] of hides and skins, including rough tanned unfinished hides and skins, whether imported or domestic, received at his tanneries and warehouses during the three months ending on the 25th day of the month preceding the date the sale or contract of sale is made and (2) the percentage of such amount actually paid[3] for war risk and marine insurance on each such class. For each 2 percent of the total invoice cost so paid for war risk and marine insurance over 2 percent of the total invoice cost of such class of hides and skins received during said preceding three months, an amount equal to 1 percent of the maximum price may be added: *Provided*, That (i) in calculating such charges for all shipments made after November 23, 1942, the cost of war risk insurance shall not exceed the cost of war risk insurance, including extended transhipment coverage, written by the War Shipping Administration on an identical shipment, and (ii) where a seller's maximum price is so increased, the invoice or similar document delivered to the purchaser shall show separately the amount of such increases.

§ 1314.63 *Effective dates of amendments.* • • •

(d) Correction (§ 1314.52) to Amendment No. 1 to Revised Price Schedule No. 61, as amended, shall become effective January 25, 1943.

(Pub. Law 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-950; Filed, January 19, 1943; 5:04 p. m.]

[1] 7 F.R. 2631, 8948, 9614

[2] The term "class" includes any type of hides or skins which are separately identified in the finished leather sold.

[3] Subject to the limitation with respect to war risk insurance contained in this section: (a) If the hides or skins are already covered by war risk and marine insurance when purchased, the amount actually paid therefor by the insured may be used by the tanner in computing the maximum prices: *Provided*, That the tanner obtains from the insured and keeps in his permanent records a sworn statement of such amount actually paid on the hides or skins so purchased; (b) If the hides and skins are insured by the tanner, rather than by a licensed marine insurance company, the amount of cost attributed to such self insurance may be used.

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 262,[1] Correction to Amendment 4]

SEASONAL AND MISCELLANEOUS FOOD COMMODITIES

Section 1351.969 is corrected to read as set forth below:

§ 1351.969 *Appendix B: Miscellaneous food commodities covered by this regulation.* The following miscellaneous food commodities are covered by and shall be governed by this Maximum Price Regulation No. 262:

Baker's fruit pie and pastry fillings.
Fig bars.
Blended maple syrup.
Maple sugar.
Egg noodles.
Fountain fruits.
Peanut candy.
Potato chips.
Raisin filled or topped biscuits and crackers.
Canned boned chicken and turkey.
Chocolate coated sugar cones.
Tortillas.
Tamales.
Canned chili con carne.
Julienne potatoes.
Shoestring potatoes.
Canned boned chicken.
Canned boned turkey.
Pretzels.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-951; Filed, January 19, 1943; 5:04 p. m.]

[1] 7 F.R. 9244, 10844; 8 F.R. 262, 273, 437.

PART 1372—SEASONAL COMMODITIES

[MPR 210,[1] Amendment 8]

RETAIL AND WHOLESALE PRICES FOR FALL AND WINTER SEASONAL COMMODITIES

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1372.112 (h) (10) is amended to read as set forth below:

§ 1372.112 *Appendix A: List of fall and winter seasonal commodities.* Any commodity which falls within any of the following classifications is designated as a fall and winter seasonal commodity.

• • • • • •

(h) *The following designated types of appliances, toys and miscellaneous articles* • • •

(10) Beet knives, grape picking knives, grape picking pans (also known as tomato picking pans and canner's dish pans) and cane and corn knives.

• • • • • •

§ 1372.111a *Effective dates of amendments.* • • •

(h) Amendment No. 8 [§ 1372.112 (h) (10)] to Maximum Price Regulation No. 210 shall become effective January 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-954; Filed, January 19, 1943; 5:05 p. m.]

PART 1389—APPAREL

[MPR 304]

MANUFACTURERS' AND WHOLESALERS' PRICES FOR SPECIFIED MEN'S AND BOYS' WORK AND SPORT SHIRTS

In the judgment of the Price Administrator it is necessary and proper to establish revised maximum prices for sales of specified work and sport shirts by manufacturers and wholesalers. The maximum prices established by this regulation are, in the judgment of the Price Administrator, generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.* Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order No. 9250, Maximum Price Regulation No. 304 is hereby issued.

Sec.

1389.451 Scope of this regulation.
1389.452 How to find the maximum price.
1389.453 Labeling.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6789, 7318, 7173, 7921, 8651, 8930, 8937, 8948, 9614, 10109.

Sec.
1389.454 Records and disclosure.
1389.455 Relation to other regulations, and other special situations.
1389.456 Petitions for amendment.
1389.457 Prohibitions and enforcement.
1389.458 Effective date.
1389.459 Appendix A: Standards.
1389.460 Appendix B: Price tables and explanations.

AUTHORITY: §§ 1389.451 to 1389.460 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1389.451 *Scope of this regulation*—(a) *Kinds of shirts covered.* This regulation applies to cotton flannel, cotton domet and cotton suede shirts for men and boys in boys' sizes 6 to 18, inclusive, and in men's sizes 13 to 19, inclusive. These shirts will be referred to as "specified work and sport shirts".

(b) *Shirts which are excluded.* Shirts of the following descriptions are not covered by this regulation:

(1) Used shirts.

(2) Shirts made for persons of abnormal size or with physical deformities, who cannot be fitted with standard models.

(c) *Kinds of sales covered.* This regulation applies to sales at source, and to sales at wholesale. It does not apply to sales at retail. These kinds of sales are defined as follows:

(1) A "sale at source" is a sale, otherwise than at retail, of a garment which the seller has fabricated or which has been fabricated for him by an agent or contractor.

(2) A "sale at wholesale" is a sale, otherwise than at retail, of a garment which the seller received in substantially the form in which he sells it.

(3) A "sale at retail" is a sale to an ultimate consumer other than an industrial or commercial user.

§ 1389.452 *How to find the maximum price*—(a) *Prices provided by Appendix B.* The seller should look for the maximum price of any shirt in Appendix B (§ 1389.460). Prices for most shirts are stated in the tables in this appendix. In some cases, the maximum price is not stated in the table, but may be calculated by using some other provision of Appendix B. In a few cases, the price for a particular shirt or particular kind of sale cannot be found in Appendix B; this is true for example, of a shirt of substandard dimensions or construction which is put into process after January 24, 1943. In these cases, the seller must refer to paragraph (b) of this section. Standards of dimensions, construction and quality which must be met by specified work and sport shirts are provided in Appendix A (§ 1389.459).

(b) *When a seller must apply for a price.* In some cases a maximum price cannot be found through use of Appendix B. In such cases, no person may make any sale or delivery until a maximum price has been authorized by the Office of Price Administration, Washington, D. C. Anyone who seeks such an authorization must file with the Office of Price Administration, Washington, D. C., an application describing the garment, explaining how it differs from garments which can be priced under the regulation, setting forth the cost of manufacture or purchase, and requesting a maximum price. The applicant shall supply any further relevant information requested by the Office of Price Administration. No maximum price will be authorized which is unduly high in relation to the prices of other shirts, considering the special utility (if any) of the garment for which a price is requested. The seller will be required to mark any shirt for which a price is authorized with a distinguishing label.

§ 1389.453 *Labeling.* No person shall make any delivery at source or at wholesale of specified work and sport shirts which were put into process on or after February 22, 1943, unless the shirt is labeled to show the following facts:

(a) The weight of the cloth. This shall be expressed by the market designation either in yards per pound or in ounces per yard, prorated to the basis of 36 inches in width.

(b) The shrinkage treatment, or lack of any, as follows:

(1) If the fabric is "shrunk", the word "pre-shrunk" or "shrunk", or other word of like effect. These terms must be accompanied by the qualifying statements required by the Trade Practice Rules for the Shrinkage of Woven Cotton Yard Goods,[1] issued by the Federal Trade Commission.

(2) If the fabric is not "shrunk", the words "allow for shrinkage", or "unshrunk".

(c) If the shirt contains defects of material or workmanship, the word "imperfect" or "second". This must be stamped on the neckband label.

A label may contain other information, such as lot number or size, if it does not obscure the required information. This information may be shown on separate labels, but all labels must be firmly attached and clearly visible.

Example (1)

Weight—3.00 yd./lb.
Allow for Shrinkage.

Example (2)

Lot 903.
Size 15½.
Wt., 7 oz./yd.
Sanforized—will not shrink over 1 percent.

§ 1389.454 *Records and disclosure*—(a) *Current records.* Every manufacturer shall keep and make available to the Office of Price Administration records of the kind he has customarily kept relating to the materials, trimmings and labor used in specified work and sport shirts. Every seller shall keep and make available to the Office of Price Administration records of the kind he has customarily kept relating to the prices at which he sells specified work and sport shirts, and the specifications of the shirts sold.

(b) *Disclosure of specifications.* Within ten days after receiving a written request, every seller must disclose in writing to any person who has bought specified work and sport shirts from him and has not yet resold them, all information which may be necessary for labeling and pricing these shirts.

(c) *Disclosure of class of trade.* Within ten days after receiving a written request, every person who buys or offers to buy specified work and sport shirts must inform the seller in writing of the class of purchaser to which the buyer belongs, and of the facts on which he bases his statement that he belongs to this class. Classes of purchasers are defined in paragraph (c) of Appendix B (§ 1389.460).

§ 1389.455 *Relation to other regulations, and other special situations*—(a) *General Maximum Price Regulation.*[2] The General Maximum Price Regulation, including Amendment 49[3] to Supplementary Regulation 14[4] thereto, does not apply to any sale at source or at wholesale of specified work and sport shirts. However, the registration and licensing provisions of the General Maximum Price Regulation (§§ 1499.15 and 1499.16) apply to every person who sells specified work and sport shirts at wholesale. Definitions in the General Maximum Price Regulation apply to words used in this regulation unless the context requires otherwise.

(b) *Maximum Price Regulation 210*[5]*—Retail and Wholesale Prices for Fall and Winter Seasonal Commodities.* Maximum Price Regulation 210 does not apply to any sale at wholesale of specified work and sport shirts, but it continues to apply to sales at retail of such shirts.

(c) *War procurement agencies—Maximum Price Regulation 157.*[6] This regulation does not apply to sales of shirts made in accordance with military specifications, when the sales are made to war procurement agencies as defined in Maximum Price Regulation 157. It does not apply to sales made by war procurement agencies of specified work and sport shirts, whether or not the shirts are made in accordance with military specifications.

(d) *Export sales.* This regulation does not apply to export sales of specified work and sport shirts, and the Revised Maximum Export Price Regulation[7] applies to such sales.

(e) *Contractors' services.* This regulation does not apply to the supply of contractors' services as defined in Maximum Price Regulation No. 172.[8]

(f) *Geographical applicability.* This regulation applies to sales in the 48 states and the District of Columbia.

§ 1389.456 *Petitions for amendment.* Any person seeking a modification of any provision of this regulation may file a petition for an amendment of general applicability. Any such petition must be filed in accordance with the provisions of Revised Procedural Regulation No. 1.[9]

§ 1389.457 *Prohibitions and enforcement*—(a) *Acts forbidden.* On and after January 25, 1943, the following acts are forbidden, regardless of any contract or other obligation.

(1) *Charging more than the maximum price.* Every person is forbidden to sell or deliver any garment at a higher price than the maximum price fixed by this regulation. But no one is prohibited from charging a price below the maximum price.

(2) *Buying or receiving for more than the maximum price.* Every person is forbidden to buy or receive any garment in the course of trade or business for a higher price than the maximum price fixed by this regulation. But no person is prohibited from buying or receiving for a lower price.

(3) *Combination sales.* Every person is forbidden in the course of trade or business to make a sale of any garment which is conditioned directly or indirectly on the purchase of any other commodity or service.

(4) *Attempted violations.* Every person is forbidden to offer, solicit or attempt to do any of the acts forbidden by subparagraphs (1), (2) and (3).

(b) *Enforcement.* Any person who does any act, or fails to do any act, in violation of this regulation is subject to the criminal penalties, civil enforcement suits, suits for treble damages and proceedings for the suspension of licenses provided by the Emergency Price Control Act of 1942, as amended.

§ 1389.458 *Effective date.* This Maximum Price Regulation 304 shall become effective on January 25, 1943.

§ 1389.459 *Appendix A: Standards*—(a) *Meaning of terms.* (1) "Cotton" designates any fabric of which the fiber content is more than 95 percent cotton fiber, by weight.

(2) "Flannel", "domet" and "suede" include all cotton fabrics which are napped on one or both sides, and are used in men's and boys' shirts.

(3) "Shrunk" designates a fabric treated so that the residual shrinkage does not exceed 2 percent. This is to be measured by the test for shrinkage of cotton fabrics described in Commercial Standard CS 59-41, issued by the National Bureau of Standards.

(4) "Mill finish" designates fabrics which are not "shrunk".

(5) "Weight" is measured in yards per pound or ounces per yard by market designation, prorated to a 36 inch width basis.

(6) "Regular" shirts are shirts with tails.

(7) "In-and-outer" shirts are shirts without tails, designed to be worn either inside or outside the trousers.

(b) *Dimensions*—(1) *Standard dimensions.* Dimensions are "standard" when the average yardage consumed per dozen shirts throughout the size range is not less than the following:

(i) 29 yards for shrunk fabrics in men's regular shirts;

(ii) 29½ yards for mill finish fabrics in men's regular shirts;

(iii) 20¼ yards for all fabrics, whether shrunk or mill finish, in boys' regular shirts;

(iv) 17¼ yards for shrunk fabrics in boys' in-and-outers; and

(v) 17¾ yards for mill finish fabrics in boys' in-and-outers.

(2) *Undersize dimensions.* All shirts not of "standard" dimensions are "undersize." Maximum prices for undersize shirts are provided for in paragraph (d) (2) of Appendix B (1389.460).

(c) *Construction*—(1) *Standard construction.* Construction is "standard" when the shirts contain at least the following features:

(i) *Regular shirts*—(*a*) *Pockets.* Two, button through, not less than 4¾ x 5¼ inches on men's, and 3 x 4 inches on boys'.

(*b*) *Buttons.* Of plastic, bone, ivory or pearl; size not less than 20 ligne (½ inch diameter); number not less than 6 on front of men's, 5 on front of boys' 12½ to 14, and 4 on boys' 6 to 12.

(*c*) *Collars.* Lined; shrunk fabric shirts with shrunk linings; mill finish shirts with mill finish linings.

(*d*) *Stitching.* Not less than ten stitches per inch.

(*e*) *Tails.* Square type, not "fish tails."

(ii) *Boys' in-and-outer shirts*—(*a*) *Pockets.* One, button-through or without button, not less than 3 x 4 inches.

(*b*) *Buttons.* Of plastic, bone, ivory or pearl; size not less than 20 ligne (½ inch diameter); number not less than 5 on front of sizes 12½ to 18 and 4 on front of sizes 6 to 12.

(*c*) *Stitching.* Not less than ten stitches per inch.

(*d*) *Front facing.* Not less than 2½ inches wide at top.

(2) *Substandard construction.* All shirts not of standard construction are "substandard". Maximum prices for substandard shirts are provided for in paragraph (d) (2) of Appendix B (§ 1389.460).

(3) *Men's in-and-outer shirts.* All men's in-and-outer shirts shall be considered the same as men's regular shirts of substandard construction, for which maximum prices are provided in paragraph (d) (2) of Appendix B (§1389.460).

(d) *Grades.* A shirt will be considered of "standard grade", or of "second" or "imperfect" grade according to the grading practices followed by the manufacturer of the shirt during 1941.

§ 1389.460 *Appendix B: Price tables and explanations*—(a) *Tables.* The prices stated in the tables are prices per dozen for shirts of standard dimensions, construction and grade.

MEN'S REGULAR SHIRTS
[Sizes 14½ to 17, inclusive]

Fabric	Color	Weight yd./lb. (oz./yd.)	Finish	Sales at source to class I purchasers	Sales at source to class II purchasers	Sales at wholesale to class II purchasers		
						From factory	From stock East and Central	From stock Mountain and Pacific
Flannel	Plaid	3.50	Mill finish	$9.62½	$10.75	$11.00	$12.00	$12.25
Flannel	Plaid	3.00	Mill finish	10.25	11.50	11.75	12.75	13.00
Flannel	Plaid	3.00	Shrunk	11.87½	13.37½	13.50	14.75	15.00
Flannel	Plaid	2.28 (7 oz.)	Mill finish	12.25	13.75	14.00	15.25	15.50
Flannel	Plaid	2.28 (7 oz.)	Shrunk	14.12½	15.87½	16.12½	17.62½	17.87½
Flannel	Plaid	1.85	Shrunk	15.50	17.37½	17.62½	19.25	19.50
Woven Domet	Plain	4.20	Mill finish	8.25	9.25	9.42½	10.25	10.50
Twill Domet	Plain	3.00	Mill finish	10.12½	11.37½	11.50	12.62½	12.87½
Twill Domet	Plain	3.00	Shrunk	11.87½	13.00	13.25	14.50	14.75
Twill Domet	Plain	2.28 (7 oz.)	Mill finish	11.87½	13.00	13.25	14.50	14.75
Twill Domet	Plain	2.28 (7 oz.)	Shrunk	13.75	15.37½	15.75	17.12½	17.37½
Twill Domet	Plain	2.00 (8 oz.)	Mill finish	12.25	13.75	14.00	15.25	15.50
Suede	Tan or Gray	3.00	Mill finish	10.87½	12.15	12.37½	13.62½	13.87½
Suede	Navy Blue	3.00	Mill finish	11.37½	12.75	13.00	14.25	14.50
Suede	Printed	3.00	Mill finish	12.00	13.50	13.75	15.00	15.25

BOYS' REGULAR SHIRTS
[Sizes 6 to 14, inclusive]

Fabric	Color	Weight yd./lb. (oz./yd.)	Finish	Sales at source to class I purchasers	Sales at source to class II purchasers	Sales at wholesale to class II purchasers		
						From factory	From stock East and Central	From stock Mountain and Pacific
Flannel	Plaid	4.50	Mill finish	$6.92½	$7.75	$7.87½	$8.62½	$8.87½
Flannel	Plaid	3.50	Mill finish	7.92½	8.87½	9.00	9.87½	10.12½
Flannel	Plaid	3.00	Mill finish	8.37½	9.37½	9.50	10.50	10.75
Flannel	Plaid	3.00	Shrunk	9.50	10.75	10.87½	11.87½	12.12½
Woven Domet	Plain	4.20	Mill finish	7.00	7.87½	8.00	8.75	9.00
Suede	Tan or gray	3.00	Mill finish	8.75	9.87½	10.00	11.00	11.25

BOYS' IN-AND-OUTER SHIRTS
[Sizes 6 to 18, inclusive, or small, medium and large]

Flannel	Plaid	4.50	Mill finish	$6.50	$7.37½	$7.37½	$8.12½	$8.37½
Flannel	Plaid	3.50	Mill finish	7.42½	8.37½	8.47½	9.25	9.50
Flannel	Plaid	3.00	Mill finish	7.87½	8.82½	9.00	9.87½	10.12½
Flannel	Plaid	3.00	Shrunk	8.75	9.87½	10.00	11.00	11.25

[1] 3 F.R. 1583.

[2] 7 F.R. 3153, 3330, 3666, 3991, 4339, 4487, 4659, 4738, 5027, 5102, 5276, 5365, 5445, 5565, 5775, 5783, 5784, 6007, 6058, 6484, 6081, 6210, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 3990, 9732, 10155, 10454; 8 F.R. 371.

[3] 7 F.R. 9062.

[4] 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6976, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7367, 7401, 7453, 7400, 7510, 7604, 7538, 7511, 7576, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8869, 9082, 8950, 9131, 8953, 8954, 8355, 8959, 9043, 9196, 9397, 9391, 9406, 4639, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10537, 10557, 10583, 10705, 10865, 11005; 8 F.R. 276.

[5] 7 F.R. 6789, 7318, 7173, 7912, 8651, 8930, 8937, 8948, 9614, 10109.

[6] 7 F.R. 4273, 4541, 4618, 5180, 5716, 6004, 6424, 8948.

[7] 7 F.R. 5059, 7242, 8829, 9000, 10530.

[8] 7 F.R. 4882, 6684, 8351, 8948, 10864.

[9] 7 F.R. 8961.

mum price. The applicant shall supply

[3] F.R. 1583.

[7] F.R. 4882, 6684, 8351, 8948, 10864.

(b) *Price terms.* All prices stated in the tables are subject to the minimum terms set forth in this paragraph. Any lower price or more favorable terms may be granted. But no seller may change these terms if the change would result under any circumstances in a higher price.

(1) *Time and cash discounts.* All prices are net sixty days, less 1 percent in ten days.

(2) *Customer and quantity discounts.* Customer and quantity discounts may be but are not required to be maintained.

(3) *Shipping charges.* All prices are f. o. b. place of shipment.

(c) *Classes of trade.* This regulation fixes different prices for different kinds of sales, and for sales to different classes of trade. In order to find what price may be charged, the parties must find to what class of purchaser the buyer belongs, and the kind of sale which is to be made. Classes of purchasers and kinds of sales at wholesale are defined in this paragraph. "Sale at source", "sale at wholesale" and "sale at retail" have already been defined in paragraph (c) of § 1389.451.

(1) "Class I purchaser" includes:

(i) Every purchaser who sells principally at wholesale.

(ii) Every purchaser who during 1941 obtained more than half his specified work and sport shirts from manufacturers at or below the prevailing wholesale price of these manufacturers. For example, a mail order house which in 1941 received 60% of its shirts from a manufacturer at less than the manufacturer's regular price to wholesalers, 30% from another manufacturer at more than the manufacturer's regular price to wholesalers and 10% from jobbers at the regular price to independent retailers, would be a "Class I purchaser." In comparing prices allowance is to be made for differences in specifications.

(iii) Every purchaser who during 1941 obtained more than one fourth of the total production of specified work and sport shirts of a manufacturer. For example, a chain of stores might have purchased its shirts from a manufacturer who did not customarily deal with wholesalers, so that subsection (ii) would not apply. Yet, if the chain bought more than one fourth of the manufacturer's production, it would be a "Class I purchaser".

(iv) Every person who manufactures any specified work and sport shirts. For example, a man who manufactures flannel shirts and supplements his line by suede shirts of other manufacturers is a "Class I purchaser" with respect to the shirt that he buys from others.

(2) "Class II purchaser" includes every purchaser who is not in Class I. But in the case of a transfer of business or stock in trade made after December 31, 1941, these rules apply:

(i) If the transferee did not deal in specified work and sport shirts during 1941, he belongs to the same class to which his transferor would belong.

(ii) If the transferee did deal in specified work shirts during 1941, and either the transferor or the transferee would belong to Class I had there been no transfer, the transferee belongs to Class I.

(3) A sale "from factory" is a sale at wholesale in which the goods are shipped directly to the purchaser from an establishment of the manufacturer.

(4) A sale "from stock" is a sale at wholesale in which the goods are shipped from an establisment of the seller at wholesale.

(5) "East and Central" designate sales from stock in which the seller's place of business is in a state lying east of New Mexico, Colorado, Wyoming or Montana.

(6) "Mountain and Pacific" designate sales from stock in which the seller's place of business is in New Mexico, Colorado, Wyoming or Montana, or further west.

(d) *Shirts which are not standard.* The prices in the tables apply to shirts which are of standard dimensions, construction and grade. This paragraph tells how other shirts are to be priced.

(1) *Imperfects and seconds.* To find the maximum price of a shirt graded as a "second" or "imperfect", the seller takes the maximum price of a corresponding perfect shirt, and deducts the percentage which the manufacturer of the shirt customarily deducted for the particular defect in 1941. The deduction shall always be at least 7½ percent.

(2) *Undersized and substandard shirts.* In the case of a shirt which is not of standard dimensions or construction, the seller must first find the date on which it was put into process (that is, when the factory started to cut the material for this particular shirt). If it was put into process before January 25, 1943, the maximum price is the same as it would be for a standard shirt. If it was put into process on or after that date, the maximum price must be applied for as provided in paragraph (b) of § 1389.452.

(e) *Special kinds of sales.* The prices in the tables apply to sales which advance the goods in the course of distribution. They do not apply to sales from one "Class I purchaser" to another "Class I purchaser", nor from one "Class II purchaser" to another "Class II purchaser." The maximum price for any sale of one of these kinds is the sum of the net cost actually paid by the seller (not exceeding the maximum price), plus the shipping charges actually paid by him.

(f) *When taxes may be added to the price.* The seller may charge or collect, in addition to the maximum price for any transaction, the amount of tax levied on account of that transaction by any existing or future Federal excise tax statute, or by any State or municipal sales, gross receipts, gross proceeds, or compensating use tax statute or ordinance, under which the tax is measured by gross proceeds or units of sale, in the following cases only:

(1) Where the statute or ordinance requires the seller to state the tax to the purchaser separately from the purchase price; or

(2) Where the statute or ordinance requires the tax to be separately paid by the purchaser with money, tokens or other means of tax payment; or

(3) Where the statute or ordinance permits the seller to state the tax to the purchaser separately from the purchase price, and the seller actually does so.

Issued this 19th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-969; Filed, January 19, 1943; 5:06 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5B,[1] Amendment 13]

GASOLINE RATIONING REGULATIONS FOR PUERTO RICO

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subparagraphs (1), (2), (3) and (4) of paragraph (b) of § 1394.2403 are amended to read as follows, and paragraph (m) is added to § 1394.3052:

§ 1394.2403 *Service ration books.*

* * *

(b) * * *

(1) D Ration Books marked "service" shall be six (6) months in length, shall commence on August 1, 1942, and shall end on January 31, 1943. Each book shall contain forty-eight (48) coupons, valid for transfer of gasoline during the valid period. S–1 and S–2 Ration Books issued on November 15, 1942 expire January 9, 1943. Registration for renewals and issuance of renewals of the S–1 and S–2 Ration Books shall begin January 9, 1943. Renewals thereof shall be valid for twelve weeks commencing on January 11 and ending on April 3, 1943.

(2) Each S–1 and S–2 Ration Book as renewed shall contain twelve (12) pages; S–3 and S–4 shall contain ten (10) pages; and each S–5 Ration Book with green coupons shall contain fourteen (14) pages. Each coupon shall consist of eight (8) coupons. Each coupon shall have imprinted on its face the number of S class ration for which it is issued. All coupons on each page shall bear consecutive number of the page in the Ration Book. The S–1 and S–2 Ration Books as renewed will bear a number nine (9) on all the coupons of the first page, a number ten (10) on all the coupons on the next page and so forth consecutively. Each S–5 Ration Book with gold coupons shall contain twenty-eight (28) pages of coupons, coupons on the first two pages being numbered S5–1, the coupons on the next two pages being numbered S5–2, etc., so that there will be twice the number of S–5 gold coupons valid for the same periods as contained in the S–5 Ration Book with green coupons. Each S–5 Ration Book with white coupons shall contain forty-two (42) pages of coupons, the coupons of the first three pages being numbered S5–1 coupons, the next three pages being numbered S5–2, etc., so that there will be three times the number of

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5607, 6389, 6390, 7400, 6871, 7[illegible] 8385, 8335, 9134.

S–5 white coupons valid for the same period as contained in the S–5 Ration Book with green coupons.

(3) Each coupon in each S class Ration Book shall have imprinted on its face the serial number which appears on the cover of the book, and all coupons without such number printed thereon, and all S–1 and S–2 Ration Books issued prior to January 9, 1943, shall be invalid after January 9, 1943.

(4) The valid period of each coupon of each type of service ration shall be as follows:

Types of service ration	Coupons bearing number	Valid periods
[illegible] S–4, S–5	9	Jan. 10 to Jan. 16, 1943.
[illegible] S–2	9	Jan. 11 to Jan. 16, 1943.
[illegible] S–4, S–5	10	Jan. 17 to Jan. 23, 1943.
[illegible] S–2	10	Jan. 18 to Jan. 23, 1943.
[illegible]	11	Jan. 24 to Jan. 30, 1943.
[illegible] S–2	11	Jan. 25 to Jan. 30, 1943.
[illegible]	12	Jan. 31 to Feb. 6, 1943.
[illegible] S–2	12	Feb. 1 to Feb. 6, 1943.
[illegible]	13	Feb. 7 to Feb. 13, 1943.
[illegible] S–2	13	Feb. 8 to Feb. 13, 1943.
[illegible]	14	Feb. 14 to Feb. 20, 1943.
[illegible] S–2	14	Feb. 15 to Feb. 20, 1943.
[illegible] S–2	15	Feb. 22 to Feb. 27, 1943.
[illegible] S–2	16	Mar. 1 to Mar 6, 1943
[illegible] S–2	17	Mar. 8 to Mar. 13, 1943.
[illegible] S–2	18	Mar. 15 to Mar. 20, 1943.
[illegible] S–2	19	Mar. 22 to Mar. 27, 1943.
[illegible] S–2	20	Mar. 29 to Apr. 3, 1943.

* * * * *

§ 1394.3052 *Effective dates of amendments.* * * *

(m) Amendment No. 13 (§ 1394.2403 (b) (1) (2) (3) (4)) shall become effective at 6:00 p. m. on January 9, 1943.

(Pub. Law 617, 76th Cong., as amended by Pub. Laws 89, 507, 421, 77th Cong.; W.P.B. Directive No. 1, Supp. Dir. No. 1J, 7 F.R. 562, 8731)

Issued this 9th day of January 1943.

WILLIAM B. MEAD,
Director,
Office of Price Administration
for Puerto Rico.

[F. R. Doc. 43-943; Filed January 19, 1943; 5:08 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11,[1] Amendment 29]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1394.5402 the texts of paragraphs (b) and (e) are amended and new paragraphs (f), (g), and (h) are added thereto; and a new paragraph (cc) is added to § 1394.5902; as set forth below:

Miscellaneous Uses

§ 1394.5402 *Rations for miscellaneous uses.* * * *

(b) Application for a ration for a necessary purpose not otherwise specified in this Ration Order No. 11, shall be made to a Board on or after October 22, 1942.

(1) If the ration required is for any commercial, industrial or governmental purpose, application shall be made on Form OPA R–1102. The applicant shall also certify on the application whether or not the fuel oil required is for use exclusively in any operation or operations listed in Schedule "A" of Petroleum Administrative Order No. 3 issued by the Petroleum Administration for War.

(2) If the ration is required for any domestic, institutional or agricultural purpose, application shall be made on Form OPA R–1103.

* * * * *

(e) After determining the allowable ration, the Board shall issue Class 3 coupon sheets containing coupons equal in gallonage value to the allowable ration (subject to the deduction made pursuant to paragraph (f) of this section, if applicable) less the amount of fuel oil on hand.

(f) Where the allowable ration of a commercial, industrial or governmental consumer for operations in the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia or Florida (east of the Apalachicola River), or the District of Columbia, is nine thousand (9,000) gallons or more, and if such consumer does not certify that the fuel oil, for which the ration is requested, is for use exclusively in an operation or operations listed on Schedule "A" of Petroleum Administrative Order No. 3, issued by the Petroleum Administration for War, the Board shall deduct from the allowable ration, determined in accordance with paragraph (c), forty (40%) percent of the gallonage value thereof: *Provided*, That in no event shall such deduction reduce the allowable ration to less than nine thousand (9,000) gallons.

(g) Each commercial, industrial or governmental consumer whose current allowable ration is more than nine thousand (9,000) gallons of fuel oil for an operation or operations in the area mentioned in paragraph (f) of this section and was not adjusted as provided in said paragraph (f) shall, if the fuel oil is not for use exclusively in any operation or operations listed on Schedule "A" of Petroleum Administrative Order No. 3, issued by Petroleum Administration for War, surrender (personally or by mail), on January 25, 26 or 27, 1943, to such Board or to such State, District or Regional Office of the Office of Price Administration as shall be designated for such purpose by the Regional Administrator for the region in which the consumer's Board is located, all coupon sheets, other evidences, and delivery receipts evidencing the ration issued to him. The Board or Office to which such surrender is made shall adjust the consumer's current allowable ration in accordance with paragraph (f) of this section, and shall detach from the consumer's coupon sheets coupons equal in gallonage value to the amount by which the gallonage value of the coupons then attached to the coupon sheets exceeds such allowable ration as adjusted by the operation of paragraph (f) of this section. The Board or Office detaching such coupons shall enter under the Register of Deliveries on the coupon sheet the date, the number and value of the coupons detached, the number of the Board or the designation of the office and the name of the person making the entries. If a delivery receipt is surrendered, the deduction pursuant to paragraph (f) shall be entered on the stub, together with the date, the number of the Board or designation of the office and the name of the person making the entries.

(h) Upon certification by the Petroleum Administrator for War, pursuant to Petroleum Administrative Order No. 3, issued by Petroleum Administration for War, that the current ration issued to any consumer for a commercial, industrial or governmental purpose in the area mentioned in paragraph (f) of this section (whether or not such ration was adjusted pursuant to such paragraph (f)) be revoked or modified, such consumer shall, within three (3) days from the issuance of the certification, present his copy of the certification, together with the coupon sheets, other evidences or delivery receipts, evidencing his ration, to such Board or State, district or regional office of the Office of Price Administration as may be designated for such purpose by the Regional Administrator for the region in which the consumer's Board is located. Such Board or office will make such adjustment of the consumer's ration as may be required by the certification.

(1) If the certification of the Petroleum Administrator for War requires an increase in the ration of such consumer, such Board or office shall issue Class 3 coupon sheets containing coupons equal in gallonage value to the amount of the increase, and shall enter thereon as the period of validity of such coupon sheets the same period of validity as that of the current ration.

(2) If the certification of the Petroleum Administrator for War requires a reduction in the ration of such consumer, such Board or office shall detach from the coupon sheets coupons equal in gallonage value to the amount of the reduction. The Board or office detaching such coupons shall enter under the register of deliveries on the coupon sheet the date, the number and value of the coupons detached, the number of the Board or the designation of the office and the name of the person making the entries. If a delivery receipt is surrendered, such deduction shall be entered on the stub, together with the date, the number of the Board or designation of the office and the name of the person making the entries.

(3) Such certification of the Petroleum Administrator for War, shall, unless modified or containing a provision therein to the contrary, continue to limit or define the gallonage value of the ra-

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8480, 8708, 8809, 8897, 9316, 9492, 9427, 9430, 9621, 9784, 10153, 10081, 10379, 10430 10531, 10780, 10707, 11118, 11071; 8 F.R. 1[illegible]237, 437, 369, 374, 535, 439, 444.

tion to be issued to any such consumer on all applications which he may make for a ration or further ration for the same purposes pursuant to this section or §§ 1394.5551 and 1394.5552.

Effective Date

§ 1394.5902 *Effective date of corrections and amendments.* • • •

(cc) Amendment No. 29 (§ 1394.5402) to Ration Order No. 11 shall become effective January 19, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562, Supp. Directive No. 1-0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 19th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-944; Filed, January 19, 1943; 5:07 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 12,[1] Amendment 8]

COFFEE RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1407.1065 is amended to read as as follows, and paragraph (h) of § 1407.1090a is added as set forth below:

Petitions for Adjustment; New Business

§ 1407.1065 *Petitions for adjustment of base, allotment, inventory, or allowable inventory.* (a) Any person may petition the board in writing for an adjustment of his base, allotment, inventory, or allowable inventory. Such petition shall state the name and address of the petitioner, the adjustment sought by him, the grounds on which the adjustment is sought, and any other facts deemed pertinent by such person. The board may request such additional information as it may deem pertinent and shall, within ten days after the receipt of the petition, send it, together with all relevant and material evidence and information received by the board, to the district office (or where there is none, to the State Director), or take such other action as the Office of Price Administration may direct.

(b) The district office (or the State Director) shall forward the petition, together with all other material concerning the petition received from the board, to the Regional Administrator, or take such other action as the Office of Price Administration may direct. The Regional Administrator shall forward the petition, together with all other material concerning the petition received from the State Director to the Office of Price Administration, Washington, D. C., for appropriate action, or take such other action as the Office of Price Administration may direct. The petitioner may be requested to furnish further information and to appear personally.

Effective Date

§ 1407.1090a *Effective dates of amendments.* • • •

(h) Amendment No. 8 (§§ 1407.1065 and 1407.1090a (h)) to Ration Order No. 12 shall become effective January 19, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 729, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1-R).

Issued this 19th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-945; Filed, January 19, 1943; 5:08 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 183,[1] Amendment 17]

PUERTO RICO

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subparagraph (2) of § 1418.14 (f) is amended as set forth below:

§ 1418.14 *Tables of maximum prices.* • • •

(f) *Table 6: Maximum prices for codfish.* • • •

(2) The maximum prices for codfish sold or delivered on and after November 5, 1942 shall be:

	Sales to wholesalers (price per pound)	Sales at wholesale (price per pound)	Sales at retail (price per pound)
Codfish, hard dried	$0.145	$0.155	$0.18

The maximum prices for all other grades of codfish are to be computed by subtracting from the maximum price for codfish, hard dried, the customary trade price differentials.

• • • • •

§ 1418.13a *Effective dates of amendments.* • • •

(q) Amendment No. 17 (§ 1418.14 (f) (2) to Maximum Price Regulation No. 183 shall become effective as of January 18, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of January, 1943.

JOHN C. HAMM,
Acting Administrator.

[F. R. Doc. 43-946; Filed, January 19, 1943; 5:08 p. m.]

PART 1425—LUMBER DISTRIBUTION

[MPR 215,[1] Amendment 3]

DISTRIBUTION YARD SALES OF SOFTWOOD

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1425.1 the text of paragraph (a) is amended; in § 1425.12 subparagraph (2) of paragraph (a) is amended, and subparagraph (a) (5) is added; in § 1425.14 subparagraph (4) of paragraph (a), the text after the table in paragraph (c), and paragraph (i), are amended; and new §§ 1425.15 and 1425.16 are added; all to read as set forth below:

§ 1425.1 *Definition of distribution yard sale.* (a) "Distribution yard sale" for purposes of this Maximum Price Regulation No. 215 means a sale out of distribution yard stock of 5,000 feet or more of softwood lumber to the following persons: (*Exception*: This 5,000 feet limitation shall not apply in the case of sales to other distribution yards mentioned in subparagraph (6) below, and to sales by "CPA contract yards" defined in § 1425.12 (a) (6) below. Such sales shall be regarded as distribution yard sales regardless of quantity.)

• • • • •

§ 1425.12 *Definitions.* (a) • • •

(2) "Softwood lumber" means any lumber or shingles subject to Maximum Price Regulations 19, 26, 94, 164, 219, 222, 253, and 290, or any revisions of these regulations that may be issued.

• • • • •

(5) "CPA contract yards" are distribution yards operating under "letter of intent" or other form of agreement with the Corps of Engineers, War Department, or any agency thereof (such as the so-called Central Producing Agency) whereby the yard maintains a stockpile of lumber at the instruction of such Corps or agency for distribution and sale pursuant to its direction or consent.

Prices and rules for sales by these yards differ in some respects from those for sales by other yards. They are fully set out in § 1425.16, Appendix C, on "Special prices and rules for sales by 'CPA contract yards'".

• • • • •

§ 1425.14 *Appendix A: Maximum prices for distribution yard sales of softwood lumber.* (a) • • •

(4) 10 percent of the total of the applicable items set forth in (1), (2), and (3) above, except that in the case of sales to other distribution yards not more than 5 percent can be used, and in the case of sales by "CPA contract yards" the mark-ups provided in § 1425.16, Appendix C, shall apply.

The maximum prices set forth above shall include loading by and at the expense of the seller on railroad car, truck, or other means of transportation, but do not include transportation to the buyer.

• • • • •

(c) • • •

The above additions are for 1,000 feet BM. The cross-cutting, ripping and resawing charges are per cut per 1,000 feet BM.

The ripping and resawing charges may be added and the price of the original size ripped or resawn may be used in figuring the f. o. b. mill maximum price only where:

(1) A standard size is remanufactured into a non-standard size, or

(2) The final size to which the original size is reduced by ripping or resawing is over 2" in thickness regardless of width, or over 12" in width in the thickness of 2", or regardless of width, if the thickness is 2" and the final length 24' or longer.

The total charge for ripping and resawing may not include an addition for more than a total of three rips or resaws or any combination of the two per piece.

For working quantities less than 2 000 feet BM the charges for working 2,000 feet BM may be used.

• • • • •

(i) In adding inbound transportation charges as provided in paragraph (a) (2) of this § 1425.14, each seller shall calculate incoming transportation charges from the basing point shown below to points of delivery in each state on the basis of carload rates applicable to each species of softwood lumber. For example, if a distribution yard located in Chicago, Illinois, buys short leaf yellow pine from a mill in Goldsboro, N. C., it applies the rate from the basing point to be used for the State of Illinois, in this instance, Hattiesburg, Miss., to the point of delivery, in this instance, Chicago. As indicated, this applies regardless of the actual point of origin of the shipment.

(1) Douglas fir and other West Coast lumber—MPR 26:

Portland, Oregon (except that in the State of Washington, use Seattle, Washington).

(2) Idaho white pine—MPR 94:

Spokane, Washington

(3) Ponderosa pine, sugar pine, and secondary species—MPR 94:

Klamath Falls, Oregon (except: in Texas, use Susanville, California; in Washington, for Ponderosa pine only, use Spokane, Washington).

(4) Red cedar shingles—MPR 164:

Seattle, Washington.

(5) Northeastern softwoods—MPR 219:

Rochester, New Hampshire.

(6) Northern softwoods—MPR 222:

Wausau, Wisconsin (except: for imported Western white spruce lumber, use Baudette, Minnesota, for lumber shipped from mills in Saskatchewan and Manitoba, and Spokane, Washington, for lumber shipped from mills in British Columbia and Alberta).

(7) Redwood—MPR 253:

Western Area: Eureka, California.

Eastern Area: Direct-mill maximum prices are not f. o. b. mill but are delivered on a 57¢ rate. Therefore, for inbound transportation add only the excess of the actual rate from Eureka, California to the seller's yard over the 57¢ rate. If the rate is less than 57¢, deduct the resulting difference in transportation charges from the Eastern area prices in MPR 253.

(8) Shortleaf southern pine—MPR 19:

Montgomery, Ala.: Alabama.

Alexandria, La.: Arizona, Arkansas, California, Colorado, Idaho, Iowa, Kansas, Louisiana, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wyoming.

Macon, Ga.: Connecticut, Georgia, Maine, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont.

Goldsboro, N. C.: Delaware, District of Columbia, Maryland, North Carolina, Virginia, West Virginia.

Orlando, Fla.: Florida.

Hattiesburg, Miss.: Illinois, Indiana, Kentucky, Michigan, Mississippi, Wisconsin.

Sumter, S. C.: South Carolina.

(9) Longleaf Southern pine—MPR 19:

Alexandria, La.: Alabama, Arizona, Arkansas, California, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin, Wyoming.

Fort Myers, Fla.: Connecticut, Delaware, District of Columbia, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia West Virginia.

(10) Sitka spruce—MPR 290:

Portland, Oregon (except that in the State of Washington, use Seattle, Washington)

If the distribution yard is located at the basing point, or within a radius of 10 miles of it, a rate of 10¢ per MBM may be used to figure inbound transportation charges.

§ 1425.15 *Appendix B: Optional coverage for other sales.* In the case of sales of softwood lumber in grades of No. 1 Common and lower, and also in the case of sales of shingles, where the sale is under 5,000 feet BM or to a buyer not in one of the classes listed in § 1425.1 (a), the seller may, at his option, elect to use as his maximum prices for all such sales a price determined under § 1425.14 (Appendix A) of this regulation, rather than under the General Maximum Price Regulation. Before sales may be made under this optional provision the seller must first notify the Lumber Branch of the Office of Price Administration, Washington, D. C., of his intention to make use of the option provided in this section, either with respect to sales of softwood lumber in grades of No. 1 Common and lower, or with respect to sales of shingles, or both. The notice may be sent by mail or telegraph and may be worded as follows:

(Date)

LUMBER BRANCH
Office of Price Administration
Washington, D. C.

GENTLEMEN:

The undersigned elects to price distribution yard sales of softwood lumber in grades of No. 1 Common and lower, (or shingles, or both, as the case may be), under the provisions of Maximum Price Regulation 215, rather than under the General Maximum Price Regulation, in all cases where the undersigned's maximum prices established under the General Maximum Price Regulation would otherwise apply to such sales.

(Signature)

Once an election has been made by filing the notice provided above, the seller must price all sales of softwood lumber in grades of No. 1 Common and lower, or shingles, or both, as the case may be, at ceiling prices computed under this regulation, and may not use his former ceiling prices established under the General Maximum Price Regulation for any such sales.

§ 1425.16 *Appendix C: Special prices and rules for sales by "CPA contract yards"*—(a) *General.* The special prices listed below apply to all sales of lumber covered by this regulation made by "CPA contract yards".

(b) *Special price.* (1) On Southern pine and Douglas fir boards and dimension lumber (this covers items under 2" in thickness, regardless of width, or 12" or under in width in the thickness of 2", or regardless of width if the thickness is 2" and the final length under 24'), in the grades of No. 1 Common and lower, the percentage mark-up (item 4 in § 1425.14, Appendix A (a) (4)), shall be five percent. This rule applies whether or not the boards or dimension are produced by ripping or resawing, and applies to boards and dimension with special specifications in the Common grades such as dense, medium grain and stress.

(2) On all other items, the percentage mark-up shall be ten percent.

(c) *Special rule on ripping and resawing charges in emergencies.* (1) If an emergency arises whereby the Corps of Engineers (or any agency hereof such as the Central Procuring Agency), is unable to obtain needed board and dimensions for a particular job except through ripping and resawing of timber by a "CPA contract yard" such yard will be permitted to compute its maximum prices in accordance with the following special rules:

(i) The f. o. b. mill maximum price may be determined on the basis of the original size ripped or resawn.

(ii) The percentage mark-up provided in § 1425.16 (b) above may be based upon the original size ripped or resawn, i. e. 5 percent on board or dimension in grades of No. 1 Common and lower on Southern pine or Douglas fir, and 10 percent on timber and all other lumber. For example, if 2 x 12 is resawn to 1 x 12, the percentage mark-up may not exceed 5 percent. If 4 x 12 is resawn to 2 x 12, the percentage mark-up may not exceed 10 percent.

(iii) The additions for ripping and resawing provided in the table in § 1425.14 (c) may be added even though the final size is a standard size of board or dimension. These, however, shall be limited to a total charge for not more than three cuts, either rippings or resawings or any combination of the two. *Note:* This ad-

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9710, 10380, 11071, 11072, 8 F.R. 28, 167, 566.

[1] 7 F.R. 5620, 6744, 6659, 7454, 7843, 7945, 8558, 8833, 8946, 9341, 9731, 9975, 10225, 10559, 10812; 8 F.R. 149, 324, 542.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 7094, 7452, 8402, 8942.

dition is made after the percentage mark-up has been added.

(2) A proper showing shall be made by the yard in such case which shall consist of certified proofs establishing that the board and dimension sold was actually derived by remanufacturing heavier lumber at the yard, a listing of the original sizes from which the board and dimension has been derived, and copies of invoices covering the transaction. These proofs must be submitted within 30 days after the transaction has been completed.

(d) *Special rule on lumber in transit.* A sale by a "CPA contract yard" may be considered a sale out of distribution yard stock even if the sale was made while the lumber was in transit to the yard. Of course, if the lumber is not actually put through the yard, as, for example, where lumber sold in transit is merely rerouted to the purchaser, or reloaded and delivered, the direct-mill regulation applies.

§ 1425.13a *Effective dates of amendments.* • • • (d) Amendment No. 3 (§§ 1425.1 (a); 1425.12 (a) (2) and (5); 1425.14 (a) (4), (c) and (l); 1425.15; and 1425.16) to Maximum Price Regulation No. 215 shall become effective January 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-970; Filed, January 19, 1943; 5:06 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 3 to Supp. Reg. 13 [1] of GMPR [2]]

TERRITORIES AND POSSESSIONS

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith, and has been filed with the Division of the Federal Register.*

Section 1499.202 is amended as set forth below:

§ 1499.202 *Applications for adjustment of maximum prices by sellers in the territories and possessions.* (a) Any seller who finds that the maximum price of a commodity established for him under the provisions of the General Maximum Price Regulation, or under the provisions of any other maximum price regulation, or any order, is abnormally low:

(1) Because of increased cost of importation resulting from increased rail and ocean freight and increased war risk insurance; or

(2) Because of the high cost of a commodity received by the seller on or before August 1, 1942; and that this abnormality subjects him to substantial hardship, may apply for adjustment of that maximum price in the manner set forth below.

In establishing substantial hardship, the applicant shall produce evidence showing the loss suffered on the particular commodity as a result of the maximum prices established, and the effect of such loss on his overall operations.

(b) Any seller or group of sellers may apply for adjustment of a maximum price established for him by the General Maximum Price Regulation or any other maximum price regulation or any order when it appears:

(1) That there exists or threatens to exist in a particular locality a shortage in the supply of a commodity or service which aids directly in the war program or is essential to a standard of living consistent with the prosecution of the war; and

(2) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of such seller and of like sellers for such commodity or service; and

(3) That such adjustment will not create or tend to create a shortage, or a need for increase in prices, in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

§ 1499.203 *Effective dates.* • • •

(d) Amendment No. 3 (§ 1499.202) to Supplementary No. 13 to the General Maximum Price Regulation shall become effective February 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-967; Filed, January 19, 1943; 5:05 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 90 to Supp. Reg 14 [1] of GMPR [2]]

CANE BLACKSTRAP AND BEET SUGAR MOLASSES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Inferior subdivision (*b*) of § 1499.73 (a) (43) (i) is amended as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) • • •

(43) *Cane blackstrap molasses and beet sugar molasses.* • • •

(i) • • •

(*b*) The maximum prices set forth in inferior subdivision (*a*) shall be adjusted by the addition or subtraction, as the case may be, of a differential, if any, for sales in less than tank car lots. If during the period August 1, 1941 to March 31, 1942 (1) the seller customarily charged a differential over his tank car price for such sales, he may add to the applicable maximum f. o. b. tank car price set forth in inferior subdivision (*a*) an amount not higher than the highest differential charged by him during said period for the same type of molasses packed in the same type and size of container to a purchaser of the same class; or (2) the seller customarily deducted a differential for such sales from his tank car price, he shall deduct from the applicable maximum f. o. b. tank car price set forth in inferior subdivision (*a*) an amount not less than the lowest differential charged by him during said period for the same type of molasses packed in the same type and size of container to a purchaser of the same class.

Within 30 days from the effective date hereof, each producer of cane blackstrap molasses and beet sugar final molasses produced in the continental United States and each distributor thereof other than those persons exempted in subdivision (ii) shall file with the Office of Price Administration, Washington, D. C., a complete list of his differentials over and under his tank car price, specifying the type of molasses, the type and size of container and class of purchaser to which each applies.

(*b*) *Effective dates.* • • •

(91) Amendment No. 90 (§ 1499.73 (a) (43) (i) (b)) to Supplementary Regulation No. 14 shall become effective January 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-968; Filed, January 19, 1943; 5:06 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 224 Under 1499.3 (b) of GMPR]

THE SMITHS, INCORPORATED

MAXIMUM PRICES FOR OAK MOULDING

Maximum prices authorized under § 1499.3 (b) of the General Maximum Price Regulation—Order No. 224.

The Smiths, Incorporated, of Barnesville, Georgia, has made application under § 1499.3 (b) of the General Maximum Price Regulation for specific authorization to determine the maximum price for a commodity which cannot be priced under § 1499.2 thereof. Due consideration has been given to the application and an opinion in support of the order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

§ 1499.1460 *Approval of maximum prices for sale by The Smiths, Inc., of a special item of oak mouldings.* (a) On and after January 19, 1943, The Smiths, Inc., of Barnesville, Georgia, may sell and deliver, and any person may purchase and receive from The Smiths, Inc., at a price not in excess of (1) $1.95 per C linear feet, f. o. b. mill, oak moulding consisting of the following specifications: $\frac{13}{16}$" thick by 1½" wide, in the following lengths:

5% —36¾".
78% —51¾".
17% —70"; and (2) $1.55 per C linear feet, f. o. b. mill, oak moulding consisting of the following specifications: $\frac{13}{16}$" thick by 1½" wide by 3½" long.

(b) This Order No. 224 may be revoked or amended at any time.

(c) This Order No. 224 (§1499.1460) shall become effective January 19, 1943.

Issued this 19th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-947; Filed January 19, 1943; 5:09 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 225 Under § 1499.3 (b) of GMPR]

THE SMITHS, INCORPORATED

MAXIMUM PRICES FOR BED RAILS MANUFACTURED FROM GUM OR POPLAR LUMBER

Maximum prices authorized under § 1499.3 (b) of the General Maximum Price Regulation—Order No. 225.

The Smiths, Inc., of Barnesville, Georgia, has made application under § 1499.3 (b) of the General Maximum Price Regulation for specific authorization to determine the maximum price for a commodity which cannot be priced under § 1499.2 thereof. Due consideration has been given to the application and an opinion in support of the order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, *It is ordered:*

§ 1499.1461 *Approval of maximum prices for sale by The Smiths, Inc., of bed rails.* (a) On and after January 20, 1943, The Smiths, Inc., of Barnesville, Georgia, may sell and deliver, and any person may purchase and receive from The Smiths, Inc., bed rails manufactured from Gum or Poplar lumber at a price not in excess of 34¢ and 18¢ f. o. b. the plant of The Smiths, Inc., respectively, for the following specifications:

(1) 1$\frac{15}{16}$" x 3½" x 6' ½", and (2) 1$\frac{15}{16}$" x 3½" x 3' 1¾", the difference in the two specifications being in the length thereof.

(b) This Order No. 225 may be revoked or amended at any time.

(c) This Order No. 225 (§ 1499.1461) shall become effective January 20, 1943.

Issued this 19th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-948; Filed, January 19, 1943; 5:09 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 5 Under § 1499.18 (c), as Amended, of GMPR]

WASHINGTON EXCELSIOR AND MANUFACTURING CO., ET AL

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1505 *Adjustment of maximum prices for wholesale sales of wood excelsior by Washington Excelsior & Manufacturing Company, Eugene Excelsior Company and all other manufacturers of wood excelsior in the States of Washington and Oregon.* (a) Washington Excelsior & Manufacturing Company of 871 Othello Street, Seattle, Washington, Eugene Excelsior Company of Eugene, Oregon, and all other manufacturers of standard grade wood excelsior in the States of Washington and Oregon may sell and deliver wood excelsior at wholesale, and any person may buy standard grade wood excelsior from such manufacturers at wholesale, at a price no higher than that hereinafter set forth:

$33.00 per ton net, f. o. b. mill, for standard grade wood excelsior.

(b) All other prayers in the petition filed by the Washington Excelsior Company are denied, with leave to said Company to submit its price list on wood excelsior pads within 30 days from the date of this order for further consideration in connection with its request for increase in its maximum prices for wood excelsior pads.

(c) This Order No. 5 may be revoked or amended by the Price Administrator at any time.

(d) Order No. 5 (§ 1499.1505) is hereby incorporated as a section of Supplementary Regulation 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 5 (§ 1499.1505) shall become effective January 20, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871).

Issued this 19th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-949; Filed, January 19, 1943; 5:07 p. m.]

Chapter XIII—Petroleum Administration for War

PART 1525—MARKETING MOTOR FUEL

[Petroleum Directive 62 as Amended January 19, 1943]

PROHIBITING USE OF SALES DEVICES IN EXTENDING CREDIT

Section 1525.1 (Petroleum Directive 62) [1] is hereby amended to read as follows:

§ 1525.1 *Petroleum Directive 62*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Retail outlet" means any place of business where motor fuel is sold at retail, including, but not limited to, any place of business where motor fuel is delivered into the fuel supply tanks of motor vehicles or motor boats.

(b) *Extension of credit at retail outlets prohibited.* (1) Commencing February 1, 1943, no person shall, directly or indirectly, grant or accept or participate in the granting or accepting of credit in connection with the sale of any petroleum product by or through any retail outlet: *Provided*, (i) That nothing in this paragraph shall be deemed to apply to the sale of any petroleum product: (*a*) To the United States, any State, Territory of the United States, or any political subdivision of the foregoing, or the District of Columbia, for its exclusive use; (*b*) for use in motor boats used for commercial purposes; or (*c*) for use in motor vehicles displaying "T" Ration stickers, and (ii) that nothing in this paragraph shall be deemed to prohibit the use or distribution of coupon or script books when sold for cash.

(2) No person engaged in the marketing of any petroleum product shall make unusual or abnormal advances of money, credit or merchandise to any person operating a retail outlet for the purpose of enabling or influencing such person to extend credit in the sale of any petroleum product by or through such retail outlet.

(E.O. 9276, 7 F.R. 10091)

Issued this 19th day of January 1943.

HAROLD L. ICKES,
Petroleum Administrator for War.

[F. R. Doc. 43-940; Filed, January 19, 1943; 1:35 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4798, 5058, 5911.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6939, 6794 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454, 8 F.R. 371.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6369, 6477, 6473, 6774, 6775, 6793, 6884, 6892, 6776, 6939, 7011, 7012, 6965, 7289, 7250, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7536, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8652, 8707, 8881, 8899, 8524, 9082, 8950, 9131, 8953, 8954, 8955 8659, 9043, 9196, 9397, 9391, 9495, 9496, 9439, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10537, 10557, 10583, 10705, 10865, 11005; 8 F.R. 276

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5783, 5784, 6058, 6081, 6007, 6216, 6615, 6784, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 9942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371.

[1] 8 F.R. 28.

Notices

WAR DEPARTMENT.

[Civilian Restrictive Order 1]

PERSONS OF JAPANESE ANCESTRY

PROCEDURE FOR DEPARTURE FROM ASSEMBLY CENTERS, ETC.

MAY 19, 1942.

Headquarters Western Defense Command and Fourth Army, Office of the Commanding General, Presidio of San Francisco, California.

1. Pursuant to the provisions of Public Proclamations Nos. 1 and 2, this headquarters, dated March 2, 1942 and March 16, 1942, respectively: *It is hereby ordered*, That all persons of Japanese ancestry, both alien and non-alien, who now or shall hereafter reside, pursuant to exclusion orders and instructions from this headquarters, within the bounds of established assembly centers, reception centers or relocation centers, as such bounds are designated on the ground by boundary signs in each case, shall during the period of such residence be subject to the following regulations:

(a) All such persons are required to remain within the bounds of assembly centers, reception centers or relocation centers at all times unless specifically authorized to leave as set forth in paragraph (b) hereof.

(b) Any such person, before leaving any of these centers, must first obtain a written authorization executed by or pursuant to the express authority of this headquarters setting forth the hour of departure and the hour of return and the terms and conditions upon which said authorization has been granted.

2. Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto will be liable to the penalties and liabilities provided by law.

J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

[F. R. Doc. 43-781; Filed, January 16, 1943; 10:17 a. m.]

[Civilian Restrictive Order 2]

PERSONS OF JAPANESE ANCESTRY

EVACUATION FOR EMPLOYMENT IN MALHEUR COUNTY, OREGON

MAY 20, 1942.

Headquarters Western Defense Command and Fourth Army, Office of the Commanding General, Presidio of San Francisco, California.

Pursuant to the authority vested in me as the designated Military Commander of Western Defense Command and Fourth Army to carry out the duties and responsibilities imposed upon me by Executive Order No. 9066, dated February 19, 1942, and by paragraph 10 of Executive Order No. 9102, dated March 18, 1942, I do hereby approve the evacuation by the War Relocation Authority of two hundred persons of Japanese ancestry on or about May 20, 1942, and two hundred persons of Japanese ancestry on or about May 22, 1942 from the Portland, Oregon, Assembly Center for private employment outside of Military Area No. 1, heretofore designated by me, under such terms and conditions and limitations as shall be specified by the Director of the War Relocation Authority.

The foregoing approval is given upon the express condition that all such persons of Japanese ancestry shall proceed only to Malheur County, Oregon, and return to an assembly center or relocation center designated by the War Relocation Authority. Failure of such persons of Japanese ancestry to conform to this condition shall subject such persons to the penalties provided by Public Law No. 503, 77th Congress, approved March 29, 1942, entitled "To Provide a Penalty for Vfolation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving, or Committing Any Act in Military Areas or Zones."

J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

[F. R. Doc. 43-782; Filed, January 16, 1943; 10:17 a. m.]

[Civilian Restrictive Order 3]

PERSONS OF JAPANESE ANCESTRY

EVACUATION FOR EMPLOYMENT IN IDAHO

MAY 23, 1942.

Headquarters Western Defense Command and Fourth Army, Office of the Commanding General, Presidio of San Francisco, California.

Pursuant to the authority vested in me as the designated Military Commander of Western Defense Command and Fourth Army to carry out the duties and responsibilities imposed upon me by Executive Order No. 9066, dated February 19, 1942, and under paragraph 10 of Executive Order No. 9102, dated March 18, 1942, I do hereby approve of the evacuation by the War Relocation Authority of fifteen hundred persons of Japanese ancestry on or about May 23, 1942, from the Puyallup Assembly Center in the State of Washington, and the Pinedale, Marysville, Sacramento and Tanforan Assembly Centers in the State of California, for private employment outside of Military Area No. 1 (heretofore designated by me) under such terms and conditions and places of employment in the State of Idaho as shall be specified by the Director of War Relocation Authority.

The foregoing approval is given upon the express condition that all such persons of Japanese ancestry shall proceed only to the Counties of Minidoka, Twin Falls, Cassia and Canyon in the State of Idaho, and shall return or proceed, when ordered so to do by War Relocation Authority, to an assembly center or relocation center to be designated by the War Relocation Authority. Failure of such persons of Japanese ancestry to conform to this condition shall subject such persons to the penalties provided by Public Law No. 503, 77th Congress, approved March 29, 1942, entitled "To Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving, or Committing any Act in Military Areas or Zones."

J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

[F. R. Doc. 43-783; Filed, January 16, 1943; 10:17 a. m.]

[Civilian Restrictive Order 4]

PERSONS OF JAPANESE ANCESTRY

EVACUATION FOR EMPLOYMENT IN IDAHO

MAY 25, 1942.

Headquarters Western Defense Command and Fourth Army, Office of the Commanding General, Presidio of San Francisco, California.

Pursuant to the authority vested in me as the designated Military Commander of Western Defense Command and Fourth Army to carry out the duties and responsibilities imposed upon me by Executive Order No. 9066, dated February 19, 1942, and under paragraph 10 of Executive Order No. 9102, dated March 18, 1942, I do hereby approve of the evacuation by War Relocation Authority of eight hundred persons of Japanese ancestry on or about May 26, 1942, from the Puyallup Assembly Center in the State of Washington, and the Marysville Merced and Santa Anita Assembly Centers in the State of California, for private employment outside of Military Area No. 1 (heretofore designated by me) under such terms and conditions and places of employment in the State of Idaho as shall be specified by the Director of War Relocation Authority.

The foregoing approval is given upon the express condition that all such persons of Japanese ancestry shall proceed only to the Counties of Madison, Bonneville and Bingham in the State of Idaho, and shall return or proceed when ordered so to do by War Relocation Authority, to an assembly center or relocation center to be designated by the War Relocation Authority. Failure of such persons of Japanese ancestry to conform to this condition shall subject such persons to the penalties provided by Public Law No. 503, 77th Congress, approved March 29, 1942, entitled "To Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving, or Committing any Act in Military Areas or Zones."

J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

[F. R. Doc. 43-784; Filed, January 16, 1943; 10:17 a. m.]

[Civilian Restrictive Order 5]

PERSONS OF JAPANESE ANCESTRY

EVACUATION FOR EMPLOYMENT IN MALHEUR COUNTY, OREGON

MAY 25, 1942.

Headquarters Western Defense Command and Fourth Army, Office of the Commanding General, Presidio of San Francisco, California.

Pursuant to the authority vested in me as the designated Military Commander of Western Defense Command and Fourth Army to carry out the duties and responsibilities imposed upon me by Executive Order No. 9066, dated February 19, 1942, I do hereby approve, as contemplated by paragraph 10 of Executive Order No. 9102, dated March 18, 1942, of the evacuation by the War Relocation Authority of four hundred persons of Japanese ancestry on or about May 26, 1942, from the Marysville Assembly Center in the State of California, for private employment outside of Military Area No. 1 (heretofore designated by me) under such terms and conditions and places of employment in the State of Oregon as shall be specified by the Director of War Relocation Authority.

The foregoing approval is given upon the express condition that all such persons of Japanese ancestry shall proceed only to the County of Malheur, in the State of Oregon, and shall return or proceed, when ordered so to do by War Relocation Authority, to an assembly center or relocation center to be designated by the War Relocation Authority. Failure of such persons of Japanese ancestry to conform to this condition shall subject such persons to the penalties provided by Public Law No. 503, 77th Congress, approved March 29, 1942, entitled "To Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, or Leaving, or Committing any Act in Military Areas or Zones."

J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

[F. R. Doc. 43-785; Filed, January 16, 1943; 10:18 a. m.]

[Civilian Restrictive Order 6]

PERSONS OF JAPANESE ANCESTRY

EVACUATION FOR EMPLOYMENT IN MALHEUR COUNTY, OREGON

MAY 28, 1942.

Headquarters Western Defense Command and Fourth Army, Office of the Commanding General, Presidio of San Francisco, California.

Civilian Restrictive Order No. 2, published by this headquarters May 20, 1942, is hereby amended to read as follows:

Pursuant to the authority vested in me as the designated Military Commander of Western Defense Command and Fourth Army to carry out the duties and responsibilities imposed upon me by Executive Order No. 9066, dated February 19, 1942, and under paragraph 10 of Executive Order No. 9102, dated March 18, 1942, I do hereby approve of the evacuation by the War Relocation Authority of four hundred persons of Japanese ancestry on or about May 26, 1942, from the Marysville Assembly Center in the State of California, for private employment outside of Military Area No. 1 (heretofore designated by me) under such terms and conditions and places of employment in the State of Oregon as shall be specified by the Director of War Relocation Authority.

The foregoing approval is given upon the express condition that all such persons of Japanese ancestry shall proceed only to the County of Malheur, in the State of Oregon, and shall return or proceed, when ordered so to do by War Relocation Authority, to an assembly center or relocation center to be designated by the War Relocation Authority. Failure of such persons of Japanese ancestry to conform to this condition shall subject such persons to the penalties provided by Public Law No. 503, 77th Congress, approved March 29, 1942, entitled "To Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, or Leaving, or Committing any Act in Military Areas or Zones."

J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

[F. R. Doc. 43 785; Filed, January 16, 1943; 10:18 a. m.]

[Civilian Restrictive Order 6]

PERSONS OF JAPANESE ANCESTRY

EVACUATION FOR EMPLOYMENT IN MALHEUR COUNTY, OREGON

MAY 28, 1942.

Headquarters Western Defense Command and Fourth Army, Office of the Commanding General, Presidio of San Francisco, California.

Civilian Restrictive Order No. 2, published by this headquarters May 20, 1942, is hereby amended to read as follows:

Pursuant to the authority vested in me as the designated Military Commander of Western Defense Command and Fourth Army to carry out the duties and responsibilities imposed upon me by Executive Order No. 9066, dated February 19, 1942, and under paragraph 10 of Executive Order No. 9102, dated March 18, 1942, I do hereby approve of the evacuation by War Relocation Authority of one thousand persons of Japanese ancestry, comprising approximately two hundred and fifty families, on or about May 28, 1942, from any or all Assembly Centers in Military Area No. 1, for private employment outside of Military Area No. 1 (heretofore designated by me) under such terms and conditions and places of employment in the State of Montana as shall be specified by the Director of War Relocation Authority.

The foregoing approval is given upon the express condition that all such persons of Japanese ancestry shall proceed only to the Counties of Phillips, Blaine, and Valley in the State of Montana, and shall return or proceed, when ordered so to do by War Relocation Authority, to an assembly center or relocation center to be designated by the War Relocation Authority. Failure of such persons of Japanese ancestry to conform to this condition shall subject such persons to the penalties provided by Public Law No. 503, 77th Congress, approved March 29, 1942, entitled "To Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving, or Committing Any Act in Military Areas or Zones."

J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

[F. R. Doc. 43-787; Filed January 16, 1943; 10:18 a. m.]

[Civilian Restriction Order No. 8]

PERSONS OF JAPANESE ANCESTRY

EVACUATION FOR EMPLOYMENT IN BROADWATER COUNTY, MONTANA

JUNE 3, 1942.

Headquarters Western Defense Command and Fourth Army, Office of the Commanding General, Presidio of San Francisco, California.

Pursuant to the authority vested in me as the designated Military Commander of Western Defense Command and Fourth Army to carry out the duties and responsibilities imposed upon me by Executive Order No. 9066, dated February 19, 1942, and under paragraph 10 of Executive Order No. 9102, dated March 18, 1942, I do hereby approve of the evacuation by the War Relocation Authority of four hundred persons of Japanese ancestry, comprising approximately one hundred families, on or after June 4, 1942, from any or all Assembly Centers in Military Area No. 1, for private employment outside of Military Area No. 1 (heretofore designated by me) under such terms and conditions and places of employment in the State of Montana as shall be specified by the Director of War Relocation Authority.

The foregoing approval is given upon the express condition that all such persons of Japanese ancestry shall proceed only to the County of Broadwater in the State of Montana, and shall return or proceed, when ordered so to do by War Relocation Authority, to an assembly center or relocation center to be designated by the War Relocation Authority. Failure of such persons of Japanese ancestry to conform to this condition shall subject such persons to the penalties provided by Public Law No. 503, 77th Congress, approved March 29, 1942, entitled "To Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving, or Committing any Act in Military Areas or Zones."

J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

[F. R. Doc. 43-788; Filed, January 16, 1943; 10:18 a. m.]

[Civilian Restrictive Order 9]

PERSONS OF JAPANESE ANCESTRY

EVACUATION FOR EMPLOYMENT IN IDAHO

JUNE 5, 1942.

Headquarters Western Defense Command and Fourth Army, Office of the Commanding General, Presidio of San Francisco, California.

Pursuant to the authority vested in me as the designated Military Commander of Western Defense Command and Fourth Army to carry out the duties and responsibilities imposed upon me by Executive Order No. 9066, dated February 19, 1942, and under paragraph 10 of Executive Order No. 9102, dated March 18, 1942, I do hereby approve of the evacuation by the War Relocation Authority of one thousand persons of Japanese ancestry on or after June 5,

1942, from any or all Assembly Centers in Military Area No. 1 for private employment outside of Military Area No. 1 (heretofore designated by me) under such terms and conditions and places of employment in the State of Idaho as shall be specified by the Director of War Relocation Authority.

The foregoing approval is given upon the express condition that all such persons of Japanese ancestry shall proceed only to the Counties of Madison, Bonneville, Bingham and Jefferson in the State of Idaho, and shall return or proceed, when ordered so to do by War Relocation Authority, to an assembly center or relocation center to be designated by the War Relocation Authority. Failure of such persons of Japanese ancestry to conform to this condition shall subject such persons to the penalties provided by Public Law No. 503, 77th Congress, approved March 29, 1942, entitled "To Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving, or Committing Any Act in Military Areas or Zones."

J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

[F. R. Doc. 43-789; Filed, January 16, 1943; 10:19 a. m.]

[Civilian Restrictive Order 10]

PERSONS OF JAPANESE ANCESTRY

EVACUATION FOR EMPLOYMENT IN IDAHO AND OREGON

JUNE 9, 1942.

Headquarters Western Defense Command and Fourth Army, Office of the Commanding General, Presidio of San Francisco, California.

Whereas, Civilian Restrictive Orders Nos. 2, 3, 5, and 6, this Headquarters, have heretofore authorized War Relocation Authority to recruit and evacuate a total of one thousand nine hundred persons of Japanese ancestry for private employment in the sugar beet fields of Idaho and Oregon, and

Whereas, it has not been possible to complete such recruitment and evacuation within the limited times and from the designated assembly centers as specified in said Civilian Restrictive Orders;

Now, therefore, pursuant to the authority vested in me as the designated Military Commander of Western Defense Command and Fourth Army to carry out the duties and responsibilities imposed upon me by Executive Order No. 9066, dated February 19, 1942, and under paragraph 10 of Executive Order No. 9102, dated March 18, 1942, I do hereby approve of the evacuation by the War Relocation Authority of one thousand nine hundred persons of Japanese ancestry on or after June 8, 1942, from any or all Assembly Centers in Military Area No. 1 for private employment outside of Military Area No. 1 and outside of that portion of California lying within Military Area No. 2, under such terms and conditions and places of employment in the States of Idaho and Oregon as shall be specified by the Director of War Relocation Authority.

The authority hereby given War Relocation Authority to recruit and to evacuate the one thousand nine hundred persons of Japanese ancestry above referred to is not in addition to the approvals and authorizations contained in Restrictive Orders Nos. 2, 3, 5, and 6, this headquarters, but is hereby expressly made inclusive thereof for the reasons above stated.

The foregoing approval is given upon the express condition that all such persons of Japanese ancestry shall proceed only to the Counties of Canyon, Cassia, Twin Falls and Minidoka in Idaho, and Malheur County in Oregon, and shall return or proceed, when ordered so to do by War Relocation Authority, to an assembly center or relocation center designated by the War Relocation Authority. Failure of such persons of Japanese ancestry to conform to this condition shall subject such persons to the penalties provided by Public Law No. 503, 77th Congress, approved March 28, 1942, entitled "To Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving, or Committing Any Act in Military Areas or Zones."

J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

[F. R. Doc. 43-790; Filed, January 16, 1943; 10:19 a. m.]

[Civilian Restrictive Order 11]

PERSONS OF JAPANESE ANCESTRY

EVACUATION FOR EMPLOYMENT IN IDAHO AND MONTANA

JUNE 11, 1942.

Headquarters Western Defense Command and Fourth Army, Office of the Commanding General, Presidio of San Francisco, California.

Whereas, War Relocation Authority and its agency, the United States Employment Service, desire to recruit in and to evacuate from any and all Relocation Centers and from that portion of the State of California lying within Military Area No. 2 as designated by this Headquarters in Proclamation No. 1, a total of two thousand persons of Japanese ancestry for private employment in the sugar beet fields of Madison, Bonneville, Bingham and Jefferson Counties, Idaho and Phillips, Blaine and Valley Counties, Montana; and

Whereas, the said persons of Japanese ancestry so to be recruited in said California portion of Military Area No. 2 are to be evacuated therefrom without previous induction into assembly, reception or relocation centers;

Now, therefore, pursuant to the authority vested in me as the designated Military Commander of Western Defense Command and Fourth Army to carry out the duties and responsibilities imposed upon me by Executive Order No. 9066, dated February 19, 1942, and under paragraph 10 of Executive Order No. 9102, dated March 18, 1942, I do hereby approve of the recruiting and evacuation by the War Relocation Authority of two thousand persons of Japanese ancestry on or after June 9, 1942, from any and all Relocation Centers and from that portion of the State of California lying within Military Area No. 2, and under such terms and conditions and places of employment in the said counties of the States of Idaho and Montana as shall be specified by the Director of War Relocation Authority.

The foregoing approval is given upon the express condition that all such persons of Japanese ancestry shall proceed only to the said Counties in the States of Idaho and Montana and shall return or proceed, when ordered so to do by War Relocation Authority, to an assembly center or relocation center designated by the War Relocation Authority. Failure of such persons of Japanese ancestry to conform to this condition shall subject such persons to the penalties provided by Public Law No. 503, 77th Congress, approved March 28, 1942, entitled "To Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving, or Committing any Act in Military Areas or Zones."

J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

[F. R. Doc. 43-791; Filed, January 16, 1943; 10:19 a. m.]

[Civilian Restrictive Order 12]

PERSONS OF JAPANESE ANCESTRY

EVACUATION FOR EMPLOYMENT IN BOX ELDER COUNTY, UTAH

JUNE 12, 1942

Headquarters Western Defense Command and Fourth Army, Office of the Commanding General, Presidio of San Francisco, California.

Whereas, War Relocation Authority and its agency, the United States Employment Service, desire to recruit in and to evacuate from that portion of the State of California lying within Military Area No. 2 (as designated by this Headquarters in Proclamation No. 1), a total of two hundred and fifty persons of Japanese ancestry for private employment in the sugar beet fields of Box Elder County, Utah; and

Whereas, the said persons of Japanese ancestry so to be recruited in said California portion of Military Area No. 2 are to be evacuated therefrom without previous induction into assembly, reception or relocation centers;

Now, therefore, pursuant to the authority vested in me as the designated Military Commander of Western Defense Command and Fourth Army to carry out the duties and responsibilities imposed upon me by Executive Order No. 9066, dated February 19, 1942, and under paragraph 10 of Executive Order No. 9102, dated March 18, 1942, I do hereby approve of the evacuation by the War Relocation Authority of two hundred fifty persons of Japanese ancestry on or after June 5, 1942, from that portion of the State of California within Military Area No. 2, for private employment outside of Military Area No. 2, and under such terms and conditions and places of employment in the said county of the State of Utah as shall be specified by the Director of the War Relocation Authority.

The foregoing approval is given upon the express condition that all such persons of Japanese ancestry shall proceed only to the County of Box Elder in the State of Utah, and shall return or proceed, when ordered so to do by War Relocation Authority, to an assembly center or relocation center to be designated by the War Relocation Authority. Failure of such persons of Japanese ancestry to conform to this condition shall subject such persons to the penalties provided by Public Law No. 503, 77th Congress, approved March 29, 1942, entitled "To Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving, or Committing Any Act in Military Areas or Zones."

J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

[F. R. Doc. 43-792; Filed, January 16, 1943; 10:20 a. m.]

[Civilian Restrictive Order 13]

PERSONS OF JAPANESE ANCESTRY

EVACUATION FOR EMPLOYMENT IN MONTANA

JUNE 15, 1942.

Headquarters Western Defense Command and Fourth Army, Office of the Commanding General, Presidio of San Francisco, California.

Whereas, War Relocation Authority and its agency, the United States Employment Service, desire to recruit in and to evacuate from any and all assembly centers, any and all relocation centers, and from that portion of the State of California within Military Area No. 2 (as designated by this Headquarters in Proclamation No. 1), a total of three hundred persons of Japanese ancestry for private employment in the sugar beet fields of Richland and Rosebud counties, Montana; and

Whereas, the said persons of Japanese ancestry so to be recruited in said California portion of Military Area No. 2 are to be evacuated therefrom without previous induction into assembly, reception or relocation centers;

Now, therefore, pursuant to the authority vested in me as the designated Military Commander of Western Defense Command and Fourth Army to carry out the duties and responsibilities imposed upon me by Executive Order No. 9066, dated February 19, 1942, and under paragraph 10 of Executive Order No. 9102, dated March 18, 1942, I do hereby approve of the evacuation by the War Relocation Authority of three hundred persons of Japanese ancestry on or after June 15, 1942, from any and all assembly centers, any and all relocation centers, and that portion of the State of California lying within Military Area No. 2, for private employment outside of Military Area Nos. 1 and 2, and under such terms and conditions and places of employment in the said counties of Richland and Rosebud, of the State of Montana, as shall be specified by the Director of the War Relocation Authority.

The foregoing approval is given upon the express condition that all such persons of Japanese ancestry shall proceed only to the counties of Richland and Rosebud in the State of Montana, and shall return or proceed, when ordered so to do by War Relocation Authority, to an assembly center or relocation center to be designated by War Relocation Authority. Failure of such persons of Japanese ancestry to conform to this condition shall subject such persons to the penalties provided by Public Law No. 503, 77th Congress, approved March 29, 1942, entitled "To Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving, or Committing Any Act in Military Areas or Zones."

J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

[F. R. Doc. 43-793; Filed, January 16, 1943; 10:20 a. m.]

[Civilian Restrictive Order 14]

PERSONS OF JAPANESE ANCESTRY

EVACUATION FOR EMPLOYMENT IN LAKE COUNTY, MONTANA

JUNE 15, 1942.

Headquarters Western Defense Command and Fourth Army, Office of the Commanding General, Presidio of San Francisco, California.

Whereas, War Relocation Authority and its agency, the United States Employment Service, desire to recruit in and to evacuate from any and all assembly centers, any and all relocation centers, and from that portion of the State of California within Military Area No. 2 (as designated by this Headquarters in Proclamation No. 1), a total of one hundred persons of Japanese ancestry for private employment in the sugar beet fields of Lake County, Montana; and

Whereas, the said persons of Japanese ancestry so to be recruited in said California portion of Military Area No. 2 are to be evacuated therefrom without previous induction into assembly, reception, or relocation centers;

Now, therefore, pursuant to the authority vested in me as the designated Military Commander of Western Defense Command and Fourth Army to carry out the duties and responsibilities imposed upon me by Executive Order No. 9066, dated February 19, 1942, and under paragraph 10 of Executive Order No. 9102, dated March 18, 1942, I do hereby approve of the evacuation by the War Relocation Authority of one hundred persons of Japanese ancestry on or after June 15, 1942, from any and all assembly centers, any and all relocation centers, and from that portion of the State of California lying within Military Area No. 2, for private employment outside of Military Areas Nos. 1 and 2, and under such terms and conditions and places of employment in the said County of the State of Montana as shall be specified by the Director of the War Relocation Authority.

The foregoing approval is given upon the express condition that all such persons of Japanese ancestry shall proceed only to the County of Lake in the State of Montana, and shall return or proceed, when ordered so to do by War Relocation Authority, to an assembly center or relocation center to be designated by the War Relocation Authority. Failure of such persons of Japanese ancestry to conform to this condition shall subject such persons to the penalties provided by Public Law No. 503, 77th Congress, approved March 29, 1942, entitled "To Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving, or Committing Any Act in Military Areas or Zones."

J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

[F. R. Doc. 43-794; Filed, January 16, 1943; 10:20 a. m.]

[Civilian Restrictive Order 15]

PERSONS OF JAPANESE ANCESTRY

EVACUATION FOR EMPLOYMENT IN UTAH

JUNE 20, 1942.

Headquarters Western Defense Command and Fourth Army, Office of the Commanding General, Presidio of San Francisco, California.

Whereas, War Relocation Authority and its agency, the United States Employment Service, desire to recruit in and to evacuate from any and all assembly centers, any and all relocation centers, and or from that portion of the State of California lying within Military Area No. 2 (as designated by this Headquarters in Proclamation No. 1), a total of not to exceed four hundred fifty persons of Japanese ancestry, comprising approximately one hundred fifty families, for private employment in the sugar beet fields of Cache and Weber counties, Utah; and

Whereas, the said persons of Japanese ancestry so to be recruited in said California portion of Military Area No. 2 are to be evacuated therefrom without previous induction into assembly, reception or relocation centers;

Now, therefore, pursuant to the authority vested in me as the designated Military Commander of Western Defense Command and Fourth Army to carry out the duties and responsibilities imposed upon me by Executive Order No. 9066, dated February 19, 1942, and under paragraph 10 of Executive Order No. 9102, dated March 18, 1942, I do hereby approve of the evacuation by the War Relocation Authority of four hundred fifty persons of Japanese ancestry, comprising approximately one hundred fifty families, on or after June 20, 1942, from any

and all assembly centers, any and all relocation centers, and/or from that portion of the State of California within Military Area No. 2, for private employment outside of Military Area No. 1 and that portion of Military Area No. 2 within the State of California, and under such terms and conditions and places of employment in the said counties of the State of Utah as shall be specified by the Director of the War Relocation Authority.

The foregoing approval is given upon the express condition that all such persons of Japanese ancestry shall proceed only to the counties of Cache and Weber in the State of Utah, and shall return or proceed, when ordered so to do by War Relocation Authority, to an assembly center or relocation center to be designated by the War Relocation Authority. Failure of such persons of Japanese ancestry to conform to this condition shall subject such persons to the penalties provided by Public Law No. 503, 77th Congress, approved March 29, 1942, entitled "To Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving, or Committing Any Act in Military Areas or Zones."

J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

[F. R. Doc. 43-795; Filed, January 16, 1943; 10:20 a. m.]

[Civilian Restrictive Order 16]

PERSONS OF JAPANESE ANCESTRY

EVACUATION FOR EMPLOYMENT IN AREAS SPECIFIED BY THE WAR RELOCATION AUTHORITY

JULY 23, 1942.

Headquarters Western Defense Command and Fourth Army, Office of the Commanding General, Presidio of San Francisco, California.

Whereas, all persons of Japanese ancestry recruited and evacuated for private agricultural employment in certain designated counties pursuant to Civilian Restrictive Orders heretofore issued by this headquarters may, upon order of the War Relocation Authority, proceed to other counties that lie outside of Military Area No. 1 and outside of that portion of the State of California lying within Military Area No. 2, and there engage in private employment under such terms and conditions as shall be specified by the Director of the War Relocation Authority;

Now, therefore, pursuant to the authority vested in me as the designated Military Commander of Western Defense Command and Fourth Army to carry out the duties and responsibilities imposed upon me by Executive Order No. 9066, dated February 19, 1942, and paragraph 10 of Executive Order No. 9102, dated March 18, 1942, I do hereby approve of the recruiting and evacuation by War Relocation Authority of such persons of Japanese ancestry as the War Relocation Authority may designate from assembly centers in Military Area No. 1 and from that portion of the State of California lying within Military Area No. 2, for private employment in counties outside of Military Area No. 1 and outside of that portion of the State of California lying within Military Area No. 2, under such terms and conditions as shall be specified by the Director of the War Relocation Authority.

The foregoing approval is given upon the express condition that all such persons of Japanese ancestry affected by this Order shall proceed only to counties specified by the War Relocation Authority and shall return or proceed, when ordered so to do by the War Relocation Authority, to an assembly center or relocation center designated by the War Relocation Authority. Failure of such persons of Japanese ancestry to conform to this requirement shall subject such persons to the penalties provided by Public Law No. 503, 77th Congress, approved March 28, 1942, entitled "To Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving, or Committing Any Act in Military Areas or Zones."

J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

[F. R. Doc. 43-796; Filed, January 16, 1943; 10:20 a. m.]

[Civilian Restrictive Order 17]

PERSONS OF JAPANESE ANCESTRY

EVACUATION FOR EMPLOYMENT IN ARIZONA

SEPTEMBER 13, 1942.

Headquarters Western Defense Command and Fourth Army, Office of the Commanding General, Presidio of San Francisco, California.

Pursuant to the authority vested in me as the designated Military Commander of Western Defense Command and Fourth Army to carry out the duties and responsibilities imposed upon me by Executive Order No. 9066, dated February 19, 1942, and under paragraph 10 of Executive Order No. 9102, dated March 18, 1942, I do hereby approve of the evacuation by the War Relocation Authority of approximately 10,000 persons of Japanese ancestry from the Gila River War Relocation Project and the Colorado River War Relocation Project between this date and November 30, 1942, for private employment in the Counties of Pinal and Maricopa, State of Arizona, in the harvesting of long staple cotton, under such terms and conditions and places of employment within said counties, as shall be specified by the Director, War Relocation Authority.

The foregoing approval is given upon the express condition that all such persons of Japanese ancestry shall proceed only to and remain within the Counties of Pinal and Maricopa, and to and within those portions of said counties designated from time to time by the War Relocation Authority, and shall return or proceed, when ordered so to do by the War Relocation Authority, to the relocation center designated by the War Relocation Authority. Failure of such persons of Japanese ancestry to conform to this condition shall subject such persons to the penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving, or Committing any Act in Military Areas or Zones."

J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

[F. R. Doc. 43-797; Filed, January 16, 1943; 10:21 a. m.]

[Civilian Restrictive Order 18]

GILA RIVER WAR RELOCATION PROJECT AREA, ARIZ.

DESIGNATION

SEPTEMBER 23, 1942.

Headquarters Western Defense Command and Fourth Army, Office of the Commanding General, Presidio of San Francisco, California.

Pursuant to the provisions of Public Proclamation No. 8, this headquarters, dated June 27, 1942, which provides in part as follows:

Pursuant to the determination of military necessity hereinbefore set out, all of the territory included within the exterior boundaries of each relocation center now or hereafter established within the Western Defense Command, as such boundaries are designated and defined by orders subsequently issued by this headquarters, are hereby designated and established as War Relocation Project Areas,

the boundaries of the Gila River War Relocation Project Area are hereby designated and particularly described as follows:

A tract of land in the County of Pinal, State of Arizona, more particularly described as follows, to wit:

Beginning at the southwest corner of Section 2, Township 5 South, Range 4 East, Gila and Salt River Meridian, running thence north about three and one-half miles along the west line of said Section 2 and the west line of Sections 35, 26 and 23 of Township 4 South, Range 4 East, to the west quarter corner of said Section 23; thence west one-half mile along the east-west center line of Section 22 to the center of said section; thence north about one-sixteenth mile along the north-south center line of said Section 22 to the intersection with the north and west right-of-way line of the Casa Blanca Canal; thence north and east about seven and one-half miles along the north and west right-of-way line of the said Casa Blanca Canal through Sections 22, 15, 14, 11 and 12 of Township 4 South, Range 4 East, and through Sections 7, 6, 5, 4, 3 and 10 of Township 4 South, Range 5 East, to the intersection of said north right-of-way line with the east line of said Section 10; thence north about one-thirty-second mile along the east line of said Section 10 to the intersection with the south right-of-way line of a public road running in a generally southeasterly direction across the north one-half (N½) of Section 11 and the northwest quarter, southwest quarter and southeast quarter (NW¼, SW¼, SE¼) of Section 12, Township 4 South, Range 5 East (said point of intersection of the north line of the public road and the east line of Section 10 being about one-sixteenth mile south of the northeast corner of said Section 10); thence southeast about two and one-fourth miles along the south right-of-way line of said public road through the north one-half (N½) of said Section 11, the northwest quarter, southwest quarter and southeast quarter (NW¼, SW¼, SE¼) of said Section 12 to the intersection of the said south right-of-way line of said road with the east line of said Section 12, said point of intersection being about one-fourth mile north of the southeast corner of Section 12; thence south about two and one-eighth miles along the east line of Sections 12, 13 and 24, Township 4 South, Range 5 East, to the intersection with the south right-of-way line of the South Side Canal; thence northwesterly about one mile along the south right-of-way line of said canal through Section 24, Township 4 South, Range 5 East, to the intersection with the east line of Section 23, Township 4 South, Range 5 East; thence south about one-half mile along the east line of said Section 23 to the south-east corner of said Section 23; thence west three miles along the south line of Sections 23, 22 and 21, Township 4 South, Range 5 East, to the southwest corner of said Section 21; thence north about one-fifth mile along the west line of said Section 21 to the intersection with the south right-of-way line of the South Side Canal; thence southwesterly about three miles along the south right-of-way line of said canal through Section 20, 29, 30 and 31, Township 4 South, Range 5 East to the intersection with the west line of said Section 31; thence north about one-fourth mile along the west line of said Section 31 to the northeast corner of Section 36, Township 4 South, Range 4 East; thence west one mile to the northwest corner of said Section 36; thence south one mile to the southwest corner of said Section 36; thence east one-half mile to the south quarter corner of said Section 36; thence south about one mile along the north-south center line of Section 1, Township 5 South, Range 4 East, to the south quarter corner of said Section 1; thence west one and one-half miles along the south line of said Section 1 and Section 2, Township 5 South, Range 4 East, to the southwest corner of said Section 2, the same being the point of beginning.

J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

[F. R. Doc. 43-798; Filed, January 16, 1943; 10:21 a. m.]

[Civilian Restrictive Order 19]

COLORADO RIVER WAR RELOCATION PROJECT AREA, ARIZ

DESIGNATION

SEPTEMBER 23, 1942.

Headquarters Western Defense Command and Fourth Army, Office of the Commanding General, Presidio of San Francisco, California.

Pursuant to the provisions of Public Proclamation No. 8, this headquarters, dated June 27, 1942, which provides in part as follows:

Pursuant to the determination of military necessity hereinbefore set out, all of the territory included within the exterior boundaries of each relocation center now or hereafter established within the Western Defense Command, as such boundaries are designated and defined by orders subsequently issued by this headquarters, are hereby designated and established as War Relocation Project Areas,

the boundaries of the Colorado River War Relocation Project Area are hereby designated and particularly described as follows:

A tract of land in the County of Yuma, State of Arizona, more particularly described as follows, to wit:

Beginning at a point where the south line of the north one-half of the north one-half (N½ N½) of Section 21, Township 8 North, Range 21 West, Gila and Salt River Meridian, intersects the west boundary of the State of Arizona; thence in a generally southerly direction about twenty-five miles along said boundary line to a point where said boundary line intersects the south line of Section 34, Township 6 North, Range 22 West; thence east about five and one-half miles along the south line of Sections 34, 35 and 36, Township 6 North, Range 22 West, and along the south line of Sections 31, 32, 33 and 34, Township 6 North, Range 21 West, to a point one thousand feet east of the southwest corner of said Section 34, thence in a northeasterly direction about thirteen and one-half miles on a straight line to the north quarter corner of Section 4, Township 7 North, Range 20 West, said line running through Sections 34, 27, 26, 23, 14, 11, 12 and 1, Township 6 North, Range 21 West, and through Section 36, Township 7 North, Range 21 West, and through Sections 31, 30, 19, 20, 17, 8, 9, and 4, Township 7 North, Range 20 West; from said north quarter corner of Section 4 continuing in a northeasterly direction about two and three-eighths miles on a straight line to the southeast corner of the north one-half of the northwest quarter (N½ NW¼) of Section 22, Township 8 North, Range 20 West, said straight line running through Sections 33, 28, 27, and 22 of Township 8 North, Range 20 West; thence west about six and three-fourths miles along the south line of the said north one-half of the northwest quarter (N½ NW¼) of Section 22 and the south line of the north one-half of the north one-half (N½ N½) of Sections 21, 20, and 19, Township 8 North, Range 20 West, and continuing along the south line of the north one-half of the north one-half (N½ N½) of Sections 24, 23, 22 and 21, Township 8 North, Range 21 West, to the intersection of the said south line of the north one-half of the north one-half (N½ N½) of Section 21 with the west boundary of the State of Arizona, said point of intersection being the point of beginning; said tract of land containing 71,600 acres, more or less.

J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

[F. R. Doc. 43-799; Filed, January 16, 1943; 10:22 a. m.]

[Civilian Restrictive Order 20]

CENTRAL UTAH (ABRAHAM) WAR RELOCATION PROJECT AREA

DESIGNATION

SEPTEMBER 23, 1942.

Headquarters Western Defense Command and Fourth Army, Office of the Commanding General, Presidio of San Francisco, California.

Pursuant to the provisions of Public Proclamation No. 8, this headquarters, dated June 27, 1942, which provides in part as follows:

Pursuant to the determination of military necessity hereinbefore set out, all of the territory included within the exterior boundaries of each relocation center now or hereafter established within the Western Defense Command, as such boundaries are designated and defined by orders subsequently issued by this headquarters, are hereby designated and established as War Relocation Project Areas,

the boundaries of the Central Utah (Abraham) War Relocation Project Area are hereby designated and particularly described as follows:

A tract of land in the County of Millard, State of Utah, more particularly described as follows, to wit:

Beginning at the northeast corner of Section 1, Township 16 South, Range 8 West, Salt Lake Meridian, thence west four miles along the north line of Sections 1, 2, 3 and 4, all in Township 16 South, Range 8 West, to the northwest corner of said Section 4; thence south approximately three miles along the west line of Sections 4, 9 and 16 in Township 16 South, Range 8 West to the southwest corner of said Section 16; thence west one mile along the north line of Section 20, Township 16 South, Range 8 West, to the northwest corner of said Section 20; thence south approximately four and one-half miles along the west line of Sections 20, 29 and 32 in Township 16 South, Range 8 West, and along the west line of Sections 5 and 8, Township 17 South, Range 8 West, to the west quarter corner of said Section 8; thence east three miles along the east-west center line of Sections 8, 9 and 10 in Township 17 South, Range 8 West, to the east quarter corner of said Section 10; thence north about three and one-half miles along the east line of Sections 10 and 3 in Township 17 South, Range 8 West, and along the east line of Sections 34 and 27, Township 16 South, Range 8 West to the northeast corner of said Section 27; thence east two miles along the south line of Sections 23 and 24, Township 16 South, Range 8 West to the southeast corner of said Section 24; thence north approximately four miles along the east line of Sections 24, 13, 12 and 1 in Township 16 South, Range 8 West to the northeast corner of said Section 1, said northeast corner of Section 1 being the point of beginning.

J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

[F. R. Doc. 43-800; Filed, January 16, 1943; 10:22 a. m.]

[Civilian Restrictive Order 21]

TULE LAKE WAR RELOCATION PROJECT AREA, CALIF.

DESIGNATION

SEPTEMBER 23, 1942.

Headquarters Western Defense Command and Fourth Army, Office of the Commanding General, Presidio of San Francisco, California.

Pursuant to the provisions of Public Proclamation No. 8, this headquarters, dated June 27, 1942, which provides in part as follows:

Pursuant to the determination of military necessity hereinbefore set out, all of the territory included within the exterior boundaries of each relocation center now or hereafter established within the Western Defense Command, as such boundaries are designated and defined by order subsequently issued by this headquarters, are hereby designated and established as War Relocation Project Areas,

the boundaries of the Tule Lake War Relocation Project Area are hereby designated and particularly described as follows:

A tract of land in the Counties of Modoc and Siskiyou, State of California, more particularly described as follows, to wit:

Commencing at the southwest corner of Section 23, Township 47 North, Range 5 East, Mount Diablo Base and Meridian, in Modoc County, California; thence west about two miles along the south line of Sections 22 and 21, Township 47 North, Range 5 East, to the intersection of said south line with the east right-of-way line of the Great Northern Railroad; thence north along the east line of said railroad right-of-way one-half mile to the intersection of the east line of said railroad right-of-way with the east-west center line of said Section 21; thence west a few hundred feet along said east-west center line of Section 21 and the east-west center line of Section 20, Township 47 North, Range 5 East, to the most easterly corner of Lot 25 of said Section 20; thence northwesterly about two and three-fourths miles along the northeasterly line of Lot 25 in Sections 20 and 17, Township 47 North, Range 5 East, and along the northeasterly line of Lots 16 and 17 in Sections 18 and 7, Township 47 North, Range 5 East, to the most northerly corner of said Lot 16, said corner being on the boundary line between Siskiyou and Modoc Counties; thence continuing in Siskiyou County, California, a distance of about one and one-fourth miles in a northwesterly direction along the northeasterly line of Lots 12 and 13, Section 12, Township 47 North, Range 4 East, to the most northerly corner of said Lot 13; thence south about three and one-fourth miles along the west line of Sections 12, 13, 24 and 25, Township 47 North, Range 4 East, to the west quarter corner of said Section 25; thence east one mile along the east-west center line of said Section 25 to the east quarter corner of said Section 25, said quarter corner being on the boundary line between Siskiyou and Modoc Counties, State of California; thence continuing in Modoc County in an easterly direction about two miles along the east-west center line of Sections 30 and 29, Township 47 North, Range 5 East, to the intersection of said east-west center line of Section 29 with the westerly right-of-way line of the Great Northern Railroad; thence south one mile along the westerly right-of-way line of said Railroad to the intersection of the westerly right-of-way line of said Railroad with the east-west center line of Section 32, Township 47 North, Range 5 East; thence east about one-half mile along the east-west center line of said Section 32 and the east-west center line of Section 33, Township 47 North, Range 5 East, to the intersection of said east-west center line of Section 33 with the meander line of Tule Lake; thence continuing in a northeasterly direction about one and three-quarters miles along the said meander line of Tule Lake, through Sections 33, 34 and 27, Township 47 North, Range 5 East, to the intersection of said meander line of Tule Lake with the north-south center line of said Section 27; thence south about one and one-half miles along the north-south center line of said Section 27 and the north-south center line of said Section 34, Township 47 North, Range 5 East, to the south quarter corner of said Section 34; thence east about one-eighth mile along the south line of said Section 34 to the intersection of said south line of Section 34 with the meander line of Copic Bay; thence northeasterly about one and one-half miles along the meander line of Copic Bay through Sections 34 and 35, Township 47 North, Range 5 East, to the intersection of said meander line with the south line of Section 26, Township 47 North, Range 5 East; thence east about one and one-eighth miles along the south line of said Section 26 and the south line of Section 25, Township 47 North, Range 5 East, to the south quarter corner of said Section 25; thence north about one-fourth mile along the north-south center line of said section 25 to the intersection of said north-south center line with the meander line of Tule Lake; thence northeasterly along the meander line of Tule Lake about one mile through Sections 25 and 24, Township 47 North, Range 5 East, to the intersection of said meander line with the east line of said Section 24; thence continuing northeasterly along the said meander line of Tule Lake about one-fourth mile through Section 19, Township 47 North, Range 6 East, to the intersection of said meander line of Tule Lake with the east-west center line of said Section 19; thence west about one-fourth mile along said east-west center line of Section 19 to the west quarter corner of Section 19; thence west two miles along the east-west center line of Sections 24 and 23, Township 47 North, Range 5 East, to the west quarter corner of said Section 23; thence south one-half mile along the west line of said Section 23 to the southwest corner of said Section 23, the same being the point of beginning; said tract of land containing 7,400 acres, more or less.

J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

[F. R. Doc. 43-801; Filed, January 16, 1943; 10:22 a. m.]

[Civilian Restrictive Order 22]

PERSONS OF JAPANESE ANCESTRY

EVACUATION FOR EMPLOYMENT IN ARIZONA

SEPTEMBER 29, 1942.

Headquarters Western Defense Command and Fourth Army, Office of the Commanding General, Presidio of San Francisco, California.

Pursuant to the authority vested in me as the designated Military Commander of Western Defense Command and Fourth Army to carry out the duties and responsibilities imposed upon me by Executive Order No. 9066, dated February 19, 1942, and under paragraph 10 of Executive Order No. 9102, dated March 18, 1942, I do hereby approve of the evacuation by the War Relocation Authority of persons of Japanese ancestry from the Gila River War Relocation Project and the Colorado River War Relocation Project between this date and November 30, 1942, for private employment in those portions of the County of Yuma, State of Arizona, particularly described as Township 8 North, Arizona Base Line, Range 20 West, Gila and Salt River Principal Meridian, and Township 9 North, Arizona Base Line, Range 20 West, Gila and Salt River Principal Meridian, in the harvesting of long staple cotton, under such terms and conditions and places of employment within the said townships in Yuma County as shall be specified by the Director, War Relocation Authority.

By Civilian Restrictive Order No. 17, dated September 13, 1942, this headquarters, the private employment of approximately 10,000 persons of Japanese ancestry from the Gila River War Relocation Project and the Colorado River War Relocation Project was authorized in the harvesting of long staple cotton in the Counties of Pinal and Maricopa, State of Arizona, under terms and conditions therein specified. The employment hereby authorized is under the same terms and conditions as therein specified, and at no time during the effective period hereof shall more than 10,000 persons of Japanese ancestry be privately employed in the harvesting of long staple cotton in the Counties of Pinal, Maricopa and Yuma, State of Arizona.

The foregoing approval is given upon the express condition that all such persons of Japanese ancestry shall proceed only to and remain within the Counties of Pinal, Maricopa and Yuma, and to and within those portions of said counties designated from time to time by the War Relocation Authority, and shall return or proceed, when ordered so to do by the War Relocation Authority, to the relocation center designated by the War Relocation Authority. Failure of such persons of Japanese ancestry to conform to this condition shall subject such persons to the penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving, or Committing any Act in Military Areas or Zones."

J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

[F. R. Doc. 43-802; Filed January 16, 1943; 10:23 a. m.]

[Civilian Restrictive Order 23]

MANZANAR WAR RELOCATION PROJECT AREA, CALIF.

DESIGNATION

OCTOBER 15, 1942.

Headquarters Western Defense Command and Fourth Army, Office of the Commanding General, Presidio of San Francisco, California.

Pursuant to the provisions of Public Proclamation No. 8, this headquarters, dated June 27, 1942, which provides in part as follows:

Pursuant to the determination of military necessity hereinbefore set out, all of the territory included within the exterior boundaries of each relocation center now or hereafter established within the Western Defense Command, as such boundaries are designated and defined by orders subsequently issued by this headquarters, are hereby designated and established as War Relocation Project Areas.

the boundaries of the Manzanar War Relocation Project Area are hereby designated and particularly described as follows:

A tract of land located in the County of Inyo, State of California, more particularly described as follows, to-wit:

Beginning at a point where the north-south center line of Section 33, Township 13 South, Range 35 East, intersects with the westerly right-of-way line of U. S. Highway No. 395; thence southeast approximately two and three-eighths miles along said westerly right-of-way line through Sections 33 and 34, Township 13 South, Range 35 East and Section 3, Township 14 South, Range 35 East, to the intersection of said westerly right-of-way line with the north line of Section 10, Township 14, South Range 35 East; thence southeast 2700 feet along said westerly right-of-way line of U. S. Highway No. 395; thence in a northeasterly direction 150 feet along a line perpendicular to said westerly right-of-way of U. S. Highway No. 395; thence in a southeasterly direction 600 feet along a line parallel to said westerly right-of-way line; thence southwesterly 150 feet along a line perpendicular to said westerly right-of-way line of U. S. Highway No. 395 to the intersection with said westerly right-of-way line; thence southeasterly approximately two and three-quarters miles along said westerly right-of-way line of U. S. Highway No. 395 through Sections 10, 11, 14, 23 and 24, Township 14 South, Range 35 East, to the intersection with the south line of said Section 24; thence west about three-eighths mile along the south line of Section 24 to the northwest corner of Section 25, Township 14 South, Range 35 East; thence south one-fourth mile to the northwest corner of the south one-half of the northwest quarter ($S\frac{1}{2}$ $NW\frac{1}{4}$) of Section 25; thence east approximately one-half mile along the north line of the said south one-half of the northwest quarter ($S\frac{1}{2}$ $NW\frac{1}{4}$) to the intersection with the westerly right-of-way line of U. S. Highway No. 395; thence southeast about one-fourth mile along said westerly right-of-way line to the intersection with the east-west center line of said Section 25; thence west about five-eighths mile along the east-west center line of Section 25 to the west quarter corner of Section 25; thence south one-half mile to the southwest corner of Section 25; thence west one mile along the south line of Section 26, Township 14 South, Range 35 East, to the southwest corner of said Section 26; thence north one-fourth mile to the northeast corner of the southeast quarter of the southeast quarter ($SE\frac{1}{4}$ $SE\frac{1}{4}$) of Section 27, Township 14 South, Range 35 East; thence west one-fourth mile to the northwest corner of the said southeast quarter of the southeast quarter ($SE\frac{1}{4}$ $SE\frac{1}{4}$) of said Section 27; thence north one-half mile to the northeast corner of the southwest quarter of the northeast quarter ($SW\frac{1}{4}$ $NE\frac{1}{4}$) of said Section 27; thence west one-fourth mile to the northwest corner of said southwest quarter of the northeast quarter ($SW\frac{1}{4}$ $NE\frac{1}{4}$) of said Section 27; thence north one-half mile through the south quarter corner of Section 22, Township 14 South, Range 35 East, to the southeast corner of the northeast quarter of the southwest quarter ($NE\frac{1}{4}$ $SW\frac{1}{4}$) of said Section 22; thence west one-fourth mile to the southwest corner of the northeast quarter of the southwest quarter ($NE\frac{1}{4}$ $SW\frac{1}{4}$) of said Section 22; thence north one-fourth mile to the northwest corner of the northeast quarter of the southwest quarter ($NE\frac{1}{4}$ $SW\frac{1}{4}$) of said Section 22; thence west one-half mile through the east quarter corner of Section 21, Township 14 South, Range 35 East, to the southwest corner of the east one-half of the northeast quarter ($E\frac{1}{2}$ $NE\frac{1}{4}$) of said Section 21; thence north one-half mile to the northwest corner of said east one-half of the northeast quarter ($E\frac{1}{2}$ $NE\frac{1}{4}$) of said Section 21; thence west one-fourth mile to the south quarter corner of Section 16, Township 14 South, Range 35 East, thence north one mile to the north quarter corner of said Section 16; thence west one-half mile along the north line of said Section 16 to the southwest corner of Section 9, Township 14 South, Range 35 East; thence north one mile along the west line of said Section 9 to the northwest corner of said Section 9; thence east one-half mile along the north line of said Section 9 to the intersection with the north-south center line of said Section 9; thence north about 1 and seven-eighths miles along the north-south center lines of Section 4, Township 14 South, Range 35 East, and Section 33, Township 13 South, Range 5 East, to the intersection with the westerly right-of-way line of U. S. Highway No. 395, the point of beginning.

J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

[F. R. Doc. 43-803; Filed, January 16, 1943; 10:23 a. m.]

[Civilian Restrictive Order 24]

MINIDOKA WAR RELOCATION PROJECT AREA, IDAHO

DESIGNATION

OCTOBER 15, 1942.

Headquarters Western Defense Command and Fourth Army, Office of the Commanding General, Presidio of San Francisco, California.

Pursuant to the provisions of Public Proclamation No. 8, this headquarters, dated June 27, 1942, which provides in part as follows:

Pursuant to the determination of military necessity hereinbefore set out, all of the territory included within the exterior boundaries of each relocation center now or hereafter established within the Western Defense Command, as such boundaries are designated and defined by orders subsequently issued by this headquarters, are hereby designated and established as War Relocation Project Areas.

the boundaries of the Minidoka War Relocation Project Area are hereby designated and particularly described as follows:

A tract of land located in the County of Jerome, State of Idaho, more particularly described as follows, to-wit:

Beginning at a point where the west line of Section 3, Township 8 South, Range 19 East, intersects with the north and east right-of-way line of the Milner-Gooding Canal; thence south about one-eighth mile to the northeast corner of Section 9, Township 8 South, Range 19 East; thence west one mile along the north line of said Section 9 to the northwest corner of said Section 9; thence south one mile along the west line of said Section 9 to the northeast corner of Section 17, Township 8 South, Range 19 East; thence west one mile along the north line of said Section 17 to the northwest corner of said Section 17; thence south one mile along the west line of said Section 17 to the northeast corner of Section 19, Township 8 South, Range 19 East; thence west one mile along the north line of said Section 19 to the northwest corner of said Section 19; thence south one mile to the northeast corner of Section 25, Township 8 South, Range 18 East; thence west one mile along the north line of said Section 25 to the northwest corner of said Section 25; thence south about three-fifths mile along the west line of said Section 25 to the intersection with the north and east right-of-way line of the Twin Falls North Side Main Canal; thence in a generally south and easterly direction following the north and east right-of-way line of said Twin Falls North Side Main Canal a distance of about nine miles through Sections 25 and 36, Township 8 South, Range 18 East, Sections 31 and 32, Township 8 South, Range 19 East, Sections 5, 4, 9, 10, 15, and 14, Township 9 South, Range 19 East, to the intersection of said north and east line of said right-of-way of the Twin Falls North Side Main Canal with the south line of Section 14, Township 9 South, Range 19 East; thence east about seven miles along the south lines of Sections 14 and 13, Township 9 South, Range 19 East, Sections 18, 17, 16, 15, and 14, Township 9 South, Range 20 East, to the southeast corner of Section 14, Township 9 South, Range 20 East; thence north three miles along the east line of said Section 14 and the east lines of Sections 11 and 2, Township 9 South, Range 20 East, to the northeast corner of said Section 2; thence west three miles along the north lines of said Section 2 and Sections 3 and 4, Township 9 South, Range 20 East, to the northwest corner of said Section 4; thence west about one-fifth mile along the north line of Section 5, Township 9 South, Range 20 East, to the intersection of said north line of said Section 5 with the north and east right-of-way of the Milner-Gooding Canal; thence in a generally north and westerly direction following the north and east right-of-way of the Milner-Gooding Canal a distance of about eleven miles through Sections 32, 31, 30, 19, 18, and 7, Township 8 South, Range 20 East, Sections 12, 11, 2, and 3, Township 8 South, Range 19 East, to the intersection of said north and east right-of-way line of the Milner-Gooding Canal with the west line of Section 3, Township 8 South, Range 19 East, said point of intersection being the point of beginning.

J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

[F. R. Doc. 43-804; Filed, January 16, 1943; 10:23 a. m.]

[Civilian Restrictive Order 25]

PERSONS OF JAPANESE ANCESTRY

CHANGE IN EFFECTIVE DATE FOR EMPLOYMENT IN ARIZONA

NOVEMBER 6, 1942.

Headquarters Western Defense Command and Fourth Army, Office of the Commanding General, Presidio of San Francisco, California.

Pursuant to the authority vested in me as the designated Military Commander of Western Defense Command and Fourth Army to carry out the duties and responsibilities imposed upon me by Executive Order No. 9066, dated February 19, 1942, and under paragraph 10 of Executive Order No. 9102, dated March 18, 1942, and pursuant to a determination by me of the military necessity therefor, I do hereby modify and amend the provisions of Civilian Restrictive Order No. 17, dated September 13, 1942 and Civilian Restrictive Order No. 22, dated September 29, 1942, both of this headquarters, to change the effective date for the termination of my approval of the evacuation of persons of Japanese ancestry from the Gila River War Relocation Project and the Colorado River War Relocation Project for private employment from November 30, 1942 to November 12, 1942.

This amendment shall not operate to affect any offense committed or any penalty incurred because of violations of the provisions of these restrictive orders.

J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

[F. R. Doc. 43-805; Filed, January 16, 1943; 10:23 a. m.]

DEPARTMENT OF THE INTERIOR.

Office of the Secretary.

SALE OF SPRUCE AND DOUGLAS FIR ON CERTAIN LANDS

DECEMBER 21, 1942.

MY DEAR MR. PRESIDENT:

On September 29, I submitted to you two memoranda on the lumber situation generally and airplane spruce conditions in particular. Since that time, this Department has given consideration to the

availability of and the need for cutting Sitka spruce on lands under our jurisdiction in western Washington.

The lands in question, known as the Queets Corridor and the Ocean Strip, were acquired with a view to ultimate incorporation in the Olympic National Park pursuant to Executive Order No. 6343 of October 18, 1933, under the National Industrial Recovery Act. They have not yet been given a national park status. I am advised that with your approval timber may be sold from such lands (Act of June 16, 1933, 48 Stat. 195, 202, Title II, sec. 203).

There is no doubt that there is an acute shortage of logs for the manufacture of airplane stock in the Grays Harbor and Puget Sound areas. A substantial amount of Sitka spruce that could be removed without serious impairment of scenic and recreational values, is available within the Queets Corridor area. This Department has been zealously devoted to the maintenance of primitive conditions in national park and monument areas, but the critical shortage of timber for airplane production for war purposes compels me to suggest a temporary deviation from that policy.

I accordingly request that you authorize me to sell, for war purposes, spruce and Douglas fir timber on the Queets Corridor and Ocean Strip lands in accordance with the principles of selective logging.

Sincerely yours,

HAROLD L. ICKES,
Secretary of the Interior.

Approved: December 24, 1942.

FRANKLIN D ROOSEVELT
The White House

[F. R. Doc. 43-972; Filed, January 20, 1943; 9:49 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNERS EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of Special Certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 3723), and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective January 21, 1943. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry.

Charlotte Garment Company, 1215 South Caldwell St., Charlotte, North Carolina; Cotton pants; 46 learners (E); July 21, 1943.

Economy Dress Co., 105 W. Locust St., Fairbury, Illinois; Ladies' dresses; 10 percent (T); January 21, 1944.

Ely & Walker Dress Factory, Vandalia, Missouri; Ladies' cotton and rayon dresses; 10 percent (T); January 21, 1944.

The O. L. Hinds Company, 165 St. Paul St., Burlington, Vermont; Children's playsuits and snow suits; 10 percent (T); January 21, 1944.

The Industrial Garment Mfg. Co., Logan Street, Middleport, Ohio; Work suits (one piece) coveralls; 10 learners (T); January 21, 1944.

Kansas City Boyswear Mfg. Co., 710 Central Street, Kansas City, Missouri; Boys' outer garments; 10 learners (T); January 21, 1944.

A. F. Keating Co., Inc., 306 N. Franklin Street, Decatur, Illinois; Junior dresses; 10 percent (T); January 21, 1944.

H. Lang Company, Branch #2, 3d and Vine Street, Des Moines, Iowa; One piece twill and work suits; 10 learners (T); January 21, 1944.

Wolf Manufacturing Co., Inc., Chelmsford St., Lowell, Mass., Children's outerwear; 4 learners (T); January 21, 1944.

Hosiery Industry

Carroll Silk Hosiery Mills, Inc., Hillsville, Virginia; Full-fashioned hosiery; 5 percent (T); January 21, 1944.

McLaurin Hosiery Mills, Inc., 150 N Park Street, Asheboro, North Carolina; Seamless hosiery; 5 percent (T); January 21, 1944.

Royal Oak Hosiery Mills, Inc., Marion, Virginia; Full-fashioned hosiery; 5 percent (T); January 21, 1944.

Scotch-Knit Hosiery Mills, 507 East 165th Street, New York, New York; Seamless hosiery; 5 learners (T); January 21, 1944.

Tower Hosiery Mills, Inc., Broad Street, Burlington, North Carolina; Full-fashioned hosiery; 5 percent (T); January 21, 1944.

Knitted Wear Industry

Denton Sleeping Garment Mill, Inc., Centreville, Michigan; Winter sleeping garments for children; 12 learners (T); January 21, 1944. (This certificate replaces the one issued bearing the expiration date of 2/9/43.)

Textile Industry

The Duplan Corporation, 1245 White Street, Winston Salem, North Carolina; Yarn & thread; 60 learners (E); April 21, 1943.

Signed at New York, N. Y., this 19th day of January, 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-986; Filed, January 20, 1943; 11:46 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO NAVAJO WEAVERS, ROSWELL, N. MEX.

Notice of issuance of Special Certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective January 21, 1943.

The employment of learners under these Certificates is limited to the terms and conditions as designated opposite the employer's name. These Certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The Certificates may be cancelled in the manner provided for in the Regulations and as indicated on the Certificate. Any person aggrieved by the issuance of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE

Navajo Weavers, Roswell, New Mexico; Men's neckties; 5 learners (T); For a learning period of four weeks at 30¢ per hour; July 21, 1943.

Signed at New York, N. Y., this 19th day of January 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-985; Filed, January 20, 1943; 11:46 a. m.]

UNIVERSAL PANTS CO., INC.

CANCELLATION OF LEARNERS EMPLOYMENT CERTIFICATES

Notice of cancellation of special certificate for the employment of learners in the single pants, shirts and allied garments and women's apparel industries.

Notice is hereby given that the special certificate for the employment of learners, dated January 31, 1942, authorizing the employment of learners of not in excess of ten percent of the total number of productive factory workers at any one time between February 2, 1942, and February 2, 1943, issued to the Universal Pants Company, Inc., Northampton, Pennsylvania, has been ordered cancelled as of the first date of violation because of the violation of its terms.

The order of cancellation shall not become effective and enforceable until after the expiration of a fifteen-day period following the date on which this notice appears in the FEDERAL REGISTER. During this time petitions for reconsideration or reveiw may be filed by any directly interested and aggrieved party pursuant to § 522.13 of the regulations. If a petition is properly filed the effective date of the order of cancellation shall be postponed until final action is taken on the petition.

Signed at New York, New York, this 18th day of January 1943.

ISABEL FERGUSON,
Duly Authorized Representative of the Administrator.

[F. R. Doc. 43-982; Filed, January 20, 1943; 11:46 a. m.]

DURABLE PANTS CO., INC.

CANCELLATION OF LEARNERS EMPLOYMENT CERTIFICATES

Notice of cancellation of special certificates for the employment of learners issued under the regulations for the apparel industry and the regulations for the single pants, shirts and allied garments and women's apparel industries.

Notice is hereby given that the special certificates for the employment of learners, namely (1) certificate dated May 16, 1941, authorizing the employment of no more than one hundred learners at any one time between May 19, 1941, and Sept 15, 1941, and (2) certificate dated October 25, 1941, authorizing the employment as learners of not in excess of ten percent of the total number of productive factory workers at any one time between October 27, 1941 and October 27, 1942, issued to the Durable Pants Company, Inc. of Egypt, Pennsylvania, have been ordered cancelled as of the first date of violation because of violations of their terms.

The order of cancellation shall not become effective and enforceable until after the expiration of a fifteen day period following the date on which this notice appears in the FEDERAL REGISTER. During this time petitions for reconsideration or review may be filed by any directly interested and aggrieved party pursuant to § 522.13 of the regulations. If a petition is properly filed the effective date of the order of cancellation shall be postponed until final action is taken on the petition.

Signed at New York, New York this 18th day of January 1943.

ISABEL FERGUSON,
Duly Authorized Representative of the Administrator.

[F. R. Doc. 43-983; Filed, January 20, 1943; 11:46 a. m.]

DURABLE PANTS CO.

CANCELLATION OF LEARNERS EMPLOYMENT CERTIFICATES

Notice of cancellation of special certificate for the employment of learners in the single pants, shirts and allied garments and women's apparel industries.

Notice is hereby given that the special certificate for the employment of learners authorizing the Durable Pants Company, Inc., of Northampton, Pennsylvania to employ not more than five percent of its productive factory workers as learners at any one time between July 28, 1941, and May 11, 1942, and not more than ten percent of its productive factory workers as learners at any one time between May 11, 1942, and May 11, 1943, has been ordered cancelled as of the first date of violation because of the violation of its terms.

The order of cancellation shall not become effective and enforceable until after the expiration of a fifteen day period following the date on which this notice appears in the FEDERAL REGISTER. During this time petitions for reconsideration or review may be filed by any directly interested and aggrieved party pursuant to § 522.13 of the regulations. If a petition is properly filed the effective date of the order of cancellation shall be postponed until final action is taken on the petition.

Signed at New York, New York, this 18th day of January 1943.

ISABEL FERGUSON,
Duly Authorized Representative of the Administrator.

[F. R. Doc. 43-984; Filed, January 20, 1943; 11:46 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 146 Under MPR 120]

BECKLEY FIRE CREEK COAL COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 146 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120-266.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (b) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced by the Beckley Fire Creek Coal Company, Charleston, West Virginia, at its Penman Mine, Mine Index No. 140, in District No. 7, Shady Springs District, Raleigh County, West Virginia, may be sold and purchased for shipment by rail and shipment by lake, at prices not to exceed the following respective prices per net ton, f. o. b. the mine:

RAIL SHIPMENTS

Size group:	*Maximum price*
1	$4.30
2	4.40
3	3.90
4	3.30
6	3.45
7	3.00

SHIPMENT VIA LAKES

7	3.00

(b) Within thirty (30) days from the effective date of this order, the said Beckley Fire Creek Coal Company shall notify all persons purchasing its coals of the adjustment granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this Order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Maximum Price Regulation No. 122.

(c) This Order No. 146 may be revoked or amended by the Administrator at any time;

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein;

(e) This Order No. 146 shall become effective January 20, 1943.

Issued this 19th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-963; Filed, January 19, 1943; 5:11 p. m.]

[Order 3 Under MPR 154, as Amended]

BACU ICE, INC.

ADJUSTMENT OF MAXIMUM PRICE

Order No. 3 under Maximum Price Regulation No. 154, as Amended—Docket No. GF3-397. Adjustment of maximum prices for ice manufactured by Bacu Ice, Inc.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Bacu Ice, Inc., 35 High Street, Poughkeepsie, New York, may sell and

deliver to purchasers who purchase ice for resale at retail, and such purchasers may buy and receive from Bacu Ice, Inc., ice at prices not higher than $3.33 per ton.

(b) The adjustment granted to Bacu Ice, Inc. in paragraph (a) is subject to the condition that it shall forthwith notify its purchasers of ice who buy for resale at retail that the Office of Price Administration has by this order authorized adjustment of its maximum prices as provided in paragraph (a).

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 3 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 3 shall become effective January 20, 1943.

Issued this 19th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-956; Filed, January 19, 1943; 5:11 p. m.]

[Order 1 Under RPS 11]

MAVERICK MILLS

ORDER GRANTING APPLICATION FOR ADJUSTMENT

Order No. 1 to Revised Price Schedule No. 11—Fine Cotton Grey Goods—Docket No. 3011-2.

On October 19, 1942, Maverick Mills, 144 Addison street, East Boston, Massachusetts, pursuant to Supplementary Order No. 9 and Procedural Regulation No. 6, filed an application for the adjustment of its maximum price for 40" 96/100 7.00 yard combed lawn meeting United States Marine Corps poncho specifications. Due consideration has been given to this application and an opinion in support of this Order has been issued simultaneously herewith and filed with the Division of the Federal Register.

For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and pursuant to Procedural Regulation No. 6, issued by the Office of Price Administration, *It is ordered:*

(a) Maverick Mills, East Boston, Massachusetts may sell and deliver, and Pacific Mills, 214 Church Street, New York, N. Y., may buy and receive from Maverick Mills, 40" 96/100 7.00 yard combed lawn meeting United States Marine Corps poncho specifications at a price no higher than 17.05 cents per yard.

(b) The adjustment granted to Maverick Mills in paragraph (a) shall apply only to sales to Pacific Mills under subcontracts pursuant to government contract Cert. PD3A-Serial No. TA889484-Contract No. NOm37497.

(c) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 1 is effective as of October 19, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250 7 F.R. 7871)

Issued this 19th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-955; Filed, January 19, 1943; 5:11 p. m.]

[Order 122 Under MPR 188]

IDEAL MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 122 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum prices for sales by Ideal Manufacturing Company, of new toy modeling kits.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Ideal Manufacturing Company, 1607 Southwest Second Street, Des Moines, Iowa, is authorized to sell and deliver its three new toy modeling kits, described in its application of December 4, 1942, at prices to jobbers, f. o. b. Des Moines, Iowa, no higher than those set forth below for the following designated articles:

Ideal Modeling Kit, known as factory #127-128, $20 per hundred.
Ideal Modeling Kit, known as factory #30, $10 per hundred.
Ideal Plastic Modeling Clay, known as factory #131, $5.25 per hundred.

(b) This Order No. 122 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 122 shall become effective on the 20th day of January, 1943.

Issued this 19th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-958; Filed, January 19, 1943; 5:09 p. m.]

[Order 123 Under MPR 188]

ELECTRIC CORP. OF AMERICA

APPROVAL OF MAXIMUM PRICES

Order No. 123 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum prices for sales by Electric Corporation of America, of a new cardboard toy.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Electric Corporation of America, 222 West Monroe Street, Chicago, Illinois, is authorized to sell and deliver its new die cut cardboard toy, designated as "Battleset Series M", at prices f. o. b. Chicago, Illinois, no higher than those set forth below:

	Per gross.
To jobbers	$9.48
To retailers	7.80

(b) This Order No. 123 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 123 shall become effective on the 20th day of January 1942.

Issued this 19th day of January 1942.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-959; Filed, January 19, 1943; 5:10 p. m.]

[Order 124 Under MPR 188]

WALTER MARSHAK

APPROVAL OF MAXIMUM PRICES

Order No. 124 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum prices for sales by Walter Marshak of certain new toys.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Walter Marshak, 65-83 Roebling Street, Brooklyn, New York, is authorized to sell and deliver its new toys to retailers at prices f. o. b. Brooklyn, New York, no higher than those set forth below for the following described articles:

No. 44 Springfield wooden rifle	$0.68
No. 50 Springfield Clicker type rifle	.84
No. 47A Wooden pony car	1.20
No. 46A Large pedal car	1.61
No. 45A Small pedal car	1.40

(b) This Order No. 124 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 124 shall become effective on the 20th day of January 1943.

Issued this 19th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-966; Filed, January 19, 1943; 5:08 p. m.]

[Order 126 Under MPR 188]

RICHARDS MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 126 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum prices for sales by Richards Manufacturing Co., of two new wheel toys.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Richards Manufacturing Co., Bellaire, Michigan, is authorized to sell and deliver its two new wheel toys, designated as #100 Wheelbarrow and #101 Wood Wagon, to retailers, at prices f. o. b. Bellaire, Michigan, no higher than those set forth below:

	Per dozen
No. 100 Wheelbarrow	$5.20
No. 101 Wood Wagon	6.40

(b) This Order No. 126 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 126 shall become effective on the 20th day of January, 1943.

Issued this 19th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc 43-960; Filed, January 19, 1943; 5:10 p. m.]

[Order 127 Under MPR 188]

C. J. MENTRUP CO., INC.

APPROVAL OF MAXIMUM PRICE

Order No. 127 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum price for sale by the C. J. Mentrup Company, Inc., of tufted rugs.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) C. J. Mentrup Company, Inc., 295 Fifth Avenue, New York, New York, is authorized to sell and deliver Menco Tufted Rugs in pattern No. 1 and other patterns of no less intricacy at a price no higher than 80¢ per square foot, f. o. b. mill, terms 4% 70 days or 5% 10 days.

(b) This Order No. 127 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 127 shall become effective on the 20th day of January, 1943.

Issued this 19th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-961; Filed, January 19, 1943; 5:09 p. m.]

[Order 128 Under MPR 188]

PHILADELPHIA SCREEN MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 128 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum prices for sales by Philadelphia Screen Manufacturing Company, of a Christmas tree holder.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Philadelphia Screen Manufacturing Company, 56th and Woodland Avenue, Philadelphia, Pennsylvania, is authorized to sell and deliver the Christmas tree holder, described in its application of November 7, 1942, to retailers at prices, f. o. b. Philadelphia, Pennsylvania, no higher than $1.08 per dozen.

(b) This Order No. 128 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 128 shall become effective on the 20th day of January 1943.

Issued this 19th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-962; Filed, January 19, 1943; 5:10 p. m.]

[Amendment 1 to Order 28 to RPS 64]

KARR RANGE CO.

APPROVAL OF MAXIMUM PRICE

Amendment No. 1 to Order No. 28 to Revised Price Schedule No. 64—Domestic Cooking and Heating Stoves.

For the reasons set forth in an opinion filed with the Division of the Federal Register which is issued simultaneously herewith, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, the text of paragraph (a) of Order No. 28 under Revised Price Schedule No. 64 is amended to read as follows:

(a) Karr Range Company may sell, offer to sell, or deliver its models designated in its application to the Office of Price Administration as 22-22 and 80, to dealers, at a price no higher than $60.00 f. o. b. factory, subject to discounts, allowances, and terms no less favorable than those in effect with respect to the comparable Models Nos. 20-20 and 622, respectively, as established under Revised Price Schedule No. 64.

* * * * * *

(c) This Amendment No. 1 to Order No. 28 shall become effective on the 20th day of January 1943.

Issued this 19th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-964; Filed, January 19, 1943; 5:07 p. m.]

[Order 64 Under RPS 64]

DIXIE FOUNDRY COMPANY, INC.

APPROVAL OF MAXIMUM PRICE

Order No. 64 under Revised Price Schedule No. 64—Domestic Cooking and Heating Stoves.

On December 21, 1942, the Dixie Foundry Company, Inc., Cleveland, Tenn., filed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64 for approval of a maximum price on a new model gas range designated in the application as model 78GV-4T.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) Dixie Foundry Company, Inc., may sell, offer to sell, transfer or deliver its model 78GV-4T gas range at a price not to exceed $25.46 f. o. b. factory to dealers, subject to discounts, allowances and terms no less favorable than those in effect with respect to the comparable model 94G-A3.

(b) This Order No. 64 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in

§ 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 64 shall become effective on the 20th day of January 1943.

Issued this 19th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-965; Filed, January 19, 1943; 5:07 p. m.]

[Order 6 Under RPS 84]

GENERAL ELECTRIC CO.

APPROVAL OF MAXIMUM PRICE

Order No. 6 under Revised Price Schedule No. 84—Radio Receiver and Phonograph Parts. Approval of maximum prices of new radio parts for General Electric Company.

For the reasons set forth in the opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered*:

(a) General Electric Company is authorized to sell, offer to sell, or deliver the following new parts at prices, inclusive of federal excise tax, f. o. b. seller's point of shipment, no higher than those specified below, subject to discounts, allowances and terms no less favorable to the purchaser than those customarily granted by it:

Stock number	Description	List price
RB-217	Pilot lamp bracket	$0.18
RB-1130	Pilot lamp bracket	.05
RC-6057	Cone and Voice Coil for speaker	.55
RL-176	R. F. Peaking Coil	.25
RL-177	R. F. Peaking Coil	.30
RL-178	Plate choke coil	.30
RL-179	R. F. Peaking Coil	.35
RL-577	Built-in Loop Antenna—B'cast	1.76
RL-580	Built in Loop Antenna—B'cast	1.76
RL-581	Built-in Loop Antenna—S. W	.66
RL-587	Built-in Loop Antenna—S. W	.67
RL-596	Built-in Loop Antenna—B'cast	1.38
RL-597	Built-in Loop Antenna—B'cast	1.54
RL-598	Built-in Loop Antenna—S. W	.66
RL-608	Wave trap coil	.40
RL-609	Wave trap coil	.45
RL-2075	Oscillator Coil—S. W	.25
RL-2077	Oscillator Coil	.40
RL-2078	Oscillator Coil	.35
RL-5000	Built-in Loop Antenna—B'cast	1.08
RL-5002	Built-in Loop Antenna—S. W	.88
RL-5003	Built-in Loop Antenna—S. W	.88
RL-5007	Built-in Loop Antenna—S. W	.44
RL-5009	Built-in Loop Antenna—S. W	.33
RL-9531	Push button tuning coil assembly	1.10
RS-1087	P. M. Dynamic speaker	3.35
RT-3011	I. F. transformer	1.20
RT-3012	I. F. transformer	1.20
RT-3040	I. F. transformer	1.45

(b) This Order No. 6 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 6 shall become effective on the 20th day of January 1943.

Issued this 19th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-957; Filed, January 19, 1943; 5:10 p. m.]

WAR PRODUCTION BOARD.

RESTORATION AND AMENDMENT OF PREFERENCE RATING

Preference Rating Order P-19-h, Serial No. 30565. Name of builder: Federal Works Agency, North Interior Building, Washington, D. C. Project: Continuation of construction of seven-room, semi-private type school at Vine Grove, Hardin County, Kentucky.

The revocation issued December 4, 1942 of the above serially numbered preference rating order is hereby cancelled; the ratings assigned by said preference rating order are hereby restored; and said preference rating order shall have full force and effect, as hereinafter amended.

The above serially numbered preference rating order is hereby amended to expire on April 15, 1943.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 19, 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-942; Filed, January 19, 1943; 4:08 p. m.]

FEDERAL REGISTER

VOLUME 8 NUMBER 15

Washington, Friday, January 22, 1943

Regulations

TITLE 7—AGRICULTURE

Chapter VII—Agricultural Adjustment Agency

[Tobacco 703 (Fire-cured)—Part I]

PART 726—FIRE-CURED AND DARK AIR-CURED TOBACCO

MARKETING QUOTA REGULATIONS, 1943-44 MARKETING YEAR

PROCEDURE FOR DETERMINATION OF ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR 1943

GENERAL

Sec.
726.506 Definitions.
726.507 Extent of calculations and rule of fractions.
726.508 Instructions and forms.
726.509 Applicability of procedure.

ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR OLD FARMS

726.510 Determination of acreage allotments for old farms.
726.511 Determination of preliminary 1943 acreage allotments for old farms.
726.512 Adjustment of preliminary 1943 acreage allotments.
726.513 Reallocation of allotments released from farms removed from agricultural production.
726.514 Reduction of acreage allotment for violations of 1942-43 Marketing Quota Regulations.
726.515 Farms subdivided or combined by reconstitution.
726.516 Determination of normal yields.

ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR NEW FARMS

726.517 Determination of acreage allotments for new farms.
726.518 Time for filing application.
726.519 Determination of normal yields.

GENERAL

§ 726.506 *Definitions.* As used in this procedure and in all instructions, forms, and documents in connection therewith, the words and phrases defined in this section shall have the meanings herein assigned to them, unless the context or subject-matter otherwise requires.

(a) "Fire-cured Allotment Procedure for 1943" means this Tobacco 703 (Fire-cured).

(b) "County committee" means the group of persons elected within any county to assist in the administration of the Agricultural Conservation Programs in such county.

(c) "New farm" means a farm on which fire-cured tobacco was not produced in any of the five years 1938 to 1942, but on which fire-cured tobacco will be produced in 1943.

(d) "Old farm" means a farm on which fire-cured tobacco was produced in one or more of the five years 1938 to 1942, and on which fire-cured tobacco will be produced in 1943.

(e) "Operator" means the person who is in charge of the supervision and conduct of the farming operations on the entire farm.

(f) "Person" means an individual, partnership, association, corporation, estate or trust, or other business enterprise or other legal entity and wherever applicable, a State, a political subdivision of a State or any agency thereof.

(g) "State committee" means the group of persons designated within any State to assist in the administration of the Agricultural Conservation Programs in such State.

(h) "Tobacco" means fire-cured tobacco as classified in Service and Regulatory Announcement No. 118 of the Bureau of Agricultural Economics of the United States Department of Agriculture as types 21, 22, 23 and 24.

§ 726.507 *Extent of calculations and rule of fractions.* (a) All percentages shall be calculated to the nearest whole percent. Fractions of more than fifty-hundredths of one percent shall be rounded upward, and fractions of fifty-hundredths of one percent or less shall be dropped. For example, 87.51 percent would become 88 percent and 87.50 percent would become 87 percent.

(b) All acreages except the preliminary farm acreage allotment and the final farm acreage allotment for 1943 shall be calculated to the nearest one-hundredth of an acre. The preliminary and final 1943 farm acreage allotment shall be calculated to the nearest one-tenth of an acre and fractions of fifty-one thousandths of an acre or more shall be rounded upward and fractions of fifty-

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FEDERAL REGISTER

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thousandths of an acre or less shall be dropped. For example, 1.051 would become 1.1 an 1.050 would become 1.0.

§ 726.508 *Instructions and forms.* The Chief of the Agricultural Adjustment Agency of the United States Department of Agriculture shall cause to be prepared and issued such instructions and such forms as may be deemed necessary or expedient for carrying out this procedure.

§ 726.509 *Applicability of procedure.* This allotment procedure for 1943 shall govern the establishment of farm acreage allotments and normal yields for fire-cured tobacco for use in connection with the 1943 Agricultural Conservation Program and in connection with farm marketing quotas for fire-cured tobacco for the marketing year beginning October 1, 1943.

ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR OLD FARMS

§ 726.510 *Determination of acreage allotments for old farms.* The 1943 fire-cured tobacco acreage allotment for an old farm shall be the preliminary 1943 fire-cured tobacco acreage allotment as determined in accordance with § 726.511 and adjusted in accordance with § 726.512. The 1943 fire-cured tobacco acreage allotment thus determined for an old farm shall be subject to the adjustment provisions of §§ 726.513 and 726.514.

§ 726.511 *Determination of preliminary 1943 acreage allotments for old farms.* The preliminary 1943 fire-cured tobacco acreage allotment for an old farm shall be that percent of the 1943 normal acreage for the farm which the 1943 State acreage allotment is of the 1943 normal acreage of fire-cured tobacco for all old farms in the State: *Provided*, That if the preliminary acreage allotment so determined for any farm (except a farm operated, controlled, or directed by a person who also operates, controls or directs another farm on which fire-cured tobacco is produced) is less than that acreage which with the normal yield would produce 2,400 pounds of tobacco, such preliminary acreage allotment shall be increased to the smaller of (1) 120 percent thereof, or (2) that acreage, which when multiplied by the normal yield would produce 2,400 pounds of tobacco.

This method of determining preliminary 1943 fire-cured tobacco acreage allotments will result in a preliminary 1943 acreage allotment equal to the 1942 acreage allotment for a farm except for those farms for which the normal acreage is adjusted under paragraph (b) of this section; therefore, for all other farms, the committee may establish the preliminary 1943 allotment at the same acreage as the 1942 acreage allotment plus any acreage by which the 1942 allotment was reduced because of violation of the 1941–42 Marketing Quota Regulations: *Provided, however*, No acreage allotted to such farm in 1942 from the State pools, except the acreage allotted to a farm the owner of which was dispossessed of another farm by the acquisition thereof by a Federal agency for national defense purposes, shall be used in determining the 1943 preliminary acreage allotment. This provision shall not be construed to prohibit determining any allotments for 1943 under the provisions of paragraph (a) of § 726.513.

(a) *Determination of 1943 normal acreage.* The 1943 normal acreage for an old farm shall be determined by applying the applicable diversion factor to the 1942 acreage allotment plus any acreage by which the 1942 allotment was reduced because of violation of the 1941–42 Marketing Quota Regulations: *Provided, however*, No acreage allotted to the farm in 1942 from the State pools, except the acreage allotted to a farm, the owner of which was dispossessed of another farm by the acquisition thereof by a Federal agency for national defense purposes, shall be used in determining the 1943 normal acreage.

1940 acreage allotment	1942 acreage allotment	Diversion factor
		Percent of allotment
3.[illegible] acres or less	2.6 acres or less	194
3.[illegible] acres	2.7 acres	196
3.[illegible] acres	2.8 acres	211
3.[illegible] acres	2.8 acres	225
3.[illegible] acres	2.9 acres or more	233

(b) *Adjustment of 1943 normal acreage.* The 1943 normal acreage for an old farm, determined as provided above, shall be adjusted so as to take into account any changes for 1943 in respect to the past acreage of fire-cured tobacco (harvested and diverted acreage in the five years 1938–42 as compared with the five years 1937–41) making due allowance for the effect of drought, flood, hail, other abnormal weather conditions, plant-bed and other diseases; land, labor and equipment available for the production of tobacco; crop rotation practices; and the soil and other physical factors affecting the production of tobacco: *Provided*, That in determining the 1942 harvested and diverted acreage of fire-cured tobacco, any amount by which the 1942 harvested acreage is less than the 1942 farm acreage allotment shall be considered as diverted acreage.

§ 726.512 *Adjustment of preliminary 1943 acreage allotment.* An acreage not in excess of one-half of one percent of the State acreage allotment for fire-cured tobacco shall be apportioned to each county in the State on the basis of the percentage the total 1942 fire-cured tobacco acreage allotment in each county is of the State acreage allotment for fire-cured tobacco, unless otherwise recommended by the State committee and approved by the Regional Director. Such acreage shall be used by the county committees as hereinafter provided in this section, if the committees find that such action will establish allotments which are fair and equitable taking into consideration the past acreage of fire-cured tobacco grown on the farm; land, labor and equipment available for the production of fire-cured tobacco; crop rotation practices; and the adaptability of the soil to the growing of fire-cured tobacco. The acreage available in each county may be used for establishing the 1943 fire-cured tobacco acreage allotments and for adjusting upward preliminary 1943 fire-cured tobacco acreage allotments in the following order and under the following conditions:

(a) The acreage by which 1943 preliminary allotments established under the provisions of § 726.511 hereof exceeds the 1942 acreage allotments for such farms shall be deducted from the acreage apportioned to the county as provided above.

(b) A preliminary 1943 fire-cured tobacco acreage allotment may be established for a farm which grew fire-cured tobacco in 1942 for which no fire-cured tobacco acreage allotment was established in such year. Any such allotment shall not exceed the larger of five-tenths of one acre or 10 percent of the 1942 harvested acreage of fire-cured tobacco.

(c) The preliminary 1943 fire-cured tobacco acreage allotment for any farm may be adjusted upward. Such adjustment shall not exceed the larger of 10 percent of the 1943 preliminary acreage allotment or one-half acre.

Any allotment established or adjusted as provided above shall be subject to the approval of the State committee.

§ 726.513 *Reallocation of allotments released from farms removed from agricultural production.* (a) Except as provided in paragraph (b) of this section, the fire-cured tobacco allotment determined or which would have been determined for any land which is removed from agricultural production because of acquisition by a State or Federal agency for any purpose or by a person for use in connection with the national defense program shall be available to State committees for use in providing equitable allotments for farms on which tobacco was grown in one or more of the three years, 1940 through 1942 and which are operated in 1943 by persons who were producers of tobacco on land so removed from agricultural production. Insofar as possible, the allotments for farms operated by such persons shall be comparable to the allotments for other old farms in the same community which are similar with respect to land, labor and equipment available for the production of tobacco; crop rotation practices; soil and other physical factors affecting the production of tobacco, taking into consideration the allotment for the land removed from agricultural production. The allotment so determined shall be subject to the approval of the State committee and shall not exceed the larger of (1) the 1943 allotment previously determined for such land, or (2) the allotment which was or would have been determined for the land removed from agricultural production; *Provided*, That in no event shall the allotment so determined exceed the larger of 20 percent of the acreage of cropland in the farm, or three acres.

(b) The allotment determined or which would have been determined for any land acquired on or since January 1, 1940 by any Federal agency for national defense purposes shall be placed in a State pool and shall be used in determining equitable allotments for farms owned or purchased by owners displaced because of acquisition of their farm by a Federal agency for national defense purposes. Upon application to the county committee, any owner so displaced shall be entitled to have an allotment for any one of the other farms owned or purchased by him equal to an allotment which would have been determined for such other farm, plus the allotment which would have been determined for the farm acquired by the Federal agency: *Provided*, That such allotment shall not exceed 20 percent of the acreage of cropland in the farm. The provision of this subsection shall not be applicable if (1) there is any marketing quota penalty due with respect to the marketing of tobacco from the farm or by the owner of the farm at the time of its acquisition by the Federal agency, (2) any tobacco produced on such farm has not been accounted for as required by the Secretary, or (3) if the allotment next to be established for the farm acquired by the Federal agency would have been reduced because of false or improper identification of tobacco produced on or marketed from such farm.

§ 726.514 *Reduction of acreage allotment for violation of the 1942–43 Marketing Quota Regulations.* If tobacco was sold or was permitted to be sold on a marketing card for any farm which was produced on a different farm the acreage allotment established for each such farm for 1943 shall be reduced by the amount of tobacco so marketed: *Provided*, That such reduction shall not be made if the Secretary, through the county committee, determines that no person connected with such farm during the 1942–43 marketing year caused, aided, or acquiesced in such marketing. If proof of the disposition of any amount of tobacco produced on a farm is not furnished, as required by the Secretary, the acreage allotment shall be reduced by such amount of tobacco.

The amount of tobacco involved will be converted to an acreage basis by dividing such amount of tobacco by the actual yield for the farm during the year in which such tobacco was produced.

§ 726.515 *Farms subdivided or combined by reconstitution.* (a) If land operated as a single farm in 1942 or any previous year has subsequently been subdivided and will be operated in 1943 as two or more farms, the 1943 fire-cured tobacco acreage allotment determined or which otherwise would have been determined for the entire farm shall be apportioned among the tracts in the same proportion as the acreage of cropland suitable for the production of fire-cured tobacco on each such tract in such year bore to the total number of acres of cropland suitable for the production of fire-cured tobacco on the entire farm in such year unless otherwise recomended by the county committee and approved by the State committee.

(b) If two or more farms operated separately in 1942 or any previous year have subsequently been combined and will be operated in 1943 as a single farm, the 1943 fire-cured tobacco allotment shall be the sum of the 1943 fire-cured tobacco allotments determined or which otherwise would have been determined for each of the farms composing the combination.

§ 726.516 *Determination of normal yields.* The normal yield for any farm shall be the average of the yields obtained on the farm during the years 1937–41, adjusted by the county committee so as to more accurately reflect the normal yield on the farm represented by the soil and other physical factors affecting the production of fire-cured tobacco, by taking into consideration yields obtained on other farms in the locality which are similar with respect to such factors. The weighted average of the normal yields for all farms in each county shall not exceed the yield established for the county in 1942 unless an

adjustment for abnormal conditions is made by the Secretary upon recommendation of the State committee.

ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR NEW FARMS

§ 726.517 *Determination of acreage allotments for new farms.* The fire-cured tobacco acreage allotment other than an allotment made under paragraph (b) of § 726.513 for a new farm shall be that acreage which the county committee determines is fair and reasonable for the farm taking into consideration each of the following factors:

(a) The past fire-cured tobacco experience of the farm operator;

(b) The acreage of cropland in the farm suitable for fire-cured tobacco production;

(c) The acreage capacity of barns which are located on the farm and which are in usable condition and available for the curing of fire-cured tobacco;

(d) The customary crop rotation practices;

(e) Adaptability of the soil to the growing of fire-cured tobacco.

Provided, That the acreage allotment so determined shall be subject to approval by the State committee and shall not exceed the smallest of (1) one-fifth of the total acreage of fire-cured tobacco grown by the farm operator during the five years 1938 through 1942, (2) 75 percent of the average fire-cured tobacco acreage allotment for old farms in the county, or (3) one acre.

Notwithstanding any other provisions of this section, a fire-cured tobacco acreage allotment shall not be established for any new farm unless the following conditions have been met:

(a) The farm operator shall have had two years or more experience in growing fire-cured tobacco as a share-cropper, tenant, or as a farm operator during the past five years;

(b) The farm operator shall be living on the farm and largely dependent on this farm for his livelihood;

(c) The farm covered by the application shall be the only farm owned or operated by the farm operator on which any tobacco is produced;

(d) There is a fire-cured tobacco curing barn in condition for use on the farm; and

(e) No kind of tobacco other than fire-cured tobacco will be grown on such farm in 1943.

The fire-cured tobacco acreage allotments established as provided in this section shall be subject to such downward adjustment as is necessary to bring such allotments in line with the total acreage available for allotment to all new fire-cured tobacco farms.

The fire-cured tobacco acreage available for establishing allotments for new farms shall be one-tenth of one percent of the national allotment for fire-cured tobacco.

§ 726.518 *Time for filing application.* In order to obtain an allotment for a new fire-cured tobacco farm in 1943, the operator of the farm shall file an application for such allotment with the county committee prior to February 1, 1943.

§ 726.519 *Determination of normal yields.* The normal yield for a new farm shall be that yield per acre which the county committee determines is reasonable for the farm as compared with yields for other farms in the locality on which the soil and other physical factors affecting the production of fire-cured tobacco are similar.

Done at Washington, D. C., this 20th day of January 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-993; Filed, January 20, 1943; 12:49 p. m.]

Chapter XI—Food Distribution Administration

PART 964—MILK IN THE MEMPHIS, TENNESSEE, MARKETING AREA

SUSPENSION OF ORDER REGULATING HANDLING OF MILK

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 1940 ed. 601 et seq.), and upon the request of the Mid-South Milk Producers' Association, Memphis, Tennessee, a cooperative association of producers representing more than 75 percent of the producers who produce more than 50 percent of the total volume of milk disposed of in the Memphis, Tennessee, marketing area, the order regulating the handling of milk in the Memphis, Tennessee, marketing area, effective October 4, 1942 (7 F.R. 7794), is hereby suspended, effective January 20, 1943.

This order of suspension shall not affect, waive, suspend, or terminate any right, duty, obligation, or liability which shall have arisen, or which may hereafter arise, in connection with any of the provisions of the order regulating the handling of milk in the Memphis, Tennessee, marketing area, provided such right, duty, obligation, or liability was incurred prior to the effective date of this suspension; nor shall this suspension release or waive any violation of the said order occurring prior to the effective date of this suspension.

Done at Washington, D. C., this 20th day of January 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] THOMAS J. FLAVIN,
Assistant to the Secretary of Agriculture[1]

[F. R. Doc. 43-1068; Filed, January 21, 1943; 11:20 a. m.]

[Food Distribution Order 6-1]

PART 1405—FRUITS AND VEGETABLES

CITRUS FRUIT

Pursuant to the authority vested in me by Food Distribution Order 6 dated January 12, 1943, and to effectuate the purpose of that order, *It is hereby ordered as follows:*

§ 1405.3 *Citrus fruit set aside order*—(a) *Oranges to be set aside.* (1) Every handler of oranges located in those portions of the producing area listed below shall, during each shipping period in which he ships more than 50 boxes or the equivalent thereof, set aside for the requirements of Government agencies and processors a quantity equal to the percentage listed below of the oranges shipped by him during such period

Florida	None.
California	20 percent
Arizona	20 percent

(2) Such quantity of oranges shall be set aside and held subject to the restrictions of Food Distribution Order 6 for six weeks after the close of the shipping period in which it was set aside.

(b) *Lemons to be set aside.* (1) Every handler of lemons located in those portions of the producing area listed below shall, during each shipping period in which he ships more than 50 boxes or the equivalent thereof, set aside for the requirements of Government agencies and processors, a quantity equal to the percentage listed below of the lemons shipped by him during such period.

California	None.
Arizona	None.

(2) Such quantity of lemons shall be set aside and held subject to the restrictions of Food Distribution Order 6 for 18 weeks after the close of the shipping period in which it was set aside.

(c) *Grapefruit to be set aside.* (1) Every handler of grapefruit located in those portions of the producing area listed below shall, during each shipping period in which he ships more than 50 boxes or the equivalent thereof, set aside for the requirements of Government agencies and processors a quantity equal to the percentage listed below of the grapefruit shipped by him during such period.

Florida	None.
Texas	None.
Arizona	None.
California	None.

(2) Such quantity of grapefruit shall be set aside and held subject to the restrictions of Food Distribution Order 6 for six weeks after the close of the shipping period in which it was set aside.

(d) *Definitions.* (1) "Shipping period" means in all cases a period of seven consecutive days beginning with 12:01 a. m. local time Sunday and ending at 12:01 a. m. local time the following Sunday.

(2) "Box" means the standard container of that name prescribed for the particular variety of citrus fruit by the Agricultural Code of the State of California.

(e) *Permissible variations.* Notwithstanding the provisions of paragraphs (a), (b) and (c) hereof, any handler, during any shipping period for any type or variety of citrus fruit of which he is not required to make up a deficiency, may, at his option, set aside less than the quantities of citrus fruit required by paragraphs (a), (b) and (c) hereof to be set aside, upon condition that not less than half of such quantities so required are set aside, and that the deficient quantities are set aside in the next shipping period in addition to the quantities otherwise required to be set aside during such period. Citrus fruit set aside during any shipping period shall be applied first to any deficiency for the preceding shipping period.

(f) *Reports.* (1) On or before the first Tuesday following each shipping period each handler of the types and varieties of citrus fruit listed below shall file a report, for the geographical location indicated, with the person listed below

Oranges:

California and Arizona: H. W. Thompson, Food Distribution Administration, Room 405, 704 South Spring St., Los Angeles, California.

(2) The report required to be filed shall be upon forms prescribed by the Director and shall contain the information with respect to each type of fruit required to be set aside by this order called for by said forms.

(g) *Effective date.* This order shall take effect at 12:01 a. m., January 24, 1943.

(E.O. 9280, 7 F.R. 10179; F.D.O. No. 6, 8 F.R. 511)

Issued this 20th day of January 1943.

[SEAL] ROY F. HENDRICKSON,
Director of Food Distribution.

[F. R. Doc. 43-1067; Filed, January 21, 1943; 11:20 a. m.]

[Food Distribution Order 7-1]

PART 1430—SUGAR

RAW SUGAR ALLOTMENTS

Pursuant to the authority vested in me by Food Distribution Order 7, dated January 15, 1943, issued pursuant to Executive Order 9280, dated December 5, 1942, and to effectuate the purposes of those orders, *It is hereby ordered as follows:*

§ 1430.6 *Allotments of raw sugar.* (a) No refiner shall purchase, import, or accept delivery of raw sugar in excess of the allotment hereby established for the period from January 1, 1942, to September 30, 1943, for him in the amount set forth below opposite his name. Such allotment may be changed or modified from time to time by the Director of Food Distribution. All such raw sugar purchased, imported, or received by him between January 1, 1942, and the date of this order shall be charged against such allotment.

	Short tons raw value
American Sugar Refining Co	1,489,462
Aron & Co., J	69,078
C & H Sugar Refining Corp. Ltd	823,114
Colonial Sugars Inc	198,302
Godchaux Sugars Inc	314,997
Henderson Sugar Refinery	116,847
Imperial Sugar Co	202,323
Inland Sugar Co	2,947
Liquid Sugars Inc	15,487
W. J. McCahan Sugar Ref. and Molasses Co	259,506
National Sugar Refining Co	1,246,614
Pepsi-Co'a Company	12,220
Realty Operators, Inc	35,269
Refined Syrups & Sugars, Inc	175,017
Revere Sugar Refinery	254,366
Savannah Sugar Refining Corp	268,541
South Coast Corporation	74,579
Sterling Sugars, Inc	47,845
Sucrest Corp. and Affiliates	167,178
Tea Garden Products Company	1,128
Western Sugar Refinery	253,595

(b) Purchases, importations, or acceptances of delivery, within the allotment established in paragraph (a) hereof of raw sugar shall be made only upon specific authorization of the Director of Food Distribution.

(c) Supplementary Order M-98-a of the War Production Board is hereby superseded. Any action heretofore taken or authorized by the Director General of Operations of the War Production Board pursuant to the provisions of Supplementary Order M-98-a (7 F.R. 5863) shall have the same force and effect as though taken or authorized pursuant to the provisions of this order. Nothing in this order shall be construed to affect any pending appeal under Conservation Order M-98, as amended and supplemented (7 F.R. 8828), and such appeal shall be considered under paragraph (e) of Food Distribution Order 7. Nothing herein shall be construed to affect any suit, action, prosecution, or other proceeding under Conservation Order M-98, as amended and supplemented, or the validity of any penalty, judgment or decree which may be or has been made or imposed thereunder.

(E.O. 9280, 7 F.R. 10179; F.D.O. No. 17, 8 F.R. 904)

Issued this 21st day of January 1943.

ROY F. HENDRICKSON,
Director of Food Distribution.

[F. R. Doc. 43-1066; Filed, January 21, 1943; 11:21 a. m.]

[Food Distribution Order 9]

PART 1450—TOBACCO

1942 CROP EASTERN FIRE-CURED, WESTERN FIRE-CURED AND GREEN RIVER TOBACCO

Pursuant to the authority vested in me by Executive Order 9280, dated December 5, 1942, and to insure an adequate supply of lower grades of certain dark tobaccos of the 1942 crop for the manufacture of nicotine alkaloid and nicotine sulphate for war and civilian needs: *It is hereby ordered as follows:*

§ 1450.10 *1942 Crop Tobacco of types 22, 23, and 36; restrictions on acquisition and use of specified grades*—(a) *Definitions.* When used in this order unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) "Type 22" means tobacco of this type, often called Eastern or Southern Fire-cured, as defined in the Official Standard Grades for Fire-cured Tobacco (7 CFR 29.101 et seq.), promulgated by the Secretary of Agriculture under the Tobacco Inspection Act (7 U.S.C. 511 et seq.).

(2) "Type 23" means tobacco of this type, often called Western Fire-cured, as defined in the Official Standard Grades for Fire-cured Tobacco, promulgated by the Secretary of Agriculture under the Tobacco Inspection Act.

[1] Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81; 7 F.R. 2659).

(3) "Type 36" means tobacco of this type, often called Green River, as defined in the Official Standard Grades for Dark Air-cured Tobacco (7CFR 29.251 et seq.), promulgated by the Secretary of Agriculture under the Tobacco Inspection Act.

(4) "Grades X3M, X3G, X4F, X4FV, X4D, X4M, X4G, X5F, X5FV, X5D, X5M, X5G, and N" means grades of tobacco so designated by the Official Standard Grades for Fire-cured Tobacco and the Official Standard Grades for Dark Air-cured Tobacco, the letter "V" referring to greenish tobacco, as defined in the Official Standard Grades for Fire-Cured Tobacco and the Official Standard Grades for Dark Air-cured Tobacco.

(5) "Person" means any individual, partnership, corporation, association, or other business entity.

(6) "Manufacturer of tobacco byproducts" means any person who acquires and processes tobacco under Tobacco Diversion Program No. J-40a, established by the Secretary of Agriculture on August 12, 1942 under the provisions of clause 2, section 32 of "An Act to amend the Agricultural Adjustment Act, and for other purposes" approved August 24, 1935. (7 U.S.C. 612c).

(7) "Director" means the Director of Food Distribution, United States Department of Agriculture or any employee of the United States Department of Agriculture designated by such Director.

(b) *Restrictions.* (1) No person other than a manufacturer of tobacco byproducts shall after the effective date of this order purchase or otherwise acquire on auction markets Type 22, Type 23, or Type 36 tobacco of the 1942 crop of grades X3M, X3G, X4F, X4V, X4D, X4M, X4G, X5F, X5FV, X5D, X5M, X5G, and N, except as may be specifically authorized by the Director.

(2) No person other than a manufacturer of tobacco by products shall use tobacco of the 1942 crop of the types and grades referred to in paragraph (b) (1) if such tobacco is purchased after the effective date of this order, except as may be specifically authorized by the Director.

(3) The restrictions of this order shall be observed without regard to the rights of creditors, contracts and payments made or any other action taken thereunder.

(c) *Records and reports.* Every manufacturer, person operating an auction warehouse in which tobacco of Types 22, 23, or 36 is sold, and any other person to whom this order applies, shall maintain such records for such periods of time and shall execute and file such reports and submit such information as the Director may from time to time request or direct and within such time as he may prescribe.

(d) *Audits and inspections.* Every manufacturer or any other person to whom this order applies shall permit inspections of his stocks of tobacco and of his books, records, and accounts by the Director or any person designated by him.

(e) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, and such action shall be final.

(f) *Violations.* Any person who willfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or willfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(g) *Communications to Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C. Ref.: FD-9.

(h) *Delegation of authority.* The Director of Food Distribution is hereby designated to administer the provisions hereof.

(i) *Effective date.* This order shall be effective as of 12:01 A. M. the second day after issuance.

(E.O. 9280, 7 F.R. 10179)

Issued this 20th day of January 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc 43-1069; Filed, January 21, 1943; 11:20 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Personnel

PART 73—APPOINTMENT OF COMMISSIONED OFFICERS, WARRANT OFFICERS, AND CHAPLAINS

OFFICERS APPOINTED IN THE ARMY OF THE UNITED STATES

Sections 73.200, 73.201, 73.202, 73.210, 73.212, 73.213, 73.214, 73.216 and 73.217 are retained without change in revision of AR 605-10, dated December 30, 1942. §§ 73.203 (a), 73.204 to 73.209, 73.211 (a) and (c), 73.215 and 73.218 are amended as follows (6 F.R. 5661; 7 F.R. 739, 841, 1016, 2143, 2720, 3740, 3957, 4564, 4601, 7071, 10247)

AUTHORITY: §§ 73.200 to 73.218, inclusive, issued under the act of September 22, 1941, 55 Stat. 728, 10 U.S.C., Sup., 484.

These regulations are also contained in Army Regulations No. 605-10, December 30, 1942, the particular paragraphs being shown in brackets at end of sections.

§ 73.203 *Procurement objective.* (a) Initial appointments in the Army of the United States will be made in such numbers and in such grades as may be specifically authorized from time to time by the War Department for the several arms and service and War Department agencies. These authorizations will constitute procurement objectives for all appointments and will not be exceeded. [Par. 5]

* * * * *

§ 73.204 *Age and citizenship requirements.* An officer of the Army of the United States must at the time of appointment be a citizen of the United States or of the Philippine Islands, or a citizen of a cobelligerent or friendly country who otherwise possesses the same qualifications as a citizen of the United States, between the ages of 18 and 60 years. [Par. 6]

§ 73.205 *Appointments not made from certain classes.* No person will be initially appointed in the Army of the United States from the following classes:

(a) Cadets, United States Military Academy.

(b) Persons qualified and eligible for appointment in the Officers' Reserve Corps under existing regulations.

(c) Persons on either the active or reserve list of the Navy, Marine Corps, Coast Guard, Public Health Service, and Coast and Geodetic Survey.

(d) Civilian officers or employees of the United States or of the District of Columbia, without the written consent of the head of the department or service concerned.

(e) Any person subject to induction under the Selective Training and Service Act of 1940, as amended, whose induction has been ordered.

(f) Any person who is not a graduate of a school or resident course of instruction recognized by the War Department as qualifying him for a commission, unless he has training and experience required for the particular position beyond that normally provided at officer candidate schools.

(g) Any person whose proposed duty is being or can be adequately performed by available civilian personnel.

(h) Former commissioned officers of the Navy, Marine Corps, Coast Guard, or of any component of the Army of the United States, whose appointment is prohibited by the provisions of paragraph (e) of this section; or whose commissions were terminated because of inefficiency or under other than honorable conditions: *Provided,* That former commissioned officers of this category may be appointed upon the approved recommendations of a board of officers convened for the purpose of determining the professional and moral fitness of the particular applicant for appointment. (See also § 73.206.)

(i) Any person whose services will not be immediately available to the War Department upon being appointed to a commissioned grade.

(j) Any civilian without prior commissioned service (see § 73.206 (a)) under 35 years of age unless classified by Selective Service as class IV-F on account of physical disability, or over 34 years of age and under 38 years of age at the date of appointment if classified by Selective Service (or if as yet unclassified, but apparently classifiable) as class I-A or class II. Exception may be made in the case of chaplains and doctors of medicine, dentistry, and veterinary medicine, and in other cases where there is a critical need for the services of a particular individual, or where the individual is within a scarce category of specialized skill in which not enough men trained to fill the requirements of the armed forces are available at the time required. No civilian, of any age, will be appointed if classified as II-A, II-B, or III-B, unless released from such classification by his local board.

(k) (See also § 73.207.) [Par. 7]

§ 73.206 *Grades in which appointed.* Appointments may be made in any grade for which the appointee is qualified and eligible, subject to the following limitations:

(a) Graduates of officer candidate schools will be initially appointed as second lieutenants only.

(b) Appointments in the Medical Corps, Dental Corps, Veterinary Corps, and for duty as chaplains will be limited to first lieutenant to colonel, both inclusive.

(c) (1) If a former commissioned officer of the Army, Navy, Marine Corps, or Coast Guard of the United States applies for a commission after his induction under the Selective Training and Service Act of 1940 he will make application through his immediate commanding officer. If recommended by the examining board, he may be appointed to a grade not higher than that formerly held by him.

(2) If recommended for a commission in the Army prior to his call for induction under the Selective Training and Service Act of 1940 and he is otherwise qualified for the position in accordance with § 73.205, a former commissioned officer may be appointed, irrespective of his age or Selective Service status, to a grade commensurate with his ability. [Par. 8]

§ 73.207 *Qualifications for initial appointments.* (a) Normally, applicants for initial appointment will be required to qualify as to military and nonmilitary education under the standards established for appointment to corresponding grade in the Officers' Reserve Corps (AR 140-22 to 140-39[1], inc.), except that military and nonmilitary educational requirements may be waived in whole or in part upon the recommendation of the arm or service concerned.

(b) In the case of persons recommended for appointment from civil life as commissioned officers in the Army of the United States, the recommendation must include satisfactory evidence that the recommended individual possesses special qualifications, and that these special qualifications are required in the position to which he is to be assigned if commissioned, and that individuals of the required qualifications are not readily available in the ranks of the Army. (See § 73.205 (f).)

(c) Appointments for Table of Organization positions in approved authorized affiliated units of the Medical Department, Ordnance Department, Corps of Engineers, Quartermaster Corps, or Signal Corps, and appointments for the electronics training group, Signal Corps, that formerly would have been made in the Officers' Reserve Corps, will be made in the Army of the United States. Appointments in affiliated units will not be made unless the person to be appointed is a bona fide officer or employee or member of the organization, institution, or association sponsoring the affiliated unit and is otherwise qualified under these regulations.

(d) When a commander of United States forces outside the continental United States is granted special authority by the War Department to appoint or to recommend the appointment of officers, Army of the United States, the qualifications for appointment will be as indicated in the special War Department instructions authorizing the appointments. [Par. 9]

§ 73.208 *Applications for appointment*—(a) *General.* Except for graduates of officer candidate schools, applications for initial appointment in the Army of the United States will be submitted and processed as follows:

(1) *Form of application.* W. D., A. G. O. Forms Nos. 0850 and 0850a (Personnel Placement Questionnaire).

(2) *Accompanying papers.* Each application for appointment will be accompanied by:

(i) Report of Physical Examination (W. D., A. G. O. Form No. 63 or 64, as applicable). (See §§ 73.216-73.218.)

(ii) A statement that the recommended appointee is or is not a Selective Service registrant.

(iii) If a Selective Service registrant, a certificate from the appointee's local board giving his Selective Service classification, and certifying that his induction has or has not been ordered.

(iv) If an enlisted man or warrant officer, evidence that he meets the requirements of paragraph 9*b*, AR 605-10,[2] to include report of examining board.

(v) A statement by the recommending authority as to the specific assignment or duty for which the appointment is desired, and indicating the approved procurement objective under which appointment is authorized. (See § 73.211.)

(3) *How forwarded.* Applications, with accompanying papers, will be forwarded through military channels to the Officer Procurement Service, War Department, Washington, D. C.

(4) *Final action.* Final action after receipt of papers by the Officer Procurement Service will be in accordance with current instructions to that Service.

(b) *Graduates, officer candidate schools.* Applications for appointment from individuals selected to attend officer candidate schools will be processed in accordance with current instructions of the War Department governing officer candidate schools. [Par. 10]

§ 73.209 *Appointments, how made.* (a) In the case of appointment of graduates of officer candidate schools, the designation of the school from which

[1] Administrative regulations of the War Department relating to the Officers' Reserve Corps.

[2] Administrative regulations of the War Department relative to officers appointed in the Army of the United States.

graduated will be stated in the notice of appointment.

(b) All other appointments under these regulations will be without reference to an arm or service, except that, in the case of appointment of a chaplain or for service in the Medical Department, service for which appointed will be stated in the notice of appointment. (See also §§ 73.211 and 73.212.) [Par. 11]

§ 73.211 *Assignment.* (a) When an officer appointed in the Army of the United States is ordered to active duty, the orders placing him on active duty will designate, where appropriate, the arm or service to which he is assigned.

* * * * *

(c) Persons appointed from civil life without previous military experience will not be assigned to duty with units of the field forces unless they have completed not less than 4 months' active military service as a commissioned officer subsequent to appointment, and have satisfactorily completed an appropriate course of instruction at a special service school of the arm or service to which they are assigned, except in the following cases:

* * * [Par. 13]

§ 73.215 *Methods of separation.* Appointments in the Army of the United States may be terminated by death, resignation, discharge, dismissal, or dropping from the rolls.

(a) *Resignations.* Resignations of officers appointed in the Army of the United States may be submitted and will receive consideration only as provided in current regulations and War Department instructions applicable to members of the Officers' Reserve Corps on active duty.

(b) *Discharge and dismissal*—(1) *Discharge.* The discharge or dismissal of officers initially appointed in the Army of the United States will be accomplished in accordance with the laws and regulations governing the discharge or dismissal of personnel whose permanent retention in the active military service is not contemplated by law.

(2) *Dismissal.* (i) (a) During the initial 90 days after the appointment of an officer from civil life, he must satisfactorily complete an appropriate course of training and will be subject to close scrutiny and to discharge at any time upon the recommendation of his commanding officer that he is unqualified for or is unsuited by temperament, character, habits, or otherwise to be an officer.

(*b*) Any officer appointed under these regulations may be recommended for discharge at any time when information is revealed which, if known at the time of his appointment, would have made him ineligible for such appointment. Any mis-statement of fact or any material omission in original application or attendant papers or, in the case of chaplains, withdrawal of ecclesiastical indorsement will likewise be a basis for recommendation for discharge of such officers at any time.

(c) Recommendations for termination of appointment under (a) and (b) above will be forwarded to The Adjutant General with a full report of the circumstances, and will include affidavits of persons having knowledge of the facts and a statement by the officer concerned in explanation of the charges or a statement by him that he does not desire to offer any explanation. The officer concerned will be furnished a copy of this report and will be informed that he may request trial by court martial or action of a board of inquiry, whichever is appropriate.

(ii) Officers of the Army of the United States who are for any reason deemed unfit but who are not subject to summary discharge under the provisions of subparagraph (2) (i) of this paragraph will be processed in accordance with the provisions of AR 605–230[1] or, when applicable, under the provisions of the Articles of War.

(3) *Misconduct, etc.* The separation from the service of an officer of the Army of the United States by resignation or discharge because of misconduct or habits and traits of character unbecoming to an officer will be recorded as "under other than honorable conditions."

(4) *Relief from active duty.* Except in case of dismissal pursuant to sentence of general court martial, an officer of the Army of the United States on active duty will be relieved from active duty and will be returned to his home prior to the effective date of discharge. [Pars. 23, 25, and 26]

§ 73.218 *Waiver of physical defects.* (a) Deviations from normal physical standards that will not interfere with nor prevent the full and satisfactory performance of the duty for which the individual is being appointed, or is being ordered to active duty, and that are not of a nature likely to be aggravated to a disabling degree by active military service, may be waived in the manner and under the conditions authorized in current War Department instructions. [Par. 29]

(b) The following will govern in regard to original appointments and assignment of officers to extended active duty:

(1) (i) The policy of the Secretary of War is to approve for appointment or for extended active duty individuals qualified for limited service assignments who have minor physical defects which would disqualify them under current physical standards but which will not interfere with the satisfactory performance of the duties contemplated: *Provided*, The defects are stationary in character and are not likely to be aggravated as a result of active military service.

(ii) In examining individuals for limited service great care will be exercised to elicit any history, symptoms, or objective evidence of constitutional disease, cardio-vascular degeneration, mental or nervous disorder, including epilepsy and psychoneuroses, peptic ulcer, and allergic conditions with emphasis on hay fever or asthma.

(2) (i) Report of Physical Examination (W. D., A. G. O. Form No. 63) of individuals examined for appointment or for assignment to extended active duty for limited service will have typed in capital letters immediately above the instructions near the top of the form the words "Limited Service," and will be accompanied by the following affidavit. In case a Reserve officer declines to sign an affidavit, the facts will be fully set forth on the report of physical examination and the report forwarded without affidavit.

I, _____, _____
(Name) (Grade)
_____ being desirous of entering upon active military service during the current emergency, and being aware of the fact that I have the following physical defects:

[Here insert a statement of the disqualifying physical defects, as noted on the report of physical examination, W.D., A.G.O. Form No. 63 or W.D., A.G.O. Form No. 64 if for the Army Air Forces.]

do hereby acknowledge the existence of the above-mentioned physical defects, and request that I be placed upon extended active duty.

In witness whereof, I have hereunto set my hand and seal at _____
(Place, including State)
this _____ day of _____, 194 .

_____
(Name)

_____
(Grade) (Component)

(ii) The affidavit in (i) above will be executed before an authority who is authorized to accomplish legal oaths. [Par. 29, AR 605–10, December 30, 1942 and Cir. 424, W. D., December 31, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General

[F. R. Doc 43–994; Filed, January 20, 1943; 2:44 p. m.]

PART 75—ADMISSION TO THE UNITED STATES MILITARY ACADEMY

ENTRANCE REQUIREMENTS, ETC.

Correction

In § 75.22 (b) (1) appearing on page 585 of the issue for Saturday, January 16, 1943, the first sentence should read, "Vision as determined by the visual test types (without a cycloplegic) must not fall below 20/30 in either eye without glasses, corrected with glasses to 20/20 in each eye, when no organic disease in either eye exists."

[1] Administrative regulations of the War Department relating to the reclassification of commissioned officers.

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes

[T.D. 5215]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

INCOME FROM ESTATES UNDER GIFTS, BEQUESTS, ETC.

In order to conform Regulations 103 [Part 19, Title 26, Code of Federal Regulations, 1940 Sup.], relating to the income tax under the Internal Revenue Code, to section 111 (relating to income received from estates, etc., under gifts, bequests, etc.) of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, such regulations are amended as follows:

PARAGRAPH 1. Section 19.22 (a)–12, as amended by Treasury Decision 5194, approved December 8, 1942, is further amended by striking out the third sentence and by inserting in lieu thereof, the following sentences:

* * * An annuity charged upon devised land is taxable to the donee-annuitant for taxable years beginning before January 1, 1942, if payable only out of the rents or other income of the land, but is taxable to the donee-annuitant for taxable years beginning after December 31, 1941, to the extent it becomes payable out of the rents or other income of the land, whether or not it is a charge upon the income of the land. See section 22 (b) (3) and § 19.22 (b) (3)–1.) As to certain cases in which an annuity charged upon devised land is taxable in full to a spouse upon divorce or legal separation, see section 22 (k).

PAR. 2. There is inserted immediately preceding § 19.22 (b) (3)–1, the following:

SEC. 111. INCOME RECEIVED FROM ESTATES, ETC., UNDER GIFTS, BEQUESTS, ETC. (Revenue Act of 1942, Title I.)

(a) *Gift of income from property not excluded from gross income.* Section 22 (b) (3) (relating to exclusion of gifts, etc., from gross income) is amended to read as follows:

(3) *Gifts, bequests, devises, and inheritances.* The value of property acquired by gift, bequest, devise, or inheritance. There shall not be excluded from gross income under this paragraph, the income from such property or, in case the gift, bequest, devise, or inheritance is of income from property, the amount of such income. For the purposes of this paragraph, if, under the terms of the gift, bequest, devise, or inheritance, payment, crediting, or distribution thereof is to be made at intervals, to the extent that it is paid or credited or to be distributed out of income from property, it shall be considered a gift, bequest, devise, or inheritance of income from property;

* * * * *

(c) *Taxable years to which amendments applicable.* The amendments made by this section shall be applicable only with respect to taxable years beginning after December 31, 1941; except that in the case of income paid, credited or to be distributed or amounts paid, credited or to be distributed by an estate or trust the amendments made by this section shall be applicable only with respect to such income and such amounts paid, credited or to be distributed on or after the beginning of the first taxable year of the estate or trust, as the case may be, beginning after December 31, 1941.

PAR. 3. Section 19.22 (b) (3)–1, as amended by Treasury Decision 5194, is further amended to read as follows:

§ 19.22 (b) (3)–1 *Gifts and bequests.* Property received as a gift, or received under a will or under statutes of descent and distribution, is not includible in gross income, although the income from such property is includible in gross income. If the gift, bequest, devise, or inheritance is of income from property, it is not to be excluded from gross income. An amount of principal paid under a marriage settlement is a gift. As to alimony or an allowance paid upon divorce or legal separation, see § 19.22 (k)–1.

Section 22 (b) (3), as amended by the Revenue Act of 1942, provides a special rule for the treatment of gifts, bequests, devises, or inheritances which by their terms are to be paid, credited, or to be distributed at intervals. To the extent any such gift, bequest, devise, or inheritance is paid, credited, or to be distributed out of income from property, it shall be considered a gift, bequest, devise, or inheritance of income from property. This section is designed to provide the same treatment for amounts of income from property which income is paid, credited, or to be distributed under a gift or bequest, whether the gift or bequest is in terms of a right to payments at intervals (regardless of income) or is in terms of a right to income. To the extent the amounts in either case are paid, credited, or to be distributed at intervals out of income they are not to be excluded under section 22 (b) (3) from the taxpayer's gross income. As to the extent such amounts are paid, credited, or to be distributed out of income from property in cases in which the payment, crediting, or distribution thereof is to be made by an estate or trust, see section 162 and the regulations thereunder.

The operation of the last sentence of section 22 (b) (3), as added by the Revenue Act of 1942, may be illustrated by the following example:

Example. A, by his will, gave his wife an annuity of $50,000 to be paid in advance in quarterly payments. By another clause of his will, A bequeathed the residue of his property in trust with directions to the trustees to collect the income from the property and to pay the annuity of $50,000 out of such income (after payment of expenses), or out of corpus to the extent such income is insufficient. Under the provisions of section 22 (b) (3), the $50,000 will be included in the wife's income each year and, under the provisions of section 162 (b), will be deducted from the income of the trust to the extent of the income of the trust for its taxable year which is considered under section 162 (d) to be distributed in satisfaction of the annuity.

The last sentence of section 22 (b) (3) as added by the Revenue Act of 1942, however, applies only to such amounts as are to be paid or credited at intervals. Thus, a bequest of money or property (other than income) intended to be paid in a lump sum or at one time is not to be included in the legatee's gross income, even though the executor may for reasons of convenience or necessity arrange to pay such amount in installments or pay it out of funds traceable as the income of property. However, payments at intervals do not need to be at regular intervals to come within the rule stated in the last sentence of section 22 (b) (3), as added by the Revenue Act of 1942. Thus, in case of a direction in a testamentary trust to pay $5,000 a year to John for his life but to pay the $5,000 a year to Mary instead of John for any year in which Mary becomes 18, graduates from college, or marries, the $5,000 a year is income to John and Mary, respectively, in the years in which each is to receive it, to the extent it is paid or credited in such years out of income from the trust property.

Section 22 (b) (3), as amended by the Revenue Act of 1942, is not intended to state a new rule with respect to taxability of trust income between the nominal beneficiary and the creator of the trust where the latter would be taxable under section 22 (a), section 166, or section 167 upon the income of the trust, or with respect to the assignment of earnings or other income where the assignor remains taxable. The section applies only to those cases where the amounts paid, credited, or to be distributed at intervals out of income would be excluded from the beneficiary's or donee's income by reason of the provisions of section 22 (b) (3), prior to its amendment by the Revenue Act of 1942.

PAR. 4. There is inserted immediately preceding § 19.162–1, the following:

SEC. 111. INCOME RECEIVED FROM ESTATES, ETC., UNDER GIFTS, BEQUESTS, ETC. (Revenue Act of 1942, Title I.)

* * * * *

(b) *Deduction of income to be distributed currently.* Section 162 (b) (relating to deduction of income to be distributed currently) is amended to read as follows:

(b) There shall be allowed as an additional deduction in computing the net income of the estate or trust the amount of the income of the estate or trust for its taxable year which is to be distributed currently by the fiduciary to the legatees, heirs, or beneficiaries, but the amount so allowed as a deduction shall be included in computing the net income of the legatees, heirs, or beneficiaries whether distributed to them or not. As used in this subsection, "income which is to be distributed currently" includes income for the taxable year of the estate or trust which, within the taxable year, becomes payable to the legatee, heir, or beneficiary. Any amount allowed as a deduction under this paragraph shall not be allowed as a deduction under subsection (c) of this section in the same or any succeeding taxable year;

(c) *Trust income included in income of beneficiary, etc.* Section 162 (relating to net income of estates or trusts) is amended by striking out the period at the end of subsection (c) and inserting in lieu thereof a semicolon and the following new subsection:

(d) *Rules for application of subsections (b) and (c).* For the purposes of subsections (b) and (c):

(1) *Amounts distributable out of income or corpus.* In cases where the amount paid, credited, or to be distributed can be paid, credited, or distributed out of other than income, the amount paid, credited, or to be distributed (except under a gift, bequest, de-

vise, or inheritance not to be paid, credited, or distributed at intervals) during the taxable year of the estate or trust shall be considered as income of the estate or trust which is paid, credited, or to be distributed if the aggregate of such amounts so paid, credited, or to be distributed does not exceed the distributable income of the estate or trust for its taxable year. If the aggregate of such amounts so paid, credited, or to be distributed during the taxable year of the estate or trust in such cases exceeds the distributable income of the estate or trust for its taxable year, the amount so paid, credited, or to be distributed to any legatee, heir, or beneficiary shall be considered income of the estate or trust for its taxable year which is paid, credited, or to be distributed in an amount which bears the same ratio to the amount of such distributable income as the amount so paid, credited, or to be distributed to the legatee, heir, or beneficiary bears to the aggregate of such amounts so paid, credited, or to be distributed to legatees, heirs, and beneficiaries for the taxable year of the estate or trust. For the purposes of this paragraph "distributable income" means either (A) the net income of the estate or trust computed with the deductions allowed under subsections (b) and (c) in cases to which this paragraph does not apply, or (B) the income of the estate or trust minus the deductions provided in subsections (b) and (c) in cases to which this paragraph does not apply, whichever is the greater. In computing such distributable income the deductions under subsections (b) and (c) shall be determined without the application of paragraph (2).

(2) *Amounts distributable out of income of prior period.* In cases, other than cases described in paragraph (1), if on a date more than 65 days after the beginning of the taxable year of the estate or trust, income of the estate or trust for any period becomes payable, the amount of such income shall be considered income of the estate or trust for its taxable year which is paid, credited, or to be distributed to the extent of the income of the estate or trust for such period, or if such period is a period of more than 12 months, the last 12 months thereof.

(3) *Distributions in first 65 days of taxable year.*

(A) *General rule.* If within the first 65 days of any taxable year of the estate or trust, income of the estate or trust, for a period beginning before the beginning of the taxable year, becomes payable, such income, to the extent of the income of the estate or trust for the part of such period not falling within the taxable year or, if such part is longer than 12 months, the last 12 months thereof, shall be considered, paid, credited, or to be distributed on the last day of the preceding taxable year. This subparagraph shall not apply with respect to any amount with respect to which subparagraph (B) applies.

(B) *Payable out of income or corpus.* If within the first 65 days of any taxable year of the estate or trust, an amount which can be paid at intervals out of other than income becomes payable, there shall be considered as paid, credited, or to be distributed on the last day of the preceding taxable year the part of such amount which bears the same ratio to such amount as the part of the interval not falling within the taxable year bears to the period of the interval. If the part of the interval not falling within the taxable year is a period of more than 12 months, the interval shall be considered to begin on the date 12 months before the end of the taxable year.

* * * * *

(e) *Taxable years to which amendments applicable.* The amendments made by this section shall be applicable only with respect to taxable years beginning after December 31, 1941; except that in the case of income paid, credited or to be distributed or amounts paid, credited or to be distributed by an estate or trust the amendments made by this section shall be applicable only with respect to such income and such amounts paid, credited or to be distributed on or after the beginning of the first taxable year of the estate or trust, as the case may be, beginning after December 31, 1941.

PAR. 5. Section 19.162–1, as amended by Treasury Decision 5194, is further amended as follows:

(A) By changing (1), (2), and (3), following the colon in the second paragraph, to (a), (b), and (c), respectively, and by further changing (b) to read as follows:

(b) Any income of the estate or trust for its taxable year which is to be distributed currently by the fiduciary to a legatee, heir, or beneficiary, whether or not such income is actually distributed. For this purpose, it is provided in section 162 (b), as amended by the Revenue Act of 1942, that "income which is to be distributed currently" includes income of the estate or trust which, within the taxable year, becomes payable to the legatee, heir, or beneficiary.

(B) By striking from the paragraph following the matter in (c), "either paragraph (2) or (3) of this section" and by inserting in lieu thereof "either (b) or (c) of this section of the regulations".

(C) By changing the fourth and fifth paragraphs (not counting (a), (b), and (c) as paragraphs) to read as follows:

There is taxable to the estate or to the trust, unless it be taxable to the grantor of the trust (see §§ 19.166–1 and 19.167–1):

(1) All income thereof accumulated for the benefit of unborn or unascertained persons or persons with contingent interests,

(2) All income either accumulated or held for future distribution pursuant to the terms of the will or trust,

(3) All other income of the estate or trust for its taxable year which is not to be distributed currently to legatees or other beneficiaries (see (b) of this section of the regulations),

(4) All income of the estate for its taxable year not properly paid or credited during such year to a legatee or heir, and

(5) All income either of the estate or of the trust for its taxable year which is not similarly paid or credited during that year to a legatee, heir, or beneficiary in case there was vested in the fiduciary a discretion either to distribute or to accumulate such income (see (c) of this section of the regulations).

In all such cases the tax is payable by the fiduciary, except where the income is taxable to the grantor of the trust or where, as provided in the next paragraph, it is deductible by the estate or trust (and is taxable to the legatee or beneficiary).

Income described in clauses (1), (2), (4), and (5) of the preceding paragraph may, in some cases, be deductible by the estate or trust under (b) of this section of the regulations. It is expressly provided in section 162 (b), as amended by the Revenue Act of 1942, that such income of the estate or trust for its taxable year which, within its taxable year, becomes payable to the legatee, heir, or beneficiary is deductible by the estate or trust. Thus, if income of a trust is to be accumulated until A, the beneficiary, reaches his twenty-first birthday, which is December 31, 1942, the income of the trust (assuming the income tax returns of the trust are made on the calendar year basis) for the calendar year 1942 is to be deducted by the trust under section 162 (b) in computing its net income for 1942 and is to be included in the income of A for his taxable year in which December 31, 1942, falls. In the case of a similar trust, where the twenty-first birthday of B, the beneficiary, was on July 1, 1942, and the income of the trust was to be accumulated until that date and then to be distributed to B at such time as the trustee in his discretion decides, if the trustee on December 31, 1942, decides to distribute the accumulated income to B, the income becomes payable to B on December 31, 1942, whether distributed to him or not. In such a case, the extent to which such amount is considered to be payable out of income of the trust for its taxable year is determined under section 162 (d) (2) and § 19.162–2 (b).

Any amount described in (b) and (c) of this section of the regulations as being deductible from the gross income of the estate or trust shall be included in computing the net income of the legatees, heirs, or beneficiaries, whether distributed to them or not. As to the amount of income of the estate or trust which is considered paid, credited, or to be distributed, and the time thereof, for the purposes of the deduction under (b) and (c) of this section of the regulations and the inclusion in income of the legatee, heir, or beneficiary, see section 162 (d) and § 19.162–2.

PAR. 6. There is inserted immediately following § 19.162–1, the following section:

§ 19.162–2 *Allocation of estate and trust income to legatees and beneficiaries—*(a) *Allocation among annuitants.* Section 162 (d) (1), as added by the Revenue Act of 1942, applies to all cases in which the executor or trustee can or must (by the terms of the trust instrument or will) pay the whole or any part of a gift, bequest, devise, or inheritance out of other than income, except that no income is to be allocated under it to a legatee, heir, or beneficiary of a lump sum gift, bequest, devise, or inheritance. It applies in all cases of annuities where any deficiency in the amount to be paid can be made up by a payment out of corpus of the trust. It also applies in cases where amounts are to be paid or credited at intervals and the executor or trustee has discretion whether to pay or credit such amounts out of income or corpus, regardless of the source (income or corpus) to which the executor or trustee attributes such amount. If an annuity is paid, credited, or to be distributed tax-free, that is, under a provision whereby the executor or trustee will pay the income tax of the annuitant resulting from the receipt of the annuity, the payment of or for the tax by the executor or trustee will be income to the annuitant under the rules of section 162 (d) to the extent such payment is treated thereunder as out of income.

The method of allocating income of the estate or trust for its taxable year in cases to which section 162 (d) (1) applies is as follows: The aggregate of all amounts which can be paid, credited, or distributed out of other than income (except under a gift, bequest, devise, or inheritance not to be paid, credited, or to be distributed at intervals (is obtained. The aggregate of such amounts is considered to be paid, credited, or distributed in such cases out of income of the estate or trust for its taxable year if it does not exceed the distributable income of the estate or trust for its taxable year. If the aggregate of such amounts does exceed the distributable income of the estate or trust for its taxable year, the portion of such amount paid, credited, or to be distributed to a legatee or beneficiary is considered income of the estate or trust for its taxable year which is paid, credited, or to be distributed in an amount which bears the same ratio to the amount of all distributable income as the amount so paid, credited, or to be distributed to the legatee or beneficiary bears to the aggregate of such amounts so paid, credited, or to be distributed to such legatees or beneficiaries for the taxable year of the estate or trust. The proportion stated in the preceding sentence applies only to legatees or beneficiaries of amounts which can be paid, credited, or distributed out of other than income of the estate or trust and, in computing such proportion, the amount of any gift, bequest, devise, or inheritance not to be paid, credited, or distributed at intervals is not to be included.

Section 162 (d) (1) introduces a concept of distributable income. This is defined in that section as meaning (A) the net income of the estate or trust computed with the deductions allowed under subsections (b) and (c) of section 162 in the case of amounts paid, credited, or to be distributed to which section 162 (d) (1) does not apply, or (B) the income of the estate or trust minus the deductions provided in subsections (b) and (c) of section 162 in the case of amounts paid, credited, or to be distributed to which section 162 (d) (1) does not apply, whichever is greater. "Net income", as thus used, means the statutory net income of the trust under the Code before the application of section 162 (b) and (c) (but, as stated in the preceding sentence, such amount is to be reduced by the deductions allowed under subsections (b) and (c) of section 162 for amounts to which subsection (d) (2) applies). "Income", as thus used, must be determined in accordance with the following principles. First, such "income" means, in general, the amount which under the applicable law of estates and trusts is considered income available for distribution to the life tenant, legatee, or beneficiary, as the case may be. Second, there must be eliminated from the income of the estate or trust, determined in accordance with the terms of the trust instrument and State law, items of income which are no includible in income of an individual for Federal income tax purposes. Therefore the "income", referred to in clause (B) of section 162 (d) (1), may exceed net income and thus be treated as distributable income under section 162 (d) in cases where items which are deductible for Federal income tax purposes are, by the terms of the trust instrument or State law, not to be used to reduce income available for distribution but to be allocated to corpus. The application of section 162 (d) (1), in general, may be illustrated by the following example:

Example. Pursuant to the terms of the will of A, a trust is established on January 1, 1942, to pay $5,000 a year to B in quarterly installments at the end of every three months, and upon the death of B to pay the corpus and any accumulated income to his estate. The returns of the trust and of B are made on the calendar year basis. The trust instrument provides that the amount payable to B is to be paid out of income (after payment of trustees' commissions) or out of corpus to the extent income is insufficient. The receipts and expenditures of the trust for 1942 are as follows:

Taxable stock dividend	$1,000
Income from rents	3,000
Tax-exempt interest from State bonds	1,000
Gain from sale of capital asset held 10 months	1,000
Deductible trustees' commissions	200
Other deductible expenditures	1,300

In accordance with the terms of the trust instrument stock dividends are to be allocated to corpus, gain from sale of a capital asset held not more than one year is to be allocated to income, and trustees' commissions are to be charged to income. However, the other expenditures indicated above ($1,300) are of a nature which under the terms of the trust instrument are to be charged to corpus. The distributable income of the trust to be deducted by it for 1942 and included in the beneficiary's income for such year is $3,300, the greater of the statutory net income and the available trust income includible in gross income, determined as follows:

STATUTORY NET INCOME (PRIOR TO APPLICATION OF SECTION 162 (B) AND (C))

Gross income:		
Stock dividend	$1,000	
Rents	3,000	
Long-term capital gain (50 percent taken into account, section 117 (b))	500	
		$4,500
Deductions:		
Trustees' commissions	$200	
Other deductible expenses	1,300	
		1,500
Net income		3,000

TRUST INCOME UNDER CLAUSE (B) OF SECTION 162 (D) (1)

Income:		
Rents	$3,000	
Interest from State bonds	1,000	
Gain on sale of asset	1,000	
		$5,000
Expenses allocated to income:		
Trustees' commissions	$200	
Eliminating items not includible in gross income:		
Tax-exempt interest	1,000	
Excluded gain on sale of asset	500	
		$1,700
Income determined under section 162 (d) (1) (B)		3,300

"Net income" and "income" for the purpose of section 162 (d) (1) also do not include income of a prior taxable year, even though such income may be considered income of the estate or trust for the current taxable year under section 162 (d) (2). This rule may be illustrated by the following example:

Example. Under the terms of a trust, established in 1925, the trustees are to accumulate the income thereof until A reaches his 21st birthday, and then are to pay A such accumulated income, and on each December 31 thereafter, are to pay B $5,000, out of income of the trust, if income is available, or, if not, out of corpus of the trust. A became 21 years of age on June 30, 1942. The returns of the trust and of A and B are made on the calendar year basis. Under section 162 (b), the income of the trust for that part of 1942 on and before June 30, 1942, is to be considered income of the trust for 1942 which is to be distributed currently to A. In computing the distributable income of the trust for 1942 which is to be considered distributed to B in payment of the $5,000 annuity, the amount of income for the first six months of 1942 which is considered to be currently distributable to A is to be deducted. Although under section 162 (d) (2) the amount of the income of the trust for the period July 1, 1941, through June 30, 1942, will be considered income of the trust for 1942 which is to be deducted by the trust and included in A's income for 1942 (see subsection (b) of this section), for the purposes of section 162 (d) (1) such amount is not to be deducted from the trust's income for 1942 in computing its distributable income considered to be distributed to B and no account is to be taken of the income of the trust for the period July 1, 1941, through December 31, 1941.

(b) *Allocation among income beneficiaries.* Section 162 (d) (2), as added by the Revenue Act of 1942, applies in cases where income of the estate or trust for any period becomes payable on a date more than 65 days after the beginning of its taxable year. It applies only where amounts paid, credited, or to be distributed must be paid solely out of income; and, in such cases, it applies whether such amounts are paid, credited, or to be distributed out of the income of the estate or trust for its current taxable year or out of the income for any period. Section 162 (d) (2) does not apply in any case to which section 162 (d) (1) applies. It includes a rule for allocating income of the estate or trust to the legatees or beneficiaries in cases in which the income of a prior period is paid, credited, or to be distributed to the legatees or beneficiaries during the taxable year of the estate or trust. The application of section 162 (d) (2) may be illustrated by the following examples:

Example (1). A trust, which makes its returns on the calendar year basis, is to distribute on each July 1 the income for the

preceding 12-month period ending on the day before (June 30). For the purpose of the tax for 1941, the income of the trust from July 1, 1941, through December 31, 1941, is includible in the income of the trust for 1941 without any deduction for any distribution in 1941 or 1942. For the purpose of the tax for 1942, the income of the trust from July 1, 1941, through June 30, 1942, will be considered income for the taxable year 1942 which is to be distributed to the beneficiary (on July 1) in the taxable year 1942. Assuming the beneficiary makes his income tax returns on the calendar year basis, he will include such income in his income for 1942 and the trust will take a deduction for it in 1942. The same process will be repeated each year thereafter as long as the accounting periods and the distribution date remain the same. Thus if, in such a case, the trust receives $100 of income each month, for 1941 the trust will be taxed upon $600 of net income. For each of the taxable years ending December 31, 1942, and December 31, 1943, the trust will include $1,200 in its gross income and will receive a deduction in computing its tax for such years of the whole $1,200 which becomes payable each July 1 and which is included in the beneficiary's income for 1942 and 1943. Thus for 1942 and 1943 the trust will pay no income tax and, for each of such years, the beneficiary will include $1,200 in computing his net income.

Example (2). Under the terms of the will of X, who died in 1940, after payment of expenses and specific bequests, the residue of his estate, together with the income accumulated during the period of administration, is to be divided into two equal shares and one of such shares is to be paid over to his widow and the other is to be paid over to a testamentary trust for the benefit of his children. During the period of administration the estate makes its returns on the calendar year basis. The administration of the estate is terminated on June 30, 1942, at which date equal shares of the residue of the estate and of the accumulated income are transferred in accordance with the terms of the will to the widow and to a trust established as of such date. Under section 162 (d) (2) the widow and the trust will include in their income tax returns filed for their first taxable years ending on or after June 30, 1942, one-half of the income of the estate for the 12 months preceding June 30, 1942. The return of the estate for 1942 will show a deduction of the amount of its income for the 12 months preceding June 30, 1942, which became payable on such date to the widow and to the trust upon termination of the administration of the estate.

The rules also applies in the case of a distribution out of income for a period which does not include any part of the current taxable year. Thus, in the case of a trust established on January 1, 1941, which accumulates the income in the first year of the trust and each year thereafter (more than 65 days after the close of the prior taxable year) distributes the prior year's accumulation, the 1941 accumulated income to be distributed in 1942 will be considered income of the trust for 1942 which is to be distributed in 1942.

If the prior period, the income of which becomes payable in the taxable year, is a period of more than 12 months, then only the income of the last 12 months of such period is considered to be income which is to be distributed during the current taxable year. This rule may be illustrated by the following example:

Example. Under the terms of a testamentary trust, established in 1920, the income of the trust is to be accumulated until B, the beneficiary, reaches his twenty-first birthday, which is June 30, 1942, and then is to be distributed along the corpus of the trust at such time as the trustee thereafter decides; the income of the trust after June 30, 1942, and until such time as the trustee decides to distribute the accumulated income and corpus to B is to be given to C. The returns of the trust are made on the calendar year basis. On December 31, 1942, the trustee decides to distribute to B, as of that date, the corpus and the income accumulated to June 30, 1942. Under section 162 (d) (2), the amount of accumulated income of the trust for the period July 1, 1941, through June 30, 1942, (the last 12 months of the period of accumulation) which becomes payable on December 31, 1942, is to be included in B's income. The amount of income of the trust for the period July 1, 1942, through December 31, 1942, is to be included in C's income. The trust will deduct such amounts under section 162 (b) in computing its taxable net income for 1942.

(c) *Distributions in first 65 days of taxable year.* Section 162 (d) (3), as added by the Revenue Act of 1942, is designed to apportion amounts paid, credited, or to be distributed within the first 65 days of the taxable year of the estate or trust to that part of such first 65 days and the preceding taxable year to which such amounts are attributable.

Section 162 (d) (3) (B) applies in cases described in section 162 (d) (1), that is, generally, in cases of annuities. If an annuity becomes payable in the first 65 days of the taxable year of the estate or trust, a proportionate part of the amount which thus becomes payable is considered payable on the last day of the preceding year. This proportionate part is that part of the amount which becomes payable within the first 65 days as the part of the interval not falling within the taxable year bears to the whole period of the interval. If, however, the part of the interval not falling within the taxable year (the year in which the amount becomes payable) is a period of more than 12 months the interval is considered to begin on a date 12 months before the end of the preceding taxable year. Thus, if $4,250 is to be paid every two years on March 1, the period of the interval ending March 1, 1943, is considered to begin 12 months preceding December 31, 1943, since the part of the interval not falling within the taxable year 1943 (March 2, 1941, through December 31, 1942) is more than 12 months. Accordingly, the interval is considered to be the period January 1, 1942, through March 1, 1943, or 425 days, and the part of the interval not falling within the taxable year is considered to be the calendar year 1942, or 365 days. Therefore, of the $4,250 which becomes payable on March 1, 1943, 365/425 of such amount, or $3,650, is considered to be an amount to be distributed on December 31, 1942. The provisions of section 162 (d) (1) determine the extent to which the amount distributed on March 1 and the amount considered to be distributed on December 31 are paid, credited, or to be distributed out of income of the estate or trust for its taxable year.

Section 162 (d) (3) (A) applies in the type of cases described in section 162 (d) (2) but only where income is paid, credited, or to be distributed within the first 65 days of the taxable year of the estate or trust. In such cases, if income of the estate or trust for a period beginning before the beginning of the taxable year becomes payable within the first 65 days of the taxable year, the income for the part of such period not falling within the taxable year is considered to be paid, credited, or distributed on the last day of the preceding taxable year. If the part of such period beginning before the beginning of the taxable year is more than 12 months, only the income of the last 12 months of such part is considered paid, credited, or to be distributed on the last day of the preceding taxable year. If the amount of income for any period paid, credited, or to be distributed to a legatee or beneficiary during the taxable year of the estate or trust is less than the total amount of income (not already paid, credited, or to be distributed to legatees or beneficiaries) for such period, such amount will be considered paid, credited, or to be distributed from the most recently accumulated income of the period. For example, a trust which makes its returns on the calendar year basis and which is to distribute the income of the trust, but not in excess of $5,000, to the beneficiary each February 28 received $500 of income each month during the period March 1, 1942, through February 28, 1943, or a total of $6,000. In such case, $1,000 of the $5,000 to be distributed to the beneficiary on February 28, 1943, will be considered to be distributed out of the income of the trust for 1943 (the income of the period January 1, 1943, through February 28, 1943) and $4,000 will be considered to have been distributed to the beneficiary on December 31, 1942, out of the income of the trust for 1942.

Section 162 (d) (3) applies only to amounts paid, credited, or to be distributed on or after the beginning of the first taxable year of the estate or trust beginning after December 31, 1941. The allocation of amounts paid, credited, or to be distributed within the first 65 days of the first taxable year in 1942 of the estate or trust to the last day of the prior taxable year is not intended to affect returns for periods ending before the beginning of such taxable year of the estate or trust. For example, where both trust and beneficiary are on a calendar year basis, their income tax returns for 1941 are not to reflect the portion of amounts allocable to 1941 under section 162 (d) (3). Their 1942 income tax returns also will not reflect any portion of amounts allocable to 1941 under section 162 (d) (3).

PAR. 7. There is inserted immediately following section 164, which follows § 19.163–1, the following:

SEC. 111. INCOME RECEIVED FROM ESTATES ETC., UNDER GIFTS, BEQUESTS, ETC. (Revenue Act of 1942, Title I.)

* * * * * *

(d) *Technical amendment.* Section 164 (relating to different taxable years of estate or trust and beneficiary) is amended by striking out "beneficiary" and inserting in lieu thereof "legatee, heir, or beneficiary".

(e) *Taxable years to which amendments applicable.* The amendments made by this section shall be applicable only with respect to taxable years beginning after December 31, 1941; except that in the case of income paid, credited or to be distributed or amounts paid, credited or to be distributed by an estate or trust the amendments made by this section shall be applicable only with respect to such income and such amounts paid, credited or to be distributed on or after the beginning of the first taxable year of the estate or trust, as the case may be, beginning after December 31, 1941.

(Sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C. 62) and section 111 of the Revenue Act of 1942 (Public Law 753, 77th Congress).)

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: January 19, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-997; Filed, January 20, 1943; 4:37 p. m.]

[T.D. 5217]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

CAPITAL GAINS AND LOSSES; REAL PROPERTY, INVOLUNTARY CONVERSIONS, ETC.; HOLDING PERIOD FOR CERTAIN STOCKS

In order to conform Regulations 103 [Part 19, Title 26, Code of Federal Regulations, 1940 Sup.] to certain sections[1] of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, such regulations are amended to read as follows:

PARAGRAPH 1. There is inserted immediately preceding § 19.112 (f)–1 the following:

SEC. 151. REAL PROPERTY; INVOLUNTARY CONVERSIONS; ETC. (Revenue Act of 1942, Title I.)

* * * * * *

(d) *Recognition of loss on involuntary conversions.* Section 112 (f) (relating to the nonrecognition of gain and loss on involuntary conversions) is amended by striking out "no gain or loss shall be recognized" and inserting in lieu thereof "no gain shall be recognized, but loss shall be recognized".

(e) *Partial failure to replace property.* The last sentence of section 112 (f) is amended to read as follows: "If any part of the money is not so expended, the gain, if any, shall be recognized to the extent of the money which is not so expended (regardless of whether such money is received in one or more taxable years and regardless of whether or not the money which is not so expended constitutes gain).

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 2. Section 19.112 (f)–1 is amended by inserting immediately after the heading the following paragraph:

Upon the involuntary conversion of property described in section 112 (f), no gain is recognized if the provisions of that section are complied with. If any part of the money received as a result of such an involuntary conversion is not expended in the manner provided in section 112 (f), the gain, if any, is recognized to the extent of the money which is not so expended. For example, a vessel purchased by A in 1939 for $100,000 is destroyed by an enemy submarine in 1942, and A receives in 1942 insurance in the amount of $100,000. This money is not expended in the manner provided in section 112 (f), but there is no gain since the insurance does not exceed the basis (disregarding, for the purposes of this example, the adjustment for depreciation). In 1947, A receives an award of $200,000 from the government on account of the destruction of the vessel. He expends this amount in the manner provided in section 112 (f). The gain in 1947 upon the receipt of this award is recognized to the extent of $100,000, the amount of the money received in 1942 which was not expended in the manner provided in section 112 (f). For taxable years beginning before January 1, 1942, no loss is recognized as a result of an involuntary conversion described in section 112 (f). For taxable years beginning after December 31, 1941, the loss sustained as a result of an involuntary conversion described in section 112 (f) is recognized. The expenditure in the manner provided in section 112 (f) of money received upon an involuntary conversion is not necessary for the transaction to be considered completed for the purpose of determining such loss.

PAR. 3. The first sentence of § 19.112 (f)–2 is amended to read as follows:

In any case where the taxpayer elects to replace or restore the converted property but it is not practicable to do so immediately (for example, because of the taxpayer's inability to obtain priorities, or because of other wartime restrictions), he may obtain permission to establish a replacement fund in his accounts in which part or all of the compensation so received shall be held, without deduction for the payment of any mortgage.

PAR. 4. There is inserted immediately preceding § 19.117–1 the following:

SEC. 150. CAPITAL GAINS AND LOSSES. (Revenue Act of 1942, Title I.)

(a) *Definitions*—(1) *Holding period, short- and long-term gains and losses.* Section 117 (a) is amended by striking out "18 months" wherever occurring therein and inserting in lieu thereof "6 months".

(2) *Net short-term gain.* Section 117 (a) (6) is amended to read as follows:

(6) *Net short-term capital gain.* The term "net short-term capital gain" means the excess of short-term capital gains for the taxable year over the short-term capital losses for such year;

(b) *Definitions of "net capital gain" and "net capital loss".* Section 117 (a) is amended by inserting at the end thereof the following new paragraphs:

(10) *Net capital gains*—(A) *Corporations.* In the case of a corporation, the term "net capital gain" means the excess of the gains from sales or exchanges of capital assets over the losses from such sales or exchanges; and

(B) *Other taxpayers.* In the case of a taxpayer other than a corporation, the term "net capital gain" means the excess of (i) the sum of the gains from sales or exchanges of capital assets, plus net income of the taxpayer or $1,000, whichever is smaller, over (ii) the losses from such sales or exchanges. For purposes of this subparagraph, net income shall be computed without regard to gains or losses from sales or exchanges of capital assets.

(11) *Net capital loss.* The term "net capital loss" means the excess of the losses from sales or exchanges of capital assets over the sum allowed under subsection (d). For the purpose of determining losses under this paragraph, amounts which are short-term capital losses under subsection (e) (1) shall be excluded.

(c) *Rule on taxability, limitation on losses, and carry-over.* Section 117 (b), (c), (d), and (e) are amended to read as follows:

(b) *Percentage taken into account.* In the case of a taxpayer, other than a corporation, only the following percentages of the gain or loss recognized upon the sale or exchange of a capital asset shall be taken into account in computing net capital gain, net capital loss, and net income:

100 per centum if the capital asset has been held for not more than 6 months;

50 per centum if the capital asset has been held for more than 6 months.

(c) *Alternative taxes*—(1) *Corporations.* If for any taxable year the net long-term capital gain of any corporation exceeds the net short-term capital loss, there shall be levied, collected, and paid, in lieu of the tax imposed by sections 13, 14, 15, 204, 207 (a) (1) or (3), and 500, a tax determined as follows, if and only if such tax is less than the tax imposed by such sections:

A partial tax shall first be computed upon the net income reduced by the amount of such excess, at the rates and in the manner as if this subsection had not been enacted, and the total tax shall be the partial tax plus 25 per centum of such excess.

(2) *Other taxpayers.* If for any taxable year the net long-term capital gain of any taxpayer (other than a corporation) exceeds the net short-term capital loss, there shall be levied, collected, and paid, in lieu of the tax imposed by sections 11 and 12, a tax determined as follows, if and only if such tax is less than the tax imposed by such sections:

A partial tax shall first be computed upon the net income reduced by the amount of such excess, at the rates and in the manner as if this subsection had not been enacted, and the total tax shall be the partial tax plus 50 per centum of such excess.

(d) *Limitation on capital losses*—(1) *Corporations.* In the case of a corporation, losses from sales or exchanges of capital assets shall be allowed only to the extent of gains from such sales or exchanges.

(2) *Other taxpayers.* In the case of a taxpayer, other than a corporation, losses from sales or exchanges of capital assets shall be allowed only to the extent of the gains from such sales or exchanges, plus the net income of the taxpayer of (sic) $1,000, whichever is smaller. For purposes of this paragraph, net income shall be computed without regard to gains or losses from sales or exchanges of capital assets.

(e) *Capital loss carry-over*—(1) *Method of computation.* If for any taxable year beginning after December 31, 1941, the taxpayer has a net capital loss, the amount thereof shall be a short-term capital loss in each of the five succeeding taxable years to the extent that such amount exceeds the total of any net capital gains of any taxable years intervening between the taxable year in which the net capital loss arose and such succeeding taxable year. For purposes of this paragraph a net capital gain shall be computed without regard to such net cap-

[1] Sec. 150. Capital gains and losses. Sec. 151. Real property; involuntary conversions; etc. Sec. 152. Holding period of stock acquired through exercise of rights.

ital loss or to any net capital losses arising in any such intervening taxable years.

(2) *Rule for application of capital loss carryover from 1941.* The amount of the net short-term capital loss of the last taxable year beginning in 1941 (computed without regard to amounts treated as short-term capital losses from the preceding taxable year), which is not in excess of the net income for such taxable year, shall, to the extent of the net short-term capital gain for the succeeding taxable year (computed without regard to this paragraph), be a short-term capital loss of such succeeding taxable year.

(d) *Bond, etc., losses of banks.* Section 117 is amended by inserting at the end thereof the following new subsection:

(l) *Bond, etc., losses of banks.* For the purposes of this chapter, in the case of a bank, as defined in section 104, if the losses of the taxable year from sales or exchanges of bonds, debentures, notes, or certificates, or other evidence of indebtedness issued by any corporation (including one issued by a government or political subdivision thereof) with interest coupons or in registered form, exceed the gains of the taxable year from such sales or exchanges, no such sale or exchange shall be considered a sale or exchange of a capital asset.

* * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

SEC. 151. REAL PROPERTY; INVOLUNTARY CONVERSIONS; ETC. (Revenue Act of 1942, Title I.)

(a) *Real property not treated as capital asset.* Section 117 (a) (1) (relating to the definition of "capital assets") is amended by inserting immediately before the semicolon at the end thereof a comma and the following: "or real property used in the trade or business of the taxpayer".

(b) *Gains and losses from involuntary conversion and from the sale or exchange of certain property used in the trade or business.* Section 117 (relating to capital gains and losses) is amended by inserting at the end thereof the following new subsection:

(j) *Gains and losses from involuntary conversion and from the sale or exchange of certain property used in the trade or business.*

(1) *Definition of property used in the trade or business.* For the purposes of this subsection, the term "property used in the trade or business" means property used in the trade or business, of a character which is subject to the allowance for depreciation provided in section 23 (l), held for more than 6 months, and real property used in the trade or business, held for more than 6 months, which is not (A) property of a kind which would properly be includible in the inventory of the taxpayer if on hand at the close of the taxable year, or (B) property held by the taxpayer primarily for sale to customers in the ordinary course of his trade or business.

(2) *General rule.* If, during the taxable year, the recognized gains upon sales or exchanges of property used in the trade or business, plus the recognized gains from the compulsory or involuntary conversion (as a result of destruction in whole or in part, theft or seizure, or an exercise of the power of requisition or condemnation or the threat or imminence thereof) of property used in the trade or business and capital assets held for more than 6 months into other property or money, exceed the recognized losses from such sales, exchanges, and conversions, such gains and losses shall be considered as gains and losses from sales or exchanges of capital assets held for more than 6 months. If such gains do not exceed such losses, such gains and losses shall not be considered as gains and losses from sales or exchanges of capital assets. For the purposes of this paragraph:

(A) In determining under this paragraph whether gains exceed losses, the gains and losses described therein shall be included only if and to the extent taken into account in computing net income, except that subsections (b) and (d) shall not apply.

(B) Losses upon the destruction, in whole or in part, theft or seizure, or requisition or condemnation of property used in the trade or business or capital assets held for more than 6 months shall be considered losses from a compulsory or involuntary conversion.

(c) *Holding period of property acquired in exchange for property involuntarily converted.*—(1) *In general.* Section 117 (h) (1) is amended by inserting after the period at the end thereof the following new sentence: "For the purposes of this paragraph, an involuntary conversion described in section 112 (f) shall be considered an exchange of the property converted for the property acquired."

(2) *Taxable years to which applicable.* The amendment made by paragraph (1) shall be applicable with respect to taxable years beginning after December 31, 1938.

* * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

SEC. 152. HOLDING PERIOD OF STOCK ACQUIRED THROUGH EXERCISE OF RIGHTS. (Revenue Act of 1942, Title I.)

Section 117 (h) (relating to the holding period of capital assets) is amended by inserting at the end thereof the following new paragraph:

(6) In determining the period for which the taxpayer has held stock or securities acquired from a corporation by the exercise of rights to acquire such stock or securities, there shall be included only the period beginning with the date upon which the right to acquire was exercised.

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 5. Section 19.117–1, as amended by Treasury Decision 5086, approved October 10, 1941, is further amended as follows:

(A) By changing the second paragraph thereof to read as follows:

The exclusion from the term "capital assets" of property used in the trade or business of a taxpayer of a character which is subject to the allowance for depreciation provided in section 23 (l) and, for taxable years beginning after December 31, 1941, of real property used in the trade or business of a taxpayer is limited to such property used by the taxpayer in the trade or business at the time of the sale, exchange, or involuntary conversion. Property held for the production of income, but not used in a trade or business of the taxpayer, is not excluded from the term "capital assets" even though depreciation may have been allowed with respect to such property under section 23 (l) prior to its amendment by the Revenue Act of 1942. For taxable years beginning after December 31, 1941, gains and losses from the sale or exchange of such property are not subject to the percentage provisions of section 117 (b) and losses from such transactions are not subject to the limitations on losses provided in section 117 (d), except that under section 117 (j) the gains and losses from the sale or exchange of such property held for more than 6 months may be treated as gains and losses from the sale or exchange of capital assets, and may thus be subject to such limitations. See § 19.117–7. For taxable years beginning before January 1, 1942, real property used in the trade or business of the taxpayer is not excluded from the term "capital assets" unless it is property of a character subject to the allowance for depreciation provided in section 23 (l). For such taxable years, upon the sale or exchange of property used in the trade or business of the taxpayer which consists of land and the depreciable improvements upon the land, the limitations of section 117 (b), (c), and (d) prior to its amendment by the Revenue Act of 1942 apply to the gain or loss allocable to the land but not to the gain or loss allocable to the depreciable improvements upon the land. However, gain or loss upon the sale or exchange of land held by a taxpayer primarily for sale to customers in the ordinary course of his business, as in the case of a dealer in real estate, is not subject to the limitations of section 117 (b), (c), and (d). The term "ordinary net income" as used in these regulations for the purposes of section 117 means net income exclusive of gains and losses from the sale or exchange of capital assets.

(B) By striking out the third and fourth sentences of the sixth paragraph and inserting in lieu thereof the following two paragraphs:

For any taxable year beginning after December 31, 1938 and before January 1, 1942, the phrase "short-term" applies to the category of gains and losses arising from the sale or exchange of capital assets held for 18 months or less; the phrase "long-term" to the category of gains and losses arising from the sale or exchange of capital assets held for more than 18 months. For any such taxable year, the fact that some part of a short-term capital loss may be finally disallowed because of the operation of paragraph (2) of section 117 (d), prior to its amendment by the Revenue Act of 1939, or section 117 (d), as amended by that Act, does not mean that such loss is not "taken into account in computing net income" within the meaning of that phrase as used in section 117 (a) (3).

For any taxable year beginning after December 31, 1941, the phrase "short-term" applies to the category of gains and losses arising from the sale or exchange of capital assets held for 6 months or less; the phrase "long-term" to the category of gains and losses arising from the sale or exchange of capital assets held for more than 6 months. For any such taxable year, the fact that some part of a loss from the sale or exchange of a capital asset may be finally disallowed because of the operation of section 117 (d), as amended by the Revenue Act of 1942, does not mean that such loss is not "taken into account in computing net income" within the meaning of that phrase as used in section 117 (a) (3) and (5).

(C) By striking out the seventh paragraph and inserting in lieu thereof the following new paragraph:

In the definition of "net short-term capital gain" for any taxable year beginning after December 31, 1938 and before January 1, 1942, as provided in section 117 (a) (6), prior to its amendment by the Revenue Act of 1942, reference is made in clause (B) thereof, to the net short-term capital loss of the preceding taxable year to the extent brought forward to the taxable year under subsection (e), prior to its amendment by the Revenue Act of 1942. For any such taxable year the amount so provided for is the net short-term capital loss carryover, which is treated in the taxable year in question as a short-term capital loss. In this computation, the carry-over enters into the computation of the net short-term capital gain only in clause (B). The amount thereof is not to be included under clause (A) of section 117 (a) (6). Thus, for the purposes of clause (A), the short-term capital losses for any such taxable year are computed without reference to, or including, the amount provided for in section 117 (e). For example, during the taxable year 1939 an individual has a short-term capital gain of $10,000 and a short-term capital loss in that year of $4,000. During the taxable year 1938 he sustained a net short-term capital loss of $2,500 which was not in excess of his net income for that year. His net short-term capital gain for the taxable year 1939 is computed as follows:

1939 short-term capital gain		$10,000
Less:		
1939 short-term capital loss to be allowed under section 117 (a) (6) (A)	$4,000	
Net short-term capital loss of preceding taxable year to extent brought forward under section 117 (e) and allowed under section 117 (a) (6) (B)	2,500	
		6,500
Net short-term capital gain for 1939		3,500

In the definition of "net short-term capital gain" for any taxable year beginning after December 31, 1941, as provided in section 117 (a) (6), as amended by the Revenue Act of 1942, the amounts brought forward to the taxable year under subsection (e), as amended by the Revenue Act of 1942, are short-term capital losses for such taxable year.

(D) By striking out the eighth paragraph and inserting in lieu thereof the following new paragraph:

In the case of corporations for any taxable year beginning after December 31 1939, and before January 1, 1942, and in the case of individuals for any taxable year beginning after December 31, 1938, and before January 1, 1942, gains and losses from the sale or exchange of capital assets held for not more than 18 months (described as short-term capital gains and short-term capital losses) shall be segregated from gains and losses arising from the sale or exchange of such assets held for more than 18 months (described as long-term capital gains and long-term capital losses). For taxable years beginning after December 31, 1941, gains and losses from the sale or exchange of capital assets held for not more than 6 months (described as short-term capital gains and short-term capital losses) shall be segregated from gains and losses arising from the sale or exchange of such assets held for more than 6 months (described as long-term capital gains and long-term capital losses). However, the percentage brackets of section 117 (b), both prior to and as amended by the Revenue Act of 1942, have no application to corporations, corporate gains and losses being taken into account to the full extent, without regard to the length of time the capital assets are held (though because of the limitation in section 117 (d) such losses may not be deductible in full).

(E) By inserting immediately after the eighth paragraph the following two new paragraphs:

For taxable years beginning after December 31, 1941, section 117 (a) (10) defines "net capital gain". In the case of a corporation the term "net capital gain" means the excess of the gains from sales or exchanges of capital assets over the losses from such sales or exchanges, which losses include any amounts brought forward pursuant to section 117 (e), as amended by the Revenue Act of 1942. In the case of a taxpayer other than a corporation the term "net capital gain" means the excess of (1) the sum of the gains from sales or exchanges of capital assets, plus net income (computed without regard to gains and losses from sales or exchanges of capital assets) of the taxpayer or $1,000, whichever is smaller, over (2) the losses from such sales or exchanges, which losses include amounts brought forward under section 117 (e), as amended by the Revenue Act of 1942. For application of the term "net capital gain", in computing the capital loss carry-over under section 117 (e), as amended by the Revenue Act of 1942, see § 19.117–2 (d).

For taxable years beginning after December 31, 1941, section 117 (a) (11) defines "net capital loss" to mean the excess of the losses from sales or exchanges of capital assets over the sum allowed under section 117 (d). However, amounts which are short-term capital losses under section 117 (e) (1) are excluded in determining such "net capital loss".

(F) By inserting at the end of the last paragraph thereof the following sentence:

* * * See also section 117 (j) and § 19.117–7 for the determination of whether or not gains and losses from the involuntary conversion of capital assets and from the sale, exchange, or involuntary conversion of certain property used in the trade or business shall be treated as gains and losses from the sale or exchange of capital assets.

PAR. 6. Section 19.117–2 is amended as follows:

(A) By striking out the first and second sentences of the second paragraph of paragraph (b) and inserting in lieu thereof the following sentences:

* * * For any taxable year beginning after December 31, 1939, and before January 1, 1942, there is, under section 117 (d), as amended by the Revenue Act of 1939, no distinction between corporations and taxpayers other than corporations insofar as limitations on capital losses are concerned. In the case of both classes of taxpayers for any such taxable year, losses from sales or exchanges of capital assets held for more than 18 months shall be allowed as deductions, but losses from sales or exchanges of capital assets held for 18 months or less shall be allowed as deductions only to the extent of the gains from sales or exchanges of capital assets held for 18 months or less.

(B) By striking out the next to last sentence in paragraph (b) and inserting in lieu thereof the following new sentence:

* * * Foreign personal holding companies and personal holding companies are not entitled, in computing their Supplement P net income and subchapter A net income, respectively, to the benefits of section 117 (d), prior to its amendment by the Revenue Act of 1942.

(C) By inserting immediately after the last paragraph of paragraph (b) the following new paragraph:

For any taxable year beginning after December 31, 1941, paragraph (1) of section 117 (d), as amended by the Revenue Act of 1942, provides that, in the case of a corporation, losses from sales or exchanges of capital assets shall be allowed as deductions only to the extent of the gains from such sales or exchanges, and paragraph (2) of such section provides that, in the case of a taxpayer other than a corporation, losses from sales or exchanges of capital assets shall be allowed as a deduction only to the extent of the gains from such sales or exchanges, plus net income (computed without regard to such gains or losses) of the taxpayer or $1,000, whichever is smaller. Thus, where an individual taxpayer, having an ordinary net income of $5,000, has a net long-term capital loss of $4,000, of which $2,000 (50% of $4,000) is taken into account, the net loss of $2,000 is allowable only to the extent of $1,000, the remaining $1,000 being an unallowable deduction. If the taxpayer's ordinary net income, computed without capital gains and losses, had been $400 instead of $5,000, only $400 of the net loss of $2,000 would have been allowed, giving the taxpayer no taxable income and an unallowable capital loss of $1,600. (For disposition of the unallowable capital loss, see § 19.117–2 (d).) However, in the case of banks, as defined in section 104, the limitation under paragraph (1) of section 117 (d) is modified by section 117 (j) so that the excess of any losses of the taxable year from sales or exchanges of

bonds, debentures, notes or certificates, or other evidence of indebtedness issued by any corporation (including one issued by a government or political subdivision thereof) with interest coupons or in registered form, over gains of the taxable year from such sales or exchanges may be deductible in full as an ordinary loss.

(D) By striking out the first sentence of paragraph (c) and inserting in lieu thereof the following new sentence:

A taxpayer sustaining, in any taxable year (beginning after December 31, 1937, and before January 1, 1942, in the case of a taxpayer other than a corporation, or beginning after December 31, 1939, and before January 1, 1942, in the case of a corporation) a net short-term capital loss may, under section 117 (e), as amended by the Revenue Act of 1939, carry over such loss, in an amount not in excess of the net income for such year (the year in which the loss is sustained) to the next succeeding taxable year and treat it in such succeeding year as a short-term capital loss. • • •

(E) By striking out the next to last sentence in the first paragraph of paragraph (c) and inserting in lieu thereof the following new sentence:

• • • Foreign personal holding companies and personal holding companies are not entitled, in computing their Supplement P net income and subchapter A net income, respectively, to the benefits of section 117 (e), prior to its amendment by the Revenue Act of 1942.

(F) By inserting immediately after paragraph (c) the following new paragraph:

(d) *Net capital loss carry-over.* Any taxpayer sustaining, in any taxable year beginning after December 31, 1941, a net capital loss may, under section 117 (e) (1), as amended by the Revenue Act of 1942, carry over such loss to each of the five succeeding taxable years and treat it in each such five succeeding taxable years as a short-term capital loss to the extent not allowed as a deduction against any net capital gains of any taxable years intervening between the taxable year in which the net capital loss was sustained and the taxable year to which carried. The carry-over is thus applied in each succeeding taxable year to offset any net capital gain in such succeeding taxable year. The amount of the net capital loss carry-over may not be included in computing a new net capital loss of a taxable year which can be carried forward to the next five succeeding taxable years.

The practical operation of the provisions of section 117 (e) (1) may be illustrated by the following example:

For the taxable years 1942 to 1946, inclusive, a taxpayer is assumed to have a net short-term capital loss, net short-term capital gain, net long-term capital loss, net long-term capital gain, and net income as follows:

	1942	1943	1944	1945	1946
Carry-over from prior years:					
From 1942		($50,000)	($29,500)	($29,500)	
From 1944				(19,500)	($13,000)
Net short-term loss (computed without regard to the carry-overs)	($30,000)	(5,000)	(10,000)		
Net short-term gain (computed without regard to the carry-overs)				40,000	
Net long-term loss	(20,500)		(10,000)	(5,000)	
Net long-term gain		25,000			
Net capital gain (computed without regard to the carry-overs)		20,500		30,000	
Net income (computed without regard to capital gains or losses)	500	500	500	1,000	
Net capital loss	(50,000)	None	(19,500)	None	

NET CAPITAL LOSS OF 1942

The net capital loss is $50,000. This figure, computed in accordance with section 117 (b), is the excess of the losses from sales or exchanges of capital assets over the sum of (1) gains from such sales or exchanges and (2) net income of $500. This amount may be carried forward in full to 1943. However, in 1943 there was a net capital gain of $20,500, as defined by section 117 (a) (10) (B) and limited by section 117 (e) (1), against which this net capital loss of $50,000 is allowed in part. The remaining portion—$29,500—may be carried forward to 1944 and 1945 since there was no net capital gain in 1944. In 1945 this $29,500 shall be allowed in full against net capital gain of $36,000, as defined by section 117 (a) (10) (B) and limited by section 117 (e) (1).

NET CAPITAL LOSS OF 1944

The net capital loss is $19,500. This figure, computed in accordance with section 117 (b), is the excess of the losses from sales or exchanges of capital assets over the sum of (1) gains from such sales or exchanges and (2) net income of $500. This amount may be carried forward in full to 1945. However, in 1945 there was a net capital gain of $6,500, as defined by section 117 (a) (10) (B) and limited by section 117 (e) (1), against which this net capital loss of $19,500 is allowed in part. The remaining portion—$13,000—may be carried forward to 1946.

PAR. 7. Section 19.117–3 is amended as follows:

(A) By striking out the first two paragraphs and inserting in lieu thereof the following two paragraphs:

For any taxable year beginning after December 31, 1938 and before January 1, 1942, in the case of a net long-term capital gain of a taxpayer other than a corporation, section 117 (c) (1), prior to its amendment by the Revenue Act of 1942, imposes an alternative tax in lieu of the tax imposed by sections 11 and 12, if and only if such alternative tax is less than the tax imposed by sections 11 and 12. For any such taxable year this alternative tax is the sum of (1) a partial tax, computed at the rates provided by sections 11 and 12, on the net income of the taxpayer, excluding therefrom for this purpose the amount of such net long-term capital gain, plus (2) 30 percent of the net long-term capital gain.

For any taxable year beginning after December 31, 1938 and before January 1, 1942, in the case of a net long-term capital loss of a taxpayer other than a corporation, an alternative tax is imposed in lieu of the tax imposed by sections 11 and 12, if and only if such tax is greater than the tax imposed by sections 11 and 12. For any such taxable year this alternative tax is the excess of (1) a tax, at the rates provided by sections 11 and 12, on the net income of the taxpayer, but excluding from the computation of such net income, the amount of such net long-term capital loss over (2) 30 percent of the net long-term capital loss.

(B) By striking out of the first sentence of the third paragraph the words "this section" and inserting in lieu thereof the words "the above two paragraphs".

(C) By inserting immediately after the last paragraph the following three paragraphs:

For any taxable year beginning after December 31, 1941, in case the net long-term capital gain of a taxpayer (other than a corporation) exceeds the net short-term capital loss, section 117 (c) (2) imposes an alternative tax in lieu of the tax imposed by sections 11 and 12, if and only if such alternative tax is less than the tax imposed by sections 11 and 12. For any such taxable year this alternative tax is the sum of (1) a partial tax, computed at the rates provided by sections 11 and 12, on the net income of the taxpayer, excluding therefrom for this purpose the amount of such excess of the net long-term capital gain over the net short-term capital loss, plus (2) 50 percent of such excess.

For any taxable year beginning after December 31, 1941, in case the net long-term capital gain of any corporation exceeds the net short-term capital loss, section 117 (c) (1) imposes an alternative tax in lieu of the tax imposed by sections 13, 14, 15, 204, 207 (a) (1) or (3), and 500, if and only if such alternative tax is less than the tax imposed by such sections. For any such taxable year this alternative tax is the sum of (1) a partial tax computed at the rates provided by sections 13, 14, 15, 204, 207 (a) (1) or (3), and 500 on the net income of the taxpayer, excluding therefrom for this purpose the amount of such excess of the net long-term capital gain over the net short-term capital loss, plus (2) 25 percent of such excess.

The following example will illustrate the practical operation of the provisions of this section, in the case of a taxpayer other than a corporation, with respect to any taxable year beginning after December 31, 1941:

Example. Suppose that A, an individual, has for the calendar year 1942, an ordinary net income of $100,000, none of which consists of interest on the obligations of the United States or its instrumentalities. He is entitled to a personal exemption of $1,200 and to no credit for dependents, and his earned net income is $3,000. He realizes in that year a gain of $100,000 on a capital asset held for 19 months and sustained a loss of $20,000 on a capital asset held for 5 months. Since the alternative tax is less than the tax otherwise computed under sections 11 and 12, the correct tax is the alternative tax, that is, $79,126. The tax is computed as follows:

TAX UNDER SECTIONS 11 AND 12

Ordinary net income		$100,000
Net long-term capital gain: (50 percent of $100,000)	$50,000	
Net short-term capital loss: (100 percent of $20,000)	20,000	
Excess of the net long-term capital gain over the net short-term capital loss		30,000
Total net income		130,000
Less: Credit for personal exemption		1,200
Surtax net income		128,800
Less earned income credit (10 percent of $3,000)		300
Income subject to normal tax		128,500
Normal tax (6 percent of $128,500)		7,710
Surtax on $128,800		81,892
Total tax		89,602

ALTERNATIVE TAX UNDER SECTION 117 (c) (2)

Net income		$130,000.00
Less: Excess of the net long-term capital gain over the net short-term capital loss		30,000.00
Ordinary net income		100,000.00
Less credit for personal exemption		1,200.00
Surtax net income		98,800.00
Less earned income credit (10 percent of $3,000.00)		300.00
Income subject to normal tax		98,500.00
Normal tax (6 percent of $98,500.00)		5,910.00
Surtax on $98,800.00		58,216.00
Partial tax under sections 11 and 12 on $100,000		64,126.00
Plus 50 percent of $30,000.00		15,000.00
Total alternative tax		79,126.00

PAR. 8. Section 19.117–4 is amended as follows:

(A) By inserting at the end of the first paragraph thereof the following sentence:

• • • If property acquired as the result of a compulsory or involuntary conversion of other property of the taxpayer has under section 113 (a) (9) the same basis in whole or in part in the hands of the taxpayer as the property so converted, the period for which the property so converted was held by the taxpayer must be included in the period for which the property acquired was held by the taxpayer.

(B) By inserting immediately following the last paragraph a new paragraph to read as follows:

For taxable years beginning after December 31, 1941, the period for which the taxpayer has held stock or securities issued to him by a corporation pursuant to the exercise by him of rights to acquire such stock or securities from the corporation will, in every case and whether or not the receipt of taxable gain was recognized in connection with the distribution of the rights, begin with and include the day upon which the rights to acquire such stock or securities were exercised. A taxpayer will be deemed to have exercised rights received from a corporation to acquire stock or securities therein where there is an expression of assent to the terms of such rights made by the taxpayer in the manner requested or authorized by the corporation.

PAR. 9. Section 19.117–5, as amended by Treasury Decision 5057, approved July 2, 1941, is further amended as follows:

(A) By striking out paragraph (a) and inserting in lieu thereof the following new paragraph:

(a) *Taxable years beginning after December 31, 1938 and before January 1, 1942*—(1) *Short-term capital gains and losses.* In the case of a husband and wife making a joint return, the limitation under paragraph (2) of section 117 (d), prior to its amendment by the Revenue Act of 1942, relating to the allowance of short-term capital losses, is to be computed with respect to the combined short-term capital gains and losses of the spouses.

If a husband and wife making a joint return for any taxable year beginning after December 31, 1938 and before January 1, 1942, did not make a joint return for the preceding taxable year, the individual net short-term capital loss of each spouse for the preceding taxable year (in an amount not in excess of the individual net income of such spouse for such year) shall be treated as a short-term capital loss for the taxable year. If, however, a joint return was made for such preceding taxable year, a net short-term capital loss as shown by such joint return (in an amount not in excess of the aggregate net income for such year as shown by such return) shall be treated as a short-term capital loss for the taxable year. If a husband and wife making separate returns for any taxable year beginning after December 31, 1938 and before January 1, 1942, made a joint return for the preceding taxable year, a net short-term capital loss shown by such joint return shall be allocated to the spouses on the basis of their individual net short-term capital losses for such preceding taxable year, and the net short-term capital loss allocated to each spouse (in an amount not in excess of the portion of the aggregate net income shown by such joint return attributable to such spouse) shall be treated as a short-term capital loss of such spouse for the taxable year.

(2) *Long-term capital gains and losses.* In the case of a husband and wife making a joint return, the long-term capital losses of the spouses are to be deducted from the aggregate gross income in computing the tax imposed by sections 11 and 12. The alternative taxes computed under section 117 (c) prior to its amendment by the Revenue Act of 1942 are in lieu of the tax imposed by sections 11 and 12 and must be compared with the tax imposed by such sections to determine which tax is applicable. In computing the alternative taxes under section 117 (c) prior to its amendment by the Revenue Act of 1942 in the case of a joint return, the determination of the "net long-term capital gain" or the "net long-term capital loss" is to be made by combining the long-term capital gains and the long-term capital losses of the spouses.

(B) By striking out paragraph (b) and inserting in lieu thereof the following new paragraph:

(b) *Taxable year beginning in 1942.* If a husband and wife making a joint return for the first taxable year beginning in 1942, did not make a joint return for the preceding taxable year, the individual net short-term capital loss of each spouse for the preceding taxable year (in an amount not in excess of the individual net income of such spouse for such year) shall be totaled and such total shall be a short-term capital loss for such first taxable year beginning in 1942, to the extent of the excess of short-term capital gains over short-term capital losses for such year. If, however, a joint return was made for such preceding taxable year, a net short-term capital loss as shown by such joint return (in an amount not in excess of the aggregate net income for such year as shown by such return) shall be a short-term capital loss for the first taxable year beginning in 1942, to the extent of the excess of short-term capital gains over the short-term capital losses for such year. If a husband and wife making separate returns for the first taxable year beginning in 1942, made a joint return for the preceding taxable year, a net short-term capital loss shown by such joint return shall be allocated to the spouses on the basis of their individual net short-term capital losses for such preceding taxable year, and the net short-term capital loss allocated to each spouse (in an amount not in excess of the portion of the aggregate net income shown by such joint return attributable to such spouse) shall be treated as a short-term capital loss of such spouse for the first taxable year beginning in 1942 to the extent of the excess of short-term capital gains over short-term capital losses of such spouse for such year.

(C) By inserting immediately after paragraph (b) the following new paragraph:

(c) *Taxable years beginning after December 31, 1942.* In the case of a husband and wife making a joint return, the limitation under paragraph (2) of section 117 (d), as amended by the Revenue Act of 1942, relating to the allowance of losses from sales or exchanges of capital assets, is to be computed and the net capital loss determined with respect to

the combined capital gains and losses of the spouses.

If a husband wife making a joint return for any taxable year beginning after December 31, 1942, did not make a joint return for the preceding taxable years (not exceeding five taxable years and beginning after December 31, 1941), the individual net capital loss of each spouse for each of such preceding taxable years shall be a short-term capital loss for the taxable year to the extent provided by section 117 (e) (1), as amended by the Revenue Act of 1942. If, however, a joint return was made for each of the preceding taxable years (not exceeding five taxable years and beginning after December 31 ,1941), a net capital loss as shown by each joint return shall be a short-term capital loss for the taxable year to the extent provided by section 117 (e) (1), as amended by the Revenue Act of 1942. If a husband and wife making separate returns for any taxable year beginning after December 31, 1942, made a joint return for each of the preceding taxable years (not exceeding five taxable years and beginning after December 31, 1941), a net capital loss as shown by each such joint return shall be allocated to the spouses on the basis of their individual net capital losses for each of such preceding taxable years, and the net capital loss allocated to each spouse shall be a short-term capital loss of such spouse for the taxable year, to the extent provided by section 117 (e) (1), as amended by the Revenue Act of 1942.

The alternative taxes computed under section 117 (c) (2), as amended by the Revenue Act of 1942, are in lieu of taxes imposed by sections 11 and 12 and must be compared with the tax imposed by such sections to determine which tax is applicable. In computing the alternative taxes under section 117 (c) (2), as amended by the Revenue Act of 1942, in the case of a joint return, the determination of the excess of the net long-term capital gains over the net short-term capital losses is to be made by combining the long-term capital gains and losses and the short-term capital gains and losses of the spouses.

PAR. 10. Section 19.117–6 is amended as follows:

(A) By striking out the second sentence and inserting in lieu thereof the following new sentence:

* * * Thus, for any taxable year beginning after December 31, 1941, if a taxpayer made a short sale of shares of stock and covered the short sale by purchasing and delivering shares which he held for not more than 6 months, 100 percent of the recognized gain or loss would be taken into account under section 117 (b), as amended by the Revenue Act of 1942, even though he had on hand other shares of the same stock which he held for more than 6 months.

(B) By striking out the third sentence.

PAR. 11. There is inserted immediately after § 19.117–6 the following section:

§ 19.117–7 *Gains and losses from involuntary conversions and from the sale or exchange of certain property used in the trade or business.* For taxable years beginning after December 31, 1941, section 117 (j) (as added by section 151 (b) of the Revenue Act of 1942) provides that the recognized gains and losses:

(a) From the sale, exchange, or involuntary conversion of property used in the trade or business of the taxpayer at the time of the sale, exchange, or involuntary conversion, held for more than 6 months, which is (1) of a character subject to the allowance for depreciation provided in section 23 (l), or (2) real property, and

(b) From the involuntary conversion of capital assets held for more than 6 months

shall be treated as gains and losses from the sale or exchange of capital assets held for more than 6 months if the aggregate of such gains exceeds the aggregate of such losses. If the aggregate of such gains does not exceed the aggregate of such losses, such gains and losses shall not be treated as gains and losses from the sale or exchange of capital assets.

In determining whether such gains exceed such losses for the purposes of section 117 (j), losses upon the destruction in whole or in part, theft or seizure, requisition or condemnation of the property described in section 117 (j) are included whether or not there was a conversion of such property into money or other property. For example, if a capital asset held for more than 6 months, with an adjusted basis of $400, is stolen, and the loss from this theft is not compensated for by insurance or otherwise, the $400 loss is included in the computations under section 117 (j) to determine whether gains exceed losses. Furthermore, in making this computation, the gains and losses described in section 117 (j) are taken into account without regard to the percentage provisions of section 117 (b), that is, 100 percent of such gains and losses is taken into account. For example, if a taxpayer sustains a loss of $400 upon the sale under threat of condemnation of a capital asset, held for more than 6 months, such loss is taken into account for the purposes of section 117 (j) to the extent of $400, even though only $200 would be taken into account under section 117 (b) in computing net income. Similarly, the provisions of section 117 (d) limiting the deduction of capital losses are not applicable to exclude any losses from the computations under section 117 (j). With these exceptions as to sections 117 (b) and 117 (d), gains and losses are included in the computations under section 117 (j) only to the extent that they are taken into account in computing net income. Thus, losses which are not deductible items under section 24 or section 118 are not included in the computations under section 117 (j). Similarly, if a taxpayer reports on the installment basis under section 44 the gain on the sale of property described in section 117 (j), only the portion of the gain reported under section 44 in computing net income for the taxable year is included in the computations for such taxable year under section 117 (j). Any gains and losses which are not recognized under section 112 are not included in the computations under section 117 (j). Thus, if property is involuntarily converted into similar property, so that the gain on such conversion is not recognized under the provisions of section 112 (f), such gain is not included in the computations under section 117 (j).

If it is determined under the above computations that the gains exceed the losses, all of such gains and losses are treated as gains and losses from the sale or exchange of capital assets held for more than 6 months. All such gains and losses are then subject to the limitations of section 117 (b), (c), and (d), relating to the percentage taken into account, the alternative tax in the case of capital gains and losses, and the extent to which capital losses are allowed. If it is determined under the above computations that the gains do not exceed the losses, none of such gains and losses are treated as gains and losses from the sale or exchange of capital assets. Such gains and losses are then not subject to the percentage limitations of section 117 (b), and such losses are not subject to the limitations provided in section 117 (d). For example, if the taxpayer during the taxable year has losses of $1,000 on the sale of certain depreciable machinery used in his trade or business, held for more than 6 months, and a gain of $400 on the sale under threat of condemnation of a capital asset held for more than 6 months, such losses exceed such gain, and such losses and gain are not treated as losses and gain from the sale or exchange of capital assets. The gain on the sale of the capital asset would therefore be taken into account in full, instead of to the extent of 50 percent as provided in section 117 (b).

Section 117 (j) does not apply to gains and losses on the sale, exchange, or involuntary conversion of any property which would properly be includible in the inventory of the taxpayer if on hand at the close of the taxable year, or which is held by the taxpayer primarily for sale to customers in the ordinary course of his trade or business. The involuntary conversion of property described in section 117 (j) is the conversion of such property into money or other property as a result of destruction in whole or in part, theft or seizure, or an exercise of the power of requisition or condemnation or the threat or imminence thereof.

The following examples will illustrate the operation of the provisions of section 117 (j):

Example (1). A, an individual, makes his income tax return on the calendar year basis. A's recognized gains and losses for 1942 of the kind described in section 117 (j), computed without regard to the limitations in section 117 (b), are as follows:

	Gains	Losses
1 Gain on sale of machinery, used in the business and subject to an allowance for depreciation, held for more than 6 months	$4,000	
2 Gains reported in 1942 (under section 44) on installment sale in 1941 of factory premises used in the business (including building and land, each held for more than 6 months)	$6,000	
3 Gain reported in 1942 (under section 44) on installment sale in 1942 of land held for more than 6 months, used in the business as a storage lot for trucks	2,000	
4 Gain on proceeds from requisition by Government of boat held for more than 6 months, used in the business and subject to an allowance for depreciation	500	
5 Loss upon the destruction by fire of warehouse, held for more than 6 months and used in the business (excess of adjusted basis of warehouse over compensation by insurance, etc.)		$3,000
6 Loss upon theft of unregistered bearer bonds, held for more than 6 months		5,000
7 Loss in storm of pleasure yacht, purchased in 1940 for $1,800 and having a fair market value of $1,000 at the time of the storm		1,000
8 Total gains	12,500	
9 Total losses		9,000
10 Excess of gains over losses	3,500	

Since the aggregate of the respective recognized gains ($12,500) exceeds the aggregate of such losses ($9,000), such gains and losses are treated under section 117 (j) as gains and losses from the sale or exchange of capital assets held for more than 6 months. Therefore, under the provisions of section 117 (b), A will take into account only 50 percent of the amounts of items 1 to 7. Such items are treated the same as any other long-term gains and losses of A, and will cause the inclusion of $1,750 (50 percent of item 10) in computing his net long-term capital gain for the purposes of the alternative tax provided by section 117 (c) (2).

Example (2). A's yacht, acquired in 1935 for pleasure at a cost of $25,000, was requisitioned by the Government in 1942 for $15,000 its then fair market value. A sustained no deductible loss since he recovered the fair market value of the yacht, and no loss with respect to such requisition will be included in the computations under section 117 (j).

Example (3). If in example (1) the taxpayer were a corporation, then there would be taken into account 100 percent of the gains and losses in items 1 to 7, which are treated for all purposes as gains and losses from the sale or exchange of capital assets held for more than 6 months. The percentage provisions of section 117 (b) do not apply to corporations. These items will cause the inclusion of $3,500 (item 10) in computing the net long-term capital gain of the corporation for the purposes of the alternative tax provided by section 117 (c) (1).

Example (4). If in example (1) A also had a loss of $4,000 from the sale under threat of condemnation of a capital asset held for more than 6 months, then the gains ($12,500) would not exceed the losses ($9,000 + $4,000, or $13,000). Neither the loss on such sale of a capital asset nor any of the other items set forth in example (1) would then be treated as gains and losses from the sale or exchange of capital assets, but all of such items would be treated as ordinary gains and losses. Since all of such items are included in full in computing net income, the net effect of such items will be the inclusion in computing net income of a loss of $500 (the excess of the $13,000 losses over the $12,500 gains). This same result would be obtained if A were a corporation. If the loss on the sale of the capital asset under threat of condemnation were $3,500, the gains and losses would still be treated as ordinary gains and losses and not as capital gains and losses, since the gins ($12,500) would not exceed the losses ($9,000 + $3,500, or $12,500).

PAR. 12. There is inserted immediately preceding § 19.122–1 the following:

SEC. 150. CAPITAL GAINS AND LOSSES. (Revenue Act of 1942, Title I.)

* * * * *

(e) *Net operating loss deduction.* Section 122 (d) (4) is amended to read as follows:

(4) Gains and losses from sales or exchanges of capital assets shall be taken into account without regard to the provisions of section 117 (b). As so computed the amount deductible on account of such losses shall not exceed the amount includible on account of such gains.

* * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 13. Section 19.122–2 is amended as follows:

(A) By striking out subparagraph (4) of the first paragraph and inserting in lieu thereof the following:

(4) For any taxable year beginning after December 31, 1942, the amount deductible on account of long-term capital losses shall not exceed the amount includible on account of long-term capital gains, and the amount deductible on account of short-term capital losses shall not exceed the amount includible on account of the short-term capital gains. For any taxable year beginning after December 31, 1941, the amount deductible on account of losses from sales or exchanges of capital assets shall not exceed the amount includible on account of gains from sales or exchanges of such assets.

(B) By striking out immediately preceding the example, the words "The application of this section may be illustrated by the following example:" and inserting in lieu thereof the following:

* * * The application of this section to taxable years beginning after December 31, 1938 and before January 1, 1942 may be illustrated by the following example:

(C) By inserting at the end of the section the following:

The application of this section to taxable years beginning after December 31, 1941 may be illustrated by the following example:

Example. For the year 1942 the X Corporation, which makes its income tax returns on the calendar year basis, has gross income as defined in section 22 of $400,000 and deductions allowed by section 23 of $600,000, exclusive of any net operating loss deduction. Included in gross income are long-term capital gains of $50,000 and short-term capital gains of $25,000. The corporation had long-term capital losses of $60,000 and short-term capital losses of $35,000, which are deductible to the extent of the capital gains, or $75,000. The X Corporation also deducted $75,000 for depletion on a percentage basis. If depletion had been computed without reference to percentage depletion, the amount of such deduction would have been $5,000. For 1942 the X Corporation also had $35,000 of wholly tax-exempt interest, and paid $15,000 in interest on indebtedness incurred to carry the obligations from which such tax-exempt interest was derived.

On the basis of these facts the X Corporation has a net operating loss for the year 1942 of $110,000, computed as follows:

(1) Deductions for 1942		$600,000
Less:		
(2) Excess of percentage depletion over cost ($75,000 minus $5,000)		70,000
(3) Deductions adjusted as required by section 122 (d) (item (1) minus item (2))		530,000
(4) Gross income for 1942	$400,000	
(5) Plus tax-exempt interest minus interest paid ($35,000 minus $15,000)	20,000	
(6) Gross income adjusted as required by section 122 (d) (item (4) plus item (5))		420,000
(7) Net operating loss for 1942 (item (3) minus item (6))		110,000

PAR. 14. Section 19.122–3 is amended as follows:

(A) By striking out subparagraphs (5), (6), and (7) of paragraph (a) and inserting in lieu thereof the following new subparagraphs:

(5) For any taxable year beginning after December 31, 1938, and before January 1, 1942, the amount deductible on account of business long-term and short-term capital losses shall not exceed the amount includible on account of the business long-term and short-term capital gains, respectively, plus an allocable portion of any non-business long-term and short-term capital gains, computed in accordance with paragraph (c) of this section; and for any taxable year beginning after December 31, 1941, the amount deductible on account of business capital losses shall not exceed the amount includible on account of business capital gains, plus a portion of any non-business capital gains, computed in accordance with paragraph (c) of this section;

(6) For any taxable year beginning after December 31, 1938, and before January 1, 1942, the amount deductible on account of non-business long-term and short-term capital losses shall not exceed the amount includible on account of non-business long-term and short-term capital gains, respectively; and for any taxable year beginning after December 31, 1941, the amount deductible on account of non-business capital losses shall not exceed the amount includible on account of non-business capital gains; and

(7) Ordinary non-business deductions (i. e., exclusive of capital losses) shall be

allowed only to the extent of the amount of ordinary non-business gross income (i. e., exclusive of capital gains), plus (i) for any taxable year beginning after December 31, 1938, and before January 1, 1942, the excess, if any, of non-business long-term and short-term capital gains over non-business long-term and short-term capital losses, respectively, and (ii) for any taxable year beginning after December 31, 1941, the excess, if any, of non-business capital gains over non-business capital losses.

(B) By striking out the heading of paragraph (b) and inserting in lieu thereof the following:

(b) *Treatment of carry-overs*—(1) *Taxable years beginning after December 31, 1938 and before January 1, 1943.*

(C) By adding to paragraph (b) the following:

(2) *Taxable years beginning after December 31, 1942.* Because of the distinction between business and non-business capital gains and losses, a taxpayer who has a net capital loss carry-over from preceding taxable years, includible among the short-term capital losses for the current taxable year by virtue of section 117 (e), as amended by the Revenue Act of 1942, must determine how much of such net capital loss carry-over is a business capital loss and how much is a non-business capital loss. In order to make this determination, the taxpayer must first ascertain what proportion of the net capital losses for such preceding taxable years was attributable to an excess of business capital losses over business capital gains for such years, and what proportion was attributable to an excess of non-business capital losses over non-business capital gains. The same proportion of the net capital loss carry-over from any such preceding taxable years shall be treated as a business capital loss and a non-business capital loss, respectively.

The effect of this subparagraph may be illustrated by the following example:

Example. A, an individual, has the following short-term gains and losses for the calendar year 1943: Business short-term capital gains of $1,000 and non-business short-term capital gains of $500, business short-term capital losses of $1,600 and non-business short-term capital losses of $600, business long-term capital gains of $1,000 and non-business long-term capital gains of $500, business long-term capital losses of $1,600 and non-business long-term capital losses of $600. A's net capital loss for the taxable year 1943 is $1,400, computed as follows:

Short-term capital losses ($1,600 plus $600)	$2,200	
Long-term capital losses ($1,600 plus $600)	2,200	
Total capital losses		$4,400
Short-term capital gains ($1,000 plus $500)	1,500	
Long-term capital gains ($1,000 plus $500)	1,500	
Total capital gains		3,000
Net capital loss for 1943		1,400

Since business capital losses exceeded business capital gains by $1,200 ($3,200 minus $2,000), $1,200 of the $1,400 net capital loss is attributable to such excess. Similarly, $200 is attributable to an excess of non-business capital losses over non-business capital gains. Assuming that the net capital loss carry-over to 1944 from 1943 is also $1,400, then the same amounts will be treated as business and non-business capital losses, respectively, i. e., $1,200 will be treated as a business capital loss and $200 as a non-business capital loss.

(D) Paragraph (c) is amended by inserting immediately after the heading and immediately preceding the first sentence, the following new subheading:

(1) *Taxable years beginning after December 31, 1938, and before January 1, 1942.*

(E) By inserting immediately following the last paragraph of paragraph (c), the following:

(2) *Taxable years beginning after December 31, 1941.* In the computation of a net operating loss a taxpayer other than a corporation must first use his non-business capital gains for the deduction of his non-business capital losses. (See § 19.122-3 (a) (6).) Any amounts not necessary for this purpose shall then be used for the deduction of any excess of ordinary non-business deductions over ordinary non-business gross income. (See § 19.122-3 (a) (7).) The remainders, computed by applying the excess ordinary non-business deductions against the excess capital gains, shall be treated as capital gains and may be used for the purpose of determining the deductibility of business capital losses under § 19.122-3 (a) (5).

Example. A, an individual, has a total non-business gross income of $20,500, computed as follows:

Ordinary gross income	$7,500
Long-term capital gains	6,000
Short-term capital gains	7,000
Total gross income	20,500

He also has total non-business deductions of $16,000, computed as follows:

Ordinary deductions	$9,000
Long-term capital losses	2,000
Short-term capital losses	5,000
Total deductions	16,000

In order to determine the portion of the non-business capital gains available for the deduction of business capital losses there must first be deducted the amounts of the non-business capital losses. It is then found that the excess capital gains amount to $6,000 ($13,000 minus $7,000). Since the ordinary non-business deductions exceed the ordinary non-business gross income by $1,500 ($9,000 minus $7,500), $1,500 of the $6,000 excess capital gains must be used to permit the allowance of such $1,500 under § 19.122-3 (a) (7). Therefore, $1,500 excess of ordinary deductions over ordinary gross income will be deducted from $6,000 of excess capital gains, leaving $4,500 to be added to the business capital gains for the purpose of determining the deductibility of any business capital loss.

(F) By striking out paragraph (d) and inserting in lieu thereof the following:

(d) *Illustration of computation of net operating loss by a taxpayer other than a corporation.* A, an individual who makes his income tax returns on a calendar year basis, has gross income of $483,000 and deductions (exclusive of a net operating loss deduction) of $600,000 for 1942. Included in gross income are business long-term capital gains (as defined in section 117 (a) (4)) of $25,000 (amount of actual gain $50,000) on assets held for more than 24 months, and non-business income of $10,000. Included among the deductions are a business long-term capital loss (as defined in section 117 (a) (5)) of $30,000 (amount of actual loss $60,000) on a capital asset held for 19 months, and deductions incurred in transactions not connected with a trade or business of $12,000. A has no other items of income or deductions to which section 122 (d) is applicable.

On the basis of these facts A has a net operating loss for 1942 of $110,000 computed as follows:

(1) Deductions for 1942, exclusive of capital losses ($600,000 minus $30,000)		$570,000
(2) Plus amount of actual capital loss ($60,000) to extent such amount does not exceed actual capital gains ($50,000)		50,000
(3) Sum of items (1) and (2)		620,000
(4) Less excess of non-business deductions over non-business income ($12,000 minus $10,000)		2,000
(5) Deductions adjusted as required by section 122 (d) (item (3) minus item (4))		618,000
(6) Gross income for 1942	$483,000	
(7) Plus excess of long-term capital gains actually realized over amount previously taken into account ($50,000 minus $25,000)	25,000	
(8) Gross income adjusted as required by section 122 (d) (item (6) plus item (7))		508,000
(9) Net operating loss for 1942 (item (5) minus item (8))		110,000

For treatment of depletion deductions and tax-free interest, see example in § 19.122-2. For treatment of net short-term capital loss carry-over, net capital loss carry-over, non-business capital gains and losses, and the portion of the non-business capital gains which may be used to permit the deduction of business capital losses, see examples in paragraphs (b) and (c) of this section.

PAR. 15. Section 19.122-4, as amended by Treasury Decision 5086, is further amended by striking out the third sentence of the second paragraph and inserting in lieu thereof the following:

A taxpayer, other than a corporation, however, shall apply only the first four exceptions and limitations specified in § 19.122-3 (a) and, in lieu of the last three exceptions and limitations there specified, is required only (1) for any taxable year beginning after December 31, 1938, and before January 1, 1942 to restrict the amount of his deductions for long-term and short-term capital losses to the amount of his long-term and short-term capital gains, respectively, and (2) for any taxable year beginning after December 31, 1941, to restrict the amount of his deduction for capital losses to the amount of his capital gains.

PAR. 16. There is inserted immediately preceding § 19.169-1 the following:

SEC. 150. CAPITAL GAINS AND LOSSES. (Revenue Act of 1942, Title I.)

* * * * *

(f) *Capital gains and losses of common trust funds.* (1) *Income of participants in fund.*

(A) Section 169 (c) (1) (A) is amended to read as follows:

(A) As part of its gains and losses from sales or exchanges of capital assets held for not more than 6 months, its proportionate share of the gains and losses of the common trust fund from sales or exchanges of capital assets held for not more than 6 months.

(B) Section 169 (c) (1) (B) is amended to read as follows:

(B) As part of its gains and losses from sales or exchanges of capital assets held for more than 6 months, its proportionate share of the gains and losses of the common trust fund from sales or exchanges of capital assets held for more than 6 months.

(2) *Computation of common trust fund income.* Section 169 (d) (1) and (2) are amended to read as follows:

(d) *Computation of Common Trust Fund Income.* The net income of the common trust fund shall be computed in the same manner and on the same basis as in the case of an individual, except that:

(1) There shall be segregated the gains and losses from sales or exchanges of capital assets;

(2) After excluding all items of gain and loss from sales or exchanges of capital assets, there shall be computed:

(A) An ordinary net income which shall consist of the excess of the gross income over deductions; or

(B) An ordinary net loss which shall consist of the excess of the deductions over the gross income;

* * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 17. Section 19.169-2 is amended as follows:

(A) By striking out subparagraphs (1) and (2) of paragraph (a) and inserting in lieu thereof the following two subparagraphs:

(1) For any taxable year beginning after December 31, 1938 and before January 1, 1942, its proportionate share of the net short-term capital gain or loss of the common trust fund, computed as provided in § 19.169-3, as a part of its short-term capital gains or losses; and for any taxable year beginning after December 31, 1941, its proportionate share of the gains and losses from sales or exchanges of capital assets held for not more than 6 months, computed as provided in § 19.169-3, as part of its gains and losses from sales or exchanges of capital assets held for not more than 6 months.

(2) For any taxable year beginning after December 31, 1938 and before January 1, 1942, its proportionate share of the net long-term capital gain or loss of the common trust fund, computed as provided in § 19.169-3, as a part of its long-term capital gains or losses; and for any taxable year beginning after December 31, 1941, its proportionate share of the gains and losses from sales or exchanges of capital assets held for more than 6 months, computed as provided in § 19.169-3, as part of its gains and losses from sales or exchanges of capital assets held for more than 6 months.

(B) By striking out in paragraph (c) the first paragraph and the portion of the second paragraph preceding the example and inserting in lieu thereof the following two new paragraphs:

The proportionate share of each participant in the net short-term capital gain or loss of any taxable year beginning after December 31, 1938 and before January 1, 1942, the net long-term capital gain or loss of any taxable year beginning after December 31, 1938 and before December 31, 1941 from sales or exchanges of capital assets held for not more than 6 months, gains and losses of any taxable year beginning after December 31, 1941 from sales or exchanges of capital assets held for more than 6 months, the ordinary net income or ordinary net loss, the partially exempt interest, and the tax withheld at the source shall be determined in accordance with the method of accounting adopted by the bank in accordance with the written plan under which the common trust fund is established and administered, provided such method clearly reflects the income of each participant.

The items of income and deductions are, therefore, to be allocated to the periods between valuation dates within the taxable year established by such plan in which they were realized or sustained, and the ordinary net income or ordinary net loss, the net short-term capital gain or loss of any taxable year beginning after December 31, 1938 and before January 1, 1942, the net long-term capital gain or loss of any taxable year beginning after December 31, 1938 and before December 31, 1941 from sales or exchanges of capital assets held for not more than 6 months, gains and losses of any taxable year beginning after December 31, 1941 from sales or exchanges of capital assets held for more than 6 months computed for each such period. The proportionate shares of the participants in such items are then to be determined. The provisions of this paragraph as applied to taxable years beginning after December 31, 1938, and before January 1, 1942, may be illustrated by the following example:

(C) By inserting immediately preceding (d) the following:

The provisions of the second paragraph of this subsection as applied to taxable years beginning after December 31, 1941, may be illustrated by the following example:

Example. The plan of a common trust fund provides for quarterly valuation dates and for the computation and the distribution of the income upon a quarterly basis, except that there shall be no distribution of capital gains. The participants are as follows: Trusts A, B, C, and D for the first quarter; Trusts A, B, C, and E for the second quarter; and Trusts A, B, F, and G for the third and fourth quarters, the participants having equal participating interests. As computed upon the quarterly basis, the ordinary net income, the short-term capital gain, and the long-term capital loss for the taxable year were as follows:

	First quarter	Second quarter	Third quarter	Fourth quarter	Total
Ordinary net income	$200	$300	$200	$400	$1,100
Short-term capital gain	200	100	200	100	600
Long-term capital loss	100	200	100	200	600

The participants' shares of ordinary net income are as follows:

PARTICIPANTS' SHARES OF ORDINARY NET INCOME

Participant	First quarter	Second quarter	Third quarter	Fourth quarter	Total
A	$50	$75	$50	$100	$275
B	50	75	50	100	275
C	50	75	----	----	125
D	50	----	----	----	50
E	----	75	----	----	75
F	----	----	50	100	150
G	----	----	50	100	150
Total	200	300	200	400	1,100

The participants' shares of the short-term capital gain are as follows:

PARTICIPANTS' SHARES OF SHORT-TERM CAPITAL GAIN

Participant	First quarter	Second quarter	Third quarter	Fourth quarter	Total
A	$50	$25	$50	$25	$150
B	50	25	50	25	150
C	50	25	----	----	75
D	50	----	----	----	50
E	----	25	----	----	25
F	----	----	50	25	75
G	----	----	50	25	75
Total	200	100	200	100	600

The participants' shares of the long-term capital loss are as follows:

PARTICIPANTS' SHARES OF LONG-TERM CAPITAL LOSS

Participant	First quarter	Second quarter	Third quarter	Fourth quarter	Total
A	$25	$50	$25	$50	$150
B	25	50	25	50	150
C	25	50	----	----	75
D	25	----	----	----	25
E	----	50	----	----	50
F	----	----	25	50	75
G	----	----	25	50	75
Total	100	200	100	200	600

If in the above example the common trust fund also had short-term capital losses and long-term capital gains, the treatment of such gains or losses would be similar to that accorded to the short-term capital gains and long-term capital losses in the above example.

PAR. 18. Section 19.169-3 is amended as follows:

(A) By striking out subparagraphs (2) and (3) and inserting in lieu thereof the following two subparagraphs:

(2) For any taxable year beginning after December 31, 1938 and before January 1, 1942, the short-term capital gains and losses of the common trust fund and its long-term capital gains and losses are required to be segregated and the computation made of the net short-term capital gain or loss and the net long-term gain or loss, as the case may be. For any taxable year beginning after December 31, 1941, the gains and losses from sales or exchanges of capital assets of the common trust fund are required to be segregated. For any taxable year beginning after December 31, 1938, and before January 1, 1942, a common trust fund is not allowed the benefit of the net short-term capital loss carry-over provided by section 117 (e) prior to its amendment by the Revenue Act of 1942, and for any taxable year beginning after December 31, 1941, a common trust fund is not allowed the benefit of the capital loss carry-over provided by section 117 (e), as amended by the Revenue Act of 1942.

(3) The ordinary net income, that is, the excess of the gross income over the deductions, or the ordinary net loss, that is, the excess of the deductions over the gross income, shall be computed after excluding all items of either short-term or long-term capital gain or loss for any taxable year beginning after December 31, 1938, and before January 1, 1942, and gains and losses from sales or exchanges of capital assets for any taxable year beginning after December 31, 1941.

PAR. 19. Section 19.169-4 is amended by inserting immediately after "18 months" appearing in subparagraph (4) of paragraph (c) the following: (more than 6 months for taxable years beginning after December 31, 1941)

PAR. 20. Section 19.169-5 is amended by changing the fourth sentence thereof to read as follows:

* * * The return of a common trust fund shall state specifically with respect to the fund the items of gross income and the deductions allowed under chapter 1, and shall include each participant's name and address, the ordinary net income or loss, its proportionate share of the net short-term capital gain or loss and the net long-term capital gain or loss for any taxable year beginning after December 31, 1938, and before January 1, 1942, and for any taxable year beginning after December 31, 1941, its proportionate share of gains and losses from sales or exchanges of capital assets.

PAR. 21. There is inserted immediately preceding § 19.182-1 the following:

SEC. 150. CAPITAL GAINS AND LOSSES. (Revenue Act of 1942, Title I.)

* * * * *

(g) *Capital gains and losses of partners*—(1) *Tax of partners.*

(A) Section 182 (a) is amended to read as follows:

(a) As part of his gains and losses from sales or exchanges of capital assets held for not more than 6 months, his distributive share of the gains and losses of the partnership from sales or exchanges of capital assets held for not more than 6 months.

(B) Section 182 (b) is amended to read as follows:

(b) As part of his gains and losses from sales or exchanges of capital assets held for more than 6 months, his distributive share of the gains and losses of the partnership from sales or exchanges of capital assets held for more than 6 months.

(2) *Computation of partnership income.*

(A) Section 183 (b) (1) and (2) are amended to read as follows:

(b) *Segregation of items.* (1) *Capital gains and losses.* There shall be segregated the gains and losses from sales or exchanges of capital assets.

(2) *Ordinary net income or loss.* After excluding all items of gain and loss from sales or exchanges of capital assets, there shall be computed:

(A) An ordinary net income which shall consist of the excess of the gross income over the deductions; or

(B) An ordinary net loss which shall consist of the excess of the deductions over the gross income.

* * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 22. Section 19.182-1 is amended as follows:

(A) By striking out subparagraphs (1) and (2) of paragraph (a) and inserting in lieu thereof the following two subparagraphs:

(1) For any taxable year beginning after December 31, 1938 and before January 1, 1942, as part of his short-term capital gains or losses, his distributive share of the net short-term capital gain or loss of the partnership; and for any taxable year beginning after December 31, 1941, as part of his gains and losses from sales or exchanges of capital assets held for not more than 6 months, his distributive share of the gains and losses of the partnership from sales or exchanges of capital assets held for not more than 6 months.

(2) For any taxable year beginning after December 31, 1938 and before January 1, 1942, as part of his long-term capital gains or losses, his distributive share of the net long-term capital gain or loss of the partnership; and for any taxable year beginning after December 31, 1941, as part of his gains and losses from sales or exchanges of capital assets held for more than 6 months, his distributive share of the gains and losses of the partnership from sales or exchanges of capital assets held for more than 6 months.

(B) By striking out paragraph (b) and inserting in lieu thereof the following new paragraph:

(b) If separate returns are made by the husband and wife domiciled in a community property State, and the husband only is a member of a partnership, the part of his distributive share of the partnership's net short-term or net long-term capital gain or loss of any taxable year beginning after December 31, 1938 and before January 1, 1942, the part of his distributive share of gains and losses from sales or exchanges of capital assets of any taxable year beginning after December 31, 1941, or the part of his distributive share of ordinary net income or ordinary net loss, which is, or is derived from, community property should be reported by the husband and by the wife in equal proportions. In the case of a partnership closely related to other trades or businesses, see section 45.

PAR. 23. Section 19.183-1 is amended as follows:

(A) By striking out subparagraph (1) and inserting in lieu thereof the following subparagraph:

(1) For any taxable year beginning after December 31, 1938 and before January 1, 1942, the partnership is required to segregate its short-term capital gains and losses and its long-term capital gains and losses and to compute the net short-term capital gain or loss and the net long-term capital gain or loss, as the case may be. For any taxable year beginning after December 31, 1941, the partnership is required to segregate its gains and losses from sales or exchanges of capital assets. A partnership is not allowed the benefit of section 117 (e).

(B) By striking out the first sentence of subparagraph (2) and inserting in lieu thereof the following new sentence:

The partnership is further required, after excluding all items described in subparagraph (1), to compute (i) an ordinary net income which consists of the excess of gross income over the deductions, or (ii) an ordinary net loss which consists of the excess of the deductions over the gross income.

PAR. 24. Section 19.189-1 is amended as follows:

(A) By striking out subparagraph (1) and (2) of (a) and inserting in lieu thereof the following two subparagraphs:

(1) *Long-term capital gains and losses.* For any taxable year beginning after December 31, 1938 and before January 1, 1942, the partnership's long-term capital gains and losses shall be taken into account without regard to the percentage provisions of section 117 (b). For any such taxable year, the business long-term capital gains and losses and the non-business long-term capital gains and losses shall be segregated, and his distributive share of the business net long-term capital gain or loss and the non-business net long-term capital gain or loss of the partnership shall be included by each partner as a business and non-business long-term capital gain or loss, respectively. For any taxable year beginning after December 31, 1941, the partnership's gains and losses from sales or exchanges of capital assets held for more than 6 months shall be taken into account without regard to the percentage provisions of section 117 (b). For any such taxable year, the business gains and losses from sales or exchanges of capital assets held for more than 6 months and the non-business gains and losses from such sales or exchanges shall be segregated and his distributive share of the partnership's business gains or losses from such sales or exchanges and the partnership's non-business gains and losses from such sales or exchanges shall be included by each partner as business and non-business gains or losses from the sales or exchanges of capital assets held for more than 6 months, respectively.

(2) *Short-term capital gains and losses.* For any taxable year beginning after December 31, 1938 and before January 1, 1942, the business short-term capital gains and losses and the non-business short-term capital gains and losses of the partnership shall be segregated, and his distributive share of the business net short-term capital gain or loss and the non-business net short-term capital gain or loss of the partnership shall be included by each partner as a business and non-business short-term capital gain or loss, respectively. For any taxable year beginning after December 31, 1941, the partnership's business gains and losses from sales or exchanges of capital assets held for not more than 6 months and the partnership's non-business gains and losses from such sales or exchanges shall be segregated, and his distributive share of such business gains or losses and such non-business gains or losses shall be included by each partner as business and non-business gains or losses from sales or exchanges of capital assets held for not more than 6 months, respectively.

(B) By striking out subparagraph (2) of paragraph (b) and inserting in lieu thereof the following paragraph:

(2) For any taxable year beginning after December 31, 1938 and before January 1, 1942, in computing the net long-term capital gain or loss of the partnership, long-term capital gains and losses shall be taken into account without regard to the percentage provisions of section 117 (b). For any taxable year beginning after December 31, 1941, the gains and losses from sales or exchanges of capital assets of the partnership shall be taken into account without regard to the percentage provisions of section 117 (b).

PAR. 25. There is inserted immediately preceding § 19.336-1 the following:

SEC. 150. CAPITAL GAINS AND LOSSES. (Revenue Act of 1942, Title I.)

* * * * *

(b) *Capital losses of foreign personal holding companies.* Section 336 (c) is amended to read as follows:

(c) *1941 Capital loss carry-over denied.* The net income shall be computed without regard to section 117 (e) (2).

* * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 26. Section 19.336-1 is amended by striking out the fourth sentence of the first paragraph and inserting in lieu thereof the following two new sentences:

* * * For taxable years beginning after December 31, 1939 and before January 1, 1942, section 336 (c) limits the deduction for capital losses to $2,000 plus capital gains, notwithstanding the provisions of section 117 (d) and (e), prior to their amendment by the Revenue Act of 1942, thus continuing for the purposes of Supplement P (sections 331 to 340, inclusive) the rule contained in section 117 (d) (1) prior to its amendment by the Revenue Act of 1939. For taxable years beginning after December 31, 1941, section 336 (c) provides the same treatment to foreign personal holding companies with respect to capital gains and losses as ordinary corporations except that no capital loss carry-over from the last taxable year beginning in 1941 is allowed.

PAR. 27. Section 19.336-2 is amended by inserting at the end thereof the following new paragraph:

For any taxable year beginning after December 31, 1941, the losses in the amount of $10,000 sustained from the sale of the stock or securities which constituted capital assets in the above example would not be allowed as a deduction in any amount under the provisions of sections 117 and 336 (c), as amended by the Revenue Act of 1942.

PAR. 28. There is inserted immediately preceding section 19.505-1 the following:

SEC. 150. CAPITAL GAINS AND LOSSES. (Revenue Act of 1942, Title I.)

* * * * *

(i) *Capital losses of personal holding companies.* Section 505 (d) is amended to read as follows:

(d) *1941 capital loss carry-over denied.* The net income shall be computed without regard to section 117 (e) (2).

* * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 29. Section 19.505-1 is amended by striking out the third sentence of the fourth paragraph and inserting in lieu thereof the following two new sentences:

* * * For taxable years beginning after December 31, 1939 and before January 1, 1942, section 505 (d) limits the deduction for capital losses to $2,000 plus capital gains, notwithstanding the provisions of section 117 (d) and (e), prior to its amendment by the Revenue Act of 1942, thus continuing for the purposes of the personal holding company tax the rule contained in section 117 (d) (1), prior to its amendment by the Revenue Act of 1939. For taxable years beginning after December 31, 1941, section 505 (d), as amended by the Revenue Act of 1942, provides the same treatment to personal holding companies with respect to capital gains and losses as ordinary corporations, except that no capital loss carry-over pursuant to section 117 (e) (2), as amended by the Revenue Act of 1942, is allowed from the last taxable year beginning in 1941.

PAR. 30. There is inserted immediately preceding section 19.12-1 the following:

SEC. 150. CAPITAL GAINS AND LOSSES. (Revenue Act of 1942, Title I.)

* * * * *

(j) *Cross reference.* Section 12 (c) is amended to read as follows:

(c) TAX IN CASE OF CAPITAL GAINS OR LOSSES—For rate and computation of alternative tax in lieu of normal tax and surtax in the case of a capital gain or loss from the sale or exchange of capital assets held for more than 6 months, see section 117 (c).

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

(Secs. 150, 151 and 152 of the Revenue Act of 1942 (Public Law 753, 77th Congress), and section 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C., 1940 ed., 62))

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: January 19, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-999; Filed, January 20, 1943; 4:37 p. m.]

Subchapter E—Administrative Provisions Common to Various Taxes

[T.D. 5216]

PART 472—REGULATIONS UNDER SECTION 3804 OF THE INTERNAL REVENUE CODE

TIME FOR PERFORMING CERTAIN ACTS POSTPONED BY REASON OF WAR

Notice to Commissioner under section 3804 in case termination of period disregarded under such section, in determining amounts of interest and whether certain acts are timely performed, depends upon date person returns to Americas or continental United States, or leaves area of enemy action or control, or qualifies as executor, administrator, or conservator.

SEC. 507. TIME FOR PERFORMING CERTAIN ACTS POSTPONED BY REASON OF WAR. (Revenue Act of 1942.)

(a) *Amendments to the Internal Revenue Code.* The Internal Revenue Code is amended by inserting after section 3803 the following new sections:

SEC. 3804. TIME FOR PERFORMING CERTAIN ACTS POSTPONED BY REASON OF WAR.

(a) *Individuals.* The period of time after December 6, 1941, during which an individual is continuously outside the Americas (if such period is longer than ninety days), and the next ninety days thereafter, shall be disregarded in determining, under the internal revenue laws, in respect of any tax liability (including any interest, penalty, additional amount, or addition to the tax) of such individual

(1) Whether any of the following acts was performed within the time prescribed therefor:

(A) Filing any return of income, estate, or gift tax (except income tax withheld at source and income tax imposed by Chapter 9 or any law superseded thereby);

(B) Payment of any income, estate, or gift tax (except income tax withheld at source and income tax imposed by Chapter 9 or any law superseded thereby) or any installment thereof or of any other liability to the United States in respect thereof;

(C) Filing a petition with the Board of Tax Appeals for redetermination of a deficiency, or for review of a decision rendered by the Board;

(D) Allowance of a credit or refund of any tax;

(E) Filing a claim for credit or refund of any tax;

(F) Bringing a suit upon any such claim for credit or refund;

(G) Assessment of any tax;

(H) Giving or making any notice or demand, for the payment of any tax, or with respect to any liability to the United States in respect of any tax;

(I) Collection, by the Commissioner or the collector, by distraint or otherwise, of the amount of any liability in respect of any tax;

(J) Bringing suit by the United States, or any officer on its behalf, in respect of any liability in respect of any tax, and

(K) Any other act required or permitted under the internal revenue laws specified in regulations prescribed under this section by the Commissioner with the approval of the Secretary;

(2) The amount of any credit or refund (including interest).

(b) *Other taxpayers and other circumstances.* In any case to which subsection (a) does not apply in which it is determined by the Commissioner, under regulations prescribed by him with the approval of the Secretary, that:

(1) By reason of an individual being outside the Americas, or

(2) By reason of any locality (within or without the Americas) being an area of enemy action or being an area under the control of the enemy, as determined by the Commissioner, or

(3) By reason of an individual in the military or naval forces of the United States being outside the States of the Union and the District of Columbia, it is impossible or impracticable to perform any one or more of the acts specified in subsection (a), then in determining, under the internal-revenue laws whether such act was performed within the time prescribed therefor, in respect of any tax liability (including any interest, penalty, additional amount, or addition to tax) affected by the failure to perform such act within such time, and in determining the amount of any credit or refund (including interest) affected by such failure, there shall be disregarded such period after December 6, 1941, as may be prescribed by such regulations.

(c) *Limitation on time to be disregarded.* The period of time disregarded under this section shall not extend beyond whichever of the following dates is the earlier:

(1) The fifteenth day of the third month following the month in which the present war with Germany, Italy, and Japan, is terminated, as proclaimed by the President; or

(2) In the case of an individual with respect to whom a period of time is disregarded under this section, the fifteenth day of the third month following the month in which an executor, administrator, or a conservator of the estate of such individual qualifies.

(d) *Exceptions*—(1) *Tax in jeopardy, bankruptcy and receiverships, and transferred assets.* Notwithstanding the provisions of subsection (a) or (b), any action or proceeding authorized by section 146 (regardless of the taxable year for which the tax arose), 273, 274, 311, 872, 900, 1013, 1015, 1025, or 3660, as well as any other action or proceeding authorized by law in connection therewith, may be taken, begun, or prosecuted. In any other case in which the Commissioner determines that collection of the amount of any assessment would be jeopardized by delay, the provisions of subsections (a) and (b) shall not operate to stay collection of such amount by distraint or otherwise as authorized by law. There shall be excluded from any amount assessed or collected pursuant to this paragraph the amount of interest, penalty, additional amount, and addition to the tax, if any, in respect of the period disregarded under subsection (a) or (b). In any case to which this paragraph relates, if the Commissioner or collector is required to give any notice to or make any demand upon any person such requirement shall be deemed to be satisfied if the notice or demand is prepared and signed, in any case in which the address of such person last known to the Commissioner or collector is in an area for which United States post offices under instructions of the Postmaster General are not, by reason of the war, accepting mail for delivery at the time the notice or demand is signed. In such case the notice or demand shall be deemed to have been given or made upon the date it is signed.

(2) *Action taken before ascertainment of rights to benefits.* The assessment or collection of any internal revenue tax or of any liability to the United States in respect of any internal revenue tax, or any action or proceeding by or on behalf of the United States in connection therewith, may be made, taken, begun, or prosecuted in accordance with law, without regard to the provisions of subsection (a) or (b), unless prior to such assessment, collection, action, or proceeding it is ascertained that the person concerned is entitled to the benefits of subsection (a) or (b).

(3) *Expiration of period of limitations prior to enactment of this section.* This section shall not operate to extend the time for performing any act specified in subsection (a) (1) (G), (H), (I), or (J) if such time under the law in force prior to the date of enactment of this section expired prior to such date.

(e) *Definitions.* For purposes of this section:

(1) *Americas.* The term "Americas" means North, Central, and South America (including the West Indies but not Greenland), and the Hawaiian Islands.

(2) *When individual ceases to be outside Americas or within an area of enemy action.* For the purpose of determining whether any act specified in subsection (a) (1) (G), (H), (I), or (J) was performed within the time prescribed therefor, if any period of time is disregarded under this section by reason of any individual being outside the Americas or within an area of enemy action or control, such individual shall not, if he returns to the Americas or leaves such area after the date of enactment of this section, be deemed to have returned to the Americas or ceased to be within such area before the date upon which the Commissioner receives from such individual a notice thereof in such form as the Commissioner, with the approval of the Secretary shall by regulations prescribe. A similar rule shall be applied in the case of a member of the military or naval forces of the United States with respect to whom a period of time is disregarded under this section by reason of being outside the States of the Union and the District of Columbia.

(3) *When executor, administrator, or conservator qualifies.* For the purpose of determining whether any act specified in subsection (a) (1) (G), (H), (I), or (J) was performed within the time prescribed therefor, the month in which an executor, administrator, or conservator qualifies, if he qualifies after the date of enactment of this section, shall be deemed to be the month in which the Commissioner receives from him a notice thereof in such form as the Commissioner, with the approval of the Secretary shall be regulations prescribe.

SEC. 3805. INCOME TAX DUE DATES POSTPONED IN CASE OF CHINA TRADE ACT CORPORATIONS.

In the case of any taxable year beginning after December 31, 1940, no Federal income tax return of, or payment of any Federal income tax by, any corporation organized under the China Trade Act, 1922 (42 Stat. 849, U.S.C., Title 15, chapter 4), shall become due until the fifteenth day of the sixth month following the month in which the present war with Germany, Italy, and Japan is terminated, as proclaimed by the President. Such due date is prescribed subject to the power of the Commissioner to extend the time for filing such return or paying such tax as in other cases.

(b) *Effect of amendments upon periods fixed under laws other than Internal Revenue Code.*—(1) *Public law 490, seventy-seventh Congress.* The amendments made by this section shall not be construed to shorten any period fixed under the provisions of section 13 or 14 of the Act approved March 7, 1942 (Public Law 490—77th Congress), within which any act may be done, except that any action or proceeding authorized under section 3804 (d) (1) of the Internal Revenue Code, as well as any other action or proceeding authorized by law in connection therewith, may be taken, begun, or prosecuted without regard to the period so fixed.

(2) *Soldiers' and Sailors' Civil Relief Act of 1940.* (A) The amendments made by this section shall not be construed to shorten any period fixed under the provisions of section 513 of the Soldiers' and Sailors' Civil Relief Act of 1940 within which any act may be done, except that any action or proceeding authorized under section 3804 (d) (1) of the Internal Revenue Code, as well as any other action or proceeding authorized by law in connection therewith, may be taken, begun, or prosecuted without regard to the period so fixed.

(B) Article II of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, is amended by adding at the end thereof the following new section:

SEC. 207. Section 205 of this Act shall not apply with respect to any period of limitation prescribed by or under the internal revenue laws of the United States.

(c) *Retroactive effect.* The provisions of sections 3804 and 3805, as added by subsection (a) of this section, shall be effective as if they were enacted on December 7, 1941, except that the phrase "date of enactment of this section", when used in subsections (d) (3) and (e) (2) and (3) of section 3804 means the date of enactment of this Act. Any amount of interest, penalty, additional amount, or addition to the tax otherwise allowable as a refund or credit under the internal-revenue laws including sections 3805 and 3804, except subsection (d) (2)) may be refunded or credited without regard to section 3804 (d) (2). No interest shall be allowed or paid by the United States upon any amount refunded or credited by reason of this subsection.

§ 472.0 *Scope of regulations.* These regulations relate to the notice to be furnished to the Commissioner of Internal Revenue, Washington, D. C., after the occurrence of one of the following enumerated events, in case a period of time is disregarded under section 3804 of the Internal Revenue Code and the date of termination of such period is dependent upon the time when a person:

(a) Returns to the Americas (that is, North, Central, and South America, the Hawaiian Islands, and the West Indies, but not Greenland), or

(b) Returns to the continental United States (that is, the States of the Union and the District of Columbia), or

(c) Leaves an area of enemy action or control, or

(d) Qualifies as an executor, administrator, or conservator of the estate of an individual with respect to whom a period of time is disregarded under section 3804. (Further regulations will be issued under section 3804, at a later date.)

§ 472.1 *Notices to Commissioner under section 3804.* If a period of time is disregarded under any provision of section 3804 of the Internal Revenue Code, the time within which certain acts may be performed by or on behalf of the Government may be extended indefinitely (subject to the limitations provided in section 3804 (c) (1) and (d) (3)) unless the notice provided for in section 3804 (e) (2) or (3) is given to the Commissioner of Internal Revenue.

Example. An individual on August 1, 1942, sails from the port of New York, New York, for destinations in Europe and Africa, and on December 1, 1942, returns to such port. Thus, he is actually outside the Americas for a period of 122 days, or August 2, 1942, to December 1, 1942, inclusive (disregarding the date of departure and counting the date of return as an entire day, in accordance with the general rule for the computation of time). Under section 3804 (a), that period (being more than 90 days) plus an additional 90 days, or a total period of 212 days (August 2, 1942, to March 1, 1943, inclusive), is disregarded in determining whether any of the acts (such as paying income tax) specified in section 3804 (a) (1) (A), (B), (C), (D), (E), (F), or (K) is performed within the time prescribed therefor and in determining the amount of any credit or refund (including interest). For purposes of determining whether the acts (such as assessing and collecting any tax) specified in section 3804 (a) (1) (G), (H), (I), or (J) are timely performed, the period to be disregarded under section 3804 (a) with respect to the individual likewise begins on August 2, 1942; but for such purposes such period does not, by reason of section 3804 (e) (2), terminate until the expiration of the 90th day after the date on which notice of return to the Americas, furnished by the individual, is received by the Commissioner of Internal Revenue, Washington, D. C.

No particular form is prescribed for giving the notices provided for herein. The notice shall be filed, in duplicate, with the Commissioner of Internal Revenue, Washington, D. C., and it shall be stated therein that the notice is filed pursuant to section 3804 of the Internal Revenue Code.

Each such notice shall be signed and dated by the person filing it, and shall contain the following information:

(a) Name and present address of the taxpayer.

(b) Name and present address of the person furnishing the information, if not furnished by the taxpayer.

(c) Kind and amount of tax or taxes which are believed to be involved (for example, income, estate, or gift tax).

(d) Address of each collector of internal revenue with whom returns of the tax or taxes involved have been or are intended to be filed.

(e) Each taxable year or period believed to be involved.

(f) For the period, if any, during which the individual was a member of the military or naval forces of the United States, (1) if outside the continental United States on December 7, 1941, the last date prior to December 7, 1941, on which the individual left the continental United States (that is, the area comprised of the States of the Union and the District of Columbia); (2) each date after December 6, 1941, on which the individual left the continental United States; and (3) each date after December 6, 1941, on which the individual returned to the continental United States.

(g) For the period, if any, during which the individual was not a member of the military or naval forces of the United States, (1) if outside the Americas on December 7, 1941, the last date prior to December 7, 1941, on which the individual left the Americas (that is, North, Central, and South America, the Hawaiian Islands, and the West Indies, but not Greenland) and the name of the port of departure; (2) each date after December 6, 1941, on which the individual left the Americas, and the name of each port of departure; and (3) each date after December 6, 1941, on which the individual returned to the Americas, and the name of each port of entry.

(h) In the case of a person who has qualified as an executor, administrator, or conservator of the estate of an individual with respect to whom a period of time is disregarded under section 3804, the date on which, and the name and address of the court in which, such person qualified as such, together with the information called for in paragraphs (a) to (g), inclusive.

In case a person, having the intent of giving notice pursuant to the provisions of section 3804, furnishes the notice prior to the receipt by such person of advice as to the requirements of these regulations (whether before or after the promulgation thereof), such notice will be considered as satisfying such provisions as of the date of actual receipt thereof in Washington, D. C., by the Commissioner, if the information called for in these regulations is furnished within a reasonable time after the receipt of such advice, or if there has been substantial compliance with these regulations. A notice furnished to a collector of internal revenue will not be considered as satisfying such provisions unless and until actually received by the Commissioner.

The notice provided for herein, together with a full disclosure of all pertinent circumstances, should be furnished in any case in which no period of time is disregarded under the terms of section 3804 (a), but in which it is believed by the taxpayer (including taxpayers other than individuals) that timely performance of any act specified in such section is impossible or impracticable:

(i) By reason of any individual (whether or not the taxpayer) being outside the Americas, or

(ii) By reason of any locality being an area of enemy action or control, or

(iii) By reason of any individual (whether or not the taxpayer) in the military or naval forces of the United States being outside the continental United States.

In order that periods of time within which acts may be performed, and interest or penalty, if any, may be properly computed, notice should be furnished to the Commissioner in every case in which the termination of a period disregarded under section 3804 is dependent upon the time when an individual returns to the Americas or to the continental United States, or upon the time when an individual leaves an area of enemy action or control, or upon the time when an executor, administrator, or conservator qualifies as such. Thus, the notice should be furnished in those cases in which the event fixing the date of termination of the period to be disregarded, occurred on or before October 21, 1942, the date of enactment of the Revenue Act of 1942, although in such cases failure to furnish the notice does not under the provisions of section 3804 (e) (2) or (3) extend the period within which the Government may perform the acts, such as assessing and collecting tax, which are specified in section 3804 (a) (1) (G), (H), (I), or (J).

With the exception noted in the last preceding sentence, the consequence of failure to furnish the information herein called for is the extension in favor of the Government of the time within which the acts specified in section 3804 (a) (1) (G), (H), (I), and (J) may be performed. Such failure cannot operate to extend the time within which other acts specified in section 3804 may be performed. While no time is prescribed for furnishing the information, it is to the advantage of the taxpayer that the information be furnished as promptly as possible for each period disregarded under section 3804. In case more than one period of time is disregarded under such section, information as to dates of departure and return previously furnished to the Commissioner under these regulations need not be included in subsequent notices to the Commissioner thereunder.

(Sec. 3791 of the Internal Revenue Code (53 Stat. 467; 26 U.S.C., 3791) and sec. 507 of the Revenue Act of 1942 (Pub. Law 753, 77th Cong.))

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: January 19, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-998; Filed January 20, 1943; 4:37 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 933—COPPER

[Amendment 2 to Conservation Order M-9-c as Amended Dec. 26, 1942]

Section 933.4 *Conservation Order M-9-c* is hereby amended:

By amending paragraph (f) (1) to be and read as follows:

(f) *Special provisions.* (1) The foregoing provisions of this amended order shall not apply to the use of copper products and copper base alloy products in typography, engraving, photo-engraving, gravure plate making, electrotyping, stereotyping and printing in the printing and publishing industries. In those processes, the use of bronze powder, bronze ink, bronze paste and bronze leaf is controlled by Supplementary Conservation Order M-9-c-3 effective March 28, 1942; and all other uses in those industries of copper products, copper base alloy products, copper scrap and copper base alloy scrap are, in the quarter from October 1, 1942, to December 31, 1942, limited to 70% of the aggregate usage of such products and scrap in the last calendar quarter of 1940, and in each subsequent calendar quarter limited to 60% of such aggregate usage in the corresponding quarter of the year 1940: *Provided*, That, for electrotyping and rotogravure 33⅓% of the allowable usage shall be in the form of copper or copper base alloy printing scrap during the month of February, 1943, 50% of the allowable usage shall be in such form during the month of March 1943, and 75% of the allowable usage shall be in such form in each month after March, 1943: *And, further provided*, That for copper plate engraving of calling cards, greeting cards, social and business stationery and other similar articles, 100% of the allowable usage for the engraving of such plates shall be (i) of copper products or copper base alloy products which were in the possession of the engraver using them on December 31, 1942 or (ii) of copper scrap or copper base alloy scrap (old engraved plates), and in either event the engraver shall sell and deliver as scrap to a scrap dealer before the end of each calendar quarter beginning with the first calendar quarter of 1943, three pounds of copper or copper base alloy scrap in the form of old engraved plates for each one pound of copper products or copper base alloy products which he engraved for use in printing calling cards, greeting cards, social and business stationery and other similar articles during said calendar quarter. Nothing contained in this paragraph (f) (1) of this amended order shall affect the prohibition against the manufacture of powder containing copper products or copper base alloy products contained in paragraph (a) and the Combined List of this amended order

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 20th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-1032; Filed, January 20, 1943; 5:02 p. m.]

PART 1031—MOLASSES

[General Preference Order M-54 as Amended Jan. 21, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of molasses for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1031.1 *General Preference Order M-54* — (a) *Definitions.* For the purposes of this order:

(1) "Molasses" means any molasses, sirup, sugar solution, or any form of fermentative sugar including hydrol (derived from sugar cane, sugar beets or corn) other than direct-consumption sugar (as defined in General Preference Order No. M-55 As Amended January 24, 1942) or sugar intended for and used for manufacture into direct-consumption sugar. Blackstrap molasses is any final molasses produced in the manufacture of sugar from sugar cane or from the refining of raw sugar and includes all beet molasses produced in the manufacture of sugar from sugar beets. Invert molasses is any molasses made from sugar cane without extraction of sugars. Hydrol is corn sugar molasses. For the purpose of this order one gallon of invert molasses is to be construed as 1½ gallons of blackstrap molasses and one gallon of hydrol is to be construed as one gallon of blackstrap molasses.

(2) "Producer" means any person engaged in the production of molasses and includes any person who has molasses produced for him pursuant to toll agreement.

(3) "Importer" means any person who transports molasses in any manner into the continental United States. Release from the bonded custody of the United States Bureau of Customs shall be deemed a transportation.

(4) "Primary distributor" means any person, other than an importer or a producer, who sells molasses which he has acquired (other than as broker) from an importer or a producer.

(5) "Secondary distributor" means any person, other than an importer, producer or primary distributor, who sells molasses which he has acquired (other than as broker) from some person other than an importer or producer.

(6) A person may, at the same time, be an importer, a producer, a primary distributor and a secondary distributor. His classification, in a particular case, will be determined by the source of the molasses involved; i. e., with respect to molasses imported, he will be an importer, with respect to molasses acquired from a producer, he will be a primary distributor, etc.

(7) "Broker" means any person who buys and sells molasses on a fee basis as agent either for the buyer or the seller or both.

(8) "Class 1 purchaser" means any person who requires molasses in the manufacture of any one or more of the following products:

(i) Insecticides (except as provision is made therefor in paragraphs (a) (14) and (d) (3) hereof).

(ii) Lactic acid.

(iii) Graphite paste.

(iv) Printing rollers.

(v) Dye stuffs.

(vi) Ink.

(vii) Ephedrine.

(viii) Sugar for human consumption (produced from beet molasses).

(ix) Denatured rum for flavoring.

(x) Biological and pharmaceutical products for human and veterinary uses

and any person who requires molasses for any one or more of the following purposes:

(xi) Dust extraction.

(xii) Leather tanning.

(9) "Class 2 purchaser" means any person who requires molasses in the manufacture (including custom grinding) of mixed feeds (including molasses treated beet pulp).

(10) "Class 3 purchaser" means any person who requires molasses in the manufacture of any one or more of the following products:

(i) Yeast.

(ii) Citric acid.

(11) "Class 4 purchaser" means any person who requires molasses in the manufacture of vinegar and any person who requires molasses for foundry purposes.

(12) "Class 5 purchaser" means any person who requires molasses in the manufacture (including blending and or packaging) of any one or more of the following products:

(i) Molasses (edible).

(ii) Sirup (edible).

(13) "Class 6 purchaser" means any person who requires molasses in the manufacture of other products for human consumption (not specified above).

(14) "Class 7 purchaser" means any person who requires molasses for sale directly (without the intervention of any other handler) to persons who require the same for ensilage direct feed or insect control.

(15) "Calendar quarter" means the several three month periods of the year commencing January 1, April 1, July 1, and October 1.

(16) "Calendar quarterly supply" means a quantity of molasses not in excess of the quantity used by a purchaser listed above during a corresponding calendar quarter in the twelve month period ended June 30, 1941. Purchasers shall determine a calendar quarterly supply with respect to each use specified in the applicable subparagraph above. Quantity shall in all cases be computed on a blackstrap molasses basis.

(17) "30 day supply" means a quantity of molasses not in excess of one-twelfth of the quantity used by a purchaser listed above during the twelve month period ended June 30, 1941. Purchasers shall determine a 30 day supply with respect to each use specified in the applicable subparagraphs above. Quantity shall in all cases be computed on a blackstrap molasses basis.

(18) "Fiscal year" means the twelve month period commencing October 1 and ending September 30.

(19) "Yearly supply" means a quantity of molasses not in excess of the quantity used by a purchaser listed above during the twelve month period ended June 30, 1941. Purchasers shall determine a yearly supply with respect to each use specified in the applicable subparagraph above. Quantity shall in all cases be computed on a blackstrap molasses basis.

(b) *Applicability of Priorities Regulation 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1, as amended from time to time, except to the extent that any provisions hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(c) *Restrictions on deliveries.* Anything in Priorities Regulation 1 to the contrary notwithstanding:

(1) No Class 1, 2, 3, 4, 5, 6 or 7 purchaser shall, during any calendar quarter (fiscal year in the case of a Class 3 or 5 purchaser), accept deliveries of molasses in excess of the quantity set forth below less any quantity in excess of a 30 day supply on hand on the first day of the calendar quarter (fiscal year in the case of a Class 3 or 5 purchaser) in which delivery is to be made:

(i) Class 1 purchaser—during any calendar quarter, 100% of a calendar quarterly supply.

(ii) Class 2 purchaser—during the calendar quarter commencing January, 1942, 55% of a calendar quarterly supply; during any calendar quarter thereafter, 50% of a calendar quarterly supply.

(iii) Class 3 purchaser—during a fiscal year, 110% of a yearly supply.

(iv) Class 4 purchaser—during any calendar quarter, 110% of a calendar quarterly supply.

(v) Class 5 purchaser—during a fiscal year, 100% of a yearly supply.

(vi) Class 6 purchaser—during any calendar quarter, 100% of a calendar quarterly supply.

(vii) Class 7 purchaser—during any calendar quarter, 100% of a calendar quarterly supply.

(2) Prior to delivery of molasses, within the limitations of paragraph (c) (1) hereof, the prospective deliveree, if he be a Class 1, 2, 4, 6 or 7 purchaser, shall submit to the deliveror a certificate in substantially the following form, properly filled out and manually signed by a duly authorized official:

The delivery, in the calendar quarter ended , of gallons of molasses (blackstrap molasses basis), in connection with which this certificate is furnished, will not, taking into consideration molasses received and to be received during the same calendar quarter from all sources and inventory on hand on the first day of such calendar quarter, be in excess of per cent of a calendar quarterly supply to which the undersigned, as a Class purchaser, is entitled pursuant to General Preference Order No. M-54, amended, with the terms of which order the undersigned is familiar.

Dated:

(Name of purchaser)

By ---
(Duly authorized official)

Prior to delivery of molasses, within the limitations of paragraph (c) (1) hereof, the prospective deliveree, if he be a Class 3 or 5 purchaser, shall submit to the deliveror a certificate in substantially the following form, properly filled out and manually signed by a duly authorized official:

The delivery of gallons of molasses (blackstrap molasses basis), in connection with which this certificate is furnished, will not, taking into consideration molasses received and to be received during this fiscal year from all sources and inventory on hand on the first day of this fiscal year, be in excess of percent of a yearly supply to which the undersigned, as a Class purchaser, is entitled pursuant to General Preference Order No. M-54, amended, with the terms of which order the undersigned is familiar.

Dated:

(Name of purchaser)

By ---
(Duly authorized official)

(3) No person shall knowingly deliver molasses to any Class 1, 2, 3, 4, 5, 6 or 7 purchaser in violation of the terms of subparagraphs (c) (1) and (2) hereof.

(4) Except as otherwise provided in paragraph (d) hereof, no deliveries of molasses shall be made by any producer, primary distributor, secondary distributor or importer unless the same shall have been specifically authorized by the Director General for Operations; and no person shall accept delivery of molasses if such delivery would be made in violation of the foregoing clause.

(5) [Revoked January 21, 1943.]

(d) *Permissive deliveries.* Subject to the provisions of Priorities Regulation No. 1, amended, (and more particularly the inventory provisions thereof) and paragraphs (f) and (g) hereof, the following deliveries of molasses shall not be subject to the provisions of paragraph (c) (4) hereof:

(1) Within the limitations of paragraphs (c) (1) and (2) hereof, deliveries to purchasers specified in paragraph (a) hereof.

(2) Deliveries to primary distributors and secondary distributors for purposes of resale. All quantities of molasses, delivery of which primary distributors and secondary distributors accept, shall be subject to allocation, re-distribution or re-delivery in accordance with specific directions which the Director General for Operations may from time to time hereafter issue.

(3) Deliveries by a Class 7 purchaser (of molasses to which he is entitled pursuant to paragraph (c) (1) (vii) hereof) to persons who require molasses for ensilage, direct feed or insect control.

(4) Deliveries of any one of the products specified in paragraph (a) (12) hereof which after manufacture (including blending and/or packaging) fall within the definition of molasses.

(5) Deliveries originating, completed and for use outside of the continental United States.

(6) Deliveries to an importer originating outside of the continental United States.

(e) *Restrictions on consumption.* Unless otherwise authorized by the Director General for Operations, no purchaser specified in paragraph (a) hereof shall, during any calendar quarter commencing with the month of January, 1942, use or consume more molasses:

(1) Than he would be permitted to receive during such calendar quarter, in the case of a Class 1, 2, 4, 6 or 7 purchaser (assuming that such purchaser had no molasses on hand on the first day of the calendar quarter).

(2) Than 110% of a calendar quarterly supply, in the case of a Class 3 purchaser.

(3) Than a calendar quarterly supply, in the case of a Class 5 purchaser.

(f) *Restrictions with respect to beverage spirits.* Except as may be otherwise provided by the Director General for Operations, after January 15, 1942, no person shall deliver, use, or accept delivery of molasses for the manufacture of beverage spirits.

(g) *Restrictions on export.* No molasses shall be exported by any person except upon express authorization of the Director General for Operations.

(h) *Intra-company transactions.* The prohibitions or restrictions contained in this order with respect to deliveries shall, in the absence of a contrary direction, apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of the same or any other enterprise owned or controlled by the same person.

(i) *Prior authorizations.* Specific mail or telegraphic authorizations heretofore issued by the Director General for Operations by way of relief from the provisions of this order as it existed prior to March 27, 1942 shall not be prejudiced or in any manner affected hereby.

(j) *Reports.* Reports shall be made at such times, on such forms and with respect to such matters as shall be prescribed by the Chemicals Division of the War Production Board. Importers shall notify the Chemicals Division of the War Production Board of the importation of molasses into the continental United States at least fifteen (15) days prior to movement of the same from the place of origin. The following persons shall fill out and file with the Chemicals Division of the War Production Board the forms set forth below at the times and in the manner prescribed in said forms:

Manufacturers (using molasses) of yeast, citric acid and edible sirup or molasses—Form PD-456,

Manufacturers (using molasses) of Alcohol—Form PD-457,

Producers, importers and primary distributors of molasses—Form PD-458.

(k) *Notification of customers.* Producers, distributors and importers shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but the failure to give such notice shall not excuse any person from the obligation of complying with the terms of this order.

(l) *Violations or false statements.* Any person who violates this order or who wilfully falsifies any records which he is required to keep by the terms of this order, or by the Director General for Operations, or otherwise wilfully furnishes false information to the Director General for Operations or to the War Production Board may be deprived of priorities assistance or may be prohibited by the Director General for Operations from obtaining further deliveries of materials subject to allocation. The Director General for Operations may also take any other action deemed appropriate, including the making of a recommendation for prosecution under section 35 (A) of the Criminal Code (18 U.S.C. 80).

(m) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of molasses conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board, Reference: M-54, attention Chemicals Division, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(n) *Exemptions.* None of the restrictions, prohibitions or requirements contained in this order shall apply to the delivery, acceptance of delivery or use of molasses outside of the continental United States.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 56; E.O. 9024, 7 F.R. 329; E.O 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 21st day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-1039; Filed, January 21, 1943; 10:53 a. m.]

PART 1132—PRINTING INK

[Conservation Order M-53, as Amended Jan. 21, 1943]

Section 1132.1 *Conservation Order M-53*, as amended June 29, 1942, is hereby amended to read as follows:

§ 1132.1 *Conservation Order M-53*—(a) *Definitions.* (1) "Producer" means any person engaged in the manufacture of printing inks for sale to others or for his own consumption, but does not include the Government Printing Office or the Bureau of Engraving and Printing of the United States.

(2) "Printing ink" includes any fluid or viscous material or composition of materials used in printing, impressing, stamping or transferring upon paper or paper-like substances, wood, fabrics or metals by the recognized mechanical reproductive processes employed in printing, publishing and related service industries.

(3) "News ink" means any black ink made from mineral oil and carbon black, with or without rosin, used in the production of newspapers and newspaper supplements.

(4) "Non-scratch ink" means an ink containing resins for the purpose of increasing hardness and reducing abrasion.

(b) *Restrictions on use.* In the manufacture of printing ink, no producer shall:

(1) Use any oil soluble toner in any black ink, nor a toner of any form in news ink.

(2) Use any alkali blue or other organic toner as a toner for black ink in excess of eight percent (8%), by weight, of such black ink where such alkali blue or other organic toner is in paste form or, where in the form of dry color, then in excess of four percent (4%), by weight, of such black ink.

(3) Use any glycerol phthalate resins or phenolic resins for the production of any gloss ink, non-scratch ink or gloss overprint varnish: *Provided, however,* That nothing contained in this paragraph (b) (3) shall restrict the use of varnishes containing such resins in the inventories of ink producers, printers, or manufacturers of varnishes for the printing ink industry, where such varnishes were manufactured prior to March 30, 1942, for use in the manufacture of printing ink.

(c) *Prohibitions against sales or deliveries of materials.* No person shall hereafter sell or deliver any of the materials named in paragraph (b) hereof to any other person if he knows or has reason to believe such material is to be used in violation of the terms of this order.

(d) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C.: Ref.: M-53.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 21st day of January, 1943.

ERNEST KANZLER,
Director General for Operations

[F. R. Doc. 43-1038; Filed, January 21, 1943, 10:53 a. m.]

PART 1162—DYESTUFFS AND ORGANIC PIGMENTS

[Conservation Order M-103, as Amended Jan. 21, 1943]

1. Part 1162 (formerly "Dyestuffs") is hereby amended to read "Dyestuffs and Organic Pigments."

2. Section 1162.1 *Conservation Order M-103* is hereby amended to read as follows:

§ 1162.1 *Conservation Order M-103*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of all the priorities regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Dyestuffs and organic pigments" means any coloring matter with the exception of coloring matter the chemical constituents whereof are entirely inorganic in nature, and shall not include inorganic pigments which may be extended or otherwise processed with resinates, dispersing agents, or other substantially colorless organic material.

(2) "Class A dyestuffs and organic pigments" means the anthraquinone vat dyes appearing on List A attached hereto.

(3) "Class B dyestuffs and organic pigments" means all anthraquinone vat dyes other than those appearing on List A, and shall also include Fast Red A. L. Salt, which shall be considered an anthraquinone vat dye of single strength.

(4) "Class C dyestuffs and organic pigments" means all anthraquinone dyes other than anthraquinone vat dyes.

(5) "Class D dyestuffs and organic pigments" means all dyestuffs and organic pigments which:

(i) Are not Class A, Class B or Class C dyestuffs and organic pigments, and

(ii) Are not derived from vegetable or animal sources, and

(iii) Are not synthesized or produced in whole or in part from benzene, aniline, toluene, phthalic anhydride, phenols, cresols, xylonols, or derivatives of any of the foregoing.

(6) "1943 dollar value" means the dollar value computed from the domestic consumers contract sales price as of January 1, 1943.

(7) "Continental United States" means the 48 states, the District of Columbia and the Territory of Alaska.

(c) *Restrictions on sale, purchase and use*—(1) *Class A.* Except in the case of sales and deliveries for export within the limitations prescribed in paragraph (d), and except as provided in paragraph (f), no person shall sell, deliver, accept delivery of, or use any Class A dyestuffs and organic pigments.

(2) *Class B.* Except as provided in paragraph (f), no person shall, in any calendar quarter, deliver to any other person or persons for use in the continental United States or Canada an amount of Class B dyestuffs and organic pigments in excess of 15% of the amount of Class A and Class B dyestuffs and organic pigments delivered by such person to all other persons in the year 1941 for such use.

Except as provided in paragraph (f), no person shall, in any calendar quarter accept delivery of, for use in the continental United States or Canada, an amount of Class B dyestuffs and organic pigments in excess of 15% of the amount of Class A and Class B dyestuffs and organic pigments delivered to such person from all sources in the year 1941 for such use.

For the purposes of this subparagraph, amounts of Class A and Class B dyestuffs and organic pigments shall be calculated in pounds of equivalent single strength anthraquinone vat dyes and shall be raised, but only to the extent necessary, to equal 25 pounds or a multiple thereof.

(3) *Class C.* Except as provided in paragraph (f), no person shall, in any calendar quarter, deliver to any other person or persons for use in the continental United States or Canada a total 1943 dollar value of Class C dyestuffs and organic pigments in excess of 15% of the total 1943 dollar value of Class C dyestuffs and organic pigments delivered by such person to all other persons in the year 1941 for such use.

Except as provided in paragraph (f), no person shall, in any calendar quarter, accept delivery of, for use in the continental United States or Canada, a total 1943 dollar value of Class C dyestuffs and organic pigments in excess of $100, or 15% of the total 1943 dollar value of Class C dyestuffs and organic pigments delivered to such person from all sources in the year 1941, for such use, whichever is higher.

(4) *Class D.* Except as provided in paragraph (f), no person shall, in any calendar quarter, deliver to any other person or persons for use in the continental United States or Canada a total 1943 dollar value of Class D dyestuffs and organic pigments in excess of 15% of the total 1943 dollar value of Class D dyestuffs and organic pigments delivered by such person to all other persons in the year 1941 for such use.

Except as provided in paragraph (f), no person shall, in any calendar quarter, accept delivery of, for use in the continental United States or Canada, a total 1943 dollar value of Class D dyestuffs and organic pigments in excess of $100, or 15% of the total 1943 dollar value of Class D dyestuffs and organic pigments delivered to such person from all sources in the year 1941 for such use, whichever is higher.

In determining the 1943 dollar value of dry and wet dispersions of organic pigments for the purposes of this subparagraph, only the organic pigment content of such dispersions shall be considered and the value of such content shall be based on the 1943 dollar value of a comparable dry pigment.

(5) *Use by producer of own dyestuffs.* For the purposes of subparagraphs (2), (3) and (4) of this paragraph amounts of dyestuffs and organic pigments of his own production which are, or have been, used by any person in any calendar quarter, or in the year 1941, shall be considered as having been delivered to such person in the calendar quarter, or the year 1941, as the case may be.

(d) *Restrictions on export*—(1) *General restrictions.* No producer shall sell for export from the continental United States to any country other than Canada any dyestuffs and organic pigments produced by him except that any producer may sell for such export upon orders accompanied by individual export licenses issued by the Board of Economic Warfare, the applications for which show thereon the corresponding current domestic sales price of the dyestuffs and organic pigments to be exported, or upon orders covered by general export licenses, a total amount of dyestuffs and organic pigments in each calendar quarter, the total 1943 dollar value of which is not in excess of:

(i) ¾% of the total 1943 dollar value of dyestuffs and organic pigments sold by him in the year 1941, plus

(ii) 17% of the total 1943 dollar value of dyestuffs and organic pigments sold for export in the year 1941 to all countries other than Canada.

(2) *Further restrictions on Class A, B, and C dyestuffs.* The amount of Class A dyestuffs and organic pigments produced by him which a producer may sell for export in any calendar quarter within the limits prescribed in subparagraph (1) shall not exceed ¾% of the total 1943 dollar value of Class A dyestuffs and organic pigments sold by him in the year 1941; and the total amount of Class A, Class B and Class C dyestuffs and organic pigments produced by him which a producer may sell for export in any calendar quarter shall not exceed 2% of the total 1943 dollar value of Class A, Class B, and Class C dyestuffs and organic pigments sold by him in the year 1941.

(3) *Carry-over of unused portion of export quota.* Any amounts of dyestuffs and organic pigments of any class which a producer may sell for export in the first calendar quarter of 1943, or any subsequent calendar quarter, within the provisions of subparagraphs (1) and (2), and which are not sold for export within such quarter may be carried over to the following quarter or quarters and operate to increase the corresponding quota for such class for such subsequent quarter or quarters to that extent. For the purposes of this subparagraph, all dyestuffs and organic pigments other than Class A, Class B and Class C dyestuffs and organic pigments shall be considered one class.

(e) *Treatment of mixtures of dyestuffs.* In the case of physical mixtures of dyestuffs and organic pigments of different classes, as defined in paragraph (b), containing a component or components of one class to the extent of at least 90% of the 1943 dollar value of such mixture, such mixtures shall be considered for the purposes of this order as belonging in entirety to the class to which the said component or components belong. In the case of all other physical mixtures of dyestuffs and organic pigments, the classes of components shall be considered separately.

(f) *General exceptions.* The prohibitions and restrictions of paragraphs (c) and (d) shall not apply to:

(1) Sales and deliveries of dyestuffs and organic pigments to the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Commission for Aeronautics, the Office of Scientific Research and Development, the War Shipping Administration, the Defense Plant Corporation, the Government Printing Office or the Bureau of Engraving and Printing, or to the Government of Canada, or to any agency of the United States Government for delivery to any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or

(2) Sales or deliveries of dyestuffs and organic pigments to any person for use in the manufacture of any item which is being produced under a specific contract or subcontract for any of the agencies mentioned in subparagraph (1) or the government of Canada, and the use for such manufacture but only to the extent required by the specifications of the prime contract, or

(3) Sales and deliveries of dyestuffs and organic pigments for use in, or resale for use in, and such use in, the manufacture of products to be physically incorporated in uniforms for:

(i) Officers and enlisted personnel of the Army and Navy of the United States (including the Marine Corps and Coast Guard), including nurses.

(ii) U. S. Government military and naval academy and training school students.

(iii) U. S. Maritime Commission and War Shipping Administration officers.

(iv) U. S. Coast and Geodetic Survey officers.

(v) U. S. Public Health Service officers and nurses, or

(4) Sales and deliveries to any person of amounts of dyestuffs and organic pigments to replace in inventory amounts of dyestuffs and organic pigments which, although not acquired for any of the uses referred to in subparagraphs (2) and (3), were nevertheless used for one of such purposes.

(5) Sales and deliveries of dyestuffs and organic pigments by or from a producer or his exclusive sales agent to another producer or the exclusive sales agent of such other producer, or

(6) Sales to, deliveries to, and use by any person for coloring of gasoline, *Provided, however,* That all sales and deliveries of dyestuffs and organic pigments exempted from the prohibitions and restrictions of paragraphs (c) and (d) by subparagraphs (2), (3) and (4) of this paragraph shall be made only upon the receipt by the vendor from the purchaser of a certificate signed by such purchaser, or by a person authorized to sign in his behalf, in substantially the following form:

The undersigned hereby certifies to his vendor and to the War Production Board that the amount of dyestuffs and organic pigments to be delivered on the annexed purchase order will be used for one or more of the purposes specified in paragraph (f) of Conservation Order M-103, or will replace inventory so used.

(g) *Restrictions on use of meta-toluylene diamine.* No person shall use any meta-toluylene diamine in the developing of diazotized dyes already present on textile fibers; *Provided,* That nothing contained herein shall be construed to prohibit the use of meta-toluylene diamine in the manufacture of dyestuffs and organic pigments. The term "meta-toluylene diamine" as used in this paragraph (g) shall include, without being limited to, the products commonly known in the trade as Amanil Developer B, Pontamine Developer TN, Developer D, Developer DB, Developer MT, Developer MTD or Developer TD.

(h) *Restrictions on use of anthraquinone.* No person shall use any anthraquinone in any physical form in discharging stripping or destroying napthol (azoic), vat, or other dyes already present on textile fibers: *Provided,* That nothing contained herein shall be construed to prohibit the use of anthraquinone in the manufacture of dyestuffs and organic pigments. The term "discharging" as used in this paragraph (h), shall include, without being limited to, color and white discharge printing.

(i) *Restrictions on use of annato and extracts.* No person shall use any annato or annato extracts for the purpose of coloring any materials other than food products.

(j) *Restrictions on inventory.* In addition to the restrictions on inventory contained in Priorities Regulation No. 1 (§ 944.14), no person using dyestuffs shall hereafter purchase or accept delivery of any Class A dyestuffs and organic pigments which will increase his inventory thereof beyond an amount which, to the best of his knowledge and belief, will be used by him in the next 45 days; except that, notwithstanding the provisions of such regulations and this paragraph (j), any person purchasing directly from the Defense Supplies Corporation may hold as inventory any amount of Class A dyestuffs and organic pigments so purchased: *Provided, however,* That such amounts purchased from the Defense Supplies Corporation shall be taken into account in determining the size of inventory insofar as purchases and deliveries from other persons are concerned.

(k) *Prohibitions against sales or deliveries.* No person shall hereafter sell or deliver any dyestuffs and organic pigments to any person, if he knows, or has reason to believe, such material is to be used in violation of the terms of this order.

(l) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be required by the said Board from time to time. No reports or questionnaires are to be filed by any person until forms therefor have been prescribed by the War Production Board.

(m) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(n) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(o) *Communications to the War Production Board.* All communications concerning this order, or any reports required to be filed hereunder shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Reference: M-103.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 21st day of January 1943.

ERNEST KANZLER,
Director General for Operations.

LIST A

PART I—TECHNICAL NAMES

1. Brown R CI 1151.
2. Brown G CI 1152.
3. Olive R CI 1150.
4. Golden orange R CI 1097.
5. Khaki 2G.
6. Olive T.
7. Olive GGL.
8. Olive green B.
9. Yellow 3RD

PART II—TRADE NAMES

Amanthrene olive green B
Calcoloid golden orange RRTD CI 1097
Calcosol brown G CI 1152.
Calcosol brown R CI 1151.
Calcosol brown RP CI 1151.
Calcosol golden orange RRTD CI 1097.
Calcosol golden orange RRTP CI 1097.
Calcosol khaki G Pr 122.
Calcosol olive R CI 1150.
Carbanthrene brown AR CI 1151.
Carbanthrene brown AG CI 1152.
Carbanthrene golden orange RRT CI 1097.
Carbanthrene prtg. golden orange RRT CI 1097.
Carbanthrene khaki 2G Pr 122.
Carbanthrene olive R CI 1150.
Cibanone brown BG CI 1152.
Cibanone brown GR CI 1151.
Cibanone golden orange 2R CI 1097.
Cibanone olive 2R CI 1150
Indanthrene brown FRA CI 1151.
Indanthrene brown GA CI 1152.
Indanthrene brown GAF CI 1152.
Indanthrene brown GAP CI 1152.
Indanthrene brown GWF CI 1152.
Indanthrene brown GWP CI 1152.
Indanthrene brown RA CI 1151.
Indanthrene brown RAP CI 1151.
Indanthrene brown RWP CI 1151.
Indanthrene khaki 2GA Pr 122.
Indanthrene khaki 2GF Pr 122
Indanthrene khaki 2GWP Pr 122.
Indanthrene olive green BA.
Indanthrene olive RA CI 1150.
Indanthrene olive RAP CI 1150.
Indanthrene olive RW CI 1150
Indanthrene olive RWF CI 1150.
Indanthrene orange RRTA CI 1097.
Indanthrene orange RRTF CI 1097.
Indanthrene orange RRTP CI 1097.
Indanthrene orange RRTW CI 1097.
Indanthrene yellow 3RD.
Indanthrene olive T.
Ponsol brown AG.
Ponsol brown AR CI 1151.
Ponsol brown ARS CI 1151.
Ponsol green 2BL.
Ponsol golden orange RRT CI 1097.
Ponsol golden orange RRTS CI 1097.
Ponsol khaki 2G
Ponsol olive AR CI 1150
Ponsol olive ARS CI 1150.
Ponsol olive GGL.

[F. R. Doc. 43-1040; Filed, January 21, 1943; 10:53 a. m.]

PART 3053—CONVEYING MACHINERY AND MECHANICAL POWER TRANSMISSION EQUIPMENT

[General Limitation Order L-193 as Amended Jan. 21, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials, and in the engineering and other facilities, used in the manufacture of conveying machinery and mechanical power transmission equipment, for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3053.1 *General Limitation Order L-193*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Conveying machinery" means any machinery (and any important component part thereof) used for the mechanical handling of materials; except (i) belting, (ii) farm machinery, (iii) machinery or parts used on board ship in the operation of any vessel owned or operated by the Army, Navy, Maritime Commission, or War Shipping Administration, or used in the operating of aircraft, tanks, ordnance, or similar combat equipment, (iv) power and hand lift trucks, (v) cranes, hoists and platform elevators, (vi) construction mixers, pavers, graders, drag lines and power shovels, and similar construction machinery, (vii) cars and car dumpers, (viii) steel mill tables, (ix) sintering conveyors, (x) metal pig conveyors, and (xi) underground mining machinery.

(3) "Mechanical power transmission equipment" means equipment (and any important component part thereof) of the following kinds (except equipment or parts used in the operation of any vessel owned or operated by the Army, Navy, Maritime Commission, or War Shipping Administration, or used in the operation of aircraft, tanks, ordnance or similar combat equipment):

(i) Open and enclosed gearing for transmitting more than ¼ horsepower; except marine propulsion gears, gears manufactured by a person for incorporation into other machinery also produced by him, gears built into turbines, and gears used on household, manually powered, automotive, or farm machinery;

(ii) Mechanical drives and parts thereof for transmitting more than ¼ horsepower; except belting, drives manufactured by a person for incorporation into other machinery also produced by him, and drives used on household, manually powered, automotive, or farm machinery.

(4) "Order" includes any arrangement for the delivery of conveying machinery or mechanical power transmission equipment, whether by purchase and sale, lease, rental or otherwise.

(5) "Engineering services" means services of an engineering nature rendered for a customer or prospective customer in connection with an order or prospective order for the planning, designing, manufacture, delivery, installation, extension, or rearrangement of conveying machinery or in connection with any bid or estimate or prospective bid or estimate for such an order; but does not include preliminary conferences, discussions, or advice, or the making of line drawings for preliminary purposes, prior to the formulation of a bid or estimate.

(6) "Bid or estimate" means a definitive bid or estimate for the planning, designing, manufacture, delivery, installation, extension, or rearrangement of conveying machinery, but does not include preliminary estimates not intended to form a basis for a firm order.

(7) "Manufacture" means fabrication or shop assembly of conveying machinery or mechanical power transmission equipment, or any component part thereof; but does not include the making of engineering drawings, blue prints, designs, estimates, or surveys.

(8) "Restricted order" means any order for new conveying machinery or mechanical power transmission equipment or parts, in the amount of $5,000 or more (not including amounts applicable to foundations or erection labor); and any order which is part of a planned group of orders for new conveying machinery or mechanical power transmission equipment aggregating $5,000 or more in amount (not including amounts applicable to foundations or erection labor) for items, units or parts of conveying machinery or mechanical power transmission equipment having related operational functions.

(9) "Anti-friction bearings" means all types of ball, needle and roller bearings.

(b) *Restrictions on acceptance and placing of orders.* (1) On and after October 7, 1942 no person shall place or tender, and no person shall accept, any restricted order, unless the order has been authorized by the Director General for Operations as provided in paragraph (d) below.

(2) On and after October 7, 1942 no person shall render engineering services, or make any bid or estimate, for any restricted order, and no person shall order or request any such engineering services or invite any such bid or estimate; except with respect to an order theretofore authorized by the Director General for Operations, in accordance with the provisions of paragraph (d) below.

(3) The provisions of paragraph (b) shall not apply to any order for machinery or equipment for the direct use of the Army, Navy, Maritime Commission, or War Shipping Administration (as defined in paragraph (c) (3)) or to any engineering services or bid or estimate in connection therewith.

The provisions of paragraph (b) (2) above shall not apply to any engineering services in connection with any restricted order accepted by the manufacturer prior to October 7, 1942, or to any engineering services in connection with any bid or estimate which was in the process of formulation on that date.

(c) *Restrictions on manufacture and delivery.* (1) Except as otherwise provided in paragraph (c) (3) hereof, on and after October 7, 1942 no person shall commence or continue the manufacture of any conveying machinery or mechanical power transmission equipment or parts therefor, in fulfillment of any restricted order, and no person shall deliver or accept delivery of any such machinery or equipment or parts therefor, in fulfillment of any restricted order; unless the order shall have been authorized by the Director General for Operations, in accordance with the provisions of paragraph (d) below. No person shall maintain an inventory of parts for conveying machinery or mechanical power transmission equipment in excess of a minimum practicable working inventory.

(2) Except as otherwise provided in paragraph (c) (3) hereof, on and after October 7 1942 no person shall manufacture or deliver, and no person shall knowingly accept the delivery of, any conveying machinery or mechanical power transmission equipment, or parts therefor, unless such machinery or equipment or parts are manufactured in accordance with the restrictions on the use of materials prescribed in Schedule A hereto: *Provided, however,* That parts fabricated or processed, prior to October 7, 1942 to the point where other use is impracticable, may be used in fulfillment of any order at any time.

(3) The limitations and restrictions of paragraph (c) shall not apply:

(i) To the manufacture or delivery of any conveying machinery or mechanical power transmission equipment in the process of manufacture on October 7, 1942 in fulfillment of any order accepted by the manufacturer prior to August 1, 1942.

(ii) For ninety days following October 7, 1942, to the manufacture or delivery of any conveying machinery or mechanical power transmission equipment in the process of manufacture on October 7, 1942 in fulfillment of any order accepted by the manufacturer on or after August 1, 1942 but prior to October 7, 1942.

(iii) For ninety days following October 7, 1942 to the manufacture or delivery in fulfillment of any order for the use of the Army, Navy, Maritime Commission or War Shipping Administration, to the extent that any applicable specifications of the Army, Navy, Maritime Commission, or War Shipping Administration, require construction, design, or materials not in accordance with the provisions of this order. As used herein, the terms "Army", "Navy", "Maritime Commission" or "War Shipping Administration" shall not include any privately operated plant or shipyard financed by or controlled by any of those organizations, or operated on a cost-plus-fixed-fee basis. For the purposes of this paragraph (c) an order for machinery or equipment shall be deemed to have been in the process of manufacture on October 7, 1942 only if fabrication or assembly of a component part, in fulfillment of such order and not for inventory or stock, was begun prior to October 7, 1942.

(d) *Procedure for obtaining authorization of Director General for Operations.* (1) The authorization of the Director General for Operations for orders accepted on or after October 7, 1942, required by the provisions of paragraph (b), may be applied for by the purchaser by filing an application on Form PD-681 with the Director General for Operations.

(2) The authorization for orders accepted prior to October 7, 1942 by the manufacturer, required by the provisions of paragraph (c) (1), may be applied for by the manufacturer. Such application shall be made by letter in duplicate filed with the Director General for Operations and shall contain a list of restricted orders of such manufacturer then on hand, together with the name of the purchaser, the date of each order and value thereof, a description of the equipment or machinery, the specified delivery date, the percentage of completion of the order on October 7, 1942, the Production Code symbols, the preference rating and preference rating certificate or general preference rating order number applicable to each order.

(3) The authorization of the Director General for Operations shall apply not only to the order by the original purchaser for the machinery or equipment covered by the above mentioned Form PD-681 or the application under subparagraph (2)

above, but also to any orders for conveying machinery or mechanical power transmission equipment placed by such purchaser's suppliers in fulfillment of the authorized order. The original purchaser shall either (i) transmit a reproduction of the authorization of the Director General for Operations to his supplier of the authorized order or (ii) furnish him with the following certification (on the order or in an attached document):

I hereby certify that the within (or attached) order has been authorized by the Director General for Operations under the provisions of paragraph (d) of General Limitation Order L-193, by authorization No. , dated , covering the within described machinery or equipment.

---------- Company

By ----------
(authorized official)

The purchaser's supplier shall furnish a similar certification on or in connection with any restricted order which he places in fulfillment of the purchaser's authorized order.

Any such certification shall be signed by a duly authorized official of the purchaser or supplier making the certification and shall constitute a representation to the War Production Board, as well as to the person to whom addressed, of the facts certified therein.

(e) *Production schedules.* On or before November 15, 1942, and on or before the 15th day of each succeeding calendar month, every manufacturer shall file, in triplicate, a report on Form PD-682 showing such production and delivery schedules for restricted orders and such other information as shall be required by said form. The Director General for Operations may at any time change such schedule of deliveries or production or direct the adoption of any other schedule; allocate any order listed on the schedule to any other manufacturer; or direct the delivery of any conveying machinery or mechanical power transmission equipment listed on the schedule to any other person, at the price and terms previously established with such variation as may be justified under the circumstances.

(f) *Miscellaneous provisions*—(1) *Manufacturers' responsibility with respect to orders less than $5000.* Notwithstanding any other provision of this order, an order in an amount less than $5000 which is a restricted order (as defined in paragraph (a) (8)) because it is part of a planned group of orders aggregating $5000 or more, shall be deemed to be unrestricted with respect to the manufacturer (but not the purchaser), unless the manufacturer has reason to believe that such order is a restricted order.

(2) *Records and reports.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production, and sales. All persons affected by this order shall execute and file with the War Production Board, such reports and questionnaires as the Director General for Operations shall from time to time request.

(3) *Other limitation orders.* Nothing in this order shall be construed to permit any person to sell, deliver, or otherwise transfer, or any manufacturer to purchase, receive delivery of or otherwise acquire any raw materials, semi-processed parts, or finished products in contravention of the terms of any L or M order, or amendments or supplements thereto, or other regulation of the War Production Board effective at the date of any such sale, delivery, or other transfer. Where the limitations imposed by any other L or M order are applicable to the subject matter of this order, the most restrictive limitation shall apply, unless otherwise specifically provided herein.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who wilfully furnishes false information to the Director General for Operations in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(5) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the Director General for Operations setting forth the pertinent facts and the reasons he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(6) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington, D. C. Ref.: L-193.

(P.D. Reg 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 21st day of January 1943.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A

RESTRICTIONS AND LIMITATIONS ON THE USE OF MATERIALS IN CONVEYING MACHINERY OR MECHANICAL POWER TRANSMISSION EQUIPMENT

NOTE: Schedule A amended in its entirety Jan. 21, 1943.

(a) As used in this schedule, (1) "alloy steel" and "alloy iron" mean alloy steel and alloy iron as defined in Order M-21-a, as amended and supplemented from time to time; and (2) "line shafting" means any shaft driving two or more machines or any single length or rigidly coupled lengths of shafting supported by three or more bearings.

(b) *Conveying machinery.* The materials listed below are restricted or prohibited in the construction of conveying machinery, as prescribed below; except as the Director General for Operations may waive compliance with any such restriction or prohibition, upon application by the manufacturer or purchaser by letter or other communication, setting forth pertinent facts disclosing the necessity for such waiver.

(1) *Bins, bunkers, hoppers and tanks (when used as part of conveying machinery or equipment).* No metal shall be used in bins, hoppers, tanks, or bunkers having a capacity of more than 400 cubic feet, level filled, except in clips, gussets, bolts, nuts, screws, lag screws, hinges, tension rods, reinforcing bars or mesh, washers, and hopper bottoms of less than 400 cubic feet capacity. No steel plate of a thickness in excess of ¼ inch shall be used in bins, tanks, or hoppers with a capacity of less than 400 cubic feet level filled. No liner plates of steel or rubber shall be used in steel bins, steel tanks or steel hoppers. Steel liners for wood bins or wood bunkers shall not exceed No. 10 U. S. gage in thickness.

(2) *Conveyors and elevators.* No alloy steel or alloy iron shall be used for parts of chains (other than chains for the transmission of power); except for (i) pins and bushings in steel conveyor chains or cast sprocket chains, or (ii) chains used in the heat zone of heat treating and metallurgical furnaces, to the extent permitted under Order M-21-g. No bushings other than carbon steel or gray iron shall be inserted in bores of conveyor chain rollers.

(3) *Conveyor and elevator sprockets.* No alloy steel or alloy iron shall be used in chain sprocket wheels, except for sprockets to be used in the heat zone of heat treating and metallurgical furnaces, to the extent permitted under Order M-21-g.

(4) *Conveyor structures.* (i) No steel, except in clips, bearing brackets, gussets, bolts, nuts, screws, lag screws, hinges, tension rods, reinforcing bars, mesh, and washers, shall be used in the following structural parts:

(A) Supports for fixed conveyor frames except supports for gravity, live roll and package conveyors when the height of the support does not exceed 36 inches.

(B) Fixed bulk material belt conveyor frames (including stringers).

(C) Conveyor galleries.

(D) Belt conveyor decking.

(E) Walkways, toe boards, handrails, stairways, and platforms.

(F) Guards or housing used only for protection.

(G) Bucket elevator casings; except corner angle iron for self-supporting casings and boot lining and loading legs. Such corner angle iron for self-supporting casings and boot lining and loading legs shall not exceed ¼ inch in thickness.

(H) Troughs or trough covers for fixed flight, drag, scraper or screw conveyors, except where liquids or semi-liquids are being conveyed, or where the trough is a structural member of the supporting framework, and except for materials or parts used for repairs to such troughs or trough covers. The above mentioned exception for repairs shall not be construed to permit the replacement of non-metallic parts with metal parts, the use of steel to a greater extent or with a greater thickness than used in the part being repaired or replaced, or the use of alloy steels for the replacement of carbon steel materials.

(ii) Trough linings for fixed conveyors shall not exceed No. 10 U. S. gage in thickness.

(iii) Steel for chutes and spouts shall not exceed 3/16 inch in thickness.

(iv) No steel or rubber liner plates shall be used in steel chutes or steel spouts.

(v) Steel linings for wood chutes or wood spouts shall not exceed No. 10 U. S. gage in thickness.

(vi) No copper bearing sheets or plates shall be used.

(vii) Steel troughing belt carriers and steel return belt idler rolls shall not exceed 5 inches nominal diameter on idlers up to 42 inches; and shall not exceed 6 inches on idlers 42 inches and over; provided that this limitation shall not apply to parts used for repair or replacement purposes.

(c) *Mechanical power transmission equipment.* The materials listed below are restricted or prohibited in the construction of mechanical power transmission equipment as prescribed below; except as the Director General for Operations may waive compliance with any such restriction or prohibition, upon application by the manufacturer or purchaser by letter or other communication, setting forth pertinent facts disclosing the necessity for such waiver.

(1) *Anti-friction bearings.* (i) Anti-friction bearings shall not be used in hangers, pillow blocks, loose pulleys, and clutch pulleys for line shafting except for the following purposes, as certified by the purchaser:

(A) The reduction or elimination of fire hazards resulting from the combustible nature of the material being processed.

(B) Reduction or elimination of waste due to spoilage.

(C) Reduction of starting or running loads where the use of anti-friction bearings will correct an overload pertaining to the primary source of power.

(D) The repair or replacement of bearings for line shafting, provided, however, that no anti-friction bearings shall be used for repair or replacement purposes for line shafting not previously equipped with such bearings.

The above mentioned certification by the purchaser shall be included in or shall accompany the purchase order, shall be signed by a duly authorized official of the purchaser, and shall be in the following form:

"The undersigned hereby certifies that the anti-friction bearings covered by order ------ (here give ----------
order number or other pertinent description) are for the following purposes as permitted by the provisions of Item (c) (1) of List A to Order L-193:

(here fill in the purposes for which the ----------
bearings will be used)

---------- Company

By ----------"

Such certification shall be deemed a representation to the War Production Board as well as to the supplier to whom the order is tendered.

(ii) No alloy steel or alloy iron shall be used in bearing housings.

(2) *Bearings.* No alloy steel or alloy iron shall be used in base, cap or liner castings for sleeve bearings; or in bearing hangers, base plates, floor stands, or wall brackets for line shafting.

(3) *Chains.* (i) No alloy steel or alloy iron shall be used in cast sprocket chains.

(ii) No alloy steel shall be used in semi-finished or finished roller chain, bushed drive chain, or silent chain except in those parts thereof which the manufacturer made of alloy steel prior to January 21, 1943.

(4) No alloy steel or alloy iron shall be used in chain sprocket wheels.

(5) *Shafting appliances.* No alloy steel or alloy iron shall be used in the construction of shafting appliances in rigid couplings, collars or pulleys and sheaves.

(6) *Gears.* No alloy steel or alloy iron shall be used in cast teeth or molded teeth gears and pinions or in gear housings.

(d) *Rust proofing.* No metallic plating or coating shall be used in the rust proofing of conveyor machinery or mechanical power transmission equipment, except that galvanizing may be used to prevent contamination of food or in the case of anchor bolts set in concrete and subject to corrosive chemical action.

[F. R. Doc. 43-1037; Filed, January 21, 1943; 10:53 a. m.]

PART 3153—MAINTENANCE, REPAIR AND OPERATING SUPPLIES FOR LOGGERS AND PRODUCERS

[Interpretation 1 of Preference Rating Order P-138]

The following official interpretation is hereby issued by the Director General for Operations with respect to § 3153.1, Preference Rating Order P-138:

Paragraph (a) (1) of Preference Rating Order P-138 defines a "logger" as "any person actually engaged in the production of logs of any species." "Production of logs" as used here includes all steps necessary to deliver logs to sawmills, pulp mills or other dealers in or users of logs, but does not include transportation by common carrier. Thus persons building logging roads or contract-hauling logs are "loggers" within the Order, and, as to their activities in that regard, are entitled to the benefits of the Order.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 21st day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-1042; Filed, January 21, 1943; 10:54 a. m.]

PART 3169—TEXTILE PRINT ROLLERS

[General Conservation Order M-280]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of copper for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3169.1 *General Conservation Order M-280*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Textile print rollers" shall mean all rollers containing copper or copper base alloys and designed for use in, or used in, printing of textile fabrics.

(2) "Dealer" shall mean any person engaged in the purchasing of textile print rollers for resale.

(c) *Restrictions on use of excessive rollers.* On or before February 15, 1943, every person engaged in the roller printing of textile fabrics shall set aside a number of textile print rollers containing a total poundage of copper and/or copper base alloys equivalent to the total poundage of copper and copper base alloys contained in the textile print rollers which were in his possession throughout the period beginning September 1, 1941, and ending on January 21, 1943, and were not used by him in the printing of textile fabrics at any time within the period beginning September 1, 1941, and ending September 1, 1942. No person shall use any textile print rollers which have been set aside pursuant to this paragraph in the roller printing of textiles.

(d) *Restrictions on sale of copper rollers.* No person engaged in the printing of textile fabrics shall hereafter sell or dispose of any textile print rollers set aside pursuant to paragraph (c), and no dealer shall hereafter sell or dispose of any textile print rollers owned by him on January 21, 1943, except to a brass mill or to the Metals Reserve Corporation, or its agents or representatives designated by it for the purpose of purchasing or accepting delivery thereof.

(e) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(f) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C. Reference M-280.

(g) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 21st day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-1041; Filed, January 21, 1943; 10:54 a. m.]

Chapter XI—Office of Price Administration

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 53,[1] Amendment 4]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

The sixth paragraph of § 1388.287 of Maximum Rent Regulation No. 53 is amended to read as follows:

[1] 7 F.R. 8596, 9784, 9821, 10717, 10845, 11115; 8 F.R. 123.

§ 1388.287 *Registration.* • • •

The provisions of this section shall not apply to housing accommodations in the Cincinnati Defense-Rental Area, except that no payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

§ 1388.294a *Effective dates of amendments.* • • •

(d) Amendment No. 4 (§ 1388.287) to Maximum Rent Regulation No. 53 shall become effective February 1, 1943.

(Pub. Law 421, 77th Cong.)

Issued this 20th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-1023; Filed, January 20, 1943; 4:51 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 54A,[1] Amendment 3]

HOTELS AND ROOMING HOUSES

Paragraph (f) of § 1388.337 of Maximum Rent Regulation No. 54A is amended to read as follows:

§ 1388.337 *Registration and records.* • • •

(f) The provisions of paragraph (a) and the second paragraph of paragraph (b) of this section shall not apply to the housing accommodations in the Cincinnati Defense-Rental Area.

§ 1388.344a *Effective dates of amendments.* • • •

(c) Amendment No. 3 (§ 1388.337 (f)) to Maximum Rent Regulation No. 54A shall become effective February 1, 1943.

(Pub. Law 421, 77th Cong.)

Issued this 20th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-1022; Filed, January 20, 1943; 4:51 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5C,[2] Amendment 14]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subparagraph (2) of paragraph (b) of § 1394.8053 is revoked, and subparagraph (3) of paragraph (b) of § 1394.8053 is redesignated subparagraph (2) of paragraph (b) of § 1394.8053; the text of § 1394.8102 is designated paragraph (a) of § 1394.8102; paragraph (e) of § 1394.8004, and paragraph (b) of § 1394.8051, are amended; a new paragraph (c) is added to § 1394.8006, a new paragraph (b) is added to § 1394.8102, a new § 1394.8112 is added, a new subparagraph (3) is added to paragraph (c) of § 1394.8153, a new paragraph (d) is added to § 1394.8207, new paragraphs (d) and (e) are added to § 1394.8215, and a new paragraph (m) is added to § 1394.8352; as set forth below:

General Provisions With Respect to Issuance of Rations and Tire Inspection Records

§ 1394.8004 *Notation on ration books, applications and coupons.* • • •

(e) Each person to whom bulk coupons have heretofore been or are hereafter issued shall, unless his name and address have been written on the coupons pursuant to paragraph (c) of § 1394.8006, clearly write, stamp or print his name and address in ink on the reverse side of each coupon issued to him, before accepting a transfer of gasoline in exchange for such coupon.

§ 1394.8006 *Authorization of bulk purchase.* • • •

(c) At the time of issuance of any 100-gallon bulk coupons (Form OPA R-553A) the person issuing such coupons, or the applicant or his agent in the presence of the person issuing the coupons shall write, stamp or print in ink on the back of each such coupon the name and address of the applicant and the date upon which such ration shall expire: *Provided*, That in any case where the coupons issued to an applicant are too numerous to reasonably require the notations to be made in the presence of the issuing officer, only the expiration date shall be endorsed upon the coupons at the time of issuance.

Renewal of Rations and Issuance of Further Rations

§ 1394.8051 *Renewal of rations* • • •

(b) If there have been no substantial changes since the date of the original application in the applicant's gasoline needs, or in the nature, amount and conditions of use of the motor vehicle for which the original ration was issued, and if such original application accurately calculated the applicant's requirements, application for a renewal thereof (except in the case of a basic, special or Transport ration, or a renewal prior to February 15, 1943 of a Non-highway ration issued in the form of bulk coupons) may be made by executing the renewal certificate on such original application. The applicant shall in such case note on such renewal certificate any changes in the nature or amount of his use since the date of the original application. An applicant may renew a Transport ration by filling in the pertinent information on the face of the form for the period for which the ration is required and executing the renewal certificate: *Provided*, That if the certificate of war necessity, if any, effective at the time of the original ration, has been revoked or modified in any manner the applicant shall execute a new application.

• • • • •

Expiration, Revocation and Redetermination of Rations

§ 1394.8102 *Expiration of rations.* • • •

(b) Notwithstanding the provisions of paragraph (a) of this section, all bulk coupons issued on Form OPA R-553 or Form OPA R-554 (bulk coupons which do not bear the printed word "Gasoline" on their face) shall expire at midnight January 21, 1943.

§ 1394.8112 *Exchange of bulk coupons issued as a part of Form OPA R-553 or Form OPA R-554.* (a) Every consumer who has in his possession or control any bulk coupons issued on Form OPA R-553 or Form OPA R-554 (bulk coupons which do not bear the printed word "Gasoline" on their face) shall surrender such coupons to the Board having jurisdiction to renew or reissue such ration. The Board shall issue to a consumer in exchange for such coupons new bulk coupons printed as part of Form OPA R-553A or Form OPA R-554A expiring upon the same date as the coupons surrendered and having a gallonage value to be determined as follows:

(1) In exchange for bulk coupons which were issued as a Transport ration the Board shall issue coupons equal in gallonage value to the coupons so surrendered.

(2) In exchange for bulk coupons issued as a Basic, Supplemental, Official, or Fleet ration, or a Temporary Transport ration, or a ration pursuant to the provisions of § 1394.1309 of Ration Order No. 5A or § 1394.7757 or § 1394.7758 of Ration Order No. 5C, the Board may, if the ration has recently been reviewed, issue coupons equal in gallonage value to the coupons so surrendered, but otherwise the Board shall review the application on the basis of which such ration was issued, and issue coupons having a gallonage value sufficient only to provide for the established mileage or gallonage needs of the consumer until the expiration date of the ration issued.

(3) In exchange for bulk coupons issued as Non-highway rations the Board shall review the application on the basis of which such ration was issued, and issue coupons having a gallonage value sufficient only to provide for the minimum necessary requirements of the consumer until the expiration date of the ration issued.

Restrictions on Transfers

§ 1394.8153 *Transfers to consumers in exchange for coupons.* • • •

(c) • • •

(3) On and after January 22, 1943, transfer may be made only in exchange for bulk coupons which bear the word "Gasoline" imprinted thereon and which are issued on Form OPA R-553A or Form OPA R-554A. No dealer may transfer gasoline in exchange for 100-gallon bulk coupons, and no dealer shall have any such coupons in his possession (except coupons issued to him by a Board as a ration), unless such dealer regularly engages in bulk sales of gasoline in units of one hundred (100) or more gallons.

Restrictions on Transfers Between Dealers and Distributors

§ 1394.8207 *Restriction on transfers.* • • •

(d) On and after January 27, 1943, no dealer or distributor shall transfer or offer to transfer gasoline to any other dealer or distributor in exchange for any bulk coupon or deposit any bulk coupon for credit in a Ration Bank account unless such bulk coupon bears the word "Gasoline" imprinted thereon and was issued on Form OPA R-553A or Form OPA R-554A.

§ 1394.8215 *Transfer and surrender of expired coupons.* • • •

(d) On and after January 27, 1943, but not later than January 30, 1943, each dealer who has in his possession or control bulk coupons issued on Form OPA R-553 or Form OPA R-554 (bulk coupons which do not bear the printed word "Gasoline" on their face) shall surrender such coupons to the Board having jurisdiction over the area in which his place of business is located. The Board shall issue to such dealer in exchange for such coupons inventory coupons equal in gallonage value to the coupons so surrendered.

(e) On and after January 27, 1943, but not later than February 5, 1943, each distributor who has in his possession or control bulk coupons issued on Form OPA R-553 or Form OPA R-554 (bulk coupons which do not bear the printed word "Gasoline" on their face) shall surrender such coupons to the Board having jurisdiction over the area in which his place of business is located. The Board shall issue to such distributor in exchange for such coupons one or more exchange certificates in accordance with the provisions of § 1394.8214.

Effective Dates

§ 1394.8352 *Effective dates of amendments.* • • •

(n) Amendment No. 14 (§§ 1394.8004 (e), 1394.8006 (c), 1394.8051 (b), 1394.8053 (b) (2), 1394.8102 (a), 1394.8102 (b), 1394.8112, 1394.8153 (c), 1394.8207 (d), 1394.8215 (d), and 1394.8215 (e)) to Ration Order No. 5C shall become effective January 20, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 20th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-1018; Filed, January 20, 1943; 4:44 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 3,[2] Amendment 36]

SUGAR RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraph (a) of § 1407.265 is amended and a new §1407.265a is added as set forth below:

Sugar Ration Bank Accounts

§ 1407.265 *Persons required or authorized to open Sugar Ration Bank Accounts.* (a) Every registering unit registered with a Listed Board and having a component establishment or establishments within the introductory area shall open one or more sugar ration bank accounts to serve all such establishments: *Provided*, That a registering unit which is composed of industrial or institutional establishments, or both, may not open an account and shall, on or before January 26, 1943, close any account already opened; and a registering unit which is composed of only one retail establishment whose gross sales of all meats, groceries, fruits, vegetables and similar products totalled less than $5,000 during December, 1942, is not required to open an account and may close an account already opened. A registering unit (other than an industrial or institutional user) may open one or more accounts to serve such of its component establishments within the introductory area as it selects if it is not registered with a Listed Board.

• • • • •

§ 1407.265a *How accounts are closed.* (a) The account of a registering unit which has a balance in its account shall be closed in the following manner: the registering unit shall issue to a Listed Board a voucher payable to the Board in an amount equal to the balance on hand in the account to be closed, less the total amount of all vouchers outstanding. The Board shall, in exchange for the voucher issued to it, give the person who issued the voucher a sugar purchase certificate in an amount equal to the face amount of the voucher. The Board shall then write the word "closing" on the reverse side of the voucher, shall endorse it and shall send it to the drawee Bank. After issuing such a voucher to a Board, a depositor may neither make a deposit in, nor draw a voucher on, the discontinued account, and must return to the Bank all of his unused vouchers. The drawee Bank will debit the voucher received from the Board to the account on which it is drawn and will close the account if no balance remains after the voucher has been debited. If a balance remains, the Bank will debit to such account only vouchers which bear the same date as, or an earlier date than, the voucher received from the Board, and will close the account whenever no balance remains. If a balance remains in the account twenty (20) days after the Bank has received the voucher from the Board, the Bank shall close the account and notify the depositor, in writing, of the unused credit. The depositor may secure a Certificate in the amount of the unused credit from a Listed Board in exchange for the written notification from the Bank. The Board shall return the notification to the Bank which wrote it.

(b) A registering unit which is authorized or required under the provisions of paragraph (a) of § 1407.265 to close an account, and which has no balance on deposit in the account, may close it by returning all unused vouchers to the Bank and requesting the Bank, in writing, to close the account.

Effective Date

§ 1407.222 *Effective dates of amendments.* • • •

(kk) Amendment No. 36 (§§ 1407.265 (a) and 1407.265a) shall become effective January 20, 1943.

(Pub. Law 421, 77th Cong., W.P.B. Dir. No. 1 and Supp. Dir. No. 1E)

Issued this 20th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-1012; Filed, January 20, 1943; 4:44 p. m.]

PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS

[Revised MPR 218,[2] Amendment 2]

EASTERN WOODEN MINE MATERIALS AND INDUSTRIAL BLOCKING

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sections 1426.53 (c) and 1426.57 are amended to read as set forth below:

§ 1426.53 *Maximum prices.* • • •

(c) Short mine material (mixed oak and hardwoods 3' and under):

	Per M'BM
Cribbing blocks, all sizes up to and including 6" x 7"	$32.00
Post caps, all sizes up to and including 6" x 7"	32.00
	Each
Wedges—⅛" x 1" x 5"—12"	$0.018
¼" x 1" x 5"—12"	.018
¼" x 1¼" x 5"—12"	.021
¼" x 2" x 5"—12"	.028
¼" x 3" x 5"—18"	.041

• • • • •

§ 1426.57 *Grades, specifications, and extras not specifically priced.* All grades and specifications of ties, switch ties, cross bars, cribbing blocks, post caps, wedges, car lumber, or pit posts, used in mines, or of industrial blocking are subject to this regulation, whether they are specifically priced or not.

The maximum price for grades, specifications, and extras not specifically priced is a price which bears the October 1941 relation to the price of the appropriate "yardstick" grade. The yardstick for mine materials, except pit posts and wedges, is 3" x 5" mine tie, for industrial blocking is 4" x 4" industrial blocking, for pit posts is an 8' round post, 5" top diameter, and for wedges is a ¼" x 1" x 5"—12" wedge. The seller should find the difference between the price received for the grade being priced and the yardstick grade in October 1941, or the first month before that in which he had sales of both grades. This difference is then added to or subtracted from the maximum

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[1] 7 F.R. 8602, 9783, 9820, 10717, 11115, 8 F.R. 124.

[2] 7 F.R. 9135, 9737, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11079, 8 F.R. 179, 274, 369, 372, 607, 565.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 2966, 3242, 3783, 4545, 4618, 5193, 5361, 6084, 6473, 6828, 6937, 7289, 7321, 7406, 7510, 7557, 8402, 8655, 8710, 8739, 8809, 8830, 8831, 9042, 9396, 9460, 9899, 10017, 10258, 10556, 10845; 8 F.R. 166, 262, 445, 620.

[2] 7 F.R. 9824; 8 F.R. 493.

price for the yardstick grade. The result is the seller's maximum price. This price, with a complete description of the grade and the way the price was computed, must be reported to the Office of Price Administration, Washington, D. C. The price may be ordered reduced, if it is found excessive. But if the price is not disapproved within 30 days of the receipt of the report, it is approved. If the seller cannot figure a maximum price under this paragraph, or if he wants to make an addition for a working, specification, service, or other extra which is not specifically provided for, he should write to the Lumber Branch of the Office of Price Administration, Washington, D. C., giving a complete description of the thing to be priced, and his requested price, and any facts supporting the request. The Office of Price Administration will then by letter give him either a specific maximum price or instructions on how to compute it.

A seller using this pricing paragraph can go ahead with delivery of the material and collection of the price he has computed or requested. But he must tell the buyer that the price is subject to revision within the thirty-day period, and, if the price is ordered reduced, must refund any excess over the final approved price.

§ 1426.63 *Effective dates of amendments.* • • •

(b) Amendment No. 2 (§§ 1426.53 (c), 1426.57, and 1426.63) to Revised Maximum Price Regulation 218 shall become effective January 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871).

Issued this 20th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-1014; Filed, January 20, 1943; 4:48 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 91 to Supp. Reg. 14[1] to GMPR[2]]

CONVERSION OF STORAGE RATES

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (57) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services, and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for certain commodities, services, and transactions listed below are modified as hereinafter provided:

(57) *Conversion of storage rates from net weight to gross weight basis.* Any person engaged in the storage of a packaged commodity for which his maximum price under the General Maximum Price Regulation is stated in terms of the net weight of the package who is requested by Agricultural Marketing Administration or Federal Surplus Commodities Corporation to state his rates, in connection with storage bids, in terms of the gross weight of the package may convert his prices for storage and handling of such commodity to a gross weight basis by reducing his maximum price based on net weight by 10%, adjusted to the nearest quarter cent per 100 lbs., and applying such reduced price to the gross weight of the package. • • •

(b) *Effective dates.* • • •

(92) Amendment No. 91 (§ 1499.73 (a) (57)) to Supplementary Regulation No. 14 shall become effective January 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-1006; Filed, January 20, 1943; 4:41 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 92 to Supp. Reg. 14[1] to GMPR[2]]

PYRETHRUM FLOWERS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (58) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided:

• • • • •

(58) *Pyrethrum flowers*—(i) *Maximum price for sale of imported pyrethrum flowers under War Production Board directive.* The maximum price for the sale by an importer of imported pyrethrum flowers, sold to any purchaser in accordance with an order or directive of the Director of Industry Operations of the War Production Board, shall be the total landed costs of the pyrethrum flowers to the importer, plus any actual transportation costs incurred by the importer with respect to shipment of the pyrethrum flowers within the continental United States. This maximum price shall apply whether or not the seller normally sells pyrethrum flowers in the ordinary course of his business, but shall not apply to any sale which is not made in accordance with an order or directive of the Director of Industry Operations of the War Production Board.

(ii) *Effect on other regulations.* The provisions of this subparagraph (58) supersede the provisions of Revised Supplementary Regulation No. 12[1] and of Maximum Price Regulation No. 204[2] with respect to sales for which maximum prices are established by this subparagraph.

(iii) *Definitions.* For the purpose of this subparagraph (58):

(a) "Total landed costs" means the sum of the price paid to or for the account of the foreign seller, plus all the costs, expenses and charges, including customs duties or entry fees, and dock charges, if any, incurred by the importer with respect to the shipment of the pyrethrum flowers from the point of shipment outside the continental United States to the point in the continental United States where delivery is made.

(b) "Importer" means any person who is the ultimate consignee in the United States of pyrethrum flowers entering into the continental United States.

(b) *Effective dates.* • • •

(93) Amendment No. 92 (§ 1499.73 (a) (58)) to Supplementary Regulation No. 14 shall become effective January 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-1007; Filed, January 20, 1943; 4:40 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 2 to Order 131 Under § 1499.3 (b) of GMPR]

WM. P. POYTHRESS AND CO., INC.

For the reasons set forth in an opinion issued simultaneously herewith, paragraph (e) of § 1499.94 of Order No. 131 is amended and a new paragraph (k) is added to § 1499.994 to read as set forth below:

§ 1499.994 *Approval of maximum prices for sales of Merpectogel with applicator or Merpectogel without applicator.* • • •

(e) *Notification of maximum prices*—(1) *By Wm. P. Poythress & Company, Inc., to wholesale drug houses.* Wm P. Poythress & Company, Inc., shall supply a written notification to each wholesale drug house before or at the time of its first delivery of Merpectogel with applicator or Merpectogel without applicator to such wholesale drug house. The written statement shall read as follows:

OPA has authorized us to charge wholesale drug houses 84 cents for Merpectogel with applicator and 67 cents for Merpectogel without applicator, subject to all customary discounts and allowances.

Wholesale drug houses are authorized to establish maximum prices of $1.00 for Merpectogel with applicator and 80 cents for Merpectogel without applicator, subject to all customary discounts and allowances.

(2) *By Wm. P. Poythress & Company, Inc., to retail drug establishments via wholesale drug houses.* Wm. P. Poythress & Company, Inc., shall include a written notification with each shipping unit of Merpectogel with applicator or Merpectogel without applicator for a period of three months. If such notification is enclosed in a shipping unit, a legend shall be affixed outside of such unit to read "Retailer's Notice Enclosed." If the initial sale by a wholesale drug house to a retail drug establishment is a split-case sale, the wholesale drug house is required to provide such retail drug establishment with a copy of this notice. The written notification shall read as follows:

OPA has authorized wholesale drug houses to charge $1.00 for Merpectogel with applicator and 80 cents for Merpectogel without applicator, subject to all customary discounts and allowances.

Retail drug establishments are authorized to establish ceiling prices of $1.50 for Merpectogel with applicator and $1.20 for Merpectogel without applicator, except for sales on prescription.

Maximum prices for sales on prescription must be determined under section 3 (a) of the General Maximum Price Regulation, except that no report of the maximum price need be filed.

If the initial sale by a wholesale drug house to a retail drug establishment is a split-case sale, the wholesale drug house is required to provide such retail drug establishment with a copy of this notice.

OPA requires that you keep this notice for examination.

(3) *By Wm. P. Poythress & Company, Inc. to direct-buying retail drug establishments.* Wm. P. Poythress & Company, Inc., shall supply a written notification to each retail drug establishment before or at the time of its first delivery of Merpectogel with applicator or Merpectogel without applicator to such retail drug establishment. The written statement shall read as follows:

OPA has authorized us to charge retail drug establishments $1.00 for Merpectogel with applicator and 80 cents for Merpectogel without applicator, subject to all customary discounts and allowances.

Your ceiling prices are authorized to be $1.50 for Merpectogel with applicator and $1.20 for Merpectogel without applicator, except for sales on prescription.

Maximum prices for sales on prescription must be determined under section 3 (a) of the General Maximum Price Regulation, except that no report of the maximum price need be filed.

OPA requires that you keep this notice for examination

• • • • •

(k) Amendment No. 2 (§ 1499.994 (e) and (k)) to Order No. 131 under § 1499.3 (b) of the General Maximum Price Regulation shall become effective January 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-1008; Filed, January 20, 1943; 4:41 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 226 Under § 1499.3 (b) of GMPR]

WILLSON PRODUCTS, INC.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.1462 *Approval of maximum prices for sales by Willson Products, Inc., of a new industrial gas mask and canister.* (a) Willson Products, Inc., Reading, Pennsylvania, may sell and deliver its Universal "Firefighter" (Type N) industrial gas mask unit and canister at prices, f. o. b. factory, no higher than those set forth below:

No. WUG-N2 Gas Mask unit, including head harness, facepiece, breathing tube, inhalation meter, two canisters, canister harness, and carrying case	$37.50
No. G730 Canister for above Gas Mask unit	4.90

(b) This Order No. 226 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 226 (§ 1499.1462) shall become effective January 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-1018; Filed, January 20, 1943; 4:48 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 227 Under § 1499.3 (b) of GMPR]

J. B. FORD CO.

Maximum Prices Authorized under § 1499.3 (b) of the General Maximum Price Regulation—Order No. 227.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1463 *Approval of maximum prices for sales of specialized cleaning compounds and comparable products manufactured by The J. B. Ford Company*—(a) *Sales by The J. B. Ford Company to The J. B. Ford Sales Company.* The maximum price for sales by The J. B. Ford Company, Wyandotte, Michigan, to The J. B. Ford Sales Company, Wyandotte, Michigan, of a specialized cleaning compound or other comparable product manufactured by The J. B. Ford Company for which a maximum price cannot be established under § 1499.2 of the General Maximum Price Regulation, shall be the price determined by applying the same pricing formula or method of calculating prices used by The J. B. Ford Company on March 31, 1942. In applying such pricing formula or method of calculating prices, The J. B. Ford Company shall use the same unit cost factors (i. e. the same charges for materials, labor, factory overhead, depreciation, shipping, and general office expenses) which that company would have used on March 31, 1942.

(b) *Reports.* Within ten days after the end of each month, beginning with March 10, 1943, The J. B. Ford Company shall submit to the Office of Price Administration in Washington, D. C., an individual report for each product priced under this Order No. 227 during the preceding month. Each such report shall include a description of the product so priced; a statement showing why the product cannot be priced under § 1499.2 of the General Maximum Price Regulation; the maximum price determined; and a detailed statement of the calculation of the maximum price. Each price so reported shall be subject to adjustment at any time by the Office of Price Administration.

(c) *Sales by The J. B. Ford Sales Company.* The maximum price for sales by The J. B. Ford Sales Company of a specialized cleaning compound or other comparable product manufactured by The J. B. Ford Company for which a maximum price cannot be established under § 1499.2 of the General Maximum Price Regulation, shall be the price determined in accordance with the provisions of § 1499.3 (a) of the General Maximum Price Regulation. Reports of such prices shall be made as required by § 1499.3 (a), except that such reports may be sent to the Office of Price Administration in Washington, D. C., with the reports required from The J. B. Ford Company, instead of to the appropriate field office. Prices so reported shall be subject to adjustment at any time by the Office of Price Administration.

(d) This Order No. 227 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 227 (§ 1499.1463) shall become effective January 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-1010; Filed, January 20, 1943; 4:41 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 228 Under § 1499.3 (b) of GMPR]

CONTINENTAL FOODS, INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1464 *Authorization of maximum prices for sales of three listed dehydrated soup mixes by Continental Foods, Inc., 1500 Hudson Street, Hoboken, New Jersey, by wholesalers and by retailers:*

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486, 5709, 6008, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7536, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 8899, 9391, 9395, 9495, 9496, 9639, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10537, 10557, 10583, 10705, 10865, 11005; 8 F.R. 276, 439, 535, 494.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5265, 5445, 5775, 5784, 5783, 6058, 6081, 5484, 5565, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454 8 F.R. 371.

[1] 7 F.R. 10532.

[2] 7 F.R. 6479, 7366, 8948.

(a) On and after January 21, 1943, the maximum prices for sales by Continental Foods, Inc., 1500 Hudson Street, Hoboken, New Jersey, of the following dehydrated soup mixes shall be:

Cases 48-1½ oz. "Lipton's" Alphabet Soup Mix (Consomme Style)	$3.30
Cases 48-4 oz. "Lipton's" Pea Soup Mix	3.35
Cases 48-2¼ oz. "Lipton's" Chicken Noodle Soup Mix	3.45

These prices shall include prepaid freight to purchasers' stations.

(b) Wholesalers shall determine their maximum delivered selling prices of the listed "Lipton's" dehydrated soup mixes by adding to their net cost of each item a mark-up of 20% of such net cost. The maximum delivered prices so determined shall not exceed the following:

Cases 48-1½ oz. "Lipton's" Alphabet Soup Mix (Consomme Style)	$3.96
Cases 48-4 oz. "Lipton's" Pea Soup Mix	4.02
Cases 48-2¼ oz. "Lipton's" Chicken Noodle Soup Mix	4.14

Where a maximum price per case determined by the provisions of this paragraph is a fractional cent price and the fraction of a cent is less than one-half cent, the price per case shall be lowered to the next lower cent. If the fraction is one-half cent or larger, the wholesaler may increase his maximum price per case to the next higher cent.

Net cost for a wholesaler as mentioned in this paragraph shall be his invoice price for the first delivery of a listed "Lipton's" dehydrated soup mix delivered in a customary quantity for this type of item by the customary mode of transportation to his customary receiving point, less all discounts allowed him, except a discount for prompt payment. No charge or cost for unloading or local trucking shall be included in net cost.

(c) Sellers at retail shall determine their maximum selling prices of the listed "Lipton's" dehydrated soup mixes by adding to their net cost of each item a markup of 33⅓% of such net cost. The maximum prices so determined shall not exceed the following:

	Cents per pkg.
1½ oz. "Lipton's" Alphabet Soup Mix (consomme style)	11
4 oz "Lipton's" Pea Soup Mix	11
2¼ oz. "Lipton's" Chicken Noodle Soup Mix	12

Where a maximum price per package determined by the provisions of this paragraph is a fractional cent price and the fraction of a cent is less than one-half cent, the price per package shall be lowered to the next lower cent. If the fraction is one-half cent or larger, the retailer may increase his maximum price per package to the next higher cent.

Net cost for a retailer as mentioned in this paragraph shall be his invoice price for the first delivery of a listed "Lipton's" dehydrated soup mix delivered to his customary receiving point in a customary quantity of this type of item by a customary mode of transportation and from a customary source of supply, less all discounts allowed him, except a discount for prompt payment. No charge or cost for unloading or local trucking shall ever be included.

(d) No seller, except a seller at retail, shall change his customary discounts, allowances and price differentials applying to comparable items of dehydrated soups in making sales of the listed "Lipton's" dehydrated soup mixes, unless such change in these customary discounts, allowances and price differentials results in lower selling prices.

(e) On and after January 21, 1943, Continental Foods, Inc., shall supply written notification to each wholesaler before or at the time of first delivery of each listed "Lipton's" dehydrated soup mix to such wholesaler, and for a period of three months thereafter shall include with each shipping unit of a listed "Lipton's" dehydrated soup mix a written notification to retailers. If such retailer notification is enclosed in a shipping unit, a legend shall be affixed outside of such unit to read "Retailer's Notice Enclosed". The written notifications, for each type of purchaser may be prepared separately for each of the listed items or may refer to all the listed items, and shall include the following appropriate statements:

Notification From Continental Foods, Inc., to Wholesalers

The OPA has authorized us to charge wholesalers the following prices per case of 48 packages of the following listed "Lipton's" dehydrated soup mixes subject to all customary allowances and discounts:

1½ oz. "Lipton's" Alphabet Soup Mix (Consomme Style)	$3.30
4 oz. "Lipton's" Pea Soup Mix	3.35
2¼ oz "Lipton's" Chicken Noodle Soup Mix	3.45

Wholesalers are authorized to establish a ceiling price for each item by adding to the net cost of the item 20% of such net cost, *Provided that* the ceiling prices so determined shall not exceed the following prices per case of 48 packages:

1½ oz. "Lipton's" Alphabet Soup Mix (Consomme Style)	$3.96
4 oz. "Lipton's" Pea Soup Mix	4.02
2¼ oz. "Lipton's" Chicken Noodle Soup Mix	4.14

Net cost is the invoice cost of the first delivery of a customary supply at the customary receiving point, less all discounts, other than for prompt payment, and excluding charges for local hauling. Retailers shall establish a ceiling price by adding to their net cost 33⅓% of such net cost. Each individual ceiling price determined by any seller shall be figured to the nearest cent (raise one-half cent fractions to the next even cent). A copy of a notification to retailers is included in every shipping unit of these items. If the initial sale of one of these items to any retailer is a split case sale, wholesalers are required to provide each retailer with a copy of the retail notification so enclosed. OPA requires that you keep this notice for examination.

Notification From Continental Foods, Inc. to Retailers

The OPA authorizes retailers to establish ceiling prices for the following listed "Lipton's" dehydrated soup mixes by adding to the net cost of each item 33⅓% of such net cost, provided that the ceiling prices so determined shall not exceed the following package:

	Prices per package
1½ oz. "Lipton's" Alphabet Soup Mix (Consomme Style)	.11
4 oz. "Lipton's" Pea Soup Mix	.11
2¼ oz. "Lipton's" Chicken Noodle Soup Mix	.12

Net cost is the invoice cost of the first delivery of a customary supply at the customary receiving point, less all discounts, other than for prompt payment, and excluding charges for local hauling. Such ceiling prices shall be figured to the nearest cent (raise one-half cent fractions to the next even cent). OPA requires that you keep this notice for examination.

(f) This Order No. 228 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 228 (§ 1499.1464) shall become effective as of January 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc 43-1011, Filed, January 20, 1943, 4:41 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 229 Under § 1499.3 (b) of GMPR]

AUTHORIZATION TO MANUFACTURERS OF CERTAIN PLASTICS PARTS

Maximum Prices Authorized under § 1499.3 (b) of the General Maximum Price Regulation—Order No. 229.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and § 1499.3 (b) of the General Maximum Price Regulation, *It is hereby ordered:*

§ 1499.1465 *Authorization to manufacturers of certain plastic parts*—(a) *In general.* Specific authorization is hereby given to any manufacturer of any plastics parts as defined in paragraph (d), for which the maximum price cannot be established under § 1499.2 of the General Maximum Price Regulation to determine the maximum price to any purchaser for any such plastics part in accordance with the following subparagraphs:

(1) The manufacturer shall use the price-determining method which was in use on March 31, 1942, applying the overhead rate, machine hour rates, if any or other bases of computation which were in use on that date. If the manufacturer had no price-determining method in use on March 31, 1942, he shall use a price-determining method established in accordance with paragraph (b).

(2) (i) To the extent that the price-determining method in effect on March 31, 1942, or established pursuant to paragraph (b) includes or is based on direct labor costs, the manufacturer shall use labor rates in effect on March 31, 1942 in the manufacturer's plant for each classification of labor. If the manufacturer did not employ a particular classification of labor in his plant on March 31, 1942, he shall apply the rate prevailing on that date for each such classification in the locality in which the manufacturing is to be performed. If labor of such classification was not employed on March 31, 1942, in such locality, the manufacturer shall apply the rate prevailing on that date for the nearest skill in the nearest comparable locality, as accurately as he is able to determine the same by reasonably diligent inquiry.

(ii) The cost of the amount of overtime (estimated and/or averaged, if necessary) required to be used in excess of that provided for in the overhead or machine-hour rate may be added to the cost of labor: *Provided*, That in no event shall any markup, overhead or profit be applied to that part of the labor cost which is in excess of the straight-time cost. For example: Assume that a manufacturer's price determining method provides for the recovery of overhead costs by the application of an overhead rate of 80% to direct labor costs and that such overhead rate makes no provision for overtime labor. Assume further that the manufacturer's plant is operating on a schedule such that one-fifth of the hours worked are overtime hours for which "time-and-a-half" rates are paid. One thousand clock hours are estimated to be required to complete a given order at the straight time rate of $1 an hour. As one-fifth of the hours worked will be overtime, one-half of the straight-time rate for 200 hours, or $100, may be added to the price. However, the direct labor cost to be used for the application of the 80% overhead rate and for the calculation of profit will be the straight-time cost for 1000 hours, that is $1000. No overhead rate or profit factor may be applied to the $100 overtime cost.

(3) To the extent that the price-determining method in effect on March 31, 1942 or established pursuant to paragraph (b) includes or is based on prices paid for materials, subcontracted molding, fabricating or processing services, or perishable tools, dies, molds, pattern or workholding devices, the manufacturer shall use actual prices paid not in excess of the applicable maximum price as established by this order or by any other order or maximum price regulation issued by the Office of Price Administration.

The term "material", includes raw materials and materials or products which have been processed or fabricated to any degree, including parts and subassemblies.

(4) To the extent that the price-determining method in effect on March 31, 1942 or established pursuant to paragraph (b) includes freight rates paid, the manufacturer shall use freight rates in effect on March 31, 1942 for outbound shipments for the mode of transportation actually used and for inbound shipments for the mode of transportation actually used and from the actual point of origin.

*Copies may be obtained from the Office of Price Administration

(5) The manufacturer shall apply all applicable discounts or other allowances in use on March 31, 1942, and may apply all applicable extra charges in use on that date.

(b) *Establishment of price-determining method where none was in use on March 31, 1942.* Every manufacturer of plastics parts who had no price-determining method for plastics parts in use on March 31, 1942, shall establish a price-determining method which is reasonable in the light of the operations being or to be performed. Immediately upon the determination of such a price-determining method the manufacturer shall file a report with the Office of Price Administration, Washington, D. C., containing (i) a detailed description of the proposed price-determining method, and (ii) a representative sample of prices determined in accordance with the proposed pricing method showing in detail how they were computed. Prices determined in accordance with the method so filed may be quoted and charged until and unless the method is disapproved by the Office of Price Administration. If the Office of Price Administration disapproves the method within thirty days after receipt of the report, a revised method shall be filed in accordance with this paragraph. In such disapproval, the Office of Price Administration may by order require that refunds be made on all sales executed at the prices determined in accordance with the disapproved method.

(c) *Report of price determining method in use on March 31, 1942.* Within thirty days after the effective date of this order every manufacturer of plastics parts as defined in paragraph (d) having a price-determining method in use on March 31, 1942 shall file a detailed description of such method with the Office of Price Administration, Washington, D. C.

(d) *Recomputation of maximum prices under price-determining formula: report of higher price.* To the extent that the application of the price-determining method as provided for in paragraph (a) or (b) involves an estimate of the clock hours of each classification of labor or of the quantities of materials required for the order, the manufacturer shall make such estimate on the basis of previous production experience. This means that the maximum price applicable to a particular sale of an item may, because of previous production experience, be higher or lower than the maximum price applicable to a prior sale of the same item. If the sales price of any plastics part, for which the maximum price is computed under the provisions of this order, is at any time increased above the price charged on the previous sale, the manufacturer shall file a report with the Office of Price Administration, Washington, D. C., within ten days after entering into a contract of sale, containing the following information: (1) a description of the plastics part and its intended use; (2) the price on the last sale prior to the price increase, the date of such sale, and the name of the purchaser; (3) the number of units of the same plastics part previously produced; (4) the new price and the date of quoting or entering into a contract for the new price; and (5) an explanation of the reasons for the increase, including a comparison of the cost estimates on the previous sale with the production experience on which the new price is based.

(e) *Definition.* As used in this Order No. 229, "Plastics parts" mean all plastics products produced by molding, extruding, laminating, casting, machining, grinding, forming, and other fabricating methods, and subassemblies consisting of assembled plastics parts, and not including the following: plastics sheets, rods, and tubes (prior to fabrication); extruded shapes (continuous length prior to fabrication); vulcanized fiber sheets, rods and tubes (prior to fabrication); preforms, powders, granules, liquids, and scrap material; ethyl cellulose, regenerated cellulose, and cellulose acetate, under .002" thickness; fabricated pieces for use in window envelopes under .010" thickness; impregnated and coated fabrics, paper, leather; plasticplywood; cellophane products (regenerated cellulose); synthetic fibers; synthetic rubber (compositions containing Neoprene, Buna S, Buna N, Thiokol, or Butyl synthetic rubber types); electrical transcription and direct cutting records; motion picture, photographic and X-ray film; protective or decorative coatings; safety glass; completed consumer articles; or any plastics parts for which a maximum price is established by any other order or maximum price regulation issued by the Office of Price Administration.

(f) This Order No. 229 may be revoked or amended by the Office of Price Administration at any time.

(g) This Order No. 229 (§ 1499.1465) shall become effective January 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-1019; Filed, January 20, 1943; 4:46 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 13 Under § 1499.3 (c) of GMPR]

CORY GLASS COFFEE BREWER CO.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.813 *Maximum prices for sales by jobbers and retailers of Model DNG 2–4 cup Glass Coffee Maker manufactured by Cory Glass Coffee Brewer Co., Chicago, Illinois.* (a) On and after January 21, 1943, jobbers may sell and deliver Model DNG 2–4 cup Glass Coffee Maker manufactured by the Cory Glass Coffee Brewer Co., Chicago, Illinois, to retailers at a price no higher than $2.53⅓ each for lots of one to six and at a price no higher than $2.28 each for lots of six or more.

(b) On and after January 21, 1943, retailers may sell and deliver Model DNG 2–4 cup Glass Coffee Maker, manufactured by the Cory Glass Coffee Brewer

Co., Chicago, Illinois, to consumers at a price no higher than $3.80 each.

(c) This Order No. 13 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 13 (§ 1499.813) shall become effective January 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. No. 9250, 7 F.R. 7871)

Issued this 20th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-1005; Filed, January 20, 1943; 4:42 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 167 Under § 1499.18 (b) of GMPR]

MCKESSON AND ROBBINS, INC.

Order No. 167 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-2924.

McKesson & Robbins, Inc., Potts Drug Division, Wichita, Kansas.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1068 *Adjustment of maximum prices for sales of Globe Anti-Swine Erysipelas Serum by McKesson and Robbins, Incorporated, Potts Drug Division, Wichita, Kansas.* (a) The maximum prices for sales of Globe Anti-Swine Erysipelas Serum by McKesson and Robbins, Incorporated, Potts Drug Division, Wichita, Kansas, shall be as follows:

Size:	*Maximum price per package*
50 cc	$0.87
100 cc	1.56
250 cc	3.17

(b) All discounts, allowances and trade practices in effect with respect to sales of Globe Anti-Swine Erysipelas Serum by McKesson and Robbins, Incorporated, Potts Drug Division, Wichita, Kansas, during March 1942 shall remain in effect under this Order No. 167.

(c) At the time of the first delivery of Globe Anti-Swine Erysipelas Serum made to each purchaser at a price determined under this Order No. 167, McKesson and Robbins, Incorporated, Potts Drug Division, Wichita, Kansas, shall furnish each such purchaser with the following notice:

The Office of Price Administration has permitted us to raise our maximum price to you of Globe Anti-Swine Erysipelas Serum from $0.73 to $0.87 per 50 cc package, from $1.33 to $1.65 per 100 cc package and from $2.67 to $3.17 per 250 cc package. This increase represents only that part of cost increases which we were unable to absorb, and it was granted with the understanding that other price increases would not be caused thereby. The Office of Price Administration has not permitted you or any other purchaser of this product from us to raise any maximum price by reason of our increased price to you.

(d) This Order No. 167 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 167 (§ 1499.1068) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 167 (§ 1499.1068) shall become effective January 21, 1943.

(Pub. Laws 421 and 729, 77th Cong. E.O. 9250, 7 F.R. 7871)

Issued this 20th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-1009; Filed, January 20, 1943; 4:40 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 168 Under § 1499.18 (b) of GMPR]

HENRY CANTOR AND WESTERN ELECTRIC CO.

Order No. 168 Under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-2652.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is hereby ordered:*

§ 1499.1069 *Adjustment of the maximum price for the sale of 36" unbleached cheesecloth by Henry Cantor and the Western Electric Company, Philadelphia, Pennsylvania.* (a) Henry Cantor, 1014-1016 Arch Street, Philadelphia, Pennsylvania, may sell and deliver to the Western Electric Company, Philadelphia, Pennsylvania, 36" 32 x 28 unbleached cheesecloth and said Western Electric Company may buy such material from Henry Cantor at a price no higher than 5 cents per yard.

(b) Western Electric Company, Philadelphia, Pennsylvania, may add 1 cent per yard to the maximum price which, but for this adjustment, would be applicable to its sales of 36" 32 x 28 unbleached cheesecloth, and any person may purchase from Western Electric Company at such increased price.

(c) The maximum prices set forth in paragraphs (a) and (b) shall be subject to the same terms and conditions of sale as were granted to purchasers during March, 1942.

(d) All prayers of the petition not granted herein are denied.

(e) This Order No. 168 (§ 1499.1069) may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 168 (§ 1499.1069) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 168 (§ 1499.1069) shall become effective January 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-1015; Filed, January 20, 1943; 4:49 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 169 Under § 1499.18 (b) of GMPR]

TOOTLE-CAMPBELL DRY GOODS CO.

Order No. 169 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-844.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.1070 *Adjustment of maximum prices for 36-inch unbleached muslins and 38/39 unbleached print cloths sold by Tootle-Campbell Dry Goods Company.* (a) Tootle-Campbell Dry Goods Company, St. Joseph, Missouri, may sell and deliver, and any person may buy and receive from Tootle-Campbell Dry Goods Company, the following 36-inch unbleached muslins and 38/39-inch unbleached print cloths at prices no higher than those set forth below:

Description:	*Cents per yard*
36" Unbleached muslins:	
48 x 40—5.50	9 1/8
48 x 52—4.70	10 1/8
56 x 60—4.00	12 1/2
64 x 68—3.50	14 3/8
48 x 58—2.85	16 7/8
38" to 39" Unbleached print cloths:	
60 x 48—6.25	8
64 x 60—5.35	10
80 x 80—4.00	14

(b) The prices set forth in paragraph (a) of this section shall be subject to the same terms and conditions of sale as were granted to purchasers during March, 1942.

(c) Retailers may not charge for the unbleached muslin and unbleached print cloths listed in paragraph (a) of this section a price in excess of their maximum price as established under the General Maximum Price Regulation.

(d) Tootle-Campbell Dry Goods Company shall cause the following notice to be sent, in writing to all its customers who purchase the unbleached muslins and unbleached print cloths listed in paragraph (a) of this section:

The Office of Price Administration has permitted us to raise our maximum prices for sales to you of the following 36-inch unbleached muslins and 38/39-inch unbleached print cloths to the prices set forth below:

Description:	*Cents per yard*
36" Unbleached muslins:	
48 x 40—5.50	9 1/8
48 x 52—4.70	10 1/8
56 x 60—4.00	12 1/2
64 x 68—3.50	14 3/8
48 x 58—2.85	16 7/8
38" to 39" Unbleached print cloths:	
60 x 48—6.25	8
64 x 60—5.35	10
80 x 80—4.00	14

These increases represent only that part of cost increases which we were unable to absorb and it was granted with the understanding that our customers' prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for sales of these unbleached muslins and unbleached print cloths or any other commodity processed therefrom.

(e) All prayers of the petition not granted herein are denied.

(f) This Order No. 169 is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 169 may be revoked or amended at any time.

(h) This Order No. 169 (§ 1499.1070) shall become effective January 21, 1943.

(Pub. Laws 421 and 759, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-1021; Filed, January 20, 1943, 4:51 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 170 Under § 1499.18 (b) of GMPR]

VERIBRITE FACTORY

Order No. 170 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-604.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1071 *Adjustment of maximum prices in terms of weight for lozenge boats manufactured and sold by Veribrite Factory of Chicago, Illinois, owned and operated by the National Candy Company, St. Louis, Missouri.* (a) That Veribrite Factory, owned and operated by the National Candy Company, is hereby authorized to sell its lozenge boats at a maximum delivered price of 68 cents per carton of 24 five cent packages, 20 lozenges to the package, at a minimum weight of 1½ ounces per package.

(b) That all wholesalers and retailers who purchase Veribrite's new lozenge packages are hereby authorized to sell said package in its new content of 20 lozenges at a minimum weight of 1½ ounces at a price not in excess of the maximum price which they established for the old package, containing 24 lozenges and weighing approximately 2 ounces, under sections (2) and (3) of the General Maximum Price Regulation or as adjusted under section 18 of said regulation.

(c) That all sellers shall continue the same discounts, allowances and price differentials as were offered in March, 1942: *Provided, however,* That sellers may change discounts, allowances and price differentials only if such changes result in prices lower than the maximum price fixed herein.

(d) That Veribrite Factory shall mail or otherwise supply to all buyers who purchase lozenge packages from it for sale at wholesale and retail, prior to first delivery to such buyer, a notice reading as follows:

The contents of our "Veribrite" lozenge package have been reduced to 20 lozenges and the weight thereof has been reduced to a minimum of 1½ ounces, the package size sold by our competitors. The Office of Price Administration has authorized us and our wholesalers and retailers to charge the same for our new package as was charged for our old package containing 24 lozenges and weighing 2 ounces.

(e) This Order No. 170 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 170 (§ 1499.1071) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modification of maximum prices established by § 1499.2.

(g) This Order No. 170 (§ 1499.1071) shall become effective January 21, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F. R. 7871)

Issued this 20th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F R. Doc. 43-1020; Filed, January 20, 1943; 4:51 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 171 Under § 1499.18 (b) of GMPR]

EARTHEN PRODUCTS COMPANY

Order No. 171 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-2503.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1072 *Adjustment of maximum price for sales of Baroco by the Earthen Products Company.* (a) The maximum price for the sale of Baroco by the Earthen Products Company, 2510 Crockett Street, Houston, Texas, shall be $12.40 per ton.

(b) All discounts, trade practices and practices relating to the payment of shipping charges in effect during March 1942 on the sale by Earthen Products Company of Baroco shall apply to the maximum price set forth in paragraph (a).

(c) All prayers of the applicant not granted herein are denied.

(d) This Order No. 171 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 171 (§ 1499.1072) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 171 (§ 1499.1072) shall become effective January 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-1016; Filed, January 20, 1943; 4:49 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 172 Under § 1499.18 (b) of GMPR]

EDWARD V. SAUNORIS AND A. G. SOLNER

Order No. 172 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-639.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.1073 *Granting adjustment of maximum prices for sales of gut strings by Edward V. Saunoris and A. G. Solner.* (a) Edward V. Saunoris and A. G. Solner, doing business at 5800 West 111th Street, Worth, Illinois, may sell and deliver the following sizes of gut string for surgical sutures at prices no higher than those set forth below:

	Per coil
Size 0	$1.28
Size 1	1.45
Size 2	1.55

subject to all customary allowances, discounts and other price differentials in effect during March 1942.

(b) This Order No. 172 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 172 (§ 1499.1073) is incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2 of the General Maximum Price Regulation.

(d) This Order No. 172 (§ 1499.1073) under § 1499.18 (b) of the General Maximum Price Regulation shall become effective January 21, 1943.

(Pub. Laws 421 and 729, 77th Cong. E.O. 9250, 7 F.R. 7871)

Issued this 20th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-1017; Filed, January 20, 1943; 4:44 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 12 Under Supp. Reg. 15 of GMPR]

WRIGHT & COBB LIGHTERAGE CO.

Order No. 12 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 of the General Maximum Price Regulation—Docket No. GF3-2498.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1312 *Adjustment of maximum prices for contract carrier services sold by the Wright & Cobb Lighterage Company.* (a) The Wright & Cobb Lighterage Company, 17 Battery Place, New York, N. Y., may sell and deliver lighterage services as a contract carrier, in connection with the transportation of cement in the area covering the Hudson River, North to Troy, New York; Long Island Sound to Bridgeport, Connecticut; Jamaica Bay, East to Arverne, New York; Kill Van Kull, South to Cartaret, New Jersey; and New York Harbor and tributaries, at prices not more than the following:

	Per bbl.
1,000 to 1,250 Bbls	$.24
1,251 to 1,500 Bbls	.22
1,501 and over	.21

(b) All requests of the application not granted herein are denied.

(c) This Order No. 12 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 12 (§ 1499.1312) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 12 (§ 1499.1312) shall become effective January 21, 1943.

(Pub. Laws No. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-1001; Filed, January 20, 1943; 4:43 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 219 Under § 1499.3 (b) of GMPR]

DELUXE BRANDS CO.

Correction

The third paragraph of § 1499.1455 (b) appearing on page 621 of the issue for Saturday, January 16, 1943, should read as follows:

"Net cost for a wholesaler as mentioned in this paragraph shall be his invoice price for the first delivery of 'DeLuxe' Mushroom Soup Mix and 'DeLuxe' Mushroom Sauce Mix * * *."

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 10—INSURANCE

APPLICATIONS FOR INSURANCE

Addition of §10.3470.

§ 10.3470 *Claims alleging insurance contract where there is no application for insurance on file.* In those cases where claim is made alleging that a person made valid application for National Service Life Insurance and that the insurance is subject to reinstatement or a waiver of payment of premiums is in order, or that the insurance matured by reason of the death of the insured at a time when the insurance was in force and that there was a valid designation of beneficiary, and where there is no application for insurance on file, the claimant will be required to submit all available evidence concerning the alleged application for insurance in such manner and on such forms as may be deemed necessary. The evidence submitted by the claimant and the evidence as disclosed by records in possession of the Government will be considered by the director of insurance and if found sufficient to establish as a fact that the said person did apply for insurance and if the other allegations of said claim are sustained a record of insurance will be established in accordance with such finding. However, if the director of insurance decides that the evidence is not sufficient to establish as a fact that the said person applied for insurance as alleged, or decides that if insurance had been applied for as alleged the same would not be valid or not subject to reinstatement, or decides that the said person did not die at a time when the insurance would have been in force if insurance had been applied for, or in case of death that there was no valid designation of beneficiary, the claimant will be so informed and will be notified that unless he desires to appeal to the Administrator a disagreement exists as to the matters in controversy as contemplated by the provisions of section 617 of the National Service Life Insurance Act of 1940, as amended, as far as the Veterans' Administration is concerned. Further, the claimant will be informed that an appeal may be taken from the decision to the Administrator of Veterans Affairs by giving notice in writing within sixty days from the date of the letter advising of the unfavorable decision. (January 22, 1943) [43 Stat. 608; 38 U.S.C. 426]

[SEAL] FRANK T. HINES,
Administrator.

[F. R. Doc. 43-1031; Filed, January 20, 1943; 4:46 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter A—General Rules and Regulations

[Service Order 104]

PART 95—CAR SERVICE

SUBSTITUTION OF REFRIGERATOR CARS FOR BOX CARS

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 19th day of January, A. D. 1943.

It appearing, that, due to the existing state of war, an emergency exists which, in the opinion of the Commission, requires immediate action to prevent shortage of railroad equipment, empty mileage of freight cars, and congestion of traffic; *It is ordered*, That:

§ 95.304 *Substitution of refrigerator cars.* (a) On and after 12:01 a. m. January 25, 1943, and until further order of this Commission, common carriers by railroad subject to the Interstate Commerce Act transporting westbound transcontinental shipments, in carloads, destined to points in the States of California, Idaho, Arizona, Nevada, and Utah, may, at their option, furnish and transport not more than three refrigerator cars of Pacific Fruit Express or Santa Fe Refrigerator Despatch ownership in lieu of each box car ordered subject to the carload minimum weight which would have applied if the shipment had been loaded in a box car. (See note.)

NOTE: This provision does not apply on shipments on which the carload minimum weight varies with the size of the car.

(b) The operation of all rules, regulations and tariff provisions, including Item 792, in Trans-Continental Freight Bureau Tariff No. 1-W, Agent L. E. Kipp's I.C.C. No. 1484; Item No. 792 in Trans-Continental Freight Bureau Tariff No. 4-T, Agent L. E. Kipp's I.C.C. No. 1487; Item 1025-B, Trans-Continental Freight Bureau Tariff No. 38-F, Agent L. E. Kipp's I.C.C. No. 1420; Item No. 292 Trans-Continental Freight Bureau Tariff No. 39-G, Agent L. E. Kipp's I.C.C. No. 1489; Item 555, Trans-Continental Freight Bureau Tariff No. 45-C, Agent L. E. Kipp's I.C.C. No. 1477, and Item No. 905, Trans-Continental Freight Bureau Tariff No. 48-J, Agent L. E. Kipp's I.C.C. No. 1481; also the provisions published in said tariffs which refer to Tariff No. S. O. 68, Agent L. E. Kipp's I.C.C. No. A-3391, also Rule 24 of the Western Classification No. 70, Agent R. C. Fyfe's I.C.C. No. 28, or reissues thereof, and all other tariff provisions, in so far as they are inconsistent with this order, are hereby suspended.

(c) That the provisions of Service Order No. 68, as amended, and all other orders of the Commission, in so far as they conflict with the provisions of this order, be, and they are hereby, suspended. (40 Stat. 101, Sec. 402, 41 Stat. 476, Sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17)).

It is further ordered, That copies of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and that notice of this order be given to the general public by depositing a copy of it in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

By the Commission.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-995; Filed, January 20, 1943; 4:34 p. m.]

Subchapter B—Carriers by Motor Vehicle

PART 194—MOTOR CARRIER SAFETY REGULATIONS NECESSARY PARTS AND ACCESSORIES

FIRE EXTINGUISHER REQUIREMENTS

At a session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 13th day of January 1943.

Rule 3.3491 (a) of the Motor Carrier Safety Regulations (§ 194.3 (d) (9) (i) (a) of Title 49, Code of Federal Regulations) and section 204 (f) of Part II of the Interstate Commerce Act being under consideration,

And it appearing, that fire extinguishers described in said section of said rules involve the use of materials needed for the war effort, and that extinguishers complying with the specifications in said rule described have become difficult to obtain,

And it further appearing, that there is now available a new type of fire extinguisher developed by experiments of the Underwriters' Laboratories, Inc., manufactured under specifications hereinafter designated, and that hand fire extinguishers manufactured in accordance with such specifications will be reasonably efficacious and will avoid the employment of critically strategical materials.

It is therefore ordered, That said Rule 3.3491 (a) (§ 194.3 (d) (9) (i) (a)) be, and it is hereby suspended until December 31, 1944, or until any date prior thereto upon which the Commission may revoke this order of suspension and

It is further ordered, That during the period of such suspension the following Temporary Rule 3.3491 (a) shall be in effect in lieu of said Rule 3.3491 (a), viz.,

§ 194.3 *Equipment required on all motor vehicles (except in drive-away operations).* * * *

(d) *Miscellaneous parts and accessories.* * * *

(9) *Emergency parts and accessories required.* * * *

(i) On every bus, truck or tractor there shall be:

(a) (1) At least one fire extinguisher, either of a type inspected and labelled by Underwriters' Laboratories, Inc., 207 E. Ohio Street, Chicago, Ill., under Classification B, and utilizing an extinguishing agent which does not need protection from freezing, properly filled and securely mounted in a bracket (minimum size: one-quart carbon tetrachloride type, or two-pound carbon dioxide type); or of the type listed by Underwriters' Laboratories, Inc., 207 E. Ohio Street, Chicago, Ill., under the specification entitled "No. 299—Underwriters' Laboratories, Inc., Emergency Requirements for Hand Fire Extinguishers for Motor Vehicles", properly filled and securely mounted in a bracket, which shall bear the certification of the manufacturer that it fulfills the requirements of the aforementioned specification, and each unit of such an extinguisher shall bear Underwriters' Laboratories, Inc. marker. The requirements of this rule shall not apply to any taxicab. (Sec. 204 (a), (f), 49 Stat. 546; sec. 20, 54 Stat. 922; 56 Stat. 176; 49 U.S.C. 304)

It is further ordered, That this order shall be effective on and after February 1, 1943, until further order.

By the Commission, Division 5.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-996; Filed, January 20, 1943; 4:34 p. m.]

Notices

TREASURY DEPARTMENT.

Fiscal Service: Bureau of the Public Debt.

[1943 Dept. Circ. 705]

⅞ PERCENT TREASURY CERTIFICATES OF INDEBTEDNESS OF SERIES A-1944

JANUARY 21, 1943.

I. OFFERING OF CERTIFICATES

1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par and accrued interest, from the people of the United States for certificates of indebtedness of the United States, designated ⅞ percent Treasury Certificates of Indebtedness of Series A-1944. The amount of the offering is $2,000,000,000, or thereabouts.

II. DESCRIPTION OF CERTIFICATES

1. The certificates will be dated February 1, 1943, and will bear interest from that date at the rate of ⅞ percent per annum, payable semiannually on August 1, 1943 and February 1, 1944. They will mature February 1, 1944, and will not be subject to call for redemption prior to maturity.

2. The income derived from the certificates shall be subject to all Federal taxes, now or hereafter imposed. The certificates shall be subjected to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The certificates will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes and will not bear the circulation privilege.

4. Bearer certificates with two interest coupons attached will be issued in denominations of $1,000, $5,000, $10,000, $100,000 and $1,000,000. The certificates will not be issued in registered form.

5. The certificates will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States certificates.

III. SUBSCRIPTION AND ALLOTMENT

1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Subscribers must agree not to sell or otherwise dispose of their subscriptions, or of the securities which may be allotted thereon, prior to the closing of the subscription books. Banking institutions and securities dealers generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Others than banking institutions and securities dealers will not be permitted to enter subscriptions except for their own account. Subscriptions from banks and trust companies for their own account will be received without deposit. Subscriptions from all others must be accompanied by payment of 2 percent of the amount of certificates applied for.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of certificates applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, subscriptions for amounts up to and including $100,000 from banks which accept demand deposits, and subscriptions in any amount from all other subscribers, will be allotted in full; subscriptions for amounts over $100,000 from banks which accept demand deposits will be allotted on an equal percentage basis, to be publicly announced. Allotment notices will be sent out promptly upon allotment.

IV. PAYMENT

1. Payment at par and accrued interest, if any, for certificates allotted hereunder must be made or completed on or before February 1, 1943, or on later allotment. In every case where payment is not so completed, the payment with application up to 2 percent of the amount of certificates applied for shall, upon declaration made by the Secretary of the Treasury in his discretion, be forfeited to the United States. Treasury Certificates of Indebtedness of Series A-1943, maturing February 1, 1943, will be accepted at par in payment for any certificates of the series now offered which shall be allotted.

V. GENERAL PROVISIONS

1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective districts, to issue allotment notices, to receive payment for certificates allotted, to make delivery of certificates on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive certificates.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 43-1064; Filed, January 21, 1943; 11:37 a. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order 737]

ALLOCATION OF FUNDS FOR LOANS

JANUARY 9, 1943.

I hereby amend:

(a) Administrative Order No. 64 by changing the project designation therein given as "Washington 9 San Juan" in the amount of $87,000 to read "Washington 7009A1 San Juan" in the amount of $67,000 and "Washington 7009G1 San Juan" in the amount of $20,000;

(b) Administrative Order No. 93 by changing the project designation therein given as "Washington 23 Grays Harbor" in the amount of $60,000 to read "Washington 7023A1 Grays Harbor" in the amount of $19,000 and "Washington 7023G1 Grays Harbor" in the amount of $41,000.

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 43-1065; Filed, January 21, 1943; 11:20 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 808]

UNITED AIR LINES TRANSPORT CORPORATION

NOTICE OF HEARING

In the matter of the petition of United Air Lines Transport Corporation for an order fixing and determining the fair and reasonable rates of compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith over Routes Nos. 1, 11, 17, and 57.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 406 and 1001 of said Act, in the above-entitled proceeding, that hearing is assigned to be held on January 28, 1943, 10 a. m. (eastern war time) in Conference Room 1, Department of Commerce Auditorium, 14th Street and Constitution Avenue, NW., Washington, D. C., before Examiner Albert F. Beitel.

Dated Washington, D. C., January 20, 1943.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 43-1033; Filed, January 21, 1943; 9:57 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 468]

ASSICURAZIONI GENERALI DI TRIESTE E VENEZIA

Whereas pursuant to Vesting Order Number 218 of October 7, 1942, the undersigned vested all property situated within the United States of Assicurazioni Generali di Trieste e Venezia and its United States branch except certain cash held by the liquidator of said company in a reserve fund to be used for the payment of certain claims and liquidation expenses; and

Whereas it has developed that there may be certain amounts remaining in said fund after the determination and payment of said claims and liquidation expenses;

Now, therefore, in order to effect the vesting in the undersigned of any amounts remaining in said fund after the payment of such claims and expenses, the following order is hereby issued:

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

The excess, if any, of the reserve fund being retained by Louis H. Pink, Superintendent of Insurance of the State of New York, as liquidator of the United States branch of Assicurazioni Generali di Trieste e Venezia, an Italian corporation, Trieste, Italy (which United States branch is known as the General Insurance Company, Ltd. of Trieste and Venice, New York, New York) after the determination and payment of (1) claims of domestic creditors of such United States branch of said corporation which have been allowed and approved but not paid by said liquidator, (2) claims of domestic creditors of such United States branch of said corporation which are being held in suspense by said liquidator, and (3) liquidation expenses of said liquidator;

is property of such corporation which is a business enterprise within the United States and which is a national of a designated enemy country (Italy), and also is property which is in the process of administration by a person (namely, the aforesaid Superintendent of Insurance of the State of New York) acting under judicial supervision (namely, that of the Supreme Court of the State of New York), and which is payable or deliverable to, or claimed by, a national of a designated enemy country (Italy); and determining that to the extent that such national is a person not within a designated enemy country the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Italy), and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests in the Alien Property Custodian the aforesaid excess, if any, of the reserve fund, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The property vested hereby and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such vested property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on December 9, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1043; Filed, January 21, 1943; 11:29 a. m.]

[Vesting Order 660]

TRUST UNDER WILL OF H. D. AHLFF

In re: trust under will of H. D. Ahlff, deceased—File D-28-1753; E. T. sec. 1001.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Capital National Bank of Sacramento, Trustee, 700 Jay Street, Sacramento, California, acting under the judicial supervision of The Superior Court of the State of California in and for the County of Colusa; and

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Maria Meyer	Germany.
Alma Diercks	Germany.
Maria Semmel Haack	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Maria Meyer, Alma Diercks, and Maria Semmel Haack and each of them, in and to the trust estate created under the Last Will and Testament of H. D. Ahlff, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1070; Filed, January 21, 1943; 11:52 a. m.]

[Vesting Order 681]

AGNES ALBERT VS. JOSEPHINE EHM, ET AL.

In re: Partition suit: Agnes Albert, Plaintiff vs. Josephine Ehm, et al. filed in the Circuit Court of Wood County, Wisconsin, #6960, August 13, 1940—File F-28-13522; E. T. sec. 44.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Jasper C. Johnson, Clerk acting under the judicial supervision of the Circuit Court of Wood County, Wisconsin, and which is in partition proceedings entitled, Agnes Albert, Plaintiff vs. Josephine Ehm, Anna S huster, Barbara Schmolz, Mrs. Pauline Werner, Mary Schuster, Sam Becker, and all the unknown heirs, wives, legatees, devisees, devisees, next of kin, executors, administrators and legal representatives, or assigns, of each and every of the persons herein named as defendants, and their successors, Defendants, #6960, filed in said Court, August 13, 1940;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Anna Auer	Germany.
Joseph Schmolz	Germany.
Leopold Schmolz	Germany.
Mrs. Agnes Winter	Germany.
Anna Renz	Germany.
Otto Nikasch	Germany.
Otto Werner	Germany.
Oscar Werner	Germany.
Anna Schuster	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Anna Auer, Joseph Schmolz, Leopold Schmolz, Mrs. Agnes Winter, Anna Renz, Otto Nikasch, Otto Werner, Oscar Werner, and Anna Schuster and each of them in and to the proceeds from the sale of real estate involved in the above partition proceedings,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1044; Filed, January 21, 1943; 11:33 a. m.]

[Vesting Order 682]

ESTATE OF WILLIAM A. ALDRICH

In re: Estate of William A. Aldrich, deceased—File D-28-3359; E. T. sec. 957.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Bank of America National Trust and Savings Association, Trustee, acting under the judicial supervision of the Superior Court of the State of California, in and for Alameda County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Elisabeth Bettenhausen	Germany.
Heirs, names unknown, entitled to receive the estate of Albert Herbst, who died a resident of Germany.	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Elisabeth Bettenhausen and Heirs, names unknown, entitled to receive the estate of Albert Herbst, who died a resident of Germany and each of them in and to the trust estate established under the Will of William A. Aldrich, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1045; Filed, January 21, 1943; 11:33 a. m.]

[Vesting Order 683]

ESTATE OF HERMAN L. ARBENZ

In re: Estate of Herman L. Arbenz, deceased—File D-28-1764; E. T. sec. 1120.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Wheeling Dollar Savings & Trust Company, Administrator c. t. a., 1315 Market Street, Wheeling, West Virginia, acting under the judicial supervision of County Court of Ohio County, West Virginia,

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Mrs. Heinrich Jetter	Germany.
Anna Junge	Germany.
Maria Junge	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive

Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Mrs. Heinrich Jetter, Anna Junge, and Maria Junge, and each of them, in and to the estate of Herman L. Arbenz, deceased

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1046; Filed, January 21, 1943; 11:33 a. m.]

[Vesting Order 684]

ESTATE OF GUSTAV ADOLF DEPPERMANN

In re: Estate of Gustav Adolf Deppermann, deceased—File D–28–1485; E. T. sec. 145.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Theodore E. Steinway, Ancillary Administration c. t. a., of 126 East 65th Street, New York, N. Y., acting under the judicial supervision of Surrogate's Court of New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Anna Louise Lucinda Deppermann	Hamburg, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Anna Louise Lucinda Deppermann in and to the estate of Gustav Adolf Deppermann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1047; Filed, January 21, 1943; 11:32 a. m.]

[Vesting Order 685]

TRUST UNDER WILL OF EDWARD W. DUFFT

In re: Trust u/w of Edward W. Dufft, deceased—File D–28–1674; E. T. sec. 553.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Chase National Bank of the City of New York as Trustee acting under the Judicial supervision of the Surrogate's Court of King's County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Emmi Elster	Germany.
Oscar Schirlitz	Germany.
Dora Schirlitz	Germany.
Herman Schirlitz	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Emmi Elster, Oscar Schirlitz, Dora Schirlitz and Herman Schirlitz and each of them in and to a trust created by the will of Edward W. Dufft, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1048; Filed, January 21, 1943; 11:29 a. m.]

[Vesting Order 686]

ESTATE OF PAUL ENGEL

In re: Estate of Paul Engel, deceased—File D–28–1863, E.T. sec. 1687.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, Queens County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Dorothy Kuller	Germany.
Bertha Steller	Germany.
Auguste Kahl	Germany.
Ernst Engel	Germany.
Helene Skarupke	Germany.
Frieda Bischoff	Germany.
Frederich Skarupke	Germany.
Anna Skarupke	Germany.
Pauline Griebsch	Germany.
Ella Brewer	Germany.
Frieda Lebitzke	Germany.
Wilhelmine Puettbach	Germany.
Werner Skarupke	Germany.
Ernst Skarupke	Germany.
Heinrich Skarupke	Germany.
Ida Engel	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Dorothy Kuller, Bertha Steller, Auguste Kahl, Ernst Engel, Helene Skarupke, Frieda Bischoff, Frederich Skarupke, Anna Skarupke, Pauline Griebsch, Ella Brewer, Frieda Labitzke, Wilhelmine Puettbach, Werner Skarupke, Ernst Skarupke, Heinrich Skarupke and Ida Engel, and each of them, in and to the Estate of Paul Engel, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1049; Filed, January 21, 1943; 11:33 a. m.]

[Vesting Order 687]

ESTATE OF PAUL FILZEN

In re: Estate of Paul Filzen, deceased—File D–28–1397; E. T. sec. 62.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Percy J. Tewksbury, Osceola, Wisconsin, and Louis S. Headley, c/o First Trust Company, St. Paul Minnesota, Executors and Trustees under the Last Will and Testament of Paul Filzen, deceased, acting under the judicial supervision of the County Court of the State of Wisconsin, in and for the County of Polk, and the Probate Court of the State of Minnesota, in and for the County of Chicago;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely, Marie Felden, and other issue of Anna Krotz, deceased, (names unknown) whose last known addresses are Germany; and

Determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title interest, and claim of any kind or character whatsoever of Marie Felden, and other issue of Anna Krotz, deceased, (names unknown) and each of them, in and to the residuary trust estate created under the Last Will and Testament of Paul Filzen, deceased

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1050; Filed, January 21, 1943; 11:32 a. m.]

[Vesting Order 688]

ESTATE OF CAROLINE A. GLICKLEY

In re: Estate of Caroline A. Glickley, also known as Carolyn A. Glickley, deceased—File D–28–1494; E. T. sec. 215.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by T. J. Dewan, Administrator, acting under the judicial supervision of the Orphans' Court of the State of Pennsylvania, in and for Allegheny County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Karoline Hacker	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Karoline Hacker in and to the Estate of Caroline A. Glickley, also known as Carolyn A. Glickley, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date

hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 18, 1943.

[SEAL] LEO T. CROWLEY
Alien Property Custodian.

[F. R. Doc. 43-1051; Filed January 21, 1943; 11:30 a. m.]

[Vesting Order 689]

ESTATE OF CLARA HEINE

In re: Estate of Clara Heine, deceased—File No. D-28-3366 T. E., sec. 1186.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for New York County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national, of a designated enemy country, Germany, namely, Karoline Mathilda Heine whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Karoline Mathilda Heine in and to the Estate of Clara Heine, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1052; Filed, January 21, 1943; 11:30 a. m.]

[Vesting Order 690]

ESTATE OF JOSEPH HELUS

In re: Estate of Joseph Helus, deceased—File D-28-1998; E. T. sec. 2065.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation.

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Ben H. Brown, Public Administrator of Los Angeles County, Administrator c. t. a., 137 North Broadway, Los Angeles, California, acting under the judicial supervision of Superior Court for the County of Los Angeles, California;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of designated enemy country, Germany, namely,

Nationals:	*Last known address*
Adolf Helus	Germany (Austria).
Wenzel Hyduk	Germany
Aloisia Breskey	Germany

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Adolf Helus, Wenzel Hyduk, and Aloisia Breskey, and each of them, in and to the estate of Joseph Helus, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1053; Filed, January 21, 1943; 11:30 a. m.]

[Vesting Order 691]

ESTATE OF MARTHA HERTZ

In re: Estate of Martha Hertz, deceased—File D-28-1864, E. T. sec. 1688.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, Queens County, New York;

(2) Such property and interest are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Simon Hertz, whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interest:

All right, title, interest, and claim of any kind or character whatsoever of Simon Hertz in and to the Estate of Martha Hertz, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interest and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interest or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1054; Filed, January 21, 1943; 11:32 a. m.]

[Vesting Order 692]

GUSTAV HEUBACH

In re: Trust under will of Gustav Heubach, deceased—File D-28-1907; E. T. sec. 1529.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by City Bank Farmers Trust Company, Substituted Trustee, 181 Montague Street, Brooklyn, New York, and Edward A. Behr and Maximilian E. Pesnel, Co-Trustees, acting under the judicial supervision of the Surrogate's Court of Kings County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, political subdivisions of a designated enemy country, Germany, namely,

City of Sonneberg, Germany.
City of Munich, Germany.
Town of Staufen, Germany.
Town of Lehesten, Germany.

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of City of Sonneberg, Germany; City of Munich, Germany; Town of Staufen, Germany; and Town of Lehesten, Germany, and each of them, in and to the residuary trust estate created under the Last Will and Testament of Gustav Heubach, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1055; Filed, January 21, 1943; 11:33 a. m.]

[Vesting Order 693]

ESTATE OF LOUIS HOLZBERG

In re: Estate of Louis Holzberg, deceased—File No. D-34-64; E. T. sec. 806.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Kings County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Hungary, namely,

National:	*Last known address*
Bernard Firsyt	Hungary.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Bernard Firsyt in and to the Estate of Louis Holzberg, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1056; Filed, January 21, 1943; 11:32 a. m.]

[Vesting Order 694]

ESTATE OF LUDWIG JEREMIAS

In re: Estate of Ludwig Jeremias, deceased—File D-28-1859, E. T. sec. 1683.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, Queens County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Hedwich Ebel	Germany.
Gustav Ebel	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Hedwich Ebel and Gustav Ebel, and each of them, in and to the Estate of Ludwig Jeremias, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds there-

of, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–1057; Filed, January 21, 1943; 11:32 a. m.]

[Vesting Order 695]

ESTATE OF GURLI KANE

In re: Estate of Gurli Kane (also known as Gurli Kannengiesser), deceased—File D–28–1861, E. T. sec. 1685.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, Queens County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Joseph Kannengiesser, whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interest:

All right, title, interest, and claim of any kind or character whatsoever of Joseph Kannengiesser in and to the Estate of Gurli Kane (also known as Gurli Kannengiesser), deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interest or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–1058; Filed, January 21, 1943; 11:29 a. m.]

[Vesting Order 696]

TRUST UNDER WILL OF WILLIAM KEINATH

In re: Trust under the will of William Keinath, deceased—File D–28–4698; E. T. sec. 1240.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Provident Trust Company of Philadelphia, 1632 Chestnut Street, Philadelphia, Pennsylvania, and Samuel J. Taylor, 1723 Land Title Building, Philadelphia, Pennsylvania, Trustees, acting under the judicial supervision of Orphans' Court of the State of Pennsylvania, in and for the County of Philadelphia; and

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Village of Winterlingen	Wurtemburg, Germany.
Traugott Maier	Germany.
Emielie Maier	Germany.
Friede Maier	Germany.
Luise Schempp	Germany.
Anna Schempp	Germany.
Wilhelm Schempp	Germany.
Emilie Blickle	Germany.
Marie Koch	Germany.
Aline Rempp	Germany.
Johannes Keinath	Germany.
Traugott Rieber	Germany.
Mathilde Maag	Germany.
Gustav Frey	Germany.
Luise Karoline Forstner	Germany.
Emilie Keinath	Germany.
Karl Keinath	Germany.
Luise Beck	Germany.
Maria Maag	Germany.
Judith Sara Schempp	Germany.
Klara Maier	Germany.
Fanny Baumann	Germany.
Berta Koch	Germany.
Aline Koch	Germany.
Emma Baumann	Germany.
Rosa Baumann	Germany.
Maria Baumann	Germany.
Fanny Lehner	Germany.
Karoline Bihler	Germany.
Luise Keinath	Germany.
Ernst Keinath	Germany.
Anna Maag	Germany.
Karl Keinath, 2nd	Germany.
Hermann Bauman	Germany.
Wilhelm Keinath	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of the Village of Winterlingen, Germany; Traugott Maier, Emielie Maier, Friede Maier, Luise Schempp, Anna Schempp, Wilhelm Schempp, Emilie Blickle, Marie Koch, Aline Rempp, Johannes Keinath, Traugott Rieber, Mathilde Maag, Gustav Frey, Luise Karoline Forstner, Emilie Keinath, Karl Keinath, Luise Beck, Maria Maag, Judith Sara Schempp, Klara Maier, Fanny Baumann, Berta Koch, Aline Koch, Emma Baumann, Rosa Baumann, Maria Baumann, Fanny Lehner, Karoline Bihler, Luise Keinath, Ernst Keinath, Anna Maag, Karl Keinath, 2nd, Hermann Bauman, and Wilhelm Keinath, and each of them, in and to the trust estate created under the Last Will and Testament of William Keinath, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–1071; Filed, January 21, 1943; 11:52 a. m.]

[Vesting Order 697]

TRUST OF LUISE LARSON

In re: Trust of Luise Larson—File D–28–1495; E. T. sec. 154.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Frank Light as Trustee acting under the judicial supervision of the District Court of the Sixth Judicial District of New Mexico;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Frieda Flurer	Teinach, Wurttemberg, Germany.
Helene Rathgeber	Calw, Wurttemberg, Germany.
Martha Wurtser	Calw, Wurttemberg, Germany.
Emma Herzog	Calw, Wurttemberg, Germany.
Unknown heirs of Marie Zerweckh	Teinach, Wurttemberg, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Frieda Flurer, Helene Rathgeber, Martha Wurster, Emma Herzog and Unknown heirs of Marie Zerweckh and each of them in and to a trust created by indenture made the 16th day of August, 1932, between Luise Larson and Frank Light,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–1059; Filed, January 21, 1943; 11:30 a. m.]

[Vesting Order 698]

ESTATE OF CHARLES LERCH

In re: Estate of Charles Lerch, deceased—File D–28–1671; E. T. sec. 540.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by John W. Oast, Jr., Administrator, Citizens Bank Building, Norfolk, Virginia, acting under the judicial supervision of Circuit Court of the State of Virginia, in and for the City of Norfolk;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Johann Lerch	Germany.
Edmund Lerch	Germany.
Clara Lerch	Germany.
Mrs. Katie Oertel	Germany.
Mrs. Martha Harden	Germany.
Eugene Lerch	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Johann Lerch, Edmund Lerch, Clara Lerch, Mrs. Katie Oertel, Mrs. Martha Harden, and Eugene Lerch, and each of them, in and to the estate of Charles Lerch, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–1072; Filed, January 21, 1943; 11:52 a. m.]

[Vesting Order 699]

ESTATE OF SALVATORE MANDILO

In re: Estate of Salvatore Mandilo, deceased—File D–38–392, E. T. sec. 1326.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Bronx County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Irena Mandilo	Italy.
Antonio Mandilo	Italy.
Guiseppe Mandilo	Italy.
Dominico Mandilo	Italy.
Francesco Mandilo	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Irena Mandilo, Antonio Mandilo, Guiseppe Mandilo, Dominico Mandilo and Francesco Mandilo and each of them in and to the Estate of Salvatore Mandilo, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds there-

of, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1060; Filed, January 21, 1943; 11:29 a. m.]

[Vesting Order 700]

TRUST UNDER WILL OF CHRISTINE MAXHEIM

In re: Trust u/w of Christine, or Christina Maxheim, deceased—File F–28–14957; E. T. sec. 1232.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Land Title Bank and Trust Company as Trustee acting under the judicial supervision of the Orphans Court of Philadelphia County, Philadelphia, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

	Last known address
National:	
Peter Maxheim	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Peter Maxheim in and to a trust created by the will of Christine or Christina Maxheim, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interest and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1061; Filed, January 21, 1943; 11:29 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supplementary Order ODT 3, Revised–12]

ALTHAUSER EXPRESS AND VAN CO., ET AL.

REGISTRATION OFFICE AT NEW YORK, NEW YORK, FOR HOUSEHOLD GOODS MOTOR CARRIERS

Harry Althauser and Catherine Althauser, doing business as Althauser Express and Van Co., et al.

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of household goods, filed with the Office of Defense Transportation by the carriers named in the Appendix hereof, as governed by § 501.9 of General Order ODT 3, Revised, as amended,[1] and good cause appearing therefor, *It is hereby ordered*, That:

1. The carriers, and each of them, named in the Appendix hereof (hereinafter collectively called "carriers"), respectively, in the transportation of household goods as common carriers by motor vehicle, shall establish an office (hereinafter referred to as "registration office") at New York, New York, to facilitate the movement of shipments of household goods, in the following manner:

(a) Each carrier shall register with the registration office shipments which the carrier may be unable to transport by reason of the restrictions contained in General Order ODT 3, Revised, as amended;

(b) Each carrier shall register with the registration office all empty or partially loaded equipment for which the carrier has no shipments available;

(c) The manager or employees of the registration office shall advise the carriers as to shipments registered and empty equipment or the unloaded space therein which is available: *Provided*, That nothing herein contained shall be construed to authorize the manager or any employee of the registration office to dispatch equipment, direct traffic, or exercise any supervision or control over the movement of any shipment, or part thereof, in any manner whatsoever;

(d) The manager of the registration office, and each carrier, shall prepare, maintain and keep open for inspection by authorized representatives of the Office of Defense Transportation such records and shall make such reports, as may be prescribed or required by the Office of Defense Transportation;

(e) The cost of maintaining the registration office shall be apportioned among the carriers as they shall agree on, or in the event the carriers are unable to agree thereon, shall be apportioned as the Office of Defense Transportation shall determine and direct.

2. Shipments exchanged pursuant to this order shall be exchanged in accordance with the following conditions:

(a) All shipments shall be transported to point of destination on the bill of lading of the carrier with whom the shipper entered into the contract of carriage;

(b) Except as may be otherwise provided by agreement between the interested carriers or prescribed by the Interstate Commerce Commission or by the appropriate State regulatory body, the division of revenue derived from transportation of a shipment exchanged, and from storage in transit, packing and unpacking, and other accessorial services pertaining thereto, shall be as determined and directed by the Office of Defense Transportation;

(c) The rates and charges applicable to the transportation, storage in transit, packing and unpacking, and other accessorial services performed in respect of any shipment shall be the lawfully applicable rates and charges of the carrier with whom the shipper entered into the contract of carriage;

(d) The duties and obligations of the originating carrier to the shipper shall not be altered by an exchange made pursuant hereto;

(e) The carriers shall not exchange shipments with each other except as provided herein.

3. Any common carrier by motor vehicle, duly authorized or permitted to engage in the transportation of household goods, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C., for authorization to participate in the functioning of the registration office established pursuant hereto. A copy of every such application shall be served upon the manager of the registration office. Upon receiving such authorization, such carrier shall become subject to this order and shall thereupon be entitled and required to participate in the functioning of the registration office in accordance with all the provisions and conditions of this order, in the same manner and degree as the carriers named in the Appendix hereof.

[1] 7 F.R. 5445, 6689, 7694.

4. Nothing contained in this order shall be so construed or applied as to relieve any carrier subject hereto from registering with joint information offices and obtaining clearance certificates as provided in General Order ODT 13, as amended,[1] or required by any other General Order, or as to relieve any carrier from any other requirements of the Office of Defense Transportation, or from any other regulatory or legal requirement, or as to require or permit any carrier to perform any transportation service not authorized or sanctioned by law, or to render any service beyond its transportation capacity, or to alter its legal liability to any shipper or other carrier.

5. Each carrier subject to this order engaged in interstate transportation shall file a copy of this order with the Interstate Commerce Commission, and, if engaged in intrastate commerce, shall file a copy hereof with each appropriate State regulatory body having jurisdiction over any operations affected hereby.

6. Communications concerning this order should refer to "Supplementary Order ODT 3 Revised–12" and should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

7. This Supplementary Order ODT 3, Revised–12 shall become effective on January 26th, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed or until such earlier time as the Office of Defense Transportation by order may designate.

Issued at Washington, D. C. this 21st day of January 1943.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

APPENDIX TO SUPPLEMENTARY ORDER ODT 3, REVISED—NAMING CARRIERS REFERRED TO THEREIN

1. Harry Althauser and Catherine Althauser d/b/a Althauser Express and Van Co., New York, N. Y.
2. Arrow Fireproof Storage Warehouse, Inc. New York, N. Y.
3. Tommy Atkins Express and Van Co., New York, N. Y.
4. Atlas Storage Co., Inc., New York, N. Y.
5. Charles August d/b/a Atlas Van and Moving Company, New York, N. Y.
6. Audubon Fireproof Storage Whse., Inc., New York, N. Y.
7. Ernst C. Auer d/b/a Auer's Van and Express Co., New York, N. Y.
8. B & M Express, Inc., New York, N. Y.
9. Joseph Benson d/b/a Benson's Moving Company, New York, N. Y.
10. Charles Herbert Close d/b/a Beverly Moving Company, Yonkers, N. Y.
11. Beverly Storage Co., Inc., New York, N. Y.
12. Original" J. F. Blackham, Inc., Flushing, L. I., N. Y.
13. Bowling Green Storage and Van Co., New York, N. Y.
14. William J. Brown d/b/a Brown's Warehouse Co., New York, N. Y.
15. Henry Brunner d/b/a Brunner Brothers Storage Warehouse, Brooklyn, N. Y.
16. Samuel Fuchs, Harry Fuchs, and Michael Fuchs d/b/a Century Moving and Storage Co., Inc., New York, N. Y.
17. Chelsea Fireproof Storage Warehouses, Inc., New York, N. Y.
18. Cirker's Moving and Storage Company, Inc., New York, N. Y.
19. Owen Cullen d/b/a Clancy Storage Co., Bronx, N. Y.
20. Florence M. Christal d/b/a Connolly's Express and Van Co., New York, N. Y.
21. Cuneo Storage Company, Inc., Bronx, N. Y.
22. Frank Catalano, Anthony Catalano, and William Power d/b/a Dard's Express, New York, N. Y.
23. Joseph J. Brill d/b/a Dart Moving Company, Brooklyn, N. Y.
24. William F. Dobbs d/b/a Dobbs Express Co., White Plains, N. Y.
25. Dwyer Storage Warehouses, Inc., New York, N. Y.
26. Madelon R. Plant d/b/a Eddy's Express, Portchester, N. Y.
27. David Silberman d/b/a Emerald Auto Vans and Express Company, New York, N. Y.
28. First National Moving and Storage Corp., New York, N. Y.
29. Henry Fisher d/b/a Fisher and Noble, New York, N. Y.
30. Flushing Storage Warehouse Company, Flushing, L. I., N. Y.
31. Arthur Foley, North Pelham, N. Y.
32. Fordham Storage Warehouse Corporation, Bronx, N. Y.
33. Fred G. Fuhr, Portchester, N. Y.
34. Globe Storage and Moving Co., Inc., Bronx, N. Y.
35. J. T. Goodliffe, Mamaroneck, N. Y.
36. Gramatan Moving and Storage Company, Bronxville, N. Y.
37. Graumet Moving and Storage Co., Inc., New York, N. Y.
38. Norman Hansen d/b/a Sam Hansen and Son, Brooklyn, N. Y.
39. Hempstead Storage Corporation, Hempstead, L. I., N. Y.
40. Hendricks Moving and Storage, Laurelton, L. I., N. Y.
41. Hermans Storage Warehouse Company, Inc., New York, N. Y.
42. Home Sweet Home Moving and Storage Co., Inc., East Hampton, L. I., N. Y.
43. The Independent Storage Company, New York, N. Y.
44. Jerome Storage Co., Inc., Bronx, N. Y.
45. William Johnston, Shelter Island Heights, N. Y.
46. Julius Kindermann and Sons, Inc., New York, N. Y.
47. Koberlein Express and Transfer Co., Inc., New York, N. Y.
48. Koster's Transfer, Inc., New York, N. Y.
49. Joseph Kranz, Bronx, N. Y.
50. Aubrey N. LaFrance d/b/a La France Express Co., New York, N. Y.
51. Charles Land d/b/a Charles Land Moving and Express Co., New York, N. Y.
52. S. Laskau, Inc., New York, N. Y.
53. Liberty Storage and Warehouse Company, Inc., New York, N. Y.
54. Samuel Lightbody, New Rochelle, N. Y.
55. Frank Masek d/b/a M & S Packers Movers and Shippers, New York, N. Y.
56. McCarthy Express and Trucking Co., Inc., New York, N. Y.
57. Alex MacKenzie d/b/a Mac's Express and Moving Co., Scarsdale, N. Y.
58. Anthony J. Madden, White Plains, N. Y.
59. F. A. Maffucci and Son, Inc., Lynbrook, L. I., N. Y.
60. Meyer Margolies d/b/a Margolies Bros., Bronx, N. Y.
61. Marvel Moving Corp., New York, N. Y.
62. Matthew's Express and Van Co., Inc., New York, N. Y.
63. Mayfair Van and Express Company, Inc., New York, N. Y.
64. Edward Merkel and George Tzoucalis d/b/a E. Merkel and Company, Brooklyn, N. Y.
65. Metropolitan Fireproof Warehouse, Inc., New York, N. Y.
66. Morgan and Brother Fireproof Storage Warehouses, Inc., New York, N. Y.
67. Mount Pleasant Fireproof Storage, Inc. Pleasantville, N. Y.
68. Henry Muller, Jr. d/b/a Muller Brothers, Forest Hills, N. Y.
69. Daniel Murphy, Eugene Murphy, and Benjamin Murphy d/b/a Murphy Bros., New York, N. Y.
70. James C. Noble, Bronxville, N. Y.
71. The T. J. O'Reilly Storage Warehouse Company, New York, N. Y.
72. James Zucker d/b/a Park-East Movers, New York, N. Y.
73. Peterson's Auto Express and Trucking Corporation, New York, N. Y.
74. John Reberi d/b/a Tony's Express and Storage, New York, N. Y.
75. Pickwick Moving Co., Inc., New York, N. Y.
76. Pioneer Warehouses, Brooklyn, N. Y.
77. Queensboro Storage Warehouse, Inc., Richmond Hill, N. Y.
78. Peter Frank Reilly, Jr. d/b/a Peter F. Reilly Fireproof Warehouses, Brooklyn, N. Y.
79. Conrad Rhodes, Jr. and Ernst Schoenfeld d/b/a Rhodes and Schoenfeld, Queens, N. Y.
80. Richmond Storage Warehouse and Van Co. Staten Island, N. Y.
81. Angelo Rivas and George Cerny d/b/a Rivas-Cerny Movers, New York, N. Y.
82. Alfred Santini and Peter Succhesi d/b/a Alfred Santini Co., New York, N. Y.
83. U. Santini, Inc., Brooklyn, N. Y.
84. Scarsdale Van and Storage Co., Inc., Scarsdale, N. Y.
85. William Anton Schumacher d/b/a Wm. A. Schumacher, Stapleton, S. I., N. Y.
86. Security Fireproof Storage, Inc., Brooklyn, N. Y.
87. Siegler Bros., Inc., New York, N. Y.
88. Simkovitch Moving and Storage Co., Inc., New York, N. Y.
89. Simpson McCartney and David McCartney, Woodside, L. I., N. Y.
90. Sidney Spalding and John Spalding d/b/a Spalding Movers, New York, N. Y.
91. The Thomas J. Stewart Company, Jersey City, N. J.
92. Percival J. Stokes d/b/a P. J. Stokes, Brooklyn, N. Y.
93. Strand Moving and Storage Corp., New York, N. Y.
94. William H. Strang Warehouses, Inc., Brooklyn, N. Y.
95. V. H. Towns, Yonkers, N. Y.
96. Thomas V. Ward and Edward S. Ward d/b/a Thomas Ward Storage Warehouse, New York, N. Y.
97. Weissberger Moving and Storage Company, Inc., New York, N. Y.
98. Westchester Van and Storage Co., Inc., Mt. Vernon, N. Y.
99. John Winkler's Sons, Inc., Far Rockaway, L. I., N. Y.
100. World Moving and Storage Co., Inc., New York, N. Y.
101. Eagle Warehouse and Storage Co., Inc., Brooklyn, N. Y.
102. Joseph W. Hoff d/b/a Hoff Express and Van Co., Long Beach, N. Y.
103. Thomas G. Hayes d/b/a Hayes Storage Packing and Removal Service, New York, N. Y.
104. Thorn's Transfer, Inc., Bronxville, N. Y.

[1] 7 F.R. 5066, 5678.

[F. R. Doc. 43–1062; Filed, January 21, 1943; 11:35 a. m.]

[Supplementary Order ODT 3 Revised–13]

NORTHERN PACIFIC TRANSPORTATION CO., ET AL

COORDINATION OF COMMON CARRIER MOTOR VEHICLE SERVICE

Northern Pacific Transport Company, W. M. Daniels doing business as Daniels Auto Freight Lines and Flathead Transportation Company.

Upon consideration of the application to coordinate common carrier motor vehicle service between Butte and Kalispell, Montana, filed by Northern Pacific Transport Company, Billings, Montana, (hereinafter referred to as Transport) W. M. Daniels doing business as Daniels Auto Freight Line, Butte, Montana, (hereinafter referred to as Daniels) and Flathead Transportation Company, Missoula, Montana, (hereinafter referred to as Flathead) as governed by § 501.9 of General Order ODT 3 Revised, as amended[1] and good cause appearing therefor, *It is hereby ordered*, That:

1. Transport shall:

(a) Divert to Daniels at his terminal in Butte, Montana, all shipments destined to Philipsburg, Maxville and Hall, Montana.

(b) Accept from Flathead at the Flathead terminal in Missoula, Montana, when Transport has equipment available, such shipments as are destined to points on U. S. Highway No. 93, north of Missoula, Montana, to and including Whitefish, Montana, and transport such shipments to the terminal of Flathead at points of destination: *Provided*, That (a) shipments destined to points at which Flathead does not maintain an agency shall be transported by Transport direct to consignee at destination points, and (b) shipments destined to Whitefish, Montana, shall be delivered by Transport to a connecting carrier at Kalispell, Montana, for final delivery at destination.

(c) Accept from Flathead at the Flathead terminal in Kalispell, Montana, and from any connecting carrier at that point, and at all Flathead terminals located at points between Kalispell and Missoula, Montana, such shipments as are diverted to Transport by Flathead destined to Missoula, Montana, intermediate points and points beyond, and transport such shipments in its own vehicles to the terminals of Flathead located at intermediate points between Kalispell and Missoula, Montana, including Missoula: *Provided*, That shipments destined to points at which Flathead does not maintain any agency shall be transported by Transport direct to consignee at point of destination.

2. Daniels shall:

(a) Accept from Transport at the Daniels terminal in Butte, Montana, such shipments as are destined to Philipsburg, Maxville and Hall, Montana, and transport such shipments in his own vehicles to the terminal of Transport at Philipsburg, Montana, and direct to consignees at points of destination at Maxville and Hall, Montana.

3. Flathead shall whenever it has less than a capacity load or does not have equipment available to transport such shipments:

(a) Divert to Transport at the Flathead terminal at Missoula, Montana, such shipments as are destined to points on U. S. Highway No. 93, north of Missoula, Montana, to and including Whitefish, Montana.

(b) Divert to Transport at the terminals of Flathead at Kalispell, Montana, and at intermediate points between Kalispell and Missoula, Montana, such shipments as are destined to intermediate points, between Kalispell and Missoula, Montana, and points beyond.

4. The carrier to whom a shipment has been diverted shall forward such shipment on the billing and pursuant to the lawfully applicable rates, rules, and regulations of the carrier issuing the bill of lading.

5. Except as may be otherwise provided by agreement between the carriers, or prescribed by the Interstate Commerce Commission or by appropriate State regulatory body, the division of revenues derived from the transportation performed pursuant hereto shall be as determined by the Office of Defense Transportation.

6. The records of the carriers shall be available for examination and inspection at all reasonable times by any accredited representative of the Office of Defense Transportation.

7. The provisions of this order shall not be so construed or applied as to require or permit the motor carriers named herein to perform any transportation service, the performance of which by it is not authorized or sanctioned by law, or to render any service beyond its transportation capacity, or to alter its legal liability to any shipper.

8. Each of the carriers shall file forthwith with the appropriate regulatory body or bodies having jurisdiction over the operations affected by this order, and publish in accordance with law, and continue in affect until further order, tariffs, or supplements to filed tariffs, setting forth any changes in fares, charges, operations, rules, regulations and practices of the carrier which may be necessary to accord with the provisions of this order, and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on one day's notice.

9. Each carrier subject to this order engaged in interstate transportation shall file a copy of this order with the Interstate Commerce Commission, Washington, D. C., and if engaged in intrastate transportation shall file a copy of this order with each appropriate State regulatory body having jurisdiction over any operations affected hereby.

10. Communications concerning this order should refer to "Supplementary Order ODT 3 Revised-13", and should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

11. This order shall become effective January 31, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of January 1943.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 43-1063; Filed, January 21, 1943; 11:35 a. m.]

[1] 7 F.R. 5445; 7 F.R. 6689; 7 F.R. 7694.

OFFICE OF PRICE ADMINISTRATION.

[Revised General Order 27]

DELEGATION TO REGIONAL ADMINISTRATORS, STATE DIRECTORS, AND DISTRICT MANAGERS OF AUTHORITY TO SEND LICENSE WARNING NOTICES

General Order No. 27 is hereby amended to read as set forth below:

Pursuant to the authority conferred upon the Price Administrator by the Emergency Price Control Act of 1942, the following order is prescribed:

(a) The functions, duties, powers, authority and discretion conferred upon the Price Administrator by section 205 (f) of the Emergency Price Control Act of 1942 shall be exercised by the Price Administrator through the several Regional Administrators, State Directors, and District Managers of the Office of Price Administration to the following extent:

(1) Each of the several Regional Administrators of the Office of Price Administration is authorized, within his region, to send a warning notice by registered mail to any person who, in the judgment of such Regional Administrator, has violated any of the provisions of a license issued under section 205 (f) of the Emergency Price Control Act of 1942, or has violated any of the provisions of any regulation, order or requirement under section 2 or section 202 (b) of said Act, or any of the provisions of any price schedule effective in accordance with the provisions of section 206 of said Act, which is applicable to such person. In the absence of the Regional Administrator the acting Regional Administrator may exercise any authority conferred upon such Regional Administrator by this order.

(2) Each of the several State Directors and District Managers of the Office of Price Administration is authorized, within his district, to send a warning notice by registered mail to any person who, in the judgment of such State Director or District Manager, has violated any of the provisions of a license issued under section 205 (f) of the Emergency Price Control Act of 1942, or has violated any of the provisions of any regulation, order, or requirement under section 2 or section 202 (b) of said Act, or any of the provisions of any price schedule effective in accordance with the provisions of section 206 of said Act, which is applicable to such person. In the absence of the State Director or District Manager, the acting State Director or acting District Manager may exercise any authority conferred upon such State Director or District Manager by this order.

(3) The Regional Administrator of the Ninth Region may authorize the Director for Puerto Rico, the Director for the Virgin Islands, the Director for Alaska, and the Director for Hawaii, or any of them, to exercise, within Puerto Rico, the Virgin Islands, Alaska, and Hawaii, respectively, any of the authority conferred upon him by this order. In the absence of such Director, the acting Director may exercise any authority conferred upon such Director by the Regional Administrator pursuant to this order.

(4) Any warning notice sent by any Regional Administrator, State Director or District Manager pursuant to the authority conferred by this Revised General Order No. 27, or sent by one of the several Directors for Puerto Rico, the Virgin Islands, Alaska, and Hawaii, pursuant to authority conferred by the Regional Administrator of the Ninth Region under paragraph (a) (3) of this order, shall have the same force and effect as if sent by the Price Administrator.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued and effective this 20th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-1003; Filed, January 20, 1943; 4:43 p. m.]

[General Order 43]

TEMPORARY RATION BANKING OPERATIONS

REIMBURSEMENT OF LISTED BANKS IN INTRODUCTORY AREA

Pursuant to the authority conferred upon the Administrator by Public Laws 421, 507 and 729, 77th Cong., by Executive Order No. 9125, issued by the President on April 7, 1942, and by the War Production Board Directive No. 1, the following order is prescribed:

(a) Each listed bank, as such term is defined in § 1407.261, Rationing Order No 3 and in § 1394.8325, Ration Order No. 5C, shall be reimbursed by the Office of Price Administration for all operations in connection with temporary ration banking in the introductory area under the provisions of §§ 1407.261 to 1407.275 inclusive, Rationing Order No. 3, and §§ 1394.8325 to 1394.8340 inclusive, Ration Order No. 5C, for the period from December 16, 1942, to and including January 26, 1943, in accordance with the following schedule:

(1) Each bank shall receive a maintenance charge of ten (10) cents for each account carried on its books on the 15th day of January 1943.

(2) Each bank shall receive five (5) cents for each deposit made, plus one-half (½) cent for each item included in the deposit, during said period.

(3) Each bank shall receive four (4) cents for each transfer voucher properly debited to an account during said period.

(4) As used in this paragraph (a), the following terms have the following meanings:

(i) A credit to an account made on the order of the Office of Price Administration shall be deemed to be a deposit.

(ii) Each separate evidence shall be deemed to be a separate item, except that, in the case of coupons or stamps required by order of the Office of Price Administration to be affixed to a card or sheet, each card or sheet bearing stamps or coupons shall be deemed one item.

(iii) A debit to an account made on the order of the Office of Price Administration shall be deemed the debit of a transfer voucher to the account.

(b) Such reimbursement shall be made upon the receipt and approval by the Office of Price Administration of a report of such transactions by the listed bank, which report shall be made at the time and in the manner provided by General Ration Order No. 3 for the first quarterly reports of ration banking transactions by participating banks. No listed banks shall receive any other payment from any person for services rendered in connection with the temporary ration banking plan in the introductory area.

(c) This order shall take effect this 26th day of January 1943.

Issued this 20th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-1030; Filed, January 20, 1943; 4:45 p. m.]

[Order 5 Under RPS 83]

PACKARD BELL CO.

APPROVAL OF MAXIMUM PRICE

Order No. 5 under Revised Price Schedule No. 83—Radio Receivers and Phonographs. Approval of maximum price for sales by Packard Bell Company of a new model radio.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250; *It is ordered:*

(a) Packard Bell Company, 1115 South Hope Street, Los Angeles, California, may sell and deliver its new model radio, No. 51BPR (D. L.) =2 at a price f. o. b. seller's point of shipment, exclusive of federal excise tax, no higher than $75.56, subject to discounts, allowances and terms no less favorable than those customarily granted by it.

(b) This Order No. 5 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 5 shall become effective on the 21st day of January, 1943.

Issued this 20th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-1002; Filed, January 20, 1943; 4:43 p. m.]

[Revised Order 76 Under MPR 120]

SHAVERS MOUNTAIN COAL COMPANY

ORDER GRANTING ADJUSTMENT

Revised Order No. 76 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 1120-73-P.

Order No. 76 under Maximum Price Regulation No. 120 is hereby revised and amended to read as set forth below:

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (b) of Maximum Price Regulation No. 120; *It is hereby ordered:*

(a) Coals produced in the following size groups by Shavers Mountain Coal Company, Elkins, West Virginia, at its Coberly Mine, Mine Index No. 945, located in Randolph County, West Virginia, District No. 3, may be sold and purchased for shipment by rail and by truck or wagon, including railroad fuel shipments, at prices not to exceed the following respective prices per net ton f. o. b. the mine:

Size group:		*Maximum prices*
Rail	6	2.80
Truck or wagon	5	2.80
Railroad fuel	6	2.80

(b) Within thirty (30) days from the effective date of this order, Shavers Mountain Coal Company shall notify all persons purchasing its coals of the adjustment granted in paragraph (b) of this order, and shall include a statement that if the purchaser is subject to Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Maximum Price Regulation No. 122;

(c) This Revised Order No. 76 may be revoked or amended by the Administrator at any time;

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein;

(e) This Revised Order No. 76 shall become effective January 21, 1943.

Issued this 20th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-1004; Filed, January 20, 1943; 4:43 p. m.]

[Order 148 Under MPR 120]

REPUBLIC COAL COMPANY, INC.

ORDER GRANTING ADJUSTMENT

Order No. 148 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120-310.

For the reasons set forth in an opinion which has been issued simultaneously herewith and which has been filed with the Division of the Federal Register, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended and Executive Order No. 9250, and in accordance with § 134.203 of Maximum Price Regulation No. 120; *It is hereby ordered:*

(a) On and after December 16, 1942, Republic Coal Company, Inc., 2243 Southport Avenue, Chicago, Illinois, may enter into agreements with the Chicago, Milwaukee, St. Paul and Pacific Railroad, for the sale of coals produced at the Klein No. 2 Mine, located at Roundup, Musselshell County, Montana, at the applicable maximum prices, subject to an agreement to adjust prices

upon deliveries made during the pendency of the petition in accordance with the disposition thereof.

(b) This order may be revoked or amended by the Price Administrator at any time and in any event is to be effective only to the date upon which said petition is finally determined by the Price Administrator.

(c) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(d) This Order No. 148 shall become effective January 21, 1943.

Issued this 20th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-1027; Filed, January 20, 1943; 4:49 p. m.]

[Order 149 Under MPR 120]

MISSOURI CITY COAL COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 149 Under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120-247.

For the reasons set forth in an opinion which has been issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (b) of Maximum Price Regulation No. 120; *It is hereby ordered:*

(a) Coal produced by the Missouri City Coal Company, Missouri City, Missouri, at its Knoxville Mine (Mine Index No. 359), in District No. 15, in Size Groups 1 and 2, may be sold and purchased for shipment by truck, f. o. b. mine at a price not to exceed $3.85 per net ton.

(b) Within thirty (30) days from the effective date of this order, the said Missouri City Coal Company shall notify all persons purchasing its coals of the adjustment granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Maximum Price Regulation No. 122.

(c) This Order No. 149 may be revoked or amended by the Administrator at any time.

(d) All prayers of the petition not granted herein are hereby denied.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(f) This Order No. 149 shall become effective January 21, 1943.

Issued this 20th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-1028; Filed, January 20, 1943; 4:49 p. m.]

[Order 150 Under MPR 120]

BLACK MOUNTAIN CORPORATION

ORDER GRANTING ADJUSTMENT

Order No. 150 under Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant—Docket No. 1120-38-P.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (e) of Maximum Price Regulation No. 120, *It is hereby ordered:*

(a) Coals produced by the Black Mountain Corporation at its Mine No. 30 (Mine Index No. 49) and Mine No. 31 (Mine Index No. 50) in District No. 8 may be sold and purchased for shipment by rail at prices not to exceed the following respective prices per net ton, f. o. b. the mine:

Size group No.:	
1	$3.90
2	3.90
3	3.65
4	3.65
5	3.60
6	3.65
7	3.05
8	3.00
9	3.30
10	3.30
15	2.60
16	2.60
17	2.60
18	2.50
19	2.45
20	2.75
21	2.45
22	2.05

(b) Coals produced by the Black Mountain Corporation at its Mine No. 30 (Mine Index No. 49) and Mine No. 31 (Mine Index No. 50) in District No. 8 may be sold and purchased for shipment via the Great Lakes at prices not to exceed $2.75 per net ton for Size Group 20 f. o. b. the mine.

(c) Within thirty (30) days from the effective date of this order, Black Mountain Corporation shall notify all persons purchasing its coals of the adjustments granted in paragraphs (a) and (b) of this order, and shall include a statement that if the purchaser is subject to Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Maximum Price Regulation No. 122.

(d) This Order No. 150 may be revoked or amended by the Administrator at any time;

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein;

(f) This Order No. 150 shall become effective January 21, 1943.

Issued this 20th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-1029; Filed, January 20, 1943; 4:40 p. m.]

[Order 5 Under MPR 136, as Amended]

BAKER & CO., INC. ET AL

ORDER GRANTING APPLICATION

Order No. 5 under Maximum Price Regulation No. 136, as Amended—Machines and Parts and Machinery Services—Docket No. 3136-114.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and Procedural Regulation No. 6, *It is hereby ordered:*

(a) The following firms, hereafter called "petitioners", viz:

Baker & Company, Inc., Newark, New Jersey.
C. S. Brainin Company, New York, New York
Callite Tungsten Corporation, Union City, New Jersey.
Fansteel Metallurgical Corporation, North Chicago, Illinois.
Gibbon Electric Company, Pittsburgh, Pennsylvania.
Metals & Controls Corporation, Attleboro, Massachusetts.
P. R. Mallory & Co., Inc., Indianapolis, Indiana.
The H. A. Wilson Company, Newark, New Jersey.

are hereby severally authorized, from and after August 31, 1942, to increase the maximum price established by Maximum Price Regulation No. 136, as amended, for any machine or part containing silver, when manufactured by any of the Petitioners and sold to any United States government agency, or any contractor or subcontractor of such agency, by the sum of 9.625¢ per fine troy ounce of silver contained in such machine or part: *Provided*, That no overhead, margin or profit factor be applied to such increase: *And provided further*, That where the provisions of Maximum Price Regulation No. 136 as amended, already permit any of the petitioners to reflect in their maximum price the increase in the cost of a machine or part containing silver, no additional allowance may be added by the petitioners.

(b) This Order No. 5 may be revoked or amended by the Office of Price Administration at any time.

(c) This Order No. 5 shall become effective January 21, 1943.

Issued this 20th day of January 1943.

JOHN E. HAMM
Acting Administrator

[F. R. Doc. 43-1024; Filed, January 20 1943; 4:46 p. m.]

[Order 6 Under MPR 136 as Amended]

CENTRAL TOOL CO.

ORDER GRANTING IN PART AND DENYING IN PART

Order No. 6 under Maximum Price Regulation No. 136, as Amended—Machines and Parts and Machinery Services—Docket No. 3136-178.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, § 1390.25 (a) of Maximum Price Regulation No. 136, as amended, and Procedural Regulation No. 6, *It is hereby ordered:*

(a) The Central Tool Company of Auburn, Rhode Island, is hereby authorized to enter into, offer to enter into, and carry out, contracts with the United States or any agency thereof or with the government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States" or with any agency of any such government covering the following micrometers and accessories at prices not in excess of the maximum prices set opposite each micrometer and accessory listed below:

STANDARD (1/1,000)

	All black frame	*Polished frame*
1 inch	$6.25	$8.50
2 inch	7.00	9.50
3 inch	7.75	11.50
4 inch	8.50	12.50
5 inch	9.25	13.50
6 inch	10.00	14.50

VERNIER (1/10,000)

1 inch	$8.00	$10.25
2 inch	8.75	11.25
3 inch	9.50	13.25

ACCESSORIES

Locknut—additional	$1.00
Rocket Stop—additional	.75
Cases for Sets	7.50

The following discounts shall apply to the above prices:

	Percent
1-11 Micrometers	15
12-49 Micrometers	20
50 or more Micrometers	25

(b) To the extent that the application for adjustment filed by The Central Tool Company has not been granted by this order, the application is denied.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

(d) This order shall become effective January 21, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-1025; Filed, January 20, 1943; 4:48 p. m.]

[Order 129 Under MPR 188]

SPIEGEL FURNITURE CO.

APPROVAL OF MAXIMUM PRICES

Order No. 129 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specific Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum prices for sales by Spiegel Furniture Compahy of a seed display cabinet.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Spiegel Furniture Company, Shelbyville, Indiana, is authorized to sell and deliver the seed display cabinet at a price f. o. b. Shelbyville, Indiana, no higher than $27.18 per unit.

(b) This Order No. 129 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 129 shall become effective on the 21st day of January 1943.

Issued this 20th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-1000; Filed, January 20, 1943; 4:43 p. m.]

[Order 131 Under MPR 188]

SOUND FURNITURE MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 131 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specific Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum prices for sales by Sound Furniture Manufacturing Company of tables and desks for use by Radio School, Alaska Communications System, of Seattle, Washington.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Sound Furniture Manufacturing Company of Seattle, Washington, is authorized to sell and deliver special tables manufactured for use by the Radio School, Alaska Communications System, of Seattle, Washington, at $29.24 each and special desks at $29.30 f. o. b. Seattle.

(b) This Order No. 131 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 131 shall become effective on 21st day of January 1943.

Issued this 20th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-1026; Filed, January 20, 1943; 4:45 p. m.]

FEDERAL REGISTER

VOLUME 8 NUMBER 16

Washington, Saturday, January 23, 1943

Regulations

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 3623]

PART 3—CEASE AND DESIST ORDERS

WORLD'S STAR-MALLOCH, INC.

§ 3.6 (a 10) *Advertising falsely or misleadingly—Comparative data or merits:* § 3.6 (m 10) *Advertising falsely or misleadingly—Manufacture or preparation:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service:* § 3.6 (ff 10) *Advertising falsely or misleadingly—Unique nature or advantages.* In connection with offer, etc., in commerce, of respondent's hosiery, lingerie, shirts, dresses and other wearing apparel, and among other things, as in order set forth, representing (1) that respondent's hosiery designated as "Strand-Sealed" hosiery, or any other hosiery of substantially similar type or construction, is manufactured by a secret process not used in the manufacture of other hosiery; (2) that said hosiery gives two or three times as much wear as other hosiery, or that the wearing qualities of said hosiery are substantially greater than those of other hosiery; (3) that said hosiery is proof against snags or runs; or (4) that the number of turns or twists used in the manufacture of said hosiery is substantially in excess of the number used in other hosiery; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, World's Star-Malloch, Inc., etc., Docket 3623, January 9, 1943]

§ 3.6 (y 5) *Advertising falsely or misleadingly—Sample, offer or order conformance:* § 3.72 (m 10) *Offering deceptive inducements to purchase—Sample, offer or order conformance:* § 3.80 (e) *Securing agents or representatives falsely or misleadingly—Qualities or properties of product.* In connection with offer, etc., in commerce, of respondent's hosiery, lingerie, shirts, dresses and other wearing apparel, and among other things, as in order set forth, using in respondent's advertising or supplying to respondent's sales agents or representatives samples purporting to portray the material used in the manufacture of respondent's hosiery when such purported samples are not in fact representative of the material actually used in such hosiery; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, World's Star-Malloch, Inc., etc., Docket 3623, January 9, 1943]

§ 3.6 (g) *Advertising falsely or misleadingly—Earnings:* § 3.72 (c) *Offering deceptive inducements to purchase—Earnings:* § 3.80 (c) *Securing agents or representatives falsely or misleadingly—Earnings.* In connection with offer, etc., in commerce, of respondent's hosiery, lingerie, shirts, dresses and other wearing apparel, and among other things, as in order set forth, representing that respondent's sales agents or representatives earn $1.30 per hour, $15.00 per day, or $47.00 per week, or any amounts in excess of those which are usually or customarily earned by such agents or representatives under normal conditions and circumstances; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, World's Star-Malloch, Inc., etc., Docket 3623, January 9, 1943]

§ 3.6 (i) *Advertising falsely or misleadingly—Free goods or service:* § 3.6 (ee) *Advertising falsely or misleadingly—Terms and conditions:* § 3.72 (e) *Offering deceptive inducements to purchase—Free goods:* § 3.72 (n 10) *Offering deceptive inducements to purchase—Terms and conditions:* § 3.80 (i) *Securing agents or representatives falsely or misleadingly—Terms and conditions.* In connection with offer, etc., in commerce, of respondent's hosiery, lingerie, shirts, dresses and other wearing apparel, and among other things, as in order set forth, (1) representing that respondent supplies sample outfits to its agents or representatives free of cost when a charge is in fact made for such outfits; or (2) using the word "free" or "gift," or any other word of similar import, to designate, describe, or refer to any merchandise which is not in fact given by respondent free of charge but is furnished

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FEDERAL REGISTER

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as compensation for services rendered; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, World's Star-Malloch, Inc., etc., Docket 3623, January 9, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 9th day of January, A. D. 1943.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence in support of and in opposition to the allegations of the complaint taken before trial examiners of the Commission theretofore duly designated by it, report of the trial examiners upon the evidence and the exceptions to such report, and brief in support of the complaint (no brief having been filed by respondent and oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, World's Star-Malloch, Inc., a corporation, trading under its corporate name or under the name "Strand-Sealed Hosiery Co." or any other name, and its officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of respondent's hosiery, lingerie, shirts, dresses and other wearing apparel, do forthwith cease and desist from:

1. Representing that respondent's hosiery designated as "Strand-Sealed" hosiery, or any other hosiery of substantially similar type or construction, is manufactured by a secret process not used in the manufacture of other hosiery.

2. Representing that said hosiery gives two or three times as much wear as other hosiery, or that the wearing qualities of said hosiery are substantially greater than those of other hosiery.

3. Representing that said hosiery is proof against snags or runs.

4. Representing that the number of turns or twists used in the manufacture of said hosiery is substantially in excess of the number used in other hosiery.

5. Using in respondent's advertising or supplying to respondent's sales agents or representatives samples purporting to portray the material used in the manufacture of respondent's hosiery when such purported samples are not in fact representative of the material actually used in such hosiery.

6. Representing that respondent's sales agents or representatives earn $1.30 per hour, $15.00 per day, or $47.00 per week, or any amounts in excess of those which are usually or customarily earned by such agents or representatives under normal conditions and circumstances.

7. Representing that respondent supplies sample outfits to its agents or representatives free of cost when a charge is in fact made for such outfits.

8. Using the word "free" or "gift," or any other word of similar import, to designate, describe, or refer to any merchandise which is not in fact given by respondent free of charge but is furnished as compensation for services rendered.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-1112; Filed, January 22, 1943, 10:46 a. m.]

[Docket No 4600]

PART 3—CEASE AND DESIST ORDERS

THEOPHILUS J. CRAIG

§ 3.6 (r) *Advertising falsely or misleadingly—Prices—Comparative:* § 3.6 (r) *Advertising falsely or misleadingly—Prices—Savings and discounts:* § 3.48 (a) *Disparaging competitors and their products—Competitors—Prices.* In connection with offer, etc., in commerce, of tombstones and monuments, and among other things, as in order set forth, representing that the prices at which respondent offers his tombstones and monuments for sale are 30% below the usual retail prices for said products or any other savings in excess of the actual savings from the prices charged by respondent's competitors for similar products made of the same or comparable materials; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Theophilus J. Craig, Docket 4600, January 9, 1943]

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Properties and rights.* In connection with offer, etc., in commerce, of tombstones and monuments, and among other things, as in order set forth, representing that the respondent owns, operates or controls the quarry from which granite is quarried and manufactured into tombstones and

monuments, unless and until the respondent actually owns, operates, or directly and absolutely controls the quarry wherein said granite is quarried; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Theophilus J. Craig, Docket 4600, January 9, 1943]

§ 3.6 (y 5) *Advertising falsely or misleadingly—Sample, offer or order conformance:* § 3.72 (m 10) *Offering deceptive inducements to purchase—Sample, offer or order conformance.* In connection with offer, etc., in commerce, of tombstones and monuments, and among other things, as in order set forth, using picturizations of tombstones and monuments which appear to be completely polished, including the front, back, top, sides and base, when orders for the tombstones or monuments so pictured are filled with tombstones or monuments not polished in their entirety or an additional charge is made for a completely polished tombstone or monument; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Theophilus J. Craig, Docket 4600, January 9, 1943]

§ 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.6 (m 10) *Advertising falsely or misleadingly—Manufacture or preparation.* In connection with offer, etc., in commerce, of tombstones and monuments, and among other things, as in order set forth, representing that respondent's tombstones and monuments are manufactured from granite quarried in the vicinity of Barre, Vermont, Quincy, Massachusetts, Westerly, Rhode Island, or from any other particular granite, unless said tombstones and monuments are in fact produced or manufactured from the particular granite specified; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Theophilus J. Craig, Docket 4600, January 9, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 9th day of January, A. D. 1943.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint, and states that he waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent Theophilus J. Craig, an individual, his representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of tombstones and monuments in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Representing that the prices at which respondent offers his tombstones and monuments for sale are 30% below the usual retail prices for said products or any other savings in excess of the actual savings from the prices charged by respondent's competitors for similar products made of the same or comparable materials;

(2) Representing that the respondent owns, operates or controls the quarry from which granite is quarried and manufactured into tombstones and monuments, unless and until the respondent actually owns, operates, or directly and absolutely controls the quarry wherein said granite is quarried;

(3) Using picturizations of tombstones and monuments which appear to be completely polished, including the front, back, top, sides and base, when orders for the tombstones or monuments so pictured are filled with tombstones or monuments not polished in their entirety or an additional charge is made for a completely polished tombstone or monument;

(4) Representing that respondent's tombstones and monuments are manufactured from granite quarried in the vicinity of Barre, Vermont; Quincy, Massachusetts, Westerly, Rhode Island; or from any other particular granite, unless said tombstones and monuments are in fact produced or manufactured from the particular granite specified.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-1113; Filed, January 22, 1943; 10:46 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1813]

PART 331—MINIMUM PRICE SCHEDULE, DISTRICT NO. 11

ORDER GRANTING TEMPORARY RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 11 for the establishment of price classifications and minimum prices for the Standard Materials No. 1 Mine.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Standard Materials No. 1 Mine in District No. 11; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 331.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 331.24 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: January 5, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 11

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 331, Minimum Price Schedule for District No. 11 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 331.5 *Alphabetical list of code members*—Supplement R

Mine index No.	Code member	Mine	Seam	Subdistrict	Freight origin group	Price group	Shipping point	Railroad
[1]1373	Standard Materials Corporation.	Standard Materials No. 1.	V	BC	40	3	West Clinton.	CMStP&P

[1] Mine Index No. 1373 shall be included in Price Group 3 and shall take the same f. o. b. mine prices as other mines in Price Group 3 in Price Schedule No. 1, District No. 11, For All Shipments Except Truck. It shall also take the same adjustments in f. o. b. mine prices on account of differences in freight rates as Mine Index No. 54, and to mines in Freight Origin Group No. 40 of the Brazil Clinton Subdistrict having the same freight rate. Mine Index No. 1373 shall be accorded the same prices for railroad locomotive fuel as shown in § 331.10 in Minimum Price Schedule No. 1, District No. 11, For All Shipments Except Truck, as are shown for Mine Index No. 54.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 15

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 335, Minimum Price Schedule for District No. 15 and supplements thereto.

FOR RAIL SHIPMENTS

§ 335.5 *Alphabetical list of code members*—Supplement R

[Alphabetical list of code members showing price classification by size group for domestic, commercial and industrial use]

Code member	Mine index No.	Mine name	Production group No.	Shipping point	Railroad	Freight origin group No.	Price classification by size group 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
•Coal Creek Coal Co. (Inactivated)	1439	Coal Creek Coal Co.	10	Henryetta, Okla.	K'O&G	60	A	A	A	A	(†)	A	(†)	A	A	A	A	(†)	(†)	A	(†)

•Previously classified as truck mine.
†Previously classified in this size group.
A is Market Area list price as listed in Price Schedule No. 1.

[F. R. Doc. 43-1035; Filed, January 21, 1943; 10:17 a. m.]

[Docket No. A-1778]

PART 338—MINIMUM PRICE SCHEDULE, DISTRICT NO. 18

ORDER GRANTING TEMPORARY RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 18 for the establishment of price classifications and minimum prices for the coals of the Magdalena Mine.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Magdalena Mine (Mine Index No. 174) of code member, Tom Scartaccini, in Subdistrict 6 in District No. 18 for truck shipments; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 338.2 (*Code member price index*) is amended by adding thereto Supplement T–I and § 338.21 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T–II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: January 5, 1943.

[SEAL] DAN H. WHEELER, *Director.*

FOR TRUCK SHIPMENTS

§ 331.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member or mine name	Mine index No.	Mine	Prices and size group Nos. 1	2	3	4	5	6	7	8	9	10, 11, 12	13	14	15	16	26	27	28, 29	33
VERMILION COUNTY																				
Standard Materials Corporation	(373)	Standard Materials No. 1	5	255	250	245	235	230	225	205	195	175	170	140	130	75	45	150	140	110	135

[F. R. Doc. 43-1036; Filed, January 21, 1943; 10:17 a. m.]

[Docket No. A-1810]

PART 335—MINIMUM PRICE SCHEDULE, DISTRICT NO. 15

ORDER GRANTING TEMPORARY RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 15 for the establishment of price classifications and minimum prices for the Coal Creek Company Mine.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Coal Creek Coal Company Mine, Mine Index No. 1439, of the Coal Creek Coal Company in Production Group No. 10 in District No. 15 for all shipments except truck; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 335.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: January 9, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 18

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 338, Minimum Price Schedule for District No. 18 and supplements thereto.

FOR TRUCK SHIPMENTS

The following price classification and minimum prices shall be inserted in minimum price schedule for District No. 18:

§ 338.2 *Code member price index*—Supplement T–I. Insert the following listing in proper alphabetical order:

Producer	Mine	Mine index No.	County	Subdistrict price group	Prices Section Rail	Prices Section Truck
Scartaccini, Tom	Magdalena	174	Socorro, N. Mex.	6	------	§ 338.21

§ 338.21 *General prices in cents per net ton for shipment into all market areas*—Supplement T–II. Insert the following code member name, mine name, and county under Subdistrict No. 6, in proper alphabetical order, and the following prices:

Code member and mine name	Mine index No.	County	Size groups 2	6	8	9	12	13	15
SUBDISTRICT NO. 6									
Scartaccini, Tom; Magdalena	174	Socorro, N. Mex.	415	365	315	230	185	165	365

[F. R. Doc. 43-1034; Filed, January 21, 1943; 10:17 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Order 80]

LYONS VETERANS HOSPITAL PROJECT, N. J.

DESIGNATION FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Lyons Veterans Hospital Project to be work of national importance, to be known as Civilian Public Service Camp No. 80. Said project, located at Lyons, Somerset County, New Jersey, will be the base of operations for work at the U. S. Veterans Facility, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and non-combatant military service and have been placed in Class IV–E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said Lyons Veterans Hospital Project will be engaged as attendants, orderlies and farm hands and shall be under the direction of the Manager, U. S. Veterans Facility at Lyons, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the U. S. Veterans Administration. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY, *Director.*

JANUARY 18, 1943.

[F. R. Doc. 43-1115; Filed, January 22, 1943; 10:58 a. m.]

[Order 79]

UTAH STATE HOSPITAL PROJECT

DESIGNATION FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Utah State Hospital Project to be work of national importance, to be known as Civilian Public Service Camp No. 79. Said project located at Provo, Utah County, Utah, will be the base of operations for work at the Utah State Hospital, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and non-combatant military service and have been placed in Class IV–E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said Utah State Hospital Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Superintendent, Utah State Hospital at Provo, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Utah State Hospital. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Service Headquarters.

LEWIS B. HERSHEY, *Director.*

JANUARY 16, 1943.

[F. R. Doc. 43-1114; Filed, January 22, 1943; 10:58 a. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 3115—CONSTRUCTION MACHINERY AND EQUIPMENT SIMPLIFICATION AND CONSERVATION

[Schedule III to Limitation Order L–217]

§ 3115.4 *Schedule III to Limitation Order L–217: Angledozers or trailbuilders*—(a) *Definitions.* For the purposes of this Schedule III:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of angledozers or trailbuilders.

(3) "Angledozer" or "trailbuilder" means a cable or hydraulic operated oscillating moldboard with cutting edge and frame, mounted upon a tracklaying tractor and used for excavating and spreading of earth, rock and other similar material.

(4) "Power control unit" means a hydraulic or cable controlled device powered by a tractor or similar unit and used for regulating the excavating operations of the angledozer or trailbuilder.

(5) "Prime mover" means a unit producing the necessary power for operating an angledozer or trailbuilder and upon which the angledozer or trailbuilder is mounted.

(6) "Repair part" means any part manufactured for use in the repair of angledozers or trailbuilders.

(7) "Alloy steel" means any steel containing any one or more of the following elements in the following amounts:

(i) Manganese, maximum of range in excess of 1.65%;

(ii) Silicon, maximum of range in excess of 0.60%;

(iii) Copper, maximum of range in excess of 0.60%;

(iv) Aluminum, chromium, cobalt, columbium, molybdenum, nickel, titanium, tungsten, vanadium, zirconium, or any other alloying element in any amount specified or known to have been added to obtain a desired alloying effect.

(b) *Conservation of materials.* (1) On and after February 1, 1943, no producer shall use or put into process, for the production or assembly of any angledozers, trail-builders or repair parts,

any alloy steel except to the extent that such alloy steel may have been in his inventory or in transit to him on that date.

(2) Nothing in this Schedule III shall restrict the use of alloy steel in the production or assembly of power control units, prime movers or anti-friction bearings.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125; 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22nd day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-1116; Filed, January 22, 1943; 11:08 a. m.]

PART 3115—CONSTRUCTION MACHINERY AND EQUIPMENT SIMPLIFICATION AND CONSERVATION

[Schedule IV to Limitation Order L-217]

§ 3115.5 *Schedule IV to Limitation Order L-217: Bulldozers*—(a) *Definitions.* For the purposes of this Schedule IV:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of bulldozers.

(3) "Bulldozer" means a cable or hydraulic operated rigid moldboard with cutting edge and frame, mounted upon a track-laying tractor and used for excavating and spreading of earth, rock, and other similar material.

(4) "Power control unit" means any hydraulic or cable controlled device powered by a tractor or similar unit and used for regulating the excavating operations of the bulldozer.

(5) "Prime mover" means a unit producing the necessary power for operating a bulldozer and upon which the bulldozer is mounted.

(6) "Repair part" means any part manufactured for use in the repair of bulldozers.

(7) "Alloy steel" means any steel containing any one or more of the following elements in the following amounts:

(i) Manganese, maximum of range in excess of 1.65%.

(ii) Silicon, maximum of range in excess of 0.60%.

(iii) Copper, maximum of range in excess of 0.60%.

(iv) Aluminum, chromium, cobalt, columbium, molybdenum, nickel, titanium, tungsten, vanadium, zirconium, or any other alloying element in any amount specified or known to have been added to obtain a desired alloying effect.

(b) *Conservation of materials.* (1) On and after February 1, 1943, no producer shall use or put into process, for the production or assembly of any bulldozers or repair parts, any alloy steel except to the extent that such alloy steel may have been in his inventory or in transit to him on that date.

(2) Nothing in this Schedule IV shall restrict the use of alloy steel in the production or assembly of power control units, prime movers or anti-friction bearings.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22nd day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-1117; Filed, January 22, 1943; 11:08 a. m.]

Chapter XI—Office of Price Administration

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136,[1] as Amended, Amendment 67]

MACHINES AND PARTS AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1390.32 (e) is amended by adding thereto, in alphabetical order, the following term:

§ 1390.32 * * *
(e) * * *

Electrical instruments for measuring, testing, recording, or indicating, including aircraft, marine, scientific, laboratory, and precision instruments (not including surgical, optical, and dental instruments).

§ 1390.31a *Effective dates of amendments.* * * *

(ppp) Amendment No. 67 (§ 1390.32 (e)) to Maximum Price Regulation No. 136, as Amended, shall become effective January 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 21st day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1082; Filed, January 21, 1943; 2:44 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 231 Under § 1499.3 (b) of GMPR]

SARDIK FOOD PRODUCTS CORP.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1467 *Authorization of maximum prices for sales of seven listed "Sardik" brand dehydrated foods by Sardik Food Products Corporation of New York City, by wholesalers and by retailers.* (a) On and after January 22, 1943, the maximum prices for sales by Sardik Food Products Corporation, 409 East 47th Street, New York City, of the following listed "Sardik" brand dehydrated food items shall be:

	Per doz.
4½ oz. glass jars "Sardik" dehydrated banana flakes	$1 80
7 oz. glass jars "Sardik" dehydrated bean soup	2 16
7 oz. glass jars "Sardik" dehydrated pea soup	2 16
8 oz. tins "Sardik" pumpkin pie mix	2 52
3 oz. glass jars "Sardik" dehydrated tomato flakes	2 16
2½ oz. glass jars "Sardik" tomato juice cocktail	1 95
4¼ oz. glass jars "Sardik" dehydrated tomato soup	2 38

These prices shall include prepaid freight to purchasers' stations.

(b) Sellers at wholesale shall determine their maximum delivered selling prices of the listed "Sardik" brand dehydrated food items by adding to their net cost of each item a mark-up of 20% of such net cost. The maximum delivered prices so determined shall not exceed the following:

	Per doz.
4½ oz. glass jars "Sardik" dehydrated banana flakes	$2 16
7 oz. glass jars "Sardik" dehydrated bean soup	2 59
7 oz. glass jars "Sardik" dehydrated pea soup	2 59
8 oz. tins "Sardik" pumpkin pie mix	3 02
3 oz glass jars "Sardik" dehydrated tomato flakes	2 59
2½ oz. glass jars "Sardik" tomato juice cocktail	2 34
4¼ oz. glass jars "Sardik" dehydrated tomato soup	2 86

Where a maximum price per dozen determined by the provisions of this paragraph is a fractional cent price and the fraction of a cent is less than one-half cent, the price per dozen shall be lowered to the next lower cent. If the fraction is one-half cent or larger, the wholesaler may increase his maximum price per dozen to the next higher cent.

Net cost for a wholesaler as mentioned in this paragraph shall be his invoice price for the first delivery of a listed "Sardik" brand dehydrated food item delivered in a customary quantity for this type of item by the customary mode of transportation to his customary receiving point, less all discounts allowed him, except discount for prompt payment. No charge or cost for unloading or local trucking shall be included in net cost.

(c) Sellers at retail shall determine their maximum selling prices of the listed "Sardik" brand dehydrated food items by adding to their net cost of each item a mark-up of 33⅓% of such net cost. The maximum prices so determined shall not exceed the following:

	Cents per package
4½ oz. glass jars "Sardik" dehydrated banana flakes	24
7 oz. glass jars "Sardik" dehydrated bean soup	29
7 oz. glass jars "Sardik" dehydrated pea soup	29
8 oz. tins "Sardik" pumpkin pie mix	34
3 oz. glass jar "Sardik" dehydrated tomato flakes	29
2½ oz. glass jars "Sardik" tomato juice cocktail	26
4¼ oz. glass jars "Sardik" dehydrated tomato soup	32

Where a maximum price per package determined by the provisions of this paragraph is a fractional cent price and the fraction of a cent is less than one-half cent, the price per package shall be lowered to the next lower cent. If the fraction is one-half cent or larger, the retailer may increase his maximum price per package to the next higher cent.

Net cost for a retailer as mentioned in this paragraph shall be his invoice price for the first delivery of a listed "Sardik" brand dehydrated food item delivered to his customary receiving point in a customary quantity of this type of item by a customary mode of transportation and from a customary source of supply, less all discounts allowed him except the discount for prompt payment. No charge or cost for unloading or local trucking shall ever be included.

(d) No seller, except a seller at retail, shall change his customary discounts, allowances and price differentials applying to comparable items of dehydrated foods in making sales of listed "Sardik" dehydrated food items, unless such change in these customary discounts, allowances and price differentials results in lower selling prices.

(e) On and after January 22, 1943, Sardik Food Products Corporation shall supply written notification to each wholesaler before or at the time of the first delivery of each "Sardik" brand dehydrated food item to such wholesaler, and for a period of three months thereafter shall include with each shipping unit of the listed "Sardik" dehydrated food items, a written notification to retailers. If such retailer notification is enclosed in a shipping unit, a legend shall be affixed outside of such unit to read "Retailer's Notice Enclosed". The written notifications, for each type of purchaser, may be prepared separately for each of the listed items or may refer to all of the seven listed items, and shall include the following appropriate statements:

Notification From Sardick Food Products Corporation to Wholesalers

The OPA has authorized us to charge wholesalers the following prices per dozen packages of the listed "Sardik" brand dehydrated food items subject to all customary allowances and discounts:

4½ oz. glass "Sardik" dehydrated banana flakes	$1.80
7 oz. glass "Sardik" dehydrated bean soup	2.16
7 oz. glass "Sardik" dehydrated pea soup	2.16
8 oz. tin "Sardik" pumpkin pie mix	2.52
3 oz. glass "Sardik" dehydrated tomato flakes	2.16
2½ oz. glass "Sardik" tomato juice cocktail	1.95
4¼ oz. glass "Sardik" dehydrated tomato soup	2.38

Wholesalers are authorized to establish a ceiling price for each item by adding to the net cost of the item 20% of such net cost, provided that the ceiling prices so determined shall not exceed the following prices per dozen:

4½ oz. glass "Sardik" dehydrated banana flakes	$2.16
7 oz. glass "Sardik" dehydrated bean soup	$2.59
7 oz. glass "Sardik" dehydrated pea soup	2.59
8 oz. tin "Sardik" pumpkin pie mix	3.02
3 oz. glass "Sardik" dehydrated tomato flakes	2.59
2½ oz. glass "Sardik" tomato juice cocktail	2.34
4¼ oz. glass "Sardik" dehydrated tomato soup	2.86

Net cost is the invoice cost of the first delivery of a customary supply at the customary receiving point, less all discounts, other than for prompt payment, and excluding charges for local hauling. Retailers shall establish a ceiling price by adding to their net cost 33⅓% of such net cost. Each individual ceiling price determined by any seller shall be figured to the nearest cent (raise one-half cent fractions to the next even cent). A copy of a notification to retailers is included in every shipping unit of these items. If the initial sale of any of these items to any retailer is a split case sale, wholesalers are required to provide such retailer with a copy of the retail notification so enclosed. OPA requires that you keep this notice for examination.

Notification From Sardik Food Products Corporation to Retailers

The OPA authorizes retailers to establish ceiling prices for certain "Sardik" dehydrated food items as listed below by adding to the net cost of each item 33⅓% of such net cost, provided that the ceiling prices so determined shall not exceed the following prices per package:

	Cents
4½ oz. glass "Sardik" dehydrated banana flakes	24
7 oz. glass "Sardik" dehydrated bean soup	29
7 oz. glass "Sardik" dehydrated pea soup	29
8 oz. tin "Sardik" pumpkin pie mix	34
3 oz. glass "Sardik" dehydrated tomato flakes	29
2½ oz. glass "Sardik" tomato juice cocktail	26
4¼ oz. glass "Sardik" dehydrated tomato soup	32

Net cost is the invoice cost of the first delivery of a customary supply at the customary receiving point, less all discounts, other than for prompt payment, and excluding charges for local hauling. Such ceiling prices shall be figured to the nearest cent (raise one-half cent fractions to the next even cent). OPA requires that you keep this notice for examination.

(f) This Order No. 231 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 231 (§ 1499.1467) shall become effective January 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 21st day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1079; Filed, January 21, 1943; 2:45 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 173 Under 1499.18 (b) of GMPR]

CARSON PIRIE SCOTT & COMPANY

Order No. 173 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-1575.

For the reasons set forth in the opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.1074 *Granting adjustment of maximum prices for sales of Numdah rugs by Carson Pirie Scott & Company.* (a) Carson Pirie Scott & Company, 366 West Adams Street, Chicago, Illinois, may sell and deliver Numdah rugs imported from India at prices no higher than those hereinafter designated.

Approximate sizes:	*Bale lot maximum prices*
4 x 6 feet	$3.75
3 x 4 feet	1.99
2 x 3 feet	.94

subject to all customary allowances, discounts and other price differentials in effect during March 1942.

(b) Carson Pirie Scott & Company shall send to each customer, with each first delivery of Numdah rugs on which adjustment in maximum price has been made pursuant to this Order No. 173, a complete list of adjusted maximum prices and a notice reading as follows:

The Office of Price Administration has granted Carson Pirie Scott & Company permission, pursuant to Order No. 173 under § 1499.18 (b) of the General Maximum Price Regulation, to increase its maximum prices to those specified in the price lists accompanying this Order. Since these prices have only been increased to the level of competitive importers of this commodity, you will not be permitted to increase your maximum prices.

(c) All prayers of this application not granted herein are denied.

(d) This Order No. 173 may be revoked or amended by the Administrator at any time.

(e) This Order No. 173 (§ 1499.1074) is incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 173 (§ 1499.1074) under section 18 (b) of the General Maximum Price Regulation shall become effective January 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 21st day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1080; Filed, January 21, 1943; 2:44 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Correction to Order 2[1] Under § 1499.18 (c), as Amended, of GMPR]

COLUMBIA PACKAGE CO., INC.

In § 1499.1502 the text of paragraph (a) is corrected to read as follows:

(a) The Columbia Package Company, Inc., Memphis, Tennessee, may sell and deliver, and any person may buy from that company, the lard pails and tubs hereafter specified at prices not higher than the following prices per dozen pails or tubs, f. o. b. Memphis, Tennessee.

* * * * * *

Issued this 21st day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1078; Filed, January 21, 1943; 2:45 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5047, 5362, 5665, 5908, 6425, 6682, 6899, 6964, 6965, 6937, 6973, 7010, 7246, 7320, 7365, 7509, 7602, 7739, 7744, 7907, 7912, 7945, 7944, 8198, 8362, 8433, 8479, 8520, 8652, 8707, 8897, 9001, 8948, 9040, 9041, 9042, 9053, 9054, 9729, 9736, 9822, 9823, 9899, 10109, 10230, 10556; 8 F.R. 155, 369, 534.

[1] 8 F.R. 239.

PART 1499—COMMODITIES AND SERVICES

[Order 14 Under § 1499.29 of GMPR]

FRANKE'S INC.

Order No. 14 Under § 1499.29 of the General Maximum Price Regulation—Docket No. GF3–2980.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered*:

§ 1499.414 *Adjustment of maximum prices for bread sold by Franke's Inc.* (a) Franke's Inc. 1111 West Third, Little Rock, Arkansas, may sell and deliver to the United States Public Health Service, located at the Medical Center, Hot Springs, Arkansas, one pound loaves of bread, contracted to be sold by Franke's Inc. to the said United States Public Health Service, at prices no higher than $.0676 per loaf; and the said United States Public Health Service may buy and receive the said commodity at no higher than this price.

(b) This order is limited to fulfillment of the contract designated in the petition herein filed by Franke's Inc. according to the terms thereof.

(c) All prayers of the application not herein granted are denied.

(d) This Order No. 14 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 14 (§ 1499.414) is hereby incorporated as a section of Supplementary Regulation No. 4, which contains modifications of the maximum prices established by § 1499.2.

(f) This Order No. 14 (§ 1499.414) shall become effective January 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 21st day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1077; Filed, January 21, 1943; 2:45 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 14 Under Supp. Reg 15 of GMPR]

ALLISBAUGH TRUCKING CO.

Order No. 14 under § 1499.75 (a) (3) of Supplementary Regulation No. 15—the General Maximum Price Regulation—Docket No. GF3–1390.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered*:

§ 1499.1314 *Adjustment of maximum prices for contract carrier services sold by the Allisbaugh Trucking Company.* (a) The Allisbaugh Trucking Company, 741 South Miami Street, Wabash, Indiana, may sell and furnish contract carrier services in connection with the transportation of pulp board, wood pulp, scrap and waste paper, wooden skids and wooden cores, between Wabash, Indiana, and points in Illinois, Indiana, Missouri and Ohio at prices not exceeding the rates set forth in the schedule of minimum rates, MF–ICC No. 11, filed by Allisbaugh Trucking Company with the Interstate Commerce Commission on July 13, 1942, to become effective August 16, 1942.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 14 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 14 (§ 1499.1314) is hereby incorporated as a Section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 14 (§ 1499.1314) shall become effective January 22, 1943.

(Pub. Laws No. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 21st day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1076; Filed, January 21, 1943; 2:45 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 165, as Amended,[1] Amendment 16]

SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In § 1499.101, a new subparagraph (64) is added to paragraph (c), as set forth below:

§ 1499.101 * * *

(c) * * *

(64) Steam—rates charged for (including, but not limited to, steam supplied for heat, power, or hot water), by persons supplying otherwise than as public utilities.

§ 1499.121a *Effective dates of amendments.* * * *

(p) Amendment No. 16 (§ 1499.101 (c) (64)) to Maximum Price Regulation No. 165 as amended shall become effective January 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 21st day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1081; Filed, January 21, 1943; 2:44 p. m.]

[Amendment 3 to MPR 225[1]]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

PRINTING AND PRINTED PAPER COMMODITIES

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1347.452 is amended and a new § 1347.477 (Appendix C) is added to read as set forth below:

§ 1347.452 *Maximum prices for commodities and services: general provisions.* Each seller of any commodity or service subject to this Maximum Price Regulation No. 225 must determine his maximum price by applying the first one of the methods set forth in sequence in §§ 1347.452 through 1347.456, which fits the commodity or service being priced. A few exceptions to this pricing procedure are set forth in Appendix C (§ 1347.477) and take precedence over all other pricing provisions of this regulation.

As the first pricing method under this regulation, each seller must, if possible, take as his maximum price the "highest price which he charged during March, 1942" as defined in § 1347.472, paragraph (a) (6) of this regulation.

(a) For the same commodity or service; or

(b) If no charge was made for the same commodity or service, for the "similar commodity or service" most nearly like it.

§ 1347.477 *Appendix C: Exceptions to pricing provisions of §§ 1347.452 through 1347.456*—(a) *Sales by school stores.* (1) Maximum prices for sales of any of the items listed in Appendix A (§ 1347.475) by school stores which during March 1942 dealt in the same or similar articles shall be the cost of acquisition plus the highest percentage mark-up charged by the school store during March 1942, on the same or a similar article. Prices may be rounded to the nearest whole cent; ½¢ may be taken as 1¢.

(2) *Definitions.* For the purpose of this paragraph (a) of § 1347.477 only, the following definition shall be used:

(i) "Same article" means an article identical in all respects with another article, except that it may contain a different number of sheets.

(ii) "Similar article" means a similar commodity as defined in § 1347.472 (a) (22) except that it may contain a different number of sheets.

(iii) "School store" means any store operated by an elementary or secondary school or by a board of education for the benefit of elementary or secondary school students and not for profit directly or indirectly.

§ 1347.474a *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§§ 1347.452 and 1347.477) to Maximum Price Regulation No. 225, shall become effective January 21, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 21st day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1085; Filed, January 21, 1943; 5:00 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6428, 6966, 8239, 8431, 8798, 8949, 8948, 9197, 9342, 9343, 9785, 9971, 10480, 10557, 10619, 10718, 9972, 11010.

[1] 7 F.R. 7593, 8929, 8939, 8948.

PART 1351—FOOD AND FOOD PRODUCTS

[Rev. MPR 270[1]]

DRY EDIBLE BEANS, SALES EXCEPT AT WHOLESALE AND RETAIL

The title, preamble, and §§ 1351.1201 to 1351.1215, inclusive, are renumbered and amended to read as set forth below:

Revised Maximum Price Regulation No. 270—Dry Edible Beans, Sales Except at Wholesale and Retail.

In the judgment of the Price Administrator, it is necessary and proper, in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 to revise the provisions of Maximum Price Regulation No. 270, and to establish specific prices for sales of dry edible beans by country shippers and certain other types of sellers other than sellers at wholesale and retail.

The Price Administrator has ascertained and given due consideration to the prices of dry edible beans prevailing between October 1, 1941 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable. So far as advised and consulted with representa- practicable the Price Administrator has tive members of the industry which will be affected by this regulation.

The maximum prices established herein are not below prices which will reflect to producers of dry edible beans a price equal to the highest of the prices required by the provisions of section 3 of the Emergency Price Control Act of 1942, as amended and by Executive Order No. 9250. A statement of the considerations involved in the issuance of this regulation has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Revised Maximum Price Regulation No. 270 is hereby issued.

Secs.

1351.1201 Purposes of Revised Maximum Price Regulation No. 270.
1351.1202 Prohibition against sales above the maximum prices.
1351.1203 Schedule of maximum prices per cwt. for country shippers f. o. b. country shipping point and pricing provisions for certain other types of sellers.
1351.1204 Maximum prices which primary jobbers may charge for dry edible beans.
1351.1205 Federal and State grade labeling of dry edible beans.
1351.1206 Use of basing point in calculation of maximum delivered price.
1351.1207 Exempt sales.
1351.1208 Evasion.
1351.1209 Export sales.
1351.1210 Records which all persons covered by this regulation must keep.
1351.1211 Enforcement.
1351.1212 Petitions for amendment.
1351.1213 Relationship between this regulation and Maximum Price Regulation No. 280, Maximum Price Regulations No. 237 and 238, and the General Maximum Price Regulation.
1351.1214 Geographical applicability.
1351.1215 Definitions.
1351.1216 Effective date.

AUTHORITY: §§ 1351.1201 to 1351.1216, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1351.1201 *Purposes of Revised Maximum Price Regulation No. 270.* This regulation establishes maximum prices for dry edible beans for sales by country shippers and certain other types of sellers as hereinafter set forth. Maximum prices for wholesalers and retailers of dry edible beans are governed by Maximum Price Regulation No. 237,[2] as amended, and Maximum Price Regulation No. 238,[3] as amended, respectively.

§ 1351.1202 *Prohibition against sales above the maximum prices.* On and after January 26, 1943 regardless of any contract or other obligation, no person shall sell or deliver dry edible beans at prices higher than the maximum prices established by this regulation, and no person shall buy or receive dry edible beans in the course of trade or business at prices higher than the maximum prices herein established. Lower prices than the maximum prices may be charged and paid.

§ 1351.1203 *Schedule of maximum prices per cwt. for country shippers f. o. b. country shipping point and pricing provisions for certain other types of sellers.* (a) The maximum prices, per cwt. in 100-pound containers at the country shipping point, on board car or any other common or contract carrier shall be:

Kind of dry edible beans	*Maximum price per cwt. in 100-pound containers*
Pea and medium white beans (Navy):	
U. S. Choice hand picked	$5.70
U. S. No. 1	5.60
U. S. No. 2	5.45
U. S. No. 3 and lower	5.20
Narrow beans (not including red marrow beans):	
U. S. Choice hand picked	7.15
U. S. No. 1	7.05
U. S. No. 2	6.95
U. S. No. 3 and lower	6.70
Great Northern beans:	
U. S. Choice hand picked	5.70
U. S. No. 1	5.60
U. S. No. 2	5.45
U. S. No. 3 and lower	5.20
Small white beans:	
U. S. Choice hand picked	5.70
U. S. No. 1	5.60
U. S. No. 2	5.45
U. S. No. 3 and lower	5.20
White kidney beans:	
U. S. Choice hand picked	7.95
U. S. No. 1	7.85
U. S. No. 2	7.70
U. S. No. 3 and lower	7.45
Red kidney beans (light and dark):	
U. S. Choice hand picked	$5.70
U. S. No. 1	5.60
U. S. No. 2	5.45
U. S. No. 3 and lower	5.20
Red kidney beans (Western):	
U. S. Choice hand picked	6.10
U. S. No. 1	6.00
U. S. No. 2	5.85
U. S. No. 3 and lower	5.60
Yelloweye beans:	
U. S. Choice hand picked	7.15
U. S. No. 1	7.05
U. S. No. 2	6.95
U. S. No. 3 and lower	6.70
Cranberry beans (other than Western):	
U. S. Choice hand picked	5.70
U. S. No. 1	5.60
U. S. No. 2	5.45
U. S. No. 3 and lower	5.20
Cranberry beans (Western):	
U. S. Choice hand picked	6.05
U. S. No. 1	5.95
U. S. No. 2	5.80
U. S. No. 3 and lower	5.55
Small red beans:	
U. S. Choice hand picked	5.70
U. S. No. 1	5.60
U. S. No. 2	5.45
U. S. No. 3 and lower	5.20
Pink beans:	
U. S. Choice hand picked	5.70
U. S. No. 1	5.60
U. S. No. 2	5.45
U. S. No. 3 and lower	5.20
Bayo beans:	
U. S. Choice hand picked	5.60
U. S. No. 1	5.50
U. S. No. 2	5.35
U. S. No. 3 and lower	5.10
Blackeye beans (Western):	
U. S. Choice hand picked	5.90
U. S. No. 1	5.80
U. S. No. 2	5.65
U. S. No. 3 and lower	5.40
Pinto beans:	
U. S. No. 1	5.60
U. S. No. 2	5.45
U. S. No. 3	5.20
Lima beans (standard):	
U. S. Extra No. 1	8.10
U. S No. 1	8.00
U. S. No. 2 and lower	7.85
Baby lima beans:	
U. S. Extra No. 1	6.80
U. S. No. 1	6.70
U. S. No. 2 and lower	6.55

(b) For dry edible beans which are graded U. S. No. 1, U. S. No. 2 or U. S. No. 3, or lower, and packed in the following containers, the following amounts may be added to the maximum prices listed in paragraph (a) of this section:

Size of container:	*Amount permitted to be added (per cwt.)*
(1) Up to 2 pounds	$2.00
(2) 3 pounds	1.60
(3) 5 pounds	1.45
(4) 25 pounds	.30

The differentials listed above for special packages are applicable to all sellers covered by this regulation who package dry edible beans in the above-listed container sizes.

(c) If a country shipper, or the agent of a country shipper sells and delivers dry edible beans at a wholesale receiving point, such as, but not limited to,

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9189 9191.

[2] 7 F.R. 8205, 8427, 8808, 9183, 9973, 10013, 10715; 8 F.R. 373, 569.

[3] 7 F.R. 8209, 8808, 9184, 10013, 10227, 10714; 8 F.R. 120, 374, 532.

a terminal market, and performs the primary jobber's functions of unloading cars or trucks warehousing and selling from such warehouse in less than carlots or trucklots, such country shipper's or agent's maximum price shall be the maximum price established in paragraph (a) hereof, f. o. b country shipping point, plus the actual cost of transportation, at lowest available contract or common carrier rates, from the country shipping point to the wholesale receiving point, multiplied by 1.025.

(d) If any person sells dry edible beans at a place other than the original country shipping point without performing the primary jobber's functions of unloading cars or trucks, warehousing and selling from such warehouse in less than carlots or trucklots, such person's maximum price shall be the maximum price established in paragraph (a) hereof, f. o. b. country shipping point, plus the actual cost of transportation, at lowest available common or contract carrier rates, from the country shipping point to the place where delivery is to be made, multiplied by 1.015.

(f) If a country shipper employs a broker as his agent for the sale of dry edible beans, such broker's commission shall be paid by the country shipper out of the maximum price provided for such shipper in paragraph (a) or (d) hereof, and shall not be added to such shipper's maximum price.

(e) If a shipment of dry edible beans to a particular destination forms a portion of a pool-car, the maximum delivered price of each seller who is selling a portion of the pool-car shall be the result of the following calculation:

(1) The maximum price, f. o. b. country shipping point, as established in paragraph (a) hereof;

(2) Each such seller's pro rata share of the actual transportation charges for the total pool-car; plus

(3) The actual stopover charge incurred by the country shipper, if any; multiplied by

(4) 1.015.

(f) If a country shipper sells and delivers directly to retailers, in less than carlots or trucklots at a place other than the original country shipping point, his maximum price for such sales and deliveries shall be the maximum price listed in paragraph (a) hereof, plus the actual cost of transportation at lowest available common or contract carrier rates, from his country shipping point to the place where such deliveries are to be made, multiplied by 1.12.

(g) If a country shipper purchases dry edible beans from another country shipper, and packages such dry edible beans in containers smaller than 100-pound bags, the purchasing country shipper's maximum price for resale of such dry edible beans shall be the result of the following calculation:

(1) The applicable maximum price under paragraph (a); plus

(2) The actual cost of transportation, at lowest available common or contract carrier rates, from the selling country shipper's shipping point to the purchasing country shipper's warehouse, elevator or other receiving station; plus

(3) The applicable packaging differential established under paragraph (b); multiplied by

(4) 1.025.

(h) No country shipper or any other person covered by this regulation shall change any customary discount, allowance or other price differential unless such change shall result in a lower net selling price.

§ 1351.1204 *Maximum prices which primary jobbers may charge for dry edible beans.* Any primary jobber (that is, one who purchases dry edible beans, receives shipment of them into a warehouse or other receiving station and distributes them from such warehouse or receiving station in less than carlots or trucklots for resale customarily by wholesalers) shall calculate his maximum price for any grade of any kind of dry edible beans as follows:

(1) The primary jobber shall first determine his "net cost" per cwt., or other customary unit of sale. "Net cost" means the amount the primary jobber paid, delivered at his customary receiving point less all discounts allowed him, except the discount for prompt payment. However, no charge or cost of local unloading or local trucking shall be included. "Net cost" shall be based on the primary jobber's most recent purchase, since May 11, 1942, of a customary quantity from a customary supplier and received by a customary mode of transportation.

(2) The primary jobber shall then multiply his "net cost" by 1.025. The resulting figure shall be the primary jobber's maximum price per cwt., or other customary unit of sale, and shall not be changed.

§ 1351.1205 *Federal and State grade labeling of dry edible beans.* (a) Every country shipper shall clearly state on each 100-pound container of dry edible beans or shall attach a tag to each 100-pound container of dry edible beans clearly stating the kind of dry edible beans contained in the bag and the "United States grade." If the country shipper is selling dry edible beans in a State which requires a "State grade" to be shown upon the container, he may place the appropriate "State grade" on the container or tag, in addition to the "United States grade." No grades other than those herein provided for shall be placed upon the container.

(b) When used in this paragraph "United States grade" means the standards and grades of dry edible beans set forth in the "United States Standards for Beans" issued by the United States Department of Agriculture. "State grade" means standards and grades promulgated by any State or agency thereof under authority of an act of the State legislature permitting the establishment of such standards and grades.

(c) On and after March 1, 1943, if a country shipper makes sales of dry edible beans in containers of less than 100 pounds, he shall state the "United States grade" of each kind of dry edible beans sold on the package in legible printing or writing and shall also state the grade being sold on the invoice or other written evidence of the sale.

(d) Nothing in this regulation shall be construed as permitting the shipment in intrastate commerce of any grades of dry edible beans which are prohibited, by the laws of any State, from being so shipped.

§ 1351.1206 *Use of basing point in calculation of maximum delivered price.* (a) Nothing in this regulation shall be construed as prohibiting the use of an established basing point system in calculating maximum delivered prices.

(b) If a country shipper sells any kinds of dry edible beans on a basing point rate, he shall sell all dry edible beans on such basing point rate. The maximum delivered price to the purchaser, for any sale on a basing point rate shall not exceed the f. o. b. country shipping point price set forth in paragraph (a) of § 1351.1203, plus the actual cost of transportation, at lowest available common or contract carrier rates, from the basing point, to the purchaser's customary receiving point.

§ 1351.1207 *Exempt sales.* This regulation shall not apply to these transactions:

(a) Sales and deliveries of dry edible beans by a farmer to a country shipper. However, this regulation shall apply to sales and deliveries of dry edible beans by a farmer, a farmers' cooperative or by a country shipper selling beans grown by such seller to an ultimate consumer if during the preceding month such seller's sales to ultimate consumers of all dry edible beans produced by him exceeded $75.00.

(b) Deliveries to the United States or to any of its agencies under contracts entered into on or before October 5, 1942.

(c) Sales and deliveries of certified seed beans.

§ 1351.1208 *Evasion.* The price limitations which are set forth in this Revised Maximum Price Regulation No. 270 shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relationship to, dry edible beans alone or in conjunction with, any other commodity or by way of commission, service, transportation, or other charge or discount, premium or other privilege or by tying agreement or other trade understanding, or by changing a business practice relating to the grading, labeling, or packaging of dry edible beans or otherwise.

§ 1351.1209 *Export sales.* The maximum prices at which a person may export dry edible beans shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation,[4] issued by the Office of Price Administration.

§ 1351.1210 *Records which all persons covered by this regulation must keep.* (a) In addition to the requirements stated in § 1351.1205 every country shipper shall prepare on or before December 15, 1942 on the basis of all available information on record a statement showing all of his customary allowances, discounts and other price differentials and he shall keep a statement for examination by any person during ordinary business hours. Any country shipper who claims that he will be substantially injured by showing this statement to another person may file it with the appropriate field office of the Office of Price Administration. This information will not be shown to anyone else unless withholding it will be contrary to the purposes of this regulation.

(b) Every country shipper selling dry edible beans shall keep for examination by the Office of Price Administration, as long as the Emergency Price Control Act of 1942, as amended, remains in effect, records of the some kind as he has customarily kept relating to the prices which he charged after November 8, 1942.

§ 1351.1211 *Enforcement.* (a) Any person violating a provision of this Revised Maximum Price Regulation No. 270 is subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Revised Maximum Price Regulation No. 270 or of any price schedule, regulation, or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation, are urged to communicate with the nearest district, state, or regional office of the Office of Price Administration, or its principal office in Washington, D. C.

§ 1351.1212 *Petitions for amendment.* Any person seeking an amendment of any provision of this Revised Maximum Price Regulation No. 270 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[5] and amendments, issued by the Office of Price Administration

§ 1351.1213 *Relationship between this regulation and Maximum Price Regulations No. 280, Maximum Price Regulations Nos. 237 and 238, and the General Maximum Price Regulation.* (a) The provisions of this Revised Maximum Price Regulation No. 270 supersede the provisions of Maximum Price Regulation No. 280[6] in so far as they apply to sales and deliveries of dry edible beans made by country shippers and other sellers covered by this regulation.

(b) The following sections of the General Maximum Price Regulation,[7] as well as amendments to them, shall be applicable to every country shipper and all other sellers covered by this regulation:

(1) Sales slips and receipts (§ 1499.14).

(2) Definitions (§ 1499.20).

(3) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this regulation, other than country shippers, selling dry edible beans at wholesale.

(c) Maximum prices for wholesalers and retailers of dry edible beans are governed by Maximum Price Regulation Nos. 237[8] and 238,[9] respectively.

§ 1351.1214 *Geographical applicability.* The provisions of this Revised Maximum Price Regulation No. 270 shall be applicable to the United States, its territories and possessions, and the District of Columbia.

§ 1351.1215 *Definitions.* (a) When used in this regulation the term

(1) "Person" means an individual, corporation, partnership, association, or other organized group of persons, or legal successor or representative of any of the foregoing and includes the United States or any agency thereof, any other government or any of its political subdivisions and any agencies of the foregoing.

(2) "Country shipper" means any person who operates an elevator or warehouse at a country shipping point, who signs the first bill of lading, and who makes sales and deliveries directly from such country shipping point to any other person, whether for his own account, the account of a farmer, or for the joint account of himself and a farmer. This term includes farmers' cooperatives and associations.

(3) "Country shipping point" means the first place where dry edible beans are received from the farmer, cleaned, sacked, stored in an elevator, or other receiving station, and otherwise made ready for shipment.

(4) "Wholesaler" and "retailer" means the persons respectively referred to as "wholesalers" and "retailers" in Maximum Price Regulation Nos. 237 and 238.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used in this regulation.

§ 1351.1216 *Effective date.* This Revised Maximum Price Regulation No. 270 (§§ 1351.1201 to 1351.1216, inclusive) shall become effective January 26, 1943.

Issued this 21st day of January, 1943.

PRENTISS M. BROWN,
Administrator.

Approved by:

CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-1098; Filed, January 31, 1943; 5:02 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 305]

CORN MEAL, CORN FLOUR, CORN GRITS, HOMINY, HOMINY GRITS, BREWERS GRITS AND OTHER PRODUCTS MADE BY A DRY CORN MILLING PROCESS

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for sales by processors of corn products produced by a dry corn milling process by a maximum price regulation establishing dollars and cents maximum prices.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.* In the judgment of the Price Administrator, the maximum prices established by this Maximum Price Regulation No. 305 are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. So far as practicable, the Price Administrator has advised and consulted with members of the industry which will be affected by this regulation.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1,[1] issued by the Office of Price Administration, Maximum Price Regulation No. 305 is hereby issued.

AUTHORITY: §§ 1351.1751 to 1351.1774 inclusive, issued under Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871.

§ 1351.1751 *Applicability of Maximum Price Regulation No. 305.* The provisons of this Maximum Price Regulation No. 305 supersede the provisions of Maximum Price Regulation No. 280[2] with respect to sales and deliveries by processors and jobbers of corn products as defined in this regulation.

§ 1351.1752 *Prohibition against sales of corn products above maximum prices.* On and after January 26, 1943, regardless of any contract, agreement or other obligation no person shall sell or deliver corn products and no person in the course of trade or business shall buy or receive such corn products at a price higher than the maximum price permitted by this Maximum Price Regulation No. 305; and no person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided*, That the provisions of this regulation shall not apply to sales or deliveries of such corn products to a buyer if prior to January 26, 1943, such corn products had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such buyer.

§ 1351.1753 *Less than maximum prices.* Lower prices than those provided for in this Maximum Price Regulation No. 305 may be charged, demanded, paid or offered.

§ 1351.1754 *Maximum base point prices for yellow and white corn products.* (a) The maximum base point price for yellow corn products shall be $2.20 per hundred weight at the basing point of Kansas City, Missouri.

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[4] 7 F.R. 5059, 7242, 8829, 9000, 10520.

[5] 7 F.R. 8961.

[6] 7 F.R. 10144, 10337, 10475, 10585, 10786, 10995; 8 F.R. 158.

[7] F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371.

[8] 7 F.R. 8205, 8427, 8808, 9183, 9973, 10013, 10715; 8 F.R. 373, 569.

[9] 7 F.R. 8209, 8808, 9184, 10013, 10227, 10714; 8 F.R. 120, 374, 532.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8961.

[2] 7 F. R. 10144, 10337, 10475, 10585, 10786, 10995; 8 F.R. 158.

(b) The maximum base point price for white corn products shall be $2.65 per hundred weight at the basing point of Kansas City, Missouri.

§ 1351.1755 *Transportation and freight tax.* (a) Transportation means the railroad charge figured at the lowest carload proportional rate (including the 3 per cent transportation tax applicable under section 620 of the Revenue Act of 1942) from the basing point at Kansas City, Missouri, to the railroad siding nearest the point designated by the buyer as his receiving point. No transportation or local hauling charge beyond such receiving point shall be added to the maximum price except as permitted in § 1351.1757 below.

(b) In view of the previous paragraph Supplementary Order No. 31,[1] entitled, Tax on Transportation of Property Imposed by Revenue Act of 1942, shall not apply to this Maximum Price Regulation No. 305.

§ 1351.1756 *Maximum delivered price for carload lots (including "pool car" and "mixed car" shipments).* The maximum delivered price for yellow or white corn products in the sale of carload lots (including pool car and mixed car shipments) by a processor to any person shall be

(a) In bulk, the sum of (1) the maximum base point price, and

(2) transportation and freight tax (as defined above);

(b) In 100 pound cotton sacks, the sum of (1) the maximum base point price, (2) transportation and freight tax (as defined above), and (3) in addition, if in sellers bags, plus the actual cost of a cotton sack which holds 100 pounds of corn products (but not greater than the maximum price provided in Maximum Price Regulation No. 151[1]).

(c) In containers other than 100 pound cotton sacks, the sum of (1) the maximum base point price, (2) transportation and freight tax (as defined above), (3) plus or minus the package differential and charge for outside containers listed in Appendix A; and (4) in addition, if in sellers bags, plus the actual cost of a cotton sack which holds 100 pounds of corn products (but not greater than the maximum price provided in Maximum Price Regulation No. 151[1]).

§ 1351.1757 *Maximum delivered price for less-than-carload shipments except to a consumer.* The maximum delivered price for yellow or white corn products in a sale of less-than-carload lots by a processor to any person, except to a consumer, shall be the same as the maximum delivered price established for carload lots in the previous section plus 5 cents per hundred pounds. In addition, where the point designated by the buyer as his receiving point is located at a distance greater than 10 miles from the nearest railroad siding, a processor may add 1/20 of 1 cent per 100 pounds for each mile in excess of 10 miles to such receiving point. The distance along the shortest and most direct motor vehicle highway route shall be used in calculating the distance from the railroad siding to the point designated by the buyer as his receiving point.

§ 1351.1758 *Maximum delivered price for less-than-carload lots to a consumer.* The maximum delivered price for yellow or white corn products in a sale of less-than-carload lots by a processor to a consumer shall be the same as the maximum delivered price established for less-than-carload lots in the previous paragraph plus a markup of 25 cents per hundred pounds.

§ 1351.1759 *Maximum price f. o. b. mill point.* The maximum f. o. b. mill point price in all cases shall be the same as the maximum delivered price at the mill point.

§ 1351.1760 *Jobber's maximum price.* The maximum price in a sale of yellow or white corn products by a jobber shall be the same as provided in this Maximum Price Regulation No. 305 for a processor.

§ 1351.1761 *Maximum prices shall not be increased by any special charges.* The maximum prices fixed in this maximum price regulation shall not be increased by any charges whatsoever, including, but not limited to, duties, brokerages and commissions, or storage, insurance, carrying and handling charges, or charges for the extension of credit.

§ 1351.1762 *Maximum price for custom milling.* The processing of corn by a dry corn milling process for a service charge is forbidden, if the combined cost of (a) the corn and (b) the service charge exceeds the maximum price established by this Maximum Price Regulation No. 305 for sales of corn products of a like quantity delivered at the mill point. In the case of a farmer who grows his own corn, "cost" means the selling price of corn in the farmer's usual market. If the hominy feed or other by-products produced from the corn are to be retained by the processor, the value of the hominy feed or other by-products retained must be considered in determining the service charge.

§ 1351.1763 *Maximum resale price by any buyer.* The maximum resale price at which any wholesaler or retailer may resell corn products shall be the maximum price calculated under Maximum Price Regulations No. 237[2] and 238.[3]

§ 1351.1764 *Export sales.* The maximum price at which a person may export corn products shall be determined in accordance with the Revised Maximum Export Price Regulation issued by the Office of Price Administration.

§ 1351.1765 *Exempt sales.* The provisions of this Maximum Price Regulation No. 305 shall not apply to sales of corn products in cartons which sales shall be and remain subject to the General Maximum Price Regulation.[4] Carton means packaged for sale to the ultimate consumer in a sealed paperboard box holding three pounds or less.

§ 1351.1766 *Definitions.* The definitions in the General Maximum Price Regulation shall apply to all terms used in this Maximum Price Regulation No. 305 except as defined below.

(a) "Basing point" means Kansas City, Missouri.

(b) "Carload" means a shipment by rail of one or more corn products of at least the minimum weight, specified in the tariffs of railroad carrier, or in the rulings of the Office of Defense Transportation, upon which the railroad carload rate from the point of shipment to the point of destination is based: *Provided*, That a shipment of a lesser weight shall be considered a carload where the transportation charge for shipment of such lesser weight at the railroad carload rate is lower than would be charged for such a shipment at a railroad less-than-carload rate.

(1) "Consumer" means an ultimate user but shall not include the industrial or commercial user.

(c) "Corn products" means every product of corn made by a dry corn milling process from yellow or white corn, including, but not limited to, corn meal, corn flour, corn grits, hominy, hominy grits and brewers grits, except ground or cracked corn, corn bran, corn feed meal, hominy feed, corn germ cake and corn germ meal which are used for animal feeding purposes and products made by a dry corn milling process which prior to sale by a processor have been materially changed in form by further processing, including, but not limited to, brewers flakes, confectioners flakes and corn flakes

(d) "Jobber" (sometimes known as primary jobber) means a person who buys corn products whether in carlots or less-than-carlots and distributes the same to wholesalers.

(e) "Less-than-carload shipment" means a shipment of one or more corn products of any quantity other than a carload, mixed car or pool car shipment.

(f) "Mixed car shipment" means a shipment of a carload lot to a single buyer composed in part of corn products and in part of other products.

(g) "Pool car shipment" means a shipment of a carload lot by one seller consisting of two or more less-than-carload shipments to two or more buyers combined for the purpose of obtaining a carload rate.

(h) "Processor" means any person who manufactures or processes corn products by a dry corn milling process or any person, except a wholesaler or retailer, who packages corn products.

(i) "Retailer" means a person as defined in Maximum Price Regulation No. 238.

[1] 7 F.R. 9894.

[2] 7 F.R. 8205, 8427, 8808, 9183, 9973, 10013, 10715; 8 F.R. 373, 569

[3] 7 F.R. 8209, 8808, 9184, 10013, 10227, 10714; 8 F.R. 120, 374, 532.

[4] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371.

(j) "Wholesaler" means a person as defined in Maximum Price Regulation No. 237.

§ 1351.1767 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 305 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, a copy of which may be secured upon request from the Office of Price Administration.

§ 1351.1768 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to and at prices not in excess of the maximum prices in effect at the time of delivery. In appropriate situations where a petition for amendment requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1351.1769 *Records and reports.* (a) Every person making sales of corn products after January 25, 1943, shall keep for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of (1) each purchase or sale, showing the date thereof, (2) the name and address of the buyer and the seller, (3) the price contracted for or received, and (4) the quantity of each type and grade of corn products purchased or sold.

(b) Upon demand such persons shall submit such records to the Office of Price Administration and shall keep such other records in addition to or in place of the records required in the previous paragraph of this section as the Office of Price Administration may from time to time require.

§ 1351.1770 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 305 shall not be evaded in any manner whatsoever in connection with any offer, solicitation, agreement, sale, delivery, purchase, or receipt of, or relating to corn products, alone or in conjunction with any other charge, or discount, premium or other privilege or by tying-agreement or other trade understanding or by changing a business practice relating to price lines, rating, labeling, packaging, branding or otherwise.

§ 1351.1771 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 305 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have any evidence of any violation of this Maximum Price Regulation No. 305 or any price schedule, regulation or order, issued by the Office of Price Administration, or any acts or practices which constitute such a violation, are urged to communicate with the nearest district, field, state or regional offices of the Office of Price Administration, or its principal office in Washington, D. C.

§ 1351.1772 *Geographical application.* The provisions of this Maximum Price Regulation No. 305 shall apply in continental United States, including the District of Columbia, but not in the territories and possessions of the United States.

§ 1351.1773 *Effective date.* This Maximum Price Regulation No. 305 (§§1351.1751 to 1351.1774 inclusive) shall become effective January 26, 1943.

§ 1351.1774 *Appendix A: Differentials and charges.*

1. *Package differentials.* (a) "Basis" as used in this Appendix means a barrel of corn products packed in two 100-pound cotton bags, whether buyer's or seller's.

	Number sacks per barrel	Differential to be added or subtracted from basis for packing in seller's new bags	Differential to be added per barrel for handling and packing buyer's new and used bags
Cotton sacks:			
100 pds.	2	$ Basis	
98	2	.05 under	
96	2	.15 under	
50	4	.15 over	$.04
49	4	.10 over	.04
48	4	Same as basis	.04
25	8	.35 over	.08
24	8	.15 over	.08
20	10	.45 over	.10
12	16	.50 over	.16
10	20	.75 over	.20
9	20	.30 over	.20
6	32	.85 over	.24
5	40	1.20 over	.30
3	64	1.60 over	.48
2½	80	2.20 over	.60
Paper, sacks:			
50 pds.	4	Same as basis	.04
49	4	.05 under	.04
48	4	.15 under	.04
25	8	.15 under	.08
24	8	.05 under	.08
20	10	.20 over	.10
12	16	.15 over	.16
10	20	.45 over	.20
9	20	Same as basis	.20
6	32	.45 over	.24
5	40	.80 over	.30
3	64	1.15 over	.48
2½	80	1.70 over	.60
2	96	1.90 over	.72
1½	128	2.60 over	.85
1	200	4.40 over	1.30
Wood containers:			
200 pds.	1	1.05 over	.25
196	1	1.00 over	.25
Jute sacks:			
140 pds.	1.4	.05 under basis	
100	2	.05 over basis	
98	2	Same as basis	
96	2	.10 under basis	

2. *Charge for outside containers.* The seller may add to the above applicable differential the following charges: (a) for handling and packing seller's outside envelopes and containers:

	Cents per barrel additional
Outside jute envelopes (2 to barrel)	45
Outside jute envelopes (4 to barrel)	60
Outside cotton envelopes (2 to barrel)	50
Outside fibre containers (4 to barrel)	45
Outside paper envelopes (4 to barrel)	35
Outside paper envelopes (8 to barrel)	50

(b) for handling and packing buyer's outside paper, cotton or jute envelopes 10¢ per barrel; for handling and packing buyer's fibre containers 15¢ per barrel.

3. *Differential or charge for containers not listed.* (a) A person who on January 26, 1943 sold, delivered or offered for sale corn products packed in containers (other than a carton as above defined in § 1351.1765) of a quality or size not listed in this Appendix shall use as his maximum differential (over the basis) or charge for such containers under this Appendix the highest differential (over the basis) or charge he used in a sale, or delivery or quoted in an offer for sale within 30 days prior to January 26, 1943.

(b) Any person who after January 25, 1943, packs corn products for sale in a container (other than a carton as above defined in § 1351.1765) not previously used by him which differs in quality or size from the containers listed in this Appendix shall use the lower differential or charge between the two differentials or charges for containers listed in this Appendix which are closest in size and cost.

(c) *Report.* Within 30 days after January 26, 1943; or within 30 days after a differential or charge is first used for a new container under the previous section, a report shall be filed with the Feed and Grain Section, Food and Food Products Branch, Office of Price Administration, Washington, D. C. setting forth under oath or affirmation the cost of the container, the cost of packing or handling and other facts justifying the differential or charge which is used. Upon demand, the Price Administrator may require a person making such report to furnish additional information.

(d) Adjustment of differential and charge. Any differential or charge applied under this section shall be subject to adjustment by the Price Administrator at any time.

Issued this 21st day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1099; Filed, January 21, 1943; 5:03 p. m.]

PART 1398—OFFICE AND STORE MACHINES

[Ration Order 4A,[1] Amendment 1]

TYPEWRITERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1398.114 is amended and a new § 1398.153 is added, as set forth below:

SUBPART A—HOW TO GET A TYPEWRITER

* * * * * *

Acquiring Typewriters Without Certificates

§ 1398.114 *Certificate-free rental of Class B typewriters permitted until May 1, 1943.* During the period to May 1, 1943, a Class B typewriter may be rented by, and to, any person for the balance of that period, without the surrender of a Certificate. (The terms of the rental agreement are governed by Section 1898.-127).

SUBPART C—GENERAL PROVISIONS

* * * * * *

Order Effective

§ 1398.153 *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1398.-114 and 1398.153) to Ration Order 4A shall become effective January 21, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 729, 77th

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10806.

Cong.; W. P. B. Directive No. 1; Supplementary Directive No. 1–D; Conversion Order No. L–54–a, 7 F.R. 562, 1792, 2130)

Issued this 21st day of January, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1084; Filed, January 21, 1943; 5:00 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 232 Under § 1499.3 (b) of GMPR]

REPUBLIC TEA AND COFFEE CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1468 *Authorization of maximum price for sale of Coffee Plus 10% Filler brand of coffee compound by Republic Tea and Coffee Company to restaurants.* (a) On and after January 22, 1943, the maximum price for sales of Coffee Plus 10% Filler by Republic Tea and Coffee Company, having its principal place of business at New York, New York, shall be 30½¢ per pound delivered to restaurants.

(b) This Order No. 232 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 232 (§ 1499.1468) shall become effective January 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 21st day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1096; Filed, January 21, 1943; 5:02 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 233 Under § 1499.3 (b) of GMPR]

INTERSTATE COFFEE CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1469 *Authorization of maximum prices for sale of Banner Coffee and Cereal, a coffee compound, and Banner Whole Roasted Cereal, a coffee extender, by Interstate Coffee Company, by wholesalers and retailers.* (a) (1) On and after January 22, 1943 the maximum price for sales of Banner Coffee and Cereal, a coffee compound, by Interstate Coffee Company having its principal place of business at Augusta, Georgia, shall be 11¢ per pound when sold in bulk quantities of 25-pound, 50-pound, and 100-pound units. This price shall include delivery to customer's place of business.

(2) On and after January 22, 1943 the maximum price for sales of Banner Whole Roasted Cereal, a coffee extender, by Interstate Coffee Company having its principal place of business at Augusta, Georgia shall be 4¢ per pound when sold in bulk quantities of 25 pounds, 50 pounds and 100 pounds. This price shall include delivery to customer's place of business.

(b) Sellers at wholesale shall determine their maximum selling prices of "Banner Coffee and Cereal" and "Banner Whole Roasted Cereal" by applying the provisions of Maximum Price Regulation 237 as amended.

(c) Sellers at retail shall determine their maximum selling prices of "Banner Coffee and Cereal" and "Banner Whole Roasted Cereal" by applying the provisions of Maximum Price Regulation 238 as amended.

(d) This Order No. 233 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 233 (§ 1499.1469) shall become effective January 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 21st day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1090; Filed, January 21, 1943; 5:02 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 234 Under § 1499.3 (b) of GMPR]

JAMES H. FORBES TEA AND COFFEE CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1470 *Authorization of maximum price for sale of "Forbes Finest Coffee, Cereal and Chicory", a coffee compound by James H. Forbes Tea and Coffee Company, by wholesalers and by retailers.* (a) On and after January 22, 1943, the maximum price for sales of "Forbes Finest Coffee, Cereal and Chicory", coffee compound by James H. Forbes Tea and Coffee Company, having its principal place of business at St. Louis, Missouri, shall be 25¢ per pound. This price shall include delivery to buyer's station.

(b) Sellers at wholesale shall determine their maximum selling prices of "Forbes Finest Coffee, Cereal and Chicory" by applying the provisions of Maximum Price Regulation 237 as amended.

(c) Sellers at retail shall determine their maximum selling prices of "Forbes Finest Coffee, Cereal and Chicory" by applying the provisions of Maximum Price Regulation 238 as amended.

(d) This Order No. 234 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 234 (§ 1499.1470) shall become effective January 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 21st day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1089; Filed, January 21, 1943; 5:02 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 235 Under § 1499.3 (b) of GMPR]

STANDARD BRANDS, INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1471 *Authorization of maximum price for sale of Chase and Sanborn Victory Blend and Fancy Mark Victory Blend, coffee compounds by Standard Brands, Inc., by wholesalers and by retailers.* (a) (1) On and after January 22, 1943, the maximum price for sales of Chase and Sanborn Victory Blend, coffee compound by Standard Brands, Inc. having its principal place of business in New York, New York shall be as follows:

Chase and Sanborn Victory Blend:
List price per pound ..... $ .22
Quantity price per pound ..... $ .21

Quantity price applies to those purchasers buying more than 100 pounds per month.
This price shall include delivery to buyer's station.

(2) On and after January 22, 1943, the maximum price for sales of Fancy Mark Victory Blend, coffee compound by Standard Brands, Inc., having its principal place of business in New York, New York shall be as follows:

Fancy Mark Victory Blend:	Cents
List price per pound	25
Quantity price per lb. if 100 to 199 lbs. are purchased per mo	24½
Quantity price per lb. if 200 to 399 lbs. are purchased per mo	24
Quantity price per lb. if 400 to 599 lbs. are purchased per mo	23½
Quantity price per lb. if 600 to 999 lbs. are purchased per mo	23
Quantity price per lb. if 1000 to 1999 lbs. are purchased per mo	22
Quantity price per lb. if 2000 or more lbs. are purchased per mo	21

This price shall include delivery to buyer's station.

(b) Sellers at wholesale shall determine their maximum selling prices of Chase and Sanborn Victory Blend and Fancy Mark Victory Blend by applying the provisions of Maximum Price Regulation 237 as amended.

(c) Sellers at retail shall determine their maximum selling prices of Chase and Sanborn Victory Blend and Fancy Mark Victory Blend by applying the provisions of Maximum Price Regulation 238 as amended.

(d) This Order No. 235 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 235 (§ 1499.1471) shall become effective January 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 21st day of January, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1088; Filed, January 21, 1943; 5:01 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 236 Under § 1499.3 (b) of GMPR]

BALDWIN LABORATORIES

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1472 *Authorization of maximum price for sale of "Jeep", a coffee substitute, by Baldwin Laboratories, by wholesalers and by retailers.* (a) On and after January 22, 1943, the maximum price for sales of "Jeep" coffee substitute by Baldwin Laboratories, having its principal place of business at Saegerstown, Pennsylvania, shall be 15¢ per pound. This price shall include delivery to buyer's station.

(b) Sellers at wholesale shall determine their maximum selling prices of "Jeep" by applying the provisions of Maximum Price Regulation 237 as amended.

(c) Sellers at retail shall determine their maximum selling prices of "Jeep" by applying the provisions of Maximum Price Regulation 238 as amended.

(d) This Order No. 236 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 236 (§ 1499.1472) shall become effective January 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 21st day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1097; Filed, January 21, 1943; 5:03 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 6 Under § 1499.18 (c), as Amended, of GMPR]

OAKCHAR PRODUCTS CORPORATION

Order No. 6 under § 1499.18 (c), as amended, of the General Maximum Price Regulation—Docket No. GF1–126–P.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1506 *Adjustment of maximum prices for charcoal produced by the Oakchar Products Corporation.* (a) Oakchar Products Corporation of Oakland, California may sell and deliver, and anyone may buy, charcoal at prices no higher than those set forth below:—

(1) *Charcoal briquettes* — (i) *Delivered to distributors.* The prices set forth in (iii) below less a discount of 50% plus 2% 10 days.

(ii) *Delivered to department stores.* The prices set forth in (iii) below less a discount of 45% plus 2% 10 days.

(iii) *Base prices:*

5 pound bag	$0.35
10 pound bag	.60
20 pound bag	1.10
40 pound bag	2.00

(2) *Poultry charcoal:*

$45.00 per ton, f. o. b. Paso Robles, California.

(b) *Notice to purchasers.* (1) At the first delivery of charcoal briquettes to Taylor Milling Corporation at a price authorized by this order, Oakchar Products Corporation shall deliver to Taylor Milling Corporation the following notice:

The Office of Price Administration has permitted us to discontinue our previous discount of 5% to you for soliciting department stores. You are not permitted to raise your maximum price for the sale of charcoal briquettes purchased from us.

(2) At the first delivery of charcoal briquettes to a department store at a price authorized by this Order, the Oakchar Products Corporation shall deliver the following notice to such purchaser:

The Office of Price Administration has permitted us to discontinue our advertising allowance of 5% to department stores. You or no other seller is permitted to raise his maximum price for the sale of charcoal briquettes purchased from us.

(3) At the first delivery to any purchaser of poultry charcoal at a price authorized by this Order, Oakchar Products Corporation shall deliver the following notice to the purchaser:

The Office of Price Administration has permitted us to raise our maximum price to you for poultry charcoal from $40.00 per ton, f. o. b. Paso Robles, California to $45.00 per ton, f. o. b. Paso Robles, California. You are permitted to increase your maximum price for resale of this charcoal by $5.00 per ton.

(c) *Resellers of poultry charcoal.* Resellers of poultry charcoal produced by Oakchar Products Corporation may increase their maximum prices for such poultry charcoal as established by the General Maximum Price Regulation by $5.00 per ton. On the first delivery by any reseller of poultry charcoal produced by Oakchar Products Corporation to any purchaser, such reseller shall deliver to such purchaser the following notice:

The Office of Price Administration has permitted us to raise our maximum price for poultry charcoal produced by Oakchar Products Corporation by $5.00 per ton. You are permitted to increase your maximum price for resale of such poultry charcoal by $5.00 per ton.

(d) This Order No. 6 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 6 (§ 1499.1506) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 6 (§ 1499.1506) shall become effective January 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. No. 9250, 7 F.R. 7871)

Issued this 21st day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1087; Filed, January 21, 1943; 5:01 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 13 Under Supp. Reg. 15 of GMPR]

J. J. SCHAEFFER TRUCKING SERVICE, INC.

Order No. 13 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation—Docket No. 3165–12.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1313 *Adjustment of maximum prices for contract carrier services by J. J. Schaeffer Trucking Service, Inc., Bronx, New York City, N. Y.* (a) J. J. Schaeffer Trucking Service, Inc., 1155 Leggett Avenue, Bronx, New York City, N. Y., hereinafter referred to as applicant, may charge as maximum rates the amounts set out in that schedule of minimum rates and charges filed with the Interstate Commerce Commission under the provisions of Section 218 (a) of the Interstate Commerce Act, denoted as M. F.—I. C. C. No. 5, effective June 13, 1942, for applicant's services as a contract carrier by motor vehicle as described in said schedule.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 13 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 13 (§ 1499.1313) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 13 (§ 1499.1313) shall become effective January 22, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 21st day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1086; Filed, January 21, 1943; 5:00 p. m.]

Chapter XIII—Petroleum Administration for War

[Petroleum Administrative Order 5]

PART 1545—PETROLEUM SUPPLY

LIMITATION ON DELIVERY OF MOTOR FUEL BY TANK CAR

The fulfillment of requirements for the defense of the United States has created in certain areas a shortage in the supply of tank cars for the movement of petroleum, particularly fuel oil, for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest, to promote the national defense, and to provide adequate supplies of fuel oil for military and other essential uses:

§ 1545.2 *Petrolcum Administrative Order 5*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Motor fuel" means liquid fuel, except Diesel fuel, used for the propulsion of motor vehicles or motor boats and shall include any liquid fuel to which Federal gasoline taxes apply except liquid fuel used for the propulsion of aircraft.

(3) "District One" means the States of Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts,

New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, and West Virginia, and the District of Columbia.

(b) *Limitation on delivery of motor fuel by tank car to District One.* No person may deliver or otherwise supply motor fuel from outside District One by tank car to any person within District One and no person within District One may accept a tank car delivery of motor fuel from outside District One: *Provided*, That the delivery of any motor fuel loaded in tank cars on the effective date of this order may be completed.

(c) *Directions.* The Petroleum Administrator for War may from time to time issue supplementary orders or directions with respect to the delivery of motor fuel into or out of District One.

(d) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may file an appeal setting forth the pertinent facts and reasons why he considers himself entitled to relief. All appeals shall be filed in quadruplicate.

(e) *Appeals and correspondence.* All appeals filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the Director of Petroleum Supply, Petroleum Administration for War, South Interior Building, Washington, D. C., Ref.: PAO 5.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, by any act or omission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or such other action may be taken as is deemed appropriate.

(g) *Effective date.* This order shall take effect on the date of issuance.

(E.O. 9276, 7 F.R. 10091; E. O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 21st day of January 1943.

R. K. DAVIES,
Acting Petroleum Administrator for War.

[F. R. Doc 43-1074; Filed, January 21, 1943; 1:03 p. m.]

[Petroleum Directive 63]

PART 1555—PIPELINE OPERATIONS

UTILIZATION OF WAR EMERGENCY PIPELINE

The diversion for war and other essential purposes, together with loss through enemy action, of tankers normally engaged in the transportation of petroleum from United States Gulf Coast ports to Atlantic ports has made necessary the construction of the 24-inch War Emergency Pipeline system from the vicinity of Longview, Texas, to Norris City, Illinois, thence northeasterly to the vicinity of Philadelphia and Bayonne. The following operating directive is deemed necessary to maintain that pipe line system at maximum operating capacity for the prosecution of the war and most effective utilization of petroleum:

§ 1555.1 *Petroleum Directive 63*—(a) *Utilization of the War Emergency Pipeline.* (1) The War Emergency Pipeline system shall be utilized exclusively for the purpose of relieving shortages of crude petroleum and petroleum products in District One.

(2) East Texas crude oil is designated as the kind of petroleum with which the segment of the line from Longview, Texas, to Norris City, Illinois, shall initially be filled.

(3) Number Two heating oil and sweet crude oil of a type required by District One refineries for the maximum manufacture of those war products deemed by the Administrator to be most essential, are designated as the kinds of petroleum to be utilized for working stocks and transported through the War Emergency Pipeline system.

(4) As soon as practicable, all Number Two heating oil available for delivery to the Longview terminus by connecting pipe lines shall be transported to that point for transmission eastward through the War Emergency Pipeline system. The remaining capacity of the system shall be utilized for the transportation of sweet crude oil of the type described above. When and as the necessities of the war require, or extensions or additions to the pipeline system facilities permit, other or additional kinds of petroleum may be designated for transportation pursuant to the provisions hereof.

(b) *Preparation and filing of reports, forecasts and plans.* (1) War Emergency Pipelines, Inc., shall prepare and file with the Director of Transportation, Petroleum Administration for War, weekly condensed reports of operations of the pipeline system including, but not necessarily restricted to, the daily average throughput of heating oil and crude oil during the preceding week; the quantities of both commodities: in storage at each of the termini of the line; in transit to and from the Longview terminus; and received from and delivered to connecting pipelines and other carriers or receivers. Such additional data and reports relating to deliveries to, receipts from, and operations of War Emergency Pipelines system shall be furnished promptly by War Emergency Pipelines, Inc., or others engaged in the industry upon request therefor by the Petroleum Administration for War.

(2) On or before the tenth day of each calendar month, War Emergency Pipelines, Inc., shall prepare and file with the Petroleum Administrator:

(i) A forecast of the throughput capacity of the line and a forecast of the terminal storage and daily delivery capacities to tank cars, barges, or other connecting pipelines at each of the easterly termini of the line, for each of the three following months; and

(ii) A suggested plan of physical operation of the pipeline system for each of the three following months.

(c) *Preparation and issuance of operating schedules.* (1) On or before the twentieth day of each calendar month sultation with the Director of Petroleum Administration for War, after consultation with the Director of Petroleum Supply, Petroleum Administration for War, shall issue schedules hereunder, based upon the principles hereinafter set forth, designating finally for the following calendar month, and tentatively for the second and third following months:

(i) By whom and in what quantities crude oil and heating oil shall be delivered to Longview and sold to War Emergency Pipelines, Inc., as Agent for Defense Supplies Corporation;

(ii) By whom and in what quantities the crude oil and heating oil to be delivered at the easterly termini of the pipeline system during each such month shall be purchased and received; and

(iii) The refineries and terminals in District One to which such crude oil and heating oil shall be supplied.

(2) To the extent practical, schedules issued hereunder shall be based upon the following general principles:

(i) Priority shall be accorded District Three sources of suitable crude oil and heating oil which may be made available with minimum disruption of essential refining operations and which may be transported most expeditiously by pipeline to the Longview terminus.

(ii) Priority shall be accorded District One purchasers of crude oil at the easterly termini of the pipeline system who require the same for the manufacture of those war products deemed by the Administrator to be most essential. Such purchasers will be required to offer to sell an equivalent quantity to War Emergency Pipelines, Inc., as Agent for Defense Supplies Corporation, at Longview, if the same reasonably may be made available by them, their subsidiaries, or affiliates consistently with the intent and purpose of this Directive.

(iii) Priority of designation for purchase of heating oil at the easterly termini of the pipeline system shall be accorded original suppliers in District One (as defined in Petroleum Directive 59, as amended (7 F.R. 10621) or as the same hereafter may be amended) whose railroad terminal facilities will best expedite movement of tank car trains operating between the easterly termini of the pipeline system and terminals in District One.

(d) *Adjustments and corrections of inequities.* Deliveries of crude and heating oil to purchasers designated by schedules issued hereunder shall be taken into account in the administration of Petroleum Directive 59, and amendments or supplements thereto. Adjustments required to prevent inequities which otherwise might result from compliance herewith shall be made in the manner prescribed and in accordance with the principles set forth in said Petroleum Directive 59.

(e) *Administration.* (1) The Director of Transportation shall advise and consult with the Director of Petroleum Supply and shall from time to time direct affirmative action by those engaged in the industry to provide for the storage and to facilitate the efficient transportation and delivery of crude oil and heating oil to, through and from the War Emergency Pipeline System.

(2) War Emergency Pipelines, Inc., any committees, appointed or approved by the Office of Petroleum Coordinator, or Petroleum Administration for War, and any other persons engaged in the industry may confer, accumulate and submit information, data and suggestions to the Petroleum Administrator respecting schedules or directions to be issued hereunder.

(3) The Director of Petroleum Supply and the Director of Transportation shall coordinate the activities of those engaged in the industry affected by this Directive and administer schedules and directions issued hereunder.

(4) No petroleum or petroleum products shall be transported through the facilities of the War Emergency Pipeline System except in pursuance of this Directive or amendments and supplements thereto.

(f) *Appeals.* An appeal may be taken to the Petroleum Administrator by any party feeling itself aggrieved by any designation, schedule or direction issued hereunder, but pending disposition of such appeal, such designation or order shall be complied with.

(E.O. 9276, 7 F.R. 10091)

Issued this 20th day of January 1943.

R. K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 43-1073; Filed, January 21, 1943; 1:03 p. m.]

TITLE 7—AGRICULTURE

Chapter VII—Agricultural Adjustment Agency

[Tobacco 703 (Dark Air-cured) Part I]

PART 726—FIRE-CURED AND DARK AIR-CURED TOBACCO

MARKETING QUOTA REGULATIONS, 1943–44 MARKETING YEAR

PROCEDURE FOR THE DETERMINATION OF ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR 1943

Sec.

GENERAL

726.556 Definitions.
726.557 Extent of calculations and rule of fractions.
726.558 Instructions and forms.
726.559 Applicability of procedure.

ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR OLD FARMS

726.560 Determination of acreage allotments allotments for old farms.
726.561 Determination of preliminary 1943 acreage allotments for old farms.
726.562 Adjustment of preliminary 1943 acreage allotments.
726.563 Reallocation of allotments released from farms removed from agricultural production.
726.564 Reduction of acreage allotment for violations of 1942–43 Marketing Quota Regulations.
726.565 Farms subdivided or combined by reconstitution.
726.566 Determination of normal yields.

ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR NEW FARMS

726.567 Determination of acreage allotments for new farms.
726.568 Time for filing application.
726.569 Determination of normal yields.

GENERAL

§ 726.556 *Definitions.* As used in this procedure and in all instructions, forms, and documents in connection therewith, the words and phrases defined in this section shall have the meanings herein assigned to them, unless the context or subject-matter otherwise requires. (a) "Dark Air-cured Allotment Procedure for 1943" means this Tobacco 703 (Dark Air-cured).

(b) "County committee" means the group of persons elected within any county to assist in the administration of the Agricultural Conservation Programs in such county.

(c) "New farm" means a farm on which dark air-cured tobacco was not produced in any of the five years 1938 to 1942, but on which dark air-cured tobacco will be produced in 1943.

(d) "Old farm" means a farm on which dark air-cured tobacco was produced in one or more of the five years 1938 to 1942, and on which dark air-cured tobacco will be produced in 1943.

(e) "Operator" means the person who is in charge of the supervision and conduct of the farming operations on the entire farm.

(f) "Person" means an individual, partnership, association, corporation, estate or trust, or other business enterprise or other legal entity and wherever applicable, a State, a political subdivision of a State or any agency thereof.

(g) "State committee" means the group of persons designated within any State to assist in the administration of the Agricultural Conservation Programs in such State.

(h) "Tobacco" means dark air-cured tobacco as classified in Service and Regulatory Announcement No. 118 of the Bureau of Agricultural Economics of the United States Department of Agriculture as types 35 and 36.

§ 726.557 *Extent of calculations and rule of fractions.* (a) All percentages shall be calculated to the nearest whole percent. Fractions of more than fifty-hundredths of one percent shall be rounded upward, and fractions of fifty-hundredths of one percent or less shall be dropped. For example, 87.51 percent would become 88 percent and 87.50 percent would become 87 percent.

(b) All acreages except the preliminary farm acreage allotment and the final farm acreage allotment for 1943 shall be calculated to the nearest one-hundredth of an acre. The preliminary and final 1943 farm acreage allotment shall be calculated to the nearest one-tenth of an acre and fractions of fifty-one thousandths of an acre or more shall be rounded upward and fractions of fifty-thousandths of an acre or less shall be dropped. For example, 1.051 would become 1.1 and 1.050 would become 1.0.

§ 726.558 *Instructions and forms.* The Chief of the Agricultural Adjustment Agency of the United States Department of Agriculture shall cause to be prepared and issued such instructions and such forms as may be deemed necessary or expedient for carrying out this procedure.

§ 726.559 *Applicability of procedure.* This allotment procedure for 1943 shall govern the establishment of farm acreage allotments and normal yields for dark air-cured tobacco for use in connection with the 1943 Agricultural Conservation Program and in connection with farm marketing quotas for dark air-cured tobacco for the marketing year beginning October 1, 1943.

ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR OLD FARMS

§ 726.560 *Determination of acreage allotments for old farms.* The 1943 dark air-cured tobacco acreage allotment for an old farm shall be the preliminary 1943 dark air-cured tobacco acreage allotment as determined in accordance with § 726.561 and adjusted in accordance with § 726.562. The 1943 dark air-cured tobacco acreage allotment thus determined for an old farm shall be subject to the adjustment provisions of §§ 726.563 and 726.564.

§ 726.561 *Determination of preliminary 1943 acreage allotments for old farms.* The preliminary 1943 dark air-cured tobacco acreage allotment for an old farm shall be that percent of the 1943 normal acreage for the farm which the 1943 State acreage allotment is of the 1943 normal acreage of dark air-cured tobacco for all old farms in the State: *Provided*, That if the preliminary acreage allotment so determined for any farm (except a farm operated, controlled, or directed by a person who also operates, controls or directs another farm on which dark air-cured tobacco is produced) is less than that acreage which with the normal yield would produce 2,400 pounds of tobacco, such preliminary acreage allotment shall be increased to the smaller of (1) 120 percent thereof, or (2) that acreage, which when multiplied by the normal yield would produce 2,400 pounds of tobacco.

This method of determining preliminary 1943 dark air-cured tobacco acreage allottments will result in a preliminary 1943 acreage allotment equal to the 1942 acreage allotment for a farm except for those farms for which the normal acreage is adjusted under paragraph (b) of this section; therefore, for all other farms, the committee may establish the preliminary 1943 allotment at the same acreage as the 1942 acreage allotment plus any acreage by which the 1942 allotment was reduced because of violation of the 1941–42 Marketing Quota Regulations: *Provided, however*, No acreage allotted to such farm in 1942 from the State pools, except the acreage allotted to a farm the owner of which was dispossessed of another farm by the acquisition thereof by a Federal agency for national

defense purposes, shall be used in determining the 1943 preliminary acreage allotment. This provision shall not be construed to prohibit determining any allotments for 1943 under the provisions of paragraph (a) of § 726.563.

(a) *Determination of 1943 normal acreage.* The 1943 normal acreage for an old farm shall be determined by applying the applicable diversion factor to the 1942 acreage allotment plus any acreage by which the 1942 allotment was reduced because of violation of the 1941–42 Marketing Quota Regulations: *Provided, however,* No acreage allotted to the farm in 1942 from the State pools, except the acreage allotted to a farm, the owner of which was dispossessed of another farm by the acquisition thereof by a Federal agency for national defense purposes, shall be used in determining the 1943 normal acreage.

1940 acreage allotment	1942 acreage allotment	Diversion factor (percent of allotment)
3.5 acres or less	2.6 acres or less	191
3.6 acres	2.7 acres	196
3.7 acres	2.8 acres	211
3.8 acres	2.8 acres	225
3.9 acres	2.9 acres or more	233

(b) *Adjustment of 1943 normal acreage.* The 1943 normal acreage for an old farm, determined as provided above, shall be adjusted so as to take into account any changes for 1943 in respect to the past acreage of dark air-cured tobacco (harvested and diverted acreage in the five years 1938–42 as compared with the five years 1937–41) making due allowance for the effect of drought, flood, hail, other abnormal weather conditions, plant-bed and other diseases; land, labor and equipment available for the production of tobacco; crop rotation practices; and the soil and other physical factors affecting the production of tobacco: *Provided,* That in determining the 1942 harvested and diverted acreage of dark air-cured tobacco, any amount by which the 1942 harvested acreage is less than the 1942 farm acreage allotment shall be considered as diverted acreage.

§ 726.562 *Adjustment of preliminary 1943 acreage allotment.* An acreage not in excess of one-half of one percent of the State acreage allotment for dark air-cured tobacco shall be apportioned to each county in the State on the basis of the percentage the total 1942 dark air-cured tobacco acreage allotment in each county is of the State acreage allotment for dark air-cured tobacco, unless otherwise recommended by the State committee and approved by the Regional Director. Such acreage shall be used by the county committees as hereinafter provided in this section, if the committees find that such action will establish allotments which are fair and equitable taking into consideration the past acreage of dark air-cured tobacco grown on the farm; land, labor and equipment available for the production of dark air-cured tobacco; crop rotation practices; and the adaptability of the soil to the growing of dark air-cured tobacco. The acreage available in each county may be used for establishing 1943 dark air-cured tobacco acreage allotments and for adjusting upward preliminary 1943 dark air-cured tobacco acreage allotments in the following order and under the following conditions:

(a) The acreage by which 1943 preliminary allotments established under the provisions of § 726.561 hereof exceeds the 1942 acreage allotments for such farms shall be deducted from the acreage apportioned to the county as provided above.

(b) A preliminary 1943 dark air-cured tobacco acreage allotment may be established for a farm which grew dark air-cured tobacco in 1942 for which no dark air-cured tobacco acreage allotment was established in such year. Any such allotment shall not exceed the larger of five-tenths of one acre or 10 percent of the 1942 harvested acreage of dark air-cured tobacco.

(c) The preliminary 1943 dark air-cured tobacco acreage allotment for any farm may be adjusted upward. Such adjustment shall not exceed the larger of 10 percent of the 1943 preliminary acreage allotment or one-half acre. Any allotment established or adjusted as provided above shall be subject to the approval of the State committee.

§ 726.563 *Reallocation of allotments released from farms removed from agricultural production.* (a) Except as provided in paragraph (b) of this section, the dark air-cured tobacco allotment determined or which would have been determined for any land which is removed from agricultural production because of acquisition by a State or Federal agency for any purpose or by a person for use in connection with the national defense program shall be available to State committees for use in providing equitable allotments for farms on which tobacco was grown in one or more of the three years, 1940 through 1942 and which are operated in 1943 by persons who were producers of tobacco on land so removed from agricultural production. Insofar as possible, the allotments for farms operated by such persons shall be comparable to the allotments for other old farms in the same community which are similar with respect to land, labor and equipment available for the production of tobacco; crop rotation practices; soil and other physical factors affecting the production of tobacco, taking into consideration the allotment for the land removed from agricultural production. The allotment so determined shall be subject to the approval of the State committee and shall not exceed the larger of (1) the 1943 allotment previously determined for such land, or (2) the allotment which was or would have been determined for the land removed from agricultural production: *Provided,* That in no event shall the allotment so determined exceed the larger of 20 percent of the acreage of cropland in the farm, or three acres.

(b) The allotment determined or which would have been determined for any land acquired on or since January 1, 1940 by any Federal agency for national defense purposes shall be placed in a State pool and shall be used in determining equitable allotments for farms owned or purchased by owners displaced because of acquisition of their farm by a Federal agency for national defense purposes. Upon application to the county committee, any owner so displaced shall be entitled to have an allotment for any one of the other farms owned or purchased by him equal to an allotment which would have been determined for such other farm, plus the allotment which would have been determined for the farm acquired by the Federal agency: *Provided,* That such allotment shall not exceed 20 percent of the acreage of cropland in the farm. The provision of this subsection shall not be applicable if (1) there is any marketing quota penalty due with respect to the marketing of tobacco from the farm or by the owner of the farm at the time of its acquisition by the Federal agency, (2) any tobacco produced on such farm has not been accounted for as required by the Secretary, or (3) if the allotment next to be established for the farm acquired by the Federal agency would have been reduced because of false or improper identification of tobacco produced on or marketed from such farm.

§ 726.564 *Reduction of acreage allotment for violation of the 1942–43 Marketing Quota Regulations.* If tobacco was sold or was permitted to be sold on a marketing card for any farm which was produced on a different farm the acreage allotment established for each such farm for 1943 shall be reduced by the amount of tobacco so marketed: *Provided,* That such reduction shall not be made if the Secretary, through the county committee, determines that no person connected with such farm during the 1942–43 marketing year caused, aided, or acquiesced in such marketing. If proof of the disposition of any amount of tobacco produced on a farm is not furnished, as required by the Secretary, the acreage allotment shall be reduced by such amount of tobacco.

The amount of tobacco involved will be converted to an acreage basis by dividing such amount of tobacco by the actual yield for the farm during the year in which such tobacco was produced.

§ 726.565 *Farms subdivided or combined by reconstitution.* (a) If land operated as a single farm in 1942 or any previous year has subsequently been subdivided and will be operated in 1943 as two or more farms, the 1943 dark air-cured tobacco acreage allotment determined or which otherwise would have been determined for the entire farm shall be apportioned among the tracts in the same proportion as the acreage of cropland suitable for the production of dark air-cured tobacco on each such tract in such year bore to the total number of acres of cropland suitable for the production of dark air-cured tobacco on the entire farm in such year unless otherwise recommended by the county committee and approved by the State committee.

(b) If two or more farms operated separately in 1942 or any previous year have subsequently been combined and will be operated in 1943 as a single farm, the 1943 dark air-cured tobacco allotment shall be the sum of the 1943 dark air-cured tobacco allotments determined or which otherwise would have been determined for each of the farms composing the combination.

§ 726.566 *Determination of normal yields.* The normal yield for any farm shall be the average of the yields obtained on the farm during the years 1937–41, adjusted by the county committee so as to more accurately reflect the normal yield on the farm represented by the soil and other physical factors affecting the production of dark air-cured tobacco, by taking into consideration yields obtained on other farms in the locality which are similar with respect to such factors. The weighted average of the normal yields for all farms in each county shall not exceed the yield established for the county in 1942 unless an adjustment for abnormal conditions is made by the Secretary upon recommendation of the State committee.

ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR NEW FARMS

§ 726.567 *Determination of acreage allotments for new farms.* The dark air-cured tobacco acreage allotment other than an allotment made under paragraph (b) of § 726.563 for a new farm shall be that acreage which the county committee determines is fair and reasonable for the farm taking into consideration each of the following factors:

(a) The past dark air-cured tobacco experience of the farm operator;

(b) The acreage of cropland in the farm suitable for dark air-cured tobacco production;

(c) The acreage capacity of barns which are located on the farm and which are in usable condition and available for the curing of dark air-cured tobacco;

(d) The customary crop rotation practices;

(e) Adaptability of the soil to the growing of dark air-cured tobacco.

Provided, That the acreage allotment so determined shall be subject to approval by the State committee and shall not exceed the smallest of (1) one fifth of the total acreage of dark air-cured tobacco grown by the farm operator during the five years 1938 through 1942, (2) 75 percent of the average dark air-cured tobacco acreage allotment for old farms in the county, or (3) one acre.

Notwithstanding any other provisions of this section, a dark air-cured tobacco acreage allotment shall not be established for any new farm unless the following conditions have been met:

(a) The farm operator shall have had two years or more experience in growing dark air-cured tobacco as a share-cropper, tenant, or as a farm operator during the past five years;

(b) The farm operator shall be living on the farm and largely dependent on this farm for his livelihood;

(c) The farm covered by the application shall be the only farm owned or operated by the farm operator on which any tobacco is produced;

(d) There is a dark air-cured tobacco curing barn in condition for use on the farm; and

(e) No kind of tobacco other than dark air-cured tobacco will be grown on such farm in 1943.

The dark air-cured tobacco acreage allotments established as provided in this section shall be subject to such downward adjustment as is necessary to bring such allotments in line with the total acreage available for allotment to all new dark air-cured tobacco farms.

The dark air-cured tobacco acreage available for establishing allotments for new farms shall be one-tenth of one percent of the national allotment for dark air-cured tobacco.

§ 726.568 *Time for filing application.* In order to obtain an allotment for a new dark air-cured tobacco farm in 1943, the operator of the farm shall file an application for such allotment with the county committee prior to February 1, 1943.

§ 726.569 *Determination of normal yields.* The normal yield for a new farm shall be that yield per acre which the county committee determines is reasonable for the farm as compared with yields for other farms in the locality on which the soil and other physical factors affecting the production of dark air-cured tobacco are similar.

Done at Washington, D. C. this 21st day of January 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-1123; Filed, January 22, 1943; 11:59 a. m.]

Chapter IX—Agricultural Marketing Administration

PART 912—DUBUQUE, IOWA, MARKETING AREA

HANDLING OF MILK

It is provided in Public Act. No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), that the Secretary of Agriculture of the United States (hereinafter referred to as the "Secretary") shall, subject to the provisions of the act, issue and amend orders regulating such handling of certain agricultural commodities (including milk and its products) as is in the current of interstate or foreign commerce, or which directly burdens, obstructs, or affects interstate or foreign commerce in such commodities.

Sec.
912.1 Findings and determinations.
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912.8 Application of provisions.
912.9 Determination of uniform price to producers.
912.10 Payments for milk.
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912.12 Marketing services.
912.13 Effective time, suspension, or termination of order, as amended.
912.14 Agents.

AUTHORITY: 912.1 to 912.14, inclusive, issued under 48 Stat. 31, 670, 675, 49 Stat. 750, 50 Stat. 246; 7 U.S.C. 1940 ed. 601 *et seq.*

§ 912.1 *Findings and determinations*—(a) *Findings.* Pursuant to the act and the rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR 900.1–900.17; 6 F.R. 6570, 7 F.R. 3350), a public hearing was held upon certain proposed amendments to the tentatively approved marketing agreement, as amended, and to the order, as amended, regulating the handling of milk in the Dubuque, Iowa, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is hereby found that:

(1) The aforesaid order, as amended and as hereby amended, and all of the terms and conditions of said order as amended and as hereby amended, will tend to effectuate the declared policy of the act;

(2) The prices calculated to give milk produced for sale in the Dubuque, Iowa, marketing area a purchasing power equivalent to the purchasing power of such milk, as determined pursuant to sections 2 and 8 (e) of the act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supplies of and demand for such milk, and the minimum prices set forth in the aforesaid order, as amended and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The aforesaid order, as amended and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in the aforesaid tentatively approved marketing agreement, as amended, upon which a hearing has been held.

(b) *Determinations.* It is hereby determined that handlers of at least 50 percent of the volume of milk covered by this order, as amended, which is marketed within the Dubuque, Iowa, marketing area refused or failed to sign the tentatively approved marketing agreement, as amended, regulating the handling of milk in the Dubuque, Iowa, marketing area; and it is further determined that:

(1) The refusal or failure of such handlers to sign said tentatively approved marketing agreement, as amended, tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interest of producers of milk which is produced for sale

in the Dubuque, Iowa, marketing area; and

(3) The issuance of this order, as amended, is approved or favored by at least two-thirds of the producers who participated in a referendum on the questions of the approval of this order, as amended, and who, during the determined representative period, were engaged in the production of milk for sale in said Dubuque, Iowa, marketing area.

§ 912.2 *Order relative to handling.* It is therefore ordered that, from and after the effective date hereof, the handling of milk in the Dubuque, Iowa, marketing area shall be in conformity to and in compliance with the terms and conditions of this order, as amended.

Provisions

§ 912.3 *Definitions*—(a) *Terms.* The following terms shall have the following meanings:

(1) The term "Dubuque, Iowa, marketing area," hereinafter called the "marketing area," means the territory within the corporate limits of the city of Dubuque, Iowa, the township of Dubuque, Iowa, sections 1, 2, 3, 11, and 12 of the township of Table Mound, and sections 5 and 6 of the township of Mosalem, all in the county of Dubuque in the State of Iowa.

(2) The term "person" means any individual, partnership, corporation, association, or any other business unit.

(3) The term "producer" means any person who produces milk which is received at the plant of a handler from which Class I or Class II milk is disposed of in the marketing area.

(4) The term "graded producer" means any person who, in conformity with the requirements of the Dubuque health authorities for milk disposed of for consumption as milk, produces milk which is received at the plant of a handler from which Class I or Class II milk is disposed of in the marketing area, or which a cooperative association causes to be delivered to a plant from which no Class I or Class II milk is disposed of in the marketing area.

(5) The term "handler" means any person who, on his own behalf or on behalf of others, purchases or receives milk or cream and who disposes of Class I or Class II milk in the marketing area. This definition shall include any cooperative association with respect to milk caused to be delivered from a graded producer to a plant from which no Class I or Class II milk is disposed of in the marketing area.

(6) The term "producer-handler" means any person who is both a producer and a handler and who receives no milk from other producers: *Provided*, That (i) the maintenance, care, and management of the dairy animals and other resources necessary to produce the milk is the personal enterprise of and at the personal risk of such person in his capacity as a producer, and (ii) the processing, packaging, and distribution of the milk is the personal enterprise of and at the personal risk of such person in his capacity as a handler.

(7) The term "market administrator" means the person designated pursuant to § 912.4 as the agency for the administration hereof.

(8) The term "delivery period" means the current marketing period from the first to and including the last day of each month.

(9) The term "act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended.

(10) The term "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the United States Department of Agriculture who is, or who may hereafter be, authorized to exercise the powers and to perform the duties of the Secretary of Agriculture of the United States.

(11) The term "cooperative association" means any cooperative association of producers which the Secretary determines (i) to have its entire activities under the control of its members, and (ii) to have and to be exercising full authority in the sale of milk of its members.

§ 912.4 *Market administrator*—(a) *Designation.* The agency for the administration hereof shall be a market administrator who shall be a person selected by the Secretary. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

(b) *Powers.* The market administrator shall:

(1) Administer the terms and provisions hereof; and

(2) Report to the Secretary complaints of violation of the provisions hereof

(c) *Duties.* The market administrator shall:

(1) Within 45 days following the date upon which he enters upon his duties, execute and deliver to the Secretary a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the Secretary.

(2) Pay, out of the funds provided by § 912.11, the cost of his bond, his own compensation, and all other expenses necessarily incurred in the maintenance and functioning of his office.

(3) Keep such books and records as will clearly reflect the transactions provided for herein and surrender the same to his successor or to such other person as the Secretary may designate.

(4) Publicly disclose to handlers and producers, unless otherwise directed by the Secretary, the name of any person who, within 10 days after the date upon which he is required to perform such acts, has not (i) made reports pursuant to § 912.7, or (ii) made payments pursuant to § 912.10.

(5) Promptly verify the information contained in the reports submitted by handlers.

§ 912.5 *Classification of milk*—(a) *Basis of classification.* All milk or cream purchased or received by a handler or caused to be delivered by a cooperative association to a plant from which no milk is disposed of in the marketing area shall be reported by the handler and shall be classified by the market administrator in the classes set forth in (b) of this section: *Provided*, That (1) any milk moving as fluid milk from any handler's plant to a plant of a nonhandler who distributes fluid milk shall be classified as Class I milk and any cream moving as fluid cream to a plant of such nonhandler shall be classified as Class II milk; (2) any milk or cream moving from a handler's plant to a plant of a nonhandler who does not distribute fluid milk or cream shall be classified as Class III milk, subject to verification by the market administrator; and (3) any milk moving as fluid milk from any handler's plant to a plant of another handler shall be classified as Class I milk, and any cream moving as fluid cream from any handler's plant to a plant of another handler shall be classified as Class I milk: *Provided*, That if the selling handler, except for milk and cream moving to the plant of a producer-handler or to the plant of a handler who is also a producer, on or before the 5th day after the end of the delivery period during which such milk or cream was moved, furnishes to the market administrator a statement which is signed by the buyer and the seller that such milk or cream was utilized in a lower classification, such milk or cream shall be classified accordingly, subject to verification by the market administrator.

(b) *Classes of utilization.* Subject to the conditions set forth in (a) of this section, the classes of utilization of milk shall be as follows:

(1) Class I milk shall be all milk disposed of as milk except such milk as is classified as Class II milk and as Class III milk pursuant to (2) and (3) of this paragraph and all unaccounted for milk in excess of 3 percent of the total receipts of butterfat from producers converted to 3.5 percent milk equivalent.

(2) Class II milk shall be all milk disposed of as cream, for consumption as cream including any cream product in fluid form which contains 6 percent or more but less than 18 percent butterfat, flavored milk, creamed buttermilk, and creamed cottage cheese.

(3) Class III milk shall be all milk accounted for as used to produce butter, cheese other than creamed cottage cheese, evaporated milk, condensed milk, powdered whole milk, ice cream mix, and ice cream and all unaccounted for milk not in excess of 3 percent of the total receipts of butterfat from producers converted to 3.5 percent milk equivalent.

(c) *Responsibility of handlers in establishing the classification of milk.* In establishing the classification of milk as required in (b) of this section, the burden rests upon the handler who receives milk from producers to account for the milk and to prove to the market administrator that such milk should not be classified as Class I milk.

(d) *Computation of milk in each class.* For each delivery period, the market administrator shall compute, in the case of each handler, the amount of milk in each class, as defined in (b) of this section, as follows:

(1) Determine the total pounds of milk received from (i) producers, (ii) handler's own farm production, (iii) other handlers, (iv) other sources, and (v) add together the resulting amounts.

(2) Determine the total pounds of butterfat received as follows: (i) multiply the weight of the milk received from producers by its average butterfat test; (ii) multiply the weight of the milk received from handler's own farm production by its average butterfat test; (iii) multiply the weight of the milk received from other handlers by its average butterfat test; (iv) multiply the weight of the milk received from other sources by its average butterfat test; and (v) add together the resulting amounts.

(3) Determine the total pounds of milk in Class I as follows: (i) convert to pounds the total quantity of milk disposed of in the form of milk on the basis of 2.15 pounds per quart; (ii) multiply the result by the average butterfat test of such milk; and (iii) if the quantity of butterfat so computed when added to the pounds of butterfat in Class II milk and Class III milk, computed pursuant to (4) (ii) and (5) (iv) of this paragraph, is less than the total pounds of butterfat received, computed in accordance with (2) of this paragraph, an amount equal to the difference shall be divided by 3.5 percent and added to the quantity of milk determined pursuant to (i) of this subparagraph.

(4) Determine the total pounds of milk in Class II as follows: (i) multiply the actual weight of each of the several products of Class II milk by its average butterfat test; (ii) add together the resulting amounts; and (iii) divide the result obtained in (ii) of this subparagraph by 3.5 percent.

(5) Determine the total pounds of milk in Class III as follows: (i) multiply the actual weight of each of the several products of Class III milk by its average butterfat test; (ii) add together the resulting amounts; (iii) subtract the total pounds of butterfat in Class I milk and Class II milk, compued pursuant to (3) (ii) and (4) (ii) of this paragraph, and the total pounds of butterfat computed pursuant to (ii) of this subparagraph, from the total pounds of butterfat computed pursuant to (2) of this paragraph, which resulting quantity shall be allowed as plant shrinkage for the purposes of this paragraph (but in no event shall such plant shrinkage allowance exceed 3 percent of the total receipts of butterfat from producers by the handler); (iv) add the result obtained in (iii) of this subparagraph (but not to exceed 3 percent of the total receipts of butterfat from producers by the handler) and the result obtained in (ii) of this subparagraph; and (v) divide the result obtained in (iv) of this subparagraph by 3.5 percent.

(6) Determine the classification of milk received from producers as follows: (i) Subtract from the total pounds of milk in each class the total pounds of milk which were received from other handlers and used in such class; (ii) subtract from the remaining pounds of milk in each class the total pounds of milk which were received from sources other than producers and handlers and used in such class; (iii) subtract pro rata from the remaining pounds of milk in each class the total pounds of milk which were received from the handler's own farm production; and (iv) except as set forth in (e) of this section, the result shall be known as the "net pooled milk" in each class.

(e) *Reconciliation of utilization of milk by classes with receipts of milk from producers.* In the event of a difference between the total quantity of milk utilized in the various classes as computed pursuant to (d) of this section and the quantity of milk received from producers, except for excess milk or milk equivalent of butterfat pursuant to § 912.8 (d), such difference shall be reconciled as follows:

(1) If the total utilization of milk in the various classes for any handler, as computed pursuant to (d) of this section, is less than the receipts of milk from producers, the market administrator shall increase the total pounds of milk in Class III for such handler by an amount equal to the difference between the receipts of milk from producers and the total utilization of milk by classes for such handler, which result shall be known as the "net pooled milk" in Class III.

(2) If the total utilization of milk in the various classes for any handler, as computed pursuant to (d) of this section, is greater than the receipts of milk from producers, the market administrator shall decrease the total pounds of milk in Class III for such handler by an amount equal to the difference between the total utilization of milk by classes for such handler and the receipts of milk from producers, which result shall be known as the "net pooled milk" in Class II.

§ 912.6 *Minimum prices*—(a) *Class prices.* Each handler shall pay, at the time and in the manner set forth in § 912.10, not less than the prices set forth in this paragraph per hundredweight of milk received during each delivery period at such handler's plant or caused by such handler to be delivered to a plant from which no milk is disposed of in the marketing area, on the basis of milk of 3.5 percent butterfat content:

(1) For Class I milk—the price shall be the price determined and announced pursuant to (5) of this paragraph, plus 70 cents per hundredweight.

(2) For Class I milk disposed of under a program approved by the Secretary for the sale or disposition of milk to low-income consumers, including persons on relief—the price shall be the price determined and announced pursuant to (5) of this paragraph, plus 23 cents per hundredweight.

(3) For Class II milk—the price shall be the price determined and announced, pursuant to (5) of this paragraph, plus 25 cents per hundredweight.

(4) For Class III milk—the price shall be the result of the following computation by the market administrator: multiply by 2.4 the average weekly prevailing price per pound of the cheese known as "Twins" during said delivery period on the Wisconsin Cheese Exchange, Plymouth, Wisconsin (or in the absence of such prices, the prices of such "Twins" at Chicago, as reported by the United States Department of Agriculture), and multiply such result by 3.5.

(5) Computation of foundation price for Class I and Class II milk—the market administrator shall determine and announce the average of the basic or field prices per hundredweight, ascertained to have been paid for milk of 3.5 percent butterfat content received during the period beginning with the 16th day of the previous month and ending with the 15th day of the then current month at the plants listed in this subparagraph: *Provided*, That if the price so determined is less than the price computed by the market administrator in accordance with the following formula, such formula price shall be announced: multiply by 0.4 the average weekly prevailing price per pound of the cheese known as "Twins" during said delivery period on the Wisconsin Cheese Exchange, at Plymouth, Wisconsin (or in the absence of such prices, the prevailing prices for such "Twins" at Chicago, as reported by the United States Department of Agriculture), add the average wholesale price per pound of 92-score butter at Chicago for said delivery period as reported by the United States Department of Agriculture, and multiply such result by 3.9.

CONCERN AND LOCATION OF PLANTS

Amboy Milk Products Co	Amboy, Ill.
United Milk Products Co	Argo Fey, Ill.
Dean Milk Co	Belvidere, Ill.
Borden Co	Dixon, Ill.
Libby, McNeil & Libby Co	Morrison, Ill.
Carnation Milk Co	Oregon, Ill.
Dean Milk Co	Pearl City, Ill.
Dean Milk Co	Pecatonica, Ill.
Borden Co	Sterling, Ill.
Pet Milk Co	Schullsburg, Wis.

§ 912.7 *Reports of handlers*—(a) *Periodic reports.* On or before the 5th day after the end of each delivery period each handler, with respect to milk or milk products which were during such delivery period (1) received from producers, (2) received from handlers, (3) received from such handler's own production, (4) received from any other source, or (5) caused to be delivered to a plant from which no milk is disposed of in the marketing area, shall report to the market administrator, in the detail and form prescribed by him, as follows:

(i) The receipts at each plant from producers who are not handlers;

(ii) The receipts at each plant from any other handler, including any handler who is also a producer;

(iii) The receipts at each plant from such handler's own production;

(iv) The receipts at each plant from any other source;

(v) The respective quantities of milk and milk products disposed of or on hand; and

(vi) The respective butterfat content of each of the above.

(b) *Reports as to producers.* Each handler shall report to the market administrator as follows:

(1) Within 10 days after the market administrator's request, with respect to any producer and with respect to a period of time designated by the market administrator, (i) the name and address,

(ii) the total pounds of milk received, (iii) the average butterfat test of milk received, and (iv) the number of days upon which milk was received; and

(2) Within 5 days after first receiving milk from any producer, (i) the name and address of such producer, (ii) the date upon which such milk was first received, and (iii) the plant at which the milk of such producer was received.

(c) *Reports of payments to producers.* On or before the 20th day after the end of each delivery period each handler shall submit to the market administrator his producer pay roll for such delivery period which shall show for each producer (1) the net amount of such producer's payment with the prices, deductions, and charges involved, and (2) the total delivery of milk with the average butterfat test thereof.

(d) *Reports of producer-handlers and handlers whose sole sources of supply are receipts from other handlers.* Producer-handlers and handlers whose sole sources of supply are receipts from other handlers shall report to the market administrator at such time and in such manner as the market administrator may request.

(e) *Verification of reports and payments.* The market administrator shall verify all reports and payments of each handler by audit of such handler's records and of the records of any other handler or person upon whose disposition of milk such handler claims classification. Each handler shall keep adequate records of receipts and utilization of milk and shall, during the usual hours of business, make available to the market administrator or his representative such records and facilities as will enable the market administrator to:

(1) Verify the receipts and disposition of all milk required to be reported pursuant to this section and, in case of errors or omissions, ascertain the correct figures;

(2) Weigh, sample, and test for butterfat content the milk received from producers and any product of milk upon which classification depends; and

(3) Verify the payments to producers prescribed in § 912.10.

§ 912.8 *Application of provisions*—(a) *Producer-handlers.* (1) §§ 912.6, 912.9, 912.10, 912.11, and 912.12 shall not apply to the handling of milk by handlers (i) whose sole sources of supply are receipts from other handlers or (ii) who are producer-handlers pursuant to § 912.3 (a) (6), as verified by the market administrator in the manner provided in (2) of this paragraph.

(2) Handlers shall furnish to the market administrator for his verification, subject to review by the Secretary, evidence of their qualifications as producer-handlers pursuant to § 912.3 (a) (6), as of the effective date of the provisions hereof, and they shall furnish evidence of subsequent changes made in the manner of producing or distributing their milk that affects their qualification as producer-handlers; such verification by the market administrator shall be made within 15 days of the date of receipt of the evidence and shall be effective retroactively to the effective date of the provisions hereof in cases verified within 45 days of such effective date and shall be effective retroactively to the first day of the delivery period during which verification is made in subsequent cases.

(b) *Milk received by a handler from another handler who is also a producer or a producer-handler.* If any handler has purchased or received milk or cream from another handler who is also a producer or a producer-handler, such milk or cream shall be considered as Class III milk. If such receiving handler disposes of such milk or cream for other than Class III purposes, the market administrator in computing the net pool obligation of such handler pursuant to § 912.9 (a) shall add an amount equal to the difference between (1) the value of such milk or cream in accordance with its actual utilization by such handler and (2) the value at the Class III price.

(c) *Payment for milk received by a handler from sources determined as other than producers or other handlers.* If any handler has purchased or received milk or butterfat from sources determined as other than producers or other handlers, such milk or milk equivalent of such butterfat shall be considered as Class III milk. If such receiving handler disposes of such milk or butterfat for other than Class III purposes, the market administrator in computing the net pool obligation of such handler pursuant to § 912.9 (a) shall add an amount equal to the difference between (1) the value of such milk or milk equivalent of such butterfat in accordance with its actual utilization by such handler and (2) the value at the Class III price. This provision shall not apply to such milk or butterfat if such handler can prove to the market administrator that such milk or butterfat was used for purposes which did not violate any regulations issued by the health authorities in the marketing area.

(d) *Payment for excess milk or butterfat.* If a handler, after subtracting receipts from his own farm production, receipts from other handlers, and receipts from sources determined as other than producers or other handlers, has disposed of milk or butterfat in excess of the milk or butterfat which, on the basis of his reports, has been credited to his producers as having been delivered by them, the market administrator in computing the net pool obligation of such handler pursuant to § 912.9 (a) shall add an amount equal to the value of such milk or milk equivalent of such butterfat in accordance with its actual utilization by the handler.

§ 912.9 *Determination of uniform prices to producers*—(a) *Net pool obligation of handlers.* Subject to the provisions of § 912.8, the net pool obligation of each handler for milk received from producers during each delivery period shall be a sum of money computed for such delivery period by the market administrator as follows: multiply the "net pooled milk" in each class, computed pursuant to § 912.5, by the class price pursuant to § 912.6, and add together the resulting values.

(b) *Computation and announcement of the uniform price.* For each delivery period the market administrator shall compute and announce the uniform price per hundredweight of milk as follows:

(1) Combine into one total the net pool obligations of all handlers, computed pursuant to (a) of this section, who made the reports pursuant to § 912.7 (a) for such delivery period and who made the payments to the market administrator pursuant to § 912.10 (d);

(2) Subtract the total amount to be paid pursuant to § 912.10 (a) (2) (ii) and (iii);

(3) Add the amount of cash balance in the producer-settlement fund less the amount due handlers pursuant to § 912.10 (f);

(4) Divide the result obtained in (3) of this paragraph by the total hundredweight of milk of graded producers, other than that represented by the amount subtracted in (2) of this paragraph;

(5) Subtract not less than 4 cents nor more than 5 cents per hundredweight of milk for the purpose of retaining in the producer-settlement fund a cash balance to provide against errors in reports and payments or delinquencies in payments by handlers, which result shall be known as the uniform price for such delivery period for milk of graded producers containing 3.5 percent butterfat; and

(6) On or before the 10th day after the end of such delivery period notify all handlers and make public announcement of these computations, of the uniform price per hundredweight of milk of the Class I, Class II, and Class III prices, and of the butterfat differential computed pursuant to § 912.10 (b).

§ 912.10 *Payments for milk*—(a) *Time and method of payment.* Each handler shall make payment, subject to the butterfat differential set forth in (b) of this section, for milk purchased or received from producers by such handler during each delivery period, as follows:

(1) To producers, for milk which was caused to be delivered to such handler from such producers by and for the account of a cooperative association, on or before the 12th day after the end of the delivery period during which such milk was purchased or received, through such cooperative association of a total amount equal to but not less than the sum of the individual payments otherwise payable to such producers.

(2) To producers for milk which was not caused to be delivered to such handler from such producers by and for the account of a cooperative association, on or before the 15th day after the end of the delivery period during which such milk was purchased or received, (i) to graded producers, except as set forth in (ii) of this subparagraph, at not less than the uniform price per hundredweight computed pursuant to § 912.9 (b); (ii) to graded producers from whom milk was not regularly purchased or received by a handler or who did not distribute milk in the marketing area during a period of 30 days prior to the effective date hereof, for all the milk received from such producers during a period beginning with the date of the first regular receipt of milk from such producers and continuing through the first 2 full calendar months following the date of such first receipt of milk, at the price per hundredweight computed for Class III milk pursuant to § 912.6 (a) (4); and (iii) to producers other than graded producers at the price per hundredweight computed for Class III milk pursuant to § 912.6 (a) (4).

(b) *Butterfat differential.* If the milk of any producer, received by a handler or caused by a cooperative association to be delivered to a plant from which no milk is disposed of in the marketing area during the delivery period, has an average butterfat content other than 3.5 percent, such handler shall add to the prices for such producer, for each one-tenth of 1 percent of average butterfat content in milk above 3.5 percent, not less than, or shall deduct from the prices for such producer, for each one-tenth of 1 percent of average butterfat content in milk below 3.5 percent, not more than, an amount which is one thirty-fifth of the price per hundredweight for Class III milk.

(c) *Producer-settlement fund.* The market administrator shall establish and maintain a separate fund, known as "the producer-settlement fund," into which he shall deposit all payments made by handlers pursuant to (d) and (f) of this section and out of which he shall make all payments to handlers pursuant to (e) and (f) of this section.

(d) *Payments to the producer-settlement fund.* On or before the 12th day after the end of each delivery period, each handler shall pay to the market administrator, for payment to graded producers through the producer-settlement fund, the amount by which the net pool obligation of such handler including the payments required to be made pursuant to § 912.8 is greater than the sum required to be paid producers by such handler pursuant to (a) (1) and (2) of this section.

(e) *Payments out of producer-settlement fund.* (1) On or before the 15th day after the end of each delivery period, the market administrator shall pay to each handler for payment to graded producers the amount by which the sum required to be paid producers by such handler pursuant to (a) (1) and (2) of this section is greater than the net pool obligation of such handler including the payments required to be made pursuant to § 912.8.

(2) If the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available. No handler who, on the 15th day after the end of each delivery period, has not received the balance of such reduced payment from the market administrator, shall be deemed to be in violation of (a) of this section if he reduces his payments to graded producers by not more than the amount of the reduction in payment from the producer-settlement fund.

(f) *Adjustment of errors in payments.* Whenever verification by the market administrator of reports or payments of any handler discloses errors in payments to the producer-settlement fund made pursuant to (d) of this section, the market administrator shall promptly bill such handler for any unpaid amount and such handler shall, within 5 days of such billing make payment to the market administrator of the amount so billed. Whenever verification discloses that payment is due from the market administrator to any handler pursuant to (e) of this section, the market administrator shall, within 5 days, make such payment to such handler. Whenever verification by the market administrator of the payment by a handler to any producer discloses payment to such producer of an amount which is less than is required by this section, the handler shall make up such payment to the producer not later than the time of making payment to producers next following such disclosure.

§ 912.11 *Expense of administration*—(a) *Payment by handlers.* As his prorata share of the expense of the administration hereof, each handler who received milk from producers, with respect to all milk received, including such handler's own production, and each cooperative association with respect to all milk which it caused to be delivered to a plant from which no milk is disposed of in the marketing area during the delivery period, shall pay to the market administrator, on or before the 15th day after the end of such delivery period, an amount not to exceed 4 cents per hundredweight, the exact amount to be determined by the market administrator, subject to review by the Secretary.

(b) *Suits by the market administrator.* The market administrator, with the approval of the Secretary, may maintain a suit in his own name against any handler for the collection of such handler's prorata share of expenses set forth in this section.

§ 912.12 *Marketing services.* In making payments to graded producers pursuant to § 912.10 (a) (2) each handler shall, with respect to all milk received at such handler's plant during such delivery period from each such graded producer, deduct 5 cents per hundredweight, or such lesser amounts as the market administrator shall determine to be sufficient and shall, on or before the 15th day after the end of such delivery period, pay such deductions to the market administrator. Such money shall be expended by the market administrator only in providing for market information to such producers and for verification of weights, samples, and tests of milk received by such handler. The market administrator may contract with a cooperative association or cooperative associations for the furnishing of the whole or any part of such services.

§ 912.13 *Effective time, suspension, or termination of order, as amended*—(a) *Effective time.* The provisions hereof, or any amendment hereto, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated pursuant to paragraph (b) of this section.

(b) *Suspension or termination.* The Secretary may suspend or terminate this order, as amended, or any provision hereof, whenever he finds that this order, as amended, or any provision hereof, obstructs, or does not tend to effectuate the declared policy of the act. This order, as amended, shall terminate in any event, whenever the provisions of the act authorizing it cease to be in effect.

(c) *Continuing power and duty of the market administrator.* If, upon the suspension or termination of any or all provisions hereof, there are any obligations arising hereunder the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided*, That any such acts required to be performed by the market administrator shall, if the Secretary so directs, be performed by such other person, persons, or agency as the Secretary may designate.

(d) *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions hereof, the market administrator, or such person as the Secretary may designate, shall liquidate, if so directed by the Secretary, the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

§ 912.14 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States, or name any bureau or division of the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.

Issued at Washington, D. C. this 19th day of January 1943, to be effective on and after the 1st day of February 1943. Witness my hand and the official seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

Approved: January 19, 1943.

JAMES F. BYRNES,
Director of Economic Stabilization.

[F. R. Doc. 43-1124; Filed, January 22, 1943; 11:59 a. m.]

Chapter XI—Food Distribution Administration

[Food Distribution Order 10]

PART 1432—RICE

SALE AND DISTRIBUTION

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to assure an adequate supply and efficient distribution of food to meet war and civilian needs, *It is hereby ordered as follows:*

§ 1432.1 *Sale and distribution of rice*—(a) *Definitions.* For the purposes of this order:

(1) "Miller" means any person who has facilities for processing rough rice.

(2) "Barrel" means 162 pounds of rough rice.

(3) "Person" means any individual, partnership, corporation, association, or other business entity, or State, Territorial, Municipal, County or other local government, or instrumentality or subdivision thereof, or any agency of the United States other than a governmental agency.

(4) "Rough rice" means the commodity defined by the "United States Standards for Rough Rice", as amended May 15, 1942.

(5) "Brown rice" means the commodity defined by the "United States Standards for Brown Rice", as amended May 15, 1942.

(6) "Milled rice" means the commodity defined by the "United States Standards for Milled Rice", as amended May 15, 1942, but shall not include "Brewers Milled Rice" or "Screenings Milled Rice."

(7) "Undermilled rice" means rice from which all of the hull and part of the bran and germ have been removed.

(8) "First owner" means any person, including millers but not including millers who do not have facilities for processing more than 50 barrels of rough rice per day, who first owns any brown, milled, or undermilled rice processed after the effective date of this Order by a miller who has facilities for processing more than 50 barrels of rice per day.

(9) "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by the Director.

(10) "Governmental agency" means and includes the Food Distribution Administration, Army, Navy, Marine Corps, Coast Guard, War Shipping Administration, or any other governmental agency designated by the Director.

(b) *Restrictions.* (1) No person shall sell, or otherwise dispose of, except to a governmental agency, or use more than forty percent of the brown, milled, or undermilled rice as to which he is or becomes the first owner; and every person shall set aside for sale to a governmental agency milled rice of the grade No. 5 or better of one of the classes I to X inclusive, in an amount equal to sixty percent of the brown, milled, or undermilled rice as to which he is or becomes the first owner. All rice so set aside may be offered for sale by the first owner at no more than ceiling prices established by the Office of Price Administration to a governmental agency in response to announcements or notices issued by such agency that offers for the sale of such rice will be received on specified dates.

(2) The restriction in paragraph b (1) shall be observed without regard to existing contracts or any payments made or any action taken thereunder.

(c) *Records and reports.* Every person subject to this order shall maintain accurate and complete records concerning inventories, production and sales for at least two years (or for such other periods of time as the Director may designate), and shall execute and file such reports and upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe.

(d) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections, at all reasonable times, of his stocks of rice and premises used in his business, and all of his books, records and accounts shall upon request be submitted to audit and inspection by the Director.

(e) *Violations.* Any person who willfully violates any provision of this Order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this Order or willfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(f) *Petition for relief from hardship.* Any person affected by this Order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate and such action shall be final.

(g) *Delegation of authority.* The Director is hereby designated and authorized to administer the provisions hereof and to issue all orders necessary to the effectuation of the purposes and provisions of this order.

(h) *Communications to Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this Order shall, unless otherwise directed, be addressed to: Director of Food Distribution; United States Department of Agriculture; Washington, D. C. Ref. FD–10.

(i) *Effective date.* This order shall be effective on January 22, 1943.

(E.O. 9280, 7 F.R. 10179)

Issued this 21st day of January 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43–1122; Filed, January 22, 1943; 11:43 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 10—RULES GOVERNING EMERGENCY RADIO SERVICES

EMERGENCY COMMUNICATION WITH OTHER STATIONS

The Commission on January 19, 1943, effective immediately, adopted the following new section:

§ 10.113 *Emergency communication with other stations.* Within the scope of service permitted, stations in the emergency radio service may be used to communicate with stations in the war emergency radio service, with United States Government stations, or with other stations which are specifically authorized to communicate with stations in the emergency radio service, in those cases which require cooperation or coordination of activities.

The Commission also deleted existing § 10.122, *Emergency communication with other stations.*[1]

(Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i))

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43–1118; Filed, January 22, 1943; 10:48 a. m.]

[Order 91–C]

PART 13—RULES GOVERNING COMMERCIAL RADIO OPERATORS

REQUIREMENTS FOR OPERATORS OF BROADCAST STATIONS

At a meeting of the Federal Communications Commission held at its offices in Washington, D. C., on the 19th day of January 1943,

The Commission, having under consideration its Orders No. 91, 91–A, and 91–B[1] and the request of the Board of War Communications that the Commission consider further relaxation of its rules and regulations governing the requirements for operators of broadcast stations; and,

It appearing that the demand of the military services for radiotelegraph and radiotelephone operators has increased as a result of the war and that such demand has decreased the number of operators qualified for operation of broadcast stations resulting in a shortage of such operators;

It is ordered, That until further order of the Commission, notwithstanding the provisions of § 13.61 of the Commission's Rules and Regulations Governing Commercial Radio Operators, a broadcast station of any class, which by reason of actual inability to secure the services of an operator or operators of a higher class could not otherwise be operated, may be operated by holders of any class commercial operator license;

Provided, however, That all classes of commercial operator licenses shall be valid for the operation of broadcast stations upon the condition that one or more first-class radiotelephone operators are employed who shall be responsible at all times for the technical operation of the station and shall make all adjustments of the transmitter equipment other than minor adjustments which normally are needed in the daily operation of a station;

Provided, further, That a broadcast station may be operated by a holder of a restricted radiotelephone operator permit only in the event such permit has been endorsed by the Commission to show the operator's proficiency in radiotelephone theory as ascertained through examination.

Provided, further, That a broadcast station having a licensed power of 1000 watts or less may be operated by a holder of a restricted radiotelephone operator permit which has been endorsed by the Commission to show the operator's proficiency in the operation of the particular station concerned, as ascertained by certification of the first class radiotelephone operator in charge of the station, on condition that in a technical emergency such operator shall not attempt to make any adjustment, but shall immediately shut down the station.

Provided, further, That nothing contained herein shall be construed to relieve a station licensee of responsibility for the operation of the station in exact accordance with the Rules and Regulations of the Commission; and,

Provided, further, That § 13.61 of the Commission's Rules and Regulations Governing Commercial Radio Operators shall remain in full force and effect except as modified by this order.

This order supersedes Orders 91, 91–A and 91–B.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43–1120; Filed, January 22, 1943; 10:48 a. m.]

PART 15—RULES AND REGULATIONS GOVERNING ALL RADIO STATIONS IN THE WAR EMERGENCY RADIO SERVICE

CIVIL AIR PATROL STATION

The Commission on January 19, 1943, effective immediately, adopted the following sections:

§ 15.4 *Civil air patrol stations.* The term "Civil Air Patrol Station" means a station used exclusively for essential communications relating directly to the activities of the Civil Air Patrol.[1] A Civil Air Patrol Station used on a mission for and under the direction and control of the military shall not be deemed subject to these rules.

§ 15.55 *General limitations.* Stations in the war emergency radio service shall not be operated on board any vessel unless such operation has been approved by appropriate naval authority.

Licensees

§ 15.91 *Eligibility for station license.* Authorizations for civil air patrol stations will be issued only to the duly appointed Wing Commanders of the Civil Air Patrol.[1]

§ 15.92 *Supplementary statements.* The applicant shall submit with the application for station license complete and detailed information on the proposed plan of operation, including:

(a) General operating procedure.

(b) Scope of service to be rendered.

(c) Type of messages to be transmitted.

(d) Methods to be used in monitoring, supervising, and controlling the operation of all stations for which the license is requested, including method of compliance with Restricted Order No. 2.

(e) Method used to measure the operating frequencies of the transmitters.

(f) Provisions for frequent inspection of the equipment.

(g) Source and distribution of the equipment.

Service

§ 15.93 *Scope of service.* (a) Civil air patrol stations may be used only during emergencies endangering life, public safety, or important property, or for essential communication directly relating to civil air patrol activities, when other communication facilities do not exist or are inadequate.

(b) Civil air patrol stations may be used to communicate with stations in the war emergency radio service and with stations in the emergency radio service (police, forestry, special emergency, and marine fire stations), or with United States Government stations, in those cases which require cooperation or coordination of activities. Transmissions not directed to authorized stations are prohibited.

Supervision and Control

§ 15.94 *Operational supervision.* The operation of civil air patrol stations shall be directed at all times by an officer in charge of communications, formally designated as "communications officer": *Provided, however,* That the delegation of such supervision shall in no way relieve the station licensee of the responsibility for the proper operation of the stations in accordance with the terms of the station license, and all pertinent rules and regulations.

Communications Officer

§ 15.95 *Definition.* The term "communications officer" means the official formally designated by the station licensee to direct and supervise the operation of all radio stations authorized by the related station license.

§ 15.96 *Duties.* The duties of the communications officer shall include, among others:

(a) Direction and supervision of all radio stations authorized by the station license, to assure strict compliance with the terms of such license.

(b) Provision for adequate monitoring of all transmissions of the stations under his supervision to assure compliance with the rules and regulations of the Commission, and to guard against the improper use of the radio stations and intentional or inadvertent transmissions which might be detrimental to the national defense and security.

(c) Inspection of the equipment at frequent intervals to insure satisfactory technical operation.

(d) Certification of the names of proposed radio operators after a thorough investigation has been made relative to their competence.

(e) Whenever civilian defense stations are requested to communicate with civil air patrol stations in accordance with the provisions of § 15.63, the communications officer, on behalf of the Wing Commander, shall promptly notify in writing the Commission in Washington, D. C., and the Inspector-in-Charge of the district in which the involved civilian defense stations are located. Such written notice shall include the following information:

(1) Name of civilian defense station licensee(s).

(2) Date(s) of such communication.

(3) Location(s) of involved civilian defense and civil air patrol stations.

(4) Brief description of the situation necessitating such intercommunication.

Tests

§ 15.97 *Tests.* The licensees of civil air patrol stations are permitted to make such routine tests as are required for the proper maintenance of the stations and the communication system: *Provided,* That adequate precautions are taken to avoid interference with other stations: *And provided further,* That such testing shall not exceed the minimum transmission necessary to insure the availability of reliable communication.

The Commission also amended existing sections as follows:

§ 15.27 *Changes in equipment.*[1] The licensee of a station in the war emergency radio service may make any alterations in components of the licensed equipment that are deemed necessary or desirable unless specifically prohibited from doing so by the terms of the license: *Provided,* That:

(a) All changes be made with the full knowledge and consent of the radio aide or the communications officer.

(b) Emissions are not radiated outside the authorized frequency band.

(c) The operating frequency does not deviate more than that specified in § 15.25.

(d) Plate power input does not exceed that authorized in § 15.28.

[1] The Civil Air Patrol is an organization established by the Director of the U. S. Office of Civilian Defense pursuant to Executive Order No 8757, as amended. Further information pertaining to the organization of the Civil Air Patrol can be obtained from the National Commander, Civil Air Patrol, Washington, D. C. To facilitate consideration of applications for such authorizations, they should be forwarded first to the National Commander who in turn will submit them to the Commission.

[1] 7 F.R. 1040.
[1] 7 F.R. 1109, 3045, 4118.
[1] 7 F.R. 4457.

§ 15.42 *Transmission of call letters.*[1] Stations in the war emergency radio service shall identify themselves by the call letters and unit number assigned to the transmitter at the beginning and end of each complete exchange of communications. When communications are carried on with any other station licensee, stations in the war emergency radio service shall identify themselves as herein required, and in addition, shall announce the call letters, unit numbers, and the class of the station with which they are communicating.

Licenses

§ 15.51 *Control of equipment.*[1] All equipment for which a license is granted must be owned by or in the possession of the station licensee at all times. No license will be granted permitting the operation of a specific transmitter by more than one station licensee in the war emergency radio service.

§ 15.62 *Supplementary statements.*[1] The applicant shall submit with the application complete and detailed information on the following:

(a) The proposed plan of operation including:

(1) General operating procedure.

(2) The scope of service to be rendered.

(3) Type of messages to be transmitted.

(4) Methods to be used in monitoring, supervising, and controlling the operation of all stations for which license is requested.

(5) Methods used to measure the operating frequencies of the transmitters.

(6) Provisions for frequent inspection of the equipment.

(7) Source and distribution of the equipment.

(b) The area in which the stations are to be operated:

(1) If service is to be rendered to adjacent municipalities, the applicant must submit sworn copies of agreements made between the applicant and the adjacent municipalities. Such agreements shall show that the applicant is required to furnish service and the adjacent municipalities agree to accept such service and not to request individual authority, and that such agreements shall provide notification to the Commission sixty (60) days prior to termination thereof.

(c) Methods used to ascertain the loyalty and integrity of radio station operating personnel.

(d) Plans for enlisting radio operating personnel, and whether they will serve on a paid or voluntary basis.

§ 15.63 *Service which may be rendered.*[1] Civilian defense stations may be used for essential communication relating to civilian defense and only during or immediately following actual air raids, impending air raids, or other enemy military operations or acts of sabotage. In addition, civilian defense station licensees, when requested in specific instances by any Civil Air Patrol Wing Commander, may use their licensed civilian defense stations for essential communication with civil air patrol stations for which the particular Wing Commander is licensee, during emergencies endangering life, public safety, or important property. Civilian defense stations shall not be operated on board any aircraft unless specific authority for such operation has been granted by the Commission upon proper application and showing of need therefor.

§ 15.64 *Communication with other stations.*[1] Within the scope of service permitted under § 15.63 and during tests and drills, civilian defense stations may be used to communicate with stations in the war emergency radio service and with stations in the emergency radio service (police, forestry, special emergency and marine fire stations), and with United States Government stations in those cases which require cooperation or coordination of activities. Transmissions not directed to authorized stations are prohibited.

§ 15.82 *Supplementary statements.*[1] The applicant shall submit with the application complete and detailed information on the proposed plan of operation including:

(a) General operating procedure.

(b) Scope of service to be rendered.

(c) Type of messages to be transmitted.

(d) Methods to be used in monitoring, supervising, and controlling the operation of all stations for which the license is requested.

(e) Method used to measure the operating frequencies of the transmitter.

(f) Provisions for frequent inspection of the equipment.

(g) Source and distribution of the equipment.

§ 15.83 *Scope of service.*[1] (a) State guard stations may be used only (1) during emergencies endangering life, public safety, or important property, or (2) for essential communications directly relating to state guard activities when other communication facilities do not exist or are inadequate.

(b) State guard stations may be used to communicate with stations in the war emergency radio service and in the emergency radio service (police, forestry, special emergency, and marine fire stations), and United States Government stations, in those cases which require cooperation or coordination of activities. Transmissions not directed to authorized stations are prohibited. (Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i)—sec. 303, 48 Stat. 1082; 47 U.S.C. 303)

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 43-1119; Filed, January 22, 1943; 10:48 a. m.]

[1] 7 F.R. 4458.

[1] 7 F.R. 4459.

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. D-24]

WILLIAM C. ATWATER & CO., INC.

NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of William C. Atwater & Co., Inc., a New York corporation for permission to receive sales agents' commissions on coal sold to William C. Atwater & Co., Incorporated, a Massachusetts corporation.

William C. Atwater & Co., Inc., a corporation organized under the laws of New York, with its principal offices in New York City, New York, acting as sales agent for certain code member producers, filed its petition on November 28, 1942, praying:

1. That the Division determine that the ownership, legal and beneficial, by certain stockholders in the petitioner and in William C. Atwater & Co., Incorporated, a Massachusetts corporation, has been, in each case, of long standing and was, and is at the present time, bona fide; that such ownership was not established, and is not now maintained, to secure any indirect price reduction, and such ownership as aforesaid is not within the prohibition of paragraphs 11 and 12 of section 4 Part II (i) of the Bituminous Coal Act of 1937, or any other paragraph or regulation thereunder, and

2. That petitioner be granted permission to accept and retain sales agents' commissions on all coal sold by it to William C. Atwater & Co., Incorporated, a Massachusetts corporation.

It is, therefore, ordered, That a hearing on such matter be held on March 3, 1943, at 10 a. m. in the forenoon of that day, at a hearing room of the Bituminous Coal Division, Washington, D. C. On such day the Chief of the Records Section in Room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Charles O. Fowler, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to such petitioner and to any other person who may have an interest in such proceeding. Any person desiring to be heard at such hearing shall file a notice to that effect with the Bituminous Coal Division on or before February 27, 1943, setting forth therein the nature of his interest and a concise statement of the matter or matters which he intends to present.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of interveners, or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

Dated: January 20, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-1107; Filed, January 22, 1943; 10:37 a. m.]

[Docket No. B-42]

H. N. HARTWELL AND SON, INC.

ORDER GRANTING APPLICATION, ETC.

In the matter of H. N. Hartwell and Son, Inc., a registered distributor, Registration No. 4055, Respondent.

Order granting application filed pursuant to § 301.132 of the rules of practice and procedure before the Division cancelling hearing and terminating matter without prejudice.

The above-entitled proceeding having been instituted by the Bituminous Coal Division (the "Division") on its own motion, pursuant to § 304.14 of the Rules and Regulations for the Registration of Distributors, by a Notice of and Order for Hearing dated October 22, 1941, as amended, and duly served on the said H. N. Hartwell and Sons, Inc., a registered distributor, Registration No. 4055 (hereinafter referred to as Hartwell), to determine whether said Hartwell has violated the Bituminous Coal Act of 1937 (the "Act"), the Bituminous Coal Code (the "Code"), and orders, rules and regulations promulgated thereunder, and its Distributor's Agreement (the "Agreement") dated November 13, 1939, as more fully set forth in said Notice of and Order for Hearing; and

The said proceeding having been scheduled for hearing on December 8, 1941, pursuant to said Notice of and Order for Hearing, and having been postponed by an order of the Acting Director issued December 4, 1941, to a time and place to be thereafter designated; and

An application based upon admissions for the disposition of the above-entitled matter without formal hearing (the "application"), pursuant to § 301.132 of the Rules of Practice and Procedure before the Division, having been duly filed on December 29, 1941, by said Hartwell with the Division; and

Notice of the filing of said application, dated February 17, 1942, having been published in the FEDERAL REGISTER on February 18, 1942, pursuant to said § 301.132; and

Said notice of filing having provided that interested parties desiring to do so might, within 15 days from the date of said notice, file recommendations or requests for informal conferences with respect to said application, and it appearing that no such recommendations or requests have been filed with the Division within said 15 day period; and

It appearing from said application that the said Hartwell admits the sale on behalf of the Forks Coal Mining Company, a code member, during the period from October 1, 1940 to March 28, 1941, inclusive, of 1,792.21 net tons of coal produced at the said code member's Hughes No. 11, Mine, Mine Index No. 219, located in District No. 1, as set forth in the said Notice of and Order for Hearing, as amended, and, in addition, the sale of 1,475.09 net tons of coal produced at the aforesaid mine, or a total of 3,267.30 net tons of such coal; and

It further appearing from said application that said Hartwell agrees to the incorporation of said additional tonnage in the Notice of and Order for Hearing, as amended, in the above-entitled proceeding; and

It further appearing from said application that said Hartwell admits accepting and retaining a compensation of 25 cents per net ton on the sales of the aforesaid coal, and represents that it believed that it was acting in the capacity of a sales agent for the aforesaid code member as a result of correspondence with the said code member; and

It further appearing from said application that said Hartwell agrees to refund to the said Forks Coal Mining Company $424.75, which is the difference between the total discounts accepted and retained by said Hartwell on sales of the aforesaid coal and the maximum allowable discounts, prescribed by Order of the Director dated June 19, 1940, entered in General Docket No. 12, to which said Hartwell would have been entitled to receive had it acted as a registered distributor in said transactions and consents to an entry of an order suspending its registration as a registered distributor for a period of one day; and

Said Hartwell having on December 31, 1942, filed with the Division a supplementary statement, supported by documentary proof, representing that the said amount of $424.75 has now been refunded by it to said Forks Coal Mining Company, and having requested upon the basis thereof and the extenuating circumstances set forth in its said application that this proceeding be terminated;

Now, therefore, pursuant to authority vested in the Division by section 4 II (h) of the Act and upon said application of said Hartwell filed with the Division pursuant to § 301.132 of the rules of practice and procedure, for disposition without formal hearing of the charges as set forth in the Notice of and Order for Hearing, as amended, and said supplementary statement, and upon evidence in the possession of the Division; it is hereby found that:

(a) The said Hartwell is a corporation organized and existing by virtue of the laws of the Commonwealth of Massachusetts, with its principal place of business located at Boston, Massachusetts, and is engaged in the business of purchasing and reselling bituminous coal.

(b) Said Hartwell filed with the Division its application for registration as a registered distributor, dated November 13, 1939, and a certificate of registration No. 4055, dated March 29, 1940, was issued pursuant to said application, and since then the company has been engaged in the business of purchasing and selling bituminous coal as a registered distributor.

(c) The said Hartwell, during the period October 1, 1940 to March 28, 1941, inclusive, violated section 4 II (h) of the Act and Paragraph (a) of the Agreement and the Rules and Regulations for the Registration of Distributors established by the Order of the Director dated June 19, 1940, entered in General Docket No. 12, by receiving, accepting and retaining a compensation of 25 cents per net ton on the sale of approximately 3,267.30 net tons of coal, on behalf of said Forks Coal Mining Company, which compensation was 13 cents per net ton in excess of the maximum allowable discounts prescribed by said Order dated June 19, 1940, which said Hartwell would have been entitled to receive had it acted as a registered distributor in said transactions, so that the total amount in excess of the maximum discounts allowable on the sale of said coal was $424.75.

(d) Said Hartwell has refunded to the said Forks Coal Mining Company the total amount of $424.75, which is the total amount in excess of the maximum discounts allowable on the sale of said coal described in paragraph (c) above.

Now, therefore, upon the basis of the foregoing findings,

It is ordered, That the said application for disposition of this proceeding without formal hearing be and the same hereby is granted; and

It is further ordered, That the hearing scheduled in this matter be and the same hereby is cancelled; and

It is further ordered, That the above-entitled matter be and the same hereby is terminated without prejudice.

Dated: January 20, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-1108; Filed, January 22 1943; 10:37 a. m.]

[Docket No. B-159]

FRANK B. MORRISON

ORDER REVOKING CODE MEMBERSHIP

A complaint was duly filed November 28, 1941, by District Board 8 pursuant to section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, against Frank B. Morrison, a code member producer, operating Morrison Mine, designated as Mine Index No. 1066, located in Carter County, Kentucky, in District 8, wherein it was alleged that code member had wilfully violated the provisions of the Bituminous Coal Code and the rules and regulations thereunder, particularly Rule 6 of section XIII of the Marketing Rules and Regulations. The complaint prayed that the Division revoke and cancel code membership or, in its discretion, direct code member to cease and desist from

further violations of the Code and regulations thereunder.

The complaint alleged that code member sold to E. M. Hammonds, between January 6, 1941, and February 7, 1941, both dates inclusive, approximately 86.075 tons of high volatile run of mine coal (Size Group 6) at $2 per net ton f. o. b. mine and thereafter allowed a cash rebate of 30 cents per net ton for each ton of coal sold.

Pursuant to an order of the Acting Director dated January 15, 1942, and after due notice to all interested persons, a hearing in this matter was held on February 24, 1942, before Joseph A. Huston, a duly designated Examiner of the Division, at a hearing room thereof in Catlettsburg, Kentucky, at which time all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard.

District Board 8 and code member appeared, and at the conclusion of the hearing all interested parties waived the preparation and filing of a report by the Examiner. The record of the proceeding was thereupon submitted to me for my consideration and I have made Findings of Fact and Conclusions of Law, and rendered an Opinion which are filed herewith.

Now therefore it is ordered, That the code membership of Frank B. Morrison, code member producer operating Morrison Mine, Mine Index No. 1066, located in Carter County, Kentucky, in District 8, be, and the same hereby is, revoked and cancelled.

It is further ordered, That prior to reinstatement of code membership, the said Frank B. Morrison shall pay to the United States a tax, as provided in section 5 (c) of the Act, in the amount of $67.14.

Dated January 21, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-1109; Filed, January 22, 1943; 10:37 a. m.]

[Docket No. B-182]

WILLIAM HANEY

ORDER REVOKING CODE MEMBERSHIP

District Board 8 filed a complaint on December 24, 1941, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 against William Haney, a code member producer operating Rigsby Mine, Mine Index No. 2517, located in Carter County, Kentucky, in District 8, alleging that code member wilfully violated the Bituminous Coal Code, the Schedule of Effective Minimum Prices for District No. 8 for Truck Shipments, and Rule 6 of section XIII of the Marketing Rules and Regulations by selling to E. M. Hammonds, between January 8, 1941 and August 22, 1941, both dates inclusive, approximately 555,495 tons of high volatile run-of-mine coal (Size Group 6) at $2 per net tons f. o. b. mine and thereafter allowing a cash rebate of 30 cents per net ton for each ton of coal so sold. The complaint prayed that the Division revoke and cancel code membership of William Haney or, in its discretion, direct code member to cease and desist from further violations of the Code and regulations thereunder.

Pursuant to an order of the Acting Director dated January 16, 1942, and after due notice to interested persons, this matter came on for hearing on February 24, 1942, before Joseph A. Huston, a duly designated Examiner of the Division, at a hearing room thereof in Catlettsburg, Kentucky, at which time all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise participate fully in the hearing.

District Board 8 and William Haney appeared, and at the conclusion thereof all interested parties waived the preparation and filing of a report by the Examiner. The record of the proceeding was thereupon submitted to me for my consideration and I have made Findings of Fact and Conclusions of Law, and rendered an Opinion which are filed herewith.

Now, therefore, it is ordered, That the code membership of William Haney, a code member producer operating Rigsby Mine, Mine Index No. 2517, located in Carter County, Kentucky, in District 8, be, and the same hereby is, revoked and cancelled.

It is further ordered, That prior to reinstatement of his code membership, said William Haney shall pay to the United States, as provided in section 5 (c) of the Act, a tax in the amount of $433.29.

Dated: January 21, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-1110; Filed, January 22, 1943; 10:37 a. m.]

[Docket No. B-183]

GEORGE HANEY

ORDER REVOKING CODE MEMBERSHIP

A complaint was duly filed December 24, 1941, by District Board 8, pursuant to section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 against George Haney, code member producer, operating mine (Mine Index No. 1050), in Carter County, Kentucky, in District 8, in which it was alleged that code member had wilfully violated the Bituminous Coal Code and Rule 6 of section XII of the Marketing Rules and Regulations. The complaint prayed that the Division revoke and cancel the code membership of George Haney, or in its discretion, direct him to cease and desist from further violations of the Code and regulations thereunder.

The complaint further alleged that code member violated the Code by selling to E. M. Hammonds between March 22, 1941 and July 11, 1941, both dates inclusive, approximately 526,570 tons of high volatile run of mine coal (Size Group 6) at $2.00 per net ton f. o. b. the mine, and thereafter allowing a cash rebate of 30 cents per net ton for each ton of coal sold to the purchaser.

Pursuant to an order of the Acting Director, dated January 16, 1942, after due notice to interested persons, a hearing in this matter was held on February 24, 1942, before Joseph A. Huston, a duly designated Examiner of the Division, at a hearing room thereof, in Catlettsburg, Kentucky. All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise participate fully in the hearing. District Board 8 and George Haney appeared at the hearing and all interested parties waived the preparation and filing of a Report by the Examiner. The record of the proceeding was thereupon submitted to me for my consideration, and I have made Findings of Fact and Conclusions of Law and rendered an Opinion which are filed herewith.

Now, therefore, it is ordered, That the code membership of George Haney, a code member producer, in District 8, operating Haney Mine, designated as Mine Index No. 1050, be and the same hereby is revoked and cancelled.

It is further ordered, That prior to the reinstatement of his code membership, the said George Haney shall pay to the United States, as provided in section 5 (c) of the Act, a tax in the amount of $410.72.

Dated: January 21, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-1111; Filed, January 22, 1943; 10:38 a. m.]

Bureau of Reclamation.

LA PLATA PROJECT, COLORADO-NEW MEXICO

FIRST FORM RECLAMATION WITHDRAWAL

DECEMBER 2, 1942.

THE SECRETARY OF THE INTERIOR.

SIR: In accordance with the authority vested in you by the Act of June 28, 1934 (48 Stat. 1269), as amended, it is recommended that the following described lands be withdrawn from public entry under the first form of withdrawal, as provided in section 3 of the Act of June 17, 1902 (32 Stat. 388), and that departmental order of June 12, 1941 establishing New Mexico Grazing District No. 1 be modified and made subject to the reclamation withdrawal effected by this order.

LA PLATA PROJECT, STATE LINE RESERVOIR SITE

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

Township 32 North, Range 13 West:
Section 9—Lot 5, SE¼SE¼;
Section 10—Lot 5, SE¼SE¼;
Section 11—Lot 8;
Section 14—W½W½;
Section 15—E½E½, W½SW¼.

Respectfully,

H. W. BASHORE,
Acting Commissioner.

I concur: December 5, 1942.

ARCHIE D. RYAN,
Acting Director of the Grazing Service.

I concur: December 15, 1942.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

ABE FORTAS,
Under Secretary.

JANUARY 4, 1943.

[F. R. Doc. 43-1105; Filed, January 22, 1943; 10:04 a. m.]

VALE PROJECT, OREGON

FIRST FORM WITHDRAWAL AND RESERVATION FOR POWDER HOUSE SITE

DECEMBER 2, 1942.

THE SECRETARY OF THE INTERIOR.

SIR: In accordance with the authority vested in you by the Act of June 28, 1934 (48 Stat. 1269) as amended, it is recommended that the following described lands be withdrawn from public entry under the first form of withdrawal, as provided in section 3 of the Act of June 17, 1902 (32 Stat. 388), and be designated as a Government Reserve and set aside as a site for the storage of explosives to be used in connection with the construction of the Vale Project. It is further recommended that departmental order of April 8, 1935, establishing Oregon Grazing District No. 3 be modified and made subject to the reclamation withdrawal effected by this order.

VALE PROJECT, OREGON

WILLAMETTE MERIDIAN

Township 18 South, Range 45 East: Section 18, E½SE¼SW¼SW¼

Respectfully,

H. W. BASHORE,
Acting Commissioner.

I concur: December 9, 1942.

ARCHIE D. RYAN,
Acting Director of the Grazing Service.

I concur: December 15, 1942.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

ABE FORTAS,
Under Secretary.

JANUARY 4, 1943.

[F. R. Doc. 43-1104; Filed, January 22, 1943; 10:04 a. m.]

VALE PROJECT, OREGON

RESERVATION FOR DITCH RIDERS' QUARTERS

DECEMBER 2, 1942.

THE SECRETARY OF THE INTERIOR.

SIR: It is recommended that the following described lands, now withdrawn under the first form of withdrawal, as provided in section 3 of the Act of June 17, 1902 (32 Stat. 388), by departmental orders of December 14, 1926 and March 18, 1929, be designated as Government Reserves and set aside for use as ditch riders' quarters.

VALE PROJECT, OREGON

WILLAMETTE MERIDIAN

Headquarters No. 5:
Township 20 South, Range 41 East: Section 32, S½SE¼NW¼;
Headquarters No. 106:
Township 19 South, Range 42 East: Section 26, W½SW¼SE¼NW¼, E½SE¼SW¼NW¼, E½NE¼NW¼SW¼, W½NW¼NE¼SW¼.
Headquarters No. 153:
Township 19 South, Range 43 East: Section 6, SE¼NE¼.
Headquarters No. 278:
Township 17 South, Range 44 East: Section 28, NW¼NE¼NW¼.
Headquarters No. 291:
Township 17 South, Range 44 East: Section 20, NW¼SW¼.

Respectfully,

H. W. BASHORE,
Acting Commissioner.

I concur: December 15, 1942.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

ABE FORTAS,
Under Secretary.

JANUARY 4, 1943.

[F. R. Doc. 43-1103; Filed, January 22, 1943; 10:03 a. m.]

DOLORES PROJECT, COLORADO

FIRST FORM RECLAMATION WITHDRAWAL

DECEMBER 8, 1942.

THE SECRETARY OF THE INTERIOR.

SIR: In accordance with the authority vested in you by the Act of June 28, 1934 (48 Stat. 1269), as amended, it is recommended that the following described lands be withdrawn from public entry under the first form of withdrawal, as provided in section 3, Act of June 17, 1902 (32 Stat. 388), and that departmental order of April 8, 1935, establishing Colorado Grazing District No. 4, be modified and made subject to the reclamation withdrawal effected by this order.

DOLORES PROJECT, McPHEE RESERVOIR SITE

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO

Township 37 North, Range 15 West
Section 5, NW¼SW¼;
Section 6, Lots 4, 5, SE¼NW¼;
Section 7, NW¼SE¼.
Township 38 North, Range 15 West
Section 7, Lots 3, 4;
Section 18, Lot 1, S½SW¼SE¼;
Section 19, W½NE¼, SE¼;
Section 30, NW¼NE¼, NE¼NW¼;
Section 31, Lot 4;
Section 32, SW¼NW¼, NW¼SW¼.
Township 38 North, Range 16 West
Section 1, S½N½, N½SE¼;
Section 2, S½NE¼, SE¼NW¼, W½SW¼, SE¼SW¼, SW¼SE¼;
Section 11, N½N½;
Section 12, N½N½, SE¼NE¼.

Respectfully,

H. W. BASHORE,
Acting Commissioner.

I concur: December 14, 1942.

ARCHIE D. RYAN,
Acting Director of the Grazing Service.

I concur: December 15, 1942.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

ABE FORTAS,
Under Secretary.

JANUARY 4, 1943.

[F. R. Doc. 43-1102; Filed, January 22, 1943; 10:03 a. m.]

DOLORES PROJECT, COLORADO

FIRST FORM RECLAMATION WITHDRAWAL

DECEMBER 8, 1942.

THE SECRETARY OF THE INTERIOR.

SIR: In accordance with the authority vested in you by the Act of June 26, 1936 (49 Stat. 1976), it is recommended that the following described land be withdrawn from public entry under the first form of withdrawal as provided in section 3, Act of June 17, 1902 (32 Stat. 388).

DOLORES PROJECT, McPHEE RESERVOIR SITE

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO

Township 38 North, Range 15 West:
Section 18—N½SW¼SE¼.

Respectfully,

H. W. BASHORE,
Acting Commissioner.

I concur: December 15, 1942.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, as recommended, and

the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

ABE FORTAS,
Under Secretary.

DECEMBER 30, 1942.

[F. R. Doc. 43-1100; Filed, January 22, 1943; 10:03 a. m.]

DOLORES PROJECT, COLORADO

FIRST FORM RECLAMATION WITHDRAWAL

DECEMBER 8, 1942.

THE SECRETARY OF THE INTERIOR.

SIR: It is recommended that the following described lands be withdrawn from public entry under the first form withdrawal as provided in section 3 of the Act of June 17, 1902 (32 Stat. 388).

DOLORES PROJECT, McPHEE RESERVOIR SITE

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO

Township 38 North, Range 15 West:
Section 3, W½W½, SE¼SW¼;
Section 4 E½NE¼, S½SW¼, SE¼;
Section 5 S½S½;
Section 6, Lots 1, 2, 3, 5, 6, S½NE¼, SE¼NW¼, E½SW¼, SE¼;
Section 7, N½NE¼, NE¼NW¼, W½SE¼;
Section 8, N½N½;
Section 9, N½N½;
Section 10, NE¼, N½NW¼;
Section 17, NW¼SW¼;
Section 18, E½NE¼, SE¼NW¼, NW¼SE¼;
Section 20, SE¼SE¼;
Section 21, SW¼SW¼;
Section 28, NW¼NW¼;
Section 29, NE¼, E½NW¼.
Township 39 North, Range 15 West:
Section 34, SW¼NW¼, W½SW¼.

Respectfully,

H. W. BASHORE,
Acting Commissioner.

I concur: December 16, 1942.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly

ABE FORTAS,
Under Secretary.

DECEMBER 30, 1942.

[F. R. Doc. 43-1101; Filed, January 22, 1943; 10:03 a. m.]

General Land Office.

[Public Land Order 76]

CALIFORNIA

WITHDRAWING PUBLIC LANDS FOR USE IN CONNECTION WITH PROSECUTION OF THE WAR

By virtue of the authority vested in the President, and pursuant to Executive Order No. 9146 of April 24, 1942, *It is ordered as follows:*

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, and reserved under the jurisdiction of the Secretary of the Interior for use in connection with the prosecution of the war:

SAN BERNARDINO MERIDIAN

T. 9 N., R. 6 W.,
Sec. 10, SE¼SW¼, SW¼SE¼;
Sec. 14, All;
Sec. 15, E½, E½W½;
Sec. 24, N½N½.
The areas described aggregate 1360 acres.

ABE FORTAS,
Acting Secretary of the Interior.

JANUARY 4, 1943.

[F. R. Doc. 43-1106; Filed, January 22, 1943; 10:04 a. m.]

DEPARTMENT OF AGRICULTURE.

Farm Security Administration.

DETERMINATION OF EQUITABLE DISTRIBUTION OF FUNDS

DECEMBER 30, 1942.

Determination of the Equitable Distribution of Funds authorized for the fiscal year ending June 30, 1943, pursuant to Title I of the Bankhead-Jones Farm Tenant Act.

Pursuant to the provisions of section 4 of Title I of the Bankhead-Jones Farm Tenant Act, there is given in paragraph III hereof a schedule representing the equitable distribution of the money authorized for the purposes of Title I, for the fiscal year ending June 30, 1943, among the several states, the territories of Alaska and Hawaii, and Puerto Rico, on the basis of farm population and prevalence of tenancy.

No allotment shall be made to any state or territory in excess of the amounts so distributed.

Equitable Distribution of Loan Funds Authorized for the Fiscal Year Ending June 30, 1943, for Title I of the Bankhead-Jones Farm Tenant Act:

Region I	$1,019,643
Connecticut	19,782
Delaware	39,395
District of Columbia	110
Maine	29,972
Maryland	168,730
Massachusetts	27,507
New Hampshire	11,809
New Jersey	58,790
New York	245,135
Pennsylvania	385,881
Rhode Island	4,669
Vermont	27,863
Region II	$1,700,751
Michigan	388,439
Minnesota	778,219
Wisconsin	534,093
Region III	$4,689,611
Illinois	1,110,031
Indiana	607,747
Iowa	1,165,192
Missouri	1,054,036
Ohio	752,605
Region IV	$5,407,128
Kentucky	1,099,833
North Carolina	1,937,524
Tennessee	$1,351,898
Virginia	699,155
West Virginia	318,720
Region V	$3,795,833
Alabama	2,077,367
Florida	202,158
Georgia	2,163,015
South Carolina	1,353,244
Region VI	$5,341,737
Arkansas	1,560,479
Louisiana	1,335,649
Mississippi	2,445,619
Region VII	$2,227,715
Kansas	717,760
Nebraska	692,473
North Dakota	389,405
South Dakota	428,447
Region VIII	$3,742,392
Oklahoma	1,313,810
Texas	2,428,582
Region IX	$693,128
Arizona	34,897
California	337,750
Nevada	6,628
Hawaii	277,866
Utah	36,587
Region X	$422,569
Colorado	247,398
Montana	128,950
Wyoming	46,401
Region XI	$418,910
Idaho	136,157
Oregon	124,180
Washington	158,573
Region XII	$449,831
New Mexico	79,062
Oklahoma	19,975
Texas	350,794
Region XIII	$588,978
Puerto Rico	587,978
Territory of Alaska	1,000
Continental U. S. Territories of Alaska and Hawaii, and Puerto Rico	$32,500,000

Approved: December 30, 1942.

[SEAL] C. B. BALDWIN,
Administrator.

[F. R. Doc. 43-1125; Filed, January 22, 1943; 11:59 a. m.]

Office of the Solicitor.

DESIGNATION OF EXAMINERS, PRESIDING OFFICERS, AND REFEREES

In order to enable the Secretary of Agriculture to discharge his duties under the Agricultural Adjustment Act (1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 1940 ed. 601 et seq.); the Commodity Exchange Act, as amended (7 U.S.C. 1940 ed. 1 et seq.); the Emergency Price Control Act of 1942 (Pub. Law 421, 77th Cong., 2d Sess.); the Federal Seed Act (7 U.S.C. 1940 ed. 1551 et seq.); the Grain Standards Act, as amended (7 U.S.C. 1940 ed. 171 et seq.); the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 1940 ed. 181 et seq.); the Perishable Agricultural Commodities Act, 1930, as amended (7 U.S.C. 1940 ed. 499a et seq.); the Sugar Act of 1937, as amended (7 U.S.C. 1940 ed. 1100 et seq.); Sections 56-60 inclusive, of the act of August 24, 1935 (7 U.S.C. 1940 ed. 851 et seq.), relating to anti-hog-cholera serum and hog-cholera virus; the act of March 4, 1913 (21 U.S.C. 1940 ed. 151 et seq.), relating to viruses, serums, toxins, antitoxins and analogous products; the act of June 28, 1940 (54 Stat. 676), as amended by the act of May 31, 1941 (Pub. Law 89, 77th Cong.), and by Title III of the Second War Powers Act, 1942 (Act of March 27, 1942, Pub. Law 507, 77th Cong.), insofar as any of the functions, powers, and duties under those acts have been or may be in any manner delegated to the Secretary of Agriculture; and Executive Order No. 9280 (7 F.R. 10179, Dec. 5, 1942) and the statutes referred to therein, the persons in the Office of the Solicitor of the Department of Agriculture whose names are listed below herein are hereby designated and authorized, when assigned by the Solicitor, or by his designated representative, to act as examiners, presiding officers, or referees in connection with any hearings held under the said acts or orders during the period from January 15, 1943, to June 30, 1945, inclusive. As such examiners, presiding officers, or referees, they are hereby authorized to conduct hearings under the said acts or orders in accordance with the applicable regulations and to perform all the duties and exercise all the powers including but not limited to the powers to administer oaths and affirmations and issue notices of hearings which, under such regulations, are to be performed or exercised by such examiners, presiding officers, and referees:

Anthony, Eligah, Bagwell, John C., Blackburn, K. Wilde, Brooks, Neil, Brothers, Charles S., Brownell, Robert O., Bucy, Charles W., Campbell, Howard V., Carson, Leonard O., Chisholm, Dan P., Cook, Jesse L., Cooper, George E., Craig, Earl B., Curry, John J. Dagger, Golden N., Dechant, Harry P., Dillman, Raymond L., Dimon, Philip W., Dowling, Grafton O., Jr., Doyle, James A., Edwards, Rufe D., Ehrlich, Sydney, Farrell, William F., Farrington, Robert L., Fike, Linus R., Fischer, Russell P., Folkerth, Justin H., French, Edwin S., Gallagher, Frank A., Gerber, Albert B., Gifford, Glen J., Hadley, Albert D., Hankes, Francis N., Heggy, Donald R., Hilbun, Henry, Jr., Hotchkiss, Elton C., Hunter, W. Carroll, Hyde, George Osmond, Ise, Walter J., Koebel, Ralph, Koontz, Clarence J., Knudson, James K., Lamberton, Harry C., McConnaughey, Robert K., McNaught, Archibald, Murphy, Casper M., Mynatt, Edward F., Nicholson, Vincent D., Nutting, Charles B., O'Donnell, James A., O'Rourke, C. Dennis, Parker, Joseph O., Paul, Spurgeon E., Potamkin, Lawrence, Price, Harold L., Rohan, Philip G., Rooney, Howard, Sachs, Sidney S., Scott, Elmer J., Sellers, Ashley, Sherbondy, Donald J., Shields, Robert H., Shulman, Edward M., Smith, Earl J., Smith, Todd, Stewart, Cloyd L., Strange, Robert Wright, Summers, Lionel, Sussman, Gilbert, Therkelsen, Lotus, Tyler, Robert B., West, Linton B., Wise, William C., Zimowski, Joseph B.

This designation supersedes the designation dated June 24, 1942, appearing in 7 F.R. 4770.

Done at Washington, D. C., this 22d day of January, 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-1126; Filed, January 22, 1943; 11:59 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 134 Under MPR 188]

WARDEN APPLIANCE CO.

APPROVAL OF MAXIMUM PRICE

Order No. 134 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel. Approval of maximum prices for sales by the Warden Appliance Company of two new dry-powder fire extinguishers.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Warden Appliance Co., 1220 Maple Avenue, Los Angeles, California, is authorized to sell and deliver its new dry-powder fire extinguishers at prices, f. o. b. Los Angeles, California, no higher than those set forth below:

One pound extinguisher:	
To wholesaler	$6.00 per dozen.
To retailer	8.00 per dozen.
To consumer	1.00 each.
Two pound extinguisher:	
To wholesaler	$11.25 per dozen.
To retailer	15.00 per dozen.
To consumer	2.00 each.

(b) This Order No. 134 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 134 shall become effective on the 22d day of January, 1943.

Issued this 21st day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1083; Filed, January 21, 1943; 2:44 p. m.]

[Amendment 1 to Order 1 Under MPR 136 as Amended]

CHAMPION RIVET CO.

ORDER GRANTING ADJUSTMENT

Amendment No. 1 to Order No. 1 under § 1390.25 (b) of Maximum Price Regulation No. 136, as Amended—Machines and Parts and Machinery Services.

An opinion accompanying this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Subparagraphs (2) and (3) of paragraph (a) are redesignated subparagraphs (3) and (4), respectively, and new subparagraphs (2) and (5) are added to read as set forth below:

(a) *Adjustment of maximum prices on sales of welding electrodes by the Champion Rivet Co., Cleveland, Ohio under § 1390.25 (b).* * * *

(2) The additions to maximum prices which Champion Rivet Co. is permitted to make under the conditions set forth in paragraph (a) above, may be made by any other person selling welding electrodes manufactured by Champion Rivet Co. under the same conditions.

* * * * * *

(5) This Amendment No. 1 to Order No. 1 under § 1390.25 (b) of Maximum Price Regulation No. 136, as amended, shall become effective January 22, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 21st day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1091; Filed, January 21, 1943; 5:00 p. m.]

[Order 7 Under MPR 136, as Amended]

CONTINENTAL CARBON, INC.

ORDER GRANTING ADJUSTMENT

Adjustment of maximum prices under § 1390.25 (a) of Maximum Price Regulation No. 136, as Amended—Machines and Parts and Machinery Services—Order No. 7.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No 9250 and in accordance with § 1390.25 (a) of Maximum Price Regulation No. 136, as amended, *It is hereby ordered,* That:

(a) *Adjustment of maximum prices on sale of radio parts by Continental Carbon, Inc. under § 1390.25 (a).* (1) Notwithstanding the provisions of §§ 1390.5, 1390.6 and 1390.7 of Maximum Price Regulation No. 136, as amended, Continental Carbon, Inc., Cleveland, Ohio, may add to the maximum price of any radio part manufactured by it for the United States Army Signal Corps, or any other government agency purchasing for military use, the amount of the additional direct labor cost of manufacturing such part, not exceeding 17½% of the present net maximum price of such part, resulting from an increase in wage rates authorized by the National War Labor Board on December 21, 1942 in Case No. BWA-388: *Provided,* That all prices increased pursuant to this Order are filed with the Office of Price Administration, Washington, D. C., within 10 days after they have been computed; *And provided further,* That the price of any radio part increased by Continental Carbon, Inc. pursuant to this

Order is subject to modification by the Office of Price Administration at any time that it may determine, upon investigation, that the amount of such price increase exceeds the amount by which the direct labor cost of such part has been increased as a result of the wage increase authorized by the National War Labor Board on December 21, 1942 in Case No. PWA-388, or that improved efficiency or other factors offset, in whole or in part, such increase in direct labor cost.

(2) This Order No. 7 may be revoked or amended by the Price Administrator at any time, for the reason set forth in (1) above, or for any other reason whatsoever.

(3) This Order No. 7 under § 1390.25 (a) of Maximum Price Regulation No. 136, as amended, shall become effective January 22, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 21st day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1092; Filed, January 21, 1943; 5:01 p. m.]

[Order 15 Under MPR 152]

WESTERN CANNING COMPANY, LA JUNTA, COLORADO

APPROVAL OF MAXIMUM PRICES

Order No. 15 under Maximum Price Regulation No. 152—Canned Vegetables.

The Western Canning Company has filed an application for specific authorization to charge a maximum price pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by Applicant with respect to the packing of Fancy tomato juice in No. 2½ cans.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered*, That:

(a) The Western Canning Company may sell, offer to sell or deliver and any person may buy, offer to buy or receive No. 2½ cans of Fancy tomato juice at a price no higher than the maximum price of $1.25 per dozen, f. o. b. factory.

(b) This Order No. 15 may be revoked or amended by the Price Administrator at any time.

(c) The Applicant, Western Canning Company, shall not change its customary allowances, discounts or price differentials unless such change results in a lower price.

(d) Unless the context otherwise requires the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(e) This order shall become effective on January 22, 1943.

Issued this 21st day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1095; Filed, January 21, 1943; 5:03 p. m.]

[Order 132 Under MPR 188]

ILLINOIS CABINET COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 132 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other than Apparel. Approval of maximum price for sale by Illinois Cabinet Company of three cabinets and a bedstead.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as Amended, and Executive Order No. 9250, *It is ordered:*

(a) Illinois Cabinet Company, Rockford, Illinois, is authorized to sell and deliver the following articles at prices no higher than those set forth below:

(1) Record album cabinet model No. 7386-8, $5. per unit.

(2) Record album cabinet, $8.36 per unit.

(3) Record cabinet No. 3, $16.56 per unit.

(4) Government bedstead No. 26-B-522, $6.69 per unit.

The foregoing prices are subject to the customary discounts, allowances, and other price differentials in effect during March 1942 on sales by the Illinois Cabinet Company.

(b) This Order No. 132 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 132 shall become effective on the 22d day of January, 1943.

Issued this 21st day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1093; Filed, January 21, 1943; 5:00 p. m.]

[Order 133 Under MPR 188]

ELMORE SILICA PRODUCTS CO.

APPROVAL OF MAXIMUM PRICE

Order No. 133 under § 1499.161 (a) of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel. Authorization of maximum prices for ferro silicon gravel sold by Elmore Silica Products Company—Docket No. G93-2638.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and under § 1499.161 of Maximum Price Regulation No. 188, *It is hereby ordered*, That:

(a) The maximum price at which Elmore Silica Products Company of Detroit, Michigan, is authorized to sell, deliver, or offer for sale ferro silicon gravel shall be $1.10 per ton, open car lots, f. o. b. Elmore, Alabama.

(b) All prayers in the petition not specifically granted herein are denied.

(c) This Order No. 133 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 133 shall become effective January 22, 1943.

Issued this 21st day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1094; Filed, January 21, 1943; 5:01 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-2243]

ACME MINING CO.

ORDER FOR HEARING AND DESIGNATING OFFICER TO TAKE TESTIMONY

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 20th day of January, A. D. 1943.

In the matter of Proceeding under section 19 (a) (2) of the Securities Exchange Act of 1934, as amended, to determine whether the registration of Acme Mining Company Assessable Common Stock, 10¢ par value should be suspended or withdrawn.

I

It appearing to the Commission:

That Acme Mining Company, a corporation organized under the laws of the State of California, is the issuer of Assessable Common Stock, 10¢ Par Value; and that said Acme Mining Company registered such security on the San Francisco Mining Exchange, a national securities exchange, by filing with the exchange and with the Commission on or about January 24, 1940, an application on Form 8-A, pursuant to section 12 (b) and (c) of the Securities Exchange Act of 1934, as amended, and Rule X-12B-1, as amended, promulgated by the Commission thereunder, registration pursuant to such application having become effective on March 7, 1940, and remaining in effect to and including the date hereof; and it further appearing to the Commission:

That Rule X-13A-1, promulgated pursuant to section 13 of said Securities Exchange Act of 1934, as amended, did and does require that an annual report for each issuer of a security registered on a national securities exchange shall be filed on the appropriate form prescribed therefor; and

That rule X-13A-2 promulgated pursuant to section 13 of the Securities Exchange Act of 1934, as amended, did and does prescribe Form 10-K as the annual report form to be used for the annual reports of all corporations except those for which another form is specified, and that no other form was or is specified for the said Acme Mining Company; and

That said Rule X-13A-1 requires that said annual report be filed not more than 120 days after the close of each fiscal year or such other period as may be prescribed in the Instruction Book Applicable to the particular form; that the Instruction Book for Form 10-K does not prescribe any period other than such 120 days; and that pursuant to said Rule X-13A-1 the annual report must be filed within such period, unless the registrant files with the Commission a request for an extension of time to a specific date within six months after the close of the fiscal year; and

That said Acme Mining Company has a fiscal year ending December 31; that the annual report for its fiscal year ended December 31, 1941, was due to be filed not later than April 30, 1942; that registrant made no request for extension of time within which to file said report; that the time for filing was not extended by the Commission; that the annual report for the fiscal year ended December 31, 1941, was not filed within the time prescribed for filing said report or at any later date; and

II

The Commission having reasonable cause to believe that:

The said Acme Mining Company has failed to comply with the provisions of section 13 of the Securities Exchange Act of 1934, as amended, and Rules X-13A-1 and X-13A-2 promulgated thereunder, in that (1) it has failed to file its annual report for the year ended December 31, 1941, within the time prescribed for filing said report, and (2) it has failed to file such annual report at any later date; and

III

It being the opinion of the Commission that the hearing herein ordered to be held is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Securities Exchange Act of 1934, as amended;

It is ordered, Pursuant to section 19 (a) (2) of said Act, that a public hearing be held to determine whether Acme Mining Company has failed to comply with section 13 of the Securities Exchange Act of 1934, as amended, and the Rules, Regulations and Forms promulgated by the Commission thereunder, in the respects set forth above; and if so, whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding twelve months or to withdraw the registration of the Assessable Common Stock, 10¢ Par Value, of said Acme Mining Company on said San Francisco Mining Exchange;

It is further ordered, Pursuant to the provisions of section 21 (b) of the Securities Exchange Act of 1934, as amended, that for the purpose of such hearing, John G. Clarkson, an officer of the Commission, is hereby designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take testimony and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law;

It is further ordered, That the taking of testimony in this hearing begin on the 9th day of February 1943, at 10:00 A. M., Pacific War Time, at the Regional Office of the Securities and Exchange Commission, 625 Market Street, San Francisco, California, and continue thereafter at such time and place as the officer hereinbefore designated may determine.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-1075; Filed, January 21, 1943; 2:37 p. m.]

WAR PRODUCTION BOARD.

FLOOD CONTROL PROJECT—CINCINNATI, OHIO

RESTORATION AND AMENDMENT OF PREFERENCE RATING ORDER

Name of builder: U. S. War Department, Corps of Engineering; Address: Washington, D. C.; project: Flood Control Project—Cincinnati, Ohio.

The revocation of applicable Preference Rating Order issued January 6, 1943,[1] is hereby amended by striking paragraph (3) thereof and substituting the following:

(3) *Prohibition of construction.* The Builder shall neither perform nor permit the performance of any further construction or installation on the project, except that construction may be continued solely for purposes of safety or health or to avoid undue damage to or deterioration of materials already incorporated and completion of the dam and installation of pumps to the point where it will protect vital war industries in the area against a flood stage of sixty-five feet.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 22, 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-1121; Filed, January 22, 1943; 11:08 a. m.]

[1] 8 F.R. 555.

JAN 27 '43

JAN 27 '43

FEDERAL REGISTER

VOLUME 8 NUMBER 17

Washington, Tuesday, January 26, 1943

Regulations

TITLE 7—AGRICULTURE

Chapter IX—Food Distribution Administration

PART 965—MILK IN THE CINCINNATI, OHIO, MARKETING AREA [1]

SUSPENSION OF CERTAIN PROVISIONS OF ORDER REGULATING HANDLING OF MILK

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 1940 ed. 601 et seq.), hereinafter referred to as the "act", and the provisions of the order, as amended, regulating the handling of milk in the Cincinnati, Ohio, marketing area, it is hereby determined that the provisions of such order which classify "new producers" and provide for paying such "new producers" the Class III price for milk are provisions which obstruct and do not tend to effectuate the declared policy of the act with respect to producers of milk under such marketing order.

It is, therefore, ordered, That the following provisions of the said order are hereby suspended, effective as of 12:01 a. m., e. w. t., January 1, 1943:

1. In § 965.3 (a) (4) the following proviso:

* * * *Provided*, That if such producer did not regularly sell milk on his own distribution routes or through other persons during a period of 30 days next preceding the effective date hereof for consumption in the marketing area, but begins the regular delivery of milk to a handler, he shall be known as a "new producer" for a period beginning with the date of his first regular delivery of milk and continuing until the end of 2 full calendar months of regular delivery following the first day of the next succeeding calendar month, after which he shall be known as a producer.

2. In § 965.9 (a) the following:

* * * and $0.50 per hundredweight of milk to each new producer.

3. In § 965.10 (a) (2) the following:

Multiply the hundredweight of milk received from each new producer by the price for Class III milk: *Provided*, That if such milk was of a weighted average butterfat content other than 4.0 percent, there shall be added or subtracted for each one-tenth of 1 percent of variance in butterfat content above or below 4 percent, an amount equal to 1/40 of such price for Class III milk.

4. The words "or new producers", "from new producers", "and new producers", and all other references to "new producers".

Done at Washington, D. C., this 23d day of January 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] THOMAS J. FLAVIN,
Assistant to the Secretary of Agriculture.[1]

[F. R. Doc 43-1187; Filed, January 23; 1943; 11:20 a. m.]

[1] 7 F.R. 9503.

Chapter X—Food Production Administration

[Food Production Administrative Order 2]

PART 1200—ADMINISTRATION

PRIORITY, ALLOCATION AND RATIONING

Delegation of certain functions and powers related to priority, allocation and rationing.

Pursuant to the authority heretofore or hereafter conferred upon the Secretary of Agriculture in matters arising under the act of June 28, 1940 (54 Stat. 676), as amended by the act of May 31, 1941 (Pub. Law 89, 77th Cong.), and by Title III of the Second War Powers Act, 1942 (Act of March 27, 1942, Pub. Law 507, 77th Cong.), the following order is prescribed:

§ 1200.2 *Order delegating to certain persons authority to sign and issue subpoenas in rationing matters.* (a) In connection with any investigation or hearing related to the administration or enforcement of the Secretary of Agriculture's priority, allocation or rationing authority administered by the Director of Food Production, or of any regulation

[1] Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81; 7 F.R. 2656).

(Continued on p. 1089)

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FEDERAL REGISTER

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or order issued pursuant to that authority and administered by the Director of Food Production, the persons listed in this paragraph (a) are each authorized to sign and issue subpoenas requiring any person to appear and testify or to appear and produce books or records or any other documentary or physical evidence, or both.

Campbell, Howard V.
Carson, Leonard O.
Dechant, Harry P.
Dimon, Philip W.
Doyle, James A.
Farrell, William F.
Fike, Linus R.
Folkerth, Justin H.
Koontz, Clarence J.
Murphy, Casper M.
Paul, Spurgeon E.
Price, Harold L.
Sachs, Sidney S.
Sherbondy, Donald J.
Smith, Todd
Strange, Robert Wright
Sussman, Gilbert
Tyler, Robert B.
Zimowski, Joseph B.

(b) The authority conferred by paragraph (a) of this Food Production Administrative Order 2 upon the persons set forth in said paragraph (a) shall be exercised in conformity with the provisions of subparagraph (4) of paragraph (a) of section 2 of the act of June 28, 1940 (54 Stat. 676), as amended by the act of May 31, 1941 (Pub. Law 89, 77th Cong.), and by Title III of the Second War Powers Act, 1942 (act of March 27, 1942, Pub. Law 507, 77th Cong.).

§ 1200.3 *Order delegating to certain persons authority to procure sworn written statements.* In the administration or enforcement of the priority, allocation or rationing authority of the Secretary of Agriculture administered by the Director of Food Production or of any regulation or order issued pursuant to such authority, any person employed as an inspector or investigator by, or performing inspection or investigative functions for, the Department of Agriculture is authorized to administer oaths and affirmations for the purpose of procuring or receiving from any person a sworn written statement concerning any matter under or appropriate for investigation.

§ 1200.4 *Effective date.* This Food Production Administrative Order 2 (§ 1200.2 to § 1200.4) shall become effective this 22d day of January 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, and 421, 77th Cong.; E.O. 9280, 7 F.R. 10179; E.O. 9125, 7 F.R. 2719; W.P.B. Directive No. 1; Supp. Dir. 1–K; Supp. Dir. 1–P; 7 F.R. 562, 7280, 8856, and Office of Price Administration Administrative Orders 28 and 30, 7 F.R. 7326, 8672, 9368.)

Done at Washington, D. C., this 21st day of January 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43–1138; Filed, January 22, 1943; 3:52 p. m.]

[Food Production Administrative Order 1]

PART 1200—ADMINISTRATION

DELEGATION OF AUTHORITY TO ISSUE SUSPENSION ORDERS

Pursuant to the authority conferred upon the Secretary of Agriculture in matters arising under Executive Order No. 9280 (7 F.R. 10179, Dec. 5, 1942) and under the act of June 28, 1940 (54 Stat. 676), as amended by the Act of May 31, 1941 (Pub. Law 89, 77th Cong.), and by Title III of the Second War Powers Act, 1942 (Act of March 27, 1942, Pub. Law 507, 77th Cong.), the following order is prescribed:

§ 1200.1 *Suspension orders.* (a) The Director of Food Production, or in his absence the Acting Director of Food Production, is authorized and directed to exercise the functions, duties, powers, authority and discretion conferred upon the Secretary of Agriculture for the purpose of determining whether suspension orders shall be issued against persons found to have violated any priority, allocation or rationing order, as amended or supplemented, administered by the Director of Food Production and for the purpose of issuing suspension orders against such persons.

(b) Any suspension order issued by the said Director of Food Production, or in his absence by the Acting Director of Food Production, pursuant to this delegation of authority shall have the same force and effect as if issued by the Secretary of Agriculture.

This order shall become effective this 26th day of January 1943.

Done at Washington, D. C., this 23d day of January 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43–1265; Filed January 25, 1943; 11:15 a. m.]

[Amendment 2 to Food Production Order 3 [1]]

PART 1202—FARM MACHINERY AND EQUIPMENT

NEW FARM MACHINERY AND EQUIPMENT

A change is made in the administration of the order.

The administration of the farm machinery and equipment rationing program established by Rationing Order C [7 F.R. 9647, 9795, 9796; 8 F.R. 945] and the powers conferred upon the Secretary of Agriculture by Executive Order 9280 [7 F.R. 10179], insofar as it applies to rationing of farm machinery and equipment, and by the Office of Price Administration Administrative Orders 28 [7 F.R. 7326, 8672] and 30 [7 F.R. 9368] are hereby delegated to the Director of Food Production or, in his absence, to the Acting Director of Food Production. The Director of Food Production or, in his absence, the Acting Director of Food Production shall be assisted in the administration of the farm machinery and equipment rationing program by the State boards, the county farm rationing committees and by such employees of the Department of Agriculture as he may designate. Wherever the words "Special War Board Assistant" are included in Rationing Order C or in any amendments, announcements, or supplements thereto there are hereby substituted for such words the words "Director of Food Production or, in his absence, the Acting Director of Food Production".

§ 1202.243 *Effective dates of amendments.* * * *

(b) This Amendment No. 2 (change in the administration of the order) to Food Production Order 3 shall become effective this 26th day of January 1943.

Done at Washington, D. C., this 23d day of January 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43–1266; Filed, January 25, 1943; 11:15 a. m.]

[Food Production Order 4]

PART 1205—APPEALS

GENERAL RATIONING APPEAL PROCEDURE

Pursuant to the authority heretofore or hereafter vested in the Secretary of Agriculture under Public Law 671, 76th Congress, as amended by Public Laws 89 and 507, 77th Congress; *It is hereby ordered*, That:

§ 1205.1 *General rationing appeal procedure.* Any person seeking relief from a rationing order now or hereafter

[1] Formerly Rationing Order C.

administered by the Director of Food Production may, if he seeks relief of a type not provided for in the rationing order appealed from, file with the Director of Food Production, Washington, D. C., a written statement of the relief which he seeks and the reasons why he believes that he is entitled to such relief. The Director of Food Production or, in his absence, the Acting Director of Food Production, may grant such relief; *Provided*, That it does not defeat or impair the effectiveness of the rationing program of the Secretary of Agriculture; *And provided further*, That the granting of similar relief to all persons in like circumstances would not hinder the rationing program. The decision of the Director of Food Production or, in his absence, the Acting Director of Food Production, shall be in writing and shall be final.

This Food Production Order 4 shall become effective this 26th day of January 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.; Pub. Law 421, 77th Cong.; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, Supp. Dir. 1–K, Supp. Dir. 1–P, 7 F.R. 562, 7280, 8856; O.P.A. Administrative Orders 28 and 30, 7 F.R. 7326, 8672, 9368)

Done at Washington, D. C., this 23d day of January 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43–1267; Filed, January 25, 1943; 11:16 a. m.]

Chapter XI—Food Distribution Administration

[Food Distribution Order 11]

PART 1401—DAIRY PRODUCTS

MILK MARKETING ECONOMIES

Pursuant to the authority vested in me by Executive Order No. 9280, issued December 5, 1942, and to assure an adequate supply and efficient distribution of milk and milk products, to meet war and civilian needs, *It is hereby ordered, as follows:*

§ 1401.21 *Milk and cream*—(a) *Definitions.* For the purposes of this order:

(1) "Handler" means any person who engages in the sale, distribution, or transportation of milk or cream.

(2) "Person" means an individual, partnership, corporation, association, or any other business entity.

(3) "Milk" means fresh milk, skim milk, buttermilk, or flavored milk drinks.

(4) "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(b) *Restrictions on disposition of milk and certain milk products.* (1) No handler may use containers of less than 1 quart in size for the sale or disposition of milk, except for the sale or disposition of milk to and by hotels, restaurants, or other establishments where milk is resold for consumption on the premises of such hotels, restaurants, or establishments.

(2) No handler shall purchase or otherwise acquire bottled milk or cream from more than two handlers during any calendar month, except in instances where each delivery received by such handler at the delivery point is in excess of 300 quarts.

(3) No handler shall load upon delivery vehicles bottled milk or cream for which the handler has not received prior orders.

(4) No handler shall accept the return of milk or cream previously delivered or otherwise disposed of to a hotel, store, restaurant, or similar establishment.

(5) Each handler shall require:

(i) A deposit of not less than 1 cent for each glass container of 4 quarts or less in size used in the sale or disposition of milk or cream for consumption off the premises of the handler; and

(ii) A deposit of not less than 25 cents for each case or can used in the sale or disposition of milk or cream and retained in the possession of the receiver of such milk or cream.

(6) No handler shall deliver milk or cream to any person after notice by the Director that such person is in violation of any of the provisions hereof.

(c) *Exemptions.* (1) The provisions of § 1401.21 (b) (1) and (5) shall not be applicable to any handler with respect to the milk or cream disposed of by the handler to the armed forces of the United Nations.

(2) For a period of 90 days after the effective date hereof, the provisions of § 1401.21 (b) (2) shall not be applicable in the area consisting of the City of New York and the counties of Nassau, Suffolk, Westchester, and Rockland in the State of New York; that portion of the county of Fairfield in the State of Connecticut lying south and west of a line projected from Fairfield northwesterly to the nearest point on the New York State line; the counties of Hudson, Bergen, Passaic, Essex, Union, Middlesex, Somerset, and Morris in the State of New Jersey; and that portion of Monmouth and Ocean Counties in the State of New Jersey bordering on the Atlantic Ocean, including the coastal area designated as the north shore resort section and the municipalities of Morgan, Keyport, Red Bank, Long Branch, Asbury Park, Toms River, and points south to Brigantine Inlet which separates the counties of Ocean and Atlantic in the State of New Jersey.

(d) *Records or reports.* Each handler shall maintain such records, for such periods of time, and shall execute and file such reports, or submit such information, as the Director may, from time to time, request or direct.

(e) *Audits and inspection.* Every handler shall permit inspection of his books, records, and accounts by the Director.

(f) *Territorial scope.* Any handler doing business in any of the 48 States or in the District of Columbia is subject to the provisions hereof; but the provisions hereof shall not apply to any handler doing business exclusively in any territory or possession of the United States.

(g) *Petition for relief from hardships.* Any handler who considers that compliance herewith would work an unreasonable hardship on him may apply in writing to the Director, setting forth in such petition the pertinent facts and the nature of the relief desired. The Director may, upon the basis of such application and other information, take such action as he deems appropriate, and the decision of the Director shall be final.

(h) *Violations.* Any person who wilfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or wilfully conceals a material fact concerning a matter within the jurisdiction of any department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 80), under paragraph 5 of section 301 of title III of the Second War Powers Act, and under any and all other applicable laws.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the: Director of Food Distribution; United States Department of Agriculture; Washington, D. C., Ref: FD–11.

(j) *Delegation of authority.* The Director is hereby designated to administer the provisions hereof.

(k) *Effective date.* This order shall be effective on February 1, 1943.

(E.O. 9280, 7 F.R. 10179)

Issued this 21st day of January 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43–1140; Filed, January 22, 1943; 3:52 p. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

[General Order C–1, Supp. 15]

PART 110—PRIMARY INSPECTION AND DETENTION

PART 168—ADMINISTRATIVE OFFICERS AND DISTRICTS

DISCONTINUANCE OF UNITED STATES IMMIGRATION STATION AT ST. JOHN, NEW BRUNSWICK, CANADA

JANUARY 19, 1943

Pursuant to the authority contained in section 23 of the Act of February 5, 1917 (39 Stat. 892; 8 U.S.C. 102); section 24 of the Act of May 26, 1924 (43 Stat. 166; 8 U.S.C. 222); section 1 of Reorganization Plan No. V (5 F.R. 2223); section 37 (a) of the Act of June 28, 1940 (54 Stat. 675; 8 U.S.C. 458) and § 90.1, Title 8, Chapter I, Code of Federal Regulations (7 F.R. 6753), *It is hereby ordered*, That the United States immigration station located in St. John, New Brunswick, Canada, be discontinued at the close of business on March 10, 1943.

Section 110.2 of the said regulations is amended, effective at the close of business on March 10, 1943, by deleting St. John, New Brunswick, from the list of United States immigration stations located in Canada.

Section 168.21 is amended, effective at the close of business on March 10, 1943, by deleting the words "and St. John" from the description of the territory included within Administrative District No. 1 of the Immigration and Naturalization Service, with headquarters at St. Albans, Vermont.

EARL G. HARRISON,
Commissioner.

Approved:

FRANCIS BIDDLE,
Attorney General.

[F. R. Doc. 43–1213; Filed, January 23, 1943; 3:54 p. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter II—Food Distribution Administration

PART 204—POSTED STOCKYARDS AND LIVE POULTRY MARKETS

AINSWORTH SALES MARKET, AINSWORTH, NEBRASKA

JANUARY 23, 1943.

Notice under Packers and Stockyards Act.*

Whereas the Ainsworth Sales Market was posted on June 17, 1939, as a stockyard subject to the provisions of the Packers and Stockyards Act, 1921; and

Whereas it now appears that the Ainsworth Sales Market is not being operated as a stockyard within the meaning of that term as defined in said Act;

Now, therefore, notice is hereby given that the Ainsworth Sales Market no longer comes within the foregoing definition and the provisions of Title III of said Act.

[SEAL] THOMAS J. FLAVIN,
Assistant to the Secretary of Agriculture.[1]

[F. R. Doc. 43–1186; Filed, January 23, 1943; 11:20 a. m.]

*Modifies list posted stockyards, 9 CFR 204.1

[1] Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81, 7 F.R. 2656).

TITLE 10—ARMY: WAR DEPARTMENT

Chapter IX—Transport

PART 94—PRIORITIES FOR AIR TRANSPORTATION

AIR TRANSPORT COMMAND

Paragraphs (f) and (g) of § 94.6 are rescinded and the following substituted therefor:

§ 94.6 *Air Transport Command.*[1]

* * *

(f) The Air Transport Command, Army Air Forces, is the agency through which the Commanding General, Army Air Forces, fulfills his responsibilities with respect to priorities for air transportation. All applications should be directed to the Air Priorities Division, Air Transport Command, Army Air Forces, Annex No. 1, Washington, D. C., which Division will issue instructions with respect to methods of securing priorities, information necessary to be presented, the use of air priorities, and identification numbers.

(g) Priority ratings or subsequent changes thereof issued by the Air Priorities Division, Air Transport Command, Army Air Forces, will be final and conclusive. However, the shipper will be advised in the event a shipment is delayed due to a change in priority rating so that other means of transportation may be provided. (Chap. 418, sec. 1, 39 Stat. 645; 10 U.S.C. 1361) [Sec. IV, Cir. 20, W.D., January 13, 1943]

* * * * *

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43–1137; Filed, January 22, 1943; 3:14 p. m.]

[1] 7 F.R. 10359.

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4837]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

GEORGE & THOMAS CONE COMPANY

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* In connection with offer, etc., of ice cream cones, or other merchandise, (1) selling, etc., ice cream cones or other merchandise so packed and assembled that sales of such cones or other merchandise are to be made or, due to the manner in which such cones or other merchandise is packed and assembled at the time it is sold by the respondent, may be made by means of a game of chance, gift enterprise or lottery scheme; (2) selling, etc., ice cream cones or other merchandise together with coupons so designed or printed that the use of said coupons in the sale or distribution of said cones or other merchandise constitutes the operation of a game of chance, gift enterprise or lottery scheme; and (3) selling, etc., any merchandise by means of a game of chance, gift enterprise or lottery scheme; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, George & Thomas Cone Company, Docket 4837, January 13, 1943]

In the Matter of Albert George, Trading as George and Thomas Cone Company

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 13th day of January, A. D. 1943.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint, and states that he waives all intervening procedure and further hearings as to said facts, and the Commission having made its findings as to the facts and conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Albert George, trading as George and Thomas Cone Company or under any other name or names, his representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of ice cream cones or other merchandise in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Selling or distributing ice cream cones or other merchandise so packed and assembled that sales of such cones or other merchandise are to be made or, due to the manner in which such cones or other merchandise is packed and assembled at the time it is sold by the respondent, may be made by means of a game of chance, gift enterprise or lottery scheme;

(2) Selling or distributing ice cream cones or other merchandise together with coupons so designed or printed that the use of said coupons in the sale or distribution of said cones or other merchandise constitutes the operation of a game of chance, gift enterprise or lottery scheme;

(3) Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise or lottery scheme.

It is further ordered, That the respondent, shall, within sixty days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43–1177; Filed, January 23, 1943; 10:54 a. m.]

TITLE 24—HOUSING CREDIT

Chapter IV—Home Owner's Loan Corporation

[Bulletin 156]

PART 403—PROPERTY MANAGEMENT DIVISION

MISCELLANEOUS AMENDMENTS

Correction

The second paragraph of § 403.10–16 appearing on page 833 of the issue for Tuesday, January 19, 1943, should read as follows:

"The Regional Counsel shall advise the Regional Manager generally of the title evidence, instruments and insurance, tax, and other information which the Property Management Division shall assemble in order to enable the Legal Department to close sales in each jurisdiction within the Region."

The undesignated paragraph of § 403.11–41 appearing on page 836 should read:

"In cases where it is impracticable for the broker to obtain a receipted bill, the Official in Charge of Management is authorized to waive the necessity of obtaining such receipted bill upon certification by the broker, preferably on the bill or letterhead of the broker, that it was impracticable to obtain a receipted bill and stating the reasons therefor, and upon satisfactory evidence that payment, in fact, has been made."

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A–1622]

PART 321—MINIMUM PRICE SCHEDULE, DISTRICT NO. 1

ORDER GRANTING RELIEF, ETC.

Notice correcting error in reproductions of supplement to order in the matter of the petition of District Board No. 1 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 1.

It appears that the reproductions of a schedule designated as Supplement T, § 321.24 (*General prices*), attached to and made a part of an order entered in the above-entitled matter on October 17, 1942, 7 F. R. 8922, erroneously show the coals produced by Zacherl Coal Co. at the Zeitler #15 Mine, Mine Index No. 3739, as being mined from the "A" Seam in Subdistrict 1 of District No. 1, whereas the original of said Supplement T shows said coals as being mined from the "A'" Seam in said subdistrict and district.

Notice is hereby given that "A'" is the proper seam designation rather than the designation "A" in said reproductions.

Dated: January 21, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43–1183; Filed, January 23, 1943; 11:04 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 155]

APPOINTMENT BY DIRECTOR

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder, and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Addition of a new form designated as DSS Form 29, entitled "Appointment by Director,"[1] effective immediately upon the filing hereof with the Division of the Federal Register.

The foregoing addition shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY, *Director.*

DECEMBER 4, 1942.

[F. R. Doc. 43–1199; Filed, January 23, 1943; 1:15 p. m.]

[No. 156]

SPECIAL EXAMINATION OF REJECTEES WITH CARDIOVASCULAR DEFECTS

ORDER PRESCRIBING FORM

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301–318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, I hereby prescribe the following change in DSS forms:

Addition of a new form designated as DSS Form 1003, entitled "Special Examination of Rejectees with Cardiovascular Defects,"[1] effective immediately upon the filing hereof with the Division of the Federal Register.

[1] Form filed as part of the original document.

The foregoing addition shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY, *Director.*

JANUARY 4, 1943.

[F. R. Doc. 43–1200; Filed, January 23, 1943; 1:15 p. m.]

[No. 167]

ORDER TO REPORT FOR FINAL-TYPE PHYSICAL EXAMINATION

ORDER PRESCRIBING FORM

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301–318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, I hereby prescribe the following change in DSS forms:

Addition of a new form designated as DSS Form 48A, entitled "Order to Report for Final-type Physical Examination,"[1] effective immediately upon the filing hereof with the Division of the Federal Register.

The foregoing addition shall become a part of the Selective Service Regulations, effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY, *Director.*

JANUARY 4, 1943.

[F. R. Doc. 43–1201; Filed, January 23, 1943; 1:15 p. m.]

[No. 158]

ORDER FOR TRANSFERRED MAN TO REPORT FOR INDUCTION

ORDER PRESCRIBING FORM

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301–318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 156, entitled "Order for Transferred Man to Report for Induction,"[1] effective immediately upon the filing hereof with the Division of the Federal Register.

The foregoing revision shall become a part of the Selective Service Regulations, effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY, *Director.*

JANUARY 15, 1943.

[F. R. Doc. 43–1202; Filed, January 23, 1943; 1:15 p. m.]

[No. 159]

APPLICATION FOR VOLUNTARY INDUCTION

ORDER PRESCRIBING FORM

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301–318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 165, entitled "Application for Voluntary Induction,"[1] effective immediately upon the filing hereof with the Division of the Federal Register.

The foregoing revision shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY, *Director.*

JANUARY 15, 1943.

[F. R. Doc. 43–1203; Filed, January 23, 1943; 1:16 p. m.]

[No. 160]

ORDER TO REPORT FOR INDUCTION

ORDER PRESCRIBING FORM

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301–318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, I hereby prescribe the following change in DSS form:

Revision of DSS Form 150, entitled "Order to Report for Induction,"[1] effective immediately upon the filing hereof with the Division of the Federal Register.

The foregoing revision shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY, *Director.*

JANUARY 15, 1943.

[F. R. Doc. 43–1204; Filed, January 23, 1943; 1:16 p. m.]

[1] Form filed as part of the individual document.

TERRITORY OF HAWAII

INDUCTION OF NAVAL EMPLOYEES INTO U. S. NAVAL FORCES

Under and by virtue of the authority vested in me by § 603.1, Selective Service Regulations, and notwithstanding any other orders, directives, rules, or regulations, I hereby direct the Territorial Director of Hawaii to take the necessary steps in order to permit men between the ages of 18 and 38 who are registered with local boards outside the Territory of Hawaii and who are now or have until recently been employed either by the United States Navy or by persons performing work under contract for the United States Navy to volunteer for induction and be inducted into the naval forces of the United States through a convenient local board in the Territory of Hawaii.

The Territorial Director of Hawaii shall arrange for the completion of Form 165, Form 151, and Form 221 covering each registrant inducted under the provisions of this order and shall forward such completed forms to the registrant's local board through the proper State Director of Selective Service.

LEWIS B. HERSHEY, *Director.*

JANUARY 23, 1943.

[F. R. Doc. 43–1212; Filed, January 23, 1943; 3:39 p. m.]

Chapter VII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment 117]

PART 804—INDIVIDUAL LICENSES

APPLICATIONS FOR LICENSES

Correction

The numbered groups Nos. 63 and 129 through 139 appearing on pages 956 and 957 of the issue for Thursday, January 21, 1943, should read as follows:

63. Wool manufactures	3642.00 thru 3666.01.
129. Agricultural machinery and implements	7800.00 thru 7870.00 and 7879.00 thru 7899.98.
130. Motor trucks, busses and chassis (new)	7901.01 thru 7904.68.
131. Passenger cars and chassis (new)	7907.00 thru 7910.00.
132. Automotive parts and accessories	7913.00 thru 7927.00.
133. Automobile service equipment	7934.00 thru 7936.00.
134. Parachutes and parts	7945.05 thru 7945.98.
135. Aircraft engine parts and accessories	7947.05 and 7947.98.
136. Aircraft instruments and parts	7948.01 thru 7948.98.
137. Internal combustion marine engines and parts	7957.00, 7959.00 and 7159.00.
138. Railway cars and parts	7960.00 thru 7969.00.
139. Coal-tar products, except commodities requiring a Certificate of Necessity.	8005.00 thru 8069.98.

[Amendment 118]

PART 804—INDIVIDUAL LICENSES

APPLICATIONS TO EXPORT CERTAIN COMMODITIES

Correction

Paragraph (b) of the document appearing on page 957 of the issue for Thursday, January 21, 1943, should read as follows:

(b) *Diamonds, tools and jewelry containing diamonds.* In the space provided in the prescribed application form for the description of the diamonds desired to be exported the following provisions relating to such description shall be observed:

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 938—SYNTHETIC RUBBER

[General Preference Order M-13, Amendment 2]

Section 938.1 *General Preference Order M-13* [7 F.R. 70] is amended by amending paragraph (h) to read as follows:

(h) Any action which, under the terms of this order, is to be taken by the Director of Priorities, the Director of Industry Operations or the Director General for Operations, may be taken by either the Director General for Operations or the Rubber Director.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-1160; Filed, January 22, 1943; 4:54 p. m.]

PART 940—RUBBER AND BALATA AND PRODUCTS AND MATERIALS OF WHICH RUBBER OR BALATA IS A COMPONENT

[Amendment 2 to Supplementary Order M-15-b, as Amended Dec. 28, 1942]

Section 940.3 *Supplementary Order M-15-b*[1] is amended by inserting immediately after paragraph (c) (25) thereof the following new paragraph (c) (26):

(26) Any action which, under the terms of this order or of any of the schedules attached to this order, is to be taken by the Director General for Operations, may be taken by either the Director General for Operations or the Rubber Director.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-1161; Filed, January 22, 1943; 4:54 p. m.]

PART 940—RUBBER AND BALATA AND PRODUCTS AND MATERIALS OF WHICH RUBBER OR BALATA IS A COMPONENT

[Amendment 1 to Supplementary Order M-15-b-1, as Amended Dec. 28, 1942]

Section 940.5 *Supplementary Order M-15-b-1*[2] is amended by inserting immediately after paragraph (c) thereof the following new paragraph (d):

(d) Any action which, under the terms of this order or of any of the lists attached to this order, is to be taken by the Director General for Operations, may be taken by either the Director General for Operations or the Rubber Director.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-1162; Filed, January 22, 1943; 4:54 p. m.]

PART 940—RUBBER AND BALATA AND PRODUCTS AND MATERIALS OF WHICH RUBBER OR BALATA IS A COMPONENT

[Supplementary Order M-15-e, Amendment 1]

Section 940.7 *Supplementary Order M-15-e* [7 F.R. 4167] is amended by amending paragraph (l) to read as follows:

(l) Any action which, under the terms of this order, is to be taken by the Director of Industry Operations or the Director General for Operations, may be taken by either the Director General for Operations or the Rubber Director.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-1163; Filed, January 22, 1943; 4:54 p. m.]

PART 940—RUBBER AND BALATA AND PRODUCTS AND MATERIALS OF WHICH RUBBER OR BALATA IS A COMPONENT

[Supplementary Order M-15-f, Amendment 1]

Section 940.8 *Supplementary Order M-15-f* [7 F.R. 5938] is amended by inserting immediately after paragraph (e) thereof the following new paragraph (f):

(f) Any action which, under the terms of this order, is to be taken by the Director General for Operations, may be taken by either the Director General for Operations or the Rubber Director.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-1164; Filed, January 22, 1943; 4:54 p. m.]

PART 1013—CHLORINATED RUBBER

[General Preference Order M-46, Amendment 3]

Section 1013.1 *General Preference Order M-46*[1] is amended by amending paragraph (l) to read as follows:

(l) Any action which, under the terms of this order, is to be taken by the Director of Priorities, the Director of Industry Operations or the Director General for Operations, may be taken by either the Director General for Operations or the Rubber Director.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22nd day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-1165; Filed, January 22, 1943; 4:54 p. m.]

PART 1076—PLUMBING AND HEATING SIMPLIFICATION

[Revocation of Schedule I to Limitation Order L-42]

Section 1076.2 *Schedule I to limitation Order L-42* is hereby revoked.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 23d day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-1178; Filed, January 23, 1943; 10:57 a. m.]

PART 1076—PLUMBING AND HEATING SIMPLIFICATION

[Schedule V-a to Limitation Order L-42 as Amended Jan. 23, 1943]

PLUMBING FIXTURE FITTINGS AND TRIM

§ 1076.9 *Schedule V-a to Limitation Order L-42*—(a) *Definitions.* For the purposes of this schedule:

(1) "Producer" means any person who manufactures, processes, fabricates or assembles fittings or trim.

(2) "Fittings and trim" means plumbing fixture fittings and plumbing fixture trim.

(3) "Copper base alloy" means any alloy which contains 40% or more copper by weight.

(b) *Limitations.* Pursuant to Limitation Order No. L-42 the following limitations are established for the manufacture of fittings and trim:

No copper or copper base alloy may be used in the manufacture of the articles specified below:

(1) Bath tub fillers and nozzles;

(2) Shower fittings;

(3) Lavatory compression faucets;

(4) Lavatory combination faucets;

(5) Sink compression faucets;

(6) Combination sink faucets and spout;

(7) Combination faucets for laundry tubs and spouts;

(8) Combination faucets for wash sinks;

(9) Laundry tray faucets;

(10) Outlet plugs and strainers;

(11) Tail pieces;

(12) Flush ells;

(13) Flush valves for closet tanks.

Provided, however, That copper or copper base alloy may be used for valve seats, valve stems, bonnets, discs and disc screws, or valve trimming units combining these separate parts into one unit, in the articles specified in subparagraphs (1) to (9) inclusive, if it is limited to the minimum amount practicable.

(c) *General exception.* The prohibitions and restrictions contained in this schedule shall not apply to the use of copper or copper base alloy in the manufacture of articles or parts thereof which are being produced:

(1) Under a specific contract or subcontract for use in chemical plants, research laboratories or hospitals, where and to the extent that the physical and chemical properties make the use of any other material impractical. Such use is not deemed impractical for ordinary plumbing fixtures and trim and the exception covers only those cases where the technical operation of the plant makes the use of other material impractical;

(2) Under a specific contract or subcontract for use as part of the equipment of vessels other than pleasure craft and of aircraft where corrosive action makes the use of other material impractical.

(d) *Effective date of simplified practices; exceptions.* On and after June 15, 1942, no plumbing fixture fittings or trim which do not conform to the standards established by this schedule shall be produced or delivered by any producer or accepted by any person from any such producer, except with the express permission of the Director General for Operations: *Provided, however,* That the foregoing shall not prohibit the delivery by any producer of such plumbing fixture fittings or trim as were in his stock in finished form on June 15, 1942.

Until March 15, 1943, the prohibitions of this schedule shall not apply to the use, by any producer, of any copper base alloy parts, except handles, in assembling any of the following items of plumbing fixture fittings and trim, or to the delivery by any producer, or acceptance of delivery by any person from any producer, of any of the following items of plumbing fixture fittings and trim:

(i) Two valve over rim bath faucet;

(ii) Two valve bath and shower combination;

(iii) Double bath faucet;

(iv) Lavatory compression faucet;

(v) Lavatory combination assembly less pop-up waste;

(vi) Two-valve shower assembly;

(vii) Sink faucet;

(viii) Sink combination swing spout faucet;

provided such parts were in the stock of such producer, or in the stock of any other producer, on June 15, 1942 and provided such items of plumbing fixture fittings and trim are assembled for delivery or delivered on specific contracts or orders placed by or for the account of, or to fulfill a contract with, the Army, Navy, Maritime Commission, War Shipping Administration, or National Housing Agency, or for delivery on orders bearing preference ratings under Preference Rating Orders P-55, P-110, P-19-d or P-19-h. Each producer shall mail, by February 1, 1943, a letter reporting to the Plumbing and Heating Division, War Production Board, Washington, D. C., Ref: L-42, the number of units of each item assembled under the foregoing provision prior to the date of such report and the number of such units to be assembled thereafter.

(e) *Records covering excepted plumbing fixture fittings and trim.* Each producer shall retain in his files records showing his inventory of excepted plumbing fixture fittings and trim (by types) as of June 15, 1942, and such records shall be kept readily available and open to audit and inspection by duly authorized representatives of the War Production Board.

(f) *Relation to Schedule V.* The provisions of this schedule, effective June 15, 1943, shall supersede the provisions of Schedule V to the extent that this schedule prohibits uses which are permitted by Schedule V.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 23d day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-1179; Filed, January 23, 1943; 10:57 a. m.]

PART 3062—CONSERVATION OF NEW AUTOMOTIVE VEHICLES SUBJECT TO RATIONING BY FEDERAL AGENCIES

[Conservation Order M-216-a]

§ 3062.2 *Conservation Order M-216-a*—(a) *Definitions.* For the purposes of this order:

(1) "Reserve vehicle" means any of the following described vehicles which have not been sold and delivered under the rationing procedures of the War Production Board or the Office of Price Administration, and which are in storage in the possession of or under the control of producers, distributors, dealers, sales agencies, finance agencies or other persons throughout the United States:

(i) Any 1942 model passenger automobile, built upon a standard or lengthened passenger car chassis, having a seating capacity of not more than ten (10) persons, irrespective of the number of miles it has been driven, or any other such passenger automobile of an earlier model which has been driven less than 1,000 miles, including taxis, but not including ambulances, hearses and station wagons.

(ii) Any new commercial motor vehicle, including any light, medium or heavy motor truck, truck tractor or trailer, or the chassis therefor (or any chassis on which a bus body is to be mounted), and which was manufactured subsequently to July 31, 1941; was designed to be propelled or drawn by mechanical power for use on or off the highways for transportation of property, or persons; was manufactured otherwise than under specifications of the United States Army or Navy; has not been transferred to any person other than a sales agency for the purpose of resale; including vehicles of the following types: trucks, truck chassis, truck tractors, off-the-highway motor vehicles, full trailers, semi-trailers, dollies, attachment third axles, ambulances, hearses, bus chassis, station wagons, carry-all suburbans, sedan deliveries, utility sedans, coupes fitted with pickup boxes, and cab pickups, but not including taxicabs and integral type buses.

(2) "Producer" means any person who manufactures or has in the past manufactured any reserve vehicles, including body builders, and who now or hereafter has any such reserve vehicles in his possession or under his control.

(3) "Distributor" means any person other than the manufacturer regularly engaged in the business of selling reserve vehicles to dealers.

(4) "Dealer" means any person regularly engaged in the business of offering reserve vehicles for sale at retail to the public.

(5) "Sales agency" means any distributor or dealer and includes any agency or branch of a producer which sells reserve vehicles.

(6) "Finance agency" means any person regularly engaged in the business of financing or making loans on the security of reserve vehicles, to producers, distributors, dealers or sales agencies, and who now or hereafter has any lien or claim against any such reserve vehicle as security for a loan or other financing arrangement.

(7) "Consumer" means a person who accepts delivery of a reserve vehicle to be put into operation.

(8) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons, whether incorporated or not.

(b) *Establishment of Standard Delivery Operations applicable to reserve vehicles.* The Standard Delivery Operations to be performed on reserve vehicles

[1] 7 F.R. 10951; 8 F.R. 349.

[2] 7 F.R. 10967, 8 F.R. 83.

[1] 6 F.R. 5534, 7 F.R. 1494, 5981.

prior to delivery, set forth in Schedule 1 to this order, and made part hereof, are hereby adopted for the proper conditioning of such vehicles before the same are put into operation.

(c) *Restrictions on delivery of reserve vehicles.* On and after February 15, 1943, no producer, distributor, dealer, sales agency, finance agency, or other person having possession of a reserve vehicle may make delivery of the same to a consumer without first performing on such vehicle all of the Standard Delivery Operations set out in Schedule 1 to this order. In no case may any such vehicle be operated under its own power until the Standard Delivery Operations numbered 1 to 13 inclusive have been performed upon it, or towed until Standard Delivery Operations numbered 1 and 2 have been performed on it.

(d) *Reports.* All persons affected by this order, shall execute and file with the War Production Board such reports and questionnaires as the Board shall from time to time request.

(e) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories and sales.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Automotive Division, Washington, D. C., Ref.: Order M-216a.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 23rd day of January 1943.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE 1—STANDARD DELIVERY OPERATIONS FOR RESERVE VEHICLES

The Standard Delivery Operations set out in this Schedule 1 are established in order that new passenger automobiles and new commercial motor vehicles may be put in proper mechanical condition for operation. All of these Operations must be performed on vehicles prior to delivery.

These Standard Delivery Operations are identical with those established by the Office of Price Administration in Amendment No. 8 to Revised Price Schedule No. 85, entitled "Passenger Automobiles," and in Supplementary Regulation No. 14, as amended.

VEHICLES TO WHICH STANDARD DELIVERY OPERATIONS ARE APPLICABLE

The reserve vehicles to which these Standard Delivery Operations apply are those new passenger automobiles and new commercial motor vehicles which are held for rationing under orders of the War Production Board and the Office of Price Administration. As to new passenger automobiles these are General Conservation Order M-130, effective June 8, 1942, and Office of Price Administration New Passenger Automobile Rationing Regulations, Order No. 2A, effective March 2, 1942, as amended; and as to new commercial motor vehicles, General Conservation Order M-100, effective March 9, 1942, as amended. These reserve vehicles are more particularly defined as follows:

"Reserve vehicles" means any of the following described vehicles which have not been sold and delivered under the rationing procedures of the War Production Board or the Office of Price Administration, and which are in storage in the possession of or under the control of producers, distributors, dealers, sales agencies and finance agencies or other persons throughout the United States:

1. Any 1942 model passenger automobile, built upon a standard or lengthened passenger car chassis, having a seating capacity of not more than ten (10) persons, irrespective of the number of miles it has been driven, or any other such passenger automobile of an earlier model which has been driven less than 1,000 miles, including taxis, but not including ambulances, hearses and station wagons.

2. Any new commercial motor vehicle, including any light, medium or heavy motor truck, truck tractor or trailer, or the chassis therefor, (or any chassis on which a bus body is to be mounted) and which was manufactured subsequently to July 31, 1941; was designed to be propelled or drawn by mechanical power for use on or off the highways for transportation of property, or persons; was manufactured otherwise than under specifications of the United States Army or Navy, has not been transferred to any person other than a sales agency for the purpose of resale; including vehicles of the following types: trucks, truck chassis, truck tractors, off-the-highway motor vehicles, full-trailers, semi-trailers, dollies, attachment third axles, ambulances, hearses, bus chassis, station wagons, carry-all suburbans, sedan deliveries, utility sedans, coupes fitted with pickup boxes, and cab pickups, but not including taxicabs and integral type buses.

GENERAL INSTRUCTIONS

1. Under no circumstances should a reserve vehicle be operated, under its own power, until the Standard Delivery Operations numbered 1-13 inclusive have been performed upon it.

2. Under no circumstances should a reserve vehicle be towed until Standard Delivery Operations numbered 1 and 2 have been performed upon it.

STANDARD DELIVERY OPERATIONS

Item No. 1. *Tires.* a. If tires are unmounted, inspect the rims and remove all rust. Mount tires and inflate them to tire manufacturer's recommended pressure.

b. If tires are mounted, inflate them to tire manufacturer's recommended pressure.

Item No. 2. *Brake system and front wheel lubricant.* a. Remove all wheels and drums and thoroughly clean rust from all braking surfaces. Also examine anchor pins to make sure their bearings are free so that springs return shoes to released position. *Do not work brake pedal* with brake drums off.

b. Repack front wheel bearings with new lubricant if necessary. Replace wheels. Tighten hub bolts and secure hub covers.

c. Check hydraulic master cylinder fluid level, adding approved fluid if necessary. See that filler cap vent is open.

d. Inspect brake system for leaks and repair any defects.

e. Work brake pedal several times to make sure system is operating. Jack up each wheel (if blocks were removed) and apply brakes. Check to see that they operate and then release fully so wheel can turn freely with no drag.

f. Check brake pedal-floor clearance and adjust if necessary.

g. With respect to conditioning vacuum booster, electric, and compressed air brake equipment, follow equipment manufacturer's recommendations.

NOTE. Remove outside body and window coverings. Protect upholstery while conditioning vehicle. If another location is required for remaining work, vehicle must not be run under its own power until ready for preliminary road test.

Item No. 3. *Fuel system.* a. Replace gasoline tank drain plug.

b. Clean fuel pump sediment bowl and filter screen and reinstall.

c. Check all fuel connections, including carburetor flange nuts or cap screws.

d. Put gasoline in tank, adding ½ pint of SAE 10 engine oil to each 5 gallons of gasoline. Replace filler cap, making sure vent is free.

e. Check accelerator, throttle and choke linkages, idle and wide open positions.

f. Remove seal from air cleaner, and add oil if necessary.

Item No. 4. *Ignition system.* a. Clean and adjust spark plugs. Leave them out so cylinders can be lubricated later.

b. Check distributor, adjust points, clean rotor and contact points.

c. Lubricate cam and rocker bearing surface.

d. Clean wire connections and push wires firmly into their sockets in distributor and coil.

Item No. 5. *Valve compartment.* a. Remove cover and remove oil soaked rags, if any.

b. Spray valve mechanism with suitable light oil. Leave cover off for observation of valve action later.

Item No. 6. *Seals.* a. Remove seal from tail pipe opening.

b. Remove seals from oil filler tube, crankcase breather tube, and any other opening. Clean and replace covers.

Item No. 7. *Clutch.* a. Remove block used to keep clutch disengaged and make sure there is correct amount of free pedal movement at top of travel.

Item No. 8. *Preparing engine for service.* a. Tighten all cooling system heater hose and defroster connections, replacing any defective hose. If cooling system was stored full, add sufficient coolant to make up for evaporation. If cooling system was stored empty, close drain cocks and replace drain plugs. Fill with clean water and check for leaks.

b. Drain oil from crankcase, drop oil pan, thoroughly clean pan, inside of crankcase and pump screen, replace pan using new gasket. Fill crankcase with flushing oil.

c. Pour 2 ounces of SAE-10 engine oil into each spark plug hole. Reinstall spark plugs, using new gaskets, if necessary.

d. Lubricate generator, starter, and water pump.

e. Clean battery carrier, repainting if necessary. Install securely a fully charged battery (spec. grav. of 1.280 or above at 60 degrees F.; water level ¼" to ⅜" above plates). Clean cables and connections, tighten, and coat terminals with vaseline or approved corrosion preventive. Test battery hookup by turning on headlights (ammeter should show discharge).

f. With ignition switch off and clutch disengaged crank engine for 30 seconds with starter in order to exercise reciprocating parts and bearings. While cranking engine, listen carefully for indications of trouble. Remedy any trouble (such as engine failing to turn over or starter motor being stuck) before proceeding further.

g. Start engine (clutch disengaged) and run at idle speed for five minutes.

h. Turn off engine. Drain flushing oil immediately from crankcase.

i. If engine oil filter is sealed type, replace it with a new one. If it is replaceable element type, clean out filter chamber and install new element.

j. Fill crankcase to correct level with engine oil of proper SAE viscosity for temperature conditions under which vehicle will operate. Start engine and run at idle speed.

Item No. 9. *While Engine is Running,* check the following items for proper operation, making all necessary adjustments and repairs:

a. All instruments (oil, gas, temperature, and ammeter).

b. Windshield wipers, with blades installed.

c. Horn.

d. Every switch position of every light on vehicle.

e. Heater, climatizer, defroster.

f. Cigar lighter, radio, clock and other accessories.

[1]g. Automatic top on convertibles.

h. Charging rate, and voltage and current regulator.

i. Manifold heater valve.

j. Inspect all water hose connections, and oil lines for leakage.

k. Check and if necessary adjust valve tappets according to vehicle manufacturer's recommendations.

l. Automatic choke control.

m. Set engine idle speed according to manufacturer's instructions.

Item No. 10. *After Shutting off Engine,* perform the following operations: Before any sediment in coolant has time to settle, make the following check of the cooling system:

a. If coolant carries little or no anti-freeze, completely drain entire cooling system, examining coolant for presence of rust or other foreign matter.

b. If coolant carries a considerable amount of anti-freeze, drain a quart from bottom of radiator. If liquid is clear return sample to radiator.

c. If coolant shows rusty and dirty, completely drain entire cooling system, reverse flush radiator and engine block to remove sediment using a combination water-air flushing nozzle. (Remove thermostats and water pump before flushing the block.)

d. Fill cooling system (if not already done) with clean water and rust inhibitor, adding anti-freeze according to seasonal requirements. Watch for leaks at hose ends and pump, and correct any that develop.

e. While engine is still hot, tighten cylinder head nuts in recommended order.

f. Tighten manifold studs.

g. Tighten bolts at connection between exhaust manifold and pipe to muffler.

h. Replace valve compartment cover.

i. Check all belt adjustments and replace belts if necessary.

Item No. 11. *Lubrication.* a. Lubricate every fitting and check the lubricant level of every reservoir according to vehicle manufacturers lubrication chart, excepting those taken care of above. Flush out all gear boxes in which rust inhibitor was used during storage. Fill to correct level with new lubricant.

[1] Not applicable to trucks.

b. While lubricating, inspect underside of chassis and body for loose or damaged parts, and make any necessary adjustments or replacements.

Item No. 12. *Check, and if Needed Tighten* the following items: a. Nuts on spring U-bolts.

b. All steering connections.

[1]c. Front and rear sway eliminator or stabilizer bolts.

d. Body bolts.

e. Front and rear bumper bolts.

f. Gas tank straps.

g. Shock absorber bolts.

Item No. 13. *Front End and Wheels.* a. Check front wheel toe-in.

b. Test steering adjustments and connections. Check amount of wheel turn to stop on left and right.

c. Check steering wheel for correct amount of play.

Item No. 14. *Preliminary Road Test.*

NOTE. Before road test, remove any stickers that obstruct vision, and wash windshield. Road test every vehicle by driving it at least three miles and checking the operation of the following items:

a. All gear positions, and operation of gear shift lever.

b. Accelerator.

c. Service brakes.

d. Hand brake.

e. All instruments: oil, gas, temperature, ammeter, speedometer and odometer.

f. Set spark advance or octane selector at correct adjustment for economical performance, idling, pick-up in each forward gear, and ping in acceleration.

g. Springs and shock absorbers.

h. Locate squeaks, rattles, and unusual noises.

i. Special equipment such as overdrives, 2-speed axles, hill-holding devices, and transmissions other than conventional type.

j. Note any other items upon which work needs to be done.

Item No. 15. *Return Vehicle to Shop* and do the following operations:

a. Focus headlights.

b. Do any work on clutch, service brakes and hand brake for which road test showed need.

c. Reinspect all water hose connections, oil lines, oil filter, and fuel lines for leakage.

d. Clean fuel filters at carburetor and fuel pump.

e. Make necessary repairs or adjustments of any other items which road test showed to need attention.

f. Check all tire pressures again and if necessary replace valve core and inspect innertube and tire casing.

Item No. 16. *Final Road Test.* a. Make a second road test, and further tests if necessary, to see that all items found unsatisfactory in first road test are operating satisfactorily.

b. Check for leaks under engine, transmission, and rear axle.

c. Clean and remove rust and dirt from engine and its accessories and other chassis parts. Touch up with paint of appropriate color if originally painted.

17. *Body.* a. Remove wax or grease from interior chrome, clean upholstery, carpets and floor mats and repair any damaged places. Use solvent cleaner which will not damage finish or upholstery.

b. Remove plugs or screening from holes in floorboards or dash.

c. Check and lubricate front seat adjustment.

d. Check operation of all windows, ventipanes, cowl ventilator and sun visors. Clean windows and windshields inside and outside and repair any defects.

e. Check operation of all doors from inside and outside, trunk lid, hood and glove compartment.

f. Check operation of all keys and locks on doors, glove compartment and trunk.

g. Check and clean tools in kit.

h. Re-cement any sponge rubber seal strips which may have pulled loose, replacing any which have deteriorated.

i. Inspect paint finish and repair or touch up any defects or damage.

j. Clean and polish vehicle body and chrome trim.

NOTE.—Owner should drain engine crankcase at about 250 miles and refill to the full mark with a good grade of engine oil of proper SAE viscosity for temperature conditions under which vehicle will operate.

TRUCK TRAILER EQUIPMENT

With respect to truck trailer equipment, the following conditioning operations must be performed when conditions show work to be necessary:

Items Nos. 1 a, b;
2 a, b, d, g;
9 d;
11 a, b;
12 a, b, d;
14 c, g, h, j;
15 b, e, f;
16 a;
and 17 e, i, j.

[F. R. Doc. 43-1181; Filed, January 23, 1943; 10:57 a. m.]

PART 3096—PAPER AND PAPERBOARD

[General Conservation Order M-241 as Amended Jan. 23, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply, for defense, for private account and for export, of various materials and facilities required in the manufacture and distribution of paper and paperboard; and the following order is deemed necessary in the public interest and to promote the national defense:

§ 3096.1 *General Conservation Order M-241*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) "Produce" includes all operations connected with the production of paper and paperboard, including operations in the finishing room and packaging, but does not include processes or operations applied to paper and paperboard after the primary papermaking, such as printing, waxing, gumming, coating, bag manufacture, cup manufacture and envelope manufacture, box and container manufacture, and the fabrication of paper into paper articles.

(3) "Mill" means a congregation of pulp preparation and roll and sheet finishing equipment, paper machines and subsidiary facilities located and operated together as a single producing unit for the production of paper and paperboard.

(4) "Base period" means the six month period from October 1, 1941 through March 31, 1942.

(5) "Paper merchant" means any person regularly engaged in the business of buying and reselling paper and/or paperboard.

(c) *Restrictions on production of paper and paperboard.* (1) Unless specifically authorized by the Director General for Operations pursuant to subparagraph (5) of this paragraph (c), no person or persons shall produce paper or paperboard in any mill which has not produced paper or paperboard since August 1, 1942.

(2) Each manufacturer of paper and/or paperboard shall for each mill operated by him determine quarterly a production quota, calculated as follows:

(i) Determine, separately for each class of paper and paperboard on List A, the quantity thereof produced at such mill during the period from October 1, 1941 through March 31, 1942;

(ii) Subtract from the result for each class the quantity produced at such mill during such period of each of the grades of paper or paperboard on List B falling within such class;

(iii) Multiply the remainder for each class by percentage figure set opposite the particular class on List A;

(iv) Add together the several tonnages obtained by (iii), and divide by two.

The quantities shall be measured, to the nearest ton, in tonnage delivered from the paper machine. The method and basis for determining such tonnage shall be that method and basis followed at the particular mill in the past, or any other practicable method and basis, provided the same method and basis are used to determine both current production and production during the base period. If any machine unit of any mill was shut down during the base period for as much as 72 consecutive hours, excluding vacations and holidays, there may be added to (i) for such mill for the class of paper or paperboard principally produced on such machine unit, whatever quantity thereof could have been produced on such machine unit during the down time at the average rate of operation during the preceding month.

The Director General may from time to time by amendment change the classification and/or percentages on List A or change List B, specifying a particular date for the change to take effect. Quotas for production after any such date shall be calculated according to Lists A and B as amended, until further amended. If the effective date of any such amendment is other than the first day of a calendar quarter, the quota for the quarter within which such date falls shall be recalculated by adding together (i) the proportion of the old quota which equals the proportion of the quarter preceding such date and (ii) the proportion of the new quota which equals the proportion of the quarter following such date, including such date.

(3) No person or persons shall during the first calendar quarter of 1943 or any calendar quarter thereafter produce at any mill any quantity of paper and/or paperboard in excess of the quota for such mill for such quarter determined according to subparagraph (2) of this paragraph (c), except:

(i) To the extent and upon the conditions stated in subparagraph (4) of this paragraph (c); or

(ii) To the extent specifically authorized by the Director General for Operations pursuant to paragraph (5) (c) of this order, subject to any conditions imposed by the Director General for Operations in such authorization: and, *Provided*, That,

(i) Within such quota there may be produced at any mill any quantities of any one or several kinds of paper and/or paperboard, provided that the aggregate during any quarter does not exceed such mill's quota for that quarter; and

(ii) Regardless of and over and beyond any such quota, any person may produce at any mill, unless restricted by paragraph (c) (1) or by paragraph (e), any quantity of any kind of paper on List B.

(4) If one person owns only one mill, and such mill is equipped with only one machine unit for the manufacture of paper and/or paperboard, such person may, unless restricted by paragraph (c) (1) or by paragraph (e), produce at such mill during any calendar week any quantity of paper and/or paperboard required to occupy such machine 120 hours during such week: *Provided*, That such person shall in no other week during the same calendar quarter operate such mill in excess of 120 hours.

(5) If any person owns more than one mill, and can show that by combining or exchanging the several quotas of such mills, or parts thereof, significant quantities of critical materials will be saved, transportation reduced, labor released in areas where needed, or other materials or facilities required in the national defense conserved, he may submit to the Director General for Operations, in writing, a plan for such combination or exchange, stating the quantity and kinds of paper and/or paperboard produced at each mill involved during each month of the year from October 1, 1941 through September 30, 1942, the quantity and kinds of paper expected to be produced at each such mill during each quarter under such plan, how long he proposes to operate under such plan, his reasons for desiring to adopt such plan, and the respects wherein he conceives that such plan will accomplish the purposes mentioned. The Director General for Operations may thereupon approve, modify, or disapprove such plan or may impose upon the execution of any such plan whatever conditions he may deem appropriate to this order. Upon receipt from the Director General for Operations of approval in writing of such a plan the proponent may produce at the mills designated in such plan the quantities and kinds of paper and/or paperboard provided for in such plan, subject to any modifications or conditions imposed by the Director General for Operations in his approval. No person shall undertake or attempt to carry into effect any such plan unless and until he receives such approval.

(d) *Reserve production.* Each manufacturer of paper and/or paperboard shall reserve in the production schedule of each of his mills for the month of January, 1943, and for each calendar month thereafter, time and supplies sufficient to produce and deliver within such month, at the order of the Director General for Operations, 2% of such mill's quota for the current calendar quarter. In general this should amount to approximately 6% of each month's production. The Director General for Operations may on or before the 15th of any month, by telegram or letter, direct any manufacturer to employ such reserve to produce any kind of paper and/or paperboard usually produced at such mill, and any quantity thereof, not to exceed in the aggregate for any one month 2% of such mill's quota for the current quarter, and sell and deliver the same within the month to any person named by the Director General for Operations. The manufacturer may refuse so to produce and deliver only for the reasons specified for the refusal of rated orders in § 944.2 (b) of Priorities Regulation No. 1. If the manufacturer does not on or before the 15th of any month receive from the Director General for Operations directions as to the disposition of such reserve (or has received directions as to the disposition of a part but not of the remainder) he may employ the same (or such remainder) as he may desire, consistent with the other provisions of this order.

(e) *Restrictions on inventory.* Unless specifically authorized by the Director General, by telegram or letter, or excepted by paragraph (e) (5):

(1) No person shall knowingly deliver, and no person shall accept delivery of any quantity of newsprint, if the inventory of newsprint in the hands of the person accepting delivery is, or will by virtue of such acceptance become, either (i) in excess of two carloads or (ii), if in excess of two carloads, greater than seventy five days' supply, on the basis of either his average rate of consuming newsprint for the preceding quarter or his average rate of consuming newsprint as projected for the then current quarter;

(2) No person shall knowingly deliver to any person except a paper merchant and no person except a paper merchant shall accept delivery of, any quantity of any grade of paper or paperboard other than newsprint, if the inventory of such grade in the hands of the person accepting delivery is, or will by virtue of such acceptance become, either (i) in excess of two carloads or (ii), if in excess of two carloads greater than sixty days' supply, on the basis of either his average rate of consuming such grade of paper or paperboard for the preceding quarter or his average rate of consuming such grade of paper or paperboard as projected for the then current quarter;

(3) No person shall knowingly deliver to a paper merchant, and no paper merchant shall accept delivery of, any quantity of any grade of paper or paperboard other than newsprint, if the inventory of such grade in the hands of such paper merchant is, or will by virtue of such acceptance become, either (i) in excess of two carloads or (ii), if in excess of two carloads, greater than ninety days' supply, on the basis of either his average rate of distributing such grade of paper or paperboard for the preceding quarter or his average rate of distributing such grade of paper or paperboard as projected for the then current quarter;

(4) No person shall produce at any mill any quantity of any grade of paper or paperboard other than newsprint, if his inventory of such grade at such mill is, or will by virtue of such production become, in excess of (i) two carloads or (ii), if in excess of two carloads, greater than sixty days' supply, on the basis of either the average rate of shipment of such grade from such mill for the preceding quarter or the average rate of shipment of such grade from such mill as projected for the then current quarter.

(5) The term "grade of paper or paperboard" refers to the classification on United States Department of Commerce (Census) Form WPB-514, as revised November 7, 1942, each caption (except those which are further broken down by following captions) representing a separate grade. If a person's gross inventory of a grade is in excess of two carloads or sixty days' supply, as above, but his inventory of a particular item within that grade is less than thirty days' supply (or, in the case of a paper merchant, less than sixty days' supply), he may accept delivery of or produce, and others may deliver to him, any quantity of such item as may be required to provide him with thirty days' supply (or in the case of a paper merchant sixty days' supply). The restrictions of this paragraph (e) apply equally to paper and paperboard of foreign and domestic origin, and apply to intra company deliveries as defined in § 944.12 of Priorities Regulation No. 1. They do not, however, apply to those papers commonly reported on United States Department of Commerce (Census) Form WPB-514, as revised November 7, 1942, under the captions "Photographic and other sensitized" (07611) and "Cigarette" (08512), or to any paper or paperboard after it is printed or converted beyond waxing or coating, or to inventories held by or for any agency or government referred to in § 944.1 (b) (1) and (2) of Priorities Regulation No. 1, or by or for the United States Government Printing Office.

(f) *Miscellaneous provisions*—(1) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(2) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(3) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(4) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(5) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(6) *Communications.* All communications concerning this order shall unless otherwise directed, be addressed to, War Production Board, Pulp and Paper Division, Washington, D. C. Ref.: M-241.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 23d day of January 1943.

ERNEST KANZLER,
Director General for Operations.

LIST A

Column 1 lists general classes of paper and paperboard by names common in the trade. Each class includes all the grades of paper or paperboard reported on United States Department of Commerce (Census) Forms OPM-514 (for the last quarter of 1941) and WPB-514 (for the first quarter of 1942) by the code numbers, respectively as indicated, set out under the name. In the calculation of a mill's quota there should first be determined the whole quantity of each class produced at the mill during the base period, then subtracted from the result for each class the quantity produced at the mill during the base period of any kind of paper or paperboard on List B falling within such class, then the remainder multiplied by the percentage in column 2, and the several results added and the total divided by two. (See (c) (2) of Order M-241, as amended.)

Class of paper or paperboard	*Percentage*
Newsprint OPM-514—0100 to 0103, incl. WPB-514—01000 to 01300, incl.	90
Groundwood papers OPM-514—0200 to 0207, incl. WPB-514—02000 to 02900, incl.	80
Book papers OPM-514—0300 to 0340, incl. WPB-514—03000 to 03590, incl.	80
Writings OPM-514—0350 to 0375, incl., 0980 to 0983, incl. WPB-514—04000 to 08009, incl.	90
Wrapping paper OPM-514—0400 to 0494, incl. and 0800 WPB-514—09000 to 10900, incl. and 19000	85
Tissue paper OPM-514—0500 to 0516, incl. WPB-514—11000 to 11900, incl. and 12100 to 12990, incl.	100
Absorbent papers OPM-514—0600 to 0607, incl. WPB-514—13000 to 13990, incl.	80
Container board OPM-514—0901 to 0930, incl. WPB-514—51000 to 51900, incl.	100
Folding box board, etc OPM-514—0940 to 0943, incl. WPB-514—52000 to 52990, incl.	80
Set-up box boards, etc OPM-514—0950 to 0952, incl. WPB-514—53000 to 53990, incl.	80
Cardboard OPM-514—0970 to 0974, incl. WPB-514—54000 to 54900, incl.	80
Special industrial boards OPM-514—0960, 0990, 1000, 1020. WPB-514—55000 to 57000, incl. 59000 to 59900, incl.	90

LIST B

Column 1 lists the grades of paper and paperboard which may in general be manufactured without restriction. (See (c) (3) of Order M-241, as amended). The general class within which each falls, according to the classification on List A, is indicated in Column 2. In the calculation of a mill's quota, the amount produced during the base period of each kind of paper and paperboard listed in column 1 is to be subtracted from the total quantity of the corresponding class in column 2 produced during the base period. (See (c) (2) (ii) of Order M-241, as amended). The kinds of paper and paperboard listed in column 1 are further identified by the numbers in parentheses following each, being the code numbers for each on United States Department of Commerce (Census) Forms OPM-514 (for the last quarter of 1941) and WPB-514 (for the first quarter of 1942), respectively as indicated.

Column 1	Column 2 (Corresponding general class on List A)
(Unrestricted)	
Sanitary napkin and wadding stock (OPM-514: 0510, 0516) (WPB-514: 11100)	Tissue Papers
Absorbent for Vulcanized Fibre (OPM-514: 0605) (WPB-514: 13500)	Absorbent Papers
Absorbent for Resin Impregnating and Plastics (OPM-514: 0607) (WPB-514: 13910, 13990)	Absorbent Papers
Building Papers (OPM-514: 0700 to 0704 incl.) (WPB-514: 14000 to 14900 incl.)	Not Listed in A
Building Boards (OPM-514: 1010 to 1013 incl.) (WPB-514: 58000 to 58900 incl.)	Not Listed in A

Column 1—Continued	Column 2—Continued
Container Board, from waste (OPM–514: 0904 to 0930 incl.) (WPB–514: 51200, 51300, 51410, 51420, and 51440 to 51909 incl.)	Container Board
Cigarette Paper (less than 24 x 36, 480, 18 #) (OPM–514: 0502) (WPB–514: 12110)	Tissue Papers
Condenser Paper (less than 24 x 36, 480, 18 #) (OPM–514: 0503) (WPB–514: 12120)	Tissue Papers
Carbonizing Paper (less than 24 x 36, 480, 18 #) (OPM–514: 0504) (WPB–514: 12130)	Tissue Papers
Stencil and Lens Paper (less than 24 x 36, 480, 18 #) (OPM–514: 0505) (WPB–514: 12190)	Tissue Papers
Photographic Paper (not separately identified on census forms)	Writing Papers
Currency Paper (not separately identified on census forms)	Writing Papers

[F. R. Doc. 43–1182; Filed, January 23, 1943; 10:58 a. m.]

PART 3176—VALVES AND VALVE PARTS

[Limitation Order L–252]

The fulfillment of requirements for the defense of the United States has created a shortage of steel, copper, and other critical materials used in the manufacture of valves and valve parts, for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3176.1 *Limitation Order L–252*—(a) *Definitions.* Wherever used in this order:

(1) "Producer" means any person who manufactures valves and valve parts.

(2) "Valves" means gate, globe, angle, cross, lift check, angle check, or swing check valves (including variations of those types, such as the valves generally referred to as quick opening, blow off, hose end, Y-type and hydraulic), except drilling through and flow line valves for oil production service. This definition does not include valves of the types generally referred to as "specialties".

(3) "Valve parts" means parts for valves as defined above.

(4) "Put into process" means to process, machine, or fabricate or in any other manner alter any material by physical or chemical means.

(b) *Limitations.* Except as specifically authorized by the Director General for Operations, no producer shall after May 1, 1943, put into process or cause to be put into process, any material to be incorporated into valves or valve parts, except for the manufacture of valves and valve parts which conform to the specifications contained in the Appendix attached to and a part of this order, or for the manufacture of:

(1) Valves

(i) The bodies or bonnets of which were cast before May 1, 1943;

(ii) Ordered for use as part of the equipment of aircraft or watercraft other than pleasure craft; or

(iii) For the conduction of liquid or gas having chemical or physical properties which render the use of valves described in the Appendix dangerous or impractical; and

(2) Valve parts for repair of valves which are completed on May 1, 1943, or which are produced thereafter in accordance with the provisions of paragraph (b) (1) of this order.

(c) *Restricted deliveries.* Except as specifically authorized by the Director General for Operations:

(1) No producer shall sell or make delivery of any valves or valve parts manufactured in violation of the terms of this order, and

(2) No person shall knowingly purchase or accept delivery of any valve or valve part produced in violation of this order.

(d) *Order superseded.* The provisions of this order supersede the provisions of Schedule No. 1 of Limitation Order L–42.

(e) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the provisions of all applicable priorities regulations.

(f) *Records.* Each producer shall retain in his files for a period of two years records showing his inventory and production of all valves, including those for the manufacture of which material was put into process subsequent to May 1, 1943. These records shall be kept readily available and open to inspection by duly authorized representatives of the War Production Board.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction, may be punished by fine or imprisonment or both. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assistance.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Shipbuilding Division, War Production Board, Washington, D. C., Ref.: L–252.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 23rd day of January 1943.

ERNEST KANZLER,
Director General for Operations.

APPENDIX

Specifications for Valves and Valve Parts

The following specifications govern the manufacture of valves and valve parts. These specifications do not purport to contain any recommendations regarding the most efficient or safe use of any valve or valve parts covered herein.

Certain of the terms used in this appendix (including the terms valves and valve parts) are defined in the body of this order, L–252. In addition, certain exceptions are made, and certain obligations imposed upon producers and others. You should, therefore, be thoroughly familiar with the body of the order before reading this appendix.

PART 1

Iron Gate, Globe, Angle, Cross, and Check Valves and Valve Parts

1. *Standard size schedule: Iron valves.* (a) Valves shall be manufactured only in the pressure classes listed in Table 1 and in the particular sizes, specified in Table 2, which are comprehended within the size range specified in Table 1 for the particular pressure class

TABLE 1

[All size ranges are inclusive]

Primary [1] pressure classifications in pounds per square inch		Gates (inches)			Globe and angle (inches)		Lift check (inches)		Swing check (inches)		
Steam	Water	Screwed	Flanged	Hub	Screwed	Flanged	Screwed	Flanged	Screwed	Flanged	Hub
25	50	.....	4 to 72	4 to 72	.....	.....	.....	.....	.....	.....	.....
	100	.....	4 to 72	4 to 72	.....	.....	.....	.....	.....	.....	.....
125	150 to 200	2 to 6	2 to 72	2 to 72	2 to 4	2 to 10	2 to 4	3 to 6	2 to 6	2 to 24	4 to 24
150 [2]	200	1¼ to 3	1 to 3	.....	1¼ to 3	1 to 3	1¼ to 3	.....	1¼ to 3	.....	.....
250	500	2 to 4	2 to 24	.....	2 to 4	2 to 6	.....	.....	2 to 4	2 to 12	.....
300 [2]	.....	1¼ to 3	1 to 3	.....	1¼ to 3	1 to 3	.....	.....	1¼ to 3	.....	.....
.....	800	2 to 6	3 to 12	.....	.....	.....	.....	.....	.....	3 to 12	.....

[1] The primary pressure classification designates a class of valves and does not necessarily mean that all sizes in a given class carry the primary pressure classification. American Standards Association standards and manufacturers' practice frequently reduce the pressure ratings as size increases, and may not always rate valves for both steam and water.

[2] In sizes 3" and smaller the 150# and 300# primary pressure classification valves are included as substitutes for brass valves. Flanged valves may be rated in accordance with the American Flange Standard used.

NOTE: Other valve end connections in common use on the date of issuance of this order, including among others, the types known as Victaulic, Dresser, and Universal, may be manufactured, but only in accordance with the specifications listed in Table 1. For the purposes of this order, "common use" means use by at least ten companies.

(b) Detail of permitted sizes (see 1 (a) above):

TABLE 2

(Sizes in inches)

¼	4	24
⅜	5	30
½	6	36
¾	8	42
1	10	48
1¼	12	54
1½	14	60
2	16	66
2½	18	72
3	20	

2. *General requirements for iron valves.* (a) End flanges shall conform to American Standards Association standards for corresponding pressure classes, except that for 150# and 300# valves when made of malleable iron as substitutes for brass valves, flanges conforming to Manufacturers Standardization Society of the Valve and Fitting Industry Bronze Flange Standard SP–2 may be used. Flanges may be furnished to the American Gas Association flange standard for low pressure gas service.

(b) Face to face of flanged valves, size 4" and larger, shall comply with American Petroleum Institute standard #5–G–1 and American Standards Association standard B–16.10 for the pressure classes and types which these standards cover.

(c) Valves for 150# primary steam rating and lower shall have manufacturer's standard seating materials, comprising any of the following:

Non-metallic disc.
Iron or carbon steel.
Brass or bronze.
Nickel alloy.

(d) Valves for 250# primary steam rating and higher shall have manufacturer's standard seating materials, comprising any of the following:

Non-metallic disc.
Iron or carbon steel.
Brass or bronze.
Chrome iron.

(e) Bonnet bolts or studs shall be carbon steel

(f) Nuts for bonnet bolting shall be carbon steel.

(g) Handwheels shall be of ferrous metal, either cast or otherwise fabricated, or of suitable non-metallic material.

(h) All extension stems, couplings and gear housings shall be of ferrous metal.

(i) Spot facing or back facing on iron valve flanges is prohibited except when necessary to prevent scrapping otherwise usable products.

3. *Iron gate valves.* (a) Stems for outside screw and yoke valves shall be, at manufacturers' option, either of carbon steel, or of brass or bronze made from secondary metal, i. e., copper base alloy to which refined copper or refined tin is not added in the production of the castings for the stems.

(b) Discs for solid wedge gates 4" and larger and for split wedge or double disc gates 5" and larger, shall be all iron or iron with faces conforming to paragraphs 2 (c) or 2 (d) depending upon pressure class. Discs for non-rising stem valves may be provided with brass or bronze bushing for stem thread.

(c) Bonnet bushing for backseating shall not be provided in outside screw and yoke valves.

(d) Packing gland flange bolts or studs shall be carbon steel.

(e) Nuts for packing gland flange bolts or studs shall be carbon steel.

(f) For valve 4" and larger, the packing gland, if flange and follower or nose are one piece, shall be of iron or iron brass bushed; or if made of two pieces, the flange shall be iron and the follower or nose may be brass.

4. *Iron globe, angle, and cross valves.* (a) "Plug" type discs shall not be used for primary pressure 125# classification; but no manufacturer shall make more than one design of metal to metal seat in this class.

(b) Discs for valves 4" and larger shall be all iron or iron with faces conforming to paragraphs 2 (c) or 2 (d) depending upon pressure class.

(c) Stems for outside screw and yoke valves shall be, at manufacturers' option, either of carbon steel, or of brass or bronze made from secondary metal, i. e., copper base alloy to which refined copper or refined tin is not added in the production of the castings for the stems.

(d) Bonnet bushing for back seating shall not be provided.

(e) Packing gland flange bolts or studs shall be carbon steel.

(f) Nuts for packing gland flange bolts or studs shall be carbon steel.

(g) For valves 4" and larger, the packing gland, if flange and follower or nose are one piece, shall be of iron or iron brass bushed; or if made of two pieces, the flange shall be iron and the follower or nose may be brass.

(h) Cross valves shall not be manufactured.

5. *Iron check valves.* (a) Discs for valves 4" and larger shall be either all iron, or iron or steel with faces conforming to paragraphs 2 (c) or 2 (d) depending upon pressure class.

(b) Nuts for attaching swing check disc to hinge or arm shall be carbon steel, or malleable iron.

(c) The hinge or arm for valves 2" and larger shall be of ferrous metal and may be bronzed bushed.

PART 2

Brass or bronze gate, globe, angle, cross, and check valves and valve parts

1. *Standard size schedule: Brass or bronze valves.* (a) Valves shall be manufactured only in the pressure classes listed in Table 1, and in the particular sizes specified in Table 2, which are comprehended within the size range specified in Table 1 for the particular pressure class:

TABLE 1

[All size ranges are inclusive]

Primary pressure classifications in lbs. per sq. in.[1]	Sizes [2] screwed end (inches)	Sizes flanged end (inches)	Sizes solder end (inches)
100 Steam	⅛ to 2	.....	⅛ to 2
125 Steam	⅛ to 2	.....	¼ to 2
150 Steam	⅛ to 2	1 to 2	¼ to 2
200 Steam	⅛ to 2	1 to 2	¼ to 2
300 Steam	¼ to 2	1 to 2	¼ to 2
Hydraulic 1000 & Higher	⅛ to 2	.....	¼ to 1½

[1] The primary steam rating in no way regulates the pressure at which these valves should be rated for other fluids, but restricts the classes to those mentioned.

[2] Only globe and angle valves may be made in the ⅛" size.

[3] These valves are rated 150#.

(b) Detail of permitted sizes (see 1 (a) above):

TABLE 2

(Sizes in inches)

⅛	½	1¼
¼	¾	1½
⅜	1	2

2. *General requirements for brass or bronze valves.* (a) Check valves shall be horizontal lift and vertical lift or swing check types only. Angle type prohibited.

(b) Spot facing on end connecting flanges is prohibited.

(c) 150# primary pressure classification and lower shall have integral seats.

(d) 150# primary pressure classification and lower shall have brass, bronze, or non-metallic disc only, and plug type discs shall not be used in globe and angle valves.

(e) 200# primary pressure classification and higher shall have manufacturer's standard seating materials comprising any of the following:

Non-metallic disc.
Brass or bronze.
Chrome iron.
Nickel alloy.

(f) Union bonnet rings and union rings for valve ends shall be malleable iron or steel.

(g) Stuffing box packing nuts shall be malleable iron or steel.

(h) Handwheels and valve handles shall be ferrous metal, either cast or otherwise fabricated; or suitable non-metallic material.

(i) End flanges shall conform to:

1. Manufacturers Standardization Society of the Valve and Fittings Industry, Standard Practice 150#–SP–2.

2. Manufacturers Standardization Society of the Valve and Fittings Industry, Standard Practice 300#–SP–2.

(Depending upon rated pressure of the valve.)

(j) Use Manufacturers Standardization Society of the Valve and Fittings Industry, SP–20 grade A or American Society for Testing Materials B–62 or EA–B62 brass or bronze for all valve pressure castings in valves in primary pressure classifications of 125#, 150# and 200#. Use Manufacturers Standardization Society of the Valve and Fittings Industry, SP–20 grade B or American Society for Testing Materials B–61 brass or bronze for all valve pressure castings in valves in primary classifications of 300# or higher. Bonnets 200# and higher pressure classification may be made of a "cast bearing bronze."

(k) Cross valves shall not be manufactured.

PART 3

Steel Gate, Globe, Angle, Cross, and Check Valves and Valve Parts

NOTE: These limitations do not apply for primary ratings higher than 1500#. Moreover, these limitations do not apply for valves for temperatures exceeding 1000 degrees F. or below minus 50 degrees F. Furthermore, these limitations do not apply to drilling through or flow line valves for oil production service.

The term "stainless" is used in this Part 3 of this appendix to describe any of the iron base alloys such as 12% chrome, or 18–8 chrome nickel whose primary characteristics are resistance to corrosive attack, or elevated temperature, or both.

1. *Standard size schedule: Steel valves.* (a) Valves shall be manufactured only in the pressure classes listed in Table 1, and in the particular sizes specified in Table 2 which are comprehended within the size range specified in Table 1 for the particular pressure class:

TABLE I

[All size ranges are inclusive]

Primary pressure classification in lbs. per sq. in.	Gate (inches)			Globe and angle (inches)			Horizontal and angle check (inches)			Swing check (inches)		
	Screwed	Flanged	Welded	Screwed	Flanged	Welded	Screwed	Flanged	Welded	Screwed	Flanged	Welded
150	2 to 4	2 to 24	.....	2 to 4	2 to 8	.....	.....	.....	.....	2 to 4	2 to 8	.....
300	2 to 4	2 to 24	.....	2 to 4	2 to 12	.....	.....	2 to 8	.....	2 to 4	2 to 12	.....
600	¼ to 2	½ to 24	⅜ to 24	⅜ to 2	½ to 14	⅜ to 14	¼ to 2	½ to 14	¼ to 14	½ to 2	1¼ to 14	1¼ to 14
900	.....	3 to 18	3 to 14	.....	3 to 14	3 to 14	.....	3 to 14	3 to 14	.....	3 to 14	3 to 14
1500	¼ to 2	1½ to 14	¼ to 14	¼ to 2	1½ to 14	¼ to 14	¼ to 2	1½ to 14	¼ to 14	.....	3 to 14	3 to 14

(b) Detail of permitted sizes.

TABLE 2

(Sizes in inches)

⅛	2	10
¼	2½	12
⅜	3	14
½	4	16
¾	5	18
1	6	20
1¼	8	24
1½		

2. *General requirements for steel valves.* (a) Valves covered by items 3, 4, and 5, which follow, shall be in accordance with American Petroleum Institute standard 600A for gate valves, and with American Standards Association B16e for all types, except as modified by the specifications set forth in this part 3 of this appendix.

(b) Face to face of flange end valves shall comply with American Petroleum Institute standard 5–G–1 and American Standard Association B16.10 for the types covered by these standards.

(c) Discs of valves 5" and larger shall be made of the same material as the valve body, with seating material laid on or attached.

(d) Handwheels 24" diameter and smaller shall be malleable iron, or fabricated steel.

(e) Raised contact faces on flanges shall be serrated (concentric or spiral) or smooth at manufacturer's option.

(f) Cross valves shall not be manufactured.

3. *150 lb. Pressure class: Steel valves.* (a) End flange faces shall have American Standards Association ⅛" raised face.

(b) Bodies and bonnets shall be carbon steel. For minus 50 degrees F. (subzero service), carbon steel shall be heat treated to give impact value of 10 foot pounds minimum Charpy keyhole at minus 50 degrees F.

(c) Seating materials shall be any of the following:

Carbon steel.
Brass or bronze.
12% chrome iron.

(d) Bonnet bushing for back seating shall not be provided, but backseating shall be included.

(e) Stems shall be carbon steel, brass or bronze.

(f) Bonnet bolting shall be carbon steel having physical properties equal to American Society for Testing Materials A96, Class A, except that when carbon steel having Class A physicals is not obtainable, manganese steels of the SAE 1300 Series or equal may be used.

(g) Bonnet bolt nuts shall be semi-finished carbon steel.

(h) Stem stuffing box packing shall be graphite or mica-impregnated asbestos according to manufacturer's practice.

(i) Bonnet gaskets shall be asbestos composition sheet.

4. *300 lb. Pressure class: Steel valves.* (a) End flange faces shall be American Standards Association 1/16" raised face, or American Petroleum Institute octagonal ring joint groove providing the groove is cut in the basic flange thickness.

(b) Bodies and bonnets shall be carbon steel, except when required to resist extreme corrosion or temperature conditions they may be 4% to 6% chrome, ½% molybdenum. For minus 50 degrees F. (sub-zero service), carbon steel shall be treated to give impact value of 10 foot pounds minimum Charpy keyhole at minus 50 degrees F.

(c) The seating materials shall be any of the following:

Same material as body.
Brass or bronze.
12% chrome iron.
Nickel copper alloy.
Hard facing.

(d) Stems shall be any of the following:

Brass or bronze.
12% chrome iron.

(e) Stem stuffing box packing shall be graphite or mica-impregnated asbestos according to manufacturer's practice.

(f) Bonnet bolting shall conform to the following limitations:

1. For temperature up to and including 850 degrees F., National Emergency 9400 series steels or SAE 4140, heat treated to meet specifications for alloy steel bolting material for high temperature service, American Society for Testing Materials A96, Class B physical properties minimum.

2. For temperatures over 850 degrees F., Grade B14 steel per American Society for Testing Materials A193, heat treated to meet specifications for alloy steel bolting material for high temperature service, American Society for Testing Materials A96, Class C physical properties minimum.

(g) Bonnet bolt nuts shall be semi-finished carbon steel, normalized or quenched.

5. *600 lb., 900 lb. & 1500 lb. Pressure classes: Steel valves.* (For 600 lb. and 1500 lb. general purpose valves, see paragraph 6.) (a) End flange faces shall be either American Standards Association octagonal ring joint groove or American Petroleum Institute octagonal ring joint groove, or ¼" American Standards Association large male face.

(b) Bodies and bonnets shall be carbon or carbon molybdenum steel, except when required to resist extreme corrosion or temperature conditions, in which case they may be 4% to 6% chrome, ½% molybdenum, or stainless if so specified. (See definition for "stainless" in note under heading of Part 3.)

(c) The seating materials shall be of any of the following:

Same material as body.
Stainless (See definition in note under heading of Part 3).
Nickel copper alloy.
Hard facing.

(d) Stems shall be the following:

Stainless (See definition in note under heading of Part 3).

(e) Stem stuffing box packing shall be graphite or mica-impregnated asbestos according to manufacturer's practice.

(f) Bonnet bolting shall conform to the following limitations:

1. For temperature up to and including 850 degrees F., National Emergency 9400 series steels or SAE 4140, heat treated to meet specifications for alloy steel bolting material for high temperature service, American Society for Testing Materials A96, Class B physical properties minimum.

2. For temperature over 850 degrees F., Grade B14 steel per American Society for Testing Materials A193, heat treated to meet specifications for alloy steel bolting material for high temperature service, American Society for Testing Materials A96, Class C physical properties minimum.

(g) Bonnet bolt nuts shall be semi-finished carbon steel, normalized or quenched.

6. *General purpose steel valves, 600 lb. & 1500 lb.—2" and smaller.* (a) End connections shall be:

1. Flanged American Standards Association standard with ¼" large male face.
2. Screwed end.
3. Socket welding end.

The 600 lb. class flanged end valves may be made with 150-lb. American Standards Association steel flange diameter, drilling and/or facing.

(b) Bodies and bonnets shall be carbon or carbon molybdenum steel, except when required to resist extreme corrosion or temperature conditions, in which case they may be 4% to 6% chrome, ½" molybdenum, or stainless if so specified. (See definition for "stainless" in note under heading of Part 3.)

(c) Seating materials shall be any of the following:

Brass or bronze.
Stainless (See definition in note under heading of Part 3).
Nickel copper alloy.
Hard facing.

[F. R. Doc. 43–1160; Filed, January 23, 1943, 10:57 a. m.]

PART 1189—ROTENONE

[Conservation Order M–133, as Amended Jan. 23, 1943]

Section 1189.1 *Conservation Order M–133* is hereby amended to read:

§ 1189.1 *Conservation Order M–133*—(a) *Definitions.* (1) "Rotenone" means the active insecticidal ingredients of the roots of derris, cube, barbasco, tuba or timbo. The term includes:

(i) "Crude rotenone" in the form of root or of root which has been dried, broken, shredded, cut or chipped;

(ii) "Processed rotenone" in the form of finely ground or powdered crude rotenone; also in the form of liquid or solid extracts (or resins) obtained from crude rotenone.

(2) "Rotenone insecticide" means any compound containing rotenone combined with other liquid or dry materials, whether active or inert; provided that such compound is suitable for use as an insecticide.

(3) "Importer" means any person engaged in the importation of rotenone.

(4) "Processor" means any person engaged in producing or selling processed rotenone in any of the forms described in paragraph (a) (1) (ii) hereof.

(b) *Restrictions on delivery.* (1) No importer or processor shall deliver any rotenone to any person except as specifically authorized or directed by the Director General for Operations upon application made pursuant to paragraph (f) (1) hereof; and no person shall accept delivery of any rotenone which he knows or has reason to believe is delivered in violation of this order.

(2) Authorizations or directions with respect to deliveries to be made in each calendar month will so far as practicable be issued by the Director General for Operations prior to the commencement of such month, but the Director General for Operations may at any time issue directions with respect to deliveries to be made.

(3) In the event that any importer or processor, after receiving notice from the Director General for Operations with respect to a delivery of rotenone which he is authorized or directed to make to any specific customer, shall be unable to make such delivery either because of receipt of notice of cancellation from such customer or otherwise, such importer or processor shall forthwith give notice of such fact to the War Production Board, Chemicals Division, Washington, D. C., Ref.: M–133, and shall not, in the absence of specific authorization or direction from the Director General for Operations resell or otherwise dispose of the rotenone which he is unable to deliver as aforesaid.

(4) No person shall deliver any material containing rotenone to any other person unless prior to such delivery he will have received from the person to whom delivery is made, a requirement certificate in substantially the following form:

The undersigned hereby certifies to his supplier and to the War Production Board that the rotenone or rotenone insecticide hereby ordered for delivery will be used, or sold for use only for the purposes permitted under the terms of Conservation Order M–133, paragraph (c) as follows:

For resale—For use [cross out one]—Date _____

Description of product _____

Quantity _____

[If purchased for use omit the following:]

Percentage of rotenone contained _____

[If purchased for use, complete the following:]

Crop _____ Insect Pest _____

Acreage (or number of animals to be treated) _____

He further certifies that the amount of rotenone ordered will not exceed a practical minimum working inventory.

This certification is made in accordance with the terms of Order M–133, with which the undersigned is familiar.

_____
Name of Purchaser

By _____ _____
Authorized Official or Agent Title

(5) No person shall use the rotenone received by him except for the purpose or purposes specified in the certificate furnished pursuant to paragraph (b) (4).

(c) *Restrictions on use.* No person shall use rotenone or any rotenone insecticide except for one or more of the following purposes:

(1) Use in the protection of the following food crops against the following insects, or the manufacture of any preparation for such use:

(i) Peas—protection against the pea weevil and pea aphid.

(ii) Beans—protection against Mexican bean beetle.

(iii) Cole crops—other than cabbage, including: broccoli, brussels sprouts, cauliflower, kohl-rabi, mustard, kale, turnips, and collards—for protection against caterpillars and aphids.

(iv) Sweet corn—for protection against the European corn borer.

(2) Use on cattle for the specific control of the cattle grub (ox warble) or short-nosed cattle louse, or the manufacture of any insecticide for such use.

(3) Any other specified use, where specifically authorized or directed by the Director General for Operations.

(d) *Restrictions on production.* (1) No person shall manufacture or process any rotenone insecticide in the form of dust or powder with a content of more than half of one per cent of rotenone, except as otherwise specifically authorized or directed by the Director General for Operations. This paragraph (d) (1) shall not, however, be understood to prevent the manufacture or preparation of dust having a rotenone content of half of one per cent in accordance with standard commercial practice: *Provided*, That the actual variation from the permitted rotenone content shall not exceed ten per cent; nor shall this paragraph (d) (1) be understood to prevent the use in the manufacture of any rotenone insecticide of other active ingredients, activators or wetting agents.

(2) No person shall manufacture or process any rotenone insecticide incorporating pyrethrum.

(e) *Restrictions on packaging.* No processed rotenone or rotenone insecticide may be delivered in any package to any person by any importer, processor, manufacturer or distributor unless such package clearly displays on the label thereof or on a suitable tag securely affixed thereto, a statement substantially as follows:

The use of this material is restricted by WPB's Conservation Order No. M–133, as amended January 23, 1943, to the following uses:

1. Peas—protection against the pea weevil and pea aphid.
2. Beans—protection against Mexican bean beetle.
3. Cole crops—other than cabbage, including: broccoli, brussels sprouts, cauliflower, kohl-rabi, mustard, kale, turnips, and collards—for protection against caterpillars and aphids.
4. Sweet corn—for protection against the European corn borer.
5. Cattle—for the specific control of cattle grub (ox warble) or short-nosed cattle louse.

(f) *Applications and reports.* (1) Each importer or processor seeking authorization to make delivery of rotenone during any calendar month beginning with March, 1943, shall file application on or before the 10th day of the preceding calendar month. Application for authorization to deliver rotenone in January or February, 1943, shall be made as many days as possible in advance of the requested delivery. In any case, the application shall be made on Form PD–601 in the manner prescribed therein, subject to the following specific instructions:

(i) Copies of Form PD–601 may be obtained at local field offices of the War Production Board.

(ii) Four copies shall be prepared, of which three shall be filed with the War Production Board, Chemicals Division, Washington, D. C., Ref.: M–133, the fourth to be retained for applicant's files.

(iii) In the heading, under name of chemical, specify "Rotenone"; under WPB Order No., specify "M–133"; under name of company, state name and mailing address; under unit of measure, specify "pounds"; and state the month and year for which authorization for use or acceptance of delivery is sought.

(iv) In Columns 3 and 8, specify form; that is, whether dust, extract, ground root, etc., and insert per cent of pure rotenone.

(v) The importer or processor may, if he wishes, leave blank Column 5.

(vi) If it is necessary to use more than one sheet to list customers, number each sheet in order and show grand totals for all sheets on the last sheet, which is the only one that need be certified.

(2) Each person, other than the Army or Navy of the United States, or the United States Maritime Commission, or War Shipping Administration, who, as of the close of business on December 31, 1942, owned more than five hundred pounds of rotenone, or more than five thousand pounds of rotenone insecticides, or a combination of the two having a rotenone content of more than five hundred pounds, shall on or before February 10, 1943, file Form PD–785 with the War Production Board, Chemicals Division, Washington, D. C., Ref.: M–133, retaining a copy for his files.

(3) The Director General for Operations may require each person affected by this order to file such other reports in respect to such materials and at such times as he may from time to time prescribe and may issue special directions to any importer or processor with respect to the preparing and filing of PD–601.

(g) *Notification of customers.* Each supplier shall notify his regular customers as soon as possible of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(h) *Miscellaneous provisions.*—(1) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning deliveries, processing and use of rotenone and rotenone insecticides.

(2) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board priorities regulations, as amended from time to time.

(3) *Violations.* Any person who wilfully violates any provisons of this order, or who, in connection with this order,

wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(5) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C., Ref.: M–133.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 23d day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43–1242; Filed, January 23, 1943; 4:26 p. m.]

PART 933—COPPER

[Conservation Order M–9–c as Amended Jan. 20, 1943 [1]]

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of copper for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 933.4 *Conservation Order M–9–c*—(a) *Restrictions on manufacture of items appearing on Combined List and on List A–2.* (1) No manufacturer of any item on the Combined List attached, or of parts (including repair parts [2]) for any such item, may, if such item or parts contain copper products or copper base alloy products, continue their manufacture on or after December 26, 1942 by means of processing, assembling or finishing.

(2) No manufacturer of any item on List A–2 attached, or of parts (including repair parts [2]) for any such item, may, if such item or parts contain copper products or copper base alloy products, continue their manufacture by means of processing, assembling or finishing on or after the governing date set forth opposite such item in Column 2 of List A–2.

(b) *Restrictions on manufacture of articles not appearing on Combined List and List A–2 out of inventory on hand on February 28, 1942 and June 30, 1942.* (1) During the period from December 25, 1942 to and including January 15, 1943, a manufacturer of any article omitted from the Combined List and List A–2 or excepted from those lists, or of parts (including repair parts [2]) for such an article, may not continue the manufacture thereof by means of processing, assembling or finishing.

(i) Unless all copper products or copper base alloy products contained in such articles or parts were acquired by the manufacturer after February 28, 1942; or

(ii) Unless such articles or parts are being manufactured, processed, assembled or finished to fill a purchase order, existing or prospective,[3] bearing a preference rating of A–1–k or higher; and no such article or part so manufactured shall be delivered except to fill such an order; or

(iii) Unless the manufacturer has been specifically authorized by the Director General for Operations, pursuant to an application made on Form PD–426, or otherwise, to manufacture, process, assemble or finish the article or parts in question with the copper products or copper base alloy products being used.

(2) After January 15, 1943, a manufacturer of any article omitted from the Combined List and List A–2 or excepted from those lists, or of parts (including repair parts [2]) for such an article, may not continue the manufacture thereof by means of processing, assembling or finishing.

(i) Unless all copper products or copper base alloy products contained in such articles or parts were acquired by the manufacturer after June 30, 1942; or

(ii) Unless such articles or parts are being manufactured, processed, assembled or finished to fill a purchase order, existing or prospective,[3] bearing a preference rating of AA–4 or higher; and no such article or part so manufactured shall be delivered except to fill such an order; or

(iii) Unless the manufacturer has been specifically authorized by the Director General for Operations, pursuant to an application on Form PD–426, or otherwise, to manufacture, process, assemble or finish the article or parts in question with the copper products or copper base alloy products being used.

The provisions of this paragraph (b) shall not apply to a manufacturer assembling a completed fractional horsepower electric motor into machinery of any kind omitted from the Combined List and List A–2 or excepted from those lists; or to the manufacturing, processing, assembling or finishing of any machinery omitted from the Combined List and List A–2 or excepted from those lists, or of parts (including repair parts) for such machinery, if the only copper products or copper base alloy products used which were in the inventory of the manufacturer on or before February 28, 1942 (with respect to manufacturing, processing, assembling or finishing during the period from December 25, 1942 to and including January 15, 1943) or on or before June 30, 1942 (with respect to manufacturing, processing, assembling or finishing after January 15, 1943) are bushings, bearings, nuts, bolts, screws, washers and wire weighing in the aggregate less than 5% of the total weight of the article or part.

(c) *Applicability of order to certain Governmental agencies.* The prohibitions and restrictions contained in this order shall not apply to the use of copper products or copper base alloy products in the manufacturing, processing, assembling or finishing of any item or article on the "Military Exemption List", or part therefor, which is being produced for purchase by, or for the account of, or for use by, the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration or the Coast Guard, where the use of copper products or copper base alloy products to the extent employed is required by the specifications (including performance specifications) of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration or the Coast Guard applicable to the contract, subcontract or purchase order.

(d) *General restrictions on manufacture.* (1) No manufacturer may continue the manufacture of any article omitted from the Combined List and List A–2 or excepted from such lists, or of parts (including repair parts) for such an article, if such article or parts are to contain copper products or copper base alloy products where the use of any less scarce material is practicable; and no manufacturer may continue the manufacture of any article omitted from the Combined List and List A–2 or excepted from such lists, or of parts (including repair parts) for such an article, if they are to contain more copper products or copper base alloy products than is necessary for the article's proper operation or a higher type or grade of copper or copper base alloy than is necessary for the article's proper operation.

(2) (i) The use of copper products or copper base alloy products for plating any item on the Combined List or List A–2 or for plating any parts (including repair parts) of such an item, is prohibited unless such plating is expressly stated to be permissible on said lists.

(ii) The use of copper products or copper base alloy products for plating any article omitted from the Combined List and List A–2 or excepted from such lists and the plating of parts (including repair parts) for such an article, is permitted provided:

(*a*) That such plating is not for decorative purposes or part of a decoration or as an undercoating for lead or silver plating, and

(*b*) That the use of, or the normal wear on such article or parts, would make impracticable any other form of coating.

(e) *General restrictions on deliveries.* The disposition of frozen and excessive inventories containing certain copper products or copper base alloy products shall be subject to the applicable provisions of Priorities Regulation No. 13 (§ 944.34) as amended from time to time.

(f) *Special provisions.* (1) The foregoing provisions of this amended order shall not apply to the use of copper products and copper base alloy products in typography, engraving, photo-engraving, gravure plate making, electrotyping, stereotyping and printing in the printing and publishing industries. In those processes, the use of bronze powder, bronze ink, bronze paste and bronze leaf is controlled by Supplementary Conservation Order M–9–c–3 effective March 28, 1942; and all other uses in those industries of copper products, copper base alloy products, copper scrap and copper base alloy scrap are, in the quarter from October 1, 1942 to December 31, 1942, limited to 70% of the aggregate usage of such products and scrap in the last calendar quarter of 1940, and in each subsequent calendar quarter limited to 60% of such aggregate usage in the corresponding quarter of the year 1940; *Provided*, That, for electrotyping and rotogravure, 33⅓% of the allowable usage shall be in the form of copper or copper base alloy printing scrap during the month of February 1943, 50% of the allowable usage shall be in such form during the month of March 1943, and 75% of the allowable usage shall be in such form in each month after March 1943; *And further provided*, That for copper plate engraving of calling cards, greeting cards, social and business stationery and other similar articles, 100% of the allowable usage for the engraving of such plates shall be (i) of copper products or copper base alloy products which were in the possession of the engraver using them on December 31, 1942 or (ii) of copper scrap or copper base alloy scrap (old engraved plates), and in either event the engraver shall sell and deliver as scrap to a scrap dealer before the end of each calendar quarter beginning with the first calendar quarter of 1943, three pounds of copper or copper base alloy scrap in the form of old engraved plates for each one pound of copper products or copper base alloy products which he engraved for use in printing calling cards, greeting cards, social and business stationery and other similar articles during said calendar quarter. Nothing contained in this paragraph (f) (1) of this amended order shall affect the prohibition against the manufacture of powder containing copper products or copper base alloy products contained in parargaph (a) and the Combined List of this amended order.

(2) No person shall deliver, install or cut any copper or copper base alloy insect screening (i) unless such screening is to be delivered to, installed for or cut on the order of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast Guard, any foreign country pursuant to the Act of March 11, 1941 entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or Defense Supplies Corporation, Metals Reserve Corporation or any other corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act as amended (except Defense Plant Corporation) or any person acting as agent of any such corporation (except Defense Plant Corporation), or (ii) unless such delivery, installation or cutting shall be with the specific authorization of the Director General for Operations. Applications for specific authorizations shall be made by letter addressed to the War Production Board, Washington, D. C., Ref.: M–9–c. The foregoing shall not apply to used or second hand insect screening or to insect screening in rolls of less than 25 feet in length. Nothing contained in this paragraph (f) (2) affects the prohibitions on the manufacture, processing, assembling or finishing of insect screening and screens with copper products or copper base alloy products contained in paragraph (a) and the Combined List of this order.

(g) *Restrictions on deliveries to manufacturers.* No person shall hereafter deliver copper products or copper base alloy products to any manufacturer, directly or indirectly, if he knows or has reason to believe that such products are to be used in violation of the terms of this order.

(h) *Miscellaneous provisions*—(1) *Applicability of priorities regulation.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) *Appeal.* Any appeal from the provisions of paragraphs (a), (d) or (f) (1) of this order shall be made by filing Form PD–167 Revised with the War Production Board, Washington, D. C., Ref.: M–9–c. Relief granted pursuant to an appeal under this order shall remain in effect despite any amendment to this order, unless the grant of relief is specifically revoked or modified by the Director General for Operations.

(3) *Communications.* Any reports required to be filed under this order and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Copper Division, Washington, D. C., Ref.: M–9–c.

(4) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply irrespective of whether such items, articles or parts whose manufacture is governed hereby are being manufactured pursuant to a contract made prior or subsequent to the effective date of this order. Insofar as any other order of the War Production Board or of the Office of Production Management may have the effect of limiting or curtailing to a greater extent than herein provided the manufacture of items, articles or parts or the sale and delivery of such items, articles or parts, the limitation of such other order shall be observed.

(5) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and, upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(6) *Installation.* The restrictions of this order shall not apply to the installation of any item or article, or part (including a repair part) therefor, for the ultimate consumer on his premises when any manufacturing, processing, assembling or finishing of such an item, article or part is incidental to such installation and is done on such premises. The foregoing does not in any way affect, revoke or modify the provisions of Supplementary Conservation Order M–9–c–4 which prohibits the installation of certain types of copper and copper base alloy pipe, tube, fittings and building material under certain circumstances or of any other order restricting installation.

(7) *Repair.* The restrictions of this order (other than those contained in paragraph (d) (1) hereof) shall not apply to the manufacture, processing, assembling or finishing of repair parts to make a specific repair of a used article or to a person repairing a used article, on or off the premises of the owner, if the manufacturer of the parts or the person making the repair does not use copper products or copper base alloy products weighing in the aggregate more than two pounds and any manufacturing, processing, assembling or finishing done by him is for the purpose of making a specific repair; nor shall the restrictions of this order (other than those contained in paragraph (d) (1) hereof) apply to the manufacture, processing, assembling or finishing of repair parts to make a specific repair of a used article or to a person repairing a used article, on or off the premises of the owner, if the manufacturer of the parts or the person making the repair does not use copper products or copper base alloy products weighing in the aggregate more than one pound in excess of the copper or copper base alloy scrap derived from the article being repaired, and all such scrap is delivered to a scrap dealer or to any other person to whom such delivery may be made under the provisions of Supplementary Order M–9–b and provided any manufacturing, processing, assembling or finishing done by him is for the purpose of making a specific repair.

(8) *Copper products or copper base alloy products not controlled by order.* On and after the respective dates set forth in this subparagraph, the provisions of this order shall not apply to the manufacture of the following items or

[1] This document is a restatement of Amendment 2 to Conservation Order M–9–c as amended December 26, 1942, which appeared in the FEDERAL REGISTER of January 22, 1943, page 1020, and reflects the order in its completed form as of January 20, 1943.

[2] See also paragraph (h) (7) permitting the manufacture of repair parts to make specific repairs of used articles under certain conditions.

[3] Priorities Regulation No. 1, § 944.14, prohibits you from making more than a practicable minimum working inventory of articles or parts to fill prospective orders carrying particular ratings.

articles and parts (including repair parts) therefor, even though they contain copper products or copper base alloy products, since these items or articles are specifically governed by the following orders:

Shoe findings and footwear of all kinds governed by Supplementary Conservation Order No. M-9-c-1 effective January 23, 1942.

Fire protective equipment governed by General Limitation Order L-39 effective February 27, 1942.

Motorized fire apparatus governed by General Limitation Order L-43 effective February 27, 1942.

Bronze paste, bronze ink and bronze leaf and products made with bronze paste, bronze ink, bronze leaf and bronze powder (other than decalcomanias and ship bottom paint), governed by Supplementary Conservation Order M-9-c-3 as amended May 30, 1942.

Jewelry governed by Supplementary Conservation Order M-9-c-2 effective April 4, 1942.

Musical instruments governed by Supplementary Limitation Order L-37-a effective May 29, 1942.

Water meters governed by Schedule I of Limitation Order No. L-154 effective June 17, 1942.

Self-contained drinking water coolers governed by Schedule I of Limitation Order No. L-126 effective July 3, 1942.

The provisions of this order do not apply to attaching finished slide fasteners, hooks and eyes, brassiere hooks, sew-on machine attached or riveted snap fasteners or grippers, buckles, buttons, corset clasps, eyelets (other than eyelets usable as shoe eyelets), garter trimmings, hose supporters, insignia, jewelry, loops, mattress buttons, pin fasteners, pins, staples, slides, and trouser trimmings. The order does apply to manufacturing, processing, assembling and finishing of the closures and associated items listed above where the provisions of this order are more restrictive than other orders of the War Production Board.

The provisions of this order do not apply to the assembling of watch or clock movements finished prior to June 15, 1942, into cases not made of copper or copper base alloy; the provisions of this order do apply to manufacturing, processing and finishing watch and clock cases and all other parts of watches and clocks, and to assembling watches and clocks except under the conditions mentioned in this sentence.

(9) *Definitions.* For the purposes of this order:

(i) "Copper" means unalloyed copper metal. It shall include unalloyed copper metal produced from scrap.

(ii) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy. It shall include alloy metal produced from scrap.

(iii) "Copper products" means products made of copper fabricated to the extent that they are plate, sheet, strip, rolls, coils, wire, rod, bar, tube, tubing, pipe, extrusions, ingot, powder, anodes, castings or forgings or fabricated to any greater extent.

(iv) "Copper base alloy products" means products made of copper base alloy, fabricated to the extent that they are plate, sheet, strip, rolls, coils, wire, rod, bar, tube, tubing, pipe, extrusions, ingot, powder, anodes, castings or forgings or fabricated to any greater extent.

(v) "Manufacturer" means a person who manufactures, processes, assembles or finishes.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 20th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

COMBINED LIST

The manufacture, processing, assembling or finishing of the items listed below and of all parts (including repair parts) therefor is prohibited if such article or part contains copper products or copper base alloy products, except to the extent permitted by the exceptions noted on the list. Where this list excepts an item if the use of copper products or copper base alloy products in making the item is limited or if the item is being produced for a particular end use, the manufacture, processing, assembling and finishing of the item made under the terms of such an exception is governed by paragraphs (b) and (d) (1) of this order.

AUTOMOTIVE, TRAILER[1] AND TRACTOR EQUIPMENT AND FARM MACHINERY

See also Order L-106 governing the use of copper and copper base alloy in the manufacture of automative parts entering into the production of, or as replacement parts for, passenger automobiles, motor trucks, truck trailers, passenger carriers and off-the-highway motor vehicles.

Ambulance hardware.
Defrosters (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Garage and automotive repair equipment.
Heaters (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Hearse hardware.
Horns (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Hub and gas-tank caps.
Lights, lamps, headlamps and accessories (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Miscellaneous fittings and trim.
Motorcycles (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Motor-driven scooters (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Mouldings.
Rear-view mirrors and hardware.

BUILDING SUPPLIES AND HARDWARE

(Excluding supplies and hardware for ships, boats and aircraft)

Air-conditioning equipment until January 1, 1943 (except for essential food storage, food transportation and industrial processing, and except for repair parts containing not more than 4 lbs. of copper products or copper base alloy products for use in "black out" plants). After December 31, 1942, see List A-2.
Blinds, including fixture fittings and trimmings.
Builders' finish hardware, including hinges, except in those parts of plants where the use of non-sparking metal is necessary to prevent a hazard in the production or use of explosives. For locks see under "Miscellaneous" on this list.
Conduits.
Decorative hardware—including house numbers.
Door knockers, checks, pulls, and stops.
Doors, door and window frames, sills and parts, including door handles and knobs.
Elevators and escalators (except when the only copper products or copper base alloy products used are for bearing, worm gears and parts necessary for conducting electricity).
Gravel stops and snow guards.
Grilles.
Gutters, leaders, downspouts, expansion joints, and accessories thereto.
Hangers and tracks for private garages.
Incinerator hardware and fittings.
Insect screens and screening.
Letter boxes and mail chutes.
Lightning rods and lightning rod systems including cables and accessories (except as permitted by Order L-39).
Lighting fixtures (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Ornamental metal work.
Pile butt protection.
Plumbing and heating supplies:
  Bands on pipe covering.
  Cistern and low-water floats.
  Fixture fittings and trimmings (See "Plumbing fixture fittings and trim" on List A-2).
  Hot water heaters, tanks, and coils (except when the only copper products or copper base alloy products used are permitted by Order L-185).
  Pipe, tube, tubing, and fittings for piping systems (except when the only copper products or copper base alloy products used are permitted by Schedule VII of Order L-42).
  Shower rods, and pans (See "Plumbing fixture fittings and trim" on List A-2).
  Shower heads (See "Plumbing fixture fittings and trim" on List A-2).
  Sinks and drainboards.
  Toilet floats (See "Plumbing fixture fittings and trim" on List A-2).
  Towel racks.
Push, kick, switch, floor, and all other device plates.
Roof, roofing, roofing nails, flashing valleys, and other roofing items.
Sheet, roll, and strip for building construction.
Shelves.
Stair and threshold treads.
Termite shields.
Terrazzo strips, reglets, and mouldings.
Unit heaters, unit ventilators, and convectors, space or local heaters, and blast heating coils, or any apparatus using such coils as part of its construction (except when the only copper products or copper base alloy products used are for valves, controls and parts necessary for conducting electricity).
Ventilators and skylights.
Water containers for humidification.
Weatherstripping and insulation.

BURIAL EQUIPMENT

Burial vaults.
Caskets and casket hardware. See also Order L-64.

[1] See also under "Passenger Transportation Equipment" on this list.

Memorial tablets.
Morticians' supplies.

(See also "Boxes, • • •" under "Miscellaneous" on this list.)

CLOTHING AND ACCESSORIES

Insignia (except rank, branch and "U. S." Insignia for the Armed Forces).

DRESS ACCESSORIES

(See also Order L-68)

Buckles.
Buttons.
Dress ornaments.
Handbag fittings.
Metal cloths.

FURNISHINGS AND EQUIPMENT

(For homes, offices, institutions, hotels, apartment hotels, apartment houses, stations, clubs, fraternal organizations, union buildings, churches, synagogues, temples, restaurants and stores)

Andirons, screens, and fireplace fittings.
Candlesticks.
Cooking and table utensils.
Counters.
Curtain fasteners, rods, and rings.
Cuspidors.
Fans (See also Order L-176)
Furniture.
Furniture Hardware.
Hollow-ware.
Mud scrapers.
Portable heaters.
Stoves and ranges (except when the only copper products or copper base alloy products used are for valves, ferrules for compression fittings, controls other than timers, and parts necessary for conducting electricity). For additional restrictions see "Gas stoves and ranges for household use" on List A-2.
Table flatware (except that until January 1, 1943, table flatware may be manufactured, processed, assembled or finished if made according to Fed. Spec. RR-T-56.) After December 31, 1942, see List A-2.
Timers, for stoves and ranges.
Trays.
Upholsterers' supplies, including nails and tacks.
Vases, pitchers, bowls, and arteraft.
Washing tubs and washing boilers.
Waste baskets, hat trees, humidors, and similar items.

INDUSTRIAL MACHINERY

Pulp and paper manufacturing:
  Beater bars and beaters.
  Head boxes.
  Jordan bars.
  Refiner bars.
  Save-alls (except for screens).
  Stock and water lines.

JEWELRY, GIFTS AND NOVELTIES

All jewelry, gifts and novelties including, but not limited to—
  Advertising specialties.
  Atomizers (see also List A-2).
  Bar fittings.
  Book ends.
  Cosmetic containers.
  Lighters.
  Napkin rings.
  Picture frames.
  Smokers' accessories, including ash trays.
  Souvenirs.

PASSENGER TRANSPORTATION EQUIPMENT

(Including railroad cars, street and interurban cars, buses, and trailers, but excluding locomotives)

All items under heading "Furnishings and Equipment".
Air conditioning equipment for passenger cars until January 1, 1943 (except for essential repairs, and except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity). On and after December 31, 1942, see List A-2.
Bands on pipe covering.
Decorative, general, and finish hardware, and ornamental metal work.
Door knockers, checks, pulls and stops.
Doors and windows, door and window frames and window sills.
Drinking water reservoirs.
Lighting fixtures (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Pipe, tube, tubing, and fittings for plumbing and heating (except for essential repairs).
Shower rods, heads and pans.
Sinks and drainboards.
Screens and screening.
Towel and luggage racks.
Water containers for humidification.
Weatherstripping and insulation.

MISCELLANEOUS

Alarm and protective systems, other than fire protective systems covered by Order L-39 (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity or where the use of such products is essential to the proper functioning of the parts).
Barrel hoops.
Badges.
Bar and counter equipment and fittings.
Barber shop equipment and supplies.
Barrel hooks.
Bathroom accessories as defined in Order L-30.
Beauty parlor equipment and supplies.
Beverage dispensing units and parts thereof (except for self-contained drinking water coolers as defined in Schedule I of Order L-126 or under any schedule of Order L-38).
Bicycles, and similar vehicles. (See also Order L-52).
Binoculars, including opera glasses.
Bird and pet cages and stands.
Bottle coolers.
Boxes, cans, jars and other containers, including burial urns.
Branding, marking, and labeling devices and stock for same (except where the devices and the stock are for affixing governmental, notarial and corporate seals or, until January 1, 1943, are adjustable stencils for addressing or identifying commercial products). For adjustable stencils after December 31, 1942, see the item "Adjustable stencils" on List A-2.
Cabinets.
Canes
Carpet rods.
Cash registers.
Chimes and bells (except for bells when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Clips.
Cleaning and polishing accessories, such as brooms, carpet sweepers, crumbing sets, dust pans, mops, pot scourers, whisk brooms and floor and furniture polishers.
Clock and watch cases.
Cooking utensils (except for commercial processing in canneries and factories).
Cutlery, including pocket knives.
Dishwashing machines and domestic garbage grinders.
Dispensers, hand, for hand lotions, paper products, soap and straws.
Dog collars and other similar harness and equipment for pets.
Domestic ice refrigerators as defined in Order L-7.
Domestic laundry equipment as defined in Order L-6 and scrubbing boards, clothes line pulleys and reels.
Domestic mechanical refrigerators as defined in Order L-5.
Domestic vacuum cleaners as defined in Order L-18.
Electric blankets.
Electric light bulbs and cord sets for Christmas trees, and bulbs and neon and fluorescent tubes for advertising and display purposes.
Flashlights and electric lanterns used by railroad brakemen (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Floats for liquid level control.
Flower pots, boxes and holders for same.
Flower shears.
Food dispensing utensils, devices and machines.
Fountain pens.
Fountains (except drinking water fountains when the only copper products or copper base alloy products used are permitted by Schedules V, V-a and XII of Order L-42).
Furniture grommets.
Games as defined in Order L-81.
Garden tools and equipment.
Hair curlers, hair brushes and combs, shoe horns and button hooks.
Health supplies (except those to which a preference rating is granted under Order P-29).
Home and commercial electrical appliances, as defined in Order L-65.
Hooks, including hat and coat hooks.
Ice cream freezers for use in the home.
Kitchen utensils, devices and machines.
Kitchen, household and miscellaneous articles, as defined in Order L-30.
Lace tips.
Ladders and hoists (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity), including fittings.
Lamps, electric until January 1, 1943 (except for industrial, hospital or office and then not for standards, shades, shade holders, and stems). After December 31, 1942, see List A-2. The term "Lamps" as used here does not include electric light bulbs, but see "Electric light bulbs" above.
Lamps, other than electric (except for industrial, hospital or office use and then only when the only copper products or copper bas alloy products used are for valves, controls, and wicks).
Lawn sprinklers, mowers, seeders and rollers.
Livestock and poultry equipment (except when the only copper products or copper base alloy products used are for valves, controls, parts necessary for conducting electricity, and thermostats other than wafer thermostats, and for plating wafer thermostats).
Locks (except pin tumbler cylinder assemblies; essential interior working parts of Type 88, Type 97 and Type 114 locks; discs and springs for disc tumbler locks; levers for secure lever locks; interior working parts of railway car door locks and railway switch padlocks; and keys for pin tumbler and disc tumbler locks).
Luggage fittings, trim and harware.
Manicure implements.
Match and pattern plates, matrices, and flasks.
Medals.
Mirrors.
Motion picture and projection equipment (except for parts to repair and maintain necessary existing equipment in public theaters and educational institutions).
Name, identification and medal plates.
Non-operating or decorative uses of copper or copper base alloy, or the use of the same in such parts of installations and equipment (mechanical or otherwise) as bases, frames, guards, standards and supports.
Package handles and holders.
Paint (except for ship bottoms).
Pencils, mechanical.
Phonographs or other record players.
Photographic equipment and accessories (except document copying machines and equipment therefor for business purposes and for use by the U. S. Post Office, and except for X-ray equipment).
Pins.

Pleasure boat fastenings, fittings, hardware, and motors.
Pole-line hardware.
Powder, except for non-decorative uses.
Printing rollers (except to the extent that an equivalent poundage in copper or copper base alloy is returned to a brass mill in the form of old rollers).
Radio receiving sets for private use (except for replacement vacuum tubes).
Razors operated by electricity (except for repair parts).
Reclaimers for heating water.
Reflectors (except for electroplating of glass reflectors in connection with silvering when the reflectors are to be used in street and highway illumination, or for traffic signals, flood lights, searchlights and hospital operating room lights).
Refrigerator display cases.
Saddlery hardware and harness fittings.
Scales, except commercial, industrial and laboratory scales and laboratory balances. (See also Order L–190.)
Shells and caps for electric sockets except screw shells and except those used in connection with lamp signals in communication facilities.
Signs, including street signs. (See also Order L–29.)
Slot, game and vending machines, including parking meters.
Soda fountain equipment.
Sporting goods, and fishing and hunting equipment and supplies.
Staples for fastening cartons and containers.
Stationery supplies:
  Desk accessories. (See also Order L–73.)
  Office supplies. (See also Order L–73.)
  Pencils. (See also Order L–113.)
  Pens and penholders.
Statues.
Sundials.
Telescopes.
Tent poles and parts.
Thermos jugs and bottles.
Toys.
Unions and union fittings (except seats and except for other parts of unions and union fittings where and to the extent that the physical and chemical properties of the liquid or gas passing through the union or union fitting makes the use of any other material dangerous or impractical). (See also Order L–42.)
Umbrellas.
Valve handles.
Valves over 2-inch size (except seats, discs, stems, yoke sleeves, yoke bushings, stem bearings and packing glands, and except for other parts of such valves where and to the extent that the physical and chemical properties of the liquid or gas passing through the valve makes the use of any other material dangerous or impractical).
Voting machines.
Weather vanes.
Weight reducing and exercising machines.
Wool.

LIST A–2

The manufacturing, processing, assembling or finishing of the items listed below and of all parts (including repair parts) therefor is prohibited after the governing date if such article or part contains copper products or copper base alloy products, except to the extent permitted by the exceptions noted on the list. Where this list excepts an item if the use of copper products or copper base alloy products in making the item is limited or if the item is being produced for a particular end use, the manufacture, processing, assembling and finishing of the item made under the terms of such an exception is governed by paragraphs (b) and (d) (1) of this order.

	Governing date
Adjustable stencils	Dec. 31, 1942
Air conditioning equipment and refrigeration equipment ((i) except for repair parts containing not more than 4 pounds of copper products or copper base alloy products for use "in "black out" plants; (ii) except for essential food storage, food transportation and industrial processing and then only when the only copper products or copper base alloy products used are for capillary tubing, bulbs, small moving parts, bellows, bearings which use not over 2 pounds of copper each, tube connections and fittings below ⅜", and integral fin tubing used in refrigeration condensers; and (iii) except for essential repairs of railroad passenger cars)	Dec. 31, 1942
Atomizers (except for medicinal purposes and for use in the preparation of dried milk and dried eggs)	Dec. 31, 1942
Blow torches, gasoline and alcohol, (except when the only copper products or copper base alloy products used are for the pump barrel, pump check valve assembly, pump cylinder cap, brazing material, pack nut, valve stem, valve body and jet block)	Jan. 20, 1943
Brushes (except the type used in electric motors and generators)	Dec. 31, 1942
Cement flooring and composition flooring	Dec. 26, 1942
Cooling towers (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity)	Dec. 26, 1942
Electrolytic devices for the removal and prevention of scale in boilers	Dec. 31, 1942
Gas stoves and ranges for household use (except when each valve contains not more than ½ ounce of copper base alloy and each control contains not more than 1½ ounces of copper base alloy and the stove or range contains no other copper or copper base alloy whatever)	Aug. 7, 1942
Hand saw screws, nuts and washers for attaching saw blades to the handle	Dec. 26, 1942
Hammers	Dec. 31, 1942
Lamps, electric (except for nonportable lamps for use in hospitals or in industry, otherwise than in offices, and then only when the only copper products or copper base alloy products used are for parts necessary for conducting electricity)	Dec. 31, 1942
Lanterns	Sept. 7, 1942
Lighting fixtures for use outside of a building (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity). For lighting fixtures in a building see "Lighting fixtures" under "Building Supplies and Hardware" on the Combined List	Dec. 31, 1942
Loose-leaf binders	Dec. 26, 1942
Pipe, tube, tubing and fittings for water supply and distribution systems and installations (except corporation stops and couplings therefor, curb stops and couplings therefor, adapters, unions and solder nipples and except for all such pipe, tube, tubing and fittings for use on board ship and in chlorine gas equipment). This takes the place of Interpretation No 4 of Order M–9–c	Dec. 26, 1942
Plumbing fixture fittings and trim (except when the only copper products or copper base alloy products used are permitted by the terms of Schedules V, V–a and XII of Order L–42 or any schedules or orders taking their place, or are permitted by a specific authorization of the Director General for Operations granted pursuant to such a schedule or order)	Dec. 26, 1942
Screens for oil wells and water wells	Jan. 20, 1943
Shower curtains	Dec. 26, 1942
Sound equipment attachments for motion picture projection machines (except for parts to repair and maintain necessary existing equipment in public theaters and educational institutions)	Dec. 31, 942
Table flatware (except for a copper-silver strike)	Dec. 31, 1942
Trolley frog bodies, trolley wire crossover bodies, trolley clamps used for supporting Fig. 8 or grooved trolley wire (unless used for carrying current), and miscellaneous items such as machine screws, bolts and studs used with overhead trolley line material	Jan. 20, 1943

MILITARY EXEMPTION LIST

Air conditioning and refrigeration equipment (except for comfort use).
Bakery equipment (parts necessary for conducting electricity or where the use of copper products or copper base alloy products is essential to the proper functioning of the parts). For hot water heaters, tanks and coils see below on this list.
Bells (for use on board ship).
Binoculars.
Blow torches, gasoline and alcohol (parts other than tanks, only).
Boxes, cans, jars and other containers (for radio and communication equipment and for powder charges).
Carbonated beverage dispensing units for use on board ship (functional parts subject to corrosive action or which come in contact with food, only).
Conduits and pipe (for radio and electrical communication equipment).
Chronometer and watch cases.
Dishwashing machines.
Fans (parts necessary for conducting electricity, only).
Field ranges and ski stoves.
Floats for liquid level control (for use in aircraft and on board ship).
Furniture hardware (for use within magnetic circle on board ship).
Hammers.
Hoists, for handling powder, projectiles and explosives (for use on board ship).
Hot water heaters, tanks and coils for hospital, laundry and bakery projects.
Insect screens and screening.
Kitchen utensils, devices, machines and appliances (parts necessary for conducting electricity or which come in contact with food or where the use of copper products or copper base alloy products is essential to the proper functioning of the parts).
Ladders and stairs, for use in gasoline storage spaces on board ship (treads, only).
Lanterns, gasoline (generators, valves and controls, only).
Laundry equipment, for use on board ship (parts necessary for conducting electricity or where the use of copper products or copper base alloy products is essential to the proper functioning of the parts). For hot water heaters, tanks and coils see above on this list.
Laundry equipment, mobile, for field use (parts necessary for conducting electricity or where the use of copper products or copper base alloy products is essential to the proper functioning of the parts). For hot water heaters, tanks and coils see above on this list.
Lights, lamps and accessories (for use in aircraft and on board ship).
Locks and latches (for use on board ship).
Motion picture and projection equipment.
Name identification and medal plates of a gauge of .03125 inch or less (for use in aircraft and on board ship).
Paint (for ship bottoms and flying boat hull bottoms).
Photographic equipment and accessories.
Pins for hinges (for use on board ship).
Prescription scales (health supplies).
Reflectors (for use on board ship, in aircraft searchlights, and recognition lights and hospital operating room lights and therapeutic lights).
Safety lamps, flame type (for use on board ship and for use in other places where there is danger of explosion).
Shells and caps for electric sockets (for use in aircraft and on board ship).
Soda fountain equipment for use on board ship (functional parts subject to corrosive action or which come in contact with food, only).
Sound equipment attachments for motion picture projection machines
Table flatware made according to Fed. Spec. RR-T-56 until March 31, 1943.
Telescopes.
Unions and union fittings (for use on board ship).
Valve handles (for use within magnetic circle on board ship).
Valves (for use on board ship).

[F. R. Doc. 43–1268; Filed, January 25, 1943; 11:09 a. m.]

PART 1144—GOATSKINS, KIDSKINS, AND CABRETTAS

[Supplementary Order M–114–a]

§ 1144.2 *Supplementary Order M–114–a.* Pursuant to paragraph (c) (1) of Order M–114 as amended December 31, 1942, which this order supplements, no person shall put in process during February, March and April, 1943, to fill his military orders and other orders, a sum total of raw goatskins, kidskins, and cabrettas equal to more than 220% (total for 3 months) of his basic monthly wettings.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 7, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 25th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43–1269; Filed, January 25, 1943; 11:08 a. m.]

PART 1297—MATERIAL ENTERING INTO THE PRODUCTION OF REPLACEMENT PARTS FOR PASSENGER AUTOMOBILES, LIGHT, MEDIUM AND HEAVY MOTOR TRUCKS, TRUCK TRAILERS, PASSENGER CARRIERS AND OFF-THE-HIGHWAY MOTOR VEHICLES

[Limitation Order L–158 as Amended Jan. 25, 1943]

The fulfillment of requirements for the defense of the United States having created a shortage in the supply of aluminum, chromium, copper, nickel and other materials required for the production of replacement parts for passenger automobiles, light, medium and/or heavy motor trucks, truck trailers, passenger carriers and off-the-highway motor vehicles for defense, for private account and for export, the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1297.1 *Limitation Order L–158*—(a) *Certain orders hereby superseded.* This order, Limitation Order L–158, supersedes Limitation Order L–4 issued September 18, 1941 and all amendments thereto; supplementary Limitation Order L–4–c issued May 5, 1942 and all amendments thereto; Limitation Order L–35 issued January 22, 1942 and all amendments thereto.

(b) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(1) *Protection of production schedules.* Producers of replacement parts under the terms of this order may, notwithstanding the provisions of Priorities Regulation No. 1 (Part 944), schedule their production of replacement parts as if the orders therefor bore a rating of AA–2X.

(2) *Sequence of deliveries.* Notwithstanding the provisions of Priorities Regulation No. 1 (Part 944), delivery of replacement parts may be made without regard to orders bearing preference ratings of AA–3 or lower.

(c) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(2) "Passenger automobile" means any passenger vehicle, including station wagons and taxicabs propelled by an internal combustion engine and having a seating capacity of less than eleven (11) persons.

(3) "Light truck" means a complete motor truck or truck tractor with a maximum gross vehicle weight rating of less than 9,000 pounds, as authorized by the manufacturer thereof, or the chassis therefor.

(4) "Medium and/or heavy motor truck" means a complete motor truck or truck-tractor with a maximum gross vehicle weight rating of 9,000 pounds or more, as authorized by the manufacturer thereof, or the chassis therefor.

(5) "Truck trailer" means a complete semi-trailer or full trailer having a load-carrying capacity of 10,000 pounds or more, as authorized by the manufacturer thereof, and designed exclusively for transportation of property, or persons, or the chassis therefor.

(6) "Passenger carrier" means a complete motor coach for passenger transportation, having a seating capacity of not less than 11 persons.

(7) "Off-the-highway motor vehicle" means a motor truck, truck-tractor and/or trailer, operating off the public highway, normally on rubber tires and specially designed to transport materials, property or equipment on mining, construction, logging or petroleum development projects.

(8) "Replacement parts" for passenger automobiles, light, medium and heavy motor trucks, truck-tractors, truck-trailers, passenger carriers and off-the-highway motor vehicles, means only the following enumerated parts (including components entering into such parts) used for the repair or maintenance of such vehicles:

(i) For all such vehicles: (1) engines (component parts only), (2) clutches, (3) transmissions, (4) propeller shafts, (5) universal joints, (6) axles, (7) braking systems, (8) wheels, (9) tire valve assemblies, (10) starting apparatus, (11)

frame and spring suspension assemblies, (12) shock absorbers, (13) speedometers, (14) driving mirrors, (15) windshield wiper assemblies, (16) steering apparatus, (17) exhaust systems, (18) cooling systems, (19) fuel systems, (20) lubricating systems, (21) electrical systems including generators, motors, lights, reflectors and signal horns, (22) windshield safety glass.

(ii) In addition, but only for medium and heavy motor trucks, truck-tractors, truck-trailers, passenger carriers and off-the-highway motor vehicles: (23) power dividers and take offs, (24) transfer cases, (25) fusees and flares, (26) directional signals, (27) coupling devices, (28) trailer landing gears, (29) seats, (30) front fenders (only that type which support built in lighting), (31) defroster heaters, (32) truck refrigeration units, (33) liquid measuring gauges.

(iii) In addition, but only for passenger carriers: (34) body structural repair parts, (35) sash, (36) destination signs, (37) fare boxes, (38) guards and grab rails, (39) door operating mechanisms, (40) doors and door hardware, (41) signaling devices, (42) heating and ventilating equipment. For school bus bodies and cabs: only the foregoing parts, (34) to (42).

(iv) In connection with truck-body conversion: (43) cab assemblies.

(9) "Producer" means any individual, partnership, association, corporation or other form of business enterprise engaged in the manufacture of replacement parts, as defined in subparagraph (8), above.

(10) "Distributor" means any person not a producer whose business consists, in whole or in part, of the sale of replacement parts, as defined in subparagraph (8) above, from inventory. Distributor includes wholesalers, jobbers, dealers, retailers and other persons performing a similar function.

(11) "Inventory" means a stock of replacement parts, as defined in subparagraph (8) above, on hand, on consignment, or held for the account of the owner thereof in any other name, manner or place.

(12) "Third and fourth calendar quarters of 1942" means respectively the period from July 1, 1942, to September 30, 1942, and the period from October 1, 1942, to December 31, 1942.

(13) "Average calendar quarter of 1941" means one-fourth of the producer's total sales at dollar cost value of the replacement parts of his own manufacture sold by him during 1941.

(d) *Prohibitions on production.* (1) On and after July 4, 1942, no producer shall manufacture any parts for passenger automobiles and light trucks except the replacement parts enumerated in paragraph (c) (8) (i) above.

(2) On and after July 31, 1942, no producer shall manufacture any parts for medium and/or heavy motor trucks, truck-tractors, truck-trailers, passenger carriers and off-the-highway motor vehicles except the replacement parts enumerated in paragraph (c) (8) above.

(3) In the production of such replacement parts, no materials shall be used which are prohibited by M orders or other restrictions on use of critical materials as now or hereafter ordered by the Director General for Operations of the War Production Board.

(e) *Restrictions on production of replacement parts for passenger automobiles and light trucks.*

(1) During the fourth calendar quarter of 1942, a producer of replacement parts for passenger automobiles and light trucks may manufacture replacement parts according to either of the following schedules:

(i) Such producer may manufacture replacement parts at his dollar cost value not to exceed seventy percent (70%) of the total dollar cost value of the replacement parts of his own manufacture sold by him during the fourth calendar quarter of 1941: *Provided*, That such production does not result in the producer's total inventory of finished parts (either produced by him or purchased by him from others) exceeding at any time during the third month in the fourth calendar quarter, in dollar cost value, four times the producer's average monthly sales valued at cost during the preceding calendar quarter. In determining dollar cost value of sales, sales to the Army, Navy and other persons enumerated in paragraph (g) below shall not be included.

(ii) Such producer may manufacture replacement parts not to exceed fifty percent (50%) of the total dollar cost value of the replacement parts of his own manufacture sold by him during the fourth calendar quarter of 1941; provided such production does not increase his inventory of finished parts in total cost value (either produced by him or purchased by him from others) at the end of the fourth quarter, above his inventory of finished parts in total cost value at the beginning of the quarter. In determining dollar cost value of sales, sales to the Army, Navy and other persons enumerated in paragraph (g) below shall not be included.

(2) During the first calendar quarter of 1943, a producer of replacement parts for passenger automobiles and light trucks may manufacture replacement parts according to either of the following schedules:

(i) Such producer may manufacture replacement parts at his dollar cost value not to exceed seventy percent (70%) of the total dollar cost value of the replacement parts of his own manufacture sold by him during the average calendar quarter of 1941; provided that such production does not result in the producer's total inventory of finished parts (either produced by him or purchased by him from others) exceeding at any time during the third month in the first quarter of 1943, in dollar cost value, four times the producer's average monthly sales valued at cost during the preceding calendar quarter. In determining dollar cost value of sales, sales to the Army, Navy and other persons enumerated in paragraph (g) below shall not be included.

(ii) Such producer may manufacture replacement parts not to exceed fifty percent (50%) of the total dollar cost value of the replacement parts of his own manufacture sold by him during the average calendar quarter of 1941; provided such production does not increase his inventory of finished parts in total cost value (either produced by him or purchased by him from others) at the end of the first quarter of 1943, above his inventory of finished parts in total cost value at the beginning of the quarter. In determining dollar cost value of sales, sales to the Army, Navy and other persons enumerated in paragraph (g) below shall not be included.

(f) *Restrictions on production of replacement parts for medium and or heavy motor trucks, truck-tractors, truck-trailers, passenger carriers, and off-the-highway motor vehicles.*

(1) During the fourth calendar quarter of 1942, a producer of replacement parts for medium, and/or heavy motor trucks, truck-tractors, truck-trailers, passenger carriers, and off-the-highway motor vehicles may manufacture replacement parts according to either of the following schedules:

(i) Such producer may manufacture replacement parts at his dollar cost value not to exceed one hundred and twenty-five percent (125%) of the total dollar cost value of the replacement parts of his own manufacture sold by him during the fourth calendar quarter of 1941: *Provided*, That such production does not result in the producer's total inventory of finished parts (either produced by him or purchased by him from others) exceeding at any time during the third month in the fourth calendar quarter,

in dollar cost value, four times the producer's average monthly sales valued at cost during the preceding calendar quarter. In determining dollar cost value of sales, sales to the Army, Navy and other persons enumerated in paragraph (g) below shall not be included.

(ii) Such producer may manufacture replacement parts not to exceed seventy-five percent (75%) of the total dollar cost value of the replacement parts of his own manufacture sold by him during the fourth calendar quarter of 1941, provided such production does not increase his inventory of finished parts in total cost value (either produced by him or purchased by him from others) at the end of the fourth quarter above his inventory of finished parts at the beginning of the quarter. In determining dollar cost value of sales, sales to the Army, Navy and other persons enumerated in paragraph (g) below shall not be included.

(2) During the first calendar quarter of 1943, a producer of replacement parts for medium and/or heavy motor trucks, truck-tractors, truck-trailers, passenger carriers, and off-the-highway motor vehicles may manufacture replacement parts according to either of the following schedules:

(i) Such producer may manufacture replacement parts at his dollar cost value not to exceed one hundred and twenty-five percent (125%) of the total dollar cost value of the replacement parts of his own manufacture sold by him during the average calendar quarter of 1941: *Provided*, That such production does not result in the producer's total inventory of finished parts (either produced by him or purchased by him from others) exceeding at any time during the third month in the first quarter of 1943, in dollar cost value, four times the producer's average monthly sales valued at cost during the preceding calendar quarter. In determining dollar cost value of sales, sales to the Army, Navy and other persons enumerated in paragraph (g) below shall not be included.

(ii) Such producer may manufacture replacement parts not to exceed one hundred percent (100%) of the total dollar cost value of the replacement parts of his own manufacture sold by him during the average calendar quarter of 1941, provided such production does not increase his inventory of finished parts in total cost value (either produced by him or purchased by him from others) at the end of the first quarter of 1943 above his inventory of finished parts at the beginning of the quarter. In determining dollar cost value of sales, sales to the Army, Navy and other persons enumerated in paragraph (g) below shall not be included.

(g) *Exceptions to applicability of this order.* The terms and restrictions of this order, except paragraph (b) (2), shall not apply, except as provided for in paragraph (s) below, to any replacement parts sold to or produced under contracts or orders for delivery to or for the account of:

(1) The Army or Navy of the United States or the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development;

(2) The government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies and Protectorates, and Yugoslavia;

(3) Any agency of the United States Government, for delivery to, or for the account of, the government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(h) *Return of replacement parts.* Replacement parts returned to a producer by a distributor are not to be scheduled in the producer's inventory during the quarter in which the parts are received, but shall be included in the producer's inventory in the succeeding calendar quarter.

(i) *Restrictions on sales to consumers.* (1) On and after July 15, 1942, no producer or distributor shall sell or deliver any replacement part to a consumer unless the consumer delivers to the producer or distributor concurrently with the purchase a used part (excepting in the case of cab assemblies and parts consumed in use, lost or stolen) of similar kind and size for each new replacement part delivered to the consumer. No new replacement part shall be sold or delivered to a consumer to replace a part which the producer or distributor can recondition by use of available reconditioning facilities.

(2) Notwithstanding the provisions of paragraph (i) (1) above, a producer or distributor may sell and deliver any replacement part to a consumer without receiving a used part in exchange therefor, *Provided*, That:

(i) The producer or distributor does not install such part in the consumer's vehicle; and

(ii) The consumer signs and delivers to the producer or distributor concurrently with each purchase order (or on the written confirmation thereof if such order is placed by telephone or telegram) a certificate in the following form:

CONSUMER'S CERTIFICATE

I hereby certify that: (a) The replacement parts specified on this order are essential for repair of vehicle(s) I now own or operate; (b) these parts will be used only for replacement of parts that, to the best of my knowledge, cannot be reconditioned by use of available facilities; and (c) I will, within thirty days after receiving the new part(s), dispose of through scrap channels a used part(s) (excepting in the case of cab assemblies and parts consumed in use, lost or stolen) of similar kind and size for each new replacement part delivered to me.

(Signed) _____
Vehicle Owner or Operator

(Address) _____

The foregoing certificate must be retained by the producer or distributor making the sale to the consumer as part of his records.

The provisions of this paragraph (i) shall not apply to any Federal or Territorial department, bureau or agency, or to a State or political subdivision thereof, which is forbidden by law from making such disposal of replacement parts.

(j) *Restrictions on distributors' inventories.* (1) On and after August 15, 1942, no distributor, whose principal place of business is located in the Eastern or Central War Time Zone, shall order more than a thirty-day supply of replacement parts, and no such distributor shall accept delivery of replacement parts which, in combination with his existing inventory of replacement parts measured in total dollar cost value, shall exceed a sixty-day supply. Sixty-day supply means a supply in dollar cost value equal to two-thirds of the distributor's total sales, at his cost of such parts, sold by him in the preceding quarterly period.

(2) No distributor, whose principal place of business is located in any other war time zone, shall order more than a forty-five day supply of replacement parts, and no such distributor shall accept delivery of replacement parts which,

in combination with his existing inventory of replacement parts, measured in total dollar cost value, shall exceed a ninety-day supply. Ninety-day supply means a supply in dollar cost value at distributor's cost equal to the distributor's total sales, at his cost of such parts, sold by him in the preceding quarterly period.

(3) Irrespective of the restrictions in subparagraphs (1) and (2) above, a distributor may accept delivery of specific items of replacement parts when his stock of all items in the aggregate exceeds, or will by virtue of such acceptance exceed, his maximum permissible inventory as specified in subparagraphs (1) and (2) above, but only to the extent necessary to bring such distributor's inventory of those specific items up to a total dollar value equal to the sales of such items shipped from such inventories during the preceding month.

(4) No distributor may keep in his inventory, in his possession or under his control, for a period of more than thirty days, any used, traded-in, imperfect or condemned replacement parts which cannot be reconditioned, but must dispose of the same through the customary disposal or scrap channels.

(5) Replacement parts consigned to a distributor are not to be considered as part of the distributor's inventory.

(k) *Emergency orders for replacement parts.* Notwithstanding the provisions of paragraph (j) above, a distributor may order and accept delivery of any replacement part which he does not have in stock when required for repair of a designated vehicle which cannot be operated without such part. In such emergency, to secure a replacement part under this paragraph (k), a distributor must file with his order to the producer for said part a certificate in the following form:

Certificate for Emergency Order

I hereby certify that the replacement part specified in the attached order is essential for the repair of the following vehicle, which cannot now be operated without such part:
Make: _____ Engine Number: _____
(signed) _____
Firm, Partnership or Corporation
By: _____
Title of Individual
_____
Address of Firm, Partnership or Corporation

A copy of each such certificate must be retained by the distributor issuing such certificate as a part of his records. A producer or other distributor to whom any such emergency order is submitted must give such order precedence in shipment over other orders not of an emergency nature.

(l) *Certificate by distributor required.* Whenever a distributor places an order for replacement parts, each order must be accompanied by a certificate in the following form:

Certificate of Compliance With Order L–158

The quantity of replacement parts ordered on the attached purchase order does not exceed the quantity which I am entitled to purchase under the provisions of Limitation Order L 158, with the terms of which I am familiar.

(Signed) _____
Firm, Partnership or Corporation
By: _____
Title of Individual
_____
Address of Firm, Partnership or Corporation

A copy of each such certificate must be retained by the distributor as part of his records.

(m) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(n) *Reports.* All persons affected by this order, shall execute and file with the War Production Board such reports and questionnaires as the Board shall from time to time request. No reports or questionnaires are to be filed by any person until forms therefor are prescribed by the War Production Board.

(o) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(p) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(q) *Appeals.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him, may appeal to the War Production Board, setting forth pertinent facts and the reasons such person considers that he is entitled to relief. In order to facilitate conversion to complete war production appeals may be made to increase or to transfer to other producers quotas established in paragraphs (e) and (f) above. The Director General for Operations may thereupon take such action as he deems appropriate.

(r) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Automotive Division, Washington, D. C., Ref: L–158.

(s) *Preference ratings required on sales by distributors to Army, Navy and Maritime Commission.* Irrespective of the provisions of any of the preceding paragraphs of this order, no distributor shall sell any replacement part, as defined in paragraph (c) (8) above, to or for the account of the Army or Navy of the United States or the United States Maritime Commission, except upon receipt of an order bearing a preference rating of AA–1 or higher.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 25th day of January 1943

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43–1270; Filed, January 25, 1943; 11:08 a. m.]

PART 3133—PRINTING AND PUBLISHING

[Limitation Order L–241, as Amended Jan. 25, 1943]

COMMERCIAL PRINTING

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of copper, zinc and paper, required for the production of printed matter for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3133.9 *Limitation Order L–241*—(a) *Definitions.* For the purpose of this order.

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) "Printed matter" means any paper (or paperlike substance) with ink applied to it by the relief, planographic, intaglio, silk screen or other stencil processes or any combination or modification thereof, except:

(i) "A newspaper" as defined in General Limitation Order L–240.

(ii) "Wall paper" as defined in General Limitation Order L–177.

(iii) "A box" as defined in General Limitation Order L–239.

(iv) Any converted paper product as contained in List A and List B of General Conservation Order M–241–a.

(v) "A magazine" as defined in General Limitation Order L–244.

(vi) "A book" as defined in General Limitation Order L–245.

(vii) Printed matter produced by or for the account of any department or agency of the United States or any State, County or Municipality in the United States, its territories or possessions.

(3) "Printer" means a person who produces printed matter.

(4) "Put into process" means the first application of ink to paper (or paperlike substance) in the production of printed matter.

(5) "Base period" means the calendar year 1941.

(b) *Restrictions on the weight of paper which a printer may put into process.* (1) During the first calendar quarter of 1943 or any calendar quarter thereafter a printer shall put paper (or paperlike substance) into process in the production of printed matter only according to one of the following schedules:

(i) Not in excess of 22½% of the gross weight of paper (or paperlike substance) put into process by him in the production of printed matter during the base period;

(ii) Not in excess of 90% of the gross weight of paper (or paperlike substance) put into process by him in the production of printed matter during the corresponding calendar quarter of the base period.

(2) Notwithstanding the provisions of (b) (1) above, no printer during the calendar year 1943 or any calendar year thereafter shall put paper (or paper like substance) into process in the production of printed matter in excess by weight of 90% of the gross weight of paper (or paperlike substance) put into process by him in the production of printed matter during the base period.

(c) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as the Director shall from time to time require.

(3) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning their inventory, use and sales of printed matter, subject to the inspection of the duly authorized representative of the War Production Board.

(4) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from, stating fully the grounds of the appeal.

(5) *Communications to the War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Printing & Publishing Division, Washington, D.C. Ref.: L–241.

(d) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 25th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43–1272; Filed, January 25, 1943; 11:08 a. m.]

PART 3136—STRAPPING FOR SHIPPING CONTAINERS

[Conservation Order M–261]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of strapping for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3136.1 *Conservation Order M–261*—(a) *Definition.* "Strapping" means any iron, steel or other metal wire or band reinforcements or closures, twelve (12) inches or more in length, for shipping containers or for fastening of material into bundles, excepting: metal for barrel hoops, stitching, baling of compressed material, or for fastening or blocking of material to skids or in vehicles or vessels.

(b) *Restriction on use of strapping.* No person shall use commercially any strapping unless:

(1) The weight of the container and contents, or bundle on which the strapping is used, exceeds ninety pounds, or

(2) The net weight of the contents of the container or bundle exceeds .058 pounds per cubic inch, or

(3) Use of the strapping is required by regulation or order of the Interstate Commerce Commission, or

(4) The container for which the strapping is used, and its contents, are to be delivered to or for the account of the Army, Navy, Maritime Commission, or War Shipping Administration, and the strapping is required by such agency, or

(5) The shipment is for delivery outside of both the United States and Canada, or

(6) The strapping is for wooden shipping containers for fresh fruits, vegetables, meats, fish or poultry, provided the strapping is essential to the safe delivery of the contents and has been customarily used for the same type of shipment and container, or

(7) The strapping is for wooden lard or butter tubs, and wooden buckets or pails, or

(8) The strapping is for closing fibre drums or hexagonal or octagonal fibre containers.

(c) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(d) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds for appeal.

(e) *Records.* All persons affected by this order shall keep for at least two years records concerning inventory, production, purchases and sales, and shall make reports on same if required.

(f) *Communications.* All reports required to be filed hereunder and all communications concerning this order or any schedule issued supplementary hereto shall, unless otherwise directed, be addressed to War Production Board, Containers Division, Washington, D. C., Ref.: M–261.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 25th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43–1271; Filed, January 25, 1943; 11:08 a. m.]

Chapter XI—Office of Price Administration

PART 1304—IRON AND STEEL SCRAP

[Correction to Amendment 8 to RPS 4]

IRON AND STEEL SCRAP

Item 11 of Footnote 4 in § 1304.13 (a) (1) is corrected to read as set forth below:

§ 1304.13 *Appendix A: Maximum prices for iron and steel scrap other than railroad scrap.* (a) • • •

(1) *Basing point*[1] *prices of the base grade, No. 1 heavy melting steel.*

No. 1 Heavy Melting Steel (Item 1)

Basing point:	Price per gross ton
• • • • •	
Toledo, Ohio[1]	
• • • • •	

[1] Toledo, Ohio shall be a basing point for Items 8, 9, 10, 11, and 12 and the basing point prices for those items shall be:

	Price per gross ton
• • • • •	
Item 11 No. 2 Bushelings	$15.35
• • • • •	

§ 1304.12a *Effective dates of amendments.* • • •

(l) This correction (§ 1304.13 (a) (1)) to Revised Price Schedule No. 4 shall be effective as of October 15, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1129, Filed, January 22, 1943; 3:09 p. m.]

PART 1304—IRON AND STEEL SCRAP

[Correction to Amendment 10 to RPS 4]

IRON AND STEEL SCRAP

Items 8, 9 and 10 of Footnote 4 in § 1304.13 (a) (1) are corrected to read as set forth below:

§ 1304.13 *Appendix A: Maximum prices for iron and steel scrap other than railroad scrap.* (a) • • •

(1) *Basing point*[1] *prices of the base grade, No. 1 heavy melting steel.*

No. 1 Heavy Melting Steel (Item 1)

Basing Point:	Price per gross ton
• • • • •	
Toledo, Ohio[1]	
• • • • •	

[1] Toledo, Ohio shall be a basing point for Items 8, 9, 10, 11, and 12 and the basing point prices for those items shall be:

	Price per gross ton
• • • • •	
Item 8. Machine shop turnings	$12.85
Item 9. Mixed borings and turnings	12.85
Item 10 Shovelling turnings	14.85
• • • • •	

§ 1304.12a *Effective dates of amendments.* • • •

(e) This correction (§ 1304.13 (a) (1)) to Revised Price Schedule No. 4 shall be effective as of January 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1130: Filed, January 22, 1943; 3:09 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 306]

CERTAIN PACKED FOOD PRODUCTS

In the judgment of the Price Administrator, it is necessary and proper in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, that maximum prices be established for the sale of certain packed food products by processors.

The maximum prices established by this regulation are, in the judgment of the Price Administrator, generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and will promote production and distribution of certain packed food products for which maximum prices are established herein.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 306 is hereby issued.

AUTHORITY: §§ 1341.551 to 1341.583, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1341.551 *Scope, purpose and general information.* (a) "Item covered by this regulation" means an item for which a maximum price is established by this regulation, or by any amendment or appendix hereto.

(b) Provisions contained in a particular appendix shall not apply to items covered by any other appendix, unless so provided.

(c) A provision contained in a particular appendix shall apply to the items covered by that appendix, even though it may be contrary to or inconsistent with another provision of this regulation.

(d) Every provision contained in this regulation, but not in any appendix, shall apply to items covered by any appendix to this regulation, to the extent that it is not contrary to or inconsistent with any provision in such appendix.

(e) "Processor" means the canner, manufacturer or packer, as the case may be, of any item covered by this regulation.

(f) The "effective date" of this regulation as to any item covered by this regulation shall be the effective date of this regulation or the effective date of any amendment adding such item to the items covered by this regulation, as the case may be, unless otherwise specified.

(g) The provisions of this regulation shall apply to items packed during the year 1943. If the major portion of any item was packed in 1943, the item shall be considered to be packed during the year 1943. Any canned citrus juices packed after November 1, 1942, shall be deemed to be packed during the year 1943.

(h) "Packed" means processed and enclosed in any container, whether or not hermetically sealed.

(i) In every case in which areas or regions are designated and maximum prices are established for any items on an area or regional basis, the maximum price for any item in such area or region shall apply to all of such item packed in such region or area.

(j) The purpose of this regulation is to establish maximum prices for items now designated or to be added from time to time. Maximum prices are established which take into consideration such factors as grades, sizes, regions, and container types. Additional factors may be specified for some items. Each factor specified shall be used in determining the maximum price. For example, if grades and regions are specified, the processor shall use the maximum price designated for the grade in question for the region in which he produces the item.

(k) "Packed fruits" includes any specified fruit or mixture of fruits and the juice or any mixture of juices of specified fruits, when processed and enclosed in containers, whether or not hermetically sealed.

(l) "Packed vegetables" includes any specified vegetable or mixture of vegetables and the juice or any mixture of juices of specified vegetables, when processed and enclosed in containers, whether or not hermetically sealed.

§ 1341.553 *Items covered by this regulation and the maximum prices therefor.* (a) The packed fruits covered by this regulation are as listed below and the maximum prices for each, f. o. b. processor's plant, shall be the prices set forth in the respective section and appendix listed for each.

Item	Section	Appendix
(1) Grapefruit juice	1341.583	A

§ 1341.555 *Prohibition against dealing in items covered by this regulation above maximum prices.* (a) On and after the effective date of this regulation, regardless of any contract or other obligation, no processor shall sell or deliver any item covered by this regulation at a price higher than the maximum price established herein; no person in the course of trade or business shall buy or receive any item covered by this regulation from a processor at a price higher than the maximum prices established herein; and no processor or other person shall agree, offer, solicit, or attempt to do any of the foregoing.

*Copies may be obtained from the Office of Price Administration.

(b) Lower prices than those established by this regulation may be charged, demanded, paid, or offered.

§ 1341.557 *Maximum prices for commodities covered by this regulation in container types and sizes for which no specific maximum prices are named.* (a) The maximum price, f. o. b. factory, for a commodity covered by this regulation packed in any container type or size for which no maximum price is established herein, shall be computed by the processor, as follows:

(1) *Select the base price.* The processor shall first select the same commodity in a container type and size for which a maximum price has been established by this regulation, even though he does not pack the commodity in that container type or size. The selected container type must be the most similar type to the one being priced. The size selected must be the nearest size to the one being priced and must be not more than 50% larger than the one being priced, or, if there is no such size, not more than 50% smaller than the one being priced. The maximum price established by this regulation for the commodity in the container type and size so selected is the processor's "base price."

(2) *Deduct the container cost.* The processor shall then deduct the direct cost of the container for the selected type and size, from such base price. "Direct cost of the container" means the net cost, at the processor's factory, of the container, cap, label and proportionate part of the outgoing shipping carton, but it does not include cost of filling, closing, labeling or packing.

(3) *Adjust for the difference in contents.* The figure obtained by deducting the direct cost of the container shall then be adjusted by dividing it by the number of ounces or other units in the selected container and multiplying the result by the number of the same units in the container being priced.

(4) *Add the new container cost.* Next, the processor shall add to that adjusted figure the direct cost of the container of the type and size being priced. The resulting figure is the processor's maximum price for the commodity in the container type and size being priced.

§ 1341.559 *Label and labor allowances.* (a) Label allowances shall be made by processors in the following circumstances and in the following amounts:

(1) When the processor sells any item covered by this regulation, unlabeled in containers no greater in content than a No. 10 can, the processor shall reduce the maximum price established under this regulation by at least the sum of $1.50 per thousand, for the number of labels used.

(2) When any item covered by this regulation is sold unlabeled in containers not greater in content than a No. 10 can, the processor shall make a labor allowance by reducing the maximum price at least the sum of one cent per case of such containers, in addition to the allowance provided in paragraph (a) (1) of this section.

(3) When the processor sells any item covered by this regulation in containers no greater in content than a No. 10 can, labeled with labels supplied to him by the purchaser, the processor shall reduce the maximum price established under this regulation by at least the sum of $1.50 per thousand for the number of labels used.

§ 1341.561 *Maximum delivered prices by zone or area.* (a) Any processor who sold or delivered any item covered by this regulation, packed by him during the calendar year 1941, on an established uniform delivered price basis by zone or area, may establish a maximum delivered price for a zone or area by adding to the maximum price, f. o. b. factory, established pursuant to this regulation, for the same size, grade and container type, the freight charge he added to his f. o. b. factory price during the calendar year 1941 in the same zone or area, plus 9% of that freight charge.

(b) If the processor sells any item covered by this regulation in a container type or size not previously sold by him on a delivered price basis, by zone or area, he may establish a maximum delivered price by zone or area as follows:

(1) He shall first select the most similar container type and size in which he previously sold the same product on a delivered basis by zone or area.

(2) He shall add an adjusted freight charge to the maximum price, f. o. b. factory, established pursuant to this regulation for the item being priced. The adjusted freight charge to be used shall be the freight charge as computed under paragraph (a) of this section for the selected container type and size, adjusted in the exact proportion to the difference in shipping weight. If for any reason, the product in the container type and size being priced will move under a different freight tariff classification, the processor shall figure his adjusted freight charges (by the same means of transportation to the same zone or area) on the basis of the new shipping weight, by adding or subtracting, as the case may be, the difference between the charge under the freight classification for the new container type and size and the charge under the freight classification for the selected container type and size. Similar principles shall apply where shipping volume is the measure of the freight charge.

§ 1341.563 *Specific authorization of maximum prices.* (a) If the processor is unable to establish a maximum price pursuant to this regulation for any item covered by this regulation, his maximum price shall be a price authorized by the Office of Price Administration, Washington, D. C. Such authorization may be obtained on application to the Office of Price Administration. Such application shall set forth:

(1) A description of the item for which a maximum price is requested, including its grade, size, container type and any other relevant factors;

(2) A statement of the facts which differentiate the item for which such authorized price is requested from the most similar item for which he has established a maximum price pursuant to this regulation; and

(3) A statement of the reasons why he has been unable to establish a maximum price for such item pursuant to the provisions of this regulation.

§ 1341.565 *Grades and labels.* (a) The term "grade" when used in this regulation, means the grade as established and defined by the United States Department of Agriculture.[1]

(b) On and after the effective date of this regulation, labels shall be affixed to all items covered by this regulation before they are delivered to a purchaser, except that:

(1) A processor without affixing such labels, may make shipment or other delivery which is, in accordance with the practice of the trade, to be labeled in substantial quantity at an establishment other than that where originally processed or packed.

(c) Any person who purchases any item covered by this regulation from a processor, unlabeled, shall affix a label to such item before delivering it to any retail store, institutional, industrial or commercial user, ultimate consumer or any other person.

(d) The grade of the product shall be stated on each label which is affixed to any item covered by this regulation, unless the label was so affixed before the date this regulation takes effect.

(e) The grade of the item shall be shown by use of the United States Department of Agriculture grade designation by letter or descriptive term. For example, the grade of an item which conforms to the specifications for U. S. Grade A may be designated as "Grade A" or may be designated by the descriptive term "Fancy." The letters "U. S." shall not be used in connection with the grade designation unless the item has been packed under the continuous inspection of the United States Department of Agriculture.

(f) The descriptive language on the label of any item covered by this regulation shall not contain any word which is used by the United States Department of Agriculture to designate a grade, unless the item meets the grade specifications for the word so used. For example, an item which is standard in grade, shall not state that it is made of ripe, choice product.

(g) The label on every item covered by this regulation shall bear the statement of grade in type at least as large as the declaration of net contents shown on the label; except that

(1) Every item covered by this regulation, whether or not sold in interstate commerce, which fails to meet the standard of quality prescribed for such product by the Federal Food, Drug, and Cosmetic Act, or any regulation enacted thereunder, shall bear the general statement of substandard quality required by,

[1] Copies may be obtained on request from the United States Department of Agriculture, Washington, D. C.

or any alternative statement permitted by, that Act or any regulation enacted thereunder, in the manner therein provided.

(h) In any one case in which standards or definitions are established by the United States Department of Agriculture or under authority of the Federal Food, Drug, and Cosmetic Act for sirup or for the packing medium for any item covered by this regulation, the label on such item shall show the sirup or packing medium in type at least as large as the declaration of net contents and the sirup or packing medium shall be described by the same description as that used in the applicable standard or definition.

(i) Nothing herein contained shall be deemed or construed to restrict or limit any of the requirements of the Federal Food, Drug, and Cosmetic Act, or any regulation enacted thereunder.

(j) The provisions of this section shall not apply to any products sold to the United States or any agency thereof.

§ 1341.567 *Evasion.* The maximum prices set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to items covered by this regulation, alone or in conjunction with any other commodity or by way of any commission, service, transportation, or other charge or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1341.569 *Records.* (a) A processor who makes sales of any items covered by this regulation, after the effective date hereof, for which specific prices have been established by this regulation, shall make and shall preserve for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, all records of the same kind as he customarily kept, relating to the prices which he charged for such items after the effective date of this regulation.

(b) A processor who makes sales of any items covered by this regulation, after the effective date hereof, for which maximum prices are to be computed by the processor in the manner directed by this regulation, shall preserve for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, all his existing records which were the basis of computing such maximum prices and shall show the method used in such computations, in addition to the records required to be made and preserved by paragraph (a) of this section.

§ 1341.571 *Enforcement.* Person violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

§ 1341.573 *Petitions for amendment.* Persons seeking a modification of this regulation may file a petition therefor in accordance with the provisions of Revised Procedural Regulation No. 1,[1] issued by the Office of Price Administration.

§ 1341.575 *Applicability.* The provisions of this regulation shall apply to the forty-eight states of the United States and the District of Columbia, except as otherwise provided for any item covered by this regulation.

§ 1341.577 *Definitions.* (a) When used in this regulation, the term:

(1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

§ 1341.578 *Sales for export.* The maximum price at which a person may export items covered by this regulation shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation,[2] issued by the Office of Price Administration.

§ 1341.579 *Applicability of other maximum price regulations.* (a) The provisions of this regulation supersede the provisions of any other maximum price regulation insofar as they apply to processors of any item covered by this regulation.

§ 1341.581 *Effective date.* This Maximum Price Regulation No. 306 (§§ 1341.551 to 1341.583, inclusive) shall become effective on January 28, 1943.

§ 1341.583 *Appendix A: Maximum prices for packed fruit.* (a) Grapefruit juice.

[1] 7 F.R. 8061.

[2] 7 F.R. 5059, 7242, 8829, 9000, 10530.

[Maximum prices in dollars per dozen containers, f. o. b. factory, except as otherwise indicated]

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5		Col. 6		Col. 7	
				Container—#2 can		Container—#3 cylinder		Container—#10 can	
Item No.	State or area	Style of pack	Grade	Government sales	Other sales	Government sales	Other sales	Government sales	Other sales
1	Florida	Natural (unsweetened)	A or Fancy	1.07½	1.12½	2.45	2.55	4.85	5.00
			C or Standard	.97½	1.02½	2.25	2.35	4.35	4.50
			Off grade or substandard	.77½	.82½	1.70	1.80	3.35	3.50
		Sweetened	A or Fancy	1.10	1.15	2.50	2.60	5.00	5.15
			C or Standard	1.00	1.05	2.30	2.40	4.50	4.65
			Off grade or substandard	.80	.85	1.75	1.85	3.50	3.65
2	Texas	Natural (unsweetened)	A or Fancy	1.02½	1.07½	2.35	2.45	4.65	4.80
			C or Standard	.92½	.97½	2.15	2.25	4.15	4.30
			Off grade or substandard	.72½	.77½	1.60	1.70	3.15	3.30
		Sweetened	A or Fancy	1.05	1.10	2.40	2.50	4.80	4.95
			C or Standard	.95	1.00	2.20	2.30	4.30	4.45
			Off grade or substandard	.75	.80	1.65	1.75	3.20	3.45
3	California and Arizona	Natural (unsweetened)	A or Fancy	1.12½	1.22½	2.70	2.80	5.30	5.45
			C or Standard	1.07½	1.12½	2.50	2.60	4.80	4.95
			Off grade or substandard	.87½	.92½	1.95	2.05	3.80	3.95
		Sweetened	A or Fancy	1.20	1.25	2.75	2.85	5.45	5.60
			C or Standard	1.10	1.15	2.55	2.65	4.95	5.10
			Off grade or substandard	.90	.95	2.00	2.10	3.95	4.10

(1) If a processor packs grapefruit juice made from grapefruit grown in any state mentioned in paragraph (a) of this section, whether or not his factory is located in the same state or any of such states, his maximum price shall be the maximum price shown in paragraph (a) of this section for the state in which the grapefruit used by him was grown.

Issued this 22d day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1127; Filed, January 22, 1943; 3:07 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 238,[1] Amendment 9]

ADJUSTED AND FIXED MARK-UP REGULATION FOR SALES OF CERTAIN FOOD PRODUCTS AT RETAIL

A statement of the considerations involved in the issuance of Amendment No. 9 to Maximum Price Regulation No. 238 has been issued and filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8209, 8808, 9184, 10013, 10227, 10714, 8 F.R. 120, 374, 532.

The table in Appendix A, § 1351.618, is amended so that the date opposite the food product "vegetables, canned" under the column entitled "Last date for determining new maximum prices under this regulation," shall read "March 10, 1943" instead of "January 31, 1943" and under the column entitled "Last date for filing new maximum prices with local war price and rationing board" shall read "March 20, 1943," instead of "February 10, 1943."

The table in Appendix B, § 1351.619, is amended so that the column entitled "Last date for filing new maximum prices with local war price and rationing board" is eliminated, and so that the dates opposite the food products "fruit, dried", "dry edible beans" and "lard" under the column entitled "Last date for determining new maximum prices under this regulation" shall read "March 10, 1943" instead of "January 31, 1943" as it now reads for "fruit, dried" and "dry edible beans," and instead of December 31, 1942, as it now reads for "lard."

Section 1351.608b is revoked, a new section § 1351.601a is added, §§ 1351.604, 1351.605, 1351.606 and 1351.611 are amended, § 1351.603 (1) and (2) are redesignated § 1351.603 (a) and (b) respectively and paragraph (b) is amended; all to read as set forth below:

§ 1351.601a *Exempt sales*—(a) *Sales by "retail route sellers."* This regulation shall not apply to sales by "retail route sellers."

A "retail route seller" is a person who customarily makes sales at retail from a truck or wagon operated by a driver-salesman over a regular route.

(b) *Sales through automatic vending machines.* This regulation shall not apply to sales made through automatic vending machines.

§ 1351.603 *How a retailer calculates his maximum price for food products listed in Appendix B.* * * *

(b) The resulting amount shall be the retailer's maximum price for the particular item, but before making any sales at this new price he must write the price in ink on the invoice used in figuring it or on a copy of Form No. 338:1. All invoices used for calculating prices must be segregated or identified and preserved to be presented upon demand. For items in Appendix B the retailer is not required to record on or file Form No. 338:1 in Appendix C of this regulation but may record his prices on such form rather than his invoice.

§ 1351.604 *How a retailer may recalculate a new maximum price if his "net cost" increases before the final date for calculating a maximum price.* If, after calculating any maximum price a retailer, before the final date set opposite the name of the food product in Appendix A or B for the calculation of a maximum price, purchases a customary quantity of the same item from a customary supplier at a higher "net cost" than he used in calculating his maximum price, he may calculate a new maximum price on the basis of his new "net cost." Before making any sales at this new price, he must make out the proper record or report. The facts recorded or reported for the first new maximum price must not be changed, and the retailer should note on the form that a new maximum price has been calculated.

§ 1351.605 *Maximum prices set under this regulation cannot be changed.* A maximum price for any item of a food product calculated by a retailer under § 1351.602 or § 1351.603 of this regulation and properly reported or recorded shall be his maximum price for that item from that time forward. However, where a retailer recalculates his maximum price under § 1351.604 of this regulation, such recalculated price shall be his maximum price for that item from and after the date that the recalculated price is recorded.

§ 1351.606 *Final dates for calculating and filing maximum prices*— (a) *Recording of maximum prices.* A retailer must calculate and record all new maximum prices for any item of a food product on or before the date set opposite the name of that food product in Appendix A or B.

(b) *Filing of maximum prices.* Within ten days after the final date for the calculation of a maximum price for a food product listed in Appendix A of this regulation, a retailer must report all his new maximum prices to the War Price and Rationing Board of the Office of Price Administration which has charge of the area in which his outlet is located on Form No. 338:1 (or a copy thereof) as set forth in Appendix C of this regulation. This form shall be signed and subscribed and sworn to before a notary or other proper official.

§ 1351.611 *Records.* (a) On the same day as a retailer calculates any new maximum price under this regulation and makes out his report or records his price upon the invoice he shall record on his base-period record, required in § 1499.11 of the General Maximum Price Regulation, any new maximum price. The record of the old maximum price shall not be destroyed. * * *

(b) In addition to the records required in § 1499.11 of the General Maximum Price Regulation or any other applicable price regulation, every retailer shall keep a copy of all Forms No. 338.1 which are filed in accordance with § 1351.606 (b) hereof or on which he has recorded information in accordance with § 1351.603 (2) of this regulation, and all invoices or other records showing how he calculated any maximum price under this regulation, which records shall be kept and made available for examination by the Office of Price Administration wherever the commodities are sold for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

§ 1351.617a *Effective dates of amendments.* * * *

(i) Amendment No. 9 (§§ 1351.618, 1351.619, 1351.601a, 1351.603, 1351.604, 1351.605, 1351.606, 1351.608b, 1351.611 (a) and 1351.611 (b)) shall become effective on January 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1128; Filed, January 22, 1943; 3:09 p. m.]

PART 1381—SOFTWOOD LUMBER

[Revised MPR 161]

WEST COAST LOGS

The title, preamble, and §§ 1381.151 to 1381.160 of Maximum Price Regulation 161[1] are amended to read as set forth herein.

In the judgment of the Price Administrator it is necessary and proper to establish maximum prices for sales of west coast logs, as herein defined, which differ in certain respects, from those established by Maximum Price Regulation 161. The Price Administrator has ascertained and given due consideration to the prices of west coast logs prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of this regulation has been prepared, issued simultaneously herewith, and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1[2] issued by the Office of Price Administration, Revised Maximum Price Regulation No. 161 is hereby issued.

Sec.

1381.151 Sale of west coast logs at higher than maximum prices prohibited.
1381.152 What logs are covered.
1381.153 Explanation of maximum price tables.
1381.154 Tables of maximum prices for west coast logs.
1381.155 Long and short lengths.
1381.156 The "overtime addition."
1381.157 Resale under allocation.
1381.158 Grading and scaling.
1381.159 Prohibited practices.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4426, 5360, 7008, 7839, 9429, 11070.

[2] 7 F.R. 8961.

Sec.
1381.160 Records.
1381.161 Petitions for amendment and adjustment.
1381.162 Enforcement.
1381.163 Definitions.
1381.164 Effective date.

§ 1381.151 *Sale of west coast logs at higher than maximum prices prohibited.* (a) On and after January 22, 1943, regardless of any contract or other obligation, no person shall sell or deliver west coast logs, and no person shall buy or receive west coast logs in the course of trade or business, at prices higher than the maximum prices fixed by this regulation; and no person shall agree, offer or attempt to do any of these things.

(b) Prices lower than the maximum prices may be charged and paid.

§ 1381.152 *What logs are covered.* This regulation covers under the name of "west coast logs", all logs produced in those parts of Oregon, Washington, and Canada, west of the crest of the Cascade Mountains, of the following species: Douglas fir (Pseudotsuga taxifolia), western hemlock (Tsuga merstensiana, Tsuga heterophylla), Sitka spruce (Picea sitchensis), western white fir (Abies grandis, Abies amabilis, Abies magnifica, Abies lasiocarpa), noble fir (Abies nobilis), and western red cedar (Thuya plicata).

§ 1381.153 *Explanation of maximum price tables*—(a) *Prices are delivered to towable waters.* (1) Except in the Southern Oregon-Tillamook District, the full maximum prices in the Price Table may be charged and paid only when the logs are delivered to towable waters, dumped, boomed, rafted, and prepared for towing at the seller's expense.

If any of these services are not performed at the seller's expense, its cost must be deducted from the maximum prices. "Towable waters" means any year-round towable waters along the coast of Oregon, Puget Sound, Willapa Bay, Grays Harbor, Columbia River, and Willamette River. The Willamette River shall be considered towable from its mouth to a point one mile south of Albany, Oregon.

(2) In the Southern Oregon-Tillamook District, the logs may be delivered in that District either (i) in towable waters in the manner described in the preceding paragraph, (ii) loaded on common carrier rail cars, or (iii) to a mill, dumped in the mill pond.

(b) *Deduction for non-delivery to towable waters.* If the buyer does not take delivery in towable waters, delivery may be made to common carrier railhead or at the buyer's mill, and the maximum price shall be determined as follows:

(1) From the maximum prices in the tables in the next section subtract the costs, including transportation, booming and rafting charges, which would have been incurred if the logs had moved to the towable waters of the particular district.

(2) Then add the actual cost of delivering to the destination specified by the buyer, including cost of loading on rail cars or dumping in mill pond.

For example: Assume that the buyer takes delivery at a railhead, and that it would have cost $2.00 to transport the logs to towable waters and $0.75 for booming and rafting. Assume the actual cost of delivering the logs to the railhead to be $1.00 for trucking and $1.00 for loading on cars. The ceiling price would then be $38.50 less $2.75, plus, $2.00, or $37.75. The intent of this provision is that the log seller should get the same spartree realization no matter where he delivers the logs in a particular district. If he finds that within the district it is more profitable to sell to one buyer than another, he has wrongly applied this section.

(c) *Scaling expense.* The entire cost of scaling and grading is included in the maximum prices. Therefore, this cost may not be added to the maximum prices.

(d) *Credit practices and cash discounts.* Changing credit practices from what they were in October, 1941, is specifically prohibited. This includes decreasing credit periods, or making greater charges for extension of credit.

If the sale is on cash terms, the maximum price must be reduced by the same amount which would have been allowed for similar cash terms on October 1, 1941. For example, if the maximum price without cash discount is $30.00, and if this seller's cash discount on October 1, 1941, was 1%, the maximum price now for sales on similar cash terms is $29.70.

(e) *Explanation of districts.* (1) Puget Sound district means the part of Washington west of the crest of the Cascade Mountains, except Grays Harbor, Pacific, Wahkiakum, Cowlitz, Clark and Skamania Counties.

(2) Willapa Bay-Grays Harbor district means the counties of Grays Harbor and Pacific, in Washington.

(3) Columbia River district means the counties of Wahkiakum, Cowlitz, Clark and Skamania in Washington, and all of Oregon west of the crest of the Cascade Mountains and North of the northern boundary of Lane County, except Lincoln and Tillamook Counties.

(4) Southern Oregon-Tillamook district means Lincoln and Tillamook Counties, Oregon and that part of Oregon west of the crest of the Cascade Mountains and south of the northern boundary of Lane County.

(f) *Sale into other districts.* When logs are sold out of one district for delivery in another district, the maximum prices and the grades are those of the district in which the buyer takes delivery of the logs.

§ 1381.154 *Tables of maximum prices for west coast logs.* The maximum delivered prices per 1,000 ft. log scale for west coast logs shall be as follows:

(A) DOUGLAS FIR

	Puget Sound district	Willapa Bay-Grays Harbor district	Columbia River district	Southern Oregon-Tillamook district
No. 1 sawmill log	$31.00	$29.00	$29.00	$27.00
No. 2 sawmill log, shop type old growth yellow fir	23.00	23.00	23.00	21.00
No. 2 sawmill log, all other types, including second growth	22.00	22.00	22.00	20.00
No. 3 sawmill log, shop type old growth yellow fir	18.00	18.00	18.00	16.00
No. 3 sawmill log, all other types, including second growth	17.00	17.00	17.00	15.00
Dee Wee, sawmill logs	18.75	18.75	18.75	16.75
Camp-run (ungraded)	17.00	17.00	17.00	15.00

(B) WESTERN RED CEDAR

No. 1 and lumber grades	$36.00	$33.00	$33.00	$31.00
No. 2, No. 3 and shingle grade logs	21.00	21.00	21.00	19.00
Camp-run (ungraded)	21.00	21.00	21.00	19.00

(C) WESTERN HEMLOCK

Aircraft grade	$35.00	$35.00	$35.00	$33.00
Suitable for peeling	27.00	27.00	27.00	25.00
No. 1	23.00	23.00	23.00	21.00
No. 2	20.00	20.00	20.00	18.00
No. 3	17.00	17.00	17.00	15.00
Camp-run (ungraded)	19.00	19.00	19.00	17.00

(D) WESTERN WHITE FIR

Suitable for peeling	$27.00	$26.00	$26.00	$24.00
No. 1	23.00	22.00	22.00	20.00
No. 2	20.00	20.00	20.00	18.00
No. 3	17.00	17.00	17.00	15.00
Camp-run (ungraded)	19.00	19.00	19.00	17.00

(E) SITKA SPRUCE

No. 1	$45.00	$45.00	$45.00	$43.00
No. 2	30.00	30.00	30.00	28.00
No. 3	17.00	17.00	17.00	15.00
Camp-run (ungraded)	17.00	17.00	17.00	15.00

(F) NOBLE FIR

Aircraft grade	$45.00	$45.00	$45.00	$43.00
Suitable for peeling	35.00	35.00	35.00	33.00
No. 1	23.00	23.00	23.00	21.00
No. 2	20.00	20.00	20.00	18.00
No. 3	17.00	17.00	17.00	15.00
Camp-run (ungraded)	19.00	19.00	19.00	17.00

(G) DOUGLAS FIR SPECIAL LOGS

Specially selected for shipspars, booms, and masts of lengths 56 to 70 feet, inclusive	$40.00	$40.00	$40.00	[illegible]

(H) DOUGLAS FIR PEELER LOGS

Puget Sound district:	
No. 1 log suitable for peeling, minimum diameter 30"	$41.00
No. 2 log suitable for peeling, minimum diameter 30"	32.00
Core log, minimum diameter 26"	27.00
Willapa Bay and Grays Harbor District:	
Peeler grade, minimum diameter 36"	41.00
No. 1 log suitable for peeling, minimum diameter 30"	32.00
No. 2 log suitable for peeling, minimum diameter 26"	23.00

(H) DOUGLAS FIR PEELER LOGS—Con.

Columbia River district:	
No. 1 log suitable for peeling, minimum diameter 30"	38.50
No. 2 log suitable for peeling, minimum diameter 30"	32.50
Core log	25.00
Southern Oregon-Tillamook district:	
No. 1 log suitable for peeling, minimum diameter 30"	36.50
No. 2 log suitable for peeling, minimum diameter 30"	30.50
Core log	23.00

§ 1381.155 *Long and short lengths*—(a) *Special long lengths.* For logs cut to special lengths over 41 feet (other than the "Douglas fir special logs" listed in the price table) for a mill which has an order for poles or piling, long timbers or lumber, or for any other specific purpose actually requiring long logs, that mill may make application to the state office of the Office of Price Administration at Portland, Oregon, for authority to pay additions over the prices established in this revised regulation, for the number of logs required to fill the particular order. The state office at Portland, Oregon, may grant or deny such applications by letter or telegram.

(b) *Short lengths.* For blocks in lengths of less than 12 feet, deduct $5.00 per 1,000 ft. log scale from the prices in the price tables in § 1381.154 above:

§ 1381.156 *The "overtime addition."* The following additions may be made by any seller to the maximum price of any west coast logs produced by any company whose entire logging operation is operated the following number of hours per week in actual production:

Hours of operation:	Addition per M ft. l. s.
48 to 53 hours	$1.00
54 to 59 hours	1.50
60 hours or more	2.00

This addition is subject to all of the following conditions and provisions:

(a) *Application.* Any person intending to claim the overtime addition must first file a statement with the Office of Price Administration, Washington, D. C., that the company regularly maintains the required number of hours in all its logging operations. On and after the effective date of the order granting the right to make the addition, the person may add the amount authorized to the maximum prices otherwise established by the Regulation. The addition may be made only so long as the required number of hours is worked, unless specific exceptions have been granted under paragraph (f) below. The right to make the addition may be terminated at any time either for failure to maintain the required number of hours or failure to observe any other provision of this regulation. For example, the right may be withdrawn at any time from any company or person which permits false grading and scaling to be practiced or fails to submit reports. The right shall terminate from the effective date specified in the order.

(b) *Report.* Not later than the 15th of every month in which the overtime addition is claimed, the company must file a statement with the Lumber Branch, Office of Price Administration, Washington, D. C., containing the following:

(1) A statement that the required hours prevailed during the preceding month;

(2) The company's production figures by log scale, by species, for the month;

(3) The amount of logs sold during the month on which the overtime addition was claimed, by species, both log scale and total value.

(4) The amount of logs, log scale, by species, used in the seller's own mill.

(c) *Monthly average.* The requirement relating to weekly hours of production will be considered satisfied if at the end of each monthly period the average weekly hours are equal or above the required number of hours; that is, if the total number of hours for the month divided by the number of weeks or fractions thereof results in a figure equal to or above the required number of weekly hours.

(d) *Operation requirement.* Only the hours devoted to actual log production may be counted for purposes of this section. Actual log production does not include such operations as maintenance and repair work, road building, and similar operations incidental to logging. Every camp and logging side operated by that company must maintain the required number of hours.

(e) *Invoices.* The overtime addition must be shown as a separate charge on all invoices, and labeled "overtime addition." The invoice must further show the name and address of the company producing the logs. Copies of these invoices shall be preserved by the company and shall, if required, be submitted to the Office of Price Administration.

(f) *Exceptions from requirement.* The Lumber Branch, Office of Price Administration, Washington, D. C., may by letter or telegram grant exceptions from the strict requirements of this section on the "overtime addition" when a company which has previously had its name published as an overtime company, and which is in good faith attempting to operate on a regular overtime basis, finds that in a particular month it is impossible for particular sides or its entire operation to meet the requirements, due to weather conditions or other circumstances beyond its control. The request for such an exception must show not that regular overtime operation would have been inconvenient or costly by peacetime standards, but that it was impossible in the light of the standards of operation demanded by wartime conditions and in the light of the critical lumber requirements of the military services.

§ 1381.157 *Resale under allocation.* In the case of resale by mills or other users of west coast logs pursuant to the direction of the War Production Board (or any other Government Agency) requiring the allocation or requisitioning of the logs, the maximum price shall be the sum of the following:

(a) Maximum delivered price to the first buyer as established by this regulation.

(b) Actual cost of transportation which has been incurred from the point at which delivered price was computed; sorting, booming, rafting, scaling, reloading, and such other direct costs incurred by the first buyer as are necessary to the proper preparation of the logs for resale; and

(c) Any overtime addition actually paid by the first buyer to a seller who has been permitted to charge the overtime addition.

The resulting maximum price is f. o. b. the reseller's mill or plant, and the second buyer shall bear the cost of transporting the logs to his own plant.

The additions apply only when the resale takes place in the course of a going business, and when the reseller expects to buy other logs to replace those resold. If, however, this is not the case, as where a stock of logs is sold by a mill going out of business, the transaction is not subject to this regulation but to Maximum Price Regulation 204, Idle or Frozen Material Sold Under Priorities Regulation No. 13.[3]

§ 1381.158 *Grading and scaling.* (a) On and after February 22, 1943, no one may sell or buy west coast logs unless the logs have been graded and scaled in accordance with the following rules.

(1) All west coast logs must be graded and scaled either by (i) graders and scalers who have been approved by the Office of Price Administration, or (ii) by one of the following established grading and scaling bureaus:

Puget Sound Log Scaling and Grading Bureau.

Columbia River Log Scaling and Grading Bureau.

Tillamook County Log Scaling and Grading Bureau.

Grays Harbor Log Scaling and Grading Bureau.

(2) Graders and scalers who are approved by the Office of Price Administration must use the grading and scaling rules of the above named four bureaus, except that hemlock and noble fir aircraft grades are specifically defined as follows:

"Aircraft grade" western hemlock or noble fir log, means a log of those species which is selected from a suitable for peeling, No. 1 or No. 2 grade, and which:

(i) Is not less than 26 inches top diameter and not less than 12 feet long if hemlock, or 16 feet feet long if noble fir;

(ii) Is of straight grain so that the majority of the clear lumber can be produced with a slope of grain not greater than 1 in 15;

(iii) Is free of deep back seams or other serious defects within the clear portion of the log;

(iv) Has reasonably uniform annual rings, not fewer than 8 to the inch within the clear portion of the log;

(v) Is of a character which will produce at least 50 percent No. 2 clear and better, or B and better clear lumber.

(b) Any person desiring to be approved as a scaler and grader by the

[3] 7 F.R. 6479, 7366, 8948.

Office of Price Administration shall file application with the Portland, Oregon, office of the Office of Price Administration.

(c) The above named scaling and grading bureaus shall not change the rules which they had in effect on the effective date of this revised regulation, without first obtaining the specific approval of the Lumber Branch, Office of Price Administration.

(d) "Log scale" means the merchantable lumber content of a log calculated according to the Revised Scribner Decimal C Log Rule or the Spaulding Log Rule. When waste or defect is found in any log, a deduction in scale shall be made by the scaler which, in his judgment, will sufficiently eliminate the waste. If no waste or defect is found, the log shall be scaled at its full diameter inside the bark, and at its full length with necessary trim. All deductions shall be made in inches in diameter, and feet in length.

§ 1381.159 *Prohibited practices*—(a) *General.* Any practice which obtains the effect of a higher-than-ceiling price without actually raising the price is as much a violation of this regulation as an outright overceiling price. This applies to the use of commissions, services, grading and scaling manipulations, transportation arrangements, premiums, special privileges, tying agreements, trade understandings and the like.

(b) *Adjustable pricing.* A price may not be made adjustable to a maximum price which will be in effect at some time after delivery of the logs has been completed, but the price may be adjustable to the maximum price in effect at the time of delivery.

§ 1381.160 *Records*—(a) *All sellers and buyers.* All sellers of west coast logs must keep all scaling certificates or statements, and invoices which will show a complete description of the logs sold, the name and address of the buyer, the date of sale, and the price. Buyers must keep similar records, including the seller's name and address. These records must be kept for any month in which the seller or buyer sold or bought 100,000 ft., log scale, or more, of west coast logs. They must be kept for two years, for inspection by the Office of Price Administration.

(b) *Graders and scalers.* All original scale records shall show gross and net measurements in diameter and length, and shall designate the type of defect by appropriate symbols. All graders and scalers must keep these original records for two years. This requirement shall not apply to the following types of logs of the species indicated:

Douglas fir: Pee wee sawmill logs.
Western red cedar logs.
Western white fir: No. 2, No. 3 and camp run (ungraded) logs.
Noble fir, No. 2, No. 3, and camp run (ungraded) logs.
Western hemlock: No. 2, No. 3 and camp run (ungraded) logs.
Sitka spruce, No. 3 and camp run (ungraded) logs.

§ 1381.161 *Petitions for amendment and adjustment*—(a) *Government contracts.* (1) Any person who has made or intends to make a Government contract and who thinks that a maximum price in this regulation is impeding or threatens to impede production of any west coast logs which are essential to the war program and which are or will be the subject of the contract, may file an application for adjustment in accordance with Procedural Regulation No. 6* issued by the Office of Price Administration.

As soon as the application is filed, contracts, deliveries, and payment may be made at the requested price subject to refund if the requested price is disapproved or lowered. The seller must tell the buyer that the delivery is made subject to this refund.

(2) The term "Government contracts" is used here to include any contract with the United States or any of its agencies, or with the Government, or any governmental agency, of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941 entitled "An Act to promote the defense of the United States". It also includes any subcontract under this kind of contract.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation 1, issued by the Office of Price Administration.

§ 1381.162 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 161 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 161 or any price schedule, regulation or order issued by the Office of Price Administration, are urged to communicate with the nearest District, State, or Regional Office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1381.163 *Definition.* The term "person" includes an individual, corporation, partnership, association, or any other organized group, their legal successors or representatives; the United States, or any government, or any of their political subdivisions; or any agency of any of the foregoing.

§ 1381.164 *Effective date.* (a) This Revised Maximum Price Regulation No. 161 (§§ 1381.151 to 1381.164, inclusive) shall become effective January 22, 1943.

(b) If logs have been received before January 22, 1943, by a carrier, other than one owned or controlled by the seller, for shipment to the buyer, that shipment is not subject to this revised regulation. It remains subject to the earlier version of this regulation which was in effect at the time the logs were turned over to the carrier.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43-1131; Filed, January 22, 1943; 3:09 p. m.]

* 7 F.R. 5087, 5664.

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 280,* Amendment 8]

MAXIMUM PRICES FOR SPECIFIC FOOD PRODUCTS

A statement of the considerations involved in the issuance of Amendment No. 8 to Maximum Price Regulation No. 280 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Paragraph (d) of § 1351.801 is hereby revoked and paragraphs (e) to (i) inclusive of § 1351.801 are redesignated as paragraphs (d) to (h) inclusive. Section 1351.821 (h) is added as set forth below.

§ 1351.821 *Effective dates of amendments.* * * *

(h) Amendment No. 8 (§§ 1351.801 (d), 1351.801 (e) to (i) inclusive and § 1351.821 (h) to Maximum Price Regulation No. 280 shall be effective as of December 3, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1146; Filed, January 22, 1943; 4:23 p. m.]

PART 1352—FLOOR COVERINGS

[RPS 57, Amendment 2]

WOOL FLOOR COVERINGS

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new subparagraph (4) is added to § 1352.1 (a) as set forth below:

§ 1352.1 *Maximum prices for wool floor coverings.* * * *

(a) * * *

(4) In the case of M. J. Whittall Associates, Incorporated, Worcester, Massachusetts, the maximum price for the sale of:

(i) Addison Carpet to the retail stores of Montgomery Ward & Company, Chicago, Illinois, shall be $3.11 per running yard for the 3/4 yard width, and $4.23 per running yard for the 4/4 yard width.

(ii) Gimbel Carpet to Gimbel Brothers, Philadelphia, Pennsylvania, shall be $2.65 per running yard for the 3/4 yard width, and $3.60 per running yard for the 4/4 width.

* * * * *

§ 1352.13 *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§ 1352.1 (a) (4)) shall become effective January 28, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1147; Filed, January 22, 1943; 4:20 p. m.]

* Copies may be obtained from the Office of Price Administration.
* 7 F.R. 10144, 10337, 10475, 10585, 10786, 10995; 8 F.R. 158.

PART 1499—COMMODITIES AND SERVICES

[Amendment 94 to Supp. Reg. 14 * to GMPR *]

CALIFORNIA GRAPE WINE AND SPIRITS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Subparagraph (40) of paragraph (a) of § 1499.72 is amended to read as follows:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of the General Maximum Price Regulation for certain commodities, services, and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter set forth.

* * * * *

(40) *California grape wine and California grape spirits*—(i) *Vintners' maximum prices for California grape wine*—(a) *Base maximum price; wine in carload lots.* On and after November 1, 1942 every vintner's base maximum price for California grape wine in bulk in carload lots shall be as follows:

	Cents per gallon naked f.o.b winery (cents)
Dessert wine	39
Table wine	21½

Provided, That if the maximum price established for any vintner under § 1499.2 for dessert wine or for table wine in bulk in carload lots is higher than the base maximum price set forth above, such vintner's base maximum price for such dessert or table wine shall be the maximum price established therefor under § 1499.2. Vintners' customary price differentials charged in March 1942 for bulk California grape wine in barrels or other containers larger than 4½ gallons capacity but less than a carload lot may be charged for the same container size after November 1, 1942.

(b) *Permitted increase.* On and after November 1, 1942, any vintner may add to the maximum prices established for him under § 1499.2 or to his base maximum prices for California grape wine established under (a), a permitted increase per gallon for dessert wine and for table wine computed as hereinafter prescribed. To compute his permitted increase per gallon, each vintner shall:

(1) Figure the weighted average price per ton paid by him during the 1941 season for grapes to be crushed into California grape wine.

(2) Figure the weighted average price per ton paid or contracted to be paid by him in good faith during the 1942 season up to and including October 27, 1942 for grapes to be crushed into California grape wine.

(3) Subtract the price computed under (1) from the price computed under (2). The result of the subtraction, or $8.30, whichever is the lower, shall be the vintner's allowable grape cost increase. In the case of a growers' cooperative operating a winery, and in the case of a vintner who grows more than 50% of the grapes crushed and to be crushed by him, the allowable grape cost increase shall be $8.30.

(4) Figure the number of tons of grapes acquired or contracted to be acquired by him in good faith during the 1942 season up to and including October 27, 1942, for crushing into wine, and make a bona fide estimate of the number of additional tons of grapes he will acquire during the remainder of the 1942 season for crushing into wine. The number of tons of grapes acquired or contracted to be acquired by him in good faith and the estimated number of additional tons of grapes to be acquired shall be added together, and the total shall be the vintner's estimated 1942 grape tonnage.

(5) Divide his estimated 1942 grape tonnage computed under (4) into two parts corresponding to the portions of his estimated 1942 grape tonnage to be crushed into dessert wine and into table wine.

(6) Multiply his allowable grape cost increase figured under (3) by his estimated 1942 grape tonnage for dessert wine and for table wine figured under (5).

(7) Determine his total estimated 1942 crush by figuring his estimated 1942 grape tonnage as converted into wine on the basis of 80 gallons of dessert wine produced from each ton of grapes to be crushed for that purpose, and 160 gallons of table wine produced from each ton of grapes to be crushed for that purpose. The resulting figures will be the vintner's estimated 1942 crush of dessert wine and his estimated 1942 crush of table wine respectively.

(8) Multiply his estimated 1942 crush of dessert wine by 1.7 cents. Multiply his estimated 1942 crush of table wine by 0.85 cent.

(9) Add the dollar amount computed under (6) for dessert wine to the dollar amount computed under (8) for dessert wine. Add the dollar amount computed under (6) for table wine to the dollar amount computed under (8) for table wine. The totals are respectively the vintner's total dollar allowance for dessert wine and his total dollar allowance for table wine.

(10) Figure in gallons his total inventory of dessert wine and of table wine respectively as of October 27, 1942 (including any portion of his 1942 crush then on hand) and add thereto his estimated 1942 crush of dessert wine and of table wine respectively computed under (7). The sum of his total inventory of dessert wine and his estimated 1942 crush of dessert wine shall be his total gallonage of dessert wine. The sum of his total inventory of table wine and his estimated 1942 crush of table wine shall be his total gallonage of table wine.

(11) Divide his total dollar allowance for dessert wine computed under (9) by his total gallonage of dessert wine computed under (10). Divide his total dollar allowance for table wine computed under (9) by his total gallonage of table wine computed under (10). The resulting figures are the vintner's permitted increases per gallon for dessert wine and for table wine respectively: *Provided*, That in the case of concentrates and condensed grape must, the permitted increase per gallon shall be increased in proportion to the ratio of concentration: *And provided further*, That a vintner's permitted increase per gallon for California light sweet wine shall not exceed 90% of his permitted increase for dessert wine.

(c) *Taxes; permitted increase.* Any vintner may, at any time, add to the maximum prices established for him under § 1499.2 or to his base maximum prices for California grape wine the amount of any new tax, or any increase in an existing tax incident to the sale, delivery, processing or use thereof, imposed upon the vintner after March 31, 1942 by any statute of the United States, or by any statute or ordinance of any state or subdivision thereof:

Provided, That such amount has actually been paid or has accrued and will be payable by the vintner to the proper taxing authorities or to any prior vendor with respect to the particular kind and quantity of California grape wine in question.

(ii) *Bottlers' maximum prices for California grape wine*—(a) *Base maximum prices.* On and after November 1, 1942, every bottler's base maximum prices for California grape wine shall be the maximum prices established for him under § 1499.2.

(b) *Permitted increase.* On and after November 1, 1942, any bottler may add to the base maximum prices established for him under (a) a permitted increase for any brand, type, quality and container size of California grape wine computed as hereinafter set forth. To compute his permitted increase, each bottler shall:

(1) Figure his weighted average cost per gallon for the quantity of each type and quality of California grape wine sold by him during March 1942, or during the bottler's customary fiscal month ending nearest March 31, 1942. Cost per gallon shall be figured on a naked f. o. b. winery basis.

(2) Figure his weighted average cost per gallon on his first purchase of the same type and quality of California grape wine at a price adjusted by the

* Copies may be obtained from the Office of Price Administration.
* 7 F.R. 5486, 5709, 6008, 6011, 6271, 6369, 6477, 6478, 6774, 6775, 6793, 6887, 6892, 6776, 6990, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7461, 7453, 7460, 7510, 7536, 7604, 7538, 7511, 7539, 7539, 7671, 7812, 7914, 7946, 8237, 8024, 8180, 8258, 8524, 8652, 8707, 8881, 8899, 9082, 8940, 9131, 6950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9495, 9496, 9639, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10342, 10381, 10480, 10537, 10557, 10583, 10705, 10862, 11005; 8 F.R. 276, 439, 535, 494.
* 7 F.R. 3153, 3030, 3666, 3990, 3991, 4339, 4487, 4680, 4738, 5027, 5192, 5365, 5445, 5665, 5484, 5775, 5784, 5783, 6028, 6081, 6007, 6216, 6615, 6704, 6930, 7093, 7322, 7454, 7758, 7913, 8431, 8603, 8604, 8942, 9435, 9615, 9616, 9732, 10155, 10155; 8 F.R. 371.

tracts. (1) Any person who has made or intends to make a Government contract

[7 F R 5087, 5664.

10995; 8 F R 158.

vintner under (i) hereof. Cost per gallon shall be figured on a naked f. o. b. winery basis in the same containers used in the computation under (*1*).

(*3*) Subtract the costs computed under (*1*) from the corresponding costs computed under (*2*). The results of the subtractions shall be the bottler's initial permitted increase per gallon for each type and quality of California grape wine.

(*4*) Figure his weighted average cost per gallon for the quantity of each type and quality of California grape wine purchased by him during every calendar month after his first purchase at prices adjusted by the vintner under (i) hereof, or during his customary fiscal month ending nearest the end of such calendar months. Cost per gallon shall be figured on a naked f. o. b. winery basis in the same containers as those used in the computation under (*1*).

(*5*) Subtract the costs computed under (*1*) for March 1942, from the corresponding costs computed for each calendar or fiscal month under (*4*). The results of the subtraction shall be the bottler's permitted increase per gallon for each brand, type, and quality of California grape wine sold by him in the next calendar or fiscal month.

(*6*) Determine his permitted increase per container, case or other unit of sale for each brand, type and quality of California grape wine by converting his permitted increase per gallon computed under (*3*) or (*5*) into the permitted increase applicable to such container, case or other unit of sale according to the number of gallons or fractional gallons of each brand, type and quality of California grape wine therein.

(*7*) No bottler may increase his previous month's permitted increase per gallon for any brand, type, or quality of California grape wine unless

(i) His permitted increase per gallon therefor, computed under (*5*) for a subsequent calendar or fiscal month, exceeds his previous month's permitted increase per gallon therefor by two or more cents per gallon; and

(ii) The quantity of the particular brand, type or quality of California grape wine upon which his permitted increase per gallon is computed under (*5*) is at least equal to the monthly average of his purchases of such California grape wine during the preceding twelve calendar or fiscal months.

(*8*) No bottler shall be required to decrease his previous month's permitted increase per gallon for any brand, type, or quality of California grape wine unless

(i) His permitted increase per gallon therefor, computed under (*5*) for a subsequent calendar or fiscal month, is less than his previous month's permitted increase per gallon therefor by two or more cents per gallon: *Provided*, That no bottler shall be required to reduce his maximum price for a particular brand, type or quality of California grape wine below his base maximum price therefor established under (*a*) plus any increase in such base maximum price permitted under (*c*).

(*c*) *Taxes; permitted increase.* (*1*) Any bottler may, at any time, add to his base maximum prices for California grape wine the amount of any new tax, or any increase in an existing tax incident to the sale, delivery, processing or use thereof imposed upon the bottler after March 31, 1942, by any statute of the United States or any statute or ordinance of any state or subdivision thereof: *Provided*, That such amount has actually been paid or has accrued and will be payable by the bottler to the proper taxing authorities or to any prior vendor with respect to the particular kind and quantity of California grape wine in question. After any bottler has adjusted his maximum prices to include a permitted increase under (ii) (*b*), the provisions of this inferior subdivision shall no longer apply to the amount of the Federal floor stocks tax imposed in connection with the increase in Federal Excise Tax effective November 1, 1942.

(*2*) The bottler shall convert the permitted increase with respect to taxes into a permitted increase per container, case, or other unit of sale on the basis of the number of gallons or fractional gallon of each brand, type and quality of the California grape wine contained in the container, case, or other unit of sale in question.

(*d*) *Notification.* Commencing with his first sale and monthly thereafter, in the event of an adjustment of his maximum prices, as provided in (*b*) and (*c*), each bottler shall

(*1*) Figure the permitted increases under (*b*) and (*c*) for each brand, type, quality and container size of California grape wine sold without adjusting fractional parts of a cent. If the total of such permitted increases includes the fractional part of a cent, the total shall be adjusted to the nearest higher full cent if the fraction is ½ cent or more, or to the nearest lower full cent, if the fraction is less than ½ cent.

(*2*) Notify purchasers in wirting as follows:

(i) If the purchaser is a wholesaler the bottler shall notify him, at or before the first delivery of each brand, type, and quality of California grape wine to such wholesaler, of the total permitted increase per container, case or unit of sale figured under (ii) (*d*) (*1*) for each such brand, type, and quality of California grape wine.

(ii) If the purchaser is a retailer the bottler shall confirm any sales or deliveries of California grape wine made to the retailer after November 1, 1942 and prior to November 9, 1942 by a written statement as follows, and shall supply the retailer, commencing November 9, 1942, on or before the bottler's first subsequent delivery of California grape wine, with a written statement as follows:

The Office of Price Administration has authorized us to increase our March 1942 maximum prices for California grape wine to reflect increases in the Federal Excise Tax effective in November 1942 and vintners' permitted increases. Your new Office of Price Administration ceiling price for each type of California grape wine listed in Tables Nos. I, II, III, IV, V, VI, and VII is your March 1942 ceiling price plus the "permitted increase" for each container size. These "permitted increases" to your ceiling prices include all Federal Excise Taxes effective on November 1, 1942. You may add no more. The Office of Price Administration requires you to keep this notice for examination.

TABLE I

[California finished blending wines, industrial wines, and other wines containing more than 21% but not more than 24% alcohol by volume, on which the increase in Federal Excise Tax effective 11 1 42 is 35¢ per gallon]

Brand	Type	Container size	Permitted increase per bottle (amount retailer may add to March 1942 ceiling price)
			Cents
		½ pint	3
		⅛ gallon	4
		1 pint	6
		⅕ gallon	10
		1 quart	12
		½ gallon	24
		1 gallon	48

TABLE II

[California champagne and sparkling wines on which the increase in Federal Excise Tax effective 11/1/42 is 3¢ per half pint or fraction thereof]

Brand	Type	Container size	Permitted increase per bottle (amount retailer may add to March 1942 ceiling price)
			Cents
		4 ounce	3
		6⅔ ounce	3
		8 ounce	4
		1/10 gallon or 13 ounce	11
		⅕ gallon or 26 ounce	

TABLE III

[California artificially carbonated wines on which the increase in Federal Excise Tax effective 11 1 42 is 6¢ per half pint, or fraction thereof]

Brand	Type	Container size	Permitted increase per bottle (amount retailer may add to March 1942 ceiling price)
			Cents
		4 ounce	3
		6⅔ ounce	4
		8 ounce	6
		1/10 gallon or 13 ounce	16
		⅕ gallon or 26 ounce	

TABLE IV

[California light sweet wine on which the increase in Federal Excise Tax effective 11/1/42 is 2¢ per [illegible]]

Brand	Type	Container size	Permitted increase per bottle (amount retailer may add to March 1942 ceiling price)
			Cents
		½ pint	1
		1/10 gallon	2
		1 pint	3
		⅕ gallon	5
		1 quart	6
		½ gallon	12
		1 gallon	23

TABLE V

[Wine-base cordials and other rectified wines made wholly from California dessert wines (see definition § 1499.73 (40) (xi) (*c*), on which increase in Federal Excise Tax effective November 1, 1942 is 15¢ per half gallon]

Brand	Type	Container size	Permitted increase per bottle (amount retailer may add to March 1942 ceiling price)
			Cents
		½ pint	3
		1/10 gallon	4
		1 pint	6
		⅕ gallon	10
		1 quart	12
		½ gallon	24
		1 gallon	47

TABLE VI

[California dessert wines, other than those specified in tables I, II, III, IV, or V]

Brand	Type	Container size	Permitted increase per bottle (amount retailer may add to March 1942 ceiling price)
			Cents
		½ pint	1
		1/10 gallon	2
		1 pint	3
		⅕ gallon	5
		1 quart	6
		½ gallon	12
		1 gallon	23

TABLE VII

[California table wines, other than those specified in tables I, II, III, IV, or V]

[illegible]	Type	Container size	Permitted increase per bottle (amount retailer may add to March 1942 ceiling price)
			Cents
		1/10 gallon	1
		1 pint	2
		⅕ gallon	2
		1 quart	2
		½ gallon	5
		1 gallon	9

(iii) Notice given by a bottler to a retailer prior to January 28, 1943, in accordance with Amendment 54[7] to Supplementary Regulation 14, shall be deemed compliance with the provisions of (ii) (*d*) (2) (*ii*) with respect to the kinds of California grape wine listed in Tables VI and VII. Every bottler shall, however, give each retailer notice as provided in (ii) (*d*) (2) (*ii*) with respect to each kind of California grape wine listed in Tables I, II, III, IV, and V, at or before his first delivery thereof to such retailers after January 27, 1943.

(*e*) No bottler is required to give a notice to any purchaser of any brand, type, quality or container size of California grape wine after one notice to such purchaser of the bottler's maximum price for such brand, type, quality, and container size as increased under (ii) (*b*) and/or (ii) (*c*): *Provided*, That if such bottler's maximum price for any brand, type, quality and container size of California grape wine is subsequently adjusted upward or downward under (ii) (*b*) or (ii) (*c*), a similar notice covering such adjustment shall be given by the bottler to each purchaser other than a retailer.

(iii) *Wholesalers' maximum prices for California grape wine*—(*a*) *Base maximum price.* On and after November 1, 1942 every wholesaler's base maximum prices for California grape wine shall be the maximum prices established for him under § 1499.2.

(*b*) *Permitted increase; wines in bulk.* On and after November 1, 1942 any wholesaler may add to the base maximum prices established for him under (*a*) for any type and quality of California grape wine in bulk a permitted increase computed as hereinafter set forth. To compute his permitted increase each wholesaler shall:

(*1*) Figure his weighted average cost per gallon for the quantity of each type and quality of California grape wine in bulk sold by him during March 1942 or during his customary fiscal month ending nearest March 31, 1942. Cost per gallon shall be figured on a naked f. o. b. winery basis.

(*2*) Figure his weighted average cost per gallon of his first purchase of the same type and quality of California grape wine in bulk at a price adjusted by the vintner under (i) hereof. Such average cost shall be figured on a naked f. o. b. winery basis in the same containers used as in the computation under (*1*).

(*3*) Subtract the costs computed under (*1*) from the corresponding costs computed under (*2*). The results of the subtractions shall be the wholesaler's initial permitted increase per gallon for the quantity of each type and quality of California grape wine in bulk.

(*4*) Figure his weighted average cost per gallon for the quantity of each type and quality of California grape wine in bulk purchased by him during every calendar month after his first purchase at prices adjusted by the vintner under (i) hereof, or during his customary fiscal month ending nearest the end of such calendar month. Cost per gallon shall be figured on a naked f. o. b. winery basis in the same containers as used in the computation under (*1*).

(*5*) Subtract the costs computed under (*1*) from the corresponding costs computed for each calendar or fiscal month under (*4*). The results of the subtraction shall be the wholesaler's permitted increase per gallon for each brand, type and quality of California grape wine in bulk sold by him in the following calendar or fiscal month.

(*c*) *Permitted increase; wines other than bulk.* On and after November 1, 1942 upon receipt of notification given by a bottler pursuant to (ii) (*d*) (2) (*i*), any wholesaler may add to the base maximum price established for him under (iii) (*a*) for any brand, type, quality and container size of California grape wine, the permitted increase stated in said notice and applicable to the brand, type, quality and container size of California grape wine in question. Upon receipt of a subsequent notice from the bottler, raising or lowering the permitted increase applicable to any brand, type, quality or container size of California grape wine, the wholesaler may adjust his permitted increase upward and shall adjust his permitted increase downward in accordance with said notice. Such adjustments in the wholesaler's permitted increase shall not apply to his inventory at the date of receipt of the notice.

(*d*) *Taxes; permitted increase.* Any wholesaler may at any time add to his base maximum prices for California grape wine the amount of any new tax or any increase in an existing tax incident to the sale, delivery, processing or use thereof, imposed upon the wholesaler after March 31, 1942 by any statute of the United States or any statute or ordinance of any state or subdivision thereof: *Provided*, That such amount has actually been paid or has accrued and will be payable by the wholesaler to the proper taxing authorities or to any prior vendor with respect to the particular kind and quantity of California grape wine in question. The wholesaler shall add the permitted increase for taxes to his maximum prices for the particular quantity of the brand, type, quality and container size on the basis of the number of gallons or fractional gallon of California grape wine in the particular container, case or unit of sale.

(*e*) *Notification.* When a wholesaler sells any quantity of any brand, type, quality or container size of California grape wine either in bulk or otherwise at a price in excess of his base maximum price established under (iii) (*a*), he shall:

(*1*) Figure the total permitted increases under (iii) (*b*) or (iii) (*c*) and (iii) (*d*) for each brand, type, quality and container size of California grape wine without adjusting fractional parts of a cent. If the total of such permitted increases includes the fractional part of a cent the total shall be adjusted to the nearest higher full cent if the fraction is one-half cent or more or to the nearest lower full cent if the fraction is less than one-half cent.

(*2*) Confirm any sales or deliveries of any brand, type, quality and container size of California grape wine made to any purchaser after November 1, 1942 and before November 9, 1942 by a written statement and supply the purchaser, commencing November 9, 1942, on or before the wholesaler's first subsequent delivery of any California grape wine to such purchaser, with a written statement in the manner and form provided in (ii) (*d*) (2) (*i*), (*ii*), (*iii*) and (*iv*) as if such wholesaler were a bottler.

(*3*) No wholesaler is required to give a notice to any purchaser of any brand, type, quality or container size of California grape wine after one notice to such purchaser of the wholesaler's maximum price for such brand, type, quality or container size as increased under (iii) (*b*) and/or (iii) (*c*) and (*d*): *Provided*, That if such wholesaler's maximum price

[7] F R 8955.

for any brand, type, quality and container size of California grape wine is subsequently adjusted upward or downward under (iii) (*b*) and/or (iii) (*c*) and (*d*), a similar notice covering such adjustment shall be given by the wholesaler to each purchaser other than a retailer.

(*f*) Wholesalers' maximum prices for concentrates and condensed grape must shall be computed according to the ratio of concentration and in the same manner as herein provided for their maximum prices of California grape wine.

(iv) *Packers' maximum prices for California grape wine*—(*a*) *Base maximum prices.* On and after November 1, 1942 every packer's base maximum prices for California grape wine shall be the maximum prices established for him under § 1499.2.

(*b*) *Permitted increase*—(*1*) *Sales of bulk wine in original container or car.* On and after November 1, 1942 any packer may add to the base maximum price established for him under (*a*) a permitted increase for any kind and quality of California grape wine sold by him in the container or car in which it was received. Such permitted increase shall be computed in accordance with the provisions under (iii) (*b*) and (iii) (*d*) as if such packer were a wholesaler.

(*2*) *Sales of wine repacked.* On and after November 1, 1942, any packer may add to the base maximum price established for him under (*a*) a permitted increase for any brand, type and quality of California grape wine sold by him otherwise than in the container or car in which it was received. Such permitted increase shall be computed in accordance with the provisions of (ii) (*b*) and (ii) (*c*) as if such packer were a bottler.

(*c*) *Taxes; permitted increase.* Any packer may at any time add to his base maximum prices for California grape wine the amount of any new tax or any increase in an existing tax incident to the sale, delivery, processing or use thereof, imposed upon the packer after March 31, 1942 by any statute of the United States or any statute or ordinance of any state or subdivision thereof: *Provided*, That such amount has actually been paid, or has accrued and will be payable by the packer to the proper taxing authorities or to any prior vendor with respect to the particular kind and quantity of California grape wine in question. The packer shall add the permitted increase for taxes to his maximum prices for the particular quantity of the brand, type, quality and container size on the basis of the number of gallons or fractional gallons of California grape wine in the particular container, case or unit of sale.

(*d*) *Notification.* When a packer sells any quantity of any brand, type, quality and container size of California grape wine at a price in excess of the base maximum price established for him under (iv) (*a*) he shall:

(*1*) Figure the total permitted increase under (iv) (*b*) and/or (iv) (*c*) for each brand, type and quality of California grape wine in the particular container, case or unit of sale. If the resulting total includes the fractional part of a cent that total shall be adjusted to the nearest higher full cent if the fraction is one-half cent or more or to the nearest lower full cent if the fraction is less than one-half cent.

(*2*) Notify purchasers in writing as if the packer were a bottler, as follows:

(*i*) If the purchaser is a wholesaler, the packer shall notify him in the manner and form provided in (ii) (*d*) (2((*i*),

(*ii*) If the purchaser is a retailer, the packer shall notify him in the manner and form provided in (ii) (*d*) (2) (*ii*) and (*iii*).

(*iii*) Each packer shall give subsequent notices to purchasers in the manner and form, and under the circumstances provided in (ii) (*d*) (2) (*iv*).

(*e*) Packers' maximum prices for concentrates and condensed grape must shall be computed according to the ratio of concentration and in the same manner as herein provided for their maximum prices for California grape wine.

(v) *Retailers' maximum prices for California grape wine.* (*a*) On and after November 1, 1942 any retailer may add to the maximum prices established for him under § 1499.2 for any brand, type, quality and container size of California grape wine a permitted increase per bottle as follows:

TABLE VIII

Container size	Finished blending wines specified in Table I	Champagne & sparkling wines specified in Table II	Artificially carbonated wines specified in Table III	Light sweet wines specified in Table IV	Wine-base cordials specified in Table V	Other dessert wines specified in Table VI	Other table wines specified in Table VII
4 oz.		3	2				
6½ oz.		3	2				
½ pint	3	3	2	1	3	1	
⅓ gal or 12 or 13 oz.	5	7	4	2	4	2	1
1 pint or 15 oz.	6			3	6	3	1
⅕ gal, 23, 24 or 26 oz.	10	13	7	4	10	5	2
1 quart or 30 oz.	12			5	12	6	3
½ gal.	24			10	24	12	5
1 gallon	48			20	47	23	9

Permitted increases in container sizes larger than one gallon shall be proportionate to the permitted increase for one gallon.

(*b*) *Taxes; permitted increase.* Any retailer may at any time add to his base maximum prices for California grape wine established under (v) (*a*) the amount of any new tax or any increase in an existing tax incident to the sale, delivery, processing or use thereof imposed upon him after March 31, 1942 by any statute of the United States or statute or ordinance of any state or subdivision thereof: *Provided*, That such amount has actually been paid or has accrued and will be payable by the retailer to the proper taxing authorities or to any prior vendor with respect to the particular kind and quantity of California grape wine in question. If the permitted increase for new or existing taxes computed on the quantity of California grape wine in the particular container, case or unit of sale results in a figure including the fractional part of a cent, the retailer shall adjust his maximum price to the nearest higher full cent if the fraction is one-half cent or over, or to the nearest lower full cent if the fraction is under one-half cent. The provisions of this inferior subdivision (*b*) shall not apply to the increases in the Federal Excise Tax which became effective November 1, 1942 as allowance for such tax increases is included in the increase of retail prices provided in Table VIII.

(vi) *Distillers' maximum prices for California grape spirits*—(*a*) *Base maximum prices* On and after November 1, 1942 every distiller's base maximum prices for California grape spirits shall be the maximum prices established for him under § 1499.2.

(*b*) *Permitted increase.* On and after November 1, 1942 any distiller may add to his base maximum prices for California grape spirits a permitted increase per proof gallon computed as hereinafter set forth. To compute his permitted increase each distiller shall:

(*1*) Figure the weighted average price per ton paid by him during the 1941 season for grapes to be crushed into California grape spirits.

(*2*) Figure the weighted average price per ton paid or contracted to be paid by him in good faith during the 1942 season up to and including October 27, 1942 for grapes to be crushed into California grape spirits.

(*3*) Subtract the price computed under (*1*) from the price computed under (*2*). The result of this subtraction or $8.30, whichever is lower, shall be the distiller's allowable grape cost increase. In the case of a growers' cooperative operating a winery and in the case of a distiller who grows more than 50 percent of the grapes crushed and to be crushed by him, the allowable grape cost increase shall be $8.30.

(*4*) Figure the number of tons of grapes acquired or contracted to be acquired by him in good faith during the 1942 season up to and including October 27, 1942 for crushing into grape spirits and make a bona fide estimate of the number of additional tons of grapes he will acquire during the remainder of the 1942 season for crushing into grape spirits. The number of tons of grapes acquired or contracted to be acquired by him in good faith and the estimated number of additional tons of grapes to be acquired shall be added together and the total shall be the distiller's estimated 1942 grape tonnage.

(*5*) Multiply his allowable grape cost increase figured under (*3*) by his estimated 1942 grape tonnage figured under (*4*).

(*6*) Determine his estimated 1942 crush by figuring his estimated 1942 grape tonnage as converted into grape spirits on the basis of 40 proof gallons of grape spirits produced from each ton of grapes to be crushed for that purpose.

(*7*) Multiply the number of proof gallons figured under (*6*) by 1½ cents per proof gallon.

(*8*) Add the dollar amount computed under (*5*) to the dollar amount computed under (*7*). The result will be the distiller's total dollar allowance for California grape spirits.

(*9*) Divide his total dollar allowance computed under (*8*) by his estimated 1942 crush computed under (*6*). The result will be the distiller's permitted increase per proof gallon.

(*c*) *Taxes; permitted increase.* Any distiller may at any time add to his base maximum prices for California grape spirits the amount of any new tax or any increase in an existing tax incident to the sale, delivery, processing or use thereof imposed upon the distiller after March 31, 1942 by any statute of the United States or by any statute or ordinance of any state or subdivision thereof: *Provided*, That such amount has actually been paid or has accrued and will be payable by the distiller to the proper taxing authorities or to any prior vendor with respect to the particular kind and quantity of California grape spirits in question.

(*d*) *Notification.* When a distiller sells any quantity of any type, quality and container size of California grape spirits at a price in excess of his base maximum price established under (*a*) he shall:

(*1*) Figure the total permitted increase per proof gallon under (*b*) and (*c*) for each type, quality and container size of California grape spirits sold. No adjustments of fractional parts of a cent shall be made in figuring a distiller's permitted increase hereunder.

(*2*) Notify the purchaser at or before the first delivery of each type, quality and container size of California grape spirits to such purchaser, of the total permitted increase per container figured under (vi) (*d*) (*1*) for each such type, quality and container size.

(*3*) No distiller is required to give a notice to any purchaser of any type, quality or container size of California grape spirits after one notice to such purchaser of the distiller's maximum price for such type, quality and container size as increased under (vi) (*b*) and/or (vi) (*c*): Provided, That if such distiller's maximum price for any type, quality and container size of California grape spirits is subsequently adjusted under (vi) (*c*) a similar notice covering such adjustment shall be given by the distiller to such purchaser.

(vii) *Wholesalers' maximum prices for California grape spirits*—(*a*) *Base maximum prices.* On and after November 1, 1942 every wholesaler's base maximum prices for California grape spirits shall be the maximum prices established for him under § 1499.2.

(*b*) *Permitted increase.* On and after November 1, 1942 upon receipt of notification given by a distiller pursuant to (vi) (*d*) (2), any wholesaler may add to the base maximum price established for him under (vii) (*a*) for any brand, type, quality and container size of California grape spirits the permitted increase stated in said notice and applicable to the type, quality and container size of California grape spirits in question. Upon receipt of a subsequent notice from the distiller adjusting the permitted increase applicable to any brand, type, quality or container size of California grape spirits, the wholesaler may adjust his permitted increase in accordance with said notice. Such adjustments in the wholesaler's permitted increase shall not apply to his inventory at the date of receipt of the notice.

(*c*) *Taxes; permitted increase.* Any wholesaler may at any time add to his base maximum prices for California grape spirits the amount of any new tax or any increase in an existing tax incident to the sale, delivery, processing or use thereof, imposed upon the wholesaler after March 31, 1942 by any statute of the United States or any statute or ordinance of any state or subdivision thereof: *Provided*, That such amount has actually been paid or has accrued and will be payable by the wholesaler to the proper taxing authorities or to any prior vendor with respect to the particular kind and quantity of California grape spirits in question. The wholesaler shall add the permitted increase for taxes to his maximum prices for the particular quantity of the type, quality and container size on the basis of the number of proof gallons of California grape spirits in the particular container or unit of sale.

(*d*) *Notification.* When a wholesaler sells any quantity of any type, quality or container size of California grape spirits at a price in excess of his base maximum price established under (vii) (*a*) he shall:

(*1*) Figure the total permitted increases under (vii) (*b*) and (vii) (*c*) for each type, quality and container size of California grape spirits. If the total of these permitted increases includes the fractional part of a cent the total shall be adjusted to the nearest higher full cent if the fraction is ½ cent or more, or to the nearest lower full cent if the fraction is less than ½ cent.

(*2*) Confirm any sales or deliveries of any type, quality and container size of California grape spirits made to any purchaser after November 1, 1942 and before November 9, 1942 by a written statement and supply the purchaser commencing November 9, 1942 on or before the wholesaler's first subsequent delivery of any California grape spirits to such purchaser, with a written statement specifying the amount of the wholesaler's permitted increases for the particular type, quality and container size of California grape spirits sold.

(*3*) No wholesaler is required to give notice to any purchaser of any type, quality or container size of California grape spirits after one notice to such purchaser of the wholesaler's maximum price for such type, quality and container size as increased under (vii) (*b*) and/or (vii) (*c*): *Provided*, That if such wholesaler's maximum price for any type, quality and container size of California grape spirits is subsequently adjusted under (vii) (*c*), a similar notice covering such adjustment shall be given by the wholesaler to each purchaser.

(viii) *Records and reports.* (*a*) Each vintner of California grape wine and each distiller of California grape spirits shall preserve for so long as the Emergency Price Control Act of 1942 remains in effect all his existing records relating to

(*1*) The number of tons of grapes purchased by him during the 1941 season for crushing purposes and the prices paid therefor, and

(*2*) The number of tons of grapes purchased or contracted to be purchased by him during the 1942 season prior to November 1, 1942 for crushing into wine and/or grape spirits respectively and the prices paid or contracted to be paid therefor.

(*b*) Each vintner of California grape wine and each distiller of California grape spirits shall make and preserve for so long as the Emergency Price Control Act of 1942 remains in effect, complete and accurate records relating to the number of tons of grapes purchased by him during the 1942 season subsequent to November 1, 1942 for crushing into wine and/or grape spirits respectively and to the prices paid therefor.

(*c*) On or before January 15, 1943 each vintner of California grape wine and each distiller of California grape spirits shall file with the Office of Price Administration, Washington, D. C., a statement under oath showing

(*1*) The number of tons of grapes actually purchased by him during the 1942 season to December 31, 1942 for crushing into wine and/or grape spirits respectively and the total price paid therefor.

(*2*) The total number of gallons of unfinished wine purchased by him from November 1, 1942 to December 31, 1942 and the total price paid therefor.

(*3*) The weighted average selling price per gallon charged by him for dessert wine and for table wine respectively in carload lots naked, f. o. b. winery, from November 1, 1942 to December 31, 1942.

(*d*) On or before February 15, 1943 each vintner of California grape wine and each distiller of California grape spirits shall file with the Office of Price Administration, Washington, D. C., a statement under oath showing separately the number of gallons of finished and unfinished wine purchased or otherwise acquired by him either in bulk or in containers during the period from October 27, 1942 to December 31, 1942. Such statement shall show the date of each such purchase or acquisition, the name and address of the seller, the prices paid therefor, the type, quality and quantity purchased from each seller and the kind

of container in which the wine was received by the vintner or distiller. Each statement shall show whether the finished and unfinished wine so purchased is in the vintner's or distiller's inventory or has been used or sold, and if sold in bulk, shall show the date of sale, name and address of the buyer, selling price and the place to which it was shipped by the vintner or distiller.

(ix) *Correction of permitted increases by the Office of Price Administration.* The Office of Price Administration or any duly authorized officer thereof, may by order adjust the permitted increase computed by any vintner under (i) (*b*) or by any distiller under (vi) (*b*) if such vintner or distiller fails to file the statement required under (viii) (*c*) and/or (viii) (*d*), or if the statements filed show that:

(*a*) The weighted average price per ton of grapes computed under (i) (*b*) (*2*) or under (vi) (*b*) (*2*) is substantially above or below the weighted average price per ton actually paid by the vintner or distiller during the 1942 season for grapes to be crushed into wine or grape spirits respectively, or that

(*b*) The estimated 1942 grape tonnage computed under (i) (*b*) (*4*) or under (vi) (*b*) (*4*) is substantially above or below the number of tons of grapes actually purchased by the vintner or distiller during the 1942 season for grapes to be crushed into wine or grape spirits respectively, or that

(*c*) The amount of finished or unfinished California grape wine or California grape spirits purchased or otherwise acquired by the vintner or distiller after October 27, 1942 and during the remainder of the 1942 season is more than 1.25 times the amount of similar California grape wine and California grape spirits purchased or acquired by the vintner during the 1941 season: *Provided*, That the Office of Price Administration will make no adjustment of a vintner's or distiller's permitted increase under this subdivision (c) if the vintner or distiller demonstrates that his purchases of finished and unfinished California grape wine and California grape spirits in excess of 1.25 times the amount of similar purchases during 1941 were for the sole purpose of maintaining his normal inventory balance.

(x) *Determination of maximum prices for sellers not specifically provided for.* (*a*) If any seller's base maximum price for any brand, type or quality of California grape wine or California grape spirits cannot be determined under (i) to (vii) inclusive, the seller's base maximum price therefor shall be the maximum price established under § 1499.2 for the most closely competitive seller of the same class for the same kind and quality of California grape wine or California grape spirits, or for the similar commodities most nearly like them (as such term is defined in § 1499.2) for sales to a purchaser of the same class.

(*b*) If any seller of California grape wine or California grape spirits is unable to complete computations required under this Amendment to determine his permitted increases, such seller shall make written application to the Office of Price Administration, Beverage Section, Washington, D. C., for a determination of such permitted increases, and the Office of Price Administration or any duly authorized officer thereof may by order specify the manner in which they shall be determined.

(xi) *Definitions.* (*a*) "Vintner" means any person who produces or manufactures California grape wine in a federal bonded winery in the State of California.

(*b*) "Distiller" means any vintner or any other person who produces or manufactures California grape spirits in a federal bonded winery or distillery in the State of California.

(*c*) "Bottler" means any person located anywhere in continental United States who packages California grape wine for sale in containers of less than five gallons each.

(*d*) "California grape wine" means grape wine produced in the State of California.

(*e*) "Grape wine" means grape wine produced in accordance with sections 3032, 3036 and 3044 of the Internal Revenue Code.

(*f*) "Dessert wine" means grape wine having an alcoholic content in excess of 14 percent by volume but not in excess of 21 percent by volume to which wine spirits have been added in accordance with section 3032 of the Internal Revenue Code. "Dessert wine" shall also include finished blending wine having an alcoholic content in excess of 21 percent by volume but not in excess of 24 percent by volume and otherwise conforming to the definition herein contained. "Dessert wine" shall also include vermouth and other flavored wines composed of dessert wines with the addition of flavoring materials and aromatics.

(*g*) "Table wine" means California grape wine other than dessert wine.

(*h*) "California grape spirits" means grape spirits produced in the State of California.

(*i*) "Grape spirits" means wine spirits produced from grapes in accordance with section 3036 of the Internal Revenue Code but does not include commercial brandy.

(*j*) "Naked, f. o. b. winery" means a price at the California winery exclusive of California State marketing tax and exclusive of cost of containers or loading charges.

(*k*) "Weighted average price" with reference to a particular commodity means the total purchase price paid for that commodity in a particular period of time divided by the total number of units of the commodity purchased during such time.

(*l*) "Container size" means any weight or unit in which California grape wine is sold to the ultimate consumer in lots of less than 5 gallons.

(*m*) "1941 season" means the period from September 1, 1941 to August 31, 1942.

(*n*) "1942 season" means the period from September 1, 1942 to August 31, 1943.

(o) "Concentrates" and "condensed grape must" means boiled or condensed grape juices or grape must concentrated to not more than 80° (Balling).

(*p*) "Grape must" means the juice of sound ripe grapes.

(*q*) "Sparkling wine" means grape wine rendered effervescent by secondary fermentation of the wine in a closed container, tank or bottle.

(*r*) "Artificially carbonated wine" means grape wine rendered effervescent otherwise than by secondary fermentation in a closed container, tank or bottle.

(*s*) "Light sweet wine" means table wine having an alcoholic content not in excess of 14 percent by volume and a total solids content of not less than 7° (Balling).

(*t*) "Inventory" means all dessert wine and table wine owned by the vintner or other seller, as the case may be, and situated at any point in the continental United States irrespective of whether such wine be in bulk or bottled or in bond or tax paid.

(*u*) "Packer" means any person other than a vintner who resells or repacks bulk wine in containers of capacity of 5 gallons or more. A packer may also be a bottler.

(*v*) "Wine base cordials and other rectified wines" means those specific commodities when made wholly from California dessert wines with or without the addition of flavors and aromatics, and which bear United States Internal Revenue Wine tax-paid stamps showing tax payment at the rate of 5¢ per half-pint. When so labeled and bearing wine tax-paid stamps these products are classified as dessert wines and take permitted increases per table VI.

(xii) *Applicability.* (*a*) The provisions of this subparagraph 40 shall be applicable to the United States and to the District of Columbia.

* * *

(b) *Effective dates.* * * *

(95) Amendment No. 94 (§ 1499.73 (a) (40)) to Supplementary Regulation No. 14 shall be effective as of January 28, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1148; Filed, January 22, 1943; 4:23 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 237 Under § 1499.3 (b) of GMPR]

KING KOFFEE KOMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1473 *Authorization of maximum price for sale of Special Victory Blend, a coffee compound, by King Koffee Kompany directly to consumer.* (a) On and after January 23, 1943, the maximum price for sales of Special Victory Blend, a coffee compound, by King Koffee Kompany, having its principal place of business at Indianapolis, Indiana, shall be 31¢ per pound. This price shall include delivery directly to consumers.

(b) This Order No. 237 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 237 (§ 1499.1473) shall become effective January 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1153; Filed, January 22, 1943; 4:23 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 238 Under § 1499.3 (b) of GMPR]

IRVINGTON VARNISH & INSULATOR COMPANY

On December 10, 1942, Irvington Varnish & Insulator Co., of Irvington, New Jersey, filed application with the Office of Price Administration seeking specific authorization pursuant to § 1499.3 (b) of the General Maximum Price Regulations to determine a maximum price and for instructions as to the method to be used in determining such price for a new type two sided coating of black paper. Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with § 1499.3 (b) of the General Maximum Price Regulations, issued by the Office of Price Administration, *it is hereby ordered:*

§ 1499.1474 *Authorization for Irvington Varnish & Insulator Company to determine a maximum price for a new type two sided coating of black paper.* (a) The maximum price which may be charged for the new type two sided coating of black paper made by Irvington Varnish & Insulator Company, Irvington, New Jersey, hereinafter called the "manufacturer", and on which the manufacturer has made application to the Office of Price Administration for authorization to determine a maximum price shall be determined in accordance with the following instructions:

(1) The cost of raw materials should be computed at the cost of acquisition, which in no event shall exceed the appropriate maximum prices established by the Office of Price Administration for such raw materials.

(2) All charges for hand or machine operations involved in the manufacture or conversion of the product shall be computed at a rate not to exceed the hourly rate at which such hand or machine operations were computed during the month of March 1942, and the time allowance, or the resulting piece rates, for the operations shall not be in excess of those estimated or used during the month of March 1942.

(3) The percentage margin or difference between total manufacturing costs and selling price, f. o. b. manufacturer's plant, shall not exceed that percentage margin used in determining a selling price for that item sold by the manufacturer during March 1942 which most closely resembles the new type two sided coating of black paper in manufacturing cost, quantities of raw materials per unit, converting operations required and quantity of production.

(i) The manufacturer shall continue to grant its customary discounts, differentials and allowances to the different classes of purchasers in accordance with its accepted practice.

(ii) If the manufacturer's customary practice during March 1942 was to sell on a delivered basis, such practice shall be continued.

(b) Within ten days after the maximum price has been determined in accordance with this order, Irvington Varnish & Insulator Company shall report to the Office of Price Administration, Washington, D. C. the maximum price as computed by it. The report shall set forth in detail a computation of estimated costs, together with the percentage margin or difference between total manufacturing costs and selling price f. o. b. manufacturer's plant, the amount of transportation charges to be absorbed and also a statement indicating whether or not the method of handling freight charges is in line with the established policy of Irvington Varnish & Insulator Company for comparable commodities.

(c) Within ninety days after the effective date of this order, Irvington Varnish & Insulator Company shall file with the Office of Price Administration, Washington, D. C., a report covering the actual manufacturing costs of the new type two sided coating of black paper. The report shall cover the entire period during which the new type two sided coating of black paper shall have been manufactured and any change in the allocation of freight charges and those set forth in the report required by (b) above shall be indicated.

(d) Any selling price determined under this order shall be subject to adjustment at any time by the Office of Price Administration.

(e) This Order No. 238 may be revoked or amended by the Office of Price Administration at any time.

(f) This Order No. 238 (§ 1499.1474) shall become effective January 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1154; Filed, January 22, 1943; 4:23 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 239 Under § 1499.3 (b) of GMPR]

WEST SPADRA COAL COMPANY

For reasons set forth in an opinion issued simultaneously herewith, *It is hereby ordered:*

§ 1499.1475 *Approval of maximum prices for sales of certain briquettes by West Spadra Coal Company.* (a) The maximum price for sales by West Spadra Coal Company, Clarksville, Arkansas, of briquettes manufactured at Fort Smith, Arkansas, from slack coal produced at its mine in Johnson County, Arkansas, shall be $5.50 per ton, f. o. b. Fort Smith, Arkansas.

(b) This Order No. 239 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 239 (§ 1499.1475) shall be effective January 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1155; Filed, January 22, 1943; 4:21 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 240 Under § 1499.3 (b) of GMPR]

JOSSELYN'S

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1476 *Authorization of maximum prices for sales of "Try This".* (a) On and after January 23, 1943, Josselyn's, having its principal place of business in Baltimore, Maryland, may sell and deliver to the jobbing trade its candy product known as "Try This" candy bar, having a minimum weight of 1½ ounces per bar and packed 24 bars to the box, at the maximum price of 68 cents per box delivered.

(b) Each seller of Try This shall allow to all purchasers the allowances, discounts and price differentials established by it for Milkmaks.

(c) Josselyn's shall mail or otherwise supply to purchasers from them at the time of, or prior to, the first delivery of such purchasers, a written note as follows:

The OPA has authorized Josselyn's to manufacture and sell a new product, Try This, a five cent bar with a minimum weight of 1½ ounces per bar at 68 cents for a box of 24 bars delivered. The OPA has authorized wholesalers to fix their maximum prices for Try This at such levels so that the maximum price for Try This shall be no higher than the maximum price each wholesaler established for Milkmaks in March, 1942, pursuant to the General Maximum Price Regulation.

(d) Josselyn's shall place on or in the smallest box or other retail packing unit of Try This, a printed notice reading as follows:

The OPA has authorized maximum ceiling prices for Try This by specific Order No. 240. As a retailer you are to fix your maximum selling price for Try This at such levels so that the maximum price for Try This shall be no higher than the maximum price you established for Milkmaks in March, 1942, pursuant to the General Maximum Price Regulation.

(e) This Order No. 240 may be revoked or amended at any time by the Price Administrator.

(f) This Order No. 240 (§ 1499.1476) shall become effective January 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; 7 F.R. 7871, E.O. 9250)

Issued this 22d day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1156; Filed, January 22, 1943; 4:21 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 241 Under § 1499.3 (b) of GMPR]

J. H. ERBRICH PRODUCTS CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered*

§ 1499.1477 *Authorization of maximum prices for sales of 1 quart 2⅛ fluid ounce bottles of 150 grain "Victory Vinegar" by J. H. Erbrich Products Company, East 32nd Street and Monon Railroad, Indianapolis, Indiana, by wholesalers and by retailers.* (a) On and after January 23, 1943, the maximum prices for sales of 1 quart 2⅛ fluid ounce bottles of 150 grain "Victory Vinegar" by J. H. Erbrich Products Company, Indianapolis, Indiana, shall be $1.83 per dozen, delivered to purchasers' stations.

(b) Sellers at wholesale shall determine their maximum delivered selling prices of 1 quart 2⅛ fluid ounce bottles of "Victory Vinegar" 150 grain strength, by adding to their net cost of this item a markup of 20% of such net cost. The maximum delivered prices so determined shall not exceed $2.20 per dozen bottles.

Where a maximum price per dozen determined by the provisions of this paragraph is a fractional cent price and the fraction of a cent is less than one-half cent, the price per dozen shall be lowered to the next lower cent. If the fraction is one-half cent or larger, the wholesaler may increase his maximum price per dozen to the next higher cent.

Net cost for a wholesaler as mentioned in this paragraph shall be his invoice price for the first delivery of "Victory Vinegar" delivered in a customary quantity for this type of item by the customary mode of transportation to his customary receiving point, less all discounts allowed him, except a discount for prompt payment. No charge or cost for unloading or local trucking shall be included in net cost.

(c) Sellers at retail shall determine their maximum selling prices of 1 quart 2⅛ fluid ounce bottles of "Victory Vinegar" 150 grain strength by adding to their net cost of this item a markup of 33⅓% of such net cost. The maximum prices so determined shall not exceed 24 cents per bottle.

Where a maximum price per bottle determined by the provisions of this paragraph is a fractional cent price and the fraction of a cent is less than one-half cent, the price per bottle shall be lowered to the next lower cent. If the fraction is one-half cent or larger, the retailer may increase his maximum price per package to the next higher cent.

Net cost for a retailer as mentioned in this paragraph shall be his invoice price for the first delivery of "Victory Vinegar" delivered to his customary receiving point in a customary quantity of this type of item by a customary mode of tranportation and from a customary sources of supply, less all discounts allowed him, except a discount for prompt payment. No charge or cost for unloading or local trucking shall be included in net cost.

(d) No seller, except a seller at retail, shall change his customary discounts, allowances and price differentials applying to comparable vinegar items in making sales of "Victory Vinegar", unless such change in these customary discounts, allowances and price differentials results in lower selling prices.

(e) On and after January 23, 1943, J. H. Erbrich Products Company shall supply written notification to each wholesaler before or at the time of first delivery of "Victory Vinegar" and for a period of three months thereafter shall include with each shipping unit of "Victory Vinegar" a written notification to retailers. If such retailer notification is enclosed in a shipping unit, a legend shall be affixed outside of such unit to read "Retailer's Notice Enclosed". The written notifications shall include the following appropriate statements:

Notification From J. H. Erbrich Products Company to Wholesalers

The OPA has authorized us to charge wholesalers $1.83 per dozen bottles of 1 quart 2⅛ fluid ounce bottles of 150 grain "Victory Vinegar", subject to all customary allowances and discounts. Wholesalers are authorized to establish a ceiling price by adding to the net cost of this item 20% of such net cost, provided, that the ceiling price so determined shall not exceed $2.20 per dozen. Net cost is the invoice cost at the customary receiving point, less all discounts, other than for prompt payment, and excluding charges for local hauling. Retailers shall establish a ceiling price by adding to their net cost of this item 33⅓% of such net cost. Each individual ceiling price determined by any seller shall be figured to the nearest cent (raise one-half cent fractions to the next even cent). A copy of a notification to retailers is included in every shipping unit of this item. If the initial sale of this item to any retailer is a split case sale, wholesalers are required to provide such retailer with a copy of the retail notification so enclosed. OPA requires that you keep this notice for examination.

Notification From J. H. Erbrich Products Company to Retailers

The OPA authorizes retailers to establish ceiling prices for 1 quart 2⅛ fluid ounce bottles of 150 grain "Victory Vinegar" by adding to their net cost of this item 33⅓% of such net cost, provided that the ceiling price so determined shall not exceed 24 cents per bottle. Net cost is the invoice cost at the customary receiving point, less all discounts, other than for prompt payment, and excluding charges for local hauling. Such ceiling prices shall be figured to the nearest cent (raise one-half cent fractions to the next even cent). OPA requires that you keep this notice for examination.

(f) This Order No. 241 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 241 (§ 1499.1477) shall become effective January 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1157; Filed, January 22, 1943; 4:21 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 174 Under § 1499.18 (b) of GMPR]

WILBUR-SUCHARD CHOCOLATE COMPANY, INC.

Order No. 174 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-1288.

For the reasons set forth in an opinion issued simultaneously herewith, *It is hereby ordered:*

§ 1499.1075 *Adjustment of maximum prices for cellophane packaged chocolate squares manufactured by Wilbur-Suchard Chocolate Company, Incorporated.* (a) Wilbur-Suchard Chocolate Company, Incorporated may continue to sell and deliver; and any person may buy or receive the 6 ounce package of chocolate squares at the same price as formerly established for the 8 ounce package; and the 12 ounce package for the same price as formerly established for the 16 ounce package.

(b) On or after the effective date of this order, before or at the time of its first delivery to any wholesaler or retailer, Wilbur-Suchard Chocolate Company, Incorporated shall supply to each such wholesaler or retailer, a written notice as follows:

Our 8 ounce package of chocolate squares has been reduced to 6 ounces; and our 16 ounce package of chocolate squares has been reduced to 12 ounces. The Office of Price Administration has authorized us and all our wholesalers and retailers to sell these 6 and 12 ounce packages at the same maximum prices established for the 8 and 16 ounce package respectively in March, 1942. If your ceiling price for these packages of chocolate squares was determined for either the 8 or 16 ounce package you are authorized to establish the same ceiling prices for the new 6 and 12 ounce packages respectively

(c) All wholesalers and retailers of the Wilbur-Suchard Chocolate Company, Incorporated cellophane packaged chocolate squares, throughout the continental United States, may sell and deliver; and any person may buy or receive the 6 ounce package of chocolate squares at the same maximum price as formerly established for the 8 ounce package; and the 12 ounce package for the same maximum price as formerly established for the 16 ounce package under the General Maximum Price Regulation.

(d) On or after the effective date of this order; before, or at the time of their first delivery to any retail outlet, all wholesalers shall supply to such retail outlet a copy of the notice set forth under paragraph (b) of this order.

(e) All sellers are required to continue the same discounts, allowances and price differentials as were offered in March, 1942: *Provided however*, That sellers may change discounts, allowances and price differentials only if such change results in prices lower than the maximum prices fixed herein.

(f) This Order No. 174 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 174 is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(h) This Order No. 174 (§ 1499.1075) shall become effective January 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1150; Filed, January 22, 1943; 4:22 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 175 Under § 1499.18 (b) of GMPR]

BRACH'S CANDY SPECIALTIES CO.

Order No. 175 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-3013.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1076 *Adjustment of maximum prices for Almond Nougat bar, sold 24 bars to the box, manufactured by Brach's Candy Specialties Company.* (a) Brach's Candy Specialties Company, Chicago, Illinois, is hereby authorized to sell its Almond Nougat bar, packed 24 bars to the box, at a delivered price of 68 cents per box.

(b) The adjustment is granted to Brach's Candy Specialties Company on the condition that purchasers from it shall in no event charge more for the said candy bar than their maximum prices as determined under paragraph (a) of section 2 of the General Maximum Price Regulation or as adjusted under paragraph (a) of section 18 of said regulation.

(c) All sellers are required to continue the same discounts, allowances and price differentials as were offered in March, 1942: *Provided however*, That sellers may change their discounts, allowances and price differentials only if such change results in a price lower than the maximum price fixed therein.

(d) Brach's Candy Specialties Company shall mail or otherwise supply to all purchasers of their Almond Nougat bar, prior to the first delivery to such buyer, a notice reading as follows:

The Office of Price Administration has permitted us to raise our maximum price for same to you of our Almond Nougat bar, packed 24 bars to the box from 64 cents to 68 cents per box delivered. This amount represents only that part of cost increases which we were unable to absorb and it was granted with the understanding that wholesale and retail prices would not be raised. The OPA has not permitted you or any other seller to raise maximum prices of sale of said Almond Nougat bar. In order that we may continue to provide you with Almond Nougat bars, it will be necessary for you to accept this reduction in your margin.

(e) All prayers of the application not granted herein are denied.

(f) This Order No. 175 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 175 (§ 1499.1076) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2 of the General Maximum Price Regulation.

(h) This Order No. 175 (§ 1499.1076) shall become effective January 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1151; Filed, January 22, 1943; 4:20 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 176 Under § 1499.18 (b) of GMPR]

ROCKWOOD AND CO.

Maximum prices authorized under § 1499.18 (b) of the General Maximum Price Regulation—Order No. 176—Docket No. GF3-2770.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1077 *Adjustment of maximum prices through increase in price and decrease in weight of "Pecan Feast" manufactured and sold by Rockwood and Company.* (a) Rockwood and Company, Washington, Park and Waverly Avenues, Brooklyn, New York, is hereby authorized to reduce the size of its pecan nut bar known as "Pecan Feast" packed 24 to a box, from 1¼ ounces to 1⅛ ounces net per bar. Rockwood and Company is further authorized to increase the price of such 1⅛ ounce "Pecan Feast" bar to 67 cents per box of 24 bars delivered and sell said candy at this price. Authorization to reduce the size of "Pecan Feast" is given on the specific condition that in reducing the size of this bar Rockwood and Company shall not change or alter its formula for such bar in any manner.

(b) The adjustment is granted to Rockwood and Company on condition that purchasers from it shall in no event charge more for the present 1⅛ ounce bar of "Pecan Feast" at retail than their maximum prices for the 1¼ ounce bar of "Pecan Feast" as determined pursuant to the General Maximum Price Regulation or as adjusted pursuant to section 18 of said regulation.

(c) All wholesalers and retailers who purchase "Pecan Feast" for resale are hereby permitted to sell said bar in its new weight of 1⅛ ounces at a price not in excess of the maximum price which they established for the 1¼ ounces of "Pecan Feast" pursuant to the General Maximum Price Regulation.

(d) All sellers are required to continue the same discounts, allowances and price differentials as they offered in March, 1942: *Provided however*, That sellers may change discounts, allowances and price differentials only if such changes result in prices lower than the maximum price fixed herein.

(e) Rockwood and Company shall mail or cause to be mailed to all persons who purchase "Pecan Feast" from it for resale, a notice reading as follows:

The Office of Price Administration has permitted us to raise our maximum price of our "Pecan Feast" bar from 64 cents per box of 24 bars to 67 cents per box of 24 bars delivered. We have further been authorized to reduce the weight of this bar from 1¼ ounces to 1⅛ ounces. This reduction in weight and increase in price represent only that part of the cost increases which we were unable to absorb and permission to increase our price was granted with the understanding that the increase in price would not cause an increase in wholesale and retail prices. The Office of Price Administration has not permitted you or any other seller to raise maximum prices of sales for said 1⅛ ounce bar of "Pecan Feast." It does however authorize you and all other sellers to charge for the new 1⅛ ounce bar a price which is not in excess of the maximum price you established for the 1¼ ounce bar pursuant to the General Maximum Price Regulation. In order that we may continue to provide you with "Pecan Feast" bars it will be necessary for you to accept this reduction in margin.

(f) Rockwood and Company shall attach to or place in each smallest box or other packing unit of "Pecan Feast," a notice reading as follows:

The weight of our "Pecan Feast" bar has been reduced to 1⅛ ounces. The Office of Price Administration has authorized all retailers to sell this 1⅛ ounce bar of "Pecan Feast" for a price not in excess of the maximum price established by each retailer for the 1¼ ounce bar of "Pecan Feast" pursuant to the General Maximum Price Regulation.

(g) All prayers of the Applicant not granted herein are denied.

(h) This Order No. 176 may be revoked or amended by the Price Administrator at any time.

(i) This Order No 176 (§ 1499.1077) is hereby incorporated as a Section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(j) This Order No. 176 (§ 1499.1077) shall become effective January 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1152; Filed, January 22, 1943; 4:20 p. m.]

PART 1499—COMMODITIES AND SERVICE

[Order 177 under § 1499.18 (b) of GMPR]

ABRAMO RE

Order No. 177 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF1-807-P.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1078 *Adjustment of maximum prices for sausage products sold by Abramo Re.* (a) Abramo Re, Boston, Mas-

sachusetts, may sell and deliver, and any person may buy or receive from Abramo Re the following commodities at prices no higher than those set forth below:

	Maximum price to wholesalers	Maximum price to retailers
Abruzzesse	$0.55	$0.70
Capricola	.50	.62

(b) All discounts, allowances and practices with regard to charges for transportation and other trade practices in effect with respect to the above listed commodities during March 1942 by the seller, shall remain in effect under this order.

(c) Abramo Re shall supply all persons who purchase from him for resale the commodities set forth in paragraph (a) of § 1499.1078 a written notification to read as follows:

The Office of Price Administration has permitted us to raise our maximum prices for sale to you from the following prices:

	Wholesaler	Retailer
Abruzzesse	$0.62	$0.78
Capricola	.18	.24

to the prices set forth below:

	Wholesaler	Retailer
Abruzzesse	$0.55	$0.70
Capricola	.50	.62

This amount represents only that part of cost increases which we were unable to absorb and it was granted with the understanding that wholesale and retail prices would not be raised. The Office of Price Administration does not permit you or any other seller to raise his maximum prices for sales of Abruzzesse or Capricola.

(d) This Order No. 177 may be revoked or amended by the Office of Price Administration at any time.

(e) This Order No. 177 (§ 1499.1078) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 177 (§ 1499.1078) shall become effective January 23, 1943.

(Pub. Laws Nos. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of January, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1158, Filed, January 22, 1943, 4:20 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Revised Order 41 Under § 1499.18 (c) of GMPR]

CELCURE WOOD PRESERVING CORPORATION

Order No. 41 (§ 1499.391), is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.391 *Adjustment of maximum prices for Celcure processed 2½" x 6" tupelo and gum platform decking, sized to 2¼" x 5½", sold by Celcure Wood Preserving Corporation.* (a) The maximum price f. o. b. Columbia, South Carolina, for Celcure processed 2½"×6" tupelo and gum platform decking, sized to 2¼" x 5½", sold by the Celcure Wood Preserving Corporation, Jacksonville, Florida, shall be $60.00 per thousand feet board measure.

(b) All prayers of the application not granted herein are denied.

(c) This Revised Order No. 41 may be revoked or amended by the Price Administrator at any time.

(d) This Revised Order No. 41 (§ 1499.391) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(e) This Revised Order No. 41, (§ 1499.391) shall become effective January 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E. O. 9250, 7 F.R. 7871)

Issued this 22d day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1149, Filed, January 22, 1943, 4:24 p. m.]

PART 1305—ADMINISTRATION

[Ration Order 3A]

RATION BANKING; DEPOSITORS

Preamble. Billions of ration stamps and coupons are turned in to retailers annually by consumers of sugar, coffee and gasoline. Retailers must transfer the stamps, or their equivalent, to wholesalers in order to replenish their stocks; wholesalers must repeat this process. Obviously some system of exchanging stamps and coupons for ration evidences of larger denominations is essential, to avoid counting, transporting and storing tremendous bulks of paper at each trade level.

At present, approximately 5,500 local boards, largely composed of volunteer personnel, are performing this function. This means that the boards must count the stamps turned in, issue certificates against them, store the stamps and keep records of the transactions. Experience has demonstrated that these boards are not staffed or equipped to handle this mechanical, time-consuming task and that it interferes with the performance of their more important administrative duties. The addition of new rationing programs, with new stamps, coupons and other ration evidences, will make their load unmanageable.

The ration banking plan has been devised to relieve the boards of this burden. The commercial banks of the country have the necessary bookkeeping machinery and facilities, and are well equipped to handle the job. The plan has been tested in the Albany area of New York State, where it worked successfully. It is now being instituted on a nationwide basis.

Accordingly, pursuant to the authority vested in the Administrator by Public Laws 421, 507, and 729, 77th Cong., by Executive Order No. 9125, issued by the President on April 7, 1942: *It is hereby ordered*, That:

SUBPART A—HOW RATION BANKING OPERATES

Sec.
1305.431 Only authorized persons become depositors.
1305.432 Each person is a depositor as to each of his accounts.
1305.433 Depositor deposits evidences and uses checks.
1305.434 Checks issued only by depositors for authorized purposes.
1305.435 How ration banking is administered.

SUBPART B—OPENING A RATION BANK ACCOUNT

1305.441 Account opened where dollar account kept.
1305.442 Separate account required for each rationing program.
1305.443 Not more than one account per establishment for one program permitted.
1305.444 Signature cards and other papers required.

SUBPART C—MAKING DEPOSITS

1305.451 Evidences not deposited within valid periods are invalid.
1305.452 Evidences deposited only in account for establishment receiving them.
1305.453 Deposit slips used.
1305.454 Errors in deposit slips corrected.

SUBPART D—ISSUING CHECKS

1305.461 Checks and stubs filled out.
1305.462 Post-dated checks prohibited.
1305.463 Overdrafts prohibited.
1305.464 Altered checks prohibited.
1305.465 Certified checks issued to the Office of Price Administration.
1305.466 Check issued only to person to whose account it is payable.

SUBPART E—USING ISSUED CHECKS

1305.471 Checks generally not transferable: exceptions.
1305.472 Lost check reported.
1305.473 Depositor replaces altered and lost checks and reports lost checks to bank.

SUBPART F—OTHER RIGHTS AND DUTIES OF DEPOSITORS

1305.481 Depositor reports errors in statements.
1305.482 Depositor examines account.
1305.483 Disputes over balances referred to the Office of Price Administration.
1305.484 Accounts subject to control of the Office of Price Administration.
1305.485 Depositor gets permission to transfer or close account.
1305.486 Depositor who ceases to use account notifies district office.
1305.487 Accounts not subject to legal process.
1305.488 Depositor keeps records.

SUBPART G—SPECIAL PROVISIONS

1305.491 Territorial limitation.
1305.492 Effect on other orders.
1305.493 Terms explained.
1305.494 Enforcement.
1305.495 Suspension orders.
1305.496 Effective date.

AUTHORITY: §§ 1305.431 to 1305.496 inclusive, issued under Pub. Laws 421, 507, and 729, 77th Cong.; Executive Order No. 9125, 7 F.R. 2719; W.P.B. Dir. No. 1, 7 F.R. 562.

SUBPART A—HOW RATION BANKING OPERATES

§ 1305.431 *Only authorized persons become depositors.* Various ration orders of the Office of Price Administrations, such as the sugar and gasoline orders, require certain persons, (and authorize others) to have ration bank accounts. These persons alone may become depositors, and may open only the accounts specifically authorized by the various ration orders.

§ 1305.432 *Each person is a depositor as to each of his accounts.* Each person who opens one or more accounts is a separate depositor as to each of his accounts. Thus, a person who has a sugar account and a coffee account is both a sugar depositor and a coffee depositor. If one person has two establishments and opens a separate sugar account for each, he is a sugar depositor as to each account.

§ 1304.433 *Depositor deposits evidences and uses checks.* A ration bank account is used in much the same way as an ordinary dollar checking account. A depositor will deposit in his account stamps, coupons, certificates and other evidences, including checks, which he receives. He will then write and issue his own checks, drawn on the credits in his account. In the case of a dollar checking account, a depositor may either deposit his money and issue dollar checks to pay his bills, or he may transfer the money itself. A ration banking depositor has no such choice. He may surrender or transfer evidences received by him only to his bank for deposit. To other persons he may only issue a check drawn on his account. A person who is required to open an account but does not do so may not transfer or surrender evidences to any person for any purpose. No person may accept evidences which he knows or has reason to believe are transferred or surrendered in violation of this section.

§ 1305.434 *Checks issued only by depositors for authorized purposes.* Only a depositor may issue a check. No person other than a depositor may issue a document purporting to be a check, and a check or a document purporting to be a check may not be accepted from any person who the recipient knows or has reason to believe is not a depositor. A check may be issued by and accepted from a depositor only for the purposes permitted and with the effect prescribed by the ration order authorizing the account.

§ 1305.435 *How ration banking is administered.* The operation of each ration bank account is governed by three separate orders: (a) The ration order, such as gasoline or sugar, authorizing certain persons to become depositors and prescribing, for the particular program, the evidences valid for deposit and the circumstances under which a check may be used; (b) General Ration Order No. 3, prescribing the duties and governing the operation of banks participating in ration banking; and (c) this order, containing the uniform rules to which all depositors under all ration orders must conform. Ration banking is administered by banks and by other agencies and personnel designated by the Office of Price Administration. These banks act as agencies of (and under the direction and supervision of) the Office of Price Administration, and are responsible only to the Office of Price Administration.

SUBPART B OPENING A RATION BANK ACCOUNT

§ 1305.441 *Account opened where dollar account kept.* The first ration bank account of any person must be opened at a bank where he has a dollar checking account. If he opens separate accounts for separate establishments, under one rationing program, the account for any establishment must be opened at a bank at which he has a dollar checking account for that establishment. If he has no such dollar checking account, the account may be opened at any bank. Subsequent accounts of the same person, or for the same establishment, under a different rationing program, must be opened at the bank carrying the first account.

§ 1305.442 *Separate account required for each rationing program.* A person may not open one account for more than one rationing program, but must open a separate account for each. For example, he may not open one account for both coffee and sugar, but must open a coffee account and a sugar account.

§ 1305.443 *Not more than one account per establishment for one program permitted.* No person may open for any one establishment, more than one account for a single rationing program. For example, a person may not open two sugar accounts for one establishment.

§ 1305.444 *Signature cards and other papers required.* A person opens his first account in any bank by completing, signing and delivering to the bank signature cards supplied by the bank. He may open any additional account at that bank by requesting the bank to enter the additional account on the original signature cards. If the bank requests new signature cards, however, he must complete and deliver them. He shall also submit, if the bank requests them, references, other proofs of identity and documents showing his authority to execute the signature cards and to engage in business. If, after an account is opened, new persons are authorized to sign checks drawn on that account, new signature cards must be completed and delivered, and such new documents as the bank requests must be submitted.

SUBPART C—MAKING DEPOSITS

§ 1305.451 *Evidences not deposited within valid periods are invalid.* Evidences which are in the possession of a depositor when he opens his account, or are thereafter accepted by him, and which are not deposited in his account within the valid periods prescribed for their deposit by the ration order authorizing that account, are invalid.

§ 1305.452 *Evidences deposited only in account for establishment receiving them.* Evidences received by or for an establishment of a depositor may be deposited only in the account carried for that establishment.

§ 1305.453 *Deposit slips used.* All evidences presented for deposit must be in the form prescribed by the ration order authorizing the account, and accompanied by a deposit slip filled out in duplicate, in the form prescribed by the Office of Price Administration, indicating each item deposited by type and amount and, in the case of a ration check, by transit number. Upon making a deposit, the depositor will obtain a copy of the deposit slip initialed or stamped by the bank. Deposits will be accepted subject to count and verification by the bank.

§ 1305.454 *Errors in deposit slips corrected.* If a depositor receives from his bank a notice of an error in a deposit slip, he must correct his duplicate copy. He must bring any objection to the attention of the bank within ten (10) days after receipt of the notice.

SUBPART D—ISSUING CHECKS

§ 1305.461 *Checks and stubs filled out.* Each check and its stub must be completely filled out before the check may be issued. Both check and stub must contain the name of the person to whom the check is to be issued, the date on which it is drawn and the amount of credits to be transferred. The check must bear the depositor's authorized signature or signatures. Checks may not be filled out or signed in pencil.

§ 1305.462 *Post-dated checks prohibited.* No person may issue or accept a check bearing a date later than the date of issue.

§ 1305.463 *Overdrafts prohibited.* No check may be drawn on an account for an amount larger than the balance in the account, less the amount of outstanding checks drawn on that account.

§ 1305.464 *Altered checks prohibited.* No check containing an erasure or alteration may be issued or accepted.

§ 1305.465 *Certified checks issued to the Office of Price Administration.* A depositor who issues a check to a board or to the Office of Price Administration or to a regional, State or district office thereof, shall make the check payable to the Office of Price Administration, and shall have it certified or confirmed by his bank before issuing it.

§ 1305.466 *Check issued only to person to whose account it is payable.* A check may be issued only to and accepted only by the person to whose account it is made payable.

SUBPART E—USING ISSUED CHECKS

§ 1305.471 *Checks generally not transferable: Exceptions.* The rule is that a check may not be transferred by or accepted from a person to whom it has been issued. The three exceptions to the rule are:

(a) A depositor to whom a check is properly issued must endorse it and transfer it to his bank for deposit in his account. It may not be deposited in an account of any other depositor. His bank

will forward the check to the bank carrying the account on which it is drawn, where it will be charged to that account.

(b) A person to whom a check is issued and who neither is nor is required to be a depositor must endorse the check and transfer it to a board. He will receive in exchange other evidences having the same value as the check. However, in instances where the ration order authorizing the account on which the check is drawn so provides, such a person must endorse and surrender the check to a board or to the appropriate office of the Office of Price Administration without receiving other evidences in exchange for the check. The board or office receiving a check from such a person must endorse it and return it to the bank carrying the account on which it is drawn, where it will be charged to that account.

(c) An altered, mutilated or partially destroyed check may not be deposited or transferred to a board or to the Office of Price Administration. A person who holds such a check must return it to the depositor on whose account it is drawn and request a valid check.

§ 1305.472 *Lost check reported.* A person who loses or unintentionally destroys a check issued to him shall notify in writing the depositor on whose account the check is drawn of the circumstances of the loss or destruction and request a new check.

§ 1305.473 *Depositor replaces altered and lost checks and reports lost checks to bank.* A depositor to whom an altered, mutilated or partially destroyed check is returned, or who receives notification of the loss or destruction of a check, must issue a new check to the person to whom the original was issued. He must enter on the stub of the original check the fact that it has been lost, altered, mutilated, partially or completely destroyed, and on the stub of the new check the fact that it replaces the original check. Each depositor shall immediately send his bank a written description of any checks drawn on his account and lost before deposit, together with a statement of the circumstances of the loss and a description of the check issued to replace the lost check.

SUBPART F—OTHER RIGHTS AND DUTIES OF DEPOSITORS

§ 1305.481 *Depositor reports errors in statements.* Each depositor is entitled to receive from his bank at least quarterly a statement of his account and all cancelled checks which were charged against his account during the period covered by the statement, except certified checks and those statements and checks which the bank is required to forward to the Office of Price Administration. He must bring any objection to a statement to the attention of the bank within ten (10) days after the statement has been made available to him.

§ 1305.482 *Depositor examines account.* A depositor may examine the bank records of his account during the regular business hours of the bank. He must bring any objection to such records to the attention of the bank within ten (10) days after the examination.

§ 1305.483 *Disputes over balances referred to the Office of Price Administration.* A depositor who has brought to the attention of his bank a timely objection to the bank's records of his balance or his account may, within twenty (20) days after making the objection, write a letter stating the facts to the district office of the Office of Price Administration. The District Manager shall then decide the dispute. An appeal from the decision of the District Manager may be made in the manner provided by Procedural Regulation No. 9 (Uniform Appeals Procedure) for appeals from the action of a State Director. Further appeals may be made as provided in that regulation. If the objection of the depositor is not sustained, the bank's records shall be final.

§ 1305.484 *Accounts subject to control of the Office of Price Administration.* The Office of Price Administration may require the opening, closing, debiting, crediting or other disposal of any account, whether or not the depositor has requested such action.

§ 1305.485 *Depositor gets permission to transfer or close accounts.* A person may not transfer an account from a bank (even though he has transferred or closed his dollar account), close an account or change the name in which an account is carried, until he has received authorization to do so from the district office. A depositor may request the authorization by stating, in a letter to the district office, the reasons for the request. Authority shall be given in a proper case. Notification of any such authorization will be given by the district office to the bank which carries the account.

§ 1305.486 *Depositor who ceases to use account notifies district office.* A depositor who closes or sells any establishment for which an account is carried, or who ceases to deal in a rationed commodity, or who for any reason ceases to use an account, shall immediately write a letter to the district office, stating all the facts.

§ 1305.487 *Accounts not subject to legal process.* An account is not subject to attachment, garnishment, levy, execution, injunction or similar legal process, except on written authorization from the Office of Price Administration.

§ 1305.488 *Depositor keeps records.* A depositor must keep for at least two years all duplicate copies of deposit slips, notices of errors in deposit slips, statements of account made available to him, cancelled checks returned to him, all stubs from which checks have been detached, returned or unissued checks, and unused and spoiled check forms. He must keep a record of the disposition of each check form detached from its stub, whether or not it is filled out or issued. All records are subject to inspection, removal or other disposition only by the Department of Justice, the Office of Price Administration or any other persons designated by the Office of Price Administration.

SUBPART G—SPECIAL PROVISIONS

§ 1305.491 *Territorial limitation.* All of the provisions of this order apply to the entire area included within the continental limits of the United States.

§ 1305.492 *Effect on other orders.* This order is not to be construed to permit any act or omission which would be in violation of any other order of the Office of Price Administration.

§ 1305.493 *Terms explained.* When used in this order, unless the context requires otherwise:

(a) "Account" means a ration bank account carried by a bank, in which the bank keeps a record of deposits of evidences and of transfers of ration credits.

(b) "Bank" means a bank or bank branch which participates in ration banking by opening an account in accordance with General Ration Order No. 3.

(c) "Board" means a war price and rationing board.

(d) "Check" means a ration check, in the form prescribed by the Office of Price Administration, drawn by a depositor against his account and made payable to the account of a named person.

(e) "Depositor" means a person who has a ration bank account. A person shall be deemed a separate depositor with respect to each of his accounts.

(f) "District Manager" means the person holding the office of District Manager in a district office, or the person holding the office of State Director in a district or State office.

(g) "District office" means the district office of the Office of Price Administration having jurisdiction over the area in which the bank carrying the account for a depositor is located or, if there is no such district office, the State office of the Office of Price Administration having jurisdiction over that area.

(h) "Establishment" has whatever meaning is given to it by the ration order authorizing the account for the establishment to which reference is made in this order.

(i) "Evidence" means a ration evidence authorizing the transfer, delivery or acquisition of rationed commodities and includes stamps, coupons, certificates, checks and other similar instruments issued or authorized by the Office of Price Administration.

(j) "Issue," when used with respect to a check, means the delivery of a completed check to the person to whose account the check is made payable.

(k) "Person" means an individual, corporation, partnership, joint-stock company, trust, trustee, unincorporated association, government or governmental agency and any other organized group or enterprise. Any reference to a person shall be deemed to refer to the person or his authorized agent.

(l) "Ration order" means any ration order issued by authority of the Office of Price Administration.

(m) "Ration credits" means the credits in an account reflecting deposits of evidences.

§ 1305.494 *Enforcement.* (a) No person shall offer, solicit, attempt, or agree to do any act in violation of this order.

(b) No person shall, in any record, report, or other document made or kept pursuant to, or required by the provisions of this order, make any untrue statement of any fact, or omit to state any fact required to be stated therein or necessary to make the statements therein not misleading.

(c) No person shall forge or shall, except in accordance with this order, or other ration order of the Office of Price Administration, mutilate, alter, or destroy any check, check stub, record, report or other document made or kept pursuant to or required by the provisions of this order.

§ 1305.495 *Suspension orders.* Any person who violates this order may, by administrative suspension order, be prohibited from receiving any transfers or deliveries of, or selling or using or otherwise disposing of, any rationed product or facility. Such suspension order shall be issued for such period as in the judgment of the Administrator, or such person as he may designate for such purpose, is necessary or appropriate in the public interest and to promote the national security.

§ 1305.496 *Effective date.* General Ration Order No. 3A (§§ 1305.431 to 1305.496, inclusive) shall become effective 12:01 A. M., January 27, 1943.

(Pub. Laws 421, 507 and 729, 77th Cong.; E.O. 9125, issued by the President on April 7, 1942; W.P.B. Dir. No. 1, 7 F.R. 562)

Issued this 23d day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1214; Filed, January 23, 1943; 4:13 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 152,[1] Amendment 7]

CANNED VEGETABLES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new § 1341.22a is added, and a new paragraph (g) is added to § 1341.32.

§ 1341.22a *Canner's maximum prices for canned vegetables packed in new container types or sizes.* (a) The maximum price per dozen, f. o. b. factory, for a kind and grade of canned vegetable packed in any container type or size of which the canner made no sales during the first 60 days following the beginning of the 1941 pack shall be calculated as follows: He shall:

(1) *Determine the base container.* If the canner sold the same kind and grade of canned vegetables during the first 60 days following the beginning of the 1941 pack, but only in other container types or sizes, he shall first determine the most similar container type in which he is able to calculate a maximum price for that kind and grade of canned vegetable under this regulation (even though he no longer sells that container type). From that container type he shall choose the nearest size which is 50% or less larger, or if there is no such size, 50% or less smaller (even though he no longer sells these sizes). This will be the "base container." If there is no such smaller size, he shall go to the next most similar container type and proceed in the same manner to find the base container.

NOTE: In most cases "the most similar container type" will be merely the container type which the canner is adding to or replacing, such as tin which he may be replacing with glass. Where there has been only a size change, "the most similar container type" will be the same container type. This is also true in the reverse situation where there has been a change only in container type, the "nearest size" will be the same size.

(2) *Find the base price.* The canner shall take as the "base price" his maximum price per dozen, f. o. b. factory for the kind and grade of canned vegetable when packed in the base container. However, if this maximum price is a price delivered to the purchaser or to any point other than the canner's factory, the canner shall first convert it to a base price f. o. b. factory by subtracting whatever transportation charges were included in it.

(3) *Deduct the container cost.* Taking his base price f. o. b. factory, the canner shall then subtract the direct cost of the base container. "Direct cost of the container" means the net cost, at the packer's factory, of the container, cap, label and proportionate part of the outgoing shipping carton, but it does not include costs of filling, closing, labeling or packing.

(4) *Adjust for any difference in contents.* The figure obtained by this deduction shall then be adjusted, in the case of a size change, by dividing it by the number of ounces or other units in the base container and multiplying the result by the number of the same units in the new container.

(5) *Add the new container cost to get the price f. o. b. factory.* Next, the canner shall add to the adjusted figure the "direct cost of the container" in the new type and size. If his maximum price for the commodity in the base container is an f. o. b. factory price, the resulting figure is the canner's maximum price, f. o. b. factory.

(6) *Convert to a maximum delivered price, if the maximum price for the base container is on a delivered basis.* If the canner's maximum price for the canned vegetable in the base container is a delivered price, he shall figure transportation charges to be added, as follows. The canner shall take the transportation charges which he first deducted to get his base price and adjust them in exact proportion to the difference in shipping weight. If for any reason the canned vegetable in the new container will move under a different freight tariff classification, the canner shall figure his transportation charges (by the same means of transportation and to the same destination) on the basis of the new shipping weight, but at the rate in effect for that freight tariff classification during March 1942. Increases in tariff rates or transportation taxes made since March 31, 1942, shall not be taken into account. (Similar principles shall apply where shipping volume is the measure of the transportation charge.) The canner shall then add these transportation charges to his f. o. b. factory price for the commodity in the new container. The resulting figure is the canner's maximum delivered price.

(b) If the canner has established prior to January 25, 1943, a maximum price under paragraphs (d), (j) or (k) of § 1341.22 for a kind, grade and container size of canned vegetables, of which he made no sales during the first 60 days following the beginning of the 1941 pack, he may retain that maximum price, or, at his option, may establish a maximum price under this section.

* * * * * *

§ 1341.32 *Effective dates of amendments.* * * *

(g) Amendment No. 7 (§ 1341.22a) shall become effective January 25, 1943.

Issued this 23d day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1232; Filed, January 23, 1943; 4:14 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 185,[1] Amendment 6]

CANNED FRUITS AND CANNED BERRIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Sections 1341.102a, 1341.106a (e) and 1341.114 (f) are added as set forth below.

§ 1341.102a *Canner's maximum prices for canned fruits and canned berries in new container types or sizes.* (a) The maximum price per dozen for a kind and grade of canned fruits or canned berries packed in any container type or size which the canner did not sell during the first 60 days after the beginning of the 1941 pack shall be calculated as follows. He shall:

(1) *Determine the base container.* If the canner sold the same kind and grade of canned fruits or canned berries during the first 60 days after the beginning of the 1941 pack, but only in other container types or sizes, he shall first determine the most similar container type in which he is able to calculate a maximum price for that kind and grade of canned fruits or canned berries under this regulation (even though he no longer sells that container type). From that con-

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3895, 3963, 4453, 5138, 5363, 6219, 6266, 6472, 8948.

[1] 7 F.R. 5772, 5988, 7530, 8948, 10684, 11075; 8 F.R. 490.

tainer type he shall choose the nearest size which is 50% or less larger, or if there is no such size, 50% or less smaller (even though he no longer sells those sizes). This will be the "base container." If there is no such smaller size, he shall go to the next most similar container type and proceed in the same manner to find the base container.

NOTE: In most cases "the most similar container type" will be merely the container type which the canner is adding to or replacing, like the tin which he may be replacing with glass. Where there has been only a size change, "the most similar container type" will be the same container type. This is also true in the reverse situation; where there has been a change only in container type, the "nearest size" will be the same size.

(2) *Find the base price.* The canner shall take as the "base price" his maximum price per dozen, f. o. b. factory, for the kind and grade of canned fruits or canned berries when packed in the base container. However, if this maximum price is a price delivered to the purchaser or to any point other than the canner's factory, the canner shall first convert it to a base price f. o. b. factory by subtracting whatever transportation charges were included in it.

(3) *Deduct the container cost.* Taking his base price, f. o. b. factory, the canner shall then subtract the direct cost of the base container. "Direct cost of the container" means the net cost, at the packer's factory, of the container, cap, label and proportionate part of the outgoing shipping carton, but it does not include costs of filling, closing, labeling, or packing.

(4) *Adjust for any difference in contents.* The figure obtained by this deduction shall then be adjusted, in the case of a size change, by dividing it by the number of ounces or other units in the base container and multiplying the result by the number of the same units in the new container.

(5) *Add the new container cost to get the price f. o. b. factory.* Next, the canner shall add to the adjusted figure the "direct cost of the container" in the new type and size. If his maximum price for the commodity in the base container is an f. o. b. factory price, the resulting figure is the canner's maximum price, f. o. b. factory.

(6) *Convert to a maximum delivered price, if the maximum price for the base container is on a delivered basis.* If the canner's maximum price for the canned fruits or canned berries in the base container is a delivered price, he shall figure transportation charges to be added, as follows: The canner shall take the transportation charges which he first deducted to get his base price and adjust them in exact proportion to the difference in shipping weight. If for any reason the canned fruits or canned berries in the new container will move under a different freight tariff classification, the canner shall figure his transportation charges (by the same means of transportation and to the same destination) on the basis of the new shipping weight, but at the rate in effect for that freight tariff classification during March 1942. Increases in tariff rates or transportation taxes made since March 31, 1942, shall not be taken into account. (Similar principles shall apply where shipping volume is the measure of the transportation charge.) The canner shall then add these transportation charges to his f. o. b. factory price for the commodity in the new container. The resulting figure is the canner's maximum delivered price.

(b) If the canner has established prior to January 25, 1943, a maximum price under the provisions of § 1341.102 for a kind, grade, and container size of canned fruits or canned berries, of which he made no sales during the first 60 days following the beginning of the 1941 pack, he may retain that maximum price, or, at his option, may establish a maximum price under this section.

§ 1341.106a *Information to purchasers from canners.* * * *

(e) The provisions of this section shall not apply when a canner has computed his maximum price under the provisions of § 1341.102a and in such case he shall not report a base price or permitted increase and need not report his maximum price to a purchaser.

§ 1341.114 *Effective dates of amendments.* * * *

(f) Amendment No. 6 (§§ 1341.102a, 1341.106a (e) and 1341.114 (f)) to Maximum Price Regulation No. 185 shall become effective on January 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1233; Filed, January 23, 1943; 4:14 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 226,[1] Amendment 4]

FRUIT PRESERVES, JAMS AND JELLIES

A statement of the considerations involved in the issuance of Amendment No. 4 to Maximum Price Regulation No. 226 has been issued and filed with the Division of the Federal Register.*

Paragraph (e) of § 1341.302 is amended, and a new sentence is added to paragraph (a) of § 1341.309a after the phrase "calculated for his own wholesalers", all as shown below.

§ 1341.302 *Packer's maximum prices for fruit preserves, jams and jellies.* * * *

(e) *New container types and sizes.* (1) The maximum price per dozen or other unit for a kind, flavor and brand of fruit preserves, jams or jellies packed in any container type or size which the packer did not sell during the 1941 base period shall be calculated as follows. He shall:

(i) *Determine the base container.* If the packer sold the same kind, flavor and brand of fruit preserves, jams or jellies during the 1941 base period, but only in other container types or sizes, he shall first determine the most similar container type in which he is able to calculate a maximum price for that kind, flavor and brand under this regulation (even though he no longer sells that container type). From that container type he shall choose the nearest size, which is 50% or less larger, or if there is no such size, 50% or less smaller (even though he no longer sells those sizes). This will be the "base container". If there is no such smaller size, he shall go to the next most similar container type and proceed in the same manner to find the base container.

NOTE: In most cases "the most similar container type" will be merely the container type which the packer is adding to or replacing, like the tin which he may be replacing with glass. Where there has been only a size change, "the most similar container type" will, of course, be the same container type. This is also true in the reverse situation; where there has been a change only in container type, the "nearest size" will be the same size.

(ii) *Find the base price.* The packer shall take as the "base price" his maximum price for the kind, flavor and brand of fruit preserves, jams or jellies when packed in the base container. However, if this maximum price is a price delivered to the purchaser or to any point other than the packer's factory, the packer shall first convert it to a base price f. o. b. packer's factory by deducting whatever transportation charges were included in it.

(iii) *Deduct the container cost.* Taking his base price f. o. b. factory, the packer shall then subtract the direct cost of the base container. "Direct cost of the container" means the net cost, at the packer's factory, of the container, cap, label and proportionate part of the outgoing shipping carton, but it does not include costs of filling, closing, labeling or packing.

(iv) *Adjust for any difference in contents.* The figure obtained by this deduction shall then be adjusted, in the case of a size change, by dividing it by the number of ounces or other units in the base container and multiplying the result by the number of the same units in the new container.

(v) *Add the new container cost to get the price f. o. b. factory.* Next, the packer shall add to the adjusted figure the "direct cost of the container" in the new type and size. If his maximum price for the commodity in the base container is an f. o. b. factory price, the resulting figure is the packer's maximum price, f. o. b. factory.

(vi) *Convert to a maximum delivered price, if the maximum price for the base container is on a delivered basis.* If the packer's maximum price for the fruit preserves, jams or jellies in the base container is a delivered price, he shall figure transportation charges to be added, as follows: The packer shall take the transportation charges which he first deducted to get his base price and adjust them in exact proportion to the difference in shipping weight. If for any reason the fruit preserves, jams or jellies in the new container will move under a different freight tariff classification, the packer shall figure his transportation charges (by the same means of transportation and to the same destination) on the basis of the new shipping weight, but at the rate in effect for that freight tariff classification during March 1942. Increases in tariff rates or transportation taxes made since March 31, 1942, shall not be taken into account. (Similar principles shall apply where shipping volume is the measure of the transportation charge.) The packer shall then add these transportation charges to his f. o. b. factory price for the commodity in the new container. The resulting figure is the packer's maximum delivered price.

(2) If the packer has established a maximum price for any new item prior to January 25, 1943, under Section 1341.303, he may retain that maximum price, or, at his option, he may establish a maximum price under this paragraph.

§ 1341.309a *Information which packers must give their customers—(a) Notice from packers to wholesalers.* * * * If the packer has established a maximum price under paragraph (e) of § 1341.302, he is not required to notify his wholesalers under the provisions of this paragraph.

* * * * *

§ 1341.317 *Effective dates of amendments.* * * *

(e) Amendment No. 4 (§§ 1341.302 (e), 1341.309a (a) and 1341.317 (e)) to Maximum Price Regulation No. 226 shall become effective January 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1234; Filed, January 23, 1943; 4:14 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 232,[1] Amendment 3]

APPLE BUTTER

A statement of the considerations involved in the issuance of Amendment No. 3 to Maximum Price Regulation No. 232 has been issued and filed with the Division of the Federal Register.*

Paragraph (e) of § 1341.452 is amended, and a new sentence is added to paragraph (a) of § 1341.459a after the phrase "calculated for his own wholesalers", all as shown below.

§ 1341.452 *Packer's maximum prices for apple butter.* * * *

(e) *New container types and sizes.* (1) The maximum price per dozen or other unit for a brand of apple butter packed in any container type or size which the packer did not sell during October and November 1941 shall be calculated as follows. He shall:

(i) *Determine the base container.* If the packer sold the same brand of apple butter during October and November 1941, but only in other container types or sizes, he shall first determine the most similar container type in which he is able to calculate a maximum price for that brand under this regulation (even though he no longer sells that container type). From that container type he shall choose the nearest size which is 50% or less larger, or if there is no such size, 50% or less smaller (even though he no longer sells those sizes). This will be the "base container." If there is no such smaller size, he shall go to the next most similar container type and proceed in the same manner to find the base container.

NOTE: In most cases "the most similar container type" will be merely the container type which the packer is adding to or replacing, like the tin which he may be replacing with glass. Where there has been only a size change, "the most similar container type" will of course, be the same container type. This is also true in the reverse situation; where there has been a change only in container type, the "nearest size" will be the same size.

(ii) *Find the base price.* The packer shall take as the "base price" his maximum price for the brand of apple butter when packed in the base container. However, if this maximum price is a price delivered to the purchaser or to any point other than the packer's factory, the packer shall first convert it to a base price f. o. b. packer's factory by deducting whatever transportation charges were included in it.

(iii) *Deduct the container cost.* Taking his base price f. o. b. factory, the packer shall then subtract the direct cost of the base container. "Direct cost of the container" means the net cost, at the packer's factory, of the container, cap, label and proportionate part of the outgoing shipping carton, but it does not include costs of filling, closing, labeling or packing.

(iv) *Adjust for any difference in contents.* The figure obtained by this deduction shall then be adjusted, in the case of a size change, by dividing it by the number of ounces or other units in the base container and multiplying the result by the number of the same units in the new container.

(v) *Add the new container cost to get the price f. o. b. factory.* Next, the packer shall add to the adjusted figure the "direct cost of the container" in the new type and size. If his maximum price for the commodity in the base container is an f. o. b. factory price, the resulting figure is the packer's maximum price, f. o. b. factory.

(vi) *Convert to a maximum delivered price, if the maximum price for the base container is on a delivered basis.* If the packer's maximum price for the apple butter in the base container is a delivered price, he shall figure transportation charges to be added, as follows: The packer shall take the transportation charges which he first deducted to get his base price and adjust them in exact proportion to the difference in shipping weight. If for any reason the apple butter in the new container will move under a different freight tariff classification, the packer shall figure his transportation charges (by the same means of transportation and to the same destination) on the basis of the new shipping weight, but at the rate in effect for that freight tariff classification during March 1942. Increases in tariff rates or transportation taxes made since March 31, 1942, shall not be taken into account. (Similar principles shall apply where shipping volume is the measure of the transportation charge.) The packer shall then add these transportation charges to his f. o. b. factory price for the commodity in the new container. The resulting figure is the packer's maximum delivered price.

(2) If the packer has established a maximum price for any new item prior to January 25, 1943, under § 1341.453, he may retain that maximum price, or, at his option, he may establish a maximum price under this paragraph.

§ 1341.459a *Information which packers must give their customers.* (a) *Notice from packers to wholesalers.* * * * If the packer has established a maximum price under paragraph (e) of § 1341.452, he is not required to notify his wholesalers under the provisions of this paragraph.

* * * * *

§ 1341.466 *Effective dates of amendments.* * * *

(e) Amendment No. 3 (§§ 1341.452 (e), 1341.459a (a) and 1341.466 (e)) to Maximum Price Regulation No. 232 shall become effective January 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1235; Filed, January 23, 1943; 4:14 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[Rev. MPR 233,[1] Amendment 1]

DRIED AND CANNED APPLES AND APPLE PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1341.411 is amended and § 1341.429 is added as set forth below.

§ 1341.411 *Maximum prices for apple products in new container types and sizes.* (a) The maximum price per dozen, f. o. b. factory, for a kind and grade of any of the apple products covered by this regulation packed in any container type or size of which the seller made no sales during the first 60 days after the beginning of the 1941 pack shall be calculated as follows. He shall:

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*Copies may be obtained from the Office of Price Administration

[1] 7 F.R. 7490, 8798, 8889, 8890, 8948, 10226

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 7778, 7966, 8890, 8948, 10226.

[1] 7 F.R. 10685.

(1) *Determine the base container.* If the seller sold the same kind and grade of the apple product during the first 60 days following the beginning of the 1941 pack, but only in other container types or sizes, he shall first determine the most similar container type in which he is able to calculate a maximum price for that kind and grade of apple product (even though he no longer sells that container type). From that container type he shall choose the nearest size which is 50% or less larger, or if there is no such size, 50% or less smaller (even though he no longer sells these sizes). This will be the "base container." If there is no such smaller size, he shall go to the next most similar type and proceed in the same manner to find the base container.

NOTE: In most cases "the most similar container type" will be merely the container type which the seller is adding to or replacing, such as tin which he may be replacing with glass. Where there has been only a size change, "the most similar container type" will be the same container type. This is also true in the reverse situation: where there has been a change only in container type, the "nearest size" will be the same size.

(2) *Find the base price.* The seller shall take as the "base price" his maximum price per dozen, f. o. b. factory, for the kind and grade of apple product when packed in the base container. However, if this maximum price is a price delivered to the purchaser or to any point other than the seller's factory, the seller shall first convert it to a base price f. o. b. factory by subtracting whatever transportation charges were included in it.

(3) *Deduct the container cost.* Taking his base price, f. o. b. factory, the seller shall then subtract the direct cost of the base container. "Direct cost of the container" means the net cost, at the seller's factory, of the container, caps, label and proportionate part of the outgoing shipping carton, but it does not include costs of filling, closing, labeling or packing.

(4) *Adjust for any difference in contents.* The figure obtained by this deduction shall then be adjusted, in the case of a size change, by dividing it by the number of ounces or other units in the base container and multiplying the result by the number of the same units in the new container.

(5) *Add the new container cost to get the price f. o. b. factory.* Next, the seller shall add to the adjusted figure the "direct cost of the container" in the new type and size. If his maximum price for the commodity in the base container is an f. o. b. factory price, the resulting figure is the seller's maximum price, f. o. b. factory.

(6) *Convert to a maximum delivered price, if the maximum price for the base container is on a delivered basis.* If the seller's maximum price for the apple product in the base container is a delivered price, he shall figure transportation charges to be added, as follows. The seller shall take the transportation charges which he first deducted to get his base price and adjust them in exact proportion to the difference in shipping weight. If for any reason the apple product in the new container will move under a different freight tariff classification, the seller shall figure his transportation charges (by the same means of transportation and to the same destination) on the basis of the new shipping weight, but at the rate in effect for that freight tariff classification during March 1942. Increases in tariff rates or transportation taxes made since March 31, 1942, shall not be taken into account. (Similar principles shall apply where shipping volume is the measure of transportation charge.) The seller shall then add these transportation charges to his f. o. b. factory price for the commodity in the new container. The resulting figure is the seller's maximum delivered price.

(b) If the seller has established prior to January 25, 1943, a maximum price under the provisions of this regulation for a kind, grade, and container size of apple products, of which he made no sales during the first 60 days following the beginning of the 1941 pack, he may retain that maximum price, or, at his option, may establish a maximum price under this section.

§ 1341.429 *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1341.411 and 1341.429) to Revised Maximum Price Regulation No. 233 shall become effective on January 25, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1236, Filed, January 23, 1943; 4:13 p. m.]

PART 1358—TOBACCO

[MPR 308]

CONNECTICUT SHADE GROWN (TYPE NO. 61) TOBACCO

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for sales of the 1942 crop of Connecticut Shade Grown (Type No. 61) Tobacco by a specific maximum price regulation.

A statement of the considerations involved in the issuance of this Regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. So far as practical, the Price Administrator has advised and consulted with members of the industry which will be affected by this regulation.

Therefore, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1[1] issued by the Office of Price Administration, Maximum Price Regulation No. 308 is hereby issued

Sec.

1358.201 Prohibition of sales or deliveries and purchases or receipt of the 1942 crop of Connecticut Shade Grown (Type No. 61) Tobacco.
1358.202 Less than maximum prices.
1358.203 Export sales.
1358.204 Petitions for amendment.
1358.205 Evasion.
1358.206 Enforcement.
1358.207 Records.
1358.208 Definitions.
1358.209 Geographical applicability.
1358.210 Effective date.
1358.211 Appendix A: Maximum Prices for the 1942 crop of Connecticut Shade Grown (Type No. 61) Tobacco.

AUTHORITY §§ 1358.201 to 1358.211, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1358.201 *Prohibition of sales or deliveries and purchases or receipt of the 1942 crop of Connecticut Shade Grown (Type No. 61) Tobacco.* On and after January 23, 1943, regardless of any contract, agreement, lease or other obligation:

(a) No person shall sell or deliver any of the 1942 crop of Connecticut Shade Grown (Type No. 61) Tobacco at a price in excess of his maximum price for the particular tobacco in question as set forth in § 1358.211, Appendix A.

(b) No person shall buy or receive any of the 1942 crop of Connecticut Shade Grown (Type No. 61) Tobacco at a price in excess of the maximum price for the particular tobacco in question as set forth in § 1358.211, Appendix A.

(c) No person shall agree, offer, solicit or attempt to do any of the foregoing.

§ 1358.202 *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid or offered.

§ 1358.203 *Export sales.* The maximum prices at which a person may export any of the 1942 crop of Connecticut Shade Grown (Type No. 61) Tobacco shall be determined in accordance with the provisions of the Revised Maximum Export Regulation[2] issued by the Office of Price Administration.

§ 1358.204 *Petitions for amendment.* Persons seeking any modification of this regulation, or exceptions not provided for therein may file petitions for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1358.205 *Evasion.* (a) The price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to any of the 1942 crop of Connecticut Shade Grown (Type No. 61) Tobacco, either alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge or discount, premium or other privilege or other trade understanding or otherwise.

(b) Specifically, but not exclusively, the following practices in the marketing of any of the 1942 crop of Connecticut Shade Grown (Type No. 61) Tobacco are prohibited:

(1) Any sale or purchase of such tobacco other than as a grade or in a condition for which maximum prices are established under § 1358.211, Appendix A.

(2) In the case of a seller, the grading of any of the 1942 crop in a manner that constitutes an alteration of or deviation from the customary grading practices with respect to the 1941 crop, normal variations alone excepted.

(3) In the case of a sale by a seller to a particular purchaser, the elimination or reduction of the seller's discounts and/or initial credit terms allowed with respect to sales of the 1941 crop to such purchaser, or, if no sales of the 1941 crop were made by the particular seller to the particular purchaser, the elimination or reduction of customary discounts and/or initial credit terms allowed by such seller on his sales of the 1941 crop to purchasers of the same class.

(4) In the case of a sale of any of the 1942 crop, elimination or reduction of commissions, allowances, fees or other compensation customarily paid by a seller to a broker or agent with respect to similar sales of prior crops.

§ 1358.206 *Enforcement.* (a) Persons violating any of the provisions of this regulation are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have any evidence of any violation of this regulation or any price schedule, regulation or order issued by the Office of Price Administration, or any acts or practices which constitute such a violation, are urged to communicate with the nearest district, state or regional office of the Office of Price Administration, or its principal office in Washington, D. C.

§ 1358.207 *Records.* (a) Every person selling any of the 1942 crop of Connecticut Shade Grown (Type No. 61) Tobacco shall preserve and make available for examination by the Office of Price Administration, for as long as the Emergency Price Control Act of 1942 remains in effect, all his existing records relating to the prices which he charged for any of the 1941 crop of such tobacco.

(b) Every person selling or purchasing any of the 1942 crop of Connecticut Shade Grown (Type No. 61) Tobacco shall keep and make available for examination by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942 remains in effect, records of the same kind as he customarily kept relating to the prices which he charged or paid for any of the 1942 crop of such tobacco after the effective date of this regulation.

§ 1358.208 *Definitions.* (a) When used in this regulation, the term:

(1) "Connecticut Shade Grown (Type No. 61) Tobacco" means United States Type No. 61 as specified in the Regulatory Announcement No. 118 of the Bureau of Agricultural Economics of the United States Department of Agriculture.

(2) "Person" includes individual, corporation, partnership, association or any other organized group of persons or a legal successor or representative of any of the foregoing, and includes the United States or any agency thereof or any other government, or any of its political subdivisions or any agency of any of the foregoing.

(3) "Grade" means a subdivision of the type of tobacco according to group and quality, and according to color when color is of sufficient importance to be treated as a separate factor.

(4) "Priming" means a picking of tobacco.

(5) "1942 crop" mean Connecticut Shade Grown (Type No. 61) Tobacco grown during the 1942 growing season.

(6) "1941 crop" means Connecticut Shade Grown (Type No. 61) Tobacco grown during the 1941 growing season.

(7) "Initial credit terms" means terms fixing the time for payment of the purchase price agreed to by a seller and purchaser at or prior to delivery of the tobacco in question.

(8) "Jobber" means any person who purchases tobacco and holds or offers such tobacco for resale.

(9) "Purchase price" when used with reference to the price paid by a jobber for any of the 1942 crop of Connecticut Shade Grown (Type No. 61) Tobacco means the gross amount contracted to be paid by the jobber to his supplier, before allowance for discounts and exclusive of transportation charges.

(10) "Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for commodities or services for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or for purchasers located in different areas or for different quantities or grades or under different conditions of sale.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1358.209 *Geographical applicability.* The provisions of this regulation shall be applicable to the forty-eight states of the United States and the District of Columbia.

§ 1358.210 *Effective date.* This Maximum Price Regulation No. 308 (§§ 1358.201 to 1358.211, inclusive) shall become effective January 23, 1943.

§ 1358.211 *Appendix A: Maximum prices for the 1942 crop of Connecticut Shade Grown (Type No. 61) Tobacco*—(a) *Maximum prices for a grower or packer.* (1) The maximum price of a grower and/or packer for sized, sorted and packed Connecticut Shade Grown (Type No. 61) Tobacco of the 1942 crop of a particular grade listed in Table I shall be as follows:

TABLE I—MAXIMUM PRICES FOR VARIOUS GRADES OF THE 1942 CROP OF CONNECTICUT SHADE GROWN (TYPE NO. 61) TOBACCO

[Price per pound selling weight]

Grade	Leaf averaging 10 inches but less than 11 inches in length	Leaf averaging 11 inches but less than 12 inches in length	Leaf averaging 12 inches but less than 13 inches in length	Leaf averaging 13 inches but less than 14 inches in length	Leaf averaging more than 14 inches in length
L	$2.70	$6.00	[1] $7.20	-------	-------
LL	-------	4.10	[1] 6.60	-------	-------
LC	1.80	4.20	[1] 5.40	-------	-------
LV	1.80	4.20	[1] 5.40	-------	-------
LC2	1.50	3.30	[1] 4.20	-------	-------
LV2	.80	3.30	[1] 4.20	-------	-------
YL1	1.50	2.10	[1] 2.70	-------	-------
YL2	-------	1.50	2.10	[1] $2.40	-------
YL3	-------	-------	1.20	[1] 1.50	-------
X1	1.50	2.10	[1] 2.70	-------	-------
X2	-------	1.50	2.10	[1] 2.40	-------
X3	-------	1.20	[1] 1.80	-------	-------
KV	-------	.90	.90	[1] 1.20	-------
AL1	-------	-------	.90	[1] 2.10	-------
AL2	-------	-------	.90	[1] 1.50	-------
VL1	-------	-------	.90	[1] 1.80	-------
VL2	-------	-------	.72	[1] 1.20	-------
ML1	-------	-------	.60	[1] .90	-------
ML2	-------	-------	.60	[1] .72	-------
SL 1	-------	[1] 1.20	-------	-------	-------
SL 2	-------	[1] .60	-------	-------	-------
XL1	.72	.90	1.50	1.80	[1] $2.40
XLY	-------	.72	.90	1.20	[1] 1.50
XL2	-------	.60	.72	.72	[1] 1.20
XL3	-------	.42	-------	-------	-------

Broken back #1	$2.40
Broken back #2	1.20
Broken back Y	1.80
Broken back dark	.60
Unsorted wrapper, averaging 10 inches but less than 11 inches in length	1.50
Third primings (or top primings) unassorted and unsized	.80
Clean binder, averaging 8 inches but less than 9 inches in length	.60
Clean binder, averaging 9 inches but less than 10 inches in length	.80
Clean binder, averaging 10 inches but less than 11 inches in length	.90
Clean binder, averaging 11 inches but less than 12 inches in length	.90
XX (tied)	.21
XX (loose)	.17
St. XX	.14
Loose leaves	.08

[1] The maximum price for larger leaves of the same grade should be the same as that established for leaves of the indicated length.

(2) The maximum price of a grower and/or packer for sized, sorted and packed Connecticut Shade Grown (Type No. 61) Tobacco of the 1942 crop of a particular grade not listed in Table I shall be:

(i) The highest price charged by such grower or packer to a purchaser of the same class for the same grade of such tobacco of the 1941 crop, plus 20%; or

(ii) If a grower's or packer's maximum price for any particular grade cannot be determined under (i), his maximum price therefor shall be the highest price charged for the same grade of such tobacco of the 1941 crop by a seller of the same class to a purchaser of the same class, plus 20%; or

(iii) If a grower's or packer's maximum price for any particular grade can-

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8961.

[2] 7 F.R. 5059, 7242, 8829, 9000, 10530.

not be determined under (i) or (ii), his maximum price therefor shall be the highest price charged for the most comparable grade of such tobacco of the 1941 crop by a seller of the same class to a purchaser of the same class, plus 20%.

(3) The maximum price of a grower and or packer for any priming of the 1942 crop of Connecticut Shade Grown (Type No. 61) Tobacco, assorted and unsized, or unassorted (whether sized or unsized) shall be:

(i) The highest price charged by such grower or packer to a purchaser of the same class for tobacco of the 1941 crop of the same priming sold in the same condition, plus 20%; or

(ii) If a grower's or packer's maximum price for any particular tobacco cannot be determined under (i), his maximum price therefor shall be the highest price charged for tobacco of the 1941 crop of the same priming sold in the same condition by a seller of the same class to a purchaser of the same class, plus 20%; or

(iii) If a grower's or packer's maximum price for any particular tobacco cannot be determined under (i), his maximum price therefor shall be the highest price charged for the most comparable tobacco of the 1941 crop of the same priming sold in the same condition by a seller of the same class to a purchaser of the same class plus 20%.

(4) Every grower and packer shall allow from his maximum prices established hereunder for the 1942 crop, his customary discounts and allowances with respect to sales of the 1941 crop to the particular purchaser in question. If a particular grower or packer made no sales of the 1941 crop to a particular purchaser, he shall allow from such maximum prices his customary discounts and allowances with respect to sales of the 1941 crop to purchasers of the same class.

(b) *Maximum prices for jobbers.* (1) The maximum price of a jobber for any of the 1942 crop of Connecticut Shade Grown (Type No. 61) Tobacco of a particular grade, sized, sorted and packed, or for tobacco of such crop of any priming sold assorted and unsized, or unassorted (whether sized or unsized) shall be determined as follows:

(i) Such jobber shall determine his highest price charged for tobacco of the same grade, or of the same priming and condition sold and delivered by him during the period from January 1, 1942, through December 31, 1942. He shall then add thereto 16⅔ per cent of his purchase price for the particular tobacco of the 1942 crop. The result of the addition shall be the jobber's maximum price for that tobacco of the 1942 crop.

(ii) If a jobber's maximum price for any particular tobacco cannot be determined under (i), he shall ascertain the highest price charged by a jobber for tobacco of the same grade, or of the same priming and condition sold and delivered during the period from January 1, 1942, through December 31, 1942. He shall then add thereto 16⅔% of his purchase price for the particular tobacco of the 1942 crop. The result of the addition shall be the jobber's maximum price for that tobacco of the 1942 crop.

(iii) If a jobber's maximum price for any particular tobacco cannot be determined under (i) or (ii), he shall ascertain the highest price charged by a jobber for the most comparable tobacco of the same grade, or of the same priming and condition sold and delivered during the period from January 1, 1942, through December 31, 1942. He shall then add thereto 16⅔ percent of his purchase price for the particular tobacco of the 1942 crop. The results of the addition shall be the jobber's maximum price for that tobacco of the 1942 crop.

(2) Every jobber shall allow from his maximum prices established hereunder for the 1942 crop his customary discounts and allowances with respect to sales of the 1941 crop to the particular purchaser in question. If a particular jobber made no sales of the 1941 crop to a particular purchaser, he shall allow from such maximum prices his customary discounts and allowances with respect to sales of the 1941 crop to purchasers of the same class.

Issued this 23d day of January 1943

PRENTISS M. BROWN,
Administrator.

Approved: January 22, 1943.

PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-1230; Filed, January 23, 1943; 4:09 p. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[Ration Order 2A,* Amendment 23]

NEW PASSENGER AUTOMOBILES

A rationale for the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The text of § 1360.362 is amended; a new § 1360.365 is added; in § 1360.407 the text is amended and a new paragraph (f) is added, as set forth below:

Transfers Without Certificates

§ 1360.362 *Persons eligible to acquire only for purposes of resale.* The following persons are eligible to acquire new passenger automobiles by transfer without certificate only for purposes of resale (except that any automobile acquired under this section, when properly registered, may be used by or on behalf of the Army Air Forces Aircraft Warning Service, including the Army Air Forces Ground Observer Corps).

* * * * *

§ 1360.365 *Transfers for transportation of ground observers.* Any person may transfer a new pasenger automobile for use by or on behalf of the Army Air Forces Aircraft Warning Service (including the Army Air Forces Ground Observer Corps) which provides:

(1) That the applicant will furnish a new passenger automobile for use by or on behalf of the Army Air Forces Aircraft Warning Service (including the Army Air Forces Ground Observer Corps);

(2) That he will furnish the automobile for a minimum period of three consecutive months; and

(3) That he will not use the automobile for any other purpose during the period of the contract.

Effective Dates

§ 1360.442 *Effective dates of amendments.* * * *

(w) Amendment No. 23 (§§ 1360.362, 1360.365, 1360.407[1], to Rationing Order No. 2A shall become effective January 29, 1943.

(Pub. Law 421, 77th Cong.; W.P.B. Dir. No. 1; Supp. Dir. No. 1A, 7 F.R. 562, 698, 1493[1])

Issued this 23d day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1215; Filed, January 23, 1943; 4:13 p. m.]

PART 1381—SOFTWOOD LUMBER

[Correction to MPR 94[1]]

WESTERN PINE AND ASSOCIATED SPECIES OF LUMBER

In § 1381.515 maximum prices for sugar pine lumber, Table No. 2: Notes on Sugar Pine Lumber (sugar pine), Note 1 for rough, sub-note (d) reads: "No. 3 shop, deduct $2.00." This is corrected to read: "No. 3 shop, deduct $1.00."

In § 1381.518, maximum prices for Engelmann spruce lumber, Table No. 4

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1542, 1647, 1756, 2108, 2242, 2305, 2903, 3097, 3482, 4343, 5484, 6049, 6082, 6424, 6601, 6775, 6964, 7149, 8808, 8895, 9316, 10228; 8 F.R. 28, 363.

[1] 7 F.R. 10848.

Inch Battens (Engelmann spruce); the fourth line reads: "⅜ x 2¼" net flat, rough or S1S $6.00." This is corrected to read: "⅜ x 2¾" net flat, rough or S1S $6.00."

Issued this 23d day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1216; Filed, January 23, 1943; 4:13 p. m.]

PART 1381—SOFTWOOD LUMBER

[Correction to MPR 253[1]]

REDWOOD LUMBER AND MILLWORK

Section 1381.412 (a), Table 1, note 6 (1) (d) the last word in this note is "length". It is corrected to read "multiple".

Section 1381.412, (b) (1) the third line refers to section "1381.411" and is corrected to read "1381.412".

Section 1381.413 (a), Table 3, note 30 which reads "Add $10.10 net per end", is corrected to read "Add $0.10 net per end".

Section 1381.413 (a), Table 4, "S15" in heading is corrected to read "S1S".

Issued this 23d day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1217; Filed, January 23, 1943; 4:13 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 89 to Supp. Reg. 14[2] of GMPR[3]]

DALLAS AREA PRICES FOR FLUID MILK

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Subdivision (vi) of § 1499.73 (a) (1) is redesignated subdivision (vii) of § 1499.73 (a) (1); and a new subdivision (vi) is added to § 1499.73 (a) (1), as set forth below.

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) * * *

(1) * * *

(vi) *Maximum prices for approved fluid milk sold and delivered in the Dallas Regional area.* This subdivision (vi) of Supplementary Regulation No. 14 establishes maximum prices for approved fluid milk delivered within the geographical boundaries of the states of Arkansas, Kansas, Louisiana, Missouri, Oklahoma and Texas. Specific maximum prices are established for out-of-store sales, home-delivery and all other sales in containers of one gallon or less. The prices are stated for three classes of areas in each of two zones. These areas and zones are described under "definitions" below. Specific maximum prices are also stated for approved milk in containers larger than one gallon sold to stores, hotels, restaurants, and institutions.

A formula is provided by which persons who sold premium milk during December 1942 may determine a premium to be added to the prices set out, provided they file a required report. No other person may add any premium for such milk unless he first obtains a price from the Dallas Regional Office of the Office of Price Administration. There is also a special method of determining maximum prices for deliveries of approved milk to the Army or Navy.

This subdivision takes the place of the seller's former ceiling prices as determined under the General Maximum Price Regulation, Maximum Price Regulation No. 280, relating to bulk sales of fluid milk to stores, hotels, restaurants and institutions, supplementary and adjustment orders issued by the Office of Price Administration pertaining to the sale and delivery of approved milk in Region V, for all deliveries of approved fluid milk in the Dallas Regional area for which specific prices, or for which pricing formulae are provided by this subdivision of Supplementary Regulation No. 14. The listed maximum prices apply only to fluid sweet milk. They are not applicable to buttermilk and chocolate or other flavored milk, maximum prices for which remain as determined under the General Provision, General Maximum Price Regulation.

(*a*) *Maximum prices:* The maximum prices set forth below are the maximum prices for "approved fluid milk" delivered to the buyer in the respective size containers set forth below, in the respective areas therein set out, regardless of the quantities sold or delivered, the seller's classification of purchasers, or the material from which the container was made:

(*1*) *Table of prices* (on sales in containers larger than one gallon the price stated is per gallon. In all other instances the price stated is determined by the container used assuming that the container is full. Maximum prices for sales to Army and Navy are set forth in subdivision (*6*) below.)

(*i*) *Retail out-of-store sales and home deliveries; sales to stores and all other sales (except Army or Navy).*

(*aa*) RETAIL OUT-OF-STORE SALES OR HOME DELIVERIES

Size of container	Zone I			Zone II		
	Class 1	Class 2	Class 3	Class 1	Class 2	Class 3
	Cents per gal.	Cents per gal.	Cents per gal.	Cents per gal.	Cents per gal.	Cents per gal.
More than 1 gallon	50	46	42	46	42	38
Gallon	56	52	48	52	48	44
½ gallon	29	27	25	27	25	23
Quart	15	14	13	14	13	12
Pint	7½	7	6½	7	6½	6

(*bb*) SALES TO STORES AND ALL OTHER SALES INCLUDING WHOLESALE OR RETAIL (EXCEPT ARMY OR NAVY)

Gallon	52	48	44	48	44	40
½ gallon	27	25	23	25	23	21
Quart	13½	12½	11½	12½	11½	10½
Pint	6¾	6¼	5¾	6¼	5¾	5¼
½ quart	4⅔	4⅓	4	4⅓	4	3⅔
½ pint	3¾	3½	3¼	3½	3¼	3

(*ii*) *Sales in containers larger than one gallon to stores, hotels, restaurants and institutions.*

(*aa*) The maximum prices for sales to stores, hotels, restaurants and institutions in containers larger than one gallon (except Army or Navy sales) are:

[Cents per gallon]

Zone I			Zone II		
Class 1	Class 2	Class 3	Class 1	Class 2	Class 3
50	46	42	46	42	38

(2) *Premium milk.* (*i*) A person who sold "premium milk" during December 1942 shall determine the maximum price for such milk as follows:

Take the highest price (before all discounts or quantity differentials have been deducted) at which he sold each different kind of premium milk during December 1942 in each size container for out-of-store-sale, home-delivery, and all other sales, respectively.

Next subtract from each of those prices the highest price (before discounts or quantity differentials have been deducted) at which he sold other approved milk during December 1942 in the respective size containers and for the respective out-of-store, home-delivery or other sale. The differentials thus obtained shall be the premium for each size container and type of sale. These premiums may then be added to the specific maximum prices set forth above in this subdivision of Supplementary Regulation No. 14: *Provided*, That the seller on or before February 17, 1943 files a report with the Regional Office of the Office of Price Administration in Dallas, Texas, showing:

(*aa*) The total quantity, expressed in quarts, of approved fluid milk sold by such seller during December 1942;

(*bb*) The types of premium milk sold by such seller during December 1942;

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9230, 10848.

[2] 7 F.R. 5486, 5709, 5911, 6008, 6271, 6369, 6473, 6477, 6774, 6775, 6776, 6793, 6887, 6892, 6939, 6965, 7011, 7012, 7203, 7250, 7289, 7365, 7400, 7401, 7453, 7510, 7511, 7535, 7536, 7538, 7604, 7739, 7671, 7812, 7914, 7946, 8024, 8199, 8237, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 8950, 8954, 8955, 8953, 9043, 9082, 9131, 9196, 9291, 9397, 9495, 9496, 9639, 9786, 9900, 9901, 10069, 10011, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10537, 10557, 10583, 10705, 10865, 11005. 8 F.R. 276, 439, 535, 494.

[3] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 8942, 9004, 9435, 9615, 9616, 9732, 10155, 10454. 8 F.R. 371.

(*cc*) The differential at which he sold each type of such milk during December 1942; and

(*dd*) The total quantity, expressed in quarts, of each type of premium milk which he sold during December 1942.

(*ee*) The Regional Office of the Office of Price Administration, Dallas, Texas, may correct any prices so reported and may revise any such prices if the differential reported is higher than the differential generally prevailing during December 1942 in that local market area or an adjoining area.

(*ii*) A seller of "approved fluid milk" who did not sell premium milk, or who sold only premium milk during December 1942, or who did not file the report provided for in inferior subdivision (*a*) (2) (*i*) above, may not add any premium to the maximum prices established above by inferior subdivision (*a*) (*1*) unless he first files an application in writing with the Regional Office of the Office of Price Administration, Dallas, Texas, for permission to sell such premium milk at such prices, and is granted such permission.

(*iii*) No seller of fluid milk who, during December 1942, sold premium milk may add any premium to the prices established above by this subdivision of Supplementary Regulation No. 14, if he increases the volume of premium milk sold in any calendar month more than 5% above the volume of such premium milk sold by him during December 1942, unless he first files an application with the Regional Office of the Office of Price Administration, Dallas, Texas, and such application is granted.

Applications filed under inferior subdivision (*a*), (2), (*ii*), and (*a*), (2), (*iii*) of this subdivision of Supplementary Regulation No. 14, shall contain the following:

(*aa*) If the application is made by a seller who sold premium milk during December, 1942, it shall contain the report required by inferior subdivision (*a*), (2), (*i*) above and the following:

A description of the different types of premium milk sold in the area in which applicant desires to establish maximum prices for premium milk, or in which the applicant desires to increase the volume of premium milk which he sells, as the case may be. If no premium milk is being sold in the area involved, the applicant shall so state.

The maximum prices of such premium milk established by this subdivision of Supplementary Regulation No. 14, for other sellers in the particular area.

A description of the premium milk or milks concerning which the application is made.

A clear statement of the reasons applicant desires to sell premium milk or increase the volume of the sale of his premium milk, as the case may be.

A clear showing, substantiated by affirmative evidence, that a denial of the application would result in an undue hardship to the applicant, and a shortage or threatened shortage of a type of milk necessary to the health of the people of the area or to a standard of living consistent with the war effort.

(*bb*) If the applicant was not selling premium milk during December 1942, the application shall show the total quantity of fluid milk, expressed in quarts, sold by him in December 1942, together with the quantity of premium milk which the applicant desires to sell, and the premium, expressed in cents per quart, which he desires to add to the maximum price established by inferior subdivisions (*a*) (*1*) of this subdivision of Supplementary Regulation No. 14.

If the applicant was not selling any fluid milk during December 1942, then he shall show the total quantity of approved fluid milk, expressed in quarts, sold by him during the last calendar month preceding his application.

(*3*) *Certain sales in territory adjoining Class 1 and Class 2 areas.* Whenever "approved fluid milk" is sold and delivery is made within a radius of ten miles of any Class 1 area or within 5 miles of any Class 2 area, either in Zone I or Zone II, the maximum price for such sale shall be the maximum price established for that particular Class 1 or Class 2 area: *Provided*, That, such milk shall have been inspected by the appropriate authorities of such Class 1 or Class 2 area and shall have met all of the requirements of the particular area, both as to butterfat content and sanitary and health conditions. If a portion of a city or town lies within such ten or five mile radius, such city or town shall be treated as though the entire city or town lay within the ten or five mile radius. The provisions of this paragraph shall not apply to the area of the City of St. Louis, Missouri, or to the area of the County of St. Louis, Missouri.

(*4*) *Maximum Prices for Sales in West Memphis, Arkansas.* The maximum prices for the sale of approved fluid milk in the City of West Memphis, Arkansas, shall be the maximum prices established by any regulation or order of the Office of Price Administration for any comparable seller of approved fluid milk in the City of Memphis, Tennessee.[3]

(*5*) *Maximum prices for sales in New Orleans, Westwego and Gretna, Louisiana.* (*i*) The Maximum prices for the sale of approved fluid milk in the cities of New Orleans Westwego and Gretna, Louisiana, shall be as follows:

Size of container	Out-of-store	Home delivery	All other sales including wholesale and retail (except Army and Navy)
	Cents per gallon	*Cents per gallon*	*Cents*
More than 1 gallon	46	46	----
1 gallon	52	56	48
½ gallon	27	29	25
1 quart	14	15	12½
1 pint	7	7½	6¼
½ quart	----	----	4½
½ pint	----	----	3½

[3] *Sales in Memphis, Tenn.* Maximum Prices for sales in the city of Memphis, Tenn., are not specifically provided for in this subdivision of Supplementary Regulation No. 14.

(*ii*) The maximum prices for sales to stores, hotels, restaurants, institutions, (except Army or Navy sales) in containers larger than one gallon shall be: 46¢ per gallon.

(*6*) *Sales to Army and Navy.* Unless the seller has entered into a contract prior to January 18, 1943,[4] and commenced deliveries under such contract prior to that date, the maximum price for sales or deliveries to the Army or Navy in the Dallas Regional area shall be:

(*i*) *Where the plant of the seller is located within the Dallas Regional area:* The maximum price shall be the maximum price established by inferior subdivisions (*a*) (*1*) (*i*) (*bb*) or (*a*) (*1*) (*ii*) (*aa*) of this subdivision of Supplementary Regulation No. 14, for the area wherein such plant is situated, for the particular size container, *plus* a premium of ½¢ per quart, or a proportionate amount for a part of a quart; *or*, at the election of such seller, in lieu of the premium of ½¢ per quart the seller may add the actual transportation costs from such plant to destination not to exceed lowest common carrier rates: *Provided*, That, in the event the seller elects to add the transportation costs in lieu of the ½¢ premium he shall, within 10 days after entering into any contract with the Army or Navy or the making of the first delivery to a camp, post, or other Army or Navy destination, where no contract is entered into, file with the Regional Office of the Office of Price Administration, Dallas, Texas, a statement showing the transportation charges which he proposes to add, together with the method of computing them, the location of his plant, and the destination of such milk.

(*ii*) *Where the plant of the seller is located outside of the Dallas Regional area.* The maximum price shall be the maximum wholesale price for sales to stores, hotels, restaurants and institutions established for the particular seller by any applicable regulation or order issued by the Office of Price Administration, plus ½¢ per quart; or, at the election of such seller, such wholesale price so established plus the actual transportation costs from the seller's plant to destination not to exceed the lowest common carrier rates: *Provided*, That, in the event the seller elects to use such wholesale price plus transportation costs, he shall, within 10 days after entering into any Army or Navy contract or making the first delivery to a particular camp, post or other Army or Navy destination, where no contract is entered into, file with the Regional Office of the Office of Price Administration, Dallas, Texas, a statement showing such wholesale price, and the transportation charges which he proposes to add to such price, together with the method of computing them, the location of his plant, and the destination of such milk.

[4] *Sales and deliveries to Army or Navy under contract entered into prior to January 18, 1943.* Maximum prices for deliveries under such contracts are not affected by this subdivision.

(*iii*) The ½¢ per quart premium provided for Army or Navy sales shall apply to any type of container in which the "approved fluid milk" is delivered.

(*iv*) The Regional Office of the Office of Price Administration, Dallas, Texas, may correct any prices so determined.

(*7*) *Fractional cents.* On sales of one unit, wherein the price specified in this subdivision of Supplementary Regulation No. 14, contains a fractional cent, the seller may adjust the price upward to the nearest cent. On sales of more than one unit, where the unit price is expressed in a fraction of a cent, the exact price established by this subdivision of Supplementary Regulation No. 14, shall be multiplied by the number of units. If such computations result in a fractional cent, the total shall be adjusted up or down to the nearest cent; and in such adjustment, a half-cent may be adjusted upward to the nearest cent.

(*b*) *Definitions.* As used in this subdivision of Supplementary Regulation No. 14:

(*i*) Zone I shall include all of the area within the geographical limits of the following counties, cities, parishes and townships, except the cities of New Orleans, Westwego, and Gretna, Louisiana, within the geographical limits of the states of Louisiana, Missouri, and Texas:

The City of St. Louis, Missouri, and the following counties in the State of Missouri:

Audrain.	Marion.
Boone.	Monroe.
Callaway	Montgomery.
Cole.	Osage.
Crawford.	Phelps.
Dent	Pike.
Franklin.	Ralls.
Gasconade.	Randolph.
Howard.	St. Charles.
Howell.	St. Louis County.
Jefferson.	Texas.
Lewis.	Warren.
Lincoln.	Washington.
Maries.	

The following townships located in the county of Cooper, Missouri:

Booneville.	Pilot Grove.
Clark Fork.	Prairie Home.
Palestine.	Saline.

The following parishes in the State of Louisiana:

Acadia.	Plaquemine.
Ascension.	St. Bernard.
Assumption.	St. Charles.
Calcasieu.	St. Helena.
Cameron.	St. James.
East Baton Rouge.	St. John the Baptist.
East Feliciana.	St. Martin.
Iberia	Part of St. Martin.
Iberville.	St. Mary.
Jefferson	St. Tammany.
Jefferson Davis.	Tangipahoa.
Lafayette.	Terrebonne.
Lafourche.	Vermillion.
Livingston.	Washington.
Orleans.	West Baton Rouge.

The following counties in the State of Texas:

Aransas.	Chambers.
Austin.	Colorado.
Bee.	Crockett.
Brazoria.	Culbertson.
Brewster.	De Witt.
Brooks.	Dimmitt.
Calhoun.	Duval.
Cameron	Edwards.
El Paso.	Maverick.
Fayette.	Montgomery.
Fort Bend.	Newton.
Galveston.	Nueces.
Goliad.	Orange.
Hardin.	Pecos.
Harris.	Presidio.
Hidalgo.	Real.
Hudspeth.	Reeves.
Jackson.	Refugio.
Jasper.	San Patricio.
Jeff Davis.	Starr.
Jefferson.	Terrell.
Jim Hogg.	Tyler.
Jim Wells.	Uvalde.
Karnes.	Val Verde.
Kenedy.	Victoria.
Kinney.	Waller.
Kleburg.	Ward.
Lavaca.	Washington.
LaSalle.	Webb
Liberty.	Wharton.
Live Oak.	Willacy.
Loving.	Winkler.
McMullen.	Zapata.
Matagorda.	Zavala.

(*aa*) *Class 1, Zone 1,* shall include the county of St. Louis, Missouri, and the following cities and towns located in Zone 1:

The City of St. Louis, Mo.	The City of Lake Charles, La.

The following cities and towns in the State of Texas:

Beaumont.	Laredo.
Brownsville.	McAllen.
Corpus Christi.	Mercedes.
Donna.	Mission.
Edinburg.	Orange.
El Paso.	Pharr.
Galveston.	Port Arthur.
Harlingen.	Raymondville.
Houston (including West University Heights, and tri-city area of Pelly, Goose Creek, Baytown).	San Benito.
	Victoria.
	Weslaco.

(*bb*) *Class 2, Zone 1,* shall include the following cities and towns located in Zone 1:

The following cities and towns in the State of Louisiana:

Abbeville.	Jackson.
Baton Rouge and No. Baton Rouge.	Jennings.
	Lafayette.
Bogalusa.	Morgan City.
Covington.	New Iberia.
Crowley.	Plaquemine.
Franklin.	Ponchatoula.
(St. Mary Parish).	Rayne.
Hammond.	Thibodaux.
Houma.	

The following cities and towns in the State of Missouri:

Booneville.	Louisiana.
Columbia.	Mexico.
DeSoto.	Moberly.
Festus.	Rolla.
Fulton.	St. Charles.
Hannibal.	Washington.
Jefferson City.	West Plains.

The following cities and towns in the State of Texas:

Alice.	Ft. Stockton.
Alpine.	Kingsville.
Aransas Pass	Marfa.
Bay City.	Monahans.
Beeville.	Pecos.
Brenham.	Refugio.
Conroe.	Robstown.
Cuero.	Texas City.
Crystal City.	Uvalde
Del Rio.	Wharton.
Eagle Pass.	Yoakum.

(*cc*) *Class 3, Zone 1,* shall include all of the area within the geographical limits of Zone I except the areas specifically mentioned in Class 1 and Class 2 of Zone 1.

(*ii*) *Zone II* shall include all of the area within the geographical limits of the States of Arkansas, Kansas, Louisiana, Missouri, Oklahoma, and Texas, except the portions of such area designated above as being in Zone I and except the City of West Memphis, Arkansas, and the cities of New Orleans, Westwego, and Gretna, Louisiana. For the maximum prices of approved fluid milk in these cities see inferior subdivision (*a*) (*4*) and (*5*) above.

(*aa*) *Class 1, Zone II,* shall include the following cities and towns in Zone II:

The following cities and towns in the State of Arkansas:

El Dorado.	Little Rock and North Little Rock.
Port Smith.	
Van Buren.	Texarkana.

The following cities and towns in the State of Kansas:

Hutchinson.	Salina.
Kansas City.	Topeka.
Leavenworth and Ft. Leavenworth.	Wichita and Eastboro.

The following cities and towns in the State of Louisiana:

Alexandria.	Pineville.
Bossier City.	Shreveport.
Monroe and West Monroe.	

The following cities and towns in the State of Missouri:

Cape Girardeau.	Kansas City.
Excelsior Springs.	Springfield.
Independence.	St. Joseph.

The following cities and towns in the State of Oklahoma:

Enid.	Oklahoma City and Nichol's Hills.
Lawton.	
Muskogee.	Tulsa and Sand Springs.

The following cities and towns in the State of Texas:

Abilene.	Lubbock.
Amarillo.	Midland.
Austin.	San Angelo.
Big Spring.	San Antonio and Alamo Heights.
Brownwood.	
Dallas-Ft. Worth (including University and Highland Park, Grand Prairie and Arlington).	Sweetwater.
	Texarkana.
	Tyler.
	Waco.
	Wichita Falls.

(*bb*) *Class 2, Zone II,* shall include the following cities and towns in Zone II:

The following cities and towns in the State of Arkansas:

Arkadelphia.	Hot Springs.
Batesville.	Jonesboro.
Blytheville.	Magnolia.
Camden.	Malvern.
Conway.	Marianna.
Crossett and West Crossett.	Morrilton.
	Newport.
Fayetteville.	Paragould.
Forest City.	Pine Bluff.
Harrison.	Russellville.
Helen and W. Helena.	Stuttgart.
Hope.	

The following cities and towns in the State of Kansas:

Abilene.	Baxter Springs.
Arkansas City.	Chanute.
Atchison.	Clay Center.

Coffeyville.
Concordia.
Dodge City.
El Dorado.
Emporia.
Fort Scott.
Galena.
Garden City.
Great Bend.
Hays.
Independence.
Iola.
Junction City.
Lawrence.
Liberal.
Lyons.
Manhattan.
Marysville.
McPherson.
Newton.
Ossawatomie.
Ottawa.
Parsons.
Pittsburg.
Pratt.
Russell.
Wellington.
Winfield.

The following cities and towns in the State of Louisiana:

Bastrop.
Eunice.
Mansfield.
Minden.
Natchitoches.
Opelousas.
Ruston.
Tallulah.
Winnfield.

The following cities and towns in the State of Missouri:

Aurora.
Brookfield.
Carrollton.
Carthage.
Caruthersville.
Charleston (Mississippi County).
Chillicothe.
Clinton.
Flat River.
Joplin.
Kennett.
Kirksville.
Lebanon.
Lexington.
Macon.
Marshall.
Maryville.
Monett.
Neosho.
Nevada.
Poplar Bluff.
Richmond.
Sedalia.
Sikeston.
Trenton.
Warrensburg.
Webb City.

The following cities and towns in the State of Oklahoma:

Ada.
Altus.
Alva.
Anadarko.
Ardmore.
Bartlesville.
Blackwell.
Bristow.
Chickasha.
Claremore.
Clinton.
Cushing.
Drumright.
Duncan.
Durant.
Edmond.
Elk City.
El Reno.
Frederick.
Guthrie.
Henryetta.
Hobart.
Holdenville.
Hugo.
McAlester.
Mangum.
Miami.
Norman.
Okmulgee.
Pauls Valley.
Pawhuska.
Perry.
Pitcher.
Ponca City.
Poteau.
Sapulpa.
Seminole.
Shawnee.
Stillwater.
Sulphur.
Vinita.
Wewoka.
Woodward.

The following cities and towns in the State of Texas:

Athens.
Ballinger.
Benham.
Berger.
Brady.
Breckenridge.
Brownfield.
Bryan.
Cameron.
Childress.
Cisco.
Clarksville.
Cleburne.
Coleman.
Colorado City.
Commerce.
Corsicana.
Crockett.
Dalhart.
Denison.
Denton.
Ennis.
Electra.
Gainesville.
Gladewater.
Gonzales.
Graham.
Greenville.
Henderson.
Hillsboro.
Huntsville.
Jacksonville.
Kerrville.
Kilgore.
Lamesa.
Lockhart.
Longview.
Lufkin.
Luling.
Marlin.
Marshall.
McKinney.
Mexia.
Mineral Wells.
Mount Pleasant.
Nacogdoches.
Navasota.
New Braunfels.
Odessa.
Palestine.
Pampa.
Paris.
Plainview.
Ranger.
Rusk.
San Marcos.
Seguin.
Sherman.
Stamford.
Stephenville.
Sulphur Springs.
Taylor.
Temple.
Terrell.
Vernon.
Waxahachie.
Weatherford.

(cc) *Class 3, Zone II.* shall include all of the area within the geographical boundaries of Zone II except the areas specifically mentioned as being in Class 1 or Class 2 or Zone II.

(iii) "Approved fluid milk" means fluid cow's milk, whether raw or pasteurized, meeting the minimum butter-fat content, sanitary and health requirements for fluid milk for human consumption in the particular area wherein it is delivered, including standards set by the Army or Navy purchasing officer making purchases for the Armed Forces of the United States.

(iv) "Premium milk" means certified milk, homogenized milk, milk which has been fortified with vitamins, and any other approved milk for which a premium in excess of the selling price for other approved milk was customarily charged by sellers in any local market area during December 1942.

(v) "Sales to the Army or Navy" shall include deliveries in the Dallas Regional area to the Armed Forces of the United States, including deliveries to Post Exchanges, Officers' Messes and Ship stores.

(vi) "Dallas Regional Area" means the territory lying within the geographical boundaries of the following states: Arkansas, Kansas, Louisiana, Missouri, Oklahoma, and Texas.

(vii) "City," "Town," "County," "Parish" and "Township" means all of and only the territory lying within the geographical boundaries of a named city, town, county, parish or township, as the case may be. "City, town" shall include incorporated and unincorporated cities, towns and villages.

(viii) "Area", unless the context manifestly otherwise requires, means the territory lying within the geographical boundaries of any Class 1, 2 or 3 city, town, or other locality, either Zone I or II.

(c) *Exemptions.* The maximum prices set by this subdivision do not apply to buttermilk and chocolate or other flavored milk. The listed maximum prices are applicable only to fluid sweet milk.

(d) *Adjustment of maximum prices.* The Regional Office of Region V of the Office of Price Administration, Dallas, Texas, may upon application of any seller or on its own motion, adjust any maximum price established under this subdivision of Supplementary Regulation No. 14 where it appears:

(i) That a shortage in the supply of approved fluid milk in a particular locality exists or threatens to exist;

(ii) That such a local shortage will be substantially reduced or eliminated by adjusting the maximum price of such seller and of like sellers; and

(iii) That such adjustment will not create or tend to create a shortage or a need for increase in prices in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

Such applications shall be filed in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

(b) *Effective dates.* • • •

(90) Amendment No. 89 (§ 1499.73 (a) (1)) to Supplementary Regulation No 14 shall become effective on January 18, 1943.

(Pub. Laws 421 and 729; 77th Cong.; E.O. 9250; 7 F.R. 7871)

Issued this 16th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-858; Filed, January 16, 1943; 5:10 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 96 to Supp Reg 14[1] to GMPR[2]]

MODIFICATION OF MAXIMUM PRICES FOR CERTAIN COMMODITIES, SERVICES AND TRANSACTIONS

A statement of the considerations involved in the issuance of Amendment No. 96 to Supplementary Regulation No. 14 has been issued and filed with the Division of the Federal Register.*

Subparagraph (7) of paragraph (a) of § 1499.73 is amended to read as shown below.

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

• • • • •

(7) *Packer's maximum prices for food commodities packed in new container types and sizes—(i) Explanation.* The purpose of the new method of pricing provided by this subparagraph (7) is to permit the packer who is now packing food commodities in containers of new types and sizes (that is, types and sizes which he did not deliver or offer for delivery during March 1942) to establish maximum prices for those items. The method permits him to account for differences in container costs, and for differences in transportation cost caused by the difference in container

*Copies may be obtained from the Office of Price Administration

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 10155, 10454

[2] 7 F.R. 5436, 5709, 6008, 5911, 6271, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7535, 7739, 7671, 7812, 7914, 8237, 7946, 8199, 8351, 8358, 8524, 8652, 8707, 8831, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9196, 9397, 9391, 9495, 9496, 9639, 9786, 9901, 10069, 10111, 10022, 10151, 10231, 10346, 10381, 10480, 10537, 10583, 1070[illegible], 11005; 8 F.R. 276, 439, 535, 494.

without permitting him to increase the price per unit of the commodity packed in the new container. The new method, however, applies only where a previous maximum price of the commodity has been set for a container size not more than 50% larger or smaller than the new size, and only in cases where both containers are of the nonreturnable, single-use type. Packers must refigure every maximum price set under the General Maximum Price Regulation for a food commodity packed in a new container type or size to which the rules of this subparagraph (7) are applicable. However, packers who before January 25, 1943, had figured the maximum price for a food commodity under §§ 1499.2 (b) or 1499.3 (b) of the General Maximum Price Regulation, or under the rules formerly provided in this subparagraph, may, if they wish, keep that price or instead figure a new maximum price using the new pricing method where it is applicable.

(ii) *Pricing method.* To figure the maximum price to any class of purchasers for the food commodity in the new container type or size, the packer shall:

(a) *Determine the base container.* The packer shall first determine the most similar container type in which he has already established a maximum price for the commodity to that class of purchasers without using the earlier provisions of this subparagraph (7) (even though he no longer sells that container type). From that container type he shall choose the nearest size which is 50% or less larger or, if there is no such size, 50% or less smaller (even though he no longer sells those sizes). This will be the "base container". If there is no such smaller size, he shall go to the next most similar container type and proceed in the same manner to find the base container.

NOTE: In most cases "the most similar container type" will be merely the container type which the packer is adding to or replacing, like the tin which he may be replacing with glass. Where there has been only a size change, "the most similar container type" will, of course, be the same container type. This is also true in the reverse situation; where there has been a change only in container type, the "nearest size" will be the same size.

(b) *Find the base price.* The packer shall take as the "base price" the maximum price which he may charge that class of purchasers for the commodity in the base container. However, if this maximum price is a price delivered to the purchaser or to any point other than the packer's factory, the packer shall first convert it to a base price f. o. b. packer's factory simply by deducting whatever transportation charges were included in it.

(c) *Deduct the container cost.* Taking his base price f. o. b. factory, the packer shall then subtract the direct cost of the base container. "Direct cost of the container" means the net cost, at the packer's factory, of the container, cap, label and proportionate part of the outgoing shipping carton, but it does not include costs of filling, closing, labeling or packing.

(d) *Adjust for any difference in contents.* The figure gotten by this deduction shall then be adjusted, in the case of a size change, by dividing it by the number of ounces or other units in the base container and multiplying the result by the number of the same units in the new container.

(e) *Add the new container cost to get the price f. o. b. factory.* Next, the packer shall add to the adjusted figure the "direct cost of the container" in the new type and size. If his maximum price for the commodity in the base container is an f. o. b. factory price, the resulting figure is the packer's maximum price to that class of purchasers, f. o. b. factory.

(f) *Convert to a maximum delivered price, if the maximum price for the base container is on a delivered basis.* If the packer's maximum price for the commodity in the base container is a delivered price, he shall figure transportation charges to be added, as follows: The packer shall take the transportation charges which he first deducted to get his base price and adjust them in exact proportion to the difference in shipping weight. However, if for any reason the commodity in the new container will move under a different freight tariff classification, he shall figure his transportation charges (by the same means of transportation and to the same destination) on the basis of the new shipping weight, but at the rate in effect for that freight tariff classification during March 1942. Increases in tariff rates or transportation taxes made since March 31, 1942, shall not be taken into account. (Similar principles shall apply where shipping volume is the measure of the transportation charge.) The packer shall then add these transportation charges to his f. o. b. factory price for the commodity in the new container. The resulting figure is the packer's maximum delivered price to that class of purchasers.

(iii) *Units of sale and fractions of a cent.* The packer shall figure each maximum price, and the costs that enter into it, in terms of the same general units (like pounds, dozens, etc.) in which he has customarily quoted prices for the commodity in the base container. If any maximum price includes a fraction of a cent, the packer shall adjust the price to the nearest fractional unit (like 1¢, ½¢, ¼¢, etc.) in which he has customarily quoted prices for the commodity in the base container.

(iv) *Examples showing how the pricing method is to be applied.*

CASE 1. *The maximum price f. o. b. factory if the base container is the same in size as the new container but different in type.* Assume the base container is a 16 oz. tin and the new container is a 16 oz. glass (pork and beans).

Maximum price per doz. f. o. b. factory in base container ("base price")	$0.55
Subtract "direct cost" of base container	−.20
	.35
Add "direct cost" of new container	+.34
New maximum price (f. o. b. factory)	.69 doz.

CASE 2. *The maximum price f. o. b. factory if the base container is different in size from the new container and either the same or different in type.* Assume the base container is a 10½ oz. tin and the new container is an 8 oz. tin or glass (spaghetti sauce).

Maximum price per doz. f. o. b. factory in base container ("base price")	$1.20
Subtract "direct cost" of base container	−.15
	1.05
Adjust to new container: Divide by number of ounces of commodity in base container $1.05 ÷ 10½	.10
Multiply by number of ounces of commodity in new container ×8	.80
Add "direct cost" of new container (glass)	.26
New maximum price (f. o. b. factory)	1.06 doz.

CASE 3. *Maximum delivered price if the base container is the same in size as the new container but different in type.* Assume the base container is a 16 oz. tin and the new container is a 16 oz. glass (pork and beans).

Maximum delivered price per dozen in base container (figured c. i.)	$.60
Subtract transportation charges	−.05
Price f. o. b. factory ("base price")	.55
Subtract "direct cost" of container	−.20
	.35
Add "direct cost" of new container	+.34
Add new transportation charges: .05 (old transp chges.) × 40 lb (new shpg wt/case) / 34 lb (old shpg wt/case)	.058
New maximum delivered price	$.75 doz.

CASE 4. *Same, except that the new container type puts the commodity in a different freight tariff classification.* Assume the base container is a 16 oz. tin and the new container is a 16 oz. glass (pork and beans).

Maximum delivered price per dozen in base container (figured l. c. l.)	$.60
Subtract transportation charges	−.05
Price f. o. b. factory ("base price")	.55
Subtract "direct cost" of container	−.20
	.35
Add "direct cost" of new container	+.34
Add new transportation charges: 40 lb (new shpg. wt.) / 100 × .185¢ (rate per cwt. under new classif.)	=.074
New maximum delivered price	.76 doz.

(v) *Records.* Packers shall keep records showing how they figured each maximum price under this subparagraph.

(vi) *Exceptions.* This subparagraph (7) shall not apply to coffee and coffee compounds (see subparagraph (53)).

• • • • •

(b) *Effective dates.* • • •

(97) Amendment No. 96 (§ 1499.73 (a) (7)) to Supplementary Regulation No. 14 shall become effective January 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1219, Filed, January 23, 1943; 4:14 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 230 Under § 1499.3 (b) of GMPR]

BOSTON MOLASSES COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1466 *Authorization for sales of a new product consisting 66⅔% Hydrol and 33⅓% Porto Rican blackstrap molasses, made by the Boston Molasses Company.* (a) On and after January 25, 1943, the Boston Molasses Company, 131 State Street, Boston, Massachusetts, may sell and deliver its new molasses mixture composed of 66⅔% Hydrol and 33⅓% Porto Rican blackstrap molasses at a maximum price of 22.72 cents per gallon net f. o. b. Boston, Massachusetts, in containers supplied by the buyer.

(b) Each seller of this new product shall allow to all purchasers the same allowances, discounts and price differentials established by it for Porto Rican blackstrap molasses. Specifically, established differentials for tank car sales or for sales where the seller supplies the container shall be maintained.

(c) Boston Molasses Company, shall mail or otherwise supply to purchasers from it, at the time of or prior to the first delivery of the new product, composed of 66⅔% Hydrol and 33⅓% Porto Rican blackstrap molasses, to such purchaser, a written statement as follows:

> The Office of Price Administration has authorized the Boston Molasses Company to make and sell a new product composed of 66⅔% Hydrol and 33⅓% Porto Rican blackstrap molasses, at a maximum price of 22.72 cents per gallon net f. o. b. Boston, Massachusetts, in containers supplied by the buyer. The Office of Price Administration has authorized dealers to fix their maximum price for this new product by adding to the net invoice cost of the new product an amount not more than the difference between the net invoice cost of Porto Rican blackstrap molasses supplied by the Applicant and the maximum price established by them pursuant to the General Maximum Price Regulation.

(d) This order No. 230 (§ 1499.1466) shall become effective January 25, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 23d day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1231; Filed, January 23, 1943; 4:10 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 242 Under § 1499.3 (b) of GMPR]

FINER FOODS PACKING CORP.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1478 *Authorization of maximum prices for sales of "Garden City Red Beans" in 13½ ounce glass bottles by the Finer Foods Packing Corp., 430 North Third Street, Terre Haute, Indiana, by wholesalers and by retailers.* (a) On and after January 23, 1943, the maximum price for sales by Finer Foods Packing Corp., 430 North Third Street, Terre Haute, Indiana of "Garden City Red Beans" packed 24 13½-ounce glass bottles to a shipping case, shall be 94 cents per dozen, f. o. b., Terre Haute, Indiana.

(b) Sellers at wholesale shall determine their maximum prices for "Garden City Red Beans" by application of the provisions of Maximum Price Regulation No. 237, as amended.

(c) Sellers at retail shall determine their maximum prices for "Garden City Red Beans" by application of the provisions of Maximum Price Regulation No. 238, as amended.

(d) Finer Foods Packing Corp. and wholesalers shall apply to their sales of "Garden City Red Beans" the same customary discounts, allowances and price differentials applying to their sales of comparable red bean items, unless a change in these customary discounts and allowances and price differentials shall result in lower selling prices.

(e) On and after January 23, 1943, Finer Foods Packing Corp. shall supply written notification to each wholesaler before or at the time of the first delivery of "Garden City Red Beans" to such wholesaler, and for a period of three months thereafter shall include with each shipping unit of "Garden City Red Beans" a written notification to retailers. If such retailer notification is enclosed in a shipping unit, a legend shall be affixed outside of such unit to read "Retailer's Notice Enclosed". The written notifications for each type of purchaser shall include the following appropriate statements:

Notification From Finer Foods Packing Corp. to Wholesalers

> OPA has authorized us to charge wholesalers 94 cents per dozen 13½ ounce bottles of "Garden City Red Beans" subject to all customary allowances and discounts. Wholesalers are authorized to establish ceiling prices under the provisions of Maximum Price Regulation No. 237, as amended. (Adjusted and Fixed Markup Regulation for Sales of Certain Food Products at Wholesale). A copy of a notification to retailers is included in every shipping unit of these items. If the initial sale of any of these items to any retailer is a split case sale, wholesalers are required to provide such retailer with a copy of the retailer notification so enclosed. OPA requires that you keep this notice for examination.

Notification From Finer Foods Packing Corp. to Retailers

> OPA authorizes retailers to establish ceiling prices for 13½ ounce bottles of "Garden City Red Beans" under the provisions of Maximum Price Regulation No. 238, as amended. (Adjusted and Fixed Markup Regulation for Sales of Certain Food Products at Retail). OPA requires that you keep this notice for examination.

(f) This Order No. 242 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 242 (§ 1499.1478) shall become effective as of January 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1218, Filed, January 23, 1943; 4:11 p. m.]

Chapter XIII—Petroleum Administration for War

PART 1515—PETROLEUM PRODUCTION OPERATIONS

[Petroleum Administrative Order 6]

GAS WELL DRILLING PROHIBITED IN CERTAIN PARTS OF KANSAS AND OKLAHOMA

The fulfillment of the requirements for the defense of the United States has created a shortage of materials necessary for the production of petroleum for defense, for private account, and for export; and the following order is deemed necessary in the public interest, to promote the national defense, and to provide adequate supplies of petroleum for military and other essential purposes:

§ 1515.2 *Petroleum Administrative Order No. 6*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons, whether incorporated or not.

(2) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(b) *Prohibiting gas well drilling in portions of the states of Kansas and Oklahoma.* Notwithstanding the provisions of Conservation Order M-68 as amended (§ 1047.1 of Chapter IX)[1] and Supplementary Order M-68-6 (§ 1047.11 of Chapter IX),[2] no person may use material to drill, complete or provide additions to any well in any discovered or undiscovered natural gas field in the counties of Kearney, Finney, Grant, Haskell, Morton, Stevens or Seward in the State of Kansas or in Texas County in the State of Oklahoma, except:

(1) In accordance with any exception issued pursuant to paragraph (c) (10 of

[1] 8 F.R. 104.
[2] 7 F.R. 6996.

Conservation Order M-68, as amended, subsequent to September 3, 1942; or

(2) In accordance with any authorization of the Petroleum Administrator for War issued subsequent to the effective date of this order.

(c) *Applications.* Application for authorization to drill, complete or provide additions to any well in accordance with paragraph (b) (2) of this order shall be made by filing a letter in quadruplicate or a telegram with the Director of the Natural Gas and Natural Gasoline Division, Petroleum Administration for War, South Interior Building, Washington, D. C., Ref: PAO 6.

(d) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may file an appeal setting forth the pertinent facts and reasons why he considers himself entitled to relief. All appeals shall be filed in quadruplicate and shall be addressed to the Director of the Natural Gas and Natural Gasoline Division, Petroleum Administration for War, South Interior Building, Washington, D. C. Ref: PAO 6.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, by any act or omission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or such other action may be taken as is deemed appropriate.

(f) *Effective date.* This order shall take effect on the date of issuance.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of January 1943.

R. K. DAVIES,
Acting Petroleum Administrator for War.

[F. R. Doc. 43-1159, Filed January 22, 1943; 4:48 p. m.]

Chapter XV—Board of War Communications

[Order 26]

PART 1721—PRIORITY FOR URGENT TELETYPEWRITER EXCHANGE (TWX) MESSAGES ESSENTIAL TO THE WAR EFFORT AND PUBLIC SAFETY

PRIORITIES, RECORDS, REPORTS, ETC.

Whereas the Board of War Communications has determined that the national defense and security and the successful conduct of the war demand that certain teletypewriter exchange messages, hereinafter referred to as TWX messages, relating to the war effort or public safety, be given preferred handling;

Now, therefore, by virtue of the authority vested in the Board by Executive Order No. 8964[1] of December 10, 1941, prescribing regulations governing the preference and priority of communications, and by virtue of the authority vested in the Board by Executive Order No. 9089[2] of March 6, 1942, prescribing regulations governing the use, control, supervision, and closing of stations and facilities for wire communications; *It is hereby ordered as follows:*

§ 1721.1 *Priorities.* On and after February 1, 1943, urgent TWX messages shall, upon request, be given priority over all other TWX messages in accordance with the provisions of and in the order set forth in paragraphs (a), (b) and (c) below:

(a) Priority 1 shall be given to messages which require immediate transmission for war purposes or to safeguard life or property and which relate to one or more of the following matters:

(1) Arrangements for moving armed forces during combat operations.

(2) Extremely urgent orders to armed forces.

(3) Immediate dangers due to the presence of the enemy.

(4) Hurricane, flood, earthquake or other disaster materially affecting the war effort or public security.

(b) Priority 2 shall be given to extremely urgent messages which require immediate transmission for the national defense and security, the successful conduct of the war, or to safeguard life or property other than those specifically described in § 1721.1 (a).

(c) Priority 3 shall be given to messages which require prompt transmission for the national defense and security, the successful conduct of the war or to safeguard life or property and which involve matters of the following type:

(1) Important governmental functions; (2) Machinery, tools, or raw materials for war plants; (3) Production of essential supplies; (4) Maintenance of essential public services; (5) Supply or movement of food; (6) Civilian defense or public health and safety.

§ 1721.2 *Relinquishment of circuit.* Any subscriber having exercised the privilege of priority 1, 2, or 3 above shall immediately relinquish the circuit on completion of transmission of the priority message or messages concerned.

§ 1721.3 *Records.* A record shall be kept by all telephone carriers of each priority TWX message, which record shall include the priority given. Such record shall be kept by the telephone carrier for two years after the date of the priority message.

§ 1721.4 *Reports.* Within thirty days after the end of each calendar month, the American Telephone and Telegraph Company shall file with the Board a report for the Bell System Companies showing:

(a) The number of TWX messages during the preceding calendar month given priority 1, 2, or 3:

(b) Periods of time required to complete the circuits for each class of priority messages.

§ 1721.5 *Violations.* The TWX facilities of any subscriber who wilfully obtains or attempts to obtain priority for a TWX message by fraudulently designating such message as a priority message or by furnishing false information to any telephone carrier for the purpose of obtaining a priority, shall be subject to closure, removal, or other appropriate governmental action.

Subject to such further order as the Board may deem appropriate.

BOARD OF WAR COMMUNICATIONS.
JAMES LAWRENCE FLY,
Chairman.

Attest: January 14, 1943.

HERBERT E. GASTON,
Secretary.

[F. R. Doc. 43-1170; Filed, January 23, 1943; 10:32 a. m.]

[1] 6 F.R. 6367.
[2] 7 F.R. 1777.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 120—ANNUAL, SPECIAL OR PERIODICAL REPORTS

FORM PRESCRIBED FOR LESSORS TO STEAM ROADS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 18th day of January, A. D. 1943.

In the matter of annual reports from lessors to steam railway companies, and the corresponding section of the Code of Federal Regulations, the following order was entered:

It is ordered. That the order of this Commission dated January 27, 1942,[1] in the matter of annual reports from lessors to steam railway companies be, and it is hereby, vacated and set aside effective January 1, 1943, and the following order shall become effective:

§ 120.14 *Form prescribed for lessors to steam roads.* (a) All lessors to steam railway companies within the scope of section 20, Part I of the Interstate Commerce Act, are hereby required to file annual reports for the year ended December 31, 1942, and for each succeeding year until further order in accordance with Annual Report Form E (Railway Lessor Companies),[2] which is hereby approved and made a part of this order.

(b) The annual report shall be filed, in duplicate, in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington, D. C., on or before March 31 of the year following the one to which it relates.

(Sec. 20, 24 Stat. 386; sec. 7, 34 Stat. 593; 35 Stat. 649; sec. 14, 36 Stat. 556; secs.

[1] 7 F.R. 676.
[2] Filed as part of the original document.

434-435, 41 Stat. 493; sec. 13, 54 Stat. 916; 49 U.S.C. 20 (1)-(10))

By the Commission, Division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-1198; Filed, January 23, 1943; 11:34 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1744]

DISTRICT BOARD 11

ORDER POSTPONING HEARING

In the matter of the petition of District Board No. 11 for the establishment of price classifications and minimum prices for slurry produced at Mine Index Nos. 63, 101, 108 and 112 in District No. 11.

A hearing in the above-entitled matter having been heretofore scheduled to be held on February 17, 1943, and it appearing appropriate that the said hearing should be postponed:

Now, therefore, it is ordered, That the hearing in the above-entitled matter heretofore scheduled to be held on February 17, 1943, be and it hereby is postponed until 10 o'clock in the forenoon of March 8, 1943, at the place and before the officers heretofore designated.

Dated: January 21, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-1184; Filed, January 23, 1943; 11:04 a. m.]

Bureau of Reclamation.

AMERICAN RIVER INVESTIGATIONS, CALIFORNIA

AMENDMENT TO FIRST FORM RECLAMATION WITHDRAWAL

DECEMBER 21, 1942.

THE SECRETARY OF THE INTERIOR.

SIR: By Departmental order of September 14, 1942, certain lands described therein were withdrawn from public entry under the first form of withdrawal, as provided in section 3 of the Act of June 17, 1902 (32 Stat. 388), in connection with the American River Investigations, California.

The said withdrawal order of September 14, 1942, inadvertently described the NW¼SE¼ Section 4, Township 10 North, Range 9 East, M. D. M., California, as the NE¼SE¼ Section 4, above township.

It is recommended, therefore, that said order be amended as of September 14, 1942, to the extent of properly describing the desired tract as the NW¼SE¼ Section 4, Township 10 North, Range 9 East, M. D. M., California.

Respectfully,

H. W. BASHORE,
Acting Commissioner.

I concur: December 28, 1942.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

ABE FORTAS,
Under Secretary.

JANUARY 12, 1943.

[F. R. Doc. 43-1168; Filed, January 23, 1943; 9:43 a. m.]

General Land Office.

[Circular 1522]

TOWN SITE OF ARGUS, CALIF.

SALE OF TOWN LOTS

1. *Statutory authority.* The lots in the town site of Argus, California, will be disposed of under sections 2382 to 2386, Revised Statutes. The town site plat was accepted November 21, 1942.

2. *Area and price.* The area and minimum price of the lots which will be sold are shown by the attached schedule.

3. *Public sale.* On Friday, April 16, 1943, beginning at 10 o'clock A. M., a sale at public auction to the highest bidder will be held at the town site of all the unreserved lots for which preemption proof has not been made as provided for hereinafter. The sale will be continued from day to day as long as may be necessary under the supervision of the Commissioner of the General Land Office or his representative. No lot will be sold for less than the appraised price. The lots will be offered for sale for cash and must be paid for on the date of sale.

4. *Manner of sale.* Bids may be made either in person or by agent but not by mail or at any time or place other than the time and place at which the lots are offered for sale hereunder. Any person may purchase any number of lots for which he is the highest bidder. The bidders will be required to show that they are citizens of the United States or have declared their intention to become such. If bids are made by a corporation evidence must be furnished, including a certified copy of its articles of incorporation showing that it is a corporation organized under the laws of the United States or of any state, territory or possession thereof and that it is authorized to acquire and hold real estate in the State of California. If any successful bidder fails to make the payment required on the date of sale, the lot awarded to him shall again be offered for sale.

5. *Preemption claims.* A person who has established settlement on any lot prior to the effective date of these regulations and maintained such settlement to the date of proof, is entitled to make a preemption entry at the minimum price for such lot and one other lot on which he has made substantial and permanent improvements. A preemption claim is not necessarily forfeited by the settler transferring his interest to another subsequent to accrual of the right, but patent, if issued, will be in the name of the settler and not to the transferee.

The notice of intention to make preemption proof must be made on Form 4-348, and should give the date of settlement and the value and character of the improvements. Claimants must file their notices of intention by March 1, 1943, in order that publication may be made and proof submitted prior to the date of public sale.

On the filing by the applicant of the notice of intention to make proof, the register will issue notice for publication which the applicant must have published at his expense in the *Printer-Review*, a weekly newspaper, published at Barstow, California, in four consecutive issues prior to the date set for the proof. Proof consisting of the affidavit of the applicant and of at least two of the advertised witnesses may be made before the register of the district land office, at Sacramento, California, or before any other officer authorized to take proofs under the homestead laws, and must show claimant's age, his citizenship and his actual residence upon one lot, and substantial improvements on a second lot where two lots are included in the application. Proof of publication must be shown by the affidavit of the publisher. The purchase price of the lot or lots must be paid to the register when the proof is made.

6. *Removal of improvements.* Owners of buildings who do not purchase the lots on which the buildings are located will be allowed six months from date of sale in which to remove their improvements.

7. *Warning.* All persons are warned against forming any combination or agreement which will prevent any lot from selling advantageously, or which will in any way hinder or embarass the sale. Any persons so offending will be prosecuted under section 59 of the Criminal Code (U. S. C., Title 18, section 113).

8. *Authority of officer in charge.* The officer conducting the sale is hereby authorized to reject any and all bids for any lot, and at any time to suspend, adjourn or postpone the sale of any lot or lots. If all the lots are not sold, the sale will not be closed but will be indefinitely postponed.

FRED W. JOHNSON,
Commissioner.

Approved: January 8, 1943.

OSCAR L. CHAPMAN,
Assistant Secretary.

SCHEDULE OF APPRAISEMENTS

[Valuation of lots and blocks in the town site of Argus, Calif.]

Block	Lot	Area (square feet)	Appraised valuation
1	1	7,018	$40.00
	2	7,000	35.00
	3	7,000	35.00
	4	7,000	35.00
	5	7,000	35.00
	6	7,000	40.00
	7	7,000	40.00
	8	7,000	35.00
	9	7,000	35.00
	10	7,000	35.00
	11	7,000	35.00
	12	7,043	37.50
2	1	7,082	37.50
	2	7,000	35.00
	3	7,000	35.00
	4	7,000	35.00
	5	7,000	35.00
	6	7,000	40.00
	7	7,000	40.00
	8	7,000	37.50
	9	7,000	35.00
	10	7,000	35.00
	11	7,000	35.00
	12	7,105	37.50
3	1	7,141	35.00
	2	7,000	32.50
	3	7,000	32.50
	4	7,000	32.50
	5	7,000	32.50
	6	7,000	37.50
	7	7,000	37.50
	8	7,000	32.50
	9	7,000	32.50
	10	7,000	32.50
	11	7,000	32.50
	12	7,167	35.00
4	1	7,203	35.00
	2	7,000	32.50
	3	7,000	32.50
	4	7,000	32.50
	5-6	7,000	32.50
	6	7,000	37.50
	7	7,000	37.50
	8	7,000	32.50
	9	7,000	32.50
	10	7,000	32.50
	11	7,000	32.50
	12	7,228	35.00
5	1	7,285	35.00
	2	7,000	32.50
	3	7,000	32.50
	4	7,000	32.50
	5	7,000	32.50
	6	7,000	25.00
6	1	7,000	37.50
	2	7,000	32.50
	3	7,000	32.50
	4	7,000	32.50
	5	7,000	35.00
	6	7,000	37.50
	7	7,000	35.00
	8	7,000	32.50
	9	7,000	30.00
	10	7,000	30.00
	11	7,000	30.00
	12	7,000	32.50
7	1	7,000	40.00
	2	7,000	35.00
	3	7,000	35.00
	4	7,000	35.00
	5	7,000	35.00
	6	7,000	42.50
	7	7,000	37.50
	8	7,000	35.00
	9	7,000	32.50
	10	7,000	32.50
	11	7,000	32.50
	12	7,000	37.50
8	1	7,000	37.50
	2	7,000	35.00
	3	7,000	35.00
	4	7,000	35.00
	5	7,000	35.00
	6	7,000	40.00
	7	7,000	40.00
	8	7,000	37.50
	9	7,000	35.00
	10	7,000	35.00
	11	7,000	35.00
	12	7,000	40.00

SCHEDULE OF APPRAISEMENTS—Con.

Block	Lot	Area (square feet)	Appraised valuation
14	1	7,000	$40.00
	2	7,000	37.50
	3	7,000	35.00
	4	7,000	35.00
	5	7,000	37.50
	6	7,000	42.50
	7	7,000	40.00
	8	7,000	37.50
	9	7,000	35.00
	10	7,000	35.00
	11	7,000	35.00
	12	7,000	40.00
15	1	7,000	42.50
	2	7,000	40.00
	3	7,000	35.00
	4	7,000	35.00
	5	7,000	40.00
	6	8,859	42.50
	7	7,000	42.50
	8	7,000	40.00
	9	7,000	35.00
	10	7,000	35.00
	11	7,000	37.50
	12	7,000	40.00
16	1	7,000	42.50
	2	7,000	37.50
	3	7,000	35.00
	4	7,000	35.00
	5	7,000	37.50
	6	7,000	42.50
	7	7,000	40.00
	8	7,000	35.00
	9	7,000	35.00
	10	7,000	35.00
	11	7,000	35.00
	12	7,000	40.00
17	1	7,000	42.50
	2	7,000	40.00
	3	7,000	40.00
	4	7,000	40.00
	5	7,000	40.00
	6	7,000	42.50
	7	7,000	42.50
	8	7,000	40.00
	9	7,000	40.00
	10	7,000	40.00
	11	7,000	40.00
	12	7,000	42.50
18	1	7,000	42.50
	2	7,000	40.00
	3	7,000	40.00
	4	7,000	40.00
	5	7,000	40.00
	6	7,000	42.50
	7	7,000	40.00
	8	7,000	40.00
	9	7,000	40.00
	10	7,000	40.00
	11	7,000	40.00
	12	7,000	42.50
19	1	7,000	42.50
	2	7,000	40.00
	3	7,000	40.00
	4	7,000	40.00
	5	7,000	40.00
	6	7,000	42.50
	7	7,000	42.50
	8	7,000	40.00
	9	7,000	40.00
	10	7,000	40.00
	11	7,000	40.00
	12	7,000	42.50
20	1	7,000	42.50
	2	7,000	37.50
	3	7,000	37.50
	4	7,000	37.50
	5	7,000	37.50
	6	7,000	40.00
	7	7,000	40.00
	8	7,000	37.50
	9	7,000	37.50
	10	7,000	37.50
	11	7,000	37.50
	12	7,000	40.00
21	1	7,000	42.50
	2	7,000	40.00
	3	7,000	40.00
	4	7,000	40.00
	5	7,000	40.00
	6	7,000	42.50
	7	7,000	40.00
	8	7,000	40.00
	9	7,000	40.00
	10	7,000	40.00
	11	7,000	40.00
	12	7,000	42.50
22	1	7,000	42.50
	2	7,000	40.00
	3	7,000	40.00
	4	7,000	40.00
	5	7,000	40.00
	6	7,000	42.50
	7	7,000	40.00
	8	7,000	40.00
	9	7,000	40.00
	10	7,000	40.00
	11	7,000	40.00
	12	7,000	42.50
23	1	7,000	40.00
	2	7,000	40.00
	3	7,000	40.00
	4	7,000	40.00
	5	7,000	40.00
	6	7,000	42.50
	7	7,000	42.50
	8	7,000	40.00
	9	7,000	40.00
	10	7,000	40.00
	11	7,000	40.00
	12	7,000	42.50
24	1	7,000	42.50
	2	7,000	40.00
	3	7,000	40.00
	4	7,000	40.00
	5	7,000	40.00
	6	7,000	42.50
	7	7,000	40.00
	8	7,000	40.00
	9	7,000	40.00
	10	7,000	40.00
	11	7,000	40.00
	12	7,000	45.00

SCHEDULE OF APPRAISEMENTS—Con.

Block	Lot	Area (square feet)	Appraised valuation
24	10	7,000	$40.00
	11	7,000	40.00
	12	7,000	42.50
25	1	7,000	45.00
	2	7,000	42.50
	3	7,000	42.50
	4	7,000	42.50
	5	7,000	45.00
	6	7,000	47.50
	7	7,000	45.00
	8	7,000	42.50
	9	7,000	42.50
	10	7,000	42.50
	11	7,000	42.50
	12	7,000	45.00
26	1	7,000	45.00
	2	7,000	42.50
	3	7,000	37.50
	4	7,000	37.50
	5	7,000	42.50
	6	7,000	47.50
	7	7,000	42.50
	8	7,000	42.50
	9	7,000	42.50
	10	7,000	42.50
	11	7,000	42.50
	12	7,000	47.50
27	1	4,008	35.00
	2	4,595	40.00
	3	6,822	40.00
	4	7,122	40.00
	5	7,076	40.00
	6	7,085	45.00
	7	7,141	45.00
	8	7,151	50.00
	9	11,666	60.00
	10	4,004	40.00
	11	7,085	40.00
	12	6,998	40.00
	13	7,000	40.00
	14	7,000	40.00
	15	9,500	50.00
28	1	9,104	45.00
	2	7,842	37.50
	3	10,041	47.50
	4	9,876	45.00
	5	10,267	47.50
	6	6,720	45.00
	7	10,012	47.50
	8	10,050	55.00
30	1	5,025	55.00
	2	5,022	55.00
	3	5,427	55.00
31	1	7,000	65.00
	2	7,000	60.00
	3	7,000	60.00
	4	7,000	65.00
	5	7,000	75.00
	6	6,941	100.00
	7	7,000	70.00
	8	7,000	60.00
	9	7,000	60.00
	10	7,000	55.00
	11	7,000	60.00
	12	7,000	55.00
32	1	7,000	60.00
	2	7,000	50.00
	3	7,000	45.00
	4	7,000	45.00
	5	7,000	50.00
	6	7,000	50.00
	7	7,000	50.00
	8	7,000	50.00
	9	7,000	50.00
	10	7,000	50.00
	11	7,000	50.00
	12	7,000	55.00
33	1	7,000	50.00
	2	7,000	45.00
	3	7,000	45.00
	4	7,000	45.00
	5	7,000	45.00
	6	7,000	50.00
	7	7,000	45.00
	8	7,000	40.00
	9	7,000	40.00
	10	7,000	40.00
	11	7,000	40.00
	12	7,000	45.00
34	1	7,000	40.00
	2	7,000	37.50
	3	7,000	37.50
	4	7,000	37.50
	5	7,000	37.50
	6	7,000	42.50
	7	7,000	37.50
	8	7,000	37.50
	9	7,000	35.00
	10	7,000	35.00
	11	7,000	35.00
	12	7,000	37.50
35	1	7,000	20.00
	2	7,000	20.00
	3	7,000	20.00
	4	7,000	20.00

SCHEDULE OF APPRAISEMENTS—Con.

Block	Lot	Area (square feet)	Appraised valuation
C	5	7,000	$30.00
	6	7,000	20.00
	7	6,071	15.00
	8	6,073	15.00
	9	6,074	15.00
	10	6,075	15.00
	11	6,077	15.00
	12	6,078	15.00
	1	7,000	25.00
	2	7,000	22.50
	3	7,000	22.50
	4	7,000	22.50
	5	7,000	25.00
	6	6,001	22.50
	8	6,002	20.00
	9	6,003	20.00
	10	6,005	20.00
	11	7,000	20.00
	12	7,000	22.50
C	1	7,000	35.00
	2	7,000	35.00
	3	7,000	35.00
	4	7,000	35.00
	5	7,000	37.50
	6	7,000	32.50
	7	7,000	30.00
	8	7,000	30.00
	9	7,000	30.00
	10	7,000	30.00
	11	7,000	30.00
	12	7,000	32.50
	1	7,000	40.00
	2	7,000	40.00
	3	7,000	37.50
	4	7,000	40.00
	5	7,000	42.50
	6	7,000	42.50
	7	7,000	42.50
	8	7,000	42.50
	9	7,000	42.50
	10	7,000	42.50
	11	7,000	42.50
	12	7,000	42.50
	1	7,000	40.00
	2	7,000	37.50
	3	7,000	40.00
	4	7,000	42.50
	5	7,000	42.50
	6	7,000	42.50
	7	7,000	42.50
	8	7,000	42.50
	9	7,000	42.50
	10	7,000	42.50
	11	7,000	42.50
	12	7,000	42.50
	1	7,000	42.50
	2	7,000	42.50
	3	7,000	42.50

khakl trousers; 20 learners (E); July 25, 1943.

Trouser Corporation of America, Maple St. & Meadow Ave., Scranton, Penn.; Trousers; 10 percent (T); January 25, 1944.

Glove Industry

Brookville Glove Company, Brookville, Pennsylvania; Work gloves; 10 learners (E); July 25, 1943.

C. D. Osborn Co., 2201 Wabansia Avenue, Chicago, Illinois; Leather dress & knit fabric gloves; 15 learners (T); January 25, 1944.

Hosiery

Acme Hosiery Dye Works, Inc., Pulaski, Virginia; Seamless & full fashioned; 5 learners (T); January 25, 1944.

Bridgeton Hosiery Mills, E. Commerce St., Bridgeton, New Jersey; Full-fashioned; 3 learners (T); January 25, 1944.

Cumberland Manufacturing Company, Cumberland Homesteads, Crossville, Tenn.; Full fashioned hosiery; 5 learners (T); December 14, 1943. (This certificate replaces the one isued on December 14, 1942, for five percent learners.)

Homestead Manufacturing Company, Inc., Bankhead Farmstead, Jasper, Alabama; Full fashioned hosiery; 5 learners (T); January 14, 1944. (This certificate replaces the one issued on January 14, 1943, for five percent learners).

Moreland Knitting Mills, Moreland, Georgia; Seamless; 5 percent (T); January 25, 1944.

Penderlea Manufacturing Company, Inc., Penderlea Farms, Willard, North Carolina; Full fashioned hosiery; 5 learners (T); December 14, 1943. (This certificate replaces the one issued on December 14, 1942 for five percent learners.)

Red House Manufacturing Company, Inc., Red House Farmsteads, Eleanor, Virginia; Full fashioned hosiery; 5 learners (T); December 14, 1943. (This certificate replaces the one issued on December 14, 1942 for five percent learners.)

Skyline Manufacturing Company, Skyline Farms, Scottsboro, Alabama; Full-fashioned hoisiery; 5 learners (T); December 14, 1943. (This certificate replaces the one issued on December 14, 1942 for five percent learners.)

Virginia Maid Hosiery Mills, Inc., Pulaski, Virginia; Seamless & full-fashioned hosiery; 5 learners (T); January 25, 1944

Wallner Silk Hosiery Mills, Inc., Pulaski, Virginia; Full fashioned hosiery; 5 learners (T); January 25, 1944.

Knitted Wear Industry

Crown Knitting Mills, Inc., Mohrsville, Pennsylvania; Knitted underwear; 5 learners (T); January 25, 1944.

Fae Manufacturing Company, 103-111 N. College St., Palmyra, Pennsylvania; Knitted underwear; 5 learners (T); January 25, 1944.

Quality Knitting Co., Inc., Stowe, Pennsylvania; Cotton underwear; 5 percent (T); January 25, 1944.

South Knitting Mills, 161 Broadway, South Amboy, New Jersey; Knitted outerwear; 2 learners (T); January 25, 1944.

Textile Industry

Lane Cotton Mills Company, 434 Cadiz St., New Orleans, Louisiana; Denims and cotton bagging; 3 percent (T); January 25, 1944.

Luray Textile Corporation, Hawksbill Street, Luray, Virginia; Yarns for parachute cords, fabric dress goods and hosiery; 38 learners (E); April 25, 1943.

Nalven & Son, Inc., Clifton Forge, Virginia; Ribbons, hat bands and narrow fabrics; 3 learners (T); January 25, 1944.

Poulan Cotton Mills, Poulan, Georgia; Osnaburgs, cotton; 5 learners (T); January 25, 1944.

Samarkand Rugs, Inc., Stewart Avenue, Rock Hill, South Carolina; Cotton rugs; 3 learners (T); January 25, 1944.

Sellers Manufacturing Company, Saxapahaw, North Carolina; Combed cotton yarns, mercerized yarns; 3 percent (T); January 25, 1944.

Stark Mills, North Highway, Hogansville, Georgia; Tire cord & hose yarn; 3 percent (T); January 25, 1944.

Cigar Industry

T. E. Brooks and Company, Poplar & Dewey Streets, York, Pennsylvania; Cigars 10 percent (T); Cigar machine operators to have a learning period of 320 hours at 75% of applicable minimum wage; January 24, 1944.

Signed at New York, N. Y., this 23d day of January 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc 43-1245; Filed, January 25, 1943; 9:07 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

TENNESSEE TUFTING CO.

Notice of issuance of Special Certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective January 25, 1943.

The employment of learners under these Certificates is limited to the terms and conditions as designated opposite the employer's name. These Certificates are issued upon the employer's representations and that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The Certificates may be cancelled in the manner provided for in the Regulations and as indicated on the Certificate. Any person aggrieved by the issuance of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE

Tennessee Tufting Company, 2404 Helman Street, Nashville, Tennessee; Mattress covers and mosquito bars; 10 learners (T); as machine operator, hand sewer, presser and finishing, involving hand sewing at 25c first 160 hours and 32½c last 80 hours; July 25, 1943.

Signed at New York, N. Y., this 23d day of January 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc 43-1246; Filed, January 25, 1943, 9:07 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No 737]

ALL AMERICAN AVIATION, INC.

NOTICE OF HEARING

In the matter of the petition of All American Aviation, Inc., for an order fixing and determining fair and reasonable rates of compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith over Route No. 49.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 406 and 1001 of said Act, in the above-entitled proceeding, that hearing is assigned to be held on February 3, 1943, 10 a. m. (eastern war time) in Conference Room 1, Department of Commerce Auditorium, 14th Street and Constitution Avenue, N. W., Washington, D. C., before Examiners Ralph L. Wiser and Vincent Gingerich.

Dated Washington, D. C., January 22, 1943.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 43-1205, Filed, January 23, 1943, 2:26 p. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4515]

KOL-TONE MANUFACTURING CO

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 22d day of January, A. D. 1943.

In the matter of Gus H. Cohn, an individual, trading and doing business under the name, Kol-Tone Manufacturing Company.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., Section 41),

It is ordered, That James A. Purcell, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, February 1, 1943, at ten o'clock in the forenoon of that day (central standard time) in Room 516, Federal Building, St. Louis, Missouri.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc 43-1176; Filed, January 23, 1943; 10:54 a. m.]

[Docket No. 4757]

STAYNER CORP. AND ERWIN, WASEY AND CO. OF THE PACIFIC COAST

ORDER APPOINTING TRIAL EXAMINER, ETC.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 22d day of January, A. D. 1943.

In the matter of Stayner Corporation, a corporation, and Erwin, Wasey & Company of the Pacific Coast, a corporation.

Order appointing trial examiner and fixing time and place for taking testimony.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That James A. Purcell, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, February 1, 1943, at ten o'clock in the forenoon of that day (central standard time) in Room 516, Federal Building, St. Louis, Missouri.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc 43-1252; Filed, January 25, 1943; 10:59 a. m.]

[Docket No. 4775]

RUB-R-LYFE COMPANY

ORDER APPOINTING TRIAL EXAMINER, ETC.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 22d day of January, A. D. 1943.

In the matter of Frederick J. Schenck and Mary V. Schenck, trading as Rub-R-Lyfe Company.

Order appointing trial examiner and fixing time and place for taking testimony.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That James A. Purcell, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, March 22, 1943, at ten o'clock in the forenoon of that day (Pacific Standard Time) in Room 117, Federal Office Building, Seattle, Washington.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By direction of the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc 43-1253; Filed, January 25, 1943; 10:59 a. m.]

[Docket No. 4788]

UNIVERSAL FINGERPRINT SYSTEMS, LTD.

ORDER APPOINTING TRIAL EXAMINER, ETC.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 22d day of January, A. D. 1943.

In the matter of John M. O'Lane, B. M. O'Lane, and Edith P. Cortell, co-partners, doing business as Universal Fingerprint Systems, Ltd.

Order appointing trial examiner and fixing time and place for taking testimony.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 715 U.S.C.A., section 41),

It is ordered, That James A. Purcell, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, March 12, 1943, at ten o'clock in the forenoon of that day (Pacific Standard Time) in Court Room 276, Post Office Building, San Francisco, California.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-1255; Filed, January 25, 1943; 10:59 a. m.]

[Docket No. 4814]

DUO-TINT BULB AND BATTERY CO., INC.

ORDER APPOINTING TRIAL EXAMINER, ETC.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 22d day of January, A. D. 1943.

In the matter of Duo-Tint Bulb & Battery Company, Inc., a corporation, and Carrie Riggs, and Helen Corts, individually, and Dalton W. Riggs, individually and trading as Duo-Tint Bulb & Battery Company.

Order appointing trial examiner and fixing time and place for taking testimony.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That James A. Purcell, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Thursday, March 18, 1943, at ten o'clock in the forenoon of that day (Pacific standard time) in Room 117, Federal Office Building, Seattle, Washington.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-1254; Filed, January 25, 1943; 10:59 a. m.]

[Docket No. 4816]

THOMAS E. COLLINS CO.

ORDER APPOINTING TRIAL EXAMINER, ETC.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 22d day of January, A. D. 1943.

In the matter of Thomas E. Collins, an individual, trading as Thomas E. Collins Co.

Order appointing trial examiner and fixing time and place for taking testimony.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Con-

gress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That James A. Purcell, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Thursday, February 25, 1943, at ten o'clock in the forenoon of that day, (Pacific Standard Time) in Court Room 276, Post Office Building, San Francisco, California.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-1256; Filed, January 25, 1943; 11:00 a. m.]

[Docket No. 4839]

INNERCLEAN MANUFACTURING CO. AND W. C. JEFFRIES CO.

ORDER APPOINTING TRIAL EXAMINER, ETC.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 22d day of January, A. D. 1943.

In the Matter of Fred S. Hirsch and William W. Hirsch, copartners trading as Innerclean Manufacturing Co., and Wilbur C. Jeffries, an individual trading as W. C. Jeffries Company.

Order appointing trial examiner and fixing time and place for taking testimony.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That James A. Purcell, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, February 8, 1943, at ten o'clock in the forenoon of that day (Pacific Standard Time) in Room 255, Post Office Building, Los Angeles, California.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-1257; Filed January 25, 1943; 11:00 a. m.]

[Docket No. 4846]

JACK SILVERMAN AND ASSOCIATES, ETC.

ORDER APPOINTING TRIAL EXAMINER, ETC.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 22d day of January, A. D. 1943.

In the matter of Jack Silverman, an individual, trading under the names Jack Silverman and Associates, General Forwarding System, and Commercial Pen Co.

Order appointing trial examiner and fixing time and place for taking testimony.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That James A. Purcell, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, March 10, 1943, at ten o'clock in the forenoon of that day (Pacific Standard Time) in Court Room 276, Post Office Building, San Francisco, California.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-1258; Filed, January 25, 1943; 11:00 a. m.]

[Docket No. 4859]

J. A. FOLGER AND COMPANY, INC.

ORDER APPOINTING TRIAL EXAMINER, ETC.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 22d day of January, A. D. 1943.

Order appointing trial examiner and fixing time and place for taking testimony.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That James A. Purcell, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, March 3, 1943, at ten o'clock in the forenoon of that day (Pacific Standard Time) in Court Room 276, Post Office Building, San Francisco, California.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-1259; Filed January 25, 1943; 11:00 a. m.]

[Docket No. 4864]

NATIONAL LACQUER MANUFACTURING CO., ETC.

ORDER APPOINTING TRIAL EXAMINER, ETC.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 22d day of January, A. D., 1943.

In the matter of Jacob Swimmer, an individual, trading as National Lacquer Manufacturing Company, and as National Titanium Company.

Order appointing trial examiner and fixing time and place for taking testimony.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That James A. Purcell, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Thursday, February 11, 1943, at ten o'clock in the forenoon of that day (Pacific standard time) in Room 255, Post Office Building, Los Angeles, California.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-1260; Filed, January 25, 1943; 11:00 a. m.]

[Docket No. 4867]

COLUMBIA RESEARCH CO.

ORDER APPOINTING TRIAL EXAMINER, ETC.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 22d day of January, A. D. 1943.

In the matter of Julius Florsheim, trading as Columbia Research Company.

Order appointing trial examiner and fixing time and place for taking testimony.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That James A. Purcell, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, February 19, 1943, at ten o'clock in the forenoon of that day (Pacific Standard Time) in Room 255, Post Office Building, Los Angeles, California.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-1261; Filed, January 25, 1943; 11:01 a. m.]

[Docket No. 4868]

LEE-SONS, ETC.

ORDER APPOINTING TRIAL EXAMINER, ETC.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 22d day of January, A. D. 1943.

In the matter of Michael E. Lee, Myron E. Lee, and Kenneth L. Lee, individually and as copartners trading as Lee-Sons and as Merlek.

Order appointing trial examiner and fixing time and place for taking testimony.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., Section 41),

It is ordered, That James A. Purcell, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, February 15, 1943, at ten o'clock in the forenoon of that day (Pacific Standard Time) in Room 255, Post Office Building, Los Angeles, California.

Upon completion of testimony for the Federal Trade Commission, the trial examiner will then proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-1262; Filed, January 25, 1943; 11:01 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 73, Amendment]

100 SHARES OF THE CAPITAL STOCK OF METRO STAMP CO., LTD., AND CERTAIN INDEBTEDNESS OWING BY IT

Whereas pursuant to Vesting Order Number 73 of July 30, 1942,[1] the undersigned intended to vest, among other things, all the right, title and interest of Vittorio LeBianco in and to that part of the outstanding capital stock of Metro Stamp Co., Ltd., beneficially owned by him (namely, 33⅓% of the outstanding capital stock of said company) and held in a voting trust;

Whereas the amount of such stock beneficially owned by said person and held in such voting trust was stated in said vesting order to be 100 shares; and

Whereas it has developed that said Vittorio LeBianco beneficially owned only 33⅓ shares of such stock held in such voting trust, which 33⅓ shares represents 33⅓% of the outstanding capital stock of said company;

Now, therefore, Vesting Order Number 73 of July 30, 1942, is hereby amended as follows and not otherwise:

By substituting the figure "33⅓" for the figure "100" appearing in subparagraph (a) of said order.

All other provisions of such Vesting Order Number 73 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof, are hereby ratified and confirmed.

Executed at Washington, D. C., on January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1188; Filed, January 23, 1943; 11:29 a. m.]

[Vesting Order 92, Amendment]

ALL OF THE CAPITAL STOCK OF MOGI, MOMONOI & CO., INC.

Whereas, pursuant to Vesting Order Number 92 of August 6, 1942,[2] the undersigned intended to vest, among other things, 125 shares of $100 par value common stock of Mogi, Momonoi & Co., Inc., owned by Shungo Kutomi, Yokohama, Japan, and 66 shares of such stock of said company owned by Kokei Inhikawa of Nogoya, Japan; and

[1] 7 F.R. 7047.
[2] 7 F.R. 7053.

Wheras in describing such persons in said Vesting Order Number 92, the names were inadvertently designated as "S. Kuchi" and "H. Ichikawa";

Now, therefore, Vesting Order Number 92, of August 6, 1942, is hereby amended as follows and not otherwise:

By changing the names "S. Kuchi" and "H. Ichikawa" appearing therein to "Shungo Kutomi" and "Kokei Ichikawa", respectively.

All other provisions of such Vesting Order Number 92 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on January 18, 1943.

[SEAL] LEO T. CROWLEY.
Alien Property Custodian.

[F. R. Doc. 43-1189; Filed, January 23, 1943; 11:30 a. m.]

[Vesting Order 345]

ASSETS OF BANK OF JAPAN

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All property of any nature whatsoever situated in the United States and owned or controlled by, payable or deliverable to, or held on behalf of or on account of or owing to Bank of Japan, Tokyo, Japan, including but not limited to all property of its American branch located at New York, New York, which is a business enterprise within the United States.

is property of said business enterprise which is a national of a designated enemy country (Japan), and determining to the extent that such national is a person not within a designated enemy country the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on November 7, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–1171; Filed, January 23, 1943; 10:45 a. m.]

[Vesting Order 512]

DOMESTIC FUEL CORPORATION

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

(a) That the property described as follows:

375 shares (which constitute a substantial part, namely, 75%, of all outstanding shares) of $100 par value common stock of Domestic Fuel Corporation, a New York corporation, New York, New York, which is a business enterprise within the United States, of which:

(1) 175 shares are owned by Franz Haniel & Cie., G. m. b. H., whose last known address was represented to the undersigned as being Duisburg-Ruhrort, Germany;

(2) 75 shares are owned by "Riberena del Plata" Sudamericana de Comercio, S. A., Buenos Aires, Argentina, which is presently on The Proclaimed List of Certain Blocked Nationals promulgated pursuant to Proclamation 2497 of the President of the United States of America of July 17, 1941, and is owned or controlled by Deutsches Kohlen Depot G. m. b. H., whose last known address was represented to the undersigned as being Hamburg, Germany; and

(3) 125 shares are owned by N. V. Handels-en-Transport Maatschappij "Vulcaan", Rotterdam, Holland, which is owned or controlled by members of the Thyssen family, nationals of Germany;

is property of nationals, and represents control of said business enterprise which is a national, of a designated enemy country (Germany),

(b) That the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of said N. V. Handels-en-Transport Maatschappij "Vulcaan", and said Franz, Haniel & Cie., and each of them, in and to all indebtedness, contingent or otherwise and whether or not matured, owing to them and each of them by said Domestic Fuel Corporation, including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness,

is an interest in the aforesaid business enterprise held by nationals of an enemy country, and is also property within the United States owned or controlled by nationals of a designated enemy country (Germany);

and determining that to the extent that any or all of such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany), and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby (i) vests the property described in subparagraphs (a) and (b) in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national," "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on December 14, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–1172; Filed, January 23, 1943; 10:45 a. m.]

[Vesting Order 513]

PAINTINGS OWNED BY, AND INDEBTEDNESS OWING TO, ROMUALDO LOCATELLI

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation:

1. Finding that Romualdo Locatelli, a citizen of Italy, is a national of a designated enemy country (Italy);

2. Finding that said Romualdo Locatelli, whose last known address was represented to the undersigned as being in enemy-occupied territory (Philippine Islands), is controlled by a designated enemy country (Japan), or a person within such country, and therefore is a national of a designated enemy country (Japan);

3. Finding that certain paintings owned by said Romualdo Locatelli and in the possession of Douthitt Galleries, Inc., New York, New York, are property within the United States owned or controlled by a national of designated enemy countries (Italy and Japan), which paintings are particularly described in Exhibit A attached hereto and made a part hereof;

4. Finding that all right, title, interest and claim of any name or nature whatsoever of said Romualdo Locatelli in and to all indebtedness, contingent or otherwise and whether or not matured, owing to him by said Douthitt Galleries, Inc., including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness, and including particularly certain funds held by said Douthitt Galleries, Inc., representing the proceeds of the sale of certain other paintings owned by said Romualdo Locatelli and sold by Douthitt Galleries, Inc., as his agent, is property within the United States owned or controlled by a national of the aforesaid designated enemy countries (Italy and Japan);

5. Determining that the property described in subparagraph 4 hereof is necessary for the maintenance or safeguarding of other property (namely that hereinbefore described in subparagraph 3) belonging to the same national of the same designated enemy countries and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive Order;

6. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy countries (Italy and Japan);

7. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

9. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraphs 3 and 4, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such returns should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on December 14, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Name and Reference No.	*Description*
The Readers, C–5284	Two girls reading a book, one girl in blue silk and the other in green velvet.
Planting Rice, C–5297	A long horizontal of natives planting rice in Java.
Legong Dancer, C–5295	A large canvas showing a dancing girl performing a native dance.
Sisian Dancer, C–5287	Large vertical oblong canvas showing a native dance (Sisian).
Barong Dancer, C–5286	A girl with a head-dress like a large crown, decorated with many flowers.
The Bath, C–5208	A small canvas showing a semi nude bathing under a natural waterfall.
In the Studio, C–5288	A nude model kneeling on the floor, which is covered with draperies.
On the River, C–5294	Malays navigating a river boat near Singapore.
Gamlin Player, C–5299	Moderate size canvas showing an old man playing a native instrument (Gamlin).
Javanese Shepherd, C–5289	A medium sized canvas showing a Javanese Shepherd caring for a little lamb.
Javanese Dancer, C–5290	A large canvas of a Javanese dancing girl with a man playing a native drum like instrument.
Arkas Player, C–5300	A medium sized canvas showing a young boy playing an Arkas.
Balinese Mask, C–5301	A medium canvas showing a part of a Balinese dramatic performance, in which the main figure is masked.

[F. R. Doc. 43–1173; Filed, January 23, 1943; 10:45 a. m.]

[Vesting Order 523]

TRADE-MARK OF PAUL PETERS MUHLENS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described herein is property in which nationals of a foreign country or countries have interests, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; such property being described as follows:

The trade-mark registered in the United States Patent Office on December 19, 1922, under the number 162,561 by Muhlens and Kropss Inc., New York, New York, the title to which stands of record in the name of Paul Peters Muhlens of Cologne, Germany, and the registration thereof, together with the respective good will of the business in the United States and all its possessions, to which said trade-mark is appurtenant, and any and all indicia of such good will (including but not limited to formulae, whether secret or not, secret processes, methods of manufacture and procedure; customers lists, labels, machinery and other equipment) and any interest of any nature whatsoever in and any rights and claims of every character and description to said business, good will and trade-mark and registration thereof, including without limitation all accrued royalties payable or held with respect to said trade-mark and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on December 18, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–1174; Filed, January 23, 1943; 10:45 a. m.]

[Vesting Order 597]

NOZAKI BROS. INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Sueo Nozaki, Jiro Nozaki, Noritsune Kotake, Einoshin Naito and Tomozo Santo, whose last known addresses were represented to the undersigned as being Yokohama, Japan, are citizens of Japan and are nationals of a designated enemy country (Japan);

2. Finding that Fumio Kinoshita (alien detention camp) is a citizen of Japan and is a national of a designated enemy country (Japan);

3. Finding that the aforesaid persons are the owners of 2,413 shares of no par value common stock of Nozaki Bros. Inc., a New York Corporation, New York, New York, registered as follows:

Names:	*Number of shares*
Sueo Nozaki	2,171
Jiro Nozaki	107
Noritsune Kotake	10
Einoshin Naito	100
Tomozo Santo	5
Fumio Kinoshita	20
Total	2,413

4. Finding that said corporation is a business enterprise within the United States and that said 2,413 shares of stock constitute a substantial part (namely, 99%) of all the outstanding capital stock of said business enterprise and represent control thereof;

5. Finding, therefore, that said business enterprise is a national of a designated enemy country (Japan);

6. Determining that to the extent that any or all of such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Japan);

7. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

8. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the shares of stock described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control, or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained

shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on December 30, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1175; Filed, January 23, 1943; 10:45 a. m.]

[Vesting Order 701]

ESTATE OF MINNIE DORING MEIRANNA

In re: Estate of Minnie Doring Meiranna, deceased—File 9-100-017-1256.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Anna Vasques, Administratrix C. T. A., 66 Jefferson Street, Albany, New York, acting under the judicial supervision of Surrogate's Court of the State of New York, in and for the County of Albany;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Marie Berens	Germany.
Margethe Doring	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Marie Berens and Margethe Doring, and each of them, in and to the estate of Minnie Doring Meiranna, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1190; Filed, January 23, 1943; 11:29 a. m.]

[Vesting Order 702]

ESTATE OF MARTIN SAFFER

In re: Estate of Martin Saffer, deceased—File D-28-1865, E. T. sec. 1689.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, Queens County, New York;

(2) Such property and interest are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Kunigonta Wohlhofer, whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interest:

All right, title, interest, and claim of any kind or character whatsoever of Kunigonta Wohlhofer in and to the Estate of Martin Saffer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interest and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interest or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1191; Filed, January 23, 1943; 11:29 a. m.]

[Vesting Order 704]

ESTATE OF AUGUSTO STRADA

In re: Estate of Augusto Strada, also known as August Strado, deceased—File D-38-282; E. T. sec. 49.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Henry Strad Administrator, acting under the judicia supervision of the Surrogate's Court of t State of New York, in and for Westchester County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Ernesta Strada Raponi	Via Desiderio 19, Milano, Italy.
Alfro Dell'Onte	Presso Vischioni Lino, Peschiera Delgarda, Verona Italy.
Imerio Dell'Onte	Via dell Lazzeratto Fossenbrono (Prov. Pesaro) Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of kind or character whatsoever of Ern Strado Raponi, Alfro Dell'Onte and Im Dell'Onte, and each of them, in and to Estate of Augusto Strada, also know as August Strado, deceased,

to be held, used, administered, liquidated sold or otherwise dealt with in the int est of and for the benefit of the Unit States.

Such property and interests and any or all of the proceeds thereof shall b held in a special account pending furth determination of the Alien Property C todian. This shall not be deemed t

limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1 within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1192; Filed, January 23, 1943; 11:29 a. m.]

[Vesting Order 705]

ESTATE OF REGINA WOLFF

In re: Estate of Regina Wolff, deceased—File D-28-1828, E. T. sec. 1386.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Mariane Kahn	Germany.
Caroline Scheuer	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Mariane Kahn and Caroline Scheuer, and each of them, in and to the Estate of Regina Wolff, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1193; Filed, January 23, 1943; 11:29 a. m.]

[Vesting Order 706]

ESTATE OF EARNEST N. WOLTMANN

In re: Estate of Earnest N. Woltmann, deceased—File D-28-1839, E. T. sec. 1679.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, Queens County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany namely,

Nationals:	*Last known address*
Sophie Borchers	Germany.
Anna Catherina Schriefer	Germany.
Heinrich Schriefer	Germany.
Berta Johanne Woltmann	Germany.
Ernst Hinrich Woltmann	Germany.
Mrs. Ernst Hinrich Woltmann	Germany.
Maria Margaretha Fehrs	Germany.
Peter Fehrs	Germany.
Rebecka Wilhelmine Wieboldt	Germany.
George Wieboldt	Germany.

And determining that—

If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany, and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Sophie Borchers, Anna Catherina Schriefer, Heinrich Schriefer, Berta Johanne Woltmann, Ernst Hinrich Woltmann, Mrs. Ernst Hinrich Woltmann, Maria Margaretha Fehrs, Peter Fehrs, Rebecka Wilhelmine Wieboldt and George Wieboldt, and each of them, in and to the Estate of Earnest N. Woltmann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1194; Filed, January 23, 1943; 11:30 a. m.]

[Vesting Order 707]

MILLWOOD SAND CO., ET AL.

In re: Interpleader Proceedings: Millwood Sand Company, Plaintiff v. Dorothy Miller et al. Defendants, No. 17154 filed in the Court of Common Pleas, Knox County, Ohio—File D-38-269; E. T. sec. 7.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests described in subparagraph (a) are property which is in process of administration by the Millwood Sand Company, Plaintiff, acting under the judicial supervision of the Court of Common Pleas, Knox County, Ohio, and also such property and interests are property which is in partition, libel, condemnation or other similar proceedings, by virtue of a decree of the said Court in the interpleader proceedings entitled, Millwood Sand Company, Plaintiff v. Dorothy Miller et al. Defendants, No. 17154;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely,

National:	*Last known address*
Jessie Sanalcrappia or Sinlcrope	Italy

(3) The property and interests described in subparagraphs (a) and (b) are property within the United States owned or con-

trolled by the aforesaid national of a designated enemy country, Italy; and

Determining that—

(4) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

(a) All right, title, interest, and claim of any kind or character whatsoever of Jessie Sanalcrappia or Sinicrope in and to an undivided One-twenty-first ($\frac{1}{21}$) interest in the rents and royalties issuing from real property described in a lease to the Millwood Sand Company from George Miller and Sophia Miller (both now deceased), dated November 15, 1932, and payable by the Millwood Sand Company pursuant to a decree entered in the above entitled proceedings by the said Court on July 23, 1942, and

(b) All right, title, interest, and estate, both legal and equitable of Jessie Sanalcrappia or Sinicrope in and to an undivided One-twenty-first ($\frac{1}{21}$) fee simple interest in the real property leased to the Millwood Sand Company by George Miller and Sophia Miller (both now deceased) dated November 15, 1932, situated in Knox County, Ohio, and described as follows:

FIRST PARCEL: All of that part or parcel of the southeast quarter of Section 25, Township 7 Range 10, in said county and state, bounded and described as follows: Beginning at a stake on the west line of said southwest border, which stake notes 3½ degrees east, 49 rods from the southwest corner thereof, thence, on said line north 3½ degrees east 29 rods to a stake; thence, south 86½ degrees, east 81.66 rods to a stake; thence, south 3½ degrees, west 49 rods to a stake; thence, north 86½ degrees, west 81.66 rods to the place of beginning containing 25 acres and designated as lot #9, as shown on the plat of partition in the estate of Gilman Hawn, deceased, in case #4624 on the docket of the Common Pleas Court of Knox County, Ohio.

SECOND PARCEL: Situate in Knox County, Ohio, to-wit: The North part of the west half of the southeast Quarter of Section 25, Township 7, Range 10, bounded and described as follows: Beginning at a stone at the northeast corner of said West half of the southeast Quarter of Section 25; thence, north 86½ degrees west 81.66 rods to the northwest corner thereof; thence, on the west line of said southeast Quarter Section S. 3½ degrees west 64.75 rods to a stake on said line; thence, south 86½ degrees east 81.66 rods to a stake; thence, north 3½ degrees east 64.75 rods to the place of beginning, containing 33.06 acres and designated as Lot No. 10, as shown on the plat of partition. The said premises having been heretofore conveyed to Peter Sedler and the said Peter Sedler and the said Peter Sedlar being one and the same person.

The plat above referred to being the one used in the case of Catherine Miller and Rebecca Smith vs Sarah E. Shroyer et al. in the Court of Common Pleas of Knox County, Ohio.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–1195; Filed, January 23, 1943; 11:30 a. m.]

[Vesting Order 708]

RINALDO NEGRI

In re: Cash Bail—United States vs. Rinaldo Negri—File F–38–877.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Clerk of the United States District Court for the Southern District of New York as depositary acting under the judicial supervision of the United States District Court for the Southern District of New York; and such property is in partition, libel, condemnation or other similar proceedings;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely,

National	*Last known address*
Italo E. Varrando	Italy.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Italo E. Verrando in and to the cash bail deposited in the registry of the United States District Court for the Southern District of New York, for the appearance of Rinaldo Negri before the United States District Court at Trenton, New Jersey,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–1196; Filed, January 23, 1943; 11:30 a. m.]

[Vesting Order 709]

LOUISE GABRIEL PREUSS

In re: Seaboard Trust Company, a corporation of the State of New Jersey, complainant, and Louise Gabriel Preuss, defendant—File No. F–28–15260—E. T. sec. 461.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Clerk in Chancery of New Jersey as depositary acting under the judicial supervision of the Court of Chancery of New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, a national, of a designated enemy country, Germany, namely, Louise Gabriel Preuss whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Louise Gabriel Preuss in and to the proceeds of the sale of a mortgage participation certificate deposited with the Clerk in Chancery of the State of New Jersey, in a proceeding pending in said Court of Chancery of New Jersey, entitled Seaboard Trust Company, a corporation of the State of New Jersey, complainant, and Louise Gabriel Preuss, defendant.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such propery and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–1197; Filed, January 23, 1943; 11:30 a. m.]

[Vesting Order 395]

PROSPECTING EQUIPMENT CO.

Re: Assets of Gerhard Stubbe, doing business as Prospecting Equipment Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All property of any nature whatsoever situated in the United States and owned or controlled by, payable or deliverable to, or held on behalf of or on account of or owing to Gerhard Stubbe (alien detention camp) doing business as Prospecting Equipment Company, Houston, Texas, which is a business enterprise within the United States, including but not limited to the following:

(a) All bank deposits with the First National Bank, Houston, Texas, in the name of Prospecting Equipment Company.

(b) Instruments, parts, tools and equipment, as described in Exhibit "A" attached hereto and made a part hereof.

(c) Furniture and fixtures, as described in Exhibit "B" attached hereto and made a part hereof,

is property of a business enterprise which is a national of a designated enemy country, and determining that to the extent that such national is a person not within a designated enemy country the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Germany); and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on November 19, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Certain instruments, parts, tools and equipment of Prospecting Equipment Company:

No.	*Description*
6	Old plate holders for T. B.
11	Level plates, triangular, used.
5	Adjusting pins for magnetometer.
1	Magnet, small in brass case, abt. 4 x 35 mm.
1	Magnet, small in brass case, abt. 4 x 15 mm.
1	Magnet, large 8 x 120 mm in brass case.
2	Wing belts for magnetometer tripod, used.
3	Magnets, Alnico, no case, 15 mm.
3	Magnets, Alnico, no case, 30 mm.
2	Magnets, Alnico, no case, 26 mm.
1	Magnets, Alnico, no case, 50 mm.
2	Magnets, Alnico, no case, 77 mm.
2	Magnets, Alnico, no case, 120 mm.
12	Clamps with belts for magnetometer tripod.
8	Screw drivers, tiny watchmakers, for magnet system.
1	Aluminum base plate for magnetometer, old.
1	Instrument screw driver for magnetometer.
8	Steel blades, old style, vertical, in box.
1	Special Alnico magnet, large in aluminum case.
2	Extension tubes, brass, net graduated.
1	Tripod for magnetometer, #83859 in canvas sack.
1	Magnetometer, vertical #90519 in wooden box (no magnets, no compass).

No.	Description
1	Lathe, South Bend ⌀40544 with ¼ HP motor Westinghouse, ⌀5969482 and one sander.
5	Small boxes of tools and machine shop supplies.
1	Desk lamp and one oil heater.
1	Heater, electric, new.
1	Compressor for paint syraying, ¼ HP motor GE Vise, 4" and one vise 1½".
1	Large box with tools, parts and machine shop supplies. Shop material (metal stock) brass sheets, etc.
1	Emery wheel and wire brush, electric, motor HP ¼, ⌀443365.
1	Alhidade Gurley ⌀19375 in carrying box.
1	Thermometer in metal case, 30 to 20 degr. F.
1	Box with various tools for labor.
1	Box containing: 1 magnet system, vertical with two gold plated bars; 4 magnet systems, vertical with old style bars; 8 aluminum blocks for magnet system; 2 steel bars, gold plated, vertical.
1	Compass, K & E, Forrestor type, in box.
2	Mirrors, small special for light on Magnetometer telescope
	Various screws for magnetometer.
1	Bottle of emery.
1	Center block for new type vertical magnet system.

EXHIBIT B

Certain furniture and fixtures of Prospecting Equipment Company:

No	Description
1	Cabinet, metal 78" x 36" x 18".
1	Cabinet, metal, stationery, 6' x 36" x 18".
1	Cabinet, metal file, four drawer, lettersize.
1	Set of bookcases: one base 11½" x 34", wood oak. One top 11½" x 34", wood oak. 3 cases, 13⅛" x 13⅛" x 13¼".
1	Desk typewriter, lefthand drop, wood oak 26" x 36".
1	Typewriter, Remington Noiseless Model 6, 10", ⌀X-202578
1	Paper basket, office style
1	Scale, office, airmail, "Triner", 4 lbs. range.
1	Cabinet file, lettersize, 4 drawers high, lock.
1	Floor lamp, flexible, office style.
1	Perforator, Leitz ⌀280, lettersize.

[F. R. Doc. 43-1263; Filed, January 25, 1943; 11:20 a. m.]

[Vesting Order 460]

YAMASHITA SHIPPING COMPANY

Whereas, pursuant to Vesting Order Number 136 of August 28, 1942, the undersigned intended to vest the right, title and interest of all the holders of the capital stock of Yamashita Shipping Company in and to said company; and

Whereas, at the time of execution of said vesting order the undersigned was not aware of the fact that the company had theretofore been dissolved:

Now, therefore, in order to cure any defect in said vesting order arising by virtue of the failure to take into consideration the dissolution of such company, the following order is hereby issued:

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that all the capital stock of Yamashita Shipping Company, an Oregon corporation, which is a business enterprise within the United States, was, immediately prior to the issuance of the vesting order hereinafter mentioned, owned by nationals of a designated enemy country (Japan), which capital stock and nationals are more fully described in Vesting Order Number 136 of August 28, 1942.

2. Determining, therefore, that the aforesaid business enterprise is a national of a designated enemy country (Japan);

3. Finding that all property of whatsoever nature owned or controlled by, payable or deliverable to, or held on behalf of or on account of or owing to, such business enterprise immediately prior to its dissolution, and all the right, title and interest of the owners of the capital stock of said business enterprise in and to such property, is property of nationals, and represents ownership of said business enterprise which is a national of a designated enemy country (Japan);

4. Determining that to the extent that such nationals, or any of them, are persons not within a designated enemy country, the national interest of the United States requires that such persons and each of them be treated as nationals of the aforesaid designated enemy country (Japan);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on December 11, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1264; Filed, January 25, 1943; 11:20 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Special Order ODT B-9, Amendment 1]

ALL AMERICAN BUS LINES, INC., AND NORTHERN TRAILS, INC.

COORDINATED OPERATION BETWEEN NEW YORK AND CHICAGO

Upon consideration of an application for amendment filed with the Office of Defense Transportation by All American Bus Lines, Inc., and Northern Trails, Inc., both of Chicago, Illinois, and good cause appearing therefor, paragraphs 3 and 5 of Special Order ODT B-9[1] are hereby amended, as follows:

* * * * *

3. Northern Trails, Inc., shall:

(a) Operate a through service of not to exceed one round trip daily on each of the following routes:

(1) Between New York, New York, and Chicago, Illinois, via Breezewood, Pennsylvania, except that said carrier shall suspend all operations over that route until May 15, 1943;

(2) Between Emmitsburg, Maryland, and Chicago, Illinois, via Cleveland, Ohio, except that upon that portion thereof between Emmitsburg, Maryland, and Pittsburgh, Pennsylvania, said carrier shall suspend operation until May 15, 1943;

(3) Between Emmitsburg, Maryland, and Chicago, Illinois, via Fort Wayne, Indiana, except that said carrier shall suspend all operation over that route until May 15, 1943;

(b) File forthwith with the Interstate Commerce Commission and with each appropriate state regulatory body a notice describing the operations to be suspended in compliance herewith.

* * * * *

5 The carriers forthwith shall file with the Interstate Commerce Commission, in respect of transportation in interstate or foreign commerce, and with each appropriate State regulatory body, in respect of transportation in intrastate commerce, and publish, in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations, and practices of each carrier which may be necessary to accord with the provisions of this order, as amended, together with a copy of this order, as amended; and forthwith shall apply to said Commission, and each such regulatory body for special permission for such tariffs or supplements to become effective on one day's notice.

This amendment shall become effective on February 6, 1943.

Issued at Washington, D. C., this 23d day of January 1943.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

JANUARY 23, 1943.

[F. R. Doc. 43-1185; Filed, January 23, 1943; 11:21 a. m.]

[1] 7 F.R. 5926.

OFFICE OF PRICE ADMINISTRATION.

[Order 151 Under MPR 120]

D. C. BRANDT ET AL.

ORDER GRANTING ADJUSTMENT

Order No. 151 under Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant—Docket No. 3120-275.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (d) of Maximum Price Regulation No. 120, *It is hereby ordered:*

(a) Coals produced at the mines enumerated below, in District No. 10 may be sold and purchased for shipment by truck at prices not to exceed the following prices per net ton f. o. b. the mine:

	Size group	Maximum price
D. C. Brandt, Mineral, Ill., Indian Hill Mine (Mine Index No. 516)	6	$3.50
L. F. Brandt & Son (L. F. Brandt), Mineral, Ill., Mineral Mine (Mine Index No. 517)	6	3.50
A. H. Lowry, Muscatine, Iowa, Gorham Valley Mine (Mine Index No. 2[illegible])	6	3.50
Oscar A. Stone (Kewanee Coal Co.), Kewanee, Ill. (Mine Index No. 1361)	6	3.50
Rock Bottom Coal Co. (William T. Lardi), Kewanee, Ill., Rock Bottom Coal Co. Mine (Mine Index No. 583)	6	3.50
New Seen Coal Co. (James O'Rourke), Mt. Carmel, Ill. (Mine Index No. 624)	4	3.75
Martin Coal Co. (Harvey L. Martin), Virden, Ill., Martin Coal Co. Mine (Mine Index No. 1574)	7	2.94
New Diamond Coal Co. (George Radansky, Sr.), Aledo, Ill., New Diamond Mine (Mine Index No. 1370)	6	3.50
F. H. & W. F. Essley (W. F. Essley), Virden, Ill., Black Diamond Mine (Mine Index No. 1551)	6	3.75
Frame Coal Co. (Gilbert Pease), Viola, Ill., Mine Index No. 625)	6	3.75
	3	4.00
	10	2.50
Fryer Coal Mine, Coal Valley, Ill., Fryer Coal Mine (Mine Index No. 6[illegible])	6	4.00
	7	3.20
	10	2.70
Midland Electric Corporation, 1320 Fletcher Trust Building, Indianapolis, Ind. (Mine Index No. 2)	4	4.00
	8	3.90
	24	2.90
Edward Stoehr & Son (Elden M. Stoehr), Moline, Ill., Blue Eagle Coal Mine No. 2 (Mine Index No. 643)	6	4.00
	3	3.50
Pioneer Coal Co., 310 National Bank Building, Pittsburg, Kans., Pioneer Mine (Mine Index No. 1537)	19	3.00
	24	2.90
	25	2.50

(b) Within thirty (30) days from the effective date of this order, each of the above-listed petitioners shall notify all persons purchasing its coals of the adjustments granted to it by paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Maximum Price Regulation No. 122.

(c) This Order No. 151 may be revoked or amended by the Price Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

(e) This Order No. 151 shall become effective January 23, 1943.

Issued this 22d day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1145; Filed January 22, 1943; 4:22 p. m.]

[Order 41 Under Rev. MPR 122]

MADDEN COAL CORPORATION

ORDER GRANTING ADJUSTMENT

Order No. 41 under Revised Maximum Price Regulation No. 122—Solid Fuels Delivered from Facilities Other Than Producing Facilities — Dealers — Docket No. 3122-152

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, *It is hereby ordered:*

(a) Madden Coal Corporation of Ogdensburg, New York, may sell and deliver coke and any person may buy and receive coke from said company at prices no higher than $12.55 per ton plus 50 cents per ton if payment is not made within fifteen days from delivery;

(b) This Order No. 41 may be revoked or amended by the Price Administrator at any time;

(c) Unless the context otherwise requires, the meanings and definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein;

(d) This Order No. 41 shall become effective January 23, 1943.

Issued this 22d day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1143; Filed, January 22, 1943; 4:24 p. m.]

[Order 121 Under MPR 188]

UNITED STATES LOCK AND HARDWARE CO.

APPROVAL OF MAXIMUM PRICES

Order No. 121 under § 1499.158 of Maximum Price Regulation 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel. Approval of maximum prices for sales by United States Lock and Hardware Company of five new articles.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) United States Lock and Hardware Company, Columbia, Pennsylvania, is authorized to sell and deliver the following articles, manufactured by it, at prices no higher than those set forth below:

	Per dozen pairs
Wooden mules	$1.80
	Per dozen
Folding table, ⌀5001	$11.85
Serving tray, ⌀5003	2.16
Serving tray, ⌀5002	3.30
Bed tray, ⌀5000	7.60

(b) This Order No. 121 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 121 to Maximum Price Regulation 188 shall become effective January 18, 1943.

Issued this 18th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F.R. Doc. 43-1141; Filed, January 18, 1943; 4:05 p. m.]

[Order 135 Under MPR 188]

RESERVE MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 135 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel. Approval of maximum prices for sales by Reserve Manufacturing Company of a new fire extinguisher.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Reserve Manufacturing Company, 850 Euclid Avenue, Cleveland, Ohio, is authorized to sell and deliver its new "FIRE-X" dry-powder fire extinguisher at prices no higher than those set forth below:

	Each
To chain stores	$0.233
For bulk shipments to the warehouse of a chain store, a discount of 5% from the above price is to be allowed.	
To jobbers	.195

These prices are f. o. b. Cleveland, Ohio. The terms are 2% ten days, net thirty days.

(b) This Order No. 135 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 135 shall become effective on the 23d day of January, 1943.

Issued this 22d day of January, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1142; Filed, January 22, 1943; 4:24 p. m.]

[Amendment 1 to Order 3 Under MPR 260]

ALLES & FISHER, INC.

APPROVAL OF MAXIMUM PRICES

Amendment No. 1 to Order No. 3 issued under § 1358.102 (c) of Maximum Price Regulation No. 260—Cigars.

Due consideration has been given to the issuance of this amendment and an opinion in support thereof issued simultaneously herewith has been filed with the Division of the Federal Register.

The table in paragraph (a) is amended; paragraph (c) is amended by the addition of a sentence thereto and a new paragraph (g) is added as set forth below:

(a) . . .

Discounts applicable to sales of said cigars by applicant shall be as follows:

	Sales to wholesalers	Sales to retailers
Located in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut	Percent 8	Percent 2
Located elsewhere than in the States listed	12	2

(c) . . .

Applicant shall plainly indicate on the labels of boxes or containers of Pippin cigars that such cigars sold pursuant to this order are a new blend different than cigars previously sold under that brand name.

. . . . . .

(g) Amendment No. 1 to Order No. 3 issued under § 1358.102 (e) of Maximum Price Regulation No. 260—Cigars, shall become effective January 23, 1943.

(Pub. Laws 421 and 729; 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1144; Filed, January 22, 1943; 4:21 p. m.]

[Order 3 Under Rev. Maximum Export Price Regulation]

MURPHY VARNISH COMPANY

ORDER GRANTING PETITION FOR EXCEPTION

Order No. 3 under § 1375.9 (c) of the Revised Maximum Export Price Regulation.

On November 9, 1942, Murphy Varnish Company, 224 McWhorter Street, Newark, New Jersey, filed a petition for exception from § 1375.9 (c) of the Revised Maximum Export Price Regulation, pursuant to the provisions of that section.

Due consideration has been given to the petition, and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, *It is hereby ordered:*

(a) Murphy Varnish Company is authorized to invoice directly to Compania Colombiana de Seguros, Medellin, Colombia at its distributor's price two hundred gallons of paint now ready for shipment.

(b) This Order No. 3 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 3 shall take effect on the 15th day of January 1943.

Issued this 14th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-679; Filed, January 14, 1943; 10:44 a. m.]

[Suspension Order 195]

WASHINGTON RUBBER COMPANY, INC.

ORDER RESTRICTING TRANSACTIONS

Washington Rubber Company, Inc., Fourteenth and Belmont Streets, N. W., Washington, D. C., hereinafter called respondent, was duly served with a notice of specific charges of violations of Ration Order No. 5A, Gasoline Rationing Regulations issued by the Office of Price Administration. Pursuant to the notice a hearing was held in Washington, D. C., on November 27, 1942, and December 2, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been considered by the Deputy Administrator in Charge of Rationing, it is hereby determined that:

(a) Respondent is a dealer in gasoline and operates a gasoline filling station at Fourteenth and Belmont Streets, N. W., Washington, D. C.

(b) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations (§ 1394.1502) in that on various occasions between July 22, 1942, and November 18, 1942, respondent transferred gasoline to consumers and into the fuel tanks of their motor vehicles without receiving in exchange therefor any gasoline ration coupons. Such transfers were not within the classes of transfers of gasoline permitted by the provisions of Ration Order No. 5A, Gasoline Rationing Regulations, to be made without the exchange of gasoline ration coupons.

(c) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations (§§ 1394.1502 and 1394.1503) in that on numerous occasions between July 22 and November 14, 1942, respondent transferred gasoline to consumers and into the fuel tanks of their motor vehicles in exchange for twenty-six Class A, No. 3; thirteen Class A, No. 4; one Class A, No. 5; and four Class A, No. 6 gasoline ration coupons and further, between November 14 and November 18, 1942, respondent transferred gasoline to consumers and into the fuel tanks of their motor vehicles in exchange for one Class A, No. 1; two Class A, No. 3; two Class A, No. 4; and three Class A, No. 5 gasoline ration coupons.

(d) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations (§§ 1394.1502 and 1394.1503), in that on numerous occasions between July 22, 1942, and November 18, 1942, respondent as a dealer transferred gasoline to itself as a consumer and into the fuel tanks of motor vehicles operated by it without detaching coupons from ration books issued for such vehicles. Such transfers were not within the classes of transfers permitted by Ration Order No. 5A, Gasoline Rationing Regulations, to be made without the exchange of coupons.

(e) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations (§§ 1394.1502 and 1394.1503), in that on numerous occasions between July 22 and November 18, 1942, respondent as a dealer, transferred gasoline to itself as a consumer for non-highway use without the exchange of gasoline ration coupons therefor.

Because of the great scarcity and critical importance of gasoline in the District of Columbia, violations of the gasoline rationing regulations by respondent have necessarily resulted in the diversion of gasoline from military and essential civilian uses into non-essential uses in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Deputy Administrator in Charge of Rationing from the evidence before him that further violations of the gasoline rationing regulations by respondent are likely unless appropriate administrative action is taken, *It is therefore ordered:*

(f) During the period in which this Suspension Order No. 195 shall be in effect,

(1) Respondent shall not accept any deliveries or transfers of or in any manner directly or indirectly receive from any source any gasoline for resale.

(2) Respondent shall not transfer or deliver or otherwise trade or deal in gasoline.

(3) No person shall in any manner directly or indirectly transfer or deliver any gasoline to respondent for resale.

(g) Any terms used in this Suspension Order No. 194 that are defined in Ration Order No. 5A, Gasoline Rationing Regulations, shall have the meaning therein given them.

(h) This Suspension Order No. 194 shall become effective 12:01 a. m. January 28, 1943, and unless sooner terminated shall expire 12:01 a. m. March 29, 1943.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89 and 507, 77th Cong.; E.O. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216); Supplementary Directive No. 1Q (7 F.R. 9121))

Issued this 23d day of January 1943.

PAUL M. O'LEARY,
Deputy Administrator in Charge of Rationing.

[F. R. Doc. 43-1237; Filed, January 23, 1943; 4:12 p. m.]

[Suspension Order 196]

SOUTH WEST SERVICE STATION

ORDER RESTRICTING TRANSACTIONS

Horace D. Pach, doing business as South West Service Station, 529 Fourth Street, Southwest, Washington, D. C., hereinafter called respondent was duly served with a notice of charges of violations of Ration Order No. 5A, Gasoline Rationing Regulations, issued by the Office of Price Administration. Pursuant to the notice, a hearing upon the charges was held in Washington, D. C., on November 28, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been duly considered by the Deputy Administrator in Charge of Rationing, it is hereby determined:

(a) Respondent is a dealer in gasoline and operates a gasoline filling station located at 529 Fourth Street, Southwest, Washington, D. C.

(b) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations, (§ 1394.1502), in that on various occasions between July 22 and November 19, 1942, respondent transferred gasoline to consumers and into the fuel tanks of their motor vehicles without receiving in exchange therefor any gasoline ration coupons. Such transfers were not within the classes of transfers of gasoline permitted by the provisions of Ration Order No. 5A, Gasoline Rationing Regulations, to be made without the exchange of gasoline ration coupons.

(c) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations, (§§ 1394.1502 and 1394.1503), in that on numerous occasions between July 22 and November 19, 1942, respondent, as a dealer, transferred gasoline to himself, as a consumer, for non-highway use without the exchange of gasoline ration coupons.

Because of the great scarcity and critical importance of gasoline in Washington, D. C., respondent's violations of Ration Order No. 5A, Gasoline Rationing Regulations, have resulted in the diversion of gasoline from military and essential civilian uses into non-essential uses, in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Deputy Administrator in Charge of Rationing that further violations by respondent are likely unless appropriate administrative action is taken. *It is therefore ordered:*

(d) During the period in which this Suspension Order No. 196 shall be in effect,

(1) Respondent shall not accept any deliveries or transfers of, or in any manner directly or indirectly receive from any source any gasoline for resale.

(2) Respondent shall not transfer or deliver or otherwise trade or deal in gasoline.

(3) No person shall in any manner, directly or indirectly transfer or deliver any gasoline to respondent for resale.

(e) Any terms used in this Suspension Order No. 196 that are defined in Ration Order No. 5A, Gasoline Rationing Regulations, shall have the meaning therein given them.

(f) This Suspension Order No. 196 shall become effective 12:01 a. m. January 28, 1943, and unless sooner terminated, shall expire 12:01 a. m. February 27, 1943.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89 and 507, 77th Cong.; E.O. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216); Supplementary Directive 1Q (7 F.R. 9121))

Issued this 23d day of January 1943.

PAUL M. O'LEARY,
Deputy Administrator in Charge of Rationing.

[F. R. Doc. 43-1238; Filed, January 23, 1943; 4:12 p. m.]

[Suspension Order 199]

DEAS SERVICE STATION

ORDER RESTRICTING TRANSACTIONS

Henry B. Deas, doing business as Deas Esso Station, 2301 14th Street, Northwest, Washington, D. C., hereinafter called respondent, was duly served with a notice of specific charges of violations of Ration Order No. 5A, Gasoline Rationing Regulations, issued by the Office of Price Administration. Pursuant to the notice a hearing was held in Washington, D. C. on November 25, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been considered by the Deputy Administrator in Charge of Rationing, it is hereby determined that:

(a) Respondent is a dealer in gasoline and operates a gasoline filling station at 2301 14th Street, Northwest, Washington, D. C.

(b) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations, (§ 1394.1502), in that on various occasions between July 22 and November 17, 1942, respondent transferred gasoline to consumers and into the fuel tanks of their motor vehicles without receiving in exchange therefor any gasoline ration coupons. Such transfers were not within the classes of transfers of gasoline permitted by the provisions of Ration Order No. 5A, Gasoline Rationing Regulations, to be made without the exchange of gasoline ration coupons.

(c) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations, (§§ 1394.1502 and 1394.1503), in that on numerous occasions between July 22 and November 17, 1942, respondent transferred gasoline to consumers and into the fuel tanks of their motor vehicles in exchange for forty-nine (49) Class A, No. 3 gasoline ration coupons.

Because of the great scarcity and critical importance of gasoline in the District of Columbia, violations of the gasoline rationing regulations by respondent have necessarily resulted in the diversion of gasoline from military and essential civilian uses into non-essential uses in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Deputy Administrator in Charge of Rationing from the evidence before him that further violations of the gasoline rationing regulations by respondent are likely unless appropriate administrative action is taken, *It is therefore ordered:*

(d) During the period in which this Suspension Order No. 199 shall be in effect,

(1) Respondent shall not accept any deliveries or transfers of or in any manner directly or indirectly receive from any source any gasoline for resale.

(2) Respondent shall not transfer or deliver or otherwise trade or deal in gasoline.

(3) No person shall in any manner directly or indirectly transfer or deliver any gasoline to respondent for resale.

(e) Any terms used in this Suspension Order No. 199 that are defined in Ration Order No. 5A, Gasoline Rationing Regulations, shall have the meaning therein given them.

(f) This Suspension Order No. 199 shall become effective 12:01 a. m. January 28, 1943, and unless sooner terminated shall expire 12:01 a. m. February 12, 1943.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89 and 507, 77th Cong.; E.O. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216); Supplementary Directive No. 1Q (7 F.R. 9121))

Issued this 23d day of January 1943.

PAUL M. O'LEARY,
Deputy Administrator in Charge of Rationing.

[F. R. Doc. 43-1239; Filed, January 23, 1943; 4:12 p. m.]

[Suspension Order 200]

DIXIE CAB CENTER

ORDER RESTRICTING TRANSACTIONS

Robert Harlan, doing business as Dixie Cab Center, 1533-35 New Jersey Avenue NW., Washington, D. C., hereinafter called respondent, was duly served with a notice of charges of violations of Ration Order No. 5A, Gasoline Rationing Regulations, issued by the Office of Price Administration. Pursuant to the notice, a hearing upon the charges was held in Washington, D. C., on November 30, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been considered by the Deputy Administrator in Charge of Rationing, it is hereby determined that:

(a) Respondent is a dealer in gasoline and operates a filling station known as Dixie Cab Center at 1533-35 New Jersey Avenue NW., Washington, D. C.

(b) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations (§ 1394.1502) in that on various occasions between July 22, 1942, and November 17, 1942, respondent transferred gasoline to consumers and into the fuel tanks of motor vehicles, without receiving in exchange therefor at the time of such transfers any gasoline ration coupons. Such transfers were not within any of the classes of transfers permitted

by Ration Order No. 5A, Gasoline Rationing Regulations, to be made without the exchange of coupons.

Because of the great scarcity and critical importance of gasoline in the District of Columbia, violations of the gasoline rationing regulations by respondent necessarily have resulted in the diversion of gasoline from military and essential civilian uses into non-essential uses in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Deputy Administrator in Charge of Rationing from the evidence before him that further violations of the gasoline rationing regulations by respondent are likely unless appropriate administrative action is taken, *It is therefore ordered:*

(c) During the period in which this Suspension Order No. 200 shall be in effect.

(1) Respondent shall not in any manner directly or indirectly sell, transfer or deliver gasoline to any person.

(2) Respondent shall not in any manner directly or indirectly accept any deliveries or transfers of gasoline for resale.

(3) No person shall in any manner directly or indirectly deliver or transfer any gasoline to respondent for resale.

(d) Any terms used in this Suspension Order No. 200 that are defined in Ration Order 5A, Gasoline Rationing Regulations shall have the meaning therein given them.

(e) This Suspension Order No. 200 shall become effective 12:01 a. m. January 28 1943, and shall remain in effect until 12:01 a. m. February 27, 1943.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 507, 77th Cong.; E.O. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216); Supplementary Directive No. 1Q (7 F.R. 9121))

Issued this 23d day of January 1943.

PAUL M. O'LEARY,
Deputy Administrator
in Charge of Rationing.

[F. R. Doc 43-1224, Filed, January 23 1943, 4:10 p. m.]

[Suspension Order 201]

CHRISTIAN'S ESSO STATION

ORDER RESTRICTING TRANSACTIONS

Ronald E. Christian, doing business as Christian's Esso Station, 252 Main Street, Nashua, New Hampshire, and Arthur W. Christian, his employee, hereinafter called respondents, were duly served with a notice of charges of violations of Ration Order No. 5A, Gasoline Rationing Regulations, issued by the Office of Price Administration. Pursuant to the notice a hearing upon the charges was held in Concord, New Hampshire, on November 27, 1942. There appeared a representative of the Office of Price Administration and respondents. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been considered by the Deputy Administrator in Charge of Rationing, it is hereby determined that:

(a) Respondent Ronald E. Christian is a dealer in gasoline and operates a filling station known as Christian's Esso Station at 252 Main Street, Nashua, New Hampshire.

(b) Respondent Arthur W. Christian is employed by respondent Ronald E. Christian as manager of said filling station.

(c) Respondent Ronald E. Christian has violated Ration Order No. 5A, Gasoline Rationing Regulations (§§ 1394.1502 and 1394.1503) in that between July 22, 1942, and September 16, 1942, respondent transferred gasoline to consumers and into the fuel tanks of motor vehicles in exchange for thirty-seven Class A, No. 2 and three Class A, No. 3 gasoline ration coupons which were not valid when such transfers were made.

(d) Respondent Arthur W. Christian has violated Ration Order No. 5A, Gasoline Rationing Regulations (§§ 1394.1502 and 1394.1503) in that between July 22, 1942, and September 16, 1942, respondent transferred gasoline to consumers and into the fuel tanks of motor vehicles in exchange for Class A, No. 2 and Class A, No. 3 gasoline ration coupons which were not valid when such transfers were made.

Because of the great scarcity and critical importance of rubber in the United States respondent's violation of Gasoline Rationing Regulations has resulted in the diversion of gasoline from military and essential civilian uses to non-essential uses, in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Deputy Administrator in Charge of Rationing that further violations by respondents are likely unless appropriate administrative action is taken, *It is therefore ordered:*

(e) During the period in which this Suspension Order No. 201 shall be in effect.

(1) Respondents shall not in any manner directly or indirectly sell, transfer or deliver any gasoline to any person.

(2) Respondents shall not in any manner directly or indirectly accept any deliveries or transfers of gasoline for resale.

(3) No person shall in any manner directly or indirectly deliver or transfer any gasoline to respondents or either of them for resale.

(f) Any terms used in this Suspension Order No. 201 which are defined in the Gasoline Rationing Regulations shall have the meaning therein given them.

(g) This Suspension Order No. 201 shall become effective 12:01 a. m. January 30, 1943, and shall remain in effect until February 9, 1943.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89 and 507, 77th Cong.; E.O. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216); Supplementary Directive No. 1Q (7 F.R. 9121))

Issued this 23d day of January 1943.

PAUL M. O'LEARY,
Deputy Administrator
in Charge of Rationing.

[F. R. Doc. 43-1240, Filed, January 23, 1943; 4:12 p. m.]

[Suspension Order 202]

PARKVIEW FILLING STATION

ORDER RESTRICTING TRANSACTIONS

Lawrence H. Peters, doing business as Parkview Filling Station, 1 Front Street, Waterville, Maine, hereinafter called respondent, was duly served with a notice of charges of violations of Ration Order No. 5A, Gasoline Rationing Regulations, issued by the Office of Price Administration. Pursuant to the notice, a hearing upon the charges was held in Augusta, Maine, on November 25, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been considered by the Deputy Administrator in Charge of Rationing, it is hereby determined that:

(a) Respondent is a dealer in gasoline and operates a filling station known as Parkview Filling Station at 1 Front Street, Waterville, Maine.

(b) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations (§ 1394.1503) in that between July 22, 1942, and September 15, 1942, respondent transferred gasoline to consumers and into the fuel tanks of motor vehicles in exchange for 71 Class A, No. 2; 21 Class A, No. 3; 12 Class A, No. 4; 10 Class A, No. 5; and 10 Class A, No. 6 gasoline ration coupons, which were not valid when such transfers were made.

(c) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations (§ 1394.1503) in that on several occasions between July 22, 1942 and September 15, 1942, respondent transferred gasoline to consumers and into the fuel tanks of motor vehicles in exchange for gasoline ration coupons having an aggregate unit value less than the amount of gasoline transferred.

(d) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations (§ 1394.1606), in that, instead of keeping at his place of business seven 100 gallon gasoline inventory coupons, that were issued to him respondent, on or about July 25, 1942, loaned them to another gasoline dealer and permitted such dealer to take possession of said coupons.

Because of the great scarcity and critical importance of gasoline in Maine respondent's violations of Ration Order No. 5A, Gasoline Rationing Regulations have resulted in the diversion of gasoline from military and essential civilian uses into non-essential uses, in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Deputy Administrator that further violations by respondent are likely unless appropriate administrative action is taken. *It is therefore ordered:*

(e) During the period in which this Suspension Order No. 202 shall be in effect.

(1) Respondent shall not in any manner directly or indirectly sell, transfer or deliver gasoline to any person: *Provided, however,* That subject to the prior approval and supervision by the Regional Administrator of Region I, Office of Price Administration, respondent may dispose

of his stocks of gasoline on hand at the time this Order is served upon him.

(2) Respondent shall not in any manner directly or indirectly accept any deliveries or transfers of gasoline for resale.

(3) No person shall in any manner directly or indirectly deliver or transfer any gasoline to respondent for resale.

(f) Within three days from the effective date of this Order, respondent shall surrender to the War Price and Rationing Board with which he registered as a dealer all of the gasoline ration coupons in his possession on the effective date of this order except those issued to and held by him as a consumer.

(g) Any terms used in this Suspension Order No. 202 that are defined in Ration Order No. 5A, Gasoline Rationing Regulations, shall have the meaning therein given them.

(h) This Suspension Order No. 202 shall become effective 12:01 A. M., January 30, 1943 and shall remain in effect until 12:01 A. M. May 1, 1943, and thereafter until further order of the Deputy Administrator in Charge of Rationing, but in no event later than December 31, 1944.

(Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216); Supplementary Directive 1Q (7 F.R. 9121))

Issued this 23d day of January 1943.

PAUL M. O'LEARY,
Deputy Administrator
in Charge of Rationing.

[F. R. Doc 43-1220; Filed, January 23, 1943; 4:09 p. m.]

[Suspension Order 203]

SCHWARZMANN SERVICE STATION

ORDER RESTRICTING TRANSACTIONS

John N. Schwarzmann, doing business as Schwarzmann Service Station, Thirteenth and Pennsylvania Avenue SE., Washington, D. C., hereinafter called respondent, was duly served with a notice of charges of violations of Ration Order No. 5A, Gasoline Rationing Regulations, issued by the Office of Price Administration. Pursuant to the notice, a hearing upon the charges was held in Washington, D. C., on December 1, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been duly considered by the Deputy Administrator in Charge of Rationing, it is hereby determined:

(a) Respondent is a dealer in gasoline and operates a gasoline filling station located at Thirteenth and Pennsylvania Avenue, SE., Washington, D. C.

(b) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations, (§ 1394.1502), in that on various occasions between July 22 and November 16, 1942, respondent transferred gasoline to consumers and into the fuel tanks of their motor vehicles without receiving in exchange therefor any gasoline ration coupons. Such transfers were not within the classes of transfers of gasoline permitted by the provisions of Ration Order No. 5A, Gasoline Rationing Regulations, to be made without the exchange of gasoline ration coupons.

(c) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations, (§§ 1394.1502 and 1394.1503), in that between July 22, and November 16, 1942, respondent transferred twenty-four gallons of gasoline to consumers and into the fuel tanks of their motor vehicles and accepted in exchange therefor Class A, No. 3; Class A, No. 4; and Class A, No. 5 gasoline ration coupons.

Because of the great scarcity and critical importance of gasoline in Washington, D. C., respondent's violations of Ration Order No. 5A, Gasoline Rationing Regulations, have resulted in the diversion of gasoline from military and essential civilian uses into non-essential uses in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Deputy Administrator in Charge of Rationing that further violations by respondent are likely unless appropriate administrative action is taken. *It is therefore ordered:*

(d) During the period in which this Suspension Order No. 203 shall be in effect.

(1) Respondent shall not accept any deliveries or transfers of, or in any manner directly or indirectly receive from any source any gasoline for resale.

(2) Respondent shall not transfer or deliver or otherwise trade or deal in gasoline.

(3) No person shall in any manner, directly or indirectly transfer or deliver any gasoline to respondent for resale.

(e) Any terms used in this Suspension Order No. 203 that are defined in Ration Order No. 5A, Gasoline Rationing Regulations, shall have the meaning therein given them.

This Suspension Order No. 203 shall become effective 12:01 A. M. January 28, 1943, and unless sooner terminated shall expire 12:01 A. M. February 12, 1943.

(Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216); Supplementary Directive 10 (7 F.R. 9121))

Issued this 23d day of January 1943.

PAUL M. O'LEARY,
Deputy Administrator
in Charge of Rationing.

[F. R. Doc 43-1221; Filed, January 23, 1943; 4:09 p. m.]

[Suspension Order 204]

AMOCO FILLING STATION

ORDER RESTRICTING TRANSACTIONS

Bennett Bickford, doing business as Amoco Filling Station, 210 Main Street, Oakland, Maine, hereinafter called respondent was duly served with a notice of charges of violations of Ration Order No. 5A, Gasoline Rationing Regulations, issued by the Office of Price Administration. Pursuant to the notice a hearing upon the charges was held in Augusta, Maine, on November 23, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been considered by the Deputy Administrator in Charge of Rationing, it is hereby determined that:

(a) Respondent Bennett Bickford is a dealer in gasoline and operates a filling station known as Amoco Filling Station at 210 Main Street, Oakland, Maine.

(b) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations, in that on numerous occasions between July 22, 1942 and October 26, 1942, respondent transferred gasoline, for which he received a price in excess of his regularly established price, to consumers and into the fuel tanks of motor vehicles without receiving in exchange therefor any gasoline ration coupons. Such transfers were not within any of the classes of transfers permitted by Ration Order No. 5A, Gasoline Rationing Regulations, to be made without the exchange of gasoline rationing coupons.

(c) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations, in that between July 22, 1942, and October 26, 1942, respondent transferred gasoline to consumers and into the fuel tanks of motor vehicles in exchange for Class A, No. 3 and Class A, No. 4 gasoline ration coupons which were not valid when such transfers were made.

(d) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations, in that on or about September 2, 1942, respondent declared on OPA Form R-509 that nine 100-gallon unused and uncancelled bulk gasoline ration coupons issued to him for the operation of trucks were lost or stolen, whereas in fact respondent had exchanged such coupons for an equivalent amount of gasoline, as respondent then knew.

(e) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations, in that on or about September 2, 1942, respondent declared on OPA Form R-537 that he required 936 gallons of gasoline for a six-month period, whereas in fact respondent actually required approximately 36 gallons for such purpose, as respondent then knew.

Because of the great scarcity and critical importance of gasoline in Maine respondent's violations of Ration Order No. 5A, Gasoline Rationing Regulations, have resulted in the diversion of gasoline from military and essential civilian uses into non-essential uses, in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Deputy Administrator that further violations by respondent are likely unless appropriate administrative action is taken. *It is therefore ordered:*

(f) During the period in which this Suspension Order No. 204 shall be in effect,

(1) Respondent shall not in any manner directly or indirectly sell, transfer or deliver any gasoline to any person: *Provided, however*, That subject to the prior approval of and supervision by the Regional Administrator of Region I, Office of Price Administration, respondent may dispose of his stocks of gasoline on hand at the time this order is served upon him.

(2) Respondent shall not in any manner directly or indirectly accept any deliveries or transfers of gasoline for resale.

(3) No person shall in any manner directly or indirectly deliver or transfer any gasoline to respondent for resale.

(g) Within three days from the effective date of this Order, respondent shall surrender to the War Price and Rationing Board with which he registered as a dealer all of the gasoline ration coupons in his possession on the effective date of this Order except those issued to and held by him as a consumer.

(h) Any terms used in this Suspension Order No. 204 that are defined in Ration Order No. 5A, Gasoline Rationing Regulations, shall have the meaning therein given them.

(i) This Suspension Order No. 204 shall become effective 12:01 a. m. January 30, 1943, and shall remain in effect until further order by the Deputy Administrator in Charge of Rationing.

(Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216); Supplementary Directive 1Q (7 F.R. 9121))

Issued this 23d day of January 1943.

PAUL M. O'LEARY,
Deputy Administrator
in Charge of Rationing.

[F. R. Doc. 43-1222, Filed, January 23, 1943, 4:09 p. m.]

[Suspension Order 206]

J. G. BONIFANT

ORDER RESTRICTING TRANSACTIONS

J. G. Bonifant, 1820 Fourteenth Street NW., Washington, D. C., hereinafter called respondent, was duly served with a notice of specific charges of violations of Ration Order No. 5A, Gasoline Rationing Regulations issued by the Office of Price Administration. Pursuant to the notice a hearing was held on November 28, 1942, in Washington, D. C. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding Officer. The matter having been considered by the Deputy Administrator in Charge of Rationing, it is hereby determined that:

(a) Respondent is a dealer in gasoline and operates a gasoline filling station known as Bonifant's Service Station at 1820 Fourteenth Street, Washington, D. C.

(b) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations (§ 1394.1502) in that on various occasions between July 22, 1942 and November 17, 1942, respondent transferred gasoline to consumers and into the fuel tanks of their motor vehicles in exchange for twenty Class A, No. 3 gasoline ration coupons.

Because of the great scarcity and critical importance of gasoline in the District of Columbia, violations of the gasoline rationing regulations by respondent have necessarily resulted in the diversion of gasoline from military and essential civilian uses into non-essential uses in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Deputy Administrator in Charge of Rationing from the evidence before him that further violations of the gasoline rationing regulations by respondent are likely unless appropriate administrative action is taken. *It is therefore ordered:*

(c) During the period in which this Suspension Order No. 206 shall be in effect,

(1) Respondent shall not accept any deliveries or transfers of or in any manner directly or indirectly receive from any source any gasoline for resale.

(2) Respondent shall not transfer or deliver or otherwise trade or deal in gasoline.

(3) No person shall in any manner directly or indirectly transfer or deliver any gasoline to respondent for resale.

(d) Any terms used in this Suspension Order No. 206 that are defined in Ration Order No. 5A, Gasoline Rationing Regulations, shall have the meaning therein given them.

(e) This Suspension Order No. 206 shall become effective 12:01 a. m. January 28, 1943, and unless sooner terminated shall expire 12:01 a. m. February 7, 1943.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216); Supplementary Directive No. 1Q (7 F.R. 9121))

Issued this 23d day of January 1943.

PAUL M. O'LEARY,
Deputy Administrator
in Charge of Rationing.

[F. R. Doc. 43-1223; Filed, January 23, 1943; 4:09 p. m.]

[Order 2 Under MPR 113]

EVERGREEN MINES CO.

ORDER GRANTING PETITION FOR ADJUSTMENT

Order No. 2 under Maximum Price Regulation No. 113—Iron Ore Produced in Minnesota, Wisconsin and Michigan. Docket 3113-7

On December 5, 1942, Evergreen Mines Company, of Crosby, Minnesota, filed a petition for an adjustment pursuant to § 1369.9 (b) of Maximum Price Regulation No. 113. Due consideration has been given to the petition, and an Opinion in support of this Order No. 2 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, *It is hereby ordered:*

(a) Evergreen Mines Company may sell and deliver, and agree, offer, solicit, and attempt to sell and deliver, iron ore produced from the Chataco mine located in the Northwest Quarter of the Northeast Quarter (NW¼ of NE¼) of Section Twenty-eight (28), Township Fifty-eight (58), Range Twenty (20), Chisholm City, Mesabi Range, St. Louis County, Minnesota, at a base price not to exceed $4.45 per gross ton for 51.50% Mesabi Non-Bessemer ore delivered at Lower Lake ports, with adjustments for grade and analysis in accordance with Maximum Price Regulation No. 113. Any person may buy or receive, and agree, offer, solicit, and attempt to buy and receive, such iron ore at such prices from Evergreen Mines Company.

(b) The permission herein granted to Evergreen Mines Company is subject to the condition that there be filed with the Iron and Steel Price Branch, Basic Materials Section, of the Office of Price Administration, Washington, D. C., on or before the last day of January 1944, and of each January thereafter, so long as this Order No. 2 shall remain in force, an itemized statement in affidavit form of all costs incurred in connection with the production of ore from the said Chataco mine during the preceding year; also balance sheet and profit and loss statement of Evergreen Mines Company as of the last day of December in each year.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1369.11 of Maximum Price Regulation No. 113 shall apply to terms used herein.

(f) This Order No. 2 shall become effective January 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1241; Filed, January 23, 1943; 4:10 p. m.]

[Order 136 Under MPR 188]

DEARBORN GLASS CO.

APPROVAL OF MAXIMUM PRICE

Order No. 136 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum prices for sales by Dearborn Glass Company of Wooden Cabinets.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Dearborn Glass Company, Chicago, Illinois, is authorized to sell and deliver the wooden medicine cabinets with mirror as described in their letter of October 17, 1942, at a price, f. o. b., Chicago, Illinois, no higher than $1.00 per unit when packed six in a package and $1.08 when packed in separate cartons.

(b) This Order No. 136 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 136 shall become effective on the 25th day of January 1943.

Issued this 23d day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1225; Filed, January 23, 1943; 4:10 p. m.]

[Order 137 Under MPR 188]

CONTINENTAL CARPET CORP.

APPROVAL OF MAXIMUM PRICE

Order No. 137 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum price for sale by the Continental Carpet Corporation of a certain floor covering.

For the reasons set forth in an Opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Continental Carpet Corporation of Philadelphia, Pennsylvania, is authorized to sell and deliver its "Victory" floor covering at a price no higher than 80¢ per square yard, f. o. b. mill, terms 4% 70 days or 5% 10 days.

(b) Within 120 days after the effective date of this Order No. 137 the Continental Carpet Corporation shall file with the Office of Price Administration, Washington, D. C., a detailed profit and loss statement and a breakdown of actual unit costs of manufacture for the 90 days immediately following the effective date of this Order No. 137.

(c) This Order No. 137 shall be subject to adjustment if the Continental Carpet Corporation's actual operating figures for the 90 day period mentioned in paragraph (b) show that costs are substantially different from the projected costs upon which the maximum price has been based, and this Order No. 137 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 137 shall become effective on the 25th day of January 1943.

Issued this 23d day of January 1943

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1226; Filed, January 23, 1943; 4:11 p. m.]

[Order 138 Under MPR 188]

VAN STEE CORP.

APPROVAL OF MAXIMUM PRICE

Order No. 138 Under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Durable Goods Other Than Apparel.

Approving a maximum price for sales of all wood mattress foundation made by the Van Stee Corporation of Jamestown, New York.

For the reasons set forth in an opinion accompanying this order and filed with the Division of the Federal Register, and by virtue of the authority vested in the Price Administrator under the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, *It is hereby ordered:*

(a) The Van Stee Corporation of Jamestown, New York, may sell its No. 1 wood foundation at a price no higher than $5.45, subject to the same discounts and allowances in effect during March 1942 which existed on wood bunks and beds.

(b) This Order No. 138 may be revoked or amended at any time.

(c) This Order No. 138 shall become effective this 25th day of January 1943.

Issued this 23d day of January, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1227; Filed, January 23, 1943; 4:11 p. m.]

[Order 139 Under MPR 188]

BOLTA COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 139 under § 1499.158 of Maximum Price Regulation 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of a maximum price for sales by the Bolta Company of a 10 inch plastic slide fastener.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) The Bolta Company of Lawrence, Massachusetts, is authorized to sell and deliver a 10 inch all plastic slide fastener, manufactured by it, at a price no higher than $.12 each.

(b) This Order No. 139 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 139 to Maximum Price Regulation 188 shall become effective January 25, 1943.

Issued this 23d day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1228; Filed, January 23, 1943; 4:10 p. m.]

[Order 140 Under MPR 188]

TIFFANY MINERALS CO.

AUTHORIZATION OF MAXIMUM PRICE

Order No. 140 under § 1499.158 of Maximum Price Regulation 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Authorization of a maximum price for Silica Sands for the Tiffany Minerals Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Order No. 9250, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is hereby ordered,* That:

(a) Specific authority is hereby granted to the Tiffany Minerals Company, Moapa, Nevada, to sell and deliver f. o. b. its plant, Ute, Nevada, the following commodities at the maximum prices set forth below:

Item	Description	Maximum price per ton
Product No. 1	Bulk silica (3 inch maximum size)	$2.95
Product No. 2	Crushed and sized silica (grain sizes from 20 mesh to minus 270 mesh).	3.45
Product No. 3	Crushed and sized silica for manufacture of glass, sized to specifications as follows:	3.85
	20 mesh ..... None	
	50 mesh ..... Trace	
	40 mesh 5.0%	
	50 mesh 50.0%	
	100 mesh 90.0%	
	Through 100 mesh 10.0%	
Product No. 4	Crushed and sized silica for use in steel foundries sized to specifications as follows:	5.60
	20 mesh 5.0%	
	70 mesh 75.0%	
	100 mesh 97.0%	
	Through 100 mesh 3.0%	
Product No. 5	Silica flour (all material to pass 270 mesh.)	18.60

(b) The Tiffany Minerals Company shall submit such reports to the Office of Price Administration as it may from time to time require.

(c) This Order No. 140 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 140 shall become effective January 25, 1943.

Issued this 23d day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1229; Filed, January 23, 1943; 4:12 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-2125]

WABASH RAILWAY CO.

ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its

office in the City of Philadelphia, Pa., on the 20th day of January, A. D., 1943.

In the matter of Wabash Railway Company, $100 par common stock, $100 par 5% profit-sharing a non-cumulative preferred stock; and Wabash Railway Company, The Wabash Railroad Company, 5% first mortgage gold bonds, due 1939, 5% second mortgage gold bonds, due 1939, 5% Detroit Chicago extension first mortgage sinking fund gold bonds, due 1941, 4% Des Moines Division first mortgage gold bonds, due 1939, 4% Toledo Chicago Division first mortgage gold bonds, due 1941, 3½% Omaha Division first mortgage gold bonds, due 1941, 4% first lien terminal gold bonds, due 1954.

The New York Stock Exchange, pursuant to section 12(d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the above-mentioned securities of Wabash Railway Company, and

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on January 30, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-1132; Filed, January 22, 1943; 3:14 p. m.]

[File No. 1-2307]

BELMONT UNCLE SAM MINING CO.

ORDER FOR HEARING AND DESIGNATING OFFICER TO TAKE TESTIMONY

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 21st day of January A. D., 1943.

In the matter of proceeding under section 19 (a) (2) of the Securities Exchange Act of 1934, as amended, to determine whether the registration of Belmont Uncle Sam Mining Company, Common Stock, 10¢ Par Value should be suspended or withdrawn.

I. It appearing to the Commission:

That Belmont Uncle Sam Mining Company, a corporation organized under the laws of the State of Nevada, is the issuer of common stock, 10¢ par value; and

That said Belmont Uncle Sam Mining Company registered such common stock on the San Francisco Mining Exchange by filing with the exchange and with the Commission on or about December 7, 1935, an application on Form 10 pursuant to section 12 (b) and (c) of the Securities Exchange Act of 1934, as amended, and Rule X-12B-1, as amended, promulgated by the Commission thereunder, registration pursuant to such application having become effective June 1, 1936, and remaining in effect to and including the date hereof; and

It further appearing to the Commission:

That Rule X-13A-1, promulgated pursuant to section 13 of said Securities Exchange Act of 1934, as amended, did and does require that an annual report for each issuer of a security registered on a national securities exchange shall be filed on the appropriate form prescribed therefor; and

That Rule X-13A-2, promulgated pursuant to section 13 of the Securities Exchange Act of 1934, as amended, did and does prescribe Form 10-K as the annual report form to be used for the annual reports of all corporations except those for which another form is specified, and that no other form was or is specified for use by Belmont Uncle Sam Mining Company; and

That said Rule X-13A-1 requires that said annual report be filed not more than 120 days after the close of each fiscal year or such other period as may be prescribed in the instruction book applicable to the particular form; that the Instruction Book for Form 10-K does not prescribe any period other than such 120 days; and that pursuant to said Rule X-13A-1 the annual report must be filed within such period unless the registrant files with the Commission a request for an extension of time to a specified date within six months after the close of the fiscal year; and

That said Belmont Uncle Sam Mining Company has a fiscal year ended December 31, that the annual report for its fiscal year ended December 31, 1941, was due to be filed not later than April 30, 1942; that the registrant made no request for extension of time within which to file such report; that the time for filing was not extended by the Commission; that the annual report for the fiscal year ended December 31, 1941 was not filed within the time prescribed for filing said report or at any later date;

II. The Commission having reasonable cause to believe that:

Belmont Uncle Sam Mining Company has failed to comply with the provisions of section 13 of the Securities Exchange Act of 1934, as amended, and Rules X-13A-1 and X-13A-2 promulgated thereunder, in that (1) it has failed to file its annual report for the year ended December 31, 1941, within the date prescribed for filing said report and (2) it has failed to file such annual report at any later date; and

III. It being the opinion of the Commission that the hearing herein ordered to be held is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Securities Exchange Act of 1934, as amended:

It is ordered, Pursuant to section 19 (a) (2) of said Act, that a public hearing be held to determine whether Belmont Uncle Sam Mining Company has failed to comply with section 13 of the Securities Exchange Act of 1934, as amended, and the Rules, Regulations and Forms promulgated by the Commission thereunder, in the respects set forth above; and if so, whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding twelve months or to withdraw the registration of the common stock, 10¢ par value of Belmont Uncle Sam Mining Company on said San Francisco Mining Exchange.

It is further ordered, Pursuant to the provisions of section 21 (b) of the Securities Exchange Act of 1934, as amended, that for the purpose of such hearing John G. Clarkson, an officer of the Commission, is hereby designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take testimony and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law;

It is further ordered, That the taking of testimony in this hearing begin on the 12th day of February 1943, at 10:00 A. M. Pacific War Time at the Regional Office of the Securities Exchange Commission, 625 Market Street, San Francisco, California, and continue thereafter at such time and place as the officer hereinbefore designated may determine.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-1133, Filed, January 22, 1943; 3:14 p. m.]

[File Nos. 31-130 and 30-203]

STANDARD OIL COMPANY AND CONSOLIDATED NATURAL GAS COMPANY

ORDER EXTENDING EFFECTIVE DATE, ETC.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 20th day of January, 1943.

Order extending effective date of order denying exemption and extending time within which to file form U5B.

The Commission, on February 5, 1942 having issued its Findings, Opinion and Order denying the application of Standard Oil Company, pursuant to section 3 (a) (3) of the Public Utility Holding Company Act of 1935, for an exemption from the provisions of said Act, but having extended the effective date of said Order to August 4, 1942; and

Standard Oil Company having caused Consolidated Natural Gas Company (a) to be organized and file on July 31, 1942 pursuant to section 5 (a) of the Act, a notification of registration as a person purposing to become a holding company, and (b) to file applications and declarations regarding the proposed acquisition from Standard Oil Company of all the voting securities of certain natural gas utility companies concerning which hearings have been held and are not yet completed; and

The Commission, on August 3, 1942, having issued its order granting the application of Standard Oil Company for a further extension to February 4, 1943, of the effective date of the Order of February 5, 1942; and

Standard Oil Company having now requested that the effective date of the Commission's Order of February 5, 1942, as extended, be further extended for an additional period of six months from February 4, 1943, on the grounds that, although it has proceeded diligently in working out a program for the disposition of securities of the gas utility companies owned by it and has caused applications and declarations to be filed with respect thereto and has participated in hearings held thereon, which are still pending, it is the company's opinion that it will be impossible to complete its plans by February 4, 1943; and

Consolidated Natural Gas Company having now requested that the time within which it is required to file its registration statement on Form U5B pursuant to Rule U-1 (b), promulgated under the Act, be extended to August 4, 1943; and

It appearing to the Commission that such requests for further extensions are reasonable and are not detrimental to the public interests or the interests of investors and consumers;

It is hereby ordered, That the effective date of the order of the Commission dated February 5, 1942, denying the application of Standard Oil Company for exemption, pursuant to section 3 (a) (3) of the Public Utility Holding Company Act of 1935, be, and the same hereby is, extended to August 4, 1943; and

It is further ordered, That the time within which Consolidated Natural Gas Company is required to file its registration statement on Form U5B pursuant to Rule U-1 (b), promulgated under the Public Utility Holding Company Act of 1935, be, and the same hereby is, extended to August 4, 1943, *Provided, however*, That in the event the contemplated transactions between Standard Oil Company and Consolidated Natural Gas Company, as set forth in the pending applications and declarations, be consummated before August 4, 1943, the extension herein granted Consolidated Natural Gas Company shall terminate on such date without further order of this Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-1134; Filed, January 22, 1943; 3:15 p. m.]

[File Nos. 54-45 and 59-48]

SOUTHERN UNION GAS CO., ET AL.

SUPPLEMENTAL ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 21st day of January, A. D. 1943.

In the matter of Southern Union Gas Company, Arkansas Western Gas Company, New Mexico Gas Company, New Mexico Eastern Gas Company, Texas Southwestern Gas Company, Quanah Water Company, Southern Union Production Company; File No. 54-45.

In the matter of Southern Union Gas Company, Arkansas Western Gas Company, New Mexico Gas Company, New Mexico Eastern Gas Company, Texas Southwestern Gas Company, Quanah Water Company, Southern Union Production Company, Angels Peak Oil Company, Congress Oil Company, Summit Oil Company; File No. 59-48.

Southern Union Gas Company, a registered holding company, and its principal subsidiaries, including Southern Union Production Company, having filed applications and declarations, and amendments thereto, pursuant to section 11 (e) and other sections of the Public Utility Holding Company Act of 1935, and the Rules and Regulations of the Commission promulgated thereunder, whereby said applicants and declarants requested approval of a plan submitted pursuant to said section 11 (e) and authorization for certain particular transactions, constituting component parts of such plan, and actions incidental thereto, including, among other things, the divestment by Texas Southwestern Gas Company, the surviving company under said plan, of all ownership and control over that certain oil well and the oil and gas lease upon which said oil well is situated, known as United States Oil and Gas Lease, Las Cruces Serial No. 058728, embracing the E½ of the NW¼.—T17S.R.32E.N.M.P.M. Lea County, New Mexico, and owned by Southern Union Production Company, a wholly-owned subsidiary of Southern Union Gas Company; and

The Commission having, on September 19, 1942, after having issued its notice of and order for hearing and held a hearing upon said applications and declarations for such plan, made and entered its order approving such plan, ordering Texas Southwestern Gas Company, the surviving company under said plan, to divest itself of all interest in, and of all ownership and control of said oil well owned by Southern Union Production Company; and

The Commission by its said order of September 19, 1942 having reserved jurisdiction to make such further and supplemental findings, to approve the terms and conditions, and to take such additional and further action as may be found by it to be appropriate in the premises, in connection with the dispositions of assets, by the surviving company and its subsidiaries; and

There having been filed on January 1, 1943, an amendment to the plan, by southern Union Gas Company (formerly Texas Southwestern Gas Company), and its wholly-owned subsidiary, Southern Union Production Company, requesting approval of the proposed sale of all interest in said oil well and the said lease upon which said oil well is located to a non-affiliate, the Kewanee Oil Company, a Delaware corporation, for the sum of $40,000, less a certain unpaid balance on drilling costs of said well of approximately the sum of $7,670, and the proposed application of the proceeds of the sale to the reduction of Southern Union Production Company's indebtedness to The Northern Trust Company; and

It appearing to the Commission that sale of said oil well and lease and the application of said proceeds, as proposed, are appropriate steps in accordance with the Commission's order of September 19, 1942, ordering the divestment of all ownership and control of said oil well within one year of said order, and that jurisdiction should be released with respect thereto:

It is ordered, That the jurisdiction heretofore reserved to this Commission in respect to the disposition and sale of said oil well and the lease upon which it is located is hereby released.

It is further ordered, That in all other respects the provisions of the order of the Commission entered herein on September 19, 1942, are continued in full force and effect.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-1135, Filed, January 22, 1943; 3:15 p. m.]

[File No. 70-664]

STANLEY CLARKE, ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 21st day of January 1943.

In the matter of Stanley Clarke, Trustee of Associated Gas and Electric Company; Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation

Notice is hereby given that an application and declaration has been jointly filed by Stanley Clarke, Trustee of Associated Gas and Electric Company, a registered holding company, and Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company; and

All interested persons are referred to the said application-declaration, which is on file in the office of the said Commission, for a statement of the transaction therein proposed, which is summarized below:

The applicants-declarants have entered into agreements to compromise their claims and those of their direct and indirect subsidiaries and affiliates against Daniel Starch and against Travis, Brownback & Paxson. As part of such agreements (1) Travis, Brownback & Paxson will deliver to applicants-declarants the following debentures of Associated Gas and Electric Corporation:

4½ percent debentures due 1973	$16,500.00
5 percent debentures due 1973	6,800.00
3¾ percent debentures due 1978	3,000.00
	26,300.00

which are to be delivered to the Trustees of Associated Gas and Electric Corporation for cancellation; and the following Associated Gas and Electric Company stock:

64 shares original series preferred stock
5 shares $6.50 dividend series preferred stock.

13 shares common stock.
1 share class A stock

which are to be delivered to said Trustee of Associated Gas and Electric Company for cancellation; and (2) Daniel Starch will deliver to applicants-declarants the following securities:

$1,000 principal amount of Associated Electric Company 4½% Gold Bonds, due 1953.
$3,000 principal amount of Associated Gas and Electric Company Gold Debenture Consolidated Refunding 4½% Series, due 1958.
$7,000 principal amount of Associated Gas and Electric Corporation 3¼% Income Debentures, due 1978
$20,800 principal amount of Utilities Employees Securities Company Income Notes due 1981.
96 shares of Common Stock of Associated Gas and Electric Company.
13½ Optional Stock Purchase Warrants of Associated Gas and Electric Company.
40 shares of Common Stock, Class A, of General Gas & Electric Corporation

The foregoing securities of Associated Gas and Electric Company, Associated Gas and Electric Corporation and certain subsidiaries and affiliate companies, together with certain other assets, will be delivered to applicants-declarants. After payment therefrom of the expenses of investigation, negotiation, settlement, and distribution, applicants-declarants will, with the approval of the United States District Court for the Southern District of New York, having jurisdiction over the reorganization proceedings of Associated Gas and Electric Company and Associated Gas and Electric Corporation, and such regulatory bodies as have jurisdiction with respect thereto, allocate and distribute said securities and other assets to or among the Trustee of Associated Gas and Electric Company and the Trustees of Associated Gas and Electric Corporation, and their subsidiaries and affiliates, in such proportions as may be determined by agreement, arbitration, judicial proceedings, or other appropriate method. The proposed transaction which is the subject matter of this application-declaration is the initial delivery to applicants-declarants of the securities referred to. Neither the subsequent determination of the persons for whose account, including their own, applicants-declarants will hold said securities, nor the eventual distribution thereof to such persons as may ultimately be determined to be entitled thereto, constitutes any part of the proposed transaction.

Applicants-declarants have indicated sections 9 (a), 9 (c) (3) and 12 (c) of the Act, and Rules U-42 and U-100 of the General Rules and Regulations promulgated thereunder, as possibly being applicable to the said transactions.

It appearing to the Commission that it is appropriate and in the public interest and the interest of investors and consumers that a hearing be held with respect to said matter, that said application-declaration shall not be granted or become effective except pursuant to further order of this Commission;

It is hereby ordered, That a hearing on such matters, under the applicable provisions of the said Act and the rules of the Commission thereunder be held on February 10, 1943, at 10:00 a. m. at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

At such hearing cause shall be shown why such application-declaration shall be granted or become effective. Notice is hereby given of said hearing to the above-named applicants-declarants and to all interested persons.

It is further ordered, That any person desiring to be heard in connection with the proceeding or proposing to intervene herein shall file with the Secretary of the Commission, on or before February 8, 1943, his request or application therefor, as provided by Rule XVII of the Rules of Practice of this Commission.

It is further ordered, That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That, without limiting the scope of the issues presented by said declaration, particular attention will be directed at said hearing to the following matters and questions:

1. Whether the proposed acquisition of securities complies with the requirements of the applicable provisions of section 10 of the Public Utility Holding Company Act of 1935, and more especially with the provisions of subsection 10 (c) (2).

2. What, if any, terms and conditions should be prescribed in the public interest or for the protection of investors.

3. Whether in any respect the proposed transactions are detrimental to the public interest or to the interests of investors or consumers or will tend to circumvent any provisions of the Act or any rules, regulations or orders thereunder.

4. Whether the proposed transactions comply with the provisions of the Public Utility Holding Company Act of 1935 generally, together with the rules and regulations promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-1136; Filed, January 22, 1943; 3:14 p. m.]

[File No. 59-10]

THE NORTH AMERICAN COMPANY AND ITS SUBSIDIARY COMPANIES

ORDER CONVENING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 22d day of January, 1943.

The Commission having on June 25, 1942 entered its order that the record herein be reopened and a hearing convened at a date to be set by further order for the limited purpose of receiving such evidence as Northern Natural Gas Company may proffer respecting the retainability of certain pipe line facilities owned by its subsidiary, Argus Natural Gas Company Inc., and

Northern Natural Gas Company, a subsidiary of The North American Company and a respondent in the above entitled proceeding, having requested that an order be entered directing a hearing pursuant to our said order of June 25, 1942 and that said hearing be convened on or about February 17, 1943, and

It appearing to the Commission that said request should be granted:

It is ordered, That a hearing be convened in this proceeding for the purpose of receiving evidence as to the retainability of certain pipe line facilities owned by Argus Natural Gas Company, Inc., a subsidiary of Northern Natural Gas Company, and that said hearing be held at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, at 10:00 a. m. on the 17th day of February, 1943 in such room as may be designated by the hearing room clerk. Notice is hereby given of said hearing to all interested persons said notice to be given to The North American Company, North American Light & Power Company, Northern Natural Gas Company and Argus Natural Gas Company, Inc. by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing above ordered. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That any person desiring to be heard in connection with the proceeding, or proposing to intervene herein, shall file with the Secretary of the Commission on or before February 15, 1943, his request or application therefor, as provided by Rule XVII of the Commission's Rules of Practice.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-1209; Filed, January 23, 1943; 2:43 p. m.]

[File Nos. 59-39, 54-50, 59-10]

NORTH AMERICAN LIGHT & POWER CO. HOLDING-COMPANY SYSTEM, ET AL.

ORDER DENYING MOTION AND GRANTING APPLICATION IN PART

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 22d day of January, A. D. 1942.

In the matter of North American Light & Power Company System and The North American Company, File No. 59-39; North American Light & Power Company, File No. 54-50; The North American Company, et al., File No. 59-10.

A claim having been filed herein by Illinois Iowa Power Company against North American Light & Power Company, a registered holding company in liquidation under section 11 (b) (2) of the Public Utility Holding Company Act of 1935, and North American Light & Power Company having moved to dismiss the hearing on said claim for want of jurisdiction in the Commission to hear and determine the same;

North American Light & Power Company having applied under section 11 (c) of the Act for additional time in which to comply with the order of the Commission requiring it to liquidate;

Hearings and oral argument having been held after appropriate notice, and the Commission being duly advised and having this day filed its opinion on both the foregoing matters;

On the basis of said opinion, and pursuant to the provisions of section 11 of the Act, *It is ordered*, That said motion to dismiss be and it hereby is denied; and *further ordered*, Upon the application for additional time, that the time for compliance with said liquidation order be and it hereby is extended for a period of six months from the date hereof, without prejudice to the right of North American Light & Power Company to apply for additional time at the end of such period.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-1210; Filed, January 23, 1943; 2:43 p. m.]

[File No. 1-2617]

REORGANIZED BOOTH MINING CO.

ORDER FOR HEARING AND DESIGNATING OFFICER TO TAKE TESTIMONY

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania on the 21st day of January, A. D. 1943.

In the matter of Proceeding under section 19 (a) (2) of the Securities Exchange Act of 1934 as amended, to determine whether the registration of Reorganized Booth Mining Company of Goldfield Capital Stock, $1.00 Par Value, Assessable, should be suspended or withdrawn.

I. It appearing to the Commission:

That Reorganized Booth Mining Company of Goldfield, a corporation organized under the laws of the State of Nevada, is the issuer of Capital Stock, $1.00 Par Value, Assessable; and

That said Reorganized Booth Mining Company of Goldfield registered such security on the San Francisco Mining Exchange, a national securities exchange, by filing with the Exchange and with the Commission on or about May 21, 1936, an application on Form 10, pursuant to section 12 (b) and (c) of the Securities Exchange Act of 1934, as amended, and Rule X-12B-1, as amended, promulgated by the Commission thereunder, registration pursuant to such application having become effective on June 1, 1936, and remaining in effect to and including the date hereof; and

It further appearing to the Commission:

That Rule X-13A-1, promulgated pursuant to section 13 of said Securities Exchange Act of 1934, as amended, did and does require that an annual report for each issuer of a security registered on a national securities exchange shall be filed on the appropriate form prescribed therefor; and

That Rule X-13A-2, promulgated pursuant to section 13 of the Securities Exchange Act of 1934, as amended, did and does prescribe Form 10-K as the annual report form to be used for the annual reports of all corporations except those for which another form is specified, and that no other form was or is specified for use by the said Reorganized Booth Mining Company of Goldfield; and

That said Rule X-13A-1 requires that said annual report be filed not more than 120 days after the close of each fiscal year or such other period as may be prescribed in the instruction book applicable to the particular form; that the Instruction Book for Form 10-K does not prescribe any period other than such 120 days; and that pursuant to said Rule X-13A-1 the annual report must be filed within such period unless the registrant files with the Commission a request for an extension of time to a specified date within six months after the close of the fiscal year; and

That said Reorganized Booth Mining Company of Goldfield has a fiscal year ending December 31; that the annual report for its fiscal year ended December 31, 1941 was due to be filed not later than April 30, 1942; that the time for filing was extended to June 15, 1942; that the annual report for the fiscal year ended December 31, 1941 was not filed either within such extended period or at any later date; and

II. The Commission having reasonable cause to believe that:

The said Reorganized Booth Mining Company of Goldfield has failed to comply with the provisions of section 13 of the Securities Exchange Act of 1934, as amended, and Rules X-13A-1 and X-13A-2 promulgated thereunder, in that (1) it has failed to file its annual report for the year ended December 31, 1941 within the time prescribed for filing said report, and (2) it has failed to file such annual report at any later date; and

III. It being the opinion of the Commission that the hearing herein ordered to be held is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Securities Exchange Act of 1934, as amended:

It is ordered, Pursuant to section 19 (a) (2) of said Act, that a public hearing be held to determine whether Reorganized Booth Mining Company of Goldfield has failed to comply with section 13 of the Securities Exchange Act of 1934, as amended, and the Rules, Regulations and Forms promulgated by the Commission thereunder, in the respects set forth above; and if so, whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding twelve months or to withdraw the registration of the Capital Stock, $1.00 Par Value, Assessable, of said Reorganized Booth Mining Company of Goldfield on said San Francisco Mining Exchange.

It is further ordered, Pursuant to the provisions of section 21 (b) of the Securities Exchange Act of 1934, as amended, that for the purpose of such hearing, John G. Clarkson, an officer of the Commission, is hereby designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take testimony and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law;

It is further ordered, That the taking of testimony in this hearing begin on the 12th day of February, 1943, at 2:00 P. M., Pacific War Time at the Regional Office of the Securities and Exchange Commission, Room 1301, 625 Market Street, San Francisco, California, and continue thereafter at such time and place as the officer hereinbefore designated may determine.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-1211; Filed, January 23, 1943; 2:44 p. m.]

[File No. 30-175]

WALNUT ELECTRIC AND GAS CORP.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 22nd day of January, A. D. 1943.

In the matter of W. C. Gilman, as liquidating trustee of Walnut Electric & Gas Corporation.

Notice is hereby given that an application has been filed with this Commission pursuant to section 5 (d) of the Public Utility Holding Company Act of 1935 by W. C. Gilman, as Liquidating Trustee of Walnut Electric & Gas Corporation, for an order that he has ceased to be a holding company. The application states that, on December 31, 1942, said W. C. Gilman disposed of all of the common stock of Walnut Electric & Gas Corporation and that said stock constituted all of the assets held by him as liquidating trustee of such company. Previously, on December 28, 1942, this Commission permitted to become effective the declaration of said W. C. Gilman regarding this disposition. General Water Gas & Electric Company and W. C. Gilman, as liquidating Trustee of Walnut Electric & Gas Corporation, File No. 70-639, Holding Company Act Release No. 4022.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matter and that said application

shall not be granted except pursuant to further order of this Commission:

It is ordered, That a hearing on such matter under the applicable provisions of said Act and rules and regulations of the Commission thereunder be held on February 3, 1943 at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held. At such hearing cause will be shown why such application shall be granted. Notice is hereby given to said above-named applicant and to all interested persons, said notice to be given to said applicant by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That Robert P. Reeder, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted of the Commission designated by it for of said Act and to a Trial Examiner under the Commission's Rules of Practice.

By the Commission.

[SEAL] ORVAL L DUBOIS, *Secretary.*

[F. R. Doc. 43-1208, Filed, January 23, 1943; 2:43 p. m.]

[File No. 70-667]

NEW ENGLAND INDUSTRIES, INC.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 21st day of January, 1943.

Notice is hereby given that an application or declaration (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by New England Industries, Inc. ("Industries"), a subsidiary of New England Public Service Company, a registered holding company, which in turn is a subsidiary of Northern New England Company, likewise a registered holding company; and

Notice is hereby given that any interested party may, not later than February 1, 1943, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

Industries proposes, by an agreement between it and The First National Bank of Boston, to subordinate indebtedness in the sum of $1,922,075.28 due it from its subsidiary, Bates Manufacturing Company, to indebtedness of Bates Manufacturing Company owing to The First National Bank of Boston in the sum of $600,000, now represented by an overdue note which is to be renewed.

Industries also seeks present approval to subordinate the indebtedness owed to it by its subsidiaries, Androscoggin Mills, Bates Manufacturing Company, The Edwards Manufacturing Company, Hill Manufacturing Company and York Manufacturing Company, or any of them, in the event that any of such subsidiary companies shall issue promissory notes to any bank or trust company under the authority of an order of this Commission dated November 4, 1942 (File No. 70-599, Holding Company Act Release No. 3884), such subordination to be effected in any case by agreement between Industries and the lending bank or trust company, or by pledge of the note or notes from such issuer payable to Industries, with any lending bank or trust company.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F R Doc 43-1206; Filed, January 23, 1943; 2:43 p. m.]

[File No 1-2555]

BROUGHER DIVIDE MINING CO.

ORDER FOR HEARING AND DESIGNATING OFFICER TO TAKE TESTIMONY

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 21st day of January, A. D. 1943.

In the matter of proceeding under section 19 (a) (2) of the Securities Exchange Act of 1934 as amended, to determine whether the registration of Brougher Divide Mining Company capital stock, par value $1.00, assessable, should be suspended or withdrawn.

I. It appearing to the Commission:

That Brougher Divide Mining Company, a corporation organized under the laws of the State of Nevada, is the issuer of Capital Stock, Par Value $1.00, Assessable; and

That said Brougher Divide Mining Company registered such security on the San Francisco Mining Exchange, a national securities exchange, by filing with the Exchange and with the Commission on or about April 6, 1936 an application on Form 10 pursuant to section 12 (b) and (c) of the Securities Exchange Act of 1934, as amended, and Rule X-12B-1, as amended, promulgated by the Commission thereunder, registration pursuant to such application having become in effect to and including the date hereof; and

It further appearing to the Commission:

That Rule X-13A-1, promulgated pursuant to section 13 of said Securities Exchange Act of 1934, as amended, did and does require that an annual report for each issuer of a security registered on a national securities exchange shall be filed on the appropriate form prescribed therefor; and

That Rule X-13A-2, promulgated pursuant to section 13 of the Securities Exchange Act of 1934, as amended, did and does prescribe Form 10-K as the annual report form to be used for the annual reports of all corporations except those for which another form is specified, and that no other form was or is specified for use by the said Brougher Divide Mining Company; and

That said Rule X-13A-1 requires that said annual report be filed not more than 120 days after the close of each fiscal year or such other period as may be prescribed in the instruction book applicable to the particular form; that the Instruction Book for Form 10-K does not prescribe any period other than such 120 days; and that pursuant to said Rule X-13A-1 the annual report must be filed within such period unless the registrant files with the Commission a request for an extension of time to a specified date within six months after the close of the fiscal year; and

That said Brougher Divide Mining Company has a fiscal year ending December 31; that the annual report for its fiscal year ended December 31, 1941 was due to be filed not later than April 30, 1942; that the time for filing was extended to July 15, 1942; that the annual report for the fiscal year ended December 31, 1941 was not filed either within such extended period or at any later date; and

II. The Commission having reasonable cause to believe that:

The said Brougher Divide Mining Company has failed to comply with the provisions of section 13 of the Securities Exchange Act of 1934, as amended, and Rules X-13A-1 and X-13A-2 promulgated thereunder, in that (1) it has failed to file its annual report for the year ended December 31, 1941 within the time prescribed for filing said report, and (2) it has failed to file such annual report at any later date; and

III. It being the opinion of the Commission that the hearing herein ordered to be held is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Securities Exchange Act of 1934, as amended;

It is ordered, Pursuant to section 19 (a) (2) of said Act, that a public hearing be held to determine whether Brougher Divide Mining Company has failed to comply with section 13 of the Securities Exchange Act of 1934, as amended, and the Rules, Regulations and Forms promulgated by the Commission thereunder in the respects set forth above; and if so, whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding twelve months or to withdraw the registration of the Capital Stock, Par Value $1.00, Assessable, of said Brougher Divide Mining Company on said San Francisco Mining Exchange:

It is further ordered, Pursuant to the provisions of section 21 (b) of the Securities Exchange Act of 1934, as amended, that for the purpose of such hearing, John G. Clarkson, an officer of the Commission, is hereby designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take testimony and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law;

It is further ordered, That the taking of testimony in this hearing begin on the 10th day of February, 1943, at 10:00 A. M., Pacific War Time, at the Regional Office of the Securities and Exchange Commission, 625 Market Street, San Francisco, California and continue thereafter at such time and place as the officer hereinbefore designated may determine.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-1207; Filed, January 23, 1943; 2:43 p. m.]

[File No. 70-662]

CONSOLIDATED ELECTRIC AND GAS CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 23rd day of January, 1943.

In the matter of Consolidated Electric and Gas Company, Central Indiana Gas Company, and Hoosier Gas Corporation.

Notice is hereby given that applications or declarations (or both) pursuant to the Public Utility Holding Company Act of 1935 have been filed by Consolidated Electric and Gas Company, a registered holding company, and its subsidiary companies, Central Indiana Gas Company and Hoosier Gas Corporation; and

Notice is further given that any interested person may, not later than February 5, 1943 at 5:30 P. M., E. W. T., request the Commission in writing that a hearing be held on such matters, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such applications and declarations, as filed or as amended may be granted and permitted to become effective, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and 100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locusts Streets, Philadelphia, Pennsylvania.

All interested persons are referred to said applications and declarations which are on file in the office of said Commission for a statement of the transactions therein proposed, which are summarized below:

Central Indiana Gas Company proposes to reduce its stock capital by $648,969.62 from $4,648,969.62 to $4,000,000, through reclassifying its outstanding stock, consisting of 54,000 common shares without par value, all of which is held by Consolidated Electric and Gas Company, into 40,000 common shares of $100 par value. In accordance with the order of the Commission, *In the Matter of Consolidated Electric and Gas Company, et al.*, File No. 70-571, Holding Company Act Release No. 3939, December 2, 1942, Central Indiana Gas Company will eliminate a utility plant acquisition adjustment account of $2,238,527 from its property account and charge the same to earned surplus; the earned surplus deficit thus created will be eliminated by a charge to capital surplus, part of which will be created through the proposed reduction in capital.

Hoosier Gas Corporation proposes to reduce its stock capital by $35,199.96 from $535,199.96 to $500,000, through reclassifying its outstanding 18,257 shares of no par common stock and 400 shares of $100 par value preferred stock, all of which shares of common and preferred are held by Consolidated Electric and Gas Company, into 10,000 shares of $50 par value common stock. This action is being taken to comply with an agreement contained in their applications and declarations filed in *In the Matter of Consolidated Electric and Gas Company, et al.*, supra.

The new common shares of Central Indiana Gas Company and Hoosier Gas Corporation to be received by Consolidated Electric and Gas Company in the reclassification will be pledged under the indenture securing the Collateral Trust Bonds of Consolidated Electric and Gas Company, in substitution for the old shares of preferred and common stocks of Central Indiana Gas Company and Hoosier Gas Corporation which will be surrendered and cancelled.

No change will be made in the aggregate carrying value on the books of Consolidated Electric and Gas Company of its investment in Central Indiana Gas Company and Hoosier Gas Corporation as a result of the proposed transactions.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-1247; Filed, January 25, 1943; 10:20 a. m.]

[File No. 70-613]

ASSOCIATED ELECTRIC CO., ET AL.

ORDER RECONVENING HEARING

In the matter of Associated Electric Company, Metropolitan Edison Company and Staten Island Edison Corporation.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23d day of January 1943.

Associated Electric Company, a registered holding company, and Staten Island Edison Corporation, a subsidiary of New York State Electric & Gas Corporation and an indirect subsidiary of NY PA NJ Utilities Company, a registered holding company, having filed a joint declaration pursuant to sections 12 (b), 12 (c) and 12 (f) of the Public Utility Holding Company Act of 1935 and Rules U-42, U-43 and U-45 promulgated thereunder, wherein Associated Electric Company proposes to acquire $2,222,000 principal amount of its own 4½% bonds, due January 1, 1953, from Staten Island Edison Corporation for a cash consideration of $955,460, plus accrued interest, and Staten Island Edison Corporation proposes to advance the sum of $1,050,000 to its subsidiary, Richmond Light and Railroad Company, to enable such company to have sufficient cash available to redeem, at the call price of 105, the entire outstanding issue of $1,000,000 principal amount of its First and Collateral Trust 4% 50-year Gold Bonds, due July 1, 1952; and

A hearing in the above entitled matter having been held, which hearing, on December 28, 1942, was continued subject to call; and

The Public Service Commission of the State of New York having requested that the hearing be reconvened; and

It appearing that the hearing should be reconvened;

It is ordered That the hearing in the above matter be reconvened under the applicable provisions of the Public Utility Holding Company Act of 1935 and the rules of the Commission thereunder, on January 29, 1943, at 10 a. m., E. W. T., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in the room designated on said day by the hearing room clerk in room 318.

It is further ordered That Willis E. Monty, who has heretofore been designated, or any other officer or officers of the Commission designated by it for that purpose shall preside at any such hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-1248; Filed, January 25, 1943; 10:20 a. m.]

[File No. 70-668]

SOUTHERN-HENKE ICE & STORAGE COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23rd day of January, A. D. 1943.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act

Streets, Philadelphia, Pennsylvania.

of 1935 by Southern-Henke Ice & Storage Company; and

Notice is further given that any interested person may, not later than February 8, 1943, at 5:30 p. m., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such declaration or application, as filed or as amended, may be permitted to become effective or may be granted as provided in Rule U-23 of the General Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed which are summarized below:

Southern-Henke Ice & Storage Company, a non-utility subsidiary of The Middle West Corporation, a registered holding company, proposes to issue and deliver its unsecured promissory note in the principal amount of $50,000 to be dated February 9, 1943, payable to the order of City National Bank and Trust Company of Chicago on or before nine months after the date thereof, and to bear interest at the rate of 4% per annum to maturity, and at the rate of 6% per annum after maturity; all or any part of the principal of such note may be prepaid prior to maturity without premium. The proposed note is to be issued for the purpose of refunding or renewing the outstanding unsecured promissory note of Southern-Henke Ice & Storage Company in the original principal amount of $125,000, dated February 9, 1942 and due February 9, 1943, held by said City National Bank and Trust Company of Chicago, of which $50,000 principal amount is unpaid; such note is to be surrendered to Southern-Henke Ice & Storage Company for cancellation upon the issuance and delivery of the proposed new note.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-1249; Filed, January 25, 1943; 10:20 a. m.]

[File No. 31-411]

NEW BRUNSWICK POWER COMPANY

NOTICE OF HEARING, ETC.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23d day of January, A. D. 1943.

Notice of filing, order for hearing, and order temporarily extending exemption.

Notice is hereby given that an application has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 and particularly section 3 (b) thereof by New Brunswick Power Company for an extension of the effective date of a previous order of this Commission, and of an order supplemental thereto granting it a limited exemption as a subsidiary of Federal Light & Traction Company, Cities Service Power & Light Company, and Cities Service Company, each a registered holding company. All interested parties are referred to said document, which is on file in the office of this Commission.

On October 18, 1938 this Commission, after a public hearing, issued its order with respect to an application filed by New Brunswick Power Company, exempting it to the extent therein specified from certain provisions of the Public Utility Holding Company Act of 1935 applicable to it as a subsidiary company of Federal Light & Traction Company and Cities Service Power & Light Company. On January 8, 1941 the Commission extended the time during which such order of exemption should be effective to January 31, 1943, without prejudice to the right of New Brunswick Power Company to apply for a further extension thereof.

On March 3, 1941, the Commission entered its supplemental order exempting the New Brunswick Power Company, as a subsidiary of Cities Service Company, to the same extent and for the same period of time and subject to the same conditions as provided in its original order of exemption of October 18, 1938 and the order of extension thereof of January 8, 1941.

The present application seeks an extension of the exemption heretofore granted from January 31, 1943 to January 31, 1945, or to such other date as to the Commission may seem proper.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to said matter and that said application shall not be granted except pursuant to further order of this Commission;

It is ordered, That a hearing on such matter under the applicable provisions of said Act and the rules of the Commission thereunder be held on February 11, 1943 at 10 a. m., E. W. T., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

On said date the hearing room clerk in Room 318 will advise as to the room where such hearing will be held. At such hearing, cause shall be shown why such application should be granted. Notice of said hearing is hereby given to New Brunswick Power Company and to all interested persons, said notice to be given to said applicant by registered mail and to all other interested persons by publication in the FEDERAL REGISTER.

It is further ordered, That Willis E. Monty, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That all persons desiring to be heard or otherwise wishing to participate herein shall notify the Commission to that effect in the manner provided by Rule XVII of the Commission's Rules of Practice, on or before February 5, 1943.

It appearing to the Commission that the issues raised herein will not be finally disposed of prior to January 31, 1943, after which date the present order granting the exemption will not be effective, and it appearing appropriate that a temporary extension of the time during which such order of exemption shall be effective will not be detrimental to the public interest or the interest of investors or consumers;

It is further ordered, That the time during which such order of exemption shall be effective be, and the same hereby is, temporarily extended pending final determination of the issues raised herein, subject to the same conditions as provided in the original order of exemption dated October 18, 1938 and the order of extension thereof dated January 8, 1941.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-1250; Filed, January 25, 1943; 10:20 a. m.]

[File No. 1-2235]

OPERATOR CONSOLIDATED MINES CO.

ORDER FOR HEARING, ETC.

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 23d day of January, A. D. 1943.

In the matter of proceeding under section 19 (a) (2) of the Securities Exchange Act of 1934 as amended, to determine whether the registration of Operator Consolidated Mines Company, Common Stock, 10¢ par value, should be suspended or withdrawn.

Order for hearing and designating officer to take testimony.

I

It appearing to the Commission:

That Operator Consolidated Mines Company, a corporation organized under the laws of the State of Nevada, is the issuer of Common Stock, 10¢ par value; and

That said Operator Consolidated Mines Company registered such security on the San Francisco Mining Exchange, a national securities exchange, by filing with the Exchange and with the Commission on or about November 13, 1935 an application on Form 10 pursuant to section 12 (b) and (c) of the Securities Exchange Act of 1934 as amended, and Rule X-12B-1 as amended, promulgated by the Commission thereunder, registration pursuant to such application having become effective on June 1, 1936 and remaining in effect to and including the date hereof; and

It further appearing to the Commission:

That Rule X-13A-1, promulgated pursuant to section 13 of said Securities Exchange Act of 1934, as amended, did and does require that an annual report for each issuer of a security registered on a national securities exchange shall be filed on the appropriate form prescribed therefor; and

That Rule X-13A-2, promulgated pursuant to section 13 of the Securities Exchange Act of 1934, as amended, did and does prescribe Form 10-K as the annual report form to be used for the annual reports of all corporations except those for which another form is specified, and that no other form was or is specified for use by the said Operator Consolidated Mines Company; and

That said Rule X-13A-1 requires that said annual report be filed not more than 120 days after the close of each fiscal year or such other period as may be prescribed in the instruction book applicable to the particular form; that the Instruction Book for Form 10-K does not prescribe any period other than such 120 days; and that pursuant to said Rule X-13A-1 the annual report must be filed within such period unless the registrant files with the Commission a request for an extension of time to a specified date within six months after the close of the fiscal year; and

That said Operator Consolidated Mines Company has a fiscal year ending December 31; that the annual report for its fiscal year ended December 31, 1941 was due to be filed not later than April 30, 1942; that the time for filing was extended to July 15, 1942; that the annual report for the fiscal year ended December 31, 1941 was not filed either within such extended period or at any later date; and

II

The Commission having reasonable cause to believe that:

The said Operator Consolidated Mines Company has failed to comply with the provisions of section 13 of the Securities Exchange Act of 1934, as amended, and Rules X-13A-1, and X-13A-2 promulgated thereunder, in that (1) it has failed to file its annual report for the year ended December 31, 1941 within the time prescribed for filing said report; and (2) it has failed to file such annual report at any later date; and

III

It being the opinion of the Commission that the hearing herein ordered to be held is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Securities Exchange Act of 1934, as amended;

It is ordered, Pursuant to section 19 (a) (2) of said Act, that a public hearing be held to determine whether Operator Consolidated Mines Company has failed to comply with Section 13 of the Securities Exchange Act of 1934, as amended, and the Rules, Regulations and Forms promulgated by the Commission thereunder, in the respects set forth above; and if so, whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding twelve months or to withdraw the registration of the Common Stock, 10¢ par value, of said Operator Consolidated Mines Company on said San Francisco Mining Exchange;

It is further ordered, Pursuant to the provisions of section 21 (b) of the Securities Exchange Act of 1934, as amended, that for the purpose of such hearing, John G. Clarkson, an officer of the Commission, is hereby designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take testimony and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law;

It is further ordered, That the taking of testimony in this hearing begin on the 11th day of February, 1943, at 10:00 A. M. Pacific War Time at the Regional Office of the Securities and Exchange Commission, 625 Market Street, San Francisco, California, and continue thereafter at such time and place as the officer hereinbefore designated may determine.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-1251; Filed, January 25, 1943; 10:21 a. m.]

WAR PRODUCTION BOARD.

[Preference Rating Order P-19-h, Serial 24077]

STANDARD OIL COMPANY OF LOUISIANA, BATON ROUGE, LA.

REVOCATION OF SPECIAL DIRECTION

On December 8, 1942, the War Production Board issued a certain Special Direction supplementary to Preference Rating Orders P-19-h assigning urgency numbers to projects in the high octane gasoline and synthetic rubber facilities construction programs in the order of their importance, said special directions providing for delivery of materials and equipment at such times and in such amounts as provided.

The project of the Standard Oil Company of Louisiana to which Special Direction 17HH was assigned has been determined to be of less urgency in the high octane gasoline facilities construction program than other plants in said program to which higher urgency numbers have been assigned. Accordingly, the following order is deemed necessary and appropriate in the public interest and to promote the national defense. *It is therefore ordered:*

1. *Revocation of Special Direction No. 17HH.* Special Direction No. 17HH supplementary to Preference Rating Order P-19-h Serial Number 24077 heretofore issued under date of December 8, 1942, to the above named builder is hereby revoked.

2. *Effect of revocation.* This revocation revokes said special direction wherever applied by the builder or any of his suppliers, except with respect to purchase orders and contracts which have been filled completely. Orders or contracts not completely filled shall have the status of orders or contracts rated by the Preference Rating Order P-19-h, Serial No. 24077 only and without regard to the provisions of the Special Direction hereby revoked.

3. *Notice to suppliers.* The builder shall promptly advise its suppliers of the terms of this revocation, and each supplier shall in turn notify his suppliers to whom a copy of the special direction hereby revoked has been delivered.

4. *Application for exception.* The builder or any supplier who considers that compliance with this order would work an exceptional and unreasonable hardship upon him, may apply to the Director General for Operations for an exception, setting forth the pertinent facts and the reasons why he considers he is entitled to the relief so requested; Whereupon, the Director General for Operations may take such action as he deems appropriate. Applications for exception under this paragraph shall be addressed to The Integration and Scheduling Branch; Facilities Bureau; War Production Board; Room 3514, Social Security Building; Washington, D. C.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 23d day of January 1943.

CURTIS E. CALDER, *Director General for Operations.*

[F. R. Doc. 43-1243; Filed, January 23, 1943; 4:30 p. m.]

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FEDERAL REGISTER

VOLUME 8 NUMBER 18

Washington, Wednesday, January 27, 1943

Regulations

TITLE 7—AGRICULTURE

Chapter VII—Agricultural Adjustment Agency

PART 722—COTTON

PROCLAMATION OF REFERENDUM RESULTS, 1943–44

By virtue of the authority vested in the Secretary of Agriculture by section 347 of the Agricultural Adjustment Act of 1938, as amended, the following proclamation is hereby issued:

§ 722.403 *Results of cotton referendum.*[1] (a) In the referendum of farmers who were engaged in production of the 1942 crop of cotton, conducted by the Secretary of Agriculture on December 12, 1942, to determine whether such farmers were in favor of or opposed to marketing quotas for cotton for the marketing year beginning August 1, 1943, the total number of votes cast were 762,856 and of the total number of votes so cast 657,452 votes, or 86.2 percent, were in favor of, and 105,404 votes, or 13.8 percent, were opposed to, such marketing quotas.

(b) The National marketing quota for cotton for the marketing year beginning August 1, 1943, proclaimed by the Secretary of Agriculture on November 6, 1942, will be in effect for such year.

(Sec. 347 of the Act, 52 Stat. 59; 7 U.S.C., Sup., 1347)

Done at Washington, D. C., this 26th day of January 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43–1320; Filed, January 26, 1943; 11:48 a. m.]

Tabulation by states and counties was [illegible] part of the original document.

Chapter XI—Food Distribution Administration

[Food Distribution Order 1,[1] Amendment 2]

PART 1404—BAKERY PRODUCTS

MANUFACTURE AND SALE OF BREAD, ROLLS AND OTHER BAKERY PRODUCTS

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, Food Distribution Order No. 1, § 1404.1 (7 F.R. 11105), is amended by:

(a) Inserting at the end of paragraph (a) the following:

(11) "Bakery products" mean bread, rolls, sweet rolls, cakes, pies, cookies, doughnuts, biscuits, crackers, pretzels, ice cream cones and similar products prepared by bakers.

(b) Striking out paragraph (b) (2) and inserting in lieu thereof:

(2) No person shall make or sell any loaves of sliced bread or sliced rolls except that until March 18, 1943, sliced bread weighing one pound or more per loaf, may be sold and delivered in not less than 20 pound lots to restaurants, hotels, institutions, or commissaries for service with meals.

(c) Striking out in paragraph (b) (5) the words "bread or rolls", after the words "other seller of", and after the words "for sale any", and inserting in lieu thereof in both instances the words "bakery products".

(d) Striking out paragraph (b) (7) and renumbering paragraphs (b) (8) and (b) (9) as paragraphs (b) (7) and (b) (8) respectively.

(E.O. 9280, 7 F.R. 10179)

Issued this 25th day of January 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43–1261; Filed, January 25, 1943; 4:28 p. m.]

[1] 7 F.R. 11105; 8 F.R. 828.

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FEDERAL REGISTER

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TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 3965]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

THE SHERWIN-WILLIAMS CO., ET AL.

§ 3.45 (e) *Discriminating in price—Indirect discrimination—Cumulative discounts:* § 3.45 (e) *Discriminating in price — Indirect discrimination — Discounts and allowances.* In connection with distribution and sale of "trade sale line paint products," in commerce, and in the District of Columbia, and on the part of respondent The Sherwin-Williams Co., its successors, etc., and among other things, as in order set forth, with respect to practices of respondents The Lowe Brothers Company and John Lucas & Company, subsidiaries of said The Sherwin-Williams Co., (1) continuing or resuming, under a per order discount plan providing a 6% discount from dealers list prices for an order of 24 to 48 gallons, an 8% discount for an order of 48 to 84 gallons and a 10% discount for an order of 84 gallons or more or under any plan substantially similar thereto, the practice of granting and allowing to purchasers operating a number or chain of retail distribution outlets, the 10%, 8% or 6% discounts based upon quantity per order, when the said order is split into several shipments to various of the said retail distribution outlets; (2) continuing or resuming under a per order discount plan, as above set out, or under any plan substantially similar thereto, the practice of granting and allowing to purchasers operating a number or chain of retail distribution outlets, a 10% or other substantially similar flat discount from said dealers list prices, in lieu of the quantity per order discounts available thereunder; and (3) continuing or resuming under such or a similar plan the practice of granting and allowing to purchasers the 10%, 8% or 6% discounts based upon quantity per order, when the so-called "order" upon which said discounts are based is not in fact a single order but represents a number of orders from a single purchaser accumulated over a definite or indefinite period of time; prohibited. (Sec. 2 (a), 49 Stat. 1526, 15 U.S.C., sec. 13 (a)) [Cease and desist order, The Sherwin-Williams Co., et al., Docket 3965, January 8, 1943]

§ 3.45 (d) *Discriminating in price—Functional classification:* § 3.45 (e) *Discriminating in price—Indirect discrimination—Discounts and allowances.* In connection with distribution and sale of "trade sale line paint products" in commerce, and in the District of Columbia, and on the part of respondent The Lowe Brothers Company, its successors, etc., and among other things, as in order set forth, as respects respondent The Sherwin-Williams Co., parent company, and respondent John Lucas & Company, Inc., subsidiary also of said The Sherwin-Williams Co., (1) continuing or resuming, under a per order discount plan providing a 6% discount from dealers list prices for an order of 24 to 48 gallons, an 8% discount for an order of 48 to 84 gallons and a 10% discount for an order of 84 gallons or more or under any plan substantially similar thereto, the practice of granting and allowing to purchasers operating a number or chain of retail distribution outlets, the 10%, 8% or 6% discounts based upon quantity per order, when the said order is split into several shipments to various of the said retail distribution outlets; (2) continuing or resuming, under a per order discount plan, as above described, together with a 14 percent discount on carload or truckload (20,000 lbs. or more) purchases for shipment direct from the factory, or under any plan substantially similar thereto, the granting and allowing to any of its dealer customers from whom it has or shall have purchased, leased or rented warehouse space any quantity per order discounts which are greater, different or other than the quantity per order discounts available thereunder to all dealer customers purchasing in the same per order quantities; (3) granting and allowing under a discount plan providing a 5% discount from dealers list prices for annual purchases totalling less than $500, a 10% discount for annual purchases in excess of $500 and a 15% discount on carload or truckload (20,000 lbs. or more) purchases for shipment direct from the factory, or under any plan substantially similar thereto, to any of its dealer customers from whom it has or shall have purchased, leased or rented warehouse space, any carload discounts or any discounts in lieu of carload discounts, except with respect to the actual carload or truckload purchases of such dealers shipped direct from the factory; (4) discriminating in price between dealer and dealer-distributor customers through the practice followed under present and prior discount plans of granting and allowing to some of its dealer-distributor customers discounts (in addition to the regular per order or volume discounts from dealers list prices in effect at the time and granted and allowed to all of its customers) on such portion of the purchases of said favored dealer-distributor customers as is sold at retail through the wholly owned and operated retail stores of said dealer-distributor customers; and (5) discriminating in price between its customers through the practice followed under present and prior discount plans of granting and allowing to some of its customers in a particular locality special or additional discounts (in addition to the regular per order or volume discounts from dealers list prices in effect at the time and granted and allowed to all its customers) on purchases made by said favored customers which are not resold by them to other dealers, while not granting and allowing such special or additional discounts on such purchases to all of its customers in such locality; prohibited. (Sec. 2 (a), 49 Stat. 1526, 15 U.S.C., sec. 13 (a)) [Cease and desist order, The Sherwin-Williams Co., et al., Docket 3965, January 8, 1943]

§ 3.45 (d) *Discriminating in price—Functional classification:* § 3.45 (e) *Discriminating in price—Indirect discrimination—Discounts and allowances.* In connection with distribution and sale of "trade sale line paint products" in commerce, and in the District of Columbia, and on the part of respondent John Lucas & Company, Inc., its successors, etc., and among other things, as in order set forth, with respect to the trade practices of respondent The Sherwin-Williams Co., parent company, and respondent The Lowe Brothers Company, subsidiary also of said The Sherwin-Williams Co., (1) continuing or resuming, under a per order discount plan providing a 6% discount from dealers' list prices for an order of 24 to 48 gallons, an 8% discount for an order of 48 to 84 gallons and a 10% discount for an order of 84 gallons or more or under any plan substantially similar thereto, the practice of granting and allowing to purchasers operating a number or chain of retail distribution outlets, the 10%, 8% or 6% discounts based upon quantity per order, when the said order is split into several shipments to various of the said retail distribution outlets; (2) discriminating in price between dealer and dealer-distributor customers through the practice followed under present and prior discount plans of granting and allowing to some of its dealer-distributor customers discounts (in addition to the regular per order or volume discounts from dealers' list prices in effect at the time and granted and allowed to all of its customers) on such portion of the purchases of said favored dealer-distributor customers as is sold at retail through the wholly owned and operated retail stores of said dealer-distributor customers; and (3) discriminating in price between its customers through the practice followed under present and prior discount plans of granting and allowing to some of its customers in a particular locality special or additional discounts (in addition to the regular per order or volume discounts from dealers' list prices in effect at the time and granted and allowed to all its customers) on purchases made by said favored customers which are not resold by them to other dealers, while not granting and allowing such special or additional discounts on such purchases to all of its customers in such locality; prohibited. (Sec. 2 (a), 49 Stat. 1526, 15 U.S.C., sec. 13 (a) [Cease and desist order, The Sherwin-Williams Co., et al., Docket 3965, January 8, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 8th day of January, A. D. 1943.

In the Matter of The Sherwin-Williams Co., a Corporation, The Lowe Brothers Company, a Corporation, and John Lucas & Company, Inc., a Corporation

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the joint answer of the respondents, and two stipulations as to the facts dated December 6, 1940, and October 20, 1942, respectively, signed by counsel for the Commission and counsel for the respondents, in which it is provided that the statement of facts contained therein may be accepted as the facts in this proceeding in lieu of testimony in support of the charges stated in the complaint and in opposition thereto, and the taking of testimony and all intervening procedure having been waived and the Commission having made its findings as to the facts and conclusion that said respondents have violated the provisions of section 2 (a) of an Act of Congress approved October 15, 1914, entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes" (The Clayton Act), as amended by Act of Congress approved June 19, 1936 (The Robinson-Patman Act):

It is ordered, That the respondent The Sherwin-Williams Co., a corporation, its successors and assigns and its officers, directors, agents and employees, in connection with the distribution and sale of trade sale line paint products in commerce between the several states of the United States and in the District of Columbia, do forthwith cease and desist:

1. From continuing or resuming, under a per order discount plan providing a 6% discount from dealers list prices for an order of 24 to 48 gallons, an 8% discount for an order of 48 to 84 gallons and a 10% discount for an order of 84 gallons or more or under any plan substantially similar thereto, the practice of granting and allowing to purchasers operating a number or chain of retail distribution outlets, the 10%, 8% or 6% discounts based upon quantity per order, when the said order is split into several shipments to various of the said retail distribution outlets;

2. From continuing or resuming, under a per order discount plan providing a 6% discount from dealers list prices for an order of 24 to 48 gallons, an 8% discount for an order of 48 to 84 gallons and a 10% discount for an order of 84 gallons or more or under any plan substantially similar thereto, the practice of granting and allowing to purchasers operating a number or chain of retail distribution outlets, a 10% or other substantially similar flat discount from said dealers list prices, in lieu of the quantity per order discounts available thereunder;

3. From continuing or resuming, under a per order discount plan providing a 6% discount from dealers list prices for an order of 24 to 48 gallons, an 8% discount for an order of 48 to 84 gallons and a 10% discount for an order of 84 gallons or more or under any plan substantially similar thereto, the practice of granting and allowing to purchasers the 10%, 8% or 6% discounts based upon quantity per order, when the so-called "order" upon which said discounts are based is not in fact a single order but represents a number of orders from a single purchaser accumulated over a definite or indefinite period of time.

It is further ordered, That the respondent, The Lowe Bros. Company, a corporation, its successors and assigns and its officers, directors, agents and employees, in connection with the distribution and sale of trade sale line paint products in commerce between the several states of the United States and in the District of Columbia, do forthwith cease and desist:

1. From continuing or resuming, under a per order discount plan providing a 6% discount from dealers list prices for an order of 24 to 48 gallons, an 8% discount for an order of 48 to 84 gallons and a 10% discount for an order of 84 gallons or more or under any plan substantially similar thereto the practice of granting and allowing to purchasers operating a number or chain of retail distribution outlets, the 10%, 8% or 6% discounts based upon quantity per order, when the said order is split into several shipments to various of the said retail distribution outlets;

2. From continuing or resuming, under a per order discount plan providing a 6% discount from dealers list prices for an order of 24 to 48 gallons, an 8% discount for an order of 48 to 84 gallons, a 10% discount for an order of 84 gallons or more and a 14% discount on carload or truckload (20,000 lbs. or more) purchases for shipment direct from the factory, or under any plan substantially similar thereto, the granting and allowing to any of its dealer customers from whom it has or shall have purchased, leased or rented warehouse space any quantity per order discounts which are greater, different or other than the quantity per order discounts available thereunder to all dealer customers purchasing in the same per order quantities;

3. From granting and allowing under a discount plan providing a 5% discount from dealers list prices for annual purchases totalling less than $500, a 10% discount for annual purchases in excess of $500 and a 15% discount on carload or truckload (20,000 lbs. or more) purchases for shipment direct from the factory, or under any plan substantially similar thereto, to any of its dealer customers from whom it has or shall have purchased, leased or rented warehouse space, any carload discounts or any discounts in lieu of carload discounts, except with respect to the actual carload or truckload purchases of such dealers shipped direct from the factory;

4. From discriminating in price between dealer and dealer-distributor customers through the practice followed under present and prior discount plans of granting and allowing to some of its dealer-distributor customers discounts (in addition to the regular per order or volume discounts from dealers list prices

in effect at the time and granted and

and E of the complaint be and the same

Commission having made its findings as

celverships to said Rules and Regulations: (b) By placing the following sec-

No business shall be transacted by the association when in possession of an ex-

(8) Has refused to submit its books, papers, records, or affairs for inspection

in effect at the time and granted and allowed to all of its customers) on such portion of the purchases of said favored dealer-distributor customers as is sold at retail through the wholly owned and operated retail stores of said dealer-distributor customers;

5. From discriminating in price between its customers through the practice followed under present and prior discount plans of granting and allowing to some of its customers in a particular locality special or additional discounts (in addition to the regular per order or volume discounts from dealers list prices in effect at the time and granted and allowed to all its customers) on purchases made by said favored customers which are not resold by them to other dealers, while not granting and allowing such special or additional discounts on such purchases to all of its customers in such locality.

It is further ordered, That the respondent, John Lucas and Company, Inc., a corporation, its successors and assigns and its officers, directors, agents and employees, in connection with the distribution and sale of trade sale line paint products in commerce between the several states of the United States and in the District of Columbia, do forthwith cease and desist:

1. From continuing or resuming, under a per order discount plan providing a 6% discount from dealers list prices for an order of 24 to 48 gallons, an 8% discount for an order of 48 to 84 gallons and a 10% discount for an order of 84 gallons or more or under any plan substantially similar thereto, the practice of granting and allowing to purchasers operating a number or chain or retail distribution outlets, the 10%, 8% or 6% discounts based upon quantity per order, when the said order is split into several shipments to various of the said retail distribution outlets;

2. From discriminating in price between dealer and dealer-distributor customers through the practice followed under present and prior discount plans of granting and allowing to some of its dealer-distributor customers discounts (in addition to the regular per order or volume discounts from dealers list prices in effect at the time and granted and allowed to all of its customers) on such portion of the purchases of said favored dealer-distributor customers as is sold at retail through the wholly owned and operated retail stores of said dealer-distributor customers;

3. From discriminating in price between its customers through the practice followed under present and prior discount plans of granting and allowing to some of its customers in a particular locality special or additional discounts (in addition to the regular per order or volume discounts from dealers list prices in effect at the time and granted and allowed to all its customers) on purchases made by said favored customers which are not resold by them to other dealers, while not granting and allowing such special or additional discounts on such purchases to all of its customers in such locality.

It is further ordered, That the charges set out in Paragraphs Seventeen A, C, D and E of the complaint be and the same are hereby dismissed without prejudice to the right of the Commission to proceed thereon in the future in any appropriate manner.

It is further ordered, That the respondents named in the caption hereof, within sixty (60) days after service upon them of this order, file with the Federal Trade Commission a report in writing setting forth in detail the manner and form in which they have complied and are complying with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-1318; Filed, January 26, 1943; 11:33 a. m.]

[Docket No. 4707]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

PARKER-M'CRORY MANUFACTURING CO.

§ 3.6 (a 10) *Advertising falsely or misleadingly—Comparative data or merits:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service:* § 3.6 (x) *Advertising falsely or misleadingly—Results.* In connection with offer, etc., in commerce, of electric fence controllers designated Parmak Electric Fencers, or any other similar device, representing, directly or indirectly, (1) that the use of a single wire with its electric fence controller will hold all livestock, including fence breakers; or that the use of its device is a positive, sure and certain method of confining livestock; (2) that the use of its said device cuts fencing costs to less than $10.00 per mile or results in a saving of 90%, or any other specific percentage of saving in excess of that ordinarily obtained; or that the cost of fencing through the use of said device and the savings resulting therefrom are other than is actually the fact; (3) that its said device will hold livestock as effectively as a steel or concrete enclosure; and (4) that the use of said device will hold or confine animals, unless it is further clearly stated that prior and proper training of animals by causing them to come in contact with a wire or wires charged with electricity is necessary; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec., 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Parker-McCrory Manufacturing Company, Docket 4707, January 13, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 13th day of January, A. D. 1943.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent and a stipulation as to the facts entered into by and between counsel for the Commission and counsel for the respondent upon the record, which provides, among other things, that without further evidence or other intervening procedure the Commission may issue and serve upon the respondent herein findings as to the facts and conclusion based thereon and an order disposing of the proceeding, and the Commission having made its findings as to facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, Parker-McCrory Manufacturing Company, a corporation, its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of its electric fence controller designated Parmak Electric Fencers, or any other device of substantially similar composition or possessing substantially similar properties, in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or indirectly;

1. That the use of a single wire with its electric fence controller will hold all livestock, including fence breakers; or that the use of its device is a positive, sure and certain method of confining livestock;

2. That the use of its said device cuts fencing costs to less than $10.00 per mile or results in a saving of 90%, or any other specific percentage of saving in excess of that ordinarily obtained; or that the cost of fencing through the use of said device and the savings resulting therefrom are other than is actually the fact;

3. That its said device will hold livestock as effectively as a steel or concrete enclosure;

4. That the use of said device will hold or confine animals, unless it is further clearly stated that prior and proper training of animals by causing them to come in contact with a wire or wires charged with electricity is necessary.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-1319; Filed, January 26, 1943; 11:33 a. m.]

TITLE 24—HOUSING CREDIT

Chapter II—Federal Savings and Loan System

[Bulletin 14]

CONSERVATORS AND RECEIVERS FOR FEDERAL SAVINGS AND LOAN ASSOCIATIONS

PART 204—MERGER, REORGANIZATION, DISSOLUTION, AND LIQUIDATION

JANUARY 25, 1943.

The rules and regulations for the Federal Savings and Loan System are hereby amended, effective January 25 1943, as follows:

1. By repealing §§ 204.3, 204.4 and 204.5 thereof.

2. By changing the number of §§ 204.17 to 204.3.

3. (a) By adding a new Part 208—Powers of Receiver and Conduct of Receiverships to said Rules and Regulations; (b) By placing the following sections thereunder with their numbers changed as indicated:

Former number	*New number*
204.6	208.1
204.7	208.2
204.8	208.3
204.9	208.4
204.10	208.5
204.11	208.6
204.12	208.7
204.13	208.8
204.14	208.9
204.15	208.10

and (c) by changing to § 208.1 the references in that section formerly numbered § 204.7, now renumbered § 208.2, which references are to that section formerly numbered § 204.6, now renumbered § 208.1; by changing to paragraph (a) of § 208.2 the references in those sections formerly numbered § 204.8, now renumbered § 208.3, and § 204.10, now renumbered § 208.5, which references are to paragraph (a) of that section formerly numbered § 204.7, now renumbered § 208.2; and by changing to § 208.4 the references in those sections formerly numbered § 204.11, now renumbered § 208.6, and § 204.12, now renumbered § 208.7, which references are to that section formerly numbered § 204.9, now renumbered § 208.4.

4. By adding to said rules and regulations the following new parts and sections thereunder:

PART 205—APPOINTMENT OF CONSERVATOR OF RECEIVER FOLLOWING REQUEST

Sec.

205.1 Request for appointment of conservator or receiver.
205.2 Possession by examiner.
205.3 Appointment by Federal Home Loan Bank Administration.

AUTHORITY: §§ 205.1 to 205.3, inclusive, issued under sec. 5 (a), (d), 48 Stat. 132, 133; 12 U.S.C. 1464 (a), (d); E.O. 9070, 7 F.R. 1529.

§ 205.1 *Request for appointment of conservator or receiver.* The board of directors of any Federal association may request the Federal Home Loan Bank Administration to appoint a conservator or receiver, whichever the Federal Home Loan Bank Administration shall determine.

§ 205.2 *Possession by examiner.* Pending action on such request, the board of directors may, by resolution, with the consent of the Governor of the Federal Home Loan Bank System or any Deputy or Assistant Governor, turn the association over to a Federal Home Loan Bank Administration examiner, who shall furnish bond in form and amount and with surety acceptable to said Governor, Deputy or Assistant Governor. If the association is turned over to an examiner, he shall forthwith post a notice in substantially the following form on the door of the home office of the association:

By request of the board of directors of this Association, the undersigned is temporarily in charge of _____ Federal Savings and Loan Association _____
_____
_____
_____
(Date) (Examiner, Federal Home Loan Bank Administration)

No business shall be transacted by the association when in possession of an examiner, except that the examiner may take such action in his name or in the name of the association as, in his judgment, is necessary to protect the interests of the association or those of its creditors or members, and, for the period of his possession, all rights, powers and privileges of its officers and directors shall be suspended, except the right to address petitions to the Federal Home Loan Bank Administration. The expenses incurred by the examiner during such period, including the cost of his bond and the charges for his services as determined by the Governor, Deputy or Assistant Governor, shall be paid out of the assets of the association.

§ 205.3 *Appointment by Federal Home Loan Bank Administration.* The Federal Home Loan Bank Administration, upon receipt of request by the board of directors of an association, as provided in § 205.1 hereof, may, if it shall find cause for such appointment as stated in § 206.1 hereof, appoint a conservator or receiver, in its discretion, for such association. If an examiner shall be in possession of the association, the Federal Home Loan Bank Administration may order the examiner to turn the association over to the conservator or receiver, or, if the Federal Home Loan Bank Administration shall not appoint a conservator or receiver, may order the examiner to turn the association back to the board of directors.

PART 206—APPOINTMENT OF CONSERVATOR OR RECEIVER

Sec.

206.1 Receiver or conservator, appointment.
206.2 Hearing on appointment.
206.3 Costs of hearings.
206.4 Discharge of conservator or receiver.

AUTHORITY: §§ 206.1 to 206.4, inclusive, issued under sec. 5 (a), (d), 48 Stat. 132, 133; 12 U.S.C. 1464 (a), (d); E.O. 9070, 7 F.R. 1529.

§ 206.1 *Receiver or conservator, appointment.* (a) Whenever, in the opinion of the Federal Home Loan Bank Administration, any Federal savings and loan association:

(1) Is conducting its business in an unlawful, unauthorized, or unsafe manner;

(2) Is in an unsound or unsafe condition, or has a management which is unsafe or unfit, or has a person or persons in a position or situation of dominance or control, or exercising dominance or control, who is or are an unsafe or improper person or persons to be in such position or situation or to exercise such dominance or control;

(3) Cannot with safety continue in business;

(4) Is impaired in that its assets do not have an aggregate value (in the judgment of the Federal Home Loan Bank Administration) at least equal to the aggregate amount of its liabilities to its creditors, members, and all other persons;

(5) Is in imminent danger of becoming impaired;

(6) Is pursuing a course that is jeopardizing or injurious to the interests of its members, creditors, or the public;

(7) Has suspended payment of its obligations;

(8) Has refused to submit its books, papers, records, or affairs for inspection to any examiner or lawful agent appointed by the Federal Home Loan Bank Administration;

(9) Has refused by the refusal of any of its officers, directors, or employees to be examined upon oath by the Federal Home Loan Bank Administration or its representative concerning its affairs; or

(10) Has failed or refused to observe a lawful order of the Federal Home Loan Bank Administration,

the Federal Home Loan Bank Administration may appoint the Federal Savings and Loan Insurance Corporation receiver for such Federal association, which appointment shall be for the purpose of liquidation, or the Federal Home Loan Bank Administration may appoint a conservator for such Federal association to conserve the assets of the association pending further disposition of its affairs. The appointment shall be by order, which order shall state on which of the above causes the appointment is based. Any conservator so appointed shall furnish bond for himself and his employees, in form and amount and with surety acceptable to the Governor of the Federal Home Loan Bank System, or any Deputy or Assistant Governor, but no bond shall be required of the Federal Savings and Loan Insurance Corporation as receiver. The conservator or receiver shall forthwith upon appointment take possession of the association and, at the time such conservator or receiver shall demand possession, such conservator or receiver shall notify the officer or employee of the association, if any, who shall be in the home office of the association and appear to be in charge of such office, of the action of the Federal Home Loan Bank Administration. The Secretary of the Federal Home Loan Bank Administration shall, forthwith upon adoption thereof, mail a certified copy of the order of appointment to the address of the association as it shall appear on the records of the Federal Home Loan Bank Administration and to each director of the association, known by the Secretary to be such, at the last address of each as the same shall appear on the records of the Federal Home Loan Bank Administration. If such certified copy of the order appointing the conservator or receiver is received at the offices of the association after the taking of possession by the conservator or receiver, such conservator or receiver shall hand the same to any officer or director of the association who may make demand therefor.

§ 206.2 *Hearing on appointment.* Within fourteen days (Sundays and holidays included) after the appointment of a conservator or receiver for a Federal association not at the time of such appointment in the hands of a conservator, such Federal association, which has not, by its board of directors, consented to or requested the appointment of a conservator or receiver, may file an answer and serve a written demand for a hearing, authorized by its board of directors, which demand shall state the address to which notice of hearing shall be sent. Upon receipt of such answer and written demand for a hearing the Federal Home Loan Bank Administra-

tion shall issue and serve a notice of hearing upon the institution by mailing a copy of the order of hearing to the address stated in the demand therefor and shall conduct a hearing, at which time and place the Federal association may appear and show cause why the conservator or receiver should not have been appointed and why an order should be entered by the Federal Home Loan Bank Administration discharging the conservator or receiver. Such hearing shall be held either in the district of the Federal Home Loan Bank of which such Federal association is a member or in Washington, D. C., as the Federal Home Loan Bank Administration shall determine, unless the association otherwise consents in writing. Such hearing may be held before the Federal Home Loan Bank Commissioner or before a trial examiner or hearing officer, as the Federal Home Loan Bank Administration shall determine. Such Federal association, which has not, by its board of directors, consented to or requested the appointment of a conservator or receiver, may, within seven days (Sundays and holidays included) of such appointment, serve a written or telegraphic demand, authorized by its board of directors, upon the Federal Home Loan Bank Administration for a more definite statement of the cause or causes for the action. The time of service upon the Federal Home Loan Bank Administration for the purposes of this section shall be the time of receipt by the Secretary of the Federal Home Loan Bank Administration.

§ 206.3 *Costs of hearings.* Costs, as determined by the Federal Home Loan Bank Administration, of hearings held pursuant to § 206.2 may be assessed against the association demanding the same upon the order of the Federal Home Loan Bank Administration unless the Federal Home Loan Bank Administration finds upon such hearing that there is no cause for the appointment of a conservator or receiver.

§ 206.4 *Discharge of conservator or receiver.* An order of the Federal Home Loan Bank Administration discharging a conservator and returning the association to its management shall restore to such Federal association all its rights, powers and privileges and shall restore the rights, powers and privileges of its officers and directors, all as of the time specified in such order, except as such order may otherwise provide. An order of the Federal Home Loan Bank Administration discharging a receiver and returning the association to its management shall by operation of law and without any conveyance or other instrument, act or deed, restore to such Federal association all its rights, powers and privileges, revest in such Federal association the title to all its property, and restore the rights, powers and privileges of its officers and directors, all as of the time specified in such order, except as such order may otherwise provide.

PART 207—POWERS OF CONSERVATOR AND CONDUCT OF CONSERVATORSHIPS

Sec.
- 207.1 Take possession, when.
- 207.2 Procedure upon taking possession.
- 207.3 Succession.
- 207.4 Disposition.
- 207.5 Powers and duties of conservator.
- 207.6 Creditors.
- 207.7 Share interests.
- 207.8 Examinations, inventories, reports, costs and expenses.
- 207.9 Final discharge and release of conservator.
- 207.10 Inspection of reports.

AUTHORITY: §§ 207.1 to 207.10, inclusive, issued under sec. 5 (a), (d), 48 Stat. 132, 133; 12 U.S.C. 1464 (a), (d); E.O. 9070, 7 F.R. 1529.

§ 207.1 *Take possession, when.* Upon appointment, the conservator for a Federal association shall forthwith take possession of the books, records and assets of every description of such association.

§ 207.2 *Procedure upon taking possession.* Upon taking possession, pursuant to § 207.1 of these rules and regulations, of such Federal association, the conservator shall forthwith:

(a) Post a notice in substantially the following form on the door of the home office of such association:

---------- Federal Savings and Loan Association ----------, ----------, ----------
is in the possession and charge of the undersigned as Conservator under appointment by the Federal Home Loan Bank Administration.

---------- ----------
(Date) (Conservator)

(b) Notify, by written notice served personally or by registered mail or telegraph, all banks, trust companies and all other individuals, partnerships, corporations, and associations known to such conservator to be holding or in possession of any assets of such association, and

(c) File with the Secretary of the Federal Home Loan Bank Administration a statement (1) that he has taken possession, pursuant to § 207.1 of these rules and regulations, of such Federal association and (2) of the posting and time of posting of the notice pursuant to the provisions of paragraph (a) of this section, together with a copy of such notice; and such statement shall be conclusive evidence of the posting and time of posting of such notice.

§ 207.3 *Succession.* Immediately upon the posting of the notice on the door of such Federal association as provided in paragraph (a) of § 207.2 of these rules and regulations, the conservator shall succeed to all the rights, powers and privileges of the Federal association, its officers and directors, or any of them. Such officers and directors, or any of them, shall not thereafter have, exercise, or act in connection with, any such rights, powers or privileges, or any asset or property of any nature of the association: *Provided, however.* That nothing herein shall deny to such officers and directors the right from time to time to address such petitions, authorized by the board of directors, as they may have to the Federal Home Loan Bank Administration or its representatives designated to receive such petitions concerning such association, or to represent the association at hearings provided for in these rules and regulations.

§ 207.4 *Disposition.* Unless the Federal Home Loan Bank Administration shall otherwise order, the Governor of the Federal Home Loan Bank System shall within twenty days of the appointment of the conservator recommend to the Federal Home Loan Bank Administration a plan for the reorganization, consolidation, merger, liquidation or other disposition of the association. If such plan shall provide for the ultimate restoration of the association to normal operations without an involuntary write-down in the association's share capital, the Federal Home Loan Bank Administration may order the conservator to carry such plan into effect. The Federal Home Loan Bank Administration may, at any time, order the association returned to its management and may, before returning the association to its management regardless of whether such association is subsequently returned to its management, order a meeting of the shareholders for any purpose, including, without any limitation on the generality of the foregoing, election of new directors, or of the board of directors for any purpose, including, without any limitation on the generality of the foregoing, the filling of vacancies on the board of directors or the election of new officers, or may order meetings of both members and directors. Each such election shall be supervised by a representative of the Federal Home Loan Bank Administration. The Federal Home Loan Bank Administration may at any time, without further hearing as provided in § 206.2 of these rules and regulations, replace the conservator by appointing the Federal Savings and Loan Insurance Corporation as receiver for the purpose of liquidation.

§ 207.5 *Powers and duties of conservator.* The conservator, subject to the direction and supervision of the Governor of the Federal Home Loan Bank System, shall, after posting notice pursuant to paragraph (a) of § 207.2 of these rules and regulations, take such action as may be necessary to conserve the assets of the association pending further disposition of its affairs. The conservator shall forthwith in his name, in the name of the association, in the name of both, or otherwise, collect all obligations and money due the association, and in his name, in the name of the association, in the name of both, or otherwise

(a) May do all things desirable or expedient in his discretion to carry on the business of the association to an extent consistent with his appointment and to preserve and conserve the assets and property of every nature of such association;

(b) May exercise all the rights and powers of such association, including, without any limitation on the generality of the foregoing, any rights and powers under any mortgage, deed of trust, chose in action, option, collateral note, contract, judgment or decree, share or certificate of share of stock, or instrument of any nature;

(c) May, with the approval of the Federal Home Loan Bank Administration or of said Governor, pay off and discharge any taxes, assessments, liens, claims, or charges of any nature against the association or the conservator or any asset or property of any nature of such association;

(d) May pay out and expend such sums as he shall deem necessary or advisable

(1) For or in connection with the preservation, maintenance, conservation or protection, or

(2) With the approval of the Federal Home Loan Bank Administration or of said Governor for or in connection with the remodeling, repair, rehabilitation or improvement not necessary for such preservation, maintenance, conservation or protection

of any asset or property of such association;

(e) May, with the approval of the Federal Home Loan Bank Administration or of said Governor,

(1) Pay out and expend such sums as he shall deem necessary or advisable for or in connection with the preservation, maintenance, conservation or protection of, or

(2) Pay off and discharge any taxes, assessments, liens, claims or charges of any nature against,

any asset or property of any nature on which the association or conservator has a lien by way of mortgage, deed of trust, pledge or otherwise, or in which the association or conservator has an interest of value of any nature;

(f) May, under the direction and supervision of the General Counsel of the Federal Home Loan Bank Administration, institute, prosecute, maintain, defend, intervene, and otherwise participate in any and all actions, suits, or other legal proceedings by and against the conservator or association or in which the conservator, the association, or its creditors or members, or any of them, shall have an interest, and in every way to represent such association, its members and creditors;

(g) (1) May, with the approval of said Governor, employ such assistants and employees as he may deem necessary for the proper administration of the conservatorship, and shall by bond cover all such assistants and employees in form satisfactory to such conservator and to the said Governor, the cost of the same and the cost of the conservator's bond to be paid out of the assets of the association in the possession of the conservator; and (2) shall employ any attorney or attorneys designated by the General Counsel of the Federal Home Loan Bank Administration, in connection with litigation or otherwise to give legal advice and assistance, for the conservatorship generally or in particular instances, and pay retainers and compensation of such attorney or attorneys, together with all expenses, including, but not limited to, the costs and expenses of any litigation, as approved by said General Counsel, out of the assets of the association;

(h) May execute, acknowledge, and deliver any and all deeds, contracts, leases, assignments, bills of sale, releases, extensions, satisfactions, and other instruments necessary or proper for any purposes, including, without any limitation on the generality of the foregoing, the effectuation or termination of any sale, lease, or transfer of real, personal or mixed property. Any deed or other instrument executed pursuant to the authority hereby given shall be as valid and effectual for all purposes as if the same had been executed, as the act and deed of the association or otherwise, by the officers of such association by authority of its board of directors;

(i) Shall immediately transfer the depository bank balances of the association to Account "R" hereinafter provided for, or to the account with the Federal Home Loan Bank, of which the association is a member, hereinafter provided for, and, unless otherwise directed by the Federal Home Loan Bank Administration or said Governor, shall open two accounts in banks insured by the Federal Deposit Insurance Corporation, as follows:

(1) One of these accounts shall be known as Account "R" and the other shall be known as Account "D".

(2) All funds of the association coming into the possession of the conservator shall be forthwith deposited in Account "R".

(3) Disbursements shall be made from Account "R" only by transfer to an account with the Federal Home Loan Bank of which the association is a member, which transfer may be made by the conservator.

(4) Deposits shall be made in Account "D" only by order of or with the approval of the Federal Home Loan Bank Administration or the Governor.

(5) The conservator may make disbursements in connection with his duties as conservator from Account "D".

(6) All depository bank accounts of the conservator shall be carried as follows:

---------- Conservator
(Name of conservator)
for ----------
(Name of association)

(j) (1) May, with the approval of the Federal Home Loan Bank Administration or said Governor, sell for cash any mortgage, deed of trust, chose in action, bond, note, contract, judgment or decree, or share or certificate of share of stock or debt, owing to such association, at not less than the actual amount owing the association thereon or the face or par value thereof, and

(2) May, with the approval of the Federal Home Loan Bank Administration, or on terms and conditions approved by the Federal Home Loan Bank Administration, sell for cash or on terms, or exchange or otherwise dispose of, at less than the amount owing the association thereon or the face or par value thereof, in whole or in part, any mortgage, deed of trust, chose in action, bond, note, contract, judgment or decree, share or certificate of share of stock or debt, owing to such association;

(k) (1) May lease on a month to month basis, or for a term of not to exceed one year, and (2) may, with the approval of the Federal Home Loan Bank Administration, or on terms and conditions approved by the Federal Home Loan Bank Administration, sell for cash or on terms, lease for a period of more than one year, exchange or otherwise dispose of, in whole or in part, any or all of the assets and property of the association, real, personal, and mixed, tangible and intangible, of any nature;

(l) May, with the approval of the Federal Home Loan Bank Administration or of said Governor, or on terms and conditions approved by the Federal Home Loan Bank Administration or said Governor, surrender, abandon, and release any choses in action, or other assets or property of any nature, whether the subject of pending litigation or not, and reject or repudiate any lease or contract which he considers burdensome;

(m) May, with the approval of the Federal Home Loan Bank Administration, or on terms and conditions approved by the Federal Home Loan Bank Administration, settle, compromise, or obtain the release of, for cash or other considerations, claims and demands against such association or the conservator;

(n) May, with the approval of the Federal Home Loan Bank Administration, or on terms and conditions approved by the Federal Home Loan Bank Administration, settle, compromise, or release, for cash or other considerations, claims and demands in favor of the association or the conservator;

(o) May, with the approval of the Federal Home Loan Bank Administration, and on terms and conditions approved by the Federal Home Loan Bank Administration, borrow money in any amount and from any source and in any manner, and execute, acknowledge and deliver notes, certificates, and other evidence of indebtedness therefor and secure the repayment thereof by the mortgage, pledge, assignment in trust or hypothecation of any or all of the property, whether real, personal, or mixed, of such association, and such borrowing may be for any purpose, including, without any limitation on the generality of the foregoing, protecting or preserving the assets in his possession, declaring and paying dividends to members and creditors, providing for the expense of administration, or aiding in the reopening or reorganization of such association;

(p) May pay out of the assets of the conservatorship all costs and expenses of the conservatorship and all costs of carrying out or exercising his rights, powers, privileges and duties as conservator, all as determined by him, except as otherwise provided herein; and

(q) May do such things, and have such rights, powers, privileges, immunities, and duties, whether or not otherwise granted in these rules and regulations, as shall be authorized, directed, conferred, or imposed from time to time in specific cases by order of the Federal Home Loan Bank Administration, or by amendment of these rules and regulations.

For the purposes of this section, (1) asset and property including any mortgage, deed of trust, chose in action, bond, note, contract, judgment or decree, share or certificate of share of stock, or debt of the association, and right and power of the association, shall include any such asset or property, right or power of the conservator, and (2), the terms "Governor of the Federal Home Loan Bank System" and "said Governor" shall include any Deputy or Assistant Governor of the Federal Home Loan Bank System.

§ 207.6 *Creditors.* The conservator may, after certification by the conservator to the Federal Home Loan Bank Administration that the assets of the association will be sufficient to meet all creditor obligations and that the condition of the association justifies, out of the assets in his possession,

(a) With the approval of the Governor of the Federal Home Loan Bank System, or any deputy or assistant governor, make disbursements which the association was obligated to make on loan commitments and other valid contracts,

(b) With the approval of said Governor, pay salaries due officers or employees of the association, permit the payment of outstanding checks given in connection with valid creditor obligations, and pay valid creditor obligations,

or, in the absence of such certification or approval, may, out of the assets of the association in his possession, pay creditor obligations and make disbursements which the association was obligated to make on loan commitments, to the extent determined by said Governor to be compatible with the condition of the association and the proper conduct of its affairs.

§ 207.7 *Share interests.* The conservator shall not accept any payments on or purchases, or make any repurchases, of share accounts, unless the Federal Home Loan Bank Administration shall otherwise direct by order, which order, or orders, shall be posted in a conspicuous place in the principal office of the conservator for conducting the affairs of the association, and such payments or purchases shall be accepted, or such repurchases made, only to the extent and in the manner, and with segregation to the extent, that the same, if any, may be directed in such order or orders.

§ 207.8 *Examinations, inventories, reports, costs and expenses*—(a) *Inventory.* As soon as practicable after taking possession, the conservator shall make an inventory of the assets of such association as of the date of such taking possession, showing the value as carried on the books of the association, and the security therefor, if any, in whatever form the same shall exist, with a brief description of each such asset and such security. Such assets may be listed in such groups or classes as shall, to the satisfaction of the Governor of the Federal Home Loan Bank System, or any deputy or assistant governor, afford full information as to their character and book value, and the conservator shall include a record of the creditor and share liabilities of the association. One copy of such inventory shall promptly be filed with the Secretary to the Federal Home Loan Bank Administration, one copy with the Office of the Governor of the Federal Home Loan Bank System, and one copy shall be retained in the principal office of the association, so long as such office is maintained by the conservator.

(b) *Examinations and audits.* Each Federal association for which a conservator has been appointed may be examined and/or audited (with appraisals when deemed advisable by the Federal Home Loan Bank Administration) by the Examining Division of the Federal Home Loan Bank Administration as directed by the Federal Home Loan Bank Administration. The cost, as determined by the Federal Home Loan Bank Administration, of examinations including office analysis thereof, audits, and any appraisals made in connection therewith, shall be paid from the assets of the association unless otherwise ordered by the Federal Home Loan Bank Administration.

(c) *Forms and reports.* The conservator shall follow such accounting practices as may, from time to time, be prescribed by the Governor. The conservator shall make such reports as may be required by the Federal Home Loan Bank Administration or the Governor.

§ 207.9 *Final discharge and release of conservator*—(a) *Final report.* At such time as the conservator be relieved of his duties, the conservator shall file with the Federal Home Loan Bank Administration a detailed report in form satisfactory to the Federal Home Loan Bank Administration.

(b) *Final discharge.* Unless otherwise directed by the Federal Home Loan Bank Administration, upon the completion of the duties of the conservator or at such time as the conservator shall be otherwise relieved of his duties, an examination and audit may be directed by the Federal Home Loan Bank Administration in connection with the report of the conservator hereinbefore required. The accounts of the conservator shall be approved or disapproved, and, if approved, the conservator shall thereupon be given a complete and final discharge and release.

§ 207.10 *Inspection of reports.* All inventories, statements and reports of the conservator shall be in at least four copies unless otherwise directed by the Federal Home Loan Bank Administration or the Governor. One copy shall be filed with the Federal Home Loan Bank Administration, the other copies with the Office of the Governor of the Federal Home Loan Bank System, and each of the inventories, statements, and reports shall constitute permanent records of each conservatorship open for inspection at such times and on such conditions as may be from time to time directed by the Federal Home Loan Bank Administration or, in the absence of such directions, whenever the office of the Secretary of the Federal Home Loan Bank Administration shall be open for business.

5. By changing the number of § 204.16 to be § 206.5.

[SEAL] JOHN H. FAHEY,
Federal Home Loan Bank Commissioner.

[F. R. Doc. 43-1279, Filed, January 25, 1943; 2:15 p. m.]

TITLE 24—HOUSING CREDIT

Chapter V—Federal Housing Administration

Subchapter I—War Rental Housing Insurance

PART 582—WAR RENTAL HOUSING INSURANCE APPLICABLE TO ALL MORTGAGES INSURED

Administrative regulations for war rental housing insurance under section 608 of the National Housing Act, applicable to all mortgages insured under section 608.

Section 582.8 (a) (7 F.R. 4265) is hereby amended by striking the first sentence and substituting in lieu thereof the following:

If the mortgagor fails to make any payment due under or provided to be paid by the terms of the mortgage, whether or not such failure to pay is caused by failure to perform some other covenant or obligation under the mortgage because of which the mortgagee has declared the full amount due and payable under an acceleration clause contained therein, and such failure continues for a period of thirty (30) days, the mortgage shall be considered in default and the mortgagee shall within thirty (30) days thereafter give notice in writing to the Commissioner of such default.

Issued at Washington, D. C., this 23d day of January 1943.

[SEAL] ABNER H. FERGUSON,
Federal Housing Commissioner.

[F. R. Doc. 43-1280; Filed, January 25, 1943; 3:04 p. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division

PART 626—MINIMUM WAGE RATE IN THE GRAIN PRODUCTS INDUSTRY

In the matter of the recommendation of Industry Committee No. 42 for a minimum wage rate in the grain products industry.

Whereas on February 13, 1942, pursuant to section 5 (b) of the Fair Labor Standards Act of 1938, herein referred to as the Act, the Administrator of the Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 141, appointed Industry Committee No. 42 for the grain products industry, herein called the committee, and directed the committee to recommend minimum wage rates for the grain products industry in accordance with section 8 of the Act; and

Whereas the committee included seven disinterested persons representing the public, a like number of persons representing employers in the grain products industry, and a like number of persons representing employees in the industry, and each group was appointed with due regard to the geographical regions in which the grain products industry is carried on; and

Whereas on March 12, 1942, the committee, after investigating economic and competitive conditions in the industry, filed with the Administrator a report containing its recommendation for a 40-cent minimum hourly wage rate in the grain products industry; and

Whereas after notice duly published in the FEDERAL REGISTER on April 4, 1942, Major Robert N. Campbell, the presiding officer designated by the Administrator, held a public hearing upon the committee's recommendation at Washington, D. C., on April 20, 1942, at which all interested persons were given an opportunity to be heard; and

Whereas the complete record of the proceeding before the presiding officer has been transmitted to the Administrator; and

Whereas by notice published in the FEDERAL REGISTER on May 5, 1942, opportunity to submit written briefs on or before June 17, 1942, was afforded all parties; and

Whereas no request for oral argument having been received, oral argument on the committee's recommendation was dispensed with in this proceeding; and

Whereas the Administrator, upon reviewing all the evidence adduced in this proceeding and giving consideration to the provisions of the Act with special reference to sections 5 and 8, has concluded that the committee's recommendation for the grain products industry, as defined in Administrative Order No. 141, is made in accordance with law, is supported by the evidence adduced at the hearing, and taking into consideration the same factors as are required to be considered by the committee, will carry out the purposes of the Act; and

Whereas the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the Matter of the Recommendation of Industry Committee No. 42 for a Minimum Wage Rate in the Grain Products Industry," dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, 165 West 46 Street, New York, New York.

Now, therefore, *It is ordered*, That:

Sec.
626.1 Approval of recommendation of Industry Committee No. 42.
626.2 Wage rates.
626.3 Posting of notices.

Sec.
626.4 Definition of the grain products industry.
626.5 Scope of the definition.
626.6 Effective date.

AUTHORITY: §§ 626.1 to 626.6, inclusive, issued under sec. 8, 52 Stat. 1064; 29 U.S.C., Supp. IV, 208.

§ 626.1 *Approval of recommendation of Industry Committee No. 42.* The Committee's recommendation is hereby approved.

§ 626.2 *Wage rates.* Wages at a rate of not less than 40 cents per hour shall be paid under section 6 of the Act by every employer to each of his employees in the Grain Products Industry who is engaged in commerce or in the production of goods for commerce.

§ 626.3 *Posting of notices.* Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the grain products industry shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor.

§ 626.4 *Definition of the grain products industry.* For the purpose of this order the term "grain products industry" means the handling, warehousing, and storing of grain when performed in conjunction with milling operations, and the processing of grain or alfalfa into food products or feeds. It includes, but without limitation, the production of flour, prepared or blended flours, breakfast cereals, coffee substitutes, pearl barley, hominy, flakes, grits, rice, meal, feeds and prepared or mixed feeds, including those made wholly or in part from such products as cottonseed, soy beans, or peanuts (but not the crushing of such products), except those made principally from meat products. It does not include the production of bakery products such as bread, cakes, pastries, and macaroni.

§ 626.5 *Scope of the definition.* The definition of the grain products industry covers all occupations in the industry which are necessary to the production of the products covered by the definition, including clerical, maintenance, shipping, and selling occupations, *Provided, however,* That such clerical, maintenance, shipping, and selling occupations when carried on in a wholesaling or selling department physically segregated from other departments of a manufacturing establishment, the greater part of the sales of which wholesaling or selling department are sales of articles which have been purchased for resale, shall not be deemed to be covered by this definition: *And provided further,* That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

§ 626.6 *Effective date.* This wage order shall become effective March 1, 1943.

Signed at New York, New York, this 22d day of January 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-1273; Filed, January 25, 1943; 11:22 a. m.]

PART 627—MINIMUM WAGE RATE IN THE CANDY AND RELATED PRODUCTS MANUFACTURING INDUSTRY

In the matter of the recommendation of Industry Committee No. 47 for a minimum wage rate in the candy and related products manufacturing industry.

Whereas on August 14, 1942, pursuant to section 5 (b) of the Fair Labor Standards Act of 1938, herein referred to as the Act, the Administrator of the Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 150, appointed Industry Committee No. 47 for the candy and related products manufacturing industry, herein called the committee, and directed the committee to recommend minimum wage rates for the candy and related products manufacturing industry in accordance with section 8 of the Act; and

Whereas the committee included five disinterested persons representing the public, a like number of persons representing employers in the candy and related products manufacturing industry, and a like number of persons representing employees in the industry, and each group was appointed with due regard to the geographical regions in which the candy and related products manufacturing industry is carried on; and

Whereas on September 16, 1942, the committee, after investigating economic and competitive conditions in the industry, filed with the Administrator a report containing its recommendations for 40-cent minimum hourly wage rates in the candy and related products manufacturing industry; and

Whereas after notice duly published in the FEDERAL REGISTER on September 22, 1942, Major Robert N. Campbell, the presiding officer designated by the Administrator, held a public hearing upon the committee's recommendations at Washington, D. C., on October 14, 1942, at which all interested persons were given an opportunity to be heard; and

Whereas the complete record of the proceeding before the presiding officer has been transmitted to the Administrator; and

Whereas no request for oral argument having been received, oral argument on the committee's recommendations was dispensed with in this proceeding; and

Whereas by notice published in the FEDERAL REGISTER on October 24, 1942, opportunity to submit written briefs was afforded all parties; and

Whereas the Administrator, upon reviewing all the evidence adduced in this proceeding and giving consideration to

the provisions of the Act with special reference to sections 5 and 8, has concluded that the committee's recommendations for the candy and related products manufacturing industry as defined by Administrative Order No. 150, are made in accordance with law, are supported by the evidence adduced at the hearing, and taking into consideration the same factors as are required to be considered by the committee, will carry out the purposes of the Act; and

Whereas the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the Matter of the Recommendations of Industry Committee No. 47 for Minimum Wages Rates in the Candy and Related Products Manufacturing Industry," dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, 165 West 46 Street, New York, New York.

Now, therefore, *It is ordered*, That:

Sec.
627.1 Approval of recommendations of Industry Committee No. 47.
627.2 Wage rates
627.3 Posting of notices.
627.4 Definition of the candy and related products industry.
627.5 Scope of the definition.
627.6 Effective date.

AUTHORITY: §§ 627.1 to 627.6, inclusive, issued under sec. 8, 52 Stat. 1064, 29 U.S.C., Supp. IV, 208.

§ 627.1 *Approval of recommendations of Industry Committee No. 47.* The Committee's recommendations are hereby approved.

§ 627.2 *Wage rates.* Wages at not less than the following rate per hour shall be paid under section 6 of the Act by every employer to each of his employees in the candy and related products manufacturing industry who is engaged in commerce or in the production of goods for commerce:

(a) Forty cents to be paid for: the production of chocolate and cocoa products;

(b) Forty cents to be paid for: the production of candied, crystallized or glace fruits and fruit peels; and

(c) Forty cents to be paid for: the production of any other products of the candy and related products manufacturing industry.

§ 627.3 *Posting of notices.* Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the candy and related products manufacturing industry shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor.

§ 627.4 *Definition of the candy and related products manufacturing industry.* For the purpose of this order the term "candy and related products manufacturing industry" means the production of candies and related products, including, but without limitation, stuffed fruits; candied, crystallized or glace fruits and fruit peels; candied popcorn; salted, sugared or roasted nuts; chocolate and cocoa products; marshmallow creme; and chewing gum: *Provided*, That the shelling and cleaning of nuts are excluded except where the operations are performed in plants also engaged in the further processing of nuts.

§ 627.5 *Scope of the definition.* The definition of the candy and related products manufacturing industry covers all occupations in the industry which are necessary to the production of the articles specified in the definition including clerical, maintenance, shipping, and selling occupations: *Provided, however*, That such clerical, maintenance, shipping, and selling occupations when carried on in a wholesaling or selling department physically segregated from other departments of a manufacturing establishment, the greater part of the sales of which wholesaling or selling department are sales of articles which have been purchased for resale, shall not be deemed to be covered by this definition: *And provided further*, That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

§ 627.6 *Effective date.* This wage order shall become effective March 29, 1943.

Signed at New York, New York, this 22d day of January 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-1274; Filed, January 25, 1943; 11:22 a. m.]

PART 628—MINIMUM WAGE RATE IN THE HANDKERCHIEF MANUFACTURING INDUSTRY

In the matter of the recommendation of Industry Committee No. 46 for a minimum wage rate in the Handkerchief Manufacturing Industry.

Whereas on July 23, 1942, by Administrative Order No. 149, the Acting Administrator, pursuant to sections 5 and 8 of the Fair Labor Standards Act of 1938, appointed Industry Committee No. 46 for the handkerchief manufacturing industry, and directed the committee to recommend minimum wage rates for the handkerchief manufacturing industry in accordance with section 8 of the Act; and

Whereas the committee included three disinterested persons representing the public, a like number of persons representing employers in the handkerchief manufacturing industry, and a like number of persons representing employees in the industry, and each group was appointed with due regard to the geographical regions in which the handkerchief manufacturing industry is carried on; and

Whereas Industry Committee No. 46 on August 14, 1942, after investigation of conditions in the industry, filed with the Administrator a report containing its recommendations for a minimum wage rate of 40 cents an hour in the handkerchief manufacturing industry; and

Whereas after notice duly published in the FEDERAL REGISTER on September 5, 1942, Major Robert N. Campbell, the presiding officer designated by the Administrator, held a public hearing on October 7, 1942 at New York, New York, upon the committee's recommendation and upon the question of what, if any, prohibition, restriction or regulation of home work is necessary to carry out the purposes of the wage order for the handkerchief manufacturing industry, to prevent the circumvention or evasion thereof and to safeguard the minimum wage rate established therein, in the event an order is issued approving the recommendations of the committee, at which all interested persons were given an opportunity to be heard; and

Whereas the complete record of the proceeding before the presiding officer was transmitted to the Administrator; and

Whereas all persons who appeared at the hearing were given leave to file briefs on or before November 4, 1942, and to present oral argument before the Administrator on November 12, 1942; and

Whereas the Administrator, upon reviewing all the evidence adduced in this proceeding and giving consideration to the provisions of the Act with special reference to sections 5 and 8, has concluded that the committee's recommendations for the handkerchief manufacturing industry as defined by Administrative Order No. 149, are made in accordance with law, are supported by the evidence adduced at the hearing, and taking into consideration the same factors as are required to be considered by the committee, will carry out the purposes of section 8 of the Act and that it is necessary to include terms and conditions in the wage order for this industry with respect to industrial home work to carry out the purpose of such order, to prevent the circumvention or evasion thereof and to safeguard the minimum wage rate established therein; and

Whereas the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the Matter of the Recommendation of Industry Committee No. 46 for a Minimum Wage Rate in the Handkerchief Manufacturing Industry and Industrial Home Work in the Handkerchief Manufacturing Industry" dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York.

Now, therefore, *It is ordered*, That:

Sec.
628.1 Approval of recommendation of Industry Committee No. 46.
628.2 Wage rate.
628.3 Restriction of home work.
628.4 Posting of notices.
628.5 Definition of the handkerchief manufacturing industry.
628.6 Scope of the definition.
628.7 Effective date.

AUTHORITY: §§ 628.1 to 628.7, inclusive issued under sec. 8, 52 Stat. 1064; 29 U.S.C., Supp. IV, 208.

§ 628.1 *Approval of recommendation of Industry Committee No. 46.* The committee's recommendation is hereby approved.

§ 628.2 *Wage rate.* (a) Wages at a rate of not less than 40 cents per hour shall be paid under section 6 of the Act by every employer to each of his employees in the handkerchief manufacturing industry who is engaged in commerce or in the production of goods for commerce.

§ 628.3 *Restriction of home work.* No work in the handkerchief manufacturing industry, as defined herein, shall be done in or about a home, apartment, tenement, or room in a residential establishment after April 25, 1943, except by such persons as have obtained special homework certificates issued pursuant to applicable regulations of the Wage and Hour Division, authorizing industrial home work by any worker who was engaged in industrial home work in the handkerchief manufacturing industry prior to October 7, 1942, or is at any time engaged in such industrial home work under the supervision of a State vocational rehabilitation agency or of a sheltered workshop, as defined in § 525.1, Part 525, Chapter V, Title 29, Code of Federal Regulations, and is unable to adjust to factory work because of age, or physical or mental disability or is unable to leave home because his presence is required to care for an invalid in the home.

§ 628.4 *Posting of notices.* Every employer employing any employees engaged in commerce or in the production of goods for commerce in the handkerchief manufacturing industry shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor.

§ 628.5 *Definition of the handkerchief manufacturing industry.* For the purpose of this order the term "handkerchief manufacturing industry" means the manufacture of men's, women's and children's handkerchiefs, plain or ornamented, from any materials.

§ 628.6 *Scope of the definition.* The definition of the handkerchief manufacturing industry covers all occupations in the industry which are necessary to the production of the articles specified in the definition including clerical, maintenance, shipping and selling occupations: *Provided, however*, That such clerical, maintenance, shipping, and selling occupations when carried on in a wholesaling or selling department physically segregated from other departments of a manufacturing establishment, the greater part of the sales of which wholesaling or selling department are sales of articles which have been purchased for resale, shall not be deemed to be covered by this definition: *And provided further*, That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

§ 628.7 *Effective date.* This wage order shall become effective February 15, 1943.

Signed at New York, New York this 22d day of January 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-1275; Filed, January 25, 1943; 11:22 a. m.]

PART 628—REGULATIONS APPLICABLE TO THE EMPLOYMENT OF HOME WORKERS IN THE HANDKERCHIEF MANUFACTURING INDUSTRY

The following regulations, §§ 628.100–628.112 applicable to the employment of industrial home workers in the handkerchief manufacturing industry are hereby issued pursuant to sections 8 (f) and 11 (c) of the Fair Labor Standards Act of 1938, and § 628.3 of the Regulations of the Wage and Hour Division. These regulations shall become effective, April 26, 1943, and shall be in force and effect until repealed or modified by regulations hereafter made and published.

Whereas section 8 (f) of the Fair Labor Standards Act of 1938 provides as follows:

Orders issued under this section shall • • • contain such terms and conditions as the Administrator finds necessary to carry out the purpose of such orders, to prevent the circumvention or evasion thereof, and to safeguard the minimum wage rates established therein. • • •

And whereas § 628.3 of the wage order for the handkerchief manufacturing industry issued pursuant to section 8 (f) of the Act provides as follows:

No work in the handkerchief manufacturing industry, as defined herein, shall be done in or about a home, apartment, tenement, or room in a residential establishment after April 25, 1943, except by such persons as have obtained special home-work certificates issued pursuant to applicable regulations of the Wage and Hour Division, authorizing industrial home work by any worker who was engaged in industrial home work in the handkerchief manufacturing industry prior to October 7, 1942, or is at any time engaged in such industrial home work under the supervision of a State vocational rehabilitation agency or of a sheltered workshop as defined in § 525.1, Part 525, Chapter V, Title 29, Code of Federal Regulations, and is unable to adjust to factory work because of age, or physical or mental disability or is unable to leave home because his presence is required to care for an invalid in the home.

And whereas section 11 (c) of the Act provides as follows:

Every employer subject to any provision of this Act or of any order issued under this Act shall make, keep and preserve such records of the persons employed by him and of the wages, hours and other conditions and practices of employment maintained by him, and shall preserve such records for such periods of time, and shall make such reports therefrom to the Administrator as he shall prescribe by regulation or order as necessary or appropriate for the enforcement of the provisions of this Act or the regulations or orders thereunder.

Now, therefore, the following regulations are hereby issued. These regulations shall become effective on April 26, 1943, and shall be in force and effect until repealed or modified by regulations hereafter made and published.

Sec.
628.101 Definitions.
628.102 Application on official forms.
628.103 Terms and conditions for the issuance of certificates.
628.104 Investigation may be ordered to determine whether the facts justify the issuance of certificate.
628.105 Termination of certificates.
628.106 Revocation and cancellation.
628.107 Preservation of certificate.
628.108 Records and reports.
628.109 Wage rates.
628.110 Delegation of authority to grant, deny or cancel a certificate.
628.111 Petition for review.
628.112 Petition for amendment of regulations.

AUTHORITY: §§ 628.101 to 628.112, inclusive, issued under 29 C.F.R. 628.3; sec. 8 (f), 11 (c); 52 Stat. 1064, 1066; 29 U.S.C. 208 (f), 211 (c).

§ 628.101 *Definitions.* As used in these regulations, the term "industrial home work" means the production by any person in or about a home, apartment, tenement, or room in a residential establishment, for an employer, of goods from material furnished directly by or indirectly for such employer. As used in these regulations the term "handkerchief manufacturing industry" means the manufacture of men's, women's and children's handkerchiefs, plain or ornamented, from any materials.

§ 628.102 *Application on official forms.* Certificates authorizing the employment of industrial home workers in the handkerchief manufacturing industry may be issued upon the following terms and conditions upon application therefor on forms provided by the Wage and Hour Division. Such forms shall be signed by both the home worker and the employer.

§ 628.103 *Terms and conditions for the issuance or certificates.* If the application is in proper form and sets forth facts showing that the worker:

(a) (1) Was engaged in industrial home work in the handkerchief manufacturing industry prior to October 7, 1942.

(2) Is or will be engaged in such industrial home work under the supervision of a State vocational rehabilitation agency or of a sheltered workshop as defined in § 525.1, Part 525, Chapter V, Title 29, Code of Federal Regulations.

(b) Is unable to adjust to factory work because of age or physical or mental disability.

(c) Is unable to leave home because the worker's presence is required to care for an invalid in the home.

a certificate may be issued authorizing the applicant employer to employ the worker in industrial home work in the handkerchief manufacturing industry.

No home worker shall perform industrial home work for more than one employer in the handkerchief manufacturing industry, but home work employment in another industry shall not be a bar to the issuance of a certificate for the handkerchief manufacturing industry.

§ 628.104 *Investigation may be ordered to determine whether the facts justify the issuance of certificate.* An investigation may be ordered in any case to obtain additional data or facts. A medical examination of the worker or invalid may be ordered or a certification of facts concerning eligibility for the certificate by designated officers of the State or Federal Government may be required.

§ 628.105 *Termination of certificates.* Certificates shall be valid under the terms set forth in the certificate for a period of not more than 12 months from the date of issuance or such shorter period as may be fixed in the certificate. Application for renewal of any certificate shall be filed in the same manner as an original application under these regulations.

§ 628.106 *Revocation and cancellation.* Any certificate may be revoked for cause at any time. Violation of any provision of the Fair Labor Standards Act shall be sufficient grounds for revocation of all certificates issued to an employer, in which event no certificates shall be issued to the offending employer for a period of one year. In any proceedings for the revocation or cancellation of a certificate, interested parties shall be provided an opportunity to be heard.

§ 628.107 *Preservation of certificate.* A copy of the certificate shall be sent to the home worker, who shall keep such certificate on the premises on which the work is performed.

A copy of the certificate shall be sent to the employer, who shall keep this copy on file in the same place at which the worker's employment records are maintained.

§ 628.108 *Records and reports.* The issuance of a certificate shall not relieve the employer of the duty of maintaining the records required by Regulations, Part 516, and failure to keep such records shall be sufficient cause for the cancellation of certificates issued to such an employer.

Each employer of industrial home workers in the handkerchief manufacturing industry shall submit to the regional office of the Wage and Hour Division for the region in which his place of business is located on April 1 and October 1 of each year, the home work handbooks of each employee employed by him during the preceding six month period in industrial home work in the handkerchief manufacturing industry. This report shall also include a list of the names, addresses, and certificate numbers of home workers for whom home work certificates have been obtained, but who were not employed in industrial home work in the handkerchief manufacturing industry during such period.

§ 628.109 *Wage rates.* Wages at a rate of not less than 40 cents per hour shall be paid by every employer to each of his home work employees except as subminimum employment of specific handcapped workers has been provided for by special certificates issued by the Wage and Hour Division pursuant to Regulations, Parts 524, and 525. All hours worked in excess of 40 in any workweek shall be compensated for at one and one-half times the regular rate of pay.

§ 628.110 *Delegation of authority to grant, deny or cancel a certificate.* The Administrator may from time to time designate and appoint members of his staff or State agencies as his authorized representatives with full power and authority to grant, deny or cancel home work certificates.

§ 628.111 *Petition for review.* Any person aggrieved by the action of an authorized representative of the Administrator in granting or denying a certificate may, within 15 days thereafter or within such additional time as the Administrator for cause shown may allow, file with the Administrator a petition for review of the action of such representative praying for such relief as is desired. Such petition for review, if duly filed, will be acted upon by the Administrator or an authorized representative of the Administrator who took no part in the proceeding being reviewed. All interested parties will be afforded an opportunity to present their views in support of or in opposition to the matters prayed for in the petition.

§ 628.112 *Petition for amendment of regulations.* Any person wishing a revision of any of the terms of the foregoing regulations may submit in writing to the Administrator a petition setting forth the changes desired and reasons for proposing them. If upon inspection of the petition the Administrator believes that reasonable cause for amendment of the rules and regulations set forth, the Administrator will either schedule a hearing with due notice to interested persons or will make other provisions to afford interested persons opportunity to present their views in support of or in opposition to the proposed changes.

Signed at New York, N. Y., this 22d day of January 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc 43-1276; Filed, January 25, 1943; 11:26 a. m.]

PART 629—MINIMUM WAGE RATE IN THE SEAMLESS HOSIERY INDUSTRY

In the matter of the recommendation of Industry Committee No. 21 for a minimum wage rate in the seamless hosiery industry.

Whereas on September 23, 1942, pursuant to section 5 of the Fair Labor Standards Act of 1938, herein referred to as the Act, the Acting Administrator of the Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 158, reconvened Industry Committee No. 21 for the seamless hosiery industry, which committee had been previously appointed by Administrative Order No. 84 dated February 17, 1941, herein called the committee, and directed the committee to recommend minimum wage rates for the seamless hosiery industry in accordance with section 8 of the Act; and

Whereas the committee included three disinterested persons representing the public, a like number of persons representing employers in the seamless hosiery industry, and a like number of persons representing employees in the industry, and each group was appointed with due regard to the geographical regions in which the seamless hosiery industry is carried on; and

Whereas on November 2, 1942, the committee, after investigating economic and competitive conditions in the seamless hosiery industry, filed with the Administrator a report containing its recommendation for a 40-cent minimum hourly wage rate in the seamless hosiery industry; and

Whereas after notice published in the FEDERAL REGISTER on November 5, 1942, Major Robert N. Campbell, the presiding officer designated by the Administrator, held a public hearing upon the committee's recommendation at New York, New York on November 24, 1942, at which all interested persons were given an opportunity to be heard; and

Whereas the complete record of the proceeding before the presiding officer has been transmitted to the Administrator; and

Whereas the Administrator, upon reviewing all the evidence adduced in this proceeding and giving consideration to the provisions of the Act, with special reference to sections 5 and 8, has concluded that the industry committee's recommendation for the seamless hosiery industry, as defined by Administrative Order No. 158, is made in accordance with law, is supported by the evidence adduced at the hearing, and, taking into consideration the same factors as are required to be considered by the industry committee, will carry out the purposes of the Act; and

Whereas the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the Matter of the Recommendation of Industry Committee No. 21 for a Minimum Wage Rate in the Seamless Hosiery Industry," dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, New York, New York;

Now, therefore, *It is ordered*, That:

Sec.
629.1 Approval of recommendation of industry committee.
629.2 Wage rate.
629.3 Posting of notices.
629.4 Definition of the seamless hosiery industry.
629.5 Scope of the definition.
629.6 Effective date.

AUTHORITY: §§ 629.1 to 629.6, inclusive, issued under sec. 8, 52 Stat. 1064, 29 U.S.C. Supp. IV, sec. 208.

§ 629.1 *Approval of recommendation of industry committee.* The committee's recommendation is hereby approved.

§ 629.2 *Wage rate.* Wages at a rate of not less than 40 cents per hour shall be paid under section 6 of the Act by every employer to each of his employees who is engaged in commerce or in the production of goods for commerce in the seamless hosiery industry.

§ 629.3 *Posting of notices.* Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the seamless hosiery industry shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor.

§ 629.4 *Definition of the seamless hosiery industry.* For the purpose of this order the term "seamless hosiery industry" means: The manufacturing or processing of seamless hosiery, including among other processes the knitting, dyeing, clocking and all phases of finishing seamless hosiery, but not including the manufacturing or processing of yarn or thread.

§ 629.5 *Scope of the definition.* The definition of the seamless hosiery industry covers all occupations in the industry which are necessary to the production of the articles specified in the definition, including clerical, maintenance, shipping and selling occupations: *Provided, however,* That this definition does not include employees of an independent wholesaler or employees of a manufacturer who are engaged exclusively in marketing and distributing products of the industry which have been purchased for resale; *And provided further,* That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

§ 629.6 *Effective date.* This wage order shall become effective February 15, 1943.

Signed at New York, New York this 22d day of January 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-1277; Filed, January 25, 1943; 11:23 a. m.]

PART 630—MINIMUM WAGE RATES IN THE CONVERTED PAPER PRODUCTS INDUSTRY

In the matter of the recommendation of Industry Committee No. 48 for a minimum wage rate in the converted paper products industry.

Whereas on August 15, 1942, pursuant to section 5 of the Fair Labor Standards Act of 1938, hereinafter referred to as the Act, the Administrator of the Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 152 appointed Industry Committee No. 48 for the converted paper products industry, herein called the committee, and directed the committee to recommend minimum wage rates for the converted paper products industry in accordance with section 8 of the Act; and

Whereas the committee included seven disinterested persons representing the public, a like number of persons representing employers in the converted paper products industry, and a like number of persons representing employees in the industry, and each group was appointed with due regard to the geographical regions in which the converted paper products industry is carried on; and

Whereas on September 10, 1942, the committee, after investigating economic and competitive conditions in the industry, filed with the Administrator a report containing its recommendation for a 40 cent minimum hourly wage rate in the converted paper products industry; and

Whereas after notice published in the FEDERAL REGISTER on September 22, 1942, Major Robert N. Campbell, the presiding officer designated by the Administrator, held a public hearing upon the committee's recommendation at New York, New York, on October 21, 1942, at which all interested persons were given an opportunity to be heard; and

Whereas the complete record of the proceeding before the presiding officer has been transmitted to the Administrator; and

Whereas by notice given at the hearing, all persons who appeared at the hearing were given leave to file briefs on or before November 12, 1942; and

Whereas no request for oral argument having been received, oral argument on the committee's recommendation was dispensed with in this proceeding; and

Whereas the Administrator upon reviewing all the evidence adduced in this proceeding and giving consideration to the provisions of the Act with special reference to sections 5 and 8, has concluded that the industry committee's recommendation for the converted paper products industry as defined in Administrative Order No. 152 is made in accordance with law, is supported by the evidence adduced at the hearing, and, taking into consideration the same factors as are required to be considered by the industry committee, will carry out the purposes of section 8 of the Act; and

Whereas the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the Matter of the Recommendation of Industry Committee No. 48 for a Minimum Wage Rate in the Converted Paper Products Industry," dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, New York, New York;

Now, therefore, *It is ordered*, That:

Sec.
630.1 Approval of recommendation of industry committee.
630.2 Wage rate.
630.3 Posting of notices.
630.4 Definition of the converted paper products industry.
630.5 Scope of the definition.
630.6 Effective date.

AUTHORITY: §§ 630.1 to 630.6, inclusive, issued under sec. 8, 52 Stat. 1064; 29 U.S.C. Sup. IV, 208.

§ 630.1 *Approval of recommendation of industry committee.* The Committee's recommendation is hereby approved.

§ 630.2 *Wage rate.* Wages at a rate of not less than 40 cents per hour shall be paid under section 6 of the Act by every employer to each of his employees in the converted paper industry as defined in Administrative Order No. 152 who is engaged in commerce or in the production of goods for commerce.

§ 630.3 *Posting of notices.* Every employer employing any employees engaged in commerce or in the production of goods for commerce in the converted paper products industry shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor.

§ 630.4 *Definition of the converted paper products industry.* The converted paper products industry to which this wage order applies is defined as follows:

The manufacture of all products which have as a basic component pulp, paper or board (as those terms are used in Administrative Order No. 41 defining the pulp and primary paper industry) and the manufacture of all like products in which synthetic materials, such as cellophane, pliofilm or synthetic resin, used in sheet form, is a basic component: *Provided, however,* That the manufacture of the following shall not be included:

(a) Any product the manufacture of which is covered by a wage order of the Administrator relating to the textile, apparel, hat, millinery, shoe, pulp and primary paper, carpet and rug, portable lamp and shade, or luggage, leather goods and women's handbag industry.

(b) Any product, such as rayon, cellophane, etc., made from such pulp by a process which involves the destruction of the original fibrous structure of such pulp.

(c) Roofing paper, insulation board and products therefrom for use as building materials, or shingles.

(d) Newspapers, magazines, books, blueprints, photographs and other products in which graphic art is the exclusive medium through which the products function: *Provided, however,* That the production of printed forms, stationery, blank books, and tablets, other than the printing thereof in a job printing establishment, and the production of other products in the use of which graphic art is applied by the ultimate consumer of the products, shall be included within the converted paper products industry as herein defined.

§ 630.5 *Scope of the definition.* The definition of the converted paper products industry covers all occupations in the industry which are necessary to the production of the products specified in the definition, including clerical, maintenance, shipping and selling occupations: *Provided, however,* That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

§ 630.6 *Effective date.* This wage order shall be effective February 15, 1943.

Signed at New York, New York, this 22d day of January 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-1278; Filed, January 25, 1943; 11:22 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 997—PRODUCTION AND DELIVERY OF MACHINE TOOLS

[General Preference Order E-1-b as Amended Jan. 26, 1943]

§ 997.2 *General Preference Order E-1-b*—(a) *Definitions.* (1) "Machine tools" include the products listed in schedule hereto attached and marked Exhibit A [1] and divided into two groups designated Group I and Group II for the purpose of this order as hereinafter specified. The term "tool" means a machine tool. Each machine tool includes not only the basic machine but also all fixtures, equipment and tooling covered by the original purchase order which are required to be delivered with the tool to make it usable in production for the purposes intended, but does not include any replacements, or spare parts or equipment, or extra tooling, ordered by the purchaser.

(2) "Producer" means any individual, partnership, association, corporation, or other form of enterprise engaged in producing any products listed in Exhibit A.

(3) "Service purchasers" means those whose preference rating certificates, or whose endorsed purchase orders, show that the preference rating applied to such delivery was assigned thereto by an original Preference Rating Certificate PD-3, PD-3A, or PD-4, or by Preference Rating Order P-19-h, calling for delivery to a supply arm or bureau of the Army or Navy, or to the United States Maritime Commission, or to one of their prime contractors, or to a subcontractor of such a prime contractor.

(4) "Foreign purchasers' means those whose purchase orders show that the tool is to be delivered to or for the account of a foreign country (other than Canada), or a subdivision, agency, or instrumentality thereof: *Provided,* That such purchase orders have been placed by the Ordnance Department (Army) or by the Procurement Division of the Treasury Department, with or without a preference rating certificate; or, in the case of purchase orders placed prior to May 1, 1942 by a purchasing or procurement agent of a foreign country, where such purchase orders have been scheduled pursuant to a preference rating certificate, a Special Allocation Order No. 1, or General Preference Order No. E-3.

(5) "Other purchasers" means all purchasers other than service purchasers and foreign purchasers, to whose purchase orders a preference rating has been assigned, including Canadian.

(6) "Class" when used herein means one of the foregoing three classes of purchasers: namely, service purchasers, foreign purchasers, or other purchasers.

(7) "Size" as used herein may include all of those dimensions or variations of a particular type of tool which can be used interchangeably for production purposes.

(b) *Revocation of previous order.* General Preference Order No. E-1-a Revised, including the Numerical Master Preference List, Revision No. 1, is revoked as of May 1, 1942 as to machine tools, and shall thereafter be of no further force or effect with respect to machine tools except as present schedules and urgency standings are continued by paragraph (c) of this order. Makers of gages and chucks will continue to schedule their production according to General Preference Order No. E-1-a, Revised, until further order of the Director General for Operations.

(c) *Production and delivery of machine tools during November 1942 and until further notice.* Notwithstanding any other provisions of this order, each producer shall schedule 75 percent of his production and delivery of each size of each type of machine tool during the balance of the calendar month of November 1942 and each month thereafter as follows, until further notice:

(1) Each producer forthwith shall divide into two types all purchase orders placed by each of the seven groups of Service purchasers (Bureau of Ships, Bureau of Ordnance, Ordnance Department, Air Services, Miscellaneous Bureaus and Branches, Maritime Commission, and Signal Corps) which specify as the required delivery date the month being scheduled or a previous month, such types being designated as Type 1 orders and Type 2 orders. The "required delivery date" is the date specified on the endorsement accompanying the purchase order, as changed by any subsequent instruction given on Form WPB-27, Form WPB-1588, or otherwise, by the War Production Board, or by any postponement thereof by the purchaser.

Type 1 orders shall include the following:

(i) Any purchase order for delivery to any Service Purchaser in the "Air Services" group (called "Air Forces" in Exhibits A and B to General Preference Order E-1-b). "Air Services" includes the Army Air Forces, the Navy Bureau of Aeronautics, their respective prime contractors and subcontractors, and the U. S. Corps of Engineers with respect to purchases made for the account of the Army Air Forces; and in addition thereto,

(ii) Any purchase order for delivery to any prime contractor listed on the preferred customers list (Exhibit C attached to this order) or any subcontractor of such a prime contractor. No purchase order from a prime contractor on the preferred customers list, or from his subcontractors, shall be classed as a Type 1 order, however, unless the endorsement required by paragraph (h) of this order to be placed by such purchaser on his purchase order, or the preference rating certificate itself if transferred to the producer, shows that the machine tool ordered is for use on the prime contract specified opposite the prime contractor's name on such Preferred Customers List.

Type 2 orders shall include all other purchase orders placed by Service purchasers which do not fall in Type 1 orders.

(2) The producer shall total all Type 1 orders from Service purchasers for the size and type of tool being scheduled, which specify as the required delivery date the month being scheduled or a previous month. Where 75 percent of the production of the size and type of tool being scheduled for delivery in any month is greater than the total Type 1 orders received from all Service purchaser groups specifying that month or a previous month as the required delivery date, all such Type 1 orders shall be scheduled for delivery in that month regardless of the effect on any Type 2 orders. The residue of such 75 percent shall be scheduled for delivery against Type 2 orders from the remaining Service purchaser groups in accordance with the percentage quotas established by Exhibit A to this order, the "Air Services" quota becoming an unabsorbed quota distributable in accordance with paragraph (e) (5) of this order.

(3) Where 75 percent of the production of the size and type of tool being scheduled for delivery in any month is less than the total Type 1 orders received from all Service purchaser groups specifying that month or a previous month as the required delivery date, no Type 2 orders shall be scheduled for delivery in that month. Where the Type 1 orders in such case are from more than one Service purchaser group, the distribution of such 75 percent of production between the Type 1 orders from such groups shall be determined as follows: The percentage which 75 percent of the production for that month constitutes of the total Type 1 orders from all such Service purchaser groups shall be determined. Such percentage shall then be applied to the number of such Type 1 orders from each Service purchaser group involved, and the resultant number of Type 1 orders shall accordingly be scheduled for delivery to such group. The particular Type 1 orders to be scheduled for each such Service purchaser group and the sequence of their delivery shall be determined by the Numerical Master Preference List, as amended by Revision No. 4 and corrections and additions thereto, the operation of which is set forth in paragraph (i) of this order.

(4) 25 percent of each producer's production for each month of each size of each type of tool shall continue to be scheduled for delivery to foreign purchasers and other purchasers in accordance with the other provisions of this order.

(5) Immediately upon scheduling machines for delivery in accordance with paragraphs (c) (2), (c) (3), and (c) (4) of this order, each producer shall notify all purchasers of the new scheduled delivery dates which fall within the period ending February 28, 1943.

(6) Notwithstanding the provisions of this paragraph (c), the War Production Board from time to time may issue specific scheduling instructions to any producer.

(7) The four months rule established by paragraphs (d) (4) and (e) (5) of this order shall not be applied to Type 1 orders. The sixty-day "frozen" period established by paragraph (i) of this order shall be applied to all deliveries of Type 1 orders as well as Type 2 orders. All Type 2 orders remain subject to the terms of this General Preference Order E-1-b except as the delivery dates on such orders may be extended by the rescheduling of Type 1 orders in accordance with this paragraph (c).

(8) All other provisions of this General Preference Order E-1-b not modified by this paragraph (c) shall remain in full force and effect.

(d) *Allocation of production to service purchasers and to foreign and other purchasers.* (1) Except as provided in subparagraphs (3) and (4) of this paragraph, each producer shall schedule his production for each calendar month so as to deliver 75 per cent of his production of each size of each type of tool which he produces in that month to service purchasers.

(2) Except as provided in subparagraphs (3) and (4) of this paragraph, each producer shall schedule his production for each calendar month so as to deliver 25 per cent of his production of each size of each type of tool in the aggregate to foreign purchasers and other purchasers.

(3) A producer may schedule for delivery to service purchasers more than 75 per cent of his production of any size of a type of tool in a given month, to the extent that he has failed to receive purchase orders for foreign purchasers and rated purchase orders from other purchasers for tools of such size and type prior to the first day of the fourth month preceding the month of delivery.

(4) A producer may likewise schedule for delivery to foreign purchasers and other purchasers more than 25 per cent of such production of any size of a type of tool in a given month, to the extent that he has failed to receive rated purchase orders from service purchasers for tools of such size and type, prior to the first day of the fourth month preceding the month of delivery.

(5) In preparing his schedules as aforesaid, a producer shall fix the dates of his deliveries of tools to service purchasers, to foreign purchasers and to other purchasers within a given month so that each class will receive its percentage of tools equitably in point of time within the month.

(e) *Distribution of 75 per cent of production among Service purchasers.* (1) Service purchasers are hereby subdivided into seven groups consisting of the following, and their respective prime contractors and subcontractors: Bureau of Ships (Navy), Bureau of Ordnance (Navy), Ordnance Department (Army), Air Services, Miscellaneous Branches and Bureaus, the Maritime Commission, and the Signal Corps. The fourth group, designated "Air Services," includes the Army Air Forces and the Navy Bureau of Aeronautics and their respective prime contractors and subcontractors. The fifth group, designated "Miscellaneous Branches and Bureaus," includes the Quartermaster Corps, the Corps of Engineers, the Army Medical Department, the Chemical Warfare Service, the Bureau of Yards and Docks, the Marine Corps, and the Transportation Service of the Services of Supply, together with any other corps, department, bureau or service of the Army and Navy not heretofore specifically designated as a separate group, and their respective prime contractors and subcontractors.

(2) Exhibit A specifies a percentage of each type of tool which is to be delivered each month to each different group of service purchasers. The aggregate of such percentages is 75 per cent.

(3) The stated percentage for each group where applied to a producer's production of each size of a given type of tool in a specified month, establishes the "quota" for that group of that size and type during that month.

(4) During each calendar month, each producer shall deliver to each group of service purchasers the number of tools of each size of a given type which equals the quota of the group for that size and type.

(5) If a producer does not have on hand on the first day of the fourth month preceding the month of delivery, rated purchase orders from the Bureau of Ships (Navy) group equal to that group's quota of a size of a given type of tool for that month, the producer shall schedule purchase orders received from the Bureau of Ordnance (Navy) group for the balance of the Bureau of Ships (Navy) group quota of that size and type for delivery during that month. Similarly, if the producer does not have orders on hand from the Bureau of Ordnance (Navy) group equal to its quota, he shall schedule purchase orders received from the Bureau of Ships (Navy) group for the balance of the Bureau of Ordnance (Navy) group's quota.

If a producer does not have on hand on the first day of the fourth month preceding the month of delivery, rated purchase orders from the Bureau of Ships group plus the Bureau of Ordnance group equal to their combined quotas of a size of a given type of tool for that month, or if he does not have on hand on such date rated purchase orders from any other single group of service purchasers equal to that group's quota of a size of a given type of tool for that month, the producer shall schedule purchase orders received from members of other groups of service purchasers for that size and type for delivery during that month. Where members of two or more other groups have placed purchase orders aggregating more than such unordered balance of the combined quotas of the Bureau of Ships and Bureau of Ordnance, or of any other single group's quota, the producer must first schedule the purchase orders of those purchasers who are members of the group having the greatest ratio of:

(i) Unfilled purchase orders, specifying required delivery dates in said month of delivery and in preceding months, but not scheduled for delivery in said months to;

(ii) The number of tools to which said group is entitled under its quota,

until that ratio has been reduced to or below the ratio of another group or groups, after which the producer shall schedule the purchase orders of members of the group or groups which then have the greatest ratio, and shall continue to schedule in this manner until the unordered balance has been entirely distributed. Where several groups have the same ratio, and there are not sufficient undistributed tools to schedule one for each group, preference shall be given to the groups having the lower percentage quotas.

(6) Likewise, if a producer does not have on hand on the first day of the fourth month preceding the month of delivery, rated purchase orders from foreign and other purchasers equal to 25 percent of his production of a size of a given type of tool for that month, the producer shall schedule purchase orders received from service purchasers for that type and size for delivery during that month, in the manner provided in paragraph (e) (5) hereof.

(7) A purchase order which has been scheduled as provided in subparagraphs (5) and (6) hereof shall represent an addition to the quota of the group of which the service purchaser in question is a member, and such purchase order shall not thereafter be affected by the receipt of a purchase order from a member of any other group, irrespective of the urgency standing of the latter.

(8) In preparing his schedules of deliveries for a given month for service purchasers, a producer shall fix the dates of his deliveries to the different groups so that each group will receive its percentage of tools equitably in point of time within the month.

(f) *Distribution of 25 per cent of machine tools among foreign and other purchasers.* Foreign purchasers and other purchasers shall be treated as one group, and each producer shall schedule his orders for each size of each type for delivery each month within their aggregate 25 per cent of production for that month, in accordance with the sequence of deliveries determined as hereinafter specified in paragraph (i): *Provided, however,* That if the purchase orders from foreign purchasers and other purchasers with any producer with required delivery dates in any one month, aggregate more than 25 per cent of his production for any size of a given type during such month, such producer shall

[1] Not filed as part of the original document.

immediately file with the War Production Board a report stating the size and type of tool, showing all such purchase orders and designating for each order the required delivery date, the name of the purchaser, or the foreign country in the case of foreign purchasers, the purpose for which the tool is to be used in the case of other purchasers and the required delivery dates. The Director General for Operations, or such other official as may be specifically authorized by him, will thereupon examine such report and issue directions as to which purchase orders shall be eliminated in order to bring the aggregate within the 25 per cent allocation, or such other directions as he may deem necessary.

(g) *Treatment of fractions.* Where the number of tools which results from the use of a percentage to be applied under this order contains a fraction of more than one-half, the fraction shall be counted as a whole tool. A fraction under one-half shall be disregarded, except that where the computation results in a fraction only (less than one whole tool) for any one month, and such fraction is less than one-half it shall be counted in computing the next month's quota. Where each of the computations of two or more different quotas for the same month shows a fraction of one-half, and there is only one remaining tool to which such fractions can apply, such tool shall be allotted to the group having the highest percentage quota, and the other fractions of one-half shall be disregarded for that month, but shall be counted in computing the other quota or quotas for the next month.

(h) *Necessity for preference ratings.* (1) Except in the case of purchase orders of foreign purchasers, no purchase order for any machine tool shall be given priority standing in production schedules, and no machine tool shall be sold or delivered, unless a preference rating of A–10 or higher has been assigned thereto by a Preference Rating Certificate PD–1A, by a Preference Rating Certificate PD–3A, by a Preference Rating Certificate in the PD–408 series, or by a Preference Rating Order No. P–19–h.

In placing the endorsement required by Priorities Regulation No. 3 on the purchase order there must also be included therein or set forth in a separate endorsement on the purchase order:

(i) The urgency standing of the purchaser, if any;

(ii) The required delivery date of the tool;

(iii) A statement as to whether the purchaser is a "Service purchaser," a "foreign purchaser," or an "other purchaser," and

(iv) In the case of Service purchasers, the Supply Arm or Bureau of the Army or Navy, or the Maritime Commission, which placed the prime contract, the number of the prime contract, and the name of the prime contractor;

(v) In the case of foreign purchasers, the foreign country for which the tool is purchased; and

(vi) In the case of other purchasers, a statement as to the product or production program for which the tool is to be used.

In addition to making the endorsement upon his purchase order as required, any person placing such an order after December 25, 1942 shall furnish to the producer a photostatic copy (or another copy accompanied by his sworn statement that it is a true copy) of the Preference Rating Certificate PD–1A, PD–3A, PD–408, or Preference Rating Order P–19–h. Reproduction of any of the foregoing preference rating certificates or orders for the foregoing purposes is hereby permitted.

(i) *Operation of Numerical Master Preference List, and preference ratings.* (1) All purchase orders of foreign purchasers are hereby assigned a rating of A–1–a for the purposes of this General Preference Order E–1–b. The Numerical Master Preference List. (Exhibit B)[1] attached to this order, herein called "the list" shall determine the sequence of deliveries as between service purchasers as hereinafter set forth, but shall have no effect upon foreign purchasers or other purchasers.

(2) Subject to the provisions of paragraph (c) of this order, as amended, the sequence of deliveries of machine tools among each group of service purchasers within its respective percentage quota shall be determined without regard to preference ratings as follows:

(i) Deliveries to service purchasers who are either on the list or are subcontractors of persons on the list shall be preferred to and shall take precedence over deliveries to service purchasers who are not on the list.

(ii) As between deliveries which have conflicting required delivery dates to be made to two or more service purchasers, both on the list, deliveries shall be made according to their respective urgency standings specified on such list. The highest urgency standing in each group is No. 1.

(iii) As between deliveries which have conflicting required delivery dates to be made to two or more service purchasers, neither of whom is on the list, the sequence of deliveries shall be determined by the respective dates on which the producer receives the photostatic or certified copy of the preference rating certificate.

The delivery for which such photostatic or certified copy was first received takes precedence except that orders received prior to December 25, 1942 shall not be rescheduled according to such rule but shall be delivered in the sequence theretofore scheduled.

(iv) A delivery to a subcontractor who is not specifically named on the list shall take the urgency standing of his prime contractor; the urgency standing of the prime contractor must be endorsed in writing on the subcontractor's preference rating certificate by an officer designated for such purpose by the supply arm or bureau concerned.

(3) The sequence of deliveries of machine tools among foreign and other purchasers within the portion of production allocated to such purchasers shall be determined as follows:

(i) As between deliveries which have conflicting required delivery dates and which bear different preference ratings, delivery shall be made according to the preference ratings of the respective purchasers.

(ii) As between deliveries which have conflicting required delivery dates and which bear the same preference rating, the sequence of deliveries shall be determined by the respective dates on which the producer received the photostatic or certified copy of the preference rating certificate. The delivery for which the preference rating certificate was first received, takes precedence except that orders received prior to December 25, 1942 shall not be rescheduled according to such rule but shall be delivered in the sequence theretofore scheduled.

(j) *Additions to list.* Additions to, withdrawals from, and other changes may be made in the Numerical Master Preference List from time to time by the Director General for Operations or such other official as may be specifically authorized by him. Where it is desired to assign an urgency standing between existing urgency standings, the new urgency standing will consist of a number including a decimal. Such an urgency standing will take a position in the sequence of deliveries as indicated by the following example: Urgency Standing 792.1 will be scheduled after 792 and before 793.

(k) *Revision of scheduled deliveries.* (1) On or before June 1, 1942, with respect to machine tools designated as Group I on Exhibit A and on or before July 1, 1942, with respect to machine tools designated as Group II on Exhibit A, each producer shall revise his schedule of deliveries for each type of tool to conform to the percentage allocations and quotas of the various classes and groups of purchasers and in accordance with the sequences determined by urgency standings and preference ratings, to the extent that he can do so without seriously delaying his production line, and without postponing the date of completion of any particular tool which was 50 per cent or more completed on May 1, 1942, beyond the earliest date when such tool can be 100 per cent completed.

(2) After the date specified in subparagraph (1) of this paragraph, the producer shall make deliveries of tools in accordance with his revised schedules.

(l) *Postponement of new purchase orders.* Unless the Director General for Operations specifically orders otherwise, and notwithstanding any other provisions of this order, no higher preference rating or urgency standing shall operate to postpone or in any way affect any delivery under a purchase order already scheduled where such delivery, in the case of all tools whether designated as Group I or Group II on Exhibit A, is to be made within sixty days of receipt of such higher preference rating or urgency standing.

(m) *Specific modifications of schedules.* Notwithstanding any other provisions of this order, the Director General for Operations, or such other official as may be specifically authorized by him, may allocate to another purchaser, or otherwise divert, any machine tool scheduled for production and delivery pursuant to this order. Except as expressly provided in this order, no one other than the Director General for Operations or his duly authorized representative, may give directions respecting sequences of deliveries. No interpretations, instructions, or directions respecting any of the provisions of this order shall be issued without the approval of the Director General for Operations or such other official as may be specifically authorized by him; and no producer shall accept or give effect to any interpretation, instruction, or direction, which is not issued in accordance with the foregoing provisions.

(n) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(o) *Applicability of Priorities Regulation No. 1.* This order, and all transactions affected thereby, are subject to the provisions of Priorities Regulation No. 1, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(p) *Reports and other communications.* All reports which may be required to be filed, and all other communications concerning this order, should be addressed to: War Production Board, Washington, D. C. Ref.: E–1–b.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

INTERPRETATION 1

The term "purchase order," as used in General Preference Order E–1–b, means a firm order for a machine tool which is accompanied either by specifications or by other description of the tool in sufficient detail to enable the producer to place the tool in his production schedules. (Issued May 15, 1942)

INTERPRETATION 4

An urgency standing should not be used in connection with a Preference Rating Certificate PD–1A. General Preference Order E–1–b defines as service purchasers those whose preference rating certificates or whose endorsed purchase orders show that the preference rating was assigned by an original Preference Rating Certificate PD–3, PD–3A, or PD–4, or by Preference Rating Order P–19–h. Hence, the holder of a PD–1A Certificate cannot be a service purchaser as he is excluded from the definition.

Urgency standings govern the sequence of deliveries of machine tools as between service purchasers of the same group within their respective percentage quotas. If a person seeking to procure a machine tool is not a service purchaser he cannot be a member of one of the service purchasers groups, and the urgency standing therefore has no effect upon the delivery of the tool to him. The tool must come out of the 25 percent quota assigned to foreign and other purchasers, and the sequence of its delivery will be determined solely by its required delivery date and its preference rating, in the absence of a specific direction of the Director General for Operations. (Issued August 10, 1942)

[F. R. Doc. 43–1296; Filed, January 26, 1943; 10:53 a. m.]

[1] Not filed as part of the original document.

PART 1001—TIN

[Supplementary Order M–43–b]

USE OF TIN IN GAS METERS

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of tin for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1001.3 *Supplementary Order M–43–b.*—(a) *Definition.* For the purpose of this order:

"Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(b) *Restriction on use of tin in certain gas meters.* After February 15, 1943, notwithstanding the provisions of any state statute or governmental regulation, no person shall use tin-bearing solder or other tin-bearing material in the adjustment, internal repair, or resealing of any tin-cased gas meter having a rated capacity of less than 300 cu. ft. per hour except:

(1) A meter which is found not to be accurate within an accuracy range of plus or minus 4% when tested by standard meter prover tests; or

(2) A meter which has not been previously repaired internally for twelve years or more.

The restrictions of this paragraph (b) shall not apply to any such gas meter which was withdrawn prior to January 26, 1943, for the purpose of testing and returning it to service.

(c) *Appeals and communications.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal. Such appeals and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Tin and Lead Division, Washington, D. C., reference: M–43–b.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–1297; Filed, January 26, 1943; 10:54 a. m.]

PART 1052—KITCHEN, HOUSEHOLD AND OTHER MISCELLANEOUS ARTICLES

[Supplementary Limitation Order L–30–d as Amended Jan. 26, 1943]

MISCELLANEOUS COOKING UTENSILS AND OTHER ARTICLES

§ 1052.5 *Supplementary Limitation Order L–30–d.*—(a) *Definitions.* For the purposes of this order:

(1) "Preferred order" means a purchase order, contract or subcontract for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(2) "Miscellaneous cooking utensil" means any utensil containing more than 7½%, by weight, of metal, which is designed primarily for use in the preparation or cooking of food, whether for household, institutional, commercial, governmental or any other purpose, including but not limited to, glass and ceramic flameware, but excluding any utensil the production of which is governed by Supplementary Limitation Orders L–30–b or L–30–c, or expressly exempted from the provisions of those orders when produced pursuant to preferred orders.

(3) "Kitchen tools" means articles containing more than 5%, by weight, of metal, commonly known as kitchen tools, including, but not limited to, can openers, jar openers, bottle openers, strainers, flour sifters, food whips, food mills, dippers, scoops, choppers, slicers, corers, mashers, shapers, beaters, graters, grinders, cutters, sieves, cake turners, basting spoons, cork screws and skewers, but excluding cutlery (which is governed by Limitation Order L–140), electrical appliances (which are governed by Limitation Order L–65), gas appliances and power-driven equipment.

(4) "Household storage articles" means articles containing more than 5%, by weight, of metal, designed for the storage of food or household supplies, including but not limited to, vegetable bins, canisters, spice sets, cake covers or safes, holders for salt, soap or cleanser cartons, step-on cans, lunch boxes, vacuum jugs and bottles, and window boxes for the storage of food, but excluding:

(i) Pails, buckets and tubs;

(ii) Containers designed for the packing, shipment or delivery of materials or products of any kind, including but not limited to, cans as defined in Conservation Orders M–81 or M–136, glass containers or closures as defined in Limitation Order L–103, and drums as defined in Limitation Order L–197; and

(iii) Articles the production of which is governed by Supplementary Limitation Orders L–30–a, L–30–b or L–30–c, or

expressly exempted from the provisions of those orders when produced pursuant to preferred orders.

(5) "Manufacturer" means any person engaged in the business of producing or assembling any miscellaneous cooking utensils, kitchen tools, household storage articles or any other products covered by this order, or any parts (including repair parts) for such utensils, kitchen tools, storage articles or products.

(6) "Put into process" means the first change by a manufacturer in the form of material from that form in which it is received by him.

(7) "Base period" means the twelve months ending June 30, 1941.

(8) "Black steel" means uncoated, polished or lacquered carbon steel. It does not include any steel which has a metal or vitreous-enameled coating.

(9) "Joining hardware" means nuts, screws, nails, bolts, clasps, rivets and other similar items of small hardware used for joining or other similar purposes.

(10) "Repair part" means any part for an article or product which is not produced for or used in a new article or product.

(b) *Prohibition on production of miscellaneous articles.* (1) No manufacturer shall process, fabricate, work on or assemble any iron, steel or other metal for use in the kitchen, household and other miscellaneous articles listed on Schedule A attached to this Order (whether manufactured for household or for any other purpose), or parts for such articles (including repair parts), except for the minimum amount of iron and steel (not to exceed 5% of the weight of the article) contained in necessary joining hardware.

(2) No manufacturer shall process, fabricate, work on or assemble any iron, steel or other metal for use in the production of clothes wringers (other than wringers which are integral parts of power-driven laundry equipment as covered by Limitation Orders L–6 and L–91) except that hand clothes wringers which weigh 18 pounds or less each and contain 50% or less of metal by weight may be produced, provided that during the period of three months beginning January 1, 1943, and during each succeeding period of three months, no manufacturer shall put into process

(i) In the production of such wringers more than three times 30% of the average monthly amount of iron and steel by weight put into process by him during the base period in the production of such wringers and parts therefor;

(ii) In the production of repair parts for such wringers more than three times 5% of the iron and steel put into process by him during the base period in the production of such wringers and parts therefor.

(c) *Restrictions on miscellaneous cooking utensils.* (1) Except as provided in paragraph (g), on and after November 23, 1942, no manufacturer shall process, fabricate, work on or assemble any iron, steel or other metal for use in the production of any miscellaneous cooking utensils containing 20% or more of metal, by weight, or parts for such utensils, except

(i) Black steel frying pans having a bottom diameter of from 8 to 12 inches, inclusive;

(ii) Black steel heavy-duty roast pans without covers, having a capacity of from 675 cubic inches to 2600 cubic inches, inclusive, and having two or three reinforcing straps and wired edges; and

(iii) Black steel or tinned utensils, including liquid and dry measures, (other than black steel frying pans or heavy-duty roast pans), or stamped bakery equipment, when such utensils or equipment are produced pursuant to preferred orders.

(2) During the period of three months beginning January 1, 1943, and during each succeeding period of three months, no manufacturer shall put into process more iron and steel, by weight, in the production of

(i) Black steel frying pans than three times 50% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of black steel frying pans;

(ii) Black steel heavy-duty roast pans than three times 35% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of black steel heavy-duty roast pans;

(iii) Miscellaneous cooking utensils containing more than 7½%, but less than 20%, of metal, by weight, and parts for such utensils (other than repair parts) than three times 100% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of such cooking utensils and parts (including repair parts); or

(iv) Repair parts for miscellaneous cooking utensils containing more than 7½%, but less than 20%, of metal, by weight, than three times 5% of the monthly average amount of iron and steel, by weight, put into process by him during the base period in the production of such cooking utensils and parts for such utensils (including repair parts).

(d) *Restrictions on kitchen tools.* (1) Except as provided in paragraph (g), on and after November 23, 1942, no manufacturer shall process, fabricate, work on or assemble any iron, steel or other metal for use in the production of any kitchen tools, except

(i) The following kitchen tools:

Basting spoons, 14 to 21 inches, inclusive, in overall length.
Cake turners, 13 to 21 inches, inclusive, in overall length.
Can openers.
Egg beaters, rotary type, 10 inches or longer, including handle.
Food choppers and grinders.
Food mills.
Wire strainers.
Wire whips, commercial type, 12 inches or longer.

(ii) The following kitchen tools in fulfillment of preferred orders only:

Butter cutters.
Dippers.
French fry cutters.
Nutmeg graters.
Skimmers.
Sugar and flour scoops.
Vegetable graters.

(iii) Any other kitchen tool in fulfillment of preferred orders for use on board ship only.

(2) Except in fulfillment of preferred orders for use on board ship, during the period of three months beginning January 1, 1943, and during each succeeding period of three months, no manufacturer shall put into process more iron and steel, by weight, in the production of

(i) Any kitchen tool listed in subparagraph (*1*) of this paragraph (d), and parts for such tool (other than repair parts) than three times 35% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of such kitchen tool and parts for such tool (including repair parts); or

(ii) Repair parts for any kitchen tool than three times 5% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of such kitchen tool or parts for such tool (including repair parts).

(e) *Restrictions on household storage articles.* (1) Except as provided in paragraph (g), on and after November 23, 1942, no manufacturer shall process, fabricate, work on or assemble any iron, steel or other metal for use in the production of any household storage articles, except vacuum bottles with a capacity of one quart or less and, pursuant to preferred orders, vacuum bottles and jugs with a capacity of more than one quart.

(2) During the period of three months beginning January 1, 1943, and during each succeeding period of three months, no manufacturer shall put into process more iron and steel, by weight, in the production of vacuum bottles with a capacity of one quart or less than three times 50% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of such vacuum bottles.

(f) *Restrictions on pails, buckets and tubs.* Except as provided in paragraph (g), on and after November 23, 1942, no manufacturer shall process, fabricate, work on or assemble any iron or steel for use in the production of any pails, buckets or tubs, except

(1) Pails or tubs designed expressly for use as packing or shipping containers;

(2) Pails or tubs which contain iron or steel only in hoops, bails, ears, handles and joining hardware, provided that the total weight of such iron and steel does not exceed 15% of the total weight of the pail or tub, and further provided that any such pail, or any such tub with a capacity of less than 15 gallons, does not have more than two hoops containing iron or steel;

(3) Dairy pails;

(4) Pails, buckets or tubs when made of black steel and produced pursuant to preferred orders; and

(5) Pails, buckets or tubs the production of which is governed by Supplementary Limitation Orders L–30–a or L–30–b, or expressly exempted from the provisions of those orders when produced pursuant to preferred orders.

(g) *Exceptions.* Notwithstanding the provisions of paragraphs (b) (2), (c) (1), (d) (1), (e) (1) and (f), a manufacturer may complete the fabrication and assembly of any article included in such paragraphs from iron or steel which, on November 17, 1942, had been cut, blanked or otherwise formed to size for such article by him or by any other person, provided that such article is completed on or before December 31, 1942, except for the application of a coating or finish or the attaching of handles, bails or ears, which may be done thereafter.

(h) *Applicability of other orders.* The provisions of this order shall supersede the provisions of Limitation Order L–30 in respect to all articles the production of which is governed by this order. In so far as any other order restricts the use of any material in the production of any articles to a greater extent than the limits imposed by this order, the restrictions of such other order shall govern unless otherwise specified therein.

(i) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(j) *Appeal.* Any appeal from the provisions of this order should be made on Form PD–500, directed to the War Production Board, Consumers' Durable Goods Division, Washington, D. C., Ref.: L–30–d.

(k) *Avoidance of excessive inventories.* No manufacturer shall accumulate for use in the manufacture of articles the production of which is governed by this order, inventories of raw materials, semi-processed materials, or finished parts in quantities in excess of the minimum amount necessary to maintain production permitted by this order.

(l) *Records.* All persons affected by this order shall keep and preserve, for not less than two years, accurate and complete records concerning inventories, production and sales.

(m) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(n) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(o) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(p) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers' Durable Goods Division, Washington, D. C. Ref: L–30–d.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

The following articles are subject to the provisions of paragraph (b) (1) of Order L–30–d, except for any such articles the production of which is governed by Supplementary Limitation Orders L–30–a or L–30–b, or expressly exempted from the provisions of those orders when produced pursuant to preferred orders:

Cake coolers.
Camp grids.
Candlesticks.
Carpet beaters.
Carpet sweepers.
Closet accessories, including, but not limited to, coat and garment hangers and hooks, tie racks and boot and shoe trees (except (a) coat hangers containing iron and steel in hooks only in fulfillment of preferred orders for use on board ship, and (b) garment bags containing iron and steel in hooks only).
Clothes pins.
Concrete garbage receptacles containing more than 5%, by weight, of metal, exclusive of the weight of separate bases or blocks.
Cup frames.
Curtain rods and fixtures and drapery attachments (except curtain rods and drapery hooks containing iron and steel in fulfillment of preferred orders for use on board ship).
Cuspidors and spittoons.
*Dish pans (except black steel dish pans in fulfillment of preferred orders).
*Dust pans, silent butlers and crumb sets.
Fire place equipment, all articles of.
Fly swatters.
*Funnels (except in fulfillment of preferred orders when constructed in accordance with Chemical Warfare Service Drawings Nos. B–18–41–2, revised January 27, 1942, E–81–5–6, dated September 11, 1941, or E–18–41–1, revised November 22, 1941, or any subsequent drawings designed for Chemical Warfare Service needs).
Picnic stoves.
Pot cover holders.
Pot chains.
*Sink accessories, including but not limited to, sink drainers, dish drainers, rinsing pans and pot scourers.
Soap dishes and soap savers.
Toilet paper holders (except when containing iron and steel in fulfillment of preferred orders for use on board ship) and other paper holders.
Tooth brush holders.
Towel bars and racks (except when containing iron and steel in fulfillment of preferred orders for use on board ship).
*Wash boards.

*The provisions of Order L–30–d do not prohibit a manufacturer from applying a coating or finish or from attaching handles, bails or ears to any of the articles marked with an asterisk which were otherwise completed on or before December 31, 1942.

[F. R. Doc. 43–1298; Filed, January 26, 1943; 10:53 a. m.]

PART 1153—FLUORESCENT LIGHTING FIXTURES

[Limitation Order L–78, as Amended Jan. 26, 1943]

Section 1153.1 *General Limitation Order L–78* is hereby amended to read as follows:

§ 1153.1 *General Limitation Order L–78*—(a) *Definitions.* For the purposes of this order:

(1) "Fluorescent lighting fixture" means any equipment employing, or used in connection with an electric light source (but excluding an incandescent light source) in which (i) visible light for illuminating purposes is produced by the passage of electric current through vaporized mercury, or (ii) visible light, for illuminating purposes is produced due to the effects of ultra-violet radiation on substances exposed to such radiation, including, but not limited to the following: (*a*) a hot cathode fluorescent lighting fixture, (*b*) a cold cathode fluorescent lighting fixture, (*c*) a rectified fluorescent lighting fixture, (*d*) a Cooper-Hewitt type fixture, (*e*) a Mercury type fixture, and (*f*) a portable fluorescent lighting fixture known as a mechanic's lamp, and any other portable fluorescent lighting fixture designed for use in conjunction with any industrial machine, tool, assembly bench or other similar factory equipment.

"Fluorescent lighting fixture" does not include any tube, bulb, or replaceable fluorescent starter, or portable lamp, commonly known as bed lamps, floor lamps, wall lamps, table lamps and desk lamps.

(2) "Industrial fluorescent lighting fixture" means a fluorescent lighting fixture which fixture is designed and constructed to illuminate an area of a factory, workshop or similar plant in which area manufacturing, assembling or other industrial functions are performed. For the purpose of this order an office or a drafting room is not an area in which manufacturing, assembling or other industrial functions are performed.

(3) "Non-industrial fluorescent lighting fixture" means any fluorescent lighting fixture other than an industrial fluorescent lighting fixture.

(4) "Maintenance" means the minimum upkeep necessary to the continued and safe operation of any fluorescent lighting fixture.

(5) "Repair" means the restoration of any fluorescent lighting fixture to a sound working condition after wear and tear, damage, destruction or failure of any part has made it unfit or unsafe for service.

(6) "Put in process" means the act by which a person first changes the form of material from that form in which it was received by him.

(7) "Reflector" means that part of a fluorescent lighting fixture which redirects the light emitted from the tube, bulb, tubes or bulbs in such fixture in a desired direction. Reflector does not include a wiring channel, wireway, raceway, or any locknuts, screws, bolts, washers or other devices for the purpose of connecting a reflector to such channel, wireway or raceway.

(8) "Top-housing" means a wiring channel, wireway or raceway specifically designed and constructed to support or hold any of the following component parts of a fluorescent lighting fixture, the ballast, the transformer, sockets, or reflector.

(b) *Restrictions*—(1) *Manufacture.* Notwithstanding any contract or agreement to the contrary, no person shall manufacture or assemble any fluorescent lighting fixture or any component part of any fluorescent lighting fixture, except:

(i) A fluorescent lighting fixture, other than a rectified fluorescent lighting fixture, or any component part of any fluorescent lighting fixture manufactured or assembled from:

(a) Materials which were acquired by him pursuant to orders or contracts bearing a preference rating of A–1–j or better, or bearing any preference rating assigned under the Production Requirements Plan, provided that copper, copper base alloy or copper products shall be used in accordance with the limitations established by General Conservation Order M–9–c; and provided further, however, that a non-industrial fluorescent lighting fixture may only be manufactured or assembled from such materials upon written authorization from the Director General for Operations; or

(b) Materials which have been put in process to manufacture fluorescent lighting fixtures and which materials were in his possession on April 20, 1942, pursuant to orders placed by him on or before April 2, 1942, provided that copper, copper base alloy or copper products shall be used in accordance with the limitations established by General Conservation Order M–9–c.

(c) Component parts of a fluorescent lighting fixture acquired by him from a person having possession of such component parts on April 20, 1942, pursuant to an order placed by such person having such physical possession on or before April 2, 1942.

(ii) Any component part of a rectified fluorescent lighting fixture, provided that such part is used for purposes of maintenance and repair and that copper, copper base alloy or copper products used in the manufacture or assembly of such component part shall be in accordance with the limitations established by General Conservation Order M–9–c.

(2) *Manufacture of reflectors for industrial fluorescent lighting fixtures.* No person shall manufacture or assemble for an industrial fluorescent lighting fixture a reflector containing any metal except:

(i) For use with a fluorescent lighting fixture of the type set forth in paragraph (a) (1) (ii) (*f*), or

(ii) For use with a fluorescent lighting fixture designed and constructed for the operation of a 400 watt or a 3,000 watt mercury vapor tube, bulb, tubes or bulbs, or

(iii) For use with a fluorescent lighting fixture employing a hot or cold cathode tube, bulb, tubes or bulbs, provided such fixture is specifically designed and constructed for use in hazardous locations as defined in paragraphs 5005 and 5006 of Article 500 of the National Electrical Code, 1940 Edition; or

(iv) To fill a specific purchase order or contract of the Navy of the United States for such reflector to be used on board a ship.

(3) On and after the 9th day of February 1943, no person, without specific authorization of the Director General for Operations, shall put in process any metal to close the end of a reflector or to be used in a shield, louver or baffle of a fluorescent lighting fixture except in the minimum amount required to join, attach or fasten such end, shield, louver or baffle to such fixture. The provisions of this paragraph shall not apply or control the manufacture or assembly of a fluorescent lighting fixture employing a hot or cold cathode tube, bulb, tubes or bulbs, provided such fixture is specifically designed and constructed for use in hazardous locations as defined in paragraphs 5005 and 5006 of Article 500 of the National Electrical Code, 1940 Edition, or the manufacture or assembly of a fluorescent lighting fixture designed and constructed for the operation of a 400 watt or a 3000 watt mercury vapor tube, bulb, tubes or bulbs.

(4) On and after the 4th day of May 1943, no person shall put in process any ferrous metal for the manufacture of a fluorescent lighting fixture employing a hot cathode tube, bulb, tubes or bulbs, which fixture, exclusive of ballast, hanging or suspension devices, contains:

(i) More than three (3) pounds of ferrous metal and which fixture is designed and constructed for two or three 40 watt hot cathode tubes or bulbs; or

(ii) More than four (4) pounds of ferrous metal and which fixture is designed and constructed for two 100 watt hot cathode tubes or bulbs; or

(iii) More than three and one-half ($3\frac{1}{2}$) pounds of ferrous metal for each four linear feet of fluorescent lighting fixture (including top-housing) designed and constructed for two or three continuous parallel rows of 40 watt hot cathode tubes or bulbs; or

(iv) More than four and one-half ($4\frac{1}{2}$) pounds of ferrous metal for each five linear feet of fluorescent lighting fixture (including top-housing) designed and constructed for two parallel continuous rows of 100 watt hot cathode tubes or bulbs.

(5) *Sale and delivery.* Notwithstanding any contract or agreement to the contrary, no person shall sell or deliver any new fluorescent lighting fixture (that is any fluorescent lighting fixture which has never been used by an ultimate consumer) or any new component part of any fluorescent lighting fixture, except that:

(i) A person who regularly in the course of his business sells fluorescent lighting fixtures or component parts of fluorescent lighting fixtures, may sell and deliver:

(*a*) Any such fixture or component part to a manufacturer or assembler of fluorescent lighting fixtures, or to any other person who regularly in the course of his business sells fluorescent lighting fixtures or component parts thereof, but only for resale of such fixture, component part or component parts assembled by such other person into a fluorescent lighting fixture; or

(*b*) Any such fixture to any of the following governmental departments or agencies or to any person buying for the account of such departments or agencies: Maritime Commission, Navy Department, War Department, Metals Reserve Company, War Shipping Administration or any corporation organized under Section 5 (d) of the Reconstruction Finance Corporation Act as amended;

(ii) And any person may:

(*a*) Sell and deliver, pursuant to an order or contract bearing a preference rating of B–2 or better, a fluorescent lighting fixture, providing such fixture was manufactured on or before June 1, 1942, or was manufactured or assembled in accordance with the provisions of paragraph (b) (1) (i) (*b*) and/or (*c*) of this order.

(*b*) Sell and deliver a fluorescent lighting fixture manufactured or assembled subsequent to June 1, 1942, pursuant to an order or contract bearing a preference rating of A–1–j or better;

(*c*) Sell and deliver any component part of any fluorescent lighting fixture, pursuant to an order or contract bearing a preference rating of A–1–j or better, or bearing any preference rating assigned under the Production Requirements Plan

(*d*) Sell and deliver a hot cathode fluorescent lighting fixture designed and constructed for the operation of a tube, bulb, tubes or bulbs, no individual tube or bulb to have a rated wattage in excess of 30 watts, which fixture is manufactured or assembled in accordance with the provisions of paragraph (b) (1) (i) (*b*) and/or (*c*) of this order.

(*e*) Sell and deliver a cold cathode fluorescent lighting fixture which fixture is manufactured or assembled in accordance with the provisions of paragraph (b) (1) (i) (*b*) and/or (b) (1) (i) (*c*) of this order.

(*f*) Sell and deliver any component part of any fluorescent lighting fixture: *Provided*, That such person is engaged in the business of the manufacture and assembly of fluorescent lighting fixtures, and that the person purchasing or receiving such fixture is also engaged in the same business, and any such sale and delivery shall be deemed to be permitted under the provisions of Priorities Regulation No. 13;

(*g*) Sell and deliver any component part of any fluorescent lighting fixture which is sold or delivered for the purposes of maintenance or repair;

(*h*) Deliver a fluorescent lighting fixture or any component part of any fluorescent lighting fixture to be used solely for purposes of demonstration, test or storage of such fluorescent lighting fixture or component part thereof; and a person having title to a fluorescent lighting fixture or component part thereof may deliver such fluorescent lighting fixture or component part thereof from one branch, division or section of a single enterprise to another branch, division, or section of such enterprise.

(*j*) Sell and deliver upon authorization of the Director General for Operations, fluorescent lighting fixtures reported by such person on Form PD–499 to be in his inventory as of June 2, 1942 (said form having been received by the War Production Board on or before August 1, 1942): *Provided*, That on such form the type of operation of such person was declared to be that of retailer: *And provided further*, That he shall make application to the War Production Board on Form PD–556 for permission to make such sale and delivery.

(c) *Avoidance of excessive inventories.* No person shall accumulate an inventory of any material (whether raw, semi-processed or processed) for manufacture into any fluorescent lighting fixture in excess of the minimum amount of such material necessary to maintain production of fluorescent lighting fixtures to the extent permitted by this order.

(d) *Records.* All persons affected by this order shall keep and preserve for not less than two (2) years accurate and complete records concerning inventories, production and sales.

(e) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(f) *Reports.* Each person to whom this order applies shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may apply for relief by addressing a letter to the War Production Board.

(i) *Applicability of priorities regulations.* This order as amended and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board as amended from time to time.

(j) *Applicability of other orders.* Insofar as any other order issued by the Director General for Operations, or to be issued by him hereafter, limits the use of any material to a greater extent than the limits imposed by this order, the restrictions of such other order shall govern, unless otherwise specified therein.

(k) *Routing of correspondence.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Building Materials Branch, Washington, D. C., Ref: L–78.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of January, 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–1299; Filed, January 26, 1943; 10:53 a. m.]

PART 3046—LOW PRESSURE CAST IRON BOILERS

[Limitation Order L–187 as Amended Jan. 26, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of metals for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3046.1 *General Limitation Order L–187*—(a) *Definitions.* For the purposes of this order:

(1) "Low pressure cast iron boiler" means any boiler designed for the purpose of heating water so as to provide heat for the interior of a building by means of circulating steam or hot water, which boiler:

(i) Operates at a maximum working pressure not exceeding fifteen pounds per square inch of steam pressure or thirty pounds per square inch of water pressure, and

(ii) Is composed preponderantly of cast iron.

(2) "Parts" includes all materials used as repair parts for low pressure cast iron boilers.

(3) "Military low pressure cast iron boiler" means any low pressure cast iron boiler which is manufactured for delivery to or for the account of the Army, Navy, War Shipping Administration or the Maritime Commission of the United States or the Defense Plant Corporation.

(4) "War housing low pressure cast iron boiler" means any low pressure cast iron boiler which is manufactured on a specific contract or order for use in a building rated under Preference Rating Order P–55, P–110, or any order in the P–19 series.

(b) *Restrictions.* (1) No person shall manufacture, fabricate or assemble any low pressure cast iron boiler, and no person shall manufacture or fabricate any component parts of such boilers, except that:

(i) The manufacture, fabrication or assembly of military or war housing low pressure cast iron boilers built to use solid fuel, or of low pressure cast iron boilers built to use solid fuel for use in a hospital constructed, to be constructed or under construction, may be specifically authorized by the Director General for Operations on Form PD–704; and

(ii) During each of the first two calendar quarters of 1943, any manufacturer of low pressure cast iron boilers may manufacture or fabricate such component parts as he can manufacture or fabricate by using an aggregate weight of iron and steel not in excess of $4\frac{1}{2}\%$ of the total weight of iron and steel which he put into process in the manufacture or fabrication of such component parts during the calendar year 1940; and

(iii) Any manufacturer of low pressure cast iron boilers may, in addition, manufacture or fabricate such component parts as may be necessary to replace in his inventory component parts manufactured pursuant to (ii) above which were used to manufacture low pressure cast iron boilers pursuant to (i) above; and

(iv) Any manufacturer of low pressure cast iron boilers who shall not have used the weight of iron and steel permitted under (ii) and (iii) above, or any portion thereof, during the first calendar quarter, may use that weight or such unused portion during the second calendar quarter of 1943; and

(v) Any person may assemble such boilers shipped or to be shipped in accordance with paragraphs (2) (ii) and (iii) below.

(2) No manufacturer of low pressure cast iron boilers may ship any low pressure cast iron boilers built to use solid fuel, whether assembled or in sets of component parts, except that:

(i) Any such manufacturer may ship any such boilers authorized under paragraph (b) (1) (i); and

(ii) Any such manufacturer may ship in each of the first two calendar quarters of 1943 a number of such boilers the total weight of iron and steel of which will not exceed $2\frac{1}{2}\%$ of the weight of iron and steel which he put into process in the manufacture, fabrication or assembly of component parts of low pressure cast iron boilers during the calendar year 1940; and

(iii) Any such manufacturer who shall not have shipped in any calendar quarter boilers permitted under (ii) above may ship those boilers or any unshipped number thereof during any succeeding calendar quarter of 1943.

(c) *Manufacture of conversion parts.* Nothing in this order shall restrict the use of iron and steel in the manufacture of parts designed for converting low pressure cast iron boilers to solid fuel burning from oil or gas burning.

(d) *Avoidance of excessive inventories.* No person shall accumulate, for use in the manufacture of low pressure cast iron boilers, inventories of any materials (whether raw, semi-processed or processed) in the excess of the minimum amounts necessary to maintain production at the rates permitted by this order.

(e) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(f) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(g) *Reports.* All persons affected by this order shall execute and file with the War Production Board on or before the tenth day of each calendar month a report on Form PD-639, and shall keep a copy of such monthly report in their own files for a period not less than two years.

(h) *Violations and false statements.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(i) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in the community, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may apply for relief by addressing a letter to the War Production Board, setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(j) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(k) *Applicability of other orders.* Insofar as any other order issued by the Director General for Operations, or to be issued by him hereafter, limits the use of any material to a greater extent than the limitations imposed by this order, the restriction of such other order shall govern unless otherwise specified therein.

(l) *Communications.* All reports, to be filed, appeals and other communications concerning this order, shall be addressed to the War Production Board, Plumbing and Heating Division, Washington, D. C., Ref: L-187.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1300; Filed, January 26, 1943; 10:53 a. m.]

PART 3072—PLUMBING & HEATING TANKS

[Interpretation 1 of General Limitation Order L-199]

The following official interpretation is hereby issued by the Director General for Operations with respect to § 3072.1 *General Limitation Order L-199:*

Paragraph (b) (6) of General Limitation Order L-199 Plumbing and Heating Tanks reads as follows:

"(6) No person shall install any copper, copper base alloy, nonferrous metal, stainless steel, or monel metal tank unless such tank is for use as part of the equipment of any aircraft or vessel other than a pleasure craft."

This provision does not limit the installation of underfired storage water heaters containing tanks made of the metals specified, if the heaters were assembled prior to December 19, 1942. The manufacture of such underfired storage water heaters is covered by General Limitation Order L-185, and the latter order does not prohibit the installation of heaters already assembled on December 19, 1942.

Accordingly, distributors who have inventories of these heaters in which the tanks were installed prior to December 19, 1942, may dispose of them, and they may be installed, without regard to the provisions of General Limitation Order L-199.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1301; Filed, January 26, 1943; 10:54 a. m.]

PART 3139—ASPHALT AND TARRED ROOFING PRODUCTS AND ASPHALT SHINGLES

[General Limitation Order L-228 as Amended Jan. 26, 1943]

The fulfillment of requirements for the defense of the United States has created a situation which will result in a shortage in the supply of materials and facilities used in the manufacture of asphalt and tarred roofing products and asphalt shingles for defense, for private account and for export, unless raw material, transportation facilities and manpower are conserved through the simplification and reductions of types of these products and shingles; and for those purposes the following order is deemed necessary and appropriate in the public interest and to promote the national war effort.

§ 3139.1 *General Limitation Order L-228*—(a) *Definitions.* For the purposes of this order:

(1) "Asphalt and tarred roofing products" means dry felt made of organic fiber impregnated with bitumen, designed and constructed to be applied to the exterior surface of a building or structure for the purpose of weatherproofing such surface. Asphalt and tarred roofing products may be coated with a more viscous bitumen than that used in impregnating the dry felt and may be surfaced with granular material such as, but not limited to, crushed rock, slate or quartz.

(2) "Asphalt shingles" means dry felt manufactured from organic fiber, impregnated with asphalt, coated with a more viscous asphalt than that used in the impregnation of such felt, and may be surfaced with granular material such as, but not limited to, crushed rock, slate, or quartz, which dry felt so treated is designed and shaped for application in the form of shingles to the exterior surface of a building or structure for the purpose of weatherproofing such surface.

(b) *General restrictions.* On and after the first day of January 1943 no person shall manufacture, fabricate, or process any asphalt and tarred roofing products or asphalt shingles except such as conform to the schedule of types, sizes and forms listed on Exhibit "A" hereto attached or as are specifically permitted by the terms of said Exhibit "A".

(c) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(d) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection, by duly authorized representatives of the War Production Board.

(e) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board as amended from time to time.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of appeal.

(h) *Communications.* Reports to be filed and all other communications concerning this order shall be addressed to War Production Board, Building Materials Division, Washington, D. C., Ref. L-228.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

EXHIBIT A—TYPES, SIZES AND FORMS OF ASPHALT & TARRED ROOFING PRODUCTS AND ASPHALT SHINGLES

	Finished weight (pounds)[1]	Area per roofing sq. (sq. ft.)[2]	Dry felt weight (number)[3]
Smooth finish roll-roofing:			
Type 1—Grade A	65	108	58
Type 2—Grade A	55	108	48
Type 3—Grade B	45	108	34
Type 4—Grade C	35	108	24
Mineral surfaced roll-roofing:[4]			
Type 1—[Note 6]	90	108	48
Type 2—19" double coverage selv. edge	55	108	48
Type 3—Edge style—one pattern	105	128	48
Asphalt sidings:[4]			
Type 1—Roll form	105	111	48
Type 2—Shingle form	*250	*240	48
Built-up roofing products:			
Type 1—Asphalt saturated felt	15	108	25
Type 2—Asphalt saturated felt	30	108	48
Type 3—Tar saturated felt	15	108	*N.L.
Type 4—Tar saturated felt	30	108	*N.L.
Type 5—Saturated and coated felt (for cold application)	*55	108	*N.L.
Type 6—Base sheet[5]	(b)	(b)	*N.L.
Type 7—Cap-sheet[5]	68	216	24
Asphalt shingles:[4]			
Type 1—Square-butt strip (12" wide)	*280	*240	48
Type 2—"Standard" Hexagonal strip[7]	*170	*280	48
Type 3—"Heavy weight" individual reroofer	*165	*175	48
Type 4—"Standard weight" individual reroofer	*140	*160	48

* Maximum.
[b] Optional.
[c] Dry felt weight not limited on this item.
[1] Represents approximate shipping weight, except where "Max." weight is stipulated, in which cases the figure designates the maximum weight permissible. The "Finished weight" includes packaging materials, and fixtures in the case of "Smooth finish roll-roofings" (all four types) and "Mineral surfaced roll-roofing" (Type 1 only.)
[2] Represents approximate area furnished in conformity with the given "Finished weight," except where "Max." area is stipulated, in which cases the figure designates the maximum area permissible.
[3] Represents the minimum weight in pounds per 480 sq. ft. of moisture-free felt
[4] Only one type and grade permissible; exterior finish optional.
[5] Nature, color and finish of "Mineral surfaced roll-roofings", "Asphalt sidings" and "Asphalt shingles" to be optional.
[6] May be made in any or all of the following varitions: (a) no selvage edge, (b) with 2" selvage edge; (c) with 4" selvage edge with sufficient area to cover 100 sq. ft.
[7] Coated on both sides and surfaced on one side with talc or other dusting finish.
[8] Manufacture of accessories for completing application, such as hip and ridge shingles, starter, valley or ridge strips, and corner pieces and soldier course for sidings, is permitted.
[9] Hexagonal strip shingle may be manufactured at each plant with either two or three tabs (but not both).

[F. R. Doc. 43-1302; Filed, January 26, 1943; 10:54 a. m.]

PART 3188—URANIUM

[Conservation Order M-285]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of uranium for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3188.1 *Conservation Order M-285*—(a) *Definitions.* For the purpose of this order:

"Uranium and uranium compounds" means uranium metal, uranium salts and other chemical compounds, and any alloy or mixture containing 1/10 of 1 per cent or more uranium by weight, including crude ores and residues and matte.

(b) *Restrictions on sale and delivery.* On and after January 26, 1943 no person shall sell or deliver (including deliveries under toll agreement) uranium or uranium compounds for use in the manufacture or decoration of glass, glassware, pottery, tile, or other ceramic product.

(c) *Restrictions on purchase and receipt.* On and after January 26, 1943, no person shall purchase or receive (including receipts under toll agreements) uranium or uranium compounds for use in the manufacture or decoration of glass, glassware, pottery, tile, or other ceramic product.

(d) *Miscellaneous provisions*—(1) *Reports.* Every person affected by this order shall file with the War Production Board such reports and questionnaires as the War Production Board shall from time to time prescribe.

(2) *Appeal.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(3) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(4) *Routing of communications.* All reports to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Miscellaneous Minerals Division, Washington, D. C., Ref: M-285.

(5) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1303; Filed, January 26, 1943; 10:54 a. m.]

PART 3191—AIRCRAFT

[General Limitation Order L-262]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account, and for export, of aircraft; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3191.1 *General Limitation Order L-262*—(a) *Restrictions on transfer of link trainers and certain aircraft.* No single-engined aircraft of five hundred horsepower or less, nor any "link trainer", nor any interest therein, shall be sold, leased, traded, rented, given or delivered by any individual, partnership, association, business trust, corporation or any organized group of persons (whether incorporated or not), exclusive, however, of the Army or Navy of the United States, any United States Governmental agency, any air carrier holding a certificate of necessity from the Civil Aeronautics Board, or any manufacturer of aircraft, except pursuant to specific authorization of the Director General for Operations.

(b) *Applicability of priorities regulations.* This order, and all transactions affected thereby, are subject to the provisions of priorities regulations of the War Production Board, as amended from time to time.

(c) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as the War Production Board shall from time to time prescribe.

(d) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priorities control and may be deprived of priorities assistance.

(e) *Communications.* All reports to be filed and other communications concerning this order should be addressed to War Production Board, Aircraft Production Board, Washington, D. C., Ref.: L-262.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of January, 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1304; Filed, January 26, 1943; 10:54 a. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL

[RPS 88,[1] Amendment 62]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1340.159 (c) (6) subdivisions (iv), (v) and (vi) are revoked and a new subdivision (x) is added as set forth below:

§ 1340.159 *Appendix A: Maximum prices for petroleum and petroleum products.* • • •

(c) *Specific prices.* • • •

(6) *Residual fuel oils.* • • •

(x) The maximum prices of residual fuel oils and blends thereof with distillate fuel oils of the A. P. I. gravity ranges hereafter set forth for sales in bulk lots f. o. b. refineries in the areas hereafter enumerated, exclusive of taxes, shall be as follows:

[Dollars per 42-gallon barrel]

A. P. I. gravity range	Area A [1]	Area B [2]	Area C [3]
9.9 and below	0.85	0.80	0.71
10.0–12.9	.90	.85	.85
13.0–16.9	1.02	.97	.97
17.0–20.9	1.14	1.09	1.09
21.0–24.9	1.26	1.21	1.21
25.0 and above	1.32	1.27	1.27

[1] Area A comprises Kansas, excluding, however, refineries located within a radius of 25 miles of Kansas City, Mo.

[2] Area B comprises Oklahoma, Arkansas, Louisiana (excluding, however, Gulf Coast ports and Mississippi River ports up to and including Baton Rouge), Texas (excluding, however, Gulf Coast ports and Panhandle which is defined hereby as the portion of Texas north of the southern boundaries of the counties of Parmer, Castro, Swisher, Briscoe, Hall, and Childress).

[3] Area C comprises New Mexico and Texas Panhandle which is defined hereby as the portion of Texas north of the southern boundaries of the counties of Parmer, Castro, Swisher, Briscoe, Hall and Childress).

§ 1340.158a *Effective dates of amendments.* • • •

(jjj) Amendment No. 62 (§ 1340.159 (c) (6) (x)) to Revised Price Schedule No. 83 shall become effective January 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1283; Filed, January 25, 1943; 4:53 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1107, 1371, 1798, 1799, 1886, 2132, 2304, 2352, 2634, 2945, 3463, 3482, 3524, 3576, 3895, 3963, 4483, 4853, 4854, 4857, 5481, 5867, 5868, 5988, 5983, 6057, 6067, 6471, 6680, 7242, 7838, 8433, 8478, 9120, 9134, 9335, 9425, 9460, 9620, 10684, 11069, 11112, 11075; 8 F.R. 157, 232, 233, 857.

PART 1340—FUEL

[Rev. MPR 122,[1] Amendment 1]

SOLID FUELS SOLD AND DELIVERED BY DEALERS

A statement of the considerations involved in the issuance of this amendment, filed with the Division of the Federal Register,* has been issued simultaneously herewith.

Section 1340.260 is amended to read as set forth below:

§ 1340.260 *Provision for specific ceiling prices.* The Office of Price Administration, or any regional office thereof, may by order establish specific maximum prices in line with those established by this regulation for sales of solid fuels by a dealer or group of dealers in any area or locality.

However, in particular cases, the specific maximum prices established under this section may be such as to restore the December 1941 margins over delivered cost generally prevailing in the area or locality.

This amendment shall become effective January 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1284; Filed, January 25, 1943; 4:53 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 237,[1] Amendment 8]

ADJUSTED AND FIXED MARK-UP REGULATION FOR SALES OF CERTAIN FOOD PRODUCTS AT WHOLESALE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

The table in Appendix A, § 1351.518 is amended so that the date opposite the food products, "Vegetables, canned" under the column entitled "Last date for determining new maximum prices under this regulation" shall read "February 10, 1943," instead of "December 31, 1942," as it now reads.

The table in Appendix A, § 1351.518 is amended so that the date opposite the food product "Vegetables, canned" under the column entitled "Last date for filing new maximum prices with appropriate OPA District or State Offices" shall read "February 20, 1943", instead of "January 10, 1943," as it now reads.

The table in Appendix B, § 1351.519 is amended so that the dates opposite the food products "Fruit, dried", "Lard" and "Dry edible beans" under the column entitled "Last date for determining new maximum prices under this regulation" shall read "February 10, 1943" instead of "December 31, 1942", as it now reads for "Fruit, dried", and "Dry edible beans" and instead of "November 30, 1942" as it now reads for "Lard", and shall read "March 10, 1943" instead of "February 10, 1943" as it now reads for "Flour and flour mixes".

The table in Appendix B, § 1351.519 is amended so that the "Last date for filing new maximum prices with appropriate OPA District or State Offices", shall read "February 20, 1943" instead of "January 10, 1943," as it now reads for "Fruit, dried" and "Dry edible beans", and instead of "December 10, 1942" as it now reads for "Lard", and shall read "March 20, 1943" instead of "February 20, 1943" as it now reads for "Flour and flour mixes".

§ 1351.517a *Effective dates of amendments.* • • •

(h) Amendment No. 8 (§§ 1351.518 and 1351.519) to Maximum Price Regulation No. 237 shall become effective on January 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1286; Filed, January 25, 1943; 4:53 p. m.]

PART 1351—FOODS AND FOOD PRODUCTS

[RPS 53,[1] Amendment 22]

FATS AND OILS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1351.151 (b) (10) (iii) is revoked and subdivision (iv) of § 1351.151 (b) (10) is redesignated subdivision (iii) thereof; and a new subparagraph (15) is added to paragraph (b) of § 1351.151: all to read as set forth below:

§ 1351.151 *Maximum prices for fats and oils.* • • •

(b) • • •

(15) The maximum prices established by this Revised Price Schedule No. 53 for tallows and greases are modified so that on and after January 30, 1943, the maximum prices thereof shall be as follows:

Tallows and greases. F. o. b. producer's plant, in tankcars or tank trucks, or in returnable or non-returnable drums, barrels, or tierces, carlots.

[1] 7 F.R. 1309, 1836, 2132, 3430, 3821, 4229, 4294, 4484, 5605, 7665, 7666, 7977, 8204, 8653, 8702, 8948, 9130, 9189, 9393, 9486, 9958, 10471, 10530, 11069.

[1] 8 F.R. 440.

[2] 7 F.R. 8205, 8427, 8808, 9183, 9973, 10013, 10715; 8 F.R. 373, 569.

	Titre minimum	F. F. A. maximum	M. I. U. basis (percent)	F. A. C. maximum untreated & unbleached	Cents per pound
TALLOWS					
Edible	41.5	1	1	5	9⅞
Fancy	41.5	4	1	7	8⅞
Choice	41	5	1	9	8¾
Prime, renderers prime, prime packers, or extra	40.5	6	1	13 or 11B	8⅝
Special	40.5	10	1	19 or 11C	8½
No. 1	40.5	15	2	33	8⅜
No. 3	40.5	20	2	37	8¼
No. 2	40	35	2	No color	8⅛
Naphtha extracted bone	40	50	3	No color	7⅞
GREASES					
Choice white	37	4	1	13 or 11B	8⅞
A. white	37	8	1	15	8¾
B. white	36	10	2	19 or 11C	8½
Yellow	36	15	2	37	8⅛
House	37.5	20	2	39	8¼
Brown	38	50	2	No color	7¾
Fleshing and/or Glue grease No. 1	36	15	1	15	8¼
Fleshing and/or Glue grease No. 2	36	40	2	21	8
No. 1 pig skin & Pigsfoot	34	2	1	9	9⅛
Garbage grease	34	60	3	No color	7

(i) Materials of less than 40 titre shall be deemed greases and shall be priced only on the basis of the maximum prices set forth above for greases; and materials of more than 39.9 titre shall be deemed tallows and shall be priced only on the basis of the maximum prices set forth above for tallows.

(ii) Each type or grade of tallow or grease must be designated by the name customarily applied to it by the trade prior to August 1, 1942, and must be priced on the basis of the specifications prescribed in this subparagraph (15) for such type or grade.

(iii) The usual or normal differentials for grades, or grades with specifications other than those listed above, shall continue to apply. Bleaching qualities of any material, however, do not constitute any better grade, and do not justify any premium.

(iv) When shipped in less than carload lots, the usual or normal premium shall continue to apply.

(v) The maximum prices of imported tallows and greases, with duties and taxes paid, f. o. b. port of entry, shall be the maximum prices set forth above for the nearest domestic grade at the producer's plant.

§ 1351.159 *Effective dates of amendments.* • • •

(w) Amendment No. 22 (§§ 1351.151 (b)(10)(iii) and 1351.151 (b)(15)) to Revised Price Schedule No. 53 shall become effective January 30, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1285; Filed, January 25, 1943; 4:52 p. m.]

No. 18——4

PART 1499—COMMODITIES AND SERVICES

[Amendment 4 to Supp. Reg. 15[1] to GMPR [2]]

SERVICES OF CARRIER OTHER THAN COMMON CARRIER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

The text of subparagraph (3) and subdivisions (3) (i) and (3) (ii) of § 1499.75 (a) are amended and a new paragraph (c) is added to § 1499.75 to read as set forth below:

§ 1499.75 *Adjustment of maximum prices.* (a) • • •

(3) *Services of carrier other than common carrier and storage and terminal services.* Any person supplying service as a carrier, or any person supplying storage or terminal service, may apply for adjustment of the maximum price established for him under the General Maximum Price Regulation. Such application shall show: (i) that such maximum price subjects him to substantial hardship; and (ii) that the adjustment requested is necessary to permit the continuance of an essential service for which there is no adequate substitute available at a price equal to or lower than the maximum price requested.

Applications for adjustment shall be filed with the regional office of the Office of Price Administration in the region in which the service or services involved in the application are performed except that where an applicant supplies service in more than one region, or supplies service in interstate commerce as a carrier other than a common carrier, an application shall be filed with the Office of Price Administration, Washington, D. C.

A list of the regional offices with an enumeration of the states included in each region is set forth in Appendix A, (c), to this regulation.

Applications for adjustment under this subparagraph (3) shall contain the following information: • • •

(b) *Effective dates.* • • •

(5) Amendment 4 (§ 1499.75) to Supplementary Regulation No. 15 shall become effective January 30, 1943.

(c) *Appendix A: Regional Offices:*

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8959, 9819, 10584, 11006.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5484, 5565, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371.

	States covered
Region I: Boston Regional Office, 17 Court Street.	Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut.
Region II: New York Regional Office, 350 Fifth Avenue.	New York, New Jersey, Pennsylvania, Delaware, Maryland, District of Columbia.
Region III: Cleveland Regional Office, 363 Union Commerce Building.	Ohio, Michigan, Indiana, Kentucky, West Virginia.
Region IV: Atlanta Regional Office, Candler Building, Peachtree Street.	Georgia, Alabama, Mississippi, Florida, Tennessee, North Carolina, South Carolina, Virginia.
Region V: Dallas Regional Office, Fidelity Union Building.	Texas, Oklahoma, Louisiana, Missouri, Arkansas, Kansas.
Region VI: Chicago Regional Office, 2301 Civic Opera Bldg., 20 North Wacker Drive.	Illinois, Wisconsin, Iowa, Minnesota, North Dakota, South Dakota, Nebraska.
Region VII: Denver Regional Office, 334 U. S. National Bank Building.	Colorado, New Mexico, Utah, Idaho, Montana, Wyoming.
Region VIII: San Francisco Regional Office, 1335 Market Street.	California, Nevada, Arizona, Oregon, Washington.
	Territories covered
Region IX: Territorial Office; Office of Price Administration, Washington, D. C.	Alaska, Puerto Rico, Virgin Islands, Canal Zone, Hawaii.

(Pub. Laws 421 and 729, 77th Cong.; E. O. 9250, 7 F.R. 7871)

Issued this 25th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1287; Filed, January 25, 1943; 4:52 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 243 Under § 1499.3 (b) of GMPR]

ABRASIVE PRODUCTS COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is hereby ordered:*

§ 1499.1479 *Approval of maximum prices for reclaimed white aluminum oxide abrasive grain.* (a) The Abrasive Products Company of Lansdowne, Pennsylvania may sell and deliver and agree, offer, solicit and attempt to sell and deliver reclaimed white aluminum oxide abrasive grain at a price not higher than 8¢ per pound f. o. b. Pembroke, Pennsylvania or Philadelphia, Pennsylvania.

(b) This Order No. 243 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 243 (§ 1499.1479) shall become effective January 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1288; Filed, January 25, 1943; 4:53 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 244 Under § 1499.3 (b) of GMPR]

QUAKER MAID CO., INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1480 *Authorization of maximum price for sale of a special blend of tea by The Quaker Maid Company, Inc., to the United States War Department.* (a) On and after January 26, 1943 the maximum price for sale of a Special Blend of India, Travencore and Java Black Tea packed in half pound cartons, 72 to a shipping case by The Quaker Maid Company, Inc., of New York, New York to the United States War Department shall be 64.12 cents per pound f. o. b. seller's factory.

(b) This Order No. 244 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 244 (§ 1499.1480) shall become effective January 26, 1943.

(Public Laws 421 and 729, 77th Congress E.O. 9250, F.R. 7871)

Issued this 25th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1289; Filed, January 25, 1943; 4:53 p. m.]

PART 1306—IRON AND STEEL

[MPR 159, Amendment 2]

FABRICATED CONCRETE REINFORCING BARS

Correction

In § 1300.374 (b) (7) (i) appearing on page 971 of the issue for Thursday, January 21, 1943, the third entry in the table should read "20 tons to 199.99 tons, .30, 800."

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5B, Amendment 13]

GASOLINE RATIONING REGULATIONS FOR PUERTO RICO

Correction

The second sentence of § 1394.2403 (b) (2) appearing on page 976 of the issue for Thursday, January 21, 1943, should read: "Each page shall consist of eight (8) coupons."

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5C,[1] Amendment 15]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In paragraph (b) of § 1394.8011 and in paragraphs (a) and (b) of §1394.8105, the words "and (e)" are inserted after the numeral "8161 (d)"; paragraph (d) of § 1394.8161 is amended; a new paragraph (e) is added to § 1394.8161, and a new paragraph (o) is added to § 1394.-8352, as set forth below:

Prohibited Acts

§ 1394.8161 *General restrictions on use.* • • •

(d) No person to whom a Basic ration has been issued may use or permit the use of such ration for any driving in the gasoline shortage area other than: (1) family or personal necessity driving for which no adequate alternative means of transportation are available, or, (2) occupational driving, or, (3) driving by naval or military personnel on leave or furlough, evidenced by duly issued leave or furlough authorization, for the purpose of visiting relatives or making social calls. Family or personal necessity driving shall be deemed to include (but shall not be limited to): driving for the purpose of essential shopping, procuring medical attention, attending religious services, attending funerals; or for the purpose of attending meetings of groups or organizations directly concerned with the occupation or profession of the person using the vehicle, if such attendance is essential to or a part of the occupation or profession of such person; or driving for the purpose of meeting an emergency involving a threat to life, health, or property, or for receiving instruction or training in meeting or preparing to meet such emergencies. No Basic ration may be used for non-essential or for pleasure driving, which shall include (but shall not be limited to): driving for the purpose of attending places of amusement, recreation or entertainment (such as theaters, amusement parks, concerts, dances, golf courses, skating rinks, bowling alleys or night clubs) or sporting or athletic events (such as races or games) or social club meetings, or for sightseeing, touring or vacation travel, or for making social calls, except that naval or military personnel on leave or furlough evidenced as specified above may use such a ration for the purpose of visiting relatives or making social calls.

(e) No person to whom a non-highway ration has been issued for use with a motorboat or outboard motor for a non-occupational purpose, may use or permit the use of such ration for the operation of any boat in the gasoline shortage area other than for (1) family or personal necessity purposes for which no adequate alternative means of transportation are available, or (2) travel by naval or military personnel on leave or furlough, evidenced by duly issued leave or furlough authorization, for the purpose of visiting relatives or making social calls. Family or personal necessity purposes shall include (but shall not be limited to) the purposes for which driving is permitted by paragraph (d) of this section and procuring and transporting essential food and supplies. No such ration may be used for non-essential or pleasure travel which shall include (but shall not be limited to) the purposes for which driving is prohibited by paragraph (d) of this section and pleasure cruising, guiding pleasure parties, and fishing, other than to procure fish as necessary food or for sale or processing: *Provided*, That if a boat is not otherwise operated, nothing in this paragraph shall restrict the use of such a ration to operate a boat in accordance with any requirements of the United States Coast Guard, the Coast Guard Auxiliary, or the United States Navy.

§ 1394.8352 *Effective dates of amendments.* • • •

(o) Amendment No. 15 (§§ 1394.8011 (b), 1394.8105 (a) and (b) and 1394.8161 (d) and (e)) to Ration Order No. 5C shall become effective January 26, 1943.

(Pub. Law 571, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 26th day of January 1943

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1308; Filed, January 26, 1943; 11:25 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 607, 565.

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5C,[1] Amendment 16]

MILEAGE RATIONING; GASOLINE REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraph (a) of § 1394.7805, and paragraph (a), the text of paragraph (b) and subparagraph (2) of paragraph (b) and paragraph (c) of § 1394.7808 are amended and a new paragraph (p) to § 1394.8352 is added, as set forth below:

Transport Rations

§ 1394.7805 *Issuance of transport ration.* (a) Except as provided in paragraph (c) of this section, no transport ration shall be issued unless the applicant has presented to the Board, at the time of application, a currently valid single unit certificate or, in the case of a fleet, a fleet certificate issued for the fleet for which a ration is sought. Except as provided in § 1394.7806, no transport ration may be issued which will allow the applicant to acquire gasoline in excess of the maximum allowed by such certificate for the quarterly period for which the ration is sought and no transport ration shall be issued more than thirty (30) days prior to the beginning of the quarterly period during which it is to be used: *Provided*, That transport rations issued for use prior to January 1, 1943, shall not allow an amount of gasoline (other than gasoline allowed pursuant to § 1394.7806) in excess of the maximum number of gallons of gasoline allowed by the certificate for the first quarter of 1943 plus eighty (80) per cent of the maximum number of gallons of gasoline allowed by the certificate for the remaining portion of the year 1942: *Provided, further*, That in the issuance of any transport ration for use in any one calendar quarter the Board shall deduct from the gallonage otherwise allowable for the whole quarter the number of gallons which have been allowed in that quarter by the issuance of any temporary transport ration for the use of the vehicle covered by the application, and: *Provided, further*, That during the first quarter of 1943 the Board upon issuing a transport ration on the basis of a Certificate of War Necessity will also issue the gallonage allowable for the second quarter.

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§ 1394.7808 *Temporary transport rations.* (a) Any person requiring gasoline for the operation of a commercial motor vehicle who has made application for a Certificate of War Necessity but who has not received a Certificate of War Necessity or notice that the application has been denied, or who has appealed from a decision of the Office of Defense Transportation granting a Certificate of War Necessity allowing a ration insufficient to serve his requirements may, on and after November 23, 1942, apply for a temporary transport ration pursuant to the provisions of paragraph (b) of this section.

(b) Any person, within the provisions of paragraph (a) of this section, or his agent, may make application to the Board, in duplicate, on OPA Form R-536. The applicant shall state the mileage and gallonage required for the operation of such motor vehicle for a period of thirty (30) days or until the end of the calendar quarter, whichever is the shorter period of time, and shall state the following:

• • • • •

(2) If the Certificate of War Necessity issued allows insufficient gallonage for the applicant's needs, the applicant shall state that he has appealed for revision of such allowance and that such appeal has not been decided, and shall present to the Board a notice from the Office of Defense Transportation that the appeal is under consideration.

(c) If the Board is satisfied that the applicant has applied for a Certificate of War Necessity but has not received such Certificate or a notice of denial of his application, or that the applicant has pending an appeal to the Office of Defense Transportation for the revision of the amount of gallonage allowed, the Board shall determine the number of gallons of gasoline required for the operation of such motor vehicle for a period of thirty (30) days from the date of issuance of the ration or until the end of the calendar quarter, whichever is the shorter period of time. The Board shall then issue "T-1" or "T-2" books containing coupons in sufficient number to provide the gallonage so determined. Such books shall expire at the end of the calendar quarter in which they are issued.

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Effective Dates

§ 1394.8352 *Effective dates of amendments.* • • •

(p) Amendment No. 16 (§§ 1394.7805 (a), 1394.7808 (a), (b), (b) (2), and (c)) to Ration Order No. 5C shall become effective January 26, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, 77th Cong., W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 26th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1309; Filed, January 26, 1943; 11:25 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11,[1] Amendment 30]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new § 1394.5271 is added; § 1394.5452 (a) is amended; a new § 1394.5666 is added; and a new paragraph (dd) is added to § 1394.5902; as set forth below:

Heat and Hot Water Rations

§ 1394.5271 *Heat or both heat and hot water emergency facilities.* (a) The owner, or the person controlling the use, of oil burning equipment furnishing heat or hot water, or both, during emergency periods in premises where such heat or hot water, or both, is normally furnished by equipment using electricity, natural gas, manufactured gas, or mixed natural and manufactured gas, may obtain a ration for such purpose. An "emergency period" as used in this section is the time during which the equipment using electricity, natural gas, manufactured gas, or mixed natural and manufactured gas cannot be operated because of the temporary cessation of or reduction in the flow of such electric current or gas. Such rations may be obtained for three (3) month periods.

(b) Application for such ration shall be made to a Board on Form OPA R-1102, by the owner of the equipment, or by the person controlling the use of such equipment, or by the agent of either of them.

(c) The allowable ration shall be the amount of fuel oil requested for such purpose during the three (3) month period beginning with the date on which the ration is required: *Provided*, That the allowable ration shall not exceed the amount used for such purpose during the corresponding period of the preceding year, or the amount needed for ten (10) days, whichever is greater, unless the applicant shows good cause for the excess requested.

(d) After determining the allowable ration, the Board shall issue Class 3 coupon sheets containing coupons equal in gallonage value to the allowable ration less the amount of fuel oil on hand as of the date of the application for the purpose for which the ration is required.

(e) No ration issued pursuant to this section shall be used except during such emergency periods, and during any such period such ration shall not be used to heat such premises to a temperature in excess of sixty-five (65) degrees Fahrenheit except to the extent that it is impossible, for mechanical reasons, to maintain the temperature below sixty-five (65) degrees Fahrenheit.

General Provisions With Respect to Issuance of Rations

§ 1394.5452 *Notations on coupon sheets: validating stamp.* (a) At the time of issuing a coupon sheet, the Board shall enter thereon the name and address of the person to whom it is issued and the number and kind of coupons issued therewith. The Board shall also enter on such coupon sheet the date on which it becomes valid (or October 1, 1942, in the case of an application made prior to November 1, 1942) and the date on which it expires. Such dates shall be, respectively, the first and

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 607, 565.

[1] 7 F.R. 8480, 8708, 8809, 8897, 9316, 9396, 9492, 9427, 9430, 9621, 9764, 10163, 10081, 10379, 10530, 10531, 10780, 10707, 11116, 11071; 8 F.R. 165, 237, 437, 369, 374, 535, 439, 444, 607, 608, 977.

last day of the period for which the ration is issued. Where a coupon sheet is issued in exchange for coupons, coupon sheets or other evidences previously issued, the Board shall inscribe the word "Exchange" below the serial number on the coupon sheet so issued.

* * * * *

Restrictions on Transfers to and by Consumers

§ 1394.5666 *Emergency transfers.* (a) Any consumer who requires a transfer of fuel oil for an emergency involving serious threat to life, health or valuable property, and who has no currently valid coupons at the time such transfer is required, may accept a transfer of fuel oil in an amount equivalent to ten (10%) percent of the gallonage value of the ration issued or applied for (if none has been issued) but in no case more than fifty (50) gallons, by signing an Emergency Receipt, on Form OPA R-555, in duplicate, and by stating thereon the emergency purpose for which such fuel oil is required. He shall deliver to the transferor at the time of the transfer his next period coupons equal in gallonage value to the fuel oil transferred or, if he has no coupons, he shall state on the Emergency Receipt the reasons why he is unable to deliver coupons in exchange for such fuel oil. He shall also state the address and number of the Board to which he applied for a ration: *Provided*, That no emergency transfer of fuel oil may be obtained for any use for which a ration has not been granted or applied for under Ration Order No. 11: *Provided, further*, That no consumer shall accept, and no dealer or supplier shall knowingly make to such consumer, more than one emergency transfer during the heating year.

(b) Any dealer or supplier who transfers fuel oil under paragraph (a) of this section shall at the time of such transfer revise the Emergency Receipt (in duplicate) by striking out the word "Gasoline" wherever it occurs and inserting in lieu thereof the words "Fuel Oil." He shall also insert on such Emergency Receipt (in duplicate) the number and kind of coupons, if any, detached by him, his name, address and registration number, and the address and number of the Board with which he is registered. The dealer or supplier shall deliver the Emergency Receipt, in duplicate, together with any coupons received by him from the consumer, to the Board which issued the ration to such consumer or to which the consumer stated he applied for a ration.

(c) The Board, if it is satisfied that such dealer or supplier made a transfer, in good faith, pursuant to paragraph (a) of this Section, shall issue to him, in exchange for the Emergency Receipt, (and coupons, if any) inventory coupons equal in gallonage value to the amount of fuel oil so transferred. The Board shall retain one copy of such receipt for its files and shall forward the second copy to the Board with which the dealer or supplier is registered, as stated on the receipt. If no coupons equal in gallonage value to the fuel oil transferred accompanied the Emergency Receipt, the Board shall deduct from any ration thereafter issued to the consumer the gallonage value of the coupons which such consumer did not deliver. If the consumer made no application to the Board for a ration, or if no appeal from a denial of his application for a ration is pending or if an appeal has been determined against the consumer, the Board shall promptly send a report thereof to its State or District Office having jurisdiction. If the Board is not satisfied that the dealer made a transfer, in good faith, of the amount of fuel oil specified in such Emergency Receipt, it shall not issue to him any inventory coupons therefor. In such case, the Board shall return one copy of the Emergency Receipt to the dealer, and shall transmit the second copy of such Receipt to its State or District Office having jurisdiction.

Effective Date

§ 1394.5902 *Effective Date of Corrections and Amendments.* * * *

(dd) Amendment No. 30 (§§ 1394.5271, 1394.5452, and 1394.5666) to Ration Order No. 11 shall become effective on February 1, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507; Pub. Law 421, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562, Supp. Directive No. 1-0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 26th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1307; Filed, January 26, 1943; 11:25 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Restriction Order 1, Amendment 11]

MEAT RESTRICTION

Correction

In the list of meats in § 1407.913 (c) and appearing on page 927 of the issue for Wednesday, January 20, 1943, the heading, "Canned Meats Produced from Controlled Meats", should precede the entry "Chopped ham, 1.28."

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 3,[1] Amendment 37]

SUGAR RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subparagraphs (20), (21), and (22) of paragraph (c) of § 1407.21 are redesignated subparagraphs (21), (22), and (23) respectively, and a new sub-paragraph (20) is added to paragraph (c) of § 1407.21 as set forth below:

Definitions

§ 1407.21 *Meaning of terms used in Ration Order No. 3.* * * *

(c) * * *

(20) "State Director" means the person holding the Office of State Director in a District or State Office, or the Office of District Manager in a District Office, who has been designated by the Regional Administrator to decide, pursuant to Procedural Regulation No. 9, appeals from the decisions of local War Price and Rationing Boards located in the area over which such Office has jurisdiction.

* * * * *

Effective Date

§ 1407.222 *Effective dates of amendments.* * * *

(ll) Amendment No. 37 (§ 1407.21 (c)) shall become effective February 1, 1943.

(Pub. Law 421, 77th Cong., W.P.B. Dir. No. 1 and Supp. Dir. No. 1E)

Issued this 26th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1310; Filed, January 26, 1943; 11:25 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 41 to General Maximum Price Regulation[1]]

DRIED PRUNES, DRIED EDIBLE BEANS, ETC.

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.* Subparagraph (7) of paragraph (a) of § 1499.9 and paragraph (1) of § 1499.20 are amended, paragraph (f) of § 1499.20 is revoked and paragraph (pp) is added to § 1499.23a of the General Maximum Price Regulation as set forth below.

§ 1499.9 *Commodities exempt from this General Maximum Price Regulation.* (a) This General Maximum Price Regulation shall not apply to sales or deliveries of the following commodities:

* * * * *

(7) Dried prunes, dried edible beans, leaf tobacco (whether dried or green), all nuts and peanuts except cleaned or raw shelled peanuts harvested from the 1941 crop, all salted peanuts and peanut butter, linseed oil, linseed cake, linseed meal, manure, garbage, mixed seeds for house pet birds, and poultry tonics and condiments.

* * * * *

§ 1499.20 *Definitions and explanations.* This General Maximum Price Regulation and the terms appearing

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 2966, 3242, 3783, 4545, 4618, 5193, 5361, 6084, 6473, 6828, 6937, 7289, 7321, 7406, 7510, 7557, 8402, 8655, 8710, 8739, 8809, 8830, 8831, 9042, 9396, 9460, 9899, 10017, 10258, 10556, 10845, 8 F.R. 166, 262, 445, 620.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371.

therein unless the context otherwise provides shall be construed as follows:

* * * * *

(1) *Raw and unprocessed agricultural commodity or greenhouse commodity.* Commodities that are picked, harvested, threshed, ginned, husked, cleaned, dried, baled, boxed, packed, transported, and/or refrigerated, without more, remain "raw and unprocessed." But operations such as slaughtering, freezing, canning, preserving, milling, crushing, straining, centrifuging, shelling of nuts, cooking, distilling, and purifying with heat, constitute processing for this purpose. For the purposes of this General Maximum Price Regulation the following commodities shall be deemed to be raw and unprocessed agricultural commodities: (1) all natural flowers and floral products, whether fresh or dried, (2) all seeds and bulbs as long as they maintain their original identity without being further processed into products commonly designated by other names. Forest products, such as lumber, wood naval stores, and mineral products, whether processed or unprocessed, shall not be deemed to be agricultural commodities.

* * * * *

§ 1499.23a *Effective date of amendment.* * * *

(pp) This amendment No. 41 (§§ 1499.9 (a) (7) and 1499.20 (f) and (l)) shall become effective February 1, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 26th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1311; Filed, January 26, 1943; 11:25 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 245 Under § 1499.3 (b) of GMPR]

ALBA PHARMACEUTICAL COMPANY, INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1481 *Approval of maximum prices for sales of "Pluravit"*—(a) *Sales by Alba Pharmaceutical Company, Inc., of New York, New York*—(1) *Maximum prices.* The maximum prices for sales by Alba Pharmaceutical Company, Inc., of "Pluravit" are established as set forth below:

Size of package	Maximum price per package		
	To wholesalers	To retailers	To industrial purchasers
30 tablets	$ .47	$ .57	
100 tablets	1.39	1.67	
1000 tablets	13.89	16.67	$19.70

(2) *Discounts, allowances, and price differentials.* The Alba Pharmaceutical Company, Inc., shall apply to the maximum prices set forth in subparagraph (1) of this paragraph for its sales of "Pluravit" to wholesalers and to retailers all quantity differentials, discounts for purchasers of different classes, trade practices, cash discounts, credit terms, practices relating to the payment of transportation costs, and any other customary allowances which were in effect in March, 1942, on its sales of "Cream-Malin" Tablets.

The Alba Pharmaceutical Company, Inc., shall apply to the maximum prices set forth in subparagraph (1) of this paragraph for its sales of "Pluravit" to industrial purchasers all quantity discounts, discounts for purchasers of different classes, trade practices, cash discounts, credit terms, practices relating to the payment of transportation costs, and any other customary allowances which were in effect in March, 1942, on its sales of "Roccal."

(b) *Sales by wholesalers*—(1) *Maximum prices.* The maximum prices for sales by wholesalers of "Pluravit" are established as set forth below:

Size of package:	Maximum price per package
30 tablets	$ .57
100 tablets	1.67
1000 tablets	16.67

(2) *Discounts, allowances, and price differentials.* Any wholesaler making sales of "Pluravit" shall apply to the maximum prices set forth for such sales in subparagraph (1) of this paragraph all quantity differentials, discounts for purchasers of different classes, trade practices, cash discounts, credit terms, practices relating to the payment of shipping charges, and other customary allowances which were in effect in March, 1942, on sales by the wholesaler of "Unicap Vitamins" or on sales of the multiple vitamin product most nearly comparable to "Pluravit" if the wholesaler did not sell "Unicap Vitamins" in March, 1942.

(c) *Sales by retailers*—(1) *Maximum prices.* The maximum prices for sales by retailers of "Pluravit" except for sales on prescription as provided in subparagraph (3) of this paragraph, are established as set forth below:

Size of package:	Maximum price per package
30 tablets	$ .85
100 tablets	2.50
1000 tablets	25.00

(2) *Discounts, allowances, and price differentials.* Any retailer making sales of "Pluravit" shall apply to the maximum prices set forth for such sales in subparagraph (1) of this paragraph all discounts for purchasers of different classes which were in effect in March, 1942, on sales by the retailer of "Unicap Vitamins" or on sale of the multiple vitamin product most nearly comparable to "Pluravit" if the retailer did not sell "Unicap Vitamins" in March, 1942.

(3) *Sales on prescription.* The maximum prices established by subparagraph (1) of this paragraph shall not apply to sales on prescription of "Pluravit." The maximum price for a sale on prescription of "Pluravit" shall be determined by the person making the sale on prescription in accordance with the provisions of § 1499.3 (a) of the General Maximum Price Regulation, except that no report of maximum price need be filed.

(d) *Sales by industrial purchasers.* The maximum prices for sales by industrial purchasers of "Pluravit" tablets individually wrapped in cellophane are established as set forth below:

Size of package:	Maximum price per package
1 tablet	$ .03
1000 tablets	25.00

(e) *Marking package with retail ceiling price.* The Alba Pharmaceutical Company, Inc., shall mark each package of 30 tablets of "Pluravit" sold by it with the words "Ceiling Price 85 cents," each package of 100 tablets of "Pluravit" with the words "Ceiling Price $2.50," and each package of 1000 tablets of "Pluravit" with the words "Ceiling Price $25.00." These words shall be printed or stamped in letters clearly legible and at least one quarter as large as those used for the name of the product on the package in which "Pluravit" is customarily sold to the ultimate consumer on a non-prescription sale. No retailer, except a person making a sale on prescription, shall make sales of "Pluravit" unless the package in which the product is sold is marked with the retail ceiling price as required by this paragraph.

(f) *Notification of maximum prices*—(1) *By the Alba Pharmaceutical Company, Inc., to wholesalers.* The Alba Pharmaceutical Company, Inc., shall supply a written notification to each wholesaler before or at the time of its first delivery of "Pluravit" to such wholesaler. The written statement shall read as follows:

OPA has authorized us to charge wholesalers 47¢ for 30 tablets, $1.39 for 100 tablets, and $13.89 for 1000 tablets of "Pluravit", subject to all customary cash discounts and allowances.

Wholesalers are authorized to establish maximum prices of 57¢ for 30 tablets, $1.67 for 100 tablets, and $16.67 for 1000 tablets of "Pluravit", subject to all customary cash discounts and allowances.

(2) *By the Alba Pharmaceutical Company, Inc., to retailers via wholesalers.* The Alba Pharmaceutical Company, Inc., shall include a written notification with each shipping unit of "Pluravit" for a period of three months. If such notification is enclosed in a shipping unit, a legend shall be affixed outside of such unit to read "Retailer's Notice Enclosed." If the initial sale by a wholesaler to a retailer is a split-case sale, the wholesaler is required to provide such retailer with a copy of this notice. The written notification shall read as follows:

OPA has authorized wholesalers to charge 57¢ for 30 tablets, $1.67 for 100 tablets, and $16.67 for 1000 tables of "Pluravit", subject to all customary cash discounts and allowances.

Retailers are authorized to establish ceiling prices of 85¢ for 30 tablets, $2.50 for 100 tablets, and $25.00 for 1000 tablets of "Pluravit", except for sales on prescription.

Maximum prices for sales on prescription must be determined under section 3 (a) of the General Maximum Price Regulation, except that no report of the maximum price need be filed.

If the initial sale by a wholesaler to a retailer is a split-case sale, the wholesaler is required to provide such retailer with a copy of this notice.

OPA requires that you keep this notice for examination.

(3) *By the Alba Pharmaceutical Company, Inc., to retailers.* The Alba Pharmaceutical Company, Inc., shall supply a written notification to each retailer before or at the time of its first delivery of "Pluravit" to such retailer. The written statement shall read as follows:

OPA has authorized us to charge retailers 57¢ for 30 tablets, $1.67 for 100 tablets, and $16.67 for 1000 tablets of "Pluravit", subject to all customary cash discounts and allowances.

Your ceiling prices are authorized to be 85¢ for 30 tablets, $2.50 for 100 tablets, and $25.00 for 1000 tablets of "Pluravit", except for sales on prescription.

Maximum prices for sales on prescription must be determined under section 3 (a) of the General Maximum Price Regulation, except that no report of the maximum price need be filed.

OPA requires that you keep this notice for examination.

(4) *By the Alba Pharmaceutical Company to industrial purchasers.* The Alba Pharmaceutical Company, Inc., shall supply a written notification to each industrial purchaser before or at the time of its first delivery of "Pluravit" to such industrial purchaser. The written statement shall read as follows:

OPA has authorized us to charge industrial purchasers $19.70 for 1000 tablets of "Pluravit", subject to all customary cash discounts and allowances.

Your ceiling prices are authorized to be 3¢ for one tablet individually wrapped in cellophane, and $25.00 for 1000 tablets of "Pluravit".

OPA requires that you keep this notice for examination.

(g) *Definitions.* When used in this order the term:

(1) "'Pluravit'" means a vitamin preparation manufactured by the Alba Pharmaceutical Company, Inc., each tablet of which contains the following amounts of specific vitamin substances:

Vitamin A	5,000 U. S. P. units.
Vitamin B_1 (Thiamin Chloride	2.0 mg.
Vitamin B_2 (Riboflavin)	2.0 mg.
Nicotinamide	20.0 mg.
Calcium Pantothenate	1.0 mg.
Vitamin B_6 (Pyridoxine Hydrochloride)	.5 mg.
Vitamin C	1,000 U. S. P. units.
Vitamin D	1,000 U. S. P. units.

The tablets in the package of 1,000 tablets are packed in a glass bottle and are individually wrapped in cellophane. The tablets in the packages of 30 tablets and 100 tablets are packed in glass bottles but are not individually wrapped.

(2) "'Unicap Vitamins'" means a vitamin preparation manufactured by The Upjohn Company, each capsule of which contains the following amounts of specific vitamin substances:

Vitamin A	5,000 U. S. P. units.
Vitamin B_1 (Thiamin Chloride)	500 U. S. P. units.
Vitamin B_2 (Riboflavin)	1.0 mg.
Nicotinic Acid Amide	20.0 mg.
Calcium Pantothenate	1.0 mg.
Vitamin B_6 (Pyridoxine Hydrochloride)	2 mg.
Vitamin C	500 U. S. P. units.
Vitamin D	500 U. S. P. units.

(3) "'Creamalin' Tablets" means a pharmaceutical preparation in tablet form prepared from "Creamalin" liquid, a suspension of 5.5 percent aluminum hydroxide.

(4) "Roccal" means a 10 percent aqueous solution of high molecular alkyldimethyl-benzyl ammonium chloride used as a disinfectant and antiseptic.

(5) "Wholesaler" means any person who buys "Pluravit" and resells it, without substantially changing its form, to retailers.

(6) "Retailer" means any person, except an industrial purchaser, who buys "Pluravit" and resells it directly to consumers.

(7) "Industrial purchaser" means a person who buys "Pluravit" and sells or dispenses it to its employees.

(h) The Alba Pharmaceutical Company, Inc., shall submit to the Office of Price Administration in Washington, D. C. such reports as may from time to time be required in writing.

(i) This Order No. 245 may be revoked or amended by the Price Administrator at any time.

(j) This Order No. 245 (§ 1499.1481) shall become effective on January 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1312; Filed, January 26, 1943; 11:26 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 120—ANNUAL, SPECIAL OR PERIODICAL REPORTS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 20th day of January, A. D. 1943.

In the matter of Annual Reports from Switching and Terminal Companies of Class III and the corresponding section of the Code of Federal Regulations, the following order was entered:

It is ordered, That the order of this Commission dated December 5, 1941, In the Matter of Annual Reports from Switching and Terminal Companies of Class III be, and it is hereby, vacated and set aside effective January 1, 1943, and the following order shall become effective:

§ 120.13 *Form prescribed for small switching and terminal companies.* (a) All Switching and Terminal Companies of Class III within the scope of Section 20, Part I of the Interstate Commerce Act, are hereby required to file annual reports for the year ended December 31, 1942, and for each succeeding year until further order, in accordance with Annual Report Form D[1] (Small Switching and Terminal Companies), which is hereby approved and made a part of this order.

(b) The annual report shall be filed, in duplicate, in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington, D. C., on or before March 31 of the year following the one to which it relates.

(Sec. 20, 24 Stat. 386, sec. 7, 34 Stat. 593, 35 Stat. 649, sec. 14, 36 Stat. 556, secs. 434-435, 41 Stat. 493, sec. 13, 54 Stat. 916; 49 U.S.C. 20 (1)-(10))

By the Commission, Division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-1321; Filed, January 26, 1943; 11:46 a. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Office of the Secretary.

REVIEW OF APPLICATIONS FOR PRIORITY ASSISTANCE

DELEGATION OF AUTHORITY TO DIRECTOR OF FOOD DISTRIBUTION

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to effectuate the purposes of such order, there is hereby delegated to the Director of Food Distribution, or such employees of the United States Department of Agriculture as may be designated by him, the authority to approve all applications for priority assistance and recommend priority ratings relating to non-food materials to be used in connection with those aspects of the food program administered by the Food Distribution Administration, whenever in his judgment the granting of such priority assistance or rating is necessary or appropriate to effectuate the purposes of the food program, and otherwise, to deny such applications. Such denial shall be final.

(E.O. 9280, 7 F.R. 10179)

Issued this 26th day of January 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-1306; Filed, January 26, 1943; 11:30 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6482]

THE GEORGE HARM STATION (KARM)

NOTICE FOR HEARING

In re application of KARM, The George Harm Station (KARM); dated April 24, 1942, for modification of license. Class of service, broadcast; class of station, broadcast; location, Fresno, California; operating assignment specified: Frequency, 1030 kc; power, 5 kw (DA—day and night); hours of operation, unlimited.

You are hereby notified that the Commission has examined the above-described application and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its memorandum opinion, dated April 27, 1942, or as relaxed September 22, 1942.

2. To determine the extent of any interference which would result from the simultaneous operation of Station KARM, as proposed and Station KOB as licensed to operate on 1030 kc.

3. To determine the areas and populations which would be deprived of primary service, particularly from Station KOB (operating on 1030 kc) as a result of the operation of KARM as proposed, and what other broadcast service is available to those areas and populations.

4. To determine the areas and populations which might be expected to gain primary service should Station KARM operate as proposed, and what other broadcast service is available to those areas and populations.

5. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience and necessity would be served by granting this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of §1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: KARM, The George Harm Station, Radio Station KARM, 1333 Van Ness Avenue, Fresno, California.

Dated at Washington, D. C., January 25, 1943.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-1295; Filed, January 26, 1943; 10:22 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4741]

AUTOMATIC ELECTRICAL DEVICES CO.

ORDER APPOINTING TRIAL EXAMINER, ETC.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 25th day of January, A. D. 1943.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That J. Earl Cox, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Thursday, March 18, 1943, at ten o'clock in the forenoon of that day (eastern standard time) in Office of Postmaster, Post Office Building, Cincinnati, Ohio.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-1313; Filed, January 26, 1943; 11:32 a. m.]

[Docket No. 4810]

BUREAU OF RESEARCH, ETC., ET AL.

ORDER APPOINTING TRIAL EXAMINER, ETC.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 25th day of January, A. D. 1943.

In the matter of Leo Greenberg, individually and trading as Bureau of Research, Reclassification Department, and William Edgar Spicer, individually.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That J. Earl Cox, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, February 9, 1943, at eleven-fifteen o'clock in the forenoon of that day (eastern standard time) in Hearing Room; Federal Trade Commission, Washington, D. C.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-1314; Filed, January 26, 1943; 11:32 a. m.]

[Docket No. 4832]

"INTERNATIONAL RESEARCH", ETC., ET AL.

ORDER APPOINTING TRIAL EXAMINER, ETC.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 25th day of January, A. D. 1943.

In the matter of Edward Lowenthal, an individual, trading under the names International Research and Bureau of Industrial Allocation and Sidney Dean Sarff and H. J. Whittington, individuals.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That J. Earl Cox, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, February 9, 1943, at ten-fifteen o'clock in the forenoon of that day (eastern standard time) in Hearing Room, Federal Trade Commission Building, Washington, D. C.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-1315; Filed, January 26, 1943; 11:32 a. m.]

[Docket No. 4863]

"INTERNATIONAL TRUSTEES," ET AL.

ORDER APPOINTING TRIAL EXAMINER, ETC.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 25th day of January, A. D. 1943.

In the matter of Guy C. Beals, trading under the name International Trustees, and Spiegel, Inc., a corporation.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That J. Earl Cox, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Thursday, February 18, 1943, at ten o'clock in the forenoon of that day (eastern standard time) in Civil Service Room 306, Federal Building, Youngstown, Ohio.

Upon completion of testimony for the Federal Trade Commission, the trial ex-

[1] Filed as part of the original document.

aminer is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-1316; Filed, January 26, 1943; 11:32 a. m.]

[Docket No. 4870]

"NATIONAL ADMINISTRATORS," ET AL.

ORDER APPOINTING TRIAL EXAMINER, ETC.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 25th day of January, A. D. 1943.

In the matter of Don Trainor, trading under the name National Administrators, et al.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That J. Earl Cox, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, February 26, 1943, at ten o'clock in the forenoon of that day (eastern standard time) in Room 1123, New Post Office Building, 433 West Van Buren Street, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R Doc. 43-1317; Filed, January 26, 1943; 11:32 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 402]

PATENTS AND PATENT INTERESTS OF MAX C. MILLER

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Max C. Miller is interned in an alien detention camp, and determining that although not within any designated enemy country he is nevertheless controlled by or acting for or on behalf of or as a cloak for a designated enemy country (Germany) or a person within such country, and that the national interest of the United States requires that he be treated as a national of the aforesaid designated enemy country (Germany), and, therefore, that he is a national of such designated enemy country (Germany);

2. Finding that the following described property is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property constitutes interests held therein by, the aforesaid Max C. Miller:

(a) All Right, title and interest, including all accrued royalties and all damages recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents, the numbers of which are listed in Exhibit A attached hereto and made a part hereof, and the titles to which stand of record in the United States Patent Office in the name of said Max C. Miller.

(b) Undivided interest of said Max C. Miller in and to United States Letters patent identified as follows:

Numbers	Issue dates	Inventors	Titles
1,734,224	11-5-29	M. Miller et al	Match receptacle.
2,185,225	1-2-40	W. Ramsden	Braiding machine stop motion.
2,295,597	9-15-42	M. Miller et al.	Pattern mechanism for knitting machines.

(c) Interest of said Max C. Miller in and to a certain contract dated December 9, 1939; acknowledged December 9, 1939, December 12, 1939, December 15, 1939 and December 20, 1939; and recorded in the United States Patent Office on September 26, 1941, at Liber D 189, page 206, by and between Max C. Miller, Wildman Manufacturing Company, Knitting Machines Corporation, and Textile Machine Works, with respect to patents identified as follows:

Numbers	Issue dates	Inventors	Titles
2,217,520	10-8-40	M. Miller.	Knitting machine.
2,237,002	4-8-41	K. Howle.	Knitting machine and process.
2,248,506	7-8-41	M. Miller.	Knitting machine.

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian all of the property hereinbefore described in subparagraphs 2 (a), 2 (b) and 2 (c), to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on November 19, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Patents the titles to which stand of record in the United States Patent Office in the name of Max C. Miller, and which are identified as follows:

Patent number	Patent date	Inventor	Title
1,738,787	12/10/29	M. Miller.	Method and machine for knitting tubular fabric having closed ends.
1,760,940	2/ 3/31	M. Miller.	Knitting machine.
1,797,436	3/24/31	M. Miller.	Knitting machine.
1,830,069	11/ 3/31	M. Miller	Knitting machine.
1,837,470	12/22/31	M. Miller	Yarn changing mechanism for knitting machines.
1,876,259	9/6/32	M. Miller	Knitting needle.
1,876,721	9/13/32	M. Miller.	Stocking and method of knitting the same.
1,876,722	9/13/32	M. Miller.	Knitting machine.
1,877,573	9/13/32	M. Miller	Knitting machine.
1,923,994	8/22/33	M. Miller	Knitting machine.
1,930,819	10/17/33	M. Miller	Knitting machine.
1,963,240	6/19/34	M. Miller	Heel fabric and method of knitting the same.
1,995,645	3/26/35	M. Miller.	Knitting machine.
2,056,201	10/6/36	M. Miller.	Loop lifting point and method of producing the same.
2,068,688	1/26/37	M. Miller	Knitting machine.
2,100,343	11/30/37	M. Miller.	Knitting machine.
2,128,797	8/30/38	M. Miller.	Knitting machine.
2,153,582	4/11/39	M. Miller.	Knitting machine.
2,169,272	8/15/39	M. Miller.	Textile machinery.
2,203,663	6/11/40	M. Miller.	Knitting machine.
2,248,506	7/8/41	M. Miller.	Knitting machine.
2,273,802	2/17/42	M. Miller.	Loop regulating mechanism for flat knitting machines.
2,278,522	4/7/42	M. Miller.	Knitting machine.
2,282,668	5/12/42	M. Miller.	Knitting machine.

[F. R. Doc. 43-1294; Filed, January 26, 1943; 9:51 a. m.]

[Vesting Order 713]

FORTRA, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that 63 shares of no par value common capital stock of Fortra Inc., a New York corporation, New York, New York, are registered in the names of and owned by the following individuals in the following respective amounts:

Names:	Number of shares
Rudolf T. Kessemeier	11
Hermann Muhlenbrock	26
Edward H. Dederick	26
Total	63

2. Finding that said corporation is a business enterprise within the United States and that said 63 shares constitute all the outstanding capital stock of said business enterprise and represent ownership thereof;

3. Determining that said Rudolf T. Kessemeier, Hermann Muhlenbrock and Edward H. Dederick are controlled by or acting for or on behalf of a designated enemy country (Germany) or a person within such country and are, therefore, nationals of the aforesaid designated enemy country (Germany);

4. Determining that said Fortra, Inc. is controlled by or acting for or on behalf of a designated enemy country (Germany) or a person within such country and is, therefore, a national of the aforesaid designated enemy country (Germany);

5. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the shares of stock described in subparagraph 1 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F R Doc. 43-1305; Filed, January 26, 1943; 11:07 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 22 Under Rev. MPR 169]

E. KAHN'S SONS CO. ET AL

ORDER DENYING APPLICATIONS FOR ADJUSTMENT

Order No. 22 under Revised Maximum Price Regulation No. 169—Beef and Veal Carcasses and Wholesale Cuts.

In the matter of E. Kahn's Sons Company, 3169-203; E. Kahn's Sons Company, 3169-204; South Philadelphia Dressed Beef Company, Inc., 3169-211; Cross Bros., 3169-213; E. Kahn's Sons Company, 3169-216; Sieck Packing Company, 3169-217; The Val. Decker Packing Company, 3169-218; David Levi and Company, Incorporated, 3169-219; Dugdale Packing Company, 3169-220; The Val. Decker Packing Company, 3169-223; The Val. Decker Packing Company, 3169-224; Lincoln Meat Company, Incorporated, 3169-225; The Val. Decker Packing Company, 3169-226; South Philadelphia Dressed Beef Company, Inc., 3169-227; Armour and Company of Delaware, 3169-228; Armour and Company of Delaware, 3169-229; South Philadelphia Dressed Beef Company, Inc., 3169-230 to 237; Wilson and Company, 3169-238; E. Kahn's Sons Company, 3169-239; The Val. Decker Packing Company, 3169-241; Estherville Packing Company, 3169-242; E. Kahn's Sons Company, 3169-243; Armour and Company of Delaware, 3169-245; Armour and Company of Delaware, 3169-244; Kingan and Company, 3169-246; Kingan and Company, 3169-247; Kingan and Company, 3169-248; The Val. Decker Packing Company, 3169-249; A. Salus and Son, Incorporated, 3169-250 to 262; Cudahy Brothers Company, 3169-263; E. Kahn's Sons Company, 3169-264; Cudahy Brothers Company, 3169-265; Hunter Packing Company, 3169-266; Hunter Packing Company, 3169-267; Hunter Packing Company, 3169-268; South Philadelphia Dressed Beef Company, Inc., 3169-271 to 278, applicants.

On or before December 18, 1942, E. Kahn's Sons Company, 3241 Spring Grove Avenue, Cincinnati, Ohio, South Philadelphia Dressed Beef Co., Inc., 232-50 Moore Street, Philadelphia, Pennsylvania, Cross Bros., 3600 No. Front Street, Philadelphia, Pennsylvania, Sieck Packing Company, 3506 Placentia Street, Riverside, California, The Val. Decker Packing Company, 727 East Ash Street, Piqua, Ohio, David Levi and Company, Incorporated, 3900 Emerald Ave., Chicago, Illinois, Dugdale Packing Company, St. Joseph, Missouri, Lincoln Meat Company, Inc., 3500 South Halsted Street, Chicago, Illinois, Armour and Company of Delaware, Union Stock Yards, Chicago, Illinois, Wilson and Company, 4100 Ashland Ave., Chicago, Illinois, Estherville Packing Company, Estherville, Iowa, Kingan and Company, Indianapolis, Indiana, A. Salus and Son, Inc., 3 North Delaware Avenue, Philadelphia, Pennsylvania, Cudahy Brothers Company, Cudahy, Wisconsin, and Hunter Packing Company, East St. Louis, Illinois, filed separate applications for adjustment of maximum prices established under Maximum Price Regulation No. 169, as amended, Beef and Veal Carcasses and Wholesale Cuts, in accordance with the provisions therefor contained in Procedural Regulation No. 6. Maximum Price Regulation No. 169, as amended, has been further amended, revised, and redesignated Revised Maximum Price Regulation No. 169. The Price Administrator deems it appropriate that the several applications for adjustment be disposed of together. Due consideration has been given to the applications for adjustment and to each of them, and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and in accordance with Procedural Regulation No. 6, issued by the Office of Price Administration, *It is ordered:*

(a) That the foregoing applications for adjustment and each of them be, and they hereby are, denied in whole;

(b) That each applicant who has received payment for any beef carcass or wholesale cut at the price requested in its application shall refund to the purchaser the difference between such requested price and the maximum price applicable to the sale of such beef carcass or wholesale cut at the time of such sale under Maximum Price Regulation No. 169, as amended, or Revised Maximum Price Regulation No. 169, as the case may be;

(c) This Order No. 22 shall become effective January 26, 1943.

Issued this 25th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1282; Filed, January 25, 1943; 4:53 p. m.]

[Order 125 Under MPR 188]

CERTAIN READY MIXED EXTERIOR LINSEED OIL PAINTS

APPROVAL OF MAXIMUM PRICES

Correction

In the document appearing on page 897 of the issue for Tuesday, January 19, 1943, the paragraph which is designated (6) should be designated (b).

[Order 130 Under MPR 188]

NATIONAL TILE CO., INC., ET AL.

ORDER SETTING TEMPORARY MAXIMUM PRICES

Correction

In the table of paragraph (a) appearing on page 898 of the issue for Tuesday, January 19, 1943, the name "A. N. Veiner" should read "A. H. Veiner."

WAR PRODUCTION BOARD.

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS PARTIALLY REVOKING AND PARTIALLY STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain orders partially stopping the construction and partially revoking applicable preference ratings stopping the construction of the project affected and partially revoking the ratings applicable thereto which orders are listed in Schedule A below. For the effect of each such order upon the construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 25, 1943.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A

Name and address of builder	Project affected	Date of issuance of revocation order
U. S. War Department, Corps of Engineers, Washington, D. C.	Flood Control Project Center Hill Reservoir, Tennessee.	1/23/43
U. S. War Department, Corps of Engineers, Washington, D. C.	Flood Control Project Dale Hollow Reservoir, Tennessee.	1/23/43

[F. R. Doc. 43-1293; Filed, January 25, 1943; 5:13 p. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain revocation orders listed in Schedule A below, revoking preference rating orders issued in connection with, and stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 25, 1943.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A

Name and address of builder	Project affected	Date of issuance of revocation order
Louisiana Dept. of Hwy., Baton Rouge, La.	La. SN-FAP 169-G (2).	1/22/43
Kansas State Hwy. Comm., Topeka, Kans.	Cherokee, Kans., AI-FAP, 578-A (1).	1/22/43

SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Project affected	Date of issuance of revocation order
P-19-e.....	16198	Illinois Department of Public Works and Buildings, Division of Highways, Springfield, Ill.	Lincoln, Ill., SN-FA 26 (20) (3)	1/[illegible]/43
P-19-e.....	18836	Illinois Department of Public Works and Buildings, Division of Highways, Springfield, Ill.	Williamsville, Ill., SN-FA 26 (20) (2) roadway.	1/[illegible]/43
P-19-e.....	20014	Illinois Department of Public Works and Buildings, Division of Highways, Springfield, Ill.	Mattoon-Montgomery Co., Ill., SN-FA 113 C (1).	1/[illegible]/43
P-19-e.....	19111	Illinois Department of Public Works and Buildings, Springfield, Ill.	Broadwell, Ill., SN-FA 26 (24) (2) Bridges.	1/[illegible]/43

[F. R. Doc. 43-1290; Filed, January 25, 1943; 5:13 p. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS PARTIALLY REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain revocation orders listed in Schedule A below, partially revoking preference rating orders issued in connection with, and partially stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project, and delivery of materials therefor the builder and suppliers affected shall refer to the specific order issued to the builder.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 25, 1943.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Project affected	Date of issuance of revocation order
P-19-h.....	34662	War Relocation Authority, Central Regional Office, Denver, Colo.	Two elementary schools at Granada Relocation Center, Granada, Colo.	1/[illegible]/43

[F. R. Doc. 43-1291; Filed, January 25, 1943; 5:13 p. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF STOP CONSTRUCTION ORDERS STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain stop construction orders listed in Schedule A below, stopping the construction of the projects affected. For the effect of each such order upon construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 25, 1943.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A—Continued

Name and address of builder	Project affected	Date of issuance of stop construction order
Iowa State Hwy. Comm., Ames, Iowa.	Glenwood & Pacific Junction, Iowa FAP 842-A (1).	1/[illegible]/43
Iowa State Hwy. Comm., Ames Iowa.	Marshalltn. Iowa, FAGM 588-A (1) Off.	1/[illegible]/43
Iowa State Hwy. Comm., Ames, Iowa.	Marshalltn, Iowa, FAGM 470-A (1) Off).	1/[illegible]/43
Georgia State Hwy. Board, Atlanta, Ga.	Clayton, Ga., FAP 56-A (1).	1/[illegible]/43
Georgia State Hwy. Board, Atlanta, Ga.	Carrollton, Ga., FAP 406-A.	1/[illegible]/43
Georgia State Hwy. Board, Atlanta, Ga.	Belle Vista & Hunter, Ga., FAP 355-B (2)	1/[illegible]/43
Georgia State Hwy. Board, Atlanta, Ga.	Everett City, Ga., FAP 405-B (2).	1/[illegible]/43
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[F. R. Doc. 43-1292; Filed, January 25, 1943; 5:13 p. m.]

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FEDERAL REGISTER

VOLUME 8 NUMBER 19

Washington, Thursday, January 28, 1943

Regulations

TITLE 14—CIVIL AVIATION

Chapter II—Administrator of Civil Aeronautics, Department of Commerce

[Amendment 17]

PART 600—DESIGNATION OF CIVIL AIRWAYS

DELETION OF TALLAHASSEE, FLA., TO ATLANTA, GA., CIVIL AIRWAYS

Acting pursuant to the authority vested in me by section 302 of the Civil Aeronautics Act of 1938, as amended, I hereby amend Part 600 of the Regulations of the Administrator of Civil Aeronautics as follows:

By striking § 600.10421 *Tallahassee, Florida, to Atlanta, Georgia, Civil Airway.*

This amendment shall become effective 0001 E. W. T. February 15, 1943.

Dated: January 21, 1943.

C. I. STANTON,
Administrator.

[F. I. Doc. 43-1363; Filed, January 26, 1943; 2:39 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4702]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

HOLLYWOOD MAGIC GARMENT CO.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or services:* § 3.6 (x) *Advertising falsely or misleadingly—Results:* § 3.6 (y) *Advertising falsely or misleadingly—Safety.* In connection with offer, etc., of respondent's device designated "Hollywood Magic Garment", or any other similar device, disseminating, etc., any advertisements by means of the United States mails, or in commerce or by any means to induce, etc., directly or indirectly purchase in commerce, etc., of said device, which advertisements represent, directly or by implication, that said device constitutes an effective means or method for the removal of excess flesh or weight from the human body, or that said device is in all cases safe for use; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Hollywood Magic Garment Co., Docket 4702, January 19, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 19th day of January, A. D. 1943.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission (no answer having been filed by respondent), testimony and other evidence in support of the allegations of the complaint taken before a trial examiner of the Commission theretofore duly designated by it, reports of the trial examiner upon the evidence, and brief in support of the complaint (no brief having been filed by respondent and oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, Hollywood Magic Garment Co., a corporation, and its officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of respondent's device designated "Hollywood Magic Garment," or any other device of substantially similar nature or possessing substantially similar properties, whether sold under the same name or under any other name, do forthwith cease and desist from directly or indirectly:

1. Disseminating or causing to be disseminated any advertisement by means of the United States mails, or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement repre-

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FEDERAL REGISTER

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sents, directly or by implication, that respondent's device constitutes an effective means or method for the removal of excess flesh or weight from the human body, or that said device is in all cases safe for use.

2. Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of respondent's device, which advertisement contains any representation prohibited in paragraph 1 hereof.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43–1403; Filed, January 27, 1943, 10:56 a. m.]

[Docket No. 4706]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

THE FERBO CO.

§ 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.6 (n) *Advertising falsely or misleadingly—Nature—Product.* In connection with offer, etc., of respondent's food flavoring product designated as "French Tang Vanilla Flavor" and as "Sun-Cu-Nilla", or any other similar product, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of said product, which advertisements (1) use the term "vanilla," "vanilla flavor," or "vanilla flavoring," or any other term of similar import, to designate or describe respondent's product, unless such term is immediately preceded by the word "Imitation" in equally conspicuous type; or (2) represent in any manner or by any means that respondent's product is genuine vanilla extract or flavoring; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, The Ferbo Co., Docket 4706, January 19, 1943]

In the Matter of Arthur H. Ferber an Individual, Trading and Doing Business as The Ferbo Co.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 19th day of January, A. D. 1943.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence in support of and in opposition to the allegations of the complaint taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence, and brief in support of the complaint (no brief having been filed by respondent and oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, Arthur H. Ferber, individually and trading as The Ferbo Co., or trading under any other name, and his agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of respondent's food flavoring product designated as "French Tang Vanilla Flavor" and as "Sun-Cu-Nilla," or any other product of substantially similar composition, whether sold under the same names or under any other name, do forthwith cease and desist from directly or indirectly:

1. Disseminating or causing to be disseminated any advertisement by means of the United States mails, or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement

(a) Uses the term "vanilla," "vanilla flavor," or "vanilla flavoring," or any other term of similar import, to designate or describe respondent's product, unless such term is immediately preceded by the word "Imitation" in equally conspicuous type; or

(b) Represents in any manner or by any means that respondent's product is genuine vanilla extract or flavoring.

2. Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of respondent's product, which advertisement contains any representation prohibited in paragraph 1 hereof.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43–1404; Filed, January 27, 1943; 10:57 a. m.]

[Docket No. 4834]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

MONO SERVICE COMPANY

§ 3.99 (a) *Using or selling lottery device—Devices for lottery selling.* In connection with offer, etc., in commerce, of ice cream cups or other similar containers, (1) selling, etc., to jobbers or wholesale dealers or to retail dealers direct, ice cream cups, or other similar containers, so printed or assembled that sales of ice cream or other merchandise to the general public, when packed in said cups or other similar containers, are to be made or, due to the manner in which such cups or other similar containers are printed and assembled at the time they are sold by respondent, may be made by means of a game of chance, gift enterprise, or lottery scheme; (2) packing or assembling cup lids in packages or assortments of ice cream cups or other similar containers for sale with ice cream or other merchandise to the public at retail, which cup lids are printed for use, or which may be used, in distributing or selling ice cream cups or other similar containers together with ice cream or other merchandise by means of a lottery scheme, game of chance, or gift enterprise; and (3) furnishing to retail or wholesale dealers or jobbers, cup lids or containers, some of which are so printed as to be used in distributing extra cups or containers of ice cream or other merchandise to purchasers of cups or containers containing ice cream or other merchandise when the distribution of such extra cups or containers is determined by lot or chance; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Mono Service Company, Docket 4834, January 19, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 19th day of January, A. D. 1943.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint and states that it waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent Mono Service Company, a corporation, its officers, representatives, agents and employees, directly or through any corporate or other device in connection with the offering for sale, sale and distribution of ice cream cups or other similar containers in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Selling or distributing to jobbers or wholesale dealers or to retail dealers direct, ice cream cups, or other similar containers, so printed or assembled that sales of ice cream or other merchandise to the general public, when packed in said cups or other similar containers, are to be made or, due to the manner in which such cups or other similar containers are printed and assembled at the time they are sold by respondent, may be made by means of a game of chance, gift enterprise, or lottery scheme;

(2) Packing or assembling cup lids in packages or assortments of ice cream cups or other similar containers for sale with ice cream or other merchandise to the public at retail, which cup lids are printed for use, or which may be used, in distributing or selling ice cream cups or other similar containers together with ice cream or other merchandise by means of a lottery scheme, game of chance, or gift enterprise;

(3) Furnishing to retail or wholesale dealers or jobbers, cup lids or containers, some of which are so printed as to be used in distributing extra cups or containers of ice cream or other merchandise to purchasers of cups or containers containing ice cream or other merchandise when the distribution of such extra cups or containers is determined by lot or chance.

It is further ordered, That the respondent, Mono Service Company, a corporation, shall, within 60 days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with the order to cease and desist hereinabove set forth.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43–1402; Filed, January 27, 1943; 10:56 a. m.]

[Docket No. 4845]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

THE LEONARD CUSTOM TAILORS CO. ETC.

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Unique status or advantages:* § 3.6 (m 10) *Advertising falsely or misleadingly—Manufacture or preparation:* § 3.6 (ff 10) *Advertising falsely or misleadingly—Unique nature or advantages.* In connection with offer, etc., in commerce, of men's

clothes, representing (1) that its men's clothes are benchmade or handmade; and (2) that the woolen materials from which respondent's men's clothing is made are exclusive to respondent or that respondent is the only dealer from whom clothes manufactured from the same materials can be purchased; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, The Leonard Custom Tailors Co., etc., January 14, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 14th day of January A. D. 1943.

In the matter of The Leonard Custom Tailors Co., a corporation, also trading as Leonard Custom Tailors Company, as Leonard Custom Tailors and as Avon Park Clothes.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint, and states that it waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, The Leonard Custom Tailors Co., a corporation, also trading as Leonard Custom Tailors Company, as Leonard Custom Tailors and as Avon Park Clothes, or trading under any other name or names, its officers, representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, and distribution of men's clothes in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Representing that its men's clothes are bench-made or handmade;

(2) Representing that the woolen materials from which respondent's men's clothing is made are exclusive to respondent or that respondent is the only dealer from whom clothes manufactured from the same materials can be purchased.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-1405; Filed, January 27, 1943; 10:57 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 210—REGULATION S-X UNDER SECURITIES ACT OF 1933, SECURITIES EXCHANGE ACT OF 1934, AND INVESTMENT COMPANY ACT OF 1940

FINANCIAL STATEMENTS UNDER SECURITIES ACT OF 1933, SECURITIES EXCHANGE ACT OF 1934 AND INVESTMENT COMPANY ACT OF 1940

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Act of 1933, particularly sections 7 and 19 (a) thereof, and the Securities Exchange Act of 1934, particularly sections 12, 13, 15 (d) and 23 (a) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors and necessary for the execution of the functions vested in it by said Acts, hereby amends Part 210 [Regulation S-X] as follows:

1. By adopting the following new § 210.4-13 [Rule 4-13]

§ 210.4-13 *Special requirements as to public utility holding companies.* In the consolidated balance sheet of a public utility holding company and its subsidiaries, tangible and intangible utility plant shall be segregated so as to show separately the original cost, plant acquisition adjustments, and the plant adjustments, as required by the systems of accounts prescribed by the applicable regulatory authorities. In addition, there shall be shown the differences between the amount at which the parent's investment is carried and the underlying book equity of subsidiaries as at the respective dates of acquisition. The above classification of utility plant, however, is not required of companies included in consolidation which are not otherwise required to make such a classification or which have not completed the necessary original cost studies. If such classification is not otherwise required or if such original cost studies have not been completed, an appropriate explanation of the circumstances shall be set forth in a footnote which shall include a specific statement as to the status of the original cost studies and, to the extent practicable, the results indicated thereby.

2. By amending caption 13 of § 210.5-02 [Rule 5-02], Balance Sheets, to read as follows:

13. *Property, plant and equipment.* Tangible and intangible utility plant of a public utility company shall be segregated so as to show separately the original cost, plant acquisition adjustments, and plant adjustments, as required by the systems of accounts prescribed by the applicable regulatory authorities. This rule shall not be applicable in respect of companies which are not otherwise required to make such a classification or have not completed the necessary original cost studies. If such classification is not otherwise required or if such original cost studies have not been completed, an appropriate explanation of the circumstances shall be set forth in a footnote which shall include a specific statement as to the status of the original cost studies and, to the extent practicable, the results indicated thereby.

Effective January 26, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-1362; Filed, January 26, 1943; 2:41 p. m.]

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

SOLICITATION OF PURCHASES ON AN EXCHANGE TO FACILITATE DISTRIBUTION OF SECURITIES

The Securities and Exchange Commission, deeming it necessary for the exercise of the functions vested in it and necessary and appropriate in the public interest and for the protection of investors so to do, pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly sections 10 (b) and 23 (a) thereof, hereby

1. Amends paragraph (d) (3) of § 240.10b-2 [Rule X-10B-2][1] to read as follows:

§ 240.10b-2 *Solicitation of purchases on an exchange to facilitate a distribution of securities.* * * *

(d) * * *

(3) The provisions of this exemption shall terminate at the close of business on July 31, 1943, unless the Commission otherwise determines.

2. And declares the special offering plans of the New York Stock Exchange, New York Curb Exchange, and San Francisco Stock Exchange, as now effective, to be effective until the close of business on July 31, 1943, unless the Commission otherwise determines, on condition that if at any time it appears to the Commission necessary or appropriate in the public interest or for the protection of investors so to do, the Commission may send at least ten days' notice to any of said Exchanges terminating the effectiveness of their respective plans.

Effective January 27, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-1361; Filed, January 26, 1943; 2:41 p. m.]

[1] 7 F.R. 807, 2865, 5209.

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1392]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

ORDER GRANTING RELIEF

Order amending order granting temporarily and conditionally final relief in the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 8.

On May 6, 1942, 7 F.R. 3872, an order granting temporary relief and conditionally providing for final relief was issued by the Bituminous Coal Division in the above-entitled matter in which, among other matters, price classifications and minimum prices were established for the New Cinderella Mine (Mine Index No. 5418) of the Cinderella Coal Corporation and for the Consolidation #207 Mine (Mine Index No. 5445) of Consolidation Coal Company for all shipments except truck and for truck shipments.

On June 24, 1942, 7 F.R. 4757, upon motion of District Board No. 8, an order amending order granting temporary and conditionally final relief was issued in this matter in which the order of May 6, 1942, was amended to provide that the relief granted to the New Cinderella Mine of Cinderella Coal Corporation and the Consolidation #207 Mine of Consolidation Coal Company should not become final until October 1, 1942.

A motion to modify order was filed in this matter with the Division on September 12, 1942, by District Board No. 8 requesting an amendment to the Order of May 6, 1942, to effect the following changes in the price classifications and minimum prices for the coals of the New Cinderella Mine of the Cinderella Coal Corporation for all shipments except truck and for truck shipments:

FOR DESTINATIONS OTHER THAN GREAT LAKES

From "G" to "C" in Size Group 10
From "F" to "D" in Size Groups 11-17, incl.
From "M" to "K" in Size Groups 18-21, incl.
From "O" to "L" in Size Group 22.

FOR GREAT LAKES CARGO ONLY

From "G" to "C" in Size Group 10.
From "K" to "J" in Size Groups 16-17, incl.
From "M" to "K" in Size Groups 18-21, incl.
From "O" to "L" in Size Group 22

FOR TRUCK SHIPMENTS

From 2.10 to 2.20 in Size Group 3
From 2.00 to 2.10 in Size Group 6.
From 1.45 to 1.55 in Size Group 7.
From 1.40 to 1.50 in Size Group 8.

In the motion to modify order, District Board No. 8 represents that recent sampling of the coals produced from the New Cinderella Mine in the size groups for which revised price classifications and minimum prices are requested revealed that such coals are relatively low in ash content and comparable to and of equal market value with other coals produced from mines operating in the Winifrede Seam in the same subdistrict and that the price classifications and minimum prices requested are the same as those for such other coals in the Winifrede Seam.

A motion to reopen proceeding and modify order amending order granting temporary and conditionally final relief was filed with the Division on October 14, 1942, by District Board No. 8 requesting the same relief as the motion to modify order, filed September 12, 1942, with respect to the New Cinderella Mine of the Cinderella Coal Corporation, and, in addition, requesting that the order amending order granting temporary and conditionally final relief of June 24, 1942, be amended to provide that the final relief granted therein to Consolidation #207 Mine (Mine Index No. 5445) of Consolidation Coal Company be made temporary and that it shall not become final until February 1, 1943.

In its motion to reopen proceeding and modify order amending order granting temporary and conditionally final relief filed October 14, 1942, District Board No. 8 represents that on October 1, 1942, Consolidation #207 Mine had not entered into regular commercial production by reason of the fact that such mine had not then received all its equipment, and, therefore, petitioner was not in a position to inspect or sample the coals as loaded for purposes of analysis and for a determination of proper permanent classifications.

It appears that the motion to modify order and the motion to reopen proceeding and modify order amending order granting temporary and conditionally final relief have been duly served upon all interested persons, that no opposition to the requests for relief have been filed with the Division, and that good reason has been shown for granting the motions.

It is therefore ordered, That the motion to modify order be and it hereby is granted.

It is further ordered, That commencing forthwith § 328.11 (*Alphabetical list of code members*) and § 328.34 (*General prices for high volatile coals in cents per net ton for shipment into all market areas*) are supplemented to include the following price classifications and minimum prices for the New Cinderella Mine (Mine Index No. 5418) of the Cinderella Coal Corporation in lieu of those established by Order of May 6, 1942:

FOR DESTINATIONS OTHER THAN GREAT LAKES

"C" in Size Group 10.
"D" in Size Groups 11-17, incl.
"K" in Size Groups 18-21, incl.
"L" in Size Group 22.

FOR GREAT LAKES CARGO ONLY

"C" in Size Group 10.
"J" in Size Groups 16-17, incl.
"K" in Size Groups 18-21, incl.
"L" in Size Group 22.

FOR TRUCK SHIPMENTS

2.40 in Size Group 3.
2.30 in Size Group 6.
1.75 in Size Group 7.
1.70 in Size Group 8.

It is further ordered, That the relief herein granted with respect to the New Cinderella Mine shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

It is further ordered, That the motion to reopen proceeding and modify order amending order granting temporary and conditionally final relief be and it hereby is granted to the extent indicated herein.

It is further ordered, That commencing forthwith, the schedules of effective minimum prices for District No. 8 for all shipments except truck and for truck shipments are modified to provide that the price classifications and minimum prices of the Consolidation #207 Mine (Mine Index No. 5445) of Consolidation Coal Company shall be temporary until March 1, 1943, at which time they shall become final, unless it shall otherwise be ordered.

It is further ordered, That pleadings in opposition to the aforesaid motions in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That in all other respects the order of May 6, 1942, in the above-entitled matter be and the same shall remain in full force and effect.

Dated: January 23, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-1322; Filed, January 26, 1943; 12:19 p. m.]

[Docket No. A-1796]

PART 330—MINIMUM PRICE SCHEDULE, DISTRICT NO. 10

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 10 for the establishment of price classifications and minimum prices for the coals of certain mines.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 10; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 330.25 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: January 9, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO 10

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 330 Minimum Price Schedule for District No. 10 and supplements thereto.

FOR TRUCK SHIPMENTS

§ 330.25 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member Index	Mine index No.	Mine	Seam	Prices and size group numbers														
				1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
SECTION NO. 5																		
MONONGALIA COUNTY																		
Bunt, Earl	1619	Bunt's	2	260	255	250	240	235	230	175	170	165	160	160	160	130	120	65
SCHUYLER COUNTY																		
Gossage, Fred	1621	Hill Top #2	2	260	255	250	240	235	230	175	170	165	160	160	160	130	120	65

[F. R. Doc. 43-1323; Filed, January 26, 1943; 12:20 p. m.]

[Docket No. A-1816]

PART 331—MINIMUM PRICE SCHEDULE, DISTRICT NO. 11

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 11 for establishment of price classifications and minimum prices for Mine Index No. 1375.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Engles Mine, Mine Index No. 1375, of Wm. A. Engles (Engles Coal Company); and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 331.24 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: January 9, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO 11

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 331, Minimum Price Schedule for District No 11 and supplements thereto.

FOR TRUCK SHIPMENTS

§ 331.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member Index	Mine index No.	Mine	Seam	Prices and size group numbers														
				1	2	3	4 A	5	6	7	8	9	10, 11, 12	13	14	15	16	
CLAY COUNTY																		
Engles, Wm. A. (Engles Coal Company)	1375	Engles	B	315	290	270	260	255	250	225	220	200	190	160	150	85	55	

[F. R. Doc. 43-1326, Filed, January 26, 1943, 12:19 p. m.]

[Docket No. A-1800]

PART 332—MINIMUM PRICE SCHEDULE, DISTRICT NO. 12

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 12 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 12.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 12; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 322.2 (*Alphabetical list of Code Members*) is amended by adding thereto Supplemental R, and § 322.24 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Price classifications and minimum prices have not been established for the coals of the American Coal Company (Cleo K. Bennett), Mine Index No. 798 for truck shipments, as requested by District Board No. 12, for the reason that this mine was previously classified for truck shipments in Docket No. A-1733, 8 F.R. 258, under the name of the American Coal Company (T. D. Macksey).

Dated: January 14, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 12

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 332, Minimum Price Schedule for District No. 12 and supplements thereto.

FOR RAIL SHIPMENTS

§ 332.2 *Alphabetical list of code members*—Supplement R

Code member	Mine Index No.	Mine name	Mine origin group	Originating railroad	Mine origin Group No.
American Coal Co. (Cleo K. Bennett)	798	American [1]	Harvey	C. B. & Q.-Wab.	37
Beard, Byron (Beard Coal Co.)	225	Beard Coal Co.[1]	Knoxville Flagler	C. B. & Q.	69
Lokerse, Gil (Producers Coal Co.)	688	Producers Coal Co.[1]	Knoxville	C. B. & Q.	39
Mesecher Coal Co. (Ira Mesecher)	350	Mesecher [1]	Percy swan [2]	Wab.-C. B. & Q.	2 80

[1] Indicates mines shipping via public sidings and ramps for railway delivery.
[2] Denotes additional shipping point and new mine origin group number. Mine origin group No. 44 shall no onger be applicable for this mine.

FOR TRUCK SHIPMENTS

§ 332.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member Index	Mine index No.	Mine	Price group No.	County	Chunk	Standard, lump	Egg, 8 x 2", 6 x 2"	Small egg, 4 x 2", 3 x 1½"	Mine run	Nut, 2" x 1½", 1¼" x ¾", 1" x ½"	Domestic stoker, 1¼", 1" x ½"	Screenings, 2", 1½", 1¼" x 0	Ind. stoker, Cr. 2", 1½", 1¼" x 0	⅝" x 0
					1	2	3	4	5	6	7	8	9	10
X-I Coal Co. (Nomie French).	837	#2	18	Marion	305	295	285	275	275	275	275	165	125	105

[F. R. Doc. 43-1324; Filed, January 26, 1943; 12:20 p. m.]

[Docket No. A-1809]

PART 340—MINIMUM PRICE SCHEDULE, DISTRICT NO. 20

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 20 for the establishment of price classifications and minimum prices for the Muddy Creek Mine.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Muddy Creek Mine, Mine Index No. 208, of code member Crawford Carlyle in Subdistrict 1 of District No. 20 for truck shipments; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 340.4 (*Code member price index*) is amended by adding thereto Supplement T–I, and § 340.21 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T–II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: January 14, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 20

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 340, Minimum Price Schedule for District No. 20, and supplements thereto.

FOR TRUCK SHIPMENTS

The following price classifications and minimum prices shall be inserted in Minimum Price Schedule for District No. 20:

§ 340.4 *Code member price index*—Supplement T–I

Insert the following listing in proper alphabetical order under Code Member Index:

Producer	Mine	Mine index No.	County	Sub-district price group	Prices, section	
					Rail	Truck
Carlyle, Crawford	Muddy Creek	208	Emery	1	-------	340.21

§ 340.21 *General prices in cents per net ton for shipment into all market areas*—Supplement T–II

Insert the following code member name, mine name, mine index number and county under Subdistrict No. 1, and the following minimum f. o. b. mine prices in cents per net ton:

Code member mine name	Mine index No.	County	Size groups														
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
SUBDISTRICT NO. 1																	
Carlyle, Crawford, Muddy Creek	208	Emery	291	251	231	216	221	161	136	96	86	56	16	21	111	111	86

[F. R. Doc. 43-1325; Filed January 26, 1943; 12:19 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1010—SUSPENSION ORDERS

[Suspension Order S-155,[1] Amendment 1]

FARGO FOUNDRY COMPANY

Section 1010.155, *Suspension Order 155*, paragraph (d), is amended to read as follows:

(d) This order shall take effect on November 25, 1942 and shall terminate on January 25, 1943, after which latter date it shall have no further force and effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of January 1943.

CURTIS E. CALDER,
Director general for Operations.

[F. R. Doc. 43-1364; Filed, January 26, 1943, 4:31 p. m.]

PART 938—SYNTHETIC RUBBER

[General Preference Order M-13 as Amended Jan. 22, 1943][2]

Whereas, the national defense requirements have created a shortage of synthetic rubber, as hereinafter defined, for defense, for private account and for export, and it is necessary, in the public interest and to promote the defense of the United States, to conserve the supply and direct the distribution thereof:

Now, therefore, it is hereby ordered, That:

§ 938.1 *General Preference Order M-13*—(a) *Definitions.* For the purposes of this order:

(1) "Synthetic rubber" means all neoprenes; all butadiene types, such as the materials known by the trade names of Hycar, Perbunam, Chemigum, and Buna "S"; organic polysulphides known by the trade names of Thiokol; butyl rubber; poly iso butylene, such as the material known by the trade names of Vistanex and Synthetic "100"; and the material known by the trade name of Thiokol "RD."

(2) "Producer" means any person engaged in the production of synthetic rubber and includes any person who has synthetic rubber produced for him pursuant to toll agreement.

(b) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(c) *Restrictions on deliveries.* On and after January 1, 1942, no deliveries of synthetic rubber (not including poly iso butylene, such as the material known by the trade names of Vistanex and Synthetic "100," as to which the operative date shall be February 1, 1942) shall be made by any producer, except as may be specifically directed by the Director General for Operations; and no person shall accept delivery of synthetic rubber made in violation of the foregoing clause. At the beginning of each calendar month the Director General for Operations will issue to all producers specific directions covering deliveries of synthetic rubber which may be made by such producers during such month. Such directions will be made primarily to insure the satisfaction of all defense requirements and to provide an adequate supply for essential civilian uses, and they may be made at the discretion of the Director General for Operations without regard to any preference rating assigned to particular contracts or orders.

(d) *Intra-company transactions.* The prohibitions or restrictions contained in this order with respect to deliveries shall, in the absence of a contrary direction, apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise owned or controlled by the same person.

(e) *Reports.* Reports shall be made by producers at such times, on such forms and with respect to such matters as shall be prescribed by the Chemicals Division of the War Production Board. In addition persons who order or receive synthetic rubber from a producer shall furnish to the Chemicals Division of the War Production Board information with respect to requirements and use of such material at such times and on such forms as the said Chemicals Division shall prescribe. All persons shall furnish such other and further information as the Chemicals Division may deem necessary for the orderly and effective operation of this order.

(f) *Notification of customers.* Producers shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but the failure to give such notice shall not excuse any person from the obligation of complying with the terms of this order.

(g) *Violations or false statements.* Any person who violates this order, or who wilfully falsifies any records which he is required to keep by the terms of this order, or by the Director General for Operations, or otherwise wilfully furnishes false information to the Director General for Operations or to the War Production Board may be deprived of priorities assistance or may be prohibited by the Director General for Operations from obtaining further deliveries of materials subject to allocation. The Director General for Operations may also take any other action deemed appropriate, including the making of a recommendation for prosecution under section 35 (A) of the Criminal Code (18 U.S.C. 80).

(h) Any action which, under the terms of this order, is to be taken by the Director of Priorities, the Director of Industry Operations or the Director General for Operations, may be taken by either the Director General for Operations or the Rubber Director.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719, sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-1407; Filed, January 27, 1943, 11:07 a. m.]

PART 940—RUBBER AND BALATA AND PRODUCTS OF WHICH RUBBER OR BALATA IS A COMPONENT

[Supplementary Order M-15-e as Amended Jan. 22, 1943][1]

RESTRICTION OF TRANSACTIONS IN RUBBER LIFE SAVING SUITS

§ 940.7 *Supplementary Order M-15-e*—(a) *Definitions.* (1) "Life saving suit" means any buoyant water tight suit made in whole or in part of rubber, latex, reclaimed rubber, scrap rubber or any of the compositions generally known as synthetic rubber, designed for use by seamen as a device for rescuing or preserving the lives of seamen from wrecked vessels.

(2) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(b) *General restriction on the purchase and sale of life saving suits.* Except as provided in paragraph (c) hereof no person shall purchase any life saving suit except:

(1) To provide necessary equipment for ocean and coastwise cargo and tank vessels of over 1,000 gross tons for the purpose of providing one approved life saving suit for each person on board as required by regulations prescribed by the United States Coast Guard (Title 46, Chapter II, Subchapter O, § 153.12) and

(2) Only upon compliance with rules, regulations, instructions or directions concerning the purchase and sale of life saving suits to be issued from time to time by the United States Coast Guard. No person shall sell any life saving suit except pursuant to such rules, regulations, instructions or directions issued by the United States Coast Guard, or if he knows or has reason to believe that such life saving suit is being acquired or is to be used for any purpose other than is permitted by this order.

(c) *Exceptions.* The provisions of paragraph (b) shall not prohibit the purchase or sale of life saving suits in any case in which:

(1) Such purchase or sale has been expressly authorized by the Director General for Operations.

(2) Such purchase is made by or for the account of the United States Army, Navy or Coast Guard.

(3) Such purchase is made by any agency of the United States for the account of any foreign country under the provisions of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(4) Such purchase is made by a dealer in life saving suits for the purpose of resale.

(d) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, sales and products.

(e) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be required by said Board from time to time.

(f) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed be addressed to War Production Board, Washington, D. C. Ref: M-15-e.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 as amended from time to time, except to the extent that any provision of this order may be inconsistent therewith, in which case such provision shall govern.

(i) Any action which, under the terms of this order, is to be taken by the Director of Industry Operations or the Director General for Operations, may be taken by either the Director General for Operations or the Rubber Director.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-1408; Filed, January 27, 1943; 11:07 a. m.]

[1] 7 F.R. 9774.

[2] This document is a restatement of Amendment 2 to General Preference Order M-13 which appeared in the FEDERAL REGISTER of January 26, 1943, page 1094 and reflects the order in its completed form as of January 22, 1943.

[1] This document is a restatement of Amendment 1 to Supplementary Order M-15-e which appeared in the FEDERAL REGISTER of January 26, 1943, page 1094, and reflects the order in its completed form as of January 22, 1943.

PART 940—RUBBER AND BALATA AND PRODUCTS OF WHICH RUBBER OR BALATA IS A COMPONENT

[Supplementary Order M-15-f as Amended Jan. 22, 1943][1]

ORDER RESTRICTING THE USE OF RUBBER CEMENTS AND ADHESIVES

Whereas the fulfillment of the requirements for the defense of the United States has created a shortage in the supply of rubber for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 940.8 *Supplementary Order M-15-f*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Rubber cement" means any type of cement, adhesive or coating made in whole or in part of crude rubber, latex, reclaimed rubber or scrap rubber.

(b) *Restriction on the use of rubber cement.* Except as otherwise permitted by general or special authorization of the Director General for Operations, no person who for compensation or profit engages in manufacturing, repairing, combining, laminating, coating, impregnating or otherwise treating any luggage, handbags, belts for wearing apparel, pocketbooks, wallets, key rings or cases, hats or other millinery, cosmetic appliances, cosmetic bags, tobacco pouches, furs or embroidered or other materials for emblems, pennants, chevrons, appliques or other similar decorative material, or in laminating, combining or treating any fabrics or materials, or in manufacturing shoes, shall use any rubber cement in manufacturing, repairing, combining, laminating, coating, impregnating or treating any such products or materials; except that rubber cement may be used (i) in the following operations only in the manufacture or repair of shoes: Cutting and fitting room operations, bed and side lasting, folding, gem duck, heel breasting, insole rib and lip, moccasin seam, prewelt, platform attaching (but only if no equipment for the use of another method is available), rand, soft box toe, sole attaching, semi-automatic toe lasting (but only if no equipment for the use of another method is available), unishank, leather welting, channelling McKay shoes and Littleway sewed shoes (but no others), and shoe repair, and (ii) in the manufacture, application or repair of any products for the manufacture of which crude rubber, latex, reclaimed rubber or scrap rubber may be consumed under the provisions of § 940.3 (Supplementary Order No. M-15-b) as amended from time to time.

(c) *Restriction on the purchase and sale of rubber cement.* No person shall purchase rubber cement for the purpose of using such rubber cement for any of the purposes for which rubber cement may not be used under the provisions of paragraph (b) hereof; nor shall any person sell, trade, transfer or deliver, or offer to sell, trade, transfer or deliver, any rubber cement to any other person if he knows or has reason to believe such other person intends or proposes to use such rubber cement for any of the purposes prohibited by paragraph (b) hereof.

(d) *Exceptions as to supplies on hand.* Notwithstanding the restrictions imposed by paragraph (b) of this order, any person who on July 31, 1942, had in his possession any rubber cement which he purchased or was holding for his own use for any of the purposes prohibited by paragraph (b) may use in operations prohibited by paragraph (b) hereof an amount of rubber cement not exceeding five gallons.

(e) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(2) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, purchases, production and sales of rubber cement and the uses to which such persons put rubber cement now owned or hereafter acquired by them.

(3) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as the Board shall from time to time require.

(4) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(5) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(6) *Appeals.* Any person affected by this order who considers that compliance with this order would work an exceptional and unreasonable hardship upon him or that it would result in a problem of unemployment in the community, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may apply for relief to the War Production Board, setting forth the pertinent facts and the reasons such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(7) *Communications.* All communications concerning this order shall be addressed to: Rubber and Rubber Prod-

[1] This document is a restatement of Amendment 1 to Supplementary Order M-15-f which appeared in the FEDERAL REGISTER of January 26, 1943, page 1094, and reflects the order in its completed form as of January 22, 1943.

ucts Division, War Production Board, Washington, D. C., Ref.: Supplementary Order M–15–f.

(f) Any action which, under the terms of this order, is to be taken by the Director General for Operations, may be taken by either the Director General for Operations or the Rubber Director.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a) Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43–1409; Filed, January 27, 1943; 11:07 a. m.]

PART 980—RAYON YARN

[General Preference Order M–37–d]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of rayon yarn for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 980.5 *General Preference Order M–37–d*—(a) *General effect of the order.* This order shall on February 1, 1943, supersede Supplementary Order M–37–c.

(b) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of Priorities Regulations of the War Production Board, as amended from time to time.

(c) *Additional definitions.* For the purposes of this order:

(1) "Rayon yarn" means continuous filament rayon yarn made by the viscose, cuprammonium, or acetate process.

(2) "Fine rayon yarn" means rayon yarn of 300 deniers or finer.

(3) "Reserved domestic yarn" means the fine rayon yarn set aside for domestic consumption pursuant to the provisions of this order.

(4) "Yarn-dyed silk" means silk which was fast dyed before being woven or knitted.

(5) "Producer" means any person who produces rayon yarn.

(6) "Domestic manufacturer" means any person who consumed silk, nylon or rayon in the first six months of 1941.

(7) "Fabric converter" means any person who prior to July 26, 1941, bought silk, nylon or rayon, and caused it to be woven or knit for him on commission.

(8) "Basic monthly poundage" for any month means a poundage in terms of 100 denier rayon yarn equal to the monthly average number of pounds of raw silk (or its thrown silk equivalent) and/or nylon consumed by a person during the first six months of the year 1941. In applying the above definition to a domestic manufacturer, poundage consumed shall refer to the poundage consumed by the domestic manufacturer on his own machinery. In the case of a fabric converter, it shall refer to the poundage knit or woven by others for his account.

(9) "Current factor" for any month means a percentage which shall be established by the Director General for Operations. For the month of February, 1943, such factor shall be 100%. For the month of March, 1943, and for every month thereafter until such time as a different factor is established, such factor shall be 85%.

(10) "Current monthly eligibility" means a poundage calculated as follows: Multiply the basic monthly poundage by the current factor.

(11) "The equivalent of the current monthly eligibility" means a poundage calculated as follows: Divide the current monthly eligibility by 100 and multiply the result by the denier desired, but in no event by more than 200.

(d) *Allocation of certain types of viscose rayon yarn.* No producer shall sell or deliver any rayon yarn of the following types produced by him on or after March 1, 1943, except to persons authorized by the Director General for Operations to receive delivery of such yarn:

Viscose rayon yarn qualifying as yarn of 250 denier or coarser and having an average tenacity designation of 31 or higher in accordance with Table of Designations attached hereto, irrespective of elongation, in tests made under the following conditions:

(1) Yarns with three turns per inch twist shall be used.

(2) Yarn shall be conditioned until it reaches a regain equilibrium, approached from the dry side, in an atmosphere of 70 degrees Fahrenheit and 57% relative humidity.

(3) The loading rate on a constant-rate-of-loading machine shall be from 30 to 35, inclusive, grams per denier per minute. The loading rate on a pendulum type machine shall not exceed 35 grams per denier per minute.

(4) A denier tolerance of 3%, plus or minus, on deniers of 250 to 300 shall be allowed, based on the average denier of the lot tested. A denier tolerance of 2%, plus or minus, on deniers coarser than 300 shall be allowed, based on the average denier of the lot tested.

Any person desiring to receive deliveries of any such yarn from a producer or from the Defense Supplies Corporation in the month of March, 1943, shall file an application for an allocation for such month with the War Production Board on Form PD–739 not later than February 10, 1943. Any person desiring to receive deliveries on or after April 1, 1943, shall file an application for an allocation for the calendar quarter in which such deliveries are desired on Form PD–739 not later than the fifteenth day of the month preceding the month before the quarter in which such deliveries are desired.

(e) *Allocations of amounts of rayon yarn for domestic manufacturers.* Each producer shall, on and after February 1, 1943, each day set aside, to the extent that he possesses spindles capable of producing such fine rayon yarns,

(1) An amount of fine viscose or cuprammonium yarn equal to the production of 17% of the total number of his active spindles producing viscose or cuprammonium yarns of any denier, excluding from such total the number of spindles the production from which is equivalent to that required for filling rated orders, and for producing rayon yarn of the types specified in paragraph (d).

(2) An amount of fine acetate yarn equal to the production of 6% of the total number of his active spindles producing acetate yarns of any denier, excluding from such total the number of spindles the production from which is equivalent to that required for filling rated orders, and for producing rayon yarn of the types specified in paragraph (d).

The reserved domestic yarn thus set aside shall be selected in various denier sizes so as to yield an average denier equal to or less than the average denier of the fine rayon yarn set aside for silk replacement prior to April 1, 1942.

(f) *Disposition of domestic allocation*—(1) *Specific allocations.* (i) Amounts of reserved viscose, cuprammonium and acetate yarns equal to the production of 0.5% of the remaining spindles referred to in paragraph (e) shall be held by the producer for disposition according to specific allocations.

(ii) Persons desiring to participate in such amounts of reserved domestic yarn shall file application on Form PD–102. Any allocation made by the Director General for Operations will be evidenced by an order on Form PD–112, the original and two signed duplicates of which will be forwarded to the applicant. The applicant shall then, in order to secure the yarn, forward to the producer the two signed duplicates with his purchase order. Such order shall be accepted by the producer except under circumstances in which defense orders may be rejected pursuant to Section 944.2 of Priorities Regulation No. 1. If a purchaser's order is rejected, the provisions of Section 944.3 of Priorities Regulation No. 1 shall apply as if such order were a defense order, and the producer rejecting the order shall immediately notify the War Production Board, stating the reasons for his unwillingness to accept.

(2) *General allocations.* (i) To the extent and under the conditions set forth in (ii) below, amounts of reserved viscose and cuprammonium yarns equal to the production of 16.5% of the remaining spindles referred to in paragraph (e) (1) shall be made available, immediately and without further Governmental action, to domestic manufacturers and fabric converters for the manufacture of hosiery to replace their former consumption of silk and nylon, and for the manufacture of other products to replace their former consumption of yarn dyed silk, and amounts of reserved acetate yarn equal to the production of 5.5% of the remaining spindles referred to in paragraph (e) (2) shall be made available in the same manner to domestic manufacturers and fabric converters for the manufacture of any product to replace their former consumption of silk and nylon.

(ii) No producer shall deliver any reserved domestic yarn to any fabric converter or domestic manufacturer, and no fabric converter shall deliver any reserved domestic yarn to any domestic manufacturer, unless such purchaser shall have filed with the producer or fabric converter, as the case may be, a certificate, in duplicate, on Form PD–113 for each of the following capacities in which such yarn is to be received by him:

(*a*) As a domestic manufacturer replacing silk and nylon formerly consumed on his own machinery,

(*b*) As a fabric converter replacing silk and nylon formerly sent out by him for commission weaving or knitting,

and, in case such purchaser is a fabric converter, unless he shall have also filed with the producer the certificates received by him from each commission weaver or knitter who has a current monthly eligibility and by whom such yarn is to be woven or knit.

(iii) No producer or fabric converter shall make delivery of any such reserved domestic yarn to any domestic manufacturer or fabric converter, as the case may be, which he knows, or has reason to believe, will result in the receipt by such domestic manufacturer or fabric converter in that calendar month of an amount of reserved domestic yarn in excess of such recipient's equivalent of the current monthly eligibility for that month, or, together with stocks on hand, will increase such recipient's inventory of reserved domestic yarn in the aggregate to above one and one-half times such equivalent. No domestic manufacturer or fabric converter shall order, purchase, or accept from all sources for delivery in any one calendar month an amount of reserved domestic yarn in excess of the equivalent of the current monthly eligibility for that month, or own, control or otherwise hold as inventory at any time an amount of reserved domestic yarn in excess of one and one-half times the equivalent of the current monthly eligibility. For the purposes of this subparagraph inventory shall include all reserved domestic yarn owned, controlled, or otherwise held by the domestic manufacturer or fabric converter up to the time that it is placed on the knitting machine, loom or other similar fabricating machine.

(iv) In making deliveries of such reserved domestic yarn pursuant to subparagraph (ii), hosiery manufacturers operating knitting machines of 51 gauge and finer producing full-fashioned hosiery, or machines of 360 needle and finer producing seamless hosiery, shall be given first preference in the 50 and 65 denier sizes, and those operating knitting machines of 45 gauge and finer, producing full-fashioned hosiery, or machines of 320 needle and finer, producing seamless hosiery, shall be given first preference in the 75 denier size, such preferences to be granted in the production of any one month on the basis of orders placed with the producer on or before the final date set by such producer for receiving orders to be filled out of such production for such month: *Provided, however,* That nothing in this subparagraph shall relieve the producers from reserving and disposing of the proper proportions of such denier sizes pursuant to paragraph (f) (1) above. Manufacturers claiming such preferences shall not use any reserved domestic yarn so obtained upon any machines other than those specified herein in granting such preferences.

(g) *Prohibtions against discriminatory action by producers.* In making sales or deliveries of any rayon yarn, no person shall make discriminatory cuts in amounts or quantities between former customers and new customers or between new customers, who meet such person's regularly established prices and terms, and, except as provided in paragraph (f) (2) (iv) no person shall discriminate between such former customers, new customers, and his own consumption of such rayon yarn in any capacity: *Provided, however,* That sales or deliveries of reserved domestic yarn to domestic manufacturers for the manufacture of hosiery pursuant to paragraph (f) (2) which are not in excess of quantities necessary to permit of economical operation by the manufacturer, taking into account the size of the manufacturer's plant and the equipment therein, shall in no case be considered as resulting in discriminatory acts to others. In determining the regular eligibility for rayon yarn other than reserved domestic yarn of customers of any producer (i. e., the amount of the residual supply, after providing for reserved domestic yarn which the producer will sell to such customer) in accordance with whatever method consistent with this paragraph is adopted by the producer, amounts of reserved domestic yarn to which any customer may be entitled shall not be considered in computing such regular eligibility nor shall such regular eligibility be diminished by the amounts of such reserved domestic yarn.

(h) *Prohibitions against sale of reserved domestic yarn in yarn form.* No reserved domestic yarn shall be resold or exchanged in yarn form by any domestic manufacturer or fabric converter except upon the specific authorization of the Director General for Operations.

(i) *Disposition of reserved yarn not delivered in any month.* All reserved domestic yarn set aside for specific allocation or required to be made available for domestic consumption pursuant to Supplementary Order M–37–c, or set aside pursuant to the provisions of this order, shall be distributed in accordance with the provisions of Supplementary Order M–37–c prior to February 1, 1943, or in accordance with the provisions of this order thereafter, or held by the producer until disposed of, specifically allocated or released by the Director General for Operations.

(j) *Changes of machinery.* In the event that knitting machines, looms or similar fabricating machines which consumed the basic monthly poundage of the domestic manufacturer in the first half of 1941, are, or have been, moved from one location to another, scrapped, their operation discontinued, or their ownership or operation changed, the person or persons concerned shall immediately advise the Director General for Operations, who shall thereupon take any necessary action in connection therewith, including any appropriate revisions of the basic monthly poundage, and the assignment of appropriate basic monthly poundages to any new owners or operators thereof.

(k) *Doubtful cases.* Whenever there is reasonable doubt as to the eligibility of any person to receive reserved domestic yarn hereunder, the matter should be referred for determination to the Director General for Operations.

(l) *Reports and records.* (1) Each producer with whom Forms PD–112 and PD–113 are filed in duplicate shall promptly forward to the War Production Board, Textile, Clothing and Leather Division, Appeal Section, Washington, D. C., one duplicate of each such certificate endorsed as follows: "Supplied by our order No. ____" filling in the number of such supply order, together with a copy of his letter, or other form, accepting the purchaser's order.

(2) Each producer shall file with the War Production Board monthly allocation reports on Form PD–103, monthly production reports on Form PD–104, and such other reports as may hereafter be required, giving information on the yarn produced, when so required, in terms of the attached table of designations. Each fabric converter and domestic manufacturer shall also file with the War Production Board such reports as may hereafter be required.

(3) All persons operating under this order shall keep and preserve such certificates and records, including a complete file of invoices covering deliveries of rayon yarn, for not less than two years, as will clearly and adequately show their methods and rates of operation hereunder.

(m) *Communications to the War Production Board.* All reports, applications, forms or communications required under or referred to in this order, and all communications concerning this order, shall, unless otherwise directed, be addressed to War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Ref: M–37–d.

(n) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(o) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 27th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

TABLE OF DESIGNATIONS

Tenacity designation	Range covered (grams per denier)	Elongation designation	Range covered (percent)
13	1.39 and lower.	10	10.5 and less.
15	1.40–1.59	12	10.6–12.9.
17	1.60–1.79	14	13.0–14.9.
19	1.80–1.99	16	15.0–16.9.
21	2.00–2.19	18	17.0–18.9.
23	2.20–2.39	20	19.0–20.9.
25	2.40–2.59	22	21.0–22.9.
27	2.60–2.79	24	23.0–24.9.
29	2.80–2.99	26	25.0 and over
31	3.00–3.19		
33	3.20–3.39		
35	3.40–3.59		
37	3.60–3.79		
39	3.80 and over		

In designating yarn in accordance with the above table, the tenacity designation (an odd number) should be given first and the elongation designation (an even number) should be given next. For example, a yarn of a tenacity of 2.45 grams per denier and with an elongation of 13.6% would be referred to in terms of the above table as Type 25-14.

[F. R. Doc. 43-1410; Filed, January 27, 1943; 11:06 a. m.]

PART 1013—CHLORINATED RUBBER

[General Preference Order M-46 as Amended January 22, 1943[1]]

Whereas the national defense requirements have created a shortage of chlorinated rubber for defense, for private account and for export, and it is necessary, in the public interest and to promote the defense of the United States, to conserve the supply and direct the distribution thereof;

Now, therefore, it is hereby ordered, That:

§ 1013.1 *General Preference Order M-46*—(a) *Definitions.* For the purposes of this order:

(1) "Chlorinated rubber" means the reaction product of chlorine and crude rubber containing 55% to 75% of chlorine by weight, and includes the products known by the trade names of Parlon and Raolin.

(2) "Producer" means any person engaged in the production of chlorinated rubber, and includes any person who has chlorinated rubber produced for him pursuant to toll agreement, or who has purchased or purchases chlorinated rubber for purposes of resale.

(b) *Priorities Regulation 1.* Control of the supply and direction of the distribution of chlorinated rubber is hereby taken by the Director General for Operations and all future transactions of any kind in chlorinated rubber are regulated and covered by the provisions and definitions contained in Priorities Regulation 1 (Part 944), as amended, except as otherwise specifically provided herein.

(c) *Restrictions on deliveries.* No producer shall, on or after November 1, 1941, make deliveries of any chlorinated rubber except as specifically directed by the Director General for Operations. At the beginning of each calendar month the Director General for Operations will issue to all producers specific directions covering deliveries of chlorinated rubber which may be made by such producers during such month.

(d) *Records and reports.* In addition to the records and reports required by Priorities Regulation 1, hereinabove referred to, any person who receives or orders chlorinated rubber from a producer at any time after November 1, 1941 shall furnish to the Director General for Operations, War Production Board, attention Chemicals Division, Washington, D. C., information with respect to his requirements and use of such material at such times and on such forms as the Chemicals Division of the War Production Board shall prescribe, together with any other information which said Chemicals Division may deem necessary for the orderly and effective operation of this order.

(e) *Revocation of previous directions.* This order supersedes and revokes all previous orders, directions, and instructions heretofore issued by the Director of Priorities, the Director of Industry Operations and the Director General for Operations applicable to chlorinated rubber, to the extent that they may be inconsistent herewith: *Provided, however,* That nothing herein contained shall in any way affect or modify the order with respect to deliveries of chlorinated rubber heretofore on the 13th day of October 1941, issued by the Director of Priorities to Hercules Powder Company, Inc.

(f) *Restrictions on use.* Except as may be otherwise directed by the Director General for Operations, on and after February 23, 1942,

(1) No person shall use chlorinated rubber for a use not specified below:

(i) As a paint, for interior use (not including floor coating) in industrial plants where resistance to chemical corrosion is required. As a paint, for interior use in arsenals. For marine use in shipbottom and submarine paints.

(ii) For flame-proofing fabric for military use.

(iii) For tracer bullets.

(iv) For adhering natural and synthetic rubber articles to metal.

(v) For core binder cement for use in the manufacture of products by or for the Army or Navy of the United States or the United States Maritime Commission.

(2) No person shall knowingly deliver chlorinated rubber for a use not specified in paragraph (f) (1) above.

(3) The provisions of this paragraph (f) shall apply with respect to stocks of chlorinated rubber on hand on February 23, 1942. Persons who have stocks of chlorinated rubber on hand on February 23, 1942, the use of which said stocks is prohibited by provisions of this paragraph (f), shall forthwith report such fact and the details thereof to the Chemicals Division, War Production Board, and shall hold such chlorinated rubber for disposition by the Director General for Operations.

(g) *Notification of consumers.* Producers shall, as soon as practicable, notify each of their regular consumers of the requirements and restrictions contained in this order, but the failure to give such notice shall not excuse any person for the obligation of complying with the terms of this order.

(h) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of chlorinated rubber conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board, Reference: M-46, attention Chemicals Division, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(i) Any action which, under the terms of this order, is to be taken by the Director of Priorities, the Director of Industry Operations or the Director General for Operations, may be taken by either the Director General for Operations or the Rubber Director.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-1411; Filed, January 27, 1943; 11:07 a. m.]

PART 1029—FARM MACHINERY AND EQUIPMENT AND ATTACHMENTS AND REPAIR PARTS THEREFOR

[Amendment 1 to Limitation Order L-170, as Amended Jan. 19, 1943]

Subdivision (ii) of paragraph (c) (1) of § 1029.10 *Limitation Order L-170 as amended* is hereby amended by deleting therefrom the quota percentage "130%" and inserting in lieu thereof the quota percentage "160%."

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 27th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1412; Filed, January 27, 1943; 11:06 a. m.]

PART 1171—ELEVATORS

[General Conservation Order L-89, as Amended Jan. 27, 1943]

Section 1171.1 *General Conservation Order L-89* as heretofore amended is further amended to read as follows:

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of certain critical materials used in the manufacture of elevators for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1171.1 *General Conservation Order L-89*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Elevator" means any hoisting and lowering mechanism, equipped with a car or platform which moves in guides in a substantially vertical direction; including hydraulic, hydro-electric and hand power elevators, dumbwaiters, home-lifts, elevettes; but excluding mine material hoists and portable elevators. The term shall also mean inclinators, and electrically operated passenger elevating devices appurtenant to stationary stairways.

(3) "Essential hardware" means metal fastenings, reinforcing angles and plates, gate guides and shoes, recess panels, interlocks, pulleys, gate counterweights and car light fixtures, used in the manufacture or repair of elevators.

(4) "Manufacture" means the production or construction of an elevator, or the production of any parts, equipment or accessories to be attached to or incorporated in any elevator; or the assembly of any parts, equipment or accessories for the purpose of producing or constructing an elevator or any portion thereof; but does not include assembly or installation of the finished sections or portions of an elevator at the site of ultimate use of the elevator.

(5) "Manufacturer" means any person who manufactures any new elevator or any parts, equipment, or accessories to be attached to or incorporated in any elevator, and includes any sales or distribution outlets controlled by any such person.

(6) "Dealer" means any person who purchases new elevator parts, equipment or accessories for resale but does not include any sales or distribution outlets controlled by any manufacturer.

(7) "Order" means any commitment or other arrangement for the delivery of an elevator or parts or accessories therefor; and includes any group of purchase orders for equipment planned or anticipated for related deliveries, or to serve a common purpose, with respect to an elevator.

(8) "Restricted order" means any order (i) for a new elevator; or (ii) for changing the method of operation or control of any elevator then existing; or (iii) for parts, equipment, or accessories of any kind to be incorporated in, or installed on, any elevator then existing. For purposes of this paragraph, "operation" means the method of actuating the controller; and "control" means the system of regulation by which the starting, stopping, direction of motion, acceleration, speed, and retardation of an elevator are governed.

(b) *Restrictions on acceptance of orders for and manufacture of elevator and parts.* (1) Except as otherwise provided in this paragraph or in paragraph (e) no person shall (i) accept any restricted order, or (ii) commence the manufacture of any elevator or any elevator parts, equipment or accessories in fulfillment of any restricted order; unless the order has been authorized by the Director General for Operations as provided in paragraph (c). An authorization granted by the Director General for Operations under paragraph (c) shall meet the requirements of this paragraph, whether such authorization was issued before or after January 27, 1943.

(2) The limitations and restrictions of this paragraph shall not apply; (i) to any order for parts, equipment or accessories (other than for maintenance and repair, as defined in paragraph (e)) in an aggregate amount not in excess of $25.00, for installation on any single elevator; or (ii) to any order (or to manufacture in fulfillment of any order) placed with a supplier by a manufacturer or dealer for any elevator or parts to be delivered to the latter for resale or further manufacture, but such limitations and restrictions shall apply to any resale of such elevator or parts, or of the elevator into which any such parts shall be incorporated. For the purposes of this subparagraph, delivery by any such supplier to the purchaser designated by any such manufacturer or dealer shall be deemed delivery to the manufacturer or dealer and resale by him.

(c) *Procedure for securing authorization for restricted orders.* The authorization of the Director General for Operations required by paragraph (b) shall be obtained by the purchaser who may make application therefor on Form PD-411. The Director General for Operations may grant any such application upon such conditions, if any, as he shall specify. The authorizations of the Director General for Operations on Form PD-411 may also grant to the order, if theretofore unrated, a preference rating.

(d) *Restrictions on use of materials.* (1) No non-ferrous metals, or stainless or alloy steel shall be used in the manufacture of hoistway doors, car doors or gates, car or landing thresholds, face plates of operating or signal fixtures; or in the manufacture of parts therefor.

(2) No non-ferrous metals or steel shall be used in the manufacture of hanger cover plates, facias, passenger cabs (not including gates or doors), or freight elevator side guards or car gates; or in the manufacture of parts therefor; except that this restriction shall not apply to essential hardware.

(3) The provisions of this paragraph shall not apply to manufacture of the items specified above from material which was fabricated on January 27, 1943, to the point where use for other purposes would be impracticable.

(e) *Non-applicability to maintenance and repair.* The limitations and restrictions of paragraph (b) shall not apply to any order (1) for maintenance and repair parts in an aggregate amount not exceeding $500 for any single elevator to be repaired or maintained, or (2) for repair parts in any amount for any elevator when, and only when, there has been an actual breakdown or suspension of operations of the elevator because of the necessity for repair and the essential repair parts are not otherwise available. As used in this paragraph "maintenance" shall mean the upkeep of an elevator or elevator structure in sound working condition; and "repair" shall mean the restoration, without change of design, of any portion of an elevator or elevator structure to sound working condition, when such portion has been rendered inoperative or unsafe or unfit for service by wear and tear, damage, destruction or failure of parts, or other similar causes.

(f) *Schedules.* (1) On or before the 10th day of February, 1943, and of each succeeding calendar month, every manufacturer shall file with the War Production Board a report on Form PD-562, giving such information as shall be required by said form. (2) Regardless of the terms of any other order, rule or regulation of the War Production Board, the Director General for Operations may at any time prescribe a production or delivery schedule for any manufacturer; direct the delivery of any elevator or elevator parts, equipment, or accessories, in production or completed to any person; or direct the cancellation of any order held by any manufacturer. In the event that the Director General for Operations shall prescribe a schedule, as above provided, the manufacturer shall, to the extent possible, produce and deliver in accordance therewith, and shall make no changes therein without the specific authorization of the Director General for Operations.

(g) *Miscellaneous provisions* — (1) *Exemptions.* The limitations and restrictions of paragraphs (b), (c) and (d) of this order shall not apply to any elevator or elevator parts, equipment or accessories to be installed and used aboard any ship owned or operated by the Army, Navy, Maritime Commission or War Shipping Administration.

(2) *Records and reports.* All persons affected by this order shall keep and preserve for not less than 2 years accurate and complete records concerning inventories, production and sales.

All persons affected by this order shall execute and file with the War Production Board, such reports and questionnaires as the Director General for Operations shall from time to time request.

(3) *Other limitation orders.* Where the limitations imposed by any other L or M Order are applicable to the subject matter of this order, the most restrictive limitation shall apply, unless otherwise specifically provided herein.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(6) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington, D. C. Ref.: L-89.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th

[1] This document is a restatement of Amendment 3 to General Preference Order M-46 which appeared in the FEDERAL REGISTER of January 26, 1943, page 1094, and reflects the order in its completed form as of January 22, 1943.

January 26, 1943, page 1094, and reflects the order in its completed form as of January 22, 1943.

ance therewith would work an exceptional and unreasonable hardship upon

partnership, association, business trust,

meet the requirements of this paragraph,

or unfit for service by wear and tear,

7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th

Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 27th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1406; Filed, January 27, 1943; 11:06 a. m.]

PART 1184—QUININE AND OTHER DRUGS EXTRACTED FROM CINCHONA BARK

[Conservation Order M-131, as Amended Jan. 27, 1943]

§ 1184.1 *Conservation Order M-131*—(a) *Definitions.* For the purposes of this order:

(1) "Quinine" means quinine alkaloid extracted from Cinchona bark, and the quinine salts derived from quinine alkaloid.

(2) "Cinchona bark" means the bark obtained from Cinchona Succirubra P. et K. Calisaya W; C. Ledgeriana N. et T., also known as Calisaya, Peruvian or Jesuit's bark, and from its hybrids.

(3) "Totaquine" means a mixture of alkaloids from the bark of Cinchona Succirubra Pavon and other species of Cinchona, which mixture meets the standards of the United States Pharmacopeia.

(4) "Anti-malarial agent" means any product or material which according to modern medical opinion, is recognized as a specific for suppression, alleviation or cure of malarial infections.

(b) *Restrictions on the purchase, sale and use of quinine, totaquine and cinchona bark.* (1) No person shall sell, transfer or deliver, or purchase or accept any transfer or delivery of, or process or combine with other materials:

(i) Any quinine, except for use as an anti-malarial agent, and then only in ampoule form, uncombined with ingredients other than necessary solvent and preservative, or in powder, 5-grain tablet, or 5-grain capsule form, uncombined with ingredients other than necessary fillers and excipients: *Provided, however,* That licensed pharmacists may compound quinine in any form, upon individual prescriptions written by licensed physicians for quinine as an anti-malarial agent;

(ii) Any totaquine, except for use as an anti-malarial agent;

(iii) Any cinchona bark, except for primary use for the manufacture of quinine sulphate USP, quinine hydrochloride USP, quinine dihydrochloride USP, or totaquine USP.

(2) Except in the case of a sale, transfer or delivery to an ultimate consumer, no person shall sell, transfer or deliver any quinine, totaquine or cinchona bark, except upon receipt of a certificate manually signed by the person purchasing or accepting transfer or delivery or a duly authorized official, in substantially the following form, and specifying on the reverse side the quantity involved in the transaction:

(In the case of quinine)

I hereby certify that the quinine ordered hereby (specify quantity on reverse side) is for use as an anti-malarial agent, and will not be sold, transferred or delivered by me for any other purpose. This certification is made in accordance with the terms of Conservation Order M-131, as amended, with which I am familiar.

Name _____
By _____

(In the case of totaquine)

I hereby certify that the totaquine (or product containing totaquine) ordered hereby (specify quantity on reverse side) is for use as an anti-malarial agent and will not be sold, transferred or delivered by me for any other purpose. This certification is made in accordance with the terms of Conservation Order M-131, as amended, with which I am familiar.

Name _____
By _____

(In the case of cinchona bark)

I hereby certify that the cinchona bark ordered hereby (specify quantity on reverse side) is for primary use for manufacture of quinine or totaquine, and will not be sold, transferred or delivered by me for any other purpose. This certification is made in accordance with the terms of Conservation Order M-131, as amended, with which I am familiar.

Name _____
By _____

Such certification shall constitute a representation to the War Production Board and the seller or supplier of the facts stated therein. The seller or supplier shall be entitled to rely on such representation unless he knows or has reason to believe it to be false. Any person making such certification shall use such quinine, totaquine or cinchona bark only for the purposes permitted by this order. Such certificates shall be filed with the person making delivery and not with the War Production Board.

(c) *Applicability of order.* The restrictions and provisions of this order shall not apply to:

(1) Any stock of cinchona bark consisting of less than 50 pounds, physically located at any one place on April 30, 1942.

(2) Purchases by importers of quinine, totaquine, or cinchona bark to be delivered from outside the continental United States: *Provided,* That any subsequent dealing in such materials after their importation is governed by this order.

(3) Any transaction affecting, or any use of, any quinine which on April 4, 1942, or totaquine or cinchona bark which on April 30, 1942, had been combined or compounded with other medicinal agents; but any transaction affecting or any use of, any quinine, totaquine, or cinchona bark, which has been combined or compounded with other medicinal agents after said dates is governed by this order.

(4) Any transaction affecting, or any use of, any quinine and urea hydrochloride (U.S.P.) or quinine hydrochloride and urethane which had been compounded on January 9, 1943.

(5) Any transaction affecting, or any use of, any anti-malarial agent manufactured on or before January 9, 1943, pursuant to the provisions of this order M-131 as in effect prior to January 9, 1943: *Provided, however,* That a certificate in the form and in the manner prescribed by paragraph (b) (2) hereof, shall be filed for each sale, transfer or delivery pursuant to this paragraph (c) (5). The word "quinine" in such certificate shall be construed to include any such quinine anti-malarial agent.

(d) *Reports.* All persons affected by this order shall file such reports as may be required from time to time by the Director General for Operations.

(e) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(f) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter referring to the particular provision appealed from and stating fully the grounds of the appeal.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Drugs and Cosmetics Section, Chemicals Division, Washington, D. C. Ref.: M-131.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 27th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1413; Filed, January 27, 1943; 11:06 a. m.]

PART 3080—CHEMICAL FERTILIZERS

[Revocation of Conservation Order M-231]

The subject matter thereof having been reissued with certain amendments over the signature of the Secretary of Agriculture:

Section 3080.1 *Conservation Order M-231* is hereby revoked in its entirety.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 27th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1414; Filed, January 27, 1943; 11:07 a. m.]

Chapter XI—Office of Price Administration

PART 1306—IRON AND STEEL

[MPR 310]

REUSABLE STRUCTURAL STEEL SHAPES AND PLATES, AND SHAFTING

In the judgment of the Price Administrator it is necessary and proper to establish maximum prices for sales of reusable structural steel shapes and plates, and reusable steel shafting, by a separate maximum price regulation. Heretofore, maximum prices for these products have been established by Revised Price Schedule No. 49—Resale of Iron and Steel Products.[1] The Price Administrator has ascertained and given due consideration to the prices of such reusable products prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this Maximum Price Regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1,[2] issued by the Office of Price Administration, Maximum Price Regulation No. 310 is hereby issued.

Sec.

1306.551 Definitions.
1306.552 Maximum prices.
1306.553 Taxes.
1306.554 Less than maximum prices
1306.555 Geographical application.
1306.556 Evasion.
1306.557 Records and reports
1306.558 Licensing order applicable.
1306.559 Enforcement.
1306.560 Petitions for amendment.
1306.561 Applicability of other maximum price regulations or revised price schedules.
1306.562 Effective dates.

AUTHORITY: §§ 1306.551 to 1306.562, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1306.551 Definitions. (a) When used in this regulation the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Reusable structural steel shape" means any used I-beam, H-column, wide flange section, channel, angle, Z-bar, tee, rod, flat, strip, structural steel bar or other used structural steel shape; it also includes crop ends of unused shapes originating in shipbuilders' or in other fabricators' yards or plants; all of suitable size and quality without further reconditioning for use for the purposes for which new structural steel shapes are customarily used, and meeting all of the following specifications: they must be commercially straight, free from excessive rust, detrimental attachments, and pits deeper than twenty percent of the original theoretical thickness; must weigh within seven and one-half percent of the theoretical weight of new shapes of the same dimensions; and must not have been damaged by heat or fire; and the theoretical cross-sectional area at any point shall not have been reduced by more than twenty percent, nor shall the total area of the repaired surface of any piece exceed ten percent of the total surface area of that piece.

(3) "Reusable structural steel plate" means any used structural steel plate, one-eighth of an inch or thicker, including unused crop ends originating in shipbuilders' or other fabricators' yards or plants, of suitable size and quality without further reconditioning for use for the purposes for which new structural steel plates are customarily used, and meeting all of the following specifications: they must be reasonably true to line, free from excessive rust, detrimental attachments, and pits deeper than twenty percent of the original theoretical thickness, must weigh within seven and one-half percent of the theoretical weight of new plate of the same dimensions, and must not have been damaged by heat or fire, and the total area of the repaired surface must not exceed ten percent of the total area of that piece.

(4) "Reusable steel shafting" means used steel shafting of any size and length, and unused crop ends originating in shipbuilders' or other fabricators' yards or plants, meeting all of the following specifications: they must be commercially straight, free from excessive rust, pits and abrasions, and must not have been damaged by heat or fire.

(5) "Consumer" means a person who purchases reusable structural steel shapes or reusable structural steel plates, or reusable steel shafting for his own use or for use as an integral part of a fabricated unit.

(6) "Shipping point" means, in the case of a shipment wholly or partially by rail, vessel, or combination thereof, the point at which such shipment has been placed on a railroad car or a vessel for shipment to the consumer; in the case of shipment solely by motor vehicle, the point at which such shipment has been loaded on such vehicle for shipment to the consumer; and in a case in which movement by motor vehicle precedes rail or vessel movement the point at which the shipment has been placed on a railroad car or a vessel for shipment to the consumer.

§ 1306.552 *Maximum prices*—(a) *Maximum shipping point price.* On and after February 1, 1943, regardless of any contract, agreement, lease or other obligation, no person shall sell or deliver reusable structural steel shapes, reusable structural steel plates, or reusable steel shafting (herein sometimes collectively referred to as "such reusable products") to a consumer, and no consumer shall buy or accept delivery of any such reusable products at a price higher than 2.75 cents per pound, at shipping point, and no such person or consumer shall agree, offer, solicit or attempt to do any of the above. The provisions of this section shall not apply to sales or deliveries of such reusable products to a consumer if prior to February 1, 1943, such products had been received by a carrier other than a carrier owned or controlled by the seller for shipment to the consumer.

(b) *Maximum extras for services.* Whenever, at the specific request of the consumer, one or more pieces are cut, or drilled, an extra charge may be made for each such service: *Provided,* That the total of these charges shall not exceed one-fourth cent per pound. The extra charge may be added only to the price for the piece or pieces on which the service or services are performed.

(c) *Maximum charges for delivery.* The maximum delivery charge shall be the established charge from the shipping point to the point of delivery by the mode of transportation employed: *Provided,* That no charge may be made for delivery within the seller's customary free delivery area. Where transportation from shipping point to point of delivery includes water movement and if no established charge exists for such movement, then the actual charge incurred in such movement may be included in the delivery charge. Where transportation from shipping point to point of delivery includes water movement and there are no established dock charges the actual charges incurred at the dock may be included in the delivery charge. For the purposes of this regulation, such reusable products are at their point of delivery when they have arrived for unloading at the point designated by the buyer: *Provided,* That if the buyer designates a point away from a railroad siding and delivery is by rail, they are at their point of delivery when they have arrived for unloading at the rail siding nearest the point designated by the buyer.

(d) *Maximum delivered prices.* The maximum delivered prices for such reusable products sold to a consumer shall not exceed the sum of the maximum shipping point price, maximum extra charges when applicable and the maximum delivery charges.

(e) *Maximum prices for export.* Maximum prices at which a person may sell such reusable products to any person, whether or not a consumer, for export may not exceed the maximum prices established by this regulation for sales to consumers.

(f) *Adjustable pricing.* Any person may offer or agree to adjust or fix prices

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1300, 2132, 2473, 2540, 3330, 3893, 4342, 5176, 6385, 6893, 6935, 7239, 8948, 10844; 8 F.R. 319.

[2] 7 F.R. 8961.

for use as an anti-malarial agent, and will not be sold, transferred or delivered by me

tificate in the form and in the manner

11:07 a. m.]

to or at prices not in excess of the maximum prices in effect at the time of delivery and, where a petition for amendment has been made pursuant to § 1306.560 of this regulation, may offer or agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1306.553 *Taxes.* As to any tax upon, or incidental to, the sale or delivery of such reusable products imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, if the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

§ 1306.554 *Less than maximum prices.* Lower prices than those set forth in this regulation may be charged, demanded, paid or offered.

§ 1306.555 *Geographical application.* The provisions of this regulation shall be applicable to the forty-eight States and the District of Columbia.

§ 1306.556 *Evasion.* The price limitations set forth in this regulation shall not be evaded by direct or indirect methods.

§ 1306.557 *Records and reports.* (a) Every person making a sale of such reusable products after January 31, 1943, shall render an invoice to the consumer for each such sale, showing separately the date; name and address of the consumer; a description of each item (indicating whether I-beam, H-column, channel, angle, steel plate, shafting, etc.), including the measurements (length, width and thickness, or length and diameter in the case of shafting), and the total quantity in lineal feet (or square feet) and the total weight; the shipping point price per pound; the total price; the delivery charge (if any); and the charge (if any) for extras; the city or town and state nearest the shipping point; the city or town and state nearest the point of delivery; and the mode of transportation used to deliver the product; except that in the case of the bulk sales a public scale receipt may be substituted for the description of each item. The seller must also show on each invoice by the word "used" that each such reusable product is not new or of new quality, and the invoice must bear the words "sold subject to Maximum Price Regulation No. 310." Such invoice shall be retained by the consumer, and a copy shall be retained by the seller, for inspection by the Office of Price Administration, for a period of not less than two years, or as long as the Emergency Price Control Act of 1942 shall be in effect, whichever is shorter.

(b) Persons affected by this regulation shall submit such other or further reports to the Office of Price Administration as it may from time to time require.

§ 1306.558 *Licensing order applicable.* The provisions of Supplementary Order No. 17,[1] licensing persons subject to Revised Price Schedules 46[2] and 49,[3] and Maximum Price Regulation 159[4] are applicable to every person selling such reusable products for which maximum prices are established by this regulation. That order provides in substance that a license is required of every person selling, such reusable products for which maximum prices are established by this regulation, that every person subject to this regulation is granted a license as a condition of selling such reusable products hereunder, and that every such person may in the future be required to register with the Office of Price Administration at such time and in such manner as the Administrator may prescribe. Licensees violating any of the provisions of this regulation or of said license are subject to the license suspension proceedings provided in the Emergency Price Control Act of 1942.

§ 1306.559 *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

§ 1306.560 *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[5]

§ 1306.561 *Applicability of other maximum price regulations or revised price schedules*—(a) *Revised Price Schedule No. 49.*[6] This regulation supersedes § 1306.159 (l) of Revised Price Schedule No. 49 as to sales for which maximum prices are established by this Regulation.

(b) *Revised Price Schedule No. 4.*[7] Maximum prices for used structural steel shapes and plates and shafting, and crop ends from structural steel shapes and plates and shafting, which do not meet the specifications described in §1306.551 (a)(2), (3) and (4), are established by Revised Price Schedule No. 4—Iron and Steel Scrap. Revised Price Schedule No. 4 established maximum prices only on sales to consumers as defined therein.

§ 1306.562 *Effective dates.* (a) This Maximum Price Regulation No. 310 (§§ 1306.551 to 1306.562 inclusive) shall become effective February 1, 1943.

Issued this 26th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1341; Filed, January 26, 1943; 3:00 p. m.]

[1] 7 F.R. 7239, 11007.
[2] 7 F.R. 1295, 2132, 2508, 3446, 8948, 10528.
[3] See supra footnote [1].
[4] 7 F.R. 4339, 5710, 4428, 8048, 8 F. R. 970.
[5] See supra footnote [1].
[6] See supra footnote [1].
[7] 7 F.R. 1207, 2132, 2155, 2507, 3087, 3550, 3889, 4488, 6217, 8190, 8948, 10151; 8 F.R. 857.

PART 1340—FUEL

[MPR 137,[1] Amendment 19]

PETROLEUM PRODUCTS SOLD AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1340.86 a new paragraph (e) is added, in § 1340.90 (a) subparagraph (12) is amended, and in § 1340.91 a new paragraph (l) is added as set forth below:

§ 1340.86 *Statement and posting of maximum prices of motor fuels sold at retail establishments.* * * *

(e) (1) Any person subject to the provisions of this Maximum Price Regulation No. 137 selling naphthas, solvents, mineral spirits, kerosene, No. 1 fuel oil and heavier distillate fuel oil as anti-freeze preparations at retail establishments shall file with the appropriate War Price and Rationing Board within 5 days after February 1, 1943, or the initial sale, whichever is later, a written statement setting forth the following with respect to such petroleum fractions:

(i) The seller's maximum price as determined by 1340.91 (l),

(ii) The delivered cost at the particular retail establishment, and

(iii) A description thereof by reference to trade name and type, such as naphtha type or kerosene type.

(2) Any change in delivered cost of naphthas, solvents, mineral spirits, kerosene, No. 1 fuel oil and heavier distillate fuel oil sold as an anti-freeze preparation shall be reported in writing to the appropriate War Price and Rationing Board within 5 days after such change occurs.

§ 1340.90 *Definitions.* (a) * * *

(12) "Petroleum products" means motor fuel as defined in § 1340.90 (a) (2), kerosene, range oil, No. 1 fuel oil, cleaner's or other naphthas, motor lubricating oil and solvents, mineral spirits, and all distillate fuel oils and other petroleum fractions when sold as anti-freeze preparations.

* * * * *

§ 1340.91 *Appendix A: Maximum prices for petroleum products sold at retail establishments.* * * *

(l) (1) The maximum price at a retail establishment for naphthas, solvents, mineral spirits, kerosene, No. 1 fuel oil or heavier distillate fuel oil shall be the sum of the delivered cost per gallon thereof at the retail establishment and 3¢ per gallon. The maximum price for the particular product at the particular retail establishment shall be automatically adjustable as the delivered cost thereof at the particular retail establishment changes. For the purposes of this paragraph (l) the delivered cost shall be deemed to change only after the seller has sold an amount equal to the volume on hand at the time the change in delivered cost occurs.

(2) In connection with each sale at a retail establishment of naphthas, solvents, mineral spirits, kerosene, No. 1 fuel oil or heavier distillate fuel oil as an anti-freeze preparation, the seller shall notify the purchaser that the anti-freeze preparation is a petroleum fraction describing it by reference to type such as naphtha type or kerosene type and that the preparation may cause overheating and rubber deterioration.

§ 1340.93a *Effective dates of amendments.* * * *

(c) Amendment No. 19 (§§ 1340.86 (e), 1340.90 (a) (12), 1340.91 (l)) to Maximum Price Regulation No. 137 shall become effective February 1, 1943, and shall, unless earlier revoked or replaced, expire on March 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1340; Filed, January 26, 1943; 2:59 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1371, 1107, 1798, 1799, 2132, 2304, 2352, 2945, 3116, 3166, 3482, 3524, 3552, 3570, 3963, 4483, 4653, 4854, 4857, 5481, 5867, 5868, 5988, 6057, 6167, 6471, 6680, 7242, 7838, 8433, 8478, 8586, 8701, 8741, 8829, 8938, 8948, 9120, 9134, 9335, 9425, 9460, 9620, 10684, 11008, 11112, 11075; 8 F.R. 157, 232, 233, 857.

Paving and cut-back asphalts, asphalt emulsions, road oils, roofing asphalt and roofing flux.

For the time being industrial lubricating oils, industrial naphthas and solvents, greases, and specialty products (such as household oils and spot removers) are excluded from the list of petroleum products subject to Revised Price Schedule No. 88.

Asphalts and asphalt products not listed above are not for the time being included in the term "petroleum products" as defined above.

§ 1340.159 *Appendix A: Maximum prices for petroleum and petroleum products.* * * *

(c) *Specific prices.* * * *

(3) *Distillate fuel oils.* * * *

(xiii) *Petroleum fractions sold as anti-freeze preparations in 1-gallon glass jars.* (a) The maximum price of kerosene, No. 1 fuel oil and heavier distillate fuel oils when sold as anti-freeze preparations in 1-gallon glass jars shall be 30¢ a gallon f. o. b. manufacturer's plant: *Provided, however,* That in the States of Oregon, Washington, California, Idaho, Montana, Nevada, Utah, Arizona, Colorado, New Mexico and Wyoming the maximum price for kerosene, No. 1 fuel oil and heavier distillate fuel oils when sold as anti-freeze preparations in 1-gallon glass jars shall be 33¢ a gallon f. o. b. manufacturer's plant.

(b) The maximum price of naphthas, solvents and mineral spirits, when sold as anti-freeze preparations in 1-gallon glass jars shall be 35¢ a gallon, f. o. b. manufacturer's plant: *Provided, however,* That in the States of Oregon, Washington, California, Idaho, Montana, Nevada, Utah, Arizona, Colorado, New Mexico and Wyoming the maximum price for naphthas, solvents, mineral spirits and other petroleum fractions lighter than kerosene when sold as anti-freeze perparations in 1-gallon glass jars shall be 38¢ a gallon f. o. b. manufacturer's plant.

(c) The maximum price of a petroleum fraction when sold by the manufacturer thereof as an anti-freeze preparation in bulk or in any container other than a 1-gallon glass jar shall be a price f. o. b. the manufacturer's plant determined in accordance with § 1340.159 (b) (7) of this Revised Price Schedule No. 88.

(d) There shall be placed on each 1-gallon glass jar or other container of naphthas, solvents, mineral spirits, kerosene, No. 1 fuel oil and heavier distillate fuel oil sold as an anti-freeze preparation by the manufacturer thereof a label immediately below the brand name of the product containing a statement in 12 point bold face or larger type setting forth the following: "Type—(Kerosene or Naphtha)—May cause overheating and rubber deterioration."

(e) The maximum price delivered to a retail establishment which any jobber or distributor of naphthas, solvents, mineral spirits, kerosene, No. 1 fuel oil and heavier distillate fuel oil sold as an anti-freeze preparation may charge shall be the sum of the maximum price thereof f. o. b. the manufacturer's plant, the cost per gallon of transportation from the manufacturer's plant to the storage facilities of the jobber or distributor, and 2¢ per gallon. The maximum price of the jobber or distributor shall be automatically adjustable as the cost of transportation from manufacturer's plant to the storage facilities of the jobber or distributor changes. For the purposes of this provision the cost of transportation shall not be deemed to change until the seller has sold an amount equal to the volume on hand at the time the change in transportation cost occurs.

(f) The maximum price delivered to a retail establishment which any reseller having no storage facilities may charge for naphthas, solvents, mineral spirits, kerosene, No. 1 fuel oil and heavier distillate fuel oil sold as an anti-freeze preparation shall be the sum of the maximum price thereof f. o. b. the manufacturer's plant and 2 cents.

§ 1340.158a *Effective dates of amendments.* * * *

(hhh) Amendment No. 60 (§§ 1340.157 (b), 1340.159 (c) (3) (xiii)) to Revised Price Schedule No. 88 shall become effective February 1, 1943, and shall, unless earlier revoked or replaced, expire on March 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1342, Filed, January 26, 1943; 2:59 p. m.]

PART 1340—FUEL

[RPS 88,[1] Amendment 60]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1340.157, paragraph (b) is amended and in § 1340.159 (c) (3), a new subdivision (xiii) is added as set forth below:

§ 1340.157 *Definitions.* * * *

(b) "Petroleum products" means:

All grades of gasoline, including natural gasoline and blending naphthas; also special hydrocarbon fractions utilized in the manufacture of gasoline or the components thereof.

Liquefied petroleum gases.

Tractor distillates and similar distillate type motor fuels other than gasoline.

Kerosene, including range oil or stove oil.

Distillate burning, heating or fuel oils.

Diesel fuel oils.

Residual burning, heating or fuel oils.

Lubricating oils, including motor, aviation and stock oils (neutrals, bright stocks, steam refined stock and other stock oils).

Naphthas, solvents, mineral spirits and other petroleum fractions when sold as anti-freeze preparations.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1107, 1371, 1798, 1799, 1886, 2132, 2304, 2352, 2634, 2945, 3463, 3482, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 4857, 5481, 5867, 5868, 5988, 5983, 6057, 6067, 6471, 6680, 7242, 7838, 8433, 8478, 9120, 9134, 9335, 9425, 9460, 9620, 9621, 10684, 11069, 11112, 11075; 8 F.R. 157, 232, 233, 857.

Area	P. S. No. 300 fuel oil	P. S. No. 400 fuel oil
Fresno County	$0.95	$0.85
Kings County	.95	.85
San Luis Obispo County	.95	.85
Tulare County	.95	.85
Santa Barbara County	.95	.85
Kern County	.95	.85
Ventura County	.95	.85
Los Angeles County	.95	.85
Orange County	.95	.85
Riverside County	.95	.85
San Bernardino County	.95	.85
San Francisco Bay Area	1.00	.90

§ 1340.158a *Effective dates of amendments.* • • •

(iii) Amendment No. 61 (§ 1340.159 (c) (6) (ix)) to Revised Price Schedule No. 88 shall become effective February 1, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 26th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1343; Filed, January 26, 1943; 3:00 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[Correction to MPR 275[1]]

EXTRACTED HONEY

The reference to "paragraph (c)" in § 1351.1319 (b) (4) is corrected to read "paragraph (e)".

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 26th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1344; Filed, January 26, 1943; 2:59 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 25,[1] Amendment 1]

DESIGNATION OF 262 DEFENSE-RENTAL AREAS AND RENT DECLARATION RELATING TO SUCH AREAS

Items (133) and (218) listed in the table in § 1388.1201 of Designation and Rent Declaration No. 25 are amended to read as follows:

§ 1388.1201 *Designation.* • • •

Name of defense-rental area[1]	In State or States of—	Defense-rental area consists of—
• •	•	•
(133) Roswell	New Mexico	Counties of Chaves, Curry, DeBaca, and Roosevelt.
• •	•	•
(218) Marfa-Alpine	Texas	Counties of Brewster and Presidio.
• •	•	•

[1] The words "Defense-rental area" shall follow the name listed in the table in each case to constitute the full name of a defense-rental area, e. g., "Dothan-Ozark Defense-Rental Area", "Gadsden Defense-Rental Area."

This Amendment No. 11 (§ 1388.1201) to Designation and Rent Declaration No. 25 shall become effective February 1, 1943.

(Pub. Law 421, 77th Cong.)

Issued this 26th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1353; Filed, January 26, 1943; 3:02 p. m.]

[1] 7 F.R. 9955; 8 F.R. 542

[2] 7 F.R. 3195, 3892, 4179, 5812, 6389, 7245, 8356, 8507, 9954, 10081; 8 F.R. 121

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 27,[1] Amendment 1]

DESIGNATION OF 24 DEFENSE-RENTAL AREAS AND RENT DECLARATION RELATING TO SUCH AREAS

Item (21) listed in the table in § 1388.1301 of Designation and Rent Declaration No. 27 is amended to read as follows:

§ 1388.1301 *Designation.* • • •

Name of defense-rental area[1]	In State or States of—	Defense-rental area consists of—
• •	•	•
(21) Laredo-Eagle Pass	Texas	Counties of Maverick and Webb.
• •	•	•

[1] The words "Defense-rental area" shall follow the name listed in the table in each case to constitute the full name of the defense-rental area, e. g., "Dover-Seaford Defense-Rental Area", "Aberdeen, Maryland Defense-Rental Area."

This Amendment No. 1 (§ 1388.1301) to Designation and Rent Declaration No. 27 shall become effective February 1, 1943.

(Pub. Law. 421, 77th Cong.)

Issued this 26th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1354; Filed, January 26, 1943; 3:01 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 28,[1] Amendment 1]

DESIGNATION OF THE NEWPORT-WALNUT RIDGE DEFENSE-RENTAL AREA AND RENT DECLARATION RELATING TO THAT AREA

Section 1388.1311 of Designation and Rent Declaration No. 28 is amended to read as follows:

§ 1388.1311 *Designation.* The following area is hereby designated by the Price Administrator as an area where defense activities threaten to result in an increase in rents for housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 and shall constitute a defense-rental area to be known as the "Newport-Walnut Ridge Defense-Rental Area":

In the State of Arkansas, the Counties of Craighead, Independence, Jackson, Lawrence, and Randolph.

This Amendment No. 1 (§ 1388.1311) to Designation and Rent Declaration No. 28 shall become effective February 1, 1943.

(Pub. Law. 421, 77th Cong.)

Issued this 26th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1355; Filed, January 26, 1943; 3:02 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 31,[1] Amendment 3]

DESIGNATION OF 46 DEFENSE-RENTAL AREAS AND RENT DECLARATION RELATING TO SUCH AREAS

Items (3), (27), and (38) listed in the table in § 1388.1341 of Designation and Rent Declaration No. 31 are amended to read as follows:

[1] 7 F.R. 4797

[2] 7 F.R. 7942; 8 F.R. 122

§ 1388.1341 *Designation.* • • •

Name of defense-rental area[1]	In State of—	Defense-rental area consists of—
• •	•	•
(3) Arkansas	Arkansas	That portion of the State of Arkansas not heretofore designated by the Price Administrator as part of any defense-rental area, except the County of Randolph (which becomes a part of the Newport-Walnut Ridge Defense-Rental Area, effective February 1, 1943).
• •	•	•
(27) New Mexico	New Mexico	That portion of the State of New Mexico not heretofore designated by the Price Administrator as part of any defense-rental area, except the Counties of Curry, DeBaca, and Roosevelt (which become a part of the Roswell Defense-Rental Area, effective February 1, 1943).
• •	•	•
(38) Texas	Texas	That portion of the State of Texas not heretofore designated by the Price Administrator as part of any defense-rental area, except the County of Lampasas (which becomes a part of the Killeen-Temple Defense-Rental Area, effective January 1, 1943) and the Counties of Brewster and Webb (which become a part of the Marfa-Alpine Defense-Rental Area and the Laredo-Eagle Pass Defense-Rental Area, respectively, effective February 1, 1943).
• •	•	•

[1] The words "Defense-Rental Area" shall follow the name listed in the table in each case to constitute the full name of a defense-rental area, e. g., "Alabama Defense-Rental Area," "Dukes-Nantucket Defense-Rental Area."

This Amendment No. 3 (§ 1388.1341) to Designation and Rent Declaration No. 31 shall become effective February 1, 1943.

(Pub. Law 421, 77th Cong.)

Issued this 26th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1356; Filed, January 26, 1943; 3:02 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 28,[1] Amendment 5]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

Subparagraph (10) of paragraph (a) of § 1388.1801 of Maximum Rent Regulation No. 28 is hereby amended to read as follows:

§ 1388.1801 *Scope of regulation.* (a) • • •

(10) The Portland-Vancouver Defense-Rental Area, consisting of the Counties of Clackamas, Multnomah, Tillamook, and Washington, in the State of Oregon, and the County of Clark, in the State of Washington: *Provided, however,* That with respect to that portion of the Portland-Vancouver Defense-Rental Area consisting of the Counties of Clackamas, Multnomah, and Washington, in the State of Oregon, and the County of Clark, in the State of Washington, the words "the effective date of this Maximum Rent Regulation" in this Maximum Rent Regulation shall mean July 1, 1942, and that with respect to the remaining portion of the Portland-Vancouver Defense-Rental Area, consisting of the County of Tillamook, in the State of Oregon, the words "the effective date of this Maximum Rent Regulation" in this Maximum Rent Regulation shall mean January 1, 1943, and also with respect to the remaining portion of the Portland-Vancouver Defense-Rental Area, consisting of the County of Tillamook, in the State of Oregon, the words "October 20, 1942" and "December 1, 1942" in this Maximum Rent Regulation shall mean January 1, 1943.

• • • • •

§ 1388.1814a *Effective dates of amendments.* • • •

(c) Amendment No. 5 (§ 1388.1801 (a)) to Maximum Rent Regulation No. 28 shall become effective January 1, 1943.

(Pub. Law 421, 77th Cong.)

Issued this 26th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1357; Filed, January 26, 1943; 3:02 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 32A,[1] Amendment 5]

HOTELS AND ROOMING HOUSES

Subparagraph (10) of paragraph (a) of § 1388.2001 of Maximum Rent Regulation No. 32A is hereby amended to read as follows:

§ 1388.2001 *Scope of regulation.* (a) • • •

(10) The Portland-Vancouver Defense-Rental Area, consisting of the counties of Clackamas, Multnomah, Tillamook, and Washington, in the State of Oregon, and the county of Clark, in the State of Washington: *Provided, however,* That with respect to that portion of the Portland-Vancouver Defense-Rental Area consisting of the counties of Clackamas, Multnomah, and Washington, in the State of Oregon, and the county of Clark, in the State of Washington, the words "the effective date of this maximum rent regulation" in this maximum rent regulation shall mean July 1, 1942, and that with respect to the remaining portion of the Portland-Vancouver Defense-Rental Area, consisting of the County of Tillamook, in the State of Oregon, the words "October 19, 1942" and "December 1, 1942" in this maximum rent regulation shall mean January 1, 1943, and also with respect to the remaining portion of the Portland-Vancouver Defense-Rental Area, consisting of the county of Tillamook, in the State of Oregon, the words "the effective date of this maximum rent regulation" in this maximum rent regulation shall mean January 1, 1943, and also with respect to the remaining portion of the Portland-Vancouver Defense-Rental Area, consisting of the county of Tillamook, in the State of Oregon, the words "October 19, 1942" and "December 1, 1942" in this maximum rent regulation shall mean January 1, 1943.

• • • • •

§ 1388.2014a *Effective dates of amendments.* • • •

(c) Amendment No. 5 (§ 1388.2001 (a)) to Maximum Rent Regulation No. 32A shall become effective January 1, 1943.

(Pub. Law 421, 77th Cong.)

Issued this 26th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1358; Filed, January 26, 1943; 3:01 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 49,[1] Amendment 3]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

Subparagraphs (24), (27), and (44) of paragraph (a) of § 1388.131 of Maximum Rent Regulation No. 49 are hereby amended to read as follows:

§ 1388.131 *Scope of regulation.* (a) • • •

(24) That portion of the Grenada Defense-Rental Area consisting of the counties of Calhoun, Carroll, Grenada, Leflore, Montgomery, and Yalobusha, in the State of Mississippi: *Provided, however,* That with respect to that part of the said portion of the Grenada Defense-Rental Area consisting of the counties of Carroll, Grenada, Leflore, and Montgomery, the words "the effective date of this maximum rent regulation" in this maximum rent regulation shall mean October 1, 1942, and that with respect to the remaining part of the said portion of the Grenada Defense-Rental Area, consisting of the counties of Calhoun and Yalobusha, the words "the effective date of this maximum rent regulation" in this maximum rent regulation shall mean February 1, 1943, and also with respect to the remaining part of the said portion of the Grenada Defense-Rental Area, consisting of the counties of Calhoun and Yalobusha, the words "October 20, 1942" and "December 1, 1942" in this maximum rent regulation shall mean February 1, 1943.

• • • • •

(27) The Roswell Defense-Rental Area, consisting of the counties of Chaves, Curry, DeBaca, and Roosevelt, in the State of New Mexico: *Provided, however,* That with respect to that portion of the Roswell Defense-Rental Area consisting of the county of Chaves, the

[1] 7 F.R. 4913, 5645, 5813, 5912, 6221, 6475, 7484, 7934, 7668, 8505, 8506, 9784, 9821, 10845, 11115; 8 F.R. 122.

[1] 7 F.R. 4926, 5645, 5813, 5912, 6222, 7038, 8507, 8479, 9783, 9820, 11115; 8 F.R. 123, 434.

[1] 7 F.R. 7500, 7668, 8505, 8506, 9784, 9821, 9954, 10845, 11115.

words "the effective date of this maximum rent regulation" in this maximum rent regulation shall mean October 1, 1942, and that with respect to the remaining portion of the Roswell Defense-Rental Area, consisting of the counties of Curry, DeBaca, and Roosevelt, the words "the effective date of this maximum rent regulation" in this maximum rent regulation shall mean February 1, 1943, and also with respect to the remaining portion of the Roswell Defense-Rental Area, consisting of the counties of Curry, DeBaca, and Roosevelt, the words "October 20, 1942" and "December 1, 1942" in this maximum rent regulation shall mean February 1, 1943.

* * * * *

(44) The Laredo-Eagle Pass Defense-Rental Area, consisting of the counties of Maverick and Webb, in the State of Texas: *Provided, however,* That with respect to that portion of the Laredo-Eagle Pass Defense-Rental Area consisting of the county of Maverick, the words "the effective date of this maximum rent regulation" in this maximum rent regulation shall mean October 1, 1942, and that with respect to the remaining portion of the Laredo-Eagle Pass Defense-Rental Area, consisting of the county of Webb, the words "the effective date of this maximum rent regulation" in this maximum rent regulation shall mean February 1, 1943, and also with respect to the remaining portion of the Laredo-Eagle Pass Defense-Rental Area, consisting of the county of Webb, the words "October 20, 1942" and "December 1, 1942" in this maximum rent regulation shall mean February 1, 1943.

* * * * *

§ 1388.144a *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§ 1388.131 (a)) to Maximum Rent Regulation No. 49 shall become effective February 1, 1943.

(Pub. Law 421, 77th Cong.)

Issued this 26th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1345; Filed, January 26, 1943; 3:03 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 50A,[1] Amendment 3]

HOTELS AND ROOMING HOUSES

Subparagraphs (24), (27), and (44) of paragraph (a) of § 1388.181 of Maximum Rent Regulation No. 50A are hereby amended to read as follows:

§ 1388.181 *Scope of regulation.* (a)

* * *

(24) That portion of the Grenada Defense-Rental Area consisting of the counties of Calhoun, Carroll, Grenada, Leflore, Montgomery, and Yalobusha, in the State of Mississippi: *Provided, however,* That with respect to that part of the said portion of the Grenada Defense-Rental Area consisting of the counties of Carroll, Grenada, Leflore, and Montgomery, the words "the effective date of this maximum rent regulation" in this maximum rent regulation shall mean October 1, 1942, and that with respect to the remaining part of the said portion of the Grenada Defense-Rental Area, consisting of the counties of Calhoun and Yalobusha, the words "the effective date of this maximum rent regulation" in this maximum rent regulation shall mean February 1, 1943, and also with respect to the remaining part of the said portion of the Grenada Defense-Rental Area, consisting of the counties of Calhoun and Yalobusha, the words "October 19, 1942" and "December 1, 1942" in this maximum rent regulation shall mean February 1, 1943.

* * * * *

(27) The Roswell Defense-Rental Area, consisting of the counties of Chaves, Curry, DeBaca, and Roosevelt, in the State of New Mexico: *Provided, however,* That with respect to that portion of the Roswell Defense-Rental Area, consisting of the county of Chaves, the words "the effective date of this maximum rent regulation" in this maximum rent regulation shall mean October 1, 1942, and that with respect to the remaining portion of the Roswell Defense-Rental Area, consisting of the counties of Curry, DeBaca, and Roosevelt, the words "the effective date of this maximum rent regulation" in this maximum rent regulation shall mean February 1, 1943, and also with respect to the remaining portion of the Roswell Defense-Rental Area, consisting of the counties of Curry, DeBaca, and Roosevelt, the words "October 19, 1942" and "December 1, 1942" in this maximum rent regulation shall mean February 1, 1943.

* * * * *

(44) The Laredo-Eagle Pass Defense-Rental Area, consisting of the counties of Maverick, and Webb, in the State of Texas: *Provided, however,* That with respect to that portion of the Laredo-Eagle Pass Defense-Rental Area consisting of the county of Maverick, the words "the effective date of this maximum rent regulation" in this maximum rent regulation shall mean October 1, 1942, and that with respect to the remaining portion of the Laredo-Eagle Pass Defense-Rental Area, consisting of the county of Webb, the words "the effective date of this maximum rent regulation" in this maximum rent regulation shall mean February 1, 1943, and also with respect to the remaining portion of the Laredo-Eagle Pass Defense-Rental Area, consisting of the county of Webb, the words "October 19, 1942" and "December 1, 1942" in this maximum rent regulation shall mean February 1, 1943.

* * * * *

§ 1388.194a *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§ 1388.181 (a)) to Maximum Rent Regulation No. 50A shall become effective February 1, 1943.

(Pub. Law 421, 77th Cong.)

Issued this 26th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1346; Filed, January 26, 1943; 3:01 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 53,[1] Amendment 5]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

Subparagraphs (3) and (78) of paragraph (a) of § 1388.281 of Maximum Rent Regulation No. 53 are hereby amended to read as follows:

§ 1388.281 *Scope of regulation.* (a)

* * *

(3) The Newport-Walnut Ridge Defense-Rental Area, consisting of the counties of Craighead, Independence, Jackson, Lawrence, and Randolph, in the State of Arkansas: *Provided, however,* That with respect to that portion of the Newport-Walnut Ridge Defense-Rental Area consisting of the counties of Craighead, Independence, Jackson, and Lawrence, the words "the effective date of this maximum rent regulation" in this maximum rent regulation shall mean November 1, 1942, and that with respect to the remaining portion of the Newport-Walnut Ridge Defense-Rental Area, consisting of the county of Randolph, the words "the effective date of this maximum rent regulation" in this maximum rent regulation shall mean January 1, 1943, and also with respect to the remaining portion of the Newport-Walnut Ridge Defense-Rental Area, consisting of the county of Randolph, the words "December 1, 1942" in this maximum rent regulation shall mean February 1, 1943.

* * * * *

(78) The Marfa-Alpine Defense-Rental Area, consisting of the counties of Brewster and Presidio, in the State of Texas: *Provided, however,* That with respect to that portion of the Marfa-Alpine Defense-Rental Area consisting of the county of Presidio, the words "the effective date of this maximum rent regulation" in this maximum rent regulation shall mean November 1, 1942, and that with respect to the remaining portion of the Marfa-Alpine Defense-Rental Area, consisting of the county of Brewster, the words "the effective date of this maximum rent regulation" in this maximum rent regulation shall mean February 1, 1943, and also with respect to the remaining portion of the Marfa-Alpine Defense-Rental Area, consisting of the county of Brewster, the words "December 1, 1942" in this maximum rent regulation shall mean February 1, 1943.

* * * * *

§ 1388.294a *Effective dates of amendments.* * * *

(e) Amendment No. 5 (§ 1388.281 (a)) to Maximum Rent Regulation No. 53 shall become effective February 1, 1943.

(Pub. Law 421, 77th Cong.)

Issued this 26th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1347; Filed, January 26, 1943; 3:01 p. m.]

[1] 7 F.R. 8596, 9784, 9821, 10717, 10845, 11115; 8 F.R. 123.

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 53,[1] Amendment 6]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

Subparagraphs (76) and (88) of paragraph (a) of § 1388.281 of Maximum Rent Regulation No. 53 are hereby amended to read as follows:

§ 1388.281 *Scope of regulation.* (a)

* * *

(76) The Killeen-Temple Defense-Rental Area, consisting of the counties of Bell, Coryell, and Lampasas, in the State of Texas: *Provided, however,* That with respect to that portion of the Killeen-Temple Defense-Rental Area consisting of the counties of Bell and Coryell, the words "the effective date of this maximum rent regulation" in this maximum rent regulation shall mean November 1, 1942, and that with respect to the remaining portion of the Killeen-Temple Defense-Rental Area, consisting of the county of Lampasas, the words "the effective date of this maximum rent regulation" in this maximum rent regulation shall mean January 1, 1943, and also with respect to the remaining portion of the Killeen-Temple Defense-Rental Area, consisting of the county of Lampasas, the words "December 1, 1942" in this maximum rent regulation shall mean January 1, 1943.

* * * * *

(88) The Pasco Defense-Rental Area, consisting of the county of Franklin and the precincts of Finley, South Kennewick, Kennewick Valley, Kennewick, Kennewick Gardens, and Richland in the county of Benton, in the State of Washington: *Provided, however,* That with respect to that portion of the Pasco Defense-Rental Area consisting of the County of Franklin, the words "the effective date of this maximum rent regulation" in this maximum rent regulation shall mean November 1, 1942, and that with respect to the remaining portion of the Pasco Defense-Rental Area, consisting of the precincts of Finley, South Kennewick, Kennewick Valley, Kennewick, Kennewick Gardens, and Richland in the county of Benton, the words "the effective date of this maximum rent regulation" in this maximum rent regulation shall mean January 1, 1943, and also with respect to the remaining portion of the Pasco Defense-Rental Areas, consisting of the precincts of Finley, South Kennewick, Kennewick Valley, Kennewick, Kennewick Gardens, and Richland in the county of Benton, the words "December 1, 1942" in this maximum rent regulation shall mean January 1, 1943.

§ 1388.294a *Effective dates of amendments.* * * *

(f) Amendment No. 6 (§ 1388.281 (a)) to Maximum Rent Regulation No. 53 shall be effective as of January 1, 1943.

(Pub. Law 421, 77th Cong.)

Issued this 26th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1348; Filed, January 26, 1943; 3:00 p. m.]

[1] 7 F.R. 8596, 9784, 9821, 10717, 10845, 11115; 8 F.R. 123.

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 53,[1] Amendment 7]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

The first sentence of § 1388.287 of Maximum Rent Regulation No. 53 is amended to read as follows:

§ 1388.287 *Registration.* Within 45 days after the effective date of this Maximum Rent Regulation No. 53 (or as to housing accommodations within the Columbia, South Carolina Defense-Rental Area, the Greenville, South Carolina Defense-Rental Area, and the Spartanburg Defense-Rental Area within 75 days after the effective date of this Maximum Rent Regulation No. 53, or as to housing accommodations within the Alaska Defense-Rental Area on or before March 15, 1943), or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement.

* * * * *

§ 1388.294a *Effective dates of amendments.* * * *

(g) Amendment No. 7 (§ 1388.287) to Maximum Rent Regulation No. 53 shall be effective as of December 16, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 26th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1349; Filed, January 26, 1943; 3:03 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 54A,[2] Amendment 4]

HOTELS AND ROOMING HOUSES

Subparagraphs (3) and (79) of paragraph (a) of § 1388.331 of Maximum Rent Regulation No. 54A are hereby amended to read as follows:

§ 1388.331 *Scope of regulation.* (a)

* * *

(3) The Newport-Walnut Ridge Defense-Rental Area, consisting of the Counties of Craighead, Independence, Jackson, Lawrence, and Randolph, in the State of Arkansas: *Provided, however,* That with respect to that portion of the Newport-Walnut Ridge Defense-Rental Area consisting of the Counties of Craighead, Independence, Jackson, and Lawrence, the words "the effective date of this Maximum Rent Regulation" in this Maximum Rent Regulation shall mean November 1, 1942, and that with respect to the remaining portion of the Newport-Walnut Ridge Defense-Rental Area, consisting of the County of Randolph, the words "the effective date of this Maximum Rent Regulation" in this Maximum Rent Regulation shall mean January 1, 1943, and also with respect to the remaining portion of the Newport-Walnut Ridge Defense-Rental Area, consisting of the County of Randolph, the words "December 1, 1942" in this Maximum Rent Regulation shall mean February 1, 1943.

* * * * *

(79) The Marfa-Alpine Defense-Rental Area, consisting of the Counties of Brewster and Presidio, in the State of Texas: *Provided, however,* That with respect to that portion of the Marfa-Alpine Defense-Rental Area consisting of the County of Presidio, the words "the effective date of this Maximum Rent Regulation" in this Maximum Rent Regulation shall mean November 1, 1942, and that with respect to the remaining portion of the Marfa-Alpine Defense-Rental Area, consisting of the County of Brewster, the words "the effective date of this Maximum Rent Regulation" in this Maximum Rent Regulation shall mean February 1, 1943, and also with respect to the remaining portion of the Marfa-Alpine Defense-Rental Area, consisting of the County of Brewster, the words "December 1, 1942" in this Maximum Rent Regulation shall mean February 1, 1943.

* * * * *

§ 1388.344a *Effective dates of amendments.* * * *

(d) Amendment No. 4 (§ 1388.331 (a)) to Maximum Rent Regulation No. 54A shall become effective February 1, 1943.

(Pub. Law 421, 77th Cong.)

Issued this 26th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1350; Filed, January 26, 1943; 3:01 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 54A,[2] Amendment 5]

HOTELS AND ROOMING HOUSES

Subparagraphs (77) and (89) of paragraph (a) of § 1388.331 of Maximum Rent Regulation No. 54A are hereby amended to read as follows:

§ 1388.331 *Scope of regulation.* (a)

* * *

(77) The Killeen-Temple Defense-Rental Area, consisting of the Counties of Bell, Coryell, and Lampasas, in the State of Texas: *Provided, however,* That with respect to that portion of the Killeen-Temple Defense-Rental Area consisting of the Counties of Bell and Coryell, the words "the effective date of this Maximum Rent Regulation" in this Maximum Rent Regulation shall mean November 1, 1942, and that with respect to the remaining portion of the Killeen-Temple Defense-Rental Area, consisting of the County of Lampasas, the words "the effective date of this Maximum Rent Regulation" shall mean January 1, 1943, and also with respect to the remaining portion of the Killeen-Temple Defense-Rental Area, consisting of the County of Lampasas, the words "December 1, 1942" in this Maximum Rent Regulation shall mean January 1, 1943.

* * * * *

[2] 7 F.R. 8602, 9783, 9820, 10717, 11115; 8 F.R. 124, 434.

(89) The Pasco Defense-Rental Area, consisting of the County of Franklin and the Precincts of Finley, South Kennewick, Kennewick Valley, Kennewick, Kennewick Gardens, and Richland in the County of Benton, in the State of Washington: *Provided, however,* That with respect to that portion of the Pasco Defense-Rental Area consisting of the County of Franklin, the words "the effective date of this Maximum Rent Regulation" in this Maximum Rent Regulation shall mean November 1, 1942, and that with respect to the remaining portion of the Pasco Defense-Rental Area, consisting of the Precincts of Finley, South Kennewick, Kennewick Valley, Kennewick, Kennewick Gardens, and Richland in the County of Benton, the words "the effective date of this Maximum Rent Regulation" in this Maximum Rent Regulation shall mean January 1, 1943, and also with respect to the remaining portion of the Pasco Defense-Rental Area, consisting of the Precincts of Finley, South Kennewick, Kennewick Valley, Kennewick, Kennewick Gardens, and Richland in the County of Benton, the words "December 1, 1942" in this Maximum Rent Regulation shall mean January 1, 1943.

§ 1388.344a *Effective dates of amendments.* * * *

(e) Amendment No. 5 (§ 1388.331 (a)) to Maximum Rent Regulation No. 54A shall become effective January 1, 1943.

(Pub. Law 421, 77th Cong.)

Issued this 26th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1351; Filed, January 26, 1943; 3:02 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 54A,[1] Amendment 6]

HOTELS AND ROOMING HOUSES

The first sentence of § 1388.337 of Maximum Rent Regulation No. 54A is amended to read as follows:

§ 1388.337 *Registration.* Within 45 days after the effective date of this Maximum Rent Regulation No. 54A (or, as to rooms within the Alaska Defense-Rental Area, on or before March 15, 1943), every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor containing such information as the Administrator shall require, to be known as a registration statement.

* * * * *

§ 1388.334a *Effective dates of amendments.* * * *

(f) Amendment No. 6 (§ 1388.337) to Maximum Rent Regulation No. 54A shall become effective December 16, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 26th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1352; Filed, January 26, 1943; 3:02 p. m.]

[1] 7 F.R. 8602, 9783, 9820, 10717, 11115; 8 F.R. 124, 434.

PART 1412—SOLVENTS

[MPR 170,[1] Amendment 2]

ANTI-FREEZE

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith, and has been filed with the Division of the Federal Register.*

Sections 1412.6 (a) (1) (i), (a) (1) (iii), (a) (2), the first sentence in § 1412.6 (b) (1), and § 1412.12 (a) (2) are amended; a new subparagraph (17) is added to § 1412.12 (a) and new paragraphs (g) and (h) are added to § 1412.13 as set forth below:

§ 1412.6 *Marking and posting.* (a) * * *

(1) * * *

(i) The type of anti-freeze contained therein, that is, "Type N", "Type S", "Type P", or "Type C", as the case may be, the trade name in the case of "Zerone," and in the case of Type C anti-freeze, the following additional statement: "This anti-freeze contains as its principal ingredient (Insert here the common name of the inorganic salt used in preparing the solution)."

* * * * *

(iii) The applicable maximum retail price as established by Appendix A (§ 1412.13) for the anti-freeze contained therein. Such price shall be designated as follows: "OPA Retail Ceiling Price $_____." The blank in the quoted phrase shall be filled in with the applicable maximum retail price as established by Appendix A (§ 1412.13) by the packager in the case of Type S, Type N and Type C anti-freeze and by the retailer in the case of Type P anti-freeze, but in the latter case the packager shall supply the retailer with instructions as to the manner of determining the maximum retail price under the provisions of Appendix A (§ 1412.13).

(2) The type ("N", "S", "P", or "C") and the applicable maximum retail price established by Appendix A (§ 1412.13) shall be printed in letters at least two inches high on containers of more than five gallons, and in letters at least as large as any other printed matter thereon other than the trade mark or trade name on containers of five gallons or less.

* * * * * *

(b) * * *

(1) Every person selling anti-freeze at retail shall post the maximum price of each type (N, S, P or C), strength (standard or substandard), and brand of anti-freeze sold by him, in a manner plainly visible to and understandable by the purchasing public.

* * * * *

§ 1412.12 *Definitions.* (a) * * *

(2) "Anti-freeze" means any alcohol, alcohol formulation, or solution of an inorganic salt such as calcium, magnesium, or sodium chloride, sold for use as a depressant of the freezing point of water.

* * * * * *

(17) "Type C" anti-freeze means an anti-freeze which has as its principal component an inorganic salt such as calcium, magnesium, or sodium chloride.

* * * * * *

§ 1412.13 *Appendix A: Maximum prices for anti-freeze.* * * *

(g) *Standard strength anti-freeze, Type C.* Maximum prices for standard strength Type C anti-freeze are established as follows:

(1) *Sales to retailers by any person.*

[Per gallon delivered, containers included]

	Calcium chloride, sodium chloride, or mixed salt base	Magnesium chloride base
Over 5 gallons	$ .40	$ .47
1-5 gallons	.46	.53
Less than 1 gallon	.51	.58

(2) *Sales at retail.* Delivered, including installation in automobile cooling system where buyer so requests and where anti-freeze is customarily so installed by the seller without charge:

	Calcium chloride, sodium chloride, or mixed salt base	Magnesium chloride base
In quantities of 1 gallon or more	*Per gallon* $0.75	*Per gallon* $0.82
In quantities of less than 1 gallon	*Per quart* .20	*Per quart* .23

Provided, That until February 15, 1943, any seller of any Type C anti-freeze other than a manufacturer, who prior to February 1, 1943 had purchased Type C anti-freeze and had it in his possession or in the custody of a carrier or warehouse other than a carrier or warehouse owned or controlled by the person from whom such anti-freeze was acquired, may sell such anti-freeze at the maximum price established in this section or at his cost of acquisition, whichever is higher.

(h) *Substandard strength anti-freeze, Type C.* For sales covered by subparagraphs (1) and (2) of paragraph (g) above, the maximum price for any quantity of substandard strength Type C anti-freeze in any kind of container shall be the maximum price, as determined under whichever one of said subparagraphs (1) or (2) is applicable, for that quantity of standard strength Type C anti-freeze in like containers, which would produce an anti-freeze effect equal to that produced by the quantity of substandard strength Type C anti-freeze being priced. Such maximum price shall not exceed the price determined by computation under the following formula: subtract 25% from the maximum price for a quantity of standard strength Type C anti-freeze (in like containers) equal to the quantity of substandard strength Type C anti-freeze being priced, and divide the result by the number of gallons of such substandard strength Type C anti-freeze which must be added to one gallon of water to reduce the freezing point of the resulting mixture to ten degrees below zero Fahrenheit.

*Copies may be obtained from the Office of Price Administration

[1] 7 F.R. 4763, 5717, 8948.

§ 1412.15 *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§§ 1412.6, 1412.12, 1412.13 and 1412.15) to Maximum Price Regulation No. 170 shall become effective February 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1359; Filed, January 26, 1943; 2:59 p. m.]

PART 1437—PLATINUM

[MPR 309]

PLATINUM GROUP METALS AND THEIR PRODUCTS

In the judgment of the Price Administrator it is necessary and proper to establish maximum prices for the platinum group metals and their products by a specific maximum price regulation.

A statement of the considerations involved in the issuance of this Regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.* In the judgment of the Price Administrator the maximum prices established by this Maximum Price Regulation No. 309 are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this Regulation.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with Revised Procedural Regulation No. 1,[1] issued by the Office of Price Administration, Maximum Price Regulation No. 309 is hereby issued.

Sec.

1437.1 Maximum prices for platinum group metals, products, and waste materials.
1437.2 Less than maximum prices.
1437.3 Credit charges.
1437.4 Packaging and transportation charges and practices.
1437.5 Import sales.
1437.6 Export sales.
1437.7 Adjustable pricing.
1437.8 Evasion.
1437.9 Records and reports.
1437.10 Enforcement.
1437.11 Petitions for amendment.
1437.12 Applicability of General Maximum Price Regulation.
1437.13 Effective date.

AUTHORITY: §§ 1437.1 to 1437.13, inclusive, issued pursuant to Pub. Laws 421 and 729, 77th Cong.; and E.O. 9250, 7 F.R. 7871.

§ 1437.1 *Maximum prices for platinum group metals, products, and waste materials.* On and after February 1, 1943, regardless of any contract, agreement, lease or other obligation, no person shall sell, deliver or exchange any platinum group metal, product, or waste material, and no person shall buy or receive any platinum group metal, product or waste material in the course of trade or business from any seller, at a price in excess of the following, and no person shall agree, offer, solicit or attempt to do any of the foregoing prohibited acts:

(a) *Platinum group metals of commercial purity.* (1) A seller's maximum price for any of the platinum group metals of commercial purity of at least 99.5% in the form specified below shall be the price set forth in the following table less any discounts, differentials, or allowances which the seller had in effect in the period from January 1 to March 31, 1942, for the sale of such metal to a purchaser of the same class:

Metal	Minimum commercial purity	Form of metal to which prices apply	Maximum price per troy ounce
	Per cent		
Platinum	99.5	Ingots, bars, sheets, plates or wire not less than ⅛th inch thick and sponge	$35
Palladium	99.5	Ingots, bars, sheets, plates or wire not less than ⅛th inch thick	24
Ruthenium	99.5	Powder, sponge or granules	35
Rhodium	99.5	Powder, sponge or granules	125
Iridium	99.5	Powder, sponge or granules	165
Osmium	99.5	Powder or sponge	50

(2) When used in this Maximum Price Regulation No. 309, the term:

(i) "Had in effect" as applied to discounts, differentials, allowances, and prices, means the dollar-and-cents discount, differential, allowance, or price per troy ounce at which the seller sold or, if no sale was made, at which the seller would have sold.

(ii) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(iii) "Purchaser of the same class" refers to the practice adopted by the seller of setting different prices for commodities or services for sales to different purchasers or kinds of purchasers (for example, producer, refiner, smelter, dealer, fabricator, government agency, individual consumer) or for purchasers located in different areas or for different quantities or under different conditions of sale. Customary differentials in discounts on price list goods shall be among the criteria which establish differences among classes of purchasers.

(iv) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "seller," "buy," "purchase," and "purchaser," shall be construed accordingly.

(3) *Examples.* (i) A sale of ten ounces of platinum of commercial purity ⅛" thick to a consumer. The maximum selling price is $35.00 per ounce.

(ii) A sale of ten ounces of platinum of commercial purity ⅛" thick to a refiner. The seller has determined that his minimum discount on sales to refiners for resale was fifty cents during the period from January 1, to March 31, 1942. His maximum selling price for this sale now is $34.50 per ounce.

(iii) A sale of one hundred ounces of platinum of commercial purity ⅛" thick to a consumer. The seller has determined that his minimum discount on sales of this quantity to a certain industry was fifty cents during the period from January 1, to March 31, 1942. His maximum selling price on this sale to the same industry now is $34.50 per ounce.

(b) *Platinum group metal products.* (1) A seller's maximum price for any semi-fabricated or fabricated platinum group metal product shall not exceed the highest net price which he had in effect in the period from January 1, to March 31, 1942, for the sale of such product to a purchaser of the same class, adjusted so that the value given to the platinum group metal content of such product in the calculation of such net price shall not exceed the maximum net price for such metal as computed under paragraph (a) of this section.

(2) When used in this Maximum Price Regulation No. 309 the term:

(i) "Semi-fabricated or fabricated platinum group metal product" means any commodity, other than those specified in paragraph (a) or (c) of § 1437.1, and other than jewelry, in which the weight or value of the platinum group metal content thereof exceeds 25% of the weight or value respectively of the commodity.

(ii) "Jewelry" means any ornamental article or accessory of personal adornment, including but not limited to rings, brooches, bracelets, initials, tie pins, collar pins, atomizers (except medical), cosmetic containers, lighters, napkin rings, picture frames, smokers' accessories, souvenirs, or any other similar ware and ornaments which are finished and ready for use by the ultimate consumer.

(iii) "Net price" means the price actually charged by the seller; i. e., the list or quoted price less all discounts, allowances, and differentials.

(3) *Examples.* (i) A sale of an alloy of ten ounces containing 20% iridium—80% platinum in sheet ⅛" thick to a consumer. The seller has determined that his maximum alloying, melting and working charge during the period from January 1 to March 31, 1942, for this alloy was $2. His maximum selling price per ounce is figured as follows:

80% Platinum	@ $35.00	----	$28 00
20% Iridium	@ $165.00	----	33 00
Working charge			2.00
			63.00

(ii) A sale of an alloy of ten ounces containing 20% iridium—80% platinum in sheet ⅛" thick to a refiner. The seller has determined, as in the previous example, that his maximum alloying,

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8961.

melting and working charge during the period from January 1 to March 31, 1942, for this alloy was $2. He has also determined that his minimum discount on sales to refiners for resale was $1 during the period from January 1 to March 31, 1942. His maximum selling price per ounce is figured as follows:

80% Platinum	@	$35.00	$28.00
20% Iridium	@	$165.00	33.00
Working charge			2.00
			63.00
Discount			−1.00
Maximum price			62.00

(iii) A sale of an alloy of one hundred ounces containing 20% iridium—80% platinum in sheet $\frac{1}{8}$" thick to a consumer. The seller has determined that his minimum discount on sales of this quantity to a certain industry was $1. an ounce during the period from January 1, to March 31, 1942. His maximum selling price now is $62. per ounce.

(iv) A sale of an alloy of ten ounces containing 20% iridium—80% platinum drawn into wire .010" in diameter to a consumer. The seller has determined that he made an additional charge of $1. during the period from January 1, to March 31, 1942, for drawing this alloy into wire of this size. His maximum selling price then is $64. per ounce.

(v) A sale of ten ounces of platinum of thermocouple purity in wire .025" in diameter to a manufacturer of pyrometers. The seller has determined that his maximum charge for refining this type of platinum and drawing it into wire during the period from January 1, to March 31, 1942, was $40. per ounce. His maximum selling price for this sale now is $75. per ounce.

(vi) A sale of five ounces of platinum dental foil .001" thick to a consumer. The seller has determined that his maximum charge for working 5 ounces of platinum into dental foil during the period from January 1, to March 31, 1942, was $6. per ounce. His maximum price for this sale now is $41. per ounce.

(vii) A sale of contact points made of steel screws with a disc of 20% iridium—80% platinum. This iridium-platinum alloy was purchased in a 100 ounce lot. The seller has determined that his cost of the iridium-platinum is $62. per ounce as shown in Example (iii). He must use this price as the basis of his calculation. The other factors in determining the selling price must be no higher than the highest values of those factors during the period from January 1, to March 31, 1942. A hypothetical cost sheet per 1000 finished points should read as follows:

Cost of the platinum-iridium alloy @ $62 per ounce	$500.00
Overhead and loss	25.00
Cost of screws	25.00
Labor cost	50.00
Set-up price	10.00
Percent profit mark-up	50.00
Present maximum selling price	660.00

(c) *Platinum group metals of less than 99.5% purity and platinum group metal scrap, sweeps, or other waste products.* (1) A seller's maximum price for platinum group metals of less than 99.5% purity and for the platinum group metal content of scrap, sweeps, or other waste products shall not exceed the highest net price which the seller had in effect in the period from January 1, to March 31, 1942, to a purchaser of the same class for the sale of such metals or waste products adjusted so that the value given to such platinum group metal content in the calculation of such net price shall not exceed the maximum net price for such metal as computed under paragraph (a) of this Section. The value of any other material contained in such metal or waste products shall not exceed the maximum price established therefor under the applicable regulations of the Office of Price Administration.

(2) When used in this Maximum Price Regulation No. 309, the term "scrap, sweeps, and other waste products" includes all materials containing any of the platinum group metals, whether in metallic form or not, which are the waste or by-product of metal working of any kind, or of any use of the platinum group metals in industry or the arts; it also includes all articles containing any of the platinum group metals, whether in metallic form or not, which have been discarded from their original use because of obsolescence, failure or other reasons, provided that the weight or value of the platinum group metal content of any such article exceeds 25% of the weight or value, respectively, of the article. It does not include articles which are still useful in their existing state for their original purpose if such articles are bought and sold for re-use in their existing state for their original purpose.

(d) Any seller of a platinum group metal, product, or waste material who is unable to determine his maximum price or prices under paragraph (a), (b), or (c), shall file his selling price for that commodity with the Office of Price Administration, Washington, D. C., for approval. Such selling price shall be determined, whenever feasible, by the use of the pricing formula or method of calculating prices used by the seller in the period from January 1, to March 31, 1942, to determine the price of similarly priced platinum group metals, products, or waste material for which he had prices in effect at that time. The values given to the factors used in such formula or method shall be no higher than the highest values given to the same factors in the determination of his prices in the period from January 1, to March 31, 1942, adjusted so that the value given to the platinum group metal content shall not exceed the maximum net price for such metal as computed under paragraph (a) of this section.

Pending approval by the Price Administrator of prices submitted for approval under this subdivision, any seller may sell, deliver, exchange, or offer to sell, deliver or exchange, and any person may buy, offer to buy or receive from the seller, such metal, product, or waste material at the price submitted for approval. If, however, the Price Administrator disapproves the price submitted, the selling price shall be revised downward to the maximum price which the Price Administrator may approve, and any payment made in excess of the price so approved shall be refunded to the buyer within fifteen days after the date of the letter, order, or other written instrument informing the seller of such revision. In the absence of notice to the contrary from the Office of Price Administration within thirty days after a seller files such a selling price with the Office of Price Administration, the price filed shall stand approved and shall be the maximum price applicable.

When filing such a price with the Office of Price Administration, the seller shall set forth, in addition to the net price, his list price, and all discounts, allowances, and differentials for all classes of buyers, a description and identification of the commodity, a statement of facts differentiating such commodity from the other commodities sold by the seller, and a statement setting forth the method used in calculating the price therefor.

§ 1437.2 *Less than maximum prices.* Lower prices than those set forth in § 1437.1 may be charged, demanded, paid or offered.

§ 1437.3 *Credit charges.* A charge for the extension of credit may be added to the maximum prices set forth in § 1437.1: *Provided*, Such credit charge does not exceed one ($1.00) dollar per troy ounce: *And provided further*, That the period of credit shall exceed thirty days.

§ 1437.4 *Packaging and transportation charges and practices.* A seller may not change the packaging and transportation charges and practices which he had in effect in the period from January 1, to March 31, 1942, if such change would result in higher prices to his customers

§ 1437.5 *Import sales.* The maximum prices established by this Maximum Price Regulation No. 309 apply to all imports into the forty-eight states of the United States and the District of Columbia of the platinum group metals, their products and waste materials.

§ 1437.6 *Export sales.* Export sales of platinum group metals and their products shall be subject to the provisions of Revised Maximum Export Price Regulation [1] issued by the Office of Price Administration.

§ 1437.7 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation where a petition for amendment requires extended consideration, the Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1437.8 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 309 shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of or relating to platinum group metals and their products, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1437.9 *Records and reports.* (a) Every person making sales or deliveries of platinum group metals and their products, and every person making purchases or accepting delivery of platinum group metals and their products in the course of trade or business, shall keep for inspection by the Office of Price Administration for so long a period as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each such sale, purchase, or delivery showing the date thereof, the name of the purchaser or seller, the quantity and grade of platinum group metals and their products sold, purchased, or delivered, and the price received or paid therefor, and each such seller shall keep a record of all discounts, differentials, and allowances which the seller had in effect in the period from January 1, to March 31, 1942, with a proper identification of each such discount, differential and allowance.

(b) Such person shall submit such reports to the Office of Price Administration, and keep such other records in addition to or in place of the records required in paragraph (a) of this section, as the Office of Price Administration may from time to time require.

§ 1437.10 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 309 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 309, or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1437.11 *Petitions for amendment.* Any person seeking amendment of any provision of this Maximum Price Regulation No. 309 may file a petition for an amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1437.12 *Applicability of General Maximum Price Regulation.* [2] The provisions of this Maximum Price Regulation No. 309 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this regulation. This Maximum Price Regulation No. 309 does not supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries of ores and ore concentrates of the platinum group metals which are at the present time exempt from the provisions of the General Maximum Price Regulation under section 9 (a) (10) thereof.

§ 1437.13 *Effective date.* This Maximum Price Regulation No. 309 (§§ 1437.1 to 1437.13, inclusive) shall become effective February 1, 1943, for the District of Columbia and the forty-eight states of the United States, and shall become effective February 11, 1943, for the territories and possessions of the United States.

Issued this 26th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1360; Filed, January 26, 1943; 3:00 p. m.]

[1] 7 F.R. 3096, 3824, 4294, 4541, 5059, 7242 8829, 9000.

[2] 7 F.R. 3153, 3330, 3695, 3990, 3991, 4339, 4487 4759, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6515, 6794, 6939, 7093, 7322, 7454, 7758, 7913 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155 10454.

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11,[1] Amendment 32]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1394.5151 (c) is revoked: the headnotes to §§ 1394.5266 and 1394.5267 are amended by substituting the phrase "Late applications" for the phrase "Applications made on or after November 1, 1942" in each; paragraphs (e), (f) and (g) of § 1394.5266, and §§ 1394.5267 (b) and 1394.5355 (b) are revoked; § 1394.5402 (g) is amended; §§ 1394.5461 and 1394.5462 are revoked; § 1394.5603 (a) is amended; in paragraph (b) of § 1394.5701, the phrase "Except as provided in paragraph (c) of this section" is deleted, and paragraph (c) of said section is revoked; § 1394.5731 (c) is revoked; and a new paragraph (ff) is added to § 1394.5902; as set forth below:

Miscellaneous Uses

§ 1394.5402 *Rations for miscellaneous uses.* * * *

(g) Each commercial, industrial or governmental consumer whose current allowable ration is more than nine thousand (9,000) gallons of fuel oil for an operation or operations in the area mentioned in paragraph (f) of this section and was not adjusted as provided in said paragraph (f) shall, if the fuel oil is not for use exclusively in any operation or operations listed on Schedule "A" of Petroleum Administrative Order No. 3, issued by the Petroleum Administration of War, surrender (personally or by mail), on January 25, 26, or 27, 1943, to such Board or to such State, District or Regional Office of the Office of Price Administration as shall be designated for such purpose by the Regional Administrator for the region in which the consumer's Board is located, all coupon sheets, other evidences, and delivery receipts evidencing the ration issued to him. The Board or Office to which such surrender is made shall adjust the consumer's current allowable ration in accordance with paragraph (f) of this section, and shall detach from the consumer's coupon sheets coupons equal in gallonage value to the amount by which the allowable ration exceeds such allowable ration as adjusted by the operation of paragraph (f) of this section. The Board or Office detaching such coupons shall enter under the register of deliveries on the coupon sheet the date, the number and value of the coupons detached, the number of the Board or the designation of the Office and the name of the person making the entries. If a delivery receipt is surrendered, the deduction pursuant to paragraph (f) shall be entered on the stub, together with the date, the number of the Board or designation of the Office and the name of the person making the entries.

* * * * * *

Restrictions on Use of Rations and Fuel Oil

§ 1394.5603 *Restrictions and consumption of fuel oil.* (a) Except as provided in §§ 1394.5505 (b), 1394.5602, 1394.5658, 1394.5665, and paragraph (b) of this section, no person shall consume fuel oil unless such fuel oil was acquired by him or on his behalf in exchange for valid coupons or other evidences, or delivery receipts, or was transferred to him pursuant to paragraph (f) or (g) of § 1394.5653: *Provided*, That fuel oil included in a consumer's inventory pursuant to § 1394.5451, with respect to which a deduction has been made, or with respect to which coupons or other evidences, or delivery receipts, have been surrendered to a Board pursuant to subparagraph (2) of § 1394.5659 (b) shall be deemed to have been acquired in exchange therefor. If, at the time he makes application therefor, the consumer's inventory of fuel oil exceeds his allowable ration, he may not consume fuel oil in excess of such allowable ration.

* * * * * *

Effective Date

§ 1394.5902 *Effective date of corrections and amendments.* * * *

(ff) Amendment No. 32 (§§ 1394.5151, 1394.5266, 1394.5267, 1394.5355, 1394.5461, 1394.5462, 1394.5603, 1394.5701, and 1394.5731) to Ration Order No. 11 shall become effective January 26, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, and 507, 77th Cong., Pub. Law 421, 77th Cong., W.P.B. Directive No. 1, 7 F.R. 562, Supp. Directive No. 1–O, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 26th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1366; Filed, January 26, 1943; 4:36 p. m.]

*Copies may be obtained from Office of Price Administration.

[1] 7 F.R. 8480, 8708, 8809, 8897, 9316, 9492, 9427, 9430, 9621, 9784, 10153, 10081, 10379, 10530, 10531, 10780, 10707, 11118, 11071, 8 F.R. 165, 237, 437, 369, 374, 535, 432, 444, 607, 608, 977.

PART 1499—COMMODITIES AND SERVICES

[Order 246 Under § 1499.3 (b) of GMPR]

LAMBERT VITAMINS COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1482 *Approval of maximum prices for sales of "Nutri-Mins"*—(a) *Sales by the Lambert Vitamins Company*—(1) *Maximum prices.* The maximum prices for sales by the Lambert Vitamins Company of New York, New York, of "Nutri-Mins" are established as set forth below:

Size of package	Maximum price per package	
	To wholesalers	To retailers
24 tablets	$ .27	$ .32
200 tablets	1.94	2.33

(2) *Discounts, allowances, and price differentials.* The Lambert Vitamins Company shall apply to the maximum prices set forth in subparagraph (1) of this paragraph for its sales of "Nutri-Mins" all quantity differentials, discounts for purchasers of different classes, trade practices, cash discounts, credit terms, practices relating to the payment of transportation costs, and any other customary allowances which were in effect in March 1942 on sales of "Listerine" by the Lambert Pharmacal Company.

(b) *Sales by wholesalers*—(1) *Maximum prices.* The maximum prices for sales by wholesalers of "Nutri-Mins" are established as set forth below:

Size of package:	Maximum price per package
24 tablets	$ .32
200 tablets	2.33

(2) *Discounts, allowances, and price differentials.* Any wholesaler making sales of "Nutri-Mins" shall apply to the maximum prices set forth for such sales in subparagraph (1) of this paragraph all quantity differentials, discounts for purchasers of different classes, trade practices, cash discounts, credit terms, practices relating to the payment of shipping charges, and other customary allowances which were in effect in March 1942 on sales by the wholesaler of "Vimms" or on sales of the multiple vitamin product most nearly comparable to "Nutri-Mins" if the wholesaler did not sell "Vimms" in March 1942.

(c) *Sales by retailers*—(1) *Maximum prices.* The maximum prices for sales by retailers of "Nutri-Mins" are established as set forth below:

Size of package:	Maximum price per package
24 tablets	$ .48
200 tablets	3.50

(2) *Discounts for purchasers of different classes.* Any retailer making sales of "Nutri-Mins" shall apply to the maximum prices set forth for such sales in subparagraph (1) of this paragraph all discounts for purchasers of different classes which were in effect in March 1942 on sales by the retailer of "Vimms" or on sales of the multiple vitamin product most nearly comparable to "Nutri-Mins" if the retailer did not sell "Vimms" in March 1942.

(d) *Marking package with retail ceiling price.* The Lambert Vitamins Company shall mark each package of 24 tablets of "Nutri-Mins" sold by it after March 1, 1943, with the words "Ceiling Price 48¢", and each package of 200 tablets of "Nutri-Mins" sold by it after March 1, 1943, with the words "Ceiling Price $3.50." These words shall be printed or stamped in letters clearly legible and at least one quarter as large as those used for the name of the product on the package in which "Nutri-Mins" is customarily sold to the ultimate consumer. No retailer shall make sales of "Nutri-Mins" after May 1, 1943, unless the package in which the product is sold is marked with the retail ceiling price as required by this paragraph.

(e) *Notification of maximum prices*—(1) *By the Lambert Vitamins Company to wholesalers.* The Lambert Vitamins Company shall supply a written notification to each wholesaler before or at the time of its first delivery of "Nutri-Mins" to such wholesaler. The written statement shall read as follows:

OPA has authorized us to charge wholesalers 27¢ for 24 "Nutri-Mins" tablets and $1.94 for 200 "Nutri-Mins" tablets, subject to all cash discounts and customary allowances.

Wholesalers are authorized to establish maximum prices of 32¢ for 24 "Nutri-Mins" tablets and $2.33 for 200 "Nutri-Mins" tablets, subject to all cash discounts and customary allowances.

(2) *By the Lambert Vitamins Company to retailers via wholesalers.* The Lambert Vitamins Company shall include a written notification with each shipping unit of "Nutri-Mins" for a period of three months. If such notification is enclosed in a shipping unit, a legend shall be affixed outside of such unit to read "Retailer's Notice Enclosed." If the initial sale by a wholesaler to a retailer is a split-case sale, the wholesaler is required to provide such retailer with a copy of this notice. The written notification shall read as follows:

OPA has authorized wholesalers to charge 32¢ for 24 "Nutri-Mins" tablets and $2.33 for 200 "Nutri-Mins" tablets, subject to all cash discounts and customary allowances.

Retailers are authorized to establish ceiling prices of 48¢ for 24 "Nutri-Mins" tablets and $3.50 for 200 "Nutri-Mins" tablets.

If the initial sale by a wholesaler to a retailer is a split-case sale, the wholesaler is required to provide such retailer with a copy of this notice.

OPA requires that you keep this notice for examination.

(3) *By the Lambert Vitamins Company to retailers.* The Lambert Vitamins Company shall supply a written notification to each retailer before or at the time of its first delivery of "Nutri-Mins" to such retailer. The written statement shall read as follows:

OPA has authorized us to charge retailers 32¢ for 24 "Nutri-Mins" tablets and $2.33 for 200 "Nutri-Mins" tablets, subject to all cash discounts and customary allowances.

Your ceiling prices are authorized to be 48¢ for 24 "Nutri-Mins" tablets and $3.50 for 200 "Nutri-Mins" tablets.

OPA requires that you keep this notice for examination.

(f) *Definitions.* When used in this order the term:

(1) "'Nutri-Mins'" means a vitamin preparation manufactured by the Lambert Vitamins Company, each tablet of which contains the following amounts of specific vitamin substances:

Vitamin A	2,000 U.S.P. units
Vitamin B_1 (thiamin chloride)	0.5 mg.
Vitamin B_2 (riboflavin)	1.0 mg.
Niacin Amide	5.0 mg.
Vitamin C	15.0 mg.
Vitamin D	200 U.S.P. units

(2) "'Vimms'" means a vitamin preparation manufactured by Lever Brothers Company, each tablet of which contains the following amounts of specific vitamin and mineral substances:

Vitamin A	1,666 U.S.P. units
Vitamin B_1 (thiamin chloride)	0.3 mg.
Vitamin B_2 (riboflavin)	0.6 mg.
Vitamin P-P	3.3 mg.
Vitamin C	10.0 mg.
Vitamin D	166 U.S.P. units.
Calcium	125.0 mg.
Phosphorus	83.3 mg.
Iron	3.3 mg.

(3) "'Listerine'" means an antiseptic solution manufactured by the Lambert Pharmacal Company.

(4) "Wholesaler" means any person who buys "Nutri-Mins" and resells it, without substantially changing its form, to retailers.

(5) "Retailer" means any person who buys "Nutri-Mins" and resells it directly to consumers.

(g) The Lambert Vitamins Company shall submit to the Office of Price Administration in Washington, D. C. such reports as may from time to time be required.

(h) This Order No. 246 may be revoked or amended by the Price Administrator at any time.

(i) This Order No. 246 (§ 1499.1482) shall become effective on January 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1365; Filed, January 26, 1943; 4:36 p. m.]

PART 1306—IRON AND STEEL

[RPS 10—Including Amdts. 1 through 4]

PIG IRON [1]

The Office of Price Administration is charged with maintenance of price stability and the prevention of undue price rises and price dislocations. Iron and steel scrap and pig iron are basic materials for the production of iron and steel products. By Price Schedule No. 4, revised [2] and Price Schedule No. 6, revised,

[1] 7 F.R. 1230.

[2] 7 F.R. 1207, 2132, 2155, 2507, 3087, 3550, 3889, 4488, 6217, 8190, 8948, 10151.

[3] 7 F.R. 1215, 2132, 2153, 2299, 2987, 3115, 3941, 4780, 7240, 8948.

respectively, price ceilings have been placed on iron and steel scrap and on iron and steel products. Recent wage increases and the increased demand for pig iron resulting from the national defense emergency have been exerting pressure upon the price structure, causing the prices of certain grades and kinds of pig iron to be increased. In the interest of national defense and the public interest a price ceiling is necessary. On the basis of information secured by independent investigation by this Office, and upon information furnished by the trade, I find that the maximum ("ceiling") prices as set forth below constitute reasonable limitations on prices for pig iron.

Therefore, pursuant to the authority vested in me by Executive Order No. 8734 it is hereby directed that:

Sec.

1306.51 Definitions
1306.52 Maximum ("ceiling") prices on sales of pig iron.
1306.53 Records.
1306.54 Supplement.
1306.55 Petitions for amendment, adjustment or exception.
1306.56 Appendix A: Basing point base prices for pig iron.
1306.58 Geographical application.
1306.59 Effective dates of amendments.

AUTHORITY: §§ 1306.51 to 1306.59, inclusive, issued under E.O. Nos. 8734, 8875; 6 F.R. 1917, 4483. Executive authority superseded by Emergency Price Control Act of 1942, Pub. Laws 421 and 729, 77th Cong.; and E.O. 9250, 7 F.R. 7871.

§ 1306.51 *Definitions.* When used in Price Schedule No. 10:

(a) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing. ((a) amended by Supplementary Order No. 12, 7 F.R. 6385).

(b) The term "pig iron", includes all pig iron such as basic, foundry, malleable, bessemer, low-phosphorus, high-silicon or silvery, gray forge, charcoal, etc., commonly produced in blast furnaces.

(c) The term "basing point base price" means the prices for pig iron as listed in § 1306.56, Appendix A.

(d) The term "differential" means those provided in § 1306.56, Appendix A, otherwise the charges in effect June 24, 1941, prescribing additions or deductions from the base price to make adjustment for various analyses of the product sold from the product governed by the base price, which variations may be in chemical analysis, or other quality of the product.

(e) The term "governing basing point" means that basing point the use of which results in the lowest delivered price at the place of delivery; in the case of exports it may also mean the established basing point at or nearest the place of production.

(f) The term "usual market area" of any plant with respect to a shipment of pig iron means that area into which it was customary for such plant to ship pig iron in quantities comparable to the shipments being made before the emergency conditions arising from the present war. ((f) added by Amendment 1, 7 F.R. 2841)

§ 1306.52 *Maximum ("ceiling") prices on sales of pig iron.* On and after June 24, 1941, regardless of any commitment theretofore entered into, no person who produces pig iron shall sell or deliver or offer to sell or deliver any such product, and no purchaser shall buy or accept delivery or offer to buy or accept delivery from such person of any such product, at a price exceeding the maximum ("ceiling") price: *Provided,* That with respect to any sale of pig iron for future delivery, a contract may provide for the payment of an adjusted price not to exceed the maximum ("ceiling") price in effect at the time of shipment.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that the prohibition contained in any price regulation against buying or receiving any commodity or service at a price higher than the maximum price permitted by such regulation shall not apply to any war procurement agency, or government whose defense is vital to the defense of the United States.]

A lower price than the ceiling price may be charged, demanded, offered, or paid. The price limitations set forth in Price Schedule No. 10 shall not be evaded by additional charges for prompt or early delivery, or by other direct, or indirect methods, nor shall the other terms and conditions of sale be made more onerous to the purchasers than those available or in effect on June 24, 1941.

(a) The domestic ceiling price for any grade or kind of pig iron for which there are basing point base prices shall be the aggregate of: (1) the basing point base price at the governing basing point; (2) differentials; (3) transportation charges from the governing basing point to the place of delivery as customarily computed.

(b) The export ceiling price for any grade or kind of pig iron for which there are basing point base prices shall be the aggregate of: (1) the basing point base price at the governing basing point; (2) differentials; (3) export transportation charges from the governing basing point to the place of delivery as customarily computed.

For all special kinds or grades of pig iron for which there are no differentials, the ceiling prices shall be the basing point base prices and the special differentials which were or would have been charged by the seller on June 24, 1941 (upon the basis of the prices, discounts, charges, or special differentials then listed or quoted by the seller), for such kinds or grades of pig iron, exclusive of any premium or charge for advanced delivery or any other inducement offered by the buyer or demanded by the seller to negotiate the sale.

(c) Notwithstanding the provisions of paragraph (a) of this section, in any case in which the Office of Price Administration shall find that by reason of priority or preference ratings, allocation orders, or similar orders or requests of the War Production Board or other authorized Government agencies, a shipment of pig iron is made to a place which is not within the usual market area of the plant from which shipment is made, the Office of Price Administration may authorize the person selling such pig iron, to charge a price therefor not to exceed the aggregate of: (1) the basing point base price at the established basing point at or nearest the place of origin of shipment; (2) differentials; (3) transportation charges from the established basing point at or nearest the place of origin of shipment to the place of delivery as customarily computed, less $1.00 per gross ton. ((c) added by Amendment 1, 7 F.R. 2841.)

(d) Notwithstanding the provisions of paragraphs (a) and (c) of this section, in any case in which the Price Administrator shall find that by reason of priority or preference ratings, allocation orders, or similar orders or requests of the War Production Board or other authorized Government agency, a shipment of pig iron is made from the Buffalo, New York, area to a place within the usual market area of the plant from which shipment is made and to which the customary method of shipment before the emergency conditions arising from the present war was by barge or by barge and rail, the Price Administrator may authorize the person selling such pig iron to charge, if barge transportation is not used for such shipment, a price therefor not to exceed the aggregate of: (1) the basing point base price at the governing basing point; (2) differentials; (3) transportation charges from the governing basing point to the place of delivery as customarily computed; (4) the difference between the charges for all-rail transportation and the charges for barge or barge and rail transportation from Buffalo to the place of delivery, calculated at the established rates in effect during the barge shipping season of 1941. ((d) added by Amendment 2, 7 F.R. 6474.)

[NOTE: Supplementary Order No. 31 (7 F.R. 9894) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price.]

§ 1306.53 *Records.* (a) Every person who produces pig iron shall retain copies of all invoices, dated January 1, 1941, or later, relating to sales of such products, including sales to exporters, brokers and all other persons purchasing for resale. Reports on such sales, in such form as may be determined, will be required by supplements issued under Price Schedule No. 10.

(b) Every person who produces and sells pig iron shall file a copy of his price schedules, including differentials, stat-

ing the prices, charges and discounts in effect on June 24, 1941. Such materials shall be filed with the Office of Price Administration, Washington, D. C., on or before July 10, 1941.

§ 1306.54 *Supplement.* In order to facilitate the application of Price Schedule No. 10, supplements further stating its scope will be issued from time to time as may be necessary, or appropriate.

§ 1306.55 *Petitions for amendment, adjustment or exception.* (a) Any person seeking an amendment of any provision of this Revised Price Schedule No. 10 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[1] ((a) amended by Supplementary Order 26, 7 F.R. 8948).

(b) Any person, who is prepared to show that (1) its costs of production of pig iron is above its furnace net realization at maximum prices or (2) its furnace net realization is inadequate in view of its high operating costs for continued operations at maximum prices, may file a petition for an adjustment of or exception to the maximum prices established by Revised Price Schedule No. 10. In such cases the petitioner should submit, and the Office of Price Administration will consider, all relevant data, including the relation of the current, requested, and projected realization on the pig iron or on the furnace, to the total over-all return of the petitioner, and the necessity, in terms of the war effort, for the granting of such adjustment or exception. The Office of Price Administration may require, in connection with any such petition, full data on costs, profits, and other relevant factors. Petitions for adjustment pursuant to this section shall be filed in the manner stated in §§ 1300.39 through 1300.41 of Procedural Regulation No. 1[2] issued by the Office of Price Administration. ((b) amended by Amendment 1, 7 F.R. 2841)

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Supplementary Order No. 9 (F.R. 5444) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those on scrap, waste, and salvage materials.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1306.56 *Appendix A: Basing point base prices for pig iron (per gross ton—2,240 lbs.); switching charges; certain differentials.*

	No. 2 foundry	Basic	Bessemer	Malleable	Low phosphorus
Bethlehem, Pa.	$25.00	$24.50	$26.00	$25.50	.....
Everett, Mass.	25.00	24.50	26.00	25.50	.....
Swedeland, Pa.	25.00	24.50	26.00	25.50	.....
Steelton, Pa.	.....	24.50	.....	.....	$29.50
Birdsboro, Pa.	25.00	24.50	26.00	25.50	29.50
Sparrows Point, Md.	25.00	24.50	.....	.....	.....
Erie, Pa.	24.00	23.50	25.00	24.50	.....
Neville Island, Pa.	24.00	23.50	24.50	24.00	.....
Sharpsville, Pa.	24.00	23.50	24.50	24.00	29.50
Buffalo	24.00	23.50	25.00	24.00	.....
Chicago	24.00	23.50	24.50	24.00	.....
Granite City, Ill.	24.00	23.50	24.50	24.00	.....
Cleveland	24.00	23.50	24.50	24.00	.....
Hamilton, Ohio	24.00	23.50	.....	24.00	.....
Toledo, Ohio	24.00	23.50	24.50	24.00	.....
Youngstown	24.00	23.50	24.50	24.00	.....
Detroit	24.00	23.50	24.50	24.00	.....
Duluth	24.50	24.00	25.00	24.50	.....
Birmingham	20.38	19.00	25.00	.....	.....
Provo, Utah	22.00	21.50	.....	.....	.....

(Table amended by Amendment 3, 7 F.R. 9672, and by Amendment 4)

HIGH-SILICON, SILVERY

(Base silicon 6.00 percent to 6.50 percent)	
Jackson County, Ohio	$29.50
Buffalo, New York	30.75

GRAY FORGE

Valley or Pittsburgh Furnace	$23.50

CHARCOAL

Lake Superior Furnace	$28.00
Lyles, Tenn. High Phos. Furnace	28.50
Lyles, Tenn. Low Phos. Furnace	33.00

Switching charges. Basing point base prices are to be subject to an additional charge for delivery within the switching limits of the respective districts.

Silicon differentials. Basing point base prices are to be subject to an additional charge not to exceed $0.50 a ton for each 0.25 percent silicon content in excess of base grade (1.75 percent to 2.25 percent).

Phosphorus differential. Basing point base prices are to be subject to a reduction of $0.38 per ton for phosphorus content of 0.70 percent and over.

Manganese differentials. Basing point base prices are to be subject to an additional charge not to exceed $0.50 a ton for each 0.50 percent manganese content in excess of 1.00 percent.

Exception. Pittsburgh Coke and Iron Company (Sharpsville, Pa. Furnace only) and the Struthers Iron and Steel Company, Struthers, Ohio, may charge $0.50 a ton in excess of Basing point base prices for No. 2 foundry, basic, bessemer and malleable.

§ 1306.57 [Revoked as of March 1, 1942 by Amendment 1, 7 F.R. 2841]

§ 1306.58 *Geographical application.* The provisions of Price Schedule No. 10 shall apply only to sales, offers to sell or delivery of pig iron moving within, into, or out of one of the forty-eight States of the United States or the District of Columbia.

§ 1306.59 *Effective dates of amendments.*

Amendment Nos. and issue dates:	Effective
Amendment 1 (4-14-42)	4-20-42
Amendment 2 (8-15-42)	8-21-42
Amendment 3 (11-28-42)	11-28-42
Amendment 4 (1-26-43)	2-1-43

Issued this twenty-fourth day of June 1941.

Effective this 24th day of June 1941.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1339; Filed, January 26, 1943; 2:59 p. m.]

Chapter XV—Board of War Communications

[Order 27]

PART 1722—PRECEDENCE FOR TELEGRAPH MESSAGES ESSENTIAL TO THE WAR EFFORT OR PUBLIC SAFETY

Whereas the Board of War Communications has determined that the national defense and security and the successful conduct of the war demand that certain telegraph messages relating to the war effort and public safety be given preferred handling;

Now, therefore, by virtue of the authority vested in the Board by Executive Order No. 8964[1] of December 10, 1941, prescribing regulations governing the preference and priority of communications, and by Executive Order No. 9089[2] of March 6, 1942, prescribing regulations governing the use, control, supervision and closing of stations and facilities for wire communications; *It is hereby ordered as follows:*

§ 1722.1 *Precedence.* Effective February 15, 1943, all wire-line telegraph, cable and radiotelegraph carriers shall upon specific designation by the sender give precedence in the handling of telegraph, cable, and radiotelegraph messages in accordance with the provisions of and in the order set forth below:

(a) *US Urgent.* To apply to domestic and international messages filed only by the State, War, and Navy Departments.

(b) *OP Priority.* To apply to domestic and international messages filed only by the War and Navy Departments.

(c) *Priority.* To apply to any domestic or international message filed by the State, War or Navy Departments and to any other domestic message requiring immediate transmission for war purposes or to safeguard life or property and which relates to one or more of the following matters:

Immediate dangers due to the presence of the enemy.

Emergency communications in connection with actual military or naval requirements.

Hurricane, flood, earthquake, or other disaster.

Messages designated "US Urgent," "OP Priority," and "Priority" shall interrupt the transmission of all telegraph messages of lower precedence.

(d) *Rapid.* To apply to any domestic message which requires prompt transmission and delivery for the national defense and security, the successful conduct of the war, or to safeguard life or property and which involves matters of the following type:

Important governmental functions

Machinery, tools, or raw materials for war plants.

Production, movement, and diversion of essential supplies.

Maintenance of essential public services.

Supply, movement, and diversion of food.

Civilian defense or public health and safety

§ 1722.2 *Procedure for indicating priorities.* The priority indicators "US Urgent," "OP Priority," "Priority," and "Rapid" should be written by the sender in the "To" space immediately before the address on messages being transmitted over commercial circuits. They are to be transmitted in plain language.

§ 1722.3 *Other messages.* Messages not designated with one of the foregoing priorities shall be handled in accordance with legally established classifications and tariffs on file with the Federal Communications Commission.

§ 1722.4 *Definition of domestic message.* As used in this order, domestic message means any telegraph message originating in the Continental United States and destined to a point in the Continental United States, Canada, or Mexico.

§ 1722.5 *Priorities procedures.* The Federal Communications Commission is hereby requested and authorized in cooperation with the carriers concerned to evolve procedures and routines to effectuate the precedence and requirements set forth in this order.

§ 1722.6 *Violations.* Any sender of a telegraph message who wilfully obtains or attempts to obtain priority for a telegraph message by fraudulently designating such message as a priority message or by furnishing false information to any telegraph carrier for the purpose of obtaining a priority, shall be subject to appropriate governmental action.

Subject to such further order as the Board may deem appropriate.

BOARD OF WAR COMMUNICATIONS,
JAMES LAWRENCE FLY, *Chairman.*

Attest: January 21, 1943.

HERBERT E. GASTON,
Secretary.

[F. R. Doc. 43-1372; Filed, January 27, 1943; 10:38 a. m.]

[1] 7 F.R. 8961.
[2] Revised: 7 F.R. 8961.

[Order 28]

PART 1723—TELEGRAPH SERVICE

FRANKS, DEADHEAD MESSAGE, ETC.

Whereas, the Board of War Communications, on December 17, 1942, by its Order No. 25-C,[1] directed that the Federal Communications Commission develop a plan for the curtailment of the use of franks and deadhead messages and the elimination of "free service" messages and report its specific recommendations to the Board; and

Whereas the Federal Communications Commission has submitted its report and recommendations to the Board;

Now, therefore, by virtue of the authority vested in the Board by Executive Order No. 8964[2] of December 10, 1941, prescribing regulations governing the preference and priority of communications, and by virtue of the authority vested in the Board by Executive Order No. 9089[3] of March 6, 1942, prescribing regulations governing the use, control, supervision, and closing of stations and facilities for wire communications; *It is hereby ordered as follows:*

§ 1723.1 *Franks.* All domestic telegraph carriers shall limit and restrict the issuance, exchange, and use of franks, and shall accord all messages submitted under franks the status of "night letters".

§ 1723.2 *Deadhead messages.* All domestic telegraph carriers shall restrict the use of deadhead messages on company business, and shall designate responsible employees to authorize all such deadhead messages before transmittal. The carriers shall so far as practicable handle such deadhead messages as deferred traffic.

§ 1723.3 *Limitations upon free service messages.* No domestic telegraph carrier shall transmit any free service message for a sender or addressee of a message already filed, *Provided, however,* That a telegraph carrier may transmit messages correcting errors or other faults of a carrier participating in the transmission of the original message.

§ 1723.4 *Filing of instructions issued by carriers.* Copies of all instructions issued pursuant to this Order shall be filed with the Federal Communications Commission within 30 days after the date hereof; copies of all amendments or additions to such instructions shall be filed upon issuance.

Subject to such further order as the Board may deem appropriate.

BOARD OF WAR COMMUNICATIONS,
JAMES LAWRENCE FLY, *Chairman.*

Attest: January 21, 1943.

HERBERT E. GASTON,
Secretary.

[F. R. Doc. 43-1373; Filed, January 27, 1943; 10:38 a. m.]

[1] 7 F.R. 10704.
[2] 6 F.R. 6367.
[3] 7 F.R. 1777.

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 2—ADJUDICATION: VETERANS' CLAIMS

DETERMINATIONS AS TO BASIC ENTITLEMENT

§ 2.1066 *"Line of duty" under §§ 35.011 and 35.012.*[1] Sections 35.011 and 35.012 require that a disabling condition for which pension or compensation is claimed shall have been incurred in line of duty, except in cases where a right to pension or compensation is preserved by § 35.04. The records of service departments will be accepted in determining "line of duty" status of diseases and injuries, unless considerations set forth in § 35.10, paragraph VIII, may warrant a different finding. Any evidence which is properly admissible or acceptable according to the practice of the Veterans' Administration, and which is of a nature competent to demonstrate that the incurrence of disability was or was not in line of duty, according to conditions specified in § 35.10, paragraph VIII, may be used as a basis for adjudications, despite any official military or naval record with respect to manner of incurrence. These determinations will be made by the officials of the Veterans' Administration charged with the responsibility of deciding claims for monetary or other benefits in the administration of laws in which line of duty is a factor. Such determinations will be final, subject to appeal procedure, except when the determination of the service department with respect to line of duty in the case of a living or deceased veteran is not concurred in by those having the foregoing responsibility and the file shows that the service department's determination was approved personally by the Secretary of the Navy, Secretary of War, The Adjutant General of the Army or by the Secretary of the Treasury. Such excepted cases will be forwarded to the director of the service concerned together with a full statement of the reasons why the line of duty decision as made by the Department Secretary or the Adjutant General should not be accepted. If the decision of the Department Secretary or the Adjutant General is concurred in by the director of the service concerned the case will be returned to the agency of original jurisdiction for adjudication accordingly. But if such determination is not concurred in the case will be forwarded to the assistant administrator. If the assistant administrator concurs in the Department's determination the file will be returned to the office having jurisdiction for adjudication accordingly. But if he does not concur the case will be referred to the Administrator for his determination. Whenever a decision is rendered by the board of veterans' appeals in which that board does not concur in a decision as to line of duty approved personally by the Secretary of

[1] Section 2.1066 is being revised.

War, Navy or Treasury or by The Adjutant General of the Army, such decision will be referred to the Administrator for his determination. For the purpose of ascertaining "line of duty" status for periods of time prior to June 16, 1938, continuous periods of leave will be considered as one extended leave in determining whether a leave of absence is of such duration as to interfere materially with the routine performance of duty. The provisions of § 35.10, paragraph VIII will be observed carefully in effecting all adjudication where a question of incurrence of disease or injury in line of duty is pertinent: *Provided*, That on or after June 16, 1938, the date of approval of Public No. 648, 75th Congress, the fact that the injury was suffered or the disease was contracted while the person on whose account benefits are claimed was on authorized leave (irrespective of the duration of such leave) will not of itself bar a finding that the disability or death resulting therefrom was incurred in line of duty. If the injury was suffered or the disease was contracted while the person who served was away from camp or his post of duty, the burden is upon the claimant to establish line of duty. If, however, the injury was suffered or the disease was contracted while the person who served was at camp or his post of duty, even though in a leave status, the burden is upon the Government to show that the disability or death resulting therefrom was not in line of duty. (January 26, 1943) [48 Stat. 8, 9; 38 U.S.C. 701, 707]

FRANK T. HINES,
Administrator.

[F. R. Doc. 43-1367; Filed, January 26, 1943; 4:43 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Service Order 105]

PART 95—CAR SERVICE

BACK-HAULING COMPANY MATERIAL

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of January, A. D. 1943.

It appearing that certain railroads are transporting coal or other material used by such railroads in their operations, usually referred to as "company material," through the point or points at which such material is to be used or stored to a more distant point, and back-hauling such material to the point or points of use or storage, which practice results in wasteful transportation; and that an emergency exists requiring immediate action to prevent shortage of railroad equipment and congestion of traffic: *It is ordered*, That:

§ 95.5 *Back-hauling company material.* The operation of the practice of common carriers by railroad subject to the Interstate Commerce Act of transporting coal or other material used by such railroads in their operations, usually referred to as "company material," in carloads, through the point or points at which such material is to be used or stored, to a more distant point, and back-hauling such material to the point or points of use or storage, is hereby suspended and prohibited. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, That this order shall become effective immediately and shall remain in force until further order of the Commission; that copies of this order and direction shall be served upon all common carriers by railroad subject to the Interstate Commerce Act and upon the Association of American Railroads, Car Service Division; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-1421; Filed, January 27, 1943; 11:52 a. m.]

PART 120—ANNUAL, SPECIAL OR PERIODICAL REPORTS

FORM PRESCRIBED FOR SMALL STEAM ROADS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 20th day of January, A. D. 1943.

In the matter of Annual Reports from Steam Railway Companies of Class III, and the corresponding section of the Code of Federal Regulations, the following order was entered:

It is ordered, That the order of this Commission dated December 5, 1941,[1] In the Matter of Annual Reports from Steam Railway Companies of Class III be, and it is hereby vacated and set aside effective January 1, 1943, and the following order shall become effective:

§ 120.12 *Form prescribed for small steam roads.* (a) All steam railway companies of Class III, excluding switching and terminal companies, subject to the provisions of section 20, Part I, of the Interstate Commerce Act, are hereby required to file annual reports for the year ended December 31, 1942, and for each succeeding year until further order, in accordance with Annual Report Form C (Small Roads), which is hereby approved and made a part of this order.[2]

(b) The annual report shall be filed, in duplicate, in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington, D. C., on or before March 31 of the year following the one to which it relates.

(Sec. 20, 24 Stat. 386, sec. 7, 34 Stat. 593, 35 Stat. 649, sec. 14, 36 Stat. 556, secs. 424-435, 41 Stat. 493, sec. 13, 54 Stat. 916; 49 U.S.C. 20 (1)–(8))

By the Commission, Division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-1422; Filed, January 27, 1943; 11:52 a. m.]

[1] 6 F.R. 6807.

[2] Filed as part of the original document.

Notices

TREASURY DEPARTMENT.

Fiscal Service; Bureau of the Public Debt.

[1943 Department Circular 685, Amendment 1]

2½ PERCENT TREASURY BONDS OF 1962–67

JANUARY 21, 1943.

Department Circular No. 685, dated May 4, 1942 (7 F.R. 3371), is hereby amended by striking out the date "May 5, 1952" where it occurs in the second sentence of paragraph 4 of section II, and inserting in lieu thereof the date "February 1, 1943".

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 43-1329; Filed, January 26, 1943; 2:12 p. m.]

[1943 Department Circular 692, Amendment 1]

2½ PERCENT TREASURY BONDS OF 1962–67
ADDITIONAL ISSUE

JANUARY 21, 1943.

Department Circular No. 692, dated August 3, 1942 (7 F.R. 6017), is hereby amended by striking out the date "May 5, 1952" where it occurs in the second sentence of paragraph 5 of section II, and inserting in lieu thereof the date "February 1, 1943".

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 43-1330; Filed, January 26, 1943; 2:12 p. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-255]

SHEESLEY COAL COMPANY

ORDER GRANTING APPLICATION FOR RESTORATION OF CODE MEMBERSHIP

A written complaint dated April 29, 1942, having been filed on May 1, 1942, by the Bituminous Coal Producers Board for District No. 1, complainant, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act") alleging wilful violation by Sheesley Coal Company, a corporation, 837 Horner Street, Johnstown, Pennsylvania, of the Bituminous Coal Code and the rules and regulations thereunder; and

Sheesley Coal Company, having filed with the Bituminous Coal Division (the "Division") on January 16, 1943, its application for restoration of its code membership to become effective simultaneously with the effective date of the Order entered in Docket No. B-255, issued December 14, 1942, canceling and revoking the code membership of said Sheesley Coal Company in the Bituminous Coal Code (the "Code"); and

It appearing from said application and other information in the possession of the Division, that the said Sheesley Coal Company paid to the Collector of Internal Revenue at Pittsburgh, Pennsylvania, on January 4, 1943, the sum of $265.09, pursuant to said order issued December 14, 1942, in the above-entitled matter, as a condition precedent to the restoration of its code membership.

Now therefore it is ordered, That said application of Sheesley Coal Company, filed with the Division on January 16, 1943, for restoration of its code membership, be, and the same hereby is, granted.

It is further ordered that said restoration of the code membership of Sheesley Coal Company be, and the same hereby is effective December 14, 1942.

Dated: January 23, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-1327; Filed, January 26, 1943; 12:19 p. m.]

[Docket No. B-350]

EARL M. READ

ORDER POSTPONING HEARING

The above-entitled matter having been heretofore scheduled for hearing on January 27, 1943, at 2 p. m., at a hearing room of the Bituminous Coal Division at the Clearfield County Court House, Clearfield, Pennsylvania, pursuant to an order issued in the above entitled matter on December 19, 1942; and

The Director deeming it advisable that said hearing in the above-entitled matter be, and the same hereby is, postponed from January 27, 1943, at 2 p. m., to a time and place to be hereafter designated by an appropriate order.

Dated: January 23, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-1328; Filed, January 26, 1943; 12:19 p. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6, F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6, F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective January 28, 1943. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry:

Frances Dress Company, 1201 Wyoming Avenue, Scranton, Pennsylvania; Ladies' dresses; 10 learners (T); January 28, 1944.

S. Kantor Company, 31 S. 8th St., Lebanon, Pennsylvania; Ladies' blouses; 10 percent (T); January 28, 1944.

Lady Ester Lingerie Corp., Tenth and Walnut, Berwick, Pennsylvania; Ladies' undergarments, aprons; 10 learners (T); January 28, 1944.

The Mack Shirt Corporation, 209 E. 6th St., Cincinnati, Ohio; Men's shirts; 25 learners (E); July 28, 1943.

The Mack Shirt Corporation, 1416 Vine St., Cincinnati, Ohio; Men's shirts; 10 learners (E); July 28, 1943.

Muscatine Pants & Overall Company, 414-416 E. Third St., Muscatine, Iowa; Men's work clothing; 3 learners (T); January 28, 1944.

Penn State Underwear Mills, Inc., 601 North Jordan St., Allentown, Penn.; Children's overalls and sun suits; 10 percent (T); January 28, 1944.

Philadelphia Pants Company, 26th and Reed Streets, Philadelphia, Pennsylvania; Men's trousers; 10 percent (T); January 28, 1944.

Southwestern Jacket Mfg. Co., Inc., 332 W. Commerce Street, San Antonio, Texas; Washable coats, pants, doctors' gowns, nurses' dresses, waiters' and waitresses' uniforms, defense uniforms; 5 learners (T); January 28, 1944.

The Star Union Company of Tennessee, Manchester, Tennessee; Men's and boys' pajamas, U. S. Army shorts, U. S. Army hospital pajamas; 10 percent (T); January 28, 1944.

Woods Manufacturing Company, 200 Garrison Ave., Fort Smith, Arkansas; Dress and semi-dress trousers, Army trousers; 10 percent (T); January 28, 1944.

Hosiery Industry

Grayson Full Fashioned Hosiery Mill, Independence, Virginia; Full fashioned hosiery; 5 percent (T); January 28, 1944.

York United Hosiery, Inc., East Street and P. R. R., York, Pennsylvania; Full fashioned hosiery; 5 learners (T); January 28, 1944.

Telephone Industry

Clarke County Telephone Company, Osceola, Iowa: To employ learners as commercial switchboard operators at its Osceola exchange, located at Osceola, Iowa until January 28, 1944.

Textile Industry

Canisteo Corporation, 8–10 Russell Street, Canisteo, New York; Rayon, nylon, yarns and silk; 3 learners (T); January 28, 1944.

Suncook Mills, Canal Street, Suncook, New Hampshire; Rayon and cotton fabrics; 3 percent (T); January 28, 1944.

Cigars Industry

General Cigar Company, 154 W. Church St., Nanticoke, Pennsylvania; Cigars; 10 percent (T); Cigar packers to have a learning period of 320 hours at 75% of applicable minimum wage; January 27, 1944.

Signed at New York, N. Y., this 26th day of January 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-1369; Filed, January 27, 1943; 2:30 a. m.]

INTERNATIONAL SHOE CO., ST. LOUIS, MISSOURI

NOTICE OF GRANTING EXCEPTION

Notice is hereby given that pursuant to § 516.18 of the Record Keeping Regulations, Part 516, issued under authority in the Fair Labor Standards Act of 1938, the Administrator of the Wage and Hour Division hereby grants to the International Shoe Company of St. Louis, Missouri, relief from the necessity of preserv-

ing its employees' piece-work tickets as required by § 516.15 (a) (1) of the record keeping regulations: *Provided*, That the weekly totals of piece work performed by each employee are entered in the payroll records and the payroll records are preserved for the period required by § 516.14 of the record keeping regulations.

This authority is granted on the representations of the petitioner and is subject to revocation for cause.

Signed at New York, New York, this 22d day of January 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-1368; Filed, January 27, 1943; 9:30 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket Nos. 314, 414, 424, 521, 522, 532, 537]

TRANSCONTINENTAL & WESTERN AIR, INC.

NOTICE OF POSTPONEMENT OF ORAL ARGUMENT

In the matter of the applications of Transcontinental & Western Air, Inc., Western Air Lines, Inc. and United Air Lines Transport Corporation for certificates of public convenience and necessity and amendment of existing certificates under section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said Act, in the above-entitled proceedings, that oral argument now assigned to be held on January 29, 1943, is hereby postponed to February 9, 1943, 10 a. m. (eastern war time) in Room 5042 Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated Washington, D. C., January 26, 1943.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 43-1371; Filed, January 27, 1943; 9:54 a. m.]

[Docket Nos. 604 and 634]

TRANSCONTINENTAL & WESTERN AIR, INC.

NOTICE OF HEARING

In the matter of the petition of Transcontinental & Western Air, Inc., for an order fixing and determining the fair and reasonable rates of compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith over route No. 2.

In the matter of the compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith of Transcontinental & Western Air, Inc., over Routes Nos. 36, 37, 38, 44 and 58.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 406 and 1001 of said Act, in the above-entitled proceeding, that hearing is assigned to be held on January 29, 1943, 10 a. m. (eastern war time) in Room 5417 Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C.

Dated Washington, D. C., January 23, 1943.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 43-1370; Filed, January 27, 1943; 9:54 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 703]

ESTATE OF AUGUSTE SCHNITZLER

In re: Estate of Auguste Schnitzler, deceased—File D-28-1527; E. T. sec. 274.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Title Guarantee and Trust Company, of 196 Montague Street, Brooklyn, New York, Executor and Trustee, acting under the judicial supervision of Surrogate's Court of the State of New York, in and for the County of New York;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Carl Schmidt	Germany.
Minna Schmidt	Germany.
Joachim Heinrich Schmidt	Germany.
Issue, distributees and next of kin, if any, of Gustave Schmidt, deceased	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany, and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Carl Schmidt, Minna Schmidt, Joachim Heinrich Schmidt, and other issue, distributees and next of kin, if any, of Gustave Schmidt, deceased, and each of them, in and to the Estate of Auguste Schnitzler, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any persons, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1374; Filed, January 27, 1943; 10:41 a. m.]

[Vesting Order 735]

ESTATE OF GIUSEPPE AMICO

In re: Estate of Giuseppe Amico, also known as Calagero Lumia, deceased—File No. D-38-457; E. T. sec. 789.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Kings County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Concettina Trifiro Lumia	Italy.
Marrieta Lumia	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Concettina Trifiro Lumia and Marrieta Lumia and each of them in and to the Estate of Guiseppe Amico, also known as Calagero Lumia, deceased,

to be held, used, administered, liquidated sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1375; Filed, January 27, 1943; 10:41 a. m.]

[Vesting Order 737]

ESTATE OF KARL BINDER

In re: Estate of Karl Binder, deceased—File D-28-1321; E. T. sec. 129.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests described below in subparagraphs (a) and (b) are property which is in the process of administration by Harm Guthals, Administrator c. t. a., Talmage, Nebraska, acting under the judicial supervision of the County Court of Otoe County, Nebraska;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Friederich Binder, whose last known address is Germany; and

(3) The property and interests described in subparagraph (b) are property within the United States owned or controlled by the aforesaid national of a designated enemy country, Germany; and

Determining that—

(4) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

(a) All right, title, interest, and claim of any kind or character whatsoever of Friederich Binder in and to the estate of Karl Binder, deceased; and

(b) All right, title, interest, and estate, both legal and equitable, of Friederich Binder in and to the real property situated in Otoe County, Nebraska, and described as follows:

East Half, of the Northeast Quarter, of Section Eight, Township Seven, Range Thirteen, in Otoe County, Nebraska. Together with all improvements and appurtenances thereunto belonging,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1376; Filed, January 27, 1943; 10:41 a. m.]

[Vesting Order 738]

ESTATE OF DOROTHY BURK

In re: Estate of Dorothy Burk, deceased—File D-28-1497; E. T. sec. 213.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Fidelity Union Trust Company, Administrator, acting under the judicial supervision of the Essex County Surrogate's Court, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Martha Ritter	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Martha Ritter in and to the Estate of Dorothy Burk, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1377; Filed, January 27, 1943; 10:41 a. m.]

[Vesting Order 739]

TRUST OF SARA C. CARPENTER, ET AL.

In re: Trust of Sara C. Carpenter, et al., under Deed of Trust dated June 19, 1907—File D-28-3324; E. T. sec. 699.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Land Title Bank and Trust Company, Trustee, 100 South Broad Street, Philadelphia, Pennsylvania, acting under the judicial supervision of Common Pleas Court of the State of Pennsylvania, in and for the County of Philadelphia;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Mrs. S Atlee Fritze, whose last known address is Germany; and

Determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Mrs. S. Adee Fritze in and to the trust estate created by Deed of Trust of Sara C. Carpenter et al., dated June 19, 1907,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such porperty and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc 43–1378; Filed, January 27, 1943; 10:41 a. m.]

[Vesting Order 740]

ESTATE OF ETHEL DEODATA EARLE

In re: Estate of Ethel Deodata Earle, deceased—File No. D–38–455; E. T. sec. 787.

Under the authority of the Trading with the enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Kings County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely, Frau Lina Frank whose last known address is Italy;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Frau Lina Frank in and to the Estate of Ethel Deodata Earle, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc 43–1379; Filed, January 27, 1943; 10:42 a. m.]

[Vesting Order 741]

ESTATE OF MARIE FESENMEIER

In re: Estate of Marie Fesenmeier, deceased—File F–28–9690; E. T. sec. 2085.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described is property which is in the process of administration by Ben H. Brown, Public Administrator of Los Angeles County, Administrator c. t. a., acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

(2) Such property and interest is payable or deliverable to or claimed by, a national of a designated enemy country, Germany, namely Maria Mehltretter, whose last known address is Freising, Germany; and

Determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany, and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Maria Mehltretter, in and to the Estate of Marie Fesenmeier, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–1380; Filed, January 27, 1943; 10:42 a. m.]

[Vesting Order 742]

ESTATE OF EMMA FRIEDERICH

In re: Estate of Emma Friederich, also known as Emma Friedrich, deceased—File F–28–13575; E. T. sec. 2055.

Under the authority of the Trading with the Enemy Act as amended and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by John D. Ficke, Executor, acting under the judicial supervision of the Surrogate's Court of the State of New York in and for Kings County.

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Paul Friederich	Germany.
William Friederich	Germany.
Clara Friederich	Germany.
Maria Friederich	Germany.
Bruno Winkler	Germany.
Agon Winkler	Germany.
Eringardt Frenzel	Germany.
Ginta Frenzel	Germany.

Nationals—Continued.	*Last known address*
Herbert Frenzel	Germany.
Clara Frenzel	Germany.
Maria Nelka	Germany.
Paul Nelka	Germany.
Rudolf Frenzel	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany, and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Paul Friederich, William Friederich, Clara Friederich, Maria Friederich, Bruno Winkler, Agon Winkler, Eringardt Frenzel, Ginta Frenzel, Herbert Frenzel, Clara Frenzel, Maria Nelka, Paul Nelka and Rudolf Frenzel, and each of them, in and to the estate of Emma Friederich also known as Emma Friedrich, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–1381; Filed, January 27, 1943; 10:42 a. m.]

[Vesting Order 743]

ESTATE OF JOSEPH GRU

In re: Estate of Joseph Gru, deceased—File No. D–57–53; E. T. sec. 1330.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Bronx County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Roumania, namely,

Nationals:	*Last known address*
Liba Podgaletz	Roumania.
Chana Stevenberg	Roumania.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Roumania; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Liba Podgaletz and Chana Stevenberg and each of them in and to the Estate of Joseph Gru, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–1382; Filed, January 27, 1943; 10:42 a. m.]

[Vesting Order 744]

ESTATE THERESE M. GRUTTER

In re: Estate of Therese M. Grutter, sometimes known as Therese Mayer Grutter, deceased—File D–28–1850; E. T. sec. 1457.

Under authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by J. P. Mikolizik, Executor of the estate of Therese M. Grutter, sometimes known as Therese Mayer Grutter, deceased, acting under the judicial supervision of the County Court City and County of Denver, Colorado;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Robert Schoch	Germany.
René Schoch	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Robert Schoch and René Schoch and each of them, in and to the Estate of Therese M. Grutter, sometimes known as Therese Mayer Grutter, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–1383; Filed, January 27, 1943; 10:42 a. m.]

[Vesting Order 745]

ESTATE OF CARL HANTZSCH

In re: Estate of Carl Hantzsch, also known as Charles Wolf, deceased—File D–28–1974; E. T. sec. 1942.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Eugene M. Thoré, Executor, 51 Louisiana Avenue, N. W., Washington, D. C., acting under the judicial supervision of District Court of the United States for the District of Columbia;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Marie Ashenbach, whose last known address is Germany; and

Determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Marie Ashenbach in and to the estate of Carl Hantzsch, also known as Charles Wolf, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–1384; Filed, January 27, 1943; 10:43 a. m.]

[Vesting Order 746]

TRUST UNDER WILL OF JOHN HAPP

In re: Trust under will of John Happ, deceased—File F–28–12101; E. T. sec. 1290.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Safe Deposit and Trust Company of Baltimore, Maryland, Trustee, acting under the judicial supervision of Circuit Court #2 of Baltimore City, Baltimore, Maryland; and

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Friederich Hermann Happ	Germany.
Martha Amalie Zoll	Germany.
Karl Happ	Germany.
Maria Happ Pfann	Germany.
Hermann Happ	Germany.
Maria Happ Schmitt	Germany.
Hildegarde Happ Schmitt	Germany.
Dorothea Happ Wenzl	Germany.
John Happ	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Friederich Hermann Happ, Martha Amalie Zoll, Karl Happ, Maria Happ Pfann, Hermann Happ, Maria Happ Schmitt, Hildegarde Happ Schmitt, Dorothea Happ Wenzl, John Happ and each of them in and to the Trust Estate created under the Last Will and Testament of John Happ, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, and to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–1385; Filed, January 27, 1943; 10:43 a. m.]

[Vesting Order 747]

ESTATE OF J. H. P. IOANNU

In re: Estate of J. H. P. Ioannu, deceased—File D–30–71; E. T. sec. 1311.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Pennsylvania Company for Insurance on Lives and Granting Annuities as Executor acting under the judicial supervision of the Orphans' Court of Philadelphia County, Philadelphia, Pennsylvania;

(2) Nicos H. Papa Ioannu, whose last known address is Athens, Greece, is a person controlled by or acting for or on behalf of a designated enemy country, Germany, and therefore is a national of a designated enemy country, Germany;

(3) Such property and interests are payable to or claimed by a national of a designated enemy country, Germany,

And determining that—

(4) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Nicos H. Papa Ioannu in and to the estate of J. H. P. Ioannu, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–1386; Filed, January 27, 1943; 10:43 a. m.]

[Vesting Order 748]

ESTATE OF OSWALD KANE

In re: Estate of Oswald Kane (also known as Oswald Kannengiesser) deceased—File D–28–1862, E. T. sec. 1686.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, Queens County, New York;

(2) Such property and interest are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely Joseph Kannenglesser, whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interest:

All right, title, interest, and claim of any kind or character whatsoever of Joseph Kannengiesser in and to the Estate of Oswald Kane (also known as Oswald Kannengiesser), deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interest and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interest or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–1387; Filed, January 27, 1943; 10:43 a. m.]

[Vesting Order 749]

ESTATE OF CHARLES W. KRIEBEL

In re: Estate of Charles W. Kriebel, deceased—File F–28–11734; E. T. sec. 1284.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Liberty Title and Trust Company, Trustee, acting under the judicial supervision of the Orphans' Court of the State of Pennsylvania, in and for the County of Philadelphia;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Mathilda Klimpel	Germany

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Mathilda Klimpel in and to the Trust Fund created under the Will of Charles W. Kriebel, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–1388; Filed, January 27, 1943; 10:43 a. m.]

[Vesting Order 750]

ESTATE OF FRIEDRICH KRUSE

In re: Estate of Friedrich Kruse, deceased—File No. D–28–1818; E.T. sec. 1331.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Bronx County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national, of a designated enemy country, Germany, namely, Frederick Kruse whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Frederick Kruse in and to the Estate of Friedrich Kruse, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should

be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–1389; Filed, January 27, 1943; 10:44 a. m.]

[Vesting Order 751]

ESTATE OF BERNARD C. MANKE

In re: Estate of Bernard C. Manke, deceased—File D–28–1535; E. T. sec. 282.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests described below in subparagraphs (a) and (b) are property which is in the process of administration by Seattle-First National Bank, Second Avenue and Cherry Street, Seattle, Washington, Executor, acting under the judicial supervision of the Superior Court of the State of Washington, in and for the County of King;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Otto Manke	Germany.
Else Collatz Straub	Germany.
Martha Collatz Fraedrich	Germany.
Walter Collatz	Germany.

(3) The property and interests described in subparagraph (b) are property within the United States owned or controlled by the aforesaid nationals of a designated enemy country, Germany; and

Determining that—

(4) If such nationals are persons not within any designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

(a) All right, title, interest, and claim of any kind or character whatsoever of Otto Manke, Else Collatz Straub, Martha Collatz Fraedrich, and Walter Collatz, and each of them, in and to the estate of Bernard C. Manke, deceased; and

(b) All right, title, interest, and estate, both legal and equitable, of Otto Manke, Else Collatz Straub, Martha Collatz Fraedrich, and Walter Collatz, and each of them, in and to the real property situated in the State of Washington, and described as follows:

An undivided ½ interest in Lot 11, Block 28, Nagle's Second Addition to Seattle, King County, Washington. Together with all improvements and appurtenances thereunto belonging.

All that portion of Lot 5 in Section 8 in Township 24 N. Range 5 E. W. M. particularly described as follows, to-wit: beginning at the NE corner of Lot 5 and running thence W. 10 rods; thence S. to the meander line of Lake Washington; thence easterly along said meander line to the East boundary of said Lot 5; thence North to the place of beginning, together with all shorelands of the 2nd class situate in front of or adjacent thereto—also described as Tax Lot 12, E. 165' of Government Lot 5 and shorelands adjacent, less county road. Together with all improvements and appurtenances thereunto belonging.

Lot 8 Block 6 Judkins' Addition to the City of Seattle, King County, State of Washington, less railway-right-of-way 1320–22 8th Avenue, South. Together with all improvements and appurtenances thereunto belonging.

Block 217, Seattle Tide Lands. Together with all improvements and appurtenances thereunto belonging.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–1390; Filed, January 27, 1943; 10:44 a. m.]

[Vesting Order 752]

ESTATE OF JOSEPH MEIER

In re: Estate of Joseph Meier, deceased—File D–28–1579; E. T. sec. 328.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The American National Bank of Denver as Executor acting under the judicial supervision of the County Court of the City and County of Denver, Colorado;

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Bertha Meier Melbach	Geiselgasteig, near Muenchen, Parkplatz, Bavaria, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Bertha Meier Melbach in and to the Estate of Joseph Meier, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–1391; Filed, January 27, 1943; 10:44 a. m.]

[Vesting Order 753]

ESTATE OF GEORGE MERCK

In re: Estate of George Merck, deceased—File D–28–1968; E. T. sec. 1919.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Edward H. Green, George W. Merck and Friedrike Merck, Trustees, acting under the judicial supervision of the Prerogative Court of New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Rosalie Eigenbrodt	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Rosalie Eigenbrodt in and to the Trust Fund created under the Will of George Merck, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–1392; Filed, January 27, 1943; 10:44 a. m.]

[Vesting Order 754]

ESTATE OF JOHN MIGLIORELLI

In re: Estate of John Migliorelli, deceased—File D–38–287; E. T. sec. 98.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Gardner O. Hart, Administrator, acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Oneida County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Rosa Migliorelli	Italy.
Lucrezia Migliorelli	Italy.
Maria Migliorelli	Italy.
Sebastiano Migliorelli	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Rosa Migliorelli, Lucrezia Migliorelli, Maria Migliorelli and Sebastiano Migliorelli and each of them in and to the Estate of John Migliorelli, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–1393; Filed, January 27, 1943; 10:44 a. m.]

[Vesting Order 755]

ESTATE OF ROSE MUHLEISEN

In re: Estate of Rose Muhleisen, deceased—File D–28–1960 E. T. sec. 2006.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Herman E. Schnaebele, Executor of the estate of Rose Muhleisen, deceased, acting under the judicial supervision of the Register of Wills, Philadelphia County, Pennsylvania

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Rose Waenninger	Germany.
Karl Dirschel	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany, and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Rose Waenninger and Karl Dirschel, and each of them, in and to the estate of Rose Muhleisen, deceased,

to be held, used administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–1394; Filed January 27, 1943; 10:44 a. m.]

[Vesting Order 756]

ESTATE OF PETER OFFT

In re: Estate of Peter Offt, deceased—File F-28-11881; E. T. sec. 2026.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Ben H. Brown, Public Administrator of Los Angeles County, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
B. Werner Offt	Germany.
Martha Gebhardt	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of B. Werner Offt and Martha Gebhardt, and each of them, in and to the Estate of Peter Offt, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereof, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1395; Filed, January 27, 1943; 10:45 a. m.]

[Vesting Order 757]

ESTATE OF ALEXANDER G. ROVALDY

In re: Estate of Alexander G. Rovaldy, deceased—File D-38-364; E. T. sec. 839.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Security Trust Company of Pottstown, Pennsylvania, as executor under the Will of Alexander G. Rovaldy, deceased, High and Hanover Streets, Pottstown, Pennsylvania, acting under the judicial supervision of Orphans' Court of the State of Pennsylvania, in and for the County of Montgomery;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Antonio Rovaldy	Italy.
Charlotte Rovaldy	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Antonio Rovaldy and Charlotte Rovaldy, and each of them, in and to the estate of Alexander G. Rovaldy, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1396; Filed, January 27, 1943; 10:45 a. m.]

[Vesting Order 758]

ESTATE OF GEORGE ALBERT SCHREINER

In re: Estate of George Albert Schreiner, deceased—File D-28-1923; E. T. sec. 1788.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9095, as amended, and pursuant to Law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by First Atlantic National Bank, Executor, acting under the judicial supervision of the County Judge's Court of the State of Florida, in and for the County of Volusia;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Elise Ecke	Germany
Heinrich Schreiner	Germany
Paul Schreiner	Germany
Martin Schreiner	Germany
Wilhelm Schreiner	Germany
Adam Apel	Germany
Amelia Paul nee Holzhauer	Germany
Daniel Brandau	Germany

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany, and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Elise Ecke, Heinrich Schreiner, Paul Schreiner, Martin Schreiner, Wilhelm Schreiner, Adam Apel, Amelia Paul nee Holzhauer and Daniel Brandau, and each of them, in and to the Estate of George Albert Schreiner, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1397; Filed, January 27, 1943; 10:45 a. m.]

[Vesting Order 759]

ESTATE OF ADOLF LOUIS THEEK

In re: Estate of Adolf Louis Theek, deceased—File D-28-3415; E. T. sec. 1091.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests described below in subparagraphs (a) and (b) are property which is in the process of administration by California Trust Company, Executor, 629 South Spring Street, Los Angeles, California, acting under the judicial supervision of Superior Court of the State of California, in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Marie Theek, whose last known address is Germany; and

(3) The property and interests described in subparagraph (b) are property within the United States owned or controlled by the aforesaid national of a designated enemy country, Germany; and

Determining that—

(4) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

(a) All right, title, interest, and claim of any kind or character whatsoever of Marie Theek in and to the estate of Adolf Louis Theek, deceased; and

(b) All right, title, interest, and estate, both legal and equitable, of Marie Theek in and to the real property situated in Los Angeles County, California, and described as follows:

Lot 3 of Tract No. 285, in the County of Los Angeles, State of California, as per map recorded in Book 16, Page 77 of Maps, in the office of the County Recorder of said County; EXCEPT the East 270 feet thereof. Together with all improvements and appurtenances thereunto belonging,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1398; Filed, January 27, 1943; 10:45 a. m.]

[Vesting Order 760]

DEPOSIT FOR CURT UBERALL

In re: Deposit for Curt Uberall—File D-66-28; E. T. sec. 301.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Walter E. Wallace, Clerk of District Court, acting under the judicial supervision of the District Court of Burnet County, Texas;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Curt Uberall	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany, and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Curt Uberall in and to the proceeds from the sale of certain real estate sold under order of sale on a tax judgment,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereof, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1399; Filed, January 27, 1943; 10:46 a. m.]

[Vesting Order 761]

ESTATE OF FRANK VERDERBER

In re: Estate of Frank Verderber, deceased—File No. D-6-131; E. T. sec. 1217.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Queens County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national, of a designated enemy country, Germany (Austria), namely, John Verderver whose last known address is Germany (Austria);

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany (Austria); and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of John Verderver in and to the Estate of Frank Verderber, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the in-

terest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, assertin any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in Section 10 of said Executive Order.

Dated: January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1400, Filed, January 27, 1943; 10:45 a. m.]

[Vesting Order 762]

ESTATE OF ALVINA WAGNER

In re: Estate of Alvina Wagner, deceased—File D–28–4419; E. T. sec. 1209.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests described below in subparagraphs (a) and (b) are property which is in the process of administration by The San Francisco Bank, Executor, 526 California Street, San Francisco, California, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco,

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals	*Last known address*
Fritz Wagner	Germany.
Olga Kruager	Germany.
Paula Knuppel	Germany.
Paul Wagner	Germany.

(3) The property and interests described in subparagraph (b) are property within the United States owned or controlled by the aforesaid nationals of a designated enemy country, Germany; and

Determining that—

(4) If such nationals are persons not within any designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

(a) All right, title, interest, and claim of any kind or character whatsoever of Fritz Wagner, Olga Kruager, Paula Knuppel, and Paul Wagner, and each of them, in and to the estate of Alvina Wagner, deceased, and

(b) All right, title, interest, and estate, both legal and equitable, of Fritz Wagner, Olga Kruager, Paula Knuppel, and Paul Wagner, and each of them, in and to the real property situated in the City and County of San Francisco, State of California, and described as follows:

(1) Commencing at a point on the southerly line of Geary Boulevard, distant thereon one hundred four feet Easterly from the Easterly line of Fortieth Avenue and running thence Easterly and along the said Southerly line of Geary Boulevard twenty-five feet; thence at a right angle Southerly one hundred feet, thence at a right angle Westerly twenty-five feet and thence at a right angle Northerly one hundred feet to the Southerly line of Geary Boulevard and the point of commencement. The same being a Portion of Outside Land Block No. 245. Together with all improvements and appurtenances thereunto belonging.

(2) Commencing at a point on the Southerly line of Moraga Street; distant thereon fifty-seven feet six inches Easterly from the Easterly line of 23rd Avenue; running thence Easterly and along said line of Moraga Street twenty-five feet; thence at a right angle Southerly one hundred feet; thence at a right angle Westerly twenty-five feet; thence at a right angle Northerly one hundred feet to the point of commencement. Being a part of Outside Land Block No. 882. Together with all improvements and appurtenances thereunto belonging.

(3) Beginning at a point on the Westerly line of 41st Avenue, distant thereon seventy-five feet Southerly from the Southerly line of Anza Street; running thence Southerly along said line of 41st Avenue twenty-five feet; thence at a right angle Westerly eighty-one feet six inches; thence at a right angle northerly twenty-five feet; thence at a right angle Easterly eighty-one feet six inches to the point of beginning.

Being a portion of Outside Land Block No. 324. Together with all improvements and appurtenances thereunto belonging.

(4) Beginning at a point on the Westerly line of Seventeenth Avenue distant thereon three hundred and four feet Southerly from the Southerly line of Kirkham Street, formerly "K" Street, and running thence Southerly along said line of Seventeenth Avenue twenty-five feet, thence at right angles Westerly one hundred and twenty feet; thence at right angles Northerly twenty-five feet, thence at right angles easterly one hundred and twenty feet to the point of beginning.

Being a portion of Outside Land Block No. 785. Together with all improvements and appurtenances thereunto belonging.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1401, Filed, January 27, 1943; 10:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-566]

WEST TEXAS UTILITIES CO. AND THE MIDDLE WEST CORP.

ORDER GRANTING APPLICATION, ETC.

Order granting application and permitting declaration to become effective as amended.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 25th day of January A. D., 1943.

The Middle West Corporation, a registered holding company, and West Texas Utilities Company, one of its subsidiaries, having filed a joint application and declaration and amendment thereto pursuant to the Public Utility Holding Company Act of 1935, particularly section 10 thereof and Rules U-43 and U-62 of the General Rules and Regulations thereunder, with respect to a proposed offer by West Texas Utilities Company to purchase all outstanding securities of Pecos Valley Power & Light Company, as follows:

1. First Mortgage Bonds held by the public in the principal amount of $963,000 at 76% thereof.

2. Income Debentures held by the public in the principal amount of $338,020 at 15% thereof.

3. Common stock held by the public in the amount of 3,582.66 shares at $1 per share.

4. First Mortgage Bonds in the principal amount of $313,000, Income Debentures in the principal amount of $3[illegible] and common stock in the amount of 3,892.34 shares, all held by The Middle West Corporation, or the sum of $[illegible]349.11 (equal to 76% of the principal amount of the bonds held plus $[illegible] transfer tax applicable to the debentures and common stock being transferred); and

Hearings having been held after appropriate notice, the Commission having considered the record and having made and filed its findings and opinion herein; and

It is ordered, Pursuant to the applicable provisions of said Act that the aforesaid application and declaration, as amended, be forthwith granted and permitted to become effective, respectively, subject however to the terms and conditions prescribed in Rule U-24 of the general rules and regulations promulgated under said Act and subject also to the following conditions:

1. The initial solicitation literature furnished each security holder shall be accompanied by a copy of our findings and opinion herein, and West Texas Utilities Company shall submit to the Commission not less than three days prior to the use thereof copies in final form of all supplemental or follow-up solicitation literature.

2. Approval of the acquisition by West Texas Utilities Company of the Pecos Valley Power & Light Company securities shall be without prejudice to the right of the Commission in any appropriate proceeding hereafter to inquire into and issue any appropriate order under section 11 of the Act.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-1331; Filed, January 26, 1943; 2:39 p. m.]

[File No. 70-614]

ELECTRIC BOND AND SHARE CO., ET AL.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 22nd day of January A. D. 1943.

In the matter of Electric Bond and Share Company; American & Foreign Power Company, Inc., Ebasco Services Incorporated, and Ebasco International Corporation.

Electric Bond and Share Company ("Bond and Share"), a registered holding company, and its subsidiary companies, American & Foreign Power Company, Inc. ("Foreign Power"), also a registered holding company, Ebasco Services Incorporated ("Ebasco"), a wholly-owned service company, and Ebasco International Corporation ("International"), a presently inactive subsidiary of Foreign Power, having filed a joint application and declaration, and amendments thereto, pursuant to the Public Utility Holding Company Act of 1935, particularly section 12 thereof and the rules promulgated thereunder, with respect to the following transactions:

1. Ebasco to transfer to International all the assets, including cash, employed by the international division of Ebasco in rendering services to client companies operating outside the United States, in consideration for the payment by International to Ebasco of $398,576.49 in cash and its assumption of all liabilities arising out of or in connection with the operations of the international division.

2. Foreign Power to purchase from International 1,990 shares of its capital stock for $199,000 and to advance to it on open account the sum of $199,576.49.

3. Ebasco to reacquire 4,000 shares of its capital stock from Bond and Share for $400,000 cash and to cancel such shares, reducing its capital stock by that amount; and

International having further applied under section 13 for exemption of its proposed operations; and

A public hearing having been held after due notice, and the Commission having considered the record of the proceeding and having entered its findings and opinion herein:

It is hereby ordered, That the said joint application and declaration as amended be and the same hereby is granted and permitted to become effective, subject, however, to the terms and conditions prescribed in Rule U-24 of the General Rules and Regulations promulgated under said Act, and to the further term and condition that any pension plan proposed to be established by International be submitted to this Commission for approval.

It is further ordered, That the application of International for exemption of its proposed operations be and the same hereby is granted, subject to the condition that International file with this Commission an annual report on Form U-13–60; *And provided further*, That jurisdiction is expressly reserved to modify or terminate the exemption if the Commission shall determine that the circumstances which gave rise to the order no longer exist or it is necessary or appropriate in the public interest or for the protection of investors or consumers that said exemption be modified or terminated.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-1332; Filed, January 26, 1943; 2:39 a. m.]

[File No. 70-659]

INTERNATIONAL UTILITIES CORPORATION

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 25th day of January A. D. 1943.

International Utilities Corporation, a registered holding company, having filed a declaration pursuant to the Public Utility Holding Company Act of 1935, particularly section 12 (c) thereof and Rule U-46 thereunder, regarding the declaration and payment by International Utilities Corporation out of capital or unearned surplus of a regular quarterly dividend on February 1, 1943, on its $3.50 Prior Preferred Stock, at the rate of 87½¢ per share on the 97,370 shares of such stock presently outstanding, the aggregate amount of such payment being $85,193.75;

Said declaration having been filed on December 31, 1942 and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said declaration within the period specified in the said notice, or otherwise, and not having ordered a hearing thereon; and

International Utilities Corporation having requested that said declaration become effective on or about January 23, 1943; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective, and being satisfied that the effective date of such declaration should be advanced;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid declaration be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-1333; Filed, January 26, 1943; 2:39 p. m.]

[File No. 70-99]

SIOUX CITY GAS AND ELECTRIC CO. AND IOWA PUBLIC SERVICE CO.

ORDER PERMITTING WITHDRAWAL OF DECLARATIONS AND APPLICATIONS

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 25th day of January 1943.

Sioux City Gas and Electric Company (Sioux City) a registered holding company, and its subsidiary Iowa Public Service Company (Iowa), also a registered holding company, having filed declarations and applications pursuant to sections 10 and 12 of the Public Utility Holding Company Act of 1935 regarding a proposed sale by Iowa and acquisition by Sioux City of 10,000 shares of common stock, par value $50 each, of Nebraska Public Service Company, for $350,000 in cash;

The applicants and declarants having requested permission to withdraw said declarations and applications, and it appearing to the Commission that the withdrawal of said declarations and applications is consistent with the public interest;

It is ordered, That the request of the applicants and declarants be, and it hereby is, approved and said declarations and applications are hereby deemed withdrawn.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-1334; Filed, January 26, 1943; 2:40 p. m.]

[File No. 34-3]

DERBY GAS & ELECTRIC CORPORATION

ORDER PERMITTING WITHDRAWAL OF APPLICATION

At a regular session of the Securities and Exchange Commission held at its of-

fice in the City of Philadelphia, Pa., on the 25th day of January 1943.

Derby Gas & Electric Corporation, a registered holding company, having filed an application under section 11 (g) of the Public Utility Holding Company Act of 1935 for a report of this Commission on a plan for the reorganization of the holding company system of the applicant; and

Said plan of reorganization having been superseded by a later plan, and applicant having requested that it be permitted to withdraw said application; and

It appearing to the Commission that the withdrawal of said application is consistent with the public interest;

It is ordered, That the request of the applicant be, and it hereby is, approved and said application is hereby deemed withdrawn.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-1335; Filed, January 26, 1943; 2:40 p. m.]

[File No. 70-669]

UNION ELECTRIC COMPANY OF MISSOURI AND IOWA UNION ELECTRIC COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 25th day of January 1943.

Notice is hereby given that a joint declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Union Electric Company of Missouri, a registered holding company, and by its subsidiary, Iowa Union Electric Company, and

Notice is further given that any interested person may, not later than February 8, 1943, at 4:00 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said joint declaration or application, as filed or as amended, may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to said joint declaration or application, which is on file in the office of the said Commission, for a statement of the transactions therein proposed, which are summarized below:

(1) Iowa Union Electric Company proposes:

(a) To issue and sell to Union Electric Company of Missouri, the owner of all of its presently outstanding common stock, for cash at $45 per share, 8,793 additional shares of its no par value common stock having a stated value of $45 per share, and

(b) To issue and deliver to the First National Bank in St. Louis, Missouri, its promissory note in the principal amount of $200,000 bearing interest at the rate of 2% per annum and payable on demand three years after the date thereof, and

(c) To use the proceeds from the sale of said additional common stock and from the promissory note, together with other funds, to redeem its presently outstanding bonds in the aggregate principal amount of $700,000.

(2) Union Electric Company of Missouri proposes to acquire for cash at $45 per share the 8,793 shares of additional common stock of Iowa Union Electric Company above referred to.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-1336; Filed, January 26, 1943; 2:40 p. m.]

[File No. 52-19]

PORTLAND ELECTRIC POWER COMPANY

ORDER RECONVENING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 25th day of January 1943.

Thos. W. Delzell and R. L. Clark, Independent Trustees of Portland Electric Power Company, a registered holding company now in reorganization under Chapter X of the Federal Bankruptcy Act, having filed with this Commission pursuant to section 11 (f) of the Public Utility Holding Company Act of 1935 a plan for the reorganization of said Portland Electric Power Company; and

The Commission by its order of October 15, 1942 having set said matter down for hearing on November 9, 1942; and said hearing having been held pursuant to said order and evidence having been taken with respect to said plan and said hearing having been continued on the 14th day of November, 1942 to a time, date and place thereafter to be fixed by the trial examiner or by the Commission:

It is ordered, That said hearing be reconvened on February 15, 1943 at 10 o'clock in the forenoon in Room 320 of the Multnomah County Court House, 1021 Southwest Fourth Avenue, Portland, Oregon, before William W. Swift, Trial Examiner heretofore designated.

It is further ordered, That notice hereof shall be given to the parties hereto by registered mail and to all other interested persons by publication in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-1337; Filed, January 26, 1943; 2:40 p. m.]

ALABAMA WATER SERVICE CORPORATION AND FEDERAL WATER SERVICE CORPORATION

ORDER PERMITTING WITHDRAWAL OF DECLARATIONS AND APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 25th day of January 1943.

Federal Water Service Company (Federal), then a registered holding company but now dissolved, and Alabama Water Service Company (Alabama), a subsidiary of Federal, having filed declarations and an application under sections 10 and 12 of the Public Utility Holding Company Act of 1935 in regard to (a) the surrender by Federal and the acquisition by Alabama of certain of Alabama's securities, and (b) the acquisition by Alabama from The United Light and Power Company of all of the securities and open account indebtedness of Chattanooga Gas Company owned by The United Light and Power Company; and

Applicants and declarants having requested permission to withdraw said declarations and application, and having represented in support of such request, among other things, that Alabama has relinquished its rights to purchase the securities and open account indebtedness of Chattanooga Gas Company; the Commission having approved the acquisition of the securities of Chattanooga Gas Company by Federal in its opinion and order dated January 17, 1940 (See 6 S.E.C. 670); and

It appearing to the Commission that the withdrawal of said declarations and application is consistent with the public interest;

It is ordered, That the request of the applicants and declarants be, and it hereby is, granted, and said declarations and said application are hereby deemed withdrawn.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-1338; Filed, January 26, 1943; 2:41 p. m.]

[File No. 812-305]

CARIB SYNDICATE LIMITED

NOTICE OF HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 26th day of January, A. D. 1943.

Carib Syndicate Limited having filed an application pursuant to the provisions of section 6 (c) of the Investment Company Act of 1940 for an order of temporary exemption until February 28, 1943 from the provisions of section 30 (d) of the Act and Rule N-30D-1 promulgated thereunder insofar as the said section and rule require applicant to transmit a semi-annual report to stockholders within thirty days after the date as of which the report is made.

It is ordered, That a hearing on the matter of the aforesaid application be held on February 5, 1943, at 10:00 o'clock in the forenoon of that day in Room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pa.

It is further ordered, That Robert P. Reeder Esq., shall preside at the hearing on such application. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to Trial Examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the applicant and to any other persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-1420; Filed, January 27, 1943; 11:22 a. m.]

[File No. 70-670]

ALABAMA UNITED ICE COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 26th day of January 1943.

Notice is hereby given that an application or declaration (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Alabama United Ice Company, a subsidiary of United Public Utilities Corporation, a registered holding company; and

Notice is hereby given that any interested party may, not later than February 1, 1943 at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

Alabama United Ice Company proposes, by agreement between it and four other non-affiliated ice manufacturing companies located in Mobile, Alabama, to acquire for $15,000 in cash a 20% interest in the Polar Ice Company, Inc., which is to be organized in Mobile, Alabama, with a total paid-in capital of $75,000; the remaining 80% of the capital of said new ice company is to be subscribed and paid for by the four other ice companies of Mobile, Alabama, in equal amounts.

The application states that the formation of the new ice company is solely for the purpose of fulfilling a temporary shortage, caused by the war emergency, of ice tonnage which is necessary to supply railroads and ships which load at the port of Mobile.

Applicant has requested that the approval of the application be accelerated because of the emergency nature of the transactions involved so that the order will issue not later than February 2, 1943.

United Public Utilities Corporation, the parent registered holding company of the applicant, has stipulated that the approval of this application by the Commission will not in any way be claimed as a change of conditions or circumstances which will constitute grounds for modification or revocation of the order entered by this Commission In the Matter of United Public Utilities Corporation and its Subsidiary Companies (File No. 59-38) pursuant to section 11 (b) (1) of the Act on March 4, 1942, or which will affect the ability of said registered holding company to comply with said order.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-1419; Filed, January 27, 1943; 11:22 a. m.]

[File No. 70-661]

LOUISVILLE TRANSMISSION CORP. (KY.)

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular meeting of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 26th day of January, A. D. 1943,

Louisville Transmission Corporation (Kentucky), an indirect subsidiary of Louisville Gas and Electric Company (Delaware), a registered holding company, having filed a declaration pursuant to sections 6 and 7 of the Public Utility Holding Company Act of 1935 regarding a proposal to amend section 3.05 of its First Mortgage and Deed of Trust to the Harris Trust and Savings Bank, Trustee, dated March 1, 1942, so as to permit the release of certain funds from the construction fund on deposit with the trustee before the full completion of the original project as described in said indenture; and

Said declaration having been filed on the 7th day of January, 1942, and notice of said filing having been duly given in the manner and form prescribed by Rule U-23 under said Act, and the Commission not having received a request for hearing with respect to said declaration within the period specified in such notice, or otherwise, and not having ordered a hearing thereon; and

It appearing to the Commission that the released funds will be used to the extent necessary for the payment of a 50,000 kw. transformer and that the remainder of such funds will be transferred to the sinking fund and used for the retirement of bonds issued under the indenture; that the original project described in said indenture has been substantially completed and is in service, but that due to the inabilty of the declarant to obtain certain auxiliary equipment it is unable to make the certificate which, as the indenture now stands, is a condition precedent to the release of monies from the construction fund; and that The Northwestern Mutual Life Insurance Company, the owner of all of the bonds outstanding under the indenture, has executed the proposed amendment; and

The Commission finding that all applicable statutory requirements are met and deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24 that the aforesaid declaration be and the same hereby is permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-1418; Filed, January 27, 1943; 11:22 a. m.]

FEDERAL REGISTER

VOLUME 8 NUMBER 20

Washington, Friday, January 29, 1943

Regulations

TITLE 7—AGRICULTURE

Chapter IX—Food Distribution Administration

PART 930—MILK IN THE TOLEDO, OHIO, MARKETING AREA

HANDLING OF MILK

It is provided in Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), that the Secretary of Agriculture of the United States (hereinafter referred to as the "Secretary") shall, subject to the provisions of the act, issue orders regulating such handling of certain agricultural commodities (including milk and its products) as is in the current of interstate or foreign commerce, or which directly burdens, obstructs, or affects interstate or foreign commerce in such commodities.

Findings and Determinations

Findings upon the basis of hearing record. Pursuant to the act and the rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR 900.1-900.17; 6 F.R. 6570, 7 F.R. 3350), a public hearing was held upon certain proposed amendments to the tentatively approved marketing agreement, as amended, and to the order, as amended, regulating the handling of milk in the Toledo, Ohio, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is hereby found that:

1. The aforesaid order, as amended and as hereby amended, and all of the terms and conditions of said order, as amended and as hereby amended, will tend to effectuate the declared policy of the act;

2. The prices calculated to give milk produced for sale in the Toledo, Ohio, marketing area a purchasing power equivalent to the purchasing power of such milk, as determined pursuant to sections 2 and 8 (e) of the act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supplies of and demand for such milk, and the minimum prices set forth in the aforesaid order, as amended and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

3. The aforesaid order, as amended and as hereby further amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity specified in, the aforesaid tentatively approved marketing agreement, as amended, upon which a hearing has been held.

The foregoing findings are supplementary and in addition to the findings made in connection with the issuance of the aforesaid order, and the findings made in connection with the issuance of each of the previously issued amendments thereto; and all of said previous findings are hereby ratified and affirmed except insofar as such findings may be in conflict with the findings herein set forth.

Determinations. It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping milk covered by the aforesaid order, as amended and as hereby further amended) of at least 50 percent of the volume of milk covered by said order, as amended and as hereby further amended, which is marketed within the Toledo, Ohio, marketing area, refused or failed to sign the tentatively approved marketing agreement, as amended, regulating the handling of milk in the Toledo, Ohio, marketing area; and it is further determined that:

1. The refusal or failure of such handlers to sign said tentatively approved marketing agreement, as amended, tends to prevent the effectuation of the declared policy of the act;

2. The issuance of this order further amending the order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the Toledo, Ohio, marketing area; and

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FEDERAL REGISTER

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3. The issuance of this order, further amending the aforesaid order, as amended, is approved or favored by at least two-thirds of the producers who participated in a referendum on the question of the approval of this order and who, during the determined representative period, were engaged in the production of milk for sale in said Toledo, Ohio, marketing area.

Order Relative to Handling

It is, therefore, ordered, That, from and after the effective date hereof, the handling of milk in the Toledo, Ohio, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby further amended; and the aforesaid order, as amended, is hereby further amended in the following respects:

1. Delete § 930.1 (a) (1) and substitute therefor the following:

(1) The term "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the United States Department of Agriculture who is, or who may hereafter be, authorized to exercise the powers and to perform the duties of the Secretary of Agriculture of the United States.

2. Delete the proviso of § 930.5 (a) (4) and substitute therefor the following:

• • • *Provided*, That if the price so determined is less than the price computed by the market administrator in accordance with the following formula, such formula price shall be used in lieu thereof: Multiply by 3.5 the average price per pound of 92-score butter in the Chicago wholesale market, as reported by the United States Department of Agriculture for the delivery period during which such milk was received, add 20 percent thereof, and add or subtract $3\frac{1}{2}$ cents per hundredweight for each full one-half cent that the price of dry skim milk is above or below, respectively, $7\frac{1}{2}$ cents per pound. The price per pound of dry skim milk to be used in this proviso shall be the arithmetical average of the carlot prices for both spray and roller process dry skim milk for human consumption, delivered at Chicago, as published by the United States Department of Agriculture during the delivery period, including also in such average the quotations published for any fractional part of the previous delivery period which were not published and available for the price determination of such dry skim milk for the previous delivery period.

3. Delete from § 930.7 (c) the phrase "Over 45 cents.....5.5" and substitute therefor:

Over 45 cents, but not over 50 cents.... 5 5
Over 50 cents, but not over 55 cents.... 6 0
Over 55 cents..... 6 5

4. Add as § 930.11 the following:

§ 930.11 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States, or name any bureau or division of the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.

(48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U.S.C. 1940 ed. 601 et seq.)

Issued at Washington, D. C., this 23d day of January 1943, to be effective on and after the 1st day of February 1943. Witness my hand and the official seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

Approved: January 27, 1943.

JAMES F. BYRNES,
Director of Economic Stabilization.

[F. R. Doc. 43-1465; Filed, January 28, 1943; 11:47 a. m.]

PART 941—MILK IN THE CHICAGO, ILLINOIS, MARKETING AREA

HANDLING OF MILK

It is provided in Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), that the Secretary of Agriculture of the United States (hereinafter referred to as the "Secretary") shall, subject to the provisions of the act, issue orders regulating such handling of certain agricultural commodities, including milk and its products) as is in the current of interstate or foreign commerce, or which directly burdens, obstructs, or affects interstate or foreign commerce in such commodities.

Findings and Determinations

Findings upon the basis of hearing record. Pursuant to the act and the rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR 900.1–900.17; 6 F.R. 6570, 7 F.R. 3350), a public hearing was held upon certain proposed amendments to the tentatively approved marketing agreement, as amended, and to the order, as amended, regulating the handling of milk in the Chicago, Illinois, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is hereby found that:

1. The aforesaid order, as amended and as hereby amended, and all of the terms and conditions of said order, as amended and as hereby amended, will tend to effectuate the declared policy of the act;

2. The prices calculated to give milk produced for sale in the Chicago, Illinois, marketing area a purchasing power equivalent to the purchasing power of such milk, as determined pursuant to sections 2 and 8 (e) of the act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supplies of and demand for such milk, and the minimum prices set forth in the aforesaid order, as amended and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

3. The aforesaid order, as amended and as hereby further amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity specified in, the aforesaid tentatively approved marketing agreement, as amended, upon which a hearing has been held.

The foregoing findings are supplementary and in addition to the findings made in connection with the issuance of the aforesaid order, and the findings made in connection with the issuance of each of the previously issued amendments thereto; and all of said previous findings are hereby ratified and affirmed except insofar as such findings may be in conflict with the findings herein set forth.

Determinations. It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping milk covered by the aforesaid order, as amended and as hereby further amended) of at least 50 percent of the volume of milk covered by said order, as amended and as hereby further amended, which is marketed within the Chicago, Illinois, marketing area, refused or failed to sign the tentatively approved marketing agreement, as amended, regulating the handling of milk in the Chicago, Ill., marketing area; and it is further determined that:

1. The refusal or failure of such handlers to sign said tentatively approved marketing agreement, as amended, tends to prevent the effectuation of the declared policy of the act;

2. The issuance of this order further amending the order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the Chicago, Illinois, marketing area; and

3. The issuance of this order, further amending the aforesaid order, as amended, is approved or favored by at least two-thirds of the producers who participated in a referendum on the question of the approval of this order and who, during the determined representative period, were engaged in the production of milk for sale in said Chicago, Illinois, marketing area.

Order Relative to Handling

It is, therefore, ordered, That, from and after the effective date hereof, the handling of milk in the Chicago, Illinois, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby further amended; and the aforesaid order, as amended, is hereby further amended in the following respects:

1. Delete § 941.1 (a) (11) and substitute therefor the following:

(11) The term "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the United States Department of Agriculture who is, or who may hereafter be, authorized to exercise the powers and to perform the duties of the Secretary of Agriculture of the United States.

2. Delete § 941.4 (b) (3) and substitute therefor the following:

(3) Class III milk shall be all milk the butterfat from which is used to produce a milk product other than one of those specified in Class II and Class IV, and all bulk milk and bulk cream disposed of to bakeries, soup companies, and candy manufacturing establishments.

3. Delete § 941.5 (a) (4) and substitute therefor the following:

(4) Class III milk—The price per hundredweight for milk containing 3.5 percent butterfat during each delivery period shall be the average computed by the market administrator of prices, as reported by the United States Department of Agriculture, paid during such delivery period to farmers at each of the manufacturing plants or places listed in this subparagraph for which prices are reported, but in no event shall such price be less than the price computed pursuant to subparagraph (5) of this paragraph.

Location of Manufacturing Plants and Places

Mount Pleasant, Mich.	Berlin, Wis.
Sparta, Mich.	Richland Center, Wis.
Hudson, Mich.	Oconomowoc, Wis.
Wayland, Mich.	Jefferson, Wis.
Coopersville, Mich.	New Glarus, Wis.
Greenville, Wis.	Belleville, Wis.
Black Creek, Wis.	New London, Wis.
Orfordville, Wis.	Manitowoc, Wis.
Chilton, Wis.	West Bend, Wis.

4. Delete § 941.5 (b) and substitute therefor the following:

(b) *Basic formula price to be used in determining Class I and Class II prices.* The basic formula price to be used in determining the prices per hundredweight of Class I and Class II milk, set forth in this section, shall be the price for Class III milk determined pursuant to paragraph (a) (4) of this section, the price for Class IV milk determined pursuant to paragraph (a) (5) of this section, or that derived from the following formula, whichever is the highest:

(1) Multiply the average wholesale price per pound of 92-score butter at Chicago for the delivery period as reported by the United States Department of Agriculture, by six (6);

(2) Add 2.4 times the average weekly prevailing price per pound of "Twins" during the delivery period on the Wisconsin Cheese Exchange at Plymouth, Wisconsin: *Provided*, That if the price of "Twins" is not quoted on the Wisconsin Cheese Exchange the weekly prevailing price of "Cheddars" shall be deemed to be the prevailing price for "Twins" and shall be used in determining the price pursuant to this formula;

(3) Divide by seven (7), the sum so determined being hereafter referred to in this paragraph as the "combined butter and cheese value";

(4) To the combined butter and cheese value add 30 percent thereof; and

(5) Multiply the sum computed in subparagraph (4) of this paragraph by 3.5.

5. Delete § 941.8 (c) and substitute therefor the following:

(c) *Butterfat differential to producers.* For each one-tenth of 1 percent above or below 3.5 percent in average butterfat content of milk delivered by any producer during any delivery period, the uniform price paid to such producer shall be plus or minus, as the case may be, an amount computed as follows: To the average price per pound of 92-score butter at wholesale in the Chicago market, as reported by the United States Department of Agriculture for the delivery period during which the milk was received, add 20 percent and divide the result obtained by 10.

6. Add as § 941.13 the following:

§ 941.13 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States, or name any bureau or division of the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.

(48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U.S.C. 1940 ed. 601 et seq.)

Issued at Washington, D. C., this 23d day of January 1943, to be effective on and after the 1st day of February 1943. Witness my hand and the official seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

Approved January 27, 1943.

JAMES F. BYRNES,
Director of Economic Stabilization.

[F. R. Doc. 43-1466; Filed, January 28, 1943; 11:47 a. m.]

Chapter X—Food Production Administration

[Food Production Order 7]

PART 1210—ANIMAL FOODS

RESTRICTIONS ON MANUFACTURE OF PET FOODS

Pursuant to the authority vested in the Secretary of Agriculture by Executive Order No. 9280, dated December 5, 1942, and to assure an adequate production of

food to meet war and civilian needs, *It it hereby ordered*, That:

§ 1210.1 *Restrictions on manufacture of pet foods*—(a) *Definitions.* For the purposes of this order:

(1) "Manufacturer of pet foods" means any person who is engaged in commercially manufacturing, processing, making or preparing pet foods.

(2) "Person" means any individual, partnership, corporation, association, or any other organized group of "persons" and shall include any agent, agency, or any "person" acting for or on behalf of any of the foregoing. The term "person" shall also include the United States or any agency thereof, and a State or any political subdivision or agency thereof.

(3) "Pet food" means any mixed foodstuffs, rations or other substances intended for consumption by dogs, cats or any other fur-bearing animals used as pets.

(4) "Animal protein" means protein from any animal source.

(5) "Dry weight" means the weight of the ingredients in pet food expressed in terms of a water content of 8 per centum by weight.

(6) "Director" means the Director of Food Production or in his absence the Acting Director of Food Production.

(b) *Restrictions.* (1) Notwithstanding the terms of any contract of sale or purchase or other commitment, whenever made, (i) no manufacturer of pet foods shall, prior to July 1, 1943, manufacture, process, make or prepare any pet food containing animal protein in excess of 8 per centum by dry weight, and (ii) no such manufacturer shall, prior to such date, manufacture, process, make or prepare any pet food containing protein in excess of 24 per centum by dry weight: *Provided*, That, the provisions of this subparagraph (1) of this paragraph (b) shall not apply to any pet food made pursuant to a contract of any such manufacturer entered into with the Army, Navy, Marine Corps, or Coast Guard.

(2) Notwithstanding the terms of any contract of sale or purchase or other commitment, whenever made, no manufacturer of pet food shall during the semiannual period January to June, inclusive, 1943, manufacture, process, make or prepare pet foods in a quantity greater than 50 per centum of the quantity by dry weight of pet foods manufactured, processed, made or prepared by him during the calendar year 1941 or 50 per centum of four times the quantity by dry weight of pet foods manufactured, processed, made or prepared by him during the quarterly calendar period October to December, inclusive, 1942, whichever is greater.

(c) *Reports.* Each person to whom this order is applicable shall, on or before March 15, 1943, execute and file with the Department of Agriculture a report showing the quantity by dry weight of pet foods manufactured, processed, made or prepared by him during the calendar period upon which he elects to base his production, as provided in subparagraph (2) of paragraph (b) of this order, and each such person shall execute and file with the Department such other reports as the Department may from time to time require.

(d) *Records.* Persons to whom this order is applicable shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales of pet foods and the animal and other protein ingredients thereof.

(e) *Audits and inspections.* Every manufacturer of pet foods, or any other person to whom this order applies, shall, upon request, submit for audit and inspection by duly authorized representatives of the Department of Agriculture his books, records, and accounts, and shall permit inspections of his place of business and plant by such representatives.

(f) *Violations.* Any person who wilfully violates any provisions of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, or whoever with another conspires to perform any of such acts, is guilty of a crime and upon conviction may be punished by fine and imprisonment. In addition, any such person may by administrative suspension order be prohibited from receiving any deliveries of or selling or otherwise disposing of or using any animal or other protein material or any other material now or hereafter authorized to be rationed or allocated by, or subject to the priority control of, the Secretary of Agriculture, and may be deprived of any priority assistance. Further, the Director may recommend to the Office of Price Administration or to the War Production Board that any person who violates any provision of this order or any amendment or supplement thereto be denied the privilege to receive, use, sell or otherwise dispose of any other materials which now are or in the future may be under allocation.

(g) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth in such petition all pertinent facts and information. The Director may, upon the basis of such application and other information, take such action as he deems appropriate. The decision of the Director shall be in writing and shall be final and conclusive.

(h) *Delegation of authority.* The administration of this Food Production Order No. 7 and the powers conferred upon the Secretary of Agriculture by Executive Order No. 9280, insofar as such powers relate to the administration of this order, are hereby delegated to the Director of Food Production or in his absence to the Acting Director of Food Production. The Director shall be assisted in the administration of this order by such employees of the Department of Agriculture as he may designate, and said employees are hereby authorized to administer the provisions of this order.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued, be addressed to the United States Department of Agriculture, Food Production Administration, Washington, D. C., Ref. FPA 7.

(j) *Effective date.* This order shall become effective 12:01 a. m., e. w. t., January 29, 1943.

(E.O. 9280, 7 F.R. 10179)

Done at Washington, D. C., this 27th day of January 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 43-1458; Filed, January 27, 1943, 4:18 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1787]

PART 321—MINIMUM PRICE SCHEDULE, DISTRICT NO. 1

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 1 for the establishment of price classifications and minimum prices for the coals of certain mines and for changes in shipping points for the coals of certain other mines.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 1 and requesting changes in shipping points for the coals of certain other mines also located in District No. 1, and requesting a change in seam designation for the coals of the Getch Coal Co. Mine, Mine Index No. 746 of Ellinger & Getch; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 321.7 (*Alphabetical list of code members*) is amended by adding thereto Supplements R–I and R–II, and § 321.24 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof:

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 1

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 321, Minimum Price Schedule for District No. 1 and supplements thereto.

No relief is granted for the Getch Coal Co. Mine, Mine Index No. 746 operated by Ellinger and Getch as requested by petitioner for the reasons set forth in an order severing that portion of Docket No. A-1787 which relates to this mine and designating such severed portion as Docket No. A-1787, Part II.

Dated: January 12, 1943.

[SEAL] DAN H. WHEELER,
Director.

§ 321.7 *Alphabetical list of code members*—Supplement R–I

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group numbers]

Mine index No.	Code member	Mine name	Sub-district No.	Seam	Shipping point	Railroad	Freight origin group No.	1	2	3	4	5
2753	Allanian Mining Co. (Francis Allanian)	Beaver (S)	1	B	Kiski, Pa.	B&O	38	(†)	(†)	F	(†)	(†)
2777	Ellinger & Getch	Getch #1	6	B	Fisher Park, Pa.	PRR	120	(†)	(†)	G	(†)	(†)
2864	Shaffer, Earl W.	Hillcrest	41	Pittsburgh	Meyersdale, Pa.	WMd	102	(†)	(†)	E	(†)	(†)
3006	Wagner, Frank H. (Potomac Smokeless Coal Co.).	Garrett #1 (Upper Bench)	44	E	Gorman, Md.	WMd	6	(†)	(†)	H	(†)	(†)
3610	Wagner, Frank H. (Potomac Smokeless Coal Co.).	Garrett #1 (Lower Bench)	44	E	Gorman, Md.	WMd	6	(†)	(†)	H	(†)	(†)
3863	Walker, Ray S. (Bradford Coal Co.)	Aurora #1	8	D	Shawsville, Pa.	NYC	41	(†)	(†)	E	E	E

†Indicates no classification effective for this size group.
‡Indicates coal in this size group previously classified and priced.

§ 321.7 *Alphabetical list of code members*—Supplement R–II

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group numbers]

Mine index No.	Code member	Mine name	Sub-district No.	Seam	Shipping point	Railroad	Freight origin group number	1	2	3	4	5
762	Albert, Frank W. (Albert Stripping Mine)	Albert #2	3	D	Loop Run Siding, Springs, Pa.	NYC	44	F	F	F	F	F
258	Kittle Coal Co. (Louis Kittle)	Kittle #1	20	H	Loop Run Siding, Jennerville, Pa.	PRR	45	(†)	(†)	E	(†)	(†)
876	Walker, Ray S. (Bradford Coal Co.)	Cooper Smokeless #2	8	H	Morrisdale, Pa., Higher, Pa.	NYC, PRR	46	(†)	(†)	E	E	E

†Indicates no classification effective for this size group.

NOTE: The above prices are applicable only via the respective freight origin group, shipping point, and railroad shown for the respective mines. Freight origin groups, shipping points, and railroads previously assigned to these mines are no longer applicable.

FOR TRUCK SHIPMENTS

§ 321.24 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Subdistrict No.	County	Seam	All lump coal double screened top size 2" and under	Double screened top size 2" and under Run of mine modified R. M.	2" and under slack	¾" and under slack
						1	2	3	4	5
Allaman Mining Co. (Frances Allaman).	1783	Beaver (S)	1	Clarion	B	2*	240	240	230	220
Boyer, P. B.	737	Boyer	6	Jefferson	E	(†)	(†)	(*)	230	220
Fye, Ralph and Glenn (Glenn Fye).	3872	Fye	9	Centre	C	(†)	(†)	245	(†)	(†)
Lincoln Coal Co. (Lloyd Snyder).	3884	Darr	36	Somerset	E	(†)	(†)	245	(†)	(†)
Sweitzer, Earl W.	3801	Hillcrest	41	Somerset	Pittsburgh	(†)	(†)	235	(†)	(†)
Wagner, Frank H. (Potomac Smokeless Coal Co.)	3809	Garrett #1 (Upper Bench)	44	Garrett	E	(†)	(†)	245	(†)	(†)
Wagner, Frank H. (Potomac Smokeless Coal Co.).	3810	Garrett #1 (Lower Bench)	44	Garrett	E	(†)	(†)	230	(†)	(†)
Walker, Ray S. (Bradford Coal Co.).	3883	Aurora #4	8	Clearfield	D	(†)	(†)	245	235	225

†Indicates no classification effective for this size group.
*Indicates coal in this size group previously classified and priced.

[F. R. Doc. 43-1416; Filed, January 27, 1943; 11:16 a. m.]

[Docket No. A-1789]

PART 329—MINIMUM PRICE SCHEDULE, DISTRICT NO. 9

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 9 for establishment of price classifications and minimum prices for the coals of certain mines in District No. 9.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 9; and the revision of the minimum prices applicable to the coals produced at the Colyer Mine, Mine Index No. 516 of I. J. Lloyd; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

Now, therefore, It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 329.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 329.24 (*General prices in cents per net ton for shipment into any market area*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate, or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

No relief is granted for the coals produced at the Colyer Mine, Mine Index No. 516, of I. J. Lloyd as requested by petitioner for the reasons set forth in an order severing that portion of Docket No. 1789 which relates to such mine and designating such portion as Docket No. A-1789 Part II.

Dated: January 6, 1943.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 9

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 329, Minimum Price Schedule for District No. 9 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 329.5 *Alphabetical list of code members*—Supplement R

Mine index No.	Producer	Mine	Seam	Freight origin group	Shipping point	Railroad
815	Bowman, James T	Drake	9	30	Island	L&N.
1052	Duncan, W. G. Coal Company, Inc.	Graham	9	10	Graham	IC
825	Harris, Harris & Harris (O. J. Harris).	Payne & Phillips	9	30	Owensboro	L&N.
1045	Hazelwood, Aubrey	Bluff City Coal Co.	9	50	Henderson	L&N-IC.
755	Martin, Monroe	Adams	9	30	Nebo	L&N.
865	Murrah, Arthur C.	Murrah	9	40	Nortonville	L&N-IC.
972	Newman & Brackett (Muriel F. Newman).	Barnsley No. 1	9	1 40	Morton	L&N.
709	Porter, F. D.	Jack	9	10	Beaver Dam	IC
723	Raley & Sons (W. C. Raley)	Raley	9	10	Beaver Dam	IC
1049	Revelette, W. F.	Blue Ribbon	11	90	Drakesboro	L&N.
1054	Robards, B. N.	Robards	9	50	Henderson	L&N-IC.
732	Stewart, John B.	Stewart	11	10	Depoy	IC.
301	Walker, Roy	Howton-Parrish	9	1 70	Providence	IC.
373	Warner & Bratcher (J. W. Warner)	Warner & Bratcher	11	10	Greenville	IC.
1051	Wilson, J. F.	J. F. Wilson	9	10	Dawson Springs	IC.

1 Freight Origin Group 10 is no longer applicable.
2 Freight Origin Group 30 is no longer applicable.

The f. o. b. mine prices for coal shipped by Mine Index Nos. 815, 1052, 825, 1045, 755, 865, 972, 709, 723, 1049, 1054, 732, 301, 373, 1051 to any market area in any size group and for any use, including Railroad Locomotive Fuel, are the same as the prices shown for Beech Creek Coal Company, Beech Creek Mine, Mine Index No. 1, in minimum price schedule for District No. 9, for All Shipments Except Truck.

FOR TRUCK SHIPMENTS

§ 329.24 *General prices in cents per net ton for shipment into any market area*—Supplement T

Code member index	Mine index No.	Mine	Seam	Prices and size group Nos. 1, 2	3	4	5	6	7	8	9	10, 11, 12	13, 14	15	26, 27	28, 29
HANCOCK COUNTY																
Swihart, Willie	1050	Swihart	Stray	210	200	190	180	175	165	165	155	145	115	55	125	120
HENDERSON COUNTY																
Hazelwood, Aubrey	1045	Bluff City Coal Co	#9	240	230	220	180	175	165	165	155	145	115	55	125	120
Robards, B. N.	1054	Robards	#9	240	240	220	180	175	165	165	155	145	115	55	125	120
HOPKINS COUNTY																
Wilson, J. F.	1051	J. F. Wilson	#9	210	200	190	180	175	165	165	155	145	115	55	125	120
MCLEAN COUNTY																
Perry, Burl	1047	Burl	#9	210	200	190	180	175	165	165	155	145	115	55	125	120
MUHLENBERG COUNTY																
Duncan Coal Co., W. G.	1052	Graham	#9	210	200	190	180	175	165	165	155	145	115	55	125	120
Revelette, W. F.	1049	Blue Ribbon	#11	210	200	190	180	175	165	165	155	145	115	55	125	120
OHIO COUNTY																
Midkiff, C. P.	1046	Midkiff	#11	210	200	190	180	175	165	165	155	145	111	55	125	120

[F. R. Doc. 43-1417; Filed, January 27, 1943; 11:16 a. m.]

[Docket No. A-1763]

PART 334—MINIMUM PRICE SCHEDULE, DISTRICT NO. 14

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of the Panama Vein Coal Company, code member in District No. 14, for the establishment of price classifications and minimum prices for the coals of the Panama Vein Coal Co., No. 1 mine, when produced by the machine cut method of operation.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Panama Vein Coal Company No. 1 Mine, (Mine Index No. 73) of the Panama Vein Coal Company in Subdistrict 7 in District No. 14 for All Shipments Except Truck and for Truck Shipments; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 334.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 334.24 (*General prices for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof: *Provided, however*, That, in view of the circumstances hereinafter set forth, the price classifications and minimum prices provided in said Supplement R and Supplement T for the coals of Mine Index No. 73 shall not become effective until ten days from the date of this order.

Petitioner analogizes the coals of its Panama Vein Coal Company No. 1 Mine (Mine Index No. 73), when produced by the machine cut method of operation, to the coals of Mine Index No. 59, operated by the Kenner Mining Company and the coals of Mine Index No. 42, operated by the Gillie Coal Company, both such mines being located in Subdistrict 7 in District No. 14. However, for the coals of the Panama Vein Coal Company No. 1 Mine in Size Group 18 for all shipments except truck, petitioner proposes a classification of "A" whereas Mine Index No. 59 and Mine Index No. 42 are classified "K" in that size group for all shipments except truck. The price classification established herein for the coal of the Panama Vein Coal Company No. 1 Mine in Size Group 18 for all shipments except truck has accordingly been conformed with the price classification heretofore established for the coals produced from Mine Index Nos. 59 and 42 in Subdistrict 7 in District No. 14.

Petitioner requests the establishment of price classifications and minimum prices for the coals of its Panama Vein Coal No. 1 Mine (Mine Index No. 73) when produced by the machine cut method of operation. Price classifications and minimum prices have heretofore been established for the coals of that mine when produced by the solid shot method of operation. Inasmuch as petitioner, in the operation of Mine Index No. 73, has changed from a solid shot to a machine cut method of operation and has complied with Order No. 341 in reporting such change to District Board No. 14 and to the Division, there appears no necessity for the continued existence of solid shot price classifications and minimum prices for the coals of petitioner's mine. Accordingly, Supplements R and T annexed hereto, provide price classifications and minimum prices for the coals of Mine Index No. 73 as produced by the machine cut method of operation, which classifications and prices however, as previously set forth herein, do not become effective until ten days from the date of this order.

It is further ordered, That effective ten days from the date of this order the price classifications and minimum prices heretofore established in General Docket No. 15, § 334.5 (*Alphabetical list of code members*) and § 334.24 (*General prices for shipment into all market areas*), for the coals of Mine Index No. 73, when produced by the solid shot method of operation be, and the same hereby are, canceled and deleted from the Schedules of Effective Minimum Prices for District No. 14 for All Shipments Except Truck and for Truck Shipments.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: January 8, 1943.

[SEAL] DAN H. WHEELER,
Director.

PART 1010—SUSPENSION ORDERS . . . a purchase order from the United States . . . 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671,

EFFECTIVE MINIMUM PRICES FOR DISTRICT No. 14

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT No. 14

NOTE. The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 334, Minimum Price Schedule for District No. 14 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 334.5 *Alphabetical list of code members*—Supplement R

[Alphabetical list of code members showing price classification by size group for all uses except railroad locomotive fuel]

Code member	Mine name	Subdistrict No.	Shipping point	Railroad	Price classification by size group																
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Alphabetical list of code members		Mine index No.			Price and size group Nos.																			
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Panama Vein Coal Co., c/o Ellis Myers	Panama Vein Coal Co. No. 1	73	Hicksville, Okla.	Ft&SVB	12	(1)	(1)	(1)	E	(1)	F	F	F	G	F	L	D	B	B	B	A	K	(1)	(1)

(1) Indicates no classification effective for this size group previously classified and priced.

[F. R. Doc. 43-1415; Filed, January 27, 1943; 11:16 a. m.]

FOR TRUCK SHIPMENTS

§ 334.24 *General prices for shipment into all market areas*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member	Mine index No.	Mine name	Sub-district No.	County	Price and size group Nos.																
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Panama Vein Coal Co., c/o Ellis Myers	73	Panama Vein Coal Co. No. 1	7	LeFlore, Okla.	(1)	(1)	(1)	465	(1)	465	465	465	440	400	385	330	280	165	145	135	215	370	(1)	(1)

(1) Indicates no classification effective for this size group previously classified and priced.

[F. R. Doc. 43-1415; Filed, January 27, 1943; 11:16 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1010—SUSPENSION ORDERS

[Suspension Order S-220]

VENETIAN PRODUCTS COMPANY

Sara D. Cohen, doing business under the name of Venetian Products Company, Syracuse, New York, is a manufacturer of Venetian blinds which are classified as metal household furniture under Limitation Order L-62. Her husband, Sidney M. Cohen, is the manager of the business and in reality runs the company. From July 23, 1942, through September 17, 1942, the company used substantial quantities of steel in the manufacture of venetian blinds in wilful violation of Limitation Order L-62.

This violation of Limitation Order L-62 has hampered and impeded the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.220 *Suspension Order No. S-220.* (a) Sara D. Cohen and Sidney Cohen, doing business as Venetian Products Company or otherwise, their successors and assigns, shall not sell, transfer, deliver, process, assemble or produce any metal household furniture as the same is defined in Limitation Order L-62 whether in semifinished or finished form or any parts therefor, except as specifically authorized by the Director General for Operations.

(b) For a period of six months from the effective date of this order deliveries of material to Sara D. Cohen and Sidney Cohen, doing business as Venetian Products Company or otherwise, their successors and assigns, of any material the supply or distribution of which is governed by any order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) This order shall take effect on January 30th, 1943.

(P.D. Reg. 1, as amended, 6 F.R. 6630; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 27th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1447; Filed, January 27, 1943; 3:53 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-221]

FRIEDMAN BAG CO.

Friedman Bag Company, Los Angeles, California, is a partnership engaged in manufacturing burlap bags and in importing burlap. During the months of May, June, and July, 1942, the Company made deliveries of burlap bags to numerous users of agricultural bags in excess of the quantity that each such user was entitled to receive under its quota as established by Conservation Order M-47. During this period, the Company was familiar with the provisions of Conservation Order M-47 but acted in reckless disregard of the restrictions contained therein. The excess deliveries amounted to approximately 237,000 burlap bags.

This violation of Conservation Order M-47 has hampered and impeded the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.221 *Suspension Order S-221.* (a) Friedman Bag Company, its successors and assigns, shall not manufacture, sell, deliver, rent, accept delivery of, purchase or otherwise deal in any textile bags as defined in Conservation Order M-221, whether new or used, except as specifically authorized by the Regional Compliance Chief, San Francisco Regional Office, War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Friedman Bag Company from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect February 1, 1943, and shall expire on March 31, 1943, at which time the restrictions contained in this order shall be of no further effect.

(P. D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 27th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1448; Filed, January 27, 1943; 3:53 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-222]

PARAMOUNT FLAG CO.

Paramount Flag Company, 626 Fourth Street, San Francisco, California, is a partnership composed of H. W. Pollock and W. J. Kunedt engaged in the business of manufacturing flags. On or about June 8, 1942, the Company received a purchase order from the United States Treasury Department assigning a preference rating of A-1-a for the purchase of 1288 flags, and on or about July 13, 1942, the Company received a purchase order from the United States Maritime Commission assigning a preference rating of A-1-a for the purchase of 839 flags. The Company applied these preference ratings to purchase materials greatly in excess of the specific quantities and kinds of materials required for those two orders.

The application by the Company of these preference ratings to obtain deliveries of materials in excess of the specific quantities and kinds authorized, which materials were not used for the purpose specified in connection with the issuance of the preference ratings, constituted wilful violations of Priorities Regulation No. 1 and Priorities Regulation No. 3 which have impeded and hampered the war effort of the United States. In view of the foregoing facts, *It is hereby ordered*, That:

§ 1010.222 *Suspension Order S-222.* (a) Deliveries of material to H. W. Pollock and W. J. Kunedt, doing business under the trade name of the Paramount Flag Company or otherwise, their successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned or applied to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the Director of Industry Operations or the Director General for Operations, except with the specific approval of the Regional Compliance Chief of the San Francisco Regional Office of the War Production Board.

(b) No allocation shall be made to H. W. Pollock and W. J. Kunedt, doing business under the trade name of the Paramount Flag Company or otherwise, their successors and assigns, of any material the supply or distribution of which is covered by any order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) Nothing contained in this order shall be deemed to relieve H. W. Pollock and W. J. Kunedt, doing business under the trade name of the Paramount Flag Company or otherwise, their successors and assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on January 30, 1943, and shall expire on April 30, 1943, at which time the restrictions contained in this order shall be of no further effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 27th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1449; Filed, January 27, 1943; 3:53 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-224]

BERG MANUFACTURING AND SALES CO.

Berg Manufacturing and Sales Company, Chicago, Illinois, a partnership composed of Art Berg and Joe Berg, is a warehouse as defined in General Preference Order M-9-a. From February 6, 1942, to June 30, 1942, the Company sold copper wire and copper tubing on orders which either did not bear any preference ratings or did not bear the preference ratings required by General Preference Order M-9-a. During this period the Company was aware of the restrictions imposed by General Preference Order M-9-a and its sales constituted wilful violations of that order which have hampered and impeded the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.224 *Suspension Order No. S-224.* (a) Art Berg and Joe Berg, individually or doing business as Berg Manufacturing and Sales Company or otherwise, their successors and assigns, shall not accept delivery of, sell, transfer, deliver, or otherwise deal in any copper or copper base alloy wire or tubing, except with the written approval of the Regional Compliance Chief, Chicago Regional Office, War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Art Berg and Joe Berg, individually or doing business as Berg Manufacturing and Sales Company or otherwise, from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on January 30, 1943, and shall expire on April 30, 1943, at which time the restrictions contained in this order shall be of no further effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 27th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1450; Filed, January 27, 1943; 3:53 p. m.]

Chapter XI—Office of Price Administration

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 255,[1] Amendment 3]

PERMITTED INCREASES FOR WHOLESALERS OF CERTAIN FOODS

Canned fruits, berries and juices, as listed.
Frozen fruits, berries and vegetables.
Fruit preserves, jams and jellies.
Apple butter.
Canned apples.
Apple sauce.
Apple juice.
Vinegar cured herring.
Canned boned chicken and turkey
Maple sugar.
Blended maple syrup.
Fountain fruits.
Egg noodles.
Tamales.
Tortillas.
Potato chips.
Raisin filled or topped biscuits and crackers.
Fig bars.
Bakers' fillings for fruit pie and pastry.
Peanut candy.
Honey (extracted).
Canned chili con carne.
Shoestring potatoes.
Julienne potatoes.
Pretzels.
Nut topping.
Canned prune juice, canned dried prunes, canned prune concentrate, and all other canned dried prune products.
Canned chicken and noodle dinner.
Canned chicken a la king.
Canned homestyle chicken.

A statement of the considerations involved in the issuance of Amendment No. 3 to Maximum Price Regulation No. 255 has been issued and filed with the Division of the Federal Register.*

The title is amended, as shown above; subparagraphs (5) and (6) of § 1351.703 (d) are revoked, and subparagraphs (24) to (32), inclusive, are added, as shown below.

§ 1351.703 *Wholesaler's maximum prices for certain listed foods.* * * *

(d) This regulation shall apply to these products:

* * * * *

(24) Canned chili con carne, using March 1942 as the base month.
(25) Shoestring potatoes, using March 1942 as the base month.
(26) Julienne potatoes, using March 1942 as the base month.
(27) Pretzels, using March 1942 as the base month.
(28) Nut topping, using March 1942 as the base month.
(29) Canned prune juice, canned dried prunes, canned prune concentrate, and all other canned dried prune products, using March 1942 as the base month.
(30) Canned chicken and noodle dinner, using March 1942 as the base month.
(31) Canned chicken a la king, using March 1942 as the base month.
(32) Canned homestyle chicken, using March 1942 as the base month.

§ 1351.717 *Effective dates of amendments.* * * *

(c) Amendment No. 3 (title and §§ 1351.703 (d) and 1351.717 (c)) to Maximum Price Regulation No. 255 shall become effective February 2, 1943.

*Copies may be obtained from the Office of Price Administration

[1] 7 F.R. 8890, 10471, 10472

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1429; Filed, January 27, 1943; 12:30 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[Rev. MPR 256,[1] Amendment 1]

PERMITTED INCREASES FOR RETAILERS OF CERTAIN FOODS

Canned fruits, berries and juices, as listed.
Frozen fruits, berries and vegetables.
Fruit preserves, jams and jellies.
Apple butter.
Canned apples.
Apple sauce.
Apple juice.
Vinegar cured herring.
Canned boned chicken and turkey.
Maple sugar.
Blended maple syrup.
Fountain fruits.
Egg noodles.
Tamales.
Tortillas.
Potato chips.
Raisin filled or topped biscuits and crackers.
Fig bars
Peanut candy
Honey (extracted)
Canned chili con carne.
Shoestring potatoes.
Julienne potatoes
Pretzels.
Nut topping.
Canned prune juice, canned dried prunes, canned prune concentrate, and all other canned dried prune products.
Canned chicken and noodle dinner.
Canned chicken a la king.
Canned homestyle chicken

A statement of the considerations involved in the issuance of Amendment No. 1 to Revised Maximum Price Regulation No. 256 has been issued and filed with the Division of the Federal Register.*

The title is amended, as shown above; subparagraphs (5) and (6) of § 1351.203 (b) are revoked, and subparagraphs (23) to (31), inclusive, are added, and a new § 1351.216 is added, as shown below.

§ 1351.203 *Retailer's maximum prices for certain listed foods.* * * *

(b) This method of calculating the retailer's maximum prices shall apply to these products:

* * * * *

(23) Canned chili con carne.
(24) Shoestring potatoes.
(25) Julienne potatoes.
(26) Pretzels.
(27) Nut topping.
(28) Canned prune juice, canned dried prunes, canned prune concentrate, and all other canned dried prune products.
(29) Canned chicken and noodle dinner.
(30) Canned chicken a la king.
(31) Canned homestyle chicken.

§ 1351.216 *Effective dates of amendments.* (a) Amendment No. 1 (title and §§ 1351.203 (b) and 1351.216 (a)) to Revised Maximum Price Regulation No. 256 shall become effective February 2, 1943.

[1] 7 F.R. 8893, 10473.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1430; Filed, January 27, 1943; 12:30 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 312]

MAPLE SYRUP

In the judgment of the Price Administrator, it is necessary and proper that maximum prices be established for sales of maple syrup by producers and packers by a specific maximum price regulation.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.* In the judgment of the Price Administrator, the maximum prices established by this Maximum Price Regulation No. 312 are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. So far as practicable, the Price Administrator has advised and consulted with members of the industry which will be affected by this regulation.

The maximum prices established herein are not below prices which reflect to producers of maple syrup prices for their product equal to the highest of the prices required by the provisions of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250.

Therefore, with the concurrence of the Secretary of Agriculture, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1[1] issued by the Office of Price Administration, Maximum Price Regulation No. 312 is hereby issued.

Sec.
1351.1601 Prohibition.
1351.1602 Exempt sales.
1351.1603 Less than maximum prices.
1351.1604 Records and reports.
1351.1605 Evasion.
1351.1606 Enforcement.
1351.1607 Export sales.
1351.1608 Applicability of General Maximum Price Regulation.
1351.1609 Geographical applicability.
1351.1610 Transfers of business or stock in trade.
1351.1611 Petitions for amendment.
1351.1612 Adjustable pricing.
1351.1613 Taxes.
1351.1614 Definitions.
1351.1615 Maximum prices for maple syrup.
1351.1616 Effective date.

AUTHORITY: §§ 1351.1601 to 1351.1616, inclusive, issued under Pub. Laws 421 and 729, 77th Cong., E.O. No. 9250, 7 F.R. 7871.

§ 1351.1601 *Prohibition.* On and after February 2, 1943, regardless of any contract, agreement, lease, or other obligation:

[1] 7 F.R. 8961.

(a) No person shall sell or deliver any maple syrup at prices higher than the maximum prices set forth in § 1351.1615 of this Maximum Price Regulation No. 312.

(b) No person shall buy or receive any maple syrup in the course of trade or business at higher prices than the maximum prices set forth in § 1351.1615 of this regulation.

(c) No person shall agree, offer, solicit, or attempt to do any of the foregoing.

(d) The provisions of this section shall not be applicable to sales or deliveries of maple syrup to a purchaser, if prior to February 2, 1943, such maple syrup has been received by a carrier other than a carrier owned or controlled by the seller for shipment to such purchaser.

§ 1351.1602 *Exempt sales.* (a) The provisions of this regulation shall not be applicable to sales by wholesalers and sales by retailers, except that wholesale sales and retail sales by packers and producers shall be governed by the provisions of this regulation. Sales by wholesalers and sales by retailers shall be governed by the provisions of Maximum Price Regulation Nos. 237 and 238, respectively.

§ 1351.1603 *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid or offered.

§ 1351.1604 *Records and reports.* (a) Every producer and packer who makes sales of maple syrup after the effective date of this regulation shall make and preserve for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, all records of the same kind as he has customarily kept, relating to the prices which he charged for any of such items sold after the effective date of this regulation.

(b) Every person making sales of maple syrup pursuant to this regulation shall submit such reports to the Office of Price Administration, and such other records as the Office of Price Administration may from time to time require.

(c) Every packer who sells an item of "flavoring" maple syrup shall within ten days after calculating his maximum price for each such item submit to the Office of Price Administration, Washington, D. C., a statement showing his "base prices" and his maximum prices as computed under paragraph (e) of § 1351.1615, and shall include in such statement, the figures which were the basis of the required computations.

§ 1351.1605 *Evasion.* Price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to the commodities whose prices are herein regulated alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or other trade understanding, or otherwise.

§ 1351.1606 *Enforcement.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have any evidence of any violation of this regulation or any price schedule, regulation or order issued by the Office of Price Administration, or any acts or practices which constitute such a violation, are urged to communicate with the nearest district, state, field or regional office of the Office of Price Administration, or its principal office in Washington, D. C.

§ 1351.1607 *Export sales.* The maximum price at which a person may export maple syrup shall be determined in accordance with the provisions of the Revised Maximum Export Regulation[2] issued by the Office of Price Administration.

§ 1351.1608 *Applicability of the General Maximum Price Regulation.*[3] (a) The provisions of this Maximum Price Regulation No. 312 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries of maple syrup for which maximum prices are established by this regulation.

(b) The following sections of the General Maximum Price Regulation, and amendments thereto, and Revised Supplementary Regulation No. 4[4] thereof shall be applicable to every person making sales and deliveries covered by this regulation.

(1) § 1499.14 Sales slips and receipts.
(2) § 1499.16 Licensing.
(3) § 1499.29 (a) (5) Developmental contracts.
(4) § 1499.29 (a) (6) Secret contracts.
(5) § 1499.29 (a) (7) Emergency purchases.
(6) § 1499.29 (a) (15) Sales or deliveries of the War Department or the Department of the Navy through such Departments sales stores.

§ 1351.1609 *Geographical applicability.* The provisions of this regulation shall be applicable only to the 48 states of the United States and the District of Columbia.

§ 1351.1610 *Transfers of business or stock in trade.* If the business, assets or stock in trade of any seller are sold or otherwise transferred on or after February 2, 1943, and the transferee carries on the business, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no transfer had taken place, and his obligation to keep records sufficient to verify those prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee, all records of transactions prior to the transfer, which are necessary to enable the transferee to comply with the record provisions contained in this regulation.

§ 1351.1611 *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition therefor in accordance with the provisions of Revised Procedural Regulation No. 1[1] issued by the Office of Price Administration.

§ 1351.1612 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to and at prices not in excess of the maximum prices in effect at the time of delivery. In appropriate situations where a petition for amendment requires extended considerations, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1351.1613 *Taxes.* Any tax upon, or incident to, the sale or delivery of maple syrup imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such commodity and in preparing the records of such seller with respect thereto:

(a) *As to a tax in effect prior to the effective date of this Maximum Price Regulation No. 312.* (1) If the seller paid such tax, or if the tax was paid by any prior vendor, irrespective of whether the amount thereof was separately stated and collected from the seller, but the seller did not customarily state and collect separately from the purchase price prior to the effective date for such item the amount of the tax paid by him or tax reimbursement collected from him by his vendor, the seller may not collect such amount in addition to the maximum price, and in such a case shall include such amount in determining the maximum price under this regulation.

(2) In all other cases, if, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount in determining the maximum price under this regulation.

(b) *As to a tax or increase in a tax which becomes effective after the effective date of this regulation.* If the stat-

[1] 7 F.R. 8961.

[2] 7 F.R. 5059, 7242, 8829, 9000, 10530.

[3] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6939, 6794, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371.

[4] 7 F.R. 5056, 5089, 5566, 6082, 6426, 6084, 6793, 6744, 7175, 7538, 8021, 9827, 10022, 10110, 10531; 8 F.R. 130, 137, 372.

[1] 7 F.R. 8890, 10471, 10472.

[2] 7 F.R. 8893, 10473.

[3] 7 F.R. 8961.

ute or ordinance imposing such tax or increase does not prohibit the seller from stating and collecting the tax or increase separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

§ 1351.1614 *Definitions.* (a) When used in this Maximum Price Regulation No. 312, the terms:

(1) "Person" includes an individual, corporation, partnership, association, or other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions or any agency of any of the foregoing.

(2) "Domestic consumer" means a person who buys maple syrup for personal use. The term does not include any industrial, commercial, governmental or institutional consumer.

(3) "Wholesaler" means a person engaged in the grocery distributing business who buys maple syrup and resells it to any person other than a "domestic consumer". The term includes chain store warehouses but does not include producers and packers even though part of their sales are at wholesale.

(4) "Retailer" means a person who buys maple syrup and resells it to a "domestic consumer". The term does not include producers and packers even though part of their sales are at retail.

(5) "Producer" means a person who obtains maple sap by tapping maple trees and converts the sap into maple syrup by evaporating or other means.

(6) "Packer" means a person who customarily purchases maple syrup from producers and packages it in containers for sale and may or may not also engage in reselling maple syrup in bulk to others with or without further processing it. The term includes persons who are acting in the capacity of selling agents for producers or packers regardless of whether their selling compensation results from a commission, or from buying at a discount below the packer's price.

(7) "Maple syrup" means syrup made by the evaporation of pure maple sap or from a solution of maple concrete (maple sugar). It contains not more than 35% of water, and weighs not less than 11 pounds to the gallon (231 cubic inches). However, solely for the purposes of this regulation, the term "maple syrup" shall include maple sap of 33°, 34°, and 35° density for which prices are provided in § 1351.1615 (a) (1) below.

(8) "Flavoring maple syrup" means maple syrup which is extremely dark in color, sold only for flavoring or blending purposes and is too strong in taste to be suitable for table use.

§ 1351.1615 *Maximum prices for maple syrup*—(a) *Producer's maximum prices for maple syrup sold to packers.* (1) The producer's maximum price per pound, f. o. b. point of production, for the following grades of maple syrup sold to packers, shall be as follows:

Grades	Baumé					
	33°	34°	35°	36°	37°	38°
				Standard		
Fancy AA	$0.17	$0.18	$0.185	$0.19	$0.1925	$0.195
A	.16	.17	.175	.18	.1825	.185
B	.15	.16	.165	.17	.1725	.175
C	.14	.15	.155	.16	.1625	.165

(2) Producers are prohibited from receiving and packers from paying bonuses whether or not such bonuses result in prices higher than those listed in subparagraph (1) immediately above.

(3) The grades set out in this paragraph (a) shall be determined in accordance with all the criteria, except the density criterion, set forth in the U. S. Standards For Maple Syrup For Reprocessing issued by the United States Department of Agriculture.

(4) The above prices are the maximum prices irrespective of the terms of payment. However, discounts and allowances may always be given when they result in less than the maximum prices.

(b) *Producer's maximum prices for maple syrup sold to persons other than packers.* (1) The producer's maximum price, f.o.b. point of production for sales other than sales made to packers shall be the same as those established for packers' in paragraphs (c), (d), and (e) below.

(c) *Packer's maximum prices for sales of Grade A or better and B maple syrup when sold with the container.* (1) The packer's maximum prices f.o.b. plant for Grades A or better, and B maple syrup sold in the following size containers shall be as follows:

PACKERS' CEILING PRICES

Size container	Grade	Prices on sales to wholesalers, commercial, industrial, governmental and institutional users.				Prices on sales directly to retailers				Prices on sales directly to domestic users (per container)
		(Per case of 24)	(Per case of 12)	(Per case of 6)	(Per case of 1)	(Per case of 24)	(Per case of 12)	(Per case of 6)	(Per case of 1)	
6 Oz	A or Better	$4.08	$2.09			$4.49	$2.30			$0.22
6 Oz	B	3.83	1.97			4.21	2.16			.20
8 Oz	A or Better	5.05	2.58			5.56	2.84			.27
8 Oz	B	4.72	2.41			5.19	2.64			.25
10 Oz	A or Better	6.10	3.10			6.71	3.41			.30
10 Oz	B	5.69	2.90			6.26	3.18			.30
12 Oz	A or Better	7.12	3.61			7.83	3.97			.38
12 Oz	B	6.62	3.36			7.28	3.69			.35
16 Oz (Pt)	A or Better	8.94	4.52			9.84	4.97			.48
16 Oz (Pt)	B	8.28	4.19			9.11	4.61			.41
24 Oz	A or Better	13.40	6.75			14.74	7.43			.71
24 Oz	B	12.41	6.29			13.65	6.88			.66
32 Oz (Qt)	A or Better	17.58	8.84			19.34	9.72			.91
32 Oz (Qt)	B	16.26	8.18			17.89	9.00			.87
½ Gallon	A or Better	34.64	17.37	$8.74		38.10	19.11	$9.61		1.85
½ Gallon	B	32.00	16.05	8.08		35.20	17.65	8.88		1.71
1 Gallon	A or Better		31.78	15.94			34.96	17.53		3.39
1 Gallon	B		29.14	14.62			32.05	16.08		3.11
5 Gallon	A or Better				$12.89				$14.18	16.60
5 Gallon	B				11.79				12.97	15.09
5 Gallon	C				10.69				11.76	13.68

(2) The grades set forth in this paragraph (c) shall be determined in accordance with all the criteria set forth in the U. S. Standards For Table Maple Syrup issued by the United States Department of Agriculture.

(3) The prices set forth for packers in this paragraph (c) include the container, and shall apply to all types of containers irrespective of their shape or composition. The prices are cash prices for the quantities and class of purchaser set forth. Packers may charge an additional 1% on those sales where credit for ten days or longer is extended.

(d) *Packer's maximum prices for "bulk sales" of maple syrup.* (1) The packer's maximum prices, f. o. b. plant, for "bulk sales" of the following grades of maple syrup shall be as follows:

Grades	Maximum price per pound	
	Filtered	*Unfiltered*
Fancy AA	$0.235	$0.225
A	.225	.215
B	.215	.205
C	.205	.195

(2) "Bulk sales" means (i) Sales where the purchaser furnishes the drum or other container in which the maple syrup is received; or (ii) Sales where the seller furnishes the drum or container but the sale is made on a returnable drum or container basis.

(3) The grades set forth in this paragraph (c) shall be determined in accordance with all the criteria set forth in the U. S. Standards for Maple Syrup for Reprocessing issued by the United States Department of Agriculture.

(e) *Packer's maximum prices for "flavoring" maple syrup.* (1) The packer's maximum price, f. o. b. packing plant for each item that is for each type and container size of "flavoring" maple syrup for each class of purchaser shall be his "base price" plus 66¢ per gallon.

(i) The "base price" shall be calculated by dividing the total dollars charged each class of purchaser for such item during the period comprising the months of April, May and June, 1941, hereinafter called the "base period," by the number of such items sold such class of purchasers during the "base period."

Example: X packer seeks the maximum price of a 5-gallon tin of type Q "flavoring" maple syrup. In determining his "base price", he ascertains that he sold during the "base period" a total of 1000 5-gallon tins for which he received $5000. The maximum price would be computed as follows:

$5,000 ÷ 1,000 5-gallon tins =	[1] $5.00
5 gal. × $.66 =	[2] 3.30
	[3] 8.30

[1] "Base price" for one 5-gallon tin.
[2] "Permitted increase" on a 5-gallon tin.
[3] Maximum price on a 5-gallon tin of "flavoring" maple syrup.

(2) Packers seeking to price "flavoring" maple syrup which is to be sold without the container or on a returnable container basis, shall use the same method provided for in subparagraph (1) immediately above, except that their "base price" shall be computed by using only sales that were made on a returnable container basis during the "base period."

(f) *Imports.* (1) The maximum prices for maple syrup which is imported into the United States shall apply f. o. b. point of entry and shall include duty.

(g) *Delivered prices.* The delivered price for any commodity subject to the provisions of this regulation shall in no case exceed the established maximum f. o. b. price plus the actual transportation charges incurred from the seller's shipping point to the place of destination.

(h) *Maximum prices for "maple syrup" items on which no price has been established.* (1) The maximum price for any item of maple syrup subject to the provisions of this regulation which is to be sold, and for which a maximum price is not established by this Maximum Price Regulation No. 312, shall be determined after specific authorization from the Office of Price Administration, Washington, D. C., on application setting forth (i) a description of the grade of syrup and size of the container of the item upon which a price is sought; and (ii) the factory door cost of such item. The "factory door cost" shall include all direct and indirect costs and expenses chargeable to the production of the item, but shall not include costs and expenses chargeable to the administration, selling, advertising or transportation; and (iii) the factory door costs and maximum selling prices of the three most comparable items together with their description.

(2) Until the Office of Price Administration shall fix a price upon such item of "maple syrup," the applicant's maximum prices shall be those which have been established pursuant to the provisions of the General Maximum Price Regulation.

§ 1351.1616 *Effective date.* This Maximum Price Regulation No. 312 (§§ 1351.1601 to 1351.1616, inclusive), shall become effective February 2, 1943.

Issued this 27th day of January 1943.

PRENTISS M. BROWN,
Administrator.

Approved:

CLAUDE WICKARD,
Secretary of Agriculture.

[F R Doc. 43-1432; Filed, January 27, 1943; 12:31 p. m.]

PART 1364—FRESH, CURED, AND CANNED MEAT AND FISH PRODUCTS

[MPR 311]

SALES BY CANNERS OF SHRIMP

In the judgment of the Price Administrator the prices of canned shrimp have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has ascertained and given due consideration to the prices of canned shrimp prevailing between October 1, 1941 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable, and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The maximum prices established herein are not below the average prices of such commodities in the year 1941.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 311 is hereby issued.

AUTHORITY: §§ 1364.751 to 1364.763 inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E O 9250, 7 F.R. 7371.

§ 1364.751 *Prohibition against dealing in canned shrimp at prices above the maximum.* On or after February 2, 1943, regardless of any contract, agreement, or other obligation, no canner, or agent or other person acting on behalf, or under control, of such canner shall sell or deliver any canned shrimp, and no person in the course of trade or business shall buy or receive from a canner any shrimp at prices higher than those set forth in Appendix A hereof, incorporated herein as § 1364.763; and no person shall agree, offer, solicit, or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of canned shrimp to a purchaser if prior to February 2, 1943, such shrimp has been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

§ 1364.752 *Conditional agreement.* No canner of shrimp shall enter into an agreement permitting the adjustment of the prices to prices which may be higher than the maximum prices provided by § 1364.763 in the event that this Maximum Price Regulation No. 311 is amended or is determined by a court to be invalid or upon any other contingency: *Provided*, That if a petition for amendment has been duly filed, and such petition requires extensive consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment.

§ 1364.753 *Export sales.* The maximum price at which a person may export canned shrimp shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation [1] issued by the Office of Price Administration.

§ 1364.754 *Less than maximum prices.* Lower prices than those set forth in § 1364.763 may be charged, demanded, paid, or offered.

§ 1364.755 *Evasion.* The price limitations set forth in Maximum Price Regulation No. 311 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of, or relating to canned shrimp, alone or in conjunction with any other commodity, or by any commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or by changing the selection or style of processing or the canning, wrapping, or packaging of shrimp.

§ 1364.756 *Records and reports.* (a) Every person making a purchase or sale of canned shrimp in the course of trade or business, or otherwise dealing therein, after February 1, 1942, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each such purchase or sale, showing the date thereof, the name and address of the buyer and of the seller, the prices contracted for or received, the quantity and a description of the grade or brand, style of pack, and container size of shrimp.

(b) Such persons shall submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraph (a) of this section as the Office of Price Administration may from time to time require.

§ 1364.757 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 311 are subject to the criminal penalties, civil enforcement actions, and suits for treble damage provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 311 or any price schedule, regulation, or order issued by the Office of Price Administration or of any act or practices which constitute such a violation are urged to communicate with the nearest district, state, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1364.758 *Petitions for amendment.* Any person seeking an amendment to any provision of this Regulation No. 311 may

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5059, 7242, 8829, 9000, 10530.

file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 [1] issued by the Office of Price Administration.

§ 1364.759 *Applicability.* The provisions of this Maximum Price Regulation No. 311 shall be applicable to the forty-eight states of the United States and the District of Columbia.

§ 1364.760 *Applicability of General Maximum Price Regulation.*[2] The provisions of this Maximum Price Regulation No. 311 supersede the provisions of the General Maximum Price Regulation, and Amendment 28 [3] to Supplementary Regulation No. 14, issued by the Office of Price Administration with respect to sales and deliveries for which maximum prices are established by this regulation.

§ 1364.761 *Definitions.* (a) When used in this maximum price regulation the term:

(1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of the foregoing: *Provided*, That no punishment provided by this regulation shall apply to the United States or to any such government, political subdivision, or agency.

(2) "Canner" means a person who preserves shrimp by processing and packing in a hermetically sealed container.

(3) "Shrimp" means any canned shrimp of the genus peneus setiferus or peneus brasiliensis where the same are caught off the coast of the United States in the regions of the southeastern Atlantic Ocean and the Gulf of Mexico.

(4) "Price per dozen" means the price for 12 cans of shrimp packed for shipment in the usual container.

(5) "Dry pack" means shrimp packed in a hermetically sealed container without liquid.

(6) "Wet pack" means shrimp packed in brine in a hermetically sealed container.

(7) "Veined shrimp" means shrimp which have had the dark veins removed from the backs prior to packing.

(8) "Can" means a can 211 x 400 packed to a net content of 7 ozs. for wet pack and 6½ ozs. for dry pack.

(b) Unless the context otherwise requires, the definitions set forth in Section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1364.762 *Effective date.* This Maximum Price Regulation No. 311 (§§ 1364.751 to 1356.763, inclusive) shall become effective February 2, 1943.

§ 1364.763 *Appendix A: Maximum canners' prices for shrimp.* (a) The prices set forth below are maximum prices per dozen f. o. b. the shipping point nearest cannery. The maximum prices are gross prices and the seller shall deduct therefrom his customary allowances, discounts, and differentials to purchasers of different classes. Prices for veined shrimp are the prices below to which may be added 60¢ per dozen.

Grade	Wet pack per dozen	Dry pack per dozen
Broken, regular	$2.45	$2.55
Small, regular	2.70	2.80
Medium, regular	2.80	2.90
Large, regular	2.95	3.05
Jumbo, regular	3.05	3.15

(b) For varieties and container sizes of shrimp and styles of pack not listed in paragraph (a) the price shall be a price determined by the Office of Price Administration to be in line with the prices listed in paragraph (a). Such determination shall be made upon written request, addressed to the Office of Price Administration, Washington, D. C., and accompanied by sworn statements showing costs and usual differentials.

Issued this 27th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1431; Filed, January 27, 1943; 12:30 p. m.]

PART 1393—ICE

[MPR 154, as Amended,[1] Amendment 3]

ICE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Paragraphs (e), (f) and (g) are added to § 1393.8; paragraph (e) is added to § 1393.11; and paragraph (e) is added to § 1393.12, Appendix A.

§ 1398.8 *Applications for adjustment.* * * *

(e) Any regional office of the Office of Price Administration or such other offices as may be authorized by order issued by the appropriate regional office may, either on application or its own motion, adjust, by order, the maximum prices of ice established under this Maximum Price Regulation No. 154, as amended, for any seller or group of sellers of the commodity whenever it appears:

(1) That a shortage in the supply of ice available to the seller's locality exists or threatens to occur;

(2) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of ice for such seller and of like sellers; and

(3) That such adjustment will not create or tend to create a shortage, or a need for an increase in prices in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

(f) Such adjustment shall be made in relation (1) to increased production and delivery costs which the seller of ice in the locality affected must incur in order to produce and deliver such ice as compared with production and delivery costs in April, 1942, or, for natural ice, as compared with the nearest earlier month in which such ice was harvested and packed in such locality; and (2) to such other circumstances as may be pertinent to the procurement of sufficient supplies of ice to meet the requirements of the locality affected.

(g) In making application for adjustment, any manufacturer of ice who sells ice at retail and also sells ice to distributors and peddlers for resale at retail may make application for adjustment on behalf of those distributors and peddlers who customarily purchased ice from him. If an adjustment of the manufacturer's maximum price is granted upon such application, a like adjustment of the maximum prices of the distributors and peddlers included in the application may be granted. In any such case the manufacturer's prices to such distributors and peddlers may be, but are not required to be, increased by an amount not in excess of the adjustment granted with respect to retail prices.

Applications for adjustment shall be filed in accordance with Revised Procedural Regulation No. 1.[2]

§ 1393.11 *Effective dates of amendments.* * * *

(e) Amendment No. 3 (§§ 1393.8 (e), (f), (g); 1393.11 (e); 1393.12, Appendix A, (e)) to Maximum Price Regulation No. 154, as amended, shall become effective February 2, 1943.

§ 1393.12 *Appendix A: Maximum prices for ice* * * *

(e) *Maximum prices for natural ice—*(1) *Generally.* The seller's maximum price for natural ice shall be the maximum price determined by the seller under paragraphs (a) or (b) of this section as the case may be.

(2) *Harvester's maximum prices determined by reference to highest price charged during the harvest period.* If the harvester's maximum price for natural ice cannot be determined under paragraphs (a) or (b) of this section, the harvester's maximum delivered price and the harvester's maximum platform price for any form, quantity and quality of such ice shall be the highest price charged by the harvester for such form, quantity and quality of natural ice during the month or months of harvest of such seller in the period from December 1, 1941 through March 31, 1942 on a delivered sale or platform sale respectively to a purchaser of the same class.

(3) *Transportation and special service charges.* (i) No harvester of natural ice who determines his maximum price under subparagraph (2) shall require any purchaser, and no purchaser shall be permitted to pay a larger proportion of transportation costs incurred in the delivery or supply of natural ice than the harvester required purchasers of the same class to pay during the month or months of harvest of such seller in the period from December 1, 1941 through March 31, 1942; and

(ii) The charges made for any special service rendered by such harvester shall not exceed the charge made during the month or months of harvest of such seller in the period from December 1, 1941 through March 31, 1942 for such special service to purchasers of the same class.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of January 1943

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1433; Filed, January 27, 1943; 12:30 p. m.]

PART 1395—NONFERROUS FOUNDRY PRODUCTS

[Rev. MPR 125 [1]]

NONFERROUS FOUNDRY PRODUCTS

The title, preamble, and §§ 1395.1 to 1395.11, inclusive, as heretofore amended, are renumbered and amended to read as set forth below. "Revised Maximum Price Regulation 125—Nonferrous Castings."

In the judgment of the Price Administrator the prices of nonferrous castings have risen and are threatening further to rise to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942, as amended. The Price Administrator has ascertained and given due consideration to the prices of nonferrous castings prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this Revised Maximum Price Regulation No. 125 (referred to herein as "this regulation") are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 [2] issued by the Office of Price Administration, this regulation is hereby issued.

Sec.
1395.1 Exclusions.
1395.2 Prohibition against sales of nonferrous castings at prices higher than maximum prices.
1395.3 Maximum prices and report requirements for nonferrous castings sold or delivered on or after February 1, 1943—Castings the same, or of the same class as those sold or contracted to be sold by the seller during the period from October 1 to October 15, 1941, inclusive, or sold, contracted to be sold or delivered by the seller during the period from May 11, 1942 to January 31, 1943, inclusive.
1395.4 Maximum prices and report requirements for nonferrous castings sold or delivered on or after February 1, 1943—Castings of a class different from any casting sold or contracted to be sold during the period from October 1 to October 15, 1941, inclusive, and different from any casting sold, contracted to be sold or delivered during the period from May 11, 1942 to January 31, 1943, inclusive.
1395.5 Developmental contract and subcontract.
1395.6 Transfer of business or stock in trade.
1395.7 Less than maximum prices.
1395.8 Export sales.
1395.9 Federal and State taxes.
1395.10 Adjustable pricing.
1395.11 Prohibited evasion practices.
1395.12 Applications for adjustment or petitions for amendment.
1395.13 Records and reports.
1395.14 Enforcement.
1395.15 Definitions.
1395.16 Geographical applicability.
1395.17 Effective date.
1395.18 Appendix A: Maximum prices for nonferrous castings sold during the period May 11, 1942 to January 31, 1943, inclusive.
1395.19 Appendix B: Form OPA 677:115a—Report on net sales for foundries with sales of less than $12,500 in preceding quarter year.
1395.20 Appendix C: Form OPA 677:115b—Application for adjustment of maximum prices of an individual casting or a group of castings sold at the same price.
1395.21 Appendix D: Form OPA 677:115c—Buyer's report on above application.
1395.22 Appendix E: Form OPA 677:115d—Application for adjustment of maximum prices of all castings.
1395.23 Appendix F: Form OPA 677:115e—Buyer's report on above application.

AUTHORITY: §§ 1395.1 to 1395.23, inclusive, issued under Pub. Laws 421 and 729, 77th Cong. and E.O. 9250, 7 F.R. 7871.

§ 1395.1 *Exclusions.* (a) This regulation shall not apply to sales or deliveries of nonferrous castings if, before February 1, 1943, such castings have been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to the buyer.

(b) Nothing in this regulation or in the General Maximum Price Regulation [3] shall apply to any sale, contract to sell, or delivery of nonferrous castings by any person whose total sales of nonferrous castings were less than $12,500 for the preceding three months period ending on the last day of December, March, June or September, as the case may be, (here called "calendar quarter year") except that a report shall be filed with the Office of Price Administration at Washington, D. C., by the seller on Form OPA-677:115a (set forth as § 1395.19 of this regulation) on the twentieth day of January, April, July and October of each year, stating (1) total dollar net sales, with the best available estimate of net sales of nonferrous castings covered by this regulation, in dollars and pounds, for the preceding calendar quarter year and (2) number of employees in the foundry for the last week of the preceding calendar quarter year.

(c) This regulation shall not apply to sales, contracts to sell or deliveries of:

(1) Products listed in Appendix A, § 1499.166 of Maximum Price Regulation No. 188, as amended,[4] or

(2) Products covered by Maximum Price Regulation No. 261 [5] as defined in subparagraph (2), § 1346.215 of that regulation, or

(3) Type used for printing, or

(4) Nonferrous castings machined to such extent that the cost of machining (all price elements other than profit) is more than 25% of the total cost (all price elements other than profit) of the rough casting plus the cost of machining, when (i) the castings are subject to a price regulation other than the General Maximum Price Regulation, and/or (ii) the castings are sold by a person who does not produce the rough casting and who, further, is not a subsidiary or affiliate of the producer of the rough casting, or

(5) Nonferrous castings machined to such extent that cost of machining is more than 50% of the total cost, as provided in the preceding subparagraph (4) where the casting is a component part or subassembly of (i) aircraft, ammunition, armored trains, artillery, balloon barrage equipment, bombs, bomb sights, caissons, fire control equipment, gas masks, grenades, gun sights, military bridges, mines, mortars, projectiles, pyrotechnics, small arms, ships and boats and torpedoes; and (ii) amphibians, armored vehicles, automobiles, tanks, trailers and trucks, for military purposes, sold, contracted to be sold or delivered to the United States or any agency thereof, or to the government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States," or any agency of any such government. The term "component parts and subassemblies" includes all metallic and nonmetallic component parts, adjuncts, and accessories which have been machined or fabricated. The term does not include raw or unfinished materials or any other materials which are in such form as to permit their use in the manufacture of products other than those set forth in this subparagraph, or

(6) Bushings and bearings machined to such extent that the cost of machining is more than 25% of the total cost, as provided in the preceding subparagraph (4), irrespective of whether such bushings and bearings are subject to a

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[1] 7 F.R. 8961.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5783, 5784, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 8942, 9004, 9435, 9615, 9616, 9732, 10155, 8 F.R. 371.

[3] 7 F.R. 7604.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5139, 5276, 5944, 8940, 8948.

[1] 7 F.R. 8961.

*Copies may be obtained from the Office of Price Administration.

[2] 7 F.R. 3202, 3990, 7249, 8878, 8948, 10780.

[1] 7 F.R. 8961.

[3] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6939, 6794, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371.

[4] 7 F.R. 5872, 8943, 8948, 10155, 8 F.R. 537.

[5] 7 F.R. 9187.

price regulation other than the General Maximum Price Regulation. Where percentage of machining cost is referred to in this or the preceding subparagraphs (4) and (5) and a toll or conversion agreement is involved in which the seller does not buy or sell the material used for the casting, the metal cost shall nevertheless be included at current maximum prices in figuring whether the 25% or 50% has been exceeded, or

(7) Finished replacement parts sold as finished replacement parts by a person who does not produce the parts, or who further, is not a subsidiary or affiliate of the producer of the parts.

§ 1395.2 *Prohibition against sales of nonferrous castings at prices higher than maximum prices.* On and after February 1, 1943, regardless of any contract, agreement or other obligation:

(a) No person shall sell or deliver any nonferrous casting at a price higher than the maximum price established by this regulation. (See § 1395.15 (a) for what is meant by a "person" and a "nonferrous casting" under this regulation.)

(b) No person in the course of trade or business shall buy or receive any nonferrous casting at a price higher than the maximum price. However, if the buyer obtains from the seller a written statement sworn to by the seller or a responsible official of the seller, that to the best of the seller's knowledge, information and belief, the price charged is not higher than the maximum price established by this regulation, and if in such case the buyer has no knowledge of the maximum price and no reason to doubt the accuracy of the statement, the buyer will be considered to have complied with this paragraph. Further, the buyer will be considered to have obtained this statement if:

(1) He obtains a letter or other written statement to the buyer sworn to by the seller or a responsible official of the seller, to the effect that the prices on all invoices to be issued will not be higher than the applicable maximum prices established by this regulation and that the seller's method of figuring prices has been so established as to achieve this result, and

(2) The seller stamps an appropriate statement on each invoice or bill.

(c) No person shall agree, offer, solicit, or attempt to do any of the acts prohibited in paragraphs (a) or (b) of this section.

(d) Where the contract of sale has been entered into before February 1, 1943, the parties to the contract, until March 1, 1943, may make and accept deliveries of the castings required or specified in the contract and the seller may render bills or invoices for the castings to the buyer at the contract price, but the price shall be adjusted in accordance with the maximum prices established by this regulation within a period not to exceed 30 days after the billing or invoicing.

§ 1395.3 *Maximum prices and report requirements for nonferrous castings sold or delivered on or after February 1, 1943—Castings the same, or of the same class, as those sold or contracted to be sold by the seller during the period from October 1 to October 15, 1941, inclusive, or sold, contracted to be sold or delivered by the seller during the period from May 11, 1942 (the effective date of Maximum Price Regulation No. 125) to January 31, 1943, inclusive.* (See § 1395.15 (a) (4) for what is meant by "the same class" of castings). The maximum price shall be figured as follows:

(a) First, take as the base the most recent net price at which the seller sold or contracted to sell the castings or class of castings (if the most recent price was established during October 1 to October 15, 1941, inclusive) or sold, contracted to sell or delivered the castings or class of castings (if the most recent price was established during May 11, 1942 to January 31, 1943, inclusive). "Net price" here means the price after the seller's usual adjustment for rate of delivery, extra charges, cash discounts or other allowances.

(1) If the sale or delivery is to the same buyer who bought or contracted to buy the casting or a casting of the same class between October 1 to October 15, 1941, inclusive, or who bought, contracted to buy or obtained delivery of the casting or a casting of the same class between May 11, 1942, and January 31 1943, inclusive, then the base price must be the most recent net price to that specific buyer, rather than the most recent net price to any other buyer of the same casting or casting of the same class.

(2) This base price must be a price which fully meets the requirements of Maximum Price Regulation No. 125 as in effect at the time of the sale, contract to sell or delivery, as the case may be. For convenience in checking the requirements, there is included in this regulation, as § 1395.18, a statement of the maximum prices in effect before February 1, 1943. If the most recent price was not figured as required at the time by Maximum Price Regulation No. 125, the price shall be corrected to arrive at the proper base price.

(b) Second, reduce the base price by the amounts stated below:

	Reductions per pound (cents)
(1) If the casting is made from copper or copper base alloys	1½
(2) If the casting is made from aluminum or aluminum base alloys	3
(3) If the casting is made from magnesium or magnesium base alloys	3

However, if the base price already reflects reductions made because of reductions in the maximum prices of metals or alloys since September 30, 1941, and full showing is first made to the Office of Price Administration at Washington, D. C., of that fact, the above specified reductions need only be made to the extent that the previous reductions are less than the amounts set forth above. The showing may be made by letter, or the Office of Price Administration may provide a form for the purpose. Unless and until the above showing is disapproved, the reductions need not be made. However, in the event of disapproval and within ten days after the disapproval, refund must be made of the amount of the reductions. In the case of a "toll", "conversion", or "service" agreement, in which the metal or part of the metal for the casting is required to be sold or otherwise furnished to the seller by the buyer or any person on the buyer's behalf, the reductions under subparagraphs (1), (2) and (3) above need only be made to the extent of metal furnished by the seller.

(c) Third, if, after January 31, 1943, a change in alloy between types within one of the groups of alloys listed below is imposed either by the buyer or by order of a government agency then the difference in price of metal as of the date of re-pricing, plus thirty percent of the amount of such difference, shall be deducted from or added (as the case may be) to the base price of the casting to arrive at the maximum price per pound in accordance with paragraphs (a) and (b) above.

Copper base alloys. (Numbers refer to numbers used in Maximum Price Regulation No. 202.[*] § 1309.165)

Group No. 1—85-5-5-5 or 88-10-2 Groups, (OPA Nos. 100-256 inclusive and similar alloys)

Group No. 2—80-10-10 Group, (OPA nos. 295-326 inclusive and similar alloys).

Group No. 3—Yellow Brass Group, (OPA Nos. 400-409 inclusive and similar alloys).

Group No. 4—Nickel Alloys Group, (OPA Nos. 410-414 inclusive and similar alloys)

Group No. 5—Aluminum Bronze Group, (OPA No. 415 and similar alloys).

Group No. 6—Manganese Bronze Group (OPA Nos. 420-424 inclusive and similar alloys)

Group No. 7—Silicon Bronze Group, (OPA No. 500 and similar alloys).

Aluminum base alloys. (Numbers are those used in customary trade practice.)

Group No. 1—8% Copper Group, (Nos. 12, 112 and similar alloys)

Group No. 2—4% Copper Group, (No. 195, and similar alloys)

Group No. 3—Copper Silicon Group, (No. 108, and similar alloys).

Group No. 4—Copper Silicon Magnesium Group, (Nos. 355, 356, and similar alloys).

Group No. 5—Copper Nickel Magnesium Group, (No. 132, 142, (Y alloys) and similar alloys)

Group No. 6—5-13% Silicon Group, (No. 43, 47 and similar alloys).

Group No. 7—4-12% Magnesium Group, (No. 214, 218, 220, and similar alloys).

§ 1395.4 *Maximum prices and report requirements for nonferrous castings sold or delivered on or after February 1, 1943—Castings of a class different from any casting sold or contracted to be sold by the seller during the period from October 1 to October 15, 1941, inclusive, and different from any casting sold, contracted to be sold or delivered by the seller during the period from May 11, 1942 to January 31, 1943, inclusive—(a) How maximum price is figured on the first sale, contract to sell or delivery of each such casting on or after February 1, 1943.* The maximum price for such castings shall be a net price (after the seller's usual adjustment for rate of delivery, extra charges, cash discounts or other allowances) not higher than that figured by using the pricing formulas or

[*] 7 F.R. 6421, 7247, 8648, 9427.

methods of figuring the price that were used on October 15, 1941, by the seller, or if the formulas were not used on that date, then the formulas used on the most recent date before October 15, 1941, on which the formulas were used. If the seller was not in business on or before October 15, 1941, and is not a transferee under § 1395.6 of this regulation, or if for any other reason the seller had no formula, or is unable to reduce it to writing or formulate it as required in this regulation, then the seller shall prepare a formula and proceed with filing and obtaining approval as generally required under paragraph (c) of this section. The pricing formula shall be applied, in figuring the maximum price of each casting, as follows:

(1) *Direct labor cost.* To the extent that the seller's pricing formulas include or are based on direct labor costs, the seller shall use labor costs figured and applied as follows:

(i) The seller shall use no more than the identical straight time and overtime labor rates used in his pricing formula on October 15, 1941, for each class of labor. Examples of classes of labor are molders, coremakers, or cleaners.

(ii) If the seller employs labor of a particular class not employed in the foundry on October 15, 1941, the seller shall apply no more than the straight time and overtime rates prevailing on that date for that class of labor in the locality in which the casting is produced.

(iii) If, on October 15, 1941, machine hour, piece or average rates were used, no more than the identical machine hour, piece or average rates must be used; for example, if the rate was $1.00 per hour on a standard squeezer machine, then that rate must be used now.

(iv) In deciding whether items of labor cost are direct or indirect, the seller shall employ the same classes and considerations that he used on October 15, 1941. For example, if the seller treated cleaning labor as indirect labor on October 15, 1941, he must treat it as indirect labor for this figuring of the price.

(v) The labor rates as limited by the preceding subdivisions (i) to (iv) shall be applied to the number of hours estimated to be required on the basis of previous production experience.

(2) *Cost of metals.* To the extent that the pricing formulas include, or are based on prices paid for metals the seller shall apply no more than the current metal prices (not in excess of the current maximum prices established by the Office of Price Administration) for the metal used in the casting being priced to the quantities of metals estimated to be required on the basis of previous production experience.

(3) *Overhead (burden) rates.* To the extent that the pricing formulas include overhead or burden, the seller shall use no overhead or burden higher than that used in his pricing formulas on October 15, 1941, applied in the identical manner that he used on that date. For example, if the seller used 2¢ per pound for overhead on October 15, 1941, he shall use no more than 2¢ per pound today; or if the seller added 50% to direct labor for burden on October 15, 1941, he shall add no more than 50% to direct labor for burden today.

(4) *Other factors.* To the extent that the pricing formulas include or are based on other elements or costs, the seller shall use the same elements or costs in effect on October 15, 1941, applied in the same manner as applied on that date, except that the seller may use additional or different elements or costs or applications thereof so long as a higher price does not result.

(5) *Mark-up, margin or profit.* The seller shall use no more than the mark-up, margin, or profit which he used on October 15, 1941, applied in the identical manner which he used on that date. For example, if the seller added to total costs 2¢ per pound for profit on October 15, 1941, he shall add no more than 2¢ per pound today; if the seller added 6% to total costs on October 15, 1941, for profit, he shall add no more than 6% to total costs for profit today.

(b) *Subsequent sales, contracts to sell, or deliveries of such castings or castings of the same class.* The price at which the first sale, contract to sell or delivery is made shall be the seller's maximum price for all subsequent sales, contracts to sell or deliveries of the same casting or casting of the same class, except that:

(1) If the price was in excess of the maximum price permitted under this regulation, the price shall be reduced to arrive at the proper maximum price.

(2) The seller may re-figure the maximum price for clerical errors but only upon first making proper showing by letter or other writing, of the details of such errors to the Office of Price Administration at Washington, D. C., and obtaining approval of the corrections from that Office; and

(3) Adjustment shall be made for changes in alloy as set forth in § 1395.3 (c) of this regulation.

(c) *Filing and approval of pricing formulas and prices.* (1) Each person selling nonferrous castings on or after February 1, 1943, shall, (to the extent he has not already done so) file, on or before March 1, 1943, with the Office of Price Administration at Washington, D. C., his pricing formulas or methods of calculating price. These formulas or methods shall be in such detail as is satisfactory to the Office of Price Administration. The formulas must conform exactly to the seller's practice on October 15, 1941, or on the most recent date before October 15, 1941, on which the formulas were used. If the seller was not in business on or before October 15, 1941, and is not a transferee under § 1395.6 of this regulation, or if for any other reason the seller had no formula or is unable to reduce the formula to writing or formulate it as required by this regulation, then the formula to be filed shall be the formula that, in the opinion of the Office of Price Administration, would have been used on October 15, 1941, had the seller conducted business on that date. The formulas must, further, be in such detail that if the Office of Price Administration is furnished the factors peculiar to the individual casting (such as the time required for the different kinds of labor, the alloy, the quantity ordered, etc.), the Office can arrive at the same maximum price as the seller.

(2) The factors to be included in the formulas may include those listed below and such other factors as were employed. The factors may be included singly, or several factors may be combined if that was the seller's practice; for example, it may have been the seller's practice in some cases to figure all factors except metal cost at a flat amount per pound or per day. As further examples, the seller may have figured all burden and overhead at a flat amount per pound or as a single percentage of all direct labor combined, or as a single percentage of the direct molding labor. If different combinations are used in figuring prices of different alloys or of different types of castings, all the combinations should be listed with an explanation of how and when they are applied. It is essential that every factor or every combination of factors which was used by the seller in establishing the price for any casting, be stated exactly:

(i) Metal costs—(*a*) *Price of the metal.* The formula should specify whether purchase price, delivered price, or delivered price plus handling charges was used.

(*b*) *Metal loss.* This can be stated as an allowance in cents per pound or percentage for each alloy separately, or as an average, if an average was used.

(c) *Melting cost.* The particular allowance shall be given for each alloy, or the average if an average allowance was used.

(*d*) *Yield.* If this factor was used, an explanation should be given of how it was employed.

(ii) *Direct labor.* State for each class, such as molders, coremakers, cleaners, inspectors, machine operators, etc.

(*a*) *Wage rates.* Give standard and overtime separately; state the average rate, if an average was used, or all individual rates within each class, with the type of casting or production to which each rate applied.

(*b*) *Burden.* State in percentage of labor costs or cents per pound or per machine hour; if an average rate was used, it should be so stated; if individual rates were used, the type of casting or production to which applied should be stated.

(iii) *Defectives.* State the individual allowances, with method of application and group to which it applied; if average allowance was used, that average should be stated.

(iv) *Shop overhead.* Furnish this item, if used separately from burden (*ii*) (*b*) or to cover burden or burden and direct labor or total foundry cost up to this point; state flat amount in cents per pound, dollar per hour, or dollar per day or percentage, and where applied.

(v) *Administrative and selling overhead if used separately from burden* (*ii*) (*b*) and *shop overhead* (*iv*). State percentage or flat amount and where applied.

(vi) *Other costs.* For example, amount charged for heat treating, X-rays, delivery, etc. These should be specified and a statement included as to how and where applied

(vii) Adjustments for rate of delivery, extra charges, cash discounts or other allowances.

(viii) *Rate of profit.* State the flat amount or percentage and how applied.

(3) If a seller commenced sales of nonferrous castings on or after February 1, 1943, he shall file a report similar to the report required by the preceding subparagraph (1) of this paragraph (c) within 30 days after his first quotation of prices.

(4) When a formula is filed and rates are reported by a seller who was not in business on or before October 15, 1941, and who is not a transferee under § 1395.6 below, or by any other person who had no formula on or before October 15, 1941, or who is unable to reduce his formula to writing in a manner that clearly describes the method of pricing to the satisfaction of the Office of Price Administration, prices calculated in accordance with the formula and rates may be quoted or charged unless and until the Office of Price Administration disapproves the formula or rates or requires a new filing of formula or rates.

(5) The Office of Price Administration may disapprove, in writing, the formula filed or the rates reported in the cases mentioned in subparagraph (4) above, and the prices resulting from their use. Upon such disapproval the seller shall file a revised formula or rates in accordance with directions which the Office of Price Administration shall state at the time of the disapproval. In disapproving any proposed formula or rates, the Office of Price Administration may require refunds on all deliveries made at prices calculated by the use of the formula or rates. The disapproval of the formula or rates, or the requirement of refunds shall, upon request of the seller, be embodied in an order.

§ 1395.5 *Developmental contract and subcontract.* (a) No developmental contract or subcontract shall be exempt from any provisions of this regulation except upon full compliance with the provisions of, and to the extent provided in, this paragraph. For the purposes of this paragraph a contract or subcontract is considered to be "developmental" only during the period required for the selection of a suitable casting by the buyer or for the accumulation of sufficient production experience by the seller to permit a fair estimate of the manufacturing costs, or both.

(b) The contract or subcontract must be certified in writing to the Office of Price Administration at Washington, D. C., by the United States or an agency thereof or by the buyer and seller, as being developmental, and a report must be filed as required in paragraph (d) of this section. This regulation shall not apply to any nonferrous casting produced pursuant to such contract or subcontract.

(c) After the Office of Price Administration has determined, upon consultation or communication with the appropriate government agency or with the buyer or seller, that the period necessary for development has expired, and has in writing so notified such agency or the buyer and seller, as the case may be, this regulation shall apply to all subsequent sales and deliveries of the nonferrous castings.

(d) Within ten days after entering into any developmental contract or subcontract, the seller shall file a report, verified by the buyer, with the Office of Price Administration at Washington, D. C., containing a description of the nonferrous casting to be manufactured, a summary of the terms of the contract or subcontract, including all pricing provisions, a short statement of the production plans of which the contract is a part and an estimate of the expected duration of such developmental work. For any such contract or subcontract in effect on February 1, 1943, the report shall be filed before February 20, 1943. This paragraph is subject to the exception, however, that in the case of a contract or subcontract classified as "secret" and certified as a "secret" contract to the Office of Price Administration by the United States or any agency thereof, or by the government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States" or any agency of any such government, there need be reported only that portion of the required information, if any, that is not classified "secret".

(e) No contract based on cost plus a percentage of cost, or cost plus a fixed fee, which results in a price higher than the applicable maximum price, is permitted under this regulation unless the contract qualifies as a developmental contract under the provisions of this § 1395.5. For example, the first sale or delivery of a casting under a cost-plus contract other than a developmental contract, where the maximum price for the casting is established by § 1395.4 (a), will fix the maximum price for all subsequent sales, contracts to sell or deliveries of the casting, even though the cost-plus contract provides for a series of transactions.

§ 1395.6 *Transfer of business or stock in trade.* If the business, assets or stock in trade of any business dealing in nonferrous castings were or are sold or otherwise transferred after October 15, 1941, and the transferee carries on the business, or continues to deal in nonferrous castings in the same competitive area and in an establishment separate from any other establishment previously owned or operated by the transferee, the transferee shall be subject to the same maximum prices as those to which the transferor would have been subject if no such transfer had taken place, and the transferee's obligation to keep records sufficient to verify such prices shall be the same as that of the transferor. The transferor in such cases shall either preserve and make available, or turn over to the transferee all records of transactions that are necessary to enable the transferee to comply with the provisions of this regulation.

§ 1395.7 *Less than maximum prices.* Lower prices than those provided in this regulation may be charged, demanded, paid or offered.

§ 1395.8 *Export sales.* The maximum price at which a person may export a nonferrous casting shall be figured in accordance with the provisions of the Revised Maximum Export Price Regulation [1] issued by the Office of Price Administration.

§ 1395.9 *Federal and state taxes.* Any tax upon or incident to the sale, delivery, processing or use of a nonferrous casting, imposed by any statute of the United States or any statute or ordinance of any state or subdivision thereof, shall be treated as follows in figuring the seller's maximum price for such casting, except that the tax on the transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942, shall, for purposes of figuring the applicable maximum price, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire:

(a) *As to a tax in effect between October 1 to October 15, 1941, inclusive or between May 11, 1942 to January 31, 1943, inclusive.* (1) If the seller paid the tax, or if the tax was paid by any prior seller irrespective of whether the amount was separately stated and collected from the seller, but the seller did not customarily state and collect separately from the purchase price during the period from October 1 to October 15, 1941, inclusive or between May 11, 1942, to January 31, 1943, inclusive, the amount of the tax paid by him or tax reimbursement collected from him by his seller, the seller may not collect such amount in addition to the maximum price, and in such case shall include such amount in figuring the maximum price under this regulation.

(2) In all other cases if, at the time the seller figures his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior seller and separately stated and collected from the seller by the seller from whom he purchased, and in such case the seller shall not include such amount in figuring the maximum price under this regulation.

(b) *As to a tax or increase in a tax which becomes effective on or after February 1, 1943.* If the statute or ordinance imposing the tax or increase does

[1] 7 F.R. 5059, 7242, 8829, 9000, 10530.

not prohibit the seller from stating and collecting the tax or increase separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior seller and separately stated and collected from the seller by the seller from whom he purchased.

§ 1395.10 *Adjustable pricing.* It is permitted under this regulation to provide in a contract that the price shall be adjustable to a price not higher than the maximum price in effect at the time of delivery.

§ 1395.11 *Prohibited evasion practices*—(a) *General.* Any practice which is a device to obtain the effect of a higher-than-ceiling price without actually raising the price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings, and the like.

(b) *Specific practices.* The following are among the specific practices prohibited:

(1) Obtaining the effect of a higher price by changing credit practices or cash discounts from what they were during the base period or on the base date. This includes reducing the cash discount period, decreasing credit periods, or making greater charges for extension of credit.

(2) Obtaining the effect of a higher price by refusing to sell on a delivered basis and insisting on selling on an f. o. b. shipping point basis, or vice versa.

(3) Quoting a gross price above the maximum price even if accompanied by a discount the effect of which is to bring the net price below the maximum price.

(4) Obtaining the effect of a higher price by making minor changes in castings having established prices; by requiring a buyer to furnish material for processing not in accordance with previous practice; by entering into a joint venture with any other person subject to this Regulation, for cross-selling or cross-purchasing; by reducing the period of any guaranty or warranty; by undervaluing commodities received in connection with the sale; by distorting estimates of time, material, defectives or other factors in figuring a price; or by making any other change in terms or conditions of sale or contract.

§ 1395.12 *Applications for adjustment and petitions for amendment*—(a) *Applications for adjustment*—(1) *When available.* The Office of Price Administration may by order adjust any maximum price established by this regulation, whenever it finds, from an application for adjustment or on its own motion, that the price impedes or threatens to impede production of one or more nonferrous castings:

(i) The production of which, in the opinion of the Office of Price Administration, aids directly in the war program or is necessary to a standard of living consistent with the prosecution of the war, both because of (*a*) the type of casting produced, and (*b*) the necessity of continued production of the casting by the particular seller, or

(ii) The maximum prices of which, after adjustment, are as low as, or lower than, the prices which buyers would be required to pay to the seller's competitors if the seller ceased to produce the castings. Note, however, that not only the conditions of either this subdivision (ii) or the preceding subdivision (i) must be met; those of the following subparagraphs commencing with subparagraph (2) must also be met.

(2) *Principal consideration.* In deciding whether production is impeded or threatens to be impeded, principal consideration will be given to the overall profit or loss of the seller before income and excess profits taxes. Wherever possible, this consideration will be based on the seller's future annual earnings (here called "projected profit") as estimated by the Office of Price Administration on the basis of the actual current earnings. The projected profit will be compared with the seller's average profit or loss for his fiscal years beginning between January 1, 1936 and December 31, 1939, adjusted for changes in invested capital. This average will be used as the base profit, except in those instances where the seller was not in business during a part or all of the base period, or where the average is lower than the earnings which the Office of Price Administration considers adequate for foundries of comparable size, in either of which cases a base profit which the Office of Price Administration considers adequate will be used.

(3) *Other considerations.* The relation of projected profit to base profit will be the principal consideration in determining whether production is impeded or threatens to be impeded, but other factors may be taken into consideration where relevant.

(4) *Amounts of adjustment.* Increases in price may be permitted in an amount considered sufficient by the Office of Price Administration to avoid the impeding of the production, or the threat to it.

(5) *Prices pending disposition of application.* Upon the filing of an application for adjustment or within five days prior thereto, and until final disposition of the application, contracts may be entered into or proposed and deliveries made at the prices requested in the application, except that the seller may not receive and the buyer may not pay the amount by which the price exceeds the maximum price until an order granting the requested adjustment has been issued. Any sale, contract to sell or offer to sell at the price requested in an application shall include the following:

(i) The maximum price established for the casting in question.

(ii) A statement that the quoted price is subject to approval by the Office of Price Administration.

(iii) A statement that an appropriate application has been filed or will be filed within five days with the Office of Price Administration.

(6) *Form of application.* An application for adjustment shall be made on the applicable Forms OPA 677:115b and 677:115c or OPA 677:115d and 677:115e, as the case may be, set forth as §§ 1395.20 to 1395.23, inclusive, of this regulation. Such forms may be obtained from any regional office of the Office of Price Administration or may be copied by the applicant from this regulation. Every application for adjustment shall contain a statement, signed by the seller, that the statements made in the application are known by the seller or a duly authorized officer or partner of the seller to be true and complete.

(7) *Place for filing application and number of copies.* An original and one copy of an application for adjustment must be filed with the Office of Price Administration, Washington, D. C.

(8) *Supplementary Order No. 9* [2] *and Procedural Regulation No. 6* [3] *apply.* Supplementary Order No. 9 issued by the Office of Price Administration dealing with applications for adjustment under Procedural Regulation No. 6, of maximum prices of sales pursuant to Government contracts or subcontracts shall not apply to applications for the adjustment of the maximum price of a nonferrous casting.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1395.13 *Records and reports.* (a) Every person making a sale of nonferrous castings or a purchase in the course of trade or business shall keep available for inspection by representatives of the Office of Price Administration for so long as the Emergency Price Control Act, as amended, or any applicable part, amendment or supplement remains in effect:

(1) Complete and accurate records of each sale, showing (i) the date of the sale, (ii) the name and address of the other party to the sale, (iii) the net price received or paid after adjustment for all extra charges, discounts, or other allowances, (iv) the quantity and description of each type of nonferrous casting sold, and (v) in the case of the seller, a summary of the calculations made in figuring the price charged (the summary of calculations may, when necessary, cover groups of castings sold at the same price); and

(2) All available records concerning sales and production, including costs, for the period after October 1, 1940.

(b) Such persons shall keep such other records and submit such other re-

[2] 7 F.R. 5444 9323.
[3] 7 F.R. 5087, 5664.

ports to the Office of Price Administration as the Office of Price Administration may from time to time require or permit, either in addition to or in substitution for records and reports required by this regulation.

§ 1395.14 *Enforcement.* (a) Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this regulation or any price schedule, regulation or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation, are urged to communicate with the nearest district, state or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1395.15 *Definitions.* (a) When used in this regulation the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Nonferrous castings" include all rough and machined castings poured from metal at less than seventy-five pounds of pressure per square inch in any type of mold, (as for example, molds of sand, plaster, cement, metal or any other substance) and made from aluminum, antimony, beryllium, bismuth, cadmium, cobalt, copper, lead, magnesium, nickel (other than heat resisting or corrosion resistant alloys to the extent subject to Maximum Price Regulation No. 214 [*]) tin, zinc, and their alloys where any one or any combination of the above metals equals or exceeds fifty per centum (50%) by weight of the total metal content and where use can be made of the casting without remelting, absorption in a chemical or plating process, extruding, drawing, rolling or forging into another form. The term "nonferrous casting" is also used to include a group of castings sold at the same price.

(3) "Sell or deliver any nonferrous casting" shall include a transaction in which the material for the casting is required to be sold or otherwise furnished to the seller by the buyer or any person on the buyer's behalf. In such case, the "price" under this regulation is the differential above the agreed cost of, or charge for the material, the intent here being to include under this regulation the so-called "toll", "conversion" or "service" agreements.

(4) An individual casting is considered to be "of the same class" as another casting unless differences in design or specification, including quantity, imposed by the customer or by order of government agencies result in differences in size, weight, intricacy of design, tolerances, inspection requirements or process of production, involving differences in total cost of manufacture per pound of 5% or more (figured on the basis provided in § 1395.4). A group of castings sold at a flat price is considered to be "of the same class" as another group of castings unless on the average for the group as a whole differences in individual castings or changes in the relative proportions of the individual castings result in differences in weight or size per casting, intricacy of design, tolerances, inspection requirements, or process of production involving differences in total cost of manufacture per pound of the group of castings of 5% or more (figured on the basis provided in § 1395.4). A difference in alloy between the major groups of alloys listed in § 1395.3 (c) shall be considered to be a difference in process, but a difference within any such major group of alloys shall not be so considered, even though involving differences in total cost per pound of 5% or more (figured on the basis provided in § 1395.4).

(5) "This regulation" means this Revised Maximum Price Regulation No. 125.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

§ 1395.16 *Geographical applicability.* The provisions of this regulation shall apply to the forty-eight states of the United States and to the District of Columbia.

§ 1395.17 *Effective date.* This regulation (§§ 1395.1 to 1395.23, inclusive) shall become effective February 1, 1943.

§ 1395.18 *Appendix A: Former maximum prices for non-ferrous castings sold during the period May 11, 1942 to February 1, 1943, inclusive*—(a) *Castings the same or substantially the same as those sold or contracted to be sold to a purchaser of the same class during the period from October 1 to October 15, 1941, inclusive.* The applicable maximum price for such castings was the highest net price (after adjustment for all applicable extra charges; quantity discounts, cash discounts or other allowances) at which the seller sold or contracted to sell such castings to a purchaser of the same class during the period from October 1 to October 15, 1941, inclusive.

(b) *Castings substantially different from those sold or contracted to be sold during the period from October 1 to October 15, 1941, inclusive, or castings the same or substantially the same as those sold or contracted to be sold during said period, but sold to a purchaser not of the same class.* The applicable maximum price for such castings was a net price (after adjustment for all applicable extra charges, quantity discounts, cash discounts or other allowances) not in excess of that at which the seller would have sold such castings to a purchaser of the same class on October 15, 1941, under the pricing formula or method of calculating price that would have been used by the seller on October 15, 1941 employing the same cost factors (wage rates, prices of materials and overhead) and profit margins which the seller or the seller's transferor would have used on October 15, 1941, even though the seller's cost or profit margins might have increased since that date.

(c) Permission to certain sellers heretofore designated to sell certain castings at prices specified in paragraphs (a) to (k), inclusive of § 1395.2 of Maximum Price Regulation No. 125 (prior to this revision) and entitled "Exceptions" terminate on January 31, 1943. On and after February 1, 1943, such prices may, however, be used as the base price in figuring prices under § 1395.3 (a) of Revised Maximum Price Regulation No. 125

§ 1395.19 *Appendix B:*

Budget Bureau Approval No 08-R299.43

OFFICE OF PRICE ADMINISTRATION

Washington, D. C.

NON-FERROUS CASTINGS

Form OPA 677-115a

(Specified by Revised Maximum Price Regulation No. 125, § 1395.1 (b))

REPORT ON NET SALES FOR ALL NON-FERROUS FOUNDRIES SELLING LESS THAN $12,500 OF NON-FERROUS CASTINGS IN THE PRECEDING QUARTER

FILE IN THE WASHINGTON OFFICE OF OPA BY THE 20TH OF JANUARY, APRIL, JULY AND OCTOBER

Report for quarter ended ---------- 194..
Name of company: ----------
Address ----------
City and State: ----------
Net sales of all products: $----------
Net sales of non-ferrous castings: ----------;
(dollars)

(pounds)

Number of employees on pay roll for last week of the quarter: ----------

The statements of fact in this report are known to the undersigned to be true and complete and the estimates given are believed to be correct.

Date: -------- (Signed) ----------
(Title) ----------

NOTE: Non-ferrous castings are defined in Revised Maximum Price Regulation No. 125 If the foundry sells other products besides non-ferrous castings, your best estimate of the volume of castings covered by this regulation is acceptable for the purposes of this form.

§ 1395.20 *Appendix C:*

Budget Bureau Approval No 08-R290-43

OFFICE OF PRICE ADMINISTRATION
Washington, D. C.

NON FERROUS CASTINGS

Form OPA 677-115b

(Specified by Revised Maximum Price Regulation No 125, § 1395.12 (a) (6))

APPLICATION FOR ADJUSTMENT OF MAXIMUM PRICES OF AN INDIVIDUAL CASTING OR A GROUP OF CASTINGS SOLD AT THE SAME PRICE

If adjustment is requested for all castings use Form OPA 677-115d

NOTE: The term "casting" refers to all castings of a particular design and specifications or a group of dissimilar castings to be sold at the same price per pound.

Fill out two copies of pages one and four for each application and two copies of pages two and three for each casting for which adjustment in price is requested.

Have each customer who buys the castings for which adjustment is sought fill in one copy of form OPA 677-115c and return it directly to the Washington office of OPA.

Name of company----------
Address----------
City and State----------

Type of business organization; Check one:
Individual ☐ Partnership ☐ Corporation ☐

For the definition of non-ferrous castings, see Revised Maximum Price Regulation No. 125.

A. Description of casting for which adjustment is requested:

(a) If this Application covers a group of castings to be sold at the same price per pound, or per piece, attach additional pages giving the following information for *each* casting in the group.

(1) Customer ----------
(2) Address----------
(3) Pattern No----------
(4) Description of casting----------
(5) End use (W. P. B. definition)----------
(6) Priority rating----------
(7) Type of pattern----------
(8) For how long a time have you made this casting?----------
(9) Quantity ordered----------
(10) Cores per casting----------
(11) Method of molding: ( ) Bench; ( ) Floor; ( ) Machine; Other----------
(specify)
(12) Type of mold----------
(13) Wt. per casting----------
(14) No. per mold----------
(15) a. If copper base, nearest OPA Ingot Identification No----------
b. If aluminum, customery trade designation No----------
c. If magnesium, ASTM No----------

(b If the casting was first made prior to February 1, 1943, is the alloy now used the same as that used prior to February 1, 1943? Yes------ No------. If the answer is "no," what alloy was used previously? Ingot Identification No. (as above):----------.

B. Sales of casting for which adjustment is requested:

(1) Actual net sales of this casting last fiscal year ended----------; ----------;
(date) (pounds)

(dollars)

(2) Actual net sales of this casting since end of last fiscal year—enter volume of sales at each different price which you charged.

Period covered		Price per pound	Net sales in pounds
From	To		
a.			
b.			
c.			
d.			

(3) Estimated net sales of this casting for remainder of current fiscal year: ------ (pounds).

Instructions for C—Reasons for requesting price adjustment.

Item

(1) a. *Column 1:*

Enter the purchase price used in arriving at your maximum price of one pound of metal. Insert in the note at the bottom of the table the date at which the metal price used actually prevailed in the market.

If the casting was sold or contracted to be sold *October 1–15, 1941*, or sold contracted to be sold or delivered *May 11, 1942 to January 31, 1943*, enter the price of the metal you then used in calculating the price of the casting.

If the casting was made *prior to February 1, 1943*, and remade *on or after February 1, 1943*, and the alloy of which the casting was made was changed to another alloy within the same group of alloys as defined in Revised Maximum Price Regulation No. 125, enter the price of the alloy originally used and fill in Question A (b). If the alloy was changed to an alloy (8) and in another group, the casting may become a casting of a different class. See Revised Maximum Price Regulation No. 125.

If the casting was first made *on or after February 1, 1943*, enter the current price of the metal as in Column 2 (12) (see below).

Column 2:

Enter current *purchase price* of one pound of metal. If a composition of various metals or of scrap, virgin and ingot, or any combination thereof is now used, compute the current cost of the actual combination at present prices. (14)

All other items in column 1—costs as of October 15, 1941; column 2—current costs. (15)

(1) b. If you made separate allowance for metal loss on October 15, 1941, include here; otherwise, omit this item and include in melting cost (Item (1) c).

(1) c. Include cost of direct labor, fuel, crucibles, etc., used directly in melting and pouring. If this cost was not segregated on October 15, 1941, include this cost in General Foundry Overhead (Item 6).

(2) a. State cost of direct or production
(3) a. labor; do not include indirect labor.
(4) a. If wage rates of men actually em-
and ployed on the job were used in calcu-
(7) a. lating prices on October 15, 1941, for Column 2 use current wage rates of men now actually employed on the job. If departmental or shop average wage rates were used on October 15, 1941, use department or shop average at current rates for Column 2. Overtime pay may be included in the average in Column 1 only if it was the foundry's practice to include such pay on October 15, 1941, but overtime pay may be included in figures in Column 2 in any case so that the average may reflect current costs accurately. If Item (4) a was not segregated on October 15, 1941, include this cost in General Foundry Overhead (Item 6).

(7) a. If you figure machining on a ma-
(7) b. chine-hour basis, combine Items (7) a and b.

(2) b. Overhead should include indirect
(3) b. labor, incidental materials, and mis-
(4) b. cellaneous shop expenses. This form
(7) b. provides for the allocation of shop
and overhead costs on the basis of (A) a percentage of direct labor cost for each department, (B) a percentage of total direct labor costs of the entire foundry, and (C) for companies with accounts for foundry and machine shop combined, for the entire shop. The method which reflects most nearly the established practice of the foundry on October 15, 1941, should be used. If, for example, it was the practice to allocate overhead in whole or in part on the basis of (A), any or all of the items (2) b, (3) b, (4) b, and (7) b should be stated. On the other hand, if it was the practice to allocate all or some of the overhead on the basis of (B) or (C), Items (6) and (11) should be used.

If you do not allocate overhead on a percentage basis but use a flat rate per hour or per day, *cross out the percentages* under "Items of Cost." Enter the rates per hour or per day, the poundage to which the rate applies and put the corresponding cost per pound in Columns 1 and 2.

Include here any other shop costs which you considered separately on October 15, 1941, for example, pattern making, special rigging, special finishing, heat treating, x-raying, etc. Indicate what the items are.

Enter here an allowance for imperfect castings, or indicate where else this item would be figured, as for instance, included in General Foundry Overhead (Item 6).

This item should cover the administrative and selling overhead applicable to the production of non-ferrous castings covered by this Regulation. *It should not include any allowance for profit or for income or excess profits taxes.*

Include cost of services purchased outside the company, such as pattern making, machining, etc., at their purchase cost plus whatever charges were added on October 15, 1941.

If it was customary to sell at a delivered price on October 15, 1941, include an allowance for delivery charges here, if separately calculated.

Profit at the rate provided on October 15, 1941—*Do not include provision for Federal and State income and excess profits taxes.*

Column 1 only:

If the casting was first made prior to February 1, 1943, enter 1½ cents per pound for copper base alloys, 3 cents per pound for aluminum base alloys, and 3 cents per pound for magnesium base alloys, and subtract these amounts to arrive at the maximum price.

C. Reasons for requesting price adjustment:

In the following form fill in the factors entering into the pricing of the casting for which you are requesting price adjustment. In Column 1 give the cost factors as they are figured under Revised Maximum Price Regulation No. 125, that is, on the basis of costs on October 15, 1941, except for metal cost (see instructions); in Column 2 give the cost factors as you now figure them. Append a detailed explanation of any differences between Columns 1 and 2. If you are now *certain* that any of your costs will be different during the remainder of the current fiscal year, state these facts and give an estimate of the effect on pricing. If you have firm orders for this casting extending into the next fiscal year, state amount of those orders which will be delivered in the next year.

[*] 7 F R 7001, 8948

Read instructions on opposite page before filling in the form.

Pricing Sheet for Casting for Which Adjustment is Requested.

(All figures in cents per pound)

Items of cost	Column 1 Pricing on basis required by Revised MPR 125	Column 2 Estimated current costs
(1) Metal		
a. Purchase price*		
b. Metal loss allowance		
c. Melting cost		
(2) Molding		
a. Direct labor		
b. Overhead @ ---- %		
(3) Coremaking		
a. Direct labor		
b. Overhead @ ---- %		
(4) Cleaning		
a. Direct labor		
b. Overhead @ ---- %		
(5) Total (1 through 4)		
(6) General Foundry Overhead @ ---- %		
(7) Machining		
a. Direct labor		
b. Overhead @ ---- %		
(8)		
(9)		
(10) Total (5 through 9)		
(11) General Manufacturing Overhead @ ---- %		
(12) Allowance for Defective @ ---- %		
(13) Total Shop Cost (10+11+12)		
(14) Administrative & Selling Overhead @ ---- %		
(15) Outside Services		
(16) Delivery		
(17) Total Cost (13+14+15+16)		
(18) Profit		
(19) Total (17+18)		//////////
(20) Metal Price Adjustment		//////////
(21) Price Established by Rev. MPR 125	//////////	//////////
(22) Price Requested	//////////	

*Date when price for metal quoted in Column 1 actually prevailed in market ----------

D. Financial data for the company:

If Financial Report Forms A and B have been submitted to OPA by the company for 1941 and any of the quarters of 1942, no information which duplicates material contained in these financial reports need be submitted; but a statement should be attached that, "Financial Report Form A (or B) has been submitted to OPA for ----------[give fiscal period covered]."

(1) If the company sells *only* non-ferrous castings—

Submit balance sheets and related statements of profit and loss and surplus for each year 1936 through the most recent fiscal year and quarterly reports from the end of the last fiscal year through the most recent accounting period. Income statements should show the following items separately:

(a) net sales of non-ferrous castings in dollars and in pounds
(b) costs of sales
(i) wages
(ii) direct metal costs
(iii) other manufacturing costs
(c) general selling and administrative expenses—State compensation of all officers and directors separately.
(d) amounts charged for depreciation (other than amounts included in (b)), amortization, contingencies and other reserves
(e) net income before Federal and State income and excess profits taxes.
(f) net income after Federal and State income and excess profits taxes.

(2) If the company sells *other products besides* non-ferrous castings—

Submit for the periods stated in (1) balance sheets for the company as a whole; and related statements of profit and loss and surplus as follows:

(a) If the accounts are segregated for the foundry alone, give the statements for the foundry, and

(b) if the accounts are not segregated, present the statements for the company as a whole, showing thereon an allocation of the items listed in (1) for the foundry alone with the basis of allocation.

Give in addition the net book value of the plant devoted to foundry operations at each of the indicated periods.

The statements of fact in this report are known to the undersigned to be true and complete, and the estimates given are believed to be correct.

(Applicant)

By ----------

(Title)

§ 1395.21 *Appendix D:*

Budget Bureau Approval No. 08-R291-43

OFFICE OF PRICE ADMINISTRATION

Washington, D. C.

NON-FERROUS CASTINGS

Form OPA 677:115c

(Specified by Revised Maximum Price Regulation No. 125, § 1395.12 (a) (6))

FOR CUSTOMERS

FILL IN THE BLANKS IN PART (A) AND ASK EACH CUSTOMER AFFECTED TO ANSWER THE QUESTIONS IN PART (B) AND RETURN THE FORM DIRECTLY TO THE WASHINGTON OFFICE OF OPA

A. The ---------- (name of foundry) is requesting a price increase from (____) cents per pound (or piece) to (____) cents per pound (or piece) on castings made from Pattern No ----------

B. (1) Name of customer----------

(2) Address of customer----------

(3) If foundry named in Part (A) stops supplying you, will you be able to secure needed supplies of castings from other foundries? Yes ____ No ____

(4) If the answer to (3) is "no," is the reason—

(a) because there are no other foundries in your vicinity ( )

(b) foundries in your vicinity do not have capacity to absorb your orders at present ( )

(c) no other foundry can develop the necessary skill to make the castings in a reasonable length of time ( )

(d) other (explain).

(5) If the answer to (3) is "yes,"—

(a) Are the requested prices generally higher ( ), the same ( ) or lower ( ) than those at which you can get the castings from other foundries?

(b) If the requested prices are higher or lower than those of other foundries, is the difference, 0–5% ( ), 5–10% ( ), more than 10% ( )?

(Signed) ----------

§ 1395.22 *Appendix E:*

Budget Bureau Approval No. 08-R292-43

OFFICE OF PRICE ADMINISTRATION

Washington, D. C.

NON-FERROUS CASTINGS

Form OPA 677: 115d

(Specified by Revised Maximum Price Regulation No. 125, § 1395.12 (a) (6))

APPLICATION FOR ADJUSTMENT OF MAXIMUM PRICES OF ALL CASTINGS

FILL OUT TWO COPIES OF EACH PAGE OF THIS FORM. FILL IN PART (A) ON SIX COPIES OF FORM OPA 667:115E AND ASK EACH OF YOUR SIX LARGEST CUSTOMERS TO FILL IN PART (B) OF ONE FORM AND RETURN IT DIRECTLY TO THIS OFFICE

Name of company ----------

Address: ----------

City and State: ----------

Type of business organization; Check one:

Individual ( )
Corporation ( )
Partnership ( )

A. Amount of price increase requested and customers affected:

(1) State amount of price increase requested: (fill in one) ------ cents per pound or ------ percent of present prices.

(2) Estimated net sales from end of most recent accounting period to end of fiscal year: $--------, at present prices. Most recent accounting period ended --------. Fiscal year ends --------.

(3) Attach a list of the names and addresses of your six largest customers.

B. Reasons for requesting price adjustment.

Attach a statement of the reasons for requesting price adjustment. Explain what conditions have arisen with respect to the business which make present prices yield an income inadequate to keep the foundry in business.

C. Financial data for the company:

If Financial Report Forms A and B have been submitted to OPA by the company for 1941 and any of the quarters of 1942, no information which duplicates material contained in these financial reports need be submitted; but a statement should be attached that, "Financial Report Form A (or B) has been submitted to OPA for ----------[give fiscal period covered]."

(1) If the company sells *only* non-ferrous castings—

Submit balance sheets and related statements of profit and loss and surplus for each year 1936 through the most recent fiscal year and quarterly reports from the end of the last fiscal year through the most recent accounting period. Income statements should show the following items separately:

(a) Net sales of non-ferrous castings in dollars and in pounds

(b) Costs of sales
(i) Wages
(ii) Direct metal costs
(iii) Other manufacturing costs
(c) General selling and administrative expenses—State compensation of all officers and directors separately.
(d) Amounts charged for depreciation (other than amounts included in (b)), amortization, contingencies and other reserves
(e) Net income before Federal and State income and excess profits taxes
(f) Net income after Federal and State income and excess profits taxes

(2) If the company sells other products besides non-ferrous castings—

Submit for the period stated in (1) balance sheets for the company as a whole; and related statements of profit and loss and surplus as follows:

(a) If the accounts are segregated for the foundry alone, give the statements for the foundry, and

(b) if the accounts are not segregated, present the statements for the company as a whole, showing thereon an allocation of the items listed in (1) for the foundry alone with the basis of allocation.

Give in addition the net book value of the plant devoted to foundry operations at each of the indicated periods.

The statements of fact in this report are known to the undersigned to be true and complete, and the estimates given are believed to be correct.

(Applicant)

By ----------

(Title)

§ 1395.23 *Appendix F:*

Budget Bureau Approval No. 08-R293-43

OFFICE OF PRICE ADMINISTRATION

Washington, D. C.

NON-FERROUS CASTINGS

Form OPA 677:115e

(Specified by Revised Maximum Price Regulation No. 125, § 1395.12 (a) (6))

FOR CUSTOMERS

FILL IN THE BLANKS IN PART (A) AND ASK YOUR SIX LARGEST CUSTOMERS TO ANSWER THE QUESTIONS IN PART (B) AND RETURN THE FORM DIRECTLY TO THE WASHINGTON OFFICE OF OPA

A. The ---------- (name of foundry) is requesting a price increase of ( ) percent or ( ) cents per pound *on all castings.*

B (1) Name of Customer: ----------

(2) Address of Customer: ----------

(3) If foundry named in Part (A) stops supplying you, will you be able to secure needed supplies of castings from other foundries? Yes ____ No ____

(4) If the answer to (3) is "no," is the reason—

(a) because there are no other foundries in your vicinity ( )

(b) foundries in your vicinity do not have capacity to absorb your orders at present ( )

(c) no other foundry can develop the necessary skill to make the castings in a reasonable length of time ( )

(d) other (explain).

(5) If the answer to (3) is "yes,"—

(a) On the whole are the requested prices higher ( ), the same ( ) or lower ( ) than those at which you can get the castings from other foundries?

(b) If the requested prices are higher or lower than those of other foundries, is the difference 0–5% ( ), 5–10% ( ), more than 10% ( )?

(Signed) ----------

Issued this 27th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1434; Filed, January 27, 1943; 12:31 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Restriction Order 1,[1] Amendment 12]

MEAT RESTRICTION

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new sentence is added at the end of paragraph (a) of § 1407.904; a new subparagraph (1) is added to § 1407.925, to read as set forth below:

§ 1407.904 *Deliveries of non-quota slaughterers restricted.* (a) * * * The serving of controlled meat in meals by an exempt purchaser designated in § 1407.912 (a) (4) shall not be subject to the restrictions of this section.

§ 1407.925 *Effective dates of amendments.* * * *

(1) Amendment No. 12 (§§ 1407.904 (a) and 1407.925 (1)) to Restriction Order No. 1 shall become effective as of February 2, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, 729, 77th Cong.; W.P.B. Directive No. 1, Supp. Dir. No. 1-M, 7 F.R. 562, 7234)

Issued this 27th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1435; Filed, January 27, 1943; 12:32 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 97 to Supp. Reg. 14[2] to GMPR[3]]

SALES BY INDEPENDENT COLLECTORS TO GREASE RENDERERS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Inferior subdivision (*d*) of § 1499.73 (a) (3) (ii) of Supplementary Regulation 14 to General Maximum Price Regulation, is amended to read as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) * * *

(3) * * *

(ii) * * *

(*d*) Five cents per pound on sales by an independent collector to a renderer, except that on sales by an independent collector to a renderer of grease collected in those areas in which no independent collector or renderer collected fat bearing or oil bearing waste materials during the period from May 1, 1942, to July 6, 1942, inclusive, the maximum price shall be seven cents per pound. If the grease is not picked up by the renderer at the place of business of the independent collector but is shipped to the renderer with the cost of transportation being paid by the independent collector, the actual cost of transportation may be added to the maximum prices herein specified.

(b) *Effective dates.* * * *

(98) Amendment No. 97 (§ 1499.73 (a) (3) (ii) (*d*)) to Supplementary Regulation No. 14 shall become effective February 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1424; Filed, January 27, 1943; 12:30 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 15 Under Supp. Reg. 15 of GMPR]

W. C. M'QUAIDE

Order No. 15 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation—Docket No. GF3-2543.

For the reasons set forth in an opinion issued simultaneously herewith: *It is ordered:*

§ 1499.1315 *Adjustment of maximum prices for contract carrier services by W. C. McQuaide, of Apollo, Pennsylvania.* (a) W. C. McQuaide, 512 North Seventh Street, Apollo, Pennsylvania, hereinafter referred to as applicant, may charge as maximum rates 5% more than applicant's March 1942 rates for applicant's services as a contract carrier by motor vehicle: *Provided*, That applicant shall for the 12 months following October 1, 1942, file quarterly profit and loss statements and balance sheets with this Office.

(b) All requests of the application not granted herein are denied.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 7829, 8217, 8524, 9247, 9250, 9639, 10258, 10621, 10704, 8 F.R. 375, 926.

[2] 7 F.R. 5486, 5709, 5911, 6008, 6271, 6369, 6473, 6477, 6774, 6775, 6776, 6793, 6887, 6892, 6939, 6965, 7011, 7012, 7203, 7250, 7289, 7365, 7400, 7401, 7453, 7510, 7511, 7535, 7536, 7538, 7604, 7671, 7739, 7812, 7914, 7946, 8024, 8199, 8237, 8351, 8358, 8524, 8652, 8707, 8881, 8889, 8950, 8953, 8954, 8955, 8959, 9043, 9196, 9391, 9397, 9495, 9496, 9539, 9786, 9901, 9910, 10069, 10111, 10022, 10150, 10231, 10294, 10346, 10381, 10460, 10537, 10705, 10557, 10583, 10865, 11005; 8 F.R. 276, 439, 494, 535, 589, 863, 876, 878, 980, 1030.

[3] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5484, 5565, 5775, 5784, 5783, 6058, 6081, 6001, 6007, 6216, 6215, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371.

(c) This Order No. 15 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 15 (§ 1499.1315) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 15 (§ 1499.1315) shall become effective January 28, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1423; Filed, January 27, 1943; 12:32 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 247 Under § 1499.3 (b) of GMPR]

STANDARD BRANDS, INC.

For the reasons set forth in an opinion issued simultaneously herewith: *It is ordered:*

§ 1499.1483 *Authorization of maximum price for sale of "Sted Cereal Beverage" by wholesalers and by retailers.* (a) On and after January 28, 1943, the maximum price for sales of "Sted Cereal Beverage" by Standard Brands, Inc., having its principal place of business in New York, New York, shall be as follows:

(1) Delivered by applicant's trucks to retail stores: 15½¢ net per pound package.

(2) Direct shipments by common carrier to customer's place of business: 15¢ per pound package, less 2% cash discount 10 days.

(b) Wholesalers shall determine their maximum delivered selling price under the provisions of Maximum Price Regulation 237 as amended.

(c) Retailers shall determine their maximum delivered selling price under the provisions of Maximum Price Regulation 238 as amended.

(d) This Order No. 247 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 247 (§ 1499.1483) shall become effective January 28, 1943.

(Public Laws 421 and 729, 77th Cong.; E.O. 9250, F.R. 7871)

Issued this 27th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1425; Filed, January 27, 1943; 12:32 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 248 Under § 1499.3 (b) of GMPR]

DOUBLE-MIX, INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1484 *Authorization of maximum prices for sales of "Double-Mix", a reagent compound in tablet form used with milk and butter to produce a butterlike spread, packed eight 35 grain tablets to an envelope, 50 envelopes to the carton, by Double-Mix, Inc., Kansas City, Missouri.* (a) On and after January 28, 1943, the maximum selling price for "Double-Mix" for sale by Double-Mix, Inc., Kansas City, Missouri, shall be:

Per carton of 50 envelopes, eight 35 grain tablets per envelope $1.44

The maximum price established herein applies on a delivered basis to the purchasers' stations, and shall be subject to a discount of 2% for prompt payment.

(b) Sellers at wholesale are authorized a selling price per carton for "Double-Mix" of not more than $1.80 per carton of 50 envelopes delivered to the purchasers' customary receiving points.

(c) Sellers at retail are authorized maximum delivered selling prices per envelope of eight 35 grain tablets of "Double-Mix" as follows:

If the retailer's customary supplier is a wholesaler, such retail price shall in no case exceed five cents per envelope of eight 35 grain tables.

If the retailer's customary supplier is the manufacturer (Double-Mix, Inc.,) the retail price shall in no case exceed four cents per envelope of eight tablets.

(d) Sellers at wholesale shall apply their customary allowances, discounts, and/or trade practices to the sale of "Double-Mix" as apply to comparable commodities of this type and classification unless a change in these customary allowances, discounts and/or trade practices results in a lower selling price.

(e) On and after January 28, 1943, Double-Mix, Inc., shall supply to each of its purchasers before or at the time of the first delivery of "Double-Mix" to such purchasers a written notification for each type of purchaser, and for a period of three months thereafter shall include with each carton of "Double-Mix" a written notification to retailers. If such retailer notification is enclosed in the carton, a legend shall be affixed to the outside of such carton to read "Retailer's Notice Enclosed". The written notifications, for each type of purchaser, shall include the following appropriate statements:

Notification From Double-Mix, Inc., to Purchasers

The Office of Price Administration has authorized us to charge the following price for "Double-Mix": $1.44 per carton of 50 envelopes, each envelope containing eight 35 grain tablets. Sellers at wholesale are authorized a maximum delivered selling price per carton of 50 envelopes of "Double-Mix" of $1.80.

Sellers at retail who customarily purchase "Double-Mix" from wholesalers are authorized a maximum selling price of 5¢ per envelope of eight 35 grain tablets.

Sellers at retail who customarily purchase "Double-Mix" directly from us are authorized a maximum selling price of 4¢ per envelope of eight 35 grain tablets.

A copy of notification to retailers is included in or on every shipping unit of this item. If the initial sale of this item is a split carton sale, i. e., less than one carton of 50 envelopes, wholesalers are required to provide such retailers with a copy of the retail notification so enclosed. OPA requires that you keep this notice for examination.

Notification From Double-Mix, Inc., to Retailers

The Office of Price Administration has authorized maximum selling prices for retail sellers of "Double-Mix" as follows: Retail sellers who customarily purchase this product from wholesalers are authorized a maximum selling price of 5¢ per envelope of eight 35 grain tablets. Retail sellers who customarily purchase this product directly from us are authorized a maximum selling price of 4¢ per envelope of eight 35 grain tablets.

(f) This Order No. 248 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 248 (§ 1499.1484) shall become effective as of January 28, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1426; Filed, January 27, 1943; 12:28 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 249 Under § 1499.3 (b) of GMPR]

KITCHEN ART FOODS, INC., AND JEWEL TEA CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1485 *Authorization of maximum prices for sales of "Jewel Spaghetti Sauce Mix", a preparation used to produce a sauce, packed four envelopes of ¾ ounce each to the carton for sale by Kitchen Art Foods, Inc., 226 West Ontario Street, Chicago, Illinois, and by Jewel Tea Company, Barrington Park, Illinois.* (a) On and after January 28, 1943, the maximum selling price for "Jewel Spaghetti Sauce Mix" for sale by Kitchen Art Foods, Inc., Chicago, Illinois, shall be 11½ cents per carton of 4 envelopes, each envelope containing ¾ ounce net weight.

The maximum price established herein applies on a delivered basis to the purchaser's customary receiving point and shall be subject to a discount of 2% for prompt payment.

(b) Jewel Tea Company of Barrington Park, Illinois, is authorized to establish a maximum selling price of 29 cents per carton of 4 envelopes of "Jewel Spaghetti Sauce Mix".

(c) Kitchen Art Foods, Inc., Chicago, Illinois, and Jewel Tea Company, Barrington Park, Illinois, shall apply their customary allowances, discounts and trade practices to the sale of "Jewel Spaghetti Sauce Mix" as apply to comparable commodities of this type and classification, unless a change in these customary allowances, discounts and trade practices results in a lower selling price.

(d) Before or at the time of the first delivery of "Jewel Spaghetti Sauce Mix" to Jewel Tea Company, Barrington Park, Illinois, Kitchen Art Foods, Inc., Chicago, Illinois, shall supply a written notice to Jewel Tea Company as follows:

Notification From Kitchen Art Foods, Inc., to Jewel Tea Company

The Office of Price Administration has authorized us to charge 11½ cents per carton of four envelopes each containing ¾ ounce of "Jewel Spaghetti Sauce Mix," subject to a discount of 2% for prompt payment. As a seller at retail, you are authorized to establish a maximum selling price of 29¢ per carton of 4 envelopes. The Office of Price Administration requires that you keep this notice for examination.

(e) This Order No. 249 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 249 (§ 1499.1485) shall become effective January 28, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1427; Filed, January 27, 1943; 12:28 p. m.]

§ 1499.1486 *Adjustment of maximum prices for aircraft plywood manufactured by American Plywood Corporation.* (a) American Plywood Corporation of New London, Wisconsin, may sell and deliver aircraft plywood in specifications AN-NN-P-511b, and any person may buy such plywood from American Plywood Corporation, at prices, f. o. b. New London, Wisconsin, no higher than those hereinafter set forth:

MAXIMUM PRICES PER THOUSAND SQUARE FEET FOR AIRCRAFT PLYWOOD, AN-NN-P-511b SPECIFICATIONS F. O. B. NEW LONDON, WISCONSIN

Length	Birch—Birch		Birch—Poplar		Gum—Gum		Gum—Poplar		Mahogany—Mahogany		Mahogany—Poplar		Poplar—Poplar or Basswood—Basswood	
	90°	45°	90°	45°	90°	45°	90°	45°	90°	45°	90°	45°	90°	45°
3 PLY														
32"	48" and under	$307.50	$435.00			$282.50	$410.00			$240.00	$415.00			$217.50	$317.50
36"	72" limit	347.50	485.00			320.00	460.00			270.00	470.00			247.50	360.00
36"	72" and under	235.00	302.50			217.50	285.00			185.00	290.00			167.50	227.50
36"	144" limit	255.00	340.00			235.00	312.50			200.00	315.00			185.00	250.00
36"	144" and under	175.00	227.50			160.00	217.50			135.00	220.00			122.50	175.00
36"	96" limit	185.00	260.00			167.50	235.00			140.00	235.00			130.00	185.00
36"	96" and under	130.00	177.50			117.50	162.50			100.00	165.00			92.50	130.00
42"	144" limit	205.00	287.50			185.00	262.50			160.00	265.00			147.50	205.00
42"	144" and under	145.00	202.50			130.00	185.00			110.00	185.00			102.50	145.00
42"	96" limit	150.00	210.00			135.00	192.50			115.00	190.00			105.00	150.00
42"	96" and under	102.50	145.00			92.50	130.00			80.00	130.00			72.50	102.50
48"	144" limit	175.00	245.00			157.50	222.50			135.00	225.00			125.00	175.00
48"	144" and under	122.50	172.50			110.00	157.50			95.00	157.50			87.50	122.50
48"	96" limit	130.00	182.50			117.50	165.00			100.00	165.00			92.50	130.00
48"	96" and under	87.50	122.50			80.00	110.00			70.00	115.00			65.00	92.50
5 PLY														
48" or 35½"	84" and under	292.50	422.50	257.50	375.00	265.00	410.00	415.00	590.00	310.00	445.00	297.50	367.50	317.50	450.00
36"	84" and under	310.00	447.50	270.00	392.50	280.00	440.00	440.00	625.00	330.00	470.00	315.00	420.00	337.50	480.00
36"	96" limit	320.00	462.50	285.00	397.50	290.00	455.00	455.00	645.00	340.00	485.00	325.00	435.00	350.00	495.00
36"	96" and under	310.00	447.50	275.00	385.00	280.00	440.00	440.00	625.00	330.00	470.00	315.00	420.00	337.50	480.00
42"	144" limit	357.50	515.00	317.50	440.00	325.00	505.00	505.00	715.00	380.00	540.00	362.50	485.00	390.00	550.00
42"	96" limit	367.50	530.00	325.00	455.00	335.00	520.00	520.00	735.00	390.00	555.00	375.00	500.00	402.50	570.00
42"	96" and under	357.50	515.00	317.50	440.00	325.00	505.00	505.00	715.00	380.00	540.00	362.50	485.00	390.00	550.00
48"	144" limit	402.50	580.00	357.50	497.50	365.00	570.00	570.00	805.00	430.00	610.00	410.00	545.00	440.00	620.00
48"	96" limit	415.00	597.50	367.50	512.50	375.00	585.00	585.00	830.00	440.00	625.00	422.50	560.00	452.50	640.00
48"	96" and under	402.50	580.00	357.50	497.50	365.00	570.00	570.00	805.00	430.00	610.00	410.00	545.00	440.00	620.00
6 PLY														
48" or 35½"	84" and under	375.00	540.00	330.00	465.00	340.00	515.00	515.00	730.00	390.00	495.00	375.00	445.00	400.00	570.00
36"	84" and under	392.50	565.00	345.00	485.00	355.00	540.00	540.00	765.00	405.00	515.00	390.00	460.00	415.00	590.00
36"	96" limit	405.00	582.50	355.00	500.00	365.00	555.00	555.00	790.00	420.00	530.00	405.00	475.00	430.00	610.00
36"	96" and under	392.50	565.00	345.00	485.00	355.00	540.00	540.00	765.00	405.00	515.00	390.00	460.00	415.00	590.00
42"	144" limit	452.50	652.50	397.50	560.00	410.00	640.00	640.00	910.00	485.00	615.00	460.00	550.00	490.00	700.00
42"	96" limit	462.50	667.50	405.00	572.50	420.00	655.00	655.00	930.00	495.00	630.00	470.00	560.00	500.00	715.00
42"	96" and under	452.50	652.50	397.50	560.00	410.00	640.00	640.00	910.00	485.00	615.00	460.00	550.00	490.00	700.00
48"	144" limit	515.00	745.00	455.00	640.00	470.00	735.00	735.00	1,040.00	555.00	705.00	525.00	630.00	560.00	805.00
48"	96" limit	530.00	765.00	465.00	655.00	480.00	750.00	750.00	1,070.00	570.00	725.00	540.00	645.00	575.00	825.00
48"	96" and under	515.00	745.00	455.00	640.00	470.00	735.00	735.00	1,040.00	555.00	705.00	525.00	630.00	560.00	805.00
7 PLY														
36"	84" and under	565.00	815.00	495.00	715.00	510.00	775.00	775.00	1,120.00	595.00	760.00	565.00	680.00	615.00	885.00
36"	96" limit	580.00	835.00	505.00	730.00	525.00	795.00	795.00	1,150.00	610.00	780.00	580.00	695.00	630.00	910.00
36"	96" and under	565.00	815.00	495.00	715.00	510.00	775.00	775.00	1,120.00	595.00	760.00	565.00	680.00	615.00	885.00
42"	144" limit	650.00	940.00	570.00	825.00	590.00	895.00	895.00	1,290.00	685.00	875.00	650.00	785.00	710.00	1,020.00
42"	96" limit	670.00	965.00	585.00	845.00	605.00	925.00	925.00	1,330.00	705.00	900.00	670.00	810.00	730.00	1,050.00
42"	96" and under	650.00	940.00	570.00	825.00	590.00	895.00	895.00	1,290.00	685.00	875.00	650.00	785.00	710.00	1,020.00
48"	144" limit	740.00	1,070.00	650.00	940.00	675.00	1,020.00	1,020.00	1,470.00	785.00	1,000.00	740.00	895.00	810.00	1,160.00
48"	96" limit	760.00	1,100.00	665.00	960.00	690.00	1,050.00	1,050.00	1,510.00	805.00	1,030.00	760.00	920.00	830.00	1,190.00
48"	96" and under	740.00	1,070.00	650.00	940.00	675.00	1,020.00	1,020.00	1,470.00	785.00	1,000.00	740.00	895.00	810.00	1,160.00
9 PLY														
36"	84" and under	880.00	1,260.00	770.00	1,110.00	795.00	1,240.00	1,240.00	1,790.00	930.00	1,190.00	880.00	1,060.00	960.00	1,380.00
36"	96" limit	910.00	1,300.00	795.00	1,140.00	820.00	1,280.00	1,280.00	1,850.00	960.00	1,230.00	910.00	1,100.00	990.00	1,430.00
36"	96" and under	907.50	1,300.00	795.00	1,140.00	820.00	1,280.00	1,280.00	1,850.00	960.00	1,230.00	910.00	1,100.00	990.00	1,430.00
42"	144" and under	1,180.00	1,650.00	1,030.00	1,480.00	1,060.00	1,650.00	1,650.00	2,370.00	1,240.00	1,580.00	1,170.00	1,410.00	1,280.00	1,840.00
42"	96" limit	1,210.00	1,700.00	1,060.00	1,520.00	1,090.00	1,700.00	1,700.00	2,440.00	1,280.00	1,630.00	1,210.00	1,450.00	1,320.00	1,900.00
42"	96" and under	1,180.00	1,650.00	1,030.00	1,480.00	1,060.00	1,650.00	1,650.00	2,370.00	1,240.00	1,580.00	1,170.00	1,410.00	1,280.00	1,840.00
48"	144" and under	1,340.00	1,880.00	1,170.00	1,680.00	1,200.00	1,880.00	1,880.00	2,700.00	1,410.00	1,800.00	1,340.00	1,610.00	1,460.00	2,100.00
48"	96" limit	1,370.00	1,930.00	1,200.00	1,720.00	1,230.00	1,930.00	1,930.00	2,770.00	1,440.00	1,850.00	1,370.00	1,650.00	1,490.00	2,140.00
48"	96" and under	1,340.00	1,880.00	1,170.00	1,680.00	1,200.00	1,880.00	1,880.00	2,700.00	1,410.00	1,800.00	1,340.00	1,610.00	1,460.00	2,100.00

The following quantity differentials apply on quantities less than 500 sq. ft. of a size and kind.
250 to 499 square feet of a size and kind—add 7½%.
100 to 249 square feet of a size and kind—add 15%.
50 to 99 square feet of a size and kind—add 25%.
25 to 49 square feet of a size and kind—add 35%.
Less than 25 square feet of a size and kind—add 50%.

(b) All discounts, credit allowances and other terms relating to payment in effect by applicant in March 1942 shall apply to the prices herein determined.

(c) All prayers of the applicant not granted herein are denied.

(d) This Order No. 250 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 250 (§ 1499.1486) shall become effective this 28th day of January 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1428; Filed, January 27, 1943; 12:28 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11,[1] Amendment 33]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new sub-title is added and a new § 1394.5715 under it is added; and a new paragraph (gg) is added to § 1394.5902; as set forth below:

Emergency Orders

§ 1394.5715 *Emergency orders by Regional Administrators.* (a) Any Regional Administrator for a region which includes, in whole or in part, any of the states enumerated in paragraph (c) of this section, who finds that within any locality or localities in such area an emergency in the transportation or distribution of fuel oil exists which endangers the public health or welfare or the war effort, may:

(1) Issue an emergency order, effective in such locality or localities, directing that transfers of fuel oil to consumers entitled to acquire fuel oil under any of the provisions of these regulations, shall be made in such order of priority or under such limitations as he may designate.

(2) Join with any other Regional Administrator in the issuance of any emergency order which may be issued under this section.

(b) When the terms of any emergency order issued pursuant to paragraph (a) of this section conflict with any of the other provisions of these regulations, the terms of the emergency order shall prevail.

(c) The States referred to in paragraph (a) of this section mean: Connecticut, Florida (east of the Apalachicola River), Georgia, Delaware, Maryland, Maine, Massachusetts, New Jersey, New Hampshire, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia and the District of Columbia.

Effective Date

§ 1394.5902 *Effective date of corrections and amendments.* * * *

(gg) Amendment No. 33 (§ 1394.5715) to Ration Order No. 11 shall become effective on January 27, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507; Pub. Law 421, 77th Cong., W.P.B. Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1-O, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 27th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1453; Filed, January 27, 1943; 4:08 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11,[1] Amendment 34]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In subparagraph (1) of paragraph (b) of § 1394.5201, the phrase "From February 9, 1943, to March 31, 1943, inclusive" is amended to read "From February 2, 1943, to April 17, 1943, inclusive"; in subparagraph (2) of said paragraph (b), the phrase "From February 7, 1943, to March 26, 1943, inclusive," is amended to read "From January 31, 1943, to April 12, 1943, inclusive"; in subparagraph (3) of said paragraph (b), the phrase "From February 3, 1943, to March 20, 1943, inclusive" is amended to read "From January 27, 1943, to April 6, 1943, inclusive"; and in subparagraph (4) of said paragraph (b), the phrase "From February 6, 1943, to March 20, 1943, inclusive" is amended to read "From January 30, 1943, to April 6, 1943, inclusive"; and a new paragraph (hh) is added to § 1394.5902; as set forth below:

Effective Date

§ 1394.5902 *Effective date of corrections and amendments.* * * *

(hh) Amendment No. 34 (§ 1394.5201) to Ration Order No. 11 shall become effective on January 28, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong., W.P.B. Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1-O, 7 F.R. 8418, E.O. No. 9125, 7 F.R. 2719)

Issued this 27th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1454; Filed, January 27, 1943; 4:07 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Amendment 3 to Supplement 1 [2] to Ration Order 11 [1]]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the division of the Federal Register.*

A new subparagraph (4) is added to § 1394.9101 (a), as set forth below:

§ 1394.9101 *Designation of unit value in gallons of fuel oil.* (a) * * *

(4) The value of one unit represented by coupons numbered "4" on Class 1 coupon sheets, and the value of ten units represented by coupons numbered "4" on Class 2 coupon sheets are hereby fixed as:

(i) Nine (9) gallons and ninety (90) gallons, of fuel oil, respectively, in the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, and Florida (east of the Apalachicola River), and the District of Columbia;

(ii) Eleven (11) gallons and one hundred and ten (110) gallons, of fuel oil, respectively, in the States of Iowa, Michigan, Minnesota, Nebraska, Wisconsin, North Dakota and South Dakota, and those parts of the States of Ohio, Indiana, Illinois, Missouri and Kansas which lie in Thermal Zone B;

(iii) Ten (10) gallons and one hundred gallons (100) of fuel oil, respectively, in the State of Kentucky and in those parts of the States of Ohio, Indiana, Illinois, Missouri and Kansas which lie in Thermal Zone C.

(b) *Effective dates.* * * *

(4) Amendment No. 3 to Supplement No. 1 (§ 1394.9101) shall become effective on January 28, 1943.

(Pub. Law. 671, 76th Cong., as amended by Pub. Laws 89 and 507; Pub. Law 421, W.P.B. Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1-O, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719).

Issued this 27th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1456; Filed, January 27, 1943; 4:08 p. m.]

PART 1394—RATIONING OF FUEL AND FULL PRODUCTS

[Ration Order 5C,[1] Amendment 18]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale to this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subparagraphs (45), (46), (47), (48), (49) and (50) are added to paragraph (a) of § 1394.7551; in subparagraph (10)

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8480, 8708, 8809, 8897, 9316, 9396, 9492, 9430, 9427, 9621, 9784, 10153, 10081, 10379, 10532, 10531, 10780, 10707, 11118, 11071; 8 F.R. 165, 237, 437, 369, 374, 535, 439, 444, 607, 608, 977.

[2] 7 F.R. 8708.

[1] 7 F.R. 9135, 9787, 10147, 10016, 10130, 10338, 10706, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 607, 565, 1028.

of such paragraph the word "checks", is inserted between the word "coupons," and the phrase "acknowledgments of delivery"; in paragraph d) of § 1394.8201, the phrase "surrender to the Board for cancellation inventory coupons or other evidences" is deleted and the phrase "issue to the Board a check" is substituted therefor; in paragraph (a) of § 1394.8205 the phrase "exchanged at any Board by a dealer or intermediate distributor" is deleted, and the phrase "exchanged at any Board by a dealer" is substituted therefor; in paragraph (a) of § 1394.8206 the phrase "and intermediate distributor" is deleted; the heading "Ration Banking" is inserted immediately following § 1394.8206; in paragraph (a) of § 1394.8214, the phrase "A distributor may at any time" is deleted, and the phrase "A distributor shall, whenever he is expressly required by a provision of Ration Order No. 5C to do so," is substituted therefor; in paragraph (b) of § 1394.8218, and in § 1394.8219, the word "certificate," and the phrases "exchange certificate" and "certificates or other evidences" are deleted, and the word "check" is substituted for each such deleted word or phrase; four new sections, §§ 1394.8206a, 1394.8206b, 1394.8206c and 1394.8206d and a new paragraph (d) to § 1394.8218, are added; §§ 1394.8209, 1394.8210, 1394.8211, 1394.8213, 1394.8221, 1394.8223, and 1394.8225, and paragraph (b) of § 1394.8206, paragraph (a) of § 1394.8207, paragraph (c) of § 1394.8215, and paragraph (a) of § 1394.8218 are amended; and §§ 1394.8326 through 1394.8340, inclusive, are revoked, subject to the provisions of § 1394.8206d; as set forth below:

Definitions

§ 1394.7551 *Definitions.* (a) When used in Ration Order No. 5C:

* * * * *

(45) "Account" means a gasoline ration bank account carried by a bank, in which the bank keeps a record of deposits of gasoline evidences and of transfers of gasoline ration credits.

(46) "Bank" means a bank or bank branch which participates in ration banking by opening an account in accordance with General Ration Order No. 3.

(47) "Check" means a gasoline ration check, in the form prescribed by the Office of Price Administration, drawn by a depositor against his account and made payable to the account of a named person.

(48) "Depositor" means a person who has a ration bank account. A person shall be deemed a separate depositor with respect to each of his accounts.

(49) "Issue", when used with respect to a check, means the delivery of a completed check to the person to whose account the check is made payable.

(50) "Ration credits" means the credits in an account reflecting deposits of gasoline evidences.

* * * * *

Replenishment and Audit

Registration of Place of Business

§ 1394.8206 *Restriction on use of inventory coupons.* * * *

(b) Every dealer and intermediate distributor shall clearly write in ink or stamp in ink on the reverse side of each inventory coupon issued to him the name and address of his establishment as shown on his certificate of registration, and no inventory coupon shall be deposited in a bank or used in exchange for gasoline, and no gasoline may be transferred in exchange for inventory coupons, unless such notations appear on such coupons.

Ration Banking

§ 1394.8206a *Who opens an account.* (a) Every licensed distributor shall, on and after January 27, 1943, open at least one account, in the manner provided by General Ration Order No. 3A, in each state to which he is required to account for motor fuel taxes, for all his places of business and operations in that state. If a licensed distributor has more than one place of business in any one state, he may open a separate account for each place of business or any group of places in the state. A licensed distributor who is required to account for motor fuel taxes to more than one state and who claims that having a ration bank account in any state to which he is required to account would work great and undue hardship on him may apply to the Gasoline Rationing Branch, Office of Price Administration, Washington, D. C., for permission to do business in such a state without having an account there and to account to such state by issuing a check drawn on an account in a bank which is in another state. The application shall be in writing, in duplicate, and shall show the applicant's name, business name and address, the nature of his operations within such state, the name and address of the bank carrying the account on which he will draw a check when making his monthly report to such state, and the reasons why having an account in such state would work great and undue hardship on him. If the Office of Price Administration is satisfied that his having an account in that state would work great and undue hardship on him it may grant him permission to do business as a licensed distributor in that state without having an account there, and to account to such a state by issuing a check drawn on an account in a bank which is in another state. The Gasoline Rationing Branch will retain the original of the application and will send the duplicate to the state tax administration in the state in which the applicant is permitted to do business without an account.

(b) Every intermediate distributor shall, on and after January 27, 1943, open a separate account for each place of business as to which he is registered as an intermediate distributor.

(c) Notwithstanding any other provision of Ration Order No. 50, a facility of the armed forces, such as a Military or Naval Post or Station, a Post Exchange or a Ship's Service Store, which operated in the same manner as a licensed distributor, may, but is not required to, open an account. Such a facility electing to open an account shall make deposits and be subject to the same provisions with respect to ration banking as a licensed distributor.

(d) A place of business of a distributor shall be deemed to be an establishment for the purposes of General Ration Order No. 3A.

§ 1394.8206b *Deposits.* (a) Every distributor shall deposit in his account all gasoline coupons or other evidences (including checks) received by him: *Provided*, That a distributor shall not deposit:

(1) Any Class S coupon;

(2) Any Class A coupon before it has become valid or more than fifteen (15) days after the date of expiration of such coupon;

(3) Any bulk coupon printed on Forms OPA R-553 or Forms OPA R-554 (that is, a bulk coupon not bearing the printed word "gasoline" on its face) after February 5, 1943.

(4) Any coupon not bearing the notations required by paragraphs (d) and (e) of § 1394.8004, paragraph (c) of § 1394.8006 and paragraph (b) of § 1394.8206.

(b) Every depositor shall, before depositing any coupon sheet not bearing his name and address on the face thereof, or any evidence not affixed to a coupon sheet, endorse his name and address on the reverse side thereof.

(c) A licensed distributor who acquires gasoline solely for use shall, immediately after receiving his ration from the Board, deposit all the coupons or other evidences so received by him whether or not he has used the gasoline for which the coupons were issued. Any distributor who transfers and also uses gasoline shall not deposit coupons received by him from a Board as a ration: *Provided*, That if he obtains gasoline for use from his own storage facilities, he shall, at the time that he obtains the gasoline, deposit coupons or other evidences representing the amount of gasoline obtained.

§ 1394.8206c *Issuance of checks.* A depositor may not issue a check except to the following persons:

(a) To a person who transfers gasoline to him, in exchange for the transfer of the gasoline.

(b) To a person from whom he has received evidences, to make an adjustment between the amount of evidences received and the amount of gasoline transferred to such person in exchange for such evidences.

(c) To the Office of Price Administration or to any office or Board thereof.

(d) To his own account for the purpose of transferring ration credits from one of his accounts as a licensed distributor to another of his accounts as a licensed distributor in the same state.

§ 1394.8206d *Termination of Temporary Ration Banking Plan.* (a) Sections 1394.8326 through 1394.8338, inclusive (Temporary Ration Banking Plan), are revoked as of 12:01 a. m. February 9, 1943; and §§ 1394.8325, 1394.8339 and 1394.8340 remain in full force and effect: *Provided*, That between January 27, 1943, and February 8, 1943, inclusive, the definitions contained in § 1394.8325 shall apply only to this section and to

§§ 1394.8325 through 1394.8340 inclusive, and after February 8, 1943, to this section and to §§ 1394.8339 and 1394.8340: *And provided further*, That on and after January 27, 1943, no person may open an account pursuant to §§ 1394.8325 through 1394.8340 inclusive, and any person who opened an account pursuant to such sections on or before January 26, 1943, must close it on or before February 8, 1943. A voucher may be drawn on an account maintained under §§ 1394.8325 through 1394.8340 only until the depositor closes such account, but no later than February 8, 1943. Such a voucher may be deposited, by the person to whom it is issued, only within fifteen (15) days from the date appearing on it and only in an account maintained at a Listed Bank, whether the account is maintained pursuant to §§ 1394.8325 through 1394.8340 or to General Ration Order No. 3A.

(b) A person closing a temporary account pursuant to paragraph (a) of this section and opening a new account in the same bank shall do so by returning to the bank all unused vouchers, requesting the bank to close the temporary account and opening his new account, at the same time, in the manner prescribed by General Ration Order No. 3A. The bank will credit the new account with any ration credits in the temporary account. Vouchers drawn by such person on the temporary account before it is closed and received by the bank after the new account is opened will be charged to the new account.

(c) A person closing such a temporary account without opening a new account in the same bank shall do so by issuing to a Listed Board a voucher payable to the Board in an amount equal to any balance on hand in the temporary account to be closed, less the total amount of all vouchers outstanding. The Board shall, in exchange for the voucher issued to it, give the person who issued the voucher inventory coupons or an exchange certificate in an amount equal to the face amount of the voucher. The Board shall then write the word "closing" on the reverse side of the voucher, shall endorse it and shall send it to the drawee bank. After issuing such a voucher to a Board, a depositor may neither make a deposit in, nor draw a voucher on, the discontinued account, and must return to the bank all of his unused vouchers. The drawee bank will debit the voucher received from the Board to the account on which it is drawn and will close the account if no balance remains after the voucher has been debited. If a balance remains, the bank will debit to such account only vouchers which bear the same date as, or an earlier date than, the voucher received from the Board, and will close the account whenever no balance remains. If a balance remains in the account twenty (20) days after the bank has received the voucher from the Board, the bank shall close the account and notify the depositor in writing, of the unused credit. The depositor may secure inventory coupons or an exchange certificate in the amount of the unused credit from a Listed Board in exchange for the written notification from the bank. The Board shall return the notification to the bank which wrote it. If the person closing the account has no balance on deposit in the account he may close it by returning his unused vouchers to the bank and requesting the bank to close the account.

Restrictions on Transfers Between Dealers and Distributors

§ 1394.8207 *Restriction on transfers to dealers.* (a) (1) Except as provided in § 1394.8209, no dealer or distributor shall transfer or offer to transfer gasoline to a dealer, and no dealer shall receive a transfer of gasoline, except in exchange for a quantity of coupons or other evidences at the time of the actual delivery of the gasoline or in advance thereof, equal in gallonage value to the quantity of the gasoline transferred, or, in cases in which gasoline is regularly transferred to him on a temperature adjustment basis, equal in gallonage value to the adjusted quantity of gasoline transferred: *Provided*, That transfers of gasoline may be made only in exchange for coupons bearing the notations required by paragraphs (d) and (e) of § 1394.8004, paragraph (c) of § 1394.8006 and paragraph (b) of § 1394.8206.

(2) Except as provided in § 1394.8209, no dealer or distributor shall transfer or offer to transfer gasoline to a distributor, and no distributor shall receive a transfer of gasoline, except in exchange for his check, at the time of the actual delivery of the gasoline or in advance thereof, payable to the transferor of the gasoline in an amount equal to the gallonage value of the quantity of gasoline transferred, or, in cases in which gasoline is regularly transferred to him on a temperature adjustment basis, equal to the gallonage value of the adjusted quantity of gasoline transferred: *Provided, however*, That such a transfer made on or before February 8, 1943, shall be accompanied by an exchange of coupons or other evidences (other than checks) if the distributor has not opened an account at the time of the transfer: *Provided, further*, That a check or coupons or other evidences need not be exchanged for a transfer of gasoline between licensed distributors unless in the course of transit between such licensed distributors the gasoline is delivered to a dealer or intermediate distributor for re-delivery to the transferee.

* * * * *

§ 1394.8209 *Absentee deliveries; third party deliveries.* Where a distributor elects to make delivery of gasoline during hours when the transferee is not open for business, the transferee shall, where the exact amount of delivery is known in advance, mail or deliver coupons or other evidences (or, if he is a depositor, issue his check) in advance to the distributor, or, at the discretion of the distributor, within twenty-four (24) hours of delivery, equal in gallonage value to the amount, or adjusted amount, of the delivery. Where delivery of gasoline to a dealer or intermediate distributor is made by a common or contract carrier or by pipe line, or where the billing for gasoline transferred is not received by the transferee at the same time as or prior to receipt of the transfer by him, the transferee shall, where the exact amount of the delivery is known in advance, mail or deliver in advance coupons or other evidences (or, if he is a depositor, issue his check) to his distributor equal in gallonage value to the amount, or adjusted amount, of the delivery or may, at the discretion of the transferor, forward such coupons or other evidences, or issue such check, within five (5) days after receipt of such delivery.

§ 1394.8210 *Upstream transfers.* (a) Any distributor who receives a transfer or return of gasoline from a dealer or intermediate distributor, other than in connection with a transfer to him of the place of business of such dealer or intermediate distributor, shall issue to such dealer or intermediate distributor his check equal in gallonage value to the amount of gasoline so transferred or returned.

(b) Except as provided in paragraph (c) of this section, any dealer or distributor who receives a transfer or return of gasoline from a consumer, other than in connection with a transfer to him of the place of business of such consumer, shall deliver to the Board having jurisdiction over the area in which the place of business of such dealer or distributor is located a quantity of coupons or other evidences (or, in the case of a transfer or return to a distributor, shall issue his certified check payable to the Office of Price Administration) equal in gallonage value to the quantity of gasoline so transferred or returned, together with a signed statement in duplicate setting forth the name and address of the consumer from whom the gasoline was acquired, and the quantity of gasoline so acquired. The Board shall retain the original of such statement in its files, and shall forward the duplicate thereof, through the State Director, to the Board having jurisdiction over the area in which such consumer is located, as shown on such statement. Any consumer who transfers or returns gasoline to a dealer or distributor may, if the gasoline so transferred or returned represents all or part of a ration issued to such consumer, apply, on the appropriate form, to the Board for reissuance of such ration or part thereof. Such application shall contain a statement of the nature and quantity of the ration originally issued, the name and address of the dealer or distributor to whom gasoline was transferred or returned, the quantity of gasoline so transferred or returned, and a certification as to the truth of such statements. If the Board finds that the consumer transferred or returned to a dealer or distributor gasoline originally issued to the consumer as a ration, that such ration has not yet expired, and that the consumer still requires such ration, it shall issue to the consumer coupon books or coupons of the same type as the ration originally issued equal in gallonage value to the quantity of gasoline so transferred or returned. The Board, at the time of issuance of such coupon books or coupons shall, in addition to such other notations as may be required, note on the face of the coupon books issued, and on the application, the expiration date of the ration, which shall be the same expiration date as that applicable to the ration originally issued.

(c) If gasoline is transferred between a Military or Naval Post or Station and a facility such as a Post Exchange or Ships' Service Store, the transferee of the gasoline need not surrender coupons or other evidences or issue his check to a Board as required in paragraph (b) of this section.

§ 1394.8211 *Preservation of coupons; coupon sheets.* Each dealer and distributor shall affix all coupons received by him to a coupon sheet (Form OPA R–120) in the manner directed thereon, prior to deposit in a bank or to any transfer of such coupons. Separate coupon sheets shall be maintained for coupons of each separate type, only coupons of the same class and gallonage value being attached to any one such sheet.

§ 1394.8213 *Summary of coupons.* Each dealer shall, prior to every delivery by him of coupons or other evidences to a transferor of gasoline, prepare in duplicate, on Form OPA R–541, a summary of coupons and other evidences in the manner directed thereon, certifying the number of each type of coupon or other evidences to be delivered. The original of this summary shall be delivered to the transferor attached to the coupons and other evidences. The copy shall be retained by him at his place of business for a period of not less than one year. A distributor who receives such a summary shall retain it at his place of business for a period of not less than one year.

§ 1394.8215 *Transfer and surrender of expired coupons.* * * *

(c) On and after December 11, 1942, but not later than December 15, 1942, in the case of Class S ration coupons, and on and after ten (10) days but not later than fifteen (15) days after the expiration dates of Class A ration coupons, each dealer who has in his possession or control Class S or expired Class A ration coupons shall surrender such coupons, summarized on Form OPA R–541, to the Board having jurisdiction over the area in which his place of business is located. The Board shall issue to a dealer in exchange for such coupons inventory coupons equal in gallonage value to the coupons so surrendered. After December 15, 1942, in the case of Class S ration coupons, and after fifteen (15) days from the expiration date of any Class A ration coupons, such coupons are void, and no gasoline may be transferred in exchange therefor, and no inventory coupons or other evidence may be issued to a dealer in exchange for Class S or expired Class A ration coupons.

Records and Audits

§ 1394.8218 *Reports by licensed distributors.* (a) Every licensed distributor shall prepare an additional copy of each of his monthly State motor fuel tax reports (and supporting schedules), which he shall submit to the State motor fuel tax administration at the time and in the manner required by such administration for the usual monthly report. He shall at the same time issue his check, payable to the Office of Price Administration and certified or confirmed by the bank carrying the account on which the check is drawn, in an amount equal to the total gallonage value of coupons or other evidences for which he is required to account for the period for which such return is made and he shall attach this check to the copy of the report submitted. Gasoline which has been shipped and billed in exact amount to a transferee during a calendar month, and which is included by the licensed distributor in the State motor fuel tax report for such month, shall be treated both by the transferor and transferee as gasoline transferred during such month, even though actual receipt of such gasoline by the transferee may take place during the following calendar month.

* * * * *

(d) Every licensed distributor shall be accountable for all gasoline, coupons and other evidences received by him. He shall at all times have in his possession or control coupons or other evidences in a gallonage value which, when added to the gallonage represented by exchange certificates which have been transmitted to the State motor fuel tax administration pursuant to § 1394.8218 and the gallonage represented by the total of all coupons or other evidences deposited in his ration bank accounts, shall be equivalent in gallonage value to the number of gallons of gasoline which he has transferred on or after December 1, 1942, (or on or after July 22, 1942 in the limitation area) and for which the receipt by him of coupons or other evidences is required by Ration Order No. 5C, except such coupons or other evidences as may be accounted for by theft or unavoidable loss.

New Registrations

§ 1394.8221 *Cessation of business.* Any dealer or intermediate distributor who ceases to operate as such, disposes of his stocks of gasoline, and closes his place of business without transferring it to another for continued operation, shall, at the time of final closing, deliver to the Board having jurisdiction of the area in which his place of business is located the certificate of registration of such place of business and a quantity of coupons or other evidences (or, if he is an intermediate distributor, shall issue to the Board his certified check) equal in gallonage value to the total capacity of the gasoline storage facilities of such place of business plus the gallonage value of any other coupons or other evidences deposited or on hand (except those issued to him as a ration by a Board).

§ 1394.8223 *Acquisition of dealer's or intermediate distributor's place of business.* Any person who acquires for continued operation for the transfer of gasoline a place of business from a dealer or intermediate distributor may accept a transfer of all gasoline on hand at such place of business. The transferee of such place of business shall, at the time of acquisition, obtain from such dealer or intermediate distributor, and such dealer or intermediate distributor shall furnish, the certificate of registration of such place of business and coupons or other evidences (or, if the transferor is an intermediate distributor, the transferor's certified check payable to the Office of Price Administration), equal in gallonage value to the unfilled gasoline storage capacity as of the time of transfer of such place of business. The transferee of such place of business shall, immediately after the transfer, deliver to the Board having jurisdiction over the area in which the place of business is located, the certificate of registration so delivered, and, if the transferee is a licensed distributor, shall also deliver at such time the coupons or other evidences (if the transferor was a dealer) or the check (if the transferor was an intermediate distributor) received by him from such dealer or intermediate distributor, and shall endorse his name and address on such certificate of registration and the duplicate thereof on file with the Board. Such endorsement shall constitute a certification by the transferee that he has acquired from the transferor the place of business described in such certificate, the total quantity of gasoline on hand at such place of business, and coupons or other evidences (or, if the transferor was a distributor, a check), equal in gallonage value to the unfilled gasoline storage capacity of such place of business as of the time of transfer. The place of business so acquired shall be registered by the transferee in accordance with the provisions of §§ 1394.8201 to 1394.8205, inclusive.

§ 1394.8225 *Newly licensed distributor.* Any dealer or intermediate distributor who becomes a licensed distributor shall forthwith deliver to the Board having jurisdiction of the area in which such place of business is located the certificate of registration as a dealer or intermediate distributor of such place of business, and coupons or other evidences (or, if he is an intermediate distributor, he shall issue to the Board his certified check payable to the Office of Price Administration) equal in gallonage value to the total unfilled capacity of the gasoline storage facilities at such place of business, plus the gallonage value of any other coupons or other evidences deposited or on hand (except those issued to him as a ration by a Board) as of the date on which he commenced operations as a licensed distributor, and shall register as a licensed distributor in accordance with the provisions of paragraph (c) of § 1394.8201.

Effective Date

§ 1394.8352 *Effective dates of amendments.* * * *

(r) Amendment No. 18 to Ration Order No. 5C (§§ 1394.7551 (a) (10), (45), (46), (47), (48), (49) and (50); 1394.8201 (d); 1394.8205 (a); 1394.8206 (a) and (b); 1394.8207 (a); 1394.8206a; 1394.8206b; 1394.8206c; 1394.8206d; 1394.8209; 1394.8210; 1394.8211; 1394.8213; 1394.8214 (a); 1394.8215 (c); 1394.8218 (a), (b) and (d); 1394.8219; 1394.8221;

1394.8223; 1394.8225) shall become effective January 27, 1943.

(Pub. Laws 421, 507, and 729, 77th Cong., Executive Order No. 9125 issued by the President on April 7, 1942; W.P.B. Dir. No. 1, 7 F.R. 562)

Issued this 27th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1451; Filed, January 27, 1943; 4:07 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order No. 12,[1] Amendment 12]

COFFEE RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraph (d) of § 1407.1023 is revoked; paragraph (w) of § 1407.952, § 1407.956, paragraphs (b) and (d) of § 1407.1020, paragraphs (a), (b), and (c) of § 1407.1023, § 1407.1026, paragraph (a) of § 1407.1042, paragraph (c) of § 1407.1052, paragraph (c) of § 1407.1053, paragraph (b) of § 1407.1071, and § 1407.1072 are amended to read as follows: new paragraphs (y) to (ff), inclusive, are added to § 1407.952, new §§ 1407.992 and 1407.1032 are added, new paragraphs (c) and (d) are added to § 1407.1042, and new paragraph (l) is added to § 1407.1090a, as set forth below:

Definitions

§ 1407.952 *Definitions.* When used in Ration Order No. 12 the term: • • •

(w) "Weight value" means the amount of coffee authorized to be transferred by a coffee stamp, certificate, purchase warrant, or check.

• • • • •

(y) "Account" means a coffee ration bank account carried by a bank, in which the bank keeps a record of deposits of coffee stamps, certificates, and checks and of transfers of coffee ration credits.

(z) "Bank" means a bank or bank branch which participates in ration banking by opening an account in accordance with General Ration Order No. 3.

(aa) "Check" means a coffee ration check, in the form prescribed by the Office of Price Administration, drawn by a depositor against his account and made payable to the account of a named person.

(bb) "Depositor" means a person who has a ration bank account. A person shall be deemed a separate depositor with respect to each of his accounts.

(cc) "District Office" means the District Office of the Office of Price Administration having jurisdiction over the area in which the bank carrying the account for a depositor is located, or, if there is no such District Office, the State Office of the Office of Price Administration having jurisdiction over that area.

(dd) "Evidences" means coffee stamps, certificates, and checks.

(ee) "Issue", when used with respect to a check, means the delivery of a completed check to the person to whose account the check is made payable.

(ff) "Ration credits" means the credits in an account reflecting the deposit of coffee stamps, certificates, or checks.

Restriction of Transfers

§ 1407.956 *Transfer of roasted coffee must be accompanied by surrender or issuance of evidences.* Except as otherwise provided in Ration Order No. 12, a transfer of roasted coffee shall be made only upon the surrender or issuance of appropriate evidences authorizing such transfer.

Retailers and Wholesalers

§ 1407.992 *Ration banking by retailers and wholesalers.* (a) Each retailer who owns:

(1) More than one retail establishment;

(2) A single retail establishment whose gross sales of all meats, groceries, fruits, vegetables, and similar products made from such establishment during December 1942 were $5,000 or more; or

(3) A retail establishment at which green coffee is roasted, shall open at least one account for all such establishments and each wholesaler shall open at least one account for all his wholesale establishments.

(b) Any other retailer may open an account for his establishment.

(c) Any retailer or wholesaler described in paragraph (a) of this section may, at his option, open a separate account for each establishment or for any group of retail or group of wholesale establishments described in such paragraph.

(d) Each account shall be carried in the name of the retailer or wholesaler who shall designate the establishment or establishments for which the account is opened. All accounts shall be opened in accordance with General Ration Order No. 3A.

(e) A retailer may transfer ration credits from one of his retail accounts to another of his retail accounts, and a wholesaler from one of his wholesale accounts to another of his wholesale accounts by the issuance of a check without the transfer of coffee.

(f) No certificate received by an institutional user in connection with his institutional allotment or required to be retained by him as an institutional user roaster shall be deposited by him in any account.

Certificates and Coffee Stamps

§ 1407.1020 *Nature and validity of certificates and coffee stamps.* • • •

(b) Each coffee stamp authorizes the transfer of one pound of roasted coffee to a consumer only during the ration period assigned to that coffee stamp in § 1407.1091. A coffee stamp received in accordance with Ration Order No. 12, by a retailer, who is not and is not required to be a depositor, and against which such retailer has transferred roasted coffee, authorizes such retailer to acquire roasted coffee therewith from another retailer or wholesaler, if such stamp is surrendered to such other retailer or wholesaler within 10 days of the close of the ration period assigned to such coffee stamp. Coffee stamps surrendered to a depositor shall be valid for deposit in his account for a period of 20 days after the close of the ration period assigned to such coffee stamp, and, except as provided in paragraph (f) of § 1407.1032, he may issue checks at any time against credits created by the deposit of a stamp: *Provided, however,* That notwithstanding anything to the contrary contained in Ration Order No. 12, on or before February 15, 1943, coffee stamp No. 27 may be deposited, or may be surrendered in order to authorize the transfer of roasted coffee to a retailer who is not and is not required to be a depositor.

• • • • •

(d) A certificate authorizes the person to whom it is issued, if he is not and is not required to be a depositor, to acquire roasted coffee therewith within 60 days of the date of issuance of the certificate. A certificate surrendered by endorsement to a retailer who is not and is not required to be a depositor, authorizes the transfer of roasted coffee to such retailer within 80 days of the date of issuance of the certificate. A certificate issued or surrendered to a depositor shall be valid for deposit in the account of such depositor only within 80 days of the date of issuance of the certificate. A certificate issued before January 27, 1943, which is surrendered by endorsement to another person, authorizes the transfer of roasted coffee, and may be deposited within 60 days after the date of issuance of such certificate or within 30 days after the date contained in the endorsement to such person, whichever is later. A depositor may, except as provided in paragraph (f) of § 1407.1032, issue checks at any time against credits created by the deposit of a certificate. Certificates which, on or prior to January 27, 1943, cease to authorize the transfer of roasted coffee, shall not be valid for deposit.

• • • • •

§ 1407.1023 *War ration stamp cards.* (a) A person to whom coffee stamps are surrendered by a consumer shall affix the coffee stamps to a war ration stamp card (OPA Form R-304) or to a similar card. Only coffee stamps bearing the same number may be affixed to a card. Not all the spaces on a card need be filled. Subject to paragraphs (b) and (c) of this section, the card may be surrendered by a depositor to a bank for deposit, or by a retailer who is not and is not required to be a depositor to another retailer or wholesaler for the purpose of acquiring an amount of roasted coffee equivalent to the aggregate weight value of the coffee stamps affixed thereto.

(b) When a retailer who is not and is not required to be a depositor surrenders a card for the purpose of authorizing a transfer of roasted coffee to him, the name and address of such retailer and the name and address of the retailer or wholesaler to whom the card is being surrendered shall be written on the face or back of the card by the retailer surrendering the card. Before a card may be surrendered for the purpose of deposit, the person surrendering the card shall, if he affixed the stamps to the card, endorse it by writing his name and address on its face, or shall, if he received the card with stamps affixed, endorse it by writing his name on its back.

(c) Coffee stamps affixed to a card shall have no greater period of validity and no greater value than coffee stamps not so affixed.

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§ 1407.1026 *Exchange of certificates.* Any person who is not and is not required to be a depositor may surrender to the board a valid certificate or valid certificates which he is entitled to use to acquire roasted coffee and obtain a certificate or certificates in different denominations in exchange therefor. The board shall issue a certificate or certificates to such person, dated as of the date of their issuance, in such reasonable denominations as he may require, but in no event shall the aggregate weight value of the newly-issued certificate or certificates exceed the weight value of the surrendered certificate or certificates.

§ 1407.1032 *Use of checks by depositors and non-depositors.* Notwithstanding anything to the contrary contained in Ration Order No. 12:

(a) No depositor and, on and after February 8, 1943, no person required to be a depositor, shall, except in accordance with General Ration Order No. 3A, surrender evidences which are valid for deposit.

(b) Whenever Ration Order No. 12 requires or authorizes the surrender of coffee stamps or certificates to a person, other than a bank for deposit, and such stamps or certificates are valid for deposit, a depositor shall not surrender such stamps or certificates, but shall instead, under the same circumstances and with the same effect, issue to such person a check, valid for deposit, in weight value equal to such stamps or certificates.

(c) Whenever Ration Order No. 12 authorizes the transfer of roasted coffee upon the surrender of coffee stamps or certificates, such transfer may be made to a depositor only upon receipt, by the person making the transfer, of a check, valid for deposit, issued to him by the depositor and equal in weight value to such coffee stamps or certificates.

(d) A person to whom a check is issued who is not and is not required to be a depositor must endorse the check and surrender it to the board. He will receive in exchange a certificate of the same weight value minus the weight value of any stamps or certificates which he is required to surrender to the board for cancellation.

(e) A depositor who has received coffee stamps, certificates, or checks from a retailer, wholesaler, or institutional user may issue to him a check in weight value equal to the roasted coffee which he has not transferred against such coffee stamps, certificates, or checks, but which he is then authorized to transfer to such retailer, wholesaler, or institutional user against such coffee stamps, certificates, or checks.

(f) A depositor who has received coffee stamps, certificates, or checks as authorization for the transfer of roasted coffee by him may not, except as provided in paragraph (e) of this section, issue a check against any part of the credit created by their deposit except to the extent that he has transferred roasted coffee against them.

(g) Whenever Ration Order No. 12 refers to the transfer or acquisition of roasted coffee (including the replenishment of inventory), upon or without the receipt or surrender of coffee stamps or certificates, the issuance of checks shall be deemed to be included in such reference, unless the context shall otherwise require.

Transfer and Acquisition of Green Coffee

§ 1407.1042 *Disposition of purchase warrants, certain certificates, and ration credits by roasters.* (a) Every retailer or wholesaler who roasts green coffee shall retain in his possession, until further order by the Office of Price Administration, all certificates which, on or prior to January 27, 1943, cease to authorize the acquisition of roasted coffee, and purchase warrants surrendered to him, for coffee roasted by him and transferred by him. In February 1943 each such retailer and wholesaler shall forward to the Office of Price Administration, Washington, D. C., together with the report required to be made by him by § 1407.1071 (b), (1) a statement specifying the number of pounds of roasted coffee roasted by him that he has transferred against the certificates and purchase warrants so retained by him, and (2) a check in a weight value which, when added to the weight value of the certificates and purchase warrants retained by him pursuant to this section, shall be equal to 84 per cent of the weight of the green coffee roasted by him and transferred by him between November 22, 1942, and January 31, 1943, inclusive. In every month subsequent to February 1943 each such retailer and wholesaler shall forward to the Office of Price Administration, Washington, D. C., together with the report required to be made by him by § 1407.1071 (b), a check equal in weight value to 84 per cent of the weight of the green coffee roasted by him and transferred by him during the month for which such report is made.

• • • • •

(c) When the ration credits in the account of a person are insufficient to permit him to issue a check in the weight value required by this section, such person shall instead issue to the Office of Price Administration, Washington, D. C., a check in weight value equal to the then balance of ration credits in his account less the weight value of all checks then outstanding against his account, and accompany such check with a reconciliation statement stating the reasons why the ration credits in his account are insufficient.

(d) If a person issues a check to the Office of Price Administration pursuant to paragraph (c) of this section, he shall, within three months thereafter, issue to the Office of Price Administration, Washington, D. C., a check equal in weight value to the difference in weight value between the check he was required to issue pursuant to paragraph (a) or (b) of this section, and the check he actually issued: *Provided, however,* That no such additional check need be issued on account of any deficiency in the weight value of a check due to the surrender or issuance of evidences to the board pursuant to § 1407.985.

Transfers Permitted Without the Surrender of Coffee Stamps, Certificates, or Purchase Warrants, and Irrespective of Restrictions on the Acquisition of Green Coffee

§ 1407.1052 *Transfer of coffee for carriage.* • • •

(c) Nothing in this section shall be deemed to relieve any person who delivers roasted coffee to a carrier from the obligation to receive evidences from the consignee or other person to whom a transfer is made as a result of such delivery or from any other obligation imposed by Ration Order No. 12.

§ 1407.1053 *Transfer of coffee for storage.* • • •

(c) Nothing in this section shall be deemed to relieve any person who delivers roasted coffee for storage from the obligation to receive evidences from any person other than the warehouseman to whom such roasted coffee is transferred or from any other obligation imposed by Ration Order No. 12.

Reports and Records

§ 1407.1071 *By persons transferring or acquiring green coffee.* • • •

(b) Every person other than the Army, Navy, Marine Corps, and Coast Guard, and Commodity Credit Corporation, who transfers or acquires green coffee shall monthly, beginning in January 1943, prepare a report in triplicate, showing, with respect to the previous month, (1) the names and addresses of the persons to whom green coffee was transferred and from whom green coffee was acquired together with the dates and amounts of such transfers and acquisitions, and (2) his inventory of green and roasted coffee as of the first day of the month in which the report is prepared. Every person who roasts coffee shall, in addition, include in such report a statement of the weight value of all coffee stamps, certificates, checks, and purchase warrants received by him and against which he transferred, during the preceding month, roasted coffee which was roasted by him. • • •

§ 1407.1072 *Miscellaneous records.* Any person required to make a report pursuant to §§ 1407.1056 or 1407.1058 shall preserve at his principal business office records of all coffee acquired or transferred by him pursuant to those sections, the persons by or to whom such transfers were made and the amounts thereof, the weight value of all coffee

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9710, 10380, 11071, 11072, 8 F.R. 28, 167, 566, 621, 978.

stamps, certificates, and checks received by him for such transfers, the serial numbers of such certificates, and the amount of roasted coffee transferred against such coffee stamps, certificates, and checks.

Effective Date

§ 1407.1090a *Effective dates of amendments.* • • •

(l) Amendment No. 12 (§§ 1407.952 (w) and (y) to (ff), inclusive; 1407.956; 1407.992; 1407.1020 (b) and (d); 1407.1023; 1407.1026; 1407.1032; 1407.1042 (a), (c), and (d); 1407.1052 (c); 1407.1053 (c); 1407.1071 (b); 1407.1072; 1407.1090a (l)) to Ration Order No. 12 shall become effective January 27, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 729, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1–R)

Issued this 27th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1455, Filed, January 27, 1943; 4:07 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 3[1], Amendment 38]

SUGAR RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subparagraphs (24) through (30), inclusive, are added to paragraph (c) of § 1407.21; four §§ 1407.109a, 1407.120, 1407.140, and 1407.260 are added; subparagraph (22) of paragraph (c) of § 1407.21, paragraphs (b) and (c) of § 1407.141, paragraph (b) of § 1407.142, § 1407.121, and § 1407.265a are amended; in paragraph (a) of § 1407.265 the date "January 26, 1943" is deleted and the date "February 8, 1943" is substituted therefor and §§ 1407.262 through 1407.265, inclusive, and §§ 1407.266 through 1407.273, inclusive, are revoked subject to the provisions of § 1407.260; as set forth below:

Definitions

§ 1407.21 *Meaning of terms used in Rationing Order No. 3.* • • •

(c) *Definitions.* • • •

(22) "Weight value" means the amount of sugar authorized to be delivered by a stamp, certificate or check.

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(24) "Account" means a sugar ration bank account carried by a bank, in which the bank keeps a record of deposits of stamps, certificates and checks and of transfers of sugar ration credits.

(25) "Bank" means a bank or bank branch which participates in ration banking by opening an account in accordance with General Ration Order No. 3.

(26) "Check" means a sugar ration check, in the form prescribed by the Office of Price Administration, drawn by a depositor against his account and made payable to the account of a named person.

(27) "Depositor" means a person who has a ration bank account. A person shall be deemed a separate depositor with respect to each of his accounts.

(28) "District Office" means the District Office of the Office of Price Administration having jurisdiction over the area in which the bank carrying the account for a depositor is located or, if there is no such District Office, the State Office of the Office of Price Administration having jurisdiction over that area.

(29) "Issue", when used with respect to a check, means the delivery of a completed check to the person to whose account the check is made payable.

(30) "Ration credits" means the credits in an account reflecting deposits of stamps, certificate or checks.

Retailers and Wholesalers

§ 1407.109a *Ration banking by retailers and wholesalers.* (a) Each owner of a registering unit which includes or is composed of one or more wholesale establishments, more than one retail establishment or a single retail establishment whose gross sales of all meats, groceries, fruits, vegetables and similar products were $5,000 or more during December, 1942, shall open at least one account for all the component establishments of such registering unit.

(b) The owner of any other registering unit composed of only one retail establishment may open an account for that registering unit.

(c) The owner of a registering unit described in paragraph (a) of this section may, at his option, open a separate account for each establishment, or for any group of establishments, in such registering unit.

(d) Each account shall be opened in the name of the owner, who shall designate the establishment or establishments to be served. All accounts shall be opened in accordance with General Ration Order No. 3A.

(e) An owner of a registering unit may transfer ration credits from one account to another by the issuance of a check without the delivery of sugar, if these accounts are carried for establishments in the same registering unit.

Primary Distributors

§ 1407.120 *Ration banking by primary distributors.* (a) On or before February 8, 1943, each primary distributor shall open at least one account for all his establishments, other than institutional or industrial user establishments. If the primary distributor has more than one establishment he may, at his option, open a separate account for each establishment or group of establishments. Each account shall be opened in the name of the owner, who shall designate the establishment or establishments to be served. All accounts shall be opened in accordance with General Ration Order No. 3A.[2] The primary distributor shall notify the Washington Office of the Office of Price Administration of the opening of such account or accounts and the name and address of the establishment or establishments to be served by each such account. If a person becomes a primary distributor on or after February 8, 1943, he shall, within one week thereafter, open such account or accounts and shall notify the Washington Office of the Office of Price Administration of the opening of such account or accounts, and the name and address of each establishment to be served by each such account.

(b) Each primary distributor shall deposit all stamps and certificates received by him within the periods specified in § 1407.141, and each check issued to him within twenty (20) days of the date appearing on its face. Stamps numbered one (1) through nine (9) and certificates received by him in accordance with Rationing Order No. 3, prior to February 8, 1943, which are dated before December 10, 1942, and which bear no endorsement later than January 9, 1943, may not be deposited, but shall be sent by the primary distributor to the State Director in the state in which the principal office of such primary distributor is located.

(c) A primary distributor may issue checks against ration credits in his account only as provided in paragraph (e) of § 1407.140.

§ 1407.121 *Deliveries by primary distributors.* Except as is otherwise provided herein, a primary distributor may deliver sugar to persons not primary distributors, on and after April 28, 1942, only upon receipt of stamps or certificates in the manner set forth in Rationing Order No. 3.

Sugar Purchase Certificates, War Ration Books, War Ration Stamps and Sugar Ration Checks

§ 1407.140 *Use of checks by depositors and non-depositors.* Notwithstanding anything to the contrary contained in Rationing Order No. 3:

(a) No depositor, and, on and after February 8, 1943, no person required to be a depositor, shall, except in accordance with General Ration Order No. 3A, surrender or transfer Stamps or Certificates which are valid for deposit.

(b) Whenever Rationing Order No. 3 requires or authorizes the surrender or transfer of stamps or certificates to a person, other than a bank for deposit, and such stamps or certificates are valid for deposit, a depositor shall not surrender or transfer such Stamps or Certificates but shall instead, under the same circumstances and with the same effect, issue to such person a check, valid for deposit, in weight value equal to such stamps or certificates.

(c) Whenever Rationing Order No. 3 authorizes the delivery of sugar upon the surrender or transfer of stamps or certificates, such delivery may be made to a depositor only upon receipt, by the person making the delivery, of a check valid for deposit, issued to him by the depositor and equal in weight value to such stamps or certificates.

(d) A person to whom a check is issued and who neither is nor is required to be a depositor must endorse the check and surrender it to the Board. He will receive in exchange a certificate of the same weight value minus the weight value of any stamp or certificate which he is required to surrender to the Board for cancellation.

(e) A depositor who has received stamps, certificates or checks from a registering unit may issue to it a check in weight value equal to the sugar which he has not delivered against such stamps, certificates or checks, but which he is then authorized to deliver to such registering unit against such stamps, certificates or checks.

(f) A depositor who has received stamps, certificates or checks as authorization for the delivery of sugar by him may not, except as provided in paragraph (e), issue a check against any part of the credit created by their deposit except to the extent that he has delivered sugar against them.

(g) Whenever Rationing Order No. 3 refers to the delivery or acquisition of sugar (including the replenishment of inventory), upon or without the receipt or surrender of stamps or certificates, the issuance of checks shall be deemed to be included in such reference, unless the context shall otherwise require.

§ 1407.141 *Nature and validity of certificates and stamps.* • • •

(b) Each stamp authorizes delivery of sugar to a consumer only during the ration period assigned to such stamp in § 1407.243. A stamp received in accordance with Rationing Order No. 3 by a registering unit, which is neither a depositor nor required to be one, authorizes the registering unit to take delivery of sugar, in an amount equal to the weight value of the stamp within twenty (20) days from the close of the ration period assigned to the stamp if it is surrendered to another registering unit or a primary distributor within ten (10) days after the close of such ration period. A stamp surrendered to a depositor shall be valid for deposit in the account of such depositor for a period of twenty (20) days after the close of the ration period assigned to such stamp, and except as provided in paragraph (f) of § 1407.140, he may issue checks at any time, against credits created by the deposit of a stamp. Stamps numbered one (1) through nine (9) shall not be valid for deposit.

(c) A certificate authorizes the person to whom it is issued, if he is not a depositor nor required to be one, to take delivery of sugar within sixty (60) days from the valid date of the certificate. A certificate duly transferred by endorsement to a registering unit that is neither a depositor nor required to be one, authorizes the delivery of sugar to such registering unit within eighty (80) days from the valid date of the certificate. A certificate duly transferred or issued to a depositor shall be valid for deposit in the account of such depositor for a period of eighty (80) days from the valid date of the certificate. A certificate issued before January 27, 1943, which is duly transferred to a registering unit by endorsement authorizes the delivery of sugar and may be deposited within sixty (60) days from the valid date of the certificate or within thirty (30) days from the date contained in the endorsement to such registering unit, whichever is later. A depositor may, except as provided in paragraph (f) of § 1407.140, issue checks at any time, against credits created by the deposit of a certificate. Certificates which before January 27, 1943, ceased to authorize the delivery of sugar shall not be valid for deposit.

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§ 1407.142 *Surrender of certificates and stamps.* • • •

(b) A registering unit or primary distributor to which Stamps are surrendered by a consumer must paste the Stamps on OPA Form No. R–304 (War Ration Stamp Card), or upon a similar card; only stamps bearing the same number may be affixed to the card. When a registering unit surrenders a card for the purpose of authorizing a delivery of sugar to it, the name and address of the registering unit surrendering the card and the name and address of the registering unit or primary distributor to whom the card is being surrendered shall be written on the face or back of the card by the one surrendering the card. Before a card may be surrendered for the purpose of deposit, the person surrendering the card shall, if he affixed the stamps to the card, endorse it by writing his name and address on its face or shall, if he received the card with stamps affixed, endorse it by writing his name on its back.

Sugar Ration Bank Accounts

§ 1407.260 *Termination of Temporary Ration Banking Plan.* (a) Sections 1407.262 through 1407.265, inclusive, and §§ 1407.266 through 1407.273, inclusive, (Temporary Ration Banking Plan), are revoked as of 12.01 a. m., February 9, 1943; and §§ 1407.261, 1407.265a, 1407.274 and 1407.275 shall remain in full force and effect: *Provided*, That between January 27, 1943, and February 8, 1943, inclusive, the definitions contained in § 1407.261 shall apply only to this section and §§ 1407.261 through 1407.275, inclusive, and after February 8, 1943, shall apply only to this section and to §§ 1407.261, 1407.265a, 1407.274 and 1407.275: *And provided further*, That on and after January 27, 1943, no person may open an account pursuant to §§ 1407.261 through 1407.275, inclusive (Temporary Ration Banking Plan) and any person who opened an account pursuant to such sections before January 27, 1943, must close it on or before February 8, 1943. Vouchers may be drawn on an account maintained under §§ 1407.261 through 1407.275, inclusive, until the depositor closes such account, but in no event later than February 8, 1943. Such a voucher may be deposited only within fifteen (15) days of the date appearing on its face and only in an account maintained at a listed bank, pursuant either to §§ 1407.261 through 1407.275, inclusive, or to General Ration Order 3A, by the person to whom the voucher is issued.

(b) A person closing a temporary account as provided in paragraph (a) and opening a new account in the same bank shall do so by returning to the bank all his unused vouchers, requesting the bank to close the temporary account and opening his new account, at the same time, in the manner prescribed by General Ration Order No. 3A. The bank will credit the new account with any ration credits in the temporary account. Vouchers drawn by such person on the temporary account before it is closed and received by the bank after the new account is opened will be charged to the new account.

(c) A person closing a temporary account as provided in paragraph (a) without opening a new account in the same bank shall do so in the manner provided in § 1407.265a.

§ 1407.265a *Closing accounts.* A person closing a temporary account without opening a new account in the same bank shall do so by issuing to a Listed Board a voucher payable to the Board in an amount equal to any balance on hand in the temporary account to be closed, less the total amount of all vouchers outstanding. The Board shall, in exchange for the voucher issued to it, give the person who issued the voucher a certificate in an amount equal to the face amount of the voucher. The Board shall then write the word "closing" on the reverse side of the voucher, shall endorse it and shall send it to the drawee bank. After issuing such a voucher to a Board, a depositor may neither make a deposit in, nor draw a voucher on, the discontinued account, and must return to the bank all of his unused vouchers. The drawee bank will debit the voucher received from the Board to the account on which it is drawn and will close the account if no balance remains after the voucher has been debited. If a balance remains, the bank will debit to such account only vouchers which bear the same date as, or an earlier date than, the voucher received from the Board; and will close the account whenever no balance remains. If a balance remains in the account twenty (20) days after the bank has received the voucher from the Board, the bank shall close the account and notify the depositor, in writing, of the unused credit. The depositor may secure a certificate in the amount of the unused credit from a Listed Board in exchange for the written notification from the bank. The Board shall return the notification to the bank which wrote it. If the person closing the account has no balance on deposit in the account, he may close it by returning all his unused vouchers to the bank and requesting the bank, in writing, to close the account.

Effective Date

§ 1407.222 *Effective dates of amendments.* • • •

(mm) Amendment No. 38 (§§ 1407.21 (c); 1407.109a; 1407.120; 1407.121; 1407.140; 1407.141 (b) and (c); 1407.142 (b); 1407.260; 1407.265 (a); 1407.265a) shall become effective January 27, 1943.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 2966, 3242, 3783, 4545, 4618, 5193, 5361, 6084, 6473, 6828, 6937, 7289, 7321, 7406, 7510, 7557, 8402, 8655, 8710, 8739, 8809, 8830, 8831, 9042, 9396, 9460, 9899, 10017, 10258, 10556, 10845, 8 F.R. 166, 262, 445, 620, 1028.

[2] 8 F.R. 1130.

(Pub. Law 421, 77th Cong., W.P.B. Dir. No. 1, and Supp. Dir. No. 1E)

Issued this 27th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1452; Filed, January 27, 1943; 4:07 p. m.]

TITLE 46—SHIPPING

Chapter II—Coast Guard: Inspection and Navigation

Subchapter F—Marine Engineering

AMENDMENTS TO REGULATIONS; APPROVAL OF EQUIPMENT

PART 57—SUPPLEMENTARY DATA AND REQUIREMENTS

By virtue of the authority vested in me by R.S. 4405, 4417a, 4418, 4426, 4433, 4479, 4488, 4491, as amended, 49 Stat. 1544, 54 Stat. 1028 (46 U.S.C. 375, 391a, 392, 404, 411, 472, 481, 489, 367, 463a), and Executive Order 9083 (7 F.R. 1609), the following amendments to the Inspection and Navigation Regulations and approval of miscellaneous items of equipment for the better security of life at sea are prescribed:

Sections 57.21-21 and 57.21-22 are amended to read as follows:

§ 57.21-21 *Detail requirements.* Longitudinal joints may be of the lap type for material not exceeding $\frac{3}{8}$ inch and for heavier material the double butt strap joint shall be used. The width of the overlap in a lap joint shall be at least equal to 8 times the thickness of the plate and an aggregate of 16 times the thickness in the double butt strap construction, one-half on each side of the abutting plate edges. The laps or straps shall be held closely in position, metal to metal, by stitch riveting or other efficient means. The brazing material used shall be such as to produce a shearing strength in the joint of at least 10,000 psi.

§ 57.21-22 *Head joints.* Heads shall be fitted into the shells with a light driving fit, the overlap being at least equal to 4 times the thickness of the shell plate.

Subchapter O—Regulations Applicable to Certain Vessels and Shipping During Emergency

PART 153—BOATS, RAFTS, AND LIFESAVING APPLIANCES; REGULATIONS DURING EMERGENCY

Section 153.6 (s) is amended to read as follows:

§ 153.6 *Additional equipment for lifeboats on ocean and coastwise vessels.*

* * *

(s) *Fishing kit.* On every ocean vessel of over 3,000 gross tons there shall be provided in each lifeboat one approved fishing kit consisting of the following equipment:

1 pair, gloves, cotton, commercial grade.

1 knife, 2 in. high carbon steel blade, thickness of blade 0.060 in., tempered to test .56 to .60, well riveted into a wooden handle 6 in. long, $\frac{3}{4}$ in. wide by $\frac{1}{2}$ in. in thickness. Handle to be smooth and shaped, with a $\frac{1}{4}$ in. hole in end for attaching 3 ft. of 10-pound cord. Knife must be able to float. Blade to be guarded with a water-proofed paper tube $5\frac{1}{4}$ in. long by $\frac{5}{8}$ in. inside diameter.

1 package containing the following items:

1 sinker, egg-shaped, with 7/64 in. hole in center, weight 2 ounces, with 3 ft. of 10-pound cord attached to wooden handle containing the abrasive stone.

1 dozen pork rinds, dehydrated strips 4 in. long, $\frac{1}{2}$ in. wide, ends tapered to approximately $\frac{1}{8}$ in. and rounded, one end to have two hook-holds cut $\frac{3}{8}$ in. and $\frac{7}{8}$ in. from end respectively.

1 ≠1/0 O'Shaughnessy hook, attached to 6 in. of ≠9 stainless steel wire, other end attached to a ≠5 barrel swivel.

1 ≠3/0 O'Shaughnessy hook attached to 6 in. of ≠9 stainless steel wire, other end attached to ≠5 barrel swivel.

1 ≠7/0 O'Shaughnessy hook attached to 6 in. of ≠9 stainless steel wire, other end attached to a ≠2 barrel swivel.

1 ≠2 O'Shaughnessy hook attached to 6 in. of ≠5 stainless steel wire, other end attached to a ≠5 barrel swivel.

1 ≠6 O'Shaughnessy hook equipped with 3 in. of ≠5 stainless steel wire, other end attached to a ≠5 barrel swivel.

1 abrasive stone, size $\frac{3}{4}$ in. x $1\frac{7}{8}$ in x $\frac{1}{4}$ in., firmly cemented with waterproof cement into a wooden handle of sufficient size to make the unit buoyant. A $\frac{1}{4}$-in. hole shall be in the end of the wooden handle, with 3 ft. of 10-pound cord attached.

NOTE: All of the hooks in this package shall be firmly attached to a piece of tapered cork, 1 in x $\frac{3}{4}$-in. diameter maximum and attached to the wooden handle containing the abrasive stone.

1 set of instructions shall be printed on PAR-A-PAR paper.

1 dip net, 12 in. deep by approximately 16 in. across the top and bottom when folded flat. Cotton mosquito netting mounted on 12 gauge galvanized market wire. Ends of wire to be securely fastened in a round wooden handle 4 in. long by 1 in. in diameter, tapered both ends. Over-all length of net folded not over 16 in., to be folded once to approximate packing length of 8 in.

3 ft. of 10-pound cord to be attached to the handle and the front end of net.

1 fishing rig ≠1, $\frac{1}{4}$ in. winder, pressed wood or equivalent, containing 100 ft. of Ashaway 15-pound nylon line or equivalent; 1 ≠6 O'Shaughnessy hook rigged with 3 in. ≠5 stainless steel wire and a ≠5 barrel swivel attached. A split buck shot mounted on line about 6 in. above hook.

1 fishing rig ≠2, $\frac{1}{8}$ in. winder, pressed wood or equivalent, with 100 ft. of ≠12 Ashaway white cotton shore line, or equivalent. Equipped with a stubbed mackerel squid jig mounted on a 1/0 O'Shaughnessy hook equipped with 6 in. of ≠5 stainless steel wire with a ≠5 barrel swivel attached (NOTE: Hook on this line should be light colored.)

1 fishing rig ≠3, $\frac{1}{8}$ in. winder, pressed wood or equivalent, with 100 ft. of ≠24 Ashaway white shore line, or equivalent. Equipped with a 1-ounce feather jig with white rubber skirts, chrome plated head, rigged with a 3/0 O'Shaughnessy hook with 24 in. of ≠9 stainless wire leader and a ≠5 barrel swivel attached.

1 fishing rig ≠4 $\frac{1}{8}$ in. winder, pressed wood or equivalent, with 100 ft. of ≠24 Ashaway white cotton shore line, or equivalent; equipped with a ≠1/0 O'Shaughnessy hook on 5 in. ≠9 stainless steel wire with ≠5 barrel swivel attached. A 2-ounce egg-shaped lead sinker with a 7/64 in. hole mounted on a line about 18 in. above hook with knot tied above and below lead.

1 fishing rig ≠5, $\frac{1}{8}$ in. winder, pressed wood or equivalent, with 100 ft. of ≠24 Ashaway white cotton shore line, or equivalent. Equipped with a ≠7/0 gang hook and a 1-ounce egg-shaped sinker, with 7/64 in. hole. Mounted on the line so that this sinker lies directly under the hooks.

1 fishing rig ≠6, $\frac{1}{8}$ in winder, pressed wood or equivalent, with 100 ft. ≠48 Ashaway white cotton shore line, or equivalent, equipped with $1\frac{1}{2}$-ounce feather jig rigged with a 6/0 O'Shaughnessy hook on 2 ft. of ≠9 stainless steel wire and ≠2 barrel swivel.

1 fishing rig ≠7, $\frac{1}{8}$ in. winder, pressed wood or equivalent, with 100 ft. of ≠48 Ashaway white cotton shore line, or equivalent. Equipped with a specially constructed spear of approximately 7 in. over-all in length, special constructed barb on one end with an open eye on the other end, and a "U"-shaped attachment brazed to the side of the spear to accommodate blade of oar or paddle. This item should be constructed of a good grade of commercial steel, the barb to be rounded at the end and back to be concave; protected with a water-proofed paper tube to be $4\frac{3}{4}$ in. long and $\frac{5}{8}$ in. inside diameter.

1 bib, width across bottom 28 in., width from end of flap to end of flap, 36 in. Width across the top 30 in. Length from top of bib to bottom, 15 in. Bib shall contain 12 pockets in which each of the items shall be inserted. All of the edges shall be hemmed and double stitched. Fastened to the end of the left-hand flap shall be a rayon tape 18 in. long by $\frac{1}{8}$ in., securely sewn. Fastened to the right-hand flap shall be 2 rayon tapes, 18 in. long by $\frac{1}{8}$ in., securely sewn. $7\frac{1}{2}$ in. from each corner of the top of the bib shall be firmly sewn a rayon tape 24 in. long by $\frac{1}{8}$ in. The bib shall be made of olive drab cotton cloth, herring-bone twill, weight per square yard 8.5, minimum thread count per inch in warp 72, in filling 46; breaking strength in warp 125 pounds, in filling 85 pounds. The test to be made by 1 x 1 x 3 Grab Method.

All material shall be packed in a metal waterproof key opening can. A $\frac{3}{4}$ in. ring which shall hinge back flat shall be soldered on the bottom of the container.

NOTE: Each rig shall be marked with saw-cuts on both sides of winder for identification. All hooks and swivels to be attached with at least 6 turns of the wire. All lines attached to swivels with a surfman's hitch with three wraps. All fishing hooks to be bound to rigs with scotch tape. (Approximate weight of kit, packed, $3\frac{1}{2}$ pounds.)

The container shall bear the manufacturer's name or trademark, together with the following inscription:

EMERGENCY FISHING KIT
OPEN ONLY FOR ACTUAL EMERGENCY USE

§ 153.7 *Additional equipment for life rafts on ocean and coastwise vessels.*

* * *

(j) *Fishing kit.* On every ocean vessel of over 3,000 gross tons there shall be provided in each life raft one approved fishing kit consisting of the following equipment:

(The number and kind of items are the same as contained in § 153.6 (s).)

MISCELLANEOUS ITEMS OF EQUIPMENT APPROVED

The following miscellaneous items of equipment for the better security of life at sea are approved:

Safety Valves

Consolidated Type 1415-W welded safety valve (Dwg. No. S-6335, dated 2 December 1942) (Maximum temperature of 850° F.), manufactured by Consolidated Safety Valve Division, Manning, Maxwell & Moore, Inc., Bridgeport, Conn.

Davits

Schat low type sheath screw davit, Type S. S. L. 5, (Arrangement Dwg. No. C. A. 300, dated 27 May 1942) (Maximum working load of 2,500 pounds per arm), submitted by Marine Safety Devices, Inc., New York, N. Y.

Welin Crescent sheath screw davit, Type A-5W (Arrangement Dwg. No. 1904, Rev. 1 July 1942), (Maximum working load of 2,500 pounds per arm), manufactured by Welin Davit & Boat Corp., Perth Amboy, N. J.

Lifesaving Net

Salterini lifesaving net (Dwg. No. 503), manufactured by the John B. Salterini Co., New York, N. Y.

Bilge Pump for Lifeboats

$1\frac{1}{4}$" semi-rotary oscillating hand pump (Dwg. No. 58-S-2, dated 21 November 1942), manufactured by F. E. Myers & Bro. Co., Ashland, Ohio.

Fire Extinguisher

Commander $2\frac{1}{2}$ gallon pump tank extinguisher. (Arrangement Dwg. No. 4M-1823, dated 18 April 1942), manufactured by American-La France-Foamite Corp., Elmira, N. Y. Approval limited to duration of emergency.

Emergency Fishing Kit

Emergency Fishing Kit No. 10, manufactured by Ashaway Line & Twine Co., Ashaway, R. I.

L. T. CHALKER,
Acting Commandant.

JANUARY 27, 1943.

[F. R. Doc. 43-1460; Filed, January 28, 1943; 10:27 a. m.]

Chapter IV—War Shipping Administration

[General Order 21,[1] Supplement 1 (Revised 1-43)]

PART 306—GENERAL AGENTS AND AGENTS

SERVICE AGREEMENT FORM

Section 306.48 *Part II to Service Agreement (TCA)* is amended by striking out the entire section and inserting in lieu thereof the following:

§ 306.48 *Part II to Service Agreement (TCA).* Vessels of which the United States of America, by and through its governmental agencies or departments other than the War Shipping Administration, is owner or owner pro hac vice, are from time to time released to the War Shipping Administration so that the latter may conduct the business of booking, loading and discharging cargo. Such vessels will be assigned to agents under the "Service Agreement for Vessels Time Chartered From Others by the War Shipping Administration" (TCA-4/4/42 as set forth in G. O. 21) (§ 306.45) modified by "Part II" to said agreement as follows:

[1] 7 F.R. 8240.

PART II
to
SERVICE AGREEMENT FOR VESSELS TIME CHARTERED FROM OTHERS BY THE WAR SHIPPING ADMINISTRATION

(Provisions Relating to Vessels of Which the United States of America, By and Through Its Agencies or Departments Other Than The War Shipping Administration, Is Owner Or Owner Pro Hac Vice Which are Released to the War Shipping Administration.)

Whereas, the United States of America (herein called the "United States") acting by and through the Administrator, War Shipping Administration, and ---------- (herein called the "Agent") entered into an Agreement (Contract WSA ----) dated ---------- (herein called the "Service Agreement") whereby the United States appointed the Agent as its agent to conduct the business of vessels time chartered by the United States and assigned to it by the United States from time to time, and

Whereas, the Army, the Navy, and other departments and agencies of the United States release to the War Shipping Administration, from time to time, vessels of which the United States (through such departments or agencies) is the owner or owner pro hac vice, under an arrangement whereby the War Shipping Administration is responsible for the booking and/or loading and/or discharging activities in connection with such vessels for certain voyages; and

Whereas, it is desirable to have both the vessels which are released to the War Shipping Administration by other departments or agencies of the United States as well as vessels which are time chartered by the War Shipping Administration, subject to the uniform provisions of one agreement;

Now, therefore:

In consideration of the reciprocal covenants and agreements contained in the Service Agreement, it being understood that nothing herein contained shall alter the terms of the Service Agreement (TCA 4/4/42) in respect of vessels time chartered from others by the War Shipping Administration, it is hereby agreed that, as to vessels heretofore or hereafter released by the Army, the Navy or some other agency or department of the United States Government to the War Shipping Administration and, in turn, assigned to the Agent under the Service Agreement, the parties hereto shall be governed by the provisions of the said Service Agreement modified as follows:

Section 1. Article 1 of the Service Agreement shall be considered altered and amended to read as follows:

"The United States appoints the Agent as its agent and not as an independent contractor, to conduct the business of vessels of which the United States, acting by and through any of its departments or agencies other than the War Shipping Administration, is owner or owner pro hac vice and which are released, allocated or assigned to the War Shipping Administration and, in turn, assigned to the Agent under the terms of this Service Agreement."

Section 2. Article 3A (a) of the Service Agreement shall be considered altered and amended to read as follows:

"Perform all of the customary duties of an agent for the booking of cargo and all loading and discharging activities in connection with the vessels subject to this Agreement, subject to the orders of the United States as to voyages, cargoes, priorities of cargoes, charters, rates of freight and other charges and as to all matters connected with the use of the vessels; or in the absence of such orders, the Agent shall follow reasonable commercial practice";

Section 3. Article 3A (c) of the Service Agreement shall be considered altered and amended as follows:

In the first line the words "fuel, fresh water" shall be deleted. In the sixth line the words "time charterer of" shall be deleted and the words "carrier of the cargo in" shall be inserted in place of the deletion. In line 9 the words "and supplying fuel" shall be deleted.

Section 4. Article 3A (d) shall be considered altered and amended so as to read as follows:

"Issue or cause to be issued to shippers customary freight contracts and bills of lading in the form prescribed by the United States, and prepare manifests and other cargo documents."

Section 5. Article 9 of the Service Agreement shall be considered altered and amended as follows:

The last sentence shall be deleted.

Section 6. Article 10 of the Service Agreement shall be considered altered and amended so as to read as follows:

"The negotiation and settlement of all salvage claims for services rendered by vessels shall be controlled by the United States. The Agent shall furnish the United States with full reports and information on all salvage services rendered."

In witness whereof, the parties hereto have executed this Part II to the Service Agreement in triplicate this ------ day of ----------, 19----.

UNITED STATES OF AMERICA,
By: E. S. LAND, *Administrator, War Shipping Administration.*
By: ----------
For the Administrator
By: ----------

[CORPORATE SEAL]

Attest:

Secretary.

Approved as to form:

Assistant General Counsel, War Shipping Administration.

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

JANUARY 26, 1943.

[F. R. Doc. 43-1463; Filed, January 28, 1943; 11:15 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-64]

LEFT FORK FUEL CO., INC.

ORDER GRANTING APPLICATION FOR RESTORATION OF CODE MEMBERSHIP

In the matter of Left Fork Fuel Company, Incorporated, code member, defendant.

A written complaint dated October 2, 1941, having been filed on October 7,

1941, by the Bituminous Coal Producers Board for District No. 8, complainant, pursuant to section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, alleging wilful violation by Left Fork Fuel Company, Incorporated, a corporation, East Lynn, West Virginia, in the Bituminous Coal Code and the rules and regulations promulgated thereunder; and

Left Fork Fuel Company, Incorporated, having filed with the Bituminous Coal Division (the "Division") on January 15, 1943, its application for restoration of its code membership to become effective simultaneously with the effective date of the Order entered in Docket No. B-64, issued January 7, 1943, revoking and cancelling the code membership of said Left Fork Fuel Company, Incorporated, in the Code to become effective fifteen (15) days from the date of said Order; and

It appearing from said application and other information in the possession of the Division, that said Left Fork Fuel Company, Incorporated, paid to the Deputy Collector of the Internal Revenue at Huntington, West Virginia, on January 14, 1943, the sum of $403.65, pursuant to said Order issued January 7, 1943, in the above-entitled matter, as a condition precedent to the restoration of its code membership.

Now, therefore, it is ordered, That said application Left Fork Fuel Company, Incorporated, filed with the Division on January 15, 1943, for restoration of its code membership, be, and the same hereby is granted.

It is further ordered, That said restoration of the code membership of Left Fork Fuel Company, Incorporated, be, and the same hereby is effective January 22, 1943.

Dated: January 27, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-1478; Filed, January 28, 1943; 12:18 p. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

AMENDMENTS OF LEARNER REGULATIONS AND DETERMINATIONS APPLICABLE TO VARIOUS INDUSTRIES

NOTICE OF OPPORTUNITY TO SHOW CAUSE

In the matter of amendments of learner regulations and determinations applicable to the hosiery industry, women's apparel industry, single pants, shirts, and allied garments industry, sportswear and other odd outerwear divisions of the apparel industry, belts division of the apparel industry, textile industry, knitted and men's woven underwear and commercial knitting industry, knitted outerwear industry and gloves and mittens industry.

Whereas a hearing was held on October 26 and 27, 1942, to consider amendments of learner regulations and determinations applicable to the hosiery industry, women's apparel industry, single pants, shirts and allied garments industry, sportswear and other odd outerwear divisions of the apparel industry, belts division of the apparel industry, textile industry, knitted and men's woven underwear and commercial knitting industry, knitted outerwear industry and gloves and mittens industry, and

Whereas the presiding officer, Merle D. Vincent has found that data were presented at that hearing which showed the need in the above industries for provision within the regulations for abnormal labor turnover which is occurring in certain localities, and for a change in the subminimum wage rate at which learners are to be employed, and recommended that the learner regulations and determinations applicable to the aforementioned industries be amended in the particulars that they are inconsistent with the following provisions to be effective for the duration of the war emergency:

1. Special learner certificates may be issued upon individual applications of employers provided that it is satisfactorily shown that:

(a) Experienced labor is not available in the locality from which the employer customarily draws his labor supply;

(b) Learners are available for employment at the established subminimum learner wage rate;

(c) The issue of a certificate will not tend to impair working or wage standards established for experienced workers in the industry;

(d) The issue of such certificates will not create unfair competitive labor cost advantages;

(e) The number of learners applied for will not tend to impair the statutory minimum wage rate in such plant;

(f) The applicant's piece work or hourly wage rates yield average earnings to experienced workers substantially above the minimum wage rate.

2. The subminimum wage rate which may be provided in special learner certificates shall be not less than 35 cents per hour.

3. The effective period for special learner certificates for labor turnover shall not exceed six months.

4. Authorization to employ a number or percentage of learners for labor turnover in excess of that provided in industry regulations may be granted to the extent of the actual need of an individual applicant, when that need is due to an abnormal labor turnover resulting from the war emergency.

Now, therefore, notice is hereby given all interested parties of an opportunity to show cause why the said recommendations of Merle D. Vincent shall not be adopted. Objections, statements and briefs will be received, considered and examined by the Administrator of the Wage and Hour and Public Contracts Divisions, U. S. Department of Labor, 165 West 46th Street, New York, New York, if filed with him on or before February 15, 1943.

Signed at New York, New York, this 27th day of January 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc 43-1464; Filed, January 28, 1943; 11:34 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4733]

VITAMIN PRODUCTS CO.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 27th day of January, A. D. 1943.

In the matter of Royal Lee, an individual, trading under the name of Vitamin Products Company.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That James A. Purcell, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, April 7, 1943, at ten o'clock in the forenoon of that day (central standard time) in the Office of the Postmaster, Post Office Building, Milwaukee, Wisconsin.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc 43-1461; Filed, January 28, 1943; 11:02 a. m.]

[Docket No. 4890]

WASHINGTON INSTITUTE, ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 27th day of January, A. D. 1943.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That James A. Purcell, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, March 16, 1943, at ten o'clock in the forenoon of that day (Pacific standard time) in Room 526, New Court House, Portland, Oregon.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commision.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-1462; Filed, January 28, 1943; 11:02 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 341]

COLLECTORS GALLERIES, INC.

Re: All of the capital stock of Collectors Galleries, Inc., and certain indebtedness owing by it.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

(a) That the property described as follows:

All of the outstanding capital stock of Collectors Galleries, Inc., a New York corporation, New York, New York, which is a business enterprise within the United States, consisting of 1,000 shares of no par value capital stock, the names and last known addresses of the registered owners of which, and the number of shares owned by them respectively, are as follows:

Name and last known address:	Number of shares
Delfino Cinelli, Signa, Italy	504
Raffaello Cinelli, Signa, Italy	142
Gioconda Rousseau, Signa, Italy	59
Nella Burgisse, Signa, Italy	59
Lina Cinelli, Signa, Italy	59
Giuliana Cinelli, Signa, Italy	59
Francesca Cinelli, Signa, Italy	59
Gioconda Cinelli, Signa, Italy	59
Total	1,000

is property of nationals, and represents ownership of said business enterprise which is a national, of a designated enemy country (Italy); and

(b) That the property described as follows:

All right, title, interest and claim of Delfino Cinelli, Signa, Italy, in and to all indebtedness, contingent or otherwise and whether or not matured, owing to him by Collectors Galleries, Inc., 250 West Fifty-seventh Street, New York, New York, including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness, and including particularly the loan account carried on the books of the aforesaid Collectors Galleries, Inc., in the name of Delfino Cinelli,

is an interest in the aforesaid business enterprise held by a national of an enemy country, and also is property within the United States owned or controlled by a national of a designated enemy country (Italy);

and determining that to the extent that any or all of such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country, and having made all determination and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this Order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on November 6, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1467; Filed, January 28, 1943; 11:41 a. m.]

[Vesting Order 477]

RIBERENA FUEL & CHARTERING CO., INC.

Re: All of the capital stock of Riberena Fuel & Chartering Company, Inc., and certain indebtedness owing by it.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

(a) That the property described as follows:

All of the capital stock of Riberena Fuel & Chartering Company, Inc., a New York corporation, New York, New York, which is a business enterprise within the United States, consisting of 100 shares of no par value common capital stock, registered in the names of the following persons:

Name:	Number of shares
J. R. Routh	1
J. S. Routh	1
William B. Devoe	98
Total	100

is owned by or held for the benefit of Deutsches Kohlen Depot, G. m. b. H., whose last known address was represented to the undersigned as being Hamburg, Germany, and therefore is property of and represents ownership of said business enterprise which is, a national of a designated enemy country (Germany); and

(b) That the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of "Riberena del Plata" Sudamericana de Comercio, S. A., Buenos Aires, Argentina, in and to all indebtedness, contingent or otherwise and whether or not matured, owing to it by said Riberena Fuel & Chartering Company, Inc., including but not limited to all security rights in and to any and all collateral for any and all of such indebtedness and the right to sue for and collect such indebtedness,

is property of said "Riberena del Plata" Sudamericana de Comercio, S. A., which is presently on the Proclaimed List of Certain Blocked Nationals promulgated pursuant to Proclamation 2497 of the President of the United States of America of July 17, 1941, and which is acting or purporting to act directly or indirectly for the benefit of or on behalf of or as a clonk for a designated enemy country (Germany) or a person within such country, and that therefore such property is an interest in the aforesaid business enterprise held by a national of an enemy country and also is property within the United States owned or controlled by a national of a designated enemy country (Germany);

and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany), and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on December 11, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1468; Filed, January 28, 1943; 11:41 a. m.]

[Vesting Order 478]

UCHIDA INVESTMENT COMPANY

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order Number 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that W. Kitagawa, whose last known address was represented to the undersigned as being Japan, is a national of a designated enemy country (Japan);

2. Finding that W. Kitagawa is the owner of 497 shares of $10 par value capital stock of Uchida Investment Company, a California corporation, Venice, California, which is a business enterprise within the United States and which shares constitute a substantial part (namely, 49.75%) of all outstanding capital stock of, and represent an interest in, said business enterprise;

3. Determining, therefore, that said business enterprise is a national of a designated enemy country, (Japan);

4. Determining that to the extent that such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Japan);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the 497 shares of stock referred to in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on December 11, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc 43-1469; Filed, January 28, 1943; 11:41 a. m.]

[Vesting Order 495]

CORNER MOTT & HESTER STREETS, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Guiseppe Molea, Jr., Vito Molea, the heirs or assigns of Guiseppe Molea, Sr. and the estate of Guiseppe Molea, Sr., deceased, whose last known addresses were represented to the undersigned as being Italy, are nationals of a designated enemy country (Italy);

2. Finding that said nationals are the owners of all of the outstanding capital stock of Corner Mott & Hester Streets, Inc., a New York corporation, New York, New York, which is a business enterprise within the United States consisting of 160 shares of no par value stock registered as follows:

Name:	Number of shares
Guiseppe Molea, Jr.	50
Vito Molea	50
Guiseppe Molen, Sr., deceased	60
Total	160

3. Determining, therefore, that said business enterprise is a national of a designated enemy country (Italy);

4. Determining that to the extent that such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Italy);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the shares of stock described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on December 12, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1470; Filed, January 28, 1943; 11:41 a. m.]

[Vesting Order 590]

JETTER & SCHEERER PRODUCTS, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended and pursuant to law, the undersigned, after investigation:

1. Finding that Fritz Scheerer, whose last known address was represented to the undersigned as being Tuttlingen, Germany, is a national of a designated enemy country (Germany);

2. Finding that said national is the beneficial owner of all of the outstanding voting stock of Jetter & Scheerer Products, Inc., a New York corporation, New York, New York, which is a business enterprise within the United States, consisting of 200 shares of $100 par value common stock, registered as

Name:	Number of shares
Ernest S. Beck	198
Ernest Alfred Beck	1
Gustave Sues	1
Total	200

3. Finding that said 200 shares represent control of said business enterprise;

4. Determining, therefore, that said business enterprise is a national of a designated enemy country (Germany);

5. Finding that Aktiengesellschaft Fur Feinmechanik vormals Jetter and Scheerer, whose last known address was represented to the undersigned as being Tuttlingen, Germany, is a national of a designated enemy country (Germany);

6. Finding, therefore, that all right, title, interest and claim of any name or nature whatsoever of said Aktiengesellschaft Fur Feinmechanik vormals Jetter and Scheerer in and to all indebtedness, contingent or otherwise and whether or not matured, owing to it by said Jetter & Scheerer Products, Inc., including but not limited to all security rights in and to any and all collateral for any or all such indebtedness and the right to sue for and collect such indebtedness, is property of, and represents an interest in said business enterprise which is, a national of a designated enemy country (Germany);

7. Determining that to the extent that such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

8. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

9. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the shares of stock described in subparagraph 2 hereof and the property described in subparagraph 6 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitution an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on December 29, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1471; Filed, January 28, 1943; 11:43 a. m.]

[Vesting Order 601]

HUGO HEIERMANN, ET AL.

Re: Contract rights of Hugo Heiermann, Richard Hans and Seeger & Co., G. m. b. H.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation:

1. Finding that Hugo Heiermann, whose last known address is Frankfort-on-Main, Germany, and Richard Hans, whose last known address is Berlin-Neukoslin, Germany, are nationals of a foreign country (Germany);

2. Finding that Seeger & Co. G. m. b. H. is a corporation organized under the laws of Germany and is doing business at Frankfort-on-Main, Germany, and therefore is a national of a foreign country (Germany);

3. Finding that the aforesaid Hugo Heiermann Richard Hans and Seeger & Co. G. m. b. H have interests in the contract referred to in subparagraph 4 hereof;

4. Finding, therefore, that the property described as follows:

The interests of Hugo Heiermann, Richard Hans, and Seeger & Co. G. m. b. H., and each of them, in and to a contract dated August 6, 1938, by and between Hugo Heiermann as party of the first part and Ludwig Bluth and Richard Hans as parties of the second part, involving rights in and under U. S. Patent No. 1,758,515, together with all accrued royalties and other monies payable or held with respect to such interests,

is property payable or held with respect to a patent or right related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 4, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on January 6, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1472; Filed, January 28, 1943; 11:43 a. m.]

[Vesting Order 602]

CONTRACT RIGHTS OF ICHTHYOL-GESELLSCHAFT CORDES, HERMANNI & CO.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation:

1. Findig that Ichthyol-Gesellschaft Cordes, Hermanni & Co. (hereinafter referred to as "The Gesellschaft") is a corporation organized under the laws of Germany and is doing business at Hamburg-Lockstedt, Germany, and therefore is a national of a foreign country (Germany);

2. Finding that The Gesellschaft has an interest in the agreement referred to in subparagraph 3 hereof;

3. Finding, therefore, that the property described as follows:

The interest of The Gesellschaft in and to a certain agreement by and between The Gesellschaft and the Ichthyol Co., dated January 2, 1923, relating to the manufacture and distribution of certain products designated by trade-marks assigned to the Ichthyol Co., as amended by agreement dated February 28, 1936, between the same parties, together with all accured royalties and other monies payable or held with respect to such interest,

is property payable or held with respect to trade-marks or rights related thereto in which an interest is held by, and such property itself constitutes an interest held therein by, a national of a foreign country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 6, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1473; Filed, January 28, 1943; 11:43 a. m.]

[Vesting Order 603]

CONTRACT RIGHTS OF MAX RUEPING

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation:

1. Finding that Max Rueping, whose last known address is Munich, Germany, is a national of a foreign country (Germany);

2. Finding that said Max Rueping has an interest in the agreement referred to in subparagraph 3 hereof;

3. Finding therefore that the property described as follows:

The interest of Max Rueping in and to an agreement dated June 28, 1935, by and between Max Rueping and Oscar M. Bernuth, relating to the assignment of certain patents owned by Max Rueping to a corporation to be

[F. R. Doc. 43-1469; Filed, January 28, 1943; 11:41 a. m.]

formed under the laws of Delaware, in return for the transfer to Max Rueping of 1,000 shares of Class A stock to be issued by such corporation, together with all royalties and other monies payable or held with respect to such interest,

is property payable or held with respect to patents or rights related thereto in which an interest is held by, and such property is itself an interest held therein by, a national of a foreign country (Germany),

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 6, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1474; Filed January 28, 1943; 11:43 a. m.]

[Vesting Order 635]

FREDERICK PUSTET COMPANY, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Marietta Schelosky, Elisabeth Erhard and Gertrud Pustet, whose last known addresses were represented to the undersigned as being Munich, Germany, Landl, County of Thiersee, Germany, and Regensburg, Germany, respectively, are nationals of a designated enemy country (Germany);

2. Finding that 1,520 shares of $100 par value common stock of Frederick Pustet Company, Inc., a New York corporation, New York, New York, registered in the name of Karl Eberle-Birchler, Einsiedeln, Switzerland, are beneficially owned by the aforesaid individuals in the following respective amounts:

Name:	Number of shares
Marietta Schelosky	507
Elisabeth Erhard	507
Gertrud Pustet	506
Total	1,520

3. Finding that said corporation is a business enterprise within the United States and that said 1,520 shares of stock constitute a substantial part (namely, 38⅓%) of all the outstanding capital stock of said business enterprise and represent an interest therein;

4. Determining, therefore, that said business enterprise is a national of a designated enemy country (Germany);

5. Finding that the property described as follows:

All rights, title, interest and claim of any name or nature whatsoever of Marietta Schelosky, Elisabeth Erhard, and Gertrud Pustet, and each of them, in and to all obligations, contingent or otherwise and whether or not matured, owing to them or any of them by said Frederick Pustet Company, Inc., including but not limited to all security rights in and to any and all collateral for any or all of such obligations and the right to sue for and collect such obligations,

is an interest in the aforesaid business enterprise held by nationals of an enemy country, and also is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

6. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

7. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

8. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the shares of stock described in subparagraph 2 hereof and the property described in subparagraph 5 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on January 6, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1475; Filed, January 28, 1943, 11:44 a. m.]

[Vesting Order 640]

DRESDEN-LEIPZIGER SCHNELLPRESSENFABRIK A. G., ET AL.

Re: Interests of German corporations in contracts relating to patents.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation:

1. Finding that Dresden-Leipziger Schellpressenfabrik A. G., Askania Werke A. G., and Chemische Fabrik Pfersee, G.m.b.H. are corporations organized under the laws of Germany and are doing business at Radebeul, Berlin and Augsburg, Germany, respectively, and therefore are nationals of a foreign country (Germany);

2. Finding therefore that the interests in contracts relating to patents, which are described in Exhibit A attached hereto and made a part hereof, are property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 6, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Interest in contracts relating to patents identified as follows:

a. Non-exclusive license of Dresden-Leipziger Schnellpressenfabrik A. G., its successors, representatives and assigns, under United States Letters Patent No. 1,838,624, issued December 29, 1931, inventor T. W. Horn, for Paper Feeder, granted by virtue of an agreement with Sanlin Sales Corporation and T. W. Horn dated September 6 and 9, 1938, and recorded in the United States Patent Office on September 26, 1938, at Liber M-176, page 196.

b. All right, title and interest of Askania-Werke A. G., in and to a contract dated July 5, 1939 with Askania Regulator Company signed by Askania Regulator Company on July 17, 1939 and by Askania-Werke A. G. on August 5, 1939, granting a license to Askania Regulator Company with respect to certain patents and applications therefor, together with all monies, credits, royalties, fees and other amounts due and payable with respect thereto.

c. All right, title and interest of Chemische Fabrik Pfersee, G. m. b. H., in and to a certain contract dated June 25, 1935, by and between it and Warwick Chemical Company, together with all monies, credits, royalties, fees and other amounts due and payable with respect thereto.

[F. R. Doc. 43-1476; Filed, January 28, 1943; 11:44 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 2 Under MPR 39]

PRYOR AND COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 2 under Maximum Price Regulation No. 39—Woven Decorative Fabrics—Docket No. 3039-15.

For the reasons set forth in the opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator and in accordance with § 1400.160 (b) of Maximum Price Regulation No. 39, *It is hereby ordered:*

Adjustment of maximum prices for the sale of certain constructions of woven decorative fabrics by Pryor & Company. (a) On and after January 28, 1943, Pryor & Company may sell and deliver the following constructions of woven decorative fabrics at prices not in excess of the prices set forth below:

Name of fabric	Construction	Maximum price
Monk's cloth	2 x 2, 12 oz., 50"	*Per yard* $.30375
Monk's cloth	4 x 4, 14 oz., 50"	$.40425

(b) Pryor & Company shall mail or cause to be mailed to all persons who purchase from it a notice reading as follows:

The Office of Price Administration has permitted us to raise our maximum price for sales to you as follows:

Name of fabric	Construction	Former maximum price	Adjusted maximum price
Monk's cloth	2 x 2, 12 oz. 50"	*Per yard* $.30225	*Per yard* $.30375
Monk's cloth	4 x 4, 14 oz. 50"	$.40425	$.40425

These increases allowed us represent only those parts of cost increases which we are unable to absorb and they were granted with the understanding that retail prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for sales of these woven decorative fabrics.

(c) Except for the adjusted maximum prices granted herein, all sales of the constructions of woven decorative fabrics set forth above shall be subject to the provisions of Maximum Price Regulation No. 39.

(d) All prayers of the petitioner not granted herein are denied.

(e) This Order No. 2 may be revoked or amended at any time by the Office of Price Administration.

(f) This Order No. 2 shall become effective January 28, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1444; Filed, January 27, 1943; 12:30 p. m.]

[Order 16 Under MPR 152]

QUAKER MAID COMPANY, INC.

ORDER DISMISSING PETITIONS FOR ADJUSTMENT

Order No. 16 under Maximum Price Regulation No. 152—Canned Vegetables.

Dismissal of petitions for adjustment of maximum prices filed by The Quaker Maid Company, Inc., 420 Lexington Avenue, New York, N. Y.

On September 16, 1942, The Quaker Maid Company, Inc. filed petitions pursuant to Procedural Regulation No. 6, issued by the Office of Price Administration, for specific authorization to adjust maximum prices established under Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by Applicant with respect to the packing in No. 10 size cans and 14 ounce glass bottles of tomato ketchup which Applicant proposes to sell to the Jersey City, New Jersey Quartermaster Depot of the United States Army.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and pursuant to Procedural Regulation No. 6, *It is hereby ordered*, That:

(a) The petitions of The Quaker Maid Company, Inc. for adjustment of its maximum prices for tomato ketchup packed in No. 10 size cans and 14 ounce glass bottles, as established under Maximum Price Regulation No. 152, be and are hereby dismissed.

(b) This Order No. 16 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 303 of the Emergency Price Control Act of 1942, as amended, shall apply to terms used herein.

(d) This order shall become effective on January 28, 1943.

Issued this 27th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1445; Filed, January 27, 1943; 12:29 p. m.]

[Order 1 Under MPR 185]

WASHINGTON PACKERS, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 1 under Maximum Price Regulation No. 185—Canned Fruits and Canned Berries.

Approval of maximum prices for Washington Packers, Inc., Sumner, Washington.

Washington Packers, Inc., has filed an application for specific authorization to charge a maximum price pursuant to § 1341.102 (e) of Maximum Price Regulation No. 185.

Due consideration has been given to the information submitted by applicant with respect to the packing of standard youngberries in No. 2 cans.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered*, That:

(a) Washington Packers, Inc., may sell, offer to sell or deliver and any person may buy, offer to buy or receive from Washington Packers, Inc., No. 2 cans of Standard Youngberries at a price no higher than the maximum price of $1.77 per dozen, f. o. b. factory.

(b) The applicant, Washington Packers, Inc., shall report to purchasers the following base price, maximum price and permitted increase, per dozen, as required by § 1341.106 (a):

Base price	Maximum price	Permitted increase
$1.41	$1.77	$.36

(c) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(d) The Applicant, Washington Packers, shall not change its customary allowances, discounts, or other price differentials, including price differentials between different classes of purchasers unless such change results in a lower price.

(e) Unless the context otherwise requires, the definitions set forth in § 1341.110 of Maximum Price Regulation No. 185 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(f) This order shall become effective on January 28, 1943.

Issued this 27th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1437; Filed, January 27, 1943; 12:32 p m.]

[Order 2 Under MPR 185]

BARRON-GRAY PACKING COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 2 under Maximum Price Regulation No. 185—Canned Fruits and Canned Berries.

Approval of Maximum Price for Barron-Gray Packing Company, San Jose, California.

The applicant, Barron-Gray Packing Company, has filed an application for specific authorization of a maximum price for Fancy Diced Pears in heavy syrup in No. 10 cans, pursuant to § 1341.102 (e) of Maximum Price Regulation No. 185.

Due consideration has been given to the information submitted by the applicant with respect to the packing of Fancy Diced Pears in heavy syrup in No. 10 cans.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered*, That:

(a) The applicant, Barron-Gray Packing Company, may sell, offer to sell or deliver and any person may buy, offer to buy or receive from the applicant, Fancy Diced Pears in heavy syrup packed in No. 10 cans at a price no higher than the maximum price of $10.25 per dozen, f. o. b. factory.

(b) The applicant shall report to purchasers the following base price, maximum price and permitted increase, per dozen, as required by § 1341.106 (a):

Base price	Maximum price	Permitted increase
$8.56	$10.25	$1.69

(c) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(d) The applicant shall not change its customary allowances, discounts or price differentials, including price differentials between different classes of purchasers, unless such change results in a lower price.

(e) Unless the context otherwise requires, the definitions set forth in § 1341.110 of Maximum Price Regulation No. 185 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(f) This order shall become effective January 28, 1943.

Issued this 27th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1438; Filed, January 27, 1943; 12:28 p m.]

[Order 3 Under MPR 185]

SALTER CANNING COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 3 under Maximum Price Regulation No. 185—Canned Fruits and Canned Berries.

Approval of maximum prices for Salter Canning Company, North Rose, Wayne County, New York.

The applicant, Salter Canning Company, has filed an application for specific authorization of maximum prices for various items of canned Bartlett Pears, pursuant to § 1341.102 (e) of Maximum Price Regulation No. 185.

Due consideration has been given to the information submitted by the applicant with respect to the packing of canned Bartlett Pears in the grades, counts, sizes and syrups in question.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered*, That:

(a) The applicant, Salter Canning Company, may sell, offer to sell or deliver and any person may buy, offer to buy or receive from the applicant, canned Bartlett Pears in the grades, counts, sizes and syrups listed in this paragraph at a price per dozen, f. o. b. factory, no higher than the maximum price listed in this paragraph and the applicant shall report to purchasers the base price, maximum price and permitted increase per dozen, listed in this paragraph, for each item, as required by § 1341.106 (a):

Size	Grade	Can count	Syrup	Base price	Maximum price	Permitted increase
2	Choice	11-13	15°	$1.54	$1.69	$ .15
2	Standard	7-15	15°	1.41	1.56	.15
2½	Choice	11-14	20°	2.08	2.29	.21
2½	Standard	8-17	15°	1.91	2.11	.20
10	Choice	4-5	20°	7.35	8.08	.73
10	Standard	4-7	15°	6.73	7.40	.67
2½	Fancy	6-8	30°	2.68	2.94	.26
10	Fancy	22-30	30°	9.08	9.99	.91
10	Fancy	30-35	30°	8.73	9.60	.87
10	Fancy	35-40	30°	7.83	8.61	.78

(b) This Order No. 3 may be revoked or amended by the Price Administrator at any time.

(c) The applicant shall not change its customary allowances, discounts or price differentials, including price differentials between different classes of purchasers, unless such change results in a lower price.

(d) Unless the context otherwise requires, the definitions set forth in § 1341.110 of Maximum Price Regulation No. 185 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(e) This order shall become effective January 28, 1943.

Issued this 27th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1439; Filed January 27, 1943; 12:29 p. m.]

[Order 4 Under MPR 185]

VISALIA CANNING COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 4 under Maximum Price Regulation No. 185—Canned Fruits and Canned Berries.

Approval of maximum price for Visalia Canning Company, Visalia, California.

The applicant, Visalia Canning Company, has filed an application for specific authorization for a maximum price for standard Kadota Figs packed in a No. 300 can, pursuant to § 1341.102 (e) of Maximum Price Regulation No. 185.

Due consideration has been given to the information submitted by the applicant with respect to the packing of Standard Kadota Figs in a No. 300 can.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered*, That:

(a) The applicant, Visalia Canning Company, may sell, offer to sell, or deliver and any person may buy, offer to buy or receive from the applicant, Standard Kadota Figs packed in a No. 300 can at a price no higher than the maximum price of $1.05 per dozen, f. o. b. factory.

(b) The applicant shall report to purchasers the following base price, maximum price and permitted increase, per dozen, as required by § 1341.106 (a):

Base price	Maximum price	Permitted increase
$.87	$1.05	$.18

(c) This Order No. 4 may be revoked or amended by the Price Administrator at any time.

(d) The applicant shall not change its customary allowances, discounts, or other price differentials, including price differentials between different classes of purchasers unless such change results in a lower price.

(e) Unless the context otherwise requires, the definitions set forth in § 1341.110 of Maximum Price Regulation No. 185 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(f) This Order shall become effective January 28, 1943.

Issued this 27th day of January 1943

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1441; Filed, January 27, 1943; 12:33 p. m.]

[Order 5 Under MPR 185]

PRATT-LOW PRESERVING COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 5 under Maximum Price Regulation No. 185—Canned Fruits and Canned Berries.

Approval of maximum price for Pratt-Low Preserving Company, Santa Clara, Calif.

The applicant, Pratt-Low Preserving Company, has filed an application for specific authorization for a maximum price for Choice Kadota Figs packed in a No. 300 can, pursuant to § 1341.102 (e) of Maximum Price Regulation No. 185.

Due consideration has been given to the information submitted by the applicant with respect to the packing of Choice Kadota Figs in No. 300 cans.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered*, That:

(a) The applicant, Pratt-Low Preserving Company, may sell, offer to sell or deliver and any person may buy, offer to buy or receive from the applicant, Choice Kadota Figs packed in a No. 300 can at a price no higher than the maximum price of $1.20 per dozen, f. o. b. factory.

(b) The applicant shall report to purchasers the following base price, maximum price and permited increase, per dozen, as required by § 1341.106 (a):

Base price	Maximum price	Permitted increase
$1.05	$1.20	$.15

(c) This Order No. 5 may be revoked or amended by the Price Administrator at any time.

(d) The applicant shall not change its customary allowances, discounts, or other price differentials, including price differentials between different classes of purchasers unless such change results in a lower price.

(e) Unless the context otherwise requires, the definitions set forth in § 1341.110 of Maximum Price Regulation No. 185 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(f) This order shall become effective January 28, 1943.

Issued this 27th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1440; Filed, January 27, 1943; 12:32 p m.]

[Order 6 Under MPR 185]

ROOD AND MCLEAN FRUIT PRODUCTS

APPROVAL OF MAXIMUM PRICE

Order No. 6 under Maximum Price Regulation No. 185—Canned Fruits and Canned Berries.

Approval of maximum price for Rood & McLean Fruit Products, Westfield, N. Y.

The applicant, Rood and McLean Fruit Products, has filed an application for specific authorization for a maximum price for Red Sour Cherry Juice in pint bottles, pursuant to § 1341.102 (e) of Maximum Price Regulation No. 185.

Due consideration has been given to the information submitted by the applicant with respect to the packing of Red Sour Cherry Juice in pint bottles.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered*, That:

(a) The applicant, Rood and McLean Fruit Products, may sell, offer to sell and deliver and any person may buy, offer to buy or receive from the applicant, Red Sour Cherry Juice in pint bottles at a price no higher than the maximum price of $1.93 per dozen, f. o. b. factory.

(b) The applicant shall report to purchasers the following base price, maximum price and permitted increase, per dozen, as required by § 1341.106 (a):

Base price	Maximum price	Permitted increase
$1.75	$1.93	$.18

(c) This Order No. 6 may be revoked or amended by the Price Administrator at any time.

(d) The applicant shall not change its customary allowances, discounts or price differentials, including price differentials between different classes of purchasers, unless such change results in a lower price.

(e) Unless the context otherwise requires, the definitions set forth in § 1341.110 of Maximum Price Regulation No. 185 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(f) This order shall become effective January 28, 1943.

Issued this 27th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1442; Filed, January 27, 1943; 12:33 p. m.]

[Order 141 Under MPR 188]

PLAS-TI-FIBRE CORPORATION

APPROVAL OF MAXIMUM PRICES

Order No. 141 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum prices for sales of a new Plas-Ti-Pad manufactured by Plas-Ti-Fibre Corporation.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, Executive Order No. 9350, § 1499.158 of Maximum Price Regulation No. 188, and § 1499.3 (c) of the General Maximum Price Regulation, *It is ordered:*

(a) This Order No. 141 sets maximum prices for sales of two new types of scouring pads designated as "Plas-Ti-Pads" and "Industrial Size Plas-Ti-Pads" manufactured by Plas-Ti-Fibre Corporation, 111 West Washington Street, Chicago, Illinois.

(1) For sales of the manufacturer, the maximum prices are the following:

[All prices are f. o. b. factory]

Gross lots	Plas-Ti-Pads	Industrial size Plas-Ti-Pads
	Per gross	*Per gross*
100	$8.00	$15.00
25	8.15	15.30
5	8.25	15.50
Less than 5	8.50	16.00

(2) For sales at wholesale, the maximum prices are $9.60 per gross for the Plas-Ti-Pads and $19.20 per gross for the Industrial Size Plas-Ti-Pads. The wholesale prices are f. o. b. seller's city.

(3) For sales at retail, the maximum price for the Plas-Ti-Pad is 10 cents per package and for the Industrial Size Plas-Ti-Pad, 20 cents per package.

(b) To every package of Plas-Ti-Pad and Industrial Size Plas-Ti-Pad shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail ceiling price.

(c) At or before the time of first delivery after the effective date of this regulation the manufacturer shall notify in writing every person who buys from him of the maximum price set by this Order No. 141 for resales by the purchaser. This written notice may be given in any convenient form; for example, it may be shown on or attached to the invoice, or packed with the merchandise.

(d) Unless the context otherwise requires, the definitions set forth in

§ 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(e) This Order No. 141 shall become effective on the 28th day of January 1943.

Issued this 27th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1443; Filed, January 27, 1943; 12:31 p. m.]

[Order 142 Under MPR 188]

MARLIN FIREARMS COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 142 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Maximum prices for sales of a new razor blade sharpener, manufactured by Marlin Firearms Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, § 1499.158 of Maximum Price Regulation No. 188, and § 1499.3 (c) of the General Maximum Price Regulation, *It is ordered:*

(a) This Order No. 142 sets maximum prices for sales of a new razor blade sharpener, designated as the Marlin Blade Sharpener, Patent No. 2133284, manufactured by Marlin Firearms Company, 17 East 42nd Street, New York City. The order applies to sales in the forty-eight states and the District of Columbia.

(1) The maximum price for sales to wholesalers by Marlin Firearms Company and its distributing corporation, Kenro Products, Inc., 17 East 42nd Street, New York City, is $1.79 per dozen, delivered.

(2) The maximum price for sales by wholesalers to retailers is $2.18 per dozen, delivered.

(3) The maximum price for sales at retail is $.29 each.

(b) Upon the display card on which the sharpeners are mounted, the manufacturer or its distributing corporation shall stamp or print a statement that the retail ceiling price is $.29. This requirement shall not apply, however, to sharpeners delivered prior to January 28, 1943.

(c) Kenro Products, Inc., shall notify every person who buys from it of the maximum price set by this Order No. 142 for resales by the purchaser. The notice shall be given at or prior to the first invoice to each purchaser after January 27, 1943. It may be given in any convenient form. For example, a statement in the following form on an invoice to a wholesaler will be sufficient: "Your ceiling price, set by an OPA order, is $2.18 per dozen, delivered."

(d) This Order No. 142 shall become effective January 28, 1943.

Issued this 27th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1436; Filed, January 27, 1943; 12:33 p. m.]

[Order 32 Under RPS 6]

WHEELING STEEL CORPORATION

ORDER GRANTING RELIEF

Order No. 32 under Revised Price Schedule No. 6—Iron and Steel Products—Docket No. 3006-31.

On November 12, 1942, Wheeling Steel Corporation, of Wheeling, West Virginia, filed a petition for exception to Revised Price Schedule No. 6, as amended, pursuant to § 1306.7 (c) thereof. Due consideration has been given to the petition and an opinion in support of this order No. 32 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250 and in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration, *It is hereby ordered:*

(a) Wheeling Steel Corporation may sell and deliver and agree, offer, solicit and attempt to sell and any person may buy and receive from Wheeling Steel Corporation open hearth sheet bars and open hearth rerolling slabs produced at its Portsmouth, Ohio, plant pursuant to directives or allocations of the War Production Board, at prices not in excess of those stated in paragraph (b).

(b) (1) The maximum base price which may be charged for open hearth sheet bars is $38.00 per gross ton, f. o. b. Portsmouth, Ohio.

(2) The maximum base price which may be charged for open hearth rerolling slabs is $34.00 per gross ton, f. o. b. Portsmouth, Ohio.

(3) The maximum base prices set forth in (1) and (2) above shall be applicable to all shipments made after November 7, 1942.

(c) All prayers of the petitioner not granted herein are denied.

(d) This Order No. 32 may be revoked or amended by the Price Administrator at any time.

(e) The definitions set forth in § 1303.8 of Revised Price Schedule No. 6 shall apply to terms used herein.

(f) This Order No. 32 shall be effective as of November 7, 1942.

Issued this 27th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1446; Filed, January 27, 1943; 12:29 p. m.]

[Suspension Order 188, Amendment 1]

LAWLER'S SERVICE STATION

ORDER RESTRICTING TRANSACTIONS; RECONSIDERATION

On January 16, 1943, Nicholas P. Lawler, doing business as Lawler's Service Station, 403 "S" Street NW., Washington, D. C., filed a petition for reconsideration of Suspension Order No. 188 issued against the petitioner on December 23, 1942. The matter has been duly considered by the Deputy Administrator in Charge of Rationing.

It is hereby ordered:

Paragraph (e) of Suspension Order No. 188 is amended to read as set forth below and as amended Suspension Order No. 188 is affirmed:

(e) This Suspension Order No. 188 shall become effective 12:01 a. m. December 28, 1942, and shall expire 12:01 a. m. January 27, 1943.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89 and 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); W.P.B. Dir. No. 1 (7 F.R. 562); Supp. Dir. No. 1H (7 F.R. 3478, 3877, 5216; Supp. Dir. 1 Q (7 F.R. 9121)

Issued and effective this 27th day of January 1943.

PAUL M. O'LEARY,
Deputy Administrator in Charge of Rationing.

[F. R. Doc. 43-1457; Filed, January 27, 1943; 4:08 p. m.]

FEDERAL REGISTER

VOLUME 8 NUMBER 21

Washington, Saturday, January 30, 1943

Regulations

TITLE 7—AGRICULTURE

Chapter IV—Federal Crop Insurance Corporation

PART 411—1942 COTTON CROP INSURANCE CONTRACT REGULATIONS

INDEMNITIES SUBJECT TO INSURANCE CONTRACT PROVISIONS

By virtue of the authority vested in the Federal Crop Insurance Corporation by the Federal Crop Insurance Act, approved February 16, 1938, as amended, the 1942 Cotton Crop Insurance Regulations are amended as follows:

Section 411.23[1] of said regulations is amended to read as follows:

§ 411.23 *Indemnities subject to all provisions of insurance contract.* Indemnities payable to any person shall be subject to all the provisions of the insurance contract, including the right of the Corporation to deduct from any such indemnity the unpaid amount of the note of the original insured for the payment of the earned premium: *Provided, however,* That in case of a transfer of an interest in an insured crop, such deduction to be made from an indemnity payable to the transferee shall not exceed the premium due on the interest in the crop so transferred. Any indemnity payable to any person other than the original insured as a result of transfer, or otherwise, shall be subject to any collateral assignment of the insurance contract by the original insured.

(Secs. 506 (e), 507 (c), 508, 509, 516 (b); 52 Stat. 73, 74, 75, 77; 7 U.S.C. 1940 ed., 1506 (e), 1507 (c), 1508, 1509, 1516 (b), as amended by 55 Stat. 255)

Adopted by the Board of Directors on December 22, 1942.

[SEAL] M. CLIFFORD TOWNSEND,
Chairman of the Board.

Approved: January 28, 1943.

PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-1529; Filed, January 29, 1943; 11:38 a. m.]

[1] 6 F.R. 6446

Chapter XI—Food Distribution Administration

[Food Distribution Order 12]

PART 1401—DAIRY PRODUCTS

BUTTER

Reissuance of Conservation Order M-267 issued by War Production Board.

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to assure an adequate supply and efficient distribution of butter to meet war and essential civilian needs, *It is hereby ordered as follows:*

§ 1401.12 *Butter, set aside for requirements of governmental agencies*—(a) *Definitions.* When used in this regulation, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "Conservation Order M-267" means the order (7 F.R. 9686) issued by Ernest Kanzler, Director General for Operations, on November 20, 1942, with respect to butter, and designated as Conservation Order M-267.

(2) The term "butter" means butter as defined in the act of March 4, 1923, Chapter 268, 42 Stat. 1500, U. S. C. Title 21, section 6.

(3) The term "warehouses in the 35 cities" means the cold storage warehouses which reported their weekly butter stocks from October 30, 1942, through November 20, 1942, to the Agricultural Marketing Administration of the United States Department of Agriculture, which warehouses are located in or near the following cities: New York Metropolitan Area; Chicago, Illinois; Philadelphia, Pennsylvania; Boston, Massachusetts; Buffalo, New York; Lowville, New York; Pittsburgh, Pennsylvania; Detroit, Michigan; Cleveland, Ohio; Milwaukee, Wisconsin; Plymouth, Wisconsin; Marshfield, Wisconsin; Green Bay, Wisconsin; St. Paul, Minnesota; Minneapolis, Minnesota; Kansas City, Missouri; Omaha, Nebraska; St Louis, Missouri; Denver, Colorado; Seattle, Washington; Portland, Oregon; Los Angeles, California; San Francisco, California; Springfield, Massachusetts; Cincinnati, Ohio; Duluth, Minnesota; Ft. Worth, Texas; Dallas, Texas; Petaluma, California; Santa Rosa, California; Oakland, California; San Diego, California; Providence, Rhode Is-

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FEDERAL REGISTER

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(4) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(5) The term "person" means any individual, partnership, corporation, association, or other business entity.

(b) *Restrictions on delivery.* Without regard to preexisting contracts, and until March 6, 1943, butter, required to be set aside pursuant to Conservation Order M–267 and not heretofore delivered or released in accordance with the provisions of Conservation Order M–267, may not be delivered except on specific permission of the Director, or to or for the account of the Army, Navy, Marine Corps, Coast Guard, the Coast and Geodetic Survey, the War Shipping Administration, or any agency of the United States for supplies to be delivered to or for the account of the government of any foreign country pursuant to the act of March 11, 1941 (Lend-Lease Act).

(c) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections, at all reasonable times, of his stocks of butter and premises used in his business; and all of his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(d) *Certificates.* No person other than those agencies specified in or pursuant to (b) hereof shall remove butter, required to be set aside pursuant to Conservation Order M–267 and not heretofore delivered or released in accordance with the provisions of Conservation Order M–267, from any warehouse in the 35 cities unless such person files with the warehouseman a certificate, in duplicate, in substantially the following language (with the appropriate information inserted in the blank spaces);

This is to certify that the following quantity of butter _____ removed by me on _____ 1943, from _____ is not included within the percentage of my holdings, or the holdings of my predecessor in title, which was required to be set aside by Conservation Order M–267, as superseded by Food Distriction Order No. ____

_____
Signature

By: _____
(Duly authorized official)

(e) *Restrictions on warehouseman.* No warehouseman in the 35 cities may release or deliver any butter, required to be set aside pursuant to Conservation Order M–267 and not heretofore delivered or released in accordance with the provisions of Conservation Order M–267, from his custody or control with knowledge or reason to believe that such is being delivered or removed in violation of the terms hereof. Unless such delivery is to a governmental agency, the respective warehouseman shall obtain, at the time of making such delivery, a certificate as required by (d) hereof; and each such warehouseman shall retain each such certificate in his files for at least six months subsequent to the receipt thereof.

(f) *Records and reports.* Each person subject to the provisions of Conservation Order M–267 and the provisions hereof shall maintain such records for at least two years, or for such other period of time as the Director may designate, and shall execute and file such reports and submit such information as the Director may from time to time request or direct, and such reports and information shall be submitted within such periods of time as may be prescribed by the Director.

(g) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing for relief, and such petition shall be submitted to the Director and shall set forth all pertinent facts and the nature of the relief sought. The director may thereupon take such action as he deems appropriate, and such decision by the Director shall be final.

(h) *Communications.* All reports required to be filed hereunder and all communications concerning said Conservation Order M–267, as hereby amended, shall, unless otherwise directed, be addressed to: Dairy and Poultry Branch, Food Distribution Administration, United States Department of Agriculture, Washington, D. C. Ref: FD–12.

(i) *Delegation of authority.* The Director is hereby designated to administer the provisions hereof.

(j) *Violations.* Any person who wilfully violates any provision of this order or who, by any act or omission, falsifies records to be kept or information to be furnished, pursuant to this order, or wilfully conceals a material fact concerning a matter, in connection with this order, within the jurisdiction of any department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation; and such further action may be taken against any such person as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under Paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(k) *Conservation Order M–267 hereby superseded.* This order supersedes, except in the respects stated herein, Conservation Order M–267, but with respect to violations of said Conservation Order M–267 or rights accrued, liabilities incurred, or appeals taken under said Conservation Order M–267 prior to the effective date hereof, said Conservation Order M–267 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability. Any appeal pending under said Conservation Order M–267 shall be considered under the provisions of paragraph (g) hereof.

(l) *Effective date.* This order shall be effective as of 12:01 a. m., e. w. t., January 29, 1943.

(E.O. 9280; 7 F.R. 10179)

Issued this 28th day of January 1943.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43–1525; Filed, January 29, 1943; 11:40 a. m.]

[Food Distribution Order 3, Amendment 2]

PART 1405—FRUITS AND VEGETABLES

RESTRICTIONS ON MANUFACTURE AND SALE OF CITRUS FRUIT JUICE

Pursuant to authority vested in me by Executive Order No. 9280, issued December 5, 1942, Food Distribution Order No. 3, § 1405.1 (b) (4) (8 F.R. 255), is amended to read as follows:

§ 1405.1 *Citrus fruit juice.* • • •

(b) *Restrictions on production, sale, and delivery of citrus fruit juice.* • • •

(4) Without regard to existing contracts, during the period beginning January 6, 1943, and ending March 31, 1943, no processor shall sell or deliver, and no State or Federal Government agency and no person shall buy, or receive other than for transportation or storage, from any processor any canned grapefruit juice, except pursuant to a Government war contract: *Provided*, That any processor may sell and deliver canned grapefruit juice prior to April 1, 1943, if the processor prior to delivery notifies the purchaser in writing that the delivery of such canned grapefruit juice is subject to the restrictions of this order and the purchaser is required to hold such juice until after March 31, 1943, or such other date as may be fixed by the Secretary of Agriculture. Any processor who delivers canned grapefruit juice pursuant to this proviso shall on the first and fifteenth of each month furnish the Director with a statement showing the names and addresses of persons to whom deliveries of canned grapefruit juice were made and the quantity delivered to each such person during the period covered by the statement: *And provided, further*, That any person may purchase and receive from a processor canned grapefruit juice prior to April 1, 1943, upon the condition that he shall not sell, deliver, transfer, or use, such juice in advance of that date, or such other date as may be fixed by the Secretary of Agriculture, and he certifies in writing that he will comply with these conditions. Such certification shall be forwarded to the Director within five days after acceptance of delivery and shall be in substantially the following form:

Pursuant to paragraph (b) (4) Food Distribution Order No. 3, as amended, with the terms of which order the undersigned is familiar, we have on _____ accepted delivery of _____ of canned grapefruit juice from _____ (Date) (Quantity) (Processor's name and address) This juice is (will be) stored at _____ (Place of storage) We hereby certify and agree that we will not (and we understand that we are not permitted to) sell, deliver, transfer, or use such canned grapefruit juice prior to April 1, 1943, or such other date as may be fixed by the Secretary of Agriculture.

_____
(Purchaser)

By _____
(Duly authorized official)

(E. O. 9280, 7 F.R. 10179)

Issued this 28th day of January 1943.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43–1526; Filed, January 29, 1943; 11:40 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter II—Food Distribution Administration

PART 204—POSTED STOCKYARDS AND LIVE POULTRY MARKETS

BACHMAN & PETERSON LIVESTOCK COMMISSION CO., OSHKOSH, NEBR.

JANUARY 28, 1943.

Notice under Packers and Stockyards Act.[1]

Whereas the Oshkosh Live Stock Commission Company was posted on June 14, 1941, as a stockyard subject to the provisions of the Packers and Stockyards Act, 1921; and

Whereas it appears that said stockyard is now known as Bachman & Peterson Livestock Commission Company, and is being operated by H. C. Peterson and W. J. Bachman, doing business as Bachman & Peterson Livestock Commission Company:

Now, therefore, it is ordered, That the notice of the posting of said stockyard be, and it hereby is, amended to show that the correct name of the stockyard is Bachman & Peterson Livestock Commission Company, Oshkosh, Nebraska.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43–1530; Filed, January 29, 1943; 11:38 a. m.]

[1] Modifies list posted stockyards 9 CFR 204.1.

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Amendment 24–1, Civil Air Regulations]

PART 24—MECHANIC CERTIFICATES

MECHANIC RATINGS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 21st day of January 1943.

Acting pursuant to sections 205 (a), 601, and 602 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective January 21, 1943, Part 24 of the Civil Air Regulations is amended as follows:

1. By amending § 24.2 to read as follows:

§ 24.2 *Mechanic ratings.* Mechanic ratings are as follows:

(a) Aircraft mechanic rating;
(b) Aircraft engine mechanic rating;
(c) Factory mechanic rating.

2. By striking § 24.22, including §§ 24.220, 24.221, and 24.222, and inserting in lieu thereof § 24.22 (*Unassigned*).

3. By amending the table of contents to conform to this amendment.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 43–1499; Filed, January 28, 1943; 4:07 p. m.]

[Amendment 60–7, Civil Air Regulations]

PART 60—AIR TRAFFIC RULES

LANDING AT NEAREST SUITABLE AIRPORT

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 21st day of January 1943.

Acting pursuant to sections 205 (a) and 601 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective January 21, 1943, Part 60 of the Civil Air Regulations is amended as follows:

By striking § 60.5721 (b) and inserting in lieu thereof the following:

§ 60.5721 (b) *Effect a landing.* The pilot may effect a landing at the nearest suitable airport at which favorable weather conditions exist.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 43–1498; Filed, January 28, 1943; 4:07 p. m.]

TITLE 29—LABOR

Chapter VI—National War Labor Board

[General Order 26]

PART 803—GENERAL ORDERS

CERTAIN EMPLOYEES ENGAGED IN HOSPITAL SERVICES

§ 803.26 *General Order 26.* (a) Adjustments in the wages or salaries of employees engaged in rendering hospital

services and employed by a non-profit organization which maintains and operates a hospital will be deemed approved without submission to the Board, providing that such adjustments do not raise the wages or salaries beyond the prevailing level of compensation for similar services in the area or community.

(b) Monthly reports of such adjustments shall be submitted by each such organization to the National War Labor Board's Division of Review and Analysis, together with such information and data as the said Division or the Board may from time to time require.

(c) Such adjustments shall be subject to the National War Labor Board's ultimate right of review on its own initiative, but any modification or reversal thereof will not be retroactive.

(d) Adjustments which would have the effect of raising the wages or salaries above the prevailing level of compensation for similar services in the area must be submitted for approval by the Board in the usual manner.

(E.O. 9250, 7 F.R. 7871)

Adopted: January 22, 1943.

L. K. GARRISON,
Executive Director and General Counsel.

[F. R. Doc. 43-1494; Filed, January 28, 1943; 2:57 p. m.]

[General Order 27]

PART 803—GENERAL ORDERS

AUTHORIZATION OF ADMINISTRATOR OF NATIONAL HOUSING AGENCY TO RULE ON WAGE AND SALARY ADJUSTMENTS OF DESIGNATED EMPLOYEES

§ 803.27 *General Order 27.* (a) The National War Labor Board, in accordance with the further provisions of this order, hereby delegates to the Administrator of the National Housing Agency, to be exercised on his behalf by the Commissioner of the Federal Public Housing Authority (hereafter referred to as the Housing Wage Agency), the power to approve or disapprove all applications for adjustments of wages and salaries (insofar as approval thereof has been made a function of the National War Labor Board) of employees whose wages and salaries are not fixed by statute that are employed within the continental United States and Alaska by:

(1) Federal Public Housing Authority.

(2) Defense Homes Corporation.

(3) Property managers of Defense Homes Corporation projects.

(b) In the performance of its duties hereunder the Housing Wage Agency shall comply with Executive Order 9250, dated October 3, 1942, and all regulations heretofore or hereafter issued thereunder, and with the declaration of wage policy of the National War Labor Board, dated November 6, 1942. The Housing Wage Agency, without making an initial ruling thereon may refer to the National War Labor Board, for decision by the Board, any application which in its opinion presents doubtful or disputed questions of sufficient seriousness and import to warrant direct action by the Board.

(c) The Housing Wage Agency shall transmit to the Review and Research Division of the National War Labor Board copies of its rulings, and rules of procedure, if any, as they are issued, and such additional data and reports as said Division or the Board may from time to time deem necessary.

(d) Any ruling by the Housing Wage Agency hereunder shall be deemed the act of the National War Labor Board and shall be final, subject to the National War Labor Board's right to review rulings on its own motion and to reverse or modify the same. Any such reversal or modification shall not be retroactive and shall allow the Commissioner of the Federal Public Housing Authority a period of two weeks for compliance.

(E.O. 9250, 7 F.R. 7871)

Adopted: January 23, 1943.

L. K. GARRISON,
Executive Director and General Counsel.

[F. R. Doc. 43-1485; Filed, January 28, 1943; 2:57 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter II—Bituminous Coal Division

[Dockets Nos. A-1776 and A-1782]

PART 323—MINIMUM PRICE SCHEDULE, DISTRICT NO. 3

ORDER OF CONSOLIDATION, ETC.

Order of consolidation and order granting temporary relief and conditionally providing for final relief in the matter of the petitions of District Board No. 3 for the establishment of price classifications and minimum prices for the coals of certain mines and for changes in shipping points for the coals of certain other mines.

Original petitions, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 3 and requesting changes in shipping points for the coals of certain other mines, located in District No. 3; and

It appearing that said petitions should be consolidated, and that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matters; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That said petitions be, and the same hereby are, consolidated;

It is further ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 323.6 (*Alphabetical list of code members*) is amended by adding thereto Supplements R–I and R–IV, § 323.8 (*Special prices—(b) Railroad fuel prices for all movements except via lakes*) is amended by adding thereto Supplements R–II and R–V, § 323.8 (*Special prices—(c) Railroad fuel prices for movement via all lakes—all ports*) is amended by adding thereto Supplements R–III and R–VI and § 323.23 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petitions in the above-entitled matters and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: January 4, 1943.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 3

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 323, Minimum Price Schedule for District No. 3 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 323.6 *Alphabetical list of code members*—Supplement R–I

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine Index No.	Code member	Mine name	Seam	Shipping point	Freight origin group number	Size group numbers 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
953	Chisler & Sneed (Oryal Chisler)	Martin	Sewickley	Granville, W. Va	52	J	J	J	J	J	J	J	J	J	J	(†)	(†)	(†)	(†)	(†)	(†)
488	Consolidation Coal Company	Consol. #29 B (S)	Pittsburgh	Monongah, W. Va	61	E	E	E	E	E	E	E	E	E	E	(†)	(†)	(†)	(†)	(†)	(†)
484	Consolidation Coal Company	Consol. #32 (S)	Pittsburgh	Monongah, W. Va	61	E	E	E	E	E	E	E	E	E	E	(†)	(†)	(†)	(†)	(†)	(†)
358	Fetzer, H. M	Bonnett #2	Pittsburgh	Gilmer, W. Va	52	G	G	G	G	G	G	G	G	G	G	(†)	(†)	(†)	(†)	(†)	(†)
1101	Hartman, Raymond (Hartman Coal Co.)	Maplewood	Bakerstown	Kingwood, W. Va	71	E	E	E	E	E	E	E	E	E	E	(†)	(†)	(†)	(†)	(†)	(†)
486	Potter, Chas. E. (Winchester Coal Co.)	Winchester #1 (S)	Pittsburgh	Bingamon Junction, W. Va	65	E	E	E	E	E	E	E	E	E	E	(†)	(†)	(†)	(†)	(†)	(†)
487	Snider, John A	Fleming (S)	Pittsburgh	Cuckhigrs, W. Va	60	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)

†Indicates no classifications effective for these size groups.

§ 323.8 *Special prices—(b) Railroad fuel prices for all movements except via lakes—all ports*—Supplement R–II

For railroad fuel prices add these mine index numbers to the respective groups set forth in § 323.8 (b) in minimum price schedule.

Group No. 1: 358, 486, 487, 488, 489; *Group No. 4:* 953; *Group No. 6:* 1101.

§ 323.6 *Alphabetical list of code members*—Supplement R–IV

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine Index No.	Code member	Mine name	Seam	Shipping point	Freight origin group number	Size group numbers 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
296	Binnamon Run Coal Company	Binnamon #2 (S)	Pittsburgh	Josephine, W. Va	65	F	F	F	F	F	F	F	F	F	F	(†)	(†)	(†)	(†)	(†)	(†)
449	Consolidation Coal Company	Consol. #31 A (S)	Pittsburgh	Shinnston, W. Va	61	E	E	E	E	E	E	E	E	E	E	(†)	(†)	(†)	(†)	(†)	(†)
495	Richwood Coal Mining Co	Richwood #2	Sewell	Richwood, W. Va	70	A	A	A	A	A	A	A	A	A	A	(†)	(†)	(†)	(†)	(†)	(†)
251	River Seam Coal Company	Heath	Pittsburgh	Brady, W. Va	52	A	A	A	A	A	A	A	A	A	A	(†)	(†)	(†)	(†)	(†)	(†)

†Indicates no classification effective for these size groups.

NOTE: The above prices are applicable only via the respective freight origin groups, shipping points, and railroads shown for the respective mines. Shipping points previously assigned to these mines are hereby deleted.

§ 323.8 *Special prices—(b) Railroad fuel prices for all movements except via lakes*—Supplement R–V

For railroad fuel prices add these mine index numbers to the respective groups set forth in § 323.8 (b) in minimum price schedule.

Group No. 1: 23 (a), 246, 449; *Group No. 5:* 455.

§ 323.8 *Special prices—(c) Railroad fuel prices for movement via all lakes—all ports*—Supplement R–VI

For railroad fuel prices add these mine index numbers to the respective groups set forth in § 323.8 (c) in minimum price schedule.

Group No. 1: 23, 246, 449; *Group No. 5:* 455.

FOR TRUCK SHIPMENTS

§ 323.23 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Seam	County	Size groups						
					Lump over 2", Egg over 2", bottom size	Lump 2" and under, Egg 2" and under, bottom size but over 1¼"	Lump 1¼" and under, Egg 1¼" and under, bottom size	All Nut and Pea 2" and under	Run of Mine-remnant over 2"	1¼" and 2" Slack	¾" Slack
					1	2	3	4	5	6	7
Benson, Harry W.	181	Miller	Pittsburgh	Marion	243	238	238	213	213	198	188
Consolidation Coal Company.	188	Consol. #22-B (S)	Pittsburgh	Marion	243	238	238	213	213	198	188
Consolidation Coal Company	189	Consol. #22-C (S)	Pittsburgh	Marion	243	238	238	213	213	198	188
Potter, Chas. E. (Winchester Coal Co.)	186	Winchester #1 (S)	Pittsburgh	Harrison	243	238	238	213	213	198	188
Snider, John A.	187	Fleming (S)	Pittsburgh	Harrison	243	238	238	213	213	198	188
Williams, Karl O.	470	Williams	Bakerstown	Bruton	238	233	233	208	208	193	183

[F. R. Doc. 43-1479; Filed, January 28, 1943; 12:18 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1010—SUSPENSION ORDERS

[Suspension Order S-226]

KEIDEL PLUMBING COMPANY

Elmer Spindel, doing business as Keidel Plumbing Company, Cincinnati, Ohio, is a dealer in plumbing supplies. From April 16 to September 30, 1942, the company sold new metal plumbing equipment on orders in excess of $10 to ultimate consumers on orders which did not bear any preference ratings or certifications, in wilful violation of Limitation Order L–79. From April 17 to August 5, 1942, the company applied preference ratings of A–10 under Preference Rating Order P–84 to certain purchase orders for materials. At the time that these preference ratings were applied, the company did not have rated orders from its customers to support its use of these ratings. The application of such ratings constituted wilful violations of Preference Rating Order P–84 and misrepresentations to the War Production Board.

The foregoing violations of Limitation Order L–79 and Preference Rating Order P–84 have hampered and impeded the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.226 *Suspension Order No. S-226.* (a) Deliveries of material to Elmer Spindel, individually or doing business as Keidel Plumbing Company or otherwise, his successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned or applied to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(b) No allocation shall be made to Elmer Spindel, individually or doing business as Keidel Plumbing Company or otherwise, his successors and assigns, of any material the supply or distribution of which is governed by any order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) Nothing contained in this order shall be deemed to relieve Elmer Spindel, individually or doing business as Keidel Plumbing Company or otherwise, from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on January 31, 1943, and shall expire on April 30, 1943, at which time the restrictions contained in this order shall be of no further effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 28th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1504; Filed, January 28, 1943; 4:42 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-223]

COLUMBUS BED SPRING COMPANY

Columbus Bed Spring Company, an Ohio corporation, processed 25,000 lbs. of steel during the period between June 19 and August 5, 1942, and assembled from this steel 1,162 beds, in violation of General Conservation Order M–126, as amended. The respondent was aware that the War Production Board had issued restrictions on the use of steel for the manufacture of beds, but the respondent proceeded with this processing of steel without endeavoring to ascertain whether it was prohibited by the restrictions of the War Production Board. This constituted a wilful violation of General Conservation Order M–126, as amended.

This violation has hampered and impeded the prosecution of the war by diverting scarce material to uses prohibited by the War Production Board. In view of the foregoing facts, *It is hereby ordered*, That:

§ 1010.223 *Suspension Order S-223* (a) Deliveries of material to Columbus Bed Spring Company, its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned or applied to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the Director of Industry Operations or the Director General for Operations except as specifically authorized by the Director General for Operations.

(b) No allocation shall be made to Columbus Bed Spring Company, its successors and assigns, of any material the supply or distribution of which is governed by any order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) Nothing contained in this order shall be deemed to relieve Columbus Bed Spring Company from any restriction, prohibition or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(d) This order shall take effect on January 30, 1943 and shall expire on April 30, 1943, at which time the restrictions contained in this order shall be of no further effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 28th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1516; Filed, January 28, 1943; 4:44 p. m.]

PART 1028—DOMESTIC COOKING APPLIANCES

[Supplementary General Limitation Order L–23–d, as Amended Jan. 29, 1943]

Section 1028.5 *Supplementary Limitation Order L–23–d* is amended to read as follows:

§ 1028.5 *Supplementary Limitation Order L–23–d.* Until March 31, 1943, any Class C manufacturer may use in the production of domestic heating stoves using coal or wood as fuel any iron or steel without regard to the limitations of Supplementary General Limitation Order No. L–23–c, or amendments thereto, relating to total weight or weight per unit.

This order shall expire March 31, 1943.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1517; Filed, January 29, 1943; 11:15 a. m.]

PART 980—RAYON YARN

[Revocation of General Preference Order M-37 and Supplementary Orders, and Amendments and Interpretations thereto]

Section 980.1 *General Preference Order M–37;* § 980.2 *Supplementary Order M–37–a;* § 980.2 Amendment 1; § 980.2 Amendment 2; § 980.2 Interpretation 1; § 980.3 *Supplementary Order M–37–b;* § 980.3 Amendment 1; § 980.4 *Supplementary Order M–37–c;* § 980.4 Amendment 1, and § 980.4 Amendment 2.

The above orders, amendments and interpretations are hereby revoked as of midnight January 31, 1943, at which time they will have been superseded by Supplementary Order M–37–d.

P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1522; Filed, January 29, 1943; 11:16 a. m.]

PART 1041—PRODUCTION, TRANSPORTATION, REFINING AND MARKETING OF PETROLEUM

[Preference Rating Order P–98–b, as Amended Jan. 29, 1943]

For the purpose of facilitating the acquisition of material for the production, transportation, refining and marketing of petroleum, preference ratings are hereby assigned to deliveries of necessary material upon the terms hereinafter set forth:

§ 1041.2 *Preference Rating Order P–98–b*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Operator" means:

(i) Any person located in the United States, its territories or possessions, engaged in the petroleum industry; or

(ii) Any person located in the Dominion of Canada engaged in the petroleum industry to whom and in whose name a copy of this order or of Preference Rating Order P–98, Extended and Amended, is or has been specifically issued and to whom a serial number has been assigned.

(3) "Supplier" means any person with whom a contract or purchase order has been placed for delivery of material to the operator or to another supplier.

(4) "Petroleum" means petroleum, petroleum products and associated hydrocarbons, including but not limited to natural gas.

(5) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(6) "Petroleum industry" means any operation directly incident to:

(i) The discovery, development or depletion of petroleum pools (production);

(ii) The extraction or recovery of natural gasoline and associated hydrocarbons (natural gasoline production);

(iii) The transportation, movement, loading or unloading of petroleum other than natural gas (transportation);

(iv) The processing, refining or compounding of finished or unfinished petroleum products (refining);

(v) The distribution or dispensing of petroleum products (other than natural gas) and the storing of petroleum products incident thereto (marketing).

(7) "Research laboratory material" means material used exclusively for the purpose of carrying out by means of an existing research laboratory investigations into more efficient or more effective methods of conducting petroleum industry operations, except that such material shall not include material for use in the construction of laboratory buildings or other structures.

(b) *Scope of order.* (1) No operator may apply any preference rating assigned by this order to obtain delivery of material:

(i) Unless such material is research laboratory material, or is to be used in effecting an alteration which when completed has involved the use of additional material having a total value of less than $500.00, or is to be used for maintenance or repair purposes or as operating supplies; or

(ii) Unless such rating is applied to obtain delivery of material to be used in any operation directly incident to the discovery, development or depletion of petroleum pools.

(2) The Director General for Operations may from time to time issue supplementary orders or specific directions with respect to the application of preference ratings or the use of material obtained under this order.

(c) *Assignment of preference ratings.* Subject to the terms of this order, a preference rating of A–2, A–1–a, AA–2X or AA–1 is hereby assigned to deliveries of material to an operator for use in the petroleum industry.

(d) *Restrictions on the application of preference ratings by an operator.* (1) No operator may apply any preference rating assigned by this order to obtain delivery of material unless the material cannot otherwise be obtained on the date when such material is required, and no operator may apply a preference rating assigned by this order in any case where a lower preference rating assigned by this order will enable such operator to secure the material on the date when such material is required.

(2) No operator may apply a rating assigned by this order to obtain material the use of which may be eliminated by substitution of less scarce material or by change of design without serious loss of efficiency.

(3) No operator may apply a rating assigned by this order to obtain material in excess of a 90 day supply thereof: *Provided*, That the Director General for Operations may determine and direct that any operator or class of operators is exempt, in whole or in part, from the restrictions contained in this paragraph.

(4) No operator as defined in paragraph (a) (2) (i) may apply a rating assigned by this order to obtain material for any use which is restricted, prohibited or in any way limited by any order or regulation issued by the War Production Board, other than material to be used in conformity with the provisions of such order or regulation.

(5) No operator as defined in paragraph (a) (2) (ii) may apply a rating assigned by this order to obtain material for any use which is restricted, prohibited, or in any way limited by any applicable order or equivalent authority issued by the Government of the Dominion of Canada, other than material to be used in conformity with the provisions of such order or equivalent authority.

(e) *Method of application of preference ratings.* In order to apply a preference rating assigned by this order:

(1) The operator must endorse on, or attach to, each contract or purchase order placed by him which includes such a preference rating, a certification in the following form, signed manually or as provided in Priorities Regulation No. 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply or extend the preference ratings indicated opposite the item shown on this purchase order and that such application or extension is in accordance with Priorities Regulation No. 3,

as amended, with the terms of which the undersigned is familiar.

(Name of purchaser)

(Address)

By (Signature and title of duly authorized official)

(Date)

In addition, the provisions of the following subparagraphs of this paragraph (e) must be observed where applicable.

(2) The operator shall obtain the approval of the Director General for Operations before the rating is applied in any case:

(i) Where the delivery of an item which has a cost to the operator of $500.00 or more requires the application of an A–1–a or AA–2X preference rating; or

(ii) Where, except as provided in paragraph (e) (3) (iv), the delivery of an item requires the application of an AA–1 preference rating.

In order to obtain such approval, the operator shall communicate to the Petroleum Administration for War, Washington, D. C., Ref.: P–98b, the information set forth in paragraph (f).

(3) The operator shall obtain a countersignature on the purchase order or contract before the rating is applied in any case:

(i) Where the delivery of any item which has a cost to the operator of $100.00 or more requires the application of an A–2 preference rating; or

(ii) Where, except as provided in Exhibit "B", the delivery of an item which has a cost to the operator of less than $500.00 but more than $5.00 requires the application of an A–1–a preference rating; or

(iii) Where, except as provided in Exhibit "B", the delivery of an item which has a cost to the operator of less than $500.00 requires the application of an AA–2X preference rating; or

(iv) Where there has been an actual breakdown or a suspension of operations and where the delivery of an item which has a cost to the operator of less than $500.00 requires the application of an AA–1 preference rating.

In order to obtain such a countersignature the operator as defined in paragraph (a) (2) (i) shall submit the purchase order or contract to the District Director of Materials of a District Office of the Petroleum Administration for War, and the operator as defined in paragraph (a) (2) (ii) shall submit the purchase order or contract to the Oil Controller, Dominion of Canada. In order to obtain a countersignature pursuant to paragraphs (e) (3) (ii), (e) (3) (iii) and (e) (3) (iv) such operator shall communicate to the District Director of Materials or to the Oil Controller the information set forth in paragraph (f).

(4) In the event that the material specified in Exhibit "A" is to be used in service station operations, the operator shall obtain the countersignature of the District Director of Materials or of the Oil Controller on the purchase order or contract before the rating is applied in any case:

(i) Where the delivery of an item, which has a cost to the operator of less than $100.00, requires the application of an A–2 preference rating, or

(ii) Where the delivery of an item, which has a cost to the operator of $5.00 or less, requires the application of an A–1–a preference rating.

Provided, That in applying a preference rating assigned by this order, no operator shall alter the customary designation of any item or subdivide an ordinary purchase of any item for the purpose of making it appear that the item costs less than $500.00 or that the items costs less than $100.00, or that the item costs $5.00 or less.

(f) *Information.* Wherever required by this order the following information shall be submitted by an operator:

(1) Date of actual breakdown or suspension of operations and exact explanation as to what extent operations are affected (if applicable);

(2) The equipment to be repaired and its function in maintaining continuous operation (if applicable);

(3) Price, quantity, approximate weight and detailed description of necessary material; if such material in finished form weighs twenty-five pounds or less, the weight need not be shown but a statement must be made that the weight is not over twenty-five pounds (detailed description of material must be given even though it is set forth in purchase order or contract);

(4) A general description of the metals contained in the material applied for, and the full justification as to necessity for any material containing metals adjudged critical by the War Production Board, including copper, nickel, chromium, zinc, tin, aluminum and molybdenum;

(5) The supply of the necessary material which the operator has on hand;

(6) The earliest delivery dates assured by a supplier or suppliers for the delivery of the minimum necessary quantity of material on

(i) The preference rating for which approval is requested, and

(ii) The next lower preference rating assigned by this order.

(7) The purchase order or contract shall not be sent to the Petroleum Administration for War, Washington, D. C.; but in every instance where Washington approval is necessary (and only in such instance) the number and date of the purchase order or contract must be transmitted to the Petroleum Administration for War, Washington, D. C.

(8) Any other data or information which will help to determine the importance or urgency of the material for which application for rating is made.

(g) *Additional preference rating assistance.* (1) If the preference ratings assigned by this order will not enable an operator to obtain material on the date when such material is required, the operator may file a PD–1A application for an improvement of the ratings assigned by this order.

(2) If there has been an actual breakdown or a suspension of operations and if the preference ratings assigned by this order or the method specified in paragraph (e) for applying these ratings will not permit an operator to obtain material on the date when such material is required, the operator in order to obtain material for this emergency may communicate by letter or telegram with the Petroleum Administration for War, Washington, D. C., Ref.: P–98–b, supplying the information set forth in paragraph (f).

(h) *Exception of operators from provisions of Preference Rating Orders P–43, P–46, and P–100.* No operator to the extent that he is engaged in the petroleum industry and is covered by this order shall be entitled to apply the preference rating or ratings assigned by Preference Rating Orders P–43, P–46 or P–100, and no operator to the extent that he is engaged in the petroleum industry and is covered by this order shall be subject to the provisions of Preference Rating Orders P–43, P–46, or P–100.

(i) *Communications.* All reports which may be required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed:

(1) By any person located in the United States, its territories or possessions to: Petroleum Administration for War, South Interior Building, Washington, D. C., Ref.: P–98–b.

(2) By any person located in the Dominion of Canada to: Office of Oil Controller, Dominion of Canada, Toronto, Canada, Ref.: P–98–b.

(j) *Violations.* Any person who wilfully violates any provision of this order or who wilfully furnishes false information to the Director General for Operations in connection with this order is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(k) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the applicable provisions of any priorities regulation issued by the War Production Board, as amended from time to time.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

EXHIBIT A

1. Drills, reamers, and taps manufactured of high speed steel as defined in Supplementary Order M–21–h.
2. Hacksaw blades manufactured of high speed steel as defined in Supplementary Order M–21–h.
3. Hand service operating tools.
4. Precision measuring hand tools.
5. Portable electric tools.

EXHIBIT B

NOTE: Exhibit B added Jan. 29, 1943

A countersignature need not be obtained on the purchase order or contract for the delivery of an item of research laboratory material which has a cost to the operator of $50.00 or less and which requires the application of an A–2, and A–1–a, or an AA–2X preference rating.

[F. R. Doc. 43–1518; Filed, January 29, 1943; 11:15 a. m.]

PART 1041—PRODUCTION, TRANSPORTATION, REFINING AND MARKETING OF PETROLEUM

[Preference Rating Order P–98–c, as Amended Jan. 29, 1943]

For the purpose of facilitating special sales of idle or excess materials by persons engaged in the petroleum industry to other persons engaged in the petroleum industry, it is hereby ordered that persons engaged in the petroleum industry may sell such material to other persons engaged in the petroleum industry upon the terms hereinafter set forth:

§ 1041.3 *Preference Rating Order P–98–c*—(a) *Definitions.* "Operator" means any person engaged in the petroleum industry. All other definitions of Preference Rating Order P–98–b shall apply in this order.

(b) *Sales of material between operators.* (1) Notwithstanding the provisions of Priorities Regulation No. 1, as amended from time to time, any operator may sell or transfer to any operator material from the seller's or transferor's stocks or inventories, and any such sale or transfer shall be expressly permitted within the terms of paragraph (c) (3) of Priorities Regulation No. 13, as amended from time to time.

(2) Notwithstanding the provisions of Priorities Regulation Nos. 1 and 13, as amended from time to time, any operator may sell or transfer to any supplier, for direct sale or transfer by the supplier to another operator, material from the stocks or inventories of the operator.

(c) *Applicability of orders and priorities regulations.* This order does not authorize receipt or use of any material by any person in violation of any inventory, quota or use restrictions imposed by any order or regulation. This order and all transactions affected thereby are subject to the applicable provisions of any priorities regulation issued by the War Production Board, as amended from time to time.

(d) *Communications.* All reports which may be required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed:

(1) By any person located in the United States, its territories or possessions to: Office of Petroleum Coordinator, South Interior Building, Washington, D. C., Ref.: P–98–c.

(2) By any person located in the Dominion of Canada to: Office of Oil Controller, Dominion of Canada, Toronto, Canada, Ref.: P–98–c.

(e) *Violations.* Any person who wilfully violates any provisions of this order or who wilfully furnishes false information to the Director General for Operations in connection with this order is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(P.D. Reg. 1, as amended 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–1519; Filed, January 29, 1943; 11:15 a. m.]

PART 3002—PLASTICS MOLDING MACHINERY

[Allocation Order L–159, as Amended January 29, 1943]

The order title General Limitation Order L–159 is hereby amended to read Allocation Order L–159.

Section 3002.1 is hereby amended in its entirety to read as follows:

§ 3002.1 *Allocation Order L–159*—(a) *Definition.* For the purpose of this order "plastics molding machinery" means new or used machinery of the following kinds:

Plastic injection molding presses.
Plastic compression molding presses, hydraulic, automatic, mechanical.
Plastic extrusion molding presses.
Plastic preforming presses.
Plastic laminating presses.
Plastic tube and rod molding presses.
Plastic tube rolling machines.

(b) *Restrictions on production and delivery of plastics molding machinery.* Subject to the provisions of paragraph (c) hereof:

(1) No person shall deliver or accept delivery of plastics molding machinery except as specifically authorized by the Director General for Operations upon application pursuant to paragraph (d) hereof.

(2) No person shall manufacture or assemble plastics molding machinery except in fulfillment of orders previously authorized for delivery by the Director General for Operations upon application pursuant to paragraph (d) hereof.

(c) *Exemption.* Specific authorization by the Director General for Operations upon application pursuant to paragraph (d) hereof shall not be required with respect to delivery and acceptance of delivery of plastics molding machinery in fulfillment of orders placed with the producers of such machines on or before January 29, 1943, provided such orders were "approved orders" as defined in this order L–159 as issued July 4, 1942, and provided that the manufacture and assembly of such machinery had been completed prior to January 29, 1943.

(d) *Applications.* Each person seeking authorization to accept delivery of plastics molding machinery shall file application on Form PD–741 with the War Production Board, Chemicals Division, Washington, D. C., Ref.: L–159.

(e) *Repair and maintenance parts.* Except as specifically authorized by the Director General for Operations:

(1) No person shall accept delivery of maintenance and repair parts for plastics molding machinery except as follows:

(i) To repair an actual breakdown, where the required repair or maintenance parts are not available in inventory, or

(ii) To acquire repair or maintenance parts for maintenance of a minimum practicable working inventory of such parts.

(2) No person shall deliver repair or maintenance parts if he knows or has reason to believe that the acceptance of such delivery would be in violation of paragraph (e) (1) above.

(3) No person shall manufacture repair and maintenance parts for plastics molding machinery except in minimum quantities sufficient to make deliveries permitted by the terms of this paragraph (e).

(4) No person shall use parts for plastics molding machinery except for maintenance and repair of previously existing and completed plastics molding machinery, or except as provided in paragraph (b) (2) above.

(f) *Special directions to producers.* The Director General for Operations at his discretion, may from time to time issue special directions to producers of plastics molding machinery with respect to the machines which they may or must manufacture or deliver, and with respect to manufacture and delivery of repair and maintenance parts for plastics molding machinery.

(g) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board priorities regulations, as amended from time to time.

(2) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of plastics molding machinery shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order,

wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C., Ref.: L–159.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–1520; Filed, January 29, 1943; 11:15 a. m.]

PART 3061—STEEL SHIPPING DRUMS

[Limitation Order L–197 as Amended Jan. 29, 1943]

Section 3061.1 *Limitation Order L–197* is hereby amended to read as follows:

§ 3061.1 *Limitation Order L–197*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) "Drum" means any single walled, cylindrical or bilged container with a capacity of 110 gallons or less (including but not limited to buckets, kits and pails) constructed wholly of steel. The term shall not be deemed to refer to cans or high and low pressure gas steel cylinders, or to any container not susceptible of commercial use in the transportation and storage of commodities.

(3) "Sale" shall mean any transfer of title of a drum or drums, with or without consideration, and shall include the transfer of possession of any such drum or drums, pursuant to a lease or rental arrangement.

(4) "Purchase" shall mean the receipt of any transfer described in subparagraph (3) of this paragraph (a).

(5) "Used drum" means a drum which has been partially or wholly filled with any product or commodity, for storage or shipping purposes, in the course of business.

(6) "New drum" means any drum which is not a used drum.

(7) "Governing date" with respect to any product on List A means the date set forth opposite such product.

(b) *Restrictions on use; General and List A products.* (1) No person shall use any drum, new or used, for packing any product which he had not packed in drums prior to September 14, 1942.

(2) On and after the applicable governing date of any product on List A, no person shall pack such product in a drum or drums, new or used.

(c) *"X" marking.* (1) On and after October 1, 1942, no person shall manufacture or complete the manufacture of any drum which shall not have the letter X plainly and legibly embossed on the bottom plate thereof.

(2) On and after September 14, 1942, no person shall sell any new drum or deliver such drum pursuant to a sale thereof, and on and after November 7, 1942, no person shall sell any drum, new or used, or deliver same, pursuant to a sale thereof (regardless of when the manufacture of any such drum was completed), unless such drum shall be plainly and legibly marked on the bottom plate with the letter X.

(3) No person shall remove, cover or conceal any marking placed upon any drum pursuant to subparagraphs (1) and (2) of this paragraph (c) unless same is necessary in the course of renovating, cleaning, painting or processing drums so marked, in which event the marking shall, within 48 hours, be replaced in as nearly as possible the original manner by the person effecting such renovation, cleaning, painting or processing.

(d) *Restrictions on use; List B products.* (1) No person shall pack any of the products on List B of this order:

(i) In a drum or drums, new or used, which was manufactured on or after September 14, 1942;

(ii) In a drum or drums, which was purchased by or delivered to any person on or after September 14, 1942, and at the time of such purchase or delivery was a new drum;

(iii) In a drum or drums which was purchased by or delivered to any person on or after the 7th day of November, 1942, and at the time of such purchase or delivery was a used drum.

(2) Notwithstanding the provisions of paragraph (d) (1), any person who owns a drum which is not required to be embossed or marked with the letter X pursuant to paragraphs (c) (1) and (c) (2) of this order, whether such drum is in his possession or is hereafter returned to him by another person, may use such drum for packing any of the materials on List B, so long as he retains ownership of such drum; but the provisions of said paragraph (d) (1) shall become applicable as soon as he sells such drums.

(3) Nothing in this order shall prevent the purchase of ends or other parts or accessories for drums; nor shall the affixing of such ends or other parts to such drums prohibit their use in accordance with subparagraph (2) of this paragraph (d).

(e) *General exceptions.* (1) Nothing in this order shall apply to the use of drums for storage purposes by any person having less than 5 drums in use for all purposes.

(2) The restrictions on use specified in paragraphs (b) (1) and (2) and (d) (1) of this order shall not apply:

(i) To drums which are used for the sale and delivery of commodities to the Army or Navy of the United States, the Maritime Commission, the Panama Canal, the War Shipping Administration, or such other governmental agencies as the Director General for Operations may designate;

(ii) To drums which are used for the sale or delivery of commodities which are to be physically incorporated into ships, guns, tanks, combat vehicles, aircraft, ammunition, armament and weapons, gunsighting devices and radio and sound equipment;

(iii) To drums which are used for the sale or delivery of commodities which are to be used for maintenance, repair or operating supplies for ships.

(3) The provisions of this order shall not apply:

(i) To drums constructed wholly of heavier than 14 gauge steel;

(ii) To used drums constructed wholly of lighter than 23 gauge steel having a capacity of more than 30 gallons.

(f) *Relationship to General Preference Order M–45.* The provisions of this order shall govern to the extent that they may be inconsistent with any provisions of General Preference Order M–45 as amended.

(g) *Miscellaneous provisions.* (1) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) *Records.* All persons affected by this order shall keep and preserve for not less than two years after the effective date of this order accurate and complete records concerning inventories, production and sales.

(3) *Audit and inspections.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Appeals.* Any appeal from the provisions of this order shall be filed on Form PD–717, in triplicate.

(6) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington, D. C. Ref: L–197.

(P.D. Reg. 1, as amended, 6 F.R. 6680, W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

LIST A

Product	Governing date
1. Acid succinic	Nov. 14, 1942
2. Alcohol, specially denatured (except anhydrous grades and the following formulas: #13A, #19 #20, #32, and #42)	Nov. 14, 1942
3. Aluminum sulphate	Nov. 14, 1942
4. Ammonia alum	Mar. 1, 1943
5. Ammonium bicarbonate	Nov. 14, 1942
6. Ammonium chloride	Nov. 14, 1942
7. Ammonium nitrate, dry	Mar. 1, 1943
8. Arsenic acid, solid	Nov. 14, 1942
9. Arsenic trioxide	Nov. 14, 1942
10. Arsenical mixtures	Nov. 14, 1942
11. Asphalt, maximum penetration of 100 at 77° F. (ASTM D5–25)	Nov. 14, 1942
12. Asphaltic cements, mineral filled, semi-solid or plastic, maximum grease penetration of 300, (ASTM D–217–38T)	Nov. 14, 1942
13. Balsam copaiba	Nov. 14, 1942
14. Bath salts	Nov. 14, 1942
15. Bird seed	Mar. 1, 1943
16. Boiler compounds, dry	Mar. 1, 1943
17. Borax	Nov. 14, 1942
18. Bordeaux mixture	Nov. 14, 1942
19. Boric acid	Nov. 14, 1942
20. Bottle washing compounds*	Nov. 14, 1942
21. Calcimine	Nov. 14, 1942
22. Calcium arsenate	Nov. 14, 1942
23. Calcium carbonate	Nov. 14, 1942
24. Calcium chloride	Nov. 14, 1942
25. Calcium hydroxide	Nov. 14, 1942
26. Calcium oxide	Nov. 14, 1942
27. Casein paints, dry	Nov. 14, 1942
28. Cements, dry, Portland, shoe non-flammable, leather, adhesives non-flammable	Nov. 14, 1942
29. Cement paint, dry	Nov. 14, 1942
30. Charcoal	Nov. 14, 1942
31. Chloride of lime, bleaching powder 37% available chlorine or less, except for export	Nov. 14, 1942
32. Citric acid	Nov. 14, 1942
33. Cleaning compounds, dry*	Nov. 14, 1942
34. Colors, inorganic, dry	Nov. 14, 1942
35. Colors, organic, dry	Nov. 14, 1942
36. Copper oxide	Nov. 14, 1942
37. Copper sulphate, basic	Nov. 14, 1942
38. Dairy products	Nov. 14, 1942
39. Di ammonium phosphate	Nov. 14, 1942
40. Di calcium phosphate	Nov. 14, 1942
41. Di sodium phosphate	Nov. 14, 1942
42. Dyestuffs, dry	Nov. 14, 1942
43. Fatty acids, (having a melting point of higher than 42° C.)	Nov. 14, 1942
44. Flour	Nov. 14, 1942
45. Food products, cold pack and frozen	Nov. 14, 1942
46. Fruits—brine	Nov. 14, 1942
47. Fruits and peels, glace	Nov. 14, 1942
48. Gelatin	Nov. 14, 1942
49. Glue	Nov. 14, 1942
50. Hexamethylenetetramine	Nov. 14, 1942
51. Indigo paste	Nov. 14, 1942
52. Jelly, jam and preserves	Nov. 14, 1942
53. Kraut	Nov. 14, 1942
54. Laundry alkalies*	Nov. 14, 1942
55. Lead arsenate	Nov. 14, 1942
56. Lime	Nov. 14, 1942
57. Lime sulphur, dry	Nov. 14, 1942
58. Linseed oil meal	Nov. 14, 1942
59. Lithopone	Nov. 14, 1942
60. Magnesium chloride, 6H.O.	Mar. 1, 1943
61. Magnesium oxide	Nov. 14, 1942
62. Marmalade	Nov. 14, 1942
63. Meats	Nov. 14, 1942
64. Metal degreasing alkalies*	Nov. 14, 1942
65. Modified sodas*	Nov. 14, 1942
66. Molasses	Nov. 14, 1942
67. Mono ammonium phosphate	Nov. 14, 1942
68. Mono calcium phosphate	Nov. 14, 1942
69. Mono sodium phosphate	Nov. 14, 1942
70. Moulding powder, except those for dielectric or insulating purposes	Nov. 14, 1942
71. Oil, crude, petroleum	Nov. 14, 1942
72. Olives	Nov. 14, 1942
73. Paints, dry powder, including but not limited to those bound with glue, soya protein, casein and cement	Nov. 14, 1942
74. Paints, paste, water type (the vehicle of this type of product shall contain at least 5% water)	Nov. 14, 1942
75. Paradichlorobenzene	Nov. 14, 1942
76. Paraffin wax (except microcrystalline)	Nov. 14, 1942
77. Paste rust proofing compounds	Nov. 14, 1942
78. Paste, wall paper	Nov. 14, 1942
79. Patching plaster	Nov. 14, 1942
80. Pectin	Nov. 14, 1942
81. Petrolatum	Nov. 14, 1942
82. Pickles	Nov. 14, 1942
83. Pine tar, solid	Nov. 14, 1942
84. Pitch or tar, maximum penetration of 100 at 77° F., (ASTM D5–25)	Nov. 14, 1942
85. Pitch or tar base cements, mineral filled, semi-solid or plastic, maximum grease penetration of 300 (ASTM D217–38T)	Nov. 14, 1942
86. Potash alum	Mar. 1, 1943
87. Potassium bicarbonate	Nov. 14, 1942
88. Potassium carbonate	Nov. 14, 1942
89. Resins, solid, rough-crushed and broken synthetic, except where used for dielectric or insulating purposes	Nov. 14, 1942
90. Sand	Mar. 1, 1943
91. Securing cakes and powder	Nov. 14, 1942
92. Shellac	Nov. 14, 1942
93. Silicate of soda, dry, ortho silicate, meta silicate, sesqui, or mixtures thereof	Nov. 14, 1942
94. Soap and detergents, dry*	Nov. 14, 1942
95. Soda alum	Mar. 1, 1943
96. Soda ash	Nov. 14, 1942
97. Sodium acid pyro phosphate	Nov. 14, 1942
98. Sodium aluminate	Mar. 1, 1943
99. Sodium arsenate	Nov. 14, 1942
100. Sodium bisulfate	Mar. 1, 1943
101. Sodium bicarbonate	Nov. 14, 1942
102. Sodium chloride	Nov. 14, 1942
103. Sodium hexameta phosphate	Nov. 14, 1942
104. Sodium hydrosulphite	Nov. 14, 1942
105. Sodium metaborate	Nov. 14, 1942
106. Sodium nitrate	Nov. 14, 1942
107. Sodium nitrite	Mar. 1, 1943
108. Sodium perborate	Mar. 1, 1943
109. Sodium sesquicarbonate	Nov. 14, 1942
110. Sodium tetra phosphate	Mar. 1, 1943
111. Sodium tetra pyro phosphate	Nov. 14, 1942
112. Starches and adhesives, dry	Nov. 14, 1942
113. Sweeping compounds	Nov. 14, 1942
114. Syrup, mixed and unmixed (except maple syrup and corn syrup)	Nov. 14, 1942
115. Tri calcium phosphate	Nov. 14, 1942
116. Tri sodium phosphate	Nov. 14, 1942
117. Vegetables—brine	Nov. 14, 1942
118. Vinegar	Nov. 14, 1942
119. Water	Mar. 1, 1943
120. Wax, except floor wax	Nov. 14, 1942
121. Wood Fillers	Nov. 14, 1942
122. Zeolite	Nov. 14, 1942
123. Zinc hydrosulfite	Nov. 14, 1942

*Does not include fused and flaked material containing 70% or more sodium hydroxide

LIST B

Product

1. Asphalt, liquid (minimum penetration of 101 at 77° F. ASTM) (D5–25).
2. Asphaltic cements, mineral filled, semi-solid or liquid (minimum ASTM grease penetration of 301) (D–217–38T).
3. Boiler feed water treatment material liquid.
4. Caulking compounds.
5. Compounds, solid and semi-solid with a melting point of 65° F. or above, used in cooking, including mixtures of lard and hydrogenated oils, but not limited to these mixtures.
6. Corn syrup.
7. Disinfectants, liquid.
8. Dry lead oxide.
9. Fatty acids with a melting point of 42° C. or lower.
10. Flammable shoe cements.
11. Floor sealers.
12. Floor wax.
13. Formaldehyde.
14. Fuse powder, black sporting powder, "A" blasting powder, and all other potassium nitrate black powder.
15. Glazing material or putty.
16. Greases, animal and vegetable.
17. Greases, petroleum, solid and semi-solid (with ASTM penetration of 300 and less).
18. Hydrogenated oils with a melting point of 65° F. or above, including but not limited to shortening.
19. Inorganic salts, aqueous solutions.
20. Insecticides, liquid, including fly spray and livestock dip and spray (except nicotine sulphate, arsenical cattle dips and grain fumigants).
21. Lanolin and wool grease.
22. Lard.
23. Lead oxides in paste.
24. Leather finishes, blackings, dressing, flammable adhesives.
25. Lime sulphur solution.
26. Maple syrup.
27. Oils, animal, fish, marine animal, vegetable (except for fish livers, vitamin oils derived from fish or fish livers or grain).
28. Oils, steam cylinder, both compounded and uncompounded.
29. Paints, oil and oleoresinous type, including but not limited to white lead in oil, colors in oil, and oil stain.
30. Paris green.
31. Paste cutting compounds.
32. Paste drawing compounds.
33. Paste grinding compounds.
34. Pine tar, liquid.
35. Pitch or tar, liquid, minimum penetration of 101 at 77° F. (ASTM D5–25).
36. Pitch or tar base cements, mineral filled, semi-solid or liquid, minimum grease penetration of 301 (ASTM D217–38T).
37. Printing inks (except aniline or spirit inks and rotogravure inks).
38. Pyrethrum concentrate.
39. Rotenone.
40. Rust preventative.
41. Silicate of soda, liquid.
42. Shock absorber, fluid.
43. Soaps and detergents, liquid or paste.
44. Soaps, metallic.
45. Sodium lactate.
46. Starches and adhesives, liquid.
47. Tallow.
48. Tar.
49. Turpentine.
50. Varnish and varnish stains, except liquid water-soluble phenolic resins.
51. Vat dyes, paste.
52. Wood preservatives.

[F. R. Doc. 43–1521; Filed, January 29, 1943; 11:15 a. m.]

governing date of any product on List

Canal, the War Shipping Administration,

Director General for Operations.

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Supp. Order 31,[1] Amendment 1]

TAX ON TRANSPORTATION OF PROPERTY IMPOSED BY REVENUE ACT OF 1942

A statement of the considerations involved in the issuance of this Amendment No. 1 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Paragraphs (b) (11) and (b) (12) and paragraph (e) are added to § 1305.36 to read as set forth below.

§ 1305.36 *Treatment of the tax on transportation of property imposed by the Revenue Act of 1942.* • • •

(b) This Supplementary Order No. 31 shall not apply to the following price regulations:

• • • • • •

(11) Revised Price Schedule No. 29—By-product Foundry and By-product Blast Furnace Coke.[2]

(12) Revised Price Schedule No. 77—Beehive Oven Furnace Coke Produced in Pennsylvania.[3]

• • • • • •

(e) *Effective dates of amendments.* (1) Amendment No. 1 to Supplementary Order No. 31 shall be effective as of December 1, 1942.

(Pub. Law 421, 77th Cong., Pub. Law 729, 77th Cong.; and E.O. 9250, 7 F.R. 7871)

Issued this 28th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1490; Filed, January 28, 1943; 3:00 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 149,[1] Amendment 6]

MECHANICAL RUBBER GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

The title of § 1315.21 is amended; in § 1315.21a the text of paragraph (a) is amended, paragraph (d) is revoked, paragraphs (e) and (f) are redesignated paragraphs (d) and (e), respectively, and a new paragraph (f) is added; § 1315.22 is amended; in § 1315.28 paragraph (b) is amended, paragraph (c) is revoked and paragraph (d) is redesignated paragraph (c); and a new subparagraph (9) is added to paragraph (a) of § 1315.31, all as set forth below:

§ 1315.21 *Prohibition against dealing in mechanical rubber goods at prices in excess of the maximum.* • • •

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9894.

[2] 7 F.R. 1258, 2132, 2760, 8948.

[3] 7 F.R. 1352, 2000, 2132, 2760, 6386, 8948

[4] 7 F.R. 3889, 7173, 8699, 8948, 10103, 10143, 10993

§ 1315.21a *Maximum manufacturers' prices for mechanical rubber goods.* • • •

(a) The maximum price for mechanical rubber goods of the types and kinds listed in Appendix A, incorporated herein as § 1315.34, shall be the price determined as follows, less the deduction required by paragraph (f) of this § 1315.21a, wherever applicable:

• • • • • •

(f) *Deduction of the amount of the federal excise tax.* If, on October 1, 1941, in the case of the articles listed in Appendix A and on January 5, 1942, for the articles listed in Appendix B, the manufacturer did not bill the federal excise tax on rubber products separately, he shall deduct the amount of such tax from the price determined in accordance with paragraphs (a) to (e), inclusive, of this § 1315.21a. *Provided,* That where the manufacturer had a price list in effect for the article on September 30, 1941, this deduction shall not exceed the amount by which the price determined in accordance with paragraphs (a) to (e), inclusive, exceeds the price stated in the manufacturer's price list in effect on September 30, 1941, less all discounts, allowances and other deductions from the list price in effect for a purchaser of the same class on that date.

§ 1315.22 *Federal and state taxes.* Any tax upon or incident to, the sale, delivery or processing of mechanical rubber goods imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price: If the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

§ 1315.28 *Reports.* • • •

(b) This paragraph (b) is applicable to mechanical rubber goods the maximum price of which cannot be determined by reference to the price stated in the schedule or price list of the manufacturer in effect on the base date (October 1, 1941, for articles listed in Appendix A and January 5, 1942, for articles listed in Appendix B) or by reference to a price regularly quoted in some other manner by the manufacturer on the base date. If any such mechanical rubber good be listed as a new standard list good, the manufacturer shall report to the Office of Price Administration, Washington, D. C., that the article is being so listed and, prior to offering such mechanical rubber good for sale, shall report a detailed description thereof (including the size), the maximum price of each such article, the calculations used in the determination of the maximum price, the proposed selling price, and the terms of sale to each class of purchaser. The manufacturer may not accept payment for the commodity until fifteen days have elapsed after the mailing of the report. Within this fifteen day period the price so reported shall be subject to adjustment by the Office of Price Administration. Subsequent to this fifteen day period, such price shall be subject to adjustment (not to apply retroactively) at any time upon the written order of the Office of Price Administration.

§ 1315.31 *Definitions.* (a) • • •

(9) "Synthetic rubber" means a material obtained by chemical synthesis, possessing the approximate physical properties of natural rubber, when compared in either the vulcanized or unvulcanized condition, which can be vulcanized with sulphur or other chemicals with the application of heat, and which, when vulcanized, is capable of rapid elastic recovery after being stretched to at least twice its length at temperatures ranging from 0° F. to 150° F. at any humidity.

§ 1315.33a *Effective dates of amendments.* • • •

(f) Amendment No. 6 (§§ 1315.21; 1315.21a (a), (d), (e), (f); 1315.22, 1315.28 (b), (c), (d); 1315.31 (a) (9)) to Maximum Price Regulation No. 149 shall become effective February 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1491, Filed, January 28, 1943; 3:01 p. m.]

PART 1340—FUEL

[RPS 88,[1] Amendment 63]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1340.159 (a) subparagraphs (2) and (5) are amended to read as set forth below:

§ 1340.159 *Appendix A: Maximum prices for petroleum and petroleum products.* • • •

(a) *Crude petroleum.* • • •

(2) Where on October 1, 1941, there was for any given pool no posted purchased price, or more than one posted purchase price, the maximum price at the receiving tank for crude petroleum from such pool shall be the price paid for crude petroleum at the same receiving tank as of October 1, 1941 unless this price is below the lower or lowest of the posted purchase prices, if any, and in that case, the maximum price shall not be in excess of such lower or lowest

[1] 7 F.R. 1107, 1371, 1798, 1799, 1886, 2132, 2304, 2352, 2634, 2945, 3463, 3482, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 4857, 5481, 5868, 5988, 5983, 6057, 6167, 6471, 6680, 7242, 7838, 8433, 8478, 9120, 9134, 9335, 9425, 9460, 9620, 9621, 9817, 9820, 10684, 11069, 11112, 11975, 8 F.R. 157, 232, 233, 857.

posted purchase price: *Provided, however,* That a price paid pursuant to a contract in effect on October 1, 1941 and entered into prior to that date, shall not be considered in determining the maximum price for crude petroleum unless the contract price reflected current market conditions on or about October 1, 1941.

• • • • • •

(5) (i) The maximum price for crude petroleum purchased at a point other than the receiving tank shall be at no greater differential at such point over the maximum price for such crude at the receiving tank than existed on October 1, 1941: *Provided, however,* That such a differential established pursuant to a contract in effect on October 1, 1941 and entered into prior to that date shall not be considered in determining the maximum price at that point unless the differential reflected current market conditions on or about October 1, 1941.

(ii) Where a maximum price at a point other than at the receiving tank cannot be determined under subdivision (i) above, the purchaser and seller may establish a temporary differential for a sale of crude petroleum at such point subject to provisions of § 1340.154 (c) hereof and subject to disapproval by the Office of Price Administration: *Provided, however,* That if such differential is not disapproved in writing by the Office of Price Administration within 30 days after it has been reported in accordance with § 1340.154 (c), it shall be the maximum differential for the particular sale and for all subsequent sales of crude petroleum from the same receiving tank delivered at that point.

• • • • • •

§ 1340.158a *Effective dates of amendments.* • • •

(kkk) Amendment No. 63 (§ 1340.159 (a) (2) and (5)) to Revised Price Schedule No. 88 shall become effective February 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1492; Filed, January 28, 1943; 2:59 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 306, Amendment 1]

CERTAIN PACKED FOOD PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Item 3 in the table contained in § 1341.583 (a) is amended as set forth below:

§ 1341.583 *Appendix A: Maximum prices for packed fruit*—(a) *Grapefruit juice.* • • •

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5		Col. 6		Col. 7	
				Container—#2 can		Container—#3 cylinder		Container—#10 can	
Item No.	State or area	Style of pack	Grade	Government sales	Other sales	Government sales	Other sales	Government sales	Other sales
•	•	•	•	•	•	•	•	•	•
3	California and Arizona.	Natural (unsweetened)	A or Fancy	1.17½	1.20½	2.70	2.80	5.45	5.60
			C or Standard	1.07½	1.12½	2.50	2.60	4.95	5.10
			Off grade or substandard	.87½	.92½	1.95	2.05	3.95	4.10
		Sweetened	A or Fancy	1.20	1.25	2.75	2.85	5.60	5.75
			C or Standard	1.10	1.15	2.55	2.65	5.10	5.25
			Off grade or substandard	.90	.95	2.00	2.10	4.10	4.25

This amendment shall become effective January 28, 1943.

(Pub Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1495; Filed, January 28, 1943; 3:00 p. m.]

PART 1345—COKE

[RPS 29,[1] Amendment 2]

BY-PRODUCT FOUNDRY AND BY-PRODUCT BLAST FURNACE COKE

A statement of the considerations involved in the issuance of this Amendment No. 2 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1345.1 is amended and paragraph (b) is added to § 1345.12 to read as set forth below.

§ 1345.1 *Maximum prices for by-product foundry and by-product blast furnace coke.* On and after October 1, 1941, regardless of the terms of any contract of sale or purchase, or other commitment, no person shall sell, offer to sell, deliver or transfer, by-product foundry or by-product blast furnace coke, and no person shall buy, offer to buy, or accept delivery of by-product foundry or by-product blast furnace coke at prices higher than the maximum prices set forth in Appendices A and B, incorporated herein as §§ 1345.9 and 1345.10 respectively: *Provided,* That there may be added to the maximum prices therein set forth an amount not in excess of 4¢ per net ton, if a tax is incurred by a seller under section 620 of the Revenue Act of 1942 and if said seller separately states the amount of the tax in the sale to his purchaser.

§ 1345.12 *Effective date of amendment.* • • •

(b) Amendment No. 2 (§ 1345.1) to Revised Price Schedule No. 29 shall be effective as of December 1, 1942.

(Pub. Law 421, 77th Cong., Pub. Law 729, 77th Cong., and E.O. 9250, 7 F.R. 7871)

Issued this 28th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1493; Filed, January 28, 1943; 2:59 p. m.]

PART 1345—COKE

[RPS 77,[1] Amendment 3]

BEEHIVE OVEN FURNACE COKE PRODUCED IN PENNSYLVANIA

A statement of the considerations involved in the issuance of this Amendment No. 3 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1345.51 is amended and paragraph (c) is added to § 1345.61 to read as set forth below.

§ 1345.51 *Maximum delivered prices for beehive oven furnace coke produced in Pennsylvania.* Except as hereinafter provided, on and after January 26, 1942, regardless of the terms of any contract of sale or purchase, or other commitment, no person shall sell, offer to sell, deliver or transfer, beehive oven furnace coke produced in Pennsylvania to any consumer, and no consumer shall buy, offer to buy or accept delivery of beehive oven furnace coke produced in Pennsylvania at a delivered price higher than $6.00 per net ton f. o. b. cars ovens, plus the transportation charges from Connellsville, Pennsylvania, to the place of delivery as customarily computed: *Provided,* That on and after August 12, 1942, subject to the conditions hereinafter set forth, in any operation in which ovens are hand-drawn and the total coal supply for such hand-drawn ovens is necessarily trucked from the mine to the ovens, the maximum delivered price shall be $6.50 per net ton f. o. b. cars ovens, plus the transportation charges from Connellsville, Pennsylvania, to the place of delivery as customarily computed, subject however to the express conditions that a seller of any such coke who intends to charge a price higher than $6.00 per net ton f. o. b. cars ovens shall file with the Office of Price Administration, within seven days after first charging such higher price, an affidavit stating the name, ownership, size and average monthly production of the operation, whether part or all of the ovens are hand-drawn, the distance and place from which the coal must be trucked and

[1] 7 F.R. 1352, 2000, 2132, 2760, 6386, 8948.

whether or not all of the coal is so trucked: *Provided*, That there may be added to the maximum prices above set forth an amount not in excess of 4¢ per net ton, if a tax is incurred by a seller under section 620 of the Revenue Act of 1942, and if said seller separately states the amount of the tax in the sale to his purchaser.

§ 1345.61 *Effective dates of amendments.* • • •

(c) Amendment No. 3 (§ 1345.51) to Revised Price Schedule No. 77 shall be effective as of December 1, 1942.

(Pub. Law 421, 77th Cong., Pub. Law 729, 77th Cong., and E.O. 9250, 7 F.R. 7871)

Issued this 28th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1494, Filed, January 28, 1943, 3:00 p. m.]

PART 1362—CERAMIC PRODUCTS, STRUCTURAL CLAY PRODUCTS AND OTHER MASON MATERIALS

[MPR 206, Amendment 2]

VITRIFIED CLAY SEWER PIPE AND ALLIED PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1362.101, § 1362.105, Table No. 19 of § 1362.113 (b), Tables Nos. 3 and 8 of § 1362.114 (b), § 1362.114 (c), Table No. 19 of § 1362.115 (b), and § 1362.115 (c) are amended, a new paragraph (a) (7) is added to § 1362.109, a new paragraph (b) is added to § 1362.112a and a new § 1362.101a is added, all as set forth below:

§ 1362.101 *Maximum prices for vitrified clay sewer pipe and allied products.* (a) On and after August 22, 1942, regardless of any contract, agreement, lease, or other obligation, no person shall sell or deliver any vitrified clay sewer pipe or allied products where shipment originates at the factory where the products are made rather than at a distribution yard, and no person shall buy or receive any of the foregoing products in the course of trade or business, at prices higher than the maximum prices set forth in Appendices A, B, and C hereof, incorporated herein as §§ 1362.113, 1362.114, and 1362.115, and no person shall agree, offer, solicit, or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of vitrified clay sewer pipe and allied products to a purchaser if prior to August 22, 1942, such vitrified clay sewer pipe and allied products had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

(b) *Maximum prices for vitrified clay sewer pipe and allied products when sold for delivery outside a factory's normal market area.* A method is provided in § 1362.101a whereby vitrified clay sewer pipe and allied products may be shipped outside a manufacturer's normal market area to a government agency, or to a contractor or subcontractor of such agency, at prices in excess of the maximum prices established in this section. For all other shipments outside the manufacturer's normal market area, for use on a project other than one controlled by a government agency, maximum prices as established in this section shall apply.

§ 1362.101a *Maximum prices for vitrified clay sewer pipe and allied products sold by a manufacturer to a Government Agency, and shipped outside its normal market area up to July 1, 1943.* (a) Requirements which must be met by a manufacturer in order to use out-of-area maximum prices. A manufacturer may use the pricing method set forth in the next paragraph only when:

(1) He is selling to a Government Agency, or to a contractor or subcontractor with a Government Agency, for use on a project controlled by any such agency: *Provided*, That a manufacturer may sell to any person who re-sells to any of the foregoing at prices not in excess of the maximum prices established by this section.

(2) He ships by rail in not less than minimum carload quantities.

(3) He secures and retains for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, a certificate signed by the purchaser in the following form:

CERTIFICATE FORM

Place _____
Date _____

Project: _____
(Identify: number, location, etc.)
Government agency _____
Purchaser: _____
(Area Engineer; Purchasing Agent; Contractor; Subcontractor)

Quantity and description of vitrified clay sewer pipe and allied products required:

_____
_____
_____
_____
_____
_____
_____

The quantity of vitrified clay sewer pipe and allied products listed above are required for the construction of the project named above. Diligent effort has been made to secure the necessary products from the sources of supply normally servicing the area where the project is located. Such sources are unable to supply the required products within the time allotted for construction. Therefore, it becomes necessary to purchase the required products from _____ Company (indicate whether distributor or manufacturer), whose office is located at _____

The products so purchased will not be used on any project other than one controlled by a Government Agency except products that have been rejected for cause.

_____
(Name of purchaser)
By _____
(Title)

(4) The following form of endorsement shall be made by the seller if he is not the manufacturer of the vitrified clay sewer pipe or allied products. Such endorsement may be made on the reverse side of purchaser's certificate.

ENDORSEMENT FORM

The undersigned has received an order from _____, of _____, which is covered by the certificate on the reverse side, or attached hereto. The undersigned is unable and will be unable to supply the requirements of the purchaser from our own stock of vitrified clay sewer pipe, or allied products, in the time allotted for delivery. It is therefore necessary to order from _____, of _____, the requirements of purchaser as listed on the certificate. Prices charged the purchaser by the undersigned do not exceed the maximum prices established in Section 1362.101a, of Maximum Price Regulation No. 206.

_____
By _____
(Title)

(b) Maximum prices for vitrified clay sewer pipe and allied products sold by any person and shipped from a factory prior to July 1, 1943, to a destination which is outside the normal market area of such factory may be determined in the following manner:

(1) A price f. o. b. factory not in excess of 95% of the f. o. b. plant price for straight or mixed carload shipments.

(i) The following methods shall be used in determining the f. o. b. plant price which shall apply to manufacturers who wish to use this section:

(*a*) For those manufacturers who sell on an f. o. b. plant basis, the price as established in this Maximum Price Regulation No. 206.

(*b*) For those manufacturers who sell at a delivered price based on geographical zones, the price as established in this Maximum Price Regulation No. 206 for the zone within which the factory is located, less the weighted average freight paid by the manufacturer, during the calendar year 1941, for delivery in the zone in which the factory is located.

For those manufacturers who determine their price in accordance with this subdivision (*b*) the weighted average freight shall be determined in the following manner: From the total amount of freight paid during the year 1941 for rail delivery of vitrified clay sewer pipe or allied products to the zone within which the factory is located, deduct that amount of freight applicable to dunnage only, that is, to crating, bracing, or other material carried for the protection of the product. Divide the balance by the total amount of tons of vitrified clay sewer pipe and allied products delivered by rail, during the calendar year 1941, in the zone in which the factory is located. The result will be the weighted average freight per ton paid during the year 1941 for delivery by rail of vitrified clay sewer pipe and allied products in the zone in which the factory is located.

(c) For manufacturers located in the Eastern Area, who sell at a delivered price based on freight rate zones, the price as established in this Maximum Price Regulation No. 206 in the first or 10¢ zone, less the highest amount of freight from Akron, for delivery to the first, or 10¢ zone.

(2) A delivered price may be charged under this provision not higher than the maximum price established in this section, f. o. b. factory plus the actual freight charges incurred by the manufacturer in making delivery to the point of destination.

(3) Material purchased in accordance with the provisions of this section which is in excess of requirements, or which is rejected by the purchaser for cause, may be re-sold to any person at the prices established by the General Maximum Price Regulation, for the same grade or quality, for the area in which the product is ultimately used.

§ 1362.105 *Records and reports.* (a) Every person making purchases or sales subject to this Maximum Price Regulation No. 206, of vitrified clay sewer pipe and allied products in the amount of $200 or more in any one calendar month, beginning September 1, 1942, shall keep for inspection by the Office of Price Administration for so long as the Emergency Control Act of 1942, as amended, remains in effect, complete and accurate records of each purchase, sale, or delivery, showing the date thereof, the name and address of the buyer and the seller, the point of origin, and the point of delivery of the shipment, the price paid or received, and the quantity of each grade and classification of the product purchased, sold, or delivered. In the event the sale is one in which delivery takes place outside the manufacturer's normal market area it shall be indicated on the record.

(b) Every manufacturer who makes a sale under § 1362.101a in any month shall make a report to the Office of Price Administration, Washington, D. C., on or before the fifteenth day of the following month, setting forth a list of all sales which resulted in vitrified clay sewer pipe or allied products being shipped to points outside his normal market area during the preceding calendar month, showing the name and address of the purchaser, the point of shipment and the point of delivery, the quantity and classification of products sold, the price charged, and the method of computing such price.

(c) Every person making a purchase or sale subject to this Maximum Price Regulation No. 206 of vitrified clay sewer pipe and allied products shall submit such reports to the Office of Price Administration as it may from time to time require.

§ 1362.109 *Definitions.* (a) When used in this Maximum Price Regulation No. 206, the term:

• • • • • •

(7) "Normal market area" for any factory means that area in which vitrified clay sewer pipe and allied products were regularly offered for sale during the period January 1, 1940 to January 1, 1942; for the purposes of this definition, vitrified clay sewer pipe or allied products will be deemed to have been "regularly offered for sale" only in that area in which the factory had salesmen traveling at regular intervals and/or customarily quoted for shipment during the above-mentioned period.

• • • • • •

§ 1362.112a *Effective dates of amendments.* • • •

(b) This amendment No. 2 (§§ 1362.101, 1362.101a, 1362.105, 1362.109 (a) (7), 1362.112a, 1362.113 (b), 1362.114 (b) and (c), and 1362.115 (b) and (c)) shall become effective February 3, 1943.

§ 1362.113 *Appendix A: Maximum prices for vitrified clay sewer pipe and allied products when delivery to the purchaser is within the Eastern Area.* • • •

(b) *List prices.* • • •

TABLE 19—STOVE PIPE AND FITTINGS

Inside diameter, inches	Stove pipe, per foot	Single openings, each[1]	Double openings, each[1]	Bottoms 2 feet long, each	Drop bottoms, each	Mandary tops, keg and O. G. bonnets, and bird-cage windguards, each	Anchor bonnets and chimney bases, each	Discount No.
5	$0.45	$1.80	$2.25	$1.80	$2.70	.....	$2.25	2
6	.45	1.80	2.25	1.80	2.70	$2.70	2.25	2
7	.70	2.80	3.50	2.80	4.20	4.20	3.50	2
8	.70	2.80	3.50	2.80	4.20	4.90	3.50	2
9	1.05	4.20	.....	4.20	.....	.....	.....	2
10	1.05	4.20	.....	4.20	.....	.....	.....	2
12	1.35	5.40	.....	5.40	.....	.....	.....	2
15	1.80	7.20	.....	7.20	.....	.....	.....	2
18	2.50	10.00	.....	10.00	.....	.....	.....	2
20	3.00	12.00	.....	12.00	.....	.....	.....	2
24	4.50	18.00	.....	18.00	.....	.....	.....	2

[1] Single or double openings supplied with or without closed ends. Single or double openings, with closed end, take 50% additional to list price.

§ 1362.114 *Appendix B: Maximum prices for vitrified clay sewer pipe and allied products when delivery to the purchaser is within the Southern Area.* • • •

(b) *List prices.* • • •

TABLE 3—SEWER PIPE FITTINGS: CURVES AND ELBOWS, VEE BRANCHES, SADDLES AND SLANTS, INCREASERS AND REDUCERS, STOPPERS, AND STRAINERS

Inside diameter, inches	Curves, each	Elbows, each	Vee branches, each	Saddles and slants, each	Increasers and reducers, each	Stoppers, each	Strainers, each	Discount No.
4	$0.90	$0.90	$2.00	.....	.....	$0.10	$0.15	1
6	1.35	1.35	3.00	$1.20	$1.20	.15	.25	1
8	2.50	2.50	5.00	2.00	2.00	.20	.30	1
10	3.50	3.50	7.00	2.80	2.80	.40	.60	1
12	4.50	4.50	9.00	3.60	3.60	.70	1.05	1
15	5.00	10.00	12.50	5.00	5.00	1.00	.....	2
18	6.80	13.60	17.00	.....	6.80	1.75	.....	2
21	10.00	20.00	25.00	.....	10.00	2.75	.....	2
24	13.00	26.00	32.50	.....	13.00	4.00	.....	2

TABLE NO. 8—FLUE LINING: ROUND

Inside diameter, inches	Per foot	Discount No.
6	$0.30	5
8	.50	5
10	.70	5
12	.90	5
15	1.25	2
18	1.70	2
21	2.50	2
24	3.25	2

(c) *Percentage discounts.* The percentage discounts set forth in the table below are so arranged that the applicable discount for any item for delivery in any geographical zone in the Southern Area can be determined by the following procedure: select the discount number shown on the List Price Tables for the desired item. An identical number appears in the left-hand column of the table below. After determining the proper geographical zone within which the destination point falls, the applicable percentage discount will be found at the junction of the vertical geographical zone column and the horizontal line at which the predetermined discount number appears.

Discount No.	North Carolina	South Carolina, Georgia, Alabama	Tennessee	North Florida, Mississippi, Louisiana (East of Mississippi River)	South Florida
1	47	45	46	45	40
2	40	40	40	35	25
3	49	47	48	47	42
4	42	42	42	37	27
5	47	45	45	45	40
6	47	45	45	45	40
7	32	30	30	30	25

§ 1362.115 *Appendix C: Maximum prices for vitrified clay sewer pipe and allied products when delivery to the purchaser is within the East Central Area.* • • •

(b) *List prices.* • • •

*Copies may be obtained from the Office of Price Administration.

TABLE 19—STOVE PIPE AND FITTINGS

Inside diameter, inches	Stove pipe, per foot	Single openings, each [1]	Double openings, each [1]	Bottoms 2 feet long, each	Drop bottoms, each	Mandary tops, keg and O. G. bonnets, and birdcage windguards, each	Anchor bonnets and chimney bases, each	Discount No.
5	$0.45	$1.80	$2.25	$1.80	$2.70	.....	.....	8
6	.45	1.80	2.25	1.80	2.70	$2.70	$2.25	8
7	.70	2.80	3.50	2.80	4.20	4.20	3.50	8
8	.70	2.80	3.50	2.80	4.20	4.90	3.50	8
9	1.05	4.20	.....	4.20	.....	.....	.....	8
10	1.05	4.20	.....	4.20	.....	.....	.....	8
12	1.35	5.40	.....	5.40	.....	.....	.....	8
15	1.80	7.20	.....	7.20	.....	.....	.....	8
18	2.50	10.00	.....	10.00	.....	.....	.....	8
20	3.00	12.00	.....	12.00	.....	.....	.....	8
24	4.50	18.00	.....	18.00	.....	.....	.....	8

[1] Single or double openings supplied with or without closed end. Single or double openings, with closed end, take 50% additional to list price.

(c) *Percentage discounts.* The percentage discounts set forth in the table below are so arranged that the applicable percentage discount for any item for delivery in any geographical zone in the East Central Area can be determined by the following procedure: Select the discount number shown on the List Price Tables for the desired item. An identical number appears in the left-hand column of the table below. After determining the proper geographical zone within which the destination point falls, the applicable percentage discount will be found at the junction of the vertical geographical zone column and the horizontal line at which the predetermined discount number appears.

Discount No.	Illinois zones 1, 2, and 3	Wisconsin zones 1 and 3	Wisconsin zone 2	Michigan, Upper Peninsula	Indiana	Kentucky
1	64	62	60	60	67	67
2	57	55	53	53	64	62
3	57	55	53	53	62	62
4	67	65	63	63	70	68
5	67	65	63	63	70	70
6	60	58	56	56	69	65
7	60	58	56	56	67	65
8	64	62	60	60	67	65
9	58	56	54	54	64	.....
10	54	52	50	50	56	58
11	64	62	60	60	67	.....
12	51	49	47	47	.....	.....
13	46	44	42	42	.....	.....

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1496; Filed, January 28, 1943; 3:01 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Amendment 9 to Ration Order 12 [1]]

COFFEE RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration

[1] 7 F.R. 9710, 10380, 11071, 11072; 8 F.R. 28, 167, 566, 621, 978.

New § 1407.988a and paragraph (i) of § 1407.1090a are added as set forth below:

Retailers and Wholesalers

§ 1407.988a *Certificates to be issued for roasted coffee not acquired with purchase warrants.* (a) Any retailer or wholesaler may, upon applying therefor to the board in February 1943, receive from the board a certificate or certificates in weight value equal to the sum of (1) and (2):

(1) The weight value of the purchase warrants which he was authorized to issue pursuant to Ration Order No. 12 minus the amount of all roasted coffee acquired by him on the authority of such purchase warrants;

(2) The weight of roasted coffee transferred by him after December 12, 1942, and prior to January 26, 1943, against purchase warrants received by him pursuant to Ration Order No. 12 from other retailers or wholesalers.

(b) Before the board shall grant any such application, it shall receive from the applicant a certificate in the following form, duly signed by the applicant:

I hereby certify to the Office of Price Administration that: (1) pursuant to the provisions of Ration Order No. 12 I was authorized to issue purchase warrants in weight value aggregating ------ pounds; (2) on the authority of all purchase warrants issued by me I acquired ------ pounds of roasted coffee; and (3) after December 12, 1942, and prior to January 26, 1943, I transferred ------ pounds of roasted coffee against purchase warrants received by me.

Date:

Retailer-Wholesaler

By

Address

(c) The weight value of a certificate authorized to be issued to any wholesaler pursuant to paragraph (a) of this section shall be reduced by the weight value of any certificate received by such wholesaler pursuant to a petition for inventory adjustment filed by him.

(d) Any retailer or wholesaler who, after receiving a certificate pursuant to paragraph (a) of this section, receives delivery of roasted coffee against purchase warrants previously issued by him shall, on or before March 15, 1943, surrender to the board for cancellation coffee stamps or certificates in weight value equal to the amount of roasted coffee so received by him.

Effective Date

§ 1407.1090a *Effective dates of amendments.* * * *

(i) Amendment No. 9 (§§ 1407.988a and 1407.1090a (i)) to Ration Order No. 12 shall become effective February 1, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 729, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1-R)

Issued this 28th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1486; Filed, January 28, 1943; 2:59 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Amendment 10 to Ration Order 12 [1]]

COFFEE RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The word "February" in § 1407.960 (a) is deleted, and the word "March" is substituted therefor; and new paragraph (j) of § 1407.1090a is added as set forth below:

Effective Date

§ 1407.1090a *Effective dates of amendments.* * * *

(j) Amendment No. 10 (§§ 1407.960 (a) and 1407.1090a (j)) to Ration Order No. 12 shall become effective February 1, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 729, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1-R)

Issued this 28th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43-1487; Filed, January 28, 1943; 2:59 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Amendment 31 to Ration Order 11 [1]]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In paragraph (a) of § 1394.5253, a colon is substituted for the period after the word "application", and there is

[1] 7 F.R. 9710, 10380, 11071, 11072, 8 F.R. 28, 167, 566, 621, 978.

[1] 7 F.R. 8480, 8809, 8897, 9316, 9402, 9427, 9430, 9621, 9784, 9896, 10153, 10081, 10379, 10530, 10531, 10780, 10707, 11118, 11071; 8 F.R. 165, 237, 437, 369, 374, 535, 439, 444, 607, 668, 977.

added after the colon the phrase "*Provided*, That such certification shall not be required if the ration applied for is to be used in a portable space heater"; § 1394.5256 (d) is amended; in paragraph (a) of § 1394.5453, the phrase "for purposes other than the operation of equipment furnishing heat or hot water" is deleted, and in paragraph (b) of such section, the phrase "or for heat or hot water, or both," is inserted between the phrase "distillate oil" and the phrase "shall make a notation"; a colon is substituted for the period after the word "thereon" at the end of said paragraph (b), and there is added after the colon the phrase "*Provided*, That the period of validity entered by the Board on the stub of any delivery receipt issued for heat or hot water, or both, shall be limited to any single thermal period specified in § 1394.5266 (c) for the thermal zone in which the fuel oil burning equipment is located."; a new paragraph (f) is added to § 1394.5507; in paragraph (c) of § 1394.5705 the phrase "subject to the provisions of paragraph (d)" is inserted before the phrase "Every dealer and supplier", and a new paragraph (d) is added to said section; and a new paragraph (ee) is added to § 1394.5902; as set forth below:

Heat and Hot Water Rations

§ 1394.5256 *Determination of allowable ration for heating private dwellings.* * * *

(d) Where application is made for the operation of a space heater in a house trailer, the allowable ration for such purpose shall be the amount requested by the applicant for the space heater but shall not exceed twice the maximum of the range established in accordance with the provisions of § 1394.5256 for the area assigned to the Board to which application is made and which has jurisdiction over the issuance of such ration pursuant to any of the subparagraphs of paragraph (b) of § 1294.5101. No ration shall be issued for the operation of a space heater for supplying domestic hot water in a house trailer.

(1) Any consumer who finds that the ration issued to him for the operation of a space heater in a house trailer is insufficient to meet his minimum needs, may, if his allowable ration is less than twice the maximum of the range provided in paragraph (d), surrender his current ration to the Board having jurisdiction and at the same time apply to such Board for a new ration.

(2) The new ration shall be applied for and passed upon in the same manner as an original application under § 1394.5266. If the Board is unable, at the time application is made, to issue to the applicant the new ration, the applicant shall be permitted to retain his coupon sheets until the Board issues the new ration. Upon issuance of the new ration, the Board shall detach from its coupons equal in gallonage value to that of any coupons used between the date of application and the date of surrender of the old ration. The coupon sheets surrendered on the issuance of the new ration shall be appropriately cancelled and attached by the Board to the application for the new ration.

Expiration and Revocation of Rations

§ 1394.5507 *Suspension and revocation of rations.* * * *

(f) The ration of any person who wilfully causes the destruction or impairment of the use of equipment, or any parts thereof, designed to use an alternate fuel for the purpose of obtaining such ration, may at any time be revoked.

Provisions Relating to Dealers and Suppliers

§ 1394.5705 *Issuance of inventory coupons.* * * *

(d) Where a transfer is made by a dealer or supplier of an inventory coupon sheet (exclusive of the stub to which it is attached) containing 100 undetached inventory coupons, the transferor may, in lieu of inserting the serial number of his registration certificate on each inventory coupon, prominently inscribe across the face and the reverse side of such coupon sheet his name, address and serial number of his registration certificate.

Effective Date

§ 1394.5902 *Effective date of corrections and amendments.* * * *

(ee) Amendment No. 31 (§§ 1394.5253, 1394.5256, 1394.5453, 1394.5507 and 1394.5705) to Ration Order No. 11 shall become effective on February 2, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507; Pub. Law 421, 77th Cong., W.P.B. Directive No. 1, 7 F.R. 562, Supp. Directive No. 1-0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 28th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1497; Filed, January 28, 1943; 3:01 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 42 to GMPR [1]]

USED SUPPLIES OR EQUIPMENT

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1499.9 (b) (2) is amended and a new paragraph (qq) is added to § 1499.23a to read as set forth below.

§ 1499.9 *Commodities excepted from this General Maximum Price Regulation.* * * *

(b) This regulation shall not apply to the following sales or deliveries:

* * * * * *

(2) By any person, of his used supplies or equipment not acquired or produced by him for the purpose of sale:

Provided, however, That the exception contained in this subparagraph shall not apply to sales or deliveries of used tin cans sold or delivered to persons authorized or licensed under paragraph (b) (4) of Supplementary Order No. M-72-a,[3] issued by the Director General for Operations, War Production Board.

* * * * * *

§ 1499.23a *Effective date of amendments.* * * *

(qq) Amendment No. 42 (§ 1499.9 (b) (2)) to General Maximum Price Regulation shall become effective February 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1489; Filed, January 28, 1943; 3:01 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 7 Under § 1499.18 (c), as Amended, of GMPR]

SALES OF BEAN HAMPERS IN FLORIDA

For reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1507 *Adjustment of maximum prices for 32 quart bean hampers sold in Florida.* (a) Any person may sell for delivery in the state of Florida, and any person may buy for delivery in Florida, 32 quart bean hampers at a price not to exceed the maximum price for such hampers established for the seller by the General Maximum Price Regulation, plus the actual cost of any overtime labor incurred in manufacturing such hampers.

(b) Any seller who sells 32 quart bean hampers under the terms of this order must show separately on the invoice the maximum price established for him by the General Maximum Price Regulation and the charge for overtime labor.

(c) This Order No. 7 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 7 is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 7 shall become effective January 6, 1943, and shall terminate on March 1, 1943. No delivery made after March 1, 1943 shall be subject to the provisions of this order.

(Pub. Laws 421 and 729, 77th Cong. E.O. 9250, 7 F.R. 7871)

Issued this 28th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1488; Filed, January 28, 1943; 3:01 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6939, 6794, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9335, 9615, 9616, 9732, 10155, 10454, 8 F.R. 371.

[3] 7 F.R. 6955.

PART 1340—FUEL

[RPS 88,[1] Amendment 64]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new inferior subdivision (*d*) is added to § 1340.159 (c) (1) (iii); in § 1340.159 (c) (1), subdivision (vii) is amended, subdivision (x) is revoked, and new subdivisions (xii) and (xiii) are added as set forth below:

§ 1340.159 *Appendix A: Maximum prices for petroleum and petroleum products.* * * *

(c) *Specific prices.* * * *

(1) *Crude petroleum.* * * *

(iii) *Louisiana.* * * *

(*d*) The maximum price at the receiving tank for crude petroleum of 40° API gravity and above, produced in the Olla, South Olla and Little Creek Pools, LaSalle Parish, Louisiana, shall be $1.35 per barrel, with the customary differentials for lower gravity crudes.

* * * * *

(vii) *Texas.* (*a*) The maximum price at the well for crude distillate produced in the Pettus field, Bee County, Texas, shall be $1.50 per barrel.

(*b*) Effective February 2, 1942, the maximum price at the receiving tank for crude distillate of 50° gravity and above produced from the Partlow lease, Hardin field, Liberty County, Texas, shall be $1.53 per barrel.

(*c*) The maximum price at the receiving tank for crude petroleum of 40° API gravity and above produced in the Rincon field, Starr County, Texas, shall be $1.45 per barrel, with the customary differentials for lower gravity crudes.

(*d*) Effective December 1, 1942, the maximum price at the receiving tank for crude petroleum of 40° API gravity and above produced in the Shields field, Nueces County, Texas, shall be $1.35 per barrel, with the customary differentials for lower gravity crudes.

* * * * *

(xii) *South Arkansas.* The maximum price at the receiving tank for sour distillate produced in the McKamie pool, Lafayette County, Arkansas and in the Dorcheat pool, the Macedonia pool and the Big Creek pool, Columbia County, Arkansas, shall be $1.25 per barrel.

(xiii) *Kentucky.* Effective as of May 1, 1942, the maximum price at the receiving tank for crude petroleum produced in the Sebree pool, Webster County, Kentucky, shall be $1.32 per barrel.

§ 1340.158a *Effective dates of amendments.* * * *

Amendment No. 64 (§§ 1340.159 (c) (1) (iii) (*d*), 1340.159 (c) (1) (vii) and (xii) and (xiii)) to Revised Price Schedule No. 88 shall become effective February 3, 1943.

(Pub. Law 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1502; Filed, January 28, 1943; 4:31 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5C,[1] Amendment 19]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new subparagraph (4) to paragraph (c) of § 1394.8153, and a new paragraph (e) to § 1394.8207, and a new paragraph (s) to § 1394.8352 are added; as set forth below:

§ 1394.8153 *Transfers to consumers in exchange for coupons.* * * *

(c) * * *

(4) Notwithstanding the provisions of subparagraphs (1), (2), and (3) of paragraph (c) of this section, a distributor, or a dealer regularly engaged in bulk sales of gasoline in units of one hundred (100) or more gallons, may, during the period from January 22, 1943 through February 5, 1943, make bulk transfers to a bulk consumer, who has not as yet received Bulk coupons printed as part of Form OPA R–553A or Form OPA R–554A, without requiring a presentation of a ration book or a surrender of Bulk coupons at the time of transfer, under the following conditions:

(i) At the time of the transfer, such distributor or dealer shall obtain a written receipt from the transferee setting forth the names and addresses of the transferor and of the transferee, the date of the transfer, and the number of gallons of gasoline transferred and the promise of the transferee to deliver valid Bulk coupons in an amount equal to such gallonage within twenty days from the date of such transfer, and the transferor shall preserve such receipt until the receipt of coupons from the transferee pursuant to the provisions of subdivision (iii) of this subparagraph;

(ii) No consumer may accept such transfer or execute and deliver such receipt unless he has applied for and knows he is entitled to receive a ration which would entitled him to acquire gasoline for the purpose for which the transfer is made and which will enable him to surrender to such dealer Bulk coupons issued on Form OPA R–553A or Form OPA R–554A having a value equal to the number of gallons of gasoline so transferred;

(iii) Such consumer shall, immediately after issuance of such ration to him, surrender to such distributor or dealer Bulk coupons issued on Form OPA R–553A or Form OPA R–554A having a value equal to the number of gallons of gasoline so transferred and upon receipt of such coupons the distributor or dealer shall cancel the consumer's receipt;

(iv) Any dealer who has made a transfer pursuant to this paragraph shall report to the nearest State or District Office of the Office of Price Administration the name and address of any consumer who has accepted such transfer and who has not on or before February 25, 1943, surrendered coupons as required by this subparagraph (3) (iii); such report shall be forwarded immediately after the close of business on February 26, 1943;

(v) No dealer may secure replenishment on account of such transfer except in accordance with the provisions of paragraph (e) of § 1394.8207.

§ 1394.8207 *Restrictions on transfer.* * * *

(e) Notwithstanding any other provisions contained in this section a distributor or dealer may, during the period from January 22, 1943 through February 8, 1943 obtain and receive transfers of gasoline from a distributor equal to any bulk transfers of gasoline he has made under the provisions of subparagraph (4) of paragraph (c) of § 1394.8153, upon executing and delivering to such distributor a receipt setting forth the names and addresses of the transferor and transferee, the amount of gasoline transferred, the date of the transfer and the promise of the transferee to deliver to the transferor within twenty days from the date of such transfer valid evidences equal to the amount of the gallonage transferred. The transferee shall deliver to the transferor evidences as required in such receipt as soon as he has received coupons or checks for the transfers for which he has obtained replenishment. The transferor shall hold such receipt until the transferee delivers such evidences as required, and upon such delivery shall cancel such receipt. On March 2, 1943, any distributor who has made a transfer pursuant to this paragraph shall report to the nearest State or District Office of the Office of Price Administration full information in regard to all such transfers where the transferee has not delivered evidences as required by this paragraph.

Effective Dates

§ 1394.8352 *Effective dates of amendments.* * * *

(s) Amendment No. 19 (§§ 1394.8153 (c) (4) and 1394.8207 (e)) to Ration Order No. 5C shall become effective January 28, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 28th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1500; Filed, January 28, 1943; 4:31 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1107, 1371, 1798, 1799, 1886, 2132, 2304, 2352, 2634, 2945, 3463, 3482, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 4857, 5481, 5867, 5868, 5988, 5983, 6057, 6167, 6471, 6680, 7242, 7838, 8433, 8478, 9120, 9134, 9335, 9425, 9460, 9620, 9621, 9817, 9820, 10684, 11069, 11112, 11075, 8 F.R. 157, 232, 233, 857.

[1] 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070, 8 F.R. 179, 274, 369, 372, 607, 565, 1028.

PART 1432—RATIONING OF CONSUMERS' DURABLE GOODS

[Ration Order 9,[1] Amendment 1]

HEATING STOVES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new paragraph (e) is added to § 1432.13; the headnote to § 1432.15 is amended and the text of § 1432.15 is designated § 1432.15 (a) and a new paragraph (b) is added thereto; a new subparagraph (10a) is added to § 1432.65 (a); and a new § 1432.67 is added to Ration Order No. 9, as set forth below:

Subpart B—Provisions Affecting Consumers and Boards

* * * * *

§ 1432.13 *Persons eligible to obtain certificates for new coal heating stoves.* * * *

(e) Anyone who heats private dwelling premises by means of oil burning equipment which distributes heat through pipes or ducts but which does not supply heat adequate for the health and comfort of the occupants of such dwelling.

§ 1432.15 *Application for a certificate. Persons who need new coal heating equipment as a substitute for or to supplement oil burning equipment.* * * *

(b) A person who wishes to supplement oil burning equipment which distributes heat through pipes or ducts (see paragraph (e) § 1432.13) need not at the time of application surrender any of his unused and unexpired fuel oil coupon sheets or coupons to the Board, but must present to the Board the following statement signed by him:

I, ----------, hereby certify that I
(Print Name)
am the owner (or tenant) of the private dwelling property located at ----------
(Print Address)
which is heated by oil burning equipment which distributes heat through pipes or ducts; and that I need a coal stove to heat essential living or working space in this property, and the heat supplied by the present equipment is not sufficient for health and comfort. I will promptly install the coal heating stove when I get it. I pledge that I will save as much fuel oil as possible by using the new coal heating stove to its full extent and that within the time specified in the Fuel Oil Rationing Regulations I will return to my local War Price and Rationing Board all fuel coupons I have saved by using such coal heating stove.

(Signature of Applicant)

* * * * *

Subpart G—Glossary of terms: Effective Date of Order

§1432.65 *Technical terms explained.* (a) * * *

(10a) "Private dwelling" means a building or structure designed for the occupancy of fewer than four (4) families, but does not include a rooming house, boarding house, dormitory, lodging house or hotel in which four (4) or more rooms are regularly rented or available for rental, nor does it include a building in which less than seventy percent (70%) of the total floor space is used for residential purposes.

* * * * *

§ 1432.67 *Effective date of corrections and amendments.* (a) Amendment No. 1, (§§ 1432.13, 1432.65, and 1432.67) to Ration Order No. 9 shall become effective on January 28, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507; Pub. Law 421, 77th Cong.; W.P.B. Dir. No. 1, 7 F.R. 562; Supp. Dir. No. 1S, 7 F.R. 10668, E.O. 9125, 7 F.R. 2719)

Issued this 28th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1501; Filed, January 28, 1943; 4:31 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10720.

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Navy

PART 8—REGULATIONS, UNITED STATES COAST GUARD RESERVE

WOMEN'S RESERVE

The regulations, United States Coast Guard Reserve, 1941 (6 F.R. 1925), as amended, are hereby further amended by adding the following:

§ 8.10101 *Purpose.* The purpose of the Women's Reserve, which has been established by law as a branch of the Coast Guard Reserve, is to expedite the war effort by releasing officers and men from shore establishments for duty at sea and replacing them by qualified women.

§ 8.10102 *Composition, organization, and administration*—(a) *Composition.* The Women's Reserve shall be composed of female citizens of the United States who by appointment or enlistment therein obligate themselves to serve in the shore establishments of the Coast Guard within the continental United States, for the duration of the present war and for six months thereafter unless sooner discharged or otherwise separated. Members of the Women's Reserve will be designated as "Spars".

(b) *Organization.* The various ranks, grades and ratings in the Women's Reserve shall correspond to those in the regular Coast Guard except that there shall not be more than one officer in the grade of lieutenant commander nor more than eighteen (18) officers in the grade of lieutenant and that the number of officers in the grade of lieutenant (junior grade) shall not exceed 35 percentum of the total number of commissioned officers. The class designations for personnel shall be as follows:

Class W–S: Women appointed as commissioned officers.

Class W–P: Women appointed as probationary commissioned officers.

Class W–9: Women enlisted as apprentice seamen for training preliminary to appointment as commissioned officers.

Class W–10: Women enlisted for general service.

(c) *Administration.* The Women's Reserve shall be administered by the Commandant under the general direction of the Secretary of the Navy, and the Commandant may order to duty at Headquarters an officer of the Women's Reserve who shall act as Director and such other officers and enlisted personnel as efficient administration may require.

(d) *Exercise of military authority by officers.* The military authority of commissioned officers of the Women's Reserve may be exercised over women of the Reserve only, and is limited to the administration of the Women's Reserve.

§ 8.10103 *Duties*—(a) *Place.* Members of the Women's Reserve shall be considered available for assignment to duty at any place within the continental limits of the United States, and shall not be assigned to duty on board vessels of the Navy or Coast Guard or in combat aircraft.

(b) *Assignment.* Members of the Women's Reserve shall be assigned such duties as they may be found qualified to perform where such assignments will release male officers and enlisted men for duty at sea but shall not be used to replace Civil Service personnel.

§ 8.10104 *Procurement*—(a) *Method.* Personnel for the Women's Reserve shall be procured in accordance with instructions issued by Headquarters.

(b) *Quotas.* The quotas of personnel of the Women's Reserve to be procured shall be prescribed from time to time by Headquarters.

§ 8.10105 *Qualifications*—(a) *Classes W–S, W–P and W–9.* For appointment in Class W–S, W–P and W–9 in the Women's Reserve, an applicant must:

(1) Be a citizen of the United States or its territories or insular possessions.

(2) Be not less than twenty. The upper age limit shall be as from time to time prescribed by Headquarters.

(3) Possess a degree from an accredited university or college or, lacking such a degree, have completed two years of college work and had at least two years of acceptable business or professional experience. In exceptional cases, outstanding experience may be offered in lieu of the college requirement.

(4) Be of good moral character.

(5) Be able to pass such physical examination as may be prescribed.

(b) *Class W–10.* For enlistment in Class W–10 an applicant must:

(1) Be a citizen of the United States or of its territories or insular possessions.

(2) Be not less than twenty years of age. The upper age limit shall be as prescribed from time to time by Headquarters.

(3) Have completed at least two years of high school or business school.

(4) Be of good moral character.

(5) Be able to pass such physical examination as may be prescribed.

§ 8.10106 *Uniforms and equipment*—(a) *Officers.* The uniform allowance for officers of the Women's Reserve shall be the same as is prescribed for regular officers of the Coast Guard Reserve, and shall be payable in the same manner and under the same conditions.

(b) *Enlisted personnel.* The Commandant shall fix the money value of the articles of uniform and equipment which enlisted members are required to have upon their first reporting for active duty, and shall authorize such articles of uniform and equipment, or parts thereof, to be issued in kind, or in lieu thereof a payment in cash of the money value fixed in accordance with the foregoing, but not to exceed $200.00, may be made to enlisted members so ordered to active duty, for the purchase of required uniforms and equipment.

§ 8.10107 *Disability and death benefits.* If any member of the Women's Reserve shall suffer disability or death from disease or injury incurred in line of duty while employed on active duty, she or her beneficiaries shall be entitled to all the benefits prescribed by law for civilian employees of the United States. They or their beneficiaries shall not be entitled to receive the six-months' death gratuity, retirement, or pensions provided for officers and men of the Coast Guard.

§ 8.10108 *Subject to laws.* Members of the Women's Reserve shall be subject to the laws and regulations for the government of the Coast Guard, including, as far as practicable and where they are not otherwise made inapplicable, all provisions of the regulations for the United States Coast Guard Reserve.

R. R. WAESCHE,
Commandant.

Approved: December 29, 1942.

FRANK KNOX,
Secretary of the Navy.

[F. R. Doc. 43-1511; Filed, January 29, 1943; 10:21 a. m.]

Chapter II—Corps of Engineers, War Department

PART 204—DANGER ZONE REGULATIONS

WATERS NEAR CAMP HULEN, TEXAS

Pursuant to the provisions of Executive Order 9168 signed on May 20, 1942 (7 F.R. 3841), the following rules and regulations are prescribed to govern the use, administration, and navigation of the waters of Matagorda Bay, Lavaca Bay, Cox Bay, Keller Bay, Turtle Bay, Trespalacios Bay, Coon Island Bay, and Oyster Lake, Texas, comprising the firing range for the Coast Artillery Antiaircraft Training Center, Camp Hulen, Texas. These rules and regulations supersede § 204.93, published in the FEDERAL REGISTER August 4, 1942 (7 F.R. 6010).

§ 204.93 *Waters of Matagorda Bay, Lavaca Bay, Cox Bay, Keller Bay, Turtle Bay, Trespalacios Bay, Coon Island Bay, and Oyster Lake, Texas: Firing Range, Coast Artillery Antiaircraft Training Center, Camp Hulen, Texas*—(a) *The danger zone.* The firing ranges for firing points near Turtle Point, near Well Point, and near the shore line between Magnolia Beach and Powderhorn Lake, inclusive, hereinafter referred to as the "restricted area", include the waters of Matagorda Bay, Lavaca Bay, Cox Bay, Keller Bay, Turtle Bay, Trespalacios Bay, Coon Island Bay, and Oyster Lake, Texas, and their tributaries within an area bounded as follows. (See U. S. C. & G. S. Chart No. 1284—Matagorda Bay and Approaches.[1])

A line beginning at the neck of Turtle Point Peninsula bearing 110° true and running a distance of 13,000 yards, including all of Coon Island Bay and Oyster Lake and their tributaries; thence along a line bearing 180° true to the north shore of Matagorda Bay; thence along a line bearing 140° true a distance of 6,000 yards to a point one mile bayward from the north shore of Matagorda Peninsula; thence along a line bearing 225° true to the north shore of Matagorda Peninsula; thence in a southwesterly direction along the north shore of Matagorda Peninsula to a point on the north shore of Matagorda Peninsula intersected by a line bearing 130° true from Halfmoon Reef Light (approximately 3,500 yards along the shore line northeast of Greens Bayou); thence along a line bearing 255° true to a point one mile from the north shore of Matagorda Peninsula; thence southwesterly, along a line paralleling the north shore of Matagorda Peninsula at a distance of one mile bayward to a point in Matagorda Bay bearing 48° true, 5,600 yards from the cupola on Saluria Coast Guard Station; thence northwesterly to the entrance to Boggy Bayou; thence along shore line to Gallinipper Point; thence in a northwesterly direction to Noble Point; thence following the arc of a circle having a radius of 12,500 yards and a point of origin on the shore of Lavaca Bay midway between Indian Point and Magnolia Beach to the north shore of Matagorda Bay southeast of Olivia; thence following the north shore of Matagorda Bay to Well Point; thence following the shores of Turtle Bay to the point of beginning and including all of Turtle Bay.

(b) *The regulations.* (1) Through traffic in either direction on the route of the Intracoastal Waterway and feeder channels to Palacios and Port Lavaca may enter and proceed directly through the restricted area via the waterway and channels without hindrance or delay except as indicated below or when advised otherwise by the United States Coast Guard at Port O'Connor or by a representative of the Commanding Officer, Antiaircraft Training Center, Camp Hulen, Texas. When through Intracoastal traffic is not permitted to enter the restricted area, during daylight hours patrol boats or guards will be stationed at entrance to the canal near Port O'Connor and in the canal near the eastern end of Oyster Lake and in the feeder channels on the Palacios and Port Lavaca sides of the restricted area to warn traffic approaching the danger area. When through traffic is not permitted during hours of darkness, occulting red light or lights will be displayed from a high tower at Camp Hulen and from a high tower between Magnolia Beach and Indianola Island.

(2) Except under unusual circumstances, announcement of which shall be communicated to the surrounding communities, the restricted area is open throughout the year to the public for fishing and traffic without restriction from 6:00 p. m. Saturdays to 8:00 a. m. Mondays. The restricted area is also open to the public for fishing and traffic without restriction on other days when firing is not to be conducted.

(3) When firing is to be held in all or part of the restricted area, large red flags will be displayed from elevated positions in the immediate vicinity of each firing point from which firing is to be conducted.

(4) Except for through Intracoastal water traffic, no boats will enter the restricted area during the following periods without first obtaining clearance from Headquarters, Antiaircraft Training Center, Camp Hulen, Texas:

8:00 a. m. to 6:00 p. m. on all week days

Traffic other than through Intracoastal traffic, desiring to enter the restricted area from Port O'Connor, Port Lavaca, Palacios, or from direction of Matagorda during the restricted periods must obtain permission in advance from the Commanding Officer, Antiaircraft Training Center, Camp Hulen, Texas, telephone extension #38 or #386. Traffic desiring to enter the restricted area from the vicinity of Port O'Connor may request the Coast Guard Station at Port O'Connor to obtain permission for entry from the Commanding Officer, Antiaircraft Training Center, Camp Hulen, Texas

(5) At night when firing is scheduled, occulting red light or lights will be displayed from high towers at Camp Hulen and between Magnolia Beach and Indianola Island. These occulting red lights will be displayed during the hours of darkness until the conclusion of the firing for the night. When these occulting red lights are displayed, no vessel of any type shall enter or remain in the restricted area without specific permission from the Commanding Officer, Antiaircraft Training Center, Camp Hulen, Texas. In addition, when notices have been published announcing night firing in the restricted area no vessel of any kind will enter or remain in the restricted area during any such announced period of firing without specific permission from the Commanding Officer, Antiaircraft Training Center, Camp Hulen, Texas.

(6) Vessels in or planning to enter the restricted area at any time should be on the lookout for the above-listed warning signals and when the indicated danger signals are displayed, should not enter or remain in the restricted area except as definitely authorized by these regulations unless authorized in advance to do so by the Commanding Officer, Antiaircraft Training Center, Camp Hulen, Texas.

(7) If an airplane zooms twice in succession over any vessel in or entering the restricted area, it should be taken as a warning to remain out of or promptly leave the restricted area.

(8) These regulations shall be enforced by the Commanding Officer, Antiaircraft Training Center, Camp Hulen, Texas, through the use of such equipment and personnel as may be properly designated by him for the purpose and through the assistance of the United States Coast Guard.

(9) These rules and regulations supersede those approved by the Secretary of War on June 13, 1942. (Regs. January 16, 1942) [Regs. January 16, 1943 (CE 684 (Camp Hulen, Texas)—SPEON)]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-1503; Filed, January 28, 1943; 4:27 p. m.]

[1] Filed as part of the original document.

TITLE 36—PARKS AND FORESTS

Chapter I—National Park Service

AMENDMENTS TO SPEED REGULATIONS

Pursuant to the authority contained in the act of August 25, 1916 (39 Stat. 535, 16 U. S. C. sec. 3), Parts 2 and 20 of Chapter I, Title 36, Code of Federal Regulations, as amended, are amended in the following respects:

PART 2—GENERAL RULES AND REGULATIONS

Section 2.42 is amended to read as follows:

§ 2.42 *Limitations on speed.* (a) Speed of vehicles is limited to 35 miles per hour, unless a lower limit is prescribed for a particular road or roads by special regulations. In every event, vehicles shall be driven or operated at an appropriate reduced speed when approaching and crossing an intersection, when approaching and going around a curve, when approaching a hill crest, when traveling upon a narrow and winding road, and when special hazards exist with respect to pedestrians or other traffic or by reason of weather or roadway conditions.

(b) The provisions of this section shall not apply to:

(1) Any vehicle driven or operated by or under the direction of the military or naval forces of the United States, or State military forces organized pursuant to section 61 of the National Defense Act, as amended;

(2) Any vehicle when driven or operated in an emergency for the protection or preservation of life, health, or for public safety: *Provided*, That this subparagraph shall not be so construed as to authorize any such vehicle to be driven or operated at a rate of speed in excess of that which is reasonable under conditions prevailing at such time.

(c) As used in this section, the term "vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a roadway.

PART 20—SPECIAL REGULATIONS

Section 20.1 (c) is amended to read as follows:

§ 20.1 *Colonial National Historical Park.* * * *

(c) *Speed.* Speed of vehicles is limited to 25 miles per hour in the battlefield area, and to 15 miles per hour in the utility areas and residential sections.

Section 20.26 is amended to read as follows:

§ 20.26 *Hawaii National Park; speed.* Speed of vehicles is limited to 25 miles per hour on those sections of the Mamalahoa Highway where signs are posted giving notice of such limit.

Sections 20.3 (d) (7) and 20.41 are revoked.

Issued this 4th day of November 1942.

[SEAL] ABE FORTAS,
Under Secretary.

[F. R. Doc. 43-1510; Filed, January 29, 1943; 9:53 a. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[Directive 4, Revised]

PART 321—DIRECTIVES

FORWARDING AND TRANSPORTATION OF FOREIGN COMMERCE

Section 321.4, Directive 4, issued on November 3, 1942, (7 F.R. 8967) is revised to read:

Directive with respect to forwarding and transportation of waterborne foreign commerce of the United States.

To all persons (including departments, agencies and officers of the United States) engaged in or concerned with the procurement, transportation or forwarding of Lend-Lease cargo or cargo procured, transported or forwarded for the government of any country whose defense has been deemed by the President to be vital to the defense of the United States pursuant to the Act of March 11, 1941 (which government is hereinafter referred to as a Lend-Lease government); and to all departments, agencies, officers, governmental corporations and other instrumentalities of the United States engaged in or concerned with the procurement, transportation or forwarding of cargo for delivery overseas.

Whereas the War Shipping Administrator (hereinafter referred to as the Administrator) is charged with the responsibility of coordinating the functions and facilities of public and private agencies engaged in forwarding and similar servicing of waterborne export and import foreign commerce of the United States and controlling the operation and use of ocean shipping (other than troopships and other vessels excluded from the Administrator's control under section 2 (a) of Executive Order 9054) for the successful prosecution of the War; and

Whereas in order effectively to discharge this responsibility it is necessary for the Administrator to correlate, in conjunction with the Director, Office of Defense Transportation, the movement of cargoes to port with the movement of ships available for carriage from port, to assure efficient loading of ships, and to maintain adequate inventories and records;

Therefore, by virtue of the authority vested in me by the Act of March 14, 1942 (Public Law 498, 77th Congress), by Executive Order 9054, dated February 7, 1942, as amended, and in accordance with the directive issued on November 11, 1942 (7 F.R. 9359) by the Lend-Lease Administrator, it is hereby directed:

§ 321.4 *Directive 4, Forwarding and transportation of waterborne foreign commerce of the United States.*—(a) *Scope.* No person (including departments, agencies or officers of the United States) shall forward or authorize forwarding to a port or point in the United States for export transportation therefrom by water any Lend-Lease cargo or cargo procured or transported for a Lend-Lease government except at the direction of the Administrator; nor shall any department, agency, officer, governmental corporation or other instrumentality of the United States forward or authorize forwarding to a port or point in the United States for export transportation therefrom by water any other cargo except at the direction of the Administrator. As used herein, other cargo means any cargo which is shipped or transported by or on behalf of or for a governmental agency or instrumentality to itself or to another such agency or instrumentality or in the movement of which a governmental agency or instrumentality has a special interest as owner or potential owner or otherwise, except cargo shipped by the Navy or War Department for its own account.

(b) *Consignment of cargo.* All Lend-Lease cargo or cargo procured or transported for a Lend-Lease government shall be consigned to the Administrator as principal; all other cargo within the scope of this Directive shall be similarly consigned unless the Administrator's consent to the designation of some other consignee be previously obtained. After consignment, in the event that instructions for stoppage in transit or diversion to intermediate storage are given to the carrier or carriers, the Administrator or his agent shall in all cases be immediately notified by the issuer of such instruction, and, where the consignee is a person other than the Administrator or his agent, such other person shall also be immediately notified.

(c) *Information required.* Except as otherwise provided herein, the following information with respect to all cargo within the scope of this Directive, together with such other information as the Administrator may require, shall be furnished to the Administrator or his agent as soon as it is available:

(1) The identifying serial number and date of issuance of the O.D.T. block per-

mit and of the Q.M.R. or other release, if any, authorizing movement of the cargo;

(2) Confirmation of movement, origin, date of shipment, route, mode of carriage and identification of carrying unit or units to the port or point of export;

(3) Original and such copies of inland carrier's bill of lading and of shipping papers as the Administrator may direct.

The Administrator may waive in whole or in part the application of this paragraph (c) with respect to any cargo within the scope of this Directive other than Lend-Lease cargo or cargo procured or transported for a Lend-Lease government.

(d) *Preparation of documents.* With respect to all cargo within the scope of this Directive which is consigned to the Administrator or his agent, the Administrator will prepare or cause to be prepared all dock receipts, ocean bills of lading, customs declarations and other appropriate ocean shipping documents.

(e) *Records maintained by Administrator.* The Administrator will maintain or cause to be maintained, in such form as requested by the interested United States Government procuring agencies, records concerning all Lend-Lease cargo or cargo procured or transported for a Lend-Lease government, which is called forward by him, consigned to him or his agent, forwarded by him or his agent, and loaded on ocean carriers, and will make such information available to the procuring agencies concerned, the Munitions Assignments Board and the Lend-Lease Administrator.

(f) *Compliance with instructions issued by the Munitions Assignments Board and the Lend-Lease Administrator.* The Administrator will comply with all instructions issued by the Munitions Assignments Board through its committees or by the Lend-Lease Administrator, in cases within their respective jurisdictions, with respect to the diversion to some other use of cargo consigned to the Administrator.

(g) *Limitations on responsibility of Administrator.* Nothing herein contained contemplates the assumption by the Administrator of responsibility for or control over stockpile, assembly, or transit storage depots, or the forwarding thereto: *Provided, however,* That if cargo consigned to the Administrator for forwarding to a port or point in the United States for export transportation therefrom be diverted to a stockpile, assembly or transit storage depot, it shall remain under the control and direction of the Administrator unless he is otherwise instructed by the Munitions Assignments Board through its committees or by the Lend-Lease Administrator in cases within their respective jurisdictions.

(h) *Issuance of supplements, administrative orders and instructions.* Supplements hereto and administrative orders and instructions hereunder may be issued from time to time.

(i) *Compliance.* All departments, agencies, or officers of the United States are directed to issue appropriate instructions to assure compliance herewith and with supplements hereto and administrative orders and instructions issued hereunder.

(j) *Effective date.* This Directive as herein revised shall become effective on February 1, 1943.

(56 Stat. 171; E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

JANUARY 26, 1943.

[F. R. Doc. 43-1512; Filed, January 29, 1943; 10:29 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter A—General Rules and Regulations

PART 120—ANNUAL, SPECIAL OR PERIODICAL REPORTS

ORDER PRESCRIBING ANNUAL REPORT FORM FOR ELECTRIC RAILWAYS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 22d day of January, A. D. 1943.

In the matter of Annual Reports from Electric Railway Companies and the corresponding section of the Code of Federal Regulations, the following order was entered:

It is ordered, That the order of this Commission dated January 27, 1941, in the Matter of Annual Reports from Electric Railways be, and it is hereby, vacated and set aside effective January 1, 1943, and the following order shall become effective:

§ 120.21 *Form prescribed for electric railways.* (a) All electric railway companies within the scope of section 20, Part I of the Interstate Commerce Act, are hereby required to file annual reports for the year ended December 31, 1942, and for each succeeding year until further order, in accordance with Annual Report Form G (Electric Railways), which is hereby approved and made a part of this order.[1]

(b) The annual report shall be filed, in duplicate, in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington, D. C., on or before March 31 of the year following the one to which it relates.

(Sec. 20, 24 Stat. 386, sec. 7, 34 Stat. 593, 35 Stat. 649, sec. 14, 36 Stat. 556, secs. 434-435, 41 Stat. 493, sec. 13, 54 Stat. 916; 49 U.S.C. 20 (1)-(18))

By the Commission, Division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-1515; Filed, January 29, 1943; 11:07 a. m.]

Subchapter B—Carriers by Motor Vehicle

PART 205—REPORTS OF MOTOR CARRIERS

ORDER PRESCRIBING ANNUAL REPORT FORM FOR MOTOR CARRIERS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 28th day of January, A. D. 1943.

In the matter of Annual Reports from Class I Motor Carriers of Property and Class I Motor Carriers of Passengers, and the corresponding section of the Code of Federal Regulations, the following order was entered:

It is ordered, That the order of this Commission dated February 5, 1942, in the Matter of Annual Reports from Class I Motor Carriers of Property and Class I Motor Carriers of Passengers be, and it is hereby, vacated and set aside, effective January 28, 1943, and the following order shall become effective:

§ 205.1 *Form prescribed for annual reports.* (a) Each Class I Motor Carrier of Property and each Class I Motor Carrier of Passengers, as defined in the Commission's orders of November 27, 1937, prescribing the Uniform System of Accounts, (Parts 182 and 181, respectively, of this title) shall file an annual report for the year ended December 31, 1942, and for each succeeding year until further order, in accordance with Motor Carrier Annual Report Form A (Class I Motor Carriers of Property or Passengers) which is hereby approved and made a part of this order.[1]

(b) The annual report shall be filed, in duplicate, in the Bureau of Motor Carriers, Interstate Commerce Commission, Washington, D. C., on or before March 31 of the year following the one to which it relates. (Sec. 220, 49 Stat. 563 sec. 24, 54 Stat. 926; 49 U.S.C. 320)

By the Commission, Division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-1514; Filed, January 29, 1943; 11:07 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. 1819-FD]

JOHN EARLY FLOYD

ORDER WITHDRAWING COMPLAINTS, ETC.

Order withdrawing complaints dated July 1, 1941 and May 11, 1942, and motion to withdraw complaint dated May 11, 1942, and discontinuing matter without prejudice.

A complaint in the above-entitled matter, dated July 1, 1941, having been duly filed on July 5, 1941, with the Bituminous Coal Division (the "Division"), by the Bituminous Coal Producers Board for District No. 13 (the "Board"), and a complaint in the above-entitled matter dated May 11, 1942, having been duly filed on May 19, 1942, with the Division by the said Board, and a motion dated May 11, 1942, to withdraw the said complaint filed with the Division on July 5, 1941, having been duly filed with the Division on May 19, 1942, by the said Board; and

The said Board by motion, dated January 6, 1943, and duly filed with the Division on January 7, 1943, having requested that it be granted permission to withdraw said complaints dated July 1, 1941, and May 11, 1942, and said motion to withdraw complaint dated May 11, 1942; and

The Director deeming it advisable that said request should be granted;

Now, therefore, it is ordered, That the said motion dated January 6, 1943 to withdraw said complaints and said motion dated May 11, 1942, be and the same hereby is granted without prejudice; and

It is further ordered, That the above-entitled matter be and the same hereby is discontinued.

Dated: January 27, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-1477; Filed, January 28, 1943; 12:18 p. m.]

[1] Filed as part of original document.

[1] Filed as part of original document.

[1] Filed as part of original document.

DEPARTMENT OF THE INTERIOR.

General Land Office.

[Public Land Order 79]

ALASKA

COAL MINING FROM RESERVED LANDS

Modifying Executive Order No. 6957 of February 4, 1935, so as to permit coal mining from a portion of the reserved lands.

By virtue of the authority contained in the Act of June 25, 1910, c. 421, 36 Stat. 847, as amended by the Act of August 24, 1912, c. 369, 37 Stat. 497 (U.S.C., title 43, secs. 141-143), and pursuant to Executive Order No. 9146 of April 24, 1942; *It is ordered as follows:*

Executive Order No. 6957 of February 4, 1935, withdrawing certain public lands and reserving them for classification and in aid of legislation, is hereby modified so as to permit mining under prospecting permits or leases issued pursuant to section 3 of the Act of October 20, 1914, c. 330, 38 Stat. 742, as amended by the Act of March 4, 1921, c. 152, 41 Stat. 1363 (U.S.C., title 48, sec. 444) of coal from the following described lands:

SEWARD MERIDIAN

T. 19 N., R. 2 E.,
Sec. 22, E½SE¼;
Sec. 23, W½NE¼, NW¼, S½;
Sec. 26, N½.
The areas described aggregate 960 acres.

ABE FORTAS,
Acting Secretary of the Interior.

JANUARY 16, 1943.

[F. R. Doc. 43-1507; Filed, January 29, 1943; 9:44 a. m.]

[Public Land Order 80]

CALIFORNIA

LAND WITHDRAWAL

Withdrawing public lands for use of the War Department as a civilian housing project in connection with the operation of the Sierra Ordnance Depot.

By virtue of the authority vested in the President and pursuant to section 1 of the act of June 28, 1934, c. 865, 48 Stat. 1269, and Executive Order No. 9146 of April 24, 1942; *It is ordered as follows:*

Subject to valid existing rights, and effective upon acceptance of title thereto by the Commissioner of the General Land Office, the following-described lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the War Department as a civilian housing project in connection with the operation of the Sierra Ordnance Depot:

MOUNT DIABLO MERIDIAN

T. 26 N., R. 16 E.,
Sec. 2, lots 1 to 4, inclusive, S½NE¼, S½NW¼, SW¼, W½SE¼, and NE¼SE¼.
The areas described aggregate 598.44 acres.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior, when they are no longer needed for the purpose for which they are reserved.

ABE FORTAS,
Acting Secretary of the Interior.

JANUARY 16, 1943.

[F. R. Doc. 43-1508; Filed, January 29, 1943; 9:44 a. m.]

[Public Land Order 81]

MISSISSIPPI

LAND WITHDRAWAL

Withdrawing public land for use of the War Department for military purposes.

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, *It is ordered as follows:*

Subject to valid existing rights, the following-described public land is hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral leasing laws, and reserved for the use of the War Department for military purposes:

WASHINGTON MERIDIAN

T. 1 N., R. 3 E.,
Sec. 13, lot 10.
The area described contains 39.68 acres.

This order shall take precedence over, but shall not rescind or revoke, the withdrawal for classification and other purposes made by Executive Order No. 6964 of February 5, 1935, as amended, so far as such order affects the above-described land.

It is intended that the land described herein shall be returned to the administration of the Department of the Interior, when it is no longer needed for the purpose for which it is reserved.

ABE FORTAS,
Acting Secretary of the Interior.

JANUARY 19, 1943.

[F. R. Doc. 43-1509; Filed, January 29, 1943; 9:44 a. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order 738]

HOWARD COUNTY, NEBRASKA

ALLOCATION OF FUNDS FOR LOANS

JANUARY 21, 1943.

Inasmuch as Howard County Rural Public Power District has transferred a portion of its property to Southern Nebraska Rural Public Power District, and Southern Nebraska Rural Public Power District has assumed in part the indebtedness to United States of America, of Howard County Rural Public Power District, arising out of the loans made by United States of America pursuant to the Rural Electrification Act of 1936, as amended, I hereby amend the Administrative Order designated below to change the designation specified therein as follows:

Project designation	Administrative Order		Amount of allocation	Amount of allocation		New project designation
	No.	Date		Assumed	Remaining	
Nebraska 49, Howard District Public (allotted as Nebraska 49 Howard, changed by Memorandum to Members of the Staff, dated Sept. 15, 1939).	26	Oct. 27, 1936	$400,000	$35,405	.....	Nebraska 76, Southern Nebraska District Public (Nebraska 49 Howard District Public).
					$364,595	Nebraska 76W1, Howard District Public.

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 43-1527; Filed, January 29, 1943; 11:38 a. m.]

[Administrative Order 739]

NELSON COUNTY, VIRGINIA

ALLOCATION OF FUNDS FOR LOANS

JANUARY 23, 1943.

I hereby amend Administrative Order No. 466,[1] dated May 28, 1940, by rescinding the allocation of $5,000 therein made for "Virginia 0029W2 Nelson."

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 43-1528; Filed, January 29, 1943; 11:38 a. m.]

[1] 5 F.R. 2122.

hereunder.

[Filed as part of original document.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

[Administrative Order 173]

METAL, PLASTICS, MACHINERY, INSTRUMENT, AND ALLIED INDUSTRIES

APPOINTMENT OF INDUSTRY COMMITTEE NO. 53

1. By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, U. S. Department of Labor, do hereby appoint and convene for the metal, plastics, machinery, instrument, and allied industries (as such industry is defined in paragraph 2) an industry committee composed of the following representatives:

For the public: George E. Osborn, Chairman, Palo Alto, California; Clarence Ayres, Austin, Texas; Robert P. Brecht, Philadelphia, Pennsylvania; George J. Burke, Ann Arbor, Michigan; Frank T. Carlton, Cleveland, Ohio; Ralph S. Foss, New York, New York; John Ise, Lawrence, Kansas; H. C. Nixon, Nashville, Tennessee; James S. Robbins, Washington, D. C.; Erwin H. Schell, Cambridge, Massachusetts; Tipton R. Snavely, Charlottesville, Virginia; John I. Yellott, Chicago, Illinois.

For the employees: Joseph Beach, Washington, D. C.; Edward D. Bieretz, Washington, D. C.; Paul Christopher, Knoxville, Tennessee; George Q. Lynch, Washington, D. C.; Joseph McDonagh, Washington, D. C.; Russ Nixon, Washington, D. C.; Ben Riskin, Washington, D. C.; Joseph Scanlon, Pittsburgh, Pennsylvania; Boris Shishkin, Washington, D. C.; J. Raymond Walsh, Washington, D. C.; Charles W. Wilkerson, Cincinnati, Ohio; James Wishart, Detroit, Michigan.

For the employers: B. S. Berlin, Trenton, New Jersey; A. F. Trombore, Milwaukee, Wisconsin; W. A. DeRidder, Oakland, California; Ralph E. Herman, New Haven, Connecticut; Clark Hodder, Ashland, Massachusetts; J. H. McDuffee, Toledo, Ohio; William B. Neal, Gadsden, Alabama; E. B. Sherwin, North Chicago, Illinois; A. L. Smith, Birmingham, Alabama; J. L. Turner, Wheeling, West Virginia; Hans H. Wanders, South Boston, Massachusetts; August J. Zimmerman, Rochester, New York.

Such representatives having been chosen with due regard to the geographical regions in which such industry is carried on.

2. For the purpose of this order the terms "metal, plastics, machinery, instrument, and allied industries" mean:

The production of metals and the manufacture of any product or part made of metal or plastics; and the manufacture from any material of machinery, instruments, tools, electrical goods, transportation equipment, and ordnance: *Provided, however*, The definition shall not include:

1. The mining or milling of metalliferous ores.

2. The production of any basic material other than metal.

3. The further processing of any basic material other than metal or plastics: *Provided, however*, That such processing when performed by an establishment producing from such material a product of this industry or subassembly of such product shall be included within this definition.

4. Any product, the manufacture of which is covered by the definition of an industry for which the Administrator has already issued a wage order or appointed an industry committee.

3. The definition of the metal, plastics, machinery, instrument, and allied industries covers all occupations in the industry which are necessary to the production of the articles covered by the definition, including clerical, maintenance, shipping, and selling occupations: *Provided, however*, That this definition does not cover clerical, maintenance, shipping, and selling occupations when carried on in a wholesaling or selling department, physically segregated from the other departments of a manufacturing establishment the greater part of the sales of which wholesaling or selling department are sales of articles which have been purchased for resale: *And provided, further*, That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer, in accordance with applicable regulations of the Wage and Hour Division.

4. Any person who, in the opinion of the Committee, having a substantial interest in the proceeding and who is prepared to present material pertinent to the question under consideration, may, with the approval of the committee, appear on his own behalf or on behalf of any other person.

5. The industry committee herein created shall meet at 10:00 a. m. on February 16, 1943 in the East Ballroom of the Hotel Astor, New York, New York, and, in accordance with the provisions of the Fair Labor Standards Act of 1938 and rules and regulations promulgated thereunder, shall proceed to investigate conditions in the industries and recommend to the Administrator minimum wage rates for all employees thereof who within the meaning of said Act are "engaged in commerce or in the production of goods for commerce," excepting employees exempted by virtue of the provisions of section 13 (a) and employees coming under the provisions of section 14.

Signed at New York, New York this 27th day of January 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-1480; Filed, January 28, 1943; 1:04 p. m.]

BOARD OF ECONOMIC WARFARE.

WILL THOMAS COMPANY

ORDER DENYING LICENSING PRIVILEGES

Pursuant to Part 807 of the regulations adopted under section 6 of the Act of July 2, 1940 as amended, the Chief of the Trade Intelligence Division of the Export Control Branch, Office of Exports, charged Will Thomas Company, Will Thomas, Partner, and Israel Torrico, Partner, hereinafter referred to as appellants, with violations of §§ 801.2 and 802.10 (a) of the regulations issued in part under the authority of said section in matters relating to export control and within the jurisdiction of the Board of Economic Warfare. The appellants filed a written answer to the charges above set out.

The Compliance Commissioner, duly designated under § 807.1 of the aforesaid regulations, reviewed the record and filed his findings of fact and recommendations in the matter. The Compliance Commissioner found and concluded that the appellants, Will Thomas Company, Will Thomas, partner, and Israel Torrico, partner, violated section 6 of the Act of July 2, 1940 and the Export Control regulations of the Board of Economic Warfare, by filling orders for ladies' nylon hose in excess of one dollar per pair and shipping the same in nine parcels, each of the approximate value of $25.00, without the required individual license, between the dates of July 6, 1942, and July 14, 1942, to various consignees in La Paz, Bolivia, for the account of one party.

Upon consideration of the record, findings of fact and recommendations in the matter, the Chief of Office, Office of Exports, Board of Economic Warfare, denied all export license privileges to appellants and any person, association or organization acting on behalf of or for the account of them, until March 18, 1943.

Appellants were duly notified of said order and within ten days of said notice and pursuant to § 807.11 of the aforesaid regulations, duly filed a written appeal to the Assistant Director in charge of the Office of Exports. The undersigned, Assistant Director, has considered the record in this matter and has concluded that the facts and conclusions of the Compliance Commissioner are supported by the record. He has determined, however, that the disciplinary action ordered by the Chief of Office of the Office of Exports should be modified by limiting the suspension until the first day of February, 1943. *Now, therefore, It is determined and ordered*, That:

Will Thomas Company, Will Thomas, partner, and Israel Torrico, partner, and any person, association or organization acting on behalf of or for the account of them are denied the privilege of obtaining individual export license and the use of any general or unlimited license for any exportation from the United States until the first day of February, 1943.

(Sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong.; Order No. 3, Delegation of Authority No. 25, 7 F.R. 4951)

HECTOR LAZO,
Assistant Director, in Charge of Exports, Office of Exports.

JANUARY 22, 1943.

[F. R. Doc. 43-1513; Filed, January 29, 1943; 10:45 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No 6486]

WOKO, INCORPORATED

NOTICE OF HEARING

In re application of WOKO, Incorporated (WOKO). Dated September 28, 1942, for renewal of license (main and auxiliary). Class of service, broadcast; class of station, broadcast; location, Albany, New York; operating assignment specified: frequency, 1460 kc; power, 500 w night; 1 kw day; auxiliary, 500 w night and day; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine whether the representations and statements made to the Commission or its predecessors, the Federal Radio Commission, by the licensee, its officers, directors, stockholders, or agents, with respect to the ownership or transfer of, subscription to, or consideration paid for the stock of WOKO, Inc., truly and accurately reflect the facts.

2. To determine all the circumstances and conditions under which the stock of WOKO, Inc., has been issued, transferred or assigned.

3. To determine whether or not the applicant is qualified to continue the operation of Station WOKO.

4. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience and necessity would be served by a grant of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: WOKO, Incorporated, Radio Station WOKO, Radio Center, 8 Elk Street, Albany, New York.

Dated at Washington D. C., January 26, 1943.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-1483; Filed, January 28, 1943; 2:39 p. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 592]

HUNGARIAN REFERENCE LIBRARY

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the Hungarian National Museum, an agency administered by the Ministry of Worship and Public Education of the Kingdom of Hungary, is a national of a designated enemy country (Hungary);

2. Finding, therefore, that all that certain library and office furniture and objects of art, and that certain collection of books, manuscripts and newspaper clippings known as the Feleky Collection (more commonly known as the Hungarian Reference Library) owned by the aforesaid Hungarian National Museum, are property within the United States owned or controlled by a national of a designated enemy country (Hungary);

3. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Hungary);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on December 30, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1505; Filed, January 29, 1943; 9:30 a. m.]

[Vesting Order 715]

CONTRACT RIGHTS OF EMIL PAULS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Emil Pauls, whose last known address is Madgeburg, Germany, is a national of a foreign country (Germany);

2. Finding that said Emil Pauls is the owner of the interest described in subparagraph 3 hereof;

3. Finding, therefore, that the property described as follows:

The interest of the aforesaid Emil Pauls in and to the contract by and between him and Ralph C. Busser, Jr., 1012 Stephen Girard Building, Philadelphia, Pennsylvania, whereby the said Emil Pauls acquired the right to receive 85% of the profits derived from the license, sale or other exploitation of the United States Letters Patent Nos. 2,146,240 and 2,146,241.

is property payable or held with respect to patents or rights related thereto in which an interest is held by, and such property itself constitutes an interest held therein by, a national of a foreign country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1506; Filed, January 29, 1943; 9:30 a. m.]

[Vesting Order 736]

ESTATE OF JOYCE SAMPSON BALLERINI

In re: Estate of Joyce Sampson Ballerini, deceased—File D-38-276; E. T. sec. 12.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9095 as amended, and

pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by George A. Hopkins, Executor and Trustee of the estate of Joyce Sampson Ballerini, deceased, acting under the judicial supervision of the Surrogate's Court, New York County, New York.

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely,

	Last known address
National:	
Elisio Ballerini	Italy.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind of character whatsoever of Elisio Ballerini in and to the estate of Joyce Sampson Ballerini, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1523; Filed, January 29, 1943; 11:18 a. m.]

[Vesting Order 768]

ESTATE OF IRENE ANN COLLEONI

In re: Estate of Irene Ann Colleoni, deceased—File D-38-357; E. T. sec. 570.

Under the authority of the Trading with the Enemy Act as amended and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by William H. Jeffers and Alfred L. Rose, trustees, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Italy, namely,

	Last known address
National:	
Leone Colleoni	Italy.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Leone Colleoni in and to the trust estate created under the Last Will and Testament of Irene Ann Colleoni, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 27, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1524; Filed, January 29, 1943; 11:18 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-2040]

COMSTOCK TUNNEL AND DRAINAGE COMPANY

ORDER GRANTING APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 25th day of January, A. D. 1943.

The Comstock Tunnel and Drainage Company pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to withdraw its common stock, $1 par value, from listing and registration on the San Francisco Mining Exchange; and

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on February 4, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-1482; Filed, January 28, 1943; 2:39 p. m.]

[File No. 1-1730]

CHAPMAN'S ICE CREAM COMPANY

ORDER GRANTING APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 25th day of January, A. D. 1943.

The Chapman's Ice Cream Company pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to withdraw its common stock, no par value, from listing and registration on the Los Angeles Stock Exchange; and

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on February 4, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-1481; Filed, January 28, 1943; 2:39 p. m.]

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FEB

THE NATIONAL ARCHIVES
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For reasons of economy, with this issue of the Index many duplicate (flush) entries are omitted. These entries, names of commodities and firms, will now be found only under the agencies publishing the related documents.

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Regulations

TITLE 7—AGRICULTURE

Chapter I—Food Distribution Administration[1]

Subchapter C—Regulations Under the Farm Products Inspection Act

PART 63—OFFICIAL UNITED STATES STANDARDS FOR GRADES OF CREAMERY BUTTER[2]

By virtue of the authority vested in the Secretary of Agriculture by the provision in the act of Congress entitled "An Act Making Appropriations for the Department of Agriculture for the fiscal year ending June 30, 1943, and for other purposes" (56 Stat. 664702), approved July 22, 1942, authorizing an inspection service for farm products, I, Claude R. Wickard, Secretary of Agriculture, do prescribe and promulgate the following standards for grades of creamery butter, that shall be employed for the grading and certification of creamery butter by official graders of the United States Department of Agriculture, to be effective on February 1, 1943, and thereafter unless amended or superseded by standards hereafter prescribed and promulgated under such authority. These standards[3] shall supersede all standards for creamery butter previously promulgated.

§ 63.1 *Terms defined.* For the purpose of the United States standards for grades of creamery butter:

(a) *Butter.* Butter shall be the food product usually known as butter, and which is made exclusively from milk or cream, or both, with or without common salt, and with or without additional coloring matter, and containing not less than 80 percent by weight of milk fat, all tolerance having been allowed for.[4]

(b) *Creamery butter.* Creamery butter shall be butter manufactured in a commercial creamery.

§ 63.2 *Nomenclature of U. S. grades.* The nomenclature of the U. S. Grades of Creamery Butter shall be as follows: U. S. Grade AA or U. S. 93 Score, U. S. Grade A or U. S. 92 Score, U. S. Grade B or U. S. 90 Score, U. S. Grade C or U. S. 89 Score, U. S. Cooking Grade, and No Grade.

§ 63.3 *Basis for determination of U. S. grades.* The basis for the determination of the U. S. Grades of creamery butter, except "No Grade", shall be as follows:

(a) The flavor shall be classified in accordance with § 63.4.

(b) The defects in body, color, and salt shall be rated in accordance with § 63.5.

(c) The relation of the U. S. Grade of the butter to the flavor classification of it, as affected by total defects in body, color, and salt, shall be determined in accordance with § 63.6.

§ 63.4 *Classification of flavors in creamery butter.* Various identified flavors[5] in butter shall be classified as follows:

Identified flavors:	*Flavor classification*
Fine, highly pleasing	AA
Slightly normal feed	AA
Definitely cooked	AA
Pleasing and desirable	A
Slightly coarse-acid cream	A
Slightly smothered	A
Slightly heated (summer defect)	A
Slightly aged (butter)	A
Slightly storage	A
Slightly bitter	A
Slightly flat	A
Definitely normal feed	A
Definitely cooked	A
Slightly weedy (common)	B
Slightly musty	B

[1] Formerly Agricultural Marketing Association.

[2] These standards supersede the U. S. standards for quality of creamery butter effective April 1, 1939, contained in Part 55, §§ 55.41 to 55.48, inclusive.

[3] These standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

[4] In conformity with an act of Congress approved March 24, 1923.

[5] When more than one flavor is discernible in a sample of butter, the flavor classification of the sample shall be established on the basis of the flavor that carries the lowest classification.

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Slightly woody	B
Definitely old-cream flavor	B
Definitely coarse-acid cream	B
Definitely acidy	B
Definitely utensil	B
Definitely scorched	B
Definitely neutralizer	B
Definitely storage	B
Definitely aged (butter)	B
Definitely greasy	B
Definitely bitter	B
Slightly obnoxious weeds	C
Slightly onion or garlic	C
Definitely scorched-neutralizer	C
Definitely sour	C
Definitely fruity	C
Definitely yeasty	C
Definitely cheesy	C
Definitely alkaline	C
Definitely oily	C
Definitely metallic	C
Definitely cabbage, rape, turnip	C
Definitely weedy (common)	C
Definitely musty	C
Definitely stale	C
Definitely barny	C
Definitely obnoxious weeds	[1] CG
Definitely onion or garlic	CG

[1] CG indicates "Cooking Grade."

Identified flavors—Con.	Flavor classification
Definitely fishy	CG
Pronouncedly yeasty	CG
Pronouncedly fruity	CG
Pronouncedly cheesy	CG
Pronouncedly alkaline	CG
Pronouncedly stale	CG

§ 63.5 *Ratings for defects in body, color, and salt.* The ratings for defects in body, color, and salt shall be established in accordance with the following:

(a) Gummy, leaky, spongy or weak, mealy, crumbly, or sticky body, wavy color, color specks, and sharp salt shall be rated for defects as follows:

Defects:	Rating
Slight	½
Definite	1

(b) Ragged-boring, grainy, and streaked or mottled shall be rated for defects as follows:

Slight	1
Definite	2

(c) High color (unnatural) shall be rated for defects as follows:

Pronounced	1

(d) Gritty salt shall be rated for defects as follows:

Slight	1
Definite	2

§ 63.6 *Relation of U. S. grade of butter to the flavor classification, as affected by total defects in body, color, and salt.* The relation of the U. S. grade of an individual sample of butter to the flavor classification of it, as affected by total defects in body, color, and salt shall be as follows:

(a) When the total defects in body, color, and salt do not exceed the permitted total defects, which is one-half (½) for butter having a flavor classification of AA, A, or B and one and one-half (1½) for butter having a flavor classification of C, the U. S. Grade of the butter shall be the same as the flavor classification. (See examples 1, 6, 11, 16, and 17 in Table I).

(b) When the total defects in body, color, and salt exceed the permitted total defects for butter having a flavor classification of AA, A, or B by either one-half (½) or one (1), the U. S. Grade of the butter shall be one grade below the flavor classification; when the total defects for body, color, and salt in such butter exceed the permitted total defects by one and one-half (1½) or two (2), the U. S. Grade of the butter shall be two grades below the flavor classification. (See examples 2, 3, 7, 8, 12, and 13; also examples 4, 5, 9, 10, 14, and 15 in Table I).

(c) When the total defects in body, color, and salt exceed the permitted total defects for butter having a flavor classification of C by one and one-half (1½) the U. S. Grade of the butter shall be U. S. Cooking Grade. (See examples 18 and 19 in Table I).

TABLE I—EXAMPLES OF THE RELATION OF U. S. GRADE TO FLAVOR CLASSIFICATION AND TOTAL DEFECTS IN BODY, COLOR, AND SALT

Example No.	Flavor classification	Defects: Body	Defects: Color	Defects: Salt	Total defects	Permitted total defects	Defects in excess of total permitted	U. S. grade or score
1	AA	½	0	0	½	½	0	AA or U. S. 93.
2	AA	0	1	0	1	½	½	A or U. S. 92.
3	AA	1	0	½	1½	½	1	A or U. S. 92.
4	AA	1	1	0	2	½	1½	B or U. S. 90.
5	AA	1	1	½	2½	½	2	B or U. S. 90.
6	A	½	0	0	½	½	0	A or U. S. 92.
7	A	0	1	0	1	½	½	B or U. S. 90.
8	A	1	0	½	1½	½	1	B or U. S. 90.
9	A	1	1	0	2	½	1½	C or U. S. 89.
10	A	1	1	½	2½	½	2	C or U. S. 89.
11	B	½	0	0	½	½	0	B or U. S. 90.
12	B	0	1	0	1	½	½	C or U. S. 89.
13	B	1	0	½	1½	½	1	C or U. S. 89.
14	B	1	1	0	2	½	1½	CG.[1]
15	B	1	1	½	2½	½	2	CG.[1]
16	C	1	0	0	1	1½	0	C or U. S. 89.
17	C	1	½	0	1½	1½	0	C or U. S. 89.
18	C	1	1	0	2	1½	½	CG.[1]
19	O	1	1	½	2½	1½	1	CG.[1]

[1] CG indicates "Cooking Grade."

§ 63.7 *Specifications for U. S. grades of creamery butter.*[1] The specifications for the U. S. grades of creamery butter are as follows:

U. S. Grade AA or U. S. 93 Score butter shall possess a fine, highly pleasing flavor. It may possess a slightly normal feed or a definitely cooked flavor. It is made from sweet cream or cream of low natural acid to which a culture (starter) may or may not have been added. The permitted total defects in body, color, and salt are limited to one-half (½).

U. S. Grade A or U. S. 92 Score butter shall possess a pleasing and desirable flavor. It may possess any of the following flavors to a slight degree: Coarse-acid, smothered, flat, heated (summer defect), bitter, aged (butter) and storage, or a normal feed and cooked flavor of a definite degree. The permitted total defects in body, color, and salt are limited to one-half (½) unless the flavor classification permits these defects to exceed one-half (½). Butter that has a flavor classification of AA and total defects in body, color, and salt which exceed one-half (½) but do not exceed one and one-half (1½) shall be U. S. Grade A or U. S. 92 score.

U. S. Grade B or U. S. 90 Score butter may possess any of the following flavors to a slight degree: Weedy, musty, rape, cabbage, turnip, and woody or any of the following flavors of a definite degree: Old-cream flavor, coarse-acid-cream, acidy, utensil, scorched, neutralizer, storage, aged (butter), greasy and bitter. The permitted total defects in body, color, and salt are limited to a total of one-half (½) unless the flavor classification permits these defects to exceed one-half (½). Butter that has a flavor classification of AA and total defects in body, color, and salt which exceed one-half (½) but do not exceed two and one-

[1] The basis for determination of the U. S. Grade of an individual churning or sample of creamery butter with respect to its flavor classification, total defects in body, color, and salt, and the relation of the U. S. Grade to the flavor classification as affected by the total defects in body, color, and salt is stated in Sections 63.4, 63.5, and 63.6 of these standards.

half (2½) shall be U. S. Grade B or U. S. 90 score. Butter that has a flavor classification of A and total defects in body, color, and salt which exceed one-half (½) but do not exceed one and one-half (1½) shall be U. S. Grade B or U. S. 90 score.

U. S. Grade C or U. S. 89 Score butter may possess any of the following flavors to a slight degree: Obnoxious weeds and onion or garlic or any of the following flavors of a definite degree: Scorched-neutralizer, sour, fruity, yeasty, cheesy, alkaline, oily, metallic, cabbage, turnip, rape, weedy, musty, stale, and barny. The permitted defects in body, color, and salt are limited to a total of one and one-half (1½) unless the flavor classification permits these defects to exceed one and one-half (1½). Butter that has a flavor classification of A and total defects in body, color, and salt which exceed one and one-half (1½) but do not exceed two and one-half (2½) shall be U. S. Grade C or U. S. 89 score. Butter that has a flavor classification of B and total defects in body, color, and salt which exceed one-half (½) but do not exceed one and one-half (1½) shall be U. S. Grade C or U. S. 89 score.

U. S. Cooking Grade butter may possess any of the following flavors of a definite degree: Obnoxious weeds, onion or garlic, and fishy; or any of the following flavors of a pronounced degree: Yeasty, fruity, cheesy, alkaline, and stale. Defects in body, color, and salt are not limited in this grade. Butter that has a flavor classification of B or C and total defects in body, color, and salt of two (2) or more shall be U. S. Cooking Grade.

No Grade: Butter that possesses any of the following flavors or contains any of the substances listed under "conditions" or is below the requirements of the U. S. Cooking Grade shall be classified as "No Grade".

Flavors:
- Pronouncedly fishy
- Surface taint.
- Limburger.
- Tallowy.
- Rancid.
- Paint or varnish.
- Gasoline, kerosene, or fly spray.
- Chemical

Conditions:
- Mold.
- Grains of sand.
- Splinters of wood.
- Specks of rust.
- Other foreign materials.

In testimony whereof I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington this 30th day of January 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-1642; Filed, February 1, 1943; 11:11 a. m.]

Chapter XI—Food Distribution Administration

[Food Distribution Order 81]

PART 1401—DAIRY PRODUCTS

FROZEN DAIRY FOODS AND MIX

Pursuant to the authority vested in me by Food Distribution Order No. 8, dated January 19, 1943, issued pursuant to Executive Order No. 9280, dated December 5, 1942, and to effectuate the purposes of such order, *It is hereby ordered as follows:*

§ 1401.32 *Specification of allocation periods.* Each calendar month, beginning on February 1, 1943, is hereby specified as an allocation period to which quotas, percentages, reports, and other regulations are applicable, in accordance with the provisions in § 1401.31 (a) (8) and § 1401.31 (b) of said Food Distribution Order No. 8, dated January 19, 1943.

(E.O. 9280, 7 F.R. 10179; F.D.O. No. 8, 8 F.R. 953)

Issued this 1st day of February 1943.

[SEAL] ROY F. HENDRICKSON,
Director of Food Distribution.

[F. R. Doc. 43-1685; Filed, February 1, 1943; 11:57 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter V—Military Reservations and National Cemeteries

PART 54—EXCHANGES

SALES

Paragraph (a) of § 54.6[1] is hereby amended and paragraph (b) is rescinded, as follows:

§ 54.6 *Sales; to whom made.* (a) Exchanges are authorized to sell to the following named persons and organizations only. Purchases by individuals will be limited as set forth below:

(1) Personnel and organizations now or hereafter authorized by law and regulation to purchase subsistence stores or other quartermaster supplies, as defined in paragraphs 2 and 6, AR 30-2290,[2] may purchase at exchanges. Dependent members of the families of persons so authorized may act as agents for such persons upon proper identification.

(2) Civilians other than those above defined and who are regularly employed or serving at military posts, camps, or stations may purchase for their own consumption on the post, upon proper identification, items of food, drink, and tobacco products and no other merchandise of any kind.

(b) Rescinded. (R.S. 161; 5 U.S.C. 22) [Par. 13, AR 210-65, July 1, 1941, as amended by C 4 January 16, 1943]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-1583; Filed, January 30, 1943; 11:48 a. m.]

Chapter VII—Personnel

PART 73—APPOINTMENT OF COMMISSIONED OFFICERS, WARRANT OFFICERS AND CHAPLAINS

ASSIGNMENT

Section 73.211 (b) [7 F.R. 7071, 10247] is amended to read as follows:

§ 73.211 *Assignment.* • • •

(b) An officer appointed in the Army of the United States and assigned to a branch immaterial position not allotted to a particular arm or service will be designated as Army of the United States without reference to arm or service. (Ch. 414, 55 Stat. 728; 10 U.S.C. Sup. 484) [Par. 13b, AR 605-10, December 30, 1942, as amended by C 1 January 8, 1943]

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[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-1638; Filed, February 1, 1943; 10:15 a. m.]

PART 73—APPOINTMENT OF COMMISSIONED OFFICERS, WARRANT OFFICERS, AND CHAPLAINS

FLIGHT OFFICERS

Section 73.351 is hereby added as follows:

§ 73.351 *Flight officers*—(a) *Eligibility.* The following are eligible for appointment as flight officers in the Army of the United States:

(1) Any aviation cadet who has successfully completed an aviation cadet course of training prescribed by the Commanding General, Army Air Forces, pursuant to Part 74 of this Title and AR 615-160, and who is qualified to perform the duties of a member of an air crew.

(2) Any enlisted man who has successfully completed a course of aviation student training prescribed by the Commanding General, Army Air Forces, pursuant to AR 615-150,[1] and who is qualified to perform the duties of a member of an air crew.

(3) Any warrant officer or enlisted man who is recommended for such appointment by the Commanding General, Army Air Forces, or pursuant to such regulations as he may prescribe, and who is qualified to perform the duties of a member of an air crew.

(4) Any civilian who is recommended for such appointment by the Commanding General, Army Air Forces, and who is qualified to perform the duties of a member of an air crew.

(b) *Appointing authority.* Civilians will be appointed as flight officers by such authority and in such manner as is prescribed by the War Department.

(c) *Termination.* The officers authorized to appoint flight officers in the Army of the United States are authorized to terminate such appointments when the best interests of the service make such action desirable. Persons whose appointments as flight officers are thus terminated will be restored to the enlisted grade held by them at the time of their appointment, or appointed to such other enlisted grade as the appointing authority deems appropriate in the circumstances.

(d) *Commissioning in the Army of the United States.* (1) Flight officers may be appointed, by selection, to the grade of second lieutenant and, upon such appointment, shall be commissioned in the Army of the United States under the provisions of the act of September 22, 1941 (55 Stat. 728). Flight officers selected to be commissioned will be commissioned second lieutenants in such manner as is prescribed by The Adjutant General.

(2) In foreign theaters of operations, flight officers may be appointed, by selection, to the grade of second lieutenant in the Army of the United States by theater commanders without regard to the period of time a flight officer has served as such. The system for selecting those flight officers who will be commissioned will be prescribed by the theater commander.

(e) *Commissioning in Air Corps Reserve.* Any person who has completed an aviation cadet course of training as an aviation cadet, or has completed an aviation student course of training, under the provisions of AR 615-150 as an enlisted man, and has served in time of war as a commissioned officer or flight officer in the Army of the United States, may be appointed an officer in the Air Corps Reserve upon recommendation of the Commanding General, Army Air Forces. Individuals so recommended will be commissioned in the Air Corps Reserve in such manner as is prescribed by The Adjutant General. (Act of Congress approved July 8, 1942, Public Law 658—77th Congress) [Pars. 2, 3d, 7, 8 and 9, AR 610-50, November 5, 1942, as amended by C 1 January 5, 1943]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-1639; Filed, February 1, 1943; 10:15 a. m.]

PART 79—PRESCRIBED SERVICE UNIFORM

BADGE, ARMY AIR FORCES TECHNICIAN

Section 79.56a is hereby added, as follows:

§ 79.56a *Badge, Army Air Forces technician*—(a) *Basic badge.* To be of silver. A gear wheel, encircled by a wreath, surmounted by a 4-bladed propeller, blades extending to outer edge of wreath.

(b) *Bars, qualification.* To be of silver suspended from the basic badge and marked as follows to show the technical qualification, and without showing the date of qualification.

AP Armorer.	Link trainer instr.
AP Electrical SP.	Parachute rigger.
AP Hydraulic SP.	Photographer.
AP Instrument SP.	Photo lab. tech.
AP Mechanic.	T'ret & sight SP.
AP Machinist.	Radio V—I Mech.
AP Metal worker.	Radio V—I Obs.
AP Power plant SP.	Radio mechanic.
AP Propeller SP.	Radio operator.
AP Welder.	Teletype mech.
A. C. S. Radio SP.	WX Forecaster.
Bombsight mech.	WX Observer.

(R.S. 1296; 10 U.S.C. 1391) [Par. 56½, AR 600-35, November 10, 1941, as added by C 10, January 11, 1943]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-1584; Filed January 30, 1943; 11:48 a. m.]

[1] 6 F.R. 3423, 5200

[2] Administrative regulations of the War Department relative to sale of supplies and services.

[1] Administrative regulations of the War Department relating to aviation student training.

Chapter X—Areas Restricted for National Defense Purposes

[Public Proclamation 4]

PART 102—CONTROL OF LIGHTING WITHIN RESTRICTED ZONES

COASTAL DIMOUT, EASTERN MILITARY AREA

JANUARY 27, 1943.

Headquarters Eastern Defense Command and First Army, Governors Island, N. Y.

To: The people within the states of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida East of the Apalachicola River, and the District of Columbia.

Whereas, the Eastern Military Area was prescribed by Public Proclamation No. 1, this Headquarters, dated May 16, 1942, under authority contained in Executive Order of the President, No. 9066, [7 F.R. 1407], dated February 19, 1942; and

Whereas, military necessity then requiring such action, certain restrictions for the control of lighting in coastal areas of the Eastern Military Area (Coastal Dimout Restrictions) were imposed by Public Proclamation No. 1 for the protection of United Nations shipping from enemy attack, and the prevention of enemy action against the Atlantic Seaboard; and

Whereas, the present situation requires as a matter of military necessity, for the protection of inhabitants of the Eastern Military Area and National Defense activities, utilities, and installations therein against enemy attack, the extension of military control over certain phases of air raid protection in the area;

Now, therefore, I, Hugh A. Drum, Lieutenant General, U. S. Army, by virtue of the authority vested in me by the President of the United States and by the Secretary of War and my powers and prerogatives as Commanding General of the Eastern Defense Command and First Army, charged with the defense of the Eastern Seaboard, *do hereby declare, order and proclaim*, That:

§ 102.2 *Coastal dimout area; Eastern Military Area.* (a) The right of any person to enter, remain in, or leave the Eastern Military Area, or any part or zone thereof, shall hereafter be subject to regulations governing air raid protection including coastal dimout, blackout, the control of lighting and radio, the movement of vehicles and other conveyances, and activities of persons during periods of blackout and air raid, and related matters, issued by commanding generals of service commands and the Commanding General of the Military District of Washington, each for his appropriate jurisdiction, pursuant to orders of this Headquarters. Such regulations are hereby adopted as restrictions.

(b) In all parts of the Eastern Military Area, a blackout shall be effected as soon as the authorized signal therefor has been given and shall continue until the authorized signal to terminate the blackout.

(c) Within the Eastern Military Area, there is hereby designated a coastal dimout area. This coastal dimout area, in each of the four service commands of the Eastern Military Area, coincides in location and extent with the areas designated by commanding generals of service commands, each for his appropriate jurisdiction, as coastal dimout areas.

(d) Throughout the coastal dimout area, nightly dimouts, in accordance with regulations of commanding generals of service commands, each for his appropriate jurisdiction, will be observed. This dimout is a preparatory step for periods of blackout throughout the coastal dimout area. The regulations governing air raid protection provide that a blackout must be effected more quickly in the coastal dimout area than in those parts of the Eastern Military not included in the coastal dimout area.

(e) In accordance with paragraphs 6 and 7 of Public Proclamation No. 1, the civilian defense organizations of the Federal Government and of the District of Columbia and of the several States within the Eastern Military Area are, with their consent, hereby designated as the principal agencies to assist commanding generals of service commands in the enforcement of restrictions imposed by this Proclamation and orders issued pursuant hereto, and these organizations and Federal, State and local law enforcement agencies are requested to render assistance in the enforcement of such restrictions and orders.

(f) Any person who violates any restriction or order issued, required to be issued, or adopted by the Commanding General, Eastern Defense Command and First Army, pursuant to the authority cited in the preamble of this proclamation, applicable to the whole or any part of the Eastern Military Area, is subject to immediate exclusion from the Eastern Military Area, or any part or zone thereof, and to the penalties provided by Title 18, section 97A, United States Code. In addition, if two or more persons conspire to violate this section and one or more do any act to effect the object of such conspiracy, each of the parties will be subject to the penalties provided by Title 18, section 88, United States Code. In the case of an alien enemy, such person will, in addition, be subject to immediate apprehension and internment.

(g) A copy of this proclamation shall be displayed for public inspection at every Selective Service local board; at every Post Office; at every Court House; and at every Town Hall within the Eastern Military Area. Copies of regulations issued pursuant to this proclamation shall be displayed for public inspection at every Selective Service local board; at every Post Office; at every Court House; and at every Town Hall within the area affected by such regulations. It will be the duty of every person found within the Eastern Military Area to familiarize himself with the terms of every proclamation and regulation with respect to air raid protection including coastal dimout, blackout, the control of lighting and radio, the movement of vehicles and other conveyances, and activities of persons during periods of blackout and air raid, and related matters, in

the area or service command in which he is found.

[SEAL] H. A. DRUM.
Lieutenant General, U. S. Army Commanding.

Confirmed:

J. A. ULIO.
Major General,
The Adjutant General.

[F. R. Doc. 43-1637; Filed, February 1, 1943; 10:15 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Amendment 25-0, Civil Air Regulations]

PART 25—PARACHUTE TECHNICIAN CERTIFICATES

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 21st day of January 1943.

Acting pursuant to sections 205 (a), 601, and 602 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective January 21, 1943, the Civil Air Regulations are amended as follows:

CERTIFICATES AND RATINGS

Sec.
25.0 Certification of parachute technicians.
25.00 Classification of parachute technicians.

QUALIFICATIONS FOR PARACHUTE TECHNICIAN CERTIFICATES

25.1 Parachute rigger grade.
25.10 Citizenship.
25.11 Age.
25.12 Moral character.
25.13 Education.
25.14 Knowledge.
25.15 Experience.
25.16 Military competence.
25.2 Senior parachute rigger grade.
25.3 Master of parachute maintenance grade.

QUALIFICATIONS FOR RATINGS

25.5 Special ratings.
25.50 Parachute jumper rating.
25.51 Parachute instructor rating.

EXAMINATIONS AND TESTS

25.6 General.
25.60 Standard of performance.
25.61 Physical examinations.
25.62 Reexaminations.

ISSUANCE AND DURATION OF CERTIFICATES

25.7 General.
25.70 Duration.
25.71 Revocation.

REGULATIONS AND LIMITATIONS

25.8 General.
25.80 Service limitations.
25.81 Log-book.
25.82 Display of certificate.
25.83 Inspection.
25.84 Surrender of certificate.
25.85 Notice of defects.
25.86 Seal.
25.87 Parachute record.
25.88 Reports.
25.89 Transfer.
25.9 Minimum facilities.

AUTHORITY: §§ 25.0 to 25.9 inclusive issued under secs. 205 (a), 601, 602, 52 Stat. 984, 1007, 1008; 49 U.S.C. 425, 551, 552.

CERTIFICATES AND RATINGS

§ 25.0 *Certification of parachute technicians.* An airman certificate may be issued by the Administrator to a person qualified in accordance with the provisions hereinafter prescribed to perform the duties of parachute technician.

§ 25.00 *Classification of parachute technicians.* Parachute technicians shall be classified in the following ascending grades:

(a) Parachute rigger;
(b) Senior parachute rigger;
(c) Master of parachute maintenance.

QUALIFICATIONS FOR PARACHUTE TECHNICIAN CERTIFICATES

§ 25.1 *Parachute rigger grade.*

§ 25.10 *Citizenship.* Applicant shall be:

(a) A citizen of and of unquestionable loyalty to the United States, or

(b) A person who is in sympathy with the objectives of the United States, and who is a trustworthy citizen of a friendly foreign government not under the domination of or associated with any government with which the United States is at war.

§ 25.11 *Age.* Applicant shall be not less than 18 years of age.

§ 25.12 *Moral character.* Applicant shall be of good moral character.

§ 25.13 *Education.* Applicant shall be able to read, write, and understand the English language; *Provided*, That a citizen of Puerto Rico, or an applicant who is employed by an air carrier outside the United States, need not be able to read, write, speak, or understand the English language except that a certificate issued to such an applicant shall be valid only in Puerto Rico, or only while employed by an air carrier outside of the United States, as the case may be.

§ 25.14 *Knowledge.* Applicant shall pass a written, oral, and practical examination on (a) the construction, inspection, packing, maintenance, use of, and the manufacturer's instructions with respect to at least one make and type of parachute in common commercial use, and (b) the pertinent provisions of the Civil Air Regulations and related manuals.

§ 25.15 *Experience.* Applicant shall have performed satisfactory service in the packing of at least 20 parachutes of each type for which he seeks a rating under the supervision of a properly qualified and certificated parachute technician.

§ 25.16 *Military competence.* An applicant who is or was within the 60 days preceding application a regular or reserve member of the Army, Navy, Marine Corps, or Coast Guard on active duty as a parachute technician for a period of not less than one year, upon passing the prescribed written examination on the pertinent Civil Air Regulations and presentation of a statement from the appropriate military authorities attesting to such experience, will be deemed to have met the requirements of §§ 25.14 and 25.15.

§ 25.2 *Senior parachute rigger grade.* Applicant shall comply with the provisions of §§ 25.10 through 25.15 and in addition thereto he shall:

(a) Demonstrate to the satisfaction of the Administrator that he has a thorough practical and theoretical knowledge of the construction, inspection, packing, maintenance, use of, and repairs to at least 3 types of parachutes in common commercial use including the manufacturers' instructions with respect to such subject;

(b) Present proof satisfactory to the Administrator that he has served as a properly qualified and certificated parachute technician or as a mechanic with a rating as a parachute rigger for a period of at least 2 years; and

(c) Present proof satisfactory to the Administrator that he has satisfactorily serviced and packed at least 25 parachutes of each make and type for which he seeks to be rated.

§ 25.3 *Master of parachute maintenance grade.* Applicant shall comply with the provisions of §§ 25.10 through 25.15 and in addition thereto he shall:

(a) Demonstrate to the satisfaction of the Administrator that he has a thorough practical and theoretical knowledge of the construction, inspection, packing, maintenance, use of, and repairs to the products of not less than 3 different manufacturers including at least 4 types of parachutes and 3 types of canopies, and the ability to properly supervise all operations in connection therewith.

(b) Present proof satisfactory to the Administrator that he has served as a certificated parachute technician for a period of at least 5 years, and that he has satisfactorily serviced and packed not less than 200 parachutes of various makes and types and not less than 25 of each type and make of parachute for which he is rated; and

(c) Present written statements satisfactory to the Administrator attesting to his character, responsibility, skill, ability, and length of service, and recommending him for a "Master of Parachute Maintenance" grade.

QUALIFICATIONS FOR RATINGS

§25.5 *Special ratings.* Special parachute ratings are as follows:

(a) Parachute jumper;
(b) Parachute instructor.

§ 25.50 *Parachute jumper rating.* A special rating of parachute jumper will be entered on the Airman Rating Record of a certificated parachute technician who, after inspection and examination, is found by the Administrator to meet the requirements therefor and, if less than 21 years of age, to have obtained the written consent of either parent, or legal or natural guardian.

§ 25.500 *Knowledge.* Applicant must pass a written, oral, and practical examination demonstrating a practical and theoretical knowledge of the proper methods and procedures for making test and exhibition jumps, which shall include methods of leaving and clearing aircraft with relation to the speed and altitude thereof, emergency measures to be taken in the event of malfunction of the parachute during the opening and subsequent operation thereof, and the proper method of manipulation and control of the parachute during descent and landing.

§ 25.501 *Experience.* Applicant shall present proof satisfactory to the Administrator that he has satisfactorily accomplished at least 10 jumps without injury to himself or damage to his equipment.

§ 25.502 *Physical condition.* Applicant shall meet the physical standards of the third class prescribed in Part 29.

§ 25.51 *Parachute instructor rating.* A special rating of parachute instructor will be entered on the Airman Rating Record of a certificated parachute technician who satisfactorily passes a written, oral, and practical examination demonstrating his ability to teach the processes and procedures which, in the opinion of the Administrator, are deemed necessary and appropriate for the construction, inspection, packing, maintenance, repair, and use of parachutes.

EXAMINATIONS AND TESTS

§ 25.6 *General.* All examinations and tests prescribed herein shall be conducted at a time and place designated by the Administrator.

§25.60 *Standard of performance.* The passing grade of any theoretical examination shall be 70 percent. The prescribed practical examinations must be accomplished to the satisfaction of the Administrator.

§ 25.61 *Physical examinations.* The appropriate physical examination prescribed for a parachute jumper rating shall be accomplished before any practical or theoretical test or examination will be given, and shall be completed within the 12 calendar months preceding such test.

§ 25.62 *Reexaminations.* An applicant who has failed to:

(a) Accomplish successfully any prescribed theoretical examination may apply for reexamination at any time after the expiration of 30 days from the date of such failure; or

(b) Accomplish successfully any prescribed practical examination or test may apply for reexamination (1) after expiration of 30 days from the date of such failure, and (2) after he submits proof satisfactory to the Administrator that he has received adequate instruction by a certificated parachute technician holding a rating for the make and type of parachute on which he failed to demonstrate his ability.

ISSUANCE AND DURATION OF CERTIFICATES

§ 25.7 *General.* Application for a parachute technician certificate and rating shall be made upon the applicable form prescribed and furnished by the Administrator.

§ 25.70 *Duration.* A parachute technicion certificate issued hereunder shall be of 60 days' duration and unless the holder thereof is otherwise notified by the Administrator within such period it shall continue in effect thereafter, until otherwise specified by the Board, unless suspended or revoked.

§ 25.700 *Existing certificates.* A currently effective mechanic certificate with a parachute rigger rating shall continue in effect for a period of not to exceed 6 months after the effective date of this Part, during which time the holder thereof may secure upon application a parachute technician certificate of:

(a) Parachute rigger grade with appropriate ratings; or

(b) A higher grade with appropriate ratings upon demonstrating to the satisfaction of the Administrator that he is able to meet the standards currently prescribed in the Civil Air Regulations for the issuance of such grade and ratings.

§ 25.71 *Revocation.* No person whose parachute technician certificate has been revoked shall apply for or be issued a parachute technician certificate for a period of one year after the revocation, except as the order of revocation may otherwise provide.

REGULATIONS AND LIMITATIONS

§ 25.8 *General.* A certificated parachute technician shall not serve as such unless:

(a) He has in his possession in addition to his parachute technician certificate, an identification card satisfactory to the Administrator containing his finger prints, picture, and signature; and

(b) There is attached as part of his certificate the appropriate Airman Rating Record prescribed and issued by the Administrator setting forth such limitations as to type and make of parachute and such other limitations as the Administrator may prescribe.

§ 25.80 *Service limitations.* A certificated parachute technician shall not:

(a) Perform any act or serve in any manner in connection with his certificate which will adversely affect public safety;

(b) Pack any parachute which is not in condition for safe use;

(c) Serve otherwise than in accordance with the terms, limitations, and conditions of his certificate and rating record except as provided hereinafter: *Provided*, That the holder of a mechanic certificate with a parachute rigger rating in effect on the 21st day of January, 1943, may perform service pursuant to the terms of such certificate and rating record for a period not to exceed 6 months after the effective date of this Part;

(d) Pack a parachute for use by any person other than himself; unless:

(1) Such parachute has been thoroughly dried and aired for a period of at least 12 hours for each 30 days since the time of its last packing; and

(2) Such parachute is packed in accordance with the approved method of the manufacturer and in a place where the minimum facilities prescribed in § 25.9 are available; and

(3) Within the preceding 30 days he has reviewed the manufacturer's instructions with respect to the packing of the particular type if more than 6 months have elapsed since he last packed a parachute of that make and type; and

(4) Within the preceding 30 days he has reviewed the manufacturer's instructions with respect to the packing of the particular type and has made at least 10 practice packings of that type if more than 12 months have elapsed since he last packed a parachute of the identical make and type;

(e) Make any modification, alteration, or major repair not specifically authorized in writing by the manufacturer of the parachute, or the Administrator, or make any substitution of materials or parts on any parachute, or in any way deviate from the manufacturer's approved procedures of packing any make or type of parachute.

§ 25.800 *Parachute rigger.* A parachute rigger shall not make any major repairs to parachutes unless he is under the supervision of a person deemed competent for the purpose by the Administrator.

§ 25.801 *Senior parachute rigger.* A senior parachute rigger shall not make any major repairs to parachutes except to those types for which he is rated unless he be under the supervision of a person deemed competent for the purpose by the Administrator; nor shall such repairs be made otherwise than in a manner which will restore the equipment to an airworthy condition.

§ 25.802 *Master of parachute maintenance.* A master of parachute maintenance shall not make any major repairs to parachutes except in a manner which will restore the equipment to an airworthy condition.

§ 25.803 *Parachute instructor.* A certificated parachute technician with a parachute instructor rating shall not permit any student under his supervision to make a training or exhibition parachute jump unless such student has been thoroughly instructed in the proper methods of making such jumps and the instructor is satisfied that the student has the theoretical knowledge prescribed in § 25.500, and has passed the physical examination prescribed in § 25.502.

§ 25.81 *Log-book.*

§ 25.810 *Individual log-books.* A certificated parachute technician shall keep a record of his parachute packing and jumping operations in a log-book, which shall be a bound record and contain accurate and legible entries in ink or indelible pencil.

§ 25.811 *Contents.* The log-book shall contain the date of packing or jumping, name and address of the owner, serial number of each parachute, its type and manufacturer, place where packed or jumped, the certificate number of the parachute technician, and a record of drop tests and repairs. Such log-book shall be presented to any authorized representative of the Administrator, or any State or municipal officer enforcing local regulations or laws involving Federal compliance, upon request and reasonable notice.

§ 25.812 *Master log-book.* A certificated parachute technician in charge of parachute maintenance operations, in which two or more certificated parachute technicians are engaged in the same parachute loft, shall be responsible for the maintenance of a master log-book which shall contain all of the information prescribed in § 25.811.

§ 25.82 *Display of certificate.* A certificated parachute technician shall keep his certificate readily available when on duty and shall present it for inspection upon reasonable request by an authorized person or representative of the Administrator or Board or of any State or municipal officer enforcing local regulations or laws involving Federal compliance.

§ 25.83 *Inspection.* An applicant or holder of a parachute technician certificate upon reasonable request by any representative of the Administrator shall cooperate fully in any examination which may be made of him.

§ 25.84 *Surrender of certificate.* Upon the suspension, expiration, or revocation of any certificate, the holder shall upon request surrender such certificate to any duly authorized representative of the Administrator.

§ 25.85 *Notice of defects.* A certificated parachute technician upon refusal to pack any defective parachute, shall give notice thereof to the owner and forward a copy to the manufacturer of the parachute and to the Administrator. Such notice shall contain the owner's name and address, the manufacturer's name, serial number, date of manufacture, the type, material, and basic construction of the canopy, a statement containing the parachute's use and history, if known, and the reasons for refusing to pack the parachute.

§ 25.86 *Seal.* Each certificated parachute technician shall have a seal press of suitable design with an individual identifying marker assigned by the Administrator. Upon repacking any parachute, he shall seal the pack release with a thread of not more than two pounds tensile strength, and affix his seal in such a manner that it cannot interfere in any way with the prompt and proper functioning of the parachute, and shall make certain that the parachute cannot be opened without the destruction of the seal.

§ 25.87 *Parachute record.* A certificated parachute technician shall enter on the parachute packing record of each parachute packed by him the date and place of packing, his signature, and his certificate number.

§ 25.88 *Reports.* A certificated parachute technician shall transmit to the Administrator, annually, during the month of January, a report for the preceding 12-month period, setting forth the number and type of parachutes packed and such other pertinent data as the Administrator may require.

§ 25.89 *Transfer.* A parachute technician certificate is not transferable.

§ 25.9 *Minimum facilities.* Unless prior approval has been obtained from the Administrator, a certificated parachute technician shall not pack or repack any parachute or make any minor parachute repairs in a place other than where the following facilities for such operations are available:

(a) A suitable smooth-top table at least 3 x 40 feet in length;

(b) A suitable compartment where parachutes may be suspended for drying and airing;

(c) Packing tools and repair equipment suitable for the repacking and repair of the type of parachute involved; and

(d) Adequate housing facilities for such equipment.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 43-1575; Filed, January 30, 1943; 10:24 a. m.]

[Amendment 40-1, Civil Air Regulations]

PART 40—AIR CARRIER OPERATING CERTIFICATION

INTERMEDIATE FIELDS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 21st day of January 1943.

Acting pursuant to sections 205 (a), 601 (a), and 604 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective January 21, 1943, Part 40 of the Civil Air Regulations is amended as follows:

By striking the phrase "50 miles" as it appears in § 40.203 [6 F.R. 4691] and inserting in lieu thereof the phrase "100 miles".

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 43-1572; Filed, January 30, 1943; 10:24 a. m.]

[Amendment 54-0, Civil Air Regulations]

PART 54—PARACHUTE LOFT CERTIFICATES AND RATINGS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 21st day of January 1943.

Acting pursuant to sections 205(a), 601, and 607 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective January 21, 1943, the Civil Air Regulations are amended as follows:

Sec.

RATINGS

54.1 Parachute loft ratings.

PARACHUTE LOFT CERTIFICATE REQUIREMENTS

54.2 Certificate requirements.
54.20 Personnel.
54.21 Facilities and equipment.

ISSUANCE AND DURATION

54.3 Application.
54.30 Duration.
54.31 Application to amend.

REGULATIONS AND LIMITATIONS

54.4 General.
54.400 Display.
54.401 Transfer.
54.402 Surrender.
54.403 Inspection.
54.404 Revocation.
54.41 Records.
54.410 Parachute loft rating record.
54.411 Recording major repair and alteration operations.
54.42 Maintenance, personnel, facilities, equipment, and material.
54.43 Airworthiness requirements for maintenance, repairs, and alterations.
54.430 Quality of maintenance, repairs, and alterations.
54.431 Materials.
54.432 Reporting defects or unairworthy conditions
54.433 Agencies authorized to perform maintenance, repairs, alterations, and inspections.
54.434 Drop testing of parachutes.

DEFINITIONS

54.5 General.
54.50 Parachute.
54.500 Canopy.
54.501 Harness.
54.502 Container.
54.503 Accessory.
54.51 Manufacturer.
54.52 Routine maintenance.
54.53 Repairs.
54.530 Minor repairs.
54.531 Major repairs.
54.54 Alterations
54.540 Minor alterations.
54.541 Major alterations.
54.55 Overhaul.

AUTHORITY: §§ 54.1 to 54.55, inclusive, issued under secs. 205 (a), 601, 607, 52 Stat. 984, 1007, 1011; 49 U.S.C. 425, 551, 557.

RATINGS

§ 54.1 *Parachute loft ratings.* The following ratings may be issued prescribing the type of work the holder of a parachute loft certificate is qualified to perform:

(a) General maintenance and minor repair;
(b) Canopy overhaul;
(c) Harness overhaul;
(d) Metal parts and container overhaul;
(e) Drop testing.

PARACHUTE LOFT CERTIFICATE REQUIREMENTS

§ 54.2 *Certificate requirements.* To be eligible for a rating as a parachute loft and certification as such an applicant shall comply with the following requirements:

§ 54.20 *Personnel.* Applicant shall have adequate personnel certificated in accordance with the provisions of Part 25 of the Civil Air Regulations and qualified to perform or supervise the type of work involved; and

§ 54.21 *Facilities and equipment.* Applicant shall have such equipment, facilities and material as are necessary for the competent and efficient performance of the type of work for which a rating is sought. Such facilities shall include suitable and adequately heated, lighted, and ventilated housing; an adequate system of inspection; adequate equipment for making drawings; and adequate facilities for the segregation and storage of parts and materials.

NOTE: A manual will be issued outlining facilities, equipment, and personnel which will comply with the requirements of this section.

ISSUANCE AND DURATION

§ 54.3 *Application.* Application for a parachute loft certificate and appropriate ratings shall be made upon the applicable form prescribed and furnished by the Administrator.

§ 54.30 *Duration.* A parachute loft certificate shall remain in effect indefinitely, unless suspended or revoked: *Provided*, That such certificate may be cancelled by the Administrator at any time within 60 days after issuance.

§ 54.31 *Application to amend.* Application for a change in the Parachute Loft Rating Record of a certificated parachute loft shall be made upon the applicable form prescribed and furnished by the Administrator.

REGULATIONS AND LIMITATIONS

§ 54.4 *General.*

§ 54.400 *Display.* A parachute loft certificate shall be displayed in a prominent place in the parachute loft.

§ 54.401 *Transfer.* A parachute loft certificate may not be transferred.

§ 54.402 *Surrender.* Upon the suspension, revocation, or expiration of a parachute loft certificate, the holder thereof upon request shall surrender such certificate to any officer or employee of the Administrator.

§ 54.403 *Inspection.* An applicant for a parachute loft certificate shall cooperate fully in any inspection or examination which may be made of such applicant, applicant's personnel, facilities, equipment, and records, upon proper request by an authorized representative of the Administrator, prior or subsequent to the issuance of a parachute loft certificate.

§ 54.404 *Revocation.* No person whose parachute loft certificate has been revoked shall apply for or be issued a parachute loft certificate or any rating for a period of one year after the revocation of such certificate except as the order of revocation may otherwise provide.

§ 54.41 *Records.* The holder of a parachute loft certificate shall maintain adequate records, which shall include the names of the persons who performed the work and the type of work performed. Such records shall be kept for at least two years.

§ 54.410 *Parachute Loft Rating Record.* An appropriate Parachute Loft Rating Record prescribed and issued by the Administrator shall be attached to each parachute loft certificate issued. The record shall contain the type of repair, operation, maintenance, and overhaul of parachutes for which the holder of such certificate is rated.

§ 54.411 *Recording major repair and alteration operations.* The holder of a parachute loft certificate authorized to perform major repair and alteration operations on a parachute canopy, harness, container, accessory, or any combination thereof, shall execute such repair and alteration forms as may be prescribed and furnished by the Administrator and shall deliver a copy of such form to the owner of the parachute.

§ 54.42 *Maintenance, personnel, facilities, equipment, and material.* The holder of a currently effective parachute loft certificate shall maintain personnel, facilities, equipment, and material at least equal in quantity and quality to those currently required for original issuance of such a certificate and the appropriate ratings.

§ 54.43 *Airworthiness requirements for maintenance, repairs, and alterations.*

§ 54.430 *Quality of maintenance, repairs, and alterations.* The holder of a parachute loft certificate shall perform maintenance, repair, and alteration operations in a workmanlike manner and so as to maintain the equipment in, or restore it to an airworthy condition.

§ 54.431 *Materials.* The holder of a parachute loft certificate shall use materials in connection with maintenance, repair, and alteration operations of such quality and strength as to be suitable for the purposes used.

§ 54.432 *Reporting defects or unairworthy conditions.* The holder of a parachute loft certificate shall report upon the applicable forms prescribed and furnished by the Administrator all recurring or serious defects or other unairworthy conditions of parachutes or parts thereof.

§ 54.433 *Agencies authorized to perform maintenance, repairs, alterations, and inspections.* Maintenance, repairs, alterations, and inspections of certificated parachutes may be performed by:

(a) A certificated parachute technician of appropriate grade and ratings (See Part 25 for service limitations of certificated parachute technicians); or

(b) A certificated parachute loft having an appropriate rating; or

(c) The manufacturer of the parachute or part thereof; or

(d) Another parachute manufacturer deemed competent by the Administrator: *Provided*, That all maintenance, repairs, alterations, and inspections shall be performed in accordance with manuals and specifications approved by the Administrator.*

§ 54.434 *Drop testing of parachutes.* The holder of a parachute loft certificate shall drop test any major repaired or altered parachute canopy, harness, container, accessory, or any combination thereof, when in the opinion of the inspecting certificated parachute technician such repairs or alterations may have affected its structural, functional, or other airworthiness characteristic. Drop tests shall be conducted in accordance with the following conditions:

§ 54.4340 *Functional tests.* If it is necessary to determine the functional characteristics of the entire assembly, such assembly shall be drop tested with a 150-pound dummy man (not including the weight of the parachute) at an indicated air speed of 70 miles per hour and a minimum altitude of 500 feet above the ground.

§ 54.4341 *Strength tests.* If it is necessary to determine the material values in the entire assembly, such assembly shall be drop tested with a 190-pound dummy man (not including the weight of the parachute) at an indicated air speed of 120 miles per hour and a minimum altitude of 500 feet above the ground.

§ 54.4342 *Airworthiness tests.* If it is necessary to determine material airworthiness of the entire assembly prior to repairs of any kind, such assembly shall be drop tested with a 190-pound dummy man (not including the weight of the parachute) at an indicated air speed of 120 miles per hour and at a minimum altitude of 500 feet above the ground.

§ 54.4343 *Agencies authorized to perform drop testing operations.* Parachute drop testing operations shall be performed only by:

(a) The manufacturer of the parachute; or

(b) Another parachute manufacturer deemed competent by the Administrator; or

(c) A certificated parachute loft having an appropriate rating.

DEFINITIONS

§ 54.5 *General.*

§ 54.50 *Parachute.* A unit comprised of a canopy, harness, container, and accessories, so arranged in combination as to allow instantaneous release of a folded canopy by means of mechanical control or manually operated release device, such combination to be approved by the Administrator.

§ 54.500 *Canopy.* That part of a parachute combination which is designed to retard the descent of a falling body or object.

§ 54.501 *Harness.* That part of a parachute combination designed to enfold or carry the body or object and to serve as an attachment between the canopy and its intended cargo.

§ 54.502 *Container.* That part of a parachute combination designed to hold or contain a folded canopy.

§ 54.503 *Accessory.* That part or parts of a parachute combination necessary to complete a unit as designed by the manufacturer and approved by the Administrator.

§ 54.51 *Manufacturer.* (a) The holder of a type certificate for the manufacture of a canopy, harness, container, or accessory or any combination thereof

*Manuals and specifications may be issued by a parachute manufacturer or by the Administrator. In either case they must be approved by the Administrator.

or of the current rights under licensing arrangements to the benefits of such type certificate; or

(b) The maker of a part or accessory of a certificated parachute: *Provided*, That such maker shall have in his employ a properly certificated parachute technician in direct charge of maintenance, repair, or alteration operations.

§ 54.52 *Routine maintenance.* An operation limited to the packing of parachutes and the replacement of small standard parts not involving complex assembly operations.

§ 54.53 *Repairs.*

§ 54.530 *Minor repairs.* Elementary repair operations executed in accordance with standard practices and not within the definition of major repairs.

§ 54.531 *Major repairs.* Complex repair operations of vital importance to the airworthiness of a parachute.

§ 54.54 *Alterations.* Any appreciable change in the design or an exchange of parts in a parachute canopy, harness, container, accessory, or any combination thereof.

§ 54.540 *Minor alterations.* (a) An alteration having no appreciable effect on the structural, functional, or other characteristic, affecting the airworthiness of a parachute canopy, harness, container, accessory, or combination thereof, individually or as a unit;

(b) An alteration for which specific plans and instructions have been approved by the Administrator and which can be executed by minor elementary operations.

§ 54.541 *Major alterations.* All alterations not within the definition of minor alterations.

§ 54.55 *Overhaul.* Maintenance, inspection, repairs, and alterations performed in accordance with manuals and specifications, and approved by the Administrator.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 43-1573; Filed, January 30, 1943; 10:24 a. m.]

[Amendment 3 of § 202.2[1]]

PART 202—ACCOUNTS AND REPORTS

FORMS OF FINANCIAL AND STATISTICAL REPORTS OF AIR CARRIERS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 21st day of January 1943.

The Civil Aeronautics Board acting pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a) and 407 (d) thereof and deeming its action necessary to carry out the provisions of said Act and to exercise its powers and perform its duties thereunder, hereby makes and promulgates the following regulation:

Effective January 21st, 1943 paragraph (b) of § 202.2[1] of the Economic Regulations is hereby amended to read as follows:

§ 202.2 *Form of accounts of air carriers.* * * *

(b) Each other air carrier engaged in regularly scheduled air transportation (not including, however, foreign air carriers) shall keep its accounts, records, and memoranda in accordance with the provisions of the Uniform System of Accounts for International Air Carriers issued by the Civil Aeronautics Board, dated January 1, 1943 (CAB Form 2380 Manual 1-1-43) and such amendments thereto as may hereafter be prescribed by the Board; and shall bring its accounts, records, and memoranda for the period January 1, 1943, to the effective date of this regulation into conformity with such Uniform System of Accounts: *Provided, however,* That any such air carrier may request the approval of the Board to keep its accounts, records, and memoranda in accordance with the Uniform System of Accounts for Domestic Air Carriers issued by the Civil Aeronautics Board, dated January 1, 1942 (CAB Form 2780 Manual 1-1-42) and the amendments thereto, and upon obtaining approval of the Board, shall keep its accounts, records, and memoranda in the manner therein prescribed.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 43-1576 Filed, January 30, 1943; 10:25 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4874]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

UNITED INHERITANCE BUREAU, ETC.

§ 3.55 *Furnishing means and instrumentalities of misrepresentation or deception:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Connections and arrangements with others:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Nature, in general:* § 3.96 (b) *Using misleading name—Vendor—Nature, in general.* In connection with offer, etc., in commerce, of respondent's form letters and envelopes, (1) using the words "United Inheritance Bureau," or any other word or words of similar import, to designate, describe, or refer to respondent's business; or otherwise representing, directly or by implication, that respondent's business bears any relation to estates, or to the rights or interests of heirs therein; and representing, directly or by implication, (2) that respondent has affiliations in the principal states of the United States or Canada, or that respondent has correspondents in Europe; (3) that respondent is engaged in genealogical research; (4) that respondent's business includes the examination of titles to real estate; and (5) that respondent's business is that of locating heirs to estate or to interests therein; or that respondent is in a position to advise persons with respect to interests in estates or the ownership of assets; or that persons concerning whom information is sought through respondent's form letters have or may have any interest in estates or any other property; and (6) selling or distributing form letters or envelopes which represent, directly or by implication, that respondent's business is other than that of obtaining information to be used in the collection of debts; or which represent, directly or by implication, that the information sought through such letters is for any purpose other than for use in the collection of debts; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, United Inheritance Bureau, etc., Docket 4874, January 19, 1943]

In the Matter of Harold M. May, an Individual, Trading Under the Names United Inheritance Bureau and Guardian Service Bureau

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 19th day of January, A. D. 1943.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondent, in which answer respondent admits all the material allegations of fact set forth in the complaint and states that he waives all intervening procedure and further hearing as to the facts, and the Commission having made its findings as to the facts and conclusion that the respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, Harold M. May, individually and trading as United Inheritance Bureau and as Guardian Service Bureau, or trading under any other name, and his agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of respondent's form letters and envelopes in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the words "United Inheritance Bureau," or any other word or words of similar import, to designate, describe, or refer to respondent's business; or otherwise representing, directly or by implication, that respondent's business bears any relation to estates, or to the rights or interests of heirs therein.

2. Representing, directly or by implication, that respondent has affiliations in the principal states of the United States or Canada, or that respondent has correspondents in Europe.

3. Representing, directly or by implication, that respondent is engaged in genealogical research.

4. Representing, directly or by implication, that respondent's business includes the examination of titles to real estate.

5. Representing, directly or by implication, that respondent's business is that of locating heirs to estates or to interests therein; or that respondent is in a position to advise persons with respect to interests in estates or the ownership of assets; or that persons concerning whom information is sought through respondent's form letters have or may have any interest in estates or any other property.

6. Selling or distributing form letters or envelopes which represent, directly or by implication, that respondent's business is other than that of obtaining information to be used in the collection of debts; or which represent, directly or by implication, that the information sought through such letters is for any purpose other than for use in the collection of debts.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-1669; Filed, February 1, 1943; 11:31 a. m.]

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[1] Regulations, Serial No. 255.

[1] 7 F.R. 500, 1415, 5899.

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows:

Commencing forthwith, § 323.6 (*Alphabetical list of code members*) is amended by adding thereto Supplements R-I and R-IV, § 323.8 (*Special prices*—(b) *Railroad fuel prices for all movements except via lakes*) is amended by adding thereto Supplements R-II and R-V, § 323.8 (*Special prices*—(c) *Railroad fuel prices for movements via all lakes—all ports*) is amended by adding thereto Supplements R-III and R-VI, and § 323.23 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: January 12, 1943.

[SEAL] DAN H. WHEELER,
Director.

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes

[T. D. 5218]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

RETURN OF INFORMATION BY BROKERS

Regulations 103 (Part 19, Title 26, Code of Federal Regulations, 1940 Sup.) are amended as follows:

PARAGRAPH 1. Section 19.149-1, as amended by Treasury Decision 5105, approved December 23, 1941, is further amended by inserting as the last paragraph thereof the following:

No return of information under this section is required to be filed for any calendar year subsequent to the calendar year 1941.

(Secs. 62 and 149 of the Internal Revenue Code (53 Stat. 32, 65))

[SEAL] NORMAN D. CANS,
Acting Commissioner of Internal Revenue.

Approved: January 30, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-1672; Filed, February 1, 1943; 11:20 a. m.]

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT No. 3

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 323, Minimum Price Schedule for District No. 3 and supplements thereto.

§ 323.6 *Alphabetical list of code members*—Supplement R-I

FOR ALL SHIPMENTS EXCEPT TRUCK

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Seam	Shipping point	Railroad	Freight origin group number	Size group numbers 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
491	B-F Coal Company	Goodwin #1 (S)	Pittsburgh	Charlesburg, W. Va.	B&O	60	F	F	F	F	F	F	F	F	F	(1)	(1)	(1)	(1)	(1)	(1)	(1)
492	Consolidation Coal Company	Consol. #68 (S)	Pittsburgh	Jamison, W. Va.	B&O	45	F	F	F	F	F	F	F	F	F	(1)	(1)	(1)	(1)	(1)	(1)	(1)
618	Hall, Ira A.	Sugar Creek	Sewickley	Sugar Creek, W. Va.	B&O	35	D	D	J	J	D	D	H	H	H	(1)	(1)	H	H	H	H	H
619	Neeleman, Archie (Neeleman Mines)	Neeleman	Waynesburg	Dunglow, W. Va.	Monon	52	J	J	J	J	J	J	J	J	J	(1)	(1)	(1)	(1)	(1)	(1)	(1)
1493	Suncrest Coal Company (C. H. Hardesty)	Lee #2 (S)	Pittsburgh	Kingmont, W. Va.	Monon	River	DE	DE	DF	DE	DF	DE	DF	DE	DF	E	E	E	E	E	E	E
493	Suncrest Coal Company (C. H. Hardesty)	Lee #2 (S)	Pittsburgh	Kingmont, W. Va.	B&O	50	DE	DE	DE	DE	DE	DE	DF	DE	DF	B	B	B	B	B	B	B
781	Weatherholt, Isaac & Austin	Cheat Road	Pittsburgh	Morgantown, W. Va.	Monon	52	F	F	F	F	F	F	F	F	F	(1)	(1)	(1)	(1)	(1)	(1)	(1)

†Indicates no classification effective for this size group.

(1) When shipments of classification "D" coals are made from Mine Index No. 493 the prices in § 323.8 (e) and § 323.8 (f) in Minimum Price Schedule for District No. 3 must be increased ten cents (10¢) per net ton.

(2) When shipments of classification "E" coals are made from Mine Index No. 493 the prices in § 323.8 (e) and § 323.8 (f) in Minimum Price Schedule for District No. 3 must be increased five cents (5¢) per net ton.

For river and certain shipments Mine Index No. 491 will take the same prices as mines with Index Numbers 12-50-106-113-119-121-127-130-132-1256-1293 and 1210 shown in § 323.8 (e) and § 323.8 (f) in Minimum Price Schedule for District No. 3, Docket No. A-1668, Docket No. A-1672, Docket No. A-1732, and adjustments thereto, with the following exceptions.

§ 323.8 *Special prices*—(b) *Railroad fuel prices for all movements except via lakes*—Supplement R–II

For railroad fuel prices add these mine index numbers to the respective groups set forth in § 323.8 (b) in Minimum Price Schedule.

Group No. 1: 491, 492, 493, 615, 781 (a); Group No. 4: 619 (a).

§ 323.8 *Special prices*—(c) *Railroad fuel prices for movement via all lakes, all ports*—Supplement R–III

For railroad fuel prices add these mine index numbers to the respective groups set forth in § 323.8 (c) in Minimum Price Schedule.

Group No. 1: 491, 492, 493, 615, 781; Group No. 4: 619.

§ 323.6 *Alphabetical list of code members*—Supplement R–IV

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Seam	Shipping point	Railroad	Freight origin group number	Size group numbers 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
171	Gerwig Coal Co. (John Lake)	Gerwig #1	Pittsburgh	Braxton, W. Va.	B&O	32	F	F	F	F	F	F	F	F	F	(†)	(†)	(*)	(†)	(†)	(†)	

†Indicates no classification effective for this size group.

NOTE: The above prices are applicable only via the freight origin group, shipping point, and railroad shown for the mine. Shipping point previously assigned to this mine is no longer applicable

§ 323.8 *Special prices*—(b) *Railroad fuel prices for all movements except via lakes*—Supplement R–V.

For railroad fuel prices add this mine index number to the groups set forth in § 323.8 (b) in Minimum Price Schedule.

Group No. 1: 174.

§ 323.8 *Special prices*—(c) *Railroad fuel prices for movement via all lakes, all ports*—Supplement R–VI.

For railroad fuel prices add this mine index number to the groups set forth in § 323.8 (c) in Minimum Price Schedules.

Group No. 1: 174.

FOR TRUCK SHIPMENTS

§ 323.23 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Seam	County	Size group: Lump, over 2", egg over 2", bottom size	Lump 2"–egg 2", lump size but over 1¼"	Lump 1¼" and under; egg 1¼" and under, bottom size	All nut and pea 2" and under	Run of mine (without over 2" lump)	1¼" and 2" slack	¼" slack
					1	2	3	4	5	6	7
B-F Coal Company	491	Goodwin #1 (S)	Pittsburgh	Harrison	243	238	238	213	213	198	188
Cogar, Noah	421	Noah Cogar	Eagle	Webster	273	268	268	243	243	233	213
Consolidation Coal Company.	492	Consol. #88 B (S).	Pittsburgh	Harrison	243	238	238	213	213	198	188
Greathouse, Albert L.	484	Greathouse #1	Pittsburgh	Braxton	243	238	238	213	213	198	188
Hasselem, Carl	493	Rexroad	Pittsburgh	Monongalia	243	238	238	213	213	198	188
Sunniest Coal Company (C. H. Hardesty).	493	Lee #2 (S)	Pittsburgh	Marion	243	238	238	213	213	198	188

[F. R. Doc. 43–1531; Filed, January 29, 1943; 11:57 a. m.]

[Docket Nos. A–1807 and A–1808]

PART 321—MINIMUM PRICE SCHEDULE, DISTRICT NO. 1

ORDER GRANTING RELIEF, ETC.

Order of consolidation and order granting temporary relief and conditionally providing for final relief in the matters of the petitions of District Board No. 1 for the establishment of price classifications and minimum prices, for changes in seam designations and price classifications, for the establishment of an additional shipping point, and for corrections and changes in railroad loading points and designations, respectively, for the coals of certain mines located in District 1.

Original petitions, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines located in District 1; changes in seam designations and price classification for the coals produced at the Thompson No. 1 Mine, Mine Index No. 2151, operated by George Thompson, and at the Keystone Mine, Mine Index No. 1158, operated by H. P. Burkholder, respectively; the establishment of an additional shipping point, corrections in the designation of the rail loading point, and changes in rail loading points for the coals of certain other mines located in District 1; and

It appearing that said petitions should be consolidated; and

It further appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in either of the above matters; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That the above-named matters be, and the same hereby are consolidated.

It is further ordered, That, pending final disposition of the above-entitled matters, temporary relief is granted as follows:

Commencing forthwith, § 321.7 (*Alphabetical list of code members*) is amended by adding thereto Supplements R–I and R–II, and § 321.24 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petitions in the above-entitled matters and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

It is further ordered, That no relief be granted herein for the coals of the Thompson No. 1 Mine, Mine Index No. 2151, operated by George Thompson, and the Keystone Mine, Mine Index No. 1158, operated by H. P. Burkholder, respectively, for the reasons appearing in the order issued this day in Dockets Nos. A–1807 and A–1808, Part II.

Dated: January 8, 1943.

[SEAL] DAN H. WHEELER, *Director*.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 1

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 321, Minimum Price Schedule for District No. 1 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 321.7 *Alphabetical list of code members*—Supplement R–I

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group numbers]

Mine index No.	Code member	Mine name	Subdistrict No.	Seam	Shipping point	Railroad	Freight origin group No.	1	2	3	4	5
3851	Berkebile, C. D.	C. D. Berkebile	37	C'	Kantner Branch, Stoystown, Pa.	B&O	100	(†)	(†)	E	(†)	(†)
2143	Callahan, Joseph	Callahan	5	E	Fuller, Pa.	PRR	122	G	(†)	(*)	G	(†)
3862	Capannari, Gelsomina Lowery.	Lowery #1	33	B	Windber, Pa.	PRR	49	(†)	(†)	A	(†)	(†)
3891	Elba Coal Company, Inc.	Elba #2	13	D	Banian Jct., Pa.	PRR	45	(†)	(†)	D	D	D
3874	Hayes Coal Mines, The (Andrew Alexander).	The Hayes Coal Mines.	7	E	Luthersburg, Pa.	B&O	113	(†)	(†)	F	(†)	(†)
3873	K & S Coal Co. (D. F. Sherry).	K & S #1	14	E	Osceola Mills, Pa.	PRR	45	(†)	(†)	F	(†)	(†)
3895	McGraw & Bindley (Durhan A. McGraw).	Oak Ridge #3	17	B	Hastings, Pa.	PRR	50	(†)	(†)	C	C	C
3896	McGraw & Bindley (Durhan A. McGraw).	Oak Ridge #4	17	D	Hastings, Pa.	PRR	50	(†)	(†)	E	E	E
3858	Russell, S. R. & L. W. & G. Jay Clark (G. Jay Clark).	Thomas #1	7	D	Bell Run, Pa.	NYC	144	(†)	(†)	F	(†)	(†)
3892	Russell, S. R. & L. W. & G. Jay Clark (G. Jay Clark).	Thomas #2	7	E	Bell Run, Pa.	NYC	44	(†)	(†)	F	(†)	(†)
2666	Scurfield, E. H. (Scurfield Coal Co.).	Salco #2	41	B	Macdonaldton #5 Mine, Pa.	B&O	100	(†)	(†)	G	(†)	(†)
3842	Shaffer, Myron	Hillside	33	B	Windber, Pa.	PRR	49	(†)	(†)	A	(†)	(†)
3871	Wilks Brother's Stripping Co. (Thomas Wilks, Jr.).	Wilks Stripping #2.	14	E	Osceola Mills, Pa.	PRR	45	(†)	(†)	F	(†)	(†)
3897	Wood, Frank B. (F. B. Wood Coal Mining Co.).	Foxburg #2	16	E	St. Benedict, Pa.	NYC	44	(†)	(†)	E	(†)	(†)

†Indicates no classification effective for this size group. *Indicates coal previously classified for this size group.

321.7 *Alphabetical list of code members*—Supplement R–II

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group numbers]

Mine index No.	Code member	Mine name	Subdistrict number	Seam	Shipping point	Railroad	Freight origin group No.	1	2	3	4	5
19	Hill Bros. (Coal) (W. D. Hill).	Ashman #5	8	D & E	Hawk Run, Pa.	NYC	44	(†)	(†)	D	D	D
3803	Hill Bros. (Coal) (W. D. Hill).	Hill #1 (S)	14	E	Osceola Mills, Pa. / Hawk Run, Pa.	PRR / NYC	46	(†)	(†)	F	F	F
2533	Miller, C. F., Fred & Warren (C. F. Miller).	Miller Coal Co.	4	D	Hawthorn, Pa.	PRR	75	G	G	G	H	H
824	Miller, C. F., Fred & Warren (C. F. Miller).	Miller Coal Co. #2.	4	D	Hawthorn, Pa.	PRR	75	(†)	(†)	G	H	H
397	Potomac Big Vein Georges Creek Coal Co., The.	Potomac #4–#6	43	Big Vein	Lonaconing, Md.	C&P	66	D	(†)	D	D	D

†Indicates no classification effective for this size group. ‡Indicates additional Shipping Point.

NOTE: The above prices are applicable only via the respective Freight Origin Group, Shipping Point, and Railroad shown for the respective mines. Freight Origin Groups, Shipping Points, and Railroads previously assigned to these mines are no longer applicable

FOR TRUCK SHIPMENTS

§ 321.24 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Subdistrict No.	County	Seam	All lump, coal double screened, top size 2", and over	Double screened top size 2" and under	Run of mine, unsulfured	2" and under, slack	¼" and under, slack
						1	2	3	4	5
Becker, Anthony	3849	Becker #2	17	Cambria	C'	(†)	(†)	245	(†)	(†)
Berkebile, C. D.	3851	C. D. Berkebile	37	Somerset	C'	(†)	(†)	245	(†)	(†)
Brothers Valley Coal Co.	3894	Reed #2	37	Somerset	E	(†)	(†)	245	(†)	(†)
Callahan, Joseph	2143	Callahan	5	Jefferson	E	260	(†)	(*)	225	(†)
Capannari, Gelsomina Lowery	3862	Lowery #1	33	Somerset	B	(†)	(†)	265	(†)	(†)
Conway, R. W.	3859	Big Four	18	Cambria	B	(†)	(†)	250	(†)	(†)
Decker, Robert	3876	South Side	41	Somerset	D	(†)	(†)	240	(†)	(†)
Elba Coal Co., Inc.	3891	Elba #2	13	Clearfield	D	(†)	(†)	240	240	230
Hayes Coal Mines, The (Andrew Alexander).	3874	The Hayes Coal Mines.	7	Clearfield	E	(†)	(†)	240	(†)	(†)
Hill Bros. (Coal) (W. D. Hill)	3803	Hill #1 (S)	14	Clearfield	E	(†)	(†)	(*)	230	220
K & S Coal Co. (D. F. Sherry)	3873	K & S #1	14	Clearfield	E			240		
Kennedy, Alvin & Sons (Alvin Kennedy).	3853	Rooseville	5	Jefferson	B			245		
Lohr & Niehenke (William H. Niehenke).	3841	Kimberly #3	41	Somerset	Pittsburgh			235		
McGraw & Bindley (Durhan A. McGraw).	3895	Oak Ridge #3	17	Cambria	B			255	245	235
McGraw & Bindley (Durhan A. McGraw).	3896	Oak Ridge #4	17	Cambria	D			245	235	225
Mays, James A. (Clarion Coal Supply).	728	Clarion Coal Supply #1.	1	Clarion	B	265	240	240	230	220
Milliron, John H.	3847	Milliron	5	Jefferson	B			245		
Russell, S. R. & L. W. & G. Jay Clark (G. Jay Clark).	3858	Thomas #1	7	Clearfield	D			240		
Russell, S. R. & L. W. & G. Jay Clark (G. Jay Clark).	3892	Thomas #2	7	Clearfield	E			240		
Sawyer, LeRoy	3893	Sawyer #2	18	Clearfield	D			240		
Shaffer, Myron	3842	Hillside	33	Somerset	B			265		
Thompson, C. K. & Son (C. K. Thompson).	3881	Thompson #1	7	Clearfield	D			240		
Vokin & Roberts (Steve Vokin).	3860	Vokin-Roberts	17	Cambria	E			245		
Wilks Brother's Stripping Co. (Thomas Wilks, Jr.)	3871	Wilks Stripping #2.	14	Clearfield	E			240		
Wood, Frank B. (F. B. Wood Coal Mining Co.).	3897	Foxburg #2	16	Cambria	E			245		

†Indicates no classification effective for this size group.
*Indicates coal in this size group previously classified and priced.

[F. R. Doc. 43–1578; Filed, January 30, 1943; 11:34 a. m.]

[Docket No. A–1785]

PART 333—MINIMUM PRICE SCHEDULE, DISTRICT NO. 13

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 13 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 13.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 13; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 333.6 (*General prices*) is amended by adding thereto Supplement R–I, § 333.7 (*Special prices*—(a) *Prices for shipment to all railroads and for exclusive use of railroads*) is amended by adding thereto Supplement R–II, § 333.7 (*Special prices*—(c) *Prices for shipment by railroad, applicable to all coal sold for steamship vessel fuel*) is amended by adding thereto Supplement R–III, § 333.24 (*General prices*) is amended by adding thereto Supplement R–IV, § 333.25 (*Special prices*—(b) *Prices for shipment to all railroads for locomotive fuel, station heating, power plants and other uses*) is amended by adding thereto Supplement R–V, § 333.27 (*Prices for shipment by river (free alongside) for all uses (except railway locomotive fuel) for delivery via the Tennessee River to f. a. s. consumers in the States of Tennessee and Alabama*) is amended by adding thereto Supplement R–VI, § 333.34 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T–I, and § 333.43 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T–II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and application to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

No relief has been granted herein for the coals produced at the Moss Hollow and Millie Mines of R. C. Gillespie for the reason that the records of the Division indicate that no code acceptance has been received for these producers.

The proposal of rail and railroad fuel prices for the coals of the Udora #1 (Mine Index No. 1706) and Udora #2 (Mine Index No. 1709) Mines of the Tombrello Coal Co. and for a change in shipping point of the Spradling Hollow Mine (Mine Index No. 199) of that Company has not been granted since relief therefor was granted in Docket No. A–1765.

No relief is granted herein as to the coals for truck shipment of the Twin Arrow Mine (Mine Index No. 1095) of Guthrie & Fondren (Columbus Guthrie) since such relief has previously been granted the coals of this mine in Dockets Nos. A–171 and A–205, 6 F.R. 6476 and 7 F.R. 2961.

No relief is granted herein as to the coals for truck shipment of the Mulvehill & Cato Mine (Mine Index No. 1638) of J. C. Thomas since such relief has previously been granted the coals of this mine in Docket No. A–1606, 7 F.R. 7823.

In proposing prices for the coals of the E. S. Gilliam Mine (Mine Index No. 1707) of E. S. Gilliam, the District Board listed this mine as being located in Sequatchie County, Tennessee. The records of the Division indicate that this mine is located in Marion County, Tennessee, and relief has been granted accordingly.

Dated: January 9, 1943.

[SEAL] DAN H. WHEELER, *Director.*

Temporary and Conditionally Final Effective Minimum Prices for District No. 13

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 333, Minimum Price Schedule for District No. 13 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 333.6 *General prices*—Supplement R–I

[Prices f. o. b. mines for shipment by railroad, applicable for all uses except railroad locomotive fuel, steamship bunker fuel and blacksmithing]

Mine index No.	Code member	Mine	Subdistrict	Seam	Freight origin group
	BLOUNT COUNTY, ALA.				
[1] 171	Mickle, Marvin Elliott	Pine Hill Coal Co.	1	Black Creek	41
[1] 1704	Mickle, Marvin Elliott	Pine Hill Coal Co. #2	1	Black Creek	41
[1] 1416	Mickle, Marvin Elliott	Pine Hill Coal Co. #3	1	Black Creek	41
[1] 1669	Quick, L. C. & M. T. Doss (L. C. Quick)	Fannie Furst	1	Black Creek	51
	JEFFERSON COUNTY, ALA.				
[2] 1622	Franklin, W. M.	Arcadia	1	Pratt	50
	WINSTON COUNTY, ALA.				
[3] 1095	Guthrie & Fondren (Columbus Guthrie).	Twin Arrow	1	Black Creek	111

[1] Shipping Point: Warrior, Ala. Railroad: L&N. These mines shall have in Size Groups 14, 2a, 2c, 2d and 12A, on each respective price table, the same prices as are listed thereon for Mine Index No. 1390 (Martin, Willie, Nyota #1 mine, Price Schedule No. 2), and will be included in Group No. 118.

[2] Shipping Point: Warrior, Ala. Railroad: L&N. This mine shall have in Size Group 14, on each respective price table, the same prices as are listed thereon for Mine Index No. 1374 (Mickle, William, Young mine, Price Schedule No. 2) and will be included in Group No. 120.

[3] Shipping Point: Cordburg, Ala. Railroad: Sou. Ry. This mine shall have in Size Group 1, 2, 7, 13, 19, 20, 21, 22, 23 and 24, on each respective price table, the same prices as are listed thereon for Mine Index No. 281 (Bennett, J. W., Cardiff mine, Price Schedule No. 2, and will be included in Group No. 109.

[4] Shipping Point: Lynn, Ala. Railroad: Sou. Ry. This mine shall have in Size Groups 1, 2, 4, 7, 13, 19, 22, 23 and 26, on each respective price table, the same prices as are listed thereon for Mine Index No. 103 (Vanderford, William, Vanderford mine, Price Schedule No. 2, and will be included in Group No. 104.

§ 333.7 *Special prices*—(a) *Prices for shipment to all railroads and for exclusive use of railroads*—Supplement R–II

[Prices f. o. b. mines for shipment to all railroads and for exclusive use of railroads. The following prices apply on coal for use in railroad locomotives and powerhouse plants. For station heating, use in dining cars, or other uses than as stated above, commercial prices as listed in other sections of this price schedule shall apply. For all mines in subdistrict No. 1. For all uses customarily furnished railroads for locomotive fuel]

Mine index No.	Central[1] of Georgia	Seaboard[1] Air Line Railway	St. Louis & San Francisco Railroad for consignment west of the Mississippi River	St. Louis & San Francisco Railroad for consignment east of the Mississippi River	A. B. & C. Railroad	All other railroads not specifically shown
173, 1095, 1416, 1622, 1704	250	250	230	250		230

[1] Prices listed for Central of Georgia and Seaboard Air Line Railways shall also apply to controlled subsidiaries whose purchases of coal are directly made by the controlling system.

§ 333.7 *Special prices*—(c) *Prices for shipment by railroads, applicable to all coal sold for steamship vessel fuel*—Supplement R–III

[Prices f. o. b. mines for shipment by railroad, applicable to all coal sold for steamship vessel fuel subject to price instructions and exceptions]

Mine index No.	Size groups and prices applicable for steamship vessel fuel					
	Mine group	14, 15, 16, 17, 18	12	13	19	23
173, 1416, 1704	Black Creek			315		360
1095	Black Creek			315	315	360
1622	Pratt	305	305	300		

§ 333.25 *Special prices*—(b) *Prices for shipment to all railroads for locomotive fuel, station heating, power plants and other uses*—Supplement R–V:

[Prices f. o. b. mines for shipment to all railroads for locomotive fuel, station heating, power plants and other uses]

For mines in subdistrict No. 3	Size	Price
Mine Index No. 1716	[For all sizes except screenings. Screenings with top size not more than 2"]	255 / 245

§ 333.24 *General prices*—Supplement R–IV

[Prices f. o. b. mines for shipment by railroad, applicable for all uses except railroad locomotive fuel, steamship bunker fuel and blacksmithing]

Mine index No.	Code member	Mine	Mine index No.	Subdistrict	Seam	Freight origin group
	MARION COUNTY, TENN.					
[1] 1716	Phillips, J. T.	Phillips #2		3	Sewanee	210

[1] Shipping Point: Plant Siding, North Chattanooga, Tenn. Railroad: Chattanooga Traction Company R. R. On each respective price table this mine shall have in Size Groups 1, 2, 4, 7, 13, 19, 22, 23 and 26 the same respective prices as are listed thereon for Mine Index No. 781 (Sequatchie Coal Co., Sequatchie mine, Price Schedule No. 2), and will be included in Group No. 1.

§ 333.27 *Prices for shipment by river (free alongside) for all uses (except for railway locomotive fuel) for delivery via the Tennessee River to f. a. s. consumers in the States of Tennessee and Alabama*—Supplement R–VI

[Prices in cents per net ton f. o. b. mines for shipment by river (free alongside) for all uses (except for railway locomotive fuel) for delivery via the Tennessee River to F. A. S. consumers in the States of Tennessee and Alabama]

Code member Index	Mine	Mine index No.	County	Seam	Lump over 3", 6x2" top size over 3"	Egg: top size 3" and under, bottom size 2" and under	Lump: 2" and under	Nut: top size 2" and under, bottom size 1" and under	Stoker: top size 1½" and under, bottom size ¾" and under	Stoker: top size ¾" and under, bottom size 3/8" and under	Straight and modified M/H	Resultants: 3" and under	Resultants: 1" and under	Screenings: 2" and under	Screenings: 1½" and under	Screenings: 1¼" and under	Screenings: ¾" and under	Screenings: ¾" and under	Industrial coal
	TENNESSEE-GEORGIA SUB-DISTRICT 5				1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Big Gulch Mining Company (A. W. Ridley)	Big Gulch	1698	Hamilton	No. 7	345	345	335	290	280	250	295	295	295	235	235	225	220	185	290
Gilliam, E. S.	E. S. Gilliam	1707	Marion	Sewanee	345	345	335	290	280	250	295	295	295	235	235	225	220	195	290
McDaniel, Leo Roy	Old Darwin	1713	Rhea	Sewanee	345	345	335	290	280	250	295	295	295	235	235	225	220	185	290
McDaniel, Leo Roy	Old Evans	1706	Rhea	Sewanee	345	345	335	290	280	250	295	295	295	235	235	225	220	195	290
Phillips, J. T.	Phillips #2	1716	Marion	Sewanee	345	345	335	290	280	250	295	295	295	235	235	225	220	195	290

§ 333.34 *General prices in cents per net ton for shipment into all market areas—Supplement T–I*

FOR TRUCK SHIPMENTS

Code number index	Mine	Mine index No.	Subdistrict	Seam	Lump: over 2", egg (or lump and egg) 6" and under	Egg: top size 3" and under, bottom size over 1½"	Lump: 2" and under	Nut: top size 3" and under, bottom size over ⅝"		Chestnut: top size 1½" and under, bottom size ¾" and under		Stoker: top size ⅜" and under, bottom size ⅛" and under		Stoker: top size 1½" and under, bottom size ⅜" and under		Nut: top size 2", and under, bottom size 1" and under		Lump: 2" and under	Egg: top size 3" and under, bottom size 2" and under		Lump: over 2", egg: top size 6" and under, bottom size 3" and under		Run of mine: 3" and under		Screenings: ½" and under		Industrial coal
								Wash	Raw	Wash	Raw	Wash	Raw	Wash	Raw	Wash	Raw		Wash	Raw	Wash	Raw	Wash	Raw	Wash	Raw	
					1	2	3	6	7	8	9	10	11	12	13	14	15		16	17	18	19	20	21	22	23	24, 25, 26
ALABAMA																											
BLOUNT COUNTY																											
Mickle, Marvin Elliott	Pine Hill Coal Co. #2	1704	2	Black Creek	365	385	370	375	355	340	330	325	315	295	295	295	295	295	295	295	295	295	295	305	295	295	295	315
CULLMAN COUNTY																											
Hill, I. M. (L. M. Hill Coal Co.)	Old Parker #5	1715	2	Jefferson	415	415	390	365	345	345	335	340	335	295	295	295	295	295	295	295	295	295	295	305	295	295	295	330
JEFFERSON COUNTY																											
Tombrello Coal Company, Inc.	Udora #1	1706	2	Nickel Plate	320	320	310	315	300	305	[illegible]	[illegible]	290	270	270	270	270	270	270	270	270	270	270	280	270	270	270	290
Tombrello Coal Company, Inc.	Udora #2	1709	2	Pratt	350	355	355	360	340	335	325	340	330	290	290	290	290	290	290	290	290	290	290	300	290	290	290	320
TUSCALOOSA COUNTY																											
Brown, Rude	Chambers	1697	2	Chambers	415	415	390	365	345	345	335	340	330	295	295	295	295	295	295	295	295	295	295	305	295	295	295	320
WALKER COUNTY																											
Drobell & Moon (T. W. Drobell)	Colburn #2	1705	2	Mary Lee	305	305	305	305	305	305	305	305	305	265	265	265	265	265	265	265	265	265	265	265	265	265	265	305
WINSTON COUNTY																											
Mobley, J. C.	Oak Leaf #2	1703	2	Black Creek	415	415	415	415	415	415	415	415	415	345	345	345	345	345	345	345	345	345	345	345	345	345	345	355
West, C. V.	Kilgoar #2	1694	2	Black Creek	415	415	415	415	415	415	415	415	415	345	345	345	345	345	345	345	345	345	345	345	345	345	345	355

§ 333.43 *General prices in cents per net ton for shipment into all market areas—Supplement T–II*

Code number index	Mine	Mine index No.	Subdistrict	Seam	Lump: over 2", egg: top size over 3"	Egg: top size 3" and under, bottom size 2" and under	Lump: 2" and under	Nut: top size 2", and under, bottom size 1" and under	Stoker: top size 1½" and under, bottom size ⅜" and under	Stoker: top size ⅜" and under, bottom size ⅛" and under	Stoker and modified N.I.R.	Resultants: 3" and under	Resultants: 2" and under	Screenings: 1½" and under	Screenings: 1" and under	Screenings: ¾" and under	Screenings: ½" and under	Industrial coal
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
TENNESSEE-GEORGIA																			
HAMILTON COUNTY, TENN.																			
Big Gulch Mining Co. (A. W. Kelley)	Big Gulch	1698	4	No. 7	345	345	335	290	290	265	265	265	265	235	235	225	220	195	290
MARION COUNTY, TENN.																			
Gillum, F. S.	E. S. Gillum	1707	4	Sewanee	345	345	335	290	290	265	265	265	265	235	235	225	220	195	290
Phillips, J. T.	Phillips #2	1716	4	Sewanee	345	345	335	290	290	265	265	265	265	235	235	225	220	195	290
PIKE COUNTY, TENN.																			
McDaniel Lee Roy	Old Darwin	1713	4	Nelson	355	355	345	300	300	275	275	275	275	245	245	235	230	205	300
McDaniel Lee Roy	Old Evans	1695	4	Sewanee	345	345	335	290	290	265	265	265	265	235	235	225	220	195	290

[F. R. Doc. 43–1579; Filed, January 30, 1943; 11:34 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter III—Bureau of Mines

PART 301—CONTROL OF EXPLOSIVES AND THEIR INGREDIENTS IN TIME OF WAR OR NATIONAL EMERGENCY

MISCELLANEOUS AMENDMENTS

Pursuant to the authority conferred by section 18 of the act of December 26, 1941 (55 Stat. 863), the regulations under the Federal Explosives Act heretofore promulgated [1] are hereby amended as follows:

Section 301.3 (c) is amended by adding at the end of subparagraph (2) the following subparagraph:

§ 301.3 *Application of act and regulations; exceptions.* • • •

(c) *Explosives and ingredients excepted.* • • •

(2) *Explosives or ingredients in transit.* • • • or which are in transit upon aircraft in conformity with statutory law or with the rules and regulations of the Civil Aeronautics Board.

Section 301.4 is amended to read as follows:

§ 301.4 *Licenses, kind, scope and restrictions*—(a) *Kind of licenses.* Five different kinds of licenses are issued under the Federal Explosives Act, as follows: Manufacturer's license, vendor's license, purchaser's license, foreman's license, analyst's-educator's-inventor's-investigator's license.

(b) *Scope of licenses.* Generally one license will fit all of the needs of any particular applicant, although this will not always be the case. If the applicant conducts enterprises or operations distinct from one another, which would require separate licenses if conducted by different persons, separate licenses will be required. All licenses authorize the handling, storing and transporting of explosives and ingredients by the licensee, and upon the operating premises by his employees, to the extent necessary to carry on the operations covered by the license. A licensed employer will remain responsible and liable for the acts of his employees, whether or not such employees are licensed. The scope of each license is briefly as follows:

(1) *Manufacturer's license.* This license authorizes the manufacture, possession, and sale of explosives and ingredients. It covers the purchase of explosives and ingredients for manufacture into explosives, and the sale of manufactured products in the usual course of trade to jobbers, dealers, or users. It does not cover the purchase and sale of explosives or ingredients purchased for resale. A person having a manufacturer's license is not required to have an analyst's-educator's-inventor's - investigator's license in addition although he operates a laboratory.

(2) *Vendor's license.* This license authorizes the purchase, possession, and sale of explosives and ingredients. It is required of jobbers, wholesalers, dealers, and retailers, whether or not they physically handle, store, or have possession of the explosives or ingredients dealt in. A vendor's license covers sales clerks whose duties are performed upon premises where the explosives and ingredients of the vendor are in the custody of a person licensed under the Act.

(3) *Purchaser's license.* This license authorizes the purchase, possession, and use of explosives and ingredients. It permits no disposition of the explosives or ingredients purchased except the use thereof by the licensee.

(4) *Foreman's license.* This license authorizes the purchase and possession of explosives and ingredients and the sale and issuance thereof to other employees of the licensee's employer, for distribution, storage, sale, issuance, testing, use, or other disposition of explosives or ingredients in the operations of the employer. An employee may not be licensed as a foreman unless his employer is licensed under the act. (See definition of "foreman", § 301.2 (i).)

(5) *Analyst's-educator's-inventor's-investigator's license.* This license authorizes the purchase, manufacture, possession, analysis, testing, and disposal of explosives and ingredients. It is required of schools, hospitals, laboratories, and other institutions and persons who use explosives or ingredients in a laboratory, but a person having a manufacturer's license issued under the act will not be required to have an analyst's-educator's-inventor's-investigator's license in addition.

(c) *Licenses restricted to specified explosives or ingredients.* The kinds of explosives or ingredients which a license will authorize to be purchased, sold, manufactured, tested, or otherwise handled may be restricted by the Licensing Agent or the Director in accordance with the needs and experience of the applicant, and such restrictions, if any, shall be written on the face of the license, preferably in the space provided at the end of the paragraph designated "Limitations". A licensee who is not satisfied with restrictions placed upon a license issued to him may appeal in the same manner as if the license applied for were refused. If after obtaining a restricted license a licensee wishes to purchase, sell, manufacture, test, or otherwise handle explosives or ingredients different in kind from those authorized by the license already issued, he may apply for another license to satisfy his needs.

Section 301.7 (g) is amended by substituting for the first sentence the following sentences:

§ 301.7 *Applications for licenses; forms.* • • •

(g) *Qualification affidavits required.* Every individual applicant, and every partner where a partnership is an applicant, must file at least two qualification affidavits with the application. The affidavits must be executed by responsible citizens, preferably Federal, State or local officials. In those instances where the Licensing Agent has known the applicant intimately for a number of years and vouches for his qualifications by signing a statement setting forth the information called for by the affidavit form, the requirement for qualification affidavits may be waived by the Licensing Agents. Statements by Licensing Agents may be made on the qualification affidavit form but need not be sworn to by them. • • •

Section 301.8 (a) is amended by changing the last sentence of the first paragraph to read as follows:

§ 301.8 *Filing of applications*—(a) *Purchaser's, vendor's or foreman's applications.* • • • In such case, the licensing agent shall forthwith report the circumstances to the Director.

Section 301.9 is amended by changing the title to read as follows:

§ 301.9 *Issuance of licenses.*

Section 301.9 (a) is amended by changing the second paragraph to read as follows:

§ 301.9 *Issuance of licenses*—(a) *Issuing officers and fees.* • • •

Licensing Agents may charge a fee of 25 cents for each license issued by them, whether an original or a reissued license, or a duplicate, or a certified copy of a license, and for each application filed with them to be forwarded to the Director. The fee referred to in this paragraph is separate and apart from and in addition to any fees which Licensing Agents may otherwise be authorized to charge for administering oaths. No fees are required to accompany applications filed with the Director, nor are any fees required for the issuance by the Director of an original or a reissued license, or a duplicate, or a certified copy of a license.

Section 301.10 (a) is amended by changing the last sentence to read as follows:

§ 301.10 *Issuance of duplicates and certified copies*—(a) *Licenses lost, destroyed, defaced or stolen.* • • • The duplicate shall be given the same number as the original license and shall bear the date of issuance; and the issuing officer shall write upon the stub thereof the words "Duplicate of license No. ------, dated ------," with the serial number and date of the original license filled in.

Sections 301.10 (c) and 301.10 (d) are amended to read as follows:

§ 301.10 *Issuance of duplicates and certified copies.* • • •

(c) *Photographic copies of licenses.* Copies of a license, clear and distinct, and of the same size as the license, may be made by licensees by any method of photographic reproduction and used by them in lieu of duplicate or certified copies, without any application to or certification by any issuing officer. Licensees themselves shall number all such copies serially, in ink, beginning with the number "1", and shall themselves certify same as copies by writing upon the face

[1] 7 F.R. 305, 1103, 1976, 3876, 4758, 5901, 8175, 9606.

thereof, in ink, the words following: "Copy No. ____" with the signature of the licensee, as appearing on the face of the license (by its proper officers if a firm, corporation, or other organization), under the certificate.

(d) *Unauthorized copies of licenses.* No unauthorized copies of licenses shall be made or kept. Any extra copies of any sort, not certified by a licensing officer, and photographic copies not numbered and certified by the licensee, shall be immediately destroyed.

Section 301.11 (e) is amended by substituting for the second sentence of the second paragraph the following sentences:

§ 301.11 *Licensing Agents; instructions.* * * * * * *

(e) *Publicizing appointments and licensees.* * * *

As an alternative to publicizing such names and addresses, Licensing Agents may post notices to the effect that the names and addresses of all licensees and their sponsors, if any, are on file and available to proper parties. A Licensing Agent who posts such notices may require any person desiring the information to present a signed request indicating the reason for the request and shall thereupon grant such request unless there are affirmative reasons which indicate that such request should be disapproved, in which case a report of the incident shall be promptly forwarded to the Director.

Sections 301.12 (d) and 301.12 (e) are amended by substituting for the words "Council of National Defense," the words "Secretary of the Interior."[1]

Section 301.14 (c) is amended to read as follows:

§ 301.14 *Licensees; duties and obligations.* * * *

(c) *Inspections, investigations, and instructions.* Explosives Investigators and other authorized officers of the Bureau of Mines may enter at all times the premises where explosives or ingredients are being used, stored, or handled, for the purpose of inspecting the premises and any operations thereon involving the distribution, use, storage, or handling of explosives and of investigating compliance with the act and regulations. Licensees shall admit such officers upon demand. All reasonable written instructions of said officers regarding the distribution, storage, safekeeping, handling, or use of explosives or ingredients, shall be followed and observed by licensees, unless they appeal within 24 hours from the receipt thereof to the Director, Bureau of Mines, Washington, D. C. The maintaining of guards by the licensee at any magazine or place of storage may be a suitable instruction.

[1] Under authority of Executive Order No. 9287, December 24, 1942 (7 F.R. 10900).

Section 301.14 (d) is amended to read as follows:

§ 301.14 *Licensees; duties and obligations.* * * *

(d) *Records of transactions.* One purpose of the act is to make it possible at all times to know or ascertain the source and the ultimate disposition of all explosives and ingredients covered by the act. To this end licensees must keep a full, detailed and tabulated record of all transactions in or operations involving explosives or ingredients. An accumulation of invoices, sales slips, delivery tickets or receipts, or similar papers representing individual transactions, will not satisfy the requirement for tabulated records, but such papers must be retained by the licensee and furnished to any authorized representative of the Director of the Bureau of Mines upon request as evidence of the accuracy of the tabulated record. Copies of records must be sworn to and furnished to the Director of the Bureau of Mines or his authorized representatives whenever requested. All records or copies thereof required to be kept by a licensee pertaining to explosives or ingredients stored at or sold or delivered from a particular location must be retained by the person having the custody of the explosives or ingredients at that place until such records or sworn copies thereof are furnished to the Director of the Bureau of Mines or his authorized representative.

(1) *Manufacturer.* The record of a person having a manufacturer's license must include the following information: the amounts and kinds acquired for manufacture, the names and addresses of the persons from whom acquired and the dates on which acquired; the amounts and kinds manufactured and the dates on which manufactured; the amounts and kinds sold or otherwise disposed of, the names, addresses, and the numbers and dates of licenses, of persons to whom sold or otherwise disposed of, the purposes for which sold or otherwise disposed of, and the dates of the sales or other dispositions; and the amounts and kinds on hand at each location at the end of each day on which there are transactions or operations.

(2) *Vendor.* The record of a person having a vendor's license must include the following information: the amounts and kinds acquired, the names and addresses of the persons from whom acquired and the dates on which acquired; the amounts and kinds sold or otherwise disposed of, the names, addresses, and the numbers and dates of licenses, of persons to whom sold or otherwise disposed of, the purposes for which sold or otherwise disposed of, and the dates of the sales or other dispositions; and the amounts and kinds on hand at each location at the end of each day on which there are transactions or operations.

(3) *Purchaser.* The record of a person having a purchaser's license must include the following information: The amounts and kinds acquired, the names and addresses of the persons from whom acquired and the dates on which acquired; the amounts and kinds used, the purposes for which used, the places where used and the dates on which used; and the amounts and kinds on hand at each location at the end of each day on which there are transactions or operations.

(4) *Foreman.* The record of a person having a foreman's license must include the following information: The amounts and kinds acquired, the names and addresses of the persons from whom acquired and the dates on which acquired; the names and addresses of the employees to whom sold or issued or from whom returned and the dates on which and the amounts in which sold, issued or returned; the amounts and kinds on hand at each location at the end of each day on which there are transactions or operations; and such other information as may be required by § 301.20 (d).

(5) *Analyst-educator-inventor-investigator.* The record of a person having an analyst's-educator's-inventor's-investigator's license must include the same information as is required of a person having a purchaser's license.

Section 301.14 (g) is amended to read as follows:

§ 301.14 *Licensees; duties and obligations.* * * *

(g) *Restrictions on persons handling explosives—(1) Persons prohibited by any other Federal Agency.* No licensee shall permit any enemy alien covered by the prohibition referred to in § 301.7 (i), who is under the licensee's direction or control, to use, or have possession, control or custody of explosives or ingredients thereof unless such alien shall have secured the written permission of a United States Attorney.

No licensee shall permit any person, whether a citizen or an alien, who is prohibited by any Federal agency from possessing explosives or component parts thereof, and who is under the licensee's direction or control, to use or have possession, control or custody of explosives or ingredients thereof.

(2) *Persons under influence of intoxicants or narcotics.* No person while under the influence of intoxicants or narcotics shall enter or attempt to enter a magazine where explosives or ingredients are stored, or transport, use, sell, issue or otherwise dispose of explosives or ingredients. No person shall sell, issue or otherwise dispose of explosives or ingredients to any person who is under the influence of intoxicants or narcotics or permit any such person who is employed by him or who is under his direction or supervision to have the custody, control, or possession of explosives or ingredients or to use, handle or transport explosives or ingredients.

(3) *Persons physically or mentally handicapped.* No person who is so physically or mentally handicapped that the handling of explosives by him would endanger other persons or their property shall handle explosives, nor shall any person sell, issue or otherwise dispose of explosives to such a person or permit such a person employed by him or under his direction or control to handle explosives.

Section 301.15 is amended to read as follows:

§ 301.15 *Sales of explosives and ingredients.* These regulations apply to sales made by every manufacturer, vendor, dealer, or other person selling explosives or ingredients of explosives.

(a) *Over-the-counter sales.* No sale shall be made to anyone who appears in person, except a sale by a foreman to other employees of his employer for use in the operations of the employer, unless the purchaser presents his license or a certified or photographic copy thereof.

(b) *Sales by mail.* No sale shall be made by mail, telegraph, etc., unless a certified or photographic copy of the license of the person buying the explosives or ingredients is on file in the seller's office.

(c) *Sales by traveling salesmen.* If the person buying the explosives or ingredients presents his license to a traveling salesman at the time of placing the order, it will not be necessary for him to have a copy on file with the salesman's employer. Such salesman must, however, in forwarding the order to his employer state that a proper license has been presented to him, specifying its kind, number and date of issuance upon the order. These statements must be preserved by the employer as part of the evidence necessary to support the records required to be kept by § 301.14 (d).

Section 301.16 is amended to read as follows:

§ 301.16 *Transportation of explosives—(a) Evidence of license on shipping papers.* (1) The vendor must plainly mark the number of the consignee's license on the bill of lading and shipping order or on whatever other receipts may be given by the carrier, describing the license as "Federal Explosives License No. ____."

(2) The representatives of the carrier accepting any such shipment of explosives or ingredients shall cause to be indorsed on the waybill or other document covering the shipment the information as to the consignee's license number. This information must also be shown on all waybills or other document covering such shipments issued or used by connecting carriers.

(3) Before making delivery to the consignee the agent of any carrier at the final destination of any shipment shall require the consignee to file with him a certified or photographic copy of the license or to exhibit the original license or a certified or photographic copy thereof, authorizing such consignee to purchase, accept or receive such explosives or ingredients, and such license must correspond with the waybill or other shipping document as to name and number.

(b) *Necessity for license.* No person, whether as owner, employee, agent, independent contractor, or otherwise, shall transport explosives, except upon the operating premises of a licensee, unless he is individually licensed under the act. The following licenses are proper for a person who transports explosives and who is not otherwise licensed under the act: a purchaser's license if the explosives are for his own use, a foreman's license if the explosives are for his employer's use, and a vendor's license if the explosives are transported for the use of others or carried for hire. No license is required for such transportation of explosives as is covered by the regulations of the Interstate Commerce Commission, the Secretary of Commerce, or the Civil Aeronautics Board or for transportation of explosives by, to or for the military services or the Federal Bureau of Investigation.

(c) *Delivery to licensed haulers.* Persons delivering explosives for transportation to such haulers as are required to be licensed under paragraph (b) of this section shall deliver the explosives only to licensed haulers.

(d) *Delivery to licensed consignees.* Haulers transporting explosives, other than for their own or their employer's use, in transportation for which they require a license under paragraph (b), shall deliver the explosives only to licensed consignees or to employees of licensed consignees.

(e) *Records.* Records shall be kept by all licensees of the names and license numbers of haulers and consignees to whom the deliveries covered by paragraphs (c) and (d) of this section are made, and the date of such deliveries.

Section 301.17 is amended to be read as follows:

§ 301.17 *Storage of explosives and ingredients—(a) Protection of storage place.* Explosives and ingredients must at all times be adequately protected against theft.

Explosives must be kept in magazines (box or building type) which are properly constructed, safely located and securely locked. Hasps, staples and hinges on magazines must be attached by rivets or by bolts properly washered and with nuts on the inside, or by other equally secure methods.

Except when weather conditions prevent inspections, magazines must be opened and inspected at intervals of not greater than three days by a licensed person for the purpose of determining whether the magazine and its contents are intact and in good order and whether there is any evidence of improper or unauthorized entry or attempted entry to or removal of or tampering with the magazine or its contents.

(b) *Marking of premises.* The premises on which explosives or ingredients that are in themselves explosive are stored must be conspicuously defined and marked by signs containing the words "Explosives—Keep Off."

(c) *Inspection and instructions.* Explosives investigators and other designated officers of the Bureau of Mines are authorized to inspect all places where explosives or ingredients are stored, and to instruct the licensee to make such changes in the construction, location or safeguarding as may be necessary for the proper protection of the contents and of the surrounding property. All reasonable written instructions of said officers shall be observed by the licensee unless he appeals within 24 hours from the receipt thereof to the Director, Bureau of Mines, Washington, D. C.

(d) *License requirements for key to and entry of magazine.* No person, as employee, agent, independent contractor or otherwise shall have in his possession a key to a magazine in which explosives are stored unless he is individually licensed under the act. No licensee shall permit any person, whether as employee, agent, independent contractor or otherwise, to have a key to a magazine where the licensee's explosives are kept unless such person is individually licensed under the act.

No person, as employee, agent, independent contractor or otherwise shall enter a magazine in which explosives are stored unless he is individually licensed under the act or is accompanied by a person so licensed. No licensee shall permit any person, whether as employee, agent, independent contractor or otherwise, to enter a magazine where his explosives are stored unless such person is individually licensed under the act or is accompanied by a person so licensed.

This paragraph shall not apply to magazines located at explosives manufacturing plants where the premises on which the magazines are located are fenced or otherwise effectively guarded.

Section 301.19 (b) is amended by substituting for the word "photostatic", the word "photographic".

Section 301.20 (c) is amended by omitting the last sentence of the first paragraph.

Section 301.20 (d) is amended by substituting for the words "paragraph (c)" the words "§ 301.17 (a)".

Section 301.20 is amended by adding the following paragraph:

§301.20 *Special instructions for industries using explosives.* * * *

(f) *Records of explosives in mines.* Every licensed owner or operator of a mine shall keep records, through his

licensed foreman or by other means, of all explosives taken into and brought out of the mine by each worker at each shift, regardless of the ownership of the explosives.

Section 301.23 is added to the regulations, as follows:

§ 301.23 *Reissuance of expired licenses*—(a) *Applications for annual reissuances of licenses.* Applications for reissuances of licenses may be made before the expiration of the licenses to be reissued. They shall be made in the same manner and upon the same forms as are required for original applications at the time of reissuance. An application for a reissued license need not be accompanied by the qualification affidavits referred to in § 301.7 (g) if a previous application, addressed to the same issuing officer, upon which a license was issued was accompanied by qualification affidavits, unless the Licensing Agent or the Director, in his discretion, requests that qualification affidavits be again furnished. Applications by organizations other than partnerships for reissued licenses may incorporate by reference to previous applications, addressed to the same issuing officer, information set out on such applications concerning officers, directors, and controlling members or stockholders, but all differences between such information and the facts existing when applying for reissued licenses must be clearly and specifically set out in applications for reissued licenses.

(b) *Failure to comply with the act, regulations or instructions as grounds for refusing to reissue licenses.* The Licensing Agent and the Director may take into consideration the applicant's compliance or noncompliance with his duties under the act, the regulations or the instructions issued by the Bureau of Mines or authorized representatives thereof in determining whether the applicant for a reissued license is sufficiently reliable to be qualified to have a license.

(c) *Date of issuance.* If the application is filed with the Licensing Agent or the Director before the expiration of the license to be reissued, the date of issuance of the reissued license, whenever it is actually issued, shall be the date of such expiration and it shall be marked accordingly. No reissued license shall be issued more than 30 days in advance of the expiration of a license.

If an application is filed after the expiration of the license, the date of any license issued thereon shall be the date when the license was actually issued.

(d) *Numbering of application and license.* The application for a reissued license and the license issued thereon shall be given new numbers.

(e) *Expired license part of records.* All expired licenses, together with all certified or photographic copies thereof, shall be retained among the records of the licensee.

R. S. DEAN,
Acting Director.

Approved: February 1, 1943.

OSCAR L. CHAPMAN,
Assistant Secretary,
Department of the Interior.

[F. R. Doc. 43-1644; Filed, February 1, 1943; 11:08 a. m.]

Chaper VI—Selective Service System

[Amendment 118, 2d Ed.]

PART 611—DUTY AND RESPONSIBILITY TO REGISTER

ALIEN'S APPLICATION FOR DETERMINATION OF RESIDENCE

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301–318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 611.21 to read as follows:

§ 611.21 *What aliens may apply for a determination.* Any nondeclarant alien who has entered or who hereafter enters the United States in a manner prescribed by its laws, except a nondeclarant alien described in subparagraphs (1), (2), (3), (4), (5), (8), and (9) of § 611.13 may file with his local board, if he is registered, or with the local board where he is at the time located, if he is not registered, an Alien's Application for Determination of Residence (Form 302); *Provided,* That such application is filed within three months after the date of his entry into the United States or within three months after persons of his age become liable for training and service by law, whichever is the later; *And provided further,* That such application is filed prior to induction. An Alien's Personal History and Statement (Form 304) must be filed with such application.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JANUARY 28, 1943.

[F. R. Doc. 43-1556; Filed, January 29, 1943; 4:26 p. m.]

[Amendment 119, 2d Ed.]

PART 621—QUESTIONNAIRE AND OTHER INFORMATION TO BE USED IN CLASSIFYING REGISTRANTS

CLAIMS FOR DEFERMENT, ETC.

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301–318, inclusive); E.O. No. 8545, 5 F.R. 3779; E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraphs (b) and (c) of § 621.4[1] to read as follows:

§ 621.4 *Claims for, or information relating to, deferment.* • • •

(b) Any person other than the registrant who has cause to claim that the registrant should be deferred may file with the local board an Affidavit of Dependent Over 18 Years of Age (Form 40A), an Affidavit Occupational Classification (General) (Form 42), an Affidavit-Occupational Classification (Industrial) (Form 42A), or an Occupational Certification (Form 42B), prepared in accordance with the instructions printed on such form. Such affidavits should be filed within the time allowed for the registrant to return his Selective Service Questionnaire (Form 40).

(c) Any person so claiming that the registrant should be deferred shall be entitled to present information in support of his claim. Such information should be included in or attached to the Affidavit of Dependent Over 18 Years of Age (Form 40A), the Affidavit-Occupational Classification (General) (Form 42), the Affidavit-Occupational Classification (Industrial) (Form 42A), or the Occupational Certification (Form 42B), and may include any documents, affidavits, or depositions supporting the claim. The affidavits or depositions shall be as concise and brief as possible.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JANUARY 28, 1943.

[F. R. Doc. 43-1564; Filed, January 29, 1943; 4:34 p. m.]

[Amendment 120, 2d Ed.]

PART 622—CLASSIFICATION

MISCELLANEOUS AMENDMENTS

By virtue of the provisions of the Selective Training and Service Act of 1940

[1] 6 F.R. 6606.

(54 Stat. 885, 50 U. S. C. Sup. 301–318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (a) of § 622.33[1] to read as follows:

§ 622.33 *Certain relatives defined.* (a) The term "child" includes a legitimate child; a child legally adopted; a stepchild, if a member of a man's household, including a stepchild who continues as a member of the man's household after death of the mother or termination of the marriage; and an illegitimate child, but only if the man has been judicially ordered or decreed to contribute to such child's support, has been judicially decreed to be the putative father of such child, or has acknowledged under oath in writing that he is the father of such child; but shall not include any person 18 years of age or over unless he is physically or mentally handicapped.

• • • • •

2. Amend § 622.42 to read as follows:

§ 622.42 *Class IV–B: Official deferred by law.* In Class IV–B shall be placed any registrant who is the Vice President of the United States, a Governor of a State, any other State official chosen by the voters of the entire State, a member of the Congress of the United States, a member of a State legislative body, a judge of a court of record of the United States or of a State; or who is a commissioned officer, warrant officer, pay clerk, or enlisted man in the Coast and Geodetic Survey; or who is a commissioned officer of the Public Health Service or the Public Health Service Reserve, whether on active duty or in an inactive status; or who is a cadet of the advanced course, senior division, of the Reserve Officers' Training Corps or the Naval Reserve Officers' Training Corps.

3. The foregoing amendments to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JANUARY 28, 1943.

[F. R. Doc. 43-1557; Filed, January 29, 1943; 4:23 p. m.]

[Amendment 121, 2d Ed.]

PART 624—VOLUNTEERS

APPLICATION FOR VOLUNTARY INDUCTION

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 565, 50 U. S. C., Sup. 301–318,

[1] 7 F.R. 5343.

inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 624.1 to read as follows:

§ 624.1 *Who may volunteer.* Men who have reached the eighteenth anniversary of the day of their birth and who have not reached the thirty-eighth anniversary of the day of their birth may volunteer at the local board for induction into the land or naval forces by filing an application for Voluntary Induction (Form 165).

2. Amend § 624.4 to read as follows:

§ 624.4 *Classification of volunteers.* When a man files an Application for Voluntary Induction (Form 165) under the provisions of § 624.1, he shall be classified as soon as possible and placed in a class immediately available for military service unless:

(a) Disregarding all other grounds for deferment, he would be classified in Class II-A, Class II-B, or Class II-C;

(b) His induction would result in undue hardship to his dependents;

(c) He is the Vice President of the United States, a Governor of a State, any other State official chosen by the voters of the entire State, a member of the Congress of the United States, a member of a State legislative body, or a judge of a Court of Record of the United States or of a State; required to be deferred by law; or

(d) Under the provisions of § 622.61 or § 622.62, he is found to be morally, physically, or mentally unfit.

3. The foregoing amendments to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JANUARY 28, 1943.

[F. R. Doc. 43-1558; Filed, January 29, 1943; 4:23 p. m.]

[Amendment 122, 2d Ed.]

PART 624—VOLUNTEERS

DUTY OF VOLUNTEER

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301–318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend the regulations by adding a new section to be known as § 624.5 to read as follows:

§ 624.5 *Duty of volunteer.* When an Order to Report for Induction (Form 150) has been mailed to a volunteer, he shall not thereafter be permitted to withdraw from his voluntary status and he shall have the same duties as a registrant ordered to report for induction after being selected to fill a call in sequence of his order number.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JANUARY 28, 1943.

[F. R. Doc. 43-1559; Filed, January 29, 1943; 4:22 p. m.]

[Amendment 123, 2d Ed.]

PART 651—DETERMINATION OF ACCEPTABILITY OF PERSONS FOR WORK OF NATIONAL IMPORTANCE UNDER CIVILIAN DIRECTION

FINAL TYPE PHYSICAL EXAMINATIONS FOR CLASS IV–E REGISTRANTS

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301–318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (a) of § 651.2[1] to read as follows:

§ 651.2 *Ordering Class IV–E registrants to report for final-type physical examination.* (a) When the order number of a registrant placed in Class IV–E has been reached under the circumstances set out in § 651.1, the local board shall prepare for each such man an Order to Report for Final-type Physical Examination (Form 48A) in triplicate. The local board shall mail the original to the registrant, shall mail one copy to the Director of Selective Service, and shall file the remaining copy in the registrant's Cover Sheet (Form 53).

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2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JANUARY 28, 1943.

[F. R. Doc. 43-1560; Filed, January 29, 1943; 4:22 p. m.]

[1] 8 F.R. 78.

[Amendment 124, 2d Ed.]

PART 607—PAYMENT FOR PERSONAL SERVICES

PAY-ROLL VOUCHERS

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301–318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 607.7 to read as follows:

§ 607.7 *Pay-roll teachers.* Pay-roll vouchers covering each pay period shall be prepared in the State Headquarters for Selective Service. The original of each pay-roll shall be certified to by the State Director of Selective Service, by the State Procurement Officer, or by such other person as may be designated by the Director of Selective Service, and shall be approved by the State Director of Selective Service or the State Procurement Officer.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JANUARY 29, 1943.

[F.R. Doc. 43-1561; Filed, January 29, 1943; 4:22 p. m.]

[Amendment 125, 2d Ed.]

PART 691—RULES FOR CAMPS OPERATED BY THE NATIONAL SERVICE BOARD FOR RELIGIOUS OBJECTORS

CAMP OVERHEAD

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301–318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend §691.2 to read as follows:

§ 691.2 *Camp overhead.* Assignees may be relieved from project work and retained to assist the camp director in performing administrative duties at the camp. The number of such assignees will be limited under ordinary circumstances to the maximum:

Camp strength:	*Authorized overhead*
Below 50	8
51–60	10
61–70	12
71–80	14
81–90	16
91–100	18
Camp strength—Con.	
101–110	20
111–120	22
121–130	23
131–140	24
141–150	25
151–170	26
171–190	27
191 and above	28

Any deviation from the foregoing, except for emergencies, must be authorized in writing by the Camp Operations Division of National Headquarters for Selective Service. Assignee-foremen may be appointed by the camp director out of the authorized camp overhead.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JANUARY 28, 1943.

[F.R. Doc. 43-1562; Filed, January 29, 1943; 4:22 p. m.]

[No 161]

CONSOLIDATED NONEXPENDABLE PROPERTY REPORT

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder, and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 17, entitled "Consolidated Nonexpendable Property Report,"[1] effective immediately upon the filing hereof with the Division of the Federal Register.

The foregoing revision shall become a part of the Selective Service Regulations, effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

DECEMBER 4, 1942.

[F. R. Doc. 43-1563; Filed, January 29, 1943; 4:20 p. m.]

PUERTO RICO

ORDER PERMITTING INDUCTION OF UNITED STATES NAVAL EMPLOYEES INTO NAVAL FORCES

Under and by virtue of the authority vested in me by § 603.1, Selective Service Regulations, and notwithstanding any other orders, directives, rules or regulations, I hereby direct the Territorial Director of the Territory of Puerto Rico to take the necessary steps in order to permit men between the ages of 18 and 38 who are registered with local boards outside the Territory of Puerto Rico and who are now or have until recently been employed either by the United States Navy or by persons performing work under contract for the United States Navy to volunteer for induction and be inducted into the naval forces of the United States through a convenient local board in the Territory of Puerto Rico.

The Territorial Director of Puerto Rico shall arrange for the completion of Form 165, Form 151, and Form 221 covering each registrant inducted under the provisions of this order and shall forward such completed forms to the registrant's local board through the proper State Director of Selective Service.

LEWIS B. HERSHEY,
Director.

JANUARY 29, 1943.

[F. R. Doc. 43-1580; Filed, January 30, 1943; 11:35 a. m.]

[1] Form filed as part of the original document.

Chapter IV—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040; 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 819 and 507, 77th Cong.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Regulation 11A]

PRP FOR SECOND QUARTER OF 1943

§ 944.32A *Priorities Regulation 11A*—(a) *Purpose.* The Second Quarter of 1943 is the transition period from the Production Requirements Plan to the Controlled Materials Plan. In order to insure the receipt of materials by manufacturers during the transitional period, authorizations will be made under the Production Requirements Plan and under the Controlled Materials Plan. Preference ratings will be authorized under PRP as provided herein and in addition, most manufacturers will receive allotments under the Controlled Materials Plan. It is therefore essential that the utmost care be observed by manufacturers not to duplicate their orders for materials under both authorizations, and it is the purpose of this regulation to provide priorities assistance to PRP Units during this transition period and to require reductions in PRP authorizations or CMP allotments to the extent necessary to eliminate duplication.

(b) *Definitions.* (1) The definitions contained in Priorities Regulation No. 11 and CMP Regulation No. 1 shall apply to this regulation.

(2) "PRP rating" means any preference rating which a PRP Unit is entitled to apply pursuant to authorizations on a PRP certificate or pursuant to paragraph (c) of this regulation.

(3) "First quarter production material rating" means a preference rating assigned to a PRP Unit for production materials (as distinguished from supplies as defined in Priorities Regulation No. 11) on its PRP certificates for the first quarter of 1943.

(4) "CMP rating" means a preference rating which a person is authorized to apply or extend under the Controlled Materials Plan.

(5) "Listed production material" means any listed material, as defined in Priorities Regulation No. 11, which constitutes production material as defined therein.

(6) For the purposes of this regulation, any person who is a PRP Unit as of March 31, 1943, shall continue to be deemed a PRP Unit through June 30, 1943, or until such time as he ceases entirely to operate under the Production Requirements Plan.

(c) *Assignment of ratings to production materials.* Subject to the restrictions contained in paragraph (d) of this Regulation:

(1) Each PRP Unit may apply its first quarter production material ratings to the delivery to it of not more than 40% during April, 1943, nor 70% during the entire second quarter of 1943 of the total amount of each listed material which was authorized on its first quarter PD-25A certificate and on any first quarter PD-25F certificates issued prior to March 1, 1943, such percentages to be applied after deducting from such total the amount of each such material received or scheduled to be received during said first quarter for supplies.

(2) In addition, unless otherwise specifically directed by the Director General for Operations by March 31, 1943, each PRP Unit may, during the second quarter of 1943, apply its first quarter production material ratings to deliveries in the quarter of the remaining 30% of said authorized quantities of listed production materials, computed as provided in subparagraph (1) of this paragraph (c).

(3) Each PRP Unit may apply its first quarter production material ratings to the delivery during the second quarter of 1943 of production materials (including listed fabricated items) other than listed materials, but only in the quantities and at the rate necessary to maintain the production schedules permitted by the quantities of listed materials it is authorized to receive as a PRP Unit.

(4) CMP Ratings may be applied or extended as provided in CMP Regulation No. 3.

(d) *Elimination of duplications under PRP and CMP*—(1) *Controlled materials.* If a PRP Unit receives an allotment of controlled material under CMP, to the delivery of which it is authorized to apply PRP ratings under paragraph (c) of this regulation, it must reduce the amount to which it applies such PRP ratings by the amount of such material which it obtains for its own use by means of the allotment, but need not, unless it included the requirements of secondary consumers in its first quarter PRP application, deduct the portion thereof which it allots to its secondary consumers producing Class A products for it. If, at the time of receiving its allotment, it has already received by use of the PRP rating or otherwise any or all its requirements of controlled material for the production schedule for which the allotment is made, or elects to obtain the same by PRP rating, it must reduce or cancel the allotment as provided in paragraph (v) of CMP Regulation No. 1.

(2) *Other materials and fabricated items.* If a PRP Unit is authorized to apply a CMP rating to the same material (other than a controlled material) or fabricated item to which it is authorized to apply a PRP rating for delivery during the second quarter, it may apply either rating to the quantity authorized therefor, but may not apply ratings under both authorizations to more than is covered by the greater of the two authorizations.

(e) *Quantitative restrictions as to receipt of listed production materials.* No PRP Unit shall accept delivery during the second quarter of 1943 of any listed production material in excess of the amount thereof to which it is entitled to apply preference ratings pursuant to the provisions of paragraph (c) of this regulation, except that a PRP Unit may accept deliveries of:

(1) Any materials to the extent that it is permitted by paragraph (e) of Priorities Regulation No. 11 to accept deliveries in excess of the amounts authorized on its PRP certificates.

(2) Aluminum, magnesium, alloy steel (including stainless steel), and copper, in the forms specified in Materials List No. 1 Revised accompanying the first quarter Form PD-25A, in quantities approved for delivery to the PRP Unit by the Aluminum and Magnesium Division, the Steel Division or the Copper Division, respectively.

(3) Listed production materials to the extent required to meet a production schedule authorized under the Controlled Materials Plan.

(f) *Quantitative restrictions as to receipt of other materials and products.* A PRP Unit may receive during the second quarter of 1943 production materials in the form of fabricated items (whether listed or not) and in the form of materials other than listed materials, in the amounts to which it is entitled to apply preference ratings under paragraph (c) (3) of this regulation or in the amounts required to meet a production schedule authorized under the Controlled Materials Plan.

(g) *Advance quarter authorizations.* A PRP Unit which has received, on a PRP certificate for the first quarter of 1943, an advance quarter authorization for the second quarter of 1943 may, as to any particular material, elect to use the ratings thereby authorized for the amounts therein specified in lieu of the ratings and amounts permitted by paragraphs (c) and (d) of this regulation. A PRP Unit which has placed rated purchase orders for delivery in the third quarter of 1943, or any subsequent quarter, pursuant to an advance quarter authorization on a PRP certificate, need not cancel or rerate the same, except as otherwise expressly provided in any regulation or order of the Director General for Operations, and may receive delivery of the materials or fabricated items covered by such purchase orders, subject to any applicable regulations or orders of the War Production Board.

(h) *Maintenance, repair and operating supplies.* A PRP Unit may, prior to the third business day after the date of issuance of CMP Regulation No. 5, apply to the delivery to it of supplies (as defined in Priorities Regulation No. 11) during the second quarter of 1943 the same ratings authorized on its PRP certificates for the first quarter of 1943, in amounts not exceeding the amounts of such supplies actually received or scheduled for receipt during the first quarter. After said third business day, a PRP Unit may apply to maintenance, repair and operating supplies (as defined in CMP Regulation No. 5 only the ratings and only to the amounts authorized by said regulation and may rerate deliveries previously rated pursuant to this paragraph (h).

(i) *PD-25F applications.* A PRP Unit which finds that the authorizations provided by this regulation and by the Controlled Materials Plan are insufficient to cover the quantities of materials required during the second quarter for essential production may file an application on Form PD-25F for an increased authorization. Such authorizations will not be granted to consumers of controlled materials unless it appears that allotments under the Controlled Materials Plan will not be received in time to obtain the materials required for the production contemplated under the Plan.

(j) *Applicability of priorities Regulation 12.* Wherever a rating is applied pursuant to the provisions of this regulation to a delivery to which another rating has previously been applied, such rerating shall be effected in the manner provided in paragraphs (g) and (h) of Priorities Regulation 12 and subject to the limitations contained in paragraph (i) of said regulation.

Issued this 30th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1596; Filed, January 30, 1943; 11:41 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Amendment 1 to Priorities Regulation 11, as Amended Nov. 16, 1942]

Section 944.32 *Priorities Regulation 11* is hereby amended in the following respects:

1. Paragraph (c) is amended to read as follows:

(c) Every Class 1 producer shall file a PRP application for the first quarter of 1943, except that no application shall be required of any person who becomes a Class 1 producer after December 31, 1942. Applications for the first quarter of 1943 shall be filed not later than October 25, 1942, or in the case of a person who was not a Class 1 producer as of October 15, 1942, as promptly after October 25, 1942, as possible. No person is required to file a PRP application for the second quarter of 1943 or for any subsequent quarter except as specifically directed by the Director General for Operations. The Director General for Operations may specifically require other persons to file such applications from time to time, and may also exempt particular Class 1 producers from the requirements of this paragraph or extend or advance their time for filing PRP applications. Any other processors of materials desiring priority assistance on a quarterly basis may also, with the consent of the Director General for Operations, qualify under the Production Requirements Plan, although not required to do so by this regulation.

2. Subparagraph (2) of paragraph (d) is amended to read as follows:

(2) A PRP unit may apply to deliveries of material during the second quarter of 1943 and thereafter, the ratings assigned or permitted in Priorities Regulation No. 11A.

3. Subparagraph (4) of paragraph (d) is deleted.

4. Paragraph (e) is amended by adding the following subparagraph (6):

(6) A PRP unit may, during the second quarter of 1943 and thereafter, accept delivery of listed materials or listed fabricated items to the extent permitted by Priorities Regulation No. 11A.

5. Paragraph (i) is amended to the extent that the first sentence thereof shall read as follows:

(i) *Interim procedure.* During the interim between filling a PRP application for a particular quarter and receipt of the PRP certificate for such quarter a person may apply or extend preference ratings for delivery during such quarter, and, in case he shall have submitted advance quarter applications, may on or before February 2, 1943, but not thereafter, apply or extend preference ratings for delivery during only the first advance quarter, as follows:

6. Paragraph (j) (3) is amended to read as follows:

(3) No person shall be required by the provisions of this paragraph (j), however, to cancel any order or portion thereof calling for delivery during the first twenty-one days of November 1942 or during the first twenty-one days of January 1943, of any listed material, if the producer thereof certifies in writing to such person (i) that substitution of other orders, or diversion of the material to fill other orders (even if such other orders call for later delivery or carry a lower rating) is impossible, and (ii) that the production of such material has been completed or that cancellation would disrupt the producer's production schedules and result in substantially diminished production. Nothing herein contained, however, shall relieve a PRP unit from the obligation of cancelling or postponing delivery under other orders calling for delivery of similar material during the quarter, as to which no certification is received, to the extent necessary to bring the total receipts of such material during the quarter within the quantities authorized on its PRP certificates.

7. Paragraph (n) is deleted.

Issued this 30th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1595; Filed January 30, 1943; 11:40 a. m.]

PART 1026—PRODUCTION OF CHEMICALS, MAINTENANCE, REPAIR AND OPERATING SUPPLIES

[Preference Rating Order P-89, as Amended Jan. 30, 1943]

Section 1026.1 *Preference Rating Order P-89* is hereby amended in its entirety to read as follows:

§ 1026.1 *Preference Rating Order P-89*—(a) *Definitions.* For the purpose of this order:

(1) "Producer" means any person (provided he shall have received a serial number from the War Production Board in accordance with the provisions of paragraph (d) (1) hereof) operating a plant physically situated within the limits of the United States, its territories and possessions, or the Dominion of Canada, and actually engaged in the production of chemicals.

(2) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind.

(3) "Schedule A material" means any material listed in Schedule A appended hereto and made a part hereof.

(4) "Maintenance" means the minimum upkeep necessary to continue the working condition of the producer's plant at its then current rate of production.

(5) "Repair" means the restoration of the producer's plant to a sound working condition after wear and tear, damage, destruction or failure of parts, or the like, have made it unfit or unsafe for service.

(6) "Operating supplies" means any material which is essential to the operation of the producer's plant including, but not limited to, lubricants, fuels, catalysts, and small perishable tools; provided, however, that the term operating supplies shall not include:

(i) Any material which is physically or chemically incorporated, at any stage of production, in whole or in part, into any material which the producer manufactures.

(ii) Any material which, at any stage of production, enters into the chemical reaction necessary to the manufacture, or is used in the purification (including, among other things, washes, solvents, extractants and the like) of any material which the producer manufactures.

(7) Material for maintenance, repair and operating supplies shall include:

(i) Material which would be carried on the producer's books as maintenance, repair, operating supplies or the equivalent in the producer's established method of bookkeeping.

(ii) Material for the improvement of the producer's plant through the replacement of material in the existing installation, but only when such equipment is beyond economical repair, or through minor additions of material in the existing installation to increase efficiency or production capacity.

but shall not include

(iii) Material for additions to, or expansions of, the producer's plant.

(b) *Assignment of preference ratings.* Subject to the terms of this order, and provided that nothing herein contained shall prevent the use of any other or higher rating to which the producer shall be entitled by reason of any priorities regulation or of any other preference rating certificate or order, the following preference ratings are hereby assigned to deliveries to the producer of material for maintenance, repair and operating supplies:

(1) Up to and including AA-2X to deliveries of Schedule A materials.

(2) Up to and including AA-5 to deliveries of material not included in Schedule A, appended.

(3) Such other preference ratings as the Director General for Operations may from time to time assign to particular orders for any material for maintenance, repair and operating supplies, upon application by the producer to the War Production Board, Chemicals Division, Washington, D. C., Ref.: P-89, by letter or telegram, stating plant location and serial number, material needed, the weight, value and function of such material, amount of such material (or equivalent substitute) in inventory, name and address of supplier (if known), purchase order number and date, product or products affected, percentage curtailment of production, nature of the emergency, rating requested and delivery date promised by supplier on basis of rating requested.

(c) *Ratings for containers.* The producer shall not apply ratings pursuant to paragraph (b) to orders for containers, drums and other packages, whether for intra or extra plant deliveries and whether returnable or not, or for materials to seal, fasten or be physically incorporated therein, with the exception of materials for maintenance and repair of pressure cylinders; but the producer may apply to the War Production Board, Chemicals Division, Washington, D. C., Ref: Chemicals Packaging Section, for special ratings under this order for such containers or container parts.

(d) *Conditions on assignment of ratings.* The preference ratings assigned by or pursuant to paragraphs (b) and (c) are assigned subject to the following conditions:

(1) That the producer shall have filed with the War Production Board, Chemicals Division, Washington, D. C., Ref.: P-89, a statement (in triplicate) properly executed on Form PD-315, and shall have received from the War Production Board a serial number under this order.

(2) That the producer shall apply the ratings assigned by or pursuant to paragraph (b) to deliveries of material for maintenance, repair and operating supplies only for that portion of his productive facilities to which a serial number under this order has been assigned.

(3) That the producer shall not apply any preference rating under subparagraphs (b) (1) or (2) to fabricated parts and equipment having a unit cost of $250.00 or more. Parts and equipment, and components thereof, which are ordered for use together shall be treated as a single unit for the purpose of determining unit cost in this subparagraph.

(4) That the producer shall not apply any preference rating hereunder unless the material to be delivered cannot be secured when required with a lower rating.

(5) That the producer shall not apply any preference rating hereunder to obtain scarce material if its use can be eliminated without serious loss of efficiency by substitution of less scarce material or by simplification of design.

(e) *Application and extension of ratings.* (1) Preference ratings assigned by or pursuant to this order shall be applied by the producer and extended by his supplier in accordance with the terms of Priorities Regulation No. 3, as now or hereafter amended.

(2) To the extent that the producer applies ratings under this order, the restrictions imposed by Priorities Regulation No. 3 upon extension of ratings, as distinguished from application of ratings, are not applicable.

(3) To the extent that the producer extends ratings for maintenance, repair and operating supplies under Priorities Regulation No. 3, instead of applying ratings pursuant to this order, the producer shall be subject to the restrictions imposed by Priorities Regulation No. 3 with respect to extension of ratings for maintenance, repair and operating supplies under that regulation, and, in addition, shall be subject to the limitations imposed by paragraphs (g) and (h) of this order.

(f) *Reports.* In addition to such other reports as may from time to time be required by the Director General for Operations, the producer shall file with the War Production Board a report on Form PD-762, in the manner prescribed therein, on or before February 20, 1943, and on or before April 23, 1943, and the twenty-third day of each calendar quarter thereafter.

(g) *Special restrictions.* On the basis of reports filed by the producer on Form PD-762 the Director General for Operations at his discretion may issue special directions to the producer limiting the amount of particular materials for maintenance, repair or operating supplies which the producer may acquire, with or without preference rating assistance.

(h) *Inventory.* The producer shall not accept deliveries (whether rated hereunder or not) of material for maintenance, repair or operating supplies which will increase the inventory of stores available to the producer for such purpose to an amount greater than the minimum necessary for maintenance and repair and to sustain the current level of operations of the producer.

(i) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board priorities regulations, as amended from time to time.

(2) *PRP units.* The producer shall not be subject to any restrictions imposed by this order during the period that the producer is prohibited from exercising the privilege of applying ratings for maintenance, repair and operating supplies pursuant to this order by reason of his having qualified as a PRP Unit pursuant to Priorities Regulation No. 11 as amended from time to time.

(3) *Revocation or amendment.* This order may be revoked or amended at any time as to the producer. In the event of revocation, deliveries already rated pursuant to this order shall be completed in accordance with said rating, unless the rating has been specifically revoked with respect thereto. No additional applications of the rating to any other deliveries shall thereafter be made by the producer affected by such revocation.

(4) *Records.* In addition to the records required to be kept under Priorities Regulation No. 1, the producer placing any purchase order or contract rated hereunder, shall retain, for a period of two years, for inspection by representatives of the War Production Board, endorsed copies of all such purchase orders or contracts, whether accepted or rejected, segregated from all other purchase orders or contracts, or filed in such manner that they can be readily segregated for such inspection.

(5) *Conservation and standardization.* Every person affected by this order shall use his best efforts to effectuate conservation of materials by elimination, simplification or standardization of types, sizes or forms or otherwise, and shall cooperate in any program developed for such purpose by the War Production Board. The Director General for Operations may from time to time issue specific directions as to conservation, elimination and standardization.

(6) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(7) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(8) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C., Ref: P-89.

Issued this 30th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

(Attached to Preference Rating Order P-89, as Amended January 30, 1943)

Iron
Carbon steel
Alloy steel
Stainless steel
Aluminum
Magnesium
Copper—in bare or insulated wire or cable
Copper—as rods, bars, sheet, strip, tubing or pipe
Copper base alloys—as wire, rods, bars, sheet, strip, tubing or pipe
Copper and copper base alloy castings
Nickel (other than as an alloying element)
Monel
Tin
Lead
Zinc
Other unfabricated metals
Wood (lumber or plywood)
Rubber (including synthetic)
Fabricated parts and equipment

All of the above headings, except wood, rubber and fabricated parts and equipment, refer to materials in the forms specified in the Metals List of Priorities Regulation No. 11, as amended from time to time.

"Copper base alloy" shall include any alloy (such as brass, bronze, admiralty or muntz metal) in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy.

[F. R. Doc. 43-1593; Filed, January 30, 1943; 11:40 a. m.]

PART 1095—COMMUNICATIONS

[General Conservation Order L-204 as Amended Jan. 30, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage of materials for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1095.20 *General Conservation Order L-204*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, receiver or any form of enterprise whatsoever, whether incorporated or not.

(2) "Telephone set" means an assemblage of apparatus including a telephone transmitter, a telephone receiver, and their immediately associated devices and wiring for use in telephone communication (including intercommunicating telephones and systems). It shall not include any telephone set the design and construction of which is substantially different from the telephone sets which have been heretofore manufactured and sold as standard telephone sets, and which has been so designed and constructed as to meet unusual and special requirements for use in combat or for combat equipment, and which is manufactured for delivery to and for the account of:

(i) The Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast Guard, the Civil Aeronautics Administration; or

(ii) The government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its dominions, Crown Colonies and Protectorates, and Yugoslavia; or

(iii) Any other country, including those of the Western Hemisphere, now or hereafter designated, pursuant to the Act of March 11, 1941 entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(3) "Manufacturer" means any person who manufactures or assembles telephone sets. It shall not include any person to the extent that he is engaged in the repair or reconditioning of used telephone sets.

(4) "Factory sales value" means the aggregate net value of all sales of telephone sets including both domestic sales and sales for export, produced by a manufacturer at his regular selling price.

(b) *General restrictions.* (1) Each manufacturer shall limit his production of telephone sets:

(i) During the fifteen-day period beginning on the 17th day of October, 1942, and ending on the 31st day of October, 1942, to 4% of the total factory sales value of telephone sets produced by him in the calendar year 1941.

(ii) During the second fifteen-day period beginning on the 1st day of November, 1942, and ending on the 15th day of November, 1942, to 2% of the total factory sales value of telephone sets produced by him in the calendar year 1941.

(2) No manufacturer shall produce telephone sets on or after the 16th day of November, 1942.

(c) *Records.* All manufacturers affected by this order shall keep and preserve for not less than two years accurate and complete records concerning production and sales of telephone sets.

(d) *Reports.* Each manufacturer affected by this order shall file such reports and questionnaires with the War Production Board as may from time to time be required by the Director General for Operations.

(e) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from process or use of, material under priority control, and may be deprived of priorities assistance.

(g) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in the community, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may apply for relief by addressing a letter to the War Production Board, setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(h) *Communications.* All reports to be filed, appeals and other communications concerning this order should be addressed to: War Production Board, Communications Division, Washington, D. C. Ref: L-204.

Issued this 30th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1589; Filed, January 30, 1943; 11:39 a. m.]

PART 1162—DYESTUFFS AND ORGANIC PIGMENTS

[Conservation Order M-103, as Amended Jan. 30, 1943]

§ 1162.1 *Conservation Order M-103*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of all the priorities regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Dyestuffs and organic pigments" means any coloring matter with the exception of coloring matter the chemical constituents whereof are entirely inorganic in nature, and shall not include inorganic pigments which may be extended or otherwise processed with resinates, dispersing agents, or other substantially colorless organic material.

(2) "Class A dyestuffs and organic pigments" means the anthraquinone vat dyes appearing on List A attached hereto.

(3) "Class B dyestuffs and organic pigments" means all anthraquinone vat dyes other than those appearing on List A, and shall also include Fast Red A. L. Salt, which shall be considered an anthraquinone vat dye of single strength.

(4) "Class C dyestuffs and organic pigments" means all anthraquinone dyes other than anthraquinone vat dyes.

(5) "Class D dyestuffs and organic pigments" means all dyestuffs and organic pigments which:

(i) Are not Class A, Class B or Class C dyestuffs and organic pigments, and

(ii) Are not derived from vegetable or animal sources, and

(iii) Are synthesized or produced in whole or in part from benzene, aniline, toluene, phthalic anhydride, phenols, cresols, xylonols, or derivatives of any of the foregoing.

(6) "1943 dollar value" means the dollar value computed from the domestic consumers contract sales price as of January 1, 1943.

(7) "Continental United States" means the 48 states, the District of Columbia and the Territory of Alaska.

(c) *Restrictions on sale, purchase and use*—(1) *Class A.* Except in the case of sales and deliveries for export within the limitations prescribed in paragraph (d), and except as provided in paragraph (f), no person shall sell, deliver, accept delivery of, or use any Class A dyestuffs and organic pigments.

(2) *Class B.* Except as provided in paragraph (f), no person shall, in any calendar quarter, deliver to any other person or persons for use in the continental United States or Canada an amount of Class B dyestuffs and organic pigments in excess of 15% of the amount of Class A and Class B dyestuffs and organic pigments delivered by such person to all other persons in the year 1941 for such use.

Except as provided in paragraph (f), no person shall, in any calendar quarter accept delivery of, for use in the continental United States or Canada, an amount of Class B dyestuffs and organic pigments in excess of 15% of the amount of Class A and Class B dyestuffs and organic pigments delivered by such person from all sources in the year 1941 for such use.

For the purposes of this subparagraph, amounts of Class A and Class B dyestuffs and organic pigments shall be calculated in pounds of equivalent single strength anthraquinone vat dyes and shall be raised, but only to the extent necessary, to equal 25 pounds or a multiple thereof.

(3) *Class C.* Except as provided in paragraph (f), no person shall, in any calendar quarter, deliver to any other person or persons for use in the continental United States or Canada a total 1943 dollar value of Class C dyestuffs and organic pigments in excess of 15% of the total 1943 dollar value of Class C dyestuffs and organic pigments delivered by such person to all other persons in the year 1941 for such use.

Except as provided in paragraph (f), no person shall, in any calendar quarter, accept delivery of, for use in the continental United States or Canada, a total 1943 dollar value of Class C dyestuffs and organic pigments in excess of $100, or 15% of the total 1943 dollar value of Class C dyestuffs and organic pigments delivered to such person from all sources in the year 1941, for such use, whichever is higher.

(4) *Class D.* Except as provided in paragraph (f), no person shall, in any calendar quarter, deliver to any other person or persons for use in the continental United States or Canada a total 1943 dollar value of Class D dyestuffs and organic pigments in excess of 15% of the total 1943 dollar value of Class D dyestuffs and organic pigments delivered by such person to all other persons in the year 1941 for such use.

Except as provided in paragraph (f), no person shall, in any calendar quarter, accept delivery of, for use in the continental United States or Canada, a total 1943 dollar value of Class D dyestuffs and organic pigments in excess of $100, or 15% of the total 1943 dollar value of Class D dyestuffs and organic pigments delivered by such person from all sources in the year 1941 for such use, whichever is higher.

In determining the 1943 dollar value of dry and wet dispersions of organic pigments for the purposes of this subparagraph, only the organic pigment content of such dispersions shall be considered and the value of such content shall be based on the 1943 dollar value of a comparable dry pigment.

(5) *Use by producer of own dyestuffs.* For the purposes of subparagraphs (2), (3) and (4) of this paragraph amounts of dyestuffs and organic pigments of his own production which are, or have been, used by any person in any calendar quarter, or in the year 1941, shall be considered as having been delivered to such person in the calendar quarter, or the year 1941, as the case may be.

(d) *Restrictions on export*—(1) *General restrictions.* No producer shall sell for export from the continental United States to any country other than Canada any dyestuffs and organic pigments produced by him except that any producer may sell for such export upon orders accompanied by individual export licenses issued by the Board of Economic Warfare, the applications for which show thereon the corresponding current domestic sales price of the dyestuffs and organic pigments to be exported, or upon orders covered by general export licenses, a total amount of dyestuffs and organic pigments in each calendar quarter, the total 1943 dollar value of which is not in excess of:

(i) ¾% of the total 1943 dollar value of dyestuffs and organic pigments sold by him in the year 1941, plus

(ii) 17% of the total 1943 dollar value of dyestuffs and organic pigments sold for export in the year 1941 to all countries other than Canada.

(2) *Further restrictions on Class A, B, and C dyestuffs.* The amount of Class A dyestuffs and organic pigments produced by him which a producer may sell for export in any calendar quarter within the limits prescribed in subparagraph (1) shall not exceed ¾% of the total 1943 dollar value of Class A dyestuffs and organic pigments sold by him in the year 1941; and the total amount of Class A, Class B and Class C dyestuffs and organic pigments produced by him which a producer may sell for export in any calendar quarter shall not exceed 2% of the total 1943 dollar value of Class A, Class B, and Class C dyestuffs and organic pigments sold by him in the year 1941.

(3) *Carry-over of unused portion of export quota.* Any amounts of dyestuffs and organic pigments of any class which a producer may sell for export in the first calendar quarter of 1943, or any subsequent calendar quarter, within the provisions of subparagraphs (1) and (2), and which are not sold for export within such quarter may be carried over to the following quarter or quarters and operate to increase the corresponding quota for such class for such subsequent quarter or quarters to that extent. For the purposes of this subparagraph, all dyestuffs and organic pigments other than Class A, Class B and Class C dyestuffs and organic pigments shall be considered one class.

(e) *Treatment of mixtures of dyestuffs.* In the case of physical mixtures of dyestuffs and organic pigments of different classes, as defined in paragraph (b), containing a component or components of one class to the extent of at least 90% of the 1943 dollar value of such mixture, such mixtures shall be considered for the purposes of this order as belonging in entirety to the class to which the said component or components belong. In the case of all other physical mixtures of dyestuffs and organic pigments, the classes of components shall be considered separately.

(f) *General exceptions.* The prohibitions and restrictions of paragraphs (c) and (d) shall not apply to:

(1) Sales and deliveries of dyestuffs and organic pigments to the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Commission for Aeronautics, the Office of Scientific Research and Development, the War Shipping Administration, the Defense Plant Corporation, the Government Printing Office or the Bureau of Engraving and Printing, or to the Government of Canada, or to any agency of the United States Government for delivery to any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or

(2) Sales or deliveries of dyestuffs and organic pigments to any person for use in the manufacture of any item which is being produced under a specific contract or subcontract for any of the agencies mentioned in subparagraph (1) or the government of Canada, and the use for such manufacture but only to the extent required by the specifications of the prime contract, or

(3) Sales and deliveries of dyestuffs and organic pigments for use in, or resale for use in, and such use in, the manufacture of products to be physically incorporated in uniforms for:

(i) Officers and enlisted personnel of the Army and Navy of the United States (including the Marine Corps and Coast Guard), including nurses.

(ii) U. S. Government military and naval academy and training school students.

(iii) U. S. Maritime Commission and War Shipping Administration officers.

(iv) U. S. Coast and Geodetic Survey officers.

(v) U. S. Public Health Service officers and nurses, or

(4) Sales and deliveries to any person of amounts of dyestuffs and organic pigments to replace in inventory amounts of dyestuffs and organic pigments which, although not acquired for any of the uses referred to in subparagraphs (2) and (3), were nevertheless used for one of such purposes.

(5) Sales and deliveries of dyestuffs and organic pigments by or from a producer or his exclusive sales agent to another producer or the exclusive sales agent of such other producer, or

(6) Sales to, deliveries to, and use by any person for coloring of gasoline, *Provided, however*, That all sales and deliveries of dyestuffs and organic pigments exempted from the prohibitions and restrictions of paragraphs (c) and (d) by subparagraphs (2), (3) and (4) of this paragraph shall be made only upon the receipt by the vendor from the purchaser of a certificate signed by such purchaser, or by a person authorized to sign in his behalf, in substantially the following form:

> The undersigned hereby certifies to his vendor and to the War Production Board that the amount of dyestuffs and organic pigments to be delivered on the annexed purchase order will be used for one or more of the purposes specified in paragraph (f) of Conservation Order M-103, or will replace inventory so used.

(g) *Restrictions on use of meta-toluylene diamine.* No person shall use any meta-toluylene diamine in the developing of diazotized dyes already present on textile fibers; *Provided*, That nothing contained herein shall be construed to prohibit the use of meta-toluylene diamine in the manufacture of dyestuffs and organic pigments. The term "meta-toluylene diamine" as used in this paragraph (g) shall include, without being limited to, the products commonly known in the trade as Amanil

Developer B, Pontamine Developer TN, Developer D, Developer DB, Developer MT, Developer MTD or Developer TD.

(h) *Restrictions on use of anthraquinone.* No person shall use any anthraquinone in any physical form in discharging stripping or destroying napthol (azoic), vat, or other dyes already present on textile fibers: *Provided*, That nothing contained herein shall be construed to prohibit the use of anthraquinone in the manufacture of dyestuffs and organic pigments. The term "discharging" as used in this paragraph (h), shall include, without being limited to, color and white discharge printing.

(i) *Restrictions on use of annato and extracts.* No person shall use any annato or annato extracts for the purpose of coloring any materials other than food products.

(j) *Restrictions on inventory.* In addition to the restrictions on inventory contained in Priorities Regulation No. 1 (§ 944.14), no person using dyestuffs shall hereafter purchase or accept delivery of any Class A dyestuffs and organic pigments which will increase his inventory thereof beyond an amount which, to the best of his knowledge and belief, will be used by him in the next 45 days; except that, notwithstanding the provisions of such regulations and this paragraph (j), any person purchasing directly from the Defense Supplies Corporation may hold as inventory any amount of Class A dyestuffs and organic pigments so purchased: *Provided, however*, That such amounts purchased from the Defense Supplies Corporation shall be taken into account in determining the size of inventory insofar as purchases and deliveries from other persons are concerned.

(k) *Prohibitions against sales or deliveries.* No person shall hereafter sell or deliver any dyestuffs and organic pigments to any person, if he knows, or has reason to believe, such material is to be used in violation of the terms of this order.

(l) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be required by the said Board from time to time. No reports or questionnaires are to be filed by any person until forms therefor have been prescribed by the War Production Board.

(m) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(n) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(o) *Communications to the War Production Board.* All communications concerning this order, or any reports required to be filed hereunder shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Reference: M-103.

Issued this 30th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

LIST A

PART I—TECHNICAL NAMES

1. Brown R CI 1151.
2. Brown G CI 1152.
3. Olive R CI 1150.
4. Golden orange R CI 1097.
5. Khaki 2G.
6. Olive T.
7. Olive GGL.
8. Olive green B.
9. Yellow 3RD.

PART II—TRADE NAMES

Amanthrene olive green B.
Calcoloid golden orange RRTD CI 1097.
Calcosol brown G CI 1152.
Calcosol brown R CI 1151.
Calcosol brown RP CI 1151.
Calcosol golden orange RRTD CI 1097.
Calcosol golden orange RRTP CI 1097.
Calcosol khaki G Pr 122.
Calcosol olive R CI 1150.
Carbanthrene brown AR CI 1151.
Carbanthrene brown AG CI 1152.
Carbanthrene golden orange RRT CI 1097.
Carbanthrene prig golden orange RRT CI 1097.
Carbanthrene khaki 2G Pr 122.
Carbanthrene olive R CI 1150.
Cibanone brown BG CI 1152.
Cibanone brown GR CI 1151.
Cibanone golden orange 2R CI 1097.
Cibanone olive 2R CI 1150.
Indanthrene brown FRA CI 1151.
Indanthrene brown GA CI 1152.
Indanthrene brown GAF CI 1152.
Indanthrene brown GAP CI 1152.
Indanthrene brown GWF CI 1152.
Indanthrene brown GWP CI 1152.
Indanthrene brown RA CI 1151.
Indanthrene brown RAP CI 1151.
Indanthrene brown RWP CI 1151.
Indanthrene khaki 2GA Pr 122.
Indanthrene khaki 2GF Pr 122.
Indanthrene khaki 2GWP Pr 122.
Indanthrene olive green BA.
Indanthrene olive RA CI 1150.
Indanthrene olive RAP CI 1150.
Indanthrene olive RW CI 1150.
Indanthrene olive RWF CI 1150.
Indanthrene orange RRTA CI 1097.
Indanthrene orange RRTF CI 1097.
Indanthrene orange RRTP CI 1097.
Indanthrene orange RRTW CI 1097.
Indanthrene yellow 3RD.
Indanthrene olive T.
Ponsol brown AG
Ponsol brown AR CI 1151.
Ponsol brown ARS CI 1151.
Ponsol green 2BL
Ponsol golden orange RRT CI 1097.
Ponsol golden orange RRTS CI 1097.
Ponsol khaki 2G
Ponsol olive AR CI 1150.
Ponsol olive ARS CI 1150.
Ponsol olive GGL.

[F. R. Doc. 43-1590; Filed, January 30, 1943; 11:39 a. m.]

PART 1206—HORSEHIDE

[Supplementary Order M-141-c]

Pursuant to paragraph (c) (1) of Order M-141 as amended to November 4, 1942, which this order supplements, the Director General for Operations hereby determines that:

§ 1206.4 *Supplementary Order M-141-c.* During February, 1943, no tanner shall put in process and no converter shall cause to be put in process for his account:

(a) More than 100% of his basic monthly quota of wet salted horsehide fronts.

(b) More than 80% of his basic monthly quota of horsehide butts.

(c) More than 80% of his basic monthly quota of horsehide shanks.

Issued this 30th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1591; Filed, January 30, 1943; 11:39 a. m.]

PART 1244—INSTRUMENTS, VALVES, AND REGULATORS USED IN INDUSTRIAL PROCESSES

[Conservation Order L-134, as Amended Jan. 30, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of chromium and nickel for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1244.1 *Conservation Order L-134.*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) "Manufacturer" means any person manufacturing any industrial instrument, instrument end, instrument connection, control valve, or regulator as defined below, to the extent he is engaged in such manufacture; and includes sales and distribution outlets controlled by such manufacturer.

(3) "Dealer" means any person primarily engaged in the business of selling or distributing industrial instruments, control valves, or regulators, whether at wholesale, retail, or otherwise, but does not include sales and distribution outlets controlled by a manufacturer.

(4) "Industrial instrument" means any type of indicating, recording or measuring, or controlling instrument ordinarily used in industrial processes and containing an instrument connection listed in subparagraph (5) below, or an instrument end listed in subparagraph (6) below; except "laboratory equipment" as defined in Order L-144.

(5) "Instrument connection" means any of the following, to the extent used with or in an industrial instrument, if fabricated in whole or in part from nickel, chromium, or any alloy thereof: capillary tubing having an internal diameter of .025" or less; protective armor tubing; tubes or springs (pressure measuring systems); diaphragms or bellows (pressure measuring systems except differential measuring systems) and extension lead wire.

(6) "Instrument end" means any of the following to the extent used with or in an industrial instrument, if fabricated in whole or in part from nickel, chromium, or any alloy thereof; sockets, wells, protecting tubes, sheaths and target tubes; liquid level floats, float rods, float cages and flanges, expansion and immersion tubes; venturi tubes; cleanout valve trim and liner for use with venturi tubes; flow nozzles; orifice plates; orifice meter accessories; thermocouples and thermocouple wire; temperature bulbs (fluid filled tube system type); bushings and revolving or coupling nuts; safety shutters and switches for radiation pyrometers; contact rods for flame control; straightening vanes; studs for differential pressure chambers; conductivity cells for measuring conductivity of fluids; pitot tubes; and flexible and rigid extension stems for temperature bulbs.

(7) "Control valve" means any glove or butterfly type valve, the inner portion of which is automatically positioned by pneumatic, hydraulic, or electric motive power, containing any of the parts listed in paragraphs (d) (1), (2), (3) and (5), provided such parts are fabricated in whole or in part from nickel or chromium, or any alloy thereof. The term shall not include any type of gate valve or slide valve.

(8) "Regulator" means any self-operated or integral pilot operated type valve used to control temperature, pressure above 25 p. s. i., pressure where inlet pressure is above 25 p. s. i. flow or liquid level, and containing any of the parts listed in paragraphs (d) (1), (2), (3), and (5), provided such parts are fabricated in whole or in part from nickel or chromium, or any alloy thereof.

(9) [Revoked January 30, 1943.]

(b) *General restrictions.* (1) On and after September 9, 1942, no manufacturer shall knowingly put in process any chromium, nickel, or alloy thereof, in the production of any instrument end, instrument connection, industrial instrument containing an instrument end or instrument connection, control valve, or regulator, except for use under such operating conditions, if any, as may be specified in paragraphs (c) or (d): *Provided, however*, That the provisions of this subparagraph shall not apply to such items sold to another manufacturer or dealer for resale, or to items sold for use in a foreign country (except Canada).

(2) On and after September 9, 1942, no manufacturer or dealer shall knowingly deliver, and no person shall accept delivery of, any instrument end, instrument connection, industrial instrument containing an instrument end or instrument connection, control valve, or regulator, except for use under such operating conditions, if any, as may be specified in paragraph (c) or (d): *Provided, however*, That the provisions of this subparagraph shall not apply to deliveries by a manufacturer to another manufacturer or dealer for resale, or to deliveries of any item to be used in a foreign country (except Canada).

(3) On and after September 9, 1942, no manufacturer shall put in process any chromium, nickel, or alloy thereof for the production of any instrument end, instrument connection, industrial instrument containing an instrument end or instrument connection, control valve, or regulator except in accordance with the specifications enumerated in paragraph (c) or (d).

(4) On and after September 9, 1942, no manufacturer or dealer shall accept an order for, or deliver, and no person shall accept delivery of any instrument end, instrument connection, industrial instrument containing an instrument end or instrument connection, control valve, or regulator, except pursuant to a preference rating of A-1-c or better: *Provided, however*, That the limitations and restrictions of this paragraph (b) (4) shall not apply to:

(i) Any order accepted by a manufacturer or dealer prior to September 9, 1942, and bearing a preference rating of A-10 or better, or

(ii) Any order for maintenance and repair purposes, bearing a preference rating of A-8 or better, or

(iii) Any order by and for the use of the Army, Navy, Maritime Commission, War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, or the Office of Scientific Research and Development.

(5) No person shall accept delivery of any instrument end, instrument connection, industrial instrument containing an instrument end or instrument connection, control valve, or regulator for use, unless based upon experience records he expects to install the item which is being delivered, and all similar items on hand, within the next 90 days.

(6) *Certification to be furnished.* (i) Each person (other than a manufacturer or dealer acquiring the item for resale or any person purchasing the item for use in a foreign country, except Canada) receiving delivery of an instrument end, instrument connection, industrial instrument containing an instrument end or instrument connection, control valve, or regulator, shall certify to the manufacturer or dealer from whom he receives such delivery, as a condition to receiving delivery, the following on the purchase order, or in a separate letter:

The undersigned hereby certifies that

(here fill in items ordered)

will be used under the operating conditions permitted for such items under the terms of Conservation Order L-134. The operating conditions under which the items will be used are:

Here fill in operating conditions, if any (by reference to paragraph of order) for which items will be used.

---------- Company

By ----------

Provided, however, That such certification shall be required only where a limitation on the use of the item in question is prescribed in an operating condition specified in paragraph (c) or (d), except where otherwise provided in paragraph (c) or (d).

(ii) No person shall make a delivery under this paragraph (b) who has reason to believe that the person accepting delivery has furnished a false certification; and no person shall falsely furnish the certification specified above. The certification specified above shall constitute a representation to the Director General for Operations, War Production Board, of the facts certified therein.

(7) Nothing in this order shall be construed to place any restriction upon any instrument, valve or regulator, or part thereof, unless such instrument, valve, regulator or part thereof contains nickel, chromium, or any alloy thereof (not including plating); or upon any instrument, valve, regulator or part thereof which was manufactured prior to May 26, 1942.

(8) The provisions of this order shall not apply to any instrument end, instrument connection, industrial instrument containing an instrument end or instrument connection, control valve, or regulator to be incorporated in, or used exclusively on board a vessel of the Army or Navy of the United States.

(c) *Operating conditions and specifications for instrument ends, instrument connections, and industrial instruments containing instrument ends or connections.* Pursuant to the provisions of paragraph (b) hereof, the production and delivery of the following instrument ends, instrument connections, and industrial instruments containing instrument ends or instrument connections shall be governed by the following operating conditions and specifications:

(1) *Capillary tubing having an internal diameter of .025" or less*—(i) *Operating conditions.* Capillary tubing having an internal diameter of .025" or less shall be delivered for use only under the operating conditions specified in List A paragraph 1; capillary tubing for use with a mercury filled thermal system may be delivered for use under any operating condition.

(ii) *Specifications.* Capillary tubing having an internal diameter of .025" or less shall be manufactured from a metal whose nickel and chromium alloy content does not exceed that of Type 347 metal and shall be manufactured in the following four sizes only: .06" x .007"; .06" x .011"; .06 x .017"; .06" x .025".

(2) *Protective armor tubing*—(i) *Operating conditions.* Protective armor tubing shall be delivered for use only under the operating conditions specified in List A, paragraph 1.

(ii) *Specifications.* Protective armor tubing shall be manufactured in lengths not in excess of 6" at either the instrument or bulb.

(3) *Tubes and springs (Pressure measuring systems)*—(i) *Operating conditions.* Tubes or springs for pressure measuring systems may be delivered for any use, but certification of operating conditions shall be required where delivery is for the use described in List A, paragraphs 1 or 2.

(ii) *Specifications.* The total nickel and chromium alloy content of such tubes or springs shall not exceed 6% chromium (with no nickel): *Provided, however,*

That for use under the operating conditions described in List A, paragraphs 1 or 2, the total nickel and chromium alloy content shall not exceed 32%.

(4) *Diaphragms or bellows. (Pressure measuring systems except differential measuring systems)—Operating conditions.* Diaphragms or bellows for pressure measuring systems (except differential measuring systems) shall be delivered for use only under the operating conditions specified in List A, paragraphs 1 or 2.

(5) *Sockets, wells, protecting tubes, sheaths and target tubes.* The operating temperatures specified below shall be deemed part of the operating conditions for purposes of certification:

(i) *Operating temperature up to 1,400° F—(a) Operating conditions.* When used under operating temperatures up to 1,400° F., sockets, wells, protecting tubes, sheaths and target tubes shall be delivered for use only under the operating conditions specified in List A, paragraphs 1 (a) to 1 (k) inclusive, paragraph 2, or paragraph 3 (b) or 3 (c), or on aircraft.

(b) *Specifications.* The total nickel and chromium alloy content of sockets, wells, protecting tubes, sheaths and target tubes shall not exceed 30%, or 20% of either nickel or chromium: *Provided, however,* That for use under operating conditions specified in List A, paragraph 1 (f) or 1 (k) the total nickel and chromium alloy content shall not exceed 80%, and maximum nickel and chromium content of not over 65% and 30%, respectively.

(ii) *Operating temperatures from 1,401° F. to 1,900° F.—Specifications.* The total nickel and chromium alloy content of sockets, wells, protecting tubes, sheaths and target tubes, used under operating temperatures from 1,401° F. to 1,900° F. shall not exceed 52%, and the nickel and chromium contents shall not exceed 35% and 28%, respectively: *Provided, however,* That for use under the operating conditions specified in List A, paragraphs 1 (f) or 1 (k) the total nickel and chromium alloy content shall not exceed 80%, and maximum nickel and chromium content of not over 65% and 30%, respectively.

(iii) *Operating temperatures of 1,901° F. and above—(a) Operating conditions.* When used under operating temperatures of 1,901° F. and above, sockets, wells, protecting tubes and sheaths shall only be delivered for use under the operating conditions specified in List A, paragraphs 1 (f) or 1 (k). Target tubes may be delivered for use under any conditions.

(b) *Specifications.* Sockets, wells, protecting tubes, sheaths and target tubes employed under the operating conditions specified in (a) above shall contain a maximum total nickel and chromium alloy content not to exceed 80%, and maximum nickel and chromium content of not over 65% and 30%, respectively.

(6) *Temperature bulbs (fluid filled tube system type)—(i) Operating conditions.* When used without sockets or protecting tubes, temperature bulbs (fluid filled tube system type) may be delivered for use only under the operating conditions specified in List A, paragraphs 1, 2, 3 (b) or 3 (c).

(ii) *Specifications.* The total nickel and chromium alloy content of temperature bulbs (fluid filled tube system type) shall not exceed 30%, or 20% of either nickel or chromium. No nickel, chromium, or alloy thereof, shall be used in temperature bulbs (except for mercury filled systems) when such bulbs are used in a socket or in protecting tubes. When used with a mercury filled system in a socket, temperature bulbs shall be manufactured from S. A. E. 4140 or alternate steels of no greater chromium alloy content and containing no more than 0.60% nickel.

(7) *Bushings and revolving or coupling nuts—Operating conditions.* Bushings and revolving or coupling nuts shall be delivered for use only under the operating conditions specified in List A, paragraphs 1 or 2.

(8) *Flexible and rigid extension stems for temperature bulbs—(i) Operating conditions.* When used with temperature bulbs without separable sockets or protecting tubes, flexible or rigid extension stems shall be delivered for use only under the operating conditions specified in List A, paragraph 1, 2, 3 (b) or 3 (c).

(ii) *Specifications.* The total nickel and chromium alloy content of such stems shall not exceed 30%, or 20% of either nickel or chromium.

(9) *Contact rods for flame control—Specifications.* The alloy content of contact rods for flame control, including contiguous brackets or clamps, shall not exceed 80% nickel and 20% chromium.

(10) *Thermocouples.* The operating temperatures specified below shall be deemed part of the operating conditions for purposes of certification.

(i) *Operating temperatures up to 800° F.—Specifications.* Where used in temperature ranges up to and including 800° F., the thermocouple wire alloy content shall not exceed 46% nickel, and the size of the wire shall not exceed #14 B and S gage.

(ii) *Operating temperatures from 801° F. to 1,400° F.—Specifications.* Where used in temperature ranges between 801° F. and 1,400° F., inclusive, the thermocouple wire alloy content shall not exceed 46% nickel, and the size of the wire shall not exceed #8 B and S gage, or as an alternate, the thermocouple wire alloy content shall not exceed 95% nickel or 20% chromium in either wire, and the size of the wire shall not exceed #14 B and S gage.

(iii) *Operating temperatures from 1,401° F. to 2,050° F.—Specifications.* Where used in temperature ranges between 1,401° F. and 2,050° F., inclusive, the thermocouple wire chromium alloy content shall not exceed 20% chromium in either wire, and the size of the wire shall not exceed #8 B and S gage.

(iv) *Operating temperatures of 2,051° F. and above—(a) Operating conditions.* When used in temperature ranges of 2,051° F. and above, thermocouple wire shall be delivered for use only under the operating conditions specified in List A, paragraphs 1 (f) or 1 (k).

(b) *Specifications.* The size of the wire shall be limited to No. 2 B and S gage or smaller when used under the operating conditions in List A, paragraph 1 (f), and shall be limited to No. 8 B and S gage or smaller when used under the operating conditions of List A, paragraph 1 (k).

(v) *Special provisions for replacement.* Except with respect to size of extension lead wire when used with potentiometer type pyrometers, the limitations of subparagraphs (i), (ii), (iii) and (iv) shall not apply to replacements if the extension lead wire or parts required to recalibrate existing instruments are not available in the user's plant.

(11) *Extension lead wire—(i) Specifications.* Two conductor extension lead wires shall not exceed 46% nickel content and shall be manufactured in sizes not larger than #16 B and S gage; except that extension lead wire used with millivoltmeter type pyrometers shall be limited in size to #14 B and S gage. When used with KA2S thermocouples, which measure surface tube temperatures, the nickel and chromium alloy content shall not exceed 95% nickel and 20% chromium in either wire, and no wire shall be longer than necessary: *Provided, however,* That there shall be no limitation on the size of wire used on aircraft.

(12) *Safety shutters and switches for radiation pyrometers — Specifications.* The nickel or chromium alloy content of safety shutters for radiation pyrometers shall not exceed 20% each; except that this restriction does not apply to the nickel or chromium alloy content of switches for radiation pyrometers.

(13) *Liquid level float cages and flanges—(i) Operating conditions.* Liquid level float cages and flanges shall be delivered for use only under the operating conditions specified in List A, paragraphs 2 (a) and 3 (b).

(ii) *Specifications.* The total nickel and chromium alloy content shall not exceed 30%, or 20% of either nickel or chromium: *Provided, however,* That when used under the operating conditions of List A, paragraph 2 (a), the nickel and chromium alloy content shall not exceed that of the contiguous metal.

(14) *Liquid level floats and float rods—(i) Operating conditions.* Liquid level floats and float rods shall be delivered for use only under the operating conditions specified in List A, paragraphs 1, 2, or 3 (b).

(ii) *Specifications.* The total nickel and chromium alloy content shall not exceed 30%, or 20% of either nickel or chromium: *Provided, however,* That when used under the operating conditions of List A, paragraph 2 (a), the nickel or chromium alloy content shall not exceed that of the contiguous metal.

(15) *Liquid level expansion and immersion tubes—Operating conditions.* Liquid level expansion and immersion tubes shall be delivered for use only under the operating conditions specified in List A, paragraphs 1 or 2 or at temperatures of 400° F. and above.

(16) *Flow nozzles—Operating conditions.* Flow nozzles shall be delivered for use only in the presence of a flowing medium with a temperature in excess of 900° F.

(17) *Pitot tubes—Specifications.* No nickel, chromium or alloy thereof shall be used in the manufacture of pitot tubes, except when used on aircraft.

(18) *Orifice plates—Operating conditions.* Orifice plates shall be delivered for use only under the operating conditions specified in List A, paragraphs 1, 2, 3 (b) or 3 (c).

(19) *Orifice meter accessories—Specifications.* No nickel, chromium or alloy thereof shall be used in the manufacture of settling chambers, separating chambers or condensers.

(20) *Straightening vanes—(i) Operating conditions.* Straightening vanes shall be delivered for use only under the operating conditions specified in List A, paragraphs 1 or 3 (c) and their delivery shall be further limited to use in pipes having an internal diameter of 10 inches or less.

(ii) *Specifications.* The total nickel and chromium alloy contents shall not exceed 30%, or 20% of either nickel or chromium.

(21) *Cleanout valve trim and liners for use with Venturi tubes—Operating conditions.* Cleanout valve trim and liners for Venturi tubes shall be delivered for use only under the operating conditions specified in List A, paragraphs 1, 2, 3 (b) or 3 (c).

(22) *Venturi tubes — Specifications.* No nickel, chromium or alloy thereof shall be used in the manufacture of Venturi tubes.

(23) *Studs for differential pressure chambers—Specifications.* Studs for differential pressure chambers shall be manufactured from S. A. E. 4140 or alternate steels of no greater chromium alloy content and containing no more than 0.60% nickel.

(24) *Conductivity cells for measuring conductivity of fluids—Operating conditions.* Conductivity cells for measuring conductivity of fluids shall be delivered for use only under the operating conditions specified in List A, paragraphs 1 or 2.

(d) *Operating conditions and specifications for control valves and regulators.* Pursuant to the provisions of paragraph (b) hereof, the production and delivery of the following control valves and regulators shall be governed by the following operating conditions and specifications:

(1) *Bodies, bonnets and blind flanges—(i) Operating conditions.* Bodies, bonnets and blind flanges shall be delivered for use only under the operating conditions specified in List A, paragraph 2 (a) and 3 (b).

(ii) *Specifications.* When used under operating conditions of List A, paragraph 3 (b) the total nickel and chromium alloy content shall not exceed 30%, or 20% of either nickel or chromium: *Provided, however,* That when used under the operating conditions of List A, paragraph 2 (a), the nickel and chromium alloy content shall not exceed that of the contiguous metal.

(2) *Inner valves and seat rings—(i) Operating conditions.* Inner valves and seat rings shall be delivered for use only under an operating pressure drop of 50 p. s. i. or more, or under the operating conditions specified in List A, paragraphs 1 or 2.

(ii) *Specifications.* When used under operating conditions of a pressure drop of 50 p. s. i. or more, the flow cutting surface shall be made of carbon steel, faced, where practicable, with a chromium or nickel alloy not in excess of $\frac{3}{32}$" finished thickness. When used under the operating conditions specified in List A, paragraphs 1 or 2, the total nickel and chromium alloy content shall not exceed 30%, or 20% of either nickel or chromium: *Provided, however,* That when used under the conditions of List A paragraph 2 (a) the nickel and chromium alloy content shall not exceed that of the contiguous metal.

(3) *Studs for valve bodies and flanges—(i) Operating conditions.* Studs for valve bodies and flanges may be used under any operating conditions; but certification shall be required for use under the operating conditions of List A, paragraph 3 (b) or 3 (d).

(ii) *Specifications.* Studs for valve bodies and flanges shall be manufactured from S. A. E. 4140 or alternate steels of no greater chromium alloy content and containing no more than 0.60% nickel: *Provided, however,* That where used under the operating conditions specified in List A, paragraphs 3 (b) or 3 (d) the total nickel and chromium alloy content shall not exceed 30%, or 20% of either nickel or chromium.

(4) [Revoked January 30, 1943.]

(5) *Stems, bushings and guiding surfaces for control valves, and regulators—Specifications.* The total nickel and chromium alloy content of stems, bushings, and guiding surfaces for control valves and regulators shall not exceed 30%, or 20% of either nickel or chromium.

(e) *Ninety-day exemption of Army, Navy, and Maritime Commission.* The provisions of this order shall not apply to deliveries to and for the use of the Army, Navy, or Maritime Commission until August 26, 1942. As used in this paragraph, the terms "Army," "Navy," and "Maritime Commission" shall not include any privately operated plant or shipyard, financed or controlled by any of these organizations, or operated on a cost-plus-fixed-fee basis.

(f) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board setting forth the pertinent facts and the reasons he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(g) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington, D. C., Ref.: L-134.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who wilfully furnishes false information to the Director General for Operations in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(i) *Records and reports.* All manufacturers affected by this order shall keep and preserve for not less than two years accurate and complete records concerning production, deliveries, and orders for industrial instruments.

All persons affected by this order shall execute and file with the Director General for Operations, War Production Board, such reports and questionnaires as said Director General for Operations shall from time to time request.

Issued this 30th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

LIST A

PARAGRAPH 1. When exposed to:
(a) Nitric acid (dilute or concentrated).
(b) Coke oven gas.
(c) Blast furnace gas.
(d) Sulphurous gases.
(e) Steam above 200 p. s. i. or 400° F.
(f) Molten metal baths.
(g) Sulphuric or hydrochloric acids.
(h) Sour gas and vapors, and liquids contaminated with sour gas and vapors.
(i) Hydrofluoric acid.
(j) Salt brine in crude petroleum.
(k) Salt baths containing nitrates, chlorides, cyanides, or fluorides.

PAR. 2. (a) When contiguous metal coming in contact with the processed medium at the point of measurement or control is also a nickel or chromium alloy.

(b) When contiguous surfaces coming in contact with the processed medium at the point of measurement or control are nonmetallic but no protection other than that containing nickel or chromium will withstand the corrosive medium.

(c) In the production of synthetic rubber, when an explosive hazard due to chemical reaction cannot otherwise be avoided, or where acetic acid has a corrosive effect on seating, guiding, and measuring surfaces.

(d) When no other material can be substituted without contaminating the material being processed.

PAR. 3. When the fluid to which the part is to be subject is under:

(a) Static pressure of 250 pounds per square inch or more;

(b) Temperature of 750° F. and above, or minus 20° F. and below;

(c) Normal pipe velocity of 5,000 ft. per minute or more for gases or vapors; or 300 ft. per minute or more for liquids;

(d) Temperature of minus 250° F. to minus 20° F. inclusive, and from 400° F. to 1,250° F. inclusive, and 400 p. s. i. to 2,500 p. s. i. inclusive.

[F. R. Doc. 43-1588; Filed, January 30, 1943; 11:39 a. m.]

PART 3129—SULFURIC ACID

[General Preference Order M–257, as Amended Jan. 30, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of oleum and other materials used in the manufacture of explosives for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3129.1 *General Preference Order M–257*—(a) *Definitions.* (1) "Sulfuric acid" means all grades or strengths of sulfuric acid, both virgin and fortified, and includes oleum and spent sulfuric acid.

(2) "Oleum" means sulfuric acid plus sulfur trioxide and is the product also known by the name of fuming sulfuric acid.

(3) "Spent sulfuric acid" means that grade of sulfuric acid produced in the manufacture of military explosives and in the refining of petroleum.

(4) "Producer" means any person engaged in the production of sulfuric acid.

(b) *Allocations.* The Director General for Operations may allocate sulfuric acid to specified persons. He may direct the specific quantities in which deliveries shall be made to and accepted by specified persons, and direct or prohibit specified uses of sulfuric acid and the production by any person of sulfuric acid, or any strength or grade thereof. Allocations and directions will be made to insure the satisfaction of war requirements of the United States and may include allocations or directions respecting spent acid where necessary in the opinion of the Director, to promote, or prevent the curtailment of, the production of oleum and of military explosives. Allocations or directions may be made to eliminate cross-hauling and may be made without regard to any preference ratings assigned to particular contracts.

(c) *Applications and reports.* (1) Each producer of sulfuric acid and each other person who delivers spent sulfuric acid shall, on or before the 10th day of each month commencing with January 1943, file with the War Production Board, Form PD–601, in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD–601 may be obtained at local field offices of the War Production Board.

(ii) Prepare two copies and forward one to the War Production Board, Chemicals Division, Washington, D. C., Ref.: M–257, retaining the second copy for your files.

(iii) In the heading, under name of chemical, specify sulfuric acid; under WPB Order No., specify M–257; under name of company, state your name and mailing address; under unit of measure, specify tons (of 2,000 pounds each).

(iv) In the caption "This schedule is for deliveries to be made during the month of _____ 194__", strike out the words "to be" and insert the month preceding the month in which your report is filed, and the year.

(v) Insert in Column 1 the name of each customer to whom in the preceding month you shipped sulfuric acid in tank truck, tank car, tank barge or pipe line. Shipments by other means, including drum or carboy, are not to be listed separately. All persons to whom you shipped by such other means in the prior month will be lumped in Table I under the title "all others". If you consume all or part of your own production of sulfuric acid you will list yourself as a customer in Column 1.

(vi) In Column 3 specify strength in degrees Baume or percentage of sulfuric acid.

(vii) Leave blank Columns 5, 6 and 7.

(viii) In heading "Quantity ordered" at top of Column 4, strike out word "ordered" and substitute word "delivered".

(ix) Leave Table II blank in its entirety.

(2) The Director General for Operations may require each person affected by this order to file such other reports as may be prescribed, and may issue further special directions to any such person with respect to preparing and filing Forms PD–601.

(d) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C., Ref: M–257.

Issued this 30th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–1592; Filed, January 30, 1943; 11:40 a. m.]

PART 3153—MAINTENANCE, REPAIR AND OPERATING SUPPLIES FOR LOGGERS AND PRODUCERS

[Preference Rating Order P–138, as Amended Jan. 30, 1943]

For the purpose of facilitating the acquisition of material for operating supplies and for maintenance and repair of property and equipment used in the production of logs and lumber in the public interest and to promote the national defense, preference ratings are hereby assigned to deliveries of such material on the terms hereinafter set forth:

§ 3153.1 *Preference Rating Order P–138*—(a) *Definitions.* For the purpose of this order:

(1) "Logger" means any person actually engaged in the production of logs of any species within the limits of the United States, its territories or possessions, or the Dominion of Canada.

(2) "Producer" means any plant within the limits of the United States, its territories or possessions, or the Dominion of Canada which processes, by sawing, edging, planing, cutting, slicing, peeling, laminating or other comparable method, 25% or more of the total volume of logs, cants, flitches, veneers, and lumber purchased or received by it, and which sells or otherwise disposes of the product of such processing as lumber, plywood or veneer. "Volume" means board foot volume, or in the case of plywood or veneer, surface measure, processed or sold within the last six calendar months immediately prior to the transaction affected by this order.

(3) "Maintenance" means minimum upkeep necessary to continue the working condition of equipment used in connection with log, lumber, plywood or veneer production by a logger or producer at its maximum rate of actual production.

(4) "Repair" means the restoration of property or equipment used in connection with log, lumber, plywood or veneer production by a logger or producer in a sound working condition after wear and tear, damage, destruction or failure of parts or the like have made the property or equipment unfit or unsafe for service.

(5) "Operating supplies" means material which is essential to the operation of property and equipment used in connection with log, lumber, plywood or veneer production, or essential to the production or disposition of logs, lumber, plywood or veneer by a logger or producer and which is generally carried as stores and charged to operating expense account, but not including office supplies.

(6) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind.

(7) Material for maintenance, repair and operating supplies includes only material which is essential to minimum service standards, and does not include

(i) Material for the improvement of a logger's or producer's property or equipment through the replacement of material which is still usable with material of a better kind, quality or design.

(ii) Material controlled by Limitation Order L–158 or Limitation Order L–53–b.

(iii) Material for additions to, or expansions of, any logger's or producer's plant, or for new construction.

(b) *Assignment of preference ratings.* Subject to the restrictions of paragraph (d) hereof, a preference rating of AA–2X is hereby assigned to deliveries of material for maintenance, repair and operating supplies to a logger or producer.

(c) *Application and extension of preference ratings.* Preference ratings assigned by or pursuant to this order shall be applied in accordance with the terms of paragraph (d) (1) of Priorities Regulation No. 3, as amended from time to time.

(d) *Restrictions on application of ratings.* (1) A logger or producer shall not apply the rating assigned by paragraph (b) above to deliveries, nor shall he accept deliveries (whether or not rated pursuant to this order), of material to replace other material withdrawn from his inventory of maintenance, repair and operating supplies where receipt of such deliveries will increase such inventory to an amount greater than the minimum necessary for maintenance, repair and to sustain the maximum rate of production of the logger or producer.

(2) The cost of material for maintenance, repair and operating supplies to which the rating assigned by paragraph (b) above may be applied by a logger or producer in any calendar year shall not exceed 110% of the cost of such material actually used by the logger or producer applying the rating in the most recent preceding calendar year in which such logger or producer was logging, or producing lumber, plywood or veneer, and in any calendar quarter shall not exceed 40% of the cost of the material to which a rating may be applied in the same calendar year.

(3) A logger or producer shall not apply the ratings assigned by paragraph (b) to obtain deliveries of scarce material, the use of which could be eliminated without serious loss of efficiency by substitution of a less scarce material.

(4) The assignment of a preference rating by paragraph (b) above shall not constitute authorization to begin construction under Conservation Order No. L–41, and shall not authorize the use or delivery of any material, or the application or extension of any preference rating in violation of the provisions of any conservation, limitation or other order or regulation heretofore or hereafter issued by the Director of Priorities, the Office of Production Management, or by the Director of Industry Operations or the Director General for Operations of the War Production Board.

(e) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board as amended from time to time; except that after December 24, 1942 no logger or producer shall be entitled to extend preference ratings for repair, maintenance and operating supplies pursuant to paragraph (c) (3) of Priorities Regulation No. 3.

(f) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Communications.* All communications concerning this order shall be addressed as follows: Lumber and Lumber Products Division, War Production Board, Washington, D. C. Ref.: P–138.

Issued this 30th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

INTERPRETATION

Paragraph (a) (1) of Preference Rating Order P–138 defines a "logger" as "any person actually engaged in the production of logs of any species." "Production of logs" as used here includes all steps necessary to deliver logs to sawmills, pulp mills or other dealers in or users of logs, but does not include transportation by common carrier. Thus persons building logging roads or contract-hauling logs are "loggers" within the Order, and, as to their activities in that regard, are entitled to the benefits of the Order.

[F. R. Doc. 43–1594; Filed, January 30, 1943; 11:40 a. m.]

PART 3157—CONTROLLED SHIPMENTS

[General Transportation Order T–1]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of transportation facilities and of certain materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3157.1 *General Transportation Order T–1*—(a) *Definitions.* For the purpose of this order:

(1) "Controlled shipment" means shipment, including reconsignment, of any material on List 1 or 2 annexed hereto, where the shipment is to be made at the time, in the manner and for the distance specified opposite such material in such list.

(2) "Originate" means to load for shipment or to tender or offer to a carrier for shipment.

(3) "Tank car" means any railway tank car having one or more steel tanks from which materials are customarily loaded and unloaded while the tank is on the car.

(4) "Tank truck" means any vehicle designed for highway travel having one or more steel tanks from which materials are customarily loaded and unloaded while the tank is on the truck.

(b) *List 1 materials.* (1) No person shall originate a controlled shipment of any List 1 material, except as specifically authorized or directed by the Director General for Operations.

(2) Any person seeking authorization to originate a controlled shipment of any List 1 material may make application on Form PD–782, or, in emergency, by telegram, containing substantially the information called for by such form.

(c) *List 2 materials.*—(1) Each person shall report on Form PD–782 on or before the 20th day of each calendar month all shipments of List 2 materials which he then intends to originate during the succeeding calendar month.

(2) Each person shall report on Form PD–782 on or before the 10th day prior to origination any controlled shipment of List 2 materials which he then intends to originate and has not previously reported.

(3) Any person may originate a controlled shipment of List 2 materials reported pursuant to paragraph (c) (1) or (2), unless otherwise specifically directed by the Director General for Operations.

(4) No person shall originate a controlled shipment of any List 2 material which has not been reported pursuant to paragraph (c) (1) or (2), except as specifically directed or authorized by the Director General for Operations. Applications for such authorization may be made by telegram containing substantially the information called for by Form PD–782.

(d) *List 3 materials.* This order does not restrict shipments of List 3 materials, except to the extent that such shipments are controlled shipments of List 1 or List 2 materials.

(e) *Other materials.* On and after March 1, 1943, no person shall originate a shipment by tank car of any material unless:

(1) Specified on List 1, List 2 or List 3; or

(2) Consigned to or for the account of the United States Army, Navy, Maritime Commission or War Shipping Administration, or corresponding Canadian agencies specified in Priorities Regulation No. 14; or unless the material shipped is procured pursuant to the Act of March 11, 1941 (Lend-Lease Act), provided that at the time each such shipment is originated the material is in the form in which it is eventually to be delivered to a foreign country or its representative; or

(3) Specifically authorized by the Director General for Operations upon application by such person on Form PD–782, or, in emergency, upon application by telegram containing substantially the information called for by Form PD–782.

(f) *Carriers.* The provisions of this order shall not apply to any carrier acting in the capacity of a carrier as distinguished from a carrier acting in the capacity of a shipper.

(g) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board priorities regulations, as amended from time to time.

(2) *Applicability of other orders.* Nothing contained in this order shall be construed to limit the requirements of any other War Production Board order now or hereafter issued.

(3) *Territorial limitations.* This order shall apply only to shipments originating or reconsigned in the forty-eight States and the District of Columbia.

(4) *Appeals.* Any appeal from denials of applications or from directions pursuant to this order shall be made by filing a letter in triplicate, referring to the particular action appealed from and stating fully the grounds of the appeal.

(5) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(6) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Washington, D. C., Ref.: T–1 (specified commodity).

Issued this 30th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

LISTS ATTACHED TO GENERAL TRANSPORTATION ORDER T–1

LIST 1 (ZONED SHIPMENTS)

1. *Molasses.* Shipments of 200 miles or more in tank cars or tank trucks, originating on or after March 1, 1943, of blackstrap, invert, edible or hydrol molasses, except shipments of such molasses for the manufacture of yeast or citric acid. The term molasses shall be construed to include the residuum of such molasses.

2. *Caustic soda:* Shipments in tank cars or tank trucks, orginating on and after April 1, 1943, over the boundaries of the following zones:

First caustic soda zone: Maine, Massachusetts, Vermont, New Hampshire, Rhode Island, Connecticut and those counties in the State of New York east of and including Monroe, Ontario, Yates, Seneca, Tompkins, Cortland and Broome Counties, but excluding all parts of Metropolitan New York City, as defined in Zone 2.

Second caustic soda zone: Metropolitan New York City, defined as that area including Norwalk and West in Connecticut; counties of Westchester and Rockland and all of New York City and Long Island, in New York State; and all the counties of Bergen, Passaic, Essex, Hudson and the eastern section of Middlesex, east of a line from Potter to Perth Amboy, in New Jersey. Authorizations by the Director General for Operations will be issued for shipments into this Zone from Zones 1 and 3.

Third caustic soda zone: The counties of Orleans, Genesee, Livingston, Steuben, Chemung, Tioga, Schuyler, Niagara, Erie, Wyoming, Allegany, Cattaraugus and Chautauqua, in the State of New York; the counties of Tioga, Bradford, Susquehanna, Wayne, Sullivan, Wyoming, Lackawanna and Pike in the State of Pennsylvania; and those counties in the State of New Jersey north of, but not including, Burlington County; but excluding all parts of Metropolitan New York City, as defined in Zone 2.

Fourth caustic soda zone: Those counties in the State of Pennsylvania not specified in Zone 3 above; those counties in the State of New Jersey south of and including Burlington County; the States of Delaware and Maryland; the District of Columbia; those counties in West Virginia north of but not including, Cabel, Lincoln, Kanawha, Clay, Braxton, Webster and Pocahontas Counties, but excluding the city of Nitro, West Virginia (Zone 5); those counties in the State of Virginia north of the James River to Albermarle County, and north of and including Albemarle and Rockingham Counties; South Richmond, Virginia; and those counties in the State of Ohio east and south of, and including, the counties of Cuyahoga, Medina, Wayne, Holmes, Coshocton, Muskingum, Perry, Hocking, Vinton, Jackson, Pike, Highland, Brown, Clermont and Hamilton.

Fifth caustic soda zone: The city of Nitro, West Virginia. Authorizations by the Director General for Operations will be issued for shipments into this Zone from Zones 4 and 8.

Sixth caustic soda zone: Those counties in the State of Ohio not included in Zone 3 above; the States of Michigan, Indiana, Illinois, Wisconsin, Minnesota, Iowa, Nebraska, North Dakota and South Dakota; Kansas City in Missouri and Kansas; and the city of St. Louis, Missouri.

Seventh caustic soda zone: The city of Memphis, Tennessee. Authorizations by the Director General for Operations will be issued for shipments into this Zone from Zones 6, 8 and 11.

Eighth caustic soda zone: Those counties in the States of Virginia and West Virginia not included in Zone 4 above (also excluding South Richmond, Virginia, and Nitro, West Virginia); the States of Kentucky, North Carolina and South Carolina; those counties in the State of Georgia north of and including the counties of Floyd, Bartow, Cherokee, Forsyth, Hall, Jackson, Madison and Elbert; and the State of Tennessee; except the cities of Memphis, Chattanooga, and Nashville.

Ninth caustic soda zone: The city of Chattanooga in Tennessee. Authorizations by the Director General for Operations will be issued for shipments into this Zone from Zones 8 and 10.

Tenth caustic soda zone: The States of Florida, Alabama, Mississippi, Louisiana, and that part of Georgia not included in Zone 8 above.

Eleventh caustic soda zone: The city of Nashville, Tennessee; the States of Texas, Oklahoma, Arkansas, Missouri and Kansas; except the cities of St. Louis and Kansas City.

Twelfth caustic soda zone: The States of Montana, Idaho, Wyoming, Utah, Colorado, Arizona, New Mexico, and those counties in the State of Nevada east of and including the counties of Elko, Lander and Nye.

Thirteenth caustic soda zone: The States of Washington, Oregon and California and those counties in the State of Nevada not included in Zone 12 above.

LIST 2 (REPORTED SHIPMENTS)

1. *Acetone:* Shipments of any distance in tank cars, or of more than 200 miles in tank trucks, originating on or after March 1, 1943.

2. *Butyl acetate:* Shipments of any distance in tank cars, or of more than 200 miles in tank trucks, originating on or after March 1, 1943.

3. *Corn syrup (glucose):* Shipments of any distance in tank cars, or of more than 200 miles in tank trucks, originating on or after March 1, 1943.

4. *Ethyl acetate.* Shipments of any distance in tank cars, or of more than 200 miles in tank trucks, originating on or after March 1, 1943.

5. *Ethyl alcohol (including denatured ethyl alcohol):* Shipments of any distance in tank cars, or of more than 250 miles in tank trucks, originating on or after March 1, 1943, except shipments of ethyl alcohol (including denatured ethyl alcohol) owned or shipped by Defense Supplies Corporation, or shipments of specially denatured ATU Formula No. 18.

6. *Molasses:* Shipments of any distance in tank cars, or of more than 200 miles in tank trucks originating on or after March 1, 1943, of beet molasses shipped for any purpose, or of blackstrap, invert, edible or hydrol molasses shipped for the manufacture of yeast or citric acid. The term molasses shall be construed to include the residuum of such molasses.

LIST 3 (OTHER SHIPMENTS)

1. On and after March 1, 1943, no shipments in tank cars other than of the following materials:

Acetaldehyde
Acetic acid, glacial or liquid
Acetic anhydride

[1] Acetone
Acids
Acrylonitrile
[1] Alcohols
Aluminum chloride
Aluminum sulfate
Ammoniacal liquor or aqua ammonia
Ammonium nitrate liquor
Ammonia sulphide
Ammonium thiocyanate liquor
Amyl acetate
Amyl chloride
Anhydrous ammonia
Aniline oils
Anti-freezing compounds
Arsenic (arsenious acid)
Arsenic trioxide
[2] Asphalt
[1] Aviation gasoline (of Octane No. 87, 91, and 100) and its component parts, such as:
Alkylate
Aromatic fractions for aviation
Aviation base stocks
Butylene
Codimer
Isobutane
Isobutylene
Iso octane
Isopentane (pentane)
Hydrocodimer
Babassu oil
Benzol (benzene)
Brake fluid
Butadiene
[2] Butanes
[1] Butenes
[2] Butyl acetate
Butyl aldehyde
Butyraldehyde
Butylamines
Calcium chloride, liquid
Calcium hypochlorite (chlorinated lime)
Carbon dioxide, liquefied
Carbon bisulfide (carbon disulfide)
Carbon tetrachloride
Castor oil
Caustic potash (potassium hydroxide)
[1] Caustic soda (sodium hydroxide)
Chemicals, other, shipped as "chemicals NOIBN"
Chestnut tanning extract (tannic acid)
Chlorine, liquid
Chlorobenzol (Monochlorobenzol)
Chlorosulphuric acid
Coal tar pitch
Coconut oil (copra)
Core compound, foundry
Corn oil
[1] Corn syrup (glucose)
Cottonseed oil
Creosote oil
Creosote-tar solution
Cresylic acid (cresol)
Crude tar oil
Crude napthalene
Crude tar acid
[2] Cumene (isopropylbenzene or isopropylbenzine)
Diacetone
Dibutyl, diethyl, or dimethyl phthalate
Dichlorodifluoromethane
Dichloromonofluoromethane
Dichlorotetrafluoroethane
Diethyl sulphate
Diethylene glycol
Dimethylaniline
Dinitrochlorobenzol
Dioctyl phthalate
Diphenyl
Diphenylamine
Dye-intermediates
Ester gums
Ether (ethyl, dichloroethyl, or isopropyl)
[1] Ethyl acetate
Ethyl chloride
Ethylamines
Ethylene bromide or dibromide
Ethylene chlorohydrin
Ethylene dichloride
Ethylene glycol
Ethylene oxide
Ethyl methyl ketone (methyl ethyl ketone)
Ethyl hexyl alcohol
Fatty acid
Fatty acid esters
Fertilizer ammoniating solution
Fish or sea animal oil
Formaldehyde, liquid
Formamide
Formic acid
Furfural
Gas drip oil, including crude
Grease (inedible animal)
Glycerine
Hexa methylene diammonium adipate solution
Hydrochloric acid (muriatic)
Hydrofluoric acid
Hydrofluosilicic acid
Hydrogen dioxide or peroxide
[1] Hydrol (corn sugar final molasses)
Ink, printing
Iron chloride (ferric)
Isobutyl acetate
Isopropyl acetate
Lactic acid
Lacquer solvents
Lard
Lard oil
Latex
[1] Lead tetraethyl
Lignin liquor
Lime, chlorinated
Lime and sulfur solution
Lime sludge or slurry
Linseed oil
Liquefied petroleum gases
Magnesium chloride
Methanol
Methyl acetate
Methyl acetone
Methyl chloride
Methyl formate
Methyl isobutyl ketone
[1] Molasses (beet blackstrap, edible, and molasses residuum)
Monofluorotrichloromethane
Milk
Naphtha
Naphtha solvent
Naphthalene, including crude
Neutral oil
Nitrating acid or mixed acid
Nitric acid
Nitrobenzol
Nitrocellulose solution
Nitrogen fertilizer solution (including crude)
Nylon salt solution
Oil foots or sediment
Oiticica oil
Oleic acid (red oil)
Orthodichlorobenzol
Oxygen, liquid
Oxidizing salt solution
Oil tar
Oil tar oil
Paint oil compounded
Paint, lacquer, varnish, gum, resin, or pyroxylin plasticizers or solvents
Paint, lacquer, or varnish, increasing, reducing, removing or thinning compounds
Paints, stains, varnishes or lacquers
Palm oil
Paraffin wax, chlorinated
Paraldehyde
Peanut oil
Pentane
Perchloric acid
Perchloroethylene
[2] Petroleum
[2] Petroleum products (not otherwise listed)
Phenol (carbolic acid)
Phosphoric acid
Phosphorous
Phosphorus oxychloride
Phosphorous trichloride
Pickles
Pilargonic acid
Pinene
Pine oils
Pitch, pine tar
Pitch, rosin
Plasticizers
Pork fat, rendered
Powder, smokeless, in water
Potassium silicates
Preservatives, wood
[2] Propanes
Propionic acid
Proprietary anti-freeze preparations
Propylene dichloride
Propylene glycol
Pulp mill liquid
Pyridine
Pyroxylin solution
Pyroxylin waterproofing liquid
Pyroligneous acid
Rapeseed oil
Resin
Resins, synthetic
Road tar
Rosin oil
Rosin size
Rubber solvent
Sludge acid
Soap stock
Sodium aluminate
Sodium bichromate
Sodium bisulphite
Sodium chromate solution
Sodium hydrosulfide liquid (sodium sulphydrate)
Sodium, metallic
Sodium nitrate
Sodium nitrite
Sodium hypochlorite
Sodium phenolates
Sodium silicates
Sodium sulfate
Sodium sulfide, liquid
Sodium sulfite
Soyabean oil
Stearine
Styrene
Sulfur dioxide, anhydrous
Sulfuric acid
Sulphate, black liquor skimmings
Sunflower oil
Tall oil
Tallow
Tar acid, coal
Tar acid, oil
Tar, coal
Tar, pine
Tar, wood (hardwood tar)
Tetrachloroethane
Toluol (Toluene)
Trichlorobenzol
Trichloroethylene
Tricresyl phosphate
Tung oil (chinawood oil)
Turpentine, including crude
Turpentine, oil (spirits of turpentine; turps)
Unfinished alcohol
Unfinished grain spirits (suitable only for redistribution)
Vinegar
Vinyl acetate
Waste waterproofing liquid

[1] Controlled as List 1 or List 2 materials to the extent defined in List 1 or List 2.
[2] Subject to such orders as may be issued by the Petroleum Administrator for War.

Water not including mineral, flavored or phosphated
Water gas tar
Xylol (xylene)
Zinc chloride, liquid
Zinc sulfate, liquid

[F. R. Doc. 43-1587; Filed, January 30, 1943; 11:42 a. m.]

PART 1010—SUSPENSION ORDERS

[Amendment 1 to Suspension Order S-96]

CHESTER F. DOLLEY

Paragraph (b) of § 1010.96 *Suspension Order S-96* issued September 9, 1942, (7 F.R. 7169) is hereby amended to read as follows:

(b) Beginning 90 days after the effective date of this order, Chester F. Dolley, his successors and assigns, shall not operate the well known as Girten Well No. 1, located at Torrance, California, except in accordance with conditions prescribed by the Petroleum Administrator for War.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9094, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1620; Filed, January 30, 1943; 3:42 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-205]

UNITED ELECTRIC CO.

E. L. Reed, doing business as United Electric Company, Oakland, California, is engaged in the business of buying, selling and installing electric wiring in housing projects.

Subsequent to March 2, 1942, E. L. Reed, doing business as United Electric Company, received preference ratings of A-1-j and A-1-k under Preference Rating Order P-55 covering the sale of 419,900 feet of copper wire to be installed in certain defense housing projects. Thereafter he extended said preference ratings to purchase orders for approximately 641,000 feet of copper wire or approximately 221,000 feet in excess of the amounts for which these ratings could be extended. These acts constituted wilful violations of paragraph (d) (2) (i) of Preference Rating Order P-55, issued March 2, 1942, and as amended April 20, 1942.

E. L. Reed, doing business as United Electric Company, was extended by his customers A-1-k ratings under Preference Rating Order P-55 to obtain delivery of copper wire to be incorporated in the construction of certain defense housing projects. Said preference ratings were extended by E. L. Reed, doing business as United Electric Company, to his suppliers and he obtained delivery of 69,100 feet of copper wire which he then used in connection with certain temporary installations on the aforesaid projects although the use of copper wire for this purpose had not been authorized. This constituted a use of said copper wire for purposes not specified in connection with the issuance of the preference rating orders in violation of Priorities Regulation No. 1.

These violations of Preference Rating Order P-55 and Priorities Regulation No. 1 have hampered and impeded the war effort of the United States by diverting scarce material to uses not authorized by the War Production Board. In view of the foregoing facts: *It is hereby ordered*, That:

§ 1010.205 *Suspension Order S-205* (a) Deliveries of materials, directly or indirectly, to E. L. Reed, doing business as United Electric Company, or otherwise, his successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned or applied to such deliveries by means of Preference Rating Certificates, Preference Rating Orders, General Preference Orders or any other orders or regulations of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(b) No allocations shall be made, directly or indirectly, to E. L. Reed, doing business as United Electric Company or otherwise, his successors and assigns, of any material the supply or distribution of which is governed by any order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) Nothing contained in this order shall be deemed to relieve E. L. Reed, doing business as United Electric Company or otherwise, from any restriction, prohibition or provision contained in any other order or regulation of the Director General for Operations except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on February 2, 1943, and shall expire on November 2, 1943, at which time the restrictions contained in this order shall be of no further effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1616; Filed, January 30, 1943; 3:42 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Orde S-227]

STERLING BRASS CO.

The Sterling Brass Company, Cleveland, Ohio, is a manufacturer of plumbing fixtures and supplies and also maintains a jobbing department in which it deals in plumbing supplies and accessories manufactured by others. In various reports filed by it on Form PD-25A and Form PD-59 in May, June, and July, 1942, the Company knowingly omitted approximately 47,000 pounds of brass ingots from its reported inventory in violation of Priorities Regulation No. 1. In a PD-25 application dated October 4, 1941, the Company also knowingly misrepresented its inventory of brass scrap and ingot.

From October 15 to December 31, 1941, the Company used in the manufacture of plumbing and heating supplies approximately 132,000 pounds of copper base alloy in excess of the amount which it was permitted to use under Conservation Order M-9-c. During the major portion of this time the Company was familiar with the restrictions contained in Conservation Order M-9-c and its violation thereof was wilful.

These violations of Priorities Regulation No. 1 and Conservation Order M-9-c have hampered and impeded the war effort of the United States by diverting scarce material to uses unauthorized by the War Production Board. In view of the foregoing. *It is hereby ordered*, That:

§ 1010.227 *Suspension Order S-227.* (a) The Sterling Brass Company, its successors and assigns, shall not process, fabricate, or use any of the metals specified in the Metals List attached to Priorities Regulation No. 11 in any form, nor shall The Sterling Brass Company, its successors and assigns, sell or deliver any article or item in whose fabrication there has been used or consumed or to which is attached any of the metals specified in the Metals List attached to Priorities Regulation No. 11 in any form except with the specific approval of the Regional Compliance Chief, Cleveland Regional Office, War Production Board.

(b) Deliveries of material to The Sterling Brass Company, its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned or applied to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the Director of Industry Operations or the Director General for Operations, except with the specific approval of the Regional Compliance Chief, Cleveland Regional Office, War Production Board.

(c) No allocation shall be made to The Sterling Brass Company, its successors and assigns, of any material the supply or distribution of which is covered by any order of the Director of Industry Operations or the Director General for Operations, except with the specific approval of the Regional Compliance Chief, Cleveland Regional Office, War Production Board.

(d) The provisions of this order shall not be applicable to deliveries, fabrication, or use of materials or articles ordered, received, used, or required for use to fill orders bearing preference ratings of AA-2 or higher.

(e) Nothing contained in this order shall be deemed to relieve The Sterling Brass Company from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(f) This order shall take effect on February 2, 1943, and shall expire on August 2, 1943, at which time the restrictions contained in this order shall be of no further effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1617; Filed, January 30, 1943; 3:42 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-228]

ORIENTAL TEA & COFFEE CO.

Oriental Tea & Coffee Company of Boston, Massachusetts, a partnership, is a roaster of coffee and a packer of tea. It distributes coffee and tea at wholesale in the Boston metropolitan district and maintains a retail store on Court Street. During the months of May to September, both inclusive, the Company delivered approximately 75,000 pounds of coffee and 22,000 pounds of tea in excess of the quotas allowable under Conservation Orders M-135 and M-111, respectively. During this period the Company's deliveries of both coffee and tea were materially larger than its deliveries for the corresponding period of 1941. During the last quarter of 1942 taken as a whole the Company's tea deliveries totalled somewhat less than the total of its quotas, but its deliveries of coffee for the period from October 1 to November 21 were in excess of the total of its quotas for those months.

These deliveries were made with full knowledge of the foregoing orders, and although some doubt existed in the minds of the partners as to the exact method by which the curtailments required by the orders were to be computed, the Company knew that such deliveries were substantially greater than its deliveries of tea and coffee in the corresponding months of 1941 instead of being substantially less. The overdeliveries, therefore, constituted wilful violations of the orders.

These violations of Conservation Orders M-135 and M-111 have hampered and impeded the war effort of the United States. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.228 *Suspension Order S-228.* (a) In each calendar month during which this order shall be in effect deliveries of coffee by Oriental Tea & Coffee Company, its successors and assigns, shall not exceed 23,000 pounds, except as specifically authorized by the Director General for Operations.

(b) In each calendar month during which this order shall be in effect Oriental Tea & Coffee Company, its successors and assigns, shall not deliver any tea, except as specifically authorized by the Director General for Operations.

(c) Nothing contained in this order shall be deemed to relieve Oriental Tea & Coffee Company from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall be in effect during the months of February to July, 1943, both inclusive.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1618; Filed, January 30, 1943; 3:42 p. m.]

PART 3115—CONSTRUCTION MACHINERY AND EQUIPMENT SIMPLIFICATION AND CONSERVATION

[Schedule II to Limitation Order L-217]

PORTABLE JAW AND ROLL CRUSHERS

§ 3115.3 *Schedule II to Limitation Order L-217*—(a) *Definitions.* For the purposes of this Schedule II:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of portable jaw and portable roll crushers or portable crushing plants as herein defined.

(3) "Portable jaw crusher" means a machine commonly known as a portable jaw crusher of either the lever (Blake) or overhead eccentric type designed for producing construction aggregates by reducing non-metallic minerals.

(4) "Portable roll crusher" means a machine commonly known as a portable roll crusher designed for producing construction aggregates by reducing non-metallic minerals.

(5) "Portable crushing plant" means any crushing plant incorporating either or both portable jaw or portable roll crushers.

(b) *Limitations on production of portable jaw crushers.* (1) On and after February 1, 1943, no producer shall use or put into process any materials for the manufacture of portable jaw crushers (to be used either independently or as a part of a portable crushing plant) except as provided in paragraph (b) (3) hereof.

(2) On and after March 1, 1943, no producer shall assemble portable jaw crushers (to be used either independently or as a part of a portable crushing plant) except as provided in paragraph (b) (3) hereof.

(3) Subject to paragraphs (b) (4), (b) (5), (b) (6) and (b) (7) hereof, producers are permitted to manufacture and assemble only one size of either the lever (Blake) type or of the overhead eccentric type portable jaw crusher in each of the following groups:

(i) *Group A, 9" x 14" to 11" x 18" inclusive.* A producer having the necessary equipment to produce a portable jaw crusher in the size of 10" x 16" may produce that size only in Group A.

(ii) *Group B, 9" x 18" to 11" x 22" inclusive.*—A producer having the necessary equipment to produce a portable jaw crusher in the size of 10" x 20" may produce that size only in Group B.

(iii) *Group C, 9" x 21" to 11" x 26" inclusive.* A producer having the necessary equipment to produce a portable jaw crusher in the size of 10" x 24" may produce that size only in Group C.

(iv) *Group D, 9" x 32" to 11" x 40" inclusive.* A producer having the necessary equipment to produce a portable jaw crusher in the size of 10" x 36" may produce that size only in Group D.

(v) *Group E, 13" x 22" to 17" x 26" inclusive.* A producer having the necessary equipment to produce a portable jaw crusher in the size of 15" x 24" may produce that size only in Group E.

(vi) *Group F, 13" x 32" to 17" x 40" inclusive.* A producer having the necessary equipment to produce a portable jaw crusher in the size of 15" x 36" may produce that size only in Group F.

(vii) *Group G, 18" x 32" to 22" x 40" inclusive.* A producer having the necessary equipment to produce a portable jaw crusher in the size of 20" x 36" may produce that size only in Group G.

(viii) *Group H, 22" x 32" to 26" x 40" inclusive.* A producer having the necessary equipment to produce a portable jaw crusher in the size of 24" x 36" may produce that size only in Group H.

(ix) *Group I.* Each producer may manufacture one size portable jaw crusher larger than 26" x 40" provided it is at least 4" larger in one or both jaw dimensions.

(4) If a producer elects to manufacture a permitted product which falls within the description of more than one of the above groups, such producer may not manufacture other types or sizes in those groups.

(5) For the purposes of this paragraph (b) the size of portable jaw crushers shall be determined as follows:

(i) By a horizontal measurement of the receiving opening from the apex of the corrugation on the stationary jaw to the base of the opposite corrugation on the movable jaw while the eccentric is at the maximum open position.

(ii) By measuring the inside distance between keyplates (cheek plates) when both of the jaws and both of the keyplates are in place.

(iii) Portable jaw crushers in Groups A, B, C and D (described in paragraph (b) (3) hereof) shall be measured when the discharge opening at the bottom is 1½" between the apex of the corrugation on the stationary jaw and the base of the opposite corrugation on the movable jaw, and

(iv) Portable jaw crushers in Groups E, F, G, H and I (described in paragraph (b) (3) hereof) when such discharge opening at the bottom is 3 inches.

(6) No person, unless actively engaged in the current production of portable jaw crushers (as indicated in his January, 1943 filing of Production and Shipment Schedules on Form PD–697, pursuant to Limitation Order L–192) shall thereafter enter into the production of such crushers.

(7) No producer, who is not actively engaged in the current production of portable jaw crushers in a size category listed in paragraph (b) (3) above, shall thereafter produce any portable jaw crusher in that size category.

(c) *Limitation on production of portable roll crushers.* (1) On and after February 1, 1943, no producer shall use or put into process any materials for the manufacture of portable roll crushers (to be used either independently or as a part of a portable crushing plant) except as provided in paragraph (c) (3) hereof.

(2) On and after March 1, 1943, no producer shall assemble portable roll crushers (to be used either independently or as a part of a portable crushing plant) except as provided in paragraph (c) (3) hereof.

(3) Subject to paragraphs (c) (4), (c) (5) and (c) (6) hereof, producers are permitted to manufacture and assemble portable roll crushers in the following sizes only:

(i) 16" x 16"
(ii) 24" x 16"
(iii) 30" x 18"
(iv) 40" x 22"
(v) 54" x 24"

(4) For the purpose of this paragraph (c) the size of portable roll crushers shall be determined by measuring the outside diameter and width of the shells when installed in a new unused portable roll crusher.

(5) No person, unless actively engaged in the current production of portable roll crushers (as indicated by his January, 1943 filing of Production and Shipment Schedules on Form PD–697, pursuant to Limitation Order L–192) shall thereafter enter into the production of such crushers.

(6) No producer, who is not actively engaged in the current production of portable roll crushers in a size listed in paragraph (c) (3) above, shall thereafter produce any portable roll crusher in that size.

(d) *List of permitted crushers.* On or before February 14, 1943, every producer shall file Form PD–754 with the Construction Machinery Division, War Production Board, Washington, D. C., Ref.: L–217, Schedule II, listing product, model number, size and type of those portable jaw and portable roll crushers currently produced by such producers which are proposed to be continued in production in accordance with the limitations of this order. No producer shall thereafter deviate from the sizes and types of crushers as listed by him and no producer shall enter into the production of any size or type of crusher not listed by him on such form, unless the Director General for Operations shall otherwise direct.

(e) *Not applicable to maintenance and repair parts.* Nothing in this order shall restrict a producer from continuing to manufacture and sell maintenance and repair parts for any and all sizes of portable jaw and portable roll crushers, provided that such manufacture and sale of parts is confined solely to meet the demands for repair parts for maintenance.

(f) *Limitation Order L–192.* Nothing in this schedule shall be deemed to permit any contravention of the provisions of Limitation Order L–192.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of January 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–1619; Filed, January 30, 1943; 3:42 p. m.]

Subchapter A—General Provisions

PART 903—DELEGATIONS OF AUTHORITY

[Amendment 1 to Supplementary Directive 1–O]

RATIONING OF FUEL OIL

Paragraph (d) of § 903.18 *Supplementary Directive 1–O* (7 F.R. 8418) is amended to read as follows:

(d) As used in this supplementary directive, the term "fuel oil" means any liquid petroleum product commonly known as fuel oil, including grades No. 1, 2, 3, 4, 5 and 6, whether or not blended or rebranded, such as Bunker C, Diesel oil, kerosene, range oil, and gas oil. The term also includes any other liquid petroleum product having the same specifications as the above designated grades and used for the same purposes as such grades.

The term "person" means any individual, partnership, corporation, association, government or governmental agency, and any other organized group or enterprise; the term "consumer" means any person who uses fuel oil for any purpose, including use as a component part of any manufactured article, material or compound; the term "limitation area" means the States of Connecticut, Delaware, Florida (east of the Apalachicola River), Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Vermont, Virginia, Washington, West Virginia, Wisconsin, and the District of Columbia.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–1664; Filed, February 1, 1943; 11:22 a. m.]

Chapter XI—Office of Price Administration

PART 1335—CHEMICALS

[RPS 76,[1] Amendment 4]

HIDE GLUE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1335.704 (b), requiring certain reports from jobbers of hide glue, is hereby revoked, and a new paragraph (d) is added to § 1335.708a as set forth below:

§ 1335.708a *Effective dates of amendments to Revised Price Schedule No. 76.* • • •

(d) Amendment No. 4 (§§ 1335.704 (b) and 1335.708a (d)) shall become effective February 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 29th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1538; Filed, January 29, 1943; 2:40 p. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[Rationing Order 2A,[2] Amendment 24]

NEW PASSENGER AUTOMOBILES

A rationale for the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1360.336 a new paragraph (j) is added, and the undesignated proviso is amended as set forth below:

Restriction of Transfers

§ 1360.336 *Removal of certain automobiles from the pool.* Subject to the provisions of § 1360.337, the Office of Price Administration may, in its discretion, issue authorizations to remove from the pool certain new passenger automobiles which fall under one or more of the following classifications:

• • • • • •

(j) Automobiles which will be sold or otherwise transferred to any government agency or the American Red Cross.

Provided, That as a condition to authorizing any removal pursuant to paragraph (j) and paragraphs (a) through (h) inclusive of this section, the Office of Price Administration may require substitution of a hard-top new passenger automobile for each automobile removed: *And provided,* That as a condition to authorizing any removal pursuant to paragraph (i) of this section, the Office of Price Administration shall require the substitution offered thereunder.

Effective Dates

§ 1360.442 *Effective dates of amendments.* • • •

(x) Amendment No. 24 (§ 1360.336) to Rationing Order No. 2A shall become effective February 4, 1943.

(Pub. Law 421, 77th Cong., W.P.B. Dir. No. 1. Supp. Dir. No. 1A, 7 F.R. 562, 698, 1493)

Issued this 29th day of January 1943.

PRENTISS BROWN,
Administrator.

[F. R. Doc. 43–1539; Filed, January 29, 1943; 2:39 p. m.]

PART 1389—APPAREL

[MPR 287,[1] Amendment 2]

MANUFACTURERS' PRICES FOR WOMEN'S, GIRLS' AND CHILDREN'S OUTERWEAR GARMENTS

A statement of the considerations involved in the issuance of this amendment is issued herewith and filed with the Division of the Federal Register.*

A new paragraph is added to Rule 6 in § 1389.353 (c); the text of § 1389.368 is designated paragraph (a) and a new paragraph (b) is added; a new § 1389.375 is added, as set forth below:

§ 1389.353 *Pricing of garments by manufacturers, except "manufacturing-retailers", "dressmakers" and "custom tailors."* • • •

(c) "Pricing rules". • • •

Rule 6. • • •

A maximum allowable margin will not be authorized to any manufacturer, other than a manufacturing-retailer, that is higher than the maximum allowable margins listed in Appendix F (§ 1389.375).

§ 1389.368 *Definitions.* • • •

(b) For the purposes of this regulation, where authorizations are to be granted, or prices are to be adjusted under Rules 5 and 6 (§ 1389.353 (c)) or Rule 9 (§ 1389.356), the references to the Office of Price Administration shall mean any regional office of the Office of Price Administration or such other office as may be authorized by order, issued by the appropriate regional office of the Office of Price Administration.

§ 1389.375 *Appendix F: Maximum allowable margins for new manufacturers, other than manufacturing-retailers.* (a) Maximum allowable margins which may be authorized for any manufacturers under Rule 6 (§ 1389.353 (c)) shall be as follows:

Categories of garments	*Maximum allowable margin (percent)*
Category Nos. 1 to 20, both inclusive: All selling price lines	32
Category Nos. 21 and 22:	
Selling price lines to and including $3.75	27
Selling price lines above $3.75 to and including $5.75	31
Selling price lines over $5.75	36
Category Nos. 23, 24, and 25: All selling price lines	34
Category 26: All selling price lines	34
Category Nos. 27 to 31, both inclusive: All selling price lines	32

These maximum allowable margins shall not apply to manufacturing-retailers.

(b) These margins are to be applied to selling price lines based on 8% or higher discount terms. If the discount terms are less than 8%, appropriate adjustments will be made in the margins listed in this section.

§ 1389.369a *Effective dates of corrections and amendments.* • • •

(d) Amendment No. 2 (§§ 1389.353 (c), 1389.368 (b), 1389.375, 1389.369a (d)) to Maximum Price Regulation No. 287 shall become effective January 29, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 29th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1540; Filed, January 29, 1943; 2:39 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5C,[2] Amendment 17]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subparagraph (44) of paragraph (a) of § 1394.7551, paragraph (e) of § 1394.8051, paragraphs (b) and (c) of § 1394.8207 and paragraph (b) of § 1394.8214 are amended, a new § 1394.8113 and a new paragraph (q) to § 1394.8352 are added; as set forth below:

Definitions

§ 1394.7551 *Definitions.* (a) • • •

(44) "Gasoline shortage area" means the States of Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, and the District of Columbia.

Renewal of Rations and Issuance of Further Rations

§ 1394.8051 *Renewal of rations.* • • •

(e) In the gasoline shortage area, except in the State of West Virginia, the Board when renewing a supplemental ration issued after December 15, 1942, or a fleet or official ration or a ration issued pursuant to the provisions of § 1394.7757 or § 1394.7758 may issue books or coupons for a valid period no shorter

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1351, 2132, 2241, 2818, 4381, 8948.

[2] 7 F.R. 1542, 1647, 1756, 2108, 2242, 2305, 2903, 3097, 3482, 4343, 5484, 6049, 6082, 6424, 6601, 6775, 6964, 7119, 8808, 8895, 9316, 10228; 8 F.R. 28, 363.

[1] 7 F.R. 10460; 8 F.R. 323, 402, 859.

[1] 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070, 8 F.R. 179, 274, 369, 372, 607, 565, 1028.

than the valid period of the books in the current ration or coupons not in excess of the number issued for the vehicle or vehicles in the current ration. In renewing supplemental rations issued before December 15, 1942, a Board in the gasoline shortage area, except in the State of West Virginia, may issue a ration which would permit driving not in excess of seventy-five percent of the mileage allowed by the current ration. In the State of West Virginia, the Board in renewing any supplemental ration may issue a ration which would permit driving not in excess of seventy-five percent of the mileage allowed by the current ration and in renewing a fleet or official ration or a ration issued pursuant to the provisions of § 1394.7757 or § 1394.7758, the Board may issue books or coupons for a valid period no shorter than the valid period of the books in the current ration or coupons not in excess of the number issued for the vehicle or vehicles in the current ration.

* * * * *

Expiration, Revocation and Redetermination of Rations

§ 1394.8113 *Revocation, review, modification and redetermination of rations by Boards and district, State and regional officers in territory formerly within gasoline shortage area.* (a) In the event any territory within the gasoline shortage area is removed from such area, any Board in such territory, and any district manager, state director or regional administrator having jurisdiction of such territory shall have power to revoke, cancel, review, modify or redetermine any supplemental, fleet or official ration, or any ration under §§ 1394.7757, 1394.7758, 1394.7851 or 1394.7852 issued or renewed while such territory was still within the gasoline shortage area. Such action shall be taken as the Regional Administrator may direct in order to redetermine the class of ration and amount of mileage or gallonage to which each such ration holder is entitled, and to adjust all such rations to conform with the provisions of Ration Order No. 5C relative to allowance of mileage and gallonage, and the unit value of coupons outside of the gasoline shortage area.

(b) Such review, redetermination, cancellation, revocation, or modification if instituted by a Board shall be conducted and ordered and be subject to the same review and appeal upon the same notice and procedure as that provided under the provisions of § 1394.8105. Such review, redetermination, cancellation, revocation, or modification, if instituted by a regional administrator, state director or district manager, shall be conducted and ordered and be subject to the same review and appeal upon the same notice and procedure as that provided under the provisions of § 1394.8109.

Restrictions on Transfers Between Dealers and Distributors

§ 1394.8207 *Restriction on transfers.* * * *

(b) Notwithstanding the provisions of paragraph (a) of this section, a dealer in the gasoline shortage area who has on hand Class B or C coupons as of 12:01 a. m. December 21, 1942, or a dealer in West Virginia who has on hand Class A, B, or C coupons as of such time may receive, and a dealer or distributor may transfer gasoline in exchange for such coupons in gallonage equal to four (4) gallons for each coupon: *Provided*, That such coupons are remitted to the transferor on or before December 22, 1942.

(c) Any dealer or distributor in the County of Sullivan in the State of Tennessee who has acquired Class A, B, or C coupons in exchange for gasoline during the time such county was within the gasoline shortage area shall list all such coupons on Form OPA R-541 at a gallonage value of three (3) gallons per coupon, and deliver them to a Board and the Board shall issue inventory coupons to such dealer or exchange certificates to such distributor equal in value to three (3) gallons for each such coupon.

§ 1394.8214 *Exchange of coupons for certificates.* (a) * * *

(b) On or before December 28, 1942, a distributor in the gasoline shortage area who has on hand Class B or C coupons, or a distributor in West Virginia who has on hand Class A, B or C coupons may deliver such coupons to a Board and obtain an exchange certificate equal in value to four (4) gallons for each coupon remitted: *Provided*, That such coupons were received by such distributor in exchange for a transfer of gasoline equal in gallonage to four (4) gallons for each coupon, in accordance with the provisions of paragraph (b) of § 1394.8207.

Effective Dates

§ 1394.8352 *Effective dates of amendments.* * * *

(q) Amendment No. 17 (§§ 1394.7551 (a) (44), 1394.8051 (e), 1394.8112, and 1394.8207 (b) and (c)) to Ration Order No. 5C shall become effective February 1, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 421 and 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 29th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1541; Filed, January 29, 1943; 2:40 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Amendment 2 to Supplement 1 to Ration Order 5C[1]]

MILEAGE RATIONING: GASOLINE REGULATIONS

Subparagraph (1) of paragraph (a) of § 1394.8401 is amended; and a new paragraph (d) to § 1394.8401 is added, as set forth below:

§ 1394.8401 *Designation of unit value in gallons of gasoline.*

(a) * * *

(1) Four (4) gallons of gasoline, with respect to Class A, B and C book coupons, except that in the States of Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, and the District of Columbia, the value of Class A, B and C book coupons shall be three (3) gallons of gasoline;

* * * * *

(d) Amendment No. 2 (§ 1394.8401 (a) (1) to Supplement No. 1 to Ration Order No. 5C shall become effective February 1, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. 1, Supp. Dir. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 29th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43-1542; Filed, January 29, 1943; 2:39 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 12,[1] Amendment 11]

COFFEE RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraphs (t), (u), (v), and (w), of § 1407.952 are redesignated as paragraphs (u), (v), (w), and (x) respectively; new paragraph (t) is added to § 1407.952 to read as follows and paragraph (k) of § 1407.1090a is added as set forth below:

Definitions

§ 1407.952 *Definitions.* * * *

(t) "State Director" means the person holding the Office of State Director in a District or State office, or the Office of District Manager in a district office, who has been designated by the Regional Administrator to decide, pursuant to Procedural Regulation No. 9,[2] appeals from the decisions of local war price and rationing boards located in the area over which such office has jurisdiction.

* * * * *

Effective Date

§ 1407.1090a *Effective dates of amendments.* * * *

(k) Amendment No. 11 (§§ 1407.952; 1407.1090a) to Ration Order No. 12 shall become effective February 4, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 729, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1-R)

Issued this 29th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1543; Filed, January 29, 1943; 2:39 p. m.]

PART 1427—MAGNESIUM

[MPR 314]

MAGNESIUM AND MAGNESIUM ALLOY INGOT

In the judgment of the Price Administrator it is necessary and proper to establish maximum prices for magnesium and magnesium alloy ingot in a separate regulation. The maximum prices established by this Maximum Price Regulation No. 314 (herein referred to as "this regulation") are, in the judgment of the Administrator, generally fair and equitable, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

The Administrator has given due consideration to prices prevailing between October 1 and 15, 1941 and to relevant factors of general applicability, and, so far as practicable, has consulted with representatives of the industry affected. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Order No. 9250,[1] and in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration, Maximum Price Regulation No. 314—Magnesium and Magnesium Alloy Ingot—is hereby issued.

Sec.

1427.51 Maximum prices for magnesium and magnesium alloy ingot.
1427.52 Prohibition.
1427.53 Applicability.
1427.54 Adjustable pricing.
1427.55 Prohibited practices.
1427.56 Invoices, records and reports.
1427.57 Enforcement.
1427.58 Definitions
1427.59 Effective date.

AUTHORITY: §§ 1427.51 to 1427.59, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R.7871.

§ 1427.51 *Maximum prices for magnesium and magnesium alloy ingot.*—(a) *Maximum base prices.* The maximum base prices for magnesium and magnesium alloy ingot shall be the following:

	Maximum base price (cents per pound)
Magnesium metal (commercially pure)	20.50
Magnesium alloy ingot:	
Incendiary bomb alloy	23.40
50-50 magnesium-aluminum alloy	23.75
ASTM B80-41T No. 11	25.00
ASTM B94-40T No. 13	25.00
All other alloys	23.00

(b) *Premiums.* The maximum base prices established in paragraph (a) of this section are applicable to shipments of 100 pounds or more of magnesium or magnesium alloy in the form of standard ingots (such as the standard 4-piece notched ingot weighing approximately 17 pounds). In appropriate cases one or more of the following premiums may be added to the applicable maximum base price:

(1) *Special shapes and sizes.* If magnesium or magnesium alloy ingot is sold in nonstandard shapes or sizes which were customarily sold at a premium prior to January 1, 1943, a premium of 1 cent per pound may be added to the applicable maximum base price. Examples of such nonstandard shapes or sizes are the three-pound ingot and the round ingot (4" diameter x 16") weighing approximately 12 pounds.

(2) *Small quantities.* The following premiums may be added to the applicable maximum base price if magnesium or magnesium alloy ingot is shipped in quantities of less than 100 pounds:

	Cents per pound
For lots of 25 to 100 pounds	10
For lots of less than 25 pounds	20

(3) *Packing.* If magnesium or magnesium alloy ingot is paper-packaged or shipped in wire-bound bundles a charge of ½ cent per pound may be added to the applicable maximum base price.

(c) *Delivery charges.* (1) The maximum price established by this regulation for incendiary bomb alloy is f. o. b producing plant.

(2) The maximum prices established by this regulation for shipments of less than 100 pounds are f. o. b. producing plant.

(3) All other maximum prices established by this regulation shall include the cost of transportation to any destination in the continental United States, not to exceed the lowest carload rate of rail freight. Actual transportation costs in excess of those so included may be charged to, and paid by, the buyer.

§ 1427.52 *Prohibition.* (a) On and after February 1, 1943, regardless of any contract or other obligation:

(1) No person shall sell or deliver magnesium or magnesium alloy ingot at a price higher than the maximum price established by this regulation; and

(2) No person in the course of trade or business shall buy or receive magnesium or magnesium alloy ingot at a price higher than the maximum price established by this regulation; and

(3) No person shall agree, offer, solicit or attempt to do any of the acts prohibited in subparagraphs (1) and (2) of this paragraph.

(b) The maximum prices established by this regulation shall have no application to sales to, or purchases by, the Metals Reserve Company.

(c) Prices lower than the maximum prices established by this regulation may be charged, demanded, paid or offered.

§ 1427.53 *Applicability* — (a) *Geographical.* The maximum prices established by this regulation shall apply to the forty-eight states of the United States and the District of Columbia.

(b) *Relation to General Maximum Price Regulation.* This regulation supersedes the General Maximum Price Regulation[2] as to sales and deliveries which are covered by, or expressly excluded from, this regulation.

(c) *Export sales.* The maximum price at which magnesium or magnesium alloy ingot may be exported shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation,[3] issued by the Office of Price Administration.[4]

§ 1427.54 *Adjustable pricing.* It is permissible under this regulation to provide in a contract that the price shall be adjustable to a price not higher than the maximum price in effect at the time of delivery.

§ 1427.55 *Prohibited practices.* Any practice or device which is an attempt to get the effect of a price higher than the maximum without actually charging a higher price is prohibited and is as much a violation of this regulation as an outright excessive price. This applies to devices involving commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like.

§ 1427.56 *Invoices, records and reports.* (a) On and after February 1, 1943, every sale of magnesium or magnesium alloy ingot shall be invoiced by the seller. The original invoice shall be delivered to the buyer, and shall contain:

(1) A full description of the magnesium or magnesium alloy ingot sold;

(2) The quantity sold;

(3) The price charged; and

(4) Other terms of sale and shipment.

(b) So long as the Emergency Price Control Act of 1942, as amended, is in effect, the buyer shall preserve for inspection by the Office of Price Administration the original, and the seller shall preserve a copy, of the invoice required by paragraph (a) of this section.

(c) Persons subject to this regulation shall submit such reports as the Administrator may from time to time require. Except as the Administrator may specifically request, however, no reports are required by this regulation.

§ 1427.57 *Enforcement.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) No war procurement agency, nor any contracting or paying finance officer thereof, shall be subject to any liability, civil or criminal, imposed by this regulation or the Emergency Price Control Act of 1942, as amended. "War procurement agency" includes the War Department, the Department of the Navy, the

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[1] 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070, 8 F.R. 179, 274, 369, 372, 607, 565, 1026.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9710, 10380, 11071, 11072; 8 F.R. 2[illegible] 167, 621, 566, 978.

[2] 7 F.R. 8796; 8 F.R. 856.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 7871.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5784, 5783, 6007, 6053, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 8942, 9004, 9435, 9615, 9616, 9732, 10155, 10454, 8 F.R. 371

[3] 7 F.R. 5059, 7242, 8829, 9000, 10530.

United States Maritime Commission and the Lend Lease Section in the Procurement Division of the Treasury Department, or any agency of the foregoing.

(c) Persons who have evidence of any violation of this regulation or of any other regulation or order issued by the Office of Price Administration are urged to communicate with the nearest district, state or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1427.58 *Definitions.* (a) When used in this regulation the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Magnesium and magnesium alloy ingot" means all kinds and grades of ingot (including cast billets) containing 50 per cent or more magnesium by weight, except remelt magnesium ingot (i. e., ingot in which the magnesium content is derived principally from scrap). Maximum prices for remelt magnesium ingot are established by Maximum Price Regulation No. 302—Magnesium Scrap and Remelt Magnesium Ingot.[1]

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used in this regulation.

§ 1427.59 *Effective date.* This Maximum Price Regulation No. 314 (§§ 1427.51 to 1427.59, inclusive) shall become effective February 1, 1943.

Issued this 29th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1533, Filed, January 29, 1943; 2:39 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 251 under § 1499.3 (b) of GMPR]

AMERICAN RAW HIDE PRODUCTS COMPANY

American Raw Hide Products Company, Providence, Rhode Island, made application pursuant to § 1499.3 (b) of the General Maximum Price Regulation for an authorization to determine maximum prices for certain raw hide hammer faces and mallets manufactured by it. For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is hereby ordered:*

§ 1499.1487 *Establishment of maximum prices for raw hide hammer faces and mallets manufactured by American Raw Hide Products Company.* (a) American Raw Hide Products Company, Providence, Rhode Island, may sell and deliver and any person may buy and receive from the American Raw Hide Products Company the items of raw hide hammer faces and mallets manufactured from domestic bull hide at prices not higher than those set forth below:

RAW HIDE HAMMER FACES

Item No.	Diameter of face	Maximum prices
	Inch	*Per pair*
0	7/8	$ .1850
1	1 1/4	.3988
2	1 1/2	.4098
3	1 3/4	.5802
4	2	.7133
5	2 1/4	1.3134

RAW HIDE MALLETS

Item No.	Diameter	Length	Weight	Maximum prices
	Inch	*Inch*	*Ounce*	*Each*
0	1	2 1/2	2	$ .5202
1	1 1/4	3 1/2	4	.6758
2	1 1/2	3 3/4	6	.7934
3	1 3/4	3 3/4	8	.8601
4	2	3 1/2	10	1.0459
5	2 1/4	4 3/4	22	1.4828
6	2 1/2	4 3/4	24	1.8781
7	1 1/4	3 3/4	8	.6452
8	1 1/2	3 3/4	11	.7811
9	1 3/4	3 3/4	11	.7912
10	2	3 1/2	18	1.0493
11	2 1/4	4 1/2	38	1.8559

(b) The maximum prices established by this Order may be amended by the Price Administrator at any time.

(c) This Order No. 251 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 251 (§ 1499.1487) shall become effective January 30, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 29th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1536, Filed, January 29, 1943; 2:37 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 3 Under Supp. Reg. 15 to GMPR]

AMERICAN ABRASIVE COMPANY

Order No. 3 under § 1499.75 (a) (4) of Supplementary Regulation No. 15 to the General Maximum Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§1499.1603 *Adjustment of maximum prices for optical grades of corundum grain sold by the American Abrasive Company.* (a) On and after January 30, 1943, the American Abrasive Company, Westfield, Massachusetts, may sell and deliver and agree, offer, solicit and attempt to sell and deliver optical grades of corundum grain at a price not in excess of 9.75 cents per pound, f. o. b. mill, for all sizes #60–#250, inclusive.

(b) All discounts, allowances and quantity differentials which the American Abrasive Company had in effect during March, 1942, shall remain in effect under this order.

(c) This Order No. 3 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 3 (§1499.1603) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established under § 1499.2 of the General Maximum Price Regulation.

(e) This Order No. 3 (§ 1499.1603) shall become effective January 30, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O 9250, 7 F.R. 7871)

Issued this 29th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1537; Filed, January 29, 1943; 2:37 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 16 Under Supp. Reg. 15 to GMPR]

BUDRECK TRUCK LINES

Order No. 16 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation—Docket No. GF3-1263.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1316 *Adjustment of maximum prices for contract carrier services for Frank Budreck and Joseph Budreck, a partnership doing business as Budreck Truck Lines.* (a) Frank Budreck and Joseph Budreck, a partnership doing business as Budreck Truck Lines 3435 South Racine Avenue, Chicago, Illinois, may sell and deliver contract carrier services at not more than the rates specified in Exhibit C of the amended application for adjustment submitted to this Office on October 22, 1942, and contained in Docket No. GF3-1263.

(b) All requests of the applications not granted herein are denied.

(c) This Order No. 16 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 16 (§ 1499.1316) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 16 (§ 1499.1316) shall become effective January 30, 1943.

(Pub. Law No. 421, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 29th day of January 1943

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1534; Filed, January 29, 1943; 2:37 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 17 Under Supp. Reg. 15 to GMPR]

URSCHEL TRUCKING CO.

Order No. 17 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation—Docket No. GF3-1212.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1317 *Adjustment of maximum prices for contract carrier services sold by the Urschel Trucking Company.* (a) The Urschel Trucking Company, 106 Canal Street, Wabash, Indiana, may sell and furnish contract carrier services in connection with the transportation of scrap or waste paper, wooden skids and cores, woodpulp and paper mill machinery from points in Michigan, Missouri, Ohio and Illinois to Wabash, Indiana at prices not exceeding the rates set forth in the schedule of minimum rates, MF-ICC No. 7, filed by Urschel Trucking Company with the Interstate Commerce Commission on July 16, 1942, to become effective August 15, 1942.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 17 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 17 (§ 1499.1317) is hereby incorporated as a Section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 17 (§ 1499.1317) shall become effective January 30, 1943.

(Pub. Laws No. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 29th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1535; Filed, January 29, 1943; 2:38 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 300,[1] Amendment 1]

MAXIMUM MANUFACTURERS' PRICES FOR RUBBER DRUG SUNDRIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1315.1751 the first sentence of paragraph (a) is amended; the text of § 1315.1771 is amended and in that section the text of paragraph (j) is amended and a new paragraph (k) is added, all to read as set forth below:

§ 1315.1751 *Applicability of this Maximum Price Regulation 300*—(a) *What commodities must be priced under this regulation.* This regulation applies to the commodities listed in paragraphs (a) to (j), inclusive, of Appendix A (§ 1315.1771) which will be called "rubber drug sundries" in this regulation.

* * * * *

§ 1315.1771 *Appendix A: Definition of rubber drug sundries.* When used in this Maximum Price Regulation No. 300 the term "rubber drug sundries" means the articles listed in paragraphs (a) to (j), inclusive, of this section, when made in whole or in part of rubber, but does not include the articles listed in paragraph (k) of this section.

* * * * *

(j) All other rubber medical, surgical, dental, veterinary, mortuary and laboratory parts (except those listed in paragraph (k) of this section), including but not limited to:

* * * * *

(k) The term "rubber drug sundries" does not include the following articles:

Adhesive tape.
Medicated footpads and plasters.
Sanitary belts.
Supporters (men's athletic).
Surgical elastic bandages.
Surgical elastic supports.
Surgical stockings.
Surgical tape.
Suspensories.
Trusses.

This amendment shall become effective February 1, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 29th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1554; Filed, January 29, 1943; 4:00 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 301[1], Amendment 1]

RETAIL AND WHOLESALE PRICES FOR RUBBER DRUG SUNDRIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1315.1776 the first sentence of paragraph (a) is amended; paragraph (c) of § 1315.1779 is amended; the text of §1315.1795 is amended and in that section the text of paragraph (i) is amended and a new paragraph (j) is added, all to read as set forth below:

§ 1315.1776 *Applicability of this Maximum Price Regulation 301*—(a) *What commodities must be priced under this regulation.* This regulation applies to the commodities listed in paragraphs (a) to (i), inclusive, of Appendix A (§ 1315.1795).

* * * * *

§ 1315.1779 *Maximum prices for sales at retail of rubber drug sundries, other than victory line.* * * *

(c) *Sales of baby feeding nipples.* Notwithstanding any other provisions of this section (§ 1315.1779), the maximum price for sales at retail of baby feeding nipples shall be determined in accordance with the applicable provisions of paragraphs (a), (b) or (c) of this section (§ 1315.1779), but in no case shall the price for baby feeding nipples, other than breast type, semi-breast type and valve type nipples, exceed three for $0.25 or $0.10 each whenever the purchaser requests less than three.

§ 1315.1795 *Appendix A: Definition of rubber drug sundries.* When used in this Maximum Price Regulation No. 301 the term "rubber drug sundries" means the articles listed in paragraphs (a) to (i), inclusive, of this section, when made in whole or in part of rubber, but does not include the articles listed in paragraph (j) of this section.

* * * * *

(i) All other rubber medical, surgical, dental, veterinary, mortuary and laboratory parts (except those listed in paragraph (j) of this section), including but not limited to:

* * * * *

(j) The term "rubber drug sundries" does not include the following articles:

Adhesive tape.
Medicated footpads and plasters.
Sanitary belts.
Supporters (men's athletic).
Surgical elastic bandages.
Surgical elastic supports.
Surgical stockings.
Surgical tape.
Suspensories.
Trusses.

This amendment shall become effective February 1, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 29th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1555; Filed, January 29, 1943; 4:00 p. m.]

PART 1346—BUILDING MATERIALS

[RPS 45, as Amended]

ASPHALT OR TARRED ROOFING PRODUCTS

Sales and deliveries of asphalt or tarred roofing products by manufacturers have been subject to price control by the Office of Price Administration under the terms of Price Schedule No. 45 and Revised Price Schedule No. 45 since December 12, 1941. This Revised Price Schedule No. 45, as amended, continues that control. The title and preamble are amended, §§ 1346.51 through 1346.60, inclusive, are renumbered and amended, and §§ 1346.61, 1346.62, 1346.63 and 1346.64 are added, all to read as set forth below:

Asphalt or tarred roofing products, primarily made of a felt base (composed of waste rags, waste paper and other fibers), saturated and/or coated with asphalt or tar, are widely used as a building material. In the defense and war programs, these products have been extensively employed in the construction industry. The increased use of asphalt roofing products stemming from the defense program and the accompanying expanded economic activity so increased demand for such products that shipments for the first eight months of 1941 exceeded 26,000,000 squares. As a consequence, inflationary pressure was exerted upon these products, resulting

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[1] 8 F.R. 609.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 867.

[1] 8 F.R. 873.

in several successive price increases during the spring and summer of 1941 totaling fifteen to sixteen percent, while total unit costs for most items increased very little during the same period. Earnings therefore steadily increased. While Price Schedule No. 45 reduced prices below the levels in effect just prior to its issuance, it still allowed a substantial margin of profit.

Revised Price Schedule No. 45, as amended, establishes in dollars and cents the maximum prices for most of the western area, which prices were hitherto simply frozen at the July 2, 1941 or August 1, 1941 level of prices, and amends or adds certain other provisions to bring the schedule in conformity with the over-all policies of the Office of Price Administration.

Revised Price Schedule No. 45, as amended, utilizes the shipping point, freight equalization, and allowance systems in effect in this industry prior to the issuance of Price Schedule No. 45, including the customary practice of free deliveries in free shipping zones. Such acceptance and incorporation of these systems into Revised Price Schedule No. 45, as amended, merely as a vehicle for determining prices, should not be regarded as approval thereof, nor should this reservation be regarded as disapproval.

A statement of the considerations involved in the issuance of Revised Price Schedule No. 45, as amended, has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator and the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, and in accordance with Revised Procedural Regulation No. 1[1] issued by the Office of Price Administration, Revised Price Schedule No. 45, as amended, is hereby issued.

Sec

1346.51 Maximum prices for asphalt or tarred roofing products sold by manufacturers.
1346.52 Less than maximum prices.
1346.53 Taxes.
1346.54 Adjustable pricing.
1346.55 Evasion.
1346.56 Records and reports.
1346.57 Enforcement.
1346.58 Petitions for amendment.
1346.59 Application for adjustment of maximum prices for asphalt or tarred roofing products under Government contracts or subcontracts.
1346.60 Definitions.
1346.61 Revised Maximum Export Price Regulation applicable.
1346.62 Effective date.
1346.63 Appendix A: Maximum prices for asphalt or tarred roofing products for the Eastern Area.
1346.64 Appendix B: Maximum prices for asphalt or tarred roofing products for the Pacific Coast Area.

AUTHORITY: §§ 1346.51 to 1346.64, inclusive, issued under Pub. Laws No. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8961.

§ 1346.51 *Maximum prices for asphalt or tarred roofing products sold by manufacturers.* (a) On and after February 5, 1943, regardless of the terms of any contract of sale or purchase or other commitment (1) no manufacturer shall sell, offer to sell, deliver, or transfer asphalt or tarred roofing products at prices higher than the maximum prices established in Appendices A (Eastern Area) and B (Pacific Coast Area) hereof, incorporated herein as §§ 1346.63 and 1346.64, and (2) no person shall buy, offer to buy, or accept delivery of such products from a manufacturer at prices higher than the said maximum prices; Provided, That "applied sales" of asphalt or tarred roofing products, as defined in § 1346.60 (a) (15), shall not be subject to Revised Price Schedule No. 45, as amended, but shall be subject to Maximum Price Regulation No. 251.

(b) The provisions of paragraph (a) (2) of this section shall not be applicable to any war procurement agency or any contracting officer thereof, and any such contracting officer or any paying finance officer shall be relieved of any and every liability, civil or criminal, imposed by this Revised Price Schedule No. 45, as amended, or by the Emergency Price Control Act of 1942, as amended.

§ 1346.52 *Less than maximum prices.* Lower prices than those established in Appendices A and B (§§ 1346.63 and 1346.64) may be charged, demanded, paid, or offered.

§ 1346.53 *Taxes.* There may be added to the maximum prices established by this schedule the amount of tax levied by any Federal excise statute or any State or municipal sales, gross receipts, gross proceeds, or compensating use tax statute or ordinance, under which the tax is measured by gross proceeds or units of sale, if, but only if, (1) such statute or ordinance requires the vendor to state the tax, separately from the purchase price paid by the purchaser, consumer, or user, on the bill, sales check, or evidence of sale, at the time of the transaction; or (2) such statute or ordinance requires such tax to be paid separately by the purchaser, consumer, or user with tokens or other media of State or municipal tax payment; or (3) such statute or ordinance permits the vendor to state such tax separately, and such tax is in fact stated separately by the vendor. The amount of tax permitted to be added by this provision shall in no event exceed that paid by the purchaser, consumer, or user.

Notwithstanding any previous provision of this section, the provisions of Supplementary Order No. 31[2] shall apply where applicable to this Revised Price Schedule No. 45, as amended.

§ 1346.54 *Adjustable pricing.* Any person may offer or agree to adjust prices to prices not in excess of the maximum prices in effect at the time of delivery.

§ 1346.55 *Evasion.* The price limitations set forth in Revised Price Schedule No. 45, as amended, shall not be evaded, whether by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, transfer, purchase, or receipt of or relating to asphalt or tarred roofing products, alone or in conjunction with any other commodity, or by way of any commission, service, transportation, or other charge, or discounts, premium, or other privilege, or by tying-agreement or other trade understanding, or by making terms and conditions of sale more onerous to the purchaser than those available or in effect on the effective date of Revised Price Schedule No. 45, as amended, or by any other means.

§ 1346.56 *Records and reports.* (a) On and after February 5, 1943, every manufacturer who sells, delivers, or transfers asphalt or tarred roofing products of a total value in excess of $1,000.00 per month, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each such sale, delivery, or transfer, showing the date thereof, the name and address of the buyer, the price paid or received, and the quantity (in squares) of each grade, type, shape, size, kind and color of asphalt or tarred roofing products sold.

(b) Persons affected by Revised Price Schedule No. 45, as amended, shall submit such reports to the Office of Price Administration as it may from time to time require.

§ 1346.57 *Enforcement.* (a) Persons violating any provision of this Revised Price Schedule No. 45, as amended, are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this Revised Price Schedule No. 45, as amended, or any price schedule, regulation, or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation are urged to communicate with the nearest field, state, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1346.58 *Petitions for amendment.* Any person seeking an amendment of any provision of this Revised Price Schedule No. 45, as amended, may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1[3] issued by the Office of Price Administration.

§ 1346.59 *Application for adjustment of maximum prices for asphalt or tarred roofing products under Government contracts or subcontracts.* Any person who has entered into or proposes to enter into a Government contract or a subcontract under any such contract, who believes that a maximum price established by this Revised Price Schedule No. 45, as amended, impedes or threatens to impede production of a commodity or supply of a service which is essential to the war program and which is or will be the subject of such contract or subcontract may apply for adjustment of that maximum price in accordance with Procedural Regulation No. 6, as amended.[4]

[2] 7 F.R. 9894.

[3] 7 F.R. 8961.

§ 1346.60 *Definitions.* (a) When used in this Revised Price Schedule No. 45, as amended, the term:

(1) "Person" means an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Asphalt or tarred roofing products" means roofing, shingles and siding materials having a felt base (composed of waste rags, waste paper, or other fibers), saturated and/or coated with asphalt or coal tar pitch, whether with or without mineral surface, of any grade, type, shape, size, kind, or color, and without restricting the above, also includes slaters felt, and asphalt or coal tar pitch saturated and/or coated laminated fiber or felt sheets or boards not exceeding one-quarter inch in thickness.

(3) "Manufacturer" means a person operating a mill or plant producing asphalt or tarred roofing products, as well as any sales subsidiary or affiliate, any commission salesman, manufacturer's representative, or other manufacturer's agent.

(4) "Dealer" means a merchant maintaining a permanent place of business equipped with sales personnel and service facilities sufficient to serve the consuming public.

(5) "Applicator" means a roofing contractor engaged in the sale of asphalt or tarred roofing products in applied form, maintaining a warehouse stock of such roofing products and a permanent place of business.

(6) "Governing shipping point" means that established shipping point the use of which results in the lowest delivered price at the place of delivery.

(7) "Distributor" means a buyer who regularly serves the retail trade from his own warehouse stock, who regularly buys in carload or truckload lots, who regularly transacts such wholesale distribution through his own sales efforts, whose sales at wholesale are essentially to dealers and who assumes full credit responsibility for his sales of asphalt or tarred roofing products.

(8) "Carload" means a quantity or combination of one or more grades, types and sizes of asphalt or tarred roofing products, taking the same freight rate, the aggregate weight of which totals at least the lowest applicable minimum carload weight as required in the established tariffs of rail carriers.

(9) "Less than carload" means a quantity or combination of one or more grades, types and sizes of asphalt or tarred roofing products, taking the same freight rate, the aggregate weight of which is less than that referred to in (8) above.

(10) "Ten-ton truck shipment" means a quantity or combination of one or more grades, types and sizes of asphalt or tarred roofing products, taking the same freight rate, the aggregate weight of which totals at least the highest applicable minimum truckload weight as required in the established tariffs of motor carriers.

(11) "Less than ten-ton truck shipment" means a quantity or combination of one or more grades, types and sizes of asphalt or tarred roofing products, taking the same freight rate, the aggregate weight of which is less than that referred to in (10) above.

(12) "Fifteen-ton truck shipment" means a quantity or combination of one or more grades, types and sizes of asphalt or tarred roofing products, taking the same freight rate, the aggregate weight of which totals at least the highest applicable minimum truckload weight as required in the established tariffs of motor carriers.

(13) "Less than fifteen-ton truck shipment" means a quantity or combination of one or more grades, types and sizes of asphalt or tarred roofing products, taking the same freight rate, the aggregate weight of which is less than that referred to in (12) above.

(14) "Square" means a quantity of asphalt or tarred roofing products sufficient to cover 100 square feet of surface when applied in the customary trade manner.

(15) "Applied sale" means a transaction whereby the manufacturer furnishes materials and in addition performs the service of applying the materials to the building itself, in consideration of the total price paid by the purchaser.

(16) "Deliver" means to make physical transfer to the purchaser, or to a carrier not owned or controlled by the seller for carriage to the purchaser, to whom the goods have been sold.

(17) "Government contract" means any contract with the United States or any agency thereof, or with the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States" or with any agency of any such Government.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

§ 1346.61 *Revised Maximum Export Price Regulation[5] applicable.* The maximum price at which a person may sell or deliver any asphalt or tarred roofing product for export shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[5] issued by the Office of Price Administration.

§ 1346.62 *Effective date.* Revised Price Schedule No. 45, as amended (§§ 1346.51 to 1346.64, inclusive) shall become effective February 5, 1943.

§ 1346.63 *Appendix A: Maximum prices for asphalt or tarred roofing products for the Eastern Area.*

(a) *Application.* The provisions of this Appendix A apply to all sales of asphalt or tarred roofing products in which the point of destination is within the continental United States east of and including the states of Montana, Wyoming, Colorado and New Mexico.

(b) *Types of shipments and prices applicable thereto.* (1) Carload (as defined in § 1346.60 (a) (8)) via rail and/or water: Carload price on all items.

(2) Less than carload (as defined in § 1346.60 (a) (9)) via rail and/or water: Less than carload price on all items.

(3) Ten-ton truck shipment (as defined in § 1346.60 (a) (10)): Carload price on all items.

(4) Less than ten-ton truck shipment (as defined in § 1346.60 (a) (11)): Less than carload price on all items.

(c) *Transportation charges and freight equalization.* Although the maximum prices established herein are set f. o. b. shipping points, the purchaser shall bear only the transportation charges expressly provided for below and all other transportation costs shall be absorbed by the manufacturer, except as provided in Supplementary Order No. 31.*

(1) *Shipments to destinations within any of the shipping points or free shipping point zones listed in § 1346.63 (g) and (h) respectively:* No charges for transportation may be added to the maximum prices set forth in Revised Price Schedule No. 45, as amended, on such shipments.

(2) *Shipments to destinations not within any of the shipping points or free shipping point zones listed in § 1346.63 (g) and (h) respectively:* On all such shipments the transportation charge shall be shown as a separate item in the purchaser's invoice. Such transportation charge shall be computed by applying to the weight of the shipment as determined from the manufacturer's published price lists the rail rate from that shipping point herein contained from which the lowest rail rate to actual destination on an identical shipment is applicable, *except that* transportation charges on a ten-ton truck shipment (as defined in § 1346.60 (a) (10)) shall be computed on the basis of the carload rail freight rate, unless the actual cost of trucking to the manufacturer exceeds such carload rail freight rate, in which event that actual cost of trucking may be used as the basis of computation; *Provided, however,* That in no event shall such transportation charge exceed the less than carload rail freight rate. However, in addition to any other allowance which may be required or made, an allowance shall be made to the purchaser (by credit or refund) as indicated below:

(i) *Carload shipments or ten-ton truck shipments.* (a) Where shipment is made via rail or truck: Full allowance of the transportation charge[7] shall be made to the purchaser, unless such charge[7] shall exceed nine cents per hundred pounds, in which case the manufacturer may limit such allowance to nine cents per hundred pounds.

(b) Where shipment is wholly or partially by water: In lieu of the allowance set forth in (a) above, the allowance to the purchaser shall be the established switching, wharfage and handling charges at the points of loading on vessels and unloading from vessels.

(ii) *Stop-over charges.* Where 20,000 lbs. or more of asphalt or tarred roofing products are unloaded an allowance shall be made to the purchaser equal to actual stop-over charges at such point of unloading.

(d) *Maximum prices for standard asphalt or tarred roofing products, f. o. b. shipping points:*

[4] 7 F.R. 5087, 5664.

[5] 7 F.R. 5059, 7242, 8829, 9000, 10530.

[6] 7 F.R. 9894.

[7] Computed in accordance with subparagraph (2) above.

TABLE 3—SIDINGS

	Maximum prices, f. o. b. shipping points (per square)	
	L CL.	CL.
Brick siding strips—210 lb.		
Average approx. weight per square	210 lb.	
Strips per square	134.	
Exposure	3".	
Brick siding strips—175 lb.		
Average approx. weight per square	175 lb.	
Strips per square	134.	
Exposure	3".	
Embossed brick strip in rolls		
Average approx. weight per square	105 lb.	
	$6.16 less 6% and 5%	$6.29 less 5%
	$5.72 less 6% and 5%	$5.73 less 5%
	$2.26 less 6% and 5%	$2.58 less 5%

TABLE 4—BUILT-UP ROOF MATERIALS

	Maximum prices f. o. b. shipping points (per roll)	
	L CL.	CL.
Asphalt saturated felt. Underwriters label:		
15 lb. 432 sq. ft. av. appr. wt. per roll 60 lb.	$1.93 less 6% and 5%	$1.95 less 5%
14 lb. 432 sq. ft. av. appr. wt. per roll 60 lb.	$1.93 less 6% and 5%	$1.95 less 5%
13 lb. 432 sq. ft. av. appr. wt. per roll 55 lb.	$1.93 less 6% and 5%	$1.95 less 5%
12 lb. 432 sq. ft. av. appr. wt. per roll 50 lb.	$1.67 less 6% and 5%	$1.44 less 5%
24 lb. 216 sq. ft. av. appr. wt. per roll 52 lb.	$1.67 less 6% and 5%	$1.44 less 5%
Tarred felt:		
15 lb. 432 sq. ft. av. appr. wt. per roll 65 lb.	$1.93 less 6% and 5%	$1.95 less 5%
14 lb. 432 sq. ft. av. appr. wt. per roll 60 lb.	$1.93 less 6% and 5%	$1.95 less 5%
13 lb. 432 sq. ft. av. appr. wt. per roll 55 lb.	$1.67 less 6% and 5%	$1.44 less 5%
12 lb. 432 sq. ft. av. appr. wt. per roll 50 lb.	$1.67 less 6% and 5%	$1.44 less 5%
24 lb. 216 sq. ft. av. appr. wt. per roll 52 lb.	$1.67 less 6% and 5%	$1.44 less 5%

TABLE 5—SLATERS AND THREADED FELT

	Maximum prices, f. o. b. shipping points (per roll)	
	L CL.	CL.
Slaters felt (asphalt or tarred):		
Gross area 500 sq. ft. app. wt. per roll 30 lb.	$1.46 less 6% and 5%	$0.93 less 5%
Threaded felt (asphalt or tarred):		
Gross area 500 sq. ft. app. wt. per roll 42 lb.	$2.24 less 6% and 5%	$1.46 less 5%
Gross area 250 sq. ft. app. wt. per roll 21 lb.	$1.10 less 6% and 5%	$0.95 less 5%

TABLE 6—ROLL ROOFINGS, MINERAL SURFACED

	Maximum prices, f. o. b. shipping points (per roll)	
	L CL.	CL.
90 lb. mineral surfaced [1] (Class C label) fixtures included. Average approx. weight per roll 90 lb.	$2.01 less 6% and 5%	$1.75 less 5%
75 lb. mineral surfaced [1] Average approx. weight per roll 75 lb. Fixtures included.	$1.91 less 6% and 5%	$1.61 less 5%
Diamond point style. Average approx. weight per roll 105 lb.	$2.56 less 6% and 5%	$2.15 less 5%
Shadow point style. Average approx. weight per roll 105 lb.	$2.56 less 6% and 5%	$2.15 less 5%

TABLE 1—STRIP SHINGLES

	Maximum prices, f. o. b. shipping points (per square)	
	L CL.	CL.
12" (3 in line) strips.		
Average approx. weight per square	240 lb.	
Strips per square	80.	
Exposure	5".	
Headlap	2".	
Underwriters label	C.	
12" (4 in line) strips		
Average approx. weight per square	240 lb.	
Strips per square	80.	
Exposure	5".	
Headlap	2".	
Underwriters label	C.	
12" (3 in line) thickbutt strips		
Average approx. weight per square	264 lb.	
Strips per square	80.	
Exposure	5½".	
Headlap	2".	
Underwriters label	C.	
12" Tapered strips		
Average approx. weight per square	275 lb.	
Strips per square	80.	
Exposure	5½".	
Headlap	2".	
Underwriters label	C.	
10" square butt (4 in 1) strips		
Average approx. weight per square	216 lb.	
Strips per square	100.	
Exposure	4".	
Headlap	2".	
Underwriters label	C.	
12½" square butt (4 in 1) strips		
Average approx. weight per square	296 lb.	
Strips per square	100.	
Exposure	4½".	
Headlap	2".	
Underwriters label	C.	
12" (4 in 1) strips		
Average approx. weight per square	265 lb.	
Strips per square	80.	
Exposure	5½".	
Headlap	2".	
Underwriters label	C.	
	$5.17 less 6% and 5%	$4.14 less 5%
	$4.91 less 6% and 5%	$4.24 less 5%
	$5.02 less 6% and 5%	$4.85 less 5%
	$5.89 less 6% and 5%	$5.19 less 5%
	$4.91 less 6% and 5%	$4.24 less 5%
	$5.42 less 6% and 5%	$5.06 less 5%

TABLE 2—INDIVIDUAL SHINGLES

	Maximum prices, f. o. b. shipping points (per square)	
	L CL.	CL.
Dutch lap giant with clips or staples	192 lb.	
Average approx. weight per square	192 lb.	
Shingles per square	112.	
Headlap	2½".	
Underwriters label	C.	
Standard individual weight per square	235 lb.	
Average approx. weight per square	379.	
Shingles per square	4½".	
Exposure	4½".	
Headlap	2".	
Underwriters label	C.	
Giant individual		
Average approx. weight per square	325 lb.	
Shingles per square	229.	
Exposure	5½".	
Headlap	2".	
Underwriters label	C.	
	$3.83 less 6% and 5%	$3.29 less 5%
	$5.92 less 6% and 5%	$5.00 less 5%
	$7.31 less 6% and 5%	$6.26 less 5%

TABLE 7—ROLL ROOFINGS, SMOOTH SURFACED

	Maximum prices, f. o. b. shipping points (per roll)	
	L CL.	CL.
Cheapest grade (fixtures included) [1]		
Average approx. weight per roll 35 lb.	$0.94 less 6% and 5%	$0.80 less 5%
Average approx. weight per roll 45 lb.	$1.10 less 6% and 5%	$0.94 less 5%
Average approx. weight per roll 55 lb.	$1.26 less 6% and 5%	$1.08 less 5%

[1] Where this product is sold wholly or partially without fixtures, the price thereof must be reduced by the amount by which it was or would have been reduced on a similar sale made on June 29, 1941, if the manufacturer had a standard differential for such sales at that time.

Where this product is sold partially without fixtures, and the manufacturer had no practice for pricing such sales on June 29, 1941, he shall make a reduction in the maximum price stated in this Schedule in an amount not less than that obtained by applying the ratio of the sum of the costs of the included fixtures to the allowance he made for a sale minus all fixtures, and deducting the proportion involved for the articles now excluded from the fixtures furnished.

(e) *Discounts.* All of the discounts set forth in paragraph (d) of this Appendix A shall be prominently set forth on any and all price lists issued subsequent to the effective date of this Revised Price Schedule No 45 as amended, as an integral part thereof.

(f) *Maximum prices for non-standard asphalt or tarred roofing products, f. o. b. shipping points.* For all asphalt or tarred roofing products expressly listed above, maximum prices shall be as so listed whether in any specific case the manufacturer has or has not manufactured such products before. No such products so listed above shall be construed as coming within the provisions of this paragraph (f). For all asphalt or tarred roofing products not expressly listed above, the maximum prices f. o. b. shipping points shall be the net f. o. b. shipping points selling prices (after deduction of all discounts and allowances, whether published or unpublished) which were actually charged, or which would have been charged (upon the basis of the prices, discounts and allowances, whether published or unpublished, then listed or quoted by the manufacturer) by the manufacturer on a sale made on June 29, 1941, to the same purchaser or class of purchaser for like quantities, grades, types, shapes, sizes, kinds, or colors of asphalt or tarred roofing products, exclusive of any premiums or charges for advanced delivery or any other inducement that may then have been offered by the buyer or demanded by the seller to negotiate the sale.

For all asphalt or tarred roofing products not expressly listed above, and which were first sold or offered for sale on or after August 1, 1942, the maximum prices shall be determined in accordance with § 1499.154, and sections therein referred to, of Maximum Price Regulation No. 188 (Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.)

(g) *Shipping points:*

Birmingham, Ala.[10]	Chicago Heights, Ill.
Mobile, Ala.	Clearing, Ill.
Edge Moor, Del.	E. St. Louis, Ill.
Port Wentworth, Ga.	Joliet, Ill.
Chicago, Ill.	Lockport, Ill.
Madison, Ill.	Elizabeth, N. J.
Marseilles, Ill.	Jersey City, N. J.
Vandalia, Ill.	Kearny, N. J.
Waukegan, Ill.	Manville, N. J.
Wilmington, Ill.	Maurer, N. J.
South Bend, Ind.	Rutherford, N. J.
New Orleans, La.	Fulton, N. Y.
Shreveport, La.	Niagara Falls, N. Y.
Marrero, La.	No. Tonawanda, N. Y.
Baltimore, Md.	Tonawanda, N. Y.
East Walpole, Mass.	Cleveland, Ohio
Millis, Mass.	Franklin, Ohio
Norwood, Mass.	Lockland, Ohio
Detroit, Mich.	Youngstown, Ohio [10]
Minneapolis, Minn.	Erie, Pa.
St. Paul, Minn.	Philadelphia, Pa.
Kansas City, Mo.	York, Pa.
No. Kansas City, Mo.	Memphis, Tenn.
Bound Brook, N. J.	Dallas, Tex.
South Bound Brook, N. J.	Port Neches, Tex
East Rutherford, N. J.	Fort Worth, Tex.

[9] Where a product generally sold with fixtures is sold wholly or partially without fixtures, the price thereof must be reduced by the amount by which it was or would have been reduced on a similar sale made on June 29, 1941 if the manufacturer had a standard differential for such sales at that time.

Where such a product is sold partially without fixtures, and the manufacturer had no practice for pricing such sales on June 29, 1941, he shall make a reduction in the maximum price stated in this Schedule in an amount not less than that obtained by applying the ratio of the sum of the costs of the included fixtures to the allowance he made for a sale minus all fixtures, and deducting the proportion involved for the articles now excluded from the fixtures furnished.

(h) *Free shipping point zones.*

Baltimore, Md. Zone: The corporate limits of the Independent City of Baltimore.

Birmingham, Ala. Zone: [10] The corporate limits of Birmingham.

Boston, Mass. Zone: Suffolk County. In Middlesex County, the City of Cambridge, the townships of Newton, Natick, Sherborn, and the town of Brookline. In Norfolk County, the townships of Wellesley, Needham, Denham, Dover, Medfield, Westwood, Norwood, Milton, Canton, Sharon, Walpole, Millis, Medway, Bellingham, Franklin, Wrentham, Foxborough, Norfolk and Plainville.

Buffalo, N. Y. Zone: In Niagara County, the townships of Lewiston, Cambria, Lockport, Niagara, Wheatfield, Pendleton. In Erie County, the townships of Tonawanda, Amherst, Clarence, Newstend, Cheektowaga, Erie and West Seneca.

Chicago, Ill. Zone: In Illinois: Cook County, DuPage County, Will County. In Lake County, the townships of Benton, Waukegan, Warren, Libertyville, Shields, Deerfield, West Deerfield, and Vernon. In Kane County, the townships of Elgin, St. Charles, Geneva, Sugar Grove, Aurora and Batavia. In Kendall County, township of Oswego. In Kankakee County, the townships of Rockville, Manteno, Summer, Yellowhead, Momence, Ganeer, Kankakee and Bourbonnais. In Indiana: In Lake County, all territory north of a line drawn through and including the corporate limits of Dyer, Hartsdale, Griffith, Ross, South Gary, New Chicago and East Gary.

Cincinnati, Ohio Zone: Hamilton County, Ohio, except the townships of Harrison, Crosby and White Water. In Butler County, Ohio, the townships of Union, Fairfield, St. Clair, Liberty, Lemon and Madison. In Warren County, Ohio, the townships of Deerfield, Union, Hamilton and Franklin. In Montgomery County, Ohio, the townships of German, Miami, Jackson and Jefferson. In Kentucky, the corporate limits of Covington, Newport, Bellevue, Latonia, Dayton, Altomont, Brent, Stevens, Melbourne, Ross, Oneonta, Erlanger, Crescent Springs, Ludlow and Bromley in Kenton and Campbell Counties.

Cleveland, Ohio Zone: Cuyahoga County.

Dallas, Tex., Zone: The corporate limits of Dallas.

Detroit, Michigan Zone. The territory within the boundary of a line connecting and including South Rockwood, Carleton, West Sumpter, Willis, Ypsilanti, Plymouth, Northville, Novi, Walled Lake, West Pontiac, Auburn Heights, Utica, Waldenburg, Lakeside, Lake Short, St. Claire Shores, Grosse Pointe Farms, Grosse Pointe, thence down the Detroit River to origin point of South Rockwood.

East St. Louis, Ill. Zone: In Madison County, Ill., the townships of Alton, Wood River, Edwardsville, Choteau, Jarvis, Colinsville, Venice, Nameoki, Granite City. In St. Clair County, Ill., the townships of Caseyville, Canteen, Stites, Centerville, Sugar Loaf, Stookey, St. Clair. In St. Louis County, Mo., the corporate limits of the Independent City of St. Louis and the territory within the boundary of a line drawn through and including the suburbs of: Spanish Lake, Black Jack, Ferguson, Carsonville, Overland, Lackland, Malcolm, Ridge Farm, Sappinton, Alpha (Continental), Mehlville, Boussan thence up the Mississippi River to origin point of Spanish Lake.

Edge Moor, Del. Zone: The corporate limits of Edge Moor.

Erie, Pa. Zone: The corporate limits of Erie.

Fort Worth, Texas, Zone: The corporate limits of Fort Worth.

Franklin, Ohio Zone: See Cincinnati, Ohio Zone.

Fulton, N. Y. Zone: The territory within the boundary of a line drawn through and connecting the corporate limits of the cities or villages of New Haven (Oswego County), Mexico, Hastings, Mallory, West Monroe, Brewerton, Clay, Woodward, North Syracuse, East Syracuse, Eastwood, Syracuse, Solvay, Syracuse Junction, Baldwinsville, Lamson, South Granby, Sterling, Southwest Oswego.

Kansas City, Mo. Zone: In Jackson County, Mo., Fairmount and Sugar Creek and the corporate limits of Kansas City and Independence. In Clay County, Mo., North Kansas City and Avondale. In Wyandotte County, Kansas: Kansas City, including Fairfax Industrial District, Turner and Welborn. In Johnson County, Kansas: Merriam. Any towns or villages in this area not mentioned are not to be included in this Zone.

Marseilles, Ill. Zone: The corporate limits of Marseilles.

Memphis, Tenn. Zone: The corporate limits of Memphis.

Minneapolis, Minn. Zone: The corporate limits of Minneapolis and St. Paul and the suburbs of Robbinsdale, Columbia Heights, St. Louis Park, Ft. Snelling, West St. Paul and South St. Paul.

Mobile, Ala. Zone: The corporate limits of Mobile.

New Jersey Zone: All of Bergen County, except that part of Washington and Palisades townships which lies east of (and not including) the New York Central (West Shore) Railway. That part of Passaic County which lies east and south of the line of the New York, Susquehanna and Western Railway at (and including) Pompton Lakes, Hudson, Essex, Union and Middlesex Counties. In Somerset County, the townships of North Plainfield, Franklin, Montgomery, Hillsborough, Bridgewater, and Branchburg.

New Orleans, La. Zone: On the North, Lake Pontchartrain; on the East, a line connecting and including Edgelake, Lee, Chalmette, Meraux, New Home, Story, Campbell, Violet; thence on the South, a line connecting and including Violet, Fort St. Leon,

[10] This is regarded as a shipping point for freight equalization purposes only as to asphalt and/or tar saturated felt items.

Gretna, Harvey, Powell, Avondale, Waggeman, Witherow; thence on the West, a line connecting and including Witherow, Prellsen, thence to Lake Pontchartrain along the Jefferson and St. Charles Parish Line.

Philadelphia, Pa. Zone: Philadelphia County. In Montgomery County, the townships of Lower Moreland, Upper Moreland, Horsham, Upper Dublin, Cheltenham, Springfield, Whitemarsh, Plymouth, Norriton, West Norriton and Lower Merion. Delaware County except the townships of Concord, Bethel, Birmingham and Thornbury.

Port Neches, Texas Zone: Jefferson County, Texas.

Port Wenthworth, Ga. Zone: The corporate limits of the following cities or towns in Chatham County, Ga.: Anderson, Bloomingdale, Burroughs, Central Junction, Keller, Meinhard, Monteith, Pooler, Port Wentworth, Savannah and Williams.

Shreveport, La. Zone: The corporate limits of Shreveport, Agers and Bossier City.

South Bend, Ind. Zone: St. Joseph County, Indiana.

Vandalia, Ill. Zone: The corporate limits of Vandalia.

York, Pa. Zone: In York County, Pa. all the townships except Lower Chanceford, Peachbottom, Fawn, Hopewell, Shrewsbury, Codorus, Manheim, West Manheim, Franklin, Carroll, Moneghan, Warrington, Washington. The corporate limits of Harrisburg, Steelton and Middletown in Dauphin County. The corporate limits of Columbia and Lancaster in Lancaster County.

§ 1346.64 *Appendix B: Maximum prices for asphalt or tarred roofing products for the Pacific Coast Area.*

DIVISION I

(a) *Application.* The provisions of Division I of Appendix B apply to all sales of asphalt or tarred roofing products in which the point of destination is within the states of Oregon, Washington, California, Nevada, Arizona, or that part of Idaho north of and including Idaho County, and also the city of Boise, Idaho and all points west to which the railroad carload freight rate on asphalt or tarred roofing products from Portland, Oregon, is the same as the rate to Boise, Idaho.

(b) *Types of shipments and prices applicable thereto.* (1) Carload (as defined in § 1346.60 (a) (8)) via rail and/or water: Carload price on all items.

(2) Less than carload (as defined in § 1346.60 (a) (9)) via rail and/or water: Less than carload price on all items.

(3) Fifteen-ton truck shipment (as defined in § 1346.60 (a) (12)): Carload price on all items.

(4) Less than fifteen-ton truck shipment (as defined in § 1346.60 (a) (13)): Less than carload price on all items.

(c) *Transportation charges and freight equalization.* Although the maximum prices established herein are set f. o. b. shipping points, the purchaser shall bear only the transportation charges expressly provided for below and all other transportation costs shall be absorbed by the manufacturer, except as provided in Supplementary Order No. 31[11] issued by the Office of Price Administration.

(1) *Shipments to destinations within any of the shipping points or free shipping point zones listed in § 1346.64 (g) and (h) respectively.* No charges for transportation may be added to the maximum prices established herein for such shipments.

(2) *Shipments to destinations not within any of the shipping points or free shipping point zones listed in § 1346.64 (g) and (h), respectively.* The maximum transportation charge which may be made for such shipments shall be that transportation charge which would be applicable to an identical shipment from the governing shipping point as defined in § 1346.60 (a) (6) above, to the actual destination by the same mode of transportation employed for actual shipment.[12] The transportation charge shall be shown as a separate item on the purchaser's invoice.

In calculating such transportation charge, the weight used shall be either the actual weight of the shipment, or the estimated weight as determined from the manufacturer's published price lists.

(d) *Maximum prices for standard asphalt or tarred roofing products, f. o. b. shipping points:*

(1) Maximum prices f. o. b. Compton, Los Angeles and South Gate, California.

[11] 7 FR 9894.

[12] If the same mode is not available, the available mode of transportation which has the lowest rate shall be employed.

TABLE 1—STRIP SHINGLES

	Maximum prices f. o. b. Compton, Calif., Los Angeles, Calif., South Gate, Calif.			
	Dealer-applicator per square		Distributor per square	
	L/CL	CL	L/CL	CL
12" (3 in line) strips	$5.16	$4.44	$4.64	$4.13
Average approx. weight per square	240 lb.			
Strips per square	80			
Exposure	5"			
Headlap	2"			
Underwriters label	C			
12" (3 in line) strips	4.79	4.12	4.31	3.83
Average approx. weight per square	210 lb.			
Strips per square	80			
Exposure	5"			
Headlap	2"			
Underwriters label	C			
11⅓" hexagon strips	3.70	3.15	3.33	2.86
Average approx. weight per square	167 lb.			
Strips per square	86			
Exposure	4½"			
Headlap	2"			
Underwriters label	C			
10" square butt (4 in 1) strips	4.79	4.12	4.31	3.83
Average approx. weight per square	210 lb.			
Strips per square	100			
Exposure	4"			
Headlap	2"			
Underwriters label	C			
15" (3 in line) thikbut strips	5.74	4.94	5.17	4.59
Average approx. weight per square	250 lb.			
Strips per square	80			
Exposure	5"			
Headlap	2"			
Underwriters label	C			

TABLE 2—INDIVIDUAL SHINGLES

	Maximum prices f. o. b. Compton, Calif., Los Angeles, Calif., South Gate, Calif.			
	Dealer-applicator per square		Distributor per square	
	L/CL	CL	L/CL	CL
Dutch lap giant with clips or staples	$3.13	$2.69	$2.82	$2.42
Average approx. weight per square	135 lb.			
Shingles per square	112			
Sidelap	3"			
Headlap	2"			
Underwriters label	C			
Standard individual	5.80	4.99	5.22	4.49
Average approx. weight per square	252 lb.			
Shingles per square	380			
Exposure	4"			
Headlap	C			
Underwriters label				
Giant	7.00	6.02	6.30	5.42
Average approx. weight per square	315 lb.			
Shingles per square	224			
Exposure	6"			
Headlap	C			
Underwriters label				

TABLE 3—BUILT-UP ROOF MATERIALS

	Maximum prices f. o. b. Compton, Calif., Los Angeles, Calif., South Gate, Calif.			
	Dealer-applicator per roll		Distributor per roll	
	L/CL	CL	L/CL	CL
Asphalt saturated felt:				
15 Lb. 324 sq. ft. av. app. wt. per roll 50 lb.	$1.26	$1.15	$1.26	$1.15
20 Lb. 300 sq. ft. av. app. wt. per roll 60 lb.	1.67	1.53	1.67	1.53
30 Lb. 216 sq. ft. av. app. wt. per roll 65 lb.	1.86	1.70	1.86	1.70

(2) Maximum prices f. o. b. Emeryville, Pittsburg, Richmond and San Francisco, California.

TABLE 1—STRIP SHINGLES

	Maximum prices f. o. b. Emeryville, Calif., Pittsburg, Calif., Richmond, Calif., San Francisco, Calif.			
	Dealer-applicator per square		Distributor per square	
	L/CL	CL	L/CL	CL
12" (3 in line) strips	$5.46	$4.70	$4.91	$4.37
Average approx. weight per square	240 lb.			
Strips per square	80			
Exposure	5"			
Headlap	2"			
Underwriters label	C			
12" (3 in line) strips	5.05	4.34	4.55	4.04
Average approx. weight per square	210 lb.			
Strips per square	80			
Exposure	5"			
Headlap	2"			
Underwriters label	C			
11⅓" hexagon strips	3.91	3.37	3.52	3.13
Average approx. weight per square	167 lb.			
Strips per square	86			
Exposure	4½"			
Headlap	2"			
Underwriters label	C			
10" square butt (4 in 1) strips	5.05	4.34	4.55	4.04
Average approx. weight per square	210 lb.			
Strips per square	100			
Exposure	4"			
Headlap	2"			
Underwriters label	C			
15" (3 in line) thikbut strips	6.05	5.20	5.45	4.84
Average approx. weight per square	250 lb.			
Strips per square	80			
Exposure	5"			
Headlap	2"			
Underwriters label	C			

TABLE 2—INDIVIDUAL SHINGLES

	Maximum prices f. o. b. Emeryville, Calif.; Pittsburg, Calif.; Richmond, Calif.; San Francisco, Calif.			
	Dealer-applicator per square		Distributor per square	
	L/CL	CL	L/CL	CL
Dutch lap giant with clips or staples	$3.29	$2.83	$2.96	$2.63
Average approx. weight per square	135 lb.			
Shingles per square	112			
Sidelap	3"			
Headlap	2"			
Underwriters label	C			
Standard individual	6.11	5.26	5.50	4.89
Average approx. weight per square	252 lb.			
Shingles per square	380			
Exposure	4"			
Headlap	4½"			
Underwriters label	C			
Giant	7.40	6.37	6.66	5.92
Average approx. weight per square	315 lb.			
Shingles per square	224			
Exposure	6"			
Headlap	C			
Underwriters label				

(2) Maximum prices f. o. b. Compton, Calif., Los Angeles, Calif., South Gate, Calif.

SECTION 1—ROLL ROOFINGS MINERAL SURFACED

	Maximum prices f. o. b. Compton, Calif., Los Angeles, Calif., South Gate, Calif.			
	Dealer-applicator per roll		Distributor per roll	
	L/CL	CL	L/CL	CL
90 lb. mineral surfaced	$1.76	$1.61	$1.76	$1.50
(Class C Labels) fixtures included [13]				
Average approx. weight per roll 90 lb.				
Diamond point style	2.38	2.17	2.38	2.02
Average approx. weight per roll 105 lb.				
Shadowmat style	2.38	2.17	2.38	2.02
Average approx. weight per roll 105 lb.				

[13] Where this product is sold wholly or partially without fixtures, the price thereof must be reduced by the amount by which it was or would have been reduced on a similar sale made on June 29, 1941, if the manufacturer had a standard differential for such sales at that time.

Where this product is sold partially without fixtures, and the manufacturer had no practice for pricing such sales on June 29, 1941, he shall make a reduction in the maximum price stated in this schedule in an amount not less than the total amount by applying the ratio of the sum of the costs of the included fixtures to the allowance he made for a first class roof, to the proportion involved for the articles now excluded from the fixtures furnished.

TABLE 5—ROLL ROOFINGS SMOOTH SURFACED

	Maximum prices f. o. b. Compton, Calif., Los Angeles, Calif., South Gate, Calif.			
	Dealer-applicator per roll		Distributor per roll	
	L/CL	CL	L/CL	CL
Cheapest grade (fixtures included): [14]				
Average approx. weight per roll 45 lb.	$0.62	$0.75	$0.62	$0.70
Average approx. weight per roll 50 lb.	.69	.90	.69	.84
Average approx. weight per roll 55 lb.	1.13	1.35	1.06	1.26
Average approx. weight per roll 65 lb.	1.33	1.92	1.33	1.78
Second grade (fixtures included): [14]				
Average approx. weight per roll 45 lb.	1.13	1.03	1.13	.96
Average approx. weight per roll 50 lb.	1.31	1.19	1.31	1.11
Average approx. weight per roll 55 lb.	1.58	1.35	1.58	1.26
Average approx. weight per roll 65 lb.	1.73	1.58	1.73	1.47
Average approx. weight per roll 75 lb.	2.02	1.85	2.02	1.72
Average approx. weight per roll 80 lb.	2.07	1.89	2.07	1.76

[14] See *supra*, footnote 13.

TABLE 3—BUILT-UP ROOF MATERIALS

	Maximum prices f. o. b.; Emeryville, Calif.; Pittsburg, Calif.; Richmond, Calif.; San Francisco, Calif.			
	Dealer-applicator per roll		Distributor per roll	
	L/CL	CL	L/CL	CL
Asphalt saturated felt:				
15 lb. 324 sq. ft. av. app. wt. per roll 50 lb.	$1.32	$1.20	$1.32	$1.12
20 lb. 300 sq. ft. av. app. wt. per roll 60 lb.	1.74	1.59	1.74	1.48
30 lb. 216 sq. ft. av. app. wt. per roll 65 lb.	1.94	1.77	1.94	1.65

TABLE 4—ROLL ROOFINGS MINERAL SURFACED

	Maximum prices f. o. b. Emeryville, Calif.; Pittsburg, Calif.; Richmond, Calif.; San Francisco, Calif.			
	Dealer-applicator per roll		Distributor per roll	
	L/CL	CL	L/CL	CL
90 lb. mineral surfaced (Class C label) fixtures included [13]	$1.87	$1.71	$1.87	$1.59
Average approx. weight per roll 90 lb.				
Diamond point style	2.50	2.29	2.50	2.13
Average approx. weight per roll 105 lbs.				
Shadow point style	2.50	2.29	2.50	2.13
Average approx. weight per roll 105 lbs.				

[13] See *supra*, footnote 13.

TABLE 5—ROLL ROOFINGS SMOOTH SURFACED

	Maximum prices f. o. b. Emeryville, Calif.; Pittsburg, Calif.; Richmond, Calif.; San Francisco, Calif.			
	Dealer-applicator per roll		Distributor per roll	
	L/CL	CL	L/CL	CL
Cheapest grade (fixtures included) [13]				
Average approx. weight per roll 35 lb.	$0.87	$0.80	$0.87	$0.74
Average approx. weight per roll 45 lb.	1.05	.96	1.05	.89
Average approx. weight per roll 55 lb.	1.24	1.13	1.24	1.05
Average approx. weight per roll 65 lb.	1.41	1.29	1.41	1.20
Second grade (fixtures included) [13]				
Average approx. weight per roll 35 lb.	1.18	1.08	1.18	1.00
Average approx. weight per roll 45 lb.	1.36	1.25	1.36	1.16
Average approx. weight per roll 55 lb.	1.58	1.44	1.58	1.34
Average approx. weight per roll 65 lb.	1.81	1.66	1.81	1.54
Average approx. weight per roll 75 lb.	2.12	1.94	2.12	1.80
Average approx. weight per roll 80 lb.	2.16	1.98	2.16	1.84

[13] See *supra*, footnote 13.

(3) Maximum prices f. o. b. Portland, Oregon.

TABLE 1—STRIP SHINGLES

	Maximum prices f. o. b. Portland, Oreg.			
	Dealer-applicator per square		Distributor per square	
	L/CL	CL	L/CL	CL
12" (3 in line) strips	$5.30	$4.77	$5.30	$4.37
Average approx. weight per square 240 lb.				
Strips per square 80				
Exposure 5"				
Headlap 2"				
Underwriters label C				
12" (3 in line) strips	4.90	4.41	4.90	4.04
Average approx. weight per square 210 lb.				
Strips per square 80				
Exposure 5"				
Headlap 2"				
Underwriters label C				
11-5/8" hexagon strips	3.79	3.41	3.79	3.13
Average approx. weight per square 167 lb.				
Strips per square 86				
Exposure 4 3/8"				
Headlap 2"				
Underwriters label C				
10" square butt (4 in 1) strips	4.90	4.41	4.90	4.04
Average approx. weight per square 210 lb.				
Strips per square 100				
Exposure 4"				
Headlap 2"				
Underwriters label C				
15" (3 in line) Thikbut strips	5.78	5.20	5.78	4.77
Average approx. weight per square 250 lb.				
Strips per square 80				
Exposure 5"				
Headlap 5"				
Underwriters label C				

TABLE 2—INDIVIDUAL SHINGLES

	Maximum prices f. o. b. Portland, Oreg.			
	Dealer-applicator per square		Distributor per square	
	L/CL	CL	L/CL	CL
Dutch lap giant with clips or staples	$3.19	$2.87	$3.19	$2.63
Average approx. weight per square 135 lb.				
Shingles per square 112				
Sidelap 3"				
Headlap 2"				
Underwriters label C				
Standard individual	5.93	5.34	5.93	4.89
Average approx. weight per square 252 lb.				
Shingles per square 380				
Exposure 5"				
Headlap 6"				
Underwriters label C				
Giant	7.18	6.46	7.18	5.92
Average approx. weight per square 315 lb.				
Shingles per square 224				
Exposure 5"				
Headlap 6"				
Underwriters label C				

TABLE 3—BUILT-UP ROOF MATERIALS

	Maximum prices f. o. b. Portland, Oreg.			
	Dealer-applicator per roll		Distributor per roll	
	L/CL	CL	L/CL	CL
Asphalt saturated felt:				
15 lb. 324 sq. ft. av. app. wt. per roll 50 lb.	$1.36	$1.22	$1.36	$1.12
20 lb. 300 sq. ft. av. app. wt. per roll 60 lb.	1.79	1.61	1.79	1.48
30 lb. 216 sq. ft. av. app. wt. per roll 65 lb.	2.00	1.80	2.00	1.65

TABLE 4—ROLL ROOFINGS MINERAL SURFACED

	Maximum prices f. o. b. Portland, Oreg.			
	Dealer-applicator per roll		Distributor per roll	
	L/CL	CL	L/CL	CL
90 lb. mineral surfaced (Class C label) fixtures included, [13]	$1.93	$1.74	$1.93	$1.59
Average approx. weight per roll 90 lb.				
Diamond point style	2.59	2.33	2.59	2.14
Average approx. weight per roll 105 lbs.				
Shadow point style	2.59	2.33	2.59	2.14
Average approx. weight per roll 105 lbs.				

[13] See *supra*, footnote 13.

TABLE 5—ROLL ROOFINGS SMOOTH SURFACED

	Maximum prices f. o. b. Portland, Oreg.			
	Dealer-applicator per roll		Distributor per roll	
	L/CL	CL	L/CL	CL
Cheapest grade (fixtures included) [13]				
Average approx. weight per roll 35 lb.	$0.99	$0.81	$0.99	$0.74
Average approx. weight per roll 45 lb.	1.08	.97	1.08	.89
Average approx. weight per roll 55 lb.	1.27	1.14	1.27	1.05
Average approx. weight per roll 65 lb.	1.45	1.30	1.45	1.20
Second grade (fixtures included) [13]				
Average approx. weight per roll 35 lb.	1.21	1.09	1.21	1.00
Average approx. weight per roll 45 lb.	1.41	1.27	1.41	1.16
Average approx. weight per roll 55 lb.	1.62	1.46	1.62	1.34
Average approx. weight per roll 65 lb.	1.87	1.68	1.87	1.54
Average approx. weight per roll 75 lb.	2.18	1.96	2.18	1.80
Average approx. weight per roll 80 lb.	2.23	2.01	2.23	1.84

[13] See *supra*, footnote 13.

(4) Maximum prices f. o. b. Seattle and Tacoma, Washington.

TABLE 1—STRIP SHINGLES

	Maximum prices f. o. b. Seattle, Wash. Tacoma, Wash			
	Dealer-applicator per square		Distributor per square	
	L/CL	CL	L/CL	CL
12" (3 in line) strips	$5.88	$5.29	$5.88	$4.85
Average approx. weight per square 240 lb.				
Strips per square 80				
Exposure 5"				
Headlap 2"				
Underwriters label C				
12" (3 in line) strips	5.41	4.87	5.41	4.46
Average approx. weight per square 210 lb.				
Strips per square 80				
Exposure 5"				
Headlap 2"				
Underwriters label C				
11 3/4" hexagon strips	4.21	3.79	4.21	3.47
Average approx. weight per square 167 lb.				
Strips per square 86				
Exposure 4 3/8"				
Headlap 2"				
Underwriters label C				
10" square butt (4 in 1) strips	5.41	4.87	5.41	4.46
Average approx. weight per square 210 lb.				
Strips per square 100				
Exposure 4"				
Headlap 2"				
Underwriters label C				
15" (3 in line) thikbut strips	6.44	5.80	6.44	5.31
Average approx. weight per square 250 lb.				
Strips per square 80				
Exposure 5"				
Headlap 5"				
Underwriters label C				

TABLE 2—INDIVIDUAL SHINGLES

	Maximum prices f. o. b. Seattle, Wash. Tacoma, Wash.			
	Dealer-applicator per square		Distributor per square	
	L/CL	CL	L/CL	CL
Dutch lap giant with clips or staples	$3.50	$3.15	$3.50	$2.89
Average approx. weight per square 135 lb.				
Shingles per square 112				
Sidelap 3"				
Headlap 2"				
Underwriters label C				
Standard individual	6.53	5.88	6.53	5.39
Average approx. weight per square 252 lb.				
Shingles per square 380				
Exposure 4"				
Headlap [3] 4 1/2"				
Underwriters label C				
Giant	7.94	7.15	7.94	6.55
Average approx. weight per square 315 lb.				
Shingles per square 224				
Exposure 5"				
Headlap 6"				
Underwriters label C				

TABLE 3—BUILT-UP ROOF MATERIALS

	Maximum prices f. o. b. Seattle, Wash., Tacoma, Wash.			
	Dealer-applicator per roll		Distributor per roll	
	L/CL	CL	L/CL	CL
Asphalt saturated felt:				
15 lb. 324 sq. ft. av. app. wt. per roll 70 lb.	$1.48	$1.33	$1.48	$1.22
20 lb. 360 sq. ft. av. app. wt. per roll 60 lb.	1.94	1.75	1.94	1.60
30 lb. 216 sq. ft. av. app. wt. per roll 65 lb.	2.16	1.94	2.16	1.78

TABLE 4—ROLL ROOFINGS MINERAL SURFACED

	Maximum prices f. o. b. Seattle, Wash.; Tacoma, Wash.			
	Dealer-applicator per roll		Distributor per roll	
	L/CL	CL	L/CL	CL
With [illegible] used (Class C label) fixtures included [1] Average approx. weight per roll 90 lb.)	$2.10	$1.94	$2.15	$1.77
Diamond [illegible] style Average approx. weight per roll 105 lb.	2.85	2.56	2.85	2.32
Shadow [illegible] style Average approx. weight per roll 105 lb.	2.85	2.56	2.85	2.33

[1] See *supra*, footnote 13.

TABLE 5—ROLL ROOFINGS SMOOTH SURFACED

	Maximum prices f. o. b. Seattle, Wash.; Tacoma, Wash.			
	Dealer-applicator per roll		Distributor per roll	
	L/CL	CL	L/CL	CL
Cheapest grade (fixtures included) [1]				
Average approx. weight per roll 35 lb.	$0.98	$0.88	$0.98	$0.81
Average approx. weight per roll 45 lb.	1.19	1.07	1.19	.98
Average approx. weight per roll 55 lb.	1.41	1.27	1.41	1.16
Average approx. weight per roll 65 lb.	1.61	1.45	1.61	1.33
Second grade (fixtures included) [1]				
Average approx. weight per roll 35 lb.	1.30	1.17	1.30	1.07
Average approx. weight per roll 45 lb.	1.52	1.37	1.52	1.25
Average approx. weight per roll 55 lb.	1.76	1.58	1.76	1.45
Average approx. weight per roll 65 lb.	2.02	1.82	2.02	1.67
Average approx. weight per roll 75 lb.	2.36	2.12	2.36	1.95
Average approx. weight per roll 80 lb.	2.42	2.18	2.42	2.00

[1] See *supra*, footnote 13.

(e) *Maximum prices for standard asphalt or tarred roofing products.* (1) *Shipments to destinations within any of the shipping points or free shipping point zones listed in § 1346.64 (g) and (h) respectively.* The maximum prices for such shipments shall be the prices as established herein for such shipping point.

(2) *Shipments to destinations not within any of the shipping points or free shipping point zones listed in § 1346.64 (g) and (h), respectively.* The maximum prices for asphalt or tarred roofing products to which this paragraph applies shall be the aggregate of (i) the shipping point prices at the governing shipping point (as defined in § 1346.60 (a) (6) above) and (ii) the transportation charge specified in paragraph (c) of this section.

(f) *Maximum prices for non-standard asphalt or tarred roofing products, f. o. b. shipping points.* For all asphalt or tarred roofing products expressly listed above, the maximum prices shall be as so listed, whether in any specific case the manufacturer has or has not manufactured such products before. No such product so listed above shall be construed as coming within the provisions of this paragraph (e). For all asphalt or tarred roofing products not expressly listed above, the maximum prices f. o. b. shipping points shall be the net f. o. b. shipping points selling prices (after deduction of all discounts and allowances, whether published or unpublished) which were actually charged, or which would have been charged (upon the basis of the prices, discounts and allowances,[15] whether published or unpublished, then listed or quoted by the manufacturer) by the manufacturer on a sale made on July 2, 1941, to the same purchaser or class of purchaser for like quantities, grades, types, shapes, sizes, kinds, or colors of asphalt or tarred roofing products, exclusive of any premiums or charges for advanced delivery or any other inducement that may then have been offered by the buyer or demanded by the seller to negotiate the sale: *Provided*, That the date of August 1, 1941 shall be used instead of the date of July 2, 1941 as to sales in which the point of destination is within the states of Washington, Oregon, or that part of Idaho north of and including Idaho County or the city of Boise, Idaho, and all points west to which the railroad carload freight rate on asphalt or tarred roofing products from Portland, Oregon is the same as the rate to Boise, Idaho.

[15] See *supra*, footnote 9.

For all asphalt or tarred roofing products not expressly listed above, and which were first sold or offered for sale on or after August 1, 1942, the maximum prices shall be determined in accordance with § 1499.154, and sections therein referred to, of Maximum Price Regulation No. 188 (Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel).

(g) *Shipping points:*

Compton, Calif.	Richmond, Calif.
Los Angeles, Calif.	San Francisco, Calif.
South Gate, Calif.	Portland, Oreg.
Emeryville, Calif.	Seattle, Wash.
Pittsburg, Calif.	Tacoma, Wash.

(h) *Free shipping point zones:*

Los Angeles, California Zone: Alhambra, Altadena, Athens, Bell, Bellflower, Beverly Hills, Brentwood Heights, Burbank, Canoga Park, Clearwater, Compton, Culver City, Downey, Eagle Rock, East San Pedro, El Monte, Gardena, Glendale, Harbor City, Hawthorne, Hermosa Beach, Hollywood, Home Gardens, Huntington Park, Hynes, Inglewood, Lawndale, Lenox, Lomita, Long Beach, Los Angeles, Lynwood, Manhattan Beach, Maywood, Moneta, Montebello, Monterey Park, North Hollywood, Ocean Park, Palms, Pasadena, Redondo Beach, Reseda, Roscoe, Rosemead, San Fernando, San Pedro, Santa Monica, Sawtelle, South Gate, South Pasadena, Strawberry Park, Torrance, Universal City, Van Nuys, Venice, Vernon, Walteria, Watts and Wilmington.

San Francisco, California Zone: San Francisco, South San Francisco, Bayshore, Visitacion, Colma, Daly City, Richmond, Berkeley, Oakland, Alameda, San Leandro, Hayward, Pittsburg, East Oakland, Fruitvale, Melrose, Stonehurst, Estudillo, San Lorenzo, Cherry, Robert, Mulford, Kohler, Stege, Emeryville, Piedmont, El Cerrito and Albany.

Portland, Oregon Zone: The corporate limits of Portland.

Seattle, Washington Zone and Tacoma, Washington Zone: Each includes the following cities and towns, forts and airfields in the state of Washington: Olympia, Fort Lewis, McChord Field, Puyallup, Auburn, Kent, Renton, Tacoma, Kirkland, Bothell and Bremerton.

DIVISION II

(a) *Application.* The provisions of Division II apply to all sales of asphalt or tarred roofing products in which the point of destination is within the States of Utah and Idaho (exclusive of Idaho County, Idaho and that part of Idaho north thereof, and the city of Boise, Idaho, and all points west to which the railroad carload freight rate on asphalt or tarred roofing products from Portland, Oregon, is the same as the rate to Boise, Idaho)

(b) For all sales to which Division II is applicable, the maximum prices shall be such that the cost to any purchaser shall not be in excess of what it was or would have been to such purchaser on July 2, 1941 (upon the basis of the prices, discounts, charges and allowances,[16] whether published or unpublished, then listed or quoted by the manufacturer) for like quantities, grades, types, shapes, sizes, kinds, or colors of asphalt or tarred roofing products, exclusive of any premiums or charges for advanced delivery or any other inducement that may then have been offered by the buyer or demanded by the seller to negotiate the sale.

(c) For all sales of asphalt or tarred roofing products, to which Division II is applicable and which were first sold or offered for sale on or after August 1, 1942, the maximum prices shall be determined in accordance with § 1499.154, and sections therein referred to, of Maximum Price Regulation No. 188 (Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel).

[16] See *supra*, footnote 9.

Issued this 30th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1606; Filed, January 30, 1943; 12:16 p. m.]

PART 1381—SOFTWOOD LUMBER

[MPR 19,[1] Amendment 6]

SOUTHERN PINE LUMBER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1381.212 (a) Tables 1, 2, and 11, and their accompanying footnotes are revoked in their entirety; and new Tables 1, 2, and 11 with accompanying footnotes are substituted; all to read as set forth below:

§ 1381.212 *Appendix A: Maximum prices for Southern pine lumber where shipment originates at a mill.* (a) The maximum prices for shortleaf yellow pine lumber f. o. b. mill per one thousand feet board measure where shipment originates at the mill shall be as follows:

TABLE 1—FINISH [S4S] KILN DRIED

Grade	Standard lengths [1]	4' and 6' lengths	5' lengths	8', 10', and 12' lengths	7' and 14' lengths	16' lengths	9', 18', and 20' lengths
B AND BETTER							
4/4 edge [1]	$55.50	$52.50	$52.50	$55.50	$56.25	$57.25	$58.25
1 x 2 and 3	61.00	51.00	58.00	61.00	62.00	63.00	64.00
1 x 4	59.00	49.00	56.00	59.00	60.00	61.00	62.00
1 x 5	67.00	57.00	64.00	67.00	68.00	69.00	70.00
1 x 6	59.00	49.00	56.00	59.00	60.00	61.00	62.00
1 x 7	63.00	60.00	60.00	63.00	64.00	65.00	66.00
1 x 8	59.00	56.00	56.00	59.00	60.00	61.00	62.00
1 x 9	63.00	60.00	60.00	63.00	64.00	65.00	66.00
1 x 10	67.00	64.00	64.00	67.00	68.00	69.00	70.00
1 x 11	70.00	67.00	67.00	70.00	71.00	72.00	73.00
1 x 12	83.00	80.00	80.00	83.00	84.00	85.00	86.00
Restricted random widths [1]	81.75	55.00	58.75	61.75	62.75	63.75	64.75
5/4 and 6/4 edge [1]	65.25	62.50	62.50	65.25	66.25	67.25	68.00
5/4 and 6/4 x 2 and 3	71.50	68.50	68.50	71.50	72.50	73.50	74.50
5/4 and 6/4 x 4	69.50	66.50	66.50	69.50	70.50	71.50	72.50
5/4 and 6/4 x 5	77.50	74.50	74.50	77.50	78.50	79.50	80.50
5/4 and 6/4 x 6	69.50	66.50	66.50	69.50	70.50	71.50	72.50
5/4 and 6/4 x 7	73.50	70.50	70.50	73.50	74.50	75.50	76.50
5/4 and 6/4 x 8	69.50	66.50	66.50	69.50	70.50	71.50	72.50
5/4 and 6/4 x 9	73.50	70.50	70.50	73.50	74.50	75.50	76.50
5/4 and 6/4 x 10	77.50	74.50	74.50	77.50	78.50	79.50	80.50
5/4 and 6/4 x 11	80.50	77.50	77.50	80.50	81.50	82.50	83.50
5/4 and 6/4 x 12	93.50	90.50	90.50	93.50	94.50	95.50	96.50
Restricted random widths [1]	72.25	69.25	69.25	72.25	73.25	74.25	75.25
7/4 and 8/4 edge [1]	67.50	64.75	64.75	67.50	68.50	69.50	70.50
7/4 and 8/4 x 2 and 3	74.00	71.00	71.00	74.00	75.00	76.00	77.00
7/4 and 8/4 x 4	72.00	69.00	69.00	72.00	73.00	74.00	75.00
7/4 and 8/4 x 5	80.00	77.00	77.00	80.00	81.00	82.00	83.00
7/4 and 8/4 x 6	72.00	69.00	69.00	72.00	73.00	74.00	75.00
7/4 and 8/4 x 7	76.00	73.00	73.00	76.00	77.00	78.00	79.00
7/4 and 8/4 x 8	72.00	69.00	69.00	72.00	73.00	74.00	75.00
7/4 and 8/4 x 9	76.00	73.00	73.00	76.00	77.00	78.00	79.00
7/4 and 8/4 x 10	80.00	77.00	77.00	80.00	81.00	82.00	83.00
7/4 and 8/4 x 11	83.00	80.00	80.00	83.00	84.00	85.00	86.00
7/4 and 8/4 x 12	96.00	93.00	93.00	96.00	97.00	98.00	99.00
Restricted random widths [1]	74.75	71.75	71.75	74.75	75.75	76.75	77.75
Bark strips 1 x 3 and 1 x 4 (S2S)	47.00						
10/4 edge [1]	81.75	78.00	79.00	81.75	82.75	83.50	84.50
10/4 x 4	87.00	84.00	84.00	87.00	88.00	89.00	90.00
10/4 x 5	95.00	92.00	92.00	95.00	96.00	97.00	98.00
10/4 x 6	87.00	84.00	84.00	87.00	88.00	89.00	90.00
10/4 x 7	91.00	88.00	88.00	91.00	92.00	93.00	94.00
10/4 x 8	87.00	84.00	84.00	87.00	88.00	89.00	90.00
10/4 x 9	91.00	88.00	88.00	91.00	92.00	93.00	94.00
10/4 x 10	95.00	92.00	92.00	95.00	96.00	97.00	98.00
10/4 x 11	98.00	95.00	95.00	98.00	99.00	100.00	101.00
10/4 x 12	111.00	108.00	108.00	111.00	112.00	113.00	114.00
Restricted random widths [1]	89.75	86.75	86.75	89.75	90.75	91.75	92.75
12/4 edge [1]	95.75	93.00	93.00	95.75	96.75	97.75	98.75
12/4 x 4	102.00	99.00	99.00	102.00	103.00	104.00	105.00
12/4 x 5	110.00	107.00	107.00	110.00	111.00	112.00	113.00
12/4 x 6	102.00	99.00	99.00	102.00	103.00	104.00	105.00
12/4 x 7	106.00	103.00	103.00	106.00	107.00	108.00	109.00
12/4 x 8	102.00	99.00	99.00	102.00	103.00	104.00	105.00
12/4 x 9	106.00	103.00	103.00	106.00	107.00	108.00	109.00
12/4 x 10	110.00	107.00	107.00	110.00	111.00	112.00	113.00
12/4 x 11	113.00	110.00	110.00	113.00	114.00	115.00	116.00
12/4 x 12	126.00	123.00	123.00	126.00	127.00	128.00	129.00
Restricted random widths [1]	104.75	101.75	101.75	104.75	105.75	106.75	107.75
GRADE C							
4/4 edge [1]	49.75	47.00	47.00	49.75	50.75	51.75	52.75
1 x 2 and 3	55.00	45.00	52.00	55.00	56.00	57.00	58.00
1 x 4	53.00	43.00	50.00	53.00	54.00	55.00	56.00
1 x 5	60.00	49.00	56.00	60.00	60.00	61.00	62.00
1 x 6	53.00	43.00	50.00	53.00	54.00	55.00	56.00
1 x 7	58.00	55.00	55.00	58.00	59.00	60.00	61.00
1 x 8	53.00	50.00	50.00	53.00	54.00	55.00	56.00
1 x 9	58.00	55.00	55.00	58.00	59.00	60.00	61.00
1 x 10	60.00	56.00	56.00	60.00	60.00	61.00	62.00
1 x 11	62.00	59.00	59.00	62.00	63.00	64.00	65.00
1 x 12	72.00	69.00	69.00	72.00	73.00	74.00	75.00
Restricted random widths [1]	55.00	48.25	52.00	55.00	56.00	57.00	58.00

Footnotes at end of table.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5427, 5869, 7094, 8023, 8384, 9087,9085, 9460, 8948.

TABLE 1—FINISH [S4S] KIN DRIED—Continued

Grade	Standard lengths	4' and 6' lengths	8' lengths	8', 10', and 12' lengths	7' and 14' lengths	16' lengths	9', 18', and 20' lengths
GRADE C—continued							
5/4 and 6/4 edge [1]	$55.50	$52.50	$52.50	$55.50	$56.25	$57.25	$58.25
5/4 and 6/4 1 x 2 and 3	61.00	58.00	58.00	61.00	62.00	63.00	64.00
5/4 and 6/4 x 4	59.00	56.00	56.00	59.00	60.00	61.00	62.00
5/4 and 6/4 x 5	65.00	62.00	62.00	65.00	66.00	67.00	68.00
5/4 and 6/4 x 6	59.00	56.00	56.00	59.00	60.00	61.00	62.00
5/4 and 6/4 x 7	64.00	61.00	61.00	64.00	65.00	66.00	67.00
5/4 and 6/4 x 8	59.00	56.00	56.00	59.00	60.00	61.00	62.00
5/4 and 6/4 x 9	64.00	61.00	61.00	64.00	65.00	66.00	67.00
5/4 and 6/4 x 10	65.00	62.00	62.00	65.00	66.00	67.00	68.00
5/4 and 6/4 x 11	68.00	65.00	65.00	68.00	69.00	70.00	71.00
5/4 and 6/4 x 12	78.00	75.00	75.00	78.00	79.00	80.00	81.00
Restricted random widths [2]	61.00	58.00	58.00	61.00	62.00	63.00	64.00
7/4 and 8/4 edge [1]	56.25	53.50	53.50	56.25	57.25	58.25	59.25
7/4 and 8/4 2 and 3	62.00	59.00	59.00	62.00	63.00	64.00	65.00
7/4 and 8/4 x 4	60.00	57.00	57.00	60.00	61.00	62.00	63.00
7/4 and 8/4 x 5	66.00	63.00	63.00	66.00	67.00	68.00	69.00
7/4 and 8/4 x 6	60.00	57.00	57.00	60.00	61.00	62.00	63.00
7/4 and 8/4 x 7	65.00	62.00	62.00	65.00	66.00	67.00	68.00
7/4 and 8/4 x 8	60.00	57.00	57.00	60.00	61.00	62.00	63.00
7/4 and 8/4 x 9	65.00	62.00	62.00	65.00	66.00	67.00	68.00
7/4 and 8/4 x 10	66.00	63.00	63.00	66.00	67.00	68.00	69.00
7/4 and 8/4 x 11	69.00	66.00	66.00	69.00	70.00	71.00	72.00
7/4 and 8/4 x 12	79.00	76.00	76.00	79.00	80.00	81.00	82.00
Restricted random widths [2]	62.00	59.00	59.00	62.00	63.00	64.00	65.00
Back strip 1 x 3 and 1 x 4 (S2S)	41.00						
10/4 edge [1]	66.75	63.00	63.00	66.75	68.75	69.75	70.75
10/4 x 4	68.00	65.00	65.00	68.00	70.00	71.00	72.00
10/4 x 5	76.00	73.00	73.00	76.00	77.00	78.00	79.00
10/4 x 6	70.00	67.00	67.00	70.00	71.00	72.00	73.00
10/4 x 7	75.00	72.00	72.00	75.00	76.00	77.00	78.00
10/4 x 8	70.00	67.00	67.00	70.00	71.00	72.00	73.00
10/4 x 9	75.00	72.00	72.00	75.00	76.00	77.00	78.00
10/4 x 10	76.00	73.00	73.00	76.00	77.00	78.00	79.00
10/4 x 11	79.00	76.00	76.00	79.00	80.00	81.00	82.00
10/4 x 12	89.00	86.00	86.00	89.00	90.00	91.00	92.00
Restricted random widths [2]	72.00	69.00	69.00	72.00	73.00	74.00	75.00
12/4 edge [1]	75.25	72.25	72.25	75.25	76.00	77.00	78.00
12/4 x 4	80.00	77.00	77.00	80.00	81.00	82.00	83.00
12/4 x 5	86.00	83.00	83.00	86.00	87.00	88.00	89.00
12/4 x 6	80.00	77.00	77.00	80.00	81.00	82.00	83.00
12/4 x 7	85.00	82.00	82.00	85.00	86.00	87.00	88.00
12/4 x 8	80.00	77.00	77.00	80.00	81.00	82.00	83.00
12/4 x 9	85.00	82.00	82.00	85.00	86.00	87.00	88.00
12/4 x 10	86.00	83.00	83.00	86.00	87.00	88.00	89.00
12/4 x 11	89.00	86.00	86.00	89.00	90.00	91.00	92.00
12/4 x 12	99.00	96.00	96.00	99.00	100.00	101.00	102.00
Restricted random widths [2]	82.00	79.00	79.00	82.00	83.00	84.00	85.00

Additions and deductions per 1,000 feet board measure.
For working:
1. Rough, B and better, deduct $3.00.
2. Rough, C, deduct $2.00.
3. S1S, S2S, S3S and matched, Shiplap, or any other Matcher dressing, standard or thinner, add $2.00. No addition may be made for dressing to flooring, drop siding, ceiling or any other pattern for which a maximum price is set in any of the tables that follow.
4. Ripping or resawing, add $1.00 for each cut.
5. Casing, base, jambs, apron, pulley stiles, or any other pattern requiring moulder work (not including moldings), add $7.50 for 1" stock, $10.00 for 5/4 and thicker.
6. Nosed stepping, add $3.00.
7. Sanding one face, add $3.00.
8. Wrapping, add $8.00.

For grade:
9. A, add $5.00 to B and better prices.
10. If both sides are required A grade (par. 171), or if both sides are required B grade (par. 174), add $5.00 for 1" stock, $7.50 for 5/4 and 6/4, and $10.00 for 7/4 and thicker. No addition may be made if both sides are required C grade.

For condition:
11. Air dried, stain no defect, deduct $6.00.
12. Air dried, stain a defect, deduct $4.00.
13. Green, deduct $9.00 for 1" stock, $11.00 for 5/4 and 6/4, $13.00 for 7/4 and 8/4, and $15.00 for 10/4 and 12/4.
14. Anti-stain treatment (any form), add 5¢ to Air dried prices, but not to Kiln dried prices.
15. "Special soft texture finish", add as provided in paragraph (E) of this section.

For size:
16. 13" and wider, add $3.50 per inch or fraction thereof to 12" prices and compute footage on actual size.
17. Extra standard thickness, thicker than American Lumber Standards (for yard stock), add $1.00.
18. Random widths (other than restricted random widths), each width shall be priced at the specified width price.

For length:
19. Where required by the buyer for precision cutting to a specified exact length, with tolerance of not more than 1/4" allowed, add $1.50. No addition is permitted for customary double-end trimming.
20. Odd or fractional lengths over 4', not listed, shall be counted and priced as next longer even length.
21. For any length shorter than 4', cut to a specified exact length, charge the price of the nearest even multiple length up to 12'. If there is no even multiple length 12' or shorter, charge the 12' price. In either case, add $1.50 per M. B. M. for each necessary cross cut, but the addition for precision cutting permitted in footnote 19 may not also be charged, and no total charge for such service may be greater than $6.00 per M. B. M. If length breaks on even one half foot compute footage on actual length, otherwise compute on six inch breaks on the next break above.

[1] Standard lengths are 8' to 20' inclusive, and in shipments of standard lengths, 5% of 8 foot in C and better grades shall be permitted.
[2] Restricted random widths are 4" to 12" inclusive, and must not contain over 20% of 4" widths, and not less than 20% of 10" and wider.
[3] Edge widths are random widths including odd, even or fractional widths. Measurement shall be according to paragraph 136.

TABLE 2—BOARDS AND STRIPS

[S1S, S2S, S3S, S4S, S2S, and Matched, V-Joint, ECB1S, ECB2S or Shiplap, Standard or 3/4"]

AIR DRIED

Grade	4' and 6' lengths	8' lengths	10' lengths	12' lengths	14' lengths	16' lengths	18' and 20' lengths
No. 1:							
4/4 edge [1]	$30.25	$34.75	$35.75	$35.75	$35.75	$37.25	$37.75
1 x 2	33.00	38.00	39.00	39.00	39.00	40.50	41.00
1 x 3	33.00	38.00	39.00	39.00	39.00	40.50	41.00
1 x 4	31.00	36.00	37.00	37.00	37.00	38.50	39.00
1 x 5	34.00	39.00	40.00	40.00	40.00	41.50	42.00
1 x 6	31.00	36.00	37.00	37.00	37.00	38.50	39.00
1 x 7	31.00	36.00	37.00	37.00	37.00	38.50	39.00
1 x 8	32.00	37.00	38.00	38.00	38.00	39.50	40.00
1 x 9	32.00	37.00	38.00	38.00	38.00	39.50	40.00
1 x 10	34.00	39.00	40.00	40.00	40.00	41.50	42.00
1 x 11	37.00	42.00	43.00	43.00	43.00	44.50	45.00
1 x 12	42.00	47.00	48.00	48.00	48.00	49.50	50.00
Restricted random widths [2]	32.00	37.00	38.00	38.00	38.00	39.50	40.00
	4'	6' & 8'					
No. 2:							
4/4 edge [1]	26.50	28.25	29.75	30.25	30.75	31.25	33.00
1 x 2 and 3	29.00	31.00	32.50	33.00	33.00	33.50	35.00
1 x 4	26.00	28.00	29.50	30.00	30.00	30.50	32.00
1 x 5	28.50	30.50	33.50	33.50	34.00	34.50	36.50
1 x 6	28.00	30.00	31.50	32.00	32.50	33.00	35.00
1 x 7	28.00	30.00	31.50	32.00	32.50	33.00	35.00
1 x 8	28.00	30.00	31.50	32.00	32.50	33.00	35.00
1 x 9	28.00	30.00	31.50	32.00	32.50	33.00	35.00
1 x 10	28.50	30.50	33.50	33.50	34.00	34.50	36.50
1 x 11	31.50	33.50	36.50	36.50	37.00	37.50	39.50
1 x 12	33.00	35.00	38.00	38.50	39.00	39.50	42.50
Restricted random widths [2]	27.75	29.75	31.50	32.00	32.50	33.00	34.75
No. 3:							
4/4 edge [1]	20.75	22.50	24.00	24.50	25.00	25.50	27.25
1 x 2 and 3	22.00	24.00	25.50	26.00	26.50	27.00	28.00
1 x 4	21.00	23.00	24.50	25.00	25.00	25.50	27.00
1 x 5	22.50	24.50	27.50	27.50	28.00	28.50	30.50
1 x 6	22.00	24.00	25.50	26.00	26.50	27.00	29.00
1 x 7	22.00	24.00	25.50	26.00	26.50	27.00	29.00
1 x 8	22.00	24.00	25.50	26.00	26.50	27.00	29.00
1 x 9	22.00	24.00	25.50	26.00	26.50	27.00	29.00
1 x 10	22.50	24.50	27.50	27.50	28.00	28.50	30.50
1 x 11	25.50	24.50	27.50	27.50	28.00	28.50	30.50
1 x 12	24.00	25.00	28.00	28.50	29.00	29.50	32.50
Restricted random widths [2]	22.00	24.00	25.75	26.25	26.50	27.00	29.00
No. 4 and dunnage:							
4/4 edge [1]	16.00	17.75	19.25	19.75	20.25	20.75	22.50
1 x 3	17.00	19.00	20.50	21.00	21.50	22.00	24.00
1 x 4	16.00	18.00	19.50	20.00	20.00	20.50	22.00
1 x 5	17.50	19.50	22.50	22.50	23.00	23.50	25.50
1 x 6	17.00	19.00	20.50	21.00	21.50	22.00	24.00
1 x 7	17.00	19.00	20.50	21.00	21.50	22.00	24.00
1 x 8	17.00	19.00	20.50	21.00	21.50	22.00	24.00
1 x 9	17.00	19.00	20.50	21.00	21.50	22.00	24.00
1 x 10	17.50	19.50	22.50	22.50	23.00	23.50	25.50
1 x 11	17.50	19.50	22.50	22.50	23.00	23.50	25.50
1 x 12	18.00	20.00	23.00	23.50	24.00	24.50	27.50
Restricted random widths [2]	17.00	19.00	20.75	21.25	21.50	22.00	24.00

[1] Restricted random widths are 4" to 12" inclusive, and must not contain over 20% of 4" widths, and not less than 20% of 10" and wider.
[2] Edge widths are random widths including odd, even or fractional widths. Measurement shall be according to paragraph 136.

Additions and deductions per 1,000 feet board measure.
For working:
1. Rough, deduct $1.00.
2. End-matching, add $2.00.
3. Barn siding or any other matcher dressing, not otherwise provided for, add $2.00. Patterns requiring moulder work, add $6.50.
4. Ripping or resawing, add $1.00 for each cut.

For grade:
5. No. 1 common 85 or 90% heart facial area, add $8.00, 85% heart cubical content, add $6.00.

For condition:
6. Kiln dried, add $3.00.
7. Green, deduct $2.00.
8. Anti-stain treatment (any form), add 5¢ to air dried prices but not to kiln dried prices.

For length:
9. The price for a random length shipment is that of the 12' length. *Random lengths must average at least 12'. If the lengths do not average at least 12'* (with a tolerance of 3%), the price may not be higher than the 10' price. Random lengths are 4' to 20' inclusive, in multiples of 2', and may not contain more than the following percentage of short lengths:

	4'	6'	8'
No. 1	None	None	5%
No. 2	5%	5%	5%
No. 3, No. 4 and dunnage, 3" and wider	5%	5%	5%
No. 3, No. 4 and dunnage, 3" to 6" widths may contain total of 25% under 10'.			

10. Where restricted random lengths are required by the buyer, 8' to 16', 10' to 16', or longer, charge the specified length price for the lengths actually shipped.
11. Where the buyer requires any average length, charge the price for the specified length corresponding to the average length required and shipped.
12. Where required by the buyer for precision cutting to a specified exact length, with tolerance of not more than 1/4" allowed, add $1.50. No addition is permitted for customary double end trimming.
13. Odd or fractional lengths over 4', not listed, shall be counted and priced as next longer even length.
14. For any length shorter than 4', cut to a specified exact length, charge the price of the nearest even multiple length up to 12'. If there is no even multiple length 12' or shorter, charge the 12' price. In either case, add $1.50 per M. B. M. for each necessary cross cut, but the addition for precision cutting permitted in footnote 12 may not also be charged, and no total charge for such service may be greater than $6.00 per M. B. M. If length breaks on even one half foot compute footage on actual length, otherwise compute on six inch breaks on the next break above.

[3] 7 F.R. 5427, 5869, 7094, 8023, 8384, 9087, 9085, 9460, 8948.

For size:
15. Stock dressed thinner than ¾", deduct $1.00 from the ¾" price for each 1/32" thinner than ¾".
16. 1¼" and wider, add $2.50 per inch or fraction thereof to 12" price and computate footage on actual size.
17. 5/4 and 6/4 No. 1 and No. 2 Common, add $3.00.
18. 7/4 No. 1 and No. 2 Common, add $2.50.
19. 5/4, 6/4 and 7/4 No. 3 Common, add $2.00.
20. 5/4, 6/4 and 7/4 No. 4 and Dunnage, add $1.00.
21. Extra standard thickness, thicker than American Lumber Standards (for yard stock), and $1.00.
22. Where the buyer requires an average width, charge the price which would have been charged had the buyer ordered the various widths which were shipped.
23. Random widths (other than restricted random widths), each width shall be priced at the specified width price.

* * * * * * *

TABLE 11—BOX

[1S1S, 1S2S, 1S3S, 1S4S, 1S2S and Matched, V-Joint, ECB1S, ECB2S, or Shiplap, Standard or 1[c]

AIR DRIED

Grade	4' and 6' lengths	8' lengths	10' lengths	12' lengths	14' lengths	16' lengths	18' and 20' lengths
No. 1							
1" edge widths[2]	$27.25	$30.25	$31.75	$32.25	$32.75	$33.25	$35.00
1 x 3	30.00	33.00	34.50	35.00	35.00	35.50	37.00
1 x 4	27.00	30.00	31.50	32.00	32.00	32.50	34.00
1 x 5	29.50	32.50	33.50	35.50	36.00	36.50	38.50
1 x 6	29.00	32.00	33.50	34.00	34.50	35.00	37.00
1 x 7	29.00	32.00	33.50	34.00	34.50	35.00	37.00
1 x 8	29.00	32.00	33.50	34.00	34.50	35.00	37.00
1 x 9	29.00	32.00	33.50	34.00	34.50	35.00	37.00
1 x 10	29.50	32.50	35.50	35.50	36.00	36.50	38.50
1 x 11	32.50	35.50	38.50	38.50	39.00	39.50	41.50
1 x 12	34.00	37.00	40.00	40.50	41.00	41.50	44.50
Restricted random widths[1]	28.75	31.75	33.50	34.00	34.50	35.00	36.75
No. 2							
1" edge widths[2]	23.50	25.50	26.75	27.25	27.25	28.25	30.00
1 x 3	26.00	28.00	29.50	30.00	30.00	30.50	32.00
1 x 4	23.00	25.00	26.50	27.00	27.00	27.50	29.00
1 x 5	25.50	27.50	30.50	30.50	31.00	31.50	33.50
1 x 6	25.00	27.00	28.50	29.00	29.50	30.00	32.00
1 x 7	25.00	27.00	28.50	29.00	29.50	30.00	32.00
1 x 8	25.00	27.00	28.50	29.00	29.50	30.00	32.00
1 x 9	25.00	27.00	28.50	29.00	29.50	30.00	32.00
1 x 10	25.50	27.50	30.50	30.50	31.00	31.50	33.50
1 x 11	28.50	30.50	33.50	33.50	34.00	34.50	36.50
1 x 12	30.00	32.00	35.00	35.50	36.00	36.50	39.50
Restricted random widths[1]	24.75	26.75	28.50	29.00	29.50	30.00	31.75
1" box bark strips	19.00	21.00	21.50	21.50	22.00	22.00	23.50

[1] Restricted random widths are 4" to 12" inclusive, and must not contain over 20% of 4" widths, and not less than 20% of 10" and wider.

[2] Edge widths are random widths including odd, even, or fractional widths. Measurement shall be according to paragraph 136.

Additions and deductions per 1,000 feet board measure.
For working:
1. Rough, deduct $1.00.
2. End-matching, add $2.00.
3. Barn siding or any other matcher dressing, not otherwise provided for, add $2.00. Pattern requiring moulder work add $6.50.
4. Ripping or resawing, add $1.00 for each cut.
For condition:
5. Kiln dried, add $1.00.
6. Green, deduct $2.00.
7. Anti-stain treatment (any form), add 40¢ to air dried prices but not to kiln dried prices.
For length:
8. The price for a random length shipment is that of the 12' length. *Random lengths must average at least 11'. If the lengths do not average at least 11'* (with a tolerance of 3"), the price may not be higher than the 10' price. Random lengths are 8' to 16' inclusive, in multiples of 2', and may not contain more than the following percentage of short lengths:

No. 1 ..... 50% 8'
No. 2 ..... 50% 8'

9. Where restricted random lengths are required by the buyer, 12' to 16' or longer, charge the specified length price for the lengths actually shipped.
10. Where the buyer requires any average length, charge the price for the specified length corresponding to the average length required and shipped.
11. Where required by the buyer for precision cutting to a specified exact length, with tolerance of not more than ¼" allowed, add $1.50. No addition is permitted for customary double end trimming.
12. Odd or fractional lengths over 4', not listed, shall be counted and priced as next longer even length.
13. For any length shorter than 4', cut to a specified exact length, charge the price of the nearest even multiple length up to 12'. If there is no even multiple length 12' or shorter, charge the 12' price. In either case, add $1.50 per M. B. M. for each necessary cross cut, but the addition for precision cutting permitted in footnote 11 may not also be charged, and no total charge for such service may be greater than $6.00 per M. B. M. If length breaks on even one-half foot, compute footage on actual length, otherwise compute on six inch breaks on the next break above.
For size:
14. Stock dressed thinner than ¾", deduct $1.00 from the ¾" price for each 1/32" thinner than ¾".
15. 1¼" and wider, add $2.50 per inch or fraction thereof to 12" price and compute footage on actual size.
16. 5/4 and 6/4 No. 1 and No. 2 Box, add $3.00.
17. 7/4 No. 1 and No. 2 Box, add $2.50.
18. 5/4, 6/4 and 7/4 No. 3 Box price the same as 4/4.
19. Extra standard thickness, thicker than American Lumber Standards (for yard stock), add $1.00.
20. Where the buyer requires an average width, charge the price which would have been charged had the buyer ordered the various widths which were shipped.
21. Random widths (Other than Restricted Random widths), each width shall be priced at the specified width price.

§ 1381.211a *Effective dates of amendments.* * * *

(g) Amendment No. 6 (§ 1381.212) to Maximum Price Regulation No. 19 shall become effective February 1, 1943: *Provided*, That contracts entered into prior to February 1, 1943, for any items of Southern pine lumber subject to Tables 1, 2, and 11 of § 1381.212 (a) as they stood before being superseded by this amendment may be completed according to the contract if delivery is made on or before March 1, 1943. The lumber under such contract must be received before that date by a carrier other than one owned or controlled by the seller for shipment to a buyer. All lumber not subject to such pre-existing contracts and all lumber under pre-existing contracts not delivered into the hands of a common carrier as above provided shall be subject to the pricing provisions of this amendment.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1599; Filed, January 30, 1943, 12:18 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136, as Amended,[1] Amendment 68]

MACHINES AND PARTS AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Subparagraph (41) of § 1390.25 (c) is amended as set forth below:

§ 1390.25 *Petitions for amendment or adjustment.* * * *

(c) * * *

(41) *Sales of air conditioning and refrigerating equipment pursuant to War Production Board program.* (i) Notwithstanding any other provisions of this Maximum Price Regulation No. 136, as amended, the maximum price applicable to the sale at the direction of the War Production Board of any industrial or commercial air conditioning or refrigerating equipment to the manufacturer of such equipment by a person using such equipment and not engaged in the business of selling such equipment, shall be the installed cost of such equipment to such user, less depreciation at the rate of 5% per year (except as provided in paragraph (b)(i)); the maximum price applicable to the resale of any such equipment by the manufacturer on a reconditioned and guaranteed basis to a new user designated by the War Production Board shall be the total cost of the equipment to the manufacturer, including the cost of inspection, dismantling, and shipment to the manufacturer's plant, estimated if necessary; plus the cost of reconditioning the equipment, of shipment to the purchaser, and of installation, estimated if necessary; plus the amount of any other out-of-pocket expenses incurred in connection with such sale, estimated if necessary; plus a reasonable charge for engineering and a reasonable profit, not upon the cost to the manufacturer, but in the light of the manufacturer's risk and responsibility; *Provided*, That the amount of such profit, together with a description of the transaction, has been submitted to the Office of Price Administration, Washington, D. C., for its review and that the Office of Price Administration has approved or failed to disapprove the amount of such profit within thirty days after receipt of the information.

(ii) If, upon a sale of industrial or commercial air-conditioning or refrigerating equipment by a state government, or any agency or political subdivision thereof, the War Production Board certifies to the Office of Price Administration prior to such sale that upon the basis of a competent engineering appraisal the 5% rate of depreciation, referred to in paragraph (a), does not fairly reflect the actual depreciation of such equipment to the date of such sale, the rate of depreciation fixed by, and set forth in the certification of, the War Production Board as fairly reflecting such actual depreciation shall be used in the determination of the maximum price of such sale instead of the 5% rate of depreciation.

* * * * * *

§ 1390.31a *Effective dates of amendments.* * * *

(qqq) Amendment No. 68 (§ 1390.25 (c) (41)) to Maximum Price Regulation No. 136, as amended, shall become effective February 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1604; Filed, January 30, 1943; 12:16 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 98 to Supp. Reg. 14[1] to GMPR[2]]

FLUID MILK; TRANSPORTATION BY MOTOR TRUCK

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (60) is added to § 1499.73 (a) as set forth below:

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5047, 5362, 5665, 5908, 6425, 6682, 6899, 6964, 6965, 6937, 6973, 7010, 7246, 7320, 7365, 7509, 7602, 7739, 7744, 7907, 7912, 7945, 7944, 8198, 8362, 8433, 8479, 8520, 8652, 8707, 8897, 9001, 8948, 9040, 9041, 9042, 9053, 9154, 9729, 9736, 9822, 9823, 9899, 10109, 10220, 10556; 8 F.R. 155, 369, 534, 1058.

[2] 7 F.R. 5486, 5709, 5911, 6008, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9495, 9496, 10381, 9639, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10480, 10583, 10537, 10705, 10557, 10583, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 980, 1030, 876, 878.

[3] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6939, 6794, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371.

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

* * * * *

(60) *Transportation of fluid milk by motor truck.* (i) Maximum prices arrived at in accordance with the provisions of § 2 of the General Maximum Price Regulation for the transportation by truck of fluid milk consigned from the producers thereof to processing plants located in Coldwater, Ohio, Holgate, Ohio, Abington, Virginia, and Oostburg, Wisconsin may be increased as follows:

(*a*) Milk consigned from the producer thereof to processing plants in Coldwater, Ohio, Holgate, Ohio and Abington, Virginia, 5¢ per hundred pounds.

(*b*) Milk consigned from the producer thereof to processing plants in Oostburg, Wisconsin, 2¢ per hundred pounds.

(b) *Effective dates.* * * *

(99) Amendment No. 98 (§ 1499.73 (a) (60)) to Supplementary Regulation No. 14 shall become effective at 12:01 a. m. February 5, 1943.

(Pub. Law 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1605; Filed, January 30, 1943; 12:16 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 99 to Supp. Reg. 14[1] to GMPR[2]]

FRUIT WINES, BERRY WINES AND GRAPE WINES (OTHER THAN CALIFORNIA GRAPE WINES)

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (61) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of the General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

* * * * *

(61) *Fruit wines, berry wines and grape wines (other than California grape wines)*—(i) *Maximum prices for all sellers other than sellers at retail*—(*a*) *Permitted increase; specified types of wine.* On and after February 5, 1943, any seller, other than a seller at retail, may add to the maximum prices established for him under §§ 1499.2 and 1499.73 (a) (39) for the fruit wines, berry wines and grape wines hereinafter described (other than California grape wines) made from the 1942 crop and prior crops of berries, fruits and grapes, a permitted increase per gallon as follows:

(1) *Berry wines containing less than 18% alcohol by volume.*

Group classification	Type of berry wine	Permitted increase per gallon
		Cents
Group A	Currant	12
Group A	Gooseberry	12
Group A	Loganberry	12
Group B	Blackberry	16
Group B	Dewberry	16
Group B	Raspberry	16
Group B	Youngberry	16
Group B	Other berry wines made from a single kind of berry	16

(2) *Fruit wines containing less than 18% alcohol by volume.*

Group classification	Type of fruit wine	Permitted increase per gallon
		Cents
Group C	Apricot	12
Group C	Apple	12
Group C	Cantaloupe	12
Group C	Cherry	12
Group C	Papaya	12
Group C	Pawpaw	12
Group C	Pear	12
Group C	Pineapple	12
Group C	Plum	12
Group C	Prune	12

(3) *Table wine (exclusive of California grape wine and blended wine made with California grape wine).*

Group classification	Type of table wine	Permitted increase per gallon
		Cents
Group D	Champagne	4
Group D	Sparkling wine	4
Group D	Artificially carbonated wine	4
Group D	Other table wine	4

(4) *Blended wines containing 40% or more of California grape wine and not in excess of 18% alcohol by volume.*

Group classification	Type of blended wine	Permitted increase per gallon
		Cents
Group E	Grape wines made outside the State of California with which California Grape Wine is blended to produce wine containing 40% or more of California grape wine, blending wine or concentrates	6

(5) *Wines containing 18% or more alcohol by volume.*

Group classification	When made from wine in the following group classification	Permitted increase per gallon
		Cents
Group AA	Group A	16
Group BB	Group B	20
Group CC	Group C	16
Group DD	Group D	8
Group EE	Group E	10

The permitted increase for container sizes larger than one gallon capacity shall be proportionate to the permitted increase for one gallon.

(iii) *All sellers; new taxes.* Any seller may at any time add to the maximum prices established for him with respect to the types of berry wines, fruit wines and grape wines (other than California grape wines) listed in (i) (a) and made from the 1942 crop or prior crops of berries, fruits or grapes, the amount of any new tax or any increase in an existing tax incident to the sale, delivery, processing or use thereof imposed upon such seller after March 31, 1942 by any statute of the United States, or any statute or ordinance of any state or subdivision thereof: *Provided*, That such amount has been paid, or has accrued and will be payable by such seller to the proper taxing authorities or to any prior vendor: *And provided, further*, That the provisions of this subdivision (iii) shall not apply to the increases in the Federal Excise Tax which became effective November 1, 1942 as allowance for such tax increases is included in the seller's maximum prices established in accordance with §§ 1499.2 and 1499.73 (a) (39).

(iv) *Notification.*—(a) On or before his first delivery to any purchaser of any brand, type, quality and container size of any berry wines, fruit wines or grape wines (other than California grape wines) at prices adjusted under (i) (a) hereof, every seller, other than a seller at retail, shall notify such purchaser of the total permitted increase applicable to the type of wine in the particular container, case or other unit of sale in question by delivering to the purchaser written notice as follows:

NOTICE OF PERMITTED INCREASE

The Office of Price Administration has authorized us to increase our ceiling prices for berry wines, fruit wines and grape wines (other than California grape wines) made from the 1942 crop or prior crops of berries, fruits and grapes to reflect increased costs of production. Your new OPA ceiling price for each type of wine shown below is your March 1942 ceiling price plus the increase for Federal Excise Taxes effective November 1, 1942 and plus the "permitted increase" stated for each of the container sizes shown below. The OPA requires you to keep this notice for examination.

TABLE TO BE USED AS PART OF THE NOTIFICATION FORM

Brand	Kind of wine	Gallons per case	Permitted increase per gallon	Permitted increase per case	Permitted increase per bottle						
					½ pt.	¾ to gal.	1 pt.	1½ gal.	1 qt.	½ gal.	1 gal.	Other sizes (specify)

(b) No seller is required to give a notice to any purchaser of any brand, type, quality or container size of berry wines, fruit wines, or grape wines (other than California grape wines) after one notice to such purchaser of the seller's maximum price for such brand, type, quality or container size of wine as increased under (i) (a) and/or (iii): *Provided*, That if the maximum price of any seller, other than a seller at retail, for any brand, type, quality or container size of such wine is subsequently adjusted under (iii) hereof, a similar notice covering the adjustment shall be given by the seller to each purchaser.

(v) *Determination of maximum prices by reference to maximum prices of most closely competitive seller.* If a seller's maximum price for any type, quality and container size of berry wines, fruit wines or grape wines (other than California grape wines) listed in (i) (a) hereof or prior crops of berries, fruits or grapes cannot be determined under subdivisions (i) to (iii) hereof, inclusive, his maximum price therefor shall be the maximum price established under (i) to (iii) hereof inclusive, for his most closely competitive seller of the same class for the same type, quality and container size of wine, or for the similar commodity most nearly like it (as such term is defined in § 1499.2) for sales to purchasers of the same class.

(vi) *Definitions.* (a) "Berry wine" means any wine manufactured exclusively from berries other than grapes in accordance with §§ 3032 and 3044 of the Internal Revenue Code, and includes high acid berry wines "made with over 35% sugar solution" within the limitations provided in section 22 (b) (5) of Regulation No. 4 issued by the Federal Alcohol Administration relating to the Labeling and Advertising of Wine.

(b) "Fruit wine" means any wine manufactured exclusively from fruits other than grapes in accordance with sections 3032 and 3044 of the Internal Revenue Code.

(c) "Grape wines (other than California grape wines)" means grape wine produced in accordance with sections 3032, 3036 and 3044 of the Internal Revenue Code in wineries located outside of the State of California, but does not include wine containing California grape wine.

(d) "California grape wine" means grape wine produced in accordance with sections 3032, 3036 and 3044 of the Internal Revenue Code in wineries located within the State of California.

(e) "Table wine" means grape wine, other than dessert wine or blending wine.

(f) "Dessert wine" means grape wine having an alcoholic content in excess of 14% by volume but not in excess of 21% by volume to which grape spirits have been added in accordance with section 3032 of the Internal Revenue Code.

(g) "Blending wine" means wine produced in accordance with section 3032 of the Internal Revenue Code and having an alcoholic content in excess of 21% by volume but not in excess of 24% by volume.

(h) "Grape spirits" means wine spirits produced from grapes in accordance with section 3036 of the Internal Revenue Code.

(i) "Concentrates" means boiled or condensed berry, fruit or grape juice concentrated to not more than 80 degrees (Balling).

(j) "Vermouth" means vermouth as defined in Section 21, Class 7 of Regulation No. 4 issued by the Federal Alcohol Administration relating to the Labeling and Advertising of Wine.

(k) "Sparkling wine" means grape wine rendered effervescent by secondary fermentation of the wine in a closed container, tank or bottle.

(l) "Artificially carbonated wine" means grape wine rendered effervescent otherwise than by secondary fermentation in a closed container, tank or bottle.

(vii) *Applicability.* The provisions of this subparagraph (61) shall be applicable to the United States and the District of Columbia.

(b) *Effective dates.* • • •

(100) Amendment No. 99 (§ 1499.73 (a) (61)) to Supplementary Regulation No. 14 shall be effective as of February 5, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 30th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1603; Filed, January 30, 1943; 12:16 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 252 Under § 1499.3 (b) of GMPR]

SWISS AMERICAN TRADING CO.

Order No. 252—Maximum Prices Authorized under § 1499.3 (b) of the General Maximum Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1488 *Authorization of maximum price for sale of Cara-Malt a beverage product by Swiss American Trading Company by wholesalers and retailers.* (a) On and after February 1, 1943 the maximum price for sales of Cara-Malt a beverage product by Swiss American Trading Company, having its principal place of business at Brooklyn, New York shall be 18½¢ per pound. This price shall include delivery to customer's place of business.

(b) Sellers at wholesale shall determine their maximum selling prices of Cara-Malt by applying the provisions of Maximum Price Regulation No. 237 regarding coffee, as amended and issued the 8th day of January 1943 to be effective January 14, 1943.

(c) Sellers at retail shall determine their maximum selling prices of Cara-Malt by applying the provisions of Maximum Price Regulation No. 238 regarding coffee, as amended and issued the 8th day of January 1943 to be effective January 14, 1943.

(d) This Order No. 252 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 252 (§ 1499.1488) shall become effective February 1, 1943.

(Public Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1611; Filed, January 30, 1943; 12:17 p. m.]

PART 1499—COMMODITIES AND SERVICE

[Order 253 Under § 1499.3 (b) of GMPR]

REMINGTON PRODUCTS CO.

Order No. 253—Maximum Prices Authorized under § 1499.3 (b) of the General Maximum Price Regulation.

On December 24, 1942, Remington Products Company of Akron, Ohio, filed application with the Office of Price Administration seeking specific authorization pursuant to § 1499.3 (b) of the General Maximum Price Regulation to determine maximum prices for heel pads, arch pads, metatarsal pads and bottom filler pads made from "Remtex" and for instructions as to the method to be used in determining such maximum prices. Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended and Executive Order No. 9250 and in accordance with § 1499.3 (b) of the General Maximum Price Regulation, issued by the Office of Price Administration, *It is hereby ordered:*

§ 1499.1489 *Authorization for Remington Products Company to determine maximum prices for heel pads, arch pads, metatarsal pads and bottom filler pads made of "Remtex".* (a) The maximum prices which may be charged for heel pads, arch pads, metatarsal pads and bottom filler pads made of "Remtex" manufactured by the Remington Products Company, hereinafter called the "manufacturer", shall be determined as follows:

The manufacturer shall first select that commodity, which he dealt in during March, 1942, which differs from the commodity being priced only by reason of the fact that it was manufactured from rubber instead of "Remtex". The manufacturer shall then add to or subtract from the maximum price of that commodity to each class of purchasers the increase or decrease in direct costs resulting in the change from rubber to "Remtex". The direct costs for both the commodity made of rubber and the commodity made of "Remtex" shall be determined as follows:

(1) Direct costs shall be the sum total of direct labor and direct materials costs. The direct labor costs shall be determined by multiplying the estimated number of hours of each type of labor required in the manufacture of the article by the wage rates determined in accordance with subdivision (i) of this subparagraph (1). The direct materials costs shall be determined by multiplying the estimated quantity of each type of material required in the manufacture of the article by the materials prices determined in accordance with subdivision (ii) of this subparagraph (1).

(i) The wage rates applicable to the article shall be the basic wage rates in effect in the manufacturer's plant for any portion of March, 1942, for each class of labor involved in the production of the commodity. If the manufacturer did not employ a given class of labor during March, 1942, he shall use the basic wage rates paid for any substantial portion of March, 1942, by the nearest employer operating under comparable

(6) *Vermouth.* (i) The permitted increase for vermouth made from wine or a blend of wines of which less than 40% is California grape wine, shall be that specified under (5) for wines in Group DD.

(ii) The permitted increase for vermouth made from wine or a blend of wines of which over 40% but less than 100% is California grape wine, shall be that specified under (5) for wines in Group EE.

(7) *Combination wines.* The permitted increase for wine made by combining wines designated as being in different groups, or by making wine from a combination of berries, fruits and/or grapes, which separately would produce wines designated as being in different groups, shall be the lowest permitted increase specified for any such component wine, or for wine produced from any of such component berries, fruits and/or grapes without combination.

(b) Every seller, other than a seller at retail, shall convert his permitted increase per gallon computed under interior subdivision (a) into a permitted increase per case, container or other unit of sale on the basis of the number of gallons of the particular type of wine contained therein, and if such permitted increase per case, container or other unit of sale includes the fractional part of a cent, shall adjust the permitted increase to the nearest higher full cent if the fraction is ½ cent or over, or to the nearest lower full cent if the fraction is less than ½ cent: *Provided*, That no seller's permitted increase for such wine sold in bottles or containers of any size are listed in Table I, shall exceed that specified in Table I.

(ii) *Maximum prices for sellers at retail—permitted increase.* On and after February 5, 1943, any seller at retail, after receipt of notification from his supplier given under (iv) hereof may add to the maximum prices established for him under §§ 1499.2 and 1499.73 (a) (39) for the types of berry wines, fruit wines and grape wines (other than California grape wines) described in (i) (a) hereof, made from the 1942 crop and prior crops of berries, fruits or grapes, a permitted increase per bottle as follows:

TABLE I—PERMITTED INCREASES IN RETAIL PRICES

[Cents per bottle]

Container Size	Berry wines		Fruit wines, Group C	Grape wines (other than California grape wines) Group D	Blended wines, Group I
	Group A	Group B			
½ pint	1	1	1	----	1
¾ to gal. or 12 or 13 oz.	2	2	2	1	2
1 pint or 15 oz.	2	2	2	1	2
1 pint or 16 oz.	3	3	3	1	3
1 pint or 20 oz.	4	4	4	1	4
1 quart or 26 oz.	5	5	5	2	5
1 quart or 30 oz.	6	6	6	2	6
1½ gallon	12	12	12	4	12
1 gallon	16	16	16	6	16
	Group AA	Group BB	Group CC	Group DD	Group EE
½ pint	1	1	1	----	1
¾ to gal. or 12 or 13 oz.	2	2	2	1	2
1 pint or 15 oz.	2	2	2	1	2
1 pint or 16 oz.	3	3	3	1	3
1 pint or 20 oz.	4	4	4	1	4
1 quart or 26 oz.	5	5	5	2	5
1 quart or 30 oz.	6	6	6	2	6
1½ gallon	12	12	12	4	12
1 gallon	16	16	16	6	16

conditions who employed that class of labor during that month.

(ii) The price of any materials used in the commodity shall be the highest price charged during March, 1942, by the manufacturer's supplier; except that if the Office of Price Administration has established a lower maximum price for the sale of that material to the manufacturer by his supplier, such lower price shall govern. If the material was not delivered or offered for delivery by the manufacturer's supplier during March, 1942, the material price shall be the first price at which the manufacturer's supplier offered to sell the material to a purchaser of the same class as the manufacturer after March 31, 1942, or the maximum price for the material established by the Office of Price Administration, whichever is the lower. The manufacturer's supplier shall be (*a*) his March, 1942, supplier of the material, or (*b*) lacking a March, 1942, supplier of the material, his most recent supplier of the material. If neither of these exist, it shall be his potential supplier. For the purposes of this subdivision (ii), if the manufacturer shall receive a written statement from the seller that the material is being sold at a price which is not in excess of the maximum price established by the Office of Price Administration, and if the manufacturer shall have no cause to doubt the accuracy of the statement, the price as stated by the seller shall be deemed to be not in excess of the maximum price established by the Office of Price Administration for that material.

(iii) When used in this subparagraph (1) the phrase "highest price charged during March, 1942," means:

(*a*) The highest price at which the seller delivered, or if he did not deliver, at which he offered the commodity for delivery, during March, 1942, to the same manufacturer in a quantity normal for that manufacturer;

(*b*) If the seller made no such delivery or offer for delivery during March, 1942, to the same manufacturer, the highest price at which the seller delivered, or if he did not deliver, at which he offered the commodity for delivery during March, 1942, to a purchaser of the same class as the manufacturer in a quantity normal for the purchaser;

(*c*) If the seller made no such delivery or offer for delivery during March, 1942, to the same manufacturer or to a purchaser of the same class, the highest price at which the seller delivered, or if he did not deliver, at which he offered the commodity for delivery during March, 1942, to a purchaser of a different class in a quantity normal for that purchaser adjusted to reflect the seller's customary differential between the two classes of purchasers.

(b) Except for such changes as result from the application of the pricing methods contained in paragraph (a) of this § 1499.1489 the manufacturer shall not change the allowances, discounts, or other price differentials which he had in effect during March, 1942, for the same or similar types of commodities unless such change results in a lower net price.

(c) Within ten days after a maximum price has been determined in accordance with this order, the manufacturer shall report to the Office of Price Administration, Washington, D. C., the maximum price as computed by him. This report shall set forth in detail the computation of direct costs and of the maximum price. The manufacturer may not accept payment for the commodity until the price so reported is approved in writing by the Office of Price Administration or fifteen days have elapsed after the mailing of the report. Within this fifteen-day period the price so reported shall be subject to adjustment by the Office of Price Administration. Subsequent to this fifteen day period such price shall be subject to adjustment (not to apply retroactively) at any time upon the written order of the Office of Price Administration.

(d) This Order No. 253 may be revoked or amended by the Office of Price Administration at any time.

(e) This Order No. 253 (§ 1499.1489) shall become effective February 1, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 30th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1602, Filed, January 30, 1943; 12:19 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 254 Under § 1499.3 (b) of GMPR]

BOYD T CO.

Order No. 254—Maximum Prices Authorized under § 1499.3 (b) of the General Maximum Price Regulation

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1490 *Authorization of maximum price for sale of "Boyd's Mix," a coffee substitute, by Boyd T Company, to all types of customers.* (a) On and after February 1, 1943 the maximum price for sales of Boyd's Mix by Boyd T Company, having its principal place of business at Portland, Oregon, shall be 22¢ per pound delivered to the customer's place of business.

(b) Sellers at wholesale shall determine their maximum selling prices of Boyd's Mix by applying the provisions of Maximum Price Regulation No. 237 regarding coffee, as amended and issued the 8th day of January 1943 to be effective January 14, 1943.

(c) Sellers at retail shall determine their maximum selling prices of Boyd's Mix by applying the provisions of Maximum Price Regulation No. 238 regarding coffee, as amended and issued the 8th day of January, 1943 to be effective January 14, 1943.

(d) This Order No. 254 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 254 (§ 1499.1490) shall become effective February 1, 1943.

(Public Laws 421 and 729, 77th Congress; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1612, Filed, January 30, 1943; 12:18 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 178 under § 1499.18 (b) of GMPR]

GENERAL WINE CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered*

§ 1499.1079 *Denial of application of General Wine Company, 1145 Main Street, Pawtucket, Rhode Island, for adjustment of maximum prices for prepared cocktails, fruit liqueurs and cordials purchased from Hiram Walker Inc.* (a) The application of General Wine Company, 1145 Main Street, Pawtucket, Rhode Island, filed October 16, 1942, and assigned Docket No. GF3-2419 requesting permission to increase maximum prices of prepared cocktails, fruit liqueurs and cordials sold by it and purchased from Hiram Walker Inc. is denied.

(b) This Order No. 178 (§ 1499.1079) shall become effective February 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1608, Filed, January 30, 1943; 12:16 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 179 Under § 1499.18 (b) of GMPR]

WILLIAM T. TONNER

Order No. 179 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF 3-863.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1080 *Adjustment of maximum prices for women's anklets manufactured by William T. Tonner for Alex. Lee Wallau, Incorporated.* (a) William T. Tonner of Lansdale, Pennsylvania, may sell and deliver and Alex. Lee Wallau, Incorporated, of New York, New York, may buy and receive the following two styles of women's anklet hosiery at the following prices: Style No. 439 at $6.87½ per dozen, and Style No. 839 at $11.00 per dozen.

(b) The adjustment granted to William T. Tonner in paragraph (a) is subject to the following conditions:

(1) This adjustment shall apply only to sales by William T. Tonner to Alex. Lee Wallau, Incorporated.

(2) All discounts, trade practices and practices relating to shipping and shipping charges in effect in March 1942 shall be applicable.

(3) William T. Tonner shall mail to Alex. Lee Wallau, Incorporated, a notice reading as follows:

The Office of Price Administration has permitted us to raise our maximum prices for sales to you of our women's anklets Style No. 439 from $5.87½ to $6.87½ per dozen, and Style No. 839 from $10.50 to $11.00 per dozen. This amount represents only that part of cost increases which we were unable to absorb and it was granted with the understanding that wholesale and retail prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise the maximum prices for sales of these women's anklets.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 179 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 179 is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2 of the General Maximum Price Regulation.

(f) This Order No. 179 (§ 1499.1080) shall become effective February 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1610; Filed, January 30, 1943; 12:18 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 4 Under § 1499.29 of GMPR]

LAKEY FOUNDRY AND MACHINERY CO.

Amendment 1 to Order No. 4[1] under § 1499.29 of the General Maximum Price Regulation—Docket No. GF3-1983.

For the reasons set forth in the opinion issued simultaneously herewith, *It is hereby ordered*, That paragraph (a) of § 1499.404 under Order No. 4 be amended, and that a new paragraph (f) be added to said § 1499.404, to read as set forth below:

§ 1499.404 *Adjustment of maximum prices of Lakey Foundry and Machine Company on sales of gray iron castings under Government contracts or subcontracts.* (a) On and after January 1, 1943, Lakey Foundry and Machine Company, Muskegon, Michigan, is hereby authorized to enter into, offer to enter and to make deliveries on, contracts for sale of gray iron castings with the United States or any agency thereof or with the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" or any agency of any such Government, or subcontracts under any such contract, at prices not in excess of its applicable maximum prices under the General Maximum Price Regulation, plus 15 percent of said maximum prices before the addition of charges, if

[1] 7 F.R. 8520.

any, for transportation: *Provided*, That Lakey Foundry & Machine Company shall file with the Iron and Steel Branch of the Office of Price Administration, Washington, D. C., the following documents, all prepared in accordance with recognized accounting principles and submitted under oath or affirmation: (1) Monthly profit and loss statements covering its gray iron castings operations, said statements to be filed within thirty days following the close of each month beginning with the month of December 1942; (2) monthly profit and loss statements covering its over-all operations, said statements to be filed within thirty days following the close of each month beginning with the month of December 1942; (3) quarterly balance sheets covering its over-all operations, said balance sheets to be filed within thirty days following the close of each quarter-year beginning with the last quarter of 1942; (4) statements of its average per pound price for gray iron castings sold each month and its average per pound costs for the gray iron castings sold, said statements to be filed within thirty days after the close of each month beginning with the month of December 1942; (5) the profit and loss statements filed pursuant to (1) and (2) of this paragraph must show (i) net sales, (ii) cost of commodities and services sold, stating separately total direct labor costs, total direct material costs, and total other manufacturing costs, (iii) general and administrative expenses, segregating compensation to officers and directors, and (iv) net profits before income and excess profit taxes: *Provided further*, That said Company need not file any of the foregoing financial data if it has filed such data or in the future does file such data on or before the time limits specified in this paragraph (a), on Form A—Annual Financial Report or Form B—Interim Financial Report, issued by the Office of Price Administration.

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(f) This Amendment No. 1 shall become effective February 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of January 1943

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1601; Filed, January 30, 1943; 12:19 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 9 Under Supp. Reg. 15 of GMPR[1]]

IRA M. WATTS AND A. W. M'PHERSON

Amendment No. 1 to Order No. 9 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation—Docket Nos. GF3-2945—GP3-2946.

An opinion accompanying this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Paragraph (a) of § 1499.1309 is amended and a new paragraph (f) is added to read as set forth below:

§ 1499.1309 *Adjustment of maximum prices for contract carrier services of Ira M. Watts and A. W. McPherson.* (a) Ira M. Watts, Wentworth, Missouri, and A. W. McPherson, Joplin, Missouri, hereinafter referred to as applicants may sell and deliver and the Eagle-Picher Mining and Smelting Company, 430 Pearl Avenue, Joplin, Missouri, may pay and receive from said applicants contract carrier services at the following rates:

[1] 8 F.R. 327.

[All rates in cents per ton of 2000 pounds]

Between	And	Rate
Mines, dumps, mills, and railroad sidings in Lawrence, Jasper, MacDonald, Barry, and Newton Counties in Missouri.	Mines, dumps, mills and railroad sidings in Lawrence, Jasper, MacDonald, Barry, and Newton Counties in Missouri.	1 mile and under, 10. 2 miles and over 1 mile, 12. 3 miles and over 2 miles, 15. 4 miles and over 3 miles, 18. 5 miles and over 4 miles, 21. 6 miles and over 5 miles, 24. 7 miles and over 6 miles, 26. 8 miles and over 7 miles, 29. 9 miles and over 8 miles, 32. 10 miles and over 9 miles, 34. 11 miles and over 10 miles, 37. 12 miles and over 11 miles, 40. 13 miles and over 12 miles, 43. 14 miles and over 13 miles, 46. 15 miles and over 14 miles, 48. 16 miles and over 15 miles, 51. 17 miles and over 16 miles, 54. 18 miles and over 17 miles, 57. 19 miles and over 18 miles, 60. 20 miles and over 19 miles, 64.
Mine hopper located at a point near Stark City, Mo., in Newton County, Mo.	Mill located in Newton County, west of Wentworth, Mo., known as The Eagle-Picher Navy Bean.	54.
Mine hoppers located near Aurora, Mo., in Lawrence County, Mo.	Mill located in Newton County, west of Wentworth, Mo., known as The Eagle-Picher Navy Bean.	74.
Mine located near Oronogo, Mo., in Jasper County, Mo.	Mill located in Newton County, west of Wentworth, Mo., known as The Eagle-Picher Navy Bean.	$1.10.

• • • • • •

(f) This Amendment No. 1 to Order No. 9 (§ 1499.1309) shall become effective as of January 7, 1943.

(Pub. Law 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1600; Filed, January 30, 1943; 12:19 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 18 Under Supp Reg. 15 of GMPR]

CENTRAL & SOUTHERN TRUCK LINES

Order No. 18 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 of the General Maximum Price Regulation—Docket No. GF3–2920.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1318 *Adjustment of maximum prices for contract carrier services sold by Eugene Calloway, doing business as Central & Southern Truck Lines, East St. Louis, Illinois.* (a) Eugene Calloway, doing business as Central & Southern Truck Lines, 747 Collinsville Avenue, East St. Louis, Illinois, may sell and deliver contract carrier services in connection with the transportation of packing house products, fresh meats, preserved or canned foods, and dairy products from East St. Louis and National City, Illinois, to various destinations in the States of Alabama, Georgia, Mississippi, and Tennessee, at prices not to exceed the rates set forth in its Supplement No. 11 to MF–ICC No. 12 published and filed with the Interstate Commerce Commission on March 25, 1942, and marked "Exhibit A", attached to its application filed with this Office on December 2, 1942.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 18 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 18 (§ 1499.1318) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 18 (§ 1499.1318) shall become effective February 1, 1943.

(Pub. Laws No. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1609; Filed, January 30, 1943; 12:17 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 300,[1] Amendment 2]

MAXIMUM MANUFACTURERS' PRICES FOR RUBBER DRUG SUNDRIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1315.1770 is amended, as set forth below:

§ 1315.1770 *Effective date.* This Maximum Price Regulation No. 300 (§§ 1315.1751 to 1315.1772, inclusive) shall become effective February 1, 1943, except that this Maximum Price Regulation No. 300 shall not apply to sales or deliveries of baby bibs, baby pants, crib sheets, diapers, diaper bags, diaper covers, hospital blankets, mattress covers, pillow cases and play pads until March 1, 1943.

This amendment shall become effective February 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1621; Filed, January 30, 1943; 3:49 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 301,[1] Amendment 2]

RETAIL AND WHOLESALE PRICES FOR RUBBER DRUG SUNDRIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1315.1794 is amended, as set forth below:

§ 1315.1794 *Effective date.* This Maximum Price Regulation No. 301 (§§ 1315.1776 to 1315.1796, inclusive) shall become effective February 1, 1943, except that this Maximum Price Regulation No. 301 shall not apply to sales or deliveries of baby bibs, baby pants, crib sheets, diapers, diaper bags, diaper covers, hospital blankets, mattress covers, pillow cases and play pads until March 1, 1943.

This amendment shall become effective February 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1622; Filed, January 30, 1943; 3:49 p. m.]

PART 1340—FUEL

[MPR 120,[1] Amendment 34]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1340.213 (b) is amended to read as set forth below:

§ 1340.213 *Appendix B: Maximum prices for bituminous coal produced in District No. 2.* * * *

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices in cents per net ton for shipments to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.*

Price classifications	Prices and size group Nos.									
	1	2	3	4	5	6	7	8	9	10
A	335	325	300	295	295	295	275	265	260	250
B	335	315	295	295	295	295	275	265	260	250
C	345	310	295	295	295	295	275	265	260	250
D	325	305	285	285	285	285	270	260	255	250
E	310	295	285	285	285	285	260	250	250	225
F	305	275	260	260	260	260	250	240	230	
G	300	275	260	260	260	260	24	235	230	...
H	290	275	255	255	255	255	235	225	225	...
J	295	275	255	255	235	235	230	225	225	...
K	290	270	...	...	...	...	230	210	210	...
L	285	265	..	...	...	...				...

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus: a sum not exceeding 85 cents per net ton for Size Groups 1, 2, 3, 4, 5, 6 and 7, and a sum not exceeding 40 cents per net ton for Size Groups 8, 9, 10 and 11.

(3) *Maximum prices in cents per net ton for railroad fuel.* The maximum prices for all Railroad Fuel shall be the applicable effective minimum prices as of October 1, 1942 for all-rail shipment, plus a sum not exceeding 45 cents per net ton.

(4) *Maximum prices in cents per net ton for smithing coal.* The maximum prices from all mines in all size groups for Smithing Coal shall not exceed 425 cents per net ton.

(5) In the event any specific maximum price has been adjusted prior to January 31, 1943, the effective maximum price in such case shall not be determined by reference to sub-paragraphs 1, 2, 3 and 4 above, but must be computed by adding to such adjusted price the following sum:

(A) For methods of shipment and uses indicated in (1) above:

10 cents..... Size group 3, Class C, E, F, G
5 cents..... Size group 3, Class B, D, H.
15 cents..... Size group 4, Class B, C.
10 cents..... Size group 4, Class E, F, G.
5 cents..... Size group 4, Class D, H.
20 cents..... Size groups 5, 6, 8, 9, 10, all classes.
30 cents..... Size group 7, all classes.

(B) For method of shipment and uses indicated in (2) above:

25 cents..... Size groups 1 to 11, inclusive.

(C) For use indicated in (3) above:

25 cents, *Provided, however,* That where relief has been granted prior to January 31, 1943, making railroad fuel prices equal to the commercial prices, the maximum prices applying shall be increased as indicated in sub-paragraph 5 (A) above.

(D) For use indicated in (4) above:

25 cents.

This amendment shall be effective as of January 30, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1623; Filed, January 30, 1943; 3:50 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 129,[1] Amendment 14]

CUTTER BOX OR HOUSEHOLD ROLLS, ETC.

Cutter box or household rolls.
Envelopes.
Paper cups, paper containers and liquid tight containers.
Sanitary closures and milk bottle caps.
Drinking straws.
Certain sulphate and certain sulphite papers.
Certain tissue paper.
Rope and jute papers.
Technical papers.
Gummed papers.
Tags, pin tickets and marking machine tickets.
Glazed and fancy papers.
Resale book matches.
Unprinted single weight crepe paper in folds.

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The words "Waxed paper" in the title is revoked, the words "Cutter box or household rolls" are added to the title to read as set forth above; subparagraph (1) of § 1347.11 (a), and subparagraph (10) of § 1347.22 (a) are amended as set forth below:

§ 1347.11 *Prohibition against dealing in commodities above maximum prices.* (a) * * *

(1) Cutter box or household rolls. * * *

§ 1347.22 *Definitions.* (a) When used in this Maximum Price Regulation No. 129, the term:

(10) "Cutter box or household rolls" refers to rolls of various weights of waxed paper twelve inches in width and of various lengths packed in a box with a cutter edge of metal or treated board, generally used in wrapping sandwiches or other food stuffs.

* * * * * *

§ 1347.25 *Effective dates of amendments.* * * *

(n) Amendment No. 14 (§§ 1347.11 (a) (1), 1347.22 (a) (10)) to Maximum Price Regulation No. 129 shall become effective February 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1624; Filed, January 30, 1943; 3:50 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 307]

WAXED PAPERS

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for sales of waxed papers by a separate price regulation.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.* In the judgment of the Price Administrator, the maximum prices established by this Maximum Price Regulation No. 307 are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. So far as practicable, the Price Administrator has advised and consulted with members of the industry which will be affected by this regulation.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration, Maximum Price Regulation No. 307 is hereby issued.

AUTHORITY: §§ 1347.601 to 1347.621, inclusive, issued under Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871.

§ 1347.601 *Prohibition against sales of waxed papers above maximum prices.* On and after February 20, 1943, regardless of any contract, agreement or other obligation:

(a) No person shall sell, deliver, or transfer any waxed papers at higher prices than the maximum prices set forth in Appendices A, B, C, D, E, F, and G (§§ 1347.615, 1347.616, 1347.617, 1347.618, 1347.619, 1347.620, and 1347.621 respectively) of this Maximum Price Regulation No. 307.

(b) No person shall buy or receive any such waxed papers in the course of trade or business at higher prices than the maximum prices set forth in Appendices A, B, C, D, E, F, and G (§§ 1347.615, 1347.616, 1347.617, 1347.618, 1347.619, 1347.620, and 1347.621 respectively) of this maximum price regulation.

(c) No person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided,* That the provisions of this Maximum Price Regulation No. 307 shall not apply to sales or deliveries of waxed papers to a purchaser if prior to February 20, 1943, such waxed papers had been received by a carrier other than a carrier owned or controlled by the seller for shipment to such purchaser.

§ 1347.602 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 307 may be charged, demanded, paid or offered.

§ 1347.603 *Export sales.* The maximum price at which a person may export waxed papers shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation, issued by the Office of Price Administration.

§ 1347.604 *Federal and state taxes.* Any tax upon, or incident to, the sale or delivery of waxed papers, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, excepting the tax on property imposed by section 620 of the Revenue Act of 1942, shall be treated as follows in determining the seller's maximum price for such commodity and in preparing the records of such seller with respect thereto:

(a) *As to a tax in effect during the year 1941.* (1) If the seller paid such tax, or if the tax was paid by any prior vendor, irrespective of whether the amount thereof was separately stated and collected from the seller, but the seller did not customarily state and collect separately from the purchase price during the year 1941 the amount of the tax paid by him or tax reimbursement collected from him by his vendor, the seller may not collect such amount in addition to the maximum price, and in such case shall include such amount in determining the maximum price under this Maximum Price Regulation No. 307.

(2) In all other cases, if, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect in addition to the maximum price, the amount of the tax actually paid by him or an amount or tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount in determining the maximum price under this Maximum Price Regulation No. 307.

(b) *As to a tax or increase in a tax which becomes effective after December 31, 1941.* If the statute or ordinance imposing such tax or increase does not prohibit the seller from stating and collecting the tax or increase separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

§ 1347.605 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to and at prices not in excess of the maximum prices in effect at the time of delivery. In appropriate situations where a petition for amendment requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1347.606 *Transfers of business or stock in trade.* If the business, assets or stock in trade of any business are sold or otherwise transferred after February 19, 1943, and the transferee carries on the business, or continues to deal in the same type of commodities or services in an establishment separate from any other establishment previously owned or op-

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 867.

[1] 8 F.R. 873.

[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218, 6265, 6272, 6472, 6525, 6524, 6744, 6896, 7777, 7670, 7914, 7942, 8554, 8650, 8948, 9783, 10470, 10581, 10780, 10993, 11008, 11012; 8 F.R. 926.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3178, 3242, 3482, 3554, 4176, 4668, 5712, 5780, 5943, 7974, 8939, 8948, 9131, 9724, 10152, 10812.

erated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records in accordance with § 1347.611 shall be the same. The transferor shall either preserve and make available for so long as the Emergency Price Control Act of 1942 remains in effect, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this Maximum Price Regulation No. 307.

§ 1347.607 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 307 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[1] issued by the Office of Price Administration.

§ 1347.608 *Discounts and allowances.* Every manufacturer shall continue to grant to persons buying waxed papers, differentials, discounts, and allowances not less favorable to the purchaser than those generally in effect during the period of October 1 to 15, 1941, for a sale of such waxed papers by such manufacturer to a purchaser of the same class.

§ 1347.609 *Evasion.* Price limitations set forth in this Maximum Price Regulation No. 307 shall not be evaded whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to waxed papers, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege or other trade understanding or otherwise.

§ 1347.610 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 307 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have any evidence of any violation of this Maximum Price Regulation No. 307 or any price schedule, regulation or order, issued by this Office of Price Administration, or any acts or practices which constitute such a violation, are urged to communicate with the nearest field or regional office of the Office of Price Administration, or its principal office in Washington, D. C.

§ 1347.610a *Licensing.* The provisions of Supplementary Order No. 19,[2] licensing distributors of paper and paper products, are applicable to every distributor selling any of the commodities for which maximum prices are now or hereafter established by Maximum Price Regulation No. 307. The term "distributor" shall have the meaning given to it by Supplementary Order No. 19.

§ 1347.611 *Records and reports.* (a) Every person making sales of waxed papers after February 19, 1943, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect, complete and accurate records of each sale, showing the date thereof, the name and address of the buyer, the price contracted for or received and the quantity of each type and grade of such waxed papers sold.

(b) Such persons shall submit such reports to the Office of Price Administration and shall keep such other records in addition to or in place of the records required in paragraph (a) of this section as the Office of Price Administration may from time to time require.

§ 1347.612 *Definitions.* (a) When used in this Maximum Price Regulation No. 307, the term:

(1) "Manufacturer" includes any person who manufactures or converts waxed papers, and includes the agents and representatives of such person. The manufacturer's maximum prices are applicable to all sellers of waxed papers.

(2) "Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for commodities or services for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or for purchasers located in different areas or for different quantities or grades or under different conditions of sale.

(3) "Miscellaneous waxed papers" refers to all waxed papers which are not specifically set forth in §§ 1347.615 to 1347.621 inclusive, except that they do not include cutter box or household rolls.

(4) "Base price" refers to the price of plain (unprinted) waxed paper per hundredweight.

(5) "Basis weight" refers to the weight in pounds of 480 sheets, 24" x 36".

(6) "Bleached sulphite printed roll bread wrappers" refers to a sheet of bleached sulphite paper, printed and waxed and in roll form.

(7) "Bleed edges" refers to a design in which the printing is extended beyond the finished dimensions of the wrappers so that in slitting or trimming there will be no margin left between the finished edge of the sheet and the printed design.

(8) "Color change" refers to a press stop required in a run to change from one color to another in a given design.

(9) "Die cutting" refers to cutting to shape or size through the use of a cutting die.

(10) "Dry waxed sulphite" is a sulphite sheet so processed that the major portion of the wax is driven into the fibres of the sheet.

(11) "Exact machine trimming" refers to trimming a sheet on four sides to a specified size.

(12) "Frame bundles" refers to sheets wrapped in kraft or similar protective wrapper with wood frames added to the top and bottom of the bundle for reinforcement.

(13) "Innerwrappers" refers to a sheet made of sulphite pulp used in unprinted form as an inner sleeve or complete innerwrapper with a standard bread wrapper.

(14) "Ink charge" refers to all charges made to cover ink used in printing paper to be waxed.

(15) "Miscellaneous standard grades of unprinted waxed sulphite" refers to paper made of sulphite pulp and waxed to weights most commonly used in the wet waxed, dry waxed and transparent grades.

(16) "Opaque bleached sulphite" refers to a bleached sulphite pulp to which titanium oxide or zinc oxide has been added as a filler for opacity, or a sulphite sheet that has been coated for opacity.

(17) "Process printing" refers to a printing method which requires the super imposing immediately of one color upon another in order to bring out the desired finished design.

(18) "Preparatory press charge" refers to a charge made to cover the cost of make-ready on a press plus a plate amortization charge.

(19) "Press stops" refers to stops made after a run has been started for the purpose of changing a plate or slug carrying a weight legend, brand name, address, etc.

(20) "Photo electric cell markers" refers to markers printed in conjunction with printed designs that are spotted on a package in a given position through the use of an electric eye on the wrapping machine.

(21) "Regular" refers to a sulphite sheet other than opaque or transparent.

(22) "Regular printing" refers to all methods of printing other than process, such as letter press, analine, roto, etc.

(23) "Roll" refers to paper in a continuous web usually wound to a 10-inch diameter on a three-inch core.

(24) "Sheeting" refers to cutting a continuous web to specified lengths.

(25) "Spot printed bleached sulphite white opaque sheet bread wrappers" refers to printed bread wrappers where the design is spotted to definite specifications within the dimensions of the finished sheet.

(26) "Special printed spot sheet bread wrappers" refers to wrappers printed in a special design for use by one customer only.

(27) "Stock designs" refer to designs that can be of general use to anyone.

(28) "Super transparent sulphite" refers to a sulphite sheet calendered on supercalender stacks, double waxed, having a high degree of transparency.

(29) "Skids" refers to a low platform on which paper is loaded and fastened for shipment.

(30) "Transparent sulphite" refers to a high machine finished sheet double waxed for transparency.

(31) "Wet waxed sulphite" refers to a sulphite sheet waxed in such a manner as to leave a considerable amount of wax on the surface of the sheet.

(32) "Waxed papers" includes the following classes of waxed products and variations thereof: Bread wraps, carton wraps, delicatessen papers, miscellaneous plain and printed waxed papers, waxed glassine and waxed greaseproof, twisting tissues, waxed kraft, waxed tissue, oiled or petrolatum treated papers and waxed cellophane plain or printed.

(33) "Zone 1" includes Delaware, Illinois, Indiana, Maryland, Michigan, New Jersey, The New England States, New York, Ohio, Pennsylvania, Virginia, West Virginia, Wisconsin, all Kentucky towns located on the Ohio River, all Iowa and Missouri towns located on the Mississippi River, Duluth, Minnesota, and all Minnesota towns located on the Mississippi River south of and including St. Paul and Minneapolis.

(34) "Zone 2" includes North Dakota, South Dakota, Kansas, Nebraska, Tennessee, North Carolina, Colorado (east of the Rockies), Iowa (except Mississippi River towns), Missouri (except towns on the Mississippi River), Kentucky (except Ohio River towns), Minnesota (except Duluth and towns located on the Mississippi River south of and including St. Paul and Minneapolis).

(35) "Zone 2a" includes South Carolina, Alabama, Florida, Georgia, Mississippi, Arkansas, Louisiana, Oklahoma, Texas (east of and including Amarillo and Lubbock).

(36) "Zone 3" includes Arizona, New Mexico, Montana, Idaho, Nevada, Utah, Wyoming, and Colorado (west of the Rockies), Texas (west of and excluding Amarillo and Lubbock).

(37) "Zone 4" includes Washington, Oregon and California.

(b) Unless the text otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

§ 1347.613 *Applicability.* The provisions of this Maximum Price Regulation No. 307 shall be applicable to the continental United States but not to the territories and possessions of the United States.

§ 1347.614 *Effective dates of Maximum Price Regulation 307.* This Maximum Price Regulation No. 307 (§§ 1347.601 to 1347.621, inclusive) shall become effective February 20, 1943.

§ 1347.615 *Appendix A: Maximum Prices for bleached sulphite printed roll bread wrappers.*

(a) *Maximum prices for sales in less than carload quantities on a delivered basis to points in Zone 1.* Where a manufacturer sells to points in Zone 1, his maximum price shall be computed on a delivered basis as follows:

(1) *Bleached sulphite printed roll bread wrappers*—(i) *Base price per cwt.*

	Basis weight[1] 24 x 36—480		Maximum price	
	Raw	Waxed	Regular printing (not process)	Process printing
White Opaque	24#	37#	$12.00	$13.00
White Opaque	28#	42#	12.00	13.00
Regular	24#	31#	11.50	12.50
Regular	28#	37#	11.50	12.50

[1] In no event may the raw basis weight vary plus or minus from the stated raw basis weight by more than 7½%. In no event may the waxed basis weight vary plus or minus from the stated waxed basis weight by more than 7½%.

(ii) *Preparatory press charges.*

	Printing (other than process)	Process printing
1 color	$15.50	$30.00
2 colors	30.00	60.00
3 colors	47.50	90.00
4 colors	65.00	120.00

The maximum preparatory press charges per cwt. shall be computed as follows:

Divide the applicable preparatory press charge by the total weight of printed paper involved in the order and multiply by 100.

$$\frac{\text{Preparatory press charge}}{\text{Weight of paper involved in the order}} \times 100$$

(iii) *Ink charges.* The maximum charge for ink shall not exceed $3.00 per cwt. of finished waxed paper for 100% ink coverage. For ink coverages of less than 100%, the charge shall be based on the actual percentage of solid ink coverage, as illustrated below:

The maximum ink charge for 100 pounds of paper having a 30% solid ink coverage is $0.90. (.30 × $3.00 = $0.90)

(iv) The manufacturers' maximum prices for printed bread wrappers are computed by adding the appropriate base price, as determined in paragraph (a) (1) (i) of this section, to the appropriate preparatory press charge, computed in accordance with paragraph (a) (1) (ii) of this section, and the appropriate ink charge, computed in accordance with paragraph (a) (1) (iii) of this section.

(v) *Engravings.* Engravings, modified etchings and art work incidental thereto may be charged for at no more than actual cost.

(2) *Differentials.* The manufacturer may add to his maximum prices computed in accordance with paragraph (a) (1) of this section the following differentials, where applicable:

(i) *Colored printed roll bread wrappers.*

Color	Per cwt.
Ivory	$0.50
Canary, Golden Rod, Light Blue and other light colors	1.00
Green	1.75
Persian Orange	2.00
Red	2.50

(ii) *Sheeting and bleed edges.*

Sheeting	0.50
Bleed edges	0.25

(iii) *Press stops.*

	Per cwt.
1-color change	$5.00
2-color change	10.00
3-color change	15.00
4-color change	20.00

(iv) *Color changes.*
$5.00 per color.

(b) *Maximum prices for sales in less than carload quantities on a delivered basis to points outside Zone 1.* Manufacturers may add to the maximum prices established in accordance with the provisions of paragraph (a) of this section the following differentials for shipments to points outside of Zone 1.

Point of delivery:	Addition to maximum price per cwt.
Zone 2	$0.50
Zone 2a	1.00
Zone 3	1.25
Zone 4	1.25

(c) *Maximum prices for sales in carload quantities or in quantities of less than 100 pounds.* (1) Where a manufacturer makes shipments of waxed paper in straight or mixed carloads, his maximum price for printed roll bread wrappers shall not exceed the maximum price established in accordance with the provisions of paragraphs (a) or (b) of this section, except that $0.25 per cwt. must be deducted from such maximum price.

(2) Where a manufacturer makes shipments on orders of and in quantities of less than 100 pounds his maximum price shall be established in accordance with the provisions of paragraphs (a) or (b) of this section except that such maximum price shall be an f. o. b. mill price. The manufacturer may add to such f. o. b. mill price the actual freight charges to the point of delivery.

§ 1347.616 *Appendix B: Maximum prices for spot printed bleached sulphite white opaque sheet bread wrappers.*

(a) *Maximum prices for sales in less than carload quantities on a delivered basis to points in Zone 1.* Where a manufacturer sells to points in Zone 1, his maximum price shall be computed on a delivered basis as follows:

(1) *Special printed spot sheet bread wrappers.*

Quantity[1] (number of sheets)	Maximum price per cwt.		
	1 color	2 colors	3 colors
12,500	$20.87	$22.47	$24.15
25,000	17.12	19.08	21.04
50,000	15.48	16.79	18.10
100,000	14.67	15.92	15.97
250,000	13.14	14.42	14.25
500,000	13.50	14.25	14.60

[1] Sold in these quantities only

(2) *Bread wrappers made from stock designs in either 2 or 3 colors.*

Quantity—Number of sheets:	Maximum price per cwt.
1,000 to less than 3,000	$21.75
3,000 to less than 6,000	20.75
6,000 to less than 11,000	20.25
11,000 and over	20.00

(3) *Roll bread wrappers made from stock designs in either 1, 2, 3 or 4 colors.*

Quantity—Number of rolls:	Maximum price per cwt.
Less than 4	$20.75
4 to less than 8	20.25
8 and over	19.75

(4) *Differentials.* The manufacturer may add to his maximum prices as established in paragraph (a) (1) of this section the following differentials, where applicable:

(i) *Press stops.*

1-color change	$5.00
2-color change	10.00
3-color change	15.00
4-color change	20.00

(ii) *Color changes.*
$5.00 per color.

(iii) *Regular sulphite.* For spot printed regular sulphite bread wrappers deduct $0.50 from the prices in paragraph (a) (1), (2), (3) of this section.

(iv) *Engravings.* Engravings, modified etchings and art work incidental thereto may be charged for at no more than actual cost.

(b) *Maximum prices for sales in less than carload quantities on a delivered basis to points outside Zone 1.* Manufacturers may add to the maximum prices established in accordance with the provisions of paragraph (a) of this section the differentials for shipments to points outside of Zone 1 in accordance with the provisions of § 1347.615 (b) of this regulation.

(c) *Maximum prices for sales in carload quantities.* Where a manufacturer makes shipments in straight or mixed carloads of waxed paper, his maximum price for spot printed bleached sulphite white opaque sheet bread wrappers or spot printed regular

[1] 7 F.R. 8961.
[2] 7 F.R. 7434, 8996, 11007.

sulphite bread wrappers shall not exceed his maximum price as established in accordance with the provisions of paragraphs (a) or (b) of this section, except that $0.25 per cwt. must be deducted from such maximum price.

§ 1347.617 *Appendix C: Maximum prices for plain waxed sulphite inner-wrappers.*

(a) *Maximum prices for sales in less than carload quantities on a delivered basis to points in Zone 1.* Where a manufacturer sells to points in Zone 1, his maximum price shall be computed on a delivered basis as follows:

[Maximum prices per cwt.]

(1) Basis weight,[1] 24 x 36—480		Melting point of paraffin
Raw	Waxed	
19#	21#	128°-130° A. M. P.[1]

Quantity	Maximum price
Less than 300#	$11.60
300# to less than 1,000#	10.95
1,000# to less than a carload	10.10

[1] American Melting Point, established by the Bureau of Standards as a standard for measuring the melting point of paraffin.
[2] *Supra* Note 1.

§ 1347.618 *Appendix D: Maximum prices for miscellaneous standard grades of unprinted waxed bleached sulphite paper.*

(a) *Maximum prices for sales in less than carload quantities on a delivered basis to points in Zone 1.* Where a manufacturer sells to points in Zone 1, his maximum price shall be computed on a delivered basis as follows:

(1) WET WAXED SULPHITE

Basis weight,[1] 24 x 36—480			Maximum prices per cwt.					
Melting point of paraffin	Raw	Waxed	Less than 100#	100# to less than 300#	300# to less than 1,000#	1,000# to less than 2,000#	2,000# to less than 10,000#	10,000# to less than a carload
133-135	17#	23#	$16.70	$14.50	$13.10	$12.10	$11.70	$11.35
133-135	18#	26#	15.45	13.65	12.25	11.25	10.85	10.50
133-135	20#	31#	15.20	13.40	12.00	11.00	10.60	10.25
133-135	24#	36#	15.05	13.15	11.75	10.75	10.35	10.00
133-135	30#	42#	14.80	12.90	11.50	10.50	10.10	9.75

(2) TRANSPARENT SULPHITE

133-135	22#	32#	16.35	14.15	12.75	11.75	11.35	11.00

(3) SUPER TRANSPARENT SULPHITE

138-140	20#	27#	20.60	18.40	17.00	16.00	15.60	15.25
138-140	25#	29#	20.35	18.15	16.75	15.75	15.35	15.00

(4) DRY WAXED SULPHITE

125-27	20#	25#	15.45	13.60	12.25	11.25	10.60	10.25
125-27	24#	30#	15.20	13.40	12.00	11.00	10.35	10.00

(5) WHITE OPAQUE BLEACHED SULPHITE

133-35	24#	37#	16.20	14.00	12.60	11.60	11.20	10.85

[1] *Supra* note 1.
[2] *Supra* note 1.

[Maximum prices per cwt.]

(2) Basis weight,[1] 24 x 36—480		Melting point of paraffin
Raw	Waxed	
18#	26#	128°-130° A. M. P.[1]

Quantity	Maximum price
Less than 300#	$11.10
300# to less than 1,000#	10.45
1,000# to less than a carload	9.60

(b) *Maximum prices for sales in less than carload quantities on a delivered basis to points outside Zone 1.* Manufacturers may add to the maximum prices established in accordance with the provisions of paragraph (a) of this section the differentials for shipments to points outside Zone 1 in accordance with the provisions of § 1347.615 (b) of this regulation.

(c) *Maximum prices for sales in carload quantities.* Where a manufacturer makes shipments in straight or mixed carloads of waxed paper, his maximum price for inner-wrappers shall not exceed the maximum price established in accordance with the provisions of paragraphs (a) or (b) of this section, except that $0.25 per cwt. must be deducted from such maximum price.

(6) *Differentials.* The manufacturer may add to his maximum prices as established in paragraph (a) (1), (2), (3), (4), and (5) of this section the following differentials, where applicable:

(i) *Sheets.*

	Per cwt.
(a) Per sheet area of 88 square inches or more	$0.25
(b) Per sheet area of less than 88 square inches	0.50
(c) Exact machine trimming	1.00
(d) Slits or cut outs on box liners	2.00
(e) For cutting corners, per corner	0.50

(ii) Manufacturers of rolls having a diameter of less than nine inches and/or a width of less than four inches may add not more than $0.50 per cwt. to the maximum prices established in paragraph (a) (1), (2), (3), (4), and (5) of this section.

(7) *Die cutting.* The manufacturers' maximum price for die cutting shall be computed in the following manner:

(i) Take a square sheet, one-half inch greater in dimensions than the diameter of the circle to be cut, and square the size of that sheet. Determine the weight per thousand sheets of the weight paper to be cut and multiply by the price per pound to determine the price per thousand sheets.

(ii) The following differentials may be added to the maximum price determined in accordance with the provisions of paragraph (a) (7) (i) of this section.

Sheet area	Percentage differential (percent)
25 square inches or less	25
26 to 50 square inches	20
51 to 100 square inches	15
Over 100 square inches	10

(8) *Special packing and sealing.*[1]

	Per cwt.
Wooden cases and crates	$0.50
Frame bundles	0.15
Skids	0.15

(9) *Sheets wrapped and sealed.*

	Per cwt.
1,000-sheet packages	$0.25
500-sheet packages	0.50
250-sheet packages	1.00
10-pound packages	0.25
5-pound packages	0.50
4-pound packages	0.75
3-pound packages	1.25
2-pound packages	2.00
1-pound packages	3.00

(b) *Maximum prices for sales in less than carload quantities on a delivered basis to points outside Zone 1.* Manufacturers may add to the maximum prices established in accordance with the provisions of paragraph (a) of this section the differentials for shipments to points outside of Zone 1 in accordance with the provisions of § 1347.615 (b) of this regulation.

(c) *Maximum prices for sales in carload quantities.* Where a manufacturer makes shipments in straight or mixed carloads of waxed paper his maximum price for miscellaneous standard grades of unprinted waxed bleached sulphite paper shall not exceed his maximum price established in accordance with the provisions of paragraphs (a) and (b) of this section, except that $0.25 per cwt. must be deducted from such maximum price.

[1] Gross billing weight shall not include the weight of the wooden cases and crates, frame bundles, or skids.

§ 1347.619 *Appendix E: Maximum prices for printed roll bleached sulphite white opaque carton sealing wrappers.*

(a) *Maximum prices for sales in less than carload quantities on a delivered basis to points in Zone 1.* Where a manufacturer sells to points in Zone 1, his maximum price shall be computed on a delivered basis as follows:

(1) *Designs involving process printing—(i) Base price per cwt.*

Basis weight,[1] 24 x 36—480		Maximum price
Raw	Waxed	
24#	37#	$18.50

[1] *Supra* Note 1.

(ii) *Preparatory press charges.*

	Process printing
1 color	$35.00
2 colors	70.00
3 colors	105.00
4 colors	140.00

The maximum preparatory press charges per cwt. shall be computed as follows:

Divide the applicable preparatory press charge by the total weight of printed paper involved in the order and multiply by 100.

$$\frac{\text{Preparatory press charge}}{\text{Weight of paper involved in the order}} \times 100$$

(iii) *Ink charges.* The maximum charge for ink shall be computed in accordance with the provisions of § 1347.615 (a) (1) (iii), except that the maximum ink charge for 100% ink coverage shall not exceed $3.50.

(iv) The manufacturers maximum prices for process printed bleached sulphite white opaque roll carton sealers are computed by adding the base price ($13.50) to the appropriate preparatory press charges computed in accordance with paragraph (a) (1) (ii) of this section and appropriate ink charge, computed in accordance with paragraph (a) (1) (iii) of this section.

(2) *Designs involving photoelectric cell markers and/or special core size, diameter rolls or grades of stock—(i) Base price per cwt.*

Basis weight,[1] 24 x 36—480		Maximum Price
Raw	Waxed	
24#	37#	$12.75

[1] *Supra* Note 1.

(ii) *Preparatory press charges.*

	Printing (other than process)
1 color	$25.00
2 colors	50.00
3 colors	75.00
4 colors	100.00

The maximum preparatory press charges per cwt. shall be computed in accordance with the provisions of paragraph (a) (1) (ii) of this section.

(iii) *Ink charges.* The maximum charge for ink shall be computed in accordance with paragraph (a) (1) (iii) of this section.

(iv) The manufacturers maximum prices for photo electric cell printing are computed by adding the base price ($12.75) to the appropriate preparatory press charges computed in accordance with paragraph (a) (2) (ii) of this section and the appropriate ink charge computed in accordance with paragraph (a) (2) (iii) of this section.

(3) *Carton sealers other than those set forth in paragraphs (a) (1) and (a) (2) of this section—(i) Base price per cwt.*

Basis weight,[1] 24 x 36—480		Maximum price
Raw	Waxed	
24#	37#	$12.25

[1] *Supra* Note 1.

(ii) *Preparatory press charges.*

	Printing (other than process)
1 color	$20.00
2 colors	40.00
3 colors	60.00
4 colors	80.00

(iv) The maximum preparatory press charges shall be computed in accordance with the provisions of paragraph (a) (1) (ii) of this section. The maximum charge for ink shall be computed in accordance with paragraph (a) (1) (iii) of this section, except that the maximum ink charge for 100% ink coverage shall not exceed $3.00.

(4) Differentials for colored opaque printed roll carton sealers, press stops and color changes, shall be computed in accordance with the provisions of paragraph (a) (2) of § 1347.615.

(5) *Engravings.* Engravings, modified etchings and art work incidental thereto may be charged for at no more than actual cost.

(b) *Maximum prices for sales in less than carload quantities on a delivered basis to points outside Zone 1.* Manufacturers may add to the maximum prices established in accordance with the provisions of paragraph (a) of this section the differentials for shipments to points outside of Zone 1 in accordance with the provisions of § 1347.615 (b) of this regulation.

(c) *Maximum prices for sales in carload quantities or in quantities less than 100 pounds.* Manufacturers' maximum prices for sales in carload quantities or in quantities of less than 100 pounds shall be computed in accordance with § 1347.615 (c).

§ 1347.620 *Appendix F: Maximum prices for printed roll super transparent sulphite bread wrappers.*

(a) *Maximum prices for sales in less than carload quantities on a delivered basis to points in Zone 1.* Where a manufacturer sells to points in Zone 1, his maximum price shall be computed on a delivered basis as follows:

(1) *Base price per cwt.*

Basis weight,[1] 24 x 36—480		Maximum price
Raw	Waxed	
23#	30#	$17.50

[1] *Supra* Note 1.

(2) *Preparatory press charges.*

1 color	$17.50
2 colors	30.00
3 colors	47.50
4 colors	65.00

The maximum preparatory press charges per cwt. shall be computed as follows:

Divide the applicable preparatory press charge by the total weight of paper involved in the order and multiply by 100.

$$\frac{\text{Preparatory press charge}}{\text{Weight of paper involved in the order}} \times 100$$

(3) *Ink charges.* The maximum charge for ink shall be computed in accordance with paragraph (a) (1) (iii) of § 1347.615, except that the maximum ink charge for 100% ink coverage shall not exceed $6.00, for example:

The maximum ink charge for 100 pounds of paper having a 30% solid ink coverage is $1.80. (30×$6.00=$1.80)

(4) The manufacturers' maximum prices for printed roll super transparent sulphite bread wrappers are computed by adding the appropriate base price, as determined in paragraph (a) (1) of this section, to the appropriate preparatory press charge, computed in accordance with paragraph (a) (2) of this section, and the appropriate ink charge, computed in accordance with paragraph (a) (3) of this section.

(5) *Engravings.* Engravings, modified etchings and art work incidental thereto may be charged for at no more than actual cost.

(b) *Maximum prices for sales in less than carload quantities on a delivered basis to points outside Zone 1.* Manufacturers may add to the maximum prices established in accordance with the provisions of paragraph (a) of this section the differentials for shipments to points outside of Zone 1 in accordance with the provisions of § 1347.615 (b) of this regulation.

(c) *Maximum prices for sales in carload quantities or in quantities less than 100 pounds.* Manufacturers' maximum prices for sales in carload quantities or in quantities of less than 100 pounds shall be computed in accordance with § 1347.615 (c).

§ 1347.621 *Appendix G: Manufacturers' maximum prices for sales of miscellaneous waxed papers.*

(a) The manufacturers' maximum price for any given amount of miscellaneous waxed papers shall not exceed that price at which the item was sold by the manufacturer during the period of October 1 to 31, 1941, at prices based upon a price list which was published, or circulated to the trade, or to the manufacturer's salesmen.

(1) No price based upon such price list shall be charged unless and until duplicate copies of such price lists have been filed with the Office of Price Administration, Washington, D. C. The prices established by such price lists shall be subject to nonretroactive disapproval or adjustment by letter of the Office of Price Administration.

(b) The manufacturer's maximum price for any given amount of miscellaneous waxed papers which cannot be priced under paragraph (a) of this section shall not exceed the sum of the following factors calculated for the amount of the product being priced:

(1) *Raw material costs.* The delivered purchase price at which the raw materials are acquired by a converting plant, or the transfer price of an integrated mill to its converting plant, neither of which shall in any event exceed the maximum prices established for such raw materials by the Office of Price Administration. In computing such transfer price, the manufacturer shall use the same method, classifications, and differentials, as were used by such manufacturer in computing such transfer price during the period from October 1 to October 31, 1941, excepting that such manufacturer may change such method, classifications and differentials, if a lower price results from such change. If, during the period from October 1 to October 31, 1941, the manufacturer adopted or employed the practice of averaging or otherwise computing his raw material costs, he shall continue such practice in the same manner. The manufacturer shall continue to add the same percentage charge for waste in estimating prices and apply credits received from the sale or other disposition of waste material in the same manner in which such credits or charges were applied during the period from October 1 to October 31, 1941.

(2) *Applicable conversion charges.* Charges for hand and or machine operations incident to the fabrication, assembly, marking and or packing of commodities of the same general class shall not be computed in excess of the same hourly, piece and setting up rates and shall be based on the same standards of production as were in effect from October 1, 1941, to October 31 1941, inclusive, and which were used in normally determining the selling prices of commodities, and services contracted to be sold or supplied at a definite price during such period.

(i) The same method or principal for applying conversion charges shall be employed that was employed during the period from October 1, 1941, to October 31, 1941, inclusive, so that direct or indirect conversion charges shall be computed in the manner customarily employed during the period October 1 to 31, 1941, inclusive. Charges for a different type of conversion (e. g. hand rather than machine operations) shall not be substituted for customary conversion charges as a means of increasing the price of the product.

(3) *Margin.* An item for a margin over the raw material cost and applicable conversion charges (i. e. subparagraph (1) plus subparagraph (2)) computed on the same percentage basis, or on the same rate per unit of material, or on a combination thereof and by the same method as the seller employed in pricing the most nearly comparable commodity sold, supplied or offered for sale during October 1941, to a "purchaser of the same class". If during October 1941, the seller employed the practice of including his charge for margin in his hourly and piece rates for hand and machine operations, he shall continue such practice in pricing any commodity under this section, and in such a case the seller shall make no duplicate calculation for margin under this subparagraph (3). This margin shall not exceed the margin used by the manufacturer during the period from October 1, 1941, to October 31, 1941, inclusive, in determining the selling price for such shipping point for:

(i) The same commodity contracted to be sold at a definite price to a purchaser of the same class during such period, or, if the manufacturer did not contract to sell the same commodity to a purchaser of the same class during such period.

(ii) The comparable commodity contracted to be sold at a definite price to a purchaser of the same class during such period, or, if the manufacturer did not contract to sell any comparable commodity at a definite price to a purchaser of the same class during such period.

(iii) The margin shall be computed by using the margin employed by the manufacturer in determining the selling price for the same or comparable commodity contracted to be sold at a definite price to a purchaser of a different class during such period adjusted to reflect the manufacturer's customary differential between the two classes of purchasers.

(iv) No seller shall change his customary allowance, discounts or other price differentials unless such change results in a lower price.

(4) *Charges for delivery.* No seller shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery or supply of any commodity or service, than the seller required purchaser of the same class to pay during the period of October 1 to October 31, 1941, on deliveries or supplies of the same or comparable types of commodities or services.

(5) *Engravings.* Engravings, modified etchings and art work incidental thereto may be charged for at no more than actual cost.

Issued this 30th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1625, Filed, January 30, 1943, 3:50 p. m.]

PART 1389—APPAREL

[MPR 153, as Amended Amendment 7]

WOMEN'S, GIRLS' AND CHILDREN'S OUTERWEAR GARMENTS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1389.12 is amended, as set forth below:

§ 1389.12 *Termination date.* This Maximum Price Regulation No. 153, as amended, shall become inoperative on February 20, 1943 for all sales at retail and wholesale.

§ 1389.11 *Effective dates of amendments.* * * *

(i) Amendment No. 7 (§ 1389.12) to Maximum Price Regulation No. 153, as amended, shall become effective January 30, 1943.

(Pub. Laws 421 and 729, 7th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1626, Filed, January 30, 1943; 3:49 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 10, Amendment 5]

FOOD RATIONING REGULATIONS FOR THE VIRGIN ISLANDS

A rationale for this amendment has been issued simultaneously herewith and has been filed in the Division of the Federal Register.*

Section 1407.662 is hereby suspended with respect to corn meal.

§ 1407.842 *Effective dates of amendments.* * * *

(e) Amendment No. 5 shall become effective December 28, 1942.

Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. 1, Supp. Dir. 1-J, O.P.A. Administrative Order 19; 7 F.R. 562[1]

Issued this 1st day of January 1943.

JACOB A. ROBLES,
Director for the Virgin Islands.

[F. R. Doc. 43-1627, Filed, January 30, 1943, 3:49 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3901, 4381, 5869, 7010, 7535, 8878, 8946, 10081.

[2] 7 F.R. 6881, 8523, 8607, 10707.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 10, Amendment 6]

FOOD RATIONING REGULATIONS FOR THE VIRGIN ISLANDS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subparagraph (1) of § 1407.623 (a) and § 1407.662 (c) are hereby revoked.

§ 1407.842 *Effective dates of amendments.* * * *

(f) Amendment No. 6 (§§ 1407.623 (a) (1) and 1407.662 (c)) shall become effective as of January 18, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 729, 77th Cong., E.O. 9250, 7 F.R. 7871, and 507, 77th Cong.; W.P.B. Dir. 1, Supp. Dir. 1-J, OPA Administrative Order 19; 7 F.R. 562[1])

Issued the 15th day of January 1943.

JACOB A. ROBLES,
Director for the Virgin Islands.

[F. R. Doc. 43-1628; Filed, January 30, 1943, 3:50 p. m.]

Chapter XIII—Petroleum Administration for War

[Amendment 1 to Petroleum Directive 62 as Amended Jan. 19, 1943]

PART 1525—MARKETING MOTOR FUEL

CREDIT AT RETAIL OUTLETS; EXCEPTION

Section 1525.1 *Petroleum Directive 62* [8 F.R. 981] is hereby amended by changing paragraph (b) (1) (i) (c) to read:

(c) For use in motor vehicles displaying T Ration stickers or Certificates of War Necessity, and

Issued this 1st day of February 1943.

R. K. DAVIES,
Acting Petroleum Administrator for War.

[F. R. Doc. 43-1565, Filed, January 29, 1943, 4:58 p. m.]

[Amendment 1 to Petroleum Administrative Order 4]

PART 1525—MARKETING MOTOR FUEL

SERVICE STATION HOURS

Section 1525.2 *Petroleum Administrative Order 4* is hereby amended by changing paragraph (b) to read as follows:

(b) *Service station hours of distribution.* (1) No person shall deliver motor fuel from any service station where motor fuel is delivered during more than 12 hours (which shall not be divided into units of less than 2 consecutive hours) of any calendar day or during more than 72 hours of any calendar week: *Provided, That:*

[1] 7 F.R. 6881, 8523, 8607, 10707.

(i) Deliveries of motor fuel may be made at any time for official use in motor vehicles or motor boats owned or operated by the Army, Navy, Marine Corps, Coast Guard, Maritime Commission, or War Shipping Administration or to any persons in the event of an emergency involving life, health or property.

(ii) Deliveries of motor fuel may be made at any time into the fuel tank of any motor vehicle displaying a T ration sticker in accordance with the provisions of Ration Order 5C or a Certificate of War Necessity issued by the Office of Defense Transportation where the following conditions are all fully complied with.

(a) Such service station shall at all times remain open to sell and deliver motor fuel.

(b) For the same 12 consecutive hours of the calendar day and for not more than 72 hours during any calendar week, such service station shall deliver motor fuel to any person requesting motor fuel in accordance with Ration Order 5C.

(c) During all of the remaining hours of each day of each week, such service station shall deliver motor fuel only to motor vehicles displaying T ration stickers or Certificates of War Necessity.

(2) Each service station shall post prominently in a conspicuous place a notice of the hours during which motor fuel will be regularly delivered by such service station. Where the provisions of paragraph (b) (1) (ii) apply, the hours selected and posted shall clearly distinguish the hours during which motor fuel will be delivered only to motor vehicles displaying T ration stickers or Certificates of War Necessity and shall remain in effect for a period of not less than 30 consecutive days and shall not be changed during such period. In all other cases the hours selected and posted shall remain in effect at least seven consecutive days and shall not be changed during such period.

Issued this 1st day of February 1943.

R. K. DAVIES,
Acting Petroleum Administrator for War.

[F. R. Doc. 43-1566; Filed, January 29, 1943; 5:02 p. m.]

[Petroleum Distribution Order 3]

PART 1526—MARKETING FUEL OIL

DELIVERIES ON OR AFTER FEBRUARY 2, 1943

Section 1526.1 *Petroleum Administrative Order 3* is hereby amended to read § 1526.1 *Petroleum Distribution Order 3.*

Section 1526.1 *Petroleum Distribution Order 3* is hereby amended to read as follows:

§ 1526.1 *Petroleum Distribution Order 3—(a) Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Petroleum" means petroleum, petroleum products, and associated hydrocarbons.

(3) "Fuel oil" means any liquid petroleum product commonly known as fuel oil, including Grades Nos. 1, 2, 3, 4, 5, and 6, Bunker "C", Diesel oil, kerosene, range oil, gas oil, or any other liquid petroleum product used for the same purposes as any such product.

(4) "Commercial, industrial or governmental consumer" means any person as to whom the Office of Price Administration has determined, pursuant to § 1394.5402 of Ration Order 11, as amended, an "allowable ration" for any current period of more than 9,000 gallons of fuel oil for purposes other than space heating or hot water, but shall include such person only to the extent that he receives fuel oil for such purposes.

(5) "Refiner" means any person engaged in the refining or compounding of finished or unfinished petroleum.

(6) "Asphalt" means asphalt of petroleum origin and all asphalt products of petroleum origin, including but not limited to paving asphalts, roofing asphalts, industrial asphalts, asphalt fluxes, and road oils.

(7) "District One" means the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, and Florida, and the District of Columbia.

(8) "Restricted area" means District One, except that portion of the State of Florida west of the Apalachicola River.

(b) *Restrictions on delivery of fuel oil.* (1) On and after February 2, 1943, no person may deliver or otherwise supply fuel oil to any commercial, industrial or governmental consumer for purposes other than furnishing space heating or hot water and no such consumer may accept delivery of fuel oil for such purposes unless:

(i) In the case of a commercial, industrial or governmental consumer whose use of fuel oil is exclusively in any operation or operations listed in Schedule A, he shall first have filed Form PAW 1, in accordance with paragraph (d) of this order and so certifies as set forth in paragraph (c) (1) of this order;

(ii) In the case of any commercial, industrial or governmental consumer whose use of fuel oil is not exclusively in any operation or operations listed in Schedule A, he shall first have surrendered the fuel oil ration issued to him by the Office of Price Administration for redetermination pursuant to § 1394.5402 of Ration Order 11, as amended, of the Office of Price Administration and so certifies as set forth in paragraph (c) (2) of this order.

(2) The Petroleum Administrator for War may from time to time certify to the Office of Price Administration for appropriate action any modification of the fuel oil ration of any commercial, industrial or governmental consumer, whether or not such consumer's operations are listed in Schedule A, which the Petroleum Administrator for War may determine to be necessary or appropriate. The Petroleum Administrator for War shall send a copy of such certification to the consumer affected thereby and to the appropriate regional office of the Office of Price Administration. The consumer shall immediately present his copy of such certification to his war price and ration board or to such State, district or regional office of the Office of Price Administration as may be designated by its regional administrator for the region in which the consumer's Board is located, and such board or office will thereupon take appropriate action for the cancellation or withdrawal of all or any part of his ration or for the increase of his ration, in accordance with the certification of the Petroleum Administrator for War.

(c) *Certification required for delivery of fuel oil.* Paragraph (b) requires that a certification in substantially the following form be delivered to the delivering supplier before the first delivery of fuel oil to the consumer subsequent to February 1, 1943, signed by a duly authorized official:

(1) *Where the commercial, industrial or governmental consumer's use of fuel oil is exclusively in any operation or operations listed in Schedule A.*

---------- (Date)

To the Petroleum Administrator for War:

The undersigned consumer certifies that his use of fuel oil is exclusively in operations listed in Schedule A of Petroleum Distribution Order 3, that he has filed Form PAW 1, for confirmation of his Schedule A operations, and that this delivery is in accordance with Petroleum Distribution Order 3 and Ration Order 11, as amended, of the Office of Price Administration, with the terms of which he is familiar.

---------- (Name of Commercial, Industrial or Governmental Consumer)

By ----------
(Signature of Duly Authorized Official)

---------- (Address of Such Consumer)

(2) *Where the commercial, industrial or governmental consumer's use of fuel oil is not exclusively in operations listed in Schedule A.*

---------- (Date)

To the Petroleum Administrator for War:

The undersigned consumer certifies that he has surrendered his fuel oil ration issued by the Office of Price Administration for redetermination pursuant to § 1394.5402 of Ration Order 11, as amended, and that this delivery is in accordance with Petroleum Distribution Order 3 and Ration Order 11, as amended, of the Office of Price Administration, with the terms of which he is familiar.

---------- (Name of Commercial, Industrial or Governmental Consumer)

By ----------
(Signature of Duly Authorized Official)

---------- (Address of Such Consumer)

No person may deliver or otherwise supply fuel oil to any commercial, industrial or governmental consumer where he knows or has reason to believe such consumer's certification to be false.

(d) *Confirmation of Schedule A operations.* On or before February 1, 1943, each commercial, industrial or governmental consumer whose use of fuel oil is exclusively for any operation or operations listed in Schedule A shall file Form

PAW 1 for confirmation of his Schedule A operations. Reports shall be filed in quintuplicate: 4 copies to the District Director in Charge, Petroleum Administration for War, 122 East 42nd Street, New York, New York, Ref: PDO 3, and 1 copy to the Regional Office of the Office of Price Administration for the region in which the consumer's War Price and Ration Board is located.

(c) *Inventory restrictions.* No person may deliver or otherwise supply fuel oil to any commercial, industrial or governmental consumer, and no such consumer may accept delivery of fuel oil, where such consumer has more than 10 days' rationed requirements of fuel oil for his operations: *Provided*, That any single delivery of fuel oil by means of a transportation facility generally used in such delivery, which brings the amount of fuel oil in the commercial, industrial or governmental consumer's possession to more than 10 days' requirements for such operations, may be accepted.

(*f*) *Restrictions on production and movement of asphalt.* (1) No person may deliver or otherwise supply asphalt from outside District One to any person within District One, and no person within District One may accept delivery of asphalt from outside District One, except where the delivery of such asphalt does not involve the use of a tanker, barge, tank car, tank truck or tank truck trailer: *Provided*, That the delivery of any asphalt loaded on an interstate common carrier on January 18, 1943, may be completed.

(2) No refiner within District One may produce asphalt, and no person may accept delivery of asphalt from any refiner within District One where he knows or has reason to believe such asphalt was produced after January 18, 1943.

(*g*) *Reports.* All persons affected by this order shall execute and file with the Petroleum Administration for War such reports and questionnaires as the Petroleum Administrator for War may from time to time request.

(*h*) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship on him may appeal for relief to the Petroleum Administrator for War, who, after clearance with the War Production Board, shall take such action as may appear necessary or appropriate and shall notify the appropriate regional office of the Office of Price Administration of any such action. Such appeal shall be filed in quadruplicate on Form PAW 2 and shall be addressed to the District Director in Charge, Petroleum Administration for War, 122 East 42nd Street, New York, New York.

(*i*) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to the District Director in Charge, Petroleum Administration for War, 122 East 42nd Street, New York, New York, Ref.: PDO 3.

(*j*) *Violations.* Any person who willfully violates any provision of this order, or who, by any act or omission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. Any person who willfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or such other action may be taken as is deemed appropriate.

(*k*) *Area of applicability.* Paragraphs (b), (c), (d), and (e) shall apply only to any person, or to the delivery of fuel oil, in the restricted area.

(*l*) *Effective date.* This order shall take effect on the date of issuance and shall continue in effect until April 1, 1943, unless sooner revoked.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of January 1943.

R. K. DAVIES,
Acting Petroleum Administrator for War.

SCHEDULE A

1.00 Hospitals
2.00 Food—facilities for agricultural, commercial, and industrial food production; food processing; and food preservation except restaurants, hotels, and retail stores
3.00 Transportation services:
3.01 Railroad, industrial, and interurban common or contract carriers of passengers or freight, including terminals
3.02 Railways, including terminals
3.03 Waterborne shipping, including locks and terminals
3.04 Airports and airfields
3.05 Oil pipe lines and pumping stations
3.06 Maintenance and repair facilities or shops used exclusively for the maintenance and operation of the above transportation services
4.00 Public utility services, including the production, generation, transmission, or distribution of the following for general use by the public:
4.01 Electric energy.
4.02 Natural gas.
4.03 Manufactured gas.
4.04 Water.
5.00 Public communications services:
5.01 Newspapers.
5.02 Radio communication and broadcasting.
5.03 Telephone and telegraph systems.
6.00 Sanitation services, including refuse collection and collection and disposal of sewage.
7.00 Metal production:
7.01 Metal ore mining.
7.02 Metal and metal ore refining.
7.03 Metal mills.
8.00 Producers and refiners of petroleum and petroleum products.
9.00 Natural and synthetic rubber products.
10.00 Industrial plants to the extent of the minimum necessary requirements of the production or processing of the following products, including production or processing of parts for any and all of the products:
10.01 Aircraft, aircraft engines, aircraft parts.
10.02 Airplane landing mats.
10.03 Arms and armament.
10.04 Artillery.
10.05 Ammunition and ammunition boxes.
10.06 Ships and ship parts.
10.07 Combat tanks and parts.
10.08 Combat vehicles and parts.
10.09 Military radio and radar equipment.
10.10 Track-laying tractors.
10.11 Steam engines.
10.12 Turbines.
10.13 Explosives and pyrotechnics
10.14 Navigation instruments.
10.15 Searchlights.
10.16 Power boilers above 100 lbs. pressure.
10.17 Metal tanks, including steel drums.
10.18 Steam condensers.
10.19 Carbon, graphite products.
10.20 Electric motors and generators.
10.21 Switch gear.
10.22 Reciprocating compressors and vacuum pumps and power-driven centrifugal (except fans).
10.23 Blowers, fans (except ventilators).
10.24 Mechanical power transmission equipment.
10.25 Fabricated pipe.
10.26 Welding rods.
10.27 Abrasives and refractories.
10.28 Heat exchangers.
10.29 Industrial stokers.
10.30 Machine tools and attachments.
10.31 Transformers, capacitors, and switchgear apparatus.
10.32 Pressure vessels including steel gas cylinders.
10.33 Diesel and gas engines.
10.34 Water pumps, industrial.
10.35 Locomotives and railroad cars.
10.36 Surgical, medical, and dental equipment and supplies.
10.37 Optical instruments and lenses.
10.38 Construction machinery and equipment.
10.39 Liquid oxygen.
10.40 Anti-friction bearings.
10.41 Gauges and precision measuring instruments.
10.42 Chemical stock.
10.43 Portable electric and pneumatic tools
10.44 Hand service tools.
10.45 Replacement parts for civilian automotive transportation.
10.46 Wire communication equipment.
10.47 Mining machinery and equipment.
11.00 Scientific testing and research laboratories, to the extent that they are engaged in such operations necessary for the production or processing of any munitions equipment or materials listed in paragraph 10.00.
12.00 Mining, operations for production of:
12.01 Anthracite coal.
12.02 Bituminous coal.
12.03 Industrial silica sands.
12.04 Mining stones.
12.05 Phosphates.
13.00 Farm machinery and equipment.

[F. R. Doc. 43-1567; Filed, January 29, 1943; 5:02 p. m.]

[Interpretation 1 of Petroleum Distribution Order 3]

PART 1526—MARKETING FUEL OIL

BREWERIES; BAKERIES; LAUNDRIES; LUMBER MILLS

The following official interpretation is hereby issued by the Deputy Petroleum Administrator for War and falls under § 1526.1, *Petroleum Distribution Order 3*, issued January 29, 1943:

(a) The use of fuel oil in the operation of breweries is not included under Item 2.00 or any other item on Schedule A.

(b) The use of fuel oil in the operation of bakeries is included under Item 2.00 on Schedule A.

(c) The use of fuel oil in the operation of laundries is not included in Item 6.00 or any other item on Schedule A.

(d) The use of fuel oil for lumber logging operations is not included under any of the items listed on Schedule A.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of January, 1943.

R. K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 43-1568; Filed, January 29, 1943; 4:58 p. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard: Department of the Navy

PART 10—AIR RAID AND BLACKOUT REGULATIONS FOR INLAND HARBORS, PORTS, AND WATERFRONT FACILITIES

Pursuant to Executive Order No. 8074 (7 F.R. 1587) and the authority to issue regulations vested in me as Captain Commandant, United States Coast Guard, by the Secretary of the Navy and the Commander-in-Chief, United States Fleet, and Chief of Naval Operations, there are hereby promulgated air raid and blackout regulations for vessels, harbors, ports, and waterfront facilities as follows:

Sec.
10.1 Effective date.
10.2 Area in which regulations apply.
10.3 Responsibility for execution of regulations.
10.4 Air raid warning signals.
10.5 Duties on blue signal.
10.6 Duties on red signal.
10.7 Control of lights for all vessels.
10.8 Special rules for vessels under way.
10.9 Special rules for vessels moored to piers or docks.
10.10 Special rules for vessels under repair.
10.11 General rules for piers and docks.
10.12 Rules for piers and docks on red signal. The following Rules 37 to 39, inclusive, shall be complied with at all piers and docks during the sounding of the air raid (Red) signal:
10.13 Air raid wardens.
10.14 Air raid signals.
10.15 Blackout of lights.
10.16 Public address systems.
10.17 Fire and safety precautions.
10.18 Control of vessels.
10.19 Control of persons.
10.20 Control of vehicles.
10.21 Control of operations.
10.22 Control of lights.
10.23 Control of fires.
10.24 Control of smoking.
10.25 Duties on blue signal.
10.26 Duties on red signal.
10.27 Penalties.

AUTHORITY: §§ 10.1 to 10.27, inclusive, issued under E.O. 9074, 7 F.R. 1587.

§ 10.1 *Effective date.* These regulations shall be effective at 12:01 a. m. February 17, 1943.

§ 10.2 *Area in which regulations apply.* These regulations shall apply to vessels, harbors, ports and waterfront facilities in the States of Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida east of the Apalachicola River, and the District of Columbia.

§ 10.3 *Responsibility for execution of regulations.* The responsibility for the execution of these regulations shall rest upon the master or senior officer present on board a vessel, and the commander of a waterfront facility. During the time an air raid warning alarm is in effect, the master or senior officer present on board a vessel shall comply immediately with all special instructions or orders issued by responsible officers of the Army, Navy, or Coast Guard.

§ 10.4 *Air raid warning signals.* The air raid warning signals, and the all-clear signals, shall be the signals prescribed in Public Proclamation No. 4 of the Commanding General, Eastern Defense Command (*Supra*, Title 10, Chapt. 10, Part 102) or such modifications thereof as may hereafter be prescribed. The signals are as follows:

(a) *Yellow signal.* This is a confidential preliminary caution signal not to be given by audible public alarm. It indicates the possibility of an air raid in the district so warned. This signal shall be transmitted by the defense authorities only to such key persons and facilities, essential industries, railroads, and places within such warning district as such authorities deem essential to initiate preparations to insure timely blackout or air raid precautions.

(b) *Mobilization and blackout (blue) signal.* This is an audible warning signal indicating the probability of an air raid in the district so warned. This signal will be a long note (approximately two minutes) at steady pitch of sirens, horns, and whistles.

(c) *Air raid (red) signal.* This is an audible air raid warning signal indicating the proximity of enemy aircraft and the imminence of an air raid in the district so warned. This signal (approximately two minutes) will be a series of short blasts of two seconds duration or a warbling or fluctuating sound of varying pitch of a siren.

(d) *All clear (White) signal.* This signal is a public signal indicating all clear in the district so warned. This signal may be transmitted by radio, telephone, telegraph or messenger, following the execution of regulations.

(e) *Surprise air raid warning.* Should the proximity of enemy aircraft and the imminence of an air raid in the district so warned, this signal (approximately two minutes) will be a series of short blasts of two seconds duration or a warbling or fluctuating sound of varying pitch of a siren.

(f) *All clear (White) signal.* This signal is a public signal indicating all clear in the district so warned. This signal may be transmitted by radio, telephone, police, by turning on street lights which have been extinguished on the blue signal, or other available means. This signal may also be given by horns, whistles, or sirens, as specified by local civilian defense authorities: *Provided, however*, That such signal shall not be the same as the mobilization and blackout (Blue) signal and the air raid (Red) signal and shall not resemble said signals so as to be confused therewith.

(g) *Order of signals.* Ordinarily, a yellow signal shall precede a blue signal and a blue signal shall precede a red signal. However, if sufficient time is not available for these signals to be separated by at least five (5) minutes, the yellow signal and/or the blue signal may be given with that a blue signal may be given without a prior yellow signal and/or a red signal without a prior yellow and/or blue signal. A blue signal shall follow every red signal, after any interval of not more than five (5) minutes and may in turn be followed by a white signal or by another red signal. Upon the sounding of a blue signal, persons and vehicles should give considerable attention to places of safety in anticipation of an air raid (Red) signal. Such precautions will be required upon a blue signal whether it precedes or follows a red signal. The sequence of signals in such case would be blue, red, blue, red, blue. A white signal may follow a yellow signal or a blue signal, but will not follow a red signal without an intermediate blue signal. A white signal shall not be given within ten (10) minutes of a preceding blue signal. The All-Clear (White) signal will not be given until the probability of attack no longer exists.

§ 10.5 *Duties on blue signal.* During the period in which the blackout (Blue) signal is in effect, preparations shall be made so that the following regulations can be immediately instituted upon the sounding of the air raid (Red) signal. Except as otherwise specifically provided in these regulations, lights on vessels and waterfront facilities essential to the war effort shall not required to be extinguished or blacked out during the period and in the area of the blackout (Blue) signal, but they shall comply with the following conditions:

(a) That such lighting can be extinguished or blacked out, as provided by the regulations below, within one (1) minute from the sounding of the air raid (Red) signal.

§ 10.6 *Duties on red signal.* Except as otherwise specifically provided, the following regulations herein shall be observed upon the sounding of the air raid (Red) signal and at all times that the air raid (Red) signal is in effect.

§ 10.7 *General rules for all vessels.* Upon the sounding of the air raid (Red) signal all vessels, whether under way, anchored, or moored, shall comply with Rules 1 to 14, inclusive, and all vessels in dry-dock shall comply with Rule 15, all as follows:

RULE 1. All bulkheads, watertight doors, ports, and scuttles shall be secured to insure the watertight integrity of the vessel.

RULE 2. All vessels shall immediately blackout, ship, except for running lights if under way, and anchor lights if anchored, and shall shield and screen all permitted lights in such manner that they may not be observed from shore and that no confusion appears upon the water.

RULE 3. Smoking, striking matches, using lighters, or otherwise showing unshielded lights shall not be permitted.

RULE 4. All possible precautions shall be taken to prevent smoke or exhaust vapor from being observed from above.

RULE 5. Fire fighting members shall take predetermined posts. Fire stations shall be manned, hoses stretched, fire extinguishers in stand made available for immediate use, and suitable personnel stationed at all fire protection points.

RULE 6. A sufficient number of crew members shall be on board to handle fire fighting equipment, and to move the vessel if this becomes necessary.

RULE 7. The crew, passengers, and any shore personnel, on board shall be warned, by the sounding of the general alarm, or other appropriate means.

RULE 8. Life-boats shall be rigged overside, and all persons aboard shall don life belts and refrain from unnecessarily moving about the ship. This rule shall apply to ferry boats or tugs, but on such vessels every reasonable precaution shall be taken.

RULE 9. No vessel shall anchor in any position which may obstruct the channel or any aids to navigation. Wherever possible, channels and fairways shall be kept clear of anchored vessels.

RULE 10. Wherever possible, vessels shall anchor at a distance of not less than 100 yards from the nearest vessel. Effort shall be made to avoid congestion at any anchorage. Sufficient space must be allowed to permit each vessel to swing free and clear from other anchored vessels with changes in the tide.

RULE 11. Except in cases of emergency, or where specifically authorized by the responsible Army, Navy, or Coast Guard officers, no vessel shall get under way until the all clear (White) signal or the blackout (Blue) signal following the air raid (Red) signal has been sounded.

RULE 12. Any vessel which requires immediate assistance because of air raid damage shall use the following signals:

By day:

(a) International code signal "NC".

(b) Five short blasts of the ship's whistle at 30 second intervals. The ship's siren shall not be used.

By night:

(a) International code signal "NC" by Morse lights.

(b) Five short blasts of the ship's whistle at 30 second intervals. The ship's siren shall not be used.

RULE 13. Vessels permitted to proceed shall do so at a reasonable speed, keeping closely to the right of the channel and maintaining a good lookout to insure against colliding with unlighted vessels. Whistles and other sound signals shall not be given unless necessary in cases of emergency to avoid collision.

RULE 14. The anti-aircraft gun crew shall be ready to go into action as directed by military authorities.

RULE 15. Vessels in dry-dock shall blackout completely, and all fire-stations thereon shall be manned.

§ 10.8 *Special rules for vessels under way.* Upon the sounding of the air raid (Red) signal, vessels under way shall comply with the following Rules 16 to 24, inclusive:

RULE 16. Vessels proceeding in the channel shall swing to the right, stop, and come to anchor, if this is feasible. If not feasible, vessels shall anchor clear of the channel and clear of all aids to navigation.

RULE 17. Vessels proceeding in bays, sounds, or lakes shall stop and come to anchor to the right of the course the vessel was steering. If possible, vessels shall anchor clear of any moored vessels and all aids to navigation. If anchoring is not feasible, such vessels shall reduce speed to the slowest speed consistent with safe steerageway, and shall steer a zig-zag course if possible.

RULE 18. Vessels proceeding in a river or harbor in which anchoring is not feasible shall moor to the bank or to the nearest wharf. If such mooring is not feasible, they shall continue on their course at reduced speed.

RULE 19. In lieu of observing Rules 16, 17, or 18, vessels may proceed to their nearest slip at reduced speed if the same can be reached within 15 minutes.

RULE 20. In lieu of observing Rules 16, 17, or 18, tugs without tows shall proceed to the nearest suitable berth, or may tie up to any anchored vessel or to any wharf, pier, or dock, proceeding always to the right of the channel or their course, if feasible.

RULE 21. In lieu of observing Rules 16, 17, or 18, tugs with tows shall come to anchor to the right of and outside the channel or fairway if feasible. If anchoring is not feasible, such tugs and tows shall proceed at steering speed until such time as they reach a position which will permit them to anchor.

RULE 22. Vessels of all types approaching the entrance to harbors, bays, sounds, and lakes during the time an air raid (Red) signal is in effect shall maintain clear of such entrance and proceed in a direction away from the channel.

RULE 23. In addition to the requirements of Rule 2, the visibility of navigation lights shall be reduced to insure their not being seen from a distance of over one mile.

RULE 24. While blacked out, no vessel shall operate searchlights except when needed in the same direction, except in an emergency.

§ 10.9 *Special rules for vessels at anchor.* Upon the sounding of the air raid (Red) signal, vessels at anchor shall comply with the following Rules 25 to 27, inclusive:

RULE 25. Anchored vessels shall immediately blackout, as provided by Rule 2, except that dimmed and shielded portable lights shall be maintained.

RULE 26. All loading or discharging activities shall cease immediately. Longshoremen working on a lighter at such vessel shall board the vessel.

RULE 27. Sufficient steam shall be maintained to enable the ship to get under way whenever necessary. Steam shall also be maintained for the operation of windlass, steering engine, and steam fire smothering lines.

§ 10.10 *Special rules for vessels moored to piers or docks.* Upon the sounding of the air raid (Red) signal, vessels moored to piers or docks shall comply with the following Rules 28 to 33, inclusive:

RULE 28. All cargo handling shall cease. Vessels moored to piers or docks shall be made fast in such manner that mooring lines may be quickly be let go, if necessary.

RULE 29. Sufficient steam shall be maintained in the boilers to operate the vessel as required. It steam cannot be maintained, lines of sufficient length shall be stretched to the shore and to the outer-end of the dock so that the vessel may be moved from her berth if required. If steam is not required for immediate use, decks and mooring lines shall be closed with the exception of windlass, steering engine, capstan, and steam fire smothering lines.

RULE 30. The ship's officers and crew aboard shall cooperate with the air raid warden organizations on the pier or dock.

RULE 31. The hatch vessels shall:

(a) Arrange to cover open hatches after unloading of cargo before cargo is taken on board in order to protect the hold of the pier or dock, and shall notify the assistant of the dockman, check the evacuation of those men

(b) Notify the boat deck watchman and foreman of the evacuation of his men.

(c) See that access to the vessel is maintained by means ladders are blocked off by cargo, two approved type portable ladders shall be provided.

RULE 32. The dockman, with the assistance of the hatch foreman, shall see that the vessel is secured as required. It steam cannot be maintained lines of sufficient length shall be stretched to the shore and to the outer-end of the dock so that the vessel may be moved from her berth if required. If steam is not required for immediate use, decks and mooring lines shall be closed with the exception of windlass, steering engine, capstan, and steam fire smothering lines.

RULE 33. Sufficient steam shall be maintained in the boilers to operate the vessel as required. It steam cannot be maintained lines of sufficient length shall be stretched to the shore and to the outer-end of the dock so that the vessel may be moved from her berth if required. If steam is not required for immediate use, decks and mooring lines shall be closed with the exception of windlass, steering engine, capstan, and steam fire smothering lines.

§ 10.11 *General rules for piers and docks.* Upon the sounding of the air raid (Red) signal, piers or docks shall comply immediately with the following Rules 34 to 36, inclusive:

RULE 34. (a) Operators of piers and docks shall appoint a chief air raid warden for each pier or dock, or group of piers and docks, who shall be a person employed thereon in a supervisory capacity. The chief air raid warden of the pier or dock and other persons regularly employed on a pier or dock shall be designated to act as air raid wardens by the operator and shall be trained pursuant to the procedure used by civilian defense authorities within their local area. These air raid warden organizations shall cooperate and coordinate their activities with the air raid warden organizations of such longshoremen groups as may be employed on the pier or dock as well as with any local air raid warden organizations, and shall act in cooperation with and under the direction of the local air raid warden service. Air raid wardens may become members of the United States Citizens Defense Corps.

(b) Assign specific duties and posts to each person acting as an air raid warden on the pier or dock.

(c) Hold drills at reasonable intervals.

(d) See that windows, skylights, doorways and openings are provided with blackout material that will completely prevent any light from showing outside the pier or shed.

(e) Arrange the location of equipment upon the facility in such manner as will permit fire apparatus to enter freely if required.

(f) Communicate with the Captain of the Port to arrange the mooring of vessels in such manner as will permit floating fire fighting equipment to have access thereto if required.

RULE 35. The hand foreman or assistant hand foreman and the longshoremen on a pier or dock shall be the chief air raid warden of his personnel, shall be trained as an air raid warden, and shall in turn be responsible for the training of his longshoremen as air raid wardens. Such longshoremen shall act as communications shall cooperate with and coordinate their activities with the pier dock organizations and local organizations.

§ 10.12 *Rules for piers and docks on red signal.* The following Rules 37 to 39, inclusive, shall be complied with at all piers and docks during the sounding of the air raid (Red) signal:

RULE 37. The chief air raid warden of the pier or dock shall order:

(a) Air raid wardens and the full force of hands on the pier or dock immediately to take up their predetermined posts covering the full area of the pier or dock and the pier or dock.

(b) Persons of vehicles on the pier or dock and their helpers to assemble with the air raid wardens for such assignment as may be deemed advisable.

(c) Fire or dock to be blacked out, after inspecting the same in the office of any vessel moored thereat, and the contracting stevedores. Upon the blue signal, notice shall be given to all the extinguishing equipment and fire apparatus.

(c) Give warnings when lights are showing in the pier, city, or surrounding area in accordance with prevailing blackout regulations.

(e) Report failing hands, fires, and presence of gas to predetermined control center.

RULE 38. The chief air raid warden of the longshoremen group shall:

(a) Direct the removal of all stevedoring gear from the decks, hatches, and holds of effects as defined in § 17.4800 (a) at the establishment. Check houses and gangplanks are closed; and check hoisting conditions.

(b) Require the longshoremen handling cargo on the pier or dock to assemble immediately for such assignment as he may deem advisable.

(c) Make a check-up of his men at the head of the pier or dock.

(d) Direct tractor and other vehicle drivers to pull their loads and stevedoring equipment to the side aisles, or to the head of the pier or dock, turn off their motors and lights, and assist the air raid wardens in such manner as he deems advisable.

Dated: January 29, 1943.

W. R. WARSCHE,
Vice Admiral, U. S. Coast Guard, Commandant.

[F. R. Doc. 43-1646; Filed, February 1, 1943; 10:46 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 17—FINANCE

DISPOSITION OF VETERAN'S PERSONAL EFFECTS AND FUNDS ON STATION UPON DEATH, OR DISCHARGE, OR UNAUTHORIZED ABSENCE, OR DESERTION OF EFFECTS AND FUNDS FOUND ON STATION

Revision of §§ 17.4801, 17.4801, 17.4802–17.4810, inclusive, 17.4812–17.4813, inclusive, and cancellation of § 17.4814.

§ 17.4800 *Definitions.* (a) As used in respect to the disposition of property of veterans dying in Veterans' Administration facilities, or who are discharged or who elope or intrest therefrom without leave therefrom, and in respect to property found therein, the term "effects" means all types of United States Currency and Coin, checks payable to the decedent except checks drawn on the Treasurer of the United States which have never been negotiated, Individual retirement accounts to the credit of the veteran in the account of "Veterans' Administration Facilities", and each competent veteran now being cared for or who is hereafter admitted to receive care as such in a Veterans' Administration facility, unless it be determined to his health, will be requested and encouraged to designate on the prescribed Form 1170 in duplicate, the person to whom he desires the Veterans' Administration to deliver his funds and effects in event of death. He may also designate an alternate to whom delivery will be made if the first designate fails or refuses to accept delivery. It should be clearly understood that the delivery of such funds or effects will constitute only a delivery of possession thereof, and such delivery is not intended to affect in any manner the title to such funds or effects or determine the person ultimately entitled to receive same from the person to whom delivery is made (hereinafter in these regulations termed "designate").

(b) The person designated as designate on the face of the Form 1170 will be obtained in every case, and at that time the veteran's attention will be invited to the importance of being advised with respect to disposition of his effects.

(c) Veterans will be encouraged to place in the custody of their relatives articles of little or no utility value to them during their period of care at a Veterans' Administration facility, and to retain in their possession such funds and effects as are only actually required and necessary for their immediate convenience. (January 30, 1943)

§ 17.4805 *Survey and inventory upon death of veteran.* (a) *Survey.* Immediately upon the death or the absence without leave of any veteran in a facility as defined in § 17.4800 (b), a survey and inventory of the funds and effects of such veteran will be taken in the following manner:

(1) If the death or absence without leave occurred during hospitalization, the manager will direct the ward physician concerned and the chief of the service in the personally owned effects, including all funds, securities, evidences of interest, "Personal Funds of Patients", jewelry being worn by the deceased person, or jewelry and clothing in the pockets of clothing he may have been wearing).

(2) If the death or absence without leave occurred while the beneficiary was assigned to barracks, the manager will direct the chief of the service to make the survey.

(3) The inventory report will be executed in triplicate, original and two copies. All will be signed by each employee making the inventory, and disposed of as hereinafter provided.

(4) Personally owned clothing or other effects (such as toothbrushes, false teeth not containing gold, etc.) which are unservicecable by reason of wear or tear or insanitary condition, and clothing that the Veterans' Administration, the Government, will not be included in this inventory; but, instead, the board, as constituted above, will list the unserviceable personally owned articles on a separate list, describing briefly their condition, and will recommend their disposition in a separate report to the manager on Form 2687a, "Inventory of Unserviceable Personally Owned Effects of Beneficiary". The manager, if approving the recommendation, will order destruction or utilization in occupational therapy, such as wipe rags, etc., of such unserviceable articles and, when they are so destroyed or utilized, will have entered on the papers the date and nature of the disposition. The completed papers will then be placed in the correspondence file of the beneficiary. Clothing that had been supplied by the Government will be reconditioned if possible and returned to stock for issue to other eligible beneficiaries. When Government owned clothing cannot be reconditioned it will be disposed of as unserviceable in currently effective supply procedure.

(5) Within the nearest relative requests that the personal effects be mailed for burial in clothing he personally owns instead of burial in clothing to be supplied under the undertaker's contract, such request will be honored. A receipt in such case will be obtained from the undertaker, specifying the articles of clothing delivered. Adjustment of the undertaker's bill in the case will correspondingly be made.

(6) In accomplishing such inventories, detailed description will be given of each material value or importance, for example:

Watch: Yellow metal (make, movement and name of jeweler if known without damage to watch).

Ring: Yellow metal (probably gold plated or stamped 14 K setting if any).

Discharge Certificate (Number).

Adjusted Service Certificate (Number).

Bonds: Kind or Name of company, registered or nonregistered (if registered, number, record put value, if any).

Bank book or other asset evidence (Name of bank or other obligor, apparent value, and bonding numbers, etc.).

Clothing (brief description and statement of condition).

(b) Upon completion of the survey and inventory the effects will be turned over to the manager for safekeeping. Any funds found which apparently were the property of the deceased will be turned over to the manager, or his specially designated representative who will receipt therefor, and deliver immediately to the agent cashier, who shall deposit same to the special deposit account. (January 30, 1943)

§ 17.4804 *Delivery to designate.* (a) Upon authorization by the manager funds, as defined in § 17.4800 but not in excess of $250.00, and effects will be delivered or sent to the designate of the deceased veteran if request therefor be made after death and within 90 days following the mailing of notice to such designate (See § 17.4809 (a)) unless:

(1) The executor or administrator of the estate of the deceased veteran shall

have notified the manager of his desire and readiness to receive such funds and effects, in which event the manager will deliver all funds and effects to such executor or administrator upon receipt of appropriate documentary evidence of his qualifications and in exchange for appropriate receipts, or

(2) Subsequent to the declaration the veteran became incompetent and the guardian revoked such designation, in which event the manager will deliver such funds and effects to his guardian in exchange for appropriate receipts subject to the limitations contained in paragraph (e) of this section, or

(3) Designate was the wife (or husband) of the veteran at the time of designation and information at the disposal of the facility indicates that she (or he) was thereafter divorced and the veteran was thereupon married or subsequent to the time of divorce, or

(4) Notwithstanding there is a designate, it is probable that title would pass to the United States under the Act of June 25, 1910 (sec. 9, U. S. Code, section 136), as amended by the Act of December 26, 1941 (38 U. S. Code, sections 17 to 17f), or the Act of July 1, 1902 (24 U. S. Code, section 139), or would escheat to the United States under the Act of August 12, 1935 (38 U. S. Code 450), or

(5) The manager determines that there is reasonable ground to believe that the transfer of such possessions to the designate probably would be contrary to the interests of the persons legally entitled to the property of the veteran, or there are any other special circumstances raising a serious doubt as to the propriety of such delivery to the designate.

In any case in which the manager declines to deliver the funds and effects pursuant to the provisions of subparagraphs 3, 4 and 5 above, he will request instructions from central office.

(b) If the aggregate of the funds on deposit or at the station shall exceed $250.00, a complete report will be filed with recommendation for disposition shall be made immediately to central office, provided, however, that in his discretion, if need therefore appears, the manager may make immediate delivery to the designate not to exceed $250.00 thereof. When central office has made its determination, the manager shall be advised at once as to delivery to the designate, or to another person legally entitled thereto, of the funds to be disposed of. In these cases central office shall have the discretion to determine to whom delivery is to be made.

(c) The supply officer, when authorized by the manager, will deliver or ship the effects. If shipped at Government expense, the shipment shall be made in the most economical manner but in no case at a cost in excess of $10.00. If such expenses will exceed $10.00, the excess amount shall be paid by the consignee, either to the manager in advance, or to the carrier if it accepts the shipment without full pre-payment of charges. There will be no obligation of the Government, initially or otherwise, to pay such expenses in excess of $10.00.

(d) When possession of funds or effects is transferred to a designate, claim, attention of the designate will again be directed to the fact that possession only has been transferred to him and that such transfer does not of itself affect title thereto and that such designate will be accountable to the owner of said funds and effects under applicable laws.

(e) Upon receipt from the chief attorney of an appropriate certification that the guardianship was in full force and effect at the time of the veteran's death and that the guardian posted adequate funds and effects of an incompetent veteran may be immediately delivered or sent to such guardian, inasmuch as the guardian had a right to possession and he will be accountable therefor to the party entitled to receive the decedent's estate. If, however, it appears probable that decedent died without a valid will and left no person surviving entitled to inherit, the funds shall not be paid to the former guardian but will be transmitted to central office, including amounts if any in U. S. Savings bonds deposit account and "Personal Funds of Patients" account. These effects will be safely kept and reported to central office with recommendation for sale or other disposition thereof. (January 30, 1943)

§ 17.4805 *Procedure where no designate exists or designate fails to claim.* If there exists no designate at the time of death in a facility of a veteran admitted as competent; or the designate fails or refuses to claim the funds and effects as provided in § 17.4804 (a) within 90 days following the mailing of notice to such designate, this fact shall be reported to central office without delay and ate action shall be taken to dispose of such funds and effects in accordance with existing law. Central office shall authorize the delivery of funds and effects of such decedent to the administrator, or if no notice of appointment thereof has been received, to the decedent's widow, child, grandchild, mother, father, grandmother, grandfather, brother, or sister in the order named; subject to the applicable provisions of § 17.4804 and § 17.4804 (a). Delivery may be made at any time before the sale contemplated by § 17.4809, to the designate or other person entitled under the facts of the case. But delivery shall be made only to the person entitled to priority unless each of those entitled to priority as to the claimant waives in writing his or her prior right to possession. The guardian of a minor or incompetent may receive his ward's prior right to possession. (January 30, 1943)

§ 17.4806 *Procedure when veterans are absent without leave or eloped.* (a) Except as provided in § 17.4808, effects of veterans absent without leave or who have been discharged or have eloped (and who are not to be returned to the facility) will be disposed of as follows:

(1) To the owner if competent, or if deceased to his administrator or executor or as directed in writing by such owner, or his executor or administrator.

(2) To the guardian of the owner if the latter is incompetent, or if deceased to his administrator or executor, or as directed in writing by such guardian, executor or administrator.

(3) To the incompetent owner if he has no guardian; but delivery to the incompetent owner may be withheld and may be made to the person who is caring for such incompetent if in the judgment of the manager such delivery is for the incompetent's best interest.

NOTE: The Government will not pay expense of transportation of effects of decedents or incompetents veterans discharged, absent without leave, or who have eloped.

(b) Funds, securities, evidences of interest without leave or who have been discharged or have eloped (and who are not to be returned to the facility) will be disposed of in accordance with the provisions of currently effective finance procedure. (January 30, 1943)

§ 17.4807 *Not applicable to veterans not admitted as such.* The provisions of §§ 17.4800 and 17.4806, inclusive, shall be inapplicable to property known to be that of any person dying in or discharged or absent without leave from a Veterans' Administration facility other than a veteran admitted as such to such facility. Property of members of the Indian Conservation Corps and of others admitted under various laws of the United States not administered by the Veterans' Administration shall be disposed of in accordance with the laws applicable. (January 30, 1943)

§ 17.4808 *Sale, use or destruction.* (a) In the case of any property of a veteran who was in the receipt of hospital or domiciliary care heretofore or hereafter left at a Veterans' Administration facility by the owner of which is discharged or absent without leave or who has eloped and has not been returned to a Veterans' Administration facility or has died after leaving the facility or in the unreasonable opinion of any owner of any property thereof be unclaimed, such property unless it shall be disposed of under the provisions of §§ 17.4804 and 17.4806 shall be sold, used or destroyed or otherwise disposed of as the manager shall determine the circumstances in each case may warrant. Any sale of such property shall be conditioned upon the ninety-day notice provided in section 6 of the Act of June 25, 1938 (38 U. S. Code, 16e).

(b) If the circumstances are such that retention of any property as is mentioned in (a) of this section, or of any property of unknown ownership found on the premises would endanger the health or life of persons within the premises (by reason of contagion, infection, or otherwise), such property shall be forthwith disposed of under order of the manager and proper record of the action taken will be made.

(c) If there be no known claimant of any such property and if it may be used at the facility for the benefit of the members or patients for such purposes as the Post Fund is intended to serve and if the value is inconsequential, the manager may authorize the retention and use of such property at the facility.

(d) Any such property which is not destroyed or used as provided in (b) and (c) of this section shall be sold in the manner provided in §§ 17.4809 and 17.4810, after notice as therein provided unless, prior to sale, claim be made for any such property by some one legally entitled thereto. (January 30, 1943)

§ 17.4809 *Notice to designate or owner; shipment, or other disposition.* (a) Upon death of a veteran admitted as such to a facility, the manager will cause notice (Parts I and V of Form 1171) to be sent to the designate: *Provided however*, That if the manager has information that the primary designate's death occurred before notice is sent, notice shall be sent to the alternate designate and all the provisions of these regulations respecting the designate will be deemed to apply to the alternate. However, if the primary designate dies subsequent to mailing the notice and prior to delivery of funds or effects to the designate (or his guardian) upon receipt of such information the manager will proceed pursuant to the provisions of this section as though the primary designate had died before notice was sent. Each notice, however, shall contain a statement that in no event will the Government pay shipping expense in excess of $10.00. The notice will include a copy of the inventory of the property which it is proposed to deliver to the designate.

(b) Upon receipt of appropriate shipping instructions the property will be shipped, transportation charges prepaid, by mail, express, or freight as may be appropriate under the circumstances and most economical to the Government. The expense of such shipment, in no case to exceed $10.00, is payable from the appropriation for Salaries and Expenses, Veterans Administration.

(c) The living owner of any property held for burial or the designate will be promptly notified thereof. In no case will transportation charges be paid by the Government on property shipped to a living veteran. In such cases sh

to the owner. A life insurance policy may be delivered to the beneficiary therein named if the insured is deceased, notwithstanding the veteran has designated a person to whom possession of his property at the facility is to be transferred. In no case will funds or effects be delivered to a minor, or to an incompetent person other than as provided in § 17.4809 (a) and (c), but where any such person is entitled to title or possession delivery may be made to his guardian. (January 30, 1943)

§ 17.4813 *Notice of statute.* In order that all persons who bring property on the premises of Veterans' Administration facilities may be advised of the existence of the Act of June 25, 1938 (38 U. S. Code, 16–16j), and that it affects such property, notice thereof (Form 1182) shall be permanently posted in at least one prominent place on the premises of each facility where persons are likely to see such notice. (January 30, 1943)

Section 17.4814 *Forms* canceled January 30, 1943.

(48 Stat. 9; 38 U.S.C. 707)

[SEAL] FRANK T. HINES,
Administrator.

[F. R. Doc. 43–1574; Filed, January 30, 1943; 10:21 a. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order 6, Supp. 9]

PART 305—INSURANCE

WAR RISK INSURANCE COVERAGE ON IMPORT CARGOES, ETC.

War risk insurance; automatic coverage on import cargoes and on cargoes shipped to the territories and possessions of the United States.

Pursuant to the authority contained in the Merchant Marine Act of 1936, as amended, the following rules and regulations, and amendments for the underwriting of cargo war risk insurance under Warshipopencargo Policy Form are hereby promulgated.

Effective with the date hereof Clause 13 of Part II is deleted and the following clause designated "13" is substituted therefor:

§ 305.60 *Standard form of Warshipopencargo Policy.* * * *

13 It is warranted that the assured will at all times maintain with the War Shipping Administration a collateral deposit fund or that in lieu of such collateral deposit fund a surety bond in the form prescribed by the War Shipping Administration will be filed with the underwriting agent and maintained in full force and effect for the purpose of securing payment of premium hereunder. In the event that the assured inadvertently fails to maintain such a collateral deposit fund or such a surety bond in an amount sufficient so that at all times such amount is in excess of the unpaid premium then or thereafter payable with respect to any or all risks which have attached under the terms of the policy, it shall be a condition of this insurance that within seven days from the time such insufficiency comes to the knowledge of the assured, additional collateral or an increase in surety bond will be provided by the assured in an amount not less than double the amount of such insufficiency, and in addition a certified check, cashier's check, or money order payable to the Treasurer of the United States, in the amount of $100 will be paid to the underwriting agent as a fee for the continuation of this policy. In all such cases the assured shall file with the underwriting agent an affidavit in form prescribed by the Administration setting forth the facts with respect to such insufficiency. Failure to comply with the provisions of this article shall result in the voidance of this policy as of the date upon which the collateral deposit fund or surety bond became insufficient, but such voidance shall not relieve the assured of liability to pay premium on all shipments made prior to the termination of said seven day period.

Notwithstanding the foregoing, however, if the Administrator or his duly authorized representative shall determine that the failure of the assured to maintain a sufficient collateral fund or surety bond was wilful rather than inadvertent, said policy shall be void from the date said collateral fund or surety bond was first insufficient to secure the premiums on risks which would otherwise have attached hereunder.

§ 305.104 *Standard form of affidavit to be filed in connection with the requirement of Clause 13 of Part II of the Warshipopencargo Policy Form.* The following is the form of affidavit, the use of which shall become effective from the date hereof:

State of _____
County of _____ ss.
_____, being first duly
(Name of affiant)
sworn, deposes and says * (either (I) (he) (she)), is an officer to wit: _____
(Title)
of the _____ insured under
(Name of corporation or company)
Warshipopencargo Policy No. _____ or (2) (he) (she) is the assured named in Warshipopencargo Policy No. _____) and is familiar with all matters pertaining thereto.

That on the _____ day of _____ 19____, the assured first had knowledge that the amount of collateral deposited pursuant to the terms of said policy was exceeded by the amount of premium due thereunder; that the amount of collateral deposited pursuant to the terms of said policy on that date was $_____; that at the date when the collateral became exceeded by the amount of unpaid premium the collateral was for an amount of $_____, and the unpaid premium amounted to $_____.

That under the following circumstances the assured became aware for the first time that said collateral was insufficient: (explain in detail the manner in which the collateral became exceeded) _____

_____

_____

_____

That to the best of the assured's information and belief the following shipments were made after the date when the collateral first became exceeded and the assured honestly and in good faith intended said shipments to be covered under the Warshipopencargo Policy No. _____:

_____

_____

_____

This affidavit is furnished by the assured in order to comply with the provisions of Clause 13 of Part II of Warshipopencargo Policy and is made by the affiant and is furnished by the assured and by the affiant with full knowledge that War Shipping Administration will rely on the statements contained therein and is submitted for the purpose of inducing War Shipping Administration to rely thereon.

_____

Subscribed and sworn to before me this _____ day of _____ 19____.

_____
(Notary Public)

Attention is directed to section 35 (A) of the Criminal Code of the United States which provides for punishments ranging as high as ten years imprisonment or $10,000 fine, or both, for filing false, fictitious, or fraudulent documents with a department or agency of the United States.

§ 305.105 *Regulations concerning the filing of the affidavit required by Clause 13 of Part II of the Warshipopencargo Policy.* The assured must file an affidavit on the form set forth in (§ 305.104) executed in quadruplicate with the underwriting agent within the time specified in Clause 13 of Part II of Warshipopencargo Policy Form, unless the time for filing such an affidavit is extended by permission of the War Shipping Administration.

(a) If the space provided in the form affidavit for an explanation of the circumstances by which the assured first had knowledge that the collateral became exceeded is not sufficient, then the assured should attach to the affidavit a detailed statement, incorporating the same by reference into the affidavit prior to the execution thereof.

§ 305.106 *Standard Optional Endorsement No. XV.* Effective with the date hereof Standard Optional Endorsement No. XV, as set forth herein, is hereby promulgated for use:

With respect to shipments otherwise coming within the scope of this policy but failing to attach hereunder by reason of the goods being shipped or consigned prior to the date set forth in Clauses a, b and c of Part I of this policy, it is specially understood and agreed that this insurance shall nonetheless attach provided that the goods have not arrived at port of final destination on or before the date of this endorsement and that as of the date of this endorsement, there is no known or reported loss of such shipments by reason of perils insured by this policy. For the purpose of this endorsement the words "known or reported loss" shall be deemed to include any loss known or reported to either the Assured or the War Shipping Administration. This endorsement shall not, however, apply to any goods which would not have been covered under the terms of Warshipopencargo Policy No. _____ had said policy remained in full force and effect. In consideration of the coverage provided by this endorsement, it is agreed that the rates applicable to such shipments shall be 50% in excess of the standard rates of the War Shipping Administration applicable to similar shipments.

All other terms and conditions remaining unchanged.

§ 305.107 *Regulations concerning Standard Optional Endorsement No. XV.* Where prior to the effective date of this General Order a Warshipopencargo Policy has been terminated by reason of the breach of the warranty embodied in Clause 13 of Part II of the Warshipopencargo Policy, and a new policy has been or is issued in replacement of said terminated policy, Standard Optional Endorsement No. XV may be attached to said replacement policy by the underwriting agent without prior approval of the War Shipping Administration. Such endorsement must incorporate the policy number of said terminated policy. The application for the endorsement must be made at the time of application for the issuance of the replacement Warshipopencargo Policy or not later than thirty days from the date of the publication of this supplement in the FEDERAL REGISTER, whichever may last occur.

(a) Whenever a Warshipopencargo Policy has been endorsed with Standard Optional Endorsement No. XV, additional premium must be paid on shipments included in the replacement policy and which are subject to the terms and conditions of the said endorsement.

§ 305.108 *Regulation construing the meaning of Supplement 9 to General Order No. 6.* Whenever the Warshipopencargo Policy form or any of its regulations promulgated heretofore are inconsistent with any matter set forth in Supplement 9 to General Order No. 6, the provisions of this Supplement 9 are deemed controlling.

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

JANUARY 29, 1943.

[F. R. Doc. 43–1586; Filed, January 30, 1943; 11:24 a. m.]

*Strike out inapplicable words in brackets.

[General Order 28, Supp. 1]

PART 306—GENERAL AGENTS AND AGENTS

BONDING OF CERTAIN SHIPS' PERSONNEL

Bonding of ships' personnel receiving advances for the account of the War Shipping Administration.

Section 306.61 (8 F.R. 446) is hereby amended to read as follows:

§ 306.61 *Bonding of ships' personnel.* From and after March 1, 1943 no moneys or property shall be advanced to a Master, purser, or other member of the ships' personnel for the account of the War Shipping Administration, unless such person is under a bond indemnifying the United States against loss of such moneys or property caused solely or in part, by the dishonesty or lack of care of any such person in the performance of the duties of any position covered by the bond. (E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

JANUARY 29, 1943.

[F. R. Doc. 43–1585; Filed, January 30, 1943, 11:24 a. m.]

[General Order 12, Supp. 13]

PART 306—GENERAL AGENTS AND AGENTS

COMMISSION ON FARES

Part I of General Order 12 (§§ 306.1 to 306.12) is amended by inserting a new § 306.9a:

§ 306.9a *Commission on fares.* On or after February 1, 1943, general agents and agents are authorized to pay in all trades to bona fide travel or tourist agents a commission of 5% on fares paid by or for passengers traveling for private or commercial account. No commission shall be allowed on fares paid by or for repatriated seamen traveling as passengers. Commission payments made to bona fide travel or tourist agents between the earliest applicable effective date provided in § 306.2 and February 1, 1943, are confirmed if such payments were made at rates in accordance with customary practice.

Part III of General Order 12 (§§ 306.21 to 306.28) is amended by inserting a new § 306.26a:

§ 306.26a *Commission on fares.* On or after February 1, 1943, general agents and agents are authorized to pay in all trades to bona fide travel or tourist agents a commission of 5% on fares paid by or for passengers traveling for private or commercial account. No commission shall be allowed on fares paid by or for repatriated seamen traveling as passengers. Commission payments made to bona fide travel or tourist agents between the earliest applicable effective date provided in § 306.2 and February 1, 1943, are confirmed if such payments were made at rates in accordance with customary pratice.

(E.O. 9054, 7 F.R. 837)

E. S. LAND,
Administrator.

JANUARY 28, 1943.

[F. R. Doc. 43–1532; Filed, January 29, 1943; 2:27 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Service Order 106]

PART 95—CAR SERVICE

SHIPMENTS TO MEXICO

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 30th day of January, A. D. 1943.

It appearing, that carload shipments by railroad from the United States to points in Mexico covered by order bills of lading have been, and are being, unduly delayed; that certain representations have been made through the Secretary of State to the Mexican Government; that the Mexican Government has replied thereto; and that an emergency exists requiring immediate action to prevent shortage of railroad equipment and congestion of traffic; *It is ordered,* That:

§ 95.6 *Shipments to Mexico on straight bills of lading.* All common carriers by railroad subject to the Interstate Commerce Act, are hereby ordered not to accept or move commodities in carloads, originating in the United States and destined to points in Mexico, unless such shipments are covered by straight bills of lading as defined in U. S. Code, Title 49, Chapter 4—Bills of Lading. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, That this order shall become effective February 15th, 1943, and shall remain in force until further order of the Commission; that copies of this order and direction shall be served upon all common carriers by railroad subject to the Interstate Commerce Act, and upon the Association of American Railroads, Car Service Division; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43–1681; Filed, February 1, 1943; 11:52 a. m.]

[Service Order 107]

PART 95—CAR SERVICE

RAILROAD FREIGHT CARS IN MEXICO

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 30th day of January, A. D. 1943.

It appearing, that upon representations from the Office of Defense Transportation, and due to the movement into Mexico of freight cars owned or leased by railroads of the United States and the delay incident to their return; in the opinion of the Commission an emergency exists requiring immediate action to prevent shortage of railroad equipment and congestion of traffic; *It is ordered,* That:

§ 95.7 *Railroad freight cars in Mexico.* (a) The Association of American Railroads, Car Service Division, Washington, D. C., as agent for all United States railroads subscribing to the car service and per diem agreement, is hereby directed to take immediate steps, by the placement of necessary embargoes, to restrict the number of freight cars owned or leased by railroads of the United States moving into Mexico during any semi-monthly period, so that the number of such freight cars shall not be in excess of the number of freight cars moving from Mexico to the United States during the previous semi-monthly period.

(b) The number of each type of freight cars owned or leased by railroads of the United States permitted to be in Mexico at any time may be changed by instructions issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., by varying the ratio between cars permitted to be moved into and those moved out of Mexico. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, That this order shall become effective immediately and shall remain in force until further order of the Commission that copies of this

order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 43-1682; Filed, February 1, 1943; 11:52 a. m.]

PART 120—ANNUAL, SPECIAL OR PERIODICAL REPORTS

FORM PRESCRIBED FOR CARRIERS BY PIPE LINE

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 22d day of January, A.D. 1943.

In the matter of Annual Reports from Carriers by Pipe Line and the corresponding section of the Code of Federal Regulations, the following order was entered:

It is ordered, That the order of this Commission dated November 15, 1940, In the Matter of Annual Reports from Carriers by Pipe Line be, and it is hereby, vacated and set aside effective January 1, 1943, and the following order shall become effective:

§ 120.61 *Form prescribed for carriers by pipe line.* (a) All carriers by pipe line within the scope of section 20, Part I of the Interstate Commerce Act, are hereby required to file annual reports for the year ended December 31, 1942, and for each succeeding year until further order, in accordance with Annual Report Form P[1] (Carriers by Pipe Line), which is hereby approved and made a part of this order.

(b) The annual report shall be filed, in duplicate, in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington, D. C., on or before March 31 of the year following the one to which it relates.

(Sec. 20, 24 Stat. 386, sec. 7, 34 Stat. 593, 35 Stat. 649, sec. 14, 36 Stat. 556, secs. 434-435, 41 Stat. 493, sec. 13, 54 Stat. 916, 49 U.S.C. 20 (1)-(8))

By the Commission, Division 1.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 43-1684; Filed, February 1, 1943; 11:52 a. m.]

PART 123—FREIGHT COMMODITY STATISTICS

HIGHWAY TRAFFIC

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 26th day of January, A. D. 1943.

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[1] Filed as part of the original document.

In the matter of Quarterly Reports of Revenue Highway Traffic of Class I Steam Railways and the corresponding section of the Code of Federal Regulations, the following order was entered:

It is ordered, That the order of this Commission dated December 10, 1938, requiring Quarterly Reports of Revenue Highway Traffic from Steam Railway Companies of Class I be, and it is hereby, vacated and set aside effective January 1, 1943.

§ 123.7 *Highway Traffic.* All Class I steam railways within the scope of section 20 of Part I of the Interstate Commerce Act are hereby relieved from the requirement of filing quarterly reports of revenue Highway Traffic for periods subsequent to December 31, 1942.

(Sec. 20, 24 Stat. 386, sec. 7, 34 Stat. 593, 35 Stat. 649, sec. 14, 36 Stat. 556, secs. 434-435, 41 Stat. 493, sec. 13, 54 Stat. 916, U.S.C. 20 (1)-(8))

By the Commission, Division 1.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 43-1683; Filed, February 1, 1943; 11:52 a. m.]

Chapter II—Office of Defense Transportation

[Suspension Order ODT 15, Revised-2]

PART 522—DIRECTION OF TRAFFIC MOVEMENT — EXCEPTIONS, SUSPENSIONS, AND PERMITS

SUBPART E—TRANSPORTATION OF COAL BETWEEN UNITED STATES PORTS ON THE ATLANTIC OCEAN

Pursuant to § 502.37 of General Order ODT 15, Revised, (7 F.R. 10487) *It is hereby ordered*, That:

§ 522.626 *Suspension of provisions of paragraph (b) § 502.31 of General Order ODT 15, Revised.* All provisions of paragraph (b), § 502.31 of General Order ODT 15, Revised, shall be and the same are hereby suspended until March 1, 1943.

Issued at Washington, D. C., this 29th day of January 1943.

JOSEPH B. EASTMAN, *Director.*

[F. R. Doc. 43-1641; Filed, February 1, 1943; 11:04 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

PART 22—MOUNTAIN REGION NATIONAL WILDLIFE REFUGES

DEER FLAT NATIONAL WILDLIFE REFUGE, IDAHO

The following regulations for the administration of the Deer Flat National Wildlife Refuge, Idaho, are made and prescribed supplementary to the general Regulations for the Administration of National Wildlife Refuges Under the Jurisdiction of the Fish and Wildlife Service, dated December 19, 1940[1]:

§ 22.221 *Fishing.*[2] (a) * * *

(4) *Temporary restrictions.* During the periods of waterfowl concentrations on the refuge, fishing will not be permitted in those areas of the refuge that, in the judgment of the officer in charge should be closed to fishing in order to provide adequate protection for such waterfowl concentrations and are posted suitably by such officer.

(5) *Restrictions during hunting season.* Fishing is prohibited during the migratory-waterfowl hunting season on such areas of the refuge as are designated as open to public hunting by regulation of the Secretary of the Interior.

OSCAR L. CHAPMAN, *Assistant Secretary of the Interior.*

OCTOBER 15, 1942.

[F. R. Doc. 43-1636; Filed, February 1, 1943; 10:15 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-249]

PENROD AND KNIGHT

ORDER APPROVING PROPOSED FINDINGS OF FACT, ETC.

In the matter of William Penrod and O. A. Knight, individually and as copartners, doing business under the name and style of Penrod and Knight—Code Member.

Order approving and adopting the proposed findings of fact, proposed conclusions of law and recommendation of the examiner, and order to cease and desist.

This proceeding was instituted upon a complaint filed with the Bituminous Coal Division on April 23, 1942, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, by District Board 9, alleging that William Penrod and O. A. Knight, individually and as copartners, doing business under the name and style of Penrod and Knight, a code member operating Penrod and Knight Mine (Mine Index No. 571), located in Muh..nberg County, Kentucky, in District 9, wilfully violated various provisions of the Act, the Bituminous Coal Code, the rules and regulations thereunder, and the Order of the Director in General Docket 19, dated October 9, 1940, and requesting that the Division either cancel and revoke code membership, or, in its discretion, direct code member to cease and desist from violation of the Code and the rules and regulations thereunder, especially the Order of the Director in General Docket 19, dated October 9, 1940.

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[1] 6 F.R. 2695

[2] 5 F.R. 5284.

Pursuant to appropriate orders and after due notice to interested persons, a hearing in this matter was held before Joseph A. Huston, a duly designated Examiner of the Division at a hearing room thereof in Owensboro, Kentucky, on June 19, 1942, at which interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard and at which both partners of code member appeared personally.

The Examiner made and entered his Report, Proposed Findings of Fact, Proposed Conclusions of Law and Recommendation in this matter, dated December 5, 1942. The Examiner found that code member had wilfully violated the provisions of the Act, the Code, the rules and regulations thereunder, and, more particularly the Order of the Director in General Docket 19, dated October 9, 1940, by selling to the Pacific Coal Company between April 23, 1941 and May 22, 1941, both dates inclusive, approximately 151.9 net tons of 1¼" x 0 slack coal, whereas rail classifications or prices, temporary or final, had not been established for said mine.[1] The Examiner recommended that an order be entered directing code member to cease and desist from violating the Order of the Director in General Docket 19, entered October 9, 1940, or from otherwise violating any provisions of the Act, the Code and the rules and regulations thereunder.

An opportunity was afforded to all parties to file exceptions to the Examiner's Report, and supporting briefs, and no such exceptions or supporting briefs were filed.

I have determined after a consideration of the record that the Proposed Findings of Fact, Proposed Conclusions of Law, and Recommendation of the Examiner should be approved and adopted as the Findings of Fact and Conclusions of Law of the undersigned.

Now, therefore, It is ordered, That the proposed Findings of Fact and Proposed Conclusions of Law of the Examiner be, and the same are, hereby approved and adopted as the Findings of Fact and Conclusions of Law of the Director.

It is further ordered, That William Penrod and O. A. Knight, individually and as copartners, doing business under the name and style of Penrod and Knight, code member, their representatives, agents, servants, employees, and attorneys, and all persons acting or claiming to act on its behalf or interest or on the behalf or interest of either of them, cease and desist from selling or offering to sell coal produced by the code member at its mine in violation of the provisions of the Act, the Code, the rules and regulations thereunder, and more particularly the Order of the Director in General Docket 19, dated October 9, 1940.

Notice is hereby given that upon failure or refusal to comply with this Order, the Division may apply to a Circuit Court of Appeals for the enforcement thereof or may otherwise proceed as authorized by the Act.

Dated: January 29, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-1678; Filed, February 1, 1943; 11:39 a. m.]

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[1] Since no evidence was adduced at the hearing in relation to the charges in the complaint of violations of Orders Nos. 296, 297, 307, or 312, these charges are dismissed

[Docket No. B-156]

Q. E. SEXTON

CEASE AND DESIST ORDER

District Board 8 filed a complaint with the Bituminous Coal Division on November 26, 1941, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, alleging that Q. E. Sexton, a code member producer operating Q. E. Sexton Mine, designated as Mine Index No. 2755, located in Campbell County, Tennessee, in Subdistrict 6 of District 8, wilfully violated the Act and Code. The complaint prayed that the Director cancel and revoke code membership, or in his discretion direct code member to cease and desist from further violations of the Code and regulations thereunder.

The complaint alleged that code member sold, on August 19, 1941, approximately 6.29 tons of ¾" and under slack coal, Size Group 8, produced at its mine, at a price of approximately 32 cents per net ton f. o. b. the mine, whereas the established effective minimum price for said coal was $1.65 per net ton f. o. b. the mine.

Pursuant to an order of the Acting Director dated January 14, 1942, and after due notice to interested persons, a hearing in this matter was held on February 17, 1942, before Joseph A. Huston, a duly designated Examiner of the Division, at a hearing room thereof in Middlesboro, Kentucky, at which all interested parties were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise participate fully therein. An appearance was entered for District Board 8 and code member appeared in person. The preparation and filing of a report by the Examiner was waived and the matter was thereupon submitted to me for my consideration.

I have made Findings of Fact and Conclusions of Law and have rendered an Opinion in this matter, which are filed herewith.

Now, therefore, It is ordered, That Q. E. Sexton, code member operating the Q. E. Sexton Mine (Mine Index No. 2755) located in Campbell County, Tennessee, in Subdistrict 6 of District 8, his agents, representatives, employees, successors or assigns, and any persons acting or claiming to act for or in his behalf, cease and desist from violating section 4 II (e) of the Act and Code, and the Schedule of Effective Minimum Prices for District No. 8 for Truck Shipments, or from otherwise violating the Act, the Code or rules and regulations issued thereunder.

Notice is hereby given that upon failure or refusal to comply with this Order, the Division may apply to a United States Circuit Court of Appeals for the enforcement thereof or take other appropriate action as authorized by the Act.

Dated: January 29, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-1677; Filed, Feburary 1, 1943; 11:39 a. m.]

[Docket No. B-144]

LIVINGSTON-MOUNT OLIVE COAL COMPANY

ORDER TO CEASE AND DESIST

District Board 10 filed a complaint with the Bituminous Coal Division on November 12, 1941, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 against the Livingston-Mount Olive Coal Company, a code member producer operating Livingston Mine No. 1, Mine Index No. 88, located in Madison County, Illinois, in District 10, in which it alleged that code member wilfully violated the Act, the Code, and the Marketing Rules and Regulations, and prayed that the Division revoke and cancel code membership or, in its discretion, direct code member to cease and desist from further violations of the Code and Regulations thereunder.

Pursuant to appropriate orders of the Acting Director and after due notice to interested persons, a hearing in this matter was held on February 21, 1942, before W. A. Shipman, a duly designated Examiner of the Division, at a hearing room thereof in East St. Louis, Illinois, at which time all interested parties were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise participate fully in the hearing. Appearances were entered for District Board 10 and code member and at the conclusion thereof the preparation and filing of a report by the Examiner was waived by all parties and the matter was submitted to me for my consideration.

I have made Findings of Fact and Conclusions of Law and rendered an Opinion, which are filed herewith.

Now, therefore, It is ordered, That Livingston-Mount Olive Coal Company, its officers, representatives, agents, employees, successors or assigns, and all persons acting or claiming to act in its behalf, are hereby directed to cease and desist from selling or offering to sell coal at less than the effective minimum prices established therefor, in violation of sections 4 II (e) and 4 II (j) 2 and 8 of the Act and Code and of Rule 2 of section XII and Rule 8 of section XIII of the Marketing Rules and Regulations, and from violating the provisions of the Schedule of Effective Minimum Prices for District No. 10 for Truck Shipments, or from otherwise violating the Act or regulations thereunder.

Notice is hereby given that upon failure or refusal to comply with this order, the Division may apply to a Circuit Court of Appeals for the enforcement thereof

or may otherwise proceed as authorized by the Act.

Dated: January 29, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-1676; Filed, February 1, 1943; 11:39 a. m.]

[Docket No. B-73]

AUSTIN GAP COAL COMPANY

ORDER TO CEASE AND DESIST

In the matter of Austin Gap Coal Company, also known as Austin Gap Coal Company, Inc., Code Member.

A complaint was filed on October 8, 1941 pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 with the Bituminous Coal Division by District Board 8, alleging that Austin Gap Coal Company, also known as Austin Gap Coal Company, Inc., a code member producer, operating Austin Gap Mine, Mine Index No. 2671, located in Russell County, Virginia, in District 8, had wilfully violated the provisions of the Bituminous Coal Code by selling 22.59 tons of Size Group 1 coal and 6 tons of Size Group 5 coal at less than the minimum price established therefor. The complaint prayed that the Director cancel and revoke code membership or, in his discretion, direct code member to cease and desist from further violations of the Code and regulations thereunder.

Pursuant to an order of the Director dated November 22, 1941, after due notice to interested persons, a hearing was held before Travis Williams, a duly designated Examiner of the Division, on January 28, 1942, at a hearing room thereof in Abingdon, Virginia. Interested parties were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and participate fully in the hearing. An appearance was entered for District Board 8 and code member appeared and filed an answer. At the conclusion of the hearing, all interested parties waived the preparation and filing of the Examiner's Report and the record of the proceeding was submitted to me for my consideration.

I have made Findings of Fact and Conclusions of Law and rendered an opinion which are filed herewith.

Now, therefore, It is ordered, That Austin Gap Coap Company, also known as Austin Gap Coal Company, Inc., its agents, servants, employees, attorneys, successors or assigns, or anyone acting on its behalf, (code member, operating Austin Gap Mine, designated as Mine Index No. 2671, located in Russell County, Virginia, in District 8,) cease and desist from violating the provisions of section 4 II (e) of the Act, the Code, or the price regulations promulgated thereunder as set forth in the Schedule of Effective Minimum Prices for District No. 8 for Truck Shipments or from otherwise violating the Act, or regulations thereunder.

Notice is hereby given that upon failure or refusal to comply with this order, the Division may apply to a Circuit Court of Appeals for the enforcement thereof, or may otherwise proceed as authorized by the Act.

Dated: January 29, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-1674; Filed, February 1, 1943; 11:39 a. m.]

[Docket No. B-35]

BLUE EAGLE COAL COMPANY

CEASE AND DESIST ORDER

In the matter of W. F. Rasnick (Blue Eagle Coal Company), also known as W. F. Rasnick and Minnie Barrett, individually and as co-partners, doing business under the name and style of Blue Eagle Coal Company, Code Member.

District Board 8 filed a complaint with the Bituminous Coal Division on September 13, 1941, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 alleging that W. F. Rasnick and Minnie Barrett, individually and as co-partners, doing business under the name and style of Blue Eagle Coal Company, code member, operating Blue Eagle Mine, Mine Index No. 2210, in Russell County, Virginia, in District 8, wilfully violated the Bituminous Coal Code and rules and regulations thereunder and praying that the Director cancel and revoke code membership or in his discretion, direct code member to cease and desist from further violating the Code and regulations thereunder.

The complaint alleged that code member (1) sold 6.05 and 5.4 tons of Size Group 5 stoker coal produced at its mine to purchasers at a price lower than the effective minimum price established therefor and (2) delivered 50 tons of slack coal to various persons without any charge therefor in violation of section 4 II (e) of the Act. The latter allegation was not proved and the complaint is dismissed as to that portion thereof.

Pursuant to an Order of the Acting Director dated December 18, 1941, and after due notice to interested persons, a hearing was held in this matter on January 28, 1942, before Travis Williams, a duly designated Examiner of the Division at a hearing room thereof in Abingdon, Virginia. District Board 8 and code member appeared and code member filed an answer. All interested parties were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and participate fully in the hearing, at the conclusion of which all parties waived the preparation and filing of a Report by the Examiner, and the matter was thereupon submitted to me for my consideration.

The undersigned has made Findings of Facts and Conclusions of Law and has rendered an opinion, filed herewith.

Now, therefore, It is ordered, That code member, W. F. Rasnick (Blue Eagle Coal Company) also known as W. F. Rasnick and Minnie Barrett, individually and as co-partners, doing business under the name and style of Blue Eagle Coal Company, its officers, representatives, agents, servants, employees, attorneys and successors and assigns, and all persons acting or claiming to act in its behalf or interest, cease and desist from violating section 4 II (e) of the Act, the Code and the Schedule of Effective Minimum Prices for District No. 8 for Truck Shipments or from otherwise violating the Act or regulations thereunder.

Notice is hereby given to code member that if it fails or refuses to comply with this Order the Division may appeal to a Circuit Court of Appeals for the enforcement thereof, or may otherwise proceed as authorized by the Act.

Dated: January 29, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-1673; Filed, February 1, 1943; 11:40 a. m.]

[Docket No. B-87]

SNOWDEN COAL CO.

CEASE AND DESIST ORDER

In the matter of Snowden Coal Co., a partnership, also known as Lee Snowden, Luther Bryan, James Butler, Newton Lane, Milton Hall, Charles Drake, Spencer M. Lowe, Raymond Rouatt, Louie Roberts, Mike Toppas, William Drake, and William Bigg, copartners, trading and doing business under the name and style of Snowden Coal Co. (Lee Snowden), Code Member.

A complaint was filed on October 15, 1941, with the Bituminous Coal Division pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, by District Board 11, alleging that Snowden Coal Company, a partnership, also known as Lee Snowden, Luther Bryan, James Butler, Newton Lane, Milton Hall, Charles Drake, Spencer M. Lowe, Raymond Rouatt, Louie Roberts, Mike Toppas, William Drake and William Bigg, copartners, trading and doing business under the name and style of Snowden Coal Company (Lee Snowden) operating the Snowden Mine, Mine Index No. 1169, in Vigo County, Indiana, in District 11, has wilfully violated the Act, the Code, the Order of the Director in General Docket No. 19, dated October 9, 1940, and Orders of the Director Nos. 307 and 312, dated respectively, December 11, 1940, and February 24, 1941. The complaint prayed that code member be ordered to cease and desist from violation of the Act, the Code, and orders and regulations of the Division.

Pursuant to appropriate orders of the Acting Director and after due notice to interested persons, a hearing in this matter was held before W. A. Shipman, a duly designated Examiner of the Division, at a hearing room thereof in Terre Haute, Indiana, at which all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise participate fully in the hearing. Appearances were entered on behalf of District Board 11 and code member. At the conclusion thereof, all interested parties waived the preparation and filing of a report by the Examiner, and the record in the proceeding was thereupon submitted to me for my consideration.

I have made Findings of Fact and Conclusions of Law and have rendered an Opinion in this matter, which are filed herewith.

Now, therefore, It is ordered, That code member, Snowden Coal Company, also known as Lee Snowden, Luther Bryan, James Butler, Newton Lane, Milton Hall, Charles Drake, Spencer M. Lowe, Raymond Rouatt, Louie Roberts, Mike Toppas, William Drake and William Bigg, copartners, trading and doing business under the name and style of Snowden Coal Company, operating Snowden Mine, Mine Index No. 1169, in District 11, be and they are severally and individually ordered to cease and desist from further violations of the Order of the Director in General Docket No. 19, dated October 9, 1940, Orders of the Director Nos. 307 and 312, dated December 11, 1940, and February 24, 1941, respectively, and of section 4 II (e) and section 4 II (i), paragraph 8 of the Act and Code and regulations thereunder or from otherwise violating the Act, the Code, or the rules and regulations promulgated pursuant thereto.

Notice is hereby given to code member, that if it, or the partners thereof, fails or refuses to comply with this order, the Division may apply to the Circuit Court of Appeals for the enforcement thereof, or may otherwise proceed as authorized by the Act.

Dated: January 29, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-1675; Filed, February 1, 1943; 11:40 a. m.]

[Docket No. B-263]

CROZIER COAL CO.

ORDER APPROVING AND ADOPTING PROPOSED FINDINGS OF FACT, ETC.

In the matter of E. F. Crozier and E. W. Crozier, individually and as copartners doing business under the name and style of Crozier Coal Company, code member.

Order approving and adopting the proposed findings of fact, proposed conclusions of law and recommendations of the examiner, and order to cease and desist.

This proceeding was instituted by the Bituminous Coal Division on June 4, 1942, pursuant to sections 4 II (j), 5 (b), and 6 (a) of the Bituminous Coal Act of 1937, to investigate and determine whether or not E. F. Crozier and E. W. Crozier, individually and as copartners doing business under the name and style of Crozier Coal Company, a code member producer operating Crozier Coal Company Mine, Mine Index No. 279, located in Appanoose County, Iowa, in District 12, had wilfully violated the provisions of the Act, the Bituminous Coal Code, and rules and regulations thereunder, and to determine whether or not an order should be entered revoking code membership or directing code member to cease and desist from further violations.

Pursuant to appropriate orders and after due notice to interested persons, a hearing was held before Charles O. Fowler, a duly designated Examiner of the Division at a hearing room thereof in Centerville, Iowa, on August 8, 1942, at which all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard. Code member did not appear.

The Examiner made and entered his Report, Proposed Conclusions of Law and Recommendation in this matter, dated September 30, 1942, in which he found that E. F. Crozier and E. W. Crozier, individually, and as copartners doing business under the name and style of Crozier Coal Company, code member, wilfully violated the Act, the Code, and Orders Nos. 296, 297, and 307 of the Division (dated respectively, September 23, 1940, October 22, 1940, and December 11, 1940) promulgated thereunder by:

(a) Selling approximately 1,127 tons of mine run coal produced at said mines from October 1, 1940, to December 31, 1940, without maintaining and filing with the Division records, sales slips, other memoranda and reports in connection therewith within the time and in the manner prescribed in Orders No. 296 and 297;

(b) Selling approximately 1,047 tons of mine run coal produced at said mine from January 1, 1941, to February 28, 1941, without maintaining and keeping on file truck tickets, sales slips, invoices, or other memoranda or records in connection therewith within the time and in the manner prescribed in Order No. 307.

The Examiner recommended that an order be entered directing code member to cease and desist from further violating the Act, the Code, and Orders of the Division Nos. 296, 297, and 307.

An opportunity was afforded to all parties to file exceptions thereto and supporting briefs, and no such exceptions or supporting briefs have been filed.

The undersigned has determined after a consideration of the record that the Proposed Findings of Fact, Proposed Conclusions of Law and Recommendation of the Examiner should be approved and adopted as the Findings of Fact and Conclusions of Law of the undersigned;

Now, therefore, It is ordered, That the Proposed Findings of Fact and Proposed Conclusions of Law of the Examiner be and the same are hereby approved and adopted as the Findings of Fact and Conclusions of Law of the undersigned.

It is further ordered, That E. F. Crozier and E. W. Crozier, individually, and as copartners doing business under the name and style of Crozier Coal Company, code member operating Crozier Coal Company Mine, Mine Index No. 279, located in Appanoose County, Iowa, in District 12, its representatives, agents, servants, employees, and attorneys, and all persons acting or claiming to act on its behalf or interest, cease and desist from violating orders of the Division Nos. 296, 297, and 307, or from otherwise violating the Act, the Code, or rules and regulations issued thereunder.

Notice is hereby given to code member that if it, or the partners thereof, fail or refuse to comply with this order, the Division will apply to a Circuit Court of Appeals for the enforcement thereof or will otherwise proceed as authorized by the Act.

Dated: January 30, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-1679; Filed, February 1, 1943; 11:40 a. m.]

APPLICATIONS FOR REGISTRATION AS DISTRIBUTORS

An application for registration as a distributor has been filed by each of the following and is under consideration by the Director:

Name, address, and date application filed	
Circus Coal Co., Inc., 1030 Gates Ave., Brooklyn, N. Y.	Jan 21 1943
Martin Lingler, 408 Maple Ave., Hamilton, Ohio	Jan 11 1943
Mike Seaman, Norton, Va.	Jan 16 1943

Any district board, code member, distributor, the Consumers' Counsel, or any other interested person, who has pertinent information concerning the eligibility of any of the above-named applicants for registration as distributors under the provisions of the Bituminous Coal Act and the Rules and Regulations for the Registration of Distributors, is invited to furnish such information to the Division on or before March 1, 1943. This information should be mailed or presented to the Bituminous Coal Division, Department of the Interior, Washington, D. C.

Dated: January 29, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-1680; Filed, February 1, 1943; 11:40 a. m.]

Bureau of Mines.

INDEPENDENT EXPLOSIVES CO. AND H. J. HAYS

ORDER REVOKING LICENSES AND DIRECTING THEIR SURRENDER

In the Matter of Independent Explosives Company, and H. J. Hays, Licensees, Proceeding for Revocation of License.

To: Independent Explosives Company, Cleveland, Ohio, and H. J. Hays, Christopher, Illinois. Proceedings for revocation of the Federal explosives licenses, issued under the Federal Explosives Act of December 26, 1941 (55 Stat. 863), to the above-named licensees, were begun on October 17, 1942, by the filing of Specification of Charges and Notice of Hearing setting forth violations of the act and regulations by the Independent Explosives Company, and H. J. Hays, its employee. After due reply received from the licensees, a hearing was held on the charges on November 23 and November 30 in Washington, D. C., before the Hearing Officer duly designated by me, at which hearing the licensees, with their counsel, were heard and evidence was adduced bearing upon these charges.

The Report of the Hearing Officer, dated December 31, found in its findings of fact and conclusions of law that the licensees had violated various provisions of the act and regulations and recommended the revocation of their licenses, but, in view of the efforts in good faith of the licensees to remedy past improper practices and to conform to existing requirements, it was recommended that the revocation take effect February 15, 1943, without prejudice to the right of either licensee before or after that date to apply for the issuance of new licenses upon a showing that full conformity has been achieved with all applicable laws, regulations, and instructions relative to the handling, disposition, and storage of explosives. The licensees on January 20 excepted to the Hearing Officer's Report and requested an oral hearing, but without presenting any grounds for the exceptions and without furnishing any reasons for the granting of an oral argument or indicating any new material to be produced before me.

Now, therefore, by virtue of the authority vested in me by sections 8 and 18 of the Federal Explosives Act and § 301.22 of the regulations issued pursuant thereto (7 F.R. 5901), I, R. R. Sayers, Director of the Bureau of Mines, having reviewed the record,

Order

That the licensees' request for an oral hearing be and it is hereby denied;

That the licensees' exceptions to the Hearing Officer's findings, conclusions and recommendations be and they are hereby overruled;

That the Hearing Officer's Report, including its findings, conclusions and recommendations be and it is hereby approved and adopted as my own;

That Vendor's License No. 229122, Purchaser's License No. 229124, and Manufacturer's License No. 1671, and any and all other Federal explosives licenses heretofore issued to the Independent Explosives Company, and Purchaser's License No. 203155 and any and all other Federal explosives licenses heretofore issued to H. J. Hays, pursuant to the Federal Explosives Act be and they are hereby revoked as of 12:01 a. m., February 15, 1943;

That the licenses mentioned in the preceding paragraph shall be surrendered by delivering them to me on or before February 15, 1943, or by depositing them on or before that date in the United States Mail with postage prepaid addressed to me; and

That the revocation of the licenses mentioned above shall be without prejudice to the right of the licensees before or after February 15, 1943, to apply to me for new licenses upon a showing of full compliance with the Federal Explosives Act, the regulations issued pursuant thereto and instructions relative to the handling, disposition and storage of explosives.

Dated: January 27, 1943.

R. R. Sayers,
Director, Bureau of Mines.

[F. R. Doc. 43-1635; Filed, February 1, 1943; 10:16 a. m.]

DEPARTMENT OF AGRICULTURE.

Food Distribution Administration.

[P. & S. Docket 1532]

Leo Hardy Live Stock Commission Co., et al.

ORDER OF INQUIRY AND SUSPENSION AND NOTICE OF HEARING

In the matter of Leo Hardy, doing business as Leo Hardy Live Stock Commission Company, et al., Respondents.

This proceeding is instituted pursuant to the provisions of Title III of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 1940 ed. 181-231), and the following allegations are made:

1. The respondents, Leo Hardy, doing business as Leo Hardy Live Stock Commission Company, Charles L. Jennings, doing business as J. H. Anderson Commission Company, Carl Garnett, doing business as Garnett Live Stock Commission Company, H. B. Mattingly and June Smith, partners, doing business as Mattingly & Smith Live Stock Commission Company, E. H. Mattingly, doing business as Mattingly Commission Company, J. D. Phillips, doing business as J. D. Phillips Livestock Commission Company, C. P. Poland, doing business as Price & Company and also as Valley Sheep Company, Producers Live Stock Commission Association, a corporation, Arthur H. Schroeder, St. Louis National Live Stock Commission Company, a corporation, Lillian Sundheimer and Malcolm J. Roche, doing business as Sundheimer-Roche & Company, George M. Thompson, doing business as Thompson Livestock Commission Company, and Richard L. Tippett, are registered as market agencies under the act and are engaged in the business of buying and/or selling livestock in commerce on a commission basis at the Mississippi Valley Stock Yards, St. Louis, Missouri.

2. The Mississippi Valley Stock Yards has been found by the Secretary of Agriculture to be a "stockyard" as that term is defined in the act and notice of such finding has been given to the owner and to the public as required by the act.

3. Pursuant to the provisions of the act, the respondents have heretofore filed and put into effect schedules of rates and charges for services rendered by them as market agencies.

4. On or about February 19, 1942, the respondent, Leo Hardy, doing business as Leo Hardy Live Stock Commission Company, made, filed, and published, effective March 9, 1942, a new schedule of rates and charges for his services, designated as Tariff No. 4, which rates and charges are materially greater than those contained in his tariff now in effect and on file. Said respondent postponed the effective date of Tariff No. 4 from time to time and gave notice on or about June 15, 1942, that said tariff would be made effective on January 1, 1943. On December 30, 1942, the respondent gave notice of the proposed increases in rates to the Office of Price Administration as required by the amendment to the Emergency Price Control Act, 1942 (Pub. L. No. 729, 77th Cong., 2d Sess.), effective October 2, 1942, Executive Order 9250 (7 F.R. 7871), and Directive No. 1 of the Director of Economic Stabilization (7 F.R. 8758), under the provisions of which said tariff can not lawfully become effective until the expiration of 30 days after the date of the notice.

5. Upon examination of the records and other information in the possession of the Department of Agriculture, there is reason to believe that the increases in the rates and charges proposed by the respondent, Leo Hardy, doing business as Leo Hardy Live Stock Commission Company, are not justified and that such proposed increased rates are, in fact, unreasonable and unlawful.

It is concluded that a proceeding under Title III of the act should be instituted for the purpose of determining the reasonableness and the lawfulness of the rates and charges proposed in Tariff No 4 filed by Leo Hardy, and of all rates and charges of the respondents and of any rule, regulation, or practice affecting such rates and charges, and whether any stockyard service is rendered by the respondents without making a lawful charge therefor; and that pending a hearing and decision in such proceeding, the operation of Tariff No. 4, filed by Leo Hardy, doing business as Leo Hardy Live Stock Commission Company, should be suspended and its use deferred.

It is therefore ordered, That the operation and use of Tariff No. 4, filed by the respondent, Leo Hardy, doing business as Leo Hardy Live Stock Commission Company, on or about February 19, 1942, shall be, and it hereby is, suspended and deferred until the expiration of 30 days from and after the time such tariff would otherwise go into effect.

It is further ordered, That notice to the respondents shall be, and is hereby, given that a hearing covering the allegations made herein will be held before an examiner at a time and place of which the respondents will have at least 10 days' notice. At such hearing, the respondents and all other interested persons will have a right to appear and present such evidence with respect to the matters and things alleged as may be relevant and material.

It is further ordered, That any and all interested persons who may wish to appear and present evidence relative to the issues in this proceeding shall notify the Hearing Clerk, Office of the Solicitor United States Department of Agriculture, Washington, D. C., within 20 days from the date of the publication of this order.

It is further ordered, That a copy hereof shall be served upon the respondents by registered mail.

It is further ordered, That this order shall be published in the Federal Register.

Done at Washington, D. C., this 29th day of January 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] Thomas J. Flavin,
Assistant to the Secretary of Agriculture.[1]

[F. R. Doc. 43-1597; Filed, January 30, 1943; 11:56 a. m.]

[1] Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81; 7 F.R. 2656).

Handling of Milk in New Orleans, La., Marketing Area

NOTICE OF REPORT AND OPPORTUNITY TO FILE EXCEPTIONS, ETC.

Notice of report and opportunity to file written exceptions with respect to a proposed marketing agreement, as amended, and to Amendment No. 5 to Order No. 42, as amended, regulating the handling of milk in the New Orleans, Louisiana, marketing area.

Pursuant to § 900.12 (a), General Regulations, as Amended, Food Distribution Administration (formerly Agricultural Marketing Administration), United States Department of Agriculture, notice is hereby given of the filing with the hearing clerk of this report of the Director of Food Distribution with respect to an amended marketing agreement and to Amendment No. 5 to the order regulating the handling of milk in the New Orleans, Louisiana, marketing area. Interested parties may file exceptions to this report with the Hearing Clerk, Room 1331, Department of Agriculture, Washington, D. C., not later than the close of business on the 5th day after publication of this notice in the Federal Register.

The proceeding was initiated by the Agricultural Marketing Administration as the result of a written petition filed by the Dairy Farmers' Protective League, Inc., for a public hearing to receive evidence on certain price amendments it proposed. An amendment to provide a new classification and price applicable to milk used as butter was proposed by the Cloverland Dairy Company after all interested parties had been notified by letter of the pending petition. It was concluded from consideration of the various proposed amendments that the hearing should be held and a notice of hearing was accordingly issued on January 8, 1943. The hearing was convened January 15, 1943, at New Orleans, Louisiana. The hearing included, in addition to the industry proposals, consideration of proposals for amendments made by the Dairy and Poultry Branch, Agricultural Marketing Administration. The major issues developed at the hearing were concerned with (1) the levels of price for the various classifications of milk; (2) the classification and pricing of milk used as butter; and (3) the butterfat differential.

With respect to these issues it is concluded from the record that:

(1) Prices should be revised so as to reflect the economic conditions which affect the market supply and demand for milk in the marketing area, to maintain an adequate supply of pure and wholesome milk, and to be in the public interest.

(2) Administrative amendments should be made to revise the definition of the term "Secretary"; and to add a new section entitled "Agents".

(3) The butterfat differential should be revised.

(4) The proposal for an additional classification and price applicable to milk used as butter should not be adopted.

The following proposed amendment prepared by the Director pursuant to § 900.12 (a) of the General Regulations, as Amended, Food Distribution Administration, is recommended as the detailed means by which these conclusions may be carried out. The proposed amended marketing agreement is not included in this report because the proposed amendments applicable to it would be the same as those set forth below with respect to the order, as amended.

PROPOSED AMENDMENT NO. 5 TO THE ORDER, AS AMENDED, REGULATING THE HANDLING OF MILK IN THE NEW ORLEANS, LOUISIANA, MARKETING AREA

It is found upon the evidence introduced at the public hearing held at New Orleans, Louisiana, January 15, 1943:

Findings

1. That prices calculated to give milk produced for sale in the marketing area a purchasing power equivalent to the purchasing power of such milk, as determined pursuant to sections 2 and 8e (50 Stat. 246; 7 U. S. C. 1940 ed. 602, 608c), are not reasonable in view of the available supplies of feeds, the price of feeds, and other economic conditions which affect the supply of and demand for such milk, and that the minimum prices set forth in this amendment to said order are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and that the fixing of such prices does not have for its purpose the maintenance of prices to producers above the levels which are declared in the act to be the policy of Congress to establish;

2. That the order, as amended by this amendment, regulates the handling of milk in the same manner as and is applicable only to handlers defined in a marketing agreement, as amended, upon which a hearing has been held; and

3. That the issuance of this amendment to the order, as amended, and all of the terms and conditions of the order, as so amended, tend to effectuate the declared policy of the act.

Provisions

1. Delete § 942.1 (a) (1) and substitute therefor the following:

(1) The term "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the United States Department of Agriculture who is, or who may hereafter be, authorized to exercise the powers and perform the duties of the Secretary of Agriculture of the United States.

2. Delete from § 942.5 (a) (1) the following phrase "$2.75 per hundredweight for the delivery periods of May, June, and July; $3.15 per hundredweight for the delivery periods from August 1942 through March 1943, inclusive; and $2.75 per hundredweight thereafter" and substitute therefor the following phrase "$3.67 per hundredweight through March 1944, and $2.74 per hundredweight thereafter."

3. Delete § 942.5 (a) (2) and substitute therefor the following:

(2) Class II milk: $3.00 per hundredweight through March 1944, and $2.07 per hundredweight thereafter.

4. Delete § 942.5 (a) (3) and substitute therefor the following:

(3) Class III milk: The price per hundredweight resulting from the following computation by the market administrator: add 9 cents to the average wholesale price per pound of 92-score butter at Chicago, as reported by the United States Department of Agriculture for the delivery period during which such milk was received, and multiply the resulting sum by 4.

5. Delete from § 942.8 (d) the following phrase "an amount equal to one-fortieth of the price for Class III milk computed pursuant to § 942.5 (a) (3)" and substitute therefor the following phrase "an amount computed as follows: add 20 percent to the price per pound of butter described in § 942.5 (a) (3), subtract 2 cents, and divide the net result by 10."

6. Add a new section as follows:

§ 942.12 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States Government, or name any bureau or division of the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.

This report filed at Washington, D. C., this 30th day of January 1943.

[SEAL] Roy F. Hendrickson,
Director of Food Distribution.

[F. R. Doc. 43-1643; Filed, February 1, 1943; 11:11 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

Learner Employment Certificates

FROST VENEER AND PLYWOOD CO., AND THE NEW ENGLAND GUILD

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R.

2862) to the employers listed below effective February 1, 1943.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE

Frost Veneer and Plywood Company, Inc., 11 S. Water Street, Sheboygan, Wisconsin; Furniture; 12 learners (T); Veneer drying, veneer sawing, veneer clipping, operating veneer joining machine, veneer taping and veneer sanding; for a learning period of four (4) weeks at 35 cents per hour until April 12, 1943.

The New England Guild, 252 Spring Street, Portland, Maine; Hooked rugs; 1 learner (T); Rug hooking machine operator for a learning period of 240 hours at 30¢ per hour until March 29, 1943.

Signed at New York, N. Y., this 30th day of January 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-1629; Filed, February 1, 1943; 9:46 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F. R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4202).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the determination and order or regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective February 1, 1943. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel Industry

The Churchill Company, 211 Decatur Street, New Orleans, Louisiana; Men's neckwear; 5 learners (T); February 1, 1944.

Philadelphia Pants Company, 26th & Reed Streets, Philadelphia, Penn.; Men's trousers; 5 percent (T); February 1, 1944.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-lined Garments Divisions of the Apparel Industry

Aalfs-Baker Manufacturing Company, 1007–4th St., Sioux City, Iowa; Overalls, jackets and work shirts; 10 percent (T); February 1, 1944.

Ambra Manufacturing Company, 911 Center Street, Freeland, Pennsylvania; Sport shirts, Officer uniform shirts; 9 learners (T); February 1, 1944.

The Baker Manufacturing Company, 319½ E. Main Street, Chanute, Kansas; Ladies' cotton dresses; 10 learners (T); February 1, 1944.

Berry Dry Goods Company, 105–107 E. Markham Street, Little Rock, Arkansas; Government pants and one Pc. suits, commercial pants and overalls; 10 percent (T); February 1, 1944.

The Carlisle Garment Company, 44 N. Bedford Street, Carlisle, Pennsylvania; House dresses, house coats and smocks; 6 learners (T); February 1, 1944.

Central Manufacturing Company, Legion Street, Clarksville, Tennessee; Work shirts, work pants and Army pants; 75 learners (E); August 1, 1943. (This certificate replaces the one you now have for 50 learners, effective January 25, 1943.)

Colonial Beach Manufacturing Co., Colonial Beach, Virginia; Trousers; 10 learners (T); February 1, 1944.

Commercial Uniform Factories, Inc., 803 S. Fourth St., Kankakee, Illinois; One piece work clothing, Army suits; 5 learners (T); February 1, 1944.

Dallas Pant Mfg. Company, 6113 Lemmon Ave., Dallas, Texas; Men's and boys' pants, Government trousers; 10 percent (T); February 1, 1944.

Jack Goldson Company, 1212 Stanford Ave., Los Angeles, California; Cotton dresses, sportswear; 10 percent (T); February 1, 1944.

Greenville Pant Manufacturing Co., S. Stonewall St., Greenville, Texas; Men's and boys' pants, U. S. army trousers; 10 percent (T); February 1, 1944.

Hollywood Maxwell Co., Unit #4, Front Street, Natchitoches, Louisiana; Brassieres; 5 learners (T); February 1, 1944.

Dean Jones Manufacturing Company, 210 W. 8th St., Kansas City, Missouri; Ladies' dresses, sportswear, skirts; 10 percent (T); February 1, 1944.

Lee Manufacturing Company, 908 McNeil St., Shreveport, Louisiana; Cotton khaki trousers; 10 percent (T); February 1, 1944.

Majorette Sportswear, Inc., Englewood, Tennessee; Ladies' suits, slacks, and skirts; 8 learners (T); February 1, 1944.

Marso & Rodenborn Manufacturing Company, 700 1st Ave., N., Fort Dodge, Iowa; Men's and boys' work clothing, Army herringbone twill jackets; 30 learners (E); August 1, 1943.

Martha Maid Manufacturing Company, Inc., 367 W. Adams St., Chicago, Illinois; Ladies' rayon underwear; 10 percent (T); February 1, 1944.

B. F. Moore & Company, 4 Eastern Avenue, Newport, Vermont; Work clothing, jackets; 10 learners (T); February 1, 1944.

Pool Manufacturing Company, S. Montgomery St., Sherman, Texas; Military work and dress shirts, single army work and semi-dress pants, overalls, one-piece suits and overall jackets; 10 percent (T); February 1, 1944.

Snelbaker Manufacturing Company, E. Simpson St., Mechanicsburg, Pennsylvania; Work shirts and pants; 10 percent (T); February 1, 1944.

Style Rite Inc., 1531 Washington Ave., St. Louis, Missouri; Men's lounging robes; 6 learners (T); February 1, 1944.

Williamson-Dickie Manufacturing Co., 509 W. Vickery Blvd., Fort Worth, Texas; Men's single pants, shirts, army shirts jackets; 10 percent (T); February 1, 1944.

Wood Garment Manufacturing Co., West Elm Street, Republic, Missouri; Trousers; 10 percent (T); February 1, 1944.

Glove Industry

Krupp Manufacturing Company, 2418–20 W. North Avenue, Chicago, Illinois; Leather work and leather and wool gloves; 5 learners (T); February 1, 1944.

Hosiery Industry

Caswell Knitting Mills, Inc., Yanceyville, North Carolina; full-fashioned hosiery; 5 percent (T); February 1, 1944.

Claussner Hosiery Company, 2nd & Tennessee Sts., Paducah, Kentucky; Full-fashioned hosiery; 5 learners (T); February 1, 1944.

Claussner Hosiery Company, 28th and Adams Streets, Paducah, Kentucky; Full-fashioned hosiery; 5 percent (T); February 1, 1944.

Early Bird Hosiery Mills, Airport Road, Hickory, North Carolina; Seamless hosiery; 5 learners (T); February 1, 1944.

Gray Line Hosiery Company, Coldbrook Avenue, Chambersburg, Pennsylvania; Full-fashioned hosiery; 5 learners (T); February 1, 1944.

Gray Line Hosiery Company, Street Road, Eddington, Pennsylvania; Full-fashioned; 5 learners (T); February 1, 1944.

Hewitt Hosiery Mills, Depot Street, Marion, North Carolina; Seamless hosiery; 5 learners (T); February 1, 1944.

The Millfay Manufacturing Company, 22 Fay Street, Buffalo, New York; Full-fashioned hosiery; 5 percent (T); February 1, 1944.

Union Manufacturing Company, Union Point, Georgia; Seamless hosiery; 5 percent (T); February 1, 1944.

West Chester Hosiery Mills, Inc., Lincoln and Garfield Streets, W. Chester, Pennsylvania; Full-fashioned hosiery; 5 learners (T); February 1, 1944.

Knitted Wear Industry

Redstone Knitting Mills, Penn-Craft, East Millsboro; Pennsylvania; Knitted outerwear; 5 learners (T); February 1, 1944.

Textile Industry

Claussner Hosiery Company, 11th and Jefferson, Paducah, Kentucky; Manufacturing and processing of yarn; 3 learners (T); February 1, 1944.

Greenwood Cotton Mill, Greenwood, South Carolina; Cotton cloth; 3 percent (T); February 1, 1944.

Charles Horn Silk Company, Head N. Brown Street, Titusville, Pennsylvania; Rayon and cotton; 3 learners (T); February 1, 1944.

Mathews Cotton Mill, Greenwood, South Carolina; Cotton spun rayon acetate; 3 percent (T); February 1, 1944.

South Hill Industries, Inc., Goodes Ferry Road, South Hill, Virginia; Narrow textiles "A"; 3 learners (T); February 1, 1944.

Utica Knitting Company, Mill No. 5, Sherburne, New York; Yarns; 3 percent (T); February 1, 1944.

Utica Knitting Company, Mill No. 4, Erie St. & Downer Ave., Utica, New York; Yarns; 3 percent (T); February 1, 1944.

Signed at New York, N. Y., this 30th day of January 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-1630; Filed, February 1, 1943; 9:46 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 737]

ALL AMERICAN AVIATION, INC.

NOTICE OF POSTPONEMENT OF HEARING

In the matter of petition of All American Aviation, Inc., for an order fixing and determining the fair and reasonable rates of compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith over route No. 49.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 406 and 1001 of said Act, in the above-entitled proceeding, that hearing now assigned to be held on February 3, 1943, is hereby postponed to February 10, 1943 (eastern war time), in Room 3237, Post Office Building, 12th Street and Pennsylvania Avenue, N. W., Washington, D. C.

Dated Washington, D. C., January 29, 1943.

[SEAL] RALPH L. WISER,
VINCENT L. GINGERICH,
Examiners.

[F. R. Doc. 43-1577; Filed, January 30, 1943; 10:25 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[File Nos. 6479, 6480]

SEABOARD RADIO BROADCASTING CORP. (W65PH)

NOTICE OF HEARING

In re application of Seaboard Radio Broadcasting Corporation, (W65PH); dated March 17, 1942; for modification of construction permit; class of service, high frequency broadcast; class of station, high frequency broadcast; location, Philadelphia, Pennsylvania; operating assignment specified: frequency, 46,500 kc.; coverage, 9,300 sq. mi.; power, —; hours of operation, unlimited.

In re application of Seaboard Radio Broadcasting Corporation, (W65PH); dated May 25, 1942; for modification of construction permit; class of service, high frequency broadcast; class of station, high frequency broadcast; location, Philadelphia, Pennsylvania; operating assignment specified: frequency, 46,500 kc.; coverage, 5,465 sq. mi.; power, —; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described applications and has designated the matters for hearing for the following reasons:

1. To determine the cost of completing the construction authorized in Permit No. B2-PH-81 and the financial outlay, if any, incurred in connection therewith by the applicant prior to April 27, 1942.

2. To determine when the construction heretofore authorized in Permit No. B2-PH-81 was actually commenced.

3. To determine what materials and equipment the applicant has on hand or available for the construction authorized by Permit No. B2-PH-81 and what additional materials and equipment, if any, will be necessary for the completion thereof.

4. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its memorandum opinion dated April 27, 1942.

5. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience and necessity would be served by granting the application.

The applications involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Seaboard Radio Broadcasting Corporation, S. E. Corner Easton Road and Mt. Carmel Avenue, Glenside, Pennsylvania.

Dated at Washington, D. C., January 28, 1943.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F.R. Doc. 43-1570; Filed, January 30, 1943; 9:57 a. m.]

[Docket No. 6487]

HARWELL V. SHEPARD (KDNT)

NOTICE OF HEARING

In re application of Harwell V. Shepard (KDNT), dated October 17, 1942; for modification of license; class of service, broadcast; class of station, broadcast; location, Denton, Texas; operating assignment specified; frequency, 1400 kc.; power, 100 w.; hours of operation, unlimited.

You are hereby notified that the Commission on December 15, 1942, denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine the extent of any interference which would result from the simultaneous operation of Station KDNT, as proposed and Station KTEM.

2. To determine the areas and populations which would be deprived of primary service, particularly from Station KTEM, should Station KDNT operate as proposed, and what other broadcast service is available to those areas and populations.

3. To determine the areas and populations which would be expected to gain primary service, particularly from Stations KDNT and WACO, should Station KDNT operate as proposed, and what other broadcast service is available to those areas and populations.

4. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its memorandum opinion of April 27, 1942, or as modified, September 22, 1942.

5. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or

necessity would be served by granting this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Harwell V. Shepard, Radio Station KDNT, 300 W. Ross Street, Denton, Texas.

Dated at Washington, D. C., January 29, 1943.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F R Doc. 43-1571; Filed, January 30, 1943; 9:57 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No 4807]

JOHN C. LUCAS, ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 28th day of January, A. D. 1943.

In the matter of John C. Lucas, individually and trading as Fox Studios, and formerly trading as United Studios, and Saul C. Fineman, Isla Fineman Lucas, Harry Becko, Howard Sheld, Harvey Grastey, Dick Sperling and Nicholas Mock, individuals.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That James A. Purcell, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, March 31, 1943, at ten o'clock in the forenoon of that day (Pacific Standard Time), Lodge Room, IOOF Hall, Huntington, Oregon.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F R Doc 43-1665; Filed, February 1, 1943; 11:31 a. m.]

[Docket No. 4844]

THE RICHMAN BROTHERS COMPANY

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 28th day of January, A. D. 1943.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That E. Randolph Preston, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Thursday, March 4, 1943, at ten o'clock in the forenoon of that day (Eastern Standard Time), in Room 532, Old Post Office Building, Cleveland, Ohio.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F R Doc 43-1666, Filed, February 1, 1943; 11:31 a. m.]

[Docket No. 4858]

THE ELECTROVITA SALES COMPANY OF OHIO

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 28th day of January, A. D. 1943.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That E. Randolph Preston, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, March 2, 1943, at ten o'clock in the forenoon of that day (Eastern Standard Time), in Room 532, Old Post Office Building, Cleveland, Ohio.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-1667; Filed, February 1, 1943; 11:31 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 774]

ESTATE OF GIOVANNI ALBANESE

In re: Estate of Giovanni Albanese, deceased—File No. D-38-390; E. T. sec. 1328.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that:

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Bronx County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely:

Nationals:	*Last known address*
Pappino Albanese	Italy
Estherina Albanese	Italy

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Pappino Albanese and Estherina Albanese, and each of them, in and to the Estate of Giovanni Albanese, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 29, 1943.

[SEAL] LEO T. CROWLEY, *Alien Property Custodian.*

[F. R. Doc 43-1645; Filed, February 1 1943 11:14 a. m.]

[Vesting Order 775]

ESTATE OF LUDWIG AMANN

In re: Estate of Ludwig Amann, deceased—File D-28-1999; E. T. sec. 2066.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that:

(1) The property and interests hereinafter described are property which is in the process of administration by John M. Huston, Register of Wills and Clerk of Orphans' Court, City-County Building, Pittsburgh, Pennsylvania, Depositary, acting under the judicial supervision of the Orphans' Court of the State of Pensylvania, in and for the County of Allegheny; and

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of designated enemy countries, Italy and Germany, namely,

Nationals:	*Last known Addresses*
Catholic Church Rankwell, Austria	Germany (Austria).
Fimi Jenny	Germany.
Albert Jenny	Germany.
Dr. Richard Jenny	Germany.
Joseph Jenny	Italy
Armenhaus in Austria	Germany (Austria).
Anne Rundel	Germany

And determining that:

(3) If such nationals are persons not within any designated enemy country, the national interest of the United States requires that such persons be treated as nationals of designated enemy countries, Italy, and Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest;

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Catholic Church Rankwell, Austria; Fimi Jenny; Albert Jenny; Dr. Richard Jenny; Joseph Jenny; Armenhaus in Austria; and Anne Rundel, and each of them, in and to the Estate of Ludwig Amann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 29, 1943.

[SEAL] LEO T. CROWLEY, *Alien Property Custodian.*

[F R Doc 43-1646; Filed, February 1, 1943; 11:14 a. m.]

[Vesting Order 776]

ESTATE OF EDWIN BANK

In re: Estate of Edwin Bank, deceased—File No. D-28-1860; E.T. sec. 1494.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Queens County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Kate Bank	Germany.
Adelheid Scheffer	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Kate Bank and Adelheid Scheffer, and each of them, in and to the Estate of Edwin Bank, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 29, 1943.

[SEAL] LEO T. CROWLEY, *Alien Property Custodian.*

[F R Doc 43-1647; Filed, February 1, 1943; 11:14 a. m.]

[Vesting Order 777]

ESTATE OF HENRY BEHNKEN

In re: Estate of Henry Behnken, deceased—File No. 28-1879; E. T. sec. 1654.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Kings County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany namely,

Nationals:	*Last known address*
Johanne Langhorst	Germany.
Gerhard Johann Behnken	Germany.
Gesine M. Holtzmann	Germany.
Gerhard Behnken	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany, and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Johanne Langhorst, Gerhard Johann Behnken, Gesine M. Holtzmann and Gerhard Behnken, and each of them, in and to the Estate of Henry Behnken, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it

should be determined that such return should be made or such compensation should be paid.

Any persons, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F.R. Doc 43–1648; Filed, February 1, 1943, 11:15 a. m.]

[Vesting Order 778]

ESTATE OF CHARLOTTE ALOISIA BUSCH

In re: Estate of Charlotte Aloisia Busch, also known as Charlotte A. Busch, deceased—File F–28–17678; E. T. sec. 2056.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Ben H. Brown, Public Administrator of Los Angeles County, of the estate of Charlotte Aloisia Busch, also known as Charlotte A. Busch, deceased, acting under the judicial supervision of Superior Court, County of Los Angeles, Calif.

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely

National:	*Last known address*
Franz Pusch	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Franz Pusch in and to the Estate of Charlotte Aloisia Busch also known as Charlotte A. Busch, deceased

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc 43–1649; Filed, February 1, 1943, 11:15 a. m.]

[Vesting Order 779]

ESTATE OF AMELIA M. CHOPPIN

In re: Estate of Amelia M. Choppin, deceased—File No. D–57–57; E. T. sec. 1544.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for New York County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Roumania, namely, Rose Maurocordato whose last known address is Roumania;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Roumania; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Rose Maurocordato in and to the Estate of Amelia M. Choppin, deceased,

to be held, used, administered, liquidated, sold or otherwise dealth with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc 43–1650; Filed, February 1, 1943, 11:15 a. m.]

[Vesting Order 780]

ESTATE OF RINA CICCIOLI

In re: Estate of Rina Ciccioli also known as Rina Pozzo and Rose C. Ciccioli, deceased—File No. D–38–410; E. T. sec. 1610.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Bronx County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Serafina Pozzo	Italy
Teonesto Pozzo	Italy
Zelmira Ciccioli	Italy
Maria Ciccioli	Italy

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Serafina Pozzo, Teonesto Pozzo, Zelmira Ciccioli and Maria Ciccioli, and each of them, in and to the Estate of Rina Ciccioli also known as Rina Pozzo and Rose C. Ciccioli, deceased,

to be held, used, administered, liquidated sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc 43–1651; Filed, February 1, 1943; 11:16 a. m.]

[Vesting Order 781]

MINA CLIPPER

In re: Mina Clipper otherwise known as Minnie or Minie Clipper, deceased—File No. D–28–1819; E. T. sec. 1321.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Bronx County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
William Frankel	Germany.
Bertha Fleischauer	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of William Frankel and Bertha Fleischauer, and each of them, in and to the Estate of Mina Clipper otherwise known as Minnie or Minie Clipper, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–1652; Filed, February 1, 1943; 11:16 a. m.]

[Vesting Order 782]

ESTATE OF AUGUSTA BEHR COHEN

In re: Estate of Augusta Behr Cohen, deceased—File No. D–28–3315; E. T. sec. 828.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for New York County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enmey country, Germany, namely,

Nationals:	*Last known address*
Getty Rosenbaum	Germany.
Minna Gutmann	Germany.
Rosalia Jacobsohn	Germany.
Lily Lowenstein	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interests, and claim of any kind or character whatsoever of Getty Rosenbaum, Minna Gutmann, Rosalia Jacobsohn and Lily Lowenstein and each of them in and to the Estate of Augusta Behr Cohen, deceased.

to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–1653; Filed, February 1, 1943; 11:16 a. m.]

[Vesting Order 783]

ESTATE OF FRANCESCO F. CUSIMANO

In re: Estate of Francesco F. Cusimano, deceased—File No. F–38–2224; E. T. sec. 768.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Kings County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Giuseppina Cusimano Minneci	Italy.
Caterina Compagno Cusimano	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national

interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Giuseppina Cusimano Minneci and Catherina Compagno Cusimano and each of them in and to the Estate of Francesco F Cusimano, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 29, 1943

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F R Doc 43–1654; Filed, February 1, 1943; 11:16 a m]

[Vesting Order 784]

TRUST UNDER DEED OF AGNES FLEHINGHAUS

In re: Trust under Deed of Agnes Flehinghaus; File F–28–14525; E. T. sec. 1298.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Fidelity-Philadelphia Trust Company, 135 South Broad Street, Philadelphia, Pennsylvania, Substituted Trustee, acting under the judicial supervision of Orphans' Court of the State of Pennsylvania, in and for the County of Delaware;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely:

Nationals:	*Last known address*
Agnes Flehinghaus	Germany.
Emilie Flehinghaus	Germany.
Ernest Flehinghaus	Germany.
Evangelischer Waisenhaus in Barmen, Rhenish Prussia, Germany	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a desingnated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Agnes Flehinghaus, Emilie Flehinghaus, Ernest Flehinghaus, and Evangelischer Waisenhaus in Barmen, Rhenish Prussia, Germany, and each of them, in and to the trust estate established by Deed of Trust of Agnes Flehinghaus,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F R Doc 43–1655; Filed, February 1, 1943; 11 17 a. m.]

[Vesting Order 785]

ESTATE OF THERESA FRANZ

In re: Estate of Theresa Franz, deceased; File D–28–1955; E. T. sec. 1901.

Under the authority of the Trading with the Enemy Act as amended and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests described below in subparagraphs (a) and (b) are property which is in the process of administration by Henry Kager, Administrator, acting under the judicial supervision of the Surrogate's Court, State of New York, in and for the County of Kings;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Magdalena Zeller	Germany.

(3) The property and interests described in subparagraph (b) are property within the United States owned or controlled by the aforesaid national of a designated enemy country, Germany; and

Determining that—

(4) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

(a) All right, title, interest and claim of any kind or character whatsoever of Magdalena Zeller in and to the estate of Theresa Franz, deceased; and

(b) All right, title, interest and estate, both legal and equitable, of Magdalena Zeller in and to the real property situated in the State of New York and described as follows:

2 family brick house, located at 435 Tenth Street, Brooklyn, N. Y., being a plot of land 16·8 x 100, last deed recorded in the Office of the Register of the County of Kings, on January 24, 1935, in Liber 5427, Page 55.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc 43–1656; Filed February 1, 1943; 11:17 a. m.]

[Vesting Order 786]

ESTATE OF HELEN GOBEL

In re: Estate of Helen Gobel, deceased; File D–34–56; E.T. sec. 315.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Norman C. Zulauf, Executor, acting under the judicial supervision of the County Judge's Court, Dade County, Miami, Florida;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

Nationals:	*Last known address*
Ragaly Janos, or his heirs	Hungary.
Ragaly Paul, or his heirs	Hungary.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest.

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Ragaly Janos, or his heirs and Ragaly Paul, or his heirs and each of them in and to the Estate of Helen Gobel, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof, shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F R Doc 43–1657; Filed, February 1, 1943; 11:17 a. m.]

[Vesting Order 787]

ESTATE OF SADY GOLDSTEIN

In re: Estate of Sady Goldstein, deceased; File No. D–28–1836; E. T. sec. 1604.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for New York County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, David Rudnal whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of David Rudnal in and to the Estate of Sady Goldstein, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 29 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F R. Doc 43–1658; Filed, February 1, 1943; 11:18 a. m.]

[Vesting Order 788]

ESTATE OF BETHA ELIZABETH THIES

In re: Estate of Betha Elizabeth Thies, deceased; File No. D–28–3334; E. T. sec. 1220.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Queens County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Greta Johanne Sohl whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Greta Johanne Sohl in and to the Estate of Betha Elizabeth Thies, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 29 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–1659; Filed, February 1, 1943; 11:18 a. m.]

[Vesting Order 789]

ESTATE OF HELENE J. VON SCHIERHOLZ

In re: Estate of Helene J. Von Schierholz deceased; File No. D-28-1903; E. T. sec. 1669

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation.

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York in and for Kings County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely:

Nationals	*Last known address*
Karl Hugo Wolfgang Von Schierholz	Germany
Helen Anne Charlotte Von Ernst	Germany

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Karl Hugo Wolfgang Von Schierholz and Helene Anne Charlotte Von Ernst, and each of them, in and to the Estate of Helene J. Von Schierholz deceased

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1660; Filed, February 1, 1943; 11:18 a. m.]

[Vesting Order 790]

ESTATE OF JULIA WIEDEMANN

In re: Estate of Julia Wiedemann, deceased; File No. D-28-1830; E. T. sec. 1603.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation.

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Richmond County;

(2) Such property and interests are payable or deliverable to or claimed by, a national of a designated enemy country, Germany, namely, Anton Wiedemann whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany, and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title interest and claim of any kind or character whatsoever of Anton Wiedemann in and to the Estate of Julia Wiedemann, deceased

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1661; Filed, February 1, 1943; 11:18 a. m.]

[Vesting Order 791]

ESTATE OF FRED W. WINTER

In re: Estate of Fred W. Winter, deceased; File D-28-1970; E. T. sec. 1978.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation.

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by B. C. Hilliard, Jr. Administrator, c. t. a. of the estate of Fred W. Winter, deceased, acting under the judicial supervision of the County Court of the City and County of Denver, Colorado;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely:

Nationals	*Last known address*
Elsa Winter	Germany.
Ellen Winter Schliesterman	Germany.
Liesel Winter Steuernagel	Germany.
Erma Winter Zietz	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Elsa Winter, Ellen Winter Schliesterman, Liesel Winter Steuernagel and Erma Winter Zietz and each of them, in and to the Estate of Fred W. Winter, deceased

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1662; Filed, February 1, 1943; 11:18 a. m.]

[Vesting Order 792]

ESTATE OF EMILIE ZINN

In re: Estate of Emilie Zinn, deceased; File No. D-28-3331; E. T. sec. 1219.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Queens County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Edda Welgand	Germany.
Maria Lopke	Germany.
Elisabeth Zinn	Germany.
Edda Welgand Muller	Germany.
Elisabeth Welgand Gobel	Germany.
Otto Zinn Lopke	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Edda Welgand, Maria Lopke, Elisabeth Zinn, Edda Welgand Muller, Elisabeth Welgand Gobel and Otto Zinn Lopke, and each of them, in and to the Estate of Emilie Zinn, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: January 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1663; Filed, February 1, 1943; 11:19 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Rev. Order 17 Under MPR 120]

BELLINGHAM COAL MINES

ORDER GRANTING ADJUSTMENT

Revised Order No. 17 under Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant—Docket No. 3120-246.

Order No. 17, as amended, under Maximum Price Regulation No. 120 is revised and amended to read as set forth below:

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (a) and (d) of Maximum Price Regulation No. 120, *It is hereby ordered:*

(a) *Rail shipments.* (1) Rail shipments of coals produced in Size Groups 7 and 9 by Bellingham Coal Mines, Inc., Seattle, Washington, at its Bellingham No. 1 Mine (Mine Index No. 3) may be sold and purchased at prices not to exceed $4.75 per net ton, f. o. b. the mine.

(2) Rail shipments of coals produced in Size Group 24 by Bellingham Coal Mines, Inc., Seattle, Washington, at its Bellingham No. 1 Mine (Mine Index No. 3) may be sold to and purchased by the Superior Portland Cement Company, Concrete, Skagit County, Washington, and Olympic Portland Cement Company, Bellingham, Whatcom County, Washington, at prices not to exceed $3.55 per net ton, f. o. b. the mine.

(b) *Truck or wagon shipments.* (1) Truck or wagon shipments of coals produced in Size Groups 7 and 9 by Bellingham Coal Mines, Inc., Seattle, Washington, at its Bellingham No. 1 Mine (Mine Index No. 3) may be sold and purchased at prices not to exceed $5.45 per net ton, f. o. b. the mine.

(2) Truck or wagon shipments of coals produced in the following size groups by Bellingham Coal Mines, Inc., Seattle, Washington, at its Bellingham No. 1 Mine (Mine Index No. 3) may be sold and purchased at prices not to exceed the following respective prices per net ton, f. o. b. the mine:

Size groups:	*Maximum prices*
1	6.75
3	6.25
6	5.75
12	5.25
14	4.50

(c) Within thirty (30) days from the effective date of this order, the said Bellingham Coal Mines shall notify all persons purchasing its coals of the adjustments granted in paragraph (b) of this order, and shall include a statement that if the purchaser is subject to Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale prices except in accordance with and subject to the conditions stated in Maximum Price Regulation No. 122.

(d) This Revised Order No. 17 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(f) (1) Paragraphs (a) and (b) (1) of this Revised Order No. 17 shall be effective as of May 18, 1942.

(2) Paragraph (b) (2) of this Revised Order No. 17 shall be effective January 30, 1943.

Issued this 29th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1545; Filed, January 29, 1943; 2:37 p. m.]

[Order 8 Under MPR 136]

INSULINE CORPORATION OF AMERICA

APPROVAL OF MAXIMUM PRICES

Adjustment of maximum prices under § 1390.25 (a) of Maximum Price Regulation No. 136, as amended—Machines and Parts and Machinery Services—Order No. 8.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and in accordance with § 1390.25 (a) of Maximum Price Regulation No. 136, as amended, and Procedural Regulation No. 6; *It is hereby ordered:*

(a) *Adjustment of maximum prices on sale of radio parts by Insuline Corporation of America under §1390.25 (a).* (1) Insuline Corporation of America, Long Island City, New York, is hereby authorized to sell and deliver to any purchaser, upon any government contract, or subcontract, any radio part manufactured and sold by it, at a maximum

price not exceeding the price for such part set forth in its price lists of January 2, 1942: *Provided*, That within ten days after the issuance of this order, Insuline Corporation of America shall file with the Office of Price Administration, Washington, D. C., a list of their increased prices of all such parts as have been, or will be, adjusted pursuant to this order.

(b) This Order No. 8 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 8 under § 1390.25 (a) of Maximum Price Regulation No. 136, as amended, shall become effective January 30, 1943.

(Pub. Laws 421, 729, 7th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 29th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1544; Filed, January 29, 1943; 2:37 p. m.]

[Order 143 Under MPR 188]

W. L. STENSGAARD AND ASSOCIATES, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 143 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum prices for sales of a new line of toys by W. L. Stensgaard and Associates, Inc.

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register and pursuant to the authority invested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) W. L. Stensgaard and Associates, Inc., 346 North Justine Ave., Chicago, Illinois, is authorized to sell and deliver to retailers the following toys at prices per unit, f. o. b. factory, no higher than those set forth below:

Mill-toy number	Name	Price
M-600	Tiger pursuit plane	$13.75
M-601	The commando car	10.75
M-602	Signal scout car	13.75
M-603	The mosquito boat	10.75
M-604	Recon peep	15.00
M-605	T-ton tank	13.75
M-606	Super battle wagon	19.50
M-607	Super ack-ack gun	21.00

(b) This Order No. 143 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 143 shall become effective on the 30th day of January 1943.

Issued this 29th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1546; Filed, January 29, 1943; 2:38 p. m.]

[Order 144 Under MPR 188]

MCALPIN VAULT COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 144 under § 1499.161 (a) of Maximum Price Regulation 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Authorization of a maximum price for concrete burial vaults for McAlpin Vault Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Order No. 9250, and pursuant to § 1499.161 (a) of Maximum Price Regulation No. 188, *It is hereby ordered*, That:

(a) The McAlpin Company of Eugene, Oregon, is authorized to sell, deliver, or offer for sale burial vaults delivered in place and sealed within the area of Eugene, Oregon, and surrounding territory not in excess of twenty miles, including Cottage Grove, as set forth below:

Item no.	Size		Maximum price[1]
	Width	Length	
T-0001	22"	50"	$12.00
T-0002	24"	62"	25.00
T-0052	26"	74"	30.00
T-0035	28"	84"	53.00
B-0524	30"	86"	50.00
B-0574	33"	88"	50.00

[1] Less 5% discount for cash.

(b) All prayers in the petition not specifically granted herein are denied.

(c) This Order No. 144 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 144 shall become effective January 30, 1943.

Issued this 29th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1547; Filed, January 29, 1943; 2:38 p. m.]

[Order 145 Under MPR 188]

TESLA CLAY AND SAND CORPORATION

APPROVAL OF MAXIMUM PRICE

Order No. 145, under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Authorization of a maximum price for crude fire clay for Tesla Clay and Sand Corporation, San Francisco, California.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Order No. 9250, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is hereby ordered*, That:

(a) Specific authority is hereby granted to the Tesla Clay and Sand Company, San Francisco, California, to sell to any person crude fire clay at $9 per net ton, delivered.

(b) The Tesla Clay and Sand Company shall submit such reports to the Office of Price Administration, Washington, D. C., as it may from time to time require.

(c) This Order No. 145 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 145 shall become effective January 30, 1943.

Issued this 29th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1548; Filed, January 29, 1943; 2:38 p. m.]

[Order 153 Under MPR 120]

L. TOM LONG MINE

ORDER GRANTING ADJUSTMENT

Order No. 153 under Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant—Docket No. 3120-244.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 3240.207 (b) of Maximum Price Regulation No. 120: *It is ordered:*

(a) Coals produced by L. Tom Long, doing business as L. Tom Long Mine, Perry, Missouri, at his L. Tom Long Coal Mine (Mine Index No. 786), in District No. 15, may be sold and purchased for shipment by truck or wagon at prices not to exceed the following respective prices per net ton f. o. b. the mine:

Size group:	*Maximum price*
1	$3.10
2	3.10

(b) Within thirty (30) days from the effective date of this Order, L. Tom Long Mine shall notify all persons purchasing its coals of the adjustment granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the provisions of Maximum Price Regulation No. 122.

(c) This Order No. 153 may be revoked or amended by the Price Administrator at any time;

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein;

(e) This Order No. 153 shall become effective January 30, 1943.

Issued this 29th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1550; Filed, January 29, 1943; 4:00 p. m.]

[Order 1 Under Restriction Order 2]

PUERTO RICO

RICE QUOTAS

Pursuant to the authority vested in the Director of the Office of Price Administration for Puerto Rico by Directive No. 1 of the War Production Board issued January 24, 1942, by Supplementary Directive No. 1-J, as amended, issued October 29, 1942 and by Restriction Order No. 2 issued by the Office of Price Administration on December 10, 1942; *It is hereby ordered:*

(a) *Quotas.* (1) Quota Period No. 1 shall be for a period of two calendar weeks from December 14, 1942 to December 27, 1942, inclusive.

(2) Each Local War Price and Rationing Board shall issue to each eligible retailer of rice in its municipality one or more purchase certificates (OPA Form PRF-3) in an amount not to exceed fifty (50%) percent in pounds of the amount of rice sales reported (the number of 100 lbs. sacks equals the dollar volume of sales of rice divided by $5.00) by such retailer for the month of November, 1941 on OPA Form PRF-1 or such lesser percentage of such sales as may be required by the limitations of the board quota.

(3) The Director shall assign to each Local War Price and Rationing Board for Quota Period No. 1 a quantity of rice equivalent to four times the population of the area over which each such board has jurisdiction as determined by the latest United States census for Puerto Rico.

(4) The Director in consultation and agreement with the Director of the A. M. A. and the interior supply officer established a quota of 8 million pounds of rice for Quota Period No. 1 for all users.

(5) The quota for institutional users for the Quota Period No. 1 shall be 80% of the amount of rice stated as having been used by such Registrant on OPA Form PRF-1 during November 1941.

(b) *Allotments.* (1) No consumer may purchase more than two pounds of rice during any one calendar week of Quota Period No. 1.

(2) Industrial users shall receive no allotment of rice for Quota Period No. 1.

This order shall be effective as of December 10, 1942.

Issued this 12th day of December 1942.

WILLIAM B. MEAD,
Director of the Office of Price Administration for Puerto Rico.

[F. R. Doc. 43-1551; Filed, January 29, 1943; 4:00 p. m.]

[Order 2 Under Restriction Order 2]

PUERTO RICO

RICE QUOTAS

Pursuant to the authority vested in the Director of the Office of Price Administration for Puerto Rico by Directive No. 1 of the War Production Board issued January 24, 1942, by Supplementary Directive No. 1-J, as amended, issued October 29, 1942, and by Restriction Order No. 2 issued by the Office of Price Administration on December 10, 1942, *It is hereby ordered:*

(a) *Quotas.* (1) Quota Period No. 2 shall be for a period of two calendar weeks from December 28, 1942 to January 10, 1943, inclusive.

(2) Each Local War Price and Rationing Board shall issue to each eligible retailer of rice in its municipality one or more purchase certificates (OPA Form PRF-3) in an amount not to exceed 25% in pounds of the amount of rice sales reported (the number of 100 pound sacks equals the dollar volume of sales of rice divided by $5.00) by such retailer for the month of November 1941 on OPA Form PRF-1 or such lesser percentage of such sales as may be required by the limitations of the board quota.

(3) The Director shall assign to each Local War Price and Rationing Board for Quota Period No. 2 a quantity of rice equivalent to four times the population of the area over which each such Board has jurisdiction as determined by the latest United States census for Puerto Rico.

(4) The Director in consultation and agreement with the Director of the A. M. A. and the interior supply officer established a quota of 8 million pounds of rice for Quota Period No. 2 for all users.

(5) The quota for institutional users for the Quota Period No. 2 shall be 49% of the amount of rice stated as having been used by such Registrant on OPA Form PRF-1 during November 1941.

(6) The quota for industrial users for the Quota Period No. 2 shall be 49% of the amount of rice stated as having been used by such registrant on OPA Form PRF-1 during November 1941.

(7) Any registrant who was not engaged in business during November 1941 may, in the discretion of the local Board having jurisdiction of the registrant, be given a quota not in excess of that provided for one of his class, whenever such Board is satisfied that such registrant is a bona fide seller or user of rice.

(b) *Allotments.* (1) No consumer may purchase more than two pounds of rice during any one calendar week of Quota Period No. 2.

This order shall be effective as of December 24, 1942.

Issued this 24th day of December 1942.

WILLIAM B. MEAD,
Director of the Office of Price Administration for Puerto Rico.

[F. R. Doc. 43-1552; Filed, January 29, 1943; 4:01 p. m.]

[Order 3 Under Restriction Order 2]

PUERTO RICO

RICE QUOTAS

Pursuant to the authority vested in the Director of the Office of Price Administration for Puerto Rico by Directive No. 1 of the War Production Board issued January 24, 1942, by Supplementary Directive No. 1-J, as amended, issued October 29, 1942 and by Restriction Order No. 2 issued by the Office of Price Administration on December 10, 1942; *It is hereby ordered:*

(a) *Quotas.* (1) Quota Period No. 3 shall be for a period of two calendar weeks from January 11, 1943 to January 25, 1943, inclusive.

(2) Each Local War Price and Rationing Board shall issue to each eligible retailer of rice in its municipality one or more purchase certificates (OPA Form PRF-3) in an amount not to exceed twenty-five percent in pounds of the amount of rice sales reported (the number of 100 pound sacks equals the dollar volume of sales of rice divided by $5.00) by such retailer for the month of November 1941 on OPA Form PRF-1 or such lesser percentage of such sales as may be required by the limitations of the board quota.

(3) Before allocating a rice quota the Local War Price and Rationing Board shall have the authority to require of any retailer dealing in rice in its municipality, to produce before it, evidence in the form of a sworn statement and other documentary evidence showing either an increase or decrease in such retailer's volume of sales of rice, over or under the sales of rice of such retailer, for the month of November, 1941. In the event such Board finds an increase or decrease in the sales of rice, over or under such retailer's sales for the base period, it shall have the authority in its discretion to increase or decrease in his sales of rice not to exceed in any event the quota allocated to such Board for distribution.

(4) The Director shall assign to each Local War Price and Rationing Board for Quota Period No. 3 a quantity of rice equivalent to four times the population of the area over which each such Board has jurisdiction as determined by the latest United States census for Puerto Rico.

(5) The Director in consultation and agreement with the Director of the A. M. A. (now F. D. A.) and the interior supply officer established a quota of 8 million pounds of rice for Quota Period No. 3 for all users.

(6) The quota for institutional users for the Quota Period No. 3 shall be forty-nine percent of the amount of rice stated as having been used by such registrant on OPA Form PRF-1 during November 1941.

(7) The quota for industrial users for the Quota Period No. 3 shall be forty-nine percent of the amount of rice stated as having been used by such Registrant on OPA Form PRF-1, during November 1941.

(8) Any registrant who was not engaged in business during November 1941 may in the discretion of the Local Board having jurisdiction of the registrant be given a quota not in excess of that provided for one of his class, whenever such Board is satisfied that such registrant is a bona fide seller or user of rice.

(b) *Allotments.* (1) No consumer may purchase more than two pounds of rice during any one calendar week of Quota Period No. 3.

(c) Any person, partnership, corporation, association, government agency or any other organized group or enterprise which willfully performs any act prohibited or willfully fails to perform any act required by any provisions of Rice Restriction Order No. 2 shall be guilty of a misdemeanor and upon conviction be fined not more than $10,000 or imprisoned for not more than one year, or both, and shall be subject to such other penalties as may be specified by all applicable statutes.

This order shall be effective as of January 11, 1943.

Issued this 9th day of January 1943.

WILLIAM B. MEAD,
Director of the Office of Price Administration for Puerto Rico.

[F. R Doc 43-1553; Filed, January 29, 1943, 4:01 p. m.]

[Amendment 1 to Order 1 Under Supp. Order 9]

NATIONAL CARBON CO., INC.

AUTHORIZATION OF MAXIMUM PRICES

Amendment No. 1 to Order No. 1 under Supplementary Order No. 9—Commodities and Services under Government Contracts or Subcontracts—Applications for Adjustment of Maximum Prices.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, paragraph (a) is amended to read as follows:

(a) National Carbon Company, Incorporated, Carbide and Carbon Building, New York City, is authorized to sell and deliver to the United States Navy the following radio batteries at prices per unit, f. o. b. factory, no higher than those set forth below:

* * * * *

Navy Radio Battery No. 19018-A---	$4.70064
Navy Radio Battery No. 19018-B---	4.762

This Amendment No. 1 shall be effective as of January 2, 1943.

Issued this 30th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F R Doc 43-1613; Filed, January 30, 1943; 12:17 p m.]

[Order 152 Under MPR 120]

BROOKWOOD COAL CO.

ORDER GRANTING ADJUSTMENT

Order No. 152 under Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant—Docket No. 3120-103.

Order granting adjustment to William and T. A. Howells, doing business as Brookwood Coal Company.

For the reasons set forth in the opinion issued simultaneously herewith, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (d) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced by William and T. A. Howells, doing business as Brookwood Coal Company, Salem, Ohio, at their Brookwood Mine, Mine Index No. 1400, in District No. 4, may be sold and purchased for truck or wagon shipment at prices not to exceed the following respective prices per net ton, f. o. b. the mine:

Size groups:	3	5	6
Maximum prices---------	4.25	3.75	3.75

(b) Within thirty (30) days from the effective date of this order, Brookwood Coal Company shall notify all persons purchasing its coals of the adjustments granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Maximum Price Regulation No. 122.

(c) This Order No. 152 may be revoked or amended by the Price Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(e) All prayers for relief not granted herein are hereby denied.

(f) This Order No. 152 shall become effective January 30, 1943.

Issued this 30th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F R Doc 43-1614; Filed, January 30, 1943, 12:19 p. m.]

[Order 154 Under MPR 120]

SILVER CREEK COAL COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 154 under Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant—Docket No. 1120-43-P.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced by Miller Brothers, a partnership, doing business as Silver Creek Coal Company, R. F. D. No. 1, Poland, Ohio, at its Silver Creek Mine (Mine Index No. 1613) in District No. 4, may be sold and purchased for shipment by truck or wagon at prices not to exceed the following respective prices per net ton, f. o. b. the mine:

Size group:	5	6	8
Maximum price ---------	4.15	3.65	2.35

(b) Within thirty (30) days from the effective date of this order, the said Miller Brothers doing business as Silver Creek Coal Company shall notify all persons purchasing its coals of the adjustments granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the provisions of Maximum Price Regulation No. 122.

(c) This Order No. 154 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(e) This Order No. 154 shall become effective February 1, 1943.

Issued this 30th day of January 1943

PRENTISS M. BROWN,
Administrator.

[F R. Doc. 43-1615; Filed, January 30, 1943, 12:19 p. m.]

[Order 146 Under MPR 188]

UNITED STATES LIME PRODUCTS CORP.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 146 Under § 1499.161 (a) of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Authorization of Maximum Prices for Glass Flux sold by United States Lime Products Corporation—Docket No. GF3-2655.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and under § 1499.161 of Maximum Price Regulation No. 188, *It is hereby ordered* That:

(a) The maximum price at which United States Lime Products Corporation, San Francisco, California, is authorized to sell, deliver, or offer for sale glass flux (20 mesh ground limestone) either directly or through its wholly owned subsidiary, Arrowhead Lime and Chemical Company, Los Angeles, California, shall be $2.75 per net ton, f. o. b. Sonora, California.

(b) The maximum price established in paragraph (a) shall be reduced by 2% for cash payment by the tenth day of the month following any sale.

(c) All prayers in the petition not specifically granted herein are denied.

(d) This Order No. 146 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 146 shall become effective February 1, 1943.

Issued this 30th day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F R. Doc. 43-1607; Filed January 30, 1943; 12:17 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 4-46]

AMERICAN WATER WORKS AND ELECTRIC CO., INC., ET AL.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 28th day of January, A. D. 1943.

In the Matter of American Water Works and Electric Company, Incorporated, Atlantic County Water Company of New Jersey, Commonwealth Water Company, The Bernards Water Company, Monmouth Consolidated Water Company, New Jersey Water Company, Ocean County Water Company, American Water Works Construction Company, Water Works Department, Inc.

The Board of Public Utility Commissioners of the State of New Jersey having requested the Securities and Exchange Commission, pursuant to section 18 (b) of the Public Utility Holding Company Act of 1935, to investigate the managerial service contracts between American Water Works and Electric Company, Incorporated, a registered holding company, and its six subsidiary companies in New Jersey, Atlantic County Water Company of New Jersey, Commonwealth Water Company, The Bernards Water Company, Monmouth Consolidated Water Company, New Jersey Water Company and Ocean County Water Company, and to obtain certain information with respect to said contracts, the actual cost of the services rendered and the allocation of charges among the various recipients of said services; and

The Commission having been advised by its Public Utilities Divison of evidence tending to show that:

1. American Water Works and Electric Company, Incorporated, by use of the mails or other means or instrumentalities of interstate commerce, or otherwise, renders divers managerial services pursuant to certain uniform management contracts at a profit to certain of its subsidiary companies, including, among others, the six subsidiary companies named above.

2. American Water Works and Electric Company, Incorporated, unfairly and inequitably allocates the managerial service charges among such subsidiary companies irrespective of the cost incurred in rendering such service to each such subsidiary company.

3. American Water Works Construction Company, a subsidiary company of said American Water Works and Electric Company, Incorporated, by use of the mails or other means or instrumentalities of interstate commerce, or otherwise, performs services and construction work at a profit for certain subsidiary companies of American Water Works and Electric Company, Incorporated, pursuant to certain uniform engineering contracts.

4. American Water Works Construction Company unfairly and inequitably allocates the construction and engineering charges among such subsidiary companies irrespective of the cost incurred in rendering such service to each such subsidiary company.

5. Water Works Department, Inc., a subsidiary company of American Water Works and Electric Company, Incorporated, by use of the mails or other means or instrumentalities of interstate commerce, or otherwise, renders stock transfer and similar services for certain subsidiary companies of American Water Works and Electric Company, Incorporated.

It, therefore, tentatively appearing to the Commission on the basis of the allegations hereinbefore set forth that the construction, sales and service arrangements of American Water Works and Electric Company, Incorporated, American Water Works Construction Company, and Water Works Department, Inc. may not satisfy the requirements of section 13 of the Public Utility Holding Company Act of 1935; and

It further appearing to the Commission, on the basis of the allegations hereinbefore set forth, that proceedings should be instituted under section 13 of the Act with respect to the construction, sales and service arrangements of American Water Works and Electric Company, Incorporated, American Water Works Construction Company, and Water Works Department, Inc. to determine what steps should be required to be taken by each of such companies pursuant to the provisions of said section;

It further appearing to the Commission, on the basis of the allegations hereinbefore set forth, that proceedings should be instituted under section 18 (a) of the Act with respect to the construction, sales and service arrangements of American Water Works and Electric Company, Incorporated, American Water Works Construction Company, and Water Works Department, Inc. to determine whether with respect to such matters there has been a violation or is about to be a violation of any provisions of the Act or any rule or regulation thereunder and to aid in the enforcement of the provisions of the Act, in the prescribing of rules and regulations thereunder, and in obtaining information to serve as a basis for recommending further legislation;

It further appearing to the Commission that, in accordance with the request of the Board of Public Utility Commissioners of the State of New Jersey, an investigation should be instituted pursuant to section 18 (b) of the Act and that a public hearing should be held;

It is ordered, That a hearing on such matters, under the applicable provisions of the Act and the Rules and Regulations of the Commission thereunder, be held on the 18th day of February, 1943 at 11:00 a. m. in Room 611 of the offices of the New Jersey Board of Public Utility Commissioners at 1060 Broad Street, Newark, New Jersey.

It is further ordered, That Richard Townsend, a trial examiner of this Commission, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered, That any other person desiring to be heard in connection with these proceedings or proposing to intervene herein shall file with the Secretary of the Commission, on or before the 11th day of February, 1943, his request or application therefor, as provided by Rule XVII of the Rules of Practice of the Commission.

It is further ordered, That jurisdiction be and hereby is reserved to separate, either in whole or in part, or for disposition, in whole or in part, any of the issues or questions which may arise in these proceedings and to take such other action as may appear conducive to an orderly, prompt, and economic disposition of the matters involved.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-1549; Filed, January 29, 1943; 3:42 p. m.]

[File No. 1-2558]

CENTRAL STANDARD CONSOLIDATED MINES

ORDER FOR HEARING AND DESIGNATING OFFICER TO TAKE TESTIMONY

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 29th day of January, A. D., 1943.

In the matter of proceeding under section 19 (a) (2) of the Securities Exchange Act of 1934 as amended, to determine whether the registration of Central Standard Consolidated Mines, Com-

mon Stock, 10¢ Par Value, should be suspended or withdrawn.

I

It appearing to the Commission:

That Central Standard Consolidated Mines, a corporation organized under the laws of the State of Utah, is the issuer of Common Stock, 10¢ Par Value; and

That said Central Standard Consolidated Mines registered such security on the Salt Lake Stock Exchange, a national securities exchange, by filing with the Exchange and with the Commission on or about April 6, 1936 an application on Form 10 pursuant to section 12 (b) and (c) of the Securities Exchange Act of 1934 as amended, and Rule X-12B-1 as amended, promulgated by the Commission thereunder, and registration pursuant to such application having become effective on June 27, 1936 and remaining in effect to and including the date hereof; and

It further appearing to the Commission:

That Rule X-13A-1, promulgated pursuant to section 13 of said Securities Exchange Act of 1934, as amended, did and does require that an annual report for each issuer of a security registered on a national securities exchange shall be filed on the appropriate form prescribed therefor; and

That Rule X-13A-2, promulgated pursuant to section 13 of the Securities Exchange Act of 1934, as amended, did and does prescribe Form 10-K as the annual report form to be used for the annual reports of all corporations except those for which another form is specified, and that no other form was or is specified for use by the said Central Standard Consolidated Mines; and

That said Rule X-13A-1 requires that said annual report be filed not more than 120 days after the close of each fiscal year or such other period as may be prescribed in the instruction book applicable to the particular form: that the Instruction Book for Form 10-K does not prescribe any period other than such 120 days; and that pursuant to said Rule X-13A-1 the annual report must be filed within such period unless the registrant files with the Commission a request for an extension of time to a specified date within six months after the close of the fiscal year; and

That said Central Standard Consolidated Mines has a fiscal year ending December 31; that the annual report for its fiscal year ending December 31, 1941 was due to be filed not later than April 30, 1942; that registrant made no request for extension of time within which to file said report; that the time for filing was not extended by the Commission; that the annual report for the fiscal year ended December 31, 1941 was not filed either within such period or at any later date; and

II

The Commission having reasonable cause to believe that:

The said Central Standard Consolidated Mines has failed to comply with the provisions of section 13 of the Securities Exchange Act of 1934, as amended, and Rules X-13A-1 and X-13A-2 promulgated thereunder, in that (1) it has failed to file its annual report for the year ended December 31, 1941 within the time prescribed for filing said report; and (2) it has failed to file such annual report at any later date; and

III

It being the opinion of the Commission that the hearing herein ordered to be held is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Securities Exchange Act of 1934, as amended:

It is ordered, Pursuant to section 19 (a) (2) of said Act, that a public hearing be held to determine whether Central Standard Consolidated Mines has failed to comply with section 13 of the Securities Exchange Act of 1934, as amended, and the Rules, Regulations and Forms promulgated by the Commission thereunder, in the respects set forth above; and if so, whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding twelve months or to withdraw the registration of the Common Stock, 10¢ Par Value, of said Central Standard Consolidated Mines on said Salt Lake Stock Exchange;

It is further ordered, Pursuant to the provisions of section 21 (b) of the Securities Exchange Act of 1934, as amended, that for the purpose of such hearing, John L. Geraghty, an officer of the Commission, is hereby designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take testimony and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law;

It is further ordered, That the taking of testimony in this hearing begin on the 19th day of February, 1943, at 10:00 A. M. Mountain War Time at the Regional Office of the Securities and Exchange Commission, 444 17th Street, Denver, Colorado, and continue thereafter at such time and place as the officer hereinbefore designated may determine.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F R Doc 43-1581, Filed, January 30, 1943; 11:48 a. m.]

[File No. 1-1441]

OHIO CONFECTION COMPANY

ORDER GRANTING APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 28th day of January, A. D. 1943.

In the matter of the Ohio Confection Company, $2.50 Capital Stock, Class "A."

The Ohio Confection Company, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to withdraw its $2.50 Capital Stock, "Class "A," from listing and registration on the Cleveland Stock Exchange; and

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on February 8, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F R Doc 43-1582, Filed January 30, 1943; 11:48 a. m.]

[File No. 70-652]

INTERNATIONAL UTILITIES CORPORATION

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 30th day of January, A. D. 1943.

International Utilities Corporation, a registered holding company having filed a declaration pursuant to section 12 (f) of the Public Utility Holding Company Act of 1935 and Rule U-43 of the Rules and Regulations of the Commission promulgated thereunder, regarding the sale by it of 76,235 shares (consututing its entire holdings) of the common stock of its subsidiary company, Securities Corporation General, an investment company registered under the Investment Company Act of 1940, to Cecil P. Stewart; and

A public hearing having been held after appropriate notice, and the Commission having considered the record and having made and filed its Findings and Opinion herein; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit the declaration to become effective pursuant to the applicable sections of the Act;

It is ordered, That said declaration be, and it is hereby, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F R Doc 43-1634; Filed, February 1, 1943; 10:16 a. m.]

[File Nos. 59-23, 70-187, 70-191]

THE MIDDLE WEST CORPORATION ET AL

NOTICE OF AND ORDER RECONVENING HEARING, AND NOTICE TO FILE BRIEF AND STATEMENT

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 29th day of January, A. D. 1943.

In the matter of the Middle West Corporation, North West Utilities Company, Wisconsin Power and Light Company.

The Commission having on June 9, 1941 issued its notice of and order for hearing instituting proceedings (File No. 59-23) under section 11 (b) (2) of the Public Utility Holding Company Act of 1935 regarding The Middle West Corporation ("Middle West"), a registered holding company, North West Utilities Company ("North West"), a registered holding company in the system of The Middle West Corporation, and Wisconsin Power & Light Company ("Wisconsin") to determine, among other things, whether it is necessary for the Commission, in order to insure that the corporate structure and/or continued existence of North West do not unduly or unnecessarily complicate the structure, or unfairly or inequitably distribute voting power among the security holders of the holding company system of The Middle West Corporation, and to insure that voting power is not unfairly or inequitably distributed among the respective security holders of North West and Wisconsin, to order disposition of the assets of North West in accordance with a fair and equitable reorganization plan, or plan for the divestment of control, securities or other assets, or for other action by such company for the purpose of enabling it to comply with the provisions of section 11 (b) (2); and

The Commission having on June 11, 1942 entered its order consolidating the 11 (b) (2) proceedings with the hearings then being held on a plan of partial recapitalization of North West which had been presented by filings of that company and Middle West, its parent, (File Nos. 70-187 and 70-191), and having reserved the right to order a separate hearing concerning any of said matters and to close the record with respect to, or to take any action on, any of the matters prior to the closing of the record on or the consideration of any other matter; and

The Commission having deemed it appropriate and conducive to an orderly disposition of the consolidated proceedings that certain questions relating to North West first be determined, and having on May 25, 1942, issued its order reconvening such hearings, limited in scope, however, to questions related only to the issue of termination and dissolution of North West pursuant to section 11 (b) (2) of the Act, and having expressly reserved jurisdiction of all other matters and issues raised by or contained in its orders of June 9, 1941 and June 11, 1941; and

Hearings having been accordingly resumed and evidence taken with respect to the issue concerning termination and dissolution of North West, and counsel for respondents and for the Public Utilities Division of the Commission having stipulated that they have no further evidence to offer relating to such issue; and

Counsel for the Public Utilities Division of the Commission having submitted to the Commission and to the respondents proposed "Findings and Opinion" resolving the necessity for North West's dissolution, which counsel requests the Commission to adopt as its findings and opinion in these proceedings; and

It appearing that the respondents have waived any right to file briefs, and to oral argument on such issue and North West having filed its objections to such proposed findings and opinion on the ground, among others, that unless the Commission permits Middle West to retain its present interest in North West, the latter company is entitled to continue to exist as a registered holding company and to have "a single integrated public utility system," and such other businesses as are reasonably incidental or economically necessary or appropriate to the operations of such integrated public utility system and such additional systems as section 11 (b) (1) makes provision for retaining; and

North West and Middle West having also filed two motions, one being a motion to grant the applications and to make effective the declarations concerning the plan of recapitalization of North West, as amended (File Nos. 70-187 and 70-191), without prejudice to later disposition of remaining questions, if any, requiring attention in the judgment of the Commission; and

The Commission now having pending before it for decision proceedings under section 11 (b) (1) of the Act regarding Middle West and its subsidiaries, including North West, and deeming it appropriate, in view of the pendency of such proceedings and in view of the objections and the motion of North West and Middle West referred to in the last preceding paragraph hereof, to consider as an alternative to dissolution of North West, the question of necessity of requiring the capitalization of North West to be changed to one of a single class of stock, namely, common stock, and it further appearing that the record herctofore made in these proceedings is sufficient for such purposes;

It is ordered, That the respondents shall, on or before February 10, 1943 submit to the Commission any memorandum or brief, together with a statement of additional evidence, if any, which they or any one or more of them desire to proffer on the issue of whether it is necessary for the Commission to require a recapitalization of North West on a common-stock basis for the purpose of enabling it to comply with the provisions of section 11 (b) (2).

It is further ordered, That if the respondents or any one or more of them desire to proffer additional evidence, a reconvened hearing will be held for such purpose on the 11th day of February, 1943 at 10 o'clock A. M., E. W. T., at the office of the Securities and Exchange Commission 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on that day by the hearing room clerk in Room 318.

It is further ordered, That the Secretary of the Commission shall serve notice of the matters contained herein by mailing a copy of this order by registered mail to the respondents and to their respective counsel as well as to any other party previously granted the right to be heard and participate in the above-described proceeding, and shall give notice to all other interested persons by publication in the FEDERAL REGISTER.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That all persons desiring to be heard or otherwise wishing to participate herein shall notify the Commission to that effect in the manner provided for by Rule XVII of the Commission's Rules of Practice, on or before February 10, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-1631; Filed, February 1, 1943; 10:16 a. m.]

[File No. 65-2]

MORGAN STANLEY AND CO., INC.

ORDER DISMISSING PROCEEDINGS, ETC.

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 29th day of January 1943.

Order dismissing proceedings as to Morgan Stanley and Co., Incorporated and releasing jurisdiction over limited payment of underwriting fees.

Consumers Power Company, a subsidiary of Commonwealth & Southern Corporation, a registered holding company, having filed on November 17, 1939, a declaration regarding, among other matters, the issuance and sale of its First Mortgage Bonds pursuant to the provisions of section 7 of the Public Utility Holding Company Act of 1935;

Morgan Stanley & Co., Incorporated having applied on December 1, 1939 for findings pursuant to Paragraph (a) (3) of Rule U-12F-2 with respect to its status under said Rule as an underwriter of the bonds proposed to be issued and sold by Consumers Power Company;

The Commission having on December 28, 1939 issued its order with respect to said declaration of Consumers Power Company permitting the same to become, in part, effective, upon condition, however, that pending the final determination of the issues raised by said application of Morgan Stanley & Co., Incorporated and a similar application filed by Bonbright & Company, Incorporated, no underwriting fees, commissions, or any other compensation derived from the issuance and sale of said Consumers Power Company should be paid directly or indirectly to, or retained by, said underwriters;

The applicant, Morgan Stanley & Co., Incorporated, having filed an amendment to its application providing for a reduction of its fees and compensation for all services connected with the underwriting of said bonds so that its

total compensation would not exceed the compensation payable to an underwriter whose participation was not in excess of 5 percent of the total offering and, upon the basis of such reduced fee, having moved the Commission for an order dismissing the proceedings instituted upon its said application and releasing jurisdiction over such reduced compensation and permitting Consumers Power Company to pay to Morgan Stanley & Co., Incorporated or to its assignees the sum of $16,160.51, which amount is computed at the rate applicable to a 5 percent participation of the total offering;

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to dismiss the application filed by Morgan Stanley & Co., Incorporated to release jurisdiction as to the payment of such reduced fees and compensation;

It is ordered, That the proceedings instituted upon said application of Morgan Stanley & Co., Incorporated be, and hereby are, dismissed; and that jurisdiction be, and hereby is, released over such reduced fees and compensation payable to Morgan Stanley & Co., Incorporated, or to its assignees, as an underwriter of said bonds of the Consumers Power Company, provided that the total of such fees and compensation shall not exceed $16,160.51.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-1632; Filed, February 1, 1943; 10:17 a. m.]

[File Nos. 70-630, 70-636]

MINNESOTA UTILITIES COMPANY, ET AL.

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 29th day of January, A. D. 1943.

In the matter of Minnesota Utilities Company, American Utilities Service Corporation and Minnesota Power and Light Company.

American Utilities Service Corporation, a registered holding company, and its subsidiary, Minnesota Utilities Company, having filed a joint application or declaration and amendment thereto under sections 12 (c) and 12 (d) of the Public Utility Holding Company Act of 1935 and Rule U-42 and Rule U-44 promulgated thereunder and Minnesota Power & Light Company, a subsidiary of American Power & Light Company, which in turn is a subsidiary of Electric Bond and Share Company, both registered holding companies, having filed an application or declaration and amendment thereto under sections 9 (a) and 10 of said Act and Rule U-41 promulgated thereunder, both of which applications or declarations and amendments seek approval of a series of proposed transactions which may be summarized as follows:

1. Minnesota Utilities Company proposes to sell and Minnesota Power & Light Company proposes to acquire the electric properties of the former company comprising its Pine River District located in the Counties of Cass and Crow Wing in the State of Minnesota for the sum of $185,000 in cash, plus $15,000 for materials and current assets, subject to certain adjustments covering transactions between October 1, 1942 and the date on which the sale and purchase is consummated.

2. Minnesota Utilities Company proposes to employ $185,000 of the proceeds of said sale in partial payment of its note indebtedness to its parent, American Utilities Service Corporation which, pursuant to the terms of the Indenture securing its Collateral Trust 6% bonds, Series A, will deposit said payment with the Trustee, Continental Illinois National Bank and Trust Company of Chicago. American plans to use said $185,000 together with other funds held or to be held by the Trustee for the purchase and/or call of not to exceed $200,000 of its aforementioned 6% Bonds and will request the Trustee, pursuant to the Indenture, to advertise for tenders of $200,000 of said Bonds, to be purchased at the option of American with the "release monies" so held by the Trustee.

A joint public hearing on said applications and declarations having been held after appropriate notice; and the Commission having examined the record and having made and filed its findings herein;

It is ordered, That the said applications as amended be, and hereby are, granted and that the said declarations as amended be, and hereby are, permitted to become effective forthwith subject, however, to the terms and conditions prescribed in Rule U-24 of the General Rules and Regulations promulgated under said Act.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-1633; Filed, February 1, 1943; 10:17 a. m.]

WAR MANPOWER COMMISSION.

[Directive XVII]

FARM LABOR MOBILIZATION RESPONSIBILITIES IN DEPARTMENT OF AGRICULTURE

By virtue of the authority vested in me by Executive Orders Nos. 9139 and 9279,[1] and having found, after consultation with the members of the War Manpower Commission, that the measures hereinafter set forth will promote a more effective mobilization and utilization of the farm labor resources in the prosecution of the war through a more complete use of the facilities and personnel of the Department of Agriculture, it is hereby directed:

I. The Secretary of Agriculture, through such persons and employees (including uncompensated personnel) of the Department of Agriculture as he may designate and subject to policies and standards prescribed by the Chairman of the War Manpower Commission, and to the continuous review and appraisal of the War Manpower Commission, shall have full operating responsibility for the recruitment, placement, transfer, and utilization of agricultural workers, to the end that the labor requirements of agricultural production may be met.

II. In carrying out responsibilities in connection with the mobilization of farm labor, the Department of Agriculture will recruit, place, and transfer workers already engaged in agriculture, and youth, women and other workers not already engaged in agriculture, in order that agricultural production schedules may be met.

III. The Department of Agriculture in its recruitment, placement, transfer and utilization of workers will cooperate closely with the United States Employment Service, in order that the total labor requirements for agricultural and other production will be served as efficiently as possible from a common labor pool. In those instances where the number of workers in agriculture and in rural communities is inadequate to meet the labor requirements for agricultural production, the Department of Agriculture may place orders for additional workers with the United States Employment Service. In those instances where the facilities of the United States Employment Service are used for the recruitment of agricultural workers, appropriate certifications as to the labor supply and demand will be made by the Department of Agriculture. The importation of foreign workers for use in agriculture will be initiated only with the approval, and in accord with the policies, of the Chairman of the War Manpower Commission and only after all local resources are exhausted.

IV. The Secretary of Agriculture shall make such reports concerning agricultural labor requirements, the supply of workers available for agricultural work, and the Department's recruitment, placement, transfer and utilization operations under this directive, as the Chairman of the War Manpower Commission may from time to time require, for an appraisal of the agricultural labor mobilization program and for the purpose of coordinating this program with other parts of the manpower mobilization program.

V. As used in this directive, the term "agricultural" means those farm activities or services carried on by, or performed for, farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

PAUL V. MCNUTT,
Chairman.

JANUARY 23, 1943.

[F. R. Doc. 43-1598; Filed, January 30, 1943; 11:44 a. m.]

[1] 7 F.R. 2919, 10177.

WAR PRODUCTION BOARD.

REVOCATION OF PREFERENCE RATING

Name of builder: U. S. Department of Agriculture; Address: Washington, D. C.; Water Facilities and Soil Conservation Program, Mirage Flats Project, Nebraska.

The revocation of preference rating issued January 12, 1943 with respect to the above named project is hereby amended by striking paragraph (3) thereof and by substituting the following:

(3) The builder shall neither perform nor permit the performance of any further construction or installation on the project except that construction may be continued solely for purposes of safety or health or to avoid undue damage to or deterioration of materials already incorporated.

Issued February 1, 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1669; Filed, February 1, 1943; 11:22 a. m.]

RESTORATION AND AMENDMENT OF PREFERENCE RATING

Preference Rating Order P-19-e, Serial 12030-E. Name of Builder: Ohio Department of Highways; Address: Columbus, Ohio. Project: Construction of 2 continuous concrete T-beam bridges including approaches identified as: Ohio SN-FAP 1030-B (1).

The revocation issued January 8, 1943 of the above serially numbered preference rating order is hereby cancelled; the ratings assigned by said preference rating order are hereby restored; and said preference rating orders shall have full force and effect, as hereinafter amended.

The above serially numbered preference rating order is hereby amended to expire on December 31, 1943.

Issued February 1, 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1670; Filed, February 1, 1943; 11:22 a. m.]

RESTORATION AND AMENDMENT OF PREFERENCE RATING

Preference Rating Order P-19-e, Serial 12032-E. Name of Builder: Ohio Department of Highways; Address: Columbus, Ohio. Project: Construction of 5.181 miles of plain concrete pavement including timber and concrete bridges identified as: SN-FAP 1030-C (1), 488-A (3), 488-G (2).

The revocation issued January 8, 1943 of the above serially numbered preference rating order is hereby cancelled; the ratings assigned by said preference rating order are hereby restored; and said preference rating orders shall have full force and effect, as hereinafter amended.

The above serially numbered preference rating order is hereby amended to expire on December 31, 1943.

Issued February 1, 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1671; Filed, February 1, 1943; 11:22 a. m.]

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FEDERAL REGISTER

VOLUME 8 NUMBER 23

Washington, Wednesday, February 3, 1943

The President

PROCLAMATION 2575

CAPTURE OF PRIZES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the act of August 18, 1942, Public Law 704, 77th Congress, contains in part the following provisions:

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the district courts shall have original jurisdiction of all prizes captured during the present war on the high seas if said capture was made by authority of the United States or was adopted and ratified by the President of the United States and the prize was brought into the territorial waters of a cobelligerent or was taken or appropriated for the use of the United States on the high seas or in such territorial waters, including jurisdiction of all proceedings for the condemnation of such property taken as prize.

* * * * *

"SEC. 3. The jurisdiction of prizes brought into the territorial waters of a cobelligerent shall not be exercised under authority of this Act, nor shall prizes be taken or appropriated within such territorial waters for the use of the United States, unless the government having jurisdiction over such territorial waters consents to the exercise of such jurisdiction or to such taking or appropriation.

* * * * *

"SEC. 7. A cobelligerent of the United States which consents to the exercise of the jurisdiction herein conferred with respect to prizes of the United States brought into its territorial waters and to the taking or appropriation of such prizes within its territorial waters for the use of the United States shall be accorded, upon proclamation by the President of the United States, like privileges with respect to prizes captured under authority of such cobelligerent and brought into the territorial waters of the United States or taken or appropriated in the territorial waters of the United States for the use of such cobelligerent. Reciprocal recognition and full faith and credit shall be given to the jurisdiction acquired by courts of a cobelligerent hereunder and to all proceedings had or judgments rendered in exercise of such jurisdiction."

WHEREAS the Government of the United Kingdom, a cobelligerent, has consented to the exercise of the jurisdiction conferred by the said act with respect to prizes of the United States brought into the territorial waters of the United Kingdom and Sierra Leone and to the taking or appropriation of such prizes within the territorial waters of the United Kingdom and Sierra Leone for the use of the United States:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority vested in me by the said act of August 18, 1942, do proclaim that the Government of the United Kingdom shall be accorded like privileges with respect to prizes captured under authority of the said Government and brought into the territorial waters of the United States or taken or appropriated in the territorial waters of the United States for the use of the said Government.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the City of Washington this 30th day of January in the year [SEAL] of our Lord nineteen hundred and forty-three and of the Independence of the United States of America the one hundred and sixty-seventh.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[F. R. Doc. 43-1749; Filed, February 2, 1943; 11:28 a. m.]

EXECUTIVE ORDER 9296

AMENDING PARAGRAPH 1 OF TITLE II OF EXECUTIVE ORDER NO. 9001 OF DECEMBER 27, 1941 CONCERNING REPORTS OF CONTRACTS AND PURCHASES MADE UNDER AUTHORITY OF TITLE II OF THE FIRST WAR POWERS ACT, 1941

By virtue of the authority vested in me by Title II of the First War Powers Act, 1941, approved December 18, 1941, (Public Law 354, 77th Congress) and as President of the United States and Commander in Chief of the Army and Navy of the United States and deeming that such action will facilitate the prose-

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THE PRESIDENT

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FEDERAL REGISTER

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cution of the war, it is hereby ordered as follows:

1. Paragraph 1 of Title II of Executive Order No. 9001 of December 27, 1941,[1] requiring the War Department, the Navy Department, and the United States Maritime Commission to report to the President with respect to all contracts and purchases made pursuant to the said act and Executive Order, is hereby amended to read as follows:

"1. Complete data shall be maintained by the War Department, the Navy Department, and the United States Maritime Commission as to all contracts and purchases which they respectively make pursuant to the Act and this Executive Order. The Secretary of War, the Secretary of the Navy, and the Chairman of the United States Maritime Commission shall make available for public inspection, as they may respectively deem compatible with the public interest, so much of such data as does not cover restricted, confidential, or secret contracts or purchases."

2. This order shall be effective as of December 27, 1941, and shall apply to all those departments and other agencies of the Government, and the respective heads thereof, to which the provisions of the said Executive Order No. 9001 have heretofore been or may hereafter be extended.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
January 30, 1943.

[F. R. Doc 43–1731; Filed, February 2, 1943; 10:39 a. m.]

[1] 6 F.R. 6787.

Regulations

TITLE 7—AGRICULTURE

Chapter VIII—Food Distribution Administration[1]

PART 802—SUGAR DETERMINATIONS

1943 SUGARCANE CROP FARMING PRACTICES

Determination of farming practices to be carried out in connection with the production of the 1943 crop of sugarcane in the mainland cane sugar area, pursuant to section 301 (e) of the Sugar Act of 1937, as amended.

Pursuant to the provisions of section 301 (e) of the Sugar Act of 1937, as amended, the following determination is hereby issued:

§ 802.23e *Farming practices in connection with the production of the 1943 crop of sugarcane in the mainland cane sugar area*—(a) *Soil-building requirements.* The conditions prescribed in subsection (e) of section 301 of the Sugar Act of 1937, as amended, shall be deemed to have been fulfilled with respect to the production of the 1943 crop of sugarcane for sugar on any farm in the mainland cane sugar area if there is carried out in 1943, on land on the farm which is adapted to the production of sugarcane for sugar, an acreage of soil-building practices equal to not less than 15 per centum of the acreage of sugarcane for sugar growing on the farm for harvest in 1943.

(b) *Approved practices.* (1) Each acre of the following shall be counted as one acre of soil-building practices:

(i) Seeding winter legumes.

(ii) Plowing or disking under a good stand and good growth of a green manure crop, or cover crop (excluding lespedeza, peanuts hogged off, and nonleguminous cover crops).

(iii) Turning under a good stand and good growth of summer legumes (excluding peanuts, lespedeza, and summer legumes used as truck crops) nut interplanted or grown in combination with row crops such as corn.

(2) Each two acres of the following shall be counted as one acre of soil-building practices:

(i) Turning under a good stand and good growth of summer legumes (excluding peanuts, lespedeza, and summer legumes used as truck crops) interplanted or grown in combination with row crops, such as corn: *Provided*, The summer legume occupies at least one-third of the land.

(3) Each of the following practices in the amounts specified shall be counted as one acre of soil-building practices if applied to a full seeding of winter legumes:

(i) Application of 300 pounds of 16-percent superphosphate (or its equivalent) to, or in connection with the seeding of winter legumes.

(ii) Application of 500 pounds of basic slag or rock phosphate (including Colloidal Phosphate) to, or in connection with the seeding of, winter legumes.

(4) Each one and one-half acres of land the top soil of which is combustible (determined as such by the State Agricultural Conservation Committee) and from which no crop classified as soil-depleting in ACP–1941, 1941 Agricultural Conservation Program Bulletin, as amended, is harvested in 1943 and on which adequate facilities (ditches, pumps and necessary equipment) have been maintained (whether constructed in 1943 or earlier) for flooding the land during the 1943 fire hazard season as a protection against the destruction of such top soil by fire and on which there are carried out the practices specified in paragraphs B, C, D and E of Amendment 3 to Southern Region Bulletin 101, issued June 11, 1937, for protecting the soil against fire, assuring adequate drainage, and preventing soil oxidation and subsidence, shall be counted as one acre of soil-building practices: *Provided, however*, That there shall be carried out on such land on the farm such other practices as are recommended for the farm by the County Agricultural Conservation Committee, and approved by the State Agricultural Conservation Committee, for protecting the soil against fire, assuring adequate drainage, preventing soil oxidation and subsidence, and otherwise preserving and improving the fertility of the soil and preventing soil erosion, such practices to be consistent with reasonable standards of the farming community in which the land is located.

(c) *Standards of performance.* The soil conserving practices shall be carried out on the farm in accordance with farming methods commonly used in the community in which the farm is located and in accordance with specifications approved by the Director of the Southern Division of the Agricultural Adjustment Agency.

(Sec. 301, 50 Stat. 910; 7 U.S.C., 1940 ed. 1131)

Done at Washington, D. C., this 1st day of February, 1943. Witness my hand and seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Assistant Secretary.

[F. R. Doc. 43–1746; Filed, February 2, 1943; 11:17 a. m.]

[1] Formerly Sugar Branch.

Chapter IX—Food Distribution Administration

PART 947—MILK IN THE FALL RIVER, MASSACHUSETTS, MARKETING AREA[1]

ORDER SUSPENDING CERTAIN PROVISIONS, ETC.

Order suspending certain provisions of the order, as amended, regulating the handling of milk in the Fall River, Massachusetts, marketing area.

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 1940 ed. 601 *et seq.*), hereinafter referred to as the "act", and the provisions of the order, as amended, regulating the handling of milk in the Fall River, Massachusetts, marketing area, it is hereby found that the provisions of the said order relating to base ratings for producers of milk, as used in the said order, obstruct and no longer tend to effectuate the declared policy of the act with respect to the producers of milk under such marketing order.

It is, therefore, ordered, That, effective as of 11:59 p. m., e. w. t., January 31, 1943, the following provisions of the order, as amended, regulating the handling of milk in the Fall River, Massachusetts, marketing area are hereby suspended:

1. "except April, May, and June" in § 947.7 (b) (1);
2. § 947.7 (b) (2);
3. § 947.8;
4. "for all delivery periods except April, May, and June of each year" in § 947.9 (a) (1); and
5. § 947.9 (a) (2).

Done at Washington, D. C., this 30th day of January 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] THOMAS J. FLAVIN,
Assistant to the Secretary of Agriculture.[2]

[F. R. Doc. 43–1748; Filed, February 2, 1943; 11:17 a. m.]

[1] 6 F.R. 6168; 7 F.R. 3068.

PART 961—MILK IN THE PHILADELPHIA, PENNSYLVANIA, MARKETING AREA

ORDER SUSPENDING PROVISION

Order suspending provision of § 961.1 (a) (5) of the order regulating the handling of milk in the Philadelphia, Pennsylvania, marketing area.

Pursuant to the provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 1940 ed. 601 *et seq.*), hereinafter referred to as the "act", and the provisions of the order regulating the handling of milk in the Philadelphia, Pennsylvania, marketing area, effective April 1, 1942 (7 F.R. 2377), it is hereby determined that the time limitation with respect to the inclusion of certain farmers (who do not regularly deliver milk for use in the Philadelphia, Pennsylvania, marketing area) as producers, obstructs, and does not tend to effectuate the declared policy of the act.

It is, therefore, ordered, That the words "of October, November, December, and January", which appear in § 961.1 (a) (5) of the said order, shall be, and hereby are, suspended, effective as of 12:01 a. m., e. w. t., February 1, 1943.

Done at Washington, D. C., this 30th day of January 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] THOMAS J. FLAVIN,
Assistant to the Secretary of Agriculture.[2]

[F. R. Doc. 43–1747; Filed, February 2, 1943; 11:17 a. m.]

[2] Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81; 7 F.R. 2656).

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter II—Food Distribution Administration

PART 204—POSTED STOCKYARDS AND LIVE POULTRY MARKETS

BACHMAN & PETERSON LIVESTOCK COMMISSION COMPANY, CHAPPELL, NEBRASKA

FEBRUARY 1, 1943.

Whereas, the Chappell Sales Pavilion was posted on September 11, 1939, as a stockyard subject to the provisions of the Packers and Stockyards Act, 1921; and

Whereas, it appears that said stockyard is now known as Bachman & Peterson Livestock Commission Company, and is being operated by H. C. Peterson and W. J. Bachman, doing business as Bachman & Peterson Livestock Commission Company:

Now, therefore, it is ordered, That the notice of the posting of said stockyard be, and it hereby is, amended to show that the correct name of the stockyard is Bachman & Peterson Livestock Commission Company, Chappell, Nebraska.

THOMAS J. FLAVIN,
Assistant to the Secretary of Agriculture.[1]

[F. R. Doc. 43–1747; Filed, February 2, 1943; 11:17 a. m.]

[1] Modifies list posted stockyards 9 CFR 204.1.

TITLE 24—HOUSING CREDIT

Chapter I—Federal Home Loan Bank Administration

[Bulletin 15]

AGENCY DUTIES OF THE OFFICERS OF THE BANKS

FEBRUARY 1, 1943.

Effective February 1, 1943, the Rules and Regulations for the Federal Home Loan Bank System are amended as follows:

PART 2—ORGANIZATION OF THE BANKS

1. Paragraph (b) of § 2.5 is amended to read as follows:

(b) *Duties of officers*—(1) *In general.* The President shall be the chief administrative officer of the Bank. The President and other officers shall have such powers and duties as are prescribed in the Bank's bylaws and in these Rules and Regulations.

(2) *President.* The President shall endeavor to ascertain whether each member of the Bank is complying with the provisions of section 5 of the Act, whether it is making long term loans as defined in § 1.9 of these Rules and Regulations and whether the character of its management and its home financ-

280, Am. 9)---------- 1466
Fuel oil rationing (Order 11, Supp. 1, Am. 4)---------- 1466

[1] 6 F.R. 6787.

[1] Formerly Sugar Branch

[1] 6 F.R. 6168; 7 F.R. 3068.

[1] Modifies list posted stockyards 9 CFR 204.1.

ing policy is consistent with sound and economical home financing and with the purposes of the Act. If the President finds that a member institution is not conducting its affairs in accordance with the foregoing, he shall request the member so to do. In the event the member does not comply with such request, the President shall report the matter, or cause it to be reported, to the board of directors at its next meeting, insofar as practicable. After the case has been considered by the board of directors, the President shall report such case to the Governor and inform him of any action taken thereon by the board of directors.

(3) *Officers as agents.* For the following purposes, the officers of a Bank, and any employee thereof designated by the Governor, shall be the agents of the Federal Home Loan Bank Administration, the Federal Savings and Loan Insurance Corporation and the Home Owners' Loan Corporation and the counsel of the Bank shall render to said agents such legal services as may be necessary to enable them to properly carry out such duties:

It shall be the specific duty of said agents to give consideration to applications for charters for Federal savings and loan associations, conversions, insurance of accounts by the Federal Savings and Loan Insurance Corporation, and investments by the Home Owners' Loan Corporation in savings and loan associations and to promptly make comments and recommendations upon such applications. Said agents shall transmit to the Federal Home Loan Bank Administration's district examiner, together with their comments and recommendations thereon, applications for conversion, insurance and for investments by the Home Owners' Loan Corporation in savings and loan associations, and shall transmit direct to the Governor, together with their comments and recommendations thereon, applications for charters for Federal savings and loan associations. Such comments and recommendations shall be signed by the agents favoring same, and any agent disagreeing therewith shall make a separate report which shall be forwarded at the same time. An agent shall forward, when requested by the Governor, advice of action taken by the Federal Home Loan Bank Administration, the Federal Savings and Loan Insurance Corporation, and the Home Owners' Loan Corporation upon applications, and instructions and other communications from the Federal Home Loan Bank Administration, the Federal Savings and Loan Insurance Corporation, and the Home Owners' Loan Corporation to the applicant or institution.

(4) *President as agent.* For the following purposes, the President of each Bank shall be the agent of the Federal Home Loan Bank Administration and the Federal Savings and Loan Insurance Corporation and the counsel of the Bank shall render to said agent such legal services as may be necessary to enable him properly to carry out such duties: provided, however, when designated by the Governor, some officer or employee other than, or in addition to, the President, may act as agent or agents of the Federal Home Loan Bank Administration and the Federal Savings and Loan Insurance Corporation:

Said agent shall represent the Federal Home Loan Bank Administration and the Federal Savings and Loan Insurance Corporation in supervising Federal savings and loan associations and institutions in the Bank's district which are insured by the Federal Savings and Loan Insurance Corporation. When, in his opinion, such action should be taken, he shall advise and endeavor to assist Federal savings and loan associations and insured institutions in his Bank district to conduct their operations in conformity with the statutes and the rules and regulations governing them. He shall confer and negotiate, pursuant to instructions from the Federal Home Loan Bank Administration and the Federal Savings and Loan Insurance Corporation, with applicants, their officers, directors, members or creditors, individually or in group meetings, and otherwise as the Federal Home Loan Bank Administration and the Federal Savings and Loan Insurance Corporation may request in writing. He shall see that all Federal savings and loan associations and insured institutions in his Bank district submit to him for his consideration such matters as budgets, applications for Federal Home Loan Bank Administration approval of amendments to charters or bylaws, petitions for Federal Home Loan Bank Administration permission to establish branch offices, applications for Federal Home Loan Bank Administration approval of the purchase of assets or of consolidations, dissolutions, or mergers, and such other similar matters as are required to be approved by the Federal Home Loan Bank Administration or by the Federal Savings and Loan Insurance Corporation under the statutes and rules and regulations. When these matters come to the attention of said agent he shall, after giving them due consideration, submit them, with his recommendations thereon, to the Governor for such action as he may deem appropriate. After the issuance by the Federal Home Loan Bank Administration of a charter for a Federal savings and loan association, said agent shall follow up the corporate actions taken by the association in the completion of its organization, and shall require the association to comply with the laws, the rules and regulations made thereunder, and such other requirements as may be applicable thereto. Said agent shall represent the Federal Home Loan Bank Administration and the Federal Savings and Loan Insurance Corporation in supervising the bonding of directors, officers and employees of Federal savings and loan associations and insured institutions as required by the statutes, bylaws and rules and regulations governing such institutions.

Upon receiving from the District Examiner two copies of a report of a supervisory examination of a Federal savings and loan association or an insured institution, together with the District Examiner's analysis thereof, said agent shall make a careful study of such report and analysis, and shall transmit to the institution examined its copy of the report of the examination, and, if necessary, a supervisory letter on stationery provided by the Federal Home Loan Bank Administration and the Federal Savings and Loan Insurance Corporation for such purposes. Said agent shall forward promptly to the Governor copies of all transmittal and other supervisory letters and reports of supervisory conferences or meetings with officers or directors of Federal savings and loan associations and insured institutions. The Governor will consider the documents so forwarded and will advise the said agent concerning such matters as may appear to be appropriate. Any instructions or recommendations from the Governor to the said agent with respect to his duties as agent of the Federal Home Loan Bank Administration and the Federal Savings and Loan Insurance Corporation, shall be acted upon promptly.

PART 3—MEMBERS OF BANKS

2. Paragraph (c) of § 3.2 is amended to read as follows:

(c) *Examination and review of application.* The officers of the Bank shall promptly consider the application for membership, together with such supplemental information as may be available to them with respect to the eligibility of the applicant, and shall report their recommendations thereon to the board of directors or to the executive committee of the Bank, which shall consider the officers' report and shall then transmit the application to the Federal Home Loan Bank Administration with its recommendations thereon as provided in the bylaws. If definite action on the application has not been taken by the Board of Directors or the Executive Committee at the meeting next succeeding the date of receipt by the Bank of the application, the President shall cause the Governor to be notified of the receipt of the application and the reason for the delay in transmitting it to the Federal Home Loan Bank Administration.

PART 4—OPERATION OF THE BANKS

3. Paragraph (g) of § 4.1 is repealed and paragraph (h) is relettered as paragraph (g).

PART 6—FEDERAL HOME LOAN BANK BOARD

4. Paragraph (a) of § 6.2 is amended to read as follows:

(a) *Governor, Federal Home Loan Bank System.* The Governor of the Federal Home Loan Bank System shall be the chief administrative officer under the Federal Home Loan Bank Commissioner and shall be directly responsible to the Federal Home Loan Bank Administration for the administration of the Banks, under regulations prescribed by the Federal Home Loan Bank Administration and as directed by it. Officials of the Banks and the public shall deal directly with the Governor in administrative matters. The Governor shall be responsible for such supervision of all Federal savings and loan associations as is provided by the statute and the regulations made thereunder, for such supervision of other insured institutions as the Federal Savings and Loan Insurance Corporation may provide, and for such supervision of other members of the Banks as may be appropriate under the Act and regulations made thereunder. Such supervision shall be accomplished though such staff as may be necessary in Washington, D. C., and in the field through the agents of the Federal Home Loan Bank Administration and the Federal Savings and Loan Insurance Corporation.

PART 7—SUPERVISION

5. Section 7.1 is amended to read as follows:

§ 7.1 *General supervisory powers.* The Federal Home Loan Bank Administration and the Federal Savings and Loan Insurance Corporation shall have original authority in the exercise of the supervisory powers granted to them by law. As provided in paragraph (a) of § 6.2 of these regulations, supervision of all Federal savings and loan associations, insured institutions, and other members shall be under the direction of the Governor and shall be administered by him through such staff of employees as may be necessary and through the agents of the Federal Home Loan Bank Administration and the Federal Savings and Loan Insurance Corporation.

6. Section 7.2 is repealed.

7. Section 7.3 is renumbered as § 7.2 and amended in the following particulars:

a. The title of such section is amended to read *Examinations, reports and records.*

b. The last four sentences of paragraph (a) are repealed.

c. Paragraph (b) is amended to read as follows:

(b) *Records to be kept.* Reports, analyses, and correspondence of the Bank, of the agents of the Federal Home Loan Bank Administration, the Federal Savings and Loan Insurance Corporation and the Home Owners' Loan Corporation and of the District Examiner pertaining specifically to member and insured institutions in the district shall be maintained by the Bank in files for the use of the Bank, the agents of the Federal Home Loan Bank Administration, the Federal Savings and Loan Insurance Corporation, the District Examiners, and the said agents of the Home Owners' Loan Corporation.

(Secs. 12 and 17 of F.H.L.B.A., 47 Stat. 735, 736, sec. 4 (n) of H.O.L.A. of 1933, as added by sec. 17 (a), 49 Stat. 297, sec. 5 (a) of H.O.L.A. of 1933, 48 Stat. 132, sec. 5 (i) of H.O.L.A. of 1933, as amended by sec. 6, 48 Stat. 646, sec. 402 (a), (c) of N.H.A., 48 Stat. 1256; 12 U.S.C. 1432, 1437, 1464 (a), (i), 1725 (a), (c) and Sup. 1463 (n))

These amendments are deemed to be of a procedural character within the provisions of paragraph (b) of § 8.3 of the Rules and Regulations for the Federal Home Loan Bank System.

[SEAL] JAMES TWOHY,
Governor.
HAROLD LEE,
General Counsel.
ORMOND E. LOOMIS,
Executive Assistant to the Commissioner.

[F. R. Doc. 43-1702; Filed, February 1, 1943; 12:43 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter C—Miscellaneous Excise Taxes

[Regulations 113, 1943 Ed.]

PART 143—REGULATIONS RELATING TO THE TAX WITH RESPECT TO THE TRANSPORTATION OF PROPERTY

SUBPART A—INTRODUCTORY

Sec.
143.0 Scope of regulations.

SUBPART B—DEFINITIONS

143.1 Meaning of terms.

SUBPART C—GENERAL PROVISIONS

143.10 Effective period.
143.11 Scope of tax.
143.12 Rate of tax.
143.13 Application of tax.
143.14 Accessorial and other miscellaneous charges.
143.15 In-transit shipments.

SUBPART D—GOVERNMENTAL EXEMPTIONS

143.20 Payments by or to the United States.
143.21 Payments by a State or political subdivision thereof.

SUBPART E—EXPORT SHIPMENTS

143.30 Transportation of property beyond the boundaries of the United States.
143.31 Continuity of movement.
143.32 Bills of lading.
143.33 Temporary exemption certificate.
143.34 Certificate of exportation.
143.35 Pools or similar arrangements.

SUBPART F—REGISTRATION

143.40 Registration.

SUBPART G—RETURNS, PAYMENT OF TAX, AND RECORDS

143.50 Duty to collect, return, and pay tax.
143.51 Records.
143.52 Returns.
143.53 Extension of time.
143.54 Payment of taxes.
143.55 Refusal to pay taxes.
143.56 Jeopardy assessment.

SUBPART H—MISCELLANEOUS PROVISIONS

143.60 Credits.
143.61 Abatement or refund of erroneous or illegal assessments or collections.
143.62 Penalties and interest.
143.63 Promulgation of regulations.

AUTHORITY: §§ 143.0 to 143.63, inclusive, issued under secs. 3472, 3791 of the Internal Revenue Code (53 Stat. 423 and 467, 26 U.S.C., 3472, 3791), and follow the statutory provisions to which they, respectively, refer.

SUBPART A—INTRODUCTORY

§ 143.0 *Scope of regulations.* These regulations deal with the excise tax with respect to the transportation of property imposed by Chapter 30, Subchapter E, of the Internal Revenue Code, as added by section 620 of the Revenue Act of 1942.

Subpart B defines certain of the terms that are used in the Code and in these regulations.

Subpart C contains general provisions relating to the effective period, scope, rates, and application of the tax.

Subpart D deals with exemption from the tax in the case of amounts paid by or to the United States or any agency or instrumentality thereof for the transportation of property, and with amounts paid by a State for such transportation.

Subpart E relates to exemption from the tax in the case of property shipped for export and actually exported.

Subpart F deals with the registration of taxpayers.

Subpart G deals with returns, payment of tax, and records.

Subpart H contains miscellaneous provisions relating to refunds and credits, and penalties and interest.

The statutory references are to the Internal Revenue Code (53 Stat., Part 1) unless otherwise stated.

SUBPART B—DEFINITIONS

SEC. 3797. DEFINITIONS.

(a) When used in this title, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) *Person.* The term "person" shall be construed to mean and include an individual, a trust, estate, partnership, company, or corporation.

(2) *Partnership and partner.* The term "partnership" includes a syndicate, group, pool, joint venture, or other unincorporated organization, through or by means of which any business, financial operation, or venture is carried on, and which is not, within the meaning of this title, a trust or estate or a corporation; and the term "partner" includes a member in such a syndicate, group, pool, joint venture, or organization.

(3) *Corporation.* The term "corporation" includes associations, joint-stock companies, and insurance companies.

* * * * * *

(9) *United States.* The term "United States" when used in a geographical sense includes only the States, the Territories of Alaska and Hawaii, and the District of Columbia.

(10) *State.* The word "State" shall be construed to include the Territories and the District of Columbia, where such construction is necessary to carry out provisions of this title.

(11) *Secretary.* The term "Secretary" means the Secretary of the Treasury.

(12) *Commissioner.* The term "Commissioner" means the Commissioner of Internal Revenue.

(13) *Collector.* The term "collector" means collector of internal revenue.

(14) *Taxpayer.* The term "taxpayer" means any person subject to a tax imposed by this title.

* * * * * *

(b) *Includes and including.* The terms "includes" and "including" when used in a definition contained in this title shall not be deemed to exclude other things otherwise within the meaning of the term defined.

* * * * * *

§ 143.1 *Meaning of terms.* As used in these regulations, unless otherwise specified or indicated by the context:

(a) *General.* The terms defined in the applicable provisions of law shall have the meanings so assigned to them.

(b) *Person engaged in the business of transporting property for hire.* The term "person engaged in the business of transporting property for hire" includes a common carrier, contract carrier, local moving or drayage concern, freight forwarder, express company, or other person transporting property for hire wholly or in part by rail, motor vehicle, water or air.

(c) *Carrier.* The term "carrier" is coextensive with the term "person engaged in the business of transporting property for hire."

(d) *Transportation.* The term "transportation" as used herein means the movement of property by a person en-

gaged in the business of transporting property for hire, including interstate, intrastate, and intra-city or other local movements, as well as towing, ferrying, switching, etc. In general, it includes accessorial services furnished in connection with a transportation movement, such as loading, unloading, blocking and staking, elevation, transfer in transit, ventilation, refrigeration, icing, storage, demurrage, lighterage, trimming of cargo in vessels, wharfage, handling, feeding and watering livestock, and similar services and facilities.

(e) *Property.* The term "property" means any physical matter regardless of value over which the right of ownership or control may be exercised, including currency, documents, papers of all kinds, etc.

(f) *Coal.* The term "coal" as used herein includes anthracite, bituminous, semi-bituminous, sub-bituminous and lignite coal, coal dust, and coke and briquettes made from coal.

SUBPART C—GENERAL PROVISIONS

SEC. 620. TRANSPORTATION OF PROPERTY. (Revenue Act of 1942.)

(a) Chapter 39 is amended by inserting at the end thereof the following new subchapter:

SUBCHAPTER E—TRANSPORTATION OF PROPERTY

SEC. 3475. TRANSPORTATION OF PROPERTY.

(a) *Tax.* There shall be imposed upon the amount paid within the United States after the effective date of this section for the transportation on or after such effective date, of property by rail, motor vehicle, water, or air from one point in the United States to another, a tax equal to 3 per centum of the amount so paid, except that, in the case of coal, the rate of tax shall be 4 cents per short ton. Such tax shall apply only to amounts paid to a person engaged in the business of transporting property for hire, including amounts paid to a freight forwarder, express company, or similar person, but not including amounts paid by a freight forwarder, express company, or similar person for transportation with respect to which a tax has previously been paid under this section. In the case of property transported from a point without the United States to a point within the United States the tax shall apply to the amount paid within the United States for the part of the transportation which takes place within the United States. The tax on the transportation of coal shall not apply to the transportation of coal with respect to which there has been a previous taxable transportation.

. . . . . .

(c) *Effective date of section.* The amendments made by this section shall take effect on the first day of the first month which begins more than thirty days after the date of the enactment of this Act.

§ 143.10 *Effective period.* The tax on the transportation of property imposed by section 3475 (a) is effective with respect to transportation originating on or after December 1, 1942, and continues in effect indefinitely.

§ 143.11 *Scope of tax.* Section 3475 (a) imposes a tax upon amounts paid within the United States after December 1, 1942, to a person engaged in the business of transporting property for hire, for transportation, originating on or after such date, of property by rail, motor vehicle, water, or air from one point in the United States to another.

§ 143.12 *Rate of tax.* The tax is equal to 3 per cent of the taxable payment for the transportation of property, except that in the case of coal the rate of tax is 4 cents per short ton (2,000 pounds).

§ 143.13 *Application of tax—(a) In general.* The tax is payable by the person making the taxable transportation payment and is collectible by the person receiving such payment. (See § 143.50.)

The tax applies to the total amount paid within the United States for transportation of property from one point in the United States to another even though while en route part of the transportation movement is through a foreign country.

The tax applies to any payment, not specifically exempted, for the transportation of property, made to a person engaged in the business of transporting property for hire, including a payment made by one such person to another, but not including an amount paid by a carrier, a freight forwarder, express company, or similar person for transportation with respect to which a tax is payable to such person.

The tax applies only to amounts paid after December 1, 1942, for transportation which originated on or after that date. No tax attaches to payments for transportation originating prior to the first moment of December 1, 1942. Payments made prior to December 2, 1942, are not taxable regardless of when the transportation occurs.

In the case of property transported from a point without the United States to a point within the United States the tax applies to any amount paid within the United States for that part of the transportation which takes place within the United States.

Where the amount paid in the United States covers the entire movement of property from point of origin in a foreign country to an inland point in the United States, the tax will apply to the pro rata part of such payment which represents transportation within the United States. However, in the case of shipments of foreign origin arriving by water, no tax will attach to transportation or services performed prior to the unlading of property at the port of first arrival.

The tax does not apply: (1) to an amount paid outside the United States for the transportation of property from a point without the United States to a point within the United States; (2) to an amount paid by a carrier, freight forwarder, express company or similar person for the transportation of property with respect to which a tax is payable to such carrier, freight forwarder, express company or similar person; (3) to an amount paid by or to the United States or any agency or instrumentality thereof for the transportation of property (see § 143.20); (4) to an amount paid by a State, or political subdivision thereof, for the transportation of property (see § 143.21); or (5) to an amount paid for the transportation of property in course of exportation or shipment to a possession of the United States and actually so exported or shipped (see § 143.30).

(b) *Coal.* An amount paid after December 1, 1942, with respect to the first transportation for hire originating on or after that date if coal is subject to tax, except that if such payment covers a movement from the mine to a preparation plant, including a breaker, washery or tipple, the tax will apply to the first transportation for hire which occurs thereafter.

An amount paid for transportation of coal is not taxable if there has been a previous taxable transportation of such coal. However, as there was no "taxable transportation" of coal prior to December 1, 1942, the tax applies to the amount paid for the first movement for hire, originating on or after that date, of all prepared coal, or of coal which is to be consumed in its unprepared state, irrespective of the fact that there may have been one or more previous movements of such coal for hire.

No tax attaches with respect to the transportation of unprepared coal from the mine to a preparation plant, including a breaker, washery or tipple.

An amount paid for the transportation of coke or briquettes made from coal is not subject to tax: *Provided*, There has been a previous taxable transportation of the coal or coal dust from which such coke or briquettes were manufactured.

When a person delivers to a carrier a quantity of coal for a transportation movement, and the transportation tax has previously been paid with respect to the coal so delivered, a statement to that effect shall be endorsed on the bill of lading or other shipping papers. This endorsement shall constitute authority to the carrier not to collect tax with respect to the transportation charges due on such shipment.

§ 143.14 *Accessorial and other miscellaneous charges—(a) Circus or show trains.* An amount paid pursuant to a contract for the movement of a circus or show train is subject to the 3 per cent tax where the amount covers only the transportation of the performers, laborers, equipment, etc., by the circus or show train. However, if the contract payment also covers the issuance to advance agents, bill posters, etc., of circus or show scrip books or other evidence of the right to transportation for use on regular passenger trains, that portion of the contract payment properly allocable to such scrip books or other evidence is subject to tax as an amount paid for the transportation of persons imposed under section 3469 of the Internal Revenue Code. The balance of the contract payment is subject to the tax on the transportation of property.

(b) *Refused or unclaimed property.* When damaged, refused or unclaimed property is sold by a carrier in satisfaction of a transportation charge, the carrier will collect from the purchaser the tax on the net amount realized from such sale to the extent of, but not in excess of, the actual transportation charge.

(c) *Baggage.* An amount paid, in connection with the transportation of persons, for the transportation of baggage, including incidental charges on account of excess weight, excess value, storage, transfer, special delivery, etc., or an amount so paid for a special baggage or express car or other conveyance, is subject to the tax on the transportation of property if separable from the payment for the transportation of persons and separately shown on the records of the carrier. Otherwise, the tax on the transportation of persons applies.

§ 143.15 *In-transit shipments.* In the case of an in-transit shipment where a carrier has charged a local rate from the point of origin to the in-transit point and also a local rate from the in-transit point to the point of destination, and subsequently an adjustment is made for the difference between the sum of the local rates and the through rate, the carrier is authorized to make adjustment of the proportionate amount of tax involved and take credit for such amount in a subsequent monthly return.

SUBPART D—GOVERNMENTAL EXEMPTIONS

SEC. 3475. TRANSPORTATION OF PROPERTY. (As added by section 620 of the Revenue Act of 1942.)

. . . . . .

(b) *Exemption of government transportation.* The tax imposed under this section shall not apply to amounts paid by or to the United States or any agency or instrumentality of the United States for the transportation of property.

§ 143.20 *Payments by or to the United States.* An amount paid to the United States or any agency or instrumentality thereof for the transportation of property is exempt from tax.

An amount paid directly to a carrier by the United States or any agency or instrumentality thereof for the transportation of property is likewise exempt.

In neither case will an exemption certificate be required.

§ 143.21 *Payments by a State or political subdivision thereof.* An amount paid directly to a carrier by a State, or political subdivision thereof, for the transportation of property is exempt from tax and no exemption certificate will be required.

SUBPART E—EXPORT SHIPMENTS

§ 143.30 *Transportation of property beyond the boundaries of the United States.* The tax will not apply to an amount paid in the United States for transportation of property in course of exportation to a foreign destination, or shipment to a possession of the United States, in accordance with the applicable requirements of these regulations. The provisions of this subpart covering transportation of property for export shall also apply to transportation to a possession of the United States.

Property will be considered to be in course of exportation from the time of delivery to a carrier in the United States for transportation by continuous movement to a point beyond the boundaries of the United States. The term "United States" means the States, the Territories of Alaska and Hawaii, and the District of Columbia.

A shipment moving through the United States from one foreign point to another is deemed to be in course of exportation. However, if a break in the movement occurs within the United States, the tax will apply to any payment made in the United States with respect to that part of the transportation which takes place in the United States. Any subsequent transportation of such property would be regarded as a separate movement.

The export character of a shipment shall be evidenced by a contract, order, proposal of purchase or other written evidence of intention to export, antedating the delivery of the shipment to the carrier.

§ 143.31 *Continuity of movement.* The continuity of the movement shall be evidenced by a through bill of lading covering a shipment to contiguous foreign territory, or a through export bill of lading covering a land-and-ocean shipment to non-contiguous foreign territory or to a possession of the United States, or, when the movement has not been under through shipping papers, by the bills of lading, freight or express receipts or other evidence. Any break in the movement must be due to the fault of transportation and not to any act of the shipper.

In case a break occurs in the movement of property shipped for export, which is not the fault of transportation, and the property comes to rest in transit prior to exportation, that part of the amount paid for the transportation which pertains to the movement from the point of origin to the point where the break occurs is taxable. A "break" may be said to occur wherever the property is stopped for a business purpose, such as grading, cleaning, mixing, sorting, or manufacture, and not merely in accommodation to the means of transportation.

When a shipment originating in, and consigned to a destination in, the United States, is subsequently diverted or reconsigned to a foreign destination and exported, tax will be due on that part of the amount paid for transportation which covers the movement from the point of origin to the point where the diversion or reconsignment to the foreign destination occurs. The amount paid for transportation from the point of diversion or reconsignment to the foreign destination will be considered as exempt from tax provided a temporary exemption certificate and certificate of exportation are filed. (See §§ 143.33 and 143.34.)

The related bill of lading or receipt, or other evidence of the continuity of the movement, shall be made available for inspection by internal revenue officers and retained by the shipper or other person who pays for the transportation for a period of four years from the date of payment.

§ 143.32 *Bills of lading.* An amount paid for the transportation of property shipped direct from a point within the United States to a point outside the United States under a through bill of lading or a through export bill of lading will be treated as exempt from the transportation tax, without further evidence of actual exportation. In case a through bill of lading is not issued at the point of origin, but the shipper intends to obtain a through bill of lading, there should be stamped across the original shipping papers the words: "To be exchanged for through bill of lading". The original shipping papers in such case must show a consignee and destination outside the United States.

A shipment to contiguous foreign territory not made on a through bill of lading, or a land-and-ocean shipment not made on a through export bill of lading, must be covered by a temporary exemption certificate, and proof of the exportation of the shipment must be established by the subsequent filing of a certificate of exportation as explained in §§ 143.33 and 143.34.

A bill of lading covering property consigned to a person at a border point or port of exportation, even though showing the name of a foreign consignee and an ultimate foreign destination, is not a through bill of lading within the meaning of these regulations and shipments so consigned, in order to be exempt from the transportation tax, must be covered by a temporary exemption certificate and a certificate of exportation.

§ 143.33 *Temporary Exemption Certificate.* The Temporary Exemption Certificate, Form 798, shall be executed in accordance with the instructions printed thereon and in these regulations, and filed in duplicate by the shipper or other person who pays the transportation charge with the agent of the carrier at the time of payment. The carrier receiving a Temporary Exemption Certificate, in duplicate, shall retain the duplicate with the paid transportation document, and forward the original securely attached to its monthly return, Form 727, Revised, to the collector of internal revenue for the district in which the carrier's principal place of business is located.

If a break for a business purpose occurs in the transportation movement covered by a Temporary Exemption Certificate, the amount paid for the transportation from the point of origin to the point where the break occurs is taxable.

§ 143.34 *Certificate of Exportation.* Upon receipt of evidence of the actual exportation of a shipment, covering which a Temporary Exemption Certificate on Form 798 has been filed, the shipper or other person who paid for the transportation of the shipment to the point of export shall execute Form 799, Certificate of Exportation, in duplicate, retain the duplicate with the shipping papers, and at the close of the month forward the original to the Commissioner of Internal Revenue, Washington, D. C., attention: MT:M.

Documentary evidence of the exportation of the property, such as a copy of export bill of lading, memorandum from the captain of the vessel, customs official, or foreign consignee, shipper's export declaration, or other evidence sufficient to establish the fact that the property has actually been exported, shall be made available for inspection by internal revenue officers and be retained by the person paying the transportation charge for a period of four years.

If a properly executed certificate of exportation is not furnished within six months from the date of shipment from

the point of origin, the tax on the amount paid for transportation will be assessed and collected from the person who paid for the transportation.

§ 143.35 *Pools or similar arrangements.* Property intended expressly for export may be shipped from an interior point into a pool or similar arrangement, such as a grain elevator, oil storage tank, coal yard, etc., and, in continuation of the export movement, an equivalent amount of property of the same grade and kind, only, may be shipped therefrom to a place outside the United States.

The movement of property intended for export from an interior point to a pool shall be covered by a Temporary Exemption Certificate, Form 798, executed and filed as provided in § 143.33. This certificate shall have the word "Pool" typed, printed or stamped in the space provided therefor immediately beneath the number of the certificate.

Where a person has been designated to direct the exporting operations of a pool with authority to control its accounting practice, an additional copy of the Temporary Exemption Certificate, Form 798, filed with the carrier covering each shipment entering the pool, shall be furnished to such person by the person who pays the transportation charge. The director of the pool may, in behalf of the shipper or other person who paid the transportation charge, execute Form 799 as prescribed in § 143.34 covering shipments made from the pool for export.

No exemption from tax will be allowed with respect to transportation of property entering a pool in excess of the quantity of the same grade and kind actually exported therefrom.

SUBPART F—REGISTRATION

SEC 3475 TRANSPORTATION OF PROPERTY. (As added by section 620 of the Revenue Act of 1942.)

* * * * *

(e) *Registration.* Every person engaged in the business of transporting property for hire, including freight forwarders, express companies, and similar persons, shall, on or before the sixtieth day after the effective date of this section, or within sixty days after first engaging in the business of transportation of property for hire, register his name and his place or places of business with the collector in the district in which is located the principal place of business of such person. Every such person who fails to register within the period specified shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than $50.

§ 143.40 *Registration.* Every person engaged in the business of transporting property for hire, by rail, motor vehicle, water or air, including freight forwarders, express companies, and similar persons, shall, on or before January 30, 1943, or within sixty days after first engaging in the business of transportation of property for hire, file Application for Registry on Form 800 with the collector for the district in which is located his principal place of business (or if he has no principal place of business in the United States, then with the Collector of Internal Revenue, Baltimore, Maryland). A new application must be filed immediately upon removal of the place of business to a new location.

The collector receiving an application for registry will issue Certificate of Registry, Form 800A, which must be posted in the registered place of business.

Every person required to register who fails to do so within the specified period is liable for the penalties imposed by law.

SUBPART G—RETURNS, PAYMENT OF TAX, AND RECORDS

SEC 3475. TRANSPORTATION OF PROPERTY. (As added by section 620 of the Revenue Act of 1942.)

* * * * *

(c) *Returns and payment.* The tax imposed by this section shall be paid by the person making the payment subject to the tax. Each person receiving any payment specified in subsection (a) shall collect the amount of the tax imposed from the person making such payment, and shall, on or before the last day of each month, make a return, under oath, for the preceding month, and pay the taxes so collected to the collector in the district in which his principal place of business is located, or if he has no principal place of business in the United States, to the collector at Baltimore, Maryland. Such returns shall contain such information and be made in such manner as the Commissioner with the approval of the Secretary may by regulations prescribe.

(d) *Extensions of time.* The Commissioner may extend the time for making returns and paying the taxes collected, under such rules and regulations as he shall prescribe with the approval of the Secretary, but no such extension shall be for more than ninety days.

SEC 3470 PAYMENT OF TAXES.

The taxes imposed by this chapter shall, without assessment by the Commissioner or notice from the collector, be due and payable to the collector at the time fixed for filing the return.

LIABILITY FOR TAXES COLLECTED

SEC 3661 ENFORCEMENT OF LIABILITY FOR TAXES COLLECTED.

Whenever any person is required to collect or withhold any internal-revenue tax from any other person and to pay such tax over to the United States, the amount of tax so collected or withheld shall be held to be a special fund in trust for the United States. The amount of such fund shall be assessed, collected, and paid in the same manner and subject to the same provisions and limitations (including penalties) as are applicable with respect to the taxes from which such fund arose.

SEC. 3658 FRACTIONAL PARTS OF A CENT.

In the payment of any tax under this title not payable by stamp a fractional part of a cent shall be disregarded unless it amounts to one-half cent or more, in which case it shall be increased to 1 cent.

RECORDS, STATEMENTS, AND SPECIAL RETURNS

SEC. 1720 RECORDS, STATEMENTS, AND RETURNS.

Every person liable to any tax imposed by this chapter, or for the collection thereof, shall keep such records, render under oath such statements, make such returns, and comply with such rules and regulations, as the Commissioner, with the approval of the Secretary may from time to time prescribe.

SEC 3603. NOTICE REQUIRING RECORDS, STATEMENTS, AND SPECIAL RETURNS.

Whenever in the judgment of the Commissioner necessary he may require any person, by notice served upon him, to make a return, render under oath such statements, or keep such records as the Commissioner deems sufficient to show whether or not such person is liable to tax.

SEC 3634 EXTENSION OF TIME FOR FILING RETURNS.

If the failure to file a return (other than a return of income tax) or list at the time prescribed by law or by regulation made under authority of law is due to sickness or absence, the collector may allow such further time, not exceeding thirty days, for making and filing the return or list as he deems proper.

SEC 3632. AUTHORITY TO ADMINISTER OATHS, TAKE TESTIMONY, AND CERTIFY.

(a) *Internal Revenue personnel—(1) Persons in charge of administration of Internal Revenue laws generally.* Every collector, deputy collector, internal revenue agent, and internal revenue officer assigned to duty under an internal revenue agent, is authorized to administer oaths and to take evidence touching any part of the administration of the internal revenue laws with which he is charged, or where such oaths and evidence are authorized by law or regulation authorized by law to be taken.

* * * * *

(b) *Others.* Any oath or affirmation required or authorized by any internal revenue law or by any regulations made under authority thereof may be administered by any person authorized to administer oaths for general purposes by the law of the United States, or of any State, Territory, or possession of the United States, or of the District of Columbia, wherein such oath or affirmation is administered, or by any consular officer of the United States. This subsection shall not be construed as an exclusive enumeration of the persons who may administer such oaths or affirmations.

SEC 3330. WITNESSING OF RETURNS IN LIEU OF OATH.

The Commissioner, with the approval of the Secretary, may by regulation prescribe that any return required by any internal revenue law (except returns required under income or estate tax laws) to be under oath may, if the amount of the tax covered thereby is not in excess of $10, be signed or acknowledged before two witnesses instead of under oath.

SEC. 3612 RETURNS EXECUTED BY COMMISSIONER OR COLLECTOR.

(a) *Authority of collector.* If any person fails to make and file a return or list at the time prescribed by law or by regulation made under authority of law, or makes, willfully or otherwise, a false or fraudulent return or list, the collector or deputy collector shall make the return or list from his own knowledge and from such information as he can obtain through testimony or otherwise.

(b) *Authority of Commissioner.* In any such case the Commissioner may, from his own knowledge and from such information as he can obtain through testimony or otherwise—

(1) *To make return.* Make a return, or

(2) *To amend collector's return.* Amend any return made by a collector or deputy collector.

(c) *Legal status of returns.* Any return or list so made and subscribed by the Commissioner, or by a collector or deputy collector and approved by the Commissioner, shall be prima facie good and sufficient for all legal purposes.

* * * * *

EXAMINATION OF BOOKS AND WITNESSES

SEC 3614 EXAMINATION OF BOOKS AND WITNESSES.

(a) *To determine liability of the taxpayer.* The Commissioner, for the purpose of ascertaining the correctness of any return or for the purpose of making a return where none has been made, is authorized, by any officer or employee of the Bureau of Internal Revenue, including the field service, designated by him for that purpose, to examine any books, papers, records, or memoranda bearing upon the matters required to be included in the return, and may require the attendance of the person rendering the return or of any officer or employee of such person, or the attendance of any other person having knowledge in the premises, and may take his testimony with reference to the matter required by law to be included in such return, with power to administer oaths to such person or persons.

* * * * *

APPLICABILITY OF ADMINISTRATIVE PROVISIONS

SEC. 3473. APPLICABILITY OF ADMINISTRATIVE PROVISIONS.

All provisions of law (including penalties) applicable in respect of the taxes imposed by section 1700, shall, in so far as applicable and not inconsistent with this chapter, be applicable in respect of the taxes imposed by this chapter.

SEC. 1722. OTHER LAWS APPLICABLE.

All administrative, special, or stamp provisions of law, including the law relating to the assessment of taxes, so far as applicable, shall be extended to and made a part of this chapter.

SEC. 1719. DISCRETIONARY METHOD ALLOWED COMMISSIONER FOR COLLECTING TAX.

Whether or not the method of collecting any tax imposed by this chapter is specifically provided herein, any such tax may, under regulations prescribed by the Commissioner, with the approval of the Secretary be collected by stamp, coupon, serial-numbered ticket, or such other reasonable device or method as may be necessary or helpful in securing a complete and prompt collection of the tax. All administrative and penalty provisions of subchapters A, B, and C of chapter 11, in so far as applicable, shall apply to the collection of any tax which the Commissioner determines or prescribes shall be collected in such manner.

§ 143.50 *Duty to collect, return, and pay tax.* Every person receiving any taxable payment for the transportation of property must collect the tax from the person making such payment at the time the payment is made.

§ 143.51 *Records.* Every person required by the provisions of the Code to collect any tax on any amount paid for the transportation of property must keep accurate records to show with respect to each individual transaction the amount of tax collected or evidence of the right to exemption where tax is not collected. Such records shall be kept for at least four years from the date the tax is due, and shall at all times be open to inspection by internal revenue officers. For penalties for failure to keep proper and accurate records, see § 143.62.

§143.52 *Returns.* Every person required to collect any tax on any amount paid for the transportation of property must make returns on Form 727 (Revised) in accordance with the instructions printed on the back thereof and in these regulations. A return must be made, in duplicate, under oath, for each calendar month, and must be sworn to before a person duly authorized to administer oaths, unless the amount of tax returned is $10 or less, when it may be signed or acknowledged before two witnesses. The return, together with the amount of the tax, must be filed with the collector of the district in which the principal place of business of the person required to file the return is located (or if he has no principal place of business in the United States, with the collector at Baltimore, Md.), on or before the last day of the month following that for which it is made, except where otherwise required. (See § 143.53, relating to extension of time, and §143.56, relating to jeopardy assessments.)

When the last day of the month in which a return is due falls on Sunday or a legal holiday, the return may be filed with the collector of internal revenue or his authorized representative on the next secular or business day. If a person charged with the duty of collecting and paying over the tax on any of the facilities or services specified above discontinues business for any reason, the last return to be filed shall be marked "Final Return."

For penalties for failure to file, or delinquency in filing, returns, see § 143.62.

§ 143.53 *Extension of time.* If it is found impossible to make the proper return within the prescribed time, a request may be filed with the Commissioner for an extension of time, and upon a proper showing the Commissioner may, pursuant to section 3475, fix a definite time in each instance within which the return may be filed, but in no case shall such extension exceed ninety days.

§ 143.54 *Payment of taxes.* All taxes are due and payable to the collector of internal revenue, without assessment by the Commissioner or notice from the collector, at the time fixed for filing the return. If the tax is not paid when due there shall be added, as part of the tax, interest at the rate of 6 per cent per annum from the time the tax became due to the actual date of payment or assessment, whichever is prior. (See § 143.62)

§ 143.55 *Refusal to pay taxes.* If a person to whom taxable transportation service is furnished refuses to pay the tax imposed thereon, or if for any reason it is impossible for the collecting agency to collect the tax from such person, the collecting agency should report to the collector of internal revenue for the district in which its returns are filed the name and address of such person, the nature of the service rendered, the amount paid for such service, and the date on which paid. Upon receipt of such information the collector will report the item to the Commissioner for direct assessment. (See § 143.62 for penalties for refusal to pay tax)

JEOPARDY ASSESSMENT

SEC. 3660. JEOPARDY ASSESSMENT.

(a) If the Commissioner believes that the collection of any tax (other than income tax, estate tax, and gift tax) under any provision of the internal-revenue laws will be jeopardized by delay, he shall, whether or not the time otherwise prescribed by law for making return and paying such tax has expired, immediately assess such tax (together with all interest and penalties the assessment of which is provided for by law). Such tax, penalties, and interest shall thereupon become immediately due and payable, and immediate notice and demand shall be made by the collector for the payment thereof. Upon failure or refusal to pay such tax, penalty, and interest, collection thereof by distraint shall be lawful without regard to the period prescribed in section 3690.

(b) The collection of the whole or any part of the amount of such assessment may be stayed by filing with the collector a bond in such amount, not exceeding double the amount as to which the stay is desired, and with such sureties, as the collector deems necessary, conditioned upon the payment of the amount collection of which is stayed, at the time at which, but for this section, such amount would be due.

§ 143.56 *Jeopardy assessment.* Whenever in the opinion of the collector it becomes necessary to protect the interests of the Government by effecting immediate collection of tax, the matter shall be promptly reported to the Commissioner by telegram or letter showing the reasons therefor. The communication must state the full name and address of the person involved, the kind and amount of tax due, and the period involved, so that the Commissioner can immediately assess the tax, together with all penalties and interest due. Such tax, penalties, and interest will, upon assessment, become immediately due and payable, and the collector shall, without delay, issue a notice and demand for payment thereof in full.

The collection of the whole or any part of the amount of such assessment may be stayed by filing with the collector a bond in such amount, not exceeding double the amount with respect to which the stay is desired, and with such sureties as the collector deems necessary, conditioned upon the payment of the amount, collection of which is stayed, at the time at which such amount would normally be due.

Upon refusal to pay, or failure to pay or give bond, the collector shall proceed immediately to collect the tax, penalty, and interest, by distraint, without regard to the 10-day period after notice and demand prescribed in section 3690.

SUBPART H—MISCELLANEOUS PROVISIONS

REFUNDS AND CREDITS

SEC. 3471. REFUNDS AND CREDITS (As amended by section 554 (d) (2) of the Revenue Act of 1941.)

(a) Credit or refund of any overpayment of tax imposed by subchapter B or subchapter C may be allowed to the person who collected the tax and paid it to the United States if such person establishes, to the satisfaction of the Commissioner, under such regulations as the Commissioner with the approval of the Secretary may prescribe, that he has repaid the amount of such tax to the person from whom he collected it, or obtained the consent of such person to the allowance of such credit or refund.

(b) Any person entitled to refund of tax under this chapter paid, or collected and paid, to the United States by him may take credit therefor against taxes due upon any monthly return.

(c) Any person making a refund of any payment on which tax under subchapter B or subchapter C has been collected, may repay therewith the amount of tax collected on such payment, and the amount of tax so repaid may be credited against the tax under any subsequent return.

SEC 620. TRANSPORTATION OF PROPERTY. (Revenue Act of 1942.)

* * * * *

(b) *Technical amendment.* Section 3471 (a) and (b) are amended by striking out "or Subchapter C" wherever occurring therein and inserting in lieu thereof "Subchapter C, or Subchapter E".

SEC. 3770. AUTHORITY TO MAKE ABATEMENTS, CREDITS AND REFUNDS. (As amended by section 508 (b) of the Second Revenue Act of 1940.)

(a) *To taxpayers*—(1) *Assessments and collections generally.* Except as otherwise provided by law in the case of income, war-profits, excess-profits, estate, and gift taxes, the Commissioner, subject to regulations prescribed by the Secretary, is authorized to remit, refund, and pay back all taxes erroneously or illegally assessed or collected, all penalties collected without authority, and all taxes that appear to be unjustly assessed or excessive in amount, or in any manner wrongfully collected.

(2) *Assessments and collections after limitation period.* Any tax (or any interest, penalty, additional amount, or addition to such tax) assessed or paid after the expiration of the period of limitation properly applicable thereto shall be considered an overpayment and shall be credited or refunded to the taxpayer if claim therefor is filed within the period of limitation for filing such claim.

* * * * *

SEC. 3313. PERIOD OF LIMITATION UPON REFUNDS AND CREDITS.

All claims for the refunding or crediting of any internal revenue tax alleged to have been erroneously or illegally assessed or collected, or of any penalty alleged to have been collected without authority, or of any sum alleged to have been excessive or in any manner wrongfully collected must, except as otherwise provided by law in the case of income, war-profits, excess-profits, estate, and gift taxes, be presented to the Commissioner within four years next after the payment of such tax, penalty, or sum. The amount of the refund (in the case of taxes other than income, war-profits, excess-profits, estate, and gift taxes) shall not exceed the portion of the tax, penalty, or sum paid during the four years immediately preceding the filing of the claim, or if no claim was filed, then during the four years immediately preceding the allowance of the refund.

SEC. 3771. INTEREST ON OVERPAYMENTS.

(a) *Rate.* Interest shall be allowed and paid upon any overpayment in respect of any internal revenue tax at the rate of 6 per centum per annum.

(b) *Period.* Such interest shall be allowed and paid as follows:

(1) *Credits.* In the case of a credit, from the date of the overpayment to the due date of the amount against which the credit is taken, but if the amount against which the credit is taken is an additional assessment of a tax imposed by the Revenue Act of 1921, 42 Stat. 227, or any subsequent Revenue Act, then to the date of the assessment of that amount.

(2) *Refunds.* In the case of a refund, from the date of the overpayment to a date preceding the date of the refund check by not more than thirty days, such date to be determined by the Commissioner, whether or not such refund check is accepted by the taxpayer after tender of such check to the taxpayer. The acceptance of such check shall be without prejudice to any right of the taxpayer to claim any additional overpayment and interest thereon.

* * * * *

SEC. 3772. SUITS FOR REFUND.

(a) *Limitations*—(1) *Claim.* No suit or proceeding shall be maintained in any court for the recovery of any internal revenue tax alleged to have been erroneously or illegally assessed or collected, or of any penalty claimed to have been collected without authority, or of any sum alleged to have been excessive or in any manner wrongfully collected until a claim for refund or credit has been duly filed with the Commissioner, according to the provisions of law in that regard, and the regulations of the Secretary established in pursuance thereof.

(2) *Time.* No such suit or proceeding shall be begun before the expiration of six months from the date of filing such claim unless the Commissioner renders a decision thereon within that time, nor after the expiration of two years from the date of mailing by registered mail by the Commissioner to the taxpayer of a notice of the disallowance of the part of the claim to which such suit or proceeding relates.

(3) *Reconsideration after mailing of notice.* Any consideration, reconsideration, or action by the Commissioner with respect to such claim following the mailing of a notice by registered mail of disallowance shall not operate to extend the period within which suit may be begun. This paragraph shall not operate (A) to bar a suit or proceeding in respect of a claim reopened prior to June 22, 1936, if such suit or proceeding was not barred under the law in effect prior to that date, or (B) to prevent the suspension of the statute of limitations for filing suit under section 3774 (b) (2).

(b) *Protest or duress.* Such suit or proceeding may be maintained, whether or not such tax, penalty, or sum has been paid under protest or duress.

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SEC. 3774. REFUNDS AFTER PERIODS OF LIMITATION.

A refund of any portion of an internal revenue tax (or any interest, penalty, additional amount, or addition to such tax) shall be considered erroneous:

(a) *Expiration of period for filing claim.* If made after the expiration of the period of limitation for filing claim therefor, unless within such period claim was filed; or

(b) *Disallowance of claim and expiration of period for filing suit.* In the case of a claim filed within the proper time and disallowed by the Commissioner if the refund was made after the expiration of the period of limitation for filing suit, unless:

(1) Within such period suit was begun by the taxpayer, or

(2) Within such period, the taxpayer and the Commissioner agreed in writing to suspend the running of the statute of limitations for filing suit from the date of the agreement to the date of final decision in one or more named cases then pending before the Board of Tax Appeals or the courts. If such agreement has been entered into, the running of such statute of limitations shall be suspended in accordance with the terms of the agreement.

* * * * *

SEC 3775. CREDITS AFTER PERIODS OF LIMITATION.

(a) *Period against United States.* Any credit against a liability in respect of any taxable year shall be void if any payment in respect of such liability would be considered an overpayment under section 3770 (a) (2).

(b) *Period against taxpayer.* A credit of an overpayment in respect of any tax shall be void if a refund of such overpayment would be considered erroneous under section 3774.

§ 143.60 *Credits.* Every person required to pay tax, or to collect and pay tax, who overpays from his own funds, tax on any monthly return may, in cases where the overpayment was the result of a clerical or mechanical error, take credit for such overpayment against the tax due on a subsequent monthly return.

Every person required to collect tax, who makes a refund of any payment on which tax has been collected, may repay therewith the amount of tax collected on such payment and take credit for the amount so repaid against the tax due on a subsequent monthly return.

Any monthly return on which a credit is taken shall have attached thereto a sworn statement explaining the reason or reasons for claiming the credit, setting forth the amount of each kind of tax, and the portion thereof chargeable to each month's tax payment which is claimed to have been overpaid or overcollected, and stating whether a claim for refund with respect to any of the amounts involved has been filed, either with the collector or the Commissioner. To the extent that credit claimed on a return filed by a collecting agency is based on refunds or adjustments made with persons who paid the tax, the statement shall show that the collecting agency has refunded the tax to the persons involved or has obtained the written consent of such persons to the allowance of the credit. The written consent must be forwarded to the collector with the return on which the credit is taken.

A complete and detailed record of all credits taken shall be maintained and made available for inspection by revenue officers for four years from the date of the return on which the credit appears.

§ 143.61 *Abatement or refund of erroneous or illegal assessments or collections.* A claim for abatement or refund of taxes alleged to have been erroneously or illegally assessed or paid (or of any penalties assessed or collected without authority) shall be prepared on Form 843 and presented to the collector of internal revenue for the district in which the amount claimed was assessed or paid. (See section 3313 of the Code.)

Where a collecting agency has erroneously or illegally overpaid from its own funds any tax, the collecting agency may claim a refund of such overpayments. In case a collecting agency has erroneously or illegally overcollected and overpaid any tax due, the collecting agency may claim a refund of the amount so overcollected and overpaid, but only if it is established by affidavit or otherwise as may be required (a) that the tax so overcollected and overpaid has been returned to the person from whom collected, or that the collecting agency has obtained the written consent of such person to the granting of the refund and (b) that no credits have been taken for the alleged overpayment in the manner provided for in § 143.60.

If a person who has paid tax to a collecting agency files a claim for refund in his own name, there should be attached to the claim the original receipts issued by the collecting agency showing payment of the tax involved and a sworn statement of the facts on which the claim for refund is based, and the affidavit on Form 843 must show that no repayment of the tax alleged to have been overpaid or any part thereof has been made to the claimant by the collecting agency and that he has not consented to the allowance of credit or refund to the collecting agency.

PENALTIES AND INTEREST

SEC. 1853. PAYMENTS OF TAX.

* * * * *

(c) *Addition to the tax in case of delinquency.* If the tax is not paid when due, there shall be added as part of the tax interest at the rate of 6 per centum per annum from the time the tax became due until paid.

SEC. 3470. PAYMENT OF TAXES.

* * * If the tax is not paid when due, there shall be added as part of the tax interest at the rate of 6 per centum per annum from the time the tax became due until paid.

SEC. 3612. RETURNS EXECUTED BY COMMISSIONER OR COLLECTOR.

* * * * *

(d) *Additions to tax*—(1) *Failure to file return.* In case of any failure to make and file a return or list within the time prescribed by law, or prescribed by the Commissioner or the collector in pursuance of law, the Commissioner shall add to the tax 25 per centum of its amount, except that when a return is filed after such time and it is shown that the failure to file it was due to a reasonable cause and not to willful neglect, no such addition shall be made to the tax: *Provided*, That in the case of a failure to make and file a return required by law, within the time prescribed by law or prescribed by the Commissioner in pursuance of law, if the last date so prescribed for filing the return is after August 30, 1935, then there shall be added to the tax, in lieu of such 25 per centum: 5 per centum if the failure is for not more than 30 days, with an additional 5 per centum for each additional 30 days or fraction thereof during which failure continues, not to exceed 25 per centum in the aggregate.

(2) *Fraud.* In case a false or fraudulent return or list is willfully made, the Commissioner shall add to the tax 50 per centum of its amount.

* * * * *

(e) *Collection of additions to tax.* The amount added to any tax under paragraphs (1) and (2) of subsection (d) shall be collected at the same time and in the same manner and as a part of the tax unless the tax has been paid before the discovery of the neglect, falsity, or fraud, in which case the amount so added shall be collected in the same manner as the tax.

SEC. 3655. NOTICE AND DEMAND FOR TAX.

(a) *Delivery.* Where it is not otherwise provided, the collector shall in person or by deputy, within ten days after receiving any list of taxes from the Commissioner, give notice to each person liable to pay any taxes stated therein, to be left at his dwelling or usual place of business, or to be sent by mail, stating the amount of such taxes and demanding payment thereof.

(b) *Addition to tax for nonpayment.* If such person does not pay the taxes, within ten days after the service or the sending by mail of such notice, it shall be the duty of the collector or his deputy to collect the said taxes with a penalty of 5 per centum additional upon the amount of taxes, and interest at the rate of 6 per centum per annum from the date of such notice to the date of payment; * * *.

* * * * *

SEC 1718 PENALTIES.

(a) Any person required under this chapter to pay any tax, or required by law or regulations made under authority thereof to make a return, keep any records, or supply any information, for the purposes of the computation, assessment, or collection of any tax imposed by this chapter, who willfully fails to pay such tax, make such return, keep such records, or supply such information at the time or times required by law or regulations, shall, in addition to other penalties provided by law, be guilty of a misdemeanor and, upon conviction thereof, be fined not more than $10,000, or imprisoned for not more than one year, or both, together with the costs of prosecution.

(b) Any person required under this chapter to collect, account for and pay over any tax imposed by this chapter who willfully fails to collect or truthfully account for and pay over such tax, and any person who willfully attempts in any manner to evade or defeat any tax imposed by this chapter or the payment thereof, shall, in addition to other penalties provided by law, be guilty of a felony and, upon conviction thereof, be fined not more than $10,000, or imprisoned for not more than five years, or both, together with the costs of prosecution.

(c) Any person who willfully fails to pay, collect, or truthfully account for and pay over, any tax imposed by this chapter, or willfully attempts in any manner to evade or defeat any such tax or the payment thereof, shall, in addition to other penalties provided by law, be liable to a penalty of the amount of the tax evaded, or not paid, collected, accounted for and paid over, to be assessed and collected in the same manner as taxes are assessed and collected. No penalty shall be assessed under this subsection for any offense for which a penalty may be assessed under authority of section 3612.

(d) The term "person" as used in this section includes an officer or employee of a corporation, or a member or employee of a partnership, who as such officer, employee, or member is under a duty to perform the act in respect of which the violation occurs.

§ 143.62 *Penalties and interest.* In case of failure to file a return within the prescribed time, a certain percentage of the amount of the tax is added to the tax unless the return is later filed and failure to file the return within the prescribed time is shown to the satisfaction of the Commissioner to be due to a reasonable cause and not to willful neglect. The amount to be added to the tax is 5 percent if the failure is for not more than 30 days, with an additional 5 percent for each additional 30 days or fraction thereof during which the failure continues, but not to exceed 25 percent in the aggregate.

Failure to pay tax within the time fixed for filing returns causes interest to accrue automatically, without assessment of the tax by the Commissioner or notice to the taxpayer, to the date of payment or assessment, whichever is prior. The due date of the tax for the purpose of computing interest is the last day of the month within which the return is required to be filed and the tax paid.

Where assessment is made, and payment is not made within 10 days after the issuance of the first notice and demand (Form 17), there will accrue, under section 3655, a 5 percent penalty and interest at the rate of 6 percent per annum computed upon the entire assessment from the date of issuance of Form 17 until date of payment. Where assessment is settled by partial payments, interest shall be computed on the total assessment at the above-prescribed rate from the date of the first 10-day notice through the date of first payment, and on the balance interest shall be computed from the next succeeding day to the date of the next payment, and so on until the assessment is paid in full.

If a claim for abatement is filed with the collector within 10 days after the date of the issuance of the first notice and demand, the 5 percent penalty does not attach. If the assessment is not paid within 10 days after receipt of notice of rejection of the claim, the 5 percent penalty applies. The filing of the claim does not affect the accrual of interest, which continues to run for the full period from the date of the first notice and demand through the date of payment.

If a false or fraudulent return is willfully made, the penalty under section 3612 (d) (2) is 50 per cent of the total tax due for the entire period involved, including any tax previously paid for such period.

Any person who willfully fails to pay or collect any tax due, file return, or keep records, or who attempts in any manner to evade or defeat the tax, is subject to a fine of $10,000, or imprisonment, or both, with costs of prosecution, and is also liable to a penalty equal to the amount of the tax not collected or paid. These penalties apply to any officer or employee who, as such officer or employee, is under a duty to perform the act in respect of which the violation occurs, as well as to any other person who fails or refuses to perform any of the duties imposed by the Code, i. e., pay or collect the tax, make return, keep records, supply information, etc.

SEC. 3710. SURRENDER OF PROPERTY SUBJECT TO DISTRAINT.

(a) *Requirement.* Any person in possession of property, or rights to property, subject to distraint, upon which a levy has been made, shall, upon demand by the collector or deputy collector making such levy, surrender such property or rights to such collector or deputy, unless such property or right is, at the time of such demand, subject to an attachment or execution under any judicial process.

(b) *Penalty for violation.* Any person who fails or refuses to so surrender any of such property or rights shall be liable in his own person and estate to the United States in a sum equal to the value of the property or rights not so surrendered, but not exceeding the amount of the taxes (including penalties and interest) for the collection of which such levy has been made, together with costs and interest from the date of such levy.

(c) *Person defined.* The term "person" as used in this section includes an officer or employee of a corporation or a member or employee of a partnership, who as such officer, employee, or member is under a duty to perform the act in respect of which the violation occurs.

SEC. 3793. PENALTIES AND FORFEITURES.

* * * * *

(b) *Fraudulent returns, affidavits, and claims.* (1) *Assistance in preparation or presentation.* Any person who willfully aids or assists in, or procures, counsels, or advises the preparation or presentation under, or in connection with any matter arising under, the internal revenue laws, of a false or fraudulent return, affidavit, claim, or document, shall (whether or not such falsity or fraud is with the knowledge or consent of the person authorized or required to present such return, affidavit, claim, or document) be

guilty of a felony, and, upon conviction thereof, be fined not more than $10,000, or imprisoned for not more than five years, or both, together with the costs of prosecution.

(2) *Person defined.* The term "person" as used in this subsection includes an officer or employee of a corporation or a member or employee of a partnership, who as such officer, employee, or member is under a duty to perform the act in respect of which the violation occurs.

* * * * *

SEC. 35. CRIMINAL CODE OF THE UNITED STATES, AS AMENDED BY THE ACT APPROVED APRIL 4, 1938 (52 STAT., 197).

(A) Whoever shall make or cause to be made or present or cause to be presented, for payment or approval, to or by any person or officer in the civil, military, or naval service of the United States, or any department thereof, or any corporation in which the United States of America is a stockholder, any claim upon or against the Government of the United States, or any department or officer thereof or any corporation in which the United States of America is a stockholder, knowing such claim to be false, fictitious, or fraudulent; or whoever shall knowingly and willfully falsify or conceal or cover up by any trick, scheme, or device a material fact, or make or cause to be made any false or fraudulent statements or representations, or make or use or cause to be made or used any false bill, receipt, voucher, roll, account, claim, certificate, affidavit, or deposition, knowing the same to contain any fraudulent or fictitious statement or entry in any matter within the jurisdiction of any department or agency of the United States or of any corporation in which the United States of America is a stockholder; or whoever shall enter into any agreement, combination, or conspiracy to defraud the Government of the United States, or any department or officer thereof, or any corporation in which the United States of America is a stockholder, by obtaining or aiding to obtain the payment or allowance of any false or fraudulent claim; * * * shall be fined not more than $10,000, or imprisoned not more than ten years, or both

* * * * *

AUTHORITY FOR REGULATIONS

SEC. 3791. RULES AND REGULATIONS.

(a) *Authorization*—(1) *In general.* * * * the Commissioner, with the approval of the Secretary, shall prescribe and publish all needful rules and regulations for the enforcement of this title.

(2) *In case of change in law.* The Commissioner may make all such regulations, not otherwise provided for, as may have become necessary by reason of any alteration of law in relation to internal revenue.

(b) *Retroactivity of regulations or rulings.* The Secretary, or the Commissioner with the approval of the Secretary, may prescribe the extent, if any, to which any ruling, regulation, or Treasury Decision, relating to the internal revenue laws, shall be applied without retroactive effect.

§ 143.63 *Promulgation of regulations.* In pursuance of the provisions of the law, the foregoing regulations are hereby prescribed.

[SEAL] NORMAN D. CANN,
Acting Commissioner of Internal Revenue.

Approved: February 1, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-1724; Filed, February 1, 1943; 4:42 p. m.]

TITLE 29—LABOR

Subtitle A—Office of the Secretary

PART 3—DETERMINATIONS RELATING TO OVERTIME, SUNDAY, AND HOLIDAY PAY

TEMPORARY STAY OF APPLICATION OF OVERTIME WAGE ORDER TO THE SHIPBUILDING AND SHIP REPAIR INDUSTRY

Upon the request of the Chairman of the Shipbuilding Stabilization Committee for exemption of the shipbuilding and ship repair industry from the provisions of Executive Order 9240, entitled "Regulations Relating to Overtime Wage Compensation," it is ordered, pursuant to the authority vested in me by Executive Order 9248, that the temporary stay of application of Executive Order 9240 to work in the Shipbuilding and Ship Repair Industry, which is subject to the Zone Standards Agreements for the Shipbuilding and Ship Repair Industry and the Pacific Coast Repair Agreements, granted by me by order dated September 30, 1942 (7 F.R. 7801, 10050), for a period of 60 days from October 1, 1942, and extended by my order dated November 29, 1942 until January 31, 1943, is hereby further extended until March 2, 1943.

Dated: January 29, 1943.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 43-1745; Filed, February 2, 1943; 11:18 a. m.]

Chapter VI—National War Labor Board

[General Order 25A]

PART 803—GENERAL ORDERS

TENNESSEE VALLEY AUTHORITY

Authorization of the Board of Directors of the Tennessee Valley Authority to rule on wage and salary adjustments of employees of the Tennessee Valley Authority and of contractors engaged in construction work for the Tennessee Valley Authority.

§ 803.25a *General Order No. 25A.* General Order No. 25, adopted on December 22, 1942, is hereby revoked. (7 F.R. 11109) In its place, the following order is adopted:

(a) The National War Labor Board in accordance with the further provisions of this Order hereby delegates to the Board of Directors of the Tennessee Valley Authority the power to approve or disapprove all applications for adjustments of wages and salaries (insofar as approval thereof has been made a function of the National War Labor Board) of employees of the Tennessee Valley Authority; also applications to equalize the wages and salaries of laborers and mechanics while actually employed by contractors in performing contracts with the Tennessee Valley Authority within paragraph 2 of section 3 of the Tennessee Valley Authority Act, as amended, with the wages and salaries of like employees of the Tennessee Valley Authority.

(b) In the performance of its duties hereunder, the Board of Directors of the Tennessee Valley Authority shall comply with Executive Order 9250, dated October 3, 1942, and all regulations heretofore or hereafter issued thereunder, and with the declaration of wage policy of the National War Labor Board, dated November 6, 1942. In ruling on applications for adjustments of wages and salaries of laborers and mechanics employed by contractors, it shall approve them only if they fix the same wages and salaries for such employees as for the employees of the Tennessee Valley Authority performing like work. Disapproval of an application on the ground that it does not fix such equal wages and salaries shall not preclude application through other channels of the National War Labor Board. The Board of Directors of the Tennessee Valley Authority, without making an initial ruling thereon may refer to the National War Labor Board, for decision by the Board, any application which in its opinion presents doubtful or disputed questions of sufficient seriousness and import to warrant direct action by the Board.

(c) The Board of Directors of the Tennessee Valley Authority shall transmit to the Review and Research Division of the National War Labor Board copies of its rulings, and rules of procedure, if any, as they are issued, and such additional data and reports as said Division or the Board may from time to time deem necessary.

(d) Any ruling by the Board of Directors of the Tennessee Valley Authority hereunder shall be deemed the act of the National War Labor Board and shall be final, subject to the National War Labor Board's right to review rulings on its own motion and to reverse or modify the same. Any such reversal or modification shall not be retroactive and shall allow the Tennessee Valley Authority or the contractor, as the case may be, a period of two weeks for compliance. (Adopted January 27, 1943)

(E.O. 9250, 7 F.R. 7871)

L. K. GARRISON,
Executive Director.

[F. R. Doc. 43-1751; Filed, February 2, 1943; 11:41 a. m.]

Chapter VII—War Manpower Commission

[General Order 2]

PART 902—TRAINING PROGRAMS FOR ARMED FORCES CARRIED ON IN NON-FEDERAL EDUCATIONAL INSTITUTIONS

SELECTION OF INSTITUTIONS

By virtue of and pursuant to the authority vested in me as Chairman of the War Manpower Commission by Executive Orders Nos. 9139 and 9279, I hereby prescribe the following regulations governing the selection of non-Federal educational institutions for the conduct of training programs for the Armed Forces, and the approval of such training programs and of contracts relating thereto:

Sec.
902.1 Definitions.
902.2 Approval of training programs.
902.3 Contracts.
902.4 Establishment of joint committee.
902.5 Selection of institutions.

AUTHORITY: §§ 902.1 to 902.5, inclusive, issued under E.O. 9139, 9279; 7 F.R. 2919, 10177.

§ 902.1 *Definitions.* For the purpose of these regulations,

(a) "Educational institutions" and "Institutions" shall mean non-Federal institutions.

(b) "Armed Forces" includes their reserve components and the Women's Army Auxiliary Corps.

§ 902.2 *Approval of training programs.* All training programs for the Armed Forces involving the utilization of educational institutions, their facilities and personnel shall be submitted to the Chairman of the War Manpower Commission for approval. Such programs may be initiated by the Armed Forces in educational institutions selected in accordance with these regulations upon agreement with the educational institutions involved, at any time after approval by the Chairman of the War Manpower Commission.

§ 902.3 *Contracts.* All contracts for training entered into between the Armed Forces and educational institutions, and all modifications or changes thereof, shall conform to the applicable training program approved by the Chairman of the War Manpower Commission pursuant to § 902.2 of these regulations, and shall conform to the determination by the Joint Committee with respect to the availability of the facilities of the institution in question, made pursuant to § 902.5 of these regulations.

§ 902.4 *Establishment of joint committee.* (a) There shall be established a Joint Committee composed of three representatives designated by the Secretary of War, three representatives designated by the Secretary of Navy, and three representatives designated by the Chairman of the War Manpower Commission.

(b) The Joint Committee shall select the educational institutions in which training programs of the Armed Forces may be carried out under the regulations herein and hereinafter prescribed by the Chairman of the War Manpower Commission.

(c) In the selection of institutions for specialized training programs decisions shall be made by unanimous agreement of the Joint Committee. In the absence of unanimous agreement by the Committee, the matter shall be submitted to the Chairman of the War Manpower Commission for final decision.

§ 902.5 *Selection of institutions.* (a) Institutions shall be selected on the basis of their available administrative and instructional facilities, including staff, library, laboratories and equipment, as well as on the basis of housing, messing, and recreational facilities, as these are related to the particular training needs of the Armed Forces.

(b) As large a number of institutions, not omitting the smaller institutions, as may be consistent with economical and effective operation of the programs for training shall be selected. This selection shall likewise take into consideration a geographical distribution of institutions, based on the specific training needs of the Armed Forces and the time and cost of transportation of trainees.

(c) In the selection of any institution under these regulations, due consideration shall be given to Reserve Officers' Training Corps and to Army and Navy training programs now in operation in the institution, as well as availability and responsibility of the institution for the training of personnel for essential civilian activities.

(d) In addition to the data provided in the special reports presented by institutions on schedules distributed to all higher educational institutions, the Joint Committee shall give consideration to such supplementary information as may be furnished by the United States Office of Education and by the American Council on Education. Where necessary, information derived from personal inspection by representatives of the Armed Forces shall be considered.

(e) Institutions shall be selected according to the type of instruction that can be given most effectively at the required level in engineering, medical, premedical, and other needed fields, as well as in liberal arts. Consideration shall be given to the relationship of the type of instruction required to the numbers of students to be given basic instruction and to the number to be trained in various advanced and specialist classifications.

(f) Particular attention shall be given to the limited capacities of engineering, medical and other technical institutions in relation to the heavy demands for such forms of training by the Army, Navy, and essential civilian activities. Therefore, use shall be made of as many liberal arts and non-technical institutions as possible for basic training.

(g) Contracts shall be made initially with institutions which have available the necessary physical facilities and instructional staff required by the program. When and if additional institutions are needed, the extent to which the required additional facilities and staff can be obtained shall be considered.

PAUL V. MCNUTT,
Chairman,
War Manpower Commission.

JANUARY 30, 1943.

[F. R. Doc. 43-1750; Filed, February 2, 1943; 11:32 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 819 and 507, 77th Cong.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-225]

BALDWIN RUBBER COMPANY

Baldwin Rubber Company of Pontiac, Michigan, on March 9, 1942 received an order for the production of rubber sheets for soles for civilian shoes. Prior to that time the company had not produced any soling material but had been engaged largely in the manufacture of automobile floor mats and other automotive parts. On March 20, 1942, Supplementary Order No. M-15-b was amended so as to prohibit the processing or consumption, after March 31, of reclaimed or scrap rubber for the production of soling materials for shoes. Baldwin Rubber Company was fully aware of the terms of this order of the War Production Board. Nevertheless, after March 31 and until halted by a representative of the War Production Board, on April 9, the Baldwin Rubber Company processed in excess of 35 tons of reclaimed rubber for the manufacture of soles for civilian shoes.

This constituted a wilful violation of the provisions of Supplementary Order M-15-b, as amended, which has hampered and impeded the war effort of the United States by diverting materials to uses not authorized by the War Production Board. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.225 *Suspension Order S-225.* (a) For a period of thirty days from the effective date of this order, Baldwin Rubber Company shall not use, process, stamp, cut, or in any manner change the form, shape or chemical composition of any crude rubber, latex, reclaimed rubber, scrap rubber or synthetic rubber except for the production of articles for delivery to fill:

(1) War orders, as defined in Supplementary Order M-15-b, as amended, and

(2) Orders placed prior to the issuance date hereof by the Chemical Warfare Service of the United States Army.

(b) Beginning thirty days after the effective date of this order, Baldwin Rubber Company shall not use, process, stamp, cut, or in any manner change the form, shape or chemical composition of any crude rubber, latex, reclaimed rubber, scrap rubber, or synthetic rubber except for the production of articles for delivery to fill war orders, as defined in Supplementary Order M-15-b, as amended.

(c) Nothing contained in this order shall be deemed to relieve Baldwin Rubber Company from any restriction, prohibition or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect February 4, 1943 and shall expire November 9, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 1st day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1722; Filed, February 1, 1943; 4:12 p. m.]

PART 984—LEAD

[Conservation Order M-98-c as Amended Feb. 2, 1943]

Whereas, national defense requirements have created a shortage of lead for the combined needs of defense, private account, and export; and the supply now is and will be insufficient for defense and essential civilian requirements unless its use in the manufacture of many products where such use is not absolutely necessary for the defense or

essential civilian requirements is curtailed or prohibited as hereinafter provided; *Now, therefore, it is hereby ordered*, That:

§ 984.4 *Conservation Order M–38–c*—(a) *Prohibition on use of lead in articles appearing on List A.* (1) Any person using lead or lead base alloy in any item on List A shall reduce his use of lead or lead base alloy for such product between January 1 and March 31, 1942 to 50% of his use in the base period.

(2) Effective April 1, 1942, no lead or lead base alloy shall be used in the production of any item on List A.

(3) Effective May 1, 1942, no person shall use lead foil or lead base alloy foil, in packaging any cigarettes.

(b) *Limitation on all other uses of lead.* From and after October 1, 1942, no person shall use during any calendar quarter in the manufacture of any product which is not prohibited by paragraph (a) of this order more lead or lead base alloy than 90% of the quantity of lead or lead base alloy that he used in the manufacture of such product during the base period. If any person did not use lead or lead base alloy during the base period in the manufacture of any product not prohibited by paragraph (a), he may use in the manufacture of such product such quantity of lead or lead base alloy as the Director General for Operations may authorize pursuant to an appeal under paragraph (f) (2) of this order.

(c) *General exceptions.* Where and to the extent that the use of any less critical material is impracticable, the prohibitions, limitations and restrictions contained in paragraphs (a) and (b) of this order shall not apply to the use of lead or lead base alloy in the manufacture of any item on, or for any of the uses set forth on, List B attached, nor in the manufacture of any item which is being produced:

(1) Under a contract, subcontract or purchase order for the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Commission for Aeronautics, the Office of Scientific Research and Development or for any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States," (Lend-Lease Act) if in any such case the use of lead or lead base alloy to the extent employed is required by the specifications (including performance specifications) of the applicable contract, subcontract or purchase order; or

(2) To comply with underwriters regulations, or safety regulations issued under Governmental authority, provided that the pertinent provisions of such regulations were, in either case, in effect both on December 1, 1941, and on the date of such use, and specifically and exclusively require the use of lead or lead base alloy to the extent employed; or

(3) For use in equipment in manufacturing plants to the extent that corrosive action makes necessary the use of lead; or

(4) For use in scientific and industrial laboratories and hospitals where and to the extent that the physical and chemical properties of lead make its use necessary.

(d) *Prohibitions against sales or deliveries.* No person shall hereafter sell or deliver lead or lead base alloy to any person if he knows, or has reason to believe, such material is to be used in violation of the terms of this order.

(e) *Limitation of inventories.* No manufacturer shall receive delivery of lead or lead base alloy (including scrap) or products thereof, in the form of raw materials, semi-processed materials, finished parts or sub-assemblies, nor shall he put into process any raw materials in quantities, which in any case shall result in an inventory of such raw, semi-processed or finished material in excess of a minimum practicable working inventory.

(f) *Miscellaneous provisions*—(1) *Applicability of Priorities Regulation 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(2) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of lead or lead base alloy conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense work to defense work, may appeal to the War Production Board, Ref.: M–38–c, on such forms as may be prescribed, setting forth the pertinent facts and the reasons he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(3) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply to the use of material in all articles hereafter manufactured irrespective of whether such articles are manufactured pursuant to a contract made prior or subsequent to January 10, 1942 or pursuant to a contract supported by a preference rating. Insofar, as any other order of the Director General for Operations may have the effect of limiting or curtailing to a greater extent than herein provided, the use of lead or lead base alloy in the production of any article, the limitations of such other order shall be observed.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order may be prohibited from receiving further deliveries of any material subject to allocation, and such further action may be taken as is deemed appropriate, including a recommendation for prosecution under section 35 (A) of the Criminal Code (18 U.S.C. 80).

(5) *Definitions.* For the purposes of this order:

(i) "Lead" means and includes lead metal whether produced from domestic or foreign ores, which has been refined by any recognized method, in all forms and shapes current in the trade; antimonial lead, and lead metal produced from scrap and drosses.

(ii) "Lead base alloy" means any alloy containing 50 percent or more of lead metal by weight.

(iii) "Inventory" of a person includes the inventory of affiliates and subsidiaries of such person, and the inventory of others where such inventory is under the control or under common control with or available for the use of such person.

(iv) "Manufacture" means to fabricate, assemble, melt, cast, extrude, roll, turn, spin, produce, coat or process in any other way, but does not include installation of a finished product for the ultimate consumer.

(v) "Item" means any article or any component part thereof.

(vi) "Use" means both (*a*) the act of putting lead or lead base alloy into process in the manufacture of any item and (*b*) the act of completing the manufacture of any such item. (Where a person is limited to a percentage of the material used in a base period this limitation applies respectively to (*a*) the amount of material put into process during the base period and (*b*) the total amount of material contained in a completed item or article multiplied by the number of such items or articles completed during the base period. Each restriction must be applied separately.)

(vii) "Base period" means either (*a*) the 3rd quarter of 1941, or (*b*) the 4th quarter of 1941, at the election of the manufacturer: *Provided*, That a single method of computation shall be used throughout the calendar year.

(viii) "Put into process" means the first change by a manufacturer in the form of material from that form in which it is received by him.

Issued this 2d day of February 1943

CURTIS E. CALDER,
Director General for Operations.

LIST A OF ORDER M–38–c

The use of lead or lead base alloy in the items listed below and in all component parts thereof is prohibited except to the extent permitted by the foregoing conservation order, and except to the extent that the use of solder may be required in the assembly of two or more component parts of such items:

Automobile body solder
Ballast, keels for pleasure boats
Building supplies (except as permitted in latest War Housing Critical List):
  doors
  flashings, over 2½ lbs. per sq. ft. hard lead or 4 lbs. per sq. ft. soft lead
  gutters
  leaders
  ornamental work
  puttyless frames
  roofing
  safety treads
  sash weights
  sheets under flooring except those not over 2½ lbs. per sq. ft. hard lead or 4 lbs. per sq. ft. soft lead for water proofing
  shower pans, over 2½ lbs. per sq. ft. hard lead or 4 lbs. per sq. ft. soft lead
  sky lights and windows
  spandrels
  stair-treads
Buttons, costume jewelry, novelties, and trophies
Caskets and casket hardware except name plates manufactured from secondary antimonial lead weighing not more than 14 ounces
Foil (except as specified on List B)
Glass for ornamental purposes
Regalia, badges, emblems
Statuary and art goods
Tennis court markers
Toys
Weights for:
  bats
  clocks
  decoys
  dresses
  golf clubs
  jockey's saddle

LIST B OF ORDER M–38–c

The items listed below and parts thereof are excepted from the prohibitions and restrictions contained in paragraphs (a) and (b) of the foregoing Conservation Order M–38–c, but only to the extent indicated below and only to the extent that the use of any less scarce material is impractical.

Anodes and cathodes in electroplating processes
Baths for the heat treatment of steel
Bearings, bushings, and thrust washers
Building supplies as follows:
  bends
  calking lead
  closet floor flanges (hard lead only)
  flashings up to and including 2½ lbs. per sq. ft. hard lead or 4 lbs. per sq. ft. soft lead
  pipe
  sheets 2½ lbs. per sq. ft. and under hard lead or 4 lbs. per sq. ft. and under soft lead for water proofing
  shower pans 2½ lbs. per sq. ft. and under hard lead or 4 lbs. per sq. ft. and under soft lead
  traps
Fire fighting and other protective equipment where and to the extent lead or lead base alloy is essential to the proper functioning of the parts.
Foil for:
  babbitt for the preparation of industrial metallic packing
  condensers
  dental uses
  electrotyping
  moulding lead
  packaging cheese, yeast, dehydrated hydroscopic foods and medicinal and pharmaceutical products
  wrapping lead sheathed cable
Gaskets
Glass for optical and scientific purposes
Identification and instruction plates of secondary antimonial lead for industrial machinery and equipment
Lead arsenate for agricultural insecticides and fungicides
Solder
X-ray equipment and supplies
Pigments and driers

[F. R. Doc. 43–1733; Filed, February 2, 1943; 11:11 a. m.]

PART 1072—SOLE LEATHER

[Supplementary Order M–80–g]

§ 1072.8 *Supplementary Order M–80–g.* Pursuant to paragraph (b) (1) of Order M–80 as amended to August 5, 1942, which this order supplements, each person tanning sole leather for his own account or causing sole leather to be tanned for his account by others shall set aside during the period from February 1, 1943, to February 28, 1943, inclusive, at least 25% of the quantity of manufacturers bends produced by him for his own account, or produced for his account by others, during that period. The weight and quality of said portion set aside shall be proportionately equal, as nearly as can be, to those of the manufacturers bends not so set aside.

Issued this 2d day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–1735; Filed, February 2, 1943; 11:11 a. m.]

PART 1090—AGAVE FIBER, AGAVE PRODUCTS AND CERTAIN OTHER CORDAGE

[General Preference Order M–84, as Amended Feb 2, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of agave fiber, agave products and certain other cordage for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1090.1 *General Preference Order M–84*—(a) *Definitions.* For the purposes of this order:

(1) "Agave fiber" means agave fiber of the species of agave sisalana, agave fourcroydes, and agave cantala, of all grades and qualities including tow, waste (but not including processor's mill waste) and fiber under 20″ in length, commonly known in the trade as sisal, henequen, cantala, and maguey, and sometimes preceded by an adjective designating the country or district of origin.

(2) "Agave cordage" means cables and ropes 3/16″ in diameter and larger, cordage or twines of any diameter used in the manufacture of any wire rope, twines used for fishing nets, and tarred marlines for use in manufacturing wire rope and for marine uses, in which agave fiber either alone or in combination with other material is used, but does not include agave cordage sold or delivered for its scrap value.

(3) "Processor" means any person who spins, twists, weaves or otherwise uses agave fiber in the production of cordage, twine or any other product.

(4) "Processing" means any use of agave fiber for the manufacture of any article or commodity into which agave fiber goes or of which it becomes a part.

(5) "Dealer" means any person who procures agave cordage or agave twine for storage or for sale, and includes selling agents and other commercially recognized agents acting for their own account or for others, whether or not acquiring title to such agave cordage or agave twine, but shall not include any person who imports agave cordage, or agave twine.

(6) "Wrapping twine" means twine, including lath yarns (ply and yarn goods) as included in National Bureau of Standards Simplified Practice Recommendation R 92–38, and any other twine suitable for the same purposes for which those twines described in said Simplified Practice Recommendation R 92–38 are used, which contains agave fiber, but shall not include binder twine.

(7) "Binder twine" or "binding twine" means a single yarn twine, manufactured of agave fiber, of the type customarily heretofore manufactured, and sold in lengths measuring 500, 525, 550, 600, 630 or 650 feet to the pound, with a plus or minus tolerance of 5 per centum, containing a lubricant of not less than 10 per centum of the total weight of the twine and an insect repellent, and which is put up in balls of approximately 5 or 8 pounds each, is suitable for use with a harvesting machine, and is used in the harvesting of agricultural products.

(8) "Inventory" with respect to any person shall include all of any agave product held or controlled by such person at all warehouses, plants or places of storage, but shall not include any of such product while actually in transit or actually in use.

(9) "Supply" means the average monthly amount of any agave product withdrawn from inventory which has been resold or put into actual use.

(i) In the three calendar months preceding the calendar month for which supply is being calculated; or,

(ii) In the three calendar months of the previous year which immediately followed the calendar month of that year corresponding to the said calendar month for which supply is being calculated;

whichever of the two shall be the higher.

(10) "Basic monthly poundage" with respect to any cordage processor for any month shall be the average number of pounds per month of both Manila and agave cordage sold by such processor during the period from January 1, 1939, to December 31, 1941, minus 37½ of such person's Manila fiber basic monthly poundage calculated as required by General Preference Order M–36: *Provided*, That any cordage processor keeping his books on a weekly basis may calculate his basic monthly poundage from the fifty-two week period of the 1939 calendar year and adjust any other calculations or quotas under this order.

(11) "Import" means to transport in any manner into the continental United States from any foreign country or from any territory or possession of the United States, including the Philippine Islands. It includes shipments into a free port, free zone or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States and shipments in bond into the continental United States for transshipment to Canada, Mexico or any other foreign country.

(b) *Restrictions on sales and deliveries of agave fiber.* No person shall sell, or deliver, or make or accept delivery of agave fiber of any grade or quality; except that purchases, sales and deliveries of agave fiber may be made:

(1) By and to Defense Supplies Corporation;

(2) By and to persons importing or otherwise handling agave fiber in accordance with written instructions from Defense Supplies Corporation: *Provided*, That such agave fiber is to be delivered, either processed or unprocessed, directly or through one or more other persons to Defense Supplies Corporation.

(3) By and to importers, dealers, jobbers, or processors, pursuant to contracts entered into on or before February 20, 1942, but only of agave fiber in the amounts specified in such contracts on or before the said date, or by any amendments or supplements thereto on or before August 5, 1942: *Provided, however*, That purchases, sales and deliveries under general requirements contracts or contracts to take all, or a specified percentage of a production may continue to be made until December 31, 1942: *And provided further*, That all agave fiber, except bagasse waste, imported on or after October 31, 1942, under any contract mentioned in this subparagraph (3) shall, within twenty-four hours after its arrival, be reported to the War Production Board, except such agave fiber which shall have been offered for sale to the Defense Supplies Corporation, and such reported agave fiber shall not be used or disposed of except as specifically authorized by the Director General for Operations.

(4) By and to importers, dealers, jobbers, or processors of agave fiber which has been rejected by Defense Supplies Corporation as unfit for its use.

(5) By and to importers, dealers, jobbers or processors of tow, waste, bagasse flume or fiber less than twenty inches in length: *Provided*, That such fiber was on hand in the United States on February 20, 1942, or was, or is thereafter imported pursuant to this paragraph (b).

(6) By processors to processors, whether directly or through one or more other persons, of agave fiber which was on hand in the United States on or before August 5, 1942, or which is thereafter imported pursuant to this paragraph (b).

(c) *Restrictions on the processing of agave fiber.* (1) Except as provided in paragraphs (c) (2), (3) and (4), no person shall process any agave fiber in the manufacture of any product except the products specified below, and then only from the fibers and in the amounts expressly permitted below. The quotas hereinbelow established shall include processing for delivery to or for the account of, or for physical incorporation into material or equipment to be delivered to or for the account of, the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration or its operating or general agents.

(i) *Wrapping twine.* Processors may use agave fiber for the manufacture of wrapping twine in an amount in any month not in excess of the percentage for such month, of his average monthly sales for the calendar year 1941 described below:

	Percent
February, 1942	100
March, 1942	70
April, 1942	65
May, 1942	65
June, 1942	57½
July, 1942	50
August, 1942	40
September, 1942	20
October, 1942, and each month thereafter	0

Provided, however, That this restriction shall not apply to wrapping twine commonly known as baler twine for use in machines harvesting agricultural products (except straw to be used in strawboard manufacture) other than machines using binder twine: *Provided, further*, That no processor may use agave fiber for the manufacture of baler twine during the calendar year 1943 in an amount in excess of 110% of his sales of baler twine during the calendar year 1942 minus his inventory of baler twine on hand at the close of business on December 31, 1942: *Provided, further*, That any person purchasing any such baler twine from a processor shall endorse on, or attach to, his purchase order or delivery receipt therefor, a certificate signed by such person, or his duly authorized representative, in substantially the following form:

The undersigned hereby represents to the seller and the War Production Board that the baler twine covered by this certificate will be either resold or used by the undersigned during the current harvest season for use in machines harvesting agricultural products (except straw to be used in strawboard manufacture) other than machines using binder twine in accordance with paragraph (c) (1) (i) of General Preference Order M-84.

And, provided further, That no person shall put into process after April 13, 1942 any java agave sisalana for the manufacture of wrapping twine, or after August 5, 1942 any Java agave cantala for this purpose.

(ii) *Binder twine.* Processors may use agave fiber in the manufacture of binder twine: *Provided*, That no grade of the following kinds of agave fiber may be used for this purpose: Java cantala or African, Haitian, Java or Madagascar sisalana.

(iii) *Padding or stuffing.* Processors manufacturing padding or stuffing may use for that purpose only bagasse waste, except on orders to be delivered to or for the account of, or to be physically incorporated into material or equipment to be delivered to or for the account of, the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration or its operating or general agents, in which case tow, waste, and fibers less than twenty inches in length may be used.

(iv) *Reinforced paper, tape and plastics.* Processors manufacturing reinforced paper, tape and plastics may use agave fibers except Java sisalana and Java cantala, but only in an amount not in excess of 50% of the fiber content of their average monthly sales of such products for the twelve months ended June 30, 1942.

(v) *Agave* cordage. Processors manufacturing agave cordage shall not put into process in any of the periods listed below an amount of agave fiber in excess of the amounts hereinafter specified for such period:

Periods:	*Amounts of agave fiber*
July 1, 1942, through December 31, 1942	12.2 times basic monthly poundage
Each calendar quarterly period in 1943	5.3 times basic monthly poundage

Provided, That the amount of agave fiber which may be put into process for this purpose by any cordage processor in any such period shall be:

(*a*) *Diminished* by the amount of any additional Manila fiber which may be put into process by such cordage processor during such period pursuant to any exceptions or additional authorizations issued by the Director General for Operations pursuant to General Preference Order M-36.

(*b*) [Revoked January 4, 1943.]

(*c*) [Revoked January 4, 1943.]

(2) A person may process agave fiber in the manufacture of a product not specified in paragraph (c) (1), for delivery to or for the account of, or for physical incorporation into material or equipment to be delivered to or for the account of, the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration or its operating or general agents.

(3) The prohibitions of paragraph (c) (1) shall not apply to the manufacture of wrapping twine, binder twine, agave cordage, reinforced paper, tape, or plastics from tow, waste, or fiber under twenty inches in length.

(4) The Director General for Operations may, whenever supplies of agave fiber on hand in the United States warrant, increase the amounts of agave fiber which may be entered into process for the manufacture of agave cordage or for such other products as in the judgment of the Director General for Operations may be necessary to promote the national defense and in the public interest.

(d) *Restrictions on purchases, sales and deliveries of agave cordage and wrapping twine.* (1) No dealer shall order, purchase or accept deliveries of any agave cordage which will result in such dealer having in inventory an amount thereof in excess of one month's supply.

(2) No person (other than a dealer, an importer, a wire rope manufacturer, the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal or the War Shipping Administration or its operating or general agents) shall order or accept delivery of any agave cordage which will result in such person having in inventory an amount thereof in excess of one month's supply; and no such person shall have outstanding at any one time orders for future deliveries of agave cordage in excess of one month's supply for such person.

(3) No importer shall, during the period from August 5, 1942 to October 31, 1942, sell or deliver in any calendar month agave cordage in excess of his average monthly sales of Manila and agave cordage in the calendar years 1939–1941, or in any calendar month after October 31, 1942, sell or deliver agave cordage, other than agave cordage sold or delivered to the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the War Shipping Administration or its operating or general agents, in excess of one-third of his average monthly sales of Manila and agave cordage in the calendar years 1939–1941.

(4) On and after September 26, 1942, no processor shall process agave fiber for cordage or sell or deliver any agave cordage except for filling contracts or purchase orders therefor, for the following categories of uses:

(i) *Class One: Agave cordage other than that used in manufacture of wire rope.* (*a*) Use for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal or the War Shipping Administration or its operating or general agents;

(*b*) Use upon any contract or order placed by any department or agency of the United States Government for delivery of agave cordage to or for the account of the Government of any country pursuant to the Act of March 11, 1941, entitled "An Act to promote the Defense of the United States" (Lend-Lease Act).

(*c*) Use for physical incorporation into material or equipment (excluding grommets and ammunition box handles) to be delivered under an order on hand to or for the account of any of the departments or agencies specified in the foregoing inferior subdivisions (*a*) and (*b*) of paragraph (d) (4) (i).

(ii) *Class Two: Agave cordage other than that used in the manufacture of wire rope.* (*a*) Commercial or other governmental marine, towage or lighterage uses, provided the cordage for such uses (excluding wheel rope for steering vessels) shall be one inch or more in diameter;

(*b*) Fishing uses for commercial fish markets or canneries;

(*c*) Use as catlines, spinning lines, bullropes and drilling cables in the operation or drilling of oil or gas wells;

(*d*) Use as drilling cables or sealing ropes in mines or quarries or in drilling water wells;

(*e*) Power transmission uses where an endless rope is used in transmitting continuous mechanical power between driver and driven grooved pulleys;

(*f*) Use to fill any purchase order carrying a preference rating of A-1-a or higher for the construction, maintenance or repair of any machinery equipment or structure, including public utility power lines and communications systems and shipyards, hulls and vessels;

(*g*) Use as grapnel cable;

(*h*) Use on elevators as governor rope, hawser laid, $\frac{5}{8}$" through 1" in diameter;

(*i*) Use as lifeboat falls;

(*j*) Use as drop hammer rope on purchase orders carrying a preference rating of A-1-a or higher;

(iii) *Class Three: Agave cordage used in the manufacture of wire rope.* Use in the manufacture of component parts of wire rope: *Provided, however*, That, on and after December 14, 1942, such agave cordage shall be processed only in sizes of $\frac{13}{64}$ of an inch in diameter or larger, that lesser sizes on hand or in process on said date may be sold or delivered for this use, and that lesser sizes may be processed, sold or delivered for galvanized or other corrosion resistant wire rope of sizes 6 x 12, 6 x 24, 6 x 37, or of spring-lay construction for use by any person specified in paragraph (d) (4) (i), but only to the extent that the normal specifications of such person, or a future directive of any department or agency specified in said paragraph, require such use.

(5) Each purchaser (other than the departments or agencies specified in paragraph (d) (4) (i)) of agave cordage (excluding agave cordage in any dealer's inventory shipped to such dealer on or before September 25, 1942) shall furnish his seller a certificate as a condition to receiving said cordage, and no person shall sell or deliver any such agave cordage to such purchaser without obtaining a certificate, signed by such purchaser or his duly authorized representative, in substantially the following form:

The undersigned hereby represents to the seller and the War Production Board that the agave cordage covered by this certificate will be used or sold only for the following uses

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(fill in)

authorized in paragraph (d) (4) of General Preference Order M-84, with the terms of which the undersigned is familiar.

(6) On and after January 1, 1943, no processor shall put into process in any calendar month any agave fiber for the purpose of filling purchase orders for Class Two cordage uses, as specified in paragraph (d) (4) (ii), in excess of 20% of his basic monthly poundage, as established under paragraph (a) (10).

(7) [Revoked January 4, 1943.]

(8) On and after December 15, 1942, notwithstanding the provisions of paragraphs (d) (4) and (d) (5), any person may purchase, sell or deliver any agave lariat rope in process or in inventory on or before September 25, 1942.

(9) No importer shall sell or deliver in any month listed below any wrapping twine, imported or domestic, in excess of the following percentages of his average monthly sales thereof during the calendar year 1941:

July, 1942	65
August, 1942	40
September, 1942, and each month thereafter	20

(e) *Importation.* The importation of agave yarn, fabric, twine, cordage and other agave products shall be made in conformity with the provisions of General Imports Order M-63, as amended from time to time.

(f) *Restrictions on purchases, sales and use of binder twine.* No person shall hereafter sell, purchase, deliver, accept delivery of or use any binder twine except for the growing or harvesting of agricultural products or for sewing up bags containing such products, and any person purchasing any binder twine shall endorse on, or attach to his purchase order or delivery receipt therefor, a statement signed by such person, or on his behalf by a duly authorized individual, a certificate in substantially the following form:

The undersigned hereby represents to the seller and the War Production Board that the binder twine covered by this certificate will be either resold or used by the undersigned for the growing or harvesting of agricultural products or for sewing up bags containing such products and is not in excess of his requirements for the current harvest season, as provided in General Preference Order M-84.

(g) *Preference to agave cordage processors for cotton, istle or jute yarns.* (1) Subject to the provisions contained below in this paragraph (g) and notwithstanding the provisions of any other conservation order, preference rating A-2 is hereby assigned to any processor of agave cordage during the year 1942 to obtain delivery of cotton, istle or jute yarns for processing by him into cordage.

(2) The preference rating assigned by paragraph (g) (1) shall be applied and extended in accordance with Priorities Regulation No. 3, as amended from time to time.

(3) During the period January 1 through February 28, 1943, no processor of agave cordage during the year 1942 shall apply the rating assigned by paragraph (g) (1) to obtain delivery of any istle or jute yarns for such purpose in excess of an equivalent, for each yarn, of his basic monthly poundage, as established under paragraph (a) (10), and of one-half times said poundage for cotton yarns. Any such processor desiring additional quantities of any of said yarns may apply to the War Production Board therefor on Form PD-1A or other applicable form prescribed.

(4) Each processor of agave cordage during the year 1942 shall furnish his seller a certificate as a condition to receiving any cotton, istle or jute yarns for processing by him into cordage, and no person shall sell or deliver any cotton, istle or jute yarns to such processor for such purpose without obtaining a certificate, signed by such processor or his duly authorized representative, in substantially the following form:

The undersigned hereby represents to the seller and the War Production Board that he processed agave cordage during 1942 and that the cotton, istle or jute yarns covered by

this certificate will be processed by the undersigned into cordage and is not in excess of the stock authorized under paragraph (g) of General Preference Order M-84.

(h) *Control and allocations of stocks of agave fiber and agave cordage.* (1) Control is hereby taken of the disposition and use of agave fiber and agave cordage possessed by or under the control of any importer, dealer or processor. Any agave fiber or agave cordage at any time hereafter in the inventory of any such person shall be sold and delivered by such person as, and if, specifically directed in any order of the Director General for Operations which may be issued whenever the Director General for Operations shall determine that a shortage of any particular grade of agave fiber or agave cordage for defense, or for private account, or for export, renders it necessary or appropriate so to allocate such agave fiber or agave cordage in the public interest, or to promote the national defense by so directing its sale and delivery by such person. Any such sale shall be made at the established prices and terms of sale and payment therefor and shall take precedence over any preference rated orders. No person shall dispose of or use agave fiber or agave cordage in any manner inconsistent with any such order.

(2) Applications for specific authority to purchase, receive or use agave fiber or agave products otherwise than as permitted by paragraphs (b), (c), (d) or (e) may be made to the Director General for Operations by the person desiring to use such agave fiber or agave cordage on form PD-709 or such other form or forms as may be prescribed. Any such application shall, among other things, set forth a statement of the technical necessity for the use of agave fiber or agave cordage in the manner and to the extent that application therefor is made. Such application shall also summarize the efforts made by the applicant to use substitutes and shall contain a statement of the reasons why the applicant believes the use of agave fiber or agave cordage, in the manner and the extent that application therefor is made, will promote the national defense or will be in the public interest.

(i) *Reports.* Every importer of agave fiber shall file a report on Form PD-129 and every processor of agave fiber shall file a report on form PD-128 with the U. S. Tariff Commission, acting for the War Production Board, not later than the tenth day of the following month, and all persons affected by this order shall file with the War Production Board such reports as may from time to time be required by said Board.

(j) *Records.* All persons affected by this order shall keep and preserve for not less than two (2) years accurate and complete records concerning inventories, production, sales and other transactions pursuant to this order, and shall from time to time, upon request, submit all records required to be kept by this order to audit and inspection by duly authorized representatives of the War Production Board.

(k) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of agave fiber conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board by letter or telegram, Reference M-84, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(l) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Reference M-84.

(m) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(n) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 2d day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F R Doc 43-1734; Filed, February 2, 1943; 11:11 a. m.]

PART 3151—ASCORBIC ACID

[General Preference Order M-269 as Amended Feb. 2, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of ascorbic acid for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3151.1 *General Preference Order M-269*—(a) *Definitions.* (1) "Ascorbic acid" means ascorbic acid (cevitamic acid or vitamin C) in crude or refined form. The term shall include any chemical compound of ascorbic acid but shall not include standard dosage forms (tablets, capsules, ampoules, solutions, etc.), combinations in food or beverages, or ascorbic acid of natural origin.

(2) "Producer" means any person engaged in the production or processing of ascorbic acid, and includes any person who imports ascorbic acid or has ascorbic acid produced for him pursuant to toll agreement.

(3) "Distributor" means any person who purchases ascorbic acid solely for the purpose of resale without further processing and without changing the form thereof.

(4) "Allocation month" means the period beginning on the 15th day of a calendar month and continuing through the 14th day of the calendar month following. The allocation month of January, for example, shall mean the period beginning January 15.

(b) *Restrictions on deliveries and use.* (1) Subject to paragraph (c) hereof, on and after December 15, 1942 no producer or distributor shall deliver or use ascorbic acid, and no person shall accept delivery of ascorbic acid, except as specifically authorized or directed by the Director General for Operations.

(2) Authorizations or directions with respect to deliveries to be made or accepted in each allocation month will so far as practicable be issued by the Director General for Operations prior to the commencement of such allocation month, but the Director General for Operations may at any time at his discretion and notwithstanding the provisions of paragraph (c) hereof, issue directions with respect to deliveries to be made or accepted. He may also at any time issue directions with respect to the use or uses which may or may not be made of material to be delivered or then on hand.

(3) Each person specifically authorized to accept delivery of ascorbic acid shall use such material for the purpose authorized, and only for such purpose, except as otherwise specifically directed by the Director General for Operations, or as provided in paragraph (b) (4) hereof.

(4) Ascorbic acid allocated for inventory shall not be used except as specifically directed by the Director General for Operations. Ascorbic acid allocated to fill a specified order or class of orders shall, where and to the extent that such order or class of orders is subsequently cancelled, revert to inventory.

(c) *Exceptions to requirement for authorization.* Specific authorization of the Director General for Operations shall not be required for:

(1) Acceptance of delivery by any person in any one allocation month of five ounces or less of ascorbic acid in the aggregate; provided that such person has not been specifically authorized or directed by the Director General for Operations to accept delivery of any quantity of such material during such month;

(2) The delivery by any producer or distributor to any person who shall certify to him in writing that he is entitled pursuant to paragraph (c) (1) hereof to accept delivery;

(3) The use by any producer in any allocation month of five ounces or less of ascorbic acid in the aggregate

(4) Delivery of ascorbic acid to, or acceptance of delivery of ascorbic acid by, a person for incorporation into standard dosage forms, where the person making delivery has previously received such ascorbic acid pursuant to specific authorization of the Director General for Operations and retains title to such ascorbic acid and to the product made therefrom.

(d) *Applications and reports.* (1) Each person seeking authorization to accept delivery of (and each producer or distributor seeking authorization to use) ascorbic acid during any allocation month, beginning with the allocation month which commences January 15, 1943, whether for his own consumption or resale, shall file application therefor on or before the 1st day of the calendar month in which such allocation month begins. Where delivery or use is to be in the allocation month commencing December 15, 1942, such application shall be filed as many days as possible in advance of the requested acceptance of delivery or use. In any case, such application shall be made on Form PD-600, in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD-600 may be obtained at local field offices of the War Production Board.

(ii) Five copies shall be prepared, of which one shall be forwarded to the supplier, three to the War Production Board, Chemicals Division, Washington, D. C., Ref.: M-269, and the fifth retained for applicant's file.

(iii) In the heading, under name of chemical, specify "ascorbic acid"; under WPB Order No., specify "M-269"; under unit of measure, specify ounces; under name of your company, specify name and mailing address; and specify the allocation month and year for which authorization for acceptance of delivery is sought.

(iv) In Columns 1, 11 and 19, specify quality; for example, USP, crude, calcium ascorbate.

(v) In Column 3, specify the exact product in the manufacture or preparation of which you will use ascorbic acid or in which you will incorporate ascorbic acid. Retailers ordering ascorbic acid for resale (as ascorbic acid), will specify "Resale at retail". If purchase is for inventory, state "inventory".

(vi) In Column 4, specify in each case (including case where your purchase is for "resale") ultimate use to be made of product (as, for example, "medicinal", "beverage", "food fortification"), and also specify in each case whether your customer is Army, Navy, other government agency, Lend-Lease or commercial customer.

(2) Each producer or distributor seeking authorization to make delivery of ascorbic acid during any allocation month, beginning with the month commencing January 15, 1943, shall file application on or before the 5th day of the calendar month in which such allocation month begins. Application for authorization to deliver in the allocation month beginning December 15, 1942, shall be made as many days as possible in advance of the requested delivery. In any case, such application shall be made on Form PD-601 in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD-601 may be obtained at local field offices of the War Production Board.

(ii) Prepare four copies and forward three to the War Production Board, Chemicals Division, Washington, D. C., Ref: M-269, the fourth to be retained by the producer or distributor.

(iii) Producers who have filed application on Form PD-600 specifying themselves as their suppliers, shall list their own names as customers on Form PD-601 and shall list their request for allocation in the manner prescribed for other customers.

(iv) In the heading, under name of chemical specify "ascorbic acid"; under WPB Order No., specify "M-269"; under name of company, state name and mailing address; under unit of measure specify ounces; and state the allocation month and year during which deliveries covered by your application are to be made.

(v) In Columns 3 and 8, specify grades as stated in customer's Form PD-600.

(vi) The producer or distributor may, if he wishes, leave Column 5 blank.

(vii) Names of customers to whom small order deliveries are to be made during the next allocation month pursuant to paragraph (c) of this order need not be listed, but insert in Column 1 "Total small order deliveries (estimated)", and in Column 4, state the estimated quantity.

(viii) If it is necessary to use more than one sheet to list customers, number each sheet in order and show grand totals for all sheets on the last sheet, which is the only one that need be certified.

(3) The Director General for Operations may require each person affected by this order to file such other reports as may be prescribed, and may issue special directions to any such person with respect to preparing and filing Forms PD-600 and PD-601.

(e) *Notification of customers.* Each supplier shall notify his regular customers as soon as possible of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(f) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board priorities regulations, as amended from time to time.

(2) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C. Ref.: M-269.

Issued this 2d day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1736; Filed, February 2, 1943; 11:11 a. m.]

PART 3160—WOODWORKING MACHINERY AND LIGHT MACHINE TOOLS

[General Limitation Order L-237]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account, and for export, of light power driven tools and materials entering into the production thereof; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3160.1 *General Limitation Order L-237*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(2) "Producer" means any person engaged in the production, manufacture, or assembly of light power driven tools.

(3) "Supplier" means any person (other than a producer) whose business consists in whole or in part of the sale, distribution, or transfer from stock or inventory of light power driven tools; "supplier" includes wholesalers, distributors, jobbers, dealers, retailers, branch warehouses or other distribution outlets controlled by producers and other persons performing a similar function.

(4) "Light power driven tool" means any new power driven tool listed on Schedule A hereof, as amended from time to time, irrespective of the use for which it is designed, or the use to which it may be put, whether for the working of metals, wood or any other substance, which power driven tool had a producer's list price on October 15, 1942, of $350 or less; exclusive, however, of floor finishing, floor maintenance and floor sanding machines as defined in General Limitation Order L-222 and exclusive of portable tools.

(5) "Portable tool" means any light power driven tool which in the course of normal use is lifted, held and operated by not more than two persons.

(6) "Producer's list price" means the sale price at which the producer's catalog or other price publication listed the light power driven tool, exclusive of the motor, motor drive, or any attachments therefor: *Provided, however,* That where the motor, motor drive, or any attachments are initially built into the basic tool itself, as an integral part thereof, then in such case "producer's list price" shall mean the sale price at which the producer listed the light power driven tool as an assembled unit.

(b) *Restrictions.* (1) No producer shall manufacture, fabricate, assemble, or produce any light power driven tools, the addition of which to his inventory would increase that inventory beyond the smallest quantity or number of light

power driven tools which will satisfy anticipated deliveries on existing or anticipated orders bearing preference ratings of A–1–a or higher for a period of 60 days in advance, but in no case shall such quantity exceed 16⅔ percent of total 1941 sales by dollar volume of such products.

(2) No producer or supplier shall sell, transfer or deliver to any person any light power driven tool except on orders bearing a preference rating of A–1–a or higher: *Provided, however,* That the provisions of this paragraph (b) (2) shall not apply to the sale, transfer or delivery of any light power driven tool by one supplier to another supplier.

(3) No person shall purchase, acquire or accept delivery of any light power driven tool by the application of any preference rating assigned on Form PD–25A or PD–25F, nor shall any person fill any such order which he knows or has reason to believe bears a preference rating assigned on PD–25A or PD–25F: *Provided, however,* That the provisions of this paragraph (b) (3) shall not apply to any light power driven tool which had a producer's list price on October 15, 1942, of $35 or less.

(4) No supplier shall accept delivery of any light power driven tool which will increase his inventory of that size and type tool (irrespective of manufacturing make) beyond five in number; and no producer or supplier shall deliver or cause to be delivered to any supplier any light power driven tool which the delivering producer or supplier knows or has reason to believe will increase the receiving supplier's inventory of that size and type tool (irrespective of manufacturing make) beyond five in number.

(5) The prohibitions and restrictions imposed by this order on sales, transfers and deliveries shall apply not only to sales, transfers, or deliveries from one person to another person, including affiliates and subsidiaries, but shall also apply to sales, transfers, or deliveries from one branch, division, or section of a single enterprise to another branch, division, or section of the same or any other enterprise under common ownership or control; and the delivery and inventory restrictions of paragraph (b) (4) hereof shall apply separately to each branch, division or section of a single enterprise under common ownership or control.

(c) *Exemptions.* The provisions of this order shall not apply to deliveries of light power driven tools which deliveries are made on or before the 4th day of April 1943 pursuant to purchase orders placed prior to the 2nd day of February 1943.

(d) *Inapplicability of other orders.* Where the provisions of this order conflict or are inconsistent with the provisions of General Preference Order E–1–b, the provisions of this order shall govern.

(e) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priorities control and may be deprived of priorities assistance.

(g) *Reports.* All producers and suppliers affected by this order shall execute and file with the War Production Board such reports and questionnaires as the War Production Board shall from time to time prescribe.

(h) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(i) *Communications.* All reports to be filed, appeals and other communications, concerning this order, should be addressed to: War Production Board, Tools Division, Washington, D. C., Ref: L–237.

Issued this 2d day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

Band saw machines
Arbor saws—all types
Single spindle drill presses—bench and floor types
Multiple spindle drill presses—bench and floor types
Radial drills
Shapers
Vertical spindle shapers
Milling machines—bench and floor types
Motor grinders—bench and floor types (excluding valve refacers)
Carbide tool grinders—bench and floor types
Disc (disk) grinding and finishing machines
Surface grinders
Abrasive belt finishing machines
Cutoff machines—all types (including radial)
Hack saw machines
Lathes—all types (including polishing)
Flexible shaft machines
Arbor presses—all types
Tool post grinders
Pipe and bolt threading machines
Scroll and jig saws
Jointers
Planers
Surfacers
Mortising machines—all types
Tenoning machines
Carving and profiling machines
Rod and dowel machines
Chucking and round tenoning machines
Wood threading machines
Routers
Trimmers and copers
Plowing and boring machines
Pulley and pocket cutting machines

[F. R. Doc. 43–1737; Filed, February 2, 1943; 11:11 a. m.]

PART 3164—PRODUCERS OF TEXTILE FIBERS, LEATHER AND TEXTILE AND LEATHER PRODUCTS

[Preference Rating Order P–139]

MAINTENANCE, REPAIR AND OPERATING SUPPLIES

To facilitate the acquisition of maintenance, repair and operating supplies by producers of textile fibers, leather and textile and leather products in the public interest and to promote the war effort, preference ratings are assigned to deliveries to such producers upon the following terms:

§ 3164.1 *Preference Rating Order P–139.*—(a) *Definitions.* For the purposes of this order:

(1) "Producer" means any person engaged in the business of producing, finishing, or processing incident to production for the war effort (including necessary civilian purposes) any of the following:

(i) Textile fibers, whether vegetable, animal, natural or synthetic.

(ii) Textile products made from the above fibers.

(iii) Clothing.

(iv) Hides and leather.

(v) Leather products.

(2) "Product" means any commodity listed in paragraphs (a) (1) (i) to (a) (1) (v) inclusive.

(3) "Maintenance, repair and operating supplies" means any commodity, equipment, accessory, part, assembly or product required for:

(i) Keeping the machinery, plant or equipment of a producer in sound working condition.

(ii) Restoring machinery, plant or equipment of a producer which has been rendered unfit for practical service by wear and tear or other damage.

(iii) Production of any commodity listed in paragraphs (a) (1) (i) to (a) (1) (v) inclusive, including all materials required for packaging or shipping except wooden and fibreboard shipping containers and textile packaging and shipping products.

(4) "Maintenance, repair and operating supplies" shall not include any of the following:

(i) Machinery (exclusive of repair and maintenance parts).

(ii) Material physically incorporated into a product.

(iii) Automotive equipment or parts.

(iv) Any material, parts or supplies for improving, adding to, expanding or rebuilding plant or equipment or for reconstruction.

(b) *Assignment of preference rating.* Preference rating AA–2X is assigned to deliveries of maintenance, repair and operating supplies to producers.

(c) *Application and extension of ratings.* Preference ratings assigned by this order shall be applied and extended in accordance with the terms of Priorities Regulation No. 3, as amended from time to time.

(d) *Inventory restrictions.* No producer shall accept delivery of any item of maintenance, repair or operating supplies if by reason of such delivery the producer's inventory of such item would be in excess of minimum practicable working requirements, or in any event in excess of requirements for the next 90 days.

(e) *Requirements as to disposition of metal scrap.* No producer shall apply the preference rating assigned by this order or accept delivery of any material on which such preference rating has been applied unless he has sold to a recognized scrap dealer or dealers all of his saleable metal scrap recovered from maintenance, repair or operating supplies, to the extent that such prior sale is practicable. By the application of a rating assigned by this order, every producer shall be deemed to agree to sell all such metal scrap on hand when the rating is applied not later than ninety (90) days thereafter.

(f) *Reports.* All persons affected by this order shall file such reports as may be prescribed by the War Production Board.

(g) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, purchases, production and sales.

(h) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Reference P–139.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of all the priorities regulations of the War Production Board, as amended from time to time.

Issued this 2d day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–1738; Filed, February 2, 1943; 11:11 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Supp. Order 35]

PURCHASES OF STRATEGIC OR CRITICAL MATERIALS BY METALS RESERVE COMPANY

A statement of the reasons for this Supplementary Order No. 35 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered,* That:

§ 1305.61 *Purchases of domestically produced strategic or critical materials by the Metals Reserve Company.* (a) Notwithstanding the provisions of any price regulation, sales or deliveries of any domestically produced strategic or critical materials to the Metals Reserve Company or any agent thereof shall be exempt from price control.

(b) As used in this Supplementary Order No. 35:

(1) "Price regulation" means a price schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942, a maximum price regulation or temporary maximum price regulation heretofore or hereafter issued, or any amendment or supplement thereto or order thereunder heretofore or hereafter issued.

(2) "Domestically produced strategic or critical materials" means the materials set forth on the list prepared by the Metals Reserve Company and approved by the Price Administrator under date of January 27, 1943 or any amendment or supplement thereto. However, it includes such materials only if they were mined in the forty-eight states of the United States or the District of Columbia and have not been fabricated to any degree. It therefore includes such materials as ores, concentrates, mattes, speiss, bullion, blister and the various forms of refined metal in standard commercial shapes, including ferro-alloys and chemical compounds of such metal; but it does not include such materials as alloy ingot, wire bar or billet, or alloyed or unalloyed rod, sheet, tube or extruded shapes or any other form which customarily commands a premium.

(c) This Supplementary Order No. 35 (§ 1305.61) shall become effective as of November 27, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1687; Filed, February 1, 1943; 12:15 p. m.]

*Copies may be obtained from the Office of Price Administration.

PART 1305—ADMINISTRATION

[Correction to General Ration Order 3A [1]]

RATION BANKING: DEPOSITORS

The designation "Ration Order 3A" is corrected to read "General Ration Order 3A" in said document.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250 7 F.R. 7871)

Issued this 1st day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1686; Filed, February 1, 1943; 12:15 p. m.]

PART 1309—COPPER

[MPR 202,[2] Amendment 2]

BRASS AND BRONZE ALLOY INGOT

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1309.165 (b), ingot identification No. 295 in Table III and ingot identification No. 409 in Table IV are amended, and ingot identification No. 257 in Table II, ingot identification Nos. 296.5 and 299 in Table III and ingot identification No. 407.5 in Table IV are added, and § 1309.165 (c) is amended, all to read as set forth below:

§ 1309.165 *Appendix A: Maximum prices for brass and bronze alloy ingot.* * * *

(b) *Maximum price for sales or deliveries in carload lots:*

RANGES OF ALLOY CONTENT

Ingot Identification Number	Copper		Tin		Lead		Zinc		Impurities		Maximum price (cents per pound)
	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	
TABLE II—88–10–2 GROUP											
257	85.00	90.00	3.00	4.00	0.50	1.00	Balance		0.00	0.35	14.50
TABLE III—80–10–10 GROUP											
295	77.00	82.00	15.00	17.00	4.00	6.00	0.00	1.00	0.00	[3] 0.50	19.75
296.5	79.00	83.00	10.50	12.50	7.00	10.00	----	----	0.00	0.50	17.25
299	77.00	82.00	9.00	11.00	9.00	11.00	0.15	0.75	0.00	0.25	16.50
TABLE IV—YELLOW GROUP											
407.5	90.00	95.00	0.00	0.20	0.00	0.50	Balance		0.00	0.75	13.25
409	any	61.00	0.00	0.20	1.50	2.00	Balance		0.00	[3] 0.40	12.25

[1] Exclusive of zinc.
[2] Including tin.

[1] 8 F.R. 1130.
[2] 7 F.R. 6421, 7247, 8948, 9427.

(c) *Maximum prices for sales or deliveries in carload lots of brass or bronze alloy ingot not included in paragraph* (b). (1) The maximum price for any grade of brass or bronze alloy ingot, other than a grade for which a maximum price is established in paragraph (b) of this section, shall be a price in line with the prices established by paragraph (b), shall be approved by the Administrator, and when once approved shall be the maximum price for all subsequent sales of such ingot by the seller to whom such price approval is given, unless the Administrator thereafter specifically withdraws such approval. On and after February 1, 1943, sales of any such ingot at the most recent price approved by the Administrator prior to February 1, 1943 but subsequent to August 19, 1942, may be made at such approved price unless and until such price approval is specifically withdrawn by the Administrator.

(2) Pending approval by the Administrator, any person may sell or deliver, and any person may buy or receive, any such ingot at the price submitted for approval, and any person may offer to do any of the foregoing. If, however, the Administrator disapproves the price submitted, the contract price shall be revised downward to the maximum price which the Administrator shall approve, and if any payment has been made at a price higher than that so approved, the seller shall refund the excess: *Provided, however,* That the price submitted by the seller for approval shall be deemed to be approved unless the Administrator specifically disapproves such price and establishes an approved maximum price within fifteen days from the date on which the report required in paragraph (c) (3) of this section is received by the Office of Price Administration or, if further information is requested from the seller within such fifteen-day period, then within fifteen days from the date on which all such information is received by the Office of Price Administration.

(3) On and after February 1, 1943, the seller of any such ingot, unless the seller had previously sold or delivered brass or bronze alloy ingot of such alloy content at a price approved by the Administrator subsequent to August 19, 1942, shall (i) report the first sale of such ingot made on or after February 1, 1943, to the Office of Price Administration, Washington, D. C., within five days from the date hereof, stating (a) the quantity sold, (b) the alloy content, including specific mention of any impurity limitations and physical specifications where relevant, (c) the proposed price, in carload lots, and (d) provide such other information concerning the manufacture or sale of such ingot, including the name of the buyer, as may be requested by the Office of Price Administration in order to determine the proper maximum price of such ingot.

(4) Nothing contained in this paragraph (c) shall be construed to prevent the Administrator from adjusting any price previously approved pursuant to this paragraph (c) which in his judgment such adjustment is warranted.

§ 1309.164a. *Effective dates of amendments.* • • •

(c) Amendment No. 2 (§ 1309.165 (b) and (c)) shall become effective on February 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1668, Filed, February 1, 1943, 12:14 p. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[RPS 85, Amendment 8]

NEW PASSENGER AUTOMOBILES

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1360.51, paragraph (c) is amended; in § 1360.52, paragraph (d) is amended, and paragraph (e) is amended; a new § 1360.52b is added; in § 1360.59 new paragraphs (j) and (k) are added; a new § 1360.63, *Appendix C: Standard delivery operations*, is added, all as set forth below:

§ 1360.51 *Maximum wholesale prices for new automobiles.* • • •

(c) To the maximum price may be added an amount equal to 1% of the list price of the automobile, or $15, whichever is lower, for each calendar month or greater part thereof after January 31, 1942 which elapses prior to the sale of the automobile by the manufacturer, distributor, exporter, or other person selling at wholesale: *Provided,* That no amount whatsoever under this paragraph (c) shall be added to the maximum wholesale price unless the automobile sold shall have received while in storage maintenance operations as set forth in subparagraphs (1), (2), (3), or (4) of this paragraph (c), and the seller at the time of delivery shall execute and deliver to the purchaser and to the Office of Price Administration the certification set forth in § 1360.52b.

(1) The automobile shall have received, on and after October 31, 1942, all the maintenance operations set forth in Appendix B.

(2) The automobile has not received, on and after October 31, 1942, all the maintenance operations set forth in Appendix B, but the time for the performance thereof has been extended under the provisions of Section 1360.52a to a certain date and the automobile shall have received on and after such date all the maintenance operations set forth in Appendix B.

(3) (i) The automobile has not received on and after October 31, 1942 all the maintenance operations set forth in Appendix B, but the seller has, prior to delivery, obtained permission from the Office of Price Administration, in accordance with subdivision (ii) below, to omit the performance of certain specified maintenance operations, and the automobile has received all the other maintenance operations set forth in Appendix B.

(ii) In order to obtain permission to omit the performance of certain specified maintenance operations, the seller shall file a report with the nearest Regional Office of the Office of Price Administration setting forth: (a) the specific maintenance operations which have not and/or will not be performed, and a detailed statement of the reasons therefor; (b) a statement that the automobile is not and will not be damaged by the non-performance of such specified maintenance operations, and that the automobile is and will remain in a condition substantially equal to its condition when newly manufactured; and (c) a statement that the automobile has received and will continue to receive until the date of sale all the other maintenance operations set forth in Appendix B. If the Regional Office of the Office of Price Administration shall approve such report, or shall fail to disapprove such report within fifteen days after receiving it, the seller may omit the performance of the maintenance operations specified in such report.

(4) The automobile has not received on and after October 31, 1942 all the maintenance operations set forth in Appendix B, but the following circumstances prevail:

(i) On or before March 15, 1943 the automobile shall have been transferred, by voluntary or involuntary action, to the United States, or any agency thereof, or the manufacturer, or a lien holder, (in this subparagraph called "the transferee"), and

(ii) (*1*) Within thirty days after the transfer to the transferee, the automobile shall have been reconditioned by the transferee, and shall thereafter until the date of sale receive all the maintenance operations set forth in Appendix B, or

(*2*) Within thirty days after the transfer to the transferee, the automobile shall have been sold to the manufacturer, or a distributor, exporter, or retail dealer (other than the person who failed to perform the maintenance operations set forth in Appendix B) who delivers a written statement to the transferee that the automobile will be reconditioned within thirty days after the sale to him and that it will receive on and after the date on which it is reconditioned until the date of sale, all the maintenance operations set forth in Appendix B. On any subsequent sale by such manufacturer, distributor, exporter, or retail dealer the automobile must have been reconditioned in accordance with such written statement.

§ 1360.52 *Maximum retail price for new passenger automobiles.* • • •

(d) An allowance of 5% of (a) and (c) above, or $75, whichever is lower: *Provided,* That (1) when delivery is made after February 15, 1943, the automobile shall have received the operations set forth in § 1360.63, Appendix C—*Standard Delivery Operations*, as therein required, and at the time of delivery the seller shall deliver to the purchaser a copy of Appendix C, and shall execute and deliver to the purchaser and to the Office of Price Administration the certification set forth in § 1360.52b (a) (2); (2) when delivery is made, on or before February 15, 1943, the automobile shall have received, either the operations set forth in Appendix C, or all of the services customarily performed in order to prepare the automobile for delivery to the purchaser and all of the factory recommended get-ready and delivery operations.

(e) An allowance equal to 1% of the list price of the automobile, or $15, whichever is lower, for each calendar month or greater part thereof, after January 31, 1942, which elapses prior to the delivery of the automobile to the purchaser: *Provided,* That no allowance whatsoever under this paragraph (e) shall be included in the maximum retail price unless the automobile sold shall have received while in storage maintenance operations set forth in subparagraphs (1), (2), (3), or (4) of this paragraph (e), and the seller shall at the time of delivery execute and deliver to the purchaser and to the Office of Price Administration the certification set forth in § 1360.52b.

(1) The automobile shall have received, on and after October 31, 1942, all the maintenance operations set forth in Appendix B.

(2) The automobile has not received on and after October 31, 1942, all the maintenance operations set forth in Appendix B, but the time for the performance thereof has been extended under the provisions of § 1360.52a to a certain date and the automobile shall have received on and after such date all the maintenance operations set forth in Appendix B.

(3) (i) The automobile has not received on and after October 31, 1942 all the maintenance operations set forth in Appendix B, but the seller has, prior to delivery, obtained permission from the Office of Price Administration, in accordance with subdivision (ii) below, to omit the performance of certain specified maintenance operations, and the automobile has received all the other maintenance operations set forth in Appendix B.

(ii) In order to obtain permission to omit the performance of certain specified maintenance operations, the seller shall file a report with the nearest Regional Office of the Office of Price Administration setting forth: (*a*) the specific maintenance operations which have not and/or will not be performed, and a detailed statement of the reasons therefor; (*b*) a statement that the automobile is not and will not be damaged by the non-performance of such specified maintenance operations, and that the automobile is and will remain in a condition substantially equal to its condition when newly manufactured; and (*c*) a statement that the automobile has received and will continue to receive until the date of sale all the other maintenance operations set forth in Appendix B. If the Regional Office of the Office of Price Administration shall approve such report, or shall fail to disapprove such report within fifteen days after receiving it, the seller may omit the performance of the maintenance operations specified in such report.

(4) The automobile has not received on and after October 31, 1942 all the maintenance operations set forth in Appendix B, but the following circumstances prevail:

(i) On or before March 15, 1943, the automobile shall have been transferred, by voluntary or involuntary action to the United States, or any agency thereof, or the manufacturer, or a lien holder, (in this subparagraph called "the transferee"), *and*

(ii) (*1*) Within thirty days after the transfer to the transferee, the automobile shall have been reconditioned by the transferee and thereafter sold by such transferee at retail to a retail dealer (other than the person who failed to perform the maintenance operations set forth in Appendix B), *or*

(*2*) Within thirty days after the transfer to the transferee, the automobile shall have been sold by the transferee to a retail dealer (other than the person who failed to perform the maintenance operations set forth in Appendix B), and reconditioned by such retail dealer within thirty days after the sale to him, *and*

(iii) The automobile shall have received, on and after the date on which it is reconditioned, until the date of sale, all the maintenance operations set forth in Appendix B.

§ 1360.52b *Form of certification.* (a) The certification required by §§ 1360.51 and 1360.52 shall be in the following form:

The undersigned hereby certifies with respect to ---------- automobile bearing motor No. ---------- and/or serial No. ----------:

(1) *As to maintenance operations:* That all the requirements of Revised Price Schedule No. 85—*New Passenger Automobiles*, issued by the Office of Price Administration, which condition the inclusion in the maximum price of 1% of the list price, or $15, for each month elapsing between January 31, 1942 and the date of sale, have been fully satisfied.

(2) *As to delivery operations:* That all the standard delivery operations set forth in Appendix C, of Revised Price Schedule No. 85—*New Passenger Automobiles*, have been performed as therein required.

(Date)

(Name)

(Address)

NOTE: Unless a paragraph is stricken out, this certification applies to both paragraphs.

(b) The certification to the Office of Price Administration shall be filed, together with report of sale required by Rationing Order No. 2A—*New Passenger Automobile Rationing Regulations*, issued by the Office of Price Administration, with the War Price and Rationing Board designated in such rationing regulation to receive such report of sale.

§ 1360.59 *Definitions.* • • •

(j) "Lien holder" means any person who has a lien or claim against a new passenger automobile as security for a loan, credit, or guaranty made by him.

(k) "Recondition" means inspecting, repairing, and restoring an automobile so that it is in a condition substantially equal to its condition when newly manufactured.

§ 1360.60a *Effective dates of amendments.* • • •

(h) Amendment No. 8 (§§ 1360.51, 1360.52, 1360.52b, 1360.59, and 1360.63) to Revised Price Schedule No. 85 shall become effective February 6, 1943.

§ 1360.63 *Appendix C: Standard delivery operations*—(a) *General instructions.* The operations set forth in the checklist below are identical with those established by Conservation Order M-216-A issued by the War Production Board. Before any vehicle is delivered into the hands of a buyer, it shall be processed according to the provisions and instructions contained in the following checklist. This checklist is purposely detailed so as to discourage omissions of necessary operations. The sequence of the items listed is based on the fact that serious damage may result if certain operations are done out of turn. Accordingly, this list is arranged so that each operation is done only after the necessary preparatory work has been completed. The purpose of this checklist is to set forth the step-by-step procedure for conditioning every vehicle so that it will give maximum service when put to use. The procedure as outlined in the following pages is intended to be used as a checklist. A responsible person should be charged with the duty of seeing that the order of operations is followed strictly, and that each item is checked only after it is completed. Vehicles should be processed for delivery as near the storage location as practicable. In no case should a vehicle be run under its own power until the conditioning work in the checklist has been completed (through Item 13c) up to the preliminary road test. Under no circumstances should a vehicle be towed until Standard Delivery Operations No. 1 and No. 2 have been performed upon it.

(b)

CHECKLIST OF OPERATION PERFORMED TO PREPARE THE FOLLOWING VEHICLE FOR USE

Company---------- Address----------
(Insert name of seller)
Make of vehicle---------- Body type------
Serial No---------- Engine No----------
Door & Ignit. Key No----------
Deck & Glove Box Key No----------
Vehicle prepared for delivery by---- Date--
(Insert name of mechanic or mechanics who have performed work)
Approved by---------- Date----
(Insert name of shop foreman)

1. *Tires.* a. If tires are unmounted, inspect the rims and remove all rust. Mount tires and inflate them to tire manufacturer's recommended pressure.

b. If tires are mounted, inflate them to tire manufacturer's recommended pressure.

2. *Brake System and Front Wheel Lubricant.* a. Remove all wheels and drums and thoroughly clean rust from all braking surfaces. Also examine anchor pins to make sure their bearings are free so that springs

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*Copies may be obtained from the Office of Price Administration.

[7 F.R. 1364, 1675, 2134, 2132, 6048, 6897, 7100, 7436, 7942, 8948, 9899]

return shoes to released position. *Do not work brake pedal* with brake drums off.

b. While front wheels are off, repack bearings with new lubricant if necessary. Replace wheels. Tighten hub bolts and see that hub covers are secure.

c. Check hydraulic master cylinder fluid level, adding approved fluid if necessary. See that filler cap vent is open.

d. Inspect brake system for leaks and repair any defects.

e. Work brake pedal several times to make sure system is operating. Jack up each wheel (if blocks were removed) and apply brakes. Check to see that they operate and then release fully so wheel can turn freely with no drag.

f. Check brake pedal-floor clearance and adjust if necessary.

g. With respect to conditioning vacuum booster, electric, and compressed air brake equipment, follow equipment manufacturer's recommendations.

NOTE. Remove outside body and window coverings. Protect upholstery while conditioning vehicle. If another location is required for remaining work, vehicle must not be run under its own power until ready for preliminary road test.

3. *Fuel System.* a. Replace and tighten gasoline tank drain plug.

b. Clean fuel pump sediment bowl and filter screen and reinstall.

c. Check all fuel connections for tightness, including carburetor flange nuts or cap screws.

d. Put gasoline in tank, adding ½ pint of SAE–10 engine oil to each 5 gallons of gasoline. Replace filler cap, making sure vent is free.

e. Check accelerator, throttle, and choke linkages, idle and wide open positions.

f. Remove seal from air cleaner; check oil level in oil bath type and add oil if necessary.

4. *Ignition System.* a. Clean and adjust spark plugs. Leave them out so cylinders can be lubricated later.

b. See that distributor is in good condition; points in adjustment, distributor cap and rotor contacts clean.

c. Lubricate cam and rocker bearing surface.

d. Clean wire connections and push wires firmly into their sockets in distributor and coil.

5. *Valve compartment.* a. Remove cover and remove oil soaked rags if any.

b. Spray valve mechanism with suitable light oil. Leave cover off for observation of valve action later.

6. *Seals.* a. Remove seal from tail pipe opening.

b. Remove seals from oil filler tube, crankcase breather tube, and any other opening. Clean and replace covers.

7. *Clutch.* a. Remove block used to keep clutch disengaged make sure there is correct amount of free pedal movement at top of travel.

8. *Preparing engine for service.* a. Tighten all cooling system, heater hose, and defroster connections, replacing any defective hose. If cooling system was stored full, add sufficient coolant to make up for evaporation. If cooling system was stored empty, close drain cocks and replace drain plugs. Fill with clean water. Watch for lenks at hose ends and pump and correct any that develop.

b. Drain the oil from the crankcase. Drop the oil pan. Thoroughly clean the pan and the inside of crankcase. Replace pan and use new gasket. Fill crankcase with flushing oil.

c. Pour 2 ounces of SAE–10 engine oil into each spark plug hole. Reinstall spark plugs, using new gaskets if necessary, and connect wires properly.

d. Lubricate generator, starter, and water pump.

e. Clean battery carrier, repainting if necessary. Install securely a fully charged battery (spec. grav. of 1.280 or above at 60 degrees F; water level ¼" to ⅜" above plates). Clean cables and connections, tighten, and coat terminals with vaseline or approved corrosion preventive. Test battery hook-up by turning on headlights (ammeter should show discharge).

f. With *ignition switch off* and *clutch disengaged*, crank the engine for 30 seconds with starter in order to exercise reciprocating parts and bearings. While cranking engine, listen carefully for indications of trouble. Immediately investigate and remedy any trouble (such as engine failing to turn over or starter motor being stuck) before proceeding further.

g. Start engine (clutch disengaged) and run at idle speed for five minutes.

h. Turn off engine. Drain flushing oil immediately from crankcase.

i. If engine oil filter is sealed type, replace it with a new one. If it is replaceable element type, clean out filter chamber and install new element.

j. Fill crankcase to correct level with engine oil of proper SAE viscosity for temperature conditions under which vehicle will operate. Start engine and run at idle speed.

9. *While engine is running*, check the following items for proper operation, making all necessary adjustments and repairs:

a. All instruments (oil, gas, temperature, and ammeter).

b. Windshield wipers, with blades installed.

c. Horn.

d. Every switch position of every light on vehicle.

e. Heater, climatizer, defroster.

f. Cigar lighter, radio, clock and other accessories.

g. Automatic top on convertibles.

h. Charging rate, and voltage and current regulator.

i. Manifold heater valve.

j. Inspect all water hose connections, oil lines, oil filter, and fuel lines for leakage.

k. Check and if necessary adjust valve tappets according to vehicle manufacturer's recommendations.

l. Automatic choke control.

m. Set engine idle speed according to manufacturer's instructions.

10. After shutting off engine, perform the following operations:

Before any sediment in coolant has time to settle, make the following check of the cooling system:

a. If coolant carries little or no antifreeze, completely drain entire cooling system, examining coolant for presence of rust or other foreign matter.

b. If coolant carries a considerable amount of anti-freeze, drain a quart from bottom of radiator. If liquid is clear, pour sample into radiator. If dirty or rusty, completely drain entire cooling system.

c. If coolant showed rusty and dirty, reverse flush radiator and engine block to remove sediment, using a combination water-air flushing nozzle. (Remove thermostats and water pump before flushing the block.)

d. Fill cooling system (if not already done) with clean water and rust inhibitor, adding anti-freeze according to seasonal requirements. Watch for leaks at hose ends and pump, and correct any that develop.

e. While engine is still hot, tighten cylinder head nuts in recommended order.

f. Tighten manifold studs.

g. Tighten bolts at connection between exhaust manifold and pipe to muffler.

h. Replace valve compartment cover.

i. Check all belt adjustments and replace belts if necessary.

11. *Lubrication.* a. Lubricate every fitting and check the lubricant level of every reservoir according to vehicle manufacturer's lubrication chart, excepting those taken care of above. Flush out all gear boxes in which rust inhibitor was used during storage. Fill to correct level with new lubricant.

b. While lubricating, inspect underside of chassis and body for loose or damaged parts, and make any necessary adjustments or replacements.

12. *Check, and if needed tighten* the following items:

b. All steering connections.

c. Front and rear sway eliminator or stabilizer bolts.

d. Body bolts.

e. Front and rear bumper bolts.

f. Gas tank straps.

g. Shock absorber bolts.

13. *Front end and wheels.* a. Check front wheel toe-in.

b. Test steering adjustments and connections. Check amount of wheel turn to stop on left and right.

c. Check steering wheel for correct amount of play.

14. *Preliminary road test*

NOTE. Before road test, remove any stickers that obstruct vision, and wash windshield.

Road test every vehicle by driving it at least three miles and checking the operation of the following items:

a. All gear positions, and operation of gear shift lever.

b. Accelerator.

c. Service brakes.

d. Hand brake.

e. All instruments; oil, gas, temperature, ammeter, speedometer, and odometer.

f. Set spark advance or octane selector at correct adjustment for economical performance, idling, pick-up in each forward gear, and ping in acceleration.

g. Springs and shock absorbers.

h. Locate squeaks, rattles, and unusual noises.

i. Special equipment such as overdrives, 2-speed axles, hill-holding devices, and transmissions other than conventional type.

j. Note any other items upon which work needs to be done.

15. *Return vehicle to shop* and do the following operations:

a. Check focus of headlights, and adjust if necessary.

b. Do any work on clutch, service brakes and hand brake for which road test showed need.

c. Reinspect all water hose connections, oil lines, oil filter, and fuel lines for leakage.

d. Clean fuel filters at carburetor and fuel pump.

e. Make necessary repairs or adjustments of any other items which road test showed to need attention.

f. Check all tire pressures again. If any tire has lost air, replace valve core and pump up tire again. If it continues to lose air, remove and test innertube, inspect casing for nails, remount and inflate to proper air pressure. Leave all valve cores and valve caps air-tight.

16. *Final Road Test.* a. Make a second road test, and further tests if necessary, to see that all items found unsatisfactory in first road test are operating satisfactorily.

b. Check for leaks under engine, transmission, and rear axle.

c. Clean and remove rust and dirt from engine and its accessories and other chassis parts. Touch up with paint of appropriate color if originally painted.

17. *Body.* a. Clean upholstery, carpets, and floor mats completely and repair any damaged places.

b. Remove screening or plugs from holes in floorboards or dash.

c. Check and lubricate front seat adjustment.

d. Remove wax or grease from interior chrome, using solvent cleaner which will not damage finish or upholstery.

e. Check operation of all windows, ventpanes, cowl ventilator, and sun-visors.

f. Check operation of glove compartment lock and key.

g. Check operation of all doors, locks and keys, from inside and outside.

h. Check operation of trunk lid, lock and key.

i. Check operation of hood and its lock.

j. Check and clean tools and arrange them in kit.

k. Re-cement any sponge rubber seal strips which may be pulled loose, replacing any which have deteriorated.

l. Clean windows and windshield inside and outside and repair any defects.

m. Inspect paint finish and repair or touch up any defects or damage.

n. Clean and polish vehicle body and chrome trim.

NOTE. Owner should drain engine crankcase at about 250 miles and refill to the full mark with a good grade of engine oil of proper SAE viscosity for temperature conditions under which vehicle will operate.

Truck Trailer Equipment. With respect to truck trailer equipment, the following conditioning operations must be performed:

Items Nos. 1 a, b; 2 a, b, d, g; 9 d; 11 a, b; 12 a, b, d; 14 c, g, h, j; 15 b, e, f; 16 a; and 17 g, m, n.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1689. Filed, February 1, 1943; 12:13 p. m.]

PART 1382—HARDWOOD LUMBER

[MPR 313]

PRIME GRADE HARDWOOD LOGS

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sec.

1382.251 Sales of prime grade hardwood logs at higher than maximum prices prohibited.
1382.252 To what products, transactions, and persons this regulation applies.
1382.253 Maximum prices for prime grade hardwood logs.
1382.254 Marking the grade and scale on prime grade logs.
1382.255 Scaling and grading rules.
1382.256 What the invoice or billing must contain.
1382.257 Use of invoices and billings as records and reports.
1382.258 Prohibited practices.
1382.259 Applications for adjustment and petitions for amendment.
1382.260 Enforcement.

*Copies may be obtained from the Office of Price Administration.

Sec.

1382.261 Relation to Revised Maximum Export Price Regulation.

AUTHORITY: §§ 1382.251 to 1382.261, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1382.251 *Sales of prime grade hardwood logs at higher than maximum prices prohibited.* (a) On and after February 6, 1943, regardless of any contract or obligation, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business, any prime grade hardwood logs at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged or paid.

(c) If prime grade hardwood logs have been received before February 6, 1943, by a carrier, other than one owned or controlled by the seller, for shipment to a buyer, that shipment is not subject to this regulation.

§ 1382.252 *To what products, transactions, and persons this regulation applies*—(a) *Products and transactions covered by the regulation.* This regulation covers all sales and purchases of yellow poplar (Liriodendron tulipifera), sweet gum (Liquidambar styraciflua), and water tupelo (Nyssa equatica) logs which satisfy the specifications for prime grade logs (set out in paragraph (c) of § 1382.253).

(b) *Persons covered by the regulation.* Any person who sells or purchases (in the course of trade or business) prime grade hardwood logs is subject to this regulation. The term "person" includes: an individual, corporation, partnership, association, or any other organized group of persons, or their legal successors, or representatives; the United States, or any government, or any of its political subdivisions; or any agency of the foregoing.

§ 1382.253 *Maximum prices for prime grade hardwood logs*—(a) *Explanation of maximum prices.* The maximum prices for prime grade hardwood logs are set out in paragraph (c) of this section. These maximum prices are for logs:

(1) Loaded on railroad cars at any rail siding;

(2) Delivered to a place at which water shipment is to begin;

(3) Delivered by truck to the buyer's plant.

This means that the seller cannot add to the maximum prices any charge for loading logs on rail cars, or for trucking logs to a rail siding, to a place at which water shipment is to begin, or to the buyer's plant. However, in any case, if the seller trucks logs more than fifty miles, he may add to the maximum prices a trucking charge of not more than $1.00 per thousand feet log scale for each twenty-five miles (or fraction of twenty-five miles) above fifty miles that the logs are trucked. For example, if the seller trucks logs eighty-five miles, he cannot add to the maximum price for the first fifty miles of the haul, but he can add $1.00 per thousand feet log scale for the next twenty-five miles and a second $1.00 for the last ten miles.

(b) *Reduction of maximum prices in certain cases.* If the buyer takes delivery at some place other than on railroad cars, or at a place at which water shipment is to begin, or at his plant, the maximum price must be reduced by the lower of the following:

(1) The cost (per thousand feet log scale) to the buyer of trucking the logs to the closest rail siding and loading the logs on cars.

(2) The cost (per thousand feet log scale) to the buyer of trucking the logs to his plant.

(c) *Specifications of prime grade hardwood logs.* The specifications for prime grade hardwood logs are as follows: (These specifications apply to all diameters 18 inches and over (all diameters 14 inches and over in the case of yellow poplar); and to all lengths between eight and sixteen feet, inclusive).

(1) Round and straight, suitable for slicing or rotary cutting.

(2) Surface clear, free from all visible defects.

(3) Straight-grained.

(4) Heart well-centered, both ends.

(5) All log lengths to allow minimum trim of 4 inches.

(d) *Maximum prices.* The maximum prices for 1,000 feet log scale of prime grade hardwood logs are as follows:

Diameters	Lengths, inclusive	Price per 1,000 feet log scale
26" and up	14' to 16'	$105.00
26" and up	8' to 13'	95.00
24" to 27"	8' to 16'	85.00
20" to 23"	8' to 16'	65.00
18" and 19"	8' to 16'	50.00
14" to 17"*	8' to 16'	40.00

*Yellow poplar only.

§ 1382.254 *Marking the grade and scale on prime grade logs.* Logs cannot be sold or purchased as "prime grade" logs unless they are individually grade and scale marked by either the buyer or seller or both. This means that to be considered as prime grade, logs must not only meet the specification for the prime grade, but they must be individually marked to show they are prime grade logs and to show the net log scale footage content. It is unlawful to sell or buy a log as a prime grade log if this has not been done.

§ 1382.255 *Scaling and grading rules.* (a) All of the maximum prices in this regulation are based on footages figured under the Doyle rule. Logs covered by this regulation must be scaled on the Doyle rule. The basic rule is as follows:

To figure the log scale footage content of a 16 foot log, take four inches off the diameter and square what is left;

Logs of other lengths are figured in the proportion in which the length relates to 16 feet.

For example, the footage of a 14 foot log with a twenty inch minimum diameter is to be figured as follows:

(Take 4 inches off the diameter): $20-4=16$.

(Square what is left): $16\times16=256$

(The proportion in which the length relates to 16 feet): $14/16\times256=224$ feet log scale.

(b) In general, prime grade logs must be scaled and graded on the basis of the condition in which they are shipped or delivered to the buyer. However, the scaler may actually mark off defects, and dock the length measurement of the log, to the following extent:

(1) Length dockage may not exceed 25 percent of length on logs 10 feet and over. If there is length dockage, the log must be scaled to a one foot multiple which does not exceed the length of the log after defects have been marked off. Dockage for length can be taken only on the ends of logs and the docked parts must be completely scaled off. No length dockage is permitted on logs shorter than 10 feet.

(2) No diameter dockage is permitted.

(c) It is illegal to grade and scale a single log by marking it for two logs. In order to be graded and scaled as two logs, the single log must actually be cut into two logs.

(d) For scaling purposes all logs covered by this Regulation must be measured inside the bark at the smallest diameter.

§ 1382.256 *What the invoice or billing must contain.* (a) All invoices and billings of prime grade logs must contain a sufficiently complete description of the logs covered to show whether price is proper or not. This means that the invoices and billings must show the species, the grade, the diameter, the gross and net length, and the net footage of each of the prime grade logs purchased or sold. In addition, the invoices and billings must show to what place the seller delivered the logs, the date of sale, and the name and address of the buyer and seller.

(b) Any part of the information required on the invoice may be furnished in a tally sheet attached to and made part of the invoice.

(c) An invoice or billing may cover all prime grade logs delivered by the seller to a purchaser during a period of not more than two weeks.

(d) Either the buyer or seller may prepare the invoice or billing, but both have the responsibility for correct invoicing or billing.

(e) Failure to invoice properly is just as much a violation of this regulation as charging an excessive price.

§ 1382.257 *Use of invoices and billings as records and reports—(a) Three copies of invoices and billings required.* All invoices and billings must be made with three copies.

(b) *Records.* Each buyer and seller must keep, as a record, one copy of all invoices and billings covering prime grade logs purchased or sold. These must be kept for two years, for inspection by the Office of Price Administration. Any records which the Office of Price Administration later requires must also be kept.

(c) *Reports.* One copy of each invoice or billing covering the purchase of prime grade logs must be filed by the buyer with the nearest regional or State office of the Office of Price Administration. This report must be filed within 10 days of final settlement but in any case not later than 60 days after delivery of the logs.

Any other reports that the Office of Price Administration later requires must be submitted.

§ 1382.258 *Prohibited practices—(a) General.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like.

(b) *Specific prohibited practices.* The following are among the specific practices prohibited:

(1) Up-grading, up-scaling or allowing a greater net scale footage than the actual scale content of the log.

(2) Selling logs on a scale other than Doyle rule.

(3) Selling logs as "prime grade" where the logs have not been actually marked to show they are "prime grade."

(4) Charging a purchasing or selling commission based on quantity or value of logs purchased, if the commission plus the purchase price is higher than the maximum price permitted by this regulation.

(5) Increasing the price of logs by not making a good faith effort to collect advances to loggers. An advance to a logger is to be considered as part of the price of the logs to be supplied by the logger.

(c) *Adjustable pricing.* A price may not be made adjustable to a maximum price which will be in effect sometime after delivery of the logs has been completed. The price may be adjustable to the maximum price in effect at the time of delivery.

§ 1382.259 *Applications for adjustment and petitions for amendment—(a) Government contracts.* (1) The term "government contracts" is here used to include any contract with the United States or any of its agencies, or with the government or any governmental agency of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 1, 1941, entitled, "An Act to Promote the Defense of the United States". It also includes any subcontract under this kind of contract.

(2) Any person who has made or intends to make a "government contract" and who thinks that the maximum price established in this regulation is impeding or threatens to impede production of prime grade logs which is essential to the war program and which is or will be the subject of the contract, may file an application for adjustment in accordance with Procedural Regulation No. 6,[1] issued by the Office of Price Administration.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[1] issued by the Office of Price Administration.

§ 1382.260 *Enforcement.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages, provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this regulation or of any other regulation or order issued by the Office of Price Administration are urged to communicate with the nearest field, state, or regional office of the Office of Price Administration, or its principal office in Washington, D. C.

(c) War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this regulation. "War procurement agencies" include the War Department, the Navy Department, the United States Maritime Commission and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any of their agencies.

§ 1382.261 *Relation to Revised Maximum Export Price Regulation.* The maximum price for export sales of hardwood logs is governed by the Revised Maximum Export Price Regulation.[1]

This regulation shall become effective February 6, 1943.

Issued this 1st day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1690, Filed, February 1, 1943; 12:14 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 51 to Supp. Reg. 1[1] to GMPR[2]]

INDIAN AND ESKIMO HANDICRAFT OBJECTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1499.26 a new subparagraph (42) is added to paragraph (a) to read as set forth below:

§ 1499.26 *Exceptions for certain commodities and certain sales and deliveries.* (a) The General Maximum Price Regulation shall not apply to any sale or delivery of the following commodities:

* * * * *

(42) Indian and Eskimo handicraft objects which are produced by the manual skill and ability of American Indians, Alaskan Indians or Eskimos.

* * * * *

(c) *Effective dates.* * * *

(52) Amendment No. 51 (§ 1499.26 (a) (42)) to Supplementary Regulation No. 1 shall become effective February 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1697; Filed, February 1, 1943; 12:15 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 101 to Supp. Reg. 14[1] to GMPR[2]]

MODIFICATION OF MAXIMUM PRICES FOR CERTAIN COMMODITIES, SERVICES, AND TRANSACTIONS

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1499.73 (a) (19) (i), inferior subdivision (*c*) is amended, and inferior subdivisions (*d*), (*e*), (*f*) and (*g*) are added; in § 1499.73 (a) (19), subdivision (iv) is redesignated as subdivision (vi); and inferior subdivisions (*e*), and (*f*) are added to said subdivision; and new subdivisions (iv) and (v) are added, as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services, and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided.

* * * * *

(19) *New commercial motor vehicles—*
(i) *Maximum prices* * * *
(c) * * * $15:

Provided, That no amount whatsoever under inferior subdivisions (*a*), (*b*), or (*c*) of this inferior subdivision (i) shall be added to such maximum price unless such new commercial motor vehicle shall have received maintenance operations as set forth in inferior subdivisions (*d*), (*e*), (*f*), or (*g*) of this subdivision (i) and the seller, at the time of delivery, shall have executed and delivered to the purchaser and to the Office of Price Administration, Washington, D. C., the certification set forth in subdivision (v).

(*d*) The new commercial motor vehicle shall have received, on and after October 31, 1942, the maintenance operations set forth in subdivision (ii), as therein required.

(*e*) The new commercial motor vehicle has not received, on and after October 31, 1942, the maintenance operations set forth in subdivision (ii), as therein required, but the time for the performance thereof has been extended under the provisions of subdivision (iii) to a certain date, and the new commercial motor vehicle shall have received on and after such date, the maintenance operations set forth in subdivision (ii), as therein required.

(*f*) (*1*) The new commercial motor vehicle has not received, on and after October 31, 1942, the maintenance operations set forth in subdivision (ii), as therein required, but the seller has, prior to delivery, obtained permission from the Office of Price Administration, in accordance with subparagraph (2) below, to omit the performance of certain specified maintenance operations, and the new commercial motor vehicle has received all the other maintenance operations set forth in subdivision (ii), as therein required.

(*2*) In order to obtain permission to omit the performance of certain specified maintenance operations, the seller shall file a report with the nearest Regional Office of the Office of Price Administration setting forth: (A) the specific maintenance operations which have not and/or will not be performed, and a detailed statement of the reasons therefor; (B) a statement that the new commercial motor vehicle is not and will not be damaged by the non-performance of such specified maintenance operations, and that the new commercial motor vehicle is and will remain in a condition substantially equal to its condition when newly manufactured; and (C) a statement that the new commercial motor vehicle has received, and will continue to receive until the date of sale all the other maintenance operations set forth in subdivision (ii). If the Regional Office of the Office of Price Administration shall approve such report, or shall fail to disapprove such report within fifteen days after receiving it, the seller may omit the performance of the maintenance operations specified in such report.

(*g*) The new commercial motor vehicle has not received, on and after October 31, 1942, the maintenance operations set forth in subdivision (ii), as therein required, but the following circumstances prevail:

(*1*) On or before March 15, 1943, the vehicle shall have been transferred, by voluntary or involuntary action, to the United States, or any agency thereof, or the manufacturer or a lien holder (in this inferior subdivision called "the transferee"), and

(*2*) (A) Within thirty days after the transfer to the transferee the vehicle shall have been reconditioned by the transferee, and shall thereafter, until the date of any sale, have received the maintenance operations set forth in subdivision (ii), as therein required, or

(B) Within thirty days after the transfer to the transferee, the vehicle shall have been sold to the manufacturer, or a distributor, exporter, or retail dealer (other than the person who failed to perform the maintenance operations set forth in subdivision (ii)) who delivers a written statement to the transferee that the vehicle will be reconditioned within thirty days after the sale to him, and that it will receive, on and after the date on which it is reconditioned, until it is sold by such person, the maintenance operations as set forth in subdivision (ii), as therein required. On any subsequent sale by such manufacturer, distributor, exporter, or retail dealer, the vehicle must have been reconditioned and maintained in accordance with such written statement.

* * * * *

(iv) *Lower maximum prices in Standard Delivery Operations are not performed:*

(*a*) The maximum price established by § 1499.2 applicable to the sale of any new commercial motor vehicle delivered to the purchaser on and after February 15, 1943, shall be reduced by five percent, unless (*1*) the vehicle shall have received, prior to delivery, all the standard delivery operations set forth in inferior subdivision (*b*) below, and (*2*) the seller shall have delivered to the purchaser a copy of inferior subdivision (*b*) below, and (*3*) the seller shall have, at the time of delivery, executed and delivered to the purchaser and to the Office of Price Administration, Washington, D. C., the certification set forth in subdivision (v).

(*b*) *Standard delivery operations—(1) General instructions.* The operations set forth in the checklist below are identical with those established by Conservation Order M-216-A issued by the War Production Board. Before any vehicle is delivered into the hands of a buyer, it shall be processed according to the provisions and instructions contained in the following checklist. This checklist is purposely detailed so as to discourage omissions of necessary operations. The sequence of the items listed is based on the fact that serious damage may result if certain operations are done out of turn. Accordingly, this list is arranged so that each operation is done only after the necessary preparatory work has been completed. The purpose of this checklist is to set forth the step-by-step procedure for conditioning every vehicle so that it will give maximum service when put to use. The procedure as outlined in the following pages is intended to be used as a checklist. A responsible person should be charged with the duty of seeing that the order of operations is followed strictly, and that each item is checked only after it is completed. Vehicles should be processed for delivery as near the storage location as practicable. In no case should a vehicle be run under its own power until the conditioning work in the checklist has been completed (through Item 13 c) up to the preliminary road test. Under no cir-

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[1] 7 F.R. 5087, 5664.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8961.

[2] 7 F.R. 5059, 7242, 8829, 9000, 10530

[1] 7 F.R. 3158, 3488, 3892, 4183, 4410, 4428, 4487, 4488, 4493, 4669, 5066, 5192, 5276, 5366, 5484, 5607, 5717, 5942, 6082, 6473, 6685, 7011, 7250, 7317, 7598, 7604, 7739, 8336, 8652, 8798, 8930, 8833, 9082, 9131, 9616, 9622, 9975, 9976, 10022, 10718, 10557, 11118; 8 F.R. 130, 265, 927

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6905, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7586, 7604, 7538, 7511, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8903, 8954, 8955, 8959, 9043, 9196, 9397, 9201, 9405, 9496, 9637, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10264, 10346, 10381, 10480, 10537, 10557, 10583, 10705, 10965, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 980, 1030, 876, 678.

[2] 7 F.R. 3153-3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6939, 6794, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371.

cumstances should a vehicle be towed until Standard Delivery Operations No. 1 and No. 2 have been performed upon it.

CHECKLIST OF OPERATIONS PERFORMED TO PREPARE THE FOLLOWING VEHICLE FOR USE

Company _____
(Insert name of seller)
Address _____
Make of vehicle _____
Body Type _____
Serial No. _____
Engine No. _____
Body & Ignit. Key No. _____
Deck & Glove Box Key No _____
Vehicle prepared for delivery by:
_____
(Insert name of mechanic or mechanics who have performed work)
_____ Date _____
Approved by _____
(Insert name of Shop Foreman)
Date _____

1. *Tires.* a. If tires are unmounted, inspect the rims and remove all rust. Mount tires and inflate them to tire manufacturer's recommended pressure.

b. If tires are mounted, inflate them to tire manufacturer's recommended pressure.

2 *Brake System and Front Wheel Lubricant.* a. Remove all wheels and drums and thoroughly clean rust from all braking surfaces. Also examine anchor pins to make sure their bearings are free so that springs return shoes to released position. *Do not work brake pedal* with brake drums off.

b. While front wheels are off, repack bearings with new lubricant if necessary. Replace wheels. Tighten hub bolts and see that hub covers are secure.

c. Check hydraulic master cylinder fluid level, adding approved fluid if necessary. See that filler cap vent is open.

d. Inspect brake system for leaks and repair any defects.

e. Work brake pedal several times to make sure system is operating. Jack up each wheel (if blocks were removed) and apply brakes. Check to see that they operate and then release fully so wheel can turn freely with no drag.

f. Check brake pedal-floor clearance and adjust if necessary.

g. With respect to conditioning vacuum booster, electric, and compressed air brake equipment, follow equipment manufacturer's recommendations.

NOTE. Remove outside body and window coverings. Protect upholstery while conditioning vehicle. If another location is required for remaining work, vehicle must not be run under its own power until ready for preliminary road test.

3. *Fuel System.* a. Replace and tighten gasoline tank drain plug.

b. Clean fuel pump sediment bowl and filter screen and reinstall.

c. Check all fuel connections for tightness, including carburetor flange nuts or cap screws.

d. Put gasoline in tank, adding ½ pint of SAE 10 engine oil to each 5 gallons of gasoline. Replace filler cap, making sure vent is free.

e. Check accelerator, throttle, and choke linkages, idle and wide-open positions.

f. Remove seal from air cleaner; check oil level in oil bath type and add oil if necessary.

4 *Ignition System.* a. Clean and adjust spark plugs. Leave them out so cylinders can be lubricated later.

b. See that distributor is in good condition; points in adjustment, distributor cap and rotor contacts clean.

c. Lubricate cam and rocker bearing surface.

d. Clean wire connections and push wires firmly into their sockets in distributor and coil.

5 *Valve compartment.* a. Remove cover and remove oil soaked rags if any.

b. Spray valve mechanism with suitable light oil. Leave cover off for observation of valve action later.

6. *Seals.* a. Remove seal from tail pipe opening.

b. Remove seals from oil filler tube, crankcase breather tube, and any other opening. Clean and replace covers.

7. *Clutch.* a. Remove block used to keep clutch disengaged and make sure there is correct amount of free pedal movement at top of travel.

8. *Preparing engine for service.* a. Tighten all cooling system, heater hose, and defroster connections, replacing any defective hose. If cooling system was stored full, add sufficient coolant to make up for evaporation. If cooling system was stored empty, close drain cocks and replace drain plugs. Fill with clean water. Watch for leaks at hose ends and pump and correct any that develop.

b. Drain oil from the crankcase. Drop the oil pan. Thoroughly clean the pan and the inside of crankcase. Replace pan and use new gasket. Fill crankcase with flushing oil.

c. Pour 2 ounces of SAE-10 engine oil into each spark plug hole. Reinstall spark plugs, using new gaskets if necessary, and connect wires properly.

d. Lubricate generator, starter, and water pump.

e. Clean battery carrier, repainting if necessary. Install securely a fully charged battery (spec. grav. of 1.280 or above at 60 degrees F; water level ¼" to ⅜" above plates). Clean cables and connections, tighten, and coat terminals with vaseline or approved corrosion preventive. Test battery hook-up by turning on headlights (ammeter should show discharge).

f. With *ignition switch off* and *clutch disengaged*, crank the engine for 30 seconds with starter in order to exercise reciprocating parts and bearings. While cranking engine, listen carefully for indications of trouble. Immediately investigate and remedy any trouble (such as engine failing to turn over or starter motor being stuck) before proceeding further.

g. Start engine (clutch disengaged) and run at idle speed for five minutes.

h. Turn off engine. Drain flushing oil immediately from crankcase.

i. If engine oil filter is sealed type, replace it with a new one. If it is replaceable element type, clean out filter chamber and install new element.

j. Fill crankcase to correct level with engine oil of proper SAE viscosity for temperature conditions under which vehicle will operate. Start engine and run at idle speed.

9 *While engine is running,* check the following items for proper operation, making all necessary adjustments and repairs:

a. All instruments (oil, gas, temperature and ammeter).

b. Windshield wipers, with blades installed.

c. Horn.

d. Every switch position of every light on vehicle.

e. Heater, climatizer, defroster.

f. Cigar lighter, radio, clock, and other accessories.

g. Automatic top on convertibles.

h. Charging rate, and voltage and current regulator.

i. Manifold heater valve.

j. Inspect all water hose connections, oil lines, oil filter, and fuel lines for leakage.

k. Check and if necessary adjust valve tappets according to vehicle manufacturer's recommendations.

l. Automatic choke control.

m. Set engine idle speed according to manufacturer's instructions.

10 *After shutting off engine,* perform the following operations:

Before any sediment in coolant has time to settle, make the following check of the cooling system:

a. If coolant carries little or no antifreeze, completely drain entire cooling system, examining coolant for presence of rust or other foreign matter.

b. If coolant carries a considerable amount of anti-freeze, drain a quart from bottom of radiator. If liquid is clear, pour sample into radiator. If dirty or rusty, completely drain entire cooling system.

c. If coolant showed rusty and dirty, reverse flush radiator and engine block to remove sediment, using a combination water-air flushing nozzle. (Remove thermostats and water pump before flushing the block.)

d. Fill cooling system (if not already done) with clean water and rust inhibitor, adding anti-freeze according to seasonal requirements. Watch for leaks at hose ends and pump, and correct any that develop.

e. While engine is still hot, tighten cylinder head nuts in recommended order.

f. Tighten manifold studs.

g. Tighten bolts at connection between exhaust manifold and pipe to muffler.

h. Replace valve compartment cover.

i. Check all belt adjustments and replace belts if necessary.

11. *Lubrication.* a. Lubricate every fitting and check the lubricant level of every reservoir according to vehicle manufacturer's lubrication chart, excepting those taken care of above. Flush out all gear boxes in which rust inhibitor was used during storage. Fill to correct level with new lubricant.

b. While lubricating, inspect underside of chassis and body for loose or damaged parts, and make any necessary adjustments or replacements.

12 *Check, and if needed tighten* the following items:

a. Nuts on spring U-bolts.

b. All steering connections.

c. Front and rear sway eliminator or stabilizer bolts.

d. Body bolts.

e. Front and rear bumper bolts.

f. Gas tank straps.

g. Shock absorber bolts.

13. *Front end and wheels.* a. Check front wheel toe-in.

b. Test steering adjustments and connections. Check amount of wheel turn to stop on left and right.

c. Check steering wheel for correct amount of play.

14. *Preliminary road test.*

NOTE. Before road test, remove any stickers that obstruct vision, and wash windshield.

Road test every vehicle by driving it at least three miles and checking the operation of the following items:

a. All gear positions, and operation of gear shift lever.

b. Accelerator.

c. Service brakes.

d. Hand brake.

e. All instruments: oil, gas, temperature, ammeter, speedometer, and odometer.

f. Set spark advance or octane selector at correct adjustment for economical performance, idling, pick-up in each forward gear, and ping in acceleration.

g. Springs and shock absorbers.

h. Locate squeaks, rattles, and unusual noises.

i. Special equipment such as overdrives, 2-speed axles, hill-holding devices, and transmissions other than conventional type.

j. Note any other items upon which work needs to be done.

15. *Return vehicle to shop* and do the following operations:

a. Check focus of headlights, and adjust if necessary.

b. Do any work on clutch, service brakes and hand brake for which road test showed need.

c. Reinspect all water hose connections, oil lines, oil filter, and fuel lines for leakage.

d. Clean fuel filters at carburetor and fuel pump.

e. Make necessary repairs or adjustments of any other items which road test showed to need attention.

f. Check all tire pressures again. If any tire has lost air, replace valve core and pump up tire again. If it continues to lose air, remove and test innertube, inspect casing for nails, remount and inflate to proper air pressure. Leave all valve cores and valve caps air-tight.

16 *Final Road Test.* a. Make a second road test, and further tests if necessary, to see that all items found unsatisfactory in first road test are operating satisfactorily.

b. Check for leaks under engine, transmission, and rear axle.

c. Clean and remove rust and dirt from engine and its accessories and other chassis parts. Touch up with paint of appropriate color if originally painted.

17. *Body.* a. Clean upholstery, carpets, and floor mats completely and repair any damaged places.

b. Remove screening or plugs from holes in floorboards or dash.

c. Check and lubricate front seat adjustment.

d. Remove wax or grease from interior chrome, using solvent cleaner which will not damage finish or upholstery.

e. Check operation of all windows, ventpanes, cowl ventilator, and sun-visors.

f. Check operation of glove compartment lock and key.

g. Check operation of all doors, locks and keys, from inside and outside.

h. Check operation of trunk lid, lock and key.

i. Check operation of hood and its lock.

j. Check and clean tools and arrange them in kit.

k. Re-cement any sponge rubber seal strips which may be pulled loose, replacing any which have deteriorated.

l. Clean windows and windshield inside and outside and repair any defects.

m. Inspect paint finish and repair or touch up any defects or damage.

n. Clean and polish vehicle body and chrome trim.

NOTE. Owner should drain engine crankcase at about 250 miles and refill to the full mark with a good grade of engine oil of proper SAE viscosity for temperature conditions under which vehicle will operate.

Truck Trailer Equipment. With respect to truck trailer equipment, the following conditioning operations must be performed:

Items Nos. 1 a, b; 2 a, b, d, g; 9 d; 11 a, b; 12 a, b, d; 14 c, g, h, j; 15 b, e, f; 16 a; and 17 g, m, n.

(v) *Form of certification.*

The undersigned hereby certifies, with respect to the _____ new commercial motor vehicle, bearing motor No. _____ and/or serial No. _____:

(a) *As to maintenance operations.* That all the requirements of § 1499.73 (a) (19) of Supplementary Regulation No. 14 to the General Maximum Price Regulation, which condition the addition to the maximum price of a percentage of the list price for each month elapsing between February 29, 1942 and the date of sale, have been fully satisfied.

(b) *As to Standard Delivery Operations.* That all the standard delivery operations set forth in § 1499.73 (a) (19) of Supplementary Regulation No. 14 to the General Maximum Price Regulation have been performed.

_____ _____
(Date) (Name)

_____
(Address)

NOTE: Unless a paragraph is stricken out, this certification applies to both paragraphs.

(vi) *Definitions.* * * *

(e) "Lien holder" means any person who has a lien or claim against a new commercial motor vehicle as security for a loan, credit, or guaranty made by him.

(f) "Recondition" means inspecting, repairing, and restoring a new commercial motor vehicle so that it is in a condition substantially equal to its condition when newly manufactured.

* * * * * *

(b) *Effective dates.* * * *

(102) Amendment No. 101 (§ 1499.73 (a) (19) (i), (iv), (v), and (vi)) to Supplementary Regulation No. 14 shall become effective February 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1698; Filed, February 1, 1943; 12:13 p. m.]

PART 1340—FUEL

[Correction to Amendment 57 to RPS 88[1]]

PETROLEUM AND PETROLEUM PRODUCTS

The maximum price per barrel for Wilmington, North Carolina in the table in § 1340.159 (c) (6) (ii) is corrected to read $1.60 instead of $1.65.

§ 1340.158a *Effective dates of amendments.* * * *

(mmm) This correction (§ 1340.159 (c) (6) (ii)) to Amendment No. 57 to Revised Price Schedule No. 88 shall become effective February 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1711; Filed, February 1, 1943; 2:53 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 150 as Amended,[2] Amendment 2]

MILLED RICE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.[3] Section 1351.464 is amended and paragraph (c) of § 1351.463 is added to Maximum Price Regulation No. 150, as amended, as set forth below.

§ 1351.464 *Appendix A: Maximum prices for milled rice.* (a) The maximum prices for all non-export sales and deliveries of milled rice per 100 pound bags or containers f. o. b. conveyance within a base point or within a mill point shall be as follows:

(1) Varieties:	*Maximum price*
Rexoro	$8.25
Nira	8.25
Fortuna	7.50
Edith	7.00
Calady	6.65
Blue Rose	6.50
American Pearl	6.50
Lady Wright	6.50
Zenith	6.25
Early Prolific	6.20

The foregoing maximum prices for "varieties" apply only to milled rice containing not more than 4% of broken kernels and not more than 1% of whole kernels of a variety other than the predominate variety.

(2) Broken rice classes:	*Maximum price*
Second Head Rexoro, Nira and Fortuna	$6.00
Other varieties	5.25
Screening	4.50
Brewers	4.00

(3) The maximum price per 100 pounds for any lot of milled rice containing more than 4% of broken kernels or more than 1% of whole kernels of a variety other than the predominate variety shall be computed by adding the results obtained by multiplying the percentage of each variety and/or each broken rice class of milled rice forming a part of the lot, as shown by the guarantee, by the applicable maximum price for each variety or broken rice class as above specified.

(4) Where the milled rice sold is packed in 5 pound, 10 pound, 25 pound or 50 pound bags or containers, the applicable maximum price per 100 pounds shall be increased by 50 cents, 35 cents, 15 cents or 10 cents respectively.

(5) Where the milled rice sold has been granulated, the applicable maximum price shall be increased by 10 cents.

(b) The maximum delivered price at any receiving point within a base point or within a mill point shall be the applicable maximum f. o. b. price above specified plus the customary local delivery charges. The maximum delivered price at any other receiving point shall be the applicable maximum f. o. b. price above specified plus the lowest transportation charge for the shipment of an identical quantity of milled rice from the applicable base point to said receiving point. Where the shipment is by water said maximum delivered price may be further increased by the addition of actual charges incurred by the seller for war risk cargo insurance, surcharges, and emergency charges necessarily incident to the transportation.

(c) For the purposes of this section the following cities shall be base points: Crowley, Louisiana; El Campo, Texas; Stuttgart, Arkansas; Imperial, California; and San Francisco, California. A base point includes the incorporated area and the established railroad switching districts of that city. Crowley, Louisiana, shall be the base point of and for all rice mills located in Louisiana. El Campo, Texas, shall be the base point

[1] Copies may be obtained from the Office of Price Administration.

[1] 7 F. R. 1107, 1371, 1798, 1799, 1886, 2132, 2304, 2352, 2634, 2945, 3463, 3482, 3524, 3895, 3963, 4483, 4653, 4854, 4857, 5481, 5867, 5868, 5988, 5983, 6057, 6167, 6471, 6680, 7242, 7838, 8433, 8478, 9120, 9134, 9335, 9425, 9460, 9620, 9621, 9817, 9820, 10684, 11069, 11112, 11075; 8 F. R. 157, 232, 233, 857.

[2] 7 F.R. 6602, 7738.

and remove oil soaked rags if any.

of and for all rice mills located in Texas, Stuttgart, Arkansas, shall be the base point of and for all rice mills located in Arkansas. Tennessee, and Missouri. San Francisco shall be the base point of and for all rice mills located in California except the rice mills located in Imperial, California. Imperial, California, shall be the base point of and for all rice mills located at Imperial, California. As used in paragraph (b) of this section, the phrase "lowest transportation charge for the shipment of an identical quantity of milled rice from the applicable base point to said receiving point" means the lowest transportation charge to said receiving point from the base point for that rice mill at which the rice in question was milled: *Provided*, That where the shipment in question is billed as the receiving point from a different rice mill then the lowest transportation charge to said receiving point from the base point for the last mentioned rice mill, if such transportation is lower.

(d) For the purposes of this regulation, a "mill point" shall include the incorporated area and the established railroad switching districts of any city in which the rice mill in question is located.

(e) Whenever provision is made in this regulation for the addition of transportation charges in determining maximum prices hereunder and whenever any other reference is herein made to such charges the tax imposed by section 620 of the Revenue Act of 1942 (Pub. Laws 753, 77th Cong., approved October 21, 1942) shall be deemed to be a part of and shall be included in said charges with like effect as if it were a like increase in the rate or amount charged by the carrier for the transportation in question. The provisions of Supplementary Order No. 31 issued by the Office of Price Administration on November 26, 1942 (Document No. 7623) shall have no application to this Maximum Price Regulation No. 150, as amended.

(f) For export shipments, the maximum delivered price shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation issued by the Office of Price Administration on July 2, 1942, and any amendments thereto.

* * * * *

§ 1351.463 *Effective dates of amendments.* * * *

(c) Amendment No. 2 (§ 1351.464 (a) and § 1351.463) of Maximum Price Regulation No. 150, as amended, shall become effective February 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1712; Filed February 1, 1943; 2:59 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 289,[1] Amendment 2]

DAIRY PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* Sections 1351.1501 and 1351.1522 are hereby amended to read as set forth below:

§ 1351.1501 *Products covered.* This Maximum Price Regulation No. 289 establishes the maximum prices at which the following dairy products referred to below as "listed dairy products" may be sold and delivered.

(a) Cheddar cheese and processed cheddar cheese.

(b) Butter.

(c) Evaporated milk.

(d) Bulk powdered skim milk and bulk powdered buttermilk.

§ 1351.1522 *Maximum prices of bulk powdered skim milk for human consumption and bulk powdered buttermilk for human consumption.* (a) The maximum prices for sales and deliveries of bulk powdered skim milk for human consumption and bulk powdered buttermilk for human consumption, shall be as follows:

(1) By manufacturers to the United States Government or any agency thereof f. o. b. manufacturer's plant, located:

	Spray process	Roller process
	Cents per lb.	*Cents per lb.*
In Zone A	14½	12½
In Zone B	14¾	12¾
In Zone C	15	13
In Zone D	14¾	13¼

(2) By wholesalers for deliveries to any consumer and by manufacturers for deliveries to any consumer other than the United States Government or any agency thereof:

For deliveries in—	Spray process (cents per lb.)				Roller process (cents per lb.)			
	Carload	25 bbls. or more	5 to 25 bbls.	1 to 4 bbls. incl.	Carload	25 bbls. or more	5 to 25 bbls.	1 to 4 bbls. incl.
Zone A	15½	16	16¼	16½	13¼	14	14¼	14½
Zone B	15¾	16¼	16½	16¾	13½	14¼	14½	14¾
Zone C	16	16½	16¾	17	14	14½	14¾	15
Zone D	16¼	16¾	17	17¼	14¾	14¾	15	15¼

(3) By manufacturers to wholesalers for "deliveries to wholesalers" the prices named in subparagraph (2) immediately above, less 3 per cent.

(4) *Definition of zones.* (i) Zone A shall be all states not included in Zones B, C, or D.

(ii) Zone B shall be Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Delaware, District of Columbia, Virginia, and West Virginia.

(iii) Zone C shall be Tennessee, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Louisiana, Arkansas, Oklahoma, and Texas.

(iv) Zone D shall be Florida.

(5) *Discounts.* All maximum prices named in this section must be reduced by the seller's customary discounts, or allowances for cash or prompt payment. However, any discount, allowances or other price differential may always be given when it results in a price less than the maximum price.

(6) *Packing costs and allowances.* (i) These prices are for bulk powdered skim milk or bulk powdered buttermilk packed in barrels double crepe lined. They shall be reduced for any less expensive packing by the net difference in packing costs, between the double crepe lined barrels and the less expensive packing.

(ii) These prices shall be increased ½¢ for all bulk powdered skim milk or bulk powdered buttermilk packed in customary 95 pound containers. These prices shall be increased 1¢ for all bulk powdered skim milk or bulk powdered buttermilk packed in customary 5 to 50 pound containers.

(b) *Definitions.* (1) "Powdered skim milk", also known as "dried skim milk" or "skim milk powder" means powdered skim milk for human consumption as defined in the "Standards of Identity for Dried Skim Milk, Powdered Skim Milk, Skim Milk Powder" promulgated by the Food and Drug Administration and published in the Federal Register of July 12, 1940, 5 F.R. 2543.

(2) "Powdered buttermilk" means the product prepared for human consumption by the removal of water from clean, sound buttermilk which buttermilk conforms in all respects to requirements of applicable federal and state laws and regulations. It shall contain not less than 4% butterfat and shall contain not more than 5% moisture.

(3) "Bulk" when used in conjunction with "powdered skim milk" or "powdered buttermilk" means all "powdered skim milk", or "powdered buttermilk", other than "packaged powdered skim milk" or "packaged powdered buttermilk". "Packaged" means packaged for sale at retail in a container of any sort holding 5 pounds or less regardless of where the packaging was done.

(4) The phrase "for deliveries" refers to deliveries at the buyer's customary receiving point. In the case of deliveries to wholesalers, it shall also include direct deliveries to the customary receiving point of any person designated by the wholesaler to receive delivery.

(c) *Reference to maximum price regulations covering powdered skim milk and powdered buttermilk not covered in this Maximum Price Regulation 289.* (1) Packaged powdered skim milk or packaged powdered buttermilk when sold by manufacturers is covered under Maximum Price Regulation No. 280.[2]

(2) Packaged powdered skim milk and packaged powdered buttermilk when sold by wholesalers is covered under Maximum Price Regulation No. 237.[3]

(3) Packaged powdered skim milk and packaged powdered buttermilk when sold by retailers is covered under Maximum Price Regulation No. 238.[4]

(4) All powdered skim milk for animal feed and all powdered buttermilk for animal feed is covered by Maximum Price Regulation No. 280.

§ 1351.1518a *Effective dates of amendments.* * * *

(b) This Amendment No. 2 (§§ 1351.1501, 1351.1522, 1351.1518a) shall become effective this 6th day of February 1943.

(Pub. Laws 421, 729 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1713; Filed, February 1, 1943; 2:54 p. m.]

PART 1367—FERTILIZERS

[Rev. MPR 135,[1] Amendment 1]

MIXED FERTILIZER, SUPERPHOSPHATE AND POTASH

A statement of considerations in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1367.33 (a) is amended and §§ 1367.43a and 1367.44 (a) 1 (i) are added to read as set forth below:

§ 1367.33 *Manufacturers' maximum prices.* (a) A manufacturer's maximum prices shall be the prices set forth in the written or printed price schedule or list last issued by the manufacturer, prior to February 21, 1942, and effective for any portion of the period from February 16 to 20, 1942 inclusive, except for any manufacturer making a delivery to a place in Florida east of the Apalachicola River whose maximum prices for such delivery shall be the prices set forth in his written or printed price schedule or list effective on July 31, 1941, and except for any manufacturer making a delivery to a place in Puerto Rico whose maximum prices for such delivery shall be the prices set forth in his written or printed price schedule or list effective on October 15, 1941, and as those prices may be increased for the places of delivery and in the manner and amounts set forth in Appendix A incorporated herein as § 1367.44, for a sale (1) to a consumer or dealer in the same locality, (2) of the same quantity, grade and kind of mixed fertilizer, superphosphate or potash, (3) delivered in the same type of container or bag, except as hereinafter provided, (4) under the same terms of payment including time, cash, discounts, and maturities, and (5) by the same means and under the same conditions of delivery.

* * * * *

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10996; 8 F.R. 490.

[2] 7 F.R. 8205, 8427, 8803, 9183, 9973, 10013, 10715, 8 F.R. 343, 569

[3] 7 F.R. 8209, 8808, 9184, 10013, 10227, 10714, 8 F.R. 120, 374, 532, 1116.

[4] 7 F.R. 11075.

[1] 7 F.R. 10144, 10337, 10475, 10585, 10786, 10995, 8 F.R. 158, 876, 877, 1120.

§ 1367.44 *Appendix A: Amounts per ton net to the manufacturer which may be added to the manufacturer's prices for places of delivery in the states and territory named below:*

1. *Places of delivery.* * * *

(i) *Puerto Rico.* To the prices of mixed fertilizer, superphosphate or potash quoted in a manufacturer's written or printed price schedule or list effective on October 15, 1941, denoted herein as the base period prices, there may be added, net to the manufacturer, for each unit of ammonia, available phosphoric acid and potash an amount consisting of the difference in the cost per unit of such ammonia, available phosphoric acid or potash between (1) the manufacturer's average delivered-to-factory cost of such materials received by him during the period July 1 to December 31, 1941, inclusive, and (2) the manufacturer's average delivered-to-factory cost of such materials received by him during the period October 1 to December 31, 1942, inclusive.

Beginning on April 1, 1943, and quarter-annually thereafter, a manufacturer's base period prices may be increased or shall be decreased by the amount of the difference, if any, between (1) the manufacturer's average delivered-to-factory cost of such materials received by him during the period July 1 to December 31, 1941, inclusive, and (2) the manufacturer's average delivered-to-factory cost of such materials received by him during the three months' period last preceding the quarter annual adjustment date; if, during any such three months' period, no materials were received by the manufacturer, then the average cost for the next preceding three months' period shall be applied in making the appropriate increase or decrease in his base period prices.

Bags. A manufacturer's prices of mixed fertilizer, superphosphate or potash determined as above set forth may be further increased, or shall be decreased, by the amount of the average increase or decrease, as the case may be, in the cost of bags used in packaging such products. The amount of such increase or decrease per ton of such products shall be determined for the same periods and in the same manner as described above for each unit of ammonia, available phosphoric acid and potash.

§ 1367.43a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1367.33 (a) and 1367.44 (i)) to Revised Maximum Price Regulation No. 135 shall become effective February 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1714; Filed, February 1, 1943; 2:57 p.m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[TMPR 25,[1] Amendment 1]

CORN

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subparagraph (1) of § 1439.52 and paragraphs (b) and (c) of § 1439.62 are amended, and subparagraphs (3) and (4) of paragraph (a) of § 1439.62 and paragraph (f) of § 1439.62 are added to read as set forth below.

§ 1439.52 *Exempt sales.* (a) This Temporary Maximum Price Regulation No. 25 shall not apply to the following:

(1) Sales and deliveries of less than 400 bushels per month by one farmer to another farmer of corn produced on the farm operated by the farmer who is the seller. However, this Temporary Maximum Price Regulation No. 25 shall apply to sales or deliveries of any quantity of corn by a farmers' cooperative.

* * * * * *

§ 1439.62 *Appendix A*—(a) *Maximum prices per bushel for corn futures on the Commodity Exchanges in Chicago, Kansas City and Minneapolis.* * * *

(3) If there was no trading whatever in round lot or job lot contracts for delivery in the months of July or September 1943 on the Commodity Exchanges in Kansas City or Minneapolis, the maximum price for such contracts shall be the maximum price for the May 1943 contract on such exchange, plus the difference between the maximum price for the May 1943 contract on the commodity exchange in Chicago and the maximum price for the July or September 1943 contract, as the case may be, on the commodity exchange in Chicago.

(4) The maximum price for contracts for delivery in any month subsequent to September 1943 on the commodity exchanges in Chicago, Kansas City and Minneapolis shall be the maximum price for the September 1943 contract on each such commodity exchange, respectively.

(b) *Maximum prices per bushel for any class and grade of corn in bulk, in carload quantities, in each recognized cash grain market.* (1) The maximum price per bushel for No. 2 or better, yellow corn in bulk, in carload quantities, in each recognized cash grain market shall be the highest price at which No. 2 or better, yellow corn sold in that market on January 11, 1943.

(2) If there were no sales of yellow corn No. 2 or better, in bulk, in carload quantities, in a particular recognized cash grain market on January 11, 1943, the maximum price per bushel in such market for No. 2 or better, yellow corn in bulk, in carload quantities shall be the highest price for the highest grade of yellow corn sold in such market on January 11, 1943, plus the maximum difference between the price at which this grade and No. 2 or better, yellow corn sold in such market on the first day prior to January 11, 1943 on which both this grade and No. 2 or better, yellow corn were sold.

(3) The maximum price per bushel for yellow corn grading lower than No. 2, in bulk, in carload quantities in each recognized cash grain market shall be the maximum price in such market for No. 2 or better, yellow corn as determined in this paragraph (b) minus the following discounts.

[1] 8 F.R. 567.

Grade:	Discount—(Cents per bushel)
No. 3 yellow corn	½
No. 4 yellow corn	1
No. 5 yellow corn	1½
Sample yellow corn	2

(4) The maximum price per bushel for white corn, in bulk, in carload quantities, in each recognized cash grain market, shall be the maximum price in such market for the corresponding grade of yellow corn plus 15 cents per bushel.

(5) The maximum price per bushel for mixed corn, in bulk, in carload quantities, in each recognized cash grain market, shall be the maximum price in such market for the corresponding grade of yellow corn: Except, that if such mixed corn contains 90 per cent or more of white corn, the maximum price per bushel, in bulk, in carload quantities, shall be the maximum price in such market for the corresponding grade of yellow corn, plus 15 cents per bushel.

(6) The maximum price determined in accordance with the subparagraph (b) shall not be increased by any charges for handling, conditioning, insurance, elevation, or any other charges except carrying charges as specified in paragraph (f) and where any owner of corn incurs any expenses for handling, conditioning, elevation, insurance, and other operations, or services as he may deem necessary except carrying charges as specified in paragraph (f) he shall not increase his maximum price to any purchaser because he has incurred such expenses.

(c) *Maximum price per bushel for each seller for any class and grade of corn in bulk, in carload quantities, f. o. b. or delivered at interior points.* (1) The maximum price per bushel for each seller for any class and grade of corn in bulk, in carload quantities, f. o. b. or delivered at interior points shall be the highest of the prices determined as follows:

(i) The highest price at which the seller sold or offered to sell such class and grade of corn during the period January 8, 1943 to January 12, 1943.

(ii) The maximum price for such class and grade of corn at the nearest recognized cash grain market which is a source of supply plus (a), the transportation charge from such recognized cash grain market to the interior point, and (b), 5 cents per bushel.

The transportation charge to any interior point, which is on a railroad, shall be calculated by using the lowest carload rail rate, flat or proportional, whichever is appropriate, plus transportation tax, from such recognized cash grain market to the interior point: *Provided*, That if the movement to the interior point would normally be made on transit billing, the transportation charge shall be calculated by using the normal transit balance rail rate plus transportation tax, applicable to such movement.

The transportation charge to any interior point which is not on a railroad shall be the transportation charge calculated in like manner as above provided to the nearest railroad loading point thereto plus transportation charges, including transportation tax, from said railroad loading point to the interior point in question.

* * * * * *

(f) *Carrying charges.* In addition to the foregoing maximum price, a carrying charge at a rate not to exceed $\frac{1}{30}$th of a cent per bushel per day may be charged by a seller to a buyer from the date of the expiration of free time under a contract for sale, to the date on which the buyer has instructed that the shipment to be made, or the date that shipment is actually made, whichever date is earlier: *Provided*,

(1) That the seller may in all cases have five days from the date of receipt of instructions within which to make shipment and may charge carrying charges accordingly.

(2) That the buyer shall not increase his maximum price for resale to any purchaser because such carrying charges have been incurred.

This amendment shall become effective February 6, 1943.

Issued this 1st day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1715; Filed, February 1, 1943; 2:54 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 102 to Supp. Reg. 14[1] to GMPR[2]]

DOG AND CAT FOOD IN NEW PACKAGES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.* Subparagraph (62) is added to § 1499.73 (a) to read as set forth below:

§ 1499.73 * * *

(a) * * *

(62) *Formula for determining maximum prices of new packages of dog and cat foods by manufacturers.* Any manufacturer of any dog or cat food desiring to sell new packages (whether of different sizes and/or of different containers) of the same commodity shall determine his maximum price for such new packages as follows:

(i) Take the maximum price of the fastest selling old package of said dog or cat food to a given class of purchasers;

(ii) Where a change to different containers is made deduct therefrom the actual cost of the old containers and of packing therein and add to the resultant figure the actual cost of the new containers and of packing therein;

(iii) Where a size change is made divide said maximum price of the fastest selling old package of said dog or cat food to a given class of purchasers by the net weight number of ounces (or other unit of measurement) in the old size package and multiply that quotient by the net weight number of ounces (or other unit of measurement) in the new size package.

In like manner determine the new size maximum price to other classes of purchasers, using as the base, however, the same old package of dog or cat food but as sold to different classes of purchasers.

(b) *Effective dates.* * * *

(103) This Amendment No. 102 (§ 1499.73 (a)) to Supplementary Regulation No. 14 of the General Maximum Price Regulation shall become effective February 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1716; Filed, February 1, 1943; 2:51 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 177 Under § 1499.3 (b) of GMPR]

METALS RESERVE COMPANY

An opinion accompanying this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The head-note of § 1499.1193 and paragraph (a) of that section are amended and a new paragraph (d) is added to read as set forth herein:

§ 1499.1193 *Authorization of maximum prices for sales by Metals Reserve Company of South African corundum ore to the American Abrasive Company.* (a) (1) On and after February 2, 1943, the Metals Reserve Company may sell and deliver and agree, offer, solicit and attempt to sell and deliver South African crystal corundum ore to the American Abrasive Company, Westfield, Massachusetts, at a maximum price of $107.00 per short ton, delivered at the purchaser's plant at Westfield, Massachusetts.

(2) On and after February 2, 1943, Metals Reserve Company may sell and deliver and agree, offer, solicit and attempt to sell and deliver South African boulder corundum ore to the American Abrasive Company, Westfield, Massachusetts, at a maximum price of $74.00 per short ton, delivered at the purchaser's plant at Westfield, Massachusetts.

* * * * * *

(d) This Amendment No. 1 (§ 1499.1193) to Order No. 177 shall become effective February 2, 1943.

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486, 5709, 6008, 6011, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7535, 7739, 7671, 7819, 7914, 7964, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8890, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9495, 9496, 9639, 9789, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10537, 10705, 10557, 10583, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 980, 1030, 876, 878.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1719; Filed, February 1, 1943; 3:00 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 258 Under § 1499.3 (b) of GMPR]

PACIFIC TENT & AWNING CO.

For the reasons set forth in the opinion issued simultaneously herewith and filed with the Division of the Federal Register,* *It is hereby ordered:*

§ 1499.1494 *Maximum prices for the sale of cotton pick sacks by the Pacific Tent & Awning Company.* (a) The Pacific Tent & Awning Company, 2126 Inyo Street, Fresno, California, may sell and deliver and any person may purchase and receive from it the following types of cotton pick sacks at prices not in excess of those set forth below:

Specifications			Maximum price per bag		
				Retailers	
Material	Size of bag		Wholesalers and jobbers	Lots of 100 to 500 bags	Lots of less than 100 bags
7 oz., 30" Osnaburg	grade B.	9'	$1.20	$1.29	$1.32
7 oz., 30" Osnaburg	grade B.	10'	1.40	1.43	1.46
7 oz., 30" Osnaburg	grade B.	12'	1.68	1.71	1.74

(b) The maximum prices set forth above are f. o. b. seller's point of shipment. The following terms of credit are applicable thereto:

1) Wholesalers and jobbers—5% 10 days, net 11 days.
2) Retailers—2% 10 days, net 30 days.

(c) This Order No. 258 may be revoked or amended by the Office of Price Administration at any time.

(d) This Order No. 258 shall become effective February 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1720; Filed, February 1, 1943; 2:58 p.m.]

PART 1499—COMMODITIES AND SERVICES

[Order 180 Under § 1499.18 (b) of GMPR]

PRINTZ DEGREASING CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1081 *Denial of application for adjustment of maximum prices for degreasing services performed by Printz Degreasing Company, Philadelphia, Pennsylvania.* (a) The application of Printz Degreasing Company, 30th and Magazine Lane, Philadelphia, Pennsylvania, docketed July 31, 1942 and assigned Docket No. GF3-1056, requesting permission to increase its maximum prices for the service of degreasing leather, is denied.

(b) This Order No. 180 (§ 1499.1081) shall become effective February 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7281.)

Issued this 1st day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1717, Filed, February 1, 1943; 2:58 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 181 Under § 1499.18 (b) of GMPR]

NEWMAN-REICH BAKING CO., INC.

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.1082 *Denial of application for adjustment of maximum price of bread sold by Newman-Reich Baking Company Inc., 1118 Lamar Street, Fort Worth, Texas.* (a) The application of Newman-Reich Baking Company, Inc., 1118 Lamar Street, Forth Worth, Texas, filed November 14, 1942, and assigned Docket Number GF3-2735, requesting permission to increase the maximum price of bread sold by it, is denied.

(b) This Order No. 181 (§ 1499.1082) shall become effective February 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1718; Filed, February 1, 1943; 2:57 p. m.]

PART 1315 — RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 200[1] as Amended Feb. 1, 1943]

RUBBER HEELS, RUBBER HEELS ATTACHED, AND ATTACHING OF RUBBER HEELS

In the judgment of the Price Administrator the prices of rubber heels, rubber heels attached and attaching rubber heels have risen to an extent and in a manner inconsistent with the purpose of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of rubber heels, rubber heels attached and attaching rubber heels prevailing between October 1 and October 15, 1941, and has made adjustment for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations[2] involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[3] issued by the Office of Price Administration, Maximum Price Regulation No. 200 is hereby issued.

Sec.
1315.1401 Prohibition against dealing in rubber heels attached, and attaching rubber heels at prices in excess of the maximum.
1315.1402 Federal and state taxes.
1315.1403 Sales for export.
1315.1404 Less than maximum prices.
1315.1405 Evasion.
1315.1406 Marking and posting.
1315.1407 Records.
1315.1408 Reports.
1315.1409 Sales slips and receipts.
1315.1410 Enforcement.
1315.1411 Adjustable pricing.
1315.1412 Petitions for amendment.
1315.1413 Exclusions.
1315.1414 Definitions.
1315.1415 Applicability.
1315.1416 Licensing, applicability of the registration and licensing provisions of the General Maximum Price Regulation and Maximum Price Regulation No. 165.
1315.1417 Applicability of the General Maximum Price Regulation.
1315.1418 Applicability of Maximum Price Regulation No. 165.
1315.1419 Effective date.
1315.1419a Effective dates of amendments.
1315.1420 Appendix A: Maximum prices for rubber heels, rubber heels attached and attaching rubber heels.

AUTHORITY: §§ 1315.1401 to 1315.1420, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1315.1401 *Prohibition against dealing in rubber heels, rubber heels attached, and attaching rubber heels at prices in excess of the maximum.* On and after September 1, 1942, regardless of any contract, agreement, lease or other obligation: (a) No person shall sell or deliver rubber heels or attached rubber heels, in the shoe repair trade, and no person shall buy or receive rubber heels or attached rubber heels, in the shoe repair trade, in the course of trade or business, at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1315.1420; and (b) no person shall attach rubber heels at prices higher than the maximum prices set forth in Appendix A hereof; and no person shall agree, offer, solicit or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of rubber heels to a purchaser if prior to September 1, 1942, such rubbers heels had been received by a carrier other than a carrier owned or controlled by the seller for shipment to such purchaser.

[2] Statements of considerations also are issued simultaneously with the issuance of amendments.

[3] Revised; 7 F.R. 8961.

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6259.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that the prohibition contained in any price regulation against buying or receiving any commodity or service at a price higher than the maximum price permitted by such regulation shall not apply to any war procurement agency, or government whose defense is vital to the defense of the United States.]

[NOTE: Supplementary Order No. 34 (7 F.R. 10779) permits special packing expenses to be added to maximum prices on sales to procurement agencies of the United States.]

§ 1315.1402 *Federal and state taxes.* (a) Except as limited in the next paragraph, any tax upon, or incident to, the sale, delivery, or processing of rubber heels, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price: If the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor.

(b) No shoe repairman may add and after December 31, 1942, no wholesaler may add, the amount of Federal excise tax on rubber products paid by any prior vendor to the maximum prices established by this Maximum Price Regulation No. 200. (Paragraph (a) as amended by Amendment 3, 7 F.R. 10008)

[NOTE: Supplementary Order No. 31 (7 F.R. 9894) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942, shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

§ 1315.1403 *Sales for export.* The maximum price at which a person may export any rubber heels shall be determined in accordance with the provisions of the Maximum Export Price Regulation[1] issued by the Office of Price Administration.

§ 1315.1404 *Less than maximum prices.* Lower prices than those set forth in Appendix A (§ 1315.1420) may be charged, demanded, paid or offered.

§ 1315.1405 *Evasion.* (a) The price limitation set forth in this Maximum Price Regulation No. 200 shall not be evaded whether by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to rubber heels alone or in conjunction with any other commodity or by way of commission, service, transportation or other charge or discount, premium or other privilege, or by tying-agreement or other trade understanding or otherwise.

(b) Every purchaser shall have the choice of buying rubber heels of a particular type and grade without buying rubber heels of another type and grade or buying any other commodity, and every purchaser, other than a purchaser from a shoe repairman, shall have the choice of buying rubber heels of a particular type and grade without having any service performed.

(c) A purchaser of rubber heels from a shoe repairman shall always have the choice of buying rubber heels and having the seller attach them to shoes without having any other service performed or buying any other commodity.

[NOTE: Supplementary Order No 29 (7 F.R. 9816) lists certain services customarily offered by retailers which may be curtailed or eliminated without a compensating reduction in ceiling prices.]

§ 1315.1406 *Marking and posting.* (a) Every manufacturer of rubber heels (except sport heels and women's scoop lifts, toplifts, toplift strips and toplift blocks) manufactured after August 31, 1942, for sale in the shoe repair trade, shall imprint prominently on the face of every such heel in the place receiving the least wear the symbol "V–1," "V–2," "V–3," or "V–4," which symbol shall represent the physical tests, as set forth in paragraph (g) (6) of § 1315.1420, which the heel in question is able to equal or exceed. Sport heels and women's scoop lifts, toplifts, toplift strips and toplift blocks manufactured after August 31, 1942, for sale in the shoe repair trade must be marked in some other manner approved by the Office of Price Administration in order to indicate the quality thereof. The marking of the unit of sale container is an approved method of marking sport heels and women's scoop lifts (1 and 3 nail hole) and died out toplifts. A paper sticker on each toplift strip or block is also an approved method of marking toplift strips and toplift blocks. The unit of sale container of a rubber heel manufactured in accordance with the specifications of a war procurement agency but which has been rejected by that war procurement agency because of defects that do not affect serviceability, shall be marked with the words "War Reject." (Paragraph (a) as amended by Amendments 3 and 4, 7 F.R. 10008, 8 F.R. 490.)

(b) On and after September 1, 1942, every shoe repairman engaged in the business of selling rubber heels or attached rubber heels or of attaching rubber heels shall keep posted in a conspicuous place in each establishment at which rubber heels are offered for sale, or at which the attaching of rubber heels is contracted for, a statement setting forth the maximum prices which he is permitted to charge under this Maximum Price Regulation No. 200 and the brands to which these maximum prices apply. For this purpose it shall be permissible to employ a list of maximum prices and brands furnished by the Office of Price Administration for posting pursuant to the provisions of this paragraph.

§ 1315.1407 *Records and reports.* (a) Every person, other than a shoe repairman or a person making a purchase from a shoe repairman, making a sale or purchase subject to this Maximum Price Regulation No. 200 after August 31, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than one year, complete and accurate records of each such sale or purchase, showing the date thereof, the name and the address of the buyer or seller, the price paid or received and the quantity of each type and grade of rubber heels sold or purchased.

(b) Every person subject to this Regulation shall submit such reports and keep such other records, in addition to or in place of the records required in paragraph (a) of this section, as the Office of Price Administration may from time to time require or permit.

§ 1315.1408 [Revoked].

§ 1315.1409 *Sales slips and receipts.* Any person subject to this Maximum Price Regulation No. 200 who has regularly furnished customers with invoices, sales slips, receipts or similar documents shall continue to do so. Every person subject to this Maximum Price Regulation No. 200 shall, regardless of previous custom, upon request of the customer, give such customer a signed receipt showing the date of the transaction, the type, brand, and grade of the rubber heels sold and the price therefor.

§ 1315.1410 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 200 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 200 or any price schedule, regulation, or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field, district, state or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1315.1411 *Adjustable pricing.* No person subject to the provisions of this Maximum Price Regulation No. 200 shall enter into any agreement permitting the adjustment of the prices of rubber heels, attached rubber heels or attaching rubber heels to prices which may be higher than the maximum prices, except that any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery.

§ 1315.1412 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 200 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1. (§ 1315.1412 as amended by Supplementary Order No. 26, 7 F. R. 8948.)

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1315.1413 *Exclusions.* This Maximum Price Regulation No. 200 shall not apply to sales and deliveries of rubber heels, made in accordance with military specification, pursuant to contract with:

(a) Any war procurement agency of the United States Government; or

(b) Any person who contracts to sell the purchased rubber heels to any war procurement agency of the United States Government or to any contractor or subcontractor who physically incorporates the rubber heels in an article being processed for any such war procurement agency.

§ 1315.1414 *Definitions.* (a) When used in this Maximum Price Regulation No. 200 the term:

(1) "Continental United States" means only the forty-eight states and the District of Columbia.

(2) "Export" means any sale between a seller in the Continental United States and a purchaser outside thereof.

(3) "Manufacturer" means any person engaged in the production of rubber heels.

(4) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representatives of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(5) "Rubber" means all forms and types of rubber, including synthetic and reclaimed rubber.

(6) "Rubber heels" includes all unattached heels, heel bases, scoop lifts, toplifts, toplift strips and toplift blocks, made in whole or in part of rubber.

(7) "Rubber heels sold in the shoe repair trade" means rubber heels sold or offered for sale by or to a shoe repairman, by wholesalers to the persons who sell rubber heels to a shoe repairman, or by manufacturers to any of the persons named in this subparagraph.

(8) "Shoe repairman" includes any person engaged in the business of replacing worn heels for an ultimate consumer, other than an industrial, commercial or governmental consumer.

(9) "Wholesaler" includes any person, other than a manufacturer, who sells or offers to sell rubber heels to a shoe repairman or to persons who sell or offer to sell rubber heels to a shoe repairman.

(10) "War procurement agency" means the War Department, the Department of the Navy, the United States Maritime Commission, and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any agency of any of the foregoing.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1315.1415 *Applicability.* The provisions of this Maximum Price Regulation No. 200 shall be applicable to the Continental United States and the District of Columbia, but not to the territories and possessions of the United States.

§ 1315.1416 *Licensing; applicability of the registration and licensing provisions of the General Maximum Price Regulation[1] and Maximum Price Regulation No. 165.*[2] (a) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this regulation selling at wholesale or retail rubber heels. When used in this paragraph (a) the terms "selling at wholesale" and "selling at retail" have the definitions given to them by §§ 1499.20 (p) and 1499.20 (o), respectively, of the General Maximum Price Regulation.

(b) The registration and licensing provisions of §§ 1499.111 and 1499.112 of Maximum Price Regulation No. 165 are applicable to every person subject to this regulation, selling attached rubber heels to an ultimate consumer, or attaching rubber heels for such consumer.

§ 1315.1417 *Applicability of the General Maximum Price Regulation.* Except as provided in § 1315.1416, the provisions of this Maximum Price Regulation No. 200 supersede the provisions of the General Maximum Price Regulation, including §§ 1499.11, 1499.12, 1499.13, 1499.14, and 1499.25 thereof, with respect to sales and deliveries for which maximum prices are established by this regulation.

§ 1315.1418 *Applicability of Maximum Price Regulation No. 165.* Except as provided in § 1315.1416, the provisions of this Maximum Price Regulation No. 200 supersede the provisions of Maximum Price Regulation No. 165 with respect to sales of consumer services for which maximum prices are established by this regulation.

§ 1315.1419 *Effective date.* This Maximum Price Regulation No. 200 (§§ 1315.1401 to 1315.1420, inclusive) shall become effective September 1, 1942.

[Issued August 10, 1942]

§ 1315.1419a *Effective dates of amendments.*

Amendment Nos. and Issue dates:	Effective
Amendment 1, 8–31–42	9–1–42
Amendment 2, 10–1–42	10–7–42
Amendment 3, 11–30–42	12–5–42
Amendment 4, 1–11–43	1–16–43
Amendment 5, 2–1–43	2–6–43

§ 1315.1420 *Appendix A: Maximum prices for rubber heels, rubber heels attached and attaching rubbers heels.* (a) The maximum prices for rubber heels, sold in the shoe repair trade shall be the prices listed in Table I–A.

TABLE I–A—MAXIMUM PRICES FOR RUBBER HEELS SOLD IN THE SHOE REPAIR TRADE

Item	Maximum price for sales to wholesalers [1]	Maximum price for sales to shoe repairmen [2]	Unit of sales to wholesalers and shoe repairmen	Maximum price to consumers for heels attached by shoe repairmen [4] (per pair)
1. Men's half heels (all sizes):				
Super grade or V–1	[3]$1.50	[3]$2.00	1 dozen pairs	$0.55
Standard grade or V–2	[3]1.39	[3]1.85	1 dozen pairs	.50
Competitive grade or V–3	1.16	1.55	1 dozen pairs	.45
Special competitive grade or V–4	.94	1.25	1 dozen pairs	.40
2. Men's whole heels (all sizes):				
Corded	1.99	2.65	1 dozen pairs	.65
Super grade or V–1	1.73	2.30	1 dozen pairs	.55
Standard grade or V–2	1.65	2.20	1 dozen pairs	.50
Competitive grade or V–3	1.43	1.90	1 dozen pairs	.50
Special competitive grade or V–4	1.20	1.60	1 dozen pairs	.45
3. Boys' whole heels (all sizes):				
Corded	1.58	2.10	1 dozen pairs	.55
Super or standard grade, V–1 or V–2	1.39	1.85	1 dozen pairs	.50
Competitive grade or V–3	1.16	1.55	1 dozen pairs	.45
Special competitive grade or V–4	.94	1.25	1 dozen pairs	.40
4. Women's Cuban heels (scoops or flat type) and junior wedges (all sizes):				
Super grade or V–1	1.09	1.45	1 dozen pairs	.45
Standard grade or V–2	1.05	1.40	1 dozen pairs	.45
Competitive grade or V–3	.90	1.20	1 dozen pairs	.40
Special competitive grade or V–4	.71	.95	1 dozen pairs	.35
5. Women's toplifts:				
(a) Thin Scoop Lifts (3 nail hole, fiber back, with washers (all sizes):				
Super Grade or V–1 (with nails)	.75	1.00	1 dozen pairs	.40
Super Grade or V–1 (without nails)	.71	.95	1 dozen pairs	.40
All other grades V–2, V–3, V–4, (with nails)	.71	.95	1 dozen pairs	.40
All other grades V–2, V–3, V–4 (without nails)	.68	.90	1 dozen pairs	.40
(b) 1 nail hole toplifts plain or fiber back, no washers (all grades, V–1, V–2, V–3, V–4):				
(1) 1 dozen to carton (with nails) (all colors except white*), by size:				
9–0	.34	.45	1 dozen pairs	.35
7–0	.38	.50	1 dozen pairs	.35
5–0	.45	.60	1 dozen pairs	.35
3–0	.49	.65	1 dozen pairs	.35
2–0	.56	.75	1 dozen pairs	.35
1–0	.56	.75	1 dozen pairs	.35
2	.60	.80	1 dozen pairs	.35
4	.68	.90	1 dozen pairs	.35
6	.71	.95	1 dozen pairs	.35
7	.68	.90	1 dozen pairs	.35
8	.71	.95	1 dozen pairs	.35
9	.71	.95	1 dozen pairs	.35
*For white add to each price	.11	.15		.10
(2) 6 dozen to carton (without nails) (all colors but white*), by size:				
9–0	1.80	2.40	6 dozen pairs	.35
7–0	2.03	2.70	6 dozen pairs	.35
5–0	2.25	3.00	6 dozen pairs	.35

See footnotes at end of table.

[1] Revised: 7 F.R. 5059, 7242, 9000, 10530.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5783, 5784, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371.

[2] As amended: 7 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 9197, 9342, 9343, 9785, 9971, 9972, 10480, 10619, 10718, 11010.

TABLE I-A—MAXIMUM PRICES FOR RUBBER HEELS SOLD IN THE SHOE REPAIR TRADE 1—Continued

Item	Maximum price for sales to wholesalers [1]	Maximum price for sales to shoe repairmen [2]	Unit of sales to wholesalers and shoe repairmen	Maximum price to consumers for heels attached by shoe repairmen [4] (per pair)
5. Women's topliffs—Continued.				
(b) Full heel toplifts plain or fiber back, etc.—Con.				
(2) 6 dozen to carton, etc.—Con.				
3-0	$2.76	$3.60	6 dozen pairs	$0.35
2-0	2.93	3.90	6 dozen pairs	.35
1-0	2.93	3.90	6 dozen pairs	.35
2	3.08	4.10	6 dozen pairs	.35
4	3.49	4.65	6 dozen pairs	.35
6	3.79	5.05	6 dozen pairs	.35
1	3.49	4.65	6 dozen pairs	.35
3	3.79	5.05	6 dozen pairs	.35
5	3.79	5.05	6 dozen pairs	.35
6	3.79	5.05	6 dozen pairs	.35
*For white add to each price	.67	.90		.10
(c) Pre-cut topliffs, plain or fiber back super grade or V-1, by size:				
10½ iron:				
Black	.56	.75	Pound	$0.25
Tan or no mark black	.60	.80	Pound	.25
White	.75	1.00	Pound	.35
All other grades V-2, V-3, V-4, by size:				
9 iron:				
Black	.56	.75	Pound	.25
Tan or no mark black	.60	.80	Pound	.25
White	.75	1.00	Pound	.35
10½ iron:				
Black	.53	.70	Pound	.25
Tan or no mark black	.56	.75	Pound	.25
White	.68	.90	Pound	.35
12 iron:				
Black	.49	.65	Pound	.25
Tan or no mark black	.53	.70	Pound	.25
White	.68	.90	Pound	.35
(d) Top lift strips (1¼" x 20"):				
(1) Plain back, black:*				
Super grade or V-1 by size:				
7 iron	1.13	1.50	Each	$0.25
7½ iron	1.13	1.50	Each	.25
9 iron	1.16	1.55	Each	.25
10½ iron	1.21	1.65	Each	.25
12 iron	1.25	1.80	Each	.25
Standard grade or V-2 by size:				
7 iron	1.09	1.45	Each	.25
7½ iron	1.09	1.45	Each	.25
9 iron	1.11	1.50	Each	.25
10½ iron	1.16	1.55	Each	.25
12 iron	1.28	1.70	Each	.25
Special competitive or V-3, V-4 by size:				
7 iron	.98	1.30	Each	$0.25
7½ iron	.98	1.30	Each	.25
9 iron	1.01	1.35	Each	.25
10½ iron	1.05	1.40	Each	.25
12 iron	1.16	1.55	Each	.25
*Fiber back add to each price	.15	.20		.00
(2) Plain back, tan and no mark black:**				
Super grade or V-1 by size:				
7 iron	1.35	1.80	Each	$0.25
7½ iron	1.35	1.80	Each	.25
9 iron	1.43	1.90	Each	.25
10½ iron	1.50	2.00	Each	.25
12 iron	1.65	2.20	Each	.25
Standard grade or V-2 by size:				
7 iron	1.28	1.70	Each	$0.25
7½ iron	1.28	1.70	Each	.25
9 iron	1.35	1.80	Each	.25
10½ iron	1.43	1.90	Each	.25
12 iron	1.58	2.10	Each	.25
Competitive or special competitive, V-3 or V-4 by size:				
7 iron	1.16	1.55	Each	$0.25
7½ iron	1.16	1.55	Each	.25
9 iron	1.24	1.65	Each	.25
10½ iron	1.31	1.75	Each	.25
12 iron	1.46	1.95	Each	.25
**Fiber back add to each price	.15	.20		.00
(3) Plain back, white:*				
All grades by size:				
7 iron	1.61	2.15	Each	$0.35
7½ iron	1.61	2.15	Each	.35
9 iron	1.72	2.30	Each	.45
10½ iron	1.91	2.55	Each	.45
12 iron	2.17	2.90	Each	.45
*Fiber back add to each price	.15	.20	Each	.00
(e) Topliff blocks (8½ x 12½"):				
(1) Plain back, black:†				
Super grade or V-1, by size:				
7 iron	4.80	6.40	1 dozen	$0.25
9 iron	4.95	6.60	1 dozen	.25
10½ iron	4.95	6.60	1 dozen	.25
12 iron	5.40	7.20	1 dozen	.25
All other grades V-2, V-3, V-4 by size:				
7½ iron	4.35	5.80	1 dozen	$0.25
9 iron	4.50	6.00	1 dozen	.25
10½ iron	4.65	6.20	1 dozen	.25
12 iron	5.10	6.80	1 dozen	.25
†Fiber back add to each price	.60	.80		.00

See foot notes at end of table.

TABLE I-A—MAXIMUM PRICES FOR RUBBER HEELS SOLD IN THE SHOE REPAIR TRADE 1—Continued

Item	Maximum price for sales to wholesalers [1]	Maximum price for sales to shoe repairmen [2]	Unit of sales to wholesalers and shoe repairmen	Maximum price to consumers for heels attached by shoe repairmen [4] (per pair)
5. Women's topliffs—Continued.				
(e) Topliff blocks (8½ x 12½")—Continued.				
(2) Plain back, tan and no mark black:†				
Super grade or V-1 by size:				
7 iron	$5.40	$7.20	1 dozen	$0.25
7½ iron	5.70	7.60	1 dozen	.25
9 iron	6.00	8.00	1 dozen	.25
10½ iron	6.60	8.80	1 dozen	.25
12 iron				
All other grades V-2, V-3, V-4 by size:				
7½ iron	5.10	6.80	1 dozen	$0.25
9 iron	5.40	7.20	1 dozen	.25
10½ iron	5.70	7.60	1 dozen	.25
12 iron	6.30	8.40	1 dozen	.30
†Fiber back add to each price	.60	.80		.00
(3) Plain back, white:†				
All grades, by size:				
7 iron	6.45	8.60	1 dozen	$0.35
7½ iron	6.90	9.20	1 dozen	.35
9 iron	7.65	10.20	1 dozen	.35
10½ iron	8.70	11.60	1 dozen	.35
12 iron				
†Fiber back—add to each price	.60	.80		.00
6. Orthopedic heels (all sizes):				
Men's whole	2.55	3.40	1 dozen pairs	$0.75
Men's half	2.11	2.85	1 dozen pairs	.65
Women's half	1.76	2.35	1 dozen pairs	.60
7. Combination leather and rubber lifts (all sizes):				
Men's	[3] 2.51	[3] 3.35	1 dozen pairs	$0.75
Women's	1.76	2.35	1 dozen pairs	.60
8. Heel bases, by thickness:				
2½-3/8"	.71	.95	1 dozen pairs	$0.25
3/8"	.71	.95	1 dozen pairs	.25
9. Wedge and sport heels (all colors) (all sizes):				
Super, standard, V-1, V-2:				
Men's (cord and natural inserts)	1.99	2.65	1 dozen pairs	$0.65
Men's	1.61	2.15	1 dozen pairs	.55
Women's	1.35	1.80	1 dozen pairs	.50
10. White heels:				
Men's half	1.80	2.40	1 dozen pairs	$0.60
Women's cuban (scoop, flat type or junior wedges)	1.24	1.65	1 dozen pairs	.55
Women's thin scoop super	.97	1.30	1 dozen pairs	$0.50
All other grades	.94	1.25	1 dozen pairs	.50

[1] The maximum prices for sales by wholesalers to certain wholesalers are set forth in paragraph (h) of this section.

[2] These prices shall be reduced by 5 percent if the purchaser pays cash within 30 days after delivery in accordance with the provisions of § 1315.1420 (d) (1). Federal excise taxes and other taxes may be added in accordance with the provisions of § 1315.1402 (a).

[3] These prices shall be decreased by the customary cash discounts in accordance with the provisions of § 1315.1420 (d) (2). Federal excise taxes and other taxes may be added in accordance with § 1315.1402 (b).

[4] These prices include the Federal excise tax but other taxes may be added in accordance with the provisions of § 1315.1402 (a).

* For O'Sullivan Aristocrat and Goodrich "D" Plywood Core, there shall be substituted in table I-A $1.69 instead of $1.50 and $2.25 instead of $2.

** For Goodyear G-50 heels, there shall be substituted in table I-A $1.43 instead of $1.39 and $1.90 instead of $1.85.

† If died out topliffs or topliffs cut from topliff strips or topliff blocks are attached to heels which are larger in size than a size 3-0 thin scoop lift (3 mill hole), the shoe repairman may add $0.05 per pair to the prices stated in Table I-A for attaching these women's topliffs.

‡ For Wilder Quick Work A Style, combination leather and rubber lifts, there shall be substituted in Table I-A $2.75 instead of $2.51 and $3.67 instead of $3.35.

(Table I-A as amended by Amendment 2, 7 F.R. 6936.)

(b) The maximum price stated in Table I-A for a sale by a shoe repairman shall include the price of the rubber heels and the price of attaching the rubber heels to shoes. If rubber heels are sold by a shoe repairman unattached, the maximum price for such sales shall be 40% of the price listed in Table I-A for sales of rubber heels of the same type and grade by a shoe repairman. The maximum price for attaching rubber heels supplied by a purchaser shall be 60% of the price stated in Table I-A for sales of rubber heels of the same type and grade by a shoe repairman.

(c) The maximum price stated in Table I-A for a sale by a shoe repairman includes all repairs made by the shoe repairman in the process of attaching rubber heels. (Paragraph (c) as amended by Amendment 2.)

(d) (1) The maximum prices for sales to wholesalers shall be decreased by 5% if the purchaser pays cash within thirty days after delivery of the rubber heels. (Subparagraph (1) as amended by Amendment 2.)

(2) The maximum price for sales to shoe repairmen shall be reduced by any cash discounts given by the seller to shoe repairmen of the same class during March, 1942.

(e) (1) The maximum price for sales to wholesalers shall include the costs of transportation of the rubbers heels to the buyer's place of business if the order in question amounts to one hundred pounds or more. (Subparagraph (1) as amended by Amendment 2.)

(2) The seller may add to the maximum prices stated in Table I-A for sales to shoe repairmen the same proportion of transportation costs incurred in the delivery of rubber heels, that the seller required purchasers of the same class to pay during March 1942 on deliveries of rubber heels. (Subparagraph (2) as amended by Amendment 1.)

(f) The prices set forth in Table I-A shall not be increased by any charges for the extension of credit.

(g) When used in this § 1315.1420:

(1) "Super grade" means war rejects manufactured on or after September 1, 1942, and all rubber heels manufactured before that date, bearing the following brand names and made by the following manufacturers:

SUPER

Brand	Manufacturer
Adjusto-Wear	Selberling Rubber Company.
Aristocrat	O'Sullivan Rubber Company.
Biltrite	Panther Panco Rubber Company.
Cat's Paw	Holtite Manufacturing Company.
Custom-50	Goodyear Tire & Rubber Company.
Delux Suprex	B. F. Goodrich Co.-Hood Rubber Co.
Goodrich "D" Plywood-Core.	B. F. Goodrich Co.-Hood Rubber Co.
Goodrich Lifelong	B. F. Goodrich Co.-Hood Rubber Co.
No Jar Super 50	Cupples Company.
Selberling Bonded	Selberling Rubber Company.
Tuffies	The I. T. S. Company.
Tufford	The I. T. S. Company.
U. S. Super Royal	U. S. Rubber Company.

(Subparagraph (1) as amended by Amendment 4, 8 F.R. 490)

(2) "Standard grade" means war rejects manufactured on or after September 1, 1942, and all rubber heels manufactured before that date, bearing the following brand names and made by the following manufacturers:

STANDARD

Brand	Manufacturer
Commander	Holtite Manufacturing Company.
Fleetfoot 60	New Jersey Rubber Co.
G-50	Goodyear Tire & Rubber Company.
Hyflex	Essex Rubber Company.
I. T. S	The I. T. S. Company.
Imperial	U. S. Rubber Company.
Monarch Certified	Monarch Rubber Company.
Nojar	Cupples Company.
O'Sullivan Service	O'Sullivan Rubber Company.
O'Sullivan Stylist	O'Sullivan Rubber Company.
Panco Triple Wear	Panther Panco Rubber Company.
Presto grip	Cupples Company.
Selberling	Selberling Rubber Company.
Suprex	B. F. Goodrich Co.-Hood Rubber Co.
U. S. Royal	U. S. Rubber Company.
U. S. Royal Nukup	U. S. Rubber Company.
Uskide	U. S. Rubber Company.
Wingfoot	Goodyear Tire & Rubber Company.

(Subparagraph (2) as amended by Amendments 2 and 4)

(3) "Competitive grade" means war rejects manufactured on or after September 1, 1942, and all rubber heels manufactured before that date, bearing the following brand names and made by the following manufacturers:

COMPETITIVE

Brand	Manufacturer
Ambassador	Monarch Rubber Company.
Arrow	B. F. Goodrich Co.-Hood Rubber Co.
Cupples Delux	Cupples Company.
Cupples Ribbed	Cupples Company.
Foster	Holtite Manufacturing Company
Greyhound	B. F. Goodrich Co.-Hood Rubber Co.

Brand	*Manufacturer*
Holtite	Holtite Manufacturing Company.
Jax	Holtite Manufacturing Company.
L and R	The I T S Company.
Mercury	Goodyear Tire & Rubber Co.
Monarch	Monarch Rubber Company.
Monogram	Panther Panco Rubber Company.
Panerom Diamond Grip	Panther Panco Rubber Company.
Portage	Seiberling Rubber Company.
Resolute	Goodyear Tire & Rubber Company.
Ritz	The I T S Company.
Springstep	U S Rubber Company.
Tredwell	O'Sullivan Rubber Company.
Tite-Edge	Essex Rubber Company.

(Subparagraph (3) as amended by Amendment 4.)

(4) "Special competitive grade" means war rejects manufactured on or after September 1, 1942, and all rubber heels manufactured before that date, the brand names of which are not specifically listed in this paragraph (g) and all such rubber heels bearing the following brand names and made by the following manufacturers:

SPECIAL COMPETITIVE

Brand	*Manufacturer*
Ace	Plymouth Rubber Company.
Ace Double Duty	Plymouth Rubber Company.
Adlife	Hagerstown Rubber Company
Airway	Donovan Rubber Company
Armortred	Quabaug Rubber Company
Athletic	Queens Rubber Heel Company.
Belmont	B F Goodrich Co.-Hood Rubber Co.
Camel	Victor Products Company
Columbia	New Jersey Rubber Company.
Coronet	Holtite Manufacturing Company
Daisy	Schacht Rubber Manufacturing Co
Dictator	Holtite Manufacturing Company
Duwear	Cupples Company.
E Z	Hagerstown Rubber Company
Eagle	Queens Rubber Heel Company
Elmor	Queens Rubber Heel Company
Fleetfoot	New Jersey Rubber Company
Gold Crown	Holtite Manufacturing Company
Grippo	Holtite Manufacturing Company
Gueting	Gueting Rubber Company
Gueting Service	Gueting Rubber Company
Hy Way	Holtite Manufacturing Company
Hi Test	Holtite Manufacturing Company
Leviathan	Victor Products Company
New Yorker	Velveton Rubber Heel Corporation
Regent	U S Rubber Company.
Reliance	U. S. Rubber Company.
Rite Pro	Bradstone Rubber Company.
Roamer	Monarch Rubber Company.
Royal Balloon	P & B Rubber Company.
Runner	Goodyear Tire & Rubber Company
Skylark	Essex Rubber Company.
Slipknot	Plymouth Rubber Company.
Slipknot Double Duty.	Plymouth Rubber Company
Spartan	New Jersey Rubber Company
Surestep	Panther Panco Rubber Company
Tauko	New Jersey Rubber Company.
Velveton	Velveton Rubber Heel Corporation
Weartex	Monarch Rubber Company
Windsor	Hagerstown Rubber Company.

(Subparagraph (4) as amended by Amendments 2 and 4.)

(5) "Corded" means rubber heels bearing the following brand names and made by the following manufacturers, provided that if they are manufactured after August 31, 1942, they must have a minimum abrasion of 30.[1]

CORDED

Brand	*Manufacturer*
Aristocrat Cord Grip	O'Sullivan Rubber Company.
Cat's Paw Super Cord	Holtite Manufacturing Company
Corded Service	O'Sullivan Rubber Company.
Biltrite Cord-on-end	Panther Panco Rubber Company
Goodyear Corded	Goodyear Tire & Rubber Company.
Gro-Cord	Lima Cord Sole & Heel Company
Pancord Tuffgrip Hy-Bloc Cord-on-end.	Panther Panco Rubber Company.
U S Royal Cord	U. S. Rubber Company.

(Subparagraph (5) as amended by Amendment 2.)

(6) Except as provided in subdivision (i) of this subparagraph, grades "V–1", "V–2", "V–3", and "V–4" mean rubber heels manufactured after August 31, 1942, which can meet the following physical tests:

Grade	Minimum abrasion		Tensile strength
	All types except white heels[1]	Whole heels[2]	
V–1	25	20	1,000
V–2	20	16	800
V–3	15	12	600
V–4	10	8	400

[1] A minus tolerance of 2 points from the specified average abrasion index requirements is permitted with an unlimited plus tolerance. The methods of Federal Specifications EA–ZZ–H–141 and ZZ–R–601 shall be applicable to the specifications.

[2] No minus tolerance is permitted for whole heels. The methods of Federal Specifications EA–ZZ–H–141 and ZZ–R–601 shall be applicable to the specifications.

[1] A minus tolerance of two points from the specified average abrasion index requirements is permitted with an unlimited plus tolerance. The methods of Federal Specifications EA–ZZ–H–141 and ZZ–R–601 shall be applicable to the specifications.

(i) Any rubber heel manufactured after August 31, 1942, which contains fibers derived from square woven fabrics, or other scrap materials, shall be deemed to be a V–4 heel if it has a minimum abrasion of 30 and if it is made without washers. (Subparagraph (6) as amended by Amendments 2 and 4.)

(7) "War reject" means a rubber heel manufactured in accordance with the specifications of a war procurement agency which has been rejected by that agency because of defects that do not affect serviceability. (Subparagraph (7) added by Amendment 4.)

(h) The maximum price for sales by wholesalers to that class of wholesalers who, during March 1942, purchased rubber heels from wholesalers at prices higher than those set forth in Table I–A for sales to wholesalers is the price for sales of the rubber heels in question to shoe repairmen set forth in Table I–A less 20%. Paragraphs (d) (1) and (e) (1) are applicable to such sales. (Paragraph (h) added by Amendment 2.)

Issued this 1st day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1728; Filed, February 1, 1943; 2:51 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11,[1] Amendment 4 to Supplement 1[2]]

FUEL OIL RATIONING REGULATIONS

Subparagraph (4) of § 1394.9101 (a) is amended, as set forth below:

§ 1394.9101 *Designation of unit value in gallons of fuel oil.* (a) • • •

(4) The value of one unit represented by coupons numbered "4" on Class 1 coupon sheets, and the value of ten units represented by coupons numbered "4" on Class 2 coupon sheets are hereby fixed as:

(i) Eight (8) gallons and eighty (80) gallons of fuel oil, respectively, in the States of Massachusetts, Rhode Island, Connecticut, New York (except the counties of Clinton, Essex, Warren, Washington, Saratoga, Franklin, Hamilton, Fulton, Montgomery, St. Lawrence, Herkimer, Otsego, Jefferson, Lewis and Oneida), New Jersey and Pennsylvania;

(ii) Nine (9) gallons and ninety (90) gallons of fuel oil, respectively, in the States of Maine, New Hampshire, Vermont, the counties of Clinton, Essex, Warren, Washington, Saratoga, Franklin, Hamilton, Fulton, Montgomery, St. Lawrence, Herkimer, Otsego, Jefferson, Lewis and Oneida of the State of New York, the States of Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, and Florida (east of the Apalachicola River), and the District of Columbia;

(iii) Eleven (11) gallons and one hundred and ten (110) gallons of fuel oil, respectively, in the States of Iowa, Michigan, Minnesota, Nebraska, Wisconsin,

[1] 7 F.R. 8480.

[2] 7 F.R. 8768.

North Dakota and South Dakota, and those parts of the States of Ohio, Indiana, Illinois, Missouri and Kansas which lie in Thermal Zone B;

(iv) Ten (10) gallons and one hundred (100) gallons of fuel oil, respectively, in the State of Kentucky and in those parts of the States of Ohio, Indiana, Illinois, Missouri and Kansas which lie in Thermal Zone C.

• • •

(b) *Effective dates.* • • •

(5) Amendment No. 4 to Supplement No. 1 (§ 1394.9101) shall become effective on January 31, 1943, 12:01 a. m.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507; Pub. Law 421; WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1–O, 7 F.R. 8418; E.O. 9125, 7 F.R. 1719)

Issued this 31st day of January 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1726; Filed, February 1, 1943; 5:10 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 104 to Supp. Reg. 14[1] to CMPR[2]]

CHICAGO AREA FLUID MILK AND CREAM

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.[3]

Inferior subdivision (*m*) of subdivision (i) of § 1499.73 (a) (1) is amended, and inferior subdivision (*n*) of subdivision (ii) of § 1499.73 (a) (1) is amended, as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services, and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided:

(1) *Fluid milk and cream*—(i) *Maximum prices for fluid milk sold at retail in specified localities.* The maximum price of fluid milk sold and delivered at retail, in the localities set forth below, shall be the seller's maximum price as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, or the applicable adjusted maximum price specified in the schedule set forth below, whichever is higher[4]: *Provided*, That where the adjusted maximum price is expressed as "plus" a specified amount, the amount specified is to be added to the seller's maximum price as determined under said § 1499.2.

[1] Copies may be obtained from the Office of Price Administration.

[2] 7 F.R. 5486, 5709, 5911, 6008, 6271, 6369, 6473, 6477, 6774, 6775, 6776, 6887, 6892, 6939, 6965, 7011, 7012, 7203, 7250, 7289, 7365, 7490, 7491, 7453, 7510, 7511, 7535, 7536, 7538, 7694, 7709, 7871, 7812, 7914, 7946, 8024, 8199, 8237, 8341, 8358, 8524, 8652, 8707, 8881, 8899, 8950, 8954, 8955, 8933, 9043, 9082, 9131, 9196, 9391, 9397, 9495, 9496, 9639, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10537, 10557, 10583, 10705, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 1139, 980, 1130, 876, 1121, 878, 1142, 1279

7 F.R. 3153, 3330, 3666, 3930, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 8942, 9004, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204.

[3] This pricing formula is not applicable to certain retail sales in the New York Metropolitan, Memphis, Tennessee, and Chicago, Illinois areas under inferior subdivisions (*a*), (*n*), and (*p*) below. Specific maximum prices listed supersede entirely the seller's ceiling prices as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation.

OUT-OF-STORE SALES AND HOME-DELIVERIES[1]

Locality	Special type	Grade	Type of delivery	Container size	Type of container	Adjusted maximum price (cents)
(n) Chicago, Illinois Area[2]	Standard milk or buttermilk.	Approved	Out of store	More than 1 gallon		32 per gal.
		Approved	To the home	More than 1 gallon		42 per gal.
		Approved	Out of store	Gallon	Glass or paper	12.
		Approved	To the home	Gallon	Glass or paper	16.
		Approved	Out of store	½ gallon	Glass or paper	7.
		Approved	To the home	½ gallon	Glass or paper	9.
		Approved	Out of store	Quart	Glass or paper	5½.
		Approved	To the home	Quart	Glass or paper	7½.
		Approved	Out of store	Pint	Glass or paper	10.
		Approved	Out of store	More than 1 gallon		36 per gal.
	Homogenized, Vitamin D, or Homogenized Vitamin D.	Approved	To the home	More than 1 gallon		46 per gal.
		Approved	Out of store	Gallon	Glass or paper	56.
		Approved	To the home	Gallon	Glass or paper	66.
		Approved	Out of store	½ gallon	Glass or paper	24.
		Approved	To the home	½ gallon	Glass or paper	28.
		Approved	Out of store	Quart	Glass or paper	14.
		Approved	To the home	Quart	Glass or paper	18.
		Approved	Out of store	Pint	Glass or paper	11.

[1] Specific maximum prices listed supersede entirely the seller's ceiling prices as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation.

[2] In the case of *single unit sales at retail*, any maximum price expressed in a fraction of a cent must be reduced to the lowest even cent if the fraction is less than ½ cent and may be increased to the nearest higher even cent if the fraction is ½ cent or more. Home-deliveries shall be considered multiple-unit sales unless separate collections are made on successive deliveries. "Out-of-store sales" include sales by restaurants, hotels, cafes, bars, delicatessens, and other eating establishments. Maximum prices for ½ pint and ½ quart container sizes, as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, remain the seller's ceiling prices.

Chocolate milk, certified, Guernsey, 4½% B. F. (or more), and Sofkurd milk. The seller may add to his maximum retail price, as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, an amount proportionate to the increase in his retail ceiling price for standard milk sold in the same container size.

Retail sales to other classes of purchasers. Maximum prices for retail sales other than out-of-store sales and deliveries-to-the-home shall be the maximum wholesale prices fixed in inferior subdivision (*n*) of subdivision (ii) of § 1499.73 (a) (1) below.

• • • • •

(ii) *Maximum prices for fluid milk sold at wholesale in specified localities.* The maximum price of fluid milk sold and delivered at wholesale, in the localities set forth below, shall be the seller's maximum price as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, or the applicable adjusted maximum price specified in the schedule set forth below, whichever is higher[3]: *Provided*, That where the adjusted maximum price is expressed as "plus" a specified amount, the amount specified is to be added to the seller's maximum price as determined under said § 1499.2.

[3] This pricing formula is not applicable to certain sales at wholesale in the New York Metropolitan, Memphis, Tennessee, and Chicago, Illinois areas under inferior subdivisions (*n*), (*m*), and (*p*) below. Specific maximum prices listed supersede entirely the seller's ceiling prices as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation.

SALES AT WHOLESALE TO STORES, HOTELS, RESTAURANTS, INSTITUTIONS, AND OTHER (EXCEPT VENDORS OR SUBDEALERS)

Locality	Special type	Grade	Container size	Type of container	Adjusted maximum price (cents)
(n) Chicago, Illinois Area[1]	Standard milk or buttermilk.	Approved	More than 1 gallon		48 per gal.
		Approved	Gallon	Glass or paper	48.
		Approved	½ gallon	Glass or paper	25.
		Approved	Quart	Glass or paper	14.
		Approved	Pint	Glass or paper	8½.
		Approved	½ pint	Glass or paper	7½.
		Approved	½ quart	Glass or paper	6.
	Homogenized, Vitamin D, and Homogenized-Vitamin D.	Approved	More than 1 gallon		62 per gal.
		Approved	Gallon	Glass or paper	62.
		Approved	½ gallon	Glass or paper	27.
		Approved	Quart	Glass or paper	14.
		Approved	Pint	Glass or paper	10.
		Approved	½ pint	Glass or paper	7½.
		Approved	½ quart	Glass or paper	6½.

[1] Specific maximum prices listed supersede entirely the seller's ceiling prices as determined under §1499.2, General Provisions, of the General Maximum Price Regulation.

Chocolate milk, certified, Guernsey 4% B. F. (or more), and Softcurd milk. The seller may add to his maximum wholesale price, as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation an amount proportionate to the increase in his wholesale selling price for standard milk sold in the same container size.

Sales at wholesale to vendors or subdealers. The foregoing specific maximum whole prices for sales to stores, hotels, restaurants, and institutions are not applicable to sales and deliveries made to vendors or subdealers, i. e. fluid milk distributors who do not operate pasteurizing plants, regardless of whether they operate milk depots. The seller's maximum prices for sales to vendors or subdealers shall be his established maximum price under § 1499.2, General Provisions, of the General Maximum Price Regulation plus 4¢ per gallon, 3¢ for half gallon, 1½¢ for quart, and ½¢ for pint, ½ pint, or ⅓ quart container size.

Sales at wholesale in bulk to stores, hotels, restaurants, and institutions. Maximum prices for sales at wholesale, other than in glass or paper containers, to stores, hotels, restaurants and institutions in units of more than one gallon shall be

(i) Standard milk or buttermilk, 48¢ per gallon.

(ii) Homogenized Vitamin D, or Homogenized-Vitamin D milk: 52¢ per gallon.

* * * * *

(b) *Effective dates.* * * *

(105) Amendment No. 104 (§ 1499.73 (a) (1)) to Supplementary Regulation No. 14 shall become effective February 2, 1943, and terminate on April 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1727; Filed February 1, 1943; 5:10 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 280, Amendment 9]

SPECIFIC FOOD PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new paragraph (f) is added to § 1351.803; a new paragraph (j) is added to § 1351.808; and a new subparagraph (7) is added to § 1351.816 (a), as set forth below:

§ 1351.803 *Maximum prices.* * * *

(f) The provisions of this Maximum Price Regulation No. 280 do not apply to fluid milk sold at wholesale other than in glass or paper containers to stores, hotels, restaurants, and institutions in the "Chicago, Illinois area". Maximum prices for such sales are set in subdivision (ii) of § 1499.73 (a) (1) of Supplementary Regulation No. 14 to the General Maximum Price Regulation. (Amendment No. 104 to Supplementary Regulation No. 14.)

*Copies may be obtained from the Office of Price Administration.
7 F.R. 10144, 10337, 10475, 10585, 10786, 10965, 8 F.R. 158, 876, 877, 1120.

§ 1351.808 *Exempt sales.* * * *

(j) Fluid milk sold at wholesale in bulk (other than in glass or paper containers) to stores, hotels, restaurants, and institutions in the Chicago, Illinois area. Maximum prices for such sales are set in subdivision (ii) of § 1499.73 (a) (1) of Supplementary Regulation No. 14 to the General Maximum Price Regulation. (Amendment No. 104 to Supplementary Regulation No. 14.)

§ 1351.816 *Definitions.* (a) When used in this Maximum Price Regulation No. 280, the term:

* * * * *

(7) "Chicago, Illinois area" means the territory included in the marketing area geographically defined in Federal Milk Marketing Order O-41, as amended, issued by the Secretary of Agriculture on September 1, 1939.

§ 1351.821 *Effective dates of amendments.* * * *

(i) Amendment No. 9 (§§ 1351.803, 1351.816, and 1351.808) to Maximum Price Regulation No. 280 shall become effective February 2, 1943.

(Pub. Laws 421 and 729; 77th Cong.; E.O. 9250; 7 F.R. 7871)

Issued this 1st day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1724; Filed, February 1, 1943; 5:15 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 255 Under § 1499.3 (b) of GMPR]

CUSH-O-LINERS

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.1491 *Maximum prices for Cush-O-Liners.* (a) The maximum prices for Cush-O-Liners shall be:

Size	Maximum prices for sales to distributors	Maximum prices for sales to retail dealers	Maximum retail prices
6½ x 18	$1.00	$1.50	$2.50
5½ x 17	1.00	1.50	2.50
6 x 16	1.00	1.50	2.50
6¼ x 16	1.00	1.50	2.50
6 x 14	1.00	1.50	2.50
7 x 14	1.25	1.90	3.10
7 x 16	1.25	1.90	3.10

(b) The maximum prices set forth in paragraph (a) shall be subject to the same terms of sale as were customarily offered by the seller on commodities of the same general class to purchasers of the same class.

(c) Each manufacturer of Cush-O-Liners shall notify each of his distributors of the established maximum prices, and shall have the maximum retail price printed on each container.

(d) This Order No. 255 (§ 1499.1491) may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 255 (§ 1499.1491) shall become effective February 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1699; Filed, February 1, 1943; 12:17 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 256 Under § 1499.3 (b) of GMPR]

CAP SALES CORPORATION

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1492 *Authorization of a maximum price for sales of quick frozen corned beef hash by the Cap Sales Corporation.* (a) On and after February 1, 1943, the maximum selling price for quick frozen corned beef hash consisting of corned beef derived from canned corned beef, and of potatoes in a mixture containing 35% corned beef and 65% potatoes suitably seasoned, for sale by the Cap Sales Corporation, New York, New York, shall be 28 cents per pound.

(b) The Cap Sales Corporation shall furnish to all purchasers from it of quick frozen corned beef hash before, or at the time of the initial sale of such product, a written notice to read as follows:

The Office of Price Administration has authorized us by order to sell our quick frozen corned beef hash at the maximum price of 28 cents per pound.

As a retailer, you are to determine your maximum delivered selling price per pound for quick frozen corned beef hash, in accordance with section (3) (a) of the General Maximum Price Regulation.

You are required to keep this notice for examination.

(c) On or before March 30, 1943, the Cap Sales Corporation shall furnish the Office of Price Administration in Washington, D. C., with a statement reporting in detail its costs of producing and selling quick frozen corned beef hash for each month for the period from January 30, 1942, to March 30, 1942, inclusive.

(d) The maximum selling price set forth in paragraph (a) shall be subject to adjustment at any time by the Office of Price Administration.

(e) This Order No. 256 may be revoked or amended by the Office of Price Administration at any time.

(f) This Order No. 256 (§ 1499.1492) shall become effective February 2, 1943.

(Pub. Law 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1700; Filed, February 1, 1943; 12:17 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 257 Under § 1499.3 (b) of GMPR]

REEVES STEEL MANUFACTURING CO.

Approval of prices for certain five-gallon steel cans.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order 9250 and § 1499.3 (b) of the General Maximum Price Regulation, *It is hereby ordered:*

§ 1499.1493 *Authorization to Reeves Steel and Manufacturing Company for sale of certain five-gallon steel cans.* (a) On and after the effective date of this Order No. 257, Reeves Steel and Manufacturing Company, of Dover, Ohio, is authorized to sell and deliver and offer to sell and deliver "Uncle Sam" brand five-gallons galvanized steel ash and garbage cans and covers at prices not to exceed those set forth in paragraph (b) hereof, and any person may buy and receive or offer to buy and receive such cans and covers at such prices from Reeves Steel and Manufacturing Company.

(b) Maximum prices, per dozen: Cans, $36.35; covers, $10.00; cans and covers, $46.35.

Discounts: For less than carload lots, 50–10–5%, with actual freight allowed up to $1.00 per hundred pounds; for carload lots, 60–5%, with actual freight allowed up to $.50 per hundred pounds.

For banding or striping, to order, add: For one band or stripe, $.40 per dozen net; for two bands or stripes, $.80 per dozen net.

(c) This Order No. 257 may be revoked or amended at any time by the Office of Price Administration.

(d) This Order No. 257 (§ 1499.1493) shall become effective February 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1701; Filed, February 1, 1943; 12:16 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 19 Under Supp. Reg.]

GUERIN SPECIAL MOTOR FREIGHT LINE, INC.

Order 19 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation—Docket No. GF3-1948.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1319 *Adjustment of maximum prices for contract carrier services by Guerin Special Motor Freight Line, Inc. of Philadelphia, Pennsylvania.* (a) Guerin Special Motor Freight Line, Inc., 2210 North 26th Street, Philadelphia, Pennsylvania, hereinafter referred to as applicant, may charge as maximum rates for applicant's services as a contract carrier by motor vehicle the following charges:

All rates in cents per hundred pounds, unless otherwise specified.

(1) *Intrastate rates.* (i) Truckload shipments of freight may be stopped at point of destination, or at points directly intermediate between origin and destination, for partial unloading under the following conditions:

(*a*) The rate from original point to final destination (place of final delivery) will apply on the total weight of the shipment, i. e., the weight before the first stop is made for the partial unloading.

(*b*) Only three stops, exclusive of the stop for final delivery, for partial unloading shall be permitted.

(*c*) The charge for each stop-off, exclusive of the stop for final delivery, shall be $4.

(ii) A charge of 2¢ per 100 pounds in addition to the published rate will be made for split-delivery shipments.

(iii) Rates between Philadelphia, Pennsylvania,

to—	on petroleum products, anti-freeze compounds, automobile accessories and equipment, minimum weight 21,000 lbs.	on empty containers returned and on service station equipment pumps, pump parts, used automobile parts, old used tires and miscellaneous allied materials.
Allentown, Pa.	16	*20
Altoona, Pa.	31	34
Bloomburg, Pa.	25	27
Butler, Pa.	35	38
Caln, Pa.	12	16
Carbondale, Pa.	27	30
Carlisle, Pa.	24	25
Chambersburg, Pa.	27	29
Coatesville, Pa.	12	16
Earnest, Pa.	10	15
East Greensburg, Pa.	35	38
East York, Pa.	18	23
Eldorado, Pa.	31	34
Erie, Pa.	38	42
Franklin, Pa.	35	39
Harrisburg, Pa.	18	24
Hazleton, Pa.	22	24
Honesdale, Pa.	29	31
Johnstown, Pa.	33	35
Kittanning, Pa.	35	38
Lancaster, Pa.	15	21
Lebanon, Pa.	18	*22
Lock Haven, Pa.	29	32
McKeesport, Pa.	35	38
Meyersdale, Pa.	33	35
New Castle, Pa.	37	41
Morristown, Pa.	10	15
Northumberland, Pa.	25	27
Oil City, Pa.	37	41
Philipsburg, Pa.	31	34
Pittsburgh, Pa.	35	38
Pottstown, Pa.	12	18
Pottsville, Pa.	21	*23
Reading, Pa.	14	*20
Scranton, Pa.	25	27
Shamokin, Pa.	24	*26
Shenandoah, Pa.	22	24
Steelton, Pa.	18	23
Stowe, Pa.	12	*18
Sunbury, Pa.	25	27
Washington, Pa.	35	38
West Brownsville, Pa.	35	39
Wilkes-Barre, Pa.	25	27
Williamsport, Pa.	28	31
York, Pa.	18	23

*Applies only on empty containers returned.

(2) *Interstate rates.* (i) Truckload shipments of freight may be stopped at point of destination, or at points directly intermediate between origin and destination, for partial unloading under the following conditions:

(*a*) The names of places or addresses at which the vehicles are to be stopped for partial unloading shall be shown either in the shipping order or in a separate paper which shall be attached to and considered a part of the shipping document.

(*b*) The rate from original point to final destination (place of final delivery) will apply on the total weight of the shipment, i. e., the weight before the first stop is made for the partial unloading.

(*c*) Only three stops, exclusive of the stop for final delivery, for partial unloading shall be permitted.

(*d*) The charge for each stop-off, exclusive of the stop for final delivery, shall be $4.

(ii) Rates on petroleum and petroleum products in containers, in truckload quantities, minimum weight 21,000 lbs., from Philadelphia, Pa.

to—	
Atlantic City, N. J.	16
Baltimore, Md.	119
Bridgeton, N. J.	13
Burlington, N. J.	10
Camden, N. J.	8
Cape May Court House, N. J.	17
Carney's Point, N. J.	19
Clayton, N. J.	13
Hammonton, N. J.	10
Millville, N. J.	14
Mount Holly, N. J.	11
Newark, N. J.	19
New York, N. Y.	19
Ocean City, N. J.	20
Paulsboro, N. J.	10
Philadelphia, Pa.	8
Pleasantville, N. J.	15
Salem, N. J.	14
Trenton, N. J.	10
Washington, D. C.	23
Wildwood, N. J.	21
Williamstown, N. J.	10
Wilmington, Del.	11

(iii) Rates on empty petroleum products containers and on refused, rejected, or unclaimed shipments of petroleum and petroleum products in any quantities, to Philadelphia, Pa.,

from—	
Atlantic City, N. J.	21
Baltimore, Md.	23
Bridgeton, N. J.	19
Burlington, N. J.	16
Camden, N. J.	14
Cape May Court House, N. J.	21
Carney's Point, N. J.	16
Clayton, N. J.	19
Hammonton, N. J.	17
Millville, N. J.	19
Mount Holly, N. J.	16
Newark, N. J.	27
New York, N. Y.	27
Ocean City, N. J.	24
Paulsboro, N. J.	16
Philadelphia, Pa.	14
Pleasantville, N. J.	20
Salem, N. J.	19
Trenton, N. J.	16
Washington, D. C.	30
Wildwood, N. J.	25
Williamstown, N. J.	16
Wilmington, Del.	16

(b) All requests of the application not granted herein are denied.

(c) This Order No. 19 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 19 (§ 1499.1319) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 19 (§ 1499.1319) shall become effective February 2, 1943.

(Pub. Laws No. 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 1st day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43-1691; Filed, February 1, 1943; 12:16 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 20 Under Supp. Reg. 15 of GMPR]

FREEDMAN MOTOR SERVICE, INC.

Order No. 20 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation—Docket No. GF3-2145.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1320 *Denial of adjustment of maximum prices for transportation services sold by Freedman Motor Service, Inc., 56 Pearl Street, Metuchen, New Jersey.* (a) The application for adjustment filed by the above company and assigned Docket No. GF3-2145 is denied.

(b) This order No. 20 (§ 1499.1320) shall become effective February 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43-1696; Filed, February 1, 1943; 12:16 p. m.]

Chapter XIII—Petroleum Administration for War

[Petroleum Administrative Order 2 as Amended Jan 31, 1943]

PART 1515—PETROLEUM PRODUCTION OPERATIONS

Section 1515.1 *Petroleum Administrative Order 2* is hereby amended to read as follows:

Pursuant to Conservation Order M-68 as amended January 4, 1943 (§ 1047.1), § 1047.10 *Supplementary Order M-68-5*, as amended October 23, 1942 is renumbered § 1515.1 of this chapter and is reissued effective today. This order shall continue in effect until April 1, 1943, unless sooner revoked by the Petroleum Administrator for War or the Deputy Petroleum Administrator for War.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of January 1943.

R. K. DAVIES,
Acting Petroleum Administrator for War.

[F. R. Doc. 43-1730; Filed, February 1, 1943; 5:08 p. m.]

[Petroleum Administrative Order 1, as Amended February 1, 1943]

PART 1545—PETROLEUM SUPPLY

Section 1545.1 *Petroleum Administrative Order 1* is hereby amended to read as follows:

§ 1545.1 *Petroleum Administrative Order 1*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Motor fuel" means liquid fuel, including Diesel fuel, used for the propulsion of motor vehicles or motor boats and shall include any liquid fuel to which Federal gasoline taxes apply except liquid fuel used for the propulsion of aircraft.

(3) "Fuel oil" means any liquid petroleum product commonly known as fuel oil, including Grades No. 1, 2, 3, 4, 5, and 6, Bunker "C", Diesel oil, kerosene, range oil, gas oil, or any liquid petroleum product used for the same purposes as the above designated grades.

(4) "Refinery" means any manufacturing establishment within District One which processes, refines, or compounds crude petroleum or finished or unfinished petroleum products, including, but not limited to, the terminal, storage, and distribution facilities at such establishment.

(5) "Bulk terminal" means any terminal or storage facility within District One to which motor fuel or fuel oil from any point outside of the District is delivered for redelivery.

(6) "Supplier" means any person designated as such on Schedule A.

(7) "Secondary supplier" means any person other than a supplier who regularly receives motor fuel or fuel oil for redelivery.

(8) "District One" means the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, and Florida (east of the Apalachicola River), and the District of Columbia.

(9) "Zone" means any of the six territorial divisions of District One, as follows:

ZONE 1: The States of Maine, Vermont, New Hampshire, Massachusetts, Connecticut, and Rhode Island.

ZONE 2: The entire eastern part of the State of New York up to and including the Counties of Cayuga, Tompkins, and Chemung; the entire eastern part of the State of Pennsylvania up to and including the Counties of Bradford, Sullivan, Columbia, Montour, Northumberland, Dauphin, and York; and the States of New Jersey and Delaware.

ZONE 3: The States of Maryland and Virginia and the District of Columbia.

ZONE 4: The States of North Carolina and South Carolina.

ZONE 5: The State of Georgia and that part of the State of Florida east of the Apalachicola River.

ZONE 6: That part of the States of New York and Pennsylvania not included in Zone 2, and the State of West Virginia.

(10) "Quota" means the specific quantities of motor fuel and fuel oils specified on Schedule A to be available to any supplier for delivery or withdrawal in each zone of District One from bulk terminals and refineries located in such zone during each quota period specified on Schedule A, excluding withdrawals or deliveries for export: *Provided*, That direct deliveries of motor fuel or fuel oil to any person within any zone by any supplier from any point outside of District One other than deliveries to a refinery or bulk terminal owned or operated by a supplier shall be deemed to be a delivery or withdrawal by the delivering supplier from a bulk terminal or refinery in the zone in which delivery is made.

(11) "Quota period" means the period of time specified on Schedule A for the withdrawal or delivery by any supplier of any quota assigned on such schedule to such supplier.

(b) *Restrictions on delivery of motor fuel and fuel oil.* (1) No supplier shall withdraw or deliver, or cause to be withdrawn or delivered, any motor fuel or fuel oil from any bulk terminal or refinery in District One in any quota period except:

(i) Withdrawals or deliveries of any motor fuel or fuel oil from any refinery or bulk terminal for delivery to any bulk terminal in District One; or

(ii) As specifically directed by the Petroleum Administrator for War pursuant to a directive issued under paragraph (c) of this order; or

(iii) As specifically authorized upon application filed under paragraph (i) of this order; or

(iv) As permitted under the terms of paragraph (e) of this order.

(c) *Directed deliveries.* In order to provide an equitable distribution to consumers and among all units of the petroleum industry of all available supplies of motor fuel or fuel oil in District One, without regard to the ownership or control of any such motor fuel or fuel oil by any supplier or secondary supplier, or to accomplish any other purpose or objective of this order, the Petroleum Administrator for War may at any time issue specific directions to any supplier or secondary supplier with respect to the withdrawal or delivery of any motor fuel or fuel oil.

(d) *Unrestricted deliveries.* Withdrawals or deliveries of any motor fuel or fuel oil from any refinery or bulk terminal for delivery to another supplier pursuant to (1) the provisions of Directive 59 of the Petroleum Coordinator for War, 7 F.R. 7759, and any amendments or modifications thereof, (2) repayments of loans, or (3) exchanges, shall not be deducted from the quota of the delivering supplier but such deliveries, if not otherwise exempt from quota restrictions under the provisions of this order, shall be deemed to have been withdrawn from a bulk terminal or refinery by the receiving supplier.

(e) *Permitted deliveries.* (1) Nothing contained in this order shall restrict the withdrawal or delivery by any supplier from any bulk terminal or refinery of the quantities of motor fuel and fuel oil listed on Schedule A, as the quota of such supplier: *Provided*, That all of the following conditions are met:

(i) Any such withdrawal or delivery is made within the quota period specified on Schedule A for the withdrawal or delivery of such quota;

(ii) The quantity of any such withdrawal or delivery by the supplier does not, when added to all preceding deliveries and withdrawals by such supplier during the quota period, exceed any quota specified on Schedule A for such supplier;

(iii) Such withdrawal or delivery is made, so far as practicable so that the quota against which it is charged will be withdrawn or delivered ratably during the quota period;

(iv) Such withdrawal or delivery is made for ultimate use within the zone in which is located the bulk terminal or refinery from which the withdrawal or delivery is made: *Provided*, That this limitation shall not apply to any delivery between zones which is made in the established and regular course of business, and such deliveries shall be charged against the quota of the delivering supplier in the zone in which the delivery is made.

(f) *Method of distribution.* (1) Each supplier and each secondary supplier shall apportion such motor fuel and fuel oil as he has available for distribution among customers which during the calendar year 1942 were receiving from him as a regular source of supply the whole or any part of their requirements or which have been assigned to him as hereinafter provided, and such distribution shall be without discrimination except that uniform differentiation in deliveries based upon the relative inventories expressed in days' supply on hand in customer's storage shall not be deemed to be discrimination. The apportionment shall be made in such a manner as to provide for an equitable distribution of such motor fuel and fuel oil among all consumers coming within the classifications named below whether such consumers are buying directly or indirectly from such supplier or secondary supplier. The apportionment shall be made as follows:

(i) Preferential deliveries to persons specified in paragraph (h) hereof entitled to their minimum necessary requirements;

(ii) If at any time any Federal regulatory agency, having jurisdiction with respect thereto, shall issue an order or directive classifying consumers entitled to priority or preference in procurement of motor fuel or fuel oil, then deliveries shall be made so as to permit such persons to receive motor fuel or fuel oil in compliance with such order or directive;

(iii) The balance of the supplies of motor fuel and fuel oil available for distribution by any supplier or secondary supplier shall be delivered in such a manner as to provide for an equitable distribution of such supplies among the remaining customers.

(2) If any secondary supplier is unable to obtain deliveries of motor fuel or fuel oil because his supplier or suppliers has or have completely or substantially discontinued any class of business, then such secondary supplier may file application with the District Director of Marketing for District One of the Petroleum Administration for War. The District Director of Marketing shall, if he finds that the facts warrant the relief requested, designate one or more suppliers to make deliveries to such supplier and the supplier or suppliers so designated shall make such deliveries as directed.

(g) *Inventory restrictions.* No person may deliver or otherwise supply motor fuel or fuel oil to any storage location (other than a refinery or bulk terminal) owned, operated or controlled by such person or by any other person and no person may accept delivery of:

(1) Motor fuel at such a storage location where the amount of motor fuel at such storage location is equal to or exceeds the amount of motor fuel which would normally be withdrawn from such storage location to meet rationed demands during the 10 days next following the date upon which the delivery is made; or

(2) Fuel oil at such a storage location where the amount of fuel oil at such storage location is equal to or exceeds the amount of fuel oil which would normally be withdrawn from such storage location under normal weather conditions to meet rationed demands during the 10 days next following the date upon which the delivery is made:

Provided, (i) That any single delivery of motor fuel or fuel oil by means of a transportation facility generally used in such delivery, which brings the amount of motor fuel or fuel oil at such a storage location to an amount equal to or in excess of the foregoing amounts, may be completed, and (ii) that nothing in this paragraph shall be deemed to apply to the delivery of motor fuel or fuel oil to any agency referred to in paragraph (h), and (iii) that nothing in this paragraph shall be deemed to apply to the delivery of motor fuel to any retail filling station or to the delivery of fuel oil to any private dwelling (as defined in Ration Order No. 11, as amended, issued by the Office of Price Administration).

(h) *Preferential deliveries.* Each supplier shall, in making any withdrawal or delivery of motor fuel or fuel oil, give preference to the requirements of the Army and the Navy of the United States, the Coast Guard, the War Shipping Administration, the United States Maritime Commission, and the Office of Lend-Lease Administration; and any supplier shall, upon demand by any one of the said agencies, withdraw and deliver to such agency any part or all of such supplier's undelivered quota.

(i) *Application for authorization.* Each supplier seeking authorization to withdraw or deliver motor fuel or fuel oil pursuant to paragraph (b) (1) (iii) hereof, shall apply in writing to the Petroleum Administrator for War, setting forth the pertinent facts and the reasons he considers such withdrawal or delivery to be necessary in the public interest.

(j) *Records.* All suppliers affected by this order shall keep and preserve for not less than two years accurate and complete records concerning withdrawals and deliveries by such suppliers from bulk terminals and refineries.

(k) *Reports.* Each supplier to whom this order applies shall file with the Petroleum Administrator for War by the 10th day of the next succeeding month a report for each zone in which such supplier makes any withdrawal or delivery of motor fuel or fuel oil, stating the quantity of motor fuel and fuel oil, broken down by grades, withdrawn or delivered by him from any bulk terminal or refinery in each zone during any month.

(l) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: The District Director in Charge, Petroleum Administration for War, 122 East 42nd Street, New York, New York, Ref: PAO 1.

(m) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(n) *Violations.* Any person who wilfully violates any provision of this order, or who, by any act or omission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or such other action may be taken as is deemed appropriate.

(o) *Applicability of quota restrictions.* Paragraphs (b), (d), (e), and (f) shall apply only during the periods in which any quota or quotas are in effect and only to the particular product or products for which quotas have been established for such periods.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of February 1943.

R. K. DAVIES,
Acting Petroleum Administrator for War.

SCHEDULE A

DISTRICT ONE—ZONE ONE

February 1943

[Quotas expressed in barrels per day]

Supplier:	Gasoline
American Bitumuls Co	------
American Mineral Spirits Co	------
Atlantic Refining Co	2,616
Cities Service Oil Co	3,034
Crown Central Petroleum Corp	144
First National Oil Corp	------
Gulf Oil Corp	5,376
Hartol Products Corp	929
Jones & Co	------
Maritime Petroleum Corp	------
Pacific Oil Co	------
Pan-American Petroleum and Transport Co	4,199
Petrol Corp	296
Petroleum Heat & Power Co	------
Quincy Oil Co	226
Richfield Oil Corp	1,857
Royal Petroleum Corp	48
Shell Oil Co., Inc	3,830
Sinclair Refining Co	964
Socony-Vacuum Oil Co	12,217
Standard Oil Co. of N. J	5,481
State Fuel Co	------
Sun Oil Co	4,169
Texas Co	5,189
Tide Water Associated Oil Co	4,642
United Refining Co	------
Valvoline Oil Co	143
White Fuel Corp	------

DISTRICT ONE—ZONE TWO

February 1943

[Quotas expressed in barrels per day]

Supplier:	Gasoline
Alleghany Refiners, Inc	29
American Mineral Spirits Co	------
Ashland Oil & Refining Co	------
Asiatic Petroleum Co	------
Atlantic Refining Co	10,945
Bradford Penn Refining Corp	10
Central Petroleum Co	------
Cities Service Oil Co	3,873
Continental Oil Co	1,228
Crown Central Petroleum Co	469
First National Oil Corp	45
Frontier Fuel Oil Corp	------
Gulf Oil Corp	10,636
Hambleton Terminal Corp	57
Hartel Products Corp	1,213
Hess Brothers	------
Home Fuel Oil Co	------
Jones & Co	------
Kendall Refining Co	------
Maritime Petroleum Corp	------
Pan-American Petroleum and Transport Co	6,186
Patterson & Co., Inc	------
Pennsylvania Refining Co	------
Pennzoil Co	------
Petrol Corp	652
Petroleum Heat & Power Co., Inc	------
Pure Oil Co	809
Quaker State Oil Refining Co., Penn	51
Richfield Oil Corp	4,394
Royal Petroleum Corp	137
Shell Oil Co., Inc	5,049
Sinclair Refining Co	4,602
Socony-Vacuum Oil Co., Inc	14,889
Sonneborn Sons, Inc	3
Standard Oil Co. of N. J	20,585
Sun Oil Co	10,190
Texas Co	12,037
Tide Water Associated Oil Co	7,672
United Refining Co	------
Valvoline Oil Co	28

DISTRICT ONE—ZONE THREE

February 1943

[Quotas expressed in barrels per day]

Supplier	Gasoline
American Bitumuls Co	------
American Mineral Spirits Co	------
Arkansas Fuel Oil Co	484
Ashland Oil & Refining Co	185
Atlantic Refining Co	1,191
Cantelou (S. D.) Petroleum Products	------
Cities Service Oil Co	334
Continental Oil Co	1,060
Elk Refining Co	83
Gulf Oil Corp	3,006
Hartel Products Corp	------
Pan-American Petroleum and Transport Co	5,557
Patterson & Co., Inc	------
Petrol Corp	894
Petroleum Heat and Power Co., Ind	------
Pure Oil Co	957
Quaker State Oil Refining Corp. of Penn	------
Republic Oil Refining Co	373
Richfield Oil Corp	2,313
Shell Oil Co., Inc	1,589
Sinclair Refining Co	1,339
Standard Oil Co. of N. J	10,321
Sun Oil Co	1,125
Texas Co	4,188
Tide Water Associated Oil Co	527
Valvoline Oil Co	------
Viking Distributing Co	30

DISTRICT ONE—ZONE FOUR

February 1943

[Quotas expressed in barrels per day]

Supplier:	Gasoline
Arkansas Fuel Oil Co	832
Atlantic Refining Co	1,064
Continental Oil Co	330
Elk Refining Co	------
Gulf Oil Corp	4,602
Pan-American Petroleum and Transport Co	1,721
Pure Oil Co	2,229
Republic Oil Refining Co	866
Richfield Oil Corp	55
Riverside Terminal Co	297
Shell Oil Co., Inc	2,354
Sinclair Refining Co	2,008
Standard Oil Co. of N. J	8,577
Texas Co	3,429

DISTRICT ONE—ZONE FIVE

February 1943

[Quotas expressed in barrels per day]

Supplier:	Gasoline
Arkansas Fuel Oil Corp	565
Atlantic Refining Co	1,046
Belcher Oil Co	------
Continental Oil Co	51
Gulf Oil Corp	5,486
Orange State Fuel Oil Corp	1,493
Pan-American Petroleum and Transport Co	2,053
Pure Oil Co	4,123
Republic Oil Refining Co	602
Shell Oil Co., Inc	1,816
Sinclair Refining Co	2,725
Southeastern Oil Co	140
Standard Oil Co. of Ky	6,711
Standard Oil Co. of N. J	------
Sun Oil Co	692
Texas Co	3,453

DISTRICT ONE—ZONE SIX

February 1943

[Quotas expressed in barrels per day]

Supplier:	Gasoline
Alleghany Refiners Co	73
Ashland Oil & Refining Co	1,483
Atlantic Refining Co	4,935
Bradford Penn Refining Corp	182
Canfield Oil Co	26
Cantelou (S.D.) Petroleum Prod	47
Carbide & Carbon Chemical Corp	423
Cities Service Oil Co	654
Continental Oil Co	22
Continental Refining Co	194
Crown Central Petroleum Corp	401
Elk Refining Co	673
Freedom Oil Co	320
Frontier Fuel Oil Corp	603
Gulf Oil Corp	4,743
Hambleton Terminal Corp	415
Hartel Products Corp	25
Kendall Refining Co	1,156
Maritime Petroleum Corp	------
Pan-American Petroleum and Transport Co	3,312
Pennsylvania Refining Co	236
Pennzoil Co	1,778
Pure Oil Co	610
Quaker State Oil Refining Corp. of Penn	1,561
Republic Oil Refining Co	250
Richfield Oil Corp	963
Shell Oil Co., Inc	235
Sinclair Refining Co	1,830
Socony-Vacuum Oil Corp	4,693
Sonneborn Sons, Inc	106
Standard Oil Co. of N. J	7,110
Sun Oil Co	4,915
Texas Co	2,936
Tidewater Associated Oil Co	828
United Refining Co	730
Valvoline Oil Co	289
Viking Distributing Co	179
Waverly Oil Works Co	158
Wolf's Head Oil Refining Co	118

[F. R. Doc. 43-1729; Filed, February 1, 1943; 5:08 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter D—Freight Forwarders

PART 445—ANNUAL REPORTS

FORM PRESCRIBED FOR FREIGHT FORWARDERS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 18th day of January, A. D. 1943.

In the matter of Annual Reports from Freight Forwarders, and the corresponding section of the Code of Federal Regulations, the following order was issued:

§ 445.1 *Form prescribed for freight forwarders.* (a) All freight forwarders within the scope of section 412, Part IV of the Interstate Commerce Act having annual gross revenues for the calendar year 1942 of $100,000 or more, are hereby required to file annual reports for the year ended December 31, 1942, and for each succeeding year until further order, in accordance with Annual Report Form Fa (Freight Forwarder), which is hereby approved and made a part of this order.[1]

(b) The annual report shall be filed, in duplicate, in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington, D. C., on or before March 31 of the year following the one to which it relates.

(Sec. 412, 56 Stat. 294; 49 U.S.C. 1012)

By the Commission, Division 1.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R Doc. 43-1739; Filed, February 2, 1943; 11:15 a. m.]

PART 445—ANNUAL REPORTS

FORM PRESCRIBED FOR FREIGHT FORWARDERS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 14th day of January, A. D. 1943.

In the matter of Annual Reports from Freight Forwarders, and the corresponding section of the Code of Federal Regulations, the following order was issued:

§ 445.2 *Form prescribed for freight forwarders.* (a) All freight forwarders within the scope of section 412, Part IV of the Interstate Commerce Act having annual gross revenues for the calendar year 1942 of less than $100,000, are hereby required to file annual reports for the year ended December 31, 1942, and for each succeeding year until further order, in accordance with Annual Report Form Fb (Freight Forwarder), which is hereby approved and made a part of this order.[1]

(b) The annual report shall be filed, in duplicate, in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington, D. C., on or before March 31 of the year following the one to which it relates.

(Sec. 412, 56 Stat. 294; 49 U.S.C. 1012)

By the Commission, Division 1.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 43-1740; Filed, February 2, 1943; 11:15 a. m.]

PART 446—PERIODICAL AND SPECIAL REPORTS

FORM PRESCRIBED FOR QUARTERLY REPORTS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 18th day of January, A. D. 1943.

In the matter of Periodical and Special Reports from Freight Forwarders, and the corresponding section of the Code of Federal Regulations, the following order was issued:

§ 446.1 *Form prescribed for quarterly reports.* (a) Beginning with the three months' period ending March 31, 1943, and quarterly thereafter, until further order of this Commission, all Freight Forwarders within the scope of section 412, Part IV of the Interstate Commerce Act having annual gross revenues of $100,000 or more for the calendar year 1942, are hereby required to file reports of revenues, expenses, and statistics in accordance with Form QFF which is hereby approved and made a part of this order.[1]

(b) The said quarterly report shall be filed, in duplicate, in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington, D. C., within sixty days after the close of the period to which it relates.

(Sec. 412, 56 Stat. 294; 49 U.S.C. 1012)

By the Commission, Division 1.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R Doc. 43-1741; Filed, February 2, 1943; 11:15 a. m.]

[1] Filed as part of the original document.

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1850]

DISTRICT BOARD 1

ORDER GRANTING TEMPORARY RELIEF

In the matter of the petition of District Board No. 1 for the establishment of temporary price classifications and minimum prices for Mine Index No. 3607.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, has been duly filed with this Division by the above-named party, requesting the temporary establishment of an "H" classification in Size Groups 3 and 4 for approximately 19,600 tons of coal presently uncovered at the Strip Operation of Tartan Mine #3, Mine Index No. 3607, of Tartan Coal Mining Company, located in the D Seam of Subdistrict 5 of District No. 1.

It appears that an order was issued October 16, 1942 in Docket No. A-1686, which temporarily established for Mine Index No. 3607 a price classification of "H" in Size Groups 3 and 4 for approximately 20,000 tons of coal, which is of poorer quality than coal normally mined from D Seam in Subdistrict 5 of District No. 1, when sold for lake cargo shipment during the 1942 lake season and that although this temporary relief was in effect for a little more than six weeks, only approximately 400 tons of coal were shipped pursuant to such order, because of mining difficulties.

Petitioner further alleges that the Tartan Coal Mining Company, owner of Mine Index No. 3607 has secured a purchaser for the remainder of the poorer quality coal, namely the Walkover Coal Company Ltd., Toronto, Canada, and petitioner requests the same temporary relief as granted in Docket No. A-1686, be made applicable through May 31, 1943 for all-rail movement to Toronto, Canada for approximately 19,600 tons of this coal.

It appears that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth, that no petition of intervention has been filed with the Division in the above-entitled matter, and that the following action is necessary in order to effectuate the purposes of the Act.

Now, therefore, It is ordered, That temporary relief be granted as follows: Commencing forthwith, the Schedule of Effective Minimum Prices for District No. 1 for All Shipments Except Truck is supplemented to include the price classifications of "H" in Size Groups 3 and 4 for approximately 19,600 tons of coal of the Tartan #3 Mine, Mine Index No. 3607 which is of poorer quality than coal normally mined from the D Seam in Subdistrict 5 of District No. 1 when sold for all-rail shipment to the Walkover Coal Company Ltd. of Toronto, Canada.

It is further ordered, That the relief herein granted shall be terminated upon the completion of the shipment of 19,600 tons of coal pursuant to this order, and in no event later than May 31, 1943.

It is further ordered, That the Tartan Coal Mining Company shall file with the Division not later than the 5th of the month following the month of shipment statements indicating the tonnage shipped pursuant to the temporary relief established in this order and that the invoices for said coal shall indicate that said coal is of substandard and poorer quality than coal normally mined from the "D" seam of subdistrict 5 of District No. 1, and that it has been priced pursuant to the price established therefor in Docket No. A-1850.

It is further ordered, That the producer shall notify the Division if the sale referred to herein is completed before May 31, 1943.

It is further ordered, That the order granting temporary relief herein shall be subject to further order of the Division.

Dated: January 30, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-1744; Filed, February 2, 1943; 11:20 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4860]

J. A. FOLGER AND CO.

ORDER APPOINTING TRIAL EXAMINER

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 1st day of February, A. D. 1943.

Order appointing trial examiner and fixing time and place for taking testimony.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That J. Earl Cox, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Saturday, March 13, 1943, at ten o'clock in the forenoon of that day (Central Standard Time), Parlor A, Muehlebach Hotel, Kansas City, Missouri.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-1732; Filed, February 2, 1943; 11:05 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Correction to Order 103 Under MPR 120]

BLUE DIAMOND COAL COMPANY

ORDER GRANTING ADJUSTMENT

Correction to Order No. 103 under Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant—Docket No. 3120—215.

The reference to Mine Index No. 1488 wherever it appears in Order No. 103 under Maximum Price Regulation No. 120 and in the opinion which accompanies that order is corrected to read Mine Index No. 488.

This correction to Order No. 103 shall be effective as of December 12, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1695; Filed, February 1, 1943; 12:15 p. m.]

[Order 149 Under MPR 188]

CONTINENTAL SPRING CORP.

APPROVAL OF MAXIMUM PRICE

Order No. 149 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approving a maximum price for sales of an upholstered box spring made by Continental Spring Corporation.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and by virtue of the authority vested in the Price Administrator under the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) The Continental Spring Corporation of 2400 Nance Street, Houston, Texas, may sell its upholstered box spring with a stretched cover attached to border with resilient helicals at a price no higher than $17.75 subject to the same discounts, allowances and other price differentials in effect during March 1942 for the sale of metal springs and other types of sleeping equipment.

(b) This Order No. 149 may be revoked or amended at any time.

(c) This Order No. 149 shall become effective on the 2d day of February, 1943.

Issued this 1st day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1694; Filed, February 1, 1943; 12:12 p. m.]

[Suspension Order 205]

GULF GAS STATION, BUFFALO, N. Y.

ORDER RESTRICTING TRANSACTIONS

Bruno Luczak, doing business as Gulf Gas Station, 744 Genesee Street, Buffalo, New York, hereinafter called respondent was duly served with a notice of charges of violations of Ration Order No. 5A, Gasoline Rationing Regulations, issued by the Office of Price Administration. Pursuant to the notice a hearing upon the charges was held in Buffalo, New York, on December 4, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been considered by the Deputy Administrator in Charge of Rationing, it is hereby determined that:

(a) Respondent Bruno Luczak is a dealer in gasoline and operates a filling station known as Gulf Gas Station at 744 Genesee Street, Buffalo, New York.

(b) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations, in that on various occasions between August 22, 1942, and November 16, 1942, respondent transferred gasoline, for which he received a price in excess of his regularly established price, to consumers and into the fuel tanks of motor vehicles without receiving in exchange therefor any gasoline ration coupons. Such transfers were not within any of the classes of transfers permitted by Ration Order No. 5A, Gasoline Rationing Regulations, to be made without the exchange of gasoline rationing coupons.

Because of the great scarcity and critical importance of gasoline in New York respondent's violations of Ration Order No. 5A, Gasoline Rationing Regulations, have resulted in the diversion of gasoline from military and essential civilian uses into non-essential uses, in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Deputy Administrator in Charge of Rationing that further violations by respondent are likely unless appropriate administrative action is taken; *It is therefore ordered:*

(c) During the period in which this Suspension Order No. 205 shall be in effect,

(1) Respondent shall not accept any deliveries or transfers of, or in any manner directly or indirectly receive from any source any gasoline for resale.

(2) Respondent shall not transfer or deliver or otherwise trade or deal in gasoline.

(3) No person shall in any manner, directly or indirectly transfer or deliver any gasoline to respondent for resale.

(d) Any terms used in this Suspension Order No. 205 that are defined in Ration Order No. 5A, Gasoline Rationing Regulations, shall have the meaning therein given them.

(e) This Suspension Order No. 205 shall become effective 12:01 a. m. February 5, 1943 and shall remain in effect thereafter until further order of the Deputy Administrator in Charge of Rationing, but not later than December 31, 1944.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89 and 507, 77th Cong.; E.O. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive 1Q (7 F.R. 9121))

Issued this 1st day of February 1943.

PAUL M. O'LEARY,
Deputy Administrator in Charge of Rationing.

[F. R. Doc. 43-1692; Filed, February 1, 1943; 12:12 p. m.]

[Suspension Order 207]

CHESTER GOEBEL

ORDER RESTRICTING TRANSACTIONS

Chester Goebel, 1801 T Street NW., Washington, D. C., hereinafter called respondent, was duly served with a notice of charges of violations of Ration Order No. 5A, Gasoline Rationing Regulations, issued by the Office of Price Administration. Pursuant to the notice, a hearing upon such charges was held in Washington, D. C., on November 25, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to such charges was presented before an authorized presiding officer. Such evidence having been considered by the Deputy Administrator in Charge of Rationing, it is hereby determined that:

(a) Respondent is a dealer in gasoline and operates a filling station known as Goebel's Esso Station at 1801 T Street NW., Washington, D. C.

(b) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations, (§ 1394.1503) in that on November 14, 1942, respondent transferred eight (8) gallons of gasoline to a consumer and into the fuel tank of a motor vehicle upon which no sticker was displayed in exchange for two coupons that had been detached before the transfer from a coupon book that was not issued for the vehicle into which the transfer was made.

Because of the great scarcity and critical importance of gasoline in Washington, D. C. respondent's violations of Ration Order No. 5A, Gasoline Rationing Regulations, have resulted in the diversion of gasoline from military and essential civilian uses into non-essential uses, in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Deputy Administrator in Charge of Rationing that further violations by respondent are likely unless appropriate administrative action is taken, *It is therefore ordered:*

(c) During the period in which this Suspension Order No. 207 shall be in effect,

(1) Respondent shall not accept any deliveries or transfers of or in any manner directly or indirectly receive from any source any gasoline for resale.

(2) Respondent shall not transfer or deliver or otherwise trade or deal in gasoline.

(3) No person shall in any manner directly or indirectly transfer or deliver any gasoline to respondent for resale.

(d) Any terms used in this Suspension Order No. 207 that are defined in Ration Order No. 5A, Gasoline Rationing Regulations, shall have the meaning therein given them.

(e) This Suspension Order No. 207 shall become effective 12:01 a. m. February 5, 1943, and unless sooner terminated shall expire 12:01 a. m., February 20, 1943

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law. 671, 76th Cong.; as amended by Pub. Laws 89 and 507, 77th Cong.; E.O. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supp. Dir. No. 1H (7 F.R. 3478, 3877, 5216); Supp. Dir. No. 1Q (7 F.R. 9121))

Issued the 1st day of February 1943.

PAUL M. O'LEARY,
Deputy Administrator in Charge of Rationing.

[F. R. Doc. 43-1693; Filed, February 1, 1943; 12:12 p. m.]

[Order 2 Under MPR 125]

UNIVERSAL CASTINGS CORP.

AUTHORIZATION OF MAXIMUM PRICES

Order 2 under Maximum Price Regulation No. 125—Nonferrous Foundry Products.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, Supplementary Order No. 9 and Procedural Regulation No. 6, *It is hereby ordered*

(a) The following shall be the maximum prices at which Universal Castings Corporation, doing business at Chicago, Illinois may sell and deliver certain nonferrous castings to the buyers named below, under the United States government subcontracts identified by the contract numbers specified below, and only under those contracts, and in the quantities specified in the seller's applications:

Buyer and part number	Contract No.	Maximum price per piece
Bendix Housing Co., Part No. 5600-10	P. O. 43864	$0.28
Packard Electric Co., Part No. 1004	75142	.05
Packard Electric Co., Part No. N-571	75198	.40
General City Plating & Mfg. Co., Part No. 5631	25733	.08
General City Plating & Mfg. Co., Part No. 5663	25733	.06

(b) Any relief requested by Universal Castings Corporation in the maximum prices of its nonferrous castings not granted herein, is hereby denied.

(c) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 2 shall become effective as of January 30, 1943.

(Pub Laws 421 and 729, 77th Cong.: E.O. 9250 7 F.R. 7871)

Issued this 1st day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43-1704; Filed, February 1, 1943; 2:57 p. m.]

[Order 147 Under MPR 188]

UNITED STATES LIME PRODUCTS CORP.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 147 Under § 1499.161 (a) of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Authorization of Maximum Prices for Sugar Rock Sold by United States Lime Products Corporation—Docket No. GF3-2654.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and under § 1499.161 of Maximum Price Regulation No. 188, *It is hereby ordered:* That:

(a) The maximum price at which United States Lime Products Corporation, San Francisco, is authorized to sell, deliver, or offer for sale sugar rock (3" to 7" lime rock) either directly or through its wholly-owned subsidiary, Arrowhead Lime and Chemical Company, Los Angeles, California, shall be $1.50 per net ton, f. o. b. cars Sloan, Nevada.

(b) This Order No. 147 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 147 shall become effective February 2, 1943.

Issued this 1st day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1708; Filed, February 1, 1943; 3:00 p. m.]

[Order 148 Under MPR 188]

UNITED STATES LIME PRODUCTS CORP.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 148 under § 1499.161 (a) of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Authorization of Maximum Prices for Crushed Dolomitic Limestone Sold by United States Lime Products Corporation—Docket No. GF3-2653.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and under § 1499.161 of Maximum Price Regulation No. 188, *It is hereby ordered,* That:

(a) The maximum price at which United States Lime Products Corporation, San Francisco, California, is authorized to sell, deliver, or offer for sale crushed dolomitic limestone (1½" to ¾") shall be $1.70 per net ton, f. o. b. Sloan, Nevada.

(b) The maximum price established in paragraph (a) shall be reduced by 2% for cash payment by the tenth day of the month following any sale.

(c) All prayers in the petition not specifically granted herein are denied.

(d) This Order No. 148 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 148 shall become effective February 2, 1943.

Issued this 1st day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43-1709; Filed, February 1, 1943; 2:58 p. m.]

[Order 150 Under MPR 188]

HERCULES CEMENT CORP.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 150 under § 1499.161 (a) of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Authorization of a Maximum Price for Cement Sold by the Hercules Cement Corporation to Vulcanite Portland Cement Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Order No. 9250, and pursuant to § 1499.161 (a) of Maximum Price Regulation No. 188, *It is hereby ordered* That:

(a) Specific authority is hereby granted to the Hercules Cement Corporation, 1700 Walnut Street, Philadelphia, Pennsylvania, to invoice, and to the Vulcanite Portland Cement Company, New York City, to pay an amount not in excess of 91¢ per barrel for cement sold by the Hercules Cement Corporation to the Vulcanite Portland Cement Company during the period from July 7, 1942, to September 23, 1942.

(b) This Order No. 150 shall become effective February 2, 1943.

Issued this 1st day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1710; Filed, February 1, 1943; 2:59 p. m.]

[Order 4 Under Rev MPR 213]

SIMMONS CO. OF NEW YORK

AUTHORIZATION OF MAXIMUM PRICE

Order No. 4 under § 1365.53 (b) (2) of Revised Maximum Price Regulation No. 213—Coil and Flat Bedsprings With Non-Steel Frames.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register by the Price Administrator under the Emergency Price Control Act of 1942, as amended, *It is hereby ordered:*

(a) The Simmons Company of New York, New York, may sell and deliver their coil and flat bedsprings with wood

frames at f. o. b. factory carload prices determined by subtracting the differential of $.20 from the f. o. b. factory l. c. l. prices for the applicable classes of bedsprings established by Revised Maximum Price Regulation No. 213.

(b) This Order No. 4 may be revoked or amended by the Office of Price Administration at any time.

(c) Unless the context otherwise requires the definitions set forth in Revised Maximum Price Regulation No. 213, shall apply to terms used herein.

(d) This Order No. 4 shall become effective on the 2d day of February 1943.

Issued this 1st day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1706; Filed, February 1, 1943; 2:59 p. m.]

[Order 33 Under RPS 6]

THE STANLEY WORKS

ORDER GRANTING RELIEF

Order No. 33 under Revised Price Schedule No. 6—Iron and Steel Products—Docket No. 3006-32.

On November 2, 1942, The Stanley Works of New Britain, Connecticut, filed a petition for exception to Revised Price Schedule No. 6, as amended, pursuant to § 1306.7 (c) thereof. Due consideration has been given to the petition and an opinion in support of this Order No. 33 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration, *It is hereby ordered:*

(a) The Stanley Works may sell and deliver and the Washburn Wire Company of Phillipsdale, Rhode Island, may buy and receive from The Stanley Works rerolling billets shipped under Allocation Order Series B, N51-29845 or subsequent orders of a similar nature, at a maximum base price of $39.00 per gross ton f.o.b. the American Tube and Stamping Bridgeport plant.

(b) The permission granted in paragraph (a) hereof is subject to the condition that The Stanley Works must keep and submit to the Office of Price Administration records of its actual job cost on its allocation to Washburn Wire Company for the first full calendar month after the issuance of this order, such report to be submitted to this office within 10 days after the close of such calendar month.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 33 may be revoked or amended by the Price Administrator at any time.

(e) The definitions set forth in § 1306.6 of Revised Price Schedule No. 6 shall apply to terms used herein.

(f) This Order No. 33 shall be effective as of November 7, 1942.

Issued this 1st day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1707; Filed, February 1, 1943; 3:00 p. m.]

[Order 2 Under Supp Order 9]

ALUMINUM COOKING UTENSIL CO.

ORDER GRANTING ADJUSTMENT

Order No. 2 under § 1305.12 of Supplementary Order No. 9—Commodities or Services under Government Contracts—Application for Adjustment of Maximum Prices.

Granting adjustment of maximum price for sales of Model 1910 Canteen by The Aluminum Cooking Utensil Company to the United States Army.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) The Aluminum Cooking Utensil Company, Fifth Avenue and Eleventh Street, New Kensington, Pennsylvania, is authorized to sell and deliver Model 1910 Canteen to the United States Army at price no higher than $.4427 per Canteen, f. o. b. factory.

(b) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 2 shall become effective on the 2d day of February 1943.

Issued this 1st day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1705; Filed, February 1, 1943; 2:59 p. m.]

[Order 6 Under MPR 244]

OLD COLONY FOUNDRY COMPANY

ADJUSTMENT OF MAXIMUM PRICES

Order No. 6 under § 1421.157 (a) of Maximum Price Regulation 244—Gray Iron Castings—Docket No. GF3-2416.

For the reasons set forth in the opinion, issued simultaneously herewith, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Procedural Regulation No. 6 issued by the Office of Price Administration, *It is hereby ordered:*

Adjustment of maximum prices for gray iron castings sold by Old Colony Foundry Co. (a) Old Colony Foundry Co., East Bridgewater, Mass., is hereby authorized to sell, offer to sell and deliver, gray iron castings to the following purchasers:

Allis-Chalmers Mfg. Co., Milwaukee, Wis.
Boston Gear Works, Inc., North Quincy, Mass.
Brown & Sharpe Mfg. Co., Providence, R. I.
Carver Cotton Gin Co., East Bridgewater, Mass.
Lewis-Shepard Sales Corp., Boston, Mass.
Mass. Gear & Tool Co., Woburn, Mass.
Norton Co., Worcester, Mass.
Thompson Gibb Electric Welding Co., Lynn, Mass.
Wheeler Reflector Co., Boston, Mass.
S. A. Woods Machine Co., Boston, Mass.

pursuant to subcontracts under contracts with the United States Government or any agency thereof or with the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" or with any agency of any such Government, at prices not in excess of its applicable maximum prices under § 1421.166 (a) of Maximum Price Regulation 244, plus nine percent of said maximum prices before the addition of charges, if any, for transportation: *Provided*, That Old Colony Foundry Co. shall file with the Iron and Steel Branch of the Office of Price Administration, Washington, D. C., on or before the last day of each month following each quarter year beginning with the last quarter of 1942, the following documents all prepared in accordance with recognized accounting principles and submitted under oath or affirmation:

(1) Profit and loss statements covering its sales of gray iron castings for the preceding quarter; (2) profit and loss statements covering its over-all operations for the preceding quarter; (3) balance sheets as of the close of the preceding quarter; (4) statements of its average per pound price for gray iron castings sold during the preceding quarter and its average per pound costs for such gray iron castings; and (5) the profit and loss statements filed pursuant to (1) and (2) of this paragraph must show (i) net sales, (ii) cost of commodities and services sold, stating separately total direct labor costs, total direct material costs, and total other manufacturing costs, (iii) general and administrative expenses, segregating compensation to officers and directors, and (iv) net profits before income and excess profit taxes: *Provided further*, That said Company need not file any of the foregoing financial data if it has filed such data or in the future does file such data on or before the time limits specified in this paragraph (a), on *Form A—Annual Financial Report* or *Form B—Interim Financial Report*, issued by the Office of Price Administration.

(b) The maximum prices set forth in the preceding paragraph (a) shall be applicable to all shipments of gray iron castings made on and after October 15, 1942 by Old Colony Foundry Co. pursuant to subcontracts under Government contracts, as specified in paragraph (a), to the purchasers specified in paragraph (a).

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 6 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires the definitions set forth in

§ 1421.164 of Maximum Price Regulation 244 shall apply to the terms used herein.

This Order No. 6 shall become effective February 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1725; Filed, February 1, 1943; 5:10 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 54-51]

NATIONAL POWER & LIGHT COMPANY

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 30th day of January, A. D. 1943.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by National Power & Light Company, a registered holding company and a subsidiary of Electric Bond and Share Company, likewise a registered holding company. All interested persons are referred to said document, which is on file in the office of this Commission, for a statement of the transaction therein proposed, which are summarized as follows:

National Power & Light Company proposes to sell its entire interest in West Tennessee Gas Company, a Florida corporation, to Equitable Securities Corporation, a Tennessee corporation, for a cash consideration of $712,500, plus interest thereon at the rate of 3% per annum from June 30, 1942, to the date of closing. National Power & Light Company states that Equitable Securities Corporation is not an affiliate of West Tennessee Gas Company and of any other public utility holding company, and will not by virtue of such acquisition become an affiliate of any public utility company other than West Tennessee Gas Company.

West Tennessee Gas Company owns and operates a natural gas distribution system in Jackson, Tennessee, and five adjacent communities. Its outstanding securities, all of which are owned by National Power & Light Company, consist of a 6% Note dated November 25, 1935, due on or before November 25, 1940, in the principal amount of $565,000 and 100,000 shares of capital stock without nominal or par value.

National Power & Light Company states that the proposed transaction is a step in compliance with the Order of the Commission dated August 23, 1941, issued pursuant to the provisions of section 11 (b) (2) of the Act, requiring the liquidation and dissolution of National Power & Light Company. Request is made that the order of the Commission to be entered herein (a) recite that the sale and transfer aforesaid is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, and (b) specify and itemize the securities to be sold and transferred.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters, and that said declaration shall not become effective and said application shall not be granted except pursuant to further order of this Commission:

It is ordered, That a hearing on such matters under the applicable provisions of the Public Utility Holding Company Act of 1935 and the rules thereunder to be held on February 15th, 1943, at 10:00 A. M., E. W. T., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on such date by the hearing room clerk. All persons desiring to be heard or otherwise wishing to participate in the proceedings, shall notify the Commission in the manner provided by Rule XVII of the Commission's Rules of Practice, on or before February 10th, 1943.

It is further ordered, That, without limiting the scope of the issues presented by said declaration or application, particular attention will be directed at the hearing to the following matters and questions:

1. Whether competitive conditions have been maintained in the proposed transactions, and whether the consideration to be received is fair and reasonable.

2. The propriety of the proposed accounting treatment of the transactions on the books of National Power & Light Company.

3. Whether the action proposed to be taken is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, and constitutes a step in compliance with the Order of the Commission dated August 23, 1941 issued pursuant to the provisions of section 11 (b) (2) of the Act, requiring the liquidation and dissolution of National Power & Light Company.

4. Whether it is necessary or appropriate to impose terms or conditions in the public interest or for the protection of investors.

It is further ordered, That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing above ordered. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That the Secretary of the Commission shall serve notice of the entry of this order by mailing a copy thereof by registered mail to National Power & Light Company and Equitable Securities Corporation, and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-1753; Filed, February 2, 1943; 11:53 a. m.]

[File No. 812-240]

TOBACCO PRODUCTS EXPORT CORP.

ORDER DENYING APPLICATION FOR EXCEPTION AND GRANTING PARTIAL EXEMPTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 30th day of January, A.D. 1943.

Tobacco Products Export Corporation has applied for an order under section 3 (b) (2) of the Investment Company Act of 1940 and in the alternative under section 6 (c) of said Act.

Hearings have been held, briefs filed and oral argument heard. The Commission has considered the matter, is advised in the premises, as more fully set forth in its opinion in this matter this day issued, and on the basis of said findings and opinion

It is ordered, That the application for an order under section 3 (b) (2) of the said Act be, and the same hereby is, denied; and

It is further ordered, That the application for an exemption from the provisions of the said Act pursuant to section 6 (c) thereof be, and the same hereby is, denied, except that Tobacco Products Export Corporation be, and it hereby is, exempted from the provisions of section 8 (b) of the said Act, and partially exempted from the requirements of subsections (b) and (d) of section 30 of the said Act to the extent that it need not issue or file the reports and statements required by those subsections more often than annually; and provided further that the Commission reserves jurisdiction to reconsider at any time the partial exemption herein granted, and to make appropriate amendments therein, after notice and opportunity for hearing if such action shall be warranted by changed circumstances.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-1752; Filed, February 2, 1943; 11:53 a. m.]

WAR PRODUCTION BOARD.

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued

certain revocation orders listed in Schedule A below, revoking preference rating orders issued in connection with, and stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued February 1, 1943.

CURTIS E. CALDER,
Director General for Operations.

Preference rating order	Serial No.	Name and address of builder	Project affected	Date of issuance of revocation order
P-19-h.....	6631	Federal Works Agency, Washington, D. C.	Portsmouth Hospital Portsmouth, N. H.	Jan. [illegible]
P-19-h.....	31857	Mrs. Marie C. Rieder, c/o Fourth Ass't Postmaster General, Washington, D. C.	202 W. Broadway Eagle Grove, Iowa.	Jan. [illegible]
P-19-a.....	6361	Doniphan Telephone Co., Doniphan, Mo.	Greenville, Wayne Co., Mo.....	Jan. [illegible]

[F. R. Doc. 43-1721; Filed, February 1, 1943; 4:12 p. m.]

FEDERAL REGISTER

VOLUME 8 NUMBER 24

Washington, Thursday, February 4, 1943

The President

EXECUTIVE ORDER 9297

MAKING CERTAIN CHANGES IN THE CUSTOMS FIELD ORGANIZATION

By virtue of the authority vested in me by section 1 of the Act of August 1, 1914, 38 Stat. 609, 623 (U.S.C. title 19, sec. 2), it is ordered that the following changes be, and they are hereby, made in the customs field organization:

1. The limits of the customs port of entry of Portland, Maine, in Customs Collection District Number 1 (Maine and New Hampshire), are extended to include the territory embracing the municipalities of South Portland, Falmouth, and Cape Elizabeth, State of Maine, and Peak, Long, Cliff, Cushing, and Diamond Islands, State of Maine.

2. The limits of the customs port of entry of Bangor, Maine, in Customs Collection District Number 1 (Maine and New Hampshire), are extended to include the territory embracing the municipality of Brewer, Maine.

3. The territory embracing the municipality of Council Bluffs, Iowa, in Customs Collection District Number 39 (Chicago), is transferred to Customs Collection District Number 46 (Omaha).

4. The limits of the customs port of entry of Omaha, Nebraska, in Customs Collection District Number 46 (Omaha), are extended to include the territory embracing the municipality of Council Bluffs, Iowa; Township 14 North, Range 12 East of the 6th Principal Meridian, State of Nebraska; and Township 14 North, Range 13 East of the 6th Principal Meridian, State of Nebraska.

This order shall become effective on the thirtieth day from the date hereof.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
February 1, 1943.

[F. R. Doc. 43-1767; Filed, February 2, 1943; 3:18 p. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter XI—Food Distribution Administration

[Food Distribution Order 13]

PART 1401—DAIRY PRODUCTS

CREAM

Reissuance of Conservation Order M-259, as amended, issued by War Production Board.

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to assure an adequate supply and efficient distribution of dairy products to meet war and essential civilian needs, *It is hereby ordered*, As follows:

§ 1401.13 *Restrictions with respect to cream*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "producer" means any person who is engaged in the business of (i) pasteurizing milk or cream, (ii) producing dairy products, for sale, by processing milk or cream in a plant not located on a farm where the milk was produced, (iii) bottling raw or pasteurized cream in glass or paper containers, or (iv) selling milk in bulk containers to hotels, institutions, or restaurants: *Provided, however*, That a farmer or ranch or herd owner who delivered an average of less than one gallon of cream per day in the three calendar months next preceding November 25, 1942, shall not be deemed to be a producer within the meaning of this order, until the deliveries of cream by such person exceed one gallon per day in any calendar month.

(2) The term "milk" means the liquid milk of cows.

(3) The term "cream" means the class of foods defined (5 F.R. 2443) by Federal Security Agency in Title 21, Code of Federal Regulations, §§ 18.500–18.515; and this term includes light cream, coffee cream, table cream, whipping cream, heavy cream, and all cream by whatever name known.

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FEDERAL REGISTER

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Telephone information: District 0525.

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(4) The term "milk fat content" shall be determined as prescribed (5 F.R. 2443) by the Federal Security Agency in Title 21, Code of Federal Regulations, § 18.500.

(5) The term "Conservation Order M–259" means the order (7 F.R. 9811) issued by Ernest Kanzler, Director General of Operations, on November 25, 1942, as amended, with respect to cream, and designated as Conservation Order M–259, as amended.

(b) *Restrictions on producers.* No producer may deliver cream having a milk fat content in excess of 19 percent except to another producer.

(c) *Exceptions.* Notwithstanding the provisions in (b) hereof, in any State in which by law or administrative regulation in force on November 25, 1942, the milk fat content of cream of minimum milk fat content is required to exceed 18 percent, a producer may deliver to any person cream having a milk fat content not exceeding by more than 1 percent the minimum required by such State law or administrative regulation effective on November 25, 1942, as aforesaid. In addition, a producer may deliver to or for any person or medical institution cream of such milk fat content and in such quantities as may be necessary for supervised medical treatment of the person or the institution's patients: *Provided*, That the producer is supplied with a written statement from the person's physician or, in the case of a medical institution, from a responsible official thereof, specifying the milk fat content and the daily quantity of cream required, and certifying as to the necessity of such cream for supervised medical treatment.

(d) *Records and reports.* Each person subject to the provisions of Conservation Order M–259 or the provisions hereof shall maintain such records for at least two years, or for such other period of time as the Director may designate, and shall execute and file such reports and submit such information as the Director may from time to time request or direct, and such reports and information shall be submitted within such periods of time as may be prescribed by the Director.

(e) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing for relief, and such petition shall be submitted to the Director and shall set forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, and such decision by the Director shall be final.

(f) *Communications.* All reports required to be filed hereunder and all communications concerning said Conservation Order M–259, as hereby amended or superseded, shall, unless otherwise directed by the Director, be addressed to: Dairy and Poultry Branch, Food Distribution Administration, United States Department of Agriculture, Washington, D. C. Ref.: FD–13.

(g) *Delegation of authority.* The Director is hereby designated to administer the provisions hereof.

(h) *Violations.* Any person who wilfully violates any provision of this order or who, by any act or omission, falsifies records to be kept or information to be furnished, pursuant to this order, or wilfully conceals a material fact, in connection with this order, concerning a matter within the jurisdiction of any department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation; and such further action may be taken against any such person as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under Paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(i) *Conservation Order M–259 hereby superseded.* This order supersedes, except in the respects stated herein, Conservation Order M–259, but with respect to violations of said Conservation Order M–259 or rights accrued, liabilities incurred, or appeals taken under said Conservation Order M–259 prior to the effective date hereof, said Conservation Order M–259 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability. Any appeal pending under said Conservation Order M–259 shall be considered under the provisions of paragraph (e) hereof.

(j) *Effective date.* This order shall be effective as of 12:01 a. m., e. w. t., February 3, 1943.

(E.O. 9280; 7 F.R. 10179)

Issued this 2d day of February 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43–1819; Filed, February 3, 1943; 11:26 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter V—Military Reservations and National Cemeteries

PART 55—MOTION PICTURES SERVICE

UNITED STATES ARMY MOTION PICTURE SERVICE

Sections 55.1, 55.3, 55.4 and 55.8 (b) (1) are hereby amended as follows:

These regulations are also contained in AR 210–390, July 10, 1942, as amended by C 3 November 1, 1942, the particular paragraphs being shown in brackets at end of sections.

§ 55.1 *Name and object.* The United States Army Motion Picture Service, a self-supporting organization operating directly under the Chief of Special Service, was organized and is operated for the purpose of furnishing amusement and recreation through the medium of motion pictures for the enlisted men and other Army personnel at posts, camps, and stations in the forty-eight States, the Territory of Alaska, and at Army bases in Newfoundland, Bermuda, and the Trinidad Sector of the Caribbean Defense Command. The theater facilities of this service have been designed and are intended primarily for the execution of this mission, and all other considerations are secondary and subordinate to this objective. [Par. 1]

§ 55.3 *Facilities and material; supplied by United States Army Motion Picture Service.* The United States Army Motion Picture Service supplies films, advertising matter, the services of engineers, necessary motion picture equipment, and repair parts for sound and projection equipment. Expendable supplies and repair parts for all motion picture equipment are purchased in quantity under contract. Local purchase of material of this character will be made only when authorized by the Chief of Special Service, or in an emergency by the district office concerned or by a United States Army Motion Picture Service engineer. [Par. 7a]

§ 55.4 *Admission charge.* The charge for admission for officers and enlisted men and their families and for civilians who are residents of the post will be as announced by the War Department from time to time. Children 14 years and over will be charged the adult admission rate; children under 14 will be charged the children's rate except that if considered advisable by the commanding officer and the seating capacity of the theater permits, children under 6 years of age may be admitted free of charge. [Par. 8]

§ 55.8 *Coupon books.* * * *

(b) *Use*—(1) *Value of coupons; where valid.* Each coupon in the book is good for its face value on the admission charge to any motion picture shown by the United States Army Motion Picture Service in any War Department Theater in the continental limits of the United States, Alaska, Newfoundland, Bermuda, and the Trinidad Sector of the Caribbean Defense Command. [Par. 25c]

* * * * * *

(R.S. 161; 5 U.S.C. 22)

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43–1792; Filed, February 3, 1943; 9:44 a. m.]

Chapter VIII—Procurement and Disposal of Equipment and Supplies

PART 83—DISPOSITION OF SURPLUS AND UNSERVICEABLE PROPERTY

AUTHORIZED METHODS OF SALE, ETC.

Sections 83.4, 83.5, and 83.8 are amended and § 83.6 is rescinded, as follows:

These regulations are also contained in Army Regulations 30–2145, September 2, 1942, as amended by C 1 January 8, 1943, the particular paragraphs being shown in brackets at the end of sections.

§ 83.4 *Authorized methods of sale*—(a) *General.* Sale will be made by either of the following methods:

(1) By negotiation.

(2) By auction.

(b) *Sales by negotiation.* (1) The term "negotiated sale" as used in these regulations includes sales made by any method except by award to the highest responsible bidder after the issuance of a formal invitation for sealed bids with a provision therein for a public opening of the bids at a stated time and place. Negotiated sales will be made by securing informal written bids from a large or small number of bidders, or by securing bids by telephone or oral negotiations. When such informal bids are requested, the request therefor will clearly indicate that the sale will be made under the authority of the First War Powers Act, 1941 (55 Stat. 838) and Executive Order No. 9001, December 27, 1941 (sec. III, Bull. No. 41, W.D. 1941).

(2) Sales by negotiation will be made by written invitation for informal bids unless specific authority for other procedure has been obtained from The Quartermaster General.

(c) *Sales by auction.* Sales by auction will be held only on specific authorization of The Quartermaster General.

(d) *Bids from certain persons prohibited.* On all sales of Government-owned property, all officials and employees of the War Department, and all officers, enlisted men, and civilian employees of the Army will be excluded from the field of bidders, and bids from any of said persons will not be considered or accepted. [Par. 21]

§ 83.5 *Invitation for bids*—(a) *Deposit to guarantee fulfillment.* Invitation for bids will specify that at least 20 percent of the entire amount of the bid, in the form of a certified check drawn in favor of the Treasurer of the United States, bond, or legal tender will accompany the bid as a guaranty of fulfillment. The provisions of this paragraph may be waived in special cases by The Quartermaster General.

(b) *Alteration or modification of terms.* Invitation for bids will specify that no alterations or modifications of the terms of purchase will be permitted.

(c) *Terms, time, and place of delivery.* Invitation for bids will state terms and time of delivery and will specify whether the material is to be sold on the ground or f. o. b. cars.

(d) *Weights.* A ton will be understood to be 2,000 pounds. The term "cwt" will not be used. When material is sold by weight, the proposal will specify "per pound," "per 100 pounds" or "per ton of 2,000 pounds." [Par. 23]

§ 83.6 [Rescinded.]

§ 83.8 *Disposition of deposits.* The deposit of the successful bidder will be turned over to the local disbursing officer who will receipt therefor and who will deposit it in a special deposit account until the transaction is completed, when the amount of the deposit will be credited to the last payment. Deposits of unsuccessful bidders will be returned when the award is made. [Par. 26]

(R.S. 161; 5 U.S.C. 22)

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43–1793; Filed, February 3, 1943; 9:44 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4604]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

ALFRED KOHLBERG, INC.

§ 3.6 (cc) *Advertising falsely or misleadingly—Source or origin—Place—*

Foreign, in general; § 3.66 (k) *Misbranding or mislabeling—Source or origin—Place—Foreign, in general.* Using, in connection with offer, etc., in commerce, of respondent's laces and lace products, the word "Tuscany", "Binche", "Cluny", "Venise", or "Valenciennes", or any other word descriptive or indicative of laces made in the lace-producing countries of Europe, to designate or describe laces or lace products not made in such countries, prohibited; subject to the provision, however, that if the lace involved is of the same type as the lace produced in such countries, such descriptive word may be used if immediately followed by the word "Type", or some other word of similar import, in letters of at least equal size and conspicuousness, and if there also appear in connection with such description other words clearly and conspicuously disclosing the country of origin of such lace—as, for example: "Tuscany Type Made in China". (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Alfred Kohlberg, Inc., Docket 4604, January 26, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 26th day of January, A. D. 1943

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence in support of and in opposition to the allegations of the complaint taken before trial examiners of the Commission thereto duly designated by it, report of the trial examiners upon the evidence, and brief in support of the complaint (no brief having been filed by respondent and oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act.

It is ordered, That the respondent, Alfred Kohlberg, Inc., a corporation, and its officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of respondent's laces and lace products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

Using the word "Tuscany," "Binche," "Cluny," "Venise," or "Valenciennes," or any other word descriptive or indicative of laces made in the lace-producing countries of Europe, to designate or describe laces or lace products not made in such countries: *Provided, however*, That if the lace involved is of the same type as the lace produced in such countries, such descriptive word may be used if immediately followed by the word "Type," or some other word of similar import, in letters of at least equal size and conspicuousness, and if there also appear in connection with such description other words clearly and conspicuously disclosing the country of origin of such lace—as, for example:

Tuscany Type, Made in China

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-1800; Filed, February 3, 1943; 10:42 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Tax

[T.D. 5220]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

COMPENSATION FOR PERSONAL SERVICES

Regulations 103 amended to conform to section 139 of the Revenue Act of 1942, relating to taxation of compensation for personal services rendered for a period of 36 months or more.

In order to conform Regulations 103 (Part 19, Title 26, Code of Federal Regulations, 1940 Sup.) to section 139 of the Revenue Act of 1942 (Public Law 753, 77th Congress), such regulations are amended as follows:

PARAGRAPH 1. The following is inserted immediately preceding § 19.107–1:

SEC. 139. COMPENSATION FOR SERVICES RENDERED FOR A PERIOD OF THIRTY-SIX MONTHS OR MORE. (Revenue Act of 1942, Title I)

(a) Section 107 is amended to read as follows:

SEC. 107. COMPENSATION FOR SERVICES RENDERED FOR A PERIOD OF THIRTY-SIX MONTHS OR MORE.

(a) *Personal services.* If at least 80 per centum of the total compensation for personal services covering a period of thirty-six calendar months or more (from the beginning to the completion of such services) is received or accrued in one taxable year by an individual or a partnership, the tax attributable to any part thereof which is included in the gross income of any individual shall not be greater than the aggregate of the taxes attributable to such part had it been included in the gross income of such individual ratably over that part of the period which precedes the date of such receipt or accrual.

(b) *Patent, copyright, etc.* For the purposes of this subsection, the term "artistic work or invention", in the case of an individual, means a literary, musical, or artistic composition of such individual or a patent or copyright covering an invention of or a literary, musical, or artistic composition of such individual, the work on which by such individual covered a period of thirty-six calendar months or more from the beginning to the completion of such composition or invention. If, in the taxable year, the gross income of any individual from a particular artistic work or invention by him is not less than 80 per centum of the gross income in respect of such artistic work or invention in the taxable year plus the gross income therefrom in previous taxable years and the twelve months immediately succeeding the close of the taxable year, the tax attributable to the part of such gross income of the taxable year which is not taxable as a gain from the sale or exchange of a capital asset held for more than 6 months shall not be greater than the aggregate of the taxes attributable to such part had it been received ratably over that part of the period preceding the close of the taxable year but not more than thirty-six calendar months.

(c) *Fractional parts of a month.* For the purposes of this section a fractional part of a month shall be disregarded unless it amounts to more than half a month in which case it shall be considered as a month.

(b) The amendment made by subsection (a) shall be applicable to taxable years beginning after December 31, 1940, but with respect to a taxable year beginning after December 31, 1940, and not beginning after December 31, 1941, the period specified in such subsection shall be sixty months in lieu of thirty-six months, and the percentage specified in such subsection shall be 75 per centum in lieu of 80 per centum.

PAR. 2. Section 19.107–1 is amended as follows:

(A) By striking out the heading and first word of the first sentence and inserting in lieu thereof the following:

§ 19.107–1 *Tax on compensation received in taxable years beginning in 1939 and 1940 for personal services rendered over extended period.* Where, in any taxable year beginning after December 31, 1938, and before January 1, 1941, * * *

(B) By striking out the first sentence of the second paragraph and inserting in lieu thereof the following:

With respect to compensation received in taxable years beginning after December 31, 1938, and before January 1, 1941, section 107 is applicable only where at least 95 percent of the total compensation for such services is paid on or after their completion.

PAR. 3. There is inserted immediately after § 19.107–1 the following new sections:

§ 19.107–2 *Tax on compensation received in taxable years beginning after December 31, 1940, for personal services rendered over extended period—(a) Taxable years beginning after December 31, 1941.* Section 107 (a), as amended by section 139 of the Revenue Act of 1942, provides that, with respect to taxable years beginning after December 31, 1941, if at least 80 percent of the total compensation for personal services covering a period of 36 calendar months or more (from the beginning to the completion of such services) is received or accrued in one taxable year by an individual or a partnership, then the tax attributable to any part of such amount which is included in the gross income of any individual shall not be greater than the aggregate of the taxes attributable to such part had such part been included in the gross income of such individual ratably over that part of the period of service which precedes the date of such receipt or accrual. Thus, for example, if an individual who makes his returns on a calendar year basis and on the basis of cash receipts and disbursements commences personal services on February 17, 1942, and completes them on July 1, 1945, and is paid $8,000 for such services on the completion date, he is entitled to the benefits of section 107 (a); *Provided*, The $8,000 is at least 80 percent of the total compensation paid or to be paid to such individual for such services; and the tax attributable to the $8,000 received in 1945 and included in the individual's gross income for such year shall not be greater than the tax attributable to such amount, had it been received ratably over the calendar months included in the period from February 17, 1942, to July 1, 1945. However, if such individual receives an additional $5,000 in 1946 for such services, he is not entitled to the benefits of section 107 (a) with respect to either the $8,000 or the $5,000, for the reason that he does not receive in one taxable year at least 80 percent of the total compensation for such services. Also, for example, if an individual who makes his returns on the calendar year basis and on the basis of cash receipts and disbursements commences personal services on March 3, 1940, and completes them on August 22, 1943, and is paid a total compensation of $10,000 for such services on July 5, 1942, he is entitled to the benefits of section 107 (a); and the tax attributable to the $10,000 received in 1942 and included in such individual's gross income for such year shall not be greater than the tax attributable to such amount, had it been received ratably over the calendar months included in the period from March 3, 1940, to July 5, 1942, the date on which the $10,000 was received. However, if such individual receives an additional $7,000 for such services on May 1, 1943, he is not entitled to the benefits of section 107 (a) for the reason that he does not receive in one taxable year at least 80 percent of the total compensation for such services.

It is immaterial when the personal services are rendered provided at least 36 calendar months elapse from the beginning to the completion of the services. For the purposes of this section, a fractional part of a month is to be disregarded unless it amounts to more than half a month, in which case it is to be considered as a month.

It is not necessary, in order for section 107 (a) to be applicable, that the individual who includes in his gross income compensation for such personal services be the person who renders the services. For example, a partner who shares in the compensation for such personal services rendered by the partnership may be entitled to the benefits of section 107 (a), notwithstanding that he took no part in the rendering of such services.

The first step in determining whether the limitation in section 107 (a) relative to the amount of tax is applicable is the computation of the amount of tax in the current taxable year attributable to that part of the compensation which is included in the gross income of the taxpayer for such year. The tax attributable to such compensation is the difference between the tax for such taxable year computed with the inclusion of such compensation in gross income and the tax for such taxable year computed without including such compensation in gross income.

The next step is to compute the tax attributable to such compensation in each of the taxable years (including the current taxable year) within which falls one or more calendar months included in the part of the period of service which precedes the date such compensation is received or accrued, as if the compensation had been received or accrued in equal portions in each of such calendar months. For what constitutes a taxable year, see section 48 (a). The amount of the tax attributable to such compensation in each such taxable year is the difference between the tax for such year computed with the inclusion of an allocable portion of such compensation in gross income and the tax for such year computed without including any part of such compensation in gross income. The portion of the compensation allocable to each such taxable year is an amount equal to the entire amount of such compensation received or accrued in the current taxable year, divided by the entire number of calendar months included within the part of the period of service which precedes the date such compensation is received or accrued, and multiplied by the number of such calendar months falling within the particular taxable year.

The tax for the current taxable year shall be the tax for such year computed without including the compensation for personal services in gross income, plus (1) the amount of tax for such taxable year attributable to such compensation (computed in accordance with the second preceding paragraph) or (2) the sum of the taxes attributable to such compensation had it been received in equal portions in each of the calendar months included within the part of the period of service which precedes the date such compensation is received or accrued (computed in accordance with the preceding paragraph), whichever is the smaller.

The method of allocating compensation for personal services to the taxable years in which falls any of the calendar months included within the part of the period of service which precedes the date such compensation is received may be illustrated by the following examples, in each of which the taxpayer makes his return on the cash receipts and disbursements basis:

Example (1). On November 1, 1942, A, an individual, who makes his income tax returns on a calendar year basis, receives $40,000, the entire compensation for the performance of personal services covering a 40-month period beginning on June 1, 1939, and ending on September 30, 1942. For the purpose of determining whether the aggregate of the taxes attributable to the $40,000 compensation, had it been received in equal portions in each of the calendar months included within the part of the period of service which precedes the date the compensation is received (in this case the entire period of service), is less than the tax attributable to such compensation in the taxable year 1942, $1,000 ($40,000 divided by 40) must be allocated to each of the calendar months included within the period of service. Thus, $7,000 is allocated to 1939, $12,000 to 1940, $12,000 to 1941, and $9,000 to 1942 (the current taxable year).

Example (2). Assume the same facts as in example (1) except that A makes his income tax returns on the basis of the fiscal year July 1 to June 30. The $40,000 is allocated as follows: $1,000 to the taxable year ended June 30, 1939, $12,000 each to the taxable years ended June 30, 1940, June 30, 1941, and June 30, 1942, and $3,000 to the taxable year ending June 30, 1943 (the current taxable year).

Example (3). Assume the same facts as in example (1) except that A receives the $40,000 on February 1, 1942 (before completion of the services), instead of November 1, 1942. There are 32 calendar months included within the part of the period of service which precedes the date the compensation is received. Accordingly, $1,250 ($40,000 divided by 32) must be allocated to each of the calendar months included within the period from June 1, 1939, to February 1, 1942. Thus $8,750 is allocated to 1939, $15,000 to 1940, $15,000 to 1941, and $1,250 to 1942 (the current taxable year).

Example (4). B, an individual, who makes his income tax returns on a calendar year basis, renders personal services covering a 40-month period beginning on May 1, 1939, and ending on August 31, 1942. The total compensation for such services is $74,000, of which $34,000 is paid to B on March 1, 1942, and $40,000 on August 31, 1942. Using the method of allocation illustrated in example (1), the $40,000 payment must be allocated to the 40 calendar months included within the entire period of service. Accordingly, with respect to the $40,000 payment, $8,000 is allocated to 1939, $12,000 to 1940, $12,000 to 1941, and $8,000 to 1942 (the current taxable year). Using the method of allocation illustrated in example (3), the $34,000 payment must be allocated to the 34 calendar months included within the part of the period of service which precedes the date such payment is received (March 1, 1942). Accordingly, with respect to the $34,000 payment, $8,000 is allocated to 1939, $12,000 to 1940, $12,000 to 1941, and $2,000 to 1942 (the current taxable year). The entire compensation of $74,000 will, therefore, be allocated as follows: $16,000 to 1939, $24,000 to 1940, $24,000 to 1941, and $10,000 to 1942 (the current taxable year).

If an individual, in computing his income tax for a particular taxable year, avails himself of the benefits of section 107 (prior or subsequent to its amendment by section 139 of the Revenue Act of 1942) with respect to compensation received or accrued in such year for personal services, and in a subsequent taxable year receives or accrues compensation for other personal services, all or a part of the period of which services is the same as the period of the services for which he was compensated in the previous taxable year, then he must, in availing himself of the benefits of section 107 for such subsequent taxable year, take into consideration the fact that he has previously allocated compensation to all or a part of the period of service. For example, an individual commences the performance of personal services for A on January 1, 1937, and completes them on December 31, 1941. On December 31, 1941, he receives $60,000 in full compensation therefor. In his return for the calendar year 1941, he allocates $1,000 to each of the 60 calendar months included within the period of service and determines his income tax under the provisions of section 107 (a). He also commences the performance of personal services for B on January 1, 1939, and completes them on December 31, 1942. On December 31, 1942, he receives $48,000 in full compensation therefor. If he wishes to avail himself of the benefits of section 107 (a) in his return for the calendar year 1942, he must, in allocating $1,000 to each of the 48 calendar months included within the period of service and

computing the tax attributable thereto, include in his income for the years 1939, 1940, and 1941, for the purposes of the tentative computation, the amount of $12,000 previously allocated to each of such years in his return for the calendar year 1941.

(b) *Taxable years beginning in 1941.* The provisions of section 107 (a) and § 19.107–2 (a) are applicable with respect to compensation for personal services received or accrued in taxable years beginning after December 31, 1940, and before January 1, 1942, except that the specified period is 60 months in lieu of 36 months and the specified percentage is 75 in lieu of 80.

§ 19.107–3 *Artistic work or invention*—(a) *Taxable years beginning after December 31, 1941.* Section 107 as amended by section 139 of the Revenue Act of 1942, provides in subsection (b) that if, in any taxable year beginning after December 31, 1941, the gross income of an individual from an artistic work or invention of such individual covering a period of 36 calendar months or more (from the beginning to the completion thereof) is not less than 80 percent of the sum of (1) the gross income therefrom in the taxable year, and (2) the gross income therefrom in previous taxable years and in the 12 months following the close of the taxable year, then the tax attributable to such gross income in the taxable year shall not be greater than the aggregate of the taxes attributable thereto had it been received ratably over (1) the part of the period of the work which precedes the close of the taxable year, or (2) a period of 36 calendar months, whichever of such periods is the shorter. That part of the gross income from such artistic work or invention which is taxable as a gain from the sale or exchange of a capital asset held for more than six months is excluded from the benefits of section 107 (b).

For the purposes of this section, the term "artistic work or invention" means a literary, musical, or artistic composition, or a patent or copyright covering an invention or a literary, musical, or artistic composition. Also, for the purposes of this section, a fractional part of a month is to be disregarded unless it amounts to more than half a month, in which case it is to be considered as a month.

The first step in determining whether the limitation in section 107 (b) relative to the amount of tax is applicable is the computation of the amount of tax in the current taxable year attributable to the gross income received or accrued in such year from the artistic work or invention. The tax attributable to such income is the difference between the tax for such taxable year computed with the inclusion in gross income of the gross income from the artistic work or invention and the tax for such taxable year computed without including in gross income the gross income from the artistic work or invention.

The next step is to compute the tax attributable to the gross income from the artistic work or invention in each of the taxable years (including the current taxable year) within which falls one or more of the calendar months included within the part of the period of work which precedes the close of the current taxable year (not, however, exceeding 36 calendar months), as if the gross income from the artistic work or invention had been received or accrued in equal portions in each of such calendar months. For what constitutes a taxable year, see section 48 (a). The amount of tax attributable to gross income in each such taxable year from the artistic work or invention is the difference between the tax for such year computed with the inclusion in gross income of the gross income from the artistic work or invention and the tax for such year computed without including in gross income any part of the gross income from the artistic work or invention. The portion of the gross income from the artistic work or invention allocable to each such taxable year is an amount equal to the entire amount of the gross income from the artistic work or invention received or accrued in the current taxable year, divided by the entire number (not to exceed 36) of calendar months included within the part of the period of work which precedes the close of the current taxable year, and multiplied by the number of such calendar months falling within the particular taxable year.

The tax for the current taxable year shall be the tax for such year computed without including in gross income the gross income from the artistic work or invention, plus whichever of the following is the smaller: (1) the amount of tax for such taxable year attributable to the gross income from the artistic work or invention (computed in accordance with the second preceding paragraph) or (2) the sum of the taxes attributable to the gross income from the artistic work or invention had it been received in equal portions in each of the calendar months (not exceeding 36 calendar months) included within the part of the period of work which precedes the close of the current taxable year (computed in accordance with the preceding paragraph).

The method of allocating the gross income from the artistic work or invention to the taxable years in which falls any of the calendar months (not exceeding 36 calendar months) included within the part of the period of work which precedes the close of the current taxable year may be illustrated by the following examples:

Example (1). On October 1, 1942, A, an individual, who makes his returns on a calendar year basis and on the basis of cash receipts and disbursements, receives $36,000 in full payment for a musical composition, the work on which was commenced by A on July 10, 1938, and completed on January 29, 1943. Although the period of work covers 55 calendar months, allocations may be made to only the last 36 calendar months included within the part of the period of work which precedes the close of 1942 (the current taxable year). Therefore, $1,000 ($36,000 divided by 36) must be allocated to each of the 36 calendar months preceding January 1, 1943. Accordingly, $12,000 is allocated to 1940, $12,000 to 1941, and $12,000 to 1942 (the current taxable year).

Example (2). Assume the same facts as in example (1) except that the period of work was commenced by A on July 1, 1941, and completed on September 1, 1944. Although the period of work covers 38 calendar months, allocations may be made to only the 18 calendar months which are included within the part of the period of work which precedes the close of 1942 (the current taxable year). Therefore, $2,000 ($36,000 divided by 18) must be allocated to each of 18 calendar months preceding January 1, 1943. Accordingly, $12,000 is allocated to 1941, and $24,000 to 1942 (the current taxable year).

The principles set forth in the last paragraph of § 19.107–2 (a), relating to the manner of allocating compensation for personal services to a particular calendar month where an allocation for other such services has previously been made to such month, are also applicable with respect to allocations under section 107 (b).

(b) *Taxable years beginning in 1941.* The provisions of section 107 (b) and § 19.107–3 (a) are applicable with respect to gross income from an artistic work or invention in taxable years beginning after December 31, 1940, and before January 1, 1942, except that the specified period is 60 calendar months in lieu of 36 calendar months and the specified percentage is 75 in lieu of 80.

(Sec. 139 of the Revenue Act of 1942 (Pub. Law 753, 77th Cong.) and sec. 62 of the Internal Revenue Code (53 Stat., 32, 26 U.S.C., 1940 ed., 62))

[SEAL] NORMAN D. CANN,
Acting Commissioner of Internal Revenue.

Approved February 2, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-1826; Filed, February 3, 1943; 11:36 a. m.]

[T.D. 5219]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

MISCELLANEOUS AMENDMENTS

Regulations 103 amended to conform to certain sections[1] of the Revenue Act of 1942, and to obviate the necessity in certain cases of using Forms 935 and 936.

In order to conform Regulations 103 (Part 19, Title 26, Code of Federal Regulations, 1940 Sup.) to certain sections of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, and to obviate the necessity in certain cases of using Forms 935 and 936, such regulations are amended to read as follows:

PARAGRAPH 1. There is inserted immediately preceding § 19.24–1 the following:

[1] Sec. 105 (d). Credit for adjusted excess-profits net income. Sec. 105 (e) (1). Technical amendment. Sec. 112 (b). United States obligations. Sec. 127 (b). Items not deductible. Sec. 129. Deduction denied if proceeds used to pay for insurance. Sec. 131 (a) (1). Personal exemption; general rule. Sec. 131 (b). Credit for dependents. Sec. 131 (c) (1). Return requirement; general rule. Sec. 136 (a). Declaration on return in lieu of oath.

SEC. 127. DEDUCTION FOR MEDICAL, DENTAL, ETC., EXPENSES. (Revenue Act of 1942, Title I.)

* * * * * *

(b) *Items not deductible.* Section 24 (a) (relating to items not deductible) is amended by striking paragraph 1 and inserting in lieu thereof the following:

(1) Personal, living, or family expenses, except extraordinary medical expenses deductible under section 23 (x);

* * * * *

SEC. 129. DEDUCTION DENIED IF PROCEEDS USED TO PAY FOR INSURANCE. (Revenue Act of 1942, Title I.)

Section 24 (a) (relating to items not deductible) is amended by striking out "or" at the end of paragraph (4), and striking out the period and inserting a semicolon, and at the end of the subsection adding the following new paragraph:

(6) Any amount paid or accrued on indebtedness incurred or continued to purchase a single premium life insurance or endowment contract. For the purposes of this paragraph, if substantially all the premiums on a life insurance or endowment contract are paid within a period of four years from the date on which such contract is purchased, such contract shall be considered a single premium life insurance or endowment contract; or

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 2. Section 19.24–1 is amended by inserting at the end thereof the following:

* * * For deduction of extraordinary medical expenses (including amounts paid for accident or health insurance), for taxable years beginning after December 31, 1941, see section 23 (x) and § 19.23 (x)–1.

PAR. 3. There is inserted immediately following § 19.24–7 the following:

§ 19.24–8 *Single premium life insurance or endowment contracts.* Amounts paid or accrued on indebtedness incurred or continued, directly or indirectly, to purchase a single premium life insurance or endowment contract are not deductible under section 23 (b) or any other provision of Chapter 1 of the Code. This prohibition applies even though the insurance is not on the life of the taxpayer. A contract shall be considered a single-premium life insurance or endowment contract, for the purposes of this section, if substantially all the premiums on such contracts are paid within a period of four years from the date on which the contract was purchased.

PAR. 4. There is inserted immediately preceding § 19.25–1 the following:

SEC. 112. AMENDMENTS TO CONFORM INTERNAL REVENUE CODE WITH THE PUBLIC DEBT ACT OF 1941. (Revenue Act of 1942, Title I.)

* * * * *

(b) *United States obligations.* Section 25 (a) (1) is amended to read as follows:

(1) *Interest on United States obligations.* The amount received as interest upon obligations of the United States, if such interest is included in gross income under section 22, and if, under the Act authorizing the issue of such obligations, as amended and supplemented, such interest is exempt from normal tax.

(c) The amendments made by this section shall be effective as of March 1, 1941.

SEC. 131. REDUCTION OF PERSONAL EXEMPTION AND CREDIT FOR DEPENDENTS—REQUIREMENT FOR RETURN. (Revenue Act of 1942, Title I.)

(a) *Personal exemption.*

(1) *General rule.* Section 25 (b) (1) (relating to personal exemption) is amended to read as follows:

(1) *Personal exemption.* In the case of a single person or a married person not living with husband or wife, a personal exemption of $500; or in the case of the head of a family or a married person living with husband or wife, a personal exemption of $1,200. A husband and wife living together shall receive but one personal exemption. The amount of such personal exemption shall be $1,200. If such husband and wife make separate returns, the personal exemption may be taken by either or divided between them.

* * * * *

(b) *Credit for dependents.* Section 25 (b) (2) (A) (relating to credit for dependents) is amended by striking out "$400" and inserting in lieu thereof "$350".

* * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 5. Section 19.25–3, as amended by Treasury Decision 5086, approved October 10, 1941, is further amended to read as follows:

§ 19.25–3 *Amount of personal exemption allowable.* A single person or a married person not living with husband or wife is entitled to a personal exemption of $500 ($750 for a taxable year beginning after December 31, 1940, and before January 1, 1942, $800 for a taxable year beginning after December 31, 1939, and before January 1, 1941, and $1,000 for a taxable year beginning before January 1, 1940), and the head of a family or a married person living with husband or wife, to $1,200 ($1,500 for a taxable year beginning after December 31, 1940, and before January 1, 1942, $2,000 for a taxable year beginning after December 31, 1939, and before January 1, 1941, and $2,500 for a taxable year beginning before January 1, 1940). A husband and wife living together have but one personal exemption, which is $1,200 ($1,500 for a taxable year beginning after December 31, 1940, and before January 1, 1942, $2,000 for a taxable year beginning after December 31, 1939, and before January 1, 1941, and $2,500 for a taxable year beginning before January 1, 1940). If they make separate returns, each may claim one-half of the personal exemption, or such exemption may, in accordance with an agreement entered into by them, be taken by either or divided between them in any proportion. In respect of a taxable year beginning after December 31, 1940, and before January 1, 1942, if one spouse elects to make a return under Supplement T, the personal exemption of the other spouse shall be $750. However, with respect to years beginning after December 31, 1941, see section 404.

PAR. 6. Section 19.25–6, as amended by Treasury Decision 5086, is further amended as follows:

(A) By striking from the first paragraph thereof "$400" and inserting in lieu thereof the following:

$350 ($400 for a taxable year beginning before January 1, 1942).

(B) By inserting at the end of the first paragraph the following sentence:

For credit for dependents in computing tax under Supplement T see sections 400 and 401.

(C) By inserting at the end of the second paragraph the following sentence:

A payment to a wife or former wife, or to a husband or former husband, which is includible under section 22 (k) or section 171 in the gross income of the wife, former wife, husband, or former husband shall not be considered a payment for the support of any dependent. (See section 3797 (a) (17).)

(D) By striking from the third paragraph wherever occurring therein "$400" and inserting in lieu thereof the following:

$350 ($400 for a taxable year beginning before January 1, 1942)

PAR. 7. Section 19.25–7, as amended by Treasury Decision 5086, is further amened as follows:

(A) By striking out the fourth sentence of the first paragraph and inserting in lieu thereof the following sentences:

In respect of a taxable year beginning after December 31, 1940, and before January 1, 1942, if one spouse elects to be taxed under Supplement T (sections 400 to 404, inclusive), the other spouse, not so electing, will be allowed for that portion of the taxable year during which there existed the status of a married person living with husband or wife one-half of the personal exemption allowed a married person for such portion of the taxable year. Such election, however, is not available for taxable years beginning after December 31, 1941. (See section 404)

(B) By inserting immediately after the first paragraph thereof the following paragraph:

For taxable years beinning on or after January 1, 1942, the return for the period in which falls the date of the death of a taxpayer is a return only for the period during which the taxpayer was alive. For such taxable years, the personal exemption and credit for dependents must be determined on the basis of the period for which the return was made. If during such period the status of the taxpayer did not change, the personal exemption and credit for dependents shall be reduced to that proportion of the full credit which the number of months in such period bears to 12 months. (See § 19.47–1.) If the status of the taxpayer changed during such period, the full personal exemption and credit for dependents allowable for each status occupied by the taxpayer shall be apportioned to the period during which such status was occupied in such proportion as the number of months during which such status was occupied bears to 12 months.

(C) By renumbering examples (3) and (4) as examples (5) and (6), respectively.

(D) By renumbering example (2) as example (3), and by inserting immediately preceding such example (3) the following example:

Example (2). A, a widower, qualifies as the head of a family until March 31, 1942, on which date his one dependent child died. On September 30, 1942, A dies. The executor or administrator making a return for A may claim, a personal exemption of $550; that is, $\frac{3}{12}$ of $1,200, or $300, for the period from January 1, 1942, to March 31, 1942, during which period A was the head of a family, and $\frac{6}{12}$ of $500 or $250, for the period from April 1, 1942, to September 30, 1942, during which period A was a single person not the head of a family.

(E) By inserting immediately after such example (3), as so renumbered, the following example:

Example (4). The facts are the same as in example (3), except that B, the wife, died on November 30, 1942. The taxable period of B is January 1, 1942, to November 30, 1942, the date of her death. The combined person exemption of A and B for the period during which they were married and living together, that is, $\frac{11}{12}$ of $1,200, or $1,100, may by agreement be taken either by A, or by B's executor or administrator in behalf of B, or divided between them in any proportion. The personal exemption for the last taxable period of B is the amount of the combined personal exemption so taken by B's executor or administrator. If A, the surviving spouse, files a return for the calendar year 1942, he may claim, in addition to his portion of the combined personal exemption, a personal exemption for the period from the date of the death of B to the close of his taxable year, that is, $\frac{1}{12}$ of $500.

(F) By inserting at the end of Example (4) the following sentences:

* * * This example will apply only in respect of taxable years beginning after December 31, 1940, and before January 1, 1942. If the same facts are applied to the calendar year 1942, B may not elect to file a separate return under Supplement T if A makes an income tax return without regard to that supplement. In the event both A and B elect to be taxed under Supplement T, their status as of July 1, 1942, controls, and, as prescribed in section 19.400–1, either A and B may make separate returns, or they may make a joint return, as married persons.

(G) By striking the figure "1941" from the first paragraph following Example (4) and inserting in lieu thereof the figure "1942."

(H) By inserting a new subparagraph immediately below the first subparagraph following Example (4), to read as follows:

(a) For a taxable year beginning after December 31, 1940, and before January 1, 1942, $750 to a single person or a married person not living with husband or wife, and $1,500 to the head of a family or a married person living with husband or wife; and

(I) By striking "(a)" from the first subparagraph (before amendment by this Treasury decision) below the subparagraph following Example (4), and inserting in lieu thereof "(b)"; and by striking "(b)" from the second subparagraph below the subparagraph following Example (4), and inserting in lieu thereof "(c)".

PAR. 8. There is inserted immediately preceding § 19.26–1, the following:

SEC. 105. TAX ON CORPORATIONS. (Revenue Act of 1942, Title I.)

* * * * *

(d) *Credit for adjusted excess-profits net income.* Section 26 (e) and (f) (cross-references) are amended to read as follows:

(e) *Income subject to excess-profits tax.* In the case of any corporation subject to the tax imposed by Subchapter E of Chapter 2, an amount equal to its adjusted excess-profits net income (as defined in section 710 (b)). In the case of any corporation computing such tax under section 721 (relating to abnormalities in income in the taxable period), section 726 (relating to corporations completing contracts under the Merchant Marine Act of 1936), section 731 (relating to corporations engaged in mining strategic minerals), or section 736 (b) (relating to corporations with income from long-term contracts), the credit shall be the amount of which the tax imposed by such subchapter is 90 per centum. For the purpose of the preceding sentence the term "tax imposed by Subchapter E of Chapter 2" means the tax computed without regard to the limitation provided in section 710 (a) (1) (B) (the 80 per centum limitation), without regard to the credit provided in section 729 (c) and (d) for foreign taxes paid, and without regard to the adjustments provided in section 734. This subsection shall not apply to any corporation exempt from such tax under section 725 or section 727.

(f) *Dividends paid credit.* For corporation dividends paid credit, see section 27.

(g) *Consent dividends credit.* For corporation consent dividends credit, see section 28.

(e) *Technical amendments made necessary by change in base for corporate tax.*

(1) *Credit for dividends received.* The first sentence of section 26 (b) is amended to read as follows: "85 per centum of the amount received as dividends from a domestic corporation which is subject to taxation under this chapter, but not in excess of 85 per centum of the adjusted net income reduced by the credit for income subject to the tax imposed by Subchapter E of Chapter 2 provided in subsection (e)."

* * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 9. There is inserted immediately following § 19.26–3, the following new section:

§ 19.26–4 *Credit for income subject to excess profits tax.* For taxable years beginning after December 31, 1941 a credit is provided in section 26 (e) allowable under sections 13 (a) (2) and 15 (a) in computing normal tax net income and surtax net income, respectively. See section 108 as to certain fiscal years. The credit is allowed only in the case of corporations subject to the excess profits tax imposed by Chapter 2E. The credit does not apply to a corporation exempt from such tax under section 725 (relating to personal service corporations) or section 727 (relating to corporations exempt from excess profits tax).

In general, the credit is the amount of the corporation's adjusted excess profits net income, as defined in section 710 (b). In the case of the following corporations, however, the credit is an amount of which the tax imposed by Chapter 2E is 90 percent:

(a) Corporations computing such excess profits tax under section 721, relating to abnormalities in income in the taxable period.

(b) Corporations computing such excess profits tax under section 726, relating to corporations completing contracts under the Merchant Marine Act of 1936.

(c) Corporations computing such excess profits tax under section 731, relating to corporations engaged in mining strategic minerals.

(d) Corporations computing such excess profits tax under section 736 (b), relating to corporations with income from long-term contracts.

For the purpose of the credit in the case of such corporations, the excess profits tax (upon which the credit is to be computed) is the tax imposed under Chapter 2E computed without regard to the limitation of tax to 80 percent of surtax net income, as provided in section 710 (a) (1). The excess profits tax is also determined for this purpose without regard to any credit for foreign taxes allowed in section 729 (c) and (d) and without regard to the adjustments provided in section 734.

The determination of this credit may be illustrated by the following example:

Example. The X Corporation is a domestic corporation computing its excess profits tax under section 731. It makes its income tax returns on the calendar year basis. The portion of its excess profits net income attributable to mining in the United States of platinum (a strategic mineral) is $60,000 and the remainder is attributable to other activities. For 1942, its total excess profits net income is $120,000 and its adjusted excess profits net income is $50,000. The portion of the adjusted excess profits net income subject to excess profits tax is $25,000 $\left\{\frac{60,000}{120,000}\right\}$ of $50,000). The tax (computed without regard to section 731) on $50,000 under section 710 (a) (1) (A) (90 percent rate) is $45,000. The tax under section 731 is $\left\{\frac{25,000}{50,000}\right\}$ of $45,000 or $33,600. Accordingly, the credit under section 26 (e) is $25,000, the amount of which such $22,500 tax is 90 percent.

PAR. 10. There is inserted immediately preceding § 19.51–1 the following:

SEC. 131. REDUCTION OF PERSONAL EXEMPTION AND CREDIT FOR DEPENDENTS—REQUIREMENT FOR RETURN. (Revenue Act of 1942, Title I.)

* * * * *

(c) *Return requirement.*

(1) *General rule.* Section 51 (a) (relating to general requirement of return) is amended by striking out "$1,500" wherever occurring therein and inserting in lieu thereof "$1,200" and by striking out "$750" and inserting in lieu thereof "$500".

* * * * *

SEC. 101 TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

SEC. 136. DECLARATION THAT RETURN MADE UNDER PENALTIES FOR PERJURY IN LIEU OF OATH. (Revenue Act of 1942, Title I.)

(a) *Declaration on Return.* So much of the first sentence of section 51 (relating to requirement of individual returns) as reads as follows: "The following individuals shall each make under oath a return stating" is amended to read as follows: "The following individuals shall each make a return, which shall contain or be verified by a written declaration that it is made under the penalties of perjury, stating".

* * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 11. Section 19.51–1, as amended by Treasury Decision 5086, is further amended as follows:

(A) By striking from the paragraph designated as "(b)" the figures "$750 $800" and inserting in lieu thereof the following: "$500 ($750 for a taxable year beginning after December 31, 1940, and before January 1, 1942, and $800", and by inserting before the period at the end of the sentence containing such figures the following: ", or such income is equal to, or in excess of, the credit allowed by section 25 (b) (1) and (3) (computed without regard to any credit to which he may be entitled as the head of a family). (See §§ 19.25–7 and 19.47–1.)"

(B) By striking from the paragraph designated as "(b)" the figures "$1,500 ($2,000" wherever occurring therein and inserting in lieu thereof the following: "$1,200 ($1,500 for a taxable year beginning after December 31, 1940, and before January 1, 1942, and $2,000".

(C) By inserting in lieu of the period at the end of clause (b) of paragraph (2) of subsection (b) the following: "; or" and by inserting at the end of such paragraph (2) the following new clause: "(c) such taxable year is a period of less than 12 months, if such individual has for the taxable year a gross income, and if the aggregate gross income of such individual and his or her spouse is equal to, or in excess of, the credit for personal exemption allowed by section 25 (b) (1) and (3). (See §§ 19.25–7 and 19.47–1.)"

(D) By striking the second and third paragraphs of the paragraph designated "(c)" and substituting therefor the following new paragraphs:

A joint return of a husband and wife (if not made by an agent, see § 19.51–2) shall be signed by both spouses. If signed by one spouse as agent for the other, authorization for such action must accompany the return. (See § 19.51–2.) The spouse acting as agent for the other shall, with the principal, assume the responsibility for making the return and incur liability for the penalties provided for erroneous, false, or fraudulent returns.

For taxable years beginning before January 1, 1942, the joint return of a husband and wife shall be sworn to before a person duly authorized to administer oaths (see § 19.51–4) by the spouse preparing the return. The spouse who signs in the return shall be considered to have prepared the return within the meaning of this paragraph. For taxable years beginning after December 31, 1941, an oath is no longer necessary, but both spouses shall verify the same as provided in section 51, as amended by the Revenue Act of 1942.

If the return is prepared by both spouses, or is prepared by neither spouse, then both spouses shall swear to the return, except where one spouse acts for the other as prescribed in the preceding paragraph or the return is made by an agent by reason of illness or absence, as provided in § 19.51–2, and except that for taxable years beginning after December 31, 1941, the returns shall be verified by both spouses as provided by section 51, as amended by the Revenue Act of 1942.

PAR. 12. Section 19.51–2, as amended by Treasury Decision 5086, is further amended as follows:

(A) By inserting immediately after the heading the following:

For taxable years begining after December 31, 1941, the return shall be on Form 1040 except that it may be on short form 1040A if (1) the gross income does not exceed $3,000 and consists wholly of salary, wages, compensation for personal services, dividends, interest, or annuities, (2) the return is made on a cash basis, and (3) the taxpayer (if not excluded by section 404) elects to pay the tax imposed by section 400 in lieu of the tax imposed by sections 11 and 12.

(B) By inserting in the first sentence of the section before its amendment by (A) and immediately after the figure "1940," the following: "and before January 1, 1942,".

(C) By striking therefrom the sixth sentence of the third paragraph and inserting in lieu thereof the following:

Whenever a return is made by an agent it must be accompanied by the prescribed power of attorney, Form 935, except that an agent holding a valid and subsisting general power of attorney authorizing him to represent his principal in making, executing, and filing the income return, may submit a certified copy thereof in lieu of the authorization on Form 935.

PAR. 13. Section 19.51–3, as amended by Treasury Decision 5086, is further amended by striking out the figures "$750 ($800" wherever occurring therein and inserting in lieu thereof the following: "$500 ($750 for a taxable year beginning after December 31, 1940, and before January 1, 1942, and $800."

PAR. 14. Section 19.51–4 (a) is amended by inserting a comma and the following new clause before the period at the end of the first sentence thereof: "except that for taxable years beginning after December 31, 1941, a return of an individual required to be filed under section 51, in lieu of the oath, shall contain or be verified by a written declaration that it is made under the penalties of perjury."

PAR. 15. Section 19.51–4 (b) is amended by adding the following new sentence at the end thereof:

The general provisions of this paragraph relating to oaths or affidavits of persons preparing returns for individuals required to file returns under section 51 are applicable to taxable years beginning prior to January 1, 1942; for taxable years beginning after December 31, 1941, such returns should be verified as provided in section 51, as amended by the Revenue Act of 1942.

PAR. 16. Section 19.143–3, as amended by Treasury Decision 5071, approved September 27, 1941, is further amended as follows:

(A) By striking from the first sentence of the last paragraph "and not having an office or place of business therein" and inserting in lieu thereof the following: "(or, for taxable years beginning prior to January 1, 1942, not engaged in trade or business within the United States and not having an office or place of business therein)".

(B) By amending the last sentence to read as follows: Although a nonresident alien individual who is engaged in trade or business within the United States (or, for taxable years beginning prior to January 1, 1942, engaged in trade or business within the United States, or has an office or place of business therein) is entitled to the personal exemption of $500 ($750 for a taxable year beginning after December 31, 1940, but before January 1, 1942, $800 for a taxable year beginning after December 31, 1939, but before January 1, 1941, and $1,000 for a taxable year beginning prior to January 1, 1940) (and a credit for dependents if he is a resident of Canada or Mexico), he is subject to the normal tax and the surtax imposed by sections 11 and 12 by reason of the provisions of section 211 (b) and to the Victory tax imposed by section 450, and the benefit of the personal exemption and credit for dependents may not be received by filing a claim therefor with the withholding agent.

(Secs. 105 (d), 105 (e) (1), 112 (b), 127 (b), 129, 131 (a) (1), 131 (b), 131 (c) (1), and 136 (a) of the Revenue Act of 1942 (Pub. Law 753, 77th Cong.) and sections 51 and 62 of the Internal Revenue Code (53 Stat. 27, 32, as amended by 54 Stat. 519; 55 Stat. 696; 26 U.S.C., 1940 ed., and Supplement I, 51, 62))

[SEAL] NORMAN D. CANN,
Acting Commissioner of Internal Revenue.

Approved: February 2, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-1825; Filed, February 3, 1943; 11:36 a. m.]

Subchapter C—Miscellaneous Excise Taxes

[T.D. 5221]

PART 112—TAX ON TRANSFERS OF INTERESTS IN SILVER BULLION

INVENTORY REPLACEMENTS

Inventory replacements. Article 85 (c), Regulations 65, amended.

Regulations 85 [Part 112, Title 26 Code of Federal Regulations] relating to the tax on transfers of interests in silver bullion, but only as prescribed and made applicable to the Internal Revenue

Code by Treasury Decision 4885, approved February 11, 1939 [Chapter I, note, Title 26, Code of Federal Regulations; 1939 Sup., p. 1599], are amended by adding to subdivision (c) of article 85 [§ 112.85 of such Title 26], as amended by Treasury Decision 4465, approved August 27, 1934, a sentence reading as follows:

Effective as of December 1, 1942, and until the date on which the President proclaims that hostilities in the present war have terminated, the replacement may take place within 45 days before or after such transfer.

(Sec. 3791 of the Internal Revenue Code (53 Stat. 467; 26 U.S.C. 1940 ed., 3791))

NORMAN D. CANN,
Acting Commissioner of Internal Revenue.

Approved: February 2, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-1827; Filed, February 3, 1943, 11:36 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1825]

PART 321—MINIMUM PRICE SCHEDULE, DISTRICT NO. 1

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 1 for the establishment of price classifications and minimum prices for the coals of the Tasa No. 1 and Tasa No. 2 mines (Mine Index Nos. 3906 and 3907, respectively) of Tasa Coal Company.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Tasa No. 1 and Tasa No. 2 Mines (Mine Index Nos. 3906 and 3907, respectively) of Tasa Coal Company; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act:

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 321.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 321.24 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: January 18, 1943.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 1

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 321, Minimum Price Schedule for District No. 1 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 321.7 *Alphabetical list of Code members*—Supplement R

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group numbers]

Mine index No.	Code member	Mine name	Subdistrict No.	County	Shipping point	Railroad	Freight origin group No.	Size groups 1	2	3	4	5
3906	Tasa Coal Co.	Tasa #1 (S)	2	Fay	Jacksville, Pa.	PRR	45	(†)	(†)	F	(†)	(†)
3907	Tasa Coal Co.	Tasa #2 (S)	2	Fay	Jacksville, Pa.	PRR	45	(†)	(†)	F	(†)	(†)

†Designates no classification effective for this size group.

FOR TRUCK SHIPMENTS

§ 321.24 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member Mine name	Mine index No.	Mine name	Subdistrict No.	County	Seam	All lump coal double screened top size 2" and over, screened top	Double 2" and under, screened top	Run of mine unscreened R/M	2" and under slack	1" and under slack
						1	2	3	4	5
Tasa Coal Co.	3906	Tasa #1 (S)	2	Clearfield	E	(†)	(†)	240	(†)	(†)
Tasa Coal Co.	3907	Tasa #2 (S)	2	Clearfield	D	(†)	(†)	240	(†)	(†)

†Designates no classification effective for this size group.

[F. R. Doc. 43-1743; Filed, February 2, 1943, 11:20 a. m.]

[Docket No. A-1794]

PART 337—MINIMUM PRICE SCHEDULE, DISTRICT NO. 17

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 17 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 17.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 17; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act:

It is ordered, That, pending final disposition of the above-entitled matter temporary relief is granted as follows: Commencing forthwith, § 337.4 (*Code member price index*) is amended by adding thereto Supplement R-I, § 337.5 (*General prices; minimum for shipment via rail transportation*) is amended by adding thereto Supplement R-II, and § 337.21 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Petitioner proposes that the Blue Flame Mine, Mine Index No. 526, of code member, Arthur Baxter, be included in Subdistrict 17, in District No. 17, and that the same price classifications and minimum prices be established for the coals of that mine, in the respective size groups for shipment by truck, as are presently in effect for comparable and analogous coals produced in Subdistrict 17. It appears, however, that the Blue Flame Mine is actually located in Moffat County, Colorado, and should therefore be included in Subdistrict 5 instead of Subdistrict 17. The price classifications and minimum prices proposed by petitioner appear to be proper for the coals of the Blue Flame Mine and, accordingly, are established in the attached schedule marked Supplement R & T. However, the Blue Flame Mine is shown to be located in Subdistrict 5 rather than in Subdistrict 17 in District No. 17.

Dated: January 12, 1943.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 17

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 337, Minimum Price Schedule for District No. 17, and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 337.4 *Code member price index*—Supplement R-I. Insert the following listings in proper alphabetical order.

The following price classification and minimum prices shall be inserted in Minimum Price Schedule for District No. 17:

Producer	Mine	Mine index No.	County	Shipping point	Subdistrict price group	Railroad	Freight origin group No.	Prices: Rail	Prices: Truck
Baxter, Arthur	Blue Flame	526	Moffat		5				$337.8
Lovato, John	Lovato	517	Las Animas		8				$337.21
Main, E. A.	Bud's Mine	364	Rio Blanco	Craig	17	D&SL	81	$337.5	$337.21
Mathews, John	Johnnie's	524	Routt		4				$337.21
Sleepy Cat Coal Co.	Sleepy Cat #2	487	Routt	Hayden	5	D&SL	80	$337.5	$337.21
Staples, S. L. & Son	O. C.	395	Gunnison		11				$337.21

§ 337.5 *General prices; minimum for shipment via rail transportation*—Supplement R-II. The Bud's Coal Mine (Mine Index No. 364) of E. A. Main is included in Subdistrict No. 17, and the Sleepy Cat #2 Mine (Mine Index No. 487) of the Sleepy Cat Coal Co., is included in Subdistrict No. 5, in District No. 17, and the coals of these mines in the respective size groups, shall be subject to the minimum f. o. b. mine prices for shipment via rail to all market areas, for all uses, that are presently in effect for the coals of the Wadge Mine (Mine Index No. 82) of the Victor-American Fuel Co., in Subdistrict No. 5 in District No. 17.

FOR TRUCK SHIPMENTS

§ 337.21 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Insert the following code members' names, mine names, mine index numbers and counties under Subdistricts Nos. 4, 5, 8, and 11 and the following prices:

Code member Mine name	Mine index No.	County	Size groups 1	2	3	4	5	6	7	9	10	11	13	17
SUBDISTRICT NO. 4														
Mathews, John—Johnnie	524	Routt	495	485	465	465	440	405	390	340	300	275	185	330
SUBDISTRICT NO. 5														
Baxter, Arthur—Blue Flame	526	Moffat	----	380	365	365	340	----	----	315	240	----	200	290
SUBDISTRICT NO. 8														
Lovato, John—Lovato	517	Las Animas	430	420	390	390	390	390	380	345	330	----	240	355
SUBDISTRICT NO. 11														
Staples, S. L. & Son	395	Gunnison	495	485	465	465	440	405	390	340	305	----	210	330

[F. R. Doc. 43-1742; Filed, February 2, 1943; 11:20 a. m.]

[Order 344]

PART 308—REPORTS AND RECORDS

ORDER RELIEVING CODE MEMBERS WITHIN DISTRICT 9, ETC.

An order relieving code members within District No. 9 from filing monthly tonnage reports required by the rules and regulations prescribed by order in General Docket No. 24.

The Bituminous Coal Producers Board for District No. 9 having requested that the code members within said district be relieved from filing the monthly tonnage reports required to be filed pursuant to the Rules and Regulations Requiring Tonnage Reports from Code Members, established by Order in General Docket No. 24, dated April 7, 1942, 7 F.R. 2894, and having shown good cause why such request should be granted;

It is ordered, That § 308.26 (*Rules and regulations requiring tonnage reports from code members to facilitate the levying and collection of code assessments by district boards*) be amended to provide that the cod members within District No. 9 be, and they are hereby relieved, until further order of the Division, from filing with the Statistical Bureau for District No. 9 monthly tonnage data on B. C. D. Form No. 718, with respect to coal produced on and after January 1, 1943.

(Sec. 10 (a) 50 Stat. 88; 15 U.S.C. Supp. 840 (a); sec. 2 (a) 50 Stat. 72; 15 U.S.C. 829 (a)).

Dated: February 1, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-1822; Filed, February 3, 1943; 11:16 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service

Subchapter A—Bureau of Accounts

[1943 Dept. Circ. 706]

PART 254—PAYMENTS ON ACCOUNT OF AWARDS AND APPRAISALS IN FAVOR OF NATIONALS OF THE UNITED STATES ON CLAIMS AGAINST THE GOVERNMENT OF MEXICO

Sec.
254.1 General provisions.
254.2 Execution of vouchers.
254.3 Payments.
254.4 Powers of attorney.
254.5 Additional evidence and bonds of indemnity.
254.6 Reservation of power to revoke or amend.

JANUARY 26, 1943.

§ 254.1 *General provisions*—(a) *Revocation of prior regulations.* The regulations herein promulgated revoke and supersede the regulations issued by the Secretary of the Treasury on July 14, 1938, entitled "Regulations Governing Payments on Account of Awards of the

to stay, terminate or modify the tempo-

entitled matter; and

Special Mexican Claims Commission", Department Circular No. 589, Accounts and Deposits.

(b) *Authority for and scope of regulations.* The following regulations governing payments in respect of the awards and the appraisals in favor of American Nationals on claims against the Government of Mexico are issued under authority contained in section 161 of the Revised Statutes (U.S.C. title 5, sec. 22), the Act of April 10, 1935 (49 Stat. 149), the Joint Resolution of August 25, 1937 (50 Stat. 783), and the Settlement of Mexican Claims Act of 1942 (Public Law 814, 77th Cong., 2d Sess., approved December 18, 1942).

(c) *Forms to be used.* Forms of vouchers, affidavits and certificates prescribed by the Secretary of the Treasury should be used in connection with payments of awards and appraisals hereunder. Copies of such forms may be obtained from the Commissioner of Accounts, Room 376, Treasury Department, Washington, D. C.

(d) *Authentication of documents.* All copies of records and documents submitted in connection with the execution of vouchers must be properly authenticated.

§ 254.2 *Execution of vouchers—(a) Necessity for signature of vouchers.* No payment of any part of the amount due in respect of an award or appraisal will be made unless a voucher therefor properly executed (preferably in ink or indelible pencil) is received by the Secretary of the Treasury. A single voucher for each part of an award or appraisal as funds become available for payment must be signed by each person in whose favor the award or appraisal was made. Each such person must sign the voucher and verify it by an affidavit sworn to before an officer authorized by law to administer oaths. If executed abroad, the affidavit must be sworn to before a diplomatic or consular officer of the United States, or, if such officer is not available, before any officer authorized by the laws of the foreign country to administer oaths, but his official character and jurisdiction must be certified by a United States diplomatic or consular officer under seal of his office. In the case of a corporation, the voucher must be signed by the appropriate officer or officers thereof having authority to do so, which officer or officers shall verify the voucher by affidavit sworn to as above prescribed, and the voucher must also be accompanied by a duly executed certificate, under the seal of the corporation, certifying to the authority of such officer or officers to execute such voucher and affidavit on behalf of the corporation.

(b) *Method of signature.* The voucher must be signed by each person exactly as his name appears as "payee" therein. If any difference occurs between the name of the "payee" in the voucher and the signature to the voucher, appropriate evidence explaining the discrepancy must be furnished. Affidavits of two other persons in position to know the facts, stating of their own knowledge that the person signing the voucher is the person designated therein as "payee," and indicating the reasons for the discrepancy, will ordinarily be sufficient.

A signature by mark (X) must be witnessed by two persons in addition to the officer before whom the affidavit is executed and the signature and address of each such witness should appear on the voucher and the affidavit.

§ 254.3 *Payments—(a) To whom made.* Payments shall be made only to the person or persons on behalf of whom the award or appraisal is made except in the following circumstances:

(1) If such person is deceased and if the amount to be disbursed at any one time is in excess of $500.00, or, if such person is under a legal disability, payment shall be made to his legal representative. The voucher shall be executed by such legal representative and he shall verify the voucher by an appropriate affidavit. In addition, such legal representative shall submit with the voucher a copy of the order or letters of his appointment and a certificate of the clerk of the appointing court, dated not more than six months prior to the date of execution of the voucher, to the effect that such legal representative has not been discharged.

(2) If such person is deceased, the amount to be disbursed at any one time is not over $500.00 and there is no qualified executor or administrator, or, if an award or appraisal has been made to the estate of a deceased person and there has been no administration of such person's estate, payment may be made to the person or persons found by the Secretary of the Treasury to be entitled thereto. Evidence should be submitted to establish that administration of the estate of the decedent is not required under the laws of the decedent's domicile, that the debts of the decedent and of his estate have been paid or provided for, and that the person or persons who signed the voucher are entitled to receive payment on the award or appraisal. Such evidence will, in general, include affidavits of the person or persons claiming to be entitled to the award or appraisal setting forth the facts in detail, supported by affidavits of at least two other persons having personal knowledge of such facts, and by the official certificate or other proof of the death of the decedent. Wherever possible such supporting affidavits should be executed by public officers of the United States, or executive officers of incorporated banks or trust companies, and where this is not possible the affidavits of the person or persons claiming to be entitled to payment should so state. Upon request there must also be submitted an affidavit or certificate from a practicing attorney or judicial officer of the state of the decedent's domicile, showing that administration of the estate of the decedent is not required under the laws of the decedent's domicile and that the person or persons signing the voucher are entitled to receive payment on the award or appraisal, and referring specifically to any pertinent statutes and judicial decisions of the courts of such state.

(3) If an award or appraisal has been made to the estate of a deceased person and the administration of such person's estate has been terminated, payment may be made to such person or persons found by the Secretary of the Treasury to be legally entitled thereto. In such case, there should be submitted with the voucher a copy of the order of distribution or any other pertinent orders in adminstration proceedings sufficient to prove the authority and interest of the person or persons executing the voucher, together with an appropriate affidavit verifying that the person executing the affidavit is the person who signed the voucher and is entitled under such order to receive the payment described in the voucher.

(4) In the case of a partnership or corporation, the existence of which has been terminated, payment shall be made (except as provided in paragraphs (a) (5) and (a) (6) of this section) to the person or persons found by the Secretary of the Treasury to be entitled thereto. In such case, the voucher should be accompanied by complete evidence of the authority and interests of the person or persons signing it.

(5) If a receiver or trustee for the partnership or corporation on behalf of which the award or appraisal was made has been duly appointed by a court of competent jurisdiction in the United States and has not been discharged prior to the date of payment, payment shall be made to the receiver or trustee or in accordance with the order of the court. In such case, the voucher should be accompanied by a certified copy of the order of the court appointing such receiver or trustee and a certificate of the clerk of such court, dated not more than six months prior to the date of execution of the voucher, to the effect that such receiver or trustee has not been discharged.

(6) In the case of an assignment of an award or appraisal, or any part thereof, or an assignment (prior to the making of the award or the appraisal) of the claim, or any part thereof, in respect of which the award or appraisal was made, by a receiver or trustee for any such partnership or corporation, duly appointed by a court of competent jurisdiction in the United States, such payment shall be made to the assignee, as his interest may appear. In such case, the voucher should be accompanied by certified copies of the court's orders appointing the receiver or trustee and authorizing or confirming the assignment and by the original instrument of assignment.

(7) In the case of an assignment of an award or appraisal, or any part thereof, after its certification to the Secretary of the Treasury, made in writing and duly acknowledged and filed, payment may, in the discretion of the Secretary of the Treasury, be made to the assignee, as his interests may appear.

(b) *Forwarding of vouchers.* The voucher and all related papers should be transmitted to the Commissioner of Accounts, Room 376, Treasury Department, Washington, D. C.

(c) *Manner of payment.* Payment will be made by check drawn on the Treasurer of the United States. Checks will be mailed to the payee at the address indicated in the voucher unless subsequent to the execution of the voucher the Treasury Department receives a written request from the person entitled to receive payment to deliver the check to him at some other address. Where the award has been entered in favor of more than one person, only one check will be drawn in making payment, except that if the persons entitled to receive payment specify the share of each, and so request, separate checks will be drawn in accordance therewith.

§ 254.4 *Powers of attorney.* No power of attorney to sign a voucher will be recognized, but a power of attorney, executed subsequent to the certification of an award or appraisal to the Secretary of the Treasury, to receive, endorse, and collect a check given in payment on an award or appraisal may be recognized. An appropriate form for such a power of attorney may be obtained from the Office of the Treasurer of the United States.

§ 254.5 *Additional evidence and bonds of indemnity.* The Secretary of the Treasury may in any case require such additional information and evidence as may be deemed necessary and may also require a bond of indemnity with satisfactory sureties.

§ 254.6 *Reservation of power to revoke or amend.* These regulations may be revoked or amended at any time.

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 43-1789; Filed, February 2, 1943; 4:20 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Order 81]

CONNECTICUT STATE HOSPITAL PROJECT

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Connecticut State Hospital Project to be work of national importance, to be known as Civilian Public Service Camp No. 81. Said project, located at Middletown, Middlesex County, Connecticut, will be the base of operations for work at the Connecticut State Hospital, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV–E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said Connecticut State Hospital Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Superintendent, Connecticut State Hospital, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Connecticut State Hospital. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

JANUARY 29, 1943.

[F. R. Doc. 43-1759; Filed, February 2, 1943; 2:59 p. m.]

[Order 82]

FAIRFIELD STATE HOSPITAL PROJECT, CONN.

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Fairfield State Hospital Project to be work of national importance, to be known as Civilian Public Service Camp No. 82. Said project, located at Newtown, Fairfield County, Connecticut, will be the base of operations for work at the Fairfield State Hospital, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV–E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said Fairfield State Hospital Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Superintendent, Fairfield State Hospital, as well as will be in the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Fairfield State Hospital. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

JANUARY 29, 1943.

[F. R. Doc. 43-1760; Filed, February 2, 1943; 2:59 p. m.]

[Order 83]

WARREN STATE HOSPITAL PROJECT, PA.

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Warren State Hospital Project to be work of national importance, to be known as Civilian Public Service Camp No. 83. Said project, located at Warren, Warren County, Pennsylvania, will be the base of operations for work at the Warren State Hospital, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV–E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said Warren State Hospital Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Superintendent, Warren State Hospital, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Warren State Hospital. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

JANUARY 29, 1943.

[F. R. Doc. 43-1761; Filed, February 2, 1943; 2:59 p. m.]

[Order 84]

NEW HAMPSHIRE STATE HOSPITAL PROJECT

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the New Hampshire State Hospital Project to be work of national importance, to be known as Civilian Public Service Camp No. 84. Said project, located at Concord, Merrimack County, New Hampshire, will be the base of operations for work at the New Hampshire State Hospital, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV-E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said New Hampshire State Hospital Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Superintendent, New Hampshire State Hospital, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the New Hampshire State Hospital. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

JANUARY 29, 1943.

[F. R. Doc. 43-1762; Filed, February 2, 1943; 2:59 p. m.]

[Order 85]

RHODE ISLAND STATE HOSPITAL PROJECT

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Rhode Island State Hospital Project to be work of national importance, to be known as Civilian Public Service Camp No. 85. Said project, located at Howard, Providence County, Rhode Island, will be the base of operations for work at the State Hospital for Mental Diseases, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV-E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said Rhode Island State Hospital Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Superintendent, State Hospital for Mental Diseases, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the State Hospital for Mental Diseases. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

JANUARY 29, 1943

[F. R. Doc. 43-1763; Filed, February 2, 1943; 2:59 p. m.]

[Order 86]

MT. PLEASANT STATE HOSPITAL PROJECT, IOWA

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Mt. Pleasant State Hospital Project to be work of national importance, to be known as Civilian Public Service Camp No. 86. Said project, located at Mt. Pleasant, Henry County, Iowa, will be the base of operations for work at the Mt. Pleasant State Hospital, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV-E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said Mt. Pleasant State Hospital Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Superintendent, Mt. Pleasant State Hospital, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Mt. Pleasant State Hospital. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

FEBRUARY 1, 1943.

[F. R. Doc. 43-1764; Filed, February 2, 1943; 2:59 p. m.]

[Order 87]

BRATTLEBORO RETREAT PROJECT, VT.

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Brattleboro Retreat Project to be work of national importance, to be known as Civilian Public Service Camp No. 87. Said project, located at Brattleboro, Windham County, Vermont, will be the base of operations for work at the Brattleboro Retreat, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV-E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said Brattleboro Retreat Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Superintendent, Brattleboro Retreat as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Brattleboro Retreat. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

FEBRUARY 1, 1943.

[F. R. Doc. 43-1765; Filed, February 2, 1943; 3:00 p. m.]

[Order 88]

AUGUSTA STATE HOSPITAL PROJECT, MAINE

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hersey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Augusta State Hospital Project to be work of national importance, to be known as Civilian Public Service Camp No. 88. Said project, located at Augusta, Kennebec County, Maine, will be the base of operations for work at the Augusta State Hospital, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have placed in Class IV-E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said Augusta State Hospital Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Superintendent, Augusta State Hospital, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Augusta State Hospital. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

FEBRUARY 1, 1943.

[F. R. Doc. 43-1788; Filed, February 2, 1943; 3:00 p. m.]

[No. 162]

LIST OF DEFECTS

ORDER PRESCRIBING FORM

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545; 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 220, entitled "List of Defects," effective immediately upon the filing hereof with the Division of the Federal Register.[1]

The foregoing revision shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JANUARY 16, 1943.

[F. R. Doc. 43-1766; Filed, February 2, 1943; 3:00 p. m.]

[Amendment 124, 2d Ed.]

PART 607—PAYMENT OF PERSONAL SERVICES

PAY-ROLL VOUCHERS

Correction

The heading of § 607.7 of the document appearing on page 1348 of the issue for Tuesday, February 2, 1943, should read "§ 607.7 *Pay-roll vouchers.*"

[No. 163]

REPORT OF LOSS OR DAMAGE OF PROPERTY

ORDER PRESCRIBING FORM

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, I hereby prescribe the following change in DSS forms:

Addition of a new form designated as DSS Form 269, entitled "Report of Loss or Damage of Property," effective immediately upon the filing hereof with the Division of the Federal Register.[1]

The foregoing addition shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

FEBRUARY 1, 1943.

[F. R. Doc. 43-1816; Filed, February 3, 1943; 11:24 a. m.]

[1] Filed as part of the original document.

[No. 164]

REPORT OF WORN-OUT PROPERTY

ORDER PRESCRIBING FORM

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, I hereby prescribe the following change in DSS forms:

Addition of a new form designated as DSS Form 268, entitled "Report of Worn-out Property," effective immediately upon the filing hereof with the Division of the Federal Register.[1]

The foregoing addition shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

FEBRUARY 1, 1943.

[F. R. Doc. 43-1817; Filed, February 3, 1943; 11:24 a. m.]

[No. 165]

STATEMENT OF UNITED STATES CITIZEN OF JAPANESE ANCESTRY

ORDER PRESCRIBING FORM

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779; E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, I hereby prescribe the following change in DSS forms:

Addition of a new form designated as DSS Form 304A, entitled "Statement of United States Citizen of Japanese Ancestry," effective immediately upon the filing hereof with the Division of the Federal Register.[1]

The foregoing addition shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JANUARY 23, 1943.

[F. R. Doc. 43-1818; Filed, February 3, 1943; 11:24 a. m.]

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

GENERAL REVISION OF EXPORT REGULATIONS

Part
801 General regulations.
802 General licenses.
803 Unlimited licenses.
804 Individual licenses.
805 Selected destinations clearance procedure
806 Technical data.
807 Denial of licensing privileges.
808 Procedure relating to shipment of licensed exports to the other American republics.

PART 801—GENERAL REGULATIONS

Sec
801.1 Definitions.
801.2 Prohibited exportations.
801.3 Revocation of licenses.
801.4 Return of revoked or expired licenses.
801.5 Transfer of licenses.
801.6 Amendments to licenses.
801.7 Presentation for export.
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801.9 Arms, ammunition and implements of war, helium and tin-plate scrap.
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801.11 Shipments to territories, dependencies and possessions of the United States.
801.12 In transit shipments without unloading.
801.13 Shipments unloaded by order of Federal Government.
801.14 Shipments to Canada for re-exportation to another foreign country.

AUTHORITY: §§ 801.1 to 801.14, inclusive, issued under sec. 6, 54 Stat. 714; Public Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807.

§ 801.1 *Definitions.* When used in this subchapter:

(a) "Person" shall be construed to mean the singular or plural, an individual, corporation, partnership, association, company or any other kind of organization whatsoever, including any government or agency thereof.

(b) "The United States" shall be construed to include the District of Columbia, the Canal Zone, and all territories, dependencies and possessions of the United States.

(c) "The Proclaimed List" means The Proclaimed List of Certain Blocked Nationals and additions thereto published pursuant to Proclamation No. 2497 issued July 17, 1941 (6 F.R. 3555).

(d) "Office of Exports" means the Office of Exports of the Board of Economic Warfare.

(e) "Department of Commerce Schedule 'B' numbers" refers to Schedule B Statistical Classification of Domestic and Foreign Commodities Exported from the United States issued by the United States Department of Commerce.

(f) "Commodity" means any article, material or supply except technical data.

§ 801.2 *Prohibited exportations.* The exportation from the United States of all the commodities hereafter enumerated in this section and all technical data as defined in § 806.1 of this subchapter to all destinations except Canada (including that part of Labrador under Canadian authority) is hereby prohibited unless and until a license authorizing such exportation shall have been issued by the Office of Exports:

Commodity	Unit	Department of Commerce No.	General License Group	Shipping Priority Rating
Alfalfa	Lbs.	3205.15	None	
Abrasive manufactures:				
Artificial abrasives, (bones, whalebones, etc., except steel abrasives) n. e. s.	Lbs.	5419.00	C	
Corundum	Lbs.	5409.98	C	
Diamond dust—See Diamonds, Industrial.				
Diamond grinding wheels	Units	5409.05	47	
Emery, corundum, and garnet wheels	Lbs.	5409.10	C	
Emery, grain	Lbs.	5409.20	C	
Emery powder	Lbs.	5406.00	K	
Grindstones (include pulpstones)	Lbs.	5409.98	K	
Natural abrasives, bones, whetstones, etc., n. e. s. (include infusorial and diatomaceous earth, flint, rottenstone, tripoli, and garnet).				
Paper and cloth	Reams	5418.00	C	
Steel abrasives	Lbs.	5411.05	C	
Steel wool	Lbs.	5413.00	C	
Wheels of artificial abrasives	Lbs.	5412.00	C	
Abrasives—Artificial, crude, and in the grain	Lbs.	5411.98	C	
Absorbent cotton, gauze, and sterilized bandages (include cellucotton bandages).	Lbs.	9980.00	C	
Accounting machine parts	Units	7761.00	C	
Accounting machines, descriptive or text-writing, new	Units	7753.00	47	
Accounting machines, non-descriptive or non-text-writing, new	Units	7752.00	47	
Acetodes resins	Lbs.	2189.95	C	
Acetic acid (100% acetic acid)	Lbs.	8300.00	C	
Acetic aldehyde	Lbs.	8329.91	C	
Acetic anhydride	Lbs.	8301.00	C	
Acetone	Lbs.	8316.00	C	
Acetylene welding outfits	Units	7458.05	C	
Acetylsalicylic acid (aspirin)—See Chemicals.				
Acids—See Chemicals (also see individual listings)				
Acidulated phosphate	Lbs.	8519.00	C	
Aconite, roots and leaves	Lbs.	2209.27	None	
Acrylonitrile	Lbs.	8329.81	C	
Acrylonitrile, polymers and copolymers of	Lbs.	8258.19	C	
Adding machines—See Machinery—Office Appliances.				
Adding machine and cash register paper	Lbs.	4797.00	C	
Addressograph blanks, zinc	Units	7762.05	47	
Addressing machine parts, equipment, accessories and supplies, except blanks (include embossing machines and plates of fiber or metal).	Units	7762.98	47	
Addressing machines	Doz.	4288.00	K	
Adz handles	Units	6802.21	C	
Aerial cameras	Lbs.	8145.98	None	
Agar				
Agricultural machinery and implements—See Machinery—Agricultural Implements				
Aiming circles	Units	9159.71	C	
Air-brake equipment and parts	Units	7968.00	C	
		7704.00	C	
Air compressors	Units	7705.00		
		7706.00		
Air-conditioning units, equipment, etc.—See Machinery—Industrial (Misc.).				
Aircraft—Parts, Equipment and Accessories (other than as listed in the President's proclamation of April 9, 1942):				
Automatic pilot	Units	7948.03	C	
Cameras, aerial	Units	9982.31	C	
Control columns	Units	7949.95	C	
Controls, bomb rack	Units	7949.95	C	
Controls, pilot, automatic	Units	7948.01	C	
De-icers	Units	7949.95	C	
		9159.01	C	
Directors, parts and accessories	Units	9159.08	C	
Directors and range finders		7948.09	C	
Engine parts—See Engines—Aircraft, Parts.				
Flares	Units	9497.95	C	
		9497.96	C	
Frame assemblies	Units	7949.95	C	
Gyro instruments, aircraft	Units	7948.05	C	
Life jackets and life rafts for aircraft	Units	7949.92	C	
Navigation instruments, aircraft	Units	7948.06	C	
Oxygen masks used in high altitude flying	Units	9160.98	C	
Parachute harness, adaptor fittings	Units	7945.09	C	
Parachute harness, assembled	Units	7945.09	C	
Parachute harness, D rings	Units	7945.09	C	
Parachute harness fittings	Units	7945.09	C	
Parachute harness, snaphooks	Units	7945.09	C	
Parachute shrouds	Units	7945.09	C	
Parachute parts and fittings, other	Units	7945.98	C	
Parachutes	Units	7945.05	C	
Propeller parts and accessories	Units	7949.13	47	
Radio ground equipment used for the direction and navigation of aircraft	Units	9160.05	C	
Radio transmitting and receiving sets, aircraft	Units	7948.07	47	
Radio transmitting and receiving set parts, aircraft	Units	7948.08	C	
Rudder pedals	Units	7949.95	C	
Sights, aircraft gun	Units	9159.41	C	
Sights, bomb	Units	7949.96	C	
Sound heaters for aircraft—See Instruments—Fire Control				
Struts and braces	Units	7949.95	C	
Tachometers	Units	7948.04	C	
Tanks, fuel	Units	7949.95	C	
Tanks and regulators, oxygen, aircraft	Units	7949.95	C	
Trainers, pilot	Units	9159.95	C	
Trainers, pilot, parts for	Units	9159.96	C	
Transmitters, self-synchronous and indicators such as selsyns and synchro units and switchboards therefor, for aircraft	Units	7948.11	C	
Wingtips	Units	7949.95	C	

Commodity	Unit	Department of Commerce No.	General License Group	Shipping Priority Rating
Aircraft parts and accessories, other, except propellers, or air screw fuselages, hulls, wings, tail units and undercarriage units	Lbs.	7949.99	C	
Aircraft sound locators and parts of, other	Units	7708.98	C	
		9000.30	C	
Aircraft sound locators and binaural trainers therefor	Units	7948.15	C	
Airport beacons and centerlights (include antiaircraft)	Units	7966.00	C	
Airships and balloons	Units	7980.00	None	
Alarm clocks	Units	9071.00	C	
Alcohol, denatured	Lbs.	8312.00	C	
Alcoholic spirits—See Beverages.				
Alcohol, Tert-butyl.				
Alfalfa seeds	Lbs.	2301.00	C	
Alkyl resins	Lbs.	8255.00	C	
Alloys, aluminum, ingots, slabs, and other crude forms	Lbs.	6801.05	C	
Alloys, aluminum, remelting (pig metal, in crude and semi-fabricated form)	Lbs.	6801.10	C	
Alloys, beryllium	Lbs.	6549.05	C	
Alloys, bismuth	Lbs.	6549.10	C	
Alloys, cadmium	Lbs.	6549.17	C	
Alloys, chromium bearing (Ferrochrome—See Iron—Ferroalloys).	Lbs.	6549.20	C	
Alloys, cobalt	Lbs.	6549.25	C	
Alloys, columbium (Ferrocolumbium—See Iron—Ferroalloys).	Lbs.	6549.30	C	
Alloys, copper, other than brass, bronze, nickel, or gold	Lbs.	6549.35	C	
Alloys, iridium	Lbs.	6549.40	C	
Alloys, magnesium, in ingots, billets, bars and rods, plates, tubes, shapes, castings and forgings.	Lbs.	6549.84	C	
Alloys, manganese, containing 10% or more manganese (Ferromanganese and Spiegeleisen—See Iron—Ferroalloys).	Lbs.	6549.90	C	
Alloys, manganese, containing less than 10% manganese	Lbs.	6549.987	C	
Alloys, molybdenum including calcium molybdate and calcium-silico molybdate (Ferromolybdenum—See Iron—Ferroalloys).	Lbs.	6549.47 6549.05	47 C	
Alloys, nickel	Lbs.	6549.08	C	
Alloys, osmiridium	T. oz.	6922.09	47	
Alloys, osmium	T. oz.	6922.09	47	
Alloys, palladium	T. oz.	6922.09	47	
Alloys, platinum, in bars, ingots, sheets, slabs, wire, sponge and other forms including scrap	T. oz.	6922.05	47	
Alloys, rhodium	T. oz.	6922.09	47	
Alloys, ruthenium	T. oz.	6922.09	47	
Alloys, silicon (Ferrosilicon—See Iron—Ferroalloys)	Lbs.	6549.74	C	
Alloys, titanium (Ferrotitanium—See Iron—Ferroalloys)	Lbs.	6549.79	None	
Alloys, tin, including scrap and babbitt metal	Lbs.	6565.10	47	
Alloys, tungsten, including tool bit blanks (Ferrotungsten—See Iron—Ferroalloys).	Lbs.	6549.80	C	
Alloys, vanadium (Ferrovanadium—See Iron—Ferroalloys).	Lbs.	6549.90	47	
Alloys, zinc, other than brass or bronze, including scrap	Lbs.	6578.05	47	
Alloys, zirconium (Ferrozirconium—See Iron—Ferroalloys).	Lbs.	6549.95	C	
Allyl alcohol and polymers and copolymers	Lbs.	8315.98	C	
Allyl chloride and polymers and copolymers	Lbs.	8520.98	C	
Almond, sweet	Lbs.	2179.03	C	
Alpaca hair	Lbs.	1409.11	C	
Alphacellulose, bleached rayon and chemical grades (include wood pulp cellulose).	Lbs.	9941.00	C	
Aluminum and Aluminum Alloy Products (including aluminum and aluminum alloy manufactures, all others):				
Foil, aluminum, whether or not embossed or paper backed	Lbs.	6604.00	C	
Ingots, slabs and other crude forms	Lbs.	6801.00	C	
Plates, sheets and strips (include "coils" in thicknesses and sizes)	Lbs.	6802.01	C	
Powders and paste (aluminum bronze)	Lbs.	6808.50	C	
Rods and bars (include rolled and extruded)	Lbs.	6803.25	C	
Scrap	Lbs.	6801.00	C	
Tubes, fittings, castings, and other shapes (include tubings other than drill pipe)	Lbs.	6805.00	C	
Utensils, table, kitchen, and hospital	Lbs.	6307.00	C	
Valves, size 4" or larger	Units	6809.97	C	
Aluminum and alloy manufactures, all others	Lbs.	6809.98	C	

Commodity	Unit	Department of Commerce No.	General Imports Group	Shipping Priority Rating
Bakery machinery parts	Units	7003 (0)	C	D
Baking powder	Lbs.	5307 (0)	K	
Baking soda, Sodium bicarbonate	Lbs.	5307 (0)	C	
Balances, laboratory	Units	4192 (0)	C	
Ball bearings, metallic—See Iron and Steel Mfrs.—Misc.				
Ballistic instruments—See Instruments—Professional for Measuring, Analyzing, etc.				
Metal Working.				
Balsam	Lbs.	5444 (0)	None	
Balsam Peru, crude	Lbs.	5286 (0)	None	
Ball bearing and parts	Lbs.	7004 (0)	C	
Ballbearing, rubber, toy balloon-type ball	Gross	7005 (0)	None	
Balls, cork	Lbs.	4849 50	None	
Balls, foot, basket, tennis, and golf. See Toys, Athletic and Sporting Goods.				
Balls, grinding—See Iron and Steel Manufactures—Cast Iron and Forging Machines.	Lbs.	7004 (0)	C	
Ball-weather—See Rubber.				
Balm of Gilead buds	Lbs.	4289 (0)	C	
Balm manufactures		4289 (0)	C	
Balsa wood	Mbd. ft.	1901 (0)	C	
Bamboo	Hundred			
Bandages, gauze—See Textile Products.				
Band iron and non-alloy steel, alloy steel and manufactures of, cold and hot rolled	Lbs.	6827 10 6417 09 6418 59 6418 69 6419 16 6419 31 6419 99	C	D
Bands, rotary bands for shells, brass and bronze	Lbs.	6838 59	C	
Bands, rotating, copper, for shells	Lbs.	6838 69	C	
Bank vaults, doors and other equipment (metal)	Units	6419 31	C	
Bank vaults, doors and other equipment (metal), not installed	Units	6419 99	C	
Bar iron, high finish	Lbs.	6838 59	C	
Bar pins—See Jewelry.				
Barbecues	Lbs.	2869 05	47	
Barbed wire—See Iron and Steel Mfrs.—Wire.				
Barbed wire Machinery—See Machinery—Vehicles, Miscellaneous.				
Barium carbonate	Lbs.	5705 98	C	
Barium chloride (report barium sulphate equivalent in accordance with)	Lbs.	5705 98	None	
Bark, cork, unmanufactured				
Bark, Felsden and Feeds—See Grains and Prepared Foods.				
Barrels—See Wood Mfrs.				
Bars, aluminum and aluminum alloy, including ingot aluminum (make entry for ingot)	Lbs.	6903 05	C	
Bars, brass—See Brass and Bronze.	Lbs.	6448 01	C	
Bars, chrome—See Chrome Products.	Lbs.	6472 00	C	
Bars, chrome boring	Units.	7401 00	C	
Bars, iron and steel—See Iron and Steel—Bars and Rods.				
Bars, lead and antimonial lead	Lbs.	6507 00	C	
Bars, nickel alloy	Lbs.	6649 98	C	
Bars, nickel metal	Lbs.	6545 99	C	
Bars, nickel silver—see Nickel				
Bars, platinum metal and alloys	T. oz.	6922 05	47	
Bars, tin metal	Lbs.	6905 47	47	
Bars, titanium	Lbs.	6909 00	C	
Bars, tungsten—See Glass and Glass Products.				
Barytes—See Pigments.				
Basketballs	Units	9438 00	C	
Basket-ball emblems	Units	9494 01	C	
Baskets—See Manufactures.				
Bassoons—See Musical Instruments.				
Batavia resins, Damar	Lbs.	2189 95	C	
Bathrobes—see Cotton Mfrs.				
Batteries (specify if with fittings)	Units	6124 03	C	
Battery boxes, electrical, rubber (include compositions and part rubber).	Units	2189 95	C	
Battery chargers, integrating (including rectifier tubes)	Units	2654 00	None	
Battery chargers, nonintegrating (including rectifier tubes)	Units	7028 00	C	
Battery testers	Units	7029 00 7030 00	C	
Bauxite, crude	Lbs.	6815 07	C	
Bauxite and other aluminum ores	L. ton			

Commodity	Unit	Department of Commerce No.	General Imports Group	Shipping Priority Rating
Bauxite concentrates including alumina	L. ton	6826 (0)	C	
Bauxite and other aluminum ores	L. ton	6826 (0)	C	
Bayberry wax	Lbs.	2969 05	C	
Beacons, airport, and searchlights	Units	7006 (0)	C	
Bearing machinery and parts—See Machinery—Textile, Sewing, and Shoe.				
Beards, toy	Lbs.	2220 01	47	
Beans, castor	Lbs.	2231 01	47	
Beans, vanilla	Lbs.	1540 15	C	
Bearings, ball and parts	Lbs.	7031 (0)	C	
Bearings, roller and parts	Lbs.	7032 (0)	C	
Beatings, roller, and parts	Lbs.	7032 (0)	C	
Beating, roller, and parts	L. ton	7123 (0)	C	
Beds of iron or steel for locomotives and other railway rolling stock	Units	6196 00	C	None
Bed spreads—See Cotton Mfrs. (also see Synthetic Textiles).	Units			
Beef—See Meat Products.	Units	9149 20	C	C
Bee-keeping equipment (include beehives, supers, sections, comb foundation, honey extractors, etc.).	Units	7840 (0)	None	
Beer bottles				
Beets, canned	Units	5234 (0)	K	
Beets, canned	Lbs.	1249 (0)	C	
Belladonna, extract of	Lbs.	8127 93 8150 03 8124 03	None	
Belladonna leaf, fluid extract of	Lbs.	8124 03 8150 03	None	
Belladonna leaves	Lbs.	2289 01	None	
Belladonna liniment	Lbs.	8124 03 8150 03	None	
Belladonna ointment	Lbs.	8127 93 8150 03	None	
Belladonna plaster	Lbs.	8127 94 8150 03	None	
Belladonna root	Lbs.	2289 01	None	
Belladonna root, fluid extract of	Lbs.	8124 03 8150 03	None	
Belladonna, tincture of	Lbs.	8150 03	None	
Bells, buzzers, annunciators, etc., electric	Units	7049 (0)	C	
Belting, leather, woven, for machinery	Lbs.	6310 (0)	C	
Belting leather	Lbs.	6310 (0)	C	
Belting, rubber, other	Lbs.	6310 (0)	C	
Belts, leather—See Leather Manufactures.				
Bench, metal-working	Units	7455 07	C	
Benders, pipe	Units	7455 07	C	
Bends, lead and antimonial lead	Lbs.	6508 00	C	
Bends, leather, sole	Lbs.	0324 00	C	
Benzene, nitrohydrocarbons of	Lbs.	8125 94	C	
Benzene sulfochloramide—See Medicinals.	Lbs.	8125 95	C	
Benzol	Gals.	8466 45	C	
Benzyl chloride	Lbs.	8025 98	C	
Berets, fur-felt—See Textile Products.				
Berries, fresh	Lbs.	1313 00	K	D
Berry rakes				
Metal, alloys and scrap	Lbs.	6540 05	C	
Ores and concentrates (except germ varieties)	Lbs.	6415 05	C	
Salts and compounds	Lbs.	8396 20	K	
Beverage bottles	Units	8234 00	K	
Beverage mixes and bases	Lbs.	8025 30	K	
Beverages:				
Flavoring extracts—See Chemicals.				
Grapefruit juice	Gals.	1775 00	C	
Malt extract and malt syrup	Lbs.	1701 00 8160 15	K	
Malt extract and malt syrup, medicated—See Medicinals.				
Malt liquors, in bottles	Gals.	1702 (0)	K	
Malt liquors, in casks	Gals.	1703 (0)	K–47	
Malt liquors, in other containers	Gals.	1704 (0)	K	
Mineral waters, natural and artificial	Gals.	1761 00	C	
Orange juice	Gals.	1776 00	C	
Pineapple juice	Gals.	1772 00	C	
Prune juice	Gals.	1774 00	C	
Syrups and flavors for beverages (include concentrated syrups).	Gals.	1765 00	C	
Whiskey	Pf. gal.	1716 00	K	
Wines, cider	Gal.	1720 00	K	
Wines, other	Gals.	1730 00	K	
Fruit juices, other	Gals.	1779 00	K	

Commodity	Unit	Department of Commerce No.	General Imports Group	Shipping Priority Rating
Bicycles and parts—See Machinery—Vehicles, Miscellaneous.				
Bidets	Each	5333 00	K	C
Billiard tables and accessories		9445 (0)	K	D
Billets, copper	Lbs.	6512 00	C	
Billets, magnesium alloy	Lbs.	6616 01	C	
Billets, non alloy, alloy and stainless steel	L. ton	6617 01	C	
Binder twine (specify fiber)	Lbs.	3411 (0)	C	
Binders, grain	Units	7847 00	C	None
Binders, grain, Cotton Mfrs.	Units			
Binoculars, including prism binoculars, opera, field, and marine glasses	Units	9149 20	C	C
Birch, wood, and maple boards, planks, and scantlings	M. bd. ft.	4118 (0)	K	D
Biscuits and crackers	Lbs.	1078 (0)	K	B
Bismuth:				
Matte, slimes and residues	Lbs.	6545 10	C	
Metal and alloys, including base bullion	Lbs.	6689 10	C	
Bits, brace and parts, hand operated devices	Units	6177 00	C	
Bits, wood-working	Doz.	6157 10	C	
Bitumen—See Asphalt.				
Bituminous paints, liquid and plastic—See Pigments.				
Black pipe, welded	Lbs.	6970 00 6971 00	C	
Black sheets—See Iron and Steel—Sheets.				
Blades, coping saw	Units	6196 68	C	
Blades, hack-saw, hand	Gross	6194 05	C	
Blades, hack-saw, power	Gross	6194 04	C	
Blades, safety-razor	Gross	6113 (0)	C	
Blankets, cotton	Units	3171 (0)	K	
Blankets, wool—See Wool Manufactures.				
Blanks, brass and bronze	Lbs.	6448 05	47	
Blanks, metal, other than ophthalmic	Units	5230 05	47	
Blanks, printing, zinc	Lbs.	7762 05	47	
Blanks, tool-bit, of iron or steel	Lbs.	6299 07	C	
Blanks, tool-bit, of molybdenum	Lbs.	6691 07	47	
Blanks, tool-bit, of tungsten and alloys	Lbs.	6699 00	47	
Blast cleaning and tumbling machines and parts	Units.	7451 00	C	
Blast furnace cars—See Machinery—Vehicle, Miscellaneous.				
Blasting Caps	Units	8759 00	C	
Blasting powder (including explosive compounds similar to blasting powder)	Lbs.	8699 03	C	
Bleaching powder (bleach, chloride of lime, chlorinated lime, calcium hypochlorite, including high test).	Lbs.	8699 05	C	
Blending agents, of petroleum origin—See Petroleum Products.		8340 00	C	
Blends				
Blister—See Wool Mfrs.				
Blister, copper	Lbs.	6101 00	C	
Block mica	Lbs.	5510 00	None	
Blocks, cork	Lbs.	4305 10	None	
Blocks, tin metal	Lbs.	6555 07	47	
Blocks, zinc—See Zinc.				
Bloom purifiers—See Medicinals.				
Blooms, non-alloy, alloy and stainless steel	L. ton	6616 03 6617 05	C	
Blouses—See Cotton Mfrs. (also see Silk and Silk Mfrs. and Synthetic Textiles).				
Blowers and ventilating machinery and parts	Units	7009 (0)	47	
Blow torches	Units	7010 (0)	47	
Blueprints and photoprints—See Books, Maps, Pictures, and Other Printed Matter.	Lbs.	7761 00	None	
Board, fiber insulating, $\frac{3}{32}$" thickness and over	Sq. ft.	4796 00	C	
Boards and lumber—See Wood.				
Boards, paper	Units	9190 71	C	
Boards, range correction	Units	9058 81	C	
Boat oars and paddles—See Wood Mfrs.				
Boats, motor, with engines installed, not over 16 gross tons	Units	7008 01	C	
Boats, motor, with engines installed, over 16 gross tons	Units	7009 05	C	
Boats, toy—See Machinery—Vehicles, Miscellaneous.				

Commodity	Unit	Department of Commerce No.	General Tariff Least Group	Shipping Priority Rating
Boilers, cork	Lbs.	4805.25	None	C
Bolts, valves, iron or steel, and parts for steam, water, oil, and gas	Units	7745.98		
Bone meal, ox, all fossils	Lbs.	2789.95	C	
Boot and shoe machinery, parts, and attachments	Lbs.	2240.60	C	
Boot and shoe polishes	Lbs.	2166.05	C	
Boot and shoe trees, wood	Lbs.	2349.60	C	
Boring machine parts and accessories	Lbs.	2240.60	C	
Bottle plugs	Lbs.	6693.12	17	
Bottle stoppers	Gr.	7150.98		
Bottle washing machines and parts	Units	4148.00	C	
Bottles, glass	Units	4151.00	C	
Bottles, stoneware	Units	2127.00	C	
Bottles, vacuum	Units	2127.00	C	
Bottles, wicker	Units	7129.00	C	
Bottling machines and parts—See Machinery—Other Applications				
Bottoms, cane	Lbs.	6470.00	C	
Bottoms, wood	Lbs.	6447.00	C	
Bowls, wood	Lbs.	6468.00	C	
Box board cutting machines—See Paper and Paper Mfrs.				
Box shooks—See Lumber and Timber Products.				
Box strapping machines—See Paper and Paper Mfrs.				
Braces and suspenders, textile	Units	7004.00	C	
Braids, cotton	Lbs.	6660.00	C	
Braids, rayon—See Synthetic Textiles.				
Brake, hat	Lbs.	7130.00	C	
Brake machines and parts—See Machinery—Textile Sewing and Shoe.				
Brake blocks, asbestos, molded and woven	Lbs.	4148.01	C	
Brake flush hydraulic	Units	4148.02	C	
Brake lining, all others, molded and semi-molded	Lbs.	2447.00	C	
Brake linings, asbestos, not molded	Lbs.	2447.05	C	
Brakes, metal-working	Units	7130.00	C	
Bran—See Beverages.				
Branding irons, hand	Lbs.	6472.15	C	
Brass and bronze findings, including slidings metal	Lbs.	6473.05	C	
Brass mill products				
Angles	Lbs.	6473.10	C	
Bars, rods, and unfinished shapes	Lbs.	6473.15	C	
Blanks	Lbs.	6473.20	C	
Blocks, propellers and shafts	Lbs.	6473.25	C	
Bolts	Doz. pr.	6473.30	C	
Cartridge belt links	Lbs.	6473.35	C	
Castings and forgings	Lbs.	6473.40	C	
Channels	Lbs.	6473.45	C	
Die blocks, slitting, louvrings, and bushings	Lbs.	6473.50	C	
Gun parts	Lbs.	6473.55	C	
Hinges	Lbs.	6473.60	C	
Hardware (all others)	Lbs.	6473.65	C	
Pipes and nozzles (commercial)	Lbs.	6473.70	C	
Pipe fittings	Lbs.	6473.75	C	
Pipes, tubes, and pipe coils	Lbs.	6473.80	C	
Plates, sheets, and strips, including window strips and shapes	Lbs.	6473.85	C	
Rods, all others	Lbs.	6473.90	C	
Screw machine products	Lbs.	6473.95	C	
Brassware, household—See Metallic Household Utensils.				
Brattice cloth	Lbs.	1359.05	C	
Brazil nuts	Lbs.	6474.00	C	
Bread, cake, and other bakery products	Lbs.	6475.00	C	
Breaking machines—See Machinery—Textile Sewing and Shoe.				
Breeches, metal cutting, for power tools	Units	7135.00	C	
Breeding machines—See Silk and Silk Mfrs.				
Breeding machines—See Metallurgical.				
Brewers' preparations—See Chemicals.				
Brick, fire	Lbs.	6476.00	C	
Brick, other	Lbs.	6476.05	C	
Brick and tile machinery—See Machinery—Other Applications.				
Bridges, railroad	Units	7136.00	C	
Bridges, traffic	Units	7136.05	C	
Brine tanks	Lbs.	6477.00	C	
Briquettes, fuel	Lbs.	6478.00	C	
Broaches, metal cutting	Units	7137.00	C	
Broadcasting equipment—See Electrical.				
Broadcloth—See Silk and Silk Mfrs.				
Broadcloth—See Textile Products.				
Broadcloth—See Wool Mfrs.				
Broadcloth—See Worsted Mfrs.				
Broadcloth—See Yarn and Thread Mills.				
Broadcloth—See Yarn and Thread Mills.				
Broadcloth—See Yarn and Thread Mills

Commodity	Unit	Department of Commerce No.	General License Group	Shipping Priority Rating
Cellulose acetate sheets, rods, tubes, and other unfinished forms, plastic	Lbs	8265 98	C	
Cement, hydraulic	Barrels	5170 00	K	D
Concrete and cement manufactures (except cement building blocks)—See Nonmetallic Minerals.				
Cement building blocks—See Nonmetallic Minerals.				
Chalk, crude and cement manufactures (except cement building blocks)—See Nonmetallic Minerals.				
Chalk, ground or precipitated	Lbs	8171 00	K	D
Lime	Lbs	8101 00	K	D
Marble and other building and monumental stone, rough or dressed (except limestone and granite)—See Nonmetallic Minerals.	Bbls	8105 00	K	D
Stone (except limestone), ground or otherwise manufactured, n. e. s. (except manufactures of marble, limestone breccia, and onyx)—See Nonmetallic Minerals.	Bbls	8127 00	K	D
Cementing preparations—See Chemicals.	Lbs	8274 00	C	
Ceramic rubbing—See Machinery—Mining, Well, and Pumping.	Gals	2814 00	None	
Ceramic Manufactures—See Clay and Clay Products.				
Cereal—See Grains and Preparations.				
Certificates and slips	Lbs	6649 18	C	
Maps and prospectuses	Lbs	6915 18	C	
Orders and memoranda	Lbs	5472 01	None	
Chalk—See Crude and Manufactures.				
Charcoal	Grams	6906 00	C	
Charts—See Books, Maps, Printed Matter, and Professional Instruments.		6904 98	C	
Check Protectors and Stencils—See Office and Household Appliances.		6179 17	C	
Cheese	Lbs	8297 05	K	D
Chemicals and related products, n. e. s.	Lbs	8297 90	K	D
Acetic anhydride	Lbs	8300 00	C	
Acetic ether (ethyl acetate)	Lbs	8301 00	C	
Acetic ether (ethyl acetate) in solution	Lbs	8302 00	C	
Acetic ether (ethyl acetate) in tank cars—See Motor Vehicles.	Lbs	8303 00	C	
Acetone	Lbs	8305 30	C	
Acetylsalicylic acid (aspirin) in bulk—See Medicinals.	Lbs	8127 92	C	
Acetylsalicylic acid (aspirin) in tablet form—See Medicinals.				
Acids and anhydrides, inorganic, n. e. s.	Lbs	8309 98	C	
Acids and anhydrides, organic, n. e. s.	Lbs	8310 00	C	
Acid dated phosphate	Lbs	8311 00	C	
Activated carbon	Lbs	8312 00	C	
Adhesives, pastes and preparations	Lbs	8313 00	C	
Agricultural insecticides, fungicides and similar preparations, n. e. s., including dry or liquid base, other than those individually specified (mixture, other than fertilizer, prepared animal dips, etc.)	Lbs	8315 00	C	
Alkyl resins (phthalic, maleic and succinic anhydride resins)	Lbs	8316 00	C	
Alkyl alcohol and polyamine and copolymer	Lbs	8317 00	C	
Alkyl chloride and polyamine copolymer	Lbs	8318 00	C	
Alkyl chloride and polyamine copolymer, quaternized	Lbs	8319 00	C	
Aluminum sulfo and compounds, n. e. s. (sulfo aluminum hydrate, sulfate, sodium aluminum sulfate, sodium aluminum silicate, sodium aluminum sulfate, potassium aluminum sulfate, sodium aluminum sulfate, potassium aluminum sulfate, and ammonium alum)	Lbs	8320 00	C	
Alkyl alcohol and polyamine	Lbs	8321 00	C	
Ammonia, anhydrous, compressed and liquefied	Lbs	8322 00	C	
Ammonium bichromate	Lbs	8323 00	C	
Ammonium borate	Lbs	8324 00	C	
Ammonium carbonate	Lbs	8325 00	C	
Ammonium chloride	Lbs	8326 00	C	
Ammonium compounds, n. e. s.	Lbs	8327 00	C	
Ammonium nitrate	Lbs	8328 00	C	
Ammonium perborate	Lbs	8329 00	C	
Ammonium persulfate	Lbs	8330 00	C	
Ammonium phosphate	Lbs	8331 00	C	
Ammonium sulfate	Lbs	8332 00	C	
Amyl acetate	Lbs	8333 00	C	
Amyl alcohol	Lbs	8334 00	C	
Aniline oil	Lbs	8335 00	C	
Aniline salts	Lbs	8336 00	C	
Animal charcoal or bone char, decolorizing, deodorizing and filtering carbons, n. e. s.	Lbs	8337 00	C	
Antimony chloride, butter of (antimony)	Lbs	8338 00	C	
Antimony oxides (trs., tetras., pentas.)	Lbs	8339 00	C	
Antimony pentasulfide (golden antimony)	Lbs	8340 00	C	
Antimony sulfide and compounds, n. e. s.	Lbs	8341 00	C	
Antitoxins and serums for humans—See Medicinals.				
Aqua ammonia (ammonium hydroxide or ammonia liquor)	Lbs	8342 00	C	
Arsenic components, n. e. s.	Lbs	8343 00	C	
Arsenic oxide	Lbs	8344 00	C	
Arsenic trichloride	Lbs	8345 00	C	
Arsenious oxide (white arsenic)	Lbs	8346 00	C	
Asthma, catarrh, and hay fever preparations, including inhalants—See Medicinals.				
Atropine, including salts and compounds	Lbs	8347 00	C	
Automobile polishes	Lbs	8348 00	C	
Baking powder	Lbs	8349 00	C	
Barium salts and compounds	Lbs	8350 00	C	
Belladonna, extract of	Lbs	8351 00	C	
Belladonna leaf, fluid extract of	Lbs	8352 00	C	
Belladonna liniment	Lbs	8353 00	C	
Belladonna ointment	Lbs	8354 00	C	
Belladonna plaster	Lbs	8355 00	C	
Belladonna root, fluid extract of	Lbs	8356 00	C	
Belladonna, tincture of	Lbs	8357 00	C	
Benzaldehyde	Lbs	8358 00	C	
Benzol	Lbs	8359 00	C	
Benzoyl chloride	Lbs	8360 00	C	
Beryllium salts and compounds	Lbs	8361 00	C	
Beta-naphthol and beta-naphthol flakes	Lbs	8362 00	C	
Bismuth carbonate and bismuth subnitrate—See Medicinals.				
Bismuth compounds for medicinal use—See Medicinals.				
Bismuth radium and mixtures	Lbs	8363 00	C	
Bismuth radium and mixtures	Lbs	8364 00	C	
Bismuth salicylate and mixtures	Lbs	8365 00	C	
Bismuth subcarbonate and mixtures	Lbs	8366 00	C	
Bismuth subnitrate and mixtures	Lbs	8367 00	C	
Bismuth sulfo and compounds, n. e. s.	Lbs	8368 00	C	
Bleaching powder (chloride of lime)	Lbs	8369 00	C	
Blue, Prussian (ferrocyanide of iron)	Lbs	8370 00	C	
Blue, ultramarine (sulfo silicate of sodium and aluminum)	Lbs	8371 00	C	
Bone black and brownite, n. e. s.	Lbs	8372 00	C	
Bone char	Lbs	8373 00	C	
Borax (sodium tetraborate)	Lbs	8374 00	C	
Boric acid	Lbs	8375 00	C	
Boric glass	Lbs	8376 00	C	
Bordeaux mixture	Lbs	8377 00	C	
Boron carbide	Lbs	8378 00	C	
Boron compounds	Lbs	8379 00	C	
Boron oxide	Lbs	8380 00	C	
Boron sesquioxide	Lbs	8381 00	C	
Brake fluid, hydraulic	Lbs	8382 00	C	
Bromides and bromates, n. e. s.	Lbs	8383 00	C	
Bromine	Lbs	8384 00	C	
Bromine, polymers and copolymers of	Lbs	8385 00	C	
Brucine (strychnine alkaloid)	Lbs	8386 00	C	
Butanol (butyl or butyric alcohol), primary, secondary, and tertiary	Lbs	8387 00	C	
Butyl acetate	Lbs	8388 00	C	
Butylene, polymers and copolymers of	Lbs	8389 00	C	

* (1) Car (shipments under 2,200 lbs. (2) Car (shipments over 2,200 lbs., ruling will be assigned upon receipt of application for export permit.

Commodity	Unit	Department of Commerce No.	General License Group	Shipping Priority Rating
Cadmium sulfide	Lbs	8390 00	C	
Calcium chloride	Lbs	8391 00	C	
Calcium compounds, n. e. s.	Lbs	8392 00	C	
Calcium oxide	Lbs	8393 00	C	
Calcium peroxide	Lbs	8394 00	C	
Calcium sulfide	Lbs	8395 00	C	
Camphor, crude and refined	Lbs	8396 00	C	
Carbon bisulfide	Lbs	8397 00	C	
Carbon dioxide, liquefied	Lbs	8398 00	C	
Carbon disulfide	Lbs	8399 00	C	
Carbon monoxide	Lbs	8400 00	C	
Carbon tetrachloride	Lbs	8401 00	C	
Carbonyl iron powder	Lbs	8402 00	C	
Casein	Lbs	8403 00	C	
Castor oil, commercial	Lbs	8404 00	C	
Castor oil, medicinal	Gal	8405 00	C	
Cattle, sheep, and sheep dips and disinfectants, n. e. s. (specific ingredient)	Lbs	8406 00	C	
Cellosolve (ethylene glycol monoethyl ether)	Lbs	8407 00	C	
Cellosolve acetate	Lbs	8408 00	C	
Cellulose acetate butyrate	Lbs	8409 00	C	
Cellulose acetate flake, waste and scrap, not plasticized	Lbs	8410 00	C	
Cellulose acetate molding comp. and powder, plasticized	Lbs	8411 00	C	
Cellulose acetate plastic film support	Lbs	8412 00	C	
Cellulose acetate sheets, rods, tubes, and other unfinished forms, plasticized	Lbs	8413 00	C	
Cellulose, acetyl, in solution	Lbs	8414 00	C	
Cellulose nitrate plastic film support	Lbs	8415 00	C	
Cementing preparations for repairing, n. e. s. (state ingredients)	Lbs	8416 00	C	
Ceramic colors, n. e. s. (including bone black and dry colors other than mineral and coal-tar) (state ingredients).	Lbs	8417 00	C	
Chemical specialty compounds, n. e. s. (including lead arsenate, zinc arsenate and cobalt resinate) (state use).	Lbs	8418 00	C	
Chemicals, medicinal, for prescription use, n. e. s. (include pharmaceutical dextrose, glucose)—See Medicinals.				
Chemicals and pharmaceuticals, medicinal, household, and toilet preparations, n. e. s.—See Medicinals.				
Chemicals and pharmaceuticals, medicinal, household, in small packages, solids, n. e. s.—See Medicinals.				
Chloramine	Lbs	8419 00	C	
Chlorinated hydrocarbons, n. e. s.	Lbs	8420 00	C	
Chlorinated phenols	Lbs	8421 00	C	
Chlorine, compressed and liquefied	Lbs	8422 00	C	
Chloroacetyl chloride	Lbs	8423 00	C	
Chloroform	Lbs	8424 00	C	
Chlorohydrin	Lbs	8425 00	C	
Chromium, polymers and copolymers of	Lbs	8426 00	C	
Chromium salts and compounds, n. e. s.	Lbs	8427 00	C	
Chrome pigments containing lead, or more chromium, including chrome oxide (chrome green), lead chromate (chrome yellow), and zinc chromate.	Lbs	8428 00	C	
Chromic chloride	Lbs	8429 00	C	
Chromic oxide	Lbs	8430 00	C	
Chromic sulfate	Lbs	8431 00	C	
Citric acid	Lbs	8432 00	C	
Cobalt salts and compounds, n. e. s.	Lbs	8433 00	C	
Coconut oil, refined	Lbs	8434 00	C	
Coconut oil, unrefined	Lbs	8435 00	C	
Coke, petroleum	Lbs	8436 00	C	
Copper acetate	Lbs	8437 00	C	
Copper arsenite	Lbs	8438 00	C	
Copper carbonate	Lbs	8439 00	C	
Copper chloride	Lbs	8440 00	C	
Copper cyanide	Lbs	8441 00	C	
Copper nitrate	Lbs	8442 00	C	
Copper oxide	Lbs	8443 00	C	
Copper sulfate	Lbs	8444 00	C	
Cream of tartar	Lbs	8445 00	C	
Creosote oil	Gals	8446 00	C	
Cresol	Lbs	8447 00	C	
Cresylic acid	Lbs	8448 00	C	
Cumene	Lbs	8449 00	C	
Cyanamide	Lbs	8450 00	C	
Cyanide, potassium	Lbs	8451 00	C	
Cyanide, sodium	Lbs	8452 00	C	
Cyanogen	Lbs	8453 00	C	
Cyclohexanol	Lbs	8454 00	C	
Cyclohexanone	Lbs	8455 00	C	
Cyclohexylamine	Lbs	8456 00	C	
Cyclohexylamine salts	Lbs	8457 00	C	
Cyclohexylamine sulfate	Lbs	8458 00	C	
Cyclohexylamine, polymers and copolymers of	Lbs	8459 00	C	
Cyclohexylamine, quaternized	Lbs	8460 00	C	
Cyclohexylamine, quaternized, polymers and copolymers of	Lbs	8461 00	C	
Cyclohexylamine, quaternized, polymers and copolymers of	Lbs	8462 00	C	
Cyclohexylamine, quaternized, polymers and copolymers of	Lbs

Commodity	Unit	Department of Commerce No.	General License Group	Shipping Priority Rating
Chemicals—Continued.				
Chromium tanning mixtures (state ingredients)	Lbs.	8829 08	C	
Citric acid	Lbs.	8823 70	C	
Coal-tar acids, n. e. s.	Lbs.	8824 01	C	
Coal-tar chemicals used in connection with explosives, n. e. s.	Lbs.	8826 60	C	
Coal-tar colors, dyes, stains, and color lakes, specify by type as				
Acridine.				
Azine.				
Azole.				
Azo.				
Diazo.				
Diphenylmethane and ehrome.				
Oil or spirit-soluble.				
Sulphur.				
Vat				
Anthraquinone dyes.				
Indigo.				
Other.				
Organic pigments.				
Coal-tar, crude and refined	Gals.	8805 00	C	
Coal-tar intermediates, n. e. s.	Lbs.	8825 50	C	
Coal-tar pitch	Lbs.	8817 00	C	
Coal-tar products, crude, n. e. s.	Lbs.	8820 98	C	
Coal-tar products, finished (exclusive of medicinals)	Lbs.	8806 98	C	
Cobalt naphthenate	Lbs.	8829 98	C	
Cobalt nitrate	Lbs.	8829 99	C	
Cobalt oxide	Lbs.	8806 05	C	
Cobalt salts and compounds, n. e. s.	Lbs.	8806 06	C	
Cobaltic and cobaltous chloride	Lbs.	8806 90	C	
Cobaltous ammonium sulphate	Lbs.	8806 91	C	
Cobaltous sulphate	Lbs.	8826 12	C	
Cobalt oxide, gray or black	Lbs.	8829 13	C	
Cobalt sulphate	Lbs.	8807 05	C	
Copper salts and compounds, n. e. s.	Lbs.	8911 00	C	
Cream of tartar	Lbs.	8823 00	C	
Cough and lung remedies—See Medicinals				
Cough, cold and bronchial preparations, n. e. s.—See Medicinals				
Creosote or dead oil	Gals.	8810 00	C	
Cresylic acid and cresols	Lbs.	8824 09	C	
Cupric acetate	Lbs.	8807 01	C	
Cupric acetoarsenite (paris green)	Lbs.	8807 02	C	
Cupric carbonate	Lbs.	8807 03	C	
Cupric chloride	Lbs.	8807 04	C	
Cupric cyanide	Lbs.	8807 05	C	
Cupric hydroxide	Lbs.	8807 11	C	
Cupric nitrate	Lbs.	8807 15	C	
Cupric oxide	Lbs.	8807 06	C	
Cupric potassium cyanide	Lbs.	8807 07	C	
Cuprous oxide	Lbs.	8807 08	C	
Denatured alcohol	Gals.	8806 01	C	
Deodorants, germicides, disinfectants, and similar preparations, household and industrial, n. e. s. (State ingredients)	Lbs.	8826 60	C	
Dextrine or British gum	Lbs.	8823 05	C	
Dibutyl phthalate	Lbs.	8829 98	C	
Dichlorethyl ether	Lbs.	8826 07	C	
Diethyl ether	Lbs.	8806 02	C	
Diethyl phthalate	Lbs.	8825 93	C	
Diethylene glycol	Lbs.	8826 08	C	
Digestive preparations, n. e. s.—See Medicinals				
Dimethylaniline	Lbs.	8825 50	C	
Dinitrobenzene	Lbs.	8825 70	C	
Dipropyl phthalate	Lbs.	8829 93	C	
Disinfectants, deodorants, germicides and similar preparations, household and industrial, n. e. s. (State ingredients)	Lbs.	8809 60	C	
Dyestuffs and dyestuff mixtures, fluid extracts, anilines and similar liquid solutions, n. e. s. (State ingredients. See also Coal-tar products, n. e. s.)	Lbs.	8824 98	C	
Ether, ethyl, U. S. P. or equal form, not to exceed 0.720 specific gravity at 25° C.	Lbs.	8826 60	C	
Ether, ethyl, U. S. P. or equal form, not to exceed 0.720 specific gravity at 25° C.	Gals.	8826 60	C	
Ether, sulphuric, and ethyl ether	Lbs.	8826 60	C	
Ether, sulphuric, and ethyl ether	Gals.	8826 60	C	
Ethyl chloride	Lbs.	8826 60	C	
Ethyl ether—See Petroleum Products.				
Ethyl iodide	Lbs.	8826 60	C	
Ethylene chlorhydrine	Lbs.	8826 89	C	
Ethylene dichloride	Lbs.	8826 15	C	
Ethylene dibromide	Lbs.	8826 16	C	
Ethylene glycol monoethyl ether	Lbs.	8826 17	C	
Ethylene monomethyl ether	Lbs.	8826 18	C	
Ethylene oxide	Lbs.	8826 19	C	
Exterminators, insecticides, and repellants, household and industrial, n. e. s. (in liquid, paste, powder, or solid form)	Lbs.	8826 60	C	
Fatty acids—See Oils and Fats				
Ferric ammonium oxalate (iron salt)	Lbs.	8808 98	C	
Ferric chloride	Lbs.	8808 98	C	
Fertilizer materials, nitrogenous, n. e. s. (include ammonia, ammonium carbonate, ammonium nitrate, ammonium phosphate, ammonium sulphate, nitrate of soda, urea)	Lbs.	8801 00	C	
Fertilizer mixtures, prepared, n. e. s. (state ingredients)	Lbs.	8810 00	C	
Fertilizers, nitrogenous organic waste materials	Lbs.	8810 00	C	
Fertilizers, nitrogenous phosphatic types (include ammonium phosphate)	Lbs.	8551 05	C	
Fillers and extenders, mixtures (mixtures containing over 50 per cent ammonium nitrate, ammonium phosphate, ammonium sulphate, sodium nitrate, or urea) (report percentage of foregoing constituents in mixtures)		8119 05		
Fixatives and fish liver oils and concentrates thereof (medicinal grade)—See Medicinals				
Flavoring extracts, natural, n. e. s.	Gals.	8826 80	K	
Flavoring extracts, synthetic	Gals.	8826 81	K	
Formaldehyde	Lbs.	8826 01	C	
Fuller's earth	Lbs.	8826 02	C	
Gallic acid	Lbs.	8826 03	C	
Garlic—See Medicinals				
Gaseous refrigerants (other than ammonia) (state ingredients)	Lbs.	8806 98	C	
Gelatin, edible	Lbs.	8826 04	C	
Glauber's salt	Lbs.	8826 05	C	
Glycerin (see glycerol bulk)	Lbs.	8826 06	C	
Glycol sebacate	Lbs.	8826 07	C	
Guanidine nitrate	Lbs.	8826 08	C	
Gum arabic, xanthic, cashew, and similar gums, not laminated, in sheets, plates, rods, tubes, or other unfinished forms	Lbs.	8826 09	C	
Gum and resins, synthetic, n. e. s., in powder, flake, or liquid form	Lbs.	8826 10	C	
Hexamethylenetetramine	Lbs.	8826 11	C	
Hexachloroethane	Lbs.	8826 12	C	
Hexachlorobenzene	Lbs.	8826 13	C	
Homatropin, including salts and compounds	Lbs.	8826 14	C	
Hydrochloric acid (muriatic)	Lbs.	8826 15	C	
Hyoscyamus, extract of (Henbane)	Lbs.	8826 16	C	
Hyoscyamus, fluid extract of (Henbane)	Lbs.	8826 17	C	
Hyoscyamus, tincture of (Henbane)	Lbs.	8826 18	C	
Industrial chemicals, n. e. s.	Lbs.	8826 19	C	
Insecticides, exterminators, and repellants, household and industrial (in liquid, paste, powder, or solid form) n. e. s. (include naphthalene balls and flakes) (state ingredients)	Lbs.	8826 20	C	
Insecticides, fungicides, and disinfectants, agricultural, n. e. s. (include copper arsenate, bordeaux mixture, lime-sulphur, weed killers, prepared animal dips, etc.)	Lbs.	8826 21	C	
Insulin	Lbs.	8826 22	C	
Iodides, iodates, and iodine, n. e. s.	Lbs.	8826 23	C	
Iodine, crude and refined	Lbs.	8826 24	C	
Iodine, crude and refined	Oz.	8826 24	C	

Commodity	Unit	Department of Commerce No.	General License Group	Shipping Priority Rating
Chemicals—Continued.				
Iron blue (prussian blue)	Lbs.	8826 25	C	
Isopropyl acetate	Lbs.	8826 26	C	
Isopropyl alcohol	Gals.	8826 27	C	
Kalsomine or cold-water paints, dry	Lbs.	8826 28	C	
Kaolin	Lbs.	8826 29	C	
Lampblack	Lbs.	8826 30	C	
Laxatives, purgatives, and cathartics—See Medicinals				
Lead arsenate	Lbs.	8826 31	C	
Lead azide	Lbs.	8826 32	C	
Lead compounds, n. e. s.	Lbs.	8826 33	C	
Lead, red, dry (minium)	Lbs.	8826 34	C	
Lead, white, dry (basic lead carbonate)	Lbs.	8826 35	C	
Lead, white, in oil	Lbs.	8826 36	C	
Leather dressing and stains	Lbs.	8826 37	C	
Lecithin—See Medicinals				
Licorice extract and mass	Lbs.	8826 38	C	
Liniments, n. e. s.—See Medicinals				
Lubricating inhibitors for treating petroleum distillates (state ingredients)	Gals.	8826 39	K	
Litharge	Lbs.	8826 40	C	
Lye in cans	Lbs.	8826 41	C	
Magnesium carbonate	Lbs.	8826 42	C	
Magnesium compounds, n. e. s.	Lbs.	8826 43	C	
Magnesium oxide	Lbs.	8826 44	C	
Magnesium silicate	Lbs.	8826 45	C	
Magnesium sulfate (epsom salts)	Lbs.	8826 46	C	
Malaria, chill and fever remedies, n. e. s.—See Medicinals	Lbs.	8826 47	C	
Manganese borate	Lbs.	8826 48	C	
Manganese chloride	Lbs.	8826 49	C	
Manganese dioxides, including battery mix	Lbs.	8826 50	C	
Manganese hydroxide	Lbs.	8826 51	C	
Manganese oxide	Lbs.	8826 52	C	
Manganese salts and compounds, n. e. s.	Lbs.	8826 53	C	
Medicinal preparations, proprietary, n. e. s. (See Medicinals).				
Menthol, natural	Lbs.	8826 54	C	
Mercuric chloride (corrosive sublimate)	Lbs.	8826 55	C	
Mercuric iodide	Lbs.	8826 56	C	
Mercuric nitrate	Lbs.	8826 57	C	
Mercuric oxide (red and yellow)	Lbs.	8826 58	C	
Mercuric sulphide	Lbs.	8826 59	C	
Mercuric sulphate	Lbs.	8826 60	C	
Mercurous chloride (calomel)	Lbs.	8826 61	C	
Mercury salts and compounds, n. e. s.	Lbs.	8826 62	C	
Mesothorium salts and compounds	Mc.	8826 63	C	
Mesothorium, pahtts containing	Gals.	8826 64	C	
Metal working compounds, n. e. s. (include welding, tinning, soldering, and brazing fluxes; temper, and core compounds; fluxes, hardeners, and screw cutting oils and compounds).	Lbs.	8826 65	C	
Methanol	Lbs.	8826 66	C	
Methyl chloride	Lbs.	8826 67	C	
Methyl ethyl ketone	Lbs.	8826 68	C	
Methyl methacrylate unfabricated	Lbs.	8826 69	C	
Methylamine	Lbs.	8826 70	C	
Methylene chloride	Lbs.	8826 71	C	
Milk of magnesia—See Medicinals				
Mineral-earth pigments (dry), n. e. s.	Lbs.	8826 72	C	
Mineral oil, white—See Medicinals	Gals.	8826 73	C	
Molybdenum chloride and compounds, n. e. s.	Lbs.	8826 74	C	
Molybdic acid and molybdenum oxide (molybdenum trioxide).	Lbs.	8826 75	C	
Monochloracetic acid	Lbs.	8826 76	C	

Commodity	Unit	Department of Commerce No.	General License Group	Shipping Priority Rating
Chemicals—Continued.				
Isopropyl acetate	Lbs.	8826 26	C	
Isopropyl alcohol	Gals.	8826 27	C	
Kalsomine or cold-water paints, dry	Lbs.	8826 28	C	
Kaolin	Lbs.	8826 29	C	
Lampblack	Lbs.	8826 30	C	
Laxatives, purgatives, and cathartics—See Medicinals				
Lead arsenate	Lbs.	8826 31	C	
Lead azide	Lbs.	8826 32	C	
Lead compounds, n. e. s.	Lbs.	8826 33	C	
Lead, red, dry (minium)	Lbs.	8826 34	C	
Lead, white, dry (basic lead carbonate)	Lbs.	8826 35	C	
Lead, white, in oil	Lbs.	8826 36	C	
Leather dressing and stains	Lbs.	8826 37	C	
Lecithin—See Medicinals				
Licorice extract and mass	Lbs.	8826 38	C	
Liniments, n. e. s.—See Medicinals				
Lubricating inhibitors for treating petroleum distillates (state ingredients)	Gals.	8826 39	K	
Litharge	Lbs.	8826 40	C	
Lye in cans	Lbs.	8826 41	C	
Magnesium carbonate	Lbs.	8826 42	C	
Magnesium compounds, n. e. s.	Lbs.	8826 43	C	
Magnesium oxide	Lbs.	8826 44	C	
Magnesium silicate	Lbs.	8826 45	C	
Magnesium sulfate (epsom salts)	Lbs.	8826 46	C	
Malaria, chill and fever remedies, n. e. s.—See Medicinals	Lbs.	8826 47	C	
Manganese borate	Lbs.	8826 48	C	
Manganese chloride	Lbs.	8826 49	C	
Manganese dioxides, including battery mix	Lbs.	8826 50	C	
Manganese hydroxide	Lbs.	8826 51	C	
Manganese oxide	Lbs.	8826 52	C	
Manganese salts and compounds, n. e. s.	Lbs.	8826 53	C	
Medicinal preparations, proprietary, n. e. s. (See Medicinals).				
Menthol, natural	Lbs.	8826 54	C	
Mercuric chloride (corrosive sublimate)	Lbs.	8826 55	C	
Mercuric iodide	Lbs.	8826 56	C	
Mercuric nitrate	Lbs.	8826 57	C	
Mercuric oxide (red and yellow)	Lbs.	8826 58	C	
Mercuric sulphide	Lbs.	8826 59	C	
Mercuric sulphate	Lbs.	8826 60	C	
Mercurous chloride (calomel)	Lbs.	8826 61	C	
Mercury salts and compounds, n. e. s.	Lbs.	8826 62	C	
Mesothorium salts and compounds	Mc.	8826 63	C	
Mesothorium, paints containing	Gals.	8826 64	C	
Metal working compounds, n. e. s. (include welding, tinning, soldering, and brazing fluxes; temper, and core compounds; fluxes, hardeners, and screw cutting oils and compounds).	Lbs.	8826 65	C	
Methanol	Lbs.	8826 66	C	
Methyl chloride	Lbs.	8826 67	C	
Methyl ethyl ketone	Lbs.	8826 68	C	
Methyl methacrylate unfabricated	Lbs.	8826 69	C	
Methylamine	Lbs.	8826 70	C	
Methylene chloride	Lbs.	8826 71	C	
Milk of magnesia—See Medicinals				
Mineral-earth pigments (dry), n. e. s.	Lbs.	8826 72	C	
Mineral oil, white—See Medicinals	Gals.	8826 73	C	
Molybdenum chloride and compounds, n. e. s.	Lbs.	8826 74	C	
Molybdic acid and molybdenum oxide (molybdenum trioxide).	Lbs.	8826 75	C	
Monochloracetic acid	Lbs.	8826 76	C	

Commodity	Unit	Department of Commerce No.	General License Group	Shipping Priority Rating
Chemicals—Continued.				
Mouth washes, gargles, and personal antiseptics—See Medicinals				
Nickel chloride	Lbs.	8826 77	C	
Nickel carbonate	Lbs.	8826 78	C	
Nickel nitrate	Lbs.	8826 79	C	
Nickel oxide	Lbs.	8826 80	C	
Nickel salts and compounds, n. e. s.	Lbs.	8826 81	C	
Nickel sulphate	Lbs.	8826 82	C	
Nitrocellulose lacquer, n. e. s.	Lbs.	8826 83	C	
Nitrocellulose lacquer, n. e. s.	Gals.	8826 83	C	
Nitrocellulose lacquer, n. e. s.	Lbs. or 1 min.	8826 83	C	
Nitrocellulose lacquer, n. e. s.	Lbs.	8826 83	C	
Nitrogen, liquefied	Lbs.	8826 84	C	
Nitrogen, liquefied	L. ton	8826 84	C	
Nitrogenous fertilizer materials, phosphatic materials, n. e. s. (include bonemeal, dried ground bone, fish scrap, South Carolina river rock, ground phosphate rock)	Lbs.	8826 85	C	
Phosphoric acid (orthophosphoric)	Lbs.	8826 86	C	
Phosphorus, elemental	Lbs.	8826 87	C	
Phosphorus pentoxide	Lbs.	8826 88	C	
Phosphorus trichloride	Lbs.	8826 89	C	
Phthalic anhydride and similar anhydride resins, in powder, flake, or liquid form	Lbs.	8826 90	C	
Plasticizers, n. e. s.—See Medicinals				
Polishes and sleeve dressings	Lbs.	8826 91	C	
Potassium salts and compounds, n. e. s.	Lbs.	8826 92	C	
Potassium, metallic	Lbs.	8826 93	C	
Powders, insecticide and fungicide	Lbs.	8826 94	C	
Powders, medicinal—See Medicinals				
Powders, metal and stove	Lbs.	8826 95	C	
Powders, paint, varnish, and lacquer	Lbs.	8826 96	C	
Potassic fertilizer materials, n. e. s. (K2O content equivalent)	Lbs.	8826 97	C	
Potassic fertilizer materials, n. e. s. (K2O content equivalent)	L. ton	8826 97	C	
Potassium sulphate (K2O equivalent 52.5 per cent)	Lbs.	8826 98	C	
Potassium sulphate (K2O equivalent 52.5 per cent)	L. ton	8826 98	C	

Commodity	Unit	Department of Commerce No.	General License Group	Shipping Priority Rating
Chemicals—Continued.				
Isopropyl acetate	Lbs.	8826 26	C	
Isopropyl alcohol	Gals.	8826 27	C	
Kalsomine or cold-water paints, dry	Lbs.	8826 28	C	
Kaolin	Lbs.	8826 29	C	
Lampblack	Lbs.	8826 30	C	
Laxatives, purgatives, and cathartics—See Medicinals				
Lead arsenate	Lbs.	8826 31	C	
Lead azide	Lbs.	8826 32	C	
Lead compounds, n. e. s.	Lbs.	8826 33	C	
Lead, red, dry (minium)	Lbs.	8826 34	C	
Lead, white, dry (basic lead carbonate)	Lbs.	8826 35	C	
Lead, white, in oil	Lbs.	8826 36	C	
Leather dressing and stains	Lbs.	8826 37	C	
Lecithin—See Medicinals				
Licorice extract and mass	Lbs.	8826 38	C	
Liniments, n. e. s.—See Medicinals				
Lubricating inhibitors for treating petroleum distillates (state ingredients)	Gals.	8826 39	K	
Litharge	Lbs.	8826 40	C	
Lye in cans	Lbs.	8826 41	C	
Magnesium carbonate	Lbs.	8826 42	C	
Magnesium compounds, n. e. s.	Lbs.	8826 43	C	
Magnesium oxide	Lbs.	8826 44	C	
Magnesium silicate	Lbs.	8826 45	C	
Magnesium sulfate (epsom salts)	Lbs.	8826 46	C	
Malaria, chill and fever remedies, n. e. s.—See Medicinals	Lbs.	8826 47	C	
Manganese borate	Lbs.	8826 48	C	
Manganese chloride	Lbs.	8826 49	C	
Manganese dioxides, including battery mix	Lbs.	8826 50	C	
Manganese hydroxide	Lbs.	8826 51	C	
Manganese oxide	Lbs.	8826 52	C	
Manganese salts and compounds, n. e. s.	Lbs.	8826 53	C	
Medicinal preparations, proprietary, n. e. s. (See Medicinals).				
Menthol, natural	Lbs.	8826 54	C	
Mercuric chloride (corrosive sublimate)	Lbs.	8826 55	C	
Mercuric iodide	Lbs.	8826 56	C	
Mercuric nitrate	Lbs.	8826 57	C	
Mercuric oxide (red and yellow)	Lbs.	8826 58	C	
Mercuric sulphide	Lbs.	8826 59	C	
Mercuric sulphate	Lbs.	8826 60	C	
Mercurous chloride (calomel)	Lbs.	8826 61	C	
Mercury salts and compounds, n. e. s.	Lbs.	8826 62	C	
Mesothorium salts and compounds	Mc.	8826 63	C	
Mesothorium, paints containing	Gals.	8826 64	C	
Metal working compounds, n. e. s. (include welding, tinning, soldering, and brazing fluxes; temper, and core compounds; fluxes, hardeners, and screw cutting oils and compounds).	Lbs.	8826 65	C	
Methanol	Lbs.	8826 66	C	
Methyl chloride	Lbs.	8826 67	C	
Methyl ethyl ketone	Lbs.	8826 68	C	
Methyl methacrylate unfabricated	Lbs.	8826 69	C	
Methylamine	Lbs.	8826 70	C	
Methylene chloride	Lbs.	8826 71	C	
Milk of magnesia—See Medicinals				
Mineral-earth pigments (dry), n. e. s.	Lbs.	8826 72	C	
Mineral oil, white—See Medicinals	Gals.	8826 73	C	
Molybdenum chloride and compounds, n. e. s.	Lbs.	8826 74	C	
Molybdic acid and molybdenum oxide (molybdenum trioxide).	Lbs.	8826 75	C	
Monochloracetic acid	Lbs.	8826 76	C	

Commodity	Unit	Department of Commerce No.	General License Group	Shipping Priority Rating
Chemicals—Continued.				
Nickel chloride	Lbs.	8826 77	C	
Nickel carbonate	Lbs.	8826 78	C	
Nickel nitrate	Lbs.	8826 79	C	
Nickel oxide	Lbs.	8826 80	C	
Nickel salts and compounds, n. e. s.	Lbs.	8826 81	C	
Nickel sulphate	Lbs.	8826 82	C	
Nitrocellulose lacquer, n. e. s.	Lbs.	8826 83	C	
Nitrocellulose lacquer, n. e. s.	Gals.	8826 83	C	
Nitrocellulose lacquer, n. e. s.	Lbs. or 1 min.	8826 83	C	
Nitrocellulose lacquer, n. e. s.	Lbs.	8826 83	C	
Nitrogen, liquefied	Lbs.	8826 84	C	
Nitrogen, liquefied	L. ton	8826 84	C	
Nitrogenous fertilizer materials, phosphatic materials, n. e. s. (include bonemeal, dried ground bone, fish scrap, South Carolina river rock, ground phosphate rock)	Lbs.	8826 85	C	
Phosphoric acid (orthophosphoric)	Lbs.	8826 86	C	
Phosphorus, elemental	Lbs.	8826 87	C	
Phosphorus pentoxide	Lbs.	8826 88	C	
Phosphorus trichloride	Lbs.	8826 89	C	
Phthalic anhydride and similar anhydride resins, in powder, flake, or liquid form	Lbs.	8826 90	C	
Plasticizers, n. e. s.—See Medicinals				
Polishes and sleeve dressings	Lbs.	8826 91	C	
Potassium salts and compounds, n. e. s.	Lbs.	8826 92	C	
Potassium, metallic	Lbs.	8826 93	C	
Powders, insecticide and fungicide	Lbs.	8826 94	C	
Powders, medicinal—See Medicinals				
Powders, metal and stove	Lbs.	8826 95	C	
Powders, paint, varnish, and lacquer	Lbs.	8826 96	C	
Potassic fertilizer materials, n. e. s. (K2O content equivalent)	Lbs.	8826 97	C	
Potassic fertilizer materials, n. e. s. (K2O content equivalent)	L. ton	8826 97	C	
Potassium sulphate (K2O equivalent 52.5 per cent)	Lbs.	8826 98	C	
Potassium sulphate (K2O equivalent 52.5 per cent)	L. ton	8826 98	C	

Commodity	Unit	Depart. Bur. of Commerce No.	General Imports Group	Shipping Priority Rating
Cotton manufactures—Continued				
Cotton, n. e. s., multiple (ply) yarn, carded	Lbs.	7870 00	None	C
Cotton, n. e. s., multiple (ply) yarn, combed	Lbs.	7871 00	C	C
Cotton, n. e. s., single yarn, carded	Lbs.	7872 00	C	C
Cotton, n. e. s., single yarn, combed	Lbs.	7873 00	C	C
Cotton, n. e. s., single yarn, colored	Lbs.	7874 00	C	C
Cotton, n. e. s., single yarn, gassed and mercerized	Lbs.	7875 00	C	C
Cotton, n. e. s., single yarn, n. e. s.	Lbs.	7876 00	C	C
Cotton, n. e. s., single yarn, n. e. s., combed	Lbs.	7877 00	C	C
Cotton, n. e. s., single yarn, n. e. s., colored	Lbs.	7878 00	C	C
Cotton, n. e. s., single yarn, n. e. s., gassed and mercerized	Lbs.	7879 00	C	C
Cotton, n. e. s., single yarn, n. e. s., not colored	Lbs.	7880 00	C	C
Cotton, n. e. s., single yarn, not colored	Lbs.	7881 00	C	C
Cotton, n. e. s., yarn, carded	Lbs.	7882 00	C	C
Cotton, n. e. s., yarn, combed	Lbs.	7883 00	C	C
Cotton, n. e. s., yarn, colored	Lbs.	7884 00	C	C
Cotton, n. e. s., yarn, gassed and mercerized	Lbs.	7885 00	C	C
Cotton, n. e. s., yarn, not colored	Lbs.	7886 00	C	C
Cotton, n. e. s., yarn, n. e. s.	Lbs.	7887 00	C	C
Cotton, n. e. s., yarn, n. e. s., carded	Lbs.	7888 00	C	C
Cotton, n. e. s., yarn, n. e. s., combed	Lbs.	7889 00	C	C
Cotton, n. e. s., yarn, n. e. s., colored	Lbs.	7890 00	C	C
Cotton, n. e. s., yarn, n. e. s., gassed and mercerized	Lbs.	7891 00	C	C
Cotton, n. e. s., yarn, n. e. s., not colored	Lbs.	7892 00	C	C
Cotton, n. e. s., yarn, not colored	Lbs.	7893 00	C	C
Crepe, cotton	Sq. yd.	8000 00	None	C
Crepe de chine, cotton	Sq. yd.	8001 00	None	C
Crepe, n. e. s., cotton	Sq. yd.	8002 00	None	C
Cretonne, cotton	Sq. yd.	8003 00	None	C
Crinoline, cotton	Sq. yd.	8004 00	None	C
Damask, cotton	Sq. yd.	8005 00	None	C
Denim, cotton	Sq. yd.	8006 00	None	C
Drapery, cotton, n. e. s.	Sq. yd.	8007 00	None	C
Duck, cotton	Sq. yd.	8008 00	None	C
Duck, cotton, n. e. s.	Sq. yd.	8009 00	None	C
Duck, cotton, 12 ounces or more per square yard	Sq. yd.	8010 00	None	C
Duck, cotton, less than 12 ounces per square yard	Sq. yd.	8011 00	None	C
Duck, cotton, 12 ounces or more per square yard, colored	Sq. yd.	8012 00	None	C
Duck, cotton, 12 ounces or more per square yard, not colored	Sq. yd.	8013 00	None	C
Duck, cotton, less than 12 ounces per square yard, colored	Sq. yd.	8014 00	None	C
Duck, cotton, less than 12 ounces per square yard, not colored	Sq. yd.	8015 00	None	C
Flannel, cotton	Sq. yd.	8016 00	None	C
Flannelette, cotton	Sq. yd.	8017 00	None	C
Gabardine, cotton	Sq. yd.	8018 00	None	C
Gauze, cotton	Sq. yd.	8019 00	None	C
Gingham, cotton	Sq. yd.	8020 00	None	C
Jean, cotton	Sq. yd.	8021 00	None	C
Lace, cotton	Sq. yd.	8022 00	None	C
Lace, cotton, n. e. s.	Sq. yd.	8023 00	None	C
Lace, cotton, n. e. s., not over 18 inches wide	Sq. yd.	8024 00	None	C
Lace, cotton, n. e. s., over 18 inches wide	Sq. yd.	8025 00	None	C
Lace, cotton, not over 18 inches wide	Sq. yd.	8026 00	None	C
Lace, cotton, over 18 inches wide	Sq. yd.	8027 00	None	C
Lace, cotton, n. e. s., not over 18 inches wide	Sq. yd.	8028 00	None	C
Lace, cotton, n. e. s., over 18 inches wide	Sq. yd.	8029 00	None	C
Lace, cotton, not over 18 inches wide	Sq. yd.	8030 00	None	C
Lace, cotton, over 18 inches wide	Sq. yd.	8031 00	None	C
Lace, cotton, n. e. s., not over 18 inches wide	Sq. yd.	8032 00	None	C
Lace, cotton, n. e. s., over 18 inches wide	Sq. yd.	8033 00	None	C
Lace, cotton, not over 18 inches wide	Sq. yd.	8034 00	None	C
Lace, cotton, over 18 inches wide	Sq. yd.	8035 00	None	C
Marquisette, cotton	Sq. yd.	8036 00	None	C
Muslin, cotton	Sq. yd.	8037 00	None	C
Nainsook, cotton	Sq. yd.	8038 00	None	C
Net, cotton	Doz. prs.	8039 00	None	C
Nightwear, knit, women's and children's, cotton	Doz.	8040 00	None	C
Nightwear, knit, women's and children's, cotton, n. e. s.	Doz.	8041 00	None	C
Nightwear, knit, women's, cotton	Doz.	8042 00	None	C
Nightwear, knit, women's, cotton, n. e. s.	Doz.	8043 00	None	C
Nightwear, knit, women's, cotton, not over $3 per doz.	Doz.	8044 00	None	C
Nightwear, knit, women's, cotton, over $3 per doz.	Doz.	8045 00	None	C
Nightwear, knit, women's, cotton, n. e. s., not over $3 per doz.	Doz.	8046 00	None	C
Nightwear, knit, women's, cotton, n. e. s., over $3 per doz.	Doz.	8047 00	None	C
Nightwear, knit, women's, cotton, not over $3 per doz.	Doz.	8048 00	None	C
Nightwear, knit, women's, cotton, over $3 per doz.	Doz.	8049 00	None	C
Nightwear, knit, women's and children's, cotton	Doz.	8050 00	None	C
Nightwear, knit, women's and children's, cotton, n. e. s.	Doz.	8051 00	None	C
Nightwear, knit, women's and children's, cotton, not over $3 per doz.	Doz.	8052 00	None	C
Nightwear, knit, women's and children's, cotton, over $3 per doz.	Doz.	8053 00	None	C
Nightwear, knit, women's and children's, cotton, n. e. s., not over $3 per doz.	Doz.	8054 00	None	C
Nightwear, knit, women's and children's, cotton, n. e. s., over $3 per doz.	Doz.	8055 00	None	C
Nightwear, knit, women's and children's, cotton, not over $3 per doz.	Doz.	8056 00	None	C
Nightwear, knit, women's and children's, cotton, over $3 per doz.	Doz.	8057 00	None	C
Organdy, cotton	Sq. yd.	8058 00	None	C
Percale, cotton	Sq. yd.	8059 00	None	C
Percale, cotton, n. e. s.	Sq. yd.	8060 00	None	C
Percale, cotton, not over 4 inches wide	Sq. yd.	8061 00	None	C
Percale, cotton, over 4 inches wide	Sq. yd.	8062 00	None	C
Percale, cotton, n. e. s., not over 4 inches wide	Sq. yd.	8063 00	None	C
Percale, cotton, n. e. s., over 4 inches wide	Sq. yd.	8064 00	None	C
Percale, cotton, not over 4 inches wide	Sq. yd.	8065 00	None	C
Percale, cotton, over 4 inches wide	Sq. yd.	8066 00	None	C
Pique, cotton	Sq. yd.	8067 00	None	C
Plaid, cotton	Sq. yd.	8068 00	None	C
Poplin, cotton	Sq. yd.	8069 00	None	C
Print cloth, cotton	Sq. yd.	8070 00	None	C
Print cloth, cotton, n. e. s.	Sq. yd.	8071 00	None	C
Print cloth, cotton, not over 4 inches wide	Sq. yd.	8072 00	None	C
Print cloth, cotton, over 4 inches wide	Sq. yd.	8073 00	None	C
Print cloth, cotton, n. e. s., not over 4 inches wide	Sq. yd.	8074 00	None	C
Print cloth, cotton, n. e. s., over 4 inches wide	Sq. yd.	8075 00	None	C
Print cloth, cotton, not over 4 inches wide	Sq. yd.	8076 00	None	C
Print cloth, cotton, over 4 inches wide	Sq. yd.	8077 00	None	C
Print, cotton	Sq. yd.	8078 00	None	C
Print, cotton, n. e. s.	Sq. yd.	8079 00	None	C
Print, cotton, not over 4 inches wide	Sq. yd.	8080 00	None	C
Print, cotton, over 4 inches wide	Sq. yd.	8081 00	None	C
Sateen, cotton	Sq. yd.	8082 00	None	C
Satin, cotton	Sq. yd.	8083 00	None	C
Seersucker, cotton	Sq. yd.	8084 00	None	C
Shirting, cotton	Sq. yd.	8085 00	None	C
Shirting, cotton, n. e. s.	Sq. yd.	8086 00	None	C
Shirting, cotton, not over 4 inches wide	Sq. yd.	8087 00	None	C
Shirting, cotton, over 4 inches wide	Sq. yd.	8088 00	None	C
Shirting, cotton, n. e. s., not over 4 inches wide	Sq. yd.	8089 00	None	C
Shirting, cotton, n. e. s., over 4 inches wide	Sq. yd.	8090 00	None	C
Shirting, cotton, not over 4 inches wide	Sq. yd.	8091 00	None	C
Shirting, cotton, over 4 inches wide	Sq. yd.	8092 00	None	C
Sheeting, cotton	Sq. yd.	8093 00	None	C
Sheeting, cotton, n. e. s.	Sq. yd.	8094 00	None	C
Sheeting, cotton, not over 4 inches wide	Sq. yd.	8095 00	None	C
Sheeting, cotton, over 4 inches wide	Sq. yd.	8096 00	None	C
Shirting, cotton, n. e. s., not over 4 inches wide	Sq. yd.	8097 00	None	C
Shirting, cotton, n. e. s., over 4 inches wide	Sq. yd.	8098 00	None	C
Shirting, cotton, not over 4 inches wide	Sq. yd.	8099 00	None	C
Shirting, cotton, over 4 inches wide	Sq. yd.	8100 00	None	C
Shirts, boys', n. e. s.	Doz.	8101 00	None	C
Shirts, men's, n. e. s.	Doz.	8102 00	None	C
Shirts, men's, not knit, n. e. s.	Doz.	8103 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8104 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8105 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8106 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8107 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8108 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8109 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8110 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8111 00	None	C
Shirts, men's, knit, n. e. s.	Doz.	8112 00	None	C
Shirts, men's, knit, n. e. s., not over $3 per doz.	Doz.	8113 00	None	C
Shirts, men's, knit, n. e. s., over $3 per doz.	Doz.	8114 00	None	C
Shirts, men's, knit, not over $3 per doz.	Doz.	8115 00	None	C
Shirts, men's, knit, over $3 per doz.	Doz.	8116 00	None	C
Shirts, men's, knit, n. e. s., not over $3 per doz.	Doz.	8117 00	None	C
Shirts, men's, knit, n. e. s., over $3 per doz.	Doz.	8118 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8119 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8120 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8121 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8122 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8123 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8124 00	None	C
Shirts, men's, knit, n. e. s.	Doz.	8125 00	None	C
Shirts, men's, knit, n. e. s., not over $3 per doz.	Doz.	8126 00	None	C
Shirts, men's, knit, n. e. s., over $3 per doz.	Doz.	8127 00	None	C
Shirts, men's, knit, not over $3 per doz.	Doz.	8128 00	None	C
Shirts, men's, knit, over $3 per doz.	Doz.	8129 00	None	C
Shirts, men's, knit, n. e. s., not over $3 per doz.	Doz.	8130 00	None	C
Shirts, men's, knit, n. e. s., over $3 per doz.	Doz.	8131 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8132 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8133 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8134 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8135 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8136 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8137 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8138 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8139 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8140 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8141 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8142 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8143 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8144 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8145 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8146 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8147 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8148 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8149 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8150 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8151 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8152 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8153 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8154 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8155 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8156 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8157 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8158 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8159 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8160 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8161 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8162 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8163 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8164 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8165 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8166 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8167 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8168 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8169 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8170 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8171 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8172 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8173 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8174 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8175 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8176 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8177 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8178 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8179 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8180 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8181 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8182 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8183 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8184 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8185 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8186 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8187 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8188 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8189 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8190 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8191 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8192 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8193 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8194 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8195 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8196 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8197 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8198 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8199 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8200 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8201 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8202 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8203 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8204 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8205 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8206 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8207 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8208 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8209 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8210 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8211 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8212 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8213 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8214 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8215 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8216 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8217 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8218 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8219 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8220 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8221 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8222 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8223 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8224 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8225 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8226 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8227 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8228 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8229 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8230 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8231 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8232 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8233 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8234 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8235 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8236 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8237 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8238 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8239 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8240 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8241 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8242 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8243 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8244 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8245 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8246 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8247 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8248 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8249 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8250 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8251 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8252 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8253 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8254 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8255 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8256 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8257 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8258 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8259 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8260 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8261 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8262 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8263 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8264 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8265 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8266 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8267 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8268 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8269 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8270 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8271 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8272 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8273 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8274 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8275 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8276 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8277 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8278 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8279 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8280 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8281 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8282 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8283 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8284 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8285 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8286 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8287 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8288 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8289 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8290 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8291 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8292 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8293 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8294 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8295 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8296 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8297 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8298 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8299 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8300 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8301 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8302 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8303 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8304 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8305 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8306 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8307 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8308 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8309 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8310 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8311 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8312 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8313 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8314 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8315 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8316 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8317 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8318 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8319 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8320 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8321 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8322 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8323 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8324 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8325 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8326 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8327 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8328 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8329 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8330 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8331 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8332 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8333 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8334 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8335 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8336 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8337 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8338 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8339 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8340 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8341 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8342 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8343 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8344 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8345 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8346 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8347 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8348 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8349 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8350 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8351 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8352 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8353 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8354 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.	Doz.	8355 00	None	C
Shirts, men's, not knit, not over $9 per doz.	Doz.	8356 00	None	C
Shirts, men's, not knit, over $9 per doz.	Doz.	8357 00	None	C
Shirts, men's, not knit, n. e. s., not over $9 per doz.	Doz.	8358 00	None	C
Shirts, men's, not knit, n. e. s., over $9 per doz.

Commodity	Unit	Department of Commerce No.	General License Group	Shipping Priority Rating
Electrical machinery and apparatus—Continued.				
Radio trimmers	Units	7079.01	C	47
Radio tubes or valves for receiving sets (include television receiving sets).	Units	7078.08 7078.05	C	47
Radio tube ridges	Units	7078.05	C	47
Radio tube spacers	Units	7078.05	C	47
Railway motors	Units	7078.05	C	C
Ranges, electric cooking	Units	7944.00	C	C
Razors, electric	Units	7792.05	C	C
Recording instruments, electrical	Units	7037.00	C	C
Rectifier tubes	Units	7028.10	C	C
Rectifiers, mercury power	Units	7028.00	C	C
Refrigerator parts (cabinets, motors, coils, or other parts shipped separately from compressors or complete units)	Units	7039.00	C	C
Refrigerators, electric, commercial up to 1 ton	Units	7038.00	C	C
Refrigerators, household, electric	Units	7038.00	None	None
Regulators, feeder voltage, including induction and step-type feeder voltage regulators	Units	7030.00	C	C
Rheostats	Units	7031.05	C	C
Rheostats, for electric railway and vehicle motors	Units	7049.05	C	C
Rheostats for industrial motors	Units	7031.05	C	C
Sockets, outlets, fuse blocks, lighting switches and parts	Units	7046.00	C	C
Starting and controlling equipment for electric railway and vehicle motors and parts, other	Units	7049.38	C	C
Starting and controlling equipment for industrial motors and parts, other	Units	7048.08	C	C
Starting, lighting, and ignition equipment	Units	7092.00	C	C
Switchboard panels and parts, except telephone	Units	7031.15	C	C
Switches and circuit breakers, oil (include outdoor and power)	Units	7032.00	C	C
Switches, power, circuit breakers over 10 amperes and parts (include network protectors).	Units	7033.00	C	C
Telegraph apparatus and parts	Units	7082.00	C	C
Telephone equipment and parts, other (except new office intercommunication systems).	Units	7087.00	C	C
Telephone instruments	Units	7083.00	C	C
Testing apparatus and parts, other electrical	Units	7075.90	C	C
Testing machines, electric, for tension, ductility, etc.—except those for precision for Metal Working.	Units	7075.05	C	C
Therapeutic apparatus and parts	Units	7122.00	C	C
Toasters, electric	Units	7021.00	C	C
Transformers, distribution, 500 kilovolt amperes and less	Units	7021.00	C	C
Transformers, instrument	Units	7021.00	C	C
Transformers, power over 500 kilovolt amperes	Units	7021.05	C	C
Trucks, electric, station, warehouse and factory, power-driven by electric storage battery	Units	7047.98	C	C
Vacuum cleaner parts, industrial, other	Units	7089.30	C	C
Vacuum cleaners, electric, domestic	Units	7089.10	C	C
Washing machine parts, electric, household	Units	7089.30	C	C
Washing machines, electric, household	Units	7089.10	C	C
Welding sets and parts—See Machinery—Welding, Electric.				
Wiring supplies and line materials, other		7088.00	C	C
X-ray apparatus and parts	Units	7075.50	47	47
Xmas tree sets	Units	7075.10	47	47
Electric resistance wire, nickel-chrome	Lbs	6830.00	C	C
Electrical porcelain—See Clay and Clay Products.				
Electrical welding wire of iron and steel—See Iron and Steel Mfrs.				
Electrode section for neon tubes	Units	7060.02	C	C
Electrodes, carbon, for furnaces or electrolytic work	Lbs	5403.01	C	C
Electrodes, carbon, other	Lbs	5403.01	C	C
Electrodes, graphite	Lbs	5473.05	C	C
Elevators	Units	7246.00	47	47
Elevator parts			C	C
Elixirs—See Medicinals.				
Embroideries—See Cotton Mfrs.				
Embroidery silk—See Silk and Silk Mfrs.				
Embroidery thread—See Synthetic Textiles (also see Cotton Mfrs.)		5404.30	C	C
Emery powder	Lbs	5405.00	C	C
Emery, wheels of	Lbs			
Enameled ware—See Iron and Steel Mfrs.—Enameled Ware.				
Enamels, other	Gals	8408.98	C	C
Engine parts, Diesel	Units	7199.00	47	47
Engineering Instruments—See Scientific and Professional Instruments and Apparatus.				
Engines—Aircraft, Parts—(Int. combustion):				
Carburetors	Units	7947.05	C	C
Cowls	Units	7947.05	C	C
Crank cases	Units	7947.05	C	C
Gear reducers	Units	7947.05	C	C
Governors	Units	7947.05	C	C
Magnetos	Units	7947.05	C	C
Spark plugs	Units	7947.05	C	C
Starters	Units	7947.05	C	C
Stator coverers	Units	7947.05	C	C
Valves, for use in aircraft engines	Units	7947.05	C	C
Other aircraft engine parts	Units	7947.98	C	C
Engines, automobile motor truck and bus—See Machinery—Vehicles—Automotive Parts and Accessories.				
Engines—Diesel and semi-Diesel (Hesselman, etc., injection type):				
Diesel and Diesel-electric locomotives (injection type)	Units and H. P.	7141.00	47	47
Diesel engine parts	Units	7199.00	47	47
Electric generating sets powered by Diesel engines, not portable (Hesselman, etc., injection).	Units and H. P.	7011.05	C	C
Marine, not over 200 H. P.	Units	7145.00	47	47
Marine, over 200 H. P.	Units and H. P.	7146.00	47	47
Stationary and portable, not over 200 H. P.	Units	7147.00	47	47
Stationary and portable, over 200 H. P.	Units and H. P.	7148.00	47	47
Truck and bus	Units and H. P.	7928.30	C	C
Trucks, buses (and their chassis powered by Diesel or semi-Diesel engines (injection type))	Units and H. P.	7941.33 7941.35	None	None
Engines, marine, gasoline—See Machinery—Vehicles, Misc.				
Engines, stationary, gasoline—See Machinery—Engines, Misc.				
Engines—See Machinery—Agricultural Implements.				
Entrenching (Pantograph) milling machine	Units	7408.00	C	C
Envelope cuts	Units	8910.00	C	C
Envelopes	Lbs	7703.00	C	C
Enzymes—See Medicinals.				
Essential oils—See Oils and Fats—Vegetable.				
Ether guns	Lbs	8231.00	C	C
Ethers	Units	8911.00	C	C
Ether, isopropyl	Gals	8329.98	C	C
Ethoxaline—See Medicinals.		8135.25	C	C
Ethyl ether	Lbs	8329.70	C	C
Ethyl acetate	Lbs	8329.98	C	C
Ethyl alcohol	Lbs	8329.68	C	C
Ethyl chloride	Lbs	8895.05	C	C
Ethylene	Lbs	8329.89	C	C
Ethylene chlorhydrine	Lbs	8329.98	C	C
Ethylene dichloride	Lbs	8329.98	C	C
Ethylene glycol	Lbs	8911.00	C	C
Ethylene glycol monoethyl ether	Lbs	8329.98	C	C
Ethyl ether	Lbs	8329.98	C	C
Ethyl fluid	Gals	8329.15	C	C
Ethyl lactate	Lbs	8329.98	C	C
Eucalyptus oil	Lbs	2249.98	C	C
Excavators and power shovels and parts	Units	7301.00	47	47
Expanders, pipe		7462.07	C	C
Explosives:	Units			
Blasting gelatin (including similar explosive compounds)	Lbs	8699.01	C	C
Detonators and blasting caps	Units	8699.03	C	C
Dynamite	Lbs	8694.00	C	C
Lead azide	Lbs	8699.05	C	C
Nitroglycerine	Lbs	8699.07	C	C
Nitrostarch	Lbs	8699.09	C	C
Nitrostarch powder	Lbs	8699.94	C	C
Safety fuses	Lin. ft.	8925.00	C	C
Commercial explosives, other	Lbs	8699.98	C	C
Expressed oils and fats, inedible, n. e. s.	Lbs	2240.00	47	47
Exterminators (in liquid, paste, powder, or solid form)	Lbs	8296.00	C	C

Commodity	Unit	Department of Commerce No.	General License Group	Shipping Priority Rating
Fabrics, cotton—See Cotton Mfrs.				
Fabrics, flax, narrow, including braid, webbing and tape	Lbs.	9497.50	C	
Fabrics, flax, other, except webbing apparel and household goods	Lbs.	9497.96	C	
Fabrics, silk—See Silk and Silk Manufactures.				
Fabrics, wool—See Wool Mfrs.				
Face and eye protectors, except welders'	Units	9497.01	C	
Facings, leather	Lbs.	9497.96	C	
Fans for units not in excess of 22 caliber	Units	9491.03	C	
Farm implements and wagons				
Cartridge, 22 caliber and smaller	M	9481.03	2.47	
Components for fuses and primers not in excess of 22 caliber		9487.04	2.47	
Components for small arms ammunition, 22 caliber or under		9481.09	2.47	
Drawbacks, commercial and display		9497.50	C	
Fasteners, metal	Units	9497.95	C	
Fuses for units not in excess of 22 caliber	Units	9487.01	C	
Links and belts for small arms ammunition, 22 caliber and under	Units	9491.05	2.47	
Materials, components and stocks:				
Cartridges, 22 caliber and smaller		9481.13	2.47	
Components for fuses and primers for ammunition (except 22 caliber and smaller)		9475.79	2.47	
Components for small arms ammunition, 22 caliber or under		9481.09	2.47	
Parts and accessories for artillery (except mountings and hooks)		9478.79	2.47	
Parts and accessories for coast and railway artillery (except mountings and hooks)		9478.49	2.47	
Parts and accessories for field artillery (except mount and hooks and hangers)		9477.59	2.47	
Parts and accessories for infantry weapons (except machine guns)		9479.79	2.47	
Parts and accessories for pistols and revolvers		9479.09	2.47	
Parts and accessories for rifles, all calibers, except barrels		9472.50	2.47	
Projectiles, n. e. s. (except 22 caliber)	Units	9487.02	2.47	
Pyrotechnics, n. e. s. (include all pyrotechnics for industrial or military use, such as railroad fuses and torpedoes, flare lights, aerial photographic bombs, and pocket flares)		9497.05	C	
Rifle barrels for .22 caliber and smaller	Units	9479.04	2.47	
Rifle barrels for rifles not in excess of .22 caliber, n. e. s.	Units	9472.23	2.47	
Rifles, .22 caliber and smaller	Units	9473.03	2.47	
Shotguns	Units	9473.05	2.47	
Small arms overhauling (include bayonets, bolts, etc.)		9471.03	2.47	
Ammunition for small arms (.22 caliber or under), n. e. s.		9481.03	2.47	
Implements and parts—See Machinery—Tractor, sewing and shoe				
Implements and parts—See Clay and Clay Products.				
Fire brick and clay—See Clay and Clay Products.				
Fire control equipment—See Instruments—Fire Control.				
Fire fighting equipment, except automotive fire engines		9807.00	C	
Fire hydrants		6102.01	C	
Firearms—See Arms, Ammunition and Explosives.		4029.00	K	
Fish:				
Canned, except shellfish	Lbs.	0086.98	C	
Cleaning, fresh	Lbs.	0086.05	K	
Cleaning, frozen	Lbs.	0086.07	K	
Clams and oysters, canned—See Vegetable Products, canned.	Lbs.	0086.01	C	
Cod, haddock, hake, pollock, cusk, canned	Lbs.	0086.01	C	
Cod, haddock, hake, pollock, cusk, salted, pickled or dry-cured	Lbs.	0088.03	K	
Crab meat and crabs, canned	Lbs.	0086.03	C	
Crabs, fresh	Lbs.	0079.01	K	
Herring, canned, pickled, or dry-cured	Lbs.	0086.01	C	
Lobster, canned	Lbs.	0088.03	K	
Lobster, fresh	Lbs.	0079.01	K	
Oysters, fresh, in the shell	Lbs.	0072.00	K	
Oysters, fresh, shucked, frozen, or in ice	Lbs.	0073.00	K	
Salmon, canned	Lbs.	0086.01	C	
Salmon, fresh	Lbs.	0079.01	K	
Salmon, salted, pickled, or dry-cured	Lbs.	0086.03	C	
Salted, pickled, or dry-cured (other than salmon, cod, haddock, hake, pollock, cusk)	Lbs.	0088.01	C	
Sardines, canned	Lbs.	0085.00	C	
Shellfish, except crab	Lbs.	0079.03	K	

Commodity	Unit	Department of Commerce No.	General License Group	Shipping Priority Rating
Fish—Continued				
Shellfish, canned, other	Lbs.	0086.98	C	
Shrimp, canned	Lbs.	0086.07	C	
Shrimp, dried	Lbs.	0087.00	K	
Shrimp, fresh, frozen, or in ice (include prawns)	Lbs.	0073.00	K	
Fish and products, other	Lbs.	0090.98	K	
Fish liver oils, n. e. s. (include filtet of fish)	Lbs.	0071.90	K	
Fish oil, and concentrates thereof, including menhaden oil, but excluding cod-liver oil and halibut oil	Lbs.	0869.05	C	
Fish essence and fish fat		1140.00	K	
Fish meal for feed	L. ton	3199.00	K	
Fish—See Chemicals—Nitrogenous organic waste materials.				
Fish nets	Units	0869.00	K	
Fish oils, not containing vitamin A	Lbs.	0869.00	C	
Fish plates, rail	Lbs.	6054.00	C	
Fishing tackle, tackle and parts—See Toys, Athletic and Sporting Goods.				
Fixtures, brass, plumbing—See Brass and Bronze.				
Fixtures, lighting, electric, and parts—See Electrical Machinery and Apparatus.				
Fixtures, metal, except plumbing—See Clay and Clay Products (also see Iron and Steel Mfrs.—Enameled Ware).				
Flangers, pipe	Units	7155.07	C	
Flanges, lead and antimonial lead (*road flanges*)	Lbs.	6515.60	C	
Flanging machines, plate	Units	7144.05	C	
Flares, aircraft	Units	9407.95	C	
Flashlight batteries	Units	9407.96	C	
Flashlight cases	Units	7090.00	C	
Flatirons, electric	Units	7071.98	C	
Flash and sound ranging apparatus	Units	7071.07	C	
Flavoring extracts, natural	Gals.	3199.57	C	
Flavoring extracts, synthetic (include flavors for soft drinks, cooking, baking, ice cream, etc.)	Gals.	8295.90	K	
Flavors and syrups for beverages—See Beverages.				
Flax fabrics, narrow, including braid, webbing and tape	Lbs.	3399.06	C	
Flax fabrics, other, except wearing apparel and household goods	Lbs.	3399.09	C	
Flax, unmanufactured	Lbs.	3399.03	C	
Flax manufactures, n. e. s.	Lbs.	3399.08	C	
Flax semi-manufactures, including yarn	Lbs.	3399.03	C	
Flax thread	Lbs.	3419.01	C	
Flax twine and cordage	Lbs.	3399.05	C	
Flax webbing	Lbs.	3399.06	C	
Flax yarn	Lbs.	3399.05	C	
Flaxseed	Lbs.	2220.03	C	
Flint rock—See Rock Wool.				
Floats, cork	Lbs.	5660.98	G	
Floodlights	Units	4067.19	None	
Floor coverings, cotton		6048.03	C	
Flooring and tiling, rubber		7007.03	C	
Flotation machinery—See Machinery—Mining, Well, and Pumping.	Lbs.	3189.00	K	
Flour-mill and grist-mill machinery and parts		2794.03	None	
Flower seeds—See Grains and Preparations.				
Flowers, artificial or ornamental	Units	7505.00	C	
Flowers-of-sulfur (sixublimed)	Lbs.	3467.80	K	
Fluorspar—See Chemicals—Nonmetallic.	Lbs.	3004.10	47	
Fur, dust, and Greenhouse Stock.		2370.10		
Fluorspar	Lbs.	6645.15	C	
Fluorspar—See Electrical Machinery and Apparatus.				
Flypaper	Lbs.	5999.29	C	
Flypaper—See Musical Instruments.				
Fodders and Feeds:				
Alfalfa meal	L. ton	1130.00	K	
Balsam cake and meal	L. ton	1119.09	K	
Coconut oil cake and meal				
Cottonseed cake and cake meal	Ton	1120.08	K	
Cottonseed cake	Ton	1120.05	K	
Cottonseed meal	L. ton	1121.00	K	
Dairy and poultry feeds, mixed, (include only mammal)	L. ton	1180.00	K	
Feeds, prepared and mixed, (include dried buttermilk), n. e. s.	L. ton	1185.00	K	
Flour, n. e. s. (include apple pomace)	L. ton	1199.00	K	
Fish meal for feed	L. ton	1140.00	K	
Hay	L. ton	1119.00	K	
Hempseed oil cake and meal	L. ton	1129.98	K	
Linseed cake	L. ton	1116.00	K	
Linseed meal	L. ton	1122.00	K	
Oil cake, n. e. s.	L. ton	1129.00	K	
Oil-cake meal, n. e. s.	L. ton	1129.08	K	
Oyster shells	L. ton	1182.00	K	
Soybean oil-cake meal	L. ton	1124.00	K	
Wheat feeds, bran, middlings, etc.	L. ton	1196.00	K	
Foil, aluminum, whether or not embossed or paper-backed	Lbs.	6702.00	C	
Foil, lead and antimonial lead	Lbs.	6515.80	C	
Foil, tin metal	Lbs.	6725.03	C	
Foliage—See Nursery and Greenhouse Stock.				
Footballs	Units	6955.03	None	
Forging machines, See Machinery—Mtl. Wkg.				
Forgings, alloy and stainless steel, excluding steel grinding balls	Lbs.	9434.00	K	D
Forgings, brass and bronze	Lbs.	6108.05	C	
Forgings, iron and steel not containing alloy, excluding steel grinding balls	Lbs.	6479.13	C	
Forgings, manganese alloy	Lbs.	6705.05	C	
Forgings, steel, n. e. s.	Lbs.	6649.08	C	
Fork trucks—See Motor Vehicle Mfrs.				
Forks, butchers' and kitchen	Doz.	6916.00	C	
Forks, hay and manure	Units	6161.00	C	
Formaldehyde	Lbs.	6159.00	C	
Forming machines—See Machinery—Metal Working.		8820.00	C	
Foundry equipment—See Machinery—Melting and Casting.				
Fountain pens—See Office Supplies—Misc.				
Fountain syringes, rubber	Units	2040.00	None	
Frames and sash of iron or steel	Lbs.	6949.00	C	
Frames—See Wood Mfrs.				
Frame assemblies, aircraft	Units	7940.05	C	
Freight cars—See Machinery—Vehicles, Misc.				
Frequency control units, Piezo electric quartz	Units	6960.03	None	
Friction tape—See Rubber.				
Frogs, railway	Lbs.	6055.00	C	
Fruit juices—See Beverages.				
Fruit trees—See Nursery and Greenhouse Stock.				
Fruits, artificial or ornamental		3983.00	K	D
Fruits—Canned:				
Apples and apple sauce	Lbs.	1335.00	C	
Apricots	Lbs.	1340.00	C	
Berries	Lbs.	1341.00	C	
Fruits for salad	Lbs.	1382.00	C	
Grapefruit	Lbs.	1336.00	C	
Grapes	Lbs.	1333.00	C	
Loganberries	Lbs.	1344.00	C	
Pears	Lbs.	1345.00	C	
Pineapples	Lbs.	1342.00	C	
Plums and prunes	Lbs.	1334.00	C	
Quinces, other	Lbs.	1347.00	C	
Fruits—Dried and Evaporated:				
Apples, dried	Lbs.	1325.00	C	
Apple waste, dried	Lbs.	1329.00	C	
Apricots, dried or otherwise prepared	Lbs.	1326.00	C	
Dried fruits for salads	Lbs.	1331.00	C	
Figs, dried	Lbs.	1327.00	C	
Peaches, dried	Lbs.	1327.01	C	
Prunes, dried	Lbs.	1322.00	C	
Quinces, dried	Lbs.	1328.00	C	
Raisins and currants	Lbs.	1330.05	C	
Fruits, dried and evaporated, other	Lbs.	1326.98	C	
Fruits, Fresh and Subtropical:				
Apples in barrels	Bbl.	1312.00	K	D
Apples in baskets	Bkt.	1310.00	K	D

Commodity	Unit	Department of Commerce No.	General License Group	Shipping Priority Rating
Grinders, feed cutters and crushers	Units	7870.00	None	
Grinding balls—See Iron and Steel Manufactures—Castings.				
Grinding mills, classifiers and equipment	Units	7321.05	C	D
Grinding machines, power-driven (include bread, meat, and cheese slicers, meat grinders, dough brakes, coffee mills).	Units	7710.00	C	
Grindstones	Lbs	5060.05	47	
Grips, handle, cork	Lbs	5485.00	K	
Gristmill machinery and parts	Lbs	4387.79		
Grits, corn and hominy—See Grains and Preparations.	Units	7095.00	None	
Guanidine nitrate	Lbs	8865.09	C	
Gum benzoin	Lbs	8885.11	C	
Gum, chewing	Lbs	2130.50	C	
Gum inhibitors, liquid	Gals	1880.00	C	
Gum, rosin and sap boards, planks and scantlings	M. Bd. ft	8299.30	K	
Gum rosin	Lbs	4121.00	K	
Gum, tupelo and black, boards, planks and scantlings	M. Bd. ft	2139.00	K	
Gums, other	Lbs	8251.00	C	
Gums and resins, synthetic—See Chemicals.				
Gun cameras—See Recoils—Natural.				
Gun directors, parts and accessories	Units	9992.36	C	
Gun locks, brass and bronze	Units	9159.01	C	
Gun parts—See Firearms, Ammunition and Fireworks.	Lbs	6679.05	47	
Guns, control apparatus for positioning	Units	9100.07	C	
Gun parts—See Firearms, Ammunition and Fireworks.	Units	9100.61	C	
Gutta-percha manufactures (include gutta-percha compound).	Lbs	2095.00	C	
Gypsum:				
Calcines (plaster of paris) (include anhydrous calcium sulfate).	Ton	5481.00	K	
Crude, crushed or ground	Ton	5483.00	K	
Cloister board and wall board	Sq. ft	5485.00	K	
Hair, n. e. s.	Lbs	5487.00	K	
Gyro-instruments, aircraft	Units	7948.05	C	
Gyroscopic compasses	Units	9100.00	C	
Gyroscopic stabilizing elements	Units	9100.05	C	
Hacksaw frames and blades—See Iron and Steel Manufactures.				
Hair and Manufactures:				
Cattle, ox, calf, and horse body hair	Lbs	9990.50	C	
Cattle, ox, and calf tail hair including switches	Lbs	9990.70	C	
Hair felt and manufactures (include rug cushions and hair animals).	Lbs	5697.00	K	
Hair waste and scrap hair	Lbs	9996.50	C	
Hog hair	Lbs	9995.50	C	
Horse mane and tail hair, raw or dressed	Lbs	9991.00	C	
Horse, mule, hair, n. e. s. (include curled hair, hair press cloth, hair cloth, and hair fiber)		9993.50	K	
Hair, unmanufactured, n. e. s., (include goat, badger, bear, and other hair).	Lbs	9996.00	K	
Hair dyes and preparations	Units	8705.00	K	
Hair, human, waste material	Lbs	7099.96	C	
Hammer handles—See Wood Mfrs.				
Hammers, power-driven metal-working	Units	7442.05	C	
Handle grips, cork	Lbs	4307.19	None	
Handles—See Wood Mfrs.	Lbs	4999.50		
Handbags—See Leather Mfrs.				
Hand pumps—See Machinery—Mining, Well and Pumping.				
Hand tools—See Iron and Steel Mfrs.—Tools.				
Hand trucks	Units	7952.00	C	
Hard rubber goods—See Rubber.				
Hardware, brass and bronze—See Brass and Bronze.				
Hardware, iron and steel—See Iron and Steel Manufactures—Hardware.				
Hardwoods—See Wood.				
Harness hardware	Units	6185.00	C	
Harness, leather—See Leather and Leather Manufactures.	Units	7814.00	None	
Harrows (include tooth or disk pulverizers)	Units	7870.00	None	
Hatchets, machinery—See Machinery—Agricultural Implements.	Units	7887.00	None	
Harvesters				

Commodity	Unit	Department of Commerce No.	General License Group	Shipping Priority Rating
Glue, casein	Lbs	1842.05	C	
Glycerin (50 percent or more crude)	Lbs	8344.00	C	
Glycols—See Chemicals—Alcohols.				
Goat hair—See Hair and Mfrs.	Lbs	8829.98	C	
Goats	No	0999.00	K	
Goat skins—See Hides and Skins.				
Goggles—See Scientific and Professional Instruments, Apparatus and Supplies.				
Golf balls—See Athletic and Sporting Goods.				
Golf balls and clubs—See Toys, Athletic and Sporting Goods.				
Gouges—See Synthetic Textiles.				
Governors, speed	Units	0478.00	C	
Graders, pull or self-propelled	Units	7223.00	C	
Graders, self-propelled	Units	7222.00	C	
Grains, artificial or ornamental—See Textile Products.				
Grains, nickel metal	Lbs	5505.00	C	
Grains and Preparations:				
Barley, pearled	Bu	1011.00	K	
Biscuits and crackers	Lbs	1028.00	K	
Buckwheat (bu. 48 lbs.)	Bu	1027.00	K	
Cereal foods, n. e. s.	Lbs	1005.00	K	
Corn, ear (bu. 70 lbs.)	Bu	1031.00	K	
Corn cereal foods, ready to eat	Lbs	1037.00	K	
Corn flour	Lbs	1035.00	K	
Cornmeal (bbl. 196 lbs.)	Bbl	1033.00	K	
Hominy and corn grits	Lbs	1033.00	K	
Macaroni and milk flat, 50 lbs.	Box	1036.00	K	
Macaroni, spaghetti, noodles, vermicelli and macaroni products.	Lbs	1077.00	K	
Malt (bu. 34 lbs.)	Bu	1013.00	K	
Oatmeal, groats and rolled oats, in bulk	Lbs	1043.00	K	
Oatmeal, groats and rolled oats, in packages (cases of 24 lbs.)	Lbs	1041.00	K	
Oats (bu. 32 lbs.)	Bu	1041.00	K	
Other grains and preparations	Lbs	1049.00	K	
Paddy or rough rice	Lbs	1055.00	K	
Rice, milled, meal, and polish	Lbs	1058.00	K	
Rice, parboiled, including brown, broken, rice and rice screenings.	Lbs	1057.00	K	
Rye (bu. 56 lbs.)	Bu	1061.00	K	
Wheat (bu. 60 lbs.)	Bu	1071.00	K	
Wheat cereal foods, ready to eat (include wheat germ)	Lbs	1080.00	K	
Wheat flour, graham (bbl. 196 lbs.)	Lbs	1084.00	K	
Wheat flour, other (bbl. 196 lbs.)	Lbs	1074.00	K	
Wheat flour, wholly of U. S. wheat (bbl. 196 lbs.)	Lbs	1077.00	K	
Wheat semolina	Lbs	1090.00	K	
Granite, dimension	Cu. ft	5101.00	K	
Granulated lead and antimonial lead	Lbs	6575.00	C	
Grapefruit	Lbs	1165.00	K	
Grapes	Lbs	1115.00	K	
Graphite:				
Flake or crystalline, lump, or chip	Lbs	5472.01	None	
Graphite, n. e. s.	Lbs	5472.03	None	
Graphite Manufactures:	Lbs	5472.98	None	
Brushes and stock	Lbs	5474.08	C	
Electrodes	Lbs	5480.63	C	
Manufactures in which either flake or crystalline lump, or chip graphite is an essential component, including graphite crucibles, retorts, and stoppers (report graphite contents in pounds).	Lbs	5479.55	None	
Graphite, synthetic—See Chemicals.				
Grass seed—See Seeds.		5489.98	C	
Grease, artificial or ornamental		7005.00	K	
Grease, containers, cork	Lbs	5960.98	C	
Greaseproof and waterproof paper	Lbs	4307.19	None	
Grease, stearin	Lbs	4999.50		
Grease, wool	Lbs	4721.01	47	
Grease, wool, crude or recoverable—See Oils and Fats.	Lbs	4724.00	47	
Grey-iron castings, including semisteel	Lbs	1858.05		
Grilles—See Machinery—Mtrl. Wkg.				
Grinders—See Machinery—Mtrl. Wkg.		5041.00	C	
Grinding balls—See Iron and Steel Manufactures—Castings.		7011.00	C	
Grinding balls, classifiers and equipment	Units	7321.05	C	
Grinding machines, power-driven (include bread, meat, and cheese slicers, meat grinders, dough brakes, coffee mills).	Units	7710.00	C	
Grindstones	Lbs	5060.05	47	
Grips, handle, cork	Lbs	5485.00	K	
Gristmill machinery and parts	Lbs	4387.79		
Grits, corn and hominy—See Grains and Preparations.	Units	7095.00	None	
Guanidine nitrate	Lbs	8865.09	C	
Gum benzoin	Lbs	8885.11	C	
Gum, chewing	Lbs	2130.50	C	
Gum inhibitors, liquid	Gals	1880.00	C	
Gum, rosin and sap boards, planks and scantlings	M. Bd. ft	8299.30	K	
Gum rosin	Lbs	4121.00	K	
Gum, tupelo and black, boards, planks and scantlings	M. Bd. ft	2139.00	K	
Gums, other	Lbs	8251.00	C	
Gums and resins, synthetic—See Chemicals.				
Gun cameras—See Recoils—Natural.				
Gun directors, parts and accessories	Units	9992.36	C	
Gun locks, brass and bronze	Units	9159.01	C	
Gun parts—See Firearms, Ammunition and Fireworks.	Lbs	6679.05	47	
Guns, control apparatus for positioning	Units	9100.07	C	
Gun parts—See Firearms, Ammunition and Fireworks.	Units	9100.61	C	
Gutta-percha manufactures (include gutta-percha compound).	Lbs	2095.00	C	
Gypsum:				
Calcines (plaster of paris) (include anhydrous calcium sulfate).	Ton	5481.00	K	
Crude, crushed or ground	Ton	5483.00	K	
Cloister board and wall board	Sq. ft	5485.00	K	
Hair, n. e. s.	Lbs	5487.00	K	
Gyro-instruments, aircraft	Units	7948.05	C	
Gyroscopic compasses	Units	9100.00	C	
Gyroscopic stabilizing elements	Units	9100.05	C	
Hacksaw frames and blades—See Iron and Steel Manufactures.				
Hair and Manufactures:				
Cattle, ox, calf, and horse body hair	Lbs	9990.50	C	
Cattle, ox, and calf tail hair including switches	Lbs	9990.70	C	
Hair felt and manufactures (include rug cushions and hair animals).	Lbs	5697.00	K	
Hair waste and scrap hair	Lbs	9996.50	C	
Hog hair	Lbs	9995.50	C	
Horse mane and tail hair, raw or dressed	Lbs	9991.00	C	
Horse, mule, hair, n. e. s. (include curled hair, hair press cloth, hair cloth, and hair fiber)		9993.50	K	
Hair, unmanufactured, n. e. s., (include goat, badger, bear, and other hair).	Lbs	9996.00	K	
Hair dyes and preparations	Units	8705.00	K	
Hair, human, waste material	Lbs	7099.96	C	
Hammer handles—See Wood Mfrs.				
Hammers, power-driven metal-working	Units	7442.05	C	
Handle grips, cork	Lbs	4307.19	None	
Handles—See Wood Mfrs.	Lbs	4999.50		
Handbags—See Leather Mfrs.				
Hand pumps—See Machinery—Mining, Well and Pumping.				
Hand tools—See Iron and Steel Mfrs.—Tools.				
Hand trucks	Units	7952.00	C	
Hard rubber goods—See Rubber.				
Hardware, brass and bronze—See Brass and Bronze.				
Hardware, iron and steel—See Iron and Steel Manufactures—Hardware.				
Hardwoods—See Wood.				
Harness hardware	Units	6185.00	C	
Harness, leather—See Leather and Leather Manufactures.	Units	7814.00	None	
Harrows (include tooth or disk pulverizers)	Units	7870.00	None	
Hatchets, machinery—See Machinery—Agricultural Implements.	Units	7887.00	None	
Harvesters				

* Provided shipments to Mexico are made other than by water.

Commodity	Unit	Department of Commerce No.	General License Group	Shipping Priority Rating
Hat bodies—See Textile Products.				
Hat leather—See Leather Mfrs.				
Hat pins	Unit	6913.00		K
Hatband ban'ing—See Wood Mfrs.				
Hatchets	Units	7291.00		47
Hoists and derricks, mine	Units	7315.00		47
Hollow ware—See Iron and Steel Manufactures—Hollow ware.				
Hone also see Abrasives	Lbs.	8789.03	None	
Hooks and eyes (metal)	Lb.	5449.00		C
Hooks, fish—See Fishing Tackle.				
Hominy and corn grits—See Grains and Preparations.				
Horses of artificial abrasives, except steel	Lbs.			N
Horse clippers	Units	7880.00		C
Horse trimmers	Units	7444.00		K
Hose, rubber—See Textile Products	Units	7447.00		
Hoods, fur felt—See Textile Products		6697.15		C
		6697.55		
Hoop iron and manufactured 3-steel, alloy and stainless steel, cold rolled but not rolled	Lbs.	6698.13		C
		6698.15		
		6698.75		
Hop straw	Lbs.	2279.00		C
Horn buttons—See Buttons.	Lbs.	2951.00		C
Horns, automobile, hand and electric	Units	7466.07		C
Horns, English—See Musical Instruments.	Units	7928.00		C
Horse body, mane and tail hair—See Hair and Manufactures.				
Horse meat	Lbs.	6022.00		K
Horses—See Animals and Animal Products—Inedible.	Lbs.	0166.00		C
Horseshoes and calks				
Hose and tubing, rubber—See Cotton Manufactures.				
Hose, fire—See Cotton Manufactures (also see Silk and Silk Manufactures and Synthetic Textiles).				
Hose, garden—See Rubber.				
Hosiery—See Cotton Manufactures (also see Silk and Silk Manufactures and Synthetic Textiles).				
Hosiery knitting machines—See Machinery—Textile. Sewing and shearing and piece goods, rubberized, other (include clothe raincoat, apron, crib, piano and organ bellows, backing adhesive, and tyre cover (specify type).	Lbs.	2017.00	None	
Hospital utensils, aluminum—See Iron and Steel Manufactures—Household utensils.	Lbs.	6607.30		C
Household utensils—See Iron and Steel Manufactures—Household utensils.				
Household wire				
Hot plates, electric—See Electrical Machinery and Apparatus.	Units	7766.03		C
Hose fixtures—See Wood Manufactures.	Units	6911.03		C
Hose supporters—See Cotton Manufactures.	Units	6912.03		C
Hotbed netting (sides and warmair furnaces	Lbs.	5014.10		C
House heating radiators (sq. ft. radiation	Sq. ft.	8259.00		C
Household and personal effects—See regulations on baggage.		7258.05		
Household utensils—See Iron and Steel Manufactures—Household utensils.		7900.05		M
Household wire		8005.00		
Household water systems, self-contained	Units	8875.00		C
	Units	8873.00		C
Hydrants, fire	Units			K
Hydrants, fire	Units	8145.96		None
Hydrocephalus and complications, solution	Lbs.	0180.19		C
Hydrogenation apparatus (for fatty oils) (convert solutions to dry weight for statistical purposes)	Lbs.	2309.11		None
Hyoscine (scopolamine)	Lbs.	2127.98		C
Hyoscyamus (Henbane)	Lbs.	2128.03		None
Hyoscyamus, extract of (Henbane)	Lbs.	2130.13		C
Hyoscyamus, fluid extract of (Henbane)	Lbs.	2129.13		None
Hyoscyamus, tincture of (Henbane)	Unit	2128.03		C
Ice cream powder and pushline—See Sugar and Related Products	Units	7660.00		C
Ice making equipment and parts	Yr.	6910.00		C
Idaho white pine boards, planks, and scantlings	M. bd. ft.	4109.50		C

Commodity	Unit	Department of Commerce No.	General License Group	Shipping Priority Rating
Incubators, dental—See Scientific and Professional Instruments, Apparatus, and Supplies.	Lbs.	(4307.19 (4309.50	None	
Instruments, electrical—See Electrical Machinery and Apparatus.				
Instruments, fire-control, listening and computing: Fire control instruments, including parts of such instruments, military searchlights, aerial cameras, and other types of military equipment, include: (1) All apparatus or parts thereof for detecting, ranging or determining position of surface, subsurface or aerial targets. (2) All apparatus and parts thereof for computing ballistics, positioning or otherwise directing the fire of guns, torpedoes, bombs, depth charges, rockets or other offensive weapons to include specifically: All other apparatus containing precision optical systems.	Units	9159.29		C
Aiming circles	Units	9159.71		C
Alignment instruments	Units	9190.50		C
Binoculars, including prism binoculars, opera, field, and marine glasses.	Units	9140.30		C
Boards, plotting	Units	9190.71		C
Boards, range correction	Units	9190.81		C
Cameras, aerial	Units	9492.31		C
Cameras, gun	Units	9492.33		C
Compasses, magnetic and gyroscopic	Units	9194.60		C
Compasses, mica dial or mica covered	Units	7070.03		47
Computers, bead	Units	9190.55		C
Computers, range keepers or other ballistic computers	Units	9190.82		C
Control apparatus for positioning guns	Units	9159.61		C
Directors, parts and accessories	Units	9159.01–09		C
Directors and range finders	Units	9159.09		C
Drift meters	Units	9194.53		C
Finders, height and range, parts and accessories.	Units	9190.29		C
Finders, range and height	Units	9159.21–25		C
Fire control equipment sets	Units	9190.28		C
Fire control equipment, n. e. s	Units	9159.68		C
Fuse setters	Units	9190.63		C
Gyroscopic stabilizing elements	Units	9190.65		C
Navigational instruments—See Instruments—Navigation.				
Parts and accessories for telescopes, sights, and periscopes.	Units	9159.59		C
Periscopes, all types	Units	9190.55		C
Quadrants, gunner's and range	Units	9190.67		C
Searchlights and airport beacons	Units	7906.00		C
Sextants	Units	9159.41		C
Sights, aircraft gun	Units	9159.47		C
Sights, bomb and bomb	Units	7906.06		C
Sights, gun, rifle, and machine	Units	9159.45		C
Sights, n. e. s	Units	9159.48		C
Sights, unit	Units	9190.87		C
Sound ranging apparatus	Units	9190.91		C
Sound locators for aircraft and bimaural trainers therefor.	Units	7948.15		C
Spotting instruments	Units	9159.79		C
Submarine listening devices	Units	9190.93		C
Telescopes	Units	9159.51		C
Telescopes, n. e. s	Units	9159.53		C
Trainers, aircraft pilot	Units	9159.58		C
Trainers, aircraft, pilot, parts	Units	9190.95		C
Transmitting and receiving sets and units for such as selsyn and synchronizing	Units	9190.96		C
Instruments—Gyro-Aircraft	Units	7948.11		C
Instruments—Measuring—See Musical Instruments.				
Instruments—Navigation—See Musical Instruments.				
Instruments (navigational) including marine chronometers.	Units	9190.56		C
Instrument (navigational), aircraft	Units	9501.05		C
		7948.06		C

Commodity	Unit	Department of Commerce No.	General License Group	Shipping Priority Rating
Ignition, starting, and lighting equipment (include spark plugs in 7920).	Units	7092.00	C	
Ignitor	Lbs.	6845.70	None	
Illuminating devices, except electric—See Lamps and Illuminating Devices, except electric.				
Imitation synthetic and precious stones, n. e. s., including pearls. See also Nonmetallic Minerals.	Unit	7064.55	C	
Incandescent, electric, large filament, medium screw, mogul screw, projection, and other large base lamps (include heat lamps).	Units	7063.05	C	
Incandescent, electric, small filament, miniature, and candelabra base (include flashlight, switchboard, automobile, sealed beam and other lens lamps, Christmas tree, radio dial, and other small base lamps).	Units	7064.55	None	
Index cards	Units	7064.60	C	
Indicating, Industrial, instruments and apparatus—See Machinery—Industry	Lbs.	6741.60		
Indicators and self-synchronous transmitters—See Instruments—Fire Control.				
Industrial conversion oil burners and oil-fired boilers	Units	6151.00	C	
Industrial Furnaces and Electric Furnaces—Industry.				
Industrial freight cars, not over 10 tons capacity (include plantation railway and blast furnace cars).	Units	7097.50	C	
Industrial trucks (station, warehouse and factory)—See Machinery—Vehicles.				
Infant foods, malted milk, etc	Lbs	0660.00	K	
Ingot molds	Lbs	7362.65	C	
Ingots, aluminum alloys including duralumin, and other crude forms.	Lbs	6301.60	C	
Ingots, brass and bronze	Lbs	6641.00	47	
Ingots, copper	Lbs	6112.00	C	
Ingots, iron and non-alloy steel, alloy and stainless steel	L. ton	6616.05	C	
Ingots, magnesium alloy	Lbs.	6691.03	C	
Ingots, magnesium metal	Lbs.	6691.05	C	
Ingots, nickel metal	Lbs	6645.00	C	
Ingots, platinum metal and alloys	T. oz	6645.05	47	
Ingots, tin metal	Lbs	6565.07	C	
Injectors, fuel system	Gals	8299.30	47	
Ink and inkstands—See Office Supplies, Miscellaneous.				
Inner soles—See Leather.				
Inner tubes, rubber, for automobiles	Units	2903.00	None	
Insecticides and fungicides, n. e. s.: Bleaching powder (chloride of lime, chlorinated lime, calcium hypochlorite, including high test).	Lbs	8300.00	C	
Borax (sodium tetraborate)	Lbs	8362.29	C	
Calcium arsenate	Lbs	8203.00	C	
Calcium cyanide	Lbs	8319.00	C	
Carbon tetrachloride	Lbs	8329.10	C	
Cattle, swine, and sheep dips and disinfectants	Lbs.	8329.30	C	
Copper fungicides	Lbs.	8205.58	C	
Copper sulphate	Lbs	8201.00	C	
Dichloride of ethylene	Lbs	8329.04	None	
Formaldehyde	Lbs	8205.08	C	
Lead arsenate	Lbs	8205.04	C	
Methyl bromide	Lbs	8329.04	C	
Nicotine sulfate (40% basis)	Lbs	8344.58	C	
Organic mercury (unspecified)	Lbs	8200.00	C	
Paradichlorobenzene	Lbs	8205.06	C	
Paraformaldehyde	Lbs	8205.41	C	
Paris green (triple acetoarsenite)	Lbs	8205.02	C	
Petroleum oil sprays, agricultural (include tree wash)	Gals	8201.05	C	
Potassium permanganate	Lbs	8359.25	47	
Pyrethrum extract	Lbs	8205.12	47	
Pyrethrum flowers	Lbs	8205.10	47	
Pyrethrum or insect flower powder	Lbs	8205.06	C	
Sodium arsenite	Lbs	8205.02	C	
Other insecticidal insecticides, fungicides, and disinfectants (see Chemicals—Heavy Chemicals, Drugs, Herbs, etc.).	Lbs	8205.98	C	

Commodity	Unit	Department of Commerce No.	General License Group	Shipping Priority Rating
Instruments—Precision, for Metal Working:				
Balancing machines, for balancing metal parts statically or dynamically or both	Units	7455.01	C	
Gauges, plug, profiling, ring, snap, and thread, and other gauges for measuring and inspecting precision parts	Units	6178.90	C	
Measuring machines and instruments for measuring and inspecting precision parts by electrical, optical, or mechanical means	Units	7699.93 7750.07 9090.01 7699.05	C	
Testing machines, for compression, ductility, flaw-testing, hardness, tension and torsion, including dynamometers	Units	7698.05 7740.05 9090.03	C	
Instruments, aircraft—See Aircraft—Parts, Equipment and Accessories.				
Instruments, scientific—See Scientific and Professional Instruments, Apparatus, and Supplies.				
Insulating machines and parts—See Machinery—Textiles, sewing and Shoe.				
Insulating material—See Electrical Machinery and Apparatus.				
Insulating oils—See Petroleum Products.				
Insulated wire and cable—See Iron and Steel Mfrs—Wire.				
Insulation, mica armatures under bands	Units	7099.90	C	
Insulators, glass, electric	Lbs	8202.00	C	B
Intercommunication systems, interoffice, new	Units	7087.00	C	
Intercommunication system, n. e. s.	Units	7087.00	C	
Iodine, crude and resublimed	Lbs	8346.30	C	
Iodine, iodides, iodates	Lbs	8346.01 8346.10 8346.20 8346.98	C	
Iridium metal and alloys, including scrap	T. oz.	6922.09	C	
Iridium salts and compounds—See Chemicals.				
Iron dithes	Lbs	8398.98	C	
Iron-Ferro-Alloys:				
Ferro-carbon-titanium	Lbs	6220.95	C	
Ferrochrome	Lbs	6220.50	C	
Ferrocolumbium	Lbs	6220.80	C	
Ferromanganese	Lbs	6214.03	C	
Ferromolybdenum	Lbs	6220.85	C	
Ferrophosphorus	Lbs	6220.90	C	
Ferrosilicon	Lbs	6220.92	C	
Ferrotantalum	Lbs	6220.94	C	
Ferrotitanium	Lbs	6220.95	C	
Ferrotungsten	Lbs	6220.96	C	
Ferrovanadium	Lbs	6220.87	Note 3	
Ferrozirconium	Lbs	6220.88	C	
Spiegeleisen	Lbs	6214.05	C	
Ferro-alloys, all others	Lbs	6220.98	C	
Iron, grey-iron castings	Lbs	6101.00	C	
Iron, malleable castings	Lbs	6102.00	C	
Iron Ore	L. ton	6001.00	C	
Iron oxide—See Pigments.				
Iron, Pig	L. ton	6007.00	C	
Iron Powder:	Lbs	6309.33	C	
Carbonyl iron powder				
Iron Salts—See Chemicals.				
Iron and Steel—Band and Scroll	Lbs	6038.17	C	
Baling bands	Lbs	6037.98	C	
Band and scroll, alloy steel other than stainless, cold rolled	Lbs	6038.98	C	
Band and scroll, alloy steel other than stainless, hot rolled	Lbs	6037.19	C	
Band and scroll, iron and steel not containing alloy, cold rolled	Lbs	6038.19	C	
Band and scroll, iron and steel not containing alloy, hot rolled	Lbs	6037.59	C	
Band and scroll, stainless, steel, cold rolled	Lbs	6038.59	C	
Band and scroll, stainless steel, hot rolled	Lbs			
Iron and Steel—Bars and Rods (include rounds, flats, squares, etc.)				
Bars, concrete reenforcement bars, including deformed and twisted bars	Lb	6022.00	C	
Bars, iron	Lbs	6021.00	C	
Bars, steel, cold finished	Lbs	6020.00	C	
Rods, wire	Lbs	6029.00	C	
Iron and Steel—Bars and Rods, Steel, Others (including drill rods, merchant bars, tool-steel bars and drill steel, including rounds, flats, squares, etc.):				
Bars, alloy steel other than stainless	Lbs	6026.00	C	
Bars, stainless steel	Lbs	6025.00	C	
Bars, steel, not containing alloy	Lbs	6023.00	C	
Iron and Steel—Billets (including other iron made in steel-making furnaces):				
Billets, alloy steel and stainless steel	L. ton	6017.01	C	
Billets, steel, not containing alloy	L. ton	6016.01	C	
Iron and Steel—Blooms (including other iron made in steel-making furnaces):				
Blooms, alloy and stainless steel	L. ton	6017.03	C	
Blooms, steel not containing alloy	L. ton	6016.03	C	
Iron and Steel—Hoop.				
Hoop alloy steel other than stainless, cold rolled	Lbs	6037.95	C	
Hoop alloy steel other than stainless, hot rolled	Lbs	6038.95	C	
Hoop, iron and steel not containing alloy, cold rolled	Lbs	6037.15	C	
Hoop, iron and steel not containing alloy, hot rolled	Lbs	6038.15	C	
Hoop, stainless steel, cold rolled	Lbs	6037.55	C	
Hoop, stainless steel, hot rolled	Lbs	6038.55	C	
Iron and Steel—Ingots (including ingot iron and other iron made in steel-making furnaces).				
Ingots, alloy and stainless steel	L. ton	6017.05	C	
Ingots, steel not containing alloy	L. ton	6016.05	C	
Iron and Steel—Plates (include waste and waste-waste):				
Plate, armor (other than listed in the President's proclamation of April 9, 1942)	Lbs	6031.15 6031.95	C	
Plate, boiler, type used as armor plate (other than that listed in President's Proclamation, April 9, 1942)	Lbs	6030.15	C	
Plate, boiler, other	Lbs	6030.98	C	
Plates, other, not fabricated, of alloy steel other than stainless, including hot and cold rolled	Lbs	6031.98	C	
Plates, other, not fabricated, of stainless steel, including hot and cold rolled	Lbs	6031.50	C	
Plates, other, not fabricated, non-alloy iron and steel	Lbs	6031.19	C	
Iron and Steel—Scrap:				
Scrap, iron, cast and burnt (categories 1, 9, 10, 11, 12)	L. ton	6010.70	C	
Scrap, sheet, hydraulically compressed and baled (categories 7 and 8)	L. ton	6010.40	C	
Scrap, steel, No. 1 heavy melting (category 2)	L. ton	6010.20	C	
Scrap, steel, No. 2, mailing (category 3)	L. ton	6010.30	C	
Scrap, iron and steel, other (categories 4, 5, 6 and 13, including heavy shoveling steel, selected rail scrap, machine shop turnings, wire shorts, rerolling rails, rejects, etc.)	L. ton	6010.90	C	
Scrap, terneplate, including waste-waste and clippings	L. ton	6015.00	C	
Iron and Steel—Sheet Bars and Tin-Plate Bars (including other iron made in steel making furnaces)				
Sheet bars and tin-plate bars, alloy and stainless steel	L. ton	6017.09	C	
Sheet bars and tin-plate bars, steel not containing alloy	L. ton	6016.09	C	
Iron and Steel—Sheets (ungalvanized, including hot and cold rolled and waste and waste-waste, report material under 8/" in thickness in 6033.6036)				
Black, of alloy steel other than stainless	Lbs	6035.90	C	
Black, of iron	Lbs	6036.00	C	
Black, of stainless steel	Lbs	6035.50	C	
Black, of steel not containing alloy	Lbs	6035.10	C	
Galvanized, iron	Lbs	6033.00	C	
Galvanized, steel	Lbs	6034.00	C	
Iron and Steel—Skelp (consists of long strips used in the manufacture of pipes and tubes):	Lbs	6032.98	C	
Skelp semi-finished	Lbs	6032.05	C	
Iron and Steel—Slabs (including other iron made in steel-making furnaces):				
Slabs, alloy and stainless steel	L. ton	6017.07	C	
Slabs, steel not containing alloy	L. ton	6016.07	C	
Iron and Steel—Strip (include waste and waste-waste):				
Strip, alloy steel other than stainless, cold rolled	Lbs	6037.91	C	
Strip, alloy steel other than stainless, hot rolled	Lbs	6038.91	C	
Strip, iron and steel not containing alloy, cold rolled	Lbs	6037.11	C	
Strip, iron and steel not containing alloy, hot rolled	Lbs	6038.11	C	
Strip, iron and steel not containing alloy, hot rolled	Lbs	6037.51	C	
Strip, stainless steel, cold rolled	Lbs	6038.51	C	
Strip, stainless steel, hot rolled	Lbs	6042.00	C	
Iron and Steel—Terneplate (including long ternes and waste terneplate).				

Commodity	Unit	Department of Commerce No.	General License Group	Shipping Priority Rating
Iron and Steel—Tinplate and Taggers' Tin (including waste tinplate).	Lbs	6041.00	C	
Iron and Steel—Tinplate Circles, Strips, Cobbles and Scroll-Shear Butts.	L. ton	6013.00	C	
Iron and Steel—Tinplate Waste-waste	L. ton	6014.00	C	
Iron and Steel Mfrs.—Castings and Forgings (include die blocks):				
Castings, alloy and stainless steel	Lbs	6104.90	C	
Castings, grey-iron, including semi-steel castings	Lbs	6101.00	C	
Castings, malleable-iron	Lbs	6102.00	C	
Castings, steel, not containing alloy	Lbs	6104.10	C	
Fire hydrants	Unit	6101.00 6102.00	C	
Forgings, alloy and stainless steel, excluding steel grinding balls.	Lbs	6108.05	C	
Forgings, excluding steel grinding balls, and not containing alloy.	Lbs	6107.05	C	
Grinding balls, not containing alloy, alloy and stainless steel.	Lbs	6107.01 6108.01	C	
Horseshoes and calks	Lbs	6106.00	C	
Railway car axles fitted with wheels (except locomotive)	Units	6105.35	C	
Railway car axles without wheels (except locomotive)	Units	6105.25	C	
Railway car tires and locomotive wheels and tires	Lbs	6105.18	C	
Railway car wheels (except locomotive)	Lbs	6105.15	C	
Railway locomotive axles fitted with wheels	Lbs	6105.38	C	
Railway locomotive axles without wheels	Lbs	6105.28	C	
Iron and Steel Mfrs.—Central Heating:				
Domestic conversion oil burners and oil-fired boilers	Units	6150.00	C	
Domestic heating and cooking equipment, n. e. s.	Units	6152.88	C	
Domestic and industrial oil burner parts	Units	6152.20	C	
House-heating boilers and warm-air furnaces	Units	6148.00	C	
House-heating radiators (sq. ft. radiation)	Sq. ft.	6149.00	C	
Industrial conversion oil burners and oil-fired boilers	Units	6151.00	C	
Mica peep-hole covers—See Mica Mfrs.				
Iron and Steel Mfrs.—Cutlery:				
Butchers' and kitchen knives, forks, cleavers, and steels	Doz.	6116.00	C	
Cutlery and parts, other (include cutlery-sharpening devices, can openers and machetes).	Units	6119.00	C	
Machine knives, other, not for metal working	Units	6118.98	C	
Metal cutting tools—See Machinery—Mtl. Wkg.				
Razors, safety	Doz.	6112.00	C	
Safety-razor blades	C	6113.00	C	
Scissors, shears, and snips	Doz.	6114.00	C	
Shear knives	Units	6118.05	C	
Table cutlery, including forks	Doz.	6115.00	C	
Iron and Steel Mfrs.—Enameled Ware:				
Bathtubs (specify if with fittings)	Units	6124.00	C	
Lavatories, sinks, and other plumbing fixtures	Units	6125.00	C	
Table, household, kitchen and hospital utensils, and hollow or flat ware.	Lbs	6126.60	C	
Iron and Steel Mfrs.—Furniture and Fixtures:				
Bank vaults, doors, and interior equipment (include burglary-resistive chests and safes not insulated).	Units	6134.00	C	
Fire resistive safes and vault doors (insulated)	Units	6133.50	C	
Mattress and furniture springs	Lbs	6091.98	C	
Metal bed and bed springs	Units	6136.00	C	
Metal furniture and parts, whether or not upholstered, other.	Units	6137.00	C	
Office and store furniture, fixtures, and parts, other	Units	6135.60	C	
Sheet-metal filing cases with exposed drawers (insulated).	Units	6132.50	C	
Sheet-metal filing cases with exposed drawers (not insulated).	Units	6131.00	C	
Sheet-metal shelving and wall bins	Units	6130.00	C	
Sheet-metal storage cabinets, medicine cabinets, and lockers.	Units	6129.00	C	
Iron and Steel Mfrs.—Hardware:				
Builders' hardware other	Units	6183.00	C	
Cabinet and other locks of iron or steel	Doz.	6181.60	C	
Car and marine hardware	Units	6186.00	C	
Door locks and lock sets of iron or steel	Doz.	6180.00	C	
Hardware, other	Units	6188.00	C	
Hinges and butts, iron or steel	Doz. pr.	6182.00	C	
Furniture casters	Units	6184.50	C	
Furniture, hardware, other	Units	6184.90	C	
Padlocks of iron or steel	Doz.	6179.00	C	
Saddlery and harness hardware	Units	6185.00	C	
Iron and Steel Mfrs.—Hollow Ware:				
Tin and galvanized hollow ware	Lbs	6121.00	C	
Tin cans, other, finished or unfinished	Lbs	6122.00	C	
Iron and Steel Mfrs.—Nails and Bolts:				
Bolts, machine screws, nuts, rivets, and washers (except railroad).	Lbs	6099.00	C	
Horseshoe nails	Lbs	6093.00	C	
Nails and staples, other	Lbs	6095.00	C	
Tacks	Lbs	6094.00	C	
Wire nails	Lbs	6092.00	C	
Iron and Steel Mfrs.—Railway Material:				
Railway car axles, without wheels	Lbs	6105.25	C	
Railway car axles, fitted with wheels	Lbs	6105.35	C	
Railway car wheels	Lbs	6105.15	C	
Iron and Steel Mfrs.—Railway Track Material:				
Rails, 60 lbs. and over per yd	L. ton	6051.00	C	
Rails, less than 60 lbs. per yd	L. ton	6052.00	C	
Rails, relaying	L. ton	6053.00	C	
Rail tieplates, joints, splice bars, fishplates	Lbs	6054.00	C	
Rail tie steel, fabricated and unfabricated, include crossties.	Lbs	6209.00	C	
Railroad bolts, nuts, washers, and nut locks	Lbs	6059.00	C	
Railroad spikes, including railroad screw spikes	Lbs	6058.00	C	
Railway switches, switch points, frogs, crossings, and derails.	Lbs	6055.00	C	
Iron and steel mfrs.—Stoves:				
Coal and wood cooking and room-heating stoves	Units	6139.00	C	
Gas stoves, ranges, and room and water heaters	Units	6143.00	C	
Gasoline stoves and room and water heaters	Units	6146.00	C	
Kerosene cooking stoves	Units	6144.00	C	
Kerosene room and water heaters	Units	6145.00	C	
Mica stove windows—See Mica Mfrs.				
Parts of gas, kerosene, and gasoline stoves and heaters (include cabinets, ovens, mounted wicks, etc.).	Units	6147.98	C	
Iron and steel mfrs.—Structural products:				
Fabricated structural iron and steel nonalloy, alloy, or stainless.	L. ton	6046.00	C	
Metal lath (expanded metal)	Lbs	6048.00	C	
Piling, steel	Lbs	6050.00	C	
Plates, fabricated, punched or shaved	Lbs	6047.00	C	
Sash and frames of iron or steel	Lbs	6049.00	C	
Shapes, structural, not fabricated, including heavy, light, and bar-size structural shapes	L. ton	6045.00	C	
Tanks, storage, water, oil, gas, and other storage tanks complete, and knocked-down material for permanent or temporary installation.	Lbs	6043.00	C	
Augers, bits, gimlets, gimlet bits, and counter sinks, wood-working.	Doz.	6157.10	C	
Automotive wrenches and parts	Units	6164.00	C	
Axes (broad and hand)	Doz.	6153.00	C	
Band, pit, drag, and mill saws (wood-working)	Units	6155.20	C	
Circular saws, except diamond	Units	6155.18	C	
Cold saws—See Mach.—Mtl. Wkg.				
Crosscut, hand, back, and other saws and parts, (include sawteeth, hack-saw frames and coping saw blades).	Units	6156.98	C	
Diamonds, industrial, tools incorporating—See Tools.				
Drills, reamers, counter sinks, metal cutting, n. e. s. (include parts)—See Machinery—Metal Wkg.				
Drills, reamers, counter sinks, metal cutting, suitable for use in power driven tools (except parts)—See Machinery—Metal Wkg.				
Files and rasps 7 inches or more in length	Doz.	6158.50	C	
Files and rasps less than 7 inches in length	Doz.	6158.10	C	
Gauges—See Instruments—Precision for Metal Working.				
Gauges, spark plug thickness	Units	6178.95	C	
Hack-saw blades, hand	Gross	6154.98	C	
Hack-saw blades, power	Gross	6154.43	C	
Hand hoes, rakes, and forks	Doz.	6161.00	C	
Hand-operated drill and reamer operating devices, drill presses, bit braces and parts.	Units	6177.00	C	
Hand-operated pipe cutters and other metal-cutting tools, and parts, other (include bolt clippers and tinners snips).	Units	6170.00	C	
Hand-operated pipe stocks and dies, die stocks, dies, bushings.	Units	6169.98	C	
Hand-operated screw plates, bolt dies, taps, tap wrenches.	Units	6168.98	C	
Hand tools and parts, n. e. s. (include metal measuring tapes and rules).	Units	6178.98	C[2]	
Hammers	Doz.	6160.00	C	
Hatchets	Doz.	6160.00	C	

Commodity	Unit	Department of Commerce No.	General License Group	Shipping Priority Rating
Iron and steel mfr.—Structural products—Continued				
Shipments covered by individual export control documents—See Special Provisions for export of drums.	Lbs.	9265 11		
Other shipments—See Special Provisions for export of drums.		9265 13		
Pipe, stoke and dies for power-driven metal-working machines	Units	9269 98	C	
Pipe wrenches, scrapers, and other manual operated cutting tools and parts, wrought	Units	9178 10	C	
Planes, jointers, jointers, and sticking chamfers, other	Doz	9178 60	C	
Set or chisels, taps, bolt dies for power-driven metal-working machines	Units	9178 64	C	
Shapers and planers	Doz.	9462 00	C	
Tool grinders, emery wheel dressers	Units	9172 00	C	
Tools incorporating industrial diamonds—See Tools (incorporating) Industrial Diamonds	Lbs.	9178 50	C	
Wrenches and parts, other (except automotive)	Units	9165 00	C	
Iron and steel mfrs.—Tubular products				
Cast-iron pressure pipe fittings	Lbs	9477 00	C	
Cast-iron soil pipe and fittings	Lbs	9478 00	C	
Cast-iron soil pipe fittings, other	Lbs	9477 98	C	
Iron and steel pipe fittings, other	Lbs	9464 00	C	
Malleable-iron screwed pipe fittings	Lbs	9476 00	C	
Pipe, black, seamless, other than casing and oil line	Lbs	9470 00	C	
Pipe, black, welded, iron and steel	Lbs	9471 00	C	
Pipe, black, wrought iron, welded	Lbs	9472 00	C	
Pipe, casing and oil-line, seamless	Lbs	9473 00	C	
Pipe, casing and oil-line, welded	Lbs	9474 00	C	
Pipe, cast-iron, pressure	Lbs	9475 00	C	
Pipe, cast-iron, soil	Lbs	9476 00	C	
Pipe, galvanized, welded	Lbs	9467 00	C	
Pipe, galvanized, wrought iron, welded	Lbs	9468 00	C	
Pipe, oil other iron and steel pipe, including riveted pipe and intermediate steel tubing	Lbs	9469 00	C	
Tubes, boiler, welded	Lbs	9466 00	C	
Tubing, mechanical	Lbs	9465 00	C	
Iron and Steel Mfrs.—Wire.				
Bale tie wire	Lbs	9482 00	C	
Clothesline	Lbs	9483 00	C	
Coated wire, iron or steel, n. e. s.	Lbs	9484 00	C	
Electrical and telephone transmission wire of alloy or plated steel, including galvanized, Copperweld, Tophoy Bonded, and similar products	Lbs	9481 00	C	
Flattened wire, coated with aluminum, copper, etc.	Lbs	9485 00	C	
Fencing, woven-wire	Lbs	9486 00	C	
Galvanized wire	Lbs	9487 00	C	
Insulated wire and cable having iron or steel core	Lbs	9488 00	C	
Plain steel wire and cable having iron or steel core	Lbs	9489 00	C	
Plastic cord attached to cards without hangers or screw eyes (25 ft. or more per card)	Lbs	9491 13	C	
Rope and cable, not insulated	Lbs	9487 10	C	
Screen cloth, woven-wire, other	Lbs	9488 00	C	
Screen cloth, woven-wire, other	Lbs	9489 15	C	
Twisted wire	Lbs	9491 15	C	
Uncoated wire, iron or steel	Lbs	9486 00	C	
Welding wire and rods, electric	Lbs	9488 03	C	
Welding wire and rods, other	Lbs	9488 04	C	
Wire (in spools, or in coils, not attached to cards)	Lbs	9491 15	C	
Wire strand	Lbs	9487 20	C	
Wire and manufactures, other, including card clothing	Lbs	9491 98	C	
Iron and Steel Mfrs.—Miscellaneous				
Automatic scales, ballistic	Units	9195 10	C	
Automatic scales, other	Units	9195 15	C	
Carbonyl iron powder	Lbs.	9192 40	C	
Drums and containers, metal, or oil, gas, other liquids and solids.				
Filled				
Shipments covered by individual export control documents—See Special Provisions for export of drums.	Lbs.	9265 01		
Other shipments—See Special Provisions for export of drums.		9265 03		

Commodity	Unit	Department of Commerce No.	General License Group	Shipping Priority Rating
Ladies	Units	7400 00	C	
Ladies, parts—See Machinery—Miscellaneous.	Units	7402 00	C	
Laundry machinery—See Machinery—Industrial.				
Lavatories—See Clay and Clay Products.				
Lavatories, sinks, and other plumbing fixtures, iron and	Units	6125 00	C	
Lead (including antimonial lead):				
Anodes	Lbs	6515 20	C	
Cable (all types)	Lbs	6515 24	C	
Calking yarn	Lbs	6515 60	C	
Circles, discs, and rings	Lbs	6515 60	C	
Flanges (not fittings)	Lbs	6516 60	C	
Foil, including lead and lead tin foil	Lbs	6515 30	C	
Pipe wire	Lbs	6515 60	C	
Laminated lead	Lbs	6515 60	C	
Oxy, matte and base bullion	Lbs	6515 60	C	
Pigments—See Pigments.				
Plate or battery plate (not assembled as complete batteries).	Lbs	6515 37	C	
Pipe	Lbs	6515 60	C	
Powdered and granulated lead	Lbs	6515 60	C	
Sheet lead and leaden goods	Lbs	6515 60	C	
Scrap and residues, including battery mud	Lbs	6515 50	C	
Sections	Lbs	6515 60	C	
Sheets, pipes, and bends	Lbs	6515 60	C	
Shot	Lbs	6515 35	C	
Slab, grooved	Lbs	6515 38	C	
Sinkers	Lbs	6515 6	C	
Solder	Lbs	6512 90	C	
Strips	Lbs	6515 60	C	
Type metal (antimonial lead)	Lbs	6515 60	C	
Washers	Lbs	6515 60	C	
Wire	Lbs	6515 60	C	
Wool	Lbs	6515 60	C	
Leather—See Hides and Skins.				
Leather manufactures (all others)	Lbs	6516 98	C	
Leather goods	Lbs	6516	C	
Lead azide	Lbs	6512 90	C	
Lead computers	Units	9190 55	C	
Lead naphthenate	Lbs	6598 98	C	
Leathering leather	Lbs	6330 00	C	
Hoof and shoe cut soles, other	Doz. pr	6327 00	C	
Hoof and shoe cut stock, other (include inner soles,		6328 00	C	
Boots, lifts, counters, box toes, uppers, etc.)	Sq. ft	6004 10	C	
Calf and kip upper leather, black, whole skins	Sq. ft	6005 20	C	
Calf and kip upper leather, other whole skins	Sq. ft	6005 10	C	
Calf and kip (except patent) upper leather	Sq. ft	6012 30	K	
Calf and kip patent upper leather	Sq. ft	6012 50	K	
Cattle patent upper leather	Sq. ft	6012 10	C	
Cattle upper leather, black, grain	Sq. ft	6000 00	C	
Cattle upper leather, other grain	Sq. ft	6001 00	C	
Cattle upper leather, finished splits	Sq. ft	6001 10	C	
Cattle upper leather, other splits	Sq. ft	6000 90	C	
Goat and kid upper leather, black	Sq. ft	6008 00	K	
Goat and kid upper leather, other	Sq. ft	6008 10	K	
Horse upper leather, other	Sq. ft	6010 00	C	
Leather and tanned skins, other	Sq. ft	6059 00	C	
Other linings leather	Sq. ft	6025 00	C	
Other patent upper leather	Sq. ft	6010 00	C	
Other upper leather, other	Sq. ft	6010 00	C	
Pig, kid, and sheep garment leather	Sq. ft	6038 00	K	
Reptilian and aquatic leather	Sq. ft	6036 00	K	
Sheep and lamb glove and garment leather (except shearling)	Sq. ft	6036 00	K	
Shearling		9 6321 00	C	
Sheep and lamb upper leather (includes shearlings and cabretta)	Sq. ft	6307 00	C	
Sole and belting leather offal, other	Lbs	6032 98	C	
Sole and belting leather offal, shoulders, neck and bellies	Lbs	6032 03	C	

Commodity	Unit	Department of Commerce No.	General License Group	Shipping Priority Rating
Jigging machines	Units	7444 05	C	
Jigs, tools, and guides	Units	7298 00	C	
Joints, rail	Lbs.	6994 00	C	
Juices, fruit—See Beverages.				
Juices, vegetable—See Vegetables and Preparations.				
Junket—See Animal Products—Edible.				
Jute burlaps, except when used as a container for other merchandise	Lbs	9224 00	C	
Jute burlaps, except when used as a covering for other merchandise or as a component part of other products.	Lbs	3225 05	C	
Jute fiber, cordage and twine	Lbs	3205 60	C	
Jute manufactures, n. e. s.	Lbs	3228 06	C	
Kadir	Lbs	1156 00	C	
Kalsomine or cold-water paints, dry	Lbs	3432 00	C	
Kapok cushions and upholstery rolls	Units	3406 17	C	
Kapok fiber	Lbs	3205 11	C	
Kapok kit-sewing appliances	Lbs	3406 11	C	
Kapok matted fiber (semi-manufacture)	Lbs	3406 18	C	
Kapok mattresses	Units	3099 11	C	
Kapok upholstery pads	Units	3099 05	C	
Kauri resins (copal fossils)	Lbs	3189 45	C	
Kentucky blue grass seeds	Lbs	3207 60	K	
Kermis	Lbs	8962 13	C	
Kerosene, palm (all varieties)	Lbs	2220 20	C	
Ketchup, chili sauce, and other tomato sauces	Lbs	1297 00	C	
Keyseating machines	Units	7455 07	C	
Kilneys	Lbs	0041 00	B	
Kimonos—See Hides and Skins.	Doz.	3807 70	B	
Kitchen and table articles and utensils—See Clay and Clay Products.				
Kitchen utensils, aluminum	Lbs	9307 00	C	
Kitchen utensils, other than steel	Lbs	9128 00	C	
Knife-trimmed lumber	Lbs.	5310 00	None	
Knit goods—See component fiber.				
Knitting Machines—See Machinery—Textile, Sewing and Shoe.				
Knitting yarn or thread—See Synthetic Textiles.				
Knives, butchers' and kitchen	Doz.	6146 00	C	
Knives, machine, all others	Units	6118 98	C	
Kraft container board	Lbs	4730 00	C	
Kraft corrugated containers (old)	Lbs	4699 05	C	
Kraft paper—See Wood Pulp.	Lbs	4724 00	C	
Kyanite and sillimanite—See Nonmetallic Minerals.				
Labels, tape, cotton		3160 00	K	
Laboratory instruments and apparatus—See Scientific Instruments, Laboratory Instruments, Apparatus, and Supplies.				
Lace, button, crude, seed, and silk	Lbs.	2189 05	C	
Laces, lacings, and lace bedspreads—See Cotton Manufactures.				
Lacquers—See Chemicals.				
Ladle foundry	Units	7452 98	C	
Lamb and mutton	Lbs	1034 00	K	
Lamp bases, clay		5338 00	C	
Lampblack	Lbs	5410 00	K	
Lamp chimneys and lantern globes, glass		5285 00	C	
Lamps and illuminating devices, nonelectric:	Lbs.	0832 00	C	
Candles.				
Electric—See Electrical Machinery and Apparatus.				
Gasoline pressure lamps, lanterns and parts	Units	9793 00	C	
Lamps, other, except electric (include kerosene, gas, and acetylene lamps)	Units	9791 00	C	
Lanterns, wick	Units	9790 00	C	
Lighting devices, other, except glass, and parts, n. e. s.	Units	9799 00	C	
Lampblack	Lbs	5410 00	K	
Lamps, machine	Units	7455 05	C	
Lard	Lbs	0053 00	C	
Lard oil	Lbs	0059 01	C	
Lard substitutes	Lbs	0059 02	C	
Latex and latex products of rubber compounded or processed for use in further manufacture (include rubber sheets, compounded, or processed, and masterbatch).	Lbs	2598 01	None	
Lath, metal (expanded metal)	Yd	4229 00	K	
Lathe chucks—See Machinery—Metal Work.	Lbs	6948 00	C	

Commodity	Unit	Department of Commerce No.	General License Group	Shipping Priority Rating
Lightning arrester, choke coils, reactor, and parts	Units	7569 (00)	C	
Lighting fixtures, electric, and parts	Units			
Lights, railroad—See apparatus and Professional Instruments.				
Leather dressed and dyed	Lbs		K	D
Leather manufactures				
Belts, holster	Doz	7171 (00)	K	D
Boots and shoes, infants' and children's	Box	1503 (00)	K	D
Boots and shoes, men's, Mickey wool				
Boots and shoes, men's, snowshoe	Pr	3891 (00)	C	
Boots and shoes, miners', n.e.s.	Pr	2292 (00)	47	
Boots and shoes, women's and misses', McKay sewed	Pr	3899 (00)	C	
Boots and shoes, women's and misses, stitchdown	Pr	3901 (00)	C	
Boots and shoes, women's and misses, turn or mimel	Pr	2294 (00)	K	D
Boots and shoes, women's and misses, with combined uppers and soles, stock-fit, etc.)	Pr			
Boots and shoes, women's and misses, welt	Pr	3897 (00)	C	
Boots and shoes, women's and misses, n.e.s.	Pr	3900 (00)	C	
Boots and shoes, women's, n.e.s.	Pr	3902 (00)	C	
Boots and shoes, youths' and boys'	Pr			
Boots, of materials other than leather (include evening slippers of silk and artificial leather, beach sandals, and other footwear with fabric uppers)	Pr	6605 (00)	C	
Cant cases, canvas, wallets, etc., of leather	Units	6602 (00)	C	
Cant cases, canvas-covered, wallets, and similar articles, not of leather	Units	6603 (00)	C	
Chaps, leather	Pr	6606 (00)	K	D
Handbags, pocketbooks, and purses, women's and children's, leather	Units	6604 (00)	C	
Handbags and wallets	Units	6605 (00)	C	
Harness and saddlery	Sets	6606 (00)	C	
Leather belting, n.e.s.	Lbs	6607 (00)	C	
Leather sleeves and mittens	Doz. pr	6610 (00)	C	
Leather welting	Units	6611 (00)	C	
Luggage and related articles of other materials (include suitcases, wardrobe, traveling, pleasure, club, and Pullman bags, but not handbags and clear bags)	Units	6615 (00)	C	
Harness, leather, combination, chaps, and saddlery				
Shoes, closed-toed models, old styles, and worn on head (include vaudeville shoes)	Pr	6610 (00)	K	D
Slippers (for house wear, all leather)	Pr	6620 (00)	C	
Waterproof garments, n.e.s. (include watch straps, leather)	Units	6625 (00)	C	
Leaves, aerotite	Lbs	2899 25	None	
Leaves, artificial or ornamental—See Textile Products.				
Leaves, belladonna	Lbs	2900 01	None	
Leaves, digitalis—See Drugs, Barks, Leaves, and Herbs.				
Leaves, strammonium—See Medicinals.	Lbs	2899 26	None	
Lecithin—See Medicinals.	Lbs	2879 (0)	C	
Lecithinase	Box	1303 (0)	K	C
Lecithinase, n.e.s. (include watch straps, leather)				
Leather	Units	5002 (0)	C	
Lenses, ophthalmic—See Professional Instruments, Apparatus, and Supplies.				
Lenses, telescope—See Professional Instruments, Apparatus, and Supplies.				
Lenses, telescope and telescope mounts	Units	3899 50	K	C
Life preserver, cork	Lbs	3900 50	None	
Life preserver, kapok	Lbs	3899 13	C	
Lifts, heavy duty	Lbs	3900 13	None	
Lifts, heavy, cork	Units	3478 (0)	C	
Lighting carbons				
Lighting fixtures and parts, electric—See Electrical Machinery and Apparatus.				
Lighting outfits, self-contained—See Electrical Machinery and Apparatus.				
Linens, table and bedding equipment	Units	7092 (0)	C	

Commodity	Unit	Department of Commerce No.	General License Group	Shipping Priority Rating
Machinery—Agricultural (Misc.)—Continued.				
Dairy machinery parts, including metal parts stamped, pressed, or otherwise fabricated, wholly or partially or by both—See Instruments—Precision.	Units	7590 (00)	C	
Ball bearings and parts, except balls (include for automotive)	Lbs	7591 (00)	C	
Balers for bearings	Lbs	7592 (00)	C	
Bearings, roller and parts	Lbs	7592 (00)	C	
Blast cleaning and tumbling machines—See Machinery—Melting and Casting.				
Blowers and ventilating machinery and parts	Units	7541 (00)	C	
Bottle filling machines	Units	7543 (00)	C	
Bottle labeling machines	Units	7544 (00)	C	
Bottle washing machines and parts	Units	7544 (00)	C	
Bottling and bottle labeling machine parts	Units	7544 (00)	C	
Bottling machines, beverage	Units	7544 (00)	C	
Bottling machines, other	Units	7544 (00)	C	
Brewers' machinery and parts	Units	7611 (00)	C	
Cane mills	Units	7612 (00)	C	
Cannery machinery (include cookers, pulpers, juice extractors, peeling and paring machines, grating machines, and other machines and devices for preparing fruits and vegetables, machines for applying lacquer or sealing compounds, cigarette and cigar making and other tobacco machinery and parts.	Units	7642 (00)	C	
Confectionery machinery	Units	7590 (00)	C	
Construction and conveying machinery—See Machinery—Construction and Conveying.	Units	7590 (00)	47	
Cotton printing machinery	Units	7671 (00)	47	
Cream separators valued at $50 or over	Units	7672 (00)	C	
Dairy equipment and parts for commercial use, other (include commercial ice cream freezers)	Units	7673 (00)	47	
Engines, internal-combustion, gasoline and kerosene (carburetor type)—See Machinery—Power Generating and Transmitting.	Units	7675 (00)	47	
Flour mill and gristmill machinery and parts	Units	7676 (00)	C	
Furnaces, industrial, nonelectric, other than metal working.	Units	7677 (00)	C	
Gas meters and parts	Units	7741 (00)	C	
Grinding mills, classifiers and equipment therefor	Units	7721 (00)	C	
Industrial handling, recording, or controlling instruments and apparatus, (include temperature, pressure, and flow regulators and similar equipment), all other	Units	7750 (00)	C	
Iron and steel body valves and parts for steam, water, oil, and gas	Units	7746 (00)	C	
Laundry and dry-cleaning equipment and parts, all other (include hand washing machines and wringers).	Units	7738 (0)	C	
Leather working machinery	Units	7760 (00)	47	
Locomotive cranes and parts	Units	7761 (00)	C	
Locomotives, Diesel and Diesel electric—See Locomotives.	Units	7760 (00)	C	
Locomotives, gasoline (carburetor type)—See Locomotives.				
Metal working machines (or use in measuring or inspecting precision parts for use in the metal working industries by mechanical means—See Instruments—Precision.	Units	7710 (0)	47	
Metal and other printing and slitting power-driven machines (include paper cutters, paper sheeters, meat grinders and choppers and coffee mills)				
Molding machines—See Machinery—Melting and Casting.				
Packaging and labeling machinery, except machinery for packaging and labeling fluid products, packed in hermetically sealed containers and sterilizers by the use of heat	Units	7684 (00) 7734 (0)	47	
Paint-spraying equipment and parts	Units	7720 (0)	C	
Pipe converting machinery	Units	7705 (0)	C	
Paper and pulp mill machinery	Units	7625 (0)	47	
Paper and pulp mill machinery parts	Units	7626 (0)	C	
Planers, matchers, jointers, and molders	Units	7696 (00)	47	

Commodity	Unit	Department of Commerce No.	General License Group	Shipping Priority Rating
Machinery—Agricultural Implements—Continued.				
Planters, horse and power	Units	7501 (0)	None	
Poultry equipment, all other not listed (include chick feeders, drinking fountains, brood and other poultry houses, dry mash hoppers, grain feeders, trap nests, and range shelters for brooding chicks)	Units	7502 (0)	None	
Power sprayers for trees and crops (valued $200 and over)	Units	7505 (0)	None	
Separators, other	Units	7506 (00)	None	
Shaft liners for garden and household use (without power)	Units	7509 (00)	None	
Shellers (seed separators)	Units	7501 (0)	None	
Towers and parts of windmills	Units	7507 (00)	None	
Tractor engines	Units	7508 (00)	None	
Tractors, carbon (include wheel tractors less wheels)	Units	7570 (00)	None	
Tractors, tracklaying (carburetor type) (new)	Units	7571 (00)	None	
Tractors, tracklaying (carburetor type) (used)	Units	7572 (00)	C	
Tractors, tracklaying (injection type) (new)	Units	7573 (00)	C	
Tractors, tracklaying, parts and accessories for	Units	7574 (00)	C	
Tractors, used, all types	Units	7575 (00)	None	
Tractors, wheel (include wheel tractors less wheels)	Units	7576 (00)	None	
Windmill towers	Units	7577 (00)	None	
Windmills	Units	7501 (0)	None	
Agricultural machinery, and implements, all others	Units	7501 (0)	None	
Asphalt plants, and parts, all others	Units	7509 (00)	None	
Bulldozers, angle dozers, trail builders, brush cutters, and similar equipment	Units	7227 (0)	47	
Concrete mixers (include paving machines)	Units	7215 (00)	47	
Construction equipment, all other and parts	Units	7231 (0)	47	
Conveying equipment, other, and parts	Units	7241 (0)	47	
Conveyors, bucket, chain, or belt	Units	7240 (0)	47	
Cranes, other (include winches)	Units	7236 (0)	47	
Cranes, with swinging booms	Units	7234 (00)	47	
Crushing machinery	Units	7235 (0)	47	
Dredging machinery parts	Units	7216 (0)	47	
Elevators and power shovels	Units	7201 (0)	47	
Excavating machinery, all other	Units	7201 (0)	47	
Graders, all others (include elevating graders)	Units	7204 (0)	47	
Graders, pull or push type	Units	7220 (0)	47	
Graders, self-propelled	Units	7222 (0)	47	
Road machinery, all other parts, all other (include rollers, rippers, levelers, road drags, and bituminous distributors)	Units	7241 (0)	47	
Road rollers	Units	7228 (0)	47	
Scraping machines (for use in loading or unloading)	Units	7220 (0)	47	
Machinery—(for use) Aviation lubricating oil	Units	7250 (0)	C	
Equipment which can be used or adapted to use, for the production of aviation lubricating oils.	Units	7249 (0)	C	
Machinery (for use) Aviation motor fuel	Units	7240 (0)	C	
Equipment which can be used, or adapted to use, for the production of aviation motor fuel	Units	7241 (0)	C	
Machinery (for use) Tetraethyl lead	Units	7250 (0)	C	
Equipment which can be used or adapted to use, for the production of tetraethyl lead	Units	7251 (0)	C	
Machinery, compressors, stationary, and other portable	Units	7701 (00)	C	
Air compressors, stationary, capacity over 25 cubic feet	Units	7705 (00)	C	
Air compressors, portable	Units	7706 (00)	C	
Vacuum-cleaning equipment and parts	Units	7707 (00)	C	
Ventilating equipment and parts, other (include blowers, exhaust fans, and ventilating machinery when part of a complete air-conditioning installation)	Units	7708 (00)	47	
Dairy machinery	Units	7691 (00)	47	

Commodity	Unit	Department of Commerce No.	General Limitation Group	Shipping Priority Rating
Machinery—Metal-working—Continued				
Plastic molding machines and presses	Units	7460 (6)	C	
Power-driven machines for commercial laundries	Units	7443 (6)	C	
Laundry—Metal-Working		6918 (6)		
Power-generating machinery except electric and automotive—See Machinery—Power Generating		6918 (6)		
Refrigerating machinery, over 1 ton capacity	Units	6918 (6)	C	
Refrigerating equipment and parts, over 1 ton capacity		7482 (6)		
Refrigerating equipment and parts, over 10 tons capacity	Units	7455 (6)	C	
Refrigerating equipment and parts, over 10 tons capacity		7482 (6)		
Refrigerating machinery and parts	Units	7482 (6)	C	
Refrigerators, mechanical, commercial	Units	7455 (6)	C	
Refrigerators, mechanical, household	Units	7444 (6)	C	
Refrigerators, ice, not mechanical, household and commercial	Units	7452 (6)	C	
Sawmill machinery and parts	Units	7455 (6)	C	
Sewing machines, and accessories—See Machinery—Textile, Sewing, and Shoe		7482 (6)		
Steam engines, boilers, and accessories—See Machinery—Power Generating		7485 (6)		
Sugar mill machinery and parts, other	Units	7484 (6)	C	
Textile machinery and parts	Units	7444 (6)	C	
Tuning machines		7482 (6)		
Textile, sewing, and shoe machinery—See Machinery—Textile, Sewing, and Shoe				
Tools, power driven—See Machinery—Power Generating				
Typewriters and parts	Units	7482 (6)	C	
Vacuum cleaning systems	Units	7482 (6)	C	
Vegetable-mill machinery and parts	Units	7482 (6)	C	
Velocipedes and parts	Units	7482 (6)	C	
Water-meters and parts	Units	7482 (6)	C	
Water wheels, water turbines, and parts—See Machinery—Power Generating				
Woodworking machinery, other and parts	Units	7455 (6)	C	
Machinery and parts, industrial, n. e. s. (include, industrial automatic coal burners and stokers)		7482 (6)		
Machinery—Metal-working and parts				
Abrasive and polishing machines and parts	Units	7461 (6)	C	
Core molding machine	Units	7459 (6)	C	
Furnaces, electric, heat treating and parts	Units	7474 10	C	
Furnaces, electric melting, electric, and parts	Units	7750 22	C	
Furnaces, industrial, nonelectric, metal-working	Units	7482 03	C	
Metal-working machines, n. e. s.	Units	7459 (6)	C	
Molding machines and parts	Units	7459 (6)	C	
Other foundry equipment and parts, including cupolas and accessories, ladles, sand-conditioning equipment, and foundry dust collectors	Units	7472 98	C	
Machinery—Metal-working—new, used, parts, and equipment for				
Bending machines	Units	7458 07	C	
Boring machines	Units	7461 00	C	
Broaching machines	Units	7455 07	C	
Cutting off machines	Units	7455 07	C	
Die casting	Units	7458 05	C	
Drilling machines	Units	7461 00	C	
Filing machines	Units	7455 07	C	
Forming machines	Units	7411 00	C	
Gear cutting machines	Units	7455 00	C	
Grinding machines	Units	7461 00	C	
Hobbing machines	Units	7455 07	C	
Honing machines	Units	7461 00	C	
Key seating machines	Units	7455 07	C	
Lapping machines	Units	7461 00	C	
Lathes	Units	7462 00	C	
Milling machines	Units	7458 00	C	
Planing machines	Units	7459 00	C	
Polishing machines and buffing machines	Units	7461 00	C	
Presses, mechanical and hydraulic	Units	7447 00	C	
Riveting machines	Units	7447 00	C	
Screw machines and parts	Units	7462 00	C	
Shapers	Units	7459 00	C	
Shearing machines	Units	7455 00	C	
Sharpening machines, parts, and supplies for, other	Units	7765 00	C	
Duplicating machines, used	Units	7765 00	C	
Non-descriptive or non-text-writing bookkeeping and accounting machines, used	Units	7752 00	C	

Commodity	Unit	Department of Commerce No.	General Limitation Group	Shipping Priority Rating
Machinery—Mining, well and pumping				
Coal cutters	Units	7305 00	C	
Concentrating and sneeling machinery and parts (include flotation machinery)	Units	7331 00	C	
Cutters, coal	Units	7305 00	C	
Deep well turbine pumps	Units	7337 05	C	
Grinding mills, classifiers, and equipment therefor	Units	7337 05	C	
Hand and windmill pumps	Units	7305 05	C	
Hydraulic pumps—gear, vane, piston type capable of developing 1000 lbs. per sq. inch or over, parts and controls for same	Units	7356 05 7358 05 7359 05	C	
Hydraulic pumps, n. e. s.	Units	7359 05	C	
Hydraulic pumps, parts for replacement or repair, not specifically described		7359 15	C	
Mine hoists and derricks	Units	7315 00	C	
Mining and quarrying machinery, all other and parts (include cyanide process machinery)	Units	7330 00	C	
Ore and rock crushing and sorting machinery and parts	Units	7321 05	C	
Pumps and parts, all others	Units	7361 05	C	
Reciprocating power pumps, all others	Units	7359 05	C	
Rotary pumps, all others	Units	7358 05	C	
Rock drills	Units	7331 00	C	
Rotary pumps, all others	Units	7358 05	C	
Self-contained household water systems	Units	7305 00	C	
Sewage and industrial waste disposal units	Units	7305 00	C	
Well and refining machinery—See Machinery—Petroleum and Gas Well				
Centrifugal pumps, all others	Units	7355 05	C	
Machinery—Office Appliances:		7086 00		
Accounting, auditing, adding, calculating, addressing, calculating and computing (including comptometer), punched card tabulating and accounting machines, billing and other forms of writing machines (except stenographic registers and mimeographing machines), Shorthand writing machines; time clock stamps and time recording machines; new	Units	7759 00 7760 00 7770 00 7774 00	C	47
Accounting, bookkeeping, and calculating machines, others	Units	7762 05	C	
Adding machines, parts, equipment, accessories, and supplies, other	Units	7086 00	C	
Calculating machines, non-listing, used	Units	7759 00	C	
Card-punching, sorting, and tabulating machines, used	Units	7764 00	C	
Cash registers, new	Units	7767 00	C	
Cash registers, used or rebuilt	Units	7765 00	C	
Descriptive or text-writing bookkeeping and accounting machines, used	Units	7753 00	C	
Duplicating machines, parts, and supplies for, other	Units	7765 00	C	
Duplicating machines, used	Units	7765 00	C	
Non-descriptive or non-text-writing bookkeeping and accounting machines, used	Units	7752 00	C	

Commodity	Unit	Department of Commerce No.	General Limitation Group	Shipping Priority Rating
Machinery—Office Appliances—Continued				
Office appliances and parts, all others, not listed	Units	7779 00	C	
Parts for accounting, bookkeeping, and calculating machines	Units	7761 00	C	
Addressing machines	Units	7762 05	C	
Addressograph blanks	Units	7762 05	C	
Addressograph plates	Units	7777 00	C	
Typewriter parts, all other	Units	7776 00	C	
Typewriter parts, new	Units	7772 05	C	
Typewriters, rebuilt	Units	7772 10	C	
Typewriters, standard new	Units	7770 00	C	
Typewriters, all others, used	Units	7774 00	C	
Machinery—Petroleum and gas well equipment and parts (except drilling), mobile salamographs and parts	Units	7349 05	C	
Petroleum and gas well drilling apparatus and parts	Units	7342 00	C	
Petroleum and gas well drilling apparatus	Units	7349 05	C	
Machinery—Power generating, equipment, and parts	Units	7349 00	C	
Machinery—Power generating (except electric and automotive)				
Boiler gauge glass tubes	Units	7139 05	C	47
Engines and parts (all others)	Units	7145 00	C	47
Engines and parts (kerosene)	Units	7139 00	C	47
Frames, cradles, bolsters or beds of iron or steel for locomotives and other railway rolling stock	Units	7129 00	C	47
Internal-combustion engine accessories and parts (including carburetors, magnetos, and fuel pumps)	Units	7149 00	C	47
Internal combustion engines, Diesel and semi-Diesel, marine	Units	7145 00	C	47
Internal combustion engines, Diesel and semi-Diesel, stationary and portable	Units	7142 00	C	47
Internal-combustion engines, gasoline, kerosene, etc. (carburetor type), not over 10 horsepower	Units	7148 00	C	47
Internal-combustion engines, gasoline, kerosene, etc. (carburetor type), over 10 horsepower	Units	7141 00	C	47
Locomotives, Diesel and Diesel-electric	Units	7114 00	C	47
Locomotives, gasoline and gasoline-electric	Units	7115 00	C	47
Locomotives, steam	Units	7111 00	C	47
Steam engines, stationary, except turbines	Units	7111 00	C	47
Steam boilers, heaters, and accessories	Sq. ft.	7132 00	C	47
Steam turbines, except for locomotives	Units	7122 00	C	47
Steam specialties and parts (include injectors, gauges, safety valves, steam traps, boiler-tube cleaners, etc.)	Units	7139 05	C	47
Turbines, mechanical-drive	Units	7113 00	C	47
Water-wheels, water turbines, and parts	Units	7164 00	C	47
Machinery—Printing and Bookbinding:				
Bookbinding machinery accessories and parts	Units	7769 00	C	47
Printing and typesetting machinery parts and accessories	Units	7765 00	C	47
Printing presses	Units	7761 00	C	47
Machinery—Textile, Sewing, and Shoe:				
Beaming, warping, and slashing machinery and parts	Unit	7542 00	C	47
Braiding and insulating machines and parts	Units	7540 00	C	47
Carding and other preparing, spinning, and twisting machinery and parts for wool	Units	7506 00	C	47
Carding and other preparing, spinning, and twisting machinery and parts, other, including silk-throwing machinery and parts	Units	7507 00	C	47
Circular knitting machines, all others	Units	7508 00	C	47
Cotton looms	Units	7502 00	C	47
Cotton looms, parts of	Units	7515 00	C	47
Embroidering machines and parts	Units	7517 00	C	47
Knitting machines, circular hosiery, power-driven	Units	7541 00	C	47
Knitting machines, full-fashioned hosiery, power-driven	Units	7543 00	C	47
Knitting machines and parts, all others	Units	7590 00	C	47
Looms and parts, all other	Units	7509 00	C	47
Looms and parts, all other	Units	7516 00	C	47
Sewing machines, for domestic use	Units	7551 00	C	47
Sewing machines, for domestic use	Units	7553 05	C	47
Sewing machinery, industrial	Units	7552 00	C	47
Sewing machine parts, for domestic use	Units	7555 00	C	47
Shoe machinery parts for factory or industrial use	Units	7575 00	C	47
Shoe manufacturing and repairing machinery	Units	7576 00	C	47
Textile machinery and parts, all other	Units	7590 00	C	47
Winders and parts, textile machinery	Unit	7505 00	C	47

Commodity	Unit	Department of Commerce No.	General Imports Group	Shipping Priority Rating
Machinery—Miscellaneous Machines (Continued)				
Cash registers	Units	7491 00	C	
Check-writing machines	Units	7492 00	C	
Coin-operated machines	Units	7493 00	C	
Computing machines and parts	Lbs.	7494 00	C	
Dictating machines	Units	7495 00	C	
Duplicating machines	Units	7496 00	C	
Envelope addressing machines	Units	7497 00	C	
Folding machines	Units	7498 00	C	
Mailing machines	Units	7499 00	C	
Numbering machines	Units	7500 00	C	
Postage meters	Units	7501 00	C	
Sealing machines	Units	7502 00	C	
Stamping machines	Units	7503 00	C	
Typewriters	Units	7504 00	C	
Machinery—Refrigerating (except household refrigerators)	Lbs.	7505 00	C	
Machinery—Sewing	Lbs.	7506 00	C	
Machinery—Textile	Lbs.	7507 00	C	
Machinery—Typesetting	Lbs.	7508 00	C	
Machinery—Vending	Lbs.	7509 00	C	
Machinery—Other (include parts and attachments)	Lbs.	7510 00	C	
Magnesium—See Metals and Manufactures.				
Magnets	Lbs.	7511 00	C	
Malt	Lbs.	7512 00	C	
Malt Liquors	Gals.	7513 00	C	
Manganese—See Metals and Manufactures.				
Manganese Ore	Lbs.	7514 00	C	
Manganese Oxide	Lbs.	7515 00	C	
Manganese Sulphate	Lbs.	7516 00	C	
Manila Fiber—See Abaca.				
Manila Rope—See Abaca.				
Manufactures, n. e. s.	Lbs.	7517 00	C	
Maple Sugar and Maple Sirup	Lbs.	7518 00	C	
Marble—See Stone.				
Marble Dust—See Stone.				
Marble Flour—See Stone.				
Marble Granules—See Stone.				
Marble Scrap—See Stone.				
Marble Sheets—See Stone.				
Marble Slabs—See Stone.				
Marble Tiles—See Stone.				
Marble Waste—See Stone.				
Marble—Other—See Stone.				
Margarine	Lbs.	7519 00	C	
Marine Engines, Other than Outboard—See Engines.				
Marine Glue	Lbs.	7520 00	C	
Marine Paints, Enamels, and Varnishes	Lbs.	7521 00	C	
Marine Propellers—See Propellers.				
Marine Railways—See Railways.				
Marine Signal Flares (from yarn)	Units	7522 00	C	
Marine Signal Lights	Units	7523 00	C	
Marine Signal Rockets	Units	7524 00	C	
Marine Signal Torches	Units	7525 00	C	
Marine Signaling Apparatus—See Signaling Apparatus.				
Marine Stores, n. e. s.	Lbs.	7526 00	C	
Marking Devices	Lbs.	7527 00	C	
Marking Inks	Lbs.	7528 00	C	
Marking Pencils	Lbs.	7529 00	C	
Marking Stamps	Lbs.	7530 00	C	
Marking Stencils	Lbs.	7531 00	C	
Marking Wax	Lbs.	7532 00	C	
Marlin	Lbs.	7533 00	C	
Marquisette—See Cotton Manufactures.				
Marshmallows	Lbs.	7534 00	C	
Mascara	Lbs.	7535 00	C	
Masks	Lbs.	7536 00	C	
Masonry Cement	Lbs.	7537 00	C	
Matches	Gross packages	7538 00	C	
Matches, Wax Vesta	Gross packages	7539 00	C	
Matting—See Floor Coverings.				
Mattresses—See Bedding.				
Mattress Pads—See Bedding.				
Mayonnaise	Lbs.	7540 00	C	
Meal—See Flour and Meal.				
Measuring Devices, n. e. s.	Lbs.	7541 00	C	
Meat Extracts	Lbs.	7542 00	C	
Meat Flour	Lbs.	7543 00	C	
Meat Juices	Lbs.	7544 00	C	
Meat Loaf	Lbs.	7545 00	C	
Meat Scrap	Lbs.	7546 00	C	
Meat Tenderizer	Lbs.	7547 00	C	
Meat Tripe	Lbs.	7548 00	C	
Meat—Canned	Lbs.	7549 00	C	
Meat—Dried	Lbs.	7550 00	C	
Meat—Fresh	Lbs.	7551 00	C	
Meat—Pickled	Lbs.	7552 00	C	
Meat—Smoked	Lbs.	7553 00	C	
Meat—Other	Lbs.	7554 00	C	
Meat-Packing Products—See Fertilizers.				
Meats—See Fish and Shellfish; Game; Meat and Other Food Products.				
Mechanical Pencils	Units	7555 00	C	
Mechanical Toys	Units	7556 00	C	
Medicinal Preparations—See Chemicals.				
Medicines—See Chemicals.				
Melons—See Fruits.				
Menhaden Oil	Lbs.	7557 00	C	
Menhaden Scrap	Lbs.	7558 00	C	
Menthol	Lbs.	7559 00	C	
Mercerized Cotton—See Cotton Manufactures.				
Mercerized Yarn—See Cotton Manufactures.				
Mercury	Lbs.	7560 00	C	
Mercury Chloride	Lbs.	7561 00	C	
Mercury Compounds, n. e. s.	Lbs.	7562 00	C	
Mercury Fulminate	Lbs.	7563 00	C	
Mercury Oxide	Lbs.	7564 00	C	
Mercury Sulphide	Lbs.	7565 00	C	
Meringue Powder	Lbs.	7566 00	C	
Metal Alloys—See Metals and Manufactures.				
Metal Cutting Machine Tools—See Machinery—Metal Working.				
Metal Fasteners—See Fasteners and Hooks.				
Metal Furniture—See Furniture and Fixtures.				
Metal Lath—See Lath.				
Metal Polishes	Lbs.	7567 00	C	
Metal Powders	Lbs.	7568 00	C	
Metal Scrap	Lbs.	7569 00	C	
Metal Shapes—See Metals and Manufactures.				
Metal Sheets—See Metals and Manufactures.				
Metal Strip—See Metals and Manufactures.				
Metal Tape (from yarn)	Units	7570 00	C	
Metal Tubing—See Metals and Manufactures.				
Metal Wire—See Metals and Manufactures.				
Metal Wool	Lbs.	7571 00	C	
Metal—Other	Lbs.	7572 00	C	
Metallic Soaps	Lbs.	7573 00	C	
Metallurgical Machinery—See Machinery—Metal Working.				
Meters	Units	7574 00	C	
Methanol	Lbs.	7575 00	C	
Methyl Methacrylate Unfabricated	Lbs.	7576 00	C	
Methyl Methacrylate Fabricated—See Plastics.				
Methyl Methacrylate Molding Powder—See Plastics.				
Metric Standards	Units	7577 00	C	
Mica—Manufactures (Also see Elec Mach and Appl.)				
Mica—Natural Raw, Processed				
Mica Condenser Films, cut pieces, punched	Lbs.	7578 00	C	
Mica Condenser Films, foil, tissue, splittings	Lbs.	7579 00	C	
Mica—Natural Raw, Unprocessed				
Mica, Block	Lbs.	7580 00	C	
Mica, Ground or Pulverized	Lbs.	7581 00	C	
Mica, Punch or Circle Cuttings	Lbs.	7582 00	C	
Mica, Scrap	Lbs.	7583 00	C	
Mica, Trimmed	Lbs.	7584 00	C	
Mica—Other Natural Raw Processed	Lbs.	7585 00	C	
Microphones and Accessories	Units	7586 00	C	
Microscopes	Units	7587 00	C	
Milk and Cream—See Dairy Products				
Military Equipment—Miscellaneous				
Bridge Building Parts and Accessories	Lbs.	7588 00	C	
Bridges, cable	Units	7589 00	C	
Bridges, foot	Units	7590 00	C	
Bridges, portable ferries	Units	7591 00	C	
Bridges, n. e. s.	Units	7592 00	C	
Buildings, portable, and field baking equipment	Lbs.	7593 00	C	
Military equipment, n. e. s.	Lbs.	7594 00	C	
Rifles, target	Units	7595 00	C	
Rifles, other	Units	7596 00	C	
Rifle butts and derricks	Lbs.	7597 00	C	
Mimeograph machines—See Machinery—Office Appliances				
Mineral oil, white—See Medicinals				
Mineral Products (crude)—See Chemicals				
Mineral strontium carbonate (strontianite)	Lbs.	7598 00	C	
Mineral strontium sulphate (celestite)	Lbs.	7599 00	C	
Mineral Water	Gals.	7600 00	C	
Mining Machinery—See Machinery—Mining, Well and Pump				
Mink Furs—See Furs and Mfrs.				
Mint oils—See Oils and Fats—Vegetable				
Mirrors	Lbs.	7601 00	C	
Missiles and other major equipment exported for relief or charity	Units	9998 00	K	None
Asbestos Fabric	Sq. ft.	9999 00	C	
Asbestos Roofing	Sq. ft.	9999 00	C	
Blankets and bedding exported for relief or charity	Lbs.	9998 30	C	
Bombs	Units	9998 00	K	
Cartridges	Units	9998 00	K	
Cartridge Cases	Units	9998 00	K	
Chemicals	Lbs.	9998 00	K	
Clothing	Lbs.	9998 00	K	
Combat Vehicles	Units	9998 00	K	
Explosives	Lbs.	9998 00	K	
Food	Lbs.	9998 00	K	
Fuses	Units	9998 00	K	
Grenades	Units	9998 00	K	
Guns	Units	9998 00	K	
Gun Mounts	Units	9998 00	K	
Machine Guns	Units	9998 00	K	
Medicinals	Lbs.	9998 00	K	
Mines	Units	9998 00	K	
Pistols	Units	9998 00	K	
Projectiles	Units	9998 00	K	
Rockets	Units	9998 00	K	
Shells	Units	9998 00	K	
Soap	Lbs.	9998 00	K	
Tanks	Units	9998 00	K	
Torpedoes	Units	9998 00	K	
Vessels	Units	9998 00	K	
Weapons	Units	9998 00	K	
Mixers, Electric	Units	7602 00	C	
Mixtures, n. e. s.	Lbs.	7603 00	C	
Molasses	Gals.	7604 00	C	
Molasses Feed—See Feeds.				
Molds	Lbs.	7605 00	C	
Molybdenum Ore	Lbs.	7606 00	C	
Molybdenum Oxide	Lbs.	7607 00	C	
Molybdenum Sulphide	Lbs.	7608 00	C	
Monazite Sand	Lbs.	7609 00	C	
Monel Metal—See Metals and Manufactures.				
Monofilament—See Yarns.				
Monuments—See Stone.				
Mordants	Lbs.	7610 00	C	
Morphine	Ozs.	7611 00	C	
Mosaic Tiles—See Stone.				
Motion Picture Apparatus	Units	7612 00	C	
Motion Picture Film	Lbs.	7613 00	C	
Motion Picture Projectors	Units	7614 00	C	
Motor Boats	Units	7615 00	C	
Motor Cycles	Units	7616 00	C	
Motor Trucks	Units	7617 00	C	
Motor Vehicle Parts and Accessories (except tires and tubes)	Lbs.	7618 00	C	
Motor Vehicle Tires and Tubes	Units	7619 00	C	
Motorcycle Parts and Accessories (except tires and tubes)	Lbs.	7620 00	C	
Motorcycle Tires and Tubes	Units	7621 00	C	
Mucilage	Lbs.	7622 00	C	
Mucin	Lbs.	7623 00	C	
Mules	Units	7624 00	C	
Muriatic Acid	Lbs.	7625 00	C	
Muskrat Fur Skins	Units	7626 00	C	
Mustard Flour	Lbs.	7627 00	C	
Mustard Seed	Lbs.	7628 00	C	
Mutton—See Meats.				
Myrobalans	Lbs.	7629 00	C	
Nails	Lbs.	7630 00	C	
Naphtha	Gals.	7631 00	C	
Naphthalene	Lbs.	7632 00	C	
Naphthenic Acids	Lbs.	7633 00	C	
Narcotics	Lbs.	7634 00	C	
Natural Gas	M cu ft	7635 00	C	
Natural Gas Liquids	Gals.	7636 00	C	
Navigation Instruments—See Instruments—Precision.				
Navy Beans—See Beans, Peas and Other Pulses.				
Neatsfoot Oil	Lbs.	7637 00	C	
Needles	Lbs.	7638 00	C	
Nets	Lbs.	7639 00	C	
Newsprint Paper	Lbs.	7640 00	C	
Nickel	Lbs.	7641 00	C	
Nickel Alloys—See Metals and Manufactures.				
Nickel Ore	Lbs.	7642 00	C	
Nickel Oxide	Lbs.	7643 00	C	
Nickel Salts	Lbs.	7644 00	C	
Nickel Sulphate	Lbs.	7645 00	C	
Nickel—Other	Lbs.	7646 00	C	
Nitrate of Soda	Lbs.	7647 00	C	
Nitrocellulose	Lbs.	7648 00	C	
Nitrogen	Lbs.	7649 00	C	
Nitrogen Compounds, n. e. s.	Lbs.	7650 00	C	
Nitroglycerin	Lbs.	7651 00	C	
Nitrous Oxide	Lbs.	7652 00	C	
Nonferrous Metals—See Metals and Manufactures.				
Nonwoven Fabrics	Lbs.	7653 00	C	
Nuts	Lbs.	7654 00	C	
Nutshells	Lbs.	7655 00	C	
Nux Vomica	Lbs.	7656 00	C	
Oakum	Lbs.	7657 00	C	
Oats	Bus.	7658 00	C	
Oil Cake and Oil Cake Meal	Lbs.	7659 00	C	
Oil Cloth	Sq. yds.	7660 00	C	
Oil Paper	Lbs.	7661 00	C	
Oil Stoves	Units	7662 00	C	
Oil Well Machinery—See Machinery—Mining, Well and Pump				
Oils and Fats—Animal				
Cod Liver Oil	Gals.	7663 00	C	
Fish Oil, n. e. s.	Gals.	7664 00	C	
Lard	Lbs.	7665 00	C	
Lard Oil	Gals.	7666 00	C	
Neatsfoot Oil	Lbs.	7667 00	C	
Oleo Oil	Lbs.	7668 00	C	
Oleostearine	Lbs.	7669 00	C	
Sperm Oil	Gals.	7670 00	C	
Tallow	Lbs.	7671 00	C	
Whale Oil	Gals.	7672 00	C	
Oils and Fats—Vegetable				
Castor Oil	Lbs.	7673 00	C	
Coconut Oil	Lbs.	7674 00	C	
Corn Oil	Lbs.	7675 00	C	
Cottonseed Oil	Lbs.	7676 00	C	
Linseed Oil	Lbs.	7677 00	C	
Menhaden Oil	Lbs.	7678 00	C	
Mint Oils	Lbs.	7679 00	C	
Olive Oil	Gals.	7680 00	C	
Palm Oil	Lbs.	7681 00	C	
Peanut Oil	Lbs.	7682 00	C	
Rapeseed Oil	Lbs.	7683 00	C	
Soybean Oil	Lbs.	7684 00	C	
Tung Oil	Lbs.	7685 00	C	
Vegetable Oils, n. e. s.	Lbs.	7686 00	C	
Oils—Essential				
Anise Oil	Lbs.	7687 00	C	
Bay Oil	Lbs.	7688 00	C	
Bergamot Oil	Lbs.	7689 00	C	
Bitter Almond Oil	Lbs.	7690 00	C	
Camphor Oil	Lbs.	7691 00	C	
Cassia Oil	Lbs.	7692 00	C	
Cedarwood Oil	Lbs.	7693 00	C	
Citronella Oil	Lbs.	7694 00	C	
Clove Oil	Lbs.	7695 00	C	
Eucalyptus Oil	Lbs.	7696 00	C	
Geranium Oil	Lbs.	7697 00	C	
Lavender Oil	Lbs.	7698 00	C	
Lemon Oil	Lbs.	7699 00	C	
Lemongrass Oil	Lbs.	7700 00	C	
Orange Oil	Lbs.	7701 00	C	
Orris Oil	Lbs.	7702 00	C	
Patchouli Oil	Lbs.	7703 00	C	
Peppermint Oil	Lbs.	7704 00	C	
Pine Oil	Lbs.	7705 00	C	
Rose Oil	Lbs.	7706 00	C	
Sandalwood Oil	Lbs.	7707 00	C	
Spearmint Oil	Lbs.	7708 00	C	
Spike Oil	Lbs.	7709 00	C	
Turpentine Oil	Lbs.	7710 00	C	
Wintergreen Oil	Lbs.	7711 00	C	
Ylang Ylang Oil	Lbs.	7712 00	C	
Oils—Other	Lbs.	7713 00	C	
Oleo Oil	Lbs.	7714 00	C	
Oleostearine	Lbs.	7715 00	C	
Olive Oil	Gals.	7716 00	C	
Olives	Lbs.	7717 00	C	
Onions—See Vegetables.				
Opium	Lbs.	7718 00	C	
Optical Instruments—See Instruments—Precision.				
Orange Oil	Lbs.	7719 00	C	
Oranges—See Fruits.				
Orris Oil	Lbs.	7720 00	C	
Orris Root	Lbs.	7721 00	C	
Osmium	Lbs.	7722 00	C	
Ovens	Units	7723 00	C	
Oxalic Acid	Lbs.	7724 00	C	
Oxygen	Lbs.	7725 00	C	
Oysters	Lbs.	7726 00	C	
Packing Machinery—See Machinery—Packing and Wrapping.				
Paint Brushes	Units	7727 00	C	
Paints, Enamels, and Varnishes	Lbs.	7728 00	C	
Paints, Enamels, and Varnishes—Marine—See Marine Paints, Enamels, and Varnishes.				
Palladium	Lbs.	7729 00	C	
Palm Oil	Lbs.	7730 00	C	
Palmetto Fiber	Lbs.	7731 00	C	
Palmetto Leaves	Lbs.	7732 00	C	
Pancreatin	Lbs.	7733 00	C	
Paper	Lbs.	7734 00	C	
Paper Boxes	Lbs.	7735 00	C	
Paper Clips	Units	7736 00	C	
Paper Cups	Units	7737 00	C	
Paper Dishes	Units	7738 00	C	
Paper Fasteners	Units	7739 00	C	
Paper Machinery—See Machinery—Paper Mill.				
Paper Mill Felts	Lbs.	7740 00	C	
Paper Plates	Units	7741 00	C	
Paper Products, n. e. s.	Lbs.	7742 00	C	
Paper Stock	Lbs.	7743 00	C	
Paper Towels	Lbs.	7744 00	C	
Paper Twine	Lbs.	7745 00	C	
Paper—Other	Lbs.	7746 00	C	
Paraffin	Lbs.	7747 00	C	
Paraffin Wax	Lbs.	7748 00	C	
Paraformaldehyde	Lbs.	7749 00	C	
Paris Green	Lbs.	7750 00	C	
Parts for Machinery—See Machinery—Parts and Attachments.				
Pastes	Lbs.	7751 00	C	
Pastry	Lbs.	7752 00	C	
Patent Leather	Lbs.	7753 00	C	
Patterns and Models	Lbs.	7754 00	C	
Peanut Butter	Lbs.	7755 00	C	
Peanut Oil	Lbs.	7756 00	C	
Peanuts	Lbs.	7757 00	C	
Pearl Essence	Lbs.	7758 00	C	
Pearl Powder	Lbs.	7759 00	C	
Pearls	Carats	7760 00	C	
Peas—See Beans, Peas and Other Pulses.				
Pecans	Lbs.	7761 00	C	
Pectin	Lbs.	7762 00	C	
Pelts	Lbs.	7763 00	C	
Pencils	Units	7764 00	C	
Pencil Leads	Units	7765 00	C	
Pencil Sharpeners	Units	7766 00	C	
Penicillin	Ozs.	7767 00	C	
Pens	Units	7768 00	C	
Pepper	Lbs.	7769 00	C	
Peppermint Oil	Lbs.	7770 00	C	
Perfumes	Lbs.	7771 00	C	
Perfumes, Toilet Waters, and Cosmetics	Lbs.	7772 00	C	
Perlite	Lbs.	7773 00	C	
Permanent Waving Machines	Units	7774 00	C	
Peroxide of Hydrogen	Lbs.	7775 00	C	
Petrolatum	Lbs.	7776 00	C	
Petroleum	Gals.	7777 00	C	
Petroleum Products, n. e. s.	Gals.	7778 00	C	
Petroleum Refinery Machinery—See Machinery—Petroleum Refinery.				
Petroleum Refining Products	Gals.	7779 00	C	
Petroleum Refining Products—Lubricating Oils	Gals.	7780 00	C	
Petroleum Refining Products—Motor Fuel	Gals.	7781 00	C	
Petroleum Refining Products—Other Than Lubricating Oils and Motor Fuel	Gals.	7782 00	C	
Petroleum Refining Products—Residuum	Gals.	7783 00	C	
Petroleum Refining Products—Waxes	Lbs.	7784 00	C	
Petroleum Refining Products—Other	Gals.	7785 00	C	
Petroleum Refining Products—Other—Marine—See Marine Petroleum Refining Products—Other.				
Petroleum Refining Products—Other—Motor Fuel—Marine—See Marine Petroleum Refining Products—Other—Motor Fuel.				
Petroleum Refining Products—Other—Residuum—Marine—See Marine Petroleum Refining Products—Other—Residuum.				
Petroleum Refining Products—Other—Waxes—Marine—See Marine Petroleum Refining Products—Other—Waxes.		

Commodity	Unit	Depart. Dept. of Commerce No.	General License Group	Shipping Priority Rating
Magnesium:				
Alloys and scrap containing magnesium, including calcium magnesium silicon and calcium silicon magnesium alloys	Lbs	6649.45; 6649.47	47	
Ingot, billet, slab, pellet, sheet, strip, plate, bar, rod, tube, wire, and structural shapes	Lbs	6649.45; 6649.47	47	
Metal powder	Lbs	6649.45; 6649.47	47	
Ores and concentrates (including calcium carbonate grossularite, magnesite, talc)	Lbs	6649.45; 6649.47	47	
Salts and compounds—See Chemicals				
Malt, liquid	Bbl	6804.08	C	
Manganese	Lbs	6649.45; 6649.47	47	
Manganese-bronze metal	Lbs	6649.45; 6649.47	47	
Manila rope—See Cordage, Twine, and Yarns.				
Manufactured articles, n. e. s., except as listed in Schedule B		6870.00	C	
Manufactured articles, n. e. s., except as listed in Schedule B, for use in connection with the prosecution of the war		6870.00	C	
Manufactured articles, n. e. s., except as listed in Schedule B, for use in connection with the prosecution of the war, for export		6870.00	C	
Manufactured articles, n. e. s., except as listed in Schedule B, for use in connection with the prosecution of the war, for export to Canada		6870.00	C	
Manufactured articles, n. e. s., except as listed in Schedule B, for use in connection with the prosecution of the war, for export to Mexico		6870.00	C	
Manufactured articles, n. e. s., except as listed in Schedule B, for use in connection with the prosecution of the war, for export to Newfoundland		6870.00	C	
Manufactured articles, n. e. s., except as listed in Schedule B, for use in connection with the prosecution of the war, for export to Panama		6870.00	C	
Manufactured articles, n. e. s., except as listed in Schedule B, for use in connection with the prosecution of the war, for export to Puerto Rico		6870.00	C	
Manufactured articles, n. e. s., except as listed in Schedule B, for use in connection with the prosecution of the war, for export to Virgin Islands

Commodity	Unit	Department of Commerce No.	General Limitation Group	Shipping Priority Rating
Oils and fats—Vegetable—Continued.				
Tung oil	Lbs.	2271 00	C	
Cocoa butter	Lbs.	1942 00	C	47
Coconut oil, crude	Lbs.	1930 00	C	47
Coconut oil, refined (edible)	Lbs.	1931 00	C	47
Cottonseed oil, crude	Lbs.	1421 00	C	47
Cottonseed oil, refined	Lbs.	1422 00	C	47
Corn germ oil	Lbs.	2240 02	C	47
Corn oil, refined	Lbs.	2241 00	C	47
Eucalyptus oil	Lbs.	1447 00	C	47
Fats, cooking, other than lard	Lbs.	2248 01	C	47
Fatty acids of vegetable origin	Lbs.	2248 00	C	47
Fatty acids and oils, sulphated and sulphonated.		2270 03	C	
Lemon grass oil	Lbs.	2240 06	C	47
Linseed oil	Lbs.	2240 00	C	47
Linseed oil cake	Lbs.	2240 01	C	47
Oiticica oil	Lbs.	2240 04	C	47
Oleomargarine of vegetable fats	Lbs.	1449 01	C	47
Olive oil, edible	Lbs.	2248 03	C	47
Olive oil, foots or sulfured	Lbs.	2249 15	C	47
Palm and palm kernel oil, crude, and all oils obtainable from palm kernels	Lbs.	1449 03	C	47
Palm and palm kernel oil, refined, and all oils obtainable from palm kernels	Lbs.	2249 03	C	47
Peanut oil, crude	Lbs.	1449 04	C	47
Peanut oil, refined	Lbs.	2258 00	C	47
Peppermint oil	Lbs.	2260 04	C	47
Perfume flavor oils, blended, compounds, or mixed	Lbs.	2240 07	C	47
Perfume flavor oils, natural	Lbs.	2240 16	C	47
Rapeseed oil, inedible	Lbs.	1449 05	C	47
Rapeseed oil, refined	Lbs.	2279 06	C	47
Sandalwood oil	Lbs.	2248 08	C	47
Soap stock, vegetable	Lbs.	2240 12	C	47
Soybean oil, crude	Lbs.	1449 06	C	47
Soybean oil, refined	Lbs.	2249 10	C	47
Stearin vegetable	Lbs.	1449 08	C	47
Tallow	Lbs.	2249 05	C	47
Tung oil	Lbs.	2249 10	C	47
Oils, vegetable oils and fats, n. e. s. (including paper clips, binders, fasteners and pencil sharpeners)	Lbs.	1449 08	C	47
Essential and distilled oils, natural, n. e. s. (include hop aroma)	Lbs.	2240 08	C	47
Expressed oils and fats, inedible, n. e. s.		2279 08	C	
Office furniture—See Wood Mfrs.				
Oil burners and parts — see Iron and Steel Mfrs. — Central Heating				
Oil, castor (commercial)	Lbs.	2249 01	C	47
Oil, cocoanut (commercial)	Gal.	2011 00	C	47
Oil mill machinery and parts, vegetable	Units	2013 00	C	
Oil, white mineral—See Medicinals	Gals.	2013 06	C	
Oilcloth—See Textile Products				
Oils and fats—Animal, fish, and marine mammal				
Fatty acids and oils sulphated and sulphonated	Lbs.	0995 00	C	47
Fish and fish liver oil and concentrates thereof in bulk—See Medicinals	Lbs.	2270 00	C	47
Fish oils, crude	Lbs.	0819 00	C	47
Grease, hog	Lbs.	0843 05	C	47
Grease, stearin	Lbs.	0845 06	C	47
Grease, wool	Lbs.	0853 00	C	47
Lard	Lbs.	0809 01	C	47
Lard oil	Lbs.	0809 03	C	47
Neat's foot oil	Lbs.	0809 05	C	47
Oleo oil	Lbs.	0847 00	C	47
Sperm and whale oil	Lbs.	0847 00	C	47
Oleomargarine of animal fats	Lbs.	0809 07	C	47
Oleo stearin, edible	Lbs.	0809 09	C	47
Oleo stock	Lbs.	0831 00	C	47
Oleomargarine of animal or vegetable fats	Lbs.	0849 00	C	47
Opium (including tincture)	Lbs.	0852 00	C	47
Olive oil, inedible	Lbs.	0847 00	C	47
Inedible animal greases and fats, n. e. s.	Lbs.	0847 98	C	47
Oils and fats—Vegetable, inedible, all forms of these commodities, whether liquids, flakes (hydrogenated), or solids.				
Castor oil, see Medicinals	Lb.	0725 98	C	47
Cocoa oil, see Medicinals	Lb.	2249 01	C	47
Croton oil, see Medicinals	Lbs.	2279 05	C	

Commodity	Unit	Department of Commerce No.	General License Group	Shipping Priority Rating
Oilcloth—See Textile Products				
Oilstones	Lbs.	2249 03	C	
Sunflower	Lbs.	2249 04	C	
Oil seeds, n. e. s.	Lbs.	2249 06	C	47
Oil tanks, storage, iron and steel	Lbs.	1847 00	C	47
		0299 13		
Ointment, belladonna	Lbs.	2250 03	C	None
Ointment, strammonium—See Medicinals				
Ointments—See Medicinals	Lbs.	2249 07	C	47
Oiticica oil	Lbs.	2240 04	C	47
Oleic acid, or red oil	Lbs.	1847 00	C	47
Oleomargarine	Lbs.	0809 07	C	47
Oleo stearin, edible	Lbs.	0809 09	C	47
Oleo stock	Lbs.	0831 00	C	47
Oleomargarine of animal or vegetable fats	Lbs.	0849 00	C	47
Opium (including tincture)	Lbs.	0852 00	C	47
Optical glass—See Glass.				
Optical goods—See Professional Instruments and Supplies				
Optical lenses, plates, prisms, quartz	Lbs.	2260 10	C	
Optical measuring machines and instruments—See Instruments—Precision, for Metal Working.				
Orange juice, raw	Gals.	2290 00	C	47
Orange mineral	Lbs.	2220 25	C	47
Oranges—See Fruits.				
Ore and rock crushing and sorting machinery, and parts	Units	1442 03	C	47
Ores, aluminum—				
Bauxite	Units	9127 00	C	
Dross	Units	2250 09	C	
Ores, antimony	L. ton	0643 01	C	
Ores, beryllium (except gem varieties)	Lbs.	0643 05	C	
Ores, chromite (chromium)	Lbs.	0643 20	C	
Ores, cobalt	Lbs.	0643 25	C	
Ores, columbium	Lbs.	0643 30	C	
Ores, copper	L. ton	0401 00	C	
Ores, iron	L. ton	0401 00	C	
Ores, lead and antimonial lead	Lbs.	0643 35	C	
Ores, manganese n. e. s.	Lbs.	0643 40	C	
Ores, mercury	Lbs.	0643 00	C	
Ores, molybdenum	Lbs.	0643 01	C	
Ores, platinum	Lbs.	0643 50	C	
Ores, tantalum	Lbs.	0643 60	C	
Ores, titanium, including ilmenite and rutile	Lbs.	0643 98	C	
Ores, tungsten	Lbs.	0643 70	C	
Ores, vanadium	Lbs.	0643 80	C	
Ores, zinc	Lbs.	0643 90	C	
Orsat apparatus	Lbs.	0437 00	C	
Oxalic chemicals, oxalic acid (oxalium acid), methyl oxalate, and other oxalic chemicals, n. e. s.	Lbs.	0570 00	C	
Organotherapeutics—See Medicinals				
Orgeat—See Mineral Beverages				
Orthophosphoric acid	Lbs.	2093 05	C	None
Osmium (including osmiridium)	Lbs.	2260 12	C	
Osmium salts and compounds (expert permit required)	Oz.	2260 14	C	
Ostrich wool	Lbs.	0858 72	C	
Outboard motor, not attachable				
Outboard motor, attachable				
Outboard motor parts—See Vehicles for Highway Transportation				
Overalls	Doz.	2000 00	C	
Oversize paper—See Paper—Waste Paper				
Overalls—See Wool Mfrs				
Oxalic chemicals—See Medicinals and Pharmaceuticals				
Oxalic acid, oxalium acid, methyl oxalate—See Medicinals				
Oxide, lead	Lbs.	2010 03	C	47
Oxygen masks used in individual flying	Units	2221 20	C	47
Oxygen regulators and tanks, aircraft	Units	2220 96	C	47
Oxygen tanks—See Scientific and Professional Instruments				
Oxygen tanks—See Scientific and Professional Instruments for Gunners and Apparatus	Units	2220 97	C	47
Oyster shells	L. ton	1182 00	E	
Packing, hash				
Packing, asbestos	Lbs.	0405 50	C	
Packing, rubber	Lbs.	2003 00	C	None
Paint, cement, and varnish removers	Lbs.	2010 09	C	
Paint, cement, and varnish removers, n. e. s.	Lbs.	2010 10	C	
Paint, cement, and varnish removers, containing methyl chloride	Lbs.	2010 11	C	
Paint, cement, and varnish removers, containing methyl chloride, n. e. s.	Lbs.	2010 12	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of 5 gallons or more	Lbs.	2010 13	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of 5 gallons or more, n. e. s.	Lbs.	2010 14	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 5 gallons	Lbs.	2010 15	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 5 gallons, n. e. s.	Lbs.	2010 16	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 gallon	Lbs.	2010 17	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 gallon, n. e. s.	Lbs.	2010 18	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint	Lbs.	2010 19	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 20	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 21	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 22	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 23	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 24	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 25	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 26	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 27	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 28	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 29	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 30	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 31	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 32	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 33	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 34	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 35	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 36	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 37	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 38	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 39	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 40	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 41	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 42	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 43	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 44	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 45	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 46	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 47	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 48	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 49	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 50	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 51	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 52	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 53	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 54	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 55	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 56	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 57	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 58	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 59	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 60	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 61	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 62	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 63	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 64	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 65	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 66	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 67	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 68	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 69	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 70	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 71	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 72	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 73	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 74	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 75	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 76	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 77	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 78	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 79	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 80	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 81	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 82	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 83	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 84	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 85	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 86	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 87	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 88	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 89	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 90	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 91	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 92	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 93	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 94	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 95	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 96	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 97	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 98	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 99	C	
Paint, cement, and varnish removers, containing methyl chloride, in containers of less than 1 pint, n. e. s.	Lbs.	2010 00	C	

*For shipments under 2,240 lbs. f. o. b. factory or f. o. b. [illegible] will be accepted upon receipt of application for freight space.

Commodity	Unit	Department of Commerce No.	General License Group	Shipping Priority Rating
Paper, Related Products, and Mfrs.—Continued.				
Patterns and pieces, cut, mica, built-up	Lbs.	5513.00	47	
Patterns and pieces, cut, mica, built-up	Lbs.	5513.00	None	D
Patterns and pieces, punched, mica, built-up	Lbs.	5513.00	47	D
Patterns and pieces, punched, mica, processed	Lbs.	5513.00	None	D
Paving brick—See Clay and Clay Products.				
Paving machine—See Machinery—Construction and Conveying.				D
Peaches—See Fruits.				
Peach pits and kernels	Lbs.	1374.00	K	
Peaches, dried	Lbs.	1327.03	C	
Peanut butter—See Vegetables and Preparations.				
Peanut oil, crude	Lbs.	2240.03	C	
Peanut oil, refined	Lbs.	1431.00	47	
Peanuts	Lbs.	1375.00	47	
Pearls, precious, synthetic, and imitation stones, n. e. s.—See Nonmetallic Minerals (also see Jewels).			C	
Pears—See Fruits.				
Peas—See Vegetables and Preparations.				
Pecans—See Nuts	Lbs.	1322.00	C	
Pectin				
Pen-holder covers, nibs	Lbs.	8896.00	C	
Pencils, lead, and leads—See Wood Mfrs.	Units	0152.85	47	
Pens, pen points, and pencils—See Office Supplies—Miscellaneous.				
Pentachlorethane	Lbs.	8529.08	C	
Pentaerythrite	Lbs.	8529.94	C	
Peppermint oil	Lbs.	2295.00	C	
Perfume materials and preparations	Lbs.	8529.08	C	
Perfumery and toilet waters	Units	7955.35	C	
Perilla oil, crude	Lbs.	2240.30	K	
Perilla oil, refined	Lbs.	2235.20	C	
Perilla seed				
Periodicals—See Books, Maps, Pictures, and Other Printed Matter.	Units	9169.99	C	
Permanganate, potassium	Lbs.	8560.33	C	
Perspectives				
Petrolatum—See Chemicals.				
Petroleum, crude oil, and tetraethyl lead:				
NOTE: Under Par. J, J-1, gravity of all crude oils must be stated on the application.				
A—Crude oils or any other materials, except motor fuels and gasoline as defined below, which by commercial distillation there can be separated more than 10% (total fraction having an A. S. T. M. end point of 347° F. which will have, with the addition of 3 cc tetraethyl lead per gallon, an octane number by the A. S. T. M. Knock Test Method of 50 or more, and not conforming to the above definitions A and B.	L. ton	5071.08	C	
B—Other crude oil (including topped crude, long residuum) not conforming to the above definitions A and B.	L. ton	5091.07	C	
C—Other crude oil (including topped crude, long residuum) not conforming to the above definitions A and B.	L. 100	5091.08	*C+17	
D1—Natural gasoline (conforming to F)	Bbls.	5012.00	C	
D2—Natural gasoline (conforming to G)	Bbls.	5012.00	*C+17	
D3—Natural gasoline (conforming to G)	Bbls.	5012.00	*C+17	
D4—Natural gasoline (conforming to H)	Bbls.	5016.05	C	
E—High octane aviation motor fuels, hydrocarbons and hydrocarbon mixtures, boiling below 158° F. and containing not more than 3 cc of tetraethyl lead per gallon, with the addition of tetraethyl lead up to a total content of 3 cc per gallon will exceed 87 octane number by the A. S. T. M. Knock Test Method.				C

* Provided shipments to Mexico are made other than by water.

Commodity	Unit	Department of Commerce No.	General License Group	Shipping Priority Rating
Tetraethyl lead—Continued.				
F—Motor fuels and gasoline from which by commercial distillation there can be separated more than 10% (total fraction having an A. S. T. M. end point of 300° F. or below) but not more than 50% (total fraction having an A. S. T. M. end point of 347° F. which will have, with the addition of 3 cc tetraethyl lead per gallon, an octane number by the A. S. T. M. Knock Test Method of 50 or more, and not conforming to the definitions A and B.	Bbls.	5017.97	C	
G—Other motor fuel and gasoline from which by commercial distillation there can be separated more than 10% (total fraction having an A. S. T. M. end point of 347° F. which will have, with the addition of 3 cc tetraethyl lead per gallon, an octane number by the A. S. T. M. Knock Test Method of 50 or more, and not conforming to E or F.	Bbls.	5017.98	*C+17	
H—Other Motor Fuels and gasoline not conforming to A, B, C, D, E, F, and G.				
I—Blending Agents (of Petroleum origin) (See Special Provision on Petroleum)	Gals.	5013.10	C	
Iso-octanes	Gals.	5013.10	C	
Iso-pentanes	Gals.	5013.10	C	
Iso-hexanes	Gals.	5013.10	C	
Neo-hexanes	Gals.	5013.10	C	
Isopropyl ether	Gals.	5013.10	C	
Tetraethyl Lead compound	Gals.	5013.98	C	
Ethyl fluid	Gals.	8299.15	C	
Any mixture containing more than 3 cc tetraethyl lead per gallon	Gals.	8269.19	C	
Petroleum, mineral Spirits, blending agents, solvents, petroleum naphtha, and light products (see Special Provision on Petroleum)	Bbls.	5019.00	C	
K—Kerosene (include all burning oils)	Bbls.	5027.00	C	
M—Gas oil and Distillate fuel oil (include Diesel furnace oil, Range oil and fuel oils).	Bbls.	5030.00	C	
N—Residual fuel oil	Bbls.	5031.00	C	
O—High Viscosity Index Grade aviation lubricating oil: Any lubricating oil of more than 98 seconds, Saybolt Universal, viscosity at 210° F. with a viscosity index of 90 or over, and not conforming to the definitions P and Q.	Gals.	5040.01	C	
P—Medium Viscosity Index Grade aviation lubricating oil: Any lubricating oil of more than 60 seconds, Saybolt Universal, viscosity at 210° F. with a viscosity index of 90 or over, and not conforming to the definitions O or Q.	Bbls.	5040.03	C	
Q—Other motor lubricating oil not conforming to above specifications for aviation lubricating oil, and not conforming to O or P.	Bbls.	5040.08	C+17	
R—Other lubricating oils not conforming to O or P:				
Red and pale	Bbls.	5035.00	C+17	
Black	Bbls.	5035.10	C+17	
Spirit stocks	Bbls.	5035.20	C+17	
Semi-refined cylinder stock	Bbls.	5035.30	C+17	
Raw or semi-refined filler oils	Gals.	5404.00	C+17	
Intermediate distillate or stocks from which lubricants may be produced	Gals.	5404.01	C+17	
Light lubricating oil in small packages	Gals.	5039.00	C+17	
Lubricating oil, any other, n. e. s	Gals.	5040.98	C+17	
S—Liquefied petroleum gases (include butane, propane, Pyrofax, Philgas, etc.)	Lbs.	5041.00	C+17	
T—Liquefied petroleum gases (include butane, propane, Pyrofax, Philgas, etc.)	Lbs.	5493.00	C	
U—Paraffin wax, refined	Lbs.	5045.00	C	
W—Paraffin wax, unrefined (include semi-refined)	Lbs.	5046.00	C	
X—Petroleum coke, fluid (including fluid oil)	L. ton	5047.00	C	
Y—Petroleum coke, other	L. ton	5048.00	C	
Z—Other petroleum products (except petroleum and petroleum jelly—See Chemicals).	Gals.	5049.00	C+17	
Natural gas	Cu. ft.	5052.00	C+17	
Petroleum oil-well drilling machinery and parts	Units	7342.00	C	
Petroleum refining machinery, equipment and parts				
Pharmaceutical preparations (also see Insecticides, Fungicides and Disinfectants)	Units	7349.09	C	
Phenol—See Nonferrous Metals—Misc.				
Phenolacetonitrile—See Medicinals.				
Phenol	Lbs.	8023.00	C	

Commodity	Unit	Department of Commerce No.	General License Group	Shipping Priority Rating
Phenol-formaldehyde products, fabricated, not molded	Lbs.	9818.01	C	
Phenol-formaldehyde resins, sheets, plates, rods, tubes, and other unfinished forms	Lbs. or Units	9818.01	C	
Phenol-formaldehyde resins, unfabricated	Lbs.	8255.01	C	
Phenol, tetrahydroxy	Lbs.	8025.94	C	
Photographs and photograph records—See Musical instruments.				
Phosphate rock (also see Chemicals)	Lbs.	8515.20	K	
		8515.60	C	
Phosphate, bi(cresyl)	Lbs.	8515.80	C	
Phosphate, triphenyl	Lbs.	8515.84	C	
Phosphatic fertilizer materials—See Chemicals.		8025.92	C	
Phosphoric acid (ortho, pyro, and meta)	Lbs.	8309.83	C	
Phosphorous pentasulfide	Lbs.	8308.87	C	
Phosphorus oxychloride	Lbs.	8308.88	C	
Phosphorus compounds, n. e. s.	Lbs.	8308.98	C	
Photo-engraving, plates, zinc	Lbs.	6572.05	47	
		6580.00	C	
Photo-engraving sheets, zinc	Lbs.	6580.03	C	
		6572.05	47	
Photographic and Projection Goods:		6580.03	C	
Aerial cameras, n. e. s.	Units	9002.34	C	
Hot type (set fonts) cameras	Units	9002.33	C	
Cameras, other (methods cameras of types usually used by amateur photographers).	Units	9002.00	C	
Camera parts, except lenses	Units	9002.00	C	
Lenses, n. e. s.	Units	9006.35	47	
Motion-picture cameras, standard ga. (35 mm.)	Units	9006.50	47	
Motion-picture cameras, substandard ga. (16 mm.)	Units	9001.30	C	
Motion-picture cameras, substandard ga. (8 mm.)	Units	9001.50	C	
Motion-picture films, exposed, negative, features, 35 mm. (1,000 Lin. ft. or +)	(Lin. ft.	9121.20)	K	
	(Units	9121.21)	A	
Motion-picture films, exposed, negative, features, 16 mm. (1,000 Lin. ft. or +)	(Lin. ft.	9121.30)	K	
	(Units	9121.31)	A	
Motion-picture film, exposed, negative, short subjects, 16 mm. (less than 1,000 Lin. ft.)	(Lin. ft.	9121.40)	K	
	(Units	9121.41)	A	
Motion-picture film, exposed, negative, short subjects, 8 mm.	(Lin. ft.	9121.60)	K	
	(Units	9121.61)	B	
Motion-picture film, exposed, negative, newsreels	(Lin. ft.	9121.70)	K	
	(Units	9121.71)	A	
Motion-picture film, exposed, negative, sound track	(Lin. ft.	9122.00)	K	
Motion-picture film, exposed, negative, trailers, inserts, and replacements	(Lin. ft.	9121.80)	K	
	(Units	9121.81)	A	
Motion-picture film, exposed, positive, features, 35 mm. (1,000 Lin. ft. or +)	(Lin. ft.	9123.20)	K	
	(Units	9123.21)	A	
Motion-picture film, exposed, positive, features, 16 mm. (1,000 Lin. ft. or +)	(Lin. ft.	9123.30)	K	
	(Units	9123.31)	A	
Motion-picture film, exposed, positive, 8 mm	(Lin. ft.	9123.60)	K	
	(Units	9123.61)	B	
Motion-picture film, exposed, positive, newsreels	(Lin. ft.	9123.70)	K	
Motion-picture film, exposed, positive, short subjects (less than 1,000 Lin. ft.)	(Lin. ft.	9123.40)	K	
	(Units	9123.41)	A	
Motion-picture film, exposed, positive, short subjects (1,000 Lin. ft. or +)	(Lin. ft.	9123.50)	K	
	(Units	9123.51)	A	
Motion-picture film, exposed, positive, sound track	(Lin. ft.	9124.00)	K	
Motion-picture film, exposed, positive, trailers, inserts, and replacements	(Lin. ft.	9124.01)	K	
	(Units	9123.81)	A	
Motion-picture film, sensitized, not exposed, negative, (35 mm.)	Lin. ft.	9117.40	47	
Motion-picture film, sensitized, not exposed, negative, (16 mm.)	Lin. ft.	9117.60	47	
Motion-picture film, sensitized, not exposed, negative, (8 mm.)	Lin. ft.	9117.70	47	
Motion-picture film, sensitized, not exposed, positive, (16 mm.)	Lin. ft.	9117.30	47	
Motion-picture film, sensitized, not exposed, positive, (35 mm.)	Lin. ft.	9117.50	47	
Motion-picture projectors, standard ga. (35 mm.)	Units	9007.00	C	

* Provided shipments to Mexico are made other than by water.

Commodity	Unit	Department of Commerce No.	General Limitation Group	Shipping Priority Rating
Pills, containing quinine—See Medicinals	Lbs.	8127.91		
Pills—See Medicinals	Units	7948.03	C	C
Pilot, automatic, for aircraft	Units	7948.01	C	C
Pilot equipment, automatic, aircraft			C	C
Pilot trainers aircraft—See Instruments—Fire Control.		6178.60	C	C
Pinners, other	Doz.	7444.05	C	C
Pinch rolls, plate	Units	2117.10	C	C
Pine oil	Gals.	1772.00	C	C
Pineapple juice				
Pineapples—See Fruits				
Pipe, casing, etc., of iron or steel—See Iron and Steel Mfrs.—				
Tubular Prod				
Pipe benders	Units	7455.07	C	C
Pipe, brass, red, oil, brass and bronze	Lbs.	6433.00	C	C
Pipe, copper	Lbs.	6422.03	C	C
Pipe covering and cement, asbestos	Lbs.	4306.00	C	C
Pipe covering, cork			None	None
Pipe cutters—See Iron and Steel Manufactures—Tools.				
Pipe fittings—See Iron and Steel Mfrs.—Tubular Prod.	Units	7455.07	C	C
Pipe fittings of brass and bronze	Lbs.	6484.00	C	C
Pipe flanges	Units	7455.07	C	C
Pipe, galvanized—See Iron and Steel Mfrs.—Tubular Prod.	Lbs.	6598.00	C	C
Pipe, lead and antimonial lead	Lbs.	6280.00	K	K
Pipe organs				
Pipe stocks—See Iron and Steel—Tools.	Units	7490.00	C	C
Pipe threading machines	Units	7455.07	K	K
Pipe and tube cutting off machines	Doz.	6828.00	C	C
Pipes, tobacco (of all materials)	Units	7916.10	C	C
Piping, metal, not elsewhere	Units	7923.10	C	C
Pistons, automotive	Lbs.	6277.00	C	C
Pitch of wood, tar, resins (including "B" wood)	Units	7695.00	K	K
Planers, woodworking, and other cutting tools and parts,	Units.	6178.10	C	C
Plant equipment, engines, and greenhouse—See Nursery and Green-				
house Stock.	Lbs.	8127.88	None	None
Plaster, belmdonna		8150.01		
Planing machines	Units	7426.00	C	C
Planing machines—See Metallurgical				
Plancarbine—See Explosives				
Plates, and Sheets, Combinations, n. e. s.—See Books, Maps, Pic-				
tures, and Other Printed Matter.				
Plantains—See Fruits				
Planters, horse and power	Units	7828.00	None	None
Plants, nursery and greenhouse—See Nursery and Green-				
house Stock.	Lbs.	8127.88	None	None
Plaster, belmdonna		8150.01		
Planing machines	Units	7426.00	C	C
Planing machines—See Metallurgical				
Plancarbine—See Explosives				
Plates, and Sheets, Combinations, n. e. s.—See Books, Maps, Pic-				
tures, and Other Printed Matter.				
Plantains—See Fruits				
Planters, horse and power	Units	7828.00	None	None
Plants, nursery and greenhouse—See Nursery and Green-				
house Stock.	Lbs.	8127.88	None	None
Plaster, belmdonna		8150.01		
Plaster board and wall board—See Gypsum.		6484.00	C	C
Plaster of paris	Ton	8075.98	K	K
Plastic cement	Lbs.		C	C
Plastic film support, pyroxylin—See Chemicals.				
Plastic molding machines and presses	Units	7444.05	C	C
	Units	7760.06		
Plate bending machines	Units	7455.07	C	C
Plate, boiler	Units	6480.15	C	C
Plate clanging machines	Units	7444.05	C	C
Plate cutting machines, not Glass Products	Units	7444.05	C	C
Plate, lead and antimonial lead (not assembled as complete	Lbs.	6618.57	C	C
battery units).				
Plate shearing machines	Units	7444.05	C	C
Plate, aluminum or alloys (include .006" in thickness and	Lbs.	6803.01	C	C
over)				
Plates, brass and bronze	Lbs.	6480.00	47	47
Plates, copper	Lbs.	6423.00	C	C
Plates, iron and steel, fabricated, punched or shaped	Lbs.	6047.00	C	C
Plates, machine and alloy	Lbs.	6480.08	C	C
Plates, metal, n. e. s.	Lbs.	6343.09	C	C
Plates, screw, for metal working machinery	Units.	8260.01	C	C
Plates, phenol-formaldehyde resins	Lbs. or Units	8291.01	C	C
		6572.05		
Plates, photo-engraving, zinc	Lbs	6980.03	47	47
		6981.03		
Plates, Piezo electric quartz	Lbs.	6960.02	None	None
Plates, quartz, optical	Lbs.	5960.08	C	C
Platen—See Printing Machinery		8280.07		
Platens, cutting, for Printing Presses	Lbs. or Units	8281.07	C	C

Commodity	Unit	Department of Commerce No.	General Limitation Group	Shipping Priority Rating
Pliers, wire	Units	7201.00	C	C
Plumbing goods, metals				
Aluminum metal and alloys, including scrap	T. oz	6922.09	C	C
Cadmium metal and alloys, including scrap	T. oz	6922.09	C	C
Chromium metal and alloys, including scrap	T. oz	6922.09	C	C
Platinum, iridium, osmium, palladium, rhodium, ruthenium,	T. oz	6922.05	C	C
ore, sponge, and other platinum group metals, n. e. s.				
Platinum metal and alloys in finished articles other than	T. oz	6922.05	C	C
jewelry (including crucibles).				
Platinum ores and concentrates	T. oz	6920.00	47	47
Platinum metal and alloys, including scrap	T. oz	6922.09	C	C
Miscellaneous platinum group metals, n. e. s.	T. oz	6922.09	C	C
Platinum group salts and compounds (percentage content	T. oz	6729.45	C	C
of each platinum metal) See Chemicals.				
Plastic, thermoplastic, sheets, rods, tubes, and shapes		9020.00	C	C
Playground and amusement park devices and parts		9040.19		
Playing cards	Deck	9042.00	C	C
Pliers	Units	6178.60	C	C
Plows, horse and power (include disk and moldboard	Units	7455.00	K	K
plows, listers).		7816.02	None	None
Plugs, fuse				
Plugs, lead and antimonial lead	Units	7031.05	C	C
Plumbers' brass goods, engine	Units	6515.60	C	C
Plumbers' brass goods—See Chemicals—Unmanufactured.	Lbs.	7045.05	C	C
Plumbing fixtures, enameled iron—See Iron and Steel	Lbs.	6964.60	C	C
Mfrs.—Enamel Ware.				
Plumbing fixtures, porcelain—See Clay and Clay Products.				
Plumbing and heating machinery—See Machinery				
Printing and Bookbinding.				
Plywood—See Wood Mfrs.				
Pneumatic tools, metal working, portable	Units	7475.00	C	C
Pocketbooks—See Leather Mfrs.				
Podophyllin—See Medicinals.				
Polishes—See Chemicals—Unmanufactured.				
Polishes—See Chemicals—Uranium and radium, ready-				
mixed	Units	7403.00	C	C
Polishing machines	Lbs.	7396.19	None	None
		5965.50		
Polishing wheels, cork				
Pomades	Lbs.	7706.00	K	K
Ponderosa pine boards, planks, and scantlings	M bd. ft.	4196.10	C	C
Poplar boards, planks, and scantlings	M bd. ft.	4196.16	C	C
Poppy seed	Lbs.	2220.30	C	C
Porcelain—See Clay and Clay Products.				
Porcelain, electrical—See Clay and Clay Products.				
Portable electric tools—See Machinery—Mfg. Wks.				
Portable tools, electric, other than metal working	Units	7056.08	C	C
Portland cement	Bbls.	6919.10	C	C
Positive plates, metal	Lbs.	2189.95	C	C
Potassium fertilizer materials—See Chemicals.				
Potassium bromide	Lbs.	8104.02	C	C
Potassium chlorate (muriate)	L. tons	8511.01	C	C
Potassium chromate and bichromate	Lbs.	8057.04	C	C
Potassium compounds, except chlorate (alum)	Lbs.	8059.11	C	C
Potassium salts and compounds—See Chemicals.				
Potassium sulfate	L. ton	8511.03	C	C
Potatoes—See Vegetables and Preparations.				
Pottery, except electrical, all other, and other finished (include	Tons	7806.00	None	None
clock feeders, drinking fountains, fish bowls, flower pots, poultry				
coops, dry mash hoppers, grain feeders, trap nests, and				
laying boxes of iron or wood, etc.).				
Powder, lead—See Folders and Feeds.				
Powder, Bleaching	Lbs.	6010.00	C	C
Powder, bleaching	Lbs.	6011.00	C	C
Powder, cube (tumbo or barbasco) root	Lbs.	8511.04	C	C
Powder, fuller's earth	Lbs.	2209.05	C	C
Powder, for fire extinguishers	Lbs.	2209.07	C	C
Powder, magnesium metal		8712.00	C	C
Powder, magnesium metal	Lbs.	8712.01	C	C
Powder, Pyrethrum	Lbs.	2207.12	C	C
Powder, red lead and antimonial lead	Lbs.	6530.00	C	C
Powder, white lead and antimonial lead	Lbs.	6531.00	C	C
Power boats, gasoline and diesel engines, except automo-				
tive, steam engines, boilers and electric and internal				
combustion engines—See Machinery—Power Generating				
Machinery—Power Generating (except electric and auto-				
motive).				

Commodity	Unit	Department of Commerce No.	General Limitation Group	Shipping Priority Rating
Quartz crystals—Cont nued.				
Quartz, Dauphine twins	Lbs	6113 00	C	C
Quartz, Dauphine twin, fabricated	Lbs	9990 87	C	C
Quartz, Dauphine, raw	Lbs	2220 00	C	C
Quartz, radio grade, Mercury	Lbs	2349 05	C	C
Quartz, radio grade, Mercury, unfabricated	Lbs	2349 10	C	C
Quartz, raw	Lbs	6302 05	C	C
Quartz, raw	Lbs	6302 10	C	C
Quartz, raw	Lbs	4158 05	C	C
Quartz, raw	Lbs	4158 10	C	C
Quartz, raw	Lbs	4158 50	C	C
Quartz, raw, unfabricated	Lbs	18950 00	C	C
Quartz, raw, unfabricated	Lbs	1113 00	C	C
Quartz, raw, unfabricated	Lbs	1113 05	C	C
Quartz, raw, unfabricated	Lbs	1113 10	C	C
Quartz, raw, unfabricated	Lbs	1113 50	C	C
Quartz, raw, unfabricated	Lbs	1113 90	C	C
Quartz, raw, unfabricated	Lbs	1113 95	C	C
Quartz, raw, unfabricated	Lbs	1113 99

Commodity	Unit	Department of Commerce No.	General License Group	Shipping Priority Rating
Slabs, aluminum alloys including duralumin, and other crude forms	Lbs.	6840 01	C	
Slabs, aluminum, and other crude forms	Lbs.	6841 01		
Slabs, copper	Lbs.	6842 01		
Slabs, monel metal or nickel steel	Lbs.	6844 01		
Slabs, monel metal or nickel steel	L. ton	6845 01		
Slabs, monelloy, alloy, and stainless steel	Lbs.	6846 01		
Slabs, optical glass, other than ophthalmic	Lbs.	6922 05	C	
Slabs, platinum metal and alloys	Tr. oz.	6922 05	C	
Slabs, zinc—See Zinc.	Lbs.	6925 01	C	
Shackles—See Cotton Mfrs.				
Shafting machinery and parts—See Machinery—Textile				
Sewing and Spec				
Sheepskins, tanned	Doz.	6960 08	C	
Sledge handles	Units	1296 01	C	
Slicing machines, power-driven (include bread, meat, and cheese slicers, meat grinders and choppers and coffee mills)	Units	7710 01	C	
Slides, bismuth	Lbs.	6945 10	C	
Slippers—See Leather Mfrs.				
Slotters, metal—working	Units	7407 01	C	
Smelting machinery and parts (include flotation machinery)	Units	7391 01	C	
Snaps	Gr.	6114 01	C	
Soap and toilet preparations:				
Cold cream	Lbs.	6750 01	C	
Cosmetics n. e. s.	Lbs.	6751 01	C	
Dental creams	Lbs.	6755 01	C	
Depilatories n. e. s.	Lbs.	6760 01	C	
Depilatories and deodorants	Lbs.	6762 01	C	
Face and compact powder	Lbs.	6763 01	C	
Hair preparations (include shampoos, tonics, dyes, pomades, dressings, etc.)	Lbs.	6765 01	C	
Lipstick	Lbs.	6766 01	C	
Lotions, creams, and balms, n. e. s.	Lbs.	6767 01	C	
Manicuring preparations	Lbs.	6768 01	C	
Perfumery and toilet waters	Lbs.	6769 01	C	
Rouges (cosmetic pastes, powders, soaps, and household scouring preparations)	Lbs.	6770 01	C	
Shaving cakes, powders, and sticks	Lbs.	6771 01	C	
Shaving creams	Lbs.	6772 01	C	
Soap, laundry	Lbs.	6773 01	C	
Soap, liquid or oil	Lbs.	6774 01	C	
Soap, powdered or flaked	Lbs.	6775 01	C	
Soap, toilet or fancy	Lbs.	6776 01	C	
Soap, n. e. s.	Lbs.	6777 01	C	
Talcum powder in packages	Lbs.	6778 01	C	
Talcum powder, n. e. s. (include bath salts, bleaches, ointments, and similar preparations)	Lbs.	6779 01	C	
Vanishing creams	Lbs.	6780 01	C	
Soap stock, vegetable	Lbs.	2425 05	C	
Soapstone	Ton	2436 05	C	
Soaps, textile—See Silk and Silk Mfrs. (also see Synthetic Textiles)				
Soda fountain equipment and bar supplies		6859 01	C	
Soda lime	Lbs.	4879 01	C	
Soda water—See Beverages.				
Soda wood pulp	Lbs.	4906 00	C	
Sodium aconitate	Lbs.	4924 50	C	
Sodium alkali	Lbs.	4875 15	C	
Sodium benzoate	Lbs.	4876 00	C	
Sodium bicarbonate	Lbs.	4877 00	C	
Sodium bisulfite	Lbs.	4884 03	C	
Sodium borate (borax)	Lbs.	4135 05	C	
Sodium carbonate (soda ash)	Lbs.	4905 00	C	
Sodium chlorate	Lbs.	4878 05	C	
Sodium chromate and bichromate	Lbs.	4880 00	C	
Sodium cyanide	Lbs.	8079 05	C	
Sodium hydrosulfite	Lbs.	8079 10	C	
Sodium hydrosulfite and compounds	Lbs.	8079 84	C	
Sodium hyposulfite	Lbs.	8079 88	C	
Sodium metasilicate	Lbs.	8079 27	C	
Sodium metasilicate	Lbs.	8079 28	C	
Sodium nitrate	Lbs.	4881 05	C	
Sodium nitrite	Lbs.	4882 05	C	
Sodium peroxide	Lbs.	4883 05	C	
Sodium phosphate—See Chemicals.				
Sodium silicate	Lbs.	4885 00	C	
Sodium sulfide	Lbs.	4886 00	C	
Sodium sulfite	Lbs.	4887 00	C	
Sodium thiosulfate (hypo)	Lbs.	4888 00	C	
Sodium, n. e. s.	Lbs.	4889 00	C	
Sodium waste	Lbs.	4890 00	C	

Commodity	Unit	Department of Commerce No.	General License Group	Shipping Priority Rating
Steam pumps, reciprocating—See Machinery—Mining, Oil and Pumping.				
Steam turbines—See Machinery—Power Generating (except electric and automotive).				
Stearic acid	Lbs.	4840 00	C	
Stearin, crude	Lbs.	4841 00	C	
Stearin, oleo, refined	Lbs.	4666 00	C	
Stearin, vegetable	Lbs.	4844 00	C	
Steatite	Ton	4796 00	C	
Steel abrasives	Lbs.	5411 05	C	
Steel—See Iron and Steel.				
Steel wool	Lbs.	5413 00	C	
Stereopticons, magic lanterns, and other projection apparatus	Units	9112 00	C	
Sterilizers	Units	9156 05	C	
Stick, lac	Lbs.	2180 00	C	
Stickpins—See Jewelry.				
Stitching machines, power-driven, machines	Lbs.	6691 05	C	
Stokers, coal, domestic—See Iron and Steel—Central Heating.	Units	6169 81	C	
Stokers, coal, industrial	Units	7750 98	C	
Stones, precious, synthetic and imitation, n. e. s., including Pearls—See Nonmetallic Minerals.				D
Stoneware—See Clay.	Tons	5358 00	E	
Stoppers, cork (except stoppers in containers)	Lbs.	5405 55	C	
Stoppers, graphite	Lbs.	5380 55	None	
Storage cabinets, sheet-metal—See Iron and Steel Mfrs.—Metal Furniture and Fixtures.				
Storage tanks, iron and steel	Lbs.	6343 00 6399 15	C	
Store furniture, fixtures, and parts—See Iron and Steel Mfrs.—Metal Furniture and Fixtures (also—see Wood Mfrs.)				
Stove polishes	Lbs.	8399 60	K	
Stoves, mica	Units	6477 05	None	
Stoves—See Iron and Steel Mfrs.—Stoves.				
Stoves, coal and wood cooking and room-heating	Units	6139 00	C	
Stoves, gasoline	Units	6146 00	C	
Stoves, kerosene cooking	Units	6147 00	C	
Stoves, oil (except kerosene, and gasoline (includes cabinets, ovens, mantled wicks, etc.)	Units	6147 98	C	
Stramonium, extract of—See Medicinals.	Lbs.	8127 05 8180 14		
Stramonium, fluid extract of—See Medicinals.	Lbs.	8181 14		
Stramonium (Jimson weed) tops, leaves, dried, including all datura types—See Medicinals.	Lbs.	8180 19 2209 25		
Stramonium ointment—See Medicinals.	Lbs.	8124 19		
Stramonium, tincture of—See Medicinals.	Lbs.	8181 19 8179 19		
String instruments—See Musical instruments.			C	
Strip, nickel metal	Lbs.	6545 09	C	
Strip, aluminum and alloy (include .006" in thickness and over)	Lbs.	6503 60	C	
Strips, brass and bronze	Lbs.	6450 00 6479 07	C	
Strips, copper	Lbs.	6423 60	C	
Strips, iron and steel—See Iron and Steel—Strip.				
Strips, lead and antimonial lead	Lbs.	6515 60	C	
Strips, tin plate—See Iron and Steel—Tinplate.				
Strips, zinc	Lbs.	6572 09	C	
Strontianite (mineral strontium carbonate)	Lbs.	8897 81	C	
Strontium carbonate	Lbs.	8897 82	C	
Strontium chloride	Lbs.	8897 83	C	
Strontium nitrate	Lbs.	8897 84	C	
Strontium oxalate	Lbs.	8897 85	C	
Strontium peroxide	Lbs.	8897 86	C	
Strontium salts and compounds—See Chemicals.				
Strontium sulfate	Lbs.	8897 87	C	
Structural iron and steel—See Iron and Steel Mfrs.—Structural Products.				
Strychnine, salts and compounds—See Medicinals.	Units	7949 05	C	
Studio—See Jewelry.				
Styrene, polymers and copolymers of	Lbs.	8023 96	C	
Sugar mill machinery—See Machinery—Industrial, Misc.	Lbs.	8258 19	C	
Sugar and related products:				
Chewing gum	Lbs.	1620 00	K	
Chocolate candy	Lbs.	1641 00	K	
Glucose, dry	Lbs.	1644 00	K	
Glucose, liquid	Lbs.	1643 00	K	
Honey	Lbs.	1642 00	C	
Molasses	Gal.	1629 00	C	
Sirup	Gal.	1630 00	C	
Sugar	Lbs.	1619 05	C	
Candy n. e. s.	Lbs.	1635 00	C	
Confections, n. e. s	Lbs.	1637 00	C	
Sugar Wax	Lbs.	2599 05	C	
Suitcases—See Cotton Mfrs. (also Wool Mfrs.).				
Sulphate wood pulp, bleached	S. ton	4910 00	C	
Sulphate wood pulp, unbleached (Kraft pulp)	S. ton	4648 00	C	
Sulphate wood (refined) resins	Lbs.	4780 00	C	
Sulphite wood pulp, bleached	S. ton	4909 00	C	
Sulphite wood pulp, unbleached	S. ton	4664 00	C	
Sulphur:				B
Crude	Ton	5714 00	E	
Sulphur, refined, sublimed, and flowers	Lbs.	5715 00	K	
Sulphuric acids and anhydrides—See Chemicals.	Lbs.	8098 05	C	
Sulphuryl chlorides	Lbs.	2220 20	C	
Sumac	Lbs.	3113 50	C	
Sun chassis and goggles	Pr.	3114 60	C	
Sun fiber untwisted and twine	Lbs.	3305 32	C	
Sunn fiber untwisted	Lbs.	3305 21	C	
Sunn yarn	Lbs.	3499 09	C	
Supercharger, aircraft engine	Units.	7917 05	C	
Superphosphate (also see Chemicals)	L. ton	8519 00	C	
Supplies for sick and wounded			None	D
Supports, radio tube, mica processed	Lbs.	5313 00		
Surgical appliances—See Scientific and Professional Instruments, Apparatus and Supplies.				
Surgical and Medical Instruments—See Scientific and Professional Instruments, Apparatus and Supplies.				
Surveying and engineering instruments—See Scientific and Professional Instruments, Apparatus and Supplies.		4397 19 4398 50	None	
Swabs, cork	Lbs.			
Sweaters and sweatshirts—See Cotton Mfrs.				
Switchboard, for self-synchronous transmitters and indicators—See Instruments—Fire Control.				
Switch boxes, outlets, and metal conduit—See Electrical Equipment.				
Switches, electric light and parts	Units	7066 00	C	
Switches, power, circuit breakers over 10 amperes and parts (include network protectors)	Units	7033 00	C	
Switches, switch points, frogs, crossings, and derails, railway	Lbs.	6955 00	C	
Synthetic guns and resins—See Chemicals.				
Synthetic rubber sold in bulk as raw material, general purpose	Lbs.	2098 01	None	
Synthetic rubber sold in bulk as raw material, special purpose	Lbs.	2098 05	None	
Synthetic textiles:				
Braids, ringes, and narrow trimmings of rayon, nylon, and other synthetic textiles		3858 55	C	
Dresses, skirts, blouses and other outerwear for women and children, n. e. s. (except knit or crocheted)	Units	3852 00	K	
Knit or crocheted dresses and ensembles	Units	3853 10	K	
Knit fabric in the piece, n. e. s. (include crocheted shawls, sweaters, and gloves of kait rayon)	Lbs.	3853 90	K	
Knit underwear	Doz.	3857 10	K	
Men's socks	Doz. prs.	3856 60	C	
Nylon filament, including waste and staple fiber	Lbs.	3890 05	C	
Nylon, hosiery, women's and children's	Doz. prs.	3854 10	C	
Nylon staple fiber	Lbs.	3890 05	C	
Nylon waste	Lbs.	3890 05	C	

Commodity	Unit	Department of Commerce No.	General Limitation Group	Shipping Priority Rating
Dupes, mids	Lbs	5513.00	47	
Dupes, mids	Sq. yds	3084 (0)	K	
Dupioni materials	Lbs			
Duplexes—See Vegetable and Preparations				
Duplexes—See Vegetable and Preparations	Units	6168.43	C	
Duplicating machines for power-driven metal-working machine tools			C	
Duplicating machines, for power tools	Units	7852 (0)		
Durain metal cutting, for power tools			C	
Dur-acid resins—See Chemicals.	Lbs	2148 (0)	K	
Dur and pitch of wool (including "B" wool)	Lbs	8805.05	C	
Durtar enzyme	Lbs	8802.00	47	
Dutch metal foil	Lbs			
Dutton—See Cotton Mfrs.				
Dye	Lbs	1521.05	C	
Dye wax	Lbs	4000 (0)	C	
Dyewood	M bd. ft	4130 (0)	None	
Dyestuffs	Units	7844 (0)	None	
Dyestuffs	Units	9152 (0)	K	
Dyestuffs	Units	7852 (0)	C	
Dynamite—See Explosives.				
Dynamometers—See Instruments, Fire Control				
Eagle balls	Units	9434 (0)	K	
Earthenware, including long wares and waste materials	Lbs	6942 (0)	C	
Earthenware, including wastewaste and clippings	L. tons	6015 (0)	C	
Earthenware manufactures—See Clay and Clay Products.				
Earthenware, apparatus, electrical, and parts—See Electrical Machinery and Apparatus.				
Earthenware, for working—See Instruments—Precision				
Earthenware, for Metal Working				
Ebonite—See Petroleum Products.	Lbs	8526.08	C	
Echelon—See Chemicals.				
Echelon—See Chemicals.	Units	7750.03	C	
Edge tools, including long wares and waste materials				
Edge tools—See Books, Maps, Pictures, and Other Printed Matter.				
Edge tools—See Machinery—Textile, Sewing and Shoe

Commodity	Unit	Department of Commerce No.	General License Group	Shipping Priority Rating
Turntables and float cleaning machines and parts	Units	7461 00	C	47
	Lbs	2249 10		
Turpentine:				
Alloys containing turpentine, including tool bit blanks (Ferro-tungsten—See Iron—Ferro-alloys)	Lbs	6639 00	C	47
Metallic rods, bars, wire, filament, carbide rings, shapes, and other forms	Lbs	6639 00	C	47
Golf balls		6645 80	C	47
Golf clubs:				
Complete clubs	Lbs	6645 80	C	47
Heads and components—See Chemicals.				
Tungsten bearing scrap metal	Lbs	6639 00	C	47
Tungsten chloride	Lbs	6639 55	C	47
Tungsten oxide	Lbs	6639 21	C	47
Turbine pumps, deep well—See Machinery—Mining, Well and Pumping.				
Turbines, mechanical-drive—See Machinery—Power Generating.				
Turbines, water—See Electric and Industrial Controls.				
Turpentine, gum spirits of	Units	2163 00	C	
Turpentine, wood	Gals	2114 10	E	
Turrets, vertical	Lbs	2115 10	C	
Twine, binder (specify fiber):	Units	3411 00	C	
Cotton	Lbs	3419 09	C	
Flax	Lbs	3419 05	C	
Hemp	Lbs	3419 09	C	
Twine, hemp	Lbs	3211 00	C	
Twine, jute or tampico	Lbs	3419 09	C	
Twine, sisal	Lbs	3419 09	C	
Twine, tinsetsy	Lbs	3414 09	C	None
Twine, manila	Lbs	3419 09	C	
Twine, paper	Lbs	3419 05	C	
Twine, raffia	Lbs	3419 09	C	None
Twine, rayon or homespun	Lbs	3419 09	C	
Twine, sisal	Lbs	3419 09	C	
Twisting and other preparing, spinning and carding machinery and parts—See Machinery—Textile, Sawing and Shoe.				
Tympanic, of antimony, in crude and semimanufactured form	Lbs	6515 05	C	
		6670 00	C	
Typewriter parts	Units	7772 00	C	47
Typewriters, portable, new	Units	7773 00	C	47
Typewriters, portable, used	Units	7774 10	C	47
Typewriters, standard, new	Units	7770 00	C	47
Typewriters, standard, used	Units	7774 10	C	47
Typewriters, other, used	Units	8827 40	C	47
Ukelele	Units	9931 00	K	
Umbrellas and parasols				
Umbrella frames, Mfrs. (also see Silk and Silk Mfrs. and Synthetic Textiles)				
Uniforms—See Cotton Mfrs.				
Upholstery fabrics, wider than 42 inches—See Synthetic Textiles.				
Upholstery materials—See Cotton Mfrs.				
Upholstery pads, kapok	Units	3402 12	C	
Upsetters (headers) forging machines	Units	7447 00	C	
Uranium:				
Alloys	Grams	6649 85		None
Minerals	Grams	6645 85		None
Salts and compounds—See Chemicals.				
Urea	Lbs	8890 25	C	
Urea formaldehyde products, fabricated, not molded	Lbs	8895 25	C	
Urea-formaldehyde resins, sheets, plates, rods, tubes and other unfinished forms	Lbs, or units	8813 07	C	
Urea-formaldehyde resins, unfabricated in flake, liquid and powder form	Lbs	8890 07	C	
Urethane gums and resins—See Chemicals.		8895 07	C	
Utensils, aluminum table, kitchen and hospital	Pieces	8333 00	K	
Utensils, other	Lbs	6503 00	C	
Vases and cones, commutator	Units	7666 00	C	
Vaseline for human use—See Medicinals.				
Vehicles, electric—See Electrical Machinery and Apparatus.				
Velocimeters, gun	Units			C
Velocity, initial—See Cotton Mfrs.				
Velvets—See Cotton Mfrs.				
Vending machines	Units	7915 00		
Vessels, automotive				
Valves for use in aircraft engines—See Engines, Aircraft parts.				

Commodity	Unit	Department of Commerce No.	General License Group	Shipping Priority Rating
Valves—Continued.				
Valves, except those of bodies, 4" or larger, used to control flow of liquids, vapors, or gases in piping, including gate, globe, angle, and check valves:				
Ferrous, or nonferrous, including any of their alloys, except brass and bronze	Units	6599 07	C	
		6439 07		
		7745 05		
Valves, other, ferrous or nonferrous, under 4" except brass and bronze	Units	6599 98	C	
		6439 98		
Valves, brass and bronze	Lbs	7745 98	C	47
		6454 58		
Valves, safety—See Machinery—Power Generating.				
Vanadium:				
Alloys, metal, and scrap containing vanadium (Ferro-vanadium—See Iron—Ferro-alloys)	Lbs	6649 90	C	47
Ores and concentrates (include fused vanadium ore concentrates); vanadic oxide (pentoxide V_2O_5 content)	Lbs	6637 00	C	47
Ores and concentrates (include fused vanadium ore concentrates) (quantity only)	Lbs	6637 01	C	47
Salts and compounds—See Chemicals.				
Vanadium chloride		6639		
Vanadium oxide	Lbs	8808 40	C	47
Vanadium sulfide	Lbs	8808 37	C	47
Vanilla beans	Lbs	1510 15	C	K
Vanillin	Lbs	8860 00	C	K
Varnish cases—See Jewelry.				
Varnishes—See Chemicals (also see Pigments).	Lbs	8751 00	C	K
Vases—See Clay and Clay Products.				
Vaults, bank (include burglary-resistive chests and safes and safe deposit units)	Units	6134 00	C	K
Veal—See Meat Products.				
Vegetables, artificial or ornamental		3963 00	C	K
Vegetable dyeing and tanning extracts:				
Chestnut extract	Lbs	2331 00	C	
Divi-divi and myrobalan extracts, other	Lbs	2309 05	C	
Dyeing and tanning materials, crude	Tons	2309 15	C	
Logwood extract	Lbs	2311 00	C	
Quebracho extract	Lbs	2339 05	C	
Vegetable fibers:				
Unmanufactured:				
Cotton	Tons	3205 01	C	C
Flax	Tons	3205 03	C	C
Hemp	Tons	3205 05	C	C
Istle or tampico	Tons	3205 07	C	C
Jute	Tons	3205 09	C	C
Kapok	Tons	3205 11	C	C
Maguey or cantala	Tons	3205 13	C	C
Manila or abaca	Tons	3205 15	C	None
New Zealand flax	Tons	3205 17	C	C
Ramie	Tons	3205 18	C	C
Sisal or henequen	Tons	3205 19	C	None
Sunn	Tons	3205 21	C	C
Fibers, unmanufactured, other		3205 98	C	C
Semimanufactures and manufactures:				
Binder twine	Lbs	3411 00	C	C
Cotton:				
Twine, cord, and cordage	Lbs	3419 09	C	C
Yarn	Lbs	3199 09	C	C
Flax:				
Fabrics, narrow including braid, webbing and tapes	Lbs	3399 09	C	C
Fabrics, other, except wearing apparel and tapes	Lbs	3399 09	C	C
Semimanufactures, including yarn	Lbs	3399 03	C	C
Thread	Lbs	3399 05	C	C
Twine and cordage	Lbs	3419 01	C	C
Manufactures, n. e. s		3399 98	C	C
Handkerchiefs, linen	Units	3399 35	C	C
Hemp:				
Twine, cord, and cordage	Lbs	3419 05	C	C
Yarn	Lbs	3536 20	C	C
Manufactures, n. e. s		3899 08	C	C
Istle or tampico, fiber	Lbs	3419 09	C	C
Twine, cord, and cordage	Lbs	3499 09	C	C
Yarn				

Commodity	Unit	Department of Commerce No.	General License Group	Shipping Priority Rating
Vegetable fibers—Continued.				
Semimanufactures and manufactures—Continued.				
Jute:				
Bags, except when used as container for other merchandise or as a component part of other articles	Lbs	3224 00	C	
Burlaps, except when used as a covering for other merchandise or as a component part of other articles	Lbs	3250 05	C	
Yarn, cordage, and twine	Lbs	3211 00	C	
Manufactures, n. e. s	Lbs	3229 98	C	
Kapok:				
Cushions and upholstery pads	Units	3460 15	C	
Kapok, prepared	Lbs	3460 13	C	
Matted fiber (semimanufacture)	Lbs	3460 11	C	
Mattresses	Units	3070 04	C	
Manufactures, n. e. s		3499 18	C	
Maguey:				
Cord, cordage, and twine	Lbs	3419 09	C	
Yarn	Lbs	3499 09	C	
Manila:				
Cord, cordage, and twine	Lbs	3414 00		None
Yarn	Lbs	3499 98		None
Oakum	Lbs	3466 00	C	
Jute:				
Twine, cord and cordage	Lbs	3419 09	C	
Yarn	Lbs	3199 09	C	
Kapok:				
Twine, cord and cordage	Lbs	3419 05	C	
Yarn	Lbs	3399 25	C	
Manufactures	Lbs	3399 98	C	
Sisal or henequen:				
Cord, cordage, and twine	Lbs	3419 09		None
Yarn	Lbs	3499 09		None
Sunn:				
Twine, cord, and cordage	Lbs	3419 09	C	
Yarn	Lbs	3499 09	C	
Cordage, n. e. s	Lbs	3419 98	C	
Fibers and manufactures, n. e. s	Lbs	3499 98	C	
Vegetable oils and fats—See Oils and Fats.				
Vegetables and Preparations:				
Artichokes, canned	Lbs	1211 00	C	
Asparagus, canned and pack and bears, canned	Lbs	1212 10	C	
Beans, dry or ripe	Lbs	1217 10	C	
Beans, fresh	Lbs	1217 60	C	
Beans, green, canned	Lbs	1240 00	C	
Beans, wax, canned	Lbs	1240 00	C	
Carrots, canned	Lbs	1240 00	C	
Corn, canned	Lbs	1243 00	C	
Farinaceous substances	Lbs	1259 05	C	
Ketchup, chili sauce, and other tomato table sauces	Lbs	1251 00	C	
Mushrooms, canned and pack	Lbs	1252 10	C	
Olives (including green, ripe, stuffed or pickled, in bottles, cans, kegs, or barrels)	Lbs	1252 05	C	
Onions, fresh	Lbs	1298 00	C	
Peas, canned	Lbs	1244 00	C	
Peas, dry or ripe	Lbs	1217 10	C	
Peas, green	Lbs	1240 00	C	
Peppers	Lbs	1250 00	C	
Pickles	Lbs	1211 00	C	
Pimientos, canned	Lbs	1211 00	C	
Sauces and relishes, other	Lbs	1259 00	C	
Sauerkraut, canned	Lbs	1240 00	C	
Soup mixes	Lbs	1201 50	C	
Soups, canned	Lbs	1245 00	C	
Soya flour, edible	Lbs	1259 11	C	
Spinach, canned	Lbs	1240 00	C	
Tomatoes	Lbs	1259 00	C	
Tomatoes, canned	Lbs	1246 00	C	
Tomato juice, canned	Lbs	1248 00	C	
Tomato paste and puree, canned	Lbs	1247 00	C	
Vegetable juices, other	Lbs	1259 98	C	
Vegetables, dehydrated		1220 00	C	
Vegetables, fresh, other		1221 00	C	
Vegetables and juices, canned, other	Lbs	1249 00	C	
Vinegar	Gal	1253 00	C	
Yeast	Lbs	1256 00	C	

Commodity	Unit	Depart. ment of Commerce No.	General Licedse Group	Shipping Priority Rating
Vegetable tallows, nsm:				
Cochin	Lbs	6945 00	C	D
Japan	Lbs	7879 15	C	D
Tallow nut	Lbs	2965 05	C	B
Vegetable, other	Lbs	2966 05	C	
Vegetable fibers, manufactured, nsm:				
Abaca	Lbs	2967 05	C	
Cordage	Lbs	2968 05	C	
Flax	Lbs	2969 05	C	
Hemp	Lbs	2970 05	C	
Jute	Lbs	2971 05	C	
Sisal	Lbs	2972 05	C	
Vegetable fibers, nsm:				
Abaca	Lbs	2973 05	C	
Cordage	Lbs	2974 05	C	
Flax	Lbs	2975 05	C	
Hemp	Lbs	2976 05	C	
Jute	Lbs	2977 05	C	
Sisal	Lbs	2978 05	C	
Vegetable oils, nsm:				
Castor	Lbs	2979 05	C	
Coconut	Lbs	2980 05	C	
Corn	Lbs	2981 05	C	
Cottonseed	Lbs	2982 05	C	
Linseed	Lbs	2983 05	C	
Olive	Lbs	2984 05	C	
Palm	Lbs	2985 05	C	
Peanut	Lbs	2986 05	C	
Rapeseed	Lbs	2987 05	C	
Soybean	Lbs	2988 05	C	
Tung	Lbs	2989 05	C	
Vegetable oils, nsm, other	Lbs	2990 05	C	
Vehicles—See Machinery—Vehicles.				
Velvet ribbons—See Silk and Silk Mfrs.				
Vending machines, coin-operated—See Miscellaneous.				
Veneer Cheese Boxes	Units	7638 00	47	
Veneer, Wood—See Lumber.				
Venetian blinds and slats—See Wood Mfrs.				
Ventilating machinery and parts—See Machinery.				
Vermicelli—See Cereals.				
Vermiculite—See Rock Wood.				
Vessels—See Ships and Other Products.				
Veterinary biologics—See Medicinals.				
Vials—See Glass and Glass Products.				
Vinegar	Gal	7641 00	C	D
Vinyl resins	Lbs	9158 80	C	
Vinyl-lidene chloride	Lbs	6178 84	C	
Vinyl-lidene chloride, polymers and copolymers of	Lbs	6178 85	C	
Vise	Units	5412 00	C	
Vitamins and vitamin products (include food hormones, extracts A, B, C, D, E, F, G, P, and X; synthetics such as ascorbic acid, thiamin, riboflavin, and pantothenic acid; and vitamin products containing iron, iodine, or other minerals)	Units	5406 00	C	
Voltage regulators, including induction and step type feeder voltage regulators	Units	4307 10	C	
Vulcanizers, tire	Units	6306 35	None	
Wafers, cork	Units	7153 00	C	
Wagons, electric	Units	5419 00	C	
Wagons:				
Wall board—See Gypsum				
Wall board of paper or pulp—See Paper and Paper Mfrs.				
Wallpaper	Roll	6425 00	47	
Wallets—See Leather Mfrs.	Sq. ft.	5425 00	C	
Walnut boards, planks, and scantlings—See Wood Manufactures.				
Walrus Products, n.e.s.				
Warmers—See Leather Mfrs.				
Warning machinery and parts—See Machinery—Textile.				
Washing and Shoe				
Washers, cork	Lbs	5398 90	C	D
Washers (except railroad):				
Asbestos, metal-bronzed, bare and insulated	Lbs	4399 50	None	
Washers, iron, finish up	Lbs	4303 00	C	
Washers, iron, unfinished	Lbs	6459 00	C	
Washing machines, electric—See Electrical Machinery and Appliances.				
White, cork shavings and refuse	Lbs	4304 00	C	
Whiting, prime—See Paper—Waste Papers.	Lbs	8850 65	None	
Wicks, lamp—See Yarns and Textile Mfrs.				
Waste, rayon—See Synthetic Textile Mfrs.	Lbs	7378 05	None	
Waste, silk	Lbs	6442 00	C	
Wastes, textile, n.e.s.	Lbs	6565 00	47	
Watch cases, metal	Units	6470 00	C	
Water tanks, wood or iron and steel—Tinplate.	Units	3026 00	C	
Waste, wood or hair rolls (camel, angora, etc.), including garnetted, picked and carded mill waste.	L. ton			
Watch bracelets and straps, leather	Lbs			
Watches and watch parts—See Clocks and Watches.				
Water closet bowls	Pieces	5372 00	K	
Water heaters—See Iron and Steel Mfr. Prods.				
Waterproofing	Lbs	1341 10	K	D
Wax, carnauba	Units	7742 00	K	D
Wax, paraffin	Cake	1701 00	K	D
Wax, vegetable (except nsm)	Units	7366 10	C	
Wax, other	Lbs	7367 00	C	
Waxes, nsm	Lbs	7368 00	C	
Weaving machinery and parts—See Machinery—Textile.				
Webbing—See Cotton Mfrs. (also see Textile Products).				
Weighing machinery, equipment, and parts, electric	Units	6515 60	C	
Weights, scale, lead and antimonial lead		7010 10	C	
Welding machinery, equipment, and parts, electric	Units	7010 20	C	
Welding rods, brass and bronze	Lbs	6457 00	47	
Welding rods of iron and steel—See Iron and Steel Mfrs.—Wire.				
Well drilling machinery, petroleum and gas well, and parts	Units	7342 00	C	D
Whale oil	Gal	7340 05	47	
Wheat feeds	L. ton	1106 60	C	
Wheat—See Grains and Preparations.				
Wheel chairs	Units	7991 00	C	
Wheel dresser, diamond	Units	9158 80	C	
Wheels, locomotive	Lbs	6178 84	C	
Wheels of emery, corundum and garnet	Lbs	5412 00	C	
Wheels, polishing, cork	Lbs	5406 00	None	
Wheels, railway car	Units	4307 10	C	
Wheels, water	Units	7153 00	C	
Whips, other than of artificial aberavus	Units	5419 00	C	
Whips—See Animal Products—Edible.				
Whiskey—See Beverages.				
White lead, in oil	Lbs	5426 00	C	
White lead—See Chemicals.	Lbs	5425 00	C	
Whips—See Cotton Mfrs.				
Widthmeters—See Cotton Mfrs.				
Winders and parts, textile machinery	Units	7505 00	47	
Windmill pumps	Units	7505 00	C	
Windmills	Units	7891 00	None	
Window strips, brass and bronze	Lbs	6455 00	47	
Wines:		6452 00	K	
Wingtips, garment	Gal	1750 00	C	
Wire, iron and steel, bronzed, bare and insulated	Lbs	7949 05	K	
Wire (copper), bare	Lbs	6425 00	C	
Wire (copper), insulated, rubber covered	Lbs	6431 00	C	
Wire (copper), insulated, weatherproof	Lbs	6435 00	C	
Wire (copper), insulated—See Electrical Machinery and Appliances.				
Wire, iron and steel—See Iron and Steel Mfrs.—Wire.				
Wire, lead and antimonial lead	Lbs	6512 00	C	
Wire, magnesium	Lbs	6513 00	C	
Wire, molybdenum	Lbs	6691 05	C	
Wire, tantalum	Lbs	6692 00	C	
Wire, tungsten	Lbs	6693 00	C	
Wire, nickel-chrome, electric resistance	Lbs	6694 05	C	
Wire, platinum metal and alloy	Troy oz	6695 00	C	
Wire, tantalum	Lbs	6696 00	C	
Wire, tungsten metal	Lbs	6697 00	C	
Wire drawing machinery and parts	Units	6698 00	C	
Wire rods—See Iron and Steel—Bars and Rods.				
Wiring supplies and fine materials—See Electrical Machinery and Appliances.				
Witch hazel	Gal	7370 00	C	
Wollastonite—See Tungsten.				
Wood, cork	Lbs	7371 00	C	
Wood pulp—See Paper and Paper Mfrs.	Lbs	7372 00	C	
Wood, hard:				
Ash, boards, planks, and scantlings	M. bd. ft.	4117 00	K	D
Birch, beech and maple, boards, planks, and scantlings	M. bd. ft.	4118 00	K	D
Cedar, Spanish, boards, planks, and scantlings	M. bd. ft.	4095 00	K	D
Cedar, Spanish, logs and hewn timber	M. bd. ft.	4119 00	K	D
Cottonwood, boards, planks, and scantlings	M. bd. ft.	4120 00	K	D
Cypress, boards, planks, and scantlings	M. bd. ft.	4121 00	K	D
Douglas fir, boards, planks, and scantlings, dressed (state grade)	M. bd. ft.	4122 00	K	B
Douglas fir, boards, planks, and scantlings, rough (state grade)	M. bd. ft.	4123 00	K	B
Douglas fir, sawed timber (state grade)	M. bd. ft.	4124 00	K	B
Gum box shooks	M. bd. ft.	4125 00	K	B
Gum red and sap, boards, planks, and scantlings	M. bd. ft.	4126 00	K	B
Gum red and sap, logs and hewn timber	M. bd. ft.	4127 00	K	B
Hemlock, boards, planks, and scantlings	M. bd. ft.	4128 00	K	B
Hemlock and spruce, box shooks	M. bd. ft.	4129 00	K	B
Hickory, boards, planks, and scantlings	M. bd. ft.	4130 00	K	D
Mahogany, boards, planks, and scantlings	M. bd. ft.	4131 00	K	D
Mahogany, logs and hewn timber	M. bd. ft.	4132 00	K	D
Maple, boards, planks, and scantlings	M. bd. ft.	4133 00	K	D
Oak, boards, planks, and scantlings	M. bd. ft.	4134 00	K	D
Oak, logs and hewn timber	M. bd. ft.	4135 00	K	D
Oak squares	M. bd. ft.	4136 00	K	D
Poplar, boards, planks, and scantlings	M. bd. ft.	4137 00	K	D
Poplar, logs and hewn timber	M. bd. ft.	4138 00	K	D
Port Orford cedar, boards, planks and scantlings	M. bd. ft.	4139 00	K	D
Port Orford cedar, logs and hewn timber	M. bd. ft.	4140 00	K	D
Redwood, boards, planks, and scantlings	M. bd. ft.	4141 00	K	D
Redwood, logs and hewn timber	M. bd. ft.	4142 00	K	D
Sitka spruce, sawed timber, n. e. s.	M. bd. ft.	4143 00	K	D
Small hardwood dimension stock, other than squares	M. bd. ft.	4144 00	K	D
Southern pine box shooks	M. bd. ft.	4145 00	K	B
Southern pine, hardwood, creosoted or otherwise treated	M. bd. ft.	4146 00	K	B
Southern pine, boards, planks, and scantlings, rough	M. bd. ft.	4147 00	K	B
Southern pine, boards, planks, and scantlings, dressed	M. bd. ft.	4148 00	K	B
Southern pine, softwood, sawed timber	M. bd. ft.	4149 00	K	B
Teak	M. bd. ft.	4150 00	K	B
Western oak planks (include railway-car materials)	M. bd. ft.	4151 00	K	B
Walnut, boards, planks, and scantlings	M. bd. ft.	4152 00	K	B
White pine (include northern white, Norway, Idaho white, and sugar pine), boards, planks, and scantlings	M. bd. ft.	4153 00	K	B
White ponderosa, and sugar pine box shooks	M. bd. ft.	4154 00	K	B
Box shooks, n. e. s.	M. bd. ft.	4155 00	K	B
Cedar, n. e. s. (include western red), boards, planks and scantlings	M. bd. ft.	4156 00	K	B
Hardwoods, n. e. s.	M. bd. ft.	4157 00	K	B
Hardwood, n. e. s., treated or otherwise treated, n. e. s.	M. bd. ft.	4158 00	K	B
Hardwood flooring, n. e. s.	M. bd. ft.	4159 00	K	B
Railroad ties, n. e. s.	M. bd. ft.	4160 00	K	B
Softwood, boards, planks and scantlings, n. e. s.	M. bd. ft.	4161 00	K	B
Softwoods, sawed timber, n. e. s. (include hemlock)	M. bd. ft.	4162 00	K	B
Spruce, boards, planks, and scantlings, n. e. s.	M. bd. ft.	4163 00	K	B
Squares, n. e. s., planks, and scantlings, n. e. s.	M. bd. ft.	4164 00	K	B
Woodworking machinery parts—See Machinery—Industrial (Miscellaneous).				
Woodwork for huts—See Textile Products.				
Wool cross—See Glass and Glass Products.	Lbs.	6858 05	47	
Wool, lead and antimonial lead	Lbs	6515 60	C	
Wool:				
Carpet wool	Lbs	3999 03	C	
Combing wool	Lbs	3999 05	C	
Combing waste	Lbs	3999 07	C	
Hair, angora cost (mohair) cashmere cost, alpaca, and other light hair	Lbs	3962 11	C	
Wool manufactures—Continued.				
Milltrack and house fixtures, n. e. s. (include ready-to-install bathroom fixtures, such as bathtubs, medicine cabinets, shelves, and towel bars; kitchen cabinets; and prefabricated interior doors, door frames, and other built-in house fixtures, made up or knocked down)		4239 00	K	
Seals and blinds, n. e. s.	Units	4232 00	K	
Wood-fiber products (lumber):		4260 00	K	
Wood fuels:				
Ash, boards, planks, and scantlings	M. bd. ft.	4117 00	K	D
Birch, beech and maple, boards, planks, and scantlings	M. bd. ft.	4118 00	K	D
Cedar, Spanish, boards, planks, and scantlings	M. bd. ft.	4095 00	K	D
Cedar, Spanish, logs and hewn timber	M. bd. ft.	4119 00	K	D
Cottonwood, boards, planks, and scantlings	M. bd. ft.	4120 00	K	D
Cypress, boards, planks, and scantlings	M. bd. ft.	4121 00	K	D
Douglas fir, boards, planks, and scantlings, dressed (state grade)	M. bd. ft.	4122 00	K	B
Douglas fir, boards, planks, and scantlings, rough (state grade)	M. bd. ft.	4123 00	K	B
Douglas fir, sawed timber (state grade)	M. bd. ft.	4124 00	K	B
Gum box shooks	M. bd. ft.	4125 00	K	B
Gum red and sap, boards, planks, and scantlings	M. bd. ft.	4126 00	K	B
Gum red and sap, logs and hewn timber	M. bd. ft.	4127 00	K	B
Hemlock, boards, planks, and scantlings	M. bd. ft.	4128 00	K	B
Hemlock and spruce, box shooks	M. bd. ft.	4129 00	K	B
Hickory, boards, planks, and scantlings	M. bd. ft.	4130 00	K	D
Mahogany, boards, planks, and scantlings	M. bd. ft.	4131 00	K	D
Mahogany, logs and hewn timber	M. bd. ft.	4132 00	K	D
Maple, boards, planks, and scantlings	M. bd. ft.	4133 00	K	D
Oak, boards, planks, and scantlings	M. bd. ft.	4134 00	K	D
Oak, logs and hewn timber	M. bd. ft.	4135 00	K	D
Oak squares	M. bd. ft.	4136 00	K	D
Poplar, boards, planks, and scantlings	M. bd. ft.	4137 00	K	D
Poplar, logs and hewn timber	M. bd. ft.	4138 00	K	D
Port Orford cedar, boards, planks and scantlings	M. bd. ft.	4139 00	K	D
Port Orford cedar, logs and hewn timber	M. bd. ft.	4140 00	K	D
Redwood, boards, planks, and scantlings	M. bd. ft.	4141 00	K	D
Redwood, logs and hewn timber	M. bd. ft.	4142 00	K	D
Sitka spruce, sawed timber, n. e. s.	M. bd. ft.	4143 00	K	D
Small hardwood dimension stock, other than squares	M. bd. ft.	4144 00	K	D
Southern pine box shooks	M. bd. ft.	4145 00	K	B
Southern pine, hardwood, creosoted or otherwise treated	M. bd. ft.	4146 00	K	B
Southern pine, boards, planks, and scantlings, rough	M. bd. ft.	4147 00	K	B
Southern pine, boards, planks, and scantlings, dressed	M. bd. ft.	4148 00	K	B
Southern pine, softwood, sawed timber	M. bd. ft.	4149 00	K	B
Teak	M. bd. ft.	4150 00	K	B
Western oak planks (include railway-car materials)	M. bd. ft.	4151 00	K	B
Walnut, boards, planks, and scantlings	M. bd. ft.	4152 00	K	B
White pine (include northern white, Norway, Idaho white, and sugar pine), boards, planks, and scantlings	M. bd. ft.	4153 00	K	B
White ponderosa, and sugar pine box shooks	M. bd. ft.	4154 00	K	B
Box shooks, n. e. s.	M. bd. ft.	4155 00	K	B
Cedar, n. e. s. (include western red), boards, planks and scantlings	M. bd. ft.	4156 00	K	B
Hardwoods, n. e. s.	M. bd. ft.	4157 00	K	B
Hardwood, n. e. s., treated or otherwise treated, n. e. s.	M. bd. ft.	4158 00	K	B
Hardwood flooring, n. e. s.	M. bd. ft.	4159 00	K	B
Railroad ties, n. e. s.	M. bd. ft.	4160 00	K	B
Softwood, boards, planks and scantlings, n. e. s.	M. bd. ft.	4161 00	K	B
Softwoods, sawed timber, n. e. s. (include hemlock)	M. bd. ft.	4162 00	K	B
Spruce, boards, planks, and scantlings, n. e. s.	M. bd. ft.	4163 00	K	B
Squares, n. e. s., planks, and scantlings, n. e. s.	M. bd. ft.	4164 00	K	B
Woodworking machinery parts—See Machinery—Industrial (Miscellaneous).				
Woodwork for huts—See Textile Products.				
Wool cross—See Glass and Glass Products.	Lbs.	6858 05	47	
Wool, lead and antimonial lead	Lbs	6515 60	C	
Wool:				
Carpet wool	Lbs	3999 03	C	
Combing wool	Lbs	3999 05	C	
Combing waste	Lbs	3999 07	C	
Hair, angora cost (mohair) cashmere cost, alpaca, and other light hair	Lbs	3962 11	C	

Commodity	Unit	Depart. ment of Commerce No.	General Licedse Group	Shipping Priority Rating
Wood Pulp—Continued.				
Fulpwoods	Cord	4600 00	C	
Screening and other wood pulp	Gr. ton	4619 00	C	
Rayon-grade wood pulp	Lbs	4606 00	C	
Sulphate wood pulp, bleached, other	Ton	4610 00	C	
Sulphate wood pulp, unbleached (Kraft pulp)	Ton	4611 00	C	
Sulphite wood pulp, bleached, other	Ton	4602 00	C	
Sulphite wood pulp, unbleached	Ton	4604 00	C	
All other wood pulp, include screenings	Ton	4619 00	C	
Wood resin	Drum	4607 00	K	
Wood screws, brass (plated or not plated)	Gross	6466 00	C	
Wood turnings—See Naval Stores.		6455 00	47	
Wood, hard: Unmanufactured				
Ash, boards, planks, and scantlings	M. bd. ft.	4001 00	K	D
Balsa wood	M. bd. ft.	4002 00	K	D
Cottonwood and aspen, logs and hewn timber	M. bd. ft.	4003 00	K	D
Crossoted or otherwise treated railroad ties, hewn	M. bd. ft.	4004 00	K	D
Crossoted piling	Lin. ft.	4005 00	K	D
Hardwood, other than wood listed, logs and hewn timber	M. bd. ft.	4006 00	K	D
Firewood, split or otherwise manufactured wood (include mine props and fence posts)		4007 00	K	D
Hardwood burls (estimate board feet at 10 lbs. to the board foot)	M. bd. ft.	4008 00	K	D
Hardwood, sawed timber (state grade)	M. bd. ft.	4009 00	K	D
Gum box shooks	M. bd. ft.	4010 00	K	D
Gum red and sap, boards, planks, and scantlings	M. bd. ft.	4011 00	K	D
Gum red and sap, logs and hewn timber	M. bd. ft.	4012 00	K	D
Hemlock, boards, planks, and scantlings	M. bd. ft.	4013 00	K	D
Hemlock and spruce, box shooks	M. bd. ft.	4014 00	K	D
Hickory, logs and hewn timber	M. bd. ft.	4015 00	K	D
Mahogany logs	M. bd. ft.	4016 00	K	D
Port Orford cedar, logs and hewn timber	M. bd. ft.	4017 00	K	D
Sandalwood	M. bd. ft.	4018 00	K	D
Sitka spruce, logs and hewn timber (state grade)	M. bd. ft.	4019 00	K	D
Teak	M. bd. ft.	4020 00	K	D
Telegraph, trolley and electric-light poles	Piece	4021 00	K	D
Walnut, logs and hewn timber	M. bd. ft.	4022 00	K	D
Western red cedar, logs and hewn timber	M. bd. ft.	4023 00	K	D
Hardwoods, n. e. s. (include eastern)	M. bd. ft.	4024 00	K	D
Pilings, n. e. s.	Lin. ft.	4025 00	K	D
Softwood logs and timber, n. e. s.	M. bd. ft.	4026 00	K	D
Railroad ties, hewn, n. e. s.	M. bd. ft.	4027 00	K	B
Woodenware:				
Bamboo or reed poles	Units	4028 00	K	D
Chairs	Units	4029 00	K	D
Cooperage, slack heading	Set	4030 00	K	D
Cooperage, slack shooks	Set	4031 00	K	D
Cooperage, slack staves	Units	4032 00	K	D
Cooperage, tight empty barrels, casks, and hogsheads, new	Units	4033 00	K	D
Cooperage, tight empty barrels, casks, and hogsheads, used	Units	4034 00	K	D
Cooperage, tight heading	Set	4035 00	K	D
Cooperage, tight shooks, new	Set	4036 00	K	D
Cooperage, tight staves, new	Units	4037 00	K	D
Cooperage, tight staves, used	Units	4038 00	K	D
Doors	Units	4039 00	K	D
Eastern red cedar (retail) stars	Doz	4040 00	K	D
Handles, hoe, rake, mop, and other long handles	Doz	4041 00	K	D
Incense cedar pencil slats	M	4042 00	K	D
Lath	M	4043 00	K	D
Office furniture and store fixtures	Units	4044 00	K	D
Plow and similar bent handles	Doz	4045 00	K	D
Plywood, Douglas fir	Sq. ft.	4046 00	K	D
Plywood, other than Douglas fir	Sq. ft.	4047 00	K	D
Shingles (square coverage of 100 square feet)	Sq. ft.	4048 00	K	D
Striking tool handles (include hammer, hatchet, adz, ax, and pick handles)	Doz	4049 00	K	D
Trim and moldings	Lin. ft.	4050 00	K	D
Veneer packages for fruits and vegetables	Sq. ft.	4051 00	K	D
Veneers, fancy, face, or figured	Sq. ft.	4052 00	K	D
Veneers, slicing or commercial	Sq. ft.	4053 00	K	D
Venetian blind slats	Units	4054 00	K	D
Woodenware	Units	4055 00	K	D
Furniture, chief value of upholstery, n. e. s. (wood frame)		4247 00	K	D
Furnishing in frame construction)				
Furniture, chief value of wood, n. e. s.		4246 00	K	D

Commodity	Unit	Department of Commerce No.	General License Group	Shipping Priority Rating
Wool—Continued.				
Wool noils, and waste (including garnetted, picked and carded mill waste)	Lbs	3926 60	C	
Wool or hair tops	Lbs	3922 00	C	
Wool rags, wool-mixed rags	Lbs	3931 00	C	
Wool yarns (include chenille yarn and yarn chief value of hair				
Wool Mfrs				C
Bathing suits, wool, knit	Doz	3978 00	K	
Blankets, wool (include steamer rugs)	Lbs / Units	3950 01	C	
Carpets and rugs of wool	Sq yd / Yds	3942 01	C	
Cloth and dress goods	Lbs	3940 00	C	
Felts, wool, not woven	Lbs	3954 00	C	
Felt, wool, woven for machines	Lbs / Yds	3944 01	C	
Mohair cloth		3949 00	K	C
Knit wear ms apparel, n. e. s.	Units	3980 98	K	C
Overcoats, suits and pants, boys'	Units	3960 05	K	C
Overcoats, suits and pants, men's	Units	3961 05	K	C
Women's and children's wool clothing	Units	3940 00	C	
Fabrics, other	Lbs	3940 00	K	C
Wool or mohair manufactures, n. e. s.	Lbs	3949 00	None	
Wrappers, straw, processed	Lbs	5811 00	47	
Wrapping cord, twine				
Wrenches—see Iron and Steel Mfrs.—Tools.				
Writing paper, bond, ledger and drawing	Lbs	4701 00	C	
X-ray apparatus and parts	Units	7071 50	47	
X-ray films—see Photographic and Projection Goods.				
Xylene, nitro derivatives of	Lbs	8425 00	C	
Xylol (xylene)	Lbs	8425 10	C	
Yarns, asbestos	Lbs	3499 05	C	
Yarn, vegetable fiber	Lbs	6542 00	C	
Yarn, caulking, boat				
Yarn, cotton—see Cotton Mfrs.				
Yarn, flax	Lbs	3501 01	C	
Yarn, hemp	Lbs	3501 20	C	
Yarn, istle	Lbs	3499 99	C	
Yarn, jute	Lbs	3501 50	C	
Yarn, ramie	Lbs	3499 99	C	
Yarn, rayon, staple and tow	Lbs	3499 95	C	
Yarn, sisal	Lbs	3501 75	C	
Yarn, ramie	Lbs	3711 00	None	
Yarn, silk noil	Lbs	3499 99	None	
Yarn, spun or betweenen	Lbs	3711 00	None	
Yarn, spun silk	Lbs	3499 99	C	
Yarn, thrown	Lbs	3499 99	C	
Yarn, tampico	Lbs	3709 00	None	
Yarn, silk, thrown	Lbs	3501 00	C	B
Yarns, wool	Lbs	3501 00	K	
Yeast	Lbs	3997 15	47	
Yellow mercuric oxide				
Zinc				
Addressograph blanks	Lbs	7792 05	47	
Alloys, other than brass or bronze, including scrap zinc	Lbs	6571 05	47	
Battery shells and parts, unassembled	Lbs	6571 07	47	
Die castings, including babbits	Lbs	6571 08	47	
Die castings, other forms, n. e. s.	Lbs	6571 09	47	
Dust, blue, grey and filtered	Lbs	6571 10	47	
Ore, concentrate, matte and skimmings	Lbs	6572 05	47	
Photo-engraving sheets and plates	Lbs	6999 01 / 7499 01	47	
Pigments—see Paint and				
Printing plates	Lbs	7792 05	47	
Salts and compounds—see Chemicals.				
Slabs, plates or blocks				
Special high grade containing not over 0.07% lead, not over 0.06% iron, not over 0.005% cadmium, no aluminum and at least 99.94% zinc	Lbs	6571 01	47	
High grade containing not over 0.07% lead, not over 0.2% iron, not over 0.5% cadmium, no aluminum and at least 99.5% zinc	Lbs	6571 03	47	
Intermediate containing not over 0.2% lead, not over 0.1% iron, not over 0.5% cadmium, no aluminum and at least 99.5% zinc	Lbs	6571 05	47	
Brass special containing not over 0.07% lead, not over 0.1% iron, not over 0.5% cadmium, no aluminum and at least 99.0% zinc	Lbs	6571 11	47	
Selected containing not over 0.3% lead, not over 0.1% iron, not over 0.5% cadmium, no aluminum and at least 98.2% zinc	Lbs	6571 21	47	
Prime western containing not over 1.0% lead, and not over 0.5% iron	Lbs	6571 29	47	
Other zinc cut in slabs, plates or blocks		6571 98	47	
Wire	Lbs	6589 07	47	
Manufactures (all other)	Lbs	6589 98	47	
Zinc, rolled in sheets and strips, n. e. s.	Lbs	6572 09	47	
Zinc ammonium chloride	Lbs	8502 50	C	
Zinc chloride	Lbs	8308 45	47	
Zinc chromate	Lbs	8429 05	C	
Zinc oxide, including leaded zinc oxide	Lbs	8111 00	47	
Zinc sulfate	Lbs	8308 47	47	
Zinc sulfide	Lbs	8429 19	47	
Zirconium				
Metals and alloys (Ferro-zirconium—see Iron, Ferro-alloys	Lbs	6949 95	C	
Ores and concentrates including zirconium sand	Lbs	6645 95	47	
Salts and compounds—see Chemicals.				
Zirconium carbides and all mixtures	Lbs	8308 51	C	
Zirconium chlorides and all mixtures	Lbs	8308 52	C	
Zirconium iodides and all mixtures	Lbs	8316 20	C	
Zirconium nitrates and all mixtures	Lbs	8308 53	C	
Zirconium oxides and all mixtures	Lbs	8308 54	C	
Zirconium silicates and all mixtures	Lbs	8308 55	C	
Zirconium sulfates and all mixtures	Lbs	8308 56	C	
All Other Commodities, n. e. s.		9999 90	C	

(a) The column headed "Gen. Lic. Group" has reference to the general license country groups set forth in § 802.3 (a) of this subchapter. When numbers appear instead of a letter, the commodity may be exported under general license only to the destinations indicated by those numbers in § 802.2 (a) of this subchapter.

(b) The column headed "Shipping Priority Rating" has reference to the shipping priority rating assigned to the particular commodity after which it appears as provided in Part 809 of this subchapter.

(c) The abbreciation "n. e. s." means "not elsewhere specified."

(d) Where the symbol (*) appears after a commodity description it signifies an assigned shipping priority rating of "D" for shipments weighing under 2,240 pounds, and for shipments weighing 2,240 pounds or more it signifies that a shipping priority rating will be assigned to each export at the time the freight space application covering such export is certified by the Office of Exports to the War Shipping Administration.

§ 801.3 *Revocation of licenses.* All export licenses are subject to revocation without notice.

§ 801.4 *Return of revoked or expired licenses.* Export licenses which have been revoked or which have expired must be returned immediately to the Office of Exports.

§ 801.5 *Transfer of licenses.* Export licenses shall not be transferred except by written authorization of the Office of Exports.

§ 801.6 *Amendments to licenses.* No amendments may be made to export licenses except by the Office of Exports, or by collectors of customs or postmasters acting under specific instructions from the Office of Exports.

§ 801.7 *Presentation for export.* No commodities, the exportation of which is prohibited or curtailed pursuant to section 6 of the Act of July 2, 1940, 54 Stat. 714, as amended, shall be loaded or carried onto an exporting carrier for export by water or by air or presented to such an exporting carrier for loading or presented to the collector of customs for inspection and clearance for exportation until a license therefor, or such other document as may be authorized in these regulations, has been presented to the collector of customs at the port at which the commodity is to be so loaded, carried or presented. No commodity shall be mailed for exportation until a license, or such other document as may be authorized in these regulations, has been presented to the postmaster at the post office where the commodity is to be mailed. If the commodity is to be exported by any means of export other than by water, air, or mail, such license or other document need not be presented to the collector of customs prior to loading, carrying onto, or presentation to, the exporting carrier, but must be presented to the collector of customs at the port of exit from the United States prior to inspection by the customs inspectors or other export inspection officials at that port, and at all events prior to exportation. Upon specific authorization to a collector of customs or postmaster by the Office of Exports, the presentation of a license may be waived. The provisions of this section do not apply to exportations made pursuant to general licenses nor to exportations of technical data.

§ 801.8 *Price.* Commodities may not be exported except in accordance with the provisions of the Maximum Export Price Regulation issued by the Office of Price Administration, as it may hereafter be amended.

§ 801.9 *Arms, ammunition and implements of war, helium and tinplate scrap.* Regulations promulgated by the Secretary of State on June 2, 1942, 7 F.R. 4216 et seq., shall continue to govern the exportation of arms, ammunition and implements of war, helium and tinplate scrap, except that an expert license shall not be issued when in any case it shall have been determined by the Office of Exports that the proposed exportation would be detrimental to the prosecution of the war or contrary to the interest of national defense.

§ 801.10 *The proclaimed list.* The exportation of any commodities or technical data, directly or indirectly, to, or on behalf of, or for the account of any person, so long as his name appears upon "The Proclaimed List", is prohibited, except when authorized in each case by an individual license upon which appears the certificate of the Office of Exports that prohibition of the exportation would work an unusual hardship on American interests. A statement as to the nature of the transaction and its effect upon American interests must be filed with any application for a license pursuant to this section.

§ 801.11 *Shipments to territories, dependencies and possessions of the United States.* No license is required for shipments from the United States to any territory, dependency or possession of the United States, except the Philippine Islands.

§ 801.12 *In transit shipments without unloading.* Commodities shipped by vessel from one foreign country and passing through the United States in transit to another foreign country may be exported without a license from the Office of Exports if, while in waters subject to the jurisdiction of the United States, they have not been unladen from the vessel on which they entered such waters.

§ 801.13 *Shipments unloaded by order of Federal Government.* When the United States Government has ordered the removal from a vessel of commodities laden under a license issued by the Office of Exports, the exporter may subsequently export such commodities under the license in effect at the time of the original lading even though, in the case of an individual license, such license has expired prior to exportation, or, in the case of a general or unlimited license, such license has been revoked prior to exportation. Such commodities may not be exported, however, under an individual license which has been revoked.

§ 801.14 *Shipments to Canada for re-exportation to another foreign country.* The exportation from the United States of all commodities enumerated in § 801.2 of this subchapter and all technical data as defined in § 806.1 of this subchapter to Canada (including that part of Labrador under Canadian authority) with the knowledge or intention that they are to be re-exported therefrom to another foreign destination is hereby prohibited unless there is in effect a license authorizing the exportation thereof to the country of ultimate destination. In the case of general licenses, the exporter shall place the general license number on the export declaration in the manner specified in § 802.2 (b) of this subchapter.

PART 802—GENERAL LICENSES

Sec.

802.1 Definition.
802.2 General license numbers.
802.3 General license country groups.
802.4 Re-exportation from country of destination.
802.5 Consignee control under general license.
802.6 Consignor control under general license.
802.7 General licenses issued.
802.8 Exports to the United States Government.
802.9 General in transit licenses.
802.10 General licenses which permit shipments not exceeding a specified value.
802.11 Personal baggage.
802.12 Photographic film.
802.13 Ship and plane stores, supplies and equipment.
802.14 Metal drums and containers.
802.15 Re-exportation of machinery or parts.
802.16 Prisoners of war and interned civilians.
802.17 Certain foreign trademarks, trade names, etc.
802.18 Exportations from Canal Zone to Republic of Panama for repair or processing and return.
802.19 Return of empty containers to foreign country.

AUTHORITY: §§ 802.1 to 802.19, inclusive, issued under sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807.

§ 802.1 *Definition.* A "General license is a license" issued by the Office of Exports for which no application is required, available for use by all persons, permitting exportation of a particular commodity to a particular destination subject to regulations hereinafter prescribed and those which may be prescribed from time to time.

§ 802.2 *General license numbers.* (a) For purposes of control a "General license number" is hereby assigned for each country to which any designated commodity may be shipped under a general license. This "General license number" shall consist of the letter "G" followed by the arabic number assigned to the particular country as follows:

Aden	25
Afghanistan	79
Aldabra Is. (Seychelles)	53
Algeria	87
Amirantes Is. (Seychelles)	53
Anglo-Egyptian Sudan	60
Angola (Portugal)	83
Annobon, Corisco and Elobey Islands (Spain and possessions)	82
Antigua (Leeward Is.)	45
Arabia	81
Argentina	4
Aruba (Curaçao)	10
Ascension Is. (St. Helena)	52
Ashanti (British W. Africa)	34
Australia	26
Azores Is. (Portuguese Atlantic Is.)	93
Bahamas	27
Bahrein Islands	67
Baluchistan (India)	43
Barbados	28
Barbuda (Leeward Is.)	45
Bay Is. (Honduras)	16
Belgian Congo	66
Bermuda	29
Bhutan (India)	43
Bissau (Portuguese Guinea)	94
Bolivia	5
Bonaire (Curaçao)	10
Brazil	6
British Cameroons (Br. W. Africa)	34
British East Africa (including Kenya, Uganda, Nyasaland, Zanzibar, and Tanganyika [mandated territory])	30
British Guiana	31
British Honduras	32
British Oceania (See Oceania, Br.)	54
British Togoland (Br. W. Africa)	34
British Virgin Islands (Leeward Is.)	45
British West Africa (including Nigeria, British Cameroons [mandated territory, Gumbia, Sierra Leone, Gold Coast [including Ashanti and Northern Territory], and British Togoland [mandated territory])	34
Burma	35
Calcos Islands (Jamaica)	44
Canary Islands (Spanish Atlantic Is.)	97
Cape Verde Islands (Portuguese Atlantic Is.)	93
Cayman Islands (Jamaica)	44
Celon	36
Chad (Fr. Equatorial Africa)	73
Chagos Is. (Mauritius)	46
Chile	7
China (Free)	65
Clipperton Is. (French Oceania)	71
Colombia	8
Congo (Belgian)	66
Cook Islands (New Zealand)	48
Costa Rica	9
Cozumel Is. (Mexico)	17
Cuba	3
Curaçao (including the islands of Aruba, Bonaire, Saba, St. Eustache, and St. Martin [southern part])	10
Cyprus	37
Dahomey (French W. Africa)	86
Desirade Is. (French W. Indies)	100
Diego Garcia Is. (Mauritius)	46
Dominica	58
Dominican Republic	11
Dutch Guiana (Surinam)	22
Easter Is. (Chile)	7
Ecuador	12
Egypt	59
Eire	99
El Salvador	13
England	2
Falkland Islands	39
Farquhar Is. (Seychelles)	53
Fernando Noronha Is. (Brazil)	6
Fernando Po (Spain and possessions)	82
Fiji Islands (Oceania, Br.)	54
French Cameroon	72
French Congo (Fr Equatorial Africa)	73
French Equatorial Africa	73
French Guiana	101
French Guinea (Fr. West Africa)	86
French Morocco	87
French North Africa (including French Morocco, Algeria and Tunisia)	87
French Oceania (all French possessions in the Pacific)	71
French Sudan (French W. Africa)	86

French West Africa (including Mauritania, Senegal, French Guinea, Ivory Coast, Togoland, Dahomey, Fr. Sudan and Niger) 86
French West Indies (including Desirade, Guadeloupe, Les Saintes, Martinique, Marie Galante, St. Martin [northern part] and St. Bartholomew) 100
Friendly Island (Oceania, Br.) 54
Gabon (Fr. Equatorial Africa) 73
Galapagos Is. (Ecuador) 12
Gambia (Br. W. Africa) 34
Gambier Is. (Fr. Oceania) 71
Gibraltar 41
Gilbert and Ellice Islands (Oceania, British) 54
Goa (Portugal and possessions) 83
Gold Coast (Br. W. Africa) 34
Gough Is. (St. Helena) 52
Grand Canary (Spanish Atlantic Is.) 97
Great Britain & Northern Ireland 2
Greenland 61
Grenada (Windward Islands) 58
Grenadines (Windward Islands) 58
Guadeloupe (French W. Indies) 100
Guatemala 14
Haiti 15
Honduras 16
Iceland 62
Ifni (Spanish Morocco) 98
Inaccessible Is. (St. Helena) 52
India 43
Iran 80
Iraq 74
Ireland 90
Ivory Coast (French W. Africa) 86
Jamaica 44
Juan Fernandez Is. (Chile) 7
Kamaran Is. (Aden) 25
Kenya (Br. E. Africa) 30
Khorya-Morya Is. (Aden) 25
Kuwait 40
Labrador (that part under Newfoundland authority) 47
Lebanon (Syria) 78
Leeward Islands (including Antigua, Barbuda, Redonda, St. Christopher [St. Kitts] Island, Nevis Island, Anguilla Island, Montserrat, Sombrero and Brit. Virgin Islands) 45
Les Saintes Is. (Fr. W. Indies) 100
Liberia 91
Loyalty Is. (French Oceania) 71
Madagascar 92
Madeira Islands (Portuguese Atlantic Is.) 93
Maldive Islands (Ceylon) 36
Marie Galante Is. (Fr. W. Indies) 100
Marquesas Is. (French Oceania) 71
Martinique (Fr. W. Indies) 100
Mauritania (Fr. W. Africa) 86
Mauritius (including Rodriguez Island and Diego Garcia Island) 48
Mexico 17
Middle Congo (Fr. Equatorial Africa) 73
Miquelon and St. Pierre 70
Montserrat (Leeward Is.) 45
Mozambique (Portugal) 83
Nepal (India) 43
Netherlands Guiana (Surinam) 22
Netherlands Indies (East) 64
Nevis Island (Leeward Is.) 45
New Caledonia Is. (Fr. Oceania) 71
Newfoundland (including that part of Labrador under Newfoundland authority) 47
New Guinea (British) (comprising Papua or British New Guinea, and Territory of New Guinea [mandated territory]) 49
New Hebrides (Oceania, British) 54
New Zealand (including Cook Islands and Western Samoa [mandated territory]) 48
Nicaragua 18
Niger (Fr. W. Africa) 86
Nigeria (Br. W. Africa) 34
Nightingale Is. (St. Helena) 52
Northern Ireland (Great Britain) 2
Northern Rhodesia 50
Nyasaland (Br. E. Africa) 30
Oceania, British (including British Solomon Islands, Fiji Islands, Gilbert & Ellice Islands, New Hebrides Islands, Pitcairn Island, Tonga or Friendly Island, Santa Cruz Islands) 54
Palestine and Trans-Jordan 51
Panama 19
Papua (British New Guinea) 49
Paraguay 20
Perim Is. (Aden) 25
Peru 21
Pitcairn Island (Oceania, British) 54
Portuguese Atlantic Islands 93
Portuguese Guinea 94
Portugal and possessions 83
Principe Is. (Portuguese Atlantic Islands) 93
Raiatea Is. (French Oceania) 71
Rapa Is. (French Oceania) 71
Redonda Is. (Leeward Is.) 45
Reunion 95
Revilla Is. (Mexico) 17
Rio de Oro (Spain and possessions) 82
Rio Muni (Spanish Guinea) 82
Rodriguez Is. (Mauritius) 46
Saba (Curaçao) 10
St. Bartholomew Is. (Fr. W. Indies) 100
St. Christopher (St. Kitts) Island (Leeward Is.) 45
St. Eustache (Curaçao) 10
St. Helena (including Ascension, Gough, Inaccessible, Nightingale, and Tristan da Cunha Islands) 52
St. Kitts (Leeward Is.) 45
St. Lucia (Windward Is.) 58
St. Martin (part) (Curaçao) 10
St. Martin (part) (French West Indies) 100
St. Paul Is. (Brazil) 6
St. Pierre (and Miquelon) 70
St. Vincent (Windward Is.) 58
Sala-y-Gomez Is. (Chile) 7
Samoa, Western (mandated territory) (New Zealand) 48
San Ambrosio Is. (Chile) 7
San Felix Is. (Chile) 7
Sandwich Is. (Falkland Is.) 39
Santa Cruz Is. (Spanish Atlantic Is.) 97
Santa Cruz Is. (Oceania, British) 54
Sao Thomé Is. (Portuguese Atlantic Is.) 93
Saudi Arabia 81
Scotland 2
Senegal (Fr. W. Africa) 86
Seychelles and Dependencies 53
Sierre Leone (Br. W. Africa) 34
Society Is. (French Oceania) 71
Sokotra Is. (Aden) 25
Solomon Islands (British Oceania) 54
Solomon Islands (Australian New Guinea) 49
Sombrero Is. (Leeward Is.) 45
South Georgia (Falkland Is.) 39
South Orkney Is. (Falkland Is.) 39
South Shetland Is. (Falkland Is.) 39
Southern Rhodesia 55
South-West Africa (Union of So. Africa) 57
Spain and possessions 82
Spanish Atlantic Islands 97
Spanish Guinea 82
Spanish and International Morocco and Tangier 98
Sudan, Anglo-Egyptian 60
Surinam 22
Sweden and possessions 84
Switzerland 85
Syria 78
Tahiti (French Oceania) 71
Tanganyika (Br. E. Africa) 30
Tangier (and Spanish Morocco) 98
Tasmania (Australia) 26
Tobago (and Trinidad) 56
Togoland (mandate) (Fr. W. Africa) 86
Tonga Islands (Oceania, British) 54
Tortue Is. (Haiti) 15
Trans-Jordan (and Palestine) 51
Trinidad and Tobago 56
Trinidad Is. (in South Atlantic) (Brazil) 6
Tristan da Cunha Islands (St. Helena) 52
Tuamotu (French Oceania) 71
Tubuai (French Oceania) 71
Tunisia (French North Africa) 87
Turkey 99
Turks Islands (Jamaica) 44
Ubangi Shari (Fr. Equatorial Africa) 73
Uganda (Brit. E. Africa) 30
Union of South Africa 57
Union of Soviet Socialist Republics 76
United Kingdom (Great Britain) 2
Uruguay 23
U. S. S. R. 76
Venezuela 24
Wallis Archipelago (Fr. Oceania) 71
Windward Islands (including Grenada, Grenadines, Dominica, and St. Vincent) 58
Yemen (Saudi Arabia) 81
Zanzibar (British E. Africa) 30

(b) When any commodity is shipped or taken out of the United States under any type of general license, the exporter shall state on the export declaration when such document is required to be presented to the collector of customs or postmaster, the name of the ultimate consignee, the commodity description, the country of destination, and the general license number. The export declaration shall be presented to the collector of customs or postmaster prior to the taking out or prior to loading for exportation at the port of exit or prior to mailing. In the case of shipments by rail or motor transport, the export declaration must be presented prior to inspection by the collector of customs at the port of exit from the United States. In addition, whenever an exportation under general license is made by mail, the general license number must be endorsed on the address side of the wrapper of the parcel.

§ 802.3 *General license country groups.* (a) The following general license country groups are hereby designated:

Group C

Australia 26
Greenland 61
Great Britain, and Northern Ireland 2
Iceland 62
Labrador (that part under Newfoundland authority) 47
Newfoundland 47
U. S. S. R. 76

Aden 25
Afghanistan 79
Aldabra Is. (Seychelles) 53
Amirantes Is. (Seychelles) 53
Anglo-Egyptian Sudan 60
Antigua (Leeward Is.) 45
Arabia 81
Argentina 4
Aruba (Curaçao) 10
Ascension Is. (St. Helena) 52
Ashanti (British W. Africa) 34
Australia 26
Bahamas 27
Bahrein Islands 67
Baluchistan (India) 43
Barbados 28
Barbuda (Leeward Is.) 45
Bay Is. (Honduras) 16
Belgian Congo 66
Bermuda 20
Bhutan (India) 43
Bismarck Archipelago (New Guinea) 49
Bolivia 5
Bonaire (Curaçao) 10
Brazil 6
British Cameroons (Br. W. Africa) 34
British East Africa (including Kenya, Uganda, Nyasaland, Zanzibar, and Tanganyika [mandated territory] 30
British Guiana 31
British Honduras 32
British Oceania (see Oceania, Br.) 54
British Togoland (Br. W. Africa) 34
British Virgin Islands (Leeward Islands) 45

British West Africa (including Nigeria, British Cameroons [mandated territory], Gambia, Sierra Leone, Gold Coast, [including Ashanti and Northern Territory], and British Togoland [mandated territory]) 34
Burma 35
Caicos Islands (Jamaica) 44
Carman Islands (Jamaica) 44
Ceylon 36
Chad (French Equatorial Africa) 73
Chagos Is. (Mauritius) 46
Chile 7
China (Free) 65
Clipperton Is. (French Oceania) 71
Colombia 8
Congo (Belgian) 66
Cook Islands (New Zealand) 48
Costa Rica 9
Cozumel Is. (Mexico) 17
Cuba 3
Curaçao (including the islands of Aruba, Bonaire, Saba, St. Eustache and St. Martin [southern part]) 10
Cyprus 37
Diego Garcia Is. (Mauritius) 46
Dominica 58
Dominican Republic 11
Dutch Guiana (Surinam) 22
Easter Is. (Chile) 7
Ecuador 12
Egypt 59
El Salvador 13
England 2
Falkland Islands 39
Farquhar Is. (Seychelles) 53
Fernando Noronha Is. (Brazil) 6
Fiji Islands (Oceania, British) 54
French Cameroon 72
French Congo (French Equatorial Africa) 73
French Equatorial Africa 73
French Oceania (All Fr. possessions in the Pacific) 71
Friendly Islands (Oceania, British) 54
Gabon (Fr. Equatorial Africa) 73
Galapagos Is. (Ecuador) 12
Gambia (Brit. W. Africa) 34
Gambier Is. (Fr. Oceania) 71
Gibraltar 41
Gilbert & Ellice Islands (Oceania, British) 54
Gold Coast (Brit. W. Africa) 34
Gough Is. (St. Helena) 52
Great Britain & Northern Ireland 2
Greenland 61
Grenadines (Windward Islands) 58
Grenada (Windward Islands) 58
Guatemala 14
Haiti 15
Honduras 16
Iceland 62
Inaccessible Is. (St. Helena) 52
India 43
Iran 80
Iraq 74
Jamaica 44
Juan Fernandez Is. (Chile) 7
Kamaran Is. (Aden) 25
Kenya (Br. E. Africa) 30
Khorya-Morya Is. (Aden) 25
Kuwait 40
Labrador (that part under Newfoundland authority) 47
Leeward Islands (including Antigua, Barbuda, Redonda, St. Christopher [St. Kitts] Island, Nevis Island, Anguilla Island, Montserrat, Sombrero and Brit. Virgin Islands) 45
Loyalty Is. (Fr. Oceania) 71
Maldive Islands (Ceylon) 36
Marquesas Is. (Fr. Oceania) 71
Mauritius (including Rodriguez Is. and Diego Garcia Island) 46
Mexico 17
Middle Congo (Fr. Equatorial Africa) 73
Miquelon and St. Pierre 70
Montserrat (Leeward Is.) 45
Nepal (India) 43
Netherlands Guiana (Surinam) 22
Netherlands Indies (East) 64
Nevis Island (Leeward Is.) 45
New Caledonia Is. (Fr. Oceania) 71
Newfoundland (including that part of Labrador under Newfoundland authority) 47
New Guinea (British) (comprising Papua or British New Guinea and territory of New Guinea [mandated territory]) 49
New Hebrides (Oceania, British) 54
New Zealand (including Cook Islands and Western Samoa [mandated territory]) 48
Nicaragua 18
Nigeria (Brit. W. Africa) 34
Nightingale Is. (St. Helena) 52
Northern Ireland (Gr. Britain) 2
Northern Rhodesia 50
Nyasaland (Brit. E. Africa) 30
Oceania, British (including British Solomon Islands, Fiji Islands, Gilbert and Ellice Islands, New Hebrides Islands, Pitcairn Island, Tonga or Friendly Island, Santa Cruz Islands) 54
Palestine and Trans-Jordan 51
Panama 19
Paraguay 20
Perim Is. (Aden) 25
Peru 21
Pitcairn Island, Tonga or Friendly Is. 54
Raiatea Is. (Fr. Oceania) 71
Rapa Is. (Fr. Oceania) 71
Redonda Is. (Leeward Is.) 45
Revilla Is. (Mexico) 17
Rodriguez Is. (Mauritius) 46
Saba (Curaçao) 10
St. Christopher (St. Kitts) Is. (Leeward Is.) 45
St. Eustache (Curaçao) 10
St. Helena (including Ascension, Gough, Inaccessible, Nightingale, and Tristan da Cunha Islands) 52
St. Kitts (Leeward Is.) 45
St. Lucia (Windward Is.) 58
St. Martin (part) (Curaçao) 10
St. Paul Is. (Brazil) 6
St. Pierre (and Miquelon) 70
St. Vincent (Windward Is.) 58
Sala-y-Gomez Is. (Chile) 7
Samoa, Western (mandated territory) (New Zealand) 48
San Ambrosio Is. (Chile) 7
San Felix Is. (Chile) 7
Sandwich Is. (Falkland Is.) 39
Santa Cruz Is. (Oceania, Br.) 54
Saudi Arabia 81
Scotland 2
Seychelles and Dependencies 53
Sierre Leone (Br. W. Africa) 34
Society Is. (Fr. Oceania) 71
Sokotra Is. (Aden) 25
Solomon Islands (Br. Oceania) 54
Solomon Islands (Australian New Guinea) 49
Sombrero Is. (Leeward Is.) 45
South Georgia (Falkland Is.) 39
South Orkney Is. (Falkland Is.) 39
South Shetland Is. (Falkland Is.) 39
Southern Rhodesia 55
South-West Africa (Union of South Africa) 57
Sudan, Anglo-Egyptian 60
Surinam 22
Syria 78
Tahiti (Fr. Oceania) 71
Tanganyika (Brit. E. Africa) 30
Tasmania (Australia) 26
Tobago (and Trinidad) 56
Tonga Island (Oceania, British) 54
Tortue Is. (Haiti) 15
Trans-Jordan (and Palestine) 51
Trinidad and Tobago 56
Trinidad Is. (in South Atlantic) (Brazil) 6
Tristan da Cunha Islands (St. Helena) 52
Tuamotu (Fr. Oceania) 71
Tubuai (Fr. Oceania) 71
Turks Islands (Jamaica) 44
Ubangi Shari (Fr. Equatorial Africa) 73
Uganda (Brit. E. Africa) 30
Union of South Africa 57
Union of Soviet Socialist Republics 76
United Kingdom and Northern Ireland 2
U. S. S. R. 76
Uruguay 23
Venezuela 24
Wallis Archipelago (French Oceania) 71
Windward Islands (including Grenada, Grenadines, Dominica, and St. Vincent) 58
Yemen (Saudi Arabia) 81
Zanzibar (British E. Africa) 30

(b) When a commodity is placed under general license to a particular country group, it may be shipped to any country in that group subject to existing regulations.

§ 802.4 *Re-exportation from country of destination.* No exportation may be made under any type of general license with the knowledge or intention that the commodities so exported are to be re-exported from the country of destination, unless the re-exportation has been authorized by the Office of Exports.

§ 802.5 *Consignee control under general license.* (a) General licenses may be revoked or suspended as to any person in any destination.

(b) Shipment under a general license may be made to any consignee in the country of destination except:

(1) To any person as to whom the general license has been revoked or suspended; or

(2) To any person on "The Proclaimed List"; or

(3) To a member of the immediate family or an agent or representative of any person named on "The Proclaimed List"; or

(4) To any person when by reason of the sale, purchase or any service connected with the exportation, a commission, fee, remuneration or other benefit accrues to any person on "The Proclaimed List".

(5) To any member of the armed forces of an enemy country who is a prisoner of war or to an interned national of an enemy country.

§ 802.6 *Consignor control under general license.* General licenses may be revoked or suspended as to any person within or without the United States by an order issued pursuant to the provisions of Part 807 of this subchapter.

§ 802.7 *General licenses issued.* (a) General licenses are hereby issued permitting exportation of the commodities set forth under the column "Commodity" to the destinations designated under the column "Gen. Lic. Group" in § 801.2 of this subchapter.

(b) Where the word "none" appears in the column "Gen. Lic. Group" opposite a commodity, no general license for such commodity is in effect, except as hereinafter provided.

§ 802.8 *Exports to the United States Government.* A general license, designated GUS, is hereby issued permitting exportation of all commodities to any of the following consignees:

(a) The United States Government or any agency thereof: *Provided*, Such commodities are intended for official use;

(b) Representatives of the United States or members of the United States armed forces: *Provided*, That such commodities are shipped in quantities sufficient solely for official use or for the personal use of the consignee and his immediate family.

§ 802.9 *General in transit licenses.* (a) General in transit licenses are hereby issued permitting exportation of all commodities, except as limited by subsequent provisions of this section, originating in a designated foreign country and passing through the United States or any place subject to the jurisdiction of the United States in transit to a designated foreign destination, as specified in paragraph (b) of this section.

(b) (1) The following are the designated countries of origin and destination for which general in transit licenses are issued. The general license designations set forth below must be used in the same manner as general license numbers as provided in § 802.2 (b) of this subchapter:

From—	To—	General license designations
Belgian Congo	British Empire	GIT-BC A.
Belgian Congo	Western Hemisphere	GIT-BC B.
British Empire	Belgian Congo	GIT-A BC.
British Empire	British Empire	GIT-A A.
British Empire	Netherlands Indies	GIT-A N.
British Empire	U. S. S. R.	GIT-A R.
British Empire	Unoccupied China	GIT-A UC.
British Empire	Western Hemisphere	GIT-A B.
Netherlands Indies	British Empire	GIT-N A.
Netherlands Indies	Western Hemisphere	GIT-N B.
Portugal	British Empire	GIT-P A.
Portugal	Western Hemisphere	GIT-P B.
Spain	British Empire	GIT-S A.
Spain	Western Hemisphere	GIT-S B.
Sweden	British Empire	GIT-SD A.
Sweden	Western Hemisphere	GIT-SD B.
Switzerland	British Empire	GIT-SW A.
Switzerland	Western Hemisphere	GIT-SW B.
U. S. S. R.	British Empire	GIT-R A.
U. S. S. R.	U. S. S. R.	GIT-R R.
U. S. S. R.	Western Hemisphere	GIT-R B.
Western Hemisphere	Belgian Congo	GIT-B BC.
Western Hemisphere	British Empire	GIT-B A.
Western Hemisphere	Netherlands Indies	GIT-B N.
Western Hemisphere	U. S. S. R.	GIT-B R.
Western Hemisphere	Unoccupied China	GIT-B UC.
Western Hemisphere	Western Hemisphere	GIT-B B.
Y Countries	Z Countries	GIT-Y Z.

(2) The words "Western Hemisphere", as used in this section, include only the countries designated by the following numbers in § 802.2 (a) of this subchapter: 3 through 24, 61, 62, 100 and 101.

(3) "Y" origins and "Z" destinations are as follows:

List Y—Origins

Australia.
Burma.
Dominion of Canada.
India.
New Zealand.
Union of South Africa.
British Colonies including only:
Aden.
Bahamas.
Barbados.
Bermuda.
British Guiana.
British Honduras.
Ceylon.
Cyprus.
Fiji.
Gambia.
Gold Coast.
Jamaica.
Kenya.
Leeward Islands.
Nigeria.
Northern Rhodesia.
Nyasaland.
Palestine and Transjordania.
Seychelles Islands.
Sierra Leone.
Tanganyika.
Trinidad.
Uganda.
Western Pacific Islands.
Windward Islands.
Zanzibar.

List Z—Destinations

Eire.
French North Africa.
French West Africa.
Iran.
Iraq.
Liberia.
Madagascar.
Portugal.
Portuguese Atlantic Islands.
Portuguese Guinea.
Reunion.
Spain.
Spanish Atlantic Islands.
Spanish and International Morocco and Tangier.
Sweden.
Switzerland.
Syria.
Turkey.

(4) In addition to those listed in subparagraph (1) of this paragraph there is also issued a general in transit license, designated GIT–C/P, which authorizes the shipment of all commodities through the United States in transit to Portugal when consigned by the Canadian Red Cross Society to an agent of that Society and destined for British prisoners in Germany.

(c) The use of general intransit license GIT–Y/Z is subject to the following regulations:

(1) Each shipment must be accompanied by a Canadian Export Permit or by a British Imperial License, specifying the nature of the shipment and naming the ultimate consignee in the country of destination, with exception of shipments from the Canadian Government to the British Forces in Iraq.

(2) Canadian Export Permits and British Imperial Export Licenses shall be surrendered to collectors of customs at the last port of exit from the United States.

(3) If the shipment is not accompanied by a foreign export license or permit, as provided above, an individual export license, from the Office of Exports must be obtained.

(d) In transit shipments of commodities hereafter listed in this paragraph may not be made under any general in transit license set forth in this section except GIT–A/A or GIT–Y/Z, as set forth in paragraph (b), or when proceeding under bond from Mexico through the United States to another part of Mexico, or when proceeding between any part of the Western Hemisphere and the Republic of Panama through the Panama Canal Zone:

Commodity	*Schedule B No.*
Aircraft parts, equipment, and accessories other than those listed in the President's Proclamation of April 9, 1942.	
Aconite	2209.27
Agar	8135.98
Aluminum	6290.00 thru 6305.00, 6308.50, 8336.00, 8339.05, 8339.98
Ammonium nitrate	8385.17
Antimony	6515.05, 6645.01, 6649.01, 6670.00, 8396.01 thru 8396.08
Asbestos	5451.05
Atropine	8135.01 thru 8135.10
Babassu nuts and kernels	1379.98
Beef and mutton tallow—(edible and inedible) includes oleo stock.	0051.00, 0052.00, 0857.00
Belladonna leaves and root	2209.01
Beryllium, metallic	6649.05
Beryl and beryllium ore	6645.05
Beryllium oxide, carbonate and other beryllium salts.	8396.20
Bristles	0935.00
Caffeine	8135.11, 8135.12
Cadmium	6645.15, 6649.15, 8396.51 thru 8396.58, 8429.01, 8429.02
Cashew nuts and cashew nut kernels	1379.98
Cashew nut oil and cashew nut shell oil	1449.98
Castor oil	2249.01, 8111.00
Castor beans	2220.01
Cerium	6645.18, 6649.18
Chromium	6645.20, 6649.20, 8357.00, 8359.11, 8368.00, 8396.71 thru 8396.78, 8429.05
Cinchona bark or other bark from which quinine may be extracted.	2209.04
Cobalt	6645.25, 6649.25, 8299.90, 8396.91 thru 8396.98, 8429.09
Coconut oil	1420.00, 2230.00

Commodity—Continued	*Schedule B No.*—Continued
Peanut (ground nut) oil	2249.03, 1431
Perilla seed and oil	2220.20, 2249.05
Pig and hog bristles	0999.98
Plasmochin	8135.98
Platinum group metals	6920.00, 6922.05, 6922.09, 8398.70 thru 8398.78
Psyllium seeds	2209.98
Pyrethrum	2209.19, 8205.30, 8205.92
Quartz crystals	5120F, 5960.01 thru 5960.08
Quinine	8127.30, 8127.50
Radium	8135.15, 8397.75
Rapeseed and rapeseed oil	1449.04, 2220.20, 2249.05
Rennet	0999.00
Resins, natural	2125.00, 2180.00, 2186.00, 2189.05, 2189.95
Rotenone	2209.98, 8205.93
Rubber	2001.00 thru 2009.90
Rubber seed	2220.98
Rubber seed oil	2249.98
Rutile	6645.70
Seed lac	2189.05
Sesame seed	2220.98
Shark oil and shark-liver oil	8119.05
Shearlings, sheep	0307.00, 0336.00
Shellac	2186.00, 2189.05
Sisal	3205.19, 3410.09, 3499.09
Silk	3702.00, 3710.00, 3711.00, 3720.01, 3720.05, 3720.98, 3798.01
Sitka spruce	4019.05
Sodium nitrate	8509.19
Sperm oil, crude and refined	0909.05
Spices (include pepper, nutmeg, cloves, cassia, etc.)	1549.01 thru 1549.98
Strontium	8397.80 thru 8397.88, 6649.98
Strychnine	8135.17
Sunflower seed	2220.20
Sunflower oil (edible and denatured)	1449.98, 2249.98
Tannic acid	8303.98
Tantalite or tantalum ore	6645.00, 6649.60
Tantalum	6645.60, 6649.00, 8398.80
Tea	1521.05
Teakwood	4009.09, 4130.00
Theobromine	8135.18
Theophylline	8135.19
Titanium	6649.70, 6645.70, 8398.10, 8398.15, 8428.00
Tin	6565.01, 6565.02, 6565.03, 6565.07, 6565.08
Tolu	8011.00
Tools incorporating industrial diamonds	5409.05, 6155.15, 6156.05, 6178.91, 7455.03, 7485.12
Tucum nuts and kernels	1379.98
Tung oil	2249.10
Tungsten	6645.80, 6639.00, 6691.98, 8398.20 thru 8398.28
Uranium	6645.85, 6649.85
Vanadium	6649.90, 6637, 6691.98, 6220.87, 8398.35 thru 8398.38
Wool, unmanufactured and semimanufactured.	3669.03 thru 3633.00
Wool grease	0858.05, 0858.98
Whale oil	0309.05
Zinc	6570.00 thru 6573.98, 8299.90, 8398.45 thru 8398.48, 8411, 8429.19
Zirconium	6645.95, 6649.95, 6691.98, 6220.88, 8398.51 thru 8398.58

Commodity—Continued	*Schedule B No.*—Continued
Cod-liver oil	8119.05
Cod oil	0819.00
Cohune nuts and kernels	1379.98
Columbite or columbium ore, columbium (niobium).	6645.30, 6649.30
Copra	2220.30
Copper	6401.00, 6412.00, 6413.00, 6422.00, 6423.00, 6424.00, 8201.00
Cork	4302.00 thru 4309.98
Corundum and emery in grains, or ground, pulverized, or refined.	5405.00, 5409.20, 5409.98
Corundum ore	6290.00
Cotton linters, munitions or chemical grades only (grades 3–6 according to Department of Agriculture Classification).	3004.01
Cottonseed oil, crude and refined	1425.00, 2231.00
Cresols and cresylic acid	8024.09
Cryolite	5960.10, 5960.15
Cubé (timbo or barbasco) root	2209.05
Derris root and tuba or tube root	2209.07
Diamonds, industrial	5409.10, 5090.05, 7485.12
Digitalis seeds	2209.09
Ergot	2209.98
Ferromanganese	6213.03
Flax (not hackled)	3205.03
Flaxseed (linseed)	2220.03
Gauges, precision	6178.90, 7750.07, 9190.01
Glycerine, crude and refined	8314.00
Graphite or plumbago, amorphous natural (except of Mexican origin), flake, crystalline lump, chip or dust.	5172.01, 5472.98, 5472.03
Hemp and hempseed	2220.20, 3205.05
Hides and skins	0201.01 thru 0250.08
Homatrophine	8127.03, 8180.03
Horse mane and tail hair	3693.5
Hyoscine (scopolamine)	8127.96, 8180.19
Hyoscyamus	8124.13, 8127.94, 8180.13, 2209.11
Istle or tampico fiber	3205.07
Jewel bearings	5990.98
Jute, fibre, yarn, cordage, twine and empty bags	3205.09, 3211.00, 3224.00, 3229.05
Kapok, fiber	3205.11
Kyanite and sillimanite	5960.98
Lead	6507.00 thru 6515.98, 6645.35, 8202.00, 8299.90, 8398.98
Leather, sole and belting, except offal	0324.00, 0830.00
Lenses for precision instruments	9147.00, 9149.98
Magnesium metal	6638.00, 6691.05
Manila fibers	3414.00, 3205.15
Mercury metal (virgin, redistilled, or old)	6635.00
Mesothorium	8399.91, 6649.65, 8438.20
Mica	5510.00, 5513.00
Molybdenum	6649.45, 6636.00, 6601.07, 6691.03, 8397.58, 8397.98
Muru muru nuts and kernels	1379.98
Neats' foot oil	0803.00
Nickel	6545.01, thru 6549.98, 8397.01, thru 8397.68
Nutgall	2209.98
Nux vomica	2209.15
Oiticica oil	2249.05
Optical glass, except ophthalmic	5230.05
Ore/lery (urlcury) oil, kernels and nuts	1379.98, 2249.98
Palm oil, kernels and kernel oil	2249.25, 1449.03, 2220.20

(e) In the case of a shipment originating in Portugal, Spain, Switzerland or Sweden, the use of the applicable general in transit license is subject to the following regulations:

(1) A Certificate of Orgin aind Interest covering the shipment, issued in Europe pursuant to directions of the Joint Anglo-American Blockade Committee, or a document covering the shipment, issued by a British consular officer in the United States in replacement of the original certificate, must be presented to the collector of customs at the last port of exit from the United States.

(2) The name and address of the ultimate consignee, as shown by the shipping documents, must coincide with the name and address of the ultimate consignee as stated on the Certificate of Origin and Interest, or as stated on the document issued by a British consular officer in the United States amending or replacing the original certificate.

(f) Overcarried shipments (which are hereby defined to mean commodities exported from the United States and returned in error to the United States) may not be exported under these general in transit licenses.

§ 802.10 *General licenses which permit shipments not exceeding a specified value.* (a) General licenses are hereby issued permitting exportation to destinations in general license country group K, as set forth in § 802.3 (a) of this subchapter, and to Liberia, of all commodities where, in a single shipment, the net value (net value is defined to mean the invoice price exclusive of shipping charges) of such commodities classified under the same Department of Commerce Schedule B number does not exceed $25 with the exception of the commodities listed below (which, when preceded by an asterisk, shall be construed to include their forms, conversions and derivatives):

Commodity	Schedule B No.
*Acetanilide	8135.98
*Acetarsone (Stovarsol)	8135.98
Acetic acid	8300.00
Acetic aldehyde	8329.91
Acetic anhydride	8301.00
Acetophenetidin	8135.98
*Acetylsalicylic acid (aspirin)	8127.92, 8135.30
*Aconite	2209.27
Adalin	8135.98
*Agar	8135.98
Aircraft parts, equipment, and accessories other than those listed in the President's Proclamation of April 9, 1942.	ALL
Air raid sirens and alarms	7089.00
Alcohol (methyl)	8310.00
Alkyd resins, in powder, flake, or liquid form	8253.00
Aluminum, metal (except finished articles), salts, and compounds.	6290.00 thru 6305.00, 6308.50, 8135.98, 8336.00, 8339.05, 8339.98
Ammonia (anhydrous)	8390.00
Aniline oil and salts	8025.15, 8025.19
*Anthraquinone	8398.98
Antimony, metal, salts, and compounds	6515.05, 6645.01, 6649.01, 6670.00, 8396.01 thru 8396.08
Aperitol	8135.98
*Arsenic	8202.00, 8203.00, 8398.85, 8398.98
Asbestos fiber ⅛" or more in length	5451.05
*Ascorbic acid	8119.98
*Atabrin	8135.98
Atophan	8135.98
*Atropine	8135.01 thru 8135.10
*Belladonna	2209.01, 8124.03, 8127.93, 8150.01, 8151.01, 8180.93
Benzocaine (Anaesthesin)	8135.25
Benzyl chloride	8025.98
Beryllium, metal, salts, and compounds	6645.05, 6649.05, 8396.20
Beta naphthol	8025.30
Bicycles, adult	7950.00
Boiler gauge glass tubes	7139.05
Bristles, pig	0999.98
Bromural	8344.98
Butadiene, including polymers and copolymers of.	8258.19, 8329.83
*Cacodylic acid	8135.98
Cadmium, metal, salts, and compounds	6645.15, 6649.15, 8396.51 thru 8396.58, 8429.01, 8429.02
*Caffein	8135.11, 8135.12
Camphor	8329.95
Carbon tetrachloride	8329.10
*Cashew nut shell oil	1449.98
Castor beans and oil	2220.01, 2249.01, 8111.00
Cerium, metal, salts, and compounds	6645.18, 6649.18
Chlorine	8392.00
Chlorbenzenes	8069.98
Chloroform	8329.98
Chloropicrin	8069.05, 8205.95
Chloroprene, including polymers and copolymers of.	8329.88
Chromium, metal, salts, and compounds	6645.20, 6649.20, 8357.00, 8359.11, 8368.00, 8396.71 thru 8396.78, 8429.05
Cinchona bark	2209.04
Cobalt, metal, salts, and compounds	6645.25, 6649.25, 8299.90, 8396.91 thru 8396.98, 8429.09
Coconut oil	1420.00, 2230.00
Columbium, metal, salts, and compounds	6645.30, 6649.30, 8398.98
Commutators	7099.90
Copper, metal (except finished articles), and sulphate.	6401.00, 6412.00, 6413.00, 6422.00, 6423.00, 6424.00, 8201.00
*Cork	4302.00 thru 4309.98
*Corundum	5405, 5409.98, 5419, 5409.20, 5411.98
Cotton duck cloth	3023.00, 3025.00, 3026.00, 3002.00
Dibutyl phthalate	8025.93
*Diamonds, industrial	5409.10, 5990.05
*Digitalis, include seeds and compounds	2209.09, 2209.98, 8135.98
Dimethylaniline	8025.50
Diphenylamine	8025.70
Electric curling irons, coffee percolators, flat irons, toasters, waffle irons, and other domestic electric heating or cooking devices and utensils.	7071.05, 7071.98, 7073.05, 7073.98
Electric indicating, measuring and recording instruments.	7036.05 thru 7038.98, 7099.93
Electrodes, carbon or graphite	5473.01, 5473.05, 5478, 5480.01, 5480.03
Ephedrine and salts	8135.98
Equipment and parts which can be used or adapted to use for the production of aviation motor fuel or tetraethyl lead.	7750.01, 7750.03
Equipment for the production of aviation lubricating oil.	
*Ergot	2209.98
Feathers and down, including pillows	0923.00, 0929.00
Ferromanganese	6213.03
Fire control instruments, military searchlights, aerial cameras, and other types of military equipment containing optical elements.	ALL
Firearms	ALL
Flax manufactures, except wearing apparel and household goods	3399.03, 3399.05, 3399.06, 3399.09, 3399.93
Fluorspar	5960.20

Commodity	Schedule B No.
Formaldehyde	8329.01
*Gallic acid (except bismuth subgallate)	8301.98
Gas masks	9190.92
Gauges, precision	6178.90, 7750.07, 9190.01
Glycerin	8314.00
Graphite, flake, chip, crystalline lump, and Ceylon.	5472.01, 5472.03
Hemp and hempseed	2220.20, 3399.20, 3399.98, 3419.05
Hexamethylenetetramine and compounds	8329.96, 8329.98
*Homatropine	8180.03
*Hyoscine (Scopolamine)	8127.96, 8180.19
*Hyoscyamus (Henbane)	2209.11, 8124.13, 8127.94, 8180.13
Industrial indicating, recording, or controlling instruments and apparatus.	7740.98
Ichthyol	8135.98
Insulin	8123.00
*Ipecac	2209.98
Iron or steel body valves and parts for steam, water, oil and gas.	7745.98
Jewel bearings	5990.98
Jute, yarn, cordage, twine, and empty bags	3205.09, 3211.00, 3224.00, 3229.05
Kapok fiber, except used or waste	3205.11
Kava-kava	2209.98
Kyanite	5960.98
Lead, metal (except finished articles), salts, and compounds.	6507.00 thru 6515.98, 6645.35, 8202.00, 8299.90, 8393.98
Leather, sole and belting, except offal	0324.00, 0330.00
Lenses for precision instruments	9147.00, 9149.98
Magnesium, metal	6638.00, 6691.05
Manila hemp, fiber and cordage	3205.15, 3414.00
Medinol	8135.98
Mercury metal, salts, and compounds	6635.00, 8397.11 thru 8397.48
*Mesothorium	6649.65, 8398.91, 8438.20
Metal Drums, Containers, Gas Cylinders	6205.01, 6205.03, 6205.11, 6205.13
Meters and parts, gas and water	7741.00, 7742.00
*Methyl Methacrylate	8258.03, 8261.03
Methylamine	8329.92
Methylene blue	8059.00
Methylene chloride	8069.98
Mica	5510.00, 5513.00
Molybdenum, metal, salts, and compounds	6636.00, 6649.45, 6691.07, 6691.08, 8397.58, 8397.58
Naphthalene	8020.05
Neat's foot oil	0803.00
Nickel, metals, salts, and compounds	6545.01 thru 6549.98, 8397.01 thru 8397.68
*Nicotinic acid	8119.98
Novalgin	8135.98
Novatophan	8135.98
Nutgall	2209.98
*Nux vomica	2209.15
*Nylon	3840.05, 8258.05
Oiticica oil	2249.06
Optical elements for fire-control instruments, aircraft instruments, etc.	5230.09, 9147
Optical glass, except opthalmic	5230.05
Paint spraying equipment and parts	7720.00
Palm kernels, nuts, and oil	1449.03, 2220.20, 2249.25
Peppermint, essential oil of	2268.00
Perilla seed and oil	2220.20, 2249.04
Petroleum blending agents	5013.10
Phenobarbital	8135.98
Phenol (carbolic acid)	8023.00
Phenol-formaldehyde resins, in unfinished forms.	8255.01, 8260.01, 8261.01
Phosphorus	8397.87
*Photographic unexposed film, plates, and paper (including blue printpaper).	9117.10 thru 9117.60, 9125.00 thru 9140.00
*Phthalic anhydride and phthalates	8025.90, 8025.93
Plasmochin	2209.98
Platinum group metals, salts, and compounds	6920, 6922.05, 6922.09, 8398.70 thru 8398.78
Podophyllum	2206.00
*Polyvinyl chloride	8258.19
Portable electric tools	7056.05, 7056.98
Potassium chlorate and perchlorate	8359.09, 8359.21
Potassium chromate and bichromate	8357.00
Potassium permanganate	8359.23
*Procaine (include novocaine, etc.)	8135.25
Prominal	8135.98
Propylene dichloride	8329.98
Protargol	8135.98
Psyllium seeds	2209.98
Pyrethrum	2209.19, 8205.30, 8205.92
*Pyridoxine Hydrochloride	8119.98
*Quartz crystals	5960.01 thru 5960.08
*Quinine	ALL
Radio mica condensers, and capacitors	7079.01
Radio transmitting sets, tubes, and parts	7076.05, 7076.98, 7948.07, 7948.08
Radio tubes or valves for receiving sets	7089.05, 7078.98
*Radium	8135.15, 8397.75
Rapeseed oil	1449.04, 2220.20, 2249.06
Rayon yarn	3830.07, 3840.07, 3840.08, 3840.11
Red squill	2209.21
*Rennet	0099.00
Resins, natural	2125.00, 2180.00, 2186.00, 2189.05, 2189.95
*Riboflavin	8119.98
Rivanol	8135.98
Rochelle salts	6359.39
Rubber	2001.00 through 2099.90
Rubberlike compounds, synthetic, unfabricated, include polymers and copolymers of butadiene, acrylonitrile, butylene, styrene, and vinylidene chloride.	8258.19
*Salicylic acid	8303.98
Salipyrin	8135.98
*Santonin	8135.98
Sewing machine parts	7553.05, 7553.98
Shearlings	0307.00, 0336.00
Shellac	2186.00, 2189.05
*Silk	3702.00 thru 3799.00
Sodium cacodylate	8135.98
Sperm oil	0809.05
Spices (include pepper, nutmeg, cloves, cassia, etc.)	1549.01 thru 1549.98
Strontium, metal, salts, and compounds	6649.98, 8397.80 thru 8397.89
Styrene	8025.96
*Strychnine	8135.17
Sugar	1619.05
*Sulfonamides (include all sulfa drugs)	8135.98
Superphosphate	8519.00
Tannic acid	8203.98
Tannigen	8135.98
Tanning materials, chromium	8239.01
Tantalum, metal, salts, and compounds	6645.60, 6649.60, 8398.80
Tea	1521.05
Tetraethyl lead, ethyl fluid, and any mixture containing more than 3 cc. tetraethyl lead per gallon.	8299.15, 8299.19
*Theobromine	8135.18

Commodity—Continued	*Schedule B No.*—Continued
•Theophylline	8135.19
•Thiaminhydrochloride	8119.98
Thyroid	8123.00
Tin, metal, salts, and compounds	6565.01 thru 6565.08, 8381.01 thru 8381.98
Tinplate and terneplate, unfabricated	6041.00, 6042.00
Titanium, metal, salts, and compounds	8398.10, 8398.18, 8428, 6649.70, 6645.70
Toluol	8011.00
•Tools incorporating industrial diamonds	6155.15, 6156.05, 6178.91, 7455.03, 7485.12, 5409.05
Tricresylphosphate	8025.91
•Tryparsamide	8135.98
Tung oil	2249.10
Tungsten, metal, salts, and compounds	6639.00, 6691.98, 8398.20 thru 8398.28, 6645.80 6645.85, 8398.30
•Uranium	8257.07, 8257.98, 8260.07, 8261.07
Urea formaldehyde resins in unfinished forms	8398.35 thru 8398.38, 6220.87, 6637.00, 6649.90, 6691.98
Vanadium, metals, salts, and compounds	1549.15
Vanilla beans	8119.98
Vitamin A	8135.98
Yatren (Loretin)	8398.45 thru 8398.48, 8299.90, 8420.19, 8411, 6570 thru 6573.09
Zinc, metal (except finished articles), salts, and compounds	8398.51 thru 8398.58, 6645.95, 6691.98, 6220.88
Zirconium, metal, salts, and compounds	

(b) General licenses are hereby issued permitting exportation to destinations in general license country group K, as set forth in § 802.3 (a) of this subchapter, of all commodities excepted from paragraph (a) of this section when the net value (net value is defined to mean the invoice price exclusive of shipping charges) of a single shipment of such commodities does not exceed $1.00: *Provided*, That the following commodities may not be exported under these general licenses in any amount.

Atropine.
Belladonna.
Caffein.
Digitalis seeds.
Hempseeds.
Homatrophine.
Hyoscine (scopolamine).
Hyoscyamus (henbane).
Photographic unexposed film, plates and paper (including blue print paper).
Pigeons, live.

(c) General licenses are hereby issued permitting the exportation to destinations in general license country group C as set forth in § 802.3 (a) of this subchapter, of all medicinals, pharmaceuticals, and medicinal chemicals, regardless of value, except the following:

Aconite.
Agar.
Atropine.
Belladonna.
Cacodylic acid.
Caffein.
Cinchona bark.
Digitalis seeds.
Homatropine.
Hyoscine (scopolamine).
Hyoscyamus (henbane).
Nutgall.
Quinine—except preparations less than 10% in value of quinine sulphate or its equivalent. The excepted class may be exported under General License to destinations in Group C.
Theobromine.
Theophylline.
Vitamin A—except when contained in capsules, ampules and similar dosage forms.

(d) General licenses are hereby issued permitting exportation to destinations in general license country group K as set forth in § 802.3 (a) of this subchapter, of all medicinals, pharmaceuticals and chemicals used solely for medicinal purposes; except those listed in paragraph (a) of this section, where, in a single shipment, the net value (net value is defined to mean the invoice price exclusive of shipping charges) of such commodities classified under a single Department of Commerce Schedule B number does not exceed $100: *Provided, however*, That any medicinal commodity listed below (including its forms, conversions and derivatives, and whether or not contained in a preparation) may not be exported under these general licenses to destinations in general license country group K in an amount exceeding $25 net value (as defined in this paragraph);

Adrenalin.
Alcatrao (medicinal tar).
Alsol (aluminum acetotartrate).
Aristol (thymol iodide).
Arnica.
Bismuth and bismuth compounds including bismuth subgallate.
Boldine.
Bromides and bromates in medicinal preparations.
Calcium gluconate.
Carbarsone.
Cassia oil.
Chalmoogra oil.
Charcoal (vegetable and medicinal).
Colchicum.
Cyclosal (menthyl isopropyl-cyclohexenon).
Glycero phosphates.
Gomenol.
Hemoglobin.
Hormones.
Iodipine.
Lecithin.
Pituitary extract.
Senna.
Stramonium.
Vaccine antigonoccia polyvalent.
Vitamines, "iosterols, and vitamin preparations except those specified in paragraph (a) of this section.

(e) The above general licenses or any other general licenses which authorize shipments of commodities not exceeding specified values are designed to permit the exportation of bona fide single shipments, within the designated maxima, of such commodities. They may not be used under any circumstances for the purpose of effecting the exportation of such commodities in amounts in excess of the specified maximum values which would otherwise require individual licenses, whether this is sought to be accomplished by splitting an order into two or more shipments; or by securing a large number of similar, separate orders; or by any other device designed to evade the requirement of an individual license.

(f) The provisions of this section shall not be construed as limiting the use of any other general licenses.

§ 802.11 *Personal baggage.* (a) General licenses are hereby issued, subject to the restrictions contained in paragraphs (c) and (d) of this section, permitting exportation to all destinations of the following classes of commodities when exported by persons leaving the United States solely for the use of themselves and their families and not for resale or other commercial purpose:

(1) Household articles, including furniture, refrigerators, radios, decorations and other household furnishings.

(2) Personal effects, including clothing, books, toilet articles, souvenirs, articles of personal adornment, personal firearms, hunting guns, etc., (restricted to three guns per person), cameras and similar articles.

(3) Professional instruments and tools of trade, including typewriters, which have been used by the passenger in his occupation, profession or employment.

(4) Passenger automobiles when the personal property of persons departing from this country and not being exported for purposes of resale. Such persons must file with the collector of customs an affidavit certifying that the exportation is not for resale or other commercial purpose.

(b) General licenses are hereby issued, subject to the restrictions contained in paragraphs (c) and (d) of this section, permitting exportation to all destinations of personal effects, including clothing, books, toilet articles, souvenirs, articles of personal adornment, and similar commodities, when shipped in the baggage of a member of a crew of a vessel solely for his own or his immediate family's use and not for resale or other commercial purpose.

(c) Passengers or crew members of vessels operating under the control of countries other than those designated by numbers 1 through 81, 90, 91, and 99 in § 802.2 (a) of this subchapter may not export radios, radio parts or foodstuffs under these general licenses.

(d) Photographic film may be exported under general license only in accordance with the provisions of § 802.12 of this subchapter.

§ 802.12 *Photographic film.* (a) General license are hereby issued permitting exportation to all destinations assigned general license numbers in § 802.2 (a) of this subchapter, of all photographic film, except unexposed or raw photographic film, dry plates, unexposed photographic paper, exposed but undeveloped motion picture films, and still films or plates: *Provided*, That the requirements of the Office of Censorship have been satisfied.

(b) General licenses are hereby issued permitting exportation of commercial exposed but undeveloped motion picture and still films or plates to Newfoundland. If, upon presentation of such commodities for export to destinations other than Newfoundland, they are developed by the collectors of customs or by the censors in order to examine them for licensing purposes, they shall then be subject to the provisions of paragraph (a) of this section. If not developed, the commodities will be returned to the sender with a notification that they must be developed before they will be considered for export.

(c) General licenses are hereby issued permitting exportation of unexposed or raw photographic film, dry plates, and unexposed photographic paper to Newfoundland.

(d) The provisions of this section shall not apply to shipments of photographic film under general license GUS.

§ 802.13 *Ship and plane stores, supplies and equipment.* (a) General licenses are hereby issued permitting exportation on freight or passenger vessels;

(1) (i) Owned by or under charter to the United States Maritime Commission, the War Shipping Administration, The British Ministry of War Transport, or the Soviet Government Purchasing Commission, proceeding to any destination; or

(ii) Which have been approved to the collector of customs by special authorization from the Office of Exports; or

(iii) Which have secured an authentic and acceptable document from the War Shipping Administration, or the British Ministry of War Transport, or Soviet Government Purchasing Commission, certifying that the vessel is operating on the instant voyage in the interest of the respective agency issuing the certificate; or

(iv) Of registry of countries designated by numbers 1 to 3, 5, 6, 8 to 58, 60 to 67, 71 to 81, 91, or 99 in § 802.2 (a) of this subchapter, or of the Netherlands, Norway, or Poland: *Provided*, That the destination of such vessels shall be one of the aforenumbered countries;

of the following commodities:

(2) (i) Bunker fuel and food stores in any amount.

(ii) Other ordinary ship stores, sea stores and supplies, exclusive of zinc plates, for use or consumption on board such vessels during the outgoing voyage and any immediate return voyage schedule, in such quantities as the collector of customs deems necessary and reasonable.

(iii) Equipment and spare parts intended for permanent use on such vessels when necessary for their proper operation and approved by the collector of customs.

(b) (1) General licenses are hereby issued permitting exportation on vessels, other than those included in paragraph (a) of this section, of food stores for use on board such vessels during the outgoing voyage and any immediate return voyage scheduled. Such food stores shall not be in excess of 6.85 lbs. per man per day, which amount shall be distributed among individual food items in accordance with the food list set forth in subparagraph (4) of this paragraph. An excess tolerance of .15 lb. per man, per day may be allowed by the collector of customs where, due to packaging, food stores cannot be split up. Additional food stores, not in excess of the amount allowable for 20 per cent of the number of days required for the outgoing and return voyage, may be authorized for exportation by the collector of customs when necessary for the ship's safety and "in port" operations. In no event may the food stores included within Groups B, C, F and I of said food list exceed the individual amounts specified for such groups. The food stores included within Groups A, D, E, G, and H of said food list may exceed the amounts specified for such groups: *Provided*, That the aggregate of food stores included in both Groups A and E does not exceed 4.00 lbs. per man per day: *And, provided further*, That the aggregate of all food stores included in all groups shall not exceed 7.00 lbs. per man, per day, plus the 20 per cent tolerance authorized for safe operation.

(2) The operators of vessels shall furnish to the collectors of customs requisitions based upon the information set forth in said food list, and shall furnish the following additional information: name of vessel, nationality; name of agent; approximate number of days required for the outgoing and return voyage; the vessel's probably itinerary, and the number of crew and passengers.

(3) Foodstuffs to be used as lifeboat provisions are considered as "deck stores", and are not within the purview of this paragraph.

(4) *Item and allowance authorized per man, per day.*

Group A

Meats:
fresh (not to exceed .75 lb.).
dried.
canned (not to exceed .06 lb.).
Poultry and game.
Fish:
fresh.
dried.
canned (not to exceed .06 lb.).
Cheese.
Butter.
Eggs (8 to a lb.).
Milk:
fresh.
canned.
Cream:
fresh.
canned.
Total for Group A 3.00 lb.

Group B

Sugar. Total for Group B .20 lb.

Group C

Potatoes. Total for Group C 1.00 lb.

Group D

Vegetables:
fresh.
dried.
canned (not to exceed .25 lb.).
Fruits:
fresh.
dried.
canned (not to exceed .25 lb.).
Total for Group D .75 lb.

Group E

Flour.
Cereals.
Bread.
Biscuits.
Crackers.
Total for Group E 1.00 lbs.

Group F

Cocoa.
Coffee (not to exceed .11 lbs.)
Tea.
Total for Group F .25 lbs.

Group G

Beverages. Total for Group G .15 lbs.

Group H

Other groceries. Total for Group H .50 lbs.

Group I

Tobacco [1]
Cigarettes [1]
Total per man per day 6.85 lbs.

(c) General licenses are hereby issued permitting the exportation in planes departing from the United States of fuel, ordinary plane stores and supplies for use or consumption during the outgoing trip of such planes and any immediate return trip scheduled, and of equipment and spare parts when necessary for the proper operation of such planes.

§ 802.14 *Metal drums and containers.* (a) General licenses are hereby issued permitting exportation to all destinations of metal drums and containers having a capacity of ten gallons or less, when filled with commodities the exportation of which has been authorized by export license: *Provided*, That the drums and containers are of a type reasonably suited for the exportation of such commodities.

(b) General licenses are hereby issued permitting exportation to Great Britain and Northern Ireland, Newfoundland, Greenland, Iceland and the Union of Soviet Socialist Republics of all metal drums and containers, filled or unfilled, regardless of capacity.

(c) General licenses are hereby issued permitting exportation to all destinations included in general license country Group K, as set forth in § 802.3 (a) of this subchapter, of metal drums and containers, regardless of capacity, when filled with chemicals or petroleum products the exportation of which has been authorized by an individual export license issued prior to July 15, 1942.

(d) General licenses are hereby issued permitting the exportation to Great Britain and Northern Ireland, Newfoundland, Greenland, Iceland and the Union of Soviet Socialist Republics, of filled or unfilled metal cylinders designed to hold gas, regardless of size or capacity.

(e) General licenses are hereby issued permitting exportation to all destinations included in general license country Group K, as set forth in § 802.3 (a) of this subchapter, of metal drums and containers, regardless or capacity, when filled with any commodities which may be exported under general license to destinations included in said Group K.

§ 802.15 *Re-exportation of machinery or parts.* A general license is hereby issued permitting re-exportation to Mexico of:

(a) Machinery or parts of machinery, owned and operated in Mexico, and shipped into the United States for repair purposes;

(b) Replacement parts which are added to such machinery or parts of machinery while in the United States; and

(c) Rebuilt parts which are substituted or exchanged for parts of machinery, owned and operated in Mexico, and

[1] Two (2) packs of cigarettes per man, per day, or the equivalent of four ounces of tobacco per man, per day.

Tea—bulk (loose) in one-fourth (¼) or (vii) Date of expiration.

(5) A separate release certificate must

shipped into the United States for repair purposes.

§ 802.16 *Prisoners of war and interned civilians.* A general license is hereby issued, designated "G-PW-2", authorizing the exportation, by mail only, of gift parcels to members of the armed forces of the United Nations who are prisoners of war, and to civilians interned in enemy occupied territories who are nationals of the United Nations, subject to the following provisions:

(a) No gift package shall exceed 11 pounds gross weight or dimensions of 18 inches in length, or 42 inches in length and girth combined.

(b) Only one such parcel may be sent to each prisoner or interned civilian in each calendar sixty-day period.

(c) The contents of each gift package shall be listed on a Post Office Department Customs Declaration which shall be filed at the time of mailing. In the event that the local post office does not have a customs declaration available, the contents of the package may be listed on a piece of paper and this list affixed to the package.

(d) In the case of shipments to members of the armed forces of the United States, who are prisoners of war, or to nationals of the United States who are interned in enemy occupied territory, an official label will be furnished in duplicate by the Provost Marshal General's Office to the next of kin or the person designated by the prisoner or internee as his beneficiary. These labels will contain the name and address of the prisoner or internee, will bear a Provost Marshal General's Office form number, and will state the calendar sixty-day period in which it is valid for use under this general license. The next of kin or the beneficiary may transfer the labels to another person for use in exporting under this general license, but the name of the sender shall be written in ink on such labels in the space provided therefor. One of the labels, properly filled in by the sender, must be affixed on the outside of the parcel, and the other label shall be placed inside with the contents. The general license number "G-PW-2" must be printed on the labels.

(e) In the case of members of the armed forces of the British Empire or interned civilians who are nationals of the British Empire, the label issued by their respective Governments to the next of kin or other designated beneficiary of the prisoner of war or interned civilian must be affixed on the outside of the parcel by the consignor.

(f) In the case of shipments to members of the armed forces of any of the United Nations (except the United States and the British Empire), who are prisoners of war in Germany or German controlled territory, and in the case of shipments to nationals of any of the United Nations (except the United States and the British Empire), who are interned in Germany or German controlled territory, the consignor must affix on the outside of the parcel the proper label issued by the German authorities to the prisoner or internee designated on such label.

(g) In the case of shipments to members of the armed forces of any of the United Nations (except the United States and the British Empire), who are prisoners of war in Italy or Italian controlled territory, and in the case of shipments to nationals of any of the United Nations (except the United States and the British Empire), who are interned in Italy or Italian controlled territory, the consignor must place a certification in the following form on the customs declaration:

I certify that the prisoner of war (or civilian internee) to whom this parcel is addressed is personally known by me to be at the address given. I have mailed no other parcel to this prisoner (or civilian internee) within the sixty days prior to this date, and to my knowledge no other package has been mailed to this prisoner (or civilian internee) in such period

Sender _____
Address _____

The signature and address of the sender must be written in ink.

(h) In all cases the sender of the gift parcel must write in ink under the address the following:

General Licenses "G-PW-2" Via New York, New York

(i) Gift parcels shall not contain any of the following:

(1) Food of any type (except as specifically listed in following paragraph (j)).

(2) Medical supplies of any type (except vitamin tablets in cardboard containers).

(3) Commodities in glass containers.

(4) Commodities in hermetically, vacuum, or soldered sealed tins.

(5) Commodities in collapsible tin tubes such as shaving cream or tooth paste.

(6) Written or printed matter of any kind.

(j) Subject to the limitations of paragraph (i) of this section, the following commodities only may be included in gift parcels exported under the general license:

Tobacco and Smoking Accessories

Smoking tobacco.
Chewing tobacco.
Cigarette tobacco.
Tobacco pouches.
Pipes.
Cigarette holders (except paper).
Cigarette cases (non-metallic).

Toilet Articles

Washing powder.
Medicated soap.
Bath soap
Towels, bath and face.
Wash cloths.
Tooth powder (in non-metallic containers).
Tooth brushes.
Combs (non-metallic).
Brushes, scrubbing
Hairbrushes (non-metallic).
Clothes brushes
Safety razor
Safety razor blades
Shaving brushes
Talcum powder (in non-metallic containers).
Styptic pencils
Shaving soap, cake and powder.
Small mirrors.

Clothing

Socks.
Sock supporters
Belts
Sport shorts for athletics.
Shirts (regular army or navy if prisoners of war).
Slacks (regular army or navy if prisoners of war).
Underwear
Gloves
Handkerchiefs.
Mufflers
Light sweaters.
Shoes
Shoe laces
Insoles
House slippers.
Bathrobes
Pajamas
Nightgowns.
Suspenders

Items for Women

Wool hose.
Safety pins
Small mirror
Ribbon
Hair nets and pins
Knitting needles (non-metallic).
Crochet needles (non-metallic).
Crochet thread.
Knitting yarn.
Elastic.
Blouses.
Skirts
Dresses
Toilet articles except liquids (in non-metallic containers).
Cleansing tissues.
Camphor ice (cardboard containers).
Sanitary supplies for feminine hygiene.
Orange sticks

Items for Children

All kinds of clothing and shoes.
Crayons.
Small indestructible wooden toys.

Sports and Games

Playing cards
Checkers
Chess
Cribbage.
Ping pong and table tennis sets
Softballs
Baseballs.
Footballs.
Softball or baseball gloves.

Miscellaneous Items

Chewing gum
Shoe polish in tins.
Tooth picks.
Nail clippers.
Wallets
Pocketbooks
Mending kits (no scissors included).
Sewing kits (no scissors included).
Buttons (non-metallic).
Hair clippers.
Vitamin tablets in cardboard containers

Food Items

Processed American or Swiss cheese (wrapped in cellophane).
Dried prunes, raisins, or apricots, pea[illegible] and apples (in one-pound or one-half pound cellophane packages)
Dried soups (in cellophane bags).
Cereals of the Farina or Cream of Wheat type (cardboard containers).
Dried skim milk (in one or one-half pound cellophane bags).
Nuts—only pecans, Brazil nuts, or peanuts in shell or salted (cellophane bags).
Plain or chocolate powdered malted milk in press-in-top tins or boxes or in cellophane bags not in excess of one pound.
Malted milk tablets in cellophane bags or cardboard boxes not in excess of 500 tablets.
Dried noodles, macaroni, or spaghetti in cardboard boxes.
Dried (chipped) beef wrapped in clear wax paper or cellophane not in excess of one pound.
Coffee in plain bags not in excess of one pound.
Tea—bulk (loose) in one-fourth (¼) or one-half (½) pound bags or cardboard boxes.
Cocoa in press-in-top cans or cellophane bags not in excess of one-half (½) pound.
Sugar in paper bags or cardboard boxes not in excess of one pound.

§ 802.17 *Certain foreign trademarks, trade names, etc.* No exportation may be made under any general license, with exception of those set forth in § 802.8 and § 802.11 of this subchapter, of any commodity bearing the name of any person on the Proclaimed List, or bearing a trademark, trade name, brand, label or other mark which indicates that such commodity was manufactured or processed in any country with which the United States is at war or by any person whose name appears on the Proclaimed List.

§ 802.18 *Exportations from Canal Zone to Republic of Panama for repair or processing and return.* A general license is hereby issued permitting exportation from the Panama Canal Zone to the Republic of Panama of all commodities: *Provided*, That such commodities are exported for the purpose of being repaired or processed and then returned to the Panama Canal Zone.

§ 802.19 *Return of empty containers to foreign country.* General licenses are hereby issued permitting exportation to all destinations in general license country Group K of metal drums, gas cylinders, bags and other containers which have previously been used in shipping commodities to the United States: *Provided*, That they are exported empty to the country from which they were imported into the United States.

PART 803—UNLIMITED LICENSES

Sec.
803.1 General provisions.
803.2 Commodities and countries of destination.
803.3 British "Navy Army Air Force Institute".

AUTHORITY: §§ 803.1 to 803.3, inclusive, issued under sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807.

§ 803.1 *General provisions.* (a) Unlimited licenses are hereby issued to the foreign purchasing agencies provided for in this Part permitting the exportation of certain commodities to specific destinations as provided in § 803.2 of this subchapter subject to the following conditions:

(1) The unlimited license may not be used except by written authorization of the licensee.

(2) In lieu of presenting the license, the person authorized to use such license may present a document entitled "Release Certificate" issued by the licensee, addressed to the collector of customs and containing substantially the following:

(i) Date of issuance.

(ii) The name and address of the exporter.

(iii) That the exporter is the agent of the licensee for the purpose of making the described shipment.

(iv) The country of destination.

(v) A description of the commodity, quantity and value.

(vi) A reference to the unlimited license against which shipment is made.

(vii) Date of expiration.

(viii) Signature of an authorized officer of licensee.

(3) Application for a release certificate to use any unlimited license shall be made to the licensee.

(4) Where a commodity listed in § 803.2 of this subchapter may be shipped under general license to the destination for which an unlimited license is in effect, such commodity shall be shipped under the general license.

(5) A separate release certificate must be presented for each shipment.

§ 803.2 *Commodities and countries of destination.* The unlimited licenses referred to in § 803.1 of this subchapter with the destinations to which shipments may be made and commodities which may be exported under such licenses are as follows:

(a) Amtorg Trading Corporation (280 Madison Avenue, New York, N. Y.), destination: Union of Soviet Socialist Republics:

Abrasive Mfrs.	
Abrasive paper and cloth	5418.00
Asbestos—Crude and Fiber (other than African chrysotile, African amosite, African blue fiber or Arizona fiber).	5451.05, 5451.98
Asbestos Mfrs. (other than those containing more than 10%, African chrysotile, African amosite, African blue fiber or Arizona fiber).	5453 thru 5459.98
Carbon Electrodes	5473.01, 5480.01
Chemicals:	
Acetic acid	8300.00
Acetic aldehyde	8329.91
Acetic anhydride	8301.00
Acrylonitrile	8329.81
Alkyd resins	8253.00
Aniline	8025.15, 8025.19
Arsenic trichloride	8398.85
Bromine	8344.01
Carbon black	8423.00
Casein	8258.01
Calcium cyanide	8205.96
Chloracetyle chloride	8329.87
Coconut shells and coconut shell char	8297.05
Cresylic acid and cresols	8024.09
Dibutyl phthalate	8025.93
Diethyl phthalate	8025.93
Dimethylaniline	8025.50
Diphenylamine	8025.70
Dipropylphthalate	8025.93
Ethylene	8395.05
Ethylene chlorhydrene	8329.89
Ethylene dibromide	8344.15
Iodides and iodates	8346.01 thru 8346.98
Methylamine	8329.92
Monochloroacetic acid	8303.05
Naphthalene	8020.05
Omega chloroacetophenone	8025.95
Pentaerythrite	8329.94
Phosphates	8515.10 thru 8520.00
Rochelle salts	8359.39
Rotenone	8205.93
Soda lime	8370.01
Sodium acetate, anhydrous	8329.50
Sodium cyanide	8369.00
Strychnine and salts thereof	8135.17
Sulphuric acid	8309.50, 8309.70
Thiodiglycol	8315.05
Drugs, Herbs, etc.—Insecticides:	
Cubé root	2209.05
Derris root	2209.07
Red squill	2209.21
Electrical Machinery and Apparatus:	
Bulbs, electric light, over 200 watts	7064.05, 7064.55, 7065.55, 7066.00, 7067.00
Fuse plugs	7034.05
Mica dial or mica covered compasses	7079.03
Neon tube electrode sections	7099.92
Radio mica trimmers	7081.05
Radio receiving sets, complete	7077.05, 7077.98
Radio tubes or valves for receiving sets	7078.05, 7078.98
Radio tube ridges	7076.05, 7078.05
Radio tube spacers	7076.05, 7078.98, 7078.05, 7078.98
Rheostats	7031.05
Engines—Diesel and Semi-Diesel:	
Diesel engines	7141.00, 7145.00 thru 7148.00
Electrical generating sets, powered by Diesel engines.	7011.05
Explosives:	
Blasting gelatin	8609.01, 8609.03
Commercial explosives, n. e. s.	8609.98, 8609.03
Detonators and blasting caps	8629.00
Dynamite	8604.00
Nitrocellulose having a nitrogen content of less than 12%.	8268.05, 8269.05
Glass and Glass Products:	
Glass, bulletproof, laminated	5217.50

Graphite Manufactures:	
Graphite electrodes	5473.05 5480.03
Instruments, Precision, for Metal-Working	7455.01
Balancing machines	
Iron and Steel—Bars and Rods:	
Bars, concrete reenforcement bars, including deformed, and twisted bars, nonalloy	6022.00
Bars, steel, cold finished nonalloy	6020.00
Rods, wire, nonalloy	6029.00
Iron and Steel—Bars and Rods, Steel, Other	6023.00
Bars, steel not containing alloy	
Iron and Steel—Sheets, Black, of steel, not containing alloy	6035.10
Iron and Steel—Sheets, Galvanized, steel, nonalloy	6034.00
Iron and Steel—Strip, iron and steel, not containing alloy, cold rolled	6037.11
Iron and Steel—Strip, iron and steel, not containing alloy, hot rolled	6038.11
Iron and Steel Mfrs.—Railway Tracks Material:	
Rails, 60 lbs. and over per yd., nonalloy	6051.00
Rails, less than 60 lbs per yd., nonalloy	6052.00
Rails, relaying nonalloy	6053.00
Iron and Steel Mfrs.—Structural Products:	
Shapes, structural, not fabricated, incl heavy, light and bar size structural, shapes, nonalloy	6045.09
Iron and Steel Mfrs.—Wire:	
Wire (on spools or in coils, not attached to cards) nonalloy	6091.15
Wire, barbed, nonalloy	6083.00
Wire, fencing, woven, nonalloy	6085.00
Wire, twisted, nonalloy	6091.25
Oils and Fats—Animal, Fish and Marine Mammal:	
Edible	0050.00 thru 0050.00, 0065.00
Fatty acids	0847.00, 0849.00, 2248.01
Oils and Fats—Vegetable (Edible)	1420.00 thru 1449.98
Petroleum Products and Tetraethyl Lead:	
Crude oils	5011.03 thru 5011.95
Lubricants	5033.00 thru 5040.98
Motor fuels and blending agents	5012.00 thru 5017.95
Petroleum coke	5048.00
Miscellaneous	5059.00
Valves:	
Valves or valve bodies	6309.07, 6439.07, 6454.57, 6454.58, 6549.07, 7139.98, 7745.05, 7745.98, 7917.00
Wood pulp:	
Chemical wood pulps	4601.00

(b) Belgian Congo Purchasing Commission (630 Fifth Avenue, New York, N. Y.), destination: Belgian Congo:

Abrasives and Abrasive Mfrs.	5405.00 thru 5419.00
Chemicals:	
Borax	8362.29
Boric acid	8308.00
Borax glass	8362.22
Lithopone	8414.00
Phosphoric acid (ortho-, pyro-, and meta-)	8309.93
Red lead, dry	8424.00
Red lead, in oil	8431.03
Zinc oxide including leaded zinc oxide	8411.00
Zinc sulfide	8429.19
Instruments, Precision, for Metal Working Gauges	6178.90
Iron and Steel—Ferro-alloys	6213.03 thru 6220.98 (except 6220.87)

Iron and Steel:	
Bars and rod	6020.00 thru 6029.00
Billets	6016.01, 6017.01
Blooms	6016.03, 6017.03
Band and Scroll:	
Baling bands	6038.17
Hoop	6037.15, 6037.55, 6037.95, 6038.15, 6038.95
Ingots	6016.05, 6017.05
Sheets, black:	
Black plate	6035.10, 6035.90
Sheets, galvanized	6033.00, 6034.00
Sheet Bars and Tin-Plate Bars	6016.09, 6017.09
Skelp	6032.05, 6032.98
Slabs	6016.07, 6017.07
Strip	6037.11, 6037.51, 6037.91, 6038.11, 6038.51, 6038.91
Iron and Steel Mfrs.:	
Castings, forgings, railway axles, and railway wheels.	6101.00 thru 6108.05
Iron and Steel Mfrs.—Nails and Bolts:	
Bolts, machine screws, nuts, rivets, washers (except railroad).	6099.00
Horseshoe nails	6093.00
Nails and staples, other	6095.00
Tacks	6094.00
Wire nails	6092.00
Iron and Steel Mfrs.—Railway Track Material:	
Railroad spikes	6058.00
Rails	6051.00 thru 6053.00
Rail tieplates and splice bars	6054.00
Iron and Steel Mfrs.—Structural Products:	
Piling, steel	6050.00
Shapes, structural	6045.00, 6046.00
Tanks, storage, etc	6043.00
Iron and Steel Mfrs.—Tools:	
Augers, bits, gimlets, gimlet bits, and counter sinks, wood-working.	6157.10
Automobile wrenches and parts.	
Axes	6153.00
Cross-cut, hand, back and other saws, and parts not elsewhere specified.	6156.98
Files and rasps:	
Less than 7 inches in length	6158.10
7 inches or more in length	6158.50
Hammers and hatchets	6160.00
Hand hoes, rakes and forks.	
Hand tools and parts, n. e. s.	6178.98
Hay and manure forks.	
Machetes	6119.00
Other wrenches and parts (except automotive).	6165.00
Planes, chisels, gouges, and other cutting tools and parts.	6178.10
Shovels, spades, scoops and drainage tools	6162.00
Vises	6163.00
Wood screws (of iron or steel only)	6200.00
Iron and Steel Mfrs.—Tubular Products:	
Pipes and tubes	6060.00 thru 6077.05 (except 6065.00, 6066.00, 6067.98, 6068.98)
Iron and Steel Mfrs.—Wire:	
Wire bale ties	6091.01
Wire, barbed	6083.00
Wire fencing, woven	6085.00
Wire rope and cable	6087.10

Iron and Steel Mfrs. Misc.:	
Drums and containers, metal, for oil, gas, solids and liquids, filled or unfilled.	6205.01 6205.03, 6205.11 6205.13
Fence posts	6209.05
Oils and Fats—Animal, Fish and Marine Mammal—(including only):	
Butter	0065.00
Lard	0053.00
Paper and Paper Mfrs.	4711.00 thru 4799.00
Except:	
Cellophane	4721.00
Kraft wrapping paper	4724.00
Newspaper, baled (old and overissue)	4722.03
Newspaper, overissue	4722.05
Newspaper, other overissue and old newspaper.	4722.98
Vulcanized fiber sheets, strips, rods and tubes.	4795.00
Petroleum products	5011.03 thru 5059.00

(c) British Ministry of Supply Mission (910 G Street NW., Washington, D. C.), destination: Egypt and all countries in the British Empire except Canada, Great Britain and Northern Ireland:

Abrasives and Abrasive Mfrs. (except diamond grinding wheels).	5405.00, 5409.20 thru 5419.00
Aircraft—Parts, Equipment and Accessories (Other than those listed in the President's Proclamation of April 9, 1942).	
Bismuth	6645.10, 6649.10
*Brass and Bronze	6440.00 thru 6479.98
Chemicals:	
Bismuth salts and compounds	8396.30 thru 8396.38
Casein	0999.05
Casein glue	0942.05
Copper salts and compounds	8397.01 thru 8397.18, 8201
Nickel salts and compounds	8397.61 thru 8397.68
Petrolatum and Petroleum jelly	5042.00
Copper	6401.00 thru 6439.98
**Cork Products:	
Gaskets in shipments under $50 in value	4307.19, 4309.50
Electrical Machinery and Apparatus:	
Radio mica condensors or capacitors	7079.01
Radio mica dial or mica covered compasses.	
Radio mica trimmers	7081.05
Radio receiving sets, complete	7077.05, 7077.98
Radio receiving sets components, n. e. s.	7079.01, 7079.98
Radio tubes and valves for receiving sets	7078.05, 7078.98
Radio tube ridges	7078.05, 7078.98
Radio tube spacers	7078.05, 7078.98
Engines—Aircraft Parts.	
Iron and Steel	6007.00 thru 6220.98 (except numbers 6010.20, 6010.30, 6010.40, 6010.70, 6010.90, 6011.00, 6015.00, 6118.05, 6118.09, 6118.25, 6147.05, 6152.85, 6154.43, 6154.98, 6155.15, 6155.20, 6156.05, 6167.43, 6167.98, 6178.90, 6178.91, 6178.96, 6178.98)

*Brass and bronze may be shipped under unlimited license to all parts of the British Empire including, Great Britain and Northern Ireland, and to Egypt.

**Cork products:

Gaskets in shipments under $50 in value are permitted to be exported under unlimited license to all countries in the British Empire, including Great Britain and Northern Ireland, and to Egypt.

†May not be shipped to Egypt under unlimited license.

Machinery	
For Mfr.—Aviation Motor Fuel	7349.01, 7750.01
For Mfr.—Aviation Motor Fuel	7349.01, 7750.01
Bearings (except when installed)	7691.00, 7692.00, 7693.00
Petroleum and Gas Well (except Diesel Engine Parts):	
Petroleum and gas well equipment and parts (except drilling) and Seismographs and parts.	7349.05
Petroleum and gas well drilling apparatus and parts.	7342.00
Petroleum well machinery and parts, n. e. s.	7349.98
Petroleum Refining:	
Petroleum refining machinery, equipment and parts.	7349.09
Petroleum refining machinery and parts, n. e. s.	7349.98
Naval Stores:	
Pine oil	2117.10
Rosin, gum	2110.00
Rosin, wood	2111.00
Rosin, other, inc refined, sulphate wood rosin.	2189.09
Tar and pitch of wood (inc. "B" wood rosin).	2118.00
Nickel	6545.01 thru 6549.98, 6610.00, 6630.00
Oilseeds, Vegetable (and other vegetable oil-bearing raw materials), except hempseed.	2210.00 thru 2220.98 (except hempseed)
Oils and Fats—Animal, Fish and Marine Mammal, including only:	
Butter	0065.00
Grease, hog	0858.05
Grease, stearin	0843.00
Lard	0053.00
Oil, lard	0809.01
Oil, oleo	0050.00
Oil, sperm	0809.05
Oil, whale	0809.05
Oleic acid, or red oil	0847.00
Oleomargarine of animal or vegetable fats	0059.00
Oleo stearin, edible	0056.00
Oleo stock	0051.00
Stearic acid	0849.00
Tallow, edible and inedible	0052.00, 0857.00
Oils and Fats—Vegetable:	
Oil, corn, crude and refined	1441.00, 2249.02
Oil, cottonseed, crude and refined	1425.00, 2231.00
Oil, olive, sulphured or foots	2248.03
Oil, peanut, crude and refined	1431.00, 2249.03
Soap stock, vegetable	2248.98
Vegetable stearin	1449.05
Fats, cooking, other than lard	1447.00
Acids, fatty, of vegetable origin	2248.01
Oil foots, vegetable	2248.05
Paper and Paper Mfrs., including only:	
Book paper, not coated	4714.00
Bristols and bristol board	4732.00
†Cigarette Paper	4726.05
†Newsprint paper	4711.00
†Tissue and crepe paper	4726.98
Writing paper, bond, ledger and drawing	4761.00
Petroleum Products (except Tetraethyl lead)	5011.03 thru 5059.00

The commodities listed above may also be exported under this unlimited license to British Government agencies for their official use in any destination, *Provided,*

That the release certificate issued by the British Ministry of Supply Mission contains the following statement: "Shipment to a British Government agency for its official use".

(d) *Netherlands Purchasing Commission to 10 Rockefeller Plaza, New York, N. Y., inclusive:*

Abrasive Mfrs.	
Grinding wheels	5412.00
Iron and Steel Mfrs.—Miscellaneous:	
Drums and containers, metal	7045.05 thru 7045.98, 7047.05 thru 7049.98 (except 7049.12, 7049.13), 9062.31, 9160.05, 9190.80, 9190.94, 9190.98
Fence posts	5463.00 thru 5469.98
Steel tanks, lined	5042.00
Machinery:	
Bearings (except when installed)	6479.01, 7691, 7692, 7693
Metal Working Tools, Metal Cutting:	
Dies	7482.00, 6168.43, 6168.98
Diehead	6401.00
Hobs	6430.98
Milling cutters	7076.05, 7076.98
Reamers	7077.05, 7077.98
Shear knives	6118.05
Taps	7482.00, 6168.43
Twist and other drills	6167.43, 6167.98
Nickel	6545.01 thru 6549.98
Paper and Manufactures	4711.00-4723.00, 4725.01-4729.00; 4731.00-4799.00
All forms except—	
Kraft wrapping paper.	
Kraft container board.	
Cellophane, sheets or rolls.	
Petroleum and Gas Well:	
Petroleum and gas well drilling apparatus and parts.	7342.00
Petroleum well and refining machinery and parts, n. e. s.	7340.09 thru 7340.98
Petroleum Products and Tetraethyl Lead:	
Crude oil	5011.03 thru 5011.98
Gasoline	5012.00
Kerosene	5027.00
Liquefied petroleum gases	5043.00
Lubricating oil	5033.00 thru 5040.98
Naphtha	5019.00
Tetraethyl lead	8299.15, 8299.19
Synthetic Textiles:	
Braids, fringes, and narrow trimmings of Rayon, Nylon and other Synthetic Textiles	3858.55, 3858.58
Rayon waste and staple fiber including rags, clips, rolls, whether or not machined or otherwise advanced (except yarn)	3830.07
Rayon yarn, single and plied	3840.07, 3840.08, 3840.11
Wool	3633.00
Wool yarns	

(e) *Universal Trading Corporation (630 Fifth Avenue, New York, N. Y.), destination: Unoccupied China.*

Abrasives and Abrasive Manufactures	5405.00 thru 5419.00
Carbon Electrodes	5473.01
Paper	6401.00 thru 6439.98
Chemicals:	
Ammonia and Ammonium Compounds except Ammonium Phosphate	8362.21, 8395.01 thru 8395.98, 8399.00, 8505.00, 8509.98
Zinc pigments	8411.00, 8429.19
Electrical Machinery and Apparatus:	
Generators, ¾ kilowatt or over, alternating current.	7001.05
Generators, ¾ kilowatt or over, direct current.	7000.05
Motors, 1–200 H. P.	7042.00
Motors, over 200 H. P.	7043.00
Railway motors	7044.00
Steam turbine generator sets, ¾ kilowatt to 500 kilowatts.	7006.05
Steam turbine generator sets, over 500 kilowatts.	7008.00
Transforming or converting apparatus, rotating converters, ¾ kilowatt to 300 kilowatts.	7027.15
Transforming or converting apparatus, rotating converters, over 300 kilowatts.	7027.20
Glass and Glass Products:	
Optical glass	5230.05
Graphite Mfrs.:	
Graphite electrodes	5473.05, 5480.03
Instruments, Precision (for Metal-Working):	
Gauges	6178.90
Iron and Steel	6001.00 thru 6209.98
Machinery:	
Bearings (except when installed)	6479.01, 7691.00, 7692.00, 7693.00
Metal-working Tools, Metal Cutting:	
Dies	7482.00, 6168.43, 6168.98
Twist and other drills	6167.98, 6167.43
Milling cutters	7482.00
Reamers	6167.43, 6167.98
Taps	7482.00, 6168.43
Mining, Well and Pumping:	
Hydraulic pumps	7355.05 thru 7361.98, 7369.05 thru 7369.98
Petroleum and Gas Well:	
Petroleum and gas well drilling machinery and parts.	7342.00
Vehicles, Automotive, Parts and Accessories:	
Industrial Trucks	7047.98, 7901.01 thru 7904.68, 7906.00
Nickel	6545.01 thru 6549.98
Petroleum Products or Tetraethyl Lead:	
Aviation gasoline (Classes E and F)	5016.05, 5016.98
Aviation lubricating oil (Classes O and P)	5040.01, 5040.03
Crude oils—(Classes A, B, C)	5011.03, 5011.07, 5011.98
Gas oil—(Class M)	5030.00
Kerosene—(Class L)	5027.00
Distillate Fuel Oil—(Class M)	5030.00
Residual Fuel Oil—(Class N)	5031.00
Shellac	2186.00, 2189.05
Valves:	
Valves or valve bodies	6309.07, 6439.07, 6454.57, 6454.58, 6549.07, 7139.98, 7745.05, 7745.98, 7917.00

§ 803.3 *British "Navy Army Air Force Institute."* An unlimited license is hereby issued to the British "Navy Army Air Force Institute" permitting exportation of the commodities listed below to any destination when consigned from the British "Navy Army Air Force Institute" to the British "Navy Army Air Force Institute": *Provided*, That such commodities have been procured through the United States Army Exchange Service:

Stationery:
- Fountain pens.
- Nibs.
- Pen holders.
- Pencils.
- Pins.
- Clips.
- Ink.

Soaps:
- Household.
- Toilet.

Crockery:
- Cups and saucers
- Drinking glasses.
- Plates.
- Condiment pots.

Cutlery:
- Tinware.
- Baking dishes.
- Pie dishes.
- Saucepans.
- Kettles.

Sundries:
- Gramophones and records.
- Wrist watches.
- Thermos flasks.
- Tennis balls.
- Razor blades.
- Razors.
- Back and front studs.
- Nail files.
- Bachelor and bulldog buttons.
- Tobacco pouches.
- Combs.
- Mirrors.
- Padlocks.
- Scales and weights.
- Reading books.
- Alarm clocks.
- Golf balls.
- Table tennis balls.

Clothing and haberdashery:
- Elastic belts.
- Trouser braces.
- Sock suspenders.
- Handkerchiefs.
- Needles and thread.
- Underwear.
- Shirts.
- Kitchen cloths.
- Dusters.
- Towels.
- Boot and shoe polishes.

Pharmaceutical products:
- Aspirin.
- Liver salts.
- Fruit sales.

Miscellaneous foods:
- Pickles.
- Sardines.
- Gelatine.
- Packet jellies.
- Marmite (Vegex).
- Salad oil.
- Spices.
- Tapioca.
- Salad cream.
- Fruit juices (canned).

No release certificate need be presented for shipment under this unlimited license.

PART 804—INDIVIDUAL LICENSES

Sec.
804.1 General provisions.
804.2 Applications for licenses.
804.3 Expired, revoked and unused licenses.
804.4 Weight and volume tolerance.
804.5 Port of exit.
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804.7 Special provisions concerning applications to export certain commodities.
804.8 Certificates of necessity.
804.9 Repair parts for certain vessels.
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804.12 Diamonds and tools incorporating industrial diamonds.
804.13 Certain foreign trade marks, trade names, etc.
804.20 Appeals from rejections of applications.

AUTHORITY: §§ 804.1 to 804.13, inclusive, and § 804.20, issued under sec. 6, 54 Stat. 714; Public Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807.

§ 804.1 *General provisions.* (a) The commodities enumerated in § 801.2 of this subchapter may not be exported to destinations other than Canada (including that part of Labrador under Canadian authority) except pursuant to individual licenses issued by the Office of Exports, unless exportation is authorized by general, unlimited, or other form of license issued by the Office of Exports.

(b) Application for an individual license shall be made on the form prescribed by the Office of Exports. All terms, conditions, provisions and instructions contained in the form are hereby incorporated as a part of the regulations in this subchapter.

(c) The return post card furnished with each application must be filled in and submitted to the Office of Exports with the application.

(d) When countersigned and bearing the official seal of the Office of Exports, Board of Economic Warfare, the application becomes a license.

(e) When a license is issued, the case number assigned by the Office of Exports becomes the license number.

(f) An individual license is valid for six months unless:

(1) It is otherwise stated on the license, or

(2) The license is sooner revoked, or

(3) The license is extended by the Office of Exports.

(g) No application for an individual license shall be made unless and until the applicant has a firm order for the commodities covered by the application from the purchaser stated in such application.

§ 804.2 *Applications for licenses.* (a) License applications may be made by any

person subject to the jurisdiction of the United States, who is in fact the exporter, or by his duly authorized agent, except as specified in paragraph (b) of this section. An applicant not subject to the jurisdiction of the United States must show that unusual hardship would result from a refusal to consider the application.

(b) Applications for licenses to export unused metal-working machinery may be filed only by the manufacturer of such machinery.

(c) A separate and complete application must be submitted for each commodity to each consignee in each country of destination, except that a single application may be filed covering any number of commodities classifiable under the Department of Commerce Schedule B numbers listed in one of the following numbered groups where all such commodities included in a single application are destined for a single consignee in a single country of destination:

Commodity	*Schedule B No.*
1. Animals, edible	0010.00 thru 0019.00
2. All fresh, frozen, pickled, or cured meat products.	0020.00 thru 0035.00 and 0040.00 thru 0045.00
3. All canned meats	0036.15 thru 0039.00
4. Hog casings, beef casings, and other casings.	0046.00, 0047.00 and 0049.00
5. Animal oils and fats, edible	0050.00 thru 0059
6. Dairy products	0060.00 thru 0069.00
7. All fresh dried or cured fish or fish products	0070.00 thru 0079.98 and 0090.98
8. All canned fish	0084.00 thru 0088.98
9. Other edible animal products	0092.00 thru 0099.00
10. Hides and skins, raw except furs	0201.00 thru 0250.98
11. Leather	0300.00 thru 0303.00, 0307.00 thru 0330.00 (except 0324.00), 0336.00 thru 0359.00
12. Leather	0304.10 thru 0305.20, 0324.00, 0332.05, 0332.98
13. Leather manufactures	0600.00 thru 0699.00 (except 0680.00)
14. Furs and manufactures	0711.00 thru 0759.00
15. Animal oils and greases, inedible	0809.01 thru 0858.98
16. Other inedible animals and animal products	0900.00 thru 0999.98
17. Grains and preparations	1011.00 thru 1099.00
18. Fodders and feeds	1101.00 thru 1199.00
19. All dried and fresh vegetables	1201.10 thru 1224.00
20. All canned vegetables	1241.00 thru 1249.00
21. All other vegetable preparations	1250.00 thru 1259.98
22. All fresh fruits	1302.00 thru 1319.90
23. All dried and evaporated fruits	1321.00 thru 1330.98
24. Canned and other fruit preparations	1332.00 thru 1350.98
25. Nuts	1374.00 thru 1379.98
26. Vegetable oils and fats, edible	1420.00 thru 1449.98
27. Cocoa beans, cocoa, chocolate	1501.00, 1502.00 and 1503.60
28. Coffee and tea	1511.00 thru 1521.05
29. Molasses, honey, glucose and sirup	1629.00, 1642.00, 1643.00, 1644.00 and 1647.00
30. Chocolate candy, other candy and confections, n. e. s.	1634.00 thru 1637.00
31. All malt sirups and liquors, distilled liquors and wines.	1701.00 thru 1750.00
32. Mineral waters, sirups and flavors for beverages, and other beverages.	1761.00, 1766.00 and 1780.00
33. All fruit juices	1772.00 thru 1779.00
34. Rubber, reclaimed and scrap	2011.00 thru 2012.98
35. Rubber footwear and materials	2031.00 thru 2038.00
36. Druggists rubber sundries	2040.00 and 2042.00
37. Hard rubber goods	2053.00 thru 2059.00
38. Tires and inner tubes	2060.00 thru 2067.00
39. Tire repair materials	2014.00, 2069.05, 2069.98 and 2084.00
40. Rubber belts, belting, hose, tubing and packing.	2085.00 thru 2093.00
41. Rubber thread	2095.10 and 2095.20
42. Other rubber and manufactures	2016.00, 2017.00, 2043.00 thru 2049.00, 2098.00 and 2099.90
43. Naval stores	2110.00 thru 2118.00
44. Other gums and resins	2180.00 thru 2189.98
45. Oilseeds	2210.00 thru 2220.98 (except hempseed 2220.20)
46. Expressed oils and fats, inedible	2230.00 thru 2249.98 (except 2249.01)
47. Essential or distilled oils and blended, compounded, or mixed perfume-flavor oils.	2268.00 thru 2280.00
48. Vegetable dyeing and tanning extracts	2311.00 thru 2339.98
49. Seeds except oilseeds	2401.00 thru 2468.90
50. Nursery and greenhouse stock	2535.00 thru 2599.98
51. Tobacco and manufactures	2601.00 thru 2629.00
52. Miscellaneous vegetable products	2811.00 thru 2999.98
53. All cotton rags, batting and mill waste	3008.00 thru 3010.60
54. Cotton yarn	3011.10 and 3011.20
55. Other cotton yarn	3012.00 thru 3013.20
56. Cotton thread twine, cordage and rope	3015.00 thru 3018.00
57. Tire fabrics	3020.00 and 3021.00
58. Cotton duck	3023.00, 3025.00, 3026.00, and 3062.00
59. Cotton wearing apparel	3090.00 thru 3129.00 (also see No. 70)
60. Cotton bags and canvas articles	3191.10 thru 3196.00
61. All other cotton manufactures	3031.10 thru 3033.20, 3036.00 thru 3061.00, 3067.00 thru 3089.50, 3140.00 thru 3189.00, 3199.00, and 3210.00
62. Wool	3622.00 thru 3633.00
63. Wool manufactures	3642.00 thru 3666.01
64. Wool wearing apparel	3675.00 thru 3681.00 (also see No. 70)
65. Hair and manufactures	3690.50 thru 3699.00
66. Silk manufactures	3710.00 thru 3799.00
67. All piece goods of rayon, nylon and other synthetic textiles.	3845.00 thru 3849.90
68. All wearing apparel of rayon, nylon, and other synthetic textiles (also see No. 70)	3852.00 thru 3857.70
69. Ribbons, braids, fringes, and narrow trimmings.	3858.10 thru 3858.58
70. Cotton, wool, or rayon wearing apparel	3090.00 thru 3129.00, 3675.00 thru 3681.00, 3852.00 thru 3857.70
71. Miscellaneous textile products	3901.00 thru 3999.00
72. Wood, unmanufactured	4001.00 thru 4039.00
73. Sawmill products	4060.00 thru 4159.00
74. Wood manufactures	4201.10 thru 4299.00
75. Cork manufactures	4302.00 thru 4309.98
76. Paper base stocks	4600.00 and 4690.00 thru 4699.98
77. Wood pulp	4601.00 thru 4619.00
78. Paper and manufactures	4711.00 thru 4799.00
79. Coal and related fuels	5001.00 thru 5004.00
80. Petroleum and products	5011.03 thru 5059.00
81. Stone, hydraulic cement, and lime	5101.00 thru 5171.00
82. Glass and glass products	5212.00 thru 5299.00
83. Clay and clay products	5303.00 thru 5379.98
84. Diamonds, diamond dust, and diamond grinding wheels.	5409.05, 5409.10, 5990.05 and 5990.98
85. Graphite	5472.01 and 5472.98
86. Carbon and graphite electrodes	5473.01 and 5473.05
87. Mica	5510.00 and 5512.00
88. Cryolite	5960.10 and 5960.15
89. Other nonmetallic minerals, except groupings 84, 85, 86, 87, and 88.	5405.00 thru 5990.98
90. Iron and steel advanced manufactures, except those in group No. 91.	6112.00 thru 6209.98 (except 6147.05 and 6152.85)
91. Tools	6154.43 thru 6156.05, 6167.43 and 6168.43, 6169.43 and 6178.90 thru 6178.95

Commodity—Continued	*Schedule B No.*—Continued
92. Aluminum	6300.00 thru 6305.00
93. Aluminum manufactures	6307.00 thru 6309.98
94. Copper	6401.00 thru 6439.98
95. Brass and bronze	6440.00 thru 6479.98
96. Lead	6507.00 thru 6515.98
97. Tin	6565.01 thru 6565.98 (except 6565.08)
98. Zinc	6571.00 thru 6572.09, 6568.00 thru 6589.98
99. Platinum and allied metals	6920.00 thru 6929.98
100. Silverware, solid or plated	6955.00 thru 6959.00
101. Electrical apparatus, except batteries	7000.05 thru 7055.98 (except 7013.00 thru 7018.00) and 7099.95
102. Batteries	7013.00 thru 7018.00
103. Portable electric tools and parts	7056.05, 7056.98 and 7099.94
104. Electric refrigerators and parts	7057.00, 7058.00 and 7059.00
105. Electrical appliances, except lamps	7060.00 thru 7073.98 (except 7063.05 thru 7065.55)
106. Electric incandescent lamps	7063.05 thru 7065.55
107. X-ray and other therapeutic apparatus and parts.	7075.10 thru 7075.90
108. Radio receiving sets, parts and accessories, except tubes.	7077.05, 7077.98, and 7079.01 thru 7081.98
109. Telegraph and telephone apparatus and parts.	7082.00 thru 7087.00
110. Other electrical apparatus	7094.15 thru 7099.18
111. Power generating machinery and parts	7111.00 thru 7163.00 (except 7143.00)
112. Construction and conveying machinery	7201.00 thru 7291.00
113. Mining and quarrying machinery	7305.00 thru 7339.00
114. Well and refining machinery	7342.00 thru 7350.00
115. Pumping equipment	7355.05 thru 7369.98
116. Power-driven metal-working machinery	7400.00 thru 7485.98 (except 7455.03 and 7485.12)
117. Textile machinery and parts	7500.00 thru 7549.00
118. Sewing machines and parts	7551.00 thru 7553.98
119. Cream separators and other dairy equipment.	7592.00 and 7593.00
120. Sugar mill machinery	7612.00 and 7619.00
121. Woodworking machinery	7631.00 thru 7639.00
122. Refrigerating equipment	7652.00 thru 7654.00
123. Ball and roller bearings and parts	7691.00 thru 7693.00
124. Air compressors	7704.00 thru 7706.00
125. Laundry machinery	7737.00 and 7738.00
126. Industrial furnaces other than electric	7750.22 and 7750.25
127. Office appliances	7752.00 thru 7779.00
128. Printing and bookbinding machinery	7790.00 thru 7795.00
129. Agricultural machinery and implements	7800.00 thru 7870.00, 7879.00 thru 7899.98
130. Motor trucks, busses and chassis (new)	7901.01 thru 7904.68
131. Passenger cars and chassis (new)	7907.00 thru 7910.00
132. Automotive parts and accessories	7913.00 thru 7927.00
133. Automobile service equipment	7934.00 thru 7936.00
134. Parachutes and parts	7945.05 thru 7945.98
135. Aircraft engine parts and accessories	7947.05 and 7947.98
136. Aircraft instruments and parts	7948.01 thru 7948.98
137. Internal combustion marine engines and parts.	7957.00, 7959.00 and 7159.00
138. Railway cars and parts	7960.00 thru 7969.00
139. Coal-tar products, except commodities requiring a Certificate of Necessity.	8005.00 thru 8069.98
140. Medicinal and pharmaceutical preparations, except commodities requiring a Certificate of Necessity.	8113.00 thru 8180.98
141. Chemical specialities, except commodities requiring a Certificate of Necessity.	8200.00 thru 8299.90
142. Industrial chemicals, except commodities requiring a Certificate of Necessity.	8300.00 thru 8398.98
143. Pigments, paints, and varnishes	8401.00 thru 8442.00
144. Fertilizers and fertilizing materials	8509.03 thru 8551.98
145. Explosives, fuses, etc	8604.00 thru 8629.00
146. Soap and toilet preparations	8710.00 thru 8770.00
147. Cameras, projectors, and other photographic equipment.	9000.00 thru 9112.00 and 9140.00
148. Exposed film	9121.21 thru 9124.01
149. Ophthalmic lenses, sun or glare glasses and sun goggles, mica spectacles or eyeglasses and other spectacles, eye glasses, goggles, lenses, n. e. s. and frames.	9142.00 thru 9143.98
150. Lenses, not fitted to instruments, binoculars, microscopes and accessories, and other optical goods.	9147.00 thru 9149.50 and 9149.98
151. Dental: surgical and medical instruments, teeth, precious metal for dentistry, dental office equipment and other dental supplies, n. e. s.	9150.00 thru 9158.00
152. Military equipment, apparatus, and parts, containing optical elements.	9159.01 thru 9159.79
153. Surveying and engineering instruments, equipment and parts (including instruments with optical systems, n. e. s.).	9160.11 thru 9160.20
154. Musical instruments	9211.00 thru 9297.00
155. Miscellaneous office supplies	9301.00 thru 9399.00
156. Toys, athletic and sporting goods	9400.00 thru 9450.00
157. Firearms, ammunition and fireworks, except commodities requiring white licenses.	9470.03 thru 9497.98
158. Books, maps, pictures, and other printed matter (may be grouped unless Technical Data)	9510.00 thru 9569.98
159. Clocks and watches	9570.00 thru 9589.00, (except 9581.00)
160. Jewelry	9693.00 thru 9699.00
161. Buttons and button parts	9711.00 thru 9713.00
162. Composition roofing	9693.00 thru 9699.00
163. Lamps and illuminating devices, except electric.	9791.00 thru 9799.00
164. Toothbrushes, toilet brushes, and household brushes.	9822.00, 9824.00, and 9826.10
165. Smokers' articles	9828.00 and 9829.00
166. Coin-operated machines, except musical	9871.00 and 9872.00
167. Commodities exported for relief or charity	9998.1 thru 9998.90

When an application is filed covering a number of commodities included within one of the above numbered groups, a license may be issued for only some of such commodities and the application rejected as to the others. In such case, the disapproved commodities will be blocked out before the license is issued.

(d) Where partial or periodic shipments of an identical commodity are being made by the applicant to the same consignee in a foreign country, an application may be filed covering the entire quantity of commodities to be so exported, and if a license is issued, partial shipments may be made from time to time during the life of the license.

(e) A second application covering the same proposed exportation must not be submitted pending action on the first application.

(f) All information pertaining to an application for an export license must be attached to the license application at the time it is originally filed. Additional information concerning the application for the license will not be attached after it has been received by the Office of Exports.

§ 804.3 *Expired, revoked and unused licenses.* (a) If a license expires before complete shipment has been made, the licensee shall return the expired license to the Office of Exports but may make a new application for the unshipped balance.

(b) If the license is revoked, expires or if shipment is not to be made, the license shall be returned immediately to the Office of Exports, with a covering letter explaining the reason for such return. If the license is not in his pos-

session, the licensee shall notify the Office of Exports.

§ 804.4 *Weight and volume tolerance.* (a) For all commodities requiring an export license, a ten percent (10%) tolerance by weight or volume over the amount specified in the license is allowed, except as noted below:

Pharmaceuticals and finished drugs.	1 per cent.
Platinum and platinum group metals.	1 per cent.
Industrial diamonds.	Nearest carat.
Radium and radium salts.	Nearest 100 milligrams.
Uranium and uranium salts.	Nearest 100 milligrams.

(b) This tolerance is allowed only when the unit of quantity called for on the license application is in terms of weight or volume and shall not be allowed where the unit of quantity called for is in terms of number of units.

(c) In all cases the tolerance shall be allowed on the basis of the actual quantity stated in the license.

(d) Whenever one or more partial shipments of the licensed commodity have been made, the license remains valid only for the unshipped balance of the licensed commodity, plus 10% of such balance; but this provision will not apply in the case of commodities listed under paragraph (a) of this section.

(e) A tolerance up to ten per cent (10%) in value over the value specified on the license is allowed on shipments where there is a proportionate increase in quantity.

(f) The exporter may reduce the price per unit of quantity stated in the license whenever he so desires.

§ 804.5 *Port of exit.* (a) Commodities which leave the United States at one port, cross adjacent foreign territory, and reenter the United States at another port before final exportation to a foreign country, will be treated as an export at the last port of exit from the United States.

(b) A license may be used for exportation from any port of exit from the United States subject to the jurisdiction of the United States unless the Office of Exports shall otherwise direct.

§ 804.6 *Duplicate licenses.* Where a license is lost or destroyed, a duplicate of such license may be obtained by the licensee in accordance with the following procedure:

(a) Another application identical in all respects to the former and marked "Duplicate" must be submitted.

(b) An affidavit must be attached to the new application stating:

(1) That the original license has been lost or destroyed.

(2) What commodities, if any, have been shipped under the original license.

(3) That affiant agrees to return the original license to the Office of Exports if it is found.

§ 804.7 *Special provisions concerning applications to export certain commodities.*—(a) *Chemicals and medicinals.* All applications for licenses to export chemicals, medicinals and pharmaceuticals shall state such facts relating to grade, form, concentration, mixtures, or ingredients as may be necessary to identify the commodity accurately, and must state fully how the shipments will be packed.

(b) *Diamonds, tools and jewelry containing diamonds.* In the space provided in the prescribed application form for the description of the diamonds desired to be exported the following provisions relating to such description shall be observed:

(1) *Loose diamonds.* An application to export loose diamonds shall state whether the diamonds are of polished, rough (industrial), or rough (suitable for polishing) variety. The diamonds shall be listed in groups so that there is a maximum variation of 50/100 carat between the lightest and heaviest diamond in each group. The number of diamonds, value per carat, and total value of each group shall be given.

(2) *Tools incorporating industrial diamonds.* An application to export tools containing industrial diamonds shall state the number of diamonds incorporated in each tool. The diamonds shall be listed in groups so that there is a maximum variation of 50/100 carat between the lightest and heaviest diamond in each group. The number of diamonds, value per carat, and total value of each group shall be given. In the case of diamond wheels whose diamond content is entirely composed of diamond dust or crushed bort the total carat weight of such material in each wheel will be sufficient.

(3) *Jewelry containing diamonds.* An application to export jewelry containing diamonds shall state the number of diamonds contained in such jewelry, their total carat weight, and their value per carat.

(c) *Containers.* (1) Containers, other than those made of metal, require no license when exported filled.

(2) Metal drums and containers, filled or unfilled, require an individual license except as provided in § 802.14 of this subchapter.

All applications for such licenses must state:

(i) The weight in pounds of the metal drums and containers.

(ii) The number of metal drums and containers.

(iii) The volume contents (in gallons) of the metal drums and containers.

(iv) Whether or not the drums and containers are foreign-owned and sent to this country for filling and return.

(v) Whether or not drums and containers will be returned to this country.

(3) When commodities requiring a license for exportation are to be shipped in containers which also require a license, a single application may be filed covering both the container and its contents.

(d) *Metals.* (1) All applications for licenses to export any ferrous or non-ferrous commodities (except all ores, concentrates, smelter and refinery residues and unrefined products covered by paragraph (e) of this section), listed under iron, iron and steel, ferro-alloys and nonferrous metals in the schedules set forth in § 801.2 of this subchapter, except chemicals and refractories, if containing any of the elements listed below, must include a statement of weights in pounds, if amounting to ten or more pounds, of each such element if present in percentages in excess of the minimum indicated below:

15 per cent or more:	5 per cent or more:
Copper.	Antimony.
Lead.	Cadmium.
Zinc.	Chromium.
10 per cent or more:	Cobalt.
Aluminum.	Nickel.
Bismuth.	Tin.
Magnesium.	Tungsten.
Manganese.	Vanadium.
Mercury.	Any per cent:
Molybdenum.	Beryllium.
Titanium.	Columbium.
	Tantalum.
	Uranium.
	Zirconium.

(2) All applications for licenses to export any ferrous or non-ferrous commodities covered by subparagraph (1) of this paragraph must contain a statement of the weight of each of the following elements, regardless of amount, in the unit of quantity indicated below:

Platinum group metals	In troy ounces.
Radium	In grams.

(e) *Ores, concentrates, etc.* (1) All applications for licenses to export ores, concentrates, smelter and refinery residues or unrefined products (listed in the schedule set forth in § 801.2 of this subchapter under the headings iron, iron and steel, ferro-alloys, and non-ferrous metals, except chemicals and refractories), containing any of the elements listed below, must include a statement of the weight in pounds, if amounting to ten or more pounds, of each such element:

Aluminum.	Mercury.
Antimony.	Molybdenum.
Beryllium.	Nickel.
Bismuth.	Tantalum.
Cadmium.	Tin.
Chromium.	Titanium.
Cobalt.	Tungsten.
Columbium.	Uranium.
Copper.	Vanadium.
Lead.	Zinc.
Magnesium.	Zirconium.
Manganese.	

(2) All applications for licenses to export the commodities covered by subparagraph (1) of this paragraph must contain a statement of the weight, regardless of amount, in the unit of quantity indicated, of each of the following elements:

Platinum group metals	In troy ounces
Radium	In grams

(f) *Petroleum.* All applications for licenses to export crude oil must contain a statement of the A. P. I. gravity of all such oil.

(g) *Rubber and rubber manufactures.* All applications for licenses to export rubber or rubber commodities must contain a statement of the crude rubber content of the commodities included in the applications.

(h) *Iron and steel products.* (1) All applications for licenses to export any steel commodities must state whether the steel is "stainless steel", "alloy steel other than stainless", or "not containing alloy". For purposes of this paragraph, these categories are defined as follows:

(i) *Stainless steel.* Includes all steel (other than tool steels) containing 9 per cent or more of chromium, with or without other alloys, or a combined content of 18 per cent or more of chromium and other alloys.

(ii) *Alloy steel other than stainless.* Includes only steel where the minimum of the range specified in any of the elements named exceeds the following percentages:

0.10	Molybdenum.
0.30	Chromium.
0.40	Nickel.
0.50	Copper, silicon.
1.65	Manganese.
0.80	Cobalt, titanium, tungsten, vanadium, zirconium.

(2) Separate applications for licenses to export any steel commodities are required for each of the three following categories and for each of the various steel commodities, even though the same Department of Commerce Schedule B commodity number is applicable to all three categories:

(i) Not containing alloy.

(ii) Stainless steel (includes stainless iron).

(iii) Alloy steel other than stainless.

(3) All applications for licenses to export pig iron; wire finer than 16 gauge; ingots, blooms and billets; forgings and castings; all alloy steels; pressure tubes and mechanical tubing; plates over 72 inches wide; rails and rail accessories; wire rope under one-half inch in diameter, must contain full specifications (or a copy of the order as it would be placed with the producing mill) setting forth the following information:

Pig iron:
1. Quantity.
2. Quality.
3. Full analysis.
4. Proposed supplier.
5. Either a copy of PD-69 or the information contained therein.

Ingots, blooms, billets:
1. Quantity.
2. All dimensions.
3. Analysis.
4. Sizes.
5. Quantity per size.

Wire finer than 16 gauge:
1. Gauges or dimensions.
2. Quantity per gauges or dimensions.
3. Analysis (chemicals and/or physicals, if other than mild steel).
4. Packing or wrapping, if any.
5. Coil weights.

Forgings and castings:
1. Quantity.
2. Analysis.
3. Exact dimensions.
4. Blue prints wherever possible.

Alloy steels:
1. Complete dimensions.
2. Quantity per size.
3. Analysis.
4. Permissible substitute analysis which might be used.
5. Definite and complete details as to end use.

Plates over 72" wide:
1. Quality.
2. Complete sizes.
3. Quantity per size.
4. Analysis (chemicals and/or physicals, if other than mild or structural grades).

Pressure tubes and mechanical tubing:
1. Complete dimensions. (Outside diameter, inside diameter wall thickness, length, etc.).

Rails and rail accessories:
1. Quantity.
2. Section.
3. Specifications.
4. Blue prints wherever possible.

Wire rope under ½" in diameter:
1. Grade.
2. Construction.
3. Whether bright or galvanized.

(4) Each application for a license to export any iron and steel commodity must be accompanied by a copy of a definite commitment from a supplier to furnish such commodity if an export license is issued or by a statement setting forth all pertinent information as to the efforts made to secure a supplier, if the applicant has been unable to obtain such a commitment.

(i) *Bunker fuel.* All applications for licenses to export bunker fuel on vessels, other than those included in § 802.13 (a) of this subchapter shall be submitted on Form BEW 151.

(j) *Farm machinery.* Applications for licenses to export farm equipment and machinery classified under Department of Commerce Schedule B numbers 7143, 7365, 7368, 7800 to 7870, both inclusive, 7879 to 7887, both inclusive, 7889 to 7899, both inclusive, and 7975, (excluding tracklaying tractors and parts and accessories therefor), may be filed only by the manufacturer of such machinery or by him on behalf of a dealer, broker, etc., and must be accompanied by the following form properly filled out:

	Value (dollars)
1. Dollar value of export quota assigned to applicant for country of destination (to be answered only by those suppliers to whom quotas have been assigned)	------
2. Dollar value of licenses granted to applicant to country of destination since November 1, 1942	------
3. Dollar value of application by applicant pending action to country of destination, including this application	------

The statements made above are to be considered a part of our attached export license application which covers equipment, the production of which is authorized by the War Production Board's Order L–170, as amended.

(Signed)

(k) *Vehicles.* Applications for licenses to export vehicles or equipment of a type requiring rubber tires, casings, or tubes for operation must include either:

(1) A statement that no rubber tires, casings, or tubes are to be mounted on, or otherwise included as part of the shipment of, such vehicles or equipment when exported, or

(2) A statement of the number, size, ply, and tread design of the rubber tires, casings, or tubes which are to be mounted on, or otherwise included as part of the shipment of, such vehicles or equipment when exported; and a statement as to whether the tires, casings or tubes are new or used.

In the latter case, applications need not include a statement of the crude rubber content of such tires, casings, or tubes.

If any spare tire, casing, or tube is to be mounted on, or otherwise included as part of the shipment of, a vehicle when exported, the application must include a statement showing the urgent necessity for such spare tire, casing or tube.

(l) *Coal tar colors, dyes, stains, and color lakes.* All applications for licenses to export coal tar colors, dyes, stains and color lakes must be prepared in accordance with the following requirements:

(1) The color index number must be stated, or, if there is no color index number, the basic organic raw material included in the dye must be specified.

(2) The compounds must be classified according to the following table, stating the quantity of each class:

(i) Acetate; (ii) acid; (iii) azoic; (iv) basic; (v) direct; (vi) oil and spirit soluble; (vii) mordant and chrome; (viii) sulphur; (ix) vat: Anthraquinone, indigo, other vats; (x) organic pigments.

(m) *Engine room, deck and cabin stores.* (1) All applications for licenses to export engine room, deck and cabin stores on vessels, other than those included in § 802.13 (a) of this subchapter, shall be submitted on Form BEW 151. Lifeboat provisions shall be included as deck stores.

(2) Where additional engine room, deck and cabin stores are required by such vessels after an application for a license has been filed with the Office of Exports, requests for authority to export such stores must be submitted to the collector of customs in the port where the stores are to be laden. Such requests will be transmitted to the Office of Exports by teletype or wire and the collector of customs will receive notification directly from the Office of Exports by teletype or wire of the approval or rejection of such requests. In cases where exportation of such additional stores is authorized by teletype or wire, the applicant must thereafter submit to the Office of Exports a license application in the prescribed form with a sheet attached to the duplicate copy marked "Approved by teletype or wire", and stating the date of such approval.

(n) All applications for licenses to export parts or subassemblies of machinery or vehicles must contain a statement as to whether the parts or subassemblies will be used for repair, replacement and maintenance, or will be assembled in complete units.

(o) Commodities bearing certain foreign trademarks, trade names, etc. Each application for an individual license to export any commodity bearing the name of any person on the Proclaimed List or bearing a trademark, trade name, brand, label or other mark which indicates that such commodity was manufactured or processed in any country with which the United States is at war or by any person whose name appears on the Proclaimed List must be accompanied by the following additional data:

(1) A statement showing that rejection of the application would work an undue hardship.

(2) A description of the trademark, trade name, brand, label or other mark appearing on the commodity sought to be exported.

(p) Applications for licenses to export commodities which are to be used in the prosecution of the war must be accompanied by a statement to that effect.

(q) Applications for licenses to export commodities which are to be used in the prosecution of the war must be accompanied by a statement as to whether the commodities are to be used by the United States Government, by a foreign government, or by a private person or corporation.

(r) Applications for licenses to export commodities which are to be used by the United States Government must be accompanied by a statement as to whether the commodities are to be used by the War Department, the Navy Department, the Maritime Commission, or other agency of the United States Government.

(s) Applications for licenses to export commodities which are to be used by a foreign government must be accompanied by a statement as to whether the commodities are to be used by the government of the country of destination, or by a private person or corporation in that country.

(t) Applications for licenses to export commodities which are to be used by a private person or corporation must be accompanied by a statement as to whether the commodities are to be used by the person or corporation in the country of destination, or by a person or corporation in another country.

(u) Applications for licenses to export commodities which are to be used by a person or corporation in another country must be accompanied by a statement as to whether the commodities are to be used by the person or corporation in the country of destination, or by a person or corporation in another country.

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(kkkkkk) Applications for licenses to export commodities which are to be used by a person or corporation in another country must be

Commodity—Continued	*Schedule B No.*—Continued
Ascorbic Acid, synthetic	8119.98
*Aspirin	8127.92, 8127.98, 8135.80, 8180.98
Babbitt Metal	6620.00
Bauxite	6290.00, 6295.00
*Calcium Hypochlorite	8340.00
*Chloride of Lime	8340.00
Chlorine	8302.00
Citric Acid	8303.07
Copper and Copper Base Alloys	6401.00 thru 6435.00, 6440.00 thru 6457.00
*Copper and Copper Base Alloys	6439.07, 6439.11, 6439.19, 6439.98, 6458.00 thru 6479.98
Copper Sulphate	8201.00
*Cotton:	
*Combed Cotton Yarn:	
*Mercerized	3012.00
*Unmercerized	3013.10, 3013.20
*Cotton Duck	3023.00, 3025.00, 3026.00, 3062.00
*Cotton belting	3140.00
Cotton Pulp	3006.00
*Cresols, Xylenols and Cresylic Acid	8024.09
Cryolite	5060.10, 5060.15
Dibutyl Phthalate	8025.93
*Ferrochromium	6220.50
Ferromanganese	6213.03
Ferrotungsten	6220.96
Formaldehyde	8320.01, 8320.03, 8320.05
Glycerine	8314.00
*Graphite, Flake Content in Manufactures	5480.55
*Hexamethylenetetramine	8329.96
Iron and Steel:	
Bars and Rods:	
Concrete reinforcement	6022.00
Other	6020.00, 6021.00, 6023.00 thru 6029.00
Car Wheels and Axles	6105.15, 6105.25, 6105.35
Castings	6101.00 thru 6104.90
Forgings	6106.00 thru 6108.05
Ingots, Blooms, Billets, Etc	6016.01 thru 6016.09, 6017.01 thru 6017.09
Nails and bolts (except railroad)	6092.00 thru 6099.00
Pig Iron	6007.00
Plates	6030.08, 6031.19, 6031.50, 6031.95, 6031.98
*Plates	6030.15, 6031.15
Railway Track Material:	
Rails	6051.00 thru 6053.00
Other	6054.00 thru 6059.00
Sheets and strip:	
Black	6032.05, 6032.98, 6035.10 thru 6038.98
Galvanized	6033.00, 6034.00
Structural Iron and Steel	6045.00 thru 6050.00
*Structural Iron and Steel	6043.00
Terneplate, including long ternes	6042.00
Tin plate and taggers' tin	6041.00
Tin-plate, circles, stripe, cobbles, and scroll-shear butts	6013.00
Tubular Products:	
Cast Iron Pipe and Fittings	6066.00 thru 6068.98
Welded (steel) Pipe	6061.00, 6063.00, 6070.00 thru 6073.00
Seamless (steel) Pipe	6060.00, 6062.00, 6064.00
Pipe Fittings	6065.00, 6077.05, 6077.98
Waste-waste tin plate	6014.00
Wire:	
Plain	6081.00, 6082.00
Barbed	6083.00
Other Wire and Manufactures	6085.00 thru 6091.25
*Other Wire and Manufactures	6091.93

(3) A statement of the country of manufacture or processing, the name of the manufacturer or processor, and the approximate date of such manufacture or processing.

(4) A statement of the transaction by which the applicant acquired an interest in the commodity for which an export license is requested.

§ 804.8 *Certificates of necessity.* (a) A certificate of necessity is a certification by any one of the countries hereinafter listed establishing the degree of essentiality of the commodities described in such certificate.

Argentina	Central Bank of the Argentine Republic.
Bolivia	Ministry of National Economy, Bolivia.
Brazil	Carteira de Exportacao e Importacao, Banco de Brazil.
Chile	Consejo Nacional de Comercio Exterior.
Colombia	Superintendencia Nacional de Importaciones.
Costa Rica	Oficina de Defensa Economica.
Cuba	Import and Export Agency (headed by Dr. José Miguel Irisarri).
Dominican Republic	Comite de Control Sobre Importaciones y Exportaciones of the Dominican Republic.
Ecuador	Oficina de Prioridades y Distribucion de Importaciones.
El Salvador	Import Control Committee of Ministry of Finance. (Two signatures necessary—W. W. Renwick, President; José Mejia Perez, Vice President; or Alfredo Mejia, Secretary, authorized to sign for Committee; Rodrigo Samayoa, Minister of Finance, or Arturo Bustamente, Under Secretary of Finance, may sign for Government).
Guatemala	Seccion de Coordinacion Economica Financiera de Guatemala (under jurisdiction of Ministry of Foreign Relations).
Haiti	Office des Contingents (quota office), Ministry of Commerce.
Honduras	Oficina de Controle de Materiales Estrategicos.
Mexico	Oficina de Control y Aprovisionamientos (a section of the Ministry of National Economy).
Nicaragua	Junta de Control de Precios y Comercio.
Panama	Ministry of Agriculture and Commerce.
Paraguay	Department of Industry and Commerce of Ministry of Agriculture.
Peru	Reparticion Comercial, Ministerio de Hacienda y Comercio.
Uruguay	Controlor de Exportaciones e Importaciones (Office of Export and Import Control).
Venezuela	Import Control Commission.

(b) Applications for licenses to export to the countries listed in paragraph (a) of this section commodities which have been allocated for export will not be considered unless accompanied by a certificate of necessity or unless there appears on the license application a statement setting forth reasons why a certificate of necessity was not secured, sufficient to justify the waiving of this requirement, or unless the application is in connection with a project or a mine, oil, or smelting serial case: *Provided*, That it shall not be necessary to file a certificate of necessity covering a shipment the value of which is $25.00 or less. The following commodities have been placed under allocation:

Commodity	*Schedule B No.*
Acetic Acid	8300.00
Acetone	8316.00
*Aluminum	6300.00, 6301.00, 6303.01, 6303.05, 6304.00, 6305.00 6308.50
Ammonium Sulfate	8505.00
Anhydrous Ammonia	8390.00
Aniline Oil	8025.15
*Aniline Salts	8025.19
*Arsenicals:	
*Arsenate of Lead	8202.00
*Arsenate of Calcium	8203.00
*Iron Oxide	8205.91 8307.02
*White Arsenic	8306.98

Commodity—Continued	*Schedule B No.*—Continued
Lead	6507.00 thru 6515.98
Leather	
Calf Upper Leather	0304.10, 0304.20, 0305.10, 0305.20
Mercury (Metallic)	6635.00
Methyl Alcohol	8310.00
Mica, Built-up	5513.00
Molybdenum content of Ferromolybdenum	6220.85
*Molybdenum Wire	6691.08
Naphthalene	8020.05
Neat's Foot Oil	0603.00
*Nickel-Chrome, Electric Resistance Wire	6630.00
*Nickel Manufactures	6549.07, 6549.98
*Nickel, Monel Metals, and Nickel alloys	6545.05, 6545.09
Phenol	8023.00
Phosphorus	8308.87
Phthalic Anhydride	8025.90
Plastics:	
Alkyd Synthetic Resins	8253.00
*Casein Plastics	8258.01
Cellulose Acetate Plastics	8265.05, 8265.98
Cellulose Nitrate Plastics	8264.00
Urea Synthetic Resins	8257.07, 8260.07, 8261.07, 8257.98
Other Resins	8258.93, 8260.98, 8261.98
Platinum and Allied Metals	6920.00, 6922.05, 6922.09, 6929.05, 6929.98
Potash Salts	8531.01, 8531.03, 8531.05
Potassium Chlorate	8359.08, 8359.09
Potassium Permanganate	8359.23
Rayon, other than spun	3840.08, 3840.11
Red Squill	2209.21
Rubber, reclaimed	2011.00
Rubber manufactures, whether such manufactures contain crude, reclaimed, or synthetic rubber.	2011.00, 2014.00, 2017.00, 2031.03, 2034.00 thru 2042.00, 2053.00, 2054.00, 2060.00, 2062.00, 2063.00, 2064.00, 2069.05, thru 2093.00, 2099.90[1]
*Sisal and Henequin Cordage	3419.09
Sole Leather:	
Backs, bends, and side	0324.00
Other than backs, bends, and sides	0232.05, 0332.98
Strontium Chemicals	8397.82 thru 8397.88
Tin	6565.01 thru 6565.07, 6565.09, 6565.98
Toluol	8011.00
Type Metal	6670.00
*Tungsten Metal, Wire, Shapes, and Alloys	6639.00
Vanadium content of Ferrovanadium	6220.87
Wood Pulp	4601.00, 4602.00, 4604.00, 4603.00, 4608.00, 4610.00, 4619.00
*Wool	
*Rags	3622.00
*Noils and Waste	3626.00
*Tops	3628.00
*Yarns	3633.00
*Fabrics	3642.00, 3643.00, 3649.00
*Felts	3663.00, 3664.00
*Blankets	3666.00
Zinc	6571.01 thru 6571.98, 6572.05, 6572.09, 6586.00, 6589.01 6589.03, 6589.07, 6589.98

[1] Schedule B Number 2099.90—"Other rubber manufactures"—includes miscellaneous articles not specifically set forth which contain, either by value or quantity, over 50 percent rubber (whether crude, reclaimed, or synthetic rubber), but not aircraft replacement parts, replacement parts of automobiles and other vehicles, replacement parts for other machinery, or insulated wire or cable.

As to those commodity classifications preceded by an asterisk, the provisions of this section shall not become applicable until January 29, 1943.

(c) Certificates of necessity must be obtained from the certifying agencies listed in paragraph (a) of this section. Where such certificates are required by these regulations to be submitted with license applications, the original certificates must be attached to the applications unless it is impossible to furnish the original documents, in which case a duplicate original, a photostat, or a typewritten copy marked "true copy" and signed by the applicant, may be attached: *Provided*, That an explanation is given as to why the original has not been furnished.

(d) When a shipment of allocated commodities has been lost at sea, the exporter may submit a new application covering such commodities in accordance with the following procedure:

(1) A complete new application must be filed, together with a reference to the number of the license under which the original shipment was made, and a certification that the application is filed to replace allocated commodities lost at sea.

(2) The requirements of paragraph (b) of this section are not applicable to such an application.

§ 804.9 *Repair parts for certain vessels.* Individual licenses for the exportation of repair parts for vessels other than those covered by § 802.13 (a) of this subchapter are conditioned upon the observance of the following requirements.

(a) Repairs to the vessel must be made prior to the departure of the vessel at the port where the repair parts are taken on board.

(b) Parts which are replaced by said repair parts may not be exported on the vessel, but must be discharged onto the pier at the port of installation.

§ 804.10 *Unit process procedure.* (a) Several applications for licenses may be submitted to the Office of Exports for processing as a unit when:

(1) All applications specify the same consignee, ultimate consignee and ultimate purchaser, and

(2) All commodities covered by the applications are intended for use together, the lack of any one of which will render the other useless.

(b) When several applications are submitted for unit processing, the following requirements must be observed:

(1) All questions on each individual application must be answered in full.

(2) All individual applications must be firmly stapled to a legal binder or backing sheet with the words "Unit Process" typed on the top-edge flap thereof.

(3) A single reference number and a single acknowledgement card must be used for the group of applications.

(c) When several applications are submitted for unit processing, all applications will be approved, or all will be rejected. If all are approved, the same shipping priority rating, as provided for in Part 809 of this subchapter, will be assigned to each license in the group.

(d) The group of applications may include one or more applications for commodities which are exportable under general license, in order to insure the issuance of a uniform shipping priority rating for all related commodities.

(e) If a group of applications is rejected, the applicant may appeal from such rejection. In such case the applicant must file an appeal for the entire group of applications. The appeal shall be addressed to the Office of Exports and shall include the following papers securely fastened together:

(1) The group of rejected applications or photostatic copies thereof.

(2) A complete new set of applications, each application in triplicate, covering the identical commodities for which licenses were originally rejected.

(3) A single acknowledgement card.

(4) A letter in duplicate setting forth the reasons why the applicant believes the group of applications should be reconsidered. Additional information which was not presented on the original applications and which the applicant feels would justify a reversal of the decision of the Office of Exports must be submitted.

§ 804.11 *Drums for oil, gas, liquids and solids.* Individual licenses for the exportation of all drums for oil, gas, liquids and solids, whether filled or unfilled, are subject to the condition that, if the drums are exported on vessels other than those covered by § 802.13 (a) of this subchapter, the drums must be stowed under deck.

§ 804.12 *Diamonds and tools incorporating industrial diamonds.* When an individual license has been issued authorizing the exportation of any of the commodities listed hereafter in this section, the license and the package containing the licensed commodities must be

presented to a collector of customs for examination prior to exportation, even when exportation is to be made by mail. If the contents of the package agree as to weight and description with the data set forth on the license, the collector will attach an appropriate customs seal, indicating that the package has been inspected. If exportation is to be made by mail, the package shall then be placed in the mail under customs supervision. If the contents of the package do not agree with the weight or description as set forth on the license, the collector will return the package to the licensee, and the contents of the package shall not be exported from the United States unless a proper license authorizing the exportation thereof is subsequently issued by the Office of Exports. The list of commodities covered by the provisions of this section are as follows:

	Schedule B Number
Diamond dust, industrial	5409.10
Diamonds, rough, including crushing bort	5990.05
Jewelry of all metals when containing diamonds	9620.00, 9621.00, 9623.00, 9626.00
Jewels and jewel bearings, diamonds only	5990.98
Metal alloy slugs containing diamonds	7485.12
Precious stones, n. e. s., diamonds only	5990.98
Tools incorporating industrial diamonds:	
Dies	7455.03
Drilling bits	6178.91
Glass cutters and similar articles	6178.91
Grinding wheels	5409.05
Saws	6155.15, 6156.05
Wheel dressers	6178.91

§ 804.13 *Certain foreign trademarks, trade names, etc.* No exportation may be made under any individual license of any commodity bearing the name of any person on the Proclaimed List or bearing a trademark, trade name, brand, label or other mark which indicates that such commodity was manufactured or processed in any country with which the United States is at war or by any person whose name appears on the Proclaimed List unless it is specifically stated on the individual license that the commodity bears such indicia.

§ 804.14 *Re-exportation from country of destination.* No exportation may be made under any individual license with the knowledge or intention that the commodities so exported are to be re-exported from the country stated on the license application as the country of ultimate destination.

§ 804.20 *Appeals from rejections of applications for export licenses, extensions thereof, and revocations.* (a) Any person whose application for export license or application for extension of export license has been rejected and any person whose export license has been revoked may appeal from such rejection or revocation subject to the provisions of this section.

(b) Appeals shall be filed with the Office of Exports, Board of Economic Warfare, Washington, D. C.

(c) An appeal shall be filed within 60 days from the date of the rejection of the application for export license, rejection of the application for extension thereof or the date of revocation of an export license.

(d) The rejected application for export license, the rejected application for the extension of export license, or the revoked export license, as the case may be, shall be forwarded to the Office of Exports as a part of an appeal. Photostatic or certified copies of any papers may be furnished in lieu of the originals.

(e) The case number on appeal shall be the same as that originally assigned to the matter, if one has been assigned.

(f) An acknowledgment card in the form prescribed by the Office of Export shall accompany the appeal.

(g) Only one appeal may be taken from a rejection or revocation.

(h) An "appeal letter" shall be submitted setting forth the reasons why the appellant believes his application or the revocation of his license should be reconsidered. This letter must contain, or have attached thereto, any additional information or documents not previously submitted which the appellant feels are pertinent to his appeal.

(i) In the case of rejection of part of an application or the revocation of a license in part, the appellant may appeal only as to the commodities rejected or revoked.

PART 805—SELECTED DESTINATIONS CLEARANCE PROCEDURE

Sec.
805.1 General provisions.
805.2 Selected destinations.
805.3 General license provisions
805.4 Individual license provisions.
805.5 Blockade control permit.

AUTHORITY: §§ 805.1 to 805.5, inclusive, issued under sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807.

§ 805.1 *General provisions.* The regulations set forth in this Part shall be in addition to the regulations governing general and individual licenses set forth in Parts 802 and 804, respectively, of this subchapter. In case of conflict, the regulations in this Part shall govern, but only as to commodities to be exported to the selected destinations set forth in § 805.2 of this subchapter.

§ 805.2 *Selected destinations.* The countries designated selected destinations together with their country numbers for general license purposes are as follows:

French West Africa (including Mauritania, Senegal, French Guinea, Ivory Coast, Togoland, Dahomey, French Sudan and Niger)	G-76
French North Africa (including French Morocco, Algeria, and Tunisia)	G-87
Iran	G-88
Iraq	G-89
Eire	G-90
Madagascar	G-92
Portugal	G-83
Portuguese Atlantic Islands (including Principe, Sao Thomé, Azores, Madeira and Cape Verde Islands)	G-93
Portuguese Guinea	G-94
Reunion	G-95
Spain	G-82
Spanish Atlantic Islands (including Santa Cruz, Grand Canary, and Canary Islands)	G-97
Spanish and International Morocco and Tangier	G-98
Sweden	G-84
Switzerland	G-85
Turkey	G-99

§ 805.3 *General license provisions.* General licenses are hereby issued permitting individual shipments valued at $25 or less, by mail only, of all commodities, except those covered by paragraph (c) of this section, to the following destinations:

Eire.	Iraq.
Iran.	Turkey.

(a) No shipment shall be made pursuant to these general licenses unless the total value of all commodities to be exported in a single parcel does not exceed $25.00: *Provided*, That other commodities may be included in the same parcel even though the total value of the shipment thereby exceed $25.00 if appropriate individual licenses for such other commodities are presented at the time of mailing.

(b) The provisions of § 802.10 (e) of this subchapter apply fully to shipments under the general licenses issued by the provisions of this Part.

(c) The general licenses issued by the provisions of this Part do not apply to the commodities enumerated in § 802.10 (a) of this subchapter and the following commodities:

Bearings.
Bristles (all kinds).
Cameras and parts.
Carbon black.
Casein.
Chemicals, all, not elsewhere specified.
Chocolate.
Cholesterol.
Cobalt.
Cryolite.
Derris root and powder.
Diamonds.
Douglas fir.
Dyes.
Electric fuel pumps.
Gauges.
Gears.
Graphite.
Gum benzoin.
Gum damar.
Hemp of all kinds, including manufactures
Kapok.
Lecithin.
Lenses.
Machine and hand tools and parts of such tools.
Measuring and scientific instruments (including precision gauges).
Mercury.
Metals, all metals and manufactures, not elsewhere specified, except containers of iron or steel, and clothing fasteners affixed to garments).
Mica and mica manufactures.
Mineral crystals (e. g. quartz, etc.).
Mesothorium, salts and compounds.
Oilseeds.
Optical glass.
Pharmaceutical natural products, all.
Photographic film—all types.
Quinine, all forms and preparations.
Radio parts.
Rare earths (Kieselguhr, Thorium, Monazite, Cerium).
Raw furskins.
Rubber and rubber manufactures (including natural and synthetic rubber).
Seeds for sowing.
Silk and silk manufactures.
Sitka spruce.
Soap.
Stellite rods.
Tanning commodities.
Teakwood.
Vitamines and hormones.
Well and refining machinery.
Wolfram.
Zinc.

§ 805.4 *Individual license provisions.* (a) Individual licenses permitting shipments to selected destinations shall be valid for a calendar quarter year unless otherwise stated thereon. The time of expiration shall be midnight of the 10th day of the first month following the calendar quarter year for which the license is valid.

(b) All applications for licenses to export any commodities to any destination listed in § 805.2 of this subchapter must contain the following information in addition to that required by the prescribed form:

(1) A statement of the calendar quarter year in which the exportation is to be made.

(2) A statement as to whether or not a navicert, mailcert, aircert, or export license has ever been issued for the exportation of the commodity covered by the application. If such a document has been issued, the reference number thereof must be stated.

(3) A statement as to whether or not the commodities will require transshipment while still subject to control by the applicant, and, if transshipment is required, the reason for the transshipment and the names and addresses of all persons connected with the transaction.

(4) The quantity of the commodity according to the unit of measure prescribed on the application form, and, in addition, the weight in metric tons or kilograms.

(c) All applications for licenses to export any commodities to any destination listed in § 805.2 of this subchapter must be made on a calendar quarter basis. The following provisions are applicable thereto:

(1) All applications for such licenses filed during the first two months of a calendar quarter will be processed by the Office of Exports for shipment during that quarter. In exceptional cases, the applicant may file his application in advance of the calendar quarter year during which shipment is to be made, but in such cases the applicant must state the reason for filing the application in advance and must specify the calendar quarter year during which shipment is to be made. Licenses thus issued in advance will be valid for shipment only during the quarter for which issued.

(2) Applications for such licenses which are received by the Office of Exports after the beginning of the third month of a calendar quarter will be processed for shipment during the succeeding quarter, unless the applicant specifically requests on the application that the license be issued for shipment during the current month.

(3) All such applications may be made for shipment at any time during the calendar quarter except as otherwise stated herein.

(d) (1) All licenses issued for shipment to any of the countries set forth in the list in § 805.2 of this subchapter shall bear a number, identified as "Control Number", in addition to the case number assigned by the Office of Exports. This number will have a letter prefix, such as "B", "P", "F", "S", or "M". In case of exportation by ship or plane, the control number must be noted on the manifest of the ship or plane carrying the commodities licensed for export. In the case of exportation by mail, the control number and the license number must appear on the outside of each package and on the export declaration.

(2) In the case of exportations to Eire on vessels departing from Canadian ports, the exporter must prepare an extra copy of his export declaration, and must note thereon both the license number and the control number. This copy of the export declaration must be verified by the collector of customs at the port of exit from the United States.

§ 805.5 *Blockade control permit.* (a) Applications for individual licenses to export commodities set forth in paragraph (b) of this section to:

Eire.
Portugal.
Portuguese Atlantic Islands.
Portuguese Guinea.
Spain.
Spanish Atlantic Islands.
Spanish and International Morocco and Tangier.
Switzerland.

will not be considered unless a blockade control permit has previously been issued by appropriate authorities in London, or unless covered by an exception stated in paragraph (c) of this section. License applications will be accepted by the Office of Exports only after notification by appropriate authorities of the issuance of the permit. Upon receipt of notice of the issuance of the permit, the exporter will be advised to file a license application. Applications for blockade control permits shall be made in the countries of destination by the consignee.

(b) Except as provided in paragraph (c) of this section, the commodities for which a blockade control permit is required are listed below:

Eire: All commodities.
Portugal:
  Petroleum products, all.
  Tinplate.
  Wheat, wheat flour, and other grains.
Portuguese Atlantic Islands:
  Petroleum products, all.
  Wheat flour (for Sao Thomé only).
Portuguese Guinea:
  Petroleum products, all.
Spain:
  Animal, vegetable and fish oils, fats, greases and waxes.
  Basic slag.
  Beans.
  Binder twine, rope and other twine (including jute yarn).
  Carbon black.
  Casein.
  Cocoa and cocoa preparations.
  Coffee.
  Copper ore, metal scrap and alloys.
  Copper sulphate.
  Cotton, raw, carded and waste.
  Edible oils.
  Ferro alloys.
  Fertilizers (nonphosphatic) of animal and vegetable origin not chemically prepared; bone, fish and mean meal.
  Fodder including hay, cereal, offals, chickpeas, maize, maize meal, barley, oats, pulses.
  Hemp, soft.
  Hides and leather (excluding manufactures).
  Industrial oilseeds (resins, cacao, castor, soya, copra, flaxseed, hempseed, kernels, nuts, peanuts, rapeseed, cottonseed, perilla, poppy, sunflower, sesame, etc.).
  Iron and steel scrap.
  Jute, raw (including punga, urena) waste, tissues and manufactures (including bags).
  Manganese ore (excluding pyrolusite), metal, alloys, scrap and ferro manganese.
  Manila hemp and tow.
  Nickel ore, metal scrap and alloys.
  Nitrogenous fertilizers, natural or synthetic (Chile saltpetre, sulphate of ammonia, calcium cyanamide, etc.).
  Petroleum products.
  Phosphates, natural.
  Rice and malzena.
  Rubber latex.
  Rubber—raw (including synthetic).
  Rubber scrap, waste and reclaimed.
  Rubber tires and tubes.
  Sisal hemp and tow, kapok.
  Sugar.
  Superphosphates.
  Tin ore, metal scrap.
  Tinplate.
  Tree spray, porocide.
  Wheat, rye and their flours.
Spanish Atlantic Islands:
  Animal fats and vegetable oils and oilseeds.
  Coffee.
  Fertilizers
  Fodder including hay, cereal offals, chickpeas, maize, maize meal, barley, oats, pulses.
  Meat
  Petroleum products, all.
  Pork and bacon.
  Rice
  Rubber tires and tubes.
  Sugar.
  Superphosphates.
  Wheat, rye and their flours.
Spanish and International Morocco and Tangier:
  Coffee.
  Petroleum products, all.
  Sugar
Switzerland:
  Barley (including barley malt).
  Babbit metal.
  Carbon black.
  Casings (beef and hog).
  Castorseed.
  Coal.
  Cocoa and preparations.
  Cocoa butter.
  Cocoanut (Ceylon and/or dessicated).
  Coffee.
  Corn syrup.
  Cotton (raw or carded, including waste, other than linters).
  Cotton piece goods (not including clothing and other manufactures of cotton).
  Eggs, fresh or dried.
  Fats (animal and vegetable).
  Fruits, dried.
  Fishmeal.
  Glucose.
  Greases (animal and vegetable) but not waxes (animal and vegetable).
  Hen yolks.
  Hen albumen crystals.
  Honey.
  Insulin.
  Maize and fodder generally (includes beans, peas, lentils, dried edible beans, cereal offals, edible white beans, hay, pulses, meat meal, etc.).
  Malt.
  Malt extracts.
  Oats.
  Oil—animal and vegetable:
    Cod liver.

Oil—Animal and vegetable—Con.
Cottonseed.
Castorseed.
Chinawood.
Fish lubricating.
Mineral (including shock absorber fluid, brake fluid, auto declene flushing fluid).
White.
Oilseed cake, meal and residues.
Oilseeds.
Peanut butter.
Petroleum products (all, excluding small consignment of oils and fats for pharmaceutical or cosmetic purposes).
Rapeseed and oil.
Rubber (raw).
Rubber tires.
Rubber manufactures (including sports goods, but excluding goods for medical and like purposes) and (including synthetic rubber).
Rice.
Rye and its flours.
Saccharine.
Solid glucose.
Spices (pepper, nutmeg, bay leaves, cardamons, pimento, etc.)
Stearic acid.
Stearin.
Sugar (corn, raw, and refined)
Tea.
Tinplate (including alloy and scrap)
Tin metal.
Tobacco.
Vegetable and animal fats and oils.
Vitamin concentrates (including cod liver oil).
Vegetable seeds.
Wheat and its flours.
Woolen piece goods (not including clothing and other manufactures of wool).

(c) *Exceptions.* The requirements of this section shall not apply to:

(1) Exportations to Eire, when made by mail, regardless of value, or

(2) Exportations to all destinations subject to the blockade control permit regulations other than Eire of noncommercial consignments, when shipped by mail, provided the commodities so shipped are for the personal use of the ultimate consignee. Where this exception is applicable, the application for license must specify the "personal use".

(3) Exportations of normal trade samples of reasonable quantity, when shipped by mail, to all destinations subject to blockade control permit regulations other than Eire. Where this exception is applicable, the license application must give details regarding the sample.

PART 806—TECHNICAL DATA

Sec.
806.1 Definition
806.2 General licenses
806.3 Blanket licenses
806.4 Special licenses
806.5 Unlimited licenses
806.6 General provisions.

AUTHORITY: §§ 806.1 to 806.6, inclusive, issued under sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807

§ 806.1 *Definition.* Technical data is hereby defined as, "Any professional, scientific or technical information or any model, design, photograph, photographic negative, document, or commodity, containing a plan, specification, or descriptive or technical information of any kind which can be used or adapted for use in connection with any process, synthesis or operation in the production, manufacture, reconstruction, servicing, repair, or use of any commodity" except that any technical data licensed by the Commissioner of Patents under the authority of Public Law No. 239, 77th Congress, approved August 21, 1941, shall not be included within this definition.

§ 806.2 *General licenses.*—(a) *Definition.* A general license is a license issued by the Office of Exports for which no application is required, available for use by all persons, permitting exportation of specified classes of technical data to specified countries or consignees in accordance with the regulations herein prescribed and those which may be prescribed at the time of issuance of such general license.

(b) *United States Government or agency thereof.* A general license is hereby issued permitting exportation of all technical data to:

(1) The United States Government or any agency or instrumentality thereof.

(2) Contractors engaged in the construction of United States outlying military or naval bases and supervised by an officer of the United States.

Provided. That any technical data exported to the consignees in subparagraphs (1) and (2) of this paragraph shall be furnished or intended for the use of the United States Government or one of its agencies or instrumentalities.

Any person exporting under this general license shall state in a conspicuous place on the envelope or outside wrapper, "General license No. TD-US., or General License No. TD-U.S. contract", (depending upon whether or not the consignee is the United States government or a contractor thereof) and the name of the country of destination.

(c) *Newspapers.* A general license is hereby issued permitting the exportation of newspapers, except when exported as a commodity such as over-issue, baled, and old newspapers, to consignees in all destinations assigned general license numbers in § 802.2 (a) of this subchapter. A general license number designation is not required to be placed on the wrappers of newspapers exported under this general license.

(d) *Technical, scientific and professional publications.* (1) A general license is hereby issued permitting exportation of publications devoted in whole or in part to scientific, technical or professional data for which a license has been granted by the Office of Censorship upon recommendation of the Office of Exports in accordance with the provisions of the Postal Censorship Regulations approved March 17, 1942, 7 F.R. 2171. The designation on the outer wrapper of publications exported under the general license provided for in this subparagraph shall be the same as are required by the Postal Censorship Regulations as they may from time to time be amended.

(2) A general license is hereby issued permitting exporation to all destinations assigned general license numbers in § 802.2 (a) of this subchapter of all publications which do not require an Office of Censorship license under the authority of the Postal Censorship Regulations and as to which a specific determination has been made by the Office of Exports that such publications are not devoted to technical, professional or scientific matters. No such publication may be exported as a commodity, such as mixed books, over-issue magazines under this books, over-issue magazines and No. 1 heavy books and magazines general license.

(e) *Regulations applicable to general licenses.* (1) It shall be a violation of these regulations to make any exportation under these general licenses with the knowledge or intention that the technical data is to be reexported from the country of destination.

(2) A general license may be revoked or suspended by the Office of Exports at any time as to any consignee in any destination.

(3) A general license may be revoked or suspended by the Office of Exports as to any person within or without the United States exporting technical data, in the manner provided in Part 807 of this subchapter.

§ 806.3 *Blanket licenses.* (a) *Definitions.* A blanket license is one issued to particular persons authorizing exportation of routine technical data including installation, operating, servicing, repair or processing instructions and technical data concerning minor changes or alterations in the installation, operation, servicing or repairing of machinery or equipment from time to time in service in the country of destination or in processes used therein.

(b) *Technical data excepted.* Technical data exported under blanket license shall not include any technical data concerning United States military or naval units, shipping schedules or other similar technical data as set forth in the following documents as they may from time to time be amended:

United States Postal Censorship Regulations
United States Radio Telephone Censorship Regulations.
United States Cable and Radio Censorship Regulations
War Department document entitled "Statement of War Department policy regarding Dissemination and Publication of Information Concerning Contracts, Production Site Locations, etc."

Where the exporter has any reason to believe that any technical data falls within the categories mentioned, the proposed shipment shall, prior to exportation, be transmitted to the Office of Exports for examination and approval.

(c) Technical data requiring specific authorization. Nonroutine technical data shall not be exported under blanket license unless specifically authorized by the Office of Exports. Nonroutine technical data shall include but not by way of limitation the following:

(1) Patent applications, amendments thereto and abstracts or other papers pertaining directly to such applications.

(2) Research, laboratory, progress, testing or experimental reports.

(3) Secret, confidential, or restricted technical data, whether so regarded by the licensee or so declared by an officer or agency of the U. S. Government.

(4) Technical data pertaining to commodities designed or intended for military use except such as may conform to widely known commercial practice.

(5) Technical data pertaining to any commodity whatsoever (except for widely known commercial designs) being made for the United States Government or to the specifications of the United States Government.

(6) Technical data pertaining to commodities to be used in connection with any new development, project, or installation.

§ 806.4 *Special licenses.*—(a) *Definition.* A special license is one issued to a particular person permitting exportation to specified consignees of nonroutine technical data as set forth in § 806.3 (c) of this subchapter.

(b) *Inspection required.* One or more shipments of nonroutine technical data from one consignor to one consignee may be made under a special license but in each instance, the nonroutine technical data to be exported shall first be transmitted to the Technical Data Division of the Office of Exports for inspection and approval in accordance with the procedure specified in the special license.

(c) *Procedure in lieu of inspection.* Where nonroutine technical data is too bulky to transmit to this office for examination or by reason of time requirements or extreme urgency it is impossible or impractical to transmit the same to the Office of Exports for examination prior to shipment under a special license, the licensee may be authorized to export the same without prior examination by the Office of Exports, but in each such case a covering letter shall be submitted and such letter shall contain a complete statement of the reasons for the nonsubmission of the same and an accurate descriptive listing of all nonroutine technical data to be exported under such special license.

§ 806.5 *Unlimited licenses.*—(a) *Definition.* An unlimited license is one permitting the exportation of catalogues, sales promotional material and other similar type technical data except that it shall not be used to export magazines or periodical types of publications or technical data for which a blanket or special license must be obtained.

(b) *Application requirements.* An application for an unlimited license shall be made on the form prescribed by the Office of Exports and shall be accompanied by an export list in triplicate, naming specifically the technical data desired to be exported and including copies thereof.

§ 806.6 *General provisions.*—(a) *Regulations governing exportations.* Exports of technical data under blanket, special and unlimited license shall be made in accordance with the provisions stated in such licenses.

(b) *Application requirements for blanket and special licenses.* Applications for blanket and special licenses covering proposed exportations from one consignor to one consignee shall be filed in triplicate on the form prescribed by the Office of Exports.

Each application shall be supported by a covering letter amplifying the information given in the application form by setting forth such other facts as may be required to completely reveal the relationship existing between the applicant and the consignee and the type of technical data to be exported. The covering letter shall state:

(1) Generally what need exists for the license.

(2) Whether the technical data is to be exported for general purposes only or for specific application to a specific situation.

(3) Whether the technical data is to be used in connection with any new installation, development, or project.

(4) Whether the technical data is required for the national defense, public health, or safety of the county of destination.

(5) Whether the technical data is required by public service corporations.

(6) Whether the technical data is to be used in connection with any military, naval, or other installation which will tend to aid in the prosecution of the war.

(7) Whether the technical data will be used to produce and export needed commodities to the United States or to one of the United Nations.

(8) Whether the technical data will be used in the production of any commodity that is to be exported from the country of destination and if so to what country.

The applicant is not required to indicate whether he is applying for a blanket or special license. If the applicant particularly desires that a blanket license be issued, he shall submit with his application representative samples of all routine technical data that he may desire to export under blanket license. This sample technical data shall be described in complete detail in an exhibit list, filed in triplicate.

(c) *Additional requirements for renewals of blanket and special licenses.* Where a renewal of an existing blanket or special license is applied for, the following information shall be included in the covering letter in addition to that required in paragraph (b) of this section.

(1) Generally what need exists for the extension of the license.

(2) To what extent the expiring license was used, and the approximate figures as to the number of exportations made thereunder.

(3) The special conditions in the form of riders or endorsements appearing on the expiring license.

(4) Whether there is any continued need for such special conditions.

(d) *Additional information required.* (1) In the prescribed application form, in addition to stating the ownership and control of the consignee organization, the applicant shall state the relationship between the applicant and the proposed consignee, subsequent consignee and ultimate user and the business engaged in by the proposed consignee, subsequent consignee and ultimate user.

(2) In the prescribed application form, the applicant shall set forth a general description by subject matter of the technical data to be exported under the license if granted. If the applicant contemplates exporting technical data so new and novel as to form the subject matter for a patent application, or similar experimental or research data, such facts shall be clearly stated.

(e) *Signing of application.* (1) Applications for license to export technical data if applied for by a corporation must be signed by an officer of the corporation or a duly authorized agent of the corporation; if made by a partnership, must be signed by a member of the firm, or its duly authorized agent; if made by an individual, must be signed by the individual or his duly authorized agent.

(2) If the application is signed by an agent, the agent's duly authenticated power of attorney and agency must be filed with the Office of Exports.

(f) *Statement of consignee.* (1) Except where otherwise herein provided, a statement by the ultimate user meeting fully the conditions of the application oath must be filed. If, on the application the ultimate user named is a person other than the consignee, a statement must be obtained from all consignees as well as the ultimate user. Unrestricted general statements of the consignee or ultimate user accepted heretofore by the Office of Exports may be incorporated by reference in applications for new or renewal licenses. Statements of consignees or ultimate users are not required in applications for licenses to export patent applications, amendments, and other technical data relating to inventions made in foreign countries, but must be obtained and submitted in support of license applications for the exportation, for informational purposes only, of descriptive technical data concerning inventions made in the United States.

(2) A statement of the consignee or ultimate user need not be acknowledged before a notary or consular officer if prepared on the letterhead of the organization of the consignee or ultimate user. The statement shall be dated, the place of its execution set forth and signed by a responsible official of the organization of the consignee or ultimate user who is actually located in the country of destination and whose authority to enforce the conditions of the statement is apparent.

(3) If the applicant finds it impossible or impractical to submit the signed statement of the consignee or ultimate user at the time the application is filed, the application oath may be modified appropriately and an adequate explanation shall be made of the reasons why the statement is not furnished. The applicant shall also advise the steps being taken to obtain the statement.

(g) *Validity of license.* The licenses issued pursuant to the provisions of this Part shall be valid for a period of one year from date of issuance unless otherwise stated on the license.

(h) *Use of license.* The blanket, special or unlimited license, shall be retained in the possession of the licensee until surrendered voluntarily, revoked by the Office of Exports, or until it expires. Such license need not be presented at the time of exportation of any technical data authorized to be exported thereunder, but the number assigned to the license shall be placed on the outside of the envelope or on the outside wrapper of the package containing such technical data.

(i) *Duplicate applications.* Duplicate

applications shall not be filed unless specifically requested by the Office of Exports.

(j) *Duplicate licenses.* Duplicate licenses may be issued by the Office of Exports provided the licensee shows that the original license was lost or destroyed and submits such sworn proof as may be required in each instance.

(k) *Cables, telegrams and radiograms.* Technical data may be exported by cablegram, telegram or radiogram subject to prior examination and approval of the Office of Exports. The exporter shall place on the inessage the description of the license to be used, i. e., general, special or blanket, and the license number in connection with blanket and special licenses.

(l) *Exports by a personal messenger.* Technical data to be taken out of the country by a personal messenger, representative or agent of the licensee or the consignee shall be properly packaged and the license description and number indicated thereon if the technical data comes within the provisions of a general or a blanket license. If the exportation is to be made under a special license, all the technical data shall be transmitted to the Office of Exports for examination and approval prior to exportation, except as otherwise provided in § 806.4 (c) of this subchapter.

(m) *Export of technical data with commodity.* (1) Whenever detailed drawings and instructions describing assembly, operation, testing, and routine maintenance or repair of machinery, etc., for which a commodity license is required, are to be exported with such machinery, etc., only one application (on the commodity license form) need be submitted covering both the commodity and the technical data subject to the following conditions:

(i) The technical data shall apply directly to the particular commodity shipment.

(ii) The technical data may not include any manufacturing data.

(iii) The technical data to be exported with the commodity shall be shipped in the same container that is to be used for the commodity.

(iv) The technical data to be exported must be listed on the commodity license form.

(2) Whenever the detailed drawings and instructions describing assembly, operation, testing, and routine maintenance or repair, are to be exported separately from the commodity itself, a technical data license shall be applied for on the prescribed technical data license application form. Where a commodity license has been granted the applicant shall state the commodity license number on the application for license to export technical data related thereto.

(n) *Exports to destinations through a foreign country.* Technical data shall not be exported to a territory or possession of the United States through a foreign country except under license. In each such case, an application shall be made on the prescribed form designating the foreign country or countries through which such technical data will pass.

PART 807—DENIAL OF LICENSING PRIVILEGES

Sec.
807.1 Compliance Commissioners.
807.2 Orders.
807.3 Institution of proceedings.
807.4 Notification to respondent.
807.5 Default.
807.6 Written answer.
807.7 Oral answer.
807.8 Consolidation.
807.9 Reports and recommendations by Compliance Commissioner.
807.10 Disposition.
807.11 Appeal.
807.12 Proceedings to be confidential.

AUTHORITY: §§ 807.1 to 807.12 inclusive, issued under sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807.

§ 807.1 *Compliance Commissioners.* The Executive Director of the Board of Economic Warfare will designate one or more persons to act as Compliance Commissioners. Persons attached to the Office of Exports, or to the Export Control Branch of the Office of the General Counsel, shall not be qualified to act as Commissioners. Compliance Commissioners shall have the powers and duties set out in §§ 807.4 through 807.12 of this subchapter.

§ 807.2 *Orders.* Orders denying the privilege of any person to obtain or use an export license may be issued in the name and under the authority of the Office of Exports. Such orders shall be effective for such periods of time and on such terms and conditions as may be prescribed by the Office of Exports.

§ 807.3 *Institution of proceedings.* The Chief of the Trade Intelligence Division of the Country Program Branch, Office of Exports, may, with the approval of the Office of General Counsel, initiate proceedings to deny the privilege of any person to obtain or use export licenses in any case where the Trade Intelligence Division has reason to believe that such person has violated any provisions of the statutes, proclamations, executive orders or regulations relating to export control.

§ 807.4 *Notification to respondent.* The Chief of the Trade Intelligence Division shall initiate proceedings by transmitting a telegram or registered letter to the person against whom proceedings are brought. The notification shall set out the specific nature of the violations charged, shall state that denial of respondent's privilege to obtain or use export licenses is being contemplated and that failure to answer the charges may result in such action being taken. The notification shall set a time and place for a hearing on the charges before a Compliance Commissioner and shall advise the respondent that he must answer the charges at or prior to such time or be held in default. The time set shall be not less than ten days or more than fifteen days from the date of the notification. Charges may be amended from time to time upon reasonable notice to the respondent.

§ 807.5 *Default.* If the respondent does not answer the charges, as provided in § 807.6 of this subchapter, within the prescribed time, the Chief of the Trade Intelligence Division shall submit to the Office of Exports the facts of the case, together with a recommendation for action. Being so advised, the Office of Exports may issue an order denying the privilege of the respondent to obtain or use export licenses, or take any other appropriate action.

§ 807.6 *Answer, etc.* (a) The respondent may answer the charges made against him in writing by submitting the same, in duplicate, to the Office of Exports, Board of Economic Warfare, Washington, D. C., within the time limited by the notification to respondent.

(b) The respondent shall be permitted to answer the charges made against him orally if he indicates his desire to do so by letter, in duplicate, submitted to the Office of Exports, Board of Economic Warfare, Washington, D. C. within the period limited by the notification to respondent.

§ 807.7 *Hearing.* (a) At the time and place specified in the notification to respondent all evidence material to the inquiry shall be received by the Compliance Commissioner and shall be taken by a reporter before him. The respondent may be represented by counsel. The respondent shall be informed that he is under no obligation to answer questions.

The evidence shall be transcribed by the reporter, filed with the Compliance Commissioner and the respondent shall be given an opportunity to examine the transcript.

The respondent may prepare and file with the Compliance Commissioner a bill of exceptions to such transcript which shall thereafter accompany the transcript. Such bill of exceptions shall be filed within such time as the Compliance Commissioner shall fix at the conclusion of the hearing.

§ 807.8 *Consolidation.* The opportunity to answer charges may, at the discretion of the Compliance Commissioner, be consolidated with any similar opportunity afforded the respondent by any other government agency with respect to charges upon the same or a related subject matter.

§ 807.9 *Reports and communications by Compliance Commissioner.* The Compliance Commissioner shall consider the record, including any bill of exceptions filed by the respondent, and shall prepare a written report which shall consist of his findings of fact, including a finding whether or not a violation has occurred, and his recommendations. If the Commissioner finds that a violation has been committed his recommendation for action shall be advisory only. The report, transcript, and bill of exceptions, if any, shall be transmitted to the Chief of Office, Office of Exports.

§ 807.10 *Disposition.* The Chief of Office, Office of Exports, shall review the record, consider the recommendations of the Compliance Commissioner, and determine the disposition of the case. In any case where the Commissioner has found that a violation has been committed, the Chief of Office, Office of Exports, may issue an order denying the respondent's privilege to obtain or use export licenses for such periods of time and on such terms and conditions as he may prescribe and take any other appropriate action. In any case where the Commissioner has found that no violation has been committed, the Chief of Office, Office of Exports, shall enter an order dismissing the charges. In all cases the respondent shall be notified promptly of the action taken. An order denying the privilege to obtain or use export licenses shall contain a notification to the respondent of his right to appeal.

§ 807.11 *Appeal.* A respondent may appeal in writing to the Assistant Director in charge of the Office of Exports, whose decision shall be final. Such appeal shall be taken within 10 days after receipt of a suspension order by the respondent. Oral argument will be permitted only upon direction of the Assistant Director. The Assistant Director shall not consider facts or arguments affecting the merits of the policy embodied in the rules or regulations alleged to have been violated. An order denying the privilege to obtain or use an export license shall remain in effect pending disposition of the appeal, unless otherwise ordered by the Assistant Director.

§ 807.12 *Proceedings to be confidential.* Pending disposition of a case by the Office of Exports, in accordance with §§ 807.5 and 807.10 of this subchapter, all proceedings pursuant to the provisions of this Part shall remain confidential.

PART 808—PROCEDURE RELATING TO SHIPMENT OF LICENSED EXPORTS TO THE OTHER AMERICAN REPUBLICS

Sec.
808.1 Applicability.
808.2 Non-applicability.
808.3 Space allocation for shipment of commodities weighing under 2240 pounds.
808.4 Initial movement in exportation.
808.5 Application form prescribed.
808.6 Application procedure.
808.7 Notice permitting movement to port.
808.8 Confirmation of space by ship operator.
808.9 Validity of allocation.
808.10 In transit shipments.
808.11 Shipment by other than sea, air or mail.

AUTHORITY: §§ 808.1 to 808.11, inclusive, issued under sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807.

§ 808.1 *Applicability.* (a) The regulations prescribed in § 808.2 to § 808.10, both inclusive, of this subchapter, apply to exportations of all commodities set forth in § 801.2 of this subchapter under any type of export license to be made by sea freight to any of the following destinations:

Argentina.
Bolivia.
Brazil.
Chile.
Colombia.
Costa Rica.
Cuba.
Dominican Republic.
Ecuador.
El Salvador.
Guatemala.
Haiti.
Honduras.
Mexico.
Nicaragua.
Panama.
Paraguay.
Peru.
Uruguay.
Venezuela.

(b) Section 808.11 of this subchapter applies to exportations of all commodities set forth in § 801.2 of this subchapter of every weight under any type of export license to be shipped from the port of exit in the United States by any means of transportation other than sea vessel, air or mail where the ultimate consignee is located in any of the following destinations:

Argentina.
Bolivia.
Brazil.
Chile.
Colombia.
Ecuador.
Panama.
Paraguay.
Peru.
Uruguay.
Venezuela.

§ 808.2 *Non-applicability.* (a) None of the regulations in this Part shall apply to:

(1) Liquid commodities licensed for export to be shipped in bulk by tanker.

(b) Sections 808.2 to 808.10, both inclusive, of this subchapter, shall not apply to:

(1) Commodities to be exported under General License GUS.

(c) Sections 808.5 to 808.7, both inclusive, of this subchapter, shall not apply to any shipment of any commodity licensed for export when the gross weight of the particular shipment (even though it is a partial shipment of a larger licensed quantity) is less than 2,240 pounds except as specifically otherwise provided in this Part.

§ 808.3 *Space allocation for shipment of commodities weighing under 2240 pounds.* Bookings for shipment of commodities weighing under 2240 pounds will be made by the ship operator directly with the exporter or his agent without the submission of an application or compliance with the procedure set forth in §§ 808.5 to 808.7, both inclusive, of this subchapter, except as specifically otherwise provided in this Part. All such bookings are subject to the control of the War Shipping Administration and the Office of Exports who will fix the total amount of space on each ship which will be available for the carriage of such small shipments. Such available space will then be allocated in accordance with the priority ratings fixed by the Office of Exports, as provided in Part 809 of this subchapter.

§ 808.4 *Initial movement in exportation.* No shipment of a commodity weighing 2240 pounds or more for which a license has been issued permitting the exportation thereof and which is located at any place other than the port of exit from the United States shall be moved to such port of exit until the exporter or his agent has received on the prescribed form, notice of tentative freight booking issued by the War Shipping Administration and the Unit Permit Number issued by the Office of Defense Transportation, or such other agency as it may designate. Shipments weighing less than 2240 pounds may be moved to the port of exit only after receipt of the freight contract from the ship operator, the number of which shall be placed on the bill of lading together with the export license number.

§ 808.5 *Application form prescribed.* Applications for shipping space shall be made on the applicable form as follows:

(a) Form BEW–166 shall be used regardless of the weight of the shipment when:

(1) An individual export license is required for the proposed exportation.

(2) The entire exportation is at, or is ready for shipment to, or will be ready for shipment to the port of exit from the United States within two weeks from the date the individual export license is received by the applicant.

(b) Form BEW–138 shall be used when:

(1) The provisions for the use of Form BEW–166 are not applicable.

(2) The entire exportation is at, or is ready for shipment to, or will be ready for shipment to the port of exit from the United States within three weeks from the date the application for freight space is submitted.

§ 808.6 *Application procedure.*—(a) *Submission of application.* Application for shipping space shall be submitted in quintuplicate on an exact facsimile of the form as set forth in § 808.5 of this subchapter. If the application covers commodities which are to be exported under an export program or export project license (S. P.) an additional (sixth) copy of the application shall be submitted. The facsimile may be printed, mimeographed or otherwise reproduced on any type white paper size 8 inches by 14 inches.

(b) *Who may apply.* Any person to whom an export license has been granted or his agent may apply for shipping space. Any person planning to export under a general license or the agent of any such person may apply for shipping space.

(c) *Where to file.* (1) The application shall be filed with the Office of Exports, Washington, D. C., except as provided in subparagraph (2) of this paragraph.

(2) Applications for freight space for shipments which originate in Canada and which are to be transshipped from a United States port, or for shipments which originated in Canada and which are in the United States awaiting transshipment, shall be filed with the Canadian Shipping Priorities Committee, West Block, Ottawa, Canada, on the form prescribed by said Committee.

(d) *Preparation of application.* (1) A separate application may be submitted for each part of a licensed exportation as such part becomes ready for shipment, except that no application need be filed for a partial shipment if the partial shipment is less than 2240 pounds in gross weight, except as specifically otherwise provided in this Part.

(2) Where the applicant desires to ship a number of commodities destined to one or more ultimate consignees or purchasers from one or more licensees (or one or more exporters in the case of commodities moving under general license), and the shipment is made by a single consignor to a single consignee, one consolidated application for freight space must be filed if the weight of the shipment is 2240 pounds or more, except as provided below:

(i) If the proposed shipment includes commodities weighing 2240 pounds or more carrying an A and or B shipping priority rating, and also includes com-

modities weighing 2240 pounds or more carrying a C and/or D shipping priority rating, separate applications may be filed for the commodities carrying the A and/or B rating and the commodities carrying the C and/or D rating; or

(ii) If the proposed shipment includes commodities weighing 2240 pounds or more moving under individual license or licenses, and also includes commodities weighing 2240 pounds or more moving under general license or licenses, separate applications may be filed for the commodities moving under individual license and the commodities moving under general license.

(3) Where the application is for commodities to be shipped under general license, the general license number shall be placed in the blank space requiring a license number.

(4) Where no shipping priority rating has been designated for an outstanding license, no entry shall be made in the space provided for such rating.

(5) In answer to the question pertaining to gross weight and cubic measurement (if shipped on a measurement basis) if exact figures are not ascertainable, an approximation may be made.

(6) In case of general (including in transit), individual, and unlimited licenses, the description of the commodities shall be stated in the same terms required for description of commodities in applications for individual licenses.

(7) When a commodity which can be exported under a general license does not have an assigned shipping priority rating, a rider in quintuplicate is to be attached to the application setting forth the end-use of the commodity in detail as required by an Office of Exports commodity license application.

(8) No application to ship commodities under general license shall be made unless and until the applicant has a firm order for the commodities covered by the application from the purchaser stated therein.

(e) *Certain commodities; multiple consignees.* Applications for freight space covering any of the commodities listed in subparagraph (5) of this paragraph may specify more than one consignee subject to the following conditions:

(1) All consignees named must be located at a single foreign port.

(2) The names and addresses of all the proposed consignees shall be listed and a copy thereof attached to each copy of the application submitted (such list is a part of the application). This list shall be typewritten in a vertical column and shall not bear evidence of erasure or alteration when presented to the Office of Exports.

(3) One or more of the proposed consignees may be rejected, the quantity reduced, or both, by the Office of Exports by noting the same thereon.

(4) Only commodities to which a single description and Department of Commerce Schedule B number applies may be included in a single application.

(5) *List of commodities.*

Dept. of Comm. No.	Commodity
1041.00	Oats (bu. 32 lbs.).
1057.00	Rice, milled, including brown, broken, rice and rice screenings.
1073.00	Wheat flour, wholly of U. S. wheat (bbl. 196 lbs.).
1074.00	Wheat flour, other (bbl. 196 lbs.).
5724.00	Salt.
8365.00	Sodium carbonate, calcined (soda ash).
8373.00	Sodium hydroxide (caustic soda).
8710.00	Soap, medicated.
8712.00	Soap, toilet or fancy.
8713.00	Soap, laundry.
8716.00	Soap, powdered or flaked.
8729.00	Soap, n. e. s.

The shipper is authorized to divide the approved quantity among the approved consignees as he may elect.

§ 808.7 *Notice permitting movement to port.* Notice of tentative freight booking and the Office of Defense Transportation Permit Number permitting shipment to the port of exit (except when commodities are already at such port, in which event the Unit Permit Number will authorize delivery thereof to the vessel's berth) will be contained in the same document, which will be forwarded to the person designated in the application. The subsequent procedure for delivery of this document to the carrier and actual arrangements for shipment to port of exit shall be as prescribed in appropriate regulations of the Office of Defense Transportation or War Shipping Administration.

§ 808.8 *Confirmation of space by ship operator.* A notice of tentative freight booking is not allocation for a specific ship. The allocation shall become effective only when confirmed by the ship operator to the person to whom the notice was issued, and the allocation may be cancelled, modified or otherwise regulated or controlled by proper authority.

§ 808.9 *Validity of allocation.* Allocations of space shall be valid only during the life of the export license upon which such allocation was made.

§ 808.10 *In transit shipments*—(a) *Additional requirement.* Whenever a freight space application is required in connection with any shipment proceeding under a general in transit license, the spaces in the application form for the name and address of the consignor shall contain the name and address of the original consignor in the foreign country and the name and address of the United States shipper or forwarder.

(b) *Under 2240 pounds; application and certificate.* (1) Notwithstanding any other provision in this Part, the provisions thereof applying to shipments weighing 2240 pounds or more shall apply fully to any shipment proceeding under a general in transit license which weighs less than 2240 pounds and originates in any country other than Canada.

(2) In connection with any shipment proceeding under a general in transit license which weighs less than 2240 pounds, the shipper shall execute the following statement upon the export declaration:

I (we) certify that freight space for the commodities described herein was obtained as a result of approval by the Board of Economic Warfare of my (our) application for freight space (BEW 138) Serial No. ——

§ 808.11 *Shipment by other than sea, air or mail.* The licensed export shipments described in § 808.1 (b) of this subchapter shall be moved through the port of exit from the United States only when:

(a) An application in the form prescribed by § 808.5 of this subchapter shall be submitted to the Office of Exports as required by §§ 808.6 and 808.7 of this subchapter except that where the words "shipping space" or "freight space" are used in said sections they shall mean "authority to move through the port of exit" and an application shall be made for shipments of every weight.

(b) An approved application for authority to move through the port of exit is attached to the export declaration covering the commodities described in the application.

PART 809—SHIPPING PRIORITY RATINGS

Sec
809.1 When required.
809.2 When not required.
809.3 By whom assigned.
809.4 When assigned.
809.5 Order of precedence.
809.6 Ratings assigned commodities under general license.
809.7 Appeals for higher ratings.

AUTHORITY: §§ 809.1 to 809.7, inclusive, issued under sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong., Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9307.

§ 809.1 *When required.* No shipment by sea freight of any of the commodities set forth in § 801.2 of this subchapter shall be made to any of the destinations listed in § 808.1 of this subchapter under any type of export license unless a shipping priority rating has first been assigned for such shipment except as provided in § 809.2 of this subchapter.

§ 809.2 *When not required.* No shipping priority rating shall be required for the shipment of:

(a) Liquid commodities licensed for export to be shipped in bulk by tanker.

(b) Commodities to be exported under General License GUS.

§ 809.3 *By whom assigned.* The Office of Exports will assign shipping priority ratings.

§ 809.4 *When assigned.* (a) Shipping priority ratings will be assigned at the time of the issuance of an export license and will appear thereon, except as to commodities exported under general licenses.

(b) When commodities are to be exported under an export program or export project license (S. P.) shipping priority ratings will be assigned at the time of the issuance of the S. P. license for all commodities covered thereby, including commodities under general license.

§ 809.5 *Order of precedence.* Shipping priority ratings will have the following order of precedence: "AA," "A," "B," "C," "D."

§ 809.6 *Ratings assigned commodities under general licenses.* (a) Shipping priority ratings are hereby assigned to the commodities under general license listed in the schedules set forth in § 801.2 of this subchapter as indicated under the column therein headed "Shipping Priority Rating" as the same may be amended from time to time. A blank space shall indicate the assignment of a shipping priority rating of "D" to such commodity.

(b) If commodities under general license are to be exported under an export program or export project license (S. P.), the ratings in § 809.6 (a) of this subchapter shall not apply, but all commodities shipped under such S. P. license shall have the rating assigned by such S. P. license.

(c) When commodities under general license are moving in transit through the United States in shipments originating in Canada, and shipping priority ratings have previously been assigned to such shipment by the Canadian Government, such shipment shall automatically be given the same priority rating by the Office of Exports. In the event that no shipping priority rating has been assigned to such shipment by the Canadian Government, the commodities included therein shall have the shipping priority ratings assigned by § 809.6 (a) of this subchapter.

(d) When commodities under general license are moving in transit through the United States in shipments originating outside of Canada, the commodities included therein shall have the shipping priority ratings assigned by § 809.6 (a) of this subchapter.

§ 809.7 *Appeals for higher ratings.* (a) Exporters may appeal for a higher shipping priority rating than that assigned under an individual license, or for a higher shipping priority rating than those prescribed under § 809.6 (a) of this subchapter for commodities under general license, by submitting in triplicate an "Appeal for Higher Shipping Priority Rating." Such appeal shall supply the following information relative to the commodities to be exported:

(1) Name and address of consignee.

(2) Name and address of ultimate consignee.

(3) Name and address of purchaser.

(4) Individual or general license number.

(5) Portion of the shipment which is at point of exit from the United States ready to be exported.

(6) Location of commodities at point of exit: In railroad cars, in railroad storage, etc.

(7) Portion of the shipment which remains to be forwarded to point of exit.

(8) Where information is available, the stage of manufacture of such portions: Completed, in process, not started.

(9) Whether the commodity is manufactured to specifications not normally used in the United States.

(10) Rating originally assigned to the commodity to be exported.

(11) Description of the commodity as it appears on the export license. (If under general license, give brief description and the Department of Commerce Schedule B number.)

(12) Specific reasons why the applicant believes that a higher shipping priority rating is justified with particular reference to proposed end-use.

(13) If an application for freight space has been filed, the serial number and status of that application.

(14) If an application for freight space has not been filed and the shipment weighs 2240 pounds or more, an application for freight space with an acknowledgment card.

(15) Status of freight space application: certified to War Shipping Administration, certified to Cargo Clearance Office, etc.

(b) When commodities are to be exported under an export program or export project license (S. P.) an exporter who desires a higher shipping priority rating than that which has been assigned, may apply in writing for a reconsideration, attaching to his request the original document upon which the rating has been affixed.

(c) Only one appeal for any particular shipment may be taken.

Dated: January 27, 1943.

PAUL CORNELL,
Chief of Office,
Office of Exports.

[F. R. Doc. 43-1459; Filed, January 27, 1943; 4:36 p. m.]

Chapter IX—War Production Board

Subchapter A—General Provisions

PART 903—DELEGATIONS OF AUTHORITY

[Supplementary Directive 1-O[1] as Amended Feb. 1, 1943[2]]

§ 903.18 *Further delegation of authority to the Office of Price Administration with reference to rationing of fuel oil.* (a) In order to permit the efficient rationing of fuel oil, the authority delegated to the Office of Price Administration in § 903.1 Directive 1, is hereby extended to include the following:

(1) The exercise of rationing control over the sale, transfer, delivery or other disposition of fuel oil by any person to any consumer, in cases in which either such person or such consumer is within the limitation area, and over the use of fuel oil by any person: *Provided*, That such authority shall not include the power;

(i) To limit or restrict the quantity of fuel oil obtainable by the Army, Navy, Marine Corps, or Coast Guard of the United States or by government agencies or other persons to the extent to which they acquire fuel oil for export to and consumption or use in any foreign country; and

(ii) To deny fuel oil to any person for the operation of oil burning equipment (other than equipment furnishing heat or hot water to any building or structure) for the reason that such equipment can be converted to the use of a fuel other than fuel oil, except where the denial of fuel oil is recommended by the Office of Petroleum Coordinator for War and approved by the Director General for Operations.

(2) The requiring of the delivery of such coupons, certificates or other evidences as the Office of Price Administration may prescribe, as a condition to the sale, transfer, delivery or other disposition of fuel oil by any person to any other person in cases in which either person is within the limitation area.

(b) The authority of the Office of Price Administration under this supplementary directive shall include the power to regulate or prohibit the sale, transfer, delivery or other disposition of fuel oil to, or the acquisition or use of fuel oil by, any person who has acted in violation of any rationing regulation or order prescribed by the Office of Price Administration.

(c) The Office of Price Administration is authorized, in accordance with the provisions of Executive Order No. 9125, and to the extent that it may deem necessary to the enforcement of the authority delegated in paragraphs (a) and (b) of this supplementary directive:

(1) To require records and reports and to make audits of the accounts and inspections of the facilities of any person wherever located, involved directly or indirectly in the sale, transfer, delivery, or other disposition of fuel oil to or from any point in the limitation area; and

(2) To require any person wherever located, who is involved, directly or indirectly, at any stage in the distribution of fuel oil which is ultimately sold, transferred, delivered or otherwise disposed of in the limitation area (whether by such person or by other persons), or which is ultimately used in the limitation area, to comply with any rule, regulation or procedure promulgated or established pursuant to the authority delegated in paragraph (a) of this supplementary directive.

(d) As used in this supplementary directive, the term "fuel oil" means any liquid petroleum product commonly known as fuel oil, including grades No. 1, 2, 3, 4, 5 and 6, whether or not blended or rebranded, such as Bunker C, Diesel oil, kerosene, range oil, and gas oil. The term also includes any other liquid petroleum product having the same specifications as the above designated grades and used for the same purposes as such grades.

The term "person" means any individual, partnership, corporation, association, government or governmental agency, and any other organized group or enterprise; the term "consumer" means any person who uses fuel oil for any purpose, including use as a component part of any manufactured article, material or compound; the term "limitation area" means the States of Connecti-

[1] This document is a restatement of Amendment 1 to Supplementary Directive 1-O which appeared in the FEDERAL REGISTER of February 2, 1943, page 1364, and reflects the order in its completed form as of February 1, 1943.

cut, Delaware, Florida (east of the Apalachicola River), Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Vermont, Virginia, Washington, West Virginia, Wisconsin, and the District of Columbia.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1790; Filed, February 2, 1943; 4:38 p. m.]

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680, W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Regulation 11, as Amended Jan. 30, 1943 [1]]

PRODUCTION REQUIREMENTS PLAN

§ 944.32 *Priorities Regulation No. 11*—(a) *Purpose.* It is the purpose of this regulation to provide for the integration of the system of distributing scarce materials in the interest of the war and the maintenance of the essential civilian economy by requiring principal industrial users of scarce materials to qualify under the production requirements plan and to obtain preference rating assistance primarily under that plan.

(b) *Definitions.* For the purposes of this regulation:

(1) "person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind.

(3) "PRP application" means an application for priority assistance under the production requirements plan on Form PD-25A or any other prescribed form.

(4) "PRP certificate" means the copy of a PRP application which has been returned to the applicant by the Director General for Operations with an assignment of preference ratings or other priority action endorsed thereon, and includes any supplementary or advance quarter ("bob-tail") certificate which may be issued from time to time.

(5) "PRP unit" means any person who is qualified under the production requirements plan by the issuance to such person of a PRP certificate. In case the certificate is issued to a branch, plant, department, or other division of a corporation or business, "PRP unit" refers only to the portion of the business to which the certificate is issued.

(6) "Production material" means material (including fabricated parts and subassemblies) which will be delivered by a PRP unit as its product, or will be physically incorporated into such product, and includes the portion of such material normally consumed or converted into scrap or by-products in the course of processing. It does not include any supplies or manufacturing equipment.

(7) "Supplies" means maintenance and repair materials and operating supplies. It also includes minor items of productive capital equipment (such as jigs and fixtures, dies and die blocks, portable pneumatic or portable electric tools, and material required for minor relocations of plant machinery and equipment). It does not include any production material or any office machinery or office equipment (whether purchased or leased) or materials for plant expansion or plant construction.

(8) "Listed material" means, with respect to any quarter, any material listed and given an item number on the Materials List No. 1, Revised, appearing on the form of PRP application for that quarter or required to be separately listed by supplementary instructions from the War Production Board.

(9) "Listed fabricated item" means, with respect to any quarter, any part, assembly or other item listed and given an item number on the Fabricated Items List No. 2 appearing on the form of PRP applications for that quarter. The first quarter for which such a list will be in effect will be the first quarter of 1943. "Listed fabricated item" also includes any item required to be listed separately by supplementary instructions from the War Production Board.

(10) "Class I producer" means any person (or any branch, plant, department, or other division of a corporation or business which operates as a separate entity and maintains a separate inventory) whose receipts or withdrawals from inventory during the most recent calendar quarter, or whose anticipated receipts or withdrawals from inventory during the current or next succeeding calendar quarter, of metals in the forms included on the attached metals list aggregate five thousand dollars or more in value, except:

(i) Any agency of the United States, of any foreign government, of any state or territory, or of any subdivision thereof except when and to the extent that any such agency is engaged in the manufacture of commodities or other materials or the furnishing of repair facilities (such as Navy yards, arsenals, prison factories, etc.);

(ii) Any person to the extent that he is engaged in the business of:

(a) Transportation by any means;

(b) Furnishing of heat, light, power, electricity, gas or water to others;

(c) Quarrying;

(d) Production, refining, transportation, distribution or marketing of petroleum or associated hydrocarbons;

(e) Communications;

(f) Sewage or drainage;

(g) The sale of material which he has not manufactured, processed, fabricated, assembled, or otherwise physically changed, including sales as a distributor, wholesaler, retailer, warehouse, industrial or mill supply house or scrap dealer;

(h) Construction at the site, of buildings, structures, or projects; and

(iii) Any producer located in Alaska, Panama Canal Zone, or in any territory or possession of the United States outside of the continental United States.

(11) "Assignment" of a preference rating means the granting to any person, by order or certificate issued by or under authority of the Director General for Operations, of the right to use such rating.

(12) "Application" of a preference rating means the use of the rating by the person to whom it is initially assigned by or under the authority of the Director General for Operations, and includes the initial issuance by any governmental agency, under authority of the Director General for Operations, of a preference rating certificate rating a delivery to be made directly to such agency.

(13) "Extension" of a preference rating means the use of the rating by any person to whom it is applied or extended by another person.

(c) Every Class I producer shall file a PRP application for the first quarter of 1943, except that no application shall be required of any person who becomes a Class I producer after December 31, 1942. Applications for the first quarter of 1943 shall be filed not later than October 25, 1942, or in the case of a person who was not a Class I producer as of October 15, 1942, as promptly after October 25, 1942, as possible. No person is required to file a PRP application for the second quarter of 1943 or for any subsequent quarter except as specifically directed by the Director General for Operations. The Director General for Operations may specifically require other persons to file such applications from time to time, and may also exempt particular Class I producers from the requirements of this paragraph or extend or advance their time for filing PRP applications. Any other processors of materials desiring priority assistance on a quarterly basis may also, with the consent of the Director General for Operations, qualify under the Production Requirements Plan, although not required to do so by this regulation.

(d) *Restrictions on application and extension of ratings by PRP units.* No PRP unit shall apply or extend any rating to the delivery of any material during any quarter other than the ratings authorized on its PRP certificates for that quarter; and the deliveries to which such ratings are so applied shall be limited in amount as specified on such certificates, with the following exceptions:

(1) A PRP Unit may apply ratings specifically assigned to it for acquisition of items of capital equipment or materials for authorized plant expansion or plant construction.

(2) A PRP unit may apply to deliveries of material during the second quarter of 1943 and thereafter the ratings assigned or permitted in Priorities Regulation No. 11A.

(3) In addition a PRP unit which receives a rated purchase order requiring the processing by another person of material owned and supplied by the PRP unit may extend the rating, for processing only and not for acquisition of material, to the person who is to do such processing for it.

(4) [Revoked January 30, 1943]

(5) In case preference rating assistance for a material is denied on the PRP certificate on the express ground that such assistance is unnecessary or that ratings for such material are not currently being assigned on PRP certificates, the provisions of this paragraph (d) shall not apply to such material.

(6) A PRP Unit may extend an AAA rating it receives, where necessary to obtain material which it will deliver or which will be physically incorporated into material which it will deliver on the AAA rating, subject to the following restrictions:

(i) The AAA rating may not be extended for quantities of material in excess of those required to be delivered by it or to be physically incorporated into materials to be delivered by it on the AAA rating;

(ii) The rating may not be extended to obtain any material to the extent that it has such material on hand which it would be required to divert for the purpose of supplying the material to be delivered on the AAA rating in accordance with the provisions of Priorities Regulation No. 1;

(iii) The rating may not be extended to replace inventory;

(iv) The quantity of any material obtained with the assistance of the AAA rating must, to the extent possible, be deducted from any quantity of such material authorized for receipt on its PRP certificates and not yet received; and

(v) In case it is necessary to extend the rating for materials other than those, or in excess of the quantities, authorized on its PRP certificates, a PD-25F form must be filed within three days after such extension reporting the excess quantity or the other materials to which the AAA rating was extended.

(e) *Restrictions on receipt of listed materials and fabricated items.* No PRP unit shall in any quarter accept deliveries (whether rated, unrated or allocated) of any listed material or any listed fabricated item, whether as production material, supplies or for any other use, in excess of the amounts specifically rated or otherwise authorized on its PRP certificates for such quarter, plus any balance of such materials or items authorized by its PRP certificates for delivery in the previous quarter which is in transit to the PRP unit at the end of the previous quarter or within three days thereafter, with the following exceptions:

(1) A PRP unit may accept deliveries of any balance of listed fabricated items specifically rated or otherwise authorized for the preceding quarter but not yet received.

(2) A PRP unit may in addition, subject to the applicable regulations and orders of the War Production Board, accept delivery of any such materials and items which consist of items of capital equipment or material for authorized plant expansion or plant construction.

(3) Any PRP unit which has applied ratings under the interim procedure specified in paragraph (i) of this regulation based on a particular PRP application may, until receipt of that particular PRP certificate, accept deliveries of the quantities of the materials to which it is authorized to apply ratings under the interim procedure. After receipt of such PRP certificate it may accept deliveries of listed materials and listed fabricated items in excess of the quantities authorized on such certificate only if the same were in transit to the PRP unit at the time its supplier received notice of postponement or cancellation of delivery pursuant to the provisions of paragraph (j) of this regulation and even then may not accept delivery of such materials or items unless shipment was made within ten days (including Sundays) after receipt by the PRP unit of the PRP certificate which necessitated such postponement or cancellation.

(4) A PRP unit may accept delivery of material to which it extends an AAA rating in accordance with the provisions of paragraph (d) (6) of this regulation.

(5) A PRP unit may accept delivery of listed materials or listed fabricated items in excess of the quantities authorized on its PRP certificates, to the extent that cancellation or postponement of such delivery is waived by the provisions of paragraph (j) (3) of this regulation.

(6) A PRP unit may, during the second quarter of 1943 and thereafter, accept delivery of listed materials or listed fabricated items to the extent permitted by Priorities Regulation No. 11A.

(f) *Restrictions on use of material.* Each PRP unit shall also comply with any additional restrictions which may be contained in its PRP certificate, including (without limitation) restrictions on the amount of material to be put into production, the use of any material, apportionment of quantities of material between different products, or on the sale of or delivery of specified products.

(g) *Prohibition against placing duplicate orders.* No PRP unit shall duplicate, in whole or in part, purchase orders which it has placed with one or more suppliers for delivery of any material (whether rated, unrated, or allocated) in such manner that the amount of such material ordered exceeds the amount actually required for delivery (not exceeding the amount authorized), even though the PRP unit intends to cancel or reduce its purchase orders prior to completion of delivery, to the amount of actual requirements as rated or otherwise authorized on its PRP certificate.

(h) *Scheduling of deliveries.* Each PRP unit shall, so far as practicable, place its purchase orders for the production material and supplies rated or otherwise authorized on its PRP certificate so as to call for substantially equal deliveries during each of the three months of the quarter, and shall in no event, unless absolutely necessary to maintain its delivery schedule or to obtain the minimum quantities practicably procurable, order for delivery during the first month of the quarter more than 40%, or during the first two months of the quarter more than 80%, of the total quantity of any production material authorized for delivery during the quarter.

(i) *Interim procedure.* During the interim between filing a PRP application for a particular quarter and receipt of the PRP certificate for such quarter a person may apply or extend preference ratings for delivery during such quarter, and, in case he shall have submitted advance quarter applications, may on or before February 2, 1943, but not thereafter, apply or extend preference ratings for delivery during only the first advance quarter, as follows:

(1) If he has been operating under the Production Requirements plan, he may apply the same preference ratings he was authorized to apply by his PRP certificates for the preceding quarter, to orders calling for delivery of not more than 40% during the first month of the quarter and 70% during the entire quarter, of the quantities of the materials indicated as his anticipated requirements on his PD-25A and on any PD-25F application for the quarter, submitted prior to receipt by him of the first PRP certificate received by him for the quarter.

(2) If he has not been operating under the Production Requirements Plan, he may continue to apply and extend ratings under any applicable preference rating orders or preference rating certificates in the same manner as permitted prior to the beginning of the particular quarter; and, notwithstanding the termination of any preference rating order on or after the end of the preceding quarter, the same shall be deemed to continue in effect as to any such person until he receives his PRP certificate: *Provided, however,* That he shall not apply or extend ratings to the delivery in the particular quarter of any material in an aggregate quantity greater than 40% during the first month of the quarter, nor greater than 70% during the entire quarter, of the amount of such material which he has indicated as his anticipated requirements on his PRP application for the quarter, subject to any further restrictions contained in the preference rating certificates or orders assigning the ratings which he is applying or extending.

(3) After a person has received an advance quarter authorization, he may not thereafter apply ratings under the interim procedure to deliveries in that

[1] This document is a restatement of Amendment 1 to Priorities Regulation 11, as amended November 16, 1942 which appeared in the FEDERAL REGISTER of February 2, 1943, page 1350, and reflects the order in its completed form as of January 30, 1943.

advance quarter of any materials included in the authorization for that quarter, until he files a complete PD–25A application for such quarter, but must use only the ratings authorized on advance quarter authorizations for such materials in that quarter. Upon the filing of a complete PD–25A application for a quarter a PRP unit may then rate purchase orders in accordance wth the interim procedure even if this permits rating quantities in excess of those authorized by a previous advance quarter authorization for that quarter.

(4) A person who applies or extends any preference rating pursuant to this paragraph (j) shall deduct the amount of any material which he has received or to which he has applied or extended such rating from the amount rated or otherwise authorized by his corresponding PRP certificate (on Form PD–25A or PD–25F, as the case may be) when issued to him.

(j) *Rerating on receipt of PRP certificates.* (1) Each PRP unit, not later than the seventh day (including Sundays) after the receipt of any PRP certificate for a quarter, shall adjust its outstanding purchase orders so that they shall not exceed, either in quantities or in grades of preference rating, those authorized for the quarter and for any advance quarters covered by the PRP certificates in accordance with the provisions of this regulation; but this provision shall not require the adjustment of orders duly placed under paragraph (i) of this regulation for materials covered by a PD–25F application filed before receipt of a PD–25A certificate, until the return of such PD–25F certificate.

(2) This adjustment may be made by cancellation, postponement of deliveries, or by rerating. To the extent that authorized ratings are higher than those already applied to outstanding orders, rating adjustment shall be optional, and, with respect to any material, the balance of any authorized rating not used may be added to the authorized amount of any lower authorized rating.

(3) No person shall be required by the provisions of this paragraph (j), however, to cancel any order or portion thereof calling for delivery during the first twenty-one days of November 1942 or during the first twenty-one days of January 1943, of any listed material, if the producer thereof certifies in writing to such person (i) that substitution of other orders, or diversion of the material to fill other orders, (even if such other orders call for later delivery or carry a lower rating) is impossible, and (ii) that the production of such material has been completed or that cancellation would disrupt the producer's production schedules and result in substantially diminished production. Nothing herein contained, however, shall relieve a PRP unit from the obligation of cancelling or postponing delivery under other orders calling for delivery of similar material during the quarter, as to which no certification is received, to the extent necessary to bring the total receipts of such material during the quarter within the quantities authorized on its PRP certificates.

(k) *Restrictions on Class I producers who have not filed PRP applications.* Any Class I producer who has not filed his PRP application by the time required by this regulation or by any specific direction of the Director General for Operations may not extend or apply any rating, other than AAA ratings, until he has mailed or personally submitted his PRP application to the War Production Board: *Provided, however,* That these restrictions do not apply to ratings specifically assigned to a Class I producer for the purpose of acquisition of items of capital equipment, or materials for authorized plant expansion or plant construction.

(l) *Effect on existing orders and certificates.* (1) The provisions of this regulation do not terminate any other existing order or certificate granting preference rating assistance, but limit and prohibit the use of such orders or certificates by specified persons in the manner set forth above.

(2) The provisions of this regulation do not relieve PRP unit from compliance with the terms of any order of the War Production Board controlling the distribution or restricting the use of any specific material, including requirements for the filling or supplying of applications or other documents in connection with the purchase, sale, delivery, or use of any such material.

(m) *Special provisions with respect to metal mills.* Notwithstanding the foregoing provisions of this regulation, the following provisions shall govern with respect to any person (hereinafter in this paragraph (m) referred to as a "metal mill") to the extent that he is engaged in producing metals in any of the forms included on the attached metals list:

(1) A metal mill, in determining whether it is a Class I producer within the meaning of paragraph (b) (10) of this regulation, may exclude all receipts or withdrawals from inventory of metals which will be processed by the metal mill to produce any of the forms listed on the attached metals list. However, there must be included any metals in the forms listed, which will be used by it for maintenance, repair, or operating supplies, or will be fabricated by it beyond the forms listed.

(2) A metal mill need not include in its PRP application materials which will be processed by it to produce metals in any of the forms listed on the attached metals list, but it must include any material, including metals in the forms listed, which will be used by it for maintenance, repair, or operating supplies, or will be fabricated by it beyond the forms listed, and for which it requires priority assistance.

(3) A metal mill may extend and apply preference ratings assigned by a preference rating order or certificate, in the manner heretofore permitted, for delivery to it of material which has been excluded from its PRP application pursuant to the provisions of subparagraph (2) of this paragraph (m) and may accept delivery of such material.

(4) A metal mill, to the extent that it is engaged in producing any of the following:

(i) Pig iron and ferroalloys;

(ii) The following iron and steel products, including alloys: Ingots, blooms (including forged), billets (including forged), slabs (including forged), tube rounds, sheet and tin bars, structural shapes, piling, plates (universal and sheared), rails, tie plates, track spikes, splice bars, rail joints, hot rolled bars (including hoops and bands and concrete reinforcing bars), cold finished bars, pipe and tubes (except conduit), wire rods, wire as drawn (not including further fabrications therefrom), black plate, tin and terne plate, sheets, strip, tool steel bars (including high speed), steel wheels and axles (for railroad use only), railroad locomotive tires, armor plate, ordnance forgings, steel castings (rough as cast), skelp, rolling mill rolls, ingot molds;

(iii) Coke for use in the production of pig iron and ferroalloys; may accept deliveries of supplies in any quarter without regard to the limitations of paragraph (e) hereof of this regulation and, notwithstanding the limitations of paragraph (d) hereof, may apply the ratings assigned on its PRP certificate to deliveries of supplies in the amounts essential for proper operation, subject, however, in every case to the restrictions of § 944.14 of Priorities Regulation No. 1 and to all other applicable regulations and orders.

(n) [Revoked January 30, 1943]

(o) *Exceptions or exemptions.* The Director General for Operations may grant exceptions or exemptions with respect to any or all provisions of this regulation. Any such action shall be in writing over the signature of the Director General for Operations and shall refer specifically to the fact that it is an exemption from or an exception to this regulation.

Issued this 30th day of January, 1943.

CURTIS E. CALDER,
Director General for Operations

METALS LIST

(a) Any of the metals listed in subparagraph (1) below in any of the forms listed in subparagraph (2) below:

(1) Metals:

Iron	Zinc
Carbon steel	Nickel
Alloy steel	Tin
Stainless steel	Cupro-nickel
Aluminum	Monel
Magnesium	Nickel-silver
Copper	Chrome nickel
Brass	Cadmium
Bronze	Silver
Lead (including antimonial)	Tantalum metal
	Tungsten carbide

(2) *Forms of metal.* Annodes, bars, billets, blooms, blocks, castings (including die castings), cones, dust, extruded shapes, fabricated shapes, foil, forgings, ingots, pigs, pipe, plates, powder, rails, refinery shapes, rings, rivets, rods, scrap, sheets, shot, skelp, slabs, strip, structural shapes and piling, tie plates and track accessories, tube and tubing, tube rounds, wheels and axles, wire and wire rods, wire products (including barbed and twisted fencing, bale ties, nails, staples, rope and strand but not including insect wire screen cloth)

[F R Doc. 43–1791; Filed, February 2, 1943; 4:38 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Interpretation 1 of § 944.1 of Priorities Regulation 1]

The following official interpretation is hereby issued with respect to § 944.1 of Priorities Regulation No. 1 as amended:

Section 944.1 (b) defines "defense order" to mean, among other things, any contract or purchase order for material or equipment to be delivered to or for the account of the Army or Navy of the United States, the Panama Canal or the Coast Guard. At the present time the Panama Canal is part of the Army and the Coast Guard is part of the Navy. Some question has arisen as to whether the specific enumeration in Priorities Regulation No. 1 of the Panama Canal and the Coast Guard means that they do not fall within general references to the Army and Navy in other regulations and orders of the War Production Board. In particular, inquiries have been made as to whether exemptive provisions in limitation and conservation orders in favor of the Army and Navy also provide exemptions for the Panama Canal and the Coast Guard when the latter are not specifically mentioned.

An exemptive or other provision applicable to the Army also applies to the Panama Canal, and a provision applicable to the Navy to the Coast Guard, unless the provision expressly states otherwise.

Issued this 3d day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–1803; Filed, February 3, 1943; 10:52 a. m.]

PART 3013—SOLUBLE NITROCELLULOSE

[General Preference Order M–196, as Amended Feb. 3, 1943]

Section 3013.1 *General Preference Order No. M–196,* as amended, is hereby amended to read:

§ 3013.1 *General Preference Order No. M–196—(a) Definitions.*

(1) "Soluble nitrocellulose" means the product having a nitrogen content of 12.5% or less made by nitrating any form of cellulose (including linters, woodpulp and cellophane scrap), in the dehydrated, alcohol wet, xylol wet or water wet condition. The term includes smokeless powder scrap (regardless of nitrogen content), washed film scrap and all other soluble nitrocellulose scrap, including plasticized soluble nitrocellulose scrap, but does not include any base solution, unwashed film scrap, still film, or nitrocellulose suitable for dynamite manufacture.

(2) "Smokeless powder scrap" means any rejected smokeless powder unsuited for military purposes and made available for protective coatings and industrial uses.

(3) "Film scrap" means discarded nitrate motion picture scrap but does not include still film.

(4) "Plasticized soluble nitrocellulose scrap" means plasticized nitrocellulose scrap excluding film scrap, whether washed or unwashed, and also excluding still film.

(5) "Base solution" means soluble nitrocellulose (as above defined) in solution form.

(6) "Producer" means any person producing soluble nitrocellulose by nitration, any person washing film scrap and, in the case of smokeless powder scrap or plasticized soluble nitrocellulose scrap, the person who processes such scrap, to the extent only, however, that such processing is necessary to render such scrap usable (as soluble nitrocellulose) for the manufacture of other products. The term also includes a person who dissolves or puts into solution soluble nitrocellulose in the production of base solution.

(7) "Dealer" means a person who purchases soluble nitrocellulose scrap for resale as soluble nitrocellulose.

(b) *Directions with respect to production.* The Director General for Operations may from time to time issue directions to a producer or producers with respect to the type of soluble nitrocellulose which may or must be manufactured, or with respect to the division of production among types of soluble nitrocellulose. He may also issue directions with respect to the formula or formulae to be used by producers in dissolving soluble nitrocellulose.

(c) *Restrictions on deliveries and use of soluble nitrocellulose and base solution.* (1) Subject to paragraph (d) hereof, no person shall deliver, accept delivery of, use or process soluble nitrocellulose or base solution except as specifically authorized or directed by the Director General for Operations.

(2) Authorizations or directions with respect to delivery and use to be made in each month, will so far as practicable be issued by the Director General for Operations prior to the commencement of each month, but the Director General for Operations may at any time at his discretion and notwithstanding the provisions of paragraph (d) hereof, issue directions with respect to deliveries to be made or accepted or with respect to the use or uses which may or may not be made of material to be delivered or then on hand. He may also at any time issue directions with respect to transportation of soluble nitrocellulose or base solution.

(3) Each person specifically authorized to accept delivery of soluble nitrocellulose or base solution shall use such material for the purpose authorized, and only for such purpose, except as otherwise specifically directed.

(4) Soluble nitrocellulose or base solution allocated for inventory shall not be used except as specifically directed by the Director General for Operations, except that soluble nitrocellulose allocated for inventory as base solution may be dissolved or processed to make base solution.

(5) Where application is for authorization to use soluble nitrocellulose (whether to be received from another or in the applicant's possession) in the manufacture of a product, the authorization granted shall, unless the contrary is expressly stated, be considered an authorization to use for the purpose stated not only soluble nitrocellulose but base solution made by the applicant from soluble nitrocellulose. Similarly, where the application is for authorization to accept delivery of soluble nitrocellulose for resale as base solution, the authorization granted shall, unless the contrary is expressly stated, be considered an authorization to dissolve the soluble nitrocellulose.

(6) Authorization to deliver base solution shall, unless the contrary is expressly stated, be considered authorization to dissolve or put into solution the quantity of soluble nitrocellulose, if any, which may be necessary, taking into consideration base solution on hand, to permit the authorized delivery.

(d) *Unrestricted deliveries and use.* Specific authorization of the Director General for Operations shall not be necessary for:

(1) Acceptance of delivery, use or processing by any person of 232 lbs., dry weight, in the aggregate of soluble nitrocellulose or base solution during any one calendar month, provided that such person has not been specifically authorized to accept delivery of, use or process any quantity of soluble nitrocellulose or base solution during such month.

(2) Delivery of soluble nitrocellulose or base solution by any person to any other person who shall have delivered to the person making delivery a certificate in substantially the following form:

The undersigned purchaser hereby certifies to the War Production Board and to his supplier that the amount of soluble nitrocellulose [base solution] hereby ordered for delivery in ----------, 1943, will not, (month)
taken together with all other amounts delivered or ordered for delivery in said month, exceed 232 lbs., the amount permitted by paragraph (d) (1) of General Preference Order M–196.

(Name of purchaser)
By ----------
(Duly authorized official)

(Title)

(Date)

Provided, however, That:

(i) No supplier shall make deliveries during any calendar month pursuant to this paragraph (d) (2), if such deliveries will prevent completion of any deliveries specifically authorized or directed to be made in such month; and

(ii) No supplier shall deliver an aggregate amount of soluble nitrocellulose and base solution in any calendar month pursuant to this paragraph (d) (2) in excess of one percent (1%) of the amount of soluble nitrocellulose and base solution (considered together) which he is specifically authorized to deliver in such month.

(3) Delivery of unprocessed smokeless powder scrap to any producer by the Ordnance Department of the United States Army or by the Bureau of Ordnance of the United States Navy, or the acceptance of delivery of such smokeless powder scrap by any producer from such Department or Bureau.

(4) Delivery of plasticized soluble nitrocellulose scrap to a producer, or to a dealer for resale to a producer. This paragraph (d) (4) does not permit the delivery of such plasticized scrap to any

person for use, or for sale for use, in the manufacture of any product other than soluble nitrocellulose or base solution, except where specifically authorized or directed by the Director General for Operations.

(5) The processing of smokeless powder scrap by any producer for one of the following purposes only:

(i) Use as an ingredient of new smokeless powder production;

(ii) Processing to the extent necessary to render such scrap usable (as soluble nitrocellulose or base solution) for the manufacture of other products.

(e) *Directions with respect to deliveries of unwashed film scrap.* The Director General for Operations may from time to time issue directions with respect to the delivery, acceptance of delivery, use or storage of unwashed film scrap by any person.

(f) *Certification of consumer use.* (1) No manufacturer who uses soluble nitrocellulose or base solution in the manufacture of any product (including lacquer, plastics and coated fabrics, but not including base solution) and who, to receive or use such soluble nitrocellulose or base solution, is required by paragraph (c) (1) hereof to obtain specific authorization of the Director General for Operations, shall accept or fill an order for such product unless the person placing the order shall, at or prior to the time of placing the order, have filed a certificate specifying the ultimate use to which such product is to be put. Such certificate may be placed on the purchaser's purchase order and shall be in substantially the following form:

The undersigned hereby certifies that the product covered by the accompanying purchase order will be used solely for the production of the products and materials listed above and that such products and materials will be used only for the purpose or purposes designated.

_____
(Name of customer)

By _____
(Authorized official)

_____
(Title)

_____
(Date)

The above certificate shall constitute a representation to (but shall not be filed with) War Production Board.

(2) The certification provided for in paragraph (f) (1) shall be sufficiently specific to enable the manufacturer with whom the order is placed accurately to indicate product use on the application for soluble nitrocellulose or base solution filed by him pursuant to paragraphs (g) and (h) respectively. "Furniture", for example, is not a sufficient description of ultimate use. The certificate must show, rather, whether the use of the product on furniture is as a sealer, finish coat or other type of application, and must also show the type of furniture and use to which it will be put; for example, home, office, Army.

(g) *Applications for delivery and use of soluble nitrocellulose.* Each person seeking authorization to accept delivery of, use or process soluble nitrocellulose during any calendar month (except as provided in paragraph (d) hereof), whether for own consumption or for resale either as soluble nitrocellulose or as base solution, shall file application therefor on or before the 15th day of the month preceding the month for which authorization for delivery or use is requested. Where delivery or use is sought for any period prior to March, 1943, application shall be filed as many days as possible in advance of the requested delivery or use. In any case, the application shall be made on form PD-600, in the manner prescribed therein, subject, however, to the following specific instructions:

(1) Copies of Form PD-600 may be obtained at the local field offices of the War Production Board.

(2) Five copies shall be prepared of which four shall be forwarded to the War Production Board, Chemicals Division, Washington, D. C., Ref: M-196; the fifth to be retained for applicant's files.

(3) In the heading, under the name of chemical, specify "soluble nitrocellulose"; under WPB Order No., specify "M-196"; under unit of measure, specify pounds, dry weight. On three of the copies furnished War Production Board, insert name of usual supplier under heading "Supplier with whom this order is placed" and give his shipping point. On the fourth copy filed with the War Production Board, leave this space blank.

(4) In Columns 1, 11 and 19, insert type of soluble nitrocellulose in terms of the following: prime nitrocellulose, processed smokeless powder scrap, washed film scrap, other scrap (specify) and where the type applied for is prime nitrocellulose, state viscosity number.

(5) In Columns 3, 20 and 22, specify primary product in terms of the following:

Lacquer
Dope
Plastic
Cement
Decalcomania
Coated fabric
Other (specify)
Resale (as soluble nitrocellulose)
Base solution for resale
Inventory (as soluble nitrocellulose)
Inventory (as base solution)

In no case specify base solution as your primary product except where requested for inventory or resale.

(6) In Column 4, specify ultimate use of product (for example, where the "primary product" called for by Column 3 is "laoquer", "ultimate use" might be "airplane wing coating"), and also specify in each case whether the person to whom you sell your product is Army, Navy, other Government Agency, Lend-Lease or commercial customer. Where the Form PD-600 is an application for soluble nitrocellulose for resale to others in the form of soluble nitrocellulose or of base solution, or is for inventory (either as soluble nitrocellulose or as base solution), leave Column 4 blank.

(7) Where the Form PD-600 is an application for soluble nitrocellulose for use solely in the manufacture of plastic, specify separately in Column 2 the quantities required for each customer for each primary product and product use; and in Column 10 list, opposite the applicable quantity and product use, the name of the customer to whom the plastic is being sold. Where several customers are buying for the same product use, the quantities in Column 2 must be listed separately for each customer.

(8) In each case where the application on Form PD-600 for authorization to accept delivery of or use soluble nitrocellulose is granted, one copy of Form PD-600 signed by the Director General for Operations will be returned to the applicant and, where the application is for authorization to accept delivery, a second copy will be sent by the War Production Board to the supplier selected by the War Production Board, with a letter from the Director General for Operations to such supplier authorizing delivery as indicated on such copy.

(h) *Applications for deliveries and use of base solution.* Each person seeking authorization to accept delivery of or use base solution during any calendar month, (except as provided in paragraph (d) hereof), shall file application therefor on or before the 15th day of the month preceding the month for which authorization for delivery or use is requested. Where delivery or use is sought for any period prior to March, 1943, application shall be filed as many days as possible in advance of the requested delivery or use. In any case, the application shall be made on Form PD-600, in the manner prescribed therein, subject, however, to the following specific instructions:

(1) Copies of Form PD-600 may be obtained at the local field offices of the War Production Board.

(2) Five copies shall be prepared of which four shall be forwarded to the War Production Board, Chemicals Division, Washington, D. C., Ref: M-196, the fifth to be retained for applicant's files.

(3) In the heading, under name of chemical, specify "base solution"; under WPB Order No., specify "M-196"; under unit of measure, specify pounds, dry weight. On three of the copies furnished War Production Board, insert name of usual supplier under heading "Supplier with whom this order is placed" and give his shipping point. On the fourth copy filed with the War Production Board leave this space blank.

(4) In Columns 1, 11 and 19, insert type of base solution in terms of the following: prime nitrocellulose, film scrap, smokeless powder scrap, other scrap (define).

(5) In Columns 3, 20 and 22 specify primary product in terms of the following.

Lacquer.
Dope.
Plastic.
Cement.
Decalcomania.
Coated fabric.
Other (specify).
Resale (as base solution).
Inventory (as base solution).

(6) In Column 4, specify ultimate use of product (for example, where the "primary product" called for by Column 3 is "lacquer", "ultimate use" might be "airplane wing coating"), and also specify in each case whether the person to whom you sell your product is Army, Navy, other government agency, Lend-Lease or commercial customer. Where the Form PD-600 is an application for base solution for resale to others or is for inventory, leave Column 4 blank.

(7) Where the Form PD-600 is an application for base solution for use solely in the manufacture of plastic, specify separately in Column 2 the quantities required for each customer for each primary product and product use; and in Column 10 list opposite the applicable quantity and product use the name of the customer to whom the plastic is being sold. Where several customers are buying for the same product use, the quantities in Column 2 must be listed separately for each customer.

(8) In each case where the application on Form PD-600 for authorization to accept delivery of or use base solution is granted, one copy of Form PD-600 signed by the Director General for Operations will be returned to the applicant and, where the application is for authorization to accept delivery, a second copy will be sent by the War Production Board, with a letter from the Director General for Operations to such supplier authorizing delivery as indicated on such copy.

(i) *Reports.* (1) Each producer of soluble nitrocellulose or base solution shall file Form PD-601 on or before the 15th day of each month, beginning with March, 1943. Such Form PD-601 shall be executed in the manner prescribed therein, subject to the following specific instructions:

(i) Copies of Form PD-601 may be obtained at local field offices of the War Production Board.

(ii) Two copies shall be prepared of which one shall be forwarded to the War Production Board, Chemicals Division, Washington, D. C., Ref: M-196, the second copy to be retained for producer's file.

(iii) In the heading, under name of chemical, specify "soluble nitrocellulose"; under WPB Order No., specify "M-196"; under name of company, state name and mailing address; under unit of measure, specify lbs., dry weight; in heading "This schedule is for deliveries to be made during the month of _____, 194_", strike out the words "to be" and specify the month which precedes the month in which Form PD-601 is filed.

(iv) List in Column 1 "Total small order deliveries last month", and in Column 4 specify the total quantity of soluble nitrocellulose or base solution (in pounds, dry weight) delivered by producer in such last month pursuant to paragraphs (d) (1) and (d) (2) hereof. In other respects, Table I shall be left blank in its entirety.

(v) In Column 8, insert type in terms of the following:

Prime nitrocellulose.
Processed smokeless powder scrap.
Washed film scrap.
Other scrap (specify).
Prime nitrocellulose solution.
Film scrap solution.
Smokeless powder scrap solution.
Other scrap solution (specify).

(vi) Leave blank Columns 15 and 16.

(2) The Director General for Operations may require each person affected by this order to file such other reports as may be prescribed and may issue special directions to any such person with respect to the preparing and filing of Forms PD-600 and PD-601.

(j) *Notification of customers.* Each supplier shall notify his regular customers as soon as possible of the requirements of this order but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(k) *Miscellaneous provisions* — (1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of the War Production Board priorities regulation, as amended from time to time, except Priorities Regulation No. 13, which shall be subject to this order to the extent that it is inconsistent herewith.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C. Ref: M-196.

This amended order shall, on February 10, 1943, supersede General Preference Order M-196, issued August 6, 1942, and Amendment 1 thereto, issued August 31, 1942.

Issued this 3rd day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1802; Filed, February 3, 1943; 10:52 a. m.]

Chapter XI—Office of Price Administration

PART 1306—IRON AND STEEL

[RPS 49,[1] Amendment 11]

RESALE OF IRON OR STEEL PRODUCTS

A statement of the considerations involved in the issuance of this Amendment No. 11 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Paragraphs (y) and (z) are added to § 1306.157, the head-note of § 1306.159 is amended, paragraph (a) (2) of § 1306.159 is amended, paragraph (s) is added to § 1306.159 and paragraph (k) is added to § 1306.158a, to read as set forth below.

§ 1306.157 *Definitions.* When used in Price Schedule No. 49, the term:

* * * * *

(y) "Imported" means entered into the continental United States from outside thereof for consumption therein or withdrawn from a bonded warehouse in the United States for consumption therein.

(z) "Total landed costs" means the sum of the price charged by the foreign seller, plus all the costs, expenses and charges, including customs duties and import taxes, if any, incurred by a seller with respect to a shipment of an imported iron or steel product from the point of shipment outside the continental United States to the point in the continental United States designated by the seller for initial delivery.

§ 1306.159—*Appendix A: Domestic, export and import maximum prices for iron and steel products.*—(a) *Maximum delivered prices in any city, whether listed or unlisted, or free delivery area, in which the seller is located.* * * *

(2) Extras which were customarily charged as of April 16, 1941, may be computed in the maximum delivered price: *Provided*, That such extras do not exceed those established and charged on April 16, 1941, by sellers listed in § 1306.160 Appendix B of Price Schedule No. 49. Extras listed but not customarily charged as of April 16, 1941, shall not be charged. Deductions customarily granted as of April 16, 1941, shall be deducted in computing the maximum delivered price. Where a seller has paid a mill the extra for full finish or cold reduced finish on cold rolled sheets of No. 13 U. S. S. gauge and heavier, as allowed by the provisions of § 1306.8 (b) of Revised Price Schedule No. 6, he may charge an extra for No. 11 U. S. S. gauge and heavier of $1.00 per 100 pounds, and an extra for No. 12 and No. 13 U. S. S. gauge of $0.50 per 100 pounds.

* * * * *

(s) *Maximum prices for imported iron or steel products.* (i) The maximum delivered price for sales or deliveries of any iron or steel product imported prior to April 16, 1941, shall be the price for the product as established by the provisions of Revised Price Schedule No. 49 without reference to subdivision (ii) below.

(ii) The maximum delivered price for sales or deliveries of any iron or steel product imported on and after April 16, 1941, shall be the price for the product as established by the Office of Price Administration, upon application by the seller. In establishing such price, the Office of Price Administration shall take into consideration the importance of the product to the war effort, and, wherever appropriate, any increase in the total landed costs of the product over the total landed costs of the same product or a similar product sold by the seller or a similar seller on or about April 16, 1941. The application by the seller shall include a proposed price and all information which he considers necessary for the Office of Price Administration to judge that proposed price and to determine the price to be established: *Provided*, That no petition or application for amendment, adjustment, exception or other relief made by the buyer of an imported iron or steel product will be entertained by the Office of Price Administration to the extent that such petition or application is based, directly or indirectly, on the purchase from a seller of an imported iron or steel product at a price higher than the price established under subdivision (i) above for the same or similar imported iron or steel product. If the seller of the imported iron or steel product has applied or intends to apply to the Office of Price Administration for the establishment of a price under the provisions of this subdivision (ii), he shall prior to the time of selling or agreeing to sell the product notify the buyer in writing of the above limitation. In any case, under this subparagraph, where a maximum delivered price is to be determined by the Office of Price Administration, a seller may prior to such determination contract, sell, bill and deliver at an adjustable price, the definite price to be finally determined by the Office of Price Administration.

§ 1306.158a *Effective dates of amendments.* * * *

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1300, 1836, 2132, 2473, 2540, 2682, 3330, 3893, 4342, 5176, 6893, 6935, 8948, 10844, 8 F.R. 319.

(k) Amendment No. 11 to Revised Price Schedule No. 49 shall become effective February 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1769; Filed, February 2, 1943; 3:36 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 107,[1] Amendment 8]

USED TIRES AND TUBES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new § 1315.1351b is added; paragraph (c) in § 1315.1355 is revoked, and paragraph (d) is redesignated paragraph (c); a new subparagraph (18) is added to paragraph (a) in § 1315.1358, as set forth below:

§ 1315.1351b *Federal excise tax on factory rebuilt tubes.* The amount of the Federal excise tax paid in connection with any factory rebuilt tube may be added to the maximum price set forth for such tube in Appendix A or B (§§ 1315.1360 and 1315.1361): *Provided,* That the person who rebuilt such tube has plainly marked it, by tag or otherwise, with the words "Factory Rebuilt" and that such marking has not been removed before the delivery of the tube to the purchaser.

§ 1315.1358 *Definitions.* • • •

(18) "Factory rebuilt tube" means a used tube in which at least one damaged portion has been replaced by splicing and vulcanizing into the tube a sound portion of another tube or which has been cut down to a smaller size by splicing and vulcanizing together sound portions of the tube.

§ 1315.1359a *Effective dates of amendments.* • • •

(h) Amendment No. 8 (§§ 1315.1351b, 1315.1355 (c) and (d), 1315.1358 (a) (18)) to Maximum Price Regulation No. 107 shall become effective February 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1771; Filed, February 2, 1943; 3:38 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1838, 1981, 2394, 3891, 5177, 7365, 8586, 8799, 8802, 8948.

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 220,[1] Amendment 3]

CERTAIN RUBBER COMMODITIES

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Sections 1315.1553, 1315.1555 and 1315.1559 are amended; in § 1315.1556 the first paragraph of paragraph (a) is amended and a new sentence is added to paragraph (b); in § 1315.1557 the text preceding paragraph (a) is amended, the last sentence of paragraph (c) is amended, a new sentence is added to paragraph (d) and a new paragraph (e) is added and in § 1315.1558 the second sentence of paragraph (b) is amended, all as set forth below:

§ 1315.1553 *Maximum prices for rubber commodities delivered or offered for delivery during March, 1942.* (a) The maximum price for a sale by a manufacturer of any rubber commodity which is the same as a commodity which was delivered or offered for delivery in March, 1942, by the manufacturer, shall be the highest price charged by the manufacturer during March, 1942, (as defined in paragraph (a)(1) of § 1315.1564) for the commodity less the deduction required by the next paragraph (b), wherever applicable.

(b) If, during March, 1942, the manufacturer did not customarily state and collect separately from the purchase price the federal excise tax on rubber commodities, he shall deduct the amount of such tax from the maximum price determined in accordance with the provisions of paragraph (a) of this section.

§ 1315.1555 *First pricing method; minor changes.* The maximum price of any commodity differing from a commodity delivered or offered for delivery by the manufacturer during March, 1942, only by reason of minor changes in material, design, or construction which do not reduce cost of materials or prevent its offering fairly equivalent serviceability shall be the maximum price (determined in accordance with § 1315.1553) of the commodity delivered or offered for delivery during that period.

§ 1315.1556 *Second pricing method: Changes necessitated by shortages of materials or parts*—(a) *Maximum prices.* The maximum price of any rubber commodity which cannot be priced under § 1315.1555 and which differs from a commodity delivered or offered for delivery by the manufacturer during March, 1942, only because of changes necessitated by shortages of materials or parts, shall be determined as follows: The manufacturer shall first determine the maximum price to each class of purchaser (in accordance with § 1315.1553) of the commodity delivered or offered for delivery during March, 1942. The manufacturer shall then determine the maximum price of the changed commodity for each class of purchasers by adding to or subtracting from this price for the particular class of purchasers, the increase or decrease in direct costs resulting from the changes. The seller must determine the maximum price of a commodity priced under this section before he first offers it for sale. Once the seller has determined his maximum price for the sale of a particular commodity to a particular class of purchasers under this section, that price is his maximum for all future sales of that commodity to that class of purchasers.

• • • • •

(b) *Reports of maximum prices.* • • • The report required by this paragraph (b) shall not be made on orders of less than $25.00.

§ 1315.1557 *Third pricing method: Other than minor changes or changes necessitated by shortages of materials or parts.* The maximum price of any commodity which cannot be priced under §§ 1315.1555 or 1315.1556 shall be the price determined by the use of the following formula: The maximum price shall be the sum total of direct costs and gross margin, less the deduction required by paragraph (e) of this section wherever applicable, determined as follows:

• • • • •

(c) *Maximum price for standard list items.* • • • This adjustment in the maximum price of the commodity shall be made between 45 and 75 days after the manufacturer begins the production of such commodity as a standard list item.

(d) *Reports of maximum prices.* • • • The report required by this paragraph (d) shall not be made on orders of less than $25.00.

(e) *Deduction of the amount of the federal excise tax on rubber commodities.* If, during March, 1942, the manufacturer did not customarily state and collect separately from the purchase price the federal excise tax on rubber commodities, he shall deduct the amount of such tax from the maximum price determined in accordance with the provisions of paragraphs (a) to (c), inclusive of this section.

§ 1315.1558 *Fourth pricing method; specific authorization by the Office of Price Administration.* • • •

(b) • • • The report shall contain: (1) a description in detail of the commodity (including the manufacturing process); (2) a statement of the facts which make it necessary to price the commodity under this section; (3) a proposed pricing method and the price for the commodity determined in accordance with this method; and (4) a statement of the reasons why the manufacturer believes that the use of this method results in prices which are in line with the level of maximum prices established by this regulation. • • •

[1] 7 F.R. 7282, 8936, 8948, 11111.

§ 1315.1559 *Terms and conditions of sale.* (a) Except for such changes as result from the application of the pricing methods contained in §§ 1315.1556 or 1315.1557, no manufacturer shall change the allowances, discounts or other price differentials which he had in effect during March, 1942, for the same or similar types of commodities unless such change results in a lower net price.

(b) No manufacturer shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery of rubber commodities than the manufacturer required purchasers of the same class to pay on deliveries of the same or similar types of commodities during March, 1942.

§ 1315.1567 *Effective dates of amendments.* • • •

(c) Amendment No. 3 (§§ 1315.1553; 1315.1555; 1315.1556; 1315.1557; 1315.1558 (b); 1315.1559) to Maximum Price Regulation No. 220 shall become effective February 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1772; Filed, February 2, 1943; 3:36 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Ration Order 1A,[1] Amendment 7]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1315.809 is revoked; paragraph (d) of § 1315.302 is revoked and paragraph (e) thereof is redesignated paragraph (d); paragraph (a) (4) of § 1315.607 is revoked and a new paragraph (b) (4) is added to § 1315.607; a new paragraph (g) is added to § 1315.509; and a new paragraph (g) is added to § 1315.602 as set forth below; paragraph (b) of § 1315.508, paragraphs (a) and (d) of § 1315.509, paragraph (d) of § 1315.602 and subparagraphs (1) and (3) of § 1315.1003 (a) are amended to read as follows:

§ 1315.508 • • •

(b) *Limitation upon applications.* An applicant who has obtained a certificate authorizing him to acquire camelback under § 1315.805 of the Revised Tire Rationing Regulations[2] or under this section may not thereafter file another application, except for authority to purchase camelback for molds which he acquired subsequent to the issuance of the certificate.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9160, 9392, 9724, 10072, 10336, 8 F.R. 435, 606.

[2] 7 F.R. 1027, 2541, 3830, 4856, 5867, 6775, 7973.

§ 1315.509 *Eligibility for allotment of tires and tubes.* (a) *Applicant must be a dealer or intend to become a dealer.* A State Director or District Manager may issue certificates authorizing the following persons to acquire allotments of passenger-type tires and tubes:

(1) A person who was a dealer on December 31, 1942 and who filed OPA Form R-17 for the quarter ending December 31, 1942 for the establishment for which application is made or was exempted from filing OPA Form R-17 for such establishment under § 1315.1007 (b);

(2) A person who intends in good faith to become a dealer if he, or a person in his employ, has had previous experience in the sale and servicing of tires, possesses equipment and facilities necessary to inspect and service tires properly and agrees to become a tire inspector. The State Director or District Manager may refuse to authorize the allotment if granting it will defeat or impair the effectiveness or policy of this Ration Order No. 1A.

• • • • • •

(d) *Amount of allotment of used tires.* Each applicant may be allotted one used passenger-type tire (recappable carcasses, repairable tires, recapped tires and used tires serviceable without recapping or repairing) for each $1,000 of his 1941 retail and wholesale net dollar sales of passenger-type tires and tubes from the establishment for which the allotment is sought, but any applicant shall be entitled to at least twelve (12) such used passenger-type tires: *Provided,* That an applicant who is eligible under paragraph (a) (2) (new dealers) may not secure an allotment of used passenger-type tires under this paragraph.

• • • • • •

(g) *Calculation of sales by dealers in business part of 1941.* In determining his allotments under this section, an applicant who was a dealer for at least one (1) month in 1941 but for less than the entire year, may calculate his retail and wholesale net dollar sales of passenger-type tires and tubes by multiplying by twelve (12) his average monthly sales for the time during 1941 that he was a dealer.

§ 1315.602 *Filing of applications.* • • •

(d) *Allotment of camelback for recappers.* Applications for certificates authorizing the acquisition of an allotment of camelback shall be filed on OPA Form R-9 (Revised) with the State Director or District Manager for the area in which the principal place of business of the applicant is located.

• • • • • •

(g) *Allotment of tires and tubes for new dealers.* Applications by persons eligible under § 1315.509 (a) (2) (new dealers) for an allotment of passenger-type tires and tubes shall be filed on OPA Form R-55 with the State Director or District Manager for the area in which the establishment for which the allotment is sought is to be located.

§ 1315.607 • • •

(b) *By a State Director or District Manager.* • • •

(4) *For allotment of camelback.* OPA Form R-10 (Revised) authorizing an applicant to acquire an allotment of camelback.

§ 1315.1003 *Disposition of parts of certificates and receipts*—(a) *Certificates or receipts for tires, tubes, or camelback.* • • •

(1) *Part A.* Part A of OPA Form R-2 (Revised) and OPA Form R-46 shall be retained by the transferor as his record; Part A of OPA Form R-20 shall, within three days of the date of transfer of the tires or tubes, be sent to the issuing Board which shall retain it as its record; Part A of OPA Form R-10 (Revised) shall within five days of the date of transfer of the camelback be sent to the issuing State or district office which shall retain it as its record; Part A of OPA Form R-12 (Revised) shall be sent to the regional office for the area in which the transferor's principal place of business is located within fifteen (15) days from the end of each calendar month in which deliveries have been made, and Part A of OPA Form R-48 shall be retained by the recapper as his record.

• • • • • •

(3) *Part C.* Part C of OPA Form R-2 (Revised) and OPA Form R-46 shall, within three (3) days of the date of transfer of the tires, tubes or camelback, be sent to the issuing Board, State or district office which shall retain it as its record. Part C of OPA Form R-20 and OPA Form R-12 (Revised) shall be retained by the transferor as his record.

• • • • • •

§ 1315.1199 *Effective dates of amendments.* • • •

(g) Amendment No. 7 (§§ 1315.302, 1315.508, 1315.509, 1315.602, 1315.607, 1315.809 and 1315.1003) to Ration Order No. 1A shall become effective February 8, 1943.

(Pub. Law No. 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, W.P.B. Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 2d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1770; Filed, February 2, 1943; 3:37 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 300]

MAXIMUM MANUFACTURERS' PRICES FOR RUBBER DRUG SUNDRIES

Correction

In Table I, Appendix B, of the document appearing on page 872 of the issue for Tuesday, January 19, 1943, the price listed in the third column for hot water bottles, "Consumer grade — colored—(molded)" should read .57 and the price for "Consumer grade—black—(molded)" should be .43.

PART 1340—FUEL

[Correction to Amendment 19 to MPR 137[1]]

PETROLEUM PRODUCTS SOLD AT RETAIL

Subparagraph (1) of § 1340.91 (l) of Amendment 19 to Maximum Price Regulation No. 137 is corrected to read as set forth below:

(1) The maximum price at a retail establishment for naphthas, solvents, mineral spirits, kerosene, No. 1 fuel oil or heavier distillate fuel oil when sold as anti-freeze preparations shall be the sum of the delivered cost per gallon thereof at the retail establishment and 3¢ per gallon. The maximum price for the particular product at the particular retail establishment shall be automatically adjustable as the delivered cost thereof at the particular retail establishment changes. For the purposes of this paragraph (l) the delivered cost shall be deemed to change only after the seller has sold an amount equal to the volume on hand at the time the change in the delivered cost occurs.

§ 1340.93a *Effective dates of amendments.* • • •

(u) This correction shall be effective as of February 1, 1943.

(Pub. Law 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1773; Filed, February 2, 1943; 3:39 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[Rev. MPR 130,[1] Amendment 1]

STANDARD NEWSPRINT PAPER

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1347.283, paragraph (a) (1) is amended to read as set forth below:

§ 1347.283 *Appendix A: Maximum prices for standard newsprint paper*—(a) *Maximum prices per ton of white standard newsprint paper in rolls sold either in carload or less than carload quantities.* (1) The maximum prices established herein, except those established for Zone 10,[2] shall be f. o. b. point of origin, lowest carload rate of freight allowed to destination point: *Provided*, That in all sales of l. c. l. quantities by a merchant from his warehouse stocks, maximum prices may be f. o. b. warehouse without freight allowance: *And provided further*, That in all sales or deliveries to the United States or any agency thereof, in which the purchaser requires that the price be stated f. o. b. mill, no freight allowed, the seller may charge a maximum price f. o. b. mill computed as follows:

(i) If, at the time of quoting a price, the seller knows or can ascertain the destination point of the shipment, he may charge the maximum price specified in the regulation for shipment to said destination point, less the lowest available carload rate of freight to that point.

(ii) If, however, at the time of quoting a price, the seller does not know and cannot ascertain the destination point, he may charge the average price, computed on an f. o. b. mill basis, which he charged on all his sales and deliveries of standard newsprint paper during the calendar month or the nearest equivalent accounting period prior to quoting such price.

§ 1347.282a *Effective dates of corrections and amendments.* • • •

(b) Amendment No. 1 (§ 1347.283) to Revised Maximum Price Regulation No. 130, shall become effective February 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1774; Filed, February 2, 1943; 3:39 p. m.]

PART 1363—FEEDINGSTUFFS

[MPR 74, as Amended, Amendment 5]

ANIMAL PRODUCT FEEDINGSTUFFS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1363.66 is hereby added to said Maximum Price Regulation No. 74, as amended, to read as set forth below:

§ 1363.66 *Inclusion of 3% freight tax in transportation charges.* (a) Whenever provision is made in this regulation for the addition of transportation or freight charges in determining maximum prices hereunder and whenever any other reference is herein made to such charges the tax imposed by section 620 of the Revenue Act of 1942 (Pub. Law 753, 77th Cong., approved October 21, 1942) shall be deemed to be a part of and shall be included in said charges with like effect as if it were a like increase in the rate or amount charged by the carrier for the transportation in question.

(b) The provisions of Supplementary Order No. 31 issued by the Office of Price Administration on November 26, 1942 (Document No. 7623) shall have no application to this Maximum Price Regulation No. 74, as amended.

§ 1363.61a *Effective date of amendments.* • • •

(e) This Amendment No. 5 to Maximum Price Regulation No. 74, as amended, (§1363.66) shall become effective on February 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1775; Filed, February 2, 1943; 3:39 p. m.]

PART 1372—SEASONAL COMMODITIES

[MPR 315]

LEAD ARSENATE

In the judgment of the Price Administrator, it is necessary and proper, in order to effectuate the purposes of the Emergency Price Control Act of 1942 as amended, and Executive Order 9250, issued by the President on October 3, 1942, that maximum prices for the sale of lead arsenate by manufacturers and distributors be established by a specific maximum price regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are generally fair and equitable, and will effectuate the purposes of the said act, as amended, and of the said executive order. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

So far as practicable, the Price Administrator has ascertained and given due consideration to the prices of lead arsenate prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

Therefore under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order 9250, and in accordance with Revised Procedural Regulation No. 1,[1] issued by the Office of Price Administration, Maximum Price Regulation No. 315 is hereby issued.

Sec.

1372.201 Applicability of this Maximum Price Regulation No. 315.
1372.202 Prohibition against sales above maximum prices.
1372.203 List of maximum prices which manufacturers may charge for lead arsenate.
1372.204 Maximum prices which distributors may charge for lead arsenate.
1372.205 Customary allowances and discounts.
1372.206 Notification by manufacturers of price changes.
1372.207 Export sales.
1372.208 Petitions for Amendment
1372.209 Evasion.
1372.210 Enforcement.
1372.211 To what extent the General Maximum Price Regulation applies.
1372.212 Definitions.
1372.213 Effective date.

AUTHORITY: §§ 1372.201 to 1372.213, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1372.201 *Applicability of this Maximum Price Regulation No. 315*—(a) *What transactions are covered.* This regulation applies to sales of lead arsenate by manufacturers and by distributors. This regulation does not apply to sales at retail prices for which are established by Maximum Price Regulation 144,[2] as amended.

(b) *Geographic applicability.* The provisions of this regulation apply to the forty-eight states of the United States and to the District of Columbia.

§ 1372.202 *Prohibition against sales above maximum prices.* (a) On and after February 8, 1943, regardless of any contract or obligation, no person shall sell or deliver lead arsenate at prices higher than the maximum prices established by this regulation. No person shall buy or receive lead arsenate in the course of trade or business at prices higher than the maximum prices established by this regulation. Nor shall any person agree, offer, solicit, or attempt to do any of these things. However, prices lower than the maximum prices may be charged and paid.

(b) The provisions of this section shall not apply to sales or deliveries of lead arsenate which prior to February 8, 1943 have been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to the purchaser; and in the case of sales by distributors, the provisions of this section shall apply only to goods shipped to them by manufacturers on or after the effective date of this regulation.

§ 1372.203 *List of maximum prices which manufacturers may charge for lead arsenate.* (a) The maximum prices that manufacturers may charge for lead arsenate, delivered to the purchaser, when sold in quantities of 96 pounds or more, shall be:

STANDARD LEAD ARSENATE POWDER

Item	Maximum prices per pound to other manufacturers or distributors	Maximum prices per pound to all other purchasers
5-pound bags or larger:		
Carlots	$0.11	$0.11½
Less than carlots	.11½	.12
1-pound bags:		
Carlots	.16	.20
Less than carlots	.16½	.20½
1-pound cartons:		
Carlots	.18	.22
Less than carlots	.18½	.22½
½-pound cartons:		
Carlots	.21	.25
Less than carlots	.21½	.25½

STANDARD LEAD ARSENATE PASTE

Carlots	$0.05¾	$0.06
Less than carlots	.06	.06¼

BASIC LEAD ARSENATE POWDER

5-pound bags or larger:		
Carlots	$0.11½	$0.12
Less than carlots	.12	.12½
1-pound cartons:		
Carlots	.18½	.22½
Less than carlots	.19	.23

(b) Sales in quantities of less than 96 pounds may be made at the above maximum prices f. o. b. the manufacturer's factory or warehouse.

§ 1372.204 *Maximum prices which distributors may charge for lead arsenate*—(a) *If manufacturers' prices are unchanged.* If the maximum prices that may be charged by the manufacturer from whom the distributor buys are not changed by this regulation, the distributor's maximum prices are not changed, but remain as established under the General Maximum Price Regulation.

(b) *If manufacturers' prices are increased or reduced.* If the maximum prices that may be charged by the manufacturer from whom the distributor buys are increased or reduced by this regulation, the distributor's maximum prices shall be increased or reduced, as the case may be, by a like amount in dollars and cents.

(c) *If the distributor has not previously established maximum prices.* If a distributor has not previously established maximum prices for lead arsenate, his maximum prices shall be the maximum prices for lead arsenate of his most closely competitive seller of the same class established under this regulation.

§ 1372.205 *Customary allowances and discounts.* No manufacturer or distributor is permitted to change his customary allowances, discounts, and price differentials, including allowances, discounts, and price differentials for different classes of purchasers, unless such change results in a lower net price.

§ 1372.206 *Notification by manufacturers of price changes.* If reductions or increases of the manufacturer's maximum prices for lead arsenate result from the provisions of this regulation, every manufacturer shall supply a written statement to each purchaser at or before the time of first delivery after the price reduction or increase becomes effective, and shall attach on or include within each shipping case the written statement. If the statement is included within the shipping case, a legend shall be affixed on the outside of the case reading, "Pricing Notice Enclosed". The written statement shall read as follows:

The OPA has authorized us to increase (required us to reduce) the ceiling price on ---------- by $ ----------. You are allowed to increase (required to reduce) your ceiling price for this product by the same amount. If any sale by a distributor is a split case sale, such distributor shall supply the purchaser with a copy of this notice. OPA requires distributors and dealers to keep this notice for examination.

§ 1372.207 *Export sales.* The maximum prices at which a person may export lead arsenate shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[3] issued by the Office of Price Administration.

§ 1372.208 *Petitions for amendment.* Any person seeking a modification of any provision of this Maximum Price Regulation No. 315 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[4] issued by the Office of Price Administration.

§ 1372.209 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 315 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt, of or relating to lead arsenate, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying agreement or other trade understanding, or by any other means.

§ 1372.210 *Enforcement.* Persons violating any provision of this Maximum Price Regulation No. 315 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages, and proceedings for suspension of licenses, provided for by the Emergency Price Control Act of 1942 as amended. Persons having evidence of any violation of this regulation are urged to communicate with the nearest field, state, or regional office of the Office of Price Administration on, or with the principal office in Washington, D. C.

§ 1372.211 *To what extent the General Maximum Price Regulation applies.* The provisions of this Maximum Price Regulation No. 315 supersede the provisions of the General Maximum Price Regulation[5] with respect to sales and deliveries for which maximum prices are established by this regulation. The following sections of the General Maximum Price Regulation, as well as amendments to them, shall apply to manufacturers and distributors of lead arsenate:

(1) Transfers of business or stock in trade (§ 1499.5).

(2) Federal and state taxes (§ 1499.7).

(3) Current records (§ 1499.12).

(4) Registration (§ 1499.15).

(5) Licensing (§ 1499.16).

§ 1372.212 *Definitions.* (a) When used in this Maximum Price Regulation No. 315, the term:

(1) "Lead arsenate" means standard lead arsenate powder, standard lead arsenate paste, and basic lead arsenate powder.

(2) "Standard lead arsenate powder" means a dry chemical combination of arsenic pentoxide and lead monoxide containing not less than 30 per cent arsenic pentoxide and not less than one part of arsenic pentoxide to 2.14 parts of lead monoxide.

(3) "Standard lead arsenate paste" means a mixture of standard lead arsenate powder and water, containing not more than 50 per cent water.

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3165, 3749, 4273, 4653, 4780, 4853, 5363, 5868, 5941, 6057, 6896, 7902, 8353, 8938, 8948, 9335, 10681, 11008, 11112, 11075; 8 F.R. 231, 232, 1226.

[1] 7 F.R. 9251, 10255.

[2] See subparagraph 5 for description of zones.

[1] 7 F.R. 8961.

[1] 7 F.R. 3720, 5665, 7248.

[2] 7 F.R. 8961.

[3] 7 F.R. 5059, 7242, 6829, 9000, 10530.

[4] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6607, 6216, 6615, 6794, 7093, 7322, 7454, 7758, 7913, 8431, 6939, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204.

(4) "Basic lead arsenate powder" means a chemical combination of arsenic pentoxide and lead monoxide containing not less than 22 per cent of arsenic pentoxide and not more than one part of arsenic pentoxide to 3.10 parts of lead monoxide.

(5) "Carlot" means 30,000 pounds or more of lead arsenate, except that lead arsenate shipped in a mixed carlot of 30,000 pounds or more of dry insecticides or fungicides shall be considered a carlot quantity.

(6) "Distributor" means a person who buys lead arsenate and resells it to a purchaser other than an ultimate consumer.

§ 1372.213 *Effective date.* This Maximum Price Regulation No. 315 (§§ 1372.201 to 1372.213 inclusive) shall become effective February 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1776; Filed, February 2, 1943; 3:36 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5C,[1] Amendment 20]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraph (a) of § 1394.8002; paragraph (b) of § 1394.8051, paragraph (a) of § 1394.8104, and § 1394.8108 are amended; a new paragraph (f) to § 1394.8004, and a new paragraph (t) to § 1394.8352 are added; as set forth below:

General Provisions With Respect to Issuance of Rations and Tire Inspection Records

§ 1394.8002 *Presentation of registration card.* (a) Except as provided in paragraph (b) of this section, no basic ration and no special ration issued pursuant to subparagraphs (1) or (2) of paragraph (b) of § 1394.7851 shall be issued for any motor vehicle unless a registration card or registration certificate authorizing the operation of such vehicle during all or part of the period for which such ration is to be issued, is presented to the registrar or the Board, as the case may be.

* * * * *

§ 1394.8004 *Notation on ration books, applications, coupons, and tire inspection records.* * * *

(f) At the time of issuance of any ration in connection with which the presentation of a tire inspection record is required pursuant to paragraph (a) of § 1394.8010, the person issuing such ration shall make a clear notation in ink, indelible pencil, or by typewriter on the tire inspection record of the vehicle, showing the date of issuance, the class of ration, the serial number of the ration book, if any, issued and the date of expiration of such ration.

Renewal of Rations and Issuance of Further Rations

§ 1394.8051 *Renewal of rations.* * * *

(b) If there have been no substantial changes since the date of the original application in the applicant's gasoline needs, or in the nature, amount, and conditions of use of the motor vehicle for which the original ration was issued, and if such original application accurately calculated the applicant's requirements, application for a renewal thereof (except in the case of a basic, special or transport ration) may be made by executing Form OPA R-543. The applicant shall in such case note on such form any changes in the nature or amount of his use since the date of the original application. If the applicant or principal user is employed at an establishment or facility described in subparagraph (3) of paragraph (a) of § 1394.7704 such form must be certified as indicated thereon by an official in charge of an organized transportation plan at such place of employment. If the Board is satisfied that there have been no substantial changes in the applicant's gasoline needs, or in the nature, amount and conditions of use of the motor vehicle for which the original ration was issued it may issue a renewal of such ration without requiring execution by the applicant of a new original application. An applicant may renew a Transport ration by filling in the pertinent information on the face of the form for the period for which the ration is required and executing the renewal certificate: *Provided*, That if the certificate of war necessity, if any, effective at the time of the original ration, has been revoked or modified in any manner the applicant shall execute a new application.

* * * * *

Expiration, Revocation and Redetermination of Rations

§ 1394.8104 *Coupon books property of Office of Price Administration; summary revocations.* (a) All coupon books, bulk coupons, inventory coupons, other evidences and tire inspection records are, and when issued shall remain, the property of the Office of Price Administration. The Office of Price Administration may refuse to issue, and may suspend, cancel, revoke, or recall any ration and may require the surrender and return of any coupon book, bulk coupon, inventory coupons, other evidences and tire inspection records during suspension or pursuant to revocation or cancellation, whenever it deems it to be in the public interest to do so.

* * * * *

§ 1394.8108 *Presentation of registration cards and tire inspection records upon revocation of ration and notation thereon.* Whenever a ration is revoked in whole or in part and the person to whom such ration has been issued is directed to surrender any coupons or coupon books pursuant to the provisions of Ration Order No. 5C, such person shall, if the ration was issued for the operation of a motor vehicle, present the tire inspection record and the registration card or registration certificate, if any, of the motor vehicle for which such ration was issued at the time of surrendering such coupons or coupon books, to the Board, State Director, District Manager or Regional Administrator. Thereupon such officer or the Board shall make a clear notation in ink, indelible pencil, or by typewriter on the back of the tire inspection record and the registration card or registration certificate, if any, stating that such ration has been revoked, or, if it has been revoked in part, the extent to which it has been revoked.

Effective Dates

§ 1394.8352 *Effective dates of amendments.* * * *

(t) Amendment No. 20 (§§ 1394.8002 (a), 1394.8004 (f), 1394.8051 (b), 1394.8104 (a), 1394.8108) to Ration Order 5C shall become effective February 8, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 2d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1777; Filed, February 2, 1943; 3:37 p. m.]

PART 1398—OFFICE AND STORE MACHINES

[Ration Order 4A, Amendment 1]

TYPEWRITERS

Correction

The last sentence of § 1398.114 of the document appearing on page 1055 of the issue for Saturday, January 23, 1943, should read "(The terms of the rental agreement are governed by § 1398.127)."

PART 1413—SOFTWOOD LUMBER PRODUCTS

[Rev. MPR 13,[1] Amendment 1]

DOUGLAS FIR PLYWOOD

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Subdivisions (ii) and (iii) of § 1413.2 (b) (3) are amended; paragraph (d) of § 1413.4 is revoked, and paragraph (e) of said section is redesignated paragraph (d); § 1413.5 is amended; and a new § 1413.13a is added; all as set forth below:

§ 1413.2 *To what products, transactions, and persons this regulation applies.* * * *

(b) *Transactions covered by the regulation.* * * *

*Copies may be obtained from the Office of Price Administration

[1] 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11069, 11070; 8 F.R. 179, 274, 369, 372, 565, 607, 1028.

[1] 7 F.R. 10017.

(3) All other warehouse and yard sales. * * *

(ii) *"Plywood distribution plant sale".* A "plywood distribution plant sale", is either of the following types of sales:

(*a*) Any sale by a plywood distribution plant of plywood in the regular stock of the distribution plant at the time of sale. A plywood distribution plant is a wholesale or retail warehouse or yard which does not process plywood from Douglas fir peeler logs and which during the first six months of 1941 received more than 20 percent of its dollar income from sales of plywood or veneer of any kind.

(*b*) Any sale by a warehouse or yard to another warehouse or yard of plywood in warehouse or yard inventory at the time of sale. In these sales the selling warehouse or yard is considered a "plywood distribution plant".

(iii) *Sales included under "all other warehouse or yard sales".* The term "all other warehouse or yard sales" covers any sale of Douglas fir plywood which is not a direct-mill sale or a plywood distribution plant sale. This means the term includes all plywood sales by yards and warehouses other than plywood distribution plants, except

(*a*) Sales to other warehouses and yards, and

(*b*) Direct-mill sales.

* * * * *

§ 1413.5 *Maximum prices for all other warehouse or yard sales of Douglas fir plywood.* The maximum price for all other warehouse or yard sales of plywood is to be computed in the same manner as the ceiling price for plywood distribution plant sales, except that two changes are to be made in figuring the ceiling price:

(a) Inbound transportation charges are to be figured on the basis of the location of the warehouse or yard (rather than the location of a plywood distribution plant). This means that inbound transportation in all cases is to be figured at the carload freight rate for a shipment direct from the mill to the warehouse or yard (regardless of whether the warehouse or yard purchased in less than carload quantities from a mill or purchased from a plywood distribution plant or another warehouse or yard).

(b) The mark-up on the sum of the carload f. o. b. mill price (for direct-mill shipments) and inbound carload freight (figured according to paragraph (a) above) shall be not more than 33⅓ percent in sales of 1,000 square feet or more of Douglas fir plywood, or 45 percent in sales of less than 1,000 square feet of Douglas fir plywood.

§ 1413.13a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1413.2 (b) (3) (ii) and (iii); 1413.4 (d); 1413.5; and 1413.13a) shall become effective February 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1778; Filed, February 2, 1943; 3:38 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 183,[1] Amendment 18]

PUERTO RICO

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A sentence is added to § 1418.14 (i) (2).

§ 1418.14 *Tables of maximum prices.* * * *

(i) *Table IX: Maximum prices for butter.* * * *

(2) * * * This regulation does not apply to unopened tins of butter packed outside the Territory of Puerto Rico.

* * * * *

§ 1418.13a *Effective dates of amendments.* * * *

(r) Amendment No. 18 (§ 1418.14 (i) (2)) to Maximum Price Regulation No. 183 shall become effective February 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1779; Filed, February 2, 1943; 3:40 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 100 to Supp. Reg. 14,[2] to GMPR,[3]]

SALT LAKE HERRING

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.* A new subparagraph (61a) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided.

* * * * *

(61a) *Salt lake herring*—(i) *First processor's maximum prices for salt lake herring.* The maximum price of salt lake herring f. o. b. the point of production per 100 lb. keg shall be the maximum price as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, plus 75 cents.

(ii) *Final processor's maximum prices for salt lake herring.* The maximum price for salt lake herring f. o. b. the manufacturing plant per pound shall be the maximum price as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation plus one cent.

(iii) *Records and reports.* (*a*) Every first and final processor making a sale of salt lake herring, or otherwise dealing therein, after February 7, 1943, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each such sale or transaction, showing the date thereof, the name and address of the buyer or recipient, the price contracted for or received, and the quantity sold or delivered.

(*b*) Every first and final processor shall (*1*) preserve for examination by the Office of Price Administration all his existing records from March 1942 relating to sales of salt lake herring; (*2*) file with the appropriate field, district, regional or state office of the Office of Price Administration on or before February 22, 1943, a statement showing the highest price per unit during March 1942 for which he sold or delivered salt lake herring, and the maximum prices determined hereunder for each container size and style of pack of salt lake herring; (*3*) preserve and keep such other records and shall submit such other reports to the Office of Price Administration in addition to or in place of the records above specified as the Office of Price Administration may from time to time require.

(iv) *Definitions.* For the purposes of this subparagraph (61a) the term:

(*a*) "Salt lake herring" means a fish of the species of leucichthysartedi, where the same is caught in one of the following Great Lakes: Superior, Michigan and Huron, and is back split, eviscerated and preserved by salt packing in the usual container.

(*b*) "First processor" means any person who salts lake herring which are destined for future processing.

(*c*) "Final processor" means a person who repacks salt herring for sale in the form in which it is sold at retail.

(b) *Effective dates.* * * *

(101) This Amendment No. 100 to Supplementary Regulation No. 14 shall become effective February 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1780; Filed, February 2, 1943; 3:39 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5620, 6744, 6659, 7454, 7843, 7945, 8558, 8833, 8946, 9341, 9731, 9975, 10225, 10559, 10812; 8 F.R. 149, 324, 542, 978.

[2] 7 F.R. 6369, 6477, 6473, 6774, 6775, 6793, 6884, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7536, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8831, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9166, 9397, 9391, 9495, 9496, 9439, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10537, 10557, 10583, 10705, 10865, 11005; 8 F.R. 276, 439, 535, 404, 589, 863, 1139, 980, 1030, 876, 1121, 878, 1142.

[3] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5783, 5784, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9816, 9732, 10155, 10454; 8 F.R. 371, 1204.

PART 1499—COMMODITIES AND SERVICES

[Order 259 Under § 1499.3 (b) of GMPR]

EASTMAN KODAK CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1495 *Approval of maximum prices for sales of naphthalic anhydride by the Eastman Kodak Company.* (a) The maximum price for sales by the Eastman Kodak Company of Rochester, New York, of naphthalic anhydride manufactured from acenaphthene, sodium bichromate, and acetic acid by laboratory methods is established at $40.00 per kilogram, f. o. b. Rochester, New York.

(b) This Order No. 259 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 259 (§ 1499.1495) shall become effective on February 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43-1782; Filed, February 2, 1943; 3:36 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 260 Under § 1499.3 (b) of GMPR]

AGRICULTURAL INSECTICIDES AND FUNGICIDES

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and § 1499.3 (b) of the General Maximum Price Regulation, *It is ordered:*

§ 1499.1496 *Method by which manufacturers shall determine maximum prices for sales other than at retail of agricultural insecticides and fungicides that cannot be priced under § 1499.2 of the General Maximum Price Regulation.* (a) Any manufacturer of an agricultural insecticide or fungicide may determine his maximum price for sales thereof, other than at retail, for which the maximum price cannot be established under § 1499.2 of the General Maximum Price Regulation, by the following method:

(1) He shall select a comparable agricultural insecticide or fungicide manufactured by him. A "comparable insecticide or fungicide" is one which is manufactured by the same process and which is also most like the product being priced in kind and cost of ingredients, and for which a maximum price has been established;

(2) He shall compute the difference between the delivered cost of the ingredients used in the manufacture of the comparable product and of the ingredients used in the manufacture of the product being priced;

(3) He shall add or subtract, as the case may be, the difference computed in the preceding paragraph to or from his maximum price for the comparable product. The resulting figure shall be the maximum price for the product being priced.

(b) Within ten days after any manufacturer has determined a maximum price under this order, he shall report to the Office of Price Administration in Washington, D. C., the following information: (1) The quantity and the delivered cost of each of the ingredients used in the manufacture of the comparable product and in the manufacture of the product being priced; (2) the maximum price of the comparable product; (3) the maximum price of the product being priced under this order.

(c) The maximum price reported by any manufacturer in accordance with the provisions of this order shall be subject to adjustment at any time by the Price Administrator.

(d) The manufacturer's maximum price for sales other than at retail for an agricultural insecticide or fungicide which cannot be priced under paragraph (a) of this order shall be determined under § 1499.3 (b) of the General Maximum Price Regulation.

(e) (1) "Agricultural insecticides and fungicides" mean all dusts, spray materials, fumigants, poison baits, and like commodities used for the purpose of controlling insects on or in relation to all plants, trees, seeds, bulbs, crops, poultry, and farm animals; all such commodities used for the purpose of controlling fungous diseases of all plants, trees, seeds, bulbs, and crops, and nutritional sprays.

(2) "Comparable product" means the comparable agricultural insecticide or fungicide which is manufactured by the same process, and which is also most like the product being priced in kind and cost of ingredients, and for which a maximum price has been established.

(3) "Manufacturer" means a person who produces, manufactures, processes or mixes agricultural insecticides and fungicides.

(4) "Maximum price" means the maximum price to a purchaser of the same class.

(5) "The same process" means a manufacturing or mixing operation in which there are employed substantially the same kinds and amounts of equipment and labor and the same methods as are employed in the process by which the product being priced is manufactured or mixed.

(f) This Order No. 260 (§ 1499.1496) may be revoked or amended at any time by the Office of Price Administration.

(g) This Order No. 260 (§ 1499.1496) shall become effective February 3, 1943.

Issued this 2d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43-1783, Filed, February 2, 1943, 3:40 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 182 Under § 1499.18 (b) of GMPR]

WICKBURY, LTD.

Order No. 182 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-655.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.1083 *Adjustment of maximum price for the handkerchief sold by Wickbury Ltd.* (a) Wickbury Ltd., 261 Fifth Avenue, New York, New York, may sell and deliver and any person may buy and receive the following men's linen handkerchief at a price no higher than that set forth below:

Lot No.	Count	Cloth	Cut size	Dollars per dozen
8121	1400	Linen	18" x 18"	3 64

(b) The price set forth in paragraph (a) of this section shall be subject to the same terms and conditions of sale as were granted during March, 1942.

(c) *Retail prices.* Retailers may not charge for the handkerchief listed in paragraph (a) of this section a price in excess of their maximum price as established under the General Maximum Price Regulation.

(d) Wickbury Ltd. shall cause the following notice to be sent, in writing, to all persons who purchase from it the handkerchief listed in paragraph (a) of this section:

The Office of Price Administration has permitted us to raise our maximum price for sales to you of the following handkerchief to the price set forth below:

Lot No.	Count	Cloth	Cut size	Dollars per dozen
8121	1400	Linen	18" x 18"	3 64

This increase represents only that part of cost increases which we were unable to absorb and it was granted with the understanding that retail prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for sales of this handkerchief.

(e) All prayers of the petition not granted herein are denied.

(f) This Order No. 182 is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 182 may be revoked or amended by the Price Administrator at any time.

(h) This Order No. 182 shall become effective February 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of February 1943

PRENTISS M. BROWN,
Administrator

[F. R. Doc. 43-1781, Filed, February 2, 1943, 3:37 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 89 to Supp. Reg. 14 of GMPR]

DALLAS AREA PRICES FOR FLUID MILK

Correction

In the second table in the third column of the document appearing on page 1139 of the issue for Tuesday, January 26, 1943, the figure opposite Gallon in the third column should be 44 instead of 34.

*Copies may be obtained from the Office of Price Administration.

PART 1377—WOODEN CONTAINERS

[Rev. MPR 186]

WESTERN WOODEN AGRICULTURAL CONTAINERS

The title, the preamble, and §§ 1377.101 to 1377.110, inclusive, are renumbered and amended to read as set forth below; and §§ 1377.111 to 1377.116, inclusive, are revoked.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sec

1377.101 Sales and assembling of Western wooden agricultural containers at higher than maximum prices prohibited.
1377.102 To what products, services and persons this regulation applies.
1377.103 What the invoice must contain.
1377.104 Prohibited practices.
1377.105 Applications for adjustment and petitions for amendment.
1377.106 Records and reports.
1377.107 Enforcement.
1377.108 Relation to other regulations.
1377.109 Effective date.
1377.110 Appendix A: Maximum prices for Western wooden agricultural containers.

AUTHORITY: §§ 1377.101 to 1377.110, inclusive, issued under the authority contained in Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1377.101 *Sale or assembly of Western wooden agricultural containers at higher than maximum prices prohibited.* (a) On and after February 3, 1943, regardless of any contract or other obligation, no person shall sell, assemble, warehouse, or deliver, and no person shall buy or receive in the course of trade or business, any Western wooden agricultural containers, or any assembly, warehouse or delivery service performed in connection with these containers, at prices higher than the maximum prices fixed by this regulation; and no person shall agree, offer or attempt to do any of these things. The maximum prices are set out in Appendix A (§ 1377.110).

(b) Prices lower than the maximum prices may, of course, be charged and paid.

§ 1377.102 *To what products, services, and persons this regulation applies—*(a) *Products covered by the regulation.* This regulation, under the term "Western wooden agricultural containers," covers: All sawn shook agricultural containers and veneer covers for such containers produced in the "western area," which means the states of California, Washington, Oregon, Idaho, Montana, Wyoming, Utah, Nevada, Arizona, and New Mexico. The term "agricultural container" means any assembled or unassembled box, crate, case, tray, lug, carrier, or similar container made principally of wood, and customarily used for handling, packaging, shipping, or storing fruits and vegetables (whether fresh, dried or canned). It includes any constituent wooden part (shook) of the kind of containers mentioned, if it is ready to be assembled into the container, and also includes carstrips, bracing and industrial crating strips.

This regulation does not cover army ration boxes, veneer containers, cooperage products or parts, used containers or wirebound boxes.

(b) *Services covered by the regulation.* This regulation covers the services of assembling or partially assembling, warehousing or delivering western wooden agricultural containers where the service is performed within the western area.

(c) *Person covered by the regulation.* This regulation extends to any person who makes a sale or performs a service, or who makes a purchase or receives a service (in the course of trade or business), which is covered by the regulation. The term "person" includes: an individual, corporation or any other organized groups; their legal successors or representatives; the United States, or any government, or any of its political subdivisions; or any agency of the foregoing.

§ 1377.103 *What the invoice must contain—*(a) *General.* Because the ceiling price depends upon a number of different factors, it is necessary that each of the factors which affects the maximum price be separately shown on the invoice. Otherwise, the purchaser and the Office of Price Administration could not tell in many cases whether a price which appeared to be above the ceiling was legal or not.

Failure to invoice properly is just as much violation of this regulation as charging an excessive price.

(b) *Basic price.* All invoices must contain a sufficiently complete description of the containers or parts or services to show whether the price is proper or not. Any specification or extra which affects the maximum price must be mentioned in the description.

(c) *Destination of shipment.* The invoice must show the place to which shipment of the containers or parts was made.

(d) *Assembly, warehouse and delivery charges.* Any separate charge which the seller is permitted to make for assembling, warehousing, or delivering must be shown separately on the invoice.

§ 1377.104 *Prohibited practices—*(a) *General.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars and cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like.

(b) *Specific prohibited practices.* The following are among the specific practices prohibited:

(1) Getting the effect of a higher price by changing credit practices or cash discounts from what they were on October 1, 1941. This includes reducing the cash discount period, decreasing credit periods, or making greater charges for extension of credit. In any case, on sales made through the Office of the Chief of Engineers, War Department, terms of 30 days net may be used. In all cases, if the sale is on cash terms, the maximum price must be reduced by the same amount as the sale price would have been reduced for similar cash terms on October 1, 1941. For example, if the maximum price without cash discount is $10.00, and if in sales of this item on October 1, 1941, to purchasers of a certain class the seller reduced sales prices 2 percent for cash within 10 days, the ceiling cash price in sales to purchasers of this class is $9.80. For purposes of this paragraph, no discount over 2 percent is considered a cash discount.

(2) Quoting a gross price above the maximum price, even if accompanied by a discount, the effect of which is to bring the net price below the maximum.

(3) Charging a purchasing commission based on quantity or value of the containers purchased, if the commission plus the purchase price is higher than the maximum price permitted by this regulation.

(4) Breaking up an order which would normally be a single order into a series of smaller orders in order to evade the maximum price limitations set forth in this regulation.

(5) Making the purchaser buy something he does not want in order to get what he does want.

(c) *Adjustable pricing.* A price may not be made adjustable to a maximum price which will be in effect at some time after delivery of the containers has been completed. But the price may be adjustable to the maximum price in effect at the time of delivery.

§ 1377.105 *Applications for adjustment and petitions for amendment—*(a) *Government contracts.* (1) The term "government contracts" is here used to include any contract with the United States or any of its agencies, or with the government or any governmental agency of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States". It also includes any subcontract under this kind of contract.

(2) Any person who has made or intends to make a "government contract" and who thinks that a maximum price established in this regulation is impeding or threatens production of western wooden agricultural containers which are essential to the war program and which are or will be the subject of the contract, may file an application for adjustment in accordance with Procedural Regulation No. 6,[1] issued by the Office of Price Administration.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[2] issued by the Office of Price Administration.

§ 1377.106 *Records and reports.* (a) All persons making sales or performing assembling services covered by this regulation must keep records which will show

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5087, 5664.
[2] 7 F.R. 8961.

a complete description of the containers sold or services performed, the name and address of the buyer, the date of the transaction, and the price. Buyers must keep similar records, including the name and address of the seller.

These records must be kept for any month in which the seller or buyer sold or bought 5,000 or more board feet of western wooden agricultural container shook, or in which a servicer assembled that amount of shook. They must be kept for two years, for inspection by the Office of Price Administration. Any records which the Office of Price Administration later requires must also be kept.

(b) Any reports that the Office of Price Administration has required in the past, or requires from time to time, must be submitted.

§ 1377.107 *Enforcement.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this regulation or of any other regulation or order issued by the Office of Price Administration are urged to communicate with the nearest field, state, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

(c) War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this regulation. "War procurement agencies" include the War Department, the Navy Department, the United States Maritime Commission and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any of their agencies.

§ 1377.108 *Relation to other regulations*—(a) *General Maximum Price Regulation.* Any sale or delivery covered by this Revised Maximum Price Regulation No. 186 is not subject to the General Maximum Price Regulation.[3]

(b) *Revised Maximum Export Price Regulation.* The maximum price for export sales of western wooden agricultural containers is governed by Revised Maximum Export Price Regulation.[4]

§ 1377.109 *Effective date.* All of the provisions of Revised Maximum Price Regulation No. 186 (§§ 1377.101 to 1377.110, inclusive) shall become effective February 3, 1943.

§ 1377.110 *Appendix A: Maximum prices for western wooden agricultural containers*—(a) *Specifications and method of figuring footages.* Except where otherwise stated in this Appendix, the specifications for western wooden agricultural containers shall be those set out in "Tariff No. 1, Official Box and Crate Specifications of the Pacific Division of the National Wooden Box Association", as revised. Where the prices in this Appendix are stated to be per thousand feet of shook, footages shall be figured according to the method set forth in that tariff.

(b) *Method of figuring maximum prices for shook and covers*—(1) *Shook and covers produced in the northwest area.* The northwest area consists of the states of Washington and Idaho, the counties of Gilliam, Umatilla, Baker and Union in the state of Oregon, and that part of the state of Montana west of the crest of the Rocky Mountains. In the case of shook and covers produced in the northwest area, the "basic prices" listed in Tables 2 and 3 are the maximum f. o. b. mill prices. The ceiling delivered prices are the "basic prices" plus freight from mill to purchaser. An estimated average weight of 1800 pounds per 1000 feet (or 2700 pounds per 1000 feet in the case of a standard carbracing), can be used in figuring this freight.

(2) *Shook and covers not produced in the northwest area.* In the case of shook and covers not produced in the northwest area, the "basic prices" listed in Tables 2 and 3 are for containers f. o. b. the base cities of Klamath Falls, Oregon or Weed, California. The ceiling delivered prices are also shown in Tables 2 and 3. These ceiling delivered prices are "grouped" according to freight rates per 100 pounds, and the proper delivered price group is to be figured on the lower of the rates from the base cities. The delivered price "groups" are set out in Table 1.

These groups cover freight rates up to $0.97 per 100 pounds from either of the base cities. Where the freight rate from both base cities is over $0.97, the delivered ceiling price is the "basic price" plus freight figured on the lower of the rates from the base cities and 1800 pounds per 1000 feet (or 2700 pounds per 1000 feet in the case of standard carbracing).

TABLE 1—DELIVERED PRICE GROUPS FOR SHOOK AND COVERS NOT PRODUCED IN THE NORTHWEST AREA

Group	*Lower of the freight rates per 100 pounds from Klamath Falls, Oregon and Weed, California*
0	$0.14 or less
1	Over $0.14 to $0.17
2	Over $0.17 to $0.20
3	Over $0.20 to $0.24
4	Over $0.24 to $0.27
5	Over $0.27 to $0.30
6	Over $0.30 to $0.33
7	Over $0.33 to $0.37
8	Over $0.37 to $0.42
9	Over $0.42 to $0.47
10	Over $0.47 to $0.51
11	Over $0.51 to $0.55
12	Over $0.55 to $0.61
13	Over $0.61 to $0.64
14	Over $0.64 to $0.67
15	Over $0.67 to $0.71
16	Over $0.71 to $0.80
17	Over $0.80 to $0.88
18	Over $0.88 to $0.97

(c) *Maximum prices for shook used in western wooden agricultural containers.* The maxium prices for 1000 feet of shook used in western wooden agricultural containers are those set out in Table 2.

[3] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5464, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6939, 6794, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9616, 9615, 9732, 10155, 10454, 8 F.R. 371, 1204

[4] 7 F.R. 5059, 7242, 8829, 9000, 10530.

TABLE 2—SHOOK USED IN WESTERN AGRICULTURAL CONTAINERS

Item	Basic price	Group 0, $2.75	Group 1, $3.25	Group 2, $3.75	Group 3, $4.50	Group 4, $5.00	Group 5, $5.50	Group 6, $6.00	Group 7, $6.75	Group 8, $7.25	Group 9, $8.25	Group 10, $9.25	Group 11, $9.75	Group 12, $10.50	Group 13, $11.00	Group 14, $11.50	Group 15, $12.25	Group 16, $12.75	Group 17, $14.75	Group 18, $16.00	Group 19, $17.75
Asparagus	$47.50	$50.25	$49.75	$51.25	$52.00	$52.50	$53.00	$53.50	$54.25	$54.75	$55.75	$56.75	$57.25	$58.00	$58.50	$59.00	$59.75	$60.25	$62.25	$63.75	$65.25
Carnery																					
Case and Floor Boards, Light and Heavy	46.50	49.25	49.75	50.25	51.00	51.50	52.00	52.50	53.25	53.75	54.75	55.75	56.25	57.00	57.50	58.00	58.75	59.25	61.25	62.75	64.25
Cases and Floor Boards, Medium	41.50	44.25	44.75	45.25	46.00	46.50	47.00	47.50	48.25	48.75	49.75	50.75	51.25	52.00	52.50	53.00	53.75	54.25	56.25	57.75	59.25
Trays, 1 piece bottom	60.00	62.75	63.25	63.75	64.50	65.00	65.50	66.00	66.75	67.25	68.25	69.25	69.75	70.50	71.00	71.50	72.25	72.75	74.75	76.25	78.00
Trays, 2 piece bottom	50.00	52.75	53.25	53.75	54.50	55.00	55.50	56.00	56.75	57.25	58.25	59.25	59.75	60.50	61.00	61.50	62.25	62.75	64.75	66.00	67.50
Citrus																					
Standard Orange	44.00	46.75	47.25	47.75	48.50	49.00	49.50	50.00	50.75	51.25	52.25	53.25	53.75	54.50	55.00	55.50	56.25	56.75	58.75	60.00	61.75
Cull Grade Orange	38.00	40.75	41.25	41.75	42.50	43.00	43.50	44.00	44.75	45.25	46.25	47.25	47.75	48.50	49.00	49.50	50.25	50.75	52.75	54.00	55.75
Lemon (4-4/5)	41.00	43.75	44.25	44.75	45.50	46.00	46.50	47.00	47.75	48.25	49.25	50.25	50.75	51.50	52.00	52.50	53.25	53.75	55.75	57.00	58.75
Deciduous																					
Market Lugs 8's	35.00	37.75	38.25	38.75	39.50	40.00	40.50	41.00	41.75	42.25	43.25	44.25	44.75	45.50	46.00	46.50	47.25	47.75	49.75	51.00	52.75
Standard Lugs 8's	36.00	38.75	39.25	39.75	40.50	41.00	41.50	42.00	42.75	43.25	44.25	45.25	45.75	46.50	47.00	47.50	48.25	48.75	50.75	52.00	53.75
Northwest Apple (Spec. Acc. to Trf #1 par 36)	43.00	45.75	46.25	46.75	47.50	48.00	48.50	49.00	49.75	50.25	51.25	52.25	52.75	53.50	54.00	54.50	55.25	55.75	57.75	59.00	60.75
Northwest Half-apple	46.00	48.75	49.25	49.75	50.50	51.00	51.50	52.00	52.75	53.25	54.25	55.25	55.75	56.50	57.00	57.50	58.25	58.75	60.75	62.00	63.75
Other Apple, Artichoke, and Rhubarb	44.00	46.75	47.25	47.75	48.50	49.00	49.50	50.00	50.75	51.25	52.25	53.25	53.75	54.50	55.00	55.50	56.25	56.75	58.75	60.00	61.75
Date, Fig, Avocado, All Other Lugs (not specified above)																					
Peach, Fruit and Basket Crates and Persimmon	43.00	45.75	46.25	46.75	47.50	48.00	48.50	49.00	49.75	50.25	51.25	52.25	52.75	53.50	54.00	54.50	55.25	55.75	57.75	59.00	60.75
Twenty-pound Pear Lug	48.00	50.75	51.25	51.75	52.50	53.00	53.50	54.00	54.75	55.75	56.75	57.25	57.75	58.50	59.00	59.50	60.25	60.75	62.75	64.00	65.75
Heavy and Special Northwestern Pear (Spec. Acc. to #58 and #106 in Trf #1)	46.00	48.75	49.25	49.75	50.50	51.00	51.50	52.00	52.75	53.25	54.25	55.25	55.75	56.50	57.00	57.50	58.25	58.75	60.75	62.00	63.75

TABLE 2.—SHOOK USED IN WESTERN AGRICULTURAL CONTAINERS—Continued

Item	Basic price	Group 0, $2.75	Group 1, $3.25	Group 2, $3.75	Group 3, $4.50	Group 4, $5.00	Group 5, $5.50	Group 6, $6.00	Group 7, $6.75	Group 8, $7.25	Group 9, $8.25	Group 10, $9.25	Group 11, $9.75	Group 12, $10.50	Group 13, $11.00	Group 14, $11.50	Group 15, $12.25	Group 16, $12.75	Group 17, $14.75	Group 18, $16.00	Group 19, $17.75
Deciduous—Con.																					
Display Lugs (Apricots, Plums, Prunes, Peach-Yakima or Wenatchee)	$46.00	$48.75	$49.25	$49.75	$50.50	$51.00	$51.50	$52.00	$52.75	$53.25	$54.25	$55.25	$55.75	$56.50	$57.00	$57.50	$58.25	$58.75	$60.75	$62.00	$63.75
Emperor Chests, Pear, Olive, Apricot, and Select Deciduous	48.00	50.75	51.25	51.75	52.50	53.00	53.50	54.00	54.75	55.25	56.25	57.25	57.75	58.50	59.00	59.50	60.25	60.75	62.75	64.00	65.75
Berry	46.00	48.75	49.25	49.75	50.50	51.00	51.50	52.00	52.75	53.25	54.25	55.25	55.75	56.50	57.00	57.50	58.25	58.75	60.75	62.00	63.75
Standard Cherry	49.00	51.75	52.25	52.75	53.50	54.00	54.50	55.00	55.75	56.25	57.25	58.25	58.75	59.50	60.00	60.50	61.25	61.75	63.75	65.00	66.75
Dried Fruit, Carton and Raisin	44.50	47.25	47.75	48.25	49.00	49.50	50.00	50.50	51.25	51.75	52.75	53.75	54.25	55.00	55.50	56.00	56.75	57.25	59.25	60.50	62.25
Evaporated Apples																					
25-pounds	44.50	47.25	47.75	48.25	49.00	49.50	50.00	50.50	51.25	51.75	52.75	53.75	54.25	55.00	55.50	56.00	56.75	57.25	59.25	60.50	62.25
50-pounds	47.00	49.75	50.25	50.75	51.50	52.00	52.50	53.00	53.75	54.25	55.25	56.25	56.75	57.50	58.00	58.50	59.25	59.75	61.75	63.00	64.75
Melon																					
Cantaloupe, Selected Slats	50.00	52.75	53.25	53.75	54.50	55.00	55.50	56.00	56.75	57.25	58.25	59.25	59.75	60.50	61.00	61.50	62.25	62.75	64.75	66.00	67.75
Cantaloupe, not including Trimming	46.00	48.75	49.25	49.75	50.50	51.00	51.50	52.00	52.75	53.25	54.25	55.25	55.75	56.50	57.00	57.50	58.25	58.75	60.75	62.00	63.75
Melon	46.00	48.75	49.25	49.75	50.50	51.00	51.50	52.00	52.75	53.25	54.25	55.25	55.75	56.50	57.00	57.50	58.25	58.75	60.75	62.00	63.75
Picking boxes and field crates:																					
Citrus	53.00	55.75	56.25	56.75	57.50	58.00	58.50	59.00	59.75	60.25	61.25	62.25	62.75	63.50	64.00	64.50	65.25	65.75	67.75	69.00	70.75
Deciduous, Asparagus, Cannery, Vegetable, and Melon Field Crates	50.00	52.75	53.25	53.75	54.50	55.00	55.50	56.00	56.75	57.25	58.25	59.25	59.75	60.50	61.00	61.50	62.25	62.75	64.75	66.00	67.75
Stitched Stock: All Stitched Stock, including Bottoms and Sides	49.00	51.75	52.25	52.75	53.50	54.00	54.50	55.00	55.75	56.25	57.25	58.25	58.75	59.50	60.00	60.50	61.25	61.75	63.75	65.00	66.75
Sweat Boxes	69.00	71.75	72.25	72.75	73.50	74.00	74.50	75.00	75.75	76.25	77.25	78.25	78.75	79.50	80.00	80.50	81.25	81.75	83.75	85.00	86.75
Trays																					
2" x 3", Sides and Ends Only	59.00	61.75	62.25	62.75	63.50	64.00	64.50	65.00	65.75	66.25	67.25	68.25	68.75	69.50	70.00	70.50	71.25	71.75	73.75	75.00	76.75
2" x 3", 24" Bottoms only	59.00	61.75	62.25	62.75	63.50	64.00	64.50	65.00	65.75	66.25	67.25	68.25	68.75	69.50	70.00	70.50	71.25	71.75	73.75	75.00	76.75
2" x 3", over 24" Bottoms only	69.00	71.75	72.25	72.75	73.50	74.00	74.50	75.00	75.75	76.25	77.25	78.25	78.75	79.50	80.00	80.50	81.25	81.75	83.75	85.00	86.75
Trays 6', 7', and 8' Field and Dehydrator	69.00	71.75	72.25	72.75	73.50	74.00	74.50	75.00	75.75	76.25	77.25	78.25	78.75	79.50	80.00	80.50	81.25	81.75	83.75	85.00	86.75
Vegetable																					
Octagonal Potato	50.00	52.75	53.25	53.75	54.50	55.00	55.50	56.00	56.75	57.25	58.25	59.25	59.75	60.50	61.00	61.50	62.25	62.75	64.75	66.00	67.75
Lettuce	44.00	46.75	47.25	47.75	48.50	49.00	49.50	50.00	50.75	51.25	52.25	53.25	53.75	54.50	55.00	55.50	56.25	56.75	58.75	60.00	61.75
Carrot	44.00	46.75	47.25	47.75	48.50	49.00	49.50	50.00	50.75	51.25	52.25	53.25	53.75	54.50	55.00	55.50	56.25	56.75	58.75	60.00	61.75
Cauliflower	44.00	46.75	47.25	47.75	48.50	49.00	49.50	50.00	50.75	51.25	52.25	53.25	53.75	54.50	55.00	55.50	56.25	56.75	58.75	60.00	61.75
Celery (Not Including ½ Celery)	44.00	46.75	47.25	47.75	48.50	49.00	49.50	50.00	50.75	51.25	52.25	53.25	53.75	54.50	55.00	55.50	56.25	56.75	58.75	60.00	61.75
All Other Vegetables	46.00	48.75	49.25	49.75	50.50	51.00	51.50	52.00	52.75	53.25	54.25	55.25	55.75	56.50	57.00	57.50	58.25	58.75	60.75	62.00	63.75
Car Strips:																					
4' Pine	31.00	33.75	34.25	34.75	35.50	36.00	36.50	37.00	37.75	38.25	39.25	40.25	40.75	41.50	42.00	42.50	43.25	43.75	45.75	47.00	48.75
8' Pine	40.00	42.75	43.25	43.75	44.50	45.00	45.50	46.00	46.75	47.25	48.25	49.25	49.75	50.50	51.00	51.50	52.25	52.75	54.75	56.00	57.75
4' Celery, Pine	42.00	44.75	45.25	45.75	46.50	47.00	47.50	48.00	48.75	49.25	50.25	51.25	51.75	52.50	53.00	53.50	54.25	54.75	56.75	58.00	59.75
8' Celery, Pine	44.00	46.75	47.25	47.75	48.50	49.00	49.50	50.00	50.75	51.25	52.25	53.25	53.75	54.50	55.00	55.50	56.25	56.75	58.75	60.00	61.75
Industrial Crating Strips: Cut to exact dimensions specified, bundled in lengths not to exceed 84" for not more than 50 percent over 60"	43.00	45.75	46.25	46.75	47.50	48.00	48.50	49.00	49.75	50.25	51.25	52.25	52.75	53.50	54.00	54.50	55.25	55.75	57.75	59.00	60.75
Bracing																					
Standard Thickness	36.50	39.25	39.75	40.25	41.00	41.50	42.00	42.50	43.25	43.75	44.75	45.75	46.25	47.00	47.50	48.00	48.75	49.25	51.25	52.50	54.25
Bulkhead	34.00	36.75	37.25	37.75	38.50	39.00	39.50	40.00	40.75	41.25	42.25	43.25	43.75	44.50	45.00	45.50	46.25	46.75	48.75	50.00	51.75
Vertical Bracing (Hoak)	49.00	51.75	52.25	52.75	53.50	54.00	54.50	55.00	55.75	56.25	57.25	58.25	58.75	59.50	60.00	60.50	61.25	61.75	63.75	65.00	66.75

ADDITIONS TO TABLE 2

SPECIFICATIONS OF SHOOK NOT COVERED IN TARIFF NO. 1

Half-apple:

Inches	
2 ends $25/32$ x $7\frac{5}{8}$ x $8\frac{5}{8}$	0.972
2 sides ¼ x $7\frac{5}{8}$ x $17\frac{1}{2}$	.648
2 tops $5/32$ x $4\frac{1}{4}$ x $17\frac{1}{2}$	.304
2 bottoms $7/32$ x $4\frac{3}{4}$ x $17\frac{1}{2}$	.405
4 cleats $11/32$ x $1\frac{1}{8}$ x $8\frac{5}{8}$	.182
Footage	2.511

Wenatchee display lug:

Inches	
2 ends $25/32$ x $3\frac{3}{8}$ x $10\frac{1}{2}$	0.584
2 sides ¼ x $3\frac{3}{8}$ x $16\frac{1}{2}$	.306
2 bottom $7/32$ x 5 $3/16$ x $16\frac{1}{2}$	.458
2 tops $3/16$ x $5\frac{3}{16}$ x $16\frac{1}{2}$	.344
4 cleats $11/32$ x $1\frac{1}{8}$ x $10\frac{1}{2}$	.220
2 cleats ½ x $25/32$ x $10\frac{1}{2}$	.092
Footage	2.004

Yakima display lug:

Inches	
2 ends $25/32$ x 4 x 11	0.764
2 sides ¼ x $3\frac{3}{4}$ x $16\frac{1}{2}$	.306
2 tops $5/32$ x $5\frac{3}{8}$ x $16\frac{1}{2}$	.344

Yakima display lug—Continued.

Inches	
2 bottoms $7/32$ x $5\frac{3}{4}$ x $16\frac{1}{2}$	0.459
4 cleats $11/32$ x $1\frac{1}{8}$ x 11	.230
Footage	2.103

Pear—20 pound lug:

Inches	
2 ends $25/32$ x 5 x $11\frac{1}{2}$	0.958
2 sides ¼ x $4\frac{1}{2}$ x $17\frac{1}{2}$	.405
2 tops $5/32$ x $5\frac{1}{2}$ x $17\frac{1}{2}$	.365
2 bottoms $7/32$ x $5\frac{1}{2}$ x $17\frac{1}{2}$	.486
2 cleats $11/32$ x $1\frac{1}{8}$ x $11\frac{1}{2}$	.120
2 cleats $25/32$ x $1\frac{1}{8}$ x $11\frac{1}{2}$	.240
Footage	2.574

TABLE 3.—COVERS FOR WESTERN AGRICULTURAL CONTAINERS

Description	Cleats	Trf. No.	Basic Price	Group 0	Group 1	Group 2	Group 3	Group 4	Group 5	Group 6	Group 7	Group 8	Group 9	Group 10	Group 11	Group 12	Group 13	Group 14	Group 15	Group 16	Group 17	Group 18	Group 19
(1) 5-Slat Lug	5/16	102	$2.11	$2.21	$2.23	$2.25	$2.27	$2.29	$2.31	$2.33	$2.35	$2.37	$2.39	$2.42	$2.46	$2.49	$2.51	$2.52	$2.55	$2.57	$2.64	$2.69	$2.75
(2) 5-Slat Lug	5/16	104	2.46	2.58	2.60	2.62	2.65	2.68	2.70	2.72	2.75	2.77	2.81	2.86	2.88	2.91	2.93	2.95	2.99	3.01	3.09	3.10	3.22
(3) 5-Slat Lug	13/16	105	2.65	2.78	2.80	2.83	2.86	2.89	2.91	2.93	2.97	2.99	3.04	3.08	3.11	3.14	3.17	3.19	3.23	3.25	3.34	3.40	3.48
(4) 5-Slat Lug	13/16	106	3.00	3.15	3.18	3.20	3.24	3.27	3.30	3.32	3.36	3.39	3.45	3.50	3.53	3.57	3.59	3.62	3.66	3.69	3.80	3.86	3.96
(5) 2-Pc. Lug	5/16	116	2.46	2.58	2.60	2.62	2.65	2.68	2.70	2.72	2.75	2.77	2.81	2.86	2.88	2.91	2.93	2.95	2.99	3.01	3.09	3.15	3.22
(6) 2-Pc. Lug	½	118	2.80	2.94	2.96	2.99	3.03	3.05	3.08	3.10	3.14	3.16	3.21	3.26	3.29	3.33	3.35	3.38	3.41	3.44	3.54	3.60	3.69
(7) 2-Pc. Lug	13/16	119	3.00	3.15	3.18	3.20	3.24	3.27	3.30	3.32	3.36	3.39	3.45	3.50	3.53	3.57	3.59	3.62	3.66	3.68	3.80	3.86	3.96
(8) 2-Pc. Lug	13/16	120	3.34	3.51	3.54	3.57	3.61	3.65	3.68	3.71	3.75	3.78	3.84	3.90	3.93	3.98	4.01	4.04	4.09	4.12	4.24	4.32	4.42
(9) Lug Bottoms	5/16	126	2.95	3.10	3.12	3.15	3.19	3.22	3.24	3.27	3.31	3.33	3.39	3.44	3.47	3.51	3.53	3.56	3.60	3.63	3.73	3.84	3.89
(10) Lug Bottoms	½	128	3.29	3.45	3.49	3.51	3.56	3.59	3.62	3.65	3.69	3.73	3.79	3.85	3.87	3.92	3.95	3.98	4.03	4.05	4.17	4.25	4.35
(11) Basket Crate	5/16	172	2.56	2.68	2.71	2.73	2.75	2.78	2.81	2.83	2.86	2.89	2.93	2.98	3.00	3.03	3.06	3.08	3.11	3.13	3.22	3.28	3.36

TABLE 3.—COVERS FOR WESTERN AGRICULTURAL CONTAINERS—Continued

Description	Cleats	Tri. No.	Basic Price	Group 0	Group 1	Group 2	Group 3	Group 4	Group 5	Group 6	Group 7	Group 8	Group 9	Group 10	Group 11	Group 12	Group 13	Group 14	Group 15	Group 16	Group 17	Group 18	Group 19
(12) Basket Crate	⅜	176	$2.90	$3.10	$3.12	$3.15	$3.19	$3.22	$3.24	$3.27	$3.31	$3.33	$3.39	$3.44	$3.47	$3.51	$3.53	$3.56	$3.60	$3.63	$3.73	$3.84	$3.89
(13) 4-Slat Peach	⅜	168	1.92	2.01	2.02	2.04	2.06	2.08	2.10	2.11	2.14	2.15	2.18	2.22	2.23	2.26	2.27	2.29	2.31	2.33	2.39	2.45	2.49
(14) 2-Slat Peach	⅜	169	2.11	2.21	2.23	2.25	2.27	2.29	2.31	2.33	2.35	2.37	2.41	2.44	2.46	2.49	2.51	2.52	2.55	2.56	2.63	2.69	2.75
(15) 4-Slat Apple-Pear	⅜	151	2.60	2.73	2.75	2.77	2.81	2.83	2.85	2.88	2.91	2.93	2.98	3.03	3.05	3.08	3.11	3.13	3.16	3.19	3.28	3.34	3.42
(16) 2-Slat Apple-Pear	⅜	155	2.95	3.10	3.12	3.15	3.19	3.22	3.24	3.27	3.31	3.33	3.39	3.44	3.47	3.51	3.53	3.56	3.60	3.63	3.73	3.84	3.89
(17) Art. Bottom	⅜	180	2.95	3.10	3.12	3.15	3.19	3.22	3.24	3.27	3.31	3.33	3.39	3.44	3.47	3.51	3.53	3.56	3.60	3.63	3.73	3.84	3.89
(18) Art. 2-Slat Top	⅜	181	3.00	3.15	3.18	3.20	3.24	3.27	3.30	3.32	3.36	3.39	3.45	3.50	3.53	3.57	3.59	3.62	3.66	3.69	3.80	3.86	3.96
(19) Art. 4-Slat Top	⅜	186	2.60	2.70	2.73	2.75	2.77	2.81	2.83	2.85	2.88	2.91	2.95	3.03	3.05	3.08	3.11	3.13	3.16	3.19	3.28	3.34	3.42
(20) 3-Slat Honeydew	5/16	190	2.41	2.53	2.55	2.57	2.60	2.63	2.64	2.66	2.69	2.71	2.76	2.80	2.82	2.85	2.87	2.89	2.92	2.95	3.03	3.08	3.16
(21) 3-Slat Honeydew	½	132	2.75	2.88	2.91	2.93	2.97	3.00	3.02	3.04	3.08	3.11	3.17	3.20	3.23	3.26	3.29	3.31	3.35	3.37	3.47	3.53	3.62
(22) 3-Slat Honeydew	11/16	133	2.95	3.10	3.12	3.15	3.19	3.22	3.24	3.27	3.31	3.33	3.39	3.44	3.47	3.51	3.53	3.56	3.60	3.63	3.73	3.84	3.89
(23) 3-Slat Honeydew	11/16	134	3.20	3.46	3.49	3.52	3.56	3.59	3.62	3.65	3.70	3.73	3.79	3.85	3.88	3.92	3.95	3.98	4.03	4.06	4.18	4.25	4.36
(24) 50-Pound Potato	⅝	189	2.50	2.68	2.71	2.73	2.76	2.78	2.81	2.83	2.86	2.89	2.93	2.98	3.00	3.03	3.06	3.08	3.11	3.13	3.22	3.28	3.36
(25) Cub. Celery Top	5/16	160	1.77	1.85	1.86	1.88	1.90	1.92	1.93	1.94	1.97	1.98	2.01	2.04	2.05	2.07	2.09	2.10	2.13	2.14	2.20	2.23	2.28
(26) Celery Bottom	5/16	192	2.02	2.11	2.13	2.15	2.17	2.19	2.21	2.22	2.25	2.27	2.30	2.33	2.35	2.38	2.39	2.41	2.44	2.45	2.52	2.56	2.62
(27) Sturdee 4-Slat	5/16	196	2.50	2.68	2.71	2.73	2.76	2.78	2.81	2.83	2.86	2.89	2.93	2.98	3.00	3.03	3.06	3.08	3.11	3.13	3.22	3.28	3.36
(28) Sturdee 3-Slat	5/16	198	2.70	2.83	2.86	2.88	2.92	2.94	2.96	2.98	3.02	3.05	3.10	3.14	3.17	3.20	3.23	3.25	3.29	3.31	3.41	3.47	3.55
(29) 4-Slat Orange	½	----	2.70	2.81	2.84	2.85	2.86	2.88	2.91	2.92	2.97	3.00	3.02	3.05	3.07	3.10	3.12	3.15	3.16	3.19	3.28	3.33	3.41
(30) 3-Slat Orange	½	----	3.14	3.26	3.28	3.29	3.30	3.33	3.35	3.37	3.43	3.46	3.47	3.51	3.53	3.56	3.59	3.61	3.63	3.66	3.70	3.80	3.92
(31) 4-slat lemon	½	----	3.05	3.17	3.20	3.21	3.22	3.25	3.28	3.29	3.35	3.39	3.41	3.44	3.47	3.50	3.53	3.55	3.57	3.60	3.70	3.76	3.85
(32) 3-slat lemon	½	----	3.66	3.75	3.78	3.79	3.80	3.83	3.86	3.88	3.94	3.98	4.04	4.07	4.10	4.13	4.16	4.18	4.19	4.21	4.33	4.41	4.50
(33) 4-slat cauliflower	½	----	2.22	2.33	2.35	2.36	2.37	2.39	2.42	2.43	2.49	2.52	2.53	2.56	2.59	2.62	2.64	2.66	2.68	2.70	2.77	2.82	2.89
(34) 3-slat cauliflower	½	----	1.79	1.87	1.89	1.90	1.91	1.93	1.94	1.96	2.00	2.02	2.03	2.06	2.07	2.10	2.12	2.13	2.15	2.17	2.23	2.27	2.32
(35) 4-slat 28s vegetable	½	----	2.76	2.88	2.90	2.92	2.93	2.95	2.98	2.99	3.05	3.08	3.10	3.13	3.15	3.18	3.21	3.23	3.25	3.28	3.37	3.42	3.51
(36) 4-slat 36s vegetable	½	----	3.29	3.36	3.39	3.40	3.42	3.44	3.47	3.48	3.54	3.57	3.59	3.62	3.65	3.68	3.71	3.73	3.75	3.78	3.86	3.93	4.02
(37) 3-slat 45s lettuce	½	----	3.73	3.88	3.91	3.92	3.94	3.97	4.00	4.01	4.08	4.11	4.13	4.17	4.20	4.23	4.26	4.29	4.31	4.34	4.45	4.53	4.62
(38) Wide ctr. slat lettuce	½	----	3.94	4.09	4.12	4.13	4.15	4.17	4.20	4.22	4.29	4.33	4.35	4.39	4.41	4.45	4.48	4.51	4.53	4.56	4.67	4.75	4.85
(39) Half crate	½	----	2.15	2.24	2.27	2.28	2.29	2.31	2.33	2.34	2.38	2.40	2.42	2.44	2.46	2.48	2.50	2.52	2.53	2.55	2.62	2.66	2.72
(40) 3-slat dry pack	½	----	2.48	2.57	2.59	2.60	2.61	2.63	2.65	2.66	2.70	2.71	2.75	2.76	2.78	2.80	2.82	2.84	2.85	2.87	2.95	3.00	3.06
(41) Special dry pack	½	----	3.03	3.16	3.19	3.20	3.21	3.23	3.26	3.27	3.33	3.36	3.39	3.40	3.43	3.46	3.48	3.50	3.52	3.55	3.65	3.70	3.79
(42) 5-slat vegetable	½	----	3.33	3.43	3.45	3.46	3.48	3.51	3.53	3.55	3.62	3.66	3.68	3.72	3.74	3.78	3.81	3.84	3.86	3.90	4.01	4.08	4.18

ADDITIONS TO TABLE 3—COVERS

NOTE: No additional price for slight variation in length of covers, no lower price for narrower cleats or slats. Delivery price groups based on zones in table 1. Basing points Klamath Falls, Oregon, or Weed, California, whichever is lower. Maximum for shipment beyond group 19 is basic price plus freight.

EXTRA CHARGES ON COVERS

	Add (Per C covers)
Staining cleats:	
For black, any covers	$0.20
For red, any covers	.10
For vegetable and celery covers, except black	.10
For all other covers and other colors	.05
When cleats are ½" or heavier add to these staining charges	.05
For heavier cleats:	
When cleats are ¼" on items 29 to 42 inclusive	.05
When cleats are 5/16" on items 29 to 42 inclusive	.15
Printing:	
For covers with slats 3½" wide or less:	
When 1 slat printed in one color	.15
When 1 slat printed in two colors	.25
When 2 or more slats printed in one or two colors	.15
For covers with slats 3⅝" to 8" wide:	
When 1 or 2 slats printed in one or two colors	.30
When 3 or more slats printed in one or two colors	.15
When stock is thinner than ¼", add to these printing charges	.10

VENEER COVER SPECIFICATIONS NOT IN TARIFF NO. 1

Item

29 4 slat Orange:
4 slats 1/2 x 2 3/4 x 26 1/8"
2 cleats 3/32 x 1 1/4 x 11"

30 3 slat Orange:
2 slats 1/2 x 2 3/4 x 26 1/8"
1 slat 1/8 x 5 1/4 x 26 1/8"
2 cleats 3/32 x 1 1/4 x 11"

31 4 slat Lemon:
4 slats 1/2 x 2 5/8 x 27 1/8"
2 cleats 3/32 x 1 1/4 x 12 1/2"

VENEER COVER SPECIFICATIONS NOT IN TARIFF NO. 1—continued

Item

32 3 slat Lemon:
2 slats 1/2 x 2 3/8 x 27 1/8"
1 slat 1/2 x 6 x 27 1/8"
2 cleats 3/32 x 1 1/4 x 12 1/2"

33 4 slat Cauliflower:
4 slats 1/2 x 2 3/8 x 24 1/2"
2 cleats 3/32 x 1 1/4 x 17 1/4"

34 3 slat Cauliflower:
3 slats 1/2 x 2 3/8 x 24 1/2"
2 cleats 3/32 x 1 1/4 x 14"

35 4 slat Vegetable:
4 slats 1/2 x 2 3/8 x 25 1/2"
2 cleats 3/32 x 1 1/4 x 16 3/4"

36 4 slat Vegetable:
4 slats 1/2 x 3 1/4 x 25 1/2"
2 cleats 3/32 x 1 1/4 x 16 3/4"

37 3 slat Lettuce:
3 slats 1/2 x 4 7/8 x 25"
2 cleats 3/32 x 1 1/4 x 16 3/4"

38 Wide center slat Lettuce:
2 slats 1/2 x 4 1/4 x 25"
1 slat 1/2 x 7 1/4 x 25"
2 cleats 3/32 x 1 1/4 x 16 3/4"

39 Half-Crate:
3 slats 1/2 x 2 3/8 x 25"
2 cleats 3/32 x 1 1/4 x 13"

40 3 slat Dry Pack:
3 slats 1/2 x 2 7/8 x 25 1/2"
2 cleats 3/32 x 1 1/4 x 13 1/2"

41 Special Dry Pack:
2 slats 1/2 x 3 1/2 x 25 1/2"
1 slat 1/2 x 4 3/8 x 25 1/2"
2 cleats 3/32 x 1 1/4 x 15 1/2"

42 5 slat Vegetable:
5 slats 1/2 x 2 3/8 x 25"
2 cleats 3/32 x 1 1/4 x 16 3/4"

NOTES: 1. Above are veneer specifications, only and are net thicknesses

2. Where 3/16" is specified, mill may supply 3/16" sawn, 1/2" veneer or 1/8" sliced.

3. Where 1/4" is specified, mill may supply 1/8" sawn, 1/9" veneer or 1/10" sliced.

4. Where 13/32" is specified, mill may supply covers as thin as practical.

(d) *Special addition for local sales of shook by metropolitan factories.* (1) In "local sales" by "metropolitan factories" an addition of not more than $5.00 per 1000 feet may be made to the basic prices for shook. A "local sale" is a sale of less than 10,000 feet of shook to be delivered within a radius of 25 miles of the factory. A "metropolitan factory" is a factory whose box production in the year 1942 was at least 66 percent industrial box and which is located within the city limits, or within five miles of the city limits, of any of the following cities:

Oakland, California.
San Francisco, California.
San Pedro, California.
Portland, Oregon.
Salem, Oregon.
Seattle, Washington.
Spokane, Washington.
Tacoma, Washington.

(2) This special addition applies only to shook. It does not apply to covers or to any service or extra.

(3) This special addition can be made only in local sales by metropolitan factories that have made application to the Office of Price Administration and whose names are published in the FEDERAL REGISTER as qualifying for the addition. The application should be made by letter to the Lumber Branch, Office of Price Administration, Washington, D. C.

(e) *Maximum prices for covers.* The maximum prices for one hundred units of sawn pine covers or any species of stitched veneer covers are set out in Table 3. The prices are for standard specifications, for covers that in length vary slightly from standard, and for cleats and slats that are narrower than standard. These ceiling prices apply only when covers are sold alone. When covers are included in shook, the maximum prices in Table 2 govern. It is a violation of this regulation to price covers under Table 3 when the covers are ordered included in shook. However, in the case of shook for apple box specification No. 36 in Tariff 1, if the cover and bottoms vary from this specification, Table 3 can be used to price the cover and bottom separately.

(f) *Mark-up for retail sales of shook and covers.* In "retail sales" a mark-up of not more than $5.00 per 1000 feet may be added to the maximum price for shook and covers. A retail sale is a sale of less than 2000 feet of shook and covers. If the seller in a retail sale delivers shook out of a warehouse, a charge for delivery may be made in accordance with Table 6 (paragraph (i) of this Appendix).

(g) *Maximum prices for assembling shook into containers.* The maximum prices which may be charged for assembling or partially assembling shook into western wooden agricultural containers are set out in Table 4. These ceiling prices apply only where the assembling is done in the western area.

TABLE 4—ASSEMBLY CHARGES

	Per C Units
Fresh apple	$2.00
Artichoke and rhubarb	2.00
Asparagus, with centers	3.25
Asparagus, without centers	2.75
Berry	(2) 2.00
Cannery	2.50
Cherry, with partitions	(1) 2.00
Cherry, without partitions	1.75
Fruit and basket crates, peach, persimmon	(2) 2.00
Dried fruit and raisin	2.00
Dried fruit—carton	2.00
Orange and lemon	3.00
Orange and lemon, half boxes	2.25
Sub-standard lugs	(2) 2.00
Ordinary lugs	(2) 2.00
Display lugs, framing only	2.00
Display lugs, complete, including nailed ends	2.50
Display lugs, nailing cleats to ends only	.50
Cantaloupe heads, per 100 pairs	2.20
Cantaloupe crates complete	4.40
Cantaloupe framing only	2.20
Cantaloupe flats	1.75
For nailing beveled slats on cantaloupe, add	.10
Honey-dew heads, with posts, per 100 pairs	1.40
Honey-dew framing only	2.10
Honey-dew complete with posts	3.50
Honey-dew crates, without posts	2.10
Half pear, peach	(2) 2.00
Pear	2.00
One-way lugs	2.50
Picking boxes, with posts	7.50
Picking boxes, without posts	5.75
Fresh fig, date, and avocado	1.75
Potato crates, not octagonal, without extras	2.00
Octagonal potato crates, Navy specifications:	
Strapping 8.00	
Nailing 6.00	14.00
Trays:	
2 x 3	5.00
3 x 6	12.00
3 x 7	13.00
3 x 8	14.00
Sweat boxes	13.00
Dehydrator trays	17.00
Vegetable crates:	
10-slat, framing only	2.10
9-slat, framing only	2.00
Nailing heads only	2.10
10-slat complete	4.20
9-slat complete	4.10
Pea crates—same charge as 10-slat vegetable crate.	
Cauliflower and half lettuce crates:	
Framing only	1.75
Nailing heads only	2.10
Complete	3.85
Sturdee celery, framing only	2.50

TABLE 4—ASSEMBLY CHARGES—Continued

	Per C Units
Sturdee celery, nailing heads only	2.50
Sturdee celery, complete	5.00
Half celery, framing only	2.90
Half celery, nailing heads only	2.10
Half celery, complete	5.00
Cub celery	2.00
Nailing: Where slat is printed, except specially placed bundles—.05 per C prints above normal nailing charge.	
Paneled head mortised and tenoned	2.25
Stitching:	
One slat and 2 cleats	.30
2 or more slats and 2 cleats	.35
2 or more slats and 3 cleats	.50

(1) If stitched covers instead of nailed bottoms, add 25¢.

(2) If no cleats, deduct 25¢ per C boxes. For each extra pair of cleats over first pair, add 25¢ per 100 boxes.

(h) *Maximum prices for extra services.* The maximum amounts by which the ceiling prices established in this regulation may be increased for extra services are set out in Table 5. These maximum extra charges apply only where the extra service is performed in the western area.

TABLE 5—EXTRA CHARGES

Bevels:	
Orange and lemon slats only (1 or 2 edges)	$0.10 per C pieces.
Cantaloupe slats (both edges)	0.25 per C pieces.
All other:	
Top edge, 1 or 2 corners	0.15 per C pieces.
Top and bottom edge, 1 or 2 corners each	0.20 per C pieces.
Cutting off corners (except asparagus and prune)	0.25 per C operations.
Grooving	0.40 per C operations.
Handholes, part through	0.25 per C operations.
Handholes, through	0.50 per C operations.
Handholes, Beer box type	0.60 per C operations.
Labeling:	
Less than 14" long	0.40 per C labels.
Labels over 14" long	0.65 per C labels.
Panel type celery heads	0.65 per C labels.
Notching:	
Other than vegetable and field crates	0.25 per C operations.
Vegetable or Field crate posts and rails	0.75 per C crates.
Printing:	
1 color	0.15 per C prints.
2 color	0.25 per C prints.
3 color	0.50 per C prints.
Set-up type (plus $2.00 for setup)	0.15 per C prints.
Rabbeting and Dodoing (except sweat boxes)	0.40 per C operations.
Sanding or special surfacing specified by customer	10.00 per M feet.
Slotting	0.15 per C operations.
Staining:	
Ends	1.00 per C pieces.
Cleats on unitized stock	See cover list.
Cleats on other stock	0.05 per C pieces.
Tying:	
Double wire or double rope tying including marking	1.25 per M feet.
Triple wire or triple rope tying including marking	2.50 per M feet.
Special placed print bundling	2.00 per C boxes.
Bundling display ends and cleats together	0.75 per C boxes.
Place collars and papers in pear boxes	0.35 per C boxes.
Triangling corner posts (4 posts per crate or box)	0.10 per C posts.

For specifications of "All No. 1 Ends", add to the price of the excess over the standard proportion of one-third No. 1 ends $1.75 per M feet.

The cutting of one or more grooves, rabbets, notches or slots in any piece under 24" long shall be considered as one operation.

Where the buyer specifies export quality shook with a dryness of 18 percent or less, add $5.00 per M feet.

(i) *Maximum charges for warehousing and delivering containers.* The maximum charges which may be made for warehousing and delivering western wooden agricultural containers are set out in Table 6. These maximum charges apply only when the warehouse or delivery service is performed in the western area. The applicable maximum charges for warehouse and delivery services depend in part on whether the shipment is made out of the stocks of a "mill warehouse" (one that is physically next to a mill) or a "distribution warehouse" (one that is not located next to a mill). In the case of all warehouses located in the northwest area, the maximum charges in Table 6 are to be added to the "basic prices." In the case of warehouses not located in the northwest area, the maximum charges in Table 6 are to be added to the maximum prices for the price "group" in which the warehouse is located.

TABLE 6—MAXIMUM CHARGES FOR WAREHOUSING AND DELIVERING CONTAINERS

I. *Where shipment totals 30,000 pounds or more:*

If made out of the stocks of a mill warehouse, nothing may be added for either warehousing or delivering.

If made out of the stocks of a distribution warehouse, $2.00 per M feet may be added for both warehousing and delivering shook, covers, carbracing and/or car strips; or 10 cents per C units of unitized stock.

II. *Where shipment totals less than 30,000 pounds and is made out of the stocks of either a mill warehouse or a distribution warehouse:*

For the service of warehousing, $3.00 per M feet may be added for shook (other than vegetable), covers, carbracing and/or carstrips; $2.00 per M feet for vegetable shook; and 15 cents per C units of unitized stock.

This addition cannot be made where the seller has made a retail sale mark-up as permitted in paragraph (f) of this Appendix (*"Mark-up for retail sales of shook."*)

For the service of delivering any of these items, $2.00 per M feet, or 10 cents per C units of unitized stock, may be added. This charge may be made in the case of retail sales.

III *For delivering framed stock in less than carload quantities:*

$4.00 per M feet may be added if delivery is by truck, or $1.00 per M feet if delivery is over a conveyer system.

(j) *Maximum prices for containers not specifically listed in this regulation.* The maximum price for any western wooden agricultural container or part, or service performed in connection with containers, for which a ceiling price is not listed in this Appendix is the maximum price for the most similar container, part or service listed. If no similar item or service is listed, the seller should write a letter to the Office of Price Administration describing the item or service and stating the ceiling price requested. The Office of Price Administration will authorize a maximum price by letter. Before the authorization is received the seller may quote and deliver at the requested maximum price provided that the sales price is adjusted to the maximum price authorized. Refunds must be made where necessary.

(k) *Rounding out maximum prices.* The maximum price for 100 units of boxes and crates in shook or assembled form may be rounded out to the nearest nickel. The maximum price for parts may be rounded out to the nearest cent per 100 pieces.

Issued this 3d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1805; Filed, February 3, 1943; 11:07 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 261 Under § 1499.3 (b) of GMPR]

NICKEY BROTHERS, INC.

Nickey Brothers, Incorporated, of Memphis, Tennessee, has made application under § 1499.3 (b) of the General Maximum Price Regulation for specific authorization to determine the maximum price for a commodity which cannot be priced under § 1499.2 thereof. Due consideration has been given to the application and an opinion in support of the order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, *It is ordered:*

§ 1499.1497 *Approval of maximum prices for sale by Nickey Brothers, Inc., of special oak dimension stock.* (a) On and after February 4, 1943, Nickey Brothers, Inc., of Memphis, Tennessee, may sell and deliver, and any person may purchase and receive from Nickey Brothers, Inc., special oak dimension stock consisting of sets of two pieces in the following sizes and specifications at a price not to exceed $150.00 per M feet board measure, f. o. b. mill:

1 piece $1^{3}/_{16}$" x $1^{3}/_{4}$" x 51"—S4S
1 piece $1^{3}/_{16}$" x $1^{3}/_{4}$" x 24"—S4S

Stock to be kiln dried, flat, straight, and practically clear grade.

(b) This Order No. 261 may be revoked or amended at any time.

(c) This Order No. 261 (§ 1499.1497) shall become effective February 4, 1943.

Issued this 3d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1811; Filed, February 3, 1943; 11:08 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 183 Under § 1499.18 (b) of GMPR]

C. EARL HAWLEY

Order No. 183 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-1655.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1084 *Adjustment of the maximum prices of C. Earl Hawley for gravel, stone and pebbles.* (a) Specific authority is hereby granted C. Earl Hawley, East Detroit, Michigan to sell or offer for sale various kinds and sizes of gravel, sand and stone at the prices set forth below:

	Wholesale, maximum price per net ton delivered	Retail,* maximum price per net ton delivered
Sand	$1.70	$2.10
60-40 gravel	2.00	2.25
Oversize stone	1.75	2.25
Block gravel	1.80	2.15
Pea pebbles	2.00	2.25
1 inch pebbles	2.75	3.00
Road gravel	1.35	1.50

*The term retail used in the schedule refers to sales made to contractor consumers rather than sales to ultimate users.

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 183 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 183 (§ 1499.1084) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 183 (§ 1499.1084) shall become effective February 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 3d day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1813; Filed, February 3, 1943; 11:08 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 184 Under § 1499.18 (b) of GMPR]

LEHIGH SEWER PIPE AND TILE CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1085 *Adjustment of the maximum price of Lehigh Pipe and Tile Company for Clapipe Sewer Jointing Compound.* (a) Specific authority is hereby granted the Lehigh Sewer Pipe and Tile Company of Fort Dodge, Iowa, to sell Clapipe Sewer Pipe Jointing Compound in the states of Illinois, Wisconsin, Iowa, Minnesota, North Dakota, South Dakota and Nebraska at the prices set forth below:

(1) 11¢ per pound delivered when sold to dealers, and

(2) $13^{1}/_{4}$¢ per pound delivered when sold to consumers.

(b) This Order No. 184 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 184 (§ 1499.1085) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(d) This Order No. 184 (§ 1499.1085) shall become effective February 4, 1943

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 3d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1814; Filed, February 3, 1943; 11:08 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 185 Under § 1499.18 (b) of GMPR]

SIMS COLLAR AND LEATHER CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1086 *Denial of application for adjustment of maximum prices of harness and saddlery items sold by the Sims Collar and Leather Company of Chattanooga, Tennessee.* (a) The application of the Sims Collar and Leather Company filed October 7, 1942, and assigned Docket No. 3061-2 requesting permission to increase its maximum prices of harness and saddlery items is denied.

(b) This Order No. 185 (§ 1499.1086) shall become effective February 4, 1943

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 3d day of February 1943

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1815; Filed, February 3, 1943; 11:07 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

[Circular No. 1524]

PART 250—PUBLIC SALES

AMENDING REGULATIONS GOVERNING PUBLIC SALES BIDS SENT BY MAIL

The regulations governing public sales (43 CFR, Part 250) are hereby amended so as to incorporate provisions relating to bids sent by mail, as follows:

§ 250.10 *The sale.* The land will be offered for sale at public auction, at not less than its appraised value, at the time and place fixed in the public notice.

Bids may be made by the principal or his agent, either personally at the sale or by mail.

Bids sent by mail will be considered only if received at the district land office prior to the hour fixed for the sale. These bids must be enclosed in sealed envelopes and must be accompanied by certified checks or post office money orders for the amounts of the bids. The envelopes must be marked in the lower left-hand corner substantially as follows: "Public sale bid, Serial No. ------, Sale, ---------- 19 ----." The envelopes containing the sealed bids will not be opened by the Register until the time fixed for the sale.

The Register will commence the sale by reading the public announcement thereof and by opening the sealed bids and announcing such bids. He will then receive bids from the persons present and at the conclusion of the auction will announce the name of the highest bidder.

The Register will keep a record showing the names of the bidders and the amount bid by each and whether the bid was made by the principal or his agent, personally at the sale or by mail. Such record will be transmitted to the General Land Office with the other papers in the case.

(R.S. 453, 248; 43 U.S.C. 2, 1201)

FRED W. JOHNSON,
Commissioner.

Approved: January 20, 1943.

OSCAR L. CHAPMAN,
Assistant Commissioner.

[F. R. Doc. 43-1799; Filed, February 3, 1943; 9:45 a. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order 29]

PART 341—SHIP WARRANT RULES AND REGULATIONS

SUSPENSION OF RATE CEILINGS

§ 341.75 *Suspension of rate ceilings with respect to vessels of less than 1,000 gross tons.* Except as otherwise directed by the Administrator, the maximum rate ceiling as prescribed in paragraph 2 of the "Uniform Conditions to be Incorporated into the Undertaking by reference on Schedule A, February 3, 1943", is suspended until March 3, 1943, in its application to vessels of less than 1,000 gross tons whose owners or operators file with the Warrants Section, War Shipping Administration, a detailed voyage account covering the voyage immediately preceding the first voyage made as a warrant-holding vessel.

The foregoing does not suspend nor affect the provisions of the warrant agreement relating to trading areas of vessels or their cargoes.

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

FEBRUARY 3, 1943.

[F. R. Doc. 43-1828; Filed, February 3, 1943; 12:04 p. m.]

Notices

WAR DEPARTMENT.

[Civilian Restrictive Order 26]

TULE LAKE WAR RELOCATION AREA, CALIF.

DESIGNATION

JANUARY 25, 1943.

Headquarters Western Defense Command and Fourth Army, Office of the Commanding General, Presidio of San Francisco, California.

Pursuant to the provisions of Public Proclamation No. 8, this headquarters, dated June 27, 1942, which provides in part as follows:

> Pursuant to the determination of military necessity hereinbefore set out, all of the territory included within the exterior boundaries of each Relocation Center now or hereafter established within the Western Defense Command, as such boundaries are designated and defined by orders subsequently issued by this headquarters, are hereby designated and established as War Relocation Project Areas.

the boundaries of the Tule Lake War Relocation Project Area are hereby designated and particularly described as follows:

A tract of land in the Counties of Modoc and Siskiyou, State of California, more particularly described as follows, to wit:

Commencing at the southwest corner of Section 23, Township 47 North, Range 5 East, Mount Diablo Base and Meridian, in Modoc County, California; thence west about two miles along the south line of Sections 22 and 21, Township 47 North, Range 5 East, to the intersection of said south line with the east right-of-way line of the Great Northern Railroad; thence north along the east line of said railroad right-of-way one-half mile to the intersection of the east line of said railroad right-of-way with the east-west center line of said Section 21; thence west a few hundred feet along said east-west center line of Section 21 and the east-west center line of Section 20, Township 47 North, Range 5 East, to the most easterly corner of Lot 25 of said Section 20; thence northwesterly about two and three-fourths miles along the northeasterly line of Lot 25 in Sections 20 and 17, Township 47 North, Range 5 East and along the northeasterly line of Lots 16 and 17 in Sections 18 and 7, Township 47 North, Range 5 East, to the most northerly corner of said Lot 16, said corner being on the boundary line between Siskiyou and Modoc Counties; thence continuing in Siskiyou County, California, a distance of about one and one-fourth miles in a northwesterly direction along the northeasterly line of Lots 12 and 13, Section 12, Township 47 North, Range 4 East, to the most northerly corner of said Lot 13; thence south about two and one-fourth miles along the west line of Sections 12, 13, and 24, Township 47 North, Range 4 East, to the west quarter corner of said Section 24; thence east one mile along the east-west center line of said Section 24 to the east quarter corner of said Section 24, said quarter corner being on the boundary line between Siskiyou and Modoc Counties, State of California; thence continuing in an easterly direction about two miles along the east-west center line of Sections 19 and 20, Township 47 North, Range 5 East, to the intersection of said east-west center line of Section 20 with the westerly right-of-way line of the Great Northern Railroad; thence south two miles along the westerly right-of-way line of said Railroad to the intersection of the westerly right-of-way line of said Railroad with the east-west center line of Section 32, Township 47 North, Range 5 East; thence east about one-half mile along the east-west center line of said Section 32 and the east-west center line of Section 33, Township 47 North, Range 5 East, to the intersection of said east-west center line of Section 33 with the meander line of Tule Lake; thence continuing in a northeasterly direction about one and three-quarters miles along the said meander line of Tule Lake, through Sections 33, 34 and 27, Township 47 North, Range 5 East, to the intersection of said meander line of Tule Lake with the north-south center line of said Section 27; thence south about one and one-half miles along the north-south center line of said Section 27 and the north-south center line of said Section 34, Township 47 North, Range 5 East, to the south quarter corner of said Section 34; thence east about one-eighth mile along the south line of said Section 34 to the intersection of said south line of Section 34 with the meander line of Copic Bay; thence northeasterly about one and one-half miles along the meander line of Copic Bay through Sections 34 and 35, Township 47 North, Range 5 East, to the intersection of said meander line with the south line of Section 26, Township 47 North, Range 5 East; thence east about one and one-eighth miles along the south line of said Section 26 and the south line of Section 25, Township 47 North, Range 5 East, to the south quarter corner of said Section 25; thence north about one-fourth mile along the north-south center line of said Section 25 to the intersection of said north-south center line with the meander line of Tule Lake; thence northeasterly along the meander line of Tule Lake about one mile through Sections 25 and 24, Township 47 North, Range 5 East, to the intersection of said meander line with the east line of said Section 24; thence continuing northeasterly along the said meander line of Tule Lake about one-fourth mile through Section 19, Township 47 North, Range 6 East, to the intersection of said meander line of Tule Lake with the east-west center line of said Section 19; thence west about one-fourth mile along said east-west center line of Section 19 to the west quarter corner of Section 19; thence west two miles along the east-west center line of Sections 24 and 23, Township 47 North, Range 5 East, to the west quarter corner of said Section 23; thence south one-half mile along the west line of said Section 23 to the southwest corner of said Section 23, the same being the point of beginning; said tract of land containing 5,480 acres, more or less.

Civilian Restrictive Order No. 21, this headquarters, dated September 23, 1942, and the designation and particular description of boundaries therein are hereby superseded.

J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

[F. R. Doc. 43-1754; Filed, February 2, 1943; 11:55 a. m.]

[Civilian Restrictive Order 27]

CAMP DALTON WELLS WAR RELOCATION PROJECT AREA, UTAH

DESIGNATION

JANUARY 27, 1943.

Headquarters Western Defense Command and Fourth Army, Office of the Commanding General, Presidio of San Francisco, California.

Pursuant to the provisions of Public Proclamation No. 8, this headquarters, dated June 27, 1942, which provides in part as follows:

> Pursuant to the determination of military necessity hereinbefore set out, all of the territory included within the exterior boundaries of each Relocation Center now or hereafter established within the Western Defense Command, as such boundaries are designated and defined by orders subsequently issued by this headquarters, are hereby designated and established as War Relocation Project Areas.

the boundaries of the Camp Dalton Wells War Relocation Project Area are hereby designated and particularly described as follows:

A tract of land in the County of Grand, State of Utah, more particularly described as follows, to wit:

The northwest one-quarter (NW¼) of Section 22, Township 24 South, Range 20 East, Salt Lake Base and Meridian, Grand County, State of Utah.

J. L. DEWITT,
Lieutenant General, U. S. Army.
Commanding.

[F. R. Doc. 43-1755; Filed, February 2, 1943; 11:55 a. m.]

[Civilian Restrictive Order 28]

COW CREEK WAR RELOCATION PROJECT AREA, CALIF.

DESIGNATION

JANUARY 28, 1943.

Headquarters Western Defense Command and Fourth Army, Office of the Commanding General, Presidio of San Francisco, California.

Pursuant to the provisions of Public Proclamation No. 8, this headquarters, dated June 27, 1942, which provides in part as follows:

> Pursuant to the determination of military necessity hereinbefore set out, all of the territory included within the exterior boundaries of each Relocation Center now or hereafter established within the Western Defense Command, as such boundaries are designated and defined by orders subsequently issued by this headquarters, are hereby designated and established as War Relocation Project Areas.

the boundaries of Cow Creek War Relocation Project Area are hereby designated and particularly described as follows:

A tract of land in the County of Inyo, State of California, more particularly described as follows, to wit:

The northwest one-quarter (NW ¼) of the northeast one-quarter (NE ¼) of the northeast one-quarter (NE ¼) of Section 4, Township 27 North, Range 1 East, San Bernardino Base and Meridian, consisting of ten (10) acres more or less, located in the County of Inyo, State of California.

J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

[F. R. Doc. 43-1756; Filed, February 2, 1943; 11:55 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1262]

DISTRICT BOARD 8

NOTICE OF AND ORDER FOR HEARING, ETC.

In the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 8 pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Notice of and order for hearing and order denying motion to terminate temporary relief.

A petition and Motion to Terminate Temporary Relief, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on February 23, 1943, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, Washington, D. C. On such day the Chief of the Records Section will advise as to the room where such hearing will be held.

It is further ordered, That W. A. Cuff, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and ellgible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before February 18, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessarily corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to a petition and motion filed with the Division by District Board No. 8 requesting that the temporary minimum prices established for the coals produced by the Red Jacket No. 9 Mine, Mine Index No. 5246 of the Red Jacket Coal Corporation in the order dated January 24, 1942, and order dated March 25, 1942, be terminated and that the following permanent and final minimum prices as represented by the following classifications and prices for rail, rail-lake, and truck movement be established:

RAIL

Size groups	1-4	5-6	7	8	9	10	11-14	15-17	18-21	24-27
Classifications	O	H	G	E	C	E	A	A	A	A

RAIL—LAKE

Size groups	1-2	3-4	5-6	7	8	9	10	16-17	18-21	24-27
Classifications	O	M	L	F	B	A	E	J	A	A

TRUCK

Size groups	1	2	3	4	5	6	7	8
Cents per ton	270	250	255	250	235	245	225	215

It is further ordered, That the Motion to Terminate Temporary Relief and for Permanent Relief filed by petitioner on January 19, 1943, be and the same is hereby denied.

Dated: February 2, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-1820; Filed February 3, 1943, 11:16 a. m.]

[Docket No. B-8]

TONY CAPUTO

ORDER GRANTING MOTION TO DISMISS AND CANCELLING NOTICE OF AND ORDER FOR HEARING

A complaint in the above-entitled matter dated September 4, 1941, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, having been duly filed on September 4, 1941, by Bituminous Coal Producers Board for District No. 3, a District Board, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by Tony Caputo, Code Member, of the Bituminous Coal Code, or rules and regulations thereunder; and

The above-entitled matter having been heretofore scheduled for hearing at 10:00 a. m. on December 3, 1941, at a hearing room of the Bituminous Coal Division at the Post Office Building, Clarksburg, West Virginia, pursuant to an order of the Division issued October 7, 1941, and subsequently postponed by an Order of the Division issued March 7, 1942, to a date and hearing room thereafter to be designated by an appropriate order; and

The complainant having filed on January 20, 1943, with the Division its Motion to Dismiss the above-entitled matter without prejudice to the filing of a new complaint; and

The Director deeming it appropriate that said motion should be granted and that the above-entitled matter should be dismissed and said hearing be cancelled;

Now, therefore, It is ordered, That the above-entitled matter be, and the same is hereby dismissed without prejudice to the institution of any other proceeding that the Division may deem appropriate;

It is further ordered, That the hearing in the above-entitled matter be and the same is hereby cancelled.

Dated: February 1, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-1821; Filed, February 3, 1943; 11:16 a. m.]

General Land Office.

[Public Land Order 78]

NEW MEXICO

WITHDRAWING PUBLIC LANDS FOR THE RIO GRANDE CANALIZATION PROJECT

By virtue of the authority vested in the President by sec. 1 of the act of May 13, 1924, c. 153, 43 Stat. 118, as amended by the act of August 19, 1935, c. 561, 49 Stat. 660, by the act of August 29, 1935, c. 805, 49 Stat. 961, and by the act of June 4, 1936, c. 500, 49 Stat. 1463, and pursuant to Executive Order No. 9146 of April 24, 1942, and to sec. 1 of the act of June 28, 1934, as amended, c. 865, 48 Stat. 1269 (U.S.C. title 43, sec. 315), *It is ordered as follows:*

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral leasing laws, and reserved for the use of the Department of State, in connection with the Rio Grande Canalization Project:

NEW MEXICO PRINCIPAL MERIDIAN

T 22 S., R 1 E.,
Sec 20, S½SW¼
T 19 S., R 3 W.,
Sec 24, NE¼

The areas described aggregate 240 acres.

The orders of the Secretary of the Interior of July 11, 1935, and April 8, 1935, establishing New Mexico Grazing Districts Nos. 3 and 4, respectively, are hereby modified to the extent necessary to permit the use of the land as herein provided.

ABE FORTAS,
Acting Secretary of the Interior.

JANUARY 15, 1943.

[F. R. Doc. 43-1795; Filed, February 3, 1943; 9:44 a. m.]

[Public Land Order 82]

ALASKA

WITHDRAWING PUBLIC LANDS FOR USE IN CONNECTION WITH THE PROSECUTION OF THE WAR

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, *It is ordered as follows:*

Subject to valid existing rights, (1) all public lands, including all public lands in the Chugach National Forest, within the following-described areas are hereby withdrawn from sale, location, selection, and entry under the public-land laws of the United States, including the mining laws, and from leasing under the mineral-leasing laws, and (2) the minerals in such lands are hereby reserved under the jurisdiction of the Secretary of the Interior, for use in connection with the prosecution of the war:

NORTHERN ALASKA

All that part of Alaska lying north of a line beginning at a point on the boundary between the United States and Canada, on the divide between the north and south forks of Firth River, approximate latitude 68°52' N., longitude 141°00' W., thence westerly, along this divide, and the periphery of the watershed northward to the Arctic Ocean, along the crest of portions of the Brooks Range and the De Long Mountains, to Cape Lisburne.

The area described, including both public and non-public lands, aggregates 48,800,000 acres.

ALASKA PENINSULA

Beginning at the highest point on Mt. Veniaminof, approximate latitude 56°13' N., longitude 159°24' W.;
South, approximately 24 miles, to a point on the north shore of Ivanof Bay;
Northeasterly, approximately 400 miles, along the Pacific Ocean, Shelikof Strait and Cook Inlet to Tuxedni Bay;
Northwesterly, approximately 46 miles, along the south shore of Tuxedni Bay, to the headwaters of the principal stream entering Tuxedni Bay from the west, across the Aleutian Range of mountains to the most northerly point of Little Lake Clark;
Southwesterly, approximately 340 miles, along the easterly shores of Little Lake Clark, Lake Clark and Sixmile Lake to Newhalen River, downstream along the left bank of Newhalen River to Illamna Lake, southwesterly along the north and west shores of Illamna Lake to Kvichak River, downstream along the left bank of Kvichak River, and the shores of Kvichak Bay and Bristol Bay, to a point due north of the point of beginning;
South approximately 22 miles, to the point of beginning.

The area described, including both public and non-public lands, aggregates 15,600,000 acres.

KATALLA-YAKATAGA

Beginning at Cottonwood Point, at the mouth of Copper River, approximate latitude 60°17' N., longitude 144°55' W.;
Northerly, approximately 18 miles upstream along the left bank of Copper River to a point on the North boundary of the Chugach National Forest;
Easterly, approximately 32 miles, along the north boundary of the Chugach National Forest to the east boundary of the national forest;
East, approximately 100 miles, to the boundary between the United States and Canada;
South, approximately 16 miles, along the International Boundary to Mt. St. Elias;
South, approximately 38 miles, across Malaspina Glacier, to the Gulf of Alaska;
Westerly, approximately 140 miles, along the Gulf of Alaska, to the point of beginning.

The area described, including both public and non-public lands, aggregates 3,040,000 acres.

The total area described in the three tracts aggregates approximately 67,440,000 acres.

This order shall not affect or modify existing reservations of any of the lands involved except to the extent necessary to prevent the sale, location, selection, or entry of the above-described lands under the public-land laws, including the mining laws, and the leasing of the lands under the mineral-leasing laws.

ABE FORTAS,
Acting Secretary of the Interior.

JANUARY 22, 1943.

[F. R. Doc. 43-1796; Filed, February 3, 1943; 9:45 a. m.]

[Stock Driveway Withdrawal 14, Wyo. 2]

WYOMING

REDUCTION OF STOCK DRIVEWAY WITHDRAWAL

The order of the Acting Secretary of the Interior of April 24, 1918, establishing Stock Driveway Withdrawal No. 14, Wyoming No. 2, under section 10 of the act of December 29, 1916, 39 Stat. 865, 43 U. S. C. 300, is hereby revoked so far as it affects the following-described lands:

SIXTH PRINCIPAL MERIDIAN

T. 58 N., R. 76 W.,
Sec. 19;
T. 58 N., R. 77 W.,
Sec. 24;
Sec. 25, N½N½, SW¼, and S½SE¼.

The areas described aggregate 1,398.24 acres.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

JANUARY 5, 1943.

[F. R. Doc. 43-1794; Filed, February 3, 1943; 9:44 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of Special Certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof. Part 522 of the Regulations issued thereunder (August 16, 1940 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the Determination and Order or Regulation listed

below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748)

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective February 4, 1943. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT NUMBER OF LEARNERS AND EXPIRATION DATE

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry

H. J. Axler & Sons, 1031 17th Street, Denver, Colorado; Ladies' slacks, ladies' slack suits; 5 learners (T); February 4, 1944.

Albert Given Manufacturing Company, 4859 Melville Ave., East Chicago, Indiana; Men's trousers; 10 percent (T); February 4, 1944.

Helene Dress Company, 165 Water Street, Catskill, New York; Dresses; 10 percent (T); February 4, 1944.

Solomon Manufacturing Company, 1233 Washington Avenue, St. Louis, Missouri; Cotton and rayon dresses for juniors; 10 learners (T); February 4, 1944.

Superior Garment Manufacturing Company, 320 S. Franklin Street, Chicago, Illinois; Government hospital robes, lounging robes, hospital garments, white duck clothing, men's slacks, ensembles, sport shirts; 5 learners (T); February 4, 1944.

Vesta Corsets, Inc., 157 S. Main Street, Cortland, New York; Corsets and brassieres; 5 learners (T); February 4, 1944.

Hosiery Industry

Farmers Mill, Carrollton, Georgia; Misses' anklets; 8 learners (E); October 4, 1943.

Wm. L. Hyman Hosiery Mill, Locust Street, Ephrata, Pennsylvania; Seamless hosiery; 5 learners (T); February 4, 1944.

Ingle Full Fashioned Hosiery Mills, Inc., Gibsonville, North Carolina; Full-fashioned hosiery; 5 learners (T); February 4, 1944.

Kenosha Full Fashioned Mills, Inc., 2323 60th Street, Kenosha, Wisconsin; Full-fashioned hosiery; 5 percent (T); February 4, 1944.

Milne Hosiery Mills, South Broad Street, Cleveland, Tennessee; Seamless hosiery; 5 learners (T); February 4, 1944.

H. K. Stork & Company, Adamstown, Pennsylvania; Seamless hosiery; 5 learners (T); February 4, 1944.

Knitted Wear Industry

Sinberg Manufacturing Company, Race & Linden Streets, Allentown, Pennsylvania; Knitted underwear and outerwear; 5 percent (T); February 4, 1944.

Telephone Industry

Eureka Telephone Company, Corydon, Indiana; To employ learners as commercial switchboard operators at its Corydon exchange, located at Corydon, Indiana until February 4, 1944.

Textile Industry

J and C Cottons, Ellijay, Georgia; Cotton yarns; 3 percent (T); February 4, 1944.

Looper's Inc., 651 S. McCamy Street, Dalton, Georgia; Chenille robes; 30 learners (E); August 4, 1943.

The Maryland Ribbon Company, 651 N. Prospect Street, Hagerstown, Maryland; Webbing, aircraft tape, parachute tape, bandoleer and belting; 3 percent (T); February 4, 1944.

Signed at New York, N. Y., this 2d day of February 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-1798; Filed, February 3, 1943; 9:47 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

BERT MANUFACTURING CO. AND HAWKEYE PEARL BUTTON CO.

Notice of issuance of Special Certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective February 4, 1943.

The employment of learners under these Certificates is limited to the terms and conditions as designated opposite the employer's name. These Certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The Certificates may be cancelled in the manner provided for in the Regulations and as indicated on the Certificate. Any person aggrieved by the issuance of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE

Bert Manufacturing Company, Irvington, New York; Five Year Diaries; 10 learners (T); All productive operations involved in making diaries for a learning period of six weeks (240 hours) at 35¢ per hour until August 4, 1943.

Hawkeye Pearl Button Company; 2nd and Orange Streets, Muscatine, Iowa; Fresh water pearl buttons; 8 learners (T); Grinders, Automatic and Novelty Machine Operators and blank sorters for a learning period of four weeks at 30¢ per hour, finished button sorters for a learning period of twelve weeks at 30¢ an hour for the first eight weeks and 35¢ an hour for the next four weeks, until July 5, 1943. (Revised)

Signed at New York, N. Y., this 2d day of February 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-1797; Filed, February 3, 1943; 9:47 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4307]

INTERNATIONAL SALT CO., ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 1st day of February, A. D. 1943.

In the matter of International Salt Company, International Salt Company, Inc., Independent Salt Company, Eastern Salt Company.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under Acts of Congress (38 Stat. 717; 15 U.S.C.A., section 41), and (49 Stat. 1526, U.S.C.A., section 13, as amended),

It is ordered, That John P. Bramhall, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, February 15, 1943, at ten o'clock in the forenoon of that day (Eastern Standard Time), in Court Room No. 2, Fourth Floor, Federal Building, Scranton, Pennsylvania.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-1801; Filed, February 3, 1943; 10:42 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 153 Under MPR 188]

STREATOR FURNITURE, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 153 Under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel. Approval of maximum prices for sales by Streator Furniture, Incorporated, of a new toy wagon.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Streator Furniture, Incorporated, Streator, Illinois, is authorized to sell and deliver its new wagon, described in its application to OPA dated November 23, 1942, as "Commando", to distributors at a price, f. o. b. Streator, Illinois, no higher than $6.31 per unit.

(b) This Order No. 153 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 153 shall become effective on the 2d day of February 1943.

Issued this 2d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1784; Filed, February 2, 1943; 3:36 p. m.]

[Order 10 Under MPR 204]

UNIVERSAL TRADING CORP.

APPROVAL OF MAXIMUM PRICE

Order No. 10 under Maximum Price Regulation No. 204—Idle or Frozen Materials Sold Under Priorities Regulation No. 13.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and § 1499.510 (a) of Maximum Price Regulation No. 204 and in accordance with Revised Procedural Regulation No. 1, *It is hereby ordered*, That:

(a) The Universal Trading Corporation, the official purchasing agency for the Chinese Government, may sell and deliver to any authorized buyer and any authorized buyer may buy and receive from the Universal Trading Corporation all or any portion of a certain stock of hot rolled steel sheets that the Universal Trading Corporation had heretofore purchased for export but which is now stored at the Lehigh Warehouse, Elizabeth, New Jersey, at a price not greater than the purchase price plus freight, storage, insurance and handling charges actually incurred in connection with this material by the Universal Trading Corporation: *Provided*, That no sale or delivery shall be made under this Order No. 10 except to the United States or an agency thereof unless the Universal Trading Corporation obtains from such authorized buyer and files with the Secretary, Office of Price Administration, Washington, D. C., within 10 days from the date thereof a written statement that such authorized buyer will absorb the increased cost resulting from such purchase and will not make application to the Office of Price Administration for an exception to or amendment of any price regulation if such application is based directly or indirectly in whole or in part on such increased cost.

(b) This Order No. 10 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 10 shall become effective February 3, 1943.

Issued this 2d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1785; Filed, February 2, 1943; 3:37 p. m.]

[Ration Order 4A, Administrative Exception Order 1]

TYPEWRITERS

M'LELLAN STORES, INC.

Section 1398.102 (b) (10) to Revised Rationing Order No. 4 provided that any person who sold to a dealer, wholesaler or manufacturer, a typewriter manufactured after January 1, 1935, in furtherance of the Treasury Typewriter Procurement Program might purchase at the same time a typewriter manufactured prior to January 1, 1928, for each typewriter sold. Since December 5, 1942, the transfer of typewriters to anyone other than a dealer, wholesaler, manufacturer or the Procurement Division of the Treasury Department has been prohibited. Under these circumstances persons who had not received actual delivery of the pre-1928 typewriter are prevented from doing so.

To avoid injustice to those persons who between September 21 and December 4, 1942, inclusive, had voluntarily offered late model typewriters to the Government with the understanding, based on the Office of Price Administration regulation, that they could replace the machine with an older model,

It is hereby ordered, That McLellan Stores, Inc., New York, New York, having since September 21, 1942, sold a typewriter manufactured after January 1, 1935, to a typewriter dealer and having agreed at the same time to buy from him a typewriter manufactured before January 1, 1928, in reliance upon the provisions of § 1398.102 (b) (10) of Revised Rationing Order No. 4, and who had not received actual delivery of the pre-1928 typewriter prior to December 5, 1942, may complete the transaction; and the dealer may deliver the pre-1928 typewriter without requiring the surrender of a ration certificate.

And it is hereby further ordered, That any person similarly situated may complete the transactions upon the written authorization of the State Director or District Manager for the area in which the transaction took place.

This order shall become effective February 3, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 429, 77th Cong., W.P.B. Dir. 1, 7 F.R. 562; E.O. 9125, 7 F.R. 2719)

Issued this 2d day of February 1943.

PAUL M. O'LEARY,
Deputy Administrator in Charge of Rationing.

[F. R. Doc. 43-1786; Filed, February 2, 1943; 3:38 p. m.]

[Suspension Order 157, Amendment 1]

WILLIAM F. DALY

ORDER RESTRICTING TRANSACTIONS

On January 11, 1943, W. F. Daly, hereinafter called respondent, filed with the Office of Price Administration a petition for reconsideration of Suspension Order No. 157 issued with respect to him on November 11, 1942. The matter has been duly considered by the Deputy Administrator in Charge of Rationing. *It is ordered:*

That the request of respondent for permission to dispose of his gasoline in the ordinary course of his business as he did before Suspension Order No. 157 went into effect without the prior approval of or supervision by the Regional Administrator of Region I, Office of Price Administration is denied: *It is further ordered*,

That paragraphs (h) (2) and (h) (3) of Suspension Order 157 are amended to read as set forth below and as amended Suspension Order No. 157 is affirmed.

(h) * * *

(2) Respondent shall not accept any deliveries or transfers of, or in any manner directly or indirectly receive from any source any gasoline for resale.

(3) No person, firm or corporation shall deliver, or in any manner directly or indirectly transfer any gasoline to respondent for resale.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H

(7 F.R. 3478, 3877, 5216); Supplementary Directive 1Q (7 F.R. 9121))

Issued and effective this 2d day of February 1943.

PAUL M. O'LEARY,
Deputy Administrator
in Charge of Rationing.

[F. R. Doc. 43-1787; Filed, February 2, 1943; 3:40 p. m.]

[Order 22 Under Rev. MPR 169]

E. KAHN'S SONS CO., ET AL.

ORDER DENYING APPLICATIONS FOR ADJUSTMENT

Correction

In the third paragraph of the document appearing on page 1209 of the issue for Wednesday, January 27, 1943, the address of the Lincoln Meat Company, Inc., should be "3800 South Halsted Street, Chicago, Illinois," and for A. Salus and Son, Inc., should be "8 North Delaware Avenue, Philadelphia, Pennsylvania."

[Amendment 1 to Order 1 Under MPR 74, as Amended]

JAS. F. MORSE & CO.

APPROVAL OF MAXIMUM PRICE

Amendment No. 1 to Order No. 1 under § 1363.62 (a) (5) (ii) of Maximum Price Regulation No. 74, as Amended—Animal Product Feedingstuffs.

For the reasons set forth in an opinion issued simultaneously herewith paragraph (b) of Order No. 1 issued under the provisions of § 1363.62 (a) (5) (ii) of Maximum Price Regulation No. 74, as amended, is hereby amended to read as follows:

(b) *Approval of maximum price for sales of meat scraps by Jas. F. Morse & Co. with a guaranteed minimum protein content of 48 percent.* Jas. F. Morse & Co. of Boston, Massachusetts may sell and deliver and any person may buy and receive from Jas. F. Morse & Co. meat scraps with a guaranteed minimum protein content of 48 percent at a maximum price of $60.78 per ton, f. o. b. conveyance at production plant of Jas. F. Morse & Co., located in Zone 8.

* * * * *

(s) *Effective date of amendment.* Amendment No. 1 to Order No. 1 under § 1363.62 (a) (5) (ii) of Maximum Price Regulation No. 74, as amended (paragraph (b)) shall become effective February 4, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 3d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1806; Filed February 3, 1943; 11:07 a. m.]

[Order 2 Under MPR 74, as Amended]

ATLAN SOAP WORKS, INC.

APPROVAL OF MAXIMUM PRICE

Order No. 2 under § 1363.62 (a) (5) (ii) of Maximum Price Regulation No. 74, as amended—Animal Product Feedingstuffs.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the provisions of § 1363.62 (a) (5) (ii) of Maximum Price Regulation No. 74, as amended, *It is ordered:*

(a) *Approval of maximum price for sales of meat scraps by Atlan Soap Works, Inc. of New Jersey with a guaranteed minimum protein content of 80 per cent.* Atlan Soap Works, Inc., of New Jersey, may sell and deliver and any person may buy and receive from Atlan Soap Works, Inc. meat scraps with a guaranteed minimum protein content of 80 per cent at a maximum price of $94.70 per ton, f. o. b. conveyance at production plant of Atlan Soap Works, Inc. located in Zone 7.

(b) *Price adjustments where actual analysis differs from guaranteed minimum protein content.* In any sale made pursuant to the provisions of this order if the actual analysis differs from the guaranteed minimum percentage of protein permitted by this order, then:

(1) If above the guaranteed minimum percentage of protein, no increase in maximum prices is permitted.

(2) If one per cent or less below the guaranteed minimum percentage of protein, deduct $1.50 per ton from the selling price.

(3) If more than one per cent below the guaranteed minimum percentage of protein deduct from the selling price, $1.50 per ton for the first per cent and $3.00 per ton for each additional per cent or fraction thereof.

(c) *Notification of maximum prices.* Atlan Soap Works, Inc., shall provide the following notice of the maximum price established by this order with the first delivery to each buyer of meat scraps having a guaranteed minimum protein content of 80 per cent.

The Office of Price Administration has permitted us to sell meat scraps with a guaranteed minimum protein content of 80 per cent at a maximum price of $94.70 per ton, f. o. b. our production plant, which is in line with the maximum prices established for the product by Maximum Price Regulation No. 74, as amended. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for sales of these meat scraps.

(d) All prayers and requests contained in the application of Atlan Soap Works, Inc., which have not been granted herein are denied.

(e) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 2 shall become effective February 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 3d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1807; Filed, February 3, 1943; 11:07 a. m.]

[Order 7 Under MPR 185]

OREGON FRUIT PRODUCTS COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 7 under Maximum Price Regulation No. 185—Canned Fruits and Canned Berries.

Oregon Fruit Products Company has filed an application for specific authorization for maximum prices pursuant to § 1341.102 (e) of Maximum Price Regulation No. 185.

Due consideration has been given to the information submitted by Applicant with respect to the packing of sub-standard halves Bartlett pears and sub-standard pieces Bartlett pears, both packed in No. 2½ cans.

For the reasons set forth in the opinion which accompanies this Order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered,* That:

(a) Oregon Fruit Products Company may sell, offer to sell or deliver and any person may buy, offer to buy or receive from Oregon Fruit Products Company the following items in the following can sizes at prices no higher than the maximum prices listed therefor in this paragraph:

Item	Can size	Maximum price per dozen, f. o. b. factory
Substandard halves Bartlett Pears	#2½	$3.30
Substandard pieces Bartlett Pears	#2½	3.20

(b) This Order No. 7 may be revoked or amended by the Price Administrator at any time.

(c) The Applicant shall not change its customary allowances, discounts or price differentials, including price differentials between different classes of purchasers, unless such change results in a lower price.

(d) Unless the context otherwise requires, the definitions set forth in § 1341.110 of Maximum Price Regulation No. 185 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(e) This order shall become effective February 4, 1943.

Issued this 3d day of February 1943.

PRENTISS M. BROWN.
Administrator.

[F. R. Doc. 43-1808; Filed, February 3, 1943; 11:07 a. m.]

[Order 8 Under MPR 185]

NEW ERA CANNING COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 8 under Maximum Price Regulation No. 185—Canned Fruits and Canned Berries.

The Applicant, New Era Canning Company, New Era, Mich., has filed an application for specific authorization of a maximum price for No. 2½ peeled halves Freestone peaches in 35° syrup, pursuant to § 1341.102 (e) of Maximum Price Regulation No. 185.

Due consideration has been given to the information submitted by the Applicant with respect to the packing of No. 2½ peeled halves Freestone peaches in 35° syrup.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250: *It is hereby ordered,* That:

(a) The Applicant, New Era Canning Company, may sell, offer to sell or deliver and any person may buy, offer to buy or receive from the Applicant, No. 2½ peeled halves Freestone peaches in 35° syrup at a price no higher than $1.97 per dozen, f. o. b. factory.

(b) This Order No. 8 may be revoked or amended by the Price Administrator at any time.

(c) The Applicant shall not change its customary allowances, discounts or price differentials, including price differentials between different classes of purchasers, unless such change results in a lower price.

(d) Unless the context otherwise requires, the definitions set forth in § 1341.110 of Maximum Price Regulation No. 185 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(e) This Order shall become effective February 4, 1943.

Issued this 3d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1809; Filed, February 3, 1943; 11:07 a. m.]

[Order 1 Under MPR 275]

H. J. HEINZ CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 1 of Maximum Price Regulation No. 275—Extracted Honey.

Authorization of maximum prices of "Lakeshore" brand extracted honey for H. J. Heinz Company, Pittsburgh, Pennsylvania.

For the reasons set forth in an opinion issued simultaneously herewith: *It is hereby ordered:*

(a) The H. J. Heinz Company may sell and deliver to retailers the one pound jar of extracted honey, brand name "Lakeshore", at the following delivered prices:

Zone:	Maximum price per dozen
1	$3.19
2	3.19
3	3.28
4	3.23
5	3.29
6	3.29
7	3.29

(b) The zones set forth in paragraph (a) above the price zones of the H. J. Heinz Company in effect as of the date of this order (a map of which has been filed with the Office of Price Administration), and the prices established in paragraph (a) above are the maximum prices for deliveries in or to the applicable zone.

(c) The H. J. Heinz Company shall send to their purchasers at the time of the first sale a notice enclosed in the shipping case, which shall read as follows:

Notice of Retailers Permitted Increase

Your new O. P. A. ceiling price for the enclosed item is your March ceiling for such item plus 7¢ per retail container. O. P. A. requires you to keep this information for examination.

(d) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 1 shall become effective on the 4th day of February 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 3d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1812; Filed, February 3, 1943; 11:08 a. m.]

[Order 9 Under RFS 28]

MIDWEST SOLVENTS COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 9 Under Revised Price Schedule No. 28—Ethyl Alcohol—Docket No. 3028-14.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250: *It is ordered:*

(a) Notwithstanding anything to the contrary contained in Revised Price Schedule No. 28 or in the General Maximum Price Regulation, Midwest Solvents Company, Atchison, Kansas, may sell and deliver ethyl alcohol of 188 proof or higher, of any formulae thereof, including pure ethyl alcohol, to the Defense Supplies Corporation, Washington, D. C., a corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act as amended, and the Defense Supplies Corporation may buy such ethyl alcohol, at prices not in excess of those set forth below:

$.53 per wine gallon, f. o. b. plant.

(b) All prayers of the applicant not granted herein are denied.

(c) This Order No. 9 under Revised Price Schedule No. 28 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 9 under Revised Price Schedule No. 28 shall become effective February 4, 1943 and shall operate retroactively from October 1, 1942.

Issued this 3d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1810; Filed, February 3, 1943; 11:08 a. m.]

Regional Office I.

[Emergency Order 1 Under Ration Order 11]

NEW ENGLAND KEROSENE SHORTAGE AREA

Pursuant to the authority conferred upon the Regional Administrator by § 1394.5715 of Ration Order No. 11, as amended, the following emergency order is prescribed:

(a) *Findings.* The Regional Administrator finds that in the States of Connecticut, Massachusetts, New Hampshire and Rhode Island and in the Counties of Bennington, Windham, Rutland and Windsor in the State of Vermont (hereinafter referred to as the kerosene shortage area) as the result of a serious decrease in stocks, there exists an emergency in the transportation and distribution of No. 1 fuel oil, (commonly known as range oil or kerosene), hereinafter referred to as kerosene, which endangers the public health, the public welfare and the war effort.

(b) *Order*—(1) *List of priorities of transfers and deliveries.* During the effective period of this order, notwithstanding the provisions of § 1394.5661 of Ration Order No. 11 relating to discrimination in transfers to consumers, transfers and deliveries of kerosene shall be made in accordance with the following list of priority:

(i) Any consumer who requires a transfer of kerosene for an emergency involving serious threat to life or health. In the event of doubt as to the existence of such an emergency a certificate issued by a Local Board certifying to the existence of such an emergency shall be conclusive of the matter; *Provided, however,* That no dealer shall be required to demand that such a certificate be presented as a condition of delivery of kerosene.

(ii) Consumers who occupy buildings for residential purposes which have no central heating systems and who acquire kerosene for use in space heaters;

(iii) Consumers occupying buildings for residential purposes where such buildings contain central heating systems designed to use kerosene exclusively, for use in such central heating systems;

(iv) Consumers who have applied for and have been granted a ration for domestic cooking or lighting to the extent of the ration issued to them for such purposes;

(v) Consumers acquiring kerosene for use in industrial processes or operations to the extent that they are contained in

Schedule A of Petroleum Administrative Order No. 3.

No person shall transfer kerosene to any consumer within the kerosene shortage area unless such person shall have filled all demands for kerosene made upon him by any person having a higher priority on the foregoing list.

(2) *Limitations on transfers and deliveries.* During the effective period of this order no person shall transfer or deliver kerosene within the kerosene shortage area to any consumer for use in space heaters in residential premises, and no consumer shall accept a transfer or delivery for use in space heaters in residential premises, in an amount in excess of twenty-five gallons in any one delivery. No such consumer shall be entitled to receive a delivery of kerosene which when added to his stock on hand will exceed twenty-five gallons.

(3) *Prohibited transfers and deliveries.* During the effective period of this order, except in cases of an emergency delivery under the priority described in paragraph (b) (1), no person shall transfer or deliver kerosene within the kerosene shortage area to consumers hereinafter designated, and no such consumers shall accept a transfer or delivery of kerosene. The consumers hereby prohibited from receiving deliveries of kerosene are:

(i) Consumers for use in space heating equipment in buildings occupied for residential purposes which contain in operating condition a central heating system or other adequate alternate heating facilities: *Provided, however,* That consumers who have received rations for domestic cooking and lighting may acquire kerosene within the limits of such rations. Combination gas and oil burning equipment shall be deemed space heating equipment.

(ii) Consumers for use in space heating equipment in premises not used for residential purposes, except retail food stores, drug stores, physicians' and dentists' offices, and restaurants not commonly regarded as places of entertainment or amusement;

(iii) Consumers acquiring kerosene for use for an industrial purpose or process not included in Schedule A of Petroleum Administrative Order No. 3.

(c) *Scope of restrictions.* Nothing in this order shall be construed to limit the quantity of fuel oil of any grade which may be acquired by the persons listed in § 1394.5052 of Ration Order No. 11.

(d) *Definitions.* "Kerosene shortage area" shall mean the States of Connecticut, Massachusetts, New Hampshire, Rhode Island and the Counties of Bennington, Windham, Rutland and Windsor in the State of Vermont. All other terms used in this order shall have the meaning assigned to them in Ration Order No. 11.

(e) *Penalties.* Any violation of this order shall be deemed a violation of Ration Order No. 11.

(f) *Effective period.* This order shall take effect at 12:01 a. m. January 29, 1943, and shall terminate at 12:00 m. on February 7, 1943, unless extended by further order.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong.; WPB. Dir. 1, 7, F.R. 562, Supp. Dir. e–0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719; Ration Order No. 11, 7 F.R. 8480)

Issued this 28th day of January 1943.

KENNETH B. BACKMAN,
Regional Administrator.

[F. R. Doc. 43–1804; Filed, February 3, 1943; 11:18 a. m.]

WAR MANPOWER COMMISSION.

[General Order 3]

DESIGNATION OF CERTAIN AREAS AS CRITICAL LABOR SHORTAGE AREAS

By virtue of the authority vested in me as Chairman of the War Manpower Commission by Executive Orders 9139 and 9279, and having found, after consultation with the Management-Labor Policy Committee, that the areas listed below are areas in which the most intensive recruitment efforts have failed to provide the manpower needed for essential activities, and that the effective prosecution of the war so requires, I hereby designate the following areas as critical labor shortage areas subject to the provisions of section 5 (a) of Executive Order No. 9279:

Akron, Ohio	Manitowoc, Wis.
Baltimore, Md.	Mobile, Ala.
Bath, Maine	New Britain, Conn.
Beaumont, Tex.	Ogden, Utah
Bridgeport, Conn.	Panama City, Fla.
Brunswick, Ga.	Pascagoula, Miss.
Buffalo, N. Y.	Portland, Oreg.
Charleston, S. C.	Portsmouth, N. H.
Cheyenne, Wyo.	San Diego, Calif.
Dayton, Ohio.	Seattle, Wash.
Detroit, Mich.	Somerville, N. J.
Elkton, Md.	Springfield, Mass.
Hampton Roads, Va.	Sterling, Ill.
Hartford, Conn.	Washington, D. C.
Las Vegas, Nev.	Waterbury, Conn.
Macon, Ga.	Wichita, Kan.

And it is hereby ordered that there be established, as soon as practicable after the date hereof, in each of the above designated areas an employment stabilization program which includes provision for the conduct of all hiring, rehiring, solicitation and recruitment of workers for specified employments solely through the United States Employment Service or in accordance with such arrangements as the Regional Manpower Director may approve, and which conforms in all respects to the "Policies for Employment Stabilization Programs Which Include the Exercise of Hiring Controls in Areas of Manpower Shortage" prescribed by me on February 1, 1943.

PAUL V. MCNUTT,
Chairman.

FEBRUARY 1, 1943.

[F. R. Doc 43–1757; Filed, February 2, 1943; 12:24 p. m.]

POLICIES FOR EMPLOYMENT STABILIZATION PROGRAMS WHICH INCLUDE EXERCISE OF HIRING CONTROLS IN AREAS OF MANPOWER SHORTAGE

Section 5 (a) and section 7 of Executive Order No. 9279 authorize and direct the Chairman of the War Manpower Commission as follows:

Section 5. Insofar as the effective prosecution of the war requires it, the Chairman shall take all lawful and appropriate steps to assure that (a) all hiring, rehiring, solicitation and recruitment of workers in or for work in any establishment, plant, facility, occupation, or area designated by the Chairman as subject to the provisions of this section shall be conducted solely through the United States Employment Service or in accordance with such arrangements as the Chairman may approve • • •

Section 7. The Chairman shall (a) issue such policies, rules, regulations, and general or special orders as he deems necessary to carry out the provisions of this Order, (b) take steps to prevent and relieve gross inequities or undue hardships arising from the exercise of the provisions of Section 5 of this Order insofar as he finds so doing will not interfere with the effective prosecution of the war, and (c) establish such procedures (including appeals) as are necessary to assure a hearing to any persons claiming that any action taken by any local or regional agent or agency of the War Manpower Commission pursuant to Section 5 of this Order and said Executive Order No. 9139, is unfair or unreasonable as applied to him.

By virtue of the authority vested in me as Chairman of the War Manpower Commission by Executive Orders Nos. 9139 and 9279, and having found that the establishment of hiring controls pursuant to the above section 5 (a) of Executive Order No. 9279 in certain areas of manpower shortage is required for the effective prosecution of the war, I do hereby prescribe the following basic national policies:

I. *Purpose.* Hiring controls pursuant to section 5 (a) of Executive Order No. 9279 will be exercised for the purpose of assisting the War Manpower Commission in bringing about, with respect to designated areas of manpower shortage,

(a) The elimination of wasteful labor turnover in essential activities;

(b) The reduction of unnecessary migration by encouraging the use of local labor;

(c) The direction of the flow of scarce labor to employers engaged in essential activities in preference to other employers;

(d) The maximum utilization of manpower resources.

II. *Designation of areas.* Hiring controls pursuant to section 5 (a) of Executive Order No. 9279 shall be established as soon as practicable in all "critical labor shortage areas," that is, areas in which the most intensive recruitment efforts have failed to provide the manpower needed for essential activities. The Chairman shall, after consultation with the Management-Labor Policy Committee, designate, or modify prior designations of, critical labor shortage areas as subject to the provisions of section 5 (a). Hiring controls pursuant to said section 5 (a) may be established in an area other than a critical labor shortage area designated by the Chairman, if the Regional Manpower Director, after consultation with the Regional Management-Labor War Manpower Committees, finds, and so declares, that the effective prosecution of the war requires that such area be designated as an area subject to the provisions of section 5 (a) in order to avert or relieve threatened shortages of manpower needed for essential activities. In any area designated as subject to the provisions of section 5 (a), all hiring, rehiring, solicitation, and recruitment of workers for specified employments shall be conducted solely through the United States Employment Service or in accordance with such arrangements as the Regional Manpower Director may approve, as provided in an employment stabilization program which conforms to the policies of the Chairman of the War Manpower Commission and to procedures issued by the Executive Director of the War Manpower Commission in implementation thereof.

III. *Delegation of authority.* (a) The several Regional Manpower Directors are hereby authorized and directed to carry out the provisions of section 5 (a) and section 7 of Executive Order No. 9279 in those areas in their respective regions designated for that purpose as provided in paragraph II hereof. Before putting into effect in any such area an employment stabilization program which includes hiring controls pursuant to said section 5 (a), the Area Manpower Director shall consult with the appropriate Area Management-Labor War Manpower Committee;

(b) Regional Manpower Directors are hereby authorized to delegate to Area Manpower Directors any or all of the authority granted in paragraph (a) above, except the authority finally to approve employment stabilization programs providing for hiring controls pursuant to section 5 (a) of Executive Order No. 9279;

(c) The several Regional Management-Labor War Manpower Committees are hereby authorized to consider questions of policy, standards, and safeguards in connection with the exercise of the authority granted in paragraph (a) hereof, and to make recommendations to their respective Regional Manpower Directors not inconsistent with the policies of the Chairman of the War Manpower Commission;

(d) The several Area Management-Labor War Manpower Committees are hereby authorized to consider questions of policy, standards, and safeguards in connection with the exercise of any authority delegated to their respective Area Manpower Directors pursuant to paragraph (b) hereof, and to make recommendations to such Area Manpower Directors not inconsistent with the policies of the Chairman of the War Manpower Commission.

IV. *Policies governing employment stabilization programs providing for control of hiring*—(a) *Development of programs.* 1. To the maximum degree consistent with achieving the purposes of Executive Order No. 9279, authority and responsibility delegated to Regional and Area Manpower Directors, and to Regional and Area Management-Labor War Manpower Committees, shall be exercised in such manner as to permit, encourage and utilize local initiative and cooperative effort in the solution of manpower problems.

2. Preliminary to the establishment of any employment stabilization program providing for hiring controls pursuant to section 5 (a) of Executive Order No. 9279 an Area Manpower Director must be appointed or designated and an Area Management-Labor War Manpower Committee must be appointed, and such appeals machinery and procedures established, in accordance with rules and regulations promulgated by the Chairman of the War Manpower Commission, as are necessary to assure a hearing to any employer, worker, or other person, who feels that any action or failure to act under the program is unfair or unreasonable as applied to him.

3. The representatives of labor, agriculture, and management on Regional and Area Management-Labor War Manpower Committees shall be called upon to assist in the development of reasonable safeguards and practical standards, not inconsistent with the policies of the Chairman of the War Manpower Commission, for the administration of section 5 (a) and section 7 of Executive Order No. 9279.

4. No program shall contain any provision which violates any Federal or State law affecting labor relations, wages, hours or conditions of employment.

(b) *Coverage of programs.* 1. Coverage of programs shall be varied to meet conditions in the localities in which they apply. In general, very small establishments (for example, establishments employing less than 8 persons) should be excluded, and coverage in non-manufacturing should be restricted to the larger establishments (for example, non-manufacturing establishments employing 25 or more persons). Domestic service should be excluded. Casual employment should also be excluded, except where local circumstances require inclusion of some types of casual work. Agriculture should be covered to the extent necessary to control movements of agricultural workers to non-agricultural work, but should not be covered for any other purpose except in areas where agriculture is represented on the Area Management - Labor War Manpower Committee.

2. Hiring for all employment covered by the Railroad Retirement Act shall be subject to the applicable provisions of the program, and the Railroad Retirement Board shall conduct its recruiting activities and make referrals in accordance with applicable War Manpower Commission policies, procedures, and standards.

3. Hiring by departments and agencies of the Federal Government which are subject to the rules and regulations of the United States Civil Service Commission shall be made only with the approval of the United States Civil Service Commission, which shall conduct its recruiting activities and make referrals in accordance with applicable War Manpower Commission policies, procedures, and standards;

(c) *Exclusions from programs.* State governments and local subdivisions thereof shall be excluded from the provisions of the program, except where State and local agencies voluntarily request coverage;

(d) *Use of other hiring channels.* All existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, universities, technical institutions, the Railroad Retirement Board, the United States Civil Service Commission, and other Government agencies, shall be utilized to the maximum degree consistent with achieving the purposes of Executive Order No. 9279, by the War Manpower Commission in exercising hiring controls under section 5 (a).

(e) *Hiring practices.* 1. Workers shall be referred to jobs which will utilize their skills most effectively in the war effort.

2. Priority shall be accorded to employers engaged in essential activities, in the order of the urgency of their activities, to meet labor needs that cannot be met by efficient utilization of labor already employed.

3. A worker engaged or most recently engaged in an essential activity can be employed only by an employer for work in another essential activity and only then when the worker has obtained a statement of availability issued to him by his previous employer or a designated representative of the War Manpower Commission. In the case of the Federal Government, "employer" means the United States Civil Service Commission.

4. The decision to hire or refer a worker shall be based on occupational qualifications essential for performance of the job, and shall be made without discrimination as to race, color, creed, sex, national original, or except as required by law, citizenship.

5. Insofar as it will not interfere with the effective prosecution of the War, no worker shall be obliged to accept or to continue in employment which is not suitable.

6. Insofar as it will not interfere with the effective prosecution of the war, no employer shall be obliged to retain in his employ a worker who is incompetent to perform the work to which he has been assigned or other suitable work offered him by the employer; or who fails to conform to reasonable shop rules or standards of conduct.

PAUL V. MCNUTT,
Chairman.

FEBRUARY 1, 1943.

[F.R. Doc. 43–1758; Filed, February 2, 1943; 12:24 p. m.]

FEDERAL REGISTER

VOLUME 8 NUMBER 25

Washington, Friday, February 5, 1943

The President

EXECUTIVE ORDER 9298

AMENDING SUBDIVISIONS VII AND XVI OF SCHEDULE A OF THE CIVIL SERVICE RULES

By virtue of the authority vested in me by section 2 of the Civil Service Act (22 Stat. 404), it is ordered that Schedule A of the Civil Service Rules be, and it is hereby, amended as follows:

1. Subdivision VII is amended by the addition of the following paragraph:

"9. The Solicitor of the Post Office Department."

2. Subdivision XVI is amended to read as follows:

"XVI. The Tax Court of the United States

"1. Two private secretaries or confidential assistants to each member of the Court."

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
February 2, 1943.

[F. R. Doc. 43-1832; Filed, February 3, 1943; 2:29 p. m.]

Regulations

TITLE 24—HOUSING CREDIT

Chapter IV—Home Owners' Loan Corporation

[Bulletin 168]

PART 408—ACCOUNTING SECTION

INSUFFICIENT PAYMENTS

Section 408.00k as amended[1] shall be amended to read as follows:

§ 408.00k *Insufficient payments.* If a remittance purporting to pay a loan in full, or intended as a final settlement in any case involving a release of the Corporation's interest or a part thereof, is insufficient in an amount of one dollar or less, no attempt shall be made to collect any such difference between the amount due and the amount of the payment received. The appropriate account affected shall be credited with the amount of such insufficiency, with a contra-debit to the account charges to reserve. Overpayments exceeding one dollar shall be refunded, by disbursement from the regional working fund, upon aproval of the regional manager and certification by the auditor or an authorized deputy. Overpayments of one dollar or less shall be credited to such accounts as the comptroller shall prescribe; *Provided, however,* That the regional manager, when he is advised by the regional counsel that it is legally necessary to do so, shall direct that the same be refunded.

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by sec. 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529)

Effective December 21, 1942.

[SEAL] J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 43-1830; Filed, February 3, 1943; 1:44 p. m.]

[1] 7 F.R. 5080.

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess-Profits Taxes

[T.D. 5222]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

LIFE INSURANCE COMPANIES

Regulations 103, amended to conform to section 163 of the Revenue Act of 1942, relating to life insurance companies.

In order to conform Regulations 103 (Part 19, Title 26, Code of Federal Regulations, 1940 Sup.) to section 163 of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately below the heading "Insurance Companies" which immediately precedes section 201 the following:

(For taxable years beginning after December 31, 1938 and prior to January 1, 1942)

(Continued on next page)

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THE PRESIDENT

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FEDERAL REGISTER

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PAR. 2. There is inserted immediately after § 19.208–1 the following:

INSURANCE COMPANIES

(For taxable years beginning after December 31, 1941)

SEC. 163. LIFE INSURANCE COMPANIES. (Revenue Act of 1942, Title I.)

(a) Sections 201, 202, and 203 (relating to life insurance companies) are amended to read as follows:

SEC. 201. LIFE INSURANCE COMPANIES.

(a) *Imposition of tax.*

(1) *In general.* There shall be levied, collected, and paid for each taxable year upon the adjusted normal-tax net income (as defined in section 202) and upon the adjusted corporation surtax net income (as defined in section 203) of every life insurance company taxes at the rates provided in section 13 or section 14 (b) and in section 15 (b).

(2) *Foreign life insurance companies.* A foreign life insurance company carrying on a life insurance business within the United States if with respect to its United States business it would qualify as a life insurance company under subsection (b) shall be taxable in the same manner as a domestic life insurance company except that the determinations necessary for the purposes of this chapter shall be made on the basis of the income, disbursements, assets, and liabilities reported in the annual statement for the taxable year of the United States business of such company on the form approved for life insurance companies by the National Association of Insurance Commissioners.

(3) *No United States insurance business.* Foreign life insurance companies not carrying on an insurance business within the United States shall not be taxable under this section but shall be taxable as other foreign corporations.

(b) *Definition of life insurance company.* When used in this chapter, the term "life insurance company" means an insurance company which is engaged in the business of issuing life insurance and annuity contracts (either separately or combined with health and accident insurance), or noncancellable contracts of health and accident insurance, and the life insurance reserves (as defined in subsection (c) (2)) plus unearned premiums and unpaid losses on noncancellable life, health, or accident policies not included in life insurance reserves, of which comprise more than 50 per centum of its total reserves. For the purpose of this subsection, total reserves means life insurance reserves, unearned premiums and unpaid losses not included in life insurance reserves, and all other insurance reserves required by law. For taxable years beginning after December 31, 1943, a burial or funeral benefit insurance company engaged directly in the manufacture of funeral supplies or the performance of funeral services shall not be taxable under this section but shall be taxable under section 204 or section 207.

(c) *Other definitions.* In the case of a life insurance company:

(1) *Gross income.* The term "gross income" means the gross amount of income received during the taxable year from interest, dividends, and rents.

(2) *Life insurance reserves.* The term "life insurance reserves" means amounts which are computed or estimated on the basis of recognized mortality or morbidity tables and assumed rates of interest, and which are set aside to mature or liquidate, either by payment or reinsurance, future unaccrued claims arising from life insurance, annuity, and noncancellable health and accident insurance contracts (including life insurance or annuity contracts combined with noncancellable health and accident insurance) involving, at the time with respect to which the reserve is computed, life, health, or accident contingencies. Such life insurance reserves, except in the case of policies covering life, health, and accident insurance combined in one policy issued on the weekly premium payment plan, continuing for life and not subject to cancellation and except as hereinafter provided in the case of assessment life insurance, must also be required by law. In the case of an assessment life insurance company or association the term "life insurance reserves" includes sums actually deposited by such company or association with State or Territorial officers pursuant to law as guaranty or reserve funds, and any funds maintained under the charter or articles of incorporation or association, or bylaws approved by State Insurance Commissioner of such company or association exclusively for the payment of claims arising under certificates of membership or policies issued upon the assessment plan and not subject to any other use.

(3) *Adjusted reserves.* The term "adjusted reserves" means life insurance reserves plus 7 per centum of that portion of such reserves as are computed on a preliminary term basis.

(4) *Reserve earnings rate.* The term "reserve earnings rate" means a rate computed by adding 2.1125 per centum (65 per centum of 3¼ per centum) to 35 per centum of the average rate of interest assumed in computing life insurance reserves. Such average rate shall be calculated by multiplying each assumed rate of interest by the mean of the amounts of the adjusted reserves computed at that rate at the beginning and end of the taxable year and dividing the sum of the products by the mean of the total adjusted reserves at the beginning and end of the taxable year.

(5) *Reserve for deferred dividends.* The term "reserve for deferred dividends" means sums held at the end of the taxable year as a reserve for dividends (other than dividends payable during the year following the taxable year) the payment of which is deferred for a period of not less than five years from the date of the policy contract.

(6) *Interest paid.* The term "interest paid" means:

(A) All interest paid within the taxable year on indebtedness, except on indebtedness incurred or continued to purchase or carry obligations (other than obligations of the United States issued after September 24, 1917, and originally subscribed for by the taxpayer) the interest upon which is wholly exempt from taxation under this chapter, and

(B) All amounts in the nature of interest, whether or not guaranteed, paid within the taxable year on insurance or annuity contracts (or contracts arising out of insurance or annuity contracts) which do not involve, at the time of payment, life, health, or accident contingencies.

(7) *Net income.* The term "net income" means the gross income less:

(A) *Tax-free interest.* The amount of interest received during the taxable year which under section 22 (b) (4) is excluded from gross income;

(B) *Investment expenses.* Investment expenses paid during the taxable year. If any general expenses are in part assigned to or included in the investment expenses, the total deduction under this subparagraph shall not exceed one-fourth of 1 per centum of the mean of the book value of the invested assets held at the beginning and end of the taxable year plus one-fourth of the amount by which net income computed without any deduction for investment expenses allowed by this subparagraph, or for tax-free interest allowed by subparagraph (A), exceeds 3¾ per centum of the book value of the mean of the invested assets held at the beginning and end of the taxable year;

(C) *Real estate expenses.* Taxes and other expenses paid during the taxable year exclusively upon or with respect to the real estate owned by the company, not including taxes assessed against local benefits of a kind tending to increase the value of the property assessed, and not including any amount paid out for new buildings, or for permanent improvements or betterments made to increase the value of any property. The deduction allowed by this paragraph shall be allowed in the case of taxes imposed upon a shareholder of a company upon his interest as shareholder, which are paid by the company without reimbursement from the shareholder, but in such cases no deduction shall be allowed the shareholder for the amount of such taxes;

(D) *Depreciation.* A reasonable allowance, as provided in section 23 (l), for the exhaustion, wear and tear of property, including a reasonable allowance for obsolescence.

(d) *Rental value of real estate.* The deduction under subsection (c) (7) (C) or (c) (7) (D) of this section on account of any real estate owned and occupied in whole or in part by a life insurance company, shall be limited to an amount which bears the same ratio to such deduction (computed without regard to this subsection) as the rental value of the space not so occupied bears to the rental value of the entire property.

(e) *Amortization of premium and accrual of discount.* The gross income, the deduction provided in section 201 (c) (7) (A) and the credit allowed against net income in section 26 (a) shall each be decreased by the appropriate amortization of premium and increased by the appropriate accrual of discount attributable to the taxable year on bonds, notes, debentures or other evidences of indebtedness held by a life insurance company. Such amortization and accrual shall be determined (1) in accordance with the method regularly employed by such company, if such method is reasonable, and (2) in all other cases, in accordance with regulations prescribed by the Commissioner with the approval of the Secretary.

(f) *Double deductions.* Nothing in this section or in section 202 or 203 shall be construed to permit the same items to be twice deducted.

(g) *Credits under section 26.* For the purposes of this section, in computing normal tax net income and corporation surtax net income, the credits provided in section 26 shall be allowed in the manner and to the extent provided in sections 13 (a) and 15 (a)

* * * * *

(b) *Technical amendments.*

(1) Section 103 (relating to rates of tax on citizens and corporations of certain foreign countries) is amended by striking out "201 (b)" wherever appearing therein and inserting "201 (a)"

(2) Section 208 (relating to net operating losses) is repealed

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

§ 19.201–1 *Tax on life insurance companies.* All life insurance companies (including a foreign life insurance company carrying on a life insurance business within the United States if with respect to its United States business it would qualify as a life insurance company under section 201 (b)) are subject to both normal tax and surtax. The normal tax is imposed on the adjusted normal-tax net income (as defined in section 202) and the surtax is imposed on the adjusted corporation surtax net income (as defined in section 203) at the rates provided in section 13 or section 14 (b) and in section 15 (b).

The net income of life insurance companies differs from the net income of other corporations. See section 201 (c). Life insurance companies are entitled, in computing normal-tax net income and corporation surtax net income, to the credits provided in section 26 in the manner and to the extent provided in sections 13 (a) and 15 (a) respectively. The gross income, the deduction under section 201 (c) (7) (A) for wholly tax-exempt interest, and the credit under section 26 (a) for partially tax-exempt interest, are decreased by the appropriate amortization of premium and increased by the appropriate accrual of discount attributable to the taxable year on bonds, notes, debentures or other evidences of indebtedness held by a life insurance company. (See section 201 (e) and § 19.201–9.) Such companies are not subject to the provisions of section 117 (capital gains and losses) nor to the provisions of section 125 (amortizable bond premiums). For computation of the adjusted normal-tax net income from normal-tax net income and the adjusted corporation surtax net income from corporation surtax net income, see §§ 19.202–1, 19.202–2 and 19.203–1.

All provisions of the Internal Revenue Code and of these regulations not inconsistent with the specific provisions of sections 201 to 203, inclusive, are applicable to the assessment and collection of the tax imposed by section 201 (a), and life insurance companies are subject to the same penalties as are provided in the case of returns and payment of income tax by other corporations. The return shall be on Form 1120L.

Foreign life insurance companies not carrying on an insurance business within the United States are not taxable under section 201 (a), but are taxable as other foreign corporations. (See section 231.)

§ 19.201–2 *Foreign life insurance companies.* A foreign life insurance company carrying on a life insurance business within the United States if with respect to its United States business it would qualify as a life insurance company under section 201 (b), is taxable on its income received during the taxable year from interest, dividends, and rents, from sources within and without the United States, pertaining to its United States business. Such a company is taxable in the same manner as a domestic life insurance company except that the determinations necessary for the purposes of chapter 1, such as gross income, the adjustment for certain reserves, deductions and limitations on deductions, amortization of premiums and accrual of discount, and the credits provided in section 26, shall be made on the basis of the income, disbursements, assets, and liabilities reported in the annual statement for the taxable year of the United States business of such company on the form approved for life insurance companies by the National Association of Life Insurance Commissioners. This statement is presumed clearly to reflect the income, disbursements, assets, and liabilities of the United States business of the company and in so far as it is not inconsistent with the provisions of the Code will be recognized and used as a basis for that purpose.

§ 19.201–3 *Life insurance companies; definition.* The term "life insurance company" as used in chapter 1 is defined in section 201 (b). In determining whether an insurance company is a life insurance company the life insurance reserves (as defined in section 201 (c) (2)) plus any unearned premiums and unpaid losses on noncancellable life, health, or accident policies, not included in "life insurance reserves" must comprise more than 50 percent of its total reserves (as defined in section 201 (b)). An insurance company writing only noncancellable life, health, or accident policies and having no "life insurance reserves" may qualify as a life insurance company if its unearned premiums and unpaid losses on such policies comprise more than 50 percent of its total reserves. A noncancellable insurance policy means a contract which the insurance company is under an obligation to renew or continue

at a specified premium and with respect to which a reserve in addition to the unearned premium must be carried to cover that obligation. A burial or funeral benefit insurance company qualifying as a life insurance company shall continue to be taxed under section 201 for taxable years beginning prior to January 1, 1944. For taxable years beginning after December 31, 1943 any such company engaged directly in the manufacture of funeral supplies or the performance of funeral services will be taxable under section 204 or section 207 as an insurance company other than life. (For the definition of an insurance company see § 19.3797–7.)

§ 19.201–4 *Life insurance reserves.* The term "life insurance reserves" is defined in section 201 (c) (2). Generally, such reserves, as in the case of level premium life insurance, are held to supplement the future premium receipts when the latter, alone, are insufficient to cover the increased risk in the later years. In the case of cancellable health and accident policies and similar cancellable contracts, the unearned premiums held to cover the risk for the unexpired period covered by the premiums are not included in life insurance reserves. Unpaid loss reserves for noncancellable health and accident policies are included in life insurance reserves if they are computed or estimated on the basis of recognized mortality or morbidity tables and assumed rates of interest.

In the case of an assessment life insurance company or association, life insurance reserves include sums actually deposited by such company or association with State or Territorial officers pursuant to law as guaranty or reserve funds, and any funds maintained under the charter or articles of incorporation of such company or association exclusively for the payment of claims arising under certificates of membership or policies issued upon the assessment plan and not subject to any other use.

Life insurance reserves, except as otherwise provided in section 201 (c) (2), must be required by law either by express statutory provisions or by rules and regulations of the insurance department of a State, Territory, or the District of Columbia when promulgated in the exercise of a power conferred by statute, but such requirement, without more, is not conclusive; for example, life insurance reserves do not include reserves required to be maintained to provide for the ordinary running expenses of a business definite in amount, and which must be currently paid by every company from its income if its business is to continue, such as taxes, salaries, and unpaid brokerage; nor do they include the net value of risks reinsured in other solvent companies; liability for premiums paid in advance; liability for annual and deferred dividends declared or apportioned; liability for dividends left on deposit at interest; liability for accrued but unsettled policy claims whether known or unreported; liability for supplementary contracts not involving, at the time with respect to which the liability is computed, life, health or accident contingencies.

In any case where reserves are claimed, sufficient information must be filed with the return to enable the Commissioner to determine the validity of the claim. Only reserves which are required by law or insurance department ruling, which are peculiar to insurance companies, and which are dependent upon interest earnings for their maintenance will, except as otherwise specifically provided in section 201 (c) (2), be considered as life insurance reserves. A company is permitted to make use of the highest aggregate reserve required by any State or Territory or the District of Columbia in which it transacts business, but the reserve must have been actually held.

In the case of life insurance companies issuing policies covering life, health, and accident insurance combined in one policy issued on the weekly premium payment plan, continuing for life and not subject to cancellation, it is required that reserve funds thereon be based upon recognized mortality or morbidity tables covering disability benefits of the kind contained in policies issued by this particular class of companies but they need not be required by law.

§ 19.201–5 *Interest paid.* Interest paid is one of the elements to be used, together with adjusted reserves, reserve earnings rate, and reserve for deferred dividends, in arriving at the figure to be determined and proclaimed by the Secretary under the formula set forth in section 202 (b) (see § 19.202–1). Interest paid consists of (1) interest paid on indebtedness (except indebtedness incurred or continued to purchase or carry tax exempt securities as set forth in section 201 (c) (6) (A)) and (2) amounts in the nature of interest paid on certain contracts, as provided in section 201 (c) (6) (B). Interest on indebtedness includes interest on dividends held on deposit and surrendered during the taxable year but does not include interest paid on deferred dividends the reserve for which is used in determining the policy and other liability credit provided in section 202 (b). Life insurance reserves as defined in § 19.201–4 are not indebtedness. Dividends left with the company to accumulate at interest are a debt and not a reserve liability. Amounts in the nature of interest include so-called excess-interest dividends as well as guaranteed interest paid within the taxable year on insurance or annuity contracts (or contracts arising out of insurance or annuity contracts) which do not involve at the time of payment, life, health, or accident contingencies. It is immaterial whether the optional mode of settlement specified in the insurance or annuity contract arises from an option exercised by the insured during his or her lifetime or from an option exercised by a beneficiary after the policy has matured, frequently referred to as a supplementary contract not involving life contingencies; for example, a contract to pay the insurance benefit in 10 annual installments. No distinction is made based on the person choosing the method of payment and the full amount of the interest paid and not merely the guaranteed interest is considered as interest paid.

§ 19.201–6 *Adjusted reserves.* For the purpose of determining the figure to be proclaimed by the Secretary under the formula set forth in section 202 (b), certain reserves computed on a preliminary term method are to be adjusted by increasing such reserves by 7 percent (see § 19.202–1). The reserves to be thus adjusted are reserves computed on preliminary term methods, such as the Illinois Standard, or the Select and Ultimate methods. Only reserves on policies in the modification period are to be so adjusted. Where reserves under a preliminary term method are the same as on the level premium method, and in the case of reserves for extended or paid-up insurance, no adjustment is to be made. The reserves as thus adjusted, and the rate of interest on which they are computed should be reported in Schedule A, Form 1120L.

§ 19.201–7 *Net income and deductions*—(a) *In general.* The net income of a life insurance company is its gross amount of income received during the taxable year from interest, dividends, and rents, less the deductions provided in section 201 (c) (7) for wholly tax-exempt interest, investment expenses, real estate expenses, and depreciation. In addition to the limitations on deductions relating to real estate owned and occupied by a life insurance company provided in section 201 (d), the limitations on the adjustment for amortization of premium and accrual of discount provided in section 201 (e), and the limitation on the deduction for investment expenses where general expenses are allocated to investment income provided in section 201 (c) (7) (B), life insurance companies are subject to the limitation on deductions relating to wholly tax-exempt income provided in section 24 (a) (5). Life insurance companies are not entitled to any deduction for net operating loss.

(b) *Wholly tax-exempt interest.* Interest which in the case of other taxpayers is excluded from gross income by section 22 (b) (4) but included in the gross income of a life insurance company by section 201 (c) (1) is allowed as a deduction from gross income by section 201 (c) (7) (A).

(c) *Investment expenses.* The term "general expenses" as used in the Internal Revenue Code means any expense incurred for the benefit of more than one department of the company rather than for the benefit of a particular department thereof. Any assignment of such expense to the investment department of the company for which a deduction is claimed under section 201 (c) (7) (B) subjects the entire deduction for investment expenses to the limitation provided in that section. The accounting procedure employed is not conclusive as to whether any assignment has in fact been made. Investment expenses do not include federal income and excess profits taxes.

If no general expenses are assigned to or included in investment expenses the deduction may consist of investment expenses actually paid during the taxable year in which case an itemized schedule of such expenses must be appended to the return.

Invested assets for the purpose of section 201 (c) (7) (B) and this section are those which are owned and used, and to the extent used, for the purpose of producing the income specified in section 201 (c) (1). They do not include real estate owned and occupied, and to the extent owned and occupied, by the company. If general expenses are assigned to or included in investment expenses the maximum allowance will not be granted unless it is shown to the satisfaction of the Commissioner that such allowance is justified by a reasonable assignment of actual expenses.

(d) *Taxes and expenses with respect to real estate.* The deduction for taxes and expenses under section 201 (c) (7) (C) includes taxes and expenses paid during the taxable year exclusively upon or with respect to real estate owned by the company and any sum representing taxes imposed upon a shareholder of the company upon his interest as shareholder which is paid by the company without reimbursement from the shareholder. No deduction shall be allowed, however, for taxes, expenses, and depreciation upon or with respect to any real estate owned by the company except to the extent used for the purpose of producing investment income. (See paragraph (c) of this section.) As to real estate owned and occupied by the company see § 19.201–8.

(e) *Depreciation.* The deduction allowed for depreciation is, except as provided in section 201 (d), identical with that allowed other corporations by section 23 (l). The amount allowed by section 23 (l) in the case of life insurance companies is limited to depreciation sustained on the property used, and to the extent used, for the purpose of producing the income specified in section 201 (c) (1).

§ 19.201–8 *Real estate owned and occupied.* The amount allowable as a deduction for taxes, expenses, and depreciation upon or with respect to any real estate owned and occupied in whole or in part by a life insurance company is limited to an amount which bears the same ratio to such deduction (computed without regard to this limitation) as the rental value of the space not so occupied bears to the rental value of the entire property. For example, if the rental value of the space not occupied by the company is equal to one-half of the rental value of the entire property, the deduction for taxes, expenses, and depreciation is one-half of the taxes, expenses, and depreciation on account of the entire property. Where a deduction is claimed as provided in this section, the parts of the property occupied and the parts not occupied by the company, together with the respective rental values thereof, must be shown in a statement accompanying the return.

§ 19.201–9 *Amortization of premium and accrual of discount.* Section 201 (e) provides for certain adjustments on account of amortization of premium and accrual of discount on bonds, notes, debentures, or other evidences of indebtedness held by a life insurance company. Such adjustments are limited to the amount of appropriate amortization or accrual attributable to the taxable year with respect to such securities which are not in default as to principal or interest and which are amply secured. The question of ample security will be resolved according to the rules laid down from time to time by the National Association of Insurance Commissioners. The adjustment for amortization of premium decreases, and for accrual of discount increases, (a) the gross income, (b) the deduction for wholly tax-exempt interest, and (c) the credit for partially tax-exempt interest.

The premium for any such security is the excess of its acquisition value over its maturity value and the discount is the excess of its maturity value over its acquisition value. The acquisition value of any such security is its cost (including buying commissions or brokerage but excluding any amounts paid for accrued interest) if purchased for cash, or if not purchased for cash, then its fair market value. The maturity value of any such security is the amount payable thereunder either at the maturity date or at an earlier call date. The earlier call date of any such security may be the earliest call date specified therein as a day certain, the earliest interest payment date if it is callable or payable at such date, the earliest date at which it is callable at par, or such other call or payment date, prior to maturity, specified in the security as may be selected by the life insurance company. A life insurance company which adjusts amortization of premium or accrual of discount with reference to a particular call or payment date must make the adjustments with reference to the value on such date and may not, after selecting such date, use a different call or payment date, or value, in the calculation of such amortization or discount with respect to such security unless the security was not in fact called or paid on such selected date.

The adjustments for amortization of premium and accrual of discount will be determined:

(a) According to the method regularly employed by the company, if such method is reasonable, or

(b) According to the method prescribed by this section.

A method of amortization of premium or accrual of discount will be deemed "regularly employed" by a life insurance company if the method was consistently followed in taxable years beginning prior to January 1, 1942, or if for taxable years beginning on or after such date the company (including a company which followed a different method in taxable years beginning prior to January 1, 1942), initiates on or before March 15, 1943, or in the first taxable year for which the adjustments are made, a reasonable method of amortization of premium or accrual of discount and consistently follows such method thereafter. Ordinarily, a company regularly employs a method in accordance with the statute of some State, Territory, or the District of Columbia, in which it operates.

The method of amortization and accrual prescribed by this section is as follows:

(1) The premium (or discount) shall be determined in accordance with this section; and

(2) The appropriate amortization of premium (or accrual of discount) attributable to the taxable year shall be an amount which bears the same ratio to the premium (or discount) as the number of months in the taxable year during which the security was owned by the life insurance company bears to the number of months between the date of acquisition of the security and its maturity or earlier call date, determined in accordance with this section. For the purpose of this section a fractional part of a month shall be disregarded unless it amounts to more than half a month in which case it shall be considered as a month.

SEC. 163. LIFE INSURANCE COMPANIES. (Revenue Act of 1942, Title I.)

(a) Sections 201, 202, and 203 (relating to life insurance companies) are amended to read as follows:

* * * * *

SEC. 202. ADJUSTED NORMAL-TAX NET INCOME.

(a) *Definition.* For the purposes of section 201, the term "adjusted normal-tax net income" means the normal-tax net income minus the reserve and other policy liability credit provided in subsection (b) and plus the amount of the adjustment for certain reserves provided in subsection (c).

(b) *Reserve and other policy liability credit.* As used in this section the term "reserve and other policy liability credit" means an amount computed by multiplying the normal-tax net income by a figure, to be determined and proclaimed by the Secretary for each taxable year. This figure shall be based on such data with respect to life insurance companies for the preceding taxable year as the Secretary considers representative and shall be computed in accordance with the following formula: The ratio which (1) the aggregate of the sums of (A) 2 per centum of the reserves for deferred dividends, (B) interest paid, and (C) the product of (i) the mean of the adjusted reserves at the beginning and end of the taxable year and (ii) the reserve earnings rate bears to (2) the aggregate of the excess of net incomes computed without any deduction for tax-free interest, over the adjustment for certain reserves provided in subsection (c)

(c) *Adjustment for certain reserves.* In the case of a life insurance company writing contracts other than life insurance or annuity contracts (either separately or combined with noncancellable health and accident insurance), the term "adjustment for certain reserves" means an amount equal to 3½ per centum of the unearned premiums and unpaid losses on such other contracts which are not included in life insurance reserves. For the purposes of this subsection such unearned premiums shall not be considered to be less than 25 per centum of the net premiums written during the taxable year on such other contracts.

* * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

§ 19.202–1 *Reserve and other policy liability credit for adjusted normal-tax*

net income. Life insurance companies in computing adjusted normal-tax net income are allowed a "reserve and other policy liability credit" in lieu of a deduction for the interest allowed on their reserves, for interest paid and for deferred dividends. This credit is a flat percentage of normal-tax net income. The figure is the same for all companies and is determined on the basis of the aggregate of the interest allowed on reserves, interest paid, and two percent of the reserves held for deferred dividends, as provided in section 202 (b), for all companies. The figure for each taxable year is to be determined and proclaimed by the Secretary of the Treasury, based on such data with respect to life insurance companies for the preceding taxable year as the Secretary considers representative for such year.

The application of the reserve and other policy liability credit for the purpose of this section and section 203 may be illustrated by the following examples:

Example (1). The X Life Insurance Company for the calendar year 1942 has gross income, consisting of interest and rents, of $4,000,000 of which $700,000 consists of wholly tax-exempt interest. It has investment expenses of $100,000, real estate expenses of $30,000, and depreciation of $20,000. Its net income and its normal-tax net income is accordingly $3,100,000 ($4,000,000 less investment expenses, real estate expenses, and depreciation amounting to $200,000 and wholly tax-exempt interest of $700,000). Since the Secretary of the Treasury has determined and proclaimed that for the taxable year 1942 the figure based on data for the taxable year 1941 is 93, the X Life Insurance Company is entitled to a credit of $2,883,000 ($3,100,000 x 93) and its adjusted normal-tax net income as well as its adjusted corporation surtax net income is $217,000 ($3,100,000 − $2,883,000).

Example (2). If in example (1) $100,000 of the $4,000,000 gross income of the X Life Insurance Company for the calendar year 1942 consisted of partially tax-exempt interest, in addition to the $700,000 of wholly tax-exempt interest, its corporation surtax net income and adjusted corporation surtax net income would be the same as in the above example. Its normal-tax net income, however, would be $3,000,000 ($4,000,000 less $200,000 less $700,000 less $100,000), its credit would be $2,790,000 ($3,000,000 x 93) and its adjusted normal-tax net income would be $210,000 ($3,000,000 − $2,790,000).

§ 19.202–2 *Adjustment for certain reserves.* A life insurance company writing contracts other than life insurance or annuity contracts (either separately or combined with noncancellable health and accident insurance contracts) must add to its normal-tax net income and to its corporation surtax net income, as an offset to its reserve and other policy liability credit, an amount equal to 3¼ percent of the mean of the unearned premiums and unpaid losses at the beginning and end of the taxable year on such other contracts as are not included in life insurance reserves. If such unearned premiums, however, are less than 25 percent of the net premiums written during the taxable year on such other contracts, then the amount to be added to normal-tax net income and to corporation surtax income is 3¼ percent of 25 percent of the net premiums written during the taxable year on such other contracts plus 3¼ percent of the mean of the unpaid losses at the beginning and end of the taxable year on such other contracts. The term "unearned premiums" when used in this section has the same meaning as in section 204 (b) (5) and the regulations thereunder.

SEC. 163. LIFE INSURANCE COMPANIES. (Revenue Act of 1942, Title I.)

(a) Sections 201, 202, and 203 (relating to life insurance companies) are amended to read as follows:

* * * * *

SEC. 203. ADJUSTED CORPORATION SURTAX NET INCOME.

(a) *Definition.* For the purposes of section 201, the term "adjusted corporation surtax net income" means the corporation surtax net income minus the reserve and other policy liability credit and plus the adjustment for certain reserves provided in section 202 (c).

(b) *Reserve and other policy liability credit.* As used in this section, the term "reserve and other policy liability credit" means an amount computed by multiplying the corporation surtax net income by the figure determined and proclaimed under section 202 (b).

* * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

§ 19.203–1 *Reserve and other policy liability credit for adjusted corporation surtax net income.* Life insurance companies in computing adjusted corporation surtax net income are allowed a reserve and other policy liability credit. This credit is similar to that provided in section 202 except that it is based on corporation surtax net income, which includes partially tax-exempt interest. (See § 19.202–1 for the application and effect of this provision.)

(Sec. 163 of the Revenue Act of 1942 (Pub. Law 753, 77th Cong.), and sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C., 1940 ed. 62))

[SEAL] NORMAN D. CANN,
Acting Commissioner of Internal Revenue.

Approved: February 2, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43–1860; Filed, February 4, 1943; 10:42 a. m.]

[T.D. 5223]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

CREDIT FOR NET OPERATING LOSS AND DIVIDENDS PAID

Regulations 103 amended to conform to section 132 (a), (b), (c), and (e) of the Revenue Act of 1942, relating to computation of net operating loss credit and dividends paid credit.

In order to conform Regulations 103 [Part 19, Title 26, Code of Federal Regulations, 1940 Sup.] to section 132 (a), (b), (c), and (e) of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 19.26–1 the following:

SEC. 132. COMPUTATION OF NET OPERATING LOSS CREDIT AND DIVIDENDS PAID CREDIT. (Revenue Act of 1942, Title I.)

(a) *Net operating loss credit.*

(1) *Limitations.* Section 26 (c) (1) (relating to amount of net operating loss credit) is amended to read as follows:

(1) *Amount of credit.* The amount of net operating loss (as defined in paragraph (2)) of the corporation for the preceding taxable year (if beginning after December 31, 1937) but not in excess of (A) the section 102 net income for the taxable year, in the case of the tax imposed by section 102; (B) the Supplement P net income for the taxable year, in the case of the computations required under Supplement P; or (C) the Subchapter A net income for the taxable year, in the case of the tax imposed under Subchapter A.

(2) *Net operating loss deduction.* Section 26 (c) (2) is amended by inserting after subparagraph (B) the following new subparagraph:

(C) For the purposes of this paragraph, the net operating loss deduction provided in section 122 shall not be allowed.

(3) *Clerical amendment.* Section 26 (c) (2) is amended by striking out "section" where it appears the second and fourth times and inserting in lieu thereof "chapter".

* * * * *

(e) *Years to which amendments applicable.* The amendments made by this section shall be applicable only with respect to taxable years beginning after December 31, 1939, but shall be applicable in the computations with respect to previous taxable years for the purpose of ascertaining the amount of any dividend carry-over from such previous taxable years.

PAR. 2. Section 19.26–2 as amended by Treasury Decision 5086, approved October 10, 1941, is further amended to read as follows:

§ 19.26–2 *Credit of corporation for net operating loss of preceding year—(a) Taxable years beginning after December 31, 1939.* Since the net operating loss credit allowed by section 26 (c) cannot exceed (a) the section 102 net income for the taxable year, in the case of the tax imposed by section 102; (b) the Supplement P net income for the taxable year, in the case of the computations required under Supplement P; or (c) the Subchapter A net income for the taxable year in the case of the tax imposed under Subchapter A, it is the smaller of the following amounts:

(1) The excess of the deductions allowed by chapter 1 for the preceding taxable year over gross income for such year, both computed in accordance with the exceptions and limitations provided by section 26 (c) (2).

(2) (i) The section 102 net income for the taxable year, in the case of the tax imposed by section 102; (ii) the Supplement P net income for the taxable year, in the case of the computations required under Supplement P; (iii) the Subchapter A net income for the taxable year, in the case of the tax imposed under Subchapter A.

In computing deductions for the preceding taxable year any deduction for depletion shall be computed without reference to discovery value or percentage depletion under section 114 (b) (2), (3), or (4) (see § 19.23 (m)–2). The basis for such depletion is the basis provided in section 113 (a), adjusted as provided in section 113 (b), for the purpose of determining the gain upon the sale or other disposition of the property involved.

In computing deductions for the preceding taxable year the net operating loss provided in section 122 shall not be allowed.

In computing the gross income for the preceding taxable year there must be included the excess, if any, of the amount of any interest received which is wholly exempt from taxes imposed by chapter 1 over the amount of interest paid or accrued which is not allowed as a deduction by section 23 (b), relating to interest on indebtedness incurred or continued to purchase or carry certain tax-exempt obligations.

Example. For 1942 the X Corporation, which makes its income tax returns on the calendar year basis, has a net income of $1,000,000, computed on the accrual basis and without the net operating loss deduction provided in section 23 (s), capital losses of $500,000, and no capital gains. Its Federal normal tax and surtax for 1942, not allowable as a deduction under section 23, are $300,000, and it made no contributions during that year. For 1941 its gross income was $500,000, and its allowable deductions were $1,500,000. Included in such deductions was $500,000 for net operating loss, allowed as a deduction under section 23 (s) and computed under section 122. There was likewise included in such deductions $300,000 for depletion based on discovery value. If depletion had been computed without reference to discovery value or to percentage depletion, the amount of such deduction would have been $100,000. For 1941 the corporation had $300,000 of wholly tax-exempt interest, and paid $200,000 in interest on indebtedness incurred to carry obligations from which such tax-exempt interest was derived. The net operating loss credit available to such corporation for 1942 is computed as follows:

Deductions for 1941		$1,500,000
Less excess of depletion deduction computed on basis of discovery value over amount allowable for depletion without reference to discovery value or percentage depletion ($300,000 minus $100,000)	$200,000	
Less net operating loss deduction	500,000	
		700,000
Deductions as limited by sections 26 (c) (2) (A) and 26 (c) (2) (C)		800,000
Gross income for 1941	$500,000	
Plus tax-exempt interest minus interest paid ($300,000 minus $200,000)	100,000	
Gross income contemplated by section 26 (c) (2) (B)		600,000
Excess of deductions over gross income for 1941		200,000
Net income for 1942 (computed without net operating loss deduction provided in section 23 (s))		1,000,000
Less capital losses not allowed by section 117 (d)	$550,000	
Less Federal normal tax and surtax for 1942 not allowed as a deduction under section 23	300,000	
		850,000
Section 102 net income for 1942		150,000

The credit for the net operating loss for the preceding year available to the X Corporation for 1942 is $150,000. Inasmuch as the excess of deductions over gross income for 1941, as computed above, is greater than the section 102 net income for 1942, the net operating loss credit available to the X Corporation for 1942 is equal to the section 102 net income for 1942. If the excess of deductions over gross income for 1941, as computed above, were smaller than the section 102 net income for 1942, the entire amount of such excess would be allowed as the net operating loss credit for 1942.

Similar rules for the computation of the net operating loss credit are applicable in the case of computations required under Supplement P, or the tax imposed under Subchapter A.

(b) *Taxable years beginning after December 31, 1938, and before January 1, 1940.* If the taxable year is one beginning after December 31, 1938, and before January 1, 1940, the "net operating loss" is the smaller of the following amounts:

(1) The excess of the deductions allowed by chapter 1 for the preceding taxable year over gross income for such year, both computed in accordance with the exceptions and limitations provided by section 26 (c) (2).

(2) The adjusted net income for the taxable year, i. e., the net income minus the credit provided by section 26 (a) (see section 13 (a)).

If the preceding taxable year is one beginning after December 31, 1937, and before January 1, 1939, the term "net operating loss" means net operating loss as defined in section 26 (c) of the Revenue Act of 1938.

Example. For 1939 the Y Corporation, which makes its income tax returns on the calendar year basis, has a net income of $50,000, included in which is $10,000 of interest on United States obligations allowed as a credit under section 26 (a). For 1938 its gross income was $25,000 and its allowable deductions were $50,000. Included in such deductions was $15,000 for depletion based on discovery value. If depletion had been computed without reference to discovery value or to percentage depletion the amount of such deduction would have been $5,000. For 1938 the corporation had $15,000 of wholly tax-exempt interest, and paid $10,000 in interest on indebtedness incurred to carry the obligations from which such tax-exempt interest was derived. The net operating loss credit available to such corporation for 1939 is $10,000, computed as follows:

Deductions for 1938		$50,000
Less excess of depletion deduction computed on basis of discovery value over amount allowable for depletion without reference to discovery value or percentage depletion ($15,000 minus $5,000)		10,000
Deductions as limited by section 26 (c) (2) (A)		40,000
Gross income for 1938	$25,000	
Plus tax-exempt interest minus interest paid ($15,000 minus $10,000)	5,000	
Gross income contemplated by section 26 (c) (2) (B)		30,000
Excess of deductions over gross income for 1938		10,000
Net income for 1939		50,000
Less credit under section 26 (a) for interest received		10,000
Adjusted net income for 1939		40,000

The credit for the net operating loss for the preceding year available to the Y Corporation for 1939 is $10,000, that amount not being in excess of the adjusted net income for 1939. If the excess of deductions over gross income for 1938, as computed above, were greater than $40,000, the adjusted net income for 1939, only $40,000 would be allowed as the net operating loss credit for 1939.

PAR. 3. There is inserted immediately preceding § 19.27 (b)–1 the following:

SEC. 132. COMPUTATION OF NET OPERATING LOSS CREDIT AND DIVIDENDS PAID CREDIT. (Revenue Act of 1942, Title I.)

* * * * *

(b) *Basic surtax credit.* The last sentence of section 27 (b) (relating to definition of basic surtax credit) is amended to read as follows: "The aggregate of the amounts under paragraphs (2) and (3) shall not exceed (A) the section 102 net income for the taxable year, in the case of the tax imposed by section 102; (B) the Supplement P net income for the taxable year, in the case of the computations required under Supplement P; (C) the Subchapter A net income for the taxable year, in the case of the tax imposed under Subchapter A."

* * * * *

(e) *Years to which amendments applicable.* The amendments made by this section shall be applicable only with respect to taxable years beginning after December 31, 1939, but shall be applicable in the computations with respect to previous taxable years for the purpose of ascertaining the amount of any dividend carry-over from such previous taxable years.

PAR. 4. Section 19.27 (b)–1 is amended to read as follows:

§ 19.27 (b)–1 *Basic surtax credit.* For taxable years beginning after December 31, 1939, the amount constituting the basic surtax credit of a corporation for the taxable year consists of the sum of the following, less the amount allowable as a credit under section 26 (h) (relating to the credit for dividends paid on certain preferred stock of certain public utility corporations), and less the amount allowable as a deduction under section 121 (relating to the deduction of dividends paid on certain preferred stock of certain banks and trust companies):

(a) The dividends paid during the taxable year (subject to the qualifications, limitations, and exceptions provided in sections 27 (d) to 27 (i), inclusive) plus the consent dividends credit provided by section 28, less the credit for interest on certain obligations of the United States and its instrumentalities, provided by section 26 (a); and

(b) The smaller of the following:

(1) The sum of the net operating loss credit for the preceding taxable year over the second preceding taxable year and the bank affiliate credit provided in section 26 (d), or

(2) (i) The section 102 net income for the taxable year, in the case of tax imposed by section 102; (ii) the Supplement P net income for the taxable year, in the case of computations required under Supplement P; or (iii) the Subchapter A net income for the taxable year, in the case of tax imposed under Subchapter A.

In the case of a taxable year beginning after December 31, 1938, and prior to January 1, 1940, the adjusted net income for such taxable year shall be used in all cases in place of the section 102 net income, the Supplement P net income, or the Subchapter A net income.

PAR. 5. There is inserted immediately preceding § 19.27 (c)–1 the following:

SEC. 132 COMPUTATION OF NET OPERATING LOSS CREDIT AND DIVIDENDS PAID CREDIT. (Revenue Act of 1942, Title I)

* * * * * * *

(c) *Dividend carry-over.* Section 27 (c) (relating to dividend carry-over) is amended to read as follows:

(c) *Dividend carry-over.* There shall be computed with respect to each taxable year of a corporation a dividend carry-over to such year from the two preceding taxable years, which shall consist of the sum of the basic surtax credit for the second preceding taxable year, reduced by the Subchapter A net income for such year, and further reduced by the amount, if any, by which the Subchapter A net income for the first preceding taxable year exceeds the sum of:

(A) The basic surtax credit for such year; and

(B) The excess, if any, of the basic surtax credit for the third preceding taxable year over the Subchapter A net income for such year; and

(2) The amount, if any, by which the basic surtax credit for the first preceding taxable year exceeds the Subchapter A net income for such year. In the case of a preceding taxable year referred to in this subsection, the Subchapter A net income shall be determined as if the corporation was, under the law applicable to such taxable year, a personal holding company.

* * * * * * *

(e) *Years to which amendments applicable.* The amendments made by this section shall be applicable only with respect to taxable years beginning after December 31, 1939, but shall be applicable in the computations with respect to previous taxable years for the purpose of ascertaining the amount of any dividend carry-over from such previous taxable years.

PAR. 6. Section 19.27 (c)–1 as amended by Treasury Decision 5052, approved June 10, 1941, is further amended to read as follows:

§ 19.27 (c)–1 *Dividend carry-over.* The dividend carry-over to a taxable year beginning after December 31, 1939, is computed as follows:

(a) If the basic surtax credit for the first preceding taxable year exactly equals the Subchapter A net income for such year, the dividend carry-over is the amount of the excess of the basic surtax credit for the second preceding taxable year over the Subchapter A net income for such year.

(b) If the basic surtax credit for the first preceding taxable year exceeds the Subchapter A net income for such year, the dividend carry-over is the amount of such excess plus the excess of the basic surtax credit for the second preceding taxable year over the Subchapter A net income for such year.

(c) If the basic surtax credit for the first preceding taxable year is less than the Subchapter A net income for such year, the dividend carry-over is the amount by which the basic surtax credit for the second preceding taxable year exceeds the Subchapter A net income for such year reduced by the excess of the first preceding taxable year over the sum of the basic surtax credit for such year and the excess of the basic surtax credit for the third preceding taxable year over the Subchapter A net income for such year.

In computing the dividend carry-over to a taxable year beginning after December 31, 1939, the Subchapter A net income of any preceding taxable year shall be determined as if the corporation was, under the law applicable to such taxable year, a personal holding company.

The dividend carry-over to a taxable year beginning after December 31, 1938 and prior to January 1, 1940, shall be computed in the same manner as for taxable years beginning after December 31, 1939, except that the adjusted net income shall be used instead of the Subchapter A net income, and except that in computing the dividend carry-over for the purposes of Subchapter A of Chapter 2 the adjusted net income minus the deductions allowed under section 505 (a) (1) for Federal taxes shall be used instead of Subchapter A net income (see § 19.504–1).

In computing the dividend carry-over to a taxable year beginning after December 31, 1938 and prior to January 1, 1940, the adjusted net income for a preceding taxable year which begins in 1936 or 1937 shall be the adjusted net income as defined in section 14 (a) (1) of the Revenue Act of 1936, and the basic surtax credit for such preceding taxable year shall be only the dividends paid credit computed under section 27 of the Revenue Act of 1936 without the benefit of the dividend carry-over provided in section 27 (b) of such Act. In computing the dividend carry-over, the adjusted net income for a preceding taxable year which begins in 1938 shall be the adjusted net income as defined in section 13 (a) of the Revenue Act of 1938 and the basic surtax credit for such preceding taxable year shall be the basic surtax credit as defined in section 27 of the Revenue Act of 1938.

Every corporation claiming a dividend carry-over for any taxable year shall file with its return for such year a concise statement setting forth the amount of the dividend carry-over claimed and all material and pertinent facts relative thereto, including a detailed schedule showing the computation of the dividend carry-over claimed.

The computation of the dividend carry-over to a taxable year beginning after December 31, 1939, may be illustrated by the following examples:

Example (1). The X Corporation, which makes its income tax returns on the calendar year basis, has a Subchapter A net income for 1938 and its basic surtax credit is $150,000. Its dividend carry-over to 1942 is $150,000, computed as follows:

(1) Basic surtax credit (for 1940)	$350,000
(2) Less Subchapter A net income for 1940	200,000
(3) Dividend carry-over to 1942 ((1) minus (2))	150,000

Since the basic surtax credit for 1941 exactly equals the Subchapter A net income for that year, neither that year nor the year 1939 need be taken into account. The preceding taxable year (1941) is taken into account only if the basic surtax credit for such year exceeds the Subchapter A net income for such year or if the Subchapter A net income for such year exceeds the sum of the basic surtax credit for such year and the excess of the basic surtax credit for the third preceding taxable year (1940) over the Subchapter A net income for such year. The third preceding taxable year (1939) is taken into account only if the basic surtax credit for such year exceeds the Subchapter A net income for such year and into account only if the preceding taxable year's Subchapter A net income for the first preceding taxable year (1941) exceeds the basic surtax credit for such year, in which case it operates to reduce such excess, which must be carried over from the second preceding taxable year (1940).

Example (2). The Y Corporation, which makes its income tax returns on the calendar year basis, has a Subchapter A net income of $100,000 and a basic surtax credit of $150,000 for 1939. For 1940 its Subchapter A net income is $50,000 and its basic surtax credit is $75,000, and for 1941 its Subchapter A net income is $50,000 and its basic surtax credit are $25,000 and $100,000, respectively. Its dividend carry-over to 1942 is $100,000, computed as follows:

Year 1940	
(1) Basic surtax credit	$75,000
(2) Less Subchapter A net income	50,000
(3) Excess of basic surtax credit over Subchapter A net income	$25,000
Year 1941	
(4) Basic surtax credit	$100,000
(5) Less Subchapter A net income	25,000
(6) Excess of basic surtax credit over Subchapter A net income	75,000
(7) Dividend carry-over to 1942 (sum of (3) and (6))	100,000

For the reason why the year 1939 is not taken into account, see explanation at end of Example (1). The Z Corporation, which makes its income tax returns on the calendar year basis, has a Subchapter A net income of $60,000 and a basic surtax credit of $150,000 for 1939. For 1940 its Subchapter A net income is $60,000 and its basic surtax credit is $160,000, and for 1941 its Subchapter A net income and its basic surtax credit are $120,000 and $25,000, respectively. Its dividend carry-over to 1942 is $85,000, computed as follows:

Year 1940	
(1) Basic surtax credit	$160,000
(2) Less Subchapter A net income	60,000
(3) Excess of basic surtax credit over Subchapter A net income	$100,000
Year 1941	
(4) Subchapter A net income	$120,000
(5) Basic surtax credit	$25,000
Year 1939	
(6) Basic surtax credit	$150,000
(7) Less Subchapter A net income	90,000
(8) Excess of basic surtax credit over Subchapter A net income	60,000
Sum of (5) and (8)	85,000
(9) Excess of Subchapter A net income for the first preceding taxable year (1941) over sum of items (5) and (8)	35,000
(10) Dividend carry-over to 1942 ((3) minus (9))	65,000

(Sec. 62 of the Internal Revenue Code (53 Stat., 32; 26 U.S.C., 1940 ed., 62) and section 132 (a), (b), (c), and (e) of the Revenue Act of 1942 (Pub. Law 753, 77th Cong.))

[SEAL] NORMAN D. CANN,
Acting Commissioner of Internal Revenue.

Approved: February 2, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43–1859; Filed, February 4, 1943; 10:42 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A–1803]

PART 330—MINIMUM PRICE SCHEDULE, DISTRICT NO. 10

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 10, for establishment of price classifications and minimum prices for Mine Index No. 1475.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Miller Coal Co. Mine, Mine Index No. 1475, of Clyde Miller (Miller Coal Company), for all shipments except truck; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 330.4 (*Price groups*) is amended by adding thereto Supplement R–I, and § 330.10 (*Special prices*—(a) (2) *Railroad locomotive fuel prices*) is amended by adding thereto Supplement R–II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

The original petition in this matter requests that no exceptions be allowed with respect to locomotive fuel sold to off-line railroads. Nevertheless, since railroad locomotive fuel Price Exception 1–A in § 330.10 (a) (3) of the Schedule of Effective Minimum Prices for District No. 10 for All Shipments Except Truck is applicable to the coals of all other mines in Price Group No. 14 of District No. 10 for which minimum prices have been established for all shipments except truck and since no reason has been advanced for denying the application of this Price Exception to the coals of Mine Index No. 1475, the relief granted herein makes the said Price Exception applicable to the coals of Mine Index No. 1475.

Dated: January 21, 1943.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 10

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 330, Minimum Price Schedule for District No. 10 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 330.4 *Price groups*—Supplement R–I

Price group No.	Producer	Mine	Mine index No.	Freight origin group	Shipping point	Railroad
14	Miller, Clyde (Miller Coal Co.)	Miller Coal Co.	[1] 1475	73	Catlin, Ill.	Wabash.

[1] Mine Index No. 1475 shall be included in Price Group 14 and shall take the same f. o. b. mine prices as other mines in Price Group 14, Schedule No. 1, District No. 10, For All Shipments Except Truck, on all size groups and for shipment to all market areas and for all uses exclusive of railroad locomotive fuel: *Provided, however*, That these f. o. b. mine prices apply on board transportation facilities at Catlin, Illinois.

§ 330.10 *Special prices*—(a) (2) *Railroad locomotive fuel prices*—Supplement R–II

Price group No.	Producer	Mine	Mine index No.	Freight origin group	Shipping point	Railroad
14	Miller, Clyde (Miller Coal Co.)	Miller Coal Co.	[1] 1475	73	Catlin, Ill.	Wabash.

[1] The railroad locomotive fuel price shall be Mine Run—$1.95, Modified Mine Run—$2.00, and Screenings—$1.40, and railroad locomotive fuel price exception 1–A shall apply.

[F. R. Doc. 43–1823; Filed, February 3, 1943; 11:16 a. m.]

[Docket No. A–1830]

PART 330—MINIMUM PRICE SCHEDULE, DISTRICT NO. 10

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 10 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 10.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 10; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows:

Commencing forthwith, § 330.25 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: January 26, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 10

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 330, Minimum Price Schedule for District No. 10 and supplements thereto.

FOR TRUCK SHIPMENTS

§ 330.25 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code-member index	Mine index No.	Mine	Seam	Prices and size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
SECTION NO. 4—FULTON COUNTY																		
Rining & Son (Edward E. Rining)	1623	Rining & Son #3	2	260	255	250	240	235	230	190	170	165	160	160	160	130	120	65
SECTION NO. 5—SCHUYLER COUNTY																		
Knight, Ray	1620	Knight		260	255	250	240	235	230	175	170	165	160	160	160	130	120	65

[F. R. Doc. 43-1824; Filed, February 3, 1943; 11:16 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment 1]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations*[1] is hereby amended in the following particulars:

1. In the column headed "Shipping priority rating" the shipping priority rating assigned to the commodities listed below is amended to read as follows:

Commodity	Dept. of Comm. No.	Shipping priority rating
GLASS AND GLASS PRODUCTS		
Lampchimneys and lanternglobes	9258.00	II

2. In the column headed "Commodity" the commodity description of "Paint brushes" set forth under the heading "Brushes" and under the heading "Paint brushes" is amended to read as follows:

Commodity	Dept. of Comm. No.
Paint brushes (include industrial paint brushes, artists' paint brushes, & camel hair sword striping pencils) (specify type, also kind & length of bristles)	9825.01

[1] 8 F.R. 1494.

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 31, 7 F.R. 9807)

Dated: February 3, 1943.

PAUL CORNELL, *Chief of Office, Office of Exports.*

[F. R. Doc. 43-1854; Filed, February 4, 1943; 10:31 a. m.]

[Amendment 2]

PART 802—GENERAL LICENSES

GENERAL LICENSE NUMBERS, ETC.

1. Paragraph (a) of § 802.2 *General license numbers*[1] is hereby amended by assigning the following new general license numbers to the following countries:

French West Indies (including Desirade, Guadeloupe, Les Saintes, Martinique, Marie Galante, St. Martin (northern part) and St. Bartholomew) 68
Desirade Island (French West Indies) .. 68
Guadeloupe (French West Indies) 68
Les Saintes Island (French West Indies) 68
Martinique (French West Indies) 68
Marie Galante Island (French West Indies) 68
St. Martin (part) (French West Indies) 68
St. Bartholomew Island (French West Indies) 68
French Guiana 69

2. Paragraph (a) of § 802.3 *General license country groups* is hereby amended in the following particulars:

[1] 8 F.R. 1549.

a. Group C is amended by adding the following to the list of destinations therein set forth:

New Zealand (including Cook Islands and Western Samoa [Mandated Territory]) 48

b. Group K is amended by adding the following to the list of destinations therein set forth:

French West Indies (including Desirade, Guadeloupe, Les Saintes, Martinique, Marie Galante, St. Martin (northern part) and St. Bartholomew) 68
Desirade Island (French West Indies) .. 68
Guadeloupe (French West Indies) 68
Les Saintes Island (French West Indies) 68
Martinique (French West Indies) 68
Marie Galante Island (French West Indies) 68
St. Martin (part) (French West Indies) 68
St. Bartholomew Island (French West Indies) 68
French Guiana 69

3. Subparagraph (2) of paragraph (b) of § 802.9 *General in transit licenses* is hereby amended to read as follows:

(2) "Western Hemisphere" as used in this paragraph, includes only the countries designated by the following numbers in paragraph (a) of § 802.2 of this subchapter: 3 through 24, 61, 62, 68 and 69.

4. Paragraph (j) of § 802.16 *Prisoners of war and interned civilians* is hereby amended in the following particulars:

a. In the list of commodities headed "Clothing" the commodity designation reading:

Shirts (regular army or navy if prisoners of war).

is amended to read:

Shirts (regular army or navy if prisoners of war, except that, only shirts of khaki color may be exported under this license to prisoners of war in Italy).

b. In the list of commodities headed "Sports and Games" the commodity designation reading:

Playing cards.

is amended to read:

Playing cards (may not be exported under this license to Italy)

c. In the list of commodities headed "Food Items" the following commodities are added:

Biscuits or crackers (not in excess of one pound & packed in cardboard containers).
Bouillon cubes (not in excess of one-quarter pound).
Cereals of the whole grain variety such as the oat-meal and dark farina type (packed in cardboard containers).
Rice (not in excess of one pound & packed in cellophane or other transparent paper package).
Sweet chocolate in bars (not in excess of one pound).

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 31, 7 F.R. 9807)

Dated: February 3, 1943.

PAUL CORNELL, *Chief of Office, Office of Exports.*

[F. R. Doc. 43-1855; Filed, February 4, 1943; 10:31 a. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680, W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1010—SUSPENSION ORDERS

[Amendment 1 to Suspension Order S-190]

STANDARD PRESSED STEEL CO.

Paragraph (a) of § 1010.190 *Suspension Order S-190* issued December 30, 1942, is hereby amended to read as follows:

(a) Standard Pressed Steel Company, its successors and assigns, shall not put in process, manufacture or assemble any iron or steel to make industrial work benches, bench legs or parts thereof; and Standard Pressed Steel Company shall not deliver any industrial work benches, bench legs or parts thereof containing iron or steel except with the specific approval of the Regional Compliance Chief, Philadelphia Regional Office, War Production Board.

Issued this 3d day of February 1943.

CURTIS E. CALDER, *Director General for Operations.*

[F. R. Doc. 43-1833; Filed, February 3, 1943; 3:15 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-229]

FRANKLIN A. FELTY

Franklin A. Felty, 486 West Columbia Street, Schuylkill Haven, Pennsylvania, is engaged in the marketing of motor fuel. During the months of April, May and June, 1942, Franklin A. Felty made deliveries of motor fuel to twenty-one service stations in excess of the amounts permitted to be so delivered in accordance with the provisions of Limitation Order L-70. During the months of April, May and June, 1942, total deliveries by Franklin A. Felty of motor fuel to the twenty-one service stations were approximately 257,292 gallons, which was approximately 139,851 gallons in excess of the proper quotas for these stations under Limitation Order L-70. Computed by percentages, Franklin A. Felty delivered to the twenty-one service stations during the month of April, 1942 forty-seven per cent in excess of the quotas, during the month of May, 1942 one hundred twenty-nine per cent in excess of the quotas, and during the month of June, 1942, one hundred eighty-seven per cent in excess of the quotas. The average of deliveries during those three months was one hundred twenty-one per cent in excess of the proper quotas.

While the over-deliveries of motor fuel were being made, Franklin A. Felty was fully aware of the provisions of Limitation Order L-70, but acted on an unwarranted and unjustifiable interpretation of such order. This constituted a wilful violation of Limitation Order L-70 which has impeded and hampered the war effort of the United States. In view of the foregoing: *It is hereby ordered*, That:

§ 1010.229 *Suspension Order S-229.* (a) Franklin A. Felty, his successors and assigns, shall not deliver or cause to be delivered, directly or indirectly, during the months of February, March, April, May, June and July, 1943, any quantities of motor fuel, as defined in Limitation Order L-70, to the service stations listed below, in excess of the amounts set forth for each service station:

Name and address	To be delivered in— February	March	April	May	June	July
	Gallons	Gallons	Gallons	Gallons	Gallons	Gallons
Jane Appleby, Llewellyn, Pa.	1,400	1,300	1,250	1,540	1,270	1,450
George Butler, Tremont, Pa.	500	470	390	600	410	470
Central Garage, Pottsville, Pa.	1,200	1,200	1,200	1,240	1,240	1,240
Conner's Crossing, Schuylkill Haven, Pa.	7,700	6,700	5,700	6,200	7,350	8,150
Joe Chrush, East Mines, Pa.	2,680	2,670	2,660	3,300	2,970	3,140
Frank English, Donaldson, Pa.	3,020	3,210	3,390	4,070	4,320	4,140
Charles Hellner, Tremont, Pa.	870	850	880	880	880	880
John Harner, Schuylkill Haven, Pa.	800	830	840	830	860	860
William Jones, Goodsprings, Pa.	1,730	1,780	1,810	1,790	1,790	1,780
Ivy Krause, Pine Grove, Pa.	150	200	240	170	140	170
Charles Matz, Landingville, Pa.	880	1,080	960	1,080	1,170	1,300
Geo. Moses Diner (Alice Hutz), Port Carbon, Pa.	750	750	750	880	670	670
Pine Grove Station, Pine Grove, Pa.	3,880	4,380	4,870	2,760	5,520	5,900
Roy Schriver, Spring Glen, Pa.	3,100	3,000	3,000	3,300	3,300	3,350
Claude Stoyer, Orwigsburg, Pa.	520	500	520	650	840	870
I. Stroupbaiter, Pine Grove, Pa.	1,100	1,140	1,200	1,140	1,250	1,240
Jacob Weaver, Muir, Pa.	500	620	680	920	760	670
Dock St. Station, Schuylkill Haven, Pa.	3,760	3,770	3,720	3,770	5,550	6,770
Rae Heim, Auburn, Pa.	200	75	75	75	75	75
Elmer Lemke, Tower City, Pa.	3,400	3,300	3,300	2,000	3,300	3,300
Raymond Reeder, Long Run, Auburn, Pa.	100	0	0	0	0	0

(b) During the months of February, March, April, May, June and July, 1943, the service stations listed in paragraph (a) shall not accept delivery of motor fuel as defined in Limitation Order L-70, directly or indirectly, from Franklin A. Felty, his successors and assigns, in excess of the amounts set forth in paragraph (a).

(c) Nothing contained in this Order shall be deemed to relieve Franklin A. Felty from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(d) This Order shall take effect on February 1, 1943 and shall expire on July 31, 1943, at which time the restrictions contained in this Order shall be of no further effect.

Issued this 3d day of February 1943.

CURTIS E. CALDER, *Director General for Operations.*

[F. R. Doc. 43-1834; Filed, February 3, 1943; 3:15 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-231]

OAKLAWN, INC.

Oaklawn, Inc., a corporation of New Orleans, Louisiana, created under the laws of the State of Louisiana, is engaged in the business of constructing houses. On March 5, 1942, and on March 30, 1942, this company applied on Form PD-105 to the War Production Board for priorities assistance under Preference Rating Order P-55 in order to construct one hundred and ten (110) family dwelling units for rent in New Orleans, Louisiana. In these applications it agreed to give reasonable preference as to occupancy to defense workers who desired to rent the premises. In violation of this agreement, with respect to twenty-three of the properties, the company entered into contracts of sale of the dwelling units prior to the time that the construction of the houses was begun. On August 26, 1942, the company was granted permission to enter into lease option contracts with respect to approximately one half of the dwelling units at prices specified in the letter authorizing such action. In the instance of eleven dwelling units, sales contracts were executed at prices in excess of those approved in violation of the agreement of the company with the Government. The contracts of the company with prospective purchasers which purported to conform to the lease option provisions of PD-105 agreements in fact are not lease option contracts, and the lessee-purchaser under such contracts is not given the privileges by the company which the company agreed to give in its contracts with the Government.

The failure of Oaklawn, Inc. to abide by its agreements with the War Production Board has hampered and impeded the war effort of the United States. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.231 *Suspension Order S-231.* (a) Deliveries of material to Oaklawn, Inc., its successors and assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned or applied to such deliveries to Oaklawn, Inc., its successors and assigns, by means of preference rating certificates, preference rating orders, general preference orders, or any other orders and regulations of the Director of Industry Operations or the Director General for Operations, except as specifically authorized

by the Director General for Operations, *Provided, however,* That the preference rating heretofore assigned to Oaklawn, Inc. by Preference Rating Order P–55 may be applied to deliveries of material required for the completion of one hundred units of the project on which construction has begun, with the written approval of the Regional Compliance Chief, War Production Board, Dallas, Texas, but no preference rating shall be applied in connection with the construction of the four housing units which had not been begun on January 27, 1943.

(b) No allocation shall be made to Oaklawn, Inc., its successors or assigns, of any material, the supply or distribution of which is governed by any order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations: *Provided, however,* That such allocations as may be necessary to enable Oaklawn, Inc., to complete one hundred units of this housing project, may be made, with the written approval of the Regional Compliance Chief, War Production Board, Dallas, Texas, but no allocations to the respondent shall be made in connection with the four housing units on which construction had not been begun on January 27, 1943.

(c) Nothing contained in this order shall be deemed to relieve Oaklawn, Inc., from any restriction, prohibition or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on February 6, 1943, and shall expire on August 6, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 3d day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–1835; Filed, February 3, 1943; 3:15 p. m.]

PART 923—TUNGSTEN

[General Preference Order M–29 as Amended Feb. 4, 1943]

Whereas, the national defense requirements have created a shortage of tungsten, as hereinafter defined, for defense, for private account, and for export and it is necessary, in the public interest and to promote the defense of the United States, to conserve the supply and direct the distribution thereof;

Now, therefore, it is hereby ordered, That:

§ 923.3 *General Preference Order M–29*—(a) *Definitions.* For the purposes of this order:

(1) "Tungsten" means and includes:

(i) Ores and concentrates, including beneficiated or treated forms, containing commercially recognized tungsten;

(ii) The element tungsten in pure form, in any shape into which the same may be fabricated, except contact points.

(iii) Ferro-tungsten, tungsten metal powder and any other ferrous combination of the element tungsten in semi-manufactured or manufactured form, excluding alloy steel, high speed steel and tool steel.

(iv) All non-ferrous mixtures or alloys containing tungsten, prepared for any purpose requiring further processing, whether the same are manufactured by means of melting, pressing, sintering, brazing, soldering or welding, including but not limited to mixtures or alloys to be used in the production of tools and tool blanks or as hard facing materials, but not including any finished tool;

(v) All chemical compounds having tungsten as a recognizable and essential component from which tungsten is commercially recoverable.

(vi) All scrap or secondary material containing commercially recoverable tungsten as defined in (ii), (iii), (iv) and (v) above, excluding tungsten bearing iron and steel scrap.

(2) "Producer" means any person who mines or otherwise produces natural materials containing recoverable quantities of tungsten.

(3) "Processor" means any person who prepares ores concentrates or any chemical or metallurgical forms of tungsten for any industrial use.

(4) "Dealer" means any person who procures tungsten either by importing or from domestic sources for sale or resale without change in form, whether or not such person receives title to or physical delivery of the material, and includes warehousemen, brokers and jobbers.

(b) *Applicability of Priorities Regulation No 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1, (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(c) *Restrictions on deliveries*—(1) *Allocations.* Except as permitted by paragraph (c) (2) of this order, no person shall make or accept delivery of tungsten without the specific authorization of the Director General for Operations.

The Director will from time to time allocate the supply of tungsten and specifically direct the manner and quantities in which deliveries to particular persons or for particular uses shall be made or withheld. The Director may also require any person seeking to place a purchase order for tungsten to place the same with one or more particular suppliers. Such allocations and directions will be made primarily to insure satisfaction of all defense requirements of the United States, both direct and indirect, and they may be made without regard to any preference ratings assigned to particular contracts or purchase orders.

(2) *Permissible deliveries.* Until further order or in the absence of a contrary direction by the Director General for Operations, the following transactions are permitted without specific authorization by the Director General for Operations:

(i) Tungsten in any form may be delivered by any person to the Metals Reserve Company or to any other Corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act as amended (15 U.S.C., section 606 (b)), or to any duly authorized agent of any such Corporation.

(ii) Tungsten in any form (except in the form of wire, rod, sheet or metal powder) may be delivered by any person to any person in quantities of 25 pounds or less of contained tungsten, provided that the total quantity in terms of tungsten content which any person may receive pursuant to the provisions of this subparagraph during any one calendar month, beginning with the month of July, 1942, from all sources of supply shall be limited to 25 pounds.

(iii) Tungsten ores or concentrates may be delivered by any producer, dealer or processor:

(*a*) To any processor for the purpose of being concentrated, further concentrated or beneficiated by the processor receiving such delivery, or

(*b*) To any dealer, provided that no dealer shall store or otherwise hold for more than 120 days any material acquired by him under the provisions of this subparagraph.

(d) *Reports and applications.* (1) Each processor and dealer shall file with the War Production Board on or before the 20th day of each calendar month reports on form PD–9–d, or such other form as said Board may from time to time prescribe.

(2) Any person who desires an allocation of tungsten shall apply therefor to the War Production Board not later than the 20th day of the month preceding the month in which delivery of the material is desired, on Form PD–9–c, or such other form as the War Production Board may from time to time prescribe, and shall file a copy of such application with each supplier with whom he places a purchase order for tungsten. All such applications to the War Production Board must be accompanied by reports on behalf of the applicant on form PD–9–d, or on such other form as may be prescribed for this purpose from time to time by the War Production Board. Failure by any person to file an application in the manner and on the date required by this paragraph may be construed as notice to the Director General for Operations and to all suppliers of tungsten that such person does not desire an allocation of tungsten during the next succeeding month.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(f) *Effect upon other orders.* Nothing contained in this order shall be construed as altering or modifying any of the terms or provisions of General Imports Order M–63, as the same may be from time to time amended.

(g) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the Tungsten Division, War Production Board, Washington, D. C., Reference: M–29.

Issued this 4th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–1890; Filed, February 4, 1943; 11:28 a. m.]

PART 1029—FARM MACHINERY AND EQUIPMENT AND ATTACHMENTS AND REPAIR PARTS THEREFOR

[Amendment 2 to Limitation Order L–170 as Amended Jan. 19, 1943]

Subdivision (i) of paragraph (c) (1) of § 1029.10 *Limitation Order L–70* as amended [8 F.R. 912, 1222] is hereby amended to read as follows:

(i) Manufacture, for sale in the continental United States, a total quantity by weight of any item of farm machinery and equipment listed in Schedule A in excess of that quantity obtained by multiplying the applicable quota percentage (designated in the appropriate column of said Schedule A for Class A producers, Class B producers and Class C producers respectively) for such item by his base production of such item for such sale; except that

(*a*) Wherever, in said Schedule A, two or more items are bracketed together and only one quota percentage assigned thereto, such percentage shall be applied to such producer's total base production of all such bracketed items, and the total permissible weight thus determined may be distributed among all or any one or more of such bracketed items at his election;

(*b*) As to silos (Item 296 of Schedule A), the permitted production of a producer shall not exceed the number of units produced by him during either 1940 or 1941, whichever was the greater; and

(*c*) Any producer, instead of conforming to his quota percentages for the items of attachments as indicated respectively in Schedule A, may at his option manufacture not more than an aggregate of 20% of his total base production of such attachments, and the total permissible weight thus determined may be distributed among all or any one or more of such items of attachments at his election: *Provided,* That, once such option is made, it shall apply to all attachments to be produced.

Issued this 4th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–1891; Filed, February 4, 1943; 11:28 a. m.]

PART 3037—ELECTRONIC EQUIPMENT

[Preference Rating Order P–133 as Amended Feb. 4, 1943]

§ 3037.5 *Preference Rating Order P–133*—(a) *Definitions.* For the purpose of this order:

(1) "Operator" means any individual, partnership, association, business trust, corporation, receiver or any form of enterprise whatsoever, whether incorporated or not, the United States, and the several states thereof, and any political, corporate, administrative or other division or agency thereof, to the extent engaged in any activity listed in Schedule A, hereof.

(2) "Material" means any commodity, equipment, accessory, assembly or product of any kind; exclusive, however, of automotive replacement parts as defined by General Limitation Order L–158.

(3) "Maintenance" means the upkeep of an operator's buildings, structures and equipment in sound working condition; and this, without regard to whether the expenditures therefor are for any reason required to be recorded in the operator's accounting records in accounts other than maintenance and repair.

(4) "Repair" means the reconstruction or restoration without expansion, improvement or change of design of any portion of an operator's buildings, structures and equipment when such portion has been rendered unsafe or unfit for service by wear and tear or other similar causes, but not including reconstruction or restoration of any portion damaged or destroyed by fire, flood, tornado, earthquake, act of God or the public enemy; and this, without regard to whether the expenditures therefor are for any reason required to be recorded in the operator's accounting records in accounts other than maintenance and repair.

(5) "Operating supplies" means any material which is essential to and consumed directly in the operation of any of the services specified in paragraph (a) (1) above, but does not include photographic film, fuel, office or building supplies, or any material which is physically incorporated in whole or in part in the property or equipment of the operator.

(b) *Assignment of preference rating.* Subject to the terms of this order, preference rating of AA–2X is hereby assigned:

(1) To deliveries of material to an operator for operating supplies and for maintenance and repair.

(2) To deliveries to any supplier of material to be physically incorporated in other material required by an operator for operating supplies, maintenance or repair.

(c) *Persons entitled to apply preference rating.* The preference rating hereby assigned shall be applied where a preference rating is required to obtain material for maintenance, repair and operating supplies by:

(1) Any operator engaged in an activity in Schedule A hereof and may be applied by

(2) Any supplier, provided deliveries to an operator or another supplier are to be made by him, which are of the kind specified in paragraph (b) and have been rated pursuant to this order.

(d) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(e) *Restrictions on inventory and use.* The preference rating hereby assigned may be applied by any operator, provided:

(1) Such rating is not used to replace in inventory more than one spare tube for each active tube socket.

(2) Such rating is not used to replace in inventory any spare parts except:

(i) Those subject to frequent failure, deterioration or other exhaustion.

(ii) Those which are so unique that failure would inevitably result in long delay in resumption of essential operations.

(3) Such rating is not used in any case to increase the value of an operator's inventory of repair parts, other than tubes, above the value of such inventory on the date of this order.

(4) Such rating is not used to replace in inventory a new part if the defective part can be repaired with a smaller consumption of raw material.

(5) The tube which has been replaced from operator's inventory or for which replacement is required has been operated to failure.

(6) The operator has returned to the manufacturer any power tube rated at 25 watts or more which has failed, unless such tube is to be repaired.

(7) Equipment which has failed has been operated within the ratings specified by the manufacturer.

(8) Such rating is not used to build up inventory of operating supplies other than tubes, in excess of requirements for a three-month period.

(9) Such operator was actively engaged in one of the activities listed on Schedule A hereof, on the date of issuance of the order, or has received specific authorization for his installation from the Director General for Operations of the War Production Board.

(f) *Application and extension of rating.* An operator or supplier, in order to apply the preference rating assigned by this order, shall endorse the following statement on the purchase order or con-

tract for such material signed manually or as provided in Priorities Regulation No. 7 (§ 944.27) by an official duly authorized for such purposes.

CERTIFICATION

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply or extend the preference ratings indicated opposite the items shown on this purchase order, and that such application or extension is in accordance with Priorities Regulation No 3, as amended, with the terms of which the undersigned is familiar.

Name of purchaser	Address
By	
(Signature and title of duly authorized officer)	Date

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(h) *Records.* All operators assigned a preference rating by or pursuant to this order shall keep and preserve for two years copies of all purchase orders or contracts applying such rating.

(i) *Reports.* All operators affected by this order shall execute and file with the War Production Board such reports and questionnaires as the War Production Board shall from time to time prescribe.

(j) *Communications.* All reports to be filed, and other communications concerning this order, should be addressed to War Production Board, Radio and Radar Division, Washington, D. C. Ref: P-133.

Issued this 4th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

1. Radio communication, including broadcasting.
2. Sound recording for commercial purposes.
3. Radio direction finding.

[F. R. Doc. 43-1892; Filed, February 4, 1943; 11:28 a. m.]

PART 3136—STRAPPING FOR SHIPPING CONTAINERS

[Conservation Order M-261 as Amended Feb 4, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of strapping for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3136.1 *Conservation Order M-261*—(a) *Definition.* "Strapping means any iron, steel or other metal wire or band reinforcements or closures, twelve (12) inches or more in length, for shipping containers excepting: metal for barrel hoops, stitching, baling of compressed material, fastening of material into bundles, or for fastening or blocking of material to skids or in vehicle or vessels.

(b) *Restriction on use of strapping.* No person shall use commercially any strapping on shipping containers unless:

(1) The weight of the container and contents exceeds ninety pounds, or

(2) The net weight of the contents of the container exceeds .058 pounds per cubic inch, or

(3) Use of the strapping is required by regulation or order of the Interstate Commerce Commission, or

(4) The container for which the strapping is used, and its contents, are to be delivered to or for the account of the Army, Navy, Maritime Commission, or War Shipping Administration, and the strapping is required by such agency, or

(5) The shipment is for delivery outside of both the United States and Canada, or

(6) The strapping is for wooden shipping containers for fresh fruits, vegetables, meats, fish or poultry, provided the strapping is essential to the safe delivery of the contents and has been customarily used for the same type of shipment and container, or

(7) The strapping is for wooden lard or butter tubs, and wooden buckets or pails, or

(8) The strapping is for closing fibre drums or hexagonal or octagonal fibre containers.

(c) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(d) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds for appeal.

(e) *Records.* All persons affected by this order shall keep for at least two years records concerning inventory, production, purchases and sales, and shall make reports on same if required.

(f) *Communications.* All reports required to be filed hereunder and all communications concerning this order or any schedule issued supplementary hereto shall, unless otherwise directed, be addressed to War Production Board, Containers Division, Washington, D. C., Ref.: M-261.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

Issued this 4th day of February 1943

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1893; Filed, February 4, 1943; 11:28 a. m.]

PART 3163—VEGETABLE TANNING MATERIALS

[General Conservation Order M-277]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain imported and domestic vegetable tanning materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3163.1 *General Conservation Order M-277*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all the applicable provisions of all the priorities regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Vegetable tanning materials" means the materials and extracts (including blends and combinations thereof) on the following list:

Domestic raw materials and extracts

California oak bark
Cellulose sulphite by-products (commonly sold as spruce extract, etc.)
Chestnut oak bark
Chestnut wood
Hemlock bark
Sumac

Foreign raw materials and extracts

Algarobilla (pods)
Divi-divi (pods)
Gambier
Hemlock bark
Mangrove bark
Myrobalans (nuts)
Quebracho wood
Sumac
Tara pods
Tara powder
Urunday
Valonia beards and cups
Wattle or mimosa bark

(3) "Processor" means any person who consumed during 1942, or who hereafter consumes, more than 1,000 tan units of vegetable tanning materials during any one calendar month for the production of leather, furs, pharmaceuticals, crude petroleum oil or any product for treating water, or for any other purpose.

(4) "Inventory" means a processor's vegetable tanning materials within the continental United States (the 48 States and the District of Columbia), including materials in customs bond destined for use in the continental United States, except:

(i) Tan yard liquors.

(ii) Domestic wood, bark or other extract producing raw materials not yet delivered to the purchaser thereof.

(5) "Tan unit" means one pound of 100% tannin as determined by the analytical methods of the American Leather Chemists Association.

(6) "Tan yard liquor" means an aqueous infusion of vegetable tanning materials currently being used in contact with hides and skins to produce leather.

(c) *Non-applicability of inventory restrictions in other regulations and orders.* No person shall be subject to any inventory restriction contained in any other regulation or order issued by the Director of Priorities of the Office of Production Management or by the Director of Industry Operations or the Director General for Operations of the War Production Board in making or accepting deliveries of vegetable tanning materials: *Provided, however,* That except as permitted under paragraph (g) below, no processor shall sell or deliver any part of his present or future inventory of vegetable tanning materials to any person other than the Defense Supplies Corporation or such other agency of the United States as may be designated by the Director General for Operations.

(d) *Restrictions on the use of tanning materials.* Except as permitted under paragraph (g) below,

(1) No processor shall use any vegetable tanning material for any purpose other than the following:

(i) The processing of leather.

(ii) The manufacture of pharmaceutical products.

(iii) The manufacture of water treatment materials (not containing chestnut extract).

(2) No processor shall consume, during any calendar quarter beginning with the first quarter of 1943, a quantity of tan units in excess of one-quarter of the number of tan units consumed by him during 1942 multiplied by the percentage shown in Schedule A.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing of using material under priority control and may be deprived of priorities assistance.

(f) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Reference: M-277.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, purchases, production and sales.

(i) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be required by said Board from time to time.

Issued this 4th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

Product:	Percent
Leather	100
Pharmaceutical products	100
Water Treatment materials	100

[F. R. Doc. 43-1894; Filed, February 4, 1943; 11:28 a. m.]

Chapter XI—Office of Price Administration

PART 1306—IRON AND STEEL

[Rev. MPR 230]

REUSABLE IRON AND STEEL PIPE AND USED STRUCTURAL PIPE

The title and preamble to Maximum Price Regulation No. 230[1] are amended and §§ 1306.451 to 1306.465, inclusive, are renumbered and amended to read as set forth herein.

In the judgment of the Price Administrator it is necessary and proper to establish maximum prices for sales of reusable iron and steel pipe and used structural pipe which differ, in certain respects, from those established by Maximum Price Regulation No. 230—Reusable Iron and Steel Pipe. The Price Administrator has ascertained and given due consideration to the prices of reusable iron and steel pipe and used structural pipe prevailing between October 1 and October 15, 1941 and has made adjustments for such relevant factors as he has determined to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are, and will be, generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, and in accordance with Revised Procedural Regulation No. 1[2] issued by the Office of Price Administration, Revised Maximum Price Regulation No. 230 is hereby issued.

AUTHORITY: §§ 1306.451 to 1306.465, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1306.451 *Sales of reusable iron and steel pipe and used structural pipe at higher than maximum prices prohibited.* (a) On and after February 9, 1943, regardless of any contract or other obligation, no person shall sell or deliver to a consumer or exporter, and no consumer or exporter shall buy or receive in the course of trade or business, any reusable iron and steel pipe at prices higher than the maximum prices established by Appendix A (§ 1306.464) of this regulation, or any used structural pipe at prices higher than the maximum prices established by Appendix B (§ 1306.465) of this regulation, and no such person, consumer or exporter shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices may be charged, paid or offered.

§ 1306.452 *Products, persons and transactions covered by this regulation*—(a) *Products.* (1) "Reusable iron and steel pipe" means used iron and steel pipe, casing and tubing (including boiler tubing), with or without fittings, of all the types, sizes and weights referred to in Appendix A (§ 1306.464): *Provided,* That such pipe is (i) suitable without reconditioning for the purpose (other than resale) for which it was purchased, (ii) suitable for use for any purpose for which new pipe of prime quality is customarily used and (iii) capable of conducting, without leakage, liquids and gases at a pressure of at least 50 pounds per square inch. It includes such pipe whether black or galvanized and whether plain end, or threaded, or furnished with couplings. It does not include cast iron pipe or chrome-nickel stainless steel pipe.

(2) For the purpose of this regulation "reusable iron and steel pipe" is divided into two categories, i. e. oil country tubular goods and pipe other than oil country tubular goods. The latter must meet the definition contained in subparagraph (1). "Oil country tubular goods" means reusable iron and steel pipe known as oil well casing, tubing, drill and drive pipe (including the grades customarily known to the trade as J-55 and N-80) suitable without further reconditioning for use for any purpose for which such pipe of prime quality is customarily used, when new. Whenever the term "J-55" is used it shall mean and include pipe of the grade formerly known as Grade C and whenever the term "N-80" is used it shall mean and include pipe of the grade formerly known as Grade D.

(3) "Used structural pipe" means used iron and steel pipe, casing or tubing, with or without fittings, which does not

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 7731, 8935, 7914.

[2] 7 F.R. 8961.

meet the definition of reusable iron and steel pipe, but which is suitable for use for structural purposes. It does not include cast iron pipe or chrome-nickel stainless steel pipe.

(b) *Persons.* (1) Any person who makes a sale or purchase covered by this regulation is subject to its provisions. The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) The term "consumer" means any person who purchases reusable iron and steel pipe or used structural pipe for his own use. It does not include any person purchasing pipe for resale, within one of the forty-eight states or the District of Columbia.

(3) The term "exporter" means any individual, partnership, association or corporation including a manufacturer, export agent, export merchant, or commission merchant, engaging or participating as principal or agent, in a sale by a seller or his agent of reusable iron and steel pipe or used structural pipe in one of the forty-eight states or the District of Columbia to a purchaser outside the forty-eight states and the District of Columbia.

(c) *Transactions*—(1) *Domestic sales.* This regulation applies to sales of reusable iron and steel pipe or used structural pipe in the forty-eight states and the District of Columbia to a consumer or an exporter.

(2) *Export sales.* The maximum prices at which a purchaser may export reusable iron and steel pipe or used structural pipe shall be determined in accordance with the provisions of Revised Maximum Export Price Regulation issued by the Office of Price Administration.

§ 1306.453 *How to figure maximum prices.* Maximum prices and extras specified in Appendix A (§ 1306.464) for reusable iron and steel pipe and in Appendix B (§ 1306.465) for used structural pipe are f. o. b. shipping point. "Shipping point" means: In the case of a shipment wholly or partially by rail, vessel, or combination, the point at which such shipment is placed f. o. b. railroad car or f. a. s. vessel for shipment except that in the case of an import, f. o. b. dock at port of entry; in the case of a shipment solely by motor vehicle, the point at which such shipment is placed on such vehicle for shipment; in a case in which movement by motor vehicle precedes rail or vessel movement, the point at which the shipment is placed f. o. b. railroad or f. a. s. vessel for shipment.

Additions to these maximum shipping point prices and extras may be made for transportation, where transportation is at the expense and risk of the seller as follows:

Maximum charges for delivery. The maximum delivery charge shall be the established charge from the shipping point to the point of delivery by the mode of transportation employed: *Provided*, That no charge may be made for delivery within the seller's customary free delivery area. Reusable iron and steel pipe and used structural pipe are at their point of delivery when they have arrived for unloading at the point designated by the buyer: *Provided*, That if the buyer designates a point away from the rail siding and delivery is by rail, they are at their point of delivery when they have arrived for unloading at the rail siding nearest the point designated by the buyer. Where transportation from shipping point to point of delivery includes water movement and if no established charge exists for such movement, the actual charge incurred in such movement may be included in the delivery charge. Where transportation from shipping point to the point of delivery includes water movement and there are no established dock charges, the actual charges incurred at the dock may be included in the delivery charge. In no case may any charge or cost incurred in placing the pipe at shipping point or unloading the pipe at the point of delivery be added to the delivery charge.

§ 1306.454 *Adjustable pricing.* (a) Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery.

(b) Where a petition for amendment has been made pursuant to § 1306.460 of this regulation, petitioner, and any consumer who proposes to purchase or who purchases reusable iron and steel pipe or used structural pipe, may offer or agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1306.455 *Taxes.* As to any tax upon, or incidental to, the sale or delivery of reusable iron and steel pipe and used structural pipe imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, if the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

§ 1306.456 *Prohibited practices.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollar-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying agreements, trade understandings, and the like. For example, no purchasing commission or bonus may be paid or received if the purchase price plus the commission or bonus totals more than the price permitted by this regulation.

§ 1306.457 *Records and invoicing.* (a) Every person making sales of reusable iron and steel pipe and used structural pipe for which maximum prices are established by this regulation, shall render an invoice to the purchaser for each such sale, stating separately: (1) the date of the sale; (2) name and address of the purchaser; (3) whether it is a sale of oil country tubular goods or whether it is pipe other than oil country tubular goods or whether it is used structural pipe; (4) if other than oil country tubular goods, whether it is black or galvanized and whether it is plain end, threaded, or threaded and coupled; (5) the size or sizes in inches (stating whether such size is the inside or the outside diameter); (6) the quantity in lineal feet; (7) the weight in pounds per foot; (8) the shipping point price per hundred feet; (9) the city or town and state nearest the shipping point and the city or town and state nearest the point of delivery; (10) the mode of transportation employed and the charges for delivery, if any were made; (11) the amount of the premium, if any, and if a premium is added a certification that each of the required tests has been applied, that each piece of pipe has successfully withstood each such test and that all other conditions of charging a premium have been met.

(b) Each invoice received shall be retained by the purchaser and a copy thereof shall be retained by the seller for inspection by the Office of Price Administration for a period of not less than two years, or for so long as the Emergency Price Control Act of 1942, as amended, shall be in effect, whichever is shorter.

§ 1306.458 *Reports.* (a) Reports regarding customary charges for extras shall be made in accordance with the provisions of § 1306.464 (d) of this regulation.

(b) Persons affected by this regulation shall submit such other reports to the Office of Price Administration as it may from time to time require.

§ 1306.459 *Enforcement.* (a) Persons violating any provisions of this regulation, as amended, are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this regulation or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest district, state or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1306.460 *Petition for amendment.* Persons seeking any modification of this

regulation may file petitions for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1306.461 *Applicability of other maximum price regulations or revised price schedules*—(a) *Revised Price Schedule No. 4.*[1] Maximum prices for used iron and steel pipe, other than that for which maximum prices are established by this regulation, when sold to a consumer as defined in Revised Price Schedule No. 4—Iron and Steel Scrap—are established by said Revised Price Schedule No. 4.

(b) *Other regulations and schedules.* This regulation supersedes all existing maximum price regulations or revised price schedules including Revised Price Schedule No. 49[2] with respect to sales of reusable iron and steel pipe and used structural pipe.

§ 1306.462 *Licensing.* The provisions of Supplementary Order No. 17,[3] licensing of iron and steel products, are applicable to every person selling reusable iron and steel pipe and used structural pipe for which maximum prices are established by this regulation. Said order provides in substance that a license is required for every person selling reusable iron and steel pipe and used structural pipe for which maximum prices are established by this regulation, that every person subject to this regulation is granted a license as a condition of selling reusable iron and steel pipe and used structural pipe hereunder, and that every such person may, in the future, be required to register with the Office of Price Administration at such time and in such manner as the Administrator may prescribe. Licensees violating any of the provisions of this regulation or of said license are subject to the license suspension proceedings provided in the Emergency Price Control Act of 1942, as amended.

§ 1306.463 *Effective date.* This Revised Maximum Price Regulation No. 230 (§§ 1306.451 to 1306.465, inclusive) shall become effective the 9th day of February 1943.

§ 1306.464 *Appendix A—Maximum prices for reusable iron and steel pipe.*—(a) *Shipping point zone.* The zone in which a shipping point is located is determined by ascertaining the lowest applicable railroad charge at the carload rate in cents per hundred pounds for transporting iron and steel pipe from Lorain, Ohio, to the rail siding nearest the shipping point, and then by selecting the zone applicable to such charge in accordance with the following:

Cents per hundred pounds:	Zone
Less than 25	1
25 and over but less than 50	2
50 and over but less than 75	3
75 and over but less than 100	4
100 and over but less than 125	5
125 and over but less than 150	6
150 and over	7

The above shall not apply where the shipping point is located in the state of Florida; the state of Florida is deemed to be in Zone 5 in such case.

(b) *Maximum shipping point prices for reusable iron and steel pipe other than oil country tubular goods.* (1) The maximum shipping point price shall be the applicable price for the same type, size and weight listed in Table I for the zone in which the shipping point is located: *Provided*, That (i) if the pipe is threaded only, the shipping point price shall be ninety-five per cent (95%) of the applicable price when threaded and coupled; (ii) where the pipe, when new, was oil well casing or tubing or drill pipe or drive pipe, the maximum shipping point price shall be ninety-five per cent (95%) of the applicable price for the same type, size and weight established in paragraph (c) (1) of this § 1306.464; and (iii) to be considered galvanized pipe within the meaning of Table I the pipe must have a clean, unbroken galvanized coating both inside and out.

TABLE I

PIPE OTHER THAN OIL COUNTRY TUBULAR GOODS

BLACK PIPE

Description of pipe			Price per hundred feet—dollars													
Size			Zone 1		Zone 2		Zone 3		Zone 4		Zone 5		Zone 6		Zone 7	
Inside diameter (inches)	Outside diameter (inches)	Weight per foot (pounds)	Less than $0.25 freight rate[1] per hundred pounds		$0.25 and over but less than $0.50 freight rate[1] per hundred pounds		$0.50 and over but less than $0.75 freight rate[1] per hundred pounds		$0.75 and over but less than $1.00 freight rate[1] per hundred pounds		$1.00 and over but less than $1.25 freight rate[1] per hundred pounds		$1.25 and over but less than $1.50 freight rate[1] per hundred pounds		$1.50 and over freight rate[1] per hundred pounds	
			Threaded and coupled	Plain end	Threaded and coupled	Plain end	Threaded and coupled	Plain end	Threaded and coupled	Plain end	Threaded and coupled	Plain end	Threaded and coupled	Plain end	Threaded and coupled	Plain end
⅛		.24	$2.18	$2.10	$2.30	$2.20	$2.40	$2.30	$2.50	$2.40	$2.60	$2.50	$2.80	$2.70	$2.90	$2.80
¼		.314		5.10		5.40		5.70		5.90		6.20		6.50		6.70
⅜		.42	2.20	2.20	2.40	2.30	2.50	2.40	2.60	2.50	2.70	2.60	2.90	2.80	3.00	2.90
½		.525		3.10		3.20		3.40		3.60		3.70		3.90		4.10
¾		.56	2.20	2.20	2.40	2.30	2.50	2.40	2.60	2.50	2.70	2.60	2.90	2.80	3.00	2.90
¾		.708		3.10		3.20		3.40		3.60		3.70		3.90		4.10
¾		.85	2.80	2.65	3.00	2.80	3.20	3.00	3.40	3.20	3.60	3.40	3.70	3.60	3.90	3.80
¾		1.067		4.00		4.20		4.50		4.70		5.00		5.20		5.50
1		1.13	3.50	3.30	3.80	3.50	4.00	3.80	4.30	4.00	4.70	4.30	4.80	4.60	5.00	4.80
1		1.47		5.00		5.20		5.60		5.90		6.20		6.60		6.90
1		1.67	4.90	4.60	5.20	4.90	5.60	5.30	6.00	5.70	6.40	6.10	6.70	6.40	7.10	6.80
1		2.17		6.90		7.40		7.90		8.40		8.80		9.40		9.90
1¼		2.27	6.60	6.20	7.10	6.70	7.60	7.20	8.10	7.70	8.60	8.20	9.10	8.70	9.60	9.20
1¼		2.996		9.40		10.00		10.70		11.40		12.10		12.80		13.50
1½		2.73	7.60	7.40	8.50	8.00	9.10	8.60	9.70	9.20	10.30	9.80	10.90	10.40	11.50	11.00
1½		3.63		11.40		12.20		13.00		13.90		14.70		15.50		16.40
	2	2.4	8.80	8.10	9.30	8.70	9.80	9.20	10.30	9.70	10.90	10.20	11.40	10.80	11.60	11.30
	2¼	2.73	9.90	9.20	10.50	9.80	11.00	10.30	11.60	10.90	12.20	11.50	12.80	12.10	13.40	12.70
	2¼	3.7	11.70	10.90	12.40	11.60	13.10	12.30	13.80	13.00	14.50	13.70	15.20	14.40	15.90	15.10
	2½	3.0	11.00	10.20	11.60	10.80	12.30	11.50	12.90	12.10	13.60	12.80	14.20	13.40	14.90	14.10
	2⅝	3.67	10.60	10.00	11.40	10.80	12.20	11.60	13.00	12.40	13.80	13.20	14.70	14.00	15.50	14.80
	2⅝	4.60	13.20	12.40	14.20	13.40	15.20	14.40	16.20	15.40	17.20	16.40	18.20	17.40	19.20	18.40
	2⅝	5.022		15.60		16.70		17.90		19.00		20.10		21.20		22.40
	2⅞	4.3	15.70	14.60	16.60	15.50	17.60	16.50	18.50	17.40	19.50	18.30	20.40	19.30	21.40	20.20
	2⅞	5.85	16.80	15.70	18.00	17.00	19.30	18.30	20.60	19.60	21.90	20.90	23.20	22.10	24.40	23.40
	2⅞	6.16	17.50	16.40	18.80	17.70	20.20	19.10	21.50	20.40	22.80	21.80	24.20	23.10	25.50	24.40
	2⅞	7.66		24.00		25.80		27.50		29.30		31.00		32.80		34.50
	3	3.36	13.20	11.20	14.10	11.90	14.85	12.60	15.60	13.40	16.40	14.10	17.20	14.80	18.00	15.50
	3¼	4.5	18.00	15.50	19.10	16.30	20.20	17.20	21.30	18.20	22.40	19.20	23.50	20.20	24.60	21.20
	3½	5.29	20.90	17.60	22.10	18.80	23.40	19.90	24.60	21.10	25.90	22.20	27.30	23.30	28.30	24.50
	3½	7.70	21.90	20.60	23.60	22.50	25.30	23.50	26.60	25.60	28.60	27.30	30.30	29.60	32.00	30.60
	3½	10.25		32.10		34.40		36.80		39.10		41.50		43.80		46.20
	4	5.29	19.40	16.30	20.70	17.40	21.90	18.50	23.10	19.70	24.40	20.80	25.60	22.00	26.60	23.10
	4	6.09	22.20	18.80	23.90	20.10	25.30	21.40	26.70	22.70	28.26	24.00	29.60	25.30	31.00	26.60
	4	9.20	28.40	26.60	30.40	28.60	32.40	30.60	34.40	32.60	36.40	34.60	38.40	36.60	40.50	38.60
	4	12.51		39.50		42.40		45.20		48.10		50.90		53.80		56.60
	4½	5.98	22.60	18.60	23.40	19.70	24.90	21.00	26.30	22.30	27.70	23.60	29.10	24.90	30.60	26.20

[1] Established charge for transporting pipe by rail at the rate for the lowest minimum carload weight, from Lorain, Ohio, to the rail siding nearest the shipping point.

[1] 7 F.R. 1207, 2132, 2155, 2507, 3087, 3550, 3889, 4488, 6217, 8190, 8948, 10151; 8 F.R. 857, 1114.

[2] 7 F.R. 1300, 2132, 2473, 2540, 3330, 3893, 4342 5176, 6893, 6935, 8948, 10844; 8 F.R. 319.

[3] 7 F.R. 7239, 11007.

TABLE I—Continued

PIPE OTHER THAN OIL COUNTRY TUBULAR GOODS—continued

BLACK PIPE

Description of pipe			Price per hundred feet—dollars													
Size			Zone 1 Less than $0.25 freight rate per hundred pounds		Zone 2 $0.25 and over but less than $0.50 freight rate per hundred pounds		Zone 3 $0.50 and over but less than $0.75 freight rate per hundred pounds		Zone 4 $0.75 and over but less than $1.00 freight rate per hundred pounds		Zone 5 $1.00 and over but less than $1.25 freight rate per hundred pounds		Zone 6 $1.25 and over but less than $1.50 freight rate per hundred pounds		Zone 7 $1.50 and over freight rate per hundred pounds	
Inside diameter (inches)	Outside diameter (inches)	Weight per foot (pounds)	Threaded and coupled	Plain end	Threaded and coupled	Plain end	Threaded and coupled	Plain end	Threaded and coupled	Plain end	Threaded and coupled	Plain end	Threaded and coupled	Plain end	Threaded and coupled	Plain end
.....	4½	6 6	$24 60	$20 70	$26 20	$22 10	$27 80	$23 50	$29 40	$25 00	$31 00	$26 40	$32 20	$27 90	$33 10	$29
.....	4½	8 6	29 50	24 80	28 40	26 20	30 30	28 00	32 20	29 50	34 00	31 80	35 50	33 70	37 80	37
.....	4½	10 79	33 60	30 80	36 00	33 20	38 40	35 50	40 80	37 90	43 20	40 30	45 50	42 70	47 90	4
.....	4½	11 08	.....	47 40	.....	50 90	.....	54 30	.....	57 70	.....	61 10	.....	64 50	.....	67
.....	4½	7 1	34 10	22 20	25 60	23 80	27 20	25 30	28 70	26 90	30 30	28 40	31 80	30 00	33 40	31
.....	4½	9 3	28 70	26 20	30 70	28 30	32 80	30 30	34 80	32 30	36 80	34 40	38 90	36 40	40 90	38
.....	4½	12 75	.....	49 70	.....	54 20	.....	58 80	.....	63 40	.....	68 00	.....	72 50	.....	77
.....	5	6 26	24 40	21 60	24 60	23 10	26 40	24 60	27 90	26 10	29 40	27 62	30 90	29 10	32 50	30
.....	5	9 6	29 60	27 10	31 70	29 20	33 80	31 30	35 90	33 40	38 00	35 50	40 10	37 60	42 20	39
.....	5	12 73	38 60	35 30	41 30	38 40	44 00	40 70	46 80	43 60	49 50	46 20	52 20	49 00	55 00	51
.....	5	14 87	.....	46 80	.....	50 20	.....	53 50	.....	56 90	.....	60 30	.....	63 60	.....	67
.....	5¼	8 3	28 10	26 00	30 00	27 80	31 80	29 60	33 60	31 40	35 40	33 20	37 20	35 00	39 00	36
.....	5½	12 59	36 50	34 10	42 30	38 90	42 10	41 70	47 90	44 50	50 70	47 30	53 50	50 10	56 30	52
.....	5½	15 13	35 30	32 70	37 60	34 80	39 80	37 10	42 10	39 40	44 40	41 60	46 60	43 90	48 90	46
.....	5½	17 09	32 40	27 20	34 50	29 10	36 60	31 00	38 70	32 90	40 80	34 80	42 90	36 70	45 00	38
.....	5½	20 13	51 80	47 40	55 50	51 10	59 20	54 80	62 80	58 40	66 50	62 10	70 20	65 80	74 00	69
.....	5½	19 81	.....	62 60	.....	67 10	.....	71 60	.....	76 10	.....	80 60	.....	85 10	.....	89
.....	5½	22 57	28 80	26 60	30 70	28 40	32 50	30 30	34 40	32 20	36 30	34 10	38 10	36 00	40 00	37
.....	5½	24 62	46 40	41 20	48 20	44 40	51 40	47 60	54 60	50 80	57 80	54 00	61 00	57 20	64 20	60
.....	5½	25 67	52 40	48 60	56 20	51 70	59 80	55 40	.....	59 10	67 30	62 80	71 00	66 60	74 70	70
.....	5½	28 48	.....	67 80	.....	70 50	.....	75 20	.....	80 00	.....	84 70	.....	89 40	.....	94
.....	6	8 76	29 50	27 20	31 40	29 10	33 30	31 00	35 20	32 90	37 10	34 80	39 00	36 70	40 90	38
.....	6	11 04	34 30	34 30	41 90	38 80	44 40	41 30	47 20	44 00	49 50	46 40	52 00	49 00	54 60	51
.....	6	11 66	47 20	43 50	.....	50 60	.....	53 90	.....	57 20	.....	60 60	.....	63 90	.....	67
.....	6	21 63	.....	68 30	.....	73 20	.....	78 10	.....	83 10	.....	88 00	.....	93 00	.....	98
.....	6⅝	11 65	40 90	37 70	44 50	40 40	46 20	43 00	51 90	45 70	51 50	48 30	54 10	51 00	56 70	53
.....	6⅝	12 89	45 10	41 60	48 10	44 60	51 00	47 50	54 00	50 40	56 80	53 30	59 70	56 20	62 60	59
.....	6⅝	17 02	54 70	49 90	58 40	53 80	62 10	57 60	73 90	61 70	70 00	65 40	73 90	69 20	77 70	73
.....	6⅝	18 97	64 00	58 80	65 70	60 60	69 40	64 30	.....	68 20	78 20	73 10	82 90	77 00	86 70	81
.....	6⅝	28 57	.....	95 40	.....	101 00	.....	107 50	.....	114 10	.....	120 70	.....	127 30	.....	134
.....	7	13 23	47 80	44 10	50 80	47 20	53 80	50 30	56 80	53 40	59 80	56 50	62 80	59 60	65 80	62
.....	7	17 64	59 40	52 20	64 00	55 70	68 50	59 30	67 10	62 80	70 60	66 40	74 20	69 90	77 70	73
.....	8	18 28	60 60	55 10	64 20	59 20	68 30	63 40	72 40	67 50	76 60	71 60	80 70	75 80	84 80	79
.....	8	24 19	.....	75 20	.....	80 40	.....	85 70	.....	90 90	.....	96 20	.....	101 40	.....	106
.....	8⅝	16 23	58 40	54 20	62 30	57 90	66 00	61 60	69 70	65 30	73 50	68 10	77 00	72 60	80 70	76
.....	8⅝	22 96	80 70	74 60	85 70	79 70	90 80	85 00	95 90	89 00	101 00	94 00	106 00	100 00	111 10	105
.....	8⅝	24 70	84 50	78 50	89 70	83 60	95 00	88 70	100 30	93 60	105 60	98 50	111 00	104 00	116 40	109
.....	8⅝	28 06	82 70	77 70	88 20	81 30	93 70	87 00	99 20	92 70	104 70	98 30	110 20	103 80	115 60	109
.....	8⅝	28 55	95 00	87 10	101 60	93 70	108 10	100 20	114 70	106 80	121 20	113 40	127 80	119 20	134 30	125
.....	8⅝	43 39	.....	141 20	.....	150 10	.....	161 00	.....	170 82	.....	180 70	.....	190 60	.....	200
.....	9	17 66	64 70	58 60	67 70	62 90	71 70	66 80	75 70	70 80	79 70	74 80	83 70	78 80	87 70	82
.....	9	32 77	107 90	99 60	115 30	106 40	122 80	111 80	130 20	121 20	137 60	128 70	145 10	135 10	152 50	142
.....	9	45 89	.....	147 40	.....	157 70	.....	168 00	.....	178 30	.....	188 60	.....	198 90	.....	209
.....	9⅝	18 00	68 20	64 10	73 50	68 40	77 80	73 40	82 10	77 60	86 40	81 30	90 70	85 60	95 00	89
.....	9⅝	25 03	83 60	76 80	89 30	82 50	95 00	88 20	100 70	93 80	106 40	99 50	112 10	105 20	117 70	110
.....	9⅝	37 05	123 80	113 60	132 20	122 10	140 60	130 50	149 00	138 90	157 40	147 30	165 80	155 70	174 30	164
.....	9⅝	48 73	.....	162 60	.....	174 00	.....	185 40	.....	196 80	.....	207 20	.....	218 30	.....	229
.....	10	19 65	71 80	66 10	76 30	70 50	80 70	75 40	85 20	79 80	89 60	84 30	94 10	88 70	98 50	93
.....	10	28 03	95 20	88 10	101 10	94 10	107 10	100 00	113 00	105 60	118 90	111 80	124 80	117 70	130 70	123
.....	10	38 54	128 80	118 20	137 50	127 00	146 30	135 80	155 00	144 50	163 80	153 30	172 60	162 00	181 30	170
.....	10	50 74	.....	169 60	.....	181 10	.....	192 60	.....	204 20	.....	215 70	.....	227 20	.....	238
.....	10¾	22 87	83 70	77 30	88 70	82 50	93 90	87 70	99 10	92 80	104 30	98 00	109 40	103 20	114 60	108
.....	10¾	28 04	102 60	94 80	108 90	101 30	115 30	107 70	121 70	114 00	128 40	120 40	134 40	126 80	140 80	133
.....	10¾	31 20	107 60	98 58	114 30	105 20	121 60	112 80	128 90	120 40	135 10	127 40	143 40	134 70	150 70	142
.....	10¾	34 24	117 60	107 50	125 00	115 50	133 00	123 40	140 90	131 40	148 90	139 30	156 90	147 30	164 80	155
.....	10¾	41 20	137 80	126 20	147 20	135 90	156 50	145 30	165 80	154 70	175 30	164 60	184 70	173 40	194 00	183
.....	10¾	54 74	.....	183 30	.....	195 80	.....	208 20	.....	220 70	.....	233 20	.....	245 60	.....	258
.....	11	21 98	79 10	73 20	84 00	78 10	88 90	83 00	93 90	88 00	98 80	92 90	103 70	97 80	108 60	102
.....	11	28 70	105 10	94 20	111 70	103 80	118 20	110 50	124 70	116 90	131 20	123 40	137 80	129 90	144 30	136
.....	11	42 55	142 10	130 50	151 80	140 20	161 50	149 60	171 20	159 50	180 80	169 20	190 50	178 90	200 20	188
.....	11	56 07	.....	187 30	.....	200 00	.....	212 80	.....	225 50	.....	238 30	.....	251 00	.....	263
.....	11¾	30 71	115 20	106 90	122 20	113 80	129 20	120 80	136 20	127 80	143 20	134 80	150 20	141 80	157 10	148
.....	11¾	45 56	156 30	143 80	166 70	154 20	177 00	164 60	187 40	175 00	197 70	185 30	208 10	195 70	218 40	206
.....	11¾	60 08	.....	206 10	.....	219 80	.....	233 40	.....	247 10	.....	260 70	.....	274 40	.....	288
.....	12	24 46	91 60	84 50	97 10	90 50	102 70	96 00	108 20	101 60	113 80	107 10	119 30	112 70	124 90	118
.....	12	31 17	117 30	108 90	124 60	116 10	131 70	123 20	138 90	130 30	146 00	137 40	153 10	144 60	160 20	151
.....	12	46 56	159 70	147 10	170 30	157 60	180 90	168 20	191 50	178 80	202 10	189 40	212 60	200 00	223 20	211
.....	12	61 41	.....	210 90	.....	224 00	.....	238 90	.....	252 80	.....	266 80	.....	280 80	.....	294
.....	12¾	37 20	102 10	94 70	108 30	100 90	114 50	107 10	120 70	113 20	126 50	119 40	133 00	125 60	139 20	132
.....	12¾	53 38	125 00	115 90	132 60	123 50	140 20	131 10	147 70	138 60	155 30	146 20	162 90	153 80	170 50	161
.....	12¾	41 55	142 60	131 20	152 40	140 70	161 50	150 10	170 50	159 60	180 30	169 00	189 30	178 50	199 20	188
.....	12¾	45 56	154 60	142 30	164 80	152 60	175 10	162 80	185 30	173 00	195 50	183 30	205 80	193 50	216 00	203
.....	12¾	49 56	174 20	160 34	185 70	171 90	197 20	183 40	208 80	194 90	220 30	206 50	231 80	218 00	243 40	229
.....	12¾	65 42	.....	225 00	.....	239 90	.....	254 80	.....	269 70	.....	284 60	.....	299 50	.....	314
.....	13	34 04	124 20	119 90	136 90	127 60	144 60	135 40	152 40	143 10	160 10	150 80	167 80	158 60	175 60	166
.....	13	50 96	174 50	160 70	185 00	171 20	196 50	182 70	207 90	194 20	219 40	205 60	230 92	217 20	242 40	228
.....	13	66 75	229 10	210 90	241 30	226 10	258 50	241 30	274 70	256 50	289 80	271 60	305 00	286 80	320 20	303
.....	13¾	35 04	133 00	123 40	140 90	131 40	148 90	139 30	156 80	147 30	164 80	155 30	172 80	163 20	180 70	171
.....	13¾	52 07	178 60	164 40	190 50	176 30	202 30	188 10	214 10	199 90	226 00	211 80	237 80	223 60	249 60	235
.....	13¾	68 75	236 00	217 30	251 60	232 90	267 30	248 50	282 90	264 10	298 50	279 80	314 10	295 40	329 80	311
.....	14	36 93	117 40	109 60	124 40	116 60	131 50	123 60	138 50	130 90	145 50	137 10	152 50	144 10	159 60	151

TABLE I—Continued

PIPE OTHER THAN OIL COUNTRY TUBULAR GOODS—continued

BLACK PIPE

Description of pipe			Price per hundred feet—dollars													
Size			Zone 1 Less than $0.25 freight rate per hundred pounds		Zone 2 $0.25 and over but less than $0.50 freight rate per hundred pounds		Zone 3 $0.50 and over but less than $0.75 freight rate per hundred pounds		Zone 4 $0.75 and over but less than $1.00 freight rate per hundred pounds		Zone 5 $1.00 and over but less than $1.25 freight rate per hundred pounds		Zone 6 $1.25 and over but less than $1.50 freight rate per hundred pounds		Zone 7 $1.50 and over freight rate per hundred pounds	
Inside diameter (inches)	Outside diameter (inches)	Weight per foot (pounds)	Threaded and coupled	Plain end	Threaded and coupled	Plain end	Threaded and coupled	Plain end	Threaded and coupled	Plain end	Threaded and coupled	Plain end	Threaded and coupled	Plain end	Threaded and coupled	Plain end
.....	14	36 71	$139 40	$129 40	$147 80	$137 80	$156 10	$146 10	$164 50	$154 50	$172 80	$162 50	$181 20	$171 20	$189 50	$179 50
.....	14	45 68	157 00	144 70	167 40	154 90	177 80	165 30	188 20	175 70	198 60	186 10	208 97	196 50	219 40	206 90
.....	14	54 57	187 20	172 30	199 60	184 70	212 00	197 10	224 40	209 50	236 80	221 90	249 20	234 30	261 60	246 70
.....	14	72 09	247 50	227 70	263 70	244 10	280 10	260 40	296 50	276 80	312 90	293 20	329 20	309 60	345 60	326 00
.....	15	35 04	134 50	125 00	142 50	133 00	150 50	141 00	158 50	148 50	166 40	156 90	174 40	164 80	182 30	172 80
.....	15	39 38	151 10	140 40	160 00	149 30	169 00	158 20	177 90	167 20	186 90	176 10	195 80	185 10	204 70	194 00
.....	15	49 02	181 70	168 30	192 90	179 50	204 00	190 60	215 10	201 80	226 20	212 90	237 40	224 10	248 60	235 20
.....	15	58 57	216 90	201 00	230 20	214 30	243 60	227 60	256 90	240 90	270 20	254 20	283 50	267 50	296 80	280 80
.....	15	72 43	287 00	265 90	304 60	283 50	322 20	301 10	339 80	318 70	357 50	336 30	375 10	353 90	392 70	371 50
.....	16	39 40	151 50	140 70	160 40	149 20	169 40	158 70	178 40	167 60	187 30	176 60	196 20	185 50	205 20	194 50
.....	16	42 05	161 50	150 00	171 00	159 00	180 60	169 10	190 10	178 70	199 70	188 20	209 20	197 80	218 80	207 30
.....	16	52 36	201 50	187 20	213 40	199 10	225 30	211 00	237 20	222 90	249 20	234 80	261 10	246 80	273 00	258 70
.....	16	62 58	251 80	214 70	246 00	228 90	260 20	243 10	274 40	257 40	288 60	271 60	302 90	285 80	317 10	300 00
.....	16	82 77	306 70	284 10	325 50	302 90	344 30	321 70	363 10	340 50	381 90	359 40	400 74	378 20	419 60	397 00
.....	18	46 46	.....	168 20	.....	178 80	.....	189 40	.....	199 90	.....	210 50	.....	221 10	.....	231 70
.....	18	47 39	.....	171 10	.....	181 90	.....	192 60	.....	203 40	.....	214 10	.....	224 90	.....	235 70
.....	18	59 03	.....	205 40	.....	218 80	.....	232 20	.....	245 60	.....	259 00	.....	272 50	.....	285 90
.....	18	70 59	.....	245 40	.....	261 40	.....	277 50	.....	293 50	.....	309 60	.....	325 60	.....	341 60
.....	18	93 45	.....	323 10	.....	340 40	.....	376 60	.....	388 90	.....	410 10	.....	431 40	.....	452 60
.....	20	52 73	.....	180 60	.....	202 60	.....	214 60	.....	226 60	.....	238 60	.....	250 60	.....	262 60
.....	20	65 71	.....	228 70	.....	243 60	.....	258 50	.....	273 50	.....	288 50	.....	303 40	.....	318 40
.....	20	78 60	.....	273 60	.....	291 50	.....	309 40	.....	327 20	.....	345 10	.....	363 00	.....	380 80
.....	20	104 13	.....	362 40	.....	386 00	.....	409 70	.....	433 40	.....	457 10	.....	480 80	.....	504 50
.....	22	60 76	.....	255 30	.....	271 20	.....	287 00	.....	302 90	.....	318 70	.....	334 60	.....	350 40
.....	22	94 62	.....	339 60	.....	355 10	.....	376 70	.....	398 20	.....	419 70	.....	441 20	.....	462 70
.....	22	114 81	.....	404 90	.....	431 00	.....	457 10	.....	483 20	.....	509 30	.....	535 40	.....	561 60
.....	24	79 06	.....	299 40	.....	307 30	.....	325 20	.....	343 10	.....	361 00	.....	378 90	.....	396 80
.....	24	94 62	.....	338 60	.....	355 10	.....	376 70	.....	398 20	.....	419 70	.....	441 20	.....	462 70
.....	24	125 49	.....	442 20	.....	470 80	.....	499 30	.....	527 80	.....	556 30	.....	584 90	.....	613 40
.....	26	119 44	.....	421 60	.....	448 20	.....	475 40	.....	502 50	.....	529 70	.....	556 90	.....	584 00

GALVANIZED PIPE

⅛	.....	.024	2 62	2 36	2 75	2 48	2 88	2 59	3 00	2 70	3 12	2 80	3 36	2 92	3 48	3 13
¼	.....	.42	2 64	2 38	2 90	2 61	3 00	2 70	3 12	2 80	3 24	2 92	3 48	3 13	3 60	3 24
¼	.....	.56	2 64	2 38	2 90	2 61	3 00	2 70	3 12	2 80	3 24	2 92	3 48	3 13	3 60	3 24
⅜	.....	.85	3 36	3 03	3 69	3 24	3 84	3 46	4 08	3 68	4 32	3 88	4 44	4 00	4 68	4 21
½	.....	1.13	4 20	3 78	4 60	4 14	4 80	4 32	5 16	4 64	5 40	4 86	5 76	5 18	6 00	5 40
¾	.....	1.67	5 88	5 52	6 24	5 88	6 72	6 36	7 20	6 84	7 68	7 32	8 04	7 68	8 52	8 16
1	.....	2.27	7 60	6 80	8 20	7 40	8 70	7 80	9 30	8 40	9 90	8 90	10 50	9 50	11 00	9 90
1¼	.....	2.71	9 10	8 20	9 80	8 80	10 50	9 50	11 20	10 10	11 80	10 60	12 50	11 30	13 20	11 90
1½	.....	3.07	12 20	11 00	13 10	11 80	14 00	12 60	15 00	13 50	15 90	14 30	16 90	15 20	17 80	16 00
2	.....	3.65	16 30	14 70	17 40	15 70	18 60	16 80	19 90	17 90	21 00	18 90	22 20	20 00	23 30	21 00
2½	.....	5.79	25 20	22 70	27 10	24 40	29 10	26 20	30 90	27 80	32 90	29 60	34 80	31 30	36 80	33 10
3	.....	7.70	32 70	29 40	35 00	31 50	37 30	33 60	39 60	35 60	41 90	37 70	44 20	39 80	46 60	41 90
3½	.....	9.20	38 70	34 80	41 40	37 30	44 20	39 80	46 90	42 20	49 70	44 70	52 30	41 10	55 10	49 60
4	.....	10.79	45 70	41 10	48 90	44 00	52 00	46 80	55 40	49 90	58 90	53 20	62 80	56 50	66 50	59 90
5	.....	14.57	61 70	55 50	66 00	59 40	70 30	63 20	74 80	67 40	79 20	71 30	83 70	75 30	88 00	79 20
6	.....	18.97	80 00	72 00	85 60	77 00	91 20	82 00	97 00	87 40	102 80	92 40	108 50	97 60	114 00	102 60

PIPE OTHER THAN OIL COUNTRY TUBULAR GOODS

Odd Sizes and Weights

Prices per hundred feet for pipe not of the same size and/or weight as pipe listed elsewhere in this Table I shall be determined as follows:

(1) Ascertain the price for the nearest comparable size and weight of pipe of the same type;

(2) Divide this price by the weight per foot (in pounds) for the pipe for which this price is listed;

(3) Multiply the result of (2) by the weight per foot (in pounds) of the odd size and or weight of pipe to be priced.

Example: Seller in Shreveport, Louisiana, has a quantity of 5¼" OD 26# tubes for sale. The freight rate for carload quantities from Lorain, Ohio, to Shreveport, Louisiana, is 60¢ per cwt. Seller's location then would be in Zone 3. The Zone 3 price listed for the nearest comparable size and weight, 5¼" OD 12.86#, is $41.70. The maximum price at which the 5¼" OD 26# tubes may be sold is determined as follows:

$41.70÷12.86# equals .032¢ per lb.
.032¢ cost per lb.×(26# x 100 lineal feet) equals
$84.10 Maximum price per 100 ft. for 5¼" OD 26# tubes.

(2) *Premiums.* Where the pipe is to be used for high pressure water, gas or oil lines and a pressure of more than 50 pounds per square inch is required and where all of the following specifications are met, ten per cent (10%) of the applicable price listed in Table I may be added in the case of shipments in any quantity and twenty per cent (20%) may be added in the case of any shipment of threaded and coupled, or threaded pipe of less than 40,000 pounds. *Specifications:* Each length of pipe must be of American manufacture; must be commercially straight and free from injurious surface defects; if threaded, must have first class undamaged threads; if threaded and coupled, must also have couplings free from visible breaks and galling; must weigh within five per cent (5%) of the weight for new pipe of the same size and weight per foot (as determined by caliper measurement of wall thickness), must have been hydrostatically tested to a minimum pressure of five hundred pounds (500 lbs.) per square inch with nipple and coupling screwed into each joint, the pressure to be applied for five (5) seconds without leakage; and must be stamped with a steel die, or otherwise indelibly marked, to show clearly the seller's identification mark.

(c) *Maximum shipping point prices for oil country tubular goods*—(1) *Other than types J–55 and N–80 but including type N–80 steel drill pipe*—(i) *Threaded and coupled.* The maximum shipping point price shall be the applicable price for the same type, size and weight listed

in Table II[4] for the zone in which the shipping point is located.

(ii) *Threaded only.* The maximum shipping point price shall be ninety-five per cent (95%) of the applicable price when threaded and coupled.

(iii) *Plain end.* The maximum shipping point price shall be ninety per cent (90%) of the applicable price when threaded and coupled.

(2) *Types J–55 and N–80 but not including N–80 steel drill pipe*—(i) *Threaded and coupled.* The maximum shipping point price shall be, in the case of J–55, one-hundred and ten per cent (110%) and, in the case of N–80 (but not steel drill pipe), one-hundred and twenty-two per cent (122%) of the applicable price for steel casing or tubing nearest comparable in size and weight (to the J–55 or N–80 being sold or offered for sale) listed in Table II for the zone in which the shipping point is located.

(ii) *Threaded only.* The maximum shipping point price shall be ninety-five per cent (95%) of the applicable price when threaded and coupled.

Proviso: The prices in this subparagraph (2) may not be used on any sale unless there be noted on, or appended to, the invoice a sworn statement by the seller setting forth where, when and from whom the pipe was obtained, and whether the pipe is J–55 and N–80.

[4] Table II is set forth at the end of subparagraph (3).

TABLE II

OIL COUNTRY TUBULAR GOODS—THREADED AND COUPLED

Steel tubing—plain

Description of pipe: Size, Outside diameter (inches)	Weight per foot (pounds)	Price per hundred feet—dollars: Zone 1 (Less than $0.25 freight rate[1] per hundred pounds)	Zone 2 ($0.25 and over but less than $0.50 freight rate[1] per hundred pounds)	Zone 3 ($0.50 and over but less than $0.75 freight rate[1] per hundred pounds)	Zone 4 ($0.75 and over but less than $1.00 freight rate[1] per hundred pounds)	Zone 5 ($1.00 and over but less than $1.25 freight rate[1] per hundred pounds)	Zone 6 ($1.25 and over but less than $1.50 freight rate[1] per hundred pounds)	Zone 7 ($1.50 and over freight rate[1] per hundred pounds)
2⅜	4.60	$17.00	$17.80	$18.70	$19.50	$20.40	$21.30	$22.10
2⅞	6.20	22.00	23.20	24.30	25.40	26.60	27.80	28.90
3½	9.20	31.60	33.40	35.10	36.80	38.50	40.30	42.00

Steel tubing—upset

2⅜	4.60	21.30	22.20	23.10	24.00	24.80	25.70	26.60
2⅞	6.20	28.00	29.20	30.40	31.60	32.90	34.10	35.30
3½	9.20	40.90	42.70	44.40	46.10	47.90	49.60	51.40
4	12.00	53.30	55.70	57.90	60.10	62.50	64.70	67.00

Steel casing

4½	9.50	34.30	36.10	37.90	39.70	41.40	43.20	45.00
4¾	10.00	57.80	60.80	63.80	66.80	69.80	72.80	75.80
5	11.00	48.60	51.10	53.50	55.90	58.40	60.80	63.30
5	14.00	49.80	52.50	55.10	57.70	60.30	63.00	65.60
5	15.00	53.50	56.30	59.10	61.90	64.70	67.50	70.30
5	18.00	64.00	67.20	70.40	74.20	77.60	80.90	84.10
5¼	10.00	39.60	40.70	42.60	43.20	47.10	49.00	50.90
5½	13.00	47.50	49.90	52.30	54.80	57.20	59.60	62.08
5½	15.00	54.10	57.30	60.30	63.30	66.30	69.30	72.30
5½	14.00	48.70	51.20	53.70	56.20	58.60	61.20	63.70
5½	20.00	74.90	78.70	82.30	86.10	89.90	93.60	97.40
5½	14.00	42.50	45.10	47.80	50.40	53.00	55.70	58.30
5½	15.00	44.50	47.70	50.50	53.30	56.10	58.90	61.70
5½	17.00	51.30	54.40	57.50	60.70	63.90	67.10	70.30
6	18.00	62.60	65.60	68.60	71.60	74.60	77.60	80.60
6	18.00	69.80	73.20	76.50	79.90	83.30	86.70	90.00
6⅝	13.00	51.50	53.90	56.30	58.80	61.20	63.70	66.10
6⅝	17.00	60.10	63.30	66.40	69.60	72.80	76.00	79.20
6⅝	20.00	70.90	74.60	78.40	82.10	85.90	89.60	93.40
6⅝	24.00	84.70	89.20	93.70	98.20	102.70	107.20	111.70
6⅝	26.00	90.60	95.40	100.30	105.20	110.10	114.90	119.80
7	17.00	53.30	56.40	59.60	62.80	66.00	69.20	72.40
7	18.00	56.40	59.80	63.10	66.50	69.90	73.30	76.70
7	20.00	62.40	66.00	69.90	73.60	77.40	81.10	84.90
7	22.00	68.50	73.00	77.20	81.30	85.40	89.50	93.70
7	24.00	76.60	81.10	85.60	90.10	94.60	99.10	103.60
7	26.00	82.40	87.30	92.10	97.00	101.90	106.80	111.60
7	28.00	92.60	97.80	103.10	108.30	113.60	118.80	124.00
7⅝	26.40	98.10	103.10	108.00	113.00	117.90	122.90	127.90
8	20.00	74.40	80.10	83.90	87.70	91.40	95.20	99.00
8	20.00	76.50	80.10	84.00	87.70	91.50	95.20	99.00
8⅝	24.00	88.80	93.10	97.80	102.30	106.80	111.30	115.80
8⅝	28.00	95.10	100.30	105.60	110.80	116.10	121.30	126.60
8⅝	32.00	101.80	107.80	113.80	119.80	125.80	131.80	137.80
8⅝	36.00	131.30	138.00	144.80	151.50	158.30	165.00	171.80
9	34.00	143.60	150.00	156.30	162.70	169.10	175.50	181.80
9	38.00	161.20	168.30	175.40	182.50	189.70	196.80	203.90
9	40.00	169.70	177.20	184.70	192.20	199.70	207.20	214.70
9⅝	36.00	143.60	149.70	156.50	162.20	170.00	176.10	184.10
9⅝	40.00	164.00	171.50	179.00	186.50	194.00	201.50	209.00
9⅝	40.00	170.70	184.00	193.10	201.30	208.50	217.80	225.00
10¼	32.75	158.70	166.20	173.99	181.50	188.90	196.50	203.90
10¾	32.75	113.10	119.20	125.40	131.50	137.60	143.80	149.90
10¾	35.75	133.10	139.70	146.50	153.10	159.80	166.50	173.20
10¾	45.50	168.10	176.70	185.20	193.70	202.30	210.80	219.40
11¾	47.00	171.80	180.70	189.50	198.30	207.10	215.90	224.70
13⅜	45.00	183.60	192.00	200.40	208.90	217.30	225.80	234.20
13⅜	51.00	206.70	216.30	225.90	235.40	245.00	254.60	264.10
13	40.00	156.60	164.10	171.60	179.10	186.60	194.10	201.60
13	45.00	169.40	178.30	186.70	195.20	203.60	212.00	220.50

[1] Established charge for transporting pipe by rail at the rate for the lowest minimum carload weight, from Lorain, Ohio, to the rail siding nearest the shipping point.

(3) *Premiums.* Where the following specifications are met and where the pipe has been hydrostatically tested to a minimum pressure of fifteen hundred pounds per square inch (*Provided, however,* That where the American Petroleum Institute (API) test for new pipe is less than fifteen hundred pounds per square inch such pipe must have been tested to a minimum pressure required by API specifications for pipe of the same size, weight and grade), the pressure in such hydrostatic test to be applied for not less than one minute without leakage with nipple and coupling screwed into each joint using a zinc base thread compound, twenty per cent (20%) of the applicable price listed in Table II may be added:[7]

[7] Example: Seller in Shreveport, Louisiana, wishes to determine the premium price for 5½" OD 17# T&C J–55 casing to be sold out of his yard. This pipe has been hydrostatically tested and meets the specifications, all as required by subparagraph (3).

	Per 100 ft.
The applicable listed price in Table II	$60.70
Multiply by 110% ($60.70 × 110%) for J–55	66.80
Premium price ($66.80 by 120%)	80.16

Provided, That on sales for delivery and use within any of the states of New York, Pennsylvania, West Virginia, Ohio,

TABLE II—Continued

OIL COUNTRY TUBULAR GOODS—THREADED AND COUPLED—continued

Steel tubing—plain—Continued

Description of pipe: Size, Outside diameter (inches)	Weight per foot (pounds)	Price per hundred feet—dollars: Zone 1 (Less than $0.25 freight rate per hundred pounds)	Zone 2 ($0.25 and over but less than $0.50 freight rate per hundred pounds)	Zone 3 ($0.50 and over but less than $0.75 freight rate per hundred pounds)	Zone 4 ($0.75 and over but less than $1.00 freight rate per hundred pounds)	Zone 5 ($1.00 and over but less than $1.25 freight rate per hundred pounds)	Zone 6 ($1.25 and over but less than $1.50 freight rate per hundred pounds)	Zone 7 ($1.50 and over freight rate per hundred pounds)
11	50.00	$184.90	$194.30	$203.70	$213.00	$222.40	$231.80	$241.20
11	48.00	268.80	215.80	224.80	233.80	242.80	251.80	260.80
11	54.70	225.30	235.50	245.70	255.90	266.10	276.30	286.60
11	61.00	250.10	261.50	273.00	284.40	295.80	307.20	318.70
11	50.00	227.80	237.20	246.50	255.95	265.30	274.70	284.00
12	55.00	285.00	295.30	305.70	315.90	326.20	336.50	346.90
12	65.00	333.90	345.80	358.00	370.10	382.30	394.50	406.70
12	70.00	354.40	367.50	380.70	393.80	406.90	420.00	433.20
12	75.00	370.50	384.60	404.70	418.70	432.80	446.90	460.90
13	78.00	447.00	461.60	476.20	490.80	505.50	520.10	534.70
13	87.50	487.10	503.50	519.90	536.30	552.70	569.10	585.50
13	96.50	522.30	540.40	558.50	576.50	594.60	612.70	630.80
13	84.00	469.50	485.30	501.00	516.80	532.50	548.30	564.00
13	90.00	503.00	520.00	536.80	553.70	570.60	587.50	604.30
13	92.50	599.90	617.30	634.60	651.90	669.30	686.60	704.00
13	103.00	648.70	668.00	687.30	706.60	725.80	745.20	764.50
20	114.00	669.20	717.60	738.80	760.30	781.70	803.10	824.40
2	3.75	15.40	16.10	16.90	17.50	18.30	19.00	19.70
2	5.90	21.80	22.60	24.00	25.10	26.20	27.30	28.40
2	7.70	28.50	29.90	31.40	32.80	34.30	35.70	37.10
2	9.25	33.70	35.40	37.20	38.90	40.60	42.40	44.10
2	11.00	40.10	42.10	44.20	46.30	48.30	50.40	52.40
2	15.00	54.20	57.00	59.80	62.70	65.50	68.30	71.10
2	19.45	69.90	73.50	77.20	80.80	84.50	88.20	91.80
2	23.65	88.10	102.90	11 70	112.50	117.30	122.10	126.90
2	29.35	113.10	118.60	124.10	129.60	135.10	140.70	146.20
2	32.40	125.10	131.10	137.20	143.30	149.40	155.40	161.50
2	32.75	127.30	133.40	139.60	145.70	151.90	158.00	164.20
2	35.75	139.50	146.60	153.30	160.00	166.70	173.40	180.20
2	41.85	163.10	171.60	178.80	186.70	194.70	202.40	210.20
2	43.45	188.80	180.30	157.80	206.40	214.90	223.40	232.00
2	51.15	203.20	212.80	222.40	232.00	241.60	251.20	260.80
2	57.00	269.80	280.70	291.20	301.90	312.60	323.30	334.00
2	65.30	330.40	342.70	354.90	367.20	379.40	391.60	403.90
2	81.20	442.40	457.00	472.80	488.10	503.30	518.50	533.70
2	90.00	503.10	520.00	536.80	553.70	570.60	587.50	604.30

Steel drill pipe

2⅜	4.80	25.60	25.90	26.80	27.70	28.60	29.50	30.40
2⅞	6.65	37.90	37.10	38.40	39.60	40.90	42.10	43.40
2⅞	6.45	34.80	26.00	37.20	28.40	39.70	40.90	42.10
2⅞	8.35	43.60	45.20	46.80	48.40	49.90	51.60	53.20
2⅞	10.40	54.60	56.50	58.50	60.40	62.40	64.30	66.30
3½	8.70	45.70	47.30	48.90	50.50	52.10	53.70	55.30
3½	11.20	62.40	62.50	64.60	66.70	68.80	70.90	73.00
4	13.30	69.80	72.00	74.50	77.30	79.80	82.30	84.80
4	12.75	66.20	68.60	71.00	73.40	75.80	78.20	80.60
4	13.75	71.50	74.10	76.70	79.30	81.90	84.50	87.00
4	16.60	86.40	89.50	92.60	95.80	98.80	102.00	105.10
4	19.60	99.10	102.70	106.30	109.80	113.40	116.90	120.50
4	22.20	117.50	121.80	126.10	130.40	134.70	139.00	143.20
4	25.25	132.40	137.20	141.90	146.60	151.40	156.10	160.90
4	22.20	117.40	121.60	125.80	129.90	134.10	138.30	142.40
4	31.90	166.70	172.60	178.60	184.60	190.60	196.50	202.50
4	29.25	160.90	166.30	171.80	177.30	182.80	188.30	193.80
5	40.00	234.20	241.70	249.20	256.70	264.20	271.70	279.20
5	46.50	271.70	280.40	289.10	297.90	306.60	315.30	324.00

OIL COUNTRY TUBULAR GOOD

Odd sizes and weights

Prices per hundred feet for pipe not of the same size and/or weight as pipe listed elsewhere in this Table II shall be determined as follows:

(1) Ascertain the price for the nearest comparable size and weight of pipe of the same type;

(2) Divide this price by the weight per foot (in pounds) for the pipe for which this price is listed;

(3) Multiply the result of (2) by the weight per foot (in pounds) of the odd size and/or weight of pipe to be priced.

Example. Seller in Shreveport, Louisiana, has a quantity of 8" OD 24# casing for sale. The freight rate for carload quantities from Lorain, Ohio, to Shreveport, Louisiana, is 80¢ per cwt. Seller's location then would be in Zone 3. The Zone 3 price listed for the nearest comparable size and weight: 8" OD 20#, is $83.60. The maximum price at which the 8" OD 24# casing may be sold is determined as follows:

$83.90÷20# equals .0419¢ per lb.
.0419 cents per lb.×(24# x 100 lineal ft.) equals.
$100.56 Maximum price per 100 ft. for 8" OD 24# casing.

Michigan, Indiana, Kentucky and Illinois where the following specifications are met but the pipe has not been hydrostatically tested as above, fifteen per cent (15%) of the applicable price listed in Table II may be added.

Specifications. Each length of pipe must be of American manufacture; must be straight and free from injurious surface defects; if threaded, must have first-class undamaged threads; if threaded and coupled, must also have couplings free from visible breaks and galling; must weigh within five per cent (5%) of the weight for new pipe of the same size and weight per foot (as determined by caliper measurement of wall thickness); must in the case of all pipe up to and including 8⅝" outside diameter have been drifted with cylindrical mandrel six inches in length having an outside diameter of not more than ⅛" smaller than the nominal inside diameter of the pipe; and must be stamped with a steel die, or otherwise indelibly marked, to show clearly the seller's identification mark.

(d) *Charges for extras.* The following charges for extras may be added to the maximum shipping point prices in this Appendix A (§ 1306.464). These charges may be added only with respect to the piece or pieces on which the extra service or services are performed and may be added only where the service or services are furnished specifically at consumer's request and where the performance of such service or services is necessary to meet the request.

(1) *Cutting or threading or both.*

Size of pipe inside diameter (ID) (inches)	For delivery & use in places other than Cal., Ore. & Wash.		For delivery & use in Cal., Ore. & Wash.	
	Per cut	*Per thread*	*Per cut*	*Per thread*
¼"	$.04	$.07	$.08	$.10
⅜"	.04	.07	.08	.10
½"	.04	.07	.08	.10
¾"	.04	.07	.08	.10
1"	.05	.10	.10	.14
1¼"	.05	.10	.11	.14
1½"	.06	.11	.12	.15
2"	.10	.15	.15	.19
2½"	.12	.20	.18	.23
3"	.15	.30	.23	.31
3½"	.15	.35	.29	.37
4"	.20	.40	.40	.53
4½"	.25	.45	.51	.68
5"	.30	.55	.63	.83
6"	.40	.70	.78	1.05
7"	.45	.85	.88	1.16
8"	.55	1.00	1.05	1.40
9"	.65	1.25	1.29	1.72
10"	.75	1.50	1.55	2.07
12"	1.10	2.00	2.00	2.50

There may also be added for cutting to specified lengths at the request of the consumer a charge not to exceed ten per cent (10%) of the applicable maximum shipping point price for the pipe cut.[3]

(2) *Other extras.* Whenever pipe is dipped in genuine asphalt or bituminous tar, wrapped with a protective coating, cleaned by sandblasting or steaming or both, safe-ended or reconditioned in the case of boiler tubing to underwriters' specifications so as to be suitable for retubing purposes, and joint-welded to customers' specifications, the charge or charges therefor may not exceed those, if any, which the seller customarily made for such service or services between August 15, 1941 and October 15, 1941, inclusive: *Provided*, That no charge may be made for cleaning by sandblasting or steaming or both if the premiums applicable under subparagraphs (b) (5) and (c) (5) of this Appendix A (§1306.464) are charged: *Provided further*, That no extra charge or charges authorized in this subparagraph (2) may be made after April 1, 1943 unless the seller has filed with the Iron and Steel Branch of the Office of Price Administration, Washington, D. C., on or before such date a sworn statement setting forth the charge or charges which the seller customarily made between August 15, 1941 and October 15, 1941, inclusive, for each such extra. A seller who was not engaged in the business of selling reusable iron and steel pipe between August 15, 1941 and October 15, 1941, inclusive, may apply to the Office of Price Administration, Washington, D. C., for the charge or charges which it will be permissible for him to make for any of these extras.

§ 1306.465 *Appendix B: Maximum shipping point prices for used structural pipe.* The maximum shipping point price shall be $35.00 per net ton. Where cutting to specified lengths is done by the seller at the request of the consumer and this is necessary to meet the request, the following charges may be added with respect to the piece or pieces on which the extra service is performed:

Size of pipe inside diameter (ID) (inches)	For delivery & use in places other than Cal., Ore. & Wash.	For delivery & use in Cal., Ore. & Wash.
	Per cut	*Per cut*
¼"	$.04	$.08
⅜"	.04	.08
½"	.04	.08
¾"	.04	.08
1"	.05	.10
1¼"	.05	.11
1½"	.06	.12
2"	.10	.15
2½"	.12	.18
3"	.15	.23
3½"	.15	.29
4"	.20	.40
4½"	.25	.51
5"	.30	.63
6"	.40	.78
7"	.45	.88
8"	.55	1.05
9"	.65	1.29
10"	.75	1.55
12"	1.10	2.00

In addition there may also be added for cutting to specified lengths at the request of the consumer a charge not to exceed $3.50 per ton for the pipe cut.

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PRENTISS M. BROWN,
Administrator.

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[3] Example: Seller in Tampa, Florida, wishes to determine the shipping point price for 10 lengths of 2" ID 3.67± pipe cut 10 feet exact. The state of Florida is considered to be in Zone 5. The seller will compute his price as follows:

2" OD 3.67± (Zone 5 shipping pt. price per 100 ft.)	$13.20
10% waste allowance	1.32
10 cuts @ 10¢	1.00
Total (Shipping pt. price for 100 ft. cut length order)	$15.52

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Ration Order 1A,[1] Amendment 8]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sections 1315.502 (a) and (b), 1315.601 (c), 1315.701 (a) and 1315.704 are amended to read as follows:

§ 1315.502 *Additional proof of need for passenger automobile.* * * *

(a) That he has a gasoline ration currently valid under Ration Order No. 5C for a passenger automobile if the automobile is driven by gasoline;

(b) *Inspection record.* That the applicant has a tire inspection record, signed by an authorized tire inspector, showing that the required tire inspections have been made, and that either the serial number of the tire to be replaced has been entered upon such record or the applicant has Part D of a certificate authorizing acquisition of such tire: *Provided, however*, That the Board may waive the requirement that the applicant have a tire inspection record showing the required tire inspections if the applicant can establish that serious illness of the applicant or the physical condition or location of the automobile made it impossible to obtain the required inspections, and if the current inspection shows no evidence of abuse or neglect of any of the tires or tubes upon the vehicle. The provisions of this paragraph shall not apply to vehicles exempt from maintaining a tire inspection record under § 1315.701. Tire inspection records for automobiles operated on official rations need not show the serial number of the tire to be replaced.

§ 1315.601 *Application for certificates.* * * *

(c) *Presentation of tire inspection record.* Any applicant for a certificate who is required to have a tire inspection record (OPA Form R-534-B) shall present to the Board such record at the time of filing his application. If the serial numbers of any tire shown on the tire inspection record are different from those previously entered on the record, the applicant shall produce the Part D of a certificate authorizing the acquisition of such tire. Tire inspection records for automobiles operated on official rations need not show the serial number of any tire.

* * * * *

§ 1315.701 *Periodic inspection.* * * *

(a) *Check of serial numbers.* If the serial number of any tire inspected is not identical with that indicated on the tire inspection record, the inspector shall not sign such record unless Part D of a certificate is presented as evidence that the tire was obtained on certificate. Any discrepancy between the serial numbers on the tire inspection record including those on Part D, and those on the mounted tires, shall be recorded by the inspector on OPA Form R-47 and filed with the Board which appointed the inspector. An inspector may sign a record for an automobile operated on an official ration even though such record does not list the serial number of any tire, and the inspector need not report any discrepancy between serial numbers listed on such record and those on the mounted tires.

* * * * *

§ 1315.704 *Shifting of tires.* No person shall mount on a passenger automobile any tire not duly entered upon the tire inspection record for such passenger automobile, or acquired in exchange for a certificate issued to equip such passenger automobile. This prohibition is subject to the following qualifications:

(a) Any person may apply to a Board for authorization to shift tires from one passenger automobile owned by him to another such automobile and upon approval by the Board, may be issued tire inspection records authorizing such shifting of tires in exchange for the surrender of the tire inspection records then applicable to such passenger automobiles.

(b) Any person may mount tires which are being tested in accordance with § 1315.507 (c). He shall report the mounting by letter within seven days to the Board which issued the tire inspection record for the automobile upon which tires are to be mounted. The report shall state (1) identification of any vehicle involved and (2) serial numbers of any tires involved. Upon approval by the Board, such person shall be issued Part D of a certificate authorizing the mounting and use of such tires;

(c) Tires may be mounted upon automobiles operated on official rations without complying with the provisions of this section.

§ 1315.1199 *Effective dates of amendments.* * * *

(b) Amendment No. 8 (§§ 1315.502, 1315.601, 1315.701 and 1315.704) to Ration Order No. 1A shall become effective February 9, 1943.

(Pub. Law No. 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, W.P.B. Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

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PRENTISS M. BROWN,
Administrator.

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PART 1315—RUBBER AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Ration Order 1A,[1] Amendment 9]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9160, 9392, 9724, 10072, 10336; 8 F.R. 435, 606.

Section 1315.507 is amended to read as follows:

§ 1315.507 (a) *Who may apply for an emergency reserve.* The following persons may apply for an emergency reserve of tires and tubes:

(1) A State (but not its agency or subdivision).

(2) A person who has an Interstate Commerce Commission Certificate of Public Convenience and Necessity as a common carrier or an Interstate Commerce Commission Permit as a contract carrier.

(3) A person who has applied for an Interstate Commerce Commission Certificate or Permit and has been notified by the Interstate Commerce Commission that he may continue the operations described in his application, pending final determination of his application.

(b) *Conditions to be satisfied by an applicant for an emergency reserve.* An applicant for an emergency reserve must satisfy the following conditions:

(1) That all the commercial motor vehicles operated by the applicant are used exclusively for the purposes set forth in § 1315.505 (a) (List A); and

(2) That he has satisfied the applicable provisions of §§ 1315.501, 1315.502 and 1315.504.

(c) *Vehicles for which an emergency reserve may be obtained.* An emergency reserve of tires and tubes may be obtained for the following vehicles if the majority of trips driven in the vehicles are over fifty (50) miles from a place where vehicles operated by the applicant are normally stationed:

(1) Commercial motor vehicles owned and operated by the applicant or leased to the applicant for his exclusive use for a period of at least six (6) months from the date of application;

(2) Vehicles, other than commercial motor vehicles, operated by the applicant for one of the purposes set forth in § 1315.503 (d) (1) (i) (fire fighting or public police service) or eligible under § 1315.506 (a) (3) (non-highway vehicles).

(d) *Amount of emergency reserve.* Certificates shall be issued for the number of tires or tubes required by the applicant in order to maintain a supply equal to 10% of the running wheels of vehicles which meet the requirements of paragraph (c). This supply is in addition to the tires and tubes on running wheels and allowable spares for vehicles operated by the applicant. In making the computation under this section a dual wheel shall be considered as two wheels.

(e) *Inspection and proof of sale.* An applicant for an emergency reserve must present a certification by an inspector on OPA Form R-1, revised, or R-21 for each tire or tube to be replaced or recapped. If the applicant requests certificates on OPA Form R-20 he must deliver to the Board a proof of sale on OPA Form R-22 for each tire or tube to be replaced. No certificate shall be issued for both tires and tubes.

§ 1315.1199 *Effective dates of amendments.* * * *

(i) Amendment No. 9 (§ 1315.507) to Ration Order No. 1A shall become effective February 9, 1943.

(Pub. Law No. 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1O, 7 F.R. 9121)

Issued this 3d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1842; Filed, February 3, 1943; 3:23 p. m.]

PART 1340—FUEL

[MPR 120,[1] Amendment 35]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§§ 1340.232 (b) and 1340.233 (b) are amended to read as set forth below:

§ 1340.232 *Appendix U: Maximum prices for bituminous coal produced in District No. 22.* * * *

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this Appendix.*

[From all mines]

	Prices and size group Nos.												
	1	2	3	4	5	6	7	8	9	10	11	12	15
Subdistrict No. 1	440	440	440	.....	425	.....	325	295	290	190	155	150	270
Subdistrict No. 2	440	440	440	.....	400	.....	295	275	245	185	155	150	265
Subdistrict No. 7	435	435	410	385	385	360	330	290	185	.....	142	115	.....
Subdistrict No. 8	.....	435	.....	.....	.....	.....	290	.....	185	145	.....	.....	.....
Subdistrict No. 9	440	440	440	.....	425	.....	325	.....	270	205	.....	130	.....
Subdistrict No. 12	435	.....	.....	.....	360	.....	.....	.....	185	.....	.....	.....	.....

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, *plus:* a sum not exceeding 85 cents for Size Group 9, and 35 cents for Size Groups 1, 2, 3, 4, 5, 6, 7, 8, 10, 11 and 12.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9160, 9392, 9724, 10072, 10336; 8 F.R. 435, 606, 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5569, 5607, 5627, 5935, 6169, 6218, 6265, 6272, 6472, 6325, 6574, 6744, 6896, 7777, 7570, 7914, 7942, 8354, 8650, 8948.

Exception to (2) above:

Producers	Mine	Mine index	Movement	Prices and size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	15
SUBDISTRICT NO. 2																
Nye Coal Co. (S. R. Tandy)	Nye Coal Co.	247	Truck	450	450	450		400		300	275	250	200	160	145	125
SUBDISTRICT NO. 6																
Miller Bros.	Miller	201	Truck		500									280		
SUBDISTRICT NO. 12																
Bennett, James N.	Oertel	215	Truck		700								350	150		
Thorman, Albert H.	Kellogg	175	Truck		700								350	150		

(3) *Maximum prices in cents per net ton for railroad fuel.* The maximum prices for all railroad fuel shall be the applicable effective minimum prices as of October 1, 1942, for all-rail on-line shipments (without adjustments on account of price exceptions, freight differentials, and substitutions), *plus* a sum not exceeding 30 cents per net ton: *Provided*, That where a mine is on-line to more than one railroad, the highest minimum price shall be applicable in determining the maximum price: *Provided, further*, That where a producer, or a sub-district, does not have an established minimum price for railroad fuel, the maximum price for such coal shall be the commercial all-rail maximum price for the grade and size shipped.

§ 1340.233 *Appendix V: Maximum prices for bituminous coal produced in District No. 23.* • • •

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this Appendix.*

[From all mines except as listed below]

		Prices and size group numbers 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
Subdistrict A	Roslyn Field		585	575	545			585		565		560		530	500			450			490	490	490		405	385		340
Subdistrict B	Pierce County		585	585											500						490	490	455	440		385		
Subdistrict C	Southwest Washington	495	485	490		415				415				390	315		345	345			335	325	325		330	210		305
Subdistrict D	Bellingham Field	555	545	510	445		520	490			505		505	460	425	415		415								265	
Subdistrict E	McKay, Lawson Field		670						630	595	585		575				575		595	485		485	485		420	265	
Subdistrict F	Renton Field		585	585	585	585		505	505	490	495	475	475	435	435	435	425						325		275		
Subdistrict G	Cumberland Field		560	560	525	525			525	525	475	475	460			445		435			460		395		395	275	
Subdistrict H	Healy River Field, Alaska	Excluded from Price Schedule																									
Subdistrict I	All Other Mines, Alaska		520								370				220										270		
Subdistrict J	Riverton Field, Oreg.		520								420				320												
Subdistrict K	Marshfield Field, Oreg.	495	485	460		415			415				390	315		345	345			335	325	325		330	210		305
Subdistrict L	Marion and Clackamas Counties, Oreg.																										

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, *plus*: a sum not exceeding 85 cents for Size Groups 1 to 25, inclusive, except 18, and 110 cents for Size Group 18, except as otherwise shown below.

(3) *Maximum prices in cents per net ton for railroad fuel.* The maximum prices for all sizes of railroad fuel shall be those shown in subparagraph (1) above for size group No. 26: *Provided*, That where no maximum price is specified therein for a particular subdistrict, the maximum price for such railroad fuel shall be the commercial all-rail maximum price for the grade and size shipped.

Exceptions to (1) and (2) above:

Producer	Mine	Mine index	Movement	Prices and size group numbers 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
SUBDISTRICT D																												
Bellingham Coal Mines	Bellingham #1	3	Rail	555	545	510	445		520	490		490	505		460	425	415		415								{ 355	
			Truck	675	625	625	585		585	585		585	560		535	500	485		460								310	
SUBDISTRICT E																												
Pacific Coast Coal Co.	Black Diamond Mine	32	Rail		720						700	690	680		680			680		600	590			590	590		525	275
			Truck		720						700	690	680		680			680		600	590			590	590		525	
Continental Coal Co., c/o James S. Ramage	McKay	70	Rail		775						630	595	585		575		600	575		570	570			520	495		420	320
			Truck		775						685	695	660		650			650		570	570			535	510		445	
SUBDISTRICT F																												
Springbrook Mining Co. (A. F. Plant)	Springbrook	33	Rail		585	585	585	585		505	505	490	495	475	475	435	435	435	425						325		275	
			Truck		600	600	560	560		585	560	560	535	510	510	485	470	470	460		485				435		285	
Renton Mining Co., Inc. (c/o John S. Methven)	Talbot	150	Rail		585	585	585	585		505	505	490	495	475	475	435	435	435	425						325		275	
			Truck		600	600	560	560		585	560	575	535	510	510	485	470	470	525						435		300	
Consolidated Coal Mines, Inc.	Cedar Mountain #2	160	Rail		590	590	585	585		505	505	490	495	475	475	435	435	435	425						325		275	
			Truck		625	625	560	560		585	560	560	535	510	485	470	470	450							435		285	
SUBDISTRICT G																												
Franklin Gem Coal Co. (Geo. T. Wake, Jr.)	Franklin Gem	162	Rail		565	565	575	525			525	525	475	475	460		445		435			460		395		420	275	
			Truck		600	600	610	560			560	560	510	510	485		470		460			485		435		450	310	
Hyde Mines, Inc.	Hyde #2	161	Rail		670						630	595	585		575			575		595	485			485	485		420	265
			Truck		710						685	650	660		650			650		545	545			535	510		445	

[1] When sold to Superior Portland Cement Co., Concrete, Skagit County, Wash., and Olympic Portland Cement Co., Bellingham, Whatcom County, Wash.
[2] For all other sales for rail shipment.

This amendment shall be effective as of February 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.: E.O. 9250, 7 F.R. 7871)

Issued this 3d day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1839; Filed, February 3, 1943; 3:20 p. m.]

PART 1350—EMERGENCY CIVILIAN DEFENSE MATERIALS AND EQUIPMENT

[MPR 234,[1] Amendment 4]

APPROVED STIRRUP PUMPS

A statement of considerations involved in the issuance of this Amendment No. 4 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

The last two paragraphs of § 1350.57 are amended to read as follows:

§ 1350.57 *Retail price labels.* • • •

If each pump is not separately packaged by the manufacturer, he shall fill in the price on the tag. If each pump is separately packaged, the manufacturer shall, at his option, either (1) fill in the price on the tag or (2) stamp on the outside of the package the following statement and fill in the price on the outside of the package:

The Office of Price Administration has established a retail ceiling price of $_____ for this stirrup pump. Lower prices may be charged. If this package is broken before delivery to the consumer, the tag attached to the pump must be filled in by inserting the price stamped on this package.

In the case of pumps sold by the manufacturer directly to retailers, the price designated as the lower retail price shall be inserted in the blank on the tag or in the statement stamped on the outside of the package. In the case of pumps sold by the manufacturer to wholesalers or jobbers, the price indicated as the higher retail price shall be inserted in the blank. In the case of pumps sold by the manufacturer to municipalities or defense councils, the price indicated as the wholesale price shall be inserted in the blank.

A person customarily selling at both wholesale and retail must re-mark the tags or the packages, as the case may be, on those pumps, purchased directly from the manufacturer, which he sells to ultimate consumers, so that the tags or packages will state the price designated as the lower retail price.

§ 1350.64 *Effective dates of amendments.* • • •

(d) Amendment No. 4 (§ 1350.57) to Maximum Price Regulation No. 234 shall become effective February 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 3d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1843; Filed, February 3, 1943; 3:23 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 12,[1] Amendment 14]

COFFEE RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new item is added to § 1407.1091 and paragraph (n) of § 1407.1090a is added, as set forth below:

Schedules

§ 1407.1091 *Designation of ration periods and of coffee stamps valid therein.*

Ration period:	*Coffee stamp valid during ration period*
• • •	• • •
Feb. 8, 1943, to Mar. 21, 1943, inclusive.	Coffee Stamp No. 25

Effective Date

§ 1407.1090a *Effective dates of amendments.* • • •

(n) Amendment No. 14 (§§ 1407.1091 and 1407.1090a (n)) to Ration Order No. 12 shall become effective February 3, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 729, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1-R)

Issued this 3d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1844; Filed, February 3, 1943; 3:21 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 7976, 7998, 8948, 9428, 10378.

[1] 7 F.R. 9710, 10380, 11071, 11072; 8 F.R. 28, 167, 566, 621, 978, 1316, 1366, 1286.

PART 1420—BREWERY AND DISTILLERY PRODUCTS

[MPR 193,[1] Amendment 4]

DOMESTIC DISTILLED SPIRITS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Subparagraphs (5), (6) and (7) are added to paragraph (a) of § 1420.10; a sentence is added to subparagraph (3) of § 1420.13 (a); and paragraphs (e), (f), (g), (h) and (i) are added to § 1420.13 as set forth below:

§ 1420.10 *Definitions.* (a) • • •

(5) "Domestic bulk whiskey" shall mean any and all whiskey produced in the continental United States which is sold in containers having a capacity in excess of one wine gallon.

(6) "License contract" shall mean any written contract for the sale of domestic bulk whiskey which authorizes the purchaser to bottle and sell such whiskey under a trade mark or brand name owned by the seller.

(7) "Warehouse receipt" shall mean a warehouse receipt for domestic bulk whiskey as set forth in section 3 of Regulations No. 3 issued by the Federal Alcohol Administration relating to bulk sales and bottling of distilled spirits.

§ 1420.13 *Appendix A:* • • •

(a) • • •

(3) *Notification:* • • • When any modification of maximum prices is made under paragraph (f) of this section for the addition of new or increased Federal taxes which become effective after February 2, 1943, or under subparagraph (3) of paragraph (g) of this section for the addition of new or increased State or local taxes which become effective after February 2, 1943, the separate statement of the amount of the new or increased tax on the invoice of the seller shall likewise be deemed to be a proper notification under this section.

• • • • •

(e) *Maximum prices for domestic bulk whiskey in bond.* (1) The seller's maximum prices for sales of domestic bulk whiskey in bond by transfer of warehouse receipt or other evidence of title, or otherwise, shall be the maximum prices set forth in paragraph (g) in accordance with the age of such whiskey to be priced hereunder.

(2) *Accrued charges to date of sale.* The maximum prices set forth in paragraph (g) for each particular age of domestic bulk whiskey include all taxes of any State or subdivision thereof in effect on February 3, 1943 incident to the sale, processing or use of such whiskey imposed upon the seller or any prior vendor and storage, and all other charges applicable to the particular quantity of such whiskey to be priced hereunder accrued to the date of sale. Such maximum prices include brokerage commissions, if any, paid by the seller incident to the particular sale.

*Copies may be obtained from the Office of Price Administration

[1] 7 F.R. 6006, 8940, 8947, 8948, 10068.

(f) *Maximum prices for domestic bulk whiskey tax-paid.* The seller's maximum prices for sales of domestic bulk whiskey tax-paid by transfer of warehouse receipt or other evidence of title, or otherwise, shall be the maximum prices set forth in paragraph (g) in accordance with the age of such whiskey to be priced hereunder, plus the amount of any tax incident to the sale, processing or use of such whiskey imposed upon the seller or any prior vendor by any statute of the United States with respect to the particular quantity of such whiskey to be priced hereunder: *Provided*, That the amount of such tax has been paid by the seller to the proper taxing authorities or shall have been paid or shall be payable to any prior vendor. The maximum prices for domestic bulk whiskey tax-paid determined pursuant to this paragraph include accrued charges to the date of sale as set forth in subparagraph (2) of paragraph (e).

(g) *Table of maximum prices for domestic whiskey in bulk.*

Age		Maximum prices per original proof gallon
More than	Not more than	
Months	*Months*	
.....	2	.60
2	4	.73
4	6	.77
6	8	.82
8	10	.85
10	12	.89
12	14	.93
14	16	.97
16	18	1.01
18	21	1.07
21	24	1.14
24	27	1.19
27	30	1.25
30	33	1.31
33	36	1.36
36	39	1.41
39	42	1.46
42	48	1.51
48	51	1.56
51	54	1.61
54	57	1.65
57	60	1.69
60	63	1.72
63	66	1.75
66	69	1.78
69	72	1.81
72	75	1.84
75	78	1.87
78	81	1.90
81	90	1.96
90		2.00

(1) *Determination of age of whiskey.* The age of the whiskey to be priced hereunder shall be calculated by determining the number of full calendar months intervening between the date of entry into bond (as indicated on the warehouse receipt) to and including the date of sale. A full calendar month shall be computed from the date of the month of original entry into bond to, but not including the corresponding date of the following month, and in like manner from such corresponding date for each succeeding month.

(2) *New or increased State or local taxes.* Sellers may add to the amounts set forth in paragraph (g) the amount of any new tax or increase in an existing tax incident to the sale, processing or use of domestic whiskey in bulk imposed upon the seller or any prior vendor after February 2, 1943 with respect to the particular quantity of such whiskey to be priced hereunder by any statute or ordinance of any State or subdivision thereof: *Provided*, That the amount of such new or increased tax has been paid or shall have accrued and be payable by the seller to the proper taxing authorities or to any prior vendor.

(h) *License contracts.* (1) The provisions of paragraphs (e), (f) and (g) shall be inapplicable to sales of domestic bulk whiskey made pursuant to license contracts entered into prior to February 3, 1943 or to sales pursuant to renewals of such contracts made after February 2, 1943, but within 90 days from the expiration date of the preceding contract, at prices not in excess of the prices contained in such preceding contract. The seller's maximum prices for sales of domestic bulk whiskey pursuant to such contracts entered into prior to February 3, 1943 shall be the seller's maximum prices to each particular class of such purchasers established under paragraphs (a) or (b) as the case may be. The seller's maximum prices for such sales pursuant to renewals of license contracts after February 2, 1943 as limited above shall be determined by reference to the price contained in the preceding contract for the particular age or type of such whiskey in question.

(2) After February 2, 1943 the seller's maximum prices for sales of domestic bulk whiskey pursuant to license contracts, except as provided in (h) (1), shall be established under paragraph (e). After February 2, 1943 no person shall enter into a license contract or similar agreement for the sale of domestic bulk whiskey until the maximum price therefor shall have been determined by the seller after specific authorization from the Office of Price Administration pursuant to paragraph (c), except as provided in subparagraph (1) of paragraph (h).

(3) Each seller of domestic bulk whiskey pursuant to a license contract entered into after March 31, 1942 and prior to February 3, 1943, shall file a true and exact copy of such contract with the Beverage Section of the Food Price Division, Office of Price Administration, Washington, D. C., on or before March 3, 1943.

(i) *Alterations from original proof.* No sales, except sales for export, of domestic bulk whiskey shall be made after the original proof of such whiskey has been altered. The seller's maximum domestic price for export sales of domestic bulk whiskey at any degree of proof other than original proof shall be determined pursuant to the provisions of paragraph (c).

This amendment shall become effective February 3, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 3d day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1845; Filed, February 3, 1943; 3:21 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[Correction to Amendment 1 to Temporary MPR 25[1]]

CORN

The effective date of Amendment 1 to Temporary Maximum Price Regulation No. 25 is corrected to read February 3, 1943, instead of February 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 3d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1846; Filed February 3, 1943; 3:21 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 103 to Supp. Reg. 14[2] to GMPR[3]]

SEMI-FABRICATED ARTICLES CONTAINING NEWLY-MINED DOMESTIC SILVER

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sections 1499.73 (a) (12) (iii) and 1499.73 (a) (12) (v) are amended as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of the General Maximum Price Regulation for certain commodities, services and transactions.* (a) • • •

(12) • • •

(iii) *Reports.* (a) On or before the twentieth day of each calendar month the seller of any semifabricated article containing newly-mined domestic silver shall file in the Office of the Secretary of the Office of Price Administration, Washington, D. C., a report on form OPA:677:125A covering the preceding calendar month and showing all purchases of newly-mined domestic silver, and the disposition thereof, made during the period covered by the report.

(b) The seller of any semifabricated articles containing newly-mined domestic silver, upon purchasing newly-mined domestic silver, shall cause the person from whom such silver is purchased to submit directly to the Director of the Mint, Treasury Department, Washington, D. C., evidence for the purpose of establishing that the silver so purchased is newly-mined domestic silver. Such evidence shall include miners' affidavits on Treasury Department Forms TSA–2 or TSA–2A, executed pursuant to section 80.7 of the Newly-Mined Domestic Silver Regulations of July 6, 1939; and the seller of any semifabricated articles containing newly-mined domestic silver shall authorize and direct the Director of the Mint to cancel such affidavits.

• • • • •

(v) *Appendix A: Form OPA:677:125A*

Budget Bureau Approval No. 08–R216–43

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION
WASHINGTON, D. C.

SEMIFABRICATORS OF SILVER

Form OPA:677:125A

Report of Purchases and Sales of Newly-Mined Domestic Silver

File in Washington on or Before the 20th Day of Each Calendar Month, Covering Purchases and Sales for the Previous Month.

Name of Firm _____
Address _____
City and State _____
This report covers the month of _____, 194...

(1) Inventory of newly-mined domestic silver as of the last day of the preceding report period:

Quantity in fine troy ounces.....

(2) Purchases of standard commercial bars of newly-mined domestic silver during the month covered by this report: (List each purchase separately.)

From whom purchased	Date of purchase	Price paid	Quantity in fine troy ounces
Total.....			

(3) Purchases of semifabricated articles containing *newly-mined domestic silver* during the month covered by this report: (List each supplier separately.)

From whom purchased	Silver content in fine troy ounces
Total.....	

(4) Deliveries of semifabricated articles containing newly-mined domestic silver and all other dispositions of newly-mined domestic silver during the period covered by this report:

a) Deliveries of semifabricated articles containing newly-mined domestic silver: (List each type of articles separately e.g. sheet (including circles, blanks, etc.) wire; grain; solders; brazing alloys, etc.)

Type of article	Silver content in fine troy ounces
Total.....	

(b) Deliveries of newly-mined domestic silver not in semifabricated form (total amount only):

Silver content in fine troy ounces.....

(5) Inventory of newly-mined domestic silver as of the last day of the month covered by this report (total of Items (1), (2), and (3), minus total of Items (4a) and (4b):
Quantity in fine troy ounces.....

This statement is made pursuant to § 1499.73 (a) (12) of Supplementary Regulation No. 14 to the General Maximum Price Regulation, for the purpose of taking advantage of the provisions therein as to maximum prices for semifabricated articles containing newly-mined domestic silver.

All of the silver purchased by us as reported in Item 2, above, is covered by miners' affidavits on Treasury Department Forms TSA–2 and/or TSA–2A, executed pursuant to section 80.7 of the Newly-Mined Domestic Silver Regulations of July 6, 1939. We have caused the persons from whom such silver was purchased to transmit such affidavit to the Director of the Mint, Washington, D. C., for verification and cancellation, and we hereby authorize and direct the Director of the Mint to cancel such affidavits.

The persons from whom the articles listed in Item (3) were purchased have furnished us with original invoices certifying that the articles so purchased are semifabricated articles containing newly-mined domestic silver.

The deliveries of semifabricated articles containing newly-mined domestic silver summarized in Item 4 (a) are more particularly described in our invoices, copies of which have been preserved for inspection by the Office of Price Administration. Except as stated in Item (4), we have made no disposition of newly-mined domestic silver in any form and no deliveries of semifabricated articles containing silver at prices higher than the maximum prices established by section 1499.2 of the General Maximum Price Regulation, as modified by section 1499.73 (a) (15) (ii) of Supplementary Regulation No. 14.

(Signed) _____
_____
(Address)
By _____
(Authorized signature)

• • • • •

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 567.

[2] 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6776, 6793, 6887, 6892, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7400, 7453, 7510, 7536, 7604, 7538, 7511, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 8950, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9495, 9496, 9639, 9786, 9900, 9901, 10022, 10069, 10111, 10151, 10231, 10294, 10346, 10381, 10480, 10537, 10557, 10583, 10705, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 1139, 980, 1030, 876, 1121, 878, 1142.

[3] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4467, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6053, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7912, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204.

(b) *Effective dates.* • • •

(104) Amendment No. 103 to Supplementary Regulation No. 14 (§§ 1499.73 (a) (12) (iii) and 1499.73 (a) (12) (v)) shall become effective February 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 3d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43-1850; Filed, February 3, 1943; 3:21 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 262 Under § 1499.3 (b) of GMPR]

AMERICAN PLYWOOD CORPORATION

Maximum prices for Grade No. 1, birch, maple, walnut, mahogany and red oak and Grade No. 2 elm and ash plywoods, graded according to the standards set forth in Commercial Standard 35-42.

The American Plywood Corporation of New London, Wisconsin, made application under § 1499.3 (b) of the General Maximum Price Regulation for determination of maximum prices for certain new grades of plywood, not previously manufactured or sold by them. Due consideration has been given to the application, and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration, *It is ordered:*

§ 1499.1498 *Approval of maximum prices for the sale by American Plywood Corporation of certain standard grades of plywood.* (a) On and after February 4, 1943, the American Plywood Corporation of New London, Wisconsin, may sell and deliver, and any person may purchase from the American Plywood Corporation, plywood of the Commercial Standard 35-42 grades and description shown at prices, f. o. b. New London, Wisconsin, set forth in the following schedule:

Prices per thousand square feet in panels of 84" or less.

	Grade No. 1					Grade No. 2
	Birch	Maple	Walnut	Mahogany	Red Oak	Elm and Ash
3 PLY						
¼"	$100.00	$85.00	$122.50	$152.50	$90.00	$85.00
3/8"	112.50	115.00	142.50	102.50	112.50	105.00
½"	127.50	122.50	147.50	180.00	127.50	122.50
5 PLY						
¾"	192.50	185.00	212.50	242.50	192.50	185.00
1"	245.00	227.50	260.00	280.00	235.00	227.50
1 1/16"	265.00	260.00	280.00	310.00	265.00	260.00

For 96" lengths a maximum charge of 1 cent per square foot or $10.00 per thousand square feet may be added to the prices shown in the schedule above.

(b) This order may be revoked or amended at any time.

(c) This order shall become effective February 4, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 3d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43-1847; Filed, February 3, 1943; 3:22 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 263 Under § 1499.3 (b) of GMPR]

NICKEY BROTHERS, INCORPORATED

Maximum prices for oak dimension Army bunk stock.

Nickey Brothers, Inc., of Memphis, Tennessee, has made application under § 1499.3 (b) of the General Maximum Price Regulation for specific authorization to determine the maximum price for a commodity which cannot be priced under § 1499.2 thereof. Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

§ 1499.1499 *Approval of maximum prices for sale by Nickey Brothers, Inc., of oak dimension army bunk stock.* (a) On and after February 4, 1943, Nickey Brothers, Inc., of Memphis, Tenn., may sell and deliver and any person may purchase and receive from Nickey Brothers, Inc., oak dimension army bunk stock consisting of 19 pieces per set of the following specifications, at a price not in excess of $162.00 per thousand feet board measure, f. o. b. mill:

Set of Oak Dimension Army Bunk Stock

	Footage per piece
Head assembly:	
4 pieces 27/32" x 2¾" x 40" S4S square edges—to count 1" x 3" x 40"	0.834
1 piece 27/32" x 3½" x 30½" S4S 4 edges on ⅛" radius—to count as 1" x 3¼" x 30½"	.794
2 pieces 27/32" x 3½" x 29⅜" S4S 4 edges ⅛" radius—to count as 1" x 3" x 29⅜"	.765
Foot assembly:	
4 pieces 27/32" x 2¾" x 28" S4S square edges—1" x 3" x 28"	.584
2 pieces 27/32" x 3½" x 29⅜" S4S round 4 edges ⅛" radius—1" x 3¼" x 29⅜"	.765
Spring assembly:	
2 pieces 27/32" x 4½" x 75⅛" S4S round 4 edges on ⅛" radius—1" x 4¾" x 75⅛"	2.478
2 pieces 27/32" x 4½" x 30½" S4S round 4 edges on ⅛" radius—1" x 4¾" x 30½"	1.006
2 pieces 27/32" x 3½" x 29¾" S4S round 4 edges on ⅛" radius—1" x 3¾" x 29¾"	.775

*Copies may be obtained from the Office of Price Administration.

(b) This Order No. 263 may be revoked or amended at any time.

(c) This Order No. 263 (§ 1499.1499) shall become effective February 4, 1943.

Issued this 3d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1848; Filed, February 3, 1943; 3:22 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 264 Under § 1499.3 (b) of GMPR]

LIBERTY VITAMIN CORPORATION

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1500 *Approval of maximum prices for sales of vitamin products of the Liberty Viatmin Corporation*—(a) *Maximum prices for sales at retail of vitamin products of the Liberty Vitamin Corporation by any person*—(1) *Maximum prices for sales at retail other than on prescription.* The maximum prices for sales at retail other than on prescription by any person of vitamin products of the Liberty Vitamin Corporation, 95 Madison Avenue, New York, New York, shall be established according to the following methods or shall be any lower prices selected by Liberty Vitamin Corporation.

(i) *Tablets and capsules.*

Number of tablets or capsules per package:	Method
1-100, inclusive	4.5 times direct unit manufacturing cost=maximum price
101-199, inclusive	4.25 times direct unit manufacturing cost=maximum price
1,000 and over	4 times direct unit manufacturing cost=maximum price.

(ii) *Fluids.*

Quantity of fluid per package:	
Up to 32 ounces, inclusive.	4.5 times direct unit manufacturing cost=maximum price
33-128 ounces, inclusive.	4.25 times direct unit manufacturing cost=maximum price.
129 ounces and over.	4 times direct unit manufacturing cost=maximum price.

(iii) *Ampoules and ointments.*

Any quantity	4.5 times direct unit manufacturing cost=maximum price.

(2) *Maximum prices for sales on prescription.* The maximum prices established pursuant to subparagraph (1) of this paragraph shall not apply to sales on prescription of vitamin products of the Liberty Vitamin Corporation. The maximum price for a sale on prescription of a vitamin product of the Liberty Vitamin Corporation shall be determined by the person making the sale on prescription in accordance with the provisions of § 1499.3 (a) of the General Maximum Price Regulation, except that

no report of the maximum price so determined need be filed as required by that section.

(b) *Maximum prices for sales other than that at retail of vitamin products of the Liberty Vitamin Corporation.* The maximum prices for sales other than at retail of vitamin products of the Liberty Vitamin Corporation by any person are established as the prices determined under paragraph (a) (1) hereof less the appropriate discount set forth below:

(1) *Sales to retailers, hospitals, institutions, and industrial users.* 33⅓ per cent.

(2) *Sales to wholesalers.* 33⅓ per cent and 20 per cent of the remainder.

(3) *Sales to licensed practitioners of public health professions.* 25 per cent.

(4) *Sales to registered nurses.* 20 per cent.

(5) *Sales to kennels.* 20 per cent.

(c) *Discounts and allowances on sales by Liberty Vitamin Corporation of its vitamin products.* As to sales by Liberty Vitamin Corporation the maximum prices set forth above are delivered, 2 per cent of the maximum price applicable to a given sale to be deducted from such maximum price for payment within 10 days.

(d) *Discounts, allowances and price differentials on sales by persons other than Liberty Vitamin Corporation of the latter's vitamin products.* Any person other than Liberty Vitamin Corporation making sales of the Latter's vitamin products shall apply to the maximum price set forth for such sales in paragraph (a) or paragraph (b) all quantity differentials, trade practices, credit terms, practices relating to the payment of shipping charges, and other customary discounts or allowances which were in effect in March, 1942, on his sales of the vitamin product most nearby comparable to the Liberty Vitamin Corporation product being sold.

(e) *Export sales.* Maximum prices for export sales of vitamin products of the Liberty Vitamin Corporation are established pursuant to the Revised Maximum Export Price Regulation.[1]

(f) *Marking package with retail ceiling price.* Liberty Vitamin Corporation shall mark each package of its vitamin products with the word "Ceiling Price—." The blank shall be filled with the appropriate dollar and cent maximum price for that package determined under subparagraph (1) of paragraph (a). The legend shall be printed or stamped in letters at least one quarter as large as those used for the name of the product on the package to be sold by the seller at retail to the ultimate consumer when it is not sold on prescription and the type shall be sufficiently bold and the words shall be printed or stamped in a color which sharply contrasts with the background so that the words are clearly legible. No retailer, except a person making a sale on prescription, shall make sales of such vitamin products unless the package in which the product is sold is marked with the retail ceiling price as required by this paragraph. Liberty Vitamin Corporation need not so mark such packages as it exports or sells to an exporter to be exported.

(g) *Notification of maximum prices*—(1) *By Liberty Vitamin Corporation to wholesalers.* Liberty Vitamin Corporation shall supply to each wholesaler before or at the time of its first delivery of a vitamin product a written notification of maximum prices as follows, the blanks filled in with the applicable dollar and cent maximum prices:

OPA has authorized us to charge wholesalers not more than _____ each for packages of (*number of tablets, ounces of fluid, etc.*) of (*name of vitamin product*), delivered, subject to 2 per cent discount for payment within 10 days.

Wholesalers are required to establish maximum prices at a discount of at least 33⅓ per cent from the ceiling price of _____ stated on the package for sales to retailers, hospitals, institutions, and industrial users.

(2) *By Liberty Vitamin Corporation to retailers via wholesalers.* The Liberty Vitamin Corporation shall include a written notification with each shipping unit of one of its vitamin products for a period of three months from the date of its first shipment to a wholesaler of that product. If such notification is enclosed in a shipping unit, a legend shall be affixed outside of such unit to read "Retailer's Notice Enclosed." If the initial sale by a wholesaler to a retailer is a split-case sale, the wholesaler is required to provide such retailer with a copy of this notice. The written notification shall read as follows, the blanks filled in with the applicable dollar and cent maximum prices:

OPA has authorized wholesalers to charge _____ each for packages of (*number of tablets, ounces of fluid, etc.*) of (*name of vitamin product*), subject to all cash discounts and customary allowances.

Retailers are authorized to establish ceiling prices of _____ each for such packages.

If the initial sale by a wholesaler to a retailer is a split-case sale, the wholesaler is required to provide such retailer with a copy of this notice.

OPA requires that you keep this notice for examination.

(3) *By the Liberty Vitamin Corporation to retailers.* The Liberty Vitamin Corporation shall supply a written notification to each retailer before or at the time of its first delivery of one of its vitamin products to such retailer. The written statement shall read as follows, the blanks filled in with the applicable dollar and cent maximum prices:

OPA has authorized us to charge retailers _____ each for packages of (*number of tablets, ounces of fluid, etc.*) of (*name of vitamin product*), delivered, subject to 2 per cent discount for payment within 10 days.

Your ceiling prices are authorized to be _____ each for such packages.

OPA requires that you keep this notice for examination.

(h) *Definitions.* When used in this order the term:

(1) "Vitamin product" means a substance manufactured by Liberty Vitamin Corporation containing specific vitamin substances such as vitamin A or riboflavin or specific mineral substances such as calcium or iron.

(2) "Direct unit manufacturing cost" means costs to Liberty Vitamin Corporation for a single packaged vitamin product of direct labor and materials, computed on the basis of the following wage rates, material prices and operating conditions.

(i) *Wage rates.* The wage rates used in the computation shall be no higher than the average wage rate in effect in Liberty Vitamin Corporation's plant at the time the vitamin product is being priced for each class of labor used in its production.

(ii) *Material costs.* Material cost used in the computation for each material shall be no higher than the maximum price at the time the new product is being priced for such material as established under any regulation now issued or which may be issued by the Office of Price Administration, or if the actual purchase price is lower, or the material has no such maximum price, the actual purchase price. Where the maximum price for any such material is a maximum price which is not a specific maximum price but one which may vary with the seller, the maximum price used in the computation shall be the maximum price of that seller who supplied the largest amount of such material to Liberty Vitamin Corporation during the 6-month period immediately preceding the time at which the new article is being priced, or lacking such a seller, the maximum price for that material of Liberty Vitamin Corporation's potential supplier thereof.

(iii) *Operating conditions.* In calculating the direct unit manufacturing cost for a single packaged vitamin product on the basis of the wage rates and materials prices determined under subdivisions (i) and (ii), the manufacturer shall employ his current or shortly expected volume of production and his current or shortly expected production techniques (for example, proportions of various wage-classes of labor to be used).

(i) *Reports.* Liberty Vitamin Corporation shall submit, for each vitamin product for which a maximum price is established hereunder, a report to the Office of Price Administration in Washington, D. C. not later than 20 days after its first packaging of such product showing the following information:

(1) Computation in detail of the direct unit manufacturing cost.

(2) Maximum prices as determined under subparagraph (1) of paragraph (a) of this order.

(j) This Order No. 264 may be revoked or amended by the Price Administrator at any time.

(k) This Order No. 264 (§ 1499.1500) shall become effective on February 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7671)

Issued this 3d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1838; Filed, February 3, 1943; 3:20 p. m.]

[1] 7 F.R. 5059, 7242, 8829, 9000, 10530.

PART 1499—COMMODITIES AND SERVICES

[Order 186 Under § 1499.18 (b) of GMPR]

PETER PAUL, INC.

Maximum prices authorized under § 1499.18 (b) of the General Maximum Price Regulation—Order No. 186—Docket No. GF3–2794.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1087 *Adjustment of maximum prices through decrease in weight of "Mounds" manufactured and sold by Peter Paul, Inc.* (a) Peter Paul, Inc., Naugatuck, Connecticut, is hereby authorized to reduce the size of its chocolate covered coconut bar, known as "Mounds" packed 24 to the box, from $2\frac{1}{2}$ ounces to $1\frac{3}{4}$ ounces net per bar, and sell such $1\frac{3}{4}$ ounce bar at a maximum price no higher than that established for its $2\frac{1}{2}$ ounce bar pursuant to the General Maximum Price Regulation. Authorization to reduce the size of "Mounds" is given on the specific condition that in reducing the size of this bar, Peter Paul, Inc. shall not change or alter its formula for such bar in any manner.

(b) The adjustment is granted to Peter Paul, Inc. on condition that all purchasers from it shall in no event charge more for the present $1\frac{3}{4}$ ounce bar of "Mounds" at retail than their respective maximum prices for the $2\frac{1}{2}$ ounce bar of "Mounds" as determined pursuant to the General Maximum Price Regulation.

(c) All wholesalers and retailers who purchase "Mounds" for resale are hereby permitted to sell said bar in its new weight of $1\frac{3}{4}$ ounces at a price not in excess of the maximum price which they established for the $2\frac{1}{2}$ ounce bar of "Mounds" pursuant to the General Maximum Price Regulation.

(d) All sellers are required to continue the same discounts, allowances, and price differentials as they offered in March 1942, provided, however, that sellers may change discounts, allowances, and price differentials only if such changes result in prices lower than the maximum price fixed herein.

(e) Peter Paul, Inc. shall mail or cause to be mailed to all persons who purchase "Mounds" from it for resale a notice reading as follows:

> The Office of Price Administration has authorized us to reduce the weight of our bar "Mounds" from $2\frac{1}{2}$ ounces to $1\frac{3}{4}$ ounces. This reduction in weight represents only that part of the cost increase which we were unable to absorb, and permission to decrease our weight was granted with the understanding that no increase in price would be made at either the wholesale or the retail level. The Office of Price Administration does, however, authorize you and all other sellers to sell the new $1\frac{3}{4}$ ounce bar at a price which is not in excess of the maximum price you established for the $2\frac{1}{2}$ ounce bar pursuant to the General Maximum Price Regulation.

(f) Peter Paul, Inc. shall attach to or place in each smallest box or other packing unit of "Mounds," a notice reading as follows:

> The weight of our "Mounds" bar has been reduced to $1\frac{3}{4}$ ounces. The Office of Price Administration has authorized all retailers to sell this $1\frac{3}{4}$ ounce bar of "Mounds" for a price not in excess of the maximum price established by each retailer for the $2\frac{1}{2}$ ounce bar of "Mounds" pursuant to the General Maximum Price Regulation.

(g) All prayers of the applicant not granted herein are denied.

(h) This Order No. 186 may be revoked or amended by the Price Administrator at any time.

(i) This Order No. 186 (§ 1499.1087) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(j) This Order No. 186 (§ 1499.1087) shall become effective February 4, 1943.

(Pub. Laws 431 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 3d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1849; Filed, February 3, 1943; 3:21 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11[1], Amendment 36]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1394.5001, a new subdivision (ii) is added to subparagraph (19), and subparagraphs (31), (32), (33) of paragraph (a) are amended; the text of § 1394.5051 is designated § 1394.5051 (a) and a new paragraph (b) is added thereto; in § 1394.5201, new subparagraphs (6), (7) and (8) are added to paragraph (b); §§ 1394.5252 (a), 1394.5255 (a) and 1394.5257 (c) are amended; subparagraphs (1) and (2) of § 1394.5258 (a) are amended; §§ 1394.5260 (a) and 1394.5262 (c) are amended; the text of § 1394.5263 (a) is amended and a new paragraph (c) is added thereto; § 1394.5264 (b) is amended; in § 1394.5266, paragraph (a) is amended and new subparagraphs (5), (6) and (7) are added to paragraph (c); § 1394.5267 (a) is amended; paragraphs (a) and (b) of § 1394.5268 are amended; paragraphs (b) (e) and (f) of § 1394.5269 are amended; §§ 1394.5270 (c), 1394.5302 (a), 1394.5352 (a), 1394.5353 (a), 1394.5354 (a), and 1394.5401 (b) are amended; paragraphs (b) and (c) of § 1394.5402 are amended; paragraphs (b) and (c) of § 1394.5403 are amended; new paragraphs (c) and (d) are added to § 1394.5451; §§ 1394.5452 (a) and 1394.5459 (c) are amended; the text of § 1394.5603 (a) is amended and a new paragraph (c) is added thereto; §§ 1394.5651 and 1394.5652 (a) are amended; in § 1394.5653 the text of paragraph (f), and subparagraphs (3) and (4) of paragraph (f) are amended §§ 1394.5661 and 1394.5663 (a) are amended; in § 1394.5701, paragraph (a) and (b), and subparagraph (2) of paragraph (d) are amended; §§ 1394.5702 and 1394.5703 are amended; in § 1394.5707, the texts of paragraphs (a) and (b) and of subparagraphs (3), (4), (7) and (8) of paragraph (b) are amended; §§ 1394.5711 and 1394.5731 (a) are amended; and new subparagraphs (1) are added to paragraphs (a) and (b) of § 1394.5851.

Definitions

§ 1394.5001 *Definitions.* (a) When used in this Ration Order No. 11:

* * * * * * *

(19) Limitation area means:

(i) The states of Connecticut, Delaware, Florida, (east of the Apalachicola River), Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Pennsylvania Rhode Island, South Carolina, South Dakota, Vermont, Virginia, West Virginia, Wisconsin, the District of Columbia; and

(ii) The states of Oregon and Washington, designated in this Ration Order No. 11 as "Area A".

* * * * * * *

(31) "Thermal Zone A" means the states of Maine, New Hampshire, Vermont, Michigan, Wisconsin, Minnesota, North Dakota and South Dakota; that part of the State of New York north of, and including the counties of Washington, Saratoga, Montgomery, Otsego, Herkimer, Oneida, Lewis and Jefferson; and that part of the State of Iowa north of, and including, the counties of Allamakee, Winneshiek, Chickasaw, Floyd, Cerro Gordo, Hancock, Kossuth, Palo Alto, Clay, O'Brien and Sioux; and that part of the state of Oregon including the counties of Hood River, Wasco, Sherman, Gilliam, Morrow, Umatilla, Union, Wallowa, Jefferson, Wheeler, Grant, Baker, Deschutes, Crook, Klamath, Lake, Harney and Malheur; and that part of the state of Washington including counties of Okanogan, Ferry, Stevens, Pend Oreille, Chelan, Douglas, Lincoln, Spokane, Kittitas, Grant, Adams, Whitman, Yakima, Franklin, Benton, Walla Walla, Columbia, Garfield, Asotin and Klickitat.

(32) "Thermal Zone B" means the states of Massachusetts, Rhode Island, Connecticut, New Jersey, Pennsylvania and Nebraska; that part of the State of New York south of, and including, the counties of Rensselaer, Albany, Schenectady, Schoharie, Delaware, Chenango, Madison, Onondaga, Oswego, Cayuga, Wayne, Monroe, Orleans and Niagara; that part of the State of Ohio north of, and including the counties of Columbiana, Jefferson, Belmont, Noble, Morgan, Perry, Hocking, Pickaway, Fayette, Clinton, Greene, Montgomery, and Preble; that part of the State of Indiana north of, and including, the counties of Union, Fayette, Rush, Hancock, Marion, Hendricks, Putnam, Parke and Vermilion; that part of the State of Illinois north of, and including, the counties of Edgar, Coles, Shelby, Christian, Sangamon, Morgan, Scott and Pike; that part of the State of Missouri north of, and including, the counties of Pike, Ralls, Monroe, Randolph, Charlton, Livingston, Caldwell, Clinton and Buchanan; that part of the State of Iowa south of, and including, the counties of Clayton, Fayette, Bremer, Butler, Franklin, Wright, Humboldt, Pocahontas, Buena Vista, Cherokee and Plymouth; and that part of the State of Kansas north of, and including, the counties of Atchison, Jackson, Shawnee, Pottawatomie, Riley, Clay, Cloud, Mitchell, Osborne, Rooks, Ellis, Trego, Gove, Lane, Scott, Wichita and Greeley; that part of the state of Washington including the counties of San Juan, Island, Kitsap, Whatcom, Skagit, Snohomish, King, Pierce, Thurston, Lewis, Cowlitz, Clark, Skamania, Clallam, Jefferson, Mason, Grays Harbor, Pacific and Wahkiakum.

(33) "Thermal Zone C" means the states of Delaware, Maryland, District of Columbia, Virginia, West Virginia and Kentucky; that part of the State of Ohio south of, and including, the counties of Monroe, Washington, Athens, Vinton, Ross, Highland, Brown, Clermont, Warren and Butler; that part of the State of Indiana south of, and including, the counties of Franklin, Decatur, Shelby, Johnson, Morgan, Owen, Clay and Vigo; that part of the State of Illinois south of, and including, the counties of Clark, Cumberland, Effingham, Fayette, Montgomery, Macoupin, Greene and Calhoun; that part of the State of Missouri south of, and including, the counties of Lincoln, Montgomery, Audrain, Boone, Howard, Saline, Carroll, Ray, Clay and Platte; and that part of the State of Kansas south of, and including, the counties of Wyandotte, Leavenworth, Jefferson, Douglas, Osage, Wabaunsee, Geary, Dickinson, Ottawa, Lincoln, Barton, Russell, Hodgeman, Rush, Ness, Finney, Kearny and Hamilton; and that part of the state of Oregon including the counties of Clatsop, Columbia, Washington, Multnomah, Tillamook, Yamhill, Clackamas, Marion, Polk, Lincoln, Benton, Linn, Lane, Douglas, Coos, Curry, Josephine, and Jackson.

Scope of Ration Order No. 11

§ 1934.5051 *Territorial limitations.* (a) Except as otherwise expressly provided, Ration Order No. 11 shall apply only within the limitation area as defined on subparagraph (19) of paragraph (a) of § 1394.5001:

(b) Sections 1394.5263 (b), 1394.5266 (b) (3), 1394.5604; 1394.5653 (g), 1394.5707 (c), of this Ration Order shall not apply in "Area A".

Coupon Sheets

§ 1394.5201 *Class 1 and Class 2 Coupon Sheets.* * * *

(b) Unit value coupons on Class 1 and Class 2 coupon sheets shall be valid, for the transfer of fuel oil to a consumer, only in the thermal zone designated thereon and only during the valid periods indicated below:

* * * * * * *

(6) In Thermal Zone A in "Area A":

Coupons numbered:	*Valid period*
4	From February 2, 1943 to March 27, 1943, inclusive.
5	From March 14, 1943 to September 30, 1943, inclusive.

(7) In Thermal Zone B in "Area A":

Coupons numbered:	*Valid period*
4	From February 13, 1943 to April 19, 1943, inclusive.
5	From April 6, 1943 to September 30, 1943, inclusive.

(8) In Thermal Zone C in "Area A":

Coupons numbered:	*Valid period*
4	From February 8, 1943 to April 8, 1943, inclusive.
5	From March 26, 1943 to September 30, 1943, inclusive.

* * * * * * *

Heat and Hot Water Rations

§ 1394.5252 *Applications for rations for heat and hot water; general provisions.* (a) Application for a ration for heat or hot water, or both, may be made to a Board, on or after October 22, 1942, or in "Area A", on or after February 8, 1943. Application may be made either by the owner of the premises served by the equipment, or by the person controlling the use of the equipment, or by the agent of either of them.

§ 1394.5255 *Application for ration for heat or domestic hot water in private dwellings.* (a) Application for a ration for the operation of oil burning equipment furnishing heat or domestic hot water or both, to all or part of a private dwelling shall be made on Form OPA R–1100 (Revised). The applicant shall supply the information required by the form.

§ 1394.5257 *Same: Determination of adjusted fuel oil consumption during base period.*

* * * * * * *

(c) The amount of fuel oil used during the base period for heating the premises shall be multiplied by the percentage specified in Column 1 of Table I for the thermal sub-zone in which the premises are located; except that in "Area A", such amount of fuel oil shall be multiplied by the percentage specified in column 1 of Table IA for the county in which the premises are located. The product shall, for the purposes of paragraph (a) of § 1394.5256, be deemed to be the amount of fuel oil consumed during the base period as adjusted for temperature variations from the norm.

§ 1394.5258 *Same: Determination of range.* (a) * * *

(1) The maximum and minimum of gallons per square foot of floor area, as shown in subcolumn (a) of column 2 of Table I for the thermal sub-zone in which the premises are located, (in "Area A" subcolumn (a) of column 2 of Table IA for the county in which the premises are located), if the application is made for a ration for the operation of central heating equipment; or

(2) The maximum and minimum number of gallons per square foot of floor area, as shown in subcolumn (b) of column 2 of Table I for the thermal subzone in which the premises are located, (in "Area A" subcolumn (a) of column 2 of Table IA for the county in which the premises are located), if the application is made for a ration for the operation of space heaters, except that if application is made both for space and central heating equipment used for heating the same premises at different times, the maximum and minimum for both types of equipment shall be determined pursuant to subcolumn (a).

* * * * * * *

§ 1394.5260 *Application for ration for heat or hot water in premises other than private dwellings.* (a) Application for a ration for the operation of oil burning equipment designed for, and furnishing, heat or hot water, or both, to all or part of any premises other than a private dwelling shall, except as provided in paragraph (a) of § 1394.5268 be made on Form OPA R–1101 (Revised). The applicant shall supply the information required by the form.

* * * * * * *

§ 1394.5262 *Same: Determination of adjusted fuel oil consumption during the base period.* * * *

(c) The amount of fuel oil used during the base period for heat, or for both heat and hot water (as determined in accordance with paragraph (a) or (b) of this section) shall be multiplied by the percentage specified in column 1 of Table I for the thermal sub-zone in which the premises are located (in "Area A" column 1 of Table IA for the county in which the premises are located). The product shall, for the purposes of paragraphs (a) and (b) of § 1394.5261, be deemed to be the amount of fuel oil consumed during the base period, adjusted for temperature variations from the norm.

§ 1394.5263 *Issuance of rations for heat or hot water for entire heating year.* (a) After determining the allowable ration for heat or hot water, or both, the Board shall issue Class 1 or Class 2 Coupon Sheets (except as provided in paragraph (d) of § 1394.5264) containing coupons representing the allowable ration less the amount of fuel oil on hand for the operation of the equipment for which the application is made, subject to the provisions of paragraph (c) of this section. Such amount on hand shall be determined in accordance with the provisions of § 1394.5451, except as provided in paragraph (b) of this section.

* * * * * * *

(c) In "Area A", a percentage of the heating year's ration will be issued as follows: 42% in Zone A, 45% in Zone B, and 43% in Zone C.

§ 1394.5264 *Same: Heat or both heat and hot water.*

* * * * * * *

(b) The coupons shall be divided equally, insofar as possible, among all

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8480, 8708, 8897, 9316, 9396, 9492, 9427, 9430, 9621, 9784, 10181, 10379, 10530, 10531, 10780, 10707, 11118, 11071; 8 F.R. 165, 237, 437, 369, 374, 535, 439, 444, 607, 698, 977.

the valid periods described in paragraph (b) of § 1394.5201, except that in "Area A" such coupons shall be divided equally, insofar as possible, between Thermal Period 4 and Thermal Period 5 described in subparagraphs (5), (6) and (7) of paragraph (c) of § 1394.5266.

§ 1394.5266 *Same: Late applications—Heat or both heat and hot water.* (a) If application is made on or after November 1, 1942, or in "Area A" on or after March 1, 1943, for a ration for heat or both heat and hot water, the allowable ration shall be determined in accordance with § 1394.5256 or § 1394.5261, whichever is applicable. One-fifth of the allowable ration shall be deemed allocable to each thermal period specified in paragraph (c) of this section. The Board shall deduct from the allowable ration:

(1) The amount allocable to any expired thermal period; and

(2) The percentage of the amount allocable to the current thermal period shown by Table II for the number of days elapsed between the beginning of such period and the date of application: *Provided, however,* That in "Area A" the allowable ration for the unexpired balance of the heating year shall be the percentage allocable to the period in which the application is made as shown in Table IIA, less the amount of fuel oil on hand for the operation of such equipment.

* * * * *

(c) The thermal periods referred to in paragraphs (a) and (b) of this section shall be:

* * * * *

(5) In Thermal Zone A in "Area A":

Thermal Period No. 4. From Feb. 2, 1943, to Mar. 13, 1943, inclusive
Thermal Period No. 5. From Mar. 14, 1943 to Sept. 30, 1943, inclusive.

(6) In Thermal Zone B in "Area A":

Thermal Period No. 4. From Feb. 13, 1943, to Apr. 5, 1943, inclusive
Thermal Period No. 5. From Apr. 6, 1943, to Sept. 30, 1943, inclusive.

(7) In Thermal Zone C in "Area A":

Thermal Period No. 4. From Feb. 8, 1943, to Mar. 25, 1943, inclusive
Thermal Period No. 5. From Mar. 26, 1943, to Sept. 30, 1943, inclusive.

* * * * *

§ 1394.5267 *Same: Late applications for hot water only.* If application is made on or after November 1, 1942, or in "Area A" on or after March 1, 1943, for a ration for hot water (but not for heat) in premises other than private dwellings, the allowable ration shall be determined in the manner provided in paragraph (b) of § 1394.5261. The Board shall deduct from the allowable ration the part thereof corresponding to the part of the heating year which has elapsed between October 1, 1942 (February 1, 1943, if in "Area A") and the date of application. The Board shall issue Class 3 coupon sheets containing coupons equal in gallonage value to the allowable ration (after the deduction hereinabove required) less the amount of fuel oil on hand for the operation of such equipment on the date of application.

§ 1394.5268. *Hot water rations; special cases.* (a) The owner, or the person controlling the use of, oil burning equipment designed for, and furnishing, hot water for a purpose directly related to the public health or safety, or as an integral part of a commercial, industrial, agricultural or extractive process (if such equipment is not used for furnishing heat or for furnishing hot water for any other purpose), may obtain a ration for such purpose by applying on form OPA R–1102. No such ration may be obtained for use during the period of validity of any ration issued for the operation of such equipment pursuant to an application made on Form OPA R–1100 or OPA R–1100 (revised) or Form OPA R–1101 or Form OPA R–1101 (revised). Such ration may be obtained for three (3) month periods.

(b) The allowable ration for the operation of such equipment shall, in such case, be the amount of fuel oil needed for such purpose for the three (3) month period beginning with the date on which the ration is required, or, in the case of an application made prior to November 1, 1942, for the three (3) month period beginning October 1, 1942 (or in Area "A" in the case of an application made prior to March 1, 1943, for the three (3) month period beginning February 1, 1943).

§ 1394.5269 *Rations for vendors of heat and hot water.* * * *

(b) Application for a ration for such purpose shall be made to a Board, on or after October 22, 1942, or in "Area A", on or after February 8, 1943, on Form OPA R–1102, by the owner or by the person controlling the use of the equipment, or by the agent of either of them. The applicant shall supply the information required by the form.

* * * * *

(e) If application is made on or after November 1, 1942, or in "Area A," on or after March 1, 1943, for a ration for heat or both heat and hot water, the Board shall (except in "Area A") make the deductions from the allowable ration required by paragraph (a) of § 1394.5266 and shall issue coupons in accordance with the provisions of paragraph (b) of that section. In "Area A" the Board shall refer to Table IIA for the allowable ration for such applicants.

(f) If application is made on or after November 1, 1942, or in "Area A", on or after March 1, 1943, for a ration for hot water only, the Board shall make the deductions from the allowable ration required by, and shall issue coupons in accordance with, the provisions of § 1394.5267.

§ 1394.5270 *Rations for space heaters in premises other than private dwellings:* * * *

(c) Application for a ration pursuant to this section shall be made on Form OPA R–1100 (Revised). The applicant shall supply the information required by that form, except that he need not supply the certifications required by paragraph (b) of § 1394.5255 or paragraph (b) of § 1394.5260.

Auxiliary Rations

§ 1394.5302 *Applications for auxiliary rations.* (a) Application for an auxiliary ration may be made to a Board, on or after November 2, 1942, or in "Area A" on or after March 2, 1943 on Form OPA R–1104. The applicant shall supply the information required by that form and such other information as the Board may require. He shall specify the period (not to exceed the balance of the heating year) during which such auxiliary ration is required.

* * * * *

Domestic Cooking and Lighting Rations

§ 1394.5352 *Application for ration for domestic cooking and lighting.* (a) Application for a ration for the operation of equipment used for domestic cooking or lighting may be made to a Board, on or after October 22, 1942 or in "Area A" on or after February 8, 1943 on Form OPA R–1103 or Form OPA R–1103A. The applicant shall supply the information required by the form.

* * * * *

§ 1394.5353 *Determination of allowable ration for domestic cooking.* (a) Subject to the provisions of paragraph (b) of this section, the allowable ration for all units of cooking equipment used for domestic cooking for a single family shall be the amount of fuel oil needed for such purpose during the three (3) month period beginning with the date on which the ration is required, or, in the case of an application made prior to November 1, 1942, (prior to March 1, 1943 if in "Area A") during the three (3) month period beginning October 1, 1942 (beginning February 1, 1943 if in "Area A").

* * * * *

§ 1394.5354 *Determination of allowable ration for domestic lighting.* (a) Subject to the provisions of paragraph (b) of this section, the allowable ration for all units of lighting equipment providing domestic lighting for a single family shall be the amount of fuel oil needed for such purpose during the three (3) month period beginning with the date on which the ration is required, or in case of an application made prior to November 1, 1942, during the three (3) month period beginning October 1, 1942, or in "Area A", where application is made prior to March 1, 1943, during the three month period beginning February 1 1943.

* * * * *

Commercial Motor Vehicles

§ 1394.5401 *Rations for commercial motor vehicles.* * * *

(b) Application for a ration for the operation of a commercial motor vehicle shall be made to a Board, on or after October 22, 1942, or in "Area A" on or after February 8, 1943 on Form OPA R–1102 (or, in the case of a farm vehicle, on Form OPA R–1103) by the owner, or by the person controlling the use, of the vehicle, or by the agent of either of them. The applicant shall supply the information required by the form. A single application may be made for all commercial motor vehicles for which the applicant requires a ration.

* * * * *

Miscellaneous Uses

§ 1394.5402 *Rations for miscellaneous uses.* * * *

(b) Application for a ration for a necessary purpose not otherwise specified in this Ration Order No. 11, shall be made to a Board on or after October 22, 1942 or in "Area A" on or after February 8, 1943.

(c) The allowable ration shall, except as provided in paragraph (d) of this section, be the amount of fuel oil needed for such purpose during the three (3) month period beginning with the date on which the ration is required, or, in the case of an application made prior to November 1, 1942, during the three (3) month period beginning October 1, 1942, or in "Area A" where application is made prior to March 1, 1943, during the three (3) month period beginning February 1, 1943: *Provided,* That the allowable ration shall not exceed the amount used for such purpose during the corresponding period of the preceding year, unless the applicant shows good cause for the increased requirements.

§ 1394.5403 *Heat rations for railroad cars.* Notwithstanding any other provision of Ration Order No. 11: * * *

(b) Application for such ration shall be made to a Board on or after October 22, 1942, or in "Area A" on or after February 8, 1943, on Form OPA R–1102, by the owner of the equipment, or by the person controlling the use of such equipment, or by the agent of either of them. The applicant shall supply the information required by that form. A single application may be made for all the units of oil burning equipment for which a ration is required.

(c) The allowable ration shall be the amount of fuel oil needed for such purpose during the three (3) month period beginning with the date on which the ration is required, or, in the case of an application made prior to November 1, 1942, during the three (3) month period beginning October 1, 1942; or in "Area A" where application is made prior to March 1, 1943, during the three (3) month period beginning February 1, 1943.

* * * * *

General Provisions With Respect to Issuance of Rations

§ 1394.5451 *Determination of fuel oil inventory.* Before issuing a ration, the Board shall determine the amount of fuel oil on hand for the use for which the ration is required. The date as of which such amount is to be determined shall be:

* * * * *

(c) February 1, 1943 in the case of an application made prior to March 1, 1943, in "Area A", or

(d) The date of application, in the case of an application made on or after March 1, 1943 in "Area A".

* * * * *

§ 1394.5452 *Notations on coupon sheets; validating stamp.* (a) At the time of issuing a coupon sheet, the Board shall enter thereon the name and address of the person to whom it is issued and the number and kind of coupons issued therewith. The Board shall also enter on such coupon sheet the date on which it becomes valid (or October 1, 1942, in the case of an application made prior to November 1, 1942; and in "Area A" February 1, 1943 in the case of an application made prior to March 1, 1943) and the date on which it expires. Such dates shall be, respectively, the first and last day of the period for which the ration is issued. Where a coupon sheet is issued in exchange for coupons, coupon sheets or other evidences previously issued, the Board shall inscribe the word "Exchange" below the serial number on the coupon sheet so issued.

* * * * *

§ 1394.5459 *Same: Where ration insufficient for current period.* * * *

(c) Such application may be made to a Board, on or after November 16, 1942, or in "Area A" on or after March 2, 1943, on Form OPA R–1104. The applicant shall supply the information required by that form and such other information as the Board may require.

* * * * *

Restrictions on Use of Rations and Fuel Oil

§ 1394.5603 *Restrictions on consumption of fuel oil.* (a) Except as provided in §§ 1394.5505 (b), 1394.5602, 1394.5658, 1394.5665, and paragraphs (b) and (c) of this section, no person shall consume fuel oil unless such fuel oil was acquired by him or on his behalf in exchange for valid coupons or other evidences, or delivery receipts, or was transferred to him pursuant to paragraph (f) or (g) of § 1394.5653: *Provided,* That fuel oil included in a consumer's inventory pursuant to § 1394.5451, with respect to which a deduction has been made, or with respect to which coupons or other evidences, or delivery receipts, have been surrendered to a Board pursuant to subparagraph (2) of § 1394.5659 (b) shall be deemed to have been acquired in exchange, therefor. If, at the time he makes application therefor, the consumer's inventory of fuel oil exceeds his allowable ration, he may not consume fuel oil in excess of such allowable ration.

* * * * *

(c) Prior to March 1, 1943 the provisions of paragraph (a) of this section shall not be applicable to "Area A".

* * * * *

Restrictions on Transfers to and by Consumers

§ 1394.5651 *Restrictions on transfers to consumers.* Except as provided in § 1394.5664, on and after November 1, 1942, and in "Area A" on and after March 1, 1943, notwithstanding the terms of any contract, agreement, or commitment, regardless of when made, no person other than a dealer or supplier shall transfer or offer to transfer fuel oil to a consumer and no consumer shall accept a transfer of fuel oil from any person other than a dealer or supplier.

§ 1394.5652 *Transfers to consumers.* (a) On and after November 1, 1942, and in "Area A" on and after March 1, 1943, notwithstanding the terms of any contract, agreement, or commitment, regardless of when made, no dealer or supplier shall transfer fuel oil from within or without the limitation area to a consumer within the limitation area, or from within the limitation area to a consumer without the limitation area, and no consumer shall accept such transfer except in exchange for valid coupons or other evidences, or delivery receipts, authorized by this Ration Order No. 11.

* * * * *

§ 1394.5653 *Transfers to consumers in exchange for coupons.* * * *

(f) Notwithstanding any other provisions of Ration Order No. 11, a dealer or supplier may, during the period from November 1, 1942 to December 9, 1942, inclusive, or in "Area A" from February 1, 1943 to February 28, 1943, inclusive, transfer fuel oil to a consumer who has not received a ration, without requiring the surrender of coupons or other evidences, or delivery receipts, subject to the following conditions:

* * * * *

(3) Such consumer shall immediately after the issuance of a ration to him surrender to his transferor, coupons or other evidences, or delivery receipts equal in gallonage value to the amount of fuel oil so transferred unless he receives a notice pursuant to subparagraph (8) of this paragraph. At the time of such surrender and transferor shall make the entries required by § 1394.5653 or § 1394.5655 as the case may be. In "Area A", coupons numbered "4" may be surrendered for transfers of fuel oil accepted during the month of February, 1943

(4) Any dealer or supplier who has made a transfer of fuel oil pursuant to paragraph (d) (2) of Limitation Order L–56, or pursuant to this paragraph or paragraph (g), to a consumer who has failed to surrender coupons or other evidences, or delivery receipts, as required by paragraph (d) of § 1394.5604 or subparagraph (3) of this paragraph, whichever is applicable, shall, on January 14, 15, or 16, 1943, (or in "Area A" on March 15 or 16, 1943) apply in writing to the Board which issued a ration to such consumer, or to which the consumer applied for a ration, or, if the consumer failed to apply for a ration, to the Board having jurisdiction of the area in which the consumer's premises are located, for an exchange certificate or certificates (Form OPA R–1118) equal in gallonage value to the coupons or other evidences, or delivery receipts, which the consumer has failed to surrender. (The applicant may include two (2) or more consumers in one application if all such consumers are within the jurisdiction of the same Board.) The applicant shall state:

* * * * *

§ 1394.5661 *Discriminations in transfers to consumers.* On and after November 1, 1942, (or on and after February 1, 1943 in "Area A"), no dealer or supplier shall discriminate, in the transfer

of fuel oil, among consumers entitled to acquire fuel oil under this Ration Order No. 11: *Provided, however,* That notwithstanding the provisions of this section, a primary supplier may conform to the provisions of Petroleum Administrative Order No. 1, as amended, issued by the Petroleum Administration for War.

. . . . .

§ 1394.5663 *Transfers of fuel oil from the limitation area to persons outside the limitation area.* (a) Except as provided in paragraphs (b) and (c) of this section, on and after November 1, 1942, (on and after February 1, 1943 in "Area A"), notwithstanding the terms of any contract, agreement or commitment, regardless of when made, no person shall transfer or offer to transfer fuel oil from within the limitation area to any point in the continental United States without the limitation area, and no person shall accept such transfer.

. . . . .

Provisions Relating to Dealers and Suppliers

§ 1394.5701 *Registration of dealers and suppliers.* (a) Every primary supplier shall, on October 27 or 28, 1942, (or, if he became a primary supplier after October 28, 1942, within five (5) days after becoming a primary supplier) or in "Area A" on February 12 or 13, 1943 (or if he becomes a primary supplier after February 13, 1943, within five (5) days after becoming a primary supplier) register with a Board within the limitation area (on Form OPA R–1116 (Revised), in duplicate) during the hours provided by the Board, the following matters, together with such other information as may be required by such form:

(1) His name, firm name and business address.

(2) His total fuel oil storage capacity and his total inventory of fuel oil on hand as of 12:01 a. m. on October 1, 1942, or in "Area A" as of 12:01 a. m. on February 1, 1943, or, if he has become a primary supplier since October 1, 1942, or in "Area A" since February 1, 1943, at the time he became a primary supplier.

. . . . .

(b) Every dealer and secondary supplier transacting business within the limitation area shall, on October 27 or 28, 1942, and in "Area A" on February 12 or 13, 1943 register with a Board (on Form OPA R–1116, in duplicate) during the hours provided by the Board, the following matters, together with such other information as may be required:

(1) His name, firm name, business address and type of business.

(2) His total fuel oil storage capacity.

(3) His total inventory of fuel oil on hand as of 12:01 a. m. on October 1, 1942 and in "Area A" as of 12:01 a. m. on February 1, 1943.

. . . . .

(d) . . .

(2) Such dealers or suppliers shall furnish, together with such other information as may be required by such form, their names and addresses, the total fuel oil capacity of such facilities, and their total combined inventory of fuel oil on hand in such facilities as of 12:01 a. m. on October 1, 1942 and in "Area A" as of 12:01 a. m. on February 1, 1943.

. . . . .

§ 1394.5702 *What constitutes fuel oil on hand.* The registrant shall register all fuel oil on hand, whether in storage tanks, tank trucks, tank cars delivered to railroad sidings, drums, mobile containers, or other containers (but not fuel oil in the fuel supply tank of oil burning equipment). The registrant shall not register fuel oil in transit which did not arrive at his place of business prior to 12:01 a. m. on October 1, 1942, (prior to 12:01 a. m. on February 1, 1943 in "Area A"). Fuel oil shipped prior to 12:01 a. m. on October 1, 1942, (prior to 12:01 a. m. on February 1, 1943 in "Area A"), but received by the transferee after 12:01 a. m. on such day, shall be included in the inventory of the transferor and shall be deemed to have been transferred after 12:01 a. m. on October 1, 1942 (after 12:01 a. m. on February 1, 1943 in "Area A").

§ 1394.5703 *What constitutes storage capacity.* The registrant shall register the total capacity of all stationary fuel oil storage facilities in use as of 12:01 a. m. on October 1, 1942, (as of 12:01 a. m. on February 1, 1943 in "Area A"), but not the capacity of the tank trucks, tank wagons, drums, or other mobile containers, except that a dealer or supplier who maintains no stationary fuel oil storage facilities shall register the total capacity of all his mobile or portable facilities.

. . . . .

§ 1394.5707 *Restriction on transfers.* (a) Except as provided in § 1394.5708, on and after November 1, 1942, (on and after March 1, 1943 in "Area A") no primary supplier within or without the limitation area, and no dealer or supplier within the limitation area, shall transfer or offer to transfer fuel oil to any dealer or supplier within the limitation area, and no dealer or supplier within the limitation area shall accept such transfer, except in exchange (made at, or at the option of the transferor within five (5) days after, the time of the actual transfer of the fuel oil or in advance thereof) for valid coupons bearing an inscribed serial number, or for other evidences, equal in gallonage value to the amount of the fuel oil transferred, or (where transfer is regularly made on a temperature adjustment basis) equal in gallonage value to the adjusted amount of fuel oil transferred: *Provided,* That no dealer or supplier shall knowingly transfer, or accept the transfer of, an amount of fuel oil in exchange for any exchange certificate in excess of the amount of fuel transferred for the coupons or exchange certificates for which such exchange certificate was issued. No exchange of coupons or other evidences shall accompany a transfer of fuel oil directly from without the limitation area, to a primary supplier within the limitation area or a transfer from one primary supplier to another primary supplier.

(b) Notwithstanding any other provisions of Ration Order No. 11, any transfer required by paragraph (a) of this section to be accompanied by an exchange of coupons or other evidences, or any transfer specified in § 1394.5708, may, during the period from November 1, 1942 to December 9, 1942, inclusive, and in "Area A" during the period from February 1, 1943 to February 28, 1943, inclusive, be made without requiring the surrender of coupons or other evidences, subject to the following conditions:

. . . . .

(3) Any dealer who received a transfer of fuel oil pursuant to paragraph (e) (1) of Limitation Order L–56, or pursuant to paragraph (c) or this paragraph shall, on or before January 18, 1943; or in "Area A" on or before March 20, 1943, surrender to the transferor coupons or other evidences, or exchange certificates furnished pursuant to subparagraph (6) of § 1394.5653 (f), equal in gallonage value to the amount of fuel oil so transferred.

(4) Any secondary supplier or primary supplier who has made a transfer of fuel oil to a dealer pursuant to paragraph (e) (1) of Limitation Order L–56, or paragraph (c) or this paragraph, for which the dealer has failed to surrender coupons or other evidences, or exchange certificates furnished pursuant to subparagraph (6) of § 1394.5753 (f) shall, on January 22 or 23, 1943, or in "Area A," on March 23, 1943, apply in writing to the Board with which the dealer is registered for an exchange certificate or certificates (Form OPA R–1118) equal in gallonage value to the coupons or other evidences, or exchange certificates, which the dealer failed to surrender pursuant to subparagraph (3) of this paragraph. (The applicant may include two (2) or more dealers in one application if all such dealers are registered with the same Board) The applicant shall state:

. . . . .

(7) Any secondary supplier who, pursuant to paragraph (e) (1) of Limitation Order L–56, or paragraph (c) or this paragraph, received a transfer of fuel oil from a primary supplier shall, on or before January 25, 1943, and in "Area A" on or before March 27, 1943, surrender to the transferor coupons or other evidences, or exchange certificates, equal in gallonage value to the amount of fuel oil so transferred.

(8) Any primary supplier who has made a transfer of fuel oil to a secondary supplier pursuant to paragraph (e) (1) of Limitation Order L–56, or paragraph (c) or this paragraph, for which the secondary supplier has failed to surrender coupons or other evidences, or exchange certificates furnished pursuant to subparagraph (6) of this paragraph shall, on January 29, or 30, 1943, and in "Area A" on March 30, 1943, apply in writing to the Board with which the secondary supplier is registered for an exchange certificate or certificates (Form OPA R–1118) equal in gallonage value to the coupons or other evidences, or exchange certificates, which the secondary supplier failed to surrender pursuant to subparagraphs (3) or (7) of this paragraph. (The applicant may include two (2) or more secondary suppliers in one application if all such secondary suppliers are registered with the same Board.) The applicant shall state:

. . . . .

§ 1394.5711 *Discrimination in transfers to dealers or suppliers.* On and after January 9, 1943, and in "Area A" on and after February 1, 1943, no dealer or supplier shall discriminate, in the transfer of fuel oil, among dealers or suppliers entitled to acquire fuel oil under this Ration Order No. 11: *Provided, however,* That notwithstanding the provisions of this section, a primary supplier may conform to the provisions of Petroleum Administrative Order No. 1, as amended, issued by the Petroleum Administration for War.

Same: Records, Audits and Inspections

§ 1394.5731 *Reports by primary suppliers.* (a) On or before the twenty-fifth day of each month, commencing with the twenty-fifth day of November, 1942, and in "Area A", commencing with the twenty-fifth day of March, 1943, every primary supplier shall forward to the Control and Audit Unit, Fuel Oil Rationing Branch, Office of Price Administration, Washington, D. C., a report, on Form OPA R–1119, showing, in addition to all other information required by the form, the matters set forth below, and every primary supplier shall forward, together with such statement, exchange certificates as required below:

. . . . .

§ 1394.5851 *Tables.* (a) . . .

(1) TABLE 1A.—PERCENTAGE ADJUSTMENT TO OBTAIN NORMAL CONSUMPTION AND MAXIMUM AND MINIMUM RATIONS PER SQUARE FOOT OF HEATED FLOOR AREA BY STATE AND COUNTIES

State and County	(1) Percentage of 1941–42 consumption to obtain normal consumption	(2) Maximum and minimum ration per square foot of heated floor area: Central heating equipment, Maximum	Central heating equipment, Minimum	Space heating equipment, Maximum	Space heating equipment, Minimum
OREGON					
Baker	97	1.250	.959	1.500	1.151
Benton	104	.893	.685	1.071	.822
Clackamas	104	.893	.685	1.071	.822
Clatsop	110	.893	.685	1.071	.822
Columbia	110	.893	.685	1.071	.822
Coos	104	.893	.685	1.071	.822
Crook	90	1.161	.890	1.393	1.068
Curry	104	.893	.685	1.071	.822
Deschutes	90	1.250	.959	1.500	1.151
Douglas	104	.893	.685	1.071	.822
Gilliam	90	1.161	.890	1.393	1.068
Grant	97	1.071	.822	1.286	.986
Harney	97	1.250	.959	1.500	1.151
Hood River	104	.662	.733	1.179	.904
Jackson	104	.893	.685	1.071	.822
Jefferson	97	1.161	.890	1.393	1.068
Josephine	104	.893	.685	1.071	.822
Klamath	97	1.161	.890	1.393	1.068
Lake	97	1.250	.959	1.500	1.151
Lane	104	.893	.685	1.071	.822
Lincoln	104	.893	.685	1.071	.822
Linn	104	.893	.685	1.071	.822
Malheur	97	1.161	.890	1.393	1.068
Marion	104	.893	.685	1.071	.822
Morrow	90	1.071	.822	1.286	.986
Multnomah	104	.893	.685	1.071	.822
Polk	104	.893	.685	1.071	.822
Sherman	100	1.161	.890	1.393	1.068
Tillamook	104	.893	.685	1.071	.822
Umatilla	90	.982	.753	1.179	.904
Union	97	1.071	.822	1.286	.986
Wallowa	97	1.339	1.027	1.607	1.233
Wasco	104	.982	.753	1.179	.904
Washington	104	.893	.685	1.071	.822
Wheeler	90	1.161	.890	1.393	1.068
Yamhill	104	.893	.685	1.071	.822
WASHINGTON					
Adams	100	1.161	.890	1.393	1.068
Asotin	95	1.339	1.027	1.607	1.233
Benton	100	.982	.753	1.179	.904
Chelan	100	1.161	.890	1.393	1.068
Clallam	110	1.071	.822	1.286	.986
Clark	104	.893	.685	1.071	.822
Columbia	95	.982	.753	1.179	.904
Cowlitz	110	.893	.685	1.071	.822
Douglas	100	1.339	1.027	1.607	1.233
Ferry	100	1.339	1.027	1.607	1.233
Franklin	100	.982	.753	1.179	.904
Garfield	95	.982	.753	1.179	.904
Grant	100	1.071	.822	1.286	.986
Grays Harbor	110	.982	.753	1.179	.904
Island	110	.982	.753	1.179	.904
Jefferson	110	.982	.753	1.179	.904
King	110	.893	.685	1.071	.822
Kittitas	100	1.161	.890	1.393	1.068
Kitsap	110	.893	.685	1.071	.822
Klickitat	100	1.161	.890	1.393	1.068
Lewis	110	.893	.685	1.071	.822
Lincoln	100	1.339	1.027	1.607	1.233
Mason	110	.982	.753	1.179	.904
Okanogan	100	1.161	.890	1.393	1.068
Pacific	110	.982	.753	1.179	.904
Pend Oreille	100	1.339	1.027	1.607	1.233
Pierce	110	.893	.685	1.071	.822
San Juan	110	1.071	.822	1.286	.986
Skagit	110	.982	.753	1.179	.904
Skamania	104	1.161	.890	1.393	1.068
Snohomish	110	.982	.753	1.179	.904
Spokane	95	1.161	.890	1.393	1.068
Stevens	100	1.339	1.027	1.607	1.233
Thurston	110	.982	.753	1.179	.904
Wahkiakum	110	.893	.685	1.071	.822
Walla Walla	95	.893	.685	1.071	.822
Whatcom	110	1.071	.822	1.286	.986
Whitman	100	1.161	.890	1.393	1.068
Yakima	100	.982	.753	1.179	.904

(b) . . .

(1) TABLE 2A—PERCENTAGE OF FUEL OIL ALLOCABLE TO THERMAL PERIODS AND PERCENTAGE OF FUEL OIL ALLOCABLE TO THE HEATING SEASON BY THERMAL ZONES FOR LATE APPLICANTS

Dates of registration (inclusive)			Percentage allocable to—	
Thermal zone A	Thermal zone B	Thermal zone C	Period	Season
PERIOD I				
Nov. 1–Nov. 6		Nov. 1–Nov. 4	40	90
Nov. 7–Nov. 11	Nov. 1–Nov. 5	Nov. 5–Nov. 9	30	88
Nov. 12–Nov. 16	Nov. 6–Nov. 10	Nov. 10–Nov. 14	20	86
Nov. 17–Nov. 20	Nov. 11–Nov. 15	Nov. 15–Nov. 19	10	84
Nov. 21–Nov. 25	Nov. 16–Nov. 21	Nov. 20–Nov. 24	5	82
PERIOD II				
Nov. 26–Nov. 29	Nov. 22–Nov. 25	Nov. 25–Nov. 29	60	80
Nov. 30–Dec. 2	Nov. 26–Nov. 29	Nov. 30–Dec. 2	80	77
Dec. 3–Dec. 5	Nov. 30–Dec. 3	Dec. 3–Dec. 6	70	75
Dec. 6–Dec. 8	Dec. 4–Dec. 8	Dec. 7–Dec. 10	60	73
Dec. 9–Dec. 12	Dec. 9–Dec. 12	Dec. 11–Dec. 14	50	71
Dec. 13–Dec. 15	Dec. 13–Dec. 16	Dec. 15–Dec. 18	40	69
Dec. 16–Dec. 19	Dec. 17–Dec. 20	Dec. 19–Dec. 21	30	67
Dec. 20–Dec. 23	Dec. 21–Dec. 24	Dec. 22–Dec. 25	20	65
Dec. 24–Dec. 26	Dec. 25–Dec. 28	Dec. 26–Dec. 28	10	63
Dec. 27–Dec. 31	Dec. 29–Jan. 2	Dec. 29–Jan. 2	5	61
PERIOD III				
Jan. 1–Jan. 3	Jan. 3–Jan. 5	Jan. 3–Jan. 5	90	60
Jan. 4–Jan. 6	Jan. 6–Jan. 9	Jan. 6–Jan. 9	80	57
Jan. 7–Jan. 9	Jan. 10–Jan. 13	Jan. 10–Jan. 12	70	55
Jan. 10–Jan. 12	Jan. 14–Jan. 17	Jan. 13–Jan. 15	60	53
Jan. 13–Jan. 15	Jan. 18–Jan. 21	Jan. 16–Jan. 19	50	51
Jan. 16–Jan. 19	Jan. 22–Jan. 25	Jan. 20–Jan. 22	40	49
Jan. 20–Jan. 22	Jan. 26–Jan. 29	Jan. 23–Jan. 26	30	47
Jan. 23–Jan. 25	Jan. 30–Feb. 3	Jan. 27–Jan. 30	20	45
Jan. 26–Jan. 28	Feb. 4–Feb. 7	Jan. 31–Feb. 3	10	44
Jan. 29–Feb. 1	Feb. 8–Feb. 12	Feb. 4–Feb. 7	5	42
PERIOD IV				
Feb. 2–Feb. 5	Feb. 13–Feb. 17	Feb. 8–Feb. 11	90	40
Feb. 6–Feb. 8	Feb. 18–Feb. 23	Feb. 12–Feb. 15	80	37
Feb. 9–Feb. 12	Feb. 24–Feb. 28	Feb. 16–Feb. 20	70	36
Feb. 13–Feb. 16	Mar. 1–Mar. 2	Feb. 21–Feb. 25	60	33
Feb. 17–Feb. 20	Mar. 3–Mar. 7	Feb. 26–Mar. 1	50	31
Feb. 21–Feb. 25	Mar. 8–Mar. 12	Mar. 2–Mar. 4	40	30
Feb. 26–Feb. 28	Mar. 13–Mar. 17	Mar. 5–Mar. 9	30	27
Mar. 1–Mar. 3	Mar. 18–Mar. 22	Mar. 10–Mar. 14	20	26
Mar. 4–Mar. 8	Mar. 23–Mar. 28	Mar. 15–Mar. 19	10	24
Mar. 9–Mar. 13	Mar. 29–Apr. 5	Mar. 20–Mar. 25	5	22

(1) TABLE 1A.—PERCENTAGE ADJUSTMENT TO OBTAIN NORMAL CONSUMPTION AND MAXIMUM AND MINIMUM RATIONS PER SQUARE FOOT OF HEATED FLOOR AREA BY STATE AND COUNTIES—Continued

State and County	(1) Percentage of 1941–42 consumption to obtain normal consumption	(2) Maximum and minimum ration per square foot of heated floor area: Central heating equipment, Maximum	Central heating equipment, Minimum	Space heating equipment, Maximum	Space heating equipment, Minimum
OREGON—con.					
Morrow	90	1.071	.822	1.286	.986
Multnomah	104	.893	.685	1.071	.822
Polk	104	.893	.685	1.071	.822
Sherman	100	1.161	.890	1.393	1.068
Tillamook	104	.893	.685	1.071	.822
Umatilla	90	.982	.753	1.179	.904
Union	97	1.071	.822	1.286	.986
Wallowa	97	1.339	1.027	1.607	1.233
Wasco	104	.982	.753	1.179	.904
Washington	104	.893	.685	1.071	.822
Wheeler	90	1.161	.890	1.393	1.068
Yamhill	104	.893	.685	1.071	.822
WASHINGTON					
Adams	100	1.161	.890	1.393	1.068
Asotin	95	1.339	1.027	1.607	1.233
Benton	100	.982	.753	1.179	.904
Chelan	100	1.161	.890	1.393	1.068
Clallam	110	1.071	.822	1.286	.986
Clark	104	.893	.685	1.071	.822
Columbia	95	.982	.753	1.179	.904
Cowlitz	110	.893	.685	1.071	.822
Douglas	100	1.339	1.027	1.607	1.233
Ferry	100	1.339	1.027	1.607	1.233
Franklin	100	.982	.753	1.179	.904
Garfield	95	.982	.753	1.179	.904
Grant	100	1.071	.822	1.286	.986
Grays Harbor	110	.982	.753	1.179	.904
Island	110	.982	.753	1.179	.904
Jefferson	110	.982	.753	1.179	.904
King	110	.893	.685	1.071	.822
Kittitas	100	1.161	.890	1.393	1.068
Kitsap	110	.893	.685	1.071	.822
Klickitat	100	1.161	.890	1.393	1.068
Lewis	110	.893	.685	1.071	.822
Lincoln	100	1.339	1.027	1.607	1.233
Mason	110	.982	.753	1.179	.904
Okanogan	100	1.161	.890	1.393	1.068
Pacific	110	.982	.753	1.179	.904
Pend Oreille	100	1.339	1.027	1.607	1.233
Pierce	110	.893	.685	1.071	.822
San Juan	110	1.071	.822	1.286	.986
Skagit	110	.982	.753	1.179	.904
Skamania	104	1.161	.890	1.393	1.068
Snohomish	110	.982	.753	1.179	.904
Spokane	95	1.161	.890	1.393	1.068
Stevens	100	1.339	1.027	1.607	1.233
Thurston	110	.982	.753	1.179	.904
Wahkiakum	110	.893	.685	1.071	.822
Walla Walla	95	.893	.685	1.071	.822
Whatcom	110	1.071	.822	1.286	.986
Whitman	100	1.161	.890	1.393	1.068
Yakima	100	.982	.753	1.179	.904

(b) . . .

(1) TABLE 2A—PERCENTAGE OF FUEL OIL ALLOCABLE TO THERMAL PERIODS AND PERCENTAGE OF FUEL OIL ALLOCABLE TO THE HEATING SEASON BY THERMAL ZONES FOR LATE APPLICANTS—continued

Dates of registration (inclusive)			Percentage allocable to—	
Thermal zone A	Thermal zone B	Thermal zone C	Period	Season
PERIOD V				
Mar. 14–Mar. 18	Apr. 6–Apr. 11	Mar. 26–Apr. 2	90	20
Mar. 19–Mar. 24	Apr. 12–Apr. 18	Apr. 3–Apr. 8	80	18
Mar. 25–Mar. 30	Apr. 19–Apr. 25	Apr. 9–Apr. 15	70	16
Apr. 1–Apr. 5	Apr. 26–May 1	Apr. 16–Apr. 23	60	14
Apr. 6–Apr. 12	May 2–May 9	Apr. 24–Apr. 30	50	12
Apr. 13–Apr. 20	May 10–May 19	May 1–May 10	40	10
Apr. 21–Apr. 30	May 20–May 31	May 11–May 20	30	8
May 1–May 15	June 1–June 13	May 21–June 2	20	6
May 16–June 3	June 14–June 29	June 3–June 17	10	4
June 4–Sept. 30	June 30–Sept. 30	June 18–Sept. 30	5	3

This amendment shall become effective on February 1, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562; Supp. Directive 1–O, as amended, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 1st day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1768; Filed, February 1, 1943; 5:15 p. m.]

PART 1340—FUEL

[RPS 88,[1] Amendment 65]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1340.159 (d) (2) subdivision (iv) is amended and new subdivisions (vi) and (vii) are added as set forth below:

§ 1340.159 *Appendix A: Maximum prices for petroleum and petroleum products.* • • •

(d) *Petroleum gas, natural gas.* • • •

(2) *Dry gas.* • • •

(iv) (*a*) Notwithstanding the provisions of other subdivisions of this subparagraph (2), a seller's maximum price for deliveries of dry gas to a particular purchaser shall be either the maximum price established under subdivision (i), (ii), or (iii) of this subparagraph (2) or a price agreed upon between the seller and the purchaser and reported to the Office of Price Administration by such seller within 10 days of the date of the agreement, or February 10, 1943, whichever is later, which price must be in line with the level of maximum prices for dry gas generally prevailing in the particular producing area, or if there is only one producer of dry gas in one particular producing area, a price in line with the level of maximum prices prevailing in the nearest producing area in which similar conditions obtain. Once the seller has determined his maximum price for deliveries of dry gas to a particular purchaser under this subdivision (iv) that price is his maximum price to that purchaser thereafter.

(*b*) The report required in subdivision (iv) (*a*) shall be mailed to the Office of Price Administration, Petroleum Branch, Washington, D. C. In connection with any such report and concurrently therewith the following shall be submitted to the Office of Price Administration,

BY THE SELLER

(i) The seller's present maximum price for dry gas established by this price schedule and the maximum price agreed upon accompanied both by a statement as to the point (such as the well-head, the pipe line or pipe line terminus) at which delivery to the purchaser is made, and by copies of the contract (if any) on the basis of which the present maximum price is established and of the proposed renewal thereof, or of the new contract for the sale of dry gas contemplated by the parties.

(ii) Names and addresses of the purchasers of the seller's production.

BY THE PURCHASER

(iii) The disposition made of the gas purchased from the seller by each purchaser thereof.

(iv) Maximum prices of dry gas established for other sellers in the particular producing area or, if the seller is the only producer in the particular area, in the nearest producing areas in which similar conditions obtain. Maximum prices should be stated for each class of purchasers together with a description of each class. Estimated percentage of total volume moving at each price should be stated and the nature of the facilities used in making delivery to each purchaser should be described.

(v) A statement in writing signed by the purchaser or purchasers that they will absorb any increase in the cost of dry gas resulting from the reported price and that they do not intend prior to the expiration of the Emergency Price Control Act of 1942, as amended, to rely upon such cost increase as a basis of application for increase in their resale prices or in the prices of other commodities or services sold or supplied by them.

The information required to be submitted by either the purchaser or the seller may be filed either with the report or separately. Information required of either the seller or the purchaser, if filed separately, will, upon request, be treated as confidential.

(c) The seller may not accept payment for deliveries of dry gas subject to a maximum price determined under subdivision (iv) (*a*) until fifteen days have elapsed after mailing the report of such maximum price. Within the fifteen day period, the price so reported shall be subject to adjustment by the Office of Price Administration. Subsequent to this fifteen day period, such price shall be subject to adjustment (not to apply retroactively) at any time upon written order of the Office of Price Administration.

• • • • •

(vi) Where a seller is unable to determine his maximum price for dry gas under (ii), (iii) or (iv) above, a tentative maximum price may be set, and the seller shall comply with the requirements of filing as provided in subparagraph (1), subdivision (iii), and the tentative maximum price shall be subject to disapproval and change as therein provided.

(vii) Nothing in this subparagraph (2) shall be construed to authorize the regulation of a rate that is exempt from control by the Office of Price Administration under the Emergency Price Control Act of 1942.

§ 1340.158a *Effective dates of amendments.* • • •

(nnn) Amendment No. 65 (§§ 1340.159 (d) (2) (iv), (vi) and (vii)) to Revised Price Schedule No. 88 shall become effective February 10, 1943.

(Pub. Law 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 4th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1900; Filed, February 4, 1943; 11:41 a. m.]

PART 1337—RAYON

[MPR 167,[1] Amendment 4]

RAYON YARN AND STAPLE FIBER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1337.42 the text of paragraph (b) is amended, a new table is added to subparagraph (b) (1), the text of subparagraph (b) (3) is amended and a new table is added, subparagraph (b) (3b) is amended, subparagraph (b) (4) is redesignated (b) (5) and a new subparagraph (b) (4) is added and paragraph (c) is amended as set forth below:

§ 1337.42 *Appendix A: Maximum prices for rayon yarn and staple fiber.* • • •

(b) *Maximum prices for rayon yarn and staple fiber sold by producers.* The following are maximum prices per pound for sales of rayon yarns and staple fiber sold by producers at destination, except that on shipments to points west of the Mississippi River, only the actual cost of transportation to the Mississippi River shall be allowed. The seller shall have the right to designate the carrier. When shipment is via common or contract carrier, the seller must prepay the cost of transportation or make allowance therefor at the lowest published rate. When shipment is via vehicle owned, leased or operated by the buyer, the seller shall make allowance for transportation at not less than the lowest published carload or truckload rates, irrespective of quantity shipped. These maximum prices are established on the basis of net 30 days. The extension of credit shall not entitle the seller to make any additional charge. However, a charge at a rate not in excess of 6% per annum may be made on past due accounts. Where the seller requires payment to be made in less than 30 days the maximum prices established herein shall be reduced at a rate no lower than 6% per annum for the period of demanded anticipation.

• • • • •

(1) *Acetate process continuous filament yarns.* • • •

CHEESES

Denier	Price per pound (Regular twist, 3 to 5 turns per inch, inclusive)
120	$.63
150	.54

• • • • •

(*Viscose process continuous filament yarns.* • • •

The following premiums above the maximum prices set forth in paragraph (3) for first quality continuous filament yarns shall be allowed:

(i) 4¢ per pound for 6 turns per inch on 150 denier or finer yarns;

(ii) 5¢ per pound for 7 turns per inch on 150 denier or finer yarns and 1¢ per pound for each turn per inch in excess of 7;

(iii) 5¢ per pound for dark tinted cones; and

(iv) 10¢ per pound for spun dyed black yarn.

CAKES

Denier:	Price per pound
50	$1.00
75	.83
100	.71
150	.52
200	.50
300 and coarser	.47

(3b) *1100 denier and 2200 denier viscose process high tenacity continuous filament yarns.* The prices set forth below are maximum prices for sales of 1100 denier and 2200 denier viscose process high tenacity continuous filament yarns with a twist of 2 turns per inch or less:

Denier:	Price per pound on cones and beams
1100	$.43
2200	.3675

The maximum prices for 1100 denier and 2200 denier high tenacity denier yarns with a twist of more than two turns per inch shall be the maximum prices set forth above plus the following premiums:

Number of turns per inch:	Price per pound
3 to 4	$.03
4 to 5	.04
over 5	.01 for each additional turn per inch

(4) *Maximum prices for other than first quality rayon yarns.* The maximum prices for other than first quality rayon yarns shall be the prices set forth in paragraphs (b) (1), (2) and (3) above for yarns of the same denier, put-up and twist less the differentials between representative prices charged by the individual producers during March, 1942 for first quality and the respective types and grades of inferior rayon yarns to the same class of purchasers. In determining which yarns are first quality and which are inferior or other than first quality each producer shall employ the classifications which he used during March, 1942.

• • • • •

(c) *Maximum prices for sales of rayon yarn and staple fiber by persons other than producers.*—(1) *Maximum prices for sales by jobbers.* The maximum prices for sales of rayon yarn and staple fiber by jobbers shall be the prices set forth below, f. o. b. seller's warehouse:

(i) *First quality rayon yarn.* The maximum prices for sales of first quality rayon yarn set forth in § 1337.42 (b) (1), (2), and (3) above, plus $.04 per pound.

(ii) *Other than first quality rayon yarn.* The maximum prices for sales of first quality rayon yarn set forth in § 1337.42 (b) (1), (2), and (3) above.

(iii) *Rayon staple fiber.* The maximum prices for sales of rayon staple fiber set forth in § 1337.42 (b) (5) above.

As used herein, the term "sales by jobbers" means sales by a person primarily engaged in the business of purchasing rayon yarn or staple fiber for resale either in substantially the same form as that in which he purchased it or after it has been subjected to converting operations such as those listed in Maximum Price Regulation No. 168.[2]

(2) *Maximum prices for sales by other sellers.* The maximum prices for sales of rayon yarn and staple fiber by persons other than jobbers shall be the maximum prices for sales by producers set forth in § 1337.42 (b) above.

§ 1337.41a *Effective dates of amendments.* • • •

(d) Amendment No. 4 (§ 1337.42 (b) (1), (3), (4) and (5), (c)) to Maximum Price Regulation No. 167 shall become effective February 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9280, 7 F.R. 7871)

Issued this 4th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1899; Filed, February 4, 1943; 11:42 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 132 Under § 1499.18 (b) of GMPR]

COMFORT MANUFACTURING CO.

Comfort Manufacturing Company, Chicago, Illinois—Docket No. GF3–2796.

For the reasons set forth in an opinion issued simultaneously herewith, paragraph (g) of § 1499.1033 of Order No. 132 is amended to read as follows and a new paragraph (h) is added to § 1499.1033 as set forth below:

§ 1499.1033 *Adjustment of maximum prices for sales of solid cologne by Comfort Manufacturing Company and Roure Dupont, Inc.*

• • • • •

(g) This Order No. 132 (§ 1499.1033) shall be effective as of June 17, 1942.

(h) Amendment No. 1 (§ 1499.1033 (g) and (h)) to Order No. 132 under § 1499.18 (b) of the General Maximum Price Regulation shall become effective February 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1901; Filed, February 4, 1943; 11:41 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 187 Under § 1499.18 (b) of GMPR]

SWIFT AND COMPANY

Order No. 187 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3–2007.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1088 *Adjustment of maximum price of Swift and Company for rough beef tongue gullet trimmings.* (a) Swift and Company, Union Stock Yards, Chicago, Illinois, may sell and deliver and agree, offer, solicit and attempt to sell and deliver rough beef tongue gullet trimmings, and any person may buy and receive from Swift and Company such rough beef tongue gullet trimmings at a price not in excess of 7¢ per pound.

(b) Swift and Company, Union Stock Yards, Chicago, Illinois, shall mail or cause to be mailed to all persons who purchase rough beef tongue gullet trimmings from it for resale a notice reading as follows:

The Office of Price Administration by Order No. 187 effective February 5, 1943 pursuant to Section 1499.18 (b) of the General Maximum Price Regulation, as amended, has permitted us to raise our maximum price for sales to you of rough beef tongue gullet trimmings from 4½¢ per pound to 7¢ per pound.

This amount represents only that part of cost increases which we were unable to absorb and it was granted with the understanding that purchasers making use of this item will not raise prices of their products. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for sales of products containing rough beef tongue gullet trimmings. In order that we may continue to provide you with rough beef tongue gullet trimmings it will be necessary for you to accept this reduction in your margin.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 187 may be revoked or amended by the Price Administrator at any time. Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation, as amended, shall apply to the terms used herein.

*Copies may be obtained from the Office of Price Administration

[1] 7 F.R. 1107, 1371, 1798, 1799, 1886, 2132, 2304, 2352, 2634, 2945, 3463, 3482, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 4857, 5481, 5867, 5868, 5988, 6057, 6167, 6471, 6680, 7242, 7838, 8433, 8478, 9120, 9134, 9335, 9425, 9460, 9620, 9621, 9817, 9820, 10084, 11069, 11112, 11075; 8 F.R. 157, 222, 233, 857, 1227, 1200.

[1] 7 F.R. 4662, 6895, 7403, 8948, 10448

[2] 7 F.R. 4663, 8193, 8948; 8 F.R. 373.

(e) This Order No. 187 is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 187 shall become effective February 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1902; Filed, February 4, 1943; 11:42 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 188 Under § 1499.18 (b) of GMPR]

WHITEHOUSE MANUFACTURING COMPANY

Order No. 188 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-646.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1089 *Adjustment of maximum prices for waiters' jackets manufactured by Whitehouse Manufacturing Company for The Pennsylvania Railroad Company.* (a) Whitehouse Manufacturing Company of Chicago, Illinois may sell and deliver and The Pennsylvania Railroad Company may buy and receive the following commodity at prices no higher than those set forth below:

(1) $15.10 per dozen for No. 430 bleached 76 x 80 drill waiters' jackets manufactured by Whitehouse Manufacturing Company for The Pennsylvania Railroad Company, having the same specifications as to quality of fabrics and trimmings, standards of construction and garment dimensions as those for which Whitehouse Manufacturing Company established $11.80 per dozen as its maximum price under § 1499.2 of the General Maximum Price Regulation.

(b) The adjustment granted to Whitehouse Manufacturing Company in paragraph (a) is subject to the following conditions:

(1) This adjustment shall apply only to sales by the Whitehouse Manufacturing Company to The Pennsylvania Railroad Company.

(2) All discounts, trade practices, and practices relating to shipping and shipping charges in effect in March 1942, shall be applicable to the maximum price set forth in paragraph (a) hereof.

(3) The Whitehouse Manufacturing Company shall mail to The Pennsylvania Railroad Company a notice reading as follows:

The Office of Price Administration has permitted us to raise our maximum prices for sales to you of our waiters' jackets from $11.80 to $15.10 per dozen. This amount represent increases in costs which we are unable to absorb, and it was granted with the understanding that the jackets are supplied by you to your employees without any charge and that accordingly the granting of the requested increase could not cause an increase in retail prices.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 188 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 188 is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 188 shall become effective February 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1903; Filed, February 4, 1943; 11:41 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 4 Under Supp. Reg. 15]

KEYSTONE FELDSPAR & CHEMICAL CO.

Order No. 4 under § 1499.75 (a) (4) of Supplementary Regulation No. 15 to the General Maximum Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1604 *Adjustment of maximum prices for sales and deliveries of scrap mica by the Keystone Feldspar & Chemical Co.* (a) The Keystone Feldspar & Chemical Co., 3900 Board of Trade Building, Chicago, Illinois, may sell and deliver and any person, in the course of trade or business, may buy and accept delivery of scrap mica at a price not higher than $22.00 per ton, f. o. b. mine shipping point.

(b) This Order No. 4 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 4 (§ 1499.1604) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established under § 1499.2 of the General Maximum Price Regulation.

(d) This Order No. 4 (§ 1499.1604) shall become effective February 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1904; Filed, February 4, 1943; 11:42 a. m.]

Chapter XVI—Office of Censorship

PART 1801—U. S. CENSORSHIP REGULATIONS

Issued under the authority vested in the Director of Censorship pursuant to the Trading with the Enemy Act of 1917, as amended; the First War Powers Act, 1941 (40 Stat. 412, 55 Stat. 838); Executive Order 8985, and Treasury Decision 50536.

Part 1801, U. S. Cable and Radio Censorship Regulations and Part 1802, U. S. Radio Telephone Censorship Regulations of February 19, 1942, and Part 1804, U. S. Postal Censorship Regulations of March 13, 1942, and April 13, 1942, are hereby revoked and the following new regulations issued:

GENERAL REGULATIONS

Sec.
1801.1 Scope of regulations.
1801.2 Definitions.
1801.3 Submitting communications to censorship.
1801.4 Discretion of censor.
1801.5 Communication with enemy territory or enemy nationals.
1801.6 Communications to members of the armed forces.
1801.7 Subjects prohibited.

POSTAL CENSORSHIP REGULATIONS

1801.21 Mail requirements.
1801.22 Codes and secret inks.
1801.23 Mail to enemy nationals.
1801.24 Postal confirmations of cablegrams, etc.
1801.25 Films, prints, and plates.
1801.26 Scientific, technical, or professional data.
1801.27 Printed matter.
1801.28 Postage stamps.

CABLE AND RADIO REGULATIONS

1801.41 Wire and radio traffic.
1801.42 Information regarding messages.
1801.43 Proper address.
1801.44 Registered addresses.
1801.45 Signature.
1801.46 Supplementary information.
1801.47 Text.
1801.48 Languages permitted.
1801.49 Commercial codes.
1801.50 Test words.
1801.51 Information from sender.
1801.52 Numbers in text.
1801.53 Market reports.
1801.54 Press messages.
1801.55 Personal messages in commercial cables

TELEPHONE CENSORSHIP REGULATIONS

1801.71 Call requirements.
1801.72 Calls from hotels.
1801.73 Calls from public pay stations.
1801.74 Languages permitted.
1801.75 Exemptions.
1801.76 Application to incoming calls.

AUTHORITY: §§ 1801.1 to 1801.76 inclusive issued under the authority vested in the Director of Censorship pursuant to sec. 3 (c) of the Trading with the Enemy Act of October 6, 1917, 40 Stat. 412 as amended; sec. 303 of the First War Powers Act of December 18, 1941, 55 Stat. 838; Executive Order 8985, 6 F.R. 6625; Treasury Decision 50536; 6 F.R. 6807.

§ 1801.1 *Scope of regulations.* These regulations pertain to all communications passing between the United States, its territories or possessions, and any foreign country, or which may be carried by any vessel or other means of transportation touching at any port, place, possession, or territory of the United States and bound to or from any foreign country.

§ 1801.2 *Definitions.* As used in these regulations:

(a) The term "communication" shall include any letter or other writing, book, map, plan, or other paper, picture, sound recording or other reproduction, telegram, cablegram, wireless message, telephone conversation either by landlines or radiotelephone circuits, or any message transmitted by any signaling device, carrier pigeon, by word of mouth, or by any other means.

(b) The term "enemy territory" shall include the territory of and the territory occupied or controlled by any nation with which the United States is or may hereafter be at war.

(c) The term "enemy national" shall mean:

(1) The government of any country with which the United States is or may hereafter be at war, and any agent, instrumentality, or representative of such government, or other person acting therefor, wherever situated;

(2) The government of any other country having its seat within enemy territory to which the provisions of Executive Order No. 8389, as amended, have been extended, and any agent, instrumentality, or representative thereof, or other person acting therefor, actually situated within enemy territory;

(3) Any individual within enemy territory, or any partnership, association, corporation, or other organization, to the extent that it is actually situated within enemy territory;

(4) Any person whose name appears on the Proclaimed List of Certain Blocked Nationals, as revised and supplemented, promulgated pursuant to the President's Proclamation of July 11, 1941, and any other person acting therefor.

§ 1801.3 *Submitting communications to censorship.* (a) Whoever takes or sends out of, or brings into, or attempts to take or send out of, or bring into the United States any communication, except in the regular course of the mail or through a communications company whose traffic normally passes through censorship or a communication examined and passed by the Bureau of Customs, shall submit such communication to the Director of Censorship, Washington, D. C., prior to transmission, or prior to the disclosure of the contents of such communication or any part thereof.

(b) Whoever either for himself or on behalf of another receives a communication, except an unaddressed regularly scheduled radio broadcast communication intended for reception by the general public or through a communications company whose traffic normally passes through censorship or a communication examined and passed by the Bureau of Customs or a communication received in the regular course of the mail, shall immediately submit such communication and all information relative thereto to the Director of Censorship, Washington, D. C., and shall not disclose the contents or any part thereof until authorized by him.

(c) The master of any vessel entering the territorial waters of, or any port, place, possession, or territory of, the United States and having on board, carrying, conveying, or otherwise transporting upon such vessel any communication, whether in a foreign postal service or otherwise, except communications in International Postal Service destined to enter United States Postal Service or communications examined and passed by the United States Bureau of Customs, shall immediately submit such communication to Censorship by delivering the same to the nearest United States Postmaster or to the Censorship officer boarding such vessel.

(d) Any person upon any vessel entering the territorial waters of, or any port, place, possession, or territory, of the United States and having in his possession or custody any communication, except a communication examined and passed by United States Bureau of Customs, shall immediately submit such communication to Censorship by delivering the same to the nearest United States Postmaster, or to the Censorship officer boarding said vessel.

§ 1801.4 *Discretion of censor.* All communications shall be sent, filed or transmitted at the sender's risk and may be condemned, suppressed, delayed, or otherwise dealt with at the discretion of the censor without notice.

§ 1801.5 *Communication with enemy territory or enemy nationals.* No communication shall be sent or transmitted to enemy territory or to any enemy national except as specifically provided in these regulations, or as otherwise authorized by the Office of Censorship.

§ 1801.6 *Communications to members of the armed forces.* Communications to members of the United States Armed Forces located outside the United States, in addition to complying with these regulations, must bear the address officially designated by the Military or Naval authorities.

§ 1801.7 *Subjects prohibited.* No reference, either open or hidden, shall be made to any of the following subjects in any communication unless officially disclosed by appropriate governmental authority:

(a) *Troops.* The general character and movements of United States Army, Navy, or Marine Corps units, within or without continental United States, their location, identity, or exact composition, equipment, or strength; destination, routes, and schedules; assembly for embarkation, prospective embarkation, or actual embarkation; similar information regarding the troops of United Nations. Possible future military operations should not be revealed by identifying an individual known for a specialized activity.

NOTE: Names or numbers of troop units except unit designations of training camps within continental United States may be used only when required by the Military or Naval authorities for address purposes.

(b) *Ships and shipping.* Information regarding Naval or merchant vessels of the United States, other United Nations, or neutral nations, if it discloses:

(1) Identity, location, description, movement, or prospective movement, including assembly ports, anchorages, and methods of routing of convoys or transports;

(2) Time of departure or arrival of any ship more specific than one week's time; but approximate dates such as "next week," "soon," etc., are permissible;

(3) The identity of location of enemy naval or merchant vessels;

(4) Existence of mine fields or other harbor defenses, secret orders or other secret instructions regarding lights, buoys, and other guides to navigators;

(5) Number, size, character, and location of ships in construction, or advance information as to the date of launchings or commissionings; the physical setup or technical details of ship yards.

Communications pertaining to the shipment of material or movements of surface vessels must be so worded as not to associate any two of the following elements unless the communication is sent by secure channels approved by Censorship: (i) Name of the vessel; (ii) nature of the cargo; (iii) name of port of arrival or departure.

Information about the sinking or damaging of United States war or merchant vessels unless officially disclosed by appropriate authority. Information about the identity, location, sinking or damaging of Naval or merchant vessels of other nations, friendly or otherwise, unless disclosed by appropriate authority or made public outside continental United States and the origin stated.

(c) *Military operations.* The fact or effect of military or naval operations by the United States or the United Nations, until officially disclosed.

The fact or effect of enemy operations against the United States or the United Nations, including casualties and material damage, until officially disclosed.

Warnings or reports of impending air raids on continental United States, and the fact or effect of such attacks until the raid is ended and the all-clear has sounded; estimates of number of planes involved, their routes, defense measures, number of bombs dropped; damage to fortifications, docks, railroads, ships, airfields, public utilities, industrial plants engaged in war work, and all other military objectives.

(d) *Planes.* The disposition, movements, missions, new characteristics, or strength of military air units of the United States or the United Nations; activities of commercial airlines and private pilots for the military services; activities, operations, and installation of the Air Forces Ferry Command of the United States or other United Nations; information about performance, construction, and armament of new or current military aircraft or related items of equipment; messages pertaining to international operations of commercial airlines unless sent by secure channels approved by Censorship.

(e) *Fortifications and defenses.* The location, description, and strength of forts and other fortifications, bases, and other installations of the United States or the United Nations; the location, nature and number of coast-defense emplacements, anti-aircraft guns, bomb shelters, and other defense installations; location of camouflaged objects; the identity, performance, movement or prospective movement of defensive or offensive weapons, supplies, material, or equipment of the United States or the United Nations.

(f) *Production.* Specific information from which the enemy could estimate the extent, tempo, progress or location of our production for war, such as:

(1) Information which saboteurs could use to gain access to or damage war production plants;

(2) Contracts for the manufacture of war materials or for construction of bases, docks, depots, and yards; cost and nature of production involved in such contracts;

(3) Location, description, production, capacity, schedules, delivery dates, or specific output of war production plants or industries;

(4) Statistical information disclosing the amounts of strategic or critical materials produced, imported, or in reserve;

(5) Information about damage to production plants by sabotage or enemy action; information about new or secret military designs, formulas, experiments, manufacturing processes or factory designs;

(6) Information about production; amounts, dates, and method of delivery, destination or routes of lend-lease war material;

(7) Detailed reports of production and conditions in the mining, lumbering, fishing, livestock, and farming and other key American industries, and shortages or surpluses in connection therewith;

(8) Nation-wide or other roundups of current war production or war contract procurement data.

(g) *Weather.* Current weather conditions, weather forecasts, and all other current meteorological data.

Descriptions of past local weather conditions, obtainable from public observation or newspaper publication, may be transmitted at the discretion of the censor.

(h) *General.* (1) Any data concerning military or naval communications or intelligence methods or results;

(2) Rumors which might render aid and comfort to the enemy;

(3) Information disclosing the new location of national archives, or of public or private art treasures;

(4) Names of persons arrested, questioned, or interned as enemy aliens; names of persons moved to resettlement centers; location and description of places of internment and resettlement;

(5) Premature disclosure of diplomatic negotiations or conversations;

(6) Information about the movements of the President of the United States or officials or agents of the United States or the United Nations, including high ranking Army or Naval officers and staffs and diplomatic missions;

(7) The number, description, location, or identity of prisoners of war;

(8) Propaganda detrimental to the war efforts of the United States or the United Nations, except official enemy communiques and claims;

(9) Information concerning the planning or effecting of any inter-governmental loans or financial or economic transactions or agreements between or among neutral and United Nations;

(10) Any sketch, photo, drawing, blueprint, map, or chart, of which the denominator of the representative fraction is less than 500,000, disclosing information prohibited by these regulations;

(11) Any other matter whose dissemination might directly or indirectly bring aid or comfort to the enemy, or interfere with the war effort, or disparage the foreign relations of the United States or the United Nations.

POSTAL CENSORSHIP REGULATIONS

In addition to the foregoing general regulations, the following regulations apply in particular to those communications carried in the mails.

§ 1801.21 *Mail requirements.* All mail directed to foreign countries shall comply with the following requirements:

(a) The full name and complete address of the sender must be shown both on the outside of the envelope and in the letter itself;

(b) Communications will be written in English, if possible. If English is not used, the name of the language used should be written in English on the face of the envelope.

§ 1801.22 *Codes and secret inks.* The use of codes or ciphers, unless authorized, secret inks, and other secret writings is prohibited.

§ 1801.23 *Mail to enemy nationals.* The sending of any communication by mail to an enemy national, directly or indirectly, requires an individual license from the Office of Censorship, except as provided in (a), (b), and (c) below:

(a) The American Red Cross has been authorized to transmit, after censorship, short messages of a personal nature to residents in enemy territory. Letters, documents, and messages of a business nature cannot be sent by this means. Application should be made to any Red Cross chapter.

(b) If not otherwise objectionable to Censorship, and if authorized by a Treasury Department license, communications which relate to, or are a part of a commercial or financial transaction may be sent to persons or firms on The Proclaimed List of Certain Blocked Nationals without further authority from the Office of Censorship: *Provided,* That the communication is in compliance with the terms and conditions of the Treasury license. In such case the original Treasury Department license, a duplicate original, or photostatic copy should be enclosed with each communication and the communication posted in the usual manner. In cases where a communication relating to a transaction with anyone in enemy territory has been authorized by a Treasury Department license, such communications must be submitted, properly addressed and bearing the required postage, to the Chief Postal Censor, Washington, D. C., for censorship action, together with the Treasury license, a duplicate original or photostatic copy.[1]

(c) Mail may be sent to prisoners of war, internees, and detainees confined in the United States, in enemy countries, and in other foreign countries. Such communications should be addressed to the person concerned at the address furnished by such person or by the Government or other agency authorized to furnish the information. No postage is required unless the communications are sent by air, registered, or insured mail.

NOTE: Licenses to send other communications by mail to enemy nationals will not be granted by the Office of Censorship except at the request of a Government agency, or where the communication would be of special advantage to the United States.

§ 1801.24 *Postal confirmations of cablegrams, etc.* Postal confirmations of cable, landwire, radio, or radio-telephone messages will not be permitted in mails, except between the continental United States and Canada. Correspondents may refer to electrically transmitted messages by name, date, or number and may mention generally the subject matter if they do not use abbreviated or cryptic language or code.

§ 1801.25 *Films, prints, and plates.* (a) Films, prints, and photographic plates will not be exported or imported unless they have been examined and approved by the Office of Censorship, except to and from Canada. After approval, material of this type may be mailed in the usual manner.

(b) Incoming exposed and undeveloped film, except from Canada, will be developed at the expense of the correspondent in the United States prior to release.

(c) Importation of unexposed film, except from Canada, United States territories and possessions, and from members of the United States Armed Forces, or other persons sending mail through military Post Offices, is prohibited unless authority is granted by the Office of Censorship.

(d) Exportation of unexposed film, except to Canada and to members of the United States Armed Forces or other persons receiving mail through military Post Offices, is prohibited unless a license is obtained in advance from the Board of Economic Warfare.

§ 1801.26 *Scientific, technical, or professional data.* (a) Publications devoted in whole or in part to scientific, technical, or professional data containing information whose transmission to foreign countries might be inimical to the interests of the United States, must be licensed prior to export, except to Canada.

(b) Applications for licenses shall be made to the Technical Data License Division, Office of Exports, Board of Economic Warfare, on forms provided by that Agency. Applications may be sent either to the Chicago, Los Angeles, Washington, or New York City office. A separate application must be made for each license, and a separate license will be required for each issue of each publication.

(c) On receipt of each application the Technical Data License Division will review the proofs or copies of the publication submitted, for objectionable subject matter. On final approval of the material, the Technical Data License Division will recommend to the Office of Censorship that a license be granted.

(d) The license from the Office of Censorship will authorize the publisher to export the particular issue of the publication, including the non-technical as well as the technical material, to the foreign countries specified therein. The license will not be transferable, will be subject to revocation without notice, and will be granted on the express condition that each copy of the publication mailed thereunder corresponds in every respect to the copy submitted to and approved by the Technical Data License Division, and that the wrapping of all copies for export will be under the supervision of employees specifically designated by the publisher for this purpose.

§ 1801.27 *Printed matter.* The sending to neutral countries in Europe of other printed matter such as books, booklets, pamphlets, magazines, circulars, catalogues, newsletters, newspapers, and advertising material, either printed, mimeographed or otherwise mechanically reproduced, and clippings therefrom, will not be permitted unless sent by the publisher, a publications distributing agency, or the organization or firm for which the material is published.

§ 1801.28 *Postage stamps.* Postage stamps, either cancelled or uncancelled, will not be permitted as an enclosure in mail to points outside of the United States, other than mail addressed to the United States armed forces, through the Army Post Offices, naval or other service mails, except by license or permit granted by the Office of Censorship.

CABLE AND RADIO REGULATIONS

In addition to the general regulations, the following regulations apply in particular to all wire and radio traffic.

§ 1801.41 *Wire and radio traffic.* Wire and radio traffic includes (a) all radio traffic, (b) wire traffic originating in the United States and destined outside the United States, or originating outside the United States and destined to a point in the United States, or originating and terminating outside the United States, but handled in transit within the United States, and (c) that wire traffic purporting to be confined to a domestic address but in fact intended for destination beyond the United States. These regulations govern telephone communications only insofar as applicable thereto. For the purpose of these regulations the word "message" shall mean only communications by wire or radio, and the word "patron" shall include both the sender and the addressee of a message.

§ 1801.42 *Information regarding messages.* Reports of delivery, sender's corrections and all other services by a communication company at the request of a patron and the giving of any information to a patron concerning censorship's action on any message are prohibited unless permission is obtained from the Office of Censorship. This regulation does not apply to money orders, cancellations, or press dispatches.

Patrons filing "reply prepaid" messages do so at their own risk.

With the exception of money orders, confirmations of postal, cable, radio or radiotelephone messages are prohibited, subject, in unusual cases, to the discretion of the Censor.

§ 1801.43 *Proper address.* Every message must be so addressed that it will clearly identify the addressee for whom the message is intended.

Except where a registered address is permitted under these regulations, the address must be in plain language. The use of an abbreviation of the entire address, provided such abbreviation is sufficient in itself to insure the identification of the addressee by the censor, is not prohibited, but all such abbreviations are used at the risk of the sender.

The names of large or well-known buildings, banks, and hotels may be sufficient without street addresses.

A combination of two names written as one word is prohibited.

§ 1801.44 *Registered addresses.* Registered addresses may be used only when authorized by the Director of Censorship.

NOTE: In order to expedite the assembly of a complete file of registered addresses being used in other countries, persons or firms who are usual patrons of the cable and radio are requested to inform the Chief Cable Censor, Washington, D. C., by letter of the names, addresses, and corresponding registered addresses of the foreign persons or firms with whom they normally correspond. Unless addresses registered in the United States, its territories or possessions, are renewed as they expire, there may be a great delay in authorizing their use.

§ 1801.45 *Signature.* All messages, except Government messages of the United States and the United Nations, must be signed.

The signature transmitted should, when considered in connection with the text and addressee, be such as to identify the sender clearly, and distinguish him from any other individual, firm, or organization with a similar name. A surname is rarely considered sufficient identification.

The transmitted signature of a firm or organization must be sufficiently complete to identify it clearly. The name of a responsible member of the firm or officer of the organization may be used, provided satisfactory information regarding him is made available to the censor. A combination of two names written as one word is prohibited.

§ 1801.46 *Supplementary information.* The following supplementary information need not be transmitted as a part of the message, but may, by direction of the sender and on payment by him of the landline toll, be transmitted as far as the station of the Cable Censor having jurisdiction:

(a) *Addresses.* When any registered address or any abbreviation of a plain language address is used in a message, the full name and full address of the addressee must also be recorded on the form on which such message is filed with the communication company.

If the message is addressed to an individual acting on behalf of a firm, organization or individual, the name and address of such firm, organization or individual, and the addressee's connection with it, must appear on the form as well as the name and address of the addressee.

(b) *Sender.* In addition to the signature required on the message, the full name and full address of the sender must be recorded, as supplementary information, on the form on which each message is filed with the communication company.

If the message is signed by an individual acting in behalf of a firm, organization or individual, or by an abbreviated form or the name of that organization, or is charged to an individual or organization other than the signer, the full name and full address of that individual or organization must also be given on the form.

(c) The name of the commodity, if any, involved in the message, must be stated on the form, and should, except as provided in the general regulations, be stated in the text of the message.

§ 1801.47 *Text.* Messages will not be passed unless the meaning of the text is clear to the Censor. Messages consisting of address and signature only, with no text, are not permitted.

§ 1801.48 *Languages permitted.* All language messages must be in English, French, Portuguese, or Spanish, except messages to Alaska, which must be in English. All press dispatches should be filed in English; if in any of the other authorized languages, they may be subject to delay.

Any word, term, phraseology or language having a double meaning as used is prohibited. Terms or words common in any profession or trade may be used if intelligible to the Censor and not susceptible to double meaning as used.

§ 1801.49 *Commercial codes.* Use of only the following commercial codes is permitted:

Name of code	*Indicating symbol*
ABC Sixth Edition	Abc
Acme Code and Supplement	Acme
Bentley's Complete Phrase Code	Bencom
Bentley's Second Phrase Code	Bensec
Lombard General Code	Lomgen
Lombard Shipping Code and Appendix	Lomship
New Standard Half Word Code	Stanhaf
New Standard Three Letter Code	Stanter
Peterson's Third Edition	Pet

The code used must be indicated by placing the appropriate indicating symbol in the preamble of the message.

Patrons should ascertain from the communication companies whether the code used is acceptable by the Censorship authorities, if any, in the country of destination of the message.

The use of private codes is not permitted except by special license granted by the Director of Censorship. Such licenses will not be granted unless the applicant furnishes 15 copies of the code book for the use of Censors.

[1] Application for a license to communicate as provided in § 1801.23 (b) above, may be made at the Federal Reserve Bank in the applicant's district.

The use of code words to express prices is forbidden. Code words from catalogues or price lists may be used to designate commodities when accompanied in each case by an identifying word, if the meaning is clear to the Censor.

§ 1801.50 *Test words.* Banks and business institutions which have previously used test words in the conduct of their business are privileged to continue to use test words in transmitting messages.

Any other bank or other business institution desiring to use test words in transmitting its messages may apply to the Office of Censorship for permission, but before the privilege is granted, and at any time thereafter, must furnish such information as may be required.

A test word must normally be the first or last word in the text of a message. If several transactions are combined in any one message, a test word for each transaction is permitted.

The test word privilege may be withdrawn at any time.

§ 1801.51 *Information from sender.* Information required by the Censor from the sender in the United States in regard to a specific message may be requested by a collect telegram from the Censor to the sender.

In connection with any message relating to a financial or commercial transaction, the Censor may require complete information relative to the identity of all parties involved, the ultimate purpose of the transaction, and all facts deemed necessary by the Censor.

Any information which the sender may consider necessary to make the meaning of his message clear to the Censor may be imparted in a prepaid domestic telegram addressed to the Censor having jurisdiction. This telegram (Memorandum Message) should be filed with the message to which it refers.

§ 1801.52 *Numbers in text.* Numbers that are unrelated to the text and not readily understandable to the Censor are not permitted.

Serial numbers in messages are subject to deletion, but may, at the sender's risk, be included as the first word in the message when they can be readily understood by the Censor and plainly do not convey a hidden meaning.

§ 1801.53 *Market reports.* Routine daily market reports will be expedited by the Censor when received from recognized news agencies.

§ 1801.54 *Press messages.* No person engaged in transmitting press material shall accept or transmit as press messages any message intended for personal use unless such message is designated as personal and relates only to the personnel employed by such person. The word "person" as used in this regulation means an individual, corporation, partnership, society, or association.

§ 1801.55 *Personal messages in commercial cables.* The sending of personal messages, in behalf of others, either in the text of financial cables, or as separate messages, by banks, brokers, corporations, or any individual who transfers funds or handles financial transactions on behalf of others, is hereby prohibited. This regulation shall not apply to communication companies.

For the purpose of this regulation, a personal message is a message which is personal in nature and is not essential to the transfer of funds or the commercial transaction involved in the message.

TELPHONE CENSORSHIP REGULATIONS

In addition to the general regulations, the following regulations apply in particular to all telephone calls.

§ 1801.71 *Call requirements.* Before an outgoing telephone call will be completed, the patron must furnish the telephone operator with his full name, the number and address of the telephone from which the call is put through, his occupation and business address (if he does not have a business address, his home address), his proposed topic of conversation, namely, (a) Government, (b) business (exact business subject, e. g., oil, coffee, etc.) or (c) social, and the full name and address of the person called. This information must be furnished on both person-to-person and station-to-station calls.

If other than immediate service is desired, the patron may state the time at which he desires his call completed. Patrons will not be permitted to "hold the 'phone' " while calls are being completed. It is permissible, if the censor is notified beforehand of the names and addresses of all persons participating, for personal conversations to be shared by various persons at either end of the line.

§ 1801.72 *Calls from hotels.* Patrons calling from hotels must be identified by the hotel management or other known authority. They may call from any instrument in the hotel.

§ 1801.73 *Calls from public pay stations.* Calls will not be completed from public pay stations or from other telephone stations where the person calling cannot subsequently be identified.

§ 1801.74 *Languages permitted.* The English and Spanish languages will be permitted on calls between the United States and Mexico, and the English and French languages on calls between the United States and Canada. On radiotelephone circuits, in addition to English, the French, Spanish, and Portuguese languages will be permitted except in the event that translators are not available at the censorship point.

§ 1801.75 *Exemptions.* The Office of Censorship may in its discretion allow exemptions to Telephone Censorship Regulations 1801.71 to 1801.74, inclusive, on certain specially designated landline telephone traffic by informing the telephone company of exemptions to be permitted.

§ 1801.76 *Application to incoming calls.* Where any of the foregoing regulations apply specifically to outgoing calls, the general principles apply as well to incoming calls.

BYRON PRICE,
Director.

DECEMBER 10, 1942.

THE WHITE HOUSE,
Approved: January 30, 1943.

FRANKLIN D ROOSEVELT

[F. R. Doc. 43-1852; Filed, February 4, 1943; 10:38 a. m.]

PART 1803—RULES FOR COMMUNICATION COMPANIES

The following rules for companies operating overseas cable and radio circuits and affiliated landwire companies supersede the "Rules for Operating Companies", signed by the Director of Censorship, February 19, 1942, approved by the President, February 20, 1942 (7 F.R. 1501). It should be clearly understood that these rules are not intended to, nor do they have the effect of, authorizing action by the communication companies which is in violation of the Communications Act of 1934, as amended, the rules, regulations and orders of the Federal Communications Commission promulgated thereunder, or the tariffs filed by the communication companies with the Federal Communications Commission.

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AUTHORITY: §§ 1803.0 to 1803.24 inclusive issued under the authority of E.O. 8985, 6 F.R. 6625.

§ 1803.0 *Definitions.* For the purpose of these rules the word "message" shall mean any international communication by landwire, cable, or radio, and the word "patron" shall include both the sender and the addressee of a message.

§ 1803.1 *General provisions.* (a) Upon receipt of any message, communication companies must submit such to the censorship station having jurisdiction.

The communication companies shall require the full name and address of the sender to be placed on the form on which each outgoing message is filed, in addition to the signature required on the message.

(b) Such landwire or radio traffic as is involved in the handling of messages between the point of entry into or departure from the United States and the patron is subject to control of Censorship.

§ 1803.2 *Employees.* All employees having contact with cable and radio patrons, and all operating personnel at the sending and receiving apparatus must be generally familiar with the "Rules for Communication Companies" and the "U. S. Censorship Regulations." Such employees and personnel should be thoroughly familiar with those portions of such rules and regulations which are applicable to them. They must be furnished also with such data on foreign censorship regulations as will best serve the interests of their patrons.

§ 1803.3 *Censorship stations and jurisdiction.* Cable censorship stations have been established in New York, Miami, New Orleans, San Antonio, San Francisco, Seattle, Tucson, and Los Angeles, and will be established in such other places as experience shall from time to time indicate to be necessary. The jurisdiction of each of these cable censorship stations extends to all international traffic by cable, radio, shipshore radio, or other means, over the areas specified below:

(a) New York: The Atlantic seaboard north of the State of Georgia. Traffic to Mexico over the Galveston-Tampico-Vera Cruz cable of the Western Union Company shall be routed via New York for censoring.

(b) Miami: The seaboard of the States of Florida and Georgia.

(c) New Orleans: The seaboard of the States of Alabama, Mississippi, Louisiana, and Texas.

(d) San Antonio: The Mexican border of the State of Texas, excluding El Paso, Texas.

(e) San Francisco: The Pacific seaboard of the State of California north of Santa Barbara.

(f) Seattle: The Pacific seaboard of the States of Washington and Oregon, and traffic to or from Alaska.

(g) Los Angeles: The Pacific seaboard of the State of California, south of and including Santa Barbara, and the Mexican Border of the State of California.

(h) Tucson: The Mexican border of the States of New Mexico and Arizona, and El Paso, Texas.

§ 1803.4 *Overseas censors.* Overseas censorship stations have been established in the Virgin Islands, Puerto Rico, Guantanamo Bay, Canal Zone, Honolulu, Alaska, and Iceland. Additional overseas stations will be established as necessary.

§ 1803.5 *Confirmations.* (a) With the exception of money orders, confirmations of postal, cable, radio, or radiotelephone messages are prohibited, subject, in exceptional cases, to the discretion of the Censor. Before a message is accepted by telephone the sender must be informed that a confirmation will not be delivered and that after the message has been read back to him no further confirmation or repetition will be permitted.

(b) During business hours on Monday to Saturday, inclusive, communication companies may telephone an incoming passed message to the addressee at the address appearing on the message and later deliver the passed copy to the same address provided written instructions for telephoning messages, signed by the patron, have been previously filed with the communication company or, in New York City, with the communication company or the Central Bureau for Registered Addresses.

(c) For the after business hours period on Monday to Saturday, inclusive, and on Sundays and holidays, a patron may arrange to have on file with the communication company, or, if in New York City, with the communication company or the Central Bureau for Registered Addresses written Sunday and holiday instructions to telephone or deliver any message received for the patron to one or two individuals designated in the instructions. One address and one telephone number for each individual must be listed. The two individuals designated must be employees of the patron or members of the customer's organization and patron can not under any circumstances designate any agency for this purpose.

(d) The communication companies shall supply lists of after-hours, Sunday and holiday instructions when requested by a censor.

(1) The communication company on receiving a message for a patron may call the first number listed and if there is no response may call the other number until contact is made with one of the two designated individuals. The message may then be telephoned with the advice that it will be telephoned on that one occasion only and to that one individual only and that the passed copy will later be delivered to the address on the message.

(2) If the patron desires messages telegraphed or delivered instead of telephoned to an individual on its Sunday and holiday instructions he will so state in his written instructions. The communication company will send the messages as directed but it will not thereafter deliver any copies except under the provisions of § 1803.12.

§ 1803.6 *Field censors.* The Office of Censorship will maintain field censors in the operating rooms of the communication companies. Their duties are:

(a) To insure that Censorship has acted upon all outgoing messages before transmission, and upon all incoming messages before delivery (See § 1803.8).

(b) To cooperate with the communication companies in seeing that all readable messages comply with "U. S. Censorship Regulations" before being submitted to the censorship stations.

(c) To cooperate with the communication companies in preventing or correcting mutilations.

(d) To pass on the communication companies' "service" messages if communicated beyond the United States, or if transmitted on domestic point-to-point radio circuits.

(e) To provide any other liaison required.

§ 1803.7 *Communications between censors and communication companies.* (a) Censors will communicate directly with the officials of the communication companies in their respective areas as regards:

(1) The enforcement of instructions, regulations, and rules already established; and

(2) The establishment or adjustment of local routine arrangements not affecting other censorship stations or Censorship as a whole.

(b) All other communications between Censorship and the communication companies will be handled by the Chief Cable Censor.

§ 1803.8 *Primary responsibility.* (a) It is the primary responsibility of the communication companies to see that all messages are submitted to Censorship for action either before being sent out of the country on any circuit, or before being delivered or further transmitted for delivery to the addressee after receipt in this country.

(b) All transit traffic irrespective of code or language except traffic originating in or addressed to enemy or enemy-occupied territory will pass expeditiously through the censorship station, at the point of entry into and departure from continental United States. Included also are abnormally routed messages which might not otherwise have entered the jurisdiction of the United States. Transit traffic originating in or addressed to enemy or enemy-occupied territory shall pass through full censorship at the point of departure from the United States.

(c) Domestic point-to-point commercial radio traffic must be submitted to Censorship before transmission. At present all point-to-point radiotelegraph circuits within the continental United States (excluding Alaska) which are in the Fixed Public Radio Service as defined by the Federal Communications Commission, are closed, except for those circuits used for relay of international traffic and service messages relating thereto.

(d) Permission from the local cable censor having jurisdiction must be obtained by a communication company to change the normal routing of messages.

§ 1803.9 *Landlines and domestic radio circuits.* Communication companies operating landwire communication facilities within the jurisdiction of the United States will route all messages as follows:

(a) Outgoing international traffic carried by landwire telegraph will be sent to the office of the communication company where the message is to be transmitted out of the country. This company, before transmitting the message, will submit it for censoring to the censorship station having jurisdiction as provided in § 1803.8. See §§ 1803.3 and 1803.6 (a).

(b) Outgoing marine radiograms will be sent to the office of the radio company over whose facilities the message is to be transmitted. This company, be-

fore transmitting the message, will submit it for censoring to the censorship station having jurisdiction. (See §§ 1803.3 and 1803.6 (a).)

(c) *Shipboard radio stations.* Any person filing a radiogram on board ship shall register his full name and address, and if the radiogram is an answer to a message censored by the U. S. Authorities, shall also state when and by what communication company such original message was handled. Radio companies shall furnish the censor with this information by service message. This rule applies, however, only to vessels from which radio transmissions are permitted under wartime conditions (see regulations covering the use, control, supervision, inspection, or closure of radio stations on all vessels under the jurisdiction of the United States; 7 F.R. 206).

(d) Point-to-point commercial radio traffic including service messages must be submitted to Censorship before transmission.

§ 1803.10 *Copies.* The communication company may retain a copy of each message for accounting purposes. The communication companies may be required, in specific cases, to supply copies of messages to Censorship.

§ 1803.11 *Files.* Communication companies must preserve during the entire continuance of Censorship, either the original or at least one copy of each message now on file in the office of the companies and either the original or at least one copy of each message that may be received either for transmission or for delivery during the continuance of censorship. Such files shall be made available to Censorship when required.

§ 1803.12 *Methods of censoring, and action in connection therewith*—(a) *Types of action.* Censors may: (1) Pass, (2) delay, (3) paraphrase, (4) delete a part, (5) suppress, (6) cancel or permit cancellation of, (7) return for correction (technical irregularity), or (8) refer to the chief cable censor for his action or advice.

Every message received in Censorship will eventually receive one of the treatments listed above.

(b) *Censorship marks.* Censors in acting on a message may place thereon either in the preamble, or in Memorandum Messages (MM's) following the message, certain censorship indicators for the information of other censors. Such additions made to messages by censors shall not be removed by the personnel of the communication companies, but shall be transmitted by the communication companies until removed by a censor. MM's will be charged for at Government rates and billed to the Office of Censorship, Washington, D. C. Censor's "passmarks", inserted in the preamble, shall be carried free, and if lost from a message and recovered by a "service" message, shall be replaced at the expense of the company. When the phrase "c/o Cable Censor" is used in connection with a passmark, both the passmark and the phrase will be inserted immediately following the address.

Censorship marks, etc., may be removed from traffic by the censor who last handles the messages before transmission beyond United States Censorship jurisdiction. Incoming messages which bear passmarks may be released for local delivery to the public. If the message must be retransmitted by a communication company, prior to delivery, the passmark should not be retransmitted, unless the message is subject to further United States Censorship.

(c) *Technical irregularities.* Communication companies are required to notify by service message the station of origin when a message does not conform to censorship regulations or is badly mutilated or garbled, and for such reasons is "Returned for Correction" by the censor. Communication companies should not accept messages not conforming to censorship regulations, and the burden of obtaining their technical readjustment is, therefore, on the company. Technical irregularities must be corrected either by the sender or by the communication company before a message can be released by a censor.

In case the technical irregularity is, in the censor's opinion, not capable of being readjusted, the censor, instead of returning the message for correction, may cancel the message because of technical irregularities. (See § 1803.12 (h).)

(d) *Inquiries to senders.* Explanations required by a censor from a sender in the United States as to any message filed by him may be obtained by a "collect message" from the censor to the sender, or by a free service to the office of origin, at the discretion of the censor.

(e) *Replies to inquiries.* Censorship requests that the communication companies report within twenty-four (24) hours to the originating censor the inability to obtain a reply to a service or to deliver an inquiry, and the reason therefor. Subsequent reports shall be made every 24 hours until the case is disposed of. This cooperation will make it possible to censor immediately messages that otherwise might be held in expectation of receiving either a reply from the sender, or action by the office of origin.

(f) *Non-delivery.* Except money order messages, and as provided in § 1803.5, any delivery to an address or an addressee other than that appearing on the message without the prior approval of Censorship is prohibited. The communication company is invited to advise the censor as to some other addressee or address where it is believed delivery is intended or will be accepted.

(g) *Retyping.* When Censorship deletes or paraphrases a message, and desires that it be retyped, it shall be the responsibility of Censorship to perform this operation. Communication companies are requested to keep Censorship supplied with appropriate forms.

(h) *Action not to be revealed.* Communication companies, their executives and employees, are prohibited from revealing the action taken by a censor on messages other than press dispatches, except by written permission of, and to the extent prescribed by, the Office of Censorship. (See § 1803.24) An exception to this rule is that cancellation of a message for any reason carries with it the requirement that the communication company notify the sender. However, the censor is authorized to instruct communication companies to cancel and file undeliverable messages without refund and without notice to the sender.

(i) *Cancellation by sender.* Censors may grant the cancellation of any message at the request of the sender unless the message has already been transmitted out of their jurisdiction. If the message has been so transmitted, the censor may pass a service message to go forward requesting cancellation further on if the time of transmission is recent enough for such service message to serve its purpose.

(j) *Censorship marks.* Before making delivery of a message, communication companies will insure that the delivery copy does not reveal any action of the censor, other than pass stamps and such passmarks as may be permitted.

(k) *Copies.* The communication companies may furnish an addressee, upon request, a copy of a previously delivered message subject to the approval of the censor. Such copy must be submitted to the censor together with the delivered message or duplicate thereof for his approval.

(l) *Delivery of copies.* Communication companies are prohibited from delivering a copy of a message filed with them for transmission outside of the continental United States except upon approval of the censor.

§ 1803.13 *Charges*—(a) *In general.* Communication companies will charge for the actual number of words filed, and not merely for the actual number of words transmitted. The entire number of words filed will be charged for even if the message is not returned by the censor for transmission. Credits for words not transmitted will be allowed only if and when permission to consider refund has been granted by the Office of Censorship. This does not apply to press dispatches.

(b) *Collect messages.* With the exception of recognized press dispatches and Government messages, "collect" messages are prohibited. The term "collect message" includes T. A.s, R. T. P.s and all other collect arrangements.

§ 1803.14 *Information.* Disclosure by a communication company of any information concerning a message is prohibited except as provided in § 1803.15, unless permission is obtained from the Office of Censorship. There are five exceptions to this rule, namely: Press dispatches, cancellations, service messages between or within operating companies for company information, money order messages, and, at the discretion of the censor, Government messages. Patrons filing "reply prepaid" messages do so at their own risk.

§ 1803.15 *Complaints and refunds.* When a complaint or request for refund is received by a communication company, such company is authorized to make a complete investigation of the handling of the message in question without obtaining the prior approval of Censorship. Such investigation shall not include the action of Censorship on the message and the results of such investigation shall not be disclosed to the patron.

(a) When such complaints or requests for refunds relate to non-delivery, errors in transmission, mutilation, omission, delay, etc., the following rules shall govern:

(1) When the company ascertains that the difficulty was due to some irregularity or error made by it, or an affiliate, as a matter of company operation, the matter may be disposed of as the company sees fit, without reference either to the local censor or the Chief Cable Censor.

(2) When the company ascertains that the non-delivery, error or irregularity complained of is due to some action taken by a censor, the complaint is required to be referred to the Chief Cable Censor, without disclosing any information to the cable patron that this has been done and without offering any explanation. (See § 1803.11 (h).)

(b) The interest of Censorship in matters of refund is limited to the prevention of disclosure of the action of Censorship by the adjustment of a refund between a communication company and a patron. If communication companies determine to make refunds they must assume the responsibility that such action is consistent with the Communications Act of 1934, the rules, regulations, and orders of the Federal Communications Commission, and the tariffs filed by the communication companies.

(c) Requests for refund must be made to the communication company, and not to the Office of Censorship.

(d) There are three exceptions to this rule: Cancellations, press dispatches and money order messages.

§ 1803.16 *Code.* (a) "U. S. Censorship Regulations" prohibit the use of private codes, unless authorized by the Director of Censorship. Any privilege so granted by the Director of Censorship may be revoked by him at any time. However, censors are instructed that the use of the communication company's private code may be permitted on the company's own circuit for official business, provided a copy of the code is in the possession of the Censor. Field censors may pass "service messages" themselves, if such messages are perfectly clear to them and legitimate. Nothing in this paragraph shall be construed as excepting such company messages in private code from the scrutiny and control of the Censor.

This rule does not apply to: (1) United States Government messages, (2) diplomatic and other messages of foreign governments in those cases in which use of private code is permitted, and (3) individuals or associations already permitted the use of a private code by the Director of Censorship.

§ 1803.17 *Registered addresses.* (a) "U. S. Censorship Regulations" prohibit the use of registered addresses except those now or hereafter approved by the Director of Censorship.

Any privilege so granted by the Director of Censorship may be revoked by him at any time.

(b) Censorship will control registration of all addresses which are authorized for use by the Director of Censorship. Addresses will continue to be registered with the appropriate agencies, and such agencies will charge the established fee for the service.

§ 1803.18 *Registered address records.* (a) All registered address records shall be open and available to censors at any time.

(b) If the registered address is not available or on record at the place of the censorship station, it must be obtained for censorship through the company's connections and affiliates.

§ 1803.19 *Reports of suspicious circumstances.* The Director of Censorship and all local censors will welcome any information of suspicious circumstances in connection with the filing of messages. Employees or agents of the communication companies may communicate such circumstances by an MM on the message. It should be pointed out to said employees or agents that they should not consider themselves as exercising the functions of Censorship, and should not alter or delay a message.

§ 1803.20 *Holiday greetings.* Hereafter no fixed greeting ("canned") messages or "XLT" messages will be accepted without the permission of the Director of Censorship whose decision will be based upon existing circumstances and published in sufficient time prior to holidays.

§ 1803.21 *Transmission of call letters.* No communication company will permit the transmission of any call letters, signals, service messages, or any communication whatever intended for reception or interception in enemy or enemy-occupied territory without the specific authority of the censor in each case.

§ 1803.22 *Diversion or rerouting of traffic.* Censors may divert traffic from one communication company to another, or reroute traffic, at their discretion, when such action is deemed to be in the public interest.

§ 1803.23 *Press dispatches.* The following action is authorized in connection with the handling of press dispatches:

(a) Communication companies handling press dispatches are authorized to inform any recognized news agency and correspondent of the fact and the time of transmission of any bona fide news dispatch, including news service dispatch, filed by that agency or correspondent.

(b) The communication company may also inform the news agency or correspondent of the actual number of words transmitted in any of his news dispatches and may make arrangements with the news agency to charge for the number of words transmitted rather than for the number of words filed.

(c) Communication companies which offer their facilities to the press on a time basis may keep the news agencies informed of the copy on hand in order that available transmission time may be fully utilized, and may notify the news agencies with regard to messages suppressed or held by censorship when so authorized by the censor.

§ 1803.24 *Service messages.* A service message within the meaning of U. S. Censorship Rules and Regulations is a message of any kind transmitted between the various offices of a communication company, between communication companies, or between communication companies and Censorship for which no payment is received from any outside source. All service messages, except B. Q.s and R. Q.s and those relating to the operation, release and maintenance of the circuits must be submitted to the Field Censor.

Sender's corrections are prohibited except on transit, Government and press messages.

DECEMBER 10, 1942.

BYRON PRICE,
Director.

THE WHITE HOUSE,

Approved: January 30, 1943.

FRANKLIN D ROOSEVELT

[F. R. Doc. 43-1853; Filed, February 4, 1943; 10:38 a. m.]

Chapter XVII—Office of Civilian Defense

[Administrative Order 31]

PART 1900—ORGANIZATION

IDENTIFYING INSIGNIA DURING AIR RAID ALARMS

Order prescribing insignia to identify persons and emergency vehicles entitled to move on public ways during periods of air raid alarm in the Eastern Military Area.

Whereas, by virtue of Executive Order No. 9066, dated February 19, 1942, Air Raid Protection Regulations No. 1 have been issued by the Commanding Generals of the First, Second, Third and Fourth Service Commands and of the Military District of Washington, pursuant to Public Proclamation No 4, dated January 27, 1943, of the Commanding General of the Eastern Defense Command and First Army, applicable to the Eastern Military Area prescribed in Public Proclamation No. 1 dated May 16, 1942, by the Commanding General of the Eastern Defense Command and First Army; and

Whereas said regulations provide that the term "emergency vehicles" shall include, among others, "vehicles in emergency service identified by insignia prescribed by the Director of Civilian Defense", and that among the persons who are not required to take shelter during periods of air raid alarm are those who, as authorized by civilian defense authorities, wear arm bands or carry identification cards with insignia prescribed by the Director of Civilian Defense;

It is hereby ordered by the Director of Civilian Defense as follows:

§ 1900.50 *Vehicles which may move on public ways.* Vehicles of the class which may move on public ways in the Eastern Military Area during periods of air raid alarm if identified by insignia prescribed by the Director of Civilian Defense shall be identified as follows:

(a) A pennant, as hereinafter described, shall be mounted in an upright position at the forward left side of the vehicle, and located so as to be visible

from both sides without obscuring the vision of the driver. Such pennants shall be of white material in the shape of an equilateral triangle with sides 18" in length, and shall have in the center thereof the prescribed basic insigne, entirely in red and 6" in diameter, of the Office of Civilian Defense. Such insigne shall consist of the letters "CD" centered in a white equilateral triangle, embossed on a circular field, in the form of the applique emblem granted by Letters Patent No. D-129797 of October 7, 1941.

(b) A mask, as hereinafter described, for use during hours of darkness, shall be fastened securely over the lighted right front headlight of any automobile, truck, or other vehicle, or over an auxiliary headlight of a motorcycle. Such masks shall be removable opaque masks, made of any suitable material which can be easily and quickly secured to the headlight, and shall embody the above-described basic insigne of the Office of Civilian Defense, 2½ to 3 inches in diameter; the leters "CD" and the three segments of the surrounding circular field of the basic insigne shall be translucent green, and the triangle on which the letters "CD" are superimposed shall be opaque.

§ 1900.51 *Vehicles entitled to use pennants and masks.* Vehicles entitled to use such pennants and masks shall be only those designated by, or pursuant to, regulations prescribed by State Defense [War] Councils or designated pursuant to authority granted by the Director of Civilian Defense.

§ 1900.52 *Persons wearing official arm bands.* Persons in the Eastern Military Area engaged, during periods of air raid alarm, in the performance of emergency duties who, as a result of wearing arm bands with insignia prescribed by the Director of Civilian Defense, are not required to take shelter shall be limited to persons properly wearing official arm bands in accordance with Regulations No. 2 of the Office of Civilian Defense and orders issued pursuant thereto. Such arm bands may embody only the officially prescribed insignia of the Administrative Staff, the United States Citizens Defense Corps (except instructors), the Civil Air Patrol, the Forest Fire Fighters Service, or the Civilian Defense Auxiliary Group, all as described and set forth in the aforesaid Regulations No. 2. Persons entitled to wear such arm bands shall be only those designated by, or pursuant to, regulations prescribed by the State Defense [War] Councils in accordance with the aforesaid Regulations No. 2, or designated pursuant to authority granted by the Director of Civilian Defense.

§ 1900.53 *Manufacture and sale of official pennants, masks and arm bands.* The above-described pennants, masks and arm bands are official articles of the Office of Civilian Defense, and their manufacture, sale, distribution and use is governed by Office of Civilian Defense Regulations No. 2. The pennants, masks and arm bands may be manufactured and sold only by licensed manufacturers; they shall not be sold, offered for sale, worn, exhibited, displayed or used except with the approval of the State Defense [War] Council having jurisdiction or of the United States Office of Civilian Defense. The aforesaid regulations of Service Commanders restrict the right of any person to wear, exhibit, display, use, manufacture, sell or offer for sale, any such pennants, masks or arm bands, or simulation or adaptation thereof, except in accordance with rules and regulations of the Director of Civilian Defense.

[SEAL] JAMES M. LANDIS,
Director of Civilian Defense.

FEBRUARY 3, 1943.

[F. R. Doc. 43-1898; Filed, February 3, 1943; 1:15 p. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter II—Division of Public Contracts

PRESERVED OR PROCESSED BUTTER CONTRACTS

EXCEPTION FROM PROVISIONS OF WALSH-HEALEY ACT

In the matter of an exception from the provisions of the Walsh-Healey Public Contracts Act for preserved or processed butter (such as Carter's Spread and Army Spread).

Whereas the Secretary of War has made written findings that the inclusion of the representations and stipulations of section 1 of the Walsh-Healey Public Contracts Act (49 Stat. 2036; 41 U.S.C. 35) in contracts awarded on or before the termination of the present war and three months thereafter for preserved or processed butter, such as Carter's Spread and Army Spread, will seriously impair the conduct of Government business; and

Whereas the Secretary of War has filed a request in writing that an exception be granted under section 6 of the Act to permit the award of contracts during the present war and for three months thereafter for preserved or processed butter without the inclusion of the representations and stipulations of the Public Contracts Act; and

Whereas it appears that justice and public interest will be served by the granting of the exception on the basis of the findings of the Secretary of War.

Now, therefore, I do hereby grant an exception, pursuant to the powers vested in me by section 6 of the Walsh-Healey Public Contracts Act (49 Stat. 2036; 41 U.S.C. 35), permitting the award of contracts for preserved or processed butter during the period from this date to the termination of the present war and three months thereafter, unless otherwise ordered, without the inclusion in such contracts of the representations and stipulations of section 1 of the Act.

Dated: February 3, 1943.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 43-1829; Filed, February 3, 1943; 1:28 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Service Order 99]

PART 97—ROUTING OF TRAFFIC

APPOINTMENT OF AGENT

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 3d day of February, A. D. 1943.

It appearing, that upon representations from the Office of Defense Transportation, and due to the fact that certain railroads have recently been unable to transport promptly trans-continental carload traffic offered to them so as to properly serve the public; and that an emergency exists requiring immediate action to prevent shortage of railroad equipment and congestion of traffic and to promote the service in the interest of the public and the commerce of the people: *It is ordered*, That:

§ 97.6 *Routing of transcontinental traffic; appointment of agent.* (a) W. F. Kirk, 208 South La Salle Street, Chicago, Ill., is hereby designated and appointed an Agent of the Interstate Commerce Commission and vested with authority to divert or reroute transcontinental carload traffic from the line of any railroad or railroads, which in his opinion cannot currently accept and move such traffic, over the line or lines of any other railroad or railroads less congested, and in a better position to handle the traffic. Such rerouting or diversion shall be made regardless of the routing shown on the bill of lading designated by either shipper or carrier. Such diversion or rerouting shall be made by said Agent either at point of origin or as soon as possible after the shipment has left the point of origin.

(b) As Agent he is authorized and directed to set up, subject to the approval of the Commission, an Advisory Committee on which shall be at least one representative of the Office of Defense Transportation, and one representative of the Association of American Railroads.

(c) As Agent he is hereby directed to avail himself of the facilities of the Association of American Railroads, its various departments, field forces, records, and reports.

(d) Inasmuch as the diversion or rerouting of traffic by said Agent is deemed to be due to carrier's disability, the rates applicable to traffic diverted or rerouted by said Agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such Agent provided for in this order, the common carriers involved shall proceed without reference to contracts, agreements, or arrangements now existing between them with reference to the divisions of the rates of transportation applicable to said traffic; such divisions shall be, during the time this order remains in force, voluntarily agreed upon by and between said carriers; and, upon failure of the carriers to so agree, said divisions shall be hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered. That this order shall become effective immediately, and shall remain in force until further order of the Commission; that copies of this order and direction shall be served upon all common carriers by railroad subject to the Interstate Commerce Act; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-1895; Filed, February 4, 1943; 11:32 a. m.]

PART 120—ANNUAL, SPECIAL OR PERIODICAL REPORTS

FORM PRESCRIBED FOR CARRIERS BY WATER OF CLASS C

At a Session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 23d day of January, A. D. 1943.

In the matter of annual reports from carriers by water and the corresponding section of the Code of Federal Regulations, the following order was entered:

It is ordered, That the order of this Commission dated January 19, 1942, In the Matter of Annual Reports from Carriers by Water of Class C be, and it is hereby, vacated and set aside effective January 1, 1943, and the following order shall become effective:

§ 120.51b *Form prescribed for carriers by water of Class C.* (a) All carriers by water of Class C subject to the provisions of the Interstate Commerce Act are hereby required to file annual reports for the year ended December 31, 1942, and for each succeeding year until further ordered, in accordance with Annual Report Form K-C,[1] which is hereby approved and made a part of this order.

(b) The annual report shall be filed, in duplicate, in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington, D. C., on or before March 31 of the year following the one to which it relates.

(Sec. 20, 24 Stat. 386, sec. 7, 34 Stat. 593, 35 Stat. 649, sec. 14, 36 Stat. 556, secs. 434-435, 41 Stat. 493, secs. 13, 313, 54 Stat. 916, 944; 49 U.S.C. 20 (1)-(8), 913)

By the Commission, Division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F R Doc. 43-1896; Filed, February 4, 1943; 11:32 a. m.]

[1] Filed as part of the original document.

PART 120—ANNUAL, SPECIAL OR PERIODICAL REPORTS

FORM PRESCRIBED BY CARRIERS BY WATER OF CLASS A AND CLASS B

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 23d day of January, A. D. 1943.

In the matter of annual reports from carriers by water and the corresponding section of the Code of Federal Regulations, the following order was entered:

It is ordered, That the orders of this Commission dated January 19, 1942, (§§ 120.51 and 120.51a of Title 49, Code of Federal Regulations) In the Matter of Annual Reports From Carriers By Water of Class A, and of Class B, be, and they are hereby, vacated and set aside effective January 1, 1943, and the following order shall become effective:

§ 120.51 *Form prescribed for carriers by water of Class A and Class B.* (a) All carriers by water of Class A and Class B subject to the provisions of the Interstate Commerce Act are hereby required to file annual reports for the year ended December 31, 1942, and for each succeeding year until further order, in accordance with Annual Report Form K-A (Large and Medium Carriers by Water),[1] which is hereby approved and made a part of this order.

(b) The annual report shall be filed, in duplicate, in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington, D. C., on or before March 31 of the year following the one to which it relates.

(Sec. 20, 24 Stat. 386, sec. 7, 34 Stat. 593, 35 Stat. 649, sec. 14, 36 Stat. 556, secs. 434-435, 41 Stat. 493, secs. 13, 313; 54 Stat. 916, 944; 49 U.S.C. 20 (1)-(8), 913)

By the Commission, Division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F. R Doc. 43-1897; Filed, February 4, 1943; 11:32 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1824]

DISTRICT BOARD 8

ORDER DENYING REQUEST FOR TEMPORARY RELIEF AND NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 8 for a change in price classifications and minimum prices for the coals of the Burning Creek Mine, of the Burning Springs Collieries Company in District No. 8.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by District Board No. 8, requesting that temporary and final relief be granted changing the price classification and minimum prices heretofore established for certain coals produced by Burning Springs Collieries Company, at its Burning Creek Mine, Mine Index No. 5474; and

It appearing that a reasonable showing of necessity has not been made for the granting of temporary relief in this matter prior to the hearing herein; and

The following action being deemed necessary to effectuate the purposes of the Act;

Now, therefore, It is ordered, That the request for temporary relief be, and the same hereby is, denied without prejudice to the renewal of such request for temporary relief, upon a further showing, or upon the basis of the record to be made at the hearing to be held herein;

It is further ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on February 23, 1943, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, at Washington, D. C. On such day the Chief of the Records Section will advise as to the room where such hearing will be held.

It is further ordered, That Edward J. Hayes or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before February 20, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to petition filed by District Board

No. 8 requesting that the price classification heretofore established for the Size Group 10 coals produced by Burning Springs Collieries Company, at its Burning Creek Mine, Mine Index No. 5474, be changed from "L" to "G" for rail and rail-lake shipments; and that the minimum price heretofore established for the Size Group 5 coals produced at this mine be changed from $2.05 to $2.25 per net ton f. o. b. said mine for truck shipments.

Dated: February 3, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-1856; Filed, February 4, 1943; 10:45 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 436]

EGIDIO D'EUSTACHIO

Re: Certain real property in Wilmette, Illinois, and a certain savings account in the Banco di Napoli Trust Company of Chicago, Illinois owned by Egidio D'Eustachio.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

(a) Finding that Egidio D'Eustachio and Antoinette D'Eustachio, his wife, Italian citizens, the last known address of each of whom was represented to the undersigned as being Italy, are nationals of a designated enemy country (Italy);

(b) Finding that the property described as follows:

All right, title, interest and estate, both legal and equitable, of Egidio D'Eustachio and Antoinette D'Eustachio, his wife, and each of them, in and to that certain real property, together with all fixtures, improvements and appurtenances thereto, situated at 1500 Washington Avenue, Village of Wilmette, County of Cook, State of Illinois, and particularly described as follows

Lot forty (40) in Walnut Grove Addition to Wilmette, in the North East fractional quarter of fractional Section thirty-three (33), Township forty-two (42) North, Range thirteen (13) East of the Third Principal Meridian, in Cook County, Illinois,

is property within the United States owned or controlled by nationals of a designated enemy country (Italy);

(c) Finding that the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of said Egidio D'Eustachio in and to all indebtedness, contingent or otherwise and whether or not matured, owing to him by the Banco di Napoli Trust Company of Chicago, Illinois, including but not limited to all security rights in and to any or all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness, and including particularly the savings account, No. 3952, at the aforesaid Banco di Napoli Trust Company of Chicago, which is carried in the name of said Egidio D'Eustachio,

is property within the United States owned or controlled by a national of a designated enemy country (Italy);

(d) Determining that the property described in subparagraph (c) is necessary for the maintenance or safeguarding of other property [namely, that hereinbefore described in subparagraph (b)] belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

(e) Determining that to the extent that such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Italy);

(f) Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

(g) Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraphs (b) and (c) to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further times as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The term "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on December 4, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1864; Filed, February 4, 1943; 11:11 a. m.]

[Vesting Order 524]

CHRISTOPHER GRADL

Re: Real property in Baltimore County, Maryland, certain mortgages covering real property in Baltimore, Maryland, and cash owned by Christoph Gradl.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Christoph Gradl, whose last known address was represented to the undersigned as being Nurnberg, Germany, is a citizen of Germany and therefore is a national of a designated enemy country (Germany);

2. Finding that all right, title, interest and estate, both legal and equitable, of said Christoph Gradl in and to that certain real property, together with all fixtures, improvements and appurtenances thereto situated at the intersection of Frederick Road and Balfred Avenue, Baltimore County, Maryland, and particularly described in Exhibit A attached hereto and made a part hereof, is property within the United States owned by a national of a designated enemy country (Germany);

3. Finding that all right, title, interest, estate and claim of any name or nature whatsoever of said Christoph Gradl in and to the following obligations (contingent or otherwise, and whether or not matured), including but not limited to all security rights in and to any and all collateral (including the mortgages hereinafter mentioned) for any or all of such obligations and the right to enforce and collect such obligations:

(a) Obligation secured by a second mortgage held by said Christoph Gradl and recorded in the land records of Baltimore City in Liber MLP No. 5907 folio 156 &c, which mortgage covers certain real property together with all fixtures, improvements and appurtenances thereto situated at 4742 Parkheights Avenue Baltimore City, Maryland, and

(b) Obligation secured by a second mortgage held by said Christoph Gradl and recorded in the land records of Baltimore County in Liber CWB Jr. No. 1056 folio 45, which mortgage covers certain real property together with all fixtures, improvements and appurtenances thereto situated at 1 Nursery Lane, Baltimore County, Maryland,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

4. Finding that all right, title, interest and claim of any name or nature whatsoever of said Christoph Gradl in and to all indebtedness, contingent or otherwise, and whether or not matured, owing to him by H. D. Hinternesch, Baltimore, Maryland, including, but not limited to, all security rights in and to any and all collateral for any or all such indebtedness and the right to sue for and collect such indebtedness, and including particularly indebtedness owing on account of monies collected and held by said H. D. Hinternesch for said Christoph Gradl, is property within the United States owned or controlled by a national of a designated enemy country (Germany);

5. Determining that the property described in subparagraph 4 hereof is necessary for the maintenance or safeguarding of other property (namely, that hereinbefore described in subparagraph 2) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive Order;

6. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Germany);

7. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act, or otherwise; and

8. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraphs 2, 3 and 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on December 18, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

All that lot or parcel of land situated in the First Election District of Baltimore County, Maryland, more particularly described as follows:

Beginning for the same at the corner formed by the intersection of the southeasterly side of the Frederick Road and the westerly side of a road forty feet wide laid out for the use in common of all land binding thereon and now called Balfred Avenue running thence binding on the westerly side of said road the two following courses and distances south ten degrees thirty-one minutes east three hundred and seventy-four feet and ten one-hundredths feet to a stake planted at a bend in said road thence south seventeen degrees eighteen minutes east one hundred and eighty-three feet and forty one-hundredths feet to a stake thence leaving said road and running north seventy-four degrees eighteen minutes west two hundred and ninety-eight feet and ten one-hundredths feet to a steel bar thence south seventy-two degrees fifteen minutes west one hundred and eighteen feet and eighteen one-hundredths feet to a point distant three hundred and eighty-eight feet and ninety-four one-hundredths feet southerly from the Frederick Road thence running north three degrees twenty-five minutes east three hundred and eighty-eight feet and ninety-four one-hundredths feet to intersect a line drawn southwesterly from the place of beginning along the southeasterly side of the Frederick Road at a point distant three hundred and thirty-three and eighty-one hundredths feet from said place of beginning and thence reversing the line so drawn and binding thereon northeasterly on the southeast side of the Frederick Road three hundred and thirty-three feet and eighty-one hundredths feet to the place of beginning.

Containing three and forty-one one-hundredths acres of land or thereabout.

Being part of the whole tract of land which by deed dated April 24, 1923 and recorded among the Land Records of Baltimore County in Liber W P C No. 573 folio 147 etc was conveyed by Nellie M Collins to Eli L M Fishpaw and Lilly M Fishpaw his wife.

[F. R. Doc. 43-1865; Filed February 4, 1943; 11:11 a. m.]

[Vesting Order 595]

HERMAN WANGNER

Re: Personal property owned by, and certain indebtedness owing to, Herman Wangner.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Herman Wangner, whose last known address was represented to the undersigned as being Reutlingen, Germany, is a citizen of Germany and is a national of a designated enemy country (Germany);

2. Finding that the personal property described as follows:

366 steel poles located in the warehouse of Baker and Williams, 513 West 20th Street, New York, New York; and

Approximately 3,000 fiber spools located in the warehouse of the Wilson Wire Works, Kearny, New Jersey;

is owned by said Herman Wangner and therefore is property within the United States owned or controlled by a national of a designated enemy country (Germany);

3. Finding that all right, title, interest and claim of any name or nature whatsoever of said Herman Wangner in and to all obligations, contingent or otherwise and whether or not matured, owing to him by Neu-Dimond Wire Corporation, 1819 Broadway, New York, New York, including but not limited to all security rights in and to any and all collateral for any or all of such obligations and the right to sue for and collect such obligations, is property within the United States owned or controlled by a national of a designated enemy country (Germany);

4. Determining that the property described in subparagraph 3 hereof is necessary for the maintenance or safeguarding of other property (namely, that hereinbefore described in subparagraph 2) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive Order;

5. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Germany);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraphs 2 and 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on December 30, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1866; Filed February 4, 1943; 11:06 a. m.]

[Vesting Order 598]

REAL PROPERTY, ETC., OWNED BY CERTAIN GERMAN NATIONALS

Re: Real property in Rochester, New York, certain mortgages covering real property in Rochester, New York, and certain fire insurance policies owned by certain German nationals.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the persons, whose names and last known addresses respectively as represented to the undersigned are set forth in Exhibit A attached hereto and made a part hereof, are citizens of Germany and are nationals of a designated enemy country (Germany);

2. Finding therefore that the property described as follows:

a. All right, title, interest and estate, both legal and equitable, of the persons listed in said Exhibit A, and each of them, in and to certain real property, together with all fixtures, improvements and appurtenances thereto, situated at 43-45 Raines Park, Rochester, New York, and particularly described as follows:

Lot Number One Hundrey Eighty-Six (186) and the south half of Lot Number One Hundred Eighty-Four (184) of the Selye Subdivision of a part of Lake View Park Tract, as shown on a map of said subdivision and filed in Monroe County Clerk's Office in Liber 9 of Maps, at page 3; said premises being Sixty (60) feet front on the west side of Raines Park and extending back of equal width One Hundred and Two (102) feet;

b. All right, title, interest, estate and claim of any name or nature whatsoever of each and all of the persons listed in said Exhibit A in and to the following obligations (contingent or otherwise, and whether or not matured), including but not limited to all security rights in and to any and all collateral (including the mortgages hereinafter mentioned) for any or all of such obligations and the right to enforce and collect such obligations;

(1) Obligation secured by a first mortgage executed by Kazimierz Czepiel and Balbina Czepiel and duly assigned by mesne assignments to some or all of the persons listed

in said Exhibit A, which mortgage covers certain real property together with all fixtures, improvements and appurtenances thereto situated at 584 Hudson Avenue, Rochester, New York;

(2) Obligation secured by a first mortgage executed by Joseph L Guzzetta and Mildred A. Guzzetta and duly assigned by mesne assignments to some or all of the persons listed in said Exhibit A, which mortgage covers certain real property together with all fixtures, improvements and appurtenances thereto situated at 598 Seneca Parkway, Rochester, New York, and

(3) Obligation on account of rents due and owing on the real property situated at 43-45 Raines Park, Rochester, New York;

c. All right, interest and claim of any name or nature whatsoever of each of the persons listed in said Exhibit A in and to the following:

(1) A fire insurance policy issued by Home Insurance Co. of New York covering certain real property situated at 584 Hudson Avenue, Rochester, New York, which policy is in the amount of $3,800;

(2) A fire insurance policy issued by Pearl Assurance Co., Ltd. covering certain real property situated 598 Seneca Parkway, Rochester, New York, which policy is in the amount of $9,500; and

(3) A fire insurance policy issued by Law Union & Rock Insurance Co. covering certain real property situated at 598 Seneca Parkway, Rochester, New York, which policy is in the amount of $8,000,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

3. Determining that the property described in subparagraphs 2-b-(3) and 2-c hereof is necessary for the maintenance or safeguarding of other property [namely, that hereinbefore described in subparagraphs 2-a, 2-b-(1) and 2-b-(2)] belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive Order;

4. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on December 30, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Name	
Katherine Keim	Wallersbrueck, near Zimmersell, Germany
Karl Wassmuth	Dorheim, District of Fritzlar, Germany
Elise Roese	Grossenglis near Borken, Hessen, Germany
August Wassmuth	Kassel, Germany
Hans Wassmuth	Kassel, Germany
Anna Rosentraeger	Kassel, Germany
Justus Wassmuth	Friedberg, Hessen, Germany
Heinz Kolkmann	Muelheim on the Ruhr, Germany

[F. R. Doc. 43-1867; Filed, February 4, 1943; 11:11 a. m.]

[Vesting Order 636]

BRIGITTE FECHNER

Re: Certain real property in Deadwood, South Dakota, owned by Brigitte Fechner.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation,

1. Finding that Brigitte Fechner is a citizen of and resides in Germany and is a national of a designated enemy country (Germany);

2. Finding that the property described as follows:

All right, title, interest and estate, both legal and equitable, of said Brigitte Fechner in and to that certain real property situated at the intersection of Main and Lee Streets, Deadwood, Lawrence County, South Dakota, and particularly described in Exhibit A attached hereto and made a part hereof, together with all fixtures, improvements and appurtenances thereto, and any and all claims of Brigitte Fechner for rents, refunds, benefits or other payments arising from the ownership of such property,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

3. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid enemy designated country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on January 6, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Lot lettered "A" in Block Numbered Eighteen (18) in Deadwood, South Dakota, also described as Commencing at the South East Corner of Lot from which Corner No. 4 Mineral Lot No. 72 bears South 50 52' East 83 05' feet distant, thence South 39 35' West 24.35 feet, thence North 50 45' West 15.25 feet, thence North 39 35' East 24.35 feet, thence South 50 45' East 15.25 feet to the place of beginning. Magnetic Variations 15 East

Together with all the hereditaments and buildings thereon or thereto belonging.

[F. R. Doc. 43-1868; Filed, February 4, 1943; 11:06 a. m.]

[Vesting Order 638]

WILLIAM DANNHAEUSER AND HELEN ANNETTE DANNHAEUSER

Re: Accumulated rents belonging to William Dannhaeuser and Helen Annette Streit Dannhaeuser.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that William Dannhaeuser and Helen Annette Streit Dannhaeuser, his wife, whose last known addresses were represented to the undersigned as being Hassfurt am Main, Germany, are nationals of a designated enemy country (Germany);

2. Finding that the real property situated at 111-59 178th Place, St. Albans, Long Island, New York, was, prior to the vesting thereof by the undersigned pursuant to Vesting Order Number 119 of August 25, 1942, owned by said William Dannhaeuser and Helen Annette Streit Dannhaeuser;

3. Finding that the property described as follows:

The sum of $181.35, representing rents accumulated on the aforesaid real property prior to the vesting thereof, and presently in the possession of the undersigned;

belongs to the aforesaid persons and therefore is property within the United States owned or controlled by national of a designated enemy country (Germany);

4. Determining that the property described in subparagraph 3 hereof is necessary for the maintenance or safeguarding of other property (namely, that certain real property particularly described in said Vesting Order No. 119) which, prior to the vesting thereof by the undersigned, belonged to the same nationals of the same designated enemy country (Germany);

5. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 6, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1869; Filed, February 4, 1943; 11:07 a. m.]

[Vesting Order 711]

BODEE REALTY CORP.

Re: Certain obligations owing by Bodee Realty Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Emil Detzel and Willy Bolle are German citizens and are now interned in the United States, and therefore are nationals of a designated enemy country (Germany);

2. Having found in Vesting Order Number 100 of August 7, 1942, as amended, that Bodee Realty Corporation, a New Jersey corporation, is a business enterprise within the United States which is a national of a designated enemy country (Germany);

3. Finding that said Emil Detzel and Willy Bolle are the persons described in subparagraph 4 hereof as the "officers" to whom the account payable referred to therein is owing;

4. Finding therefore that the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of the aforesaid Emil Detzel and Willy Bolle, and each of them, in and to all obligations, contingent or otherwise and whether or not matured, owing to them, or either of them, by said Bodee Realty Corporation, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to sue for and collect such obligations, and including particularly an obligation represented on the books of said corporation as an account payable to "officers" of said Bodee Realty Corporation,

is an interest in the aforesaid business enterprise held by nationals of an enemy country, and also is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

5. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 4, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1870; Filed, February 4, 1943; 11:07 a. m.]

[Vesting Order 712]

BOLLE AND DETZEL, INC.

Re: Certain obligations owing by Bolle & Detzel, Inc.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Emil Detzel and Willy Bolle are German citizens and are now interned in the United States, and therefore are nationals of a designated enemy country (Germany);

2. Having found in Vesting Order Number 101 of August 7, 1942, that Bolle & Detzel, Inc., a New York corporation, is a business enterprise within the United States which is a national of a designated enemy country (Germany);

3. Finding that said Emil Detzel and Willy Bolle are the persons described in subparagraph 4 hereof as the "officers" to whom the account payable referred to therein is owing;

4. Finding therefore that the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of the aforesaid Emil Detzel and Willy Bolle, and each of them, in and to all obligations, contingent or otherwise and whether or not matured, owing to them, or either of them, by said Bolle & Detzel, Inc., including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to sue for and collect such obligations, and including particularly an obligation represented on the books of said corporation as an account payable to "officers" of said Bolle & Detzel, Inc.,

is an interest in the aforesaid business enterprise held by nationals of an enemy country, and also is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

5. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 4, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts,

pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 18, 1943

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1871; Filed, February 4, 1943; 11:06 a. m.]

[Vesting Order 734]

EMPIRE IMPORT AND EXPORT CORPORATION

Re: Certain obligations owing by Empire Import and Export Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Local Filatures Corporation, located at Kobe, Japan, is a national of a designated enemy country (Japan);

2. Having found in Vesting Order No. 177 of September 28, 1942, that Empire Import and Export Corporation, a New York corporation, is a business enterprise within the United States which is a national of a designated enemy country (Japan);

3. Finding that said Local Filatures Corporation is the owner of the property described in subparagraph 4 hereof;

4. Finding therefore that the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of the aforesaid Local Filatures Corporation, in and to all obligations, contingent or otherwise and whether or not matured, owing to it by said Empire Import and Export Corporation, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to sue for and collect such obligations, and including particularly an obligation represented on the books and records of said corporation as an account payable to said Local Filatures Corporation.

is an interest in the aforesaid business enterprise held by a national of an enemy country, and also is property within the United States owned or controlled by a national of a designated enemy country (Japan);

5. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Japan);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 4, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1872; Filed, February 4, 1943; 11:06 a. m.]

[Vesting Order 793]

ESTATE OF KAROLINA HAASZ, ETC.

In re: Estate of Karolina Haasz or Haass or Haas, deceased; file D-66-233; E.T. sec. 2071.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by John M. Huston, Register of Wills and Clerk of Orphans' Court, City-County Building, Pittsburgh, Pennsylvania, acting under the judicial supervision of Orphans' Court of the State of Pennsylvania, in and for the County of Allegheny;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

Nationals:	*Last known address*
Sidonia Lopusan	Hungary
Jakopovisc Antalny	Hungary.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary, and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Sidonia Lopusan and Jakopovisc Antalny, and each of them, in and to the estate of Karolina Haasz or Haass or Haas, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1873; Filed February 4, 1943; 11:03 a. m.]

[Vesting Order 794]

ESTATE OF THOMAS C. HALL

In re: Estate of Thomas C. Hall, deceased; File D-28-1940; E. T. sec. 1967.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Fifth Avenue Bank of New York, 530 Fifth Avenue, New York, N. Y., and John Hall Wheelock, 550 East 57th Street, New York, N. Y., Executors, acting under the judicial supervision of Surrogate's Court of the State of New York, in and for the County of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Carl Von Engelhart, whose last known address is Germany; and

Determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Carl Von Engelhart in and to the estate of Thomas C. Hall, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1874; Filed, February 4, 1943; 11:03 a. m.]

[Vesting Order 795]

ESTATE OF OLIMPIO IACCHETTI

In re: Estate of Olimpio Iacchetti, deceased; File No. D-38-412; E. T. sec. 1611.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Bronx County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Michelina DiMichele Iacchetta	Italy.
Olanda Iacchetta	Italy.
Vincenzo Iacchetta	Italy.
Faustino Iacchetta	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Michelina DiMichele Iacchetta, Olanda Iacchetta, Vincenzo Iacchetta and Faustino Iacchetta, and each of them, in and to the Estate of Olimpio Iacchetti, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1875; Filed, February 4, 1943; 11:03 a. m.]

[Vesting Order 796]

ESTATE OF ANNIE KLAUSER

In re: Estate of Annie Klauser, deceased; File No. D-28-1845; E. T. sec. 1456.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Bronx County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known Address*
Paul Krause	Germany.
Richard Krause	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Paul Krause and Richard Krause, and each of them, in and to the Estate of Annie Klauser, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1876; Filed, February 4, 1943; 11:03 a. m.]

[Vesting Order 797]

ESTATE OF ALFRED OTTO KOESTER

In re: Estate of Alfred Otto Koester, deceased; File D-28-89; E. T. sec. 298.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by L. C. Koster, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Lucy Koester	Germany

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Lucy Koester in and to the Estate of Alfred Otto Koester, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1877; Filed February 4, 1943; 11:03 a. m.]

[Vesting Order 798]

ESTATE OF ALBERT MAKAY

In re: Estate of Albert Makay, deceased; File No. D–34–61; E. T. sec. 799.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Kings County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

Nationals:	*Last known address*
Cecelia Herman	Hungary
Meyer Makay Paskes	Hungary
Gazela Makay Paskes	Hungary

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Cecelia Herman, Meyer Makay Paskes and Gazela Makay Paskes and each of them in and to the Estate of Albert Makay, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1878; Filed, February 4, 1943; 11:04 a. m.]

[Vesting Order 799]

ESTATE OF PASQUALE MALTESE

In re: Estate of Pasquale Maltese, deceased; File No. D–38–453; E. T. sec. 791.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Kings County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Francesco Maltese	Italy
Boccone Del Povero Sciacca	Italy

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Francesco Maltese and Boccone Del Povero Sciacca and each of them in and to the Estate of Pasquale Maltese, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1879; Filed, February 4, 1943; 11:04 a. m.]

[Vesting Order 800]

MORTGAGE PARTICIPATION FUND OF INTEGRITY TRUST CO.

In re: Mortgage Participation Fund of Integrity Trust Company; File F–28–17316; E. T. sec. 933.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation.

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Land Title Bank and Trust Company, substituted trustee for Mortgage Participation Fund of Integrity Trust Company, acting under the judicial supervision of Philadelphia County Common Pleas Court No. 2, Philadelphia, Pennsylvania

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Luise Glenz	Germany

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Luise Glenz in and to Mortgage Participation Fund of Integrity Trust Company,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests of the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian, a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1880; Filed, February 4, 1943; 11:04 a. m.]

[Vesting Order 801]

ESTATE OF BERTHA OFFT

In re: Estate of Bertha Offt, deceased; File F–28–11879; E. T. sec. 2025.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Ben H. Brown, Public Administrator of Los Angeles County, of the estate of Bertha Offt, deceased, acting under the judicial supervision of Superior Court, County of Los Angeles, California;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
B. Werner Offt	Germany.
Martha Gebhardt	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of B. Werner Offt, Martha Gebhardt and each of them, in and to the Estate of Bertha Offt, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1881; Filed, February 4, 1943; 11:04 a. m.]

[Vesting Order 802]

ESTATE OF FRED RICCI, ETC.

In re: Estate of Fred Ricci also known as Federico Giuseppe Ricci, deceased; File No. D–38–409; E. T. sec. 1609.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Bronx County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Francesco Ricci	Italy.
Giovanna Ricci	Italy.
Clelia Ricci	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Francesco Ricci, Giovanna Ricci and Clelia Ricci, and each of them, in and to the Estate of Fred Ricci also known as Federico Giuseppe Ricci, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1882; Filed, February 4, 1943; 11:04 a. m.]

[Vesting Order 803]

ESTATE OF ADOLF ROHLFS

In re: Estate of Adolf Rohlfs, deceased; File D–28–1576; E. T. Sec. 409.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Gottfried Rohlfs, Administrator, acting under the judicial supervision of the First Judicial District Court of the State of Nevada, in and for Ormsby County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Wilhelm Rohlfs	Germany
Marie Rohlfs	Germany
Johann Friedrich Telkamp	Germany
Henry Wenck	Germany
Mimi Wenck Reppenhagen	Germany
Walter Wenck	Germany
Wilhelm Ficken	Germany
Marie Ficken Appold	Germany
Meta Ficken Sconibbe	Germany
Anni Holling Womhoff	Germany
Auguste Holling Schnaars	Germany
Johanne Holling	Germany
Hinrich Holling	Germany

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Wilhelm Rohlfs, Marie Rohlfs, Johann Frederich Telkamp, Henry Wenck, Mimi Wenck Reppenhagen, Walter Wenck, Wilhelm Ficken, Marie Ficken Appold, Meta Ficken Sconibbe, Anni Holling Womhoff, Auguste Holling Schnaars, Johanne Holling and Hinrich Holling and each of them in and to the Estate of Adolf Rohlfs, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–1883; Filed, February 4, 1943, 11:05 a. m.]

[Vesting Order 804]

ESTATE OF CONCHETTA RUSSO

In re: Estate of Conchetta Russo, deceased, File No. D–38–454; E. T. sec. 790.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Kings County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Gaetano Russo	Italy.
Vincenzo Russo	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Gaetano Russo and Vincenzo Russo and each of them in and to the Estate of Conchetta Russo, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–1884; Filed, February 4 1943, 11:05 a. m.]

[Vesting Order 805]

ESTATE OF VINCENZO SABELLA

In re: Estate of Vincenzo Sabella, deceased; File No. D–38–452; E.T. sec. 792.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Kings County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Paolo Gulino	Italy
Rosa Fazio Sabella	Italy
Francesca Gulino	Italy

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Paolo Gulino, Rosa Fazio Sabella, and Francesco Gulino and each of them in and to the Estate of Vincenzo Sabella, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F R Doc. 43–1885; Filed, February 4, 1943; 11:05 a. m.]

[Vesting Order 806]

ESTATE OF ERIKA E. SCHILLER

In re: Estate of Erika E. Schiller under guardianship; File F–28–15120; E. T. sec. 1235.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Land Title Bank and Trust Company, Substituted Guardian, of the estate of Erika E. Schiller, acting under the judicial supervision of the Orphans Court, Montgomery County, Pennsylvania.

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Erika E Schiller	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Erika E. Schiller in and to the Integrity Trust Pool, and in and to the estate of Erika E. Schiller under guardianship,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–1886; Filed, February 4, 1943; 11:05 a. m.]

[Vesting Order 807]

ESTATE OF HELENE SCHMIDT

In re: Estate of Helene Schmidt, deceased; File No. D–34–68; E. T. sec. 1221.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Queens County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

Nationals:	*Last known address*
Anna Baksy Kocsy	Hungary.
Paul Kocsy	Hungary.
Lenke Kocsy	Hungary.
Martha Kocsy	Hungary.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title interest, and claim of any kind or character whatsoever of Anna Baksy Kocsy, Paul Kocsy, Lenke Kocsy and Martha Kocsy, and each of them, in and to the Estate of Helene Schmidt, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F.R. Doc. 43–1887; Filed, February 4, 1943; 11:05 a. m.]

[Vesting Order 803]

ESTATE OF MAXIMILIAN SPIESMACHER

In re: Estate of Maximilian Spiesmacher, also known as Max Spiesmacher, deceased; File D–28–1966; E. T. sec. 1918.

Under the authority of the Trading with the Enemy Act as amended and Executive Order 9095 as amended and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Carl Spiesmacher, Administrator of the estate of Maximilian Spiesmacher, also known as Max Spiesmacher, deceased, acting under the judicial supervision of the Surrogate's Court of the State of New York in and for Kings County.

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Laura Kleinhans, nee Spiesmacher	Germany.
Johann Spiesmacher	Germany.
Max Spiesmacher	Germany.
Sophie Spiesmacher	Germany
Marla Biederman, nee Spiesmacher	Germany

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title and interest of any kind or character whatsoever of Laura Kleinhans, nee Spiesmacher, Johann Spiesmacher, Max Spies-

macher, Sophie Spiesmacher and Maria Biederman, nee Spiesmacher and each of them in and to the estate of Maximilian Spiesmacher, also known as Max Spiesmacher, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian, to return such property and interests or proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 1, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–1883; Filed, February 4, 1943; 11:06 a. m.]

[Vesting Order 812]

ESTATE OF THERESA DIETL

In re: Estate of Theresa Deitl, deceased; File F–28–12665; E. T. sec. 1265.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Edward J. Swetes, Administrator, 1420 Walnut Street, Philadelphia, Pennsylvania, acting under the judicial supervision of the Orphans' Court of Philadelphia County, State of Pennsylvania;

(2) Such property and interests are payable or deliverable to, and claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
Kreszentia Wegmann	Germany.
Magnus Wegmann	Germany.
Joseph Wegmann	Germany.
Innozenz Wegmann	Germany.
Xaver Wegmann	Germany.
Michael Dietl	Germany.
Personal representative or representatives of the Estate of Kornelius Wegmann, deceased.	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Kreszentia Wegmann, Magnus Wegmann, Joseph Wegmann, Innozenz Wegmann, Xaver Wegmann, the Estate of Kornelius Wegmann, deceased, the personal representative or representatives of the Estate of Kornelius Wegmann, Michael Dietl, and each of them, in and to the estate of Theresa Dietl, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–1889; Filed, February 4, 1943; 11:06 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

TRANSPORTATION OF AGRICULTURAL COMMODITIES AND PRODUCTS

RECOMMENDATION FOR INDUSTRY TRANSPORTATION PLANS

In order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, the following plan concerning the transportation of agricultural commodities and products thereof by motor vehicle is promulgated and recommended to the Chairman of the War Production Board for approval under section 12, Public Law 603, 77th Congress (56 Stat. L. 351).

1. *Industry Transportation Committee.* The producers, motor carriers, processors and dealers in agricultural commodities and products thereof within any designated area shall select a committee to be known as an Industry Transportation Committee. This Committee shall be selected in a manner so as to be equally representative of such producers, motor carriers, processors and dealers. Upon the selection of such Committee the members thereof shall elect a Chairman. The Chairman of such Committee, prior to any action thereby, shall file with the Office of Defense Transportation information concerning the type of industry, membership of the Committee, method of selection thereof and a description of the area within which such Committee will act, together with such other information as may be required by the Office of Defense Transportation. The Office of Defense Transportation will review this information and approve or disapprove the Committee as constituted, and, if approved, will reserve the right to remove at any time any person selected as a member thereof. When approved, the Committee will be recognized by the Office of Defense Transportation as authorized to act within such area in the formulation of an Industry Transportation Plan.

2. *Industry Transportation Plan.* The Industry Transportation Committee shall formulate an Industry Transportation Plan, which plan shall be in conformity with the terms and provisions herein prescribed.

3. *Contents; parts.* The Industry Transportation Plan may consist of one or two parts as follows:

One part of the plan shall consist of a relocation of routes within the designated area arranged with the advice and assistance of such Committee. The routes of the motor carriers shall be revised so as to eliminate nonessential travel and to obtain maximum utilization of the motor trucks used upon the revised routes. The routes shall be so adjusted that the products of each producer will be transported to his chosen market. The price received by the producer shall not be changed by the plan.

The plan may have a second part which shall consist of a further relocation of routes within the same area, by which the products of the producer shall generally be transported to the processor or dealer who is nearest to the farm of the producer in the point of highway miles. This arrangement shall be known as zoning of market areas. Such zoning of market areas shall be arranged so that no producer will receive a price for his product which is less than the price he received under his prior arrangement. The plan shall provide that the processor or dealer will receive approximately the same quantity of such product as under his prior arrangement. Likewise, the plan shall provide that the producer may deliver approximately the same quantity of his product as under his prior arrangement.

4. *Industry Transportation Plan shall be reduced to writing.* The Industry Transportation Committee shall reduce to writing the details of such Industry Transportation Plan, which writing shall

be signed by all members of the Committee. If the plan has been arranged in two parts, the writing shall consist of two parts as follows:

The first part shall describe the area, the number and location of the processors and dealers, the number of producers, the number of motor carriers and location of their present routes, the proposed relocation of routes, the truck mileage savings which will be accomplished by the arrangement, the nature and extent to which the proposed operation will be affected by any regulatory law or regulation and the name and address of any motor carrier who will suspend operations.

The second part of the plan shall contain the same information as required in respect of the first part of such plan, and, in addition, shall contain detailed information concerning the proposed zoning of market areas, a statement to the effect that the price received by the producer will not be changed by the arrangement, and the name, address and objection of any producer, motor carrier, processor or dealer who declines to participate in the arrangement.

5. *General Restrictions.* No provision shall be contained in any Industry Transportation Plan which will deny to the producer, processor or dealer the right to deliver or procure agricultural commodities and products thereof by the use of transportation facilities other than those of the motor carriers participating in the plan; and no provision shall be contained in any such plan which will require the motor carriers participating therein to perform any transportation service which is not authorized or sanctioned by law, or to render any service beyond its transportation capacity.

6. *Publication of plan.* The Industry Transportation Plan shall be publicized by the Industry Transportation Committee in such manner as will give all persons affected thereby an opportunity to examine the provisions of such plan. A true copy of this Recommendation and Certificate No. 28 issued to the Attorney General in respect of such Recommendation by the Chairman of the War Production Board shall be included in such publication.[1] The publication shall provide that any producer, motor carrier, processor or dealer in agricultural commodities and products thereof within such designated area may complain or comment in respect of the proposed relocation of routes or zoning of market areas as described in the plan. The manner and form of such publication shall be described in an appropriate certificate executed by the Chairman of the Industry Transportation Committee and such certificate shall be attached to the plan.

7. *Adjustment of complaints.* In the event complaints are received, the Industry Transportation Committee shall consider and adjust such complaints if possible. The Committee shall, if necessary, revise the plan to accord with any adjustment made by reason of such complaints. Any complaints received by the Committee which have not been adjusted shall be attached to the plan, together with a brief statement setting forth the position of the Committee in respect of such complaint.

8. *Filing.* The Industry Transportation Plan, as revised, together with the attachments herein prescribed, shall be filed with the Office of Defense Transportation. The General Counsel of the Office of Defense Transportation will review the plan, together with the attachment, and prepare an analysis thereof. If, in his opinion, the adoption thereof will accomplish substantial conservation and efficient utilization of motor trucks and vital materials without undue injustice or inequity to those affected and the plan conforms to the provisions, conditions and limitations of this Recommendation and Certificate No. 28 issued by the Chairman of the War Production Board in respect of such Recommendation, he will approve the plan and direct those who have agreed, or shall hereafter agree, to participate in the plan, to put it into effect and will so certify in writing to the Chairman of the War Production Board and to the Attorney General and will transmit to each of such persons a copy of the specific plan and his analysis thereof.

9. *Administrator; Industry Advisory Committee.* The Office of Defense Transportation will designate one of its employees to act as administrator of the Industry Transportation Plan. Such administrator will act in such capacity with the advice and assistance of an Industry Advisory Committee. Such Committee shall be selected by the participating producers, motor carriers, processors and dealers located within the designated area and subject to the same conditions and limitations as prescribed for the selection for the Industry Transportation Committee.

10. *Complaints.* After the effectuation of such Industry Transportation Plan, any participating producer, motor carrier, processor or dealer may file a complaint in writing with the administrator in respect of such Industry Transportation Plan. The administrator, with the advice and assistance of the Industry Advisory Committee, will attempt to adjust such complaints. In the event no satisfactory adjustment can be made, no compulsion shall be used upon such producer, processor or dealer. Any complaint received from a participating motor carrier will be considered and decided by the administrator with the advice and assistance of the Industry Advisory Committee. If the carrier is not satisfied with the decision, he may appeal to the District Manager of the Office of Defense Transportation. If his decision is adverse, the carrier may appeal to the Director, Division of Motor Transport, Office of Defense Transportation, Washington, D. C., whose decision shall be final.

11. *Records; inspection.* The administrator shall keep a record of his acts pertaining to the operation of the plan, which record shall be available at all reasonable times for inspection by participants in the plan and by accredited representatives of the Office of Defense Transportation.

12. *Termination.* This Recommendation shall remain in full force and effect until six months after the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation may designate, or until any certificate issued in respect of this Recommendation shall have been withdrawn by the Chairman of the War Production Board in the manner provided by section 12, Public Law 603, 77th Congress, (56 Stat. L. 351).

Issued at Washington, D. C., this 29th day of January 1943.

JOSEPH B. EASTMAN,
Director.

[F. R. Doc. 43–1863; Filed, February 4, 1943; 11:01 a. m.]

[1] 8 F.R. 1668.

OFFICE OF PRICE ADMINISTRATION.

[General Order 44]

DELEGATION OF AUTHORITY TO ACT FOR THE PRICE ADMINISTRATOR IN APPROVING RETAIL ECONOMY PRACTICES UNDER SUPPLEMENTARY ORDER 29[1]

Pursuant to the authority conferred upon the Price Administrator by the Emergency Price Control Act of 1942, as amended, the following order is prescribed:

(a) Any Regional Administrator, State Director or District Manager is hereby authorized, within his region, state or district, to exercise the functions, duties, powers, and authority conferred upon the Price Administrator by Supplementary Order 29 to determine the reasonableness of any curtailment in retail service as permitted by said order.

(b) Any power, authority, or discretion conferred by this General Order 44 upon the Regional Administrators, State Directors, or District Managers may be exercised by such persons through such officers and employees of the Office of Price Administration as may be designated for that purpose.

(c) Any order issued or other action taken pursuant to this delegation of authority shall have the same force and effect as if issued or taken by the Administrator.

(d) This General Order shall become effective the 3d day of February 1943.

Issued this 3d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1836; Filed, February 3, 1943; 3:20 p. m.]

[1] 7 F.R. 9616.

[Order 151 Under MPR 188]

MINNEAPOLIS-HONEYWELL REGULATOR CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 151 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for

Specified Building Materials and Consumers' Goods other than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and § 1499.158 of Maximum Price Regulation No. 188, *It is hereby ordered*, That:

(a) The Minneapolis-Honeywell Regulator Company of 2747 Fourth Avenue South, Minneapolis, Minnesota, may sell and deliver, and any person may buy and receive from the Minneapolis-Honeywell Regulator Company, specially designed modutrol panel boards, consisting of various component control devices assembled and mounted in a cabinet, which will not become part of Minneapolis-Honeywell Regulator Company's standard line of products, which were not delivered during March 1942 by Minneapolis-Honeywell Regulator Company and the prices for which cannot be determined upon the basis of prices which Minneapolis-Honeywell Regulator Company had in effect for standard items during March 1942, at a price determined by the following formula:

(1) Determine the list price during March 1942 of each component part as appearing in "Section 16, Consolidated Price Book" or in "Minneapolis-Honeywell Automatic Controls, Condensed Catalogue, Price List."

(2) Add cost of painting and packing determined at the rate of $1.25 per square foot of panel face as set forth in "Section 16, Consolidated Price Book."

(3) Add cost of wiring determined at the rate of $.05 per panel terminal as set forth in "Section 16, Consolidated Price Book."

(4) Add the assembly labor determined by multiplying the number of assembly hours required, by $3.50, the list price per hour as set forth in "Section 16, Consolidated Price Book".

(b) All discounts applicable to the sale of regular modutrol panel boards, whether based on quantity, class of purchaser, cash payment, or any other cause, shall be applicable to the sale of specially designed modutrol panel boards and shall not be reduced unless a lower price results.

(c) The Minneapolis-Honeywell Regulator Company shall retain in its files and have available for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect the following information in respect to each article priced in accordance with this order:

(1) The description;

(2) The name and address of the purchaser;

(3) The price as determined in accordance with paragraph (a) of this order;

(4) Detailed calculations in determining the price;

(5) The discount allowed.

(d) This Order No. 151 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 151 shall become effective February 4, 1943.

Issued this 3d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1851; Filed, February 3, 1943; 3:21 p. m.]

[General Order 45]

DELEGATION OF AUTHORITY TO ACT FOR THE ADMINISTRATOR

Pursuant to the authority conferred upon the Administrator by Executive Order No. 9125, Executive Order No. 9280, War Production Board Directive No. 1, as supplemented, and Food Directive 1 of the Secretary of Agriculture, the following order is prescribed:

(a) Louis H. Harris, Chairman, Industry Council, is authorized and directed to exercise the following functions, duties, powers, authority, and discretion in connection with rationing:

(1) To determine whether any person has violated any regulation or order heretofore or hereafter issued by the Office of Price Administration or the Administrator pursuant to War Production Board Directive No. 1, as heretofore or hereafter supplemented, or Food Directive 1 of the Secretary of Agriculture, and to issue such suspension orders and take such other action as may be appropriate in the premises.

(2) To consider and determine petitions for reconsideration of suspension orders heretofore or hereafter issued, and take such action thereon as may be appropriate in the premises.

(b) Any decision made, order issued, and other action taken by said Louis H. Harris pursuant to this delegation of authority shall have the same force and effect as if made, issued, or taken by the Administrator.

Issued and effective this 4th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1905; Filed, February 4, 1943; 11:41 a. m.]

[Order 155 Under MPR 120]

RED ASH SMOKELESS COAL COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 155 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120-111.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced by Red Ash Smokeless Coal Company, Iaeger, West Virginia, at its Red Ash Mine (Mine Index No. 389) in District No. 8, may be sold and purchased for shipment by rail at prices, not to exceed $3.50 per net ton f. o. b. the mine in Size Group 3, and $3 per net ton f. o. b. the mine in Size Group 15.

(b) Within thirty (30) days from the effective date of this order, Red Ash Smokeless Coal Company shall notify all persons purchasing its coals of the adjustments granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the provisions of Maximum Price Regulation No. 122.

(c) This Order No. 155 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(e) This Order No. 155 shall become effective February 5, 1943.

Issued this 4th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1906; Filed, February 4, 1943; 11:42 a. m.]

Regional Office, Region I.

[Emergency Order 2 Under Ration Order 11]

FUEL OIL OTHER THAN KEROSENE IN SOUTHERN NEW ENGLAND

Pursuant to the authority conferred upon the Regional Administrator by § 1394.5715 of Ration Order No. 11, as amended, the following emergency order is prescribed:

(a) *Findings.* The Regional Administrator finds that in the States of Massachusetts, Connecticut and Rhode Island, as the result of a serious decrease in stocks, there exists an emergency in the transportation and distribution of fuel oil which endangers the public health, the public welfare and the war effort.

(b) *Scope of order.* (1) Nothing in this emergency order shall be construed to limit the quantity of fuel oil of any grade which may be acquired by the persons listed in § 1394.5052 of Ration Order No. 11.

(2) This emergency order applies only to fuel oils of grades Nos. 2, 3, 4 5 and 6, hereinafter referred to as "fuel oil other than kerosene", and does not apply to fuel oil of grade No. 1, commonly known as range oil or kerosene, hereinafter referred to as "kerosene". Nothing in this emergency order shall be construed to affect the operation of Emergency Order No. 1.

(3) This emergency order shall be effective in the states of Massachusetts, Connecticut and Rhode Island.

(c) *Order.* During the effective period of this order, notwithstanding the provisions of § 1394.5661 of Ration Order No. 11 relating to discrimination in transfers to consumers,

(1) No person shall transfer or deliver fuel oil other than kerosene to any consumer nor shall any consumer accept a transfer or delivery if such customer has on hand a supply of such fuel oil sufficient to meet his estimated needs for seven days;

(2) No person shall transfer or deliver fuel oil other than kerosene to any consumer nor shall any consumer accept a transfer or delivery in an amount greater than a supply sufficient to meet his estimated consumption for ten days: *Provided, however*, That this limitation on the amount of a delivery shall not operate to prohibit a delivery of a greater amount

(i) Of residual oil where the minimum practicable delivery is more than a ten days' supply, or

(ii) Of distillate oil to the extent of 100 gallons, where 100 gallons is more than a ten days' supply, or

(iii) Where extraordinary circumstances of transportation or distribution require a delivery of more than a ten days' supply.

(3) *List of priorities of transfers and deliveries.* During the effective period of this order, notwithstanding the provisions of § 1394.5661 of Ration Order No. 11, relating to discrimination in transfers to consumers, transfers and deliveries of fuel oil other than kerosene shall be made to all consumers on the following list, prior to deliveries to any other consumers:

(i) Consumers who require fuel oil other than kerosene for use in private dwellings;

(ii) Consumers who require fuel oil other than kerosene for use in buildings other than private dwellings used for residential purposes, including hospitals, apartment houses, hotels, rooming houses and the like;

(iii) Consumers engaged in operations listed on Schedule A of Petroleum Administrative Order No. 3 to the extent necessary to enable them to carry on such operations, provided that such consumers certify in writing to the transferer the percentage of their present ration that is necessary to enable them to carry on such operations, and provided further that a copy of such certification shall be forthwith mailed by each such consumer to the nearest District Office of the War Production Board;

(iv) Consumers whose operations are not included in Schedule A of Petroleum Administrative Order No. 3 but who may be certified by the Regional Director of the New England Office of the War Production Board, or by his duly authorized representative, to be engaged in essential war production the temporary interruption of which would seriously impede the war effort, provided that any such consumer shall furnish to the transferer such certificate or a copy thereof, prior to delivery;

(v) Consumers, who, in accordance with paragraph (7) of this order, obtain from a Local War Price and Rationing Board a certification in writing that they require fuel oil other than kerosene to a specified amount to meet an emergency involving a serious threat to life, health or valuable property, and who furnish such certification to the transferor prior to delivery.

The alphabetical or numerical arrangement of the foregoing list does not indicate priority of any consumer over another consumer on such list. All consumers on the list are in the same classification insofar as priority is concerned.

(4) Any person who has satisfied all current demands, as limited above, for either distillate or residual oil or both, made upon him by consumers on the priority list, may thereafter, subject to § 1394.5661 of Ration Order No. 11 relating to discrimination in transfers to consumers, make transfers or deliveries out of his remaining stocks of such distillate or residual oil, as the case may be, to any consumer entitled to acquire fuel oil other than kerosene under Ration Order No. 11, except that the following are prohibited:

(i) Delivery to, and acceptance by, consumers for use in buildings operated exclusively for purposes of amusement, entertainment, athletics or sports, including but not limited to theatres, night clubs, bowling alleys, poolrooms, dance halls, barrooms and skating rinks;

(ii) Acceptance by consumers of delivery for use in buildings devoted in part to purposes of amusement, entertainment, athletics or sports, unless every practicable means has been taken to cut off the radiation and circulation of heat to the portion of such buildings devoted to purposes of amusement, entertainment, athletics or sports. Deliveries allowable under this paragraph shall be no more than sufficient to meet such consumers reduced needs.

(5) Any transferor of fuel oil other than kerosene who in good faith refuses to make a delivery to a consumer because of a reasonable belief on the part of such transferor that such consumer falls within the class of consumers deliveries to whom are prohibited shall not be deemed to have committed a violation of the provisions of § 1394.5661 of Ration Order No. 11 relating to discrimination in transfers to consumers.

(6) Any dealer may make a reasonable classification of consumers not on the priority list, based upon relative essentiality of use, and deliveries made in good faith on the basis of such classification shall not be deemed to be a violation of § 1394.5661 of Ration Order No. 11 relating to discrimination in transfers to consumers.

(7) Any consumer who requires a transfer for an emergency involving serious threat to life, health, or valuable property may, upon satisfying a Local Board of the genuineness of the need and the lack of other means of meeting it, obtain from the Local Board a certification of the existence of the emergency which will authorize delivery of a specified amount to such consumer to the same extent as if he were on the priority list above.

(8) *Definitions.* All terms in this order which are defined in Ration Order No. 11 shall have the meaning assigned to them in that ration order.

(9) *Penalties.* Any violation of this order shall be deemed a violation of Ration Order No. 11.

(10) *Restrictions on transfers to consumers.* Nothing contained in this emergency order shall authorize a transfer or delivery of fuel oil of any grade to a consumer except in exchange for valid coupons or other evidences, or delivery receipts, authorized by Ration Order No. 11.

(11) *Effective period.* This order shall take effect at 12:01 a. m. January 31, 1943, and shall terminate at 12:00 p. m. February 9, 1943, unless extended by further order.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562; Supp. Dir. 1-O, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719; Ration Order No. 11, 7 F.R. 8480)

Issued this 30th day of January 1943.

KENNETH B. BACKMAN,
Regional Administrator.

[F. R. Doc. 43-1837; Filed, February 3, 1943; 3:20 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 812-298]

THE CELOTEX CORP. AND PHOENIX SECURITIES CORP.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 2d day of February, A. D., 1943.

An application having been filed by The Celotex Corporation, an affiliated person of an affiliated person, within the provisions of the Investment Company Act of 1940, of Phoenix Securities Corporation, a registered investment company, for an order pursuant to section 17 (b) of the Act exempting from the provisions of section 17 (a) of the Act, a proposed purchase by The Celotex Corporation from Phoenix Securities Corporation of 93,100 shares of the common stock of the South Coast Corporation, at $3.50 per share of which one-half is payable in cash on the date of purchase and the other half one year less a day thereafter.

It is ordered, That a hearing on the aforesaid application be held on February 11, 1943, at ten o'clock in the forenoon of that day at the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise interested parties where such hearing will be held;

It is further ordered, That Robert P. Reeder, Esquire, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such matter. The officer so designated to preside on such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

Notice is hereby given to the applicant and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-1831; Filed, February 3, 1943; 2:26 p. m.]

WAR PRODUCTION BOARD.

[Certificate 28]

TRANSPORTATION OF AGRICULTURAL COMMODITIES AND PRODUCTS

THE ATTORNEY GENERAL: Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I submit herewith a plan formulated by the Office of Defense Transportation entitled "Recommendation for Industry Transportation Plans for Transportation of Agricultural Commodities and Products".[1]

[1] Supra.

For the purpose of the aforesaid section 12 of Public Law No. 603, I have approved such plan; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such plan, is requisite to the prosecution of the war.

Dated: February 2, 1943.

DONALD M. NELSON,
Chairman.

[F. R. Doc. 43-1861; Filed, February 4, 1943; 11:01 a. m.]

[Certificate 29]

GENERAL ELECTRIC CO.—WESTINGHOUSE ELECTRIC MFR. CO.

EXCHANGE OF PLANS, DRAWINGS, AND POOLING INFORMATION

THE ATTORNEY GENERAL: For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I have approved an arrangement entered into at the request of the Navy Department between General Electric Company and Westinghouse Electric and Manufacturing Company for the exchange of plans, drawings, designs, and the pooling of manufacturing information, with respect to certain auxiliary turbine generators for delivery to the Navy Department; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such approval, is requisite to the prosecution of the war.

Dated: February 2, 1943.

DONALD M. NELSON,
Chairman.

[F. R. Doc. 43-1862; Filed, February 4, 1943; 11:01 a. m.]

FEB '43

FEDERAL REGISTER

VOLUME 8 NUMBER 26

Washington, Saturday, February 6, 1943

The President

EXECUTIVE ORDER 9299

PRESCRIBING REGULATIONS AND PROCEDURE WITH RESPECT TO WAGE AND SALARY ADJUSTMENTS FOR EMPLOYEES SUBJECT TO THE RAILWAY LABOR ACT

By virtue of the authority vested in me by the Constitution and statutes of the United States, and more particularly by the act of October 2, 1942 (Public Law 729, 77th Congress), it is hereby ordered:

1. No increases in the wage rates or salary of any employee subject to the provisions of the Railway Labor Act, whether granted as a result of voluntary agreement, collective bargaining, conciliation, arbitration, or otherwise, and no decreases in such wage rates or salary, shall be made except in accordance with the provisions of this order; provided, however, that nothing contained in this order or Executive Order No. 9250 [1] shall be construed as affecting the procedure or limiting the jurisdiction of either the National Mediation Board, as defined in the Railway Labor Act, or the National Railway Labor Panel, as defined in Executive Order No. 9172,[2] except as herein specifically set forth.

2. No carrier shall make any change in wage rates, except such changes as by general order of the National War Labor Board, or by regulations of the Commissioner of Internal Revenue, are permitted to be made without the specific approval of the Board or the Commissioner, as the case may be, unless notice of such proposed change shall have been filed with the Chairman of the National Railway Labor Panel, created by Executive Order No. 9172, and shall have been permitted to become effective as hereinafter provided.

Notwithstanding § 4001.2 of the Regulations of the Economic Stabilization Director,[3] for the purpose of determining what wage and salary adjustments may be made without any specific approval, the general orders of the National War Labor Board shall be applicable to all employees subject to the Railway Labor Act, except those receiving salaries at the rate of $5,000 or more per annum in regard to whom the regulations of the Commissioner of Internal Revenue shall apply. But any adjustment of salary under $5,000 heretofore approved by the Commissioner shall not be affected by this order.

3. If the Chairman of the National Railway Labor Panel has reason to believe that the proposed change, in wage rates or salary, may not conform to the standards prescribed in Executive Order No. 9250, or to the general stabilization program made effective thereunder, or to the directives on policy issued by the Economic Stabilization Director thereunder and the proposed change is not modified to conform to such standards, program, and directives, he shall designate three members of the Panel as an Emergency Board to investigate the proposed change and to report to the President. Otherwise, the Chairman of the Panel may permit the proposed change to become effective.

4. Emergency Boards, whether designated pursuant to the Railway Labor Act, Executive Order No. 9172, or section 3 of this order, in reporting to the President shall certify that their recommendations in regard to any proposed change affecting wage and salary payments conform with the standards prescribed in Executive Order No. 9250, the general stabilization program made effective thereunder, and with the directives on policy issued by the Economic Stabilization Director thereunder.

5. Copies of the report with recommendations made to the President by any Emergency Board under section 4 of this order shall be filed by the Board forthwith with the Economic Stabilization Director, the National War Labor Board and the Commissioner of Internal Revenue. The Economic Stabilization Director may on behalf of himself or other departments and agencies concerned, report to the President the effect of the recommendations on the general stabilization program. Unless and except to the extent that the Economic Stabilization Director shall otherwise direct, the recommendations of the Emergency

(Continued on next page)

[1] 7 F.R. 7871.
[2] 7 F.R. 3913.
[3] 7 F.R. 8748.

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FEDERAL REGISTER

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Board in regard to proposed changes affecting wages and salary payments shall, upon the expiration of thirty days after the report is filed with the President, become effective.

6. The National War Labor Board and the Commissioner of Internal Revenue shall either rule on any application for approval of wage and salary adjustments now before the Board and the Commissioner or transfer it to the Chairman of the National Railway Labor Panel. The Board and the Commissioner shall not rule on any application hereafter made.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
February 4, 1943.

[F. R. Doc. 43-1924; Filed, February 5, 1943; 11:10 a. m.]

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

PART 11—NATIONAL FARM LOAN ASSOCIATIONS

RETIREMENT OF STOCK IN CONNECTION WITH DIVISIONS OF LOANS

Part 11 of Chapter I, Title 6, Code of Federal Regulations, is hereby amended by adding § 11.258–50, as follows:

§ 11.258–50 *Retirement of stock in connection with divisions of loans.* The Administration approves the retirement under section 7 of the Federal Farm Loan Act (U.S.C. 721) of stock of the bank held as security for a loan resulting from the division of a loan in an amount which will reduce the amount of stock outstanding in connection with such loan to the amount which would be required to be purchased in connection with a new loan of like amount: *Provided*, That (a) such retirement is authorized by the board of directors of the bank, (b) a current appraisal shows that the loan is within the 50-20 percentages, and (c) the capital stock of the association is not impaired.

(Sec. 6, 47 Stat. 14, sec. 7, 39 Stat. 365; 12 U.S.C. 665, 721)

[SEAL] W. E. RHEA,
Land Bank Commissioner.

[F. R. Doc. 43-1910; Filed February 4, 1943; 3:12 p. m.]

TITLE 7—AGRICULTURE

Subtitle A—Office of the Secretary

REVIEW OF APPLICATIONS FOR PRIORITY ASSISTANCE

DELEGATION OF AUTHORITY TO DIRECTOR OF FOOD PRODUCTION

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to effectuate the purposes of such order, there is hereby delegated to the Director of Food Production, or such employees of the United States Department of Agriculture as may be designated by him, the authority to approve all applications for priority assistance and recommend priority ratings relating to non-food materials to be used in connection with those aspects of the food program administered by the Food Production Administration whenever in his judgment the granting of such priority assistance or rating is necessary or appropriate to effectuate the purposes of the food program, and, otherwise to deny such applications. Such denial shall be final.

(E.O. 9280, 7 F.R. 10179)

Done at Washington, D. C., this 4th day of February 1943. Witness my hand and seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-1927; Filed, February 5, 1943; 11:32 a. m.]

Chapter III—Bureau of Entomology and Plant Quarantine

[Q. 52, Amendment 4 to Rev. Supp. Regs.]

PART 301—DOMESTIC QUARANTINE NOTICES

MODIFICATION OF PINK BOLLWORM QUARANTINE REGULATIONS

Introductory note. Owing to the discovery of a light infestation of the pink bollworm slightly beyond the northern boundary of the lightly infested area in Southern Texas, the regulated area is extended in this amendment to include small areas in Live Oak and McMullen Counties. No other modification is made in the regulations by this amendment. For the convenience of shippers and others, regulations 3 and 4, which were revised in amendment No. 1, are reprinted herein, the current document superseding amendment No. 3, which became effective on November 20, 1939.

Pursuant to the authority conferred by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U.S.C. 161), § 301.52–2 of the subpart entitled "Pink Bollworm" of Part 301, chapter III, title 7, Code of Federal Regulations (regulation 2 of the revised regulations supplemental to Notice of Quarantine No. 52), which was promulgated March 7, 1939, as amended, is hereby amended further to read as follows:

Areas Under Regulation

§ 301.52–2 *Regulated areas.* The following areas are hereby designated as regulated areas within the meaning of these regulations and are further classed as heavily or lightly infested:

Heavily infested areas—Texas. Counties of Brewster, Culberson, Jeff Davis, Presidio, and Terrell, and all of *Hudspeth County*, except that part of the northwest corner of said county lying north and west of a ridge of desert land extending from the banks of the Rio Grande northeasterly through the desert immediately west of the town of McNary, such ridge being an extension of the northwest boundary line of section 11, block 65½.

Lightly infested areas—Arizona. Counties of Cochise, Graham, Greenlee, Maricopa, Pinal, and Santa Cruz, and all of Pima County[1] except that part lying west of the western boundary line of range 8 east.

New Mexico. Counties of Chaves, Dona Ana, Eddy, Grant, Hidalgo, Lea, Luna, Otero, Roosevelt, Sierra, Socorro, and Valencia.

Texas. Counties of Andrews, Brooks, Cameron, Cochran, Concho, Crane, Dawson, Dimmit, Duval, Ector, El Paso, Frio, Gaines, Glasscock, Hidalgo, Hockley, Howard, Irion, Jim Hogg, Jim Wells, Kenedy, Kleberg, La Salle, Loving, Martin, Maverick, Midland, Mitchell, Nueces, Pecos, Reeves, Starr, Sterling, Terry, Tom Green, Upton, Ward, Webb, Willacy, Winkler, Yoakum, Zapata, and Zavala; that part of *Bailey County* lying south of the following-described boundary line: Beginning on the east line of said county where the county line intersects the northern boundary line of league 207; thence west following the northern boundary line of leagues 207, 203, 191, 188, 175, and 171 to the north west corner of league 171; thence south on the western line of league 171 to the northeast corner of the W. H. L. survey; thence west along the northern boundary of the W. H. L. survey and the northern boundary of sections 68, 67, 66, 65, 64, 63, 62, 61, and 60 of block A of the M. B. & B. survey to the western boundary of said county; that part of *Coke County* lying southwest of and including the right-of-way of Highway No. 87; that part of the northwest corner of *Hudspeth County* lying north and west of a ridge of desert land extending from the banks of the Rio Grande northeasterly through the desert immediately west of the town of McNary, such ridge being an extension of the northwest boundary line of section 11, block 65½; that part of *Lamb County* lying south of the following-described boundary line: Beginning on the east line of said county where the county line intersects the northern boundary line of section 9 of the R. M. Thomson survey; thence west following the northern boundary line of sections 9 and 10 of the R. M. Thomson survey and the northern boundary line of sections 6, 5, 4, 3, 2, and 1 of the T. A. Thompson survey and the northern boundary line of leagues 637, 636, and 635 to the southeast corner of league 239; thence north on the eastern boundary line of league 239 to the northeast corner of said league; thence west on the northern boundary line of leagues 239, 238, 233, 222, 218, and 207 to the western boundary line of said county; and those parts of *Live Oak and McMullen Counties* lying west of U. S. Highway No. 281 and south of a line beginning at a point of said highway that is crossed by Long Hollow (which point is approximately 9 miles north of the Live Oak-Jim Wells County line) and extending due west to a point where it intersects the western boundary of McMullen County.

[1] Part of the lightly infested area in Arizona is regulated on account of the Thurberia weevil under quarantine No. 61, and shipments therefrom must comply with the requirements of that quarantine.

Restricted Articles

§ 301.52–3 *Articles the interstate movement of which is restricted or prohibited—*(a) *Articles prohibited movement.* The interstate movement from any regulated area of gin trash and cotton waste from gins and mills, and all untreated or unmanufactured cotton products other than seed cotton, cotton lint and linters, either baled or unbaled, cottonseed, cottonseed hulls, and cottonseed meal and cake is prohibited.

(b) *Articles authorized interstate movement.* Seed cotton, cotton lint and linters, either baled or unbaled, cottonseed, cottonseed hulls, cottonseed meal and cake, and okra may be moved interstate from regulated areas as prescribed herein.

Conditions of Certification

§ 301.52–4 *Conditions governing the issuance of certificates—*(a) *Cotton lint and linters.* A certificate may be issued for the interstate movement of cotton lint or linters, either baled or unbaled, originating in a regulated area when they have been ginned in an approved gin and have been passed in bat form between heavy steel rollers set not more than 1/64 inch apart, or have been given approved vacuum fumigation under the supervision of an inspector: *Provided*, That lint produced in a lightly infested area may be given standard or high density compression in lieu of either rolling or fumigation: *Provided further*, That certificates may be issued for the interstate movement of linters produced from sterilized seed originating in a lightly infested area when produced in an authorized oil mill.

(b) *Cottonseed.* A certificate may be issued for the interstate movement of cottonseed produced in a regulated area when it has been ginned in an approved gin and has been sterilized under the supervision of an inspector by heat treatment at a required temperature of 150° F. for a period of 30 seconds: *Provided*, That certificates may be issued for interstate movement of sterilized cottonseed originating in heavily infested areas only to contiguous regulated areas for processing in authorized oil mills.

(c) *Cottonseed hulls, cake, and meal.* Certificates may be issued for the interstate movement of cottonseed hulls, cake, and meal produced from sterilized seed originating in a regulated area when these products have been processed in an authorized oil mill under the supervision of an inspector.

(d) *Seed cotton.* The interstate movement of seed cotton will be allowed only from lightly infested areas into contiguous regulated areas for the purpose of ginning for which movement no permit is required.

(e) *Okra.* Certificates may be issued for the interstate movement of okra under any one of the following conditions: (1) When inspected by an inspector and found to be free from infestation; (2) when produced under such conditions as to render it free from infestation; (3) when processed or treated in accordance with methods which may be determined and approved by the Chief of the Bureau of Entomology and Plant Quarantine.

(f) *Movement to contiguous infested area.* No certificates are required for the interstate movement of restricted articles from a lightly infested area to a contiguous, lightly or heavily infested area, or from a heavily infested area to a contiguous heavily infested area.

(7 CFR § 301.52; sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U.S.C. 161.)

This amendment shall be effective on and after February 10, 1943, and shall, on that date, supersede amendment No. 3 which became effective on November 20, 1939.

Done at the city of Washington this 4th day of February 1943. Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-1928; Filed, February 5, 1943; 11:32 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Orders, Serial No. 2123]

PART 202—ACCOUNTS, RECORDS AND REPORTS

UNIFORM SYSTEM OF ACCOUNTS FOR INTERNATIONAL AIR CARRIERS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 21st day of January 1943.

The Board, on January 21, 1943, having promulgated an amendment of § 202.2 of the Economic Regulations requiring certain air carriers to keep their accounts, records, and memoranda in accordance with the provisions of the Uniform System of Accounts for International Air Carriers; and

The Board acting pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a), 407 (a) and 407 (d) thereof, and finding its action necessary to carry out the provisions of said Act and to exercise its powers and perform its duties thereunder;

It is ordered, That the Uniform System of Accounts for International Air Carriers dated January 1, 1943 (CAB Form 2380 Manual 1–1–43), be and the same is adopted as set forth in Exhibit A attached hereto.[1]

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 43-1917; Filed, January 30, 1943; 10:24 a. m.]

[1] Filed as part of the original document.

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4849]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

NATIONAL INHERITANCE SERVICE, ET AL.

§ 3.7 *Aiding, assisting and abetting unfair or unlawful act or practice;* § 3.55 *Furnishing means and instrumentalities of misrepresentation or deception;* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Connections and arrangements with others;* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Nature, in general;* § 3.96 (b) *Using misleading name—Vendor—Nature, in general.* In connection with offer, etc., in commerce, of respondents' form letters and envelopes, (1) using the words "National Inheritance Service", or any other word or words of similar import, to designate, describe, or refer to respondents' business; or otherwise representing, directly or by implication, that respondents' business bears any relation to estates, or to the rights or interests of heirs therein; and representing, directly or by implication, (2) that respondents have correspondents in all the principal cities of the world; (3) that respondents act as counsellors to those in charge of estates, or that respondents are engaged in the business of locating heirs to estates or interests therein; (4) that respondents act as examiners for title insurance companies; (5) that respondents are engaged in genealogical research, actuarial work, or the searching of records; and (6) that persons concerning whom information is sought through respondents' form letters have or may have any interest in estates or any other property; and (7) selling or distributing form letters or envelopes which represent, directly or by implication, that respondents' business is other than that of obtaining information to be used in the collection of debts; or which represent, directly or by implication, that the information sought through such letters is for any purpose other than for use in the collection of debts; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b [Cease and desist order, National Inheritance Service, et al., Docket 4849, January 26, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 26th day of January, A. D. 1943.

In the matter of Herbert L. Ross, an individual, trading under the name National Inheritance Service, and O. F. Blaker, an individual.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answers of respondents, in which answers respondents admit all the material allegations of fact set forth in the complaint and state that they waive all intervening procedure and further hearing as to the facts, and the Commission having made its findings as to the facts and conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, Herbert L. Ross and O. F. Blaker, individually and trading as National Inheritance Service, or trading under any other name, and their agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of respondents' form letters and envelopes in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the words "National Inheritance Service," or any other word or words of similar import, to designate, describe, or refer to respondents' business; or otherwise representing, directly or by implication, that respondents' business bears any relation to estates, or to the rights or interests of heirs therein.

2. Representing, directly or by implication, that respondents have correspondents in all the principal cities of the world.

3. Representing, directly or by implication, that respondents act as counsellors to those in charge of estates, or that respondents are engaged in the business of locating heirs to estates or interests therein.

4. Representing, directly or by implication, that respondents act as examiners for title insurance companies.

5. Representing, directly or by implication, that respondents are engaged in genealogical research, actuarial work, or the searching of records.

6. Representing, directly or by implication, that persons concerning whom information is sought through respondents' form letters have or may have any interest in estates or any other property.

7. Selling or distributing form letters or envelopes which represent, directly or by implication, that respondents' business is other than that of obtaining information to be used in the collection of debts; or which represent, directly or by implication, that the information sought through such letters is for any purpose other than for use in the collection of debts.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-1925; Filed, February 5, 1943; 11:24 a. m.]

[Docket No. 4642]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

S. & M. GRAND RAPIDS FURNITURE FACTORIES, INC., ETC.

§ 3.6 (cc) *Advertising falsely or misleadingly—Source or origin—Place;* § 3.66 (k) *Misbranding or mislabeling—Source or origin—Place;* § 3.69 (b) *Misrepresenting one's self and goods—Goods—Source or origin—Place;* § 3.96 (a) *Using misleading name—Goods—Source or origin—Place;* § 3.96 (b) *Using misleading name—Vendor—Products.* In connection with offer, etc., in commerce, of respondent's furniture, and among other things, as in order set forth, using the words "Grand Rapids" or any simulation thereof, (1) as a part of respondent's corporate name or as a part of any trade name used by respondent; or (2) to designate, describe, or refer to any article of furniture which is not in fact manufactured in Grand Rapids, Michigan; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, S. & M. Grand Rapids Furniture Factories, Inc., etc., Docket 4642, February 2, 1943]

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Producer status of dealer or seller—Manufacturer;* § 3.66 (g) *Misbranding or mislabeling—Producer status of dealer or seller;* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Producer status of dealer;* § 3.96 (b) *Using misleading name—Vendor—Producer or laboratory status of dealer or seller.* In connection with offer, etc., in commerce of respondent's furniture, and among other things, as in order set forth, using the word "Factory" or "Factories" or any other word of similar import, as a part of respondent's corporate name or as a part of any trade name used by respondent; or otherwise representing, directly or by implication, that respondent owns, operates, or controls any factory or manufacturing plant, or that respondent is the manufacturer of the furniture sold by it; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, S. & M. Grand Rapids Furniture Factories, Inc., etc., Docket 4642, February 2, 1943]

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Connections or arrangements with others;* § 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Direct dealing advantages;* § 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Organization and operation;* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Connections and arrangements with others;* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Direct dealing advantages;* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Organization and operation.* In connection with offer, etc., in commerce, of respondent's furniture, and among other things, as in order set forth, (1) using the words "Factory Showrooms" or any other words of similar import, to designate, describe, or refer to respondent's place of business; or otherwise representing, directly or by implication, that respondent owns, operates, or controls any factory or manufacturing plant, or that respondent is the manufacturer of the furniture sold by it; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, S. & M. Grand Rapids Furniture Factories, Inc., etc., Docket 4642, February 2, 1943]

§ 3.66 (f) *Misbranding or mislabeling—Price;* § 3.69 (c) *Misrepresenting oneself and goods—Prices—Exaggerated as regular and customary;* § 3.69 (c) *Misrepresenting oneself and goods—Prices—Retail as dealer's or wholesale.* In connection with offer, etc., in commerce, of respondent's furniture, and among other things, as in order set forth, (1) representing as the customary or regular prices of respondent's furniture, prices which are in excess of those at which such furniture is regularly and customarily sold by respondent in the normal and usual course of business; or (2) representing, directly or by implication, that the prices at which respondent offers its furniture for sale are wholesale or reduced prices when in fact such prices are the usual and customary prices at which respondent sells its furniture in the normal and usual course of business; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, S. & M. Grand Rapids Furniture Factories, Inc., etc., Docket 4642, February 2, 1943]

§ 3.66 (c 20) *Misbranding or mislabeling—Manufacture or preparation;* § 3.96 (a) *Using misleading name—Goods—Manufacture.* In connection with offer, etc., in commerce, of respondent's furniture, and among other things, as in order set forth, using the words "Custom Built", or any other words of similar import, to designate, describe, or refer to any furniture which is not made on special order to meet the requirements of a particular customer but forms a part of respondent's general stock; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, S. & M. Grand Rapids Furniture Factories, Inc., etc., Docket 4642, February 2, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 2d day of February, A. D. 1943.

In the matter of S. & M. Grand Rapids Furniture Factories, Inc., a corporation, also trading as S. & M. Grand Rapids Furniture Company of Newark, New Jersey and Grand Rapids Showrooms.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondent, testimony and other evidence in support of and in opposition to the allegations of the complaint taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence and the exceptions to such report, and briefs in support of and in opposition to the complaint (oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, S. & M. Grand Rapids Furniture Factories, Inc., a corporation, trading also as S. & M. Grand Rapids Furniture Company of Newark, New Jersey, and as Grand Rapids Showrooms, or trading under any other name, and its officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of respondent's furniture in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the words "Grand Rapids" or any simulation thereof, as a part of respondent's corporate name or as a part of any trade name used by respondent.

2. Using the words "Grand Rapids," or any simulation thereof, to designate, describe, or refer to any article of furniture which is not in fact manufactured in Grand Rapids, Michigan.

3. Using the word "Factory" or "Factories" or any other word of similar import, as a part of respondent's corporate name or as a part of any trade name used by respondent; or otherwise representing, directly or by implication, that respondent owns, operates, or controls any factory or manufacturing plant, or that respondent is the manufacturer of the furniture sold by it.

4. Using the words "Factory Showrooms" or any other words of similar import, to designate, describe, or refer to respondent's place of business; or otherwise representing, directly or by implication, that respondent operates or maintains a factory showroom.

5. Using the words "From factory direct to you," or any other words of similar import, in connection with respondent's business; or otherwise representing, directly or by implication, that respondent's furniture is sold direct from the factory to the consumer.

6. Representing as the customary or regular prices of respondent's furniture, prices which are in excess of those at which such furniture is regularly and customarily sold by respondent in the normal and usual course of business.

7. Representing, directly or by implication, that the prices at which respondent offers its furniture for sale are wholesale or reduced prices when in fact such prices are the usual and customary prices at which respondent sells its furniture in the normal and usual course of business.

8. Using the words "Custom Built," or any other words of similar import, to designate, describe, or refer to any furniture which is not made on special order to meet the requirements of a particular customer but forms a part of respondent's general stock.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-1926; Filed, February 5, 1943; 11:24 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1764]

PART 333—MINIMUM PRICE SCHEDULE, DISTRICT NO. 13

ORDER GRANTING RELIEF, ETC.

Memorandum opinion and order granting temporary and conditionally final relief in the matter of the petition of District Board 13 for revision of price classifications and minimum prices for the coals of certain mines in District No. 13.

On November 26, 1942, District Board No. 13 filed a petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting a revision of the price classifications and minimum prices which were established by an order dated July 6, 1942, 7 F.R. 5697, in Docket No. A-1481 for the coals of certain District No. 13 mines for all shipments except truck.

In support of this requested revision, the district board states that although its petition in Docket No. A-1481 requested that the same minimum prices be established for the coals involved herein as are applicable to the coal produced at the Whitwell Mine, Mine Index No. 95, the order of July 6, 1942, established minimum prices therefor in each size group 10 cents less than those applicable to Mine Index No. 95 coals except for shipments to Market Area 112 where minimum prices were established 6 cents higher than those applicable to Mine Index No. 95 coals.

District Board No. 13 also alleges that the coals of the mines herein involved are analogous to those of Mine Index No. 95 and have the same freight rate to Market Area 112 as the coals of that mine. The district board states that the prices established in Docket No. A-1481 offer the coals herein involved an advantage over other competing coals in all market areas except Market Area 112 and render them at a disadvantage in Market Area 112. It requests that prices be established for these coals the same as those established for the coals produced at Mine Index No. 95.

Accordingly, it appears that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth.

No petitions of intervention having been filed with the Division in the above-entitled matter, and the following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 333.24 (*General*

prices) is amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

The petition proposed relief for the Cumberland Mt. Coal Co. Mine (Mine Index No. 1155) of Vandergriff, Layne and Sullivan. The records of the Division show that Vandergriff, Layne and Sullivan have been succeeded by Charlie Sullivan, and relief has been granted accordingly.

The petition also proposed relief for the coals of the Cain Mine (Mine Index No. 1227) of George D. Cain. Subsequent to the filing of the original petition herein, District Board No. 13 asked that the request for relief for Mine Index No. 1227 be deleted because the minimum prices for Mine Index No. 1227 were revised in Docket No. A-1606. Accordingly, the request for relief for this mine has not been granted.

Dated: January 23, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL RELIEF, DISTRICT NO. 13

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 333 Minimum Price Schedule for District No. 13 and supplements thereto.

FOR RAIL SHIPMENT

§ 333.24 *General prices*—Supplement R.

[Prices f. o. b. mines for shipment by railroad, applicable for all uses except railroad locomotive fuel, steamship bunker fuel and blacksmithing]

Mine index No.	Code member	Mine	Subdistrict	Seam	Freight origin group
	MARION COUNTY, TENN.				
[1] 1339	Griffith, H. A. (Griffith Coal Co.)	Griffith #2	3	Sewanee	150
[1] 1210	Layne, Edd	Lake Point	3	Sewanee	150
[1] 1208	Nunley & Nolan (Buford Nunley)	Nunely & Nolan	3	Sewanee	150
[1] 895	Rounsavill, Clyd	Rounsavill	3	Sewanee	150
[1] 722	Shaderick, C. H	Shaderick	3	Sewanee	150
[1] 1266	Shook, James R	Shook #2	3	Sewanee	150
[1] 873	Shook, James R	Big Ridge	3	Sewanee	150
[1] 891	Simmons, S	Simmons Mine	3	Sewanee	150
[1] 907	Thomas, Virgil C	V. C. Thomas	3	Sewanee	150
[1] 850	Trussell, Oscar	Trussell #1	3	Sewanee	150
[1] 1341	Trussell, Oscar	Trussell #3	3	Sewanee	150
[1] 1342	Trussell, Oscar	Trussell #4	3	Sewanee	150
[1] 1343	Trussell, Oscar	Trussell #5	3	Sewanee	150
[1] 1267	Trussell, Oscar	Trussell #7	3	Sewanee	150
[1] 1452	Henry Bros. (Clarence Henry)	Henry Bros	3	Sewanee	150
[1] 1448	Whitlow, W. T	Whitlow	3	Sewanee	150
	SEQUATCHIE COUNTY, TENN.				
[2] 1344	Goforth, J. H	Stone Coal Bank #2	3	Sewanee	150
[2] 1463	Johnson Creek Coal Co	White	3	Sewanee	150
[2] 978	Layne, Estel	Dunkins #2	3	Sewanee	150
[2] 1345	Presnell, Earrin	Stone Coal Bank #1	3	Sewanee	150
[2] 1043	Tate, Ed	Tate	3	Sewanee	150
[2] 1155	Sullivan, Charlie	Cumberland Mt. Coal Co.	3	Sewanee	150

[1] Shipping Point: Sequatchie, Tenn. Railroad: N. C. & St. L.
[2] Shipping Point: Dunlap, Tenn. Railroad: N. C. & St. L.
[3] Shipping Point: Daus, Tenn. Railroad: N. C. & St. L.

NOTE: On each respective price table the above mines shall have in each size group the same respective price as is listed for Mine Index No. 95 (Tennessee Products Corporation, Whitwell mine, Price Schedule No. 2, Group No 9). Group No. 7 shall no longer be applicable for these mines.

[F. R. Doc. 43-1858; Filed, February 4, 1943; 10:45 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

[General Ruling 15]

PART 132—GENERAL RULINGS UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

MEXICAN RAILROAD PROPERTY

FEBRUARY 4, 1943.

General Ruling No. 15 under Executive Order No. 8389, as amended, Executive Order No. 9193, sections 3 (a) and 5 (b) of the Trading With the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

§ 132.15 *General Ruling No. 15.* (a) Unless authorized by license issued by the Secretary of the Treasury expressly referring to this general ruling:

(1) No person shall exercise within the United States any right, remedy, power, or privilege (by self-help, judicial process, or otherwise), directly or indirectly against or with respect to any Mexican railroad property; and

(2) Any seizure by attachment or otherwise of Mexican railroad property, and any judgment, decree, lien, execution, garnishment, or other judicial process against or with respect to such property is null and void.

(b) The provisions of (a) (1) and (a) (2) above shall not apply to claims arising out of, or with respect to, current repair, maintenance, and similar charges, in connection with the operation or servicing, within the United States, of Mexican railroad property on or after the date of this general ruling.

(c) As used in this general ruling, the term "Mexican railroad property" shall include:

(1) All railroad rolling stock and equipment brought into the United States from Mexico or acquired in the United States by a railroad in Mexico, and with respect to which Mexico or a national thereof has an interest;

(2) All earnings, income, or other rights, payable to, or in favor of, Mexico or a national thereof and created by reason of, or otherwise resulting from, the employment or use of such rolling stock or equipment within the United States after the date hereof.

(Sec. 5 (b), 40 Stat. 415 and 966; Sec. 2, 48 Stat. 1; 54 Stat. 179; Pub. Law 354, 77th Cong., 55 Stat. 838; E.O. 8389, April 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, December 9, 1941, and E.O. 8998, December 26, 1941; E.O. 9193, July 6, 1942; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941)

[SEAL] RANDOLPH PAUL, *Acting Secretary of the Treasury.*

[F. R. Doc. 43-1907, Filed, February 4, 1943; 12:44 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

GENERAL REVISION OF EXPORT REGULATIONS

Correction

In § 802.3 *General license country groups* appearing on page 1550 of the issue for Thursday, February 4, 1943, the designation "Group K" was omitted. It should appear immediately above the list of countries beginning "Aden, Afghanistan", etc.

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-232]

J. N. HEDBERG

J. N. Hedberg, San Jose, California, is a manufacturer of sirens which are made largely of aluminum.

During the period January 7, 1942 to October 23, 1942, without specific authorization from the War Production Board, J. N. Hedberg entered into arrangements with an aluminum foundry whereby he delivered aluminum scrap to the foundry which melted said aluminum scrap, cast same into sirens and other parts and delivered said parts to J. N. Hedberg for a charge of approximately $1,426.43. This aluminum weighed approximately 2,418 pounds. These transactions amounted to a toll arrangement and constituted violations of Supplementary Order M-1-d.

Subsequent to January 23, 1942, without specific authorization from the War Production Board, J. N. Hedberg used aluminum in the manufacture of sirens, having a value of approximately $11,576.77. The use of aluminum in the manufacture of said sirens constituted violations of Supplementary Orders M-1-c and M-1-i.

These violations of Supplementary Orders M-1-d, M-1-c and M-1-i have hampered and impeded the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.232 *Suspension order S-232.* (a) J. N. Hedberg, his successors and assigns, shall accept no deliveries from any source of primary aluminum, secondary aluminum, aluminum scrap or alloys of which aluminum constitutes the major part, except as specifically authorized by the Director General for Operations.

(b) J. N. Hedberg, his successors and assigns, shall not process, fabricate, assemble, or in any way use any primary aluminum, secondary aluminum, aluminum scrap or alloys of which aluminum constitutes the major part, except as specifically authorized by the Director General for Operations.

(c) J. N. Hedberg, his successors and assigns, shall not transfer or deliver articles heretofore produced by him, which contain aluminum, except as specifically authorized by the Director General for Operations.

(d) Nothing contained in this order shall be deemed to relieve J. N. Hedberg, his successors and assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent therewith.

(e) This order shall take effect February 9, 1943, and shall expire on August 9, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 4th day of February 1943.

CURTIS E. CALDER, *Director General for Operations.*

[F. R. Doc. 43-1915; Filed, February 4, 1943; 5:01 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-233]

GRON METAL SPINNINGS MFG. CO., INC.

Gron Metal Spinnings Manufacturing Co., Inc., Chicago, Illinois, is a manufacturer of smoking stands and fluorescent lighting fixtures.

From January 23 to approximately October 30, 1942, the Company used aluminum, brass, steel and tinplate in the manufacture of large quantities of smoking stands. In the course of this manufacture the Company, at various times, violated Conservation Orders M-1-c, M-1-i, M-9-c, M-126 and Limitation Order L-62.

From April 2 to December 4, 1942, the Company manufactured and assembled fluorescent lighting fixtures in violation of General Limitation Order L-78.

The Company violated Priorities Regulation No. 3 by extending preference ratings to acquire approximately 14,300 pounds of steel which ratings were higher than the ones it was authorized to extend and apply. Furthermore, the Company while operating as a PRP unit applied and extended preference ratings other than the ones assigned to it on its PD-25A form in violation of Priorities Regulation No. 11. The Company also accepted deliveries of material at a time when its inventory was greatly in excess of a practicable minimum working inventory in violation of Priorities Regulation No. 1 and failed to keep accurate and complete records of such inventories.

These violations of orders and regulations of the War Production Board have hampered and impeded the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.233 *Suspension Order S-233.* (a) Gron Metal Spinnings Manufacturing Co., Inc., its successors and assigns, shall not receive, put in process, process, manufacture, spin, assemble, or otherwise use any aluminum, copper, brass, steel, iron, or any other of the metals specified in the Metals List attached to Priorities Regulation No. 11 in any form, including scrap, or any parts and products containing any of such metals, except with the specific approval of the Regional Compliance Chief, Chicago, Regional Office, War Production Board.

(b) Deliveries of material to Gron Metal Spinnings Manufacturing Co., Inc., its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned or applied to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the Director of Industry Operations or the Director General for Operations, except with the specific approval of the Regional Compliance Chief, Chicago Regional Office, War Production Board.

(c) No allocation shall be made to Gron Metal Spinnings Manufacturing Co., Inc., its successors and assigns, of any material the supply or distribution of which is governed by any order of the Director of Industry Operations or the Director General for Operations, except with the specific approval of the Regional Compliance Chief, Chicago Regional Office, War Production Board.

(d) Nothing contained in this order shall be deemed to relieve Gron Metal Spinnings Manufacturing Co., Inc., from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on February 7, 1943, and shall expire on August 7, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 4th day of February 1943.

CURTIS E. CALDER, *Director General for Operations.*

[F. R. Doc. 43-1916; Filed, February 4, 1943; 5:01 p. m.]

PART 1115—FUEL OIL

[Limitation Order L-56, as Amended Feb. 5, 1943]

§ 1115.1 *Limitation Order L-56*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the applicable provisions of any priorities regulation, issued by the War Production Board, as amended from time to time.

(b) *Definitions.* (1) "Additional facilities" means any equipment designed to use fuel oil, other than internal combustion engines or equipment used for domestic cooking or illumination purposes, which equipment has been installed subsequent to July 31, 1942, and shall include only those space heaters (whether or not installed) which were transferred subsequent to July 31, 1942: *Provided*, That the replacement of worn-out parts shall not be deemed to be the installation of additional facilities when the existing equipment is not adaptable to the use of alternate fuels.

(2) "Alternate fuel" means any fuel other than fuel oil, electricity, natural gas, manufactured gas or mixed natural and manufactured gas.

(3) "Area One" means the area specified in paragraph (a) of Exhibit A hereof.

(4) "Area Two" means the area specified in paragraph (b) of Exhibit A hereof.

(5) "Space heater" means any fuel oil burning equipment (including portable heaters) designed to heat the space adjacent to such equipment without the use of pipes or ducts for conveying heat to such space.

(6) "Private dwelling" means a building or structure designed for the occupancy of fewer than four (4) families, but does not include a rooming house, boarding house, dormitory, lodging house or hotel in which four (4) or more rooms are regularly rented or available for rental, nor does it include a building in which less than seventy percent (70%) of the total floor space is used for residential purposes.

(7) "Coal spraying equipment" means any equipment designed to use or using fuel oil or any other petroleum product for the purpose of applying such fuel oil or other petroleum product to coal.

a component part of any manufactured article, material, or compound other than fuel oil. The term includes dealers and suppliers to the extent that they use fuel oil, or acquire fuel oil for use rather than for transfer.

(9) "Converted facilities" means any fuel oil burning equipment which was designed to use an alternate fuel and which has been converted to the use of fuel oil.

(10) "Coupon note" means a writing signed by a person to whom or to whose account fuel oil is transferred, whereby such person agrees to surrender coupons or other evidences, of a stated gallonage value, authorized by or issued under any fuel oil ration order of the Office of Price Administration, within fifteen (15) days after the effective date of such order. Such coupon note shall be in substantially the following form:

Date: October ____, 1942

Amount: ---------- Gallons

The undersigned acknowledges receipt from ---------- of ---------- gallons of fuel oil and agrees to surrender fuel oil ration coupons or other evidences representing such gallonage within fifteen (15) days after the effective date of any fuel oil ration order of the Office of Price Administration, in accordance with the requirements of Limitation Order L–56

(Name of transferee)

By ----------
(Officer or agent)

(Address of transferee)

(11) "Dealer" means any person, including a supplier, who operates a regular place of business at or from which fuel oil is regularly transferred to consumers. The term also includes any person who operates a tank truck or tank wagon for the transfer of fuel oil directly to consumers and who does not also maintain stationary fuel oil storage tanks.

(12) "Evidence" means a token designed by the Office of Price Administration to represent a right to receive a transfer of fuel oil, and exchangeable for such fuel oil. The term includes coupons, acknowledgments of delivery, inventory coupons, exchange certificates and export certificates. The term does not include delivery receipts on Form OPA R–1125.

(13) "Fuel oil" means any liquid petroleum product commonly known as fuel oil, including grades Nos. 1, 2, 3, 4, 5, and 6, Bunker "C", Diesel oil, kerosene, range oil, gas oil, or any other liquid petroleum products (except gasoline) used for the same purposes as the above designated grades.

(14) "Passenger automobile" means any motor vehicle, other than a motorcycle, built primarily for the purpose of transporting passengers and having a rated seating capacity of seven persons or less.

(15) "Person" means any individual, partnership, corporation, association, government or government agency, or any other organized group or enterprise.

Area Two; or

(ii) Any person who makes a first transfer of fuel oil within Area Two from stationary storage facilities within Area Two; or

(iii) Any consumer who maintains an establishment within Area Two at which delivery of fuel oil for his own use is taken by pipe line, barge, tank ship, or railroad tank car, directly from without Area Two; or

(iv) Any person, whether within or without Area Two, who does not maintain stationary storage facilities within Area Two, and who sends or brings fuel oil into Area Two and transfers it to a person other than a primary supplier as defined in subdivisions (i), (ii), or (iii) of this subparagraph (16).

A person shall be deemed to be a primary supplier only with respect to the establishments or facilities maintained by him at or from which operations described in subdivisions (i), (ii), (iii), or (iv) of this subparagraph are carried on, and with respect to the establishments which are replenished solely on a stock transfer basis, rather than on a sales basis, from establishments at or from which operations described in subdivisions (i), (ii), (iii) or (iv) of this subparagraph are carried on: *Provided*, That, if such person does not maintain stationary storage facilities, he shall be deemed to be a primary supplier with respect to all the mobile facilities operated by him within Area Two.

(17) "Secondary supplier" means any person, other than a primary supplier, who is engaged in the business of transferring fuel oil for resale: *Provided*, That any person who receives fuel oil on consignment from a primary supplier, title to the fuel oil remaining in the primary supplier until the time of transfer by the consignee, shall not be deemed to be a secondary supplier with respect to such fuel oil but shall, for all the purposes of this order, be deemed to be an agent of such primary supplier.

(18) "Standby facilities" means equipment (other than fireplaces) in serviceable operating condition designed to use an alternate fuel, for the operation of which a supply of such fuel is available.

(19) "Supplier" means a primary supplier, a secondary supplier, or both.

(20) "Transfer" means to sell, give, exchange, lease, lend, deliver, receive, supply or furnish, and includes the acquisition of title by legal process or operation of law, such as, but not limited to, the acquisition of title by will, inheritance or foreclosure; it also includes the use by any dealer or supplier of fuel oil held by him; but does not include the creation of a security interest or security title involving no change of possession. Delivery to a carrier for shipment, or by a carrier in the course of or in completion of shipment, shall not be deemed a transfer to or by such carrier.

(c) *Prohibited transfers of fuel oil.* (1) No person shall transfer or accept a transfer of fuel oil or any other petroleum product for use in the operation of nothing herein contained shall prohibit any person from transferring or accepting a transfer of fuel oil or any other petroleum product for such use when required to expedite the unloading of railroad cars in cold weather where all of the following conditions are fully complied with:

(i) The coal to be sprayed shall have been screened through not larger than a one and one-quarter inch (1¼") round hole or equivalent screen.

(ii) The quantity of fuel oil or other petroleum product used in spraying such coal shall not be in excess of one quart to each ton of coal sprayed.

(iii) Such coal shall be sprayed at the mine only and only during the months of December, January, February and March.

(iv) Such coal shall be destined for and shipped only to points outside of the States of South Carolina, Georgia, Florida, Alabama, Mississippi, Arkansas, Louisiana, Oklahoma, Texas, New Mexico, Arizona or California.

(2) No person shall transfer or accept a transfer of fuel oil for use in the operation of additional facilities or converted facilities within Area One, except.

(i) Where in the case of new construction, the additional facilities were specified in the construction contract and the foundation under the main part of the structure in which the additional facilities were to be installed was completed prior to July 31, 1942;

(ii) Where in the case of converted facilities, such conversion was completed prior to July 31, 1942;

(iii) Where in the case of either additional or converted facilities, the person using such facilities cannot use an alternate fuel either because such fuel is unavailable or because technical utilization factors prevent its use;

(iv) Where the additional facility is a space heater:

(*a*) To the extent necessary to operate such space heater until a date to be fixed by the Office of Price Administration in Ration Order No. 11 as the final date for replacement of such space heater by equipment using an alternate fuel; or

(*b*) A local war price and rationing board established by the Office of Price Administration has issued an auxiliary ration for the operation of such space heater; or

(*c*) Such space heater is used to heat the same premises heated by it prior to July 31, 1942; or

(*d*) For the purposes of increasing efficiency, such space heater replaces a space heater which is not an additional facility or which is specified in subdivision (c) above; or

(*e*) Such space heater is used in a house trailer.

(3) No person shall transfer or accept a transfer of fuel oil for use in the operation of fuel oil burning equipment within Area One where standby facilities are available, unless such standby facilities are operated to take the place

sible extent and to effect the maximum reduction of fuel oil requirements.

(4) No person shall transfer or accept a transfer of fuel oil for use in the operation of fuel oil burning equipment, within Area Two, for the purpose of cooling space (other than hospital space) for human occupancy.

(5) No person shall transfer or accept a transfer of fuel oil for the operation of a passenger automobile anywhere in the United States.

(d) *Restrictions on transfers of fuel oil to or by consumers in Area Two.* (1) Within Area Two, on and after October 1, 1942, notwithstanding the terms of any contract, agreement, or commitment, regardless of when made except as otherwise provided in Ration Order No. 11, no person other than a dealer or supplier shall transfer or offer to transfer fuel oil to a consumer.

(2) During the period from October 1, 1942 to October 31, 1942, inclusive, notwithstanding the terms of any contract, agreement, or commitment, regardless of when made, no dealer or supplier may transfer fuel oil from within or without Area Two to a consumer within Area Two or from within such area to a consumer without such area, and no consumer shall accept such transfer except in exchange for coupon notes (or coupons or other evidences), for an amount equal to the number of gallons of fuel oil transferred. Such coupon notes shall be executed and forwarded to the transferor at the time of transfer or within twenty-four (24) hours thereafter.

(3) Nothing herein shall be deemed to forbid:

(i) The transfer of fuel oil actually in the fuel supply tank of a vehicle, boat, or equipment used for purposes other than supplying heat or hot water to buildings or structures, in conjunction with a lawful and bona fide transfer of such vehicle, boat, or equipment itself; or the consumption by the transferee in such vehicle, boat or equipment of fuel oil actually in the fuel supply tank thereof at the time of transfer; or

(ii) Transfers of fuel oil by legal process or by operation of law; or transfers of fuel oil in a storage tank or other container maintained by a consumer as part of an enterprise or establishment, or in the fuel supply tank of equipment supplying heat or hot water to buildings or structures, in conjunction with a lawful and bona fide transfer of such enterprise, establishment or equipment itself; or transfers of fuel oil by consumers to dealers or suppliers. Any person to whom a transfer of the character described in this subdivision (ii) is made within Area Two, shall forthwith report such transfer and the amount of fuel oil involved, to the local war price and rationing board in the area in which such fuel oil is located. Such person, if a dealer or supplier, shall surrender to the Board, together with such report, coupon notes signed by him for an amount equal to the number of gallons of fuel oil transferred. Such person, if not a dealer or supplier, may either:

(*a*) Transfer all or any part of such fuel oil in exchange for coupon notes for

lons of fuel oil, and surrender to the local war price and rationing board coupon notes signed by him for an amount equal to such number of gallons; or

(*b*) Consume such fuel oil: *Provided*, That such person shall report the amount of fuel oil so consumed as fuel oil on hand if he makes application, under any fuel oil ration order issued by the Office of Price Administration, for a fuel oil ration covering the period during which such fuel oil was consumed.

(e) *Restrictions on transfers of fuel oil to dealers and suppliers within Area Two.* (1) During the period from October 1, 1942 to October 31, 1942, inclusive, no primary supplier within or without Area Two, and no dealer or secondary supplier within Area Two, shall transfer or offer to transfer fuel oil to any dealer or supplier within Area Two, and no dealer or supplier within Area Two shall accept such transfer of fuel oil, except in exchange for coupon notes (or coupons or other evidences) for an amount equal to the number of gallons of fuel oil transferred: *Provided*, That this paragraph shall not apply to transfers between primary suppliers. Such coupon notes shall be executed by the transferee and forwarded to the transferor within twenty-four (24) hours after the transfer.

(2) If, between October 1, 1942 and October 31, 1942, the place of business of any dealer or supplier within Area Two, is transferred, the transferee of the business may acquire the fuel oil inventory of the transferor without executing a coupon note. All coupon notes of the transferor shall be turned over to the transferee, and shall be held by the transferee until they have been redeemed; the coupons or other evidences received in redemption of the coupon notes shall be disposed of in the manner provided in the fuel oil ration order of the Office of Price Administration pursuant to which such coupons or evidences are issued.

(f) *Records to be kept by dealers and suppliers.* (1) At the time of making any transfer of fuel oil to any dealer or supplier within Area Two, every transferor shall furnish to such dealer or supplier an invoice delivery ticket, or other document of transfer showing the name and address of the transferee and the date and amount of the transfer. Every such transferee shall retain at his place of business for a period of at least one year from the date of such transfer of fuel oil, the invoice, delivery ticket, or other document so furnished him.

(2) Every dealer or supplier who makes a transfer to a consumer, of the type described in paragraph (d) (2), shall keep a record of such transfer, showing the name and address of the transferee, the date of the transfer, and the number of gallons of fuel oil transferred. Every dealer or supplier shall retain such record at his place of business for a period of at least one year from the date of such delivery.

(3) Every person to whom coupon notes have been given shall retain all

surrender to the local war price and rationing board coupon notes signed by him for an amount equal to such number of gallons; or

(*b*) Consume such fuel oil: *Provided*, That such person shall report the amount of fuel oil so consumed as fuel oil on hand if he makes application, under any fuel oil ration order issued by the Office of Price Administration, for a fuel oil ration covering the period during which such fuel oil was consumed.

(e) *Restrictions on transfers of fuel oil to dealers and suppliers within Area Two.* (1) During the period from October 1, 1942 to October 31, 1942, inclusive, no primary supplier within or without Area Two, and no dealer or secondary supplier within Area Two, shall transfer or offer to transfer fuel oil to any dealer or supplier within Area Two, and no dealer or supplier within Area Two shall accept such transfer of fuel oil, except in exchange for coupon notes (or coupons or other evidences) for an amount equal to the number of gallons of fuel oil transferred: *Provided*, That this paragraph shall not apply to transfers between primary suppliers. Such coupon notes shall be executed by the transferee and forwarded to the transferor within twenty-four (24) hours after the transfer.

(2) If, between October 1, 1942 and October 31, 1942, the place of business of any dealer or supplier within Area Two, is transferred, the transferee of the business may acquire the fuel oil inventory of the transferor without executing a coupon note. All coupon notes of the transferor shall be turned over to the transferee, and shall be held by the transferee until they have been redeemed; the coupons or other evidences received in redemption of the coupon notes shall be disposed of in the manner provided in the fuel oil ration order of the Office of Price Administration pursuant to which such coupons or evidences are issued.

(f) *Records to be kept by dealers and suppliers.* (1) At the time of making any transfer of fuel oil to any dealer or supplier within Area Two, every transferor shall furnish to such dealer or supplier an invoice delivery ticket, or other document of transfer showing the name and address of the transferee and the date and amount of the transfer. Every such transferee shall retain at his place of business for a period of at least one year from the date of such transfer of fuel oil, the invoice, delivery ticket, or other document so furnished him.

(2) Every dealer or supplier who makes a transfer to a consumer, of the type described in paragraph (d) (2), shall keep a record of such transfer, showing the name and address of the transferee, the date of the transfer, and the number of gallons of fuel oil transferred. Every dealer or supplier shall retain such record at his place of business for a period of at least one year from the date of such delivery.

(3) Every person to whom coupon notes have been given shall retain all fuel oil coupons or other evidences in full redemption of a coupon note, shall return such note to the person who signed it: *Provided*, That on or before December 30, 1942, each such person shall report to the Regional Office of the Office of Price Administration in his region, the name and address of each person who has failed to redeem his coupon notes in full, and the amount of fuel oil transferred to such person.

(4) All coupon notes, records, reports, or other documents required by Limitation Order L–56 to be prepared and kept by any person, and the fuel oil facilities of any person, shall be subject to inspection by the War Production Board or the Office of Price Administration, or by any agent, representative or employee of either; such inspection may be made at the establishment or office of any such person at any reasonable time.

(g) *Redemption of coupon notes.* Within fifty (50) days after the effective date of any fuel oil ration order issued by the Office of Price Administration, every person who has executed (or is required by this order to execute) a coupon note shall surrender to the person to whom the note was given (or was required by this order to be given) coupons or other evidences, issued pursuant to such fuel oil ration order, equal in gallonage value to the number of gallons for which such notes were executed or required: *Provided*, That a primary supplier need not so surrender any evidences to another primary supplier.

(h) *Directions as to deliveries and conversions.* (1) The Director General for Operations may, from time to time, subject to the provisions of paragraphs (d), (e) and (g) of this order, issue specific directions directing or forbidding the transfer of fuel oil to any person or class of persons.

(2) The Director General for Operations or a representative of the Office of Petroleum Coordinator for War designated by him may from time to time examine and investigate the fuel oil burning facilities owned or operated by any person for the purpose of determining whether such equipment can be converted to the use of an alternate fuel. In making such investigation facts and circumstances which may relate to the particular problem, including the availability of alternate fuel, shall be considered. If it is found that the fuel oil burning facilities of any person may be converted to the use of alternate fuel, and that a supply of such fuel is available, without any unreasonable expenditure upon the part of the person and without working any exceptional or unreasonable hardship upon such person, then the Director General for Operations may, after notice sufficient to permit such conversion, forbid further deliveries of fuel oil for use in such facilities.

(i) *Appeals and applications.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may file an appeal setting forth the pertinent facts and the

reasons why he considers himself entitled to relief. All appeals shall be filed in quadruplicate. Any appeal involving a defense housing project shall be filed with the local Federal Housing Administration Office which shall review such appeal and transmit it, together with specific recommendations, to the Director of Marketing, Office of Petroleum Coordinator for War, South Interior Building, Washington, D. C.

(j) *Reports and correspondence.* (1) All reports required to be filed and all appeals filed under paragraph (i) shall, unless otherwise directed, be addressed to the District Director of Marketing, Petroleum Administration for War, at:

(i) 122 East 42nd Street, New York, New York, if the fuel oil is to be delivered or used in the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, or Florida, or the District of Columbia.

(ii) Suite 1336, 120 South LaSalle Street, Chicago, Illinois, if the fuel oil is to be delivered or used in the States of Ohio, Kentucky, Tennessee, Indiana, Michigan, Illinois, Wisconsin, Minnesota, Iowa, Missouri, Oklahoma, Kansas, Nebraska, South Dakota, or North Dakota.

(iii) 245 Mellie Esperson Building, Houston, Texas, if the fuel oil is to be delivered or used in the States of Alabama, Mississippi, Louisiana, Arkansas, Texas, or New Mexico.

(iv) 320 First National Bank Building, Denver, Colorado, if the fuel oil is to be delivered or used in the States of Montana, Wyoming, Colorado, Utah or Idaho.

(v) 855 Subway Terminal Building, Los Angeles, California, if the fuel oil is to be delivered or used in the States of Arizona, California, Nevada, Oregon, or Washington, or the Territories of Alaska or Hawaii.

(k) *Violations or false statements.* Any person who wilfully violates any provisions of this order or who wilfully furnishes false information to any department or agency of the United States in connection with this order is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(l) *Administration of order.* The Petroleum Administrator for War or the Deputy Petroleum Administrator for War may extend, amend, modify or revoke Limitation Order L–56 (§ 1115.1), as such order may have been amended from time to time; and may take such measures with respect to any appeal from such order as he may deem necessary or appropriate; and may take such measures as he may deem necessary or appropriate with respect to any violation accrued or incurred under such order.

Issued this 5th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

EXHIBIT A

(a) *Area One:* The States of Connecticut, Delaware, Florida (east of the Apalachicola River), Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Vermont, Virginia, Washington, West Virginia, Wisconsin, and the District of Columbia.

(b) *Area Two:* The States of Connecticut, Delaware, Florida (east of the Apalachicola River), Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Pennsylvania, Rhode Island, South Carolina, South Dakota, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia.

[F. R. Doc. 43–1929; Filed, February 5, 1943; 11:17 a. m.]

PART 1141—MOTOR FUEL

[Limitation Order L–70, as Amended Feb. 5, 1943]

§ 1141.1 *Limitation Order L–70*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the provisions of any applicable priorities regulation issued by the War Production Board, as amended from time to time.

(b) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Motor fuel" means liquid fuel, except Diesel fuel, used for the propulsion of motor vehicles or motor boats and shall include any liquid fuel to which Federal gasoline taxes apply except liquid fuel used for the propulsion of aircraft.

(3) "Supplier" means any person, other than a service station, who delivers motor fuel, directly or indirectly, for redelivery or for consumption.

(c) *Limitation on shipment of motor fuel from certain areas.* (1) No supplier shall deliver or cause to be delivered, directly or indirectly, and no person shall accept delivery of any motor fuel from any point within the States of Oregon or Washington to any point in the United States outside such States: *Provided,* That this paragraph shall not apply to:

(i) The delivery outside the States of Oregon or Washington of any motor fuel manufactured wholly from crude oil or natural gas produced within the States of Colorado, Idaho, Montana, Utah, or Wyoming.

(ii) Deliveries from bulk plants within the States of Oregon or Washington to such points outside such States as were actually served by such bulk plants by tank truck during the period December 1, 1941–February 28, 1942, inclusive.

(2) Effective December 15, 1942, no supplier shall deliver or cause to be delivered, directly or indirectly, and no person shall accept delivery of any motor fuel from any point within the States of Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, or West Virginia, or the District of Columbia, to any point in the United States outside such States: *Provided,* That this paragraph shall not apply to deliveries from bulk plants within such States to such points outside such States as were actually served by such bulk plants by tank truck during the period December 1, 1941–February 28, 1942, inclusive.

(d) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may file an appeal setting forth the pertinent facts and reasons why he considers himself entitled to relief. All appeals shall be filed in quadruplicate.

(e) *Appeals and correspondence.* All appeals filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the District Director of Marketing, Office of Petroleum Coordinator for War at:

(1) 855 Subway Terminal Building, Los Angeles, California, if the motor fuel is to be used in the States of Oregon or Washington or states adjacent thereto.

(2) 122 East 42nd Street, New York, New York, if the motor fuel is to be used in the States of Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, or West Virginia, or the District of Columbia or states adjacent thereto.

(f) *Violations or false statements.* Any person who wilfully violates any provision of this order or who wilfully furnishes false information to any Department or Agency of the United States in connection with this order is guilty of a crime and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(g) *Administration of order.* The Petroleum Administrator for War or the Deputy Petroleum Administrator for War may extend, amend, modify or revoke Limitation Order L–70 (§ 1141.1), as such order may have been amended from time to time; and may take such measures with respect to any appeal from such order as he may deem necessary or appropriate; and may take such measures as he may deem necessary or appropriate with respect to any violation accrued or incurred under such order.

Issued this 5th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–1930; Filed, February 5, 1943; 11:17 a. m.]

PART 3115—CONSTRUCTION MACHINERY AND EQUIPMENT SIMPLIFICATION AND CONSERVATION

[Amendment 1 to Schedule II to Limitation Order L–217]

Section 3115.3 *Schedule II to Limitation Order L–217* is hereby amended by deleting paragraph (c) (6) thereof.

Issued this 5th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–1932; Filed, February 5, 1943; 11:17 a. m.]

PART 3156—CATTLE HIDE LEATHER AND CATTLE HIDE LEATHER PRODUCTS

[Conservation Order M–273–a]

The fulfillment of requirements for the defense of the United States has created shortages in the supplies of cattle hide leather and cattle hide products for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3156.2 *Conservation Order M–273–a.*—(a) *Definition.* For the purposes of this order:

"Harness leather" means any leather tanned so as to be suitable for harness or harness strap work. The term does not include leather already cut for or fabricated into harness or strap work.

(b) *Restrictions on sale and delivery of harness leather.* No person engaged in the business of manufacturing or selling harness leather shall sell or deliver any such leather except pursuant to a purchase order or contract from a harness manufacturer, harness leather jobber or harness repair shop having certified thereon a statement substantially in the following form, signed manually or as provided in Priorities Regulation No. 7 by a duly authorized official for such purpose:

CERTIFICATION

The undersigned hereby represents to his vendor and the War Production Board that the material covered by this order or contract will be sold or used solely for the manufacture or repair of harness or harness strap work for farm or draft animals.

Name _____

By _____

(Signature of duly authorized official)

Every person concerned shall be entitled to rely on said certification unless he knows or has reason to believe it to be false.

(c) *Exception.* The Director General for Operations may specifically authorize exceptions to paragraph (b) of this order when he deems such exceptions necessary or advisable in the public interest.

(d) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith in which case the provisions of this order shall govern.

(e) *Records.* All persons to whom this order applies shall keep and preserve for not less than two years, accurate and complete records concerning inventories, production and sales, including copies of each purchase order or contract containing the certification hereinabove referred to.

(f) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(h) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(i) *Communications.* All reports required to be filed hereunder, or communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing & Leather Division, Washington, D. C., Ref.: M–273–a.

Issued this 5th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–1931; Filed, February 5, 1943; 11:17 a. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL

[MPR 120,[1] Amendment 36]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Sections 1340.212 (b), 1340.214 (b), 1340.215 (b), and 1340.217 (b) are amended to read as set forth below:

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218, 6265, 6272, 6472, 6325, 6524, 6744, 6896, 7777, 7670, 7914, 7942, 8354, 8650, 8948.

§ 1340.212 *Appendix A: Maximum prices for bituminous coal produced in District No. 1.* * * *

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses (including railroad fuel for uses other than locomotive fuel use) and by all methods of transportation, except as otherwise specifically provided in this Appendix.*

Price classifications	Prices and size group Nos.				
	1	2	3	4	5
A	355	340	330	315	.....
B	350	340	320	310	.....
C	340	335	315	300	300
D	330	310	305	295	295
E	325	305	305	285	285
F	305	305	305	275	275
G	300	300	285	275	275
H	300	300	280	255	255
J	.....	.....	.....	255	255
K	.....	.....	.....	255	255

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, *plus* a sum not exceeding 65 cents for all size groups.

(3) *Maximum prices in cents per net ton for railroad fuel (exclusive of railroad fuel for other than locomotive fuel use).* The maximum prices for such railroad fuel shall be the applicable effective minimum prices as of October 1, 1942, for all-rail shipment, plus a sum not exceeding 50¢ per net ton.

(4) *Maximum prices in cents per net ton for Smithing Coal.* The maximum prices from all mines in all size groups for Smithing Coal shall not exceed 425 cents per net ton.

(5) In the event any specific maximum price has been adjusted prior to January 31, 1943, the effective maximum price in such case shall not be determined by reference to sub-paragraphs 1, 2, 3, and 4 above, but must be computed by adding to such adjusted price the following sum:

(A) For methods of shipment and uses indicated in (1) above:

	Cents
Size groups 1 and 2	20
Size groups 3, 4, and 5	25

Exception: Classes E and F in size group 2 may increase 25 cents.

(B) For method of shipment and uses indicated in (2) above:

	Cents
Size groups 1 to 5, inclusive	25

(C) For use indicated in (3) above:

25 cents, *Provided, however,* That where relief has been granted prior to January 31, 1943, making railroad fuel prices equal to the commercial prices, the maximum prices applying shall be increased as indicated in sub-paragraph 5 (A) above.

(D) For use indicated in (4) above:

25 cents.

§ 1340.214 *Appendix C: Maximum prices for bituminous coal produced in District No. 3.* * * *

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order No. 11,[1] Amendment 35]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new paragraph (e) has been added to § 1394.5201; a new paragraph (e) has been added to § 1394.5705; § 1394.5721 is amended; in paragraph (a) of § 1394.5723 the phrase "which have not become void pursuant to paragraph (e) of § 1394.5201" is inserted between the phrase "A supplier may at any time deliver to any Board in the limitation area coupons" and the phrase "or other evidences including exchange certificates"; as set forth below:

Coupon Sheets

§ 1394.5201 *Class 1 and Class 2 coupon sheets.* • • •

(e) On and after February 20, 1943, all unit value coupons numbered "1" on Class 1 and on Class 2 coupon sheets shall be void. After thirty (30) days from the expiration of the period of validity, specified in paragraph (b) of this section, of all unit value coupons on Class 1 or Class 2 coupon sheets, other than unit value coupons numbered "1", such coupons shall be void. No fuel oil shall be transferred, and no exchange certificate, inventory coupon or other evidence shall be issued to a dealer or supplier in exchange for such void coupons.

• • • • •

Provisions Relating to Dealers and Suppliers

§ 1394.5705 *Issuance of inventory coupons.* • • •

(e) A dealer may at any time deliver to a Board in the limitation area unit value coupons on Class 1 or Class 2 coupon sheets, which have not become void pursuant to paragraph (e) of § 1394.5201, and obtain inventory coupons equal in gallonage value to the coupons delivered. The dealer shall attach to the coupons delivered the summary required by § 1394.5722. The Board shall issue to him inventory coupons equal in gallonage value to the coupons delivered.

• • • • •

Use of Coupons and Other Evidences

§ 1394.5721 *Affixing coupons.* Each dealer and supplier shall affix the coupons received by him directly from consumers to Form OPA R–120, in the manner directed thereon, when delivering such coupons to a Board (wherever in these regulations provision for such delivery is made) or, if his transferor so requests, to his transferor. Separate such forms shall be maintained for coupons of each type, and only coupons of the same class, gallonage value, and from the same thermal zone, may be attached to any one such form.

This amendment shall become effective February 10, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562, Supp. Directive No. 1–0, 7 F.R. 9416; E.O. No. 9125, 7 F.R. 2719)

Issued this 4th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1913; Filed, February 4, 1943; 4:12 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 20 to Rev. Supp. Reg. 4,[3] Under GMPR[2]]

AIRPLANE REPAIR, ETC., SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Subparagraph (28) is added to § 1499.29 (a).

§ 1499.29 *Exceptions for sales and deliveries to the United States or any agency thereof of certain commodities and in certain transactions and for certain other commodities, sales or deliveries.* (a) General Maximum Price Regulation shall not apply to sales or deliveries of the following commodities or in the following transactions:

• • • • • •

(28) Any service rendered in connection with the operation, repair, conversion, modification, or maintenance for any War Procurement Agency of airplanes and of engines, parts, accessories, instruments, and other equipment used in connection with airplanes, including all services incidental thereto.

This Amendment No. 20 § 1499.29 (a) (28) shall become effective February 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1912; Filed, February 4, 1943; 4:12 p. m.]

PART 1335—CHEMICALS

[RPS 68,[3] Amendment 6]

HIDE GLUE STOCK

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1335.504, paragraph (b) is revoked, and paragraph (c) is redesignated paragraph (b).

This amendment shall become effective February 11, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1956; Filed, February 5, 1943; 11:47 a. m.]

PART 1346—BUILDING MATERIALS

[Revised MPR 236,[1] Amendment 1]

HEATING BOILER CONVERSION PARTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Sections 1346.151 and 1346.159 are amended to read as set forth below.

§ 1346.151 *Purpose and scope of this regulation.* The purpose of this Revised Maximum Price Regulation No. 236 is to establish maximum prices for sales of conversion parts for heating boilers, as defined in § 1346.169 (a) (8). The regulation applies to sales by manufacturers, wholesalers, and retailers. However, if the total weight of conversion parts sold at one time is 10 pounds or less, the maximum prices fixed by this regulation do not apply. The regulation also establishes maximum prices for the installation of conversion parts for heating boilers. The regulation is only applicable in those areas of the country indicated in § 1346.153.

Maximum Price Regulation No. 188 controls manufacturers' and producers' sales of conversion parts for warm air furnaces, sales of conversion parts for heating boilers in areas not subject to this regulation, or any sale of conversion parts for heating boilers where the total weight is 10 pounds or less; the General Maximum Price Regulation controls these sales when sold by any person other than a manufacturer or producer.

Maximum prices for the installation of the conversion parts for heating boilers and warm air furnaces referred to in the previous paragraph are established in Maximum Price Regulation No. 251.

Maximum prices for sales of conversion parts for marine and industrial boilers are subject to Maximum Price Regulation No. 136.

Conversion parts, as defined in § 1346.169 (a) (8) of this regulation, do not include manganese steel castings or manganese steel casting products as defined in, and controlled by, Maximum Price Regulation No. 235.

Maximum Price Regulation No. 244, which establishes maximum prices for gray iron castings, does not apply, but this regulation does apply to the sale of

[1] 7 F.R. 9895.

[2] Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9613, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204.

[2] 7 F.R. 5056, 5089, 5566, 6082, 6084, 6426, 6793, 6744, 6793, 7175, 7538, 8021, 9827, 10022, 10110, 10531; 8 F.R. 130, 137, 372.

[3] 7 F.R. 1336, 1836, 2000, 2132, 2241, 2948, 8125, 5362, 6474, 8948.

puted by adding to such adjusted price the following sum:

(A) For the methods of shipment and uses indicated in (1) above; Fifteen (15) cents in Size Groups 1 to 4, inclusive; Twenty (20) cents in Size Groups 5 to 12, inclusive.

(B) For the methods of shipment and uses indicated in (2) above; Twenty (20) cents in all size groups.

(C) For use indicated in (3) above; Twenty (20) cents.

§ 1340.217 *Appendix F: Maximum prices for bituminous coal produced in District No. 6.* • • •

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

	Prices and size group Nos.											
	1	2	3	4	5	6	7	8	9	10	11	12
For shipments from all mines	290	285	360	255	255	255	250	210	240	190	....	240

(1) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, *plus* a sum not exceeding 45 cents for Size Groups 1, 2, 3, 4 and 5; 30 cents for Size Group 6; and 25 cents for Size Groups 7 and 8.

(2) *Maximum prices in cents per net ton for railroad fuel.* The maximum prices for Railroad Fuel (including Lake Cargo Railroad Fuel) shall be the applicable effective minimum prices as of October 1, 1942, for All-Rail On-Line shipment *plus* a sum not exceeding 25 cents per net ton.

(3) *Maximum prices in cents per net ton for railroad fuel.* The maximum prices for Railroad Fuel (including Lake Cargo Railroad Fuel) shall be the applicable effective minimum prices as of October 1, 1942, for All-Rail On-Line shipment *plus* a sum not exceeding 25 cents per net ton.

(4) In the event any specific maximum price has been adjusted prior to January 31, 1943, the effective maximum price in such case shall not be determined by reference to sub-paragraphs 1, 2 or 3 above, but must be computed by adding to such adjusted price the following sum:

(A) For the methods of shipment and uses indicated in (1) above; Fifteen (15) cents in Size Groups 1 to 4, inclusive; Twenty (20) cents in Size Groups 5 to 12, inclusive.

(B) For the methods of shipment and uses indicated in (2) above; Twenty (20) cents in all size groups.

(C) For use indicated in (3) above; Twenty (20) cents.

§ 1340.217 *Appendix F: Maximum prices for bituminous coal produced in District No. 6.* • • •

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

Price classifications[1]	Prices and size group Nos.										
	1	2	3	4	5	6	7	8	9	10	
A	355	355	315	295	295	295	280	280	280	265	
B	290	270	290	260	260	260	245	245	245	240	
C	270	270	260	260	260	260	255	255	255	240	
D	265	265	265	260	260	260	250	250	250	240	
E	265	265	265	260	260	260	250	250	250	240	
F	265	265	265	260	260	260	250	250	250	240	
G	265	265	265	260	260	260	250	250	250	240	
H	265	265	265	260	260	260	250	250	250	240	
I	265	265	265	260	260	260	250	250	250	240	
J	245	245	245	240	240	240	230	230	230	215	

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, *plus* a sum not exceeding 45 cents for Size Groups 1, 2, 3, 4 and 5; 30 cents for Size Group 6; and 25 cents for Size Groups 7 and 8.

(3) *Maximum prices in cents per net ton for railroad fuel.* The maximum prices for Railroad Fuel (including Lake Cargo Railroad Fuel) shall be the applicable effective minimum prices as of October 1, 1942, for All-Rail On-Line shipment *plus* a sum not exceeding 25 cents per net ton.

(4) In the event any specific maximum price has been adjusted prior to January 31, 1943, the effective maximum price in such case shall not be determined by reference to sub-paragraphs 1, 2 or 3 above, but must be computed by adding to such adjusted price the following sum:

(A) For the methods of shipment and uses indicated in (1) above; Fifteen (15) cents in Size Groups 1 to 4, inclusive; Twenty (20) cents in Size Groups 5 to 12, inclusive.

(B) For the methods of shipment and uses indicated in (2) above; Twenty (20) cents in all size groups.

(C) For use indicated in (3) above; Twenty (20) cents.

§ 1340.217 *Appendix F: Maximum prices for bituminous coal produced in District No. 6.* • • •

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices in cents per net ton for shipments to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.*

Price classifications[1]	Prices and size group Nos.									
	1	2	3	4	5	6	7	8	9	10
A	355	355	315	295	295	295	280	280	280	265
B	290	270	290	260	260	260	245	245	245	240
C	270	270	260	260	260	260	255	255	255	240
D	265	265	265	260	260	260	250	250	250	240
E	265	265	265	260	260	260	250	250	250	240
F	265	265	265	260	260	260	250	250	250	240
G	265	265	265	260	260	260	250	250	250	240
H	265	265	265	260	260	260	250	250	250	240
I	265	265	265	260	260	260	250	250	250	240
J	245	245	245	240	240	240	230	230	230	215

Cents

Size group 4, Class D and E..... 5
Size group 4, Class F, G, and J..... 10
Size group 5, Class D, E, G, H, and J..... 10
Size group 5, Class F..... 20
Size groups 6, 7, 8, 9, 10, all classes..... 20

(B) For method of shipment and uses indicated in (2) above:

Cents

Size groups 1 to 7, inclusive..... 20

(C) For use indicated in (3) above:

20 cents: *Provided, however,* That where relief has been granted prior to January 31, 1943, making railroad fuel prices equal to the commercial prices, the maximum prices applying shall be increased as indicated in subparagraph 4 (A) above.

§ 1340.215 *Appendix D: Maximum prices for bituminous coal produced in District No. 4.* • • •

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices in cents per net ton for shipments to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.*

For shipment from all mines in freight origin districts	Prices and size group Nos.											
	1	2	3	4	5	6	7	8	9	10	11	12
Ohio No. 8	290	285	255	255	250	240	215	205	240	190	185	240
Cambridge	280	280	255	255	250	240	215	205	240	190	....	240
Hocking	330	325	285	285	285	255	245	235	255	205	....	255
Hocking No. 2	315	305	285	285	285	255	245	235	255	205	....	255
Crooksville	115	105	285	285	285	255	225	225	230	190	....	230
Jackson	130	125	285	285	285	255	255	235	255	205	....	255
Athens	110	105	285	275	275	255	260	250	260	215	....	260
Logan No. 1	240	240	255	255	255	255	255	245	255	215	....	255

Cents

Size group 2, Class F and G..... 5
Size group 3, Class D, E, and F..... 5
Size group 3, Class G..... 10

gray iron castings used for conversion parts.

§ 1346.159 *Maximum prices for special combination grates*—(a) *Installed price.* The maximum prices for the sale of special combination grates installed in the purchaser's heating boiler are as follows:

Trade name of special combination grate	Type	Capacity	Installed price
"Konver to Kol"	Kit A	Up to 24" including fire pot	$34.95
	Kit B	25" to 34" including fire pot	39.95
"Convert-O-Grates"	Kit A	Up to 24" including fire pot	34.95
	Kit B	25" to 34" including fire pot	39.95
"Sticket"	A–11	Up to 26" including fire pot	32.95
	A–22	22" to 26" including fire pot	39.95
	Type B	27" to 40" including fire pot	37.95
	Type C	21" to 27" including fire pot	34.95
"Blue Coal"	Round	Up to 21" including fire pot	44.95
	Round	22" to 25" including fire pot	49.95
"Old Company Lehigh"	Round	Up to 21" including fire pot	44.95
	Round	22" to 25" including fire pot	49.95
"Hudson Coal Co. Grates"	Round	Up to 24" including fire pot	44.95
	Round	22" to 25" including fire pot	49.95
"Hershey Machine & Foundry Co. Universal Conversion Grates."	Round	Up to 21" including fire pot	44.95
	Round	22" to 25" including fire pot	49.95
"American Brake Shoe & Foundry Co. Universal Conversion Grates."	Round	Up to 21" including fire pot	44.95
	Round	22" to 25" including fire pot	49.95
"Early Foundry Co. Universal Conversion Grates."	Round	Up to 21" including fire pot	44.95
	Round	22" to 25" including fire pot	49.95
"Dieter Foundry Universal Conversion Grates."	Round	Up to 21" including fire pot	44.95
	Round	22" to 25" including fire pot	49.95
"Hercules"	Circular	Up to 26" including fire pot	34.95
	Orbround	27" to 32" including fire pot	39.95
"Standard Universal Conversion Grates."	4 grate	Up to 24" including fire pot	149.95
	5 grate	25" to 26" including fire pot	154.95
	6 grate	27" to 29" including fire pot	159.95

[1] Includes installations made with angle-clips only. When fire brick chamber is used, add $9.00 to price.

(b) *Uninstalled maximum price.* The maximum price for the sale of any special combination grate listed above when sold to an ultimate purchaser on an uninstalled basis shall not exceed the maximum installed price established in paragraph (a) above less the cost of the installation allowance established by the seller in the following manner:

The seller shall establish the installation allowance by securing bona fide quotations from one or more persons performing mechanical installation services (installing conversion grates) located in the area where the seller is conducting its business; then the seller shall subtract the amount of the lowest quotation received from the installed price enumerated in paragraph (a) of this section. The amount remaining after such deduction shall constitute the uninstalled maximum price.

The seller shall, upon request of the purchaser, submit the name or names of the persons who have issued quotations for the mechanical installation service.

This amendment shall become effective February 11, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1957; Filed, February 5, 1943, 11:47 a. m.]

PART 1391—BICYCLES AND BICYCLE EQUIPMENT

[Rev. Ration Order 7,[1] Amendment 8]

NEW ADULT BICYCLE REGULATION

A rationale for the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1391.5, paragraph (a) (6) is added.

Restrictions on Transfers

§ 1391.5 *Transfers not restricted.* * * *

(a) * * *

(6) Dealers and distributors who have filed OPA Form 701 with the Office of Price Administration, Inventory Unit, but not including transfers from a manufacturer, or from a distributor to a dealer.

Effective Dates

§ 1391.37 *Effective dates of amendments.* * * *

(h) Amendment No. 8 (§ 1391.5 (a) (6)) to Revised Ration Order 7 shall become effective February 11, 1943.

(Pub. Law 421, 77th Cong.; W.P.B. Dir. 1, Supp. Dir. 1G, 7 F.R. 562, 3546)

Issued this 5th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1948; Filed, February 5, 1943; 11:49 a. m.]

PART 1410—WOOL

[MPR 163,[1] Amendment 10]

WOOLEN OR WORSTED CIVILIAN APPAREL FABRICS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new paragraph (l) to § 1410.103 and a new § 1410.120 are added to read as set forth below:

§ 1410.103 *Maximum prices for woolen and worsted apparel fabrics sold by jobbers.* * * *

(l) *Sales by jobbers or manufacturers of apparel who purchase from converters.* For the purpose of determining the maximum prices for jobbers, secondary jobbers or manufacturers of apparel who purchase woolen or worsted apparel fabrics from converters, the term "manufacturer" shall be construed to mean converter and the manufacturer's net invoice price and maximum price shall be construed accordingly

§ 1410.120 *Maximum prices for sales of woolen or worsted apparel fabrics by converters*—(a) *How to determine maximum prices.* The maximum prices for sales and deliveries by a converter of woolen and worsted apparel fabrics dyed and finished by him, or for his account, shall be determined in accordance with the provisions of the General Maximum Price Regulation.

(b) *To what sellers this section applies.* For the purpose of this section, the term "converter" means a person who during the calendar year 1942 was engaged in the business of purchasing fabrics in the grey (undyed) state and converting them, or causing them to be converted for his account, to the dyed and finished state.

A person who sells fabrics converted by him from the grey (undyed) state but who was not a converter during 1942 shall be classified as a jobber and his maximum price shall be determined in accordance with § 1410.103 of this regulation.

(c) *Invoices.* On and after February 11, 1943, every converter making sales of fabrics subject to this section shall, with respect to each such sale, deliver to the purchaser an invoice or similar document setting forth, in addition to the terms thereof: (1) the selling price, and (2) the maximum price determined in accordance with this section.

§ 1410.117 *Effective dates of amendments.* * * *

(l) Amendment No. 10 (§§ 1410.103 (l) and 1410.120) to Maximum Price Regulation No. 163 shall become effective on the 11th day of February 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1958; Filed, February 5, 1943 11:47 a. m.]

PART 1433—FEATHERS AND DOWN

[MPR 318]

FEATHERS AND DOWN

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

AUTHORITY: §§ 1433.1 to 1433.13, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1433.1 *Sales of feathers and down at higher than maximum prices prohibited.* (a) Regardless of any contract or other obligation (except as provided in § 1433.9, below), no person shall sell or deliver and no person shall buy or receive in the course of trade or business, any feathers or down at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer or attempt to do any of these things. This regulation becomes effective with respect to sales or deliveries of raw or crude feathers on February 11, 1943, and becomes effective with respect to processed feathers or down on March 1, 1943. Feathers and down become "processed" when they have been cleaned, sterilized, and otherwise prepared to be used for filling sleeping bags and similar articles. The mere sorting of feathers does not constitute processing. More precise definitions of raw or crude feathers and processed feathers and down are contained in § 1433.3.

(b) Prices lower than the maximum prices may be charged and paid.

§ 1433.2 *To what products, transactions, and persons this regulation applies.* (a) What products are covered by the regulation: This regulation covers sales of all grades of new raw or crude feathers and all grades of new processed feathers and down. Specific maximum prices in dollars and cents have been fixed for most of the grades of feathers and down which are used for the purpose of filling sleeping bags, pillows, and similar articles. It does not cover the sale of feathers used for millinery, sporting equipment and similar uses. Maximum prices for grades of feathers and down which are not specifically mentioned are to be calculated according to a method described below.

(b) What transactions are covered by the regulation: This regulation covers all sales of new feathers and down by any person to any other person including sales by brokers, dealers, except sales by a foreign seller to any domestic buyer. This exception includes domestic buyers who purchase through a bona fide agent.

(c) Any person who sells and any person who buys, in the course of trade or business, new feathers or down is subject to this regulation, except foreign sellers and domestic buyers insofar as they purchase from foreign sellers. The term "person" includes: an individual, corporation, or any other organized group; their legal successors or representatives; the United States, or any government, or any of its political subdivisions; or any agency of the foregoing.

§ 1433.3 *Maximum prices for sales of feathers and down by all persons except brokers.* The maximum prices which any person except a broker may charge for feathers and down are fixed by the table which follows:

TABLE OF MAXIMUM PRICES

(a) Raw or crude feathers:

Kind of feathers	Shipping terms	Maximum price per pound
1. Prime domestic goose: Gray or white feathers from the full grown goose, with full natural down content, containing not more than 3% wing and tail feathers by weight, and thoroughly dried.	F. o. b. dresser's plant or warehouse (the "dresser" is the person who plucks the fowl), packed for shipment.	$1.25
2. Prime domestic duck: Gray or white feathers from the full grown duck, with full natural down content, containing not more than 3% wing and tail feathers by weight, and thoroughly dried. "Full grown duck" means a duck with completely developed plumage which contains as much down as ducks ever develop at maturity.	F. o. b. dresser's plant or warehouse, packed for shipment.	1.00
3. XL Duck or XLDUX: Duck feathers of the standard quality, composition, and condition heretofore sold by the Feather Sales Agency of Brooklyn, N. Y., designated as XL Duck or XLDUX feathers.	F. o. b. Feather Sales Agency warehouse, packed or baled for shipment.	1.07½
4. Domestic duckling: Gray or white feathers from ducklings or not full grown ducks, sometimes called "green" ducklings, containing not more than 5% of wing and tail feathers by weight, and thoroughly dried. Ducklings are ducks with plumage not completely developed, which contains less down than the duck would produce if allowed to grow to maturity.	F. o. b. dresser's plant or warehouse, packed for shipment.	.85
5. Chicago butcher goose and duck: Feathers of either goose or duck or any mixture of the two, containing full natural down content, not more than 10% of wing and tail feathers, not more than 5% of chicken feathers, and not more than 10% of moisture.	F. o. b. dresser's city (within 20 miles of dresser's plant).	.70
6. New York butcher goose and duck: Feathers of either goose or duck or any mixture of the two, containing the full natural down content and not a greater proportion of wing and tail feathers than the natural content, and not more than 15% of moisture.	F. o. b. dresser's city (within 20 miles of dresser's plant).	.60
7. China goose: China goose feathers, gray or white, containing not more than 15% dust or other nonfeather material, from foreign sources.	F. o. b. port of entry, duty paid, packed for shipment.	.70
8. China duck: China duck feathers, gray or white, containing not more than 15% dust or other non-feather material, from foreign sources.	F. o. b. port of entry, duty paid, packed for shipment.	.60
9. Domestic goose and duck wing & tail feathers: Wing and tail feathers of goose and duck, gray or white	F. o. b. dresser's plant or warehouse, packed for shipment.	.15
10. Prime colored chicken & turkey body feathers: Colored feathers from turkeys or full grown chickens, containing not more than 3% of chicken wing and tail feathers, free of turkey wing and tail feathers, and dried by machine, or by a process which produces feathers of equivalent dryness and cleanliness.	F. o. b. dresser's plant or warehouse, packed for shipment.	.65
11. Prime white chicken & turkey body feathers: White feathers from turkeys or full grown chickens, containing not more than one-half of one percent colored feathers or more than 3% chicken wing and tail feathers, free of turkey wing and tail feathers, and dried by machine, or by a process which produces feathers of equivalent dryness and cleanliness.	F. o. b. dresser's plant or warehouse, packed for shipment.	.07
12. Butcher chicken & turkey body feathers: Feathers of any color from turkeys or full grown chickens, containing not a greater proportion of chicken and wing and tail feathers than the natural content, and free of turkey wing and tail feathers. They may be in a wet and dirty condition, just as they come from the picking floor.	F. o. b. dresser's city (within 20 miles of dresser's plant).	.02

(b) Processed or manufactured feathers and down. (Shipping Terms: f. o. b. processor's plant, packed for shipment):

WATERFOWL

Kind of feathers and down	Down	Maximum price per pound: Small feathers	Large feathers	40/60 mixture	Quills
1. Domestic and European goose	$5.00	$1.10	$0.50	$2.65	$0.25
2. Domestic and European duck	4.50	1.00	.45	2.40	.20
3. China goose	4.50	1.00	.45	2.40	.20
4. China duck	4.00	.90	.40	2.00	.15

CHICKEN AND TURKEY

Kind of feathers	Maximum price per pound
5. Colored chicken or turkey	$0.13
6. White chicken or turkey	.175

(c) Specifications for processed or manufactured feathers and down:

(1) The waterfowl feathers and down specified in the above table must meet the following requirements:

(i) *Processed feathers and down* shall be well dusted, washed, dried, sterilized, free from objectionable odors, and in all other respects shall meet the requirements of Federal Specification C–F–151a for feathers.

(ii) *Down* shall be at least 90% true down, and not more than 10% feathers. It does not include feathers of more than 2½ inches in length.

(iii) *Small feathers* shall not exceed 2½ inches in average length. Feathers longer than 3 inches, together with feathers of less valuable kind, shall not exceed 4% by weight. Feathers over 4½ inches in length are not included.

(iv) *Large feathers* shall not exceed 3 inches in average length. Feathers longer than 4 inches, together with feathers of a less valuable kind, shall not exceed 3% by weight.

(v) *40/60 mixture* shall be a mixture of 40%, (by weight) down and 60% (by weight) small feathers.

(vi) *Quills* include all the feathers of the raw stocks except the down, small feathers, and large feathers.

(2) *Processed chicken and turkey feathers* must meet Federal Specification C–F–151a both as to general and specific requirements.

§ 1433.4 *Maximum prices for raw or crude feathers or finished feathers and*

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[1] 7 F.R. 5062, 5871, 8808, 9823, 10337; 8 F.R. 370, 534.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4513, 4733, 4734, 5827, 5872, 6887, 6973, 7454, 7603, 8941, 8948; 8 F.R. 262, 608.

*Copies may be obtained from the Office of Price Administration.

down which have not been fixed by the above table—(a) *Raw or crude feathers.* Maximum prices for raw or crude feathers not specifically mentioned shall be prices in line with those fixed by this Maximum Price Regulation No. 318. In calculating an in line price, consideration must be given to the amount and quality of processed down and feathers which can be obtained from the raw or crude feathers for which a maximum price is being calculated, compared to the amount and quality of the processed down and feathers obtained from the raw or crude feathers priced in this Maximum Price Regulation No. 318.

(b) Maximum prices for processed feathers and down not specifically mentioned shall be prices in line with those fixed by this Maximum Price Regulation No. 318. In calculating an in line price, due consideration must be given to the quality of the down or feathers, including the filling capacity, resiliency, and other characteristics which affect quality and if the material is a mixture, the proportion of down and feathers must be ascertained and considered in calculating a maximum price.

(c) Before selling or offering to sell any raw or crude feathers or processed feathers and down other than the kinds and qualities for which dollars and cents prices are established in this Maximum Price Regulation No. 318, a seller shall submit to the Office of Price Administration (Consumers' Durable Goods Price Branch) a report showing the proposed maximum price and showing in detail how the price was calculated. Upon approval of the calculation of the price by the Office of Price Administration, or fifteen days after mailing the report, in the absence of a contrary direction from the Office of Price Administration, he may sell or offer to sell the feathers or down at the price reported.

§ 1433.5 *Maximum prices which brokers or dealers may charge.* (a) A broker or dealer is a person who buys and sells raw or crude feathers but does not process the feathers while they are in his possession. Neither the Defense Supplies Corporation nor any other government agency shall be considered a broker or dealer for the purposes of this section. A broker or dealer may add to the maximum prices which have been set out in the table in § 1433.3 the following charges:

(1) To the maximum price of raw waterfowl feathers, 7½% of the maximum price may be added, regardless of the point from which the feathers are shipped.

(2) To the maximum price of raw prime chicken and turkey body feathers, 1½¢ per pound may be added, if the feathers are shipped to the buyer directly from the dresser's city; 1½¢ per pound may be added if the feathers are shipped from the broker's own warehouse.

(b) A broker who cleans or sorts feathers to increase their value, may not upon the sale of those feathers add any charge on such sales; his maximum price is fixed in the table contained in § 1433.3.

(c) The Feather Sales Agency of Brooklyn, New York, may not add any amount to the maximum price of XL Duck or XLDUX, since that agency has traditionally performed the function of a broker, and the maximum price already includes a brokerage charge.

§ 1433.6 *Prohibited practices.* (a) Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars and cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like.

(b) The following are among the practices specifically prohibited:

(1) Changing credit terms or any other conditions of sale which make such terms or conditions less favorable to the buyer than they were during October 1941.

(2) "Upgrading" or selling material of one grade at the price of a superior grade.

(3) Adulteration of feather stock by including large feathers or non-feather material to increase weight.

(4) Payment by the buyer to the seller of excessive "fees" for loading, packing, or otherwise handling the material sold.

(5) Sales of several types or grades of feathers showing only total weight and total price. Each sale must be itemized to show weight and price of each type and grade of material.

(6) Quoting only a delivered price: seller may prepay transportation, but must bill transportation charges as a separate item.

§ 1433.7 *Applications for adjustment and petitions for amendment.* (a) The term "government contracts" is here used to include any contract with the United States or any of its agencies, or with the government or any governmental agency of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States." It also includes any subcontract under this kind of contract.

(b) Any person who has made or intends to make a "government contract" and who thinks that a maximum price established in this regulation is impeding or threatens to impede production of feathers and down which are essential to the war program and which are or will be the subject of a contract, may file an application for adjustment in accordance with Procedural Regulation No. 6,[1] issued by the Office of Price Administration.

§ 1433.8 *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[2] issued by the Office of Price Administration.

[1] F.R. 5087, 5664.
[2] F.R. 8961.

§ 1433.9 *Exemption from maximum price provisions of contracts to fill government orders.* Any person who, before December 1, 1942, entered into a contract with anybody to supply feathers or down which are to be used in filling government contracts for sleeping bags or pillows may, prior to April 30, 1943, complete the contract at the contract price, even though that price is higher than the maximum price. If, however, those contract prices are higher than the maximum prices fixed by this regulation, the seller must submit a copy of his contract to the Office of Price Administration (Consumers' Durable Goods Price Branch), Washington, D. C. within 30 days after the issuance of this regulation together with a statement of the amount in pounds of feathers and down which are not yet delivered under the contract.

§ 1433.10 *Records.* All sellers (including brokers or dealers) must keep records which will show a complete description of the feathers or down sold, the name and address of the buyer, the date of the sale and the prices. These records must be kept for inspection by the Office of Price Administration.

§ 1433.11 *Enforcement and licensing.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this regulation or of any other regulation or order issued by the Office of Price Administration are urged to communicate with the nearest field, state, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

(c) War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this regulation. "War procurement agencies" includes the War Department, the Department of the Navy, the United States Maritime Commission and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any of their agencies.

(d) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person selling any feathers and down for which a maximum price is established by this regulation. These sections provide, in brief, that a license is necessary in order to make sales of any of the commodities for which maximum prices are established by this and certain other regulations. Such license is automatically granted to all sellers making these sales. It is not necessary to apply for the license, but a registration of all sellers may later be required. Licenses may be suspended for violations in connection with the sale of any commodity which the seller is licensed to sell by said § 1499.16, and no person whose license is suspended may sell any such commodity during the period of suspension. A license may not be transferred.

§ 1433.12 *Relation to other regulations.* (a) Any sale or delivery governed by this Maximum Price Regulation No. 318 is not subject to the General Maximum Price Regulation.[3]

(b) The maximum price for export sales of feathers or down is governed by the Revised Maximum Export Price Regulation.[3]

§ 1433.13 *Effective date.* (a) This regulation (§§ 1433.1 to 1433.13, inclusive) becomes effective with respect to sales or deliveries of raw or crude feathers on February 11, 1943, and becomes effective with respect to processed feathers or down on March 1, 1943.

(b) If feathers or down have been received before the effective date of this regulation, applicable to the particular feathers mentioned, by a carrier, other than one owned or controlled by the seller, for shipment to a buyer, that shipment is not subject to this regulation. It remains subject to the terms of the General Maximum Price Regulation, which governed it at the time the feathers or down were turned over to the carrier.

Issued this 5th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1947; Filed, February 5, 1943; 11:49 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 19 to Rev. Supp. Reg. 4[3] of GMPR[4]]

EXCEPTIONS

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (27) is added to paragraph (a) of § 1499.29, as follows:

§ 1499.29 *Exceptions for sales and deliveries to the United States or any agency thereof of certain commodities and in certain transactions and for certain other commodities, sales and deliveries.* (a) General Maximum Price Regulation shall not apply to sales or deliveries of the following commodities or in the following transactions:

* * * * *

*Copies may be obtained from the Office of Price Administration.
[3] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4399, 4487, 4650, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5485, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6939, 6794, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454. 8 F.R. 371, 1204.
[4] 7 F.R. 5059, 7242, 8829, 9000, 10530.
[3] 7 F.R. 5056, 5089, 5566, 6082, 6084, 6426, 6733, 6744, 7175, 7538, 8021, 9827, 10022, 10110, 10331. 8 F.R. 130, 137, 372.
[3] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4650, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5191, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6939, 6794, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204.

(27) Sales or deliveries of brooms by Federal Prison Industries, Inc., to the United States or any agency thereof.

* * * * *

(d) (20) Amendment No. 19 (§ 1499.29 (a) (27)) to Revised Supplementary Regulation No. 4 shall become effective February 11, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1959; Filed, February 5, 1943; 11:47 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 145 Under § 1499.3 (b) of GMPR]

CATALIN CORP.

For the reasons set forth in an opinion issued simultaneously herewith, paragraph (a) § 1499.1161 of Order No. 145 is amended to read as follows and a new paragraph (f) is added to § 1499.1161 as set forth below:

§ 1499.1161 *Maximum prices for sales of synthetic phenol by Catalin Corporation.* (a) The maximum price which the Catalin Corporation, a corporation incorporated under the laws of the State of Delaware, may charge for synthetic phenol produced by that corporation shall be 18.7 cents per pound, naked, f. o. b. the plant of the Catalin Corporation, Matawan, New Jersey, except that the maximum price applicable to such synthetic phenol delivered before January 1, 1943 to the buyer or to a carrier not under the control of the Catalin Corporation consigned to the buyer thereof, shall be 20 cents per pound, naked, f. o. b. the plant of the Catalin Corporation, Matawan, New Jersey.

* * * * *

(f) Amendment No. 1 (§ 1499.1161 (a) and (f)) to Order No. 145 under §1499.3 (b) of the General Maximum Price Regulation shall become effective February 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871).

Issued this 5th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1949; Filed, February 5, 1943; 11:51 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 265 Under § 1499.3 (b) of GMPR]

STOPHLET SHEET METAL WORKS

Approval of prices for certain steel roofing pails.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order 9250 and § 1499.3 (b) of the General Maximum Price Regulation, *It is hereby ordered:*

§ 1499.1701 *Authorization to Stophlet Sheet Metal Works for sale of certain steel roofing pails.* (a) On and after the effective date of this Order No. 265 Stophlet Sheet Metal Works, of Kansas City, Missouri, is authorized to sell and deliver and offer to sell and deliver steel roofing pails at prices not to exceed those set forth in paragraph (b) hereof, and any person may buy and receive or offer to buy and receive such pails at such prices from Stophlet Sheet Metal Works.

(b) Maximum prices: Supply pails, $2.25 each; mop pails, $3.25 each; f. o. b. Stophlet Sheet Metal Works.

(c) This Order No. 265 may be revoked or amended at any time by the Office of Price Administration.

(d) This Order No. 265 (§ 1499.1701) shall become effective February 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1944; Filed, February 5, 1943; 11:51 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 266 Under § 1499.3 (b) of GMPR]

E. I. DU PONT DE NEMOURS & COMPANY, INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1702 *Approval of maximum prices for sales of Dry Gasoline Soluble Binder and Indigo Blue Lake BE-252-D Pigment.* (a) On and after February 6, 1943, the E. I. Du Pont de Nemours & Company, Inc. of Wilmington, Delaware may sell and deliver Dry Gasoline Soluble Binder and Indigo Blue Lake BE-252-D Pigment at prices not in excess of those hereinafter set forth:

Dry Gasoline Soluble Binder at twenty-one cents per pound, delivered.
Indigo Blue Lake BE-252-D Pigment at thirty-five cents per pound, delivered.

(b) The prices set forth above shall be subject to cash discounts by the seller which are no less favorable than those in effect during March 1942, with respect to sales of comparable commodities.

(c) This Order No. 266 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 266 (§ 1499.1702) shall become effective February 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. No. 9250, 7 F.R. 7871)

Issued this 5th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1945; Filed, February 5, 1943; 11:49 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 267 Under § 1499.3 (b) of GMPR]

MAJOR VITAMINS, INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1703 *Approval of maximum prices for sales of "Major B Brand Vitamin B Complex" and "Major Brand Vitamins and Minerals"*—(a) *Sales by Major Vitamins, Inc.*—(1) *Maximum prices*—(i) *"Major B Brand Vitamin B Complex."* The maximum prices for sales by Major Vitamins, Inc., of New York, New York, of "Major B Brand Vitamin B Complex" are established as set forth below, freight prepaid:

Size of package	Maximum price per dozen packages	
	To wholesalers	To retailers
24 tablets	$2.04	$2.40
48 tablets	3.49	4.10
100 tablets	6.38	7.50
120 tablets	6.80	8.00
200 tablets	12.33	14.50
1,000 tablets	52.28	61.50

(ii) *"Major Brand Vitamins and Minerals."* The maximum prices for sales by Major Vitamins, Inc., of "Major Brand Vitamins and Minerals" are established as set forth below, freight prepaid:

Size of package	Maximum price per dozen packages	
	To wholesalers	To retailers
24 tablets	$2.81	$3.30
100 tablets	8.60	10.10
1,000 tablets	66.05	77.70

(2) *Discounts.* The maximum prices set forth in subparagraph (1) of this paragraph shall be reduced by 5 percent for payment in cash by the purchaser within ten days of invoice.

(b) *Sales by wholesalers*—(1) *Maximum prices*—(i) *"Major B Brand Vitamin B Complex."* The maximum prices for sales by wholesalers of "Major B Brand Vitamin B Complex" are established as set forth below:

Size of package:	Maximum price per dozen packages
24 tablets	$2.40
48 tablets	4.10
100 tablets	7.50
120 tablets	8.00
200 tablets	14.50
1,000 tablets	61.50

(ii) *"Major Brand Vitamins and Minerals."* The maximum prices for sales by wholesalers of "Major Brand Vitamins and Minerals" are established as set forth below:

Size of package:	Maximum price per dozen packages
24 tablets	$3.30
100 tablets	10.10
1,000 tablets	77.70

(2) *Discounts, allowances, and price differentials.* Any wholesaler making sales of "Major B Brand Vitamin B Complex" or "Major Brand Vitamins and Minerals" shall apply to the maximum prices set forth for such sales in subparagraph (1) of this paragraph all quantity differentials, discounts for purchasers of different classes, trade practices, cash discounts, credit terms, practices relating to the payment of shipping charges, and other customary allowances which were in effect in March, 1942, on sales by the wholesaler of the vitamin product most nearly comparable to "Major B Brand Vitamin B Complex" or "Major Brand Vitamins and Minerals."

(c) *Sales by retailers*—(1) *Maximum prices*—(i) *"Major B Brand Vitamin B Complex."* The maximum prices for sales by retailers of "Major B Brand Vitamin B Complex" are established as set forth below:

Size of package:	Maximum price per package
24 tablets	$ .29
48 tablets	.49
100 tablets	.89
120 tablets	1.00
200 tablets	1.75
1,000 tablets	7.25

(ii) *"Major Brand Vitamins and Minerals."* The maximum prices for sales by retailers of "Major Brand Vitamins and Minerals" are established as set forth below:

Size of package:	Maximum price per package
24 tablets	$ .39
100 tablets	1.20
1,000 tablets	9.25

(2) *Discounts for purchasers of different classes.* Any retailer making sales of "Major B Brand Vitamin B Complex" or "Major Brand Vitamins and Minerals" shall apply to the maximum prices set forth for such sales in subparagraph (1) of this paragraph all discounts for purchasers of different classes which were in effect in March 1942, on sales by the retailer of the vitamin product most nearly comparable to "Major B Brand Vitamin B Complex" or "Major Brand Vitamins and Minerals."

(d) *Marking package with retail ceiling price.* Major Vitamins, Inc., shall mark each package of "Major B Brand Vitamin B Complex" sold by it as indicated below:

Size of package:	Marked as follows:
24 tablets	Ceiling price 29¢.
48 tablets	Ceiling price 49¢.
100 tablets	Ceiling price 89¢.
120 tablets	Ceiling price $1.00.
200 tablets	Ceiling price $1.75.
1,000 tablets	Ceiling price $7.25.

Major Vitamins, Inc., shall mark each package of "Major Brand Vitamins and Minerals" sold by it as indicated below:

Size of package:	Marked as follows:
24 tablets	Ceiling price 39¢.
100 tablets	Ceiling price $1.20.
1,000 tablets	Ceiling price $9.25.

These words shall be printed or stamped in letters clearly legible and at least one quarter as large as those used for the name of the product on the package in which "Major B Brand Vitamin B Complex" or "Major Brand Vitamins and Minerals" is customarily sold to the ultimate consumer.

(e) *Notification of maximum prices*—(1) *"Major B Brand Vitamin B Complex"*—(i) *By Major Vitamins, Inc., to wholesalers.* Major Vitamins, Inc., shall supply a written notification to each wholesaler before or at the time of its first delivery of "Major B Brand Vitamin B Complex" to such wholesaler. The written statement shall read as follows:

OPA has authorized us to charge the following maximum prices for sales of "Major B Brand Vitamin B Complex" to wholesalers, freight prepaid and less 5% for payment within 10 days of invoice:

Size of package:	Maximum price per dozen packages
24 tablets	$2.04
48 tablets	3.49
100 tablets	6.38
120 tablets	6.80
200 tablets	12.33
1,000 tablets	52.28

Wholesalers are authorized to establish the following maximum prices for sales of "Major B Brand Vitamin B Complex," subject to all cash discounts and customary allowances:

Size of package:	Maximum price per dozen packages
24 tablets	$2.40
48 tablets	4.10
100 tablets	7.50
120 tablets	8.00
200 tablets	14.50
1,000 tablets	61.50

(ii) *By Major Vitamins, Inc., to retailers via wholesalers.* Major Vitamins, Inc., shall include a written notification with each shipping unit of "Major B Brand Vitamin B Complex" for a period of three months. If such notification is enclosed in a shipping unit, a legend shall be affixed outside of such unit to read "Retailer's Notice Enclosed." If the initial sale by a wholesaler to a retailer is a split-case sale, the wholesaler is required to provide such retailer with a copy of this notice. The written notification shall read as follows:

OPA has authorized wholesalers to charge the following maximum prices for sales of "Major B Brand Vitamin B Complex", subject to all cash discounts and customary allowances.

Size of package:	Maximum price per dozen packages
24 tablets	$2.40
48 tablets	4.10
100 tablets	7.50
120 tablets	8.00
200 tablets	14.50
1,000 tablets	61.50

Retailers are authorized to establish the following ceiling prices for sales of "Major B Brand Vitamin B Complex":

Size of package:	Ceiling price
24 tablets	$ .29
48 tablets	.49
100 tablets	.89
120 tablets	1.00
200 tablets	1.75
1,000 tablets	7.25

If the initial sale by a wholesaler to a retailer is a split-case sale, the wholesaler is required to provide such retailer with a copy of this notice.

OPA requires that you keep this notice for examination.

(iii) *By Major Vitamins, Inc., to retailers.* Major Vitamins, Inc., shall supply a written notification to each retailer before or at the time of its first delivery of "Major B Brand Vitamin B Complex" to such retailer. The written statement shall read as follows:

OPA has authorized us to charge the following maximum prices for sales of "Major B Brand Vitamin B Complex" to retailers, freight prepaid and less 5% for payment within 10 days of invoice.

Size of package:	Maximum price per dozen packages
24 tablets	$2.40
48 tablets	4.10
100 tablets	7.50
120 tablets	8.00
200 tablets	14.50
1,000 tablets	61.50

Retailers are authorized to establish the following ceiling prices for sales of "Major B Brand Vitamin B Complex":

Size of package:	Ceiling price
24 tablets	29¢
48 tablets	49¢
100 tablets	89¢
120 tablets	$1.00
200 tablets	1.75
1,000 tablets	7.25

OPA requires that you keep this notice for examination.

(2) *"Major Brand Vitamins and Minerals"*—(i) *By Major Vitamins, Inc., to wholesalers.* Major Vitamins, Inc., shall supply a written notification to each wholesaler before or at the time of its first delivery of "Major Brand Vitamins and Minerals" to such wholesaler. The written statement shall read as follows:

OPA has authorized us to charge the following maximum prices for sales of "Major Brand Vitamins and Minerals" to wholesalers, freight prepaid and less 5% for payment within 10 days of invoice:

Size of package:	Maximum price per dozen packages
24 tablets	$2.81
100 tablets	8.60
1,000 tablets	66.05

Wholesalers are authorized to establish the following maximum prices for sales of "Major Brand Vitamins and Minerals", subject to all cash discounts and customary allowances:

Size of package:	Maximum price per dozen packages
24 tablets	$3.30
100 tablets	10.10
1,000 tablets	77.10

(ii) *By Major Vitamins, Inc., to retailers via wholesalers.* Major Vitamins, Inc., shall include a written notification with each shipping unit of "Major Brand Vitamins and Minerals" for a period of three months. If such notification is enclosed in a shipping unit, a legend shall be affixed outside of such unit to read "Retailer's Notice Enclosed." If the initial sale by a wholesaler to a retailer is a split-case sale, the wholesaler is required to provide such retailer with a copy of this notice. The written notification shall read as follows:

OPA has authorized wholesalers to charge the following maximum prices for sales of "Major Brand Vitamins and Minerals," subject to all cash discounts and customary allowances.

Size of package:	Maximum price per dozen packages
24 tablets	$3.30
100 tablets	10.10
1,000 tablets	77.10

Retailers are authorized to establish the following ceiling prices for sales of "Major Brand Vitamins and Minerals":

Size of package	Ceiling price
24 tablets	39¢
100 tablets	$1.20
1,000 tablets	9.25

If the initial sale by a wholesaler to a retailer is a split-case sale, the wholesaler is required to provide such retailer with a copy of this notice.

OPA requires that you keep this notice for examination.

(iii) *By Major Vitamins, Inc., to retailers.* Major Vitamins, Inc., shall supply a written notification to each retailer before or at the time of its first delivery of "Major Brand Vitamins and Minerals" to such retailer. The written statement shall read as follows:

OPA has authorized us to charge the following maximum prices for sales of "Major Brand Vitamins and Minerals" to retailers, freight prepaid and less 5% for payment within 10 days of invoice.

Size of package:	Maximum price per dozen packages
24 tablets	$3.30
100 tablets	10.10
1,000 tablets	77.70

Retailers are authorized to establish the following ceiling prices for sales of "Major Brand Vitamins and Minerals":

Size of package:	Ceiling price
24 tablets	$ .39
100 tablets	1.20
1,000 tablets	9.25

OPA requires that you keep this notice for examination.

(f) *Definitions.* When used in this order the term:

(1) "Major B Brand Vitamin B Complex" means a vitamin preparation manufactured by the Major Vitamins, Inc., each tablet of which contains at least the following amounts of specific vitamin substances:

	mg.
Vitamin B_1 (Thiamine)	.333
Vitamin B_2 (Riboflavin)	.166
Vitamin B_6 (Pyridoxine)	.026
Pantothenic Acid	.083
Niacin	.166

(2) "Major Brand Vitamins and Minerals" means a vitamin preparation manufactured by Major Vitamins, Inc., each tablet of which contains at least the following amounts of specific vitamin and mineral substances:

	U. S. P. units
Vitamin A	1,666
Vitamin B_1 (Thiamine)	166
Vitamin D	166
	Mg.
Calcium	250
Phosphorus	250
Iron	3

(3) "Wholesaler" means any person who buys "Major B Brand Vitamin B Complex" or "Major Brand Vitamins and Minerals" and resells it, without substantially changing its form, to retailers.

(4) "Retailer" means any person who buys "Major B Brand Vitamin B Complex" or "Major Brand Vitamins and Minerals" and resells it directly to consumers.

(g) Major Vitamins, Inc., shall submit to the Office of Price Administration in Washington, D. C., such reports as may from time to time be required.

(h) This Order No. 267 may be revoked or amended by the Price Administrator at any time.

(i) This Order No. 267 (§ 1499.1703) shall become effective on February 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1946; Filed, February 5, 1943; 11:52 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 189 Under § 1499.18 (b) of GMPR]

THE BANTON CORP.

Order No. 189 under § 1499.18 (b) of the General Maximum Price Regulation—Docket Number GF3-1177.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1091 *Adjustment of maximum prices for tomato paste, 6 ounce size cans, for domestic sales by The Banton Corporation.* (a) The Banton Corporation, 69 Wall Street, New York, New York, may sell and deliver and any person may buy and receive from The Banton Corporation tomato paste packed in 6 ounce size cans at a price no higher than the maximum price of $6.10 per carton of 100 cans, f. o. b. Applicant's shipping point.

(b) All prayers of the Application not specifically granted herein are dismissed.

(c) This Order No. 189 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 189 (§ 1499.1091) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation and section 302 of the Emergency Price Control Act of 1942 as amended, shall apply to terms used herein.

(f) This Order No. 189 (§1499.1091) shall become effective on February 6, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 5th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1941; Filed, February 5, 1943; 11:51 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 190 Under § 1499.18 (b) of GMPR]

UNIVERSAL WINE AND LIQUOR CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1091 *Denial of application of Universal Wine and Liquor Company, 7944 West Fort Street, Detroit, Michigan for adjustments of maximum prices for Canadian Black Horse Ale.* (a) The application of Universal Wine and Liquor Company, 7944 West Fort Street, Detroit, Michigan, filed October 17, 1942 and assigned Docket No. GF3-2595 requesting permission to increase maximum prices

for Canadian Black Horse Ale sold by it is denied.

(b) This Order No. 190 (§ 1499.1091) shall become effective February 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1942; Filed, February 5, 1943; 11:50 a. m.]

Chapter XIII—Petroleum Administration for War

[Petroleum Distribution Order 3, Amendment 1]

PART 1526—MARKETING FUEL OIL

DELIVERIES ON OR AFTER FEBRUARY 2, 1943

Section 1526.1 *Petroleum Distribution Order 3* (8 F.R. 1395, 1396) is hereby amended by adding to Schedule A as follows:

14.00	Chemicals, production of:
14.01	Acrylates.
14.02	Acrylonitrile.
14.03	Ammonium nitrate.
14.04	Ascorbic acid.
14.05	Atabrin.
14.06	Benzol.
14.07	Biological products (vaccines, serums, etc.)
14.08	Butyl alcohol.
14.09	Butyral resins.
14.10	Carbonyl iron.
14.11	Chemical cotton pulp.
14.12	Chlor sulfonic acid.
14.13	Ethyl alcohol.
14.14	Ethyl cellulose.
14.15	Fabric coating plants to the extent required to fulfill Army and Navy contracts.
14.16	Formaldehyde.
14.17	Iso propyl alcohol.
14.18	Lithium and lithium salts.
14.19	Nitro cellulose.
14.20	Oleum.
14.21	Phenol.
14.22	Phenolic resins.
14.23	Phthalic anhydride.
14.24	Polyvinyl resins.
14.25	Quinine.
14.26	Silica gel catalysts.
14.27	Sodium acetate.
14.28	Sorbitol.
14.29	Strontium chemicals.
14.30	Sulfa drugs.
14.31	Tega film.
14.32	Toluol.
14.33	Varnished cambric.
14.34	Vinyl acetate.
14.35	Vitamins.
14.36	Zinc chromate.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of February 1943.

R. K. DAVIES,
Acting Petroleum Administrator for War.

[F. R. Doc. 43-1908; Filed, February 4, 1943; 1:39 p. m.]

Notices

DEPARTMENT OF INTERIOR.

Bituminous Coal Division.

[Docket No. B-308]

COAL HILL MINING CO., INC.

ORDER GRANTING APPLICATION, ETC.

In the matter of Coal Hill Mining Co., Inc., registered distributor, Registration No. 1675.

Order granting application filed pursuant to § 301.132 of the rules of practice and procedure for disposition hereof without formal hearing, suspending registration, and cease and desist order.

The above-entitled proceeding having been instituted by the Bituminous Coal Division (the "Division") on its own motion pursuant to § 304.14 of the Rules and Regulations for the Registration of Distributors by a Notice of and Order for Hearing (the "Order"), dated September 3, 1942, and duly served on the said Coal Hill Mining Co., Inc., registered distributor, Registration No. 1675, (the "Distributor") to determine whether said Distributor had violated the Bituminous Coal Act of 1937 (the "Act"), the Bituminous Coal Code (the "Code"), and orders, rules and regulations promulgated thereunder, and its Distributor's Agreement (the "Agreement"), dated June 11, 1940, as more fully set forth in said order; and

The said proceeding having been scheduled for hearing on September 30, 1942, pursuant to said order and having been postponed by an Order of the Director issued on September 26, 1942, to a time and place to be thereafter designated; and

An application based upon admissions for the disposition of the above-entitled matter without formal hearing, (the "application") pursuant to § 301.132 of the Rules of Practice and Procedure before the Bituminous Coal Division, having been duly filed by the said Distributor with the Division on October 10, 1942, and having been amended as of November 30, 1942; and

Notice of filing of said application, as amended, dated December 7, 1942, having been published in the FEDERAL REGISTER on December 8, 1942, pursuant to § 301.132; and

Said notice of filing having provided that interested parties desiring to do so, might, within fifteen (15) days from the date of said notice, file recommendations or requests for informal conferences with respect to said application, and it appearing that no such recommendations or requests have been filed with the Division within said 15 day period; and

It appearing from said application, as amended, that the said distributor admits the prepaying of freight on all coal involved in the transactions set forth in paragraph 1 of the Order, and admits receiving a total of $283.95 as discounts from minimum prices on coal shipped by the Pennsylvania Coal & Coke Corporation, Pursglove Coal Mining Co., Reitz Coal Company, W. J. Rainey, Inc., Seger Bros. Coal Co., Inc., DuShan Coal Mining Co., Abbie E. Lansberry & Son and Goshen Valley Coal Co.; and

It further appearing from said application, as amended, that the said distributor admits prepaying freight on an undescribed portion of the tonnages of coal involved in the transactions set forth in paragraph 4 of the order; and

It further appearing from said application, as amended, that the said distributor, acting as sales agent for the code members referred to in paragraph 5 of the said order, admits that it sold coal produced by the said code members at their respective mines located in District No. 1, and accepted and retained sales agency commissions on sales of said coal, as more fully set forth in the said paragraph 5 of the order; and

It further appearing from said application, as amended, that the said distributor admits the sale of coal for which minimum prices, temporary or final, had not been established by the Division, as more fully set forth in paragraph 6 of the said order; and

It further appearing from said application, as amended, that the said distributor admits that it, acting as sales agent sold coal produced by certain code members (except with respect to the tonnage of coal shipped for the Culbertson Coal Company) and accepted and retained sales agency commissions in excess of the commissions stipulated in certain sales agency contracts, although certified copies of agreements modifying the stipulated commissions prescribed by said sales agency contracts were not filed with the Division, as more fully set forth in paragraph 7 of the said order; and

It further appearing from said application, as amended, that said distributor admits that, acting as sales agent, pursuant to a sales agency contract entered into between said distributor and Culbertson Coal Co., a code member, it sold for rail shipment during the period October 9, 1940 to December 31, 1940, both dates inclusive, approximately 4 670.94 net tons of coal produced by said Culbertson Coal Co. at $2.00 per net ton, whereas minimum prices, temporary or final, had not been established by the Division for rail shipment of said coal, as more fully set forth in paragraph 9 of said order; and

It further appearing from the said application, as amended, that the said distributor admits that, acting as sales agent for the code members referred to in paragraph 10 of the order, it sold Size Group No. 4 coal produced by the said code members at their respective mines located in District No. 1, whereas minimum prices, temporary or final, had not been established by the Division for said coal, as more fully set forth in paragraph 10 of said order; and

It further appearing from said application, as amended, that said distributor represents that it has not to the best of its knowledge committed any violations of the Act, the Code, or regulations other than those violations admitted and more particularly described in said application, as amended, except that it admits an additional violation not set forth in the order by distributor, acting as sales agent for Kristianson & Johnson Coal Co., Inc. from May 19, 1941 to October 8, 1942, both dates inclusive, and receiving commissions on sales of coal produced by the said Kristianson & Johnson Coal Co., Inc., in excess of the maximum allowable discounts prescribed by the Division without the Division's permission granted under Rule 13 of section II of the Marketing Rules and Regulations; and

It further appearing from said application, as amended, that said Distributor represents that none of aforesaid admitted violations were committed with a preconceived intention wilfully to violate any regulation of the Division, or otherwise to violate the Act on the basis of extenuating circumstances set forth in said application, as amended; and

It further appearing from said application, as amended, that the said distributor agrees to accept a suspension of its registration as a registered distributor for a period of 30 days with respect to the violations alleged in paragraphs 1 and 4 of the order, and agrees in addition to return to the following named code members the aforesaid discounts in the amount of $283.95 accepted with respect to transactions set forth in paragraph 1 of the said order, as follows:

Code member producer:	*Discounts*
Pennsylvania Coal & Coke Corporation	$145 40
Pursglove Coal Mining Co	18 02
Arrow Coal Mining Co	45 14
Reitz Coal Company	30 78
W. J. Rainey, Inc.	1 89
Seger Bros. Coal Co., Inc.	4 52
DuShan Coal Mining Co.	5 89
Abbie E. Lansberry & Son	19 23
Goshen Valley Coal Co	12.68
Total	283 93

and to return to the following named code members the actual sales agency commissions in the amount of $388.69 received in connection with transactions described in paragraph 4 of the said order, as follows:

Code member producer:	*Commissions*
Kristianson & Johnson Coal Co., Inc	$182.86
Dugan Coal Mining Co	21.56
Ed E. Carlson	12.03
Fred Barilar	12.04
Hamilton Coal Co	12.04
Nick Ferrari	12.04
Harlan Spencer	37.16
Royal Quemahoning Coal Co	29 40
Robert O'Harah	55.24
James A. White Coal Co	12 19
Culbertson Coal Co	22 13
Total	388.69

and to return excess sales agency commissions in the amount of $155.74 to James A. White Coal Co. and in the amount of $5.62 to Appalacha Coal Company received in connection with transactions described in paragraph 5 of the order, but does not agree to return the other excess commissions set forth in said paragraph 5; and

It further appearing from said application, as amended, that the said Distributor agrees to return to the following named code members the entire sales agency commissions in the amount of $938.77 received in connection with the transactions set forth in paragraph 7 of the said order, except as to the said Culbertson Coal Co., as follows:

Code member producer:	*Commission*
Ed. E. Carlson	$301.23
Fred Barilar	189.96
Harlan Spencer	164.07
Hamilton Coal Co	51.40
Nick Ferrari	189.59
Royal Quemahoning Coal Co	42.52
Total	938.77

It further appearing from said application, as amended, that the said Distributor further agrees to the issuance of a Cease and Desist Order in this proceeding; and

It further appearing from said application, as amended, that the said Distributor agrees to execute any and all papers and other documents necessary for the disposition of this proceeding in the event that the said application, as amended, is granted; and

It further appearing from said application, as amended, that the said Distributor denies the allegations of violations set forth in paragraphs 2, 3, and 8 of the order:

Now, therefore, pursuant to authority vested in the Division by section 4 II (h) of the Act and upon said application, as amended, of the said Distributor filed with the Division pursuant to § 301.132 of the Rules of Practice and Procedure for disposition without formal hearing of the charges as set forth in the Notice of and Order for Hearing, and upon evidence in the possession of the Division; it is hereby found that: (a) The said Distributor is a corporation organized and existing by virtue of the laws of the Commonwealth of Pennsylvania with its principal place of business located at DuBois, Pennsylvania, and is engaged in the business of purchasing and reselling bituminous coal;

(b) The said distributor filed with the Division its application for registration as a registered distributor, dated June 11, 1940, and a certificate of registration No. 1675, dated June 26, 1940, was issued to the distributor pursuant to said application, and since then the distributor has been engaged in the business of purchasing and selling bituminous coal as a registered distributor;

(c) The said distributor during the period October 2, 1940 to September 2, 1941, both dates inclusive, violated section 4 II (i) (3) and (6) of the Act, Part II (i) (3) and (6) of the Code, Rule 1 (J) of section VII and Rules 3 and 6 of section XIII of the Marketing Rules and Regulations, and paragraphs (c), (d) and (e) of the said Agreement by purchasing from certain code members named in paragraph 1 of the order approximately 5095 net tons of various sizes of coal produced by said code members at their respective mines and reselling said coal for rail shipment to various purchasers and prepaying the freight thereon in the total amount of $13,168.82, as follows:

Code member producer	Mine index No.	Dates of shipment	Tonnage	Amount freight prepaid
Pennsylvania Coal & Coke Corporation	371	Oct. 2, 1940 to Sept. 2, 1941	2734.95	$6,388.07
Stineman Coal & Coke Co	859	Oct. 16, 1940 to Nov. 24, 1941	1625.40	2,688.84
The Pursglove Coal Mining Co	120	Oct. 21, 1940 to Nov. 6, 1940	150.20	411.55
Arrow Coal Corporation	18	Dec. 19, 1940	240.10	655.05
Reitz Coal Co	420	Oct. 9, 1940 to July 9, 1941	264.65	1,073.15
W. J. Rainey, Inc	3	Oct. 14, 1940	30.35	91.89
Seger Bros. Coal Co., Inc	202	Oct. 12, 1940	28.95	72.96
DuShan Coal Mining Co	140	Nov. 16, 1940	34.25	86.31
Abbie E. Lansberry & Son	2337	Aug. 26, 1941	160.30	415.40
Goshen Valley Coal Co	130	June 23, 1941 to June 26, 1941	106.50	280.10
E. B. Petersen	102	Jan. 7, 1941	245.35	634.26
Heckler, B. F. (The "B" Quality Coal Co)	57	June 23, 1941 to Nov. 19, 1941	175.10	441.25

(d) The said distributor during the period October 2, 1940 to June 26, 1941, both dates inclusive, violated section 4 II (i) (6) of the Act, Part II (i) (6) of the Code and paragraphs (c), (d), and (e) of the said agreement by receiving, accepting and retaining the total amount of $283.95 as improper discounts from the effective minimum prices established by the Division for coal produced by the Pennsylvania Coal & Coke Corporation, the Pursglove Coal Mining Co., Reitz Coal Company, W. J. Rainey, Inc., Seger Bros. Coal Co., Inc., DuShan Coal Mining Co., Abbie E. Lansberry & Son and Goshen Valley Coal Co.;

(e) The said distributor, acting as sales agent for the code member producers indicated below pursuant to sales agency contracts entered into between said Distributor and the said code members during the period October 5, 1940 to September 23, 1941, both dates inclusive, violated section 4 II (i) (e) and (6) of the Act, Part II (i) (3) and (6) of the Code, Rule 1 (J) of section VII and Rules 3 and 6 of section XIII of the Marketing Rules and Regulations and paragraphs (c) and (e) of the said Agreement, by selling coal produced by said code members at their respective mines located in District No. 1 to various purchasers for rail shipment, and by prepaying freight on an unascertainable portion of the coal produced by the said code members, as follows:

(h) The said distributor, acting as sales agent for the code member producers indicated below pursuant to sales agency contracts entered into between said distributor and said code members, during the period October 5, 1940 to September 23, 1941, both dates inclusive, participated in violation of Rule 9 (a) of section II of the Marketing Rules and Regulations and thereby violated paragraph (e) of the said agreement, by selling coal produced by said code members at their respective mines located in District No. 1, to various purchasers for rail shipment, and not duly filed with the Division, as follows:

Code member producer	Mine Index No.	Dates of shipment	Tonnage	Sales agency comm. accepted	Stipulated sales agency comm.
Ed. E. Carlson	605	Oct. 26, 1940, to Sept. 23, 1941	733.73	$301.23	$197.66
Fred Barllar	1042	Nov. 5, 1940, to Sept. 23, 1941	434.26	189.96	117.35
Harlan Spencer	636	Oct. 5, 1940, to Sept. 23, 1941	384.57	164.07	112.39
Hamilton Coal Co	1067	Nov. 5, 1940, to Sept. 23, 1941	104.75	51.40	72.19
Nick Ferrari	2503	June 30, 1941, to Sept. 23, 1941	437.02	189.59	118.29
Royal Quemahoning Coal Co	445	Jan. 10, 1941, to Jan. 29, 1941	135.25	42.52	30.52

(i) The said distributor, acting as sales agent for the code members indicated below pursuant to a sales agency contract entered into between said distributor and Culbertson Coal Co., a code member producer, during the period October 9, 1940 to December 31, 1940, both dates inclusive, participated in the violation of Order of the Division entered in General Docket No. 19 dated October 9, 1940, and thereby violated paragraph (e) of the said agreement, by selling to various purchasers for rail shipment approximately 4670.94 net tons of 2" nut and slack coal, produced by said Culbertson Coal Co. at its Harvey No. 1 Mine, Mine Index No. 1480, located in District No. 1, at $2.00 per net ton f. o. b. said mine, whereas minimum prices, temporary or final, had not been established by the division for rail shipment of said coal;

(j) The said distributor, acting as sales agent for the code members indicated below, during the period October 5, 1940 to January 31, 1941, both dates inclusive, participated in violation of section 4 II (e) of the Act, Part II (e) of the Code, and Rule 2 of section XII of the Marketing Rules and Regulations, and thereby violated paragraphs (b) and (e) of the said agreement, by selling Size Group No. 4 coal produced by the said code members at their respective mines located in District No. 1, whereas minimum prices, temporary or final, had not been established by the Division for Size Group No. 4 coal produced at the aforesaid mines, as follows:

Code member producer	Mine Index No.	Dates of shipment	Tonnage	Size group No.	Sales price f. o. b. mine
Ed. E. Carlson	605	Oct. 5, 1940, to Jan. 30, 1941	755.65	4	$2.15
Harlan Spencer	636	Nov. 26, 1940, to Jan. 31, 1941	179.75	4	2.15

(k) The violations hereinbefore described in paragraphs (c) to (j), inclusive, were wilfully committed and that said distributor should be directed to cease and desist from further violations, as hereinafter ordered.

Now, therefore, upon the basis of the foregoing findings and the said admissions and the consent filed by said Coal Hill Mining Co., Inc., pursuant to § 301.132 of the Rules of Practice and Procedure:

It is ordered, That said application, as amended, for disposition of this proceeding without formal hearing be, and it hereby is, granted; and

It is further ordered, That the hearing herein heretofore postponed by order dated September 26, 1942, to a date and place to be thereafter designated by an appropriate order be, and the same hereby, is cancelled; and

It is further ordered, That the registration of the said distributor, as a registered distributor, Registration No. 1675, be, and it is hereby suspended for the period of thirty (30) days commencing at 12:01 on the next calendar day following the date of service of this order upon said distributor: *Provided, however*, That if said distributor shall not have complied with the provisions of § 304.15 of the Rules and Regulations for the Registration of Distributors at least five days prior to the expiration of said suspension period, said suspension shall continue in full force and effect until five days after the affidavit required by said § 304.15 shall have been filed with the Division.

It is further ordered, That the said distributor refund to the code members set forth below, $283.95, which represents excess discounts improperly received, accepted and retained by said distributor with respect to transactions set forth in paragraph 1 of the order as follows:

Code member producer:	*Discounts*
Pennsylvania Coal & Coke Corporation	$145.40
Pursglove Coal Mining Co	18.02
Arrow Coal Mining Co	45.14
Reitz Coal Company	30.78
W. J. Rainey, Inc	1.89
Seger Bros. Coal Co., Inc	4.92
DuShan Coal Mining Co	5.89
Abbie E. Lansberry & Son	19.23
Goshen Valley Coal Co	12.68

and that a statement that such refunds have been made shall be included in any affidavit executed and filed by the said distributor pursuant to the aforesaid § 304.15; and

It is further ordered, That the said distributor refund to the code members set forth below, $388.69, which represents sales agency commissions improperly received, accepted and retained with respect to transactions set forth in paragraph 4 of the order as follows:

Code member producer:	*Commissions*
Kristianson & Johnson Coal Co., Inc	$182.86
Dugan Coal Co	21.56
Ed. E. Carlson	12.03
Fred Barllar	12.04
Hamilton Coal Co	12.04
Nick Ferrari	12.04
Harlan Spencer	37.16
Royal Quemahoning Coal Co	9.40
Robert O'Harah	55.24
James A. White Coal Co	12.19
Culbertson Coal Co	22.13

and that a statement that such refunds have been made shall be included in any affidavit executed and filed by the said distributor pursuant to the aforesaid § 304.15; and

It is further ordered, That the said distributor refund to the code members set forth below, $938.77, which represents the entire amount of the sales agency commissions improperly received, accepted and retained with respect to transactions set forth in paragraph 7 of the order as follows:

Code member producer:	*Commission*
Ed. E. Carlson	$301.23
Fred Barllar	189.96
Harlan Spencer	164.07
Hamilton Coal Co	51.40
Nick Ferrari	189.59
Royal Quemahoning Coal Co	42.52
Total	$938.77

and that a statement that such refunds have been made shall be included in any affidavit executed and filed by the said distributor pursuant to the aforesaid § 304.15; and

It is further ordered, That the said distributor refund to James A. White Coal Co., code member, $155.74 and the said distributor be required to refund to the Appalacha Coal Co., code member, $5.62, which amounts were received by said distributor as sales agency commissions received from the said code members with respect to transactions set forth in paragraph 5 of the order, and that a statement that such refunds have been made shall be included in any affidavit executed and filed by the said distributor pursuant to the aforesaid § 304.15; and

It is further ordered, That the effect of such suspension shall not be evaded directly or indirectly by the use of any device such as a sales agency agreement or any other device and that such suspension shall not excuse the said distributor from all duties and functions imposed upon it by the Act, the Code, and the Rules and Regulations promulgated thereunder and its Distributor's Agreement; and

It is further ordered, That, upon the basis of the extenuating facts represented in paragraph XVI of the said application, as amended, the alleged charges set forth and described in paragraphs 2, 3, and 8 of the said order be and the said charges hereby are withdrawn without prejudice.

It is further ordered, That Coal Hill Mining Co., Inc., registered distributor, Registration No. 1675, its representatives, agents, servants, employees, attorneys, successors or assigns, and all persons acting or claiming to act for or in its behalf, be and they hereby are directed to cease and desist from further violations of the Act, the regulations made thereunder, and the Distributor's Agreement.

It is further ordered, That upon any failure to comply with this order, the Division may reopen this proceeding and take appropriate action under the circumstances for the enforcement thereof, or take such further action as may be appropriate in the premises.

Dated: February 3, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43–1857; Filed, February 4, 1943; 10:45 a. m.]

[Docket No. B–60]

E. H. AND J. H. TURPIN

ORDER DIRECTING CODE MEMBER TO CEASE AND DESIST

In the matter of E. H. Turpin and J. H. Turpin, also known as E. H. Turpin and J. H. Turpin, individually and as copartners, doing business under the name and style of E. H. & J. H. Turpin, code member, District No. 8.

Upon the basis of findings of fact and conclusions of law set forth in the Opinion of the Director, filed simultaneously herewith, wherein it appears that code member wilfully violated the Order of the Director in General Docket No. 19, dated October 9, 1940, and pursuant to sections 4 II (j) and 5 (b) and other provisions of the Bituminous Coal Act of 1937;

It is ordered, That E. H. Turpin and J. H. Turpin, individually and as copartners, doing business under the name and style of E. H. and J. H. Turpin, operating the Ferndale Mine (Mine Index No. 770) in Bell County, Kentucky, in District 8, their agents, representatives, employees, successors or assigns, and any persons acting or claiming to act for or on their behalf, cease and desist from violating the Order of the Director in General Docket No. 19, dated October 9, 1940, or from otherwise violating the provisions of the Act, the Code and the rules and regulations thereunder.

Notice is hereby given that upon failure or refusal to comply with this Order, the Division may apply to a Circuit Court of Appeals for the enforcement thereof, or take other appropriate action as authorized by the Act.

Dated: February 3, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43–1921; Filed, February 5, 1943; 11:11 a. m.]

[Dockets Nos. A–1766, Part II and A–1786, Part II]

DISTRICT BOARD 4 AND SHEBAN MINING CO.

ORDER OF SEVERANCE, ETC.

In the matters of the petitions filed by District Board No. 4 and Sheban Mining Company for the establishment of price classifications and minimum prices for the coals produced at the Sheban Mine, Mine Index No. 2314.

Order of severance and order continuing temporary relief, terminating final relief and notice of and order for hearing.

Original petitions, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 (the "Act") were respectively filed in Docket No. A–1766 and Docket No. A–1786 by Sheban Mining Company and District Board No. 4, requesting among other matters, the establishment of price classifications and minimum prices, for shipment via rail for certain coals produced at the Sheban Mine, Mine Index No. 2314, located in District No. 4.

An amended petition, pursuant to said section of the Act, was thereafter filed in Dockets Nos. A–1766 and A–1786 by Sheban Mining Company requesting the establishment both temporary and permanent of price classifications and minimum prices for shipment by rail for coals produced at the said Sheban Mine.

Dockets Nos. A–1766 and A–1786 were consolidated by an order issued herein dated December 28, 1942, which established among other matters, temporary

and conditionally final price classifications and minimum prices for certain coals produced by the Sheban Mine.

On January 14, 1943, District Board No. 8 filed a motion to modify the order herein dated December 28, 1942, and accordingly, it appears advisable that the price classifications and minimum prices established for the coals involved should not become conditionally final without a hearing, and that such hearing develop whether the coals produced at the Sheban Mine are cannel coals.

Now, therefore, it is ordered, That those portions of the original and amended petitions heretofore filed herein, which relate to the request for relief, both temporary and permanent, for certain coals produced at said Sheban Mine be, and the same hereby are, severed therefrom, and designated as Dockets Nos. A–1766, Part II and A–1786, Part II.

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on February 26, 1943, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, Washington, D. C.; and

It is further ordered, That Edward J. Hayes or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the Rules and Regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before February 21, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention, or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

It is further ordered, That the temporary relief heretofore granted for the coals of said Sheban Mine in the Order entered in Dockets Nos. A–1766 and A–1786 be, and the same hereby is, continued in effect until further order.

It is further ordered, That, with respect to the coals produced at the said Sheban Mine, the conditionally final relief heretofore granted in the order issued in Dockets Nos. A–1766 and A–1786 be, and the same hereby is, terminated.

It is further ordered, That the order heretofore issued in Dockets Nos. A–1766 and A–1786 shall, in all other respects, remain in full force and effect.

The matter concerned herewith is in regard to the petition of Sheban Mining Company and the petition of District Board No. 4 filed in Dockets Nos. A–1766 and A–1786 requesting the establishment of price classifications and minimum prices for shipment via rail for coals produced by the Sheban Mining Company, at its Sheban Mine, Mine Index No. 2314, located in District No. 4, and the petition of intervention of District Board No. 8 filed January 14, 1943, opposing the original petition and requesting that the temporary relief granted by the order issued herein dated December 28, 1942, be modified and to determine whether the coals produced at the Sheban Mine are cannel coals.

Dated: February 4, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43–1923; Filed, February 5, 1943; 11:11 a. m.]

[Docket No. A–1829]

DISTRICT BOARD 11

ORDER GRANTING TEMPORARY RELIEF

In the matter of the petition of District Board No. 11 for an additional shipping point for coals produced from Mine Index Nos. 746 and 1354.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, was duly filed with the Division by the above-named party requesting the temporary establishment for 60 days of an additional shipping point at the Bobolink Mine, Mine Index No. 11 for approximately 13,000 tons of Third Vein mine run entry coal produced by the Honey Creek Mine, Mine Index No. 746 and the Victory Mine, Mine Index No. 1354, now stored on the ground at the Honey Creek Mine.

In support of the requested relief, petitioner alleges that the Pyramid Coal Corporation is the owner of the Victory Mine, Honey Creek Mine, and the Bobolink Mine, all of which are on adjacent properties. It appears that the Victory Mine tipple will not be completed until March 1, 1943 and the Bobolink Mine will be idle for several weeks starting January 15, 1943. In order to fill shipments on a current contract to the Indiana & Michigan Electric Company, petitioner requests that Pyramid Coal Corporation be given temporary relief by the establishment of the Bobolink Mine as an additional shipping point for a period of 60 days from January 9, 1943 pursuant to a telegraphic request and approval of the Director on January 9, 1943, for approximately 13,000 tons of Third Vein mine run entry coal produced at its Honey Creek and Victory Mines and now stored on the ground of the Honey Creek Mine.

It appears that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth, that no petitions of intervention have been filed with the Division in the above-entitled matter, and the following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That temporary relief be granted as follows: The Schedule of Effective Minimum Prices for District No. 11 for All Shipments Except Truck is supplemented to include the matter set forth in the Schedule marked "Supplement R" annexed hereto and made a part hereof.

It is further ordered, That pending further order of the Director the relief granted herein shall be effective as of January 9, 1943 and shall expire on March 9, 1943.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within twenty-five (25) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: February 3, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43–1922; Filed, February 5, 1943; 11:11 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 442]

VOGEMANN-GOUDRIAAN COMPANY, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Henry Vogemann and Richard Vogemann, whose last known addresses were represented to the undersigned as being Hamburg, Germany, are nationals of a designated enemy country (Germany);

2. Finding that all of the capital stock of Vogemann's Transport Company, Rotterdam, Holland, is owned by said Henry Vogemann and Richard Vogemann, and determining, therefore, that said company is a national of a designated enemy country (Germany);

3. Finding that said Henry Vogemann, Richard Vogemann and Vogemann's Transport Company are the owners of 10 shares, 10 shares and 980 shares respectively of $10 par value common capital stock of Vogemann-Goudriaan Company, Inc., a Louisiana Corporation, New Orleans, Louisiana, which is a business enterprise within the United States and which shares constitute all of the outstanding capital stock of said business enterprise and represent ownership thereof,

4. Determining, therefore, that said business enterprise is a national of a designated enemy country (Germany);

5. Determining that to the extent that such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the shares of stock described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on December 4, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–1933; Filed, February 5, 1943; 11:37 a. m.]

[Vesting Order 493]

BRUHAN REALTY CORPORATION

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation:

1. Finding that Bruno Hollender, whose last known address was represented to the undersigned as being Donlitz Post Bresslau, Germany, a German citizen, is a national of a designated enemy country (Germany);

2. Finding that all of the capital stock of Bruhan Realty Corporation, a New York Corporation, New York, New York, consisting of 100 shares of no par value common stock registered in the name of Frederick W. Hollender, as nominee, is owned by said Bruno Hollender;

3. Determining, therefore, that said business enterprise is a national of a designated enemy country (Germany);

4. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the shares of stock described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on December 12, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–1937; Filed, February 5, 1943; 11:42 a. m.]

[Vesting Order 494]

RUSS ESTATE COMPANY

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the persons (each of whom is a citizen of Germany), whose names and last known addresses are set forth in Exhibit A attached hereto and made a part hereof, are nationals of a designated enemy country (Germany);

2. Finding that $42\frac{3}{4}$ shares of $5,000 par value common capital stock of Russ Estate Company, a California corporation, San Francisco, California, which is a business enterprise within the United States, are registered in the names of and owned by said persons, the number of shares owned by each of whom is set forth after his or her respective name in said Exhibit A;

3. Finding that said $42\frac{3}{4}$ shares constitute a substantial part (namely, 20.75%) of all outstanding shares of capital stock of, and represent an interest in, said business enterprise;

4. Determining, therefore, that said business enterprise is a national of a designated enemy country (Germany);

5. Finding that 5 of the shares of stock registered in the name of Erich G. Russ referred to in said Exhibit A are held by The San Francisco Bank, San Francisco, California, as pledgee, the 5 shares of stock registered in the name of Daisy Illing referred to in said Exhibit A are held by said bank as pledgee and the 1 share of stock registered in the name of Frederich C. A. Heydenreich referred to in said Exhibit A is held by said bank as pledgee;

6. Determining that to the extent that such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

7. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

8. Deeming it necessary to the national interest;

hereby (a) vests in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, (i) all right, title and interest of Erich G. Russ, Daisy Illing and Frederich C. A. Heydenreich, and each of them, in and to the shares of stock referred to in subparagraph 5 hereof, and (ii) all the shares of stock referred to in said Exhibit A except the 11 shares of stock described in subparagraph 5 hereof, and (b) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time

as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on December 12, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

42½ shares of the capital stock of Russ Estate Company, the names and last known addresses of the registered owners of which, and the number of shares owned by them, respectively, are as follows:

Names	Last known address	Number of shares
Marie Elinor Verheul	Leipsic, Germany	4
Carla Mauruch	Berlin, Germany	2
Daisy Illing	Dresden, Germany	5
Dr. Ernst Illing	Dresden, Germany	2½
Hans Joachim Illing	Dresden, Germany	2
Eleanore von Seyfried	Berlin, Germany	1½
Johann von Seyfried	Berlin, Germany	1½
Marie von Philipsborn	Berlin, Germany	3½
Erich G. Russ	Dresden, Germany	7
Ernst Heinrich Heydenreich	Leipsic, Germany	4
Alma Mebuis	Berlin, Germany	4
Elsie Mebuis	Berlin, Germany	1
Carola Bleidorn	Berlin, Germany	3
Frederich C. A. Heydenreich	Leipsic, Germany	1
Total		42½

[F. R. Doc. 43-1938; Filed, February 5, 1943; 11:42 a. m.]

[Vesting Order 626]

D. A. B. RECREATIONAL RESORT, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the German American Vocational League, Inc., New York, New York, is controlled by or acting for or on behalf of or as a cloak for a designated enemy country (Germany) or a person within such country, and therefore is a national of a designated enemy country (Germany);

2. Finding that said German American Vocational League, Inc. is the beneficial owner of all of the outstanding capital stock of D. A. B. Recreational Resort, Inc., a New York corporation, New York, New York, which is a business enterprise within the United States, consisting of 10 shares of no par value common stock registered in the names of Fritz Schroeder, Heinz Schnoedewind, Theo. Koehn and Joseph Lieblein, as Trustees for said German American Vocational League, Inc.

3. Finding also that D. A. B. Recreational Resort, Inc. is controlled by or acting for or on behalf of or as a cloak for a designated enemy country (Germany) or a person within such country;

4. Determining, therefore, that said D. A. B. Recreational Resort, Inc. is a national of a designated enemy country (Germany);

5. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the shares of stock described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The term "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on January 6, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1934; Filed, February 5, 1943; 11:37 a. m.]

[Vesting Order 639]

COTTON EXPORT TRADING COMPANY, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Boden & Haac, located in Bremen, Germany, is a national of a designated enemy country (Germany).

2. Finding that said Boden & Haac is the beneficial owner of 100 shares of $10 par value capital stock of Cotton Export Trading Company, Inc., a Texas corporation, Dallas, Texas, registered as follows:

Names:	Number of shares
Robert Mayer	1
E. W. Olivard, Jr.	1
Franz Brass	1
N. V. Ex- & Import Mij. Roessingh & Co.	97
Total	100

3. Finding that said Cotton Export Trading Company, Inc. is a business enterprise within the United States and that said 100 shares of stock constitute all of the issued and outstanding capital stock of said business enterprise and represent ownership thereof;

4. Determining, therefore, that said business enterprise is a national of a designated enemy country (Germany);

5. Determining that John Lyen & Co., Gothenburg, Sweden, is acting for or on behalf of said Boden & Haac and, therefore, is a national of a designated enemy country (Germany);

6. Finding that the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of John Lyen & Co., Gothenburg, Sweden and said Boden & Haac, and each of them, in and to all obligations, contingent or otherwise and whether or not matured, owing to them, or either of them, by said Cotton Export Trading Company, Inc., including but not limited to all security rights in and to any and all collateral for any or all of such obligations and the right to sue for and collect such obligations, is an interest in the aforesaid business enterprise held by nationals of an enemy country, and also is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

7. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

8. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

9. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the shares of stock described in subparagraph 2 hereof and the property described in subparagraph 6 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on January 6 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-1935; Filed, February 5, 1943; 11:37 a. m.]

[Vesting Order 654]

BEATRICE GAUSEBECK

Re: Real property situated in Blairstown, Warren County, New Jersey, owned by Beatrice Gausebeck.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Beatrice Gausebeck is a resident of Germany and is a national of a designated enemy country (Germany);

2. Finding that said Beatrice Gausebeck is the owner of the property described in subparagraph 3 hereof;

3. Finding therefore that the property described as follows:

All right, title, interest and estate, both legal and equitable, of Beatrice Gausebeck, in and to that certain real property situated in the Township of Blairstown, County of Warren, and State of New Jersey, more particularly described in Exhibit A attached hereto and made a part hereof, together with all fixtures, improvements and appurtenances thereto and any and all claims of Beatrice Gausebeck for rents, refunds, benefits or other payments arising from the ownership of such property,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

4. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Germany);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 9, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

The first lot beginning at the Stone Corner of Abraham Francis and Daniel Vaugh's line and runs (1) North forty-six and one-half degrees East twenty-five chains and eighty-six links to a chestnut tree in the road for Reeder's Corner; thence (2) South four degrees West four chains and fifty-three links to a large rock; thence (3) South thirty-five and one-half degrees East twelve chains and eighty-four links to a hickory tree in the road; thence (4) North fifty-five and one-half degrees East three chains and twelve links to a stone corner; thence (5) South thirty-four degrees East four chains to a stake in the lane; thence (6) North sixty-one degrees and eighteen chains and twenty-one links to a stone corner on an island in the brook; thence (7) South eighteen and one-half degrees East three chains and fifty-six links to a red oak tree; thence (8) South seven and one-half degrees East five chains and forty-seven links to a stone heap; thence (9) South 13 degrees East two chains and twenty-two links to a stone corner; thence (10) South two chains and forty-three links to a stone corner; thence (11) South fifty-eight degrees West three chains and seventeen links in the middle of the road. Twenty-two links from a chestnut tree; thence (12) South twenty-two and one-half degrees East one chain and eighty-two links to a chestnut tree on the West side of the road; thence (13) South ten and one-half degrees East three chains and forty-five links to a hickory sapling; thence (14) South five and one-half degrees East seven chains and eighty-five links in the brook; thence (15) South seventy degrees West six chains and twenty-five links to a red oak stump; (16) North sixteen and one-half degrees West thirty-one chains and four links to a stone corner in Vaugh's Field; thence (17) South thirty-two and one-half degrees West three chains and six links to a corner near a hickory sapling; thence (18) North forty-three degrees West four chains and fifty-two links to a pile of stones thence (19) North sixty degrees and four chains and forty-five links to a stake in a stone row; thence (20) North thirty-two and one-half degrees West twenty-six chains and thirty-three links to a stake in Vaugh's Corner in A. France's line; thence (21) North two degrees West three chains and eleven links to the place of beginning.

Containing one hundred and thirty-three acres of land, be the same more or less, excepting however a lot sold to John C. McConachy, by Mary Ann Henry, containing about one acre and twenty-one hundredths of an acre of land, by deed recorded in the Warren County Clerks Office in Book 180 of Deeds on Page 360, etc. It being expressly understood that there is claimed to be a right-of-way in the public beginning at about the third corner in the above description and running through the woods in a Westerly direction towards Emanuel Kise's House for which the party of the first part shall in no way be held responsible.

Being the same premises conveyed to August T. Gausebeck by Kaethe Lucie Gausebeck by deed dated June 7, 1933 and recorded in the Warren County Clerk's Office in Book 271 of Deeds for said County, Pages 202 etc.

[F. R. Doc. 43-1936; Filed, February 5, 1943; 11:37 a. m.]

[Vesting Order 719]

L. ZULEIKHA VON VIETINGHOFF

Re: Certain real properties in Illinois, together with a bank account, owned by L. Zuleikha von Vietinghoff.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the last known address of L. Zuleikha von Vietinghoff is at 10-A Corneliusstrasse, Berlin, Germany, and that therefore she is a national of a designated enemy country (Germany);

2. Finding that said L. Zuleikha von Vietinghoff is the owner of the real and personal property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

a. All right, title, interest and estate, both legal and equitable, of said L. Zuleikha von Vietinghoff, in and to that certain real property, situated in Woodford County, Illinois, more particularly described in Exhibit A attached hereto and made a part hereof, together with all fixtures, improvements and appurtenances thereto, and any and all claims of L. Zuleikha von Vietinghoff for rents and refunds, benefits or other payments arising from the ownership of such property;

b. All right, title, interest and estate, both legal and equitable, of said L. Zuleikha von Vietinghoff, in and to that certain real property, situated in Vermilion County, Illinois, more particularly described in Exhibit B attached hereto and made a part hereof, together with all fixtures, improvements and appurtenances thereto, and any and all claims of L. Zuleikha von Vietinghoff for rents, refunds, benefits or other payments arising from the ownership of such property; and

c. All right, title, interest and claim of any name or nature whatsoever of said L. Zuleikha von Vietinghoff in and to all obligations, contingent or otherwise and whether or not matured, owing to her by Continental Illinois National Bank and Trust Company, Chicago, Illinois, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to sue for and collect such obligations, and including particularly the account in said Continental Illinois National Bank and Trust Company carried in the name of Karl Gruenwald, Special Account,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

4. Determining that the property described in subparagraph 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that hereinbefore described in subparagraphs 3-a and 3-b) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

5. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Germany);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

The Southwest quarter (SW¼) of Section twenty-three (23) in township twenty-eight (28) North, Range two (2) East, excepting therefrom however, one (1) acre in the southeast corner thereof, and excepting therefrom, also a tract in the northeast corner thereof seventy-five feet wide by six hundred and eighty feet long, and excepting and reserving, also, in the event the same have been severed from the fee of said premises, and in that event only, the underlying coal, minerals and mining rights;

also, the south seventy-seven and seventy-three hundredths acres (S77-73/100 A.) of the west one-half of the southeast quarter (W½SE¼) of said Section twenty-three (23) aforesaid, excepting and reserving in the event the same has been severed from the fee of said last mentioned premises, and in that event only, the underlying coal, minerals and mining rights;

all the premises above mentioned, containing 236.56 acres, more or less, situated in the County of Woodford, and State of Illinois.

EXHIBIT B

The East half (E½) of Section Six (6) and the East half (E½) of the Southwest Quarter (SW¼) of said Section Six (6), all in Township Twenty-three (23), North, Range Thirteen (13) West of the Second Principal Meridian, containing Four Hundred Five (405) acres more or less, situated in the County of Vermilion and State of Illinois, hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

[F. R. Doc. 43–1939; Filed, February 5, 1943; 11:42 a. m.]

[Vesting Order 725]

HANI FARKAS, ET AL.

Re: Real property situated in Amesbury, Massachusetts, owned by Hani Farkas, Frida Gluck, David Gottlieb and Jenny Guttman.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Hani Farkas, Frida Gluck, David Gottlieb and Jenny Guttman are citizens of Czechoslovakia residing in Hungary and are nationals of a designated enemy country (Hungary);

2. Finding that said Hani Farkas, Frida Gluck, David Gottlieb and Jenny Guttman, are the owners of the property described in subparagraph 3 hereof;

3. Finding therefore that the property described as follows:

All right, title, interest and estate, both legal and equitable, of Hani Farkas, Frida Gluck, David Gottlieb and Jenny Guttman, and each of them, in and to that certain real property situated at 77 Elm Street, Amesbury, Massachusetts, more particularly described in Exhibit A attached hereto and made a part hereof, together with all fixtures, improvements and appurtenances thereto and any and all claims of said Hani Farkas, Frida Gluck, David Gottlieb and Jenny Guttman, and each of them, for rents, refunds, benefits or other payments arising from the ownership of such property.

is property within the United States owned or controlled by nationals of a designated enemy country (Hungary);

4. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Hungary);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest:

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "nationals" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

The land in said Amesbury, (Massachusetts) together with the factory building and boiler house standing thereon, bounded and described as follows: Beginning at the Northerly corner of Clark and Elm Streets in said Amesbury; thence running in a Northerly direction along said Elm Street and over Back River, so called, one hundred fifty (150) feet, ten (10) inches, more or less, to the wall of the factory building standing on the remaining land of the grantor; thence turning at an angle and running along the wall of said factory building and continuing in the same line to the land formerly of Clark; thence in a Southerly direction along said land of Clark about one hundred fifty five (155) feet, more or less, to said Clark Street; thence in an Easterly direction along said Clark Street to the point of beginning. Meaning and intending to convey all of the property of the grantor at the corner of Clark and Elm Streets, which lies South of a line drawn from Elm Street along the line of the South wall of the factory building on remaining land of the grantor, extended to the land now or late of Clark. Reserving however to the grantor, its successors and assigns, all water rights and rights of flowage in said Back River, as established by former deeds to the grantor by various parties. Reserving also to the grantor, its successors and assigns, the right to use and enter upon a space four feet wide running along the wall of the factory building standing on remaining land of the grantor for the purpose of repairing the same when necessary, so long as the present factory building on the remaining land of the grantor stands. Subject to the rights of others as established by previous deeds to use a passageway on the Westerly side of the premises running to Clark Street. Subject also to real estate taxes for the year 1923.

[F. R. Doc. 43–1940; Filed, February 5, 1943; 11:42 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 14]

CONSOLIDATED MOTOR FREIGHT—CERTIFIED MOTOR TRANSPORT

COORDINATED OPERATION BETWEEN MINNEAPOLIS—ST. PAUL, AND WINONA, MINN.

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of property between Minneapolis and St. Paul, Minnesota, on the one hand, and Winona, Minnesota, on the other, filed with the Office of Defense Transportation by M. E. Sullivan and Edward Flom, a co-partnership, doing business as (and hereinafter referred to as) Consolidated Motor Freight, of St. Paul, Minnesota, and R. D. Holt, doing business as (and hereinafter referred to as) Certified Motor Transport, of St. Paul, Minnesota, as governed by § 501.9 of General Order ODT 3, Revised, as amended,[1] and

It appearing that such coordination is required in order to conserve and providently utilize materials and equipment, and to assure the maximum utilization of such materials and equipment, by reason whereof: *It is hereby ordered*, That:

1. Consolidated Motor Freight shall suspend operations between Minneapolis and St. Paul, Minnesota, on the one hand, and Winona, Minnesota, on the other, except over that segment of its route between Nelson, Wisconsin, and Winona, Minnesota; and shall divert to Certified Motor Transport all shipments tendered to it for transportation between those points, or from or to the intermediate points of Wabasha, Lake City or Red Wing, Minnesota.

2. Certified Motor Transport shall accept from Consolidated Motor Freight all shipments diverted to it pursuant hereto and shall transport such shipments over its routes between Minneapolis and St. Paul, Minnesota, on the one hand, and Winona, Minnesota, on the other, or from or to such intermediate points, on the billing, and pursuant to the lawful rates and the rules and regulations of Consolidated Motor Freight; and shall perform the pickup and delivery at Wabasha, Lake City and Red Wing, Minnesota, in respect of such shipments originating at or destined to such points.

3. Certified Motor Transport shall suspend the operation of pickup and delivery vehicles at Winona, Minnesota; and shall divert its shipments to Consolidated Motor Freight at such point for transportation between its terminal and points of collection or delivery.

4. Consolidated Motor Transport shall perform the pickup and delivery of all shipments diverted to it at Winona, Minnesota, pursuant hereto and shall transport such shipments between the terminal of Certified Motor Transport at such point, on the one hand, and points of delivery and collection at such point, on the other, on the billing, and pursuant to the lawful rates and the rules and regulations of Certified Motor Transport.

[1] 7 F.R. 5445, 6689.

5. The carriers shall eliminate duplicate terminals at Winona, Minnesota, and, in lieu thereof, shall utilize a joint terminal at such point.

6. Except as may be otherwise provided by agreement between the carriers, or prescribed by the Interstate Commerce Commission or by appropriate State regulatory body, the division of revenues derived from the transportation performed pursuant hereto shall be as determined by the Office of Defense Transportation.

7. The carriers forthwith shall file with the Interstate Commerce Commission and any other regulatory body or bodies having jurisdiction over the operations affected by this order, and publish in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in fares, charges, operations, rules, regulations and practices of each carrier which may be necessary to accord with the provisions of this order, together with a copy of this order; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on one day's notice.

8. Nothing contained herein shall be so construed as to permit or require either carrier to perform any transportation service which is not authorized or sanctioned by law, or to render any service beyond its transportation capacity, or to alter its legal liability to any shipper.

9. Communications concerning this order should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C., and should refer to "Supplementary Order ODT 3, Revised–14".

10. This order shall become effective February 10, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 5th day of February 1943.

JOSEPH B. EASTMAN,
Director.

[F. R. Doc. 43–1920; Filed, February 5, 1943; 10:55 a. m.]

[Special Order ODT B-35]

CENTRAL GREYHOUND LINES, INC.—PORT CLINTON COACH LINES

COORDINATED OPERATION BETWEEN TOLEDO—SANDUSKY, OHIO

Central Greyhound Lines, Inc., and Gottlieb Schuster and Tom D. Stahl doing business as Port Clinton Coach Lines.

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers filed with the Office of Defense Transportation by Central Greyhound Lines, Inc., Cleveland, Ohio, and Gottlieb Schuster and Tom D. Stahl doing business as Port Clinton Coach Lines, Oak Harbor, Ohio, pursuant to § 501.49 of General Order ODT 11,[1] and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material, and supplies, including rubber, the attainment of which purposes is essential to the successful prosecution of the war: *It is hereby ordered*, That:

1. Central Greyhound Lines, Inc., Cleveland, Ohio, and Gottlieb Schuster and Tom D. Stahl doing business as Port Clinton Coach Lines, Oak Harbor, Ohio (hereinafter called "carriers"), respectively, in the transportation of passengers on the routes served by them between Toledo, Ohio and Sandusky, Ohio, as common carriers by motor vehicle, shall:

(a) Honor each other's tickets between all points common to their lines where equal fares apply and divert to each other traffic routed between such points for the purpose of relieving overloads and reducing the operation of additional equipment in extra sections;

(b) Adjust and establish schedules to eliminate duplication of times of departure of the respective carriers and provide reasonable frequency of service throughout the day;

(c) Wherever practicable eliminate duplicate depot facilities and commission ticket agencies and, in lieu thereof, utilize joint depot facilities and joint commission ticket agencies. Contracts, agreements, and arrangements for any such joint facilities and agencies shall not extend beyond the effective period of this order. At such depot facilities and commission ticket agencies used jointly by the carriers, service, travel information, and ticket sales shall be impartial, without preference or discrimination for or against either of such carriers.

2. Between Sandusky, Ohio and Toledo, Ohio, Central Greyhound Lines, Inc., shall operate a through service of not to exceed eleven round trips daily, and Gottlieb Schuster and Tom D. Stahl doing business as Port Clinton Coach Lines shall operate a through service of not to exceed two round trips daily.

3. The carriers forthwith shall file with the Interstate Commerce Commission in respect of transportation in interstate or foreign commerce, and with each appropriate State regulatory body in respect of transportation in intrastate commerce, and publish in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations and practices of each carrier which may be necessary to accord with the provisions of this order, together with a copy of this order; and forthwith shall apply to said Commission and each such regulatory body for special permission for such tariffs or supplements to become effective on one day's notice.

4. Communications concerning this order should be addressed to the Division of Local Transport, Office of Defense Transportation, Washington, D. C., and

[1] 7 F.R. 4389.

should refer to "Special Order ODT B–35."

This order shall become effective February 19, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C. this 5th day of February 1943.

JOSEPH B. EASTMAN,
Director.

[F. R. Doc. 43–1918; Filed, February 5, 1943; 10:55 a. m.]

[Special Order ODT B–36]

QUAKER CITY BUS COMPANY—SILVER DART LINES, INC.

COORDINATED OPERATION BETWEEN NEW YORK, NEW YORK—BOSTON, MASSACHUSETTS

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers filed with the Office of Defense Transportation by Quaker City Bus Company, Camden, New Jersey, and Silver Dart Lines, Inc., Boston, Massachusetts, pursuant to § 501.49 of General Order ODT 11,[1] and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material, and supplies, including rubber, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. Quaker City Bus Company, Camden, New Jersey, and Silver Dart Lines, Inc., Boston, Massachusetts, (hereinafter called "carriers"), respectively, in the transportation of passengers on the routes served by them between New York, New York, and Boston, Massachusetts, as common carriers by motor vehicle shall:

(a) Honor each other's tickets between all points common to their lines where equal fares apply and divert to each other traffic routed between such points for the purpose of relieving overloads and reducing the operation of additional equipment in extra sections;

(b) Adjust and establish schedules to eliminate duplication of times of departure of the respective carriers and provide reasonable frequency of service throughout the day;

(c) Wherever practicable eliminate duplicate depot facilities and commission ticket agencies and, in lieu thereof, utilize joint depot facilities and joint commission ticket agencies. Contracts, agreements, and arrangements for any such joint facilities and agencies shall not extend beyond the effective period of this order. At such depot facilities and commission ticket agencies used jointly by the carriers, service, travel information, and ticket sales shall be impartial, without preference or discrimination for or against either of such carriers.

2. Between New York, New York and Boston, Massachusetts, the combined daily through service of the carriers shall not exceed four round trips.

3. The carriers forthwith shall file with the Interstate Commerce Commission in respect of transportation in interstate or foreign commerce, and with each appropriate State regulatory body in respect of transportation in intrastate commerce, and publish in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations and practices of each carrier which may be necessary to accord with the provisions of this order together with a copy of this order; and forthwith shall apply to said Commission and each such regulatory body for special permission for such tariffs or supplements to become effective on one day's notice.

4. Communications concerning this order should be addressed to the Division of Local Transport, Office of Defense Transportation, Washington, D. C., and should refer to "Special Order ODT B–36".

This order shall become effective February 19, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 5th day of February 1943.

JOSEPH B. EASTMAN,
Director.

[F. R. Doc. 43–1919; Filed, February 5, 1943; 10:55 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Corr. to Order 85 Under MPR 120]

SHOCKLEY CREEK COAL CO.

Correction to Order No. 85 under Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant—Docket No. 3120–211.

The reference to Mine Index No. 165 in paragraph (b) of Order No. 85 under Maximum Price Regulation No. 120 is corrected to read Mine Index No. 164.

This Correction to Order No. 85 shall be effective as of November 24, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1954; Filed, February 5, 1943; 11:50 a. m.]

Regional Office I.

[Emergency Order 3 Under Ration Order 11]

BUNKER "C" OIL IN PROVIDENCE–TIVERTON–FALL RIVER SUPPLY AREA

Pursuant to the authority conferred upon the Regional Administrator by § 1394.5715 of Ration Order No. 11, as amended, the following emergency order is prescribed:

(a) *Findings.* The Regional Administrator finds that in the territory served by the terminal and storage facilities of the Providence, Tiverton and Fall River Supply Area, as established under § 1510.29 (b) of Petroleum Directive 59 (including all of the State of Rhode Island and certain portions of Southeastern Massachusetts and Eastern Connecticut), as the result of the continuing inadequacy of the supply of fuel oil of Grade No. 6, or Bunker "C" oil, hereinafter referred to as Bunker "C" oil, to meet the demands of vitally important users, there exists an emergency in the transportation and distribution of Bunker "C" oil which endangers the public health, the public welfare, and the war effort.

(b) *Scope of order.* (1) Nothing in this emergency order shall be construed to limit the quantity of fuel oil of any grade which may be acquired by the persons listed in § 1394.5052 of Ration Order No. 11.

(2) This emergency order shall be effective in the territory served by the terminal and storage facilities of the Providence, Tiverton and Fall River Supply Area, as established under Petroleum Directive No. 59, and shall include:

(i) All of the State of Rhode Island;

(ii) In Connecticut, the towns of Thompson, Putnam City, Putnam, Killingly, Sterling and Danielson;

(iii) In Massachusetts, the counties of Dukes, Nantucket, Barnstable, and Bristol (except the town of Easton); in Plymouth County the towns of Lakeville, Middleboro, Carver, Plymouth, Rochester, Wareham, Marion, and Mattapoisett; in Norfolk County, the towns of Bellingham, Franklin, Medway, Wrentham, Plainville, and Foxboro; in Worcester County, the towns of Sutton, Northbridge, Douglas, Uxbridge, Mendon, Millville, Blackstone, Hopedale, and Milford; in Middlesex County, the town of Holliston.

(c) *Order.* During the effective period of this order, notwithstanding the provisions of § 1394.5661 of Ration Order No. 11 relating to discrimination in transfer to consumers,

(1) No person shall transfer or deliver Bunker "C" oil to any consumer nor shall any consumer accept a transfer or delivery if such consumer has on hand a supply of such Bunker "C" oil sufficient to meet his estimated needs for three days.

(2) No person shall transfer or deliver Bunker "C" oil to any consumer nor shall any consumer accept a transfer or delivery in an amount which, when added to his stock on hand, is greated than his estimated needs for three days: *Provided, however,* That this limitation on the amount of a delivery shall not operate to prohibit a delivery of a greater amount

(i) Where such greater amount represents the minimum practicable delivery, or

(ii) Where extraordinary circumstances of transportation or distribution require the delivery of a greater amount.

(3) No person shall transfer or deliver Bunker "C" oil to any consumer not on the priority list set forth in paragraph (c) (3) of Emergency Order No. 2 until he has satisfied all current demands of consumers on the priority list. No demand for Bunker "C" oil shall be considered a current demand if it is for an amount which, when added to the consumer's stock on hand, is greater than his estimated needs for three days.

(4) Emergency Order No. 2, heretofore prescribed and issued, shall remain in full force and effect except as modified with respect to transfer and deliveries of Bunker "C" oil by this emergency order.

(5) *Definitions.* All terms in this order which are defined in Ration Order No. 11 shall have the meaning assigned to them in that Ration Order.

(6) *Penalties.* Any violation of this order shall be deemed a violation of Ration Order No. 11.

(7) *Effective period.* This order shall take effect at 12:01 a. m. February 3, 1943 and shall terminate at 12:00 p. m. February 9, 1943 unless extended by further order.

Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1–O, 7 F.R. 8418, E.O. 9125, 7 F.R. 2719, Ration Order No. 11, 7 F.R. 8480.

Issued this 2d day of February 1943.

KENNETH B. BACKMAN,
Regional Administrator.

[F. R Doc. 43–1911; Filed, February 4, 1943; 4:12 p. m.]

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[1] 7 F.R. 4389.

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70–670]

ALABAMA UNITED ICE COMPANY

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 2d day of February 1943.

Alabama United Ice Company, a subsidiary of United Public Utilities Corporation, a registered holding company, having filed an application, pursuant to the Public Utility Holding Company Act of 1935, regarding the acquisition by it for $15,000 in cash of a 20% interest in the Polar Ice Company, Inc., a new company to be organized in the State of Alabama, with a total paid-in capital of $75,000; the remaining 80% of the capital of said new ice company to be subscribed and paid for by four other non-affiliated ice companies of Mobile, Alabama, in equal amounts; and

Said application having been filed on January 26, 1943, and notice of said filing having been duly given in the manner and form prescribed by Rule U-23 under said Act, and the Commission not having received a request for a hearing with respect to said application within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and the applicant having requested that the approval of the application be accelerated because of the emergency nature of the transactions involved so that the order will issue not later than February 2, 1943; and

United Public Utilities Corporation, the parent registered holding company of the applicant, having stipulated that the approval of this application by the Commission will not in any way be claimed as a change of conditions or circumstances which will constitute grounds for modification or revocation of the order entered by this Commission In the Matter of United Public Utilities Corporation and its Subsidiary Companies (File No. 59–38) pursuant to section 11 (b) (1) of the Act of March 4, 1942, or which will affect the ability of said registered holding company to comply with said order; and

The Commission finding that the requirements of section 10 are satisfied with respect to the proposed acquisition of a 20% interest in the Polar Ice Company, Inc. by Alabama United Ice Company; and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers to grant the said application pursuant to section 10; and being satisfied that the date of granting said application should be advanced;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of the Act, that the aforesaid application be and the same is hereby granted, subject, however, to the terms and conditions prescribed in Rule U-24: *And provided, further*, That the granting of such application shall not be construed as modifying or affecting the order entered by this Commission on March 4, 1942 pursuant to section 11 (b) (1) directing United Public Utilities Corporation to divest itself of its interest in Alabama United Ice Company.

By the Commission. Judge Healy dissenting for the reasons set forth in his memorandum of April 1, 1940.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43–1909; Filed, February 4, 1943; 3:12 p. m.]

FEB 11 '43

FEDERAL REGISTER

VOLUME 8 NUMBER 27

Washington, Tuesday, February 9, 1943

The President

EXECUTIVE ORDER 9300

ESTABLISHING THE INTERDEPARTMENTAL COMMITTEE TO CONSIDER CASES OF SUBVERSIVE ACTIVITY ON THE PART OF FEDERAL EMPLOYEES

By virtue of the authority vested in me by section 1753 of the Revised Statutes of the United States, Title I of the First War Powers Act, 1941 (Public Law 354—77th Congress), and as President of the United States, it is hereby ordered as follows:

1. There is hereby established, within the Department of Justice, an Interdepartmental Committee whose composition, powers, functions, and responsibilities are defined herein.

2. The Committee shall consist of five members appointed by the President from among the officers or employees of the departments, independent establishments and agencies of the Federal Government. The Committee shall choose its own officers.

3. The Committee shall serve as an advisory and coordinating agency in all matters pertaining to the investigation and disposition of complaints of subversive activity on the part of employees of the executive branch of the Federal Government excepting those who are on conditional appointment subject to the results of an investigation which is still pending, and shall initiate such measures as are best suited in its judgment to assure fair and prompt disposition of complaints and to protect the interests of the Government of the United States: *Provided, however*, that the Committee shall take no action concerning employees of the Department of the Navy or the Department of War except upon request from the Secretary of the Navy or the Secretary of War, respectively.

4. The departments, independent establishments and agencies of the Federal Government shall refer all complaints within the purview of paragraph 3 of this order, hereinafter referred to as complaints, together with all available information pertaining thereto, to the Federal Bureau of Investigation in the Department of Justice, for information or investigation.

5. The Committee shall consider general classes of complaints, or particular complaints, upon request of the Department of Justice, and shall recommend to the Department appropriate policies to govern the investigation of such complaints.

6. The Committee shall receive all completed investigative reports made by the Federal Bureau of Investigation, Department of Justice, on complaints and shall advise the departments, independent establishments and agencies concerning the procedures for determining action thereon.

7. The departments, independent establishments and agencies of the executive branch of the Government are directed to report to the Committee, within a reasonable period of time, the procedures followed and action taken on all cases referred by the Committee. The Committee in turn shall report forthwith to the Federal Bureau of Investigation the action taken by the employing department, independent establishment, or agency.

8. Upon request from an employing department, independent establishment, or agency, the Committee may review the record in any case within the purview of paragraph 3 of this order and return an advisory opinion concerning the disposition of the case.

9. Whenever the requirements of internal security appear to the Committee to have been insufficiently considered in connection with the disposition of an investigative report, the Committee may review the case upon its own motion and transmit its recommendation to the employing department, independent establishment, or agency.

10. In time of war or other national emergency, upon a finding that internal security will be endangered by recourse to the procedures authorized elsewhere in this order, the Committee may recommend to the President such special ac-

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FEDERAL REGISTER

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Telephone information: DIstrict 0525.

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tion in exceptional cases as internal security may require.

11. Nothing contained in this order shall be construed to limit the authority of any department, independent establishment, or agency to suspend any employee as provided by law, to bar an immediate arrest and the transfer to court jurisdiction of any case in which the Department of Justice finds that such action is warranted, or to restrict the powers and responsibilities of the Civil Service Commission in connection with its review of disciplinary or administrative action against an employee.

12. The Department of Justice is hereby directed to furnish such clerical, stenographic, and other assistance and supplies as may be necessary to the operation of the Committee. Members of the Committee shall serve without compensation in such capacity.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
February 5, 1943

[F. R. Doc. 43-1974; Filed, February 6, 1943; 10:27 a. m.]

Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 18—WAR SERVICE REGULATIONS

RECRUITMENT AND PLACEMENT, ETC.

Effective February 8, 1943, § 18.4 *Recruitment and Placement* issued, as amended, on September 26, 1942 (7 F.R. 7723) and on October 27, 1942 (7 F.R. 8841) is amended as follows:

§ 18.4 *Recruitment and placement*—(a) *Procedure in filling vacancies.* In conformity with the over-all labor supply policies of the Federal government which have been established in view of the comparatively small number of qualified persons now available for appointment to many positions, and in order to avoid competitive recruitment programs on the part of the agencies of the Federal government, the following procedures in the filling of vacancies must be observed:

(1) Each department and agency shall report to the Commission its estimated future needs for personnel, both in Washington and in the field, in such form and at such intervals as the Commission may prescribe.

(2) As soon as the need for filling positions becomes apparent, the department or agency concerned must place a requisition for personnel with the Commission.

(3) In filling requisitions for personnel, first priority will be given to qualified employees already in the Federal service. Especially will this apply to those who may, by order of the Director of the Bureau of the Budget, represent excess personnel where presently employed. Every effort will be made to utilize fully present employees of the Government before new employees are brought in from outside.

(4) The Commission shall, in consultation with the department or agency concerned, work out a program for developing sources of supply of qualified personnel. This program shall be of such a nature that full utilization will be made by the Commission of any resources available to the department or agency concerned.

No activities for developing sources of supply of qualified personnel shall be carried on except with the prior approval of the Commission and under its direction.

(5) Applications for employment in any positions in the Government service subject to these regulations, whether by original appointment or transfer, filed with any department or agency of the executive branch of the Government, shall be promptly transmitted to the Commission or its representatives. Except as may be provided for under subparagraph (4) of this paragraph, persons calling at any department or agency located at Washington, D. C., in connection with obtaining employment, shall not be asked to complete an application by such department or agency, but shall be referred to the Commission.

(6) No department or agency of the Government shall give any publicity to its needs or prospective needs for personnel through the press, in periodicals, trade or professional journals, over the radio, or otherwise, without the express prior approval of the Commission or its authorized representatives, and, after such approval, only in accordance with the applicable directives and procedures of the Office of War Information. This sub-paragraph shall apply to all positions which are subject either to the War Service Regulations or to the Civil Service Act and Rules.

(7) Upon the receipt of a request for names of qualified persons, the Commission will supply an adequate number from the head of appropriate lists of eligibles, or from such other sources as, in the judgment of the Commission, may be appropriate. The eligibles supplied by the Commission will not include the names of persons suggested by the appointing officer unless, in the judgment of the Commission, such persons are among the best qualified and available persons known to the Commission.

The Commission will not normally certify the name of a person proposed by an agency unless and until it has had a minimum period of two weeks in which to certify qualified applicants in response to the requisition. Under emergency circumstances, the Commission may shorten the time period specified in the preceding sentence, and the Commission may require a longer time period in the event of doubt as to the qualifications of the proposed appointee and in the temporary absence of other better qualified candidates.

(8) Whenever a requisition for personnel from any department or agency specifies qualifications which are, in the judgment of the Commission, too exacting in the light of the requirements of the job and of present labor market conditions, the Commission will return the requisition. In returning such requisitions, the Commission will indicate its willingness to work out with the department or agency concerned some other solution of its need for personnel, such as the development of a suitable training program and the recruitment of necessary trainees for such a program.

(9) The Commission may, upon agreement with the department or agency concerned, recruit persons directly for the filling of specific vacancies.

* * * * * *

(d) *Selection.* The nominating or appointing officer shall, with sole reference to merit and fitness, make selections for appointment from the names of eligibles furnished by the Commission unless better qualified persons for the position in question could be obtained by the Commission by presenting for consideration other names on the list of eligibles or by going outside the list entirely. The names of persons suggested by an appointing officer will not be included among the eligibles furnished by the Commission unless, in the judgment of the Commission, such persons are among the best qualified and available persons known to the Commission. An appointing officer who passes over an eligible granted disability preference or military preference and selects a person not granted such preference shall file with the Commission a statement setting forth in detail his reasons for so doing, which reasons shall not be made available to the veteran or to anyone else except in the discretion of the appointing officer.

Effective February 8, 1943, § 18.11 *Extent of regulations* issued, as amended, on September 26, 1942 (7 F.R. 7723), on September 28, 1942 (7 F.R. 8007) and on October 24, 1942 (7 F.R. 8679), is amended to read as follows:

§ 18.11. *Extent of regulations*—(a) *Regulations superseded.* The foregoing regulations shall supersede Civil Service Rules III, V, VI, VII, VIII, IX, X (5 CFR parts 3, 5, 6, 7, 8, 9, 10), and all provisions of joint regulations inconsistent with these regulations, for all positions except (unless otherwise specifically provided in these regulations): (1) positions in the field service of the postal establishment; (2) positions other than those filled by civilian employees of the forces in the Police and the Fire Department of the municipal government of the District of Columbia; (3) positions of policeman in the U. S. Park Police force of the Interior Department.

(b) *Regulations of Board of Legal Examiners.* Nothing in these regulations shall be construed to affect any existing or future regulations promulgated by the Board of Legal Examiners pursuant to Executive Order No. 8743 of April 23, 1942.

(c) *Applicability of War Manpower Commission directives.* All actions taken under or pursuant to these regulations shall be subject to the directives and orders of the War Manpower Commission.

(d) *Violations—Revocation of delegated authority.* Whenever the Commission shall find that any department or agency, or part thereof, has acted in violation of any provision of the Civil Service Rules or of these regulations, the Commission may revoke in whole or in part any authority to act delegated to such department or agency, or part thereof.

(E.O. No. 9063 dated February 16, 1942, 7 F.R. 1075; E.O. No. 9243 dated September 12, 1942, 7 F.R. 7213; Directive No. X, War Manpower Commission dated September 14, 1942, 7 F.R. 7298)

By the United States Civil Service Commission.

[SEAL] H. B. MITCHELL,
President.

FEBRUARY 2, 1943.

[F. R. Doc. 43-2021; Filed, February 8, 1943; 9:32 a. m.]

TITLE 7—AGRICULTURE

Chapter XI—Food Distribution Administration

[Food Distribution Order 14]

PART 1461—OILSEEDS, FATS AND OILS

RESTRICTIONS ON PURCHASE AND SALE OF PEANUT OIL

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to assure adequate supplies of vegetable oils to meet essential war needs, *It is hereby ordered*, As follows:

§ 1461.18 *Restrictions on purchase and sale of peanut oil*—(a) *Sales permitted only to refiners under contract with Commodity Credit Corporation.* Notwithstanding existing contracts or commitments, no person shall, on or after February 5, 1943, sell or deliver, or contract for the sale of delivery of, crude peanut oil to any person who has not entered into the Refiner Contract with the Commodity Credit Corporation, and no person who has not entered into the Refiner Contract with the Commodity Credit Corporation shall purchase or accept delivery of, or contract for the purchase or delivery of, any crude peanut oil.

(b) *Peanut oil reserved for Commodity Credit Corporation.* Notwithstanding existing contracts or commitments, every person who has entered into the Refiner Contract with the Commodity Credit Corporation shall tender to the Commodity Credit Corporation for purchase pursuant to the terms of such Refiner Contract a quantity of crude peanut oil equal to at least twenty-five (25) per centum of the total quantity of crude peanut oil manufactured or received by him on or after February 5, 1943. Crude peanut oil purchased by the Commodity Credit Corporation up to and including a quantity equal to twenty-five (25) per centum of the total quantity of crude peanut oil manufactured or received by each such person on or after February 5, 1943, shall, unless otherwise determined by the Commodity Credit Corporation, not be repurchased by such person, but shall be refined and stored, and insured by him for the account of the Commodity Credit Corporation, as provided in such Refiner Contract.

(c) *Records and reports.* All persons affected by this order shall maintain such records for such periods of time, and shall execute and file such reports and submit such information as the Director may from time to time request or direct.

(d) *Audits and inspections.* Every person subject to this order shall permit inspection of his stocks of crude and refined vegetable oils, of his premises used for the refining, processing, or storing of such oils, and of his books, records and accounts by the Director.

(e) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing (in triplicate) for relief to the Director, setting forth in said petition all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate and such action shall be final.

(f) *Violations.* Any person who willfully violates any provision of this order or who, by any act or omission, falsifies records to be kept or information to be furnished pursuant to this order, or willfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U. S. C. § 80, 1940 ed.), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(g) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the United States Department of Agriculture, Food Distribution Administration, Washington, D. C., Ref: FD 14.

(h) *Definitions.* (1) "Refiner Contract," as used herein, means the contract entitled "Refiner Contract, 1942 Vegetable Oils Program" entered into between the Commodity Credit Corporation and refiners of vegetable oils.

(2) "Person," as used herein, means any individual, partnership, corporation, association, or other business unit, whether incorporated or not.

(3) "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(i) *Effective date.* This order shall become effective as of 12:01 a. m., e. w. t., February 5, 1943.

(E.O. 9280, 7 F.R. 10179)

Issued this 3d day of February 1943

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-1960; Filed, February 5, 1943; 12:25 p. m.]

[Food Distribution Order 15]

PART 1401—DAIRY PRODUCTS

SETTING ASIDE OF CHEDDAR CHEESE

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to assure an adequate supply and efficient distribution of dairy products to meet war and essential civilian needs, *It is hereby ordered*, As follows:

§ 1401.1 *Cheddar cheese, required to be set aside*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "Cheddar cheese", frequently called "American cheese" or "American Cheddar cheese", means Cheddar cheese (produced in the United States) as defined in the regulations, issued by the Food and Drug Administration, published in 6 F.R. p. 195, *et seq.*, 21 CFR § 19.500.

(2) The term "person" means any individual, partnership, corporation, association, or other business entity.

(3) The term "cheese assembler" means any person who has facilities which enable him to receive, paraffin, store, and ship Cheddar cheese in carload lots and who customarily ships Cheddar cheese in carload lots.

(4) The term "authorized cheese assembler" means any assembler of Cheddar cheese who holds a letter of authority, issued by the Director, to receive Cheddar cheese set aside pursuant to the provisions hereof.

(5) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(b) *Restrictions on manufacturers or assemblers of Cheddar cheese.* (1) Every person who has produced more than 8,000 pounds of Cheddar cheese in any calendar month during the period from January 1942 to January 1943, both months inclusive, shall set aside and hold for delivery to the Food Distribution Administration (including, but not being limited to, the Federal Surplus Commodities Corporation), Army, Navy, Marine Corps, Coast Guard, or any other agency designated by the Director, at least 50 percent of all Cheddar cheese produced by such person during the period from February 15 to February 28, 1943, both dates inclusive, and during each calendar month thereafter, regardless of the quantity produced by such person after January 1943; and every person who has not produced more than 8,000 pounds of Cheddar cheese in any calendar month during the period from January 1942 to January 1943, both months inclusive, but who produces more than 8,000 pounds of Cheddar cheese during February 1943 or any subsequent calendar month shall thereafter set aside, each calendar month, and held for delivery to such agencies at least 50 percent of Cheddar cheese produced by such person, regardless of the quantity produced by such person after the month in which the production was more than 8,000 pounds of Cheddar cheese.

(2) Notwithstanding the restrictions of (b) (1) hereof, any person required by the provisions of said (b) (1) to set aside Cheddar cheese may, at his option, sell or deliver all or part of the Cheddar cheese, set aside pursuant to the provisions hereof, to any authorized cheese assembler who agrees to set aside, out of the Cheddar cheese in his possession or control, a quantity of Cheddar cheese equal to the quantity of such set aside Cheddar cheese received by him and such authorized cheese assembler shall so set aside such quantity of Cheddar cheese. Each person delivering or shipping Cheddar cheese to an authorized cheese assembler shall deliver to such authorized cheese assembler a certificate, in duplicate, in substantially the following language (with the appropriate information inserted in the blank spaces), and the receipt of such Cheddar cheese shall be acknowledged by the authorized cheese assembler in the appropriate manner provided in said certificate:

This is to certify that the _____ pounds of Cheddar cheese shipped or delivered on _____, _____ pounds are Cheddar cheese set aside pursuant to the provisions of Food Distribution Order No. _____ issued by the Secretary of Agriculture of the United States on _____, 19____; and such amount of set aside Cheddar cheese is required to be set aside by you pursuant to the provisions of said order. The balance, _____ pounds, is Cheddar cheese free from the restrictions of said order.

_____
(Signature of Manufacturer)

This will acknowledge receipt of the above-indicated quantity of Cheddar cheese set aside pursuant to said order.

_____
(Signature of Authorized Cheese Assembler)

The authorized cheese assembler, after receiving Cheddar cheese as aforesaid, shall return one copy of the aforesaid certificate, after being duly acknowledged as aforesaid, to the person who delivered or shipped the aforesaid cheese; and such authorized cheese assembler shall retain the original of said certificate for at least one year after the date of receipt thereof.

(3) All Cheddar cheese set aside pursuant to the provisions hereof shall be stored under the same conditions of storage customarily observed to maintain the quality of Cheddar cheese. At least 80 percent of the Cheddar cheese thus set aside pursuant to the provisions hereof shall be No. 1 quality or better, as defined in the U. S. Standards for Cheese issued by the United States Department of Agriculture, Office of the Secretary, Circular 157, entitled "Hand Book for Use in the Inspection of Whole Milk American Cheese", January 1923, hereinafter referred to as the "U. S. Standards", and the remainder shall be not less than No. 2 quality, as defined in said U. S. Standards: *Provided*, That if all of the Cheddar cheese of No. 1 quality or better, owned or in the possession of any person required to set aside Cheddar cheese pursuant hereto, is less than 80 percent of the total quantity thus set aside by the respective person, the quantity thus set aside shall include all of the No. 1 quality or better manufactured or received by such person, and the remainder may be No. 2 quality.

(4) Any cheese assembler who desires to become an authorized cheese assembler shall file with the Director an application, upon a form approved by the Director, setting forth the information requested in said form of application. Thereupon, the Director shall consider such application and issue a letter of authority unless, in the opinion of the Director, the issuance of such letter of authority will not tend to effectuate the purposes hereof. Any letter of authority may be revoked at any time by the Director. No person shall represent himself to be an authorized cheese assembler unless he holds a letter of authority duly issued by the Director pursuant to the provisions hereof. No person other than an authorized cheese assembler shall receive or, after receipt, deal in Cheddar cheese set aside pursuant to the provisions hereof.

(5) If no agency specified in or pursuant to the provisions in (b) (1) hereof has contracted for, or declared its intention or desire to contract for, any portion of set aside Cheddar cheese, within 30 days after the end of the month in which such set aside Cheddar cheese was required to be set aside by the manufacturer thereof, such portion of the Cheddar cheese thus set aside is released from the restrictions of the provisions in (b) (1) and (2) hereof. Quantities set aside pursuant to the provisions hereof may also be released upon notice to that effect from the Director.

(6) The restrictions hereof shall be observed without regard to the rights of creditors, existing contracts or payments made. This Order shall not, however, be construed as reducing the amount of Cheddar cheese which any person is required to offer or deliver, under existing contracts or contracts subsequently entered into, to any agency specified in or pursuant to the provisions in (b) (1) hereof.

(c) *Records and reports.* Each person subject to this order shall maintain such records, for such periods of time, and shall execute and file such reports and submit such information as the Director may from time to time request or direct, and within such time as may be prescribed by the Director.

(d) *Audit and inspection.* Every person subject to this order shall permit inspections of his stocks of cheese, including but not being limited to Cheddar cheese, and premises used for the manufacture, assembly, or storage of cheese, including but not being limited to Cheddar cheese, and of his books, records, and accounts by the Director or any person designated by him.

(e) *Territorial scope.* Any manufacturer of Cheddar cheese or authorized assembler doing business in one or more of the forty-eight States or the District of Columbia is subject to the provisions hereof, but the provisions hereof shall not apply to any person doing business exclusively in any Territory or Possession of the United States.

(f) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth, in said petition, all pertinent facts and the reasons for such petition being approved. The Director may thereupon take such action as he deems appropriate, and such decision by the Director shall be final.

(g) *Violations.* Any person who willfully violates any provision of this order, or who, by any act or omission, falsifies records to be kept or information to be furnished pursuant to this order, or willfully conceals a material fact concerning a matter, in connection with this order, within the jurisdiction of any department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation; and such further action may be taken against such person as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(h) *Communications to Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this Order shall, unless otherwise directed, be addressed to: Director of Food Distribution; United States Department of Agriculture, Washington, D. C. Ref. FD–15.

(i) *Delegation of authority.* The Director is hereby designated to administer the provisions hereof.

(j) *Effective date.* This order shall be effective as of 12:01 A. M., E. W. T., February 15, 1943.

(E.O. 9280, 7 F.R. 10179)

Issued this 6th day of February 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43–2003; Filed, February 6, 1943; 3:01 p. m.]

[Food Distribution Order 16]

PART 1407—DRIED FRUIT

RESTRICTION ON PURCHASE, ACCEPTANCE AND DELIVERY

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to insure an adequate supply and efficient distribution of dried fruit to meet war and civilian needs, *It is hereby ordered*, As follows:

§ 1407.1 *Restrictions on the purchase, delivery and use of dried fruit*—(a) *Definitions.* When used in this order unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) "Dried fruit" means the whole or fleshy portions of apples, apricots, peaches, pears, prunes, or grapes (raisins) preserved by the removal therefrom of part of the natural moisture, and, unless otherwise indicated, shall include such fruit in natural or processed condition.

(2) "Packer" means any person engaged in the business of processing and packaging dried fruit.

(3) "Processing" means grading, sizing, stemming, seeding, or treating dried fruit by the use of hot water, steam, chemicals or compressed or hot air; or cutting fresh apples acquired for the production of dried apples.

(4) "Government agency" means the Army of the United States, the Food Distribution Administration, and any other officer, board, agency, commission, or government-owned or government-controlled corporation of the United States specifically designated by the Director.

(5) "Director" means the Director of Food Distribution, United States Department of Agriculture or any employee of the United States Department of Agriculture designated by such Director.

(6) "Person" means any individual, partnership, corporation, association or other business entity.

(b) *Restrictions on packers.* (1) Each packer shall, without regard to previously existing contracts, set aside to be delivered for the requirements of government agencies, any dried fruit, and any fresh fruit acquired for the production of dried fruit, which were in his possession, under his control or under contract on August 10, 1942, or were acquired by him within one year thereafter. All such fruit so set aside may be delivered to the Army of the United States or the Food Distribution Administration without specific allocation: to any other government agency if specificially allocated to such agency, and to any private purchaser if released. Such fruit shall not be processed and packed without instructions which may be given by the Director, or by the Army of the United States, if such fruit is to be purchased by either of such agencies; or, if such fruit is specifically allocated to any other agency, instructions may be given by the agency to which it is allocated. The Director may issue specifications at any time as to processing, packing, labeling, boxing and strapping.

(2) Each packer shall mail to or file with the Food Distribution Administration on the fifteenth and last day of each month reports on form PD–625 series.

(3) If he determines that any dried fruit set aside pursuant to this order is not required for government agencies, the Director may release such dried fruit at any time by notice directed to the packer. So far as consistent with the defense requirements of the United States, such releases shall be of such a character as to allow to all packers, for sale to purchasers other than government agencies, substantially equal proportions of their packs of each fruit: *Provided, however,* That the Director may, in determining any amounts to be so released to any packer, take into account any quantities of dried fruit produced from the 1942 crop and sold and actually shipped by him before August 10, 1942.

(4) Any quantities of dried fruit allocated or released shall, unless otherwise specified, be withdrawn by the packer from the earliest reported stocks of such dried fruit.

(c) *Records and reports.* Every person subject to this order shall maintain for not less than two years accurate and complete records concerning inventories, purchases, production and sales and shall maintain such other records for such periods of time and shall execute and file such reports upon such forms and submit such information, as the Director may from time to time request or direct, and within such times as he may prescribe.

(d) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections, at all reasonable times, of his stocks of dried fruit and premises used in his business and all of his books, records and accounts shall upon request be submitted to audit and inspection by the Director.

(e) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate and such action shall be final.

(f) *Violations.* Any person who willfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or willfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(g) *Communications to Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this Order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture; Washington, D. C. Ref: FD–16.

(h) *Conservation Order M–205, superseded.* This order supersedes in all respects Conservation Order M–205,[1] as amended,[2] of the War Production Board except that as to violations of said order or rights accrued, liabilities incurred, or appeals taken under said order prior to the effective date hereof said Conservation Order M–205, as amended, shall be deemed in full force and effect for the purpose of sustaining any proper suit, action or other proceeding with respect to any such violation, right or liability. Any appeal pending under said Conservation Order M–205, as amended, shall be considered under paragraph (e) hereof.

(i) *Effective date.* This order shall be effective as of the date of its issuance.

(E.O. 9280, 7 F.R. 10179)

Issued this 30th day of January 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43–2004; Filed, February 6, 1943; 3:01 p. m.]

[Food Distribution Order 17]

PART 1407—DRIED FRUIT

RESTRICTION ON THE PURCHASE, ACCEPTANCE OF DELIVERY AND USE OF RASIN VARIETY GRAPES

Pursuant to the authority vested in me by Executive Order No. 9280, issued December 5, 1942, and to insure an adequate supply and efficient distribution of raisin variety grapes and raisins to meet war and civilian needs, *It is hereby ordered,* As follows:

§ 1407.2 *Restrictions on the purchase, delivery and use of raisin variety grapes*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) "Raisin variety grapes" means Thompson Seedless, Muscat and Sultana grapes grown in the State of California.

(2) "Grower" means any person who grows raisin variety grapes for commercial sale;

(3) "Receiver" means any person who purchases or accepts delivery of raisin variety grapes from a grower;

(4) "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director;

(5) "Person" means any individual, partnership, corporation, association, or other business entity.

(b) *Restrictions.* (1) No person shall purchase, accept delivery of, or use more than 100 pounds of raisin variety grapes harvested or picked after August 24, 1942 for any purpose other than for conversion into raisins, unless such grapes have been released, in accordance with paragraph (b) (2), because of unsuitability for such conversion or because of any other reason specified in paragraph (b) (2). No person shall sell or deliver raisin variety grapes with knowledge or reason to believe that they are to be used in violation of this order.

(2) Raisin variety grapes may, notwithstanding the provisions of paragraph (b) (1) of this order, be delivered, sold and used for purposes other than conversion into raisins if a grower or receiver having such raisin variety grapes in his possession or control shall have made application on Form PD–626 to a duly authorized representative of the Secretary of Agriculture in the county where such grapes are grown and such representative shall have determined and certified in writing on Form PD–627 that such raisin variety grapes:

(i) Cannot, because of quality or condition, be converted into raisins;

(ii) Are produced in areas where, or under growing conditions in which, the necessary drying facilities are not available;

(iii) Are produced on vines which have been girdled; or

(iv) Are to be used for packing or preserving in metal or glass containers.

(c) *Records and reports.* Every grower, receiver and any other person to whom this order applies shall maintain for not less than two years accurate and complete records concerning inventories, purchases, production and sales, and shall maintain such other records for such periods of time and shall execute and file such reports and submit such information, as the Director may from time to time request or direct, within such time as he may prescribe.

(d) *Audits and inspections.* Every grower, receiver or any other person subject to this order shall, upon request, permit inspections, at all reasonable times, of his stocks of raisin variety grapes and premises used in his business, and all of his books, records and accounts shall upon request be submitted to audit and inspection by the Director.

(e) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate and such action shall be final.

(f) *Violations.* Any person who willfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or willfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U. S. C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(g) *Conservation Order M–205a superseded.* This order supersedes in all respects Conservation Order M–205a[1] of the War Production Board except that as to violations of said order or rights accrued, liabilities incurred, or appeals taken under said order prior to the effective date hereof said Conservation Order shall be deemed in full force and effect for the purpose of sustaining any proper suit, action or other proceeding with respect to any such violation, right or liability. Any appeal pending under said conservation order shall be considered under paragraph (e) hereof.

(h) *Communications to Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C. Ref: FD–17.

(i) *Effective date.* This order shall be effective as of the date of its issuance.

(E.O. 9280; 7 F.R. 10179)

Issued this 30th day of January 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43–2005; Filed, February 6, 1943; 3:01 p. m.]

[Food Distribution Order 10, Amendment 1]

PART 1432—RICE

SALE AND DISTRIBUTION

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, Food Distribution Order No. 10, § 1432.1, 8 F.R. 1076, is amended by:

1. Striking out paragraph (a) (8) and inserting in lieu thereof the following:

(8) "First owner" means any person, including millers, but not including millers who do not have facilities for processing more than 50 barrels of rough rice per day, who had in his possession on the effective date of this order, brown, milled, or undermilled rice processed by a miller who has facilities for processing more than 50 barrels of rough rice per day with respect to which he was the original owner, or who becomes the original owner of any such rice; and,

2. Inserting at the end of paragraph (b) the following:

(3) No first owner shall sell, ship, consign or deliver brown rice, milled rice or undermilled rice to persons within any State or the District of Columbia in amounts which will result in his total sales, shipments, consignments or deliveries to such persons during the year August 1, 1942 to July 31, 1943 exceeding 85% of the quantity of such rice sold, shipped, consigned or delivered by him to persons in such State or the District during the year August 1, 1941 to July 31, 1942; *Provided,* That the Director may upon application of any first owner authorize the transfer of a first owner's quota or any part thereof, under this provision, with respect to any State or the District, to another first owner, upon submission of satisfactory proof that both first owners have agreed to such transfer and the first owner whose quota is transferred agrees to refrain from selling, shipping, consigning or delivering brown rice, milled rice or undermilled rice under such quota to the extent that it has been transferred.

(E.O. 9280, 7 F.R. 10179)

Issued this 6th day of February 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43–2002; Filed, February 6, 1943; 3:01 p. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of Alien Property Custodian

[General Order 18]

PART 503—GENERAL ORDERS

REPORT OF ROYALTIES DUE AND PAYABLE TO THE ALIEN PROPERTY CUSTODIAN UNDER VESTED PATENT RIGHTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned hereby issues the following regulation:

§ 503.18 *General Order No. 18.* (a) In any case in which the Alien Property Custodian is entitled to receive royalties by virtue of the vesting of a patent or patent application or of an interest in an agreement with respect to a patent or patent application, any person who is obligated to pay such royalties shall, upon demand by the Alien Property Custodian, within the period provided in such demand, execute and file with the Office of Alien Property Custodian, Chicago office, Chicago, Illinois, on Form APC–19, which is hereby adopted and made a part of this regulation, a report of all such royalties which are due.

(b) Unpaid royalties reported in Form APC–19[1] shall be paid to the Alien Property Custodian, Chicago office, Chicago, Illinois, not later than the next date following the filing of Form APC–19 upon which payment is due under the agreement. Such payment shall include all royalties due on such date.

(c) Subsequent royalties shall be paid to the Alien Property Custodian, Chicago office, Chicago, Illinois, as they become due under the agreement.

(d) All payments of royalties to the Alien Property Custodian shall be accompanied by a report executed and filed in duplicate on Form APC–20,[1] which is hereby adopted and made a part of this regulation.

(e) As used in this regulation, the terms:

(1) "Royalty" shall include serial payments under a license, assignment or other agreement; and

(2) "Agreement" shall include, without limitation, any contract of purchase or sale, any contract granting a right to obtain an assignment, any agreement to use or not to use, any license held or granted, any cross-license agreement, any royalty agreement, and any agreement as to quantity, price, territorial restrictions or field of use.

Executed at Washington, D. C., on January 9, 1943.

(40 Stat. 411, 50 U.S.C. App.; 55 Stat. 839, 50 U.S.C. App. (Supp. 1941); E.O. 9193, 7 F.R. 5205)

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2031; Filed, February 8, 1943; 10:39 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Amendment 1 of § 238.4]

PART 238—CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

TERMS, CONDITIONS AND LIMITATIONS

Adopted by the Civil Aeronautics Board at its office in the City of Washington, D. C., on the 11th day of December 1942.

The Civil Aeronautics Board, acting pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a) and 401 (f) thereof, and deeming its action necessary to carry out the provisions of said Act and to exercise its powers and perform its duties thereunder, hereby makes and promulgates the following regulation:

Amendment 1 of § 238.4 of the Economic Regulations; terms, conditions and limitations of certificates of public

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[1] Filed as part of the original document.

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[1] 7 F.R. 6213.

[2] 7 F.R. 9306.

[1] 7 F.R. 6214.

convenience and necessity issued under section 401 of the Act authorizing foreign air transportation.

Effective ten days after the date of approval hereof by the President of the United States, § 238.4 of the Economic Regulations is hereby amended by adding at the end of part 1 of said section the following paragraph:

Subject to the provisions of section 405 (e) of the Act, non-stop service may be inaugurated between any two points at any time without the filing of the notice herein prescribed if, during the period from June 1, 1941, to May 31, 1942, inclusive, non-stop service was regularly scheduled by such holder between such points during a period of at least 10 days. This authorization shall remain in effect during the present war and thereafter until the Board shall by order declare the authorization terminated.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

THE WHITE HOUSE,

Approved: January 30, 1943.

FRANKLIN D ROOSEVELT

[F. R. Doc. 43-2049; Filed, February 8, 1943; 11:32 a. m.]

Chapter II—Administrator of Civil Aeronautics, Department of Commerce

[Amendment 18]

PART 600—DESIGNATION OF CIVIL AIRWAYS

REDESIGNATION OF RED CIVIL AIRWAY NO. 14

JANUARY 26, 1943.

Acting pursuant to the authority vested in me by section 302 of the Civil Aeronautics Act of 1938, as amended, I hereby amend Part 600 of the Regulations of the Administrator of Civil Aeronautics as follows:

By amending § 600.10213 *Red Civil Airway No. 14 (Lone Rock, Wis., to Louisville, Ky.)* to read as follows:

From the Lone Rock, Wis., radio range station, via the Rockford, Ill., radio range station to the intersection of the center lines of the southeast leg of the Rockford, Ill., radio range and the southwest leg of the Chicago, Ill., radio range. From the intersection of the center lines of the on course signals of the southeast leg of the Chicago, Ill., radio range and the west leg of the Goshen, Ind., radio range via the LaFayette, Ind., radio range station, the Indianapolis, Ind., radio range station; and the intersection of the center lines of the on course signals of the south leg of the Indianapolis, Ind., radio range and the west leg of the Louisville, Ky., radio range to the Louisville, Ky., radio range station.

This amendment shall become effective 0001 e. w. t. February 15, 1943.

C. I. STANTON,
Administrator.

[F. R. Doc. 43-2016; Filed, February 6, 1943; 4:06 p. m.]

[Amendment 19]

PART 600—DESIGNATION OF CIVIL AIRWAYS

AMBER CIVIL AIRWAY NO. 1, ET AL.

FEBRUARY 2, 1943.

Redesignation of civil airways: Amber Civil Airway No. 1, Blue Civil Airway No. 10, Red Civil Airway No. 25, Blue Civil Airway No. 7.

Acting pursuant to the authority vested in me by section 302 of the Civil Aeronautics Act of 1938, as amended, I hereby amend Part 600 of the Regulations of the Administrator of Civil Aeronautics as follows:

1. By striking in § 600.10100 *Amber Civil Airway No. 1 (San Diego, Calif., to U. S.–Canadian Border)* the following:

and the Modesto, Calif., radio range station;

and substituting in lieu thereof the following:

and the intersection of the center lines of the on course signals of the northwest leg of the Fresno, Calif., radio range and the southeast leg of the Oakland, Calif., radio range,

2. By amending § 600.10309 *Blue Civil Airway No. 10 (Fresno, Calif., to Williams, Calif.)* to read as follows:

From the Fresno, Calif., radio range station, via the Sacramento, Calif., radio range station to the Williams, Calif., radio range station.

3. By amending § 600.10224 *Red Civil Airway No. 25 (Daytona Beach, Fla., to Miami, Fla.)* to read as follows:

From the Daytona Beach, Fla., radio range station, via the Orlando, Fla., radio range station; Tampa, Fla., radio range station; the Fort Myers, Fla., radio range station, and the intersection of the center lines of the on course signals of the southeast leg of the Fort Myers, Fla., radio range; and the west leg of the Miami, Fla., radio range; to the Miami, Fla., radio range station.

4. By adding a new § 600.10306 *Blue Civil Airway No. 7 (San Francisco, Calif., to Evergreen, Calif.)* to read as follows:

From the intersection of the center lines of the on course signals of the southeast leg of the San Francisco, Calif., radio range and the southeast leg of the Oakland, Calif., radio range to the San Francisco, Calif., radio range station.

This amendment shall become effective 0001 e. w. t. February 15, 1943.

J. E. SOMMERS,
Acting Administrator.

[F. R. Doc. 43-2017; Filed, February 6, 1943; 4:06 p. m.]

[Amendment 25]

PART 601—DESIGNATION OF AIRWAY TRAFFIC CONTROL AREAS, CONTROL ZONES OF INTERSECTION, CONTROL AIRPORTS AND RADIO FIXES

REDESIGNATION OF RADIO FIX: RED CIVIL AIRWAY NO. 14

JANUARY 26, 1943.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and Special Regulation No. 197 of the Civil Aeronautics Board, I hereby amend Part 601 of the Regulations of the Administrator of Civil Aeronautics as follows:

By amending § 601.40214 *Red Civil Airway No. 14 (Lone Rock, Wis., to Louisville, Ky.)* to read as follows:

Rockford, Ill., radio range station; LaFayette, Ind., radio range station; and the intersection of the center lines of the on course signals of the south leg of the Indianapolis, Ind., radio range and the west leg of the Louisville, Ky., radio range to the Louisville, Ky., radio range station.

This amendment shall become effective 0001 e. w. t. February 15, 1943.

C. I. STANTON,
Administrator.

[F. R. Doc. 43-2018; Filed, February 6, 1943; 4:05 p. m.]

[Amendment 26]

PART 601—DESIGNATION OF AIRWAY TRAFFIC CONTROL AREAS, CONTROL ZONES OF INTERSECTION, CONTROL AIRPORTS, AND RADIO FIXES

BLUE CIVIL AIRWAY NO. 7, ET AL.

FEBRUARY 2, 1943.

Redesignation airway traffic control area: Blue Civil Airway No. 7; redesignation radio fixes: Amber Civil Airway No. 1, Red Civil Airway No. 25, Blue Civil Airway No. 10, Blue Civil Airway No. 7.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and Special Regulation No. 197 of the Civil Aeronautics Board, I hereby amend Part 601 of the Regulations of the Administrator of Civil Aeronautics as follows:

By amending § 601.40214 *Red Civil Airway No. 14 (Lone Rock, Wis., to Louisville, Ky.)* to read as follows:

No radio fix designation.

By amending § 601.40310 *Blue Civil Airway No. 10 (Fresno, Calif., to Williams, Calif.)* to read as follows:

No radio fix designation.

By adding a new § 601.40307 *Blue Civil Airway No. 7 (San Francisco, Calif., to Evergreen, Calif.)* to read as follows:

No radio fix designation.

This amendment shall become effective 0001 e. w. t. February 15, 1943.

J. E. SOMMERS,
Acting Administrator.

[F. R. Doc. 43-2019; Filed, February 6, 1943; 4:06 p. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 250—RULES AND REGULATIONS, PUBLIC UTILITY HOLDING COMPANY ACT OF 1935.

AMENDMENT TO RULE PROVIDING EXEMPTIONS

Acting pursuant to the Public Utility Holding Company Act of 1935, particularly sections 12 (f), 17 (c) and 20 (a) thereof, and finding that such action is in the public interest and necessary to carry out the provisions of the Act, the Securities and Exchange Commission hereby amends § 250.70 (a) (7) (6 F.R. 2025; 7 F.R. 1612) [Rule U-70 (a) (7)] so that the exemption provided by the same shall expire March 1, 1944, instead of March 1, 1943.

Effective February 9, 1943.

By the Commission.

[SEAL] ORVAL DUBOIS,
Secretary.

[F. R. Doc. 43-2026; Filed, February 8, 1943; 9:48 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 166]

APPLICATION BY ALIEN FOR RELIEF FROM MILITARY SERVICE

ORDER PRESCRIBING FORM

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301–318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 301, entitled "Application by Alien for Relief from Military Service" effective immediately upon the filing hereof with the Division of the Federal Register.[1] The original supply of forms will be used until exhausted.

The foregoing revision shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JANUARY 2, 1943.

[F. R. Doc. 43-1961; Filed, February 5, 1943; 2:56 p. m.]

[1] Filed as part of the original document.

[No. 167]

TRANSMITTAL SHEET FOR SAMPLE OF FORMS 311

ORDER PRESCRIBING FORM

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301–318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 312A, entitled "Transmittal Sheet for Sample of Forms 311," effective immediately upon the filing hereof with the Division of the Federal Register.[1]

The foregoing revision shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JANUARY 22, 1943.

[F. R. Doc. 43-2000; Filed, February 6, 1943; 1:05 p. m.]

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment 3]

PART 804—INDIVIDUAL LICENSES

APPLICATIONS TO EXPORT TO FRENCH WEST INDIES AND FRENCH GUIANA

Part 804, Individual Licenses, is hereby amended by adding the following new section:

§ 804.13 *Special provisions concerning applications to export to French West Indies and French Guiana.* Each application for an individual license to export any commodity listed in § 801.2 of this subchapter to the countries designated by numbers 68 or 69 as set forth in paragraph (a) of § 802.2 of this subchapter must bear the stamp of the Office of the Representative in the United States of the French West Indies and French Guiana in Financial and Economic Matters.

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807)

Dated: February 5, 1943.

PAUL CORNELL,
Chief of Office,
Office of Exports.

[F. R. Doc. 43-2043; Filed, February 8, 1943; 11:27 a. m.]

[Amendment 4]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* (8 F.R. 1494, 1616) is hereby amended in the following particulars:

In the column headed "Gen. Lic. Group" the group designations assigned to the commodities listed below (at every place where said commodities appear in said section) are amended to read as follows:

Commodity	Dept of Comm. No.	Gen. Lic. Group
Flavoring extracts, synthetic	8295.50	C
Rice flour, meal, and polish	1068.00	None
Rice, milled, including brown, broken, rice and rice screenings	1057.00	None
Soap, laundry	8713.00	None
Soap, medicated	8710.00	None
Soap, powdered or flaked	8710.00	None
Soap, toilet or fancy	8712.00	None
Soap, n. e. s.	8729.10	None
Tea	1521.05	None

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807)

Dated: February 6, 1943.

PAUL CORNELL,
Chief of Office,
Office of Exports.

[F. R. Doc. 43-2044; Filed, February 8, 1943; 11:27 a. m.]

[Amendment 5]

PART 804—INDIVIDUAL LICENSES

APPLICATIONS FOR LICENSES

Section 804.2 *Applications for licenses* (8 F.R. 1563) is hereby amended in the following particulars:

1. Paragraph (c) is amended by revising the paragraph preceding the list of numbered commodity groups to read as follows:

(c) A separate and complete application must be submitted for each commodity to each consignee in each country of destination, except that a single application may be submitted under conditions prescribed in paragraph (g) of this section and except that a single application may be filed covering any number of commodities classifiable under the Department of Commerce Schedule B numbers listed in one of the following numbered groups where all such commodities included in a single application are destined for a single consignee in a single country of destination:

2. Paragraph (c) is further amended by revising certain descriptions of certain numbered commodity groups and their assigned Department of Commerce Schedule B numbers contained in the list of numbered commodity groups set forth in said paragraph to read as follows:

Commodity:		*Schedule B No.*
3.	All canned meats	0036.15 thru 0039.99
5.	Animal oils and fats, edible	0050.00 thru 0059.00
7.	All fresh dried or cured fish or fish products	0070.00 thru 0079.98 and 0090.03 thru 0090.98
8.	All canned fish	0084.00 thru 0088.98 and 0090.98
10.	Hides and skins, raw except furs	0201.01 thru 0250.98
61.	All other cotton manufactures	3031.10 thru 3033.20, 3036.00 thru 3061.00, 3067.00 thru 3089.50, 3160.00 thru 3189.00 and 3199.00
98.	Zinc	6571.01 thru 6572.09, 6586.00 thru 6589.98
129.	Agricultural machinery and implements	7890.00 thru 7870.00, 7879.00 thru 7899.98 (except 7889.01)
133.	Automobile service equipment	7931.60 thru 7931.80
145.	Explosives, fuses, etc., except commodities requiring white licenses	8504.00 thru 8529.00
147.	Cameras, projectors and other photographic equipment	9000.50 thru 9112.00 and 9140.00
148.	Exposed film	9121.20 thru 9124.01
150.	Lenses, not fitted to instruments, binoculars, microscopes and accessories, and other optical goods	9147.00 thru 9149.98
157.	Firearms, ammunition and fireworks, except commodities requiring white licenses	9470.04 thru 9497.98
160.	Jewelry	9621.00 thru 9635.00
167.	Commodities exported for relief or charity.	9908.10 thru 9908.90

3. The following new paragraph is added:

(g) Manufacturers of parts for: (a) farm equipment, (b) track-laying tractors or (c) allied equipment, may submit a single application covering any number of such parts included within one category where all such parts are destined for a single consignee in a single country of destination. The application must

(1) State the quantity to be shipped;
(2) State the total selling price;
(3) State the unit value;
(4) Describe the parts in sufficient detail to permit accurate identification;
(5) Set forth the appropriate Department of Commerce Schedule B number for parts.

When an application is submitted covering a number of such parts, a license may be issued for only some of such parts and the application rejected as to the others. In such case, the disapproved parts will be blocked out before the license is issued.

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807)

Dated: February 6, 1943.

PAUL CORNELL,
Chief of Office,
Office of Exports.

[F. R. Doc. 43-2045; Filed, February 8, 1943; 11:27 a. m.]

[Amendment 6]

PART 808—PROCEDURE RELATING TO SHIPMENT OF LICENSED EXPORTS TO THE OTHER AMERICAN REPUBLICS

APPLICATION PROCEDURE

Subparagraph (5) of paragraph (e) of § 808.6 *Application procedure* (8 F.R. 1574) is hereby amended by deleting certain commodities listed therein so as to read as follows:

(5) List of commodities:

Dept. of Comm. No.:	*Commodity*
1041.00	Oats (bu. 32 lbs.)
1073.00	Wheat flour, wholly of U. S. wheat (bbl. 196 lbs.)
1074.00	Wheat flour, other (bbl. 196 lbs.)
5724.00	Salt
8365.00	Sodium carbonate, calcined (soda ash)
8373.00	Sodium hydroxide (caustic soda)

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807)

Dated: February 6, 1943.

PAUL CORNELL,
Chief of Office,
Office of Exports.

[F. R. Doc. 43-2046; Filed, February 8, 1943; 11:27 a. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680, W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1029—FARM MACHINERY AND EQUIPMENT AND ATTACHMENTS AND REPAIR PARTS THEREFOR

[Limitation Order L-170, as Amended Feb. 4, 1943 [1]]

The fulfillment of requirements for the defense of the United States has created a shortage of critical materials entering into the manufacture of farm machinery and equipment and attachments and repair parts therefor, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

[1] This document is a re-statement of Amendment 2 to Limitation Order L-170 as amended January 19, 1943 which appeared in the FEDERAL REGISTER of February 5, 1943, page 1619 and reflects the order in its completed form as of February 4, 1943.

§ 1029.10 *Limitation Order L-170*—(a) *Applicability of priorities regulations.* (1) This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(2) *Protection of production schedules.* Producers of any items of farm machinery and equipment and repair parts under the terms of this order may, notwithstanding the provisions of Priorities Regulation No. 1, as amended, schedule their production of such items as if the orders therefor bore a rating of AA-3.

(b) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person, other than a supplier, engaged in the manufacture of farm machinery and equipment or of repair parts for farm machinery and equipment: *Provided*, That:

(i) No person who did not manufacture any farm machinery and equipment or repair parts in 1940 or 1941 shall be deemed a "producer", nor shall any such person manufacture any such products of an aggregate value exceeding $2,500 for the period November 1, 1942 to October 31, 1943, inclusive; and

(ii) No state prison institution shall engage in the manufacture of any such products until such time as it has received a specific quota from the Director General for Operations.

(3) "Class A producer" means any producer whose total net sales (including sales of all affiliates of such producer) of all products during the calendar year 1941 exceeded $10,000,000 in value (including domestic sales and exports).

(4) "Class B producer" means any producer whose total net sales (including sales of all affiliates of such producer) of all products during the calendar year 1941 exceeded $750,000 but did not exceed $10,000,000 in value (including domestic sales and exports).

(5) "Class C producer" means any producer whose total net sales (including sales of all affiliates of such producer) of all products during the calendar year 1941 did not exceed $750,000 in value (including domestic sales and exports).

(6) "Affiliate" of a producer means any subsidiary thereof, any subsidiary of such a subsidiary, any parent company, and any subsidiary or parent of such a parent company.

(7) "Supplier" means any person engaged in the manufacture for sale to a producer) of materials, parts, assemblies or sub-assemblies to be physically incorporated into farm machinery and equipment or repair parts manufactured by such producer, or to be resold by such producer as repair parts.

(8) "Distributor" means any person not a producer whose business consists, in whole or in part, of the sale of farm machinery and equipment or attachments and repair parts from inventory, and includes wholesalers, jobbers, retailers and other persons performing similar functions.

(9) "Farm machinery and equipment" means agricultural machinery, mechanical equipment and implements (including all attachments used in conjunction therewith) used for the production or care of crops, livestock, livestock products, or other produce on a farm (or elsewhere in the case of poultry) including irrigation and drainage equipment (excluding tile), horseshoes (including muleshoes), horseshoe nails, harness hardware and water well casing; but excluding repair parts, and also excluding all of the following: tracklaying type tractors, equipment ordered by the United States Department of Agriculture or other United States Government agencies, buildings and repairs thereto, fencing, poultry nettings and wire, wire fencing, bale ties or straps, oil well casing and water pipe, nails (other than horseshoe nails) and sundry hardware, grain bins and corn cribs (other than those made of iron or steel).

(10) "Attachment" for farm machinery and equipment means a supplementary appliance which may be added to an otherwise complete machine to extend the utility of such machine.

(11) "Repair parts" means all types of replacement parts considered separately or as assemblies which are manufactured for use and used in the repair and maintenance of farm machinery and equipment, and shall include plow shares and shapes, and water pump cylinders.

(12) "Base production" means the weight of a producer's total production of any item of farm machinery and equipment during either the calendar year 1940 or 1941, in whichever year such weight was the greater; except that, as to items which are bracketed together in Schedule A, the base production shall be the weight of the total production of each group of items so bracketed; and except that, as to silos (item 296 of Schedule A), the base production shall be the total weight of iron and steel entering into the production of such items.

(13) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind, which will be physically incorporated into any item of farm machinery and equipment or repair parts.

(14) "Weight" means the net shipping weight of any item of farm machinery and equipment which is completely manufactured, or completely fabricated and ready for shipment in knock-down form; except that, as to silos (Item 296 of Schedule A), weight means the total weight of iron and steel entering into the production of such items.

(15) "Schedule A" means the schedule of quota percentages attached hereto and made a part hereof, as amended from time to time. If any item of farm machinery and equipment or repair parts is not specifically listed or otherwise provided for in such schedule, the quota percentage therefor shall be deemed to be 0%.

(16) "Lend-lease order" means any order for farm machinery and equipment or repair parts placed by any agency of the United States Government in response to a requisition filed pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(c) *General restrictions on production for domestic use (including "concentration of production").* (1) Except as provided in paragraph (g) hereof, and subject to the provisions of paragraphs (c) (2), (c) (3) and (e) hereof, during the period November 1, 1942, to October 31, 1943, inclusive, no producer shall:

(i) Manufacture, for sale in the continental United States, a total quantity by weight of any item of farm machinery and equipment listed in Schedule A in excess of that quantity obtained by multiplying the applicable quota percentage (designated in the appropriate column of said Schedule A for Class A producers, Class B producers and Class C producers respectively) for such item by his base production of such item for such sale; except that:

(*a*) Wherever, in said Schedule A, two or more items are bracketed together and only one quota percentage assigned thereto, such percentage shall be applied to such producer's total base production of all such bracketed items, and the total permissible weight thus determined may be distributed among all or any one or more of such bracketed items at his election;

(*b*) As to silos (Item 296 of Schedule A), the permitted production of a producer shall not exceed the number of units produced by him during either 1940 or 1941, whichever was the greater; and

(*c*) Any producer, instead of conforming to his quota percentages for the items of attachments as indicated respectively in Schedule A, may at his option manufacture not more than an aggregate of 20% of his total base production of such attachments, and the total permissible weight thus determined may be distributed among all or any one or more of such items of attachments at his election: *Provided*, That once such option is made, it shall apply to all attachments to be produced.

(ii) Manufacture for sale in the continental United States, a total quantity of repair parts of a value (manufacturer's current selling price at the factory) in excess of an aggregate of 160% of one-half the total value (manufacturer's selling price at the factory during 1940 and 1941) of his entire net sales of repair parts during the calendar years 1940 and 1941 combined;

(iii) Manufacture, for sale in the continental United States, any farm machinery and equipment requiring rubber tires;

(iv) Sell in the continental United States any quantity of farm machinery and equipment or repair parts which is in excess of the quantity thereof authorized to be manufactured for such sale by the provisions of this order.

(2) The Director General for Operations may, by specific directions issued to any one or more producers, increase or decrease any such producer's quotas as to all or any one or more items authorized to be produced by him by this paragraph (c), and may transfer any portion of such quotas between any such producers (including the transfer thereof from producers located in critical areas as the same may be designated from time to time by the War Manpower Commission).

(3) As to any portion of any such producer's quota as so established which he may decide not to produce at any time after November 1, 1942, he shall immediately notify the War Production Board, so that appropriate action can be taken to transfer such portion of his quota.

(d) *General restrictions on production for export.* (1) Except as provided in paragraph (g) hereof, and subject to the provisions of paragraphs (d) (2), (d) (3) and (e) hereof, during the period November 1, 1942, to October 31, 1943, inclusive, no producer shall manufacture for shipment, or ship:

(i) To all foreign countries within any group of countries listed respectively on Schedules B-1, B-2, B-3, B-4, B-5, and B-6, attached hereto and made a part hereof, as amended from time to time, a quantity of farm machinery and equipment and repair parts in the aggregate in excess of a designated percentage (listed respectively on each such schedule) of one-half the net shipping weight of the total quantity thereof exported by said producer during the calendar years 1940 and 1941 in the aggregate to all such countries within the particular group;

(ii) To Canada a quantity of any item of farm machinery and equipment or attachments and repair parts (as listed in Schedule B-7, attached hereto and made a part hereof, as amended from time to time) in excess of that quantity obtained by multiplying the quota percentage designated in said Schedule B-7 for such item by the quantity thereof shipped by said producer to Canada during the calendar year 1940;

(iii) To any foreign country (including Canada and territories and possessions of the United States) any farm machinery and equipment requiring rubber tires.

(2) Except as to items destined for Canada (Schedule B-7) and for territories and possessions of the United States (Schedule B-6), no producer shall fabricate or process any material to be physically incorporated into any item of farm machinery and equipment which may be authorized to be manufactured for export by paragraph (d) (1) above, unless and until he has received from the Director General for Operations specific authorization for such fabrication or processing as to any or all such items, application for which may be by letter setting forth the pertinent facts: *Provided*, That nothing in this paragraph (d) (2) shall be deemed to prevent any such producer from earmarking for export, within his export quota, any items of farm machinery and equipment or repair parts from his inventory, whether or not such items were manufactured specifically for export.

As to any portion of any such producer's export quota, as established by paragraph (d) (1) above, which he may de-

cide not to produce at any time after November 1, 1942, he shall immediately notify the War Production Board, so that appropriate action can be taken to transfer such portion of his export quota.

(3) The Director General for Operations may, by specific directions issued to any one or more producers, increase or decrease any such producer's quotas as established by paragraph (d) (1) above, and may transfer any portion of such quotas between any such producers (including the transfer thereof from producers located in critical areas as the same may be designated from time to time by the War Manpower Commission).

(e) *Further restrictions on production*—(1) *Restrictions on production for specific periods.* The Director General for Operations may from time to time issue supplementary orders (or specific directions to any one or more producers) governing the production of all or any one or more items of farm machinery and equipment or repair parts for specified monthly, bi-monthly or quarterly periods. On and after the effective date of any such supplementary order or specific direction, no producer affected thereby shall, notwithstanding the provisions of this Order L–170, manufacture any such item during the period specified except in accordance with the terms of such supplementary order or specific direction.

(2) *Items containing iron and steel.* On and after November 1, 1942, no producer shall put into process any iron or steel (excluding screws, nails, rivets, bolts, or wire, strapping or small hardware for joining or other similar essential purpose) to make any of the following items of farm machinery and equipment:

Barnyard stock tanks.	Hog troughs.
Bee hives.	Laying nests.
Butter churns.	Livestock feeders.
Butter molds.	Marking poles.
Canopies for electric brooders.	Milk stools.
Cattle stalls.	Nick yokes
Corn cribs	Poultry feeders.
Doubletrees.	Singletrees.
Farm gates.	Stanchions.
Grain bins.	Stock pens.
Grit boxes	Thills.
Guide handles	Tongues.
Hobbies (all types)	Weaners.

(f) *Overproduction under Order L–26.* Any items of farm machinery and equipment or attachments and repair parts which have been manufactured and or sold by any producer prior to November 1, 1942, and which are in excess of such producer's authorized quota under Limitation Order L–26 (including all amendments thereto and appeals granted thereunder), shall be deducted from such quotas as may be authorized for such producer by the provisions of this order or subsequent orders: *Provided*, That no such deduction shall constitute a condonation of any violation of any order or regulation of the War Production Board.

(g) *Exceptions*—(1) To the extent that the weight of any item or items of a producer's quota as established by paragraph (c) (1) hereof has been or will be increased by his substituting for more critical materials entering into such item or items any one or more of the following materials:

Glass or other ceramic products.
Plain concrete.
Fibre board.
Wood fibre products.
Plywood (produced with binder or adhesive not restricted by Conservation Order M–25 or any other applicable M or L order).
Gum and other hardwood lumber.
Softwood lumber (subject to the restrictions of Conservation Order M–208 or any other applicable M or L order);

such increased weight shall not operate to reduce the number of units which he could have otherwise manufactured pursuant to paragraph (c) (1) above. In addition, if any such producer has made, or shows that he can make, in any item or items of his quota as established by paragraphs (c) and (d) hereof, a substitution of any of the materials listed above for more critical materials entering into such item or items, he may apply by letter to the Director General for Operations for reconsideration of his quota, based on such substitution.

(2) Any item of farm machinery and equipment or attachments and repair parts which was manufactured for sale within the continental United States by a producer within his authorized quota under Limitation Order L–26 (including all amendments thereto and appeals granted thereunder) and which is, prior to November 1, 1942, completely manufactured, or completely fabricated and ready for shipment in knock-down form, may be sold on and after such date without reference to the provisions of this order.

(3) Nothing in paragraph (d) of this order shall be deemed to prohibit or control the shipment of any item of farm machinery and equipment or attachments and repair parts which:

(i) Was manufactured for export by a producer within his authorized quota under paragraph (c) (1) (iii) of Limitation Order L–26 (including all amendments thereto and appeals granted thereunder), and

(ii) Is covered by either an export license issued by the Board of Economic Warfare or by a lend-lease order, dated prior to November 1, 1942, (except as to items destined for Canada and territories and possessions of the United States), and

(iii) Is, prior to such date, completely manufactured or completely fabricated and ready for shipment in knock-down form.

Any such items for export which, prior to November 1, 1942, are in production or on order but not completely manufactured or ready for shipment in knock-down form, shall be deducted from such export quotas as may be authorized for such producer by the provisions of this order or subsequent orders, and shall not be manufactured on and after such date except in accordance with the provisions of paragraph (d) above.

(h) *Restrictions on sales for domestic use.* Subject to such directions as may be issued from time to time as to rationing control, by, or pursuant to delegations from the Director General for Operations.

(1) No person shall sell any item of new farm machinery and equipment (except horseshoes, muleshoes, horseshoe nails and harness hardware) which he knows or has reason to know will not be used in the hands of the ultimate consumer for the production or care of crops, livestock, livestock products or other produce on a farm (or elsewhere in the case of poultry), except to fill a contract or purchase order bearing a preference rating of A–9 or higher;

(2) On and after November 1, 1942, no distributor shall sell or deliver to a consumer any new repair part which he knows or has reason to know will not be incorporated reasonably promptly into farm machinery and equipment in the possession of such consumer.

(i) *Inventory provisions.* (1) No distributor shall keep in his inventory, in his possession or under his control, for a period of more than thirty days, any used, traded-in, imperfect or non-usable item of farm machinery and equipment or repair parts which cannot be reconditioned, but must dispose of the same through the customary disposal or scrap channels.

(2) Any producer may sell to any other producer any material in his inventory which is in excess of his requirements for the items of farm machinery and equipment and repair parts permitted to be manufactured under the provisions of this order. Such sales shall be expressly permitted within the terms of paragraph (c) (3) of Priorities Regulation No. 13 as amended.

(j) *Standardization, simplification, substitution, and conservation of critical materials.* (1) In the manufacture of any item of farm machinery and equipment or repair parts, no producer shall use any alloy steel, stainless steel, aluminum, magnesium, copper, brass, bronze, zinc, nickel, tin, cadmium or fabricated rubber products for any purpose where the use of other less critical materials will not impair the efficiency of operation of such item.

No materials shall be used which are prohibited by M Orders or other restrictions on use of critical materials as now or hereafter ordered by the Director General for Operations.

(2) The Director General for Operations may from time to time issue supplementary orders or schedules establishing required specifications with respect to the production of any item or items of farm machinery and equipment and repair parts. "Required specifications" may include requirements to standardize or simplify the types, sizes or models of, or the specifications for, any such item or items; to eliminate, reduce or conserve the use of critical materials in the production thereof; and to substitute less critical for more critical materials in the production thereof. On and after the effective date of any such supplementary order or schedule, no farm machinery and equipment and repair parts affected thereby shall be produced, fabricated, assembled, or delivered, if such production, fabrication, assembly, or delivery is prohibited by the terms thereof.

(k) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(l) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(m) *Reports.* (1) All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(2) Each producer shall file not later than thirty days after October 19, 1942, a report of his production quotas on Form PD–629.

(3) Each producer shall file by the 10th day of each month a report on Form PD–630 of his production during the preceding month, the first report to be made on or before December 10, 1942.

(4) Each producer affected by paragraph (d) hereof shall file by the 10th day of each month a report on Form PD–387 (revised) of his shipments during the preceding month (starting with November, 1942) to all foreign countries (including all countries listed on Schedules B–1, B–2, B–3, B–4, B–5, B–6, and B–7).

(n) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(o) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him in comparison with others similarly situated, may appeal to the War Production Board, setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(p) *Communications.* All communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Farm Machinery and Equipment Division, Washington, D. C. Ref.: L–170.

(q) *Inconsistent orders.* This order supersedes as of November 1, 1942, Limitation Order L–26, and Supplementary Limitation Orders L–26–a and L–26–d, and all amendments thereto and appeals granted thereunder.

Issued this 4th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

SCHEDULE OF QUOTAS COVERING THE DOMESTIC PRODUCTION OF FARM MACHINERY AND EQUIPMENT AND REPAIR PARTS THEREFOR FOR THE PERIOD NOVEMBER 1, 1942, TO OCTOBER 31, 1943

Quotas for repair parts are expressed as a percentage of the average dollar value of all repair parts sold during the years 1940 and 1941. Quotas for new machinery and equipment including attachments are expressed as a percentage of the weight of each item produced during 1940 or 1941, whichever was higher. Producers of these items must use the percentages set forth in the respective columns, depending upon whether they are Class A, Class B, or Class C producers. Production of "bracketed items" may be distributed among all or any one or more items included in the particular bracket so long as the total weight of material used does not exceed that determined by the quota percentage assigned to the particular bracket.

Any item of farm machinery and equipment not provided for in this Schedule A shall not be manufactured, unless specifically exempted by Order L–170.

GROUP 1: PLANTING, SEEDING AND FERTILIZING MACHINERY

Item		Class of producer "A"	Class of producer "B"	Class of producer "C"
	DIVISION 1: PLANTERS (HORSE AND TRACTOR DRAWN)	*Percent*	*Percent*	*Percent*
1	One row, one horse corn planters	0	0	44
2	One row, one horse corn and cotton planters	0	0	25
3	One row, two horse corn and cotton planters	0	0	0
4	Two row, corn planters	3	75	75
5	Two row, corn and cotton planters	0	19	75
6	Three row and over, corn planters	11	75	75
7	Three row and over, corn and cotton planters	0	0	0
	DIVISION 2: PLANTERS (TRACTOR MOUNTED)			
8	One row, corn planters	15	15	15
9	One row, corn and cotton planters			
10	Two row, corn planters			
11	Two row, corn and cotton planters			
12	Three row and over, corn planters			
13	Three row and over, corn and cotton planters			
	DIVISION 3: POTATO PLANTERS			
14	Horse or tractor drawn	0	16	75
	DIVISION 4: TRANSPLANTERS			
15	Horse or tractor drawn	0	0	34
16	Hand			
	DIVISION 5: LISTERS WITH PLANTING ATTACHMENTS (HORSE OR TRACTOR DRAWN)			
17	One row	8	75	75
18	Two row			
19	Three row and over			
	DIVISION 6: LISTERS WITH PLANTING ATTACHMENTS (TRACTOR MOUNTED)			
20	One row	12	12	12
21	Two row			
22	Three row and over			
	DIVISION 7: BEET DRILLS			
23	Horse or tractor drawn	13	75	75
	DIVISION 8: GRAIN DRILLS			
24	One horse, 3 or 5 disc drills	0	0	22
25	Fertilizer drills, horse or tractor drawn	3	75	75
26	Plain drills, horse or tractor drawn			
	DIVISION 9: BROADCAST SEEDERS			
27	Wheeled, horse or tractor	0	0	0
28	Endgate	0	32	75
29	Hand, wheelbarrow and other	0	0	8
	DIVISION 10: GARDEN PLANTERS			
30	Hand	0	0	14
31	Horse or tractor drawn	0	0	15
	DIVISION 11: FERTILIZER DISTRIBUTORS			
32	Horse or tractor drawn	0	0	15
	DIVISION 12: LIME SPREADERS (SOWERS)			
33	Wheeled type, horse or tractor drawn	0	0	17
34	Endgate type	0	0	8
35	Truck body type	0	0	8
	DIVISION 13: MANURE SPREADERS			
36	Four wheeled, horse or tractor drawn	0	19	75
37	Two wheeled, tractor drawn			
	DIVISION 14: OTHER PLANTING, SEEDING AND FERTILIZING MACHINERY			
	Other planting, seeding and fertilizing machinery including, but not limited to, potato seed cutters, farm limestone pulverizers, manure loaders, vegetable planters. (List each item separately.)			
38		0	0	9
39		0	0	9
40		0	0	9
	DIVISION 15: ATTACHMENTS			
41	Attachments for all items in Group 1 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 2: PLOW AND LISTERS

Item		Class of producer "A"	"B"	"C"
	DIVISION 1: MOLDBOARD PLOWS (HORSE DRAWN)	*Percent*	*Percent*	*Percent*
42	Walking, one horse, steel bottom	0	0	11
43	Walking, one horse, chilled bottom	0	0	12
44	Walking, two horse and larger	0	0	28
45	Sulky	0	0	0
46	Gang, two bottom and larger	0	0	0
	DIVISION 2: MOLDBOARD PLOWS (TRACTOR DRAWN OR MOUNTED)			
47	One bottom, tractor drawn	9	75	75
48	Two bottom, tractor drawn			
49	Three bottom, tractor drawn			
50	Four bottom, tractor drawn			
51	Five bottom, and larger, tractor drawn	4	0	0
52	One bottom, tractor mounted	13	13	13
53	Two bottom, tractor mounted			
	DIVISION 3: DISC PLOWS (HORSE DRAWN)			
54	Single disc and larger	0	0	0
	DIVISION 4: DISC PLOWS (TRACTOR DRAWN OR MOUNTED)			
55	One disc, tractor drawn	0	0	17
56	Two disc, tractor drawn			
57	Three disc, tractor drawn			
58	One disc, tractor mounted	8	8	8
59	Two disc, tractor mounted			
60	Four disc, tractor drawn			
61	Five disc, tractor drawn	0	0	0
62	Six disc and larger, tractor drawn			
	DIVISION 5: ONE WAY DISC PLOWS OR TILLERS			
63	One way plows	0	5	75
	DIVISION 6: LISTERS (HORSE OR TRACTOR DRAWN)			
	(Middlebusters without planting attach.)			
64	One row, horse or tractor drawn	0	0	19
65	Two row, horse or tractor drawn			
66	Three row and larger, horse or tractor drawn			
	DIVISION 7: LISTERS (TRACTOR MOUNTED)			
	(Middlebusters without planting attach.)			
67	One row, tractor mounted	18	18	18
68	Two row, tractor mounted			
69	Three row and larger, tractor mounted			
	DIVISION 8: SUBSOIL PLOWS			
70	Horse drawn	0	0	0
71	Tractor drawn	0	0	0
72	Tractor mounted	0	0	0
	DIVISION 9: PLOW STOCKS			
73	Single or double stocks	0	0	12
	DIVISION 10: OTHER PLOWS AND LISTERS			
	(List each item separately)			
74		0	0	34
75		0	0	34
76		0	0	34
	DIVISION 11: ATTACHMENTS			
77	Attachments for all items in Group 2 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 3: HARROWS, ROLLERS, PULVERIZERS AND STALK CUTTERS

	DIVISION 1: HARROWS			
78	Spike tooth harrow sections, horse or tractor drawn	0	0	24
79	Spring tooth harrow sections, horse or tractor drawn	0	34	75
80	Disc harrows, horse or tractor drawn	2	75	75
81	Disc harrows, tractor mounted	22	22	22
	DIVISION 2: SMOOTH LAND ROLLERS			
82	Smooth land rollers, not including lawn rollers	0	0	0
	DIVISION 3: SOIL PULVERIZERS AND PACKERS			
83	Soil pulverizers and packers	0	0	19
	DIVISION 4: STALK CUTTERS			
84	Stalk cutters	0	0	35
	DIVISION 5: RIDGE BUSTERS			
85	Ridge busters, horse or tractor drawn	0	0	11
86	Ridge busters, tractor mounted			

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 3: HARROWS, ROLLERS, PULVERIZERS AND STALK CUTTERS—Continued

Item		Class of producer "A"	"B"	"C"
	DIVISION 6: OTHER HARROW AND ROLLERS			
	(List each item separately)	*Percent*	*Percent*	*Percent*
87		0	0	14
88		0	0	14
89		0	0	14
	DIVISION 7: ATTACHMENTS			
90	Attachments for all items in Group 3 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 4: CULTIVATORS AND WEEDERS

	DIVISION 1: CULTIVATORS (HORSE AND TRACTOR DRAWN)			
91	One horse, all types	0	0	15
92	One row, walking, two horse	0	0	65
93	One row, riding, two horse	2	75	75
94	Two row and over, riding	0	0	0
95	Beet cultivator	12	75	75
96	Field cultivator	0	0	62
96a	Field cultivator and tiller, tractor mounted	9	9	9
97	Hand cultivator, not including blade and tined hoes, rakes and similar equipment	0	0	15
	DIVISION 2: CULTIVATORS (TRACTOR MOUNTED)			
98	One row	20	20	20
99	Two row			
100	Three and four row			
101	Five row and over			
	DIVISION 3: ROTARY HOES			
102	Rotary hoes, horse or tractor drawn	0	0	32
	DIVISION 4: WEEDERS			
103	Rod weeders, horse or tractor drawn	0	0	30
104	Tooth weeders, horse or tractor drawn	0	0	32
104a	Tooth weeders, tractor mounted	15	15	15
	DIVISION 5: OTHER CULTIVATORS AND WEEDERS			
	(List each item separately)			
105		0	0	34
106		0	0	34
	DIVISION 6: ATTACHMENTS			
107	Attachments for all items in Group 4 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 5: SPRAYERS DUSTERS AND ORCHARD HEATERS

	DIVISION 1: POWER SPRAYERS			
108	Power sprayers	0	0	43
109	Traction sprayers	0	0	21
	DIVISION 2: HAND SPRAYERS WITH TANK, BARREL, KNAPSACK, ETC., WITH COMPLETE EQUIPMENT (CAP. 1 QT., OR OVER BUT LESS THAN 6 GALS.)			
110	Compressed air	0	0	9
111	Knapsack self contained			
112	Trombone, pump type			
113	Bucket pump type, single cylinder			
114	Bucket pump type, double cylinder			
115	Atomizing, single action (1 qt. and larger cap.)			
116	Atomizing, continuous (1 qt. and larger cap.)			
	DIVISION 3: SPRAYERS, WITH TANK, BARREL, KNAPSACK, ETC., WITH COMPLETE EQUIPMENT (CAP. 6 GALS. OR MORE)			
117	Barrel pump type with complete equipment	0	0	36
118	Wheelbarrow type with complete equipment			
	DIVISION 4: SPRAY PUMPS (POWER)			
119	Spray pumps, power	0	0	23
	DIVISION 5: WEED AND PEAR BURNERS			
120	Weed and pear burners	0	0	23
	DIVISION 6: DUSTERS			
121	Power dusters	0	0	19
122	Traction dusters	0	0	23
123	Hand dusters (agricultural only)	0	0	66
	DIVISION 7: ORCHARD HEATERS			
124	Orchard heaters	0	0	11
	DIVISION 8: ATTACHMENTS			
125	Attachments for all items in Group 5 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

Item		Class of producer		
		"A"	"B"	"C"
	DIVISION 1. COMBINES (HARVESTER THRESHERS)	*Percent*	*Percent*	*Percent*
126	Width of cut, 6 feet and under	24	24	24
127	Width of cut, over 6 feet including 10 feet			
128	Width of cut, over 10 feet			
	NOTE. Out of his total quota for combines, no Class "A" producer may manufacture Items 127 and 128 in excess of 10% of his 1940-1941 average annual production of these items.			
	DIVISION 2. GRAIN AND RICE BINDERS			
129	Grain binders (ground drive)	9	75	75
130	Grain binders (power take-off drive)			
131	Rice binders	43	75	75
	DIVISION 3. CORN BINDERS			
132	Corn binders (row binder) horse or tractor drawn	13	75	75
	DIVISION 4. CORN PICKERS			
133	One row, mounted type	33	33	33
134	Two row, mounted type			
135	One row, pull type	0	71	75
136	Two row, pull type			
	DIVISION 5. FIELD ENSILAGE HARVESTERS (ROW TYPE)			
137	Field ensilage harvesters, row type	14	75	75
	DIVISION 6. POTATO DIGGERS			
138	Walking plow type	0	0	28
139	Horse or tractor	0	0	42
	DIVISION 7. PEA AND BEAN HARVESTERS (ROW TYPE)			
140	Horse or tractor, row type	0	0	32
	DIVISION 8. BEET LIFTERS			
141	Horse or tractor	16	75	75
	DIVISION 9. OTHER HARVESTING MACHINERY			
	Other harvesting machinery including, but not limited to, windrowers grain type, seed harvesters and strippers, potato pickers, cane harvesters, hop pickers, beet loaders, peanut diggers, cotton harvesters. (List each item separately.)			
142		0	0	51
143		0	0	51
144		0	0	51
	DIVISION 10. ATTACHMENTS			
145	Attachments for all items in Group 6 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 7. HAYING MACHINERY

	DIVISION 1. MOWERS (GROUND-DRIVE)			
146	Horse or tractor drawn (ground drive)	8	75	75
	DIVISION 2. MOWERS (POWER TAKE-OFF DRIVE)			
147	Tractor mtd. or semi-mtd. (power take-off drive)	28	28	28
	DIVISION 3. RAKES			
148	Sulky, dump	9	75	75
149	Side delivery mtd. combs, side rakes and tedders	17	75	75
150	Sweep	0	0	47
	DIVISION 4. HAY LOADERS			
151	Hay loaders	9	75	75
	DIVISION 5. STACKERS			
152	Stackers (stationary type)	0	0	10
152A	Combination stacker-loaders	0	0	75
	DIVISION 6. PICK-UP BALERS			
153	Pick-up hay balers	0	45	75
	DIVISION 7. OTHER HAYING MACHINERY			
	Other haying machinery, including, but not limited to, field bale loaders, field hay choppers. (List each item separately.)			
154		0	0	41
155		0	0	41
156		0	0	41
	DIVISION 8. ATTACHMENTS			
157	Attachments for all items in Group 7 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

Item		Class of producer		
		"A"	"B"	"C"
	DIVISION 1. STATIONARY THRESHERS (GRAIN, RICE AND ALFALFA)	*Percent*	*Percent*	*Percent*
158	Threshers, width of cylinder under 28 inches	0	0	48
159	Threshers, width of cylinder 28 inches and over			
	DIVISION 2. STATIONARY PEA AND BEAN THRESHERS			
160	Stationary pea and bean threshers	0	0	25
	DIVISION 3. PEANUT PICKERS			
161	Peanut pickers	0	0	75
	DIVISION 4. ENSILAGE CUTTERS (SILO FILLERS)			
162	Ensilage cutters (silo fillers)	0	0	65
	DIVISION 5. FEED CUTTERS (HAND AND POWER)			
163	Feed cutters, hand and power	0	0	30
	DIVISION 6. CORN SHELLERS			
164	Corn shellers, hand	0	0	19
165	Power corn shellers, spring (2, 4, 6 and 8 hole)	0	0	0
166	Power corn shellers, cylinder (150 bu. & under)	0	0	22
167	Power corn shellers, cylinder (over 150 bu.)	0	75	75
	DIVISION 7. CORN HUSKERS AND SHREDDERS			
168	Combination corn husker-shredders	0	0	24
169	Corn huskers	0	0	23
170	Corn shredders	0	0	23
	DIVISION 8. STATIONARY HAY BALERS			
171	Horse	0	0	0
172	Engine or belt power	0	0	75
	DIVISION 9. FEED GRINDERS AND CRUSHERS			
173	Hand	0	0	13
174	Power, burr type	0	0	51
175	Hammer and roughage mills	0	8	75
	DIVISION 10. CLEANERS AND GRADERS (CORN AND GRAIN)			
176	Cleaners and graders (corn and grain)	0	0	12
	DIVISION 11. POTATO SORTERS AND GRADERS			
177	Potato sorters and graders	0	0	23
	DIVISION 12. MAPLE SIRUP EVAPORATORS			
178	Complete sets of pans, not including furnace	0	0	53
179	Furnaces	0	0	20
	DIVISION 13. CANE SIRUP EVAPORATORS			
180	Complete sets of pans, not including furnaces	0	0	53
181	Furnaces	0	0	20
	DIVISION 14. CANE MILLS (FARM SIZE)			
182	Cane mills (farm size)	0	0	32
	DIVISION 15. CIDER MILLS AND FRUIT PRESSES			
183	Cider mills and fruit presses	0	0	12
	DIVISION 16. OTHER MACHINES FOR PREPARING CROPS FOR MARKET OR USE			
	Other machines for preparing crops for market or use, including but not limited to, broom corn shredders, beet lifters, fruit, nut and vegetable graders, sorters, washers and sackers. (List each item separately.)			
184		0	0	13
185		0	0	13
186		0	0	13
	DIVISION 17. ATTACHMENTS			
187	Attachments for all items in Group 8 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 9. FARM ELEVATORS AND BLOWERS

	DIVISION 1. ELEVATORS (PORTABLE)			
188	Elevators, portable	0	0	35
	DIVISION 2. ELEVATORS (STATIONARY)			
189	Elevators, stationary	0	0	21
	DIVISION 3. BLOWERS (GRAIN AND FORAGE)			
190	Blowers (grain and forage)	0	0	35
	DIVISION 4. ATTACHMENTS			
191	Attachments for all items in Group 9 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 10: TRACTORS

Item		Class of producer "A"	"B"	"C"
	DIVISION 1: TRACTORS, WHEEL TYPE	*Percent*	*Percent*	*Percent*
192	Tractors, wheel, special purpose, under 30 h. p.	14	14	14
193	Tractors, wheel, special purpose, 30 & over h. p.			
194	Tractors, wheel, all purpose, under 30 h. p.			
195	Tractors, wheel, all purpose, 30 & over h. p.			
	DIVISION 2: GARDEN TRACTORS (INCLUDING MOTOR TILLERS)			
196	Garden tractors (including motor tillers)	0	0	27
	DIVISION 3: ATTACHMENTS			
197	Attachments for all items in Group 10 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 11: ENGINES

	DIVISION 1: ENGINES (UNDER 1 H. P.)			
198	Air cooled	0	0	0
	DIVISION 2: ENGINES (ONE OR MORE BUT UNDER 5 H. P.)			
199	Air cooled	0	2	75
200	Water cooled	4	75	75
	DIVISION 3: ENGINES (FIVE OR MORE BUT UNDER 10 H. P.)			
201	Air cooled	0	24	75
202	Water cooled	0	24	75
	DIVISION 4: ENGINES (TEN OR MORE BUT UNDER 20 H. P.)			
203	Water cooled	0	0	0
	DIVISION 5: ATTACHMENTS			
204	Attachments for all items in Group 11 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 12: FARM WAGONS AND TRUCKS

	DIVISION 1: WAGONS			
205	Wagons, farm without boxes	0	0	32
	DIVISION 2: TRUCKS			
206	Trucks, farm (not motortrucks)	0	30	75
	DIVISION 3: WAGON BOXES			
207	Wagon and truck boxes, farm	0	0	29
	DIVISION 4: FARM SLEIGHS			
208	Sleighs and bod-sleds	0	0	25
	DIVISION 5: TRAILERS (FARM)			
209	Trailers, farm	0	0	0
	DIVISION 6: OTHER TRANSPORTING EQUIPMENT			
	(Not motortrucks—list each item separately)			
210		0	0	25
211		0	0	25
	DIVISION 7: ATTACHMENTS			
212	Attachments for all items in Group 12 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 13: DOMESTIC WATER SYSTEMS

	DIVISION 1: DEEP WELL			
213	Deep well, reciprocal	0	0	48
214	Deep well jet pumps	0	0	36
	DIVISION 2: SHALLOW WELL			
215	250-499 gals. per hour	0	0	51
216	500 gals. per hour and over	0	0	45
	DIVISION 3: POWER PUMPS			
217	Horizontal type, up to and including 75 gals. per minute, 100 lb. pressure	0	6	75
	DIVISION 4: WATER STORAGE TANKS			
218	Storage tanks, other than stock tanks, farm			
	DIVISION 5: ATTACHMENTS			
219	Attachments for all items in Group 13, expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 14: FARM PUMPS AND WINDMILLS

Item		Class of producer "A"	"B"	"C"
	DIVISION 1: PUMPS, WATER	*Percent*	*Percent*	*Percent*
220	Pitcher pumps	0	18	75
221	Hand and windmill pumps	0	16	75
	DIVISION 2: WINDMILLS			
222	Windmill heads	0	0	56
223	Windmill towers	0	0	59
	DIVISION 3: PUMP JACKS			
224	Pump jacks	0	0	30
	DIVISION 5: ATTACHMENTS			
226	Attachments for all items in Group 14 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 15: IRRIGATION EQUIPMENT

	DIVISION 1: IRRIGATION PUMPS			
227	Turbine pumps, 0 to 1,200 GPM	0	0	31
228	Turbine pumps 1,200 GPM and up, belt driven	0	0	13
229	Centrifugal pumps	0	0	25
230	Hydraulic rams	0	0	0
	DIVISION 2: DISTRIBUTION EQUIPMENT			
231	Land leveling equipment, ditchers, corrugators and scrapers (excluding power ditchers, draglines and other self-powered machines)	0	0	18
232	Portable pipe and extensions, sprinklers, valves and gates, expressed in terms of net shipping weight in pounds	0	0	18
	DIVISION 3: OTHER FARM IRRIGATION EQUIPMENT			
	(List each item separately)			
233		0	0	18
234		0	0	18
235		0	0	18
	DIVISION 4: ATTACHMENTS			
236	Attachments for all items in Group 15, expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 16: DAIRY FARM MACHINES AND EQUIPMENT

	DIVISION 1: MILKING MACHINES			
237	Milking machines	0	32	75
	DIVISION 2: FARM CREAM SEPARATORS			
238	Farm cream separators, capacity 270 lbs. per hr. or less	0	7	75
	DIVISION 3: FARM CREAM SEPARATORS			
239	Farm cream separators, capacity 251 lbs. to 800 lbs. per hour	7	75	75
	DIVISION 4: FARM CREAM SEPARATORS			
240	Farm cream separators, capacity 801 lbs. to 1,500 lbs. per hour	0	0	0
	DIVISION 5: FARM MILK COOLERS			
241	Immersion type	0	0	48
242	Surface or tubular type			
	DIVISION 6: FARM BUTTER MAKING EQUIPMENT			
243	Butter churns (See Paragraph (e) (2) of L-170)	0	0	23
244	Butter molds (See Paragraph (e) (2) of L-170)			
	DIVISION 7: OTHER DAIRY FARM MACHINES AND EQUIPMENT			
	Other dairy farm machines and equipment including but not limited to milk pails, milk strainers, sterilizing tanks, washing tanks and water heaters. (List each item separately).			
247	Milk pails	0	36	75
246	Milk strainers			
247		0	0	30
248				
	DIVISION 8: ATTACHMENTS			
249	Attachments for all items in Group 16 expressed in terms of net shipping weight in pounds.	(1)	(1)	(1)

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 17: BARN AND BARNYARD EQUIPMENT

Item		Class of producer "A"	"B"	"C"
	DIVISION 1: FEED CARRIERS, LITTER CARRIERS, AND FEED TRUCKS	*Percent*	*Percent*	*Percent*
250	Feed carriers	0	0	25
251	Litter carriers	0	0	25
252	Track for feed and litter carriers	0	0	71
253	Feed trucks	0	0	33
	DIVISION 2: HAY UNLOADING EQUIPMENT			
254	Hay carriers	0	0	72
255	Track for hay carriers	0	0	71
256	Hay forks, harpoon and grapple	0	0	35
257	Pulleys and fittings	0	0	71
	DIVISION 3: CATTLE STALLS AND PEN EQUIPMENT			
258	Cattle stalls and fittings (See Paragraph (e) (2) of L-170)	0	8	75
259	Livestock pens (See Paragraph (e) (2) of L-170)	0	27	75
	DIVISION 4: CATTLE STANCHIONS			
260	Cattle stanchions and fittings (See Paragraph (e) (2) of L-170)	0	------	59
	DIVISION 5: LIVESTOCK DRINKING CUPS AND WATERING BOWLS			
261	Livestock drinking cups	0	0	49
262	Outside livestock watering bowls	0	0	16
	DIVISION 6: BARNYARD STOCK TANKS AND HOG TROUGHS			
263	Barnyard stock tanks (See Paragraph (e) (2) of L-170)	0	0	49
264	Hog troughs (See Paragraph (e) (2) of L-170)	0	0	58
	DIVISION 7: FEEDERS, FEED COOKERS, AND TANK HEATERS			
265	Livestock feeders (See Paragraph (e) (2) of L-170)	0	0	45
266	Feed cookers	0	0	15
267	Tank heaters	0	0	37
	DIVISION 8: BARN DOOR TRACK AND HANGERS			
268	Barn door track	0	9	75
269	Barn door hangers			
	DIVISION 9: OTHER BARN AND BARNYARD EQUIPMENT			
	Including but not limited to ventilating equipment, livestock clipping tanks, hog waterers, dairy scales, cattle and horse clippers, and bull staffs. (List each item separately.)			
270		0	0	22
271				
272				
	DIVISION 10: ATTACHMENTS			
273	Attachments for all items in group 17 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 18: FARM POULTRY EQUIPMENT

	DIVISION 1: INCUBATORS			
274	Incubators, 1,000-egg capacity and smaller	0	0	31
275	Incubators, over 1,000-egg capacity	0	0	36
	DIVISION 2: FLOOR BROODERS			
276	Oil	0	8	75
277	Coal	0	21	75
278	Gas	0	0	49
279	Wood	0	21	75
280	Electric	0	0	75
	DIVISION 3: BATTERY BROODERS (HEATED)			
281	Three deck and smaller (heated)	0	0	26
282	Four deck (heated)			
283	Five deck (heated)			
	DIVISION 4: GROWING AND LAYING BATTERIES			
284	Growing	0	0	21
285	Laying	0	0	0
	DIVISION 5: POULTRY FEEDERS			
286	Poultry feeders (see par. (e) (2) of L-170)	0	0	36
	DIVISION 6: POULTRY WATERERS			
287	Poultry waterers	0	0	53
	DIVISION 7: LAYING NESTS AND GRIT BOXES			
288	Laying nests (see par. (e) (2) of L-170)	0	0	38
289	Grit boxes (see par. (e) (2) of L-170)			

(1) Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 18: FARM POULTRY EQUIPMENT—Continued

Item		Class of producer "A"	"B"	"C"
	DIVISION 8: OTHER FARM POULTRY EQUIPMENT	*Percent*	*Percent*	*Percent*
	Including but not limited to, egg scales, egg baskets, egg graders, and leg bands. (List each item separately.)			
290		0	0	18
291				
292				
	DIVISION 9: ATTACHMENTS			
293	Attachments for all items in Group 18 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 19: MISCELLANEOUS FARM EQUIPMENT

	DIVISION 1: BEEKEEPERS' SUPPLIES			
294	Beekeepers' supplies (except bee hives)	0	0	38
295	Bee hives. (See paragraph (e) (2) of L-170)	0	0	57
	DIVISION 2: SILOS			
296	Silos (total weight of iron and steel)	0	0	16
	NOTE: Number of units limited to 1940 or 1941 production, whichever was greater.			
	DIVISION 3: HORSE SHOES (INCLUDING MULE SHOES)			
297	Horse shoes (including mule shoes)	0	45	75
	NOTE.—Calks and nails are considered as repairs.)			
	DIVISION 4: HARNESS HARDWARE			
298	Harness hardware	31	31	31
	DIVISION 5: POWER SHEEP SHEARING MACHINES			
299	Power sheep shearing machines	100	100	100
	DIVISION 6: ELECTRIC FENCE CONTROLLERS			
300	Electric fence controllers	0	0	40
301	Electric fence accessories			
	DIVISION 7: FARM HAND TOOLS, INCLUDING BUT NOT LIMITED TO HOES, RAKES, FORKS, SCYTHES, SHOVELS			
302				
303		43	43	43
304				
305				
	DIVISION 8: FARM WOOD-SAWING MACHINES			
306	Farm wood-sawing machines	0	0	16
	DIVISION 9: FARM GATES			
307	Farm gates (see paragraph (e) (2) of L-170)	0		40
	DIVISION 10: FARM LIGHTING PLANTS			
308	Farm lighting plants	0	0	0
	DIVISION 11: ATTACHMENTS			
309	Attachments for all items in group 19 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

(1) Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

EXPORT SCHEDULES

SCHEDULE OF EXPORT QUOTAS BY GROUPS OF COUNTRIES AND QUOTA PERCENTAGES COVERING THE SHIPMENT OF FARM MACHINERY AND EQUIPMENT AND REPAIR PARTS FOR THE PERIOD OF NOVEMBER 1, 1942, TO OCTOBER 31, 1943

(Quotas shown are expressed as a percentage of one-half the total weight of shipments made to all the countries in the particular group during the calendar years 1940 and 1941.)

Schedule B-1

Quota Percentage=111%

United Kingdom:

Great Britain
Northern Ireland
Scotland
Wales

Schedule B-2

Quota Percentage=118%

Australia
Union of South Africa
Egypt
British India
Palestine
Liberia
Iran
Turkey
French Oceania
Free French Areas Thereof
British East Africa
Other British West Africa
New Zealand
No. & So. Rhodesia
Gold Coast
Arabia
Russia
Belgian Congo
Madagascar
French Cameroun
Ethiopia
Syria
Gozo
Ceylon
Other British So. Africa
Nigeria
Iraq
China
Iceland
British Oceania
Other French Africa
Cyprus
Malta
Falkland Islands

Schedule B-3

Quota Percentage=39%

Argentine
Chile
Dominican Republic
Guatemala
Mexico
Paraguay
Uruguay
Bolivia
Colombia
Cuba
Haiti
Nicaragua
Peru
Venezuela
Brazil
Costa Rica
Ecuador
Honduras
Panama Republic
Salvador

Schedule B-4

Quota Percentage=61%

Mozambique
Portugal
Switzerland
Newfoundland
Eire
Spain
Angola
Labrador
French West Indies
Sweden
Greenland

Schedule B-5

Quota Percentage=34%

British Guiana
Bermuda
Barbados
Trinidad
Surinam
Jamaica
Curacao
British Honduras
Bahamas
Other British W. Indies

Schedule B-6

Quota Percentage=37%

Alaska
Virgin Islands
Hawaii
Puerto Rico

Schedule B-7

SCHEDULE OF QUOTAS BY ITEMS COVERING THE SHIPMENT TO CANADA OF FARM MACHINERY AND EQUIPMENT AND REPAIR PARTS THEREFOR AND THE PERIOD NOVEMBER 1, 1942, TO OCTOBER 31, 1943

(Quotas shown are expressed as a percentage of the number of units of each item shipped to Canada during the calendar year 1940. Items not listed are not to be manufactured for shipment to Canada.)

	Quota percentage
Group I—Seeding and Fertilizing Machinery:	
Grain Drill (Plain)	22
Grain Drill (Press)	0
Corn Planter and Drill	25
Potato Planter	20
Manure Spreader	30
Other Planting and Seeding (including Beet Drills and Transplanter)	20
Group II—Plows:	
Walking Plow—1 furrow	33
Tractor Plow	22
Disc Plow	0
Harrow Plow—One Way Disc—Tiller	32
All other Plows (including Integral)	31
Group III—Tillage and Cultivating Machinery:	
Scufflers and Horse Hoes	25
Corn Cultivators	25
Field Cultivators	30
All other Cultivators (including Beet, Tobacco, and Integral)	20
Drag Harrow Sections	7
Spring Tooth Harrows	23
Disc Harrows	25
Group IV—Haying Machinery:	
Mower	30
Hayloader	35
Side Rake and Tedder	25
Dump Rake	25
Pick-up Baler and Hay	100
All other Haying Machines (including Hay forks, knives, etc.)	25

	Quota percentage
Group V—Harvesting Machinery:	
Horse Drawn Grain Binder	0
Tractor Grain Binder	0
Corn Binder	25
Combine—Reaper, Thresher	33
Swather	20
Stationary Thresher	0
Potato Digger	25
Corn Sheller	25
Corn Picker (150 units Mfgr designated later)	
Other Harvesting Equipment, including Beet Lifters)	25
Group VI—Sundry Machines for Preparing Crops for Market or Use:	
Grinder, Feed Cutter, Roller, Pulper	50
Ensilage Cutter	35
Hammer Mill	7
Grain Loader or Elevator	25
Group VII—Farm Power:	
Wheel Tractor	24
Stationary Engine	50
Group VIII—Wagons, Trucks, Sleighs:	
Wagon Gears	60
Farm Truck	60
Group IX—Dairy Equipment:	
Milking Machine Complete	100
Cream Separator	84
Churn	100
Group X—Sprayers and Dusters:	
Potato and Orchard Sprayer and Duster	50
Sprayer Pump	54
Group XI—Domestic Water System:	
Well or Cistern Pump	50
Pump Jack	50
Windmill Head	50
Domestic Water Pressure System	25
Group XII—Barn and Barnyard Equipment	0
Group XIII—Miscellaneous Equipment:	
Incubator	40
Brooder (Floor Type)	40
Wheel Barrow (Wood Only)	53
Sheep Shearers and Animal Clippers	239
Attachments and Repair Parts	150

[INTERPRETATION 1]

In order to clarify the classification of producers under paragraphs (b) (3), (4), (5) and (6) of § 1029.10 *Limitation Order L-170*, resulting from transfers of quotas pursuant to § 944.28 (Interpretation of Limitation and Conservation Orders with respect to the Assignability of Quotas), the following official interpretation is hereby issued with respect to said § 1029.10:

(1) Whenever a producer's total farm equipment business has been or may be sold as a going concern, continuing, in the hands of the purchaser, to make substantially the same product at the same plant and with substantially the same personnel (other than executive officers), the classification of the purchaser shall be based upon his total net sales (including those of affiliates) of all products during 1941, plus total sales of farm machinery and equipment and repair parts by the acquired company during 1941. However, if the purchaser uses the acquired company's 1940 base production under paragraph (b) (12) of Order L-170, then, for purposes of the purchaser's classification, sales of the acquired company during 1940, rather than 1941, must be used.

(2) Any other arrangement whereby a producer purports, or has purported, to assign to another person his quota (or a portion thereof) for the production of farm machinery and equipment or repair parts is invalid unless specifically authorized for the period covered by Order L-170 by the Director General for Operations pursuant to an appeal, which should be made jointly. If such an appeal is granted, the classification of the assignee, unless otherwise directed, will be based upon his total net sales (including those of affiliates) of all products during 1941, plus the 1941 sales of that portion of the assignor's farm machinery and equipment or repair parts business acquired by the assignee. If the assignee is authorized to use the assignor's 1940 base production of such portion, then, for purposes of the assignee's classification, sales of the assignor during 1940, rather than 1941, must be used.

(3) Assignments of quota specifically authorized by appeal under Limitation Order L-26 for the period ending October 31, 1942, are not recognized for the period covered by Order L-170. Accordingly, a new appeal should be made in each case where the assignee wishes to continue producing pursuant to an assignment of quota authorized under Order L-26. Appeals by any such assignee and his classification are governed by § 944.28 and paragraph (2) above. (Issued December 12, 1942.)

[F. R. Doc. 43-1999; Filed, February 6, 1943; 11:41 a. m.]

PART 1268—CAPRYL ALCOHOL

[Allocation Order M-167, as Amended Feb. 6, 1943]

The order title, General Preference Order M-167, is hereby amended to read *Allocation Order M-167*.

Section 1268.1 is hereby amended in its entirety to read as follows:

§ 1268.1 *Allocation Order M-167*—(a) *Definitions.* For the purposes of this order:

(1) "Capryl alcohol", known also as "Methyl hexyl carbinol" or "2 Octanol", means capryl alcohol in any form and from whatever source derived.

(2) "Producer" means any person who produces capryl alcohol, including any person who has capryl alcohol produced for him pursuant to toll agreement but does not include any person who produces capryl alcohol for another person pursuant to toll agreement.

(3) "Distributor" means any person who purchases capryl alcohol from a producer for purpose of resale without further processing or admixing.

(b) *Restrictions on use and delivery of capryl alcohol.* (1) No producer or distributor shall use or deliver capryl alcohol, and no person shall accept delivery of capryl alcohol from a producer or distributor, except as specifically authorized by the Director General for Operations upon application pursuant to paragraph (c), or except as provided in paragraph (c) or (d).

(2) Each person specifically authorized to accept delivery of capryl alcohol shall use such capryl alcohol for the purpose authorized, except as otherwise specifically directed by the Director General for Operations.

(3) The Director General for Operations in his discretion may at any time issue special directions to any person with respect to the use or delivery of capryl alcohol by such person, notwithstanding the provisions of paragraph (c) hereof, or special directions to any producer with respect to the kinds of capryl alcohol which he may or must manufacture.

(c) *Small order exemption.* (1) Any person may accept delivery of, and any producer or distributor may use 10 gallons or less of capryl alcohol in the aggregate during any one calendar month without specific authorization: *Provided*, That such person (or producer or distributor) has not been specifically authorized to use or accept delivery of any quantity of capryl alcohol during such month.

(2) Any producer or distributor may deliver capryl alcohol without specific authorization to any person entitled to accept delivery pursuant to paragraph (c) (1) above: *Provided*, That:

(i) No producer shall deliver an aggregate amount of capryl alcohol in any one calendar month pursuant to this paragraph in excess of 2% of the amount of capryl alcohol which he is specifically authorized to deliver during such month; and

(ii) No producer or distributor shall make deliveries during any month pursuant to this paragraph if such deliveries will prevent completion of any deliveries which have been specifically authorized for such month; and

(iii) Any producer or distributor may make deliveries pursuant to this paragraph without regard to preference ratings.

(d) *Transactions outside of the continental United States.* Nothing in this order contained shall apply to transactions in capryl alcohol originating and completed outside of the forty-eight States and the District of Columbia.

(e) *Applications and reports.* (1) Each person seeking authorization to accept delivery of capryl alcohol, and each producer or distributor seeking authorization to use or accept delivery of capryl alcohol during any calendar month, shall file application on Form PD-600, in the manner prescribed therein, subject to the following instructions for the purpose of this order:

Form PD-600. Copies of Form PD-600 may be obtained at local field offices of the War Production Board.

Time. Applicants shall file Form PD-600 on or before the 20th day of the month preceding the month for which authorization for delivery (or use) is sought.

Number of copies. Five copies shall be prepared, of which one shall be forwarded to supplier and three certified copies to the War Production Board, Chemicals Division Washington, D. C., Ref: M-167. A separate act shall be filed for each supplier from whom delivery is sought.

Heading. Under name of chemical specify Capryl Alcohol; under War Production Board order number, specify M-167, under name of company, specify name and mailing address; specify destination, supplier and the shipping point; under unit of measure, specify pounds; and specify the month and year for which authorization for use or acceptance of delivery is sought.

Columns 1, 11 and 19. Specify grade as crude, pure or refined.

Columns 3, 20 and 22. Specify primary product in terms of the following:

Oil additive
Phthalate esters
Resins
Lacquer
Brake fluids
Anti-foaming agent
Miscellaneous (specify)
Research and institutional sales
Resale (as capryl alcohol)
Export (as capryl alcohol)
*Inventory

Distributors applying for delivery from producers shall add after resale the words "upon further specific authorization of the Director General for Operations on Form PD-601, or to fill paragraph (c) Small orders".

Column 4. Describe the end use of each specific primary product listed in column 3, such as food can linings, rain coats, tents, tank brakes, etc. Also, where possible, specify governing war contracts.

Opposite "export" in column 3, specify in column 4 the governing contract, the country to which the capryl alcohol is to be shipped, and whether the shipment is for Lend-Lease.

Other columns. Fill in all other columns as indicated in the headings, leaving columns 5, 6, 7, 8, 9 and 10 blank.

(2) Each producer or distributor seeking authorization to make delivery of capryl alcohol during any calendar month shall file application on Form PD-601, in the manner prescribed therein, subject to the following instructions for the purpose of this order:

Form PD-601. Copies of Form PD-601 may be obtained at local field offices of the War Production Board.

Time. Producers and distributors shall file Form PD-601 on or before the 25th day of the month preceding the month for which authorization to make delivery is sought.

Number of copies. Prepare four copies and forward three certified copies to the War Production Board, Chemicals Division, Washington, D. C., Ref.: M-167. If it is necessary to use more than one sheet to list customers, number each sheet in order and show grand totals for all sheets on the last sheet, which is the only one that need be certified.

Intra-company deliveries. Producers (or distributors) who have filed application on Form PD-600, specifying themselves as their suppliers, shall list their own names as customers on Form PD-601, and shall list their request for allocation in the manner prescribed for other customers.

Heading. Under name of chemical, specify capryl alcohol; under War Production Board order number, specify M-167; under name of company, state name and mailing address; specify address of plant or warehouse and check whether producer or distributor; under unit of measure specify pounds; and state the month and year during which deliveries covered by application are to be made.

Columns 3 and 8. Specify crude, pure or refined (referring to customers' PD-600's in the case of column 3).

Column 5. May be left blank.

Small order deliveries. No statement need be made with respect to deliveries which may be made during the next month pursuant to paragraph (c) of this order.

Other columns. All other columns shall be filled in as indicated in the headings, leaving columns 6 and 7 blank.

(3) The Director General for Operations may require each person affected by this order to file such other reports as may be prescribed, and may issue special directions to any such person with respect to preparing and filing forms PD-600 and 601.

*Capryl alcohol allocated for inventory shall not be used except as specially directed by the Director General for Operations, or to fill orders authorized by the Director General for Operations pending arrival of the capryl alcohol allocated to fill such orders: *Provided*, That the allocated inventory is restored upon arrival of such capryl alcohol.

(f) *Notification of customers.* Each producer and distributor shall notify his regular customers as soon as possible of the requirements of this order as amended, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(g) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of War Production Board priorities regulations, as amended from time to time, except where such regulations, including Priorities Regulation No. 13, are inconsistent herewith, in which case this order shall govern.

(2) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C. Ref: M-167.

Issued this 6th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1995; Filed, February 6, 1943; 11:41 a. m.]

PART 3030—PHTHALATE PLASTICIZERS

[Allocation Order M-203, as Amended Feb. 6, 1943]

The order title General Preference Order M-203 is hereby amended to read *Allocation Order M-203*.

Section 3030.1 is hereby amended in its entirety to read as follows:

§ 3030.1 *Allocation Order M-203*—(a) *Definitions.* For the purpose of this order:

(1) "Phthalate plasticizers" means the following esters of phthalic acid:

Dimethyl phthalate
Diethyl phthalate
Dibutyl phthalate
Diamyl phthalate
Dicapryl phthalate
Di 2-ethyl hexyl phthalate
Ethyl phthalyl ethyl glycollate
Butyl phthalyl butyl glycollate
Methyl phthalyl ethyl glycollate
Di-methoxy ethyl phthalate
Di-ethoxy ethyl phthalate
Di-butoxy ethyl phthalate
Tributyl glycerol triphthalate
Di-cyclohexyl phthalate
Di-methylcyclohexyl phthalate
Castor oil phthalate
Hydrogenated castor oil phthalate
Isobutyl castor oil phthalate

(2) "Producer" means, with respect to any particular phthalate plasticizer, any person who produced such phthalate plasticizer, including any person who had such phthalate plasticizer produced for him pursuant to toll agreement, but does not include any person who produced such phthalate plasticizer for another person pursuant to toll agreement.

(3) "Distributor" means, with respect to any particular phthalate plasticizer, any purchaser of such phthalate plasticizer from a producer for purpose of resale without further processing.

(b) *Restrictions on use and delivery of phthalate plasticizers.* (1) No producer or distributor shall use or deliver phthalate plasticizers, and no person shall accept delivery of phthalate plasticizers from a producer or distributor, except as specifically authorized by the Director General for Operations upon application pursuant to paragraph (d), or except as provided in paragraph (c).

(2) Each person authorized to accept delivery of phthalate plasticizers shall use such phthalate plasticizers for the purpose authorized, except as otherwise specifically directed by the Director General for Operations.

(3) The Director General for Operations in his discretion may from time to time issue special directions to any person with respect to the use, transportation or delivery of phthalate plasticizers by such person, or of products made from phthalate plasticizers allocated to such person.

(c) *Exceptions.* Specific authorization pursuant to paragraph (b) shall not be required with respect to the use, delivery or acceptance of delivery of phthalate plasticizers (which may be made without regard to preference ratings) as follows:

(1) Any producer or distributor may deliver phthalate plasticizers to any person entitled to accept delivery pursuant to paragraphs (c) (2) and (3) hereof: *Provided*, That no producer or distributor shall deliver an amount of any one kind of phthalate plasticizer in any one calendar month pursuant to this paragraph (c) in excess of 2% of the amount of such phthalate plasticizer which he is specifically authorized to deliver during such month pursuant to paragraph (b) above.

(2) Any producer may use and any person may accept delivery of five (5) gallons or less of each kind of phthalate plasticizer during any one calendar month.

(3) In addition to quantities of phthalate plasticizers which may be used and accepted pursuant to paragraph (c) (2), any person may use and accept delivery of fifty-five (55) gallons or less of any one kind of phthalate plasticizer or of one hundred ten (110) gallons or less of different kinds of phthalate plasticizers during any one calendar month: *Provided*, That he has not been specifically authorized to accept delivery during the same month of any quantity of the same kinds of phthalate plasticizers pursuant to paragraph (b): *And provided*, That no delivery pursuant to this paragraph (c) (3) shall be made or accepted unless and until the person accepting delivery shall file with

the person making delivery a certificate as follows:

CERTIFICATE

Order M–203 Small Order

The undersigned purchaser hereby represents to the seller and to the War Production Board that this order is placed in compliance with the terms of paragraph (c) (3) of phthalate plasticizer Order M–203, with the terms of which the undersigned is familiar.

(Name of purchaser)	(Address)
By ----------	----------
(Signature and title of duly authorized officer)	(Date)

The above certificate shall be endorsed on or attached to the written contract or purchase order and shall be signed by an authorized official, either manually or as provided in Priorities Regulation No. 7. The producer or distributor receiving such certificate may rely on it unless he knows or has reason to believe that it is false.

(d) *Applications and reports.* (1) Each person seeking authorization to accept delivery of phthalate plasticizers, and each producer or distributor seeking authorization to use phthalate plasticizers during any calendar month, shall file application on Form PD–600 in the manner prescribed therein, subject to the following instructions for the purpose of this order:

Form PD–600. Copies of Form PD–600 may be obtained at local field offices of the War Production Board.

Time. Application on Form PD–600 shall be filed on or before the 15th day of the month preceding the month for which authorization for use or delivery is requested.

Number of copies. Five copies shall be prepared, of which one with columns 11 through 23 inclusive blank shall be forwarded to supplier, and three certified completely filled out copies shall be forwarded to the War Production Board, Chemicals Division, Washington, D. C., Ref: M–203. Only four copies need be prepared when supplier is "Own stocks".

Number of sets. A separate set of applications shall be made for each supplier from whom delivery is requested and separate sets shall also be made for each different phthalate plasticizer sought. It shall not be necessary, however, to make a separate application for use from own stock where application is also made for delivery from a supplier.

Heading. In the heading, under name of chemical, specify the phthalate plasticizer (one only); under War Production Board Order, specify M–203; under the name of company, specify name and mailing address; specify delivery destination, supplier and shipping point; and under unit of measure, specify pounds.

Table I. Specify the month and year for which authorization for use or acceptance of delivery is sought.

Column 1. Leave blank.

Column 3. Specify primary product in terms of the following:

Adhesives
Airplane dope
Artificial leather
Cellophane
Cellulose acetate plastics
Cellulose acetate-butyrate plastics
Chemical resistant coatings
Denatured alcohol
Electric wire or cable
Electric insulation other than wire or cable
Ethyl cellulose plastics
Inks
Lacquers and enamels
Laminated glass
Linoleum
Motor fuel additives
Nitrocellulose plastics
Oil additives
Paper coatings
Photographic films
Rubber—natural
Rubber—synthetic
Synthetic yarns and textiles
Textile coatings
Vinyl acetate and acetal plastics
Miscellaneous (identify)
Resale (in original form)
Export (in original form)
*Inventory (in original form)

Column 4. In Column 4 describe the use or end product. For example, textile coatings should be further described as window shade cloth, Army raincoats, Army airplane paulins, etc., and lacquers should be further described as aircraft, furniture, etc. In addition, where the product listed in Column 3 is to be produced for direct war use as defined in the next paragraph, the applicant shall so specify, and shall also specify the particular Government department or agency if such department or agency is purchasing directly from the applicant.

Direct war use. "Direct war use", for the purpose of applications under this order, means any use where the phthalate plasticizers or products made therefrom are to be delivered to, or incorporated into material to be delivered to, the United States Army, Navy, Coast Guard, Maritime Commission, War Shipping Administration, Panama Canal, Coast and Geodetic Survey, Civil Aeronautics Authority, National Advisory Committee for Aeronautics, or Office of Scientific Research and Development, or the government of any country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or the government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies, and Protectorates, and Yugoslavia.

Columns 5, 6, 7, 8, 9, and 10. Leave blank, except for remarks, if any, in Column 10.

Tables II and III. Fill in as indicated, with reference to the one phthalate plasticizer specified in the heading of the form. Leave Columns 11 and 19 blank. In Table II report total inventory irrespective of whether or not received on allocation.

Table IV. Leave blank.

(2) Each producer and distributor seeking authorization to make delivery of phthalate plasticizers during any calendar month shall file application on Form PD–601 in the manner prescribed therein, subject to the following instructions for the purpose of this order:

Form PD–601. Copies of Form PD–601 may be obtained at local field offices of the War Production Board.

Time. Application on Form PD–601 shall be filed on or before the 22nd day of the month preceding the month for which authorization to make delivery is requested.

Number of copies. Prepare 4 copies and forward 3 certified copies to the War Production Board, Chemicals Division, Washington, D. C., Ref: M–203.

Number of sets. Separate sets of forms shall be filed for each phthalate plasticizer requested.

Suppliers who are customers. Suppliers who have filed applications on Form PD–600 specifying themselves as suppliers, shall list their own names as customers on Form PD–601 and shall list their request for allocation in the manner prescribed for other customers.

Heading. In the heading, under name of chemical, specify the phthalate plasticizer (one only); under WPB order number, specify M–203; under name of company, specify name and mailing address; give address of plant or warehouse; check whether producer or distributor; under unit of measure, specify pounds; and state the month and year during which deliveries covered by the application are to be made.

Columns 1, 2, 3 and 4. Fill in Columns 1, 2 and 4 as indicated and leave Column 3 blank.

Column 5. Specify proposed deliveries delivery dates, and shipping container.

Columns 6 and 7. Column 6 must be left blank and Column 7 may be left blank.

Small orders. No statement need be made with respect to deliveries which may be made during the next month pursuant to paragraph (c) (1) of this order.

Table II. Fill in as indicated with reference to the one phthalate plasticizer specified in the heading of the form. Leave Column 8 blank.

Extra sheets. If it is necessary to use more than one set of sheets to list customers, number each set of sheets in order and show grand totals for all sheets on the last set of sheets, which should have Table II filled out and are the only ones that need be certified.

(3) Application for authorization under this order may be made in any manner by the United States Army, Navy, Maritime Commission, or War Shipping Administration.

(4) The Director General for Operations may require each person affected by this order to file such other reports as may be prescribed, and may issue special directions to any such person with respect to preparing and filing Forms PD–600 and PD–601.

(e) *Notification of customers.* Each producer and distributor shall notify his regular customers as soon as possible of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(f) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of the War Production Board priorities regulations, as amended from time to time, except Priorities Regulation No. 13, which shall be subject to this order where inconsistent herewith.

(2) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of phthalate plasticizers shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C., Ref: M–203.

Issued this 6th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F R Doc. 43–1996; Filed, February 6, 1943; 11:41 a. m.]

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*Inventory. Phthalate plasticizer allocated for inventory shall not be used for any purpose except as specially directed by the Director General for Operations, or except to fill orders for authorized uses, pending arrival of the phthalate plasticizers allocated to fill such orders. Upon such arrival, the allocated inventory shall be restored.

PART 3092—STEATITE TALC

[Conservation Order M–239 as Amended Feb. 6, 1943.]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of steatite talc for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3092.1 *Conservation Order M–239*—(a) *Definitions.* For the purposes of this order:

(1) "Steatite talc" means naturally occurring magnesium silicate, both crude and beneficiated, suitable for use in the manufacture of electrical insulators and containing not to exceed one and one-half per cent (1½%) lime (CaO), not to exceed one and one-half per cent (1½%) ferric oxide (Fe_2O_3), and not to exceed four per cent (4%) alumina (Al_2O_3).

(2) "Permitted use" means a use in the manufacture of a product or in a process appearing upon List A hereto attached.

(3) "Producer" means a person who mines, mills, treats, or classifies steatite talc or otherwise prepares or beneficiates steatite talc for use by consumers.

(4) "Supplier" means a person who imports steatite talc into the United States or who offers steatite talc for sale to consumers. A producer may also be a supplier.

(5) "Consumer" means a person who uses steatite talc by incorporating it physically in a product he manufactures or who uses or consumes steatite talc in any other commercial or laboratory process.

(6) "Inventory" of a person includes the inventory of affiliates and subsidiaries of such person, and the inventory of others where such inventory is under the control of, or under common control with, or available for the use of such person.

(7) "Minimum practicable working inventory" means a six months' supply.

(b) *Restrictions on use of steatite talc.* (1) Between October 13, 1942, and November 15, 1942, no consumer shall use or consume steatite talc, except for permitted uses, in excess of 50 per cent of the average monthly weight of steatite talc used or consumed by him during the year 1941 for other than permitted uses; and, during such period, except for permitted uses, no consumer shall put into process any steatite talc in the manufacture of any product, or commence any process in which steatite talc is used or consumed, unless the product or the process will be completed by November 15, 1942.

(2) After November 15, 1942, no consumer shall use or consume any steatite talc except for permitted uses.

(c) *Restrictions on sales or deliveries of steatite talc.* No person after October 13, 1942, shall sell or deliver (including a delivery under toll agreement) steatite talc to any person if he knows or has reason to believe such material is to be received or used in violation of the terms of this order.

(d) *Limitations of inventories.* No person, other than a producer, shall accumulate an inventory of steatite talc in the form of raw materials, semi-processed materials, finished parts, or sub-assemblies in quantities in excess of a minimum practicable working inventory, taking into consideration the limitations placed upon the uses of steatite talc by this order. Any person, other than a producer, who has an inventory in excess of a minimum practicable working inventory is prohibited from receiving any additional steatite talc until his inventory thereof has been reduced below a minimum practicable working inventory.

(e) *Production of steatite talc.* Each producer shall conduct his operations so as to produce the largest possible amounts of steatite talc in relation to the amounts of other grades of talc produced by him. The mines, mills, and plants of all producers shall be open for inspection at all reasonable times by agents or representatives of the War Production Board.

(f) *Reports.* On or before the 10th day of each month, each producer shall file with the War Production Board, in duplicate, Form PD–678 and each supplier shall file with the War Production Board, in duplicate, Form PD–679. All persons affected by this order shall file such other reports as may be requested from time to time by the Director General for Operations.

(g) *Miscellaneous provisions*—(1) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of steatite talc conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board by letter or other written communication, in triplicate, setting forth the pertinent facts and the reasons he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(2) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply to the use of steatite talc in all items hereafter manufactured irrespective of whether such items are manufactured pursuant to a contract made prior or subsequent to the effective date hereof. Insofar as any other order of the Director General for Operations may have the effect of limiting or curtailing to a greater extent than herein provided, the use of steatite talc in the production of any item, the limitations of such other order shall be observed.

(3) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Miscellaneous Minerals Division, Washington, D. C. Ref.: M–239.

(5) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 6th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

LIST A—PERMITTED USES OF STEATITE TALC

1. Steatite insulators for use in communications, radio, radar, and underwater sound instruments.

2. Spark plugs being produced or purchased under specific contract, subcontract, or purchase order for delivery to or for the account of the Army, the Navy, or the Coast Guard of the United States, the United States Maritime Commission, the War Shipping Administration, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, or any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or being produced in accordance with Limitation Order L–158.

3. Filtering of foods, flavoring extracts, and medicines.

4. Medicinal preparations and health supplies, not including talcum powder or cosmetic preparations.

5. Steatite porcelain products used for electrical and heat insulating purposes. This item shall not be deemed to include refractories.

6. Electric light bulbs.

7. Educational, testing, experimentation, and research uses by scientific laboratories.

[F R Doc 43–1998; Filed, February 6, 1943; 11:41 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg 4]

SALES OF CONTROLLED MATERIALS BY WAREHOUSES AND DISTRIBUTORS

§ 3175.4 *CMP Regulation 4*—(a) *Purpose and scope.* The purpose of this regulation is to specify the procedure to be followed by warehouses and distributors in marketing controlled materials under the Controlled Materials Plan after March 31, 1943. This regulation does not provide the means by which such persons obtain controlled materials, which will be governed by other regulations or orders.

Steel

(b) *Definitions with respect to steel.* The following definitions shall apply for the purpose of this regulation and for the purpose of any other CMP regulation unless otherwise indicated:

(1) "Steel" means steel—both carbon (including wrought iron) and alloy—in any of the forms and shapes constituting a controlled material as defined in CMP Regulation No. 1.

(2) "Distributor" means any person (including a warehouse, jobber, dealer or retailer) who is engaged in the business of receiving steel for sale or resale and who does not process the material so sold otherwise than by performing such operations as cutting to length, shearing to size, torch cutting or burning to shape, sorting and grading, or pipe threading; but a person who, in connection with any sale, forms, bends, punches or performs any fabricating operation designed to prepare steel for final use or assembly shall not be deemed a distributor with respect to such sale.

(c) *Deliveries of steel by distributors on authorized controlled material orders.* (1) Subject to the provisions of paragraph (d) of this regulation, no distributor shall deliver any steel from stock after March 31, 1943, except to fill authorized controlled material orders.

(2) Each distributor shall, to the extent of his available stocks, fill authorized controlled material orders, after March 31, 1943, subject to the following:

(i) A distributor shall reject any authorized controlled material order calling for delivery at any one time, to any one person, at any one destination, of 40,000 pounds, or more, of steel unless such order includes 10 or more individual items—each item to be of a different specified analysis, length and cross-section, and no item of which shall weigh more than 8,000 pounds—or unless all items covered by the order consist of oil country tubing, oil country casing, or oil country drill pipe;

(ii) A distributor who is of the opinion that the filling of any authorized controlled material order calling for delivery of steel would deplete his stocks to a point where his function in the distribution of controlled materials would be seriously impaired, may apply to the War Production Board for authority to reject such order and may delay filling the same until such application is acted upon. The War Production Board may authorize rejection of the order or direct that it be filled, in whole or in part, or take other appropriate action.

(d) *Deliveries of steel by distributors on other orders.* After March 31, 1943, a distributor may fill delivery orders for steel other than authorized controlled material orders, as follows:

(1) Orders in amounts of $10 or less;

(2) Orders bearing preference ratings of AA-5 or higher on which delivery is made prior to July 1, 1943;

(3) Orders calling for delivery of carbon steel which are authorized under Food Production Order 3 of the United States Department of Agriculture;

(4) Orders calling for delivery of not more than the following amounts to the same customer, at the same destination, during any calendar quarter:

[Quantities in pounds per quarter]

	Carbon (including wrought iron)	Alloy (other than stainless)	Stainless
Structural shapes and piling	8,000	2,000	300
Plates	8,000	2,000	300
Hot rolled bars, including concrete reinforcing bars	6,000	2,000	300
Cold finish bars	4,000	2,000	300
Tool steel, including drill rod	[1] 100	300	
High carbon spring steel	100		
Tool steel bars	[1] 100		300
Mechanical tubing	[1] 100		300
Pressure tubing	12,000		
Sheets and strip, hot rolled	6,000		
Sheets and strip, cold reduced	6,000		300
Sheets and strip, galvanized	6,000		
Sheets and strip, all other, including black plate	6,000		
Pipe	4,000		
Wire and wire products	4,000		100
Tin and terneplate	2,000		

[1] Feet.

Provided, however, That each order placed under this subparagraph (4) shall be accompanied by a certificate, signed manually, or as provided in Priorities Regulation No. 7, in substantially the following form:

The undersigned hereby certifies to the distributor with whom this order is placed and to the War Production Board, subject to the criminal penalties provided in section 35 (A) of the United States Crimina' Code, that receipt of the steel covered by this order, together with all other steel received by, or on order for delivery to, the undersigned, from all sources, during the same quarter, will not exceed the limits specified in paragraph (d) (4) of CMP Regulation No. 4.

A distributor shall be entitled to rely on such certificate unless he knows or has reason to believe it to be false.

(5) No person who obtains any steel pursuant to subparagraph (4) of this paragraph (d) shall obtain steel from any sources in the same calendar quarter in amounts aggregating more than the amounts therein specified.

Copper

(e) *Definitions with respect to copper.* The following definitions shall apply for the purpose of this regulation and for the purpose of any other CMP regulation unless otherwise indicated:

(1) "Brass mill product" means sheet, wire, rod or tube made from copper or copper base alloy.

(2) "Wire mill product" means bare or insulated wire or cable for electrical conduction made from copper or copper base alloy.

(3) "Warehouse" means any industrial supplier, mill supplier, plumbing supply house, or other person engaged in the business of distributing brass mill products or wire mill products to industry or trade.

(f) *Delivery of brass mill or wire mill products from warehouse stocks.* (1) A warehouse may fill an authorized controlled material order, or an order bearing a preference rating of AA-5 or higher for brass mill or wire mill products, from his stocks, provided that,

(i) Such order does not require delivery of more than 500 pounds (copper or alloy weight) of any item to any one destination, at any one time; and

(ii) Such order is accompanied by a certificate, signed manually or as provided in Priorities Regulation No. 7, in substantially the following form:

The undersigned hereby certifies to the warehouse with whom this order is placed and to the War Production Board, subject to the criminal penalties provided in section 35 (A) of the United States Criminal Code, that the amount of each item of brass mill or wire mill products covered by this order, together with all other amounts of such item received by, or on order for delivery to the undersigned, at any one destination from warehouse stock during the same month, does not exceed 2,000 pounds, and that such items will not be used by the undersigned for any purpose in violation of any order of the War Production Board.

A warehouse shall be entitled to rely on such certificate unless he knows or has reason to believe it to be false.

(2) No person who obtains any item of brass mill or wire mill products pursuant to this paragraph (f) shall accept deliveries of the same item at any one destination aggregating more than 2,000 pounds, during any one calendar month, from warehouse stocks.

(3) No warehouse shall deliver any brass mill or wire mill products from stock after February 15, 1943, except as provided in subparagraph (1) of this paragraph (f), nor shall any warehouse make any delivery if he has knowledge or reason to know that acceptance thereof would constitute a violation of subparagraph (2) of this paragraph (f).

Aluminum

(g) *Definitions with respect to aluminum.* The following definitions shall apply for the purpose of this regulation and for the purpose of any other CMP Regulation unless otherwise indicated:

(1) "Aluminum" means aluminum in any of the forms and shapes constituting controlled material as defined in CMP Regulation No. 1.

(2) "Distributor" means any person who is specifically authorized by the War Production Board to engage in the business of receiving aluminum for sale or resale.

(h) *Deliveries of aluminum by distributors on authorized controlled material orders.* (1) Each distributor shall, to the extent of his available stocks, fill authorized controlled material orders, except that a distributor shall reject any authorized controlled material order calling for delivery at any one time, to any one person, at any one destination, of more than 500 pounds of any gage, alloy and size of aluminum sheet, or more than 300 pounds of any alloy, shape and size of aluminum wire, rod or bar, or more than 200 pounds of any alloy, size and shape of aluminum tubing, extrusions or structural shapes: *Provided, however,* That any distributor shall be entitled to fill an authorized controlled material order calling for delivery at any one time, to any one person, at any one destination, of 2,000 pounds or less of any gage, alloy and size of aluminum sheet, 1,000 pounds or less of any gage, alloy and size of aluminum wire, rod or bar, or 500 pounds or less of any alloy, size and shape of aluminum tubing, extrusions or structural shapes, if such distributor shall first have requested the mill supplying him to fill such order and such mill shall have advised such distributor to fill the same from his stock. Such request and advice may be made verbally but shall be confirmed in writing.

(2) A distributor may fill orders other than authorized controlled material orders, calling for delivery of aluminum required for essential maintenance, repair or operating supplies, in the amount, and subject to the limitations, provided in paragraph (c) (2) of CMP Regulation No. 5.

General Provisions Applicable to Steel, Brass Mill Products, Wire Mill Products and Aluminum

(i) *Directions to distributors and warehouses.* Each distributor and warehouse shall comply with such directions as may be issued from time to time by the War Production Board with respect to making or withholding deliveries of steel, brass mill products, wire mill products or aluminum, and with respect to the earmarking of stocks of such material.

(j) *Placement of authorized controlled material orders.* A delivery order for steel brass mill products, wire mill products or aluminum, shall be deemed an authorized controlled material order, if but only if

(1) It is specifically designated as an authorized controlled material order by any regulation or order of the War Production Board; or

(2) It is endorsed with the appropriate allotment number and is accompanied by three copies of Form CMP-6 in the case of brass mill products or wire mill products, or two copies of such form in the case of aluminum. A delivery order for steel shall be endorsed with the appropriate allotment number but need not be accompanied by Form CMP-6.

(k) *Verbal delivery orders.* Any delivery order requiring shipment within seven days may be placed verbally or by telephone by stating to the distributor or warehouse the substance of the information required by this regulation, *Provided,* That the person placing the order furnishes to the distributor or warehouse, within seven days after placing the same, written confirmation of the order complying with the requirements of this regulation. In case of failure to receive written confirmation within seven days, the distributor or warehouse shall not accept any other order from, or deliver any additional material of any kind to, the purchaser until such written confirmation is furnished. On or before the 15th day of each month any distributor or warehouse who has received in the prior month a delivery order by telephone, shall notify the War Production Board, Compliance Division, of any case in which a purchaser has failed to furnish to him the written confirmation when due.

(l) *Special provisions with respect to AAA orders.* Notwithstanding the foregoing provisions of this regulation, an authorized controlled material order placed with a distributor or warehouse bearing a rating of AAA shall be filled in preference to any other authorized controlled material orders regardless of time of receipt.

(m) *Communications.* All communications concerning this regulation should be addressed to the War Production Board, Washington, D. C., Ref: CMP Regulation No. 4 (specify whether steel, copper or aluminum).

Issued this 6th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1997; Filed, February 6, 1943; 11:41 a. m.]

PART 903—DELEGATION OF AUTHORITY

[Supplementary Directive 1-T]

§ 903.25 *Further delegation of authority to the Office of Price Administration with reference to the rationing of shoes.* (a) In order to permit the efficient rationing of shoes, the authority delegated to the Office of Price Administration in § 903.1, Directive No. 1, is hereby extended to include the exercise of rationing control over the sale, transfer, delivery, or other disposition of shoes by any person to any other person and over the acquisition, use or distribution of shoes by any person; *Provided,* That such authority shall not include the power to limit the quantities or use of shoes obtainable by the agencies specified in subparagraph (1) of paragraph (a) of said Directive No. 1 or by any agency of the United States for export to and use in a foreign country.

(b) The authority of the Office of Price Administration under this supplementary directive shall include the power to prohibit the sale, transfer, delivery, or other disposition of shoes to, or acquisition or use of shoes by, any person who has acted in violation of any rationing regulation or order prescribed by the Office of Price Administration.

(c) As used in this supplementary directive, the term "shoes" means all footwear made in whole or in part of leather or with rubber soles, except rubber footwear as defined in § 903.16, Supplementary Directive 1-N.

(d) The War Production Board from time to time will advise the Office of Price Administration as to the quantities of shoes available for rationing and may specify the quantities of shoes which shall be released to consumers from time to time by the Office of Price Administration under this Supplementary Directive.

(e) This suplementary directive shall become effective February 7, 1943.

Issued this 8th day of February, 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2038; Filed February 8, 1943; 11:11 a. m.]

PART 1085—MAINTENANCE AND OPERATION OF PLANTS CANNING OR PROCESSING FRUITS, VEGETABLES OR FISH

[Preference Rating Order P-115, as Amended Feb. 8, 1943]

Section 1085.1 *Preference Rating Order P-115* is hereby amended to read as follows:

§ 1085.1 *Preference Rating Order P-115*—(a) *Definitions.* For the purposes of this order:

(1) "Producer" means any person located in the United States, its territories and possessions, engaged in the business of canning or otherwise processing fruits, vegetables, or fish, or any person, located in the Dominion of Canada, to whom and in whose name a copy of this order is specifically issued.

(2) "Canning" means the preparation of fruits, vegetables, or fish for market by packing such fruits, vegetables, or fish (either alone or in combination with other commodities) in hermetically sealed containers and sterilizing by the use of heat and includes all operations required for or usually incidental to such preparation.

(3) "Processing" means the primary preparation of fruits, vegetables or fish for market by freezing, dehydration, and fresh packing in a processing plant.

(4) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind, used in the canning or processing of fruits, vegetables or fish, but does not include any planting or harvesting equipment, fishing vessels, or fishing equipment, or office or transportation equipment, or material for the replacement of the structural or exterior parts of any building.

(5) "Maintenance" means minimum upkeep necessary to enable the producer's existing plant and equipment to be used at its maximum rate of operation permissible under Conservation Order M-81 (To Conserve the Supply and Direct the Distribution of Tin Plate and Terne Plate) and other like orders.

(6) "Repair" means restoration of a producer's machinery, plant or equipment to sound working condition after physical depreciation, wear and tear, damage, destruction of parts or the like have impaired its fitness for service but not to an extent involving major reconstruction.

(7) "Material required for operation" means operating supplies including strapping and stitching wire when use thereof is permitted by Conservation Order M–261, but not including metal containers and closures, fuel, and office supplies.

(8) "Replacement" means substitution of new machinery or equipment for existing machinery or equipment, when not constituting repair.

(9) "Material required for more efficient operation" means material necessary for the most effective use of machinery in existing production lines, material necessary for the conversion of a producer's facilities so as to permit the use by him of containers fabricated of less critical materials, and material required to adapt such lines to the requirements of Order M–81, as amended from time to time, and other orders restricting permitted uses of containers and closures.

(10) "Supplier" means any person with whom a contract or purchase order has been placed for delivery of material to a producer or to another supplier.

(11) "Fish" includes shellfish.

(b) *Assignment of preference ratings.* Preference ratings are hereby assigned, subject to the restrictions and conditions of paragraphs (c) and (d) hereof:

(1) AA–1 to deliveries, to a producer, of material required for repair and maintenance.

(2) AA–2X to deliveries, to a producer of material required for operation.

(3) AA–3 to deliveries, to a producer, of material required for replacement, or for more efficient operation, excluding, however, any deliveries:

(i) For the construction of new buildings, or the establishment of new plants.

(ii) For the establishment of new production lines

(iii) For any other purpose that, in the opinion of the Director General for Operations at the time application is made, as provided in paragraph (d) (2) below, is not in the public interest, does not promote the national defense, or is in conflict with the policy of Conservation Order M–81 (To Conserve the Supply and Direct the Distribution of Tin Plate and Terne Plate) or other like orders

(c) *Restrictions on application of ratings by producer.* (1) The producer shall not apply any preference rating assigned by (b) (1) and (b) (2) above, if, in view of the current rate of consumption of his inventory of stores for repair and maintenance or operation, the delivery of the material to be rated would increase his inventory or stores above the amount permitted or provided in paragraph (e) below.

(2) The producer shall not apply any preference rating hereunder unless the material to be delivered cannot be secured when required without such rating.

(3) The producer may apply the rating only to those quantities and kinds of materials necessary to enable him to maintain his canning or processing schedules up to the end of the calendar year 1943.

(4) The producer shall not apply a preference rating hereunder to any order for material to which a lower rating is assigned by Conservation Order M–208 as amended.

(5) The producer shall not apply a preference rating hereunder to obtain material for use in construction, as the term is defined in Conservation Order L–41 as amended, unless he has obtained authority to begin construction in one of the ways prescribed by said order: *Provided*, That material obtained by applying a rating pursuant to this order is not material obtained "without making application for priorities assistance" within the meaning of paragraph (b) (7) of Order L–41.

(d) *Application of preference rating.* (1) A producer or any supplier, in order to apply or extend the preference ratings assigned hereunder shall comply with Priorities Regulation No. 3, as it may be amended from time to time.

(2) If the material is required for replacement or more efficient operation, the producer shall not apply preference rating AA–3, unless he shall have communicated with the Director of Food Distribution, describing the material needed and the nature of the proposed replacement or addition, and shall have received from the Director General for Operations a specific authorization to apply such rating, notwithstanding the fact that he may have previously been authorized to apply a rating of A–3, or A–1–c. Such application for authorization may be made by a written statement on Form PD–285, or, in any emergency, by telegram giving substantially the information called for by said Form PD–285.

(e) *Inventory provisions.* A producer shall not accept deliveries (whether rated hereunder or not) of material for repair and maintenance or operation which will increase the inventory or stores available to the producer for such purposes to an amount greater than the minimum necessary for repair and maintenance and to sustain the current level of operations of the producer, and the ratio of such inventory and stores to current operations shall in no event exceed the ratio of average inventory to average operation for the years 1938, 1939, and 1940.

(f) *Records.* In addition to records required to be kept under Priorities Regulation No. 1, a producer, and each supplier placing or receiving any purchase order or contract rated hereunder, shall each retain, for a period of two years, for inspection by representatives of the Director of Food Distribution, endorsed copies of all such purchase orders or contracts, whether accepted or rejected segregated from all other purchase orders or contracts or filed in such a manner that they can be readily segregated for such inspection.

(g) *Reports.* Each producer who applies a preference rating hereunder shall file such reports as may be required from time to time by the Director of Food Distribution; and until further notice any producer who applies a preference rating hereunder for repair, maintenance or operation shall file with the Director of Food Distribution on or before the 10th day of each month copies of all purchase orders on which such ratings have been applied during the previous month.

(h) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: Director of Food Distribution, Department of Agriculture, Washington, D. C. Ref: P–115.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Revocation or amendment.* This order may be revoked or amended at any time as to any producer or any supplier. In the event of revocation, deliveries already rated pursuant to this order shall be completed in accordance with said rating, unless the rating has been specifically revoked with respect thereto. No additional applications or extensions of the rating to any other deliveries shall thereafter be made by the producer or supplier affected by such revocation.

(k) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

Issued this 8th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–2041; Filed, February 8, 1943; 11: 11 a. m.]

PART 1108—MAINTENANCE AND OPERATION OF PLANTS PROCESSING DAIRY PRODUCTS OR EGGS

[Preference Rating Order P–118, as Amended Feb. 8, 1943]

Section 1108.1, Preference Rating Order P–118, is hereby amended to read as follows:

§ 1108.1 *Preference Rating Order P–118*—(a) *Definitions.* For the purposes of this order:

(1) "Processor" means any person located in the United States, its territories and possessions, engaged in processing dairy products or eggs, or any person located in the Dominion of Canada, to whom and in whose name, a copy of this order is specifically issued.

(2) "Processing dairy products" means the processing operations in connection with any of the following businesses, excluding operations performed at retail outlets in connection with retail sale, or at restaurants or hotels:

(i) Pasteurizing milk.

(ii) Receiving milk from other persons for cooling preparatory to resh.)pment for further processing,

(iii) Producing dairy products, for sale, by processing milk or cream in a plant not located on the farm where the milk was produced or by processing ice cream mix produced in the same plant or in another plant under the same ownership as the processing plant.

(3) "Processing eggs" means the processing operations in connection with any of the following businesses, performed in plants approved by the Food Distribution Administration (or, in Canada, by the Special Products Board of Canada) for purposes of directly or indirectly supplying eggs or egg products to or for that agency or for the armed services:

(i) Candling and grading shell eggs.

(ii) Breaking, packaging, and freezing liquid eggs.

(iii) Dehydrating eggs.

(4) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind used for maintenance repair, operation or replacement in plants processing dairy products or eggs, but shall not include any office or transportation supplies, machinery or equipment, or material for the replacement of the structural or exterior parts of any building.

(5) "Maintenance" means minimum upkeep necessary to enable the processor's existing plant machinery and equipment to be used at its maximum rate of operation permissible under any applicable orders, but shall not include the acquisition of additional machines or equipment.

(6) "Repair" means restoration of a processor's plant, machinery or equipment to sound working condition within a reasonable time after physical depreciation, wear and tear, damage, destruction of parts or the like have impaired its fitness for service but not to an extent involving major reconstruction or the acquisition of capital assets or of motors of 1-horsepower or more.

(7) "Material required for operation" means operating supplies to be consumed in the course of a processor's operations but not to be physically incorporated in the finished products nor used as packaging, containers, fuel, or office supplies.

(8) "Replacement" means substitution of machinery or equipment for worn or damaged existing machinery or equipment which cannot be repaired without major reconstruction; *Provided*, That such substitution is made within a reasonable time after such condition develops; *And provided further*, That the replacement is not of greater productive capacity than the replaced machinery or equipment except to the minimum possible extent when a replacement of equivalent capacity is obsolete, unobtainable, or not obtainable within a reasonable time in relation to the processor's operating needs.

(9) "Supplier" means any person with whom a contract or purchase order has been placed for delivery of material to a processor or to another supplier.

(b) *Assignment of preference ratings.* Preference ratings are hereby assigned, subject to the restrictions and conditions of paragraphs (c) and (d) hereof:

(1) AA–1 to deliveries, to a processor of material required for repair and maintenance.

(2) AA–2X to deliveries, to a processor, of material required for operation.

(3) AA–3 to deliveries, to a processor, of material required for replacement.

(c) *Restrictions on application of ratings by processor.* (1) The processor shall not apply any preference rating assigned by (b) (1) and (b) (2) above if, in view of the current rate of consumption of his inventory or stores for repair and maintenance or operation, the delivery of the material to be rated would increase his inventory or stores above the amount permitted or provided in paragraph (e) below.

(2) The processor shall not apply any preference rating hereunder unless the material to be delivered cannot be secured when required without such rating.

(3) The processor may apply the rating only to those quantities and kinds of materials necessary to enable him to maintain his processing schedules up to the end of the calendar year 1943.

(4) The processor shall not apply any rating hereunder to any order for material to which a lower rating is assigned by Conservation Order M–208, as amended.

(5) The processor shall not apply a preference rating hereunder to obtain material for use in construction, as the term is defined in Conservation Order L–41 as amended, unless he has obtained authority to begin construction in one of the ways prescribed by said order, *Provided*, That material obtained by applying a rating pursuant to this order is not material obtained "without making application for priorities assistance" within the meaning of paragraph (b) (7) of Order L–41.

(d) *Application of preference rating.* (1) A processor or any supplier, in order to apply or extend the preference ratings assigned hereunder shall comply with Priorities Regulation No. 3, as it may be amended from time to time.

(2) If the material is required for replacement, the processor shall not apply preference rating AA–3, unless he shall have communicated with the Director of Food Distribution, describing the material needed and the nature of the proposed replacement, and shall have received from the Director General for Operations a specific authorization to apply such rating, notwithstanding the fact that, prior to November 12, 1942, he may have been authorized to apply a lower rating under this order. Such application for authorization may be made by a written statement on Form PD–414 or, in any emergency, by telegram giving substantially the information called for by said Form PD–414.

(e) *Inventory provisions.* A processor shall not accept deliveries (whether rated hereunder or not) of material for repair and maintenance or operation which will increase the inventory or stores available to the processor for such purposes to an amount greater than the minimum necessary for repair and maintenance and to sustain the current level of operations of the processor, and the ratio of such inventory and stores to current operations shall in no event exceed the ratio of average inventory to average operation for the years 1938, 1939, and 1940.

(f) *Records.* In addition to the records required to be kept under Priorities Regulation 1, a processor placing any purchase order or contract rated hereunder shall retain, for a period of two years, for inspection by representatives of the Director of Food Distribution, endorsed copies of all such purchase orders or contracts, whether accepted or rejected, segregated from all other purchase orders or contracts or filed in such a manner that they can be readily segregated for such inspection.

(g) *Reports.* Each processor who applies a preference rating hereunder shall file such reports as may be required from time to time by the Director of Food Distribution; and until further notice, any processor who applies a preference rating hereunder for repair, maintenance or operation under paragraph (b), shall file with the Director of Food Distribution within 10 days after the end of each quarter Form PD–413.

(h) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: Director of Food Distribution, Department of Agriculture, Washington, D. C. Ref.: P–118.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(j) *Revocation or amendment.* This order may be revoked or amended at any time as to any processor or any supplier. In the event of revocation, deliveries already rated pursuant to this order shall be completed in accordance with said rating, unless the rating has been specifically revoked with respect thereto. No additional applications or extensions of the rating to any other deliveries shall thereafter be made by the processor or supplier affected by such revocation.

(k) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

Issued this 8th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–2042; Filed, February 8, 1943; 11:11 a. m.]

PART 3096—CONSERVATION OF PAPER AND PAPERBOARD

[General Conservation Order M-241-a]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply, for defense, for private account and for export, of various materials and facilities required in the manufacture and distribution of pulp, paper and paperboard; and the following order is deemed necessary in the public interest and to promote the national defense:

§ 3096.2 *General Conservation Order M-241-a*—(a) *Definitions.* For the purpose of this order:

(1) "Converter" means any person engaged in the business of manufacturing from pulp, paper and/or paperboard any of the commodities or articles referred to in paragraph (b).

(b) *Restrictions on consumption of pulp, paper and/or paperboard in the manufacture of certain converted products.* (1) No converter shall during the first calendar quarter of 1943, or any calendar quarter thereafter, consume in the manufacture of any article or class of articles on List A any quantity, in tons, of pulp, paper and/or paperboard greater than the quantity determined by applying the percentage figure on List A opposite the designation of such article or class of articles to either, at the option of the converter:

(i) The quantity, in tons, of pulp, paper and/or paperboard consumed by such converter in the manufacture of such article or class of articles during the corresponding quarter of 1942; or

(ii) One-fourth of the total quantity of pulp, paper and/or paperboard consumed by such converter in the manufacture of such article or class of articles during the entire calendar year of 1942.

(2) From and after February 15, 1943, no converter shall manufacture out of pulp, paper or paperboard any article or class of articles on List B, or, if on February 15, 1943, any such article is partially but not completely manufactured out of pulp, paper or paperboard, complete the manufacture thereof or cut, shape, alter or otherwise put the same into form for final use.

It shall be the duty of each converter to determine in the first instance which, if any, of his products are included among the articles and classes of articles on Lists A and B. In case of doubt he may apply to the Director General for Operations, in writing, describing the product in question, for a specific ruling, by telegram or letter, determining whether or not the same is so included. The Director General for Operations may of his own motion in any case, by telegram or letter, issue a specific ruling determining whether or not a particular product of a particular converter is so included.

(c) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(d) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(e) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(f) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(g) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(h) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(i) *Communications.* All communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Pulp and Paper Division, Washington, D. C. Ref.: M-241-a.

Issued this 8th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

LIST A

NOTE: List A was amended in its entirety.

Articles or class of articles:	Percentages
Chair seat covers	75
Coasters and mats, such as beer mats, and coasters of the type commonly used for households, hotels, taverns, restaurants, etc.	50
Dishes, plates and spoons	90
Doilies, mats (place, table and tray) and tray covers	50
Envelopes	90
Expansion pockets, unprinted	90
Facial tissue	90
File folders, unprinted	90
Fly paper	90
Household rolls (waxed)	90
Index tabs, unprinted	90
Laundry specialties to wit—	
(a) Shirt bands (2" wide or less)	90
(b) Collar Circles	
(c) Collar supports	
Napkins	90
Paper Stationery and papeteries	90
Photo Mounts	75
Ribbon, all types, including package ties and ribbon blocks and cores	90
Salt and pepper shakers	90
Slippers	75
Tablets, notebooks and pads	100
Toilet seat covers	100
Toilet tissue	110
Towels	90
Waxed papers, other than wrappers for breads, rolls, buns, cakes, pastry and doughnuts	90

Articles or class of articles—Con.	Percentages
The following items as a group:	
Friction glazed paper	50
Flint glazed paper	
Metallic coated paper	
Mica coated paper	
Plated papers	
Mat finish papers	

LIST B

NOTE: List B was amended in its entirety.

Articles and classes of articles in the manufacture of which pulp, paper or paperboard may not be used after February 15, 1943.

Aprons.
Ash trays.
Bakers decorative specialties, such as:
(a) Pie collars and rings.
(b) Cake circles.
(c) Cake laces.
(d) Casserole collars.
Bird cage specialties, such as:
(a) Bird cage bottoms.
(b) Bird cage covers and hoods.
(c) Bird cage food holders.
Bouquet holders for displays, corsages, etc.
Card table covers.
Chop holders.
Combs.
Costumes.
Dusters and dusting paper.
Finger bowl liners.
Hanger protectors.
Novelties—holiday, party, advertising and decoration, such as:
(a) Garlands.
(b) Serpentines.
(c) Horns.
(d) Hats.
(e) Table decorations and place cards.
(f) Streamers, including those for window display and decoration.
(g) Flower pot covers.
(h) Costumes.
(i) Decalcomania transfers (for non-commercial use).
(j) Artificial flowers and flower specialties.
(k) Confetti.
(l) Festoons.
(m) Fireworks.
(n) Bouquets.
(o) Skewers.
Poker chips.
Punch boards, pullboards and similar articles.
Shelf and drawer lining—Retail packages.
Shirt protectors and envelopes.
Shirt bands (wider than 2").
Shirt boards.
Shirt displayers.
Tablecloths.
Venetian blinds.
Window drapes.

[F. R. Doc. 43-2340; Filed, February 8, 1943; 11:11 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, as Amended Feb. 8, 1943]

§ 3175.1 *CMP Regulation 1*—(a) *Purpose and scope.* The purpose of this regulation is to define the rights and obligations under the Controlled Materials Plan of persons outside of the Claimant Agencies and the War Production Board. This regulation and other CMP regulations to be issued from time to time implement the "Controlled Materials Plan" which was published by the War Production Board, for informational purposes only, under date of November 2, 1942. In case of any inconsistency between such publication (or any other descriptive literature which may be published from time to time) and any CMP regulation, the provisions of the CMP regulation shall govern. Other CMP regulations contain, or will contain, provisions regarding such matters as inventory restrictions, preference ratings, warehouses, dealers, maintenance, repair and operating supplies, construction and facilities, and reports.

(b) *Definitions.* The following definitions shall apply for the purposes of this regulation and for the purposes of any other CMP regulation unless otherwise indicated:

(1) "Controlled material" means steel—both carbon (including wrought iron) and alloy—copper (including copper base alloys) and aluminum, in each case only in the forms and shapes indicated in Schedule I attached.

(2) "Controlled Materials Division" means the Steel Division, the Copper Division or the Aluminum Division of the War Production Board.

(3) "Industry Division" means the Division, Bureau, or other unit of the War Production Board which is charged with supervision over the operations of a particular industry. The term also includes any other government agency which, by arrangement with the War Production Board may perform similar functions with respect to a particular industry.

(4) "Claimant Agency" means the following government offices and such others as may be designated from time to time. (Identifying symbols are indicated in parentheses.)

NOTE: Following list amended by addition of last item, Feb. 8, 1943.

War Department (W)—except Ordnance which is identified by the symbol (O).
Navy Department (N).
Maritime Commission (M).
Aircraft Resources Control Office (agent for Army Air Forces and Bureau of Aeronautics of United States Navy) (C).
Office of Lend-Lease Administration (L).
Board of Economic Warfare (E).
Office of Civilian Supply (S).
Department of Agriculture (A).
Office of Defense Transportation (T).
Office of Rubber Director (R).
Facilities Bureau of the War Production Board (F).
Petroleum Administration for War (P).
National Housing Agency (H).
Office of War Utilities Director (U).

The symbol (D) will be used in lieu of Claimant Agency symbols to identify certain programs covering items destined for the Dominion of Canada.

(5) "Allotment" means (i) a determination by the Requirements Committee of the War Production Board of the amount of controlled materials which a Claimant Agency may receive during a specified period, or (ii) a further determination pursuant thereto by a Claimant Agency, Industry Division, prime consumer or secondary consumer, as to the portion of its allotment of controlled materials which may be received by one of its prime consumers or secondary consumers, as the case may be.

(6) "Prime consumer" means any person who receives an allotment of controlled material from a Claimant Agency or an Industry Division.

(7) "Secondary consumer" means any person who receives an allotment of controlled material from a prime consumer or another secondary consumer.

(8) "Class A product" means any product which is not a Class B product (as defined in subparagraph (9) below), and which contains any steel, copper or aluminum, fabricated or assembled beyond the forms and shapes specified in Schedule I, other than such steel, copper or aluminum as may be contained in Class B products incorporated in it as parts or sub-assemblies.

(9) "Class B product" means any product listed in the "Official CMP Class B Product List" issued by the War Production Board, as the same may be modified from time to time, which contains any steel, copper or aluminum, fabricated or assembled beyond the forms and shapes specified in Schedule I, other than such as may be contained in other Class B products incorporated in it as parts or sub-assemblies.

(10) "Program" means a plan specifying the total amount of an item or class of items to be provided in a specified period of time.

(11) "Authorized program" means a program specifically authorized by the Requirements Committee or by a Claimant Agency or Industry Division within the limits of its allotment.

(12) "Production schedule" means a plan specifying the total amount of an item or class of items to be produced by an individual consumer in a specified period of time.

(13) "Authorized production schedule" means a production schedule specifically authorized within the limits of an authorized program by a Claimant Agency or by an Industry Division with respect to a prime consumer, or specifically authorized by a prime or secondary consumer with respect to a secondary consumer producing products for it as required to meet an authorized production schedule.

(14) "Delivery order" means any purchase order, contract, release or shipping instruction which constitutes a definite and complete instruction from a purchaser to a seller calling for delivery of any material or product. The term does not include any contract, purchase order, or other arrangement which, although specifying the total amount to be delivered, contemplates that further instructions are to be given.

(15) "Authorized controlled material order" means any delivery order for any controlled material as such (as distinct from a product containing controlled material) which is placed pursuant to an allotment as provided in paragraph(s) of this regulation or which is specifically designated to be such an order by any regulation or order of the War Production Board.

NOTE: Paragraphs (c) (1), (c) (2), and (c) (3) amended by deleting the words "each month of".

(c) *General allotment procedure*—(1) *Allotments by Requirements Committee to Claimant Agencies.* The Requirements Committee of the War Production Board will distribute the available supply of controlled materials by making allotments to the Claimant Agencies or Industry Divisions for each quarter, designating the amount of each form of controlled material available, during the quarter, to each Claimant Agency or Industry Division for allotment to its prime and secondary consumers.

(2) *Allotments by Claimant Agencies to prime consumers producing Class A products.* Each Claimant Agency will distribute the allotments received by it by making further allotments to the prime consumers who produce Class A products for it. Such allotments will designate the amount of each form of controlled material available to each such prime consumer, during the quarter, for use by it or allotment to the secondary consumers producing Class A products as parts or sub-assemblies for it. A prime consumer producing Class A products for several Claimant Agencies shall obtain separate allotments from each. A Claimant Agency, may, in particular cases, make allotments through an Industry Division.

(3) *Allotments by Industry Divisions to producers of Class B products.* Unless otherwise specifically directed, allotments to producers of Class B products will be made only by Industry Divisions, both in the case of Class B products which are end-products and in the case of Class B products which are incorporated in other products whether Class A or Class B. Allotments made by the Requirements Committee may be made available to the Industry Divisions for this purpose by the Claimant Agencies. Each Industry Division will make allotments to the prime consumers producing Class B products under its jurisdiction. Such allotments will designate the amount of each form of controlled material available to each such prime consumer, during the quarter, for use by it or allotment to secondary consumers producing Class A products for it. A manufacturer of several Class B products coming under the jurisdiction of different Industry Divisions shall obtain separate allotments from each. A consumer producing Class B products is always a prime consumer with respect to such production.

(4) *Allotments by prime and secondary consumers.* Each prime consumer receiving an allotment may use that portion of the allotment which he requires to obtain controlled materials as such for his authorized production schedule, and shall allot the remainder to his secondary consumers producing Class A products for him, to cover their requirements for controlled materials. Allotments by secondary consumers to secondary consumers supplying them may be made in the same fashion. A secondary consumer producing Class A products for several other consumers shall obtain separate allotments from each.

(5) *Advance allotments.* Advance allotments by Claimant Agencies or Industry Divisions to prime consumers may be made within specified limits before receipt of allotments from the Requirements Committee in order to assure fulfillment of long term programs and schedules. Prime consumers receiving such advance allotments may, in turn, make allotments to their secondary consumers, and secondary consumers may

make further allotments, in the same manner as in the case of ordinary allotments, but no consumer shall make any allotment in advance of receiving his own allotment.

(6) *Allotment numbers.* (i) Allotments to prime consumers shall be identified by allotment numbers consisting of a Claimant Agency letter symbol and nine digits. The Claimant Agency symbol is indicated after the name of each Agency in paragraph (b) (4) of this regulation. The first four digits identify the authorized program of the Claimant Agency. The next three digits identify the authorized production schedule of the prime consumer. The last two digits indicate the quarter for which the allotment is valid, instead of indicating the month as originally provided prior to amendment of this regulation. The numerical identification of months, as previously prescribed, is retained; months are numbered consecutively beginning with January 1942 (not 1943). Each quarter will be identified by the first month in the quarter. Thus, 16 will denote the second quarter of 1943, 19 will denote the third quarter, etc. However, if an allotment is made under the monthly system prescribed prior to amendment of this regulation, and bears the number of the second or third month in a quarter, it will nevertheless represent the entire quarter. Thus, 16, 17 or 18 will denote the second quarter of 1943, and 19, 20, or 21 will denote the third quarter of 1943. Orders placed by consumers with controlled materials producers (as distinct from allotments to consumers) are to be identified by month number instead of quarterly number, as provided in paragraph (s) (3).

(ii) Allotments to secondary consumers shall be identified by an abbreviated allotment number consisting only of a major program identification and the quarterly identification number. The major program identification shall consist of the Claimant Agency letter symbol followed by the first digit only of the program number (omitting the last three digits of the program number and the entire schedule number). For example, in the case of an allotment to a prime consumer, designated W-2345-687-16, the allotment to a secondary consumer will be simply W-2-16 denoting an allotment for major program number 2 of the War Department for delivery of controlled materials in the second quarter of 1943.

(d) *Bills of materials, applications for allotments and other information serving as basis for allotments.* (1) The basis for an allotment to a consumer shall be his actual requirements for controlled materials in connection with the fulfillment of an authorized production schedule. The production schedule shall be authorized as provided in paragraph (n) of this regulation. Information as to requirements shall be in the form of a bill of materials, an application for allotment and or other information as provided below in this paragraph (d).

(2) A bill of materials shows the amounts of controlled materials required by a consumer and his secondary consumers, irrespective of time of delivery and inventory, for production of one unit or a specified number of units of his product. Bills of materials shall be prepared in the manner specified in "General Instructions on Bills of Materials," on forms CMP-1, CMP-2 and CMP-3 or on such other forms as may be prescribed. No consumer shall be required to furnish a bill of materials on any form which is not officially prescribed (as indicated by a Bureau of Budget number), but in cases where another form is in use which gives the same information as the official form, the Claimant Agency, Industry Division or consumer to whom a bill of materials is to be furnished may accept it on such other form.

(3) An application for allotment shows the aggregate amount of each form of controlled material required (after taking inventories into account to the extent required by CMP Regulation No. 2) by a consumer and his secondary consumers during each month of a quarter for his entire production of a specified product or class of products for the same customer, in the case of Class A products, or for all customers (unless otherwise directed) in the case of Class B products. Applications are to be made by manufacturers of Class A products on Form CMP-4A as issued by the appropriate Claimant Agency, and by manufacturers of Class B products on Form CMP-4B as issued by the War Production Board, or on such other forms as may be prescribed. Although allotments are to be made by quarters instead of months, applications for allotments shall show monthly requirements where required by the application forms, so that information as to over-all requirements may be compiled on a monthly basis by the Claimant Agencies and the Controlled Materials Divisions.

(4) A bill of materials or application for allotment shall *not* include controlled materials required for manufacture of Class B products which will be incorporated in the product with respect to which the bill of material or application is submitted, although information as to the number or value of such Class B products is to be given in bills of materials to the extent required by the instructions.

(5) Requirements for maintenance, repair or operating supplies shall *not* be included in bills of materials or applications for allotment. Requirements for such purposes are to be obtained separately as provided in CMP Regulation No. 5.

(6) Bills of materials and applications for allotments shall be filed with the Claimant Agency, Industry Division or other consumer by whom the allotment is to be made, as indicated in paragraph (c) of this regulation. Bills of materials shall be filed only when and as called for by such Claimant Agency, Industry Division or other consumer. Manufacturers of Class A products shall file applications for allotments only when and as called for by the Claimant Agency or other consumer for whom they make their products. Manufacturers of Class B products who will require controlled materials from controlled material producers during the second quarter of 1943 (or whose secondary consumers will require the same) must file applications for allotments on Form CMP-4B not later than February 9, 1943, or by such other date as may be designated or approved by the appropriate Industry Division (or in special cases by a Claimant Agency). Those manufacturers of Class B products who will obtain their requirements of controlled materials for the second quarter of 1943 entirely from warehouses or retailers, and whose secondary consumers will do the same need not file any applications for allotments. Procedures for obtaining controlled materials from warehouses or retailers and limitations on the amount which may be obtained will be provided in CMP Regulation No. 4. Manufacturers of Class A products who sell them for use as maintenance, repair or operating supplies, or deliver them to distributors, shall obtain special allotments on Form CMP-4B as provided in paragraph (k-1) of this regulation.

(7) Each person making an allotment may require such other information in lieu of, or in addition to, a bill of materials or application for allotment as is required to enable him to make the allotment requested or to furnish any bill of materials, application for allotment or other information that may be required of him. If the consumer from whom such other information is requested is of the opinion that compliance with such request would be unreasonably burdensome he may appeal for relief as provided in paragraph (z) of this regulation.

(8) Any consumer making an allotment may waive the furnishing of a bill of materials or application for allotment, or both, if he has other information as to actual requirements of his secondary consumers (taking into account the inventory restrictions of CMP Regulation No. 2) which is sufficiently accurate and detailed to enable him to make the allotment and to furnish any bill of materials, application for allotment or other information that may be required of him.

(e) *Responsibility for statements of requirements, including those of secondary consumers; duty to correct overstatements.* (1) The furnishing of any bill of materials, application for allotment or other information as to requirements by a consumer, shall constitute a representation by him to the person to whom it is furnished, to the appropriate Claimant Agency and to the War Production Board, that the statements contained therein are complete and accurate, to the best of his knowledge and belief, not only with respect to such consumer's own requirements but also with respect to those of his secondary consumers.

(2) Any person who ascertains that he has substantially overstated (whether by inadvertence or otherwise) his requirements, or those of his secondary consumers, for any form of controlled material, shall immediately report such error to the person to whom the statement of requirements was furnished. If he has already received an allotment based on such overstatement, he shall immediately cancel or reduce the same (or an equivalent amount of other allotments received for the same authorized production schedule) to the extent of such excess, and report such cancellation or reduction to the person from whom the allotment was received; or, if he is unable for any reason to make such cancellation, he shall immediately make a full report to the person from whom he received the allotment, and shall send a copy of such report to the appropriate Claimant Agency or Industry Division, if the allotment was received from another consumer.

(3) If any consumer receives any statement of requirements which he knows or has reason to believe to be substantially excessive (whether by inadvertence or otherwise), he shall withhold any allotment based thereon (either entirely or in an amount sufficient to correct the maximum excess) until satisfied that the statement is not excessive or that it has been appropriately modified. If unable to obtain sufficient information or an appropriate modification, he shall promptly report the matter to the appropriate Claimant Agency or Industry Division. Failure to withhold allotments or to make such report shall be deemed participation in the offense.

(4) If, after making any allotment, a consumer ascertains or has reason to believe that the allotment was substantially in excess of actual requirements, he shall either (i) correct the excess by cancelling or reducing the allotment or other allotments made by him to the same consumer, or (ii) report the matter promptly to the appropriate Claimant Agency or Industry Division. Failure to make such correction or report shall be deemed participation in the offense.

(5) An inadvertent overstatement of requirements shall be deemed substantially excessive for purposes of subparagraphs (2), (3), and (4) of this paragraph (e) if, but only if, it exceeds actual requirements by either (i) one-third or more of actual requirements or (ii) the minimum mill quantity specified in Schedule IV attached, whichever is less.

(f) *Forms in which controlled materials are allotted.* Each allotment, whether made by a Claimant Agency, an Industry Division or a prime or a secondary consumer, shall specify the form of the controlled material allotted. Allotments of steel shall be in terms of (1) carbon steel (including wrought iron) and (2) alloy steel, without further breakdown. Allotments of copper and aluminum shall be broken down as indicated in Schedule I. A consumer may make allotments only in the same forms of controlled materials in which he has received his allotment.

(g) *Allotments by consumers.* (1) No consumer shall make any allotment in an amount which exceeds the related allotment received by him, after deducting all other allotments made by him and all orders for controlled materials placed by him pursuant to his related allotment.

(2) No consumer shall make any allotment in excess of the amount required, to the best of his knowledge and belief, to fulfill the related authorized production schedule of the secondary consumer to whom the allotment is made (including the schedules of any secondary consumers supplying the latter).

(3) No consumer shall make any allotment for the production of Class B products and no person shall accept any allotment from a consumer for the production of Class B products.

(4) No consumer who has received his allotment for an authorized production schedule shall place any delivery order (other than small orders placed pursuant to paragraph (l) of this regulation) for any Class A product required to fulfill said schedule, unless concurrently therewith or prior thereto, he makes an allotment to the person with whom the order is placed, in the amount required by such person to fill said order (taking such person's inventory into account to the extent required by CMP Regulation No. 2); *Provided, however*, That if he purchases a Class A product from a distributor under the conditions specified in paragraph (k-1) of this regulation, he need make no allotment but must charge his own allotment as provided in paragraph (v) of this regulation.

(h) *Methods of allotment.* (1) A consumer may make an allotment to his secondary consumer by either:

(i) Executing and returning one of the copies of the application (Form CMP-4A, or such other form as may be prescribed) furnished to the consumer by his secondary consumer or, in the event an application has been waived, by indicating on the prescribed application form the controlled materials allotted and executing and delivering such form to the secondary consumer;

(ii) Placing on or affixing to his delivery order for one or more Class A products the short form of allotment (Form CMP-5) set out in Schedule II attached hereto, subject to the accompanying instructions; or

(iii) Telegraphing the information required under subdivision (i) or (ii) above and confirming the same with the appropriate written form.

(2) Every consumer shall place on each allotment made by him the allotment number which is on the related allotment received by him, except that if the full allotment number described in subdivision (i) of paragraph (c) (6) of this regulation is on the allotment received by him, he need only place on related allotments made by him the abbreviated allotment number described in subdivision (ii) of paragraph (c) (6). If a consumer places a delivery order for which he has made an allotment by separate instrument, he shall place the appropriate number on said order.

(i) *Method of cancelling or reducing allotments.* A person who has made an allotment may cancel or reduce the same by notice in writing to the person to whom it was made. A person who has received an allotment may cancel or reduce the same by making an appropriate notation thereon and notifying the person from whom he received it. In either case, if an allotment received by a person is cancelled he must cancel all allotments which he has made, and all authorized controlled material orders which he has placed, on the basis of the allotment; and, if an allotment received by a person is reduced, he must cancel or reduce allotments which he has made, or authorized controlled material orders which he has placed, to the extent that the same exceed his allotment as reduced. If such cancellation or reduction is not practicable, he may make equivalent cancellations or reductions with respect to other allotments received by him for the same production schedule. If he deems such course of action impracticable, he shall immediately report to the appropriate Claimant Agency or Industry Division for instructions.

(j) *Assignment of allotments.* No consumer shall transfer or assign any allotment in any way unless:

(1) Delivery orders placed with him, in connection with which the allotment was made to him, have been transferred or assigned to another consumer;

(2) The authorized production schedules of the respective consumers have been duly adjusted; and

NOTE: Subparagraph (3) revoked, and subparagraph (4) redesignated as (3) Feb 8, 1943.

(3) The transfer or assignment is approved in writing by the person who made the allotment.

(k) *Grouping of allotment and authorized production schedules by major programs.* A consumer operating under several authorized production schedules may combine in a single allotment to a secondary consumer requirements for any number of different production schedules which are identified by the same major program number as provided in paragraph (c) (6) (ii), and he may authorize a single production schedule for the secondary consumer in connection with such allotment. If the secondary consumer has filed separate applications, and the consumer making the allotment acts on such applications separately, the secondary consumer may nevertheless treat such allotments and authorized production schedules bearing the same major program number as a single allotment and a single authorized production schedule.

(k–1) *Special provisions regarding Class A products sold to distributors or as maintenance, repair or operating supplies.* (1) A distributor of Class A products who receives physical delivery thereof may, unless otherwise specifically ordered, buy and sell the same without making or receiving allotments. A manufacturer of Class A products selling them directly or indirectly to such distributors may obtain an allotment for such manufacture from the appropriate Industry Division pursuant to application on Form CMP–4B in the same manner as if they were Class B products. If physical delivery is made directly by the manufacturer to a distributor's customer, the latter (unless he is also a distributor) shall make an allotment directly to the manufacturer in the same manner and subject to the same conditions as if the distributor had no part in the transaction.

(2) A manufacturer of Class A products who sells them for use as maintenance, repair or operating supplies (except items directly purchased and programmed by a Claimant Agency) shall, unless otherwise specifically ordered, obtain allotments for such manufacture in the same manner as provided in subparagraph (1) of this paragraph (k–1) for delivery to distributors. Applications pursuant to said subparagraph (1) and this subparagraph (2) may be combined in a single application on Form CMP–4B.

(3) A manufacturer who also sells purchased Class A products to round out his line, which do not represent more than 10% of his total sales, shall be deemed the manufacturer of such products and not a distributor for purposes of this paragraph (k–1).

(l) *Placing of orders for Class A products requiring small quantities of controlled material, without making allotments.* (1) A person requiring any Class A product in a quantity constituting a "small order," as defined in subparagraph (2) of this paragraph (l), and who is entitled to obtain such product by using an allotment number, may, in lieu of making an allotment, place on his order the applicable allotment number followed by the symbol SO: *Provided, however*, That no person shall subdivide his requirements for Class A products into small orders for the purpose of coming within this provision.

(2) As used in this paragraph (l), "small order" means a delivery order for a Class A product placed with the manufacturer thereof by a consumer, where the aggregate amounts of controlled material required to fill such order, together with all delivery orders for the same Class A product placed by the same consumer with the same manufacturer calling for delivery during the same month do not exceed the following:

Carbon steel (including wrought iron)	1 ton
Alloy steel	400 lbs.
Copper and copper base alloys	100 lbs.
Aluminum	20 lbs.

(3) A manufacturer of Class A products who receives small orders may obtain his requirements of controlled materials to fill the same by placing authorized controlled material orders (as provided in paragraph (s) of this regulation and in CMP Regulation No. 5 regarding warehouses and distributors of controlled materials) in the same manner as if he had received an allotment therefor, except that, in lieu of an allotment number, he shall use the symbol SO. Use of such symbol shall constitute a representation, subject to the criminal penalties of section 35 (A) of the U. S. Criminal Code, that the controlled materials ordered are required for the production of Class A products which will be delivered on small orders, or to replace in inventory Class A products so delivered. If it is impracticable to keep exact accounts of the amounts of controlled material required for small orders, a reasonable estimate may be made.

(4) No manufacturer of Class A products receiving a small order for such products shall be required to furnish his customer with a bill of materials, application for allotment or equivalent information with respect thereto, other than a statement, if requested, that the controlled materials required come within the limits of a small order.

(m) *Relationship between allotments and authorized production schedules.* Every allotment made by a consumer must include or be accompanied by authorization of a production schedule with respect to the products to be supplied to him, and no consumer shall authorize a production schedule for a secondary consumer unless he concurrently allots the controlled materials required to fulfill the schedule; provided, however, that this paragraph shall not apply to any delivery order bearing a symbol (such as a small order bearing the symbol SO) which may be placed without making an allotment as expressly permitted by any regulation or order of the War Production Board.

(n) *Manner of authorizing production schedules.* (1) A production schedule for each prime consumer producing a Class A product shall be authorized by the appropriate Claimant Agency on Form CMP–4A, or such other form as may be prescribed. A Claimant Agency may, in particular cases, authorize a production schedule through an Industry Division.

(2) A production schedule for each secondary consumer producing a Class A product shall be authorized by the consumer for whom such Class A product is to be produced, on the form on which the related allotment is made; provided, however, that the delivery date specified on a delivery order shall constitute an authorization of the minimum production schedule required to permit delivery on such date.

(3) A production schedule for each consumer producing a Class B product shall be authorized by the appropriate Industry Division (or in special cases by a Claimant Agency) on Form CMP–4B, or such other form as may be prescribed.

(4) A consumer receiving allotments from several persons shall obtain separate authorized production schedules from each.

(5) Prior to authorizing a production schedule, a Claimant Agency, Industry Division or consumer may furnish a tentative production schedule to be used as a basis in submitting requirements, but such action shall not constitute authorization of a schedule.

(o) *Compliance with authorized production schedules.* (1) Each consumer receiving an authorized production schedule shall fulfill the same unless prevented by circumstances beyond his control, except that a manufacturer of Class B products need not produce more than required to fill orders bearing preference ratings.

(2) No consumer who has received an authorized production schedule shall exceed such schedule in any month, except that (i) a deficiency in meeting an authorized production schedule during any month may be made up in any subsequent month or months, (ii) production authorized for any month may be completed at any time after the 15th of the preceding month and, (iii) where a delivery order calls for deliveries, in successive months, of Class A products in quantities which are less than the minimum practicable production quantity, and compliance with monthly production schedules would result in substantial interruption of production and consequent interference with production to fill other delivery orders, the consumer may produce (and his customer may order) in the first month the minimum practicable quantity which may be made without such interference. A person shall be deemed to exceed an authorized production schedule if his completion of finished products exceeds the limits authorized, or if his rate of fabricating, assembling, or otherwise processing, or acquiring raw materials or parts, exceeds the practicable working minimum required to meet the authorized production schedule.

(3) In case a Claimant Agency authorizes a production schedule permitting production of a Class A product in a quantity different from the quantity called for in the related contract between the Claimant Agency and the prime consumer, the lesser of the two quantities shall govern, but the appropriate officer of the Claimant Agency should be promptly notified.

(p) *Rejection of orders in excess of capacity.* No prime or secondary consumer shall accept a delivery order for a Class A or Class B product manufactured by him calling for delivery after March 31, 1943, if he does not expect to be able to fulfill the same by the requested delivery date, subject to unexpected contingencies and to any period of grace which may be specified in the delivery order. If the person whose order is rejected is unable to find another manufacturer who is in a position to accept it, he should report the facts to the appropriate Claimant Agency or Industry Division.

(q) *Reconciliation of conflicting schedules.* In any case where, for any reason, a manufacturer of Class A or Class B products is unable to fulfill conflicting authorized production schedules which he has accepted from different persons, he shall immediately report to the appropriate Industry Division for directions, except that such report shall be made to a Claimant Agency if all conflicting schedules bear its symbol or if all Claimant Agencies whose schedules conflict have stipulated a single Claimant Agency for such purposes.

(r) *Alternative procedure for simultaneous allotments.* A prime or secondary consumer who has several secondary consumers in different degrees of remoteness and finds it impracticable to determine the exact allotments to be made to each of his immediate secondary consumers, for their needs and those of their secondary consumers, may, at his option, make simultaneous direct allotments to each secondary consumer, of all degrees of remoteness, by adopting the following procedure:

(1) The consumer who is to make the allotment (hereafter in this paragraph (r) called the originating consumer) shall maintain a complete list of all secondary consumers making Class A products for incorporation in his product. He shall keep this list current at all times by requiring each of his immediate secondary consumers to report promptly to him any change with respect to the source of each secondary consumer's Class A purchased products.

(2) Immediately upon receiving an allotment, the originating consumer shall notify each secondary consumer on the list (either directly or through intervening secondary consumers) of the authorized schedule for which the allotment has been made to him. Such notice shall *not* include an allotment number. It shall identify the product to be delivered by the secondary consumer to whom the notice is sent and state the quantity to be delivered and the time when delivery is required.

(3) Promptly upon receipt of such preliminary notice, each secondary consumer shall report to the originating consumer directly (not through intervening secondary consumers), the amount of each form of controlled material required by him each month in order to make the deliveries indicated. Each such secondary consumer shall include only his own requirements of controlled materials, *not* those of his secondary consumers. No form is prescribed for such statement.

(4) The originating consumer shall then determine the total requirements of all his secondary consumers under the schedule, checking the list to make certain that a preliminary statement of requirements has been received from each secondary consumer.

(5) If such summary shows that the aggregate requirements of the originating consumer and all his secondary consumers for each form of controlled material do not exceed the allotment made to him for the schedule he may then allot directly to each secondary consumer on the list the amount indicated in the preliminary statement of requirements. No form is prescribed for such allotment, and it may be made by telegram, but it must include the allotment number required by paragraph (c) (6) (ii) of this regulation and a statement substantially as follows: "This allotment is made in accordance with the alternative procedure for simultaneous allotments provided in paragraph (r) of CMP Regulation No. 1." Such allotment shall constitute authorization of a production schedule for the secondary consumer in the amount specified in the notice sent to him pursuant to subparagraph (2) of this paragraph (r). If aggregate requirements do not exceed his allotment, the originating consumer shall be under no obligation to check the accuracy of the preliminary statements received from his secondary consumers before making allotments to them, but otherwise he and his secondary consumers shall remain subject to the provisions of paragraph (e) of this regulation regarding responsibility for statements of requirements.

(6) If the summary shows that the aggregate requirements of the originating consumer and all his secondary consumers exceed the allotment made to him with respect to any form of controlled material, the originating consumer shall not make any allotment or place any authorized controlled material order for the production schedule covered by his allotment until and unless:

(i) Requirements have been revised by himself or by one or more of his secondary consumers to the extent necessary to eliminate such excess, or

(ii) With the express permission of the appropriate Claimant Agency or Industry Division after he has reported the facts to it, he withholds an amount sufficient to cover all adjustments which must be made in the requirements of his secondary consumers in order to bring them within his allotment.

(s) *Placement of orders with controlled materials producers.* (1) A delivery order placed with a controlled materials producer for controlled material shall be deemed an authorized controlled material order if, but only if, it complies with the provisions of this paragraph (s) or is specifically designated as an authorized controlled material order by any regulation or order of the War Production Board.

(2) A consumer who has received an allotment may place an authorized controlled material order with any controlled materials producer, unless otherwise specifically directed. An allotment to a prime consumer may include a direction to place delivery orders for controlled materials with one or more designated controlled materials producers. In such event the consumer shall use the allotment only to obtain controlled materials from the designated controlled materials producer or producers or to make allotments to secondary consumers, designating therein only producers named in the allotment received by him. Except as required by the allotment which he has received, no consumer shall impose any such restriction in any allotment made by him.

(3) A delivery order for any controlled material, other than steel castings, placed with a controlled materials producer shall be accompanied by three copies of Form CMP–6. A consumer placing a delivery order for steel castings shall endorse the appropriate allotment number on such order, except that delivery orders for small amounts may be combined in the same manner as provided in paragraph (k) hereof with respect to grouping of allotments. Every authorized controlled material order and every copy of Form CMP–6 shall bear the abbreviated allotment number described in paragraph (c) (6) (ii) of this regulation, including, as the last two digits, the number of the month in which delivery is requested as distinct from the number identifying the quarter for which the allotment received is valid. For example, if a consumer receives an allotment bearing the number W–2–16 and places an authorized controlled material order for delivery in May 1943, the order and Form CMP–6 shall bear the number W–2–17.

(4) A delivery order for controlled material must be in sufficient detail to permit entry on mill schedules and must be received by the controlled materials producer at such time in advance as is specified in Schedule III attached, or at such later time as the controlled materials producer may find it practicable to accept the same, provided that no controlled materials producer shall discriminate between customers in rejecting or accepting late orders.

(5) Controlled materials required for fulfillment of a production schedule

which has not yet been authorized may be ordered for delivery before July 1, 1943, under applicable priorities regulations and orders (as the same may be modified from time to time), without placing an authorized controlled material order. Authorized controlled material orders shall, however, take precedence over other orders to the extent provided in CMP Regulation No. 3 regarding preference ratings.

(6) A delivery order placed by a consumer before he has received his allotment and authorized production schedule may be converted into an authorized controlled material order either by furnishing a copy of the order conforming to the requirements of this paragraph (s) or by furnishing in writing the requisite information clearly identifying the order, accompanied in either case by Form CMP–6, except that such form is not required for delivery orders for steel castings.

(s–1) *General restriction on placement of authorized controlled material orders.* In order to prevent congestion of orders calling for delivery of controlled materials in the early portions of each quarter, no consumer shall (unless previously authorized in writing by the appropriate Controlled Materials Division) place authorized controlled material orders (with controlled materials producers or other suppliers) requesting delivery of the same controlled material either (i) in the first month of any quarter in an amount exceeding one-third of the aggregate amount of such controlled material for which he has received allotments for the quarter as of the time of placing his order, or (ii) in the first two months of any quarter in an amount exceeding two-thirds of such aggregate: *Provided*, That, in the case of aluminum, during the second quarter of 1943, the limitations shall be 30% for the first month and 63% for the first two months. No consumer shall, however, be required by the provisions of this paragraph (s–1) to reduce a delivery order below the minimum mill quantity specified in Schedule IV attached. In no event shall a consumer request delivery in a greater amount or on an earlier date than required to fill his authorized production schedule, or in an amount so large or on a date so early that receipt of such amount on the requested date would result in his having an inventory of controlled materials in excess of the limitations prescribed by CMP Regulation No. 2 or by any other applicable regulation or order of the War Production Board.

(t) *Controlled materials producers*—(1) Each controlled materials producer shall comply with such production directives as may be issued from time to time by the appropriate Controlled Materials Division.

(2) A controlled materials producer shall accept authorized controlled material orders in the order in which received by him except:

(i) He may reject orders for less than the minimum mill quantities specified in Schedule IV attached, but shall not discriminate between customers in rejecting or accepting such orders.

(ii) In any case where he is of the opinion that the filling of the order would substantially reduce his over-all production owing to the large or small size of the order, unusual specifications, or otherwise, he shall apply to the appropriate Controlled Materials Division which may direct that the order be placed with another supplier or take other appropriate action.

(iii) He shall refuse any order for shipment of any product in any month if such order, together with all his authorized controlled material orders already on hand for delivery during that month and any orders carried over from the preceding month, plus such amounts as he may be directed by the Controlled Materials Division to deliver or set aside for delivery to warehouses or nonintegrated mills or otherwise, total 110% of the production of such product specified in his production directive, or, if no production directive is currently in effect with respect to such product, total 105% of his expected production. As soon as such limits of 110% and 105% respectively have been reached, each controlled materials producer shall promptly notify the appropriate Controlled Materials Division in writing.

(iv) He shall reject orders to the extent required by specific direction of the Controlled Materials Division.

(3) No controlled materials producer shall, after March 31, 1943, make any delivery of controlled material except:

(i) A delivery made to fill an authorized controlled material order;

(ii) A delivery which is completed before July 1, 1943, and which is made in compliance with applicable priorities regulations and orders;

(iii) A delivery made pursuant to a specific direction of the Director of the Controlled Materials Division.

A controlled materials producer's use of controlled material produced by him (except use in processing which does not convert the same into any form or shape other than one specified with respect to such controlled material on Schedule I) shall be deemed a delivery for the purposes of this paragraph (t).

(4) A controlled materials producer shall make delivery on each authorized controlled material order as close to the requested delivery date as is practicable in view of the need for maximum production and compliance with production schedules. If it is not practicable to make delivery during the month requested, delivery may be made:

(i) After the 15th of the preceding month, provided such delivery does not interfere with delivery on authorized controlled material orders designating shipment in such preceding month or earlier months, and provided production to meet such delivery would not violate any production directive in effect; or

(ii) As early as practicable in the month following the month requested: *Provided, that*, In such case, the controlled materials producer shall promptly notify the customer of such delay. If such delay will interfere with the customer's authorized production schedule the customer should immediately apply to the appropriate Controlled Materials Division for relief.

(5) If, after accepting an authorized controlled material order, the producer cannot make delivery before the end of the month following the month in which delivery is requested, he shall promptly notify the appropriate Controlled Materials Division in writing stating the allotment number, the name of the customer and the material covered by the order, but he shall not thereafter fill the order unless specifically directed to do so.

(6) All directions to controlled materials producers affecting production and distribution of controlled materials shall be issued by and through the Controlled Materials Divisions.

(7) If the controlled material delivered pursuant to an authorized controlled material order varies from the exact amount specified in the authorized controlled material order, the making and acceptance of such delivery shall not be deemed a violation of this regulation or any other CMP Regulation by the controlled materials producer or his customer, provided such variation does not exceed the commercially recognized shipping tolerance, or allowance for excess or shortage.

(8) An authorized controlled material order shall not constitute an allotment of controlled material to the controlled materials producer with whom it is placed. If such producer requires delivery after March 31, 1943 of controlled materials from other controlled materials producers, to be processed by him and sold to his customers in another form or shape constituting a controlled material, such delivery may be made or accepted only pursuant to a specific direction as provided in subparagraph (3) (iii) of this paragraph (t).

(u) *Restrictions on use of allotments or materials or products obtained by allotments.* (1) No consumer shall use an allotment, or any controlled material or Class A product obtained pursuant to an allotment for any purpose except:

(i) To fulfill the authorized production schedule for which the allotment was received or to fulfill any other authorized production schedule of the same consumer, within the same plant or operating unit, which schedule is identified by the same Claimant Agency letter symbol.

(ii) For any purpose specifically authorized or directed by the Director General for Operations, or by the appropriate Claimant Agency where only such Agency's schedules are affected or where a single Claimant Agency has been stipulated for the purpose by all Claimant Agencies whose schedules are affected; or

(iii) To restore to a practicable working minimum his inventory of such material or product if the same has been depleted in fulfilling such production schedule or such purpose, subject, however, to the inventory limitations of CMP Regulation No. 2; or

(iv) As permitted or required by Priorities Regulation No. 13, pertaining to special sales, or any other applicable regulation of the War Production Board.

NOTE: The words "used for different authorized production schedules" deleted from (u) (2) Feb 8, 1943.

(2) The provisions of subparagraph (1) of this paragraph (u) shall not require physical segregation of inventories provided the restrictions applicable to any specific lot of material or product are observed with respect to an equivalent amount of the same material or product. A consumer who is operating under several authorized production schedules need not maintain separate records of the production obtained from the allotment for each schedule provided that his records show that his use of material for his respective schedules is substantially proportionate to the amounts of material allotted for each, and that his aggregate production of any product does not exceed his aggregate authorized production schedules for that product.

(v) *Adjustments on account of controlled materials or Class A products obtained without use of allotments.* Each consumer shall promptly reduce, in the manner provided in paragraph (i) of this regulation, any allotment received by him, to the extent that, either before or after receiving the allotment, he fills a substantial portion of any of his requirements covered by the allotment through the acquisition of controlled materials or Class A products in any other manner than by use of the allotment, including without limitation:

(1) Transactions covered by preference ratings (including preference ratings assigned on PRP Certificates or otherwise);

(2) Transactions not affected by preference ratings;

(3) Purchases from warehouses or retailers pursuant to CMP Regulation No. 4 or otherwise;

(4) Purchases pursuant to Priorities Regulation No. 13 or otherwise, from persons not regularly engaged in the business of selling the material or product;

(5) Purchases on small orders pursuant to paragraph (i) of this regulation;

(6) Purchases of second-hand materials or products.

For purposes of this paragraph (v), a "substantial portion" of requirements covered by an allotment shall mean an amount of controlled materials which is either in excess of 25% of the material allotted or is greater than the minimum mill quantity of such material specified in Schedule IV attached.

(w) *Adjustments for changes in requirements.* If a consumer's requirements for controlled materials or Class A products are increased after he receives his allotment, he should apply for an additional allotment from the person who made the same. If his requirements decrease, for any reason, he shall promptly cancel or reduce his allotment in the manner provided in paragraph (i) of this regulation.

(x) *Other War Production Board regulations and orders.* Nothing in this regulation (or any other CMP regulation) shall be construed to relieve any person from complying with any applicable priorities regulation or any order of the War Production Board (including orders in the "E," "L," "M" and "P" series). In case compliance by any person with the provisions of any such regulation or order would prevent fulfillment of an authorized production schedule, he should immediately report the matter to the appropriate Industry Division, and to the Claimant Agency whose schedule is affected. The Director General for Operations will thereupon take such action as is deemed appropriate, but unless and until otherwise expressly authorized or directed by the Director General for Operations, such person shall comply with the provisions of such regulation or order.

NOTE: The words "by allotment numbers" deleted from paragraph (y). Feb. 8, 1943.

(y) *Records and reports.* (1) Each consumer making or receiving any allotment of controlled materials shall maintain at his regular place of business accurate records of all allotments received, of procurement pursuant to all allotments, and of the subdivision of all allotments among his direct secondary consumers. Such records shall be kept separately by abbreviated allotment numbers, as provided in paragraph (c) (6) (ii) of this regulation, and shall include separate entries under each number for each customer, Claimant Agency or Industry Division from whom allotments are received under such number.

(2) Each controlled materials producer shall report to the appropriate Controlled Materials Division, on the forms and for the periods prescribed, such information on production, consumption and distribution of controlled materials as may be prescribed by the appropriate Controlled Materials Division.

(3) Each prime or secondary consumer and each controlled materials producer shall retain for two years at his regular place of business all documents on which he relies as entitling him to make or receive an allotment or to deliver or accept delivery of controlled materials or Class A products, segregated and available for inspection by representatives of the War Production Board, or Claimant Agencies, or filed in such manner that they can be readily segregated and made available for such inspection.

(z) *Appeals and applications for relief.* (1) Any person who is subject to any requirement of any regulation, direction, order or other action under the Controlled Materials Plan, may appeal for relief by filing a letter in triplicate with the appropriate authority specified below in this paragraph (z), setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief.

(2) Except as provided in subparagraphs (3) and (4) of this paragraph (z) or as otherwise specifically directed, an appeal by a producer of Class A products should be filed with the appropriate Claimant Agency, and an appeal by a producer of Class B products should be filed with the appropriate Industry Division, unless the matter affects only production schedules of a single Claimant Agency or where a single Claimant Agency has been stipulated for the purpose by all Claimant Agencies whose schedules are affected, in which case the appeal should be filed with such Claimant Agency.

(3) An appeal concerning the operations of a controlled materials producer (whether filed by such producer, by a

consumer, or by a Claimant Agency) shall be filed with the appropriate Controlled Materials Division.

(4) A producer of Class B products may apply for permission to be treated as a producer of Class A products. A producer of Class A products making a large variety of items which are sold to many customers and whose allotments originate from several Claimant Agencies, may make application to be treated as a producer of Class B products, but such permission will not be granted with reference to component parts or subassemblies, unless the necessary adjustments in bills of materials which include such component parts or sub-assemblies can be made without difficulty. Application for reclassification should be filed with the CMP Division, War Production Board, Washington, D. C., and may be filed either directly by the producer or by a Claimant Agency on his behalf.

(5) In case of any disagreement between any persons as to the interpretation of any provisions of this regulation or any other regulation, direction, or order under the Controlled Materials Plan, the matter should be referred to the Inquiry and Service Branch, CMP Division, War Production Board, Washington, D. C.

(aa) *Penalties.* Any person who willfully purports to make any allotment of controlled materials or to place authorized controlled material orders in excess of the amount allotted to him, or violates any other provision of this regulation, or any other regulation, direction or order under the Controlled Materials Plan, or who knowingly or willfully makes any false or fraudulent statement or representation with respect to requirements for controlled materials or in any other matter under the jurisdiction of any agency of the United States under the Controlled Materials Plan, is guilty of a crime and, upon conviction, may be punished by a fine up to $10,000 or by imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries or allotments of controlled material or from making or obtaining any further deliveries of, or from processing or using, any material under priorities control, and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Law 89 and 507, 77th Cong.)

Issued this 8th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE I

STEEL

Carbon Steel

Forms and shapes:
- Bars, cold finished.
- Bars, hot rolled.

Carbon Steel—Continued

Forms and shapes—Continued
- Ingots, billets, blooms, slabs, tube rounds, skelp and sheet and tin bar.
- Pipe.
- Plates.
- Rails and track accessories.
- Sheets and strip.
- Steel castings.
- Structural shapes and piling.
- Tin plate, terne plate, and tin mill black plate.
- Tubing.
- Wheels, tires and axles.
- Wire rods, wire and wire products.

Alloy Steel

Forms and shapes:
- Bars, cold finished.
- Bars, hot rolled.
- Ingots, billets, blooms, slabs, tube rounds, sheet bar.
- Pipe.
- Plates and structural shapes.
- Sheets and strip.
- Steel castings.
- Tubing.
- Wheels, tires and axles.
- Wire rods, wire, and wire products.

NOTE: Steel in any of the above forms and shapes constitute controlled materials, but allotments of steel are made in terms of (1) carbon steel (including wrought iron) and (2) alloy steel, without further breakdown.

COPPER

Brass Mill Copper Base Alloy Products

Forms and shapes:
- Ammunition cups, discs and slugs.
- Sheet and strip (other than cups and discs).
- Rods, bars, and wire (including extrude shapes not including slugs).
- Tubing and pipe.

Brass Mill Copper Products

Forms and shapes:
- Plate, sheets and strip.
- Rods, bars and extruded shapes (excluding wire bars and ingot bars).
- Tube and pipe.

Wire Mill Copper Products

Forms and shapes:
- Wire and cable (including copper content of insulated wire and cable)

Foundry Copper and Copper Base Alloy Products

Forms and shapes:
- Castings.

NOTE: Allotments of copper are made in the forms and shapes specified above.

ALUMINUM

Forms and shapes:
- Rod, bar, wire and cable.
- Rivets.
- Forgings, pressings and impact extrusions.
- Castings.
- Shapes, rolled or extruded.
- Sheet, strip, plate and foil.
- Tubing.
- Ingot and powder.

NOTE: Allotments of aluminum are made in the forms and shapes specified above.

* * * * *

Specific information with respect to coding and definitions may be found in "General Instructions on Bills of Materials."

SCHEDULE II—SHORT FORM OF ALLOTMENT

Allotment number	Controlled Material Products allotted		

Above allotments are made for use in filling the delivery order in compliance with CMP Regulation No. 1.

INSTRUCTIONS FOR USE OF SHORT FORM OF ALLOTMENT—FORM CMP-5

The above short form of allotment may be used by any consumer for the purpose of making an allotment to a secondary consumer producing Class A products for him. The short form of allotment must be either placed on or physically attached to the delivery order calling for delivery of the Class A products. If it is attached the delivery order number or other identification must be indicated on the form.

The form must be followed by the signature of an authorized official of the consumer making the allotment, but need not be separately signed if it is placed on the delivery order in such a position that the signature of the delivery order by such an authorized official clearly applies to the allotment as well as to the order itself.

The size of the form may be varied, but all information called for by the form must be supplied and the general arrangement and wording of the form must be followed.

Under the heading "Controlled Material Products Allotted" the person making the allotment must designate the forms which are allotted. These must be shown in the breakdown prescribed in Schedule I of CMP Regulation No. 1, and must be within the allotments received by such consumer for the same forms. Additional columns may be added depending on the number of forms of controlled material allotted. A sample form follows:

Allotment number	Controlled Material Products allotted			
	Carbon steel	Copper base alloy tubing and pipe	Copper plate, sheet and strip	Aluminum castings
N-1-16	Tons 100	Lbs. 10,000	Lbs. 8,000	Lbs. 100

Above allotments are made for use in filling the delivery order in compliance with CMP Regulation No. 1.

SCHEDULE III.—*Time for Placing Authorized Controlled Material Orders*

NOTE: Delivery orders may be placed in advance of receiving allotments, and converted into authorized controlled material orders on receipt of allotments, as provided in paragraph (s) (6) of CMP Regulation No. 1.

STEEL

Product	Number of days in advance of first day of month in which shipment is required
Alloy steel (including stainless steel):	
Hot rolled bars and semi-finished	75
Bars—cold finished	105
Sheet and strip—hot and cold rolled	105
Plates—hot rolled	75
Tool steel:	
Hot rolled products	90
Cold finished products	120
Cold finished bars:	
Carbon bars—standard sizes, grades and sections	70
Carbon bars—furnace treated at hot mills or special section, odd sizes or special grades	100
Alloy bars	105
Plates and shapes:	
Carbon steel plates	30
Carbon steel structural shapes	45
Alloy steel plates and shapes	75
Pipe	30
Sheet and strip:	
Sheet—hot rolled—16-gauge and heavier	30
Sheet—hot rolled—17-gauge and lighter	45
Sheet—cold rolled—galvanized—long terne	45
Strip—hot rolled (low carbon)	30
Strip—cold rolled (low carbon)	45
High carbon cold rolled strip (over .25 carbon) and other long processed special carbon hot rolled and cold rolled sheets and hot and cold rolled strip (including electrical grade)	60
Hot rolled carbon bars and semi-finished:	
Except for carbon bars heat treated and annealed	30
Carbon bars heat treated and annealed	60
Tin mill products	30
Tubing:	
Carbon steel—hot finished	30
Carbon steel—cold drawn:	
1½" and larger	45
Under 1½"	75
Alloy steel—hot finished	90
Alloy steel—cold drawn:	
1½" and larger	110
Under 1½"	120
Steel castings:	
Providing patterns are available:	
Weight per casting:	
500 pounds and under	30
Over 500 pounds to 5000 pounds	45
Over 5000 pounds to 30,000 pounds	60
Over 30,000 pounds	75
Wire and wire products:	
Hot rolled wire rods	30
Merchant trade products	30
Manufacturing wires:	
Low carbon .0475" and heavier	45
Low carbon under .0475"	60
High carbon (0.40 carbon and higher) .0475" and heavier	45
Under .0475" to .021"	60
Under .021"	75
Wire rope and strand:	
.25" dia and over	75
Under .25" dia and under	105
Welded wire-reinforcing fabric	45

COPPER

Brass mill copper and copper base alloy products:	
Copper and non-refractory alloys	45
Refractory alloys	60

SCHEDULE III.—*Time for Placing Authorized Controlled Material Orders*—Continued

COPPER—continued

Product	Number of days in advance of first day of month in which shipment is required
Wire and cable products:	
Bare wire and cable	10
Weatherproof wire and cable	14
Magnet wire	25
Rubber insulated building wire	30
Paper and lead cable	40
Varnished cambric cable	30
Asbestos cable (type H-F)	60
Rubber insulated wire and cable (Mold or lead cured)	45
Foundry copper and copper base alloy products:	
Castings (rough castings, not machined-assuming patterns are available)	
Small simple castings to fit 12" by 16" flask	7
Large intricate and centrifugal castings	14

ALUMINUM

All forms and shapes	45

* * * * *

Where no time is specified in Schedule III for placing orders for a particular form or shape of controlled material, the time for placing such orders shall be subject to agreement between the consumer and the controlled materials producer, provided that no producer shall discriminate between consumers in the acceptance of orders. In the event of any disagreement, the matter should be referred to the appropriate Controlled Materials Division.

SCHEDULE IV.—*Minimum Mill Quantities*

STEEL

Product	Size and grade for shipment at one time, to one destination
Alloy steel:	
Standard grades and sections:	
Rounds, squares 3" and under	5 net tons.
Hexagon and flats—all sizes	5 net tons.
Tool steel	500 pounds.
Cold finished bars	3 net tons.
Hot rolled carbon bars and semi-finished:	
Round bars up to 3" incl., and squares, hexagons, half rounds, ovals, half ovals, etc., of approximate equivalent sectional area	5 net tons.
Round bars over 3" to 8" (including squares within this range)	15 net tons.
Flat bars, all sizes	5 net tons.
Hot rolled carbon bars and semifinished—Continued.	
Bar size shapes (angles, tees, channels and zees under 3")	5 net tons.
Forging billets, blooms and slabs	Product of one ingot.
Rerolling billets, slabs, sheet bars, skelp	25 gross tons.

SCHEDULE IV.—*Minimum Mill Quantities*—Continued

STEEL—continued

Product	Size and grade for shipment at one time, to one destination
Plates and shapes:	
Plates:	
Continuous strip mill production	10 net tons.
Sheared mill, universal mill or bar mill production	3 net tons.
Structural shapes	5 net tons.
Pipes	(1)
Sheet and strip:	
Sheets—hot and cold rolled	5 net tons.
Strip—hot and cold rolled	3 net tons.
Tin mill products (one gauge)	5,000 pounds.
Tubing:	
Carbon and alloy steel—cold drawn:	
O. D. (inches):	
Up to ¾" inclusive	1,000 feet.
Over ¾" to 1½" inclusive	800 feet.
Tubing:	
Carbon and alloy steel:	
Cold drawn or hot finished:	
Over 1½" to 3" inclusive	600 feet.
Over 3" to 6" inclusive	400 feet.
Over 6"	250 feet.
Wire and wire products:	
Hot rolled wire rods	5 net tons.
Merchant trade products (Assorted Merchant Products)	5 net tons.
Manufacturing wires (wires for further fabrication):	
Low carbon	1 net ton.
High carbon (0.40 carbon and higher) .0475" and heavier	1 net ton.
Under .0475" to .021"	1,000 pounds.
Under .021"	500 pounds.
Wire rope and strand	1,000 ft lengths.
Welded wire reinforcing fabric	(2)
Rails and track accessories:	
Guard rail clamps, clip bolts, nut locks, S-irons, rail braces	3 net tons.
Track spikes, track bolts, screw spikes, rail clips, gage rods	5 net tons.
Rail anchors	15 net tons.

COPPER

Brass mill products	200 pounds.
Wire mill products	300 pounds.

ALUMINUM

Sheet and strip	500 pounds.
Tubing	250 pounds.
Extrusions	200 pounds.
Wire, rod and bar	200 pounds.
Rivets	50 pounds.

[1] Published carload minimum (mixed sizes and grades).

[2] Full rolls of manufacturer's standard stock sizes.

[F. R. Doc. 43-2639; Filed, February 3, 1943; 11:11 a. m.]

Chapter XI—Office of Price Administration

PART 1389—APPAREL

[MPR 287[1] Amendment 3]

Amendment No. 3 to Maximum Price Regulation 287—Manufacturers' Prices for Women's, Girls' and Children's Outerwear Garments.

A statement of the considerations involved in the issuance of this amendment is issued herewith and filed with the Division of the Federal Register.*

A new paragraph (d) is added to § 1389.356a; in § 1389.373 (a), a new subparagraph (13) is added; in § 1389.374, in paragraph (a), two new paragraphs are added to subparagraph (2); a new § 1389.376 has been added, as set forth below:

§ 1389.356a *Special pricing rules.* * * *

(d) *Additional selling price lines; Rule 12.* In addition to the selling price lines which a manufacturer has listed in his Pricing Chart, prepared pursuant to § 1389.353 (a), he may also at his option sell garments in any selling price line listed in Appendix G, (§ 1389.376): *Provided, however,* That in no event may a manufacturer use a selling price line listed in Appendix G, which is higher than the highest selling price line for that category number, listed in his Pricing Chart, or in his Supplemental Pricing Chart prepared pursuant to paragraph (c) of this section. He shall take as his maximum allowable margin, the maximum allowable margin listed in the Pricing Chart prepared pursuant to § 1389.353 (a), for the selling price line, in the same category number, which is next lower to the selling price line in which the garment is being sold.

Example: Assume that the manufacturer whose report illustrated in Appendix B (§ 1389.371) finds that he has designed a dress in Category No. 22 to sell in a $4.75 selling price line, but that it does not have a minimum allowable cost of $3.47. Under Rule 12, he may sell this dress in a $4.25 selling price line, if the garment has a direct cost of $3.32, or more. The minimum allowable cost of $3.32 is calculated by taking a margin of 22% on a $4.25 selling price line. This margin is the maximum allowable margin listed in the Pricing Chart for $3.75, the next lower selling price line in Category No. 22.

§ 1389.373 *Appendix D: Cost records*—(a) *Instructions for preparing cost records.* * * *

(13) *Tolerance.* If a manufacturer finds that his estimated calculations of the direct cost in a cutting are inaccurate, then for the purposes of this regulation, each garment in that cutting will be deemed to have the minimum allowable cost, if the direct cost is no less than 97% of the minimum allowable cost for that selling price line in that category number.

* * * * * * *

§ 1389.374 *Appendix E: Table of permissible selling price lines for new categories*—(a) *Instructions for use of table.* * * *

(2) * * *

In addition, a manufacturer may also use any selling price line listed in Appendix G (§ 1389.375) which is lower than the selling price line listed in that group.

Example: The manufacturer mentioned in the example in this paragraph may also sell women's coats of Category No. 1 in any selling price line listed in Appendix G, which is lower than $14.75. Thus, in addition to the $14.75, $12.75, $10.75, $8.75, $7.75, $6.75, $5.75, and $4.75 selling price lines listed in paragraph (b) of this section, he may also sell his women's coats in the following selling price lines, taken from Appendix G, which are lower than $14.75, namely $13.75, and $11.75.

§ 1389.376 *Appendix G: Table of additional selling price lines.* (a) The following additional selling price lines[1] may be used by manufacturers pursuant to § 1389.365a (d).

(1) *Coats.*

Categories 1 and 2, women's and junior misses':

3.75	12.75	22.75	42.75
4.75	13.75	23.75	45.00
5.75	14.75	24.75	49.75
6.75	15.75	26.75	52.75
7.75	16.75	27.75	55.00
8.75	17.75	29.75	59.75
9.75	18.75	32.75	62.75
10.75	19.75	35.00	65.00
11.75	21.75	39.75	69.75

Categories 3 and 4, teen-age and girls':

3.75	8.75	13.75	17.75
4.75	9.75	14.75	18.75
5.75	10.75	15.75	19.75
6.75	11.75	16.75	22.75
7.75	12.75		

Category 5, children's:

2.75	5.75	9.75	13.75
3.25	6.75	10.75	14.75
3.75	7.75	11.75	15.75
4.75	8.75	12.75	

(2) *Suits.*

Categories 6 and 7, women's and junior misses':

1 87½	8.75	17.75	27.75
2.25	9.75	18.75	29.75
2 87½	10.75	19.75	32.75
3 37½	11.75	21.75	35.00
3.75	12.75	22.75	39.75
4.75	13.75	23.75	42.75
5.75	14.75	24.75	45.00
6.75	15.75	26.75	49.75
7.75	16.75		

Categories 8 and 9, teen-age and girls':

1 87½	3.00	7.75	12.75
2.00	3.75	8.75	13.75
2.25	4.75	9.75	14.75
2.50	5.75	10.75	15.75
2.75	6.75	11.75	16.75

Category 10, children's:

1 87½	2.75	4.75	7.75
2.00	3.00	5.75	8.75
2.25	3.50	6.75	
2.50	3.75		

(3) *Jackets.*

Categories 11 and 12, women's and junior misses':

1 87½	3.75	8.75	13.75
2.00	4.75	9.75	14.75
2.50	5.75	10.75	15.75
2.75	6.75	11.75	16.75
3.00	7.75	12.75	

Categories 13 and 14, teen-age and girls':

87½	2.00	3.75	6.75
1 31¼	2.50	4.75	
1 87½	3.00	5.75	

Category 15, children's:

87½	1.87½	2.50	3.75
1.31¼	2.00	3.00	4.75
1.50			

(4) *Skirts.*

Categories 16 and 17, women's and junior misses':

1 31¼	2.50	4.75	8.75
1.50	2.75	5.75	9.75
1.87½	3.00	6.75	10.75
2.00	3.75	7.75	

Categories 18 and 19, teen-age and girls':

.68¾	1.50	2.50	3.75
.87½	1.87½	2.75	4.75
1 31¼	2.00	3.00	

Category 20, children's:

.68¾	1.31¼	1.87½	2.50
.87½	1.50	2.00	3.00
1.00			

(5) *Dresses:*[2]

Categories 21 and 22, women's and junior misses':

Group I

1 87½	6.75	14.75	25.00
2.25	7.75	15.75	26.75
2 87½	8.75	16.75	29.75
3.37½	9.75	17.75	32.75
3.75	10.75	18.75	35.00
4.25	11.75	19.75	39.75
4.75	12.75	22.75	45.00
5.37½	13.75	23.75	49.75
5.75			

Group II

(Per dozen)

7.75	18.00	36.00	63.00
8.25	22.50	39.00	69.00
9.50	24.00	42.00	75.00
10.50	27.00	45.00	81.00
12.00	30.00	51.00	93.00
13.50	33.00	57.00	105.00
15.75			

Categories 23 and 24, teen-age and girls':

(Per dozen)

6.00	10.50	24.00	57.00
6.75	12.00	27.00	69.00
7.75	13.50	30.00	81.00
8.25	15.75	33.00	93.00
9.00	18.00	36.00	105.00
9.75	22.50	45.00	

Category 25, children's:

(Per dozen)

4.50	9.75	22.50	36.00
6.00	10.50	24.00	45.00
6.75	12.00	27.00	57.00
7.75	13.50	30.00	69.00
8.25	15.75	33.00	
9.00	18.00		

(6) *Blouses.*

Category 26:

(Per dozen)

4.50	10.50	24.00	45.00
5.75	12.00	30.00	54.00
6.75	15.75	33.00	57.00
8.25	18.00	36.00	69.00
9.50	22.50	42.00	81.00

(7) *Snow suits, legging sets, separate leggings and ski pants.*

Category 27, 1 piece snow suits:

2.00	3.50	5.75	8.75
2.50	3.75	6.75	9.75
2.75	4.75	7.75	10.75
3.00			

Category 28, 2 piece snow suits:

2.50	4.75	7.75	10.75
3.00	5.75	8.75	11.75
3.50	6.75	9.75	12.75
3.75			

Category 29, legging sets:

3.00	7.75	11.75	15.75
3.75	8.75	12.75	16.75
4.75	9.75	13.75	17.75
5.75	10.75	14.75	18.75
6.75			

Category 30, separate leggings:

1 37½	2.00	3.75	5.75
1.50	2.50	4.75	6.75
1 87½	3.00		

Category 31, separate ski pants:

1 37½	2.00	3.50	4.75
1.50	2.50	4.00	5.75
1 87½	3.00		

This amendment shall become effective February 5, 1943.

Issued this 5th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1968; Filed, February 5, 1943; 3:33 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 12 Under § 1499.29 of GMPR]

THE PENNSYLVANIA SALT MANUFACTURING CO.

For the reasons set forth in an opinion issued simultaneously herewith, paragraph (a) of § 1499.412 to Order No. 12 is amended by substituting "$3.25" for "$3.10," and a new paragraph (g) is added to § 1499.412 as set forth below:

§ 1499.412 * * *

(g) Amendment No. 1 (§ 1499.412 (a) and (g)) to Order No. 12 under § 1499.29 of the General Maximum Price Regulation shall become effective February 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1967; Filed, February 5, 1943; 3:33 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[Temporary MPR 23,[3] Amendment 1]

SHELLED PEANUTS, SALTED PEANUTS AND PEANUT BUTTER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Paragraph (c) is added to § 1351.1553 as set forth below.

§ 1351.1553 *Maximum prices.* * * *

(c) Sales of peanut butter in 2 pound glass jars, packed 12 to a case in special cases as designated by the Agricultural Marketing Administration may be made for delivery between February 12, 1943, and February 26, 1943, inclusive, to the Agricultural Marketing Administration at prices not in excess of 21 cents per pound f. o. b. producer's factory. Supplementary Order No. 34,[4] issued by the Office of Price Administration, shall not apply to sales made pursuant to this subparagraph.

This amendment shall become effective February 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1981; Filed, February 6, 1943; 10:41 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 280,[5] Amendment 10]

MAXIMUM PRICES FOR SPECIFIC FOOD PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* Paragraph (c) is revoked and subparagraphs (3) and (4) are added to paragraph (b) of § 1351.803 to read as set forth below.

§ 1351.803 *Maximum prices.* * * * (b) * * *

(3) By taking as the maximum price the most recent price which he (or, if none, his most closely competitive seller of the same class) charged any class of purchasers at any time within one year previous to said base period and adjusting said price to reflect a reasonable differential to other classes of purchasers.

(4) In all other cases, by taking the maximum price for the most nearly similar listed food product that he (or, if none, his most closely competitive seller of the same class) has delivered or offered for delivery during such base period (or, if none, at the most recent time within one year prior thereto) and adjusting that price to reflect the differential between the two commodities normal or customary to his business or, if none, to reflect the reasonable differential between the two commodities based upon the variances in the cost of production of the two commodities.

§ 1351.821 *Effective date of amendments.* * * *

(j) Amendment No. 10 (§ 1351.803 (b) (3) (4) and (c)) to Maximum Price Regulation No. 280 shall become effective February 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1982; Filed, February 6, 1943; 10:41 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order No. 12,[1] Amendment 13]

COFFEE RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The figure "20" in § 1407.952 (f) is deleted and the figure "19" is substituted in lieu thereof; the figure "19," is inserted between the figures "22," and "20" in § 1407.1077 (b); and paragraph (m) of § 1407.1090a is added as set forth below:

Effective Date

§ 1407.1090a *Effective dates of amendments.* * * *

(m) Amendment No. 13 (§§ 1407.952 (f); 1407.1077 (b); and 1407.1090a (m)) to Ration Order No. 12 shall become effective February 12, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 729, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1-R, 7 F.R. 562, 9684, 10372)

Issued this 6th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1975; Filed, February 6, 1943; 10:39 a. m.]

PART 1438—NONMETALLIC MINERALS

[MPR 316]

COATED AND BONDED ABRASIVE PRODUCTS

In the judgment of the Price Administrator it is necessary and proper to establish maximum prices for coated and bonded abrasive products by a specific maximum price regulation.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.* In the judgment of the Price Administrator the maximum prices established by this Maximum Price Regulation No. 316 are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with Revised Procedural Regulation No. 1,[2] issued by the Office of Price Administration, Maximum Price Regulation No. 316, is hereby issued.

Sec.

1438.51 Maximum prices for coated and bonded abrasive products.
1438.52 Less than maximum prices.
1438.53 Packaging and transportation charges and practices.
1438.54 Export sales.
1438.55 Idle or frozen materials.
1438.56 Adjustable pricing.
1438.57 Evasion.
1438.58 Records and reports.

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10460; 8 F.R. 323, 492, 859, 1365.

[1] Selling prices listed are prices per garment unless otherwise specified.

[2] A manufacturer shall use either Group I or Group II. A manufacturer shall use Group II, where during the base period, he invoiced his selling prices on a per dozen basis, otherwise he shall use Group I.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10994.

[3] 7 F.R. 10779.

[4] 7 F.R. 10144, 10337, 10475, 10585, 10786, 10995; 8 F.R. 158, 876, 877, 1120.

[1] 7 F.R. 9710, 10380, 11071, 11072; 8 F.R. 28, 167, 566, 621.

[2] 7 F.R. 8961.

Sec.
1438.59 Enforcement
1438.60 Petitions for amendment
1438.61 Applicability of General Maximum Price Regulation
1438.62 Effect upon Order No. 78 and Order No. 96 under § 1499.3 (b) of the General Maximum Price Regulation
1438.63 Definitions
1438.64 Effective date.

AUTHORITY: §§ 1438.57 to 1438.64 inclusive, issued under Pub. Laws 421 and 729, 77th Cong., and E.O. 9250, 7 F.R. 7871.

§ 1438.51 *Maximum prices for coated and bonded abrasive products.* On and after February 12, 1943, regardless of any contract, agreement, lease or other obligation, no person shall sell or deliver any coated or bonded abrasive product and no person shall buy or receive any coated or bonded abrasive product in the course of trade or business from any seller at a price in excess of the following maximum prices and no person shall agree, offer, solicit, or attempt to do so.

(a) *Sales or deliveries of such coated and bonded abrasive products as were sold or offered for sale by the seller during March, 1942*—(1) *Sales or deliveries to the United States or any agency thereof or to the government of any country whose defense the president deems vital to the defense of the United States under the terms of the Act of March 11, 1941, "An Act to Promote the defense of the United States," or any agency of any such government.* (i) The maximum price for any coated abrasive product shall be the net price which such seller charged most frequently on his deliveries of three units or more of the same commodity during March, 1942, to such a purchaser.

(ii) The maximum price for any bonded abrasive product shall be the net price which such seller charged most frequently on his deliveries of the same commodity during March, 1942, to such a purchaser.

(iii) If no such delivery of any coated or bonded abrasive product was made by the seller during March, 1942, the seller's maximum price shall be his highest net offering price for the same commodity in March, 1942, to a purchaser of the same class.

(2) *Sales or deliveries to all other persons.* (i) The maximum price shall be the highest net price charged by such seller for the same commodity on a delivery made during March, 1942, to a purchaser of the same class.

(ii) If no such delivery was made by the seller during March, 1942, the seller's maximum price shall be his highest net offering price for the same commodity in March, 1942, to a purchaser of the same class.

(b) *Sales or deliveries of coated and bonded abrasive products not sold or offered for sale by the seller during March, 1942.* Any seller of a coated or bonded abrasive product who is unable to determine his maximum price or prices under paragraph (a), shall file his selling price for that commodity with the Office of Price Administration, Washington, D. C., for approval. Such selling price shall be determined, whenever feasible, by the use of the pricing formula or method of calculating prices used by the seller during March, 1942, to determine the price of similarly priced coated or bonded abrasive products, for which he had prices in effect at that time. The values given to the factors used in such formula or method shall be no higher than the highest values given to the same factors in the determination of his prices during March, 1942.

Pending approval by the Price Administrator of prices submitted for approval under this paragraph, any seller may sell, deliver, exchange, or offer to sell, deliver or exchange, and any person may buy, offer to buy or receive from the seller in the course of trade or business, such coated or bonded abrasive product at the price submitted for approval. If, however, the Price Administrator disapproves the price submitted, the selling price shall be revised downward to the maximum price which the Price Administrator shall approve, and any payment made in excess of the price so approved shall be refunded to the buyer within fifteen days after the date of the letter, order, or other written instrument informing the seller of such revision: *Provided, however,* That no such refund shall be required with respect to any delivery made at a price established prior to February 11, 1943, in accordance with the provisions of the General Maximum Price Regulation. In the absence of notice to the contrary from the Office of Price Administration within thirty days after a seller files such a selling price with the Office of Price Administration, the price filed shall stand approved and shall be the maximum price applicable.

When filing such a price with the Office of Price Administration, the seller shall set forth, in addition to the net price, his list price, and all discounts, allowances, and differentials for all classes of buyers, a description and identification of the commodity, a statement of facts differentiating such commodity from the other commodities sold by the seller, and a statement setting forth the method used in calculating the price therefor.

(c) *Sales of coated abrasive products by the Tennessee Sandpaper Corporation.* The Tennessee Sandpaper Corporation, Nashville, Tennessee, may sell and deliver, and any person may buy or receive in the course of trade or business, from the Tennessee Sandpaper Corporation, coated abrasive products sold or offered for sale by it during March, 1942, at prices no higher than the maximum prices established in Order No. 127, issued November 4, 1942, under § 1499.18 (c) of the General Maximum Price Regulation. For coated abrasive products not sold or offered for sale by the Tennessee Sandpaper Corporation during March, 1942, the other applicable provisions of this Maximum Price Regulation No. 316, shall control: *Provided, however,* That the maximum prices for such products not sold or offered for sale by the Tennessee Sandpaper Corporation during March, 1942, may be calculated to reflect a 10% increase over March prices so that the maximum prices on such products will be in line with the seller's maximum prices on his other coated abrasive products.

§ 1438.52 *Less than maximum prices.* Lower prices than those set forth in § 1438.51 may be charged, demanded, paid or offered.

§ 1438.53 *Packaging and transportation charges and practices.* A seller may not change the packaging and transportation charges and practices which he had in effect during March, 1942, if such change would result in higher prices to his customers.

§ 1438.54 *Export sales.* Export sales of coated and bonded abrasive products shall be subject to the provisions of the Revised Maximum Export Price Regulation[1] issued by the Office of Price Administration.

§ 1438.55 *Idle or frozen materials.* The maximum price at which any person may sell or deliver idle or frozen coated and bonded abrasive products shall be determined in accordance with the provisions of Maximum Price Regulation No. 204[2] on Idle or Frozen Materials Sold Under Priorities Regulation No. 13.

§ 1438.56 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment requires extended consideration, the Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1438.57 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 316 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to coated and bonded abrasive products, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1438.58 *Records and reports.* (a) Every person making sales or deliveries of coated or bonded abrasive products and every person making purchases or accepting delivery of coated or bonded abrasive products in the course of trade or business, shall keep for inspection by the Office of Price Administration for so long a period as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each such sale, purchase, or delivery showing the date thereof, the name of the purchaser or seller, the quantity and kind of coated or bonded abrasive products sold, purchased, or delivered, and the price received or paid therefor, and each such seller shall keep a record of all discounts, differentials, and allowances which the seller had in effect during March, 1942, with a proper identification of each such discount, differential and allowance.

(b) On or before February 11, 1943, every producer shall file with the Office of Price Administration, Washington, D. C., a copy of his current price lists and discount schedules, or other statements setting forth his current selling prices for all classes of buyers, indicating in each instance, his maximum price, unless such producer has already filed such information with that Office. The reports required under this paragraph (b) refer only to domestic transactions. Reports with respect to export prices are governed by the provisions of the Revised Maximum Export Price Regulation issued by the Office of Price Administration.

(c) Such person shall submit such other reports to the Office of Price Administration, and keep such other records in addition to or in place of the records required in paragraph (a) of this section, as the Office of Price Administration may from time to time require.

§ 1438.59 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 316 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 316, or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1438.60 *Petitions for amendment.* Any person seeking amendment of any provision of this Maximum Price Regulation No. 316 may file a petition for an amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1438.61 *Applicability of General Maximum Price Regulation.*[3] The provisions of this Maximum Price Regulation No. 316 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this regulation.

§ 1438.62 *Effect upon Order No. 78 and Order No. 96 under § 1499.3 (b) of the General Maximum Price Regulation.* Order No. 78 and Order No. 96 under § 1499.3 (b) of the General Maximum Price Regulation are hereby revoked.

§ 1438.63 *Definitions.* (a) When used in this Maximum Price Regulation No. 316, the term:

(1) "Coated abrasive products" means and includes all abrasive coated papers, cloths, and combinations of paper and cloth.

(2) "Bonded abrasive products" means and includes all abrasive bonded grinding wheels, segments, sticks, bricks, sharpening stones, and other abrasive bonded products, including diamond bonded abrasive products.

(3) "Idle or frozen materials" means any commodity, accessory, part, assembly or product not in a form normally sold by the seller in the ordinary course of his business and sold or delivered pursuant to Priorities Regulation No. 13 issued by the Division of Industry Operations of the War Production Board on July 7, 1942. It does not include any raw or unprocessed agricultural commodity.

(4) "Net price" means the price actually charged by the seller; i. e., the list or quoted price less all discounts, allowances, and differentials.

(5) "Offering price" means the price quoted in the seller's price list, or, if he had no such price list, the price which he regularly quoted in any other manner. But "offering price" shall not include a price intended to withhold a commodity or service from the market, or a price offered as a bargaining price by a seller who usually sells at a price lower than his asking price. "Net offering price" means offering price less all discounts, allowances, and differentials.

(6) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(7) "Purchaser of the same class" refers to the practice adopted by the seller of setting different prices for commodities or services for sales to different purchasers or kinds of purchasers (for example, manufacturer, distributor, dealer, jobber, retailer, government agency, public institution, large consumer, medium consumer, small consumer) or for purchasers located in different areas or for different quantities or under different conditions of sale. Customary differentials in discounts on price list goods shall be among the criteria which establish differences among classes of purchasers.

(8) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "seller," "buy," "purchase" and "purchaser," shall be construed accordingly.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

§ 1438.64 *Effective date.* This Maximum Price Regulation No. 316 (§§ 1438.51 to 1438.64, inclusive) shall become effective February 12, 1943, for the District of Columbia and the forty-eight states of the United States, and shall become effective March 29, 1943, for the territories and possessions of the United States.

Issued this 6th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1980; Filed, February 6, 1943; 10:41 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 268 Under § 1499.3 (b) of GMPR]

E. I. DU PONT DE NEMOURS AND CO., INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1704 *Approval of maximum prices for sales of 35% stannous fluoride solution manufactured by the E. I. Du Pont de Nemours & Co., Inc.* (a) The maximum prices for sales by the E. I. Du Pont de Nemours & Co., Inc., a corporation incorporated under the laws of the State of Delaware, of 35% stannous flouride solution shall be the prices set forth below, f. o. b. production plant:

Maximum prices for the first 71,500 lbs. sold—$53.63 per hundred lbs.

Maximum prices for subsequent sales—$43.51 per hundred lbs.

(b) Within ten days after having made a sale of 35% stannous flouride solution which, when added to previous sales, totals 71,500 pounds, the E. I. Du Pont de Nemours & Co., Inc. shall in writing report that fact to the Office of Price Administration in Washington, D. C.

(c) This Order No. 268 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 268 (§ 1499.1704) shall become effective February 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.)

Issued this 6th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1978; Filed, February 6, 1943; 10:40 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 269 Under § 1499.3 (b) of the GMPR]

THE AXTON-FISHER TOBACCO CO.

Maximum prices for Axton's Vintage Special Cigarettes.

The Axton-Fisher Tobacco Co., a corporation, has made application under § 1499.3 (b) of the General Maximum Price Regulation for determination of maximum prices for Axton's Vintage Special Cigarettes. Due consideration has been given to the application and an opinion in support of this order is-

[1] 7 F.R. 3096, 3824, 4294, 4541, 5[illegible] 7242, 8829, 9000, 10530.

[2] 7 F.R. 6479, 7366, 8948.

[3] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204.

sued simultaneosuly herewith has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with § 1499.3 (b) of the General Maximum Price Regulation; *It is hereby ordered*, That:

§ 1499.1705 *Authorization of maximum prices for Axton's Vintage Special Cigarettes.* (a) On and after February 8, 1943, The Axton-Fisher Tobacco Co., may sell and deliver, and any purchaser may buy and receive from The Axton-Fisher Tobacco Co., Axton's Vintage Special Cigarettes at maximum prices not in excess of $12.00 per thousand less 10% trade discount and 2% cash discount for payment within 10 days, plus the amount of any State or local tax applicable to the particular quantity of cigarettes sold and paid or payable by the manufacturer to the proper taxing authorities with respect to the particular quantity of cigarettes in question.

(b) Any wholesaler or jobber may sell and deliver, and any person may buy Axton's Vintage Special Cigarettes from such wholesaler or jobber at maximum prices not in excess of $12.00 per thousand less discounts customarily allowed in March 1942 by such wholesaler or jobber on his sales of other cigarettes to purchasers of the same class, plus the amount of any State or local tax applicable to the particular quantity of cigarettes sold and paid or payable by the wholesaler or jobber to the proper taxing authorities or to any prior vendor with respect to the particular quantity of cigarettes in question.

(c) The maximum prices established for The Axton Fisher Tobacco Co., under (a) and for wholesalers and jobbers under (b) are based on quantities of 1000 cigarettes packed 20 to the individual container.

(d) Any retailer may sell and deliver, and any person may buy and receive Axton's Vintage Special Cigarettes from such retailer at a price no greater than 28¢ per package of 20 plus the amount of any State or local tax applicable to the particular quantity of cigarettes sold and paid or payable by the retailer to the proper taxing authorities or to any prior vendor with respect to the particular quantity of cigarettes in question.

(e) Depreciation of the quality and character of packing of Axton's Vintage Special Cigarettes as set forth in the application of the Axton Fisher Tobacco Co., except as the result of normal variation, is hereby prohibited.

(f) On or before the first delivery of any Axton's Vintage Special Cigarettes to any purchaser, the Axton Fisher Tobacco Co., and every wholesaler and jobber shall notify the purchaser of the exact amount of the maximum price thereof as set forth in this Order by delivering to such purchaser a written notice as follows:

On our new brand Axton's Vintage Special Cigarettes, the Office of Price Administration has authorized us to establish a maximum list price of $12.00 per thousand based on sales of 1000 cigarettes packed 20 to the individual container. Manufacturer's discounts may not be less than 10% plus 2% for payment within 10 days. Wholesalers' and jobbers' discounts may not be less than those customarily allowed in March 1942 on their sales of other cigarettes to the same class of purchaser. The amount of any State or local tax applicable to the particular quantity of cigarettes sold and paid or payable by the manufacturer to the proper taxing authorities may be added to the manufacturer's maximum list price. The amount of any State or local tax applicable to the quantity of cigarettes sold and paid or payable by a wholesaler or jobber to the proper taxing authorities or to any prior vendor may be added to the wholesalers' or jobbers' maximum list price.

The Office of Price Administration has also authorized us to establish a maximum retail price of 28¢ for a package of 20 of such brand of cigarettes. The amount of any State or local tax applicable to the particular quantity of cigarettes sold and paid or payable by the retailer to the proper taxing authority or to any prior vendor may be added to the maximum retail price.

Wholesalers and jobbers receiving this notice are required to give similar written notice to each person to whom they sell and deliver Axton's Vintage Special Cigarettes, at or before their first delivery of such cigarettes to the purchaser.

The Office of Price Administration requires you to keep this notice for examination.

(g) This Order No. 269 may be amended or revoked by the Administrator at any time.

(h) This Order No. 269 (§ 1499.1705) shall become effective February 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43-1977; Filed, February 6, 1943; 10:40 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 8 Under § 1499.18 (c) of GMPR]

SAWN MINE TIMBERS AND MINE LAGGING

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered*:

§1499.1508 *Adjustment of maximum prices for sawn mine timbers and mine lagging produced in Minnesota, and sold to iron mines in that state.* (a) Any person may sell and deliver, and any person may purchase, sawn mine timbers and mine lagging which is produced in Minnesota, and sold to iron mines in that state, at prices not higher than the following prices, delivered to the mines:

	Maximum delivered prices
Mine timbers:	*per 1,000 ft. board measure*
Mixed hardwood mine board 3½" thick, random width	$29.00
Mixed hardwood mine board 1½" thick, random width	32.00
Mixed hardwood mine board 2" thick random width	32.00
	Maximum delivered price
Mine lagging:	*per 192 cu. ft. cord*
Cedar	$12.75
Poplar and Jack pine	14.50

(b) This Order No. 8 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 8 (§ 1499.1508) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(d) This Order No. 8 (§ 1499.1508) shall become effective February 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of February, 1943.

PRENTISS M. BROWN
Administrator.

[F. R. Doc. 43-1976; Filed, February 6, 1943; 10:39 a. m.]

PART 1300—PROCEDURE

[Procedural Regulation 4]

ISSUANCE OF RATIONING SUSPENSION ORDERS

The Title and §§ 1300.151 to 1300.160 inclusive are amended as set forth herein.

Pursuant to the authority conferred upon the Administrator by Executive Order 9125, Executive Order 9280, War Production Board Directive No. 1 as supplemented, and Food Directive 1 of the Secretary of Agriculture the following rules are prescribed for the issuance of suspension orders:

AUTHORITY: §§ 1300.151 to 1300.181, inclusive, issued under Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, as supplemented, E.O. 9280, 7 F.R. 10179, issued December 5, 1942, Food Directive 1 of the Secretary of Agriculture, 8 F.R. 827.

Purpose and Application of Procedural Regulation No. 4

§ 1300.151 *Purpose and application.* It is the purpose of this regulation to prescribe the procedure used by the Office of Price Administration in the issuance of rationing suspension orders. The regulation does not apply to suspension orders issued by War Price and Rationing Boards, but § 1300.169 of this regulation prescribes the procedure used on appeal from such orders.

Suspension order Proceedings

§ 1300.152 *Institution of proceedings.* Proceedings for the issuance of suspension orders shall be instituted by the service of a notice of hearing upon the respondent not less than three (3) days prior to such hearing.

§ 1300.153 *Notice of hearing.* A notice of any hearing to be held pursuant to this procedural regulation shall be issued by the Regional Attorney and shall set forth the time and place of hearing, a statement of the charges against the respondent, and a statement of the purpose for which the hearing is to be held.

(b) If the notice of hearing is served at least five (5) days before the date set for the hearing, the notice may provide that such hearing will be held only if respondent files with the Hearing Commissioner a request for such hearing and a statement of the general nature of his defense to each of the charges. Such notice shall fix the time for filing the request and statement, which shall be not less than three days after service of the notice.

(c) No hearing need be held if the respondent has failed to file the required request and statement within the time prescribed by a notice issued in accordance with paragraph (b) of this section.

§ 1300.154 *Hearing Commissioner; Presiding Officer; appointment and duties:* Any hearing held pursuant to this regulation shall be conducted by a Hearing Commissioner or such person as he may designate to conduct such hearing (hereinafter called "presiding officer"). The Hearing Commissioner or a presiding officer shall preside at the hearing, administer oaths and affirmations, and rule on the admission and exclusion of evidence.

§ 1300.155 *Continuance or adjournment of hearing.* The hearing shall be held at the time and place specified by the notice of hearing, but the Hearing Commissioner or presiding officer may continue or adjourn the hearing to a later date or to a different place. Notice of such adjournment or continuance may be made by announcement at the hearing.

§ 1300.156 *Conduct of hearing.* (a) The hearing shall be conducted by the Hearing Commissioner or presiding officer in such manner as will permit the presentation of evidence and argument to the fullest extent compatible with fair and expeditious determination of the issues raised in the hearing. To this end:

(1) The respondent shall have the right to be represented by counsel of his own choosing.

(2) The rules of evidence prevailing in the courts of law or equity shall not be controlling.

(3) The Hearing Commissioner or presiding officer shall afford reasonable opportunity for cross-examination of witnesses.

(b) All hearings held pursuant to this procedural regulation shall be public.

§ 1300.157 *Subpoenas.* (a) Applications for subpoenas shall be filed with the Hearing Commissioner, who may thereafter grant or deny the application or refer it to the presiding officer. The subpoena shall be issued if such application is approved by the presiding officer.

(b) The application for subpoena shall specify the name and address of the witness and the nature of the facts to be proved by him and, if calling for the production of documents, shall specify them with such particularity as will enable them to be identified for purposes of production.

(c) Service of a subpoena upon a person named therein shall be made by delivering a copy thereof to such person and by tendering to him the fees and mileage specified in section 2 (a) (4) of the Act. When the subpoena is issued at the instance of the Regional Attorney, fees and mileage need not be tendered.

§ 1300.158 *Witnesses.* Witnesses summoned before a Hearing Commissioner or presiding officer at any hearing held pursuant to this regulation shall be paid the fees and mileage specified by section 2 (a) (4) of the Act. Witness fees and mileage shall be paid by the party at whose instance the witness appears.

§ 1300.159 *Contemptuous conduct.* Contemptuous conduct at any hearing shall be ground for exclusion from the hearing. The refusal of a witness to answer any question which has been ruled to be proper shall, in the discretion of the Hearing Commissioner, or presiding officer, be ground for the striking out of all testimony previously given by such witness on related matters.

§ 1300.160 *Transcript of hearing.* A stenographic report of all hearings shall be taken. The report need not be transcribed if such transcription is waived by the parties to the proceeding. If the report is transcribed, a copy shall be available for inspection during business hours at the Office of the Hearing Commissioner. Argument of counsel shall not be included in the report except at the direction of the Hearing Commissioner or presiding officer.

§ 1300.161 *Presiding officer's advisory report; service.* (a) A presiding officer who has conducted a hearing shall prepare an advisory report. Such report shall contain (1) findings of fact, (2) conclusions of law, and (3) recommendations with respect to the disposition of the matter.

(b) The advisory report shall be filed with the Hearing Commissioner, and copies thereof shall be served on the respondent and the Regional Attorney.

§ 1300.162 *Briefs on presiding officer's advisory report.* (a) Any party may submit to the Hearing Commissioner a brief or written argument in opposition to or in support of the report of the presiding officer.

(b) Such briefs shall be filed within five (5) days after the service of the presiding officer's report. Two (2) copies of the brief shall be filed with the Hearing Commissioner and a copy thereof served upon the opposing party at or before the time of filing.

(c) Briefs may be filed after the time prescribed by paragraph (b) of this section only with the permission of the Hearing Commissioner.

§ 1300.163 *Briefs after hearing before Commissioner.* The Hearing Commissioner may, upon the request of any party to a proceeding conducted by him, permit the filing of briefs or written argument. Such briefs or written argument shall be filed within such time as the Hearing Commissioner may prescribe.

§ 1300.164 *Waiver of hearing.* (a) If a respondent fails to appear at a hearing or fails to request a hearing when such request is required pursuant to § 1300.153 (b), he shall be deemed to have waived a hearing, and the charges set forth in the notice of hearing shall be deemed to be admitted for the purposes of the hearing. In such cases the Regional Attorney may present evidence relevant to the determination of the effective period of any suspension order which might be issued against the respondent.

(b) At any time prior to the tenth day after the service of a suspension order issued after a default, the respondent may file with the Hearing Commissioner who issued the order, a petition for the reopening of the proceedings, setting forth the grounds on which he believes his default should be excused. A copy of such petition shall be served upon the Regional Attorney at or prior to the time it is filed with the Hearing Commissioner. If the Hearing Commissioner grants the petition he shall notify the Regional Attorney and the respondent of the time and place set for the hearing and may set aside or stay the suspension order.

§ 1300.165 *Order of the Hearing Commissioner.* (a) If the Hearing Commissioner determines that a respondent has violated a rationing regulation or order he may issue a suspension order.

(b) Any suspension order hereunder shall set forth the findings of fact and conclusions of law upon which it is based, and shall contain a statement of the reasons why a suspension order should be issued unless such statement is set forth in an opinion accompanying the order.

(c) If the Hearing Commissioner determines that no suspension order should be issued he shall issue an order dismissing the proceeding in which he shall set forth his findings of fact and conclusions of law. The order shall contain a statement of the reasons why a suspension order should not be issued unless such reasons are stated in an opinion accompanying the order.

§ 1300.166 *Consent order.* If the Hearing Commissioner approves an agreement entered into by the Regional Attorney and a respondent with respect to the terms of a suspension order, he shall issue the order agreed upon, and such order shall have the same force and effect as an order issued under § 1300.165.

§ 1300.167 *Hearing and order by Hearing Administrator.* (a) At any time after the service of a notice of hearing and before the service of the suspension order, the Hearing Administrator may direct that the proceedings be brought before him.

(b) Notice that the proceedings are to be brought before the Hearing Administrator shall be served upon the Regional Attorney, the respondent and the Hearing Commissioner.

(c) Proceedings brought before the Hearing Administrator shall be conducted in the same manner as if brought before a Hearing Commissioner.

§ 1300.168 *Incidental provisions in suspension orders:* A suspension order issued under this regulation may contain such provisions as may be deemed appropriate to make effective the regulation or prohibition prescribed in the order.

Suspension Orders on Appeal From Orders of War Price and Rationing Boards

§ 1300.169 *Appeals from orders of Boards.* (a) Whenever a right to appeal

to a Hearing Commissioner from an order of a War Price and Rationing Board is granted by a rationing order or regulation, such appeal may be taken within the time and in the manner prescribed in such rationing order or regulation.

(b) The appeal shall be heard by the Hearing Commissioner or a presiding officer, and determined by the Hearing Commissioner in the same manner as if it were a proceeding instituted by a notice of hearing issued under §1300.152.

(c) The Hearing Commissioner may, for good cause shown upon application by the respondent, stay or suspend the operation of an order issued by a War Price and Rationing Board pending the hearing and determination of the appeal.

(d) Any order issued by the Hearing Commissioner upon the determination of the appeal shall supersede the order of the Board from which the appeal was taken.

Appeals to and Review by Hearing Administrator

§ 1300.170 *Appeals from orders of the Hearing Commissioner.* (a) The respondent or the Regional Attorney may appeal to the Hearing Administrator from any order of the Hearing Commissioner issued under this regulation within ten (10) days (or in the case of orders issued in the Territories and Possessions, within thirty (30) days) after service of such order.

§ 1300.171 *Notice of appeal.* (a) The appeal may be taken by serving a notice of appeal on the Hearing Commissioner and the other party to the proceeding and filing a copy of the notice of appeal with proof of such service at the Office of the Hearing Administrator.

(b) The notice of appeal shall contain (1) a reference to the findings of fact and conclusions of law, if any, to which exception is taken, (2) a brief statement of the grounds for such exceptions, (3) the modifications proposed with respect to the order appealed from, and (4) a brief statement of the reasons supporting such modifications.

§ 1300.172 *Stay pending appeal.* The Hearing Administrator may, for good cause shown upon application by the respondent, stay or suspend the operation of an order of a Hearing Commissioner pending the determination of the appeal.

§ 1300.173 *Record on appeal.* The Hearing Commissioner shall, within three (3) days after the receipt of the notice of appeal, send to the Hearing Administrator the complete record in the case which shall include:

(a) The Notice of Hearing and proof of service thereof;

(b) The transcript of testimony and all exhibits;

(c) The order of the Hearing Commissioner; and

(d) In a case instituted before a Board, the order of the Board.

§ 1300.174 *Briefs.* (a) Any party may submit to the Hearing Administrator a brief in support of or in opposition to the order of the Hearing Commissioner.

(b) All briefs shall be submitted within twenty (20) days (or in the case of orders issued in the Territories or Possessions within forty (40) days) after service of the order appealed from. Two (2) copies of the brief shall be filed with the Hearing Administrator and a copy thereof served upon the opposing party at or before the time of filing.

(c) Briefs may be filed after the time prescribed by paragraph (b) of this section only with the permission of the Hearing Administrator.

§ 1300.175 *Order on appeal.* (a) The Hearing Administrator may affirm, reverse or modify the order of a Hearing Commissioner or direct that a further hearing be held thereon.

(b) The Hearing Administrator shall issue his order on appeal within a reasonable time after the filing of the notice of appeal. The order may be accompanied by an opinion of the Hearing Administrator, setting forth the reasons for the action taken.

(c) Copies of the order on appeal shall be served on the respondent and the Regional Attorney.

§ 1300.176 *Review on initiative of Hearing Administrator.* (a) If neither the Regional Attorney nor the respondent appeals from the order within the time prescribed in § 1300.170, the Hearing Administrator may review the case on his own motion.

(b) The Hearing Administrator shall initiate a review under subsection (a) of this section by serving a notice of intention to review on the Regional Attorney and respondent.

(c) A review proceeding under this section shall be conducted in the same manner as an appeal under § 1300.170 except that briefs shall be filed within 15 days (or in the case of orders issued in the Territories and Possessions, within thirty-five (35) days) after the service of notice of intention to review.

§ 1300.177 *Petition for reconsideration of order of Hearing Administrator under § 1300.167.* (a) Any party may file with the Hearing Administrator a petition for reconsideration of an order issued by the Hearing Administrator under § 1300.167.

(b) The petition for reconsideration shall be served and filed in the same manner as a Notice of Appeal under § 1300.171, and such petition shall conform to the requirements for notices of appeal prescribed in § 1300.171 (b). Proceedings on such petition shall be the same as on an appeal under § 1300.170.

Miscellaneous

§ 1300.178 *Service of papers.* Notices, orders and other process and papers may be served personally or by leaving a copy thereof at the residence or the principal office or place of business of the person to be served; or by registered mail or by telegraph. When service is made personally or by leaving a copy at the residence or the principal office or place of business, the verified return of the person serving or leaving the copy shall be proof of service. When service is by registered mail or telegraph the return post office receipt or telegraph receipt shall be proof of service.

§ 1300.179 *Office hours of Office of Hearing Commissioners and Hearing Administrators.* The Offices of the Hearing Administrator and the Hearing Commissioners shall be open, on weekdays, from 9 a. m. until 5 p. m. and on Saturdays from 9 a. m. until 1 p. m. Any person desiring to file papers, at any time other than the regular hours stated, may file a written application with the appropriate Hearing Commissioner, or the Hearing Administrator if such papers are to be filed with him, requesting permission therefor.

§ 1300.180 *Definitions.* As used in this procedural regulation, unless the context otherwise requires, the term

(a) "Act" means the Act of June 28, 1940 (54 Stat. 676) as amended by the Act of May 31, 1941 (55 Stat. 236), and by Title III of the Second War Powers Act (56 Stat. 176), 50 USCA (App.) section 633.

(b) "Hearing Administrator" means the Hearing Administrator of the Office of Price Administration.

(c) "Hearing Commissioner" means the Chief Hearing Commissioner of the Office of Price Administration for the Region in which the proceeding is instituted or such Hearing Commissioner as may be authorized to determine a proceeding held pursuant to this procedural regulation.

(d) "Rationing order or regulation" means any order or regulation of the Office of Price Administration issued pursuant to War Production Board Directive No. 1 as supplemented or Food Directive 1 of the Secretary of Agriculture or pursuant to any other delegation of authority conferred by section 2 (a) of the Act.

(e) "Regional Attorney" means the Regional Attorney for the region in which the violation involved in the proceeding occurred, or an attorney authorized to act for the Regional Attorney in any proceeding conducted pursuant to this regulation.

(f) "Suspension order" means an order which regulates or prohibits, for a period, the sale, transfer, delivery or other disposition or the acquisition or use of commodities or facilities, and which is issued against a person who has acted in violation of a rationing order or regulation.

§ 1300.181 *Effective date.* Procedural Regulation No. 4 (§§ 1300.151 to 1300.181, inclusive) shall become effective on 12:01 a. m. on February 15, 1943. It governs all proceedings in cases instituted on and after that date. Unless the Hearing Administrator otherwise directs, it shall also govern all further proceedings in cases then pending; *Provided however,* That the procedure which was formerly applicable shall govern review of orders issued prior to February 15, 1943, and the provisions establishing such procedure are continued in effect for this purpose.

Issued this 6th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2006; Filed, February 6, 1943; 3:40 p. m.]

§ 1340.231 *Appendix T: Maximum prices for bituminous coal produced in District No. 20.* * * *

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.*

PART 1340—FUEL
[MPR 120, Amendment 36]
BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

Prices and size group Nos.														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Subdistrict No. 1	All mines	395	395	370	375	370	310	290	290	245	245	225	210	285	265
Subdistrict No. 2 and Subdistrict No. 3	All mines	385	350	340	330	330	305	275	250	---	200	205	---	280	240	230

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, *plus* a sum not exceeding 55 cents for Size Groups 1, 2, 3, 4, 5, 6, 7, 8 and 9; and 65 cents for Size Groups 10, 11, 12, 13, 14 and 15.

This amendment shall be effective as of February 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2008; Filed, February 6, 1943; 3:40 p. m.]

PART 1351—FOOD PRODUCTS AT RETAIL
[MPR 268[2] Amendment 2]
SALES OF CERTAIN PERISHABLE FOOD COMMODITIES AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith.[1]

[1] 7 F.R. 3168, 3447, 3901, 4336, 4343, 4404, 4640, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218, 6265, 6273, 6472, 6389, 6574, 6744, 6895, 7777, 7670, 7914, 7943, 8364, 8550, 8948; 8 F.R. 322.

§ 1340.225 *Appendix N: Maximum prices for bituminous coal produced in District No. 14.* * * *

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.*

PART 1340—FUEL
[MPR 120, Amendment 37]
BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

Price classifications	Prices and size group Nos.														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
A	525	500	500	475	450	425	425	395	395	345	345	345	345	345	345
B			475	455	430	405	405	375	375	330	330	330	330	330	330
C			450	435	410	385	385	360	360	315	315	315	315	315	315
D			425	415	390	365	365	340	340	300	300	300	300	300	300
E			400	395	370	345	345	320	320	285	285	285	285	285	285
F			375	375	350	325	325	300	300	270	270	270	270	270	270
G			350	355	330	305	305	280	280	255	255	255	255	255	255
H			325	335	310	285	285	260	260	240	240	240	240	240	240
I			300	315	290	265	265	240	240	225	225	225	225	225	225
J			275	295	270	245	245	220	220	210	210	210	210	210	210
K			250	275	250	225	225	200	200	195	195	195	195	195	195
L			225	255	230	205	205	180	180	180	180	180	180	180	180
M			200	235	210	185	185	160	160	165	165	165	165	165	165
N			175	215	190	165	165	140	140	150	150	150	150	150	150
O			150	195	170	145	145	120	120	135	135	135	135	135	135
P			125	175	150	125	125	100	100	120	120	120	120	120	120
Q			100	155	130	105	105	80	80	105	105	105	105	105	105

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, for all-rail on-line shipments (without adjustments on account of price exceptions, freight differentials, and substitutions), *plus* a sum not exceeding 5 cents per net ton.

(3) *Maximum prices in cents per net ton for railroad fuel (exclusive of railroad fuel for other than locomotive fuel use).* The maximum prices for such railroad fuel shall be the applicable effective minimum prices as of October 1, 1942, for all-rail on-line shipments (without adjustments on account of price exceptions, freight differentials, and substitutions), *plus* a sum not exceeding 5 cents per net ton.

(4) In the event any specific maximum price has been adjusted prior to February 1, 1943, the effective maximum price in such case shall not be determined by reference to subparagraphs 1, 2 and 3, but must be computed by adding to such adjusted price the following sum:

(i) For methods of shipment and uses indicated in (1) above:
20 cents per net ton

(ii) For methods of shipment and uses indicated in (2) above:
20 cents per net ton

(iii) For use indicated in (3) above:
20 cents per net ton

This amendment shall be effective as of February 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2007; Filed, February 6, 1943; 3:40 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218, 6265, 6272, 6472, 6325, 6524, 6744, 6898, 7777, 7670, 7914, 7942, 8354, 8650, 8948.

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§ 1351.1115a *Effective dates of amendments.* * * *

(b) Amendment No. 2, § 1351.1102a, to Maximum Price Regulation No. 268 shall become effective February 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2009; Filed, February 6, 1943; 3:40 p. m.]

and has been filed with the Division of the Federal Register.*

A new § 1351.1102a has been added to read as set forth below:

§ 1351.1102a *When a retailer authorized to determine uniform maximum prices may calculate maximum prices for the food commodities listed in Appendix A.* Anything in this regulation to the contrary notwithstanding a retailer who has been authorized by the Office of Price Administration to determine and use uniform maximum prices, may calculate maximum prices hereunder as of the close of business on Mondays based on purchases from the preceding Tuesday through Monday. Maximum prices so calculated shall become effective at the start of business on the Thursday following their calculation and remain effective through the following Wednesday.

EARLY WHITE POTATOES—Continued

State	Producing area	Varieties	Maximum price	Period
WEST				
California	Counties of San Luis Obispo, Kern, San Bernardino, and all counties south thereof.	All	$2.15	Feb. 8, 1943, through June 30, 1943.
Arizona	All	All	2.45	Feb. 8, 1943, through June 30, 1943.
New Mexico	All	All	2.40	Feb. 8, 1943, through June 30, 1943.

* * *

EARLY DRY ONIONS [1]

[Maximum price per 50 pounds [2]]

State	Producing area	Varieties	Maximum price	Period
All	All	All except white	$2.60	Feb. 8, 1943 through March 1943.
All	All	All except white	2.40	Apr. 1 to Apr. 15, 1943.
All	All	All except white	2.10	Apr. 16 to Apr. 30, 1943.
All	All	All except white	1.80	May 1 to May 31, 1943.
All	All	All except white	1.65	June 1 to June 30, 1943.

[1] The maximum prices listed above are applicable only to "Early dry onions" harvested and sold during the periods set forth.

[2] These prices are subject to the following differentials:

(a) For *white* early dry onions, the country shipper may add 15¢ per 50 lbs. to the maximum prices listed above.

(b) For *white* pickler early dry onions, the country shipper may add $1.00 per 50 lbs. to the maximum prices listed above.

(c) For early dry onions sold in bulk or in containers furnished by the purchaser, the country shipper shall subtract 15¢ per 50 lbs. from the maximum price for each variety.

This amendment shall become effective February 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of February 1943.

PRENTISS M. BROWN,
Administrator.

Approved:

CLAUDE R. WICKARD,
Secretary, Department of Agriculture.

[F. R. Doc. 43-2010; Filed, February 6, 1943; 3:40 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 27,[1] Amendment 2]

DESIGNATION OF 24 DEFENSE-RENTAL AREAS AND RENT DECLARATION RETAILING TO SUCH AREAS

Item (21) listed in the table in § 1388.1301 of Designation and Rent Declaration No. 27 is amended to read as follows:

§ 1388.1301 *Designation.* * * *

	Name of defense-rental area [1]	In State or States of—	Defense-rental area consists of—
* *	* *	* *	* *
(21)	Eagle Pass	Texas	County of Maverick.
* *	* *	* *	* *

[1] The words "Defense-Rental Area" shall follow the name listed in the table in each case to constitute the full name of a defense-rental area, e. g., "Alabama Defense-Rental Area," "Dukes-Nantucket Defense-Rental Area."

[1] 7 F.R. 4232; 8 F.R. 1228.

Part 1351—Food and Food Products

[MPR 271, Amendment 3]

CERTAIN PERISHABLE FOOD COMMODITIES, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1351.1002, a new subparagraph (4) is added to paragraph (a), and a new subparagraph (6) is added to paragraph (b). In § 1351.1017, the table entitled "Early white potatoes" is amended and a table for "Early dry onions" is added as set forth below.

§ 1351.1002 *How a country shipper establishes his maximum price for a perishable food commodity, as set forth in Appendix A.* (a) * * *

(4) For each 50 pounds of early dry onions, in bags or any other containers, on board car or other common carrier, the maximum price shall be the amount set forth as the maximum price for the month of sale in the area in which the early dry onions were harvested, listed in the table entitled "Early dry onions" in Appendix A hereof. The differentials listed in paragraph (b), subparagraph (5) of this section shall not be applicable to the maximum prices listed in the table in Appendix A entitled "Early dry onions." "Early dry onions" means dry onions harvested and sold during the months listed in the table entitled "Early dry onions."

(b) * * *.

(6) *Early dry onions.* (i) For *white* early dry onions, the country shipper may add 15¢ per 50 pounds to the maximum prices listed in Appendix A.

(ii) For early dry onions, of the white boiler or white pickler variety, the country shipper may add one dollar per 50 pounds to the maximum prices listed in Appendix A.

(iii) For early dry onions, sold in bulk or in containers furnished by the purchaser, the country shipper shall subtract 15¢ per 50 pounds from the maximum price for each variety sold.

§ 1351.1017 *Appendix A: Maximum prices for perishable food [c. o. b. shipping point.*

* * *

EARLY WHITE POTATOES

[Maximum price per 100 pounds]

1943

State	Producing area	Varieties	Maximum price	Period
S. ATLANTIC				
* *	* * *	* *	* *	* *
North Carolina	All	All	$2.60	Feb. 8, 1943, through June 30, 1943.
South Carolina	All	All	2.60	Feb. 8, 1943, through June 30, 1943.
Georgia	All	All	2.60	Feb. 8, 1943, through June 30, 1943.
Florida	Counties of Charlotte, Glades, Martin, and all counties south thereof.	All	3.75	Feb. 8, 1943, through June 30, 1943.
	Northern	All	3.10	Feb. 8, 1943, through June 30, 1943.
	Western	All	2.50	Feb. 8, 1943, through June 30, 1943.
SOUTHERN CENTRAL				
Tennessee	All	All	2.10	Feb. 8, 1943, through June 30, 1943.
Alabama	All	All	2.50	Feb. 8, 1943, through June 30, 1943.
Mississippi	All	All	2.40	Feb. 8, 1943, through June 30, 1943.
Arkansas	All	All	2.40	Feb. 8, 1943, through June 30, 1943.
Louisiana	All	All	2.50	Feb. 8, 1943, through June 30, 1943.
Oklahoma	All	All	2.50	Feb. 8, 1943, through June 30, 1943.
Texas	Counties of Zapata, Jim Hogg, and all counties south thereof.	All	3.75	Feb. 8, 1943, through June 30, 1943.
	Laredo	All	2.50	Feb. 8, 1943, through June 30, 1943.
	Northern	All	2.10	Feb. 8, 1943, through June 30, 1943.

[1] The maximum prices listed in this schedule apply to sales in bulk or in containers furnished by the purchaser, the country shipper shall subtract 15¢ per 100 pounds from the maximum price listed above.

[2] These prices are subject to the following differentials:

(a) For early white pickler early dry onions, the country shipper may add $1.00 per 50 lbs. to the maximum prices listed above.

(b) For early dry onions sold in bulk or in containers furnished by the purchaser, the country shipper shall subtract 15¢ per 50 lbs. from the maximum price for each variety.

This Amendment No. 2 (§ 1388.1301) to Designation and Rent Declaration No. 27 shall become effective February 6, 1943.

(Pub. Law 421, 77th Cong.)

Issued this 6th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2012; Filed, February 6, 1943; 3:41 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 31,[1] Amendment 4]

DESIGNATION OF 46 DEFENSE-RENTAL AREAS AND RENT DECLARATION RELATING TO SUCH AREAS

The title and item (38) listed in the table in § 1388.1341 of Designation and Rent Declaration No. 31 are amended and item (47) is added to the table in the said section to read as follows: "Designation and Rent Declaration No. 31—Designation 47 Defense-Rental Areas and Rent Declaration Relating to Such Areas."

§ 1388.1341 *Designation.* * * *

	Name of defense-rental area [1]	In State of—	Defense-rental area consists of—
* *	* *	* *	* *
[illegible]	Texas	Texas	That portion of the State of Texas not heretofore designated by the Price Administrator as part of any defense-rental area, except the County of Lampasas (which becomes a part of the Killeen-Temple Defense-Rental Area, effective Jan. 1, 1943), the County of Brewster (which becomes a part of the Marfa-Alpine Defense-Rental Area, effective Feb. 1, 1943) and the County of Webb (which constitutes the Laredo Defense-Rental Area).
* *	* *	* *	* *
[illegible]	Laredo	Texas	County of Webb.

[1] The words "Defense-Rental Area" shall follow the name listed in the table in each case to constitute the full name of a defense-rental area, e. g., "Alabama Defense-Rental Area," "Dukes-Nantucket Defense-Rental Area."

This Amendment No. 4 (§ 1388.1341) shall become effective February 6, 1943.

(Pub. Law 421, 77th Cong.)

Issued this 6th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2011; Filed, February 6, 1943; 3:41 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 49,[1] Amendment 4]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

Subparagraph (44) of paragraph (a) of § 1388.131 of Maximum Rent Regulation No. 49 is amended and the said § 1388.131 (a) is amended by adding subparagraph (55) to the said section to read as follows:

§ 1388.131 *Scope of regulation.* (a) * * *

(44) The Eagle Pass Defense-Rental Area, consisting of the County of Maverick, in the State of Texas.

* * * * *

(55) The Laredo Defense-Rental Area, consisting of the County of Webb, in the State of Texas: *Provided, however,* That with respect to the Laredo Defense-Fental Area, the words "the effective date of this Maximum Rent Regulation," "October 20, 1942," and "December 1, 1942" in this Maximum Rent Regulation shall mean February 1, 1943.

* * * * *

§ 1388.144a *Effective dates of amendments.* * * *

[1] 7 F.R. 7942; 8 F.R. 122, 1228

[1] 7 F.R. 7500, 7668, 8505, 8506, 9784, 9821, 9954, 10845, 11115; 8 F.R. 1229.

(d) Amendment No. 4 (§ 1388.131 (a)) to Maximum Rent Regulation No. 49 shall become effective February 6, 1943.

(Pub. Law 421, 77th Cong.)

Issued this 6th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2014; Filed, February 6, 1943; 3:41 p. m.]

[Maximum Rent Regulation 50A,[1] Amendment 4]

PART 1388—DEFENSE-RENTAL AREAS HOTEL AND ROOMING HOUSE

Subparagraph (44) of paragraph (a) of § 1388.181 of Maximum Rent Regulation No. 50A is amended and the said § 1388.181 is amended by adding subparagraph (55) to the said section to read as follows:

§ 1388.181 *Scope of regulation.* (a) * * *

(44) The Eagle Pass Defense-Rental Area, consisting of the County of Maverick, in the State of Texas.

* * * * *

(55) The Laredo Defense-Rental Area, consisting of the County of Webb, in the State of Texas: *Provided, however,* That with respect to the Laredo Defense-Rental Area, the words "the effective date of this Maximum Rent Regulation," "October 19, 1942," and "December 1, 1942" in this Maximum Rent Regulation shall mean February 1, 1943.

* * * * *

§ 1388.194a *Effective dates of amendments.* * * *

[1] 7 F.R. 7505, 7668, 8479, 8507, 9783, 9820, 9955, 11115; 8 F.R. 434, 1230.

(d) Amendment No. 4 (§ 1388.181 (a)) to Maximum Rent Regulation No. 50A shall become effective February 6, 1943.

(Pub. Law 421, 77th Cong.)

Issued this 6th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2013; Filed, February 6, 1943; 3:41 p. m.]

PART 1404—RATIONING OF FOOTWEAR

[Ration Order 17]

SHOES

Preamble: Reliable reports show that more shoes were made in the United States in 1941 than ever before. As a result, our shoe supply was somewhat larger than normal up to the middle of 1942. Since that time, however, shoe stocks have gradually been declining and the supply and demand factors are such that a serious shortage is expected unless the market is controlled.

Production and sales reports for the second half of 1942 show a sharp decline in production of civilian shoes and an increase in retail sales, with the result that retail stocks declined substantially during the year. The trend toward a shortage of shoes is thus shown.

The 1943 production of shoes for civilian use is expected to be smaller than in 1942 for several reasons. Shortages of leather (and other materials) and of skilled manpower are the principal causes of this decline. Furthermore, as our armed forces grow, a larger share of the shoes made must be set aside for them, so the civilian supply is further reduced. Because of these factors, the 1943 production of civilian shoes is expected to be at least 25% less than in 1942.

The Government, through restriction orders issued by the War Production Board, is attempting to make supplies of leather go as far as possible. For example, the number of styles a shoe manufacturer may make has been reduced so as to make it unnecessary for shoe stores to keep in stock many different styles of shoes. However, much of the leather in hides is thin or of poor quality and since it is impossible to stretch the quantity or to improve the quality of sole leather the total number of shoes that can be made is limited.

If consumer buying of shoes were not controlled, it is reasonable to expect that the number of pairs bought in 1943 would be at least as large as in 1942. In fact, many factors indicate that 1943 sales would be larger. Among these factors are the following: (1) People can afford to buy more shoes because they have more money to spend altogether and are unable to spend it for automobiles or other durable goods; (2) as the better grades of leather are used for shoes for the armed forces, many civilian shoes, being of poorer quality, will wear out sooner and require earlier replacement; (3) with gasoline rationing, together with greater employment, more people

will be walking to work or on the job and will normally wear out their shoes faster; (4) as shoe stocks decline, consumers tend to stock up and to buy more shoes than they need, thereby increasing the shortage.

Even though 1943 sales should not increase above 1942, but should remain the same, the more conservative estimates indicate that sales would exceed production by over 100 million pairs. This excess would have to come out of current stocks, resulting in a decrease of stocks of approximately 50%.

As a shortage developed, it may be expected that shoes usable for work or street wear would sell faster than luxury shoes and would virtually disappear from stores. Furthermore, shoe store stocks would become unbalanced as to sizes so that many customers could not be fitted.

These factors make it essential that the market be controlled and that the control be exercised before a serious shortage develops. By doing so while stocks are relatively large, stores can be allowed a large enough inventory to serve their customers in a normal way and each person can be allowed enough shoes to take care of his needs.

Some shoes will not be rationed under this program. Soft-soled slippers, moccasins, and infants' shoes are eliminated because the supply of leather used in them is ample for all needs. Hard-soled house and boudoir slippers are excluded because their production is being curtailed and the existing supplies can be permitted to disappear without causing any hardship. Waterproof rubber footwear is excluded because the types of which the supply is most critical are already rationed under Ration Order No. 6.

Under the plan used to ration shoes, consumers will buy shoes in almost the same way as they now buy sugar and coffee. At the outset, Stamp No. 17 in War Ration Book One will be used for shoes until June 15, 1943. The Office of Price Administration will announce what stamps are good for later periods. Ordinarily, the customer must tear the stamp from his book and give it to the person making the sale or delivery when the shoes are ordered or delivered. However, in case of a "mail order" the stamp may be sent in by mail when the order is given. Members of a family may use each other's stamps, but in all other cases a stamp may be used to get shoes only for the person to whom the War Ration Book was issued.

The normal needs of everyone will be met by the use of the war ration stamps. To take care of unusual cases where a person needs extra shoes to wear on his job or to protect his health he is permitted to get a special shoe stamp for this purpose by applying to his board.

Employers who furnish special shoes to employees who need them on their job; and institutions which furnish shoes for residents (including athletic shoes for students) are permitted to get a supply for that purpose by applying to a district office of the Office of Price Administration.

To have an effective rationing program, all sales of shoes must be controlled and dealers' inventories must be limited to what they need under rationing. Therefore, everyone dealing in shoes is required to register and file an inventory. In most cases, registration will take place by opening a "shoe ration bank account" at a bank, since the ration banking program will be used by the trade. At the time of registration each distributor will be given a credit of ration currency which he may use, in addition to the ration currency received from customers, to buy shoes. Members of the trade who have ration bank accounts may replace their inventory to the extent of sales, by depositing the stamps and other ration currency received from customers and drawing ration checks to their suppliers. The dealers will not open ration bank accounts nor file inventories until the program has been in operation for a month or more. Until that time they will buy and sell shoes within the trade on "credit". Shoes acquired in this period must be "paid for" when the establishment has filed its inventory.

To give dealers time to prepare for the rationing program, no one is allowed to buy or sell shoes until the first Tuesday after the order becomes effective.

§ 1404.101 *Rationing of shoes.* Under the authority vested in the Office of Price Administration and the Price Administrator by Executive Order 9125 issued by the President on April 7, 1942, by Directive 1 and Supplementary Directive 1–T of the War Production Board, issued January 24, 1942, and February 7, 1943, respectively, this Ration Order 17 (shoes) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1404.101 issued under Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, and 421, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562, Supplementary Directive No. 1–T, 8 F.R. 1727, E.O. 9125, 7 F.R. 2719.

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ARTICLE I—HOW CONSUMERS BUY SHOES

(This part tells all one must know to get shoes for use)

SECTION 1.1 *Buyer must give up evidence of his right to buy shoes.* A person who wants to buy or otherwise acquire shoes for use may do so if he first gives the seller or other person making the transfer valid shoe ration currency. The ration currency used by a consumer may be a "war ration shoe stamp," a "special shoe stamp," or a "certificate". Ration currency may be used only to get shoes for the person for whom it was issued, except that a war ration stamp issued to a member of a family may be used to get shoes for any member of his family. Ration currency may be used during the time and in the way this order permits but not otherwise. (Some words are used in this order with a special meaning. Examples are "acquire", "transfer", "person", "family", and "stamp". These terms are fully explained in section 3.13.)

SEC. 1.2 *How war ration stamp is used.* Everyone who has a valid war ration book may use each shoe stamp in it to get one pair of shoes. Section 1.16 tells what war ration stamps are for shoes and when they may be used. The stamp must be torn out of the war ration book in the presence of the supplier or his employee or a person making the delivery for him either when the shoes are ordered or when they are delivered. If the war ration stamp is removed in any other manner or at any other time it is void. However, when shoes are ordered by mail the stamp may be torn out of the book and sent with the order but the supplier may not deliver the shoes until he has received the stamp.

SEC. 1.3 *War ration book turned over to boarding house may be returned to get shoes.* A person who has turned his war ration book over to a boarding house, hospital, or a similar institution when required by Rationing Order No. 3[1] (sugar) or Ration Order No. 12[2] (coffee) may get it back to use it to get shoes if the institution does not furnish his shoes. However, he must return it promptly.

SEC. 1.4 *War Ration Book One may be issued for person confined in institution.* If a person who is confined in an institution that does not furnish his shoes does not have War Ration Book One, either because he was never issued one or because he has surrendered it to his board, he may obtain one to use to get shoes, by applying to the board serving the area in which he lives. Someone else may apply for him if he is unable to do so himself. If a book is issued to him, the board shall remove from it all stamps except Stamps No. 17 and 18. He may, however, get a war ration book in a way permitted by other applicable ration orders.

SEC. 1.5 *How to get extra shoes for one's own use.* (a) Any person who needs extra shoes and who does not have valid shoe ration currency and can not obtain a war ration shoe stamp from a member of his family may get a special shoe stamp (or temporary shoe purchase certificate) to permit him to get the extra shoes he needs. He should apply to the War Price and Rationing Board serving the area in which he lives, on OPA Form R-1703. If it is impracticable for him to apply at the proper board, any Board may, in its discretion, accept and act on his application. (If he makes an application before the application forms are available, he may do it by writing a letter to the board giving all the information necessary to show his eligibility and need for the shoes.) He may mail or bring his application to the Board or may have someone else do so for him. In most cases, the applicant must sign the application himself, but if he is a minor, is legally incompetent, or is physically unable to sign it himself someone else may sign it as his agent. The board may require the applicant to appear before it to give more information before acting on the application and may deny an application of a person who has acquired or transferred shoes in violation of this order.

(b) Except for some special reason, everyone will be given the right to buy all the shoes he needs for ordinary wear by using the stamps in his war ration book. Therefore, a person does not have "need" for extra shoes: (1) if the kind of shoes he wants are furnished him by his employer or by an institution; or (2) if he has two or more pairs of wearable (or repairable) shoes of the kind wanted or which he could use for the same purpose; or (3) if he wants them simply for sportswear or to maintain his personal appearance; or (4) if he already has valid shoe ration currency, or he can obtain a war ration stamp from a member of his family, which he could use to get the shoes he wants. The board may also find that "need" does not exist if it would not be a hardship for the applicant to wait until his next shoe stamp is valid to get the shoes he wants.

(c) If a special shoe stamp (or temporary shoe purchase certificate) is issued, the board will write on it the date of issue and the serial number of the applicant's war ration book then being used for shoes. Until the special shoe stamps are available, the board will issue a temporary shoe purchase certificate (OPA Form R-306) instead of a special shoe stamp.

SEC. 1.6 *How special shoe stamp is used.* A person who gets a special shoe stamp in a way permitted by this order may use it within 30 days from the date it was issued to get one pair of shoes. Before using this stamp, he must write on it the serial number of his war ration book then being used for shoes (unless that number is already written on the stamp) and must show the war ration book having the same serial number to the person to whom he gives the stamp. However, when an order for shoes is given by mail, the stamp may be sent with the order and if that is done the war ration book need not be shown.

SEC. 1.7 *Employers and institutions may get shoes.* (a) Any employer who furnishes his employees with special shoes necessary for the performance of their jobs; any educational institution that furnishes its students with shoes of a special type required for athletic activities (including physical training); or any correctional or charitable institution that furnishes shoes to its residents may get certificates to acquire the number of pairs of shoes it needs for that purpose. To get the certificates, the employer or institution should apply (on OPA Form R-1702) to the District Office for the area where the institution, or the employer's principal business office is located. In emergencies, however, any District Office may accept and act on the application. The applicant shall furnish all the information called for by the form prescribed or needed to establish the eligibility and need for the number of pairs applied for. (Until the regular forms are available, the District Office will issue temporary shoe purchase certificates and the employer or institution may apply by writing a letter to the District Office giving all the information necessary to show his eligibility and need for the shoes.)

(b) An employer or educational institution may get certificates under this section for not more than the number of pairs of shoes needed to give it a total supply of wearable shoes of the kind desired (including any already owned, whether in use or not, that are wearable or that can be repaired) equal to one pair for each employee or student to be supplied, plus a reserve of 10 per cent.

(c) A charitable or correctional institution may get certificates under this section for not more than the number of pairs of shoes needed of the kind applied for or a kind that could be used for the same purpose to give it a total supply of wearable shoes (including any already owned, whether in use or not, that are wearable or that can be repaired) equal to two pairs of shoes for each resident to be supplied, plus a reserve of 10 per cent.

(d) An employer or institution that gets shoes under this section may let its employees, students, or residents, as the case may be, use the shoes but it must keep title to them. However, if a member or resident of a charitable or correctional institution leaves the institution it may give him a pair of shoes to take with him.

SEC. 1.8 *How certificates may be used.* A person who gets a certificate (including a temporary shoe purchase certificate) in a way permitted by this order may use it only within 30 days from the date it was issued to get the number of pairs of shoes of the type permitted by the certificate. It may be used only by or for the person to whom it was issued. If it is sent with a mail order, the shoes may be delivered only to the name and address written on the certificate.

SEC. 1.9 *A consumer may acquire shoes shipped before effective date of order.* Any consumer may acquire shoes that were shipped or mailed to him before the effective date of this order, or that were wrapped, marked or held for delivery to him before the effective date of this order, if they are delivered to him or to a carrier for delivery to him before February 12, 1943. He need not give up a stamp or other ration currency to get them if they are delivered in this way. (As to imports, this section is limited by section 3.4.)

SEC. 1.10 *Consumer may exchange shoes.* Any consumer may return new shoes to the establishment from which he got them and with the latter's consent may get another pair in exchange or may get back a special shoe stamp if the establishment accepts the shoes returned and also refunds the full purchase price. If he is given a special shoe stamp, the person giving it to him must write on it the date of its issue. (Until special shoe stamps are available, he will be given a loose War Ration Stamp No. 17 with a receipt for the returned shoes and he may use this Stamp to get one pair of shoes. If he takes this stamp to another store, he must give the receipt for the refund and the

[1] 7 F.R. [illegible]
[2] 7 F.R. [illegible]

stamp to his supplier. He may, however, send the stamp with an order by mail without enclosing the refund receipt.)

SEC. 1.11 *District Office may issue certificate to welfare agency.* To avoid hardship caused by flood, tornado, or other public disaster, a District Office or the National Office may issue shoe purchase certificates to the American Red Cross (or any of its branches) or other recognized welfare agency (on written application made on OPA Form R–1702) to permit it to acquire shoes for free distribution to persons who lose their shoes in the catastrophe. (Before the regular forms are available the District or National Office will issue temporary shoe purchase certificates and the welfare agency may apply by writing a letter to the District or National Office showing the need for the shoes.) Shoes acquired by the welfare agency with certificates so issued may be transferred to anyone having need for them as a result of a catastrophe, without getting ration currency for them.

SEC. 1.12 *Anyone may acquire used shoes.* Anyone may acquire used shoes without giving up ration currency. However, shoes returned for exchange under section 1.10, shoes acquired by employers and institutions under section 1.7, and shoes used for wear-testing or as samples may not be transferred or acquired as used shoes. (The term "used" is explained in section 3.13.)

SEC. 1.13 *Anyone may acquire non-rationed shoes.* Anyone may acquire, without giving up a stamp or other ration currency, shoes that have been marked non-rationed as allowed under section 2.11 of this order.

SEC. 1.14 *Members of armed services may acquire shoes.* (a) Any member of the armed services of the United States may acquire shoes furnished or sold him by his branch of the armed services, without surrendering ration currency.

(b) Any member of the armed services of the United States who wants shoes that he cannot get from his branch of the armed services and who does not have a war ration shoe stamp may get certificates for the shoes he needs. Certificates for this purpose may be issued by an authorized officer of his branch of the armed services.

SEC. 1.15 *Erasures, changes, and mutilation invalidates stamps and certificates.* Any omission, erasure, or change on a special shoe stamp or a shoe purchase certificate makes it void. A stamp that has been torn or mutilated is valid only if more than one half of it remains intact when presented, and, in the case of a special shoe stamp, only if it shows the date of issue and the serial number of the holder's war ration book. A certificate that is torn shall be valid only if the remaining portion can be read and shows the date, the number of pairs for which it is good, the name of the holder, and the signature of the issuing officer.

SEC. 1.16 *What war ration stamps are for shoes.* The following schedule shows what stamps are evidence of a right to acquire shoes and the time they are valid.

War ration book number	Stamp number	Valid period (For men's, women's, and children's shoes)
One	17	First Tuesday after effective date of order to June 15, 1943, inclusive

ARTICLE II—HOW THIS ORDER AFFECTS THE TRADE

(This part should be read by everyone who deals in shoes)

SECTION 2.1 *Shoe sales are frozen for one day.* No establishment may transfer new shoes to a consumer until the first Tuesday after the effective date of this order.

SEC. 2.2 *Shoes on order may be acquired or transferred without ration currency in some cases.* (a) An establishment may acquire shoes without giving up ration currency, if the shoes had been shipped or mailed to the establishment before this order became effective. (In the case of imports, this provision is limited by section 3.4.)

(b) At any time before the first Friday after this order becomes effective an establishment may deliver shoes to a consumer, or to a carrier for such purpose, without getting ration currency, if the shoes had been ordered by the consumer and they had been wrapped, marked, or held for delivery to him before this order was in effect.

SEC. 2.3 *Establishments must file inventory.* (a) Every establishment must file an inventory of its supply of shoes and ration currency (on OPA Form R–1701) before a date to be announced by the Office of Price Administration. After that date, no establishment may transfer or acquire new shoes until it has filed an inventory in the way required by this order. The inventory shall be taken as of the close of business on the last Saturday before the date set for filing inventories. All information required by the inventory form must be furnished. The inventory shall include: (1) All new shoes (by types) located in the establishment, other than those which are there only for repair; (2) all new shoes owned by the establishment which are stored in a public warehouse or are in the hands of another for repair; (3) the amount of ration currency on hand (by pairs of shoes); (4) the number of pairs of shoes transferred by it for which ration currency is owed to it; (5) the number of pairs of new shoes transferred by it to exempt persons or agencies; and (6) the number of pairs of shoes acquired by it for which it owes ration currency. A person who owns two or more establishments and has new shoes stored in a public warehouse must include all of them in the inventories of his establishments, but may allot the shoes in the public warehouse to such of his establishments as he wants.

(b) If the establishment opens a shoe ration bank account, the inventory shall be filed at the bank; otherwise, it must be filed at the District Office.

SEC. 2.4 *Establishments must open ration bank accounts.* Every establishment must open a shoe ration bank account before a date to be announced by the Office of Price Administration unless it does not have access to ration banking facilities. After that date, only ration checks drawn to the account of the establishment transferring the shoes may be used as ration currency for transfers of shoes between establishments. However, if an establishment has notified the District Office that it does not have access to a bank which handles ration bank accounts, it may send stamps or certificates to its supplier in the manner provided in section 2.8.

SEC. 2.5 *How to open a shoe ration bank account.* (a) A separate account must be opened for each establishment even though two or more are owned by the same person. There may be two or more establishments at the same location if separate records and inventories are kept.

(b) If an establishment already has a ration bank account for some other commodity it must open its shoe ration bank account at the same bank. Otherwise it may open its account at the bank where it has its regular checking account; or if it does not have a regular checking account, it may open its account at any convenient commercial bank. To open the account, the owner of the establishment must file with the bank its inventory (on OPA Form R–1701) and a signature card to show who may sign ration checks for the establishment. All distributors who are entitled to a shoe purchase allowance under section 2.6 may make out and present a deposit slip for the amount of the shoe purchase allowance, which will be credited to the account.

SEC. 2.6 *Distributors entitled to initial allowance.* When its inventory is filed, each distributing establishment will be given a shoe purchase allowance which it may use, in addition to the ration currency received from customers, to acquire shoes and to repay its suppliers for shoes received from them on "credit" under the next section. The amount of this shoe purchase allowance will be 50 per cent of the number of pairs of new shoes properly included in the establishment's inventory. If the inventory is filed at the District Office, the District Office will issue a certificate to the establishment for the amount of its shoe purchase allowance.

SEC. 2.7 *Establishments may deal in shoes*—(a) *Transfer must be made for ration currency.* An establishment may transfer shoes to a consumer or to another establishment if it first gets valid ration currency from him. However, until the establishment has filed its inventory, stamps, certificates, or other ration currency received from customers must be kept by the establishment that first received them; such ration currency may be transferred to another establishment only as permitted by section 2.8.

(b) *Credit may be given for ration currency for limited period.* Until the time set for filing the inventory, shoes may be transferred between establishments which were in business on the effective date of this order without the giving up of ration currency in advance. When the establishment getting the shoes has filed its inventory it must within ten days give its supplier valid ration currency for the number of pairs of new shoes received. It may not give ration currency to suppliers for other shoes until it has sent ration currency to its supplier for all shoes received under this paragraph. (An establishment that was not in business on the effective date of this order may acquire shoes in this manner if it has notified the District Office of its opening and has received an acknowledgement of the filing of the notice.)

SEC. 2.8 *Distributors having no access to ration banks use ration currency.* Any distributor who has notified the District Office that he is unable to open a ration bank account because there are no ration banking facilities in the area he serves, shall use stamps and certificates which he has received (including ration currency received as an initial allowance) to repay his suppliers for shoes shipped on "credit" before the date set for the filing of inventories. After all ration "debts" have been repaid, he may replenish his stock by sending stamps and certificates to his supplier for the number of shoes ordered. Ration currency may be forwarded to a supplier only within the time it is valid for deposit as provided in the next section. An establishment forwarding a certificate to a supplier must endorse its name on the reverse side.

SEC. 2.9 *How to deposit ration currency*—(a) *Time for depositing is limited.* A war ration stamp received by an establishment may be deposited to its shoe ration bank account within 30 days after the end of its valid period. A special shoe stamp or certificate (including the temporary shoe purchase certificate) may be so deposited within 60 days after the date of its issue. Stamps or certificates not deposited within such time are void. (There is no limit on the time when shoe ration checks may be deposited.)

(b) *Endorsement.* Before depositing a ration check or certificate the establishment should endorse it.

(c) *Deposit slips are used.* When ration currency is deposited, the items should be listed on a deposit slip, in duplicate, as on the form provided by the bank for that purpose (for other rules on the use of shoe ration bank accounts, see General Ration Order No. 3A, which covers ration banking).

SEC. 2.10 *Refunds to consumers made with Special Shoe Stamps.* An establishment that is unable to fill a consumer's order for which it has received valid ration currency, and an establishment making a refund for returned shoes as permitted by section 1.10, must return to the consumer a special shoe stamp as a refund for the currency or shoes received. It must write the date of issue on each stamp so refunded. It may get special shoe stamps for this purpose from its Board, in exchange for a certified ration check drawn to the account of the Office of Price Administration or in exchange for war ration shoe stamps received from customers. (Until the establishment opens its bank account it may return to the consumer any War Ration Stamp No. 17 it has received if it also returns a receipt for the shoes returned or the ration currency received.)

SEC. 2.11 *Establishments may be allowed to mark shoes "non-rationed".* Because there may be little demand under rationing for some kinds of shoes now in stock, provision will be made, if necessary, to allow establishments to mark certain shoes as "non-rationed" and to transfer them without getting ration currency. When full information of consumer buying trends under rationing is secured, the Office of Price Administration will announce the way to apply for the necessary approval.

SEC. 2.12 *Shoes may be used for wear-testing or as samples.* (a) A manufacturer may use shoes for wear-testing them and for this purpose may let its employees or others use them without getting ration currency.

(b) An establishment may use shoes as samples and for this purpose may furnish single shoes (not a pair) to salesmen or to other establishments, without getting ration currency.

(c) An establishment furnishing new shoes to another under this section must keep title to the shoes unless ration currency is received for them or they are permitted to be sold as "non-rationed" shoes under the above section. They may not be considered to be "used" shoes. Separate records must be kept of all shoes used or transferred under this section.

SEC. 2.13 *Establishments must keep records.* (a) Every establishment shall furnish an invoice to each person (other than an individual consumer) to whom it makes a transfer of shoes. The invoice must contain the date of transfer, the number of pairs transferred, the price per pair and in total, and the name and address of the person (or establishment) to whom the transfer is made.

(b) Each establishment shall keep the following records for at least two years:

(1) All invoices received for shoes acquired;

(2) Copies of all invoices furnished by it pursuant to the above paragraph;

(3) Records of any new shoes acquired for which invoices were not received containing the same information as is called for by the above paragraph;

(4) The number of pairs of new shoes transferred to consumers, to other establishments, and to any person from whom ration currency is not required;

(5) An inventory of its stock of shoes, by types as listed on OPA Form R–1701, taken at six-month intervals;

(6) The number of pairs of shoes manufactured, by types as listed on OPA Form R–1701; and

(7) Copies of any reports of shoe production or transfers made to the Office of Price Administration or any other Government agency.

(c) All records required to be kept shall be made available for inspection by an authorized representative of the Office of Price Administration.

SEC. 2.14 *Manufacturers report shoes shipped.* Each manufacturer shall make such reports concerning production and transfers of shoes as the Office of Price Administration may require. Copies of the form on which the report is to be made, together with instructions, will be furnished by the Office of Price Administration.

SEC. 2.15 *Replacement certificates may be issued to distributors.* (a) Any registered distributing establishment whose ration currency has been destroyed, damaged, lost, or stolen, or whose shoes have been: (1) taken from him by judicial process, or the enforcement of a security interest, (2) exported, delivered as slop-chest supplies, or as supplies to Ships' Service Stores Afloat, or transferred to or for the account of an exempt person or agency without getting ration currency, or (3) damaged, destroyed, lost, or stolen, may get a certificate to replace the ration currency or shoes, as the case may be. Application for the replacement certificate should be made to the District Office (on OPA Form R–1704) and should show the facts necessary to establish the eligibility for the replacement certificate, including all information required by the form prescribed.

(b) If an establishment should recover shoes or ration currency for which a replacement certificate has been issued under this section it shall within five days deliver to the District Office ration currency of a kind prescribed by the Office of Price Administration for the number of pairs of shoes, or the amount of the ration currency, so recovered.

SEC. 2.16 *New businesses may get inventory allowance.* Any new establishment, opened in good faith after the time set for filing inventories, may get a shoe purchase allowance in the form of a certificate for the number of pairs of shoes it needs to service its expected customers. (Except for some unusual reason, the establishment will not be allowed an inventory of more than its expected sales for six months.) Application should be made (on OPA Form R–1704) to the District Office serving the area in which the establishment is or will be located and should contain all information required by the form or necessary to establish the number of pairs of shoes it needs. The District Office may issue a certificate to the applicant on such terms as it may prescribe and permit him to open an account. The establishment should open the account by filing an inventory (on OPA Form R–1701) and a signature card, and by depositing the certificate at the bank where it has its regular checking account (or at any convenient commercial bank if it does not have a checking account.) The District Office may require the applicant to make subsequent reports to it of his actual sales and may adjust his inventory accordingly by giving him a certificate for additional shoes or requiring him to surrender ration currency for any stock above his needs.

SEC. 2.17 *Establishment may get increased inventory.* An establishment which has not made an application within six months to get extra shoes may get certificates for the extra shoes it needs to service its normal share of the customers in its area, if (a) it is unable to service its customers because its stock of shoes was greatly below normal when

it opened its ration bank account; or (b) the volume of its normal sales (or other transfers) during the period since the effective date of this order has increased to the extent that it cannot service its normal share of the customer demand in its area. Application should be made (on OPA Form R–1704) to the District Office serving the area in which the establishment is located and should contain all facts necessary to establish its need for the extra shoes.

ARTICLE III—GENERAL PROVISIONS

(This part should be referred to when special problems arise)

Other Transfers Permitted

SECTION 3.1 *Transfers to carriers, warehouses, and repair shops permitted.* Shoes may be transferred to or from a carrier or a public warehouse in connection with their shipment or storage, and to or from a shoe repair shop in connection with their repair, without the giving up of ration currency. (This does not permit a transfer of title to the shoes in violation of other provisions of this order.)

SEC. 3.2 *Transfer of damaged, lost, or stolen shoes permitted.* (a) Shoes that have been substantially destroyed so as to be no longer usable as shoes may be transferred to anyone without getting ration currency.

(b) A person whose shoes have been lost or stolen may get them back without giving up ration currency. If a distributor has received replacement certificates for them, he must send ration currency (of a type to be prescribed by the Office of Price Administration) to the District Office for the number of pairs of shoes returned.

(c) Shoes that have been damaged but which are still usable as shoes and undamaged shoes mingled therewith, shoes that were stolen, and shoes in imminent danger of being damaged or stolen may be acquired without the surrender of ration currency, for the purpose of transfer only, by: (1) Persons lawfully engaging in the insurance business and common or contract carriers in connection with the right of subrogation or by virtue of the payment by them of a claim for damage to or loss of the shoes; and (2) persons performing public fire or safety functions, warehousemen, or persons engaged primarily in the business of adjusting losses and selling or reconditioning and selling damaged commodities, who take possession of or receive them on the occurrence or imminence of casualties.

(d) A transfer of the shoes by any person included in paragraph (c) of this section may be made without the surrender of ration currency to another person so included, or to the owner, or to the person from whose lawful custody the shoes were taken. All other transfers of the shoes (if new) must be made in exchange for ration currency. Any ration currency so received must be surrendered to a District Office within five days.

SEC. 3.3 *Transfer by operation of law or for security purposes permitted.* (a) Any person may acquire shoes or a lien thereon, without giving up ration currency, for permissible transfer only, if the shoes are acquired or the lien is created through judicial process, operation of law, or through an order issued by a court of competent jurisdiction. (A State or the United States or any agency of a State or the United States may do so through the enforcement of statutory rights against the shoes.)

(b) A lien may be created on shoes for security purposes, without the surrender of ration currency, in favor of: (1) A State or the United States or any agency or political subdivision of a State or the United States; (2) any person licensed by a State or the United States to engage in the business of making loans upon collateral; and (3) any person if the lien is or is to be on all or substantially all of the shoes owned by an establishment or on all or substantially all of the business assets of an employer-consumer.

(c) Shoes or any interest in shoes acquired pursuant to this section may be returned to the person from whom acquired, or a lien on shoes may be released, without the surrender of ration currency. (If a distributor has received replacement certificates for them, he must send ration currency (of a type prescribed by the Office of Price Administration) to the District Office for the number of pairs of shoes returned.)

(d) Any person holding a lien on shoes or a security interest in shoes permitted by this section or created before this order became effective may enforce the security interest or lien in the manner provided by applicable laws.

(e) New shoes acquired by a person under this section (except when returned to a person who had owned them for use) may not be used by him and may be transferred only in exchange for ration currency. Any ration currency so received must be surrendered to a District Office within five days.

SEC. 3.4 *Shoes may be imported.* (a) New shoes may be brought into the continental United States (the forty-eight States and the District of Columbia) from an outside point if they are delivered to the Collector of Customs at the point of entry. They may be delivered to him without getting ration currency.

(b) The Collector may release the shoes without getting ration currency if the shoes (1) were imported by one of the exempt agencies referred to in section 3.6; (2) were imported as a part of the personal effects of a consumer who had not been in the continental United States during the previous 30 days; or (3) were shipped or mailed before the effective date of this order and released by the Collector within 30 days after such effective date.

(c) In all other cases the Collector may return or otherwise transfer the shoes if he first gets valid ration currency for the number of pairs of new shoes so transferred. A shoe distributor who desires to get new shoes from the Collector under this paragraph must give him a certificate or a certified ration check drawn to the account of the Office of Price Administration. (A certificate may be secured for this purpose from the District Office on such terms as it may provide as to the giving up of other ration currency.)

(d) Ration currency received by the Collector of Customs shall be delivered, at least once each calendar month, to the District Office for the area in which the ration currency is received.

SEC. 3.5. *Shoes may be exported.* Any person may export shoes to a foreign country under an export license issued by the Board of Economic Warfare, or may ship to a territory, possession, or dependency of the United States (other than the District of Columbia), or may transfer shoes to another as slop-chest supplies for use of crew members aboard any ocean-going vessel operating in foreign, coastwise, or intercoastal trade, or to Ships' Service Stores Afloat, without getting ration currency.

SEC. 3.6 *Shoes may be transferred to exempt persons.* (a) Any person may transfer shoes to any of the exempt agencies or persons or for the account of any of the government agencies listed in the next paragraph, without getting ration currency.

(b) The exempt agencies and persons to which this section applies are:

(1) The Army and Navy of the United States;
(2) U. S. Maritime Commission;
(3) The Panama Canal;
(4) The Coast and Geodetic Survey;
(5) Civil Aeronautics Authority;
(6) National Advisory Committee for Aeronautics;
(7) The Office of Scientific Research and Development;
(8) The Office of Lend Lease Administration;
(9) The War Shipping Administration;
(10) Any agency of the United States to the extent it acquires shoes for export to and use in a foreign country or a Territory, Possession, or Dependency of the United States (other than the District of Columbia); and
(11) Any person acquiring shoes for export to and use in any foreign country under an export license issued by the Export Control Branch, Office of Exports, Board of Economic Warfare.

(c) A person who acquires shoes under this section "for the account of" one of the above exempt government agencies without giving up ration currency (for example, a contractor who has has a war contract with an exempt government agency) must give his supplier a written signed statement that the shoes to be acquired will become the property of the exempt government agency and that it will keep title to them, and a copy of his war contract or other proof to support the statement.

SEC. 3.7 *Transfer of business.* Any person who buys (or otherwise acquires) substantially all of the assets of any business, institution, or establishment may acquire any shoes which are a part of the assets, without giving up ration currency. However, a person may get new shoes from a shoe distributor or manufacturer under this section only if he first gets the approval of the District Office and complies with terms it may set.

Prohibited Acts Relating to Shoes and Certificates

SEC. 3.8 *Transfer of shoes is prohibited.* No person shall transfer or acquire shoes (or offer to do so) except in accordance with this order.

SEC. 3.9 *Evidences generally not transferable.* No person shall use, possess without authority, or transfer a stamp, certificate, or ration check except as permitted in this order.

Appeals and Suspension Orders

SEC. 3.10 *Persons affected may appeal.* Any person directly affected by the action of a Board, State Director, District Manager, or Regional Administrator taken with respect to any matter before him under this Order may appeal from the action in the way permitted by Procedural Regulation No. 9.* (Uniform Appeals Procedure)

SEC. 3.11 *Violators may lose right to rationed products.* Any person who violates this order may, by administrative suspension order, be prohibited from acquiring or transferring new shoes or other rationed products for such period as in the judgment of the Administrator is necessary or appropriate in the public interest and to promote national security.

Scope of Ration Order No. 17

SEC. 3.12 *Where this order applies.* Ration Order No. 17 shall apply within the 48 States of the United States and the District of Columbia.

DEFINITIONS

SEC. 3.13 *Terms explained.* (a) When used in this order the term:

"Account" means the shoe ration bank account opened for an establishment at a bank pursuant to this order.

"Acquire" means to accept a transfer.

"Bank" means the bank at which the shoe ration bank account of an establishment is opened.

"Board" means a war price and rationing board or the war price and rationing board having jurisdiction over a certain person or establishment, as the language indicates. The term also includes the war plant area boards authorized to act on applications under this order.

"Certificate" means a shoe purchase certificate (OPA Form R–1705A or 1705B) or a temporary shoe purchase certificate, or both, as the language indicates.

"Convert to use" means to use shoes held for some purpose other than use, whether or not there is a change of ownership or possession.

"Consumer" means any individual acquiring or seeking to acquire shoes for personal use, or an employer or institution acquiring or seeking to acquire shoes for the use of its employees, students, residents, or members.

"District Office" means a District Office of the Office of Price Administration, or the District Office of the Office of Price Administration having jurisdiction over a certain person or establishment, as the language indicates. If there is no District Office serving an area, the term means the State Office of the Office of Price Administration serving the area.

"Distributing establishment" means a business, other than a manufacturing establishment or public warehouse, conducted at a certain location from which shoes are sold or at which shoes are stored.

"Distributor" means any person operating a distributing establishment.

"Establishment" means a manufacturing or distributing establishment, or both, as the language indicates.

"Family" means a group of two or more persons living in the same household who are related by blood, marriage, or adoption.

"Manufacturing establishment" means a business manufacturing, processing, or assembling shoes. All factories, warehouses, storage places, salesrooms, and distributing agencies owned by one person may constitute one manufacturing establishment. However, if more than 50% of the dollar value of the shoes transferred by the warehouse, storage place, salesroom, or distributing agency is to consumers it may not be considered a part of a manufacturing establishment.

"Manufacturer" means any person operating a manufacturing establishment. However, if a manufacturer acquires or transfers shoes not manufactured by him, he is a distributor as to the shoes so acquired or transferred.

"New", as applied to shoes, means any shoes other than "used" shoes.

"Person" includes an individual, institution, corporation, partnership, association, business trust, or any organized group or enterprise, and includes the United States or any agency thereof and any government or any political subdivision or agency thereof.

"Ration currency" means the evidence of authority to acquire shoes and includes war ration stamps, special shoe stamps, shoe purchase certificates, temporary shoe purchase certificates, and shoe ration checks.

"Shoes" means any footwear made in whole or in part of leather or with rubber soles, except: hard-soled boudoir or house slippers, soft-soled slippers; soft-soled infant shoes; soft-soled moccasins; or waterproof or snow and water repellent rubber boots or rubber work shoes, stocking-foot waders, arctics, gaiters, overshoes, galoshes, work rubbers, lumberman's overs, dress rubbers, or footholds.

"Stamp" means a war ration stamp contained in a war ration book and designated for shoes or a special shoe stamp, or both, as the language indicates.

"Temporary shoe purchase certificate" means a certificate issued pursuant to this order in lieu of a shoe purchase certificate or special shoe stamp. It shall consist of OPA Form R–306 (sugar purchase certificate) with all reference to "sugar" crossed out and the word "shoes" written in instead.

"Transfer" means convert to use, sell, lease, lend, trade, exchange, give, ship, deliver, physically transfer to another in any manner, or make any transaction involving a change in possession, right, title, or interest; when used as a noun the term means a conversion to use, sale, lease, loan, trade, gift, exchange, shipment, delivery, physical transfer to another in any manner, and any transaction involving a change in possession, right, title, or interest.

"Used", as applied to shoes, means any shoes that have been used as footwear to the extent that they cannot be sold as new. However, shoes which, after the effective date of this order, are used as samples or for wear-testing or which are returned to an establishment by a customer may not be considered as used shoes.

(b) Words of the masculine gender shall also denote the feminine and neuter genders; words of the singular shall also denote the plural; and vice versa.

(c) When any right or duty is conferred or imposed upon an establishment by this order, the right or duty must be deemed to be conferred or imposed upon the owner of the establishment.

Effective Dates

This Ration Order No. 17 shall become effective at 3:00 p. m. February 7, 1943.

Issued this 7th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–2050; Filed, February 8, 1943; 11:46 a. m.]

* 7 F R 8796.

PART 1499—COMMODITIES AND SERVICES

[Order 191 Under § 1499.18 (b) of GMPR]

THE MABEX COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1092 *Adjustment of maximum prices for sales of naphthalene, paradichlorobenzene and pine disinfestant products by The Mabex Company.* (a) The Mabex Company, of Philadelphia, Pennsylvania, may sell and deliver, and any purchaser may buy and receive, the naphthalene, paradichlorobenzene and pine disinfectant products manufactured by The Mabex Company (and described in its Catalog No. 100, attached to its amended petition for adjustment, Docket No. GF3–2152 filed with the Office of Price Administration), at the following maximum prices:

Manufacturer's description	Commodity	Size	Maximum price per dozen
		Ounce	
No. 1 Moth Block	Naphthalene	2	$0.40
No. 3 Butterfly Moth Cake	Naphthalene	2.5	.68
No. 5 Pine Scented Moth Cakes	Naphthalene	6	.72
No. 7 Paraforma	Paradichlorobenzene	2	.40
No. 9 Toilet Bowl Deodorant	Naphthalene	2	.40
No. 11 Paraforma	Paradichlorobenzene	4.5	.68
No. 13 Rose Scented Moth Cakes	Naphthalene	2	.40
No. 18 Rose Scented Moth Cake	Naphthalene	5	.60
No. 23 Paraforma Discs	Paradichlorobenzene	3.5	.77
No. 24 Paraforma Discs	Paradichlorobenzene	8	1.37
No. 25 Toilet Bowl Deodorant	Paradichlorobenzene	2	.58
No. 27 Moth Ball Cake	Naphthalene	1.5	.29
No. 29 Pine Scented Moth Cakes	Naphthalene	6	.72
No. 30 Paraforma Moth Cake	Paradichlorobenzene	3	.70
No. 34 Paraforma Gems	Paradichlorobenzene	4	.70
Nos. 40 and 41 Moth Nuggets and Moth Crystals	Paradichlorobenzene	16	1.55
No. 44 Vaporizer	Paradichlorobenzene	2	.72
No. P4 Pine Disinfectant	Pine Disinfectant	4	.72

(b) The maximum prices listed in the preceding paragraph shall be subject to terms and conditions of sale no more onerous than those in effect during March, 1942.

(c) The Mabex Company shall cause the following notice to be sent in writing to its purchasers at or before each initial sale after the effective date of this order:

The Office of Price Administration has permitted us to raise our maximum prices for sales to you of the following naphthalene, paradichlorobenzene and pine disinfectant products, to the prices set forth below:

Manufacturer's description	Commodity	Size	Maximum price per dozen
		Ounce	
No. 1 Moth Block	Naphthalene	2.5	$0.40
No. 3 Butterfly Moth Cake	Naphthalene	2.5	.68
No. 5 Pine Scented Moth Cakes	Naphthalene	6	.72
No. 7 Pararoma	Paradichlorobenzene	2	.40
No. 9 Toilet Bowl Deodorant	Naphthalene	2	.40
No. 11 Pararoma	Paradichlorobenzene	4.5	.68
No. 13 Rose Scented Moth Cakes	Naphthalene	2	.40
No. 18 Rose Scented Moth Cake	Naphthalene	5	.60
No. 23 Pararoma Discs	Paradichlorobenzene	3.5	.55
No. 24 Pararoma Discs	Paradichlorobenzene	8	1.47
No. 25 Toilet Bowl Deodorant	Paradichlorobenzene	2	.56
No. 27 Moth Ball Cake	Naphthalene	1.5	.20
No. 29 Pine Scented Moth Cakes	Naphthalene	6	.72
No. 30 Pararoma Moth Cake	Paradichlorobenzene	3	.70
No. 34 Pararoma Gems	Paradichlorobenzene	4	.70
Nos. 40 and 41 Moth Nuggets and Moth Crystals	Paradichlorobenzene	16	1.96
No. 44 Vaporette	Paradichlorobenzene	2	.72
No. 91 Pine Disinfectant	Pine Disinfectant	4	.72

This increase represents only that part of cost increases which we were unable to absorb, and it was granted with the understanding that retail prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for sales of these products.

(d) All prayers of the petitioner not granted herein are denied.

(e) This Order No. 191 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 191 (§ 1499.1092) shall become effective February 6, 1943.

(Pub. Laws 421 and 479, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1943; Filed, February 5, 1943; 11:52 a. m.]

Chapter XIII—Petroleum Administration For War

[Petroleum Administrative Order 7]

PART 1545—PETROLEUM SUPPLY

The fulfillment of requirements for the defense of the United States has created in certain areas a shortage in the supply of barges for the movement of petroleum, particularly fuel oil, for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest, to promote the national defense, and to provide adequate supplies of petroleum, particularly fuel oil, for military and other essential uses:

§ 1545.3 *Petroleum Administrative Order 7*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Motor fuel" means liquid fuel, except Diesel fuel, used for the propulsion of motor vehicles or motor boats and shall include any liquid fuel to which Federal gasoline taxes apply except liquid fuel used for the propulsion of aircraft.

(3) "District One" means the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, and Florida, and the District of Columbia.

(4) "District Two" means the States of Ohio, Kentucky, Tennessee, Michigan, Indiana, Wisconsin, Illinois, Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, Kansas, and Oklahoma.

(5) "District Three" means the States of Alabama, Mississippi, Arkansas, Louisiana, Texas, and New Mexico.

(6) "Zone 6" means the States of West Virginia, New York, and Pennsylvania, except the entire eastern part of the State of New York up to and including the Counties of Cayuga, Tompkins, and Chemung and the entire eastern part of the State of Pennsylvania up to and including the Counties of Bradford, Sullivan, Columbia, Montour, Northumberland, Dauphin, and York.

(b) *Prohibited movement of motor fuel.* (1) No person may deliver or otherwise supply, directly or indirectly, motor fuel by barge from within District Three to any person in Zone 6 and no person within Zone 6 may accept a barge delivery of motor fuel from within District Three, except the delivery by barge of motor fuel from within District Three to Zone 6 for transshipment by pipe line from Zone 6 to any point in District One outside of Zone 6: *Provided,* That the provisions of this paragraph shall not apply to the delivery of any motor fuel which, on the issuance date of this order, was loaded in barges and consigned to Zone 6.

(2) No person may deliver or otherwise supply, directly or indirectly motor fuel by barge from within District Two to any person in the State of West Virginia, and no person within the State of West Virginia may accept a barge delivery of motor fuel from within District Two: *Provided,* That the provisions of this paragraph shall not apply to the delivery of any motor fuel which, on the issuance date of this Order, was loaded in barges and consigned to any person in the State of West Virginia.

(c) *Directed deliveries.* The Petroleum Administrator for War may from time to time issue directions to any person with respect to the delivery of motor fuel from within District Two or District Three to District One.

(d) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the Petroleum Administrator for War. Such appeal shall be filed in quadruplicate and shall be addressed to the Director of Transportation, South Interior Building, Washington, D. C., Ref: PAO 7.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, by any act or omission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or such other action may be taken as is deemed appropriate.

(f) *Effective date.* This order shall expire on March 10, 1943, unless sooner revoked.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of February 1943.

R. K. DAVIES,
Acting Petroleum Administrator for War.

[F. R. Doc. 43-1973; Filed, February 8, 1943; 4:46 p. m.]

Chapter XVII—Office of Civilian Defense

[Regulations 2, Amendment 1 to Supp. Order 2 (Revised)]

PART 1902—INSIGNIA

SPECIFICATIONS FOR EMERGENCY VEHICLE IDENTIFICATION HEADLAMP MASKS

By virtue of the authority vested in me as Director of Civilian Defense by Executive Order No. 8757, dated May 20, 1941, as amended by Executive Order No. 9134, dated April 15, 1942, and pursuant to § 1902.2 of this chapter (section 2 of Office of Civilian Defense Regulations No. 2), *It is hereby ordered,* That § 1902.51 of this chapter (section 1 of supplementary Order No. 2 (Revised), dated October 23, 1942, to Office of Civilian Defense Regulations No. 2) is hereby amended by adding thereto a new paragraph (p), as follows, and by amending § 1902.52 of this chapter accordingly:

§ 1902.51 • • •

(p) *Emergency vehicle identification headlamp masks.* The Civilian Defense basic insigne, 2½ to 3 inches in diameter, may be embodied on the lower half of a removable opaque headlamp mask. The letters "CD" and the three segments of the surrounding circular field shall be translucent green, the triangle on which the letters "CD" are superimposed shall be opaque. All opaque portions are to be black. This mask may be made of any suitable material which can be easily, quickly, and securely fastened to the right front headlight.

§ 1902.2 of Chapter XVII under E.O. 8757, 6 F.R. 2517; E.O. 9134, 7 F.R. 2887)

Dated: February 4, 1943.

[SEAL] JAMES M. LANDIS,
Director of Civilian Defense.

[F. R. Doc. 43-1972; Filed, February 5, 1943; 4:40 p. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 3—ADJUDICATION: DISALLOWANCE AND AWARDS

ADJUDICATION UNDER PRIOR LEGISLATION

§ 3.1343 *Appeals entered prior to March 20, 1933.* Where in original claims and claims for increase of pension, compensation, or emergency officers' retirement pay, rating or appellate action has been taken adversely to the veteran, but the claim has been continuously prosecuted, a proper appeal has been entered prior to March 20, 1933, the appeal will be considered by the board of veterans' appeals on the proofs and evidence received by the Veterans' Administration prior to March 20, 1933, and monetary benefits awarded and paid, if in order, in accordance with the provisions of such prior legislation and the Veterans' Administration issues applicable. (Pub. Law. 78, 73d Cong.) (February 9, 1943) [48 Stat. 310; 38 U. S. C. 722]

FRANK T. HINES,
Administrator of Veterans' Affairs.

[F. R. Doc. 43-2022; Filed, February 8, 1943; 9:36 a. m.]

TITLE 46—SHIPPING

Chapter I—Customs

Subchapter A—Documentation, Entrance and Clearance of Vessels, Etc.

[T. D. 50811]

TRANSPORTATION OF MERCHANDISE BETWEEN PUERTO RICO AND U. S. IN FOREIGN REGISTRY VESSELS

WAIVER OF COASTWISE LAWS

FEBRUARY 5, 1943.

Section 27 of the Merchant Marine Act, 1920, as amended, waived to permit vessels of foreign registry to transport merchandise between points in Puerto Rico and points in the continental United States under certain conditions.

An order waiving compliance with the provisions of section 27 of the Merchant Marine Act, 1920, as amended.

Upon the written recommendation of the Administrator of the War Shipping Administration and by virtue of the authority vested in me by the provisions of section 501, of the Second War Powers Act, 1942 (Public Law 507, 77th Cong.), I hereby waive compliance with the provisions of section 27 of the Merchant Marine Act, 1920, as amended (46 U.S.C. 883), to the extent necessary to permit any foreign vessel of 50 gross tons or over to transport merchandise between points in Puerto Rico and points on the Atlantic or Gulf coasts of the United States on condition that:

(a) None of the merchandise so transported shall be transhipped while en route between Puerto Rico and the continental United States; and

(b) The collector of customs at the port of departure of the vessel has been notified by the representative of the War Shipping Administration whose district embraces that port that:

(1) The vessel is in possession of a United States ship's warrant;

(2) All cargo laden on board in the continental United States and destined for Puerto Rico has been approved by a representative of the War Shipping Administration and by the Department of the Interior, or that all cargo laden on board in Puerto Rico and destined for the continental United States has been approved by the representative of the War Shipping Administration at San Juan, Puerto Rico, as the case may be; and

(3) The requirements for filing rates pursuant to the applicable statute and regulations of the United States Maritime Commission have been complied with.

I deem that such action is necessary in the conduct of the war.

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 43-2020; Filed, February 6, 1943; 3:53 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter A—General Rules and Regulations

[Service Order 100]

PART 96—JOINT USE OF TERMINALS

PORTIONS OF TERMINALS AT BIRMINGHAM, ALA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 5th day of February, A. D. 1943.

It appearing that, due to the existing state of war, an emergency exists which, in the opinion of the Commission, requires immediate action to prevent delay in the movement of railroad equipment, troops, and war materials, prevent congestion of traffic, and conserve the use of locomotives; and

It further appearing that the present operations of certain portions of railroad terminals in Birmingham, Ala., described in the succeeding paragraphs of this order, result in serious delay in the movement of locomotives, trains, and cars, and in congestion of traffic; *It is ordered,* That:

§ 96.2 *Portions of terminals at Birmingham, Ala.* (a) The Birmingham Terminal Company and the Southern Railway Company are hereby ordered and directed to make joint and common use of facilities and tracks adjoining the Birmingham Passenger Station and those of the Southern Railway adjacent thereto, known as 27th Street Yard; and the Birmingham Terminal Company and the carriers named in this paragraph are further directed to put in effect a method or system of switching of trains or cars over the above-described tracks and yards, for the Illinois Central Railroad Company, Southern Railway Company, Alabama Great Southern Railroad Company, St. Louis-San Francisco Railway Company, including Birmingham Belt Railroad (J. M. Kurn and John G. Lonsdale, Trustees), Seaboard Air Line Railway Company (L. R. Powell, Jr., and Henry W. Anderson, Receivers), and the Central of Georgia Railway Company (M. P. Callaway, Trustee), which will result in the best and most expeditious movement of trains, locomotives, or cars, and the least congestion of traffic; upon such terms between the carriers involved as they may agree upon, or in the event of their disagreement, as this Commission may after subsequent hearing find to be just and reasonable.

(b) The Illinois Central Railroad Company, Southern Railway Company, Alabama Great Southern Railroad Company, St. Louis-San Francisco Railway Company, including Birmingham Belt Railroad (J. M. Kurn and John G. Lonsdale, Trustees), Seaboard Air Line Railway Company (L. R. Powell, Jr., and Henry W. Anderson, Receivers), Central of Georgia Railway Company (M. P. Callaway, Trustee), Louisville and Nashville Railroad Company, and Birmingham Terminal Company, are hereby ordered and directed to make such joint or common use of railroad yards and tracks, and facilities owned or used by them at Birmingham, Ala., within the territory extending from Avenue F in a northerly direction to 15th Avenue and from 16th Street extending in an easterly direction to 42nd Street and that part of the Southern Railway Company known as the Woodlawn-Bessemer branch extending between Woodlawn Junction and Finley Yard, a distance of approximately 3 miles, as will result in the best and most expeditious movement of trains, locomotives, and cars, and the least congestion of traffic; upon such terms between said carriers as they may agree upon, or in the event of their disagreement, as this Commission may after subsequent hearing find to be just and reasonable.

(c) This order shall take effect at 12:01 a. m., February 16, 1943, and remain

in force until further order of the Commission. (40 Stat. 101, 41 Stat. 476, 49 Stat. 543, 54 Stat. 901, 49 U.S.C. 1 (10)–(17))

It is further ordered, That copies of this order and direction be served upon the above-named carriers, the Association of American Railroads, Car Service Division, as agent of the carriers subscribing to the car service and per diem agreement under terms of that agreement, and that notice of this order be given to the general public by depositing a copy of this order in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register, The National Archives.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-2047; Filed, February 8, 1943, 11:29 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-353]

L. F. DUNN

NOTICE OF AND ORDER FOR HEARING

A. Under provisions of the Bituminous Coal Act of 1937 (the "Act"), district boards are authorized in appropriate cases to file complaints of violations of the Act, the Bituminous Coal Code (the "Code") and rules and regulations of the Bituminous Coal Division (the "Division").

B. The Division on August 4, 1942, referred to District Board No. 17 information in its possession bearing on whether violations of the Act, the Code, Orders, rules and regulations thereunder and particularly section 4 II (e) and (i) 2, 4 and 6 of the Act; Part II (e) and (i) 2, 4 and 6 of the Code; and Rules 2, 4 and 6 of section XIII of the Marketing Rules and Regulations, have been committed by L. F. Dunn, the code member above-named (hereinafter referred to as the "Code Member"), whose Code Membership became effective as of June 25, 1941, operator of the Dunn Mine, Mine Index No. 482, located in La Plata County, Colorado, Subdistrict 20 of District No. 17 in connection with the following:

1. Sales for truck shipment subsequent to June 24, 1941 of coal produced at the aforesaid mine, invoicing said coal at the effective minimum prices established therefor as provided in the Order Granting Temporary Relief and Conditionally Providing for Final Relief, dated August 4, 1941, entered in Docket No. A-939, and Supplement T, annexed thereto and made a part of said Order, supplementing the Schedule of Effective Minimum Prices for District No. 17 for All Shipments, and granting rebates and credits from said minimum prices to the purchasers thereof in the amount of 12¢ of the invoice prices, on the following transactions:

(a) Sales of approximately 73 tons of 3" lump coal and 3" x 1¼" nut coal to J. M. Fielding, Mancos, Colorado, during the period September 24, 1941 to November 6, 1941, inclusive, invoiced at $3.25 per net ton f. o. b. said mine.

(b) Sales of approximately 7.9 tons of 1" slack coal to said J. M. Fielding during the period October 10 to October 15, 1941, inclusive, invoiced at $1.60 per net ton f. o. b. said mine.

(c) Sales of approximately 16.9 tons of 3" lump coal and 3" x 1¼" nut coal to J. H. Rodman, Durango, Colorado, during the period September 24, to October 7, 1941, inclusive, invoiced at $3.25 per net ton f. o. b. said mine.

(d) Sale of approximately 5.2 tons of 1¼" x ¼" nut coal to said J. H. Rodman on or about September 24, 1941, invoiced at $2.15 per net ton f. o. b. said mine.

C. By letter dated October 15, 1942, the Division notified said Board that unless it took action in the matter within fifteen (15) days from the date of said notification, the Division would take such action in lieu of the Board, if it deemed it to be appropriate.

D. District Board No. 17 has not taken any action in this matter.

E. Section 6 (a) of the Act provides in part that in the event a district board shall fail for any reason to take action authorized or required by this section, then the Division may take such action in lieu of the district board.

F. District Board No. 17 having failed to take action as authorized or required by the Act on the matters hereinbefore described, the Division finds it necessary in the proper administration of the Act to take action thereon in lieu of the Board, as in this Notice of and Order for Hearing provided, pursuant to section 6 (a) and other pertinent provisions of the Act for the purpose of determining:

1. Whether the Code Member has wilfully violated section 4 II (e) and (i) 2, 4 and 6 of the Act; Part II (e) and (i) 2, 4 and 6 of the Code; and Rules 2, 4 and 6 of section XIII of the Marketing Rules and Regulations; and

2. Whether in the event the Code Member is found to have violated the Act and the Code and rules and regulations thereunder an order should be entered revoking the Code Membership of the Code Member or directing the Code Member to cease and desist from violating the Act, the Code and rules and regulations thereunder.

It is hereby ordered, That a hearing pursuant to section 4 II (j), 5 (b) and 6 (a), and other pertinent provisions of the Act, be held on April 9, 1943, at 10 a. m., at a hearing room of the Division at Civil Service Room, Post Office Building, Durango, Colorado, to determine whether the aforementioned Code Member has committed the violations in the respects heretofore described and whether the Code Membership of said Code Member should be revoked or an order should be entered directing the Code Member to cease and desist from violating the Act and the Code and rules and regulations of the Division thereunder.

It is further ordered, That D. C. McCurtain, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time and to such places as he may direct by announcement at said hearing or any adjourned hearing, or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions, and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons or entities having an interest in such proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act may file a petition for intervention not later than five (5) days before the date set for hearing herein.

Notice is hereby given that answer setting forth the position of the Code Member with reference to the matters hereinbefore described must be filed with the Division at its Washington Office or with one of the statistical bureaus of the Division within twenty (20) days after the date of service of a copy hereof on the Code Member; and that any failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission by the Code Member of the commission of the violations hereinbefore described and a consent to the entry of an appropriate order thereon.

Notice is also hereby given that any application, pursuant to § 301.132 of said Rules of Practice and Procedure Before the Division for the disposition of this proceeding without formal hearing must be filed not later than fifteen (15) days after receipt by said Code Member of this Notice of and Order for Hearing.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered therein may concern, in addition to the charges specifically alleged herein, other matters incidental and related thereto, whether raised by amendment, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Dated: February 5, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-1994; Filed, February 6, 1943; 11:25 a. m.]

[Docket No. B-355]

RED TOP COAL COMPANY, INC.

NOTICE OF AND ORDER FOR HEARING

A complaint dated December 23, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on December 26, 1942, by Bituminous Coal Producers Board for District No. 1, complainant with the Bituminous Coal Division (the "Division"), alleging wilful violation by Red Top Coal Company, Inc., Spangler, Pennsylvania, (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder:

It is ordered, That a hearing in respect to the subject matter of such complaint be held on March 9, 1943, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Community Room, City Hall, Altoona, Pennsylvania.

It is further ordered, That Edward J. Hayes, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging that Red Top Coal Company, Inc., a code member, Spangler, Pennsylvania, whose code membership become effective as of June 20, 1937, operator of the Red Top Mine, Mine Index No. 415, located in Cambria County Pennsylvania, in Subdistrict No. 17 of District No. 1, wilfully violated the Act, the Code, and rules and regulations thereunder as follows:

I. By selling, subsequent to September 30, 1940, to various purchasers, coal produced by said code member at its aforesaid mine at prices below the effective minima established therefor in the Schedule of Effective Minimum Prices for District No. 1 for All Shipments Except Truck, including sales of said coal during the period January 2, 1941, to March 25, 1941, both dates inclusive, as follows:

(a) Approximately 44.35 net tons of 2" lump coal at $2.35 per net ton f. o. b. said mine, whereas such coal was classified as Size Group No. 1 and priced at $2.60 per net ton f. o. b. said mine in said schedule;

(b) 142.55 net tons of ¾" slack coal at $2.10 per net ton f. o. b. said mine, whereas such coal was classified as Size Group No. 5 and priced at $2.15 per net ton in said schedule;

(c) 48.50 net tons of 1¼" nut and slack coal at $2.20 per net ton f. o. b. said mine, whereas such coal was classified as Size Group No. 4 and priced at $2.25 per net ton f. o. b. said mine in said schedule;

(d) 142.35 net tons of ½" slack coal at $2.10 per net ton f. o. b. said mine, whereas such coal was classified as Size Group No. 5 and priced at $2.15 per net ton f. o. b. said mine in said schedule; and

(e) 41.90 net tons of modified mine run coal at $2.30 per net ton f. o. b. said mine, whereas such coal was classified as Size Group No. 3, and priced at $2.35 per net ton f. o. b. said mine in said Schedule, resulting in violations of section 4 II (e) of the Act and Part II (e) of the Code.

II. By intentionally misrepresenting the origin of the coal described in Paragraph I hereof, with the exception of 46.25 net tons shipped in Car No. PRR 161931 on March 25, 1941, in that said code member invoiced such coal as having been produced by McCombie Coal Mining Company at its Bakerton Mine No. 3, Mine Index No. 25, whereas such coal was produced by said code member at its Red Top Mine, Mine Index No. 415, resulting in violations of section 4 II (i) 8 of the Act, Part II (i) 8 of the Code, and Rule 8 of section XIII of the Marketing Rules and Regulations.

III. By paying, during the period October 3, 1940, to March 8, 1941, both dates inclusive, commissions of 25 cents per net ton on 319.55 net tons and 35 cents per net ton on 208.35 net tons of coal produced at its aforesaid mine, to F. J. Balch, Springfield, Massachusetts, allegedly acting as sales agent for said code member pursuant to a contract dated January 21, 1938, filed with the Division prior to June 23, 1939, although said code member had failed to give written notice to the Statistical Bureau for District No. 1 within twenty (20) business days after June 23, 1939, that such contract was still in force and effect without modification or change, as required by Order of the National Bituminous Coal Commission dated June 23, 1939, which was adopted, ratified, and continued in effect as a regulation of the Bituminous Coal Division by Order of the Secretary of the Interior dated July 1, 1939, and as amended now appears in part as Rule 4 (A), section II of the Marketing Rules and Regulations, resulting in violation of Rule 9 of section II of the Marketing Rules and Regulations.

IV. By granting discounts totalling $53.34 from the effective minimum prices established therefor, during the period February 26, 1941, to March 3, 1941, both dates inclusive, on the sale of 503.55 net tons of mine run and ¾" slack coal produced by said code member at its aforesaid mine, to Guy Commons, Hastings, Pennsylvania, for resale to Endicott-Johnson Corporation, Endicott, New York, notwithstanding that said Guy Commons was not a registered distributor, and therefore not a person authorized by the Division to receive discounts, resulting in violations of section 4 II (e) of the Act, Part II (e) of the Code, and Rule 1 of section III of the Marketing Rules and Regulations.

Dated: February 4, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-1993; Filed, February 6, 1943; 11:25 a. m.]

[Docket No. B-356]

BLACK DIAMOND COAL MINING CO.

NOTICE OF AND ORDER FOR HEARING

In the matter of W. W. Bridges, receiver, Black Diamond Coal Mining Company, code member.

A complaint dated December 11, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on December 15, 1942, by Bituminous Coal Producers Board for District No. 9, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by W. W. Bridges, Receiver, Black Diamond Coal Mining Company (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder:

It is ordered, That a hearing in respect to the subject matter of such complaint be held on March 13, 1943, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Circuit Court Room, Madisonville, Kentucky.

It is further ordered, That Charles O. Fowler, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging that the Code Member, located at Drakesboro, Kentucky, whose Code Membership became effective as of June 21, 1937, operator of Black Diamond No. 2 Mine (Mine Index No. 6) and Black Diamond No. 3 Mine (Mine Index No. 7), both located in Muehlenburg County, Kentucky in District No. 9, has, subsequent to September 30, 1940, wilfully violated the Bituminous Coal Code or rules and regulations thereunder:

1. By selling and delivering coal produced at the aforesaid mines to the Boillin-Harrison Company, Clarksville, Tennessee, wholesale grocers, for resale and delivery to W. E. Beach Coal Company, Clarksville, Tennessee, a retail coal dealer, including:

Date	Amount in tons	Size	Size group	Minimum price	Invoice price
Oct. 29, 1940 to Apr. 29, 1942	3,174.10	3" lump	3	$1.95	$1.95
Mar. 30, 1942	53.10	6" lump	1	2.05	1.80
June 28, 1941 to Apr. 29, 1942	727.05	1¼" lump	6	1.70	1.70
Oct. 29, 1940 to Apr. 29, 1942	453.75	3" x 2" nut	5	1.75	1.75
Jan. 14, 1942 to Mar. 3, 1942	150.75	6" x 3" egg	3	1.95	1.95
Jan. 14, 1941 to Apr. 16, 1941	169.25	Mine run	7	1.70	1.70
June 28, 1941 to Aug. 13, 1941	92.15	1½" x ¼" slacker	10	1.40	1.40

and allowing to the said Boillin-Harrison Company in the aforesaid transactions rebates, credits, or unearned discounts from such invoiced prices in amounts ranging from 5 cents to 25 cents per net ton, which rebates, credits, or unearned discounts had the effect of reducing the sales prices thereof to the Boillin-Harrison Company below the effective minimum prices for said coals and resulted in violations of section 4 II (e) of the Act and Part II (e) of the Code; section 4 II (i) 6 of the Act and Part II (i) 6 of the Code; and Rule 6 of section XIII of the Marketing Rules and Regulations.

II. By failing to receive payments of the invoices for the coal referred to in Item I above in United States currency, or funds equivalent thereto, which payments were made by Boillin-Harrison Company to the code member in the form of groceries and other staple articles, and that each of said payments resulted in a violation of section 4 II (e) of the Act and Part II (e) of the Code; section 4 II (i) 6 of the Act and Part II (i) 6 of the Code; and Rule 1 (F) of section VII and Rule 6 of section XIII of the Marketing Rules and Regulations.

III. By granting allowances ranging from 20 cents to 35 cents per net ton from the invoiced prices for alleged substandard preparation or quality on one car (51.10 net tons) of 3" lump coal sold on or about January 3, 1942, and 4 cars (203.65 net tons) of 1¼" lump coal sold on or about June 28, 1941, August 13, 1941, and January 3, 1942, of the coal referred to in Item I above, without filing information as specified by Rule 1 of section X of the Marketing Rules and Regulations, which had the effect of reducing the actual sale prices below the applicable minima for said coals, and that each of said allowances resulted in a violation of said rule, section 4 II (e) of the Act, and Part II (e) of the Code.

IV. By intentionally misrepresenting by way of invoicing the sizes of coal produced at the aforesaid mines, including approximately 18,842.35 tons of coal sold to various purchasers during the period October 25, 1940 through March 31, 1941, said code member failing to sell and invoice such coal under the sizes actually loaded and under the classifications designated therefor, as set forth in the Schedule of Effective Minimum Prices for District No. 9 for All Shipments Except Truck, resulting in violations of section 4 II (i) 8 of the Act, Part II (i) 8 of the Code; and Rule 8 fo section XIII and Rule 2 of section XII of the Marketing Rules and Regulations.

V. (a) By unlawfully substituting, without prior approval of the Director, upon an order for 3" lump coal from Forest Products Chemical Company, Memphis, Tennessee, and selling to said purchaser during the period commencing July 26, 1941, and ending July 28, 1941, at a price of $1.95 per net ton f. o. b. the mine, approximately 162 net tons of 6" lump coal produced at its said Black Diamond No. 2 Mine, for which coal the effective minimum price was $2.05 per net ton f. o. b. the mine as set forth in the Schedule of Effective Minimum Prices for District No. 9 for All Shipments Except Truck, resulting in violations of section 4 II (e) of the Act, Part II (e) of the Code; and Rule 1 (a) of section XI of the Marketing Rules and Regulations.

(b) By unlawfully substituting, without filing formal applications, upon forms provided by the Division, upon an order for 3" lump coal from said Forest Products Chemical Company, and selling to said purchaser, during the period commencing July 26, 1941 and ending July 30, 1941, at a price of $1.95 per net ton f. o. b. the mine, approximately 268.7 net tons of 6" lump coal produced at its said Black Diamond No. 2 Mine, for which coal the effective minimum price was $2.05 per net ton f. o. b. the mine, as set forth in the Schedule of Effective Minimum Prices for District No. 9, for All Shipments Except Truck, resulting in violations of section 4 II (e) of the Act; Part II (e) of the Code; and Rule 1 (e) of section XI of the Marketing Rules and Regulations.

VI. By paying to Southwestern Fuel Company, Memphis, Tennessee, unauthorized sales agency commissions, including commissions ranging from 5 cents to 18.31 cents per ton for sales by Southwestern Fuel Company on the code member's behalf of approximately 7,410.85 tons of coal produced at the aforesaid mines, or either of them, and sold during the period October 12, 1940 through June 23, 1941, whereas neither said code member nor said agent filed with the Division within twenty (20) business days following the effective date of the Marketing Rules and Regulations, a copy of the contract of agency executed on September 13, 1938, and filed with the Division in January 1942, resulting in violation of Rule 4 (A) and 9 (a) of section II of the Marketing Rules and Regulations.

Dated: February 5, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F R Doc. 43-1991; Filed, February 6, 1943; 11:25 a. m.]

[Docket No. B-360]

PROVIDENCE COAL MINING COMPANY

NOTICE OF AND ORDER FOR HEARING

A complaint dated October 8, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on October 12, 1942, by Bituminous Coal Producers Board for District No. 9, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by Providence Coal Mining Company (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder:

It is ordered That a hearing in respect to the subject matter of such complaint be held on March 11, 1943, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Circuit Court Room, Madisonville, Kentucky.

It is further ordered, That Charles O. Fowler, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging that the Code Member, whose address is Providence, Kentucky, and whose Code Membership became effective as of June 21, 1937, operator of Providence No. 3 Mine, Mine Index No. 65, located in Webster County, Kentucky, District No. 9, Freight Origin Group No. 50, has wilfully violated the Bituminous Coal Act of 1937, the Code promulgated thereunder orders, rules and regulations of the Division, and particularly section 4 II (e) of the Act and Part II (e) of the Code as follows:

By selling for rail shipment coal produced at the aforesaid mine below the effective minimum prices established therefor in the Schedule of Effective Minimum Prices for District No. 9, for All Shipments Except Truck, including

(a) Sales during the period October 22, 1940 to April 9, 1941, inclusive, through the Kirkpatrick Coal Company, Memphis, Tennessee (Registered Distributor) Registration No. 5103, agent of the Kentucky Coal Agency, Madisonville, Kentucky and subagent of the Code Member, of 143.27 tons of various sizes of coal to Fed. Compress & Warehouse Co. (28.25 tons); City Coal & Wood Co. (14.20 tons); Deer Creek Compress Co. (17.75 tons); Johnston Coal Company (56.85 tons); and Penn. Railroad Co. (26.22 tons), at prices ranging from 5 cents to 15 cents per ton below the effective minimum prices therefor as set forth in said Schedule; and

(b) Sales during the period October 26, 1940 to April 2, 1941, inclusive, of approximately 771.97 tons of various sizes of coal to Jones Coal Co. (203 tons); Harlar MacMillan, a registered distributor (87.77 tons); Kevil Coal & Supply Co., a registered distributor (160.95 tons); Coil Coal & Mining Co., a registered distributor (160.15 tons); Meador & Young, a registered distributor (54.35 tons); and Meador, Young & Holt, a registered distributor (105.75 tons); at prices ranging from 10 to 25 cents per ton below the effective minimum prices therefor.

Dated: February 5, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-1992; Filed, February 6, 1943; 11:25 a. m.]

[Docket Nos. A-1815, A-1821]

DAY'S MUTUAL COAL CO., ET AL.

ORDER OF CONSOLIDATION

In the matter of the petitions of Day's Mutual Coal Company, Duncan and Nicolo and Bills and Kilgore, code members in District No. 20, for the establishment of minimum prices for coals sold to Standard Coal, Incorporated, for sizing, preparation and resale by it.

In the matter of the petition of Standard Coal, Incorporated, for an exception to Rule 3 of section V and Rule 1 of section VI of the marketing rules and regulations as to coal purchased by it for sizing, preparation and resale.

Order of consolidation, order granting temporary relief in part and notice of and order for hearing.

Original petitions in the above-entitled matters were filed with this Division, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

The petition in Docket No. A-1815 requests that the Schedule of Effective Minimum Prices of District No. 20 for All Shipments be modified so as to permit petitioners therein to sell and deliver coal in Size Groups Nos. 4, 10 and 13 produced at their respective mines to Standard Coal, Inc., Salt Lake City, Utah, at 50 cents per ton less than the prevailing rail prices for these coals, Standard Coal, Inc., to size, prepare and resell the coal as and with its own coal.

The petition in Docket No. A-1821, after setting forth substantially the facts alleged in Docket No. A-1815, requests that petitioner, Standard Coal, Inc., be granted an exception to Rule 3 of Section V and Rule 1 of section VI of the Marketing Rules and Regulations so as to permit it to show petitioner's Standard Mine, Mine Index No. 21, as the originating mine of coal purchased from Day's Mutual Coal Company, Bills and Kilgore, and Duncan and Nicolo. Requests for temporary relief have been made in both petitions.

It appears that Duncan and Nicolo, Day's Mutual Coal Company and Bills and Kilgore operate truck mines at the head of Spring Canyon, near Helper, Utah. None of these mines has rail-loading facilities, and all are suffering from a seriously impaired market for their truck coals as a result of present market conditions. Standard Coal, Inc. has adequate sizing, preparation and rail-loading facilities in Spring Canyon, and is agreeable to preparing and marketing this coal for rail shipment if the

relief requested in the present petitions can be granted.

It appears to the Director that the above-entitled matters raise similar and related issues and that a reasonable showing of necessity has been made for the granting of temporary relief. The original petitions, however, do not contain facts sufficient to warrant the granting of the permanent relief requested therein without a hearing. The Director is of the opinion that the relief hereinafter set forth will be adequate pending such hearing.

Now, therefore, It is ordered, That the above entitled matters be, and the same hereby are, consolidated.

It is further ordered, That, pending further order in this matter, temporary relief is granted as follows: Commencing forthwith, the minimum prices for coal in Size Groups 4, 10 and 13 produced at Day's Mine, Mine Index No. 32 of Day's Mutual Coal Company, the Duncan Mine, Mine Index No. 180 of I. W. Duncan and Tom Nicolo, and the Bills and Kilgore Mine, Mine Index No. 195, of Elvin Bills and Charles Kilgore, all in District 20, when sold to Standard Coal, Inc., for delivery at that company's tipple at Standardville, Utah, for sizing, preparation and resale by it for rail shipment or commingling with the coals of the Standard Mine for resale by it for rail shipment, shall be $3.20, $1.60 and $2.45 per net ton, respectively: *Provided, however*, That the minimum prices applicable to the coals of the Standard Coal, Inc., for rail shipment shall apply to these coals when resold by Standard Coal, Inc.: *And provided further*, That the invoices of Standard Coal, Inc., covering the sale of these coals when sold either separately or commingled, shall indicate by mine index number the mines from which such coals originated.

It is further ordered, That a hearing in Dockets Nos. A–1815 and A–1821, under the applicable provisions of the Bituminous Coal Act of 1937 and the rules and regulations of the Division, be held on March 26, 1943 at 10 o'clock in the forenoon, in a hearing room of the Bituminous Coal Division in Salt Lake County Courthouse, Salt Lake City, Utah.

It is further ordered, That D. C. McCurtain, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer or officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearings from time to time, and to prepare and submit proposed findings of fact and proposed conclusions of law and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to these proceedings may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petitions is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before March 22, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petitions, other matters necessarily incidental and related thereto, which may be raised by amendment to the petitions, petitions of intervention or otherwise, which may be necessary corollaries to the relief, if any, granted on the basis of original petitions.

The matter concerned herewith is in regard to the petition of Day's Mutual Coal Company (Wayne Day), Duncan and Nicolo, and Bills and Kilgore, and the petition of Standard Coal, Inc., requesting, respectively, as follows:

(1) That the Schedule of Effective Minimum Prices for District No. 20 for All Shipments be modified to include minimum prices of $3.00, $1.40 and $2.25 per net ton for coals in Size Groups 4, 10 and 13 produced at Day's Mine, Mine Index No. 32, of Day's Mutual Coal Company, the Duncan Mine, Mine Index No. 180, of I. W. Duncan and Tom Nicolo, and the Bills and Kilgore Mine, Mine Index No. 195, of Elvin Bills and Charles Kilgore, when sold to Standard Coal, Inc., for delivery at that company's tipple at Standardville, Utah, for sizing, preparation and resale by it for rail shipment or commingling with the coals of the Standard Mine, Mine Index No. 21 of Standard Coal, Inc. for resale.

(2) That an exception to Rule 3 of section V and Rule 1 of section VI be granted the Standard Coal, Incorporated, to permit it to show its Standard Mine, Mine Index No. 21, as the originating mine of coal purchased by it from Day's Mutual Coal Company, Bills and Kilgore, and Duncan and Nicolo, and sized, prepared and loaded over its facilities, or commingled with coal from the Standard Mine, for resale for rail shipment by Standard Coal, Inc.

It is further ordered, That pleadings in opposition to the original petitions in the above-entitled matters, and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That except as hereinbefore provided, the requests for temporary relief be, and the same hereby are, denied without prejudice to the renewal of such requests for temporary relief, upon further showing or upon the basis of the record to be made at the hearing to be held herein.

Dated: February 6, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2036; Filed, February 8, 1943; 11:07 a. m.]

[Docket No. B-320]

KING COAL COMPANY

NOTICE OF AND ORDER FOR HEARING

In the matter of C. H. Cole and Fred J. Girard, individually and as copartners, doing business under the name and style of King Coal Company, Code Member.

A. Under provisions of the Bituminous Coal Act of 1937 (the "Act"), district boards are authorized in appropriate cases to file complaints of violations of the Act, the Bituminous Coal Code (the "Code") and rules and regulations of the Bituminous Coal Division (the "Division").

B. The Division on May 14, 1942, referred to District Board No. 17 information in its possession bearing on whether violations of the Act, the Code, Orders, rules and regulations thereunder have been committed by C. H. Cole and Fred J. Girard, individually and as copartners, doing business under the name and style of King Coal Company, the Code Member above named (hereinafter referred to as the "Code Member") whose Code Membership became effective as of February 1, 1939, operator of the Coal King #2 Mine, Mine Index No. 310, located in La Plata County, Colorado, Subdistrict No. 20 of District No. 17 in connection with the following transactions:

1. *Section 4 II (e) and (i) 8 of the Act, Part II (e) and (i) 8 of the Code, Rule 2 of section XII and Rule 8 of section XIII of the Marketing Rules and Regulations.* Sales of coal produced at the aforesaid mine for truck shipment, subsequent to September 30, 1940, below the effective minimum price therefor, including 13.8 tons of 1½" lump coal, Size Group No. 5, to various purchasers during the period October 3, 1940 to August 16, 1941, both dates inclusive, at $2.15 per net ton f. o. b. the mine whereas the effective minimum f. o. b. mine price for said coal was $3.25 per net ton as set forth in the Schedule of Effective Minimum Prices for District No. 17 for All Shipments, and the intentional misrepresentation of the size of said coal in that said size was falsely recorded on truck sales tickets as 1" x 1½" pea (Size Group No. 10); and

2. *Section 4 II (e), (g) and (i) 8 of the Act, Part II (e), (g) and (i) 8 of the Code, Rule 2 of section XII and Rule 8 of section XIII of the Marketing Rules and Regulations.* Sales and delivery by truck, subsequent to September 30, 1940, of coal produced at the aforesaid mine at prices below the effective minimum prices for said coal, plus the transportation, handling and incidental charges from the transportation facilities at the mine to the point from which all such charges were assumed and directly paid by the purchasers, as required by Price Instruction and Exception No. 14, as amended, and contained in Supplement No. 1 to the aforesaid Schedule, including the following transactions:

The sale and delivery during the period October 10, 1940 to October 26, 1941, both dates inclusive, of approximately 54.45 net tons of 1½" lump coal (Size Group No. 5) to various purchasers, located at points ranging from 15 to 36 miles distance from the mine, at delivered prices ranging from $3.43 to $3.80 per net ton, whereas the effective minimum f. o. b. mine price for said coal was $3.25 per net ton, as set forth in the aforesaid Schedule, plus the amount required to be added by said Price Instruction and Exception No. 14, and the intentional misrepresentation of the size of said coal in that said size was falsely recorded on truck sales tickets as 1" x 1½" pea (Size Group No. 10).

C. By letter dated August 25, 1942, the Division notified said board that unless it took action in this matter, the Division would take such action in lieu of the board, if it deemed it to be appropriate.

D. District Board No. 17 has not taken any action in this matter.

E. Section 6 (a) of the Act, provides in part that in the event a district board shall fail for any reason to take action authorized or required by this section, then the Division may take such action in lieu of the district board.

F. District Board No. 17 having failed to take action as authorized or required by the Act on the matters hereinbefore described, the Division finds it necessary in the proper administration of the Act to take action thereon in lieu of the Board, as in this Notice of and Order for Hearing provided, pursuant to section 6 (a) and other pertinent provisions of the Act for the purpose of determining:

(a) whether the Code Member has wilfully violated section 4 II (e), (g) and (i) 8 of the Act, Part II (e), (g) and (i) 8 of the Code, Rule 2 of section XII and Rule 8 of section XIII of the Marketing Rules and Regulations;

(b) whether in the event the Code Member is found to have violated the Act and the Code and rules and regulations thereunder an order should be entered revoking the Code Membership of the Code Member or directing the Code Member to cease and desist from violating the Act, the Code and rules and regulations thereunder.

It is hereby ordered, That a hearing, pursuant to section 4 II (j), 5 (b) and 6 (a), and other pertinent provisions of the Act, be held on April 10, 1943, at a hearing room of the Division at 10 a. m., Civil Service Room, Post Office Building, Durango, Colorado, to determine whether the aforementioned Code Member has committed the violations in the respects heretofore described and whether the Code Membership of said Code Member should be revoked or an order should be entered directing the Code Member to cease and desist from violating the Act, the Code and Rules and regulations of the Division thereunder.

It is further ordered, That D. C. McCurtain, or any other officer of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time and to such places as he may direct by announcement at said hearing or any adjourned hearing, or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons or entities having an interest in such proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act may file a petition for intervention not later than five (5) days before the date set for hearing herein.

Notice is hereby given that answer setting forth the position of the Code Member with reference to the matters hereinbefore described must be filed with the Division at its Washington Office or with one of the Statistical Bureaus of the Division within twenty (20) days after the date of service of a copy hereof on the Code Member; and that any failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission by the Code Member of the commission of the violations hereinbefore described and a consent to the entry of an appropriate order thereon.

Notice is also hereby given that any application, pursuant to § 301.132 of said Rules of Practice and Procedure Before the Division for the disposition of this proceeding without formal hearing must be filed not later than fifteen (15) days after receipt by said Code Member of this Notice of and Order for Hearing.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered therein may concern in addition to the charges specifically alleged herein, other matters incidental and related thereto, whether raised by amendment, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Dated: February 6, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2035; Filed, February, 8, 1943; 11:07 a. m.]

General Land Office.

[Stock Driveway Withdrawal 44, Wyo. 8]

WYOMING

ENLARGEMENT OF STOCK DRIVEWAY WITHDRAWAL

By virtue of the authority contained in section 7 of the act of June 28, 1934, 48 Stat. 1272, as amended by the act of June 26, 1936, 49 Stat. 1976 (U.S.C., title 43, sec. 315f), and in section 10 of the act of December 29, 1916, 39 Stat. 865, as amended by the act of January 29, 1929, 45 Stat. 1144 (U.S.C., title 43, sec. 300); *It is ordered as follows:*

Subject to valid existing rights and to an existing petroleum reserve and a power withdrawal affecting portions of the lands, the following-described public lands, a part of which is within the known oil and gas structure of the South Oregon Basin field in Wyoming, are hereby classified as necessary and suitable for the purpose and, excepting any mineral deposits therein, withdrawn from all disposal under the public-land laws and reserved for the use of the general public as an addition to Stock Driveway Withdrawal No. 44, Wyoming No. 8: *Provided*, That the users of the driveway shall confine all animals in their charge to the designated limits of the driveway and shall prevent them from ranging on other lands within the defined limits of the South Oregon Basin oil and gas field: *And provided further*, That the owner or operator of any outstanding or future lease issued under the mineral leasing laws of the United States shall incur no liability by reason of any injury to stock resulting from the construction, operation, and maintenance of any proper and lawful works, housing, or improvements needed or used in the operation of his lease.

SIXTH PRINCIPAL MERIDIAN

T. 50 N., R. 100 W.
Sec. 5, lot 2, SW¼NE¼, and S½NW¼.
Sec. 6, lots 5, 6, 7, S½NE¼, and SE¼NW¼.
T. 51 N., R. 100 W.,
Sec. 25, lot 1, N½SW¼, and Tract 66–0;
Sec. 26, lot 1, SW¼, and N½SE¼;
Sec. 27, S½;
Sec. 28, S½;
Sec. 29, SE¼;
Sec. 32, W½E½.

The areas described aggregate 1,785.26 acres.

Any mineral deposits in the lands shall be subject to location and entry only in the manner prescribed by the Secretary of the Interior in accordance with the provisions of the aforesaid act of January 29, 1929, and existing regulations.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

JANUARY 20, 1943.

[F. R. Doc. 43-2023; Filed, February 8, 1943; 9:47 a. m.]

[Stock Driveway Withdrawal 209, Oreg 26]

OREGON

REDUCTION OF STOCK DRIVEWAY WITHDRAWAL

The order of the Assistant Secretary of the Interior of Septmeber 22, 1932, withdrawing certain lands in Oregon as an addition to Stock Driveway Withdrawal No. 209, Oregon No. 26, under section 10 of the act of December 29, 1916, as amended by the act of January 29, 1929, 39 Stat. 865, 45 Stat. 1144, 43 U.S.C. 300, is hereby revoked so far as it affects the following-described lands:

WILLAMETTE MERIDIAN

T. 16 S., R. 26 E.,
Sec. 1, SE ¼.
T. 15 S., R. 27 E.,
Sec. 31, lot 4, SE¼SW¼, and S½SE¼;
Sec. 32, SW¼SW¼.
T. 16 S., R. 27 E.,
Sec. 4, N½S½.
The areas described aggregate 510.09 acres.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

JANUARY 23, 1943.

[F. R. Doc. 43-2024; Filed, February 8, 1943; 9:47 a. m.]

[Public Land Order 84]

ALASKA

WITHDRAWING PUBLIC LANDS FOR PROTECTION OF THE RICHARDSON HIGHWAY

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, *It is ordered as follows:*

Subject to valid existing rights, the public lands in the following-described area are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, for protection of the Richardson Highway.

TANANA RIVER AREA, ALASKA

The area lying between the Delta and Tanana Rivers and the Richardson Highway within 20 miles of the town of Big Delta.

The area described, including both public and non-public lands, aggregates approximately 27,000 acres.

So far as the above-described area is affected, this order shall be subject to (1) the withdrawal for military purposes by Executive Order of May 24, 1905, (2) the withdrawal for military purposes by Executive Order No. 1557 of July 3, 1912, (3) the withdrawal for military purposes by Executive Order No. 2422 of July 14, 1916, (4) Air Navigation Site Withdrawal No. 105 of February 19, 1941, (5) Air Navigation Site Withdrawal No. 162 of June 25, 1941, and (6) the withdrawal for the Trans-Canadian Alaskan Railway by Public Land Order No. 32 of August 18, 1942.

ABE FORTAS,
Acting Secretary of the Interior.

JANUARY 28, 1943.

[F. R. Doc. 43-2025; Filed, February 8, 1943; 9:47 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket Nos. 370, 720 and 775]

PAN AMERICAN AIRWAYS, INC.

NOTICE OF ORAL ARGUMENT

In the matter of the compensation of Pan American Airways, Inc., for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith between the United States and Europe in transatlantic service, between the United States and Europe by way of South America and Africa, and between the United States and Bermuda.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 406 and 1001 of said Act, in the above-entitled proceeding, that oral argument is assigned to be held on February 19, 1943, 10 a. m. (eastern war time) in Room 5042 Commerce Building, 14th Street and Constitution Avenue, N. W., Washington, D. C., before the Board.

By the Civil Aeronautics Board.

Dated February 6, 1943.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 43-2048; Filed, February 8, 1943; 11:32 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-115]

THE EAST OHIO GAS COMPANY

ORDER FIXING DATE OF HEARING

FEBRUARY 3, 1943.

It appearing to the Commission that:

(a) On October 26, 1938, the City of Cleveland filed with the Commission a petition praying for an investigation and a determination by the Commission of the cost of transportation in interstate commerce of natural gas by The East Ohio Gas Company from the Ohio River to the city gate of Cleveland, Ohio; by order of February 14, 1939, the Commission instituted an investigation to determine the cost of transportation of natural gas by The East Ohio Gas Company from the Ohio River to the city gate of Cleveland, Ohio; on March 16, 1939, the company petitioned for a rehearing and stay of the order of the Commission on February 14, 1939; on April 14, 1939, the Commission denied the application for rehearing and stay, and amended the order instituting investigation; on June 13, 1939, the company filed a petition for review of the Commission's orders of February 14, 1939, and April 14, 1939, with the United States Circuit Court of Appeals for the Sixth Circuit; and on November 8, 1940, said Circuit Court of Appeals dismissed the petition for want of jurisdiction holding on the authority of *Federal Power Commission* v. *Metropolitan Edison Co. et al.*, 304 U. S. 375, that the challenged order of February 14, 1939, is not reviewable under section 19 (b) of the Natural Gas Act which does not contemplate a review of orders of a procedural, interim, and preliminary character which are merely the means whereby the Commission has taken initial steps to the formulation of an ultimate determination; the company did not file in the Supreme Court of the United States a petition for certiorari with respect to said decision of said Circuit Court of Appeals, but since said date has failed and refused to comply with paragraph (B) of the Commission order of February 14, 1939, which required the company to furnish to this Commission, under oath, on or before April 17, 1939, certain enumerated data respecting inventories, facilities and expenses enumerated in said order;

(b) On June 25, 1942, the Cities of Euclid, Docket No. G-399, and Cleveland, Ohio, Docket No. G-400, filed with this Commission separate complaints against The East Ohio Gas Company in practically identical form, and the City of Lakewood, Ohio, Docket No. G-401, filed a similar complaint on June 29, 1942. Said cities complained that The East Ohio Gas Company has failed and refused to comply with various regulations and orders of this Commission, including the order of this Commission of February 14, 1939. Said cities allege that they have a substantial interest in the enforcement of the Commission's orders and in the determination of the company's original cost. Said cities pray this Commission to enforce its said orders and to determine said original cost; and

(c) On July 5, 1938, by its Order No. 51 and pursuant to the authority vested in it by sections 10 and 14 of the Natural Gas Act, the Commission instituted an investigation of natural-gas companies and directed the filing of reports by such companies. On August 15, 1938, The East Ohio Gas Company filed a response to the questionnaire authorized by said Order No. 51 and supplied the information called for thereby, including a map showing the location of its facilities and a description of the use and method of operation of such facilities and the Commission has relied upon such facts which were supplied to it by said company. Said company transports to various points in the State of Ohio natural gas produced outside of Ohio and delivered into its transmission systems at the West Virginia-Ohio State line. In East Ohio Gas Company v. Tax Commission, 283 U. S. 465, the Supreme Court of the United States held that said company's transportation of natural gas in the State of Ohio is interstate commerce, using the following language:

> The transportation of gas from wells outside Ohio by the lines of the producing companies to the state line and thence by means of applicant's high pressure transmission lines to their connection with its local systems is essentially national—not local—in character and is interstate commerce within as well as without that State.

The Commission finds that:

It is advisable, necessary and proper, in the public interest, to hold a hearing at this time in the investigation into and concerning the cost of national gas service rendered by said company from the Ohio River to the city gate serving Cleveland, Euclid, and Lakewood, Ohio;

The Commission *orders*, That:

(A) A public hearing be held in Room 331, Old Post Office Building, Cleveland, Ohio, on March 3, 1943, at 10:00 a. m., for the purpose of determining:

(i) Whether The East Ohio Gas Company is a natural-gas company within the meaning of the Natural Gas Act; and

(ii) The cost of natural-gas service rendered by said company, including the cost of transportation of natural gas by said company from the Ohio River to the city gate serving Cleveland, Euclid and Lakewood, Ohio;

(B) Interested State Commissions may participate in the hearing as provided in § 67.4 of the Provisional Rules of Practice and Regulations under the Natural Gas Act.

By the Commission.

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 43-2027; Filed, February 8, 1943; 9:47 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 525]

UNTERWESER SHIPPING AGENCY, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Unterweser Reederei, A. G. is a corporation organized under the laws of Germany, and has a principal place of business at Bremen, Germany, and therefore is a national of a designated enemy country (Germany);

2. Finding that said national is the beneficial owner of all of the outstanding capital stock of Unterweser Shipping Agency, Inc., a New York corporation, New York, New York, which is a ousiness enterprise within the United States, consisting of 5 shares of $100 par value common stock registered as follows:

Names:	Number of shares
Julian B. Beaty	3
Andrew C. Knoeller	1
George W. Case	1
Total	5

3. Determining, therefore, that said business enterprise is a national of a designated enemy country (Germany);

4. Determining that to the extent that such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the shares of stock described in paragraph 2 hereof, to be held, used, administered, liquidated sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on December 18, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2032; Filed, February 8, 1943; 10:37 a. m.]

[Vesting Order 631]

ROYAL BAYREUTH-THARAUD CORP.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Porzellanfabrik Tettau, A. G. is located in Oberfranken, Tettau, Germany and is a national of a designated enemy country (Germany);

2. Finding that 25 shares of no par value capital stock of Royal Bayreuth-Tharaud Corporation, a New York corporation, New York, New York, are registered in the name of and owned by the aforesaid Porzellanfabrik Tettau, A. G.;

3. Finding that said Royal Bayreuth-Tharaud Corporation is a business enterprise within the United States and that said 25 shares of stock constitute all of the issued and outstanding capital stock of said business enterprise and represent ownership thereof;

4. Determining, therefore, that said business enterprise is a national of a designated enemy country (Germany);

5. Finding that the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of said Porzellanfabrik Tettau, A. G. in and to all obligations, contingent or otherwise and whether or not matured, owing to it by said Royal Bayreuth-Tharaud Corporation, including but not limited to all security rights in and to any and all collateral for any or all of such obligations and the right to sue for and collect such obligations,

is an interest in the aforesaid business enterprise held by a national of an enemy country, and also is property within the United States owned or controlled by a national of a designated enemy country (Germany);

6. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

7. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

8. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the shares of stock described in paragraph 2 hereof and the property described in subparagraph 5 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on January 6, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2033; Filed, February 8, 1943; 10:37 a. m.]

[Vesting Order 632]

UNION TRUST CO.

Re: Certain property held in trust by Union Trust Company of the District of Columbia, Washington, D. C.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Friederike Strachwitz, Frances Strachwitz, Hubertus Strachwitz, Rosie Strachwitz, Christian Strachwitz and Count Alexander Strachwitz, whose last known addresses were represented to the undersigned as being Gross Reichnau, Sorau Nieder/Lausitz, Germany, are citizens of Germany and are nationals of a designated enemy country (Germany);

2. Finding that the property described as follows:

a. All right, title, interest and estate, both legal and equitable, of each and all of the aforesaid persons and of each and all other nationals, whomsoever they may be, of any and all designated enemy countries, in and to that certain property held in trust by Union Trust Company of the District of Columbia, Washington, D. C., as trustee under a trust indenture dated February 22, 1927 executed by Friederike von Bredow, Count Alexander Strachwitz and Waldemar Leopold von Bredow and by said trust company, and under a written agreement, dated May 12, 1930, executed by Friederike Strachwitz, Count Alexander Strachwitz and said trust company for the benefit of Friederike von Bredow, now Friederike Strachwitz;

b. All right, title, interest and estate, both legal and equitable, of each and all of the aforesaid persons and of each and all other nationals, whomsoever they may be, of any and all designated enemy countries, in and to that certain property held in trust by Union

Trust Company of the District of Columbia, as trustee under the will of Edith McAllister, Newlands of December 29, 1933, and the codicil thereto of December 24, 1936, for the benefit of Friederike Strachwitz and her children;

is property within the United States owned or controlled by nationals of a designated enemy country (Germany) or countries;

3. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany) or countries;

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in paragraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compansation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on January 6, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2034; Filed, February 8, 1943; 10:39 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supplementary Order ODT 3, Revised-2, Corr.[1]]

R-B FREIGHT LINES, INC.—G. & P. TRANSPORTATION CO., INC.

MOTOR VEHICLE TRANSPORTATION SERVICE COORDINATION

In Supplementary Order ODT 3, Revised-2, the words "St. Paul, Minnesota," appearing in the preamble, should read "Aberdeen, South Dakota," and the name "G & P Transportation Company," wherever it appears, should read "G. & P. Transportation Co., Inc." Supplementary Order ODT 3, Revised–2 is corrected accordingly.

Issued at Washington, D. C. this 5th day of February 1943.

JOSEPH B. EASTMAN,
Director.

[F. R. Doc. 43–2001; Filed, February 6, 1943; 1:49 p. m.]

[1] 7 F.R. 8444

[Special Order ODT B–37]

BAMBERGER TRANSPORTATION COMPANY

SUSPENSION OF MOTOR VEHICLE PASSENGER OPERATIONS BETWEEN SALT LAKE CITY-OGDEN, UTAH

Pursuant to Executive Orders Nos. 8989 and 9156, and to effectuate provisions of § 501.46 of General Order ODT 11,[1] and in order to conserve and providently utilize vital transportation equipment, material and supplies, including rubber, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. Bamberger Transportation Company, Salt Lake City, Utah, as a common carrier of passengers by motor vehicle, shall:

(a) Suspend forthwith all operation of its passenger service by motor vehicle between Salt Lake City and Ogden, Utah, and all intermediate points;

(b) File forthwith with the Interstate Commerce Commission in respect of transportation in interstate or foreign commerce, and with the Public Service Commission of Utah in respect of transportation in intrastate commerce, and publish in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in its fares, charges, operations, rules, regulations and practices which may be necessary to accord with the provisions of this order;

(c) Apply forthwith to each of said Commissions for special permission for such tariffs or supplements to become effective on one day's notice;

(d) File with each of said Commissions a copy of this order and a notice describing the operations to be suspended in compliance herewith.

2. Communications concerning this order should refer to "Special Order ODT B–37", and should be addressed to the Division of Local Transport, Office of Defense Transportation, Washington, D. C.

3. This Special Order ODT B–37 shall become effective February 22, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C. this 8th day of February 1943.

JOSEPH B. EASTMAN,
Director.

[F. R. Doc. 43–2037, Filed, February 8, 1943; 11:15 a. m.]

[1] 7 F.R. 4389

OFFICE OF PRICE ADMINISTRATION.

[Order 3 Under MPR 39]

CANNON MILLS, INC.

ORDER GRANTING ADJUSTMENT

Order No. 3 Under Maximum Price Regulation No. 39—Woven Decorative Fabrics—Docket No. 3039–19.

For the reasons set forth in the opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250 and in accordance with § 1400.160 (b) of Maximum Price Regulation No. 39, *It is hereby ordered:*

Adjustment of maximum prices for the sale of certain constructions of woven decorative fabrics by Cannon Mills, Inc. (a) On and after February 6, 1943, Cannon Mills, Inc., may sell and deliver and any person may purchase and receive from it the following constructions of woven decorative fabrics manufactured and sold by Cannon Mills, Inc. as "Padre cloth" at prices not in excess of those set forth below:

Style No.	Specifications	Card basis	Maximum price per yard
575.....	36", 16 ounces, 4 x 4	$.40	$.40
576.....	36", 11½ ounces, 4 x 4	.40	.30
575x.....	36", 14 ounces, 2 x 2	.40	.37½
576x.....	36", 10 ounces, 2 x 2	.40	.27½
575xx...	36", 14 ounces, 4 x 4	.40	.37½
576xx...	36", 10 ounces, 4 x 4	.40	.27½
577x.....	36", 12 ounces, 2 x 2	.40	.32½
577xx...	36", 8¾ ounces, 2 x 2	.40	.24

(b) The maximum prices set forth above are established on the basis of net 10 days, f. o. b. China Grove, North Carolina.

(c) Cannon Mills, Inc. shall mail or cause to be mailed to all purchasers who purchase from it a notice reading as follows:

The Office of Price Administration has permitted us to raise our maximum prices for sales to you as follows:

Style No.	Specifications	Card basis	Maximum price per yard
575.....	36", 16 ounces, 4 x 4	$.40	$.40
576.....	36", 11½ ounces, 4 x 4	.40	.30
575x.....	36", 14 ounces, 2 x 2	.40	.37½
576x.....	36", 10 ounces, 2 x 2	.40	.27½
575xx...	36", 14 ounces, 4 x 4	.40	.37½
576xx...	36", 10 ounces, 4 x 4	.40	.27½
577x.....	36", 12 ounces, 2 x 2	.40	.32½
577xx...	36", 8¾ ounces, 2 x 2	.40	.24

These increases allowed us represent only those parts of cost increases which we are unable to absorb and they were granted with the understanding that retail prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for sales of these woven decorative fabrics.

(d) All prayers of the petitioner not granted herein are denied.

(e) This Order No. 3 may be revoked or amended at any time by the Office of Price Administration.

(f) This Order No. 3 shall become effective February 6, 1943.

[Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871]

Issued this 5th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1950; Filed, February 5, 1943; 11:51 a. m.]

[Order 152 Under MPR 188]

DORA MILES CO.

APPROVAL OF MAXIMUM PRICES

Order No. 152 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel. Approval of maximum prices for sale by the Dora Miles Company of a line of surgical garments.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered*, That:

(a) The maximum prices at which the following surgical garments manufactured by the Dora Miles Company, New Haven, Connecticut, may be sold or delivered are those set forth below:

(1) For sales at retail:

Type No.:	Retail
132B	$11.75
143B	12.50
243B	13.00
244B	13.25
246B	14.00
343B	13.75
344B	14.25
346B	15.25
354B	15.25
433B	12.50

These retail prices shall include charges for all services in connection with the fitting and sale thereof.

(2) For sales other than at retail, the maximum price shall be:

(i) 50 percent of the retail prices as set forth in subparagraph (1) hereof.

(3) For sales in odd sizes of those type numbers set forth in subparagraphs (1) and (2) hereof, the maximum prices shall be the same as those for the same type of garment in the standard sizes.

(b) Before delivery of a garment to any purchaser for resale, the manufacturer shall attach a tag or label bearing the following statement:

The Office of Price Administration has established a retail ceiling price of $_____ for this garment, which shall cover charges for all services in connection with fitting the garment to the patient. Lower prices may be charged. This tag may not be removed until after delivery to the consumer.

The tag or label shall not be detached until the garment has been delivered to the consumer.

(c) At or prior to the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser of the maximum prices and the conditions set by this order for resales by the purchaser. This notice may be given in any convenient form.

(d) This Order No. 152 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 152 shall become effective on the 6th day of February 1943.

Issued this 5th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1955; Filed, February 5, 1943; 11:49 a. m.]

[Order 8 under RPS 41]

U. S. FOUNDRIES, INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 8 under Revised Price Schedule No. 41—Steel Castings—Docket No. 3041–13.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and in accordance with Procedural Regulation No. 6 issued by the Office of Price Administration, *It is hereby ordered:*

Adjustment of maximum prices of the U. S. Foundries, Inc., on sales of steel castings for power shovels to Quick Way Truck Shovel Co., Inc. (a) Notwithstanding anything to the contrary contained in Revised Price Schedule No. 41, U. S. Foundries, Inc., Denver, Colorado, may sell and deliver steel castings for power shovels to Quick Way Truck Shovel Company, Inc., Denver, Colorado for use in the performance of said Quick Way Truck Shovel Company's contract No. W1122–Eng–1292 with the War Department at prices not in excess of the applicable prices contained in Schedule X–51 of the "Comprehensive Report of Price Lists of Miscellaneous Castings" published by the Steel Founders' Society of America for the third quarter of the year 1941, and said Quick Way Truck Shovel Company may buy and receive said steel castings for power shovels from U. S. Foundries, Inc. as above. Said Schedule X–51 prices are delivered prices and delivery to Quick Way Truck Shovel Company, Inc. shall be at the expense of U. S. Foundries, Inc.

(b) All prayers of the petition not granted herein are denied.

(c) This Order No. 8 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 8 shall become effective February 6, 1943 and shall be retroactively effective to December 30, 1942, the date on which U. S. Foundries, Inc. filed its application for adjustment.

Issued this 5th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1951; Filed, February 5, 1943; 11:50 a. m.]

[Order 12 Under RPS 53]

TEXAS VEGETABLE OIL CO.

ESTABLISHING MAXIMUM PRICES

Order No. 12 under Revised Price Schedule No. 53—Fats and Oils, Establishing maximum prices for Texas Vegetable Oil Company, San Antonio, Texas on its "Texas Maid" brand of standard shortening—Docket Number 3053–10.

On October 21, 1942, the Texas Vegetable Oil Company, of San Antonio, Texas, filed an application for adjustment of its maximum price for its "Texas Maid" brand of "standard shortening", pursuant to § 1351.151 (b) (12) (vii) of Revised Price Schedule No. 53.

Due consideration has been given to the application, and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, and in accordance with § 1351.151 (b) (12) (vii) of Revised Price Schedule No. 53, *It is hereby ordered:*

(a) The maximum delivered prices of Texas Vegetable Oil Co.'s "Texas Maid" brand of "standard shortening" shall be the following prices:

	Carlots	Less than carlots
Drums.....	16.00 cents per lb.	16.25 cents per lb.
4 lb. cartons (12)...	$7.85 per case....	$8.00 per case.
1 lb. cartons (48)..	$8.00 per case....	$8.15 per case.

(b) The provisions of § 1351.151 (b) (12) (v) and (viii) of Revised Price Schedule No. 53 shall apply to the maximum prices established by this order for Texas Vegetable Oil Co.'s "Texas Maid" brand of "standard shortening".

(c) All prayers of the petition not herein granted are denied.

(d) This order may be revoked or amended by the Price Administrator at any time.

This Order No. 12 shall become effective February 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1953; Filed, February 5, 1943; 11:51 a. m.]

[Order 10 Under RPS 88]

SUNSET OIL CO.

ORDER GRANTING ADJUSTMENT

Order No. 10 under § 1340.156 (c) of Revised Price Schedule No. 88—Petroleum and Petroleum Products—Docket No. 3088–88.

On June 30, 1942, Sunset Oil Company, 975 Pacific Electric Building, Los Angeles, California, filed a petition for an amendment of Revised Price Schedule No. 88 and for an adjustment in price under the amendment requested. At the time this petition was filed the schedule contained no provision pursuant to which an individual adjustment in maximum prices could be effected. Such a provision was subsequently incorporated therein as § 1340.156 (c). The facts set

forth in this petition justify its treatment as an application for adjustment filed pursuant to that section and it is, therefore, being so treated.

For the reasons set forth in the opinion issued simultaneously herewith, *It is ordered:*

Adjustment of maximum prices of motor oils sold to wholesale distributors by Sunset Oil Company and of maximum prices which such distributors may charge to retail dealers. (a) Sunset Oil Company, Los Angeles, California, may sell and deliver to wholesale distributors and wholesale distributors may buy and receive from Sunset Oil Company the following motor lubricating oils at prices not higher than those set forth below:

(1) *In bulk f. o. b. all Sunset Oil Company's bulk plants in California, exclusive of taxes.*

	Per gallon
Sunset Motor Oil (Pennsylvania grade)	$ .47
Ritelube Motor Oil (Mid-Continent Oil)	.325
Sunlube Motor Oil (Eastern Oil)	.37
Caline Motor Oil (Western Oil)	.175

(2) Maximum prices for the sale in bulk of the motor oils mentioned in subparagraph (1) above, f. o. b. Sunset Oil Company's plants in the States of Washington and Oregon, west of the Cascade Mountains, exclusive of taxes, shall be 3½ cents per gallon in excess of the maximum prices specfied in subparagraph (1).

(3) Maximum prices for the sale in bulk of the motor oils mentioned in subparagraph (1) above, f. o. b. Sunset Oil Company's plants in Yakima, Washington, exclusive of taxes, shall be 5½ cents per gallon in excess of the maximum prices specified in subparagraph (1).

(4) Sales of the motor oils mentioned in subparagraph (1), in containers may be made at Sunset Oil Company's customary differentials over the maximum prices for bulk sales established by subparagraphs (1), (2) and (3) respectively.

(b) Wholesale distributors of motor oils purchased from Sunset Oil Company may sell and deliver to retail dealers and retail dealers may buy and receive from such distributors the following motor lubricating oils at prices not higher than those set forth below:

(1) (i) Either the maximum price of Sunset Motor oil (Pennsylvania grade) Ritelube Motor oil (Mid-Continent oil), Sunlube motor oil (Eastern oil) or Caline Motor Oil (Western oil), respectively, established for the particular distributor under Revised Price Schedule No. 88, issued by the Office of Price Administration, or

(ii) The following prices exclusive of taxes delivered to such retail dealers:

In bulk in California:	*Per gallon*
Sunset Motor Oil (Pennsylvania grade)	$ .57
Ritelube Motor Oil (Mid-Continent oil)	.415
Sunlube Motor Oil (Eastern oil)	.46
Caline Motor Oil (Western Oil)	.23

In bulk in Oregon and Washington, west of the Cascade Mountains. The bulk prices for California increased by 3½ cents per gallon.

In bulk in the territory customarily served from Yakima, Washington. The bulk prices for California increased by 5½ cents per gallon.

In containers. Each distributor's customary differentials over his maximum prices in bulk may be added to the bulk prices above specified, when sales are made in containers.

(c) The adjustment granted to Sunset Oil Company in paragraph (a) is subject to the following condition:

(1) Sunset Oil Company shall give written notice to wholesale distributors of its motor lubricating oils of the adjustments permitted by this order by advising them as follows:

> The Office of Price Administration has permitted us to increase prices at our California plants of our Motor lubricating oils exclusive of taxes as follows:
>
> Sunset Motor Oil—from $.395 per gal. to $.47 per gallon.
>
> Ritelube Motor Oil—from $.265 per gal. to $.325 per gallon.
>
> Sunlube Motor Oil—from $.31 per gal. to $.37 per gallon.
>
> Caline Motor Oil—from $.15 per gal. to $.175 per gallon.
>
> That Office has also permitted us to charge 3½ cents per gallon above the California prices at our plants in Oregon and Washington, west of the Cascade Mountains, and 5½ cents per gallon above the California prices at our plants in Yakima, Washington and has authorized us to add to our prices in bulk our customary differentials where sales are made in containers. That Office has authorized you in any case where your maximum price under Revised Price Schedule No. 88 for a brand of motor oil, purchased from us is lower than the amount stated below to increase your prices for that brand to the following respective amounts, exclusive of taxes, delivered to retail dealers:
>
> | In bulk in California: | *Per gallon* |
> |---|---|
> | Sunset motor oil | $0.57 |
> | Ritelube motor oil | .415 |
> | Sunlube motor oil | .46 |
> | Caline motor oil | .23 |
>
> *In bulk in Oregon and Washington, west of the Cascade Mountains.* The bulk prices for California increased by 3½ cents per gallon.
>
> *In bulk in the territory customarily served from Yakima, Washington.* The bulk prices for California increased by 5½ cents per gallon.
>
> *In containers in all areas above mentioned.* Your customary differentials over your bulk prices may be added to the bulk prices above specified when sales are made by you in containers.

(d) This Order No. 10 may be revoked or amended at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.157 of Revised Price Schedule No. 88 shall apply to the terms used herein.

(f) This Order No. 10 shall become effective February 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1952; Filed, February 5, 1943; 11:52 a. m.]

[Order 4 Under Restriction Order 2]

PUERTO RICO

RICE QUOTAS

Pursuant to the authority vested in the Director of the Office of Price Administration for Puerto Rico by Directive No. 1 of the War Production Board issued January 24, 1942, by Supplementary Directive 1–J, as amended, issued October 29, 1942 and by Restriction Order No. 2 issued by the Office of Price Administration on December 10, 1942, *It is hereby ordered:*

(a) *Quotas.* (1) Quota Period No. 4 shall commence on January 25, 1943 and shall end on February 7, 1943.

(2) The amount of rice to be distributed during Quota Period No. 4 is approximately 8,000,000 pounds.

(3) Each retailer shall be entitled to receive from the War Price and Rationing Board having jurisdiction purchase certificates (OPA Form PRF–3) authorizing him to accept transfers of rice in amounts totalling not more than 25% in pounds of the amount of rice sales reported by such retailer for the month of November, 1941 on OPA Form PRF–1 (the number of 100 pound sacks equals the dollar volume of sales of rice reported divided by $5.00) or such lesser percentage of such sales as may be required by the limitations of the quota of the Board.

(4) The Director shall assign to each Board a quantity of rice for Quota Period No. 4 equal in pounds to the population of the area of its jurisdiction as reported by the latest United States Census for Puerto Rico multiplied by four subject to necessary adjustments among Boards because of variations in requirements due to proven trade practices.

(5) Each institutional and industrial user shall be entitled to receive from the Board having jurisdiction purchase certificates (OPA Form PRF–3) authorizing it to accept transfers of rice in amounts totalling not more than 25% in pounds of the amount of rice purchases reported by it for the month of November, 1941 on OPA Form PRF–1.

(6) Each Board shall have the right to require a person to furnish it with such proof as shall be necessary to substantiate the amount which such person may claim to be entitled to receive out of the total quota alloted to such Board.

(7) On application to the Board having jurisdiction, the Board shall examine all of the facts pertinent to the establishment of the new business, assign a temporary quota after having taken into consideration all of the circumstances and shall render a full and complete report to the Director within three days thereafter. The Director may, based on the facts presented, direct the Board to amend the assigned quota. The applicant may pursuant to § 1407.3007, apply for an adjustment to the Director at any time after the assignment of the temporary quota.

(8) The quota of each person, other than a consumer, entitled to rice hereunder shall be reduced by an amount equal to the quantity of rice in his possession on January 25, 1943 and acceptance by any person of purchase certificates in the full amount of his quota shall constitute a representation that he had no rice in his possession on such date.

(b) *Allotments.* (1) A consumer may not accept a transfer of, and no person shall knowingly transfer to a consumer, more than two pounds of rice during any one calendar week for each consumer on whose behalf the transfer is made.

(c) Any person, partnership, corporation, association, government agency, or any other organized group or enterprise which willfully performs any act prohibited or willfully fails to perform any act required by any provisions of Order No. 4 under Restriction Order No. 2, shall be guilty of a misdemeanor and upon conviction be fined not more than $10,000 or imprisoned for not more than one year, or both, and shall be subject to such other penalties as may be specified by all applicable statutes.

This order shall be effective as of January 25, 1943 at 8:00 a. m.

Issued this 22d day of January 1943.

WILLIAM B. MEAD,
Director of the Office of Price Administration for Puerto Rico.

[F. R. Doc. 43-1969; Filed, February 5, 1943; 3:33 p. m.]

[Suspension Order 208]

BABER'S SERVICE STATIONS AND RIVERVIEW SERVICE STATION

ORDER RESTRICTING TRANSACTIONS

Samuel J. Baber, doing business as Baber's Service Stations, and Riverview Service Station, 601 N Street SW., Washington, D. C., hereinafter called respondent, was duly served with a notice of charges of violations of Ration Order No. 5A, Gasoline Rationing Regulations, issued by the Office of Price Administration. Pursuant to the notice, a hearing upon the charges was held in Washington, D. C., on November 27, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been duly considered by the Deputy Administrator in Charge of Rationing.

It is hereby determined:

(a) Respondent is a dealer in gasoline and operates a gasoline filling station located at 601 N Street SW., Washington, D. C.

(b) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations, (§ 1394.1502), in that on various occasions between July 22 and November 16, 1942, respondent transferred gasoline to consumers without receiving in exchange therefor any gasoline ration coupons or other evidences.

Because of the great scarcity and critical importance of gasoline in Washington, D. C., respondent's violations of Ration Order No. 5A, Gasoline Rationing Regulations, have resulted in the diversion of gasoline from military and essential civilian uses into non-essential uses in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Deputy Administrator in Charge of Rationing that further violations by respondent are likely unless appropriate administrative action is taken.

It is therefore ordered:

(c) During the period in which this Suspension Order No. 208 shall be in effect,

(1) Respondent shall not accept any deliveries or transfers of, or in any manner directly or indirectly receive from any source any gasoline for resale at his filling station at 601 N Street SW., Washington D. C.

(2) Respondent shall not transfer or deliver or otherwise trade or deal in gasoline at his filling station at 601 N Street SW., Washington, D. C.

(3) No person shall in any manner, directly or indirectly transfer or deliver any gasline to respondent for resale at his filling station at 601 N Street SW., Washington, D. C.

(d) Any terms used in this Suspension Order No. 208 that are defined in Ration Order No. 5A, Gasoline Rationing Regulations, shall have the meaning therein given them.

This Suspension Order No. 208 shall become affective 12:01 a. m. February 16, 1943, and unless sooner terminated shall expire 12:01 a. m. March 18, 1943.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub Laws 89 and 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); W.P.B. Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216); Supplementary Directive 1Q (7 F.R. 9121))

Issued this 6th day of February 1943.

PAUL M. O'LEARY,
Deputy Administrator in Charge of Rationing.

[F. R. Doc. 43-1985, Filed, February 6, 1943; 10:41 a. m.]

[Rev. General Order 32]

REGIONAL ADMINISTRATORS

DELEGATION OF AUTHORITY TO ACT FOR THE PRICE ADMINISTRATOR

General Order No. 32 is amended to read as set forth below:

Pursuant to the authority conferred upon the Price Administrator by the Emergency Price Control Act of 1942, the following order is prescribed:

(a) Each Regional Administrator is hereby authorized to exercise within his region the functions, duties, powers, and authority conferred upon the Price Administrator, for the purpose of acting upon such applications for adjustment, issuing such orders adjusting maximum prices and making such determinations of or affecting maximum prices as set forth herein, except where such action affects selling units located in more than one region.

(1) Applications for adjustment of maximum prices pursuant to § 1499.18 (a) of the General Maximum Price Regulation, or any identical provision of any maximum price regulation, or § 1499.18 (d) of the General Maximum Price Regulation, or §§ 1393.8 (a) or 1398.8 (b) of Maximum Price Regulation No. 154, as amended (Ice), or §§ 1499.114 or 1499.115a of Maximum Price Regulation No. 165, as amended (Services), or with respect to sales at retail under § 1389.118 (c) of Maximum Price Regulation No. 177, as amended (Men's and Boys' Tailored Clothing).

(2) Orders of adjustment of the maximum prices reported by sellers pursuant to § 1499.3 (a) of the General Maximum Price Regulation, or any identical provision of any maximum price regulation, or § 1499.4b of the General Maximum Price Regulation, or §§ 1499.102 (c) or 1499.102 (d) or 1499.103 (d) of Maximum Price Regulation No. 165, as amended (Services) or §§ 1389.103 (a) (3) or 1389.103 (a) (4) or 1389.103 (b) (3) of Maximum Price Regulation No. 177, as amended (Men's and Boys' Tailored Clothing), or §§ 1389.154 (b) or 1389.154 (c) of Maximum Price Regulation No. 178, as amended (Women's Fur Garments).

(3) Determinations of maximum prices pursuant to § 1499.3 (c) of the General Maximum Price Regulation or § 1499.4a of the General Maximum Price Regulation and § 1305.17 of Supplementary Order No. 13, or § 1389.154 (a) of Maximum Price Regulation No. 178, as amended (Women's Fur Garments), or § 1351.756 of Maximum Price Regulation No. 249 (Sales of Certain Seasonal Food Products at Wholesale), or § 1351.857 of Maximum Price Regulation No. 250 (Sales of Certain Seasonal Food Products at Retail).

(4) Approving or disapproving reports filed by sellers pursuant to §§ 1260.51 (c) (3) and 1360.52 (e) (3) of Revised Price Schedule No. 85 (New Passenger Automobiles), and § 1499.73 (a) (19) (i) (f) of Supplementary Regulation No. 14 to the General Maximum Price Regulation (New Commercial Motor Vehicles).

(5) *Particular applications.* (i) Applications for adjustment of maximum prices established by the General Maximum Price Regulation filed by Clearing Industrial District, Incorporated, Chicago, Illinois.

(b) Each Regional Administrator may, by issuing an "Order of Delegation under Revised General Order No. 32", delegate in whole or in part to a State Director or District Manager within his region the functions, duties, powers, and authority conferred upon the Regional Administrator for the purpose of acting upon such applications for adjustment, issuing such orders adjusting maximum prices and making such determinations of or affecting maximum prices as are set forth herein. Within ten days after the issuance of such an order of delegation, a copy thereof shall be sent by the Regional Administrator to the Executive Officer for Price, Washington, D. C.

(1) Applications for adjustment of maximum prices pursuant to § 1499.18 (a) of the General Maximum Price Regulation, or any identical provision of any maximum price regulation, or pursuant to § 1499.18 (d) of the General Maximum Price Regulation, §§ 1393.8 (a) or 1393.8 (b) of Maximum Price Regulation No. 154, as amended, (Ice), or §§ 1499.114 or 1499.115a of Maximum Price Regulation No. 165, as amended (Services) or with respect to sales at retail under § 1389.118 (c) of Maximum Price Regulation No. 177, as amended (Men's and Boys' Tailored Clothing).

(2) Orders of adjustment of the maximum prices reported by sellers pursuant to § 1499.3 (a) of the General Max-

imum Price Regulation, or any identical provision of any maximum price regulation, or § 1499.4b of the General Maximum Price Regulation, §§ 1499.102 (c) or 1499.102 (d) or 1499.103 (d) of Maximum Price Regulation No. 165, as amended (Services) or §§ 1389.103 (a) (3) or 1389.103 (a) (4) or 1389.103 (b) (3) of Maximum Price Regulation No. 177, as amended (Men's and Boys' Tailored Clothing) or §§ 1389.154 (b) or 1389.154 (c) of Maximum Price Regulation No. 178, as amended (Women's Fur Garments).

(3) Determinations of maximum prices pursuant to § 1499.3 (c) of the General Maximum Price Regulation or § 1499.4a of the General Maximum Price Regulation and § 1305.17 of Supplementary Order No. 13, or § 1389.154 (a) of Maximum Price Regulation No. 178, as amended (Women's Fur Garments), or § 1351.756 of Maximum Price Regulation No. 249 (Sales of Certain Seasonal Food Products at Wholesale), or § 1351.857 of Maximum Price Regulation No. 250 (Sales of Certain Seasonal Food Products at Retail).

(4) Approving or disapproving reports filed by sellers pursuant to §§ 1360.51 (c) (3) and 1360.52 (e) (3) of Revised Price Schedule No. 85 (New Passenger Automobiles and § 1499.73 (a) (19) (i) (f) of Supplementary Regulation No. 14 to the General Maximum Price Regulation (New Commercial Motor Vehicles).

(c) Any order issued or other action taken by any duly authorized officer pursuant to this delegation of authority shall have the same force and effect as if issued or taken by the Price Administrator.

Issued and effective this 6th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1986; Filed, February 6, 1943; 10:40 a. m.]

[Order 155 Under MPR 188]

MORGAN MANUFACTURING CO.

ORDER GRANTING ADJUSTMENT

Order No. 155 under § 1499.161 (a) (1) of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Granting an adjustment of maximum prices for sales of parts for bedroom furniture to Sears Roebuck and Company by Morgan Manufacturing Company, Inc.

For the reasons set forth in the opinion issued simultaneously herewith and filed with the Division of the Federal Register, and by virtue of the authority vested in the Administrator under the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Morgan Manufacturing Company, Black Mountain, North Carolina, may sell and deliver to Sears Roebuck and Company, Chicago, Illinois, the wood parts for bedroom furniture listed herein, known as the C S1 Bedroom Grouping, prices no higher than those set forth below:

Items:	*Maximum prices*
54" poster bed	$8.13
39" poster bed	7.35
54" panel bed	6.27
48" panel bed	5.91
39" panel bed	5.54
52½" Hollywood bed	3.07
37½" Hollywood bed	2.63
54" low poster	8.06
28" chest	8.26
Chest on chest	10.33
Desk chest	10.94
Dresser and mirror	8.56
Vanity and mirror	11.18
Dressing table and mirror	4.53
Bunk bed	15.18
Chestrobe (large)	14.65
Chestrobe (small)	13.90
Bench	1.67
Night stand	2.88
Colonial mirror	1.63
Secretary	11.32
Guard rail	1.04
44" dresser and mirror	10.28

These prices shall be subject to the Morgan Manufacturing Company's discounts, allowances, and other differentials in effect during March 1942.

(b) All prayers of this application not granted herein are denied.

(c) This Order No. 155 may be revoked or amended by the Administrator at any time.

(d) This Order No. 155 shall become effective February 8, 1943.

Issued this 6th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1989; Filed, February 6, 1943; 10:39 a. m.]

[Order 154 Under MPR 188]

LOUISVILLE CEMENT CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 154 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Order No. 9250, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is hereby ordered* That:

(a) Specific authority is hereby granted to the Louisville Cement Company, Louisville, Kentucky, to sell to any person f. o. b. its plant located at Speed, Indiana, the following products at the maximum prices set forth below:

Name of product:	*Maximum price*[1] *Per net ton*
Quick lime in bulk	$8.75
Quick lime in 100-lb. multi-wall paper bags	11.00
Pulverized quick lime in 50-lb. multi-wall paper bags	11.00

(b) The Louisville Cement Company shall submit such reports to the Office of Price Administration, Washington, D. C., as it may from time to time require.

(c) This Order No. 154 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 154 shall become effective February 8, 1943.

Issued this 6th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1987; Filed, February 6, 1943; 10:40 a. m.]

[1] Less $0.25 per ton cash discount, 10 days from invoice.

[Order 7 Under MPR 225]

ATLAS PRINTING & ENGRAVING COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 7 under Maximum Price Regulation No. 225—Printing and Printed Paper Commodities.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, and in accordance with § 1347.469 (b) of Maximum Price Regulation No. 225, *It is hereby ordered:*

(a) The Atlas Printing & Engraving Company, 2165 Broadway, Denver, Colorado, may sell, deliver and supply and any person may buy and receive from that company its services in printing upon pop corn boxes the name and address of the seller of the pop corn and the serial number of the box at a price no higher than that set forth below:

$1.25 for 1,000 boxes.

(b) This Order No. 7 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 7 shall become effective February 8, 1943.

Issued this 6th day of February 1943.

PRENTISS M. BROWN
Administrator.

[F. R. Doc. 43-1984; Filed, February 6, 1943; 10:42 a. m.]

[Order 34 Under RPS 6]

LACLEDE STEEL COMPANY

ORDER GRANTING EXCEPTION

Order No. 34 under Revised Price Schedule No. 6—Iron and Steel Products—Docket No. 3006-36.

On January 18, 1943, the Laclede Steel Company of St. Louis, Missouri, filed a petition for exception to Revised Price Schedule No. 6, pursuant to § 1306.7 (c) thereof. Due consideration has been given to the petition, and an opinion in support of this Order No. 34 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, and in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration, *It is hereby ordered:*

(a) Laclede Steel Company may sell and deliver to La Salle Steel Company and La Salle Steel Company may buy and receive from Laclede Steel Company, steel bars produced at its Madison plant and shipped to Hammond, Indiana, pursuant to directives or allocations of the War Production Board, at the applicable Chicago basing point base prices, f. o. b. Madison, Illinois.

(b) All prayers of the petition not granted herein are denied.

(c) This Order No. 34 may be revoked or amended by the Price Administrator at any time.

(d) The definitions set forth in § 1306.8 of Revised Price Schedule No. 6 shall apply to the terms used herein.

(e) This Order No. 34 shall be effective as of February 8, 1943.

Issued this 6th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1979; Filed, February 6, 1943; 10:40 a. m.]

[Order 3 Under RPS 67]

H. B. UNDERWOOD CORP.

ORDER GRANTING PETITION IN PART AND DENYING IT IN PART

Order No. 3 under Revised Price Schedule No. 67—New Machine Tools.

In the matter of H. B. Underwood Corporation—Docket No. 3067-28.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and Procedural Regulation No. 6, *It is hereby ordered:*

(a) Any person is hereby authorized and permitted to sell to the Department of the Navy any of the forty (40) Portable Boring Bar Equipments, Fig. No. 102, and one Facing Arm and one Reverse Motion or Universal Drive for each equipment manufactured by H. B. Underwood Corporation, of Philadelphia, Pennsylvania, at a price not in excess of $1,400.00 per unit.

(b) Within fifteen days after this order is issued, H. B. Underwood Corporation shall (1) certify to the Office of Price Administration, Washington, D. C., that no sum in excess of $1,400.00 was paid by any purchaser for any such machine delivered on or after July 30, 1942, or (2) shall refund the excess over $1,400.00 to each purchaser who has paid such excess for any such machine delivered on or after July 30, 1942, and shall within fifteen days after making such refunds submit proof to the Office of Price Administration, Washington, D. C., that such refunds have been made.

(c) This Order No. 3 may be revoked or amended by the Office of Price Administration at any time.

(d) This Order No. 3 shall become effective February 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250; 7 F.R. 7871)

Issued this 6th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1988; Filed, February 6, 1943; 10:39 a. m.]

GENERAL CHEMICAL COMPANY

ORDER REQUIRING INFORMATION

In order that the Administrator may obtain certain information with regard to sulphuric acid and oleum to assist him in prescribing regulations for such commodities under the Emergency Price Control Act of 1942, as amended, and pursuant to the authority vested in him by said Act and Executive Order No. 9250, and in accordance therewith and with section 202 (b) of said Act, *It is hereby ordered*, That:

(a) General Chemical Company of 40 Rector Street, New York City (hereinafter referred to as the "company") shall file with the Office of Price Administration at its principal office in Washington, D. C., on or before February 25, 1943, the following information:

(1) Net cost (total and per gross ton of sulphur) of sulphur delivered during the months of October 1940, October 1941 and October 1942 at each plant of the company producing sulphuric acid or oleum and using sulphur (separately state transportation and other costs and specify types of transportation used).

(2) Profit and loss statements of the company as a whole for the calendar years 1936 to 1942, inclusive, or if the company prepares its profit and loss statements on a fiscal year basis, for the fiscal years 1936 to 1942 inclusive.

(3) Net sales in dollars and in short tons for the calendar three-month period ending March 31, 1941, and for each succeeding calendar three-month period to and including the period ending December 31, 1942, for sulphuric acid and for oleum, for the company as a whole and separately for each of the company's plants producing sulphuric acid or oleum. (If such information is not available for any or all of such plants, give the same information for each selling point, specifying plants served thereby.)

(4) Total costs including selling, administration, and overhead costs (in the same detail as heretofore furnished with respect to sulphuric acid) for oleum produced by the company at its plant located at Hegewisch, Illinois for the calendar three-month period ending March 31, 1941 and for each succeeding calendar three-month period to and including the period ending December 31, 1942.

(5) The information requested in Table D-7 on page 7 of a questionnaire of the Office of Price Administration entitled "Sulphuric Acid Questionnaire" (Budget Bureau No. :08-ST098-42) for the plants of the company located at Hegewisch, Illinois; Edgewater, New Jersey; and Port Chicago, California. Such information shall be supplied in accordance with the instructions on page 6 of said questionnaire for completing Table D-7, except that such information need only be furnished for the months October 1941 and October 1942. Pages 6 and 7 of said questionnaire are hereby made a part hereof as though fully set forth herein. Such pages have been filed with the Division of the Federal Register[1] herewith and copies thereof have been simultaneously sent to the company by the Office of Price Administration.

(b) This order shall become effective February 5, 1943.

Issued this 5th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1983; Filed, February 6, 1943; 10:42 a. m.]

[1] Filed as part of the original document.

[General Order 46]

HEARING ADMINISTRATOR AND HEARING COMMISSIONERS

DELEGATION OF AUTHORITY

Pursuant to the authority conferred upon the Administrator by Executive Order 9125, Executive Order 9280, War Production Board Directive No. 1 as supplemented and Food Directive 1 of the Secretary of Agriculture the following order is prescribed:

(a) The Hearing Administrator and the several Hearing Commissioners are authorized:

(1) To determine whether any person has violated any regulation or order heretofore or hereafter issued by the Office of Price Administration or the Administrator pursuant to WPB Directive No. 1 as heretofore or hereafter supplemented, or pursuant to any directive heretofore or hereafter issued to the Office of Price Administration or the Administrator by the Secretary of Agriculture under Executive Order 9280, and to issue such suspension orders and take such other action as may be appropriate in the premises;

(2) To administer oaths and affirmations, to hold and preside over suspension order hearings and to exercise any discretion necessary or appropriate to the conduct of such hearings;

(3) To sign and issue subpoenas requiring any person to appear and testify, or to appear and produce books or records or any other documentary or physical evidence, or both, at any suspension order hearing;

(4) To exercise any power, authority or discretion conferred by subparagraph (a) (2) of this General Order No. 46 through such officer or employee of the Office of Price Administration as the Hearing Administrator or any Hearing Commissioner may designate for such purpose.

(b) The Hearing Administrator is authorized to consider and determine all petitions for reconsiderations of or appeals from suspension orders heretofore

or hereafter issued, to issue such orders and take such action thereon as may be appropriate in the premises.

(c) Any decision made, order issued or action taken by the Hearing Administrator or by any Hearing Commissioner pursuant to this General Order No. 46, shall have the same force and effect as if made, issued or taken by the Administrator.

(d) This General Order No. 46 shall take effect on the 15th day of February 1943.

Issued this 6th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2015; Filed February 6, 1943; 3:41 p. m.]

[Order 65 under RPS 64]

CALORIC GAS STOVE WORKS

APPROVAL OF MAXIMUM PRICES

Order No. 65 under Revised Price Schedule No. 64—Domestic Cooking and Heating Stoves.

On December 5, 1942, the Caloric Gas Stove Works, Trenton and Tioga Streets, Philadelphia, Pennsylvania, filed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64 for approval of maximum prices for a coal heating stove made in four finishes, designated in the application as Models 20CE, 20E, 20C and 20 Caloric Conservator.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) (1) Caloric Gas Stove Works may sell, offer to sell, transfer or deliver the following models of heating stoves to dealers at prices no higher than the amount set forth below opposite each model number, if the terms of sale are f. o. b. the factory and the quantity sold is less than carload:

Model 20 CE (with casing, enamel finish)	$32.77
Model 20 E (without casing, enamel finish)	29.67
Model 20 C (with casing, japan finish)	28.73
Model 20 (without casing, japan finish)	26.81

(2) If the stoves are sold to the dealer on terms which include delivery to him from a warehouse where the stoves have been stored, then the Caloric Gas Stove Works may sell, offer to sell, transfer or deliver to dealers at prices no higher than the following:

Model 20 CE	$37.04
Model 20 E	34.09
Model 20 C	33.20
Model 20	31.37

(b) These maximum prices are subject to such additional allowances and terms as prevailed on January 5, 1942, with respect to the Model 40-17-1 Gas Range, sold by the Caloric Gas Stove Works.

(c) Before delivering any of the heating stoves specified above, the Caloric Gas Stove Works shall attach securely to the stove so that it is clearly visible, a durable tag or label containing in easily readable lettering the following statement, with the blanks appropriately filled in.

Retail Ceiling Price for this Model_____ Caloric Conservator heating stove $_____ This tag may not be removed until after delivery to the purchaser.

(d) This Order No. 65 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(f) This Order No. 65 shall become effective on the 9th day of February 1943.

Issued this 8th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2051; Filed, February 8, 1943; 11:46 a. m.]

[Order 67 Under RPS 64]

U. S. GAS RANGE CORPORATION

APPROVAL OF MAXIMUM PRICES

Order No. 67 under Revised Price Schedule No. 64—Domestic Cooking and Heating Stoves.

On December 23, 1942, the U. S. Gas Range Corporation, New York City, filed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64 for approval of a maximum price for a new model gas range designated in the application as model 30.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, *It is hereby ordered:*

(a) The U. S. Gas Range Corporation may sell, offer to sell, transfer or deliver its model 30 gas range at prices no higher than the following:

$26.41 f. o b. factory to distributors.
$30.81 f. o. b. factory to dealers.
$34.01 f. o. b. factory to builders.

subject to discounts, allowances and terms no less favorable than those in effect with respect to the comparable model 4130-BM as established under Revised Price Schedule No. 64.

(b) This Order No. 67 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 67 shall become effective on the 9th day of February 1943.

Issued this 8th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2052; Filed, February 8, 1943; 11:46 a. m.]

[Order 68 Under RPS 64]

OAKLAND FOUNDRY COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 68 under Revised Price Price Schedule No. 64—Domestic Cooking and Heating Stoves.

On January 2, 1943, the Oakland Foundry Company, Belleville, Ill., completed an application filed pursuant to § 1356.1 (d) of Revised Price Schedule No. 64 for approval of a maximum price for a new model gas range designated in the application as model 1130.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) Oakland Foundry Company may sell, offer to sell, deliver or transfer its model 1130 gas range at a price no higher than $31.25 f. o. b. factory to dealers, subject to discounts, allowances and terms no less favorable than those in effect with respect to the comparable model 1186, as established under Revised Price Schedule No. 64.

(b) This Order No. 68 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definition set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 68 shall become effective on the 9th day of February 1943.

Issued this 8th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2053; Filed, February 8, 1943; 11:46 a. m.]

[Order 69 Under RPS 64]

BOSTON STOVE FOUNDRY

APPROVAL OF MAXIMUM PRICE

Order No. 69 Under Revised Price Schedule No. 64—Domestic Cooking and Heating Stoves.

On December 29, 1942, the Boston Stove Foundry, Reading, Massachusetts, filed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64 for approval of a maximum price for a new model coal range designated in the application as Model V-22.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) Boston Stove Foundry may sell, offer to sell, transfer or deliver its Model V-22 coal range at a price no higher than $63.04 to dealers, subject to discounts, allowances and terms no less favorable than those in effect with respect to its B-922 model as established under Revised Price Schedule No. 64.

(b) The maximum price set forth above includes free transportation on all shipments to all points within New England, and on all shipments outside New England, the maximum price includes an allowance of 30¢ per cwt.

(c) This Order No. 69 may be revoked or amended by the Price Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(e) This Order No. 69 shall become effective on the 9th day of February, 1943.

Issued this 8th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F R Doc 43-2054; Filed, February 8, 1943; 11:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 52-17]

NORTHWEST CITIES GAS CO.

ORDER PERMITTING POST-EFFECTIVE AMENDMENT TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 4th day of February 1943.

In the matter of John H. Rauscher, W. D. Courtright, Earl W. Huntley, Paul C. Harper, and Frederick T. Sutton, as Bondholders' Advisory Committee for Northwest Cities Gas Company.

The Commission having permitted to become effective a declaration, as amended, pursuant to Rule U-26 promulgated under the Public Utility Holding Company Act of 1935, with respect to the solicitation by John H. Rauscher, W. D. Courtright, Earl W. Huntley, Paul C. Harper, and Frederick T. Sutton, as Bondholders' Advisory Committee for Northwest Cities Gas Company, of acceptances to the plan of reorganization of Northwest Cities Gas Company;

Said Bondholders' Advisory Committee having filed a post-effective amendment to such declaration on February 3, 1943, and having requested an acceleration of the effective date of such amendment;

The Commission having considered such post-effective amendment and finding that the requirements of Rule U-62 are complied with and deeming it appropriate to grant the request that the effective date of such post-effective amendment be accelerated;

It is ordered, That the post-effective amendment be permitted to become effective forthwith in the manner and on the terms as set forth therein.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-1965; Filed, February 5, 1943; 2:59 p. m.]

[File Nos. 70-326 and 59-22]

NORTH AMERICAN GAS AND ELECTRIC COMPANY, ET AL.

ORDER DIRECTING LIQUIDATION AND DISSOLUTION AND DENYING APPLICATION FOR AN ORDER

In the matter of North American Gas and Electric Company, Washington Gas and Electric Company, Southern Utah Power Company, applicants—File No. 70-326. North American Gas and Electric Company, Washington Gas and Electric Company, Nathan A. Smyth and Leo Loeb, Trustees of the Estate of Washington Gas and Electric Company, Southern Utah Power Company, Dominion Electric Power, Limited, Oregon Gas and Electric Company, Columbia Electric Development Company Dominion Electric Power Company, Colonial Ice Company, Loeb & Eames, Inc., Pleasant Hill Gas Company, respondents—File No. 59-22.

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 3d day of February 1943.

North American Gas and Electric Company (North American), a registered holding company, having filed an application and amendments thereto pursuant to the Public Utility Holding Company Act of 1935 requesting, among other things, that this Commission (1) find that the investment of North American in the common stock of Washington Gas and Electric Company is worthless, (2) require by order that North American surrender such common stock to the Trustees in Bankruptcy of Washington Gas and Electric Company, and (3) find that North American has ceased to be a holding company pursuant to the provisions of section 5 (d) of the Public Utility Holding Company Act of 1935; and

The Commission having previously instituted these proceedings pursuant to section 11 (b) (2) of the Act; notice having been duly given to all interested persons and all such persons having been given an opportunity to be heard with respect to what action should be required to be taken by said respondents to comply with the requirements of section 11 (b) (2) and with respect to the appropriateness of the action proposed by North American in its application as amended; and

It appearing that a plan of corporate reorganization and simplification originally filed May 27, 1941 has been abandoned; and

The Commission having filed its Findings and Opinion herein in which the Commission finds, among other things, that the action hereinafter directed to be taken is necessary for the purpose of bringing about compliance with section 11 (b) (2);

It is hereby ordered, Pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935, that North American shall be liquidated and dissolved.

It is further ordered, That North American shall proceed with due diligence to comply with the above order, and for this purpose it shall make application to the Commission for the entry of such further orders as may be necessary or appropriate, and it may propose a plan for effecting its liquidation and dissolution; jurisdiction being hereby expressly reserved to enter such further orders in this proceeding as may be necessary or appropriate for the purpose of carrying out the action required by this order;

It is further ordered, Pursuant to Rule U-100 promulgated under the Public Utility Holding Company Act of 1935, that the exemptions hitherto available to North American pursuant to paragraphs (b) (4), (5) and (6) of Rule U-42, whereby the company has had the right to reacquire its own securities without specific approval, be, and the same hereby are, withdrawn;

It is further ordered, That the application, as amended, of North American for an order directing that company to surrender its investment in the common stock of Washington Gas and Electric Company to the Trustees of the latter company, and for an order pursuant to section 5 (d) of the Act declaring that North American has ceased to be a holding company be, and the same hereby is, denied.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-1963; Filed, February 5, 1943; 2:59 p. m.]

[File No. 70-666]

GENERAL WATER GAS & ELECTRIC COMPANY AND WALNUT ELECTRIC & GAS CORPORATION

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 4th day of February, A. D. 1943.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by General Water Gas & Electric Company ("General"), a registered holding company, and Walnut Electric & Gas Corporation, ("Walnut"), its wholly-owned subsidiary. All interested persons are referred to said documents, which are on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Walnut after paying all of its known indebtedness to non-affiliates will deliver

to General in satisfaction of the remaining amount of promissory note indebtedness (with accrued interest thereon) due to General and against cancellation in liquidation of its outstanding shares of stock, its remaining cash and other assets; these other assets being all the outstanding securities of Oklahoma Electric & Water Company, furniture and fixtures and a small amount of miscellaneous investments. General will also assume a contingent liability of Walnut to International Utilities Corporation, parent holding company of General and Walnut, in the sum of $37,984.27, with interest from May 18, 1940.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said declaration or application (or both), and that said declaration or application (or both), shall not become effective or be granted except pursuant to further order of the Commission.

It is ordered, That a hearing on said declaration or application (or both) under the applicable provisions of the Act and the rules of the Commission thereunder be held on February 23, 1943 at 10:00 a. m., E. W. T., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing-room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of the issues presented by said declaration or application (or both), particular attention will be directed to the following matters:

1. Whether the proposed transactions will be detrimental to the carrying out of the provisions of section 11 of the Public Utility Holding Company Act of 1935.

2. Whether the acquisition by General of the securities of Oklahoma Electric & Water Company, a wholly-owned subsidiary of Walnut, will tend towards interlocking relations or the concentration of control of public-utility companies, of a kind or to an extent detrimental to the public interest or the interest of investors or consumers.

3. Whether the acquisition by General of the securities of Oklahoma Electric & Water Company, a wholly-owned subsidiary of Walnut, will tend towards the economical and efficient development of an integrated public-utility system.

4. Whether the accounting entries proposed to be made by General to reflect the transaction are proper.

5. Whether assumption by General of the contingent liability of Walnut to International Utilities Corporation in the sum of $37,984.27, with interest from May 18, 1940, is in accordance with the standards of the Public Utility Holding Company Act of 1935 and rules and regulations promulgated thereunder.

6. Whether the action proposed to be taken will be detrimental to the public interest or the interest of investors.

7. What terms and conditions, if any, are necessary to be imposed to insure compliance with the requirements of the Public Utility Holding Company Act of 1935 or any rules, regulations or orders promulgated thereunder.

It is further ordered, That any other person desiring to be heard in connection with these proceedings or proposing to intervene herein shall file with the Secretary of the Commission, on or before February 15, 1943, his request or application therefor as provided by Rule XVII of the Rules of Practice of the Commission.

It is further ordered, That the Secretary of the Commission shall serve notice of the hearing aforesaid by mailing a copy of this order to General Water Gas & Electric Company and Walnut Electric & Gas Corporation by registered mail; and that notice of said hearing be given to all persons by publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-1964; Filed, February 5, 1943; 2:59 p. m.]

[File No. 70-667]

NEW ENGLAND INDUSTRIES, INC.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 4th day of February 1943.

New England Industries, Inc., ("Industries") having filed a declaration pursuant to section 12 (b) of the Public Utility Holding Company Act of 1935 and Rule U-45 promulgated thereunder, regarding the following transactions:

Industries proposes, by an agreement between it and The First National Bank of Boston, to subordinate indebtedness in the sum of $1,922,075.28 due it from its subsidiary, Bates Manufacturing Company, to indebtedness of Bates Manufacturing Company owing to The First National Bank of Boston in the sum of $600,000, now represented by an overdue note which is to be renewed.

Industries also seeks present approval to subordinate the indebtedness owed to it by its subsidiaries, Androscoggin Mills, Bates Manufacturing Company, The Edwards Manufacturing Company, Hill Manufacturing Company and York Manufacturing Company, or any of them, in the event that any of such subsidiary companies shall issue promissory notes to any bank or trust company under the authority of an order of this Commission dated November 4, 1942 (File No. 70-599, Holding Company Act Release No. 3884), such subordination to be effected in any case by agreement between Industries and the lending bank or trust company, or by pledge of the note or notes from such issuer payable to Industries, with any lending bank or trust company.

Said declaration having been filed on January 18, 1943, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The declarant having requested that said declaration should become effective at the earliest possible date; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective, and being satisfied that the effective date of such declaration should be advanced:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid declaration be, and the same is, permitted to become effective forthwith: *Provided, however*, That nothing herein contained shall be construed to impair the Commission's prior reservation of jurisdiction (Release No. 3884) to consider, in any appropriate proceeding, the status of the indebtedness being subordinated, or any part thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-1962, Filed, February 5, 1943; 2:59 p. m.]

[File No. 70-671]

BADGER AUTO SERVICE COMPANY AND THE MILWAUKEE ELECTRIC RAILWAY & TRANSPORT COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 4th day of February 1943.

Notice is hereby given that a joint declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Badger Auto Service Company and by The Milwaukee Electric Railway & Transport Company. Badger Auto Service Company is a wholly owned subsidiary of The Milwaukee Electric Railway & Transport Company, which in turn is a wholly owned subsidiary of Wisconsin Electric Power Company, a subsidiary of The North American Company, a registered holding company.

Notice is further given that any interested person may, not later than February 18, 1943, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said joint declaration, as filed or as amended, may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th & Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to said joint declaration or application, which is on file in the office of the said Commission, for a statement of the transactions therein proposed, which are summarized below:

(1) Badger Auto Service Company proposes:

(a) To purchase 200 shares of its capital stock having a par value of $50 per share for cash at par from The Milwaukee Electric Railway & Transport Company;

(b) To retire and cancel the shares to be purchased; and

(2) The Milwaukee Electric Railway & Transport Company proposes to sell to the Badger Auto Service Company said 200 shares of the capital stock of the latter company for cash at the par value thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-1966, Filed, February 5, 1943; 3:00 p. m.]

[File No. 70-613]

ASSOCIATED ELECTRIC COMPANY AND STATEN ISLAND EDISON CORPORATION

NOTICE OF AMENDED FILING, ORDER FOR REOPENING, AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 6th day of February 1943.

Associated Electric Company, a registered holding company, and a subsidiary of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company; and Staten Island Edison Corporation, a subsidiary of New York State Electric & Gas Corporation and an indirect subsidiary of NY PA NJ Utilities Company, a registered holding company, also a subsidiary of said Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company, having filed a joint declaration pursuant to sections 12 (b), 12 (c), and 12 (f) of the Public Utility Holding Company Act of 1935 and Rules U-42, U-43 and U-45 promulgated thereunder wherein Associated Electric Company proposed the acquisition of $2,222,000 principal amount of its own 4½% Bonds due January 1, 1953, from Staten Island Edison Corporation for a cash consideration of $955,460, plus accrued interest to date of closing; and Staten Island Edison Corporation proposed the advance of funds to its subsidiary, Richmond Light and Railroad Company, to enable such company to have sufficient cash available to redeem, at the call price of 105, the entire outstanding issue of $1,000,000 principal amount of its first and collateral trust 4% 50-year Gold Bonds due July 1, 1952; and

The Commission having held hearings on the said joint declaration, and the record therein having been closed; and

An amendment to the aforesaid joint declaration having been filed on February 6, 1943, wherein it is proposed that the purchase price of the $2,222,000 principal amount of Associated Electric Company 4½% Bonds, due January 1, 1953, to be purchased by Associated Electric Company from Staten Island Edison Corporation be increased to $1,130,442.50, plus accrued interest to date of closing (the consideration being determined upon the basis of 50⅞% of principal amount); and

It appearing that it is appropriate and in the public interest and in the interest of investors and consumers that a hearing be held with respect to the said amendment to the joint declaration, and that said amendment to the joint declaration shall not become effective except pursuant to further order of the Commission, and that the record herein should be reopened;

It is ordered, That the record be, and hereby is, reopened.

It is further ordered, That a hearing on the said amendment to the joint declaration be held on February 19, 1943, at 10 a. m., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such date the hearing room clerk in room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That, without limiting the generality of the foregoing and without limiting the scope of the proceedings as specified herein, particular attention will be directed at said hearing to the following matters and questions:

1. Whether the proposed amended purchase price is fair and reasonable, and whether the proposed transaction is in the public interest and in the interest of investors and consumers;

2. Whether terms and conditions are necessary to be imposed in the public interest and in the interest of the investors and consumers to insure compliance with the requirements of the Public Utility Holding Company Act of 1935, or any rules, regulations, or orders promulgated thereunder;

3. Generally, whether all actions proposed to be taken comply with the requirements of such Act and rules and regulations or orders promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-2030; Filed, February 8, 1943; 9:48 a. m.]

[File No. 812-310]

INTERNATIONAL MINING CORPORATION

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 6th day of February, A. D. 1943.

International Mining Corporation having filed an application pursuant to the provisions of section 6 (c) of the Investment Company Act of 1940 for an order exempting it from the provisions of section 30 (d) of the Investment Company Act of 1940 and Rule N-30D-1 promulgated thereunder so as to permit the mailing of each report to stockholders within 90 days after the date as of which such report is made, instead of within 60 days as provided by said rule;

It is ordered, Pursuant to section 40 (a) of said Act, that a hearing on the matter of the aforesaid application be held on February 17, 1943 at 10:00 o'clock in the forenoon of that day in Room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pa.

It is further ordered, That Charles S. Lobingier, Esquire, shall preside at the hearing on such application. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to Trial Examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the applicant and to any other persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-2028; Filed, February 8, 1943; 9:47 a. m.]

[File No. 70-463]

NY PA NJ UTILITIES COMPANY

ORDER PERMITTING WITHDRAWAL OF APPLICATION-DECLARATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 5th day of February, A. D. 1943.

NY PA NJ Utilities Company, a registered holding company, and a subsidiary of the Trustees of Associated Gas and Electric Corporation, a registered holding company, on December 15, 1941, filed an application-declaration pursuant to sections 6 (a), 7, 9 (a), 10, 12 (b), 12 (c), and 12 (f) of the Public Utility Holding Company Act of 1935, and the Rules and Regulations promulgated thereunder, in which it was proposed that:

1. NY PA NJ Utilities Company acquire from Shinn & Co., a subsidiary of the Trustees of Associated Gas and Electric Corporation, all the outstanding common stock of The General Finance Corporation;

2. NY PA NJ Utilities Company liquidate The General Finance Corporation, acquiring the assets thereof, subject to its liabilities;

3. Upon the acquisition of such assets, which included all the common stock of Metropolitan Investing Company, NY PA NJ Utilities Company liquidate Metropolitan Investing Company and acquire all of its assets, subject to its liabilities;

4. NY PA NJ Utilities Company acquire, from its subsidiary, Northern Pennsylvania Power Company, certain bonds and debentures of The Mohawk Valley Company;

5. NY PA NJ Utilities Company acquire, by cancellation or otherwise, from said Trustees of Associated Gas and Electric Corporation, certain bonds and debentures of its subsidiaries owned by Associated Utilities Corporation, a subsidiary of said Trustees;

6. NY PA NJ Utilities Company acquire, from Canadea Power Corporation, its subsidiary, certain bonds of the Metropolitan Edison Corporation, also one of its subsidiaries, and owned by Canadea Power Corporation;

7. NY PA NJ Utilities Company acquire, from Staten Island Edison Corporation, a subsidiary of New York State Electric & Gas Corporation, which in turn is a subsidiary of NY PA NJ Utilities Company, certain bonds of Associated Electric Company, a direct subsidiary of said Trustees of Associated Gas and Electric Corporation;

8. NY PA NJ Utilities Company acquire, from New York State Electric & Gas Corporation, the 2,725 shares of preferred stock of Staten Island Edison Corporation;

9. NY PA NJ Utilities Company acquire, from Staten Island Edison Corporation, certain bonds of Associated Electric Company and of The Mohawk Valley Company, held by Staten Island Edison Corporation;

10. NY PA NJ Utilities Company acquire, from Metropolitan Edison Company, certain bonds of Associated Electric Company, including bonds which Metropolitan Edison Company proposed to acquire from Staten Island Edison Corporation;

11. NY PA NJ Utilities Company acquire, from Associated Electric Company and Central U. S. Utilities Company, at that time a registered holding company and a subsidiary of Associated Electric Company, certain bonds and debentures of its subsidiaries and of itself held by such companies.

Such transactions were stated to constitute a program under which NY PA NJ Utilities Company would acquire a large amount of its own outstanding bonds and debentures and certain securities of some of its subsidiaries held by other companies in the holding company system of the said Trustees of Associated Gas and Electric Corporation.

Transactions 1, 2, 3, 4, and 7, have been consummated and transactions 5, 6, 8, 9, 10, and 11, have not been consummated; and

The applicant-declarant having requested permission to withdraw the said application-declaration insofar as it covers those transactions which have not been consummated; and

It appearing to the Commission that the withdrawal of such portion of the application-declaration is consistent with the public interest;

It is ordered, That the request of the applicant-declarant be and hereby is granted, and said application-declaration insofar as it concerns transactions which have not as yet been consummated is hereby deemed withdrawn.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-2029. Filed, February 8, 1943; 9:48 a. m.]

WAR PRODUCTION BOARD.

REVOCATION OF PREFERENCE RATING

Builder: U. S. War Department, Corps of Engineers Washington, D. C., Flood Control Project, Dale Hollow Reservoir, Tennessee.

The revocation of preference rating issued on January 23, 1943, with respect to the above named project is hereby amended by striking paragraph (3) thereof and by substituting the following:

(3) The builder shall neither perform nor permit the performance of any construction or installation on the project except that construction may be continued solely for purposes of safety or health or to avoid undue damage to or deterioration of materials already incorporated; and such construction may be continued as is necessary to the completion of the dam for flood control operation. No further work may be performed on the power house, power units and accessories other than that required to permit the removal of the existing cofferdam.

Issued February 5, 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1971; Filed, February 5, 1943; 4:38 p. m.]

REVOCATION OF PREFERENCE RATING

Builder: U. S. War Department, Corps of Engineers, Washington, D. C. Flood Control Project, Center Hill Reservoir, Tennessee.

The revocation of preference rating issued on January 23, 1943, with respect to the above named project is hereby amended by striking paragraph (3) thereof and by substituting the following:

(3) The builder shall neither perform nor permit the performance of any further construction or installation on the project except that construction may be continued solely for purposes of safety or health or to avoid undue damage to or deterioration of materials already incorporated; and such construction may be continued as is necessary to place concrete in monoliths to elevation 580, except where provision is made for diversion and power intake purposes, backfill certain monoliths and core trench, place portion of embankment on embankment section, and fill at the saddle dams placed so as to provide for proper drainage, provided no critical materials not in the possesion of the builder may be used therefor.

Issued February 5, 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1970, Filed, February 5, 1943, 4:38 p. m.]

WAR SHIPPING ADMINISTRATION.

REQUISITIONED ESTONIAN VESSEL "HARJURAND"

NOTICE OF DEPOSIT OF JUST COMPENSATION

Notice is hereby given that, pursuant to section 1, of the Act of June 6, 1941 (Public Law 101—77th Congress) and Executive Order 9054 of February 7, 1942, as amended by Executive Order 9244 of September 16, 1942, the War Shipping Administrator, on January 11, 1943, deposited $36,375.00 as seventy-five percent of determined just compensation ($48,500.00) for the former Estonian Vessel "Harjurand," which was requisitioned by the War Shipping Administrator on June 1, 1942.

The attention of interested parties is invited to the provisions of said section 1 concerning claims against the vessel which existed at the time of the requisition.

By order of the War Shipping Administrator.

[SEAL] W. C. PEET JR.,
Secretary

FEBRUARY 6, 1943.

[F. R. Doc. 43-1990; Filed, February 6 1943, 11:10 a. m.]

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FEDERAL REGISTER

VOLUME 8 NUMBER 28

Washington, Wednesday, February 10, 1943

Regulations

TITLE 7—AGRICULTURE

Chapter VII—Agricultural Adjustment Agency

[RCP-1940-1]

PART 705—RANGE CONSERVATION PROGRAM

ELIGIBILITY FOR PAYMENT

Pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act (49 Stat. 1148), as amended, the 1940 Range Conservation Program (4 F.R. 4096; 5 F.R. 2629) is amended as follows:

Section 705.105 (b) is amended as follows:

§ 705.105 *Eligibility for payment.* • • •

(b) *Time and manner of filing application and information required.* Payment will be made only upon application submitted through the county office on or before a date fixed by the regional director, but not later than March 31, 1941, except (1) the timely filing of an application by one person on a ranching unit shall constitute a timely filing on behalf of all persons on that ranching unit, and (2) an application for payment may be accepted if the State committee or its designated representative determines, in accordance with instructions issued by the regional director with the approval of the Chief of the Agricultural Adjustment Agency, that the failure to file the timely application was not due to the fault of the applicant. Applications filed under exceptions (1) and (2) above must be filed before expiration of the period for obligating the appropriation (June 30, 1942).

The Secretary reserves the right (1) to withhold payment from any ranch operator who fails to file any form or furnish any information required with respect to any ranching unit in which such ranch operator is interested, and (2) to refuse to accept any application for payment if any form or information required is not submitted to the county office within the time fixed by the regional director.

At least two weeks' notice to the public shall be given of the expiration of a time limit for filing prescribed forms, and any time limit fixed shall be such as affords a full and fair opportunity to those eligible to file the form within the period prescribed. Such notice shall be given by mailing the same to the office of each county committee and making copies of the same available to the press.

Done at Washington, D. C. this 8th day of February, 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Assistant Secretary of Agriculture.

[F. R. Doc 43-2059; Filed, February 8, 1943; 1:35 p. m.]

Chapter XI—Food Distribution Administration

[Food Directive 2]

PART 1400—DELEGATIONS OF AUTHORITY

DELEGATION OF AUTHORITY TO THE SECRETARY OF THE INTERIOR WITH RESPECT TO FISHERY COMMODITIES OR PRODUCTS

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and in order to utilize existing governmental services and facilities to the fullest practicable extent in carrying out the provisions of such order, *It is hereby ordered,* As follows:

§ 1400.11 *Food Directive 2; fishery commodities or products.* (a) The Secretary of the Interior is authorized and directed, subject to the provisions of this directive, to execute, and to exercise the powers conferred by, the provisions of paragraph (b) of section 1, and section 2 of Executive Order No. 9280, insofar as such provisions relate to the production of fishery commodities or products.

(b) With respect to the recommendations to the War Production Board regarding critical or controlled materials incident to the delegation of authority contained in section 2 of Executive Order No. 9280, the Secretary of the Interior will determine requirements of critical materials for the production of

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FEDERAL REGISTER

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fishery products. Applications and recommendations for priorities or allocations of material on forms prescribed by the War Production Board will be processed by the Facilities Branch of the Food Distribution Administration but will be referred to the Department of the Interior by that Branch for consideration and recommendation. The flow of applications will be through the Controlled Materials Officer of the Department of Agriculture to the War Production Board.

(c) The Secretary of the Interior is authorized and directed to prepare and submit to the Secretary of Agriculture specific recommendations upon any matter within the scope of paragraphs (a), (c), (d), and (e) of section 1, section 3, section 4, section 5, section 6, and paragraphs (b), (c), (d), (e), and (f) of section 8 of Executive Order No. 9280, insofar as such matters relate to fishery commodities or products.

(d) The Secretary of the Interior, in executing the provisions of and exercising the powers conferred in this directive, is authorized to utilize that part of the personnel, property, and records, and unexpended balances of appropriations, allocations, and other funds of the Department of Agriculture which, as determined by the Director of Finance of the Department of Agriculture, have been primarily concerned with the exercise of the powers delegated to the Secretary of the Interior in this directive.

(e) The authority delegated to the Secretary of the Interior by this directive may be exercised by him through such agencies and officers of the Department of the Interior or of the office established by Executive Order No. 9204, dated July 21, 1942, as he may designate.

(f) The term "fishery commodities or products" as used in this directive means any edible or non-edible fish, any form of aquatic animal or plant life, or any other commodity or product, including fats and oils, of marine or fresh water origin, which is within the meaning of the term "food" as defined in section 10 of Executive Order No. 9280.

(g) The term "production" as used in paragraph (a) hereof shall include the catching or harvesting of any form of aquatic animal or plant life and the processing thereof. It does not include, however, the following functions which shall be performed by the Food Distribution Administration of the Department of Agriculture: procurement; inspection; standards; labeling; allocation; reservation; limitation; specifications of product or container, and container supply.

(E.O. 9280, 7 F.R. 10179)

Issued this 8th day of February 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-2056; Filed, February 8, 1943, 1:34 p. m.]

[Food Distribution Order 18]

PART 1415—IMPORTED FOODS

TEA QUOTAS FOR PACKERS AND WHOLESALERS

Pursuant to the authority vested in me by Executive Order No. 9280, issued December 5, 1942, and in order to assure an adequate supply and efficient distribution of tea to meet war and essential civilian needs, *It is hereby ordered*, As follows:

§ 1415.2 *Tea quotas*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "person" means any individual, partnership, corporation, association, or any other business entity.

(2) The term "tea" means packaged or bulk tea in any form.

(3) The term "packer" means any person who packs tea owned by him or who has tea owned by him packed for his account by some other person.

(4) The term "wholesale receiver" means any person (regardless of whether or not he is also a packer) who buys tea for:

(i) Resale exclusively or predominantly at wholesale.

(ii) Resale through four or more centrally-owned, affiliated, or independent stores owned or, for purchasing purposes, represented by him.

(iii) Resale by retail or for any other purpose not specified above, if his monthly purchases of tea during 1941 averaged 200 pounds or more per month.

(5) The term "net deliveries" means the total deliveries of tea made by a packer or accepted by a wholesale receiver during a corresponding quarter of 1941 minus the total of any deliveries of tea made by him during that period to persons specified in (c) (4) hereof.

(6) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(b) *General restrictions.* (1) No packer shall accept delivery of tea or deliver tea packed by him or in bulk, except as permitted by this order.

(2) Wholesale receiver shall accept delivery of tea from any person, or resell tea, except as permitted by this order.

(3) No person shall accept delivery of tea from any packer, and no person shall deliver tea to any packer or wholesale receiver, with knowledge or reason to believe that such packer is not entitled to deliver, or that such packer or wholesale receiver is not entitled to accept delivery of such tea pursuant to this order.

(4) Every packer and every wholesale receiver shall sell tea equitably to purchasers and shall not favor purchasers who buy other products from them or discriminate against purchasers who do not buy other products from them.

(c) *Quota restrictions and exceptions thereto.* (1) No packer shall accept delivery of more tea during any quota period than his total acceptance quota for that period as determined by the Director from time to time. Acceptances against such quota shall be subject to the further restriction of (d) (1) hereof.

(2) No packer shall deliver more tea during any quota period than his delivery quota for that period as determined by the Director from time to time.

(3) No wholesale receiver shall accept delivery of more tea during any quota period than his total acceptance quota for that period as determined by the Director from time to time.

(4) Notwithstanding the foregoing restrictions, any packer may, without charge to his quota, accept delivery of and deliver tea to or for any of the following persons, and any wholesale receiver may, without charge to his quota, accept delivery of tea for redelivery to or for any of the following persons:

(i) The Army, the Navy, or any agency of the United States Government designated by the Director, or any agency of the United States Government for supplies to be delivered to, or for the account of, the government of any country pursuant to the act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(ii) The American National Red Cross or the United Service Organizations, Inc.

(iii) Any person operating an oceangoing vessel engaged in the transportation of cargo or passengers in the foreign, coastwise, or intercoastal trade, for necessary supplies for such vessel.

(iv) Any person for retail sale through concession restaurants at Army or Navy camps or through outlets not operated for private profit and established primarily for the use of Army or Navy personnel within or on Army or Navy establishments or vessels, including post exchanges, sales commissaries, officers' messes, servicemen's clubs, and ship's service departments.

(v) Any hospital, asylum, orphanage, prison, or other similar institution, which is operated by any Federal, State, or local governmental agency, and which received tea during 1941 under contracts awarded upon the basis of competitive bids: *Provided*, That no such institution may, during any month, accept delivery of more tea than a percentage of its average monthly use of tea during the corresponding quarter of 1941, such percentage to be the same as the percentage determined for wholesale receivers under (c) (2) hereof by the Director from time to time.

(5) All quotas hereunder shall be calculated quantitatively in terms of pounds.

(6) Any packer who delivers a substantial portion of his quota of tea directly to consumers or to retailers may, by letter, submit to the Director a plan to transfer the distribution of all or a part of that portion to wholesale receivers of the class described in (a) (4) hereof. Such a plan must contemplate a substantial conservation of automotive and related equipment and material and, also, contain provision for equitable distribution of the transferred volume among such wholesale receivers and an equitable redistribution of that volume within the areas previously served directly by the packer. If such a plan is authorized by the Director, the packer may deliver to wholesale receivers of the class described in (a) (4) hereof, and such wholesale receivers may accept, without charge to their quotas, the volume of tea authorized for transfer: *Provided*, That delivery of such tea is accompanied by a dated certification by the packer in substantially the following language (with the appropriate information inserted in the blank spaces):

Pursuant to authorization issued to the undersigned by the Director of Food Distribution, United States Department of Agriculture, you may accept the tea delivered hereunder without charge to your quota as a wholesale receiver.

Name of packer company _____
_____
By _____ Title _____

(d) *Restrictions relating to packers' inventories.* (1) Except as permitted by (d) (2) hereof or as specifically authorized by the Director, or for the purpose of filling orders under (c) (4) hereof, no packer shall accept any delivery of tea which will increase his inventory to above the amount of his then current acceptance quota under (c) (1) hereof.

(2) If a shipment of tea imported by or specifically for a packer arrives in the United States and by virtue of (d) (1) hereof such packer is not entitled to accept delivery of any or all of such tea and is unable to make an immediate bona fide sale to some person who is neither a subsidiary nor an affiliate of such packer and who is entitled to accept delivery of the excess portion of such shipment or an equivalent amount of tea from his existing inventory, such packer may take possession of such excess, pending the actions provided for below:

(i) Within 72 hours after the arrival of such tea in the United States, such packer shall offer, through established tea dealers or brokers, such excess, or an equivalent quantity of tea from his existing inventory, for bona fide sale to any person who is neither a subsidiary nor an affiliate of such packer and who is entitled to accept delivery.

(ii) At the same time, he shall forward a report by letter or telegram, of such actions to the Director, stating the steamer, the port of arrival, the excess quantity (by chests and chest weights), whether he intends to sell such tea or an equivalent amount from his existing inventory a description (type and grade), the location of the tea offered for sale, the brokers or dealers through whom the offer is being made.

(iii) In the event of sale, he shall forward a report by letter or telegram, of such sale within 24 hours thereafter, to the Director stating the name of the purchaser and the date of sale.

(iv) If, before any such offer for sale is accepted, the packer becomes entitled under (d) (1) hereof to accept delivery of a quantity of tea, the restrictions of (d) (2) hereof shall not apply to the quantity of tea he is so entitled to accept: *Provided*, That he forwards notice thereof, by letter or telegram, to the Director, within 24 hours after he becomes entitled to accept delivery.

(e) *Advance deliveries.* Advance deliveries of tea for any quota period may be made or accepted within 10 days prior to the beginning of such period.

(f) *Existing contracts.* The quota or inventory restrictions imposed by this order shall be observed without regard to the provisions of existing contracts, payments made, or rights of creditors.

(g) *Limitation on size of packages.* (1) No packer shall pack tea for sale at retail in a package or container containing more than one-fourth of one pound of tea.

(2) No packer shall pack tea bags or balls except in sizes counting either 200 or 250 to the pound, net tea weight, or in one-ounce or two-ounce bags or balls, net tea weight, for the use of restaurants, hotels, and the institutional trade: *Provided*, That until April 1, 1943, any packer may continue to pack such other sizes as may be necessary to utilize any containers, in his inventory on January 7, 1943, which were specially printed for such other sizes.

(h) *Records and reports.* Every person subject to this order shall maintain such records for at least two years (or for such other periods of time as the Director may designate, and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe.

(i) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections, at all reasonable times of his stocks of tea and premises used in his business, and all of his books, records and accounts shall upon request, be submitted to audit and inspection by the Director.

(j) *Applicability of order.* (1) Any person doing business in one or more of the 48 States or the District of Columbia is subject to the provisions hereof, but the provisions hereof shall not apply to any person doing business in any Ter-

ritory or Possession of the United States with respect to such business.

(2) In the case of any person who is both a packer and a wholesale receiver, the provisions hereof applicable to packers shall apply to his operations as a packer, and the provisions hereof applicable to wholesale receivers shall apply to his operations as a wholesale receiver.

(k) *Violations.* Any person who wilfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or wilfully conceals a material fact concerning a matter within the jurisdiction of any department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation; and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U. S. C. 1940 ed. 80), under Paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(l) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, and such action shall be final.

(m) *Communications to the Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C.; Ref.: FD-18.

(n) *Conservation Order M-111 superseded.* This order supersedes in all respects Conservation Order M-111 of the War Production Board, as amended and supplemented on January 7, 1943 (8 F.R. 313, 315), except that as to violations of said order or rights accrued, liabilities incurred, or appeals taken under said order prior to the effective date hereof, said Conservation Order M-111, as amended and supplemented, shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability. Any appeal pending under said Conservation Order M-111, as amended and supplemented, shall be considered under (l) hereof.

(o) *Effective date.* This order shall take effect upon its issuance.

(E.O. 9280, 7 F.R. 10179)

Issued this 6th day of February 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-2057; Filed, February 8, 1943; 1:34 p. m.]

[Director Food Distribution Order 18-1]

PART 1415—IMPORTED FOODS

TEA QUOTAS, REPORTS, AND RECORDS FOR PACKERS AND WHOLESALERS

Pursuant to the authority vested in me by Food Distribution Order No. 18, dated February 6, 1943, issued pursuant to Executive Order No. 9280, dated December 5, 1942, and to effectuate the purposes of such orders, *It is hereby ordered*, As follows:

§ 1415.3 *Tea quotas, reports, and records.* (a) For the 3-month period commencing January 1, 1943, tea quotas shall be as follows, subject to any increase pursuant to the provisions of (b) hereof:

(1) The acceptance quota for any packer shall be one and one-third times the amount of his delivery quota under the provisions of (a) (2) hereof.

(2) The delivery quota for any packer shall be 50% of his "net deliveries" (as defined in said Food Distribution Order No. 18) of tea during the corresponding 3-month period of either 1941 or 1942, whichever is greater.

(3) The acceptance quota for any wholesale receiver shall be 50% of his "net deliveries" (as defined in said Food Distribution Order No. 18) of tea during the corresponding 3-month period of either 1941 or 1942 whichever is greater.

(b) Any person who (1) computes a quota under the provisions of (a) hereof on the basis of the specified 1941 base period and not the 1940 base period and (2) directly or indirectly serves any county or other area designated in Schedule D (§ 1407.244) (7 F.R. 6937, 10845), of Ration Order 3 of the Office of Price Administration as amended is hereby assigned a supplementary quota for each such area. Such supplementary quota, which shall be available only for ultimate distribution in the particular increased-population area referred to in said Schedule D shall be computed by determining the amount of his quota under the provisions of (a) hereof by determining the portion of that amount allocable to deliveries to or for each such area, and by applying to that portion the percentage of population increase designated in said Schedule D of Ration Order 3, for that area for periods commencing on or after January 1, 1943.

(c) All tea accepted by any packer or wholesale receiver and all tea delivered by any packer on or after January 1, 1943 whether so accepted or delivered before or after the issuance of this order, shall be charged against the acceptance, delivery, or supplementary quota of such packer or wholesale receiver, as the case may be.

(d) Within 10 days after the close of each quarterly period, every packer shall report, by letter, to the Director the total quantity of any quota-exempt deliveries of tea made by him during that quarterly period in connection with each class of persons under the provisions of § 1415.2 (c) (4) of Food Distribution Order No. 18, (*supra*) issued by the Secretary of Agriculture of the United States on February 6, 1943. Every packer and every wholesale receiver participating in any transaction to which this order applies shall keep and preserve, for a period of not less than two years, records which, upon examination, will disclose his total monthly inventories of tea and the monthly deliveries made by him (if he is a packer), or accepted by him (if he is a wholesale receiver). If the sales slips, invoices, bills, or other instruments or records customarily kept by him are sufficient to furnish the information specified herein, no additional record system need be installed to meet the requirements hereof.

(e) This order shall take effect upon its issuance.

(E.O. 9280, 7 F.R. 10179; FDO 18, *supra*)

Issued this 6th day of February 1943.

[SEAL] ROY F. HENDRICKSON,
Director of Food Distribution.

[F. R. Doc. 43-2058; Filed, February 8, 1943; 1:34 p. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of Alien Property Custodian

[General Order 20]

PART 503—GENERAL ORDERS

PAYMENT, TRANSFER OR DISTRIBUTION OF CERTAIN PROPERTY

Payment, transfer or distribution of property in the process of administration by any person acting under judicial supervision, or in court or administrative actions or proceedings.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian hereby issues the following regulation:

§ 503.20 *General Order No. 20.* (a) No designated person shall pay, transfer or distribute, or cause to be paid, transferred or distributed, any property of any nature whatsoever to or for the benefit of any designated enemy country or designated national, unless:

(1) The Alien Property Custodian has issued to the designated person a written consent to the payment, transfer or distribution, or

(2) The Alien Property Custodian has:

(i) Filed a written statement in the court or administrative action or proceeding in connection with which the payment, transfer or distribution is proposed, that he has determined not to represent the designated national, or

(ii) Represented the designated national in such action or proceeding by the appearance therein of a representative on behalf of the designated national, and such representative has been served by the designated person with written notice of the proposed payment, transfer or distribution, and ninety days have expired without the exercise of any other power or authority by the Alien Property Custodian with respect to such property.

(b) Any payment, transfer, or distribution pursuant to paragraph (a) of this regulation may be made only if licensed or otherwise authorized by the Secretary of the Treasury pursuant to the provisions of Executive Order No. 8389, as amended.

(c) For the purpose of this regulation the terms:

(1) "Designated person" shall mean a person or officer acting under judicial supervision, or in any court or administrative action or proceeding, or in partition, libel, condemnation or other similar proceedings, including, but not by way of limitation, (i) executor, (ii) administrator, (iii) guardian, (iv) committee, (v) curator, (vi) trustee under will, deed or settlement, (vii) receiver, (viii) trustee in bankruptcy, (ix) assignee for the benefit of creditors, (x) United States marshal, (xi) sheriff, (xii) commissioner, (xiii) person acting under trust agreement, and (xiv) all other persons or officers acting in a similar capacity.

(2) "Designated enemy country" shall mean any foreign country against which the United States has declared the existence of a state of war (Germany, Italy, Japan, Bulgaria, Hungary and Rumania) and any other country with which the United States is at war in the future.

(3) "Designated national" shall mean any person in any place under the control of a designated enemy country.

(d) This regulation shall be effective on February 9, 1943.

(40 Stat. 411.50 U.S.C. App.; 55 Stat. 839, 50 U.S.C. App. (Supp. 1941); E.O. 9193, 7 F.R. 5205)

Executed at Washington, D. C., on February 9, 1943

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2090; Filed, February 9, 1943; 10:50 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter III—The Tax Court of the United States

PART 701—RULES OF PRACTICE

RULES OF PRACTICE AMENDED

Section 701.2 (Rule 2) is amended to read as follows:

§ 701.2 *Admission to practice.* Applicants who establish to the satisfaction of the Court that they are citizens of the United States, of good moral character and repute, and possessed of the requisite qualifications to represent others in the preparation and trial of cases, may be admitted to practice before the Court.

All applicants, before being admitted to practice, must take a written examination or examinations given by the Court: *Provided, however,* That a current certificate from the Clerk of the appropriate court, showing that the applicant is an attorney-at-law who has been admitted to practice before and is a member in good standing of the bar of the Supreme Court of the United States or of the highest court of any State or Territory or of the District of Columbia, may be accepted in lieu of examination. The Court, before admitting an applicant to practice, may require him to take an oral examination in addition to the written examination. Any person who has thrice failed a written examination given by the Court shall not thereafter be eligible for admission to practice before the Court.

An application to be filed must be on the form provided by the Court. Application blanks and other necessary information will be furnished by the Secretary of the Court upon request.

An applicant must be sponsored by at least three persons theretofore enrolled to practice before this Court, each of whom must send his letter of recommendation directly to the Court where it will be treated as a confidential communication. The sponsor shall state in his letter fully and frankly the extent of his acquaintance with the applicant, his opinion of the moral character and repute of the applicant, and his opinion of the qualifications of the applicant to practice before this Court. The Court may in its discretion accept an applicant with less than three such sponsors.

The Court will hold an examination for applicants at its offices in Washington, D. C., on the second Wednesday in September of each year and at such other times and places as it may designate. The Court will notify each applicant, whose application is in order, of the time and place at which he is to present himself for examination, and the applicant must present that notice to the examiner as his authority for taking an examination. An applicant seeking to qualify by examination must accompany his application with a fee of $10.

Corporations and firms will not be admitted or recognized.

Practitioners before this Court shall carry on their practice in accordance with the letter and spirit of the canons of professional ethics as adopted by the American Bar Association.

The Court may deny admission to, suspend or disbar any person who in its judgment does not possess the requisite qualifications to represent others, or who is lacking in character, integrity, or proper professional conduct. No person shall be suspended for more than 60 days or disbarred until he has been afforded an opportunity to be heard. A Division may immediately suspend any person for not more than 60 days for contempt or misconduct during the course of any proceeding.

The Court may require any practitioner before it to furnish a statement under oath of the terms and circumstances of his employment in any proceeding.

All persons on the roll of practitioners on January 1, 1943, are enrolled to practice without further showing or examination.

Section 701.26 (Rule 26) is amended to read as follows:

§ 701.26 *Place of hearing; requests and designation.* The petitioner at the time of filing the petition shall also file a request showing the name of the place where he would prefer the hearing on the merits to be held. A copy of this request will be served upon the Commissioner by the clerk of the Court.

If the petitioner has filed no request the respondent shall file at the time he files his answer, a request showing the name of the place preferred by him. A copy will be served upon the petitioner by the clerk of the Court.

These requests shall not be bound as a part of the petition or answer but shall be separate therefrom and shall consist of an original and two copies.

The Court will designate the place of hearing in accordance with the statutory provision that the time and place of trial shall be fixed "with as little inconvenience and expense to taxpayers as is practicable," and, in all cases, will notify the parties of the place at which or in the vicinity of which the hearing on the merits will be held.

If either party desires a change in designation of the place of hearing he must file a motion to that effect, stating fully his reasons therefor. Such motions, made after the notice of the time of the hearing has been mailed, will not be deemed to have been timely filed.

In case it is necessary for the Court to hear the parties on matters other than the merits, such hearing will be held in Washington unless good cause is shown for holding it elsewhere. (See Appendix II for further information to assist in making requests as to place of hearing.)

Section 701.31 (Rule 31) is amended by inserting a new paragraph (d), quoted below, and by changing paragraphs (d), (e) and (f) to paragraphs (e), (f) and (g):

§ 701.31 *Evidence and the submission of evidence.* * * *

(d) Exhibits attached to a stipulation or a deposition shall be numbered serially, i. e., 1, 2, 3, etc., if offered by the petitioner; shall be lettered serially, i. e., A, B, C, etc., if offered by the respondent; and shall be marked serially, i. e., 1–A, 2–B, 3–C, etc., if offered as a joint exhibit.

The first line of the second paragraph of § 701.35, is amended to read:

§ 701.35 *Briefs.* * * *

If briefs are typewritten, an original and two copies shall be filed; * * *

Section 701.45 (Rule 45) is amended by striking the second paragraph of paragraph (f) and all of paragraph (k) and by substituting for the matter stricken from paragraph (f) the following:

§ 701.45 *Depositions.* * * *

(f) *Manner of taking.* * * *

Objections to questions or answers shall be explicitly but briefly and concisely stated and recorded without any unnecessary comment, explanation, or argument by counsel for either party.

The first paragraph of § 701.46 (Rule 46) is amended to read:

§ 701.46 *Depositions upon written interrogatories.* Depositions may be taken in the discretion of the Court upon written interrogatories in substantially the

same manner as provided in Rule 45 for depositions upon oral examination. An original and five copies of the interrogatories must be filed with the application. The clerk will serve one copy of the application and of the interrogatories upon the opposite party. If the opposite party desires to file objections or cross-interrogatories, he must do so within 15 days after the application and interrogatories have been served upon him. Cross-interrogatories must consist of an original and five copies. The clerk will serve one copy thereof upon the opposite party who, if he has any objection thereto, must file his objections within 15 days thereafter.

A new § 701.47 (New Rule 47) is added to read as follows:

§ 701.47 *Tender of and objections to depositions.* The deposition of any witness whether taken upon oral examination or upon written interrogatories shall not constitute a part of the record until offered and received in evidence (see Rule 31), but the consideration of any objections to the receipt of a deposition or any part thereof will be limited as set forth in this rule.

Where depositions are taken upon oral examination objections to the competency of a witness or to the competency, relevancy or materiality of testimony may be made at the hearing, even though not noted at or before the taking of the deposition, unless the ground for the objection is one which might have been obviated or removed if presented at or before the time of the taking of the deposition. Objections directed to errors and irregularities in the manner of taking the deposition, in the form of any question or answer, in the oath or affirmation, or in the conduct of parties, and errors of any kind which might have been obviated, removed or cured if promptly presented will not be considered unless made at the taking of the deposition. (See Rule 45 (f))

No objections to written interrogatories or cross-interrogatories will be considered subsequent to the taking of the deposition unless they have been made in the manner and within the time prescribed therefor by Rule 46.

Errors or irregularities in the manner in which the testimony is transcribed or the deposition is prepared, signed, certified, sealed, endorsed, transmitted, filed or otherwise dealt with by the officer under Rules 45 and 46 shall not form the basis for objections but questions in respect thereto shall be raised on a motion to suppress the deposition in whole or in part made with reasonable promptness after such defect is or with due diligence might have been ascertained.

A new § 701.63 (New Rule 63) is added to read as follows:

§ 701.63 *Processing tax cases.* All proceedings pending in the Board of Review on December 31, 1942, and, under section 510 of the Revenue Act of 1942, now pending in this Court shall be proceeded with and disposed of as if originally begun before this Court. The hearings and proceedings shall be conducted in accordance with the Court's Rules of Practice. The said Rules of Practice shall also be applicable to any proceeding instituted in this Court after December 31, 1942, to review the allowance or disallowance by the Commissioner of a claim for refund of amounts collected as processing tax. Where any of the rules or the matter contained in the Appendix thereto refer to the determination of a deficiency or a notice of such determination, such rules and the matter in the Appendix, when applied to proceedings involving the refund of processing tax, shall be read to refer to the rejection in whole or in part of a claim for refund and notice of such rejection; and the computation to be filed under Rule 50 shall refer to the amount of the refund due.

Where a petition for review of the action of the Commissioner in rejecting in whole or in part a claim for the refund of an amount paid as processing tax is filed with this Court, a copy of the notice of such rejection together with the Commissioner's statement or statements accompanying the notice of rejection shall be attached to the petition. There shall also be attached to the petition a copy of the claim for refund.

(Section 1111, Internal Revenue Code of 1939)

By the Court.
Dated: February 8, 1943.

[SEAL] J. E. MURDOCK,
Presiding Judge.

[F. R. Doc. 43-2117; Filed, February 9, 1943; 11:45 a. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division

FASHION DRESS COMPANY

NOTICE OF DENIAL OF RECONSIDERATION, ETC.

Notice of denial of reconsideration of the flunding an ddetermination of the authorized representative of the Administrator dated January 5, 1943 ordering cancellation of a special learner certificate to employ learners at a subminimum wage rate issued pursuant to section 14 of the air Labor Standards Act and the Regulations, Part 522 to The Fashion Dress Company, Inc., of Pittston, Pennsylvania.

Notice is hereby given that the petition of Fashion Dress Company of Pittston, Pennsylvania dated January 29, 1943 for reconsideration by the authorized representative of the Administrator of the Findings and Determination dated January 5, 1943 i the matter of the cancellation of the special certificate to employ learners at a wage lower than the minimum applicable under section 6 of the Fair Labor Standards Act, issued pursuant to section 14 of the Act and the Regulations, Part 522 is denied by reason of the failure of the petitioner to show that there is additional evidence which may materially affect the decision and that there were reasonable grounds for the failure to adduce such evidence in the original proceedings.

The order of cancellation shall not become effective and enforceable until after the expiration of the fifteen day period following the date on which this notice appears in the FEDERAL REGISTER. During this time a petition for review by the Administrator or an authorized representative who has taken no part in this action may be filed by any directly interested and aggrieved party pursuant to § 522.1 of the regulations. If a petition is properly filed the effective date of the order of cancellation shall be postponed until final action is taken on the petition.

Signed at New York, New York, this 5th day of February 1943.

ISABEL FERGUSON,
Duly Authorized Representative of the Administrator.

[F. R. Doc. 43-2063; Filed, February 8, 1943; 2:15 p. m.]

Chapter VI—National War Labor Board

[General Order 28]

PART 803—GENERAL ORDERS

SALARY ADJUSTMENTS FOR GOVERNMENT PRINTING OFFICE EMPLOYEES

§ 803.28 *General Order No. 28.* (a) The National War Labor Board hereby delegates to the Joint Committee on Printing power to make, or to rule on applications for, wage and salary adjustments with respect to employees in the Government Printing Office insofar as such adjustments are subject to the jurisdiction of the National War Labor Board.

(E.O. 9250, 7 F.R. 7871)

Adopted, February 2, 1943.

L. K. GARRISON,
Executive Director.

[F. R. Doc. 43-2055; Filed, February 8, 1943; 12:12 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System.

[No. 168]

RECORD OF ABSENCE FROM OFFICIAL DUTY (NATIONAL)

ORDER PRESCRIBING FORM

By virtue of the provisions of the selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in an Administrative Order dated December 5, 1942, I hereby prescribe the following change in DSS forms:

Addition of a new form designated as DSS Form 85A, entitled "Record of Absence from Official Duty (National)," effective immediately upon the filing hereof with the Division of the Federal Register.[1]

The foregoing addition shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

DECEMBER 11, 1942.

[F. R. Doc. 43-2079; Filed, February 8, 1943; 3:49 p. m.]

[1] Form filed as part of the original document.

[Amendment 126, 2d Ed.]

PART 662—SPECIAL LOCAL BOARDS IN PENAL OR CORRECTIONAL INSTITUTIONS

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C, Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend the regulations by adding a new part to be known as part 662 to read as follows: "Special Local Boards in Penal or Correctional Institutions."

§ 662.1 *Special local boards.* The Director of Selective Service may establish a panel of any local board which has jurisdiction over the area in which any penal or correctional institution is located. Such panel shall be known as a special local board and with respect to the persons in such penal or correctional institution shall have the same rights, duties, and powers as any other local board.

§ 662.2 *Regulations governing special local boards.* Special local boards established under the authority of § 662.1 shall be governed by the provisions of this part of these regulations and such other provisions of these regulations as are not in conflict therewith.

§ 662.3 *Transfer of record of registrants.* (a) When a person who has registered enters an institution having a special local board, the clerk of such special local board shall immediately complete a Request for Transfer of Record (Form 64) and transmit it to the local board having such registrant's selective service records.

(b) When it receives such Request for Transfer of Record (Form 64), the local board having the registrant's selective service records shall (1) place the Request for Transfer of Record (Form 64) in the registrant's Cover Sheet (Form 53), make a duplicate Cover Sheet (Form 53), and a copy of the Registration Card (Form 1) of such registrant; (2) forward such duplicate Cover Sheet (Form 53) and copy of Registration Card (Form 1) together with all other papers with reference to such registrant to the special local board from which it received such Request for Transfer of Record (Form 64); and (3) retain in its files the original Cover Sheet (Form 53), the original Registration Card (Form 1), and a copy of the letter covering the transmittal of the records of such registrant to the special local board from which the Request for Transfer of Record (Form 64) was received.

§ 662.4 *Registration.* When a person required to present himself for and submit to registration has not done so prior to the time he enters an institution having a special local board, he shall be registered. When any such person refuses to register, any person authorized to act as registrar shall sign the person's name and indicate that he has done so by signing his own name, followed by the word "Registrar," beneath the name of such person, and the act of such registrar in so doing shall have the same force and effect as if such person had signed his name to the Registration Card (Form 1), and such person shall thereby be registered.

§ 662.5 *Registrars.* Any member or clerical assistant of, or any other person appointed as a registrar by, a special local board may perform the duty of a registrar.

§ 662.6 *Classification.* Registrants who are inmates of the penal or correctional institution shall furnish such information as the special local board may require. Each such registrant may be classified or his classification may be reopened and considered anew by the special local board without reference to whether his classification has or has not been previously considered by it or by any other local board.

§ 662.7 *Induction.* When a registrant is an inmate of a penal or correctional institution which has a special local board and has been classified in a class available for service, the local board of which such special local board is a panel shall make arrangements for his delivery for induction or for his assignment to work of national importance.

§ 662.8 *Disposition of record of registrant who leaves an institution.* (a) When a registrant whose selective service records were transferred to a special local board under the provisions of § 662.3 leaves the institution, all papers with reference to such registrant except his Cover Sheet (Form 53) and a copy of his Registration Card (Form 1) shall be forwarded to the local board having jurisdiction of the address given on line 2 of his Registration Card (Form 1).

(b) When a registrant who was registered by a special local board leaves the institution, the original Registration Card (Form 1) and all other papers with reference to such registrant except his Cover Sheet (Form 53) and a copy of his Registration Card (Form 1) shall be forwarded to the State Director of Selective Service for transmittal to the local board having jurisdiction of the address given on line 2 of the Registration Card (Form 1) of such registrant. When the records of such registrant are received by the local board having jurisdiction of the address given on line 2 of his Registration Card (Form 1), the registrant shall be treated in the same manner as a late registrant under the provisions of part 616.

(c) For each registrant who leaves the institution, the special local board shall transfer to a separate file for completed cases the Cover Sheet (Form 53), a copy of the Registration Card (Form 1), and a copy of the letter covering the transmittal of the records of such registrant to the local board having jurisdiction of the address given on line 2 of such registrant's Registration Card (Form 1).

§ 662.9 *Authority over registrant after he leaves institution.* When, under the provisions of § 662.8, a registrant's records are forwarded to the local board having jurisdiction of the address given on line 2 of his Registration Card (Form 1), such local board may thereafter classify him or reopen his classification and consider it anew without reference to whether his classification has or has not been previously considered by it or by any other local board.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

FEBRUARY 8, 1943.

[F. R. Doc. 43-2086; Filed, February 8, 1943; 5:10 p. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1010—SUSPENSION ORDERS

[Amendment 4 to Suspension Order S-121]

COFFEE CORP. OF AMERICA

Paragraph (a) of § 1010.121 *Suspension Order S-121* issued October 22, 1942, and amended November 23, 1942, December 21, 1942, and January 8, 1943, is hereby amended to read as follows:

(a) During each of the calendar months of March 1943, April 1943, and May 1943, deliveries of coffee by Coffee Corporation of America, its successors and assigns, shall not exceed 151,833 pounds, except as specifically authorized by the Director General for Operations.

Issued this 8th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2082; Filed, February 8, 1943; 4:57 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-234]

CLEANERS HANGER CO.

Cleaners Hanger Company, a corporation with its principal office at Detroit, Michigan, and plants at Cleveland, Ohio, Baltimore, Maryland, and Gadsden, Alabama, is a manufacturer of garment hangers. During the months of April, May, and June, 1942, the Company consumed 1,742,839 pounds of steel in the production of metal garment hangers which was 604,530 pounds in excess of the amount of steel it was permitted to

consume for this purpose under General Limitation Order L–30. During most of this time the Company was aware of the restrictions contained in General Limitation Order L–30 and its violation thereof was wilful.

Subsequent to November 17, 1942, the Company used approximately 50,000 pounds of steel in the manufacture of hooks for paperboard garment and coat hangers although the use of steel for this purpose was then prohibited by Supplementary Limitation Order L–30–d, with the terms of which the Company was familiar.

These violations of Limitation Orders L–30 and L–30–d have hampered and impeded the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.234 *Suspension Order S–234.* (a) Cleaners Hanger Company, its successors and assigns, shall not process, fabricate, or use any of the metals specified in the Metals List attached to Priorities Regulation No. 11 in any form, nor shall Cleaners Hanger Company, its successors and assigns, sell or deliver any article or item in the fabrication of which there has been used or consumed or to which is attached any of the metals specified in the Metals List attached to Priorities Regulation No. 11 in any form, except with the specific approval of the Regional Compliance Chief, Cleveland Regional Office, War Production Board.

(b) Deliveries of material to Cleaners Hanger Company, its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned or applied to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the Director of Industry Operations or the Director General for Operations, except with the specific approval of the Regional Compliance Chief, Cleveland Regional Office, War Production Board.

(c) No allocation shall be made to Cleaners Hanger Company, its successors and assigns, of any material the supply or distribution of which is covered by any order of the Director of Industry Operations or the Director General for Operations, except with the specific approval of the Regional Compliance Chief, Cleveland Regional Office, War Production Board.

(d) The provisions of this order shall not be applicable to deliveries, fabrication, use, or receipt of materials or articles by Cleaners Hanger Company at its Gadsden, Alabama, plant.

(e) Nothing contained in this order shall be deemed to relieve Cleaners Hanger Company from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except insofar as the same may be inconsistent with the provisions hereof.

(f) This order shall take effect on February 13, 1943, and shall expire on August 13, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 8th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–2084; Filed, February 8, 1943; 4:57 p. m.]

PART 3115—CONSTRUCTION MACHINERY AND EQUIPMENT SIMPLIFICATION AND CONSERVATION

[Schedule II to Limitation Order L–217 as Amended Feb. 5, 1943[1]]

PORTABLE JAW AND ROLL CRUSHERS

NOTE: The effect of this amended schedule is to revoke paragraph (c) (6).

§ 3115.3 *Schedule II to Limitation Order L–217*—(a) *Definitions.* For the purposes of this Schedule II:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of portable jaw and portable roll crushers or portable crushing plants as herein defined.

(3) "Portable jaw crusher" means a machine commonly known as a portable jaw crusher of either the lever (Blake) or overhead eccentric type designed for producing construction aggregates by reducing non-metallic minerals.

(4) "Portable roll crusher" means a machine commonly known as a portable roll crusher designed for producing construction aggregates by reducing non-metallic minerals.

(5) "Portable crushing plant" means any crushing plant incorporating either or both portable jaw or portable roll crushers.

(b) *Limitations on production of portable jaw crushers.* (1) On and after February 1, 1943, no producer shall use or put into process any materials for the manufacture of portable jaw crushers (to be used either independently or as a part of a portable crushing plant) except as provided in paragraph (b) (3) hereof.

(2) On and after March 1, 1943, no producer shall assemble portable jaw crushers (to be used either independently or as a part of a portable crushing plant) except as provided in paragraph (b) (3) hereof.

(3) Subject to paragraphs (b) (4), (b) (5), (b) (6) and (b) (7) hereof, producers are permitted to manufacture and assemble only one size of either the lever (Blake) type or of the overhead eccentric type portable jaw crusher in each of the following groups:

(i) *Group A, 9" x 14" to 11" x 18" inclusive.* A producer having the necessary equipment to produce a portable jaw crusher in the size of 10" x 16" may produce that size only in Group A.

(ii) *Group B, 9" x 18" to 11" x 22" inclusive.* A producer having the necessary equipment to produce a portable jaw crusher in the size of 10" x 20" may produce that size only in Group B.

(iii) *Group C, 9" x 21" to 11" x 26" inclusive.* A producer having the necessary equipment to produce a portable jaw crusher in the size of 10" x 24" may produce that size only in Group C.

(iv) *Group D, 9" x 32" to 11" x 40" inclusive.* A producer having the necessary equipment to produce a portable jaw crusher in the size of 10" x 36" may produce that size only in Group D.

(v) *Group E, 13" x 22" to 17" x 26" inclusive.* A producer having the necessary equipment to produce a portable jaw crusher in the size of 15" x 24" may produce that size only in Group E.

(vi) *Group F, 13" x 32" to 17" x 40" inclusive.* A producer having the necessary equipment to produce a portable jaw crusher in the size of 15" x 36" may produce that size only in Group F.

(vii) *Group G, 18" x 32" to 22" x 40" inclusive.* A producer having the necessary equipment to produce a portable jaw crusher in the size of 20" x 36" may produce that size only in Group G.

(viii) *Group H, 22" x 32" to 26" x 40" inclusive.* A producer having the necessary equipment to produce a portable jaw crusher in the size of 24" x 36" may produce that size only in Group H.

(ix) *Group I.* Each producer may manufacture one size portable jaw crusher larger than 26" x 40" provided it is at least 4" larger in one or both jaw dimensions.

(4) If a producer elects to manufacture a permitted product which falls within the description of more than one of the above groups, such producer may not manufacture other types or sizes in those groups.

(5) For the purposes of this paragraph (b) the size of portable jaw crushers shall be determined as follows:

(i) By a horizontal measurement of the receiving opening from the apex of the corrugation on the stationary jaw to the base of the opposite corrugation on the movable jaw while the eccentric is at the maximum open position.

(ii) By measuring the inside distance between keyplates (cheek plates) when both of the jaws and both of the keyplates are in place.

(iii) Portable jaw crushers in Groups A, B, C and D (described in paragraph (b) (3) hereof) shall be measured when the discharge opening at the bottom is 1½" between the apex of the corrugation on the stationary jaw and the base of the oposite corrugation on the movable jaw, and

(iv) Portable jaw crushers in Groups E, F, G, H and I (described in paragraph (b) (3) hereof) when such discharge opening at the bottom is 3 inches.

(6) No person, unless actively engaged in the current production of portable jaw crushers (as indicated in his January, 1943 filing of Production and Shipment Schedules on Form PD–697, pursuant to Limitation Order L–192) shall thereafter enter into the production of such crushers.

(7) No producer, who is not actively engaged in the current production of portable jaw crushers in a size category listed in paragraph (b) (3) above, shall thereafter produce any portable jaw crusher in that size category.

(c) *Limitation on production of portable roll crushers.* (1) On and after February 1, 1943, no producer shall use or put into process any materials for the manufacture of portable roll crushers (to be used either independently or as a part of a portable crushing plant) except as provided in paragraph (c) (3) hereof.

(2) On and after March 1, 1943, no producer shall assemble portable roll crushers (to be used either independently or as a part of a portable crushing plant) except as provided in paragraph (c) (3) hereof.

(3) Subject to paragraphs (c) (4), (c) (5) and (c) (6) hereof, producers are permitted to manufacture and assemble portable roll crushers in the following sizes only:

(i) 16" x 16"
(ii) 24" x 16"
(iii) 30" x 18"
(iv) 40" x 22"
(v) 54" x 24"

(4) For the purpose of this paragraph (c) the size of portable roll crushers shall be determined by measuring the outside diameter and width of the shells when installed in a new unused portable roll crusher.

(5) No person, unless actively engaged in the current production of portable roll crushers (as indicated by his January, 1943 filing of Production and Shipment Schedules on Form PD–697, pursuant to Limitation Order L–192) shall thereafter enter into the production of such crushers.

(6) [Revoked February 5, 1943].

(d) *List of permitted crushers.* On or before February 14, 1943, every producer shall file Form PD–754 with the Construction Machinery Division, War Production Board, Washington, D. C., Ref.: L–217, Schedule II, listing product, model number, size and type of those portable jaw and portable roll crushers currently produced by such producers which are proposed to be continued in production in accordance with the limitations of this order. No producer shall thereafter deviate from the sizes and types of crushers as listed by him and no producer shall enter into the production of any size or type of crusher not listed by him on such form, unless the Director General for Operations shall otherwise direct.

(e) *Not applicable to maintenance and repair parts.* Nothing in this order shall restrict a producer from continuing to manufacture and sell maintenance and repair parts for any and all sizes of portable jaw and portable roll crushers, provided that such manufacture and sale of parts is confined solely to meet the demands for repair parts for maintenance.

(f) *Limitation Order L–192.* Nothing in this schedule shall be deemed to permit any contravention of the provisions of Limitation Order L–192.

Issued this 5th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–2083; Filed, February 8, 1943; 4:57 p. m.]

[1] This document is a re-statement of Amendment 1 to Schedule 2 to Limitation Order No. L–217 which appeared in the FEDERAL REGISTER, February 6, 1943, page 1679, and reflects the order in its complete form as of February 5, 1943.

PART 923—TUNGSTEN

[Conservation Order M–29–b as Amended Feb. 9, 1943]

Whereas, national defense requirements have created a shortage of tungsten for the combined needs of defense, private account, and export; and the supply now is and will be insufficient for defense and essential civilian requirements unless its use in the manufacture of many products where such use is not absolutely necessary for the defense or essential civilian requirements is curtailed or prohibited as hereinafter provided;

Now, therefore, it is hereby ordered, That:

§ 923.5 *Conservation Order M–29–b*—(a) *Prohibition on use of tungsten in articles appearing on List A.* (1) Between February 1 and April 30, 1942, inclusive, no person shall use in the manufacture of any item on List A more tungsten than 17½% of the tungsten used by him for such item during the 12-months period ending June 30, 1941.

(2) Effective May 1, 1942, no tungsten shall be used in the manufacture of any item on List A.

(b) *Limitation on all other uses of tungsten.* (1) Between February 1 and March 31, 1942, inclusive, no person shall use in the manufacture of any article not covered by paragraphs (a) or (c) of this order more tungsten than 12% of the tungsten used by him for such article during the 12-months period ending June 30, 1941.

(2) Beginning April 1, 1942, no person shall use during any calendar quarter in the manufacture of any article not covered by paragraphs (a) or (c) of this order more tungsten than 17½% of the tungsten used by him for such article in the 12-months period ending June 30, 1941.

(c) *Exceptions.* Where and to the extent that the use of any less critical material is impracticable, the prohibitions, limitations and restrictions contained in paragraphs (a) and (b) shall not apply to the use of tungsten in the manufacture of any item on or for any of the uses set forth on List B attached; nor shall such prohibitions, limitations and restrictions apply to the use of tungsten in the manufacture of any item or product for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration or the Coast Guard, where the use of tungsten to the extent employed is required by the latest applicable specifications (including performance specifications) of the appropriate government agency or service.

(d) *Prohibitions against sales or deliveries.* No person shall on or after February 14, 1942, sell or deliver tungsten to any person if he knows, or has reason to believe, such material is to be used in violation of the terms of this order.

(e) *Limitation of inventories.* No manufacturer shall receive delivery of tungsten, (including scrap) or products thereof, in the form of raw materials, semi-processed materials, finished parts or sub-assemblies, nor shall he put into process any raw material, in quantities which in either case shall result in an inventory of such raw, semi-processed or finished material in excess of a minimum practicable working inventory, taking into consideration the limitations placed upon the production of tungsten products by this order.

(f) *Miscellaneous provisions*—(1) *Applicability of Priorities Regulation No. 1.* this order and all transactions affected thereby are subject to the provisions of Priorities Regulation 1, (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(2) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of tungsten conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense work to defense work may appeal to the War Production Board, Reference: M–29–b, on such forms as may be prescribed by said Board, setting forth the pertinent facts and the reasons he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(3) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply to the use of material in all articles manufactured on or after February 14, 1942, irrespective of whether such articles are manufactured pursuant to a contract made prior or subsequent to the effective date hereof, or pursuant to a contract supported by a preference rating. Insofar as any other order issued by the Director of Priorities, the Director of Industry Operations or the Director General for Operations may have the effect of limiting or curtailing to a greater extent than herein provided the use of tungsten in the production of any article, the limitations of such other order shall be observed. In the absence of a specific direction by the Director General for Operations to the contrary, insofar as this order may have the effect of limiting or curtailing to a greater extent than is provided in General Preference Order M–29 or any other order of the Director of Priorities, the Director of Industry Operations, or of

the Director General for Operations, or any preference rating certificate, the use of tungsten in the production of any article, the limitations imposed by this order shall be observed.

(e) *Violations or false statements.* Any person who wilfully violates any provision of this order, or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order, may be prohibited from receiving further deliveries of any material subject to allocation, and such further action may be taken as is deemed appropriate, including a recommendation for prosecution under section 35 (A) of the Criminal Code (18 U.S.C. 80).

(5) *Definitions.* For the purposes of this order:

(i) "Tungsten" means and includes:

(*a*) Ores and concentrates, including beneficiated or treated forms, containing tungsten (commercially recognized).

(*b*) The element tungsten in pure form, ferrotungsten, tungsten in the form of metal powder, and other combinations with other elements in semi-manufactured or manufactured form, prepared for consumption in the manufacture of steel, or for other purposes.

(*c*) All chemical compounds having tungsten as an essential and recognizable component.

(*d*) All scrap or secondary material containing commercially recoverable tungsten as defined in (*a*), (*b*), and (*c*) above, excluding tungsten-bearing iron and steel scrap.

(ii) "Inventory" of a person includes the inventory of affiliates and subsidiaries of such person, and the inventory of others where such inventory is under the control of or under common control with or available for the use of such person.

(iii) "Manufacture" means to fabricate, assemble or process in any way, but does not include installation of a finished product for the ultimate consumer.

(iv) "Item" means any article or any component part thereof.

(v) "Use" means both (*a*) the act of putting tungsten into process in the manufacture of any item and (*b*) the act of completing the manufacture of any such item. (Where a person is limited to a percentage of the material used in a base period, this limitation applies respectively to (1) the amount of material put into process during the base period and (2) the total amount of material contained in a completed item or article multiplied by the number of such items or articles completed during the base period. Each restriction must be applied separately.)

(vi) "Put into process" means the first change by a manufacturer in the form of material from that form in which it is received by him.

Issued this 9th day of February 1943.

CURTIS E CALDER,
Director General for Operations.

LIST A

The use of tungsten in the items listed below and in all component parts thereof is prohibited except to the extent permitted by the foregoing conservation order.

Grinding wheels
Gauges.
Coloring material for rubber, linoleum or other similar materials
Coloring or coating materials for paper of any and all descriptions, including wall paper

LIST B

The uses, and the items listed below and parts thereof are excepted from the prohibitions and restrictions contained in paragraphs (a) and (b) of the foregoing conservation order, but only to the extent indicated below and only to the extent that the use of any less scarce material is impractical.

Corrosion-resisting material
Tungsten-bearing alloy steel in all forms
Hard-facing materials
Hard-cutting alloys (cemented carbides), tools and tool tips
Atomic hydrogen welding rods
Laboratory reagents and pharmaceuticals
Laboratory and research equipment
Electrical equipment, including ignition systems
Radio equipment
X-ray and physical therapy equipment
Electronic relays
Electric lighting—filament and fluorescent

[F R Doc 43-2110 Filed February 9, 1943; 11:32 a m]

PART 937—ZINC

[General Preference Order M-11 as Amended Feb 9, 1943]

Section 937.1 *General Preference Order M-11*, is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of zinc for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 937.1 *General Preference Order M-11*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Zinc" means all grades of metallic zinc (spelter) produced directly from ores, concentrates or other primary material; or redistilled from zinc scrap, including ashes, dross, skimmings, clippings, castings, engravers' plates, die castings, die cast scrap, or any secondary zinc-bearing material.

(2) "Zinc scrap" means all materials or products the principal content of which, by weight, is zinc, which materials or products are the waste or by-products of fabrication or have been discarded on account of obsolescence, failure or other reason.

(3) "Remelt zinc" means any zinc material sweated or remelted from zinc scrap including ashes, dross, skimmings, clippings, castings, engravers' plates, die castings, die cast scrap, or any secondary zinc-bearing material.

(4) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(5) "Producer" means any person producing zinc or remelt zinc and any person who has zinc or remelt zinc produced for him under toll agreement.

(6) "Dealer" means any person who receives physical delivery of zinc or remelt zinc and sells or holds the same for resale without changing the form. A person who produces any zinc or remelt zinc or who has the same produced for him under toll agreement, is a producer as to such zinc or remelt zinc, not a dealer.

(7) "Scrap dealer" means any person regularly engaged in the business of buying and selling zinc scrap.

(8) "Toll agreement" means any agreement by which title to material remains vested in a person other than the one processing the material.

(c) *Restrictions*—(1) *Deliveries by a producer.* No producer shall ship or deliver zinc or remelt zinc to any person except on presentation by that person of an allocation certificate issued by the Director General for Operations. Upon accepting an allocation certificate, the producer shall endorse thereon the amounts of zinc by grades and of remelt zinc, which he agrees to ship under such certificate in the calendar month covered by the certificate. No producer shall endorse an allocation certificate for zinc or remelt zinc, or make any shipment thereunder, if, by so doing, the total endorsements or shipments of zinc, by grades, and of remelt zinc under the certificate will exceed the amounts, by grades, authorized by such certificate.

(2) *Deliveries by dealers.* No dealer shall ship or deliver any zinc or remelt zinc, except with the specific authorization of the Director General for Operations, to fill a purchase order bearing a preference rating lower than AA-5; nor shall any dealer ship or deliver any zinc or remelt zinc in any month to any person who has:

(i) Received or purchased for delivery in that month as much as 20 short tons, in the aggregate, of zinc and remelt zinc from all sources; or

(ii) Requested or received an allocation certificate for zinc or remelt zinc from the War Production Board for that month.

A person who is a dealer but who also produces zinc or remelt zinc or has the same produced for him under toll agreement, shall not ship or deliver any zinc or remelt zinc so produced except as permitted by paragraph (c) (1) of this order.

(3) *Acceptance of deliveries.* No person shall accept any delivery of zinc or remelt zinc from a producer or dealer otherwise than in accordance with the provisions of this order.

(4) *Toll agreements.* No person shall produce any zinc or remelt zinc under any existing or future toll agreement until and unless he has made a report to the Office of Production Management or the War Production Board, Ref.: M-11, setting forth the names of the parties to such agreement, the material involved as to kind and grade, the form of the same, the estimated tonnage involved, the estimated rate of deliveries, the length of time the agreement or other similar agreement has been in force, the duration of the agreement, the purpose for which the zinc is to be used, and any other pertinent data.

(d) *Allocation certificates.* The Director General for Operations will issue allocation certificates for zinc and remelt zinc on or about the first of each month. An allocation certificate will authorize shipment during the calendar month by a producer to the holder of the certificate of specified amounts of zinc, designated by grades or groups of grades, and of remelt zinc. This certificate must be presented to the producer for endorsement as provided in paragraph (c) (1) of this order. A producer need not accept a new order although supported by an allocation certificate if his entire production for the month is committed under contract and he has reason to believe that other allocation certificates will be presented during the month by the person or persons to whom his production is committed in amounts at least equal to his production.

(e) *Applications for allocation certificates.* Any person wishing to apply for an allocation of zinc or remelt zinc from a producer for any month shall file an application with the War Production Board, Zinc Division, Washington, D. C., Ref.: M-11, not later than the fifteenth day of the month preceding the month in which the allocation of zinc or remelt zinc is desired: *Provided*, That any person seeking an allocation for remelt zinc to be delivered during the period from February 9, 1943 until February 28, 1943, inclusive, should apply as soon as possible. Dealers shall make such application on Form PD-450. Persons other than dealers shall make applications on Form PD-94a or such other form as the Director General for Operations may designate from time to time.

(f) *Restrictions on deliveries of zinc scrap.* No person shall ship or deliver any zinc scrap except to a scrap dealer or to a producer or manufacturer for use in the manufacture of redistilled zinc, remelt zinc, brass, zinc dust, zinc oxide, chemicals or salts, unless he obtains the specific authorization of the Director General for Operations to do otherwise. A person delivering zinc scrap is not entitled to rely on the fact that the person receiving delivery will use zinc scrap in the manufacture of redistilled zinc, remelt zinc, brass, zinc dust, zinc oxide, chemicals or salts, unless he receives a certificate from the person accepting delivery stating substantially as follows:

Pursuant to Order M-11, the undersigned certifies that he will use any zinc scrap obtained pursuant to the annexed purchase order in the manufacture of redistilled zinc, remelt zinc, brass, zinc dust, zinc oxide, chemicals or salts.

(Name of company)

By ---
(Authorized official)

Each certificate must be signed by an authorized official, either manually or as provided in Priorities Regulation No. 7. A person delivering zinc scrap is not entitled to rely on such a certificate if he knows or has reason to believe that the certificate is false, but, in the absence of such knowledge or reason to believe, he may rely on the certificate.

(g) *Requests for authorizations of the Director General for Operations.* Any person who seeks the specific authorization of the Director General for Operations to do anything under this order for which no form of application is prescribed, may request such authorization by letter in duplicate, addressed to: War Production Board, Zinc Division, Washington, D. C., Ref: M-11.

All other applications, statements or other communications concerning the subject matter of this order should be addressed in the same manner.

(h) *Exceptions.* Exceptions from the provisions of paragraphs (c), (d) and (f) shall be as follows:

(1) *Anticipatory shipments.* If any producer has reason to believe that any person will receive an allocation certificate in a given month, he may ship to that person an amount of zinc or remelt zinc not to exceed twenty-five (25%) percent of the amount of the same grade of zinc or of remelt zinc which the producer shipped to the same customer in the preceding month. Any person receiving such an anticipatory shipment shall immediately upon receipt of his allocation certificate submit it to the shipping producer for endorsement. If a producer makes an anticipatory shipment and does not receive an allocation certificate later in the same month covering the shipment, he must notify the War Production Board, Zinc Division, Washington, D. C., Ref: M-11, immediately, and make no further shipments to the same customer except pursuant to an allocation certificate.

(2) *Deliveries to the Metals Reserve Company.* Any person may ship, sell and deliver zinc, remelt zinc or zinc scrap to the Metals Reserve Company or to any other corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act as amended (15 U.S.C. section 606 (b)), or to any duly authorized agent of such corporation without an allocation certificate, preference rating or any specific authority from the Director General for Operations.

(3) *Substitute grades of zinc or remelt zinc.* Any producer may, with the consent of the purchaser, substitute for any amount of any grade of zinc specified in an allocation certificate an equal amount of any lower grade of zinc or an equal amount of remelt zinc.

(4) *Special directions.* The Director General for Operations may, from time to time, issue special directions to any person as to the source, destination, special kinds and amounts of zinc, remelt zinc or zinc scrap to be delivered or acquired by any person, and the Director may also specifically direct the manner and quantities in which such zinc, remelt zinc and zinc scrap may be processed.

(5) *Foreign zinc.* Zinc imported under bond or drawback agreement may be re-exported by any person pursuant to an export license duly issued by the Office of Export Control of the Board of Economic Warfare.

(i) *Interdepartmental shipments.* The restrictions, limitations, and prohibitions in paragraph (c), (d) and (f) of this order shall apply not only to all shipments and deliveries of zinc, remelt zinc and zinc scrap from one business enterprise to another business enterprise, but also to all shipments and deliveries of zinc, remelt zinc and zinc scrap from any branch, division or department of any business enterprise to another branch, division or department in the same business enterprise.

(j) *Reports.* Producers of zinc and remelt zinc must report on Form PD-452 for each month by the fifteenth day of the following month. All producers and generators of, dealers in, and users of zinc, remelt zinc or zinc scrap shall file reports with the War Production Board at such times and in such manner and form as it may prescribe, showing such information as the War Production Board may from time to time require.

(k) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priorities control and may be deprived of priorities assistance.

Issued this 9th day of February, 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2111; Filed, February 9, 1943; 11:32 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Interpretation 1 of Priorities Regulation 15]

The following official interpretation is hereby issued with respect to § 944.36 of Priorities Regulation 15:

The impression exists in some quarters that the provisions of Priorities Regulation 15 make it unnecessary to observe any restrictions of limitation and conservation orders of the War Production Board in the manufacture of articles for export. This impression is erroneous.

The regulation does not in any way relax restrictions in limitation or conservation orders in so far as they apply to manufacture within the United States or to the maintenance of inventory within the United States. The only effect of the regulation is to lift such restrictions as may be based upon the size of an inventory maintained in a foreign country or on a use (including use for manufacture) which is to take place in a foreign country.

Of course, no orders of the War Production Board directly limit the size of inventory or the manner of use of an article in a foreign country. Nevertheless, there are some orders which, in the absence of Priorities Regulation 15, might impose such limitations indirectly. Orders which provide that a person may not sell a particular material if he knows or has reason to believe that the purchaser will, upon receipt, have an inventory exceeding some stated amount or use the material for a particular purpose would, in the absence of this regulation, prevent certain sales by subjecting sellers to possible liability even though the inventory existed or the use occurred in a foreign country. Priorities Regulation 15 has the effect of relieving sellers of such liability in the limited situation described.

Furthermore, it is only restrictions which are expressed as based upon size of inventory or manner of use which are affected by the regulation. Where an order requires administrative action, such as an allocation or an express authorization, that requirement is not waived and must be met before the material can be delivered, acquired or used.

Issued this 9th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2116; Filed, February 9, 1943; 11:31 a. m.]

PART 1023—JEWEL BEARINGS

[Conservation Order M-50, as Amended Feb. 9, 1943]

Whereas, national defense requirements have created a shortage of jewel bearings (as hereafter defined) for the combined needs of defense and private account, and the supply of jewel bearings now is and will be insufficient for defense and essential civilian requirements, unless the supply of jewel bearings and jewel bearing material (as hereinafter defined) is conserved and their use in certain products manufactured for civilian use is curtailed; and it is necessary in the public interest to promote the defense of the United States, to conserve the supply and direct the distribution and use thereof.

Now, therefore, it is hereby ordered, That:

§ 1023.1 *Conservation Order M-50*—(a) *Definitions.* For the purpose of this order:

(1) "Jewel bearing material" means any natural sapphire or ruby of industrial quality, any synthetic sapphire or ruby, or any other material of similar chemical composition and physical properties.

(2) "Jewel bearing" means any jewel bearing material which has been processed in any manner for use where friction occurs, including vees, rings, cups, endstones, pallet stones, roller pins, needles, stylii, cutters, nozzles, supports, tool bits, and dies.

(3) "Substitute jewel bearing" means a metal, agate, garnet, spinel, glass, or other bearing designed to replace, or to substitute for, a large ring bearing or a vee bearing of sapphire or ruby.

(4) "Large ring bearing" means any jewel bearing or substitute jewel bearing through which a hole has been pierced from one parallel face to the other which has the following dimensions:

Outside diameter greater than	0.050 inch (1.270 mm.)
Thickness greater than	0.012 inch (.305 mm.)
Hole diameter greater than	0.006 inch (.152 mm.)

(5) "Vee bearing" means any jewel bearing or substitute bearing which has a conically shaped cavity in one of the parallel faces.

(6) "Supplier" means any person who has engaged in the importation or processing of jewel bearings, substitute jewel bearings, or jewel bearing material, since January 14, 1942.

(7) "Consumer" means any person who uses jewel bearings or substitute jewel bearings in the manufacture of any article.

(8) "Processing" means manufacturing, fabricating, polishing, or modifying in any manner jewel bearing material or material designed to substitute therefor.

(9) "Blank" means preparage, rondel, cylinder, or prism made from jewel bearing material for the purpose of fabrication of a jewel bearing but which has not been drilled or formed.

(10) "Use" of a jewel bearing or substitute jewel bearing means to mount the jewel bearing in a screw or other setting, or to incorporate physically the mounted or unmounted bearing in a device where its normal bearing surface may be subjected to friction from a moving part or object.

(11) "Semi-fabricated jewel bearing" means any jewel bearing processed beyond the blank stage but on which additional processing is necessary before it is ready to be used by a consumer.

(12) "Finished bearing" means any jewel bearing or substitute jewel bearing which has been processed to a point where it can immediately be used by a consumer.

(13) "Implements of war" means combat end products, complete for tactical operations (including, but not limited to, aircraft, ammunition, armament, weapons, ships, tanks, and military vehicles), and any parts, assemblies, and materials to be incorporated in any of the foregoing items. This term does not include facilities or equipment used to manufacture the foregoing items.

(b) *Restrictions on delivery, processing, use, and sale.* (1) On and after November 2, 1942, each supplier shall set aside his entire stock, receipts, and production of finished jewel bearings, jewel bearing material, semi-fabricated jewel bearings, and blanks as a reserve for the fulfillment of present and future defense orders, and such other orders and uses as may be authorized from time to time by the Director General for Operations.

(2) No supplier shall make deliveries or withdrawals from such reserve either to his customers or for purposes of his own use, except as authorized by the Director General for Operations. The Director will from time to time allocate the supply of finished jewel bearings, of semi-fabricated jewel bearings, of blanks, and of jewel bearing material; and may specifically direct the manner and quantities in which deliveries to or by particular persons or for particular uses shall be made or withheld. He may also direct, limit, or prohibit processing of jewel bearing material, blanks, and semi-fabricated jewel bearings. He may also direct, limit, or prohibit deliveries, withdrawals from inventories, and particular uses of jewel bearings in the hands of consumers. He may also allocate the supply of finished substitute jewel bearings, or any particular kind thereof, in the hands either of suppliers or consumers, and may direct, limit, or prohibit deliveries, withdrawals from inventories, and particular uses of substitute jewel bearings. Such allocations and directions will be made to insure the satisfaction of the defense requirements of the United States, both direct and indirect, and they may be made, in the discretion of the Director General for Operations, without regard to any preference ratings assigned to particular contracts or purchase orders.

(3) Unless specifically directed or authorized by the Director General for Operations, no person shall sell or deliver to any person for any purpose vee bearings or large ring bearings of sapphire or ruby, except:

(i) That any person may sell such bearings to the person from whom he originally acquired them; and

(ii) That a wholesaler or distributor (but not a supplier) may sell or deliver large ring bearings to persons who will use such large ring bearings solely in the repair of watches or aeroplane instruments.

(c) *Additional restrictions on consumers*—(1) *Use of vee bearings and large ring bearings.* Unless specifically directed or authorized by the Director General for Operations, no person shall use vee bearings or large ring bearings of sapphire or ruby in the manufacture of any article other than:

(i) "Implements of war" as defined in this order, which are being produced for the Army or the Navy of the United States, the Maritime Commission, the War Shipping Administration, or for any foreign government pursuant to the act approved March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), where the use of vee bearings or large ring bearings of sapphire or ruby to the extent employed is required by the latest issue of government specifications (including performance specifications, unless otherwise directed by the Director General for Operations) applicable to the contract, subcontract, or purchase order; or such other articles or products being produced for any of the foregoing services, agencies, or foreign governments, as may be from time to time approved and designated by the Director General for Operations by means of supplementary orders: *Provided, however,* That no person in the manufacture of implements of war or other articles or products covered by this paragraph (c) (1) (i) shall use a vee bearing or a large ring bearing of sapphire or ruby in any place or application where the governmental contracting agency 30 days or more previously has issued a written statement to such person permitting the use of a substitute jewel bearing in such place or application: *Provided, further,* That any person who uses vee bearings or large ring bearings of sapphire or ruby, in order to meet performance specifications in the manufacture of any article or product covered by this paragraph (c) (1) (i), shall furnish such information with respect to such article or product and the specifications applicable thereto as may be requested from time to time by the War Production Board.

(ii) Instruments for use in aeroplanes and ships.

(iii) Machine tools.

(iv) Dial indicator gages, being mechanisms for amplifying and measuring the displacement of a movable contact point, thereby measuring a dimension or variations from a standard dimension, each such gage comprising essentially a case with means for mounting the indicator, a spindle carrying the contact point, an amplifying mechanism, a pointer, and a graduated dial.

(v) Railroad standard watches, as such term is used and defined in Order L-175 of the War Production Board.

(2) *Use of substitute bearings.* On and after 30 days after November 2, 1942, unless specifically directed or authorized by the Director General for Operations, no person shall use jewel bearings of any type in the manufacture or repair of any article, other than those described in paragraph (c) (1) (i), in any place where it would be practicable, considering performance requirements, to use substitute jewel bearings, and in the repair of any such article no person shall replace a jewel bearing with a jewel bearing of any type if the bearing being replaced can be repaired or if it would be practicable, considering performance requirements, to use a substitute jewel bearing in its place.

(d) *General exception.* The prohibiting which on or after November 2, 1942, order shall not apply to any jewel bearing which on or after November 2, 1942, without violating any order of the Director General for Operations, had been physically incorporated in a device in which, without further assemblage, its normal bearing surface was subjected to friction from a moving part or object.

(e) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of jewel bearings conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board by letter or other written communication, in triplicate, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(f) *Reports.* (1) Each supplier shall file with the War Production Board, Ref: M-50, on or before the 15th day of each calendar month, all the information required by Form PD-235.

(2) Each consumer shall file with the War Production Board, Ref. M-50, on or before the 15th day of each calendar month, all the information required by Form PD-236.

(3) Any person producing jewel bearing material shall file with the War Production Board, Ref: M-50, on or before the 15th day of each calendar month, all the information required by Form PD-338.

(g) *Miscellaneous provisions*— (1) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Miscellaneous Minerals Division, Washington, D. C. Ref.: M-50.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 9th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2112; Filed, February 9, 1943; 11:32 a. m.]

PART 1168—PASSENGER CARRIERS

[Limitation Order L-101 as Amended Feb. 9, 1943]

Whereas the fulfillment of requirements for the defense of the United States has created a shortage in the supply of passenger carriers for defense, for private account and for export, and it has now become necessary in the public interest and to promote the national defense to provide for the orderly scheduling of production and delivery of such vehicles:

Now, therefore, it is hereby ordered, That:

§ 1168.1 *General Limitation Order L-101*—(a) *Applicability of Priorities Regulation 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(b) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the production of passenger carriers.

(3) "Passenger carrier" means a complete motor or electrical coach or trailer for passenger transportation, having a seating capacity of not less than eleven persons, or the body therefor; and includes integral motor buses and integral trailer buses, bus bodies for adult or school passenger use for mounting on new or used commercial motor vehicle or trailer chassis, sedan automobiles converted to buses, trolley buses, and electric railway cars. Such definition does not include a complete commercial motor vehicle chassis or trailer chassis upon which a bus body is to be mounted, or a tractor for propulsion of a trailer bus.

(c) *Restrictions on delivery of passenger carriers.* On and after May 21, 1942, irrespective of the terms of any contract of sale or purchase or of any other commitment, no producer shall transfer or deliver and no person shall accept any transfer or delivery of any new passenger carrier, except as authorized pursuant to the provisions of paragraph (d) hereof.

(d) *Production and delivery of passenger carriers.* (1) Each producer of passenger carriers shall schedule his production and make deliveries of passenger carriers in accordance with such specific directions as may be issued from time to time by the Director General for Operations, who may incorporate therein such requests and recommendations as may be submitted by the Office of Defense Transportation.

(2) The production and delivery schedules established by any specific direction which may be issued from time to time pursuant to paragraph (d) (1) above shall be maintained without regard to any preference ratings already assigned or hereafter assigned to particular contracts, commitments, or purchase orders and may be altered only upon specific directions of the Director General for Operations.

(3) If it becomes impossible for any producer to maintain production and delivery of passenger carriers in accordance with any such schedule, he shall immediately notify the Director General for Operations, and, unless otherwise directed by the Director General for Operations, he shall continue to produce and deliver passenger carriers in the order set forth in such schedule and shall postpone production and delivery of any such passenger carriers only to the extent required by the circumstances causing his failure to maintain production and delivery as required by such schedule.

(e) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories,

production and sales of new passenger carriers, which records shall be available for audit and inspection by duly authorized representatives of the War Production Board.

(f) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(g) *Violations or false statements.* Any person who wilfully violates any provision of this order or who wilfully furnishes false information to the War Production Board is guilty of a criminal offense punishable by fine and imprisonment (Pub. No. 507, 77th Cong., 2d Sess., approved March 27, 1942; and 18 U.S.C. 80). Any person committing such an offense or wilfully falsifying any records which he is required to keep by the terms of this order may be deprived of priorities assistance or may be prohibited by the War Production Board from obtaining any materials or facilities subject to allocation.

(h) *Communications.* All communications concerning this order should be addressed to War Production Board, Washington, D. C., Ref.: L-101

Issued this 9th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2113. Filed, February 9, 1943; 11:32 a. m.]

PART 1172—ASBESTOS TEXTILES

[Conservation Order M-283]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of asbestos textiles for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1172.3 *Conservation Order M-283*—(a) *Definitions.* For the purposes of this order:

(1) "Asbestos textiles" means any material initially produced from the mineral asbestos by means of a carding operation and includes all such material in the following forms subsequent to the carding operation:

Carded fiber
Plain roving (underwriter's and commercial)
Plain roving (above underwriter's grade)
Reinforced roving
Cable filler
Lapps
Wick made from roving
Wick made on wicking card
Yarn—single
Yarn—plied
Yarn—metallic
Cloth—1¼ pounds per square yard and lighter, all weaves
Cloth—heavier than 1¼ pounds per square yard, non-metallic plain weave
Cloth—heavier than 1¼ pounds per square yard, metallic, plain weave
Cloth—all weights, metallic and non-metallic other than plain weave
Tape—.010 to .025" thick
Tape—1/32" thick and up
Cord—Plain or treated
Tubing—woven or braided

(2) "Supplier" means any person who produces asbestos textiles from the mineral asbestos by means of a carding operation.

(3) "Consumer" means any person who purchases or accepts delivery of asbestos textiles from a supplier for resale, or for use in the manufacture of other forms of asbestos textiles or of articles made in whole or in part of asbestos textiles, or for any other use. A supplier, who uses asbestos textiles which he has produced in the manufacture of any product which is not itself an asbestos textile as defined in paragraph (a) (1), shall be deemed also to be a consumer.

(b) *Restrictions on use and delivery of asbestos textiles.* (1) On and after April 1, 1943, no supplier shall deliver asbestos textiles, and no person shall accept delivery of asbestos textiles from a supplier, except upon specific authorization by the Director General for Operations upon application pursuant to paragraph (d) or except as provided in paragraph (c).

(2) Each person specifically authorized to accept delivery of asbestos textiles shall use such asbestos textiles for the purpose for which the authorization was requested, except as otherwise directed by the Director General for Operations.

(3) The Director General for Operations at his discretion may at any time issue special directions to any person with respect to the use, process to final product, delivery, acceptance of delivery, or placing of orders, of asbestos textiles by such person, notwithstanding the provisions of paragraph (c) hereof, or special directions to any supplier with respect to the kinds of asbestos textiles which he may or must manufacture, and the grades and types of asbestos fiber which he may or must use in the production of asbestos textiles.

(4) Such authorizations and directions will be made to ensure the satisfaction of requirements, direct and indirect, for the defense of the United States and for essential civilian supply; and may also be made in consideration of any possible dislocation of labor, of the problems of transportation, including cross-hauling, and of the necessity of keeping a plant in operation so that it may be able to fulfill war orders and essential requirements; and may be issued, and, unless otherwise specified by the Director General for Operations, shall be complied with, without regard to preference ratings.

(c) *Small order exemption.* (1) Any person may accept delivery of 100 pounds or less of asbestos textiles in the aggregate during any one calendar month without specific authorization, provided that such person has not been specifically authorized to accept delivery of any quantity of asbestos textiles during such month; and

(2) Any supplier may deliver asbestos textiles without specific authorization to any person who shall certify to him in writing that he is entitled, pursuant to paragraph (c) (1), to accept delivery, provided that:

(i) No supplier shall deliver in the aggregate in any calendar month, pursuant to this paragraph (c), an amount in excess of 5 per cent by weight of his actual shipments of asbestos textiles for the preceding month;

(ii) No supplier shall make deliveries during any calendar month, pursuant to this paragraph (c), if such deliveries will prevent completion of any deliveries which have been specifically authorized for such month;

(iii) Such certification shall be signed by an authorized official, either manually or as provided in Priorities Regulation No. 7 and shall be in substantially the following form:

The undersigned hereby certifies pursuant to War Production Board Order M-283 that the requested delivery of asbestos textiles plus other deliveries of asbestos textiles heretofore accepted during the month for which delivery is requested does not exceed 100 pounds in the aggregate, and that the undersigned has not been specifically authorized by the War Production Board to accept delivery of any quantity of asbestos textiles during the month for which delivery is requested.

Dated _____

_____

By _____

Authorized Official

(iv) No supplier shall make deliveries, even against such certification, if he knows or has reason to believe that the certification is false; but in the absence of such knowledge or reason to believe, he may rely on such certification.

(3) For the purpose of this paragraph (c), the 100 pounds exemption for each person shall be deemed to extend only to an individual, partnership, association, business trust, corporation, governmental corporation or agency, or other business organization as a unit, and shall not be deemed to extend to each division, plant, store, or purchasing agency of such unit.

(d) *Applications and reports.* — (1) *Consumers.* Each consumer seeking authorization to accept delivery of asbestos textiles during any calendar month shall file application on Form PD-779. Six copies shall be prepared, of which three (with table II left blank) shall be forwarded, not later than the 1st day of the month preceding the month for which authorization for delivery is requested, to the supplier with whom the order or orders described in such application are placed, and two (with table II filled out) shall be sent, not later than the 10th day of the month preceding the month for which authorization for delivery is requested, to the War Production Board. A separate set of forms shall be prepared for each plant location of the applicant and for each supplier from whom the delivery of asbestos textiles is sought.

(2) *Suppliers.* Suppliers shall seek authorization to deliver asbestos textiles only to consumers who have filed with them Form PD-779 in triplicate. Each supplier seeking authorization to make such deliveries to any consumer during any calendar month shall fill out all three copies of Form PD-779 received from such consumer, indicating thereon his proposed deliveries during such month to such consumer, and shall file two of such copies with the War Production Board on or before the 15th day of the month preceding the month for which delivery is requested by the consumer.

(3) *Other reports.* All persons affected by this order shall file such other reports as may be requested from time to time by the Director General for Operations.

(e) *Special provisions.* (1) Each supplier who consumes all or part of his production of asbestos textiles in the manufacture of any product which is not itself an asbestos textile, as defined in paragraph (a) (1), shall treat the production and consumption parts of his operations as separate divisions, and delivery to himself for consumption shall be deemed delivery, requiring authorization within the meaning of paragraph (b) (1). Each such supplier in his separate capacity as a consumer and as a supplier shall file all the applications and reports required by paragraphs (d) (1) and (d) (2). A supplier who consumes all or any part of his production of asbestos textiles in the manufacture of products which are not asbestos textiles as defined in subparagraph (a) (1) must request allocation only for that type of asbestos textile that immediately precedes the manufacturing process which changes its form beyond that shown in the list of asbestos textiles in paragraph (a) (1).

(2) Each supplier shall notify the War Production Board of the cancellation by a consumer of any authorized delivery or of his own inability to make authorized delivery within 5 days after he has notice of such fact.

(f) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Cork-Asbestos and Fibrous Glass Division, Washington, D. C. Ref: M-283.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 9th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2114; Filed, February 9, 1943; 11:31 a. m.]

PART 3157—CONTROLLED SHIPMENTS

[Interpretation 1 to General Transportation Order T-1]

The following official interpretation is hereby issued by the Director General for Operations with respect to § 3157.1, *General Transportation Order T-1:*

(a) Paragraph (e) (2) does not afford any exemption from the provisions of paragraphs (b) and (c) with respect to controlled shipments of any material on List 1 or List 2.

(b) Any distance or mileage which is specified in said order or on any List annexed thereto, shall, with respect to shipments by tank car, be measured over the shortest available published rail tariff route, whether or not the particular shipment is billed or transported over such route.

Issued this 9th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2115; Filed, February 9, 1943; 11:31 a. m.]

PART 3167—YELLOW POPLAR

[General Conservation Order M-279]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of yellow poplar for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3167.1 *General Conservation Order M-279*—(a) *Definitions.* For the purposes of this order:

(1) "Yellow poplar logs" means logs of the species *Liriodendron tulipifora.*

(2) "Yellow poplar aircraft logs" means all yellow poplar logs meeting the specifications for one of the following grades:

Log grades	Length[1]	Top diam. inside bark	Surface requirements	Taper allowed[2]	Spiral grain	Rot or dote permitted	Sweep ordinarily permitted
Select logs	12'+	24"+	Clear, no defects	2" in 8'	1" in 12"	6" in center of log	2" in 8'
No. 1 logs	12'+	18-23"	do	do	do	5" in center of logs	Do.
No. 1 logs	12'+	24"+	3 clear faces or 75% of length clear.			6" in center of logs	Do.
No. 2 logs	12'+	14-17"	Clear	2" in 8'	1" in 12"	5" in center of log	Do.
No. 2 logs	12'+	18-23"	3 clear faces or 75% of length clear.	do	do	do	Do.
No. 2 logs	12'+	24"+	2 clear faces or 50% of length clear.	do	do	6" in center of log	Do.

[1] Short logs of any length that are acceptable to the purchaser should be graded the same as longer logs.
[2] The taper stated in these log grading specifications refers to normal taper and does not apply to abnormal taper in the butt logs near the stump cut. Butt swell or root flare should be handled according to the effect that it will have on the finished product and logs graded and scaled accordingly.

(3) "Yellow poplar aircraft veneer" means any veneer produced from yellow poplar logs which meets the specifications AN-NN-P-511b.

(4) "Yellow poplar lumber" means any sawed lumber of any size or grade, whether rough, dressed on one or more sides or edges, dressed and matched, shiplapped, worked to pattern, or grooved for splines, produced from yellow poplar logs.

(5) "Yellow poplar aircraft lumber" means all yellow poplar lumber which meets the following basic specifications and grades:

(i) It shall meet the following minimum requirements which shall be considered the basic specifications:

(*a*) *Specific gravity.* The minimum specific gravity shall be 0.38.

(*b*) *Annual rings.* There shall be not less than six annual rings per inch.

(*c*) *Slope of grain.* The slope of the grain in all cuttings shall not exceed 1" in 15", except for short deviations occasioned by permissible burls.

(*d*) *Sapwood.* Bright sapwood shall be admitted in all cuttings without limit.

(*e*) *Mineral streaks and colorations.* Mineral streaks which do not show a separation of fiber or decay shall be admitted, provided they are located at least one inch from the edge of the cuttings. Mineral or other sound natural colorations inherent to yellow poplar shall be admitted in cuttings.

(*f*) *Burls.* Occasional burls not exceeding one-half inch in diameter shall be admitted, provided they are located at least one inch from the edges of the cuttings.

(*g*) *Method of sawing.* Seventy per cent or more of each shipment shall be rift sawn or quarter sawn, or both, in which the annual rings form an angle of not less than 45 degrees to the face of each board for at least two-thirds its width. Thirty per cent or less of any shipment may be plain sawn.

(*h*) *Cuttings.* All cuttings shall conform to the foregoing basic Specifications on both faces and shall otherwise be clear.

(ii) In addition it shall conform to the following rules:

(*a*) Piece widths, all grades, 4" and wider.

(*b*) Piece lengths as specified below, in multiples of six inches.

No. 1 Aircraft. Piece lengths 3' and longer. Each piece shall yield 100% in one piece;

No. 2 Aircraft. Piece lengths 6' and longer. Each piece shall yield 10/12 or 83⅓% in cuttings 3" and wider by 3' and longer;

No. 3 Aircraft. Piece lengths 6' and longer. Each piece shall yield 8/12 or 66⅔% of cuttings 3" and wider by 3' and longer;

No. 4 Aircraft. Piece lengths 6' and longer. Each piece shall yield 6/12 or 50% in cuttings 3" and wider by 3' and longer.

(6) "Producer" means any plant which processes, by sawing, edging, planing, cutting, slicing, peeling or other comparable method, 25% or more of the total volume of logs, cants, flitches and lumber purchased or received by it, and which sells as lumber or veneer the product of such processing. "Volume" means board foot volume, or in the case of veneer, surface measure, processed or sold within the last six calendar months immediately prior to the transaction affected by this order.

(b) *General limitations.* No producer shall process any Select or Grade No. 1 yellow poplar aircraft logs into any other material than yellow poplar aircraft veneer or yellow poplar aircraft lumber, except to the extent that:

(1) Such logs will not yield yellow poplar aircraft veneer or yellow poplar aircraft lumber; or

(2) Such logs are processed into some other specified material pursuant to a specific processing directive or order issued by the Director General for Operations under paragraph (c) of this order.

hereby issued by the Director General faces and shall otherwise be clear. order.

(c) *Allocations.* The Director General for Operations may from time to time allocate specific quantities of yellow poplar aircraft logs to specific producers. He may also direct the specific manner and quantities in which delivery of such logs so allocated shall be made to particular producers and the production by such producers of particular lumber or veneer items from such logs. Such allocations and directions will be made to insure the satisfaction of war requirements of the United States, both direct and indirect, and they may be made, in the discretion of the Director General for Operations, without regard to any preference ratings assigned to particular purchase orders or contracts. The Director General for Operations may also take into consideration the possible dislocation of labor and the necessity of keeping a plant in operation so that it may be able to fulfill war and essential civilian requirements.

(d) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(3) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, by addressed to: War Production Board, Lumber and Lumber Products Division, Washington, D. C. Ref.: M-279.

Issued this 9th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2108; Filed, February 9, 1943; 11:32 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 3]

PREFERENCE RATINGS UNDER THE CONTROLLED MATERIALS PLAN

§ 3175.3 *CMP Regulation 3*—(a) *Purpose and scope.* The purpose of this regulation is to define the operation of preference ratings under the Controlled Materials Plan.

(b) *Definitions.* The following definitions shall apply for the purpose of this regulation and for the purposes of any other CMP regulation unless otherwise indicated:

(1) "Production material" means, with respect to any person, material or products (including fabricated parts and subassemblies) which will be delivered by him as his product, or will be physically incorporated into such product, and includes the portion of such material normally consumed or converted into scrap in the course of processing. It does not include any items purchased by him as manufacturing equipment or for maintenance, repair or operating supplies as defined in CMP Regulation 5.

(2) "Allotment number or symbol" means:

(i) An allotment number or symbol placed on a delivery order as provided in paragraphs (f) and (g) of this regulation, or as provided in CMP Regulation 1 or CMP Regulation 5; or

(ii) A number or symbol placed on a delivery order pursuant to any other regulation or order of the War Production Board if, but only if, it is expressly stated that such number or symbol shall constitute an "allotment number or symbol" for purposes of this regulation.

(c) *Superiority of ratings with allotment numbers or symbols over other ratings of equal grade.* A delivery order bearing a preference rating with an allotment number or symbol shall (unless otherwise ordered by the Director General for Operations) be deemed superior in rating, for purposes of Priorities Regulation 1, to any delivery order bearing a rating of the same grade without an allotment number or symbol, but shall not be superior to another order bearing a rating of a higher grade. For example, a rating of AA-2X with an allotment number or symbol is superior to another rating of AA-2X without an allotment number or symbol, but is inferior to any rating of AA-1 with or without an allotment number or symbol.

(d) *Preference ratings with allotment numbers for production schedules*—(1) *Prime consumers.* In each case when an allotment is made to a prime consumer making Class A or Class B products, and his production schedule is authorized by a Claimant Agency or an Industry Division, a preference rating will be assigned to such schedule for use with the allotment number applicable to the schedule.

(2) *Secondary consumers.* In each case when an allotment is made to a secondary consumer making Class A products and his production schedule is authorized by the consumer making the allotment, the consumer making the allotment shall apply or extend to such production schedule the same rating as he has received for his own related production schedule for use with the appropriate allotment number.

(3) *Use of ratings received for authorized production schedules.* A prime or secondary consumer who has received a preference rating for an authorized production schedule as provided in this paragraph (d) may use said rating, with the appropriate allotment number, only to acquire production materials in the minimum practicable amounts required to fulfill such schedules, or to replace production materials in his inventory, subject to the restrictions of paragraph (c) (2) or Priorities Regulation 3. He may not use such rating for any other purpose.

(e) *No extension of customers' ratings by prime consumers making Class B products.* A prime consumer who manufactures Class B products and has received an authorized production schedule for such manufacture, accompanied by a preference rating to be used with his allotment number, shall not extend any other rating received by him from a customer, except that if a delivery to be made by him is rated AAA, he may extend said rating to the extent necessary to obtain production material required to fill his AAA order, but may not extend the same for purposes of replenishing his inventory.

(f) *Use of allotment numbers and symbols on delivery orders.* (1) Each prime or secondary consumer shall place on each rated delivery order for production materials, required to fulfill his authorized production schedule of Class A or Class B products, his allotment number with the certification provided in paragraph (g) of this regulation.

(2) A person placing a rated order for maintenance, repair or operating supplies under CMP Regulation 5 shall place thereon the allotment symbol MRO with the certification required by said regulation.

(3) A person placing a rated small order for Class A products pursuant to paragraph (1) of CMP Regulation 1 shall place thereon his allotment number and the symbol SO as required by said regulation, with the certification provided in paragraph (g) of this regulation.

(4) No person shall place any allotment number or symbol on any delivery order except as required by the foregoing provisions of this paragraph (f) or as specifically provided in any other regulation or order of the War Production Board. If a person who is not authorized to use an allotment number or symbol receives a rated order with an allotment number or symbol, he may extend the rating, to the extent and in the manner permitted by Priorities Regulation 3, but he shall not use the allotment number or symbol in extending the rating.

(g) *Form of certification.* A prime or secondary consumer when placing an allotment number or symbol on a rated delivery order pursuant to this regulation or CMP Regulation No. 1 shall endorse on the order a certification in substantially the following form (in lieu of the certification provided in Priorities Regulation No. 3) signed manually or as provided in Priorities Regulation No. 7:

Preference rating ------- Allotment number ------- The undersigned certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that he is authorized under CMP Regulation No. 3 to apply or extend the above preference rating and allotment number or symbol to the delivery of the items covered by the attached delivery order.

An allotment number shall consist of the appropriate Claimant Agency letter symbol followed by the major program number (consisting of one digit only as provided in paragraph (c) (6) (ii) of CMP Regulation No. 1). If the order is placed in connection with an allotment of controlled materials by the purchaser to the seller, the two digits denoting the quarter for which the allotment is valid shall be added as provided in said regulation.

(h) *Use of existing ratings prior to authorization of production schedules.* A person who has not yet received his allotment and CMP rating for a particular production schedule may apply and extend other preference ratings for such production to the extent permitted by existing Priorities Regulations and Orders (including, in the case of PRP Units, Priorities Regulation 11A regarding transition from PRP to CMP).

(i) *Construction and facilities.* Preference ratings assigned for construction or facilities may be applied or extended in the manner and subject to the restrictions provided in CMP Regulation No. 6.

(j) *Effect of preference ratings on deliveries of controlled materials.* (1) Authorized controlled material orders placed with controlled materials producers shall be accepted and filled by such producers as provided in CMP Regulation No. 1 without regard to any preference ratings applicable to such delivery orders and in preference to all other delivery orders, except as may be otherwise specifically directed. To the extent that controlled materials producers are able to fill orders other than authorized controlled material orders, they shall fill such orders until July 1, 1943, in accordance with preference ratings as provided in Priorities Regulation 1 and subject to any other applicable regulations or orders of the War Production Board.

(2) Authorized controlled material orders placed pursuant to applicable CMP Regulations, with persons who are not controlled materials producers, shall be filled by them without regard to any preference ratings applicable to such delivery orders and in preference to all other delivery orders, except as otherwise specifically provided in applicable regulations or orders of the War Production Board, and except that an authorized controlled material order placed with any such person which is rated AAA shall take precedence over other authorized controlled material orders.

(k) *Effect of ratings on conflicting production and delivery schedules for Class A and Class B products.* Manufacturers of Class A and Class B products must comply with the requirements of paragraph (p) of CMP Regulation 1 with respect to the rejection of orders in excess of capacity, and, in the event they are unable to fulfill all orders which they have accepted, they must report for instructions as provided in paragraph (q) of CMP Regulation 1, but until and unless otherwise instructed, they shall fill orders in accordance with preference ratings as provided in Priorities Regulation No. 1 and paragraph (c) of this regulation.

Issued this 9th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2106; Filed, February 9, 1943; 11:31 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 5]

MAINTENANCE, REPAIR AND OPERATING SUPPLIES

§ 3175.5 *CMP Regulation 5*—(a) *Purpose and scope.* (1) The purpose of this regulation is to provide a uniform procedure for obtaining maintenance, repair and operating supplies, both in the case of controlled materials obtained by use of allotment symbols under the Controlled Materials Plan and in the case of materials or products obtained by preference ratings. Persons requiring maintenance, repair and operating supplies, in any form, in such quantities as are available from warehouses or distributors under CMP Regulation No. 4, or at retail without preference ratings or allotments, may obtain the same without using the procedure provided in this regulation, but subject to all applicable limitations in War Production Board regulations and orders.

(2) The provisions of this regulation shall not apply to governmental agencies (other than Claimant Agencies) except to the extent that they may be engaged in one of the activities listed in Schedules I or II attached, and shall not apply to any person or institution, public or private, engaged in educational, religious or charitable activities. Procedures for the obtaining of maintenance, repairs and operating supplies by such governmental agencies and by such persons and institutions will be provided by a separate regulation or order. This regulation is also inapplicable to certain purchases by Claimant Agencies or for export as more fully provided in paragraph (g).

(b) *Definitions.* The following definitions shall apply for the purpose of this regulation, and for the purpose of any other CMP Regulation unless otherwise indicated:

(1) "Maintenance" means the minimum upkeep necessary to continue a facility in sound working condition, and "repair" means the restoration of a facility to sound working condition when the same has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts or the like: *Provided*, That neither maintenance nor repair shall include the improvement of any plant, facility or equipment, by replacing material which is still usable, with material of a better kind, quality or design, except as provided in paragraph (b) (3) of this regulation.

(2) "Operating supplies" means any materials or products which are normally carried by a person as operating supplies according to established accounting practice and are not included in his finished product, except that materials included in such product which are normally chargeable to operating expense may be treated as operating supplies. The term shall also include such items as hand tools, customarily purchased by the particular employer for sale to his employees for use only in his business, in those cases where they would constitute operating supplies under established accounting practice if issued to employees without charge. The term shall not include any of the items specified in List A attached.

(3) In addition, there may be included as maintenance, repair and operating supplies, minor items of productive capital equipment and minor capital additions or replacements not exceeding $500 (excluding cost of labor); *Provided*, That no capital equipment, addition or replacement aggregating more than $500 in cost shall be subdivided for the purpose of coming within this definition, and, *provided further*, that the acquisition and use of materials for construction shall be subject to the provisions of Conservation Order L-41, as amended from time to time.

(4) Production materials required by a manufacturer for physical incorporation in his products, which products he sells for use as maintenance, repair or operating supplies, may be obtained as provided in CMP Regulation No. 1 and in CMP Regulation No. 3, and such production materials shall not be deemed maintenance, repair or operating supplies, as to such manufacturer.

(c) *Controlled materials.* (1) Subject to the quantity restrictions contained in paragraph (f) of this regulation, any person engaged in the business of producing any product or conducting any business listed in Schedule I or II, requiring delivery after March 31, 1943, of any controlled material, except aluminum, for maintenance, repair or operating supplies in the conduct of such business, may obtain the same by placing on his delivery order substantially the following certification, signed manually or as provided in Priorities Regulation No. 7:

CMP allotment symbol MRO—(P order No. ———)—The undersigned certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that the controlled materials covered by this order are

required for essential maintenance, repair or operating supplies, to be used for a purpose listed in Schedule I or Schedule II of CMP Regulation No. 5 and that delivery thereof will not result in a violation of the quantity restrictions contained in paragraph (f) of said regulation.

When the person making such certification is covered by any order in the "P" series he shall also show, in the space indicated, the number of such "P" order.

An order bearing such certification shall be deemed an authorized controlled material order and shall have the same status as an order bearing an allotment number under all applicable CMP regulations, unless otherwise expressly provided.

(2) Any person engaged in the business of producing any product or conducting any business listed in Schedule I or II requiring aluminum in any of the forms or shapes constituting a controlled material, for essential maintenance, repair or operating supplies, may obtain the same from a controlled materials producer or from an approved aluminum warehouse, in amounts of not to exceed 100 pounds from all sources during any one calendar quarter, provided, that any order placed pursuant to this paragraph (c) (2) shall be accompanied by a certificate in substantially the following form, signed manually, or as provided in Priorities Regulation No. 7:

The undersigned certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that the materials covered by this order are required for essential maintenance, repair or operating supplies, to be used for a purpose listed in Schedule I or II of CMP Regulation No. 5, that the use of other materials for such purpose is impracticable; and that the amount of aluminum covered by this order, together with all other amounts received by, or on order for delivery to the undersigned, from all sources, for such purposes during the same quarter, will not exceed 100 pounds.

Any producer or warehouse receiving an order bearing such certificate shall be entitled to rely thereon and may fill the order, unless he knows or has reason to believe the certificate to be false.

(d) *Preference ratings for maintenance, repair and operating supplies.* (1) Subject to the quantity restrictions contained in paragraph (f) of this regulation, orders calling for delivery after March 31, 1943, of maintenance, repair or operating supplies other than controlled materials (regardless of whether such supplies be Class A products, Class B products, or other products or materials) are hereby assigned preference ratings as follows:

(i) AA-1 for maintenance or repair of facilities required for producing any product or conducting any business listed in Schedule I or for necessary operating supplies for such production or business;

(ii) AA-2X for maintenance or repair of facilities required for producing any product or conducting any business listed in Schedule II or for necessary operating supplies for such production or business; and

(iii) A-10 for necessary maintenance or repair of facilities required for producing any product or conducting any business not listed in Schedule I or Schedule II or for necessary operating supplies for any such purpose.

(2) A preference rating assigned under this paragraph (d) shall be applied only by use of the following certification (in lieu of the endorsement specified in Priorities Regulation No. 3), signed manually or as provided in Priorities Regulation No. 7:

Preference rating ..... (specify rating)—MRO. The undersigned certifies, subject to the criminal penalties for misrepresentation contained in section 25 (A) of the United States Criminal Code, that the items covered by this order are required for essential maintenance repair or operating supplies, that this order is rated and placed in compliance with CMP Regulation No. 5, and that the delivery requested will not result in a violation of the quantity restrictions contained in paragraph (f) of said regulation.

(3) A person with whom a delivery order is placed bearing a preference rating assigned by this regulation may extend the rating only in the manner provided in Priorities Regulation No. 3 (using the endorsement therein specified) and subject to the limitations contained therein and in CMP Regulation No. 2.

(e) *Plants engaged in several activities.* If a single plant or operating unit is engaged in several activities which are not all listed on the same schedule (or if some are so listed and others are unlisted), and it is impracticable to apportion requirements for maintenance, repair and operating supplies between such activities the principal activity alone shall be considered for purposes of determining whether controlled materials may be obtained under paragraph (c) of this regulation and also for determining which preference ratings may be applied under paragraph (d).

(f) *Quantity restrictions.* (1) No person shall use the allotment symbol or preference ratings assigned by this regulation to obtain maintenance, repair or operating supplies during any calendar quarter in an aggregate amount exceeding one-fourth of his aggregate expenditures for maintenance, repair and operating supplies during the calendar year 1942 (or his fiscal year ending nearest to December 31, 1942), except that a person engaged in a seasonal business may use such allotment symbol or preference ratings to obtain during any calendar quarter, up to, but not in excess of, his aggregate expenditures for maintenance, repair and operating supplies during the corresponding quarter of 1942 (or of such fiscal year). In neither case, however, shall any person use such allotment symbol or preference ratings to obtain maintenance, repair and operating supplies during the 12 months ending March 31, 1944, in an amount exceeding his aggregate expenditures for maintenance, repair and operating supplies during the calendar year 1942 (or such fiscal year).

(2) A person who has several plants or other operating units which maintain separate records of maintenance, repair and operating supplies shall treat each of them separately for purposes of complying with the provisions of subparagraph (1) of this paragraph (f).

(3) In the case of a plant or other operating unit which was not in operation during the base period specified in subparagraph (1) of this paragraph (f), the person operating the same may take, as a base, his expenditures for maintenance, repair and operating supplies during the first quarter of 1943, or during the portion thereof when the plant or unit was in operation, reasonably adjusted for seasonal or other variable factors; provided, that he first notifies the War Production Board in writing of the base which he is taking, the reasons therefor, and the nature of any adjustments made. In the case of a plant starting operations after February 28, 1943, maintenance, repair and operating supplies may be acquired pursuant to this regulation in the minimum amounts necessary for operation, without other restrictions, up to $5,000 per quarter. If more than this amount is required, application shall be made in writing to the War Production Board for a specific quota. In any case where the base provided in subparagraph (1) or by this subparagraph (3) is deemed too low for necessary operations, application may be made in writing for modification thereof.

(4) The restrictions contained in this paragraph (f) shall apply in addition to any quantitative restrictions contained in any order in the "P" series, unless the particular P order expressly provides that the restrictions of this regulation shall be inapplicable.

(5) The Director General for Operations may, by further regulations or orders, require specified persons or classes of persons to file applications or reports regarding their requirements of maintenance, repair and operating supplies and may prescribe specific quantitative limits for the same, either larger or smaller than the limits provided above in this paragraph (f).

(g) *Special provisions for Claimant Agencies, exports and ship repairs.* Maintenance, repair and operating supplies, required either by a Claimant Agency (including any plant or establishment owned and operated by a Claimant Agency) or for export, as regular procurement items covered by specific programs, and material required for ship repairs programmed by the Maritime Commission, shall not be obtained under this regulation, but, if they are controlled materials or Class A products, shall be obtained only by the use of allotments in the same manner as production materials under CMP Regulation No. 1, and, if they are other materials or products, shall be obtained only by such preference ratings as may be specifically assigned for the purpose.

(h) *Penalties for misrepresentation or diversion.* (1) The placing of any order bearing a certification or symbol as provided by this regulation shall constitute a representation, subject to the criminal penalties of section 35 (A) of the United States Criminal Code (18 U. S. C. 80), that the person placing the order is entitled, under the terms of this regulation to use of the symbol or preference rating indicated thereon.

(2) No person shall use for any purpose other than essential maintenance, repair or operations, any supplies obtained pursuant to this regulation, or use any supplies obtained under a preference rating assigned by this regulation for a purpose to which a lower rating, or no rating, is assigned. Any such use shall constitute a crime punishable by fine or imprisonment or both. Physical segregation of inventories is not required, provided the restrictions applicable to any specific lot of material or product are observed with respect to an equivalent amount of the same material or product.

(i) *Inventory restrictions.* Nothing in this regulation shall be deemed to authorize any person to receive any delivery of maintenance, repair or operating supplies if acceptance thereof would increase his inventory above a practicable working minimum as provided in § 944.14 of Priorities Regulation No. 1 or would exceed the inventory limitations prescribed for such person by CMP Regulation No. 2, or by any other applicable regulation or order of the War Production Board.

(j) *Additional assistance in individual cases.* Any person requiring maintenance, repair or operating supplies who is unable to obtain them pursuant to the foregoing provisions of this regulation, may apply to the War Production Board for additional assistance on such form as may be appropriate, having regard to the material required and the business activity involved. If no particular form is specified by applicable orders or regulations of the War Production Board, such application may be made on Form PD-1A or, in the case of a PRP unit, on Form PD-25F. Such application may be filed with the appropriate Industry Division, or, if the amount involved is less than $500, with the regional office of the War Production Board.

(k) *Effect on other orders and procedures.* (1) The preference ratings assigned by this regulation shall supersede the preference ratings assigned by all orders in the "P" series for maintenance, repair and operating supplies with respect to materials or products to be delivered after March 31, 1943, except as may be otherwise provided by amendments of such orders specifically providing to the contrary.

(2) Subject to paragraph (k) (1) of this regulation all of the terms, provisions and restrictions contained in all orders in the "P" series including definitions, requirements for making applications and filing reports, and other restrictions, except as otherwise provided in paragraph (f) (4) of this regulation, shall, subject to the inventory restrictions of CMP Regulation No. 2, remain in full force and effect until modified or revoked.

(3) In addition, each person who, in accordance with existing priorities procedures not covered by "P" orders, is required to file applications or reports with respect to his requirements for, or use of, maintenance, repair or operating supplies, or is limited in the amount of such supplies which he is permitted to acquire or use, shall continue to comply with such procedures until the same are modified or revoked.

(4) Nothing in this regulation shall be construed to relieve any person from complying with any applicable priorities regulation or order of the War Production Board (including orders in the "E," "L" and "M" series) or with any order of any other competent authority.

(l) *Industry reclassification.* Any person who is of the opinion that the business activity in which he is engaged should be listed in Schedule I, if it is listed in Schedule II, or should be listed in either Schedule I or Schedule II, if it is not listed in either of such schedules, may apply to have such activity so listed by filing a letter, in triplicate, with the appropriate Industry Division setting forth the relevant facts and the reasons why he considers such request should be granted.

(m) *Records.* Each person acquiring maintenance, repair or operating supplies pursuant to this regulation shall keep and preserve, for a period of not less than two years, accurate and complete records of all such supplies so acquired, and used, which shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(n) *Communications.* All communications concerning this regulation should be addressed to: War Production Board, Washington, D. C., Ref: CMP Regulation No. 5.

Issued this 9th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

LIST A

The following items are excluded from the definition of "operating supplies" in paragraph (b) (2) of CMP Regulation No. 5, regardless of whether normally carried as such according to established accounting practice:

1. Fabricated containers (in knock-down or set-up forms, whether assembled or unassembled), required for packaging products to be shipped or delivered.
2. Printed matter and stationery.
3. Paper, paperboard, and products manufactured therefrom; molded pulp products.
4. Fuel or electric power.
5. Office machinery or office equipment.
6. Clothing, shoes or other wearing apparel, if made of leather or textiles, except that the following types may be included in operating supplies when specially designed and used to furnish protection against specific occupational hazards (other than weather):

a. Asbestos clothing.
b. Safety clothing impregnated or coated for the purpose of making the same resistant against fire, acids, other chemicals or abrasives.
c. Safety industrial rubber gloves and hoods and linemen's rubber gloves and sleeves.
d. Gauntlet type welders' leather gloves and mittens, and electricians' leather protector or cover gloves.
e. Other safety leather gloves or mittens, but only if steel stitched or steel reinforced.
f. Safety industrial leather clothing other than gloves or mittens.
g. Metal mesh gloves, aprons and sleeves.
h. Plastic and fibre safety helmets.

SCHEDULE I—PREFERENCE RATING AA-1

Manufacture of the following:
- Unfabricated and semifabricated products:
  - Aluminum and aluminum alloy semifinished products.
  - Copper and copper alloy semifinished products.
  - Ferro-alloys.
  - Iron unfabricated and semifabricated products, including: forgings, pig iron, pipe, wire, wrought iron and foundry products.
  - Magnesium and magnesium alloy semifabricated products.
  - Nonferrous metal unfabricated and semifabricated products.
  - Steel unfabricated and semifabricated products, including: bars, forgings, pipe, rolling mill and foundry products, sheets, strips, structural steel, tubing, and railroad rails, frogs, switches and crossings.
- Iron and steel finished products:
  - Aircraft landing mats.
  - Boiler-shop products, including: boilers, gas cylinders, steam condensers and tanks.
  - Bolts.
  - Cooking ranges and stoves, except electric.
  - Fabricated pipe.
  - Furnaces, including: heating stoves and related equipment.
  - Hand tools, except farm and garden.
  - Metal barrels, drums, kegs and shipping pails.
  - Nuts.
  - Rivets.
  - Saws.
  - Screws.
  - Steel springs.
  - Stove pipe.
  - Thermostats and other temperature control devices.
  - Transportation-equipment hardware.
  - Washers.
  - Water heaters, tanks and boilers.
- Chemical products:
  - Acids.
  - Alcohols.
  - Alkalies.
  - Basic chemicals and intermediates.
  - Coal tar and coal tar derivatives.
  - Compressed and liquid gases.
  - Dyes, colors, and pigments.
  - Fats and oils (industrial only).
  - Lacquers.
  - Organic and inorganic chemicals.
  - Paints.
  - Plastics and synthetic resins.
  - Soap.
  - Solvents.
  - Varnishes.
- Industrial machinery and equipment:
  - Chemical manufacturing machinery and equipment
  - Compressors
  - Conveying machinery and equipment

Manufacture of the following—Continued.
Industrial machinery and equipment—Continued.
Cranes, derricks, hoists and winches
Electric furnaces
Electrical industrial equipment
Excavating machinery
Fans and blowers (industrial)
Food-dehydration machinery
Furnaces and ovens (industrial)
Gas generating equipment and apparatus
Heat exchangers
Industrial lubricating equipment
Industrial machine-shop products
Industrial trucks and tractors
Instruments (industrial)
Machine tools and metal-working machinery, including: bending, forging, cutting, shearing, rolling, milling and pressing machinery
Mechanical power-transmission equipment
Mining machinery and equipment
Ore-milling smelting and refining equipment
Petroleum refining equipment
Plastic working machinery
Pumps
Rubber-working machinery
Stone, clay and glass products manufacturing machinery
Vacuum pumps
Welding equipment, gas and electric, including welding rods and electrodes
Well-drilling machinery
Woodworking machinery (except cooperage and wooden box making machinery)
Direct-military products:
Aircraft, propellers, engines and parts
Ammunition
Ammunition boxes and chests
Combat vehicles
Explosives
Ordnance
Pyrotechnics
Ships, equipment and parts, including vessels of all types
Tanks, engines and parts (combat)
Electrical products:
Electrical carbon and graphite products
Electric motors and generators
Electrical instruments
Floodlights
Fuses
Insulated wire and cable
Motor-generator sets
Physical-therapy equipment
Pole-line hardware and insulators
Searchlights
Spotlights
Storage batteries
Switchgear
Transformers
Wiring devices and conduits
X-ray equipment
Engines and turbines:
Diesel engines
Gasoline engines
Hydro turbines
Steam engines and turbines
Communication equipment:
Communication equipment including telephone and telegraph systems and apparatus
Fire alarm systems
Phonographs
Radio and radar equipment and tubes
Railroad signals and accessories
Transportation equipment:
Bicycles and parts
Locomotives, diesel, electric and steam
Motorcycles, side cars and parts
Railroad and street cars

Manufacture of the following—Continued.
Miscellaneous products:
Abrasive wheels, stones, papers and cloths
Agricultural machinery, implements and equipment
Air conditioning and commercial refrigeration equipment (mechanical)
Closures (pressed paper and molded plastic)
Elevators
Escalators
Fishing equipment (commercial)
Glass containers
Jewel bearings
Laundry equipment (domestic)
Motor vehicles, engines and parts (commercial)
Navigation instruments
Optical instruments and lenses
Photographic apparatus
Professional, scientific and engineering instruments and appliances
Refractories
Refrigerators (mechanical)
Rubber and rubber products (natural and synthetic)
Safety equipment, including helmets, goggles and Civilian defense items
Stokers
Tires and tubes
Tractors
Valves, faucets and fittings
Wooden, paper and fiber containers

Persons engaged in the following industries:
Analytical, research, testing, and control laboratories
Discovery, production, transportation, refining and marketing of natural gas, petroleum and petroleum products
Electroplating, galvanizing and other metal coating
Gas, light, power, water, central heating, and sanitary services
Industrial food production, processing, packaging, preservation and storage
Mining and quarrying
Public transportation and terminal facilities including stevedoring
Ship repair and maintenance
Smelting
Wire communications industry

SCHEDULE II—PREFERENCE RATING AA 2X

Manufacture of the following:
Iron and steel finished products:
Boilers and radiators (heating)
Cutlery
Fabricated iron and steel wire products
Gas conversion burners
Hardware except transportation-equipment hardware
Kitchen and household cans and pails
Lawn mowers
Metal bottle caps and closures, except beverage crowns
Metal cans
Metal doors, window sash, frames, molding and trim
Metal furniture
Metal sanitary ware
Milk cans (bulk)
Razors
Screens and weatherstripping
Steamtables and restaurant equipment
Tools, farm and garden
Vitreous enameled products
Non-ferrous metal products:
Clocks
Collapsible tubes
Insignia
Pins, needles, hooks, eyes, snaps, buckles and fasteners

Manufacture of the following—Continued.
Non-ferrous metal products—Continued.
Time stamps and recording machines
Watches
Non-metallic products:
Lumber, logs, ply-wood and veneer
Non-metallic sanitary ware
Textiles, clothing and leather goods
Industrial machinery and equipment:
Business machines
Construction material
Cooperage and box making machinery
Food-processing machinery and equipment, except dehydration equipment
Laundry and dry-cleaning equipment
Leather working machinery
Metal container making machinery
Printing machinery
Pulp and paper machinery
Scales
Spraying equipment (industrial)
Textile machinery
Water treatment equipment
Electrical products:
Dry cell batteries
Electric bulbs and tubes
Electric ranges
Electric sound signalling devices
Lighting fixtures
Fire protection equipment:
Fire engines
Fire extinguishers
Fire hose and related equipment
Hydrants and related equipment
Sprinkler systems
Transportation equipment:
Busses
Trailers (passenger-car)
Miscellaneous products:
Automotive testing equipment and instruments
Baby carriages
Church goods
Drugs and medicinals
Ice refrigerators
Mattresses and bed springs
Motion picture products
Musical instruments
Ophthalmic goods
Pens and pencils and related office supplies
Photographic accessories
Plumbers specialties
Pulp and paper
Sewing machines
Signs
Umbrellas and parasols
Ventilating fans
Other products:
Other direct military products, manufacturing and construction equipment, components of products listed elsewhere, and other construction materials.

Persons engaged in the following industries:
Aeronautics training (civilian)
Civil air patrol
Commercial refrigeration and production of ice
Construction
Engraving on metal (except for printing)
Metal scrap salvage, sorting and processing of metal scrap
Printing and publishing
Public warehouses
Radio communication and broadcasting
Repair services for industrial and household equipment (motor and mechanical).

[F. R. Doc. 43-2107, Filed, February 9, 1943; 11:31 a. m.]

PART 3179—FIBROUS GLASS TEXTILES

[Conservation Order M-282]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of fibrous glass textiles for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3179.1 *Conservation Order M-282*—(a) *Definitions.* For the purpose of this order:

(1) "Fibrous glass textile" means any material fabricated from fibrous glass sliver which is in the form of roving, yarn, cord, sleeving, tape, or cloth.

(2) "Producer" means any person who manufactures sliver from which fibrous glass textiles are produced.

(3) "Distributor" means any person who purchases fibrous glass textiles for the purpose of resale either in the form received or after further processing, as by varnishing, impregnating, cutting, or admixing with other materials.

(4) "User" means any person who purchases or accepts delivery of fibrous glass textiles from producers or distributors for processing into other forms of fibrous glass textiles or for installation, application, or use. A producer, who uses any part of his own production of fibrous glass textiles in the manufacture of any product which is not itself a fibrous glass textile as defined in paragraph (a) (1), shall be deemed also to be a user.

(b) *Restrictions on manufacture and processing of sliver and delivery of fibrous glass textiles.* (1) On and after April 1, 1943, no producer shall manufacture sliver, or place it into process, as by warping or weaving, or deliver fibrous glass textiles, and no person shall accept delivery of fibrous glass textiles from a producer (unless such textiles were shipped prior to April 1, 1943), except upon specific authorization by the Director General for Operations upon application pursuant to paragraph (c).

(2) The Director General for Operations will from time to time issue specific instructions,

(i) To each producer, authorizing and directing him to manufacture and to place into process such kinds and quantities of sliver and at such times as may be necessary to produce specified quantities and kinds of fibrous glass textiles for delivery at specified times;

(ii) To each producer, authorizing and directing him to deliver fibrous glass textiles; and

(iii) To distributors and users, authorizing them to accept delivery of fibrous glass textiles from producers.

(3) Each person specifically authorized to accept delivery of fibrous glass textiles shall use such fibrous glass textiles for the purpose for which the authorization was requested, except as otherwise directed by the Director General for Operations.

(4) The Director General for Operations at his discretion at any time may issue special directions to any person with respect to the use, process to final product, delivery, or acceptance of delivery of, or the placing of orders for, fibrous glass textiles by such person, or to any producer with respect to the kinds of fibrous glass textiles which he may or must produce.

(5) Such authorizations and directions will be made to ensure the satisfaction of requirements, direct and indirect, for the defense of the United States, and for essential civilian supply; and may also be made in consideration of any possible dislocation of labor, of the problems of transportation, including cross-hauling, and of the necessity of keeping a plant in operation so that it may be able to fulfill war orders and essential requirements; and may be issued, and, unless otherwise specified by the Director General for Operations, shall be complied with, without regard to preference ratings.

(c) *Applications and reports*—(1) *Distributors and users; application for authorization to accept delivery.* Each distributor and each user seeking authorization to accept delivery of fibrous glass textiles from a producer during any calendar month shall file application on Form PD-790. Six copies shall be prepared, of which two shall be forwarded to the producer, together with the purchase order, not later than the 1st day of the month preceding the month for which delivery is requested, and three shall be sent at the same time to the War Production Board.

(2) *Producers*—(i) *Application for authorization to manufacture sliver and to place sliver into process.* Each producer seeking authorization to manufacture sliver and to place sliver into process for the production of fibrous glass textiles in any month shall file application on Form PD-789 in triplicate with the War Production Board on or before the 15th day of the month preceding the month for which authorization is requested.

(ii) *Application for authorization to deliver fibrous glass textiles.* Producers shall seek authorization to deliver fibrous glass textiles only to distributors and users who have filed with them Form PD-790 in duplicate. Each producer seeking authorization to make such deliveries to any distributor or user during any calendar month shall indicate on both copies of Form PD-790 received from such distributor or user his proposed deliveries during such month to such distributor or user, and shall file one of such copies with the War Production Board on or before the 15th day of the month preceding the month for which delivery is requested.

(iii) *Deliveries by producers for own use; application for authorization.* Each producer who consumes part of his production of fibrous glass textiles in the manufacture of any product which is not itself a fibrous glass textile, as defined in paragraph (a) (1), shall treat the production and consumption parts of his operations as separate divisions, and delivery to himself for consumption shall be deemed delivery, requiring authorization within the meaning of paragraph (b) (1). Each such producer in his separate capacity as a producer and as a user shall file all the applications and reports required by paragraphs (c) (1) and (c) (2) (ii). A producer who consumes all or any part of his production of fibrous glass textiles in the manufacture of products which are not fibrous glass textiles as defined in paragraph (a) (1) must request allocation only for that type of fibrous glass textile which immediately precedes the manufacturing process which changes its form beyond that shown in the list of fibrous glass textiles in paragraph (a) (1).

(iv) *Cancellation of deliveries; notice by producer.* Each producer shall notify the War Production Board of the cancellation by a distributor or user of any authorized delivery or of inability to make authorized delivery within 5 days after he has notice of such fact.

(3) *Other reports.* All persons affected by this order shall file such other reports as may be requested from time to time by the Director General for Operations.

(d) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) *Communications to War Production Board.* All applications and reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Cork, Asbestos and Fibrous Glass Division, Washington, D. C. Ref: M-282.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 9th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2109; Filed, February 9, 1943; 11:31 a. m.]

Chapter XI—Office of Price Administration

PART 1300—PROCEDURE

[Amendment 1 to Rev. Procedural Reg. 3 [1]]

PROCEDURE FOR ADJUSTMENTS, AMENDMENTS, PROTESTS AND INTERPRETATIONS UNDER RENT REGULATIONS

Sections 1300.209, 1300.212, 1300.229, and 1300.234 (a) of Revised Procedural Regulation No. 3 are amended to read as follows:

§ 1300.209 *Applications for review.* Any landlord whose petition for adjustment or other relief has been dismissed or denied in whole or in part by the rent director, or any landlord subject to an order entered by the rent director on his own initiative, may within fifteen days after the date on which notice of such determination was mailed to him, file with the rent director an application for review of such determination by the regional administrator for the region in which the defense-rental area office is located. An application for review shall be filed in triplicate upon forms prescribed by the Administrator and pursuant to instructions stated on such forms, and shall be accompanied by three copies of all the evidence, in affidavit form, upon which the landlord intends to rely in support of his objections to the dismissal or denial of the petition for adjustment or other relief, or to the order entered by the rent director on his own initiative. Immediately upon the filing of an application for review of such determination, the rent director shall forthwith forward the record of the proceedings with respect to which such application is filed to the appropriate regional administrator. If a petition for adjustment or other relief is denied by the regional administrator upon such application for review, or if an order entered by the rent director on his own initiative is affirmed, such denial or affirmance shall be final subject only to protest as provided in §§ 1300.215 to 1300.228, inclusive, of this regulation.

§ 1300.212 *Place for filing petitions for amendment; form and contents.* A petition for amendment shall be filed with the Secretary, Office of Price Administration, Washington, D. C. One original and four copies of the petition and of all accompanying documents and briefs shall be filed. Each copy shall be printed, typewritten, mimeographed, or prepared by a similar process, and shall be plainly legible. Copies shall be double spaced, except that quotations shall be single spaced and indented. Every such petition shall be designated "Petition for Amendment" and shall contain, upon the first page thereof, the name of the defense-rental area and the number and date of issuance of the maximum rent regulation to which the petition relates, and the name and address of the petitioner. The petition shall specify the manner in which the petitioner is subject to or affected by the provision of the maximum rent regulation involved, and shall include a specific statement of the particular amendment desired and the facts which make that amendment necessary or appropriate. The petition shall be accompanied by affidavits setting forth the evidence upon which the petitioner relies in his petition.

§ 1300.229 *Requests for oral hearing.* Any protestant or petitioner may request an oral hearing. Such request shall be accompanied by a showing as to why the filing of affidavits or other written evidence and briefs will not permit the fair and expeditious disposition of the protest. In the event that an oral hearing is ordered in connection with a protest, or with proceedings under § 1300.208 of this regulation, notice thereof shall be served on the protestant or petitioner not less than five days prior to such hearing. The time and place of the hearing shall be stated in the notice. Any such oral hearing may be limited in such manner and to the extent deemed appropriate to the expeditious determination of the proceeding.

§ 1300.234 *Subpoenas.* (a) Any protestant or petitioner may apply for a subpoena in connection with an oral hearing. Applications for subpoenas when made prior to the oral hearing shall be filed as follows: (1) in connection with a protest against a provision of a maximum rent regulation or order, with the Secretary, Office of Price Administration, Washington, D. C.; (2) in connection with a proceeding under § 1300.208 of this regulation with the rent director or regional administrator, as the case may be, before whom such proceeding is pending. The Administrator may grant or deny an application for a subpoena or refer it to the presiding officer appointed or designated under § 1300.232 who may thereafter grant or deny the application. Applications for subpoenas made during the oral hearing shall be submitted to the presiding officer, who may grant or deny such application.

§ 1300.253a *Effective dates of amendments.* (a) This Amendment No. 1 (§§ 1300.209, 1300.212, 1300.229, 1300.234 (a)) to Revised Procedural Regulation No. 3 shall become effective February 13, 1943.

(Pub. Law 421, 77th Cong.)

Issued this 8th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2064; Filed, February 8, 1943; 2:55 p. m.]

PART 1305—ADMINISTRATION

[Supplementary Order 36]

LICENSING SELLERS OF YARNS, TEXTILES, TEXTILE PRODUCTS AND SERVICES RELATED THERETO

A statement of the reasons for this Supplementary Order No. 36 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Pursuant to the authority of the Emergency Price Control Act of 1942, including section 205 (f) (2) thereof, *It is hereby ordered:*

§ 1305.42 *Licensing sellers of yarns, textiles, textile products and services related thereto*—(a) *License required.* A license as a condition of selling is required of every person selling any commodity or service for which a maximum price is established by Revised Price Schedules Nos. 7, 18, 23, 35, 58, 89 or Maximum Price Regulations Nos. 11, 33, 39, 106, 118, 127, 128, 151, 163, 167, 168,[1] as now or hereafter amended or supplemented, or by any other price regulation now or hereafter issued or amended making applicable by reference the provisions of this supplementary order.

(b) *License granted.* Every person selling any commodity or service for which a maximum price is established by Revised Price Schedules Nos. 7, 18, 23, 35, 58, 89 or Maximum Price Regulations Nos. 11, 33, 39, 106, 118, 127, 128, 163, 167, 168 as now or hereafter amended or supplemented, or by any price regulation now or hereafter issued or amended making applicable by reference the provisions of this supplementary order, is hereby granted a license as a condition of selling such commodity or service. The provisions of every regulation of the Office of Price Administration to which this order now is or may hereafter become applicable shall be deemed to be incorporated in the license hereby granted, and any violation of any provision so incorporated shall be a violation of the provisions of said license. The license granted by this order shall become effective upon the effective date

[1] 8 F.R. 526.

*Copies may be obtained from the Office of Price Administration.

[1] No. 7: 7 F.R. 2000, 2132, 2277, 2393, 2736, 2737, 3160, 3551, 3664, 5481, 8948, 9732, 10455; 8 F.R. 972.
No. 11: 8 F.R. 361.
No. 18: 7 F.R. 2000, 2132, 5138, 7435, 8948.
No. 23: 7 F.R. 2000, 2132, 2899, 2966, 2995, 3242, 3481, 6771, 8948.
No. 33: 7 F.R. 7557, 8948, 10070.
No. 35: 7 F.R. 2132, 2738, 2795, 3060, 3164, 3447, 3900, 6640, 7248, 7318, 8201, 8586, 8837, 8948; 8 F.R. 155.
No. 39: 7 F.R. 5243, 5512, 6774, 8946, 8948.
No. 58: 7 F.R. 2000, 2132, 2397, 2580, 2583, 3038, 3271, 4117, 4296, 4299, 4428, 5512, 6991, 7602, 7945, 8941, 8948, 10257.
No. 89: 7 F.R. 2107, 2000, 2132, 2299, 2719, 3163, 3327, 3447, 3962, 4176, 4732, 7599, 8937, 8948.
No. 106: 7 F.R. 1648, 2245, 2397, 4338, 8948.
No. 118: 7 F.R. 3211, 3522, 3578, 3824, 3995, 4405, 5224, 5405, 5567, 5836, 6005, 6484, 7451, 8217, 8941, 9002, 8948, 9969; 8 F.R. 274.
No. 127: 7 F.R. 3242, 4180, 4454, 4587, 4762, 5364, 5675, 6653, 8948, 9823.
No. 128: 7 F.R. 4659, 6615, 8948.
No. 151: 7 F.R. 4667, 7911, 8948.
No. 163: 7 F.R. 4733, 4734, 5827, 5872, 6867, 6973, 7454, 7603, 8941, 8948.
No. 167: 7 F.R. 6895, 7403, 8948, 10448.
No. 168: 7 F.R. 8193, 8948, 8 F.R. 373.

of this order, or when any person becomes subject to the provisions of this order, and shall, unless suspended as provided in the Emergency Price Control Act of 1942, continue in force so long as and to the extent that any such regulation or any applicable part, amendment or supplement remains in effect.

(c) *Exclusions.* This order shall not apply to sales at retail.

(d) *Licensing section of General Maximum Price Regulation superseded.* This supplementary order supersedes the registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation[1] insofar as said sections may be applicable to persons making sales for which a license is required by this order: *Provided,* That the provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation shall continue to apply to sales at retail.

(e) *Registration of licensees.* Every seller hereby licensed may be required to register with the Office of Price Administration at such time and in such manner as the Administrator may hereafter by regulation prescribe.

(f) *License and transferable.* The license hereby granted is not transferable.

(g) *Suspension of license.* Licensees violating any of the provisions of this order or of the license hereby granted or violating any of the provisions of the price regulations specified in paragraph (a) hereof, or violating the provisions of any applicable regulation, order or requirement under section 202 (b) of the Emergency Price Control Act of 1942, are subject to the licensing suspension proceedings provided for in said Act. No person whose license is suspended in proceedings under section 205 (f) (2) of the Act shall, during the period of suspension, sell any commodity or service as to which his license to sell is suspended. No proceeding for the suspension of a license, and no suspension, shall confer any immunity from any other provision of the Act.

(h) *Definitions.* When used in this supplementary order the terms:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Sale at retail" means a sale to an ultimate consumer other than an industrial or commercial user.

(3) "Price regulation" means a schedule effective in accordance with the provisions of the Emergency Price Control Act of 1942, a maximum price regulation or temporary maximum price regulation issued by the Office of Price Administration, or any order issued pursuant to any such regulation or schedule.

(4) "Act" means the Emergency Price Control Act of 1942.

This supplementary order shall become effective February 13, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2065; Filed, February 8, 1943; 2:56 p. m.]

PART 1340—FUEL

[MPR 137,[1] Amendment 20]

PETROLEUM PRODUCTS SOLD AT RETAIL

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1340.91 a new paragraph (m) is added as set forth below:

§ 1340.91 *Appendix A: Maximum prices for petroleum products sold at retail establishments.* * * *

(m) If the maximum tank wagon price of a particular petroleum product to a retail dealer is increased pursuant to § 1340.159 (b) (11) of Revised Price Schedule No. 88 or if such maximum price is increased pursuant to any amendment to Revised Price Schedule No. 88 adopted after February 13, 1943, such retail dealer's maximum price for such petroleum product shall be increased by the same amount.

§ 1340.93a *Effective dates of amendments.* * * *

(v) Amendment No. 20 (§ 1340.91 (m)) to Maximum Price Regulation No. 137 shall become effective the 13th day of February, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2067; Filed, February 8, 1943; 2:54 p. m.]

PART 1340—FUEL

[RPS 88,[2] Amendment 66]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1340.159 (b) a new subparagraph (11) is added and in § 1340.162 the designations (1) and (2) are corrected to read (a) and (b) respectively and a new paragraph (c) is added to read as set forth below:

§ 1340.159 *Appendix A: Maximum prices for petroleum and petroleum products.* * * *

(b) *Petroleum products.* * * *

(11) (i) Notwithstanding any other provision of § 1340.159 (b) a seller's maximum tank wagon price at a particular point for a particular grade of gasoline, kerosene, range or stove oil, distillate fuel oils, and tractor and diesel fuel shall be the maximum price of the reference tank wagon seller as specified hereunder for the same grade at the same point provided the reference tank wagon seller's maximum price is higher than the maximum price which would otherwise be applicable. Where more than one reference seller is specified for a particular point, and such reference sellers do not have the same maximum price for such point, then the maximum price of the reference seller having the lowest maximum price shall be controlling.

For a product of a particular seller to be regarded as of the same grade as a product of the reference seller, it must customarily have been so regarded in trade practice at the point of sale and it must be a product that has customarily been sold in competition with the product of the reference seller.

(ii) The companies hereinafter named are the reference tank wagon sellers for any point in the continental United States, in the State, States or district set out opposite the name of the company: *Provided,* That such company has an applicable maximum price for such point;

For any points in the State of:	*Reference tank wagon sellers*
Alabama	Standard Oil Co. (Kentucky).
Arizona	Standard Oil Co. of California.
Arkansas	Standard Oil Co. of Louisiana and Continental Oil Co.
California	Standard Oil Company of California.
Colorado	Continental Oil Co.
Connecticut	Socony-Vacuum Oil Co., Inc. and The Atlantic Refining Co.
Delaware	The Atlantic Refining Co.
District of Columbia	Standard Oil Co. of New Jersey.
Florida	Standard Oil Co. (Kentucky) and The Atlantic Refining Co.
Georgia	Standard Oil Co. (Kentucky) and The Atlantic Refining Co.
Idaho	Continental Oil Co.
Illinois	Standard Oil Co. (Indiana).
Indiana	Standard Oil Co. (Indiana).

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3165, 3749, 4273, 4653, 4780, 4853, 5363, 5868, 5941, 6057, 6896, 7902, 8353, 8938, 8948, 9335, 10684, 11008, 11112, 11075; 8 F.R. 231, 232, 1226, 1586.

[2] 7 F.R. 1107, 1371, 1798, 1799, 1886, 2132, 2304, 2352, 2634, 2945, 3463, 3482, 3524, 3576, 3895, 3963, 4483, 4654, 4854, 4857, 5481, 5867, 5868, 5988, 5983, 6057, 6067, 6471, 6680, 7242, 7838, 8433, 8478, 9120, 9134, 9335, 9425, 9460, 9620, 9621, 9817, 9820, 10684, 11069, 11112, 11075; 8 F.R. 157, 232, 233, 857, 1227, 1200, 1457.

For any points in the State of—	*Reference tank wagon sellers*
Continued	
Iowa	Standard Oil Co. (Indiana).
Kansas	Standard Oil Co. (Indiana).
Kentucky	Standard Oil Co. (Kentucky).
Louisiana	Standard Oil Co of Louisiana.
Maine	Socony-Vacuum Oil Co. Inc.
Maryland	Standard Oil Company of New Jersey and The Atlantic Refining Co
Massachusetts	Socony-Vacuum Oil Co., Inc., and The Atlantic Refining Co.
Michigan	Standard Oil Co. (Indiana).
Minnesota	Standard Oil Co. (Indiana).
Mississippi	Standard Oil Co. (Kentucky).
Missouri	Standard Oil Co. (Indiana).
Montana	Continental Oil Co.
Nebraska	Standard Oil Co (Nebraska).
Nevada	Standard Oil Co. (California).
New Hampshire	Socony-Vacuum Oil Co., Inc
New Jersey	Standard Oil Co of New Jersey, and The Atlantic Refining Co
New Mexico	Continental Oil Co.
New York	Socony-Vacuum Oil Co., Inc
North Carolina	Standard Oil Co. of New Jersey and The Atlantic Refining Co
North Dakota	Standard Oil Co. (Indiana).
Ohio	Standard Oil Co (Ohio).
Oklahoma	Continental Oil Co.
Oregon	Standard Oil Co. of California.
Pennsylvania	The Atlantic Refining Co.
Rhode Island	Socony-Vacuum Oil Co., Inc., and The Atlantic Refining Co
South Carolina	Standard Oil Co of New Jersey
South Dakota	Standard Oil Co. (Indiana).
Tennessee	Standard Oil Co of Louisiana.
Texas	Humble Oil & Refining Co. and The Texas Co.
Utah	Continental Oil Co.
Vermont	Socony-Vacuum Oil Co., Inc
Virginia	Standard Oil Co of New Jersey and The Atlantic Refining Co
Washington	Standard Oil Co. of California
West Virginia	Standard Oil Co of New Jersey
Wisconsin	Standard Oil Co. (Indiana)
Wyoming	Continental Oil Co

* * * * *

§ 1340.162 *Notice to purchasers.* * * *

(c) Any tank wagon seller of gasoline, kerosene, range or stove oil, distillate fuel oils, tractor and diesel fuel, whose maximum price to a retail dealer pursuant to § 1340.159 (b) (11) of this price schedule has been increased shall notify each retail dealer in writing on or before the date of the initial sale to such dealer after February 13, 1943, that the retail dealer's maximum price for said products at his retail establishment is increased by the amount of such increase of the tank wagon seller's maximum price. Such notice shall be in the following form:

Your new Office of Price Administration ceiling price for (product) at your retail establishment is your former ceiling price plus ____¢ per gallon. The Office of Price Administration requires you to keep this information for examination.

§ 1340.158a *Effective dates of amendments.* * * *

(000) Amendment No. 66 (§§ 1340.159 (b) (11); 1340.162 (c)) to revised Price Schedule No. 88 shall become effective this 13th day of February, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2066; Filed, February 8, 1943; 2:50 p. m.]

PART 1345—COKE

[RPS 77, Amendment 4]

BEEHIVE OVEN FURNACE COKE PRODUCED IN PENNSYLVANIA

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1345.51 is amended, and a new paragraph (d) is added to § 1345.61, as set forth below:

§ 1345.51 *Maximum delivered prices for beehive oven furnace coke produced in Pennsylvania.* (a) Except as hereinafter provided, on and after February 3, 1943, regardless of the terms of any contract of sale or purchase, or other commitment, no person shall sell, offer to sell, deliver or transfer, beehive oven furnace coke produced in Pennsylvania to any consumer, and no consumer shall buy, offer to buy or accept delivery of beehive oven furnace coke produced in Pennsylvania at a delivered price higher than $6.50 per net ton f. o. b. cars ovens, plus the transportation charges from Connellsville, Pennsylvania, to the place of delivery as customarily computed.

(b) Notwithstanding the provisions of paragraph (a) of this section, on and after February 3, 1943, no person shall sell, offer to sell, deliver or transfer, beehive oven furnace coke produced in Pennsylvania in hand-drawn ovens for which the total coal suply is necessarily trucked from the mine to the ovens, and no consumer shall buy, offer to buy or accept delivery of such coke, at a delivered price higher than $7.00 per net ton f. o. b. cars ovens, plus the transportation charges from Connellsville, Pennsylvania, to the place of delivery as customarily computed: *Provided*, That any such seller shall file (unless he shall have done so prior to said date) with the Office of Price Administration an affidavit stating the name, ownership and average monthly production of the operation, the number of ovens operated, whether part or all of the ovens are hand-drawn, the distance and place from which the coal must be trucked and whether or not all of the coal is so trucked.

§ 1345.61 *Effective dates of amendments.* * * *

(d) Amendment No. 4 (§§ 1345.51 and 1345.61) shall become effective as of February 3, 1943.

(Pub Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of February, 1943

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2081; Filed, February 8, 1943; 4:36 p. m.]

PART 1346—BUILDING MATERIALS

[MPR 317]

LOCKS AND LOCK SETS

In the judgment of the Price Administrator it is necessary and proper, in order to effectuate the purposes of the Emergency Price Control Act of 1942 as amended, and Executive Order No. 9250, to replace Revised Price Schedule No. 40[1] insofar as it establishes maximum prices for locks or lock sets, with a separate regulation.

So far as practicable, the Price Administrator has consulted with representatives of the trade and industry, and in the judgment of the Price Administrator, the maximum prices established by this Regulation are generally fair and equitable and in conformity with the general level of maximum prices prevailing during the period October 1 to October 15, 1941, for comparable products. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Accordingly, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order No. 9250 and in accordance with Revised Procedural Regulation No. 1,[2] issued by the Office of Price Administration, Maximum Price Regulation No. 317 is hereby issued.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1353, 2000, 2132, 2760, 6386, 8948; 8 F.R. 1313.

[1] 7 F.R. 1280, 2132, 8383, 8548.

[2] 7 F.R. 8961.

Sec.
1346.351 Scope of Maximum Price Regulation No. 317.
1346.352 Definitions.
1346.353 Prohibitions.
1346.354 Manufacturers' maximum prices for locks and lock sets.
1346.355 Jobbers' maximum prices for locks and lock sets
1346.356 Cash discounts, transportation charges and other services applicable to manufacturers and jobbers.
1346.357 Less than maximum prices.
1346.358 Federal and State taxes.
1346.359 Adjustable pricing.
1346.360 Notification of purchasers of existence of Regulation.
1346.361 Evasion.
1346.362 Records and reports.
1346.363 Licensing.
1346.364 Enforcement.
1346.365 Petitions for adjustment or amendment.
1346.366 Effective date.
1346.367 Appendix A: Maximum prices for locks or lock sets.

Authority: §§ 1346.351 to 1346.367, inclusive, issued pursuant to Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1346.351. *Purpose and scope of Maximum Price Regulation No. 317; its relationship to other price regulations—*(a) *Purpose and scope of regulation.* It is the purpose of this Maximum Price Regulation No. 317 to establish maximum prices at which manufacturers and jobbers may sell or offer for sale locks or lock sets in the forty-eight states of the United States and the District of Columbia.

(b) *Revised Price Schedule No. 40 superseded.* The provisions of Revised Price Schedule No. 40 are superseded by this Maximum Price Regulation No. 317 with respect to the sales of locks or lock sets for which maximum prices are in effect pursuant to this Maximum Price Regulation No. 317.

(c) *Maximum Price Regulation No. 261[3] applicable.* The maximum prices at which a person may sell locks or lock sets pursuant to a contract sale shall be determined in accordance with the provisions of Maximum Price Regulation No. 261.

(d) *Revised Maximum Export Price Regulation[4] applicable.* The maximum prices at which a person may export locks or lock sets shall be determined in accordance with the provisions of Revised Maximum Export Price Regulation.

(e) *Maximum Price Regulation No. 188,[5] applicable in part only.* The provisions of Maximum Price Regulation No. 188 are not applicable to sales of locks or lock sets by manufacturers except for the pricing of locks or lock sets first offered for sale on and after February 13, 1943, as set forth in § 1346.354 (c) of this Regulation.

(f) *General Maximum Price Regulation[6] applicable.* The provisions of the General Maximum Price Regulation are applicable only to a sale at retail of locks or lock sets.

§ 1346.352 *Definitions.* (a) When used in this Maximum Price Regulation No. 317 the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Manufacturer" means a person operating an establishment which produces or assembles locks and/or lock sets, as well as any sales subsidiary or affiliate, any commission salesman or other manufacturer's agent.

(3) "Locks" mean any fastening device having a dead bolt and/or spring latch bolt, including, but not limited to, mortise locks and latches, rim locks, schoolhouse locks, entrance locks, dead locks, hospital locks, cylinder locks, but not including padlocks and cabinet locks.

(4) "Lock sets" means any lock combined with its trim, including, but not limited to knobs, handles, escutcheon plates, roses, and screws.

(5) "Jobber" means a person who purchases locks and/or lock sets direct from a manufacturer for resale and sells to retail stores.

(6) "Contract sale" means a sale for a stated price of combinations of two or more different items of finishing builders' hardware (whether or not the contract covers other commodities) made according to plans, specifications, lists or schedules supplied and/or approved by an owner of a building project or his agent, including, but not limited to, the general contractor, the subcontractor or the architect.

(7) "Sale at retail" means a sale to an ultimate consumer other than an industrial or commercial user.

(8) "Government contract" means any contract with the United States, or any agency thereof, or with the government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States", or with any agency of any such government.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

§ 1346.353 *Prohibition against sales of locks or lock sets at higher than maximum prices.* On and after February 13, 1943, regardless of any contract or other obligation:

(1) No person shall sell or deliver locks or lock sets at prices higher than the maximum prices set forth in §§ 1346.354 and 1346.355;

(2) No person in the course of trade or business shall buy or receive any locks or lock sets at a price higher than that permitted by this Maximum Price Regulation No. 317.

(3) No person shall agree, offer, solicit, or attempt to do any of the acts prohibited in subparagraphs (1) and (2) of this section.

§ 1346.354 *Manufacturers' maximum prices for locks and lock sets—*(a) *Manufacturers' sales to jobbers.* The maximum price for sales of locks or lock sets by manufacturers to jobbers shall not be more than the prices set forth in Appendix A, incorporated herein as § 1346.367, less a discount of five per cent.

(b) *Manufacturers' sales to persons other than jobbers.* The maximum price for sales of locks or lock sets by manufacturers to persons other than jobbers shall not be more than the prices set forth in Appendix A (§ 1346.367).

(c) *Manufacturers' maximum prices for locks and lock sets first offered for sale on and after February 13, 1943.* The maximum price for sales of any lock or lock set first offered for sale by a manufacturer on or after February 13, 1943, for which a maximum price is not set forth in Appendix A (§ 1346.367) and which differs in size, type, material, or combination of component parts or trim, in whole or in part, from locks or lock sets listed in Appendix A (§ 1346.367) shall be determined in accordance with the provisions of § 1499.154 of Maximum Price Regulation No. 188, as amended.

§ 1346.355 *Jobbers' maximum prices for locks and lock sets.* The maximum price for sales of locks or lock sets by jobbers, except sales at retail, shall not be more than the actual cost of such locks or lock sets (figured at prices not higher than the maximum prices permitted by this regulation), plus a mark-up over cost of 33⅓ per cent, plus transportation charges paid by the jobber in securing delivery. If a jobber sells locks or lock sets at retail, such a sale is to be governed by the provisions of the General Maximum Price Regulation.

§ 1346.356 *Cash, quantity and other discounts, transportation charges and other services applicable to manufacturer and jobber.* The maximum prices established by §§ 1346.354 and 1346.355 shall be subject to at least the same extension of cash, quantity and other dis-

*Copies may be obtained from the Office of Price Administration.

[3] 7 F.R. 9187.

[4] 7 F.R. 5059, 7242, 8825, 9000, 10530.

[5] 7 F.R. 5672, 7967, 8943, 8948, 10155; 8 F.R. 577.

[6] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8943, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204.

counts, the same absorption of transportation charges and the same rendition of services, as the seller extended, absorbed, or rendered on comparable sales to purchasers of the same class on October 1, 1941.

§ 1346.357 *Less than maximum prices.* Lower prices than those established under §§ 1346.354 and 1346.355 may be charged, demanded, paid, or offered.

§ 1346.358 *Federal and State taxes.* There may be added to the maximum prices established by this Maximum Price Regulation No. 317 the amount of tax levied by any Federal excise tax statute or any State or municipal sales, gross receipts, gross proceeds, or compensating use tax statute or ordinance, under which the tax is measured by gross proceeds or units of sale, if, but only if; (a) such statute or ordinance requires the vendor to state the tax separately from the purchase price paid by the purchaser, consumer, or user, on the bill, sales check, or evidence of sale, at the time of the transaction; or (b) such statute or ordinance requires such tax to be separately paid by the purchaser, consumer, or user with tokens or other media of State or municipal tax payments; or (c) such statute or ordinance permits the vendor to state such tax separately, and such tax is in fact stated separately by the vendor. The amount of tax permitted to be added by this paragraph shall in no event exceed that paid by the purchaser, consumer or user.

§ 1346.359 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not higher than the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment or adjustment requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1346.360 *Notification of purchasers of existence of regulation.* Every person selling locks or lock sets subject to this Maximum Price Regulation No. 317 shall, before making a sale, notify the purchaser of the existence of this Maximum Price Regulation No. 317, and, upon request of the purchaser, make available a copy of this Maximum Price Regulation No. 317 at the seller's principal place of business and at every branch office for examination by the purchaser.

§ 1346.361 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 317 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, obligation, or delivery of, or relating to sales of locks and lock sets, either alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1346.362 *Records and reports.* (a) Every person making sales subject to this regulation shall have available for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, a complete and accurate record of every sale of locks or lock sets, including the date of sale, the name and address of the purchaser, the Federal type number, the manufacturer's plate number or the jobber's plate number, the sale price of each lock or lock set, and the discount allowed.

(b) Every manufacturer subject to this regulation shall forward to the Office of Price Administration, Building Materials Branch, Washington, D. C., within thirty days after the effective date of this regulation, unless previously submitted, copies of all current catalogs, price books and discount sheets relative to locks or lock sets. Copies of all such catalogs, price books and discount sheets issued at any time subsequent to the effective date of this regulation shall be forwarded to the Office of Price Administration, Building Materials Branch, Washington, D. C., at least five days before the issuance thereof.

(c) Persons affected by this Maximum Price Regulation No. 317 shall submit such reports to the Office of Price Administration as it may from time to time require.

§ 1346.363 *Licensing.* The provisions of Supplementary Order No. 18,[1] licensing persons selling lumber, lumber products or building materials, are applicable to every person (except manufacturers) making sales of locks or lock sets for which maximum prices are fixed by this regulation.

§ 1346.364 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 317 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250.

No war procurement agency, nor any contracting or paying finance officer thereof, shall be subject to any liability, civil or criminal, imposed by this Maximum Price Regulation No. 317 or the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 317 or any price schedule, regulation, or order issued by the Office of Price Administration or any acts or practices which constitute such a violation, are urged to communicate with the nearest state, district or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1346.365 *Applications for adjustment or petitions for amendment—(a) Government contracts or subcontracts.* Any person who has entered into or proposes to enter into a government contract or a subcontract under any such contract, who believes that the maximum price impedes or threatens to impede the sale of locks or lock sets, may file an application for adjustment of a maximum price established by this Maximum Price Regulation No. 317 in accordance with Procedural Regulation No. 6[2] issued by the Office of Price Administration.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 317 may file a petition for amendment in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1346.366 *Effective date.* This Maximum Price Regulation No. 317 (§§ 1346-351, to 1346.367, inclusive) shall become effective February 13, 1943.

§ 1346.367 *Appendix A: Maximum prices for locks or lock sets.* (a) There is set forth in the tables below the maximum price for each lock or lock set to which this regulation applies. The first column shows the Federal type number of each such lock or lock set. The second column shows the manufacturers' maximum price for each such lock or lock set. The remaining columns show the lock or lock set for each designated manufacturer comparable to each lock or lock set listed in column one.

In order to ascertain a maximum price, a person shall first locate in the proper manufacturer's designated column the lock or lock set for which a maximum price is sought, then reading horizontally to the left determine according to the table the lock or lock set listed in Column One to which it is comparable. The maximum price is that appearing in Column Two opposite to such lock or lock set.

(b) The specifications for each lock or lock set listed in the tables below shall not be reduced below the minimum permitted by specifications of that lock or lock set to which it is comparable as set forth in FF–H–106, Federal Specifications for Hardware, Builders' Locks and Lock-Trim, without a corresponding reduction in price.

[1] 7 F.R. 7240, 11007.

[2] 7 F.R. 5087, 5664.

TABLE II—TANDEM LOCKS

Federal Type No	Maximum price	Harrow Lock Works	Clinton Lock Co.	Fearl Hardware Mfg. Co.	Lockwood Hardware Mfg. Co.	Norwalk Lock Co.	Penn Hardware Co.	Russell & Erwin Mfg. Co.	Sargent & Co.	Sherman Hardware Mfg. Co.	Yale & Towne Mfg. Co.
BANDLE SETS											
Locks 125	9.00 set	P1962½	S11250	BW1634 Iron 9201	JA2813 x 32	AM71096	DM18631 x 15662	E7262	3661PB x 2 x 1331	H185555	7424 x 2 x DC316
Pr. handles 120											
Locks 125	5.00 set	P1270½	111250	9211½ Steel	M10858 x 32	FU15946	D10412 x 15662	E7119	3661PB	G185885	7442 x 2 x PS2534
Pr. handles 400											
Locks 126	9.00 set	P1962½	S11250	PW1634 Iron x 9201	JA2813 x 2702½ x 32	AM71096	DM18631 x 15659	E7119	7427TC x 951	H185885	7482 x 2 x DC316
Pr. handles 120											
Locks 126	5.00 set	P1270½	111250	9211½ Steel x 9201	M10858 x 2702½ x 32	FU15946	D10412 x 15659	E7119	3661PB x 2 x 976		7424 x 2 x PS2534
Pr. handles 400											
Locks 580 x 2 cylinders	10.40 set	P1962½	S11250					E7262½	7427TC x 976		7424 x 2 x DC316
Pr. handles 120											
Locks 580 x 2 cylinders	6.40 set	P1270½	111250					E7262½	7427TC x 976		
Pr. handles 400											

TABLE II—DEAD LOCKS

DEAD LOCKS											
Lock 38A: Esentleion 2-350A	1.25 each	P1193 x P161507	960 x 9/26		V2161 x 27160 x 32	N180 x 8673	E2958 x DM8418¼	E7058 x 7596 Lenox	4949 x 617 x 2	5078 x 8934	270 x 2 GS834
		1192									
Lock 38A: Esentleion 2-351	1.10 each	P1163 x P01523	960 x 43/26		V2161 x 27160 x 32	N180 x 4753	E2958 x DM8418¼	E7058 ¾ x 7596 Lenox	4949 x 310 x 2	5078 x 8869	270 x 2 BH12
		1192									
Lock 114	2.40 each	P1193	8050½	6101	V2214½ x 32	8924	E7321	E7263	4851	8964	325
Lock 114: No turn knob	2.15 each	P1191	8050¼	6101—No turn knob	V2214 x 32	8892	E7320	E7263¼	4865	8963	324
		3012						E7262½			
Lock 115	2.90 each	P1192	8050	6201	V2214¾ x 32	8923½	E7342	E7622	4841	8963	321¾
Lock 116	3.00 each	P1123	7050½	6105	V2213½ x 32	8904¾	E7361	E7267TK	4831		305
Lock 116: No turn knob	2.75 each	P1121	7050¼	6105—No turn knob	V2213 x 32	8894	E7360	E7267 ¾	4831		304
Lock 117	3.50 each	P1122	7050	6205	V2213¾ x 32	8896½	E7362	E7267½	4845		304¾

TABLE III—MORTISE LOCK AND LATCH SETS

Federal type No.	Maximum price	Barrows Lock Works	Clinton Lock Co.	Earle Hardware Mfg. Co.	Lockwood Hardware Mfg. Co.	Norwalk Lock Co.	Penn Hardware Co.	P. & F. Corbin	Rowling Hardware Corporation	Russell & Erwin Mfg. Co.	Sager Lock Works	Sargent & Co.	Skillman Hardware Mfg. Co.	Yale & Towne Mfg. Co.
MORTISE LOCK AND LATCH SETS														
Locks 4 mod. Knobs 210 Roses 330A Escutcheon 350A	1.60 each	PC197P601 x P161507	4440S x 9/26	301 x 54¼ x EY7 x W5	3109 x V364 x V7 x V360 x 32	LO765820	2327–24 Changes x 82¼ YH x CES39 x DMS41¾	1327 x 01814½ 01118 x 2/4196	S558¼ x E-P01722AS x E-200 x E-P1205	E-01-MA3	A1101250 x P1025.0	5160 x 1852 x 278 x 617 x 2	5003 x S3585	808 x G35 x G222 x GS814
Locks 4 mod. Knobs 210SA Roses 330 Escutcheon 351	1.70 each	PC3990I	4415SO x 4/26	301 x 54¼ x P1–S x W5	3109 x 9273½ 56 x 1450 x 32	LO765320	2327–24 Changes x 93¼ YL x 934 x DT90156	604–038	E-1307	E-01-RA3	AF01250	5160 x 1462F x 144 x 310 x 2	5003 x TS25	808 x B035 x B222 x B812
Locks 4A Knobs 210 Roses 330A Escutcheon 350A	2.10 each	PC 197P23 x P161507	4440S0¼ x 9/26	301 x 55¼ x EY7 x W5	V3611 x V9174 x V7 x V360 x 32	LO765324	2328 x 82¼ YH x CES39 x DMS41¾	6855¼ x 01519½ x 01118 x 2/4196	E-01267 x E-P004722 AS x E-200 x E-P1205	E-59¼ MA3	AH012723¼ PR02500	5360 x 1852 x 278 x 617 x 2	5003¼ x S3585	1820 x G35 x G222 x GS814
Locks 4A Knobs 210B Roses 330 Escutcheon 351	1.10 each	PC36023	4440S0¼ x 13/26	303 x 54¼ x P1–S x W5	V3611 x 9273½ x 56 x 1450 x 32	LO765324	2328 x 93¼ YL x 934 x DT90156	6855¼ x 01419½ PW x 01118 x 2/3560	E-01267 x P004722¼ x 22 x P1004	E-59¼ MA3	AF012723¼	5360 x 1462F x 144 x 310 x 2	5003¼ x TS25	1820 x B035 x B222 x B812
Locks 17A Knobs 210 Roses 330A Escutcheon 350A	2.20 each	PC197637EK x P161507	44500 x 9/26	308 x 54¼ x EY7 x TB5 x W5	V3614 x V9174 x V7 x V360 x 32	LO765460¾	E3190 x DN8502 x 82¼ YH x CES39 x DMS41¾	0759–Iron x 01519¼ x 01118 x 4406 iron x 3140	E-1180 x E-P004722 AS x E-200 x E-P1205 x E-P1486	E-34-MA3	A1101470EK x P1025.0 x PR02501I	4650¾ x 1852 x 278 x 617 x 125	5003¼ x S3585	1819 x M503 x G35 x G222 x GS814½
Locks 17A Knobs 210B Roses 330 Escutcheon 351	1.91 each	PC19637EK	44500 x 13/26	308 x 54¼ x P1–S x TB5 x W5	V3614 x 9273½ x 56 x 1450 x 32	LO1654605¾	E3190 x DT9052 x 93¼ YL x 934 x DT90156	0759–Iron x 01419½ PW x 01109½ x 3/3560 x 3140	E-1180 x P004221¼ x 22 x P1004 x P1486¼	E-34-RA3	AF01470EK	4650¾ x 1462F x 310 x 125	5003¼ x TS25	1819 x M503 x B035 x B222 x 812½
Locks 20 Knobs 210 Roses 330A	4.01 each	PC1971977	13520	308½ x 54¼ x EY7 x TB5	V3558 x V9174 x V7 x V360 x 32	LO765163	E3190 x 2/DN8502 x 82¼ YH x CES39	1593¼ x 01519½ x 01118 x 2/3140	E-1182 x E-P004722AS x E-200 x E-P1486	E-30½-MA3	AH010182	4675 x 1852 x 278 x 125 x 2	5231 x S3585	1525 x G35 x G222 x 2/GS814½
Locks 20 Knobs 210B Roses 330	3.01 each	PC361977	44520	308½ x 54¼ x P1–S x TB5	V3558 x 9273½ x 56 x 1450 x 32	LO165163	E3190 x 2/DT9052 x 93¼ YL x 934	1593¼ x 01419½ PW x 01109½ x 2/3140	E-1182 x P004221¼ x 22 x P1486¼	E-30½-RA3	AF010182	4675 x 1462F x 144 x 125 x 2	5231 x TS25	1525 x B035 x B222 x 2/B812¼
Locks 28 Knobs 210 Roses 330A	2.37 each	PC197P210	43300		V1080 x V9174 x V7 x 32	S067 x PR96506 x 59½	E1667 x 82¾ YH x CES39	049 iron x 01519 ½ x 01118	E-1078 x E-P004722AS E-200	E-25-MA3	AH01130	4645 x 1852 x 278 x 2	61 x S3585	1016 x G35 x G222
Locks 28 Knobs 210B Roses 330	1.37 each	PC361P210	44300		V1080 x 9273 ½ x 56 x 32	S067 x PR96506 x 59 ½	E1667 x 93¾ YL x 934	049 iron x 01419 ½ PW x 01109 ½	E-1078 x P004221¼ x 22	E-25-RA3	AF01130	4645 x 1462F x 144 x 2	61 x TS25	1016 x B035 x B222
Locks 28 Mod. Knobs 210 Roses 330A	1.72 each	PC197P200	43301	111 x 55 ¼ x EY7	1000 x V191 x V7 x 32	(108 or 9830) x PR96500 x 53 ½	E1592 x 82 ¾ YH x GES39	055 x 01519 ½ 01118	E-1018 ¾ x E-P004722AS E-200	E-39-MA3	AH01110	4621 x 1852 x 278 x 2	53 ½ x S3585	1003 x G35 x G222
Locks 28 Mod. Knobs 210B Roses 330	.72 each	PC36P200	43301	111 x 54 ¼ x P1–S	1000 x 9273 ½ x 56 x 32	(108 or 9830) x PR 96506 x 59 ½	E1592 x 93 ¾ YL x 934	055 x 01419 ½ PW x 01109 ½	E-1018 ¾ x P004221¼ x 22	E-39-RA3	AF01110	4621 x 1462F x 144 x 2	53 ½ x TS25	1003 x B035 x B222

TABLE IV—SCHOOL HOUSE SETS

Federal type No.	Maximum price	Barrows Lock Works	Clinton Lock Co.	Earle Hardware Mfg. Co.	Lockwood Hardware Mfg. Co.	Norwalk Lock Co.	Penn Hardware Co.	P. & F. Corbin	Rowling Hardware Corporation	Russell & Erwin Mfg. Co.	Sager Lock Works	Sargent & Co.	Skillman Hardware Mfg. Co.	Yale & Towne Mfg. Co.
SCHOOL HOUSE SETS														
Locks 1238 Knobs 210 Roses 330A Escutcheon 350A	4.09 each	PC197P653 x P161507	43125O x 9/26			LO765166	E2895 x 82¼ YH x CES39 x DNS41¾	1272 x Iron x 01519½ x 01118 x 2/4196	E-1308 x P004722AS x E-200 x E-P1205	E-44¾ MA3	AH010810¾ x PR02501	4736 x 1853 x 278 x 617 x 2	9503 x S3585	872 x G35 x G222 x GS814
Locks 1235 Knobs 210B Roses 330 Escutcheon 351	3.09 each	PC361P653	44125O x 13/26			LO165166	E2895 x 93¾ YL x 934 x DT90156	12727 x Iron x 01419½ PW x 01109½ x 2/3560	E-1308 x P004150¼ x P1004	E-44¾ RA3	AF010810¾	4736 x 1462F x 144 x 310 x 2	9503 x TS25	872 x B035 x B222 x B812

TABLE V—HOSPITAL SETS

HOSPITAL SETS														
Locks A40 Knobs 210 Roses 330A Escutcheon 350A	6.75 each				V1098 x V9174 x V7 x V3590 x 32			1261 iron x 01519½ x 01118 x 2/4406 iron	E-1126¾ x E P004722AS x E 200 x E-P1205	E-60-MA3		4999 x 1852 x 278 x 617 x 2		1581 x G35 x G222 x GS814
Locks A40 Knobs 210B Roses 330 Escutcheon 351	5.75 each				V1098 x 9273 x 56 x 1450 x 32			1261 iron x 01419½ PW x 01109½ x 2/3560	E-1126¾ x P004221¼ x 22 x P1004	E-60-RA3		4999 x 1462F x 144 x 310 x		1581 x B035 x B222 x B812
Locks A40 Knobs 1/210 Roses 1/330A Escutcheon 350A X	7.75 each				V1098 x 1/V9174 x 1/V7 x 1/V560 x 32			1261 iron x 015193½ x 01118 x 2972¼ iron 2/4406 iron	E1126¾ x E-P004722AS E P1452 x E-200 x E-P1205	E-60-MA3C		4999 x 1852 x 278 x 617 x 56		1581 x 1/G35 x 1/G222 x 1/GS814 x F1193
Locks A40 Knobs 1/210B Roses 1/330 Escutcheon 351X	7.25 each				V1098 x 1/9273½ x 1/56 x 1/1450 x 32			1261 iron x 01419½ PW x 01109½ x 2972¼ iron x 2/3560	E-1126¾ x P004221¼ x E P1452 x 22 x P1004	E-60-RA3C		4999 x 1462F x 144 x 310 x 56		1581 x 1/B035 x 1/B222 x 1/B812 x F1193

TABLE VI—SECTIONAL LATCH SETS

SECTIONAL LATCH SETS														
Locks 28 Mod. Knobs, Clear Glass Wrought Shank Roses 330	9.50 doz.	PRF36P200	GK44-4080	L332	1000 x V9946 x 56 x 32	LO161307	DT924G x 1532	0 x 0412 x 01109½	E-10183¼ x 00S2961¼ x 22	E-30-PA3	AFJF03110	4610S x 3343 x 143	53¼ x 45	0 x DG0342 x B222
Locks 28 Mod. Knobs Clear Glass Wrought Shank Roses 330	9.50 doz.	PTF36P200		L338		LO162307	DT924G x 96628 x 1532			E-30-GA3	AFPF03110	4610S x 3314 x 143		0 x DG0341 x B222
Locks 28 Mod. Knobs, Metal (French Shank) Roses 330	8.50 doz.	PH37P200	93-4080			GR164307	DT928 x PF94¾ x 1532	0 x 01430 x 01109½		E-30-AY3	AFYC03110	4610S x 1514 x 143		0 x XDF131 x B222
Locks 28 Mod. Knobs 220 Roses 330	9.50 doz.	P200 x 1341 x 0128	P-4080			9030 x 8225 x 59½	1532 x 279-steel Shank x 934	0 x 2842 x 01120½	E 10183¼ x E-00693¼ x 22	E-30-AA3	110 x P21321¼ x 02002B	4610S x 1811F x 144	53½ x 200	0 x G202 x B222

TABLE VI—SECTIONAL LATCH SETS—Continued.

Federal type No.	Maximum price	Harrows Lock Works	Clinton Lock Co.	Earle Hardware Mfg. Co.	Lockwood Hardware Mfg. Co.	Norwalk Lock Co.	Penn Hardware Co.	P. & F. Corbin	Rowling Hardware Corporation	Russell & Erwin Mfg. Co.	Sager Lock Works	Sargent & Co.	Skillman Hardware Mfg. Co.	Yale & Towne Mfg. Co.
Locks 28 mod. Knobs 221A Roses 330	6.00 doz.	P200 x P1345¾ M x 012	J-4080	111 x JM27		9030 x 9244 x 59½	1532 x 324 x 934	0 x 3690 x 011091/2	E-1018¾ x 00192 x 22	E-30-A3	110 x J021021/4 M x 02002	4610S x 1232 x 144	53½ x 342½	0 x J4123/4 x J30
Locks 28 mod. Knobs 221 Roses 330	7.00 doz.	P200 x P1341¾ M x 012	PI-4080	111 x PM27		9030 x 9316 x 59½	1532 x 224 x 934	0 x 820 x 011091/2	E-1018¾ x 00193 x 22	E-30-AP3	110 x P021021/4 M x 02002	4610S x 1414 x 144	53½ x 242½	0 x P4123/4 x J30
Locks 28 mod. Knobs clear glass wrought shank Roses 330	10.70 doz.					DT924G x 1592	055 x 0412 x 0111091/2			E-39-PA3	AFJF030120	4621 x 3343 x 143		1003 x DG0342 x B222
Locks 28 mod. Knobs clear glass wrought shank Roses 330	10.70 doz.					DT924G x 9062S x 1592				E-39-GA3	AFPE030120	4621 x 3314 x 143		1003 x DG0341 x B222
Locks 28 mod. Knobs metal (French shank) Roses 330	10.10 doz.					DT928 x PF9491/4 x 1592	055 x 01430 x 011091/2			E-39-AY3	AFYC030120	4621 x 1514 x 143		1003 x XDF134 x B222
Locks 28 mod. Knobs 220 Roses 330	10.70 doz.					1592 x 279 Iron Shank 934	055 x 2842 x 0112011/2			E-39-AA3	0120 x P21321/4 x 02002B	4621 x 1814F x 144		1003 x G202 x B222
Locks 28 mod. Knobs 221A Roses 330	7.20 doz.	P220 x P1341¾ M x 012				1592 x 324 x 934	055 x 3690 x 011091/2			E-39-A3	0120 x J021021/4 x 02002	4621 x 1232 x 144		1003 x J4123/4 x J30
Locks 28 mod. Knobs 221 Roses 330	7.20 doz.	P220 x P1345¾ M x 012				1592 x 224 x 934	055 x 820 x 011091/2			E-39-AP3	0120 x P021021/4 x 02002	4621 x 1414 x 144		1003 x P4123/4 x J30

NOTE: *Closet sets.*—When closet spindle is substituted for steel trim x steel knob deduct $.50 per dozen. When closet spindle is substituted for steel trim x glass knob deduct $1.00 per dozen.

TABLE VII—BATHROOM SETS

BATHROOM SETS														
Locks 17A mod. Knobs Clear Glass Wrought Shank. Roses 330	12.75 doz.	PRF36637EK	GK43-500	BG332 x 308	3129 x V9946 x 56 x 32	LO161341¾	E3190 x DT962 x 3628 x 934	013159 x 0412 x 011091/2	02893/4 x 01892 3/4 x 22 x P1604 x P4684	E-29-PA3	AFJS03470EK	4661 x 3343 x 144 x 310 x 125	YS5433/4 x 45	1513 x DG05432 x B222 x B812 x B812½ x M503
Locks 17A mod. Knobs Clear Glass Wrought Shank. Roses 330	12.75 doz.	PTF36637EK	GK41-500	BG338 x 308		LO162341¾	E3190 x DT962 x 9062S x 934			E-29-GA3	AFPE03470EK	4661 x 3314 x 143 x 310 x 125	AS5433/4 x 45	1513 x DG0341 x B222 x B812 x B812½ x M503
Locks 17A mod. Knobs Metal (French (Shank). Roses 330	12.15 doz.	PB37637EK	93-500			GR161341¾	E3190 x DT962 x PF5493/4 x 934	013159 x 01430 x 011091/2		E-29-AY3	AFYC03470EK	4661 x 1514 x 143 x 125 x 310		1513 x XDF134 x B222 x B812 x B812½ x M503
Locks 17A mod. Knobs 220 Roses 330	12.75 doz.	P637 x 1341 x 012B x EK	P-500	308 x PM27 x P1-S x TH5 x W5		9341 x 8225 x 59½ x 01123	E3191 x DT962 x 279 steel shank x 934	013159 x 2842 x 0112011/2	02893/4 x E 066393/4 x 22 x P1603/4 x P4684	E-29-AA3	470 x P21321/4 x 02002B x EK	4661 x 1814F x 144 x 125 x 310	YS5433/4 x 200	1513 x G202 x B222 x B812 x B812½ x M503

TABLE VIII—CYLINDER SETS

CYLINDER SETS													
Locks 97 Knobs 210 Roses 330A	$5.00 each	PC197P378	437030	8800 x 53¼ x EY7 x P2½ steel x TH5	VT5000¾ x V9471 x V7 x 32	LO765661	E7230 x 934 YH x CES39	01839 iron x 0151911/2 x 01118	E-01696 x E-P004726AS E P1372AR x x E PB1372AR x S	E-56-MA3 or E-156-MA3	AH010781	6705½ x 1853 x 278		7656 x G35 x G222
Locks 97 Knobs 210B Roses 330	4.00 each	PC36P378	447030	8801 x 51¼ x P1-S x P2½ steel x TH5	VT5000¾ x 9273½ x 56 x 32	LO165661	E7230 x 934 YL x 934	01839 iron x 0141911/2 PW x 011091/2	E-01696 x P004726AS x BE3723¼ x BE13723¼	E-56-RA3 or E156-RA3	AF010781	6705½ x 1462F x 144		7656 x B035 x B222
Locks 93 mod. Knobs 210 Roses 330A	4.00 each	PC197P340½	437000M	9101 x 55¼ x EY7 x TH5 x P2 ½-steel	VT5030 x V9471 x V7 x 32	LO765617	E7551 x DN882 x 82¾ YH x CES39	3123 x 0151911/2 x 01118	E-01612 x E P001722AS x E P1372AR x x E-P P1373AR x S	E-124-MA3	AH010671	6725 x 1852 x 278	8886 x S8585	7660 x G35 x G222 x T. T.+P
Locks 93 mod. Knobs 210B Roses 330	3.60 each	PC36P340½	447000M	9101 x 53¼ x P1-S x TH5 x P2½ Steel	VT5030 x 9273½ x 56 x 32	LO165617	E7551 x DT962 x 934¼ YL x 934	3123 x 0141911/2 PW x 011091/2	E-01612 x P001722¼ x BE3723¼ x BET3733¼	E-124-RA3	AF010671	6725 x 1462F x 316	8886 x T825	7660 x B035 x B222 x T.T. — P
Locks 94 mod. Knobs 210 Roses 330A	5.33 each	PC197P342	437000C	9102 x 55¼ x EY7 x P2½ Steel	VT5020 x V9471 x V7 x 32	LO765616	E7552 x 82¾ YH x CES39	3122 x 0151911/2 x 01118		E-124½ MA3	AH010672	6726 x 1852 x 278	8886¼ x S8585	7660¼ x G35 x G222
Locks 94 mod. Knobs 210B Roses 330	4.33 each	PC36P342	447000C	9102 x 53¼ x P1-S x P2½ Steel	BT5020 x 9273½ x 56 x 32	LO165616	E7552 x 934 YL x 934	3122 x 0141911/2 PW x 011091/2		E-124½ RA3	AF010672	6726 x 1462F x 144	8886¼ x T825	7660¼ x B035 x B222

TABLE IX—ENTRANCE SETS

ENTRANCE SETS													
Locks 88 mod. Pendent design	3.90 each	P28P340	83-7000 also 54-73-79 designs	CT51747 iron	AZ6011 x 32	420611 Empire Kent Stratford	Pendent 996 x E9300	730-812 x 3343AR	PD6432	7124SCY2 Cleo, Juno, Havre, etc.	V.S, EP, EW, or MH030670	4748RM etc.	YS8882 x RS26	CY77500 CN77500
Locks 91 mod. Pendent design	3.40 each	P28P340V	83-V-7000 also 54-73-79 designs	CT61747 iron	AZ6011½ x 32	420651 Empire Kent Stratford	Pendent 986 x E8305	730-742 x 3423AR	PD6432½	7124S1½ CY2 Cleo, Juno, Havre, etc.	V.S, EP, EW, or MH030670V	4748½RM etc.	YS8882½ x RS26	CY77000 CN77000

TABLE IX—ENTRANCE SETS—Continued.

Federal type No.	Maximum list price	Hanscom Lock Works	Clinton Lock Co.	Earle Hardware Mfg. Co.	Lockwood Hardware Mfg. Co.	Norwalk Lock Co.	Penn Hardware Co.	Sargent & Co.	Sager Lock Works	Russell & Erwin Mfg. Co.	Reading Hardware Corporation	P. & F. Corbin	Skillman Hardware Mfg. Co.	Yale & Towne Mfg. Co.
Locks 88 mod.	3.90 each	P341310	28-7060	GH51747 Steel	WE6011 x 32	126011 Fulton	TG6096 x 1502	4784DU etc.	NW03670	7128FA2 Hull		722-842 x 3313AR	A8882 x TS26	DK7500
Rectangular design (other than bevel lock)	3.40 each	P341310V	28-V-7060	GH61747 Steel	WE6011½ x 32	126011 Fulton	TG6096 x 1502	4784½ DU etc.	NW03670V	7128½ FA2 Hull		722-842 x 3423AR	A8882½ x TS26	DK7500
Locks 89 mod.	3.60 each	P341340	11-7060	GH51747 Steel	MD6011 x 32	126011 Fulton	TG6096 x 1502	4785DU etc.	AW01070	7128AA1 Berkley	BE0631	722-842 A 3493AR	A8882 x TS25	DU7500
Knobs 210 Rectangular 300 x 302	3.10 each	P341340V	11-V-7060	GH61747 Steel	MD6011½ x 32	126011 Fulton	TG6096 x 1502	4785½ DU etc.	AW01070V	7128½ FA1 Berkley	BE0627	722-842 x 3425AR	A8882½ x TS25	DU7500
Locks 28 mod. Pendent design with metal knobs	7.10 doz.	P341260 P341360 P341260	34-3060 also 34 75-79 designs	VN1631	AZ6304 x 1060 x 32	126007 Kent Empire Stratford	TG6096 x 1502	Pendent 6914 x 1502		0130DC Y1 Aeri Anthony Cleo Havre Juno, Nile	E-4013842 x P013842 x P-DB21E	0 x 0445 x 6303	Y8S83 x TS26	CU00
Locks 29 mod. Escutcheon 300 square 7 x 2¼	7.60 doz.	P341280	11-7060	111 x 2 GH51747 Steel	MD6280 x 1060 x 32	126007 Fulton	TG6096 x 1502	5814 x 1502		0130DA1 Berkley		602 004	5814 x TS26	DU09
Locks 29 mod. Pendent design with metal knobs	7.60 doz.		28-7060 also 48-28-17 designs	GH61747	CN6281 x 1060 x 32			2541DU x 4610S	E1303110	0130DY1 Reno				
Locks 28 mod.	7.60 doz.			GH61631	WE6011 x 1060 x 32		TG6096 x 1502	2541DU x 4610S	N1303110	0130PA1 Hull			A8S83 x TS26	DK00
Rectangular design with metal knobs (other than bevel lock)								2581RM x 4610S	NHJF00110 NHJF0110 EWJF01110	0130PA1 Hull	E-4013842 x P013842 x P-DB21E	6001D048 x 0	Y8S84 x 45	GCY05N GCX05N
Locks 28 mod.	7.10 doz.	P341280	34-3060 also 34 75-79 designs	VN1631	AZ6304 x 1060 x 32	126007 Empire Kent Stratford	TG6096 x 1502	Pendent 6914 x 1502		0130DA1 Aeri Anthony Havre Juno Nile				
Pendent design with glass knobs	7.60 doz.	P341280 P341260 P341360 P341280	28-7060 also 34 75-79 designs	GH51747 Steel	MD6280 x 1060 x 32	126007 Empire Kent Stratford	TG6096 x 1502	Pendent 6914 x 1502						

Issued this 8th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2066, Filed, February 8, 1943; 2:54 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR. 319]

CERTAIN BAKERY PRODUCTS

This regulation provides for the determination of maximum prices for certain bakery products. The prescribed formula for determining those prices takes into consideration present cost of ingredients and packaging materials, subject to certain limitations, labor costs at March 1942, wage rates, and a dollar and cents mark up as of a specified base period.

In the judgment of the Price Administrator, the maximum prices established by this regulation are generally fair, just and equitable and tend to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and of Executive Order No. 9250.

A statement of the considerations involved in the issuance of this Maximum Price Regulation No. 319 is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration, this Maximum Price Regulation No. 319 is hereby issued.

*Copies may be obtained from the Office of Price Administration.

[17 F.R. 8961.]

AUTHORITY: §§ 1351.1901 to 1351.1920 inclusive, issued under Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871.

§ 1351.1901 *Scope of this regulation.* This regulation provides for new maximum prices for all sales of certain bakery products listed in Appendix A. New maximum prices must be recalculated by all sellers during each April and October occurring after the effective date of this regulation as hereinafter provided.

§ 1351.1902 *Maximum prices of producers for sales to retailers.* Each producer of a commodity listed in Appendix A of this regulation shall determine his maximum prices for each producing plant for sales to retailers as follows:

(a) *Ingredient and packaging material cost.* The producer shall ascertain his actual or estimated actual cost of ingredients and packaging materials for each producing plant per unit of the commodity at the time of calculation, subject to the following limitations:

(1) He shall not include his cost of any ingredient or packaging material at higher than the maximum price thereof to him as prescribed by the Office of Price Administration at that time together with the actual transportation charges to his established place of business where such maximum price is fixed on an f. o. b. basis.

(2) Except as provided in subparagraph (3) of this paragraph, (a), if no maximum price has been prescribed by the Office of Price Administration for an ingredient or packaging material, he shall not include it at a cost higher than the average market price of such ingredient or packaging material at his usual source of supply and for the quantities normally purchased by him in March 1942, or if there were no substantial market sales of such ingredient or packaging material during March, 1942, than during the base period of the commodity to be priced as specified in Appendix A of this regulation, together with actual transportation charges paid by him to his established place of business, if any.

(3) Where one of the following commodities is not subject to a maximum price prescribed by the Office of Price Administration at the time of the calculation and constitutes an ingredient of the commodity to be priced, the producer shall include his actual cost of the same delivered to his established place of business during the base period of the commodity to be priced as specified in Appendix A hereof, plus the amount hereinafter specified opposite each such ingredient:

Ingredient:	*Amount Per ton*
Fresh apples	$6.50
Fresh apricots	23.00
Fresh cherries, red sour and pitted	50.00
Fresh cherries, sweet	56.00
Fresh figs	34.00
Fresh grapes	14.00
Fresh peaches, clingstone, including clingstone nectarines	7.00
Fresh peaches, freestone, including freestone nectarines	15.00
Fresh pears	15.00
Fresh plums	2.00
Fresh prunes	13.00
	Per pound
Beans	0.35
Walnuts, black	0.12
Walnuts, California	0.25
Cashews	0.22
Fresh berries, except strawberries	0.03
Fresh strawberries, actual cost at the time of calculation not exceeding	0.03

(b) *Direct labor costs.* To the cost of ingredients and packaging materials, as ascertained under the preceding paragraph, the producer shall add the "direct labor cost" per unit of the commodity to be priced determined by his actual costs thereof but no higher than his highest "March 1942, wage rates." "Direct labor cost" shall include the labor involved in the manufacturing, packaging and shipping of the commodity, but shall not include the labor involved in the purchase of ingredients and supplies, plant and machinery maintenance, distribution, selling or advertising of the commodity, or administrative expenses. Said "March 1942 wage rate" shall be the highest wage rates paid by the producer in March 1942, for each class of labor involved in the production of the commodity to be priced. If the producer employs a class of labor included in "direct labor cost" which he did not employ during March 1942, he shall take the highest wage rate paid in March 1942, by a producer of the same or a comparable commodity, operating under the most nearly comparable conditions, who did employ that class of labor during March 1942.

(c) *The mark up.* The producer shall ascertain his mark up for each producing plant for sales to retailers as follows: He shall ascertain (1) his weighted average actual selling price for each producing plant per unit of the commodity to be priced which he sold to retailers during the base period set forth for each commodity in Appendix A of this regulation, and subtract therefrom (2) his weighted average actual cost of ingredients, packaging materials and direct labor (as above defined) per unit of the commodity for all such sales to retailers during such base period. If the producer did not sell the same commodity during such base period, he shall ascertain his mark up by taking the margin computed as herein before provided on the nearest comparable commodity which he did sell during such base period. If he did not sell the same or any such comparable commodity during such base period, he shall take the mark up determined in like manner for the same or the nearest comparable commodity sold to retailers during such base period by his closest competitive producer operating under the most nearly comparable conditions. If he cannot ascertain his mark up under the foregoing provisions, he shall take as his mark up his margin computed in like manner on a commodity having the nearest cost and which he sold during said base period to retailers in the same or the nearest price line for sales to retailers. In calculating his margins hereunder by the use of his weighted average actual selling prices, the producer must distinguish prices which are f. o. b. producer's plant and delivered prices. He may not average f. o. b. prices and delivered prices together. If he had both, he shall average each separately and thus arrive at separate margins and ultimately by following paragraph (d) hereof, at a separate maximum price f. o. b. producer's plant and a maximum price delivered respectively. If he had only an f. o. b. producer's plant selling price, his maximum price ultimately arrived at under paragraph (d) hereof will be f. o. b. producer's plant; and to determine a maximum delivered price therefrom, he may: (i) as to each subsequent transaction, add the actual delivery cost thereto; or (ii) he may take a representative list of his deliveries in the area served by him and average the actual or estimated actual cost of each such delivery and add that figure to said maximum f. o. b. producer's plant price, thereby arriving at a uniform delivered maximum price to which he may add no further delivery costs. If he had only a delivered selling price, his maximum price ultimately arrived at under paragraph (d) hereof will be a maximum delivered price to which he may never add further delivery costs. To determine a maximum price f. o. b. producer's plant from a maximum price delivered, he shall take all or a representative list of his deliveries in the area served by him during the base period and average the actual cost of each such delivery and subtract that figure from said maximum delivered price.

(d) The producer shall add together his present cost of ingredients and packaging materials as determined under paragraph (a) of this section, direct labor costs as determined under paragraph (b) of this section, and his dollar and cents margin or mark up as determined under paragraph (c) of this section, and the resulting figure shall be his maximum price for the producing plant in question per unit of the commodity for all sales to retailers.

§ 1351.1903 *Maximum prices of producers for sales to ultimate consumers.* Each producer of a commodity listed in Appendix A of this regulation shall determine his maximum prices for each producing plant for sales to ultimate consumers as follows:

(a) *Ingredient and packaging material cost and direct labor costs.* The producer shall ascertain his actual or estimated actual cost of ingredients and packaging materials, and his direct labor per unit of the commodity at the time of calculation pursuant to paragraphs (a) and (b) of § 1351.1902.

(b) *Mark up.* The producer shall next ascertain his average margin per unit of the commodity to be priced during the base period set forth for each commodity in Appendix A of this regulation by deducting from the average selling price for all sales to ultimate consumers during said base period, his weighted average actual cost of ingredients, packaging materials and direct labor (as above defined) during said base period for all such sales. If the producer did not sell the same commodity during such base period, he shall ascertain his mark up by taking the margin computed as hereinbefore provided on the nearest comparable commodity which he did sell during such base period. If he did not sell the same or any such comparable commodity during such base period he shall take the mark up determined in like manner for the same or the nearest comparable commodity sold to ultimate consumers during such base period by his closest competitive producer operating under the most nearly comparable conditions. If he cannot ascertain his mark up under the foregoing provisions he shall take as his mark up his margin computed in like

manner on a commodity having the nearest cost and which he sold to ultimate consumers during said base period in the same or the nearest price line to ultimate consumers.

(c) The producer shall add together his present cost of ingredients, packaging materials and direct labor as determined under paragraph (a) of this section and his dollar and cents margin or mark up as determined under paragraph (b) of this section, and the resulting figure shall be his maximum price for the producing plant in question per unit of the commodity for sales to ultimate consumers, to which he may add no additional delivery charges.

(d) Wherever a producer sold only to ultimate consumers during said base period and he finds that his records are insufficient during said base period prescribed to determine his maximum prices for direct sales to ultimate consumers, he may at his option, take the month of March 1942, as the base period in place of said otherwise prescribed base period.

§ 1351.1904 *Maximum prices of retailers for sales to ultimate consumers.* The maximum price for every retailer for sales of a commodity listed in Appendix A hereof to ultimate consumers shall be the figure resulting from multiplying the maximum price of his producer for sales to retailers by 125 per cent. If the figure resulting contains a fraction which is more than one-half cent, the retailer shall adjust it to the next higher cent, or if less than one-half cent, to the next lower cent.

§ 1351.1905 *Maximum prices of producers for sales to wholesalers and routesellers.* (a) If the producer has determined his maximum price for sales of a commodity listed in Appendix A of this regulation under § 1351.1902 hereof, he shall determine his maximum prices for sales of that commodity to wholesalers and routesellers by deducting 20% from his maximum prices for sales to retailers, f. o. b. producer's plant, and the figure resulting shall be his maximum f. o. b. price for sales to wholesalers and routesellers to which he may add the actual costs of delivery if any, and so arrive at a maximum delivered price for sales to wholesalers and routesellers; or he may determine his maximum delivered price for sales to wholesalers and routesellers by deducting 20% from his maximum delivered price for sales to retailers, to which he may add no further delivery costs.

(b) If the producer has not determined his maximum price for sales to retailers under § 1351.1902 hereof, and has determined his maximum price for sales to ultimate consumers under § 1351.1903 hereof, he shall determine his maximum price for sales to wholesalers and routesellers by deducting 25% from his maximum price for sales to ultimate consumers, and the resulting figure shall be his maximum price f. o. b. producer's plant for sales to wholesalers and routesellers to which he may add the actual costs of delivery, if any, and so arrive at a maximum price[2] delivered for sales to wholesalers and routesellers.

(c) If the producer cannot determine his maximum price for sales to wholesalers and routesellers under the foregoing provisions of this section, he shall take and adopt the maximum price for sales to wholesalers and routesellers of the same or most comparable commodity sold by his closest competitive producer operating under the most nearly comparable conditions.

§ 1351.1906 *Maximum prices of wholesalers and routesellers.* (a) The maximum price of every wholesaler for sales of a commodity listed in Appendix A hereof to retailers shall be his producer's maximum price for sales of this commodity to retailers, or if none, the maximum price of the closest competitor of said wholesaler for sales of the same or most comparable commodity to retailers.

(b) The maximum price of every wholesaler for sales of a commodity listed in Appendix A hereof to other wholesalers or to routesellers, shall be the producer's maximum price for sales of this commodity to wholesalers or routesellers respectively, or if none, the maximum price of the closest competitor of said wholesaler for sales of the same or most comparable commodity to wholesalers or routesellers.

(c) The maximum price of every routeseller for sales of a commodity listed in Appendix A hereof to ultimate consumers shall be his producer's maximum price for sales of this commodity to ultimate consumers or if none, the maximum price of the closest competitor of said routeseller for sales of the same or most comparable commodity to ultimate consumers.

(d) The maximum price of every routeseller for sales of a commodity listed in Appendix A hereof to retailers shall be his producer's maximum price for sales to retailers, or if none, the maximum price of the closest competitor of said routeseller for sales of the same or most comparable commodity to retailers.

(e) The maximum price of every routeseller for sales of a commodity listed in Appendix A hereof to wholesalers or to other routesellers shall be his producer's maximum price for sales to wholesalers or routesellers respectively, or if none, the maximum price of the closest competitor of said routeseller for sales of the same or most comparable commodity to wholesalers or routesellers.

§ 1351.1907 *Producers' wrappers must show retail price.* Wherever a producer sells a commodity listed in Appendix A hereof in a wrapper or package he shall calculate the maximum price of the retailer for sales to ultimate consumers in accordance with § 1351.1904, and he shall print it on the face of said wrapper or package inserting it in the following statement:

Retailer's ceiling price ———.

§ 1351.1908 *Package or unit net weight changes.* Where it is the customary practice of a producer of a commodity listed in Appendix A of this regulation to reflect cost changes by package or unit net weight changes, he may reflect the price changes prescribed by this regulation by changes in package or unit net weight in the following manner: He shall divide the maximum price per unit of the commodity as determined under this regulation into his selling price per unit of the commodity prevailing immediately before the effective date of this regulation, and then multiply the existing package or unit net weight of the commodity by the percentage so determined. The resulting figure shall be the new package or unit net weight for sales under this regulation at the selling price per unit of the commodity prevailing immediately before the effective date of this regulation and said selling price shall be his maximum price hereunder.

§ 1351.1909 *Exempt sales.* Sales or deliveries of any commodity listed in Appendix A to the War Department or the Department of the Navy of the United States shall be exempt from this regulation and the General Maximum Price Regulation but sales or deliveries of any such commodity to post exchange shall be and remain subject to this regulation.

§ 1351.1910 (a) *Time within which maximum prices must be calculated and reported.* Every person subject to this regulation shall calculate and report his maximum prices in writing to the Office of Price Administration within 60 days after the effective date of this regulation. At any time after any such person has calculated or reported his maximum prices under this regulation, he may not sell these commodities at a price higher than the price reported or calculated although he may sell at a lower price. Maximum prices for sales to ultimate consumers shall be reported to the State or district office of the Office of Price Administration. Wholesalers, routesellers or retailers whose suppliers of these commodities have not reported their maximum prices as required herein within two weeks before the last day required or until after the time has expired for so doing, may report their prices within two weeks after the prices have been reported by their suppliers.

(b) *Recalculation of maximum prices periodically.* During the months of April and October of each year after the effective date of this regulation beginning with October, 1943, every person subject to this regulation shall recalculate his maximum prices on all commodities listed in Appendix A of this regulation pursuant to the provisions of this regulation on the basis of his then existing ingredient and packaging costs, but using the previous direct labor costs and mark up and report these new maximum prices in writing to the Office of Price Administration. At any time after he has calculated or reported his new maximum prices under this regulation, he may not sell these commodities at a price higher than the price reported or calculated although he may sell at a lower price.

(c) *Maximum prices reported under this regulation cannot be changed without consent.* Maximum prices calculated and reported to the Office of Price Administration under this regulation, may not be changed except by the written permission of the Office of Price Administration which will be given solely in cases of excusable clerical error or other mistake.

§ 1351.1911 *Limiting applicability of the General Maximum Price Regulation.*[2] After any person subject to this regulation has calculated or reported his maximum prices under this regulation on any commodity covered hereby the provisions of the General Maximum Price Regulation shall have no further application to sales or deliveries by him thereof. Sixty days after the effective date of this regulation, the provisions of the General Maximum Price Regulation shall not apply to sales or deliveries by producers, wholesalers and routesellers of any of the commodities covered by this regulation, or by retailers thereof.

§ 1351.1912 *Prohibition against dealing in the commodities covered by this regulation by producers above maximum prices determined hereunder.* Sixty days after the effective date of this regulation, regardless of any contract or other obligation, no producer, wholesaler, retailer or routeseller shall sell, deliver or offer to sell any bakery commodity listed in Appendix A of this regulation unless he has calculated and reported his maximum prices thereon as provided in this regulation, nor shall any person sell, deliver or offer to sell any such commodity at any time thereafter at a price higher than the maximum price permitted by this regulation; nor shall any person buy or receive any such commodity from a producer, wholesaler, retailer or routeseller at any time at a price higher than the price permitted by this regulation.

§ 1351.1913 *Notice of retailer's ceiling price.* Where any unpackaged item of any commodity under this regulation is sold by a producer, wholesaler or routeseller to a retailer for the first time after the maximum price for it has been established or recalculated under this regulation, or in the case of a producer selling a unit of the commodity to any of the foregoing classification or persons for the first time after the maximum price for it has been established or recalculated under this regulation, the seller shall notify his purchaser in writing before or at the time of delivery of the retailer's ceiling price for the commodity, which shall be forwarded to the retailer selling the commodity. When the retailer receives this notice he shall keep it and make it available upon request for public examination. This notice shall contain the retailer's ceiling price for the commodity arrived at by multiplying the producers maximum price for sales thereof to retailers by 125 percent and shall read as follows:

Notice of retailer's ceiling price. The Office of Price Administration has established a new ceiling price for retailers for sales by them of (insert name of commodity) at (insert retailer's ceiling price for this commodity).

This price was arrived at by multiplying the producer's maximum price for sales of this commodity to retailers by 125 percent. The Office of Price Administration requires you to keep this information for public examination.

§ 1351.1914 *Evasion.* The provisions of this regulation shall not be evaded whether by direct or indirect methods in connection with any offer, solicitation, agreement, sale, delivery, purchase, or receipt of any commodity covered by this regulation alone or in conjunction with any other commodity or by way of commission, service, transportation or other charge, or discount, premium or other privilege or by tying-in-agreement or other trade understanding or otherwise.

§ 1351.1915 *Export sales.* The maximum prices at which any person subject to this regulation may export any commodity covered by this regulation shall be determined in accordance with the provisions of the Revised Export Regulation issued by the Office of Price Administration.

§ 1351.1916 *Protests and petitions for amendments.* Any person seeking a protest or an amendment of any provisions of this regulation may file a protest or petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1351.1917 *Enforcement.* (a) Any person violating any provision of this regulation shall be subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this regulation or of any price schedule, regulation or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation are urged to communicate with the nearest district, State or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1351.1918 *Definitions.* (a) When used in this regulation the term:

(1) "Producer" means any person, group of persons, firm or corporation who operates a producing plant at which he bakes, manufactures, produces or processes a commodity listed in Appendix A.

(2) "Wholesaler" means any person, group of persons, firm or corporation purchasing a commodity listed in Appendix A from a producer thereof for resale to any person other than an ultimate consumer.

(3) "A comparable commodity" means a commodity of equal weight and quantity, having substantially the same cost, and made from the same basic type of dough. In the case of pies, the comparable commodity must have the same kind of filler.

(4) "Retailer" means any person, group of persons, firm or corporation other than a routeseller purchasing a commodity listed in Appendix A for resale to ultimate consumers. It includes restaurants, cafes, cafeterias, hotels and all other eating places purchasing a commodity listed in Appendix A for resale or distribution to their customers and all institutions, public or private, purchasing a commodity listed in Appendix A for resale or distribution to their customers or inmates, except that any of the foregoing retailers who sell these commodities for consumption on the premises shall not be required to establish maximum prices under this regulation for those commodities so sold to be consumed on the premises.

(5) "Routeseller" means any person, group of persons, firm or corporation, other than a retailer, purchasing a commodity listed in Appendix A for resale from a vehicle operated by him over a regular route.

(6) "Shipping" as included in direct labor means costs and wages involved in the payment of shipping clerks who pack, wrap and load the commodities for the purpose of preparing for delivery.

(7) All commodities listed in Appendix A are those known to the trade as such; *Provided*, That any commodity so included herein which is now or hereafter covered by another regulation shall be and remain subject to such other regulation.

§ 1351.1919 *Effective date.* This Maximum Price Regulation No. 319 (§ 1351.1901 to 1351.1920, inclusive) shall become effective on February 13, 1943.

§ 1351.1920 *Appendix A: Commodities covered by this regulation.*

Commodity:	Base period
Cakes other than cookies	March 1942
Pastries	March 1942
Doughnuts	March 1942.
Sweet yeast raised goods	March 1942.
Pies—September 14th, to October 11, 1941.	

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43-2069; Filed, February 8, 1943; 2:54 p. m.]

PART 1381—SOFTWOOD LUMBER

[MPR 26,[1] Amendment 11]

DOUGLAS FIR AND OTHER WEST COAST LUMBER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1381.62 has been amended by adding paragraph (m) as set forth below:

§ 1381.62 *Appendix A: Maximum prices for Douglas Fir and other West Coast Lumber where shipment originates at a mill.* * * *

(m) The maximum f. o. b. mill prices for shipments originating in Alaska shall be the maximum f. o. b. mill prices set forth in this Appendix for domestically produced lumber plus an amount equal to the Maritime Commission's published freight rate from Seattle, Washington, to the mill's shipping point, including surcharges, War Risk Insurance and the

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[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4367, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5434, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 8942, 9004, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4573, 5180, 5360, 6168, 6388, 6424, 7285, 7942, 8384, 8877, 8948; 8 F.R. 138.

published Seattle Wharfage and Handling rate for comparable lumber. The maximum delivered prices for shipments originating in Alaska shall be the above maximum price plus the transportation charges permitted in § 1381.62 (d).

§ 1381.61a *Effective dates of amendments.* * * *

(k) Amendment No. 11 (§1381.62 (m)) to Maximum Price Regulation No. 26 shall become effective February 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2072; Filed February 8, 1943; 2:55 p. m.]

PART 1392—PLASTICS

[MPR 263,[1] Amendment 2]

NEW PHONOGRAPH RECORDS AND RECORD SCRAP

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1392.57 (b) (2) is amended to read as follows:

§ 1392.57 *Posting of maximum prices for records and allowances for scrap.* * * *

(b) Every manufacturer of records covered by this Maximum Price Regulation No. 263 shall make available to dealers selling such records:

* * * * * *

(2) Envelopes, albums or containers for records or sets of records made by such manufacturer, bearing a legible statement showing the maximum prices established by this Maximum Price Regulation No. 263, for records or sets of records made by such manufacturer. The requirements of this subparagraph (2) shall be put into effect with respect to each size or type of envelope, album or container, upon exhaustion of each manufacturers' supply thereof on hand on the effective date of this regulation.

§ 1392.62a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§ 1392.57 (b) (2)) to Maximum Price Regulation No. 263 shall become effective on the 13th day of February 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of Februray 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2073; Filed, February 8, 1943; 2:55 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 21 Under Supp. Reg. 15 of GMPR]

NOBLE TRANSIT COMPANY

Order No. 21, under § 1499.75 (a) (3) of Supplementary Regulation No. 15 of the General Maximum Price Regulation—Docket No. GF3-1117.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1321 *Adjustment of maximum prices for contract carrier services sold by John F. Noble, doing business as the Noble Transit Company, South St. Paul, Minnesota.* (a) John F. Noble, doing business as The Noble Transit Company, 316 Maulden Street, South St. Paul, Minnesota, may sell and deliver contract carrier services in connection with the transportation of general commodities between points located in Minnesota, Wisconsin, Illinois, North Dakota, and Iowa, at prices not to exceed 1% above his highest March, 1942 rates as printed in his Minimum Rate Schedule, MF-ICC No. 22.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 21 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 21 (§ 1499.1321) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by §1499.2.

(e) This Order No. 21 (§1499.1321) shall become effective February 9, 1943.

(Pub. Laws No. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2074; Filed, February 8, 1943; 2:56 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 276 Under § 1499.3 (b) of GMPR]

CHATHAM MANUFACTURING COMPANY

Chatham Manufacturing Company of Elkin, North Carolina, made application under § 1499.3 (b) of the General Maximum Price Regulation for approval of maximum prices for mohair warp blankets. Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration, *It is ordered:*

§ 1499.1712 *Approval of maximum prices for sales of blankets by Chatham Manufacturing Company.* (a) On and after February 8, 1943, the maximum prices at which Chatham Manufacturing Company of Elkin, North Carolina, may sell, deliver and offer for sale the following blankets shall be:

(1) No. 215-A, 72" x 84", 3½ pound, single woven, composed of 25% warp 2/15's mohair worsted yarn, balance woolen filling yarn, $1.725 per pound finished.

(2) No. 216-A, 72" x 90", 4½ pound, double woven, composed of 36% warp 2/15's mohair worsted yarn, balance woolen filling yarn, $2.25 per pound finished.

(b) The maximum prices enumerated herein shall be subject to discounts, terms and allowances no less favorable to the purchaser than those offered during March 1942 by Chatham Manufacturing Company on sales of its all wool blankets.

(c) The maximum prices authorized by this order shall be subject to adjustment at any time by the Office of Price Administration.

(d) This order may be amended or revoked by the Office of Price Administration at any time.

(e) This order shall become effective February 3 1943

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2071; Filed, February 8, 1943; 2:55 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 270 Under § 1499.3 (b) of GMPR]

CEROPHYL LABORATORIES, INC.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.1706 *Authorization of maximum prices for sales of "Grass Tips" a product made from dehydrated cereal grasses fortified with additional vitamins packed in 1½ pound packages for sales by Cerophyl Laboratories Inc., Kansas City, Missouri, by wholesalers and retailers.* (a) On and after February 9, 1943, the maximum selling prices delivered to purchasers' stations for "Grass Tips" for sale by Cerophyl Laboratories, Inc., Kansas City, Missouri, shall be:

	Cents per 1½ pound package
For sales made to wholesalers	48
For sales made to retailers	60
For sales made to consumers	72

Sales made to wholesalers and retailers shall be subject to a discount of 2 percent for prompt payment.

(b) Sellers at wholesale are authorized a maximum delivered selling price of 60 cents per 1½ pound package of "Grass Tips."

(c) Sellers at retail who purchase this product directly from the manufacturer are authorized a maximum selling price of 72 cents per 1½ pound package of "Grass Tips"

Sellers at retail who purchase this product from wholesalers are authorized a maximum selling price of 90 cents per 1½ pound package of "Grass Tips."

(d) Cerophyl Laboratories, Inc., and sellers at wholesale shall not change the customary allowances, discounts, and/or trade practices in the sale of "Grass Tips" which they customarily apply to comparable commodities of this type unless a change in these customary allowances, discounts and/or trade practices results in lower selling prices.

(e) On and after February 9, 1943, Cerophyl Laboratories, Inc., shall supply to each of its purchasers who resell at wholesale or retail, before or at the time of the first delivery of "Grass Tips" to such purchasers, a written notification for each type of purchaser and, for a period of three months thereafter, shall include with each shipping case unit of "Grass Tips" a written notification to retailers. The written notifications, for each type of purchaser, shall include the following appropriate statements:

Notification from Cerophyl Laboratories, Inc. to Wholesalers

The OPA has authorized us to charge the following price for "Grass Tips"—48 cents per 1½ pound package subject to a discount of 2% for prompt payment. Sellers at wholesale are authorized a maximum selling price of 60 cents per 1½ pound package of "Grass Tips". Sellers at retail who purchase this product from wholesalers are authorized a maximum selling price of 90 cents per 1½ pound package. Sellers at retail who purchase this product directly from the manufacturer are authorized a maximum selling price of 72 cents per 1½ pound package. A copy of the notification to retailer is included in every shipping unit of this item. If your initial sale of this item is less than a shipping unit, wholesalers are required to provide such retailers with a copy of the retail notification so enclosed. OPA requires that you keep this notice for examination.

Notification from Cerophyl Laboratories, Inc. to Retailers

Retailers who purchase "Grass Tips" from wholesalers are authorized a maximum selling price of 90 cents per 1½ pound package. Retailers who purchase "Grass Tips" directly from the manufacturer, (Cerophyl Laboratories Inc.) are authorized a maximum selling price of 72 cents per 1½ pound package. OPA requires that you keep this notice for examination.

(f) This Order No. 270 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 270 (§ 1499.1706) shall become effective as of February 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2070; Filed, February 8, 1943; 2:56 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 271 Under § 1499.3 (b) of GMPR]

ALCO LEATHER MANUFACTURING CO.

Alco Leather Manufacturing Company, 583 Market Street, San Francisco, California, made application under § 1499.3 (b) of the General Maximum Price Regulation for approval of a maximum price for a 2 inch garrison belt with gold plated buckle. Due consideration has been given to the application and it appears that the new belt cannot be priced by the seller under § 1499.2 of the General Maximum Price Regulation. For the reasons set forth in an opinion in support of this order, which has been issued simultaneously herewith and has been filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration, *It is ordered:*

§ 1499.1707 *Approval of a maximum price for sales by the Alco Leather Manufacturing Company, 583 Market Street, San Francisco, California of its 2 inch garrison belt with gold plated buckle.* (a) On and after February 9, 1943, the maximum price at which the Alco Leather Manufacturing Company, 583 Market Street, San Francisco, California, may sell, deliver and offer for sale its 2 inch leather garrison belt with gold plated buckle shall be $11.09 per dozen.

(b) The maximum price authorized by this order shall be subject to discounts, allowances and terms no less favorable than those in effect during March 1942 for sales by Alco Leather Manufacturing Company of its 1¾ inch garrison belt with brass plated buckle.

(c) The maximum price authorized by paragraph (a) of this Order No. 271 shall be subject to adjustment at any time by the Office of Price Administration.

(d) This Order No. 271 may be amended or revoked by the Office of Price Administration at any time.

(e) This Order No. 271 shall become effective February 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2080; Filed, February 8, 1943; 4:36 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5C, Amendment 18]

MILEAGE RATIONING: GASOLINE REGULATIONS

Correction

The reference to Ration Order No. 50 in § 1394.8206a (c) of the document appearing on page 1283 of the issue for Friday, January 29, 1943, should read "Ration Order No. 5C."

PART 1499— COMMODITIES AND SERVICES

[Order 178 Under § 1499.18 (b) of GMPR]

GENERAL WINE CO.

Correction

Paragraph (b) of the document appearing on page 1386 of the issue for Tuesday, February 2, 1943, should read as follows:

"(b) This Order No 178 (§ 1499.1079) shall become effective February 1, 1943."

PART 1372—SEASONAL COMMODITIES

[MPR 210,[1] Amendment 9]

RETAIL AND WHOLESALE PRICES FOR FALL AND WINTER SEASONAL COMMODITIES

A statement of considerations involved in the issuance of this amendment is issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1372.101 (c) is amended to read as follows:

§ 1372.101 *Applicability of this Maximum Price Regulation No. 210.* * * *

(c) *Purpose of this regulation.* This regulation establishes maximum prices for the particular fall and winter seasonal commodities which are listed in Appendix A (§ 1372.112). On and after August 31, 1942, regardless of any contract or other obligation, no person is permitted to sell any of the list of commodities, at wholesale or at retail, at a price higher than the maximum price permitted by this regulation However, this regulation permits any person who determined the maximum price of a listed commodity under the General Maximum Price Regulation and offered it for sale at that price before August 31 to sell it prior to September 16, 1942, either at that price or at a price determined under this regulation. Furthermore, maximum prices for wholesale and retail sales of commodities covered by this regulation may be set by orders which are issued under regulations covering manufacturers' sales of the commodities and which specifically extend to wholesale and retail sales. No person is permitted to buy or receive any of these commodities in the course of trade or business at prices higher than the maximum price.

§ 1372.111a *Effective dates of amendments* * * *

(j) Amendment No. 9 (§ 1372.101 (c)) of Maximum Price Regulation No. 210 shall become effective February 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of February 1943

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2100; Filed, February 9, 1943; 11:24 a. m.]

PART 1412—SOLVENTS

[MPR 170,[1] Amendment 3]

ANTI-FREEZE

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith, and has been filed with the Division of the Federal Register.*

The proviso in paragraph (g) of § 1412.13 is amended to read as set forth below:

§ 1412.13 *Appendix A: Maximum prices for anti-freeze.* * * *

(g) *Standard strength anti-freeze, Type C.* * * *

Provided, That until and including March 15, 1943, any seller of Type C anti-freeze other than a manufacturer or retailer, who prior to February 1, 1943 had purchased Type C anti-freeze and had it in his possession or in the custody of a carrier or warehouse other than a carrier or warehouse owned or controlled by the person from whom such anti-freeze was acquired, may sell such anti-freeze at a price not to exceed the maximum price established in this section or at his cost of acquisition, whichever is higher, *And provided further*,

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•Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9191; 8 F.R. 165.

[1] 7 F.R. 6789, 7318, 7173, 7912, 8651, 8930, 8937, 8948, 9614, 10109; 8 F.R. 973.

[1] 7 F.R. 4763, 5717, 8948, 1232.

That until and including March 15, 1943, any retailer may sell Type C anti-freeze at a price not to exceed the maximum price established in this section or at his cost of acquisition plus $.25 per gallon, whichever is higher.

* * * * *

This amendment shall become effective as of February 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43-2101; Filed, February 9, 1943; 11:24 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 52 to Supp. Reg. 1 to GMPR[1]]

UNFINISHED GRAPE WINE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Subparagraph (3) of paragraph (a) of § 1499.26 is revoked.

(c) *Effective dates.* * * *

(53) Amendment No. 52 (§ 1499.26 (a) (38)) shall become effective February 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43-2102; Filed, February 9, 1943; 11:24 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 105 to Supp. Reg. 14 to GMPR[1]]

UNFINISHED WINES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (63) is added to paragraph (a) of § 1499.73 as set forth below.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3158, 3488, 3802, 4183, 4410, 4428, 4487, 4488, 4493, 4669, 5086, 5192, 5276, 5366, 5484, 5607, 5717, 5942, 6082, 6473, 6625, 7011, 7250, 7317, 7596, 7604, 7739, 8021, 8336, 8652, 8798, 8810, 8930, 8833, 9062, 9131, 9616, 9622, 9975, 9976, 10002, 10718, 10557, 11118, 8 F.R. 130, 265, 927, 1454.

[1] 7 F.R. 3153, 3330, 3606, 3990, 3991, 4330, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6038, 6081, 6007, 6216, 6615, 6939, 6794, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454, 8 F.R. 371, 1204, 1317.

[1] 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9495, 9496, 10381, 9639, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10583, 10537, 10705, 10557, 10583, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 980, 1030, 876, 878, 1139, 1590, 1121, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467.

§ 1499.73 *Modification of maximum prices established by § 1499.2 of the General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided:

* * * * *

(63) *Unfinished wines*—(i) *Maximum prices for unfinished wines; all sellers.* A seller's maximum price for a particular kind and type of unfinished wine shall be:

(*a*) The maximum price established for such seller under §§ 1499.73 (a) (40) or 1499.73 (a) (61) for wine of the same kind and type sold in a finished condition to a purchaser of the same class; or

(*b*) If a seller's maximum price for a particular kind and type of unfinished wine cannot be determined under (*a*), his maximum price therefor shall be that established under §§ 1499.73 (a) (40) or 1499.73 (a) (61) by a seller of the same class for the most closely comparable kind and type of unfinished wine sold to a purchaser of the same class.

(*c*) A seller's customary differentials charged in March 1942 for bulk unfinished wine in barrels or other containers larger than 4½ gallons capacity but less than a carload lot may be charged for the same container size after February 14, 1943.

(ii) *Notice to be given to purchasers.* On and after February 15, 1943 every seller of unfinished wine shall place upon the invoice, or upon the other evidence of sale of unfinished wine delivered by him to any purchaser a signed statement as follows:

The price for the unfinished wine covered by this invoice (or evidence of sale) does not exceed our ceiling price for unfinished wine established under OPA regulation, Amendment No. 105 to Supplementary Regulation No. 14 to the General Maximum Price Regulation

(Signed) ----------
(Seller)

Only one such statement need be given by a seller for any particular sale of unfinished wine.

(iii) *Definitions.* (*a*) "Wine" means that commodity as defined in Article II of Regulation No. 4 (as amended to March 1, 1939) relating to the Labeling and Advertising of Wine and issued by the Federal Alcohol Administration.

(*b*) "Unfinished wine" means wine which in the usual course of wine production, will receive further finishing treatment before it is sold for consumption.

(*c*) "Finished condition" with reference to wine means wine which, in the usual course of wine production, will not receive further finishing treatment before it is sold for consumption.

(*d*) "Finishing treatment" means additional cellar treatment customarily used to change unfinished wine to wine in a finished condition, including but not limited to filtering, fining, aging, or the addition of acidulents or sweetening, but not including blending or fortification.

(*e*) "Kind and type" with reference to wine refers to the customary trade classification of wine as to (*1*) the material from which it is made, viz, fruit, berries, grapes grown in the State of California, or grapes grown elsewhere in the United States, etc.; (*2*) the alcoholic content, viz, table wine, dessert wine, unfortified wine, fortified wine, etc.; (*3*) the character of the processing used in its production, viz, natural sparkling, artificial carbonation, etc.; (*4*) the type of wine within such classification, viz, sherry, champagne, American Sauternes, muscatel, etc.

(iv) *Applicability.* The provisions of this subparagraph (63) shall be applicable to the United States and the District of Columbia.

* * * * *

(b) *Effective dates.* * * *

(106) Amendment No. 105 (§ 1499.73 (a) (63)) to Supplementary Regulation No. 14 shall be effective as of February 15, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 9th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2105; Filed, February 9, 1943; 11:24 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Supp. Reg. 14,[1] Amendment 106]

MODIFICATION OF MAXIMUM PRICES FOR CERTAIN COMMODITIES, SERVICES AND TRANSACTIONS

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (64) is added to § 1499.73 (a), as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

* * * * *

(64) *Sales covered by orders issued under regulations covering manufacturers' sales.* Maximum prices for wholesale and retail sales covered by the General Maximum Price Regulation may be set by orders issued under regulations covering manufacturers' sales of the commodities.

(b) *Effective dates.* * * *

(107) Amendment No. 106 (§ 1499.73 (a) (64)) to Supplementary Regulation

[1] 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7535, 7739, 7610, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9495, 9496, 10381, 9639, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10583, 10537, 10705, 10557, 10583, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 1139, 1590, 980, 1030, 876, 878, 1121, 878, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467.

No. 14 shall become effective February 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2104; Filed, February 9, 1943; 11:26 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 188,[1] Amendment 5]

MANUFACTURERS' MAXIMUM PRICES FOR SPECIFIED BUILDING MATERIALS AND CONSUMERS' GOODS OTHER THAN APPAREL

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new sentence is added in paragraph (a) of § 1499.158, as set forth below:

§ 1499.158 *Fourth pricing method; specific authorization by the Office of Price Administration*—(*a*) *Maximum prices.* * * *

Such authorization will be given in the form of an order prescribing a method of determining the maximum price for the applicant or for sellers of the commodity generally, including purchasers for resale, or for a class of such sellers.

§ 1499.165a *Effective dates of amendments.* * * *

(e) Amendment No. 5 to Maximum Price Regulation No. 188 (§ 1499.158 (a)) shall be effective February 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2105; Filed, February 9, 1943; 11:24 a. m.]

Chapter XIII—Petroleum Administration for War

PART 1575—PETROLEUM INDUSTRY

[Petroleum Regulation 1]

§ 1575.1 *Petroleum Regulation No. 1*—(*a*) *Purpose.* In order to promote the national defense and to provide adequate supplies of petroleum for military and other essential uses, it is necessary that directions be issued to persons engaged in the petroleum industry with respect to the delivery or receipt of petroleum by or to any person engaged in the petroleum industry.

(b) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Petroleum" means petroleum as defined in Executive Order No. 9276.

(c) *Directions.* The Petroleum Administrator for War may from time to time issue specific directions requiring, forbidding or otherwise providing for the delivery of petroleum by or to any person or persons. Where such a direction is issued, it shall take precedence over the provisions of any petroleum administrative order, petroleum distribution order, or petroleum directive and over the provisions of any contract to which any person to whom the direction is issued may be a party.

(d) *Violations.* Any person who wilfully violates any provision of this regulation or any provision of any direction issued pursuant to this regulation, or who, by any act or omission, falsifies records kept or information furnished in connection with this regulation or any direction issued pursuant to this regulation is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this regulation or any provision of any direction issued pursuant to this regulation may be prohibited from delivering or receiving any material under priority control, or such other action may be taken as is deemed appropriate.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of February 1943.

R. K. DAVIES,
Acting Petroleum Administrator for War.

[F. R. Doc. 43-2061; Filed, February 8, 1943; 1:41 p. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order 8, Revised, Supp. 8, Revised]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

Supplement 8 (§§ 302.76 to 302.87 inclusive) to General Order 8 (Revised) (§§ 302.12 to 302.16 inclusive) is revised to read: "Prescribing regulations for determining time lost by the United States of America under Time Charters executed by and through the War Shipping Administration or the United States Maritime Commission" and "Prescribing regulations for determining compensation payable to owners and chartered owners of vessels time chartered to the United States Maritime Commission or War Shipping Administration, for time lost in partially or entirely arming, degaussing, or demagnetizing, prior to delivery of such vessels to the Government."

§ 302.76 *Definitions.* (a) The word "Warshiptime" when used herein refers to the form of time charter approved by the Administration under its General Order No. 11 (§ 302.50); however, the regulations promulgated herein shall also be applicable, in so far as they may be relevant, to all other forms of time charters executed by the United States of America, acting by and through the War Shipping Administration or its predecessor, the United States Maritime Commission.

(b) The words "owner" or "owners" when referred to herein shall be deemed to include the owners or chartered-owners or owner's agents of vessels operated or operating under Warshiptime as hereinabove defined.

(c) The word "charterer" shall be deemed to mean the United States of America, acting by and through the War Shipping Administration or United States Maritime Commission.

(d) The word "agent" shall be deemed to mean the agent of the charterer.

§ 302.77 *Provisions of Warshiptime under which time is lost by the charterer but hire may continue, be suspended or reduced to one-half.* (a) Full hire continues to run, although time is lost by the charterer, under circumstances within the following clauses of Part II of Warshiptime (§ 302.50):

(1) The happening of any event listed in Clause 4 (a) caused by the fault of the charterer or caused or contributed to by war or warlike acts as more fully described in Clause 4 (i);

(2) Time lost (when the vessel needs repairs necessary to her working) due to circumstances described in Clause 4 (b) (ii);

(3) Time lost in the installation or repair (for charterer's account) of equipment or defensive armament as described in Clause 11, subject, however, to regulations issued pursuant to Article 2 (d) of General Order 8 (Revised) (§ 302.13 (d)); and

(4) Time lost because of the unavailability of drydock as prescribed in Clause 12.

(b) Hire is reduced to one-half, when time is lost by the charterer, under circumstances within the following Clauses of Part II of Warshiptime (§ 302.50):

(1) Time lost from circumstances described in paragraphs (a) and (b) of Clause 4; *Provided, however*, That the events described in said paragraph (a) are not caused by the charterer or caused or contributed to by war or warlike acts as described in Clause 4 (i);

(2) Time lost in excess of 48 hours in any two-month period in the cleaning of boilers and overhauling of machinery as prescribed in the last paragraph of Clause 4; and

(3) Time lost in the event of a disabled winch or winches or insufficient power to operate winches as prescribed in Clause 17.

(c) Hire is suspended under circumstances within the following Clauses of Part II of Warshiptime (§ 302.50):

(1) Time lost in remedying defects in the vessel's condition upon delivery as described in Part I of Warshiptime (§ 302.50) and in Clause 1;

(2) Time lost in drydocking, cleaning and painting the bottom of the vessel as described in Clause 12;

(3) Time lost in remedying defects caused by the owner's failure to maintain the condition of the vessel as prescribed in Clause 1;

(4) Time lost from damage to the vessel resulting in its constructive total loss (damage in excess of 50% of the value of the vessel) as prescribed in Clause 3.

(5) Time lost due to any act of neglect, fault, omission to act, breach of contract, or breach of any order of the charterer, by the owner pursuant to the provisions of Warshiptime. (§ 302.50)

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5872, 7967, 8943, 10155; 8 F.R. 537.

§ 302.78 *Savings required to be credited to the charterer during periods in which full hire continues, and expenses to be borne by the owner when hire is suspended, or is reduced to one-half* (a) During periods in which full hire accrues under circumstances described in § 302.77 (a) hereinabove, the provisions of Warshiptime (§ 302.50) provide that credit shall be given the charterer for savings effected by owners with respect to those expenses set forth in Clause 6, and a corresponding deduction therefor shall be made from charter hire.

(b) (1) Under the provisions of Warshiptime, the cost of fuel and water consumed shall be borne by the owner during all periods in which hire is reduced;

(2) If, during the period that hire is reduced under the provisions of Warshiptime, the vessel shall be required to put into any port or place other than that to which the vessel is bound, the cost of fuel and water consumed, as well as all port charges, pilotages, and other expenses for the charterer's account incurred during such period, shall be borne by the owner.

(3) The last sentence of Clause 12 of Part II of Warshiptime provides that all towage, pilotage, and other expenses incidental to the drydocking, and all port charges incurred and fuel and water consumed (to the extent such fresh water is to be provided or paid for by the charterer) while hire is suspended as provided in this clause, shall be for the owner's account.

§ 302.79 *Concurrent "off-hire" situations.* When time is lost by the charterer from events or series of events which, under the provisions of the foregoing regulations, would require the simultaneous suspension, reduction or continuation of hire (excluding, however, defensing and repairs thereto as one of the events), the charterer will adjust such instances as follows: (1) Determine the number of days and or hours during which such events were concurrent; (2) add the hire applicable to the two or more events; and (3) divide the sum thereof by the number of such events, the quotient thereof being the hire payable during such period to the owners. However, if the same rate of hire is applicable to two or more of such events, they shall be considered as one event.

Example: A. Assume that the following work is performed concurrently:

(a) Repairs listed in Clause 4 (a), of Warshiptime, caused or contributed to by a warlike act (for which 100% hire is payable), time consumed three days;

(b) Repairs listed in the same Clause 4 (a) of Warshiptime, which are not the result of a warlike act (for which 50% hire is payable), time consumed two days;

(c) Cleaning boilers in excess of two days as provided in Clause 4 (for which 50% hire is payable), time consumed one day;

(d) Cleaning and painting the bottom of the ship as provided in Clause 12 of Warshiptime (for which no hire is payable), time consumed one day; and

(e) Defensing not to be considered as a concurrent event, time consumed four days.

CALCULATION

Days consumed	First day		Second day		Third day		Fourth day	
	Percent hire	Events	Percent hire	Events	Percent hire	Events	Percent hire	Events
(a) 3	100	1	100	1	100	1		
(b) 2	50	1	50	1				
(c) 1								
(d) 1	0	1						
(e) 4							100	
Rate of hire	150	3	150	2	100	1	100	
	50		75		100		100	

Items (b) and (c) have been treated as one event for the first day inasmuch as they both take the same rate of hire. Item (e) is not taken into the calculation as it is not other work is being performed concurrently.

§ 302.80 *Preparation of "off-hire" certificate.* (a) For each event within the provisions of § 302.77 hereinabove, the owner shall execute, and the charterer's Agent shall countersign (whether or not the owner and agent are the same), in triplicate a certificate (hereinafter referred to as "off-hire certificate") setting forth the following information:

(1) The cause or causes which produced such occurrence;

(2) The relevant extracts from the engine, deck or port logs, whichever may be pertinent;

(3) The time lost by the vessel (computed in days and hours) as a result of such occurrence;

(4) Statement whether hire should continue be reduced to one-half, or be suspended during the time specified in subparagraph (3) above;

(5) (i) If hire is to continue a statement should be made of the savings effected by the owner.

(ii) If hire is suspended or reduced a statement should be made of the expenses which would otherwise be borne by the charterer but which are because of such suspension or reduction, borne by the owner.

(iii) Such savings effected or such expenses borne by the owner, if any, should be deducted from the hire accruing to the owner under subparagraph (4) above.

(6) Such certificate of off-hire should then be mailed to the Manager, Charters and Agencies Section, Division of Operations, War Shipping Administration, Washington, D. C. not later than 30 days after knowledge by the owner of the occurrence except that for occurrences prior to the effective date of this order, such certificate shall be mailed immediately.

(b) Every owner shall be required to exercise due diligence to effect savings during periods in which the vessel remains on hire as more fully described in § 302.78.

(c) For repeated failure by owners to furnish voluntarily the certificates of off-hire required hereunder, or for failure to exercise due diligence in effecting savings or assuming the expenses which are ordinarily borne by the charterer (in the applicable circumstances described in § 302.77 hereinabove), the proper officers of the charterer are authorized to suspend payments of hire in an amount equaling, in the estimate of the charterer, the time lost by the charterer plus any savings which should have been effected by the owners for the benefit of the charterer, and any expenses which should have been borne by the owner in the applicable cases which are normally for the account of the charterer.

§ 302.81 *Applicability of regulations.* The regulations published hereunder shall be applicable, to the extent permissible under the particular charter, to all time charters executed with owners by the charterer from July, 1941. In the event that an "off-hire" situation occurs which is not covered by regulations promulgated hereunder, such situation shall be settled on the basis of the law applicable under the provisions of the charter.

§ 302.82 *Off-hire certificate.* The form of off-hire certificate to be used in connection with the foregoing regulations shall be furnished, in triplicate, in the following form:

WAR SHIPPING ADMINISTRATION,
Charters and Agencies Section,
Division of Operations,
Washington, D. C.

GENTLEMEN: This is to advise that to the best of our knowledge and belief we hereby certify that the following events took place with respect to the SS MS. ..... under time charter to the United States of America (Contract No. .....):

(1) .....
.....
.....
.....
.....

(2) The time lost by the vessel as a result of the above occurrence, was ..... days ..... hours (for major fractions of an hour a full hour shall be added and for minor fractions of an hour such fraction shall be deducted, to bring the total to even hours).

(3) Hire should (continue / be reduced to one-half / be suspended) during the period specified in (2) above for the following reasons:

.....
.....

(4) During the period specified in (2) above, the following deductions should be made from accrued hire because of savings effected by us or because the charges were assumed by us during such period:

(5) The sum total of hire to be suspended or reduced to one-half plus the savings specified in (4) above totals $..... which should be deducted from monthly hire accruing under the above-mentioned time charter party agreement.

.....
(Signature of Owner)

.....
(Signature of Charterer's Agent)

NOTE: If the facts recited in subparagraph (1) set forth time lost by the vessel in a repair yard, the written concurrence of the local District Manager of Maintenance and Repairs of the charterer should be obtained as to the statement of time lost in making the various types of repairs, including defensing time.

§ 302.83 *Determination of and payment for time lost resulting from defensing, for which the owner has not been previously compensated, prior to the delivery of the vessel to the administration under form of charter tendered pursuant to General Order 8 (Revised) and supplements thereto (§ 302.12 et seq.).* Owners shall be compensated for time lost by them resulting from defensing of vessels subsequently delivered to the Government under a time charter tendered pursuant to said General Order 8 (Revised) as set forth below:

The Administration shall reimburse owners for time lost by them in partially or entirely arming or degaussing in instances where delivery of the vessel was effected prior to the effective date of the charter tendered pursuant to General Order 8 (Revised) at the applicable rate of hire set forth in such charter, except that no hire shall be paid for time consumed by such owners in making repairs to the vessel of a nature which would have, but for the defensing, prevented the vessel from working in whole or in part and which were performed during the period of such arming and degaussing.

(a) Owners shall prepare public vouchers in the usual form which shall be supported by a statement, or statements, reflecting:

(1) Date and time vessel was made available upon receipt of the order for defensing, and date and time vessel was again ready for service after completion of defensing;

(2) Total time consumed in (1) above computed in days and hours;

(3) Deduction for full time consumed in making owners' repairs of a nature which would have, but for the defensing, prevented the vessel from working in whole or in part and which were performed during the period of such defensing;

(4) Value of net time lost in defensing, calculated at the applicable charter hire rate, or pro rata part thereof, prescribed in General Order 8 (Revised) or supplements thereto (§§ 302.12 to 302.75 incl.);

(5) Deductions from the value of the net time lost, referred to in subparagraph (4) above, the following, if applicable:

(i) Credit shall be given the charterer for savings effected by owners, during periods in which full hire has accrued, with respect to expenses set forth in § 302.78 (a); and

(ii) During periods in which hire is reduced or suspended, the cost of fuel and water, if for the charterer's account, shall be borne by the owner.

(6) Net amount claimed for time lost resulting from defensing; and

In no event shall the owner receive compensation in an amount in excess of the value of the time representing the loss of the use of the vessel to the owner.

In addition to the above statements there shall be required a statement, in duplicate, from the yard which performed such defensing setting forth the time consumed in such defensing and repairs, such statement to bear the written approval of the Administration's local District Manager of Maintenance and Repairs.

(b) Public vouchers (Form 1034, revised) shall be prepared for each vessel and shall be submitted in quintruplicate to the local district auditor or port auditor, or the General Auditor of Operations, Division of Finance, War Shipping Administration, Washington, D. C. (if there is no district auditor or port auditor in the home port of the owner), and shall be prepared to read substantially as follows:

Compensation for time lost in defensing SS ....., prior to delivery to the Government, for which compensation has not heretofore been received, calculated at the applicable time charter rate prescribed in General Order 8 (Revised), and supplements thereto (§§ 302.12 to 302.75 incl.), and in the manner prescribed in Supplement 8 (Revised) thereto (§ 302.76), subject to adjustment to conform with the provisions of the said general order and the applicable time charter. Payment by the War Shipping Administration of all, or any part of the amounts claimed herein shall not be construed as an approval of the correctness of the amounts stated to be due the owner, nor as a waiver of any of the rights or remedies of the War Shipping Administration under the terms of the applicable time charter agreement or otherwise.

§ 302.84 *Disputes.* In the event of a dispute between the owner and the War Shipping Administration as to the amount of time consumed in performing defensing, owner's repairs, etc., the decision of the Administrator, War Shipping Administration, shall be final and binding.

E. S. LAND,
Administrator.

FEBRUARY 6, 1943.

[F. R. Doc. 43-2089; Filed, February 8, 1943; 5:23 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-266]

E. D. RAFFERTY

ORDER RESCHEDULING HEARING AND REDESIGNATING TRIAL EXAMINER

The hearing in the above-entitled matter having been postponed by an order issued herein dated July 22, 1942, to a time and place to be thereafter designated by an appropriate order; and

The Director deeming it advisable that said hearing should now be rescheduled;

Now, therefore, it is ordered, That the hearing in the above-entitled matter shall be held on March 9, 1943, at 10 a. m. at a hearing room of the Bituminous Coal Division at Daviess Circuit Court, Owensboro, Kentucky; and

It is further ordered That Charles O. Fowler shall preside at said hearing vice Edward J. Hayes; and

It is further ordered, That the Notice of and Order for Hearing issued June 20, 1942, shall, in all other respects, remain in full force and effect.

Dated: February 6, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2091; Filed, February 9, 1943; 11:16 a. m.]

[Docket No. B-292]

RIDGWAY COAL CO.

ORDER GRANTING APPLICATION, ETC.

In the matter of John H. Ridgway, doing business under the name and style of Ridgway Coal Company, Code Member.

Order granting application filed pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for disposition hereof without formal hearing and Cease and Desist Order.

A complaint, dated July 8, 1942, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act") having been duly filed on July 11, 1942, with the Bituminous Coal Division (the "Division") by the Bituminous Coal Producers Board for District No. 4, a district board (the "Complainant"), alleging that John H. Ridgway, doing business under the name and style of Ridgway Coal Company (the "Code Member"), operating the Buckeye Mine (Mine Index No. 1803) and the Ridgway Mine (Mine Index No. 1804), both located in Tuscarawas County, Ohio, District No. 4, willfully violated the provisions of the Act, the Bituminous Coal Code (the "Code"), and rules and regulations promulgated thereunder, as more fully set forth in the complaint; and

The complaint herein and the Notice of and Order for Hearing, issued July 24, 1942, having been duly served on the code member on July 30, 1942; and the hearing noticed for September 22, 1942, having been postponed to September 28, 1942, by order issued September 10, 1942; and

A hearing having been held, and a record made, at the Post Office Building, Canton, Ohio, on September 28, 1942, and code member and its counsel having failed to appear at such hearing due to a misunderstanding on their part as to the time and date of the postponed hearing; and

The code member having, by reason of said misunderstanding and failure to appear at the hearing, been given special permission by the Director on October 20, 1942, to file within seven (7) days from the date thereof an application under § 301.132 of the Rules of Practice and Procedure for consideration in the same manner as though the hearing had not been held, and the code member having filed such application on October 27, 1942; and

Notice, dated November 24, 1942, of the filing of said application having been published in the FEDERAL REGISTER on November 25, 1942, pursuant to said § 301.132 of the rules, and copies of said notice having been duly mailed to interested parties, including the complainant herein; and

Said notice of filing having provided that interested parties desiring to do so, might, within fifteen (15) days from the date of said notice, file recommendations or requests for informal conferences in respect to said application, and it appearing that no such recommendations or requests have been filed with the Division; and

It appearing from said application that the code member admits wilfully committing those violations alleged in the complaint herein in so far as they relate to failing and refusing to file with the Statistical Bureau for District No. 4, a report of all sales made during the period January 1, 1941, to and including June 30, 1942, of coals produced at the Buckeye Mine (Mine Index No. 1803) and Ridgway Mine (Mine Index No. 1804) as required by Orders Nos. 307 and 309,

promulgated by the Division on December 11, 1940 and January 14, 1941, respectively, pursuant to the authority granted in section 4 II (a) of the Act; and

It further appearing that the code member, during the period January 1941 to June 1942, both months inclusive, did not maintain and keep on file shipping records nor file with the Statistical Bureau for District No. 4, debit or credit memoranda relative to coal produced at said mines and shipped by rail, as required by Orders Nos. 156 and 313, promulgated on January 18, 1937, and February 24, 1941, respectively, as alleged in the complaint herein for the reason that no coal was sold or shipped by rail during said period; and

It further appearing in said application that the code member consents to the entry of an order canceling and revoking its code membership, or of an order directing it to cease and desist from further violations of the Act, the Code, and regulations thereunder, or to the entry of an order revoking its code membership and also enjoining and restraining the code member from further violations of the Act, the Code, and rules and regulations thereunder upon any restoration of its code membership;

Now, therefore, pursuant to the authority vested in the Division by section 4 II (j) of the Act, authorizing it to adjust complaints of violations, and to compose the differences of the parties therein, and upon said application filed pursuant to § 301.132 of the Rules of Practice and Procedure before the Division and upon evidence in the possession of the Division, it is hereby found that:

(1) John H. Ridgway is an individual doing business under the name and style of Ridgway Coal Company, and is engaged in the business of mining and producing bituminous coal in Tuscarawas County, Ohio, District No. 4;

(2) John H. Ridgway, doing business under the name and style of Ridgway Coal Company, filed with the Division an acceptance of the Bituminous Coal Code, dated August 12, 1938, and his code membership was made effective as of December 15, 1937, and since said date he has been and is now a code member operating the Buckeye Mine (Mine Index No. 1803) and the Ridgway Mine (Mine Index No. 1804), both located in Tuscarawas County, Ohio, District No. 4;

(3 John H. Ridgway, doing business under the name and style of Ridgway Coal Company, failed and refused to file with the Statistical Bureau for District No. 4, a report of all sales, by truck or wagon, during the period January 1, 1941, to and including June 30, 1942, of coal produced at the Buckeye Mine (Mine Index No. 1803) and the Ridgway Mine (Mine Index No. 1804), as required by Orders Nos. 307 and 309 promulgated by the Director of the Bituminous Coal Division on December 11, 1940, and January 14, 1941, respectively, pursuant to authority granted in section 4 II (a) of the Act; and said code member, during the period January 1, 1941, to and including June 30, 1942, neither sold nor shipped coal for rail movement from the Ridgway Mine (Mine Index No. 1804).

Upon the basis of the application, the above findings, and the authority vested in the Division as herein above set forth,

It is ordered, That the application filed pursuant to § 301.132 of the Rules of Practice and Procedure for disposition of this compliance proceeding without formal hearing be and the same hereby is granted;

It is further ordered, That pursuant to section 5 (b) of the Act, John H. Ridgway, doing business under the name and style of Ridgway Coal Company, his agents, servants, employees, attorneys, receivers, assigns, and all persons claiming to act on his behalf or in his interest cease and desist, and they are hereby permanently enjoined and restrained from further violations of the Act, the Code, and rules and regulations issued thereunder;

It is further ordered, That upon any failure to comply with this order, the Division may apply to any United States Circuit Court of Appeals having jurisdiction for enforcement thereof, or take other appropriate action.

Dated: February 6, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2092, Filed, February 9, 1943, 11:16 a. m.]

[Docket No. B-350]

EARL M. READ

ORDER RESCHEDULING HEARING

The above-entitled matter having been scheduled for hearing at a hearing room of the Bituminous Coal Division at the Clearfield County Courthouse, Clearfield, Pennsylvania, on January 27, 1943, pursuant to an order of the Director issued December 19, 1942, and subsequently postponed by Order of the Director issued January 23, 1943, to a date and hearing room to be thereafter designated by an appropriate order;

Said order of December 19, 1942, having designated Charles O. Fowler or any other officer or officers of the Bituminous Coal Division to preside at the hearing in such matter; and

It appearing to the Director that the place and date of said hearing should now be designated.

Now, therefore, it is ordered, That a hearing in the above-entitled matter be held on March 13, 1943, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Community Room, City Hall, Altoona, Pennsylvania.

It is further ordered, That Edward J. Hayes, vice Charles O. Fowler, or any other duly designated officer or officers of the Bituminous Coal Division, shall preside at the hearing in such matter.

It is further ordered, That the notice of and order for hearing herein dated December 19, 1942, as amended, shall in all other respects remain in full force and effect.

Dated: February 6, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2093; Filed, February 9, 1943; 11:16 a. m.]

[Docket No. B-354]

HOMER MICHAEL

NOTICE OF AND ORDER FOR HEARING

A complaint dated December 17, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on December 22, 1942, by Bituminous Coal Producers Board for District No. 1, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by Homer Michael, (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder:

It is ordered, That a hearing in respect to the subject matter of such complaint be held on March 11, 1943, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Community Room, City Hall, Altoona, Pennsylvania.

It is further ordered, That Edward J. Hayes, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has willfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging that Homer Michael, a code member, La Jose, Pennsylvania, whose code membership became effective as of July 16, 1938, and who operates the Michael Mine, Mine Index No. 1763, located in Clearfield County, Pennsylvania, Subdistrict No. 18 of District No. 1, has wilfully violated the Act, the Code promulgated thereunder, and orders, rules and regulations of the Division as follows:

1. By selling and delivering, by truck, subsequent to September 30, 1940, coal produced at the aforesaid mine, at prices below the effective minimum prices established for said coal, plus the transportation charges, handling charges, or incidental charges from the transportation facilities at the mine to the point at which all such charges were assumed and directly paid by the purchasers, including the following transactions:

The sale and delivery during the period from January 31, 1942, to February 23, 1942, both dates inclusive, of approximately 33.6 net tons of run of mine coal, Size Group 3, to various purchasers, at $2.25 per net ton f. o. b. destination, whereas the effective minimum f. o. b. mine price of said coal, as set forth in the Schedule of Effective Minimum Prices for District No. 1 for Truck Shipment (the "Schedule"), was $2.25 per ton plus an amount at least as nearly as practicable to the transportation charges, handling charges, or incidental charges from the transportation facilities at the mine to the points at which all such charges were assumed and directly paid by the purchasers, as required by Price Instruction No. 6 as amended and contained in Supplement No. 1 to said Schedule, each of which transactions resulted in a wilful violation of section 4 II (e) and (g) of the Act and Part II (e) and (g) of the Code.

2 By selling subsequent to September 30, 1940, below the effective minimum price established therefor, coal produced at his aforesaid mine including:

Approximately 107 net tons of run of mine coal, Size Group 3, sold during the period January 1, 1942, to March 7, 1942, both dates inclusive, to various purchasers at prices ranging from $1.50 to $2.00 f. o. b. said mine, whereas the effective minimum price for said coal as set forth in said Schedule, was $2.25 per net ton f. o. b. the mine, each of which said transactions resulted in a wilful violation of section 4 Part II (e) of the Act and Part II (e) of the Code.

3. By failing to file with the Statistical Bureau for District No. 1, not later than 5 days after the first day of the fifteenth day in each month, duplicate copies of each sales slip or invoice covering sales of coal produced at said mine by said code member, for shipment by truck or wagon during the period October 1, 1940, to December 31, 1940, both dates inclusive, each of such failures to so file, constituted a wilful violation of said Order No. 296, dated September 23, 1940, the Act, the Code, and orders, rules and regulations of the Division, pursuant to which said order was promulgated.

4. By failing to file with the Statistical Bureau for District No. 1, for each month commencing with the period January 1, 1941, to the date hereof, a report of all sales of coal sold and shipped from said mine by truck or wagon, within 5 days after the end of the month, copies of truck tickets, sales slips, or invoices for each such sales, giving all the information required by section III (b) of Order No. 307, or a listing of each such sales giving all the information required by section III (b) of Order No. 307 (on B. C. D. No. 468), each of such failures to so file, constituted a wilful violation of said Order No. 308, dated January 14, 1941, the Act, the Code and orders, rules and regulations of the Division, pursuant to which said order was promulgated.

Dated: February 6, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2094; Filed, February 9, 1943; 11:16 a. m.]

[Docket No. B-358]

REED COAL MINING COMPANY

NOTICE OF AND ORDER FOR HEARING

A complaint dated December 29, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on December 31, 1942, by Bituminous Coal Producers Board for District No. 1, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by Reed Coal Mining Company, (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder;

It is ordered, That a hearing in respect to the subject matter of such complaint be held on March 15, 1943, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Community Room, City Hall, Altoona, Pennsylvania.

It is further ordered, That Edward J. Hayes, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged

Notice is also hereby given that if it shall be determined that the Code Member has willfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging that said Reed Coal Mining Company, a corporation, 1015 U. S National Bank Building, Johnstown, Pennsylvania, whose code membership became effective as of June 21, 1937, operator of the Reed No. 1 Mine, Mine Index No. 416, located in Subdistrict 24 of District No. 1, Cambria County, Pennsylvania, has wilfully violated the Act, the Code, and orders, rules and regulations of the Division as set forth below.

By allowing or paying directly or indirectly sales agency commissions, pursuant to sales agency contracts entered into after August 8, 1940, appointing the sales agents indicated below, on sales of coal produced at its said mine and sold through said sales agents and delivered to various purchasers after January 1, 1941, in the following transactions:

Sales agents	Date of sales Agency contracts	Period of sales (1941)	Sales by tons	Commissions allowed	Allowable commissions
Eastern Coal & Coke Co.	Oct. 18, 1940	Jan. 2 to Sept. 16	8,917.25	$1,528.19	$1,072.10
Louis Gilletti & Co., Inc.	Apr. 30, 1941	Aug. 8 to Sept. 23	422.30	87.49	50.67
Corbrit Coal Co.	Sept. 30, 1940	Jan. 4 to 17	504.00	3,379.88	2,105.78
A. K. Althouse & Co.	July 26, 1941	Dec. 29 to March 6	45.75	12.59	5.49

said commissions as allowed or paid, directly or indirectly, were in excess of the maximum discounts which said sales agents could have received if they had purchased said coal as distributors under the schedule of due and reasonable maximum discounts for distributors established pursuant to section 4 II (h) of the Act and such commissions so allowed and paid, directly or indirectly, resulted in violations of Rule 13 (A) of section II of the Marketing Rules and Regulations by said code member by reason of the fact that no applications pursuant to said rule were filed with the Division for permission to allow and pay said commissions.

Dated: February 6, 1943

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2095; Filed, February 9, 1943; 11:17 a. m.]

[Docket No. B-359]

PRESS COAL CO.

NOTICE OF AND ORDER FOR HEARING

In the matter of Steve Pysz doing business under the name and style of Press Coal Company, Code Member.

A complaint dated December 29, 1942 pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on December 31, 1942 by Bituminous Coal Producers Board for District No. 1, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by Steve Pysz doing business as Press Coal Company, (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder:

It is ordered, That a hearing in respect to the subject matter of such complaint be held on March 17, 1943, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Community Room, City Hall, Altoona, Pennsylvania.

It is further ordered, That Edward J. Hayes, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging that said Steve Pysz doing business under the name and style of Press Coal Company, a code member, R. F. D., Barnesboro, Pennsylvania, whose code membership became effective as of October 15, 1938, and who operates the Thermal #7 Mine, Mine Index No. 598, located in Cambria County, Pennsylvania, in District No. 1, has wilfully violated the Act, the Code, orders, rules and regulations of the Division as set forth below.

1. By allowing or paying directly or indirectly, sales agency commissions in the aggregate amount of $3,063.96, pursuant to a sales agency contract entered into on or about October 1, 1940, appointing R. G. Strand, trading under the name and style of Thermal Coal Sales Company, Johnstown, Pennsylvania ("Thermal"), formerly a registered distributor, as sales agent for said code member, on sales of approximately 19,549.55 net tons of coal produced at his mine and sold through said sales agent and delivered by rail to various purchasers, during the period January 9, 1941 to March 31, 1942 which commissions as allowed or paid, directly or indirectly, were $1,458.56 in excess of the maximum discounts which said sales agent could have received if it had purchased said coal as a distributor under the schedule of due and reasonable maximum discounts for distributors established pursuant to section 4 II (h) of the Act, and that such commissions so allowed and paid directly or indirectly, resulted in a violation of Rule 13 (A) of section II of the Marketing Rules and Regulations by said code member by reason of the fact that no application pursuant to said rule was filed with the Division for permission to allow and pay said commissions.

2. By allowing or paying directly or indirectly sales agency commissions in the aggregate amount of $8.16, pursuant to the sales agency contract referred to in (1) hereof, on approximately 54.2 net tons of 2" nut and slack coal produced at said mine and sold through Thermal and delivered by rail to Valley Camp Coal Company, Baltimore, Maryland, Registered Distributor, Registration No. 9204, on or about October 4, 1940, which commission as allowed or paid, directly or indirectly was $2.34 in excess of the maximum discount which Thermal could have received if it had purchased said coal as a distributor under the schedule of due and reasonable maximum discounts for distributors established pursuant to section 4 II (h) of the Act, and that such commission so allowed or paid directly or indirectly, resulted in violations of Rule 13 (A) of section II of the Marketing Rules and Regulations by said code member by reason of the fact that no application pursuant to said rule was filed with the Division for permission to allow and pay said commission.

3. By selling, for rail shipment, through Thermal, subsequent to September 30, 1940, to Valley Camp Coal Company, Baltimore, Maryland, Registered Distributor, Registration No. 9204, coal produced at the aforesaid mine, below the effective minimum price established therefor by the Division, including the sale of 54.2 net tons of 2" nut and slack coal on or about October 4, 1940 at $2.15 per net ton f. o. b. said mine, whereas the size of said coal fell within a size group or classification for which no price was listed for said mine in the Schedule of Effective Minimum Prices for District No. 1 for All Shipments Except Truck, and, therefore, pursuant to said Schedule, said coal should have been sold at not less than $2.25 per net ton f. o. b. said mine, the applicable minimum price established for the next largest size, to wit, Size Group No. 3, for which a price was listed for said mine, therefore said sale and delivery resulted in a violation of said section 4 Part II (e) of the Act and Part II (e) of the Code.

Dated: February 6, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2096; Filed, February 9, 1943; 11:17 a. m.]

[Docket No. C-23]

GREAT NORTHERN RAILWAY CO.

ORDER POSTPONING HEARING UNTIL FURTHER ORDER

In the matter of the application of the Great Northern Railway Company for exemption pursuant to section 4-A of the Bituminous Coal Act of 1937.

An application for a determination of the status of the coal produced at the Giffen Mine of The Great Northern Railway Company in District No. 22 having been filed by the above-named applicant pursuant to the second paragraph of section 4-A of the Bituminous Coal Act of 1937, and

A hearing in this matter having been scheduled to be held on February 11, 1943; and

It appearing appropriate that said hearing should be postponed until further order:

Now, therefore, it is ordered, That the hearing in the above-entitled matter, heretofore scheduled to be held on February 11, 1943, be, and it hereby is, postponed until further order.

Dated: February 6, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2097; Filed, February 9, 1943; 11:16 a. m.]

[Docket No. C-24]

B. F. GOODRICH CO.

ORDER POSTPONING HEARING UNTIL FURTHER ORDER

In the matter of the application of The B. F. Goodrich Company for exemption pursuant to section 4-A of the Bituminous Coal Act of 1937.

An application for a determination of the status of the coal produced at certain mines of The B. F. Goodrich Company in Tuscarawas County, Ohio, District No. 4, having been filed by the above-named applicant pursuant to the second paragraph of section 4-A of the Bituminous Coal Act of 1937; and

A hearing in this matter having been scheduled to be held on February 23, 1943; and

It appearing appropriate that said hearing should be postponed until further order;

Now, therefore, it is ordered, That the hearing in the above-entitled matter, heretofore scheduled to be held on February 23, 1943, be, and it hereby is, postponed until further order.

Dated: February 8, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2098; Filed, February 9, 1943; 11:17 a. m.]

BLUE GRASS COAL CO., ET AL.

ORDER REVOKING CERTAIN REGISTRATIONS

In the matter of the revocation of registrations as distributors of Blue Grass Coal Company, (a corporation), the M. A. Hanna Coal & Dock Company, North Western Fuel Company and Frederic Parker (Hanson & Parker).

The registered distributors, whose names are set forth in Exhibit A, attached hereto and made a part hereof, having requested revocation of registration, having discontinued or disposed of their distribution business, having been reorganized under a new name, having been otherwise succeeded in their business or for other reasons being no longer engaged in business, the registrations previously granted to them should be revoked and their names withdrawn from the List of Registered Distributors.

Accordingly, it is so ordered.

Dated: February 8, 1943.

[SEAL] DAN H. WHEELER,
Director.

EXHIBIT A

Registration Number and Name	*Address*
0863 Blue Grass Coal Co. (a corporation).	3301 Carew Tower, Cincinnati, Ohio.
3960 The M. A. Hanna Coal & Dock Co.	1240 Baker Bldg., Minneapolis, Minn.
6897 North Western Fuel Co.	2196 University Ave., St. Paul, Minn.
7150 Frederick Parker (Hanson & Parker).	50 Congress St., Boston, Mass.

[F. R. Doc. 43-2099; Filed, February 9, 1943; 11:17 a. m.]

DEPARTMENT OF AGRICULTURE.

Office of the Secretary.

MARKETING AGREEMENTS AND ORDERS

DELEGATION OF AUTHORITY

Order authorizing the Director of Food Distribution to perform certain functions in connection with marketing agreements and orders.

Pursuant to the authority vested in the Secretary of Agriculture of the United States (hereinafter referred to as the "Secretary") by Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed., sec. 601 et seq.), hereinafter referred to as the "act", the order (7 F.R. 938) executed by the Secretary on February 10, 1942, authorizing the Administrator of Agricultural Marketing to perform certain functions in connection with marketing agreements and orders, is hereby amended by deleting from said order the words "Administrator of Agricultural Marketing", wherever such words appear therein, and inserting, in lieu thereof, the words "Director of Food Distribution".

Done at Washington, D. C., this 8th day of February 1943. Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-2060; Filed, February 8, 1943; 1:35 p. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F. R. 2862, and as amended June 25, 1942, 7 F. R. 4723), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940, (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942, (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940, (5 F.R. 4203).

Glove findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940, (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940, (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940, (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940, (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940, (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941, (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940, (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941, (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the determination and order or regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective February 8, 1943. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry

B & B Manufacturing Company, 26 Canfield Street, Orange, New Jersey; Cotton dresses, apron; 5 learners (T); February 8, 1944.

Bair Shirt Factory, Bair, Pennsylvania; Work shirts; 10 learners (T); February 8, 1944.

The Berkley Company, N. E. Cor. 11th & Washington Ave., Philadelphia, Penn-

sylvania; Men's neckwear, shirts and pajamas; 5 learners (T); February 8, 1944.

Brownstein-Louis Company, 1228 San Julian Street, Los Angeles, California; Shirts, pants and overalls; 10 percent (T); February 8, 1944.

Carbondale Products Company, Inc., 21–23 Dundaff Street, Carbondale, Penn.; Ladies' slips; 6 learners (T); February 8, 1944.

Central Manufacturing Company, Mulberry Street, Dickson, Tennessee; Work shirts and Army shirts; 10 learners (E); August 8, 1943.

Kay Dunhill, Incorporated, 201 Westwood Avenue, Long Branch, New Jersey; House dresses and wash frocks; 10 percent (T); February 8, 1944.

Kay Dunhill, Inc., Hudson and Hill Streets, Mechanicville, New York; House dresses and wash frocks; 10 percent (T); February 8, 1944.

Essex Manufacturing Company, 620 Franklyn Avenue, Essex, Maryland; Cotton work pants; 10 learners (T); February 8, 1944

Garden Dress Company, Oak & Balliett Streets, Frackville, Pennsylvania; Ladies' dresses; 10 learners (T); February 8, 1944.

B. W. Harris Manufacturing Company, 201 East 6th Street, St. Paul, Minnesota; Sheep-lined coats, mackinaws, jackets, ski suits, etc.; 10 percent (T); February 8, 1944.

Hipsh Incorporated, 2nd & Olive Street, Holden, Missouri; Herringbone twill jackets for U. S. A., men's neckwear; 10 percent (T); February 8, 1944.

Kay Dress Company, Cove Road, New Bedford, Massachusetts; Dresses; 10 learners (T); February 8, 1944.

Lampl Sportswear Manufacturing Company, 2570 Superior Avenue, Cleveland, Ohio; Women's outerwear garments; 10 percent (T); February 8, 1944.

Niagara Apparel Company, Incorporated, 77 Swan Street, Buffalo, New York; Single pants, Army field jackets, men's and boys' jackets; 10 percent (T); February 8, 1944.

Peter Pan Manufacturing Company, 132 Essex Street, Boston, Massachusetts; Overalls, coveralls; 5 learners (T); February 8, 1944.

Philley Manufacturing Company, 5 North Lafayette Street, Valparaiso, Indiana; Cotton aprons; 10 learners (T); February 8 1944

Pittston Apparel Company, 108 South Main Street, Pittston, Pennsylvania; Ladies' brassieres; 45 learners (E); August 8, 1943.

Rice Stix Factory #6, 417 N. Tenth Street, St. Louis, Missouri; Ladies' Sportswear; 10 percent (T); February 8, 1944.

Shane Uniform Company, Incorporated, 2015 W. Maryland Street, Evansville, Indiana; Washable uniforms of all types, women's coveralls, waiters and waitresses uniforms; 10 percent (T); February 8, 1944.

Superior Surgical Manufacturing Company, Incorporated, 10th Avenue and 1st Street, East Northport, New York; Hospital clothing, medical instruments, washable service apparel; 10 learners (T); February 8, 1944.

Warren Shirt Company, 7th and Mifflin Streets, Lebanon, Pennsylvania; Sport jackets, sport shirts; 10 learners (T); February 8, 1944.

Glove Industry

The Booster Glove Company, 2068–76 Elston Avenue, Chicago, Illinois; Work gloves; 3 learners (T); February 8, 1944.

Fairfield Glove & Mitten Company, Bonaparte, Iowa; Work gloves; 4 learners (T); February 8, 1944.

Menominee Glove Company, Sheridan Road, Menominee, Michigan. Ladies' dress gloves; 5 percent (T); February 8, 1944.

Hosiery Industry

The Alden Mills, 2308 Chartres Street, New Orleans, Louisiana; Seamless hosiery; 5 percent (T); February 8, 1944.

Martinat Hosiery Mills, Incorporated, Valdese, North Carolina; Seamless hosiery; 5 percent (T); February 8, 1944.

Maryon Hosiery Mill, 12 Aycock Street, Carrollton, Georgia; Seamless hosiery; 5 learners (T); February 8, 1944.

Mt. Mitchell Hosiery Mills, Incorporated 53 Burton Street, Ashville, North Carolina; Seamless hosiery; 5 learners (T); February 8, 1944.

Town House Hosiery Mill, Chilhowie, Virginia; Full-fashioned hosiery; 5 percent (T); February 8, 1944.

Knitted Wear Industry

Eskimo Knitting Manufacturing Corporation, 3016 E. Thompson Street, Philadelphia, Pennsylvania; Knitted outerwear; 5 learners (T); February 8, 1944.

Lincoln Underwear Mills, Incorporated, Evans and Water Streets, Pottstown, Pennsylvania; Knitted underwear; 5 learners (T); February 8, 1944.

Textile Industry

Grantville Mills, Grantville, Georgia; Cotton and rayon yarn; 3 percent (T); February 8, 1944.

Ninety Six Cotton Mill, Ninety Six, South Carolina; Unfinished cotton goods; 3 percent (T); February 8, 1944.

Telephone Industry

Moore Telephone System, 201 Montague Avenue, Caro, Michigan; To employ learners as commercial switchboard operators at its Caro exchange, at Caro, Michigan, until February 8, 1944.

Cigar Industry

General Cigar Company, Incorporated, 154 W. Church Street, Nanticoke, Pennsylvania; Cigars, 69 leaners (E); Cigar Machine Operators and Cigar Packers for a learning period of 320 hours at 75% of applicable minimum wage until August 7, 1943.

Signed at New York, N. Y., this 6th day of February 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-2062; Filed, February 8, 1943; 2:15 p. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 769]

AENNE SCHMICH

Re: Certain real property in California together with money credited to the account of Robert Mayer, owned by Aenne Schmich.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Aenne Schmich is a citizen of Germany whose last known address is Ortenaustrasse 7, Mannheim, Germany, and that therefore she is a national of a designated enemy country (Germany);

2. Finding that said Aenne Schmich is the owner of real and personal property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

a. All right, title, interest and estate, both legal and equitable, of said Aenne Schmich, in and to that certain real property situated at 115 Ruby Street, Redondo Beach, California, more particularly described as Lots 1 and 2 in Block 190, of the City of Redondo Beach, County of Los Angeles, State of California, as per map recorded in Book 39 Page 1 et seq., Miscellaneous Records of said County, together with all of the fixtures, improvements and appurtenances thereto, and any and all claims of Aenne Schmich for rents, refunds, benefits or other payments arising from the ownership of such property and

b. All right, title, interest and claim of any name or nature whatsoever of said Aenne Schmich in and to all obligations, contingent or otherwise and whether or not matured, owing to her by Robert Mayer, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to sue for and collect such obligations, and including particularly the obligation arising on account of the delivery by her to Robert Mayer of certain moneys which were credited to the account of Robert Mayer, President, J. Kahn & Company, Dallas, Texas, on the books of said company,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

4. Determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely that hereinbefore described in subparagraph 3-a) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

5. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Germany);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 27, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2088; Filed, February 9, 1943; 10:28 a. m.]

[Vesting Order 816]

EMILIE ALTENBACH AND MARGOT BUCHMULLER

Re: Certain real property in California, together with a bank account, owned by Emilie Altenbach and Margot Buchmuller.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Emilie Altenbach and Margot Buchmuller, whose last known addresses are 12 and 14 Beethoven Strasse, Dusseldorf, Germany, respectively, are citizens of Germany and are nationals of a designated enemy country (Germany);

2. Finding that said Emilie Altenbach and Margot Buchmuller are the owners of the real and personal property described in subparagraph 3 hereof;

3. Finding therefore that the property described as follows:

a. All right, title, interest and estate, both legal and equitable, of Emilie Altenbach and Margot Buchmuller, and each of them, in and to that certain real property situated at 8613-8615 South Broadway, Los Angeles, California, more particularly described as Lot 4 Scovill's Moneta Avenue Tract, as per map recorded in Book 8, at Page 69 of Maps, records of Los Angeles County, together with all the fixtures, improvements and appurtenances thereto, and any and all claims of Emilie Altenbach and Margot Buchmuller, and each of them, for rents, refunds, benefits or other payments arising from the ownership of such property;

b. All right, title, interest and claim, of any name or nature whatsoever of said Emilie Altenbach and Margot Buchmuller, and each of them, in and to all obligations, contingent or otherwise and whether or not matured, owing to them, or either of them, by the Security-First National Bank of Los Angeles, Los Angeles, California, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to sue for and collect such obligations, and including particularly the account in the Broadway and Olympic Branch of said Security-First National Bank of Los Angeles in the name of T. L. Milburn, agent for Emilie Altenbach and Margot Buchmuller, which bank account is due and owing to and held for, Emilie Altenbach and Margot Buchmuller,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

4. Determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that hereinbefore described in subparagraph 3-a) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

5. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on February 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2087; Filed, February 9, 1943; 10:28 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 23 Under Rev. MPR 169]

PALMYRA BOLOGNA CO.

APPROVAL OF MAXIMUM PRICE

Order No. 23 under Revised Maximum Price Regulation No. 169—Beef and Veal Carcasses and Wholesale Cuts.

Granting approval of maximum price for a new product to Palmyra Bologna Company.

On December 4, 1942 The Palmyra Bologna Company, Palmyra, Lebanon County, Pennsylvania, filed an application pursuant to § 1364.52 (j) under Maximum Price Regulation No. 169, as amended, redesignated § 1364.476 (i) under Revised Maximum Price Regulation No. 169, seeking authorization to establish a maximum selling price for a new product.

For the reasons set forth in the opinion issued simultaneously herewith and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, *It is ordered:*

(a) The Palmyra Bologna Company of Palmyra, Lebanon County, Pennsylvania, may sell, and deliver, agree, offer, solicit, and attempt to sell and deliver Seltzer Brand Beef Sausage at a price not in excess of 32 cents per pound; and any person may buy, or receive from the Palmyra Bologna Company such Seltzer Brand Beef Sausage at a price not in excess of 32 cents per pound.

(b) All prayers of the petition not granted herein are denied.

(c) This Order No. 23 may be revoked or amended by the Price Administrator at any time.

(d) Unless the context otherwise requires the definitions set forth in § 1364.477 of Revised Maximum Price Regulation No. 169 shall apply to the terms used herein.

(e) This Order No. 23 shall become effective February 9, 1943.

Issued this 8th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2075; Filed, February 8, 1943; 2:57 p. m.]

[Order 24 Under Rev. MPR 169]

JOHN S. WEAVER

ORDER GRANTING APPROVAL OF MAXIMUM PRICE

Order No. 24 Under Revised Maximum Price Regulation No. 169—Beef and Veal Carcasses and Wholesale Cuts.

Granting approval of maximum price for a new product to John S. Weaver.

On December 4, 1942, John S. Weaver, of Lebanon, Lebanon County, Pennsylvania, filed an application pursuant to § 1364.52 (j) under Maximum Price Regulation No. 169, as amended, redesignated § 1364.476 (i) under Revised Maximum Price Regulation No. 169, seeking authorization to establish a maximum selling price for a new product.

For the reasons set forth in the opinion issued simultaneously herewith and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, *It is ordered:*

(a) John S. Weaver of Lebanon, Lebanon County, Pennsylvania, may sell, and deliver, agree, offer, solicit, and attempt to sell and deliver Penn Dutch Sausage at a price not in excess of 32 cents per pound; and any person may buy, or receive from John S. Weaver such Penn Dutch Sausage at a price not in excess of 32 cents per pound.

(b) All prayers of the petition not granted herein are denied.

(c) This Order No. 24 may be revoked or amended by the Price Administrator at any time.

(d) Unless the context otherwise requires the definitions set forth in § 1364.477 of Revised Maximum Price Regulation No. 169 shall apply to the terms used herein.

(e) This Order No. 24 shall become effective February 9, 1943.

Issued this 8th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2076; Filed, February 8, 1943; 2:57 p. m.]

[Order 66 Under RPS 64]

CALORIC GAS STOVE WORKS

APPROVAL OF MAXIMUM PRICES

Order No. 66 under § 1356.1 (d) of Revised Price Schedule No. 64—Domestic Cooking and Heating Stoves.

Approval of maximum prices for sales by retailers of the Models 20CE, 20E, 20C and 20 Caloric Conservator heating stoves manufactured by the Caloric Gas Stove Works, of Philadelphia.

(a) Retailers may sell and deliver the following models of heating stoves manufactured by the Caloric Gas Stove Works of Philadelphia, to consumers, at prices no higher than the amount set forth below opposite each model number. These maximum prices do not include any amount for installation or delivery by the dealer to the consumer:

Model 20CE (with casing, enamel finish)	$57 00
Model 20E (without casing, enamel finish)	51 50
Model 20C (with casing, Japan finish)	49 95
Model 20 (without casing, Japan finish)	46 75

(b) This Order No. 66 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 66 shall become effective on the 9th day of February 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. No. 9250, 7 F.R. 7871)

Issued this 8th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2077; Filed, February 8, 1943; 2:56 p. m.]

[Order 156 Under MPR 188]

CAMBRIDGE CEMENT STONE CO., ET AL.

TEMPORARY MAXIMUM PRICES

Order No. 156 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Temporary maximum prices for certain new fireplace grates manufactured from substitute materials.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) This Order No. 156 sets temporary maximum prices for sales of certain new fireplace grates manufactured from substitute materials. It applies only to the grates which have been described in applications submitted by the manufacturers to the Office of Price Administration. The order is temporary. No sales or deliveries may be made under its authority after the 1st day of April 1943.

Listed below are the maximum prices for sales by the manufacturers and by retailers. The prices listed below may be charged only if the manufacturer attaches to the grate the written warranty described in paragraph (b). If the manufacturer does not make the warranty, the maximum prices for sales by the manufacturer and by retailers shall be computed by deducting 15% from the prices listed in the table

Name of manufacturer	Factory to retailer price	Retail price
Cambridge Cement Stone Co., Post Office Box 41, Allston, Mass.:		
6-bar grate	$8.95	$14.95
7-bar grate	9.80	16.50
8-bar grate	10.75	17.95
Economy Cast Stone Co., Post Office Box 1229, Richmond, Va.:		
6-bar grate	8.95	14.95
7-bar grate	9.80	16.50
8-bar grate	10.75	17.95
Edmonds Art Stone Co., 2135 Queens Chapel Road, N.E., Washington, D. C.:		
6-bar grate	8.95	14.95
7-bar grate	9.80	16.50
8-bar grate	10.75	17.95
Long Island Concrete Products Co., 105 E. Merrick Road, Freeport, L. I., N. Y.:		
6-bar grate	8.95	14.95
7-bar grate	9.80	16.50
8-bar grate	10.75	17.95
United Concrete Form Products Co., Inc., 2240 West 25th Place, Chicago, Ill.:		
6-bar grate	8.95	14.95
7-bar grate	9.80	16.50
8-bar grate	10.75	17.95

(1) The price listed under "factory to retailer" in the above table is the maximum price for sales by the manufacturer to retailers. The price is f. o. b. the manufacturer's city.

(2) The price listed under "retail price" in the above table is the maximum price for sales at retail.

(b) The maximum prices set forth in the table contained in paragraph (a) can be charged only if the manufacturer sells the grate with a written warranty in the following form:

"_____, the manu-
(Insert name of manufacturer)
facturer of this grate, warrants to the retailer and to any person buying from him that it is fit for burning coal or wood in a fireplace". If the manufacturer desires to do so, he may add: "This warranty, however, does not protect against rough handling by the consumer."

The warranty shall be attached to the grate by the manufacturer and shall not be detached until after the grate has been delivered to the consumer.

(c) Before delivery of a fireplace grate to any purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail ceiling price of the grate. For example, a statement in the following form on a 6-bar grate would be sufficient: "Retail Ceiling Price $14.95". The tag or label shall not be detached until the grate has been delivered to the consumer.

(d) At or before the time of first delivery after the effective date of this order, the manufacturer shall notify in writing every person who buys from him of the maximum price set by this Order No. 156 for resales by the purchaser. This written notice may be given in any convenient manner; for example, it may be shown on or attached to the invoice, or packed with the merchandise.

(e) Within fifteen days after March 1, 1943, each manufacturer shall prepare and mail to the Office of Price Administration, Washington, D. C., a report covering his operations during the sixty day period which ends February 28, 1943. The report shall contain the following information, so far as the manufacturer's customary methods of keeping records make it available:

The number of units manufactured during the period, the number of units sold, total gross sales, total returns and allowances, and costs per unit for materials, direct labor, and factory overhead. The method of computation of costs should be explained and supporting details should be furnished.

(f) This Order No. 156 may be revoked or amended by the Price Administrator at any time.

(g) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to terms used herein.

(h) This Order No. 156 shall become effective on the 9th day of February 1943, and shall terminate on the 1st day of April 1943.

Issued this 8th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2078; Filed, February 8 1943; 2:56 p. m.]

WAR PRODUCTION BOARD.

CANCELLATION OF STOP ORDER

Builder: Texas State Highway Department, Austin, Texas. Project: Grading, drainage, gravel on U. S. 80 from New Mexico line south toward El Paso identified as SN-FAP 439-A (4).

The order issued January 15, 1943 prohibiting further construction on the above-described project and prohibiting the delivery of materials to be used in connection with such construction is hereby cancelled.

Issued February 8, 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2085; Filed, February 8, 1943; 4:57 p. m.]

FEDERAL REGISTER

VOLUME 8 NUMBER 29

Washington, Thursday, February 11, 1943

The President

EXECUTIVE ORDER 9301

ESTABLISHING A MINIMUM WARTIME WORKWEEK OF FORTY-EIGHT HOURS

By virtue of the authority vested in me by the Constitution and statutes, as President of the United States, and in order to meet the manpower requirements of our armed forces and our expanding war production program by a fuller utilization of our available manpower, it is hereby ordered:

1. For the duration of the war, no plant, factory or other place of employment shall be deemed to be making the most effective utilization of its manpower if the minimum workweek therein is less than 48 hours per week.

2. All departments and agencies of the Federal Government shall require their contractors to comply with the minimum workweek prescribed in this order and with policies, directives, and regulations prescribed hereunder, and shall promptly take such action as may be necessary for that purpose.

3. The Chairman of the War Manpower Commission shall determine all questions of interpretation and application arising under this order and shall formulate and issue such policies, directives, and regulations as he determines to be necessary to carry out this order and to effectuate its purposes. The Chairman of the War Manpower Commission is authorized to establish a minimum workweek greater or less than that established in section 1 of this order or take other action with respect to any case or type of case in which he determines that such different minimum workweek or other action would more effectively contribute to the war effort and promote the purposes of this order.

4. All departments and agencies of the Federal Government shall comply with such policies, directives, and regulations as the Chairman of the War Manpower Commission shall prescribe pursuant to this order, and shall so utilize their facilities, services, and personnel, and take such action under authority vested in them by law, as the Chairman determines to be necessary to effectuate the purposes of this order and promote compliance with its provisions.

5. Nothing in this order shall be construed as superseding or in conflict with any Federal, State or local law limiting hours of work or with the provisions of any individual or collective bargaining agreement with respect to rates of pay for hours worked in excess of the agreed or customary workweek, nor shall this order be construed as suspending or modifying any provision of the Fair Labor Standards Act (Act of June 25, 1938; 52 Stat. 1060; 29 U.S.C. 201 et seq.) or any other Federal, State or local law relating to the payment of wages or overtime.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
February 9, 1943.

[F. R. Doc. 43-2162; Filed, February 10, 1943; 11:20 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter X—Food Production Administration

[Interpretation 4 Under Food Production Order 3]

PART 1202—FARM MACHINERY AND EQUIPMENT

The following is an interpretation of § 1202.218 (b) of Food Production Order 3 (7 F.R. 9647; 8 F.R. 945).

INTERPRETATION 4

Section 1202.218 (b) requires that, if the Director of Food Production has pursuant to § 1202.207 announced that no quotas will be presently established for any type of Schedule I equipment, an applicant shall, in addition to his application, file with the county farm rationing committee a written certification that he has located in the hands of a dealer or a mail order house the Schedule I equipment for which application is made and that to his best knowledge such Schedule I equipment so located will be transferred to him if he is granted a purchase certificate. The purpose of this section is to prevent the issuance of purchase certificates for non-quota Schedule I equipment in excess of the amount of non-quota equipment produced and made available for use.

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FEDERAL REGISTER

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The question has arisen whether under this section of the order the machinery applied for must be physically in the hands of the dealer or mail order house before the applicant may make the certification. Section 1202.218 (b) does not require physical location. It is sufficient if the dealer states to the applicant that such dealer will be able to obtain such a machine for delivery to the applicant within a reasonable time. The machinery may be actually located in the manufacturer's hands, the distributor's hands or in a branch house or other distribution point through which the dealer normally obtains the equipment called for. If the dealer can make such a statement to the applicant, the applicant will be able to certify in writing that he has located such equipment in the hands of a dealer. As far as mail order houses are concerned, the requirement is satisfied if the equipment sought by the applicant is listed in the then current mail order catalog. If the equipment is found in the catalog, the applicant is entitled to make the certification required by § 1202.218 (b).

If a dealer or mail order house receives a purchase certificate for such an item of farm machinery and equipment and is unable within a reasonable time to make delivery of such item, such dealer or mail order house shall, after the passage of such reasonable time, return the purchase certificate to the issuing county farm rationing committee.

Issued this 10th day of February 1943.

[SEAL] M. CLIFFORD TOWNSEND,
Director of Food Production.

[F. R. Doc. 43–2180; Filed, February 10, 1943, 11:39 a. m.]

[Food Production Order 8]

PART 1220—OILSEEDS

OILSEED MEAL

Pursuant to the authority vested in the Secretary of Agriculture by Executive Order No. 9280, dated December 5, 1942, and to assure an adequate production of food to meet war and civilian needs, *It is hereby ordered*, That:

§ 1220.1. *Oilseed meal*—(a) *Definitions.* For the purposes of this order: (1) "Oilseed meal" means cotton seed oil meal or cake, soybean oil meal or cake, peanut oil meal or cake, and linseed oil meal or cake of merchantable quality for feeding purposes.

(2) "Person" means any individual, partnership, corporation, association, or any other organized group of "persons," and shall include any agent, agency, or any "person" acting for or on behalf of any of the foregoing. The term "person" shall also include the United States or any agency thereof, and a State or any political subdivision or agency thereof.

(3) "Acquire" means to purchase, obtain by barter, exchange, crushing or otherwise, accept delivery of, or contract to do any of the foregoing.

(4) "Organic nitrogen" means nitrogen derived from any plant or animal organism containing nitrogen, including, but not limited to, animal, fish and other tankages, castor pumace, tobacco stems, cotton seed meal, peanut meal, soy bean meal, sewage sludge, cocoa shell meal, peat and humus.

(5) "Director" means the Director of Food Production, or, in his absence, the Acting Director of Food Production.

(b) *Prohibition of purchase and use of oilseed meal in mixed fertilizer for sale.* (1) No person shall acquire any oilseed meal for use in the manufacture of mixed fertilizer for sale, or use any oilseed meal acquired subsequent to January 2, 1943, in the manufacture of mixed fertilizer for sale, except that the foregoing prohibitions shall not apply to:

(i) The acquisition and use of cottonseed oil meal or cake for such purpose, provided (*a*) such cottonseed oil meal or cake is acquired from a farmer who acquired such meal or cake prior to January 2, 1943, and (*b*) the organic nitrogen content thereof, together with the total quantity of organic nitrogen otherwise acquired prior to the date of such acquisition for use during the period from July 1, 1942 to June 30, 1943, in the manufacture of mixed fertilizer for sale, does not exceed 80 per centum of the quantity of organic nitrogen used for such purpose during the period from July 1, 1941 to June 30, 1942.

(ii) The acquisition or use of cottonseed oil meal or cake for such purpose, provided (*a*) approval of the quantity of cottonseed meal or cake so acquired or used is first obtained from the Director and (*b*) the mixed fertilizer in which such cottonseed meal or cake is used is sold for use only on citrus fruits, cigar leaf tobacco, and the vegetable crops listed in Schedule III of Food Production Order No. 5 (Chemical Fertilizer), issued by the Secretary of Agriculture on January 18, 1943 (8 F.R. 947).

(c) *Prohibition of sales of oilseed meal.* No person shall dispose of any oilseed meal if he knows or has reason to believe that the acquisition of such oilseed meal would be in violation of this order.

(d) *Sale of oilseed meal which cannot be delivered because of this order.* Any person who has a contract for the delivery of oilseed meal which he is unable to deliver because of the prohibitions of this order shall be, and hereby is, authorized promptly to offer such oilseed meal for sale to feeders, feed dealers or feed manufacturers for feeding poultry and livestock.

(e) *Certificate.* Any person disposing of any oilseed meal may require a certificate in substantially the following form from the person to whom such oilseed meal is to be delivered:

The undersigned certifies to the Director of Food Production that he is familiar with the provisions of Food Production Order No. 8 issued by the Secretary of Agriculture on February 9, 1943; and that the oilseed meal covered by the order to which this certificate is affixed will not be manufactured into mixed fertilizer for sale, or that such oilseed meal is cottonseed oil meal or cake and that its acquisition is authorized under one of the exceptions specified in said Food Production Order.

Date

Purchaser

Address

(f) *Existing contracts.* The restrictions imposed by this order shall be effective notwithstanding any contract or commitment to the contrary.

(g) *Records and reports.* Every person who manufactures mixed fertilizer for sale shall maintain for not less than two years accurate records concerning all purchases, sales, and deliveries of oilseed meal and the quantity of cottonseed oil meal and cake used by him in the manufacture of mixed fertilizer and shall maintain such other records, execute and file such reports upon such forms, and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe. (Record keeping and reporting requirements approved by the Bureau of the Budget.)

(h) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspection at all reasonable times by duly authorized representatives of the Department of Agriculture of his stocks of oilseed meals and mixed fertilizers and of the premises used for crushing, processing, manufacturing or storing oilseed meals and mixed fertilizers; and all of his books, records and accounts shall, upon request, be submitted to audit and inspection by duly authorized representatives of the Department of Agriculture.

(i) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth all pertinent facts and information and the nature of the relief sought. The Director, upon the basis of such application and other information, may take such action as he deems appropriate. The decision of the Director shall be in writing and shall be final and conclusive.

(j) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, or who conspires with another to perform any of such acts, is guilty of a crime and upon conviction may be punished by fine and imprisonment. In addition, any such person may by administrative suspension order be prohibited from receiving any deliveries of or selling or otherwise disposing of or using any oilseed meal or any other material now or hereafter authorized to be rationed or allocated by, or subject to the priority control of, the Secretary of Agriculture, and may be deprived of any priority assistance. Further, the Director of Food Production may recommend to the Office of Price Administration or to the War Production Board that any person who violates any provision of this order or any amendment or supplement thereto be denied the right to receive, use, sell or otherwise dispose of any other materials which now are or in the future may be under allocation.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued, be addressed to the United States Department of Agriculture, Food Production Administration, Washington, D. C., Ref. FPA 8.

(l) *Delegation of authority.* The administration of this order and the powers conferred upon the Secretary of Agriculture by Executive Order No. 9280, insofar as such powers relate to the administration of this order, are hereby delegated to the Director or in his absence to the Acting Director. The Director of Food Production shall be assisted in the administration of this order by such employees of the Department of Agriculture as he may designate, and such employees are hereby authorized to administer the provisions of this order.

(m) *Effect on Commodity Credit Corporation Oilseed Order No. 7.* Oilseed Order No. 7, issued by the Commodity Credit Corporation on December 31, 1942 (8 F.R. 41), is superseded by this order: *Provided, however,* That the said Oilseed Order No. 7 shall continue to remain in full force and effect for the purpose of allowing or sustaining any suit, action, prosecution, or administrative or other proceeding heretofore or hereafter commenced with respect to any violation committed or right or liability incurred prior to the effective date of this order under or pursuant to the terms of the said Oilseed Order No. 7.

(n) *Effective date.* This order shall become effective 12:01 a. m., e. w. t., February 10, 1943.

(E.O. 9280, 7 F.R. 10179)

Done at Washington, D. C. this 9th day of February, 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 43–2179; Filed, February 10, 1943; 11:39 a. m.]

Chapter XI—Food Distribution Administration

[Food Distribution Order 19]

PART 1455—SPICES

CONSERVATION AND DISTRIBUTION OF SPICES

Pursuant to the authority vested in me by Executive Order 9280, dated December 5, 1942, and to assure an adequate supply and efficient distribution of spices to meet war and civilian needs, *It is hereby ordered*, As follows:

§ 1455.1 *Conservation and distribution of restricted spices*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "person" means any individual, partnership, corporation, association, or other business entity.

(2) The term "restricted spice" means any specific spice which, during any quota period, is subject to a quota determined for that period by the Director, and shall include such spice in ground, unground, distilled, mixed, or other form.

(3) The term "bulk dealer" means any person who deals in restricted spices exclusively in original import packages.

(4) The term "packer" means any person who grinds, distils, or packs restricted spices owned by him, or has such spices ground, distilled, or packed for his account by some other person, for resale.

(5) The term "receiver" means any person who accepts delivery of restricted spices for resale at wholesale or retail or for use in operating a public or private commercial or institutional eating place, but such term shall include neither any bulk dealer nor any person in the quota-exempt classes listed under paragraph (b) (2).

(6) The term "industrial user" means any person who uses restricted spices in the manufacture or processing of any other product for resale.

(7) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(8) The term "common weight equivalent" means the number of pounds of distilled or extracted restricted spice that may be obtained from a given number of pounds of the same spice in dry form (ground or unground) where a quota for any person is computed under this order as a certain number of pounds of a restricted spice in dry form (ground or unground), or the number of pounds of a restricted spice in dry form (ground or unground) that it takes to yield a given number of pounds of the same spice in distilled or extracted form where a quota for any person is computed under

and foreign traffic---------- 1861

11: 39 a. m.]

culture on January 18, 1943 (8 F.R. 511).

and the nature of the relief sought. The

this order as a certain number of pounds of a restricted spice in distilled or extracted form.

(b) *Quota restrictions.* (1) Except as permitted in paragraphs (b) (2), (b) (3), and (b) (4) below, no packer shall deliver, no receiver shall accept, and no industrial user shall use more of any restricted spice during any quota period than his quota thereof for that period, such quota period and quota to be determined by the Director from time to time.

(2) Any person may, without charge to his quota, deliver or accept for delivery any restricted spice to any of the following persons, or may use any restricted spice in the manufacture or processing of any product to be so delivered, or for replacing in his inventory any restricted spice so delivered or used:

(i) The Army, Navy, Marine Corps, Coast Guard, War Shipping Administration, or any other governmental agency designated by the Director, or any agency of the United States Government for supplies to be delivered to, or for the account of, the Government of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(ii) The American National Red Cross or the United Service Organizations, Inc.

(iii) Any person operating an ocean-going vessel engaged in the transportation of cargo or passengers in the foreign, coastwise, or intercoastal trade, for necessary supplies for such vessel.

(iv) Any person for retail sale through concession restaurants at Army, Navy, Marine Corps, or Coast Guard camps or through outlets not operated for private profit and established primarily for the use of Army, Navy, Marine Corps, or Coast Guard personnel within or on Army, Navy, Marine Corps, or Coast Guard establishments or vessels, including post exchanges, sales commissaries, officers' messes, servicemen's clubs, and ship service stores.

(3) During the first third of any quota period, any person may utilize any unused portion of such person's quota for the preceding quota period. During the last third of any quota period, any person may utilize any portion of such person's anticipated quota for the subsequent quota period: *Provided, however,* That if the quota for such subsequent quota period is reduced by the Director after such anticipatory utilization has been made, the amount of any excess anticipation shall be charged against the quota for the next subsequent quota period.

(4) The restrictions of paragraph (b) (1) shall not apply to any deliveries of restricted spices in the original import packages by a packer to another packer or to a bulk dealer. In determining a packer's volume of receipts or deliveries of restricted spices during any base period specified for computing a quota, no packer shall include any receipts or deliveries made in the original import packages to other packers or to bulk dealers.

(5) The base period for any person who was not in business during any base period specified by the Director for computing a quota hereunder shall be the earliest period of equal length that such person was in business after the beginning of the base period specified.

(6) All quotas hereunder shall be computed in terms of pounds and in terms of a common weight equivalent.

(c) *Distribution restrictions.* (1) No person shall accept restricted spices from any packer or receiver, and no person shall deliver restricted spices to any other person, with knowledge or reason to believe that such packer or receiver is not entitled to deliver or that such other person is not entitled to accept such restricted spices pursuant to this order.

(2) Every packer and every receiver shall sell restricted spices equitably to purchasers and shall not favor purchasers who buy other products from them or discriminate against purchasers who do not buy other products from them.

(d) *Inventory restrictions.* Except for the purpose of filling orders under paragraph (b) (2) above:

(1) No receiver shall accept delivery of any restricted spice which will increase such receiver's inventory thereof to an amount in excess of the amount of his then current quota of such spice.

(2) No industrial user shall accept delivery of any restricted spice which will increase his inventory thereof to an amount in excess of a practicable minimum working inventory in view of the restrictions herein relating to his use of such spice.

(3) No receiver who had an excess inventory of any restricted spice on May 8, 1942, may sell or deliver more than a 90-day supply of such spice during any quota period in which the balance of such inventory at any time exceeds a 90-day supply. During any quota period, a 90-day supply shall be an amount equivalent to the receiver's acceptance quota of the restricted spice for that quota period. An excess inventory shall be considered to have existed on May 8, 1942, if, on that date, the receiver was subject to a quota and his inventory of any restricted spice (excluding any inventory then in retail stores or outlets owned by him) was more than twice the amount of his acceptance quota for the month of May 1942.

(e) *Records and reports.* Every person subject to this order shall maintain such records for at least two years (or for such other periods of time as the Director may designate), and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe.

(f) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections, at all reasonable times, of his stocks of spices and premises used in his business, and all of his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(g) *Applicability of order.* (1) Any person doing business in one or more of the 48 States or the District of Columbia is subject to the provisions hereof, but the provisions hereof shall not apply to any person doing business in any Territory or Possession of the United States with respect to such business.

(2) In the case of any person who combines two or more of the businesses of a packer, a receiver, or an industrial user, the provisions hereof applicable to each such business shall apply separately to such of his operations as are part of such class of business. However, any packer who distributes his entire production of restricted spices through a wholesale subsidiary company may elect to consider the two companies as one and apply his quota to deliveries made by the subsidiary company.

(3) Any person who operates more than one unit (branch, division, store, subsidiary company, or other similar unit) in the same class of business may, at his election, consider any such units or groups of units as separate persons for purposes of applying the quota and inventory restrictions of this order.

(h) *Violations.* Any person who willfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or willfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(i) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, and such action shall be final.

(j) *Communications to Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C. Ref.: FD-19.

(k) *Conservation Order M-127 superseded.* This order supersedes in all respects Conservation Order M-127 of the War Production Board, as amended September 25, 1942, (7 F.R. 7590), except that as to violations of said order or rights accrued, liabilities incurred, or appeals taken under said order prior to the effective date hereof, said Conservation Order M-127, as amended, shall be deemed in full force and effect for the purpose of sustaining any proper suit,

action, or other proceeding with respect to any such violation, right, or liability. Any appeal pending under said Conservation Order M-127, as amended, shall be considered under paragraph (i) hereof.

(E.O. 9280, 7 F.R. 10179)

Issued this 8th day of February 1943.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-2132; Filed, February 9, 1943; 2:09 p. m.]

[Food Distribution Order 19-1]

PART 1455—SPICES

QUOTAS FOR RESTRICTED SPICES FIXED

Pursuant to the authority vested in me by Food Distribution Order 19, dated February 8, 1943, issued pursuant to Executive Order No. 9280, dated December 5, 1942, and to effectuate the purposes of such orders, *It is hereby ordered*, As follows:

§ 1455.2 *Quotas for restricted spices.* (a) For the 3-month period commencing January 1, 1943, and for each subsequent 3-month period until otherwise ordered, the quota of any restricted spice, as listed below, for any packer, any receiver, or any industrial user shall be the percentage listed below of the amount of such spice delivered by him (if he was a packer), accepted by him (if he was a receiver), or used by him (if he was an industrial user), during the corresponding period of 1941, or during such other base period as is provided for in paragraph (b) (5) of Food Distribution Order No. 19:

Restricted spice:	*Quota percentage*
Black pepper	90
Cassia (cinnamon)	50
Cloves	100
Ginger	115
Mace	75
Nutmeg	75
Pimento (allspice)	75
White pepper	75

(b) In place of a quota computed pursuant to paragraph (a) above, any person may avail himself of a quota of a total of 100 pounds of any restricted spice or any combination of restricted spices.

(c) In place of a quota of white pepper computed pursuant to paragraph (a) above, any person may substitute a quota of black pepper, computed by applying the quota percentage specified for black pepper to the base quantity of white pepper specified in paragraph (a) above.

(d) This order shall be effective as of the close of business on December 31, 1942.

(e) This order supersedes in all respects Supplementary Order M-127-b of the War Production Board, as amended January 4, 1943 (8 F.R. 111), except that as to violations of said order or rights accrued, liabilities incurred, or appeals taken under said order prior to the effective date hereof, said Supplementary Order M-127-b, as amended, shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability. Any appeal pending under said Supplementary Order M-127-b, as amended, shall be considered as an appeal from this order.

(E.O. 9280, 7 F.R. 10179; F.D.O. 19)

Issued this 8th day of February 1943.

[SEAL] ROY F. HENDRICKSON,
Director of Food Distribution.

[F. R. Doc. 43-2133; Filed, February 9, 1943; 2:09 p. m.]

TITLE 24—HOUSING CREDIT

Chapter VII—National Housing Agency

[NHA General Order 60-2]

PART 702—PRIVATE WAR HOUSING

OCCUPANCY AND DISPOSITION OF PRIVATE WAR HOUSING

The National Housing Agency is responsible for the proper occupancy of housing programmed for war workers and for the adoption of regulations assuring that war housing will be held available for eligible war workers for the duration of the national emergency declared by the President on September 8, 1939, (4 F.R. 3851). The purpose of this general order is to set forth the private housing to which occupancy standards apply, the persons who are eligible war workers for such housing, the length of time such housing must be held for their use, the conditions under which such housing may be transferred or sold, and the conditions under which occupancy standards applicable to such housing may be modified or removed.

Sec.

702.1 Private war housing to which occupancy standards apply.
702.2 Persons who are eligible war workers.
702.3 Length of time private war housing must be reserved for occupancy by eligible war workers.
702.4 Disposition of private war housing.

AUTHORITY: §§ 702.1 to 702.4, inclusive, issued under E.O. 9070, 7 F.R. 1529, 12 CFR 222.8 (e).

§ 702.1 *Private war housing to which occupancy standards apply.* (a) Private war housing to which occupancy standards apply are the following:

(1) All new housing, and the additional housing accommodations created by remodeling or rehabilitation, which received or receives priority assistance or authority to begin construction as follows:

(i) Application for priority assistance was submitted prior to February 10, 1943, on Form PD-105 and received or receives priority assistance through Preference Rating Order No. P-55, or

(ii) Application for priority assistance or authority to begin construction is submitted on or after February 10, 1943, on Form PD-105 (Revised 2-10-43) if Section B thereof is executed;

(2) All new housing, and the additional housing accommodations created by remodeling or rehabilitation, which received or receives either priority assistance or authority to begin construction, as a result of submitting an application for such assistance or authority on Form PD-200, if such application was accompanied by the form Applicant's Supplemental Certification and if such housing was not to be occupied by the owner;

(3) The additional housing accommodations created by remodeling or rehabilitation financed under Class 1 (b) of Title I of the National Housing Act;

(4) Housing financed under Class 3 of Title I of the National Housing Act for which an application was or is submitted to the local office of the Federal Housing Administration:

(i) Prior to February 10, 1943, and such application was accompanied by, or supplemented with, a War Housing Statement Form, or

(ii) On or after February 10, 1943, and the applicant also executes section B of Form PD-105 (Revised 2-10-43) in connection with such housing;

(5) Housing financed with a mortgage loan insured by the Federal Housing Administration under section 603 of Title VI of the National Housing Act for which an application was submitted to the local office of the Federal Housing Administration:

(i) Prior to February 10, 1943, and such application was accompanied by, or supplemented with, FHA Form 2004 (c), or

(ii) On or after February 10, 1943;

(6) Housing financed with a mortgage loan insured by the Federal Housing Administration under section 608 of Title VI of the National Housing Act; and

(7) The additional housing accommodations created by remodeling or rehabilitation in projects designated as "defense housing", by either the Division of Defense Housing Coordination or the National Housing Agency, in order to exempt such housing from the Consumer Credit Regulations.

(b) For the purposes of this general order, private war housing is "begun" on the date of submitting to the Federal Housing Administration a properly executed application for priority assistance or authority to begin construction in connection with such housing; or, if remodeling or rehabilitation of any private war housing did not receive priority assistance or authority to begin construction, such housing was "begun" either on the date a properly executed application was filed under Title I, Class 1 (b), of the National Housing Act in connection with such housing, or on the date a properly executed application for exemption from the Consumer Credit Regulations was submitted to a registrant in connection with such housing.

(c) For the purposes of this general order, the date of "completion" of any private war housing shall be the date upon which such housing is offered for initial rental or sale, or the date upon which such housing is first ready for immediate occupancy, whichever is later.

(d) The phrase "held for rental" includes only an ordinary landlord-tenant relationship or such a tenancy coupled with an option to purchase containing the following provisions:

(1) The tenant shall not be obligated to purchase and the option shall run only in behalf of the tenant;

(2) No payment shall be required in any one month in addition to the listed monthly payment while a tenant, which monthly payment shall not exceed the fair rental for the dwelling unit under an ordinary landlord-tenant relationship not coupled with an option to purchase;

(3) The monthly payment while a tenant shall not be in excess of rental for comparable accommodations;

(4) The total purchase price shall be a fair market price, or $6000, whichever is lower;

(5) The option may not be exercised prior to the expiration of four months' occupancy;

(6) The option shall continue in effect for at least 30 months unless sooner exercised; and

(7) The occupancy and disposition provisions shall continue to apply to such housing after the option is exercised, or terminated, for the duration of the national emergency declared by the President on September 8, 1939.

§ 702.2 *Persons who are eligible war workers.* (a) For private war housing begun on or after February 10, 1943, an eligible war worker shall be only a person who qualifies under the provisions of NHA General Order No. 60–1.

(b) For private war housing begun prior to February 10, 1943, an eligible war worker shall be only a person who qualifies under the provisions of the application (and other instruments related thereto) for priority assistance or authority to begin construction, FHA insurance, or exemption from the Consumer Credit Regulations submitted in connection with such housing; or, at the option of the owner of such housing, a person who qualifies under the provisions of NHA General Order No. 60–1.

§ 702.3 *Length of time private war housing must be reserved for occupancy by eligible war workers.* (a) Private war housing begun on or after February 10, 1943, shall be made available for initial occupancy, and for reoccupancy, only by eligible war workers: *Provided, however,* That at any time subsequent to 60 days after completion of such housing, the owner of such housing may petition the National Housing Agency to permit initial occupancy, or reoccupancy, as the case may be, by a person other than an eligible war worker, in accordance with NHA General Order No. 60–3 (§§ 702.10 to 702.12).

(b) Private war housing begun prior to February 10, 1943, shall be made available for initial occupancy, and for reoccupancy, by eligible war workers for at least the period of time after completion specified in the application (and other instruments related thereto) for priority assistance or authority to begin construction, FHA insurance, or exemption from the Consumer Credit Regulations submitted in connection with such housing. Whenever any such application (or other instruments related thereto) provided for an exclusive preference to eligible war workers for a specified time, such exclusive preference shall be so given for at least such specified time; and whenever any such application (or other instruments related thereto) provided for merely a general preference to eligible war workers, at least such general preference shall be so given for at least such specified time.

§ 702.4 *Disposition of private war housing.* (a) Private war housing begun on or after February 10, 1943, shall be held for rental only to eligible war workers for the duration of the national emergency declared by the President on September 8, 1939, and, except for involuntary transfers, shall be disposed of only as follows:

(1) An occupant, after four months' occupancy, may purchase the private war housing unit occupied by him subject to NHA General Order No. 60–3.

(2) A person who will not himself occupy such housing may purchase or otherwise acquire such housing at any time, in accordance with NHA General Order No. 60–3, provided the occupancy and disposition limitations applicable to such housing prior to such purchase or acquisition shall continue to be applicable to such housing after such purchase or acquisition, or

(3) At any time subsequent to 60 days after completion of any such housing, the owner of such housing may petition the National Housing Agency, in accordance with NHA General Order No. 60–3, to permit such housing to be disposed of otherwise than as provided in this paragraph (a).

(b) Private war housing begun prior to February 10, 1943, shall be rented, sold, or transferred only in accordance with the provisions of the application (or other instruments related thereto) for priority assistance, authority to begin construction, or exemption from the Consumer Credit Regulations submitted in connection with such housing, except that whenever any such application for priority assistance or authority to begin construction, *Provided*, That such housing could be disposed of, with the prior approval of the War Production Board, otherwise than as stated in such application, a prior approval by the National Housing Agency (instead of by the War Production Board) shall be required in order to dispose of such housing otherwise than as stated in such application. NHA General Order No. 60–3 sets forth the provisions regarding the disposition of such housing.

LYMAN S. MOORE,
Assistant Administrator.

[F. R. Doc. 43-2118; Filed, February 9, 1943; 12:13 p. m.]

[NHA General Order 60-3]

PART 702—PRIVATE WAR HOUSING

METHODS OF DISPOSITION OF PRIVATE WAR HOUSING

Methods of disposition of private war housing including rent levels, sales prices, and petitions to National Housing Agency.

The National Housing Agency occupancy and disposition policies applicable to all private war housing are stated in NHA General Order No. 60–2 (§§ 702.1 to 702.4). The purpose of this order is to promulgate regulations implementing such policies.

Sec.
702.10 Definitions.
702.11 Disposition of private war housing.
702.12 Adjustment of rent or sale price.

AUTHORITY: §§ 702.10 to 702.12, inclusive, issued under E.O. 9070, 7 F.R. 1529, 12 CFR 222.8 (e).

§ 702.10 *Definitions.* (a) As used in this order, the following terms are defined as follows:

(1) "Private war housing", "begun", "completion", and "held for rental" shall have the meaning ascribed to them in NHA General Order No. 62–2;

(2) "Sale price" means the total consideration paid by the purchaser, excluding those incidental charges which a purchaser of real estate customarily assumes in the community where the real estate is located;

(3) "Shelter rent" means the total rent less reasonable allowances for tenant services;

(4) "Tenant services" means those services and utilities which are customarily provided and paid for by a lessor of an unfurnished dwelling unit in the community where the real estate is located; household furniture for a furnished dwelling unit is not included in "tenant services".

(5) "Room" means only a living room, dining room, sleeping room, or kitchen, except that a kitchenette or dinette is considered as one-half room each.

§ 702.11 *Disposition of private war housing.* (a) For the duration of the national emergency declared by the President on September 8, 1939, all private war housing begun on or after February 10, 1943, shall be held for rental to eligible war workers as provided in NHA General Order No. 60–2, at the rentals specified in the application for priority assistance or authority to begin construction submitted in connection with such dwelling units, which rentals (unless otherwise authorized in § 702.12) shall in no event exceed $50 per month shelter rent per unfurnished dwelling unit plus a reasonable charge for tenant services (in no event, exceeding $3 per month per room); and, except for involuntary transfers, shall be disposed of only as follows:

(1) A dwelling unit in a private war housing project may be purchased by an occupant (initial occupant or reoccupant), after four months of continuous occupancy by such occupant if

(i) The sale price (except as provided in § 702.12) is not in excess of the fair market price thereof, or $6,000, whichever is lower,

(ii) The purchaser is an eligible war worker under the provisions of NHA General Order No. 60–1, and

(iii) The owner submits to the National Housing Agency Regional Representative, through the local office of the Federal Housing Administration, an agreement in the prescribed form (Form NHA 60–1), properly executed by the purchaser, stating that such purchaser will continue to occupy the dwelling unit or will hold the dwelling unit subject to all occupancy and disposition provisions set forth in NHA General Order No. 60–2.

A sale may be made under paragraph (a) (1) without obtaining further approval from the National Housing Agency: *Provided*, The above-mentioned Form NHA 60–1 is submitted to the National Housing Agency Regional Representative, through the local office of the Federal Housing Administration, immediately following such sale.

(2) Any such housing may be transferred to a person who will not occupy any part of such housing or his (or her) own dwelling, if

(i) The sale price (except as provided in § 702.12) of each dwelling unit in such housing is not in excess of the fair market price thereof, or $6,000, whichever is lower, and

(ii) The transferor submits to the National Housing Agency Regional Representative, through the local office of the Federal Housing Administration, an agreement in the prescribed form (Form NHA 60–1), properly executed by the transferee, stating that such transferee will hold the premises subject to all occupancy and disposition provisions set forth in NHA General Order No. 60–2.

A transfer may be made under this paragraph (a) (2) without obtaining further approval from the National Housing Agency: *Provided*, The above-mentioned Form NHA 60–1 is submitted to the National Housing Agency Regional Representative, through the local office of the Federal Housing Administration, immediately following such transfer.

(iii) At any time subsequent to 60 days after completion of any private war housing, the original owner, or any subsequent owner, of such housing may petition the National Housing Agency to permit such housing to be disposed of otherwise than as provided in § 702.11 (a). Any such petition shall be submitted to a National Housing Agency Regional Representative, through the local office of the Federal Housing Administration, on a properly executed Form NHA 60–2. Each National Housing Agency Regional Representative is hereby authorized to grant such relief to persons who petition under this paragraph as the National Housing Agency Regional Representative deems appropriate, in the particular case, by relaxing the occupancy and disposition provisions applicable to such housing. Any relaxation of such occupancy and disposition provisions may permit a shortening of any holding period applicable to such housing or a liberalization of the definition of eligible war worker applicable to such housing, or both; may permit a change in rent level or sale price in accordance with § 702.12, in exceptional cases, where the National Housing Agency Regional Representative determines that there is no further need for reserving such housing for eligible war workers, the occupancy and disposition provisions may be removed entirely from such housing.

(b) All private war housing begun prior to February 10, 1943, the ownership of which has been transferred since such housing was begun, may be rented, sold or otherwise disposed of at the option of the owner without exception.

(c) All private war housing begun prior to February 10, 1943, which has not been transferred since such housing was begun, may be rented, sold, or otherwise disposed of at the option of the owner except that for the duration of the national emergency declared by the President on September 8, 1939 (4 F.R. 3851):

(1) Rentals or sales prices (except for involuntary transfer and except to the extent approved prior to February 10, 1943, by the War Production Board, or subsequent to February 10, 1943, by the National Housing Agency) shall not exceed the respective maximum amounts permitted by the conditions of the application (or other instruments related thereto) for priority assistance, authority to begin construction, or exemption from the Consumer Credit Regulations (7 F.R. 3351) submitted in connection with such housing; and the requirements of such application (or other instruments related thereto) with respect to occupancy preference to war workers shall be complied with; or

(2) All such housing constructed with priority assistance, or with authority to begin construction, obtained from the War Production Board by filing an application for such assistance or authority on Form PD–105 (Revised 4–23–42), or Form PD–200 accompanied by a form Applicants' Supplemental Certification if such application was for authority to begin construction of housing not to be occupied by the owner, may be disposed of, except for involuntary transfers, only as provided in such application or as follows:

(i) If such application did not provide for sale, such housing may be sold subject to the provisions set forth in § 702.11 (a) or

(ii) If such application did not provide for rent or lease-option, such housing may be rented, with or without an option to purchase, after the National Housing Agency Regional Representative for the area in which such housing is located has approved the initial rent or the lease-option payments for such housing. Any petition requesting such an approval of the initial rent or the lease-option payments for such housing shall be submitted to a National Housing Agency Regional Representative, through the local office of the Federal Housing Administration, on a properly executed Form NHA 60–3. Each National Housing Agency Regional Representative is hereby authorized to approve in the particular case the amount of such initial rent or lease-option payments.

§ 702.12 *Adjustment of rent or sale price.* (a) The initial rent charge prior to any occupancy or the sale price for any housing accommodations in a private war housing project may be increased over the amount provided therefor in § 702.11 only when approved by the National Housing Agency. The owner of any such housing may petition the National Housing Agency to permit an increase in rent charge or sale price at any time. Any such petition shall be submitted to the National Housing Agency Regional Representative, through the local office of the Federal Housing Administration, on a properly executed Form NHA 60–4. Each National Housing Agency Regional Representative is hereby authorized to grant such relief as he deems appropriate in the particular case, provided the petition for relief shows clearly that the owner has incurred, or will incur, costs in the construction of such housing, over which the owner had or has no control, in excess of the costs estimated originally in connection with such housing.

(b) Any request for permission to increase the rent charge for any private war housing after such housing has been occupied initially must be submitted to the local office of the Office of Price Administration.

LYMAN S. MOORE,
Assistant Administrator.

[F. R. Doc. 43-2119; Filed, February 9, 1943; 12:13 p. m.]

[NHA General Order 60-4]

PART 704—EXCEPTIONS OF CREDITS FOR DEFENSE HOUSING FROM CONSUMER CREDIT REGULATIONS

ORDER DELEGATING AUTHORITY TO CREDITORS AND LENDERS

Order delegating authority to creditors and lenders to except remodeling and rehabilitation credits from Consumer Credit Regulations.

Section 222.8 (e) of the Consumer Credit Regulations (Revised May 6, 1942) (7 F.R. 3351) issued by the Board of Governors of the Federal Reserve System, vests authority in the Administrator of the National Housing Agency, or his authorized agent, to exempt "any extension of credit to remodel or rehabilitate any structure" from the provisions of Regulation W by designating projects as "defense housing". The Administrator's authority to make such designation was delegated to qualified "registrants" in National Housing Administrator's Order No. 8, dated June 19, 1942, subject to various conditions set forth in such order. The purpose of this general order is to supersede National Housing Administrator's Order No. 8 with respect to all applications submitted to registrants on and after February 10, 1943.

Sec.
704.1 Delegation of authority.
704.2 Projects which may be designated "defense housing".
704.3 Responsibilities of contractor.
704.4 Responsibilities of initial creditors.
704.5 Responsibilities of succeeding creditors.
704.6 Forms.

AUTHORITY: §§ 704.1 to 704.6, inclusive, issued under E.O. 9070, 7 F.R. 1529, 12 CFR 222.8 (e).

§ 704.1 *Delegation of authority.* (a) Any application filed on or after February 10, 1943, with a registrant for the purpose of designating any project as "defense housing" shall be governed by the provisions set forth in this general order.

(b) Pursuant to the authority vested in the Administrator of the National Housing Agency by § 222.8 (e) of the Con-

sumer Credit Regulations issued by the Board of Governors of the Federal Reserve System, the Administrator hereby delegates to any creditor or lender who is qualified as a "registrant" in accordance with the provisions of the Consumer Credit Regulations, authority to designate any project for the remodeling or rehabilitation of an existing structure as "defense housing" when, after obtaining a bona fide signed statement on Form NHA 60–5,[1] the registrant finds in good faith that the proposed project satisfies the criteria set forth in § 704.2.

§ 704.2 *Projects which may be designated "defense housing".* (a) Registrants may designate as "defense housing" any housing projects which have been allotted materials under the Controlled Materials Plan, or have been granted priority assistance or authority to begin construction by the War Production Board, for which allotment, assistance, or authority an application was made on WPB Form PD–105 or Form PD–200.

(b) Registrants may designate as "defense housing" any housing projects which help maintain the local housing supply by enabling the occupants to continue living in housing accommodations now occupied by them, but only where:

(1) The existing structure involved will become uninhabitable (meaning a definite hazard to the health or safety of the occupants, not merely an inconvenience) if the work covered by the application is not performed within ninety (90) days from the date of application,

(2) The project is located within a private war housing priority locality (lists of such localities are obtainable from local offices of the Federal Housing Administration), and

(3) The project involves an essential restoration of living accommodations, without change of design or the creation of additional living space.

NOTE: Extensions of credit to finance projects intended to conserve fuel shall not be exempted from Regulation W under the authority delegates in this general order. Such projects may be exempted under the provisions of § 222.8 (m) of the Consumer Credit Regulations (7 F.R. 5807), which exempts extensions of credit to finance (1) converting heating equipment to the use of any other fuel, (2) installing certain types of insulation within structures, (3) installing storm sash and weather stripping, and (4) the purchase of materials for such purposes.

(c) Registrants may designate as "defense housing" any housing projects which will help maintain the local housing supply through the reconstruction or restoration of housing accommodations damaged or destroyed after December 31, 1941, by fire, flood, tornado, earthquake, act of God or the public enemy, but only where such housing accommodations are located in a private war housing priority locality.

§ 704.3 *Responsibilities of contractor.* In any case where the contractor is not the initial creditor, the contractor shall certify on the application form that to the best of his information and belief the statements made by the owner concerning the essential nature of the project are correct.

§ 704.4 *Responsibilities of initial creditors.* (a) The initial creditor (the registrant who extends credit directly to the owner) is responsible for determining that each proposed project falls fairly within the criteria set forth in § 704.2.

(b) The initial creditor is entitled to rely upon the statements made by the owner on the application form unless he knows that such statements are untrue, or unless he has knowledge of facts which would raise a doubt in the mind of a reasonably prudent man as to the truth of the statements.

(c) If the application form contains any incomplete or questionable statements, the initial creditor has the responsibility of satisfying himself or itself as to their meaning and accuracy before exempting the extension of credit from the Consumer Credit Regulations, either by obtaining a supplemental explanation in writing signed by the owner, or by investigating the property, or both.

(d) With respect to applications covering repairs claimed to be essential to continued habitation (under § 704.2 (b)) initial creditors have the responsibility of segregating essential from non-essential repairs where the application includes both, and of exempting from the Consumer Credit Regulations only that portion of the extension of credit necessary to cover the essential repairs. Applications which include either exterior siding or roofing must be carefully scrutinized and approved only after the initial creditor has satisfied himself that the housing accommodations would become uninhabitable if such siding or roofing were not applied within ninety (90) days. Initial creditors must segregate and disapprove all items on each application which cover such non-essential work as interior or exterior decoration, unless such decoration is commonly regarded as an integral part of, and incidental to, an essential item on the same application.

(e) The initial creditor shall retain a copy of each application covering a project which he designates as "defense housing" in accordance with this order and shall transmit: One legible duplicate copy of each such application to the Regional Office of the National Housing Agency for the area in which the property covered by the application is located (jurisdiction and address of such offices can be obtained from the nearest office of the Federal Housing Administration); one such copy to the owner of the property covered by the application; and, if the paper or debt is transferred to a secondary creditor, one such copy to the secondary creditor together with any supplemental explanatory statements submitted by the owner and a written description of any investigations which the initial creditor made with respect to the property covered by the application.

§ 704.5 *Responsibilities of succeeding creditors.* (a) The secondary creditor, (any transferee who purchases or receives the paper or debt) and each succeeding creditor, is entitled to rely upon the statements appearing on the application form and any signed supplemental statements by the owner or initial creditor. No succeeding creditor shall purchase or receive the paper or debt when he knows that such statements are untrue, or when the statements show on their face that the application should not have been approved by a previous creditor.

(b) The secondary creditor and each succeeding creditor shall release the application form and any supplemental explanatory statements pertaining thereto to transferees who purchase or receive the paper or debt from him.

§ 704.6 *Forms.* All properly executed applications on Form NHA–38 received by registrants prior to February 10, 1943 may be processed in accordance with National Housing Administrator's Order No. 8. On and after February 10, 1943 no applications shall be accepted by registrants except on Form NHA 60–5.

LYMAN S. MOORE,
Assistant Administrator.

[F. R. Doc. 43–2120; Filed, February 9, 1943, 12:13 p. m.]

[1] Form filed as part of the original document.

[NHA General Order 60–5]

PART 703—PUBLIC WAR HOUSING

OCCUPANCY OF PUBLIC WAR HOUSING

Sec.
703.1 General policy.
703.2 Exclusive reservation.
703.3 Limited reservation

AUTHORITY: §§ 703.1 to 703.3, inclusive issued under E.O. 9070, 7 F.R. 1529.

§ 703.1 *General policy.* (a) The purpose of this general order is to set forth the public war housing to which occupancy standards apply, the persons who are eligible war workers for such housing, the length of time such housing must be held for their use, and the conditions under which such housing may be made available for other purposes.

§ 703.2 *Exclusive reservation.* (a) On or after February 10, 1943, initial occupancy and reoccupancy of every dwelling accommodation in all Federally-owned or leased public war housing projects under the jurisdiction or control of NHA, or any of its constituent units,[1] shall be reserved exclusively for eligible war workers, as defined in NHA General Order No. 60–1, except (1) with respect to 4 Lanham Act Mutual ownership projects under the jurisdiction of FPHA (which are substantially completed and occupied), resident as well as in-migrant civilian war workers may be admitted to occupancy, and (2) with respect to off reservation or off post projects programmed for military or naval personnel prior to July 16, 1942 (the date of the joint directive of the War Department, Navy Department and National Housing Agency), eligible military or naval personnel, as certified by the local commandant,[2] may be admitted to occupancy, provided that preference (without a specified reservation period) has first been given to indispensable in-migrant civilian war workers.

(b) On or after February 10, 1943, initial occupancy or reoccupancy of every dwelling accommodation in all FPHA-aided public war projects[3] for which applications for priority assistance are submitted to WPB after February 10, 1943, shall be reserved exclusively for such eligible war workers, as defined in NHA General Order No. 60–1, as are eligible for occupancy thereof under applicable state or Federal laws.[4]

(c) On or after February 10, 1943, reoccupancy of every dwelling accommodation in such Federally-owned public non-war housing projects[5] under the jurisdiction of FPHA, as the National Housing Administrator determines are suitable to provide war housing, shall be reserved exclusively for eligible war workers as defined in NHA General Order No. 60–1.[6]

Provided, That after any housing accommodation, described in the foregoing § 703.2, (a), (b), (c), has been held available for occupancy by such eligible war workers for 60 days after completion or for 60 days after any vacancy occurs, the NHA constituent agency having control of any such dwelling accommodation may (if the NHA Regional Representative has been informed fifteen days in advance to indicate a further holding period if he deems it desirable) permit such housing accommodation to be occupied by (1) other civilian war workers (as defined in NHA General Order No. 60–1) or to enlisted men in the naval or military services of the United States or to officers of the Army or Marine Corps not above the rank of captain, and officers of the Navy and Coast Guard, not above the grade of lieutenant, senior grade, assigned to duty at naval or military reservations, posts or bases, or to duty at defense industries; or (in the event there is no present or anticipated demand for occupancy by such other civilian or military war workers) to (2) others eligible for occupancy as prescribed by the NHA constituent agency having control of such dwelling accommodation.

§ 703.3 *Limited reservation.* (a) Reasonable preference for occupancy by war workers (as required by the conditions under which priority assistance was granted[7]) shall be observed with respect to all FPHA-aided public war housing projects for which applications for priority assistance were submitted to WPB prior to February 10, 1943.[8] The local housing authorities that own and manage these projects shall be requested to conform, to the extent practicable, their management programs by reserving initial occupancy or reoccupancy in these projects to such eligible war workers (as defined in NHA General Order No. 60–1) as are eligible under applicable state or Federal laws in the same manner as is required with respect to the projects described in § 703.2 (b).

LYMAN S. MOORE,
Assistant Administrator.

[F. R. Doc. 43–2121; Filed, February 9, 1943; 12:13 p. m.]

[1] All public war housing projects undertaken pursuant to (a) the Lanham Act (Public No. 849, 76th Congress) as amended (including conversion projects undertaken under the supervision of NHA Home Use Service, (b) Public Acts Nos. 9, 73, 353, 77th Congress, and (c) Public Act No. 781, 76th Congress; all projects of Defense Homes Corporation; and all Federally-owned projects undertaken pursuant to Public Act No. 671, 76th Congress.

[2] In such projects, tenants are selected by the local commandant.

[3] Federally-aided local authority-owned Public Act No. 671 projects and priority-assisted Public Act No. 412 projects.

[4] Tenant selection, in projects included in this paragraph (b) which are located in states that have not enacted appropriate defense or war housing legislation, is subject to low income limitations of applicable state housing legislation; and with respect to those projects which are not converted to Public Act No. 671, tenant selection is subject also to the low income limitations of the United States Housing Act and of applicable state housing legislation.

[5] FPHA-operated PWA Housing Division projects, local authority-leased PWA Housing Division projects, and non-farm housing projects transferred to FPHA from FSA pursuant to the provisions of paragraph 1 (g) of Executive Order No. 9070 (7 F.R. 1529).

[6] On all projects described in this paragraph (c) where there are outstanding lease or sale agreements, compliance with the provisions of this order is subject to appropriate modification of such outstanding lease or sale agreements to conform them to the provisions of this order. On all PWA Housing Division projects, compliance with the provisions of this order is subject to the obtaining of appropriate Presidential findings and conversion to Public Act No. 671.

[7] The conditions under which priority assistance for these projects were granted defined reasonable preference as meaning that each dwelling unit shall be reserved for occupancy by in-migrant or resident war workers for 30 days after the entire project is available for occupancy or 90 days from starting to take tenant applications, whichever period is longer.

[8] Includes Federally-aided local authority-owned Public Act No. 671 projects and priority assisted Public Act No. 412 projects, but excludes normal low rent housing projects under Public Act No. 412 which merely obtained civilian priority assistance without a requirement of reasonable preference for war workers.

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

PART 132—GENERAL RULINGS UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

FEBRUARY 9, 1943.

General Ruling No. 12A under Executive Order No. 8389, as amended, Executive Order No. 9193, sections 3 (a) and 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

§ 132.12a *General Ruling No. 12A.* (a) Reference is made to transfers of property in a blocked account which are null and void, or unenforceable, by virtue of the provisions of General Ruling No. 12 (7 F.R. 2991). Such transfers shall not be deemed to be null and void, or unenforceable, under General Ruling No. 12, as to the person with whom such blocked account was held or maintained (and as to such person only) in cases in which such person is able to establish each of the following:

(1) Such transfer did not represent a wilful violation of the Order by the person with whom such blocked account was held or maintained;

(2) The person with whom such blocked account was held or maintained did not have reasonable cause to know or suspect, in view of all the facts and circumstances known or available to such person, that such transfer was not licensed or authorized by the Secretary of the Treasury, or if a license did purport to cover the transfer, that such license had been obtained by misrepresentation or the withholding of material facts or was otherwise fraudulently obtained; and

(3) Promptly upon discovery that such transfer was in violation of the order, or was not licensed or authorized by the Secretary of the Treasury, or if a license did purport to cover the transfer, that such license had been obtained by misrepresentation or the withholding of material facts or was otherwise fraudulently obtained, the person with whom such blocked account was held or maintained filed with the appropriate Federal Reserve Bank a report on Form TFR–12A in triplicate setting forth in full the information called for therein: *Provided, however*, That such report should not be regarded as evidence of compliance with subdivisions (1) and (2) of this paragraph.

(b) Except as otherwise provided by regulations, rulings, licenses, or instructions expressly referring to this general ruling, no license will be required to validate the authority of any person to act or purport to act in a transaction directly or indirectly for the benefit or on behalf of any blocked country or any national thereof: *Provided*, That the transaction in which such person acts or purports to act is licensed or authorized by the Secretary of the Treasury or is not prohibited pursuant to section 5 (b) of the Trading with the Enemy Act, as amended.

(c) As used in this general ruling, the term "blocked account" shall have the same meaning as that prescribed in General Ruling No. 12.

Sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; Pub. No. 354, 77th Cong., 55 Stat. 838; E.O. 8389, Apr. 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, Dec. 9, 1941, and E.O. 8998, Dec. 26, 1941; E.O. 9193, July 6, 1942; Regulations, Apr. 10, 1940, as amended June 14, 1941, and July 26, 1941.

[SEAL] RANDOLPH PAUL,
Acting Secretary of the Treasury.

[F. R. Doc. 43–2163; Filed, February 10, 1943; 10:28 a. m.]

PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

FEBRUARY 9, 1943.

General License No. 32, as amended under Executive Order No. 8389, as amended, Executive Order No. 9193, sections 3(a) and 5(b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

General License No. 32 (6 F.R. 5467, 5805) is hereby amended by the deletion of paragraph (a) (1) thereof and the substitution of the following paragraph in lieu thereof:

§ 131.32 *General License No. 32.* (a) * * *

(1) Such remittances are made only for the necessary living expenses of the payee and his household and do not exceed $500 in any one calendar month to any one household: *Provided, however,* That if the payee is within Portugal, Spain, Finland, Sweden, or Switzerland and such payee is a national of any blocked country other than Portugal, Spain, Finland, Sweden or Switzerland, the total of all remittances effected in any calendar month under this general license may not exceed $100 to such payee and his household, except that additional sums not exceeding $25 in any one calendar month may be remitted for each member of such payee's household in addition to the payee, provided that in no case shall a sum in excess of $200 per calendar month be remitted to any such payee and his household;

(Sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; Pub. Law. 354, 77th Cong., 55 Stat. 838; E.O. 8389, Apr. 10 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, Dec. 9, 1941, and E.O. 8998, Dec. 26, 1941; E.O. 9193, July 6, 1942; Regulations, Apr. 10, 1940, as amended June 14, 1941, and July 26, 1941)

[SEAL] RANDOLPH PAUL,
Acting Secretary of the Treasury.

[F. R. Doc. 43-2164; Filed, February 10, 1943, 10:28 a. m.]

PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

FEBRUARY 9, 1943.

General License No. 71, as amended, under Executive Order No. 8389, as amended, Executive Order No. 9193, sections 3 (a) and 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

General License No. 71 (6 F.R. 4135) is hereby amended by the deletion of paragraph (d) of such general license.

(Sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; Pub. No. 354, 77th Cong., 55 Stat. 838; E.O. 8389, Apr. 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, Dec. 9, 1941, and E.O. 8998, Dec. 26, 1941; E.O. 9193, July 6, 1942; Regulations, Apr. 10, 1940, as amended June 14, 1941, and July 26, 1941)

[SEAL] RANDOLPH PAUL,
Acting Secretary of the Treasury.

[F. R. Doc. 43-2165; Filed, February 10, 1943; 10:28 a. m.]

PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

FEBRUARY 9, 1943.

General License No. 74, as amended, under Executive Order No. 8389, as amended, Executive Order No. 9193, sections 3 (a) and 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

General License No. 74 (6 F.R. 5181) is hereby amended by the deletion of the following language from paragraph (c) of such general license:

§ 131.74 *General License No. 74.* * * *
(c) and shall file promptly with the appropriate Federal Reserve Bank separate monthly reports in triplicate on Form TFR-111 respecting the transactions for the account of each such citizen.

(Sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; Pub. No. 354, 77th Cong., 55 Stat. 838; E.O. 8389, Apr. 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, Dec. 9, 1941, and E.O. 8998, Dec. 26, 1941; E.O. 9193, July 6, 1942; Regulations, Apr. 10, 1940, as amended June 14, 1941, and July 26, 1941)

[SEAL] RANDOLPH PAUL,
Acting Secretary of the Treasury.

[F. R. Doc. 43-2166; Filed February 10, 1943; 10:28 a. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-235]

HOME IMPROVEMENT CORP.

Home Improvement Corporation of Norfolk, Virginia, is engaged in the general contracting business. Subsequent to September 7, 1942, without the authorization of the Director General for Operations of the War Production Board, Home Improvement Corporation began construction (as defined in Conservation Order L-41) of twenty garage buildings situated in and about the cities of Norfolk and Portsmouth, Virginia, the estimated cost of each of said garages being in excess of $200. Such construction was begun in disregard of the provisions of Conservation Order L-41, as amended September 2, 1942, with which the Home Improvement Corporation was, or should have been, familiar, and therefore constituted a wilful violation of that order.

This violation of Conservation Order L-41 has hampered and impeded the war effort of the United States by diverting scarce materials to uses not authorized by the War Production Board. In view of the foregoing facts; *It is hereby ordered*, That:

§ 1010.235 *Suspension Order S-235.* (a) Home Improvement Corporation, its successors and assigns, are hereby prohibited from ordering, purchasing, accepting delivery of, withdrawing from inventory, or in any other manner securing or using material or construction plant in order to begin or continue the erection, construction, remodeling or rehabilitation of any building, structure, or project or additions thereto or extensions or alterations thereof, including but not limited to maintenance and repair, except with the specific approval of the Regional Compliance Chief, Philadelphia Regional Office, War Production Board.

(b) Deliveries of material to Home Improvement Corporation, its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned or applied to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) No allocation shall be made to Home Improvement Corporation, its successors and assigns, of any material, the supply or distribution of which is covered by any order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(d) Nothing contained in this order shall be deemed to relieve Home Improvement Corporation from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect February 12, 1943, and shall expire May 12, 1943, at which time the restrictions contained in this order shall have no further effect.

Issued this 9th day of February 1943.

CURTIS E. CALDER,
Director General for Operations

[F. R. Doc. 43-2134, Filed, February 9, 1943, 3:49 p. m.]

PART 903—DELEGATIONS OF AUTHORITY

[Supplementary Directive 1-U]

§ 903.26 *Further delegation of authority to the Office of Price Administration with reference to rationing of firewood.* (a) In order to permit the efficient rationing of firewood, the authority delegated to the Office of Price Administration in § 903.1 (Directive No. 1[1]) is hereby extended to include the exercise of rationing control over the sale, transfer, delivery or other disposition of firewood by any person to any person in cases in which either of such persons is within any of the rationed areas; and over the use of firewood by any person in any of the rationed areas, or by any person who acquires firewood from a person in any of the rationed areas. This authority, however, does not extend to control over the disposition of firewood to or for the account of, or the use of firewood by, the persons specified in subparagraphs (1) and (2) of paragraph (a) of Directive No. 1.

(b) The authority of the Office of Price Administration under this supplementary directive shall include the power to regulate or prohibit the sale, transfer, delivery or other disposition of firewood to, or the acquisition or use of firewood by, any person who has acted in violation of any rationing regulation or order prescribed by the Office of Price Administration.

(c) The Office of Price Administration is authorized, in accordance with the provisions of Executive Order No. 9125, and to the extent that it may deem necessary to the enforcement of the authority delegated in paragraphs (a) and (b) of this supplementary directive:

(1) To require records and reports and to make audits of the accounts and inspections of the facilities of any person wherever located, involved directly or indirectly in the sale, transfer, delivery or other disposition of firewood to or from any point in any of the rationed areas; and

(2) To require any person wherever located, who is involved, directly or indirectly, at any stage in the distribution of firewood which is ultimately sold, transferred, delivered or otherwise disposed of in any of the rationed areas (whether by such person or by other persons), or which is ultimately used in any of the rationed areas, to comply with any rule, regulation or procedure promulgated or established pursuant to the authority delegated in paragraph (a) of this supplementary directive.

(d) As used in this supplementary directive, the term "rationed area" means the States of Washington, Oregon and Idaho or such communities or areas within such States as may from time to time be designated by the Office of Price Administration.

The term "firewood" means any forest cordwood; slabwood; mill-ends, edgings, or other mill waste; kindling wood, shavings, hogged fuel, or sawdust, including sawdust pressed into logs or bricks.

Issued this 10th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2145; Filed, February 10, 1943; 10:21 a. m.]

[1] 7 F.R. 562.

PART 1010—SUSPENSION ORDERS

[Amendment 1 to Suspension Order S-221]

FRIEDMAN BAG CO.

Paragraph (a) of § 1010.221 *Suspension Order S-212*, issued January 27, 1943, is hereby amended to read as follows:

(a) Friedman Bag Company, its successors and assigns, shall not sell, deliver, rent, accept delivery of, purchase, or otherwise deal in any textile bags made of burlap, whether new or used, except as specifically authorized by the Regional Compliance Chief, San Francisco Regional Office, War Production Board.

Issued this 9th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2135; Filed, February 9, 1943; 3:49 p. m.]

PART 1046—SUPPLIERS

[Limitation Order L-63, as amended Feb. 10, 1943]

§ 1046.1 *Suppliers' Inventory Limitation Order L-63*—(a) *Definitions.* (1) "Supplies" means all the supplies listed below:

(i) Automotive supplies.
(ii) Aviation supplies.
(iii) Builders' supplies.
(iv) Construction supplies.
(v) Dairy supplies.
(vi) Electrical supplies.
(vii) Farm supplies.
(viii) Foundry supplies.
(ix) Grain elevator supplies.
(x) Hardware supplies.
(xi) Industrial supplies.
(xii) Plumbing & heating supplies.
(xiii) Refrigeration supplies.
(xiv) Restaurant supplies.
(xv) Textile mill supplies.
(xvi) Transmission supplies.
(xvii) Welding & cutting supplies.

Except that "supplies" shall not be deemed to include any of the materials set forth in List A.

(2) "Supplier" means any person (other than a producer) located in the 48 states or the District of Columbia, whose business consists, in whole or in part, of the sale from stock or inventory of supplies. "Supplier" includes wholesalers, distributors, jobbers, dealers, retailers, branch warehouses of producers and other persons performing a similar function.

(3) "Producer" means any person including any branch, division or section of any enterprise, which manufactures, processes, fabricates, assembles or otherwise physically changes any material.

(4) "Sales" means sales from stock including consigned stocks and excluding direct shipments.

(5) "Seasonal lines" means any line of supplies in which a minimum of 40% of the supplier's total annual sales are made during a period of 90 days, or less.

(6) "Maximum permissible inventory" of supplies means:

(i) In the case of a supplier located in the Eastern or Central War Time zones, an inventory (owned or consigned to him) of supplies of a total dollar value (by physical or book inventory, at the option of the supplier) equal either to:

(*a*) Twice the sales of such supplies, shipped from his inventories, during the second preceding calendar month; or (at the option of the supplier);

(*b*) Two thirds of the sales of said supplies shipped from his inventories during the three preceding calendar months.

(ii) In the case of a supplier, located in any other time zone, an inventory (owned or consigned to him) of supplies of a total dollar value (by physical or book inventory, at the option of the supplier) equal either to:

(*a*) Three times the sales of such supplies, shipped from his inventories, during the second preceding calendar month; or (at the option of the supplier);

(*b*) The sales of such supplies, shipped from his inventory, during the three preceding calendar months.

(b) *Limitation of supplier's inventories.* (1) Except as provided in paragraph (b) (3), (4), (5), and (6), no supplier shall accept any delivery of supplies from any person which will effect an increase in the inventories of the supplier above his maximum permissible inventory; and

(2) Except as provided in paragraphs (b) (3), (4), (5) and (6), no person shall make to any supplier any delivery of supplies which such person knows or has reason to believe will effect an increase in such supplier's inventory of supplies above the supplier's maximum permissible inventory.

(3) The supplier in any time zone shall be permitted to purchase and store an amount of seasonal lines equal to those which he purchased in the peak period of a comparable period of the previous year, but this peak period shall not exceed ninety days.

(4) A supplier may accept delivery of supplies which will increase his stock above the maximum permissible inventory, if such supplier's inventory of supplies is at the time of delivery less than his maximum permissible inventory and the delivery is of the minimum quantity

of such supplies that can be commercially procured.

(5) A supplier may accept delivery of specific items of supplies when his stock of all items in the aggregate exceeds, or will by virtue of such acceptance exceed, his maximum permissible inventory, but only to the extent necessary to bring such supplier's inventory of those specific items (owned or consigned to him) up to a total dollar value equal to the sales of such items shipped from such supplier's inventories during the preceding month.

(6) The Director General for Operations may, from time to time, exempt specified suppliers or classes of suppliers from the provisions of this order, subject to such restrictions as the Director General for Operations may impose.

(7) The provisions of this order shall not apply to any supplier:

(i) Whose total inventory at cost, including consigned stocks, of all supplies is less than $20,000.00, and;

(ii) Whose total inventory at cost of each type of supplies as set forth in paragraph (a) (1) of this order, is less than $10,000.00.

(c) *Provisions of other orders.* No provision of this order shall be construed to permit the accumulation of inventories of any item of material in contravention of the provisions of any other applicable order or orders issued by the War Production Board or heretofore issued by the Office of Production Management.

(d) *Appeals.* Any person affected by this order, who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, may apply for relief to the War Production Board by telegram or letter setting forth the pertinent facts and the reason such person considers that he is entitled to relief.

(e) *Records and reports.* (1) Each supplier (other than those suppliers who are exempt from the provisions of this order pursuant to paragraph (b) (6) or (7)) shall, on or before the twentieth day of each month make proper entry of inventory (book or physical at cost), sales of direct shipments, sales from stock, and total sales of each type of supplies as set forth in paragraph (a) (1) of this order, during the previous calendar month on Form PD-336. This form must be retained for a period of at least two years for inspection by representatives of the War Production Board.

(2) The Director General for Operations may at any time call for these reports to be submitted to the War Production Board.

(f) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(g) *Communications.* All communications concerning this order shall be addressed to War Production Board, Distributors' Division, Washington, D. C., Ref.: L-63.

Issued this 10th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

LIST A

NOTE: Paragraph (8) added.

The types of material set forth below are not deemed to be supplies within the meaning of paragraph (a) (1). Accordingly, these materials may be excluded from the monthly report required by paragraph (e), and are not subject to the inventory restrictions required by paragraph (b), provided that sales of such materials are not included in computing maximum permissible inventory as defined in paragraph (a) (6).

(1) All materials referred to in schedules A and B of § 962.3 (*General Preference Order M-21-b*, as amended from time to time);

(2) Materials made of aluminum, provided such materials were acquired by the supplier pursuant to allocation or other specific authorization of the Director of Industry Operations or the Director General for Operations of the War Production Board;

(3) Automobile and truck replacement parts as defined in:

(i) Section 1297.1 (c) (8), Limitation Order No. L-158, issued July 4, 1942, and

(ii) Section 983.4 (b) (4), Supplementary Limitation Order L-4-B, issued April 25, 1942;

(4) Functional replacement parts for machinery and equipment: *Provided*, That in no event shall the supplier accept delivery of any such parts where his inventory thereof is, or will by virtue of such delivery become in excess of six times his sales of such parts during the second preceding calendar month;

(5) Machinery or equipment which is purchased by the supplier at a cost per unit in excess of $500;

(6) Any material which is subject to rationing by the Office of Price Administration;

(7) The following building materials: Portland and natural cement, lime, gypsum and gypsum products, bituminous roofing materials, concrete pipe, cut stone, sand and gravel, crushed stone, clay products, insulation board, acoustical materials, mineral wool, paving materials, concrete products, glass, lumber, wooden mill work.

(8) Domestic mechanical refrigerators, as defined in Limitation Order L-5-d.

[F. R. Doc. 43-2146, Filed, February 10, 1943; 10:21 a. m.]

PART 3133—PRINTING AND PUBLISHING MACHINERY, PARTS AND SUPPLIES

[Limitation Order L-226 as Amended Feb 10, 1943]

The fulfillment of requirements for the defense of the United States having created a shortage in the supply of aluminum, chromium, copper, nickel, iron, steel, manpower, transportation, and electrical energy required for the production of graphic arts machinery, operating supplies, and replacement parts therefor for defense, for private account and for export, the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3133.1 *Limitation Order L-226—(a) Protection of production schedules.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board as amended from time to time, except that notwithstanding Priorities Regulation 1 producers of operating supplies and replacement parts, to the extent provided for in paragraphs (d) and (e) of this order, may on and after January 1, 1943, schedule their production of such operating supplies and replacement parts as if the orders therefor bore a rating of AA-1.

(b) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Graphic arts machinery" means any piece of new, used or reconditioned machinery or equipment designed for use in the production of printed matter, including but not limited to the kinds listed on Schedule A.

(3) "Operating supplies" means small pieces of equipment not normally considered capital items peculiar to and used exclusively in the graphic arts industry including but not limited to the kinds listed on Schedule B.

(4) "Replacement parts" means parts used for the repair or maintenance of the machinery listed in paragraph (b) (2) hereof.

(5) "Producer" means any person engaged in whole or in part in the manufacture of new graphic arts machinery, operating supplies, or replacement parts as defined in paragraphs (b) (2), (3) and (4) above.

(6) "Inventory" means any stock of operating supplies or replacement parts as defined in paragraphs (b) (3) and (4), on hand, or consignment, or held for the account of the owner thereof in any other name, manner or place.

(7) "Order" means any commitment or other arrangement for the production or delivery of graphic arts machinery.

(8) "Distributor" means any person regularly engaged in the business of buying or otherwise acquiring new, used, or reconditioned graphic arts machinery, operating supplies, or replacement parts for resale or lease.

(9) "Approved order" means any order for graphic arts machinery approved by the War Production Board as provided in paragraph (g) hereof.

(10) "Printed matter" shall include any paper (or any paperlike substance), wood, fabric, metal or other material upon which there has been printed, impressed or otherwise transferred any ink, color, pigment, mark, character or delineation by the letter press, lithographic or gravure processes or any modifications thereof.

Definitions in paragraphs (2), (3), (4) and (10) of this paragraph shall not be deemed to include any office machinery and collateral equipment as listed in General Limitation Order L-54-c, as Amended, operating supplies and replacement parts for same, and the material produced by same.

(c) *Restrictions on acceptance of orders for production and delivery of graphic arts machinery.* (1) On and after January 30, 1943, no person shall:

(i) Produce any graphic arts machinery, except for the use of the Armed Forces outside of the U. S., its territories or possessions or on shipboard and then only upon an approved order to deliver or accept delivery;

(ii) Deliver or accept delivery of any graphic arts machinery unless such delivery is upon an approved order except as provided in paragraph (c) (3) hereof.

(2) *Auction sales, sales pursuant to court order and similar transactions.* Dispositions of used graphic arts machinery at auction, at sheriff's sales, at tax sales, in liquidations of all or part of the business, and in similar transactions must be approved orders unless such dispositions are made within the limits specified in paragraph (c) (3) (v).

(3) *Exempted transactions.* Nothing in this order shall be construed to prohibit any of the following transactions:

(i) The seizure of graphic arts machinery (but not subsequent disposition or use thereof) upon default, by any person pursuant to the terms of a conditional sale agreement, chattel mortgage, pledge, or other security agreement; and the distraint or levy by execution (but not subsequent disposition thereof) by tax authorities.

(ii) The delivery or acquisition of graphic arts machinery (but not subsequent disposition thereof) through a transfer by will or intestacy, or a transfer by operation of law to a trustee, receiver, or assignee for the benefit of creditors, in bankruptcy, insolvency, receivership, or assignment for the benefit of creditors.

(iii) The delivery or acquisition of graphic arts machinery as part of a transaction, such as merger, consolidation, sale and purchase of assets, sale and purchase of stock or lease of plant, involving the transfer of all or substantially all of the assets of an enterprise, where no liquidation or dismemberment of assets is contemplated.

(iv) The delivery or acquisition of graphic arts machinery (but not subsequent disposition thereof) as a trade-in, where the machinery to be installed is delivered pursuant to an approved order.

(v) Deliveries to, and acquisitions by distributors of used graphic arts machinery (but not subsequent dispositions thereof) at auction, sheriff's sales, tax sales, liquidations or otherwise.

(vi) The delivery of graphic arts machinery for repair and return, the return of a repaired machine, and the loan of a machine to the user, for a period not to exceed ninety (90) days, pending the repair of the damaged machine.

(vii) The delivery and acquisition of graphic arts machinery for scrap.

(viii) The unloading, from a vessel, of any imported graphic arts machinery.

(ix) The transfer of any interest, in any written instrument evidencing an interest in graphic arts machinery: *Provided, however*, That nothing in this subparagraph (ix) shall be construed to permit the physical delivery or use of such graphic arts machinery.

(x) The delivery, acquisition and production of graphic arts machinery, the delivery and acquisition of which has been approved prior to January 4, 1943, under General Conservation Order L-83 on Form PD-1A carrying a preference rating of A-9 or higher.

(xi) The delivery and acquisition of graphic arts machinery approved on Form PD-200.

(xii) The delivery and acquisition of graphic arts machinery which was delivered to the original user prior to May 1, 1937.

(xiii) The delivery and acquisition of a single piece of graphic arts machinery having a sales value of $25 or less.

(d) *Restrictions on the production of operating supplies used in the graphic arts processes.* During the first calendar quarter of 1943 or any calendar quarter thereafter, a producer of operating supplies used in the graphic arts industry shall limit his production of such supplies to a quantity having a sales value of not more than 18% of the combined sales value of such supplies sold by him during 1941 and shall limit his inventory of such supplies to a quantity having a sales value of not more than 133⅓% of the combined sales value of such supplies sold by him during the preceding calendar quarter.

In the event that a producer's inventory of operating supplies is or should at any time become in excess of 133⅓% of the combined sales value of such supplies sold by him during the preceding calendar quarter, he shall limit his production of such supplies to a quantity having a sales value of not more than 6% of the combined sales value of such supplies sold by him during 1941.

(e) *Restrictions on the production of replacement parts.* During the first calendar quarter of 1943 or any calendar quarter thereafter, a producer of replacement parts used in the graphic arts industry shall limit his production of such parts to a quantity having a sales value of not more than 30% of the combined sales value of such parts sold by him during 1941 and shall limit his inventory of such parts to a quantity having a sales value of not more than 133⅓% of the combined sales value of such parts sold by him during the preceding calendar quarter.

In the event that a producer's inventory of replacement parts is or should at any time become in excess of 133⅓% of the combined sales value of such parts sold by him during the preceding calendar quarter, he shall limit his production of such parts to a quantity having a sales value of not more than 18% of the combined sales value of such parts sold by him during 1941.

(f) *Restrictions on sale of operating supplies and replacement parts to consumers.* (1) On and after January 4, 1943, no producer or distributor shall sell or deliver any operating supply or replacement part to a consumer who fails within 30 days after receipt of a supply or part ordered on or after January 4, 1943, to deliver to said producer or distributor a used part of similar kind or size for each new replacement part or operating supply delivered to the consumer.

(2) Excluded from the provisions of paragraph (f) (1) are sales of operating supplies and replacement parts to:

(i) A consumer who, on and after February 15, 1943, certifies concurrently with the placing of the order for said supplies or parts that within 30 days after their receipt he will dispose through scrap channels of a used part of similar kind and size for each new replacement part or operating supply delivered to him;

(ii) Any corporate, administrative or other division or agency of the United States or of any state or territory of the United States which is forbidden by law from making such disposal of replacement parts or operating supplies;

(iii) The Army, Navy, Maritime Commission, War Shipping Administration or consumers outside of the continental United States;

(iv) A distributor or other producer for resale only in that form.

(g) *Requirements for obtaining an approved order.* Any person seeking an approved order for graphic arts machinery shall file Form PD-556 containing all information requested by said form and, in addition, shall make answer in Section 5 of said form to the following questions:

(1) Is the machinery an expansion of existing facilities or a replacement, and if the latter, what disposition will be made of the existing machinery?

(2) Does the applicant have in use any machinery similar to that for which application is made?

(3) How does the applicant now accomplish the work for which is required the machinery applied for?

(h) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(i) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as the Board shall from time to time request.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order,

wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(k) *Appeals.* Any appeal from the provisions of this order shall be filed on Form PD–500.

(l) *Communications.* All communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Printing and Publishing Division, Washington, D. C. Ref: L–226.

Issued this 10th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

NOTE: Certain items have been amended or deleted

MACHINE COMPOSITION

Automatic metal feeders.
Band saws.
Broaching machines.
Buffer and polishers.
Composing room saw trimmers.
Line typesetting machines.
Line composing machine magazines.
Lino-saws.
Material makers.
Plunger cleaners.
Remelt furnaces and molds.
Rule casters.
Space band cleaners.
Single character type composing machines.
Single character type casting machines.
Typesetting and type casting machine matrices of a face not offered for sale by the manufacturer prior to January 1, 1943.

HAND COMPOSITION

Cabinets, type, storage, galley.
Composing frames.
Dead metal frames.
Foundry type of a face not offered for sale by the foundry prior to January 1, 1943.
Imposing tables or stones.
Line-up and register tables and devices.
Make-up frames.
Metal saws and trimmers.
Mitering machines.
Page make-up gauges.
Plate mounting (patent) bases.
Slug and rule cutters.
Trucks, galley, form, dead-metal.

PHOTOENGRAVING, LITHOGRAPHIC AND GRAVURE PLATE MAKING

Arc lamps.
Ben Day machines.
Cameras and lenses.
Etching machines, baths and tanks.
Halftone screens.
Monel silver baths.
Monel evaporating dishes.
Nailing machines.
Planing machines.
Plate coating machines.
Plate graining machines.
Plate routers.
Plate beveler and trimmer.
Plate dryers.
Projectors.
Photo-composing machines.
Registering devices.
Vacuum backs for cameras.
Vacuum frames.

ELECTROTYPE, STEREOTYPE RUBBER AND PLASTIC PLATE MAKING

Casting boxes.
Cooling tables.
Electrolytic baths and tanks.
Jig saws.
Mat formers, scorchers and rollers.
Molding presses.
Plate curving machines.
Routing machines.
Rubber plate depth gauges.
Ruling moldings.
Saws and trimmers.
Shaving and planing machines.

PRESSES

Automatic press feeders and deliveries.
Auxiliary ink distributors.
Bronzing machines.
Cutting and creasing presses.
Drying racks.
Hand and automatic sheet and web-fed platen presses.
Hand and automatic fed flat-bed cylinder presses.
Hand and automatic fed flat-bed gravure presses.
Hand and automatic fed plate engraving presses.
Ink agitators.
Numbering machines.
Paper sensoners.
Proof presses.
Roller washing devices.
Scoring and perforating attachments.
Sheet and web-fed rotary letter presses.
Sheet and web-fed offset or direct lithograph presses.
Sheet and web-fed rotary gravure presses.
Sheet heaters, static eliminators and ink dryers.
Thermographic presses.
Transfer presses.
Varnishing machines.
Vibrating rollers.
Web-pasters.
Web-tension devices.
Web-slitting and re-winding machines.

BINDERY

Automatic feeders for folding machines.
Automatic and hand-fed trimmers.
Automatic feeders for board cutters.
Banding machines.
Bindery hand presses.
Binder's board cutters.
Binder's cloth cutters.
Book presses (drying; clamp units power or hand).
Book sawing machines.
Case making machines.
Casing-in machines.
Cover shaping and bending machines.
Color spraying hoods and machines.
Cover spraying machines.
Corner cutting racks.
Eyeletting machines.
Forwarding machines (backers, liners, and headbanders).
Guillotine cutting machines, power and hand lever.
Gathering and inserting machines.
Gilding presses, screw type.
Gold and foil cover cleaning machines.
Hand and automatic fed folding machines.
Headband forming machines.
Lettering presses.
Marbling troughs and clamps.
Mechanical binding machines.
Nipping machines.
Paper ruling machines.
Perforating machines.
Pamphlet covering machines.
Round cornering, punching, drilling and indexing machines.
Rounding and backing machines.
Rough-edging machines.
Round corner turn-in machines.
Sanding machines (edges).
Stripping machines.
Smashing machines.
Stamping, embossing and brass die-cutting and sinking machines and presses.
Stippling and graining machines.
Signature bundling presses (hand and power).
Skiving or paring machines.
Thread stitching machines, hand and automatic feed.
Thread sewing machines.
Tipping, pasting and gluing machines.
Wire stitching machines.

SCHEDULE B

NOTE: Certain items have been amended or deleted

MACHINE COMPOSITION

Go No-go type high gauges.
Space bands.
Typesetting and type casting machine matrices.

HAND COMPOSITION

Chases.
Composing sticks.
Imposing furniture.
Line gauges.
Plate hooks.
Quoins and keys.

PHOTOENGRAVING, LITHOGRAPHIC AND GRAVURE PLATE MAKING

Routing bits.

PRESSES

Press fountain dividers.
Cylinder jackets for cutting and creasing presses.
Doctor blades (gravure).
Gauge pins.

BINDERY

Cutting-out dies.
Drills and punches (paper).
Graining plates.
Index cutting knives.
Needles and hooks.
Paper cutter knives.
Perforator wheels and knives.

[F. R. Doc. 43–2147; Filed, February 10 1943; 10:21 a. m.]

Chapter XI—Office of Price Administration

PART 1300—PROCEDURE

[Procedural Reg. 9,[1] Amendment 2]

UNIFORM APPEAL PROCEDURE UNDER RATION ORDERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8796, 8 F.R. 856.

Paragraph (b) is added to § 1300.610 and paragraph (h) of § 1300.611 is amended as set forth below:

§ 1300.610 *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§ 1300.611 (h)) to Procedural Regulation No. 9 shall become effective, February 15, 1943.

§ 1300.611 *Appendix A: List of district and state offices designated by regional administrators to decide appeals.* * * *

(h) *Region VIII.* Arizona: Phoenix; California: Fresno, Los Angeles, Sacramento, San Francisco, San Diego; Nevada: Reno; Oregon: Klamath Falls, Portland; Washington: Seattle, Spokane.

(Pub. Law 507, 77th Cong.; W.P.B. Dir. No. 1, 7 F.R. 562; E.O. 9125, 7 F.R. 2719)

Issued this 9th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–2125; Filed, February 9, 1943; 12:52 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Ration Order 1A,[1] Amendment 10–

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sections 1315.201 (a) (7), 1315.201 (a) (21), 1315.501 (e), 1315.504 (a), 1315.511, 1315.601 (a), 1315.601 (d) are amended to read as follows: § 1315.302 is amended by the addition of a new paragraph (f); § 1315.503 (d) is amended by the addition of new subparagraphs (5) and (6); § 1315.505 (a) (10) is amended by an amendment to subdivision (iii) and by the addition of new subdivisions (viii) and (ix); § 1315.506 is amended by the addition of a new paragraph (b); § 1315.602 is amended by the addition of a new paragraph (f); § 1315.802 (a) is amended by the addition of new subparagraphs (8) and (9); and § 1315.1005 is amended by the addition of a new paragraph (e), as set forth below:

§ 1315.201 *Definitions.* (a) For the purpose of this Ration Order No. 1A:

* * * * *

(7) "Commercial motor vehicle" means (i) a straight truck, a combination truck-tractor and semi-trailer, a full trailer, any combination thereof, or any other rubber-tired vehicle, excluding a motorcycle or airplane, built or rebuilt primarily for the purpose of transporting property upon the highways and propelled or drawn by mechanical power, and (ii) any of the following propelled or drawn by mechanical power and used in the transportation of persons upon the highways: any bus, any ambulance or hearse, any taxicab or jitney, any motor vehicle, except a passenger automobile, available for hire or public rental, or any other motor vehicle except a passenger automobile or motorcycle.

* * * * *

(21) "Passenger automobile" means any motor vehicle (other than an ambulance or hearse, taxicab or jitney, or vehicle available for public rental for a term of seven or less consecutive days) built primarily for the purpose of transporting persons and having a rated seating capacity of seven or less; and includes station wagons and suburban carry-alls, irrespective of seating capacity, which are not available for hire or public rental, or any motorcycle.

* * * * *

§ 1315.302 *Jurisdiction of war price and rationing boards.* A Board shall have jurisdiction to receive and act upon applications with respect to:

* * * * *

(f) Authority to acquire tires and tubes by a person engaged in the business of towing house trailers, if the applicant has his principal office within the area served by the Board.

§ 1315.501 *General proof of need.* No Board shall grant a certificate authorizing any consumer to acquire a tire, tube, or recapping service, and no consumer shall accept such a certificate, unless the applicant is eligible under §§ 1315.503, 1315.505, 1315.506, 1315.507 or 1315.511 and in addition meets each of the following conditions:

* * * * *

(e) *No available tire or tube.* That the applicant, other than a Federal, State, local, or foreign government or government agency, does not own or control a tire or tube, other than tires or tubes mounted upon vehicles in current use (including one spare for each size wheel per vehicle) which can be used, or repaired for use, in lieu of the tire or tube sought to be replaced or the tire sought to be recapped. In computing the number of tires or tubes owned or controlled, applicant need not include: (1) emergency reserves acquired in accordance with § 1315.507; (2) tires or tubes reported on OPA Form R–17 or R–17 (Revised) or reported by a manufacturer to the War Production Board; (3) tires or tubes in a public warehouse and removable only upon certificate; or (4) tires especially designed for use in mud and snow, not in excess of two such tires per vehicle, if the vehicle is exempt under § 1315.503 (d) (1) from the mileage restrictions on eligibility.

* * * * *

§ 1315.503 *Eligibility of passenger automobile.* * * *

(d) *Exceptions to eligibility, mileage not governing.* * * *

(5) An applicant for a passenger automobile, which is not driven by gasoline as defined in § 1394.7551 (a) (12) of Ration Order No. 5C, or which has been issued a currently valid Non-highway ration in accordance with § 1394.7904 of Ration Order No. 5C, shall be entitled to no better than a Grade III tire, unless the mileage driven in such vehicle is necessary for carrying out one or more of the purposes described in § 1394.7706 of Ration Order No. 5C and is of an amount sufficient to entitle the applicant to either a Grade I or Grade II tire in accordance with the table in paragraph (c) of this section.

(6) An applicant who is unable to obtain recapping service or replacement of a size 4.25 x 12 or 4.50 x 12 tire to which he is entitled, may be issued a certificate for a 4.00 x 12 implement tire.

§ 1315.504 (a) *Certificate of war necessity.* That he holds a currently valid certificate of war necessity with respect to such vehicle and that the tires have been currently inspected and passed, as required by General Order ODT No. 21 and amendments or exemptions thereto; and

* * * * *

§ 1315.505 *Eligibility of commercial motor vehicle*—(a) *List A.* * * *

(10) Transporting the following persons:

* * * * *

(iii) Military or naval personnel of the United States or State military forces organized pursuant to section 61 of the National Defense Act as amended: *Provided,* Such transportation is furnished upon written request to the operator of the vehicle by the commanding officer of the personnel and no other public transportation is practicable.

* * * * *

(viii) Persons participating in organized recreational activities at military or naval establishments, to and from such establishments: *Provided,* Such transportation is furnished upon written request to the operator of the vehicle by the commanding officer of the establishment and no other public transportation is practicable.

(ix) Patients to clinics or hospitals for medical attention: *Provided,* The operator has obtained from the United States Public Health Service or a State board of health written approval of such use of his vehicle and no other public transportation is practicable.

§ 1315.506 *Eligibility of farm implement, industrial equipment and non-highway vehicle.* * * *

(b) *Spare tires or tubes.* A certificate for a spare tire or tube may be issued to equip any of the vehicles which satisfy the conditions of this section, if a Board finds that a spare tire or tube is necessary for the continued operation of the vehicle.

§ 1315.511 *Eligibility of house trailers*—(a) *Permanent equipment.* A certificate for tires, tubes or recapping service may be granted for a house trailer which meets the applicable conditions of §§ 1315.501 and 1315.504, if it is used exclusively to furnish housing to

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9160, 9392, 9724, 10072, 10336; 8 F.R. 435, 606, 1585, 1628, 1629.

itinerant workers rendering the construction, maintenance or repair services listed in § 1315.505 (a) (14) (ii) or rendering other services essential to the public health, safety or the war effort, and is required to enable such persons to be located near their place of work.

(b) *Eligibility of towers of house trailers for tires for temporary mounting.* A person in the business of towing house trailers may be granted a certificate for tires, tubes or recapping service to be used exclusively to tow house trailers, sufficient to provide him with eight tires and tubes plus four additional tires and tubes for each separate branch where he maintains a tow car.

(c) *Grade of tire for house trailers.* An applicant under this section may obtain no better than a certificate for recapping service or for a Grade III tire, unless he shows that a Grade III tire cannot be used for this purpose.

§ 1315.601 *Application for certificates*—(a) *Who may execute and file.* Any person may file with the Board having jurisdiction an application for a certificate authorizing the acquisition of tires, tubes, recapping services or camelback. Application may be made by an agent; but if the agent is not an employee of the applicant, he may sign the application only if the applicant for whom he is acting is physically unable to sign or is outside the jurisdiction of the appropriate Board. No member or employee of the Board to whom application is made and no authorized tire inspector shall act as agent of an applicant. The Board may require that principal and agent, or owner and operator join in an application. If application is made for tires, tubes or recapping service to equip a passenger automobile leased for a term of more than seven days, both the lessor and the lessee shall join in the application.

* * * * *

(d) *Presentation of certificate of war necessity.* Any applicant for tires, tubes or recapping service for a commercial motor vehicle shall present to the Board a currently valid certificate of war necessity for such vehicle, as required by General Order ODT No. 21 and amendments or exemptions thereto.

§ 1315.602 *Filing of applications.*

* * *

(f) *Persons towing house trailers.* Applications for certificates for tires, tubes or recapping service by persons engaged in the business of towing house trailers shall be filed on OPA Form R–1 (Revised) with the Board for the area in which the principal office of the applicant is located.

§ 1315.802 (a) *Mounting or use of tires and tubes.* Subject to the restrictions of Ration Order No. 5C and paragraph (b) of this section, any person may change the physical location of, mount or use:

* * * * *

(8) Tires and tubes acquired under § 1315.511 (a) on the house trailer for which they were acquired.

(9) Used tires or tubes temporarily to:

(i) Replace a tire which is being repaired or recapped;

(ii) Move a wrecked, disabled or repossessed vehicle to a garage or other place of safety or storage;

(iii) Move vehicles held for resale from one sales premises to another;

(iv) Move any house trailer to a site for housing purposes. In addition, any person who has acquired tires or tubes under § 1315.511 (b) or holds them under § 1394.8014 of Ration Order No. 5C may change the physical location of, mount or use such tires or tubes to move any house trailer to a site for housing purposes.

Such tires or tubes shall be returned to the transferor within three days after the purpose is accomplished for which the tires or tubes were transferred.

* * * * *

§ 1315.1005 * * *

(c) Every person transferring tires or tubes temporarily pursuant to § 1315.802 (a) (9) shall keep a record showing: (1) the purpose for which the transfer is made; (2) the serial number of the tire transferred; (3) the serial number of the tire temporarily replaced, if any; (4) the date the tire or tube is transferred; (5) the name and address of the person to whom the tire or tube is transferred; and (6) the date the tire or tube is returned.

§ 1315.1199 *Effective dates of amendments.* * * *

(j) Amendment No. 10 (§§ 1315.201, 1315.302, 1315.501, 1315.503, 1315.504, 1315.505, 1315.506, 1315.511, 1315.601, 1315.602, 1315.802, and 1315.1005) to Ration Order No. 1A shall become effective February 15, 1943.

(Pub. Law No. 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong., E.O. 9126, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 352, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 9th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2126; Filed, February 9, 1943; 12:53 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 13]

PROCESSED FOODS

Why Processed Foods Must Be Rationed

Our soldiers and sailors in combat areas must be fed—they must be well fed. The armed forces of our allies must be fed. War is fought, and won, as much by food as by munitions. Food is a weapon which we must forge and send wherever needed—to the millions of our fighting men—to our allies and their fighting men—to their fighters on the home front, in factories, in shipyards, in munitions plants.

Processed foods—canned and frozen fruits and vegetables, and dried fruits—have been aptly called "fighting foods." Because they are compact, easily shipped and easily prepared—because they can be kept for long periods without spoiling—they fill a vital need of our armed forces and those of our allies.

Thus, the war has brought a tremendous increase in the demand for processed foods. A large part of our supply of these fighting foods must be shipped to our armed forces and to our allies.

At the same time, the war has limited our ability to increase production indefinitely. Shortages of tin, rubber and steel—of manpower and of plant facilities—place definite limits on the possibilities of expansion.

The result is that our supplies are not sufficient to meet normal civilian demands. The supplies of processed foods which are available must therefore be rationed so that everyone can get his fair share.

The use of canned baby foods has increased tremendously during the past few years. Here too, however, the war limits our ability to expand production indefinitely. Baby foods are therefore included in the program in order to help avoid depriving any mother of the convenience of using these foods because of uneven distribution of supplies. Babies have war ration books, and their books can be used for those foods.

The Point Rationing System

Processed foods are rationed by what is called a "point" system. A particular "price", in points, is fixed for each item of processed foods. That "price" is called its "point value". Every consumer is then given a certain number of "points" which he can "spend" for processed foods, just as he has a certain amount of money which he can spend. He can get less of a higher priced item, or more of a lower priced item.

The reason for adopting this system is that there are a great number of different items of processed foods. If the supply of each item were divided evenly, there would not be enough to go around. Thus, if everyone were given stamps for canned asparagus, the amount which each consumer could get would be too small to be useful.

However, many of those items can be substituted for each other. To a considerable extent, the use of one item, rather than another, depends upon personal preference. For example, one person may prefer canned peaches, while another prefers canned pears.

The point system provides a method for letting everyone choose the kinds he prefers. It gives the same type of flexibility that a person has when he spends his money. He can get canned peas or, if he prefers, canned asparagus. He can get a small can of peas and a small can of asparagus, instead of a large can of peas.

Furthermore, the point system provides a method for adjusting demand to the available supply. For example, if canned tomatoes are relatively plentiful, a low point value could be fixed. More people would then buy canned tomatoes, just as when the money price is low. If canned tomatoes become scarce, their point value is increased. Fewer consumers will then buy them, since consumers who do not want canned tomatoes badly will not wish to spend too many of their points on canned tomatoes, when they could get other processed foods at a lower point price.

The point rationing system has been in use in England for a long time. It works simply and easily—and it is the most satisfactory method yet devised for fair and flexible distribution of a group of commodities which should be rationed together.

How Consumers Get Processed Foods

Consumers are given "points" for processed foods in the form of the blue stamps in War Ration Book Two. Each stamp has a number which shows the number of points for which it is good.

Consumers register for and get War Ration Book Two during the week before processed foods rationing actually begins. When they apply for the book, they declare their stocks of processed foods and give up stamps for any excessive amounts they have.

During the week of registration for War Ration Book Two, consumers are not permitted to buy processed foods. The reason for this is to give retailers a chance to stock up and to prepare to meet demands under rationing. At the same time, it helps make sure that all consumers start evenly. If purchases were permitted, a hoarder could get his War Ration Book Two, and then go out and buy processed foods during the rest of the week without giving up points. This would give him an unfair advantage which would be inconsistent with the purposes of rationing.

When rationing begins, a consumer gives up stamps when he buys processed foods in much the same way as he gives up sugar stamps when he gets sugar. If he buys an item with a point value of 11 points, he gives up stamps worth 11 points. Retailers are required to post point values plainly, so that consumers will know just how many points each item costs.

Just as in the case of sugar, only certain stamps are good at a particular time. In this way, supplies are spread out evenly among consumers, over the year. At the outset of the program, 48 points worth of stamps will be good each month.

While no consumer starts with more points than the number in his War Ration Book Two, the order makes provision for cases of special need. A consumer who needs processed foods because of special dietary requirements due to illness can go to his local Board and get a certificate for more points, so that he can get the additional foods he needs. A consumer who lives in remote areas and who buys supplies for a long period at one time can exchange his stamps for a certificate, so that he can make his purchases all at once.

The order permits housewives to lend processed foods to each other. It also permits any person who has more processed foods of a particular kind than he needs, to exchange them for other types of processed foods of equal point value.

All of these provisions for special cases give the system necessary flexibility and permit it to operate in a way which will cause as little hardship as possible.

How Other Users Get Processed Foods

Many consumers eat in restaurants or other eating establishments. The problem of rationing the food supply of those establishments (called "institutional users") is not confined to processed foods. Institutional users need other rationed foods. Therefore, the method by which institutional users get rationed foods—sugar and coffee, as well as processed foods—is covered by a general order, called General Ration Order 5.

There is another purpose for which processed foods are used. Processed foods are used in making other items which are not rationed under this order. That use is called an "industrial use." For example, bakeries may use canned or dried fruits in making pies. Pies are not rationed. Therefore, a bakery which uses canned peaches to make peach pie is an "industrial user."

It is obvious that if consumers are cut, these uses should also be cut. Therefore, the allotments given to industrial users are calculated in such a way that they will take a cut which is fair as compared with the cut borne by the average home consumer.

How the Trade Operates Under the Order

In order to make sure that all processed foods are accounted for, points must be given up for all sales of processed foods. When a retailer buys from a wholesaler, he gives up to the wholesaler points he got from consumers or from other people to whom he made sales. Similarly, when a wholesaler buys from a producer or importer (called a "processor"), the wholesaler gives up points. Processors then turn over their points to the Office of Price Administration—and the points they turn over must match the point value of processed foods they transferred.

It is also important to make sure that supplies of processed foods are evenly distributed and that every person who deals in processed foods has his proper share to sell. This is done by making provision for retailer and wholesaler inventories. No one, however, can get a supply of processed foods for sale unless he is engaged or is about to engage in the business of dealing in them. He must show that he is part of the channel of distribution. Therefore, retailers, wholesalers and processors are required to register under this order and to give information showing the volume of their business.

Retailers register and report only once—at the end of the first month of rationing. They report their sales during that month. Their volume shows how large a supply they need under rationing. A retailer is therefore given an "allowable inventory" which is based on his sales during the first month of rationing. However, to make sure that he has a large enough stock to work with flexibly, his sales are multiplied by a "factor" fixed by the Office of Price Administration, to get his allowable inventory.

Wholesalers also get allowable inventories, based on their sales under rationing. However, in some respects they are treated differently from retailers.

Wholesalers occupy a strategic position in the distribution of processed foods. Many of them have large warehouse space. During the packing seasons, supplies must flow to them freely, since the limited storage space of most processors would otherwise overflow. During those seasons, the problems of storage and warehousing make it important to let wholesalers get large quantities, even if they do not need them all for immediate sale. In other seasons, when supplies are scarce, the amount going to each wholesaler should be reduced, since no storage problem exists and even distribution is important.

Wholesalers are therefore required to report their sales each month. The Office of Price Administration fixes a factor, for each month, to reflect available supplies and proper distribution of them. Each wholesaler then gets a maximum allowable inventory for each month, equal to his sales during the last month, multiplied by that factor.

Any retailer or wholesaler who does not have large enough stocks when rationing begins, can come in during the first month for an emergency adjustment. He will be given a certificate for enough points to get adequate working stocks.

Processors have no allowable inventory problems, since they sell stocks which they themselves produce or import. However, all processed foods must be accounted for. Furthermore, rationing can be effective only if the available supply is known. Processors are therefore required to make monthly reports of their sales, inventories and production or imports. In this way, the necessary information is obtained. Processors are, of course, required to register at the start of rationing, so that supplies at that time, and the sources of future supplies, can be known.

Adjustments at Trade Levels

The order makes provision for various adjustments at trade levels, to get maximum flexibility. For example, retailers and wholesalers may apply for adjustments of their allowable inventories, to cover changed conditions or unusual situations. They can also apply for "loans" of points, if their own points are tied up in shipments which have not arrived. Provision is made for new business—for persons who wish to engage in processing, wholesaling or retailing processed foods.

Provisions of this type, coupled with the provisions made for special cases at the consumer level, should permit the order to operate on the smoothest and most flexible basis consistent with effective rationing.

§ 1407.1101 *Rationing of processed foods.* Under the authority vested in the Administrator by Executive Order No. 9125, issued by the President on April 7, 1942; Directive No. 1 and Supplementary Directive No. 1–M of the War Production Board, issued on January 24, 1942 and September 12, 1942, respectively; Executive Order No. 9280, issued by the President on December 5, 1942; and Food Di-

rective No. 1, issued by the Secretary of Agriculture on January 16, 1943, Ration Order No. 13 (Processed Foods), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1407.1101 issued under Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; Executive Order 9125, 7 F.R. 2719; Executive Order 9280, 7 F.R. 10179; W.P.B. Directive 1, 7 F.R. 562, and Supplementary Directive 1-M, 7 F.R. 7234; and Food Directive 1, 8 F.R. 827.

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ARTICLE XX—SUSPENSION ORDERS

20.1 Office of Price Administration may issue suspension orders.

ARTICLE XXI—DEFINITIONS

21.1 Definitions.

Article I—Introduction[1]

SECTION 1.1 *This order covers processed foods.* (a) The following foods, called "processed foods", are covered by this order:

(1) All fruits, fruit juices, vegetables, vegetable juices, soups and baby foods, packed in hermetically sealed containers of any type and sterilized by the use of heat;

(2) All frozen fruits and vegetables;

(3) All dried and dehydrated fruits.

The only foods in the above group which are not covered by this order are: candied fruits; cereals; chili con carne; frozen fruits and vegetables in containers over ten (10) pounds; fruit and vegetable juices in containers over one (1) gallon; fruit cakes; fruit puddings; jams; jellies; meat stews containing some vegetables; milk; olives; paste products, such as spaghetti, macaroni, or noodles, whether or not they are packed with added vegetable sauces; pickles; potato salad; preserves; relishes; and by-products of fruits or vegetables, such as soya bean oil, soya bean milk, fruit and vegetable dyes, and similar products. The foods not covered by this order are not processed foods as that term is used.

(b) Puncturing or opening the container in which processed foods are packed, or merely removing them from the container, does not cause them to cease to be processed foods.

(c) When any processed food is prepared for service and served, it is no longer considered a processed food. Thus, a "person" who is served canned peaches in a restaurant, as part of a meal, is not getting processed food. Furthermore, when a processed food has been used in making a product which is not rationed under this order, it ceases to be a processed food. For example, canned peaches may be used in baking peach pie—that pie, and the peaches in it, are not processed foods.

SEC. 1.2 *Processed foods are rationed by the point system.* (a) All types of processed foods are rationed together, as a group, through the use of the point system of rationing. Each item of processed foods is given a particular point value for each size in which it is sold. The point value of a processed food is the number of points that must be given up by any person who wants to get it, just as the money price of an article is the amount of money it costs. The point values will be fixed by the Office of Price Administration in a supplement to this order, containing the official table of point values. These point values may be changed from time to time, as conditions require.

SEC. 1.3 *Points come in the form of stamps, certificates and ration checks.* (a) There are several forms of tokens or ration currency which represent points.

(b) The basic tokens are the blue "stamps" in War Ration Book Two, which are designated by the Office of Price Administration to be used for the acquisition of processed foods. They are the form in which points are generally given up by consumers.

(c) Other forms of ration currency authorized by the Office of Price Administration are "certificates" (OPA Form R–1201) and ration checks drawn on ration bank account. A certificate is issued by the Office of Price Administration (or a person authorized by that office to issue it) and is worth the number of points stated on it. Ration checks are very much like ordinary checks. They are drawn on a bank account in which a person has deposited his points, just as an ordinary check is drawn on a bank account in which he has deposited his money. (The cases in which ration checks are used are covered in Articles VIII and IX.)

Article II—Consumers

SECTION 2.1 *When a person is a consumer.* (a) Any "person" who buys or "acquires" "processed foods" for his personal use or for use at a table at which he eats, is a "consumer". (When a person gets processed foods in order to resell them or in order to use them in making other products for sale, he is not a consumer, since those are not personal uses. He is a consumer only so far as he does get processed foods for personal uses.)

SEC. 2.2 *Consumer may not purchase processed foods from February 21, 1943 to February 28, 1943.* (a) From February 21, to February 28, 1943, inclusive, no consumer may buy or acquire processed foods from any other person. (However, a consumer may borrow processed foods from, and return borrowed processed foods to, another consumer and may acquire processed foods from another consumer for consumption at a common table.)

SEC. 2.3 *Consumers may purchase after February 28, 1943 only for points.* (a) Beginning March 1, 1943, a consumer may buy or acquire processed foods only by giving up points equal to the point value of the processed foods acquired. However, a consumer may exchange processed foods with any other person for other processed foods of equal point value, without giving up points.

(b) Consumers may lend processed foods to, or borrow them from, other consumers, and they may return borrowed processed foods. They may also acquire processed foods from other consumers for consumption at a common table. No points are to be given up for such transactions. (A transaction is not a loan of processed foods if any charge is made.)

SEC. 2.4 *How points are given up by consumer*—(a) *A consumer uses stamps.* A consumer gives up points, when he acquires processed foods, by surrendering blue "stamps" taken from his War Ration Book Two. A stamp is not good unless the book from which it is taken has a validation stamp properly placed on its cover.

(b) *Stamps may be used only during fixed periods.* Each blue stamp in War Ration Book Two is good for a limited time only and a consumer may use it only during that time. The letter printed on the stamp is used to indicate the time when it may be used by a consumer. Stamps lettered "A," "B" and "C" may be used only during March 1943. Stamps lettered "D," "E" and "F" may be used only from March 25, 1943 to April 30, 1943, inclusive. The other blue stamps in War Ration Book Two may be used only during periods which will be fixed in a supplement to this order. These periods may be changed by the Office of Price Administration, even after they have begun.

(c) *General rules for the use of stamps by consumers.* A consumer must give up stamps worth exactly the point value of the processed foods he acquires. The number of points a stamp is worth is shown by the figure printed on it. Stamps must be given up at the time processed foods are acquired. The stamps may be used by a consumer only if torn out of the war ration book in the presence of the person who is selling or transferring the processed foods. A stamp may be used only to get processed foods for the consumer from whose book it is taken, or for use at a table at which he eats.

(d) *A consumer also uses certificates.* Any consumer to whom a "board" issues a "certificate" may use it to acquire processed foods, just as the blue stamps from War Ration Book Two are used. The number of points a certificate is worth, and the date when it expires, will be shown on that certificate. A consumer to whom a certificate has been issued must sign his name on the back before he may use it.

(e) *How mail order purchases are made.* A consumer who orders processed foods for delivery by mail may detach stamps from his War Ration Book Two and send them with his order. The stamps are good if the envelope in which they are inclosed is postmarked on or before the last day on which they may be used by a consumer, even if the seller does not receive them until after that date. If the seller cannot fill all or any part of the order, he will return a ration check for the difference. The consumer may exchange that check, at any Board, for a certificate which he can then use to get processed foods.

SEC. 2.5 *Consumers who need more processed foods because of illness may apply for more points.* (a) Any consumer whose health requires that he have more processed foods than he can get with War Ration Book Two, may apply for additional points. The application must be made, on OPA Form R–315, by the consumer himself or by someone acting for him, and may be made in person or by mail. The application can be made only to the board for the place where the consumer lives. He must submit with his application a written statement of a licensed or registered physician or surgeon, showing why he must have more processed foods, the

[1] Words which are specially defined in this order are shown in quotation marks the first time they appear in each article. All definitions are given in section 21.1 of the order.

amounts and types he needs during the next two months, and why he cannot use unrationed foods instead.

(b) If the board finds that his health depends upon his getting more processed foods, and that he cannot use or cannot get unrationed foods, it shall issue to him one or more certificates for the number of points necessary to get the additional processed foods he needs during the next two months.

SEC. 2.6 *Consumers who must purchase in quantity may apply for certificates.* (a) Some consumers may not be able to get processed foods during the period when their stamps are good, either because of transportation difficulties, or because they live an unusually long distance from their market. Such a consumer may apply for a certificate in exchange for some or all of the blue stamps in his War Ration Book Two, so that he can get the amount of processed foods to which he is entitled at a time when he is able to get them. The application must be made on OPA Form R–315, in person or by mail, to the board for the place where he lives. It must be made by the consumer himself or by someone acting for him.

(b) If the board finds that the consumer will suffer hardship because he cannot get the processed foods to which he is entitled during the periods when his stamps are good (for the reasons set forth above), it may issue to him a certificate. The certificate may be for any number of points up to the value of the remaining blue stamps in his War Ration Book Two. The board must remove from that book, and cancel, blue stamps worth the amount of the certificate.

SEC. 2.7 *Service men on furlough may get certificates.* (a) A person in the Army, Navy, Marine Corps or Coast Guard of the United States, who is on furlough for seven days or longer and who does not have a War Ration Book Two, may get a certificate for sixteen points for each week (or fraction of a week) of his furlough. He may get such a certificate by presenting his leave papers to any board. The board must write on the leave papers its designation, a statement that it has issued a certificate, the amount of the certificate, and the date of issuance.

SEC. 2.8 *Consumers may give away home canned processed foods.* (a) Any consumer may give (but not sell) to any other person processed foods which he has canned from fresh fruits or vegetables primarily for consumption in his own household. These gifts may be made and received without the surrender of points. Processed foods so received may not be sold. No consumer may give away a total of more than fifty quarts of processed foods in any one calendar year, under this section.

Article III—Processors

SECTION 3.1 *Explanation of the terms processor and processor establishment—*(a) *A place where processed foods are produced is a processor establishment.* Any place at which a "person" produces "processed foods" for sale or other "transfer", is a "processor establishment".

(1) A person produces processed foods:

(i) If he bottles, cans or packs fruits, fruit juices, vegetables, vegetable juices, soups or baby foods, in hermetically sealed containers and sterilizes them by the use of heat; or

(ii) If he packs frozen fruits or vegetables in containers of ten pounds or less; or

(iii) If he sorts, washes, and dries or dehydrates fruits; or

(iv) If he repacks frozen fruits or vegetables from containers over ten pounds into containers of ten pounds or less; or

(v) If he repacks fruit or vegetable juices from containers over one gallon into hermetically sealed containers of one gallon or less and sterilizes them by the use of heat; or

(vi) If he uses processed foods to produce other processed foods (as, if he uses canned peaches to make canned fruit salad).

(NOTE: Not all items in the above groups are processed foods as that term is defined. For example, fruit and vegetable juices packed in containers over one gallon are not processed foods. Canned olives are not processed foods. Therefore, a person who packs fruit juices in containers over one gallon, or who cans or bottles olives, does not thereby produce a processed food.)

(b) *A place to which processed foods are imported is a processor establishment.* Any place (including space in a public warehouse) to which a person imports processed foods into the United States, from any place outside the United States, for sale or transfer, is also a processor establishment.

(c) *A place where a person keeps only processed foods he produced is a processor establishment.* The term processor establishment also includes a place (including space in a public warehouse) at which a person does not produce or import processed foods, if he regularly keeps there for sale or transfer, only stocks of processed foods which he himself produced or imported. (If he also regularly keeps there, for sale or transfer, processed foods produced or imported by someone else, it is not a processor establishment, but it may be a "wholesale" or a "retail establishment," depending upon the nature of his operations there). There is, however, one case in which a place where a person keeps processed foods produced or imported by someone else is a processor establishment. A person may get processed foods from someone else, to use them in producing other processed foods for sale or transfer. If he keeps the processed foods obtained from someone else, only to use them to produce other processed foods, the place where he keeps them is a processor establishment.

(d) *A place where processed foods produced only for own use is not a processor establishment.* A place at which a person produces or imports processed foods only for his own use, and not for sale or transfer, is not a processor establishment. (Thus, if he produces processed foods, at a particular place, only for the purpose of using them in baking pies, or in serving meals, that place is not a processor establishment).

(e) *Person who has processor establishment is a processor.* Any person who has a processor establishment is called a "processor".

SEC. 3.2 *Processors must register and file reports*—(a) *Registration.* Every processor must register with the Office of Price Administration by filing OPA Form R–1305, at any time from March 1, 1943 to March 10, 1943, inclusive. The form must be completed and signed by the processor or his authorized agent. If he has more than one processor establishment, he must show, for each, its name and address, the type of business done there, and the name of the person authorized to report for it on OPA Form R–1305.

(b) *Reports.* Every processor must file a monthly report, also on OPA Form R–1305, covering the operation of his processor establishment during the month before. However, in reporting his production or imports of processed foods, a processor shall not include amounts which he used in grading the processed foods he produced or imported. The report must be signed by him or by his authorized agent. If he has more than one processor establishment, he must file a separate report for each, except that he may combine in a single report all his processor establishments in a single state. The first report which must be filed is for February 1943, and is part of his registration. Reports for subsequent months must be filed within ten days after the end of the month.

(c) *Some processors need not file reports for months after February 1943.* A processor who produced or imported less than 10,000 pounds of processed foods during 1942 must register but need not file a report for any month after February 1943. However, if his total production and imports in 1943 reach 10,000 pounds, he must file reports beginning for the month in which that figure was reached.

(d) *Processors must give information called for by form.* The processor must give all information called for by OPA Form R–1305.

(e) *Registration and reports must be filed in Washington.* The processor's registration and monthly reports must be filed by mailing OPA Form R–1305 to the Office of Price Administration, care of the Bureau of the Census, Washington, D. C. The form is considered filed on time if the envelope is postmarked on or before the last day it is due.

SEC. 3.3 *Processor is given a registration number.* (a) After a processor has registered, the "Washington Office" will send him a card giving him his registration number. After he gets the registration number, he must use it on each invoice or similar document prepared in connection with any sale or transfer of processed foods from any of his processor establishments.

SEC. 3.4 *Processor may not do business if he does not register and file reports.* (a) No processor may transfer or "acquire" processed foods after March 10, 1943, unless he has registered in the manner required.

(b) No processor may transfer or acquire processed foods after any date on

which a report is due from him, unless he has filed that report.

SEC. 3.5 *Processors must report their inventories.* (a) As part of his registration, a processor must report, on OPA Form R–1305, the point value of his inventory of processed foods (by items and sizes) at the close of business on February 28, 1943. His inventory at the beginning and end of each month must then be reported in his report for that month.

(b) A processor's inventory at his processor establishment consists of all processed foods physically located at that establishment or in transit to it. However, the following items are not part of that inventory:

(1) Processed foods stored at the establishment for a person other than his customer or transferee, or held there as security for a loan to someone else (or similar transaction), or in transit to it for either of those purposes;

(2) Processed foods included in the inventory of one of his other establishments.

SEC. 3.6 *A processor must turn over the points he receives to the Washington office.* (a) A processor is not permitted to buy or acquire processed foods with the points he gets for sales or transfers of processed foods which he produced or imported, except for two purposes:

(1) To get back processed foods he transferred if his transferee returns them to him; or

(2) To acquire processed foods with which to produce other processed foods.

(b) A processor must give up to the Office of Price Administration for cancellation, all points he receives for sales or transfers of processed foods. Not later than the tenth day of every month he must issue and mail to the Office of Price Administration, care of the Bureau of the Census, Washington, D. C., his certified ration check (payable to the Office of Price Administration) for all those points he received during the month before. A processor who is required to file monthly reports on OPA Form R–1305, must attach his check to the report. A processor who does not have to file reports must send his check in a sealed envelope, enclosing a statement showing his name, principal business address and registration number.

(c) A processor who used some of those points to get back processed foods he transferred, or to acquire processed foods for reprocessing, must issue and send his check for the rest. He must enclose with his check a statement giving the name of the person who returned or from whom he acquired the processed foods, the items returned or acquired, and the point value of those items.

SEC. 3.7 *A processor may acquire processed foods to fill out his own line.* (a) A processor who does not regularly keep for sale or transfer stocks of processed foods which were produced or imported by someone else does not get an allowable inventory as a "wholesaler". He may, however, occasionally acquire foods in order to fill out his own line. He is not permitted to use, for this purpose, points he received for transfers of processed foods which he produced or imported. He may, therefore, apply to the Washington Office on OPA Form R–315, for a "certificate" for the number of points needed to acquire processed foods in order to fill out his own line. The application must show the reason he needs processed foods to fill out his line and the amounts and types he needs. If the Washington Office finds that he needs points to get processed foods to fill out his line and that he does not regularly stock processed foods produced or imported by someone else, it will issue to him a certificate for the number of points needed.

SEC. 3.8 *Processors must keep records.* (a) Beginning March 1, 1943, every processor must keep, at each of his processor establishments, a record showing, by items and sizes:

(1) All processed foods produced or imported there;

(2) All processed foods sold or transferred to (or reserved for) exempt agencies;

(3) All processed foods used in producing other processed foods.

(b) He must also keep, at his principal business office, a copy of his registration and of his monthly reports on OPA Form R–1305 (if any are required). If he has more than one processor establishment, he must keep at each establishment a copy of the report filed for it. (However, if he has filed a combined report for several processor establishments, he must keep copies of the reports at one of them.)

(c) In addition, at the time of any change in the point value of any item of processed foods, every processor must make a record of the amount and sizes of that item which he has in his inventory. The record must show the point value of the item before and after the change, and the amount by which the point value of his inventory was increased or decreased as a result. If he has more than one processor establishment, he must make and keep such a record at each establishment.

Article IV—Wholesalers

SECTION 4.1 *Explanation of the terms wholesaler and wholesale establishment.* (a) Any place, including a public warehouse, where a "person" who deals in "processed foods" keeps stocks of those foods for sale or other "transfer" is a "wholesale establishment", if fifty percent or more of those stocks are transferred from there directly to persons other than consumers". However, if he keeps the stocks which are not transferred to consumers, just to supply his own establishments, it is a wholesale establishment only if it supplies:

(1) At least one of his wholesale establishments; or

(2) At least four of his "retail establishments".

(A place where a person regularly keeps for sale or transfer only stocks of processed foods which he himself produced or imported is a "processor establishment" and not a wholesale establishment).

(b) Any person dealing in processed foods who has a wholesale establishment is called a "wholesaler".

SEC. 4.2 *Wholesalers must register and file reports*—(a) *Registration.* Every wholesaler must register with the Office of Price Administration by filing OPA Form R–1310, at any time from April 1, 1943, to April 10, 1943, inclusive. The form must be completed and signed by the wholesaler or his authorized agent. If he has more than one wholesale establishment, he must file a combined registration for all of them on a single form.

(b) *Reports.* Every wholesaler must file a monthly report, also on OPA Form R–1310, covering the operations of his wholesale establishment during the month before. The report must be signed by him or by his authorized agent. If he has more than one wholesale establishment, he must file a separate report for each, except that he may combine in a single report all his wholesale establishments in a single state. The first report which must be filed is for March 1943, and is part of his registration. Reports for subsequent months must be filed within ten days after the end of the month.

(c) *Wholesaler must give information called for by form.* The wholesaler must give all information called for by OPA Form R–1310.

(d) *Registration and reports must be filed in Washington.* The wholesaler's registration and monthly reports must be filed by mailing OPA Form R–1310 to the Office of Price Administration, care of the Bureau of the Census, Washington, D. C. The form is considered filed on time if the envelope is postmarked on or before the last day it is due.

SEC. 4.3 *Wholesaler may not do business if he does not register and file reports.* (a) No wholesaler may transfer or "acquire" processed foods after April 10, 1943, unless he has registered in the manner required.

(b) No wholesaler may transfer or acquire processed foods after any date on which a report is due from him unless he has filed that report.

SEC. 4.4 *Wholesalers must report their inventories.* (a) As part of his registration, a wholesaler must report, on OPA Form R–1310, the point value of his inventory of processed foods (by items and sizes) at the close of business on March 31, 1943. If he has more than one wholesale establishment, his registration must include a report of the total point value of his inventory at all those establishments. His inventory at the end of each month must then be reported in his report for that month.

(b) A wholesaler's inventory at his wholesale establishment consists of processed foods physically located at that establishment or in transit to it. It includes processed foods which he holds there on consignment. However, the following items are not part of that inventory:

(1) Processed foods stored at the establishment for a person other than his customer or transferee, or held there as security for a loan to someone else (or

similar transaction), or in transit to it for either of those purposes;

(2) Processed foods included in the inventory of one of his other establishments.

SEC. 4.5 *Wholesalers must report their sales and points on hand.* (a) A wholesaler must also report, as part of his registration:

(1) The point value of all processed foods transferred by him during March 1943, not including exchanges of merchandise or transfers from one to another of his wholesale establishments; and

(2) The total number of points which he has available for acquiring processed foods, at the close of business on March 31, 1943. He must include all points which he has on hand, all in his ration bank account and all which he has already given up for processed foods not yet shipped to him. However, he is not to include points he has received for processed foods which he has not yet shipped.

(b) The point value of his transfers during each subsequent month, and the total number of points he has at the end of that month for which he can get processed foods, must then be reported in his report for that month.

SEC. 4.6 *A wholesaler is allowed a maximum inventory*—(a) *General.* For each month beginning with April 1943, every wholesaler is entitled to an operating inventory (called a maximum allowable inventory) based on his transfers during the month before. This maximum allowable inventory is stated in terms of points.

(b) *Amount of maximum allowable inventory.* To get a wholesaler's maximum allowable inventory for any month, beginning with April 1943, the point value of all processed foods transferred from his wholesale establishments during the month before, is multiplied by a factor which the Office of Price Administration will fix for each month. The result is his maximum allowable inventory for the month in question. Exchanges of processed foods, and transfers from one to another of his wholesale establishments, must not be included in this computation. The factor fixed for any month, beginning with April 1943, will be shown in the printed report form used during that month.

(c) *Point inventory.* (1) In order to determine how large a stock of processed foods, measured in points, a wholesaler has and is in a position to get, it is necessary to find out two things:

(i) The point value of his inventory; and

(ii) The number of points he has available for acquiring processed foods, since he can use those points to get additional stocks. These points include all which he has on hand, all in his ration bank account and all which he has already given up for processed foods not yet shipped to him. However, points he has received for processed foods which he has not yet shipped, are not included.

(2) The sum of the above two figures, at a particular time, shows the amount of processed foods he has and can get at that time. That sum is called his point inventory. The wholesaler must make this computation at the time of filing his monthly report on OPA Form R–1310. (His maximum allowable inventory for the month during which the report is filed is also determined at the same time.)

(d) *When a wholesaler is entitled to a certificate.* If a wholesaler's maximum allowable inventory for any month is greater than his point inventory at the end of the month before, he is entitled to receive a "certificate", upon request, for the number of points needed to make up the difference. However, after April 1943, he is not entitled to a certificate unless that difference is more than 10% of his maximum allowable inventory. The certificate will be issued by the "Washington Office", after his report has been checked.

(e) *Excess inventory for March 1943.* If a wholesaler's point inventory at the close of business on March 31, 1943, is greater than his maximum allowable inventory for April 1943, the difference is excess inventory. He must, in that case, give up to the Office of Price Administration, for cancellation, points equal to his excess inventory. The points are to be given up in the form of a certified check drawn on his ration bank account, payable to the Office of Price Administration. That check must be attached to and forwarded with his registration. A wholesaler who does not have enough points at the time of his registration, may accumulate points and forward them later, but he may not buy or acquire processed foods until he has done so.

SEC. 4.7 *Wholesaler may not acquire processed foods if actual inventory is greater than maximum allowable inventory.* (a) A wholesaler must not acquire processed foods at any time when his actual inventory is larger than his maximum allowable inventory. A wholesaler also must not acquire processed foods if it would bring his actual inventory above his maximum allowable inventory. Even if he has points available, he may not use them to get more stock than is needed to bring his actual inventory up to his maximum allowable inventory. However, if he has already given up points for a transfer of processed foods at a time when he was entitled to acquire them, he may take delivery of those foods.

SEC. 4.8 *Wholesalers may apply for emergency inventory adjustments during March 1943.* (a) Any wholesaler who finds, during March 1943, that he does not have an adequate stock of processed foods to meet demands under rationing, may apply for an adjustment. The application is to be made, on OPA Form R–315, to the district office for the place where his principal business office is located (or, where there is no district office, to the State office). He must state, in his application, the approximate point value of his stocks, the point value of his sales or other transfers and the size of the inventory which he needs. The district (or State) office may call upon him for any other information which it finds necessary in order to act upon the application.

(b) If the district (or State) office finds that he does not have adequate stocks, it may issue to him a certificate for the number of points needed to bring his stocks up to an adequate working level.

(c) An adjustment may be granted under this Section only during March 1943. As soon as it has passed on the application, the district (or State) office must send the file in the case to the Washington Office.

SEC. 4.9 *Wholesalers must keep records.* (a) Every wholesaler must keep, at each of his wholesale establishments, a record of the point value of all transfers of processed foods from that establishment during each month. He must also keep, at his principal business office, a copy of his registration and of the reports on OPA Form R–1310 which he filed with it. If he has more than one wholesale establishment, he must keep at each establishment a copy of the reports filed for it. (However, if he has filed a combined report for several wholesale establishments, he must keep copies of the reports at one of them, and must also keep a record of the inventory of each at the close of business on March 31, 1943.)

(b) In addition, at the time of any change in the point value of any item of processed foods, every wholesaler must make a record of the amount and sizes of that item which he has in his inventory. The record must show the point value of the item before and after the change, and the amount by which the point value of his inventory was increased or decreased as a result. If he has more than one wholesale establishment, he must make and keep such a record at each establishment.

Article V—Retailers

SECTION 5.1 *Explanation of the terms retailer and retail establishment.* (a) Any place, including a public warehouse, where a "person" who deals in "processed foods" keeps stocks of those foods for sale or other transfer is a "retail establishment" if more than fifty per cent of those stocks are sold or transferred from there directly to "consumers". It is also a retail establishment, even if the amount sold or transferred to consumers is fifty per cent or less, in the following case:

(1) If some of those stocks are transferred directly to consumers; and

(2) If the rest of those stocks are kept there just to supply his own establishments of any type; and

(3) If no "wholesale establishments", and not more than three retail establishments, are supplied from there.

(A place where a person regularly keeps for sale or transfer only stocks of processed foods which he himself produced or imported is a "processor establishment" and not a retail establishment.)

(b) Any person dealing in processed foods who has a retail establishment is called a "retailer".

SEC. 5.2 *Retailers must get statement of purchases during March 1943.* (a) When a retailer buys or "acquires" processed foods during March 1943, he must get from his seller or transferor a statement showing the name of the seller or transferor, the date of the purchase or acquisition, and the number of points given up for the processed foods.

SEC. 5.3 *Retailers must register*—(a) *General.* Every retailer must register his retail establishments with the Office of Price Administration, at any time from April 1, 1943, to April 10, 1943, inclusive, on OPA Form R–1302. The registration form must be completed and signed by the retailer or his authorized agent. He must give all information called for by OPA Form R–1302.

(b) *Place where registration must be filed.* A retailer who has only one retail establishment must file his registration, in person or by mail, with the "board" for the place where that establishment is located. If he has more than one retail establishment, he must file a combined registration for all those establishments, in person or by mail, with the board for the place where his principal business office is located. A person who has a wholesale or a processor establishment, as well as a retail establishment, must file his retailer registration, by mail, with the Office of Price Administration, care of the Bureau of the Census, Washington, D. C.

(c) *Filing by mail.* Where a registration form is filed by mail, it is considered filed on time if the envelope is postmarked on or before April 10, 1943.

SEC. 5.4 *Retailer may not do business unless he has registered.* (a) No retailer may transfer or acquire processed foods after April 10, 1943, unless he has registered in the manner required.

SEC. 5.5 *Retailers must report their inventories.* (a) As part of his registration, every retailer (except those covered in section 5.7) must report the point value of his inventory of processed foods at the close of business on March 31, 1943. If he has more than one retail establishment, a separate inventory report for each establishment must be filed with his registration.

(b) A retailer's inventory at his retail establishment consists of processed foods physically located at that establishment or in transit to it, and also of processed foods stored, or in transit for storage, for that establishment at any other place (including a public warehouse). It includes processed foods held on consignment. However, the following items are not part of that inventory:

(1) Processed foods stored at the establishment for a person other than his customer or transferee, or held there as security for a loan to someone else (or similar transaction), or in transit to it for either of those purposes;

(2) Processed foods still in the possession of his seller or transferor;

(3) Processed foods included in the inventory of one of his other establishments.

SEC. 5.6 *Retailers must report their sales and points on hand.* (a) Every retailer (except those covered by section 5.7) must also report, as part of his registration:

(1) The point value of all processed foods transferred by him during March 1943, not including exchanges of merchandise or transfers from one to another of his retail establishments; and

(2) The total number of points which he has available for acquiring processed foods, at the close of business on March 31, 1943. He must include all points which he has on hand, all in his ration bank account (if any) and all which he has already given up for processed foods not yet shipped to him. However, he is not to include points he has received for processed foods which he has not yet shipped.

(b) He must attach to and file with his registration, a statement showing each of his purchases or other acquisitions of processed foods during March 1943, the name and address of his seller or transferor, and the points he gave up for each purchase or other acquisition.

SEC. 5.7 *Certain retailers need not report inventory and other information.* (a) A retailer whose gross sales of all commodities during March 1943 were under $200 must register on OPA Form R–1302, but need not report his inventory, sales or transfers, and points on hand. However, if he elects not to report this information, he will have to operate on the basis of turnover of the stocks he has, and he will not be eligible, when he registers, to receive a certificate enabling him to increase his working stocks.

SEC. 5.8 *A retailer is given an allowable inventory*—(a) *General.* Every retailer (except those who elect not to report, as permitted by section 5.7) is entitled to an operating inventory, called an allowable inventory, which is based on his transfers of processed foods during March 1943. This allowable inventory is stated in terms of points.

(b) *Amount of allowable inventory.* To get a retailer's allowable inventory the point value of all processed foods transferred from his retail establishments during March 1943, is multiplied by a factor fixed by the Office of Price Administration in a supplement to this order. The result is his allowable inventory. Exchanges of processed foods, and transfers from one to another of his retail establishments, must not be included in this computation.

(c) *Point inventory.* (1) In order to determine how large a stock of processed foods, measured in points, a retailer has and is in a position to get, it is necessary to find out two things:

(i) The point value of his inventory; and

(ii) The number of points which he has available for acquiring processed foods, since he can use those points to get additional stocks. These points include all which he has on hand, all in his ration bank account (if any) and all which he has already given up for processed foods not yet shipped to him. However, points he has received for processed foods which he has not yet shipped, are not included.

(2) The sum of the above two figures, at the close of business on March 31, 1943, shows the amount of processed foods he has and can get at that time. That sum is called his point inventory. The retailer makes this computation at the time of filing his registration on OPA Form R–1302.

(d) *When a retailer is entitled to a certificate.* If a retailer's point inventory at the close of business on March 31, 1943, is less than his allowable inventory, he is entitled to receive a "certificate" for the number of points needed to make up the difference. The certificate will be issued by the Board with which he registers, or by the "Washington Office", if he is required to register with that office.

(e) *What a retailer must do if he has excess inventory.* If a retailer's point inventory at the close of business on March 31, 1943, is greater than his allowable inventory, the difference is excess inventory. He must, in that case, give up to the Office of Price Administration, for cancellation, points equal to his excess inventory. Points for that amount must be forwarded with his registration. He must give up the points in the form of "stamps" or certificates, or, if he has a ration bank account, in the form of a certified check drawn on that account made payable to the Office of Price Administration. A retailer who does not have enough points at the time of registration, may accumulate and forward them later, but he may not buy or acquire processed foods until he has done so.

SEC. 5.9 *Retailers may apply for emergency inventory adjustments during March 1943.* (a) Any retailer who finds, during March 1943, that he does not have an adequate stock of processed foods to meet demands under rationing, may apply for an adjustment. A retailer who has only one retail establishment must apply to the Board for the place where that establishment is located. If he has more than one retail establishment, he must apply to the Board where his principal business office is located. A person who has a processor or wholesale establishment as well as a retail establishment must apply to the district office for the place where his principal business office is located (or, where there is no district office, to the State office). The application is to be made on OPA Form R–315, and must show the approximate point value of his stocks, the point value of his sales or other transfers, and the size of the inventory which he needs. The board (or the district or State office) may call upon him for any other information which it finds necessary in order to act upon the application.

(b) If the board (or the district or State office) finds that he does not have adequate stocks, it may issue to him a certificate for the number of points needed to bring his stocks up to an adequate working level.

(c) An adjustment may be granted under this section only during March 1943. If the district or State office passes on the application, the file in the case must be sent to the Washington Office.

SEC. 5.10 *Retailers must keep records.* (a) Every retailer must keep a copy of his registration, at his principal business office. If he has more than one retail establishment, he must keep at

each establishment a copy of the inventory report filed for it.

(b) He must also keep, at his principal business office, the statements from his suppliers showing their sales or transfers to him during March 1943.

(c) In addition, at the time of any change in the point value of any item of processed foods, every retailer must make a record of the amount and sizes of that item which he has in his inventory. The record must show the point value of the item before and after the change, and the amount by which the point value of his inventory was increased or decreased as a result. If he has more than one retail establishment, he must make and keep such a record at each establishment.

SEC. 5.11 *Retailers must post point prices.* (a) Beginning March 1, 1943, every retailer must post the Official Table of Point Values (OPA Form R–1313) in his retail establishment in such manner that it can be plainly seen and read by purchasers.

(b) Every retailer who has an establishment at which the processed foods he carries are displayed to consumers must post there the point value of every item of processed foods he carries. The point value must be posted, in such manner that it can be plainly seen and read by consumers, in one or more of the following ways:

(1) On the commodity itself; or

(2) On the shelf or other place where the commodity is kept; or

(3) On a list attached to, or posted next to, the shelf or other place where the commodity is kept.

Article VI—Industrial Users

SECTION 6.1 *Explanation of the terms industrial user and industrial user establishment.* (a) An "industrial user establishment" is any place at which "processed foods" are used in producing or manufacturing for sale or "transfer" any product which is not a processed food. (For example, a bakery at which canned peaches are used in baking peach pies, for sale or transfer, is an industrial user establishment. Canned peaches are processed foods, but peach pie is not.) A place at which processed foods are used in producing other processed foods is a "processor establishment" and not an industrial user establishment. (An example of this would be the use of canned peaches for making canned fruit salad, since both canned peaches and canned fruit salad are processed foods.) Moreover, a place, such as a restaurant, at which processed foods are used in the preparation for service and the service of meals, would be an "institutional user establishment", and not an industrial user establishment.

(b) Any "person" who operates an industrial user establishment is called an "industrial user".

SEC. 6.2 *Industrial users must register*—(a) *General.* Every industrial user must register his industrial user establishment with the Office of Price Administration, at any time from March 1, 1943, to March 10, 1943, inclusive, on OPA Form R–1308, in duplicate. The registration form must be completed and filed by the industrial user or his authorized agent. If he has more than one industrial user establishment, he must file a combined registration for all those establishments.

(b) *Place where registration must be filed.* The registration form must be filed, in person or by mail, with the "board" for the place where his principal business office is located. He must give all information called for by the form.

SEC. 6.3 *Industrial user may not do business unless he has registered.* (a) No industrial user may "acquire" or use processed foods at his industrial user establishment, after March 10, 1943, unless he has registered as required.

SEC. 6.4 *Industrial users must report their inventories.* (a) As part of his registration, an industrial user must report the point value of his inventory of processed foods (by items) at the close of business on February 28, 1943. If he has more than one industrial user establishment, a separate inventory report for each establishment must be filed with his registration.

(b) His industrial user inventory consists of all processed foods included in the inventory of his industrial user establishments. The inventory of an industrial user establishment consists of all processed foods physically located at the establishment or in transit to it. However, the following items are not part of that inventory:

(1) Processed foods stored at the establishment for another person, or held there as security for a loan to someone else (or similar transaction), or in transit to it for either of those purposes;

(2) Processed foods included in the inventory of any of his other establishments of any type.

(c) His industrial user inventory also includes all processed foods which he holds at, or which are in transit to, any other place for his industrial use. However, processed foods included in the inventory of any establishment which is not an industrial user establishment must not be reported as part of his industrial user inventory.

SEC. 6.5 *Industrial users must report their base period use.* (a) As part of his registration, an industrial user must also report the number of pounds of processed foods he used in his industrial user establishment during 1942. The report must show the amount he used during each of the following four month periods in 1942, called base periods:

(1) January to April, inclusive;

(2) May to August, inclusive;

(3) September to December, inclusive.

If he has more than one industrial user establishment, he must file, as part of his registration, a separate report of his use in each.

(b) The report must show his use, during those periods, of each of the following classes of processed foods:

(1) Canned and bottled;

(2) Dried and dehydrated;

(3) Frozen.

In addition, the report must show his use, during those periods, of the following other foods: frozen fruits and vegetables, in containers over ten pounds; fruit and vegetable juices in containers over one gallon; and jellies and preserves.

(c) If an industrial user's establishment was not in operation for the full base period, his use of processed foods at the establishment during that base period is fixed, for all the purposes of this order, in the following way:

(1) *If it was in operation during a part of the base period.* (i) The amount of processed foods used there by him during that part of the period is determined; (ii) That amount is divided by the number of days it was in operation during the period; (iii) The result is multiplied by the number of days the establishment would have been operated during the base period, if it had been a normal period of operations; (iv) The resulting figure is treated as the amount used during the base period.

(2) *If it was not in operation at all during the base period.* (i) The amount of processed foods used there by him during all of 1942 is determined; (ii) That amount is divided by the number of days it was in operation during 1942;

(iii) The result is multiplied by the number of days the establishment would have been operated during the base period, if it had been a normal period of operations;

(iv) The resulting figure is treated as the amount used during the base period.

(3) *If it was not in operation at all during 1942, but was in operation at some time between January 1, 1943 and February 28, 1943, inclusive.* (i) The amount of processed foods used there by him between January 1, 1943 and February 28, 1943, inclusive, is determined;

(ii) That amount is divided by the number of days it was in operation between January 1, 1943 and February 28, 1943, inclusive;

(iii) The result is multiplied by the number of days the establishment would have been operated during the base period, if it had been a normal period of operations;

(iv) The resulting figure is treated as the amount used during the base period.

(d) The rules set forth under (1) and (2) of the last paragraph do not apply where an industrial user establishment was not in operation during all or part of a base period because of a normal seasonal shutdown or for any similar reason. Where that is so, it is assumed that conditions will be the same during the corresponding period in 1943, and the allotment must depend upon his actual use during the base period.

SEC. 6.6 *Industrial users allotments*—(a) *General.* An industrial user is given an allotment to enable him to get and use processed foods at his industrial user establishments. Allotments are given for fixed periods, called allotments periods. The first allotment period is from March 1, 1943, through April 30, 1943. The second period is from May 1, 1943, through August 31, 1943. The third period is from September 1, 1943, through December 31, 1943.

(b) *Application for allotments.* An industrial user's registration is treated as an application for an allotment for the first allotment period. His application for an allotment for any other allotment period must be made, in person or by mail, to the board with which he is registered. No particular form need be used for such an application. The application must be made not more than fifteen (15) days before, nor more than five (5) days after, the beginning of the period, unless he shows a good reason for applying at another time.

(NOTE: An industrial user is permitted to use processed foods only up to the amount of his allotment. He may therefore need an allotment even if his stocks are sufficient, since his allotment establishes his right to use processed foods—it is not just a method by which he gets them.)

(c) *Amount of allotment.* An industrial user's allotment is determined on the basis of his total use of processed foods at his industrial user establishments during the four month base period in 1942 corresponding to the allotment period. (The base period corresponding to the first allotment period is January 1, 1942 through April 30, 1942.) The amount of each class of processed foods (canned and bottled, dried, and frozen) used by him during the base period is multiplied by a factor fixed for that class by the Office of Price Administration in a supplement to this order. The numbers which result are added, and the total is his allotment, stated in points. (The factor is fixed in such a way that it gives an allotment which fairly represents both the average point value of the processed foods used and the reduction in use required as a result of the scarcity of processed foods).

(d) *Right to a certificate: excess inventory.* (1) An industrial user is entitled to get and use processed foods up to the amount of his allotment. He is therefore, given a certificate for the number of points he needs in order to get that amount. However, if he has stocks on hand, he can use them for his allotment and therefore needs fewer points. For that reason, the point value of his inventory at the close of business on February 28, 1943 must be deducted from his allotment. (The method of determining his inventory at the close of business on February 28, 1943, is covered by section 6.4.)

(2) If the point value of an industrial user's inventory is less than his allotment, he is entitled to get, from the board with which he registers, a certificate for the number of points needed to make up the difference.

(3) If the point value of an industrial user's inventory is greater than his allotment, the difference is excess inventory. In that case, he is not entitled to receive a certificate for the first allotment period. He is not entitled to get a certificate until the total of his subsequent allotments exceeds his excess inventory.

(e) *Issuance of certificate.* Only one certificate will be issued by the board, for the full number of points to which an industrial user is entitled, even if he has more than one industrial user establishment. However, if he is entitled to a certificate for more than 30,000 points for the second allotment period (May 1, 1943 to August 31, 1943, inclusive) the board must first issue a certificate for only one half of the total amount. A certificate for the balance is to be issued to him at any time he requests it after June 26, 1943.

SEC. 6.7 *Late registrants lose part of their allotment.* (a) If an industrial user was in operation before March 1, 1943, but failed to register at the time required, the board may permit him to register and apply for an allotment at a later date. In his registration, he must report his inventory of processed foods at the close of business on February 28, 1943.

(b) His allotment is computed in the same way as that of an industrial user who registered on time. However, his allotment is reduced in proportion to the part of the allotment period which had elapsed at the time he registered.

SEC. 6.8 *Restrictions on use of processed foods by industrial users.* (a) No industrial user may use, during an allotment period more processed foods than his allotment for that period plus any unused part of his allotments for earlier periods.

(b) No industrial user may use for any purpose except an industrial use, processed foods which are included in his inventory, or which he acquired with points he received as an industrial user.

SEC. 6.9 *Industrial users must keep records.* (a) Every industrial user must keep a copy of his registration at his principal business office. He must also keep a record of his inventory at the close of business on February 28, 1943. In addition, if he has more than one industrial user establishment, he must keep, at each establishment, a record of its inventory on that date. He must also preserve his records showing his use of processed foods during the period for which he reported in his registration.

(b) In addition, an industrial user must keep a record of the amount of processed foods he acquires and the date of acquisition, and the amount of processed foods used at each of his industrial user establishments during each allotment period. He must also keep a record of the amount of the following items used by him:

(1) Frozen fruits and vegetables in containers over 10 pounds;

(2) Fruit and vegetable juices in containers over 1 gallon;

(3) Jams, jellies, and preserves.

Article VII—Combined Operations and Combined Establishments

SECTION 7.1 *A person who operates different types of establishments is treated as if he were different persons.* (a) (1) The same "person" may operate different kinds of establishments. He may have, for example, both a "wholesale establishment" and a "retail establishment". For the purposes of this order, he is both a "wholesaler" and a "retailer", since he has establishments of both kinds. The provisions of this order dealing with retailers apply to him as far as the operation of his retail establishment is concerned. The operation of his wholesale establishment is regarded as separate and is governed by the provisions dealing with wholesalers. Thus, he is treated as if he were two persons.

(2) This rule also applies to the way in which a person who is both a wholesaler and a retailer must handle the points he gets in connection with his wholesale and his retail establishment. The only points he may use as a retailer are those he gets in connection with his retail establishment. If he "transfers" "processed foods" from his wholesale establishment to his retail establishment, points he has as a retailer must be given up. When those points are given up to his wholesale establishment, they become points he has as a wholesaler. Points he has as a retailer must be kept and handled separately from the points he has as a wholesaler.

(3) The same rules apply to a person who has other types of establishments, such as "processor" or "industrial user establishments".

(b) Where a person has establishments of more than one kind, he must operate them as if each separate kind belonged to a separate person, as far as the provisions of this order are concerned. All dealings between establishments of different kinds operated by the same person are treated just as if those establishments were operated by different persons.

SEC. 7.2 *The same person may be both a wholesaler or retailer and industrial user at the same place.* (a) A person may keep stocks of processed foods at a place for sale or other transfer and may also use processed foods at that place for the production of some commodity other than processed foods. (For example, he may sell canned peaches at a particular place and may also operate a bakery there and use canned peaches in baking pies.) In a case of this type, the place is treated as two establishments. If processed foods are sold or transferred from there, it may be a retail or a wholesale establishment, depending upon the facts. It would also be an industrial user establishment, since processed foods are used there in baking pies for sale.

(b) A place of the type described in the last paragraph must be registered as a retail or wholesale establishment, depending upon which it is. Its sales or transfers of processed foods, and its stocks held for sale or transfer, must be included in that registration. It must also be registered as an industrial user establishment, and its stocks held for such use must be included in the industrial user registration.

SEC. 7.3 *The same person may be both a wholesaler or retailer and an institutional user at the same place.* (a) If, in the case described in the last section, the person operated a restaurant at that place, as well as (or instead of) a bakery, it would also be an "institutional user establishment". (Restaurants are covered by General Ration Order 5 and are called "institutional users" in that order.) A place of that type must be registered under General Ration Order 5. Its restaurant activities and its stocks of processed foods held for restaurant use must be included in that registration.

SEC. 7.4 *The same person may be both a processor and a wholesaler or retailer at the same place.* (a) A person may produce or import processed foods at a particular place, for sale or transfer,

He may also regularly keep at that place, for sale or transfer, processed foods which he did not produce or import, but which he acquired from someone else. In such a case, that place is a processor establishment, since he produced or imported processed foods there. It may also be a retail or wholesale establishment, depending upon the facts, since he regularly keeps there, for sale or transfer, processed foods which someone else produced or imported.

(b) A place of the type described in the last paragraph must be registered as a processor establishment. It must also be registered as a wholesale or retail establishment, depending upon which it is. Its production and imports, and its stocks and shipments of processed foods produced or imported there, must be included in the processor report. Stocks which were produced or imported by someone else, and the sales or transfers of those stocks, must be included in the wholesaler or retailer report. (However, stocks of processed foods kept there for producing other processed foods must be included in the processor report.)

SEC. 7.5 *The same place may be more than one establishment.* (a) The situations described in the last three sections are examples of the rule that the same place may be more than one "establishment," depending upon the type of business or operations carried on there. Wherever the operations at a place are such that it is more than one "establishment," it is treated just as if each of those "establishments" were located at a different place.

(b) No place can, however, be both a retail and a wholesale establishment of the same person. Under the definitions of retail and wholesale establishments, the place may be one or the other, but not both.

Article VIII—Ration Bank Accounts

SECTION 8.1 *A ration bank account is an account in which points are deposited.* (a) A ration bank account is a bank account very much like an ordinary checking account. A "person" who opens a ration bank account deposits in it points he receives, and issues checks drawn on it for points he uses. These checks are called ration checks. (The general rules for the opening, closing and use of ration bank accounts are covered by General Ration Order 3A.[1])

SEC. 8.2 *Who must open a ration bank account.* (a) Processors. Every "processor" must open at least one ration bank account for all his "processor establishments". If he has more than one processor establishment he may, if he wishes, open a separate account for each or for any group of them.

(b) *Wholesalers.* Every "wholesaler" must open at least one ration bank account for all his "wholesale establishments". If he has more than one wholesale establishment, he may, if he wishes, open a separate account for each or for any group of them.

(c) *Retailers.* Every "retailer" whose gross sales of all foods during December 1942, were over $5,000, and every retailer who has more than one "retail establishment", must open at least one ration bank account for all his retail establishments. If he has more than one retail establishment, he may, if he wishes, open a separate account for each or for any group of them. Also, any retailer who receives stamps and "certificates" from, and makes transfers to, consumers by mail must have a ration bank account. However, a retailer who is not required to open a ration bank account is entitled to open one if he wishes.

(d) *Industrial users.* An "industrial user" is entitled to open a ration bank account, but is not required to do so. If he opens an account, he must use it for all his "industrial user establishments". However, if he has more than one industrial user establishment, he may open a separate account for each, or for any group of them.

(e) *Institutional users.* The opening of ration bank accounts by "institutional users" is covered by General Ration Order 5.

SEC. 8.3 *All points must be deposited in the account.* (a) Every processor, wholesaler, retailer, or industrial user, who has a ration bank account, must deposit in his account all points he receives, whether in the form of "stamps",[1] certificates or ration checks.

SEC. 8.4 *When points must be deposited*—(a) *Stamps.* A person who has a ration bank account may not deposit stamps later than 20 days after the last date on which they were good for use by a consumer. (The periods during which particular stamps are good, are fixed in the supplement to this order.)

(b) *Certificates.* He may not deposit a certificate later than 20 days after the date which appears on it. (The fact that the certificate may have passed through several hands before reaching him does not give him any more time to deposit it.)

(c) *Effect of failure to deposit stamps or certificates.* A stamp or certificate which was not deposited on time is not good, and may not be used or accepted for any purpose.

(d) *Ration checks.* Ration checks may be deposited at any time.

Article IX—Sales and Transfers of Processed Foods

SECTION 9.1 *No transfers may be made to consumers between February 21, 1943 and February 28, 1943.* (a) From February 21, 1943 to February 28, 1943, inclusive, no "person" may sell or "transfer" "processed foods" to a "consumer" regardless of any contract or other agreement. (Certain transactions between consumers, covered in section 2.2 are excepted from this rule.)

SEC. 9.2 *Only retailers, wholesalers and processors may transfer processed foods.* (a) Beginning March 1, 1943, only "retailers", "wholesalers" and "processors" may sell or transfer processed foods. (Certain transactions between consumers, covered in section 2.3 (b), are excepted from this rule. Certain other exceptions are covered in Article X.)

SEC. 9.3 *Transfers after February 28, 1943 may be made only for points.* (a) Beginning March 1, 1943, no person may sell or transfer, and no person may buy or "acquire", processed foods, regardless of any contract or other agreement, unless points are given up in the way this order requires. (The word "transfer", as it is defined, means to sell, as well as to transfer in other ways. The word "acquire", means to buy, as well as to get in other ways. Therefore, the only words which will generally be used, in later sections, are "transfer" and "acquire".)

The rules covering various kinds of transactions are set forth in the sections which follow.

SEC. 9.4 *How processed foods are transferred to consumers.* (a) *General.* Processed foods may be transferred to a consumer, and may be acquired by him, only if he gives up to the seller, or transferor, points equal to the point value of the processed foods transferred. (Certain transactions between consumers covered in section 2.3 (b), are excepted from this rule. Certain other exceptions are covered in Article X.)

(b) *How points are given up.* Points may be given up by, and taken from, a consumer only in the form of blue "stamps" from his War Ration Book Two or a "certificate" issued for him.

(c) *When points must be given up.* The seller or transferor must take the points from the consumer at the time when the processed foods are transferred.

(d) *When stamps must be detached.* The seller or transferor may accept a stamp only if it is torn out of War Ration Book Two in his presence, and only if the book has a validation stamp on its cover. Loose stamps may not be used by a consumer and they must not be accepted by the seller or transferor.

(e) *When stamps are good.* Each stamp is good for a limited time and may be accepted for a transfer to a consumer only during that time. The letter printed on the stamp serves to indicate when it may be used by a consumer. Stamps lettered A, B and C may be accepted from a consumer, only during March 1943. Stamps lettered D, E and F may be accepted only from March 25, 1943, to April 30, 1943, inclusive. The periods during which other stamps may be accepted from a consumer are fixed by the Office of Price Administration in a Supplement to this order.

(f) *Use of certificates.* A certificate may be accepted from a consumer only if it has been signed on the back by the person for whom it was issued (or by someone authorized to act for him, if he cannot write.) A certificate is not valid for a transfer to a consumer after the date shown on its face, and may not be used or accepted for such a transfer after that date.

(g) *Mail order sales.* (1) Processed foods may be transferred to consumers by mail if a certificate or detached stamps are received with the order.

[1] 8 F.R. 1130, 1449.

[1] For the purposes of General Ration Order 3A, blue "stamps" from the War Ration Book Two, certificates (Form OPA R-1201) and ration checks are to be regarded as "evidences". That term is not, however, actually used in this order.

Stamps or certificates which are received after the last date on which they are good in the hands of the person who sent them may be accepted if the envelope in which they are enclosed is postmarked on or before that date.

(2) If the transferor fails to deliver processed foods equal in point value to the points received, he shall issue and send to the consumer a ration check for the balance.

(3) Before accepting stamps from and making transfers to consumers by mail, any retailer, wholesaler, or processor who wishes to do so must notify, in writing, the district office for the place where his principal business office is located (or, where there is no district office, the State office). The notice must give his name and principal business address, the name and address of each establishment from which he will make transfers to consumers by mail, and must contain an estimate of the dollar volume of his mail order deliveries of processed foods to consumers during 1942. He may not make any such transfers until he has given this notice. Beginning March 1, 1943, he must keep a record of the dollar volume of his transfers of processed foods to consumers by mail.

(4) No retailer may receive stamps or certificates from and make transfers to consumers by mail unless he has a ration bank account.

SEC. 9.5 *How processed foods are transferred to persons other than consumers*—(a) *General.* Processed foods may be transferred to and acquired by a retailer, wholesaler, or a processor, or an "industrial user" or "institutional user" only if he gives up to the seller (or transferor) points equal to the point value of the processed foods transferred.[1] (Certain exceptions to this rule are covered in article X.)

(b) *Point value.* The number of points which must be given up for a transfer of processed foods is determined by their point value at the time of the transfer.

(c) *When points must be given up.* The transferor must get the points from the transferee, and the transferee must give them up, at or before the time when the transfer is made. However, if the transfer is made through shipment by railroad or any other public carrier, the transferor may arrange to have the carrier get the points for him from the transferee, at the time of actual delivery. If, in this case, where a transfer is made by delivery at a time when the transferee or his authorized agent is not present, the points may be given up later, but not more than seventy-two hours after the delivery.

(d) *Form in which transferor must get points.* The transferor may take points from the transferee only in the form of stamps, certificates or a ration check drawn on the transferee's ration bank account.

(1) *Stamps.* No stamp may be accepted from the transferee more than ten days after the last date on which it was good for use by a consumer. The stamps must be pasted on gummed sheets (OPA Form R-120), and the name and address of the transferee must be written on each sheet. Only stamps of the same point value and good during the same period may be pasted on the same sheet.

(2) *Certificates.* A certificate may not be accepted from the transferee unless the name of the person to whom it was issued has been written on the back. The back of the certificate must also carry the signature of the transferee. The certificate may not be accepted more than ten days after the date shown on its face. However, if it was issued to the transferee, it may not be accepted after the date shown on its face.

(3) *Ration checks.* A ration check may be accepted by the transferor only if it is made payable to him and if it is drawn by the transferee. If the transferor does not have, and is not required to have, a ration bank account, he must take the check to his "Board" and get a certificate in exchange for it.

(e) *Form in which transferee must give up points*—(1) *Wholesalers and processors.* A wholesaler or a processor must give up points only in the form of a ration check drawn on his ration bank account.

(2) *Retailers.* A retailer who has, or is required to have, a ration bank account must give up points only in the form of a ration check drawn on that account. Other retailers may give up points only in the form of stamps or certificates.

(3) *Industrial and institutional users.* An industrial or institutional user who has a ration bank account must give up points only in the form of a ration check drawn on that account. Other industrial or institutional users may give up points only in the form of certificates.

(4) *General.* Points may be transferred freely between establishments of the same type operated by the same person, and points of one of those establishments may be used to get processed foods for another of them. However this rule does not apply to institutional user establishments which are registered separately under General Ration Order 5.

(f) *Transfers to retailers during March 1943.* A retailer, wholesaler or processor who transfers processed foods to a retailer during March 1943, must prepare and give to the retailer a written statement (in any convenient form) showing the name and address of both the transferor and transferee, the date of the transfer, and the number of points given up by the transferee. The transferor must keep a copy of the statement at his principal business office.

SEC. 9.6 *Transfers between establishments of different types operated by the same person.* (a) All of the rules set forth above which apply to transfers from one person to another, also apply to transfers between establishments of different types operated by the same person. (For example, a person may have both a wholesale and a retail establishment. He is, therefore, both a wholesaler and a retailer. He is permitted to transfer processed foods from his wholesale to his retail establishment. However, when he does so, he must give up points from the retail to the wholesale establishment just as if those establishments were operated by two different persons.)

SEC. 9.7 *Transferor may not use points he receives in advance until processed foods are transferred.* (a) A transferor may receive points from his transferee before he actually transfers the processed foods. In that case, he may not use points so received, to get other processed foods, until he has actually transferred to the transferee processed foods worth that number of points.

SEC. 9.8 *Points may be returned for underdeliveries of processed foods.* (a) If a retailer, wholesaler, or processor receives points in advance for a transfer of processed foods, and is unable to transfer all or any part of the amount ordered, he may return the points in excess. He must return the points in the same form he would use to give up points for a purchase or other acquisition of processed foods. (For example, a wholesaler can give up points only in the form of a ration check. He would, therefore, deposit all the points received by him, and draw a check for any amount to be returned. However, this section does not apply to consumers, except in connection with mail order transactions.)

Article X—Point-Free Transfers

SECTION 10.1 *Processed foods in transit on February 28, 1943, may be acquired point-free.* (a) No points need be given up for a delivery of "processed foods" to a "person" other than a "consumer", if those processed foods were in transit to him on February 28, 1943.

(NOTE: Processed foods which were in transit to a "processor", or an "industrial" or "institutional user" at the close of business on February 28, 1943, must be included in the inventory which he reports in his registration.)

SEC. 10.2 *Processed foods may be exchanged for other processed foods.* (a) Any person may exchange processed foods with any other person, for processed foods of equal point value, without giving up or taking points. (This rule applies even if there is a money payment to make up any difference in the money value of the processed foods exchanged.)

SEC. 10.3 *Lost or stolen processed foods may be returned, point-free.* (a) No points need be given up for a return of lost or stolen processed foods to the person who lost them or from whom they were stolen.

SEC. 10.4 *Stocks of processed foods may be moved point-free between establishments of the same person.* (a) No points need be given up when a person moves stocks of processed foods from one of his establishments to another of his establishments of the same kind. For example, a person who has two "retail establishments" may move processed foods from one to the other, without exchanging points between them. (However, a record must be kept of the amount of stocks involved in each such movement.) When a person "transfers" processed foods between establishments

[1] For convenience, the retailer, wholesaler, processor, or industrial or institutional user, to whom the transfer is made, will sometimes be called "the transferee", in the paragraphs which follow.

of different kinds—for example, from his "wholesale establishment" to his retail establishment—points must be given up just as if those establishments were operated by different persons.

(b) This rule does not apply to the movement of stocks between "institutional user establishments" which are registered separately under General Ration Order 5.

SEC. 10.5 *Processed foods may be stored and returned from storage, point-free.* (a) No points need be given up for a delivery of processed foods for storage purposes only.

(b) No points need be given up for a delivery of processed foods from the place of storage to the person who stored them, or to a person to whom he has sold or transferred them. (However, that sale or transfer must be made in a way permitted by this order.)

SEC. 10.6 *Security interests in processed foods may be created and released, point-free.* (a) No points need be given up for a transfer of processed foods, or of any interest in them, for security purposes only. (For example, if processed foods are pledged or mortgaged the person with whom they are pledged or mortgaged need not give up points.)

(b) No points need be given up for a release of a security interest in processed foods, or for a return of those foods to the person who originally transferred them for security purposes. (For example, a person who pledged processed foods may get them back without giving up points. Similarly, a person who gave a chattel mortgage on his processed foods need not give up points when the mortgage is ended.)

SEC. 10.7 *Processed foods may be transferred, point-free, for liquidation, by operation of law, or in judicial proceedings*—(a) *General.* No points need be given up for a transfer of processed foods to a person who gets them for liquidation only. Also, no points need be given up for a transfer of processed foods as part of a judicial proceeding, or by operation of law, order of a court, or judicial process.[1] (For example, processed foods may be taken over by a creditor, under a court order, without any surrender of points. If processed foods are assigned for the benefit of creditors, the person to whom they are assigned need not give up points to the person making the assignment. Also, a person need not give up points when he inherits processed foods or "acquires" them by will.)

(b) *How transferee may dispose of the processed foods.* A person who acquires processed foods in this way must within five days after acquiring them, report to the district office (or, where there is none, to the State office) for the place where his principal business office is located:

(1) The kinds and the point value of the processed foods acquired;

(2) The name and address of the person from whom they were acquired;

(3) The way in which and the date when they were acquired. He may not use the processed foods unless he gives up to the district (or State) office, for cancellation, points equal to their point value. He may, however, sell or transfer them in the same way that a "retailer" is permitted to sell or transfer processed foods. He must immediately after selling or transferring them, account to the district (or State) office for points equal to their point value.

(c) *Consumer inheritance.* A consumer who gets processed foods from another consumer, by inheritance or by will, may use them without giving up points.

SEC. 10.8 *Processed foods may be acquired, point-free, by insurers or for salvage*—(a) *Acquisition of damaged processed foods.* Damaged processed foods, and undamaged processed foods mingled with them, may be transferred to, and acquired by, the following persons, without any surrender of points:

(1) A person who has paid or is liable for a claim for the damage done to the foods, and who is entitled to reimburse himself by taking them over;

(2) A person in the business of adjusting losses or of reconditioning or selling damaged articles.

(b) *Disposal of the processed foods.* The person acquiring the processed foods must, within five days after acquiring them, report to the district office (or, where there is none, to the State office) for the place where his principal business office is located:

(1) The kinds and point value of the processed foods acquired;

(2) The name and address of the person from whom he acquired them;

(3) The way in which and the date when they were acquired. If he cannot ascertain the kinds and point value immediately, he must describe the approximate amount he received and must give the detailed information as soon as he can. He may dispose of those processed foods only by a sale or transfer in the same way that a retailer is permitted to sell or transfer processed foods. He must, immediately after selling or transferring them, account to the district (or State) office for points equal to their point value. If he cannot dispose of them all, he must report to the district (or State) office the amount which was not salable.

SEC. 10.9 *Processors may deliver samples, point-free.* (a) A processor may deliver processed foods to prospective buyers (other than consumers) for sampling, without getting points. However, he may not deliver in this way, to any one buyer, more than four pounds of each kind of processed foods from any one pack which he produces or imports.

SEC. 10.10 *Processed foods may be delivered to importer by customs official, point-free.* (a) No points need be given up for a release or delivery of processed foods by an authorized customs official to the person who imported them.

SEC. 10.11 *Processed foods may be transferred, point-free, in connection with transfer of a business.* (a) No points need be given up for a sale or transfer of processed foods in the inventory of an establishment, as part of a sale or other transfer of the establishment itself for continued operation. A person who so buys or acquires processed foods may not use them, but may hold them only for sale or transfer. However, a person who acquires an industrial user establishment may use its stocks up to the amount of any allotment he gets. (The procedure which the transferor and transferee must follow, where an establishment is transferred for continued operation, is covered in Art. XI.)

Article XI—Sale of Business

SECTION 11.1 *Sale or transfer of retail, wholesale, or processor establishment*—(a) *General.* (1) When any "person" sells or "transfers" to any other person the business and inventory of his "retail", "wholesale" or "processor establishment", for continued operation, they must both notify the "board" at which the establishment is registered, or the "Washington Office", if it is registered there. The notice must be given in writing, within five (5) days after the sale or transfer, and must show:

(i) The name and business address of the establishment and of the persons transferring and "acquiring" it;

(ii) The point value of the inventory transferred; and

(iii) The number of points in the establishment's ration bank account, if any, and the number of points on hand including points sent to a supplier for "processed foods" not yet shipped.

This notice will be treated as the transferee's registration and as a cancellation of the transferor's registration.

(2) If the transferor has a ration bank account, he must notify the district office, in the way required by General Ration Order 3A (the ration banking order).

(b) *Purchaser of retail or wholesale establishment may get its points.* The purchaser or transferee of a retail or wholesale establishment may get and use all of the establishment's points in the same way that the seller or transferor was entitled to use them. (If it is a wholesale establishment, however, he may not use those points to exceed its maximum allowable inventory.) If the transferor has "stamps" or "certificates", he is to give them to the transferee. If the establishment has a ration bank account, the transferor is to issue a ration check to the transferee, for the number of points in the account less outstanding ration checks. (The transferee must use the check either to open a ration bank account for the establishment, or, if he does not open one, to get a certificate from the Board.)

(c) *Seller of processor establishment must give up all points to the Office of Price Administration.* A person who sells or transfers a processor establishment must, within five (5) days after the transfer, turn over to the Washington Office, all points on hand at that establishment and all in its ration bank account. He does so by issuing and sending his certified ration check, payable to the Office of Price Administration, along with his notice of the transfer. (If any of the points represent processed foods not yet shipped, he must attach to his notice a statement showing the amount and the person from whom he got them.)

(d) *Same rules apply to sale of an entire chain.* The rules set forth above also apply to a person who has more than one establishment of a particular kind and who sells or transfers all of them for continued operation. He must give the information, and give up or transfer the points for all the establishments.

(e) *Sale of part of a chain.* Where the seller or transferor also has other establishments of the same kind which are not sold or transferred, the procedure described in paragraph (a) of this section must be followed. However, while the purchaser or transferee may acquire the processed foods inventory of the transferred establishment, he may not acquire its points. In this case, the seller or transferor keeps the points. If he is a "retailer," or "wholesaler," he may use the points with his other establishment of the same kind as the transferred establishment. If he is a "processor," he must give up to the Washington Office, the points received for sales and transfers of processed foods from that establishment at the time that he is required to give up points received by his other processor establishments.

SEC. 11.2 *Sale or transfer of industrial user establishments*—(a) *General.* (1) When an industrial user sells or transfers to any other person the business and inventory of his industrial user establishment, for continued operation, both the transferor and transferee must notify the board at which the establishment is registered. The notice must be in writing, within five (5) days after the sale or transfer, and must show:

(i) The name and business address of the establishment and of the persons transferring and acquiring it;

(ii) The point value of the inventory transferred;

(iii) The number of points in the establishment's ration bank account, if any, and the number of points on hand, including points sent to a supplier for processed foods not yet shipped.

(2) If the transferor has a ration bank account, he must notify the district office, in the way required by General Ration Order 3A.

(b) *Transferor must give up unused points.* The seller or transferor must give up to the board all unused points he has for the establishment. If the establishment has a ration bank account, he must give up the points in the form of his certified ration check payable to the Office of Price Administration. The notice described in paragraph (a) of this section, and the surrender of unused points, will be treated as a cancellation of the transferor's registration and allotment.

(c) *Application for allotment by transferee.* The transferee may not use the stocks of processed foods transferred with the establishment unless he receives an allotment. The application for an allotment must be made, on OPA Form R-315, to the board for the place where his principal business office is located, and must state facts showing whether:

(1) The entire establishment, including substantially all the equipment the good will, and the processed foods inventory, has been transferred;

(2) The transferee will continue to serve, from that establishment, the same general class of customers and the same area served by it before the transfer;

(3) The equipment of the transferred establishment will be continued in use after the transfer; and

(4) The transferee will continue to produce, at the establishment, the same product or products, though not necessarily under the same trade name.

The board shall send the application, the notices sent to it by both parties and the transferor's registration to the district office (or, where there is none, to the State office).

(d) *Granting of allotment.* If the district (or State) office finds that the establishment will continue to be operated in substantially the same manner as before the transfer and that the tests described in paragraph (c) are satisfied, it shall assign to the transferee the transferor's allotment and base period use, for that establishment. It shall also give him a certificate for the number of points that the transferor surrendered to the board, or, if the amount of processed foods transferred to the transferee with the establishment is larger than the unused part of the allotment for the current period, plus any unused part of the transferor's earlier allotments, the difference shall be treated as excess inventory. The transferee may not use any part of the allotment already used by the transferor, but he may use any unused part of any prior allotment the transferor received for that establishment.

(e) *Same rules apply to sale of entire chain.* The same rules apply where a person who has more than one industrial user establishment sells or transfers all of them, for continued operation.

(f) *Sale of part of a chain.* (1) When the seller or transferor has other industrial user establishments which are not sold or transferred, the procedure described in paragraphs (a) and (c) of this section must be followed, except that the transferor must also apply to the board with which he registered for a redetermination of his allotment and his base period use. The board shall send the application and notices of both parties, and the transferor's registration, to the district office, or, where there is none, to the State office. If the district (or State) office finds that the tests described in paragraph (c) are satisfied, it shall grant an allotment to the transferee and assign to him a base period use. It shall first determine the amount of the transferor's allotment and base period use allocable to the transferred establishment. That base period use shall be assigned to the transferee. The transferee's allotment shall be the part of the transferor's allotment corresponding to the unexpired part of the allotment period. The base period use and the allotment assigned to the transferee shall be deducted from the base period use and current allotment of the transferor. The district office shall issue a certificate to the transferee (or determine his excess inventory) on the basis of the allotment granted to him and the amount of the inventory he acquired from the transferor. If the amount of processed foods transferred with the establishment is less than the allotment assigned to the transferee, the transferor must give up points to the Office of Price Administration for the difference. If he does not give up points, that difference shall be treated as excess inventory.

(g) *Transferee's registration.* A transferee is regarded as registered as soon as the district (or State) office assigns an allotment and base period use to him.

(h) *Use of allotment by transferee.* A transferee may not use an allotment assigned to him under this section if his operation of the transferred establishment ceases to meet the tests described in paragraph (c).

Article XII—New Businesses

SECTION 12.1 *New retail establishments may be opened*—(a) *How stocks are obtained.* A "person" who wishes to open a "retail establishment" after February 1943, may apply for a "certificate" to get stocks of "processed foods". The application must be made, on OPA Form R-315, to the "board" for the place where the establishment will be located. (If he also has a "wholesale" or "processor establishment", he must apply to the "Washington Office", and not to the board.) The application must show:

(1) The proposed name and address of the establishment;

(2) The amount he has invested or expects to invest in it;

(3) The size of the establishment;

(4) The number of points he needs in order to get adequate stocks;

(5) The point value of any stocks of processed foods he may have for that establishment.

(b) *Issuance of certificate.* The board (or the Washington Office) will issue to him a certificate for the number of points he needs to get an adequate working inventory.

(c) *Registration.* At the end of his first full month of operation, he must register that establishment, on OPA Form R-1302, in the same way that "retailers" register between April 1 and April 10, 1943. He must give all information called for by the form. However, he must show his sales and "transfers" of processed foods from that establishment during his first full month of operation, instead of during March 1943, and must report his point inventory at the end of that month, instead of at the end of March 1943. When he registers, he may get a certificate or, if he has excess inventory, he must give up points to the Office of Price Administration in the same way as retailers who register between April 1 and April 10, 1943. He may not, however, be given a certificate for more than the amount by which his allowable inventory exceeds the amount of the certificate given to him when he applied on OPA Form R-315.

(d) *Procedure where no additional stocks are needed.* Where the person who wishes to open the retail establishment has enough stocks, he need not apply on OPA Form R-315. He may begin operation with the stocks he has. However, before making any sales or transfers of processed foods from the establishment after April 10, 1943, he

[1] A "wholesaler" may acquire processed foods in this way even if his actual inventory is or would become larger than his maximum allowable inventory.

must notify the board for the place where the establishment is located. If he also has a wholesale or a processor establishment, he must notify the Washington Office, instead of the board. The notice must be in writing and must give the name and address of the establishment and the point value of its inventory. At the end of his first full month of operation, he must register the establishment and follow the procedure described in the last paragraph.

SEC. 12.2 *New wholesale establishments may be opened*—(a) *How stocks are obtained.* A person who wishes to open a wholesale establishment after February 1943, may apply for a certificate to get stocks of processed foods. The application must be made to the Washington Office on OPA Form R–315. The application must show:

(1) The proposed name and address of the establishment;

(2) The amount he has invested or expects to invest in it;

(3) The size of the establishment;

(4) The number of points he needs in order to get adequate stocks;

(5) The point value of any stocks of processed foods he may have for that establishment.

(b) *Issuance of a certificate.* The Washington Office will issue to him a certificate for the number of points he needs to get an adequate working inventory.

(c) *Reports.* Beginning for his first full month of operation, he must file reports for that establishment, on OPA Form R–1310, and follow the same procedure as a "wholesaler" who registered between April 1 and April 10, 1943.

(d) *Procedure where no additional stocks are needed.* Where the person who wishes to open the wholesale establishment has enough stocks, he need not apply on OPA Form R–315. He may begin operations with the stocks he has. However, before making any sales or transfers of processed foods from that establishment after April 10, 1943, he must notify the Washington Office. The notice must be in writing and must give the name and address of the establishment and the point value of its inventory.

SEC. 12.3 *New processor establishments may be opened.* (a) A person who opens a processor establishment which was not in operation during February 1943 must notify the Washington Office before making any sales or transfers of processed foods from that establishment. The notice must be in writing and must show:

(1) The name and address of the establishment;

(2) The type of processed foods he produces or imports there;

(3) The inventory of that establishment on the date of the notice.

He must file reports for that establishment, on OPA Form R–1305, beginning for the month in which he started operations there.

SEC. 12.4 *In special cases, allotments may be granted for new industrial user establishments.* (a) A person who has or wishes to open an "industrial user establishment" which he did not operate at any time between January 1, 1942 and February 28, 1943, may apply for an allotment. No such application may be granted in any case, unless it is found that:

(1) The operation of the establishment will make a direct contribution to the war effort or is essential to meet civilian needs in the area it will serve; *and*

(2) The product it will produce cannot be obtained from any other source in the area to be supplied.

(b) The application must be made on OPA Form R–315, to the board for the place where the establishment is or will be located. The application must show:

(1) The product the applicant will make;

(2) The size of the establishment;

(3) The amount he has invested or intends to invest in it;

(4) The market to be supplied;

(5) The kinds and point value of any processed foods he may have for that establishment;

(6) The amount of the allotment requested.

(c) The board may call for any additional information it finds necessary. It may not pass on the application, but must forward it, together with all information received, to the district office (or, where there is none, to the State office). It may attach its recommendation, if any, as to the action to be taken. The district (or State) office must forward the entire file to the Washington Office, for decision, or take such other action as the Washington Office may authorize or direct.

(d) An industrial user who already has an allotment, may not open another industrial user establishment and use his allotment there, unless he applies under this section and is given permission to do so.

Article XIII—Closing of Business

SECTION 13.1 *What a person who closes his establishment must do*—(a) *General.* (1) Any "retailer", "wholesaler", "processor", or "industrial user" who goes out of the business of dealing in or using "processed foods" at his establishment must notify the "board" at which it is registered, or the "Washington Office", if it is registered there. The notice must be given in writing, within five (5) days after he goes out of the business. It must show:

(i) The name and address of the establishment;

(ii) The point value of its inventory at the time he stopped doing business there; and

(iii) The number of points in the establishment's ration bank account, if any, and the number of points on hand, including points in the hands of his suppliers for processed foods not yet shipped. If he has a ration bank account, he must also notify the district office, in the way required by General Ration Order 3A (the ration banking order).

(2) He must account to the Office of Price Administration for all points he has for the establishment at which he ceased doing business. If all his stocks of processed foods have not been disposed of at the time of the notice, he must account for the rest of the points as soon as the stocks have been liquidated. An industrial user who has given the notice called for above, may sell or "transfer" his unused stocks of processed foods in the same way that a retailer is permitted to make sales or transfers.

(b) *Closing of entire chain.* The rules set forth in paragraph (a) of this section, also apply to a "person" who has more than one establishment of a particular kind and who goes out of business at all of them. He must give the information required, and must give up the points, for all the establishments.

(c) *Closing of part of a chain.* (1) A person who has several retail, wholesale or processor establishments may go out of business at one or more, but may continue to operate the others. In that case, he need not give up points to the Office of Price Administration at that time but may use them for the operation of the establishments which he continues.

(i) If the establishment closed was a "retail establishment", he must notify the board at which it is registered within five (5) days after he closes it. If it is registered at the Washington Office, he must notify that office instead. The notice must be in writing and must give the name and address of the establishment closed.

(ii) If the establishment closed was a "wholesale" or "processor establishment", he must indicate that fact in his next monthly report.

(2) A person who has several industrial user establishments may go out of business at one or more, but may continue to operate the others. In that case he must notify the board with which he is registered. The notification must be in writing and must state whether and to what extent he will continue to serve, from his other establishments, the same area and the same general class of customers. The board must send the notification and his registration to the district office, or where there is none, to the State office. The district (or State) office shall determine the extent to which he remains entitled to use his entire allotment. He may keep his entire allotment only if his remaining establishments will continue to serve the same general class of customers and the same area as the establishment closed. His allotment and his base period use must be reduced to the extent that he will cease to serve the same class of customers and the same area. If his allotment is reduced, he must give up to the Office of Price Administration points equal to the reduction. If he does not have points to give up, the amount of the reduction shall be treated as excess inventory.

Article XIV—Miscellaneous Adjustments

SECTION 14.1 *Retailer may apply for inventory adjustments after March 1943*—(a) *How to apply.* A "retailer" who finds that his allowable inventory is inadequate may apply for an adjustment. The application must be made, on OPA Form R–315, to the "board" with which he registered, or to the "Washington Office", if he registered there. The application must give the following information:

(1) The amount of his allowable inventory;

(2) The reasons why he claims that it is inadequate;

(3) The point value of his sales and "transfers" of "processed foods" during the thirty days before his application, not including exchanges, and transfers from one of his "retail establishments" to another;

(4) The amount of the adjustment which he needs.

He must also give any other information that the board (or the Washington Office) may request.

(b) *Application based on increase of business.* If he asks for a larger inventory because of an increase in business which is not due to regular seasonal variations, his application is to be acted upon in the following way:

(1) The point value of his sales or transfers upon which his allowable inventory was based is determined;

(2) The point value of his sales and transfers of processed foods, during the thirty days before the application is determined;

(3) If the second figure is more than ten percent larger than the first figure, he is to get a "certificate" for the difference between them multiplied by the factor fixed in the Supplement to this order for determining retailer allowable inventories;

(4) If the second figure is not more than ten percent larger than the first, his application is to be denied.

(c) *Other applications.* If he asks for a larger inventory for any other reason, a board may not act on the application but must send it, and any other information received, to the district office, or, where there is none, to the State office. The board may attach its recommendation, when it transmits the application. The district (or State) office shall send the file to the Washington Office, for decision, or take such other action as the Washington Office may authorize or direct.

SEC. 14.2 *Wholesaler may apply for inventory adjustments after March 1943*—(a) *How to apply.* A "wholesaler" who finds that his maximum allowable inventory is inadequate may apply for an adjustment. The application must be made to the Washington Office, on OPA Form R–315, and must give the following information:

(1) The amount of his maximum allowable inventory for the month in which he applies;

(2) The reasons why he claims that it is inadequate;

(3) The amount of the adjustment which he needs.

He must also give any other information that the Washington Office may request.

(b) *Action on application.* The Washington Office will act on the application according to the circumstances of the case.

SEC. 14.3 *Wholesalers and retailers may apply for point loans*—(a) *General.* A retailer or a wholesaler may have large seasonal variations in the amount of business that he does. He may therefore need an unusually large inventory at certain times. In other cases, due to difficulties of transportation, a retailer or a wholesaler may have a large number of points tied up in the hands of his supplier, for processed foods which he has not yet received. In these situations the retailer or wholesaler may wish to borrow points in order to get enough processed foods to tide himself over. He does not need a permanent adjustment, but simply a loan of points which he can pay back later.

(b) *Application for a point loan.* A retailer or wholesaler may apply for a point loan when he needs more points to get processed foods for a limited period of time, because of uncertainties or delays in transportation or because of seasonal variations in his business. He must apply on OPA Form R–315, to the board with which he is registered (or to the Washington Office, if he is registered there). The application must show:

(1) His allowable inventory;

(2) The reasons he needs a point loan;

(3) The number of points he needs to borrow;

(4) The length of time for which he needs the loan.

He must give any other information that the board (or the Washington Office) requests.

(c) *Action on application.* If he needs a point loan for any of the reasons set forth in the last paragraph, he may be given a certificate for the number of points needed. The loan can be for any period up to two months. He must give back that number of points to the Office of Price Administration, for cancellation, not later than the date set at the time the certificate is issued.

(d) *When Board may not act upon application.* A board may not grant a point loan of more than fifty percent of the applicant's allowable inventory. If more than that is needed, it must send the application, together with all information it received, to the district office or, where there is none, to the State office. It may attach its recommendation as to the action to be taken. The district (or State) office shall send the file to the Washington Office, for decision, or take such other action as the Washington Office may authorize or direct.

SEC. 14.4 *Adjustments for lost, destroyed, stolen or spoiled processed foods*—(a) *Lost, destroyed or stolen processed foods*—(1) *How to apply.* Any "person" whose processed foods were lost, destroyed or stolen, or taken away by legal process or order of a court, may apply for a certificate for the number of points needed to replace them. The application must be made on OPA Form R–315. A "consumer" who wants a certificate must apply to the board for the place where he lives. Any other person must apply to the board with which he is registered (or to the Washington Office, if he is registered there). The application must give:

(i) A description of the processed foods he wishes to replace, showing their point value;

(ii) A description of the way in which they were lost, destroyed, stolen, or taken away.

He must also give any other information that the board (or the Washington Office) may request.

(2) *Action on application.* If the board (or the Washington Office) finds the statements made in the application to be true, it will issue to him a certificate for the number of points needed to replace the foods.

(3) *Recovery of lost or stolen foods.* If the applicant gets back any of the processed foods covered by his application, he must give back to the Office of Price Administration, for cancellation, points equal to the point value of the foods he recovered.

(b) *Spoiled processed foods.* No adjustment is granted for processed foods which spoiled. These may be replaced only by exchanging them for good processed foods of equal point value. However, a "processor" may account, in his monthly report to the Washington Office, for processed foods which spoiled in his hands, or which he took back in an exchange.

(c) *Processed foods used for sampling*—(1) *General.* A retailer, wholesaler or industrial user who "acquires" processed foods from a processor may sample some of them in order to check grades and quality. He may not then be able to sell or transfer, or use the foods which he sampled. If he has given up points to the processor for processed foods which he had to sample, he may apply for a certificate for the number of points needed to replace them. The application must be made, on OPA Form R–315, to the board with which he is registered, or to the Washington Office, if he is registered there. The application must contain:

(i) The name and address of the processor from whom he acquired the processed foods;

(ii) A description of the processed foods he used for sampling, showing their point value and the date when he acquired them;

(iii) The reason he had to sample them;

(iv) A statement that he did not and was not able to sell or transfer the foods sampled, or use them for any other purpose;

(v) The number of points needed to replace them.

He also must give any other information that the board (or the Washington Office) may request.

(2) *Action on application.* If the board (or the Washington Office) finds the statements made in the application to be true, it will issue to him a certificate for the number of points needed to replace the processed foods which he had to sample.

SEC. 14.5 *Applications may be made for other adjustments*—(a) *How to apply.* Any retailer, wholesaler, processor or industrial user who needs an adjustment in his inventory or allotments, or other relief, may apply, on OPA Form R–315, to the board with which he is registered, or to the Washington Office, if he is registered there. He must state

in his application all facts which he claims show his need for the adjustment, and the nature and amount of the adjustment he requests. He must also give any other information that the board (or the Washington Office) requests.

(b) *Action on application.* A board may not act upon an application under this section. It must send the application, together with all other information received, to the district office, or, where there is none, to the State office. It may attach its recommendation as to the action to be taken. The district (or State) office shall send the file to the Washington Office, for decision, or take such other action as the Washington Office may authorize or direct.

Article XV—Issuance and Use of Certificates

SECTION 15.1 *How certificates are issued*—(a) *By whom issued.* "Certificates" (OPA Form R-1201) may be issued by the "Washington Office", by a "board", by any authorized officer or representative of the Office of Price Administration, or by any person authorized by the Office of Price Administration to issue them. Certificates may be issued only in the cases and for the purposes permitted by this or any other order of the Office of Price Administration.

(b) *How certificates are issued.* The "person" who issues a certificate must insert, in ink, the words "Processed Foods" in the appropriate space and must sign it and fill in:

(1) The number of points for which it is issued;

(2) The name of the person for whom it is issued; and

(3) The expiration date of the certificate, which is 60 days after the date on which it is issued.

A certificate which is not filled out in this way is not good for the acquisition of processed foods and may not be used or accepted for that purpose.

SEC. 15.2 *Certificates are good for a limited time.* (a) A certificate may not be used by the person for whom it was issued after the date shown on its face. However, a "retailer" who "transferred" "processed foods" for a certificate may use it to acquire processed foods within ten days after the date shown on its face, if he does not have and is not required to have a ration bank account. Any person who has a ration bank account may deposit a certificate (whether it was issued to him, or received by him for a transfer of processed foods) within twenty days after the date shown on its face. A certificate is thus not valid for any purpose more than twenty days after the date shown on its face.

SEC. 15.3 *A certificate must be endorsed.* (a) Before it can be used, a certificate must be signed on the back by the person for whom it was issued, or by a person authorized to sign for him, if he cannot write.

(b) Any retailer, "wholesaler" or "processor" who has transferred processed foods for a certificate must sign his name on the back of the certificate before he can deposit or use it.

SEC. 15.4 *Board may issue a certificate in exchange for a ration check.* (a) A retailer who does not have, and is not required to have a ration bank account may take a ration check from a person to whom he sells or transfers processed foods. He cannot use the check, but he must give it to a board and get, in return, a certificate for the same number of points. The board must give a certificate to such a retailer in exchange for a ration check payable to him. He must endorse the check before exchanging it. (The way in which the board then handles the ration check is covered by General Ration Order 3A.)

(b) A consumer who has received a ration check because his mail order was not filled must exchange that check for a certificate, at any board.

SEC. 15.5 *Names of persons who have been given certificates may be posted.* (a) A board may post at its office the name of any person to whom it has issued a certificate under this order. However, it shall not do so if it would reveal information of a military character, or information which any public law enforcement or investigating agency wishes to keep confidential.

SEC. 15.6 *Certificates are the property of the Office of Price Administration and may be revoked.* (a) All certificates are the property of the Office of Price Administration, whether or not they have been issued.

(b) The Office of Price Administration may suspend, cancel, or revoke any certificate issued if it finds it in the public interest to do so.

Article XVI—Records, Reports and Inspections

SECTION 16.1 *Records must be kept for two years.* (a) Every "person" must hold, for at least two years, all records which this order requires him to keep.

SEC. 16.2 *Records may be inspected by Office of Price Administration.* (a) All records kept under this order may be inspected by the Office of Price Administration, through any authorized representative. The inspection may be made at a person's place of business during regular business hours. In the case of records kept on forms prepared by the Office of Price Administration, the inspection of those records may be made at any time or place fixed by the Office of Price Administration. Every person required to keep records under this order must keep them available for such inspection.

SEC. 16.3 *Places where processed foods are kept may be inspected.* (a) The Office of Price Administration, through any authorized representative, may at any reasonable time inspect any place where "processed foods" are produced, imported or kept. Any person who produces, imports, or has processed foods, must permit such inspection of the place where he produces, imports or keeps them.

SEC. 16.4 *Records and reports are confidential.* (a) Information and documents obtained from any person under this order will not be disclosed, whether in response to a subpoena or in any other way, except to that person, unless the Administrator (or a representative of the Office of Price Administration designated by him) finds that the requested disclosure is not contrary to law and consents to it.

SEC. 16.5 *Office of Price Administration may extend time for registration and reports.* (a) The "Washington Office" may, for good cause, give any person additional time to file any registration or report which this order requires him to file. Any person who needs more time for filing a registration or report may apply, in writing, to the Washington Office. He must explain, in his application, why he needs more time. The Washington Office may impose any conditions it finds proper, when it grants such an extension of time.

SEC. 16.6 *Office of Price Administration may require applicants to give information.* (a) The Washington Office, a "board", a district manager, State director or regional administrator may require any person who files an application or an appeal under this order to appear in person, to bring witnesses and to supply any information needed for passing on his case.

SEC. 16.7 *Persons who produce certain items similar to processed foods must file reports.* (a) Every person who for sale or transfer, (1) packs frozen fruits or vegetables in containers over ten pounds, or (2) produces jams, jellies, preserves, fruit butters, pickles or relishes, or (3) cans or bottles fruit or vegetable juices in hermetically sealed containers containing over one gallon and sterilizes them by the use of heat, or (4) cans condensed or evaporated milk, or meat, or fish or shellfish in hermetically sealed containers sterilized by the use of heat, must file monthly reports on OPA Form R-1305. He must give all information as to those items called for by the form.

(b) The first report is for February 1943 and must be filed, by mail, with the Office of Price Administration, care of the Bureau of the Census, Washington, D. C., not later than March 10, 1943. Reports for subsequent months must be filed not later than ten days after the end of the month.

Article XVII—Additional Records To Be Kept by Chains

SECTION 17.1 *Chains must keep records of transfers of stocks and points between establishments.* (a) Every person who has more than one "retail", "wholesale", or "processor establishment" must keep at each establishment a record, in any convenient form, which shows:

(1) The amount of "processed foods" "transferred" from and "acquired" at that establishment, the date of each transfer or acquisition, and the name and address of the establishment to which the processed foods were transferred or from which they were acquired. The record must show the amount of processed foods which were transferred or acquired either by items and sizes, or by point value. (However, no such record need be kept for transfers of processed foods to "consumers"); and

(2) The number of points received there for transfers of processed foods from that establishment, the disposition of those points, and the dates of their disposition.

(b) In addition, he must keep for each ration bank account used by him for more than one establishment, a record showing the number of points deposited in that account by and for each such establishment, and the dates of the deposits.

Article XVIII—Appeals

SECTION 18.1 *Persons directly affected by action taken under this order can appeal.* (a) Any "person" directly affected by the action of a "board", district manager, state director or regional administrator, on any application or other matter, may appeal from that action in the way permitted by Procedural Regulation No. 9 of the Office of Price Administration.

(b) This section shall not apply to action taken on any application made under section 12.4 or section 14.5.

Article XIX—Miscellaneous Rules and Prohibitions

SECTION 19.1 *Additional prohibitions.* (a) No "person" shall use points unless he has received them in a way permitted by this or any other Order of the Office of Price Administration.

(b) No person shall "transfer", "acquire", use or possess "processed foods" except in a way permitted by this or any other order of the Office of Price Administration.

(c) No person shall give or transfer points, a "stamp" or a certificate to any other person, except in a way permitted by this or any other order of the Office of Price Administration.

(d) No person may transfer processed foods for a stamp, certificate or ration check if he knows or has reason to believe that it is not valid or that the person tendering it is not entitled to use it.

(e) No person shall have a stamp, certificate or ration check in his possession except the person (or agent of the person) to whom it was issued or by whom it was acquired in a way permitted by this or any other order of the Office of Price Administration.

(f) No person shall deface, mutilate, or destroy any stamp, certificate or ration check, except where permitted by this or any other order of the Office of Price Administration. A defaced or mutilated stamp, certificate or ration check is not valid for any purpose.

(g) No person shall counterfeit, forge, or alter a stamp, certificate or ration check, and no person shall transfer, acquire, possess or use a counterfeited, forged or altered stamp, certificate or ration check.

(h) No person shall offer, solicit, attempt or agree to do, or assist in doing, any act in violation of this order.

(i) Paragraphs (b), (c), (e), (f) and (g) of this section do not apply to public officials who do any of those acts in the performance of their public duties.

(j) No person shall, in any registration, report, application, or other statement or record made pursuant to or required by this order, make any untrue statement of fact, or omit to state any fact which is required to be stated or which is necessary to make a statement not misleading.

(k) No person shall, after demand, withhold a stamp, certificate or ration check from the person who is entitled to have it.

(l) No person shall sell or transfer any item of processed foods at a price in excess of the applicable maximum price established for that item by the Office of Price Administration.

SEC. 19.2 *Stamps and certificates may not be taken by legal process or acquired by will.* (a) No stamp, certificate or ration check, or any interest in it, may be taken or seized by judicial process or by any court order. However, a person to whom a War Ration Book Two or a certificate has been issued may bring a legal proceeding to recover it from any person who is wrongfully in possession of it. He may, as part of that proceeding, take or seize it by judicial process or court order.

(b) No stamp or certificate, or any interest in it, may be transferred or acquired by inheritance or by will.

SEC. 19.3 *Office of Price Administration must be notified of legal proceedings.* (a) Any person who has a stamp, certificate or ration check must notify the district office of the Office of Price Administration immediately after the beginning of any legal proceeding involving that stamp, certificate or check.

Article XX—Suspension Orders

SECTION 20.1 *Office of Price Administration may issue suspension orders.* (a) Any "person" who violates this order may, by administrative suspension order, be prohibited from receiving any "transfer" or delivery of, or from selling or using or otherwise disposing of, any "processed food" or other rationed product or facility. Such suspension order shall be issued for such period as in the judgment of the Administrator, or such person as he may designate for such purpose, is necessary or appropriate in the public interest and to promote the national security.

Article XXI—Definitions

SECTION 21.1 *Definitions.* (a) When used in this order:

(1) "Acquire" means to accept a "transfer" or to get possession or title in any other way.

(2) "Board" means a war price and rationing board established by the Office of Price Administration.

(3) "Certificate" means a certificate on OPA Form R-1201.

(4) "Consumer" means any "person" who "acquires" "processed foods" for personal use, or for use at a table at which he eats.

(5) "Industrial user" means any "person" who has an "industrial user establishment".

(6) "Industrial user establishment" means any place where a "person" uses "processed foods" in producing or manufacturing, for sale or "transfer", any product which is not a processed food.

(7) "Institutional user" means any "person" who has an "institutional user establishment".

(8) "Institutional user establishment" means an institutional user establishment as defined in General Ration Order 5. (With certain exceptions, it means any place where a "person" uses a rationed food in the preparation of food which he serves to "consumers", or in the service of food to consumers.)

(9) "Person" means not only an individual, but also a partnership, corporation, association, or business trust. It includes a government, government agency and any other organized group or enterprise.

(10) "Processed foods" means:

(i) All fruits, fruit juices, vegetables, vegetable juices, soups, and baby foods, packed in hermetically sealed containers of any type and sterilized by the use of heat;

(ii) All frozen fruits and vegetables;

(iii) All dried and dehydrated fruits. However, it does not include any of the following items: candied fruits; cereals; chili con carne; frozen fruits and vegetables in containers over ten (10) pounds; fruit and vegetable juices in containers over one (1) gallon; fruit cakes; fruit puddings; jams; jellies; meat stews containing some vegetables; milk; olives; paste products, such as spaghetti, macaroni, or noodles, whether or not they are packed with added vegetable sauces; pickles; potato salad; preserves; relishes; and by-products of fruits or vegetables, such as soya bean oil, soya bean milk, fruit and vegetable dyes, and similar products.

(11) "Processor" means any "person" who has a "processor establishment".

(12) "Processor establishment" means any place where a "person" produces "processed foods" for sale or "transfer". A person is considered to "produce" if he:

(i) Bottles, cans or packs fruits, fruit juices, vegetables, vegetable juices, soups or baby foods, in hermetically sealed containers and sterilizes them by the use of heat; or

(ii) Packs frozen fruits or vegetables in containers of ten pounds or less; or

(iii) Sorts, washes, and processes dried or dehydrated fruits; or

(iv) Repacks frozen fruits or vegetables from containers over ten pounds into containers of ten pounds or less; or

(v) Repacks fruit or vegetable juices from containers over one gallon into containers of one gallon or less; or

(vi) Uses processed foods to make other processed foods.

The term "processor establishment" also means any place to which a person imports processed foods into the United States, from any place outside the United States, for sale or transfer. It also includes a place at which a person does not produce or import processed foods, if he regularly keeps there, for sale or transfer, only processed foods which he himself produced or imported. Finally, there is one case in which a place where a person keeps stocks of processed foods produced or imported by someone else is a processor establishment. If he keeps those stocks at that place just to use them to produce other processed foods, that place is a processor establishment.

(13) "Retail establishment" means any place, (other than a "processor establishment") where a "person" who deals in "processed foods" keeps stocks of those foods for sale or transfer, if more than fifty per cent of those stocks are sold or transferred from there directly to "consumers". Even if the amount sold or transferred from there

directly to consumers is fifty per cent or less, it is still a retail establishment in the following case:

(i) If some of those stocks are transferred directly to consumers; and

(ii) If he keeps the rest of the stocks just to supply his own establishments; and

(iii) If no "wholesale establishment" and not more than three retail establishments are supplied from there.

(14) "Retailer" means any "person" who has a "retail establishment."

(15) "Stamp" means a blue stamp in, or taken from War Ration Book Two.

(16) "Transfer" means to sell, give, exchange, lend, deliver, or consign. It includes any transfer of possession or title, however accomplished, and any movement of goods from one establishment to another. The use by any "person" of "processed foods" which he holds for sale or transfer is considered a transfer of those foods to himself. However, delivery to a carrier for shipment is not regarded as a transfer to the carrier; and delivery by the carrier to the consignee is not regarded as a transfer by the carrier.

(17) "Washington Office" means the national headquarters of the Office of Price Administration, in Washington, D. C.

(18) "Wholesale establishment" means any place (other than a "processor establishment") where a "person" who deals in "processed foods" keeps stocks of those foods for sale or transfer, if fifty per cent or more of those stocks are transferred from there directly to persons other than "consumers". However, if he keeps the stocks which are not transferred to consumers, just to supply his own establishments, it is a wholesale establishment only if it supplies:

(i) At least one of his wholesale establishments; or

(ii) At least four of his "retail establishments".

(19) "Wholesaler" means any "person" who has a "wholesale establishment".

Effective Date

This ration order shall become effective at 12:01 a. m. on March 1, 1943, except that sections 2.2, 9.1 and 21.1 shall become effective at 12:01 a. m. on February 21, 1943.

Issued this 9th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2122; Filed, February 9, 1943; 12:59 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 272 under § 1499.3(b) of GMPR]

MARVINS

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.1708 *Approval of maximum prices for sales at retail by Marvins of a new model radio.* (a) Marvins, 726-734 Seventh Street NW, Washington, D. C. may sell and deliver at retail only its new model radio designated in an application dated December 12, 1942, filed with the Office of Price Administration, which radio is composed of in part of an Air King Chassis No. 915, Oxford Lake Cabinet and R. C. A. Record Changer at a price no higher than $113.50 exclusive of Federal Excise Tax.

(b) This Order No. 272 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 272 (§ 1499.1708) shall become effective on the 10th day of February 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2127; Filed, February 9, 1943; 12:53 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 273 Under § 1499.3 (b) of GMPR]

B. B. CHEMICAL CO.

Order No. 273—Maximum Prices Authorized under § 1499.3 (b) of the General Maximum Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1709 *Approval of maximum prices for sales of certain products manufactured by the B. B. Chemical Company.* (a) The maximum prices for sales by the B. B. Chemical Company, 784 Memorial Drive, Cambridge, Massachusetts, of the following products manufactured by that company shall be the prices set forth below:

	Per gallon in 1-gallon containers	Per gallon in 5-gallon containers
[illegible] Adhesive Type B	$3.20	$3.00
S1-61 Adhesive [illegible]	1.92	1.62
S1-67 Adhesive	1.83	1.17
S1-41 Adhesive	1.78	1.58
S1-42 Adhesive	1.92	1.72

(b) All discounts, trade practices, and practices relating to the payment of transportation charges in effect during March 1942 on the sale of the most closely comparable product by the B. B. Chemical Company shall apply to each maximum price set forth in paragraph (a).

(c) This Order No. 273 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 273 (§ 1499.1709) shall become effective February 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2128; Filed, February 9, 1943; 12:52 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 274 Under § 1499.3 (b) of GMPR]

ROCKWOOD & COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1710 *Authorization of maximum prices for sales of Rum Flavor Chocolate Wafers in 25 pound containers by Rockwood & Company, a confectionery manufacturer, of Brooklyn, New York.* (a) On and after the 10th day of February, 1943, Rockwood & Company of Brooklyn, New York, may sell and deliver for general distribution its Rum Flavor Chocolate Wafers in 25 pound lots in containers at the maximum delivered price of 21½ cents per pound.

(b) Rockwood & Company shall maintain the same discounts, allowances and differentials as established in the sale of 25 pounds of Mint Flavor Chocolate Wafers in containers unless the change results in a lower price.

(c) Rockwood & Company shall notify each of its customers of the maximum delivered price established under paragraph (a) herein together with the manner in which wholesalers and retailers shall determine their respective maximum delivered prices by placing in or on each container of 25 pounds of Rum Flavor Chocolate Wafers a printed notice reading as follows:

The Office of Price Administration has authorized Rockwood & Company to manufacture and sell, in containers, its Rum Flavor Chocolate Wafers in 25 pound lots at the maximum delivered price of 21½ cents per pound. Rockwood & Company is instructed to advise its wholesalers and retailers how they are to determine their respective maximum delivered prices for this item by applying the provisions of § 1499.3 (a) of the General Maximum Price Regulation, as amended.

Rockwood & Company shall continue this notice until such time as all sellers of this item have received the said notice.

(d) This order No. 274 may be revoked or amended by the Price Administrator at any time.

(e) This order No. 274 (§ 1499.1710) shall become effective February 10, 1943.

(Pub. Laws 421 and 729, 77th Cong., 7 F.R. 7871, E.O. 9250)

Issued this 9th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2129; Filed, February 9, 1943; 12:52 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 192 Under § 1499.18 (b) of GMPR]

STEFFEN CANVAS PRODUCTS

Order No. 192 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3—2085.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1093 *Adjustment of maximum prices for shop aprons manufactured by Steffen Canvas Products.* (a) E. H. Steffen, doing business as Steffen Canvas Products, of Eaton, Ohio, may sell and deliver and any person may buy and receive garments which are the same as or similar to those delivered by him during or before March 1942 under the following descriptions, at prices no higher than the prices indicated in Column 1 or 2 below, whichever shall apply:

Item	Col. 1 Maximum price to wholesalers and jobbers	Col. 2 Maximum price to retailers
	Per dozen	*Per dozen*
44" 2.20 denim shop aprons	$4.40	$4.70
46" 2.20 denim shop aprons	4.55	4.85
48" 2.20 denim shop aprons	4.70	5.00
50" 2.20 denim shop aprons	4.85	5.15
52" 2.20 denim shop aprons	5.00	5.30
44" 8 oz. B grade duck aprons	4.50	4.80
46" 8 oz. B grade duck aprons	4.65	4.95
48" 8 oz. B grade duck aprons	4.80	5.10
50" 8 oz. B grade duck aprons	4.95	5.25
52" 8 oz. B grade duck aprons	5.10	5.40
42" 8 oz. D. F. bleached duck bib aprons	4.85	5.15
44" 8 oz. D. F. bleached duck bib aprons	5.05	5.35
46" 8 oz. D. F. bleached duck bib aprons	5.25	5.55
46" 8 oz. D. F. bleached duck waist aprons	4.70	5.00
42" 2.28 bleached drill bib aprons	4.40	4.70
44" 2.28 bleached drill bib aprons	4.55	4.85
46" 2.28 bleached drill bib aprons	4.70	5.00
46" 2.28 bleached drill waist aprons	4.20	4.50

(b) The adjustment granted to Steffen Canvas Products in paragraph (a) is subject to the following conditions:

(1) All discounts, trade practices and practices relating to shipping and shipping charges in effect in March 1942 shall be applicable to the maximum prices set forth in paragraph (a) hereof.

(2) Steffen Canvas Products shall mail to any wholesaler, jobber, or retailer who purchases the commodities listed above, a notice reading as follows:

The Office of Price Administration has permitted us to raise our maximum prices for sales to you of our ---------- shop aprons from $------ to $------ per dozen. This amount represents only that part of cost increases which we were unable to absorb and it was granted with the understanding that wholesale and retail prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise your maximum prices for these aprons.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 192 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 192 is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2 of the General Maximum Price Regulation.

(f) This Order No. 192 shall become effective February 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2130; Filed, February 9, 1943; 12:52 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 15 Under § 1499.29 of GMPR]

THE CELOTEX CORPORATION

Order No. 15 under § 1499.29 of the General Maximum Price Regulation—Docket No. GF3-3066.

For reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.415 *Adjustment of maximum prices for bagasse manufactured by the Celotex Corporation.* (a) The Celotex Corporation, Chicago, Illinois, may sell and deliver to the United States Treasury Department, Procurement Division, Lend-Lease Section, approximately 6720 short tons of bagasse contracted to be sold by it under Contract No. DA-TPS-23971, United States Treasury Department, Washington, D. C., at a price not higher than $17.00 per short ton, f. a. s. New Orleans, Louisiana.

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 15 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 15 (§ 1499.415) is hereby incorporated as a section of Supplementary Regulation No. 4, which contains modifications of the maximum prices established by § 1499.2.

(e) This Order No. 15 (§ 1499.415) shall become effective February 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2131; Filed, February 9, 1943; 12:52 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11,[1] Amendment 37]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraph (a) in § 1394.5253 is amended; in § 1394.5651, the phrase "March 1 1943" is amended to read "February 9, 1943"; in § 1394.5653 (f) subparagraph (1) is amended; in § 1394.5707 (b) subparagraph (1) is amended; as set forth below:

Heat and Hot Water Rations

§ 1394.5253 *Same; establishment of consumption during base period.* (a) An applicant for a ration for heat or for heat and hot water in any premises, other than a house trailer, or for hot water in premises other than a private dwelling, shall establish fuel oil consumption in the premises for such purpose during the base period. He shall, except for good cause shown, obtain from each dealer or supplier from whom fuel oil was purchased for such use during the base period, a certification showing the total amount of fuel oil purchased from such dealer or supplier during the base period for the equipment for which the application is made, except that in "Area A", if such dealer or supplier cannot, for good cause shown, furnish such certification for the base period, the applicant may obtain from such dealer or supplier a certification of purchases made during the nearest consecutive twelve (12) months period subsequent to the commencement date of the base period. A certification from each such dealer or supplier shall be annexed to and submitted with the application: *Provided*, That such certification shall not be required if the ration applied for is to be used in a portable space heater.

* * * * *

Restrictions on Transfers to and by Consumers

§ 1394.5653 *Transfers to consumers in exchange for coupons.* * * *

(f) * * *

(1) No consumer may accept such transfer unless he has applied for and has reasonable cause to believe that he is entitled to receive a ration, for the purpose for which the transfer is made, which will, when issued enable him to surrender to the transferor coupons or other evidences, or delivery receipts, equal in gallonage value to the amount of fuel oil so transferred: *Provided*, That in "Area A", the provision of this subparagraph (1) shall not be applicable prior to February 18, 1943.

* * * * *

Provisions Relating to Dealers and Suppliers

§ 1394.5707 *Restrictions on tranfers.* * * *

(b) * * *

(1) No dealer or supplier may accept a transfer pursuant to this paragraph unless he has filed an application for registration with a board in accordance with the provisions of § 1394.5701: *Provided*, That in "Area A" the provisions of this subparagraph (1) shall not be applicable prior to February 14, 1943.

* * * * *

This amendment shall become effective on February 9, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507; Pub. Law 421, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562; Supp. Dir. 1-O, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 9th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2136; Filed, February 9, 1943; 4:05 p. m.]

PART 1410—WOOL

[RPS 58 as Amended,[1] Amendment 12]

WOOL AND WOOL TOPS AND YARNS

A statement of the considerations involved in the issuance of this amendment

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8480, 8708, 8897, 9316, 9396, 9492, 9427, 9430, 9621, 9784, 10181, 10379, 10530, 10531, 10780, 10707, 11118, 11071; 8 F.R. 165, 237, 437, 369, 374, 535, 439, 444, 607, 698, 977, 1203, 1235, 1282, 1681, 1636,

[1] 7 F.R. 2397, 2580, 2543, 3088, 3271, 4117, 4296, 4299, 4428, 5512, 6494, 7602, 7945, 8941, 8948, 10257.

has been prepared and is issued simultaneously herewith.

Paragraph (e) of § 1410.64 is amended as set forth below:

§ 1410.64 *Appendix D: Maximum prices for wool yarns.* * * *

(e) *Yarns spun from blended wool and other fibers*—(1) *Blended yarns spun on the woolen or worsted systems.* Where yarns are spun from blended wool and other fibers on the woolen or worsted systems the maximum price shall be a price reduced from the applicable maximum price for yarns spun from wool by the amount thereby saved in raw material costs. In computing such costs the following percentages of the costs of the raw materials shall be added to cover losses due to waste:

Up to 20% wool content add 10%.
From 21% to 40% wool content add 8%.
From 41% to 80% wool content add 6%.
From 81% to 95% wool content add 4%.

Where yarns are spun from blended wool and mohair on the woolen or worsted systems the maximum price shall be a price reduced from the applicable maximum price for yarns spun from wool by the amount thereby saved in raw material costs. The amount saved in raw material cost shall be the difference between the actual price paid for the mohair top used and the maximum price for that portion of wool tops for which the mohair is substituted.

(2) *Blended yarns spun on a system other than the woolen or worsted system*—(i) *Maximum prices for 50% wool and 50% cotton merino yarns, carded or combed, spun on the cotton system.* The maximum prices set forth below for the following types of merino yarns spun on the cotton system include freight up to one cent per pound to the purchaser's place of business. If the seller does not pay such freight the maximum price shall be that shown herein less freight up to one cent per pound at the lowest published rate. Terms of sale shall be 2% up to 15 days or 30 days net cash.

Cotton count	Type	Price per pound
10/1	50% domestic wool, 50% cotton, carded	$1.20
10/1	25% domestic wool, 25% foreign wool, 50% cotton, carded	1.23
10/1	50% foreign wool, 50% cotton, carded	1.20
10/1	50% domestic wool, 50% cotton, combed	1.31
10/1	25% domestic wool, 25% foreign wool, 50% cotton, combed	1.31
10/1	50% foreign wool, 50% cotton, combed	1.28

The maximum prices for single merino yarns of one of the above type of counts above 10/1s shall be the maximum prices set forth above to which shall be added:

¼ cent per pound for each count to 20/1s, inclusive.

½ cent per pound for each count from 21/1s to 50/1s, inclusive.

The maximum prices for single merino yarns of one of the above types of counts less than 10/1s shall be the maximum prices set forth from which shall be deducted ¼ cents per pound for each count.

(ii) *Maximum prices for other blended yarns spun on a system other than the woolen or worsted system.* Except for the types of yarns enumerated in subdivision (i) above the maximum price for yarns spun from blended wool and other fibers on a system other than the woolen or worsted system shall be determined in accordance with the General Maximum Price Regulation[3] or, where applicable, Maximum Price Regulation No. 157.[4]

§ 1410.60 *Effective dates of amendment.* * * *

(n) Amendment No. 12 (§ 1410.64 (e)) to Revised Price Schedule No. 58, as amended, shall become effective February 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2137; Filed, February 9, 1943; 4:05 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 201,[1] Amendment 5]

VIRGIN ISLANDS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraph (b) of § 1418.102, paragraph (c) (2) of § 1418.106 and § 1418.111 are amended.

§ 1418.102 *Maximum prices for commodities not actually produced or manufactured in the Virgin Islands of the United States.* * * *

(b) Where a seller offered for sale or delivery to a buyer in the Virgin Islands of the United States any commodity for which a maximum price regulation has been issued in the continental United States and which is not actually produced or manufactured in the Virgin Islands of the United States, and the maximum price of such commodity cannot be determined under the provisions of paragraph (a) of this section, the maximum price of such commodity shall be determined in accordance with the following procedure. The seller of such commodity shall file in duplicate with the Territorial Office of the Office of Price Administration, St. Thomas, Virgin Islands of the United States, a sworn petition containing:

(1) A description of the commodity

(2) A statement of the facts which prevent determination of the maximum price under paragraph (a) of § 1418.102.

(3) The price charged by sellers of the same competitive class for the same or similar commodity.

(4) A statement of the direct cost of the commodity to the seller.

(5) The price at which the seller intends to offer the commodity for sale.

(6) Such other facts which the seller deems relevant in the determination of a price for such commodity.

The Territorial Director in the Virgin Islands of the United States may authorize a price which is in line with the maximum prices of other similar sellers of the same or similar commodity, or may, in his discretion, forward the petition to the Administrator for the Ninth Region in Washington, D. C. If a seller objects to a price authorized by the Territorial Director, he must file such objection with the Territorial Office of the Office of Price Administration, St. Thomas, Virgin Islands of the United States within 15 days after the date the notice of price authorization by the Territorial Director was postmarked. If, at the expiration of 30 days from the date the price authorization is signed by the Territorial Director, the Administration for the Ninth Region does not issue an order establishing a maximum price other than the maximum price authorized by the Territorial Director, the seller may thereafter continue to sell such commodity at a price not in excess of the maximum price authorized by the Territorial Director. The Administrator for the Ninth Region may from time to time make such changes in the authorized maximum prices as in his judgment changes in circumstances require. Such increases or decreases in maximum prices shall not have retroactive effect. If a seller objects to a price authorized by the Administrator for the Ninth Region, he may obtain review in accordance with the provisions of Procedural Regulation No. 7.

§ 1418.106 *Records and reports.* * * *

(c) *Lists to be filed.* * * *

(2) Every person offering to sell or deliver to a buyer in the Virgin Islands of the United States commodities not included among the cost-of-living items set forth in § 1499.25, Appendix B, of the General Maximum Price Regulation, and which are not actually produced or manufactured in the Virgin Islands of the United States, shall prepare, not later than March 1, 1943, on the basis of all available information and records, and thereafter keep for examination by any person during ordinary business hours, the following information:

(i) A list of all such commodities offered for sale by such person and the selling price thereof.

(ii) The direct cost, as defined herein, of every such commodity listed.

(iii) The amount of markup which the seller added on sales to a purchaser of the same class for the same commodity during the period November 7, 1941 to December 6, 1941, inclusive, or if the same commodity was not sold to a purchaser of the same class during such period, then the amount of markup the seller added during the last thirty days prior to November 7, 1941, at which a sale was made.

*Copies may be obtained from the Office of Price Administration.

[3] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4337, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 8942, 9004, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317

[4] 7 F.R. 4273, 4541, 4618, 5180, 5716, 6004, 6424, 8948

[1] 7 F.R. 6269, 6744, 8947, 10231.

Any person who claims that substantial injury would result to him from making such statement available to any other person may file on or before March 1, 1943 this information, if such information has not heretofore been filed with the office of Price Administration, St. Thomas, Virgin Islands of the United States.

§ 1418.111 *Applicability of other maximum price regulations.* The provisions of this Maximum Price Regulation No. 201 supersede the provisions of all other maximum price regulations, except where other maximum price regulations provide that notwithstanding Maximum Price Regulation No. 201 such other regulations shall be applicable in the Virgin Islands of the United States.

§ 1418.116 *Effective dates of amendments.* * * *

(e) Amendment No. 5 (§§ 1418.102 (b), 1418.106 (c) (2) and 1418.111) to Maximum Price Regulation No. 201 shall become effective February 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2138; Filed, February 9, 1943; 4:05 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 4 to Supp. Reg. 13[1] of GMPR[2]]

TERRITORIES AND POSSESSIONS

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraph (c) is added to § 1499.202.

§ 1499.202 *Applications for adjustment of maximum prices by sellers in the territories and possessions* * * *

(c) The Regional Administrator of the Office of Price Administration for the Ninth Region, or such other territorial directors or district managers as may be authorized by such regional administrator, are authorized to make adjustments or act upon applications for adjustment under this paragraph (b) above.

§ 1499.203 *Effective dates.* * * *

(e) Amendment No. 4 (§ 1499.202 (c)) to Supplementary Regulation No. 13 to the General Maximum Price Regulation shall become effective February 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2139; Filed, February 9, 1943; 4:05 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5786, 5783, 6058, 6081, 6007, 6216, 6615, 6939, 5794, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.

[2] 7 F.R. 4798, 5058, 5911; 8 F.R. 980.

TITLE 36—PARKS AND FORESTS

Chapter I—National Park Service

PART 3—NATIONAL CAPITAL PARK REGULATIONS

TRAFFIC AND MOTOR VEHICLE REGULATIONS

Pursuant to the authority contained in the act of January 15, 1942 (Public Law 401, 77th Cong., 2d sess.), § 3.11 of Part 3, Title 36, Code of Federal Regulations,[1] is amended by adding thereto a new paragraph (w) reading as follows:

§ 3.11 *Traffic and motor vehicle regulations; horses; penalties.* * * *

(w) No vehicle of any kind shall be parked, stored, or left, whether attended or not, on any public grounds or property, other than public highways, in the District of Columbia which are under the jurisdiction of the National Park Service, except upon proper authorization by the Director of the National Park Service. Any vehicle parked, stored, or left in violation of the provisions of this paragraph is subject to removal and impoundment until the owner thereof, or other duly authorized person, shall deposit collateral in the police court of the District of Columbia for his appearance in said court to answer for such violation. Any person who violates the provisions of this paragraph shall be punished by a fine of not more than $25.

(Pub. Law 401, 77th Cong., 2d sess.)

Issued this 29th day of January 1943.

[SEAL] ABE FORTAS,
Under Secretary of the Interior.

[F. R. Doc. 43-2153; Filed, February 10, 1943; 10:25 a. m.]

[1] 6 F.R. 5116; 7 F.R. 7998.

TITLE 42—PUBLIC HEALTH

Chapter I—United States Public Health Service, Federal Security Agency

PART 21—ARSPHENAMINE AND DERIVATIVES

INTERSTATE AND FOREIGN TRAFFIC

Amendment to regulations for the control of the manufacture, importation, and sale of Arsphenamine and its derivatives, referred to collectively as "The Arsphenamines".

Pursuant to the authority contained in section 4 of the act of July 1, 1902, 32 Stat. 729 (42 U.S.C. 145) and the act of July 2, 1942, 56 Stat. 583 (Public Law 647), Title 42, § 21.1 of the Code of Federal Regulations (section 1 of Regulations for the Control of the Manufacture, Importation, and Sale of Arsphenamine and its Derivatives, Referred to Collectively as "the Arsphenamines", approved June 27, 1938) is hereby amended to read as follows:

§ 21.1 *Interstate and foreign traffic.* The arsphenamines (which term as used in this part means arsphenamine, its derivatives, and other organic arsenic compounds therapeutically analogous thereto) shall not be sold, bartered, or exchanged, or offered for sale, barter, or exchange in the District of Columbia, or sent, carried, or brought for sale, barter, or exchange from any State, Territory, or the District of Columbia, into any State, Territory, or the District of Columbia, or from any foreign country into the United States, or from the United States into any foreign country, except after compliance with the regulations set forth in this part.

[SEAL] JAMES C. MAGEE,
Surgeon General,
U. S. Army.

LUTHER SHELDON, Jr.,
Acting Surgeon General,
U. S. Navy.

THOMAS PARRAN,
Surgeon General, U. S.
Public Health Service.

Approved: Feb. 8, 1943

WATSON B. MILLER,
Acting Federal Security
Administrator.

[F. R. Doc. 43-2158; Filed, February 10, 1943; 11:00 a. m.]

Notices

POST OFFICE DEPARTMENT.

[Order 19687]

RESTRICTIONS ON OVERSEAS SHIPMENTS TO ARMY PERSONNEL

JANUARY 7, 1943.

The War Department has informed the Post Office Department that in view of the heavy demands being made on cargo space for military shipments and because of the limited facilities available to commanders of theatres of operations for delivery of mail, the volume of mail dispatched to overseas destinations must be kept to a minimum. Therefore, in accordance with the recommendations of the War Department, the following restrictions on mail for Army personnel addressed to APO's overseas, other than official shipments and shipments to military agencies, shall become effective January 15, 1943.

1. No parcel exceeding 5 pounds in weight, or 15 inches in length, or 36 inches in length and girth combined, shall be accepted for dispatch to APO's overseas for individuals. (It is contemplated that there will be no exceptions to the weight and size limits for parcels to individuals.)

2. Except as hereinafter provided, no parcels shall be accepted for dispatch to APO's outside the continental United States unless they contain such articles only as are being sent at the specific written request of the addressee, approved by the battalion or similar unit commander of the addressee.

3. Individual copies of newspapers or magazines shall be accepted for dispatch to APO's outside the continental United States only where subscriptions are specifically requested in writing by the addressee or for which subscriptions are now in effect. Such copies to individuals shall be accepted only from publishers who shall place on the wrapper, or on the publication when a wrapper is not used, a certificate (which shall be regarded as sufficient to authorize their acceptance) reading as follows:

Mailed in conformity with P. O. D. Order No. 19687.

4. No circular matter of the third class should be presented for mailing to APO's overseas, as the War Department advises that it will not be dispatched from ports of embarkation.

5. V-Mail will be transmitted, either when microfilmed or in its original form, to all APO's overseas and transported by airplane where such facilities are available. Although letters prepaid at the air mail rate of six cents per half ounce will continue to be transported by airplane as far as the ports of embarkation, the War Department advises that no assurance can be given that such letters, other than V-Mail, will be dispatched by airplane from ports of embarkation to localities overseas served by V-Mail.

Referring to Restriction 2 above, the War Department states that individuals serving overseas desiring to request the mailing of parcels to them will be required to include in their request the following:

1. A general description or name of article requested.

2. The grade or rating, the complete address, and the signature of the individual (addressee) making request.

The request will be presented to the battalion or similar unit commander who will approve it when the circumstances justify. Requests of officers not assigned to organizations or separate units will be approved by the next higher or theatre headquarters. In case the individual making the request is a civilian, the request will be approved by the commanding officer of the installation concerned.

Parcels addressed to individuals at APO's overseas must be accompanied with the approved written request from the addressee as above set forth when presented for mailing. The request shall be postmarked by the accepting employee in such manner as to prevent its reuse and then be returned to the sender.

Discontinuance of Insurance and C.O.D. Services and Curtailment of Registry Service for Army Personnel

No matter addressed to members of the armed forces or other persons receiving mail through APO's overseas shall be accepted as insured or C.O.D. mail.

Similarly, letters or packages containing money or other articles of value except valuable papers addressed to members of the armed forces at such overseas APO's, or to other persons receiving mail through such APO's, shall be refused registration. However, letters containing valuable or important papers may be registered. No postal indemnity will be paid in connection with registered letters containing the valuable or important papers. The public should be warned that it is not advisable to inclose currency in ordinary letters and the use of money order service for remittances recommended.

General Instructions

Mail addressed for delivery to APO's outside the continental United States shall embrace all that which is addressed to such APO's in care of the postmaster at New York, New York, San Francisco, California, Seattle, Washington, New Orleans, Louisiana, Miami, Florida, or Presque Isle, Maine.

Mail of any character originally addressed to individuals at Army posts, camps or stations in the continental United States and received at such places after departure of the addressees for an overseas destination will be forwarded.

The restrictions of this order apply only to personnel of the U. S. Army and to contractors and civilians served though APO's outside the continental United States. They do not apply to mail for personnel of the Navy, Marine Corps or Coast Guard, nor to International mail which will continue until further notice to be subject to the provisions of Order No. 17471 of April 20, 1942, and the general permits thereunder in so far as applicable.

None of the restrictions in this order apply to official shipments and shipments to military agencies overseas nor to any mail from APO's outside the continental United States to points in the United States.

Postmasters shall return to the senders, marked "Dispatch prohibited by Order No. 19687" any prohibited matter obviously accepted for mailing after January 15, 1943.

This action is prompted by military necessity and it is believed that the public will cheerfully comply.

[SEAL] FRANK C. WALKER,
Postmaster General.

[F. R. Doc. 43-2144, Filed, February 10, 1943; 10:29 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No A-1409]

CARL NYMAN

ORDER REDESIGNATING TRIAL EXAMINER AND CHANGING PLACE OF HEARING

In the matter of the petition of Carl Nyman, a code member in District No. 20 for revision of the minimum prices for the coals, for truck shipment, produced from the National Mine (Mine Index No. 179), in District No. 20, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

A hearing upon the original petition in the above-entitled matter convened at Washington, D. C., on July 21, 1942 pursuant to a Notice of and Order for Hearing entered therein on May 2, 1942 as amended by the Order of June 3, 1942.

Carl Nyman, code member producer in District No. 20, the original petitioner, was not represented at the above-mentioned hearing, nor was any evidence introduced in support of the relief requested in the original petition. Accordingly, the hearing was continued pending further order of the Director.

It appearing that a change in the place of hearing in this matter will not result in inconvenience to either the Division or interested persons;

Now, therefore, it is ordered, That the place of hearing in the above-entitled matter be, and it hereby is, changed from Washington, D. C. to a hearing room of the Division at Courthouse, Salt Lake County, Salt Lake City, Utah.

It is further ordered, That the hearing in the above-entitled matter be resumed on March 27, 1943 at 10 o'clock in the forenoon of that day at the place above designated.

It is further ordered, That D. C. McCurtain shall preside at such hearing vice Edward J. Hayes.

Dated: February 9, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R Doc. 43-2175; Filed, February 10, 1943; 11:21 a. m.]

[Docket No. B-277]

MARKET STREET COAL CO.

ORDER RESCHEDULING HEARING AND REDESIGNATING TRIAL EXAMINER

In the matter of J. H. Cox & R. L. Stulce, individually and as partners doing business under the name and style of Market Street Coal Company, Code Member.

The hearing in the above-entitled matter having been postponed by an Order issued herein dated October 15, 1942, to a time and place to be thereafter designated by an appropriate order; and

The Director deeming it advisable that said hearing should now be rescheduled;

Now, therefore, it is ordered, That the hearing in the above-entitled matter shall be held on March 19, 1943, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Court House, Chattanooga, Tennessee; and

It is further ordered, That Charles O. Fowler, or any other officer of the Bituminous Coal Division that may be duly designated shall preside at said hearing vice the officer or officers heretofore designated; and

It is further ordered, That the notice of and Order for Hearing issued June 25, 1942, shall, in all other respects, remain in full force and effect.

Dated: February 9, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2171, Filed, February 10, 1943, 11:20 a. m.]

[Docket No. B-280]

KIRKPATRICK COAL CO.

NOTICE OF AND ORDER FOR HEARING

In the matter of Kirkpatrick Coal Company, Registered Distributor, Registration No. 5103.

The Bituminous Coal Division (the "Division") finds it necessary in the proper administration of the Bituminous Coal Act (the "Act") and the Bituminous Coal Code (the "Code") promulgated thereunder, to determine:

A. Whether Kirkpatrick Coal Company, Registered Distributor, Registration No. 5103, (the "Registered Distributor") whose address is Dermon Building, Memphis, Tennessee, has violated any provisions of the Act, and orders, rules and regulations of the Division promulgated thereunder, the Marketing Rules and Regulations and Rules and Regulations for the Registration of Distributors and the Distributor's Agreement (the "Agreement"), dated July 21, 1939 and filed by the Registered Distributor pursuant to an order of the National Bituminous Coal Commission dated March 24, 1939 and adopted as an order of the Bituminous Coal Division by order of the Secretary of the Interior, dated July 1, 1939, and particularly, whether, subsequent to November 14, 1939, the effective date of registration of the Registered Distributor,

1. During the period March 7, 1941 to April 30, 1941, both dates inclusive, while acting as agent for the Kentucky Coal Agency, Madisonville, Kentucky, and as sub-agent for the Beech Creek Coal Company, Code Member, pursuant to a sales agency agreement dated September 28, 1940 and filed with the Division on October 22, 1940 between said Code Member and the Registered Distributor, and a sub-sales agency agreement dated September 13, 1938 between said Code Member, the Registered Distributor and the Kentucky Coal Agency filed with the Division on December 11, 1941, the Registered Distributor sold for railway locomotive fuel use approximately 519.85 net tons of various sizes of double-screened and lump coal produced at the Beech Creek Mine, Mine Index No. 1, to the Louisville-Nashville Railroad Company, Seaboard Airlines Railroad Company and Gulf Mobile and Ohio Railroad Company at prices ranging from $1.49 to $1.65 per net ton f. o. b. the mine, which coal was substituted for mine run coal having a lower minimum price than lump and double-screened coal, and failed to file immediately with the Statistical Bureau for District No. 9 applications for such substitutions. In said transactions the applicable minimum f. o. b. mine price for said lump and double-screened coal was $1.80 per net ton as set forth in the Schedule of Effective Minimum Prices for District No. 9 for All Shipments Except Truck. Each such transaction was a violation of section 4 II (e) of the Act and Part II (e) of the Code and Rule 1 of section XI of the Marketing Rules and Regulations resulting in a violation by the Registered Distributor of paragraphs (b) and (e) of the Agreement.

2 During the period November 8, 1940 to May 12, 1941, both dates inclusive, while acting as agent for the Kentucky Coal Agency, Madisonville, Kentucky, and as sub-agent for the said Beech Creek Coal Company, pursuant to the said sales agency agreement and said sub-sales agency agreement, the Registered Distributor sold approximately 16233.05 net tons of various sizes of coal produced at the Beech Creek Mine and intentionally misrepresented the sizes thereof by falsely recording on the invoices therefor sizes other than those actually sold and shipped. Each such transaction was a violation of section 4 II (i) 8 of the Act, Part II (i) 8 of the Code, Rule 2 of section XII and Rule 8 of section XIII of the Marketing Rules and Regulations, resulting in a violation by the Registered Distributor of paragraphs (c) and (e) of the Agreement.

3. During the period December 27, 1940 to June 30, 1941, both dates inclusive, while acting as sales agent for the Pine Hill Mining Company, Code Member, pursuant to a sales agency agreement dated September 28, 1940, filed with the Division on October 21, 1940, the Registered Distributor sold for railway locomotive fuel use approximately 698.85 net tons of double-screened coal produced at the Pine Hill Mine, Mine Index No. 320, in District No. 9, to the Illinois Central Railroad Company and Columbus & Greenville Railroad Company at prices ranging from $1.49 to $1.65 per net ton f. o. b. the mine which coal was substituted on order for mine run coal having lower minimum prices than double-screened coal, and failed to file immediately with the Statistical Bureau for District No. 9 application for such substitutions. In said transactions the applicable minimum f. o. b. mine price for double-screened coal was $1.80 per net ton as set forth in the Schedule of Effective Minimum Prices for District No. 9 for All Shipments Except Truck as amended by temporary Supplement "R" annexed to and made a part of the Order of the Director dated November 28, 1940 entered in Docket No. A-257 which Supplement became final by Order of the Director in said docket dated January 10, 1941. Each such transaction was a violation of section 4 II (e) of the Act and Part II (e) of the Code and Rule 1 of section XI of the Marketing Rules and Regulations, resulting in a violation by the Registered Distributor of paragraphs (b) and (e) of the Agreement.

4. During the period February 7, 1941 to March 25, 1941, both dates inclusive, while acting as sales agent for the said Pine Hill Mining Company, pursuant to the said sales agency agreement dated September 28, 1940, the Registered Distributor sold for shipment by rail to various purchasers substantial quantities of various sizes of coal produced at the aforesaid Pine Hill Mine which coal was layer loaded on railroad freight cars and sold at the effective minimum price for the smallest size of coal loaded into each car to the following purchasers: Federal Compress & Whsl Co., Car Nos. IC129791, IC82809 and IC215526; Dyersburg Oil Company, Car No. IC215364; and the Finance Officer, U. S. Army, Car Nos. IC216888 and IC83817, whereas said coal should have been sold at the effective minimum price for each size of coal loaded into said cars, and intentionally misrepresented the sizes of said coal in that it was falsely recorded on invoices therefor as the smallest size loaded on said car. Each such transaction was a violation of section 4 II (e) and (i) 8 of the Act, Part II (e) and (i) 8 of the Code, Rule 2 of section XII and Rule 8 of section XIII of the Marketing Rules and Regulations, resulting in a violation by the Registered Distributor of paragraphs (b), (c) and (e) of the Agreement.

5. During the period December 3, 1940 to June 24, 1941, both dates inclusive, while acting as sales agent for the said Pine Hill Mining Company, pursuant to the said sales agency agreement dated September 28, 1940, the Registered Distributor sold approximately 11,251 net tons of coal produced at the aforesaid Pine Hill Mine and intentionally misrepresented the sizes of said coal by falsely recording on the invoices therefor sizes other than those actually sold and shipped. Each such transaction was a violation of section 4 II (i) 8 of the Act, Part II (i) 8 of the Code, Rule 2 of section XII and Rule 8 of section XIII of the Marketing Rules and Regulations, resulting in a violation by the Registered Distributor of paragraphs (c) and (e) of the Agreement.

B. Whether or not the registration of said Kirkpatrick Coal Company should be revoked or suspended, or other appropriate penalties should be imposed.

It is, therefore, ordered, That a hearing pursuant to § 304.14 of the Rules and Regulations for the Registration of Distributors to determine whether or not the aforementioned Kirkpatrick Coal Company has committed violations in the respects heretofore described, or either of them, and whether or not the registration of said distributor should be revoked or suspended or other appropriate penalties be imposed, be held at Room 306, P. O. Bldg., Memphis, Tenn. on March 17, 1943, at 10 a. m.

It is further ordered, That Charles O. Fowler, or any other officer or officers of the Bituminous Coal Division, duly designated for that purpose, shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact, and conclusions and recommendation of an appropriate order in the premises and to perform all other duties therewith authorized by law.

Notice of such hearing is hereby given to said Kirkpatrick Coal Company and to all persons and entities having an interest in such proceeding.

Notice is hereby given that answer setting forth the position of the aforementioned Kirkpatrick Coal Company, with reference to the matters hereinbefore described, must be filed with the Bituminous Coal Division at its Washington Office or with any one of the field offices of the Division within twenty (20) days after date of service hereof on Kirkpatrick Coal Company, and that failure to file an answer herein within such period unless the presiding officer shall otherwise order, shall be deemed to be an admission by Kirkpatrick Coal Company of the commission of the violations hereinbefore described and consent to an entry of an appropriate order thereon.

Notice is also hereby given that any application or applications pursuant to § 301.132 of the rules of practice and procedure before the Division for the disposition of this proceeding without formal hearing must be filed not later than fif-

teen (15) days after receipt by said Distributors of this Notice of and Order for Hearing.

All persons are hereby notified that the hearing in the petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Dated: February 9, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-2172; Filed, February 10, 1943; 11:20 a. m.]

[Docket No. B-311]

WERNER BROTHERS

ORDER RESCHEDULING HEARING AND REDESIGNATING TRIAL EXAMINER

In the matter of Fred J. Werner, also known as Fred Werner, Jr., and William J. Werner, individually and as partners doing business under the name and style of Werner Brothers, Code Member.

The hearing in the above-entitled matter having been postponed by an Order issued herein dated November 27, 1942, to a time and place to be thereafter designated by an appropriate order; and

The Director deeming it advisable that said hearing should now be rescheduled;

Now, therefore, it is ordered, That the hearing in the above-entitled matter shall be held on March 10, 1943, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Daviess Circuit Court, Owensboro, Kentucky; and

It is further ordered, That Charles O. Fowler, or any other officer of the Bituminous Coal Division that may be duly designated shall preside at said hearing vice the officer or officers heretofore designated; and

It is further ordered, That the Notice of and Order for Hearing issued September 25, 1942, shall, in all other respects, remain in full force and effect.

Dated: February 6, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-2170; Filed, February 10, 1943; 11:17 a. m.]

[Docket No. 1624-FD]

COAL HILL MINING CO., INC.

ORDER WITHDRAWING NOTICE OF AND ORDER FOR HEARING, CANCELLING HEARING, AND TERMINATING MATTER WITHOUT PREJUDICE

In the matter of Coal Hill Mining Co., Inc., Registration No. 1675.

The above-entitled matter having been instituted by Notice of and Order for Hearing dated April 24, 1941, and the hearing herein having been indefinitely postponed by subsequent order of the Director to a date and place to be thereafter designated by an appropriate order; and

It appearing that certain of the transactions set forth in the said Notice of and Order for Hearing were the subject of a final order of the Director entered in the matter of Coal Hill Mining Co., Inc., Registered Distributor, Registration No. 1675, Docket No. B-308, on February 3, 1943, providing, among other things, for suspension of the registration of said Coal Hill Mining Co., Inc. as a registered distributor, and that the Order of the Division indicated in the instant proceeding to have been violated by said Coal Hill Mining Co., Inc. is the same Order of the Division, among others, found by the Director in said Docket No. B-308 to have been violated by the said distributor; and

It appearing to the Director that said Notice of and Order for Hearing should be withdrawn and the above-entitled matter should be terminated without prejudice;

Now, therefore, it is ordered, That the said Notice of and Order for Hearing dated April 24, 1941, be and the same hereby is withdrawn;

It is further ordered, That the hearing heretofore scheduled in the above-entitled matter be and it hereby is cancelled; and

It is further ordered, That the above-entitled matter be and the same is terminated without prejudice.

Dated: February 9, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-2173; Filed, February 10, 1943; 11:21 a. m.]

[Docket No. C-21]

CHICAGO RETORT & FIRE BRICK CO.

ORDER POSTPONING HEARING UNTIL FURTHER ORDER

In the matter of the application of Chicago Retort & Fire Brick Company for exemption pursuant to section 4-A of the Bituminous Coal Act of 1937.

An application for a determination of the status of the coal produced at a mine of Chicago Retort & Fire Brick Company in La Salle County, Illinois, District No. 10, having been filed by the above-named applicant pursuant to the second paragraph of section 4-A of the Bituminous Coal Act of 1937; and

A hearing in this matter having been scheduled to be held on February 25, 1943; and

It appearing appropriate that said hearing should be postponed until further order;

Now, therefore, it is ordered, That the hearing in the above-entitled matter, heretofore scheduled to be held on February 25, 1943, be, and it hereby is, postponed until further order.

Dated: February 9, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-2174; Filed, February 10, 1943; 11:21 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3629).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the determination and order or regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective February 11, 1943. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry

Barson & Bishop, Railroad Street, Lehighton, Pennsylvania; Ladies' shirt waists, blouses, sportswear; 10 percent (T); February 11, 1944.

The C. B. Cones & Son Manufacturing Company, 18-24 N. Senate Ave., Indianapolis, Indiana; Overalls, work shirts, coveralls, pants; 10 percent (T); February 11, 1944.

M. Janowitch & Sons, Main and Market Streets, Mahanoy City, Pennsylvania; Ladies' dresses and blouses; 10 percent (T); February 11, 1944.

William J. Knorr, 6th and Colliery Avenue, Tower City, Pennsylvania; Sport shirts and jackets; 10 learners (T); February 11, 1944.

Riverside Manufacturing Company, W. Central Avenue, Moultrie, Georgia; Work trousers, shirts and one-piece suits; 10 learners (T); February 11, 1944.

The Roleir-Alko Company, 350 N. 16th Street, Philadelphia, Pennsylvania; Men's shirts, pajamas and shorts; 10 percent (T); February 11, 1944.

Suffolk Overall Company, Inc., Eugenie and Newport Streets, Suffolk, Virginia; Overalls, pants and coveralls; 10 learners (T); February 11, 1944.

Tri-State Garment Corporation, 106 Vine Street, Evansville, Indiana; Trousers; 50 learners (E); August 11, 1943.

Knitted Wear

Intermountain Knitting Mills, Inc., 1879 Washington Blvd., Ogden, Utah; Fabric and knitted outerwear; 5 learners (T); February 11, 1944.

Signed at New York, N. Y., this 9th day of February 1943.

MERLE D. VINCENT, *Authorized Representative of the Administrator.*

[F. R. Doc. 43-2143; Filed, February 10, 1943; 9:24 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

KATE B. MANN TUCKING

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective February 11, 1943.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS

LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE

Kate B. Mann Tucking, 614 West 9th Street, Los Angeles, California; Embroidery; 1 learner (T); Tucking Machine Operations for a learning period of 320 hours at 30¢ per hour until April 22 1943.

Signed at New York, N. Y., this 9th day of February 1943.

MERLE D. VINCENT, *Authorized Representative of the Administrator.*

[F. R. Doc. 43-2142; Filed, February 10, 1943; 9:24 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket Nos. 9-401 (B)-2, 465]

EASTERN AIR LINES, INC., AND TRANSCONTINENTAL & WESTERN AIR, INC.

NOTICE OF ORAL ARGUMENT

In the matter of the applications of Eastern Air Lines, Inc., and Transcontinental and Western Air., Inc., for certificates of public convenience and necessity under section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said Act, in the above-entitled proceeding, that oral argument is assigned to be held on February 24, 1943, at 10 a. m. (eastern war time) in Room 5042, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated Washington, D. C., February 9, 1943.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS, *Acting Secretary.*

[F. R. Doc. 43-2177; Filed, February 10, 1943; 11:32 a. m.]

[Docket Nos. 433, 468]

UNITED AIR LINES TRANSPORT CORP., AND TRANSCONTINENTAL AND WESTERN AIR., INC.

NOTICE OF ORAL ARGUMENT

In the matter of the applications of United Air Lines Transport Corporation and Transcontinental and Western Air., Inc., for certificates of public convenience and necessity under section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said Act, in the above-entitled proceeding, that oral argument is assigned to be held on February 25, 1943, at 10 a. m. (eastern war time) in Room 5042, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated Washington, D. C., February 9, 1943.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS, *Acting Secretary.*

[F. R. Doc. 43-2178; Filed, February 10, 1943; 11:32 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6487]

PARKER BROTHERS & CO. INC. (WDUG)

NOTICE OF HEARING

In re application of: Parker Brothers & Co., Inc. (WDUG); dated December 9, 1942; for renewal of license; class of service, ship; class of station, ship; location, Houston, Texas (Gulf Area); operating assignment specified: frequency, 2100-2800 kcs.; power, 100 w.; emission, A-3.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reason:

Whether or not the facilities and operation of Station WDUG are in compliance with §§ 8.27, 8.35 (a), and 8.109 of the Commission's Rules and Regulations.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Parker Brothers & Co., Inc., 5303 Navigation Street, Houston, Texas.

Dated at Washington, D. C., February 8, 1943.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 43-2159; Filed, February 10, 1943; 10:54 a. m.]

FEDERAL SECURITY AGENCY.

Food and Drug Administration.

[Docket No. 29 (a)]

DEFINITIONS AND STANDARDS OF IDENTITY FOR CREAM CHEESE, NEUFCHATEL CHEESE, COTTAGE CHEESE, AND CREAMED COTTAGE CHEESE

NOTICE OF POSTPONEMENT OF HEARING

The E. I. du Pont de Nemours & Company, by its attorney, having applied for postponement of the date for holding the above-entitled hearing, heretofore ordered to be held on March 2, 1943, and having shown grounds for its request;

Now, therefore, it is ordered, That the date for holding the above-entitled hearing be and hereby is postponed to April 6, 1943, and that it begin at 10:00 A. M. on that day.

[SEAL] WATSON B. MILLER, *Acting Administrator.*

FEBRUARY 8, 1943.

[F. R. Doc. 43-2157; Filed, February 10, 1943; 10:59 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4857]

PLAZA LUGGAGE & SUPPLY CO., INC., AND U. S. LUGGAGE & LEATHER PRODUCTS CO.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in

tion No. 1675, Docket No. B–308, on Feb-

the Fair Labor Standards Act of 1938.

ruary 11, 1944.

the City of Washington, D. C., on the 9th day of February A. D. 1943.

In the matter of Plaza Luggage & Supply Company, Inc., a corporation; Benjamin Goldstein and Abraham Goldstein, copartners, trading and doing business as U. S. Luggage & Leather Products Company.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A. section 41),

It is ordered, That Randolph Preston, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, March 9, 1943, at ten o'clock in the forenoon of that day (Eastern Standard Time) in Hearing Room, Hotel St. George, Brooklyn, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B JOHNSON,
Secretary.

[F. R. Doc. 43–2176; Filed, February 10, 1943; 11:30 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Suspension Order 209]

JOSEPH MEADE

ORDER RESTRICTING TRANSACTIONS

Joseph Meade, Thirty-fourth and Spring Garden Streets, Philadelphia, Pennsylvania, hereinafter called respondent, was duly served with a notice of charges of violations of Ration Order No. 5A, Gasoline Rationing Regulations, issued by the Office of Price Administration. Pursuant to the notice, a hearing upon the charges was held in Philadelphia, Pennsylvania, on December 2, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been considered by the Chairman of the Industry Council, It is hereby determined that:

(a) Respondent is a dealer in gasoline and operates a filling station located at Thirty-fourth and Spring Garden Streets, Philadelphia, Pennsylvania.

(b) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations, (§ 1394.1502) in that between July 22, 1942, and November 4, 1942, at the aforesaid station, respondent transferred and delivered gasoline into the fuel tanks of motor vehicles and accepted in exchange therefor 100 Class A, No. 3 gasoline ration coupons.

Because of the great scarcity and critical importance of gasoline in eastern Pennsylvania, respondent's violations of Ration Order No. 5A, Gasoline Rationing Regulations, have resulted in the diversion of gasoline from military and essential civilian uses into non-essential uses, in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Chairman of the Industry Council that further violations by respondent are likely unless appropriate administrative action is taken. *It is therefore ordered:*

(c) During the period in which this Suspension Order No. 209 shall be in effect,

(1) Respondent shall not in any manner directly or indirectly sell, transfer or deliver, any gasoline to any person.

(2) Respondent shall not accept any deliveries or transfers of, or in any manner directly or indirectly receive from any source any gasoline for resale.

(3) No person, firm, or corporation shall deliver, or in any manner directly or indirectly transfer any gasoline to respondent for resale.

(d) Any terms used in this Suspension Order No. 209 that are defined in Ration Order No. 5A, Gasoline Rationing Regulations, shall have the meaning therein given them.

(e) This Suspension Order No. 209 shall become effective 12:01 A. M. February 19, 1943, and unless sooner terminated, shall expire 12:01 A. M. March 6, 1943.

(Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); WPE Dir. No. 1 and Supp. Dir. No. 1Q (7 F.R. 9121))

Issued this 9th day of February 1943.

LOUIS H. HARRIS,
Chairman of the Industry Council.

[F. R. Doc. 43–2124; Filed, February 9, 1943; 12:52 p. m.]

Regional Office, Region I.

[Emergency Order 1, Amendment 1 Under Ration Order 11]

KEROSENE SHORTAGE IN NEW ENGLAND AREA

Pursuant to the authority conferred upon the Regional Administrator by § 1394.5715 of Ration Order No. 11, as amended, paragraphs (a) and (f) of Emergency Order No. 1 are amended to read as follows:

(a) *Findings.* The Regional Administrator finds that in the States of Connecticut, Massachusetts and Rhode Island and in the Counties of Belknap, Cheshire, Hillsboro, Merrimack, Rockingham, Sullivan and Strafford in the State of New Hampshire (hereinafter referred to as the kerosene shortage area) as the result of the continuing inadequacy of supply, there still exists in such area an emergency in the transportation and distribution of No. 1 fuel oil, (commonly known as range oil or kerosene), hereinafter referred to as kerosene, which endangers the public health, the public welfare and the war effort.

(f) *Effective period.* Emergency Order No. 1 shall terminate at 12:00 p. m. February 17, 1943 unless extended by further order.

Effective date of Amendment 1. Amendment 1 to Emergency Order No. 1 shall become effective February 8, 1943

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1–O, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719, Ration Order No. 11, 7 F.R. 8480)

Issued this sixth day of February 1943.

KENNETH B. BACKMAN,
Regional Administrator.

[F. R. Doc. 43–2123; Filed, February 9, 1943, 12:53 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54–64, 59–60]

INDIANA HYDRO-ELECTRIC POWER CO

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 6th day of February 1943

In the matter of Indiana Hydro-Electric Power Company; Hugh M. Morris, trustee of the estate of Midland United Company.

Indiana Hydro-Electric Power Company, a subsidiary of Hugh M. Morris, Trustee of the Estate of Midland United Company, a registered holding company, having filed an application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, for approval of a plan of recapitalization of said Indiana Hydro-Electric Power Company; and the Commission having issued, on December 23, 1942, an order for hearing on such plan, and an order instituting proceedings and for hearing under sections 11 (b) (2), 15 (f), and 20 (a) with respect to Indiana Hydro-Electric Power Company and Hugh M. Morris, Trustee of the Estate of Midland United Company; and said order having consolidated the matters and designated February 16, 1943, as the date for public hearing in the consolidated matters embraced by said order; and

Hugh M. Morris, Trustee of the Estate of Midland United Company, having requested that the hearing in this matter be postponed; and the Commission having considered said request and deeming it appropriate that said request be granted, and that the hearing be postponed to April 5, 1943;

It is ordered, That the hearing in this matter, previously scheduled for February 16, 1943, be and hereby is postponed to April 5, 1943, at the same time and place and before the same trial examiner as heretofore designated.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43–2141; Filed, February 9, 1943; 2:23 p. m.]

[File No. 70–611]

ASSOCIATED ELECTRIC COMPANY AND LOUISIANA PUBLIC UTILITIES CO., INC.

ORDER AUTHORIZING TRANSFER OF SECURITIES AND ASSETS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 5th day of February, A. D. 1943.

The Commission having on December 30, 1942, issued its order herein (Holding Company Act Release No. 4031) with respect to the sale and transfer by Associated Electric Company of the following securities and assets owned by said company:

Common stock of Louisiana Public Utilities Company, no par value, 11 000 shares stated at	$535, 000
First Mortgage Gold Bonds, 6%, due December 1, 1945, issued by Louisiana Public Utilities Company, principal amount	2, 892, 000
Open account indebtedness owed by Louisiana Public Utilities Company, bearing interest when, as and if earned, principal amount (as of August 31, 1942)	1, 431, 884

Associated Electric Company having requested that the Commission supplement such order so as to set forth the recitals specified in, and conform to, Sections 371 (b), 373 (a), and 1808 (f) of the Revenue Code as amended, and the Commission finding that the foregoing securities and assets constitute all the interest of Associated Electric Company in Louisiana Public Utilities Company; that the transfer thereof in accordance with the terms and conditions of said order dated December 30, 1942, is necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, and to effectuate a certain divestment order (Holding Company Act Release No. 3729) issued by the Commission August 13, 1942, pursuant to said section, in a proceeding entitled "In the Matter of Denis J. Driscoll and Willard L. Thorp, as Trustees of Associated Gas and Electric Corporation, Respondents, File No. 59–32;" and that said transfer by Associated Electric Company is necessary or appropriate to the integration or simplification of the holding company system, of which said transferor corporation is a member, within the meaning of section 371 (b) of the Revenue Code as amended, and is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, within the meaning of section 1808 (f) of the Revenue Code as amended;

It is hereby ordered, That said order of the Commission dated December 30, 1942, and the instant order shall be deemed to supplement said divestment order dated August 13, 1942; and that said order of the Commission, dated December 30, 1942, be, and is hereby, supplemented so as to include as part thereof the foregoing findings; and that on the basis of said findings, the sale and transfer of the securities and assets above described be and they hereby are authorized, permitted, and approved to effectuate the provision of section 11 (b) of the Public Utility Holding Company Act of 1935, within the meaning of section 373 (a) of the Revenue Code as amended.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43–2140; Filed, February 9, 1943; 2:23 p. m.]

WAR MANPOWER COMMISSION.

RECRUITMENT, TRAINING AND EMPLOYMENT OF WOMEN WORKERS

The increase in our armed forces and the expansion of the war production program necessitate the maximum utilization of our labor resources. The present number of gainfully employed workers, both men and women, is inadequate to fill even the immediate requirements of the war production program. In many areas the lack of adequate housing and transportation facilities compels full use of the local labor supply. These considerations require that substantially increased numbers of women be employed in gainful occupations in war production and essential civilian employment, especially in areas of labor scarcity. The recruitment and training of women workers must be greatly expanded and intensified. In carrying out this program for the utilization of women workers, normal family life should be preserved and maintained to the maximum extent consistent with all-out production. The active cooperation of Government agencies, educational institutions, management, labor, and women able to accept employment is essential.

To promote the rapid and orderly induction of women into the labor market and to insure their subsequent employment and training opportunities, the War Manpower Commission hereby declares as basic national policies for the recruitment, referral, training and employment of women that:

I. *Recruitment and referral of women workers.* (a) Qualified women who are unemployed and who are registered in local offices of the United States Employment Service be referred to employment and training opportunities on a basis of equality with men, due regard being given to their qualifications for the available work, to the physical requirements of the occupations, and to working conditions;

(b) Women without children under 14 years of age be actively recruited for employment and training, but this principle shall not be construed to mean that women who are responsible for the care of young children and who desire work are to be deprived of an opportunity for training or employment;

(c) Special efforts to secure the employment of women with young children be deferred until all other sources of local labor supply have been exhausted, in order that established family life will not be unnecessarily disrupted;

(d) In those areas in which industrial concentration and lack of housing, transportation, and other community facilities compels the fullest utilization of every labor resource in the locality, every effort be made to utilize fully, women qualified and able to contribute to war production or essential civilian employment before workers are recruited from outside the locality;

(e) Adequate facilities be provided for the care of the children of working mothers, which facilities should be developed as approved community projects and not under the auspices of individual employers or employer groups;

(f) Every effort be made to recruit and refer women, including older women, for employment or training on the basis of their qualification for an occupation without discrimination because of race, national origin, or creed.

II. *Training of women workers.* (a) Where pre-employment training is desirable and employment opportunities are or will be available, women be referred to war production pre-employment training courses conducted by public vocational schools on a basis of equality with men; that is, on the basis of their qualification for the occupation in which training is offered, due consideration being given to the physical requirements of the occupation;

(b) Women be admitted on a basis of equality with men to enrollment in the Engineering, Science, and Management War Training Program conducted by colleges, universities, and technical schools in cooperation with the United States Office of Education;

(c) Women workers now employed be encouraged to enroll in supplementary war training courses conducted by public vocational schools, in order that a greater number of women may prepare themselves for additional responsibilities and for upgrading within the plant;

(d) Women participate equally with men in plant training programs. Such programs should include adequate induction training, on-the-job training, upgrading, training for women foremen and supervisors, and technical training.

III. *Employment of women workers.* (a) Management and labor organizations remove all barriers to the employment of women in any occupation for which they are or can be fitted;

(b) Every method available be utilized to assure that women workers be completely accepted as a part of the Nation's manpower needed for all-out production;

(c) In order to provide a basis for efficient selection of women for training and job assignment and to increase the number of women employed, management immediately analyze all occupations within the plant from the unskilled to the technical levels; determine the types of work that women could do; take steps to prepare the plant for the maximum employment of women; consult with its supervisory staff and representatives of its employees' labor organizations in order to promote acceptance of women as co-workers and to help new women employees adjust to their working environment; and periodically review practices and policies and make such additional adjustments as are necessary to obtain full utilization of women;

(d) Wage rates, including the entrance rate, be determined for all work-

ers on the basis of the work performed, irrespective of sex;

(e) The following basic principles whether or not incorporated in State laws and regulations be applied and preserved in order to promote maximum production efficiency and to safeguard the health and welfare of women workers:

(1) One day of rest in seven;

(2) An 8-hour shift and a maximum 48-hour week, except to the extent that temporary exemptions under adequate safeguards are necessary to meet emergencies;

(3) Adequate meal and rest periods or time, and proper facilities therefor; adequate medical care and other safeguards for health and safety;

(f) Every reasonable effort be made to adjust assignments to shifts of women with young children, in such manner as will cause the least disruption in their family life.

IV. *Women able to accept employment.* (a) Upon advice from a representative of the War Manpower Commission that additional women workers are required in their locality because of existing or imminent labor shortages, all women able to accept employment register for employment or training with the nearest local office of the United States Employment Service;

(b) Women interested in work outside their locality not leave their own community in search of work or training in another community without first:

(1) Registering for employment at the nearest local office of the United States Employment Service; and

(2) Securing advice from such office that such work or training is available.

PAUL V. MCNUTT,
Chairman.

OCTOBER 17, 1942.

[F. R. Doc. 43-2154; Filed, February 10, 1943; 10:45 a. m.]

EMPLOYMENT OF WOMEN WITH YOUNG CHILDREN

Amendments to Policy on Employment in Industry of Women with Young Children.

By virtue of the authority vested in me as Chairman of the War Manpower Commission by Executive Orders No. 9139 and 9279, the "Policy on Employment in Industry of Women with Young Children" approved by the War Manpower Commission on July 29, 1942, is hereby amended to read as follows:

The expansion of the war production program, as well as the increasing requirements of our armed forces, necessitates the maximum utilization of our labor resources. In many areas the lack of adequate housing and transportation facilities compels full use of the local labor supply. These considerations make it necessary to employ large numbers of women in gainful occupations useful to the war effort. Appropriate measures have been and are being taken to provide for the recruitment and training of additional women. Prospective war production schedules indicate that such measures must be considerably expanded and intensified. In carrying out the Nation's program for the utilization of women workers, it is important that to the maximum extent, normal family life be preserved and maintained.

To promote that end, and to promote the effective mobilization and maximum utilization of the Nation's manpower in the prosecution of the war, the War Manpower Commission hereby declares the following basic policies:

I. The first responsibility of women with young children, in war as in peace is to give suitable care in their own homes to their children.

II. In order that established family life may not be unnecessarily disrupted, special efforts to secure the employment in industry of women with young children should be deferred until full use has been made of all other sources of labor supply.

III. Barriers against the employment of women with young children should not be set up by employers. The decision as to gainful employment should in all cases be an individual decision made by the woman herself in the light of the particular conditions prevailing in her home.

IV. Whenever it is found that women with young children are gainfully employed in essential activities, or that the labor requirements of essential activities have not been met after the exhaustion of all other sources of labor supply and that to meet such requirements, women with young children must be recruited, it is essential that:

(a) Such women be employed at such hours, on such shifts or on such part-time schedules as will cause the least disruption in their family life; and

(b) If any such women are unable to arrange for the satisfactory care of their children at home during their working hours, adequate facilities be provided for the care of their children during working hours. Such facilities should be developed as community projects and not under the auspices of individual employers or employer groups.

PAUL V. MCNUTT,
Chairman.

JANUARY 13, 1943.

[F. R. Doc. 43-2155; Filed, February 10, 1943; 10:45 a. m.]

EMPLOYMENT OF YOUTH UNDER 18 YEARS OF AGE

The necessary expansion of our military and industrial personnel requires maximum utilization of all available and potential sources of labor. These potential sources include youth between the ages of 14 and 18 years whose services would not be immediately required in normal times. If employed, however, it should be only under conditions which adequately safeguard their physical and intellectual development.

The first responsibility and obligation of youth under 18 even in war time is to take full advantage of their educational opportunities in order to prepare themselves for war and post-war services and for the duties of citizenship. It is essential that young people have the fullest possible opportunity consistent with the war effort to complete their education. Those with special aptitudes and capacity for further training should continue their education in order to develop their maximum abilities applicable to war and post-war needs.

In most cases youth under 18 can best contribute to the war program by continuing in school and, when their services are required, accepting vacation and part-time employment. However, it is recognized that the demands of the war period will increase the number who in normal times leave school to enter full-time employment before reaching 18. In any case, all forms of employment of such youth, including employment in agriculture, must be specially safeguarded. Their services must be used in such ways as to bring about their maximum contribution to manpower needs consistent with the protection of their health and welfare and the fullest utilization and development of their aptitudes, abilities, and interests. The achievement of those objectives requires the active cooperation of young people, their parents, Government agencies, educational authorities, management and labor.

To promote proper utilization of the labor resources of youth with due regard to the welfare of youth and the future needs of the Nation, the War Manpower Commission hereby declares as basic National policy that:

1. School attendance laws and child-labor standards embodied in State and Federal laws be preserved and enforced, and the minimum standards hereinafter listed not be construed to warrant any relaxation of these laws or lowering of the standards embodied in them;

2. No one under 14 years of age be employed full-time or part-time as a part of the hired labor force;

3. Youth under 18 years of age be employed only:

a. After the employer obtains proof of age in the form of employment or age certificates or, in case such certificates are not legally required, other reliable evidence;

b. In work suited to their age and strength, avoiding all occupations that are hazardous or detrimental to health or welfare;

c. Where provision is made for adequate meal and rest periods of time, and facilities therefor, adequate sanitary facilities; and safeguards for health and safety;

d. For periods suited to their age and strength, and in no case for more than 8 hours a day or 6 consecutive days, except as deviations may be necessary where the worker is engaged in continuing farm work of a non-seasonal character and is domiciled at the place of employment, or except as temporary departures from the above standard under adequate safeguards, where permitted for youth aged 16 and 17 under existing Federal or State laws, rules or regulations, may be necessary to meet a special emergency;

e. During hours of day not detrimental to their health and welfare; and

f. At wages paid adult workers for similar job performance;

4. Youth aged 14 or 15 be employed only when, in addition to the foregoing conditions;

a. Qualified older workers are not available; and

b. The employment is not in manufacturing or mining occupations;

5. In-school youth be employed only to the extent that the combined school and work activities involve no undue strain, and that combined school and work hours, at least for youth under 16, not exceed 8 a day;

6. In-school youth not be employed during school hours unless the Area or Regional Manpower Director has determined that temporary needs of an emergency character cannot be met by full use of other available sources of labor, in which case school programs shall be adjusted under plans that:

a. Provide for the educational progress of those who take employment;

b. Avoid interference with the school attendance of those who do not take employment; and

c. Avoid the closing of any school or grades therein, except to the extent that the hours, terms or curricula are readjusted to preclude the curtailment of educational opportunities;

7. When war-time emergency cooperative arrangements have been entered into with school authorities for the part-time employment of in-school youth as a part of the school program, the employer be responsible for certifying to the school authorities that such employment will be in conformity with State and Federal laws governing the employment of minors and with the standards contained in Sections 3 to 7 above, and the school authorities be responsible for permitting school children to take only those jobs that will contribute definitely to their educational welfare and useful work experience;

8. When it is necessary to transport young people to and from work, safe and adequate means of transportation be provided, and the period of work and transportation not exceed 10 hours a day;

9. Where youth under 18 years of age are recruited in groups for agricultural work requiring them to live away from home, prior to placement, assurances be furnished by appropriate community or other agencies that suitable living conditions, sanitary facilities, health protection, supervision, and leisure-time activities will be provided; and in no case youth aged 14 or 15 be recruited for work requiring them to live away from home except where such work is in connection with programs conducted by recognized youth-serving agencies that provide close supervision;

10. Any youth interested in work in another area not leave his own area in search of work without first:

a. Registering for employment at the nearest local office of the United States Employment Service or such other agency as may be designated by the War Manpower Commission;

b. Presenting evidence of parental consent; and

c. Being referred by such office to a specific job opening where he can be lawfully employed, and where there are suitable arrangements for housing.

PAUL V. MCNUTT,
Chairman.

JANUARY 30, 1943.

[F. R. Doc. 43-2156; Filed, February 10, 1943; 10:45 a. m.]

WAR PRODUCTION BOARD.

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF STOP CONSTRUCTION ORDERS STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain stop construction orders listed in Schedule A below, stopping the construction of the projects affected. For the effect of each such order upon construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued February 10, 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

Name and address of the builder	Projects affected	Date of issuance of stop construction order
Iowa State Highway Commission, Ames, Iowa.	Iowa FAS 524-A (1) Deloit Northeast to Boyer.	2/2/43
U. S. Dept. of Agriculture, Forest Service, Portland, Oreg.	Access roads—West Fork—Stillwater, Mont. 2, Custer National Forest.	2/5/43

[F. R. Doc. 43-2152; Filed, February 10, 1943; 10:21 a. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain revocation orders listed in Schedule A below, revoking preference rating orders issued in connection with, and stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued February 10, 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Project affected	Date of issuance of revocation order
P-19-h	43060	Calvary Baptist Church, Birmingham, Mich.	Church Edifice, Birmingham, Mich.	2/5/43
P-19-e	43499	U. S. Dept. of Agriculture, Forest Service, P. O. Box 4137, Portland, Oreg.	Suiattle River Road, Portland, Oreg.	2/5/43
P-19-e	22192	Missouri State Highway Commission, Jefferson City, Mo.	U. S. Highway #66 Mo. SN-FA 176-J (1).	2/5/43
P-19-e	95-e	Colorado State Hwy. Dept., Denver, Colo.	North of Meeker, Col., FAP 151-H(1) Const. Div. #1 and #2.	2/5/43
P-19-e	360-e	State Highway Board of Georgia, Atlanta, Ga.	Atlanta, Ga., FAS 248-A(1)	2/6/43
P-19-e	30301	Colorado State Hwy. Dept., Denver, Colo.	Colo. AI-FAP 103 H (1)	2/2/43
P-19-e	352-e	Colorado State Hwy. Dept., Denver, Colo.	Federal-aid Sys. of Hwys. FAP 259-H (4), FAP 259-I (2), FAP 259-J (2).	2/2/43
P-19-e	20880	Louisiana State Hwy. Dept., Baton Rouge, La.	La. SN-FAP-WPGH 191-A (1)	2/2/43
P-19-e	29846-e	Colorado State Hwy. Dept., Denver, Colo.	U. S. 85 South of Denver, Colo., AW-FAP 1 (5).	2/2/43

[F. R. Doc. 43-2149; Filed, February 10, 1943; 10:21 a. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS PARTIALLY REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain revocation orders listed in Schedule A below, partially revoking preference rating orders issued in connection with, and partially stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project, and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued February 10, 1943.

CURTIS E. CALDER,
Director General for Operations.

Preference rating order	Serial No.	Name and address of builder	Project affected	Date of issuance of revocation order
P-19-a	4088	Wisconsin Public Service Corp. Milwaukee, Wis.	Green Bay, Wis.	2/5/43.
P-19-e	368-e	Georgia State Hwy. Board, Atlanta, Ga.	Federal Aid Proj., FAP 2649-B (1), FAP 186-E (1), FAP 2648-C (1), FAP 2717-B (1), FAP 2727-A (1).	2/2/43.
P-19-e	672-e	Georgia State Hwy. Board Atlanta, Ga.	FAP 341-H (1), FAP 2717-C (1).	2/2/43.
P-19-e-A	389-e	Georgia State Hwy. Board, Atlanta, Ga.	Federal-Aid Sys. FAP 2717-A (1).	2/5/43.
P-19-e	388-e	Georgia State Hwy. Board Atlanta, Ga.	Federal-Aid Sys. Forest Hwy. 3-A (2), FAS 105-A (2), FAS 16-B (1).	2/5/43.

[F. R. Doc. 43-2150; Filed, February 10, 1943; 10:22 a. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS PARTIALLY REVOKING AND PARTIALLY STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain orders partially stopping construction and partially revoking applicable preference ratings stopping the construction of the project affected and partially revoking the ratings applicable thereto which orders are listed in Schedule A below. For the effect of each such order upon the construction of the project and delivery of materials therefor, the builder and suppliers effected shall refer to the specific order issued to the builder.

Issued February 10, 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

Name and address of builder	Project affected	Date of issuance of Revocation Order
U. S. War Department, Corps of Engineers, Washington, D. C.	Flood Control Project, Barker Dam, Buffalo Bayou, Tex.	2/5/43

[F. R. Doc. 43-2151; Filed, February 10, 1943; 10:22 a. m.]

[Preference Rating Order P-19-h, Serial No. 24402]

RESTORATION OF PREFERENCE RATING

Name of builder: Tennessee Valley Authority; address: Knoxville, Tennessee; project: construction of four public-use terminals, Tennessee River.

The revocation issued December 12, 1942, of the above Preference rating order, Serial Number 24402, is hereby cancelled; the ratings assigned by said preference order are hereby restored; and said preference rating order shall be in full force and effect, as hereinafter amended.

Preference Rating Order P-19-h, Serial Number 24402, is hereby amended to expire on June 30, 1943.

Issued February 10, 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2148; Filed, February 10, 1943; 10:22 a. m.]

[Certificate 30]

TELEPHONE OPERATORS SURPLUS MATERIALS PLAN FOR VOLUNTARY REDISTRIBUTION

The ATTORNEY GENERAL: Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I submit herewith a plan for the voluntary redistribution of surplus materials among telephone operators, which I have requested all telephone operators and manufacturers of telephone communication equipment to place in operation.

Pursuant to the aforesaid section 12, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such plan, is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

FEBRUARY 6, 1943.

Plan for Voluntary Redistribution of Surplus Materials Among Telephone Operators

1. Each telephone operator is to be required to list certain materials in his inventory which he considers to be surplus, on forms established by the War Production Board (amendment to Order P-130 will provide this).

2. The Communications Equipment Division of the War Production Board, upon receipt of the forms from operators, will prepare catalogues of such material (bare copper wire, lead covered cable, station equipment and central office equipment) and forward the same to the manufacturer who manufactured the items.

3. The Communications Equipment Division of the War Production Board will request all operators and manufacturers to follow the following plan:

(a) When a telephone operator places an order with the manufacturer to obtain, let us say, station equipment, the manufacturer will consult the catalogue of surplus station equipment supplied him by the War Production Board. If the manufacturer finds such equipment listed therein, he will so advise the operator and provide him with the name and address of the operator owning that particular item. The operator is asked to satisfy his requirements for such equipment by ordering it from the operator who has listed it as surplus.

(b) To prevent the price factor from prohibiting the workability of the plan, operators are requested to sell, f. o. b., the seller's shipping point, (subject to lower maximum price regulations hereafter established by the Office of Price Administration) at prices not in excess of those established in accordance with the following schedule:

Class of material	*Percent of current price new (f. o. b. selling operator's shipping point)*
Used unrepaired material (except lead covered paper insulated cable and bare copper line wire)	25
Used and repaired material (except lead covered paper insulated cable and bare copper line wire)	35
Equipment rebuilt and guaranteed by the manufacturer and not used since rebuilding	75
New (unused) material	95
Used unrepaired lead covered paper insulated cable	60
Used and repaired lead covered paper insulated cable	80
Used unrepaired bare copper line wire	80
Used and repaired bare copper line wire	95

(c) If for any reason the material ordered by one operator from the inventory surplus of another operator cannot satisfy the requirements of the buyer (i. e., if it requires extensive repairs and the manufacturer cannot effect such repairs in time to meet the buyer's needs; or if equipment cannot be adapted to use in the buyer's plant; etc.), the buyer may properly place an order with the manufacturer to supply the item new.

[F. R. Doc. 43-2161; Filed, February 10, 1943; 11:09 a. m.]

[Certificate 31]

OVERSEAS STEEL CONTAINER CORP.

PROPOSED PLAN FOR ORGANIZATION AND OPERATION

The ATTORNEY GENERAL: Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I submit herewith a proposed plan for the organization and the operation of Overseas Steel Container Corporation and the participation therein of various companies in the steel shipping container industry.

For the purpose of the aforesaid section 12, I have approved this plan; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in the formulation and execution of such plan is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

FEBRUARY 8, 1943.

[F. R. Doc. 43-2160; Filed, February 10, 1943; 11:09 a. m.]

FEDERAL REGISTER

VOLUME 8 NUMBER 30

Washington, Friday, February 12, 1943

The President

EXECUTIVE ORDER 9302

TRANSFERRING TO THE COMMISSIONER OF INTERNAL REVENUE CERTAIN FUNCTIONS RELATING TO TAXES AND PENALTIES IMPOSED FOR VIOLATIONS OF THE NATIONAL PROHIBITION ACT

By virtue of the authority vested in me by Title I of the First War Powers Act, 1941, approved December 18, 1941 (55 Stat. 838), and as President of the United States, it is ordered as follows:

1. The functions, duties, and powers of the Attorney General and of the Department of Justice with respect to (a) the determination of Internal Revenue taxes and penalties (exclusive of the determination of liability guaranteed by permit bonds) arising out of violations of the National Prohibition Act occurring prior to the repeal of the Eighteenth Amendment to the Constitution, and (b) the compromise, prior to reference to the Attorney General for suit, of liability for such taxes and penalties, are hereby transferred to the Commissioner of Internal Revenue, Department of the Treasury: Provided, That any compromise of such liability shall be effected in accordance with the provisions of section 3761 of the Internal Revenue Code.

2. All files and records of the Department of Justice used primarily in the administration of the functions transferred by this order are hereby made available to the Commissioner of Internal Revenue for use in the administration of such functions.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
February 9, 1943.

[F. R. Doc. 43-2234, Filed, February 11, 1943; 11:05 a. m.]

Regulations

TITLE 7—AGRICULTURE

Subtitle A—Office of the Secretary of Agriculture

DESIGNATION OF FOREST SERVICE AS AGENCY WITHIN DEPARTMENT OF AGRICULTURE TO ADMINISTER, PROTECT AND MANAGE CERTAIN LANDS IN PUERTO RICO

ADMINISTRATIVE ORDER

By virtue of and pursuant to the authority vested in me by Title III of the Bankhead-Jones Farm Tenant Act, approved July 22, 1937 (50 Stat. 522, 525), and Executive Order No. 7908, dated June 9, 1938, all lands in the Territory of Puerto Rico which have been transferred by Executive Order No. 9288 of December 24, 1942 (7 F.R. 10900), from the Puerto Rican Reconstruction Administration to the jurisdiction of the Secretary of Agriculture, are hereby entrusted to the Forest Service of the Department of Agriculture for protection, administration and management, under the rules and regulations applicable to national forest lands insofar as consistent with the powers and authority vested in the Secretary of Agriculture by the aforesaid Executive Order and Title III of the Bankhead-Jones Farm Tenant Act, until the future status of said lands is established by law or by Presidential Proclamation.

The rules and regulations providing for the protection, occupancy, use and administration of the national forests, as hitherto approved by the Secretary or Acting Secretary of Agriculture and now effective in relation to national forest land, are herewith adopted and promulgated as rules and regulations for the protection, occupancy, use and administration of the above described lands insofar as is practical and consistent with the Acts of Congress under which said lands were or are being acquired.

[SEAL] GROVER B. HILL,
Assistant Secretary of Agriculture.

FEBRUARY 11, 1943.

[F. R. Doc. 43-2243; Filed, February 11, 1943; 11:22 a. m.]

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Columbus Heating and Ventilating Co	1903
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Flotill Products Co	1901
Fort Dodge Tent and Awning Co	1902
Gibbs Underwear Co	1903
Gillette Canning Co	1902
Illinois Pocahontas Coal Co	1905
Major Vitamins, Inc	1896
Pennsylvania Salt Mfg. Co. and Chipman Chemical Co., Inc	1891
Pennsylvania Wholesale Drug Co	1892
Portales Canning Co	1900
Premier Stove Co	1904
Pritchard, E., Inc	1901
Ritter, P. J., Co	1902
Scovill Mfg. Co	1892
Val Vita Food Products, Inc	1901
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Eastern and central (MPR 320)	1885
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TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of Alien Property Custodian

PART 505—REGULATIONS ISSUED UNDER GENERAL ORDER NO. 13

EXEMPTION OF CERTAIN PERSONS FROM PROHIBITIONS OF GENERAL ORDER 13

Section 505.1, *Regulation No. 1 under General Order No. 13* (7 F.R. 9477), is hereby amended by deleting paragraph (a) and inserting in lieu thereof a new paragraph (a) as hereinafter set forth, so that such regulation, as amended, shall read as follows:

§ 505.1 *Regulation 1 under General Order 13.* Any person within the following categories shall be regarded, for the purposes of General Order No. 13, as a person within the United States who is not a national of any foreign country designated in section 3 of Executive Order No. 8389, as amended, except as such person shall be specifically excluded by the Alien Property Custodian from the effect of this regulation:

(a) Any individual who is (1) A resident of the United States on the date of (i) Making application in the United States Copyright Office for a registration or renewal of a copyright, or (ii) Executing any instrument recordable in the United States Copyright Office; and who is also (2) A national of a foreign country designated in section 3 of Executive Order No. 8389, as amended, solely by reason of the fact that such individual has been domiciled in, or a subject, citizen or resident of a foreign country designated in section 3 of Executive Order No. 8389, as amended, at any time on or since the effective date of that order.

(b) Any partnership, association, corporation or other organization which is a national of a foreign country designated in section 3 of Executive Order No. 8389, as amended, solely by reason of the interest therein of a person or persons described in paragraph (a) hereof.

(40 Stat. 411, 50 U.S.C. App.; 55 Stat. 839, 50 U.S.C. App. (Supp. 1941); E.O. 9193, 7 F.R. 5205)

Executed at Washington, D. C., on February 8, 1943.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2238; Filed, February 11, 1943; 11:07 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VIII—Procurement and Disposal of Equipment and Supplies

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

ACQUISITION OF PROPERTY BY THE WAR DEPARTMENT FROM OTHER AGENCIES OF THE GOVERNMENT

In Circular Letter No. 675, Supplement No. 1, January 15, 1943, the Procurement Division of the Treasury Department announced that its activities relative to transfer of property, which have previously been centralized in its Washington office, would be decentralized, effective February 1, 1943. There will be established regional offices of the Procurement Division which will have jurisdiction over the issuance of catalogs, the appraisal of property, and the issuance of transfer documents and

other operations of the so-called Federal Property Utilization Program in the respective regions in which such offices are located. Typewriters have been excepted from the decentralization program.

At the request of the Procurement Division, Treasury Department, and in order to conform with the decentralization effected by that Division, it has been determined that the War Department procedure with respect to acquisition of property through the Procurement Division, Treasury Department, will be decentralized. Accordingly, paragraphs (d), (e), (f) and (g) of § 81.613 are rescinded, paragraph (h) is redesignated (j), and, effective immediately, the following amendments are substituted for the rescinded paragraphs:

§ 81.613 *Purchases of property of other agencies through the Procurement Division, Treasury Department.* * * *

(d) *Procedure for acquiring property which is surplus to the needs of another agency.* The procedure for the transfer of surplus property has been set forth in Circular Letter No. 675 (November 18, 1942) of the Procurement Division, Treasury Department, as amended by Circular Letter No. 675, Supplement No. 1, issued under date of January 15, 1943.

(e) *Regional property offices of Procurement Division.* Pursuant to Circular Letter No. 675, Supplement No. 1, the operations of the Procurement Division, Treasury Department, which had previously been centralized in Washington, D. C. were decentralized. The following regional offices were established:

	Regional office
REGION I	
Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont.	Regional Property Officer, U. S. Treasury Department, 76th Ninth Ave., New York, N. Y.
REGION II	
Metropolitan District of Columbia	Regional Property Officer, U. S. Treasury Department, 7th & D Sts. SW., Washington, D. C.
REGION III	
Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, West Virginia.	Regional Property Officer, U. S. Treasury Department, 10 Forsyth St. Bldg., Atlanta, Ga.
REGION IV	
Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, North Dakota, Ohio, South Dakota, Wisconsin.	Regional Property Officer, U. S. Treasury Department, 222 West North Bank Dr., Chicago, Ill.
REGION V	
Arkansas, Kansas, Missouri, Nebraska, Oklahoma, Texas.	Regional Property Officer, U. S. Treasury Department, 6th Fl., Porter Building, Kansas City, Mo.
REGION VI	
Colorado, New Mexico, Utah, Wyoming	Regional Property Officer, U. S. Treasury Department, 810 14th St., Denver, Colo.
REGION VII	
Arizona, California, Nevada	Regional Property Officer, U. S. Treasury Department, 49 Fourth St., San Francisco, Calif.
REGION VIII	
Idaho, Montana, Oregon, Washington	Regional Property Officer, U. S. Treasury Department, Alaska Building, Seattle, Wash.

(f) *Catalog of available property.* Once each month, and more frequently if necessary, the Procurement Division through its regional offices, will issue catalogs showing the location, description, and transfer price of property reported to it as surplus within specified areas. It is the responsibility of the chief of each supply service to see that all stations under his command, which would be interested in obtaining equipment surplus to the needs of other agencies, is supplied with the current catalog relating to the region where the station is located. Such catalogs will, if requested, be mailed directly to any station making a request of the appropriate regional office of the Procurement Division, Treasury Department.

(g) *Surplus property not as yet reported.* When information is obtained as to the existence of property surplus to the needs of another Government agency, a supply service should, if it desires such property, communicate with the holding agency and establish definitely that the property is available. If the property has not yet been reported by the holding agency to the regional office of the Procurement Division, Treasury Department, in the region where the property is located, and has not been declared surplus to the needs of the holding agency by the Director of the Bureau of the Budget pursuant to subparagraph (c) of Executive Order 9235 (see paragraph (a) of this section), the property may be purchased directly from the holding agency pursuant to Public Law No. 670, 77th Congress (see § 81.612). If, however, the holding agency desires to effect the transfer through the Procurement Division, Treasury Department, it should be requested to declare the property as surplus on the forms prescribed by the Procurement Division, Treasury Department. The declaration should be forwarded to the appropriate regional office with a statement that the property is wanted by the station concerned. The property should then be requested by the supply service in accordance with paragraph (h) of this section.

(h) *Direct communication with Procurement Division authorized.* The chiefs of the supply services are authorized to communicate directly with the Procurement Division, Treasury Department, with reference to any property which has been reported to that Division by other agencies of the Government; and are authorized to make requests for any such property directly to the appropriate regional office of the Procurement Division, Treasury Department. The request will be made on Purchase Authority Form (issued by the Procurement Division, Treasury Department) or on such other document or form as is customarily used for ordinary purchases. Whatever form is used should carry the capitalized heading REQUEST FOR TRANSFER OF PROPERTY. The request should contain the following information:

(1) Complete and specific reference as to date of Catalog of Available Property in which property appeared. If property has not yet been listed in a catalog there should be substituted the present location of the property, the transferring agency's declaration number, and a complete description of the property.

(2) Shipping instructions or information that the property will be picked up.

(3) The symbol and title of the appropriation, appropriations, or fund from which the costs of acquisition and any transportation charges incident to delivery to the supply service will be paid.

The chiefs of the supply services will decentralize to their field agencies the authority to communicate with the regional offices of the Procurement Division, Treasury Department, to the greatest extent consistent with efficiency and the proper safeguarding of the public interest.

(i) *Surplus Property Officer.* Although direct communication by the supply services with the Procurement Division, Treasury Department is authorized, the Surplus Property Officer, Purchases Division, Headquarters, Services of Supply, is still available for consultation when the supply services desire assistance in their negotiations with the Procurement Division, Treasury Department. That officer should be promptly advised whenever it comes to the attention of a supply service that property desired by such service has been requested by an agency of the Government other than the War Department.

(j) *Disposition of surplus property to other Government agencies.* * * *

(Sec. 5a, National Defense Act, as amended, 41 Stat. 764, 54 Stat. 1225; 10 U.S.C. 1193–1195, and the First War Pow-

ers Act 1941, 55 Stat. 838, 50 U.S.C. Sup. 601–622) [Memorandum No. S5–26–43, dated February 4, 1943]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-2226; Filed, February 11, 1943; 9:52 a. m.]

Chapter X—Areas Restricted for National Defense Purposes

PART 102—CONTROL OF LIGHTING WITHIN RESTRICTED ZONES

[Public Proclamation No. 6]

RESTRICTED LIGHTING IN ALASKA

JANUARY 5, 1943.

Headquarters Alaska Defense Command, Office of the Commanding General, c o Postmaster, Seattle, Washington. To: The people within the Territory of Alaska and the public generally:

Whereas by Public Proclamation No. 1,[1] dated April 7, 1942, this Headquarters, the entire Territory of Alaska was designated and established as a Military Area; and

Whereas the armed forces of the enemy have made attacks upon vessels of the United States traveling along the Pacific Coastal waters and upon land installations within said Military Area, and it is expected that such attacks will continue; and

Whereas it is necessary to provide maximum protection for war utilities, war materials and war premises located within the Territory of Alaska against enemy attacks by sea and by air;

Now, therefore, I, Simon Bolivar Buckner, Jr., Major General, Army of the United States, by virtue of the authority vested in me by the President of the United States and by the Secretary of War and my powers and prerogatives as Commanding General of the Alaska Defense Command do hereby declare that:

§ 102.3 *Zone of restricted lighting; Alaska.* (a) The present situation requires as a matter of military necessity that a zone of restricted lighting be established within the Territory of Alaska and that all illumination within said zone of restricted lighting be extinguished or controlled in such a manner and to such extent as may be necessary to prevent such illumination from aiding the operations of the enemy.

(b) Pursuant to the determination and statement of military necessity in paragraph (a) hereof, a zone of restricted lighting, comprising that portion of the Territory of Alaska which lies west of the 158th parallel of longitude and/or south of the 62nd parallel of latitude, is hereby designated and established. Illumination within the entire area of said zone of restricted lighting shall be extinguished or controlled at all times at night from sunset to sunrise as follows:

(1) *Interior lighting.* All interior lighting of every description shall be reduced or controlled so that it does not contribute more than one foot candle of illumination upon any outdoor area.

[1] 7 F.R. 4859.

Interior light sources which emit rays above the horizontal out-of-doors, shall be extinguished.

(2) *Signs, floodlighting, display lighting.* Illumined signs and ornamental lighting of every description which are located out-of-doors, and floodlighting which illuminates buildings or signs, shall be extinguished.

(3) *Illumination of street and highway lights.* All street and highway lights will be reduced to the minimum necessary for safety as determined by Territorial Director, Civilian Defense. All such light sources will be shielded by shades or otherwise, so as to prevent the upward dissipation or reflection of light above a plane inclined downwards 10° from the horizontal.

(4) *Navigation and railroad lights.* Authorized lights necessary to facilitate air or water navigation, authorized railroad signal lights and headlights of railroad locomotives when in motion and airport boundary and obstruction lights, are hereby excepted from all the provisions of this proclamation.

(c) In addition to the restrictions hereinbefore i m p o s e d, illumination within that part of the Territory of Alaska which is visible from the sea, as hereinafter defined, shall be further diminished or obscured at all times at night from sunset to sunrise, as follows:

(1) *Residential, commercial and industrial windows.* No lighting shall be permitted behind windows or glazed doors visible from the sea unless they are covered by drapes or shades.

(2) *Street and highway lights.* Street and highway lights in areas which are normally visible from the sea shall be so shielded that they are not visible from the sea at night.

(3) *Street and highway traffic.* Within areas visible from the sea, but subject to the exceptions hereinafter stated, vehicles shall operate at night with no more than two lighted driving lamps, regardless of the direction of travel, and each such lamp shall provide a maximum of not more than 250 beam candlepower (dim beam). Normal rear lights, license plate lights and clearance lights (where required by law) are permitted. Vehicles which are classified as authorized emergency vehicles under the applicable Federal, Territorial or local law, when operated by authorized personnel, and when displaying an illuminated red spotlight, and when responding to a fire alarm, or when in the immediate pursuit of an actual or suspected violator of the law, or when going to or transporting a person who is in apparent need of immediate emergency medical or surgical care, or when responding to some other emergency involving the protection of life or property, shall be excepted from the foregoing provisions.

(4) *Other illumination.* Except as hereinabove provided in this paragraph (c), all other lights visible from the sea are prohibited at night, including but not limited to light from fires, bonfires, parked cars, flashlights and lanterns.

(5) *Industrial and protective illumination.* Variations from these requirements may be permitted in the case of illumination for industrial and protective purposes, whether interior or exterior (but not including street or highway lights), only when and to the extent that it is necessary to vary from such requirements in order to achieve and maintain maximum efficiency; but only with the written approval of the Territorial Director, Civilian Defense, obtained in advance.

(6) *Definition of "visible from the sea."* The phrase "visible from the sea," as used herein, is intended and shall be construed to mean and include points visible at any time from navigable waters of the Pacific Ocean and the Bering Sea including bays, straits, sounds, passages, canals, inlets and estuaries thereof located on the shoreline of the Territory of Alaska.

Waters are considered navigable if depth and ice conditions permit the passage of surface craft of four feet draft or more at low tide. Otherwise they are not navigable within the meaning of this paragraph.

(d) Any person violating any of the provisions of this proclamation or orders issued pursuant thereto is subject to immediate exclusion from the Territory of Alaska, and to the criminal penalties provided in Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for the Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving or Committing any Act in Military Areas or Zones."

(e) It is desired that the Territorial Director, Civilian Defense, act as the primary agency to aid in the enforcement of the foregoing provisions with the assistance of civil law enforcement agencies of Territorial and local governmental bodies.

(f) This proclamation shall become effective February 1, 1943.

[SEAL]

SIMON BOLIVER BUCKNER, JR.,
Major General, U. S. Army,
Commanding.

Confirmed:

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-2227; Filed, February 11, 1943; 9:51 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter II—Bureau of Narcotics

[T.D 34]

PART 203—ORDER OF THE SECRETARY OF THE TREASURY RELATING TO THE ENFORCEMENT OF THE OPIUM POPPY CONTROL ACT OF 1942

§ 203.1 *Delegation of authority.* There are hereby conferred and imposed upon the Commissioner of Narcotics, subject to the general supervision and direction of the Secretary of the Treasury, all the rights, privileges, powers and duties conferred or imposed upon said Secretary by the Opium Poppy Control Act of 1942 (Public Law 797, 77th Congress, Second Session) so far as such rights, privileges, powers and duties relate to:

(a) The issuance, renewal, revocation and denial of licenses to produce the opium poppy or to manufacture opium or opium products therefrom.

(b) The destruction of any opium poppies seized by and forfeited to the United States, or delivery of such opium poppies for medical or scientific purposes to any department, bureau, or other agency of the United States Government.

(c) The limitation or prohibition of the importation or bringing in of crude opium under the provisions of the Narcotic Drugs Import and Export Act (U.S.C., Title 21, secs. 171–184) to the extent that the Commissioner of Narcotics shall find the medical and scientific needs of the United States for opium or opium products are being, or can be, supplied by opium poppies produced in accordance with the Opium Poppy Control Act of 1942.

(d) The providing, whenever in the opinion of the Commissioner of Narcotics the medical and scientific needs of the Nation for narcotic drugs will not be met by importation of crude opium or licensed production of opium poppies, for the acquisition of opium poppy seed, for the production of the opium poppy, for the manufacture of opium or opium products, and for the use, sale, giving away, or other proper distribution of opium poppy seed, opium poppies, opium, or opium products by the United States Government either directly or through and with the approval of the head of any agency of the Government, including any Government-owned or controlled corporation.

(e) The making, prescribing, and publishing, with the approval of the Secretary of the Treasury, of all necessary rules and regulations for carrying out the provisions of the Opium Poppy Control Act of 1942.

§ 203.2 *Enforcement.* The enforcement of the Opium Poppy Control Act of 1942, including the investigation and detection, and presentation to prosecuting officers of evidence, of violations of said Act, and also including the arrest and delivery into the custody of the United States marshal or other officer having jurisdiction of violators of the Opium Poppy Control Act of 1942 or laws supplementary thereto, shall be the duty of the Commissioner of Narcotics and the assistants, agents, inspectors, or employees under his direction.

§ 203.3 *Effective date.* The effective date of this order shall be February 9, 1943, which is the effective date of the Opium Poppy Control Act of 1942.

(Sec. 8 (b), 8 (c), and 11 (a), Pub. Law 797, 77th Cong.)

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

FEBRUARY 10, 1943.

[F. R. Doc. 43-2216; Filed, February 10, 1943; 2:50 p. m.]

[Narcotic Regulations 7]

PART 204—NARCOTIC DRUGS

Sec.
204.1 Definitions.
204.2 Policy.
204.3 Production.
204.4 Application for license to produce.
204.5 Issuance of license to produce.
204.6 Production in excess of quantity named in license.
204.7 Application for license to manufacture.
204.8 Issuance of license to manufacture.
204.9 Limitation.
204.10 Change of address or other facts shown in application.
204.11 Revocation or renewal of licenses.
204.12 Hearing.
204.13 Commissioner not required to issue or renew license.
204.14 Returns required of producers.
204.15 Returns required of manufacturers.
204.16 Disposition of forfeited opium poppies.
204.17 Penalties.
204.18 Effective date.

AUTHORITY: §§ 204.1 to 204.18 inclusive issued under secs. 6, 8 (e), and 11 (a) of Pub. Law 797, 77th Cong.

§ 204.1 *Definitions.* As used in these regulations:

(a) The term "person" includes a partnership, company, association, or corporation, as well as a natural person or persons.

(b) The terms "produce" or "production" include the planting, cultivation, growth, harvesting, and any other activity which facilitates the growth of the opium poppy.

(c) The term "opium poppy" includes the plant Papaver somniferum, any other plant which is the source of opium or opium products, and any part of any such plant.

(d) The term "opium" includes the inspissated juice of the opium poppy, in crude or refined form.

(e) The term "opium products" includes opium and all substances obtainable from opium or the opium poppy, except the seed thereof.

(f) The term "license" means a license to produce the opium poppy or to manufacture opium or opium products, duly issued by the Commissioner.

(g) The term "Commissioner" means the Commissioner of Narcotics.

(h) The term "Act" means the Opium Poppy Control Act of 1942.

§ 204.2 *Policy.* It shall be the policy of the Commissioner to administer and enforce the provisions of the Act in such manner as will carry out the obligations of the United States under the treaties and conventions mentioned therein. The Commissioner shall not issue licenses to produce the opium poppy unless such production is essential to supply narcotic drugs for the medical and scientific needs of the United States. If such production becomes necessary, the Commissioner shall exercise sound discretion in the issuance of licenses to the end that there shall be no opportunity for the spread of drug addiction.

§ 204.3 *Production.* No person who is not the holder of a license shall produce the opium poppy. Licenses shall be issued only for the production of the opium poppy to supply the medical and scientific needs of the United States for narcotic drugs. No licenses shall be issued for the production of the opium poppy solely for poppy seed.

§ 204.4 *Application for license to produce.* Any person who desires to produce the opium poppy to supply medical and scientific needs of the United States for narcotic drugs shall file an application, in duplicate, for a license with the Commissioner at Washington, D. C. The application shall show the name and address of the applicant, the quantity, in pounds, of opium poppies desired to be produced, the acreage and exact location of the land desired to be devoted to opium poppy production, the type of soil desired to be devoted to opium poppy production, whether such applicant owns, rents, or leases such land and the type of equipment owned by the applicant to be used in cultivating and harvesting opium poppies. The applicant shall also submit proof that he is of good moral character, that his financial standing and farming experience are such as will reasonably insure that he can produce the acreage of opium poppies called for in the application, that there is or will be, at the time of harvesting, a market for the opium poppies desired to be produced and that the land to be devoted to opium poppy production is readily accessible to law enforcement officers at all times.

§ 204.5 *Issuance of license to produce.* (a) The Commissioner shall issue a license to produce the opium poppy only when, in his opinion, the medical and scientific needs of the United States for narcotic drugs cannot be met by the importation of crude opium. A license to produce the opium poppy shall be issued only to a person whom the Commissioner finds (1) to be of good moral character; (2) to be of suitable financial standing and farming experience to render reasonably probable that such person will produce the quantity of opium poppies specified in the license; (3) to be the owner of or to control suitable farm land to be used as a production area, in such locality, as will, in the judgment of the Commissioner, render reasonably probable efficient and diligent performance of the operations of producing the opium poppy in the quantity specified; (4) to have facilities for safeguarding the opium poppy crop which will reasonably insure that the opium poppies will not be diverted to illicit channels.

(b) Each such license shall be nontransferable and shall be valid only to the extent of the production area and maximum weight of opium poppy yield specified in the license, shall state the locality of the production area, and shall be effective for a period of one year from the date of issue, and may be renewed, at the discretion of the Commissioner, for a like period.

§ 204.6 *Production in excess of quantity named in license.* If a licensee produces opium poppies in excess of the quantity called for in his license, such excess quantity may be seized and for-

feited to the United States, or, the Commissioner may, if he deems it appropriate and finds that such excess opium poppies were produced in good faith, amend the license so as to cover all or part of such excess quantity, and allow them to be disposed of under the Act.

§ 204.7 *Application for license to manufacture.* Any person who desires to manufacture opium or opium products from opium poppies shall file an application, in duplicate, for a license with the Commissioner at Washington, D. C. The application shall show the name and address of the applicant, the exact location of the applicant's manufacturing facilities desired to be devoted to the manufacture of opium or opium products from opium poppies, the quantity of opium poppies to be processed, and the quantity of opium or opium products expected to be manufactured from such opium poppies. The applicant shall also submit proof that he is of good moral character, possesses a method and facilities deemed satisfactory to the Commissioner for the efficient and economical extraction of opium or opium products from opium poppies, and has such experience in manufacturing and marketing other medicinal drugs as to render reasonably probable the orderly and lawful distribution of opium or opium products of suitable quality to supply medical and scientific needs. The application shall show also that the applicant has such facilities for safeguarding opium poppies and opium and opium products as will insure that none of such opium poppies, opium, or opium products will be diverted to illicit channels, and what experience, if any, the applicant has had in the extraction of opium and opium products from opium poppies.

§ 204.8 *Issuance of license to manufacture.* (a) No license to manufacture opium or opium products from opium poppies shall be issued by the Commissioner unless he finds that the medical and scientific needs of the United States for narcotic drugs are not being or cannot be supplied from crude opium obtained by importation.

(b) A license to manufacture opium or opium products shall be issued only to a person whom the Commissioner finds (1) to be of good moral character; (2) to be of such financial standing as will reasonably insure the success of the manufacturing operation; (3) to possess a method and facilities deemed satisfactory to the Commissioner for the efficient and economical extraction of opium or opium products from opium poppies; (4) to have such experience in manufacturing and marketing other medicinal drugs as to render reasonably probable the orderly and lawful distribution of opium or opium products of suitable quality to supply medical and scientific needs; and (5) to have such facilities as will insure that the opium poppies and opium and opium products shall be properly safeguarded and not diverted to illicit channels.

(c) No license shall be issued to any person unless the Commissioner finds that existing facilities for the manufacture of opium or opium products from crude opium or opium poppies cannot supply the medical and scientific needs of the United States for narcotic drugs.

§ 204.9 *Limitation.* All licenses issued by the Commissioner shall be limited to such number, localities, and areas as the Commissioner shall determine to be appropriate to supply the medical and scientific needs of the United States for opium or opium products, with due regard to provision for reasonable reserves. It shall be the policy of the Commissioner, so far as practicable, to confine the production and manufacture of opium poppies and opium and opium products to such areas as will permit efficient and economical enforcement of the narcotic laws and regulations.

§ 204.10 *Change of address or other facts shown in application.* Any person to whom a license has been issued shall immediately notify the Commissioner of any change of the address or any other fact shown in his application, and of any subsequent change of address or other fact.

§ 204.11 *Revocation or renewal of licenses.* (a) The Commissioner may revoke or refuse to renew any license issued under the Act if after due notice to the licensee and an opportunity for hearing he finds that the licensee has failed to comply with any of the qualifications found to exist at the time of the issuance of such license, if he finds that such licensee has failed to comply with the Federal or State narcotic laws and regulations, or laws supplementary thereto, or if he finds that the revocation or refusal to renew any license shall be in the public interest.

(b) If it is the intention of the Commissioner to revoke or refuse to renew any license, he shall immediately notify the licensee thereof and his reasons therefor by registered letter addressed to his last address reported by him to the Commissioner. The licensee shall be advised by the Commissioner in such registered letter that he has thirty days from the date of the letter in which to submit his reasons showing cause why the Commissioner should not revoke or refuse to renew the license. The licensee shall be further advised in such registered letter that upon his request, filed with the Commissioner within the same thirty days, a hearing will be granted. If, within such thirty days, the licensee fails to submit reasons showing cause why the Commissioner should not revoke or refuse to renew the license, the Commissioner may revoke or refuse to renew his license without further proceedings. If, within such thirty days, the licensee fails to request a hearing, but submits reasons purporting to show cause, the Commissioner shall consider the reasons and decide the matter and communicate his decision to the licensee within fifteen days from the receipt of the reasons purporting to show cause.

§ 204.12. *Hearing.* (a) If a hearing is requested, the Commissioner shall notify the licensee of the time and place where such hearing will be conducted and held. The hearing shall be conducted and held at a place deemed by the Commissioner to be reasonably convenient to the licensee. The hearing may be conducted by the Commissioner or his duly authorized representative. The Bureau of Narcotics shall introduce at the hearing the evidence on which reliance is to be had for revocation of or refusal to renew the license. The licensee shall have an opportunity at the hearing to examine the evidence submitted and to confront and cross-examine any witnesses for the Bureau of Narcotics.

(b) The licensee shall be afforded an opportunity to present all his evidence and argument on the matter and shall have the privilege of being represented by counsel of his own choice. The licensee shall be permited fifteen days from the date of the conclusion of the hearing to submit a written brief to the Commissioner or his duly authorized representative.

(c) If the hearing is conducted by a representative of the Commissioner, such representative shall file with the Commissioner a stenographic report of the evidence and the arguments presented and any briefs submitted, together with his findings and recommendation. The Commissioner, after considering this report and the briefs shall render his decision and communicate the same to the licensee within forty-five days from the date of the conclusion of the hearing.

(d) If any person is aggrieved by the decision of the Commissioner or by the failure of the Commissioner to rule upon or decide the matter, he may appeal to the Secretary of the Treasury under the provisions of section 5 of the Act of June 14, 1930, as amended, (U.S.C., Title 5, sec. 282 (c)), and the regulations promulgated thereunder (21 C.F.R., 1939 Supp., (201.1–201.7).

§ 204.13. *Commissioner not required to issue or renew license.* The Commissioner shall not be required to issue or renew any license or licenses under the provisions of the Act: *Provided, however,* That the Secretary of the Treasury, on appeal, may require the Commissioner to issue or renew a license.

§ 204.14 *Returns required of producers.* (a) Every person licensed as a producer of opium poppies shall render an annual return to the Commissioner on or before the 15th day of January, for the annual period ending December 31 of the preceding year, reporting all transfers and dispositions of opium poppies and fully accounting for all opium poppies produced or otherwise obtained. Such returns shall be prepared on forms furnished by the Commissioner, and shall include, for each such period, (1) a complete accounting for all poppy seed received, planted, produced, harvested, or otherwise acquired or disposed of, and the seed on hand at the beginning and end of the period; (2) a complete reporting of the areas planted and harvested and the areas under cultivation at the beginning and end of the period; and (3) a full and complete accounting for all quantities of opium poppies produced, harvested, received, sold, or otherwise acquired or disposed of, and those on hand at the beginning and end of the period.

§ 204.15 *Returns required of manufacturers.* Every person licensed as a manufacturer of opium or opium products from opium poppies shall render quarterly returns on forms furnished by the Commissioner, reporting and accounting for all such manufacturing operations in the same manner as is required of persons producing such substances from opium imported into the United States. See Articles 123 to 132, inclusive, Narcotic Regulations No. 5: *Provided, however,* That the Commissioner may, in any instance, specify such changes and modifications in such forms as the variations in manufacturing procedures and other circumstances may require.

§ 204.16 *Disposition of forfeited opium poppies.* Opium poppies forfeited to the United States under the provisions of the Act shall be destroyed by the Commissioner or his authorized representative or may be delivered to any department, bureau, or other agency of the United States Government upon proper application addressed to the Commissioner. Such application shall show the name, address, and official title and department, bureau, or agency of the person to whom the narcotics are to be delivered, the quantity of opium poppies desired and the purpose for which they are intended. The delivery of such opium poppies may be ordered by the Commissioner if in his opinion the purpose for which they are intended is medical or scientific.

§ 204.17 *Penalties.* (a) Persons who violate the Act shall be guilty of a felony and upon conviction thereof, be fined not more than $2,000, or imprisoned not more than five years, or both, in the discretion of the court.

(b) Any person who wilfully makes, aids, or assists in the making of, or procures, counsels, or advises in the preparation or presentation of, a false or fraudulent statement in any application for a license under the provisions of the Act shall (whether or not such false or fraudulent statement is made by or with the knowledge or consent of the person authorized to present the application) be guilty of a misdemeanor, and, upon conviction thereof, be fined not more than $2,000 or imprisoned for not more than one year, or both.

§ 204.18 *Effective date.* These regulations shall take effect on the day of their approval.

[SEAL] H. J. ANSLINGER,
Commissioner of Narcotics.

Approved: February 10, 1943.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 43-2215; Filed, February 10, 1943; 2:51 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1820]

PART 331—MINIMUM PRICE SCHEDULE, DISTRICT NO. 11

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 11 for the establishment of price classifications and minimum prices for the coals of the Hi-Grade Mine.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Hi-Grade Mine (Mine Index No. 1351) of the Hi-Grade Coal Company, Inc., for all shipments except truck; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 331.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: January 26, 1943.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 11

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 331, Minimum Price Schedule for District No. 11 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 331.5 *Alphabetical list of code members*—Supplement R

Mine index No.	Code member	Mine	Seam	Sub-district	Freight origin group	Price group	Shipping point	Railroad
1351	Hi-Grade Coal Co., Inc.	Hi-Grade	V1	LS	60	7	Midland	C&L.

NOTE: Mine Index No. 1351 shall be included in Price Group 7 and shall take the same f. o. b. mine prices as other mines in Price Group 7 in Price Schedule No. 1, District No. 11, For All Shipments Except Truck. It shall also take the same adjustments in f. o. b. mine prices on account of differences in freight rates as Mine Index No. 1. Mine Index No. 1351 shall be accorded the same prices for railroad locomotive fuel as shown in § 331.10 in Minimum Price Schedule, District No. 11, For All Shipments Except Truck, as are shown for Mine Index No. 1.

[F. R. Doc. 43-2169; Filed, February 10, 1943; 11:17 a. m.]

[Docket No. A-1837]

PART 331—MINIMUM PRICE SCHEDULE, DISTRICT NO. 11

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 11, for an additional shipping point for coals produced from Mine Index Nos. 895 and 634.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of an additional shipping point, for the coals of the Golden Glow Mine, Mine Index No. 895 and the Jackson Mine, Mine Index No. 634, of the Bi-County Coal Company, Incorporated.

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 331.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before

the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: January 28, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 11

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 331, Minimum Price Schedule for District No. 11 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 331.5 *Alphabetical list of code members*—Supplement R

Mine Index No.	Code member	Mine	Seam	Subdistrict	Freight origin group	Price group	Shipping point	Railroad
634	Bi-County Coal Co., Inc.	Jackson	VI	LS	[1]64	7	Latta, Midland[1]	CMSt. P&P, CR&L.
895	Bi-County Coal Co., Inc.	Golden Glow	VI	LS	[1]64	7	Latta, Midland[1].	CMSt, P&P, CR&L.

NOTE: Mine Index Nos. 634 and 895 shall be included in Price Group 7 and shall take the same f.o.b. mine prices as other mines in Price Group 7 in Price Schedule No. 1, District No. 11, for All Shipments Except Truck. They shall also take the same adjustments in f.o.b. mine prices on account of differences in freight rates as Mine Index No. 70 or other mines in Freight Origin Group No. 66 of the Lindon Sullivan Subdistrict having the same freight rate. Mine Index Nos. 634 and 895 shall be governed by the same price for rail and locomotive fuel as shown in § 331.10 in Minimum Price Schedule, District No. 11, For All Shipments Except Truck as are shown for Mine Index No. 70.

[1] Additional shipping point.

[2] Freight Origin Group 61 is no longer applicable.

[F. R. Doc. 43-2168; Filed, February 10, 1943; 11:17 a. m.]

[Docket No. A-1806]

PART 334—MINIMUM PRICE SCHEDULE, DISTRICT NO. 14

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 14 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 14.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No 14; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 334.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 334.24 (*General prices for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposiiton to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: January 20, 1943.

[SEAL] DAN H. WHEELER, *Director.*

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 14

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 334, Minimum Price Schedule for District No. 14 and supplements thereto.

FOR RAIL SHIPMENTS

§ 334.5 *Alphabetical list of code members*—Supplement R

[Alphabetical list of code members showing price classification by size group for all uses except railroad locomotive fuel]

Code member	Mine index No.	Mine name	Prod. group No.	Shipping point	Railroad	Freight origin group No.	Price classification by size group 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Bates Coal Co., J. M. (J. M. Bates)	170	No. 2	5	Hartford, Ark.	CRI&P	11	....	....	(*)	....	....	....	....	....	....	....	....	(*)	....	(*)	B	....	....	(*)
Bokoshe Coal Company (Chester R. Oglesby)	621	Bokoshe Coal Co. #2	7	Bokoshe, Okla.	FtS&VB	12	....	....	D	....	....	....	....	....	....	....	....	E	....	B	....	....	....	Q
Bokoshe Coal Company (Chester R. Oglesby)	622	Bokoshe Coal Co. #3	7	Bokoshe, Okla.	FtS&VB	12	....	....	....	J	....	M	M	M	L	L	I	L	D	B	B	B	A	O
Stewart, A. L.	616	No. 1	2	Ozark, Ark.	MP	14	....	....	A	....	....	H	H	H	....	....	....	L	....	B	....	....	....	I
Williams & Johnson Coal Co. (Linus A. Williams)	620	No. 1	1	Lamar, Ark.	MP	33	A	A	....	....	....	....	....	....	....	....	....	....	C	A	A	A	....	A

*Previously classified for these size groups. No changes requested.

FOR TRUCK SHIPMENTS

§ 334.24 *General prices for shipment into all market areas*—Supplement T

Code member index	Mine Index No.	Mine	Sub-district No.	County	Prices and size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Bates Coal Co., J. M. (J. M. Bates)	170	No. 2	5	Sebastian	....	....	(*)	....	....	....	....	....	....	....	....	(*)	....	(*)	145	....	....	(*)
Bokoshe Coal Co. (Chester R. Oglesby)	621	Bokoshe Coal Co. #2	7	LeFlore	....	....	160	....	....	....	....	....	....	....	....	330	....	165	....	....	....	300
Bokoshe Coal Co. (Chester R. Oglesby)	622	Bokoshe Coal Co. #3	7	LeFlore	....	....	....	135	....	425	425	425	410	390	345	330	230	165	145	135	215	345
Stewart, A. L.	616	No. 1	2	Franklin	....	....	155	....	....	455	455	455	....	....	....	330	....	165	....	....	....	380
Williams & Johnson Coal Co. (Linus A. Williams)	620	No. 1	1	Johnson	480	455	....	....	....	....	....	....	....	....	....	....	280	230	230	230	....	480

*Previously priced for these size groups. No changes requested.

[F. R. Doc. 43-2167; Filed, February 10, 1943; 11:17 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment 7]

PART 804—INDIVIDUAL LICENSES

APPLICATIONS FOR LICENSES

Section 804.2 *Applications for licenses* is hereby amended by adding the following new section:

§ 804.2 *Applications for licenses.* • • •

(g) An applicant must not submit more than one application for a license to export commodities designated under one Department of Commerce Schedule B number and for which the applicant has a single firm order, unless authorized by the Office of Exports.

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807)

Dated: February 11, 1943.

PAUL CORNELL, *Chief of Office, Office of Exports.*

[F. R. Doc. 43-2244; Filed, February 11, 1943; 11:29 a. m.]

[Amendment 8]

PART 805—SELECTED DESTINATIONS CLEARANCE PROCEDURE

INDIVIDUAL LICENSE PROCEDURE

Subparagraph 2 of paragraph (d) of § 805.4 *Individual license provisions* is hereby amended to read as follows:

§ 805.4 *Individual license procedure.* • • •

(d) • • •

(2) In the case of exportations to selected destinations on vessels departing from Canadian ports, the exporter must prepare an extra copy of his export declaration, and must note thereon both the license number and the control number. This copy of the export declaration must be verified by the collector of customs at the point of exit from the United States.

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807)

Dated: February 11, 1943.

PAUL CORNELL, *Chief of Office, Office of Exports.*

[F. R. Doc. 43-2245; Filed, February 11, 1943; 11:29 a. m.]

GENERAL REVISION OF EXPORT REGULATIONS

Correction

The following changes should be made in the general revision appearing in the issue for Thursday, February 4, 1943. List A contains additions or deletions to be made in § 801.2 under the column "Shipping Priority Rating". List B contains corrections to be made in other parts of the revision.

LIST A

Page	
1495	Insert "D" after "Almonds, sweet."
1495	Insert "B" after "Ampoules."
1495	Insert "D" after "Amusement park and playground devices."
1495	Insert "D" after "Horses, for breeding."
1495	Insert "D" after "Horses, other."
1495	Insert "D" after "Live animals, n. e. s. (include goats and fur bearing animals)."
1495	Insert "D" after "Mules, asses, and burros."
1495	Insert "C" after "Shells, mother-of-pearl, unmanufactured."
1495	Insert "C" after "Shells, other unmanufactured."
1495	Insert "C" after "Animal products, inedible, n. e. s. (include fish essence, fish for bait, crude catgut, and gelatin for photographic use)."
1495	Insert "D" after "Cattle for breeding."
1495	Insert "D" after "Cattle, other."
1495	Insert "D" after "Hogs (swine)."
1495	Insert "D" after "Poultry, live."
1495	Insert "D" after "Sheep (include Karakul sheep)."
1495	Insert "D" after "Egg albumen."
1495	Insert "B" after "Egg products, dried."
1495	Insert "B" after "Egg products, frozen."
1495	Insert "B" after "Egg products, otherwise preserved."
1495	Insert "D" after "Eggs, in the shell."
1495	Insert "D" after "Gelatin."
1495	Insert "B" after "Meat extracts and bouillon cubes."
1495	Insert "D" after "Animal products, edible, other (see Rennet)".
1495	Insert "D" after "Antiques".
1495	Insert "B" after "Apple pomace".
1495	Insert "D" after "Apricot pits & kernels".
1495	Insert "D" after "Apricots".
1498	Delete "D" after "Bonechar".
1498	Insert "D" after "Bonnets, fur-felt".
1505	Insert "C" after "Vanillin".
1505	Insert "D" after "Wax, floor, wood, & furniture polishes".
1527	Insert "B" after "Middlings".
1527	Insert "B" after "Blankets & bedding, exported for relief or charity".
1528	Insert "C" after "Molleton padding".
1530	The Shipping Priority Ratings for the following commodities should read:
	Ink, other, n. e. s. C
	Ink, writing B
	Paste & mucilage, n. e. s. C
	Pencil parts C
	Penholders & parts, n. e. s. D
1537	Delete "B" after "Root, tuba".
1542	Insert "D" after "Tangerines".
1542	Insert "D" after "Tapestry materials".
1546	Delete "K" after "Washers, mica, processed".

LIST B

Page	
1504	Chemicals. Under this heading the "potassium chlorate" Dept. of Comm. No. should read "8359.08".
1542	Synthetic Textiles. Under this heading the Dept. of Comm. No. for "Rayon fabrics, printed, woven spun" Unit "Sq. Yd." should read 3849.61.
1549	§ 802.1 The quotation mark should be around "General license" only.
1549	§ 802.2 (a) Under British West Africa the third name is misspelled; should be corrected to "Gambia".
1550	§ 802.2 (a) The abbreviation following "Les Saintes Is." should be "Fr. W. Indies".
1550	§ 802.3 (a) Heading of the country groups following Group C should be Group K. (This correction was published in Federal Register of Feb. 6.)
1551	§ 802.3 (a) In Group K the country following eru should read: Pitcairn Island (Oceania, British) 54
1554	§ 802.10 (a) One commodity is misspelled; should be "Chlorobenzenes".
1554	§ 802.10 (a) Under Schedule B Nos. for Belladonna 8180.93 should read 8190.93.

Page	List B—Continued
1554	§ 802.10 (a) The Schedule B numbers that should follow the heading "Equipment for the production of aviation lubricating oil" are "7750.01, 7750.03".
1555	§ 802.10 (a) One commodity is misspelled, should be "hexamethyleneterramine"
1555	§ 802.10 (a) Under Schedule B numbers for "Radio tubes or valves for receiving sets" 7089.05 should read "7078.05."
1555	The first Schedule B number for "potassium chlorate and perchlorate" should read "8359.08".
1556	§ 802.10 (b) One commodity misspelled; should be "homatropine".
1559	§ 803.1 (a) (4) The number following "Soda lime" should read "8379.01"
1560	§ 803.2 (b) The title of Automobile wrenches and parts under "Iron and Steel Mfrs.—Tools" should read "Automotive wrenches and parts"
1561	§ 803.3 (c) Title of the first commodity under Machinery should read "For Mfr.—Aviation Lubricating Oil".
1563	§ 803.3 Under heading Pharmaceutical Products the word following "Fruit" should be "salts"
1566	§ 804.7 (a) The fourth word from the end should be singular "shipment".
1566	§ 804.7 (d) (1) The word "weight" should be singular.
1568	§ 804.8 (b) Under heading "Arsenicals" the second Schedule B number of "Paris Green" should be "8397.02".
1569	Schedule B No "8359.09" following "potassium chlorate" should be deleted.
1572	§ 806.2 (d) (2) The last sentence should read as follows: "No such publication may be exported as a commodity, such as mixed books, over-issue magazines and No. 1 heavy books and magazines under this general license."

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680, W.P.B. Reg. 1, 7 F.R. 561, E.O. 9024, 7 F.R. 329, E.O. 9040, 7 F.R. 527, E.O. 9125, 7 F.R. 2719, sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

Part 1052—Kitchen, Household and Other Miscellaneous Articles

[Supplementary Limitation Order L-30-a, as Amended Feb. 11, 1943]

GALVANIZED WARE AND NON-METAL COATED METAL ARTICLES

§ 1052.2 *Supplementary Limitation Order L-30-a*—(a) *Definitions.* For the purposes of this order:

(1) "Restricted" when applied to any products or articles, means made of iron or steel which is zinc-coated or has a plain, japanned, painted, lithographed or lacquered finish.

(2) "Preferred order" means any purchase order, contract or subcontract for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(3) "Garbage, rubbish and ash receptacles" or "garbage cans and pails" do not include:

(i) Cans which are both specifically designed for, and of a type customarily used for, the disposal of oily waste or film scrap; or

(ii) Cans produced in fulfillment of preferred orders, provided such cans are constructed in accordance with United States Army Specifications Nos. 29-91 (dated October 18, 1939) or 29-91A (dated March 3, 1942), Federal Specification No. RR-C-81 (as amended May, 1936), Emergency Alternate Federal Specification No. E-RR-C-81 (dated April 30, 1941), or Bureau of Ships Specification No. 42C23 (INT) (dated June 1, 1942).

(4) "Pails," "buckets" or "tubs" do not include:

(i) Any pails, buckets or tubs designed expressly for use as packing or shipping containers; or

(ii) Any buckets produced in fulfillment of preferred orders, provided such buckets are constructed in accordance with Federal Specification No. RR-B-771a (dated March 3, 1939) or Emergency Alternate Federal Specification No. E-RR-B-771a (dated December 11, 1941).

(5) "Funnels" do not include any funnels produced in fulfillment of preferred orders, provided such funnels are constructed in accordance with Bureau of Ships Ad Interim Specification 41-F-6 (INT) For Funnels (dated December 1, 1941), or with Chemical Warfare Service Drawings Nos. E-81-5-6 (dated September 11, 1941), B-18-41-2 (revised January 27, 1942) or E-18-41-1 (revised November 22, 1941) or any subsequent drawings designed for Chemical Warfare Service needs.

(6) "Manufacturer" means any person who produces or assembles any restricted product or article, or any part for such product or article.

(7) "Put into process" means the first change by a manufacturer in the form of material from that form in which it is received by him.

(8) "Base period" means the twelve months ending June 30, 1941.

(b) *Restrictions on miscellaneous articles.* Except as provided in paragraph (g), on and after November 12, 1942, no manufacturer shall process, fabricate, work on or assemble any iron or steel for use in the production of any of the following restricted articles:

(1) Watering pots,

(2) Radiator and tractor filling cans (other than blitz cans),

(3) Foot baths,

(4) Liquid and dry measures (other than oil measures with flexible spouts), except in fulfillment of preferred orders,

(5) Dippers, except in fulfillment of preferred orders,

(6) Ash sifters,

(7) Coal hods and scuttles,

(8) Utility baskets.

(c) *Restrictions on garbage, rubbish and ash receptacles.* (1) Except as provided in paragraph (g), on and after November 12, 1942, no manufacturer shall process, fabricate, work on or assemble any iron or steel for use in the production of any restricted garbage, rubbish or ash receptacles except garbage cans and pails as permitted in Schedule A attached to this order.

(2) No manufacturer shall put into process more iron and steel, by weight, in the production of restricted garbage cans and pails permitted under Schedule A:

(i) During the period from November 1, 1942 to December 31, 1942, inclusive, than two times 50% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of restricted garbage, rubbish and ash receptacles; or

(ii) During the period of three months beginning January 1, 1943, and during each succeeding period of three months, than three times 50% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of restricted garbage, rubbish and ash receptacles.

(d) *Restrictions on pails, buckets and tubs.* (1) Except as provided in paragraph (g), on and after November 12, 1942, no manufacturer shall process, fabricate, work on or assemble any iron or steel for use in the production of any restricted pails, buckets or tubs (other than fire buckets) except pails and buckets and wash tubs as permitted under Schedule A.

(2) On and after January 1, 1943, no manufacturer shall process, fabricate, work on or assemble any iron or steel for use in the production of any restricted fire bucket.

(3) Except in fulfillment of preferred orders and orders placed by Rubber Reserve Corporation, U. S. Commercial Corporation and Defense Supplies Corporation, during the period of three months beginning January 1, 1943, and during each succeeding period of three months, no manufacturer shall

(i) Put into process more iron and steel, by weight, in the production of

(*a*) Restricted pails and buckets permitted under Schedule A than three times 50% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of restricted pails and buckets (other than fire buckets and wringer buckets); or

(*b*) Restricted wash tubs permitted under Schedule A than three times 50% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of restricted wash tubs; or

(ii) Put into process under either subdivision (*a*) or (*b*) of this paragraph (d) (3) more open-hearth steel than one third of his total quota of iron and steel under such subdivision.

(e) *Restrictions on wash boilers and fire shovels.* (1) Except as provided in paragraph (g), on and after November 12, 1942, no manufacturer shall process, fabricate, work on or assemble any iron or steel for use in the production of any:

(i) Restricted wash boiler except as permitted in Schedule A; or

(ii) Restricted fire shovel more than 22 inches in length.

(2) No manufacturer shall put into process more iron and steel, by weight, in the production of:

(i) Restricted wash boilers permitted under Schedule A:

(*a*) During the period from November 1, 1942 to December 31, 1942, inclusive, than two times 50% of the average monthly amount of iron and steel, by weight, put into process by him in the base period in the production of wash boilers (whether restricted or not); or

(*b*) During the period of three months beginning January 1, 1943, and during each succeeding period of three months, than three times 50% of the average monthly amount of iron and steel, by weight, put into process by him in the base period in the production of wash boilers (whether restricted or not).

(ii) Restricted fire shovels:

(*a*) During the period from November 1, 1942 to December 31, 1942, inclusive, than two times 50% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of restricted fire shovels; or

(*b*) During the period of three months beginning January 1, 1943, and during each succeeding period of three months, than three times 50% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of restricted fire shovels.

(f) *Restrictions on funnels, refrigerator pans and cans designed for the storage of oil, gasoline or kerosene.* (1) Except as provided in paragraph (g), on and after November 12, 1942, no manufacturer shall process, fabricate, work on or assemble any iron or steel for use in the production of any restricted funnel except as permitted in Schedule A.

(2) On and after January 15, 1943, no manufacturer shall process, fabricate, work on or assemble any iron or steel for use in the production of:

(i) Any restricted funnels or refrigerator pans; or

(ii) Any restricted cans, with a capacity of one to five gallons, inclusive, designed for the storage of oil, gasoline or kerosene, except

(*a*) In fulfillment of preferred orders,

(*b*) Cans commonly known as safety cans, used for the storage of inflammable liquids, or

(*c*) Cans used as operating supplies by railroads or other common carriers, provided that all such cans are produced and sold only in fulfillment of purchase orders from railroads or other common carriers;

(3) During the period from November 1, 1942 to December 31, 1942, inclusive, no manufacturer shall put into process in the production of:

(i) Restricted funnels, more than two times 50% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of restricted funnels;

(ii) Restricted refrigerator pans more than two times 50% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of restricted refrigerator pans; or

(iii) Restricted cans designed for the storage of kerosene with a capacity of from one to five gallons, inclusive, more than two times 50% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of such restricted cans.

(g) *Exceptions.* Notwithstanding the provisions of paragraphs (b), (c) (1), (d) (1), (e) (1) and (f) (1), a manufacturer may produce any restricted article mentioned in these paragraphs from iron and steel which, on November 12, 1942, had been cut or blanked to size for such restricted article by him or by any other person: *Provided*, That such restricted article is completed on or before December 7, 1942, except for the application of a zinc or other coating and the attaching of bails, handles, spouts or ears, which may be done thereafter.

(h) *Applicability of other orders.* The provisions of this order shall supersede the provisions of Limitation Order L-30 in respect to restricted articles covered by this order, but nothing in this order shall be deemed in any way to affect the provisions of said Order L-30 and other orders in respect to any other articles or products. In so far as any other order restricts the use of any material in the production of any restricted articles to a greater extent than the limits imposed by this order, the restrictions of such other order shall govern unless otherwise specified therein.

(i) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(j) *Appeal.* Any appeal from the provisions of this order should be made on Form PD-500, directed to the War Production Board, Consumers' Durable Goods Division, Washington, D. C., Ref: L-30-a.

(k) *Avoidance of excessive inventories.* No manufacturer shall accumulate, for use in the manufacture of restricted articles covered by this order, inventories of raw materials, semi-processed materials, or finished parts in quantities in excess of the minimum amount necessary to maintain production of such restricted articles as permitted by this order.

(l) *Records.* All persons affected by this order shall keep and preserve for not less than two years, accurate and complete records concerning inventories, production and sales.

(m) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(n) *Reports.* (1) All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(2) Each manufacturer shall file with the War Production Board, on or before the tenth day of each calendar month, beginning December 10, 1942, a report on Form PD-655 showing all shipments of restricted articles covered by this order made during the preceding calendar month, together with a statement of stocks of such articles on hand at the beginning and end of such month.

(o) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(p) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers' Durable Goods Division, Washington, D. C., Ref: L-30-a.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

Under paragraphs (c) (1), (d) (1), (e) (1) and (f) (1) of Limitation Order L-30-a, except as provided in paragraph (g) of that order, on and after November 12, 1942, no manufacturer shall process, fabricate, work on or assemble any iron or steel for use in certain restricted articles unless such restricted articles fall within the permissible sizes and other limitations set forth in this schedule. When a manufacturer is permitted by this schedule to make more than one size of any restricted article, each size he manufactures shall fall within a different one of the size ranges specified.

Articles	Number of sizes permitted each manufacturer	Size (actual capacity or dimensions)	Gauges
Garbage cans and pails (covers must not be zinc-coated).	4	5–7 gallons	26–31 gauge.
		9–11 gallons	26–31 gauge.
		20 gallons*	26–31 gauge.
		27 gallons*	22–24 gauge.
Pails and buckets (other than fire buckets and wringer buckets).	2	10 quarts*	28 gauge and lighter.
		14 quarts*	28 gauge and heavier.
Wash tubs (without stands or legs)	1	14 gallons*	28 gauge and lighter.
Wash boilers	1	11 to 14½ gallons	28 gauge and lighter.
Funnels (with or without wire strainers).	Unlimited	10″ to 15″ in diameter of bowl by 9½″ to 12½″ deep.	Unlimited.

*The capacity or dimensions of these sizes may vary 10% from the figures stated.

[F. R. Doc. 43-2228; Filed, February 11, 1943; 10:54 a. m.]

PART 1247—CHURCH GOODS

[Limitation Order L–136, as Amended Feb. 11, 1943]

Section 1247.1 *Limitation Order L–136* is hereby amended to read as follows:

§ 1247.1 *Limitation Order L–136*—(a) *Definitions.* For the purposes of this Order:

(1) "Church goods" means any article of religious devotion or significance and any article imbued with patterns of religious significance.

(2) "Class A product" means any church goods essential and necessary for the purpose of conducting religious services or of such character as to have definite devotional significance.

(3) "Class B product" means any church goods not recognized by the churches as being articles ordinarily used for religious devotion, including but not limited to, articles designed for decorative purposes, religious jewelry or articles imbued with patterns of religious significance designed to be worn on or about the person.

(4) "Restricted materials" means aluminum, cadmium, chromium, copper and copper base alloys, lead, phenolic plastics, methyl methacrylate plastics, magnesium, mercury, nickel, rhodium, rubber, tin and tinplate, zinc, and alloy steel (as defined in Conservation Order M–21–a, as amended).

(5) "Iron" and "steel" shall not include minimum amounts used in screws, nails, rivets, bolts, wire, strapping or other essential items of joining hardware.

(6) "Put into process" means for a person to perform the first manufacturing or assembly operation on material or parts received by him.

(7) "Manufacturer" means any person who is engaged in the production of church goods or parts therefor.

(b) *General restrictions.* (1) No manufacturer shall process, fabricate, work on or assemble any restricted materials for use in the production of church goods, or manufacture or assemble any new church goods or parts therefor (including repair parts) containing any restricted materials, except that in the production of Class A products the following restricted materials may be used:

(i) Lead;

(ii) Tin for soldering purposes used in accordance with the provisions of Order M–43–a, as amended.

(iii) Chromium used for plating directly on iron and steel; and

(iv) The polishing or finishing with a non-metallic coating of church goods which were otherwise completely manufactured prior to June 23, 1942.

(2) During the period of three months beginning January 1, 1943, and during each succeeding period of three months, no manufacturer shall put into process in the production of Class A products or parts therefor (including repair parts) more iron and steel, by weight, than 12½% of the aggregate weight of iron, steel and other metals except gold and silver put into process by him in the production of Class A products and parts therefor (including repair parts) during 1940.

(3) On and after February 16, 1943 no manufacturer shall put any iron or steel into process in the production of any Class B products or parts therefore (including repair parts).

(c) *Inventory restrictions.* No manufacturer shall accumulate for use in the production of church goods, or parts therefor, inventories of raw materials, semi-processed materials or finished parts in excess of the minimum amount necessary to maintain production as permitted by this order. Manufacturers shall sell materials in their inventory only in accordance with the provisions of Priorities Regulation No. 13 (Part 944) and other applicable orders and regulations.

(d) *Applicability of other orders.* In so far as any other order heretofore or hereafter issued by the Director of Priorities, the Director of Industry Operations or the Director General for Operations, including Conservation Order M–199, restricts the use of any material in the production of church goods or parts therefor to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

(e) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(f) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(g) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(h) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(i) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Appeals.* Any appeal from the provisions of this order shall be filed on Form PD–500 with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington, D. C., Ref: L–136.

Issued this 11th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–2229; Filed, February 11, 1943; 10:54 a. m.]

PART 1276—PLYWOOD

[Limitation Order L–150–a as Amended Feb. 11, 1943]

SOFTWOOD PLYWOOD

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of softwood plywood for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1276.6 *Limitation Order L–150–a*—(a) *Definitions.* For the purpose of this order:

(1) "Producer" shall mean any manufacturer of softwood plywood, but shall not include any distribution warehouse of any manufacturer.

(2) "Softwood plywood" shall mean a built-up board of laminated veneers of any species of softwood united with a bonding agent.

(3) "Distributor" shall mean any wholesaler, jobber, retailer or other person who in the regular course of his business sells softwood plywood.

(b) *General restrictions.* No distributor shall sell, ship or deliver or cause to be sold, shipped or delivered, any softwood plywood except upon orders rated AA–5 or higher, except that this restriction shall not apply

(1) To sales, shipments or deliveries by producers to distributors;

(2) To sales, shipments or deliveries of softwood plywood:

(i) Which has been rejected by grading process, while still in the possession of a producer, as not meeting commercial standards;

(ii) Which has been produced by a producer by "cutting-back" rejects;

(iii) In the form of strips, odd sizes and scrap resulting from the processing for use of standard panels.

(c) *Appeals.* Any appeal from this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(d) *Communications.* Communications concerning this order, shall, unless otherwise directed, be addressed to War Production Board, Lumber and Lumber Products Division, Washington, D. C. Ref.: L–150–a.

(e) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. In addition, the Director General for Operations may prohibit such person from making or obtaining further deliveries of, or from processing or using, material under priority control, may withhold from such person priorities assistance, and may take such other action as he deems appropriate.

(f) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–2230; Filed, February 11, 1943; 10:54 a. m.]

PART 3166—BRUSHES

[Limitation Order L–251]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of bristles, rubber and of the various metals used in the manufacture of brushes for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

3166.1 *Limitation Order L–251*—(a) *Issuance of schedules of simplification of brushes.* The Director General for Operations may from time to time issue schedules establishing simplified practices with respect to the manufacture, types sizes forms or other specifications of brushes. From and after the effective date of any such schedule, no person shall commence the manufacture of any brushes affected except those that conform to the issued schedule and except as specifically permitted by such schedule.

(b) *Applicability of priorities regulations.* This order, the schedules issued hereunder and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(c) *Applicability of other orders.* Insofar as any other order of the Director General for Operations, heretofore or hereafter issued, restricts the use of any material to a greater extent than the limitations imposed by this order or any schedule issued hereunder the restrictions of such other order shall govern, unless otherwise specified therein.

(d) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(e) *Communications.* All reports required to be filed hereunder and all communications concerning this order or any schedule issued hereunder shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Ref: L–251, Schedule —.

(f) *Violations.* Any person who wilfully violates any provision of this order or any schedule issued hereunder, or who, in connection with this order or any such schedule, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 11th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–2231; Filed, February 11, 1943; 10:57 a. m.]

PART 3166—BRUSHES

[Schedule 1 to Limitation Order L–251]

PAINTERS', DECORATORS' AND CERTAIN INDUSTRIAL BRUSHES

§ 3166.2 *Limitation Order* L–251—(a) *Definitions.* For the purposes of this schedule:

(1) "Paint brush" means any brush having a ferrule and used in the painting, varnishing or decorating trade, including all types of brushes specified in List A and all brushes of similar construction or use.

(2) "Ferrule" means the metal band by which the bristles of a paint brush are attached to the handle.

(b) *Limitations.* (1) No person shall commence the manufacture of any ferrule:

(i) Of a size other than that specified in List A with respect to each paint brush;

(ii) With an assembly containing an inner band, a bridge and a spout;

(iii) Which is seamless, except for a shipbottom, stencil, oval varnish or oval sashtool brush;

(iv) Which is embossed.

(2) No person shall commence the manufacture of any paint brush:

(i) Of a type other than that specified in List A;

(ii) With a ferrule not conforming to the limitations provided in paragraph (b) (1);

(iii) With a handle finished in more than one color.

(c) *Exceptions.* Notwithstanding the provisions of paragraph (b) (2), any person may use in the manufacture of any paint brush ferrules and handles completely fabricated on or before February 11, 1943.

(d) *Records.* Each person using or disposing of any ferrules or handles which do not conform to the limitations of paragraph (b), completely fabricated on or before February 11, 1943, shall retain in his files records showing his inventory of such parts as of February 11, 1943, and of his subsequent purchases or sales of such parts. Such records shall be kept readily available and open to audit and inspection by duly authorized representatives of the War Production Board.

Issued this 11th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

LIST A

[All dimensions are inside dimensions, in inches, with a maximum of 1/64-inch variation allowable from the dimensions specified]

Type of brush	Fed. Spec. No.	Trade-standard reference	Width of ferrule	Thickness of ferrule	Depth of ferrule
Artist	H–B–241	#1	1/32	3/64	11/32
			2/64	4/64	17/64
			1	1/16	13/16
Color-single-thickness		#2	11/64	5/64	21/64
			1/32	3/64	25/64
			1	1/16	1
			11/32	7/64	13/64
			2	1/32	17/64
			21/32	1/16	1/4
			3	3/32	11/64
Flatting-wall-master		#5	41/64	1/32	1
			5	1/32	1
			6	1/32	1
Flatting-wall-utility		#6	6 1/2	1/32	1
Flowing pitch-single-thickness	H–B–256	#3	1	5/64	13/64
			1 1/32	7/64	13/64
			2	1/32	13/64
			2 1/32	1/16	13/64
			3	3/32	13/64
Ox hair & civet hair flowing		#4	1	11/64	13/64
			1 1/32	7/64	13/64
			2	1/32	13/64
			2 1/32	1/16	13/64
			3	3/32	13/64
			4	11/64	13/64
Glue-flat	H–B–291	#8	1	7/64	13/64
			2	9/64	13/64
			3	11/64	13/64
Glue-round	H–B–301	#7	13/64	13/64	1/2
			1	1/16	1/2
			1 5/64	1/16	1/2
			1 1/32	1/32	5/8
			2 1/32	1/32	5/8
			2	1/32	3/4
Kalsomine-Dutch		#9	7/64	21/64	1
Kalsomine-flat	H–B–111	#10	7	7/64	13/64
		#10	2	7/64	13/64
Lacquering-flat	H–B–351		3/64	*3/64	5/16
			1/32	3/32	1/8
			1/16	*3/32	1/8
Lettering	38 B 28 (Navy).		1/16	3/32	13/64
			*3/32	*3/32	13/64
			1/8	3/32	1/4
Marking	H–B–371		*3/32	*3/32	17/64
			*1/4	*1/16	1/4
			*11/64	*1/16	13/64
			*13/64	1/16	13/64
Mottling	H–B–391		7/64	13/64	13/64
			1 1/16	3/64	13/64
			2 3/16	1/16	13/64
Mucilage and paste: Type I: (Min. dimen. inside ferrule), H–B–401. (Min. dimen. inside ferrule).			3/64	3/16	1
			13/64	3/16	1
Type II			1	3/16	1
			2	5/64	13/64
			3	5/16	13/64
			4	1/2	13/64
Painters' duster-flat	H–B–211	#12	4	11/64	1/2
Painters' duster-round	H–B–216	#11	2 1/2	21/64	1/2
Plasterers'		#13	7 1/2	13/64	1/2
Radiator	H–B–451	#14	1	1/4	13/64
			1 1/2	1/4	13/64
			2	5/16	13/64
Sashtool-flat		#16	1	5/16	13/64
			1 1/2	1/4	13/64
			2	9/64	13/64
			2 1/2	5/8	13/64

*Dimensions shown in "thickness of ferrule" column and "width of ferrule" column in the case of lettering brushes and marking brushes are understood to mean "size of ferrule at handle end" and "size of ferrule at hair end," respectively.

LIST A—Continued

[All dimensions are inside dimensions, in inches, with a maximum of 1/64-inch variation allowable from the dimensions specified]

Type of brush	Fed. Spec. No.	Trade-standard reference	Width of ferrule	Thickness of ferrule	Depth of ferrule
Sashtool-oval (seamless).	H-B-191	#16	1 3/16	1/2	1 1/4
			1	1/2	1 1/4
			1 1/16	3/4	1 1/4
			1 1/16	7/8	1 1/4
			1 1/16	1 1/16	1 1/4
Shipbottom (seamless or soldered wire ferrule).	.....	#17	2 3/4	2 3/8	1
Signwriters'	.....	#20	1/4	3/32	1 1/4
			1/2	1/16	1 1/4
			1	1/8	1 1/4
			1	1/16	1 1/4
			1 1/2	2 3/16	1 1/4
Smoothing paper hanger (2 rows).	.....	#18	12	1/2	1/2
Smoothing paper hanger (3 rows).	.....	#19	12	3/4	1 1/4
Stencil (seamless ferrule).	H-B-621 & H-B-622	#23	3/4	1/4	1
			1	1	1
			1 1/4	1 1/4	1
			1 1/2	1 1/2	1
			2	2	1
Stucco-open center	.....	#21	3	1 1/4	1 1/4
			3 1/2	1 1/4	1 1/4
			4	1 1/4	1 1/4
			4 1/2	1 1/4	1 1/4
			5	1 1/4	1 1/4
Stucco-solid center	.....	#22	3 1/2	1 1/4	1 1/4
			4	1 1/4	1 1/4
			4 1/2	1 1/4	1 1/4
Varnish-flat-double	H-B-701	#32	1 1/2	3/4	1 1/4
			2	7/8	1 1/4
			2 1/2	7/8	1 1/4
			3	1 1/16	1 1/4
			4	1 1/16	1 1/4
Varnish-oval (seamless ferrule).	H-B-711	#31	1 3/8	1 1/16	1
			1 7/8	1 1/2	1
			2 5/8	1 15/16	1
Varnish-flat-single	H-B-[illegible]	#30	1/2	1/4	1 1/4
			1	1/4	1 1/4
			1 1/2	1/4	1 1/4
			2	1/4	1 1/4
			2 1/2	1 3/32	1 1/4
Varnish-flat-single X	.....	#31	3	7/16	1 1/4
			1	3/16	1 1/4
			1 1/2	7/16	1 1/4
			2	1/2	1 1/4
			2 1/2	1 1/32	1 1/4
			3	1/2	1 1/4
Varnish-flat-triple	H-B-706	#33	1 1/2	1 1/16	1 1/4
			2	1	1 1/4
			2 1/2	1 1/16	1 1/4
			3	1 1/4	1 1/4
Wall-master A	H-B-421	#27	1	1	1 1/4
			3 1/2	1	1 1/4
			4	1	1 1/4
			4 1/2	1	1 1/4
Wall-master B	H-B-421	#28	5	1	1 1/4
			3	1	1 1/4
			3 1/2	1	1 1/4
			4	1	1 1/4
			4 1/2	1	1 1/4
Wall-medium	H-B-431	#26	5	1	1 1/4
			3	1 1/16	1 1/4
			3 1/2	1 1/16	1 1/4
			4	7/8	1 1/4
			5	7/8	1 1/4
Wall-syndicate	.....	#24	3	1 1/16	1 1/4
			3 1/2	1 1/16	1 1/4
			4	7/8	1 1/4
			6	7/8	1 1/4
Wall-utility	H-B-436	#25	3	1 1/16	1 1/4
			3 1/2	1 1/16	1 1/4
			4	7/8	1 1/4
Whitewash	H-B-731	#29	7	1 1/8	1

[F. R. Doc. 43-2232; Filed, February 11, 1943; 10:54 a. m.]

PART 3177—MOTOR TRUCK AND TRAILER BODIES

[Limitation Order L-253]

The fulfillment of requirements for the defense of the United States having created a shortage in the supply of iron, steel and other materials required in the production of motor truck and trailer bodies for defense, for private account and export, the following limitation order is deemed necessary and appropriate in the public interest:

§ 3177.1 *Limitation Order L-253*—(a) *Definitions.* For the purposes of this order:

(1) "Truck" means a motor truck chassis designed for use on or off the highway for the transportation of property or materials.

(2) "Trailer" means a semi-trailer chassis or full trailer chassis designed for use on or off the highway for the transportation of property or materials.

(3) "Body" means a superstructure, including built-in parts, produced for mounting on a truck or trailer, or built integrally as a trailer by the attachment of axle and wheel equipment, but does not include concrete and asphalt mixers, crushing plants and similar items of construction and machinery.

(4) "Dump body" means a body designed to transport solid materials in bulk and to unload by tipping, through bottom openings or otherwise by gravity.

(ii) "Tank body" means a body produced to transport liquid or gaseous materials in bulk.

(4) "Built-in parts" means parts which are integral parts of a body, or parts which are not readily detachable from such bodies including but not limited to cabinets, hanger rails, inside wheelhouses, partitions, racks, and shelving.

(5) "Producer" means any individual, partnership, association, corporation, or other organization engaged in the production of bodies.

(6) "Iron and steel" means any material, the principal ingredient of which is ferrous metal not including screws, nails, bolts, rivets, and other joining hardware.

(7) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons whether incorporated or not.

(b) *Limitations on use of iron and steel in bodies.* (1) On and after March 1, 1943, no producer shall, unless as authorized in paragraphs (e) and (j) of this order, use any iron or steel in the manufacture of bodies, except in the following:

(i) Parts to reinforce (but not to cover) frames and platforms; body outrails; iron castings; trailer coupling devices; cross and longitudinal frame members (but not body cross bolsters); electrical equipment, including lights, fixtures, or signaling devices; essential body hardware; reflectors; louver or static type ventilators; wheelhouse mudguards and frames.

(ii) Parts necessary in the mounting of bodies, including but not limited to brackets, drive-shaft guards, chassis frame extensions and reinforcements, outriggers, spring leaves and auxiliary springs.

(2) Steel used in any of the parts enumerated in subparagraphs (1) (i) and (ii) above shall in no instance be alloy steel.

(c) *Limitations on dimensions and weights of dump bodies.* (1) On and after March 1, 1943, no producer shall, except as provided in paragraphs (e) and (j) of this order, produce any dump body which does not conform to the following dimensions and weights:

(i) Light dump bodies: an inside length of not less than seven (7) or more than eight (8) feet and a capacity of not less than two and one-half ($2\frac{1}{2}$) cubic yards, water level, and containing iron and steel of an aggregate weight not in excess of nine hundred and twenty-five (925) pounds, no part of which shall be alloy steel, including all hardware, but excluding the weight of mounting parts as set forth in paragraph (b) (1) (ii) of this order.

(ii) Medium dump bodies: an inside length of not less than nine (9) or more than ten (10) feet and a capacity of not less than four (4) cubic yards, water level, and containing iron and steel of an aggregate weight not in excess of one thousand six hundred fifty (1650) pounds, no part of which shall be alloy steel, including all hardware, but excluding the weight of mounting parts as set forth in paragraph (b) (1) (ii) of this order.

(d) *Prohibition of production of tank bodies.* On and after February 10, 1943, no producer shall produce any tank body except as specifically authorized by the Director General for Operations, or as provided for in paragraph (e) of this order.

(e) *Army and Navy exemptions.* In respect to bodies sold to or produced under contracts or orders for delivery to or for the account of the Army or Navy of the United States:

(1) Until May 1, 1943, the provisions of paragraphs (b), (c) and (d) shall not apply to such bodies.

(2) On and after May 1, 1943, the provisions of paragraphs (b), (c) and (d) of this order shall not apply to any body of a type listed on Schedule A to this order, as amended from time to time, provided that where a date is stated on Schedule A in connection with any listed type of body, the restrictions of paragraphs (b) and (c) shall apply to such type of body on and after the date stated.

(f) *Records.* Every person to whom this order applies shall keep and preserve for a period of not less than two years accurate and complete records of his inventories, production and sales.

(g) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(h) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information, to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance by the Director General for Operations.

(j) *Appeals.* An appeal from the provisions of this order shall be made by filing Form PD-792, in triplicate with the War Production Board, Automotive Division, Ref.: L-253, referring to the particular provision appealed from and stating fully the information called for by Form PD-792.

(k) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to War Production Board, Automotive Division, Washington, D. C., Ref.: Order L-253.

Issued this 10th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

Body type:	*Dates on and after which the provisions of paragraphs (b) and (c) shall apply.*
Ambulance—Field, ½ ton chassis	No date
Amphibian—¼ ton, 4 x 4 chassis	No date
Amphibian—¼ ton cargo	No date
Amphibian—¾ ton, 4 x 4 chassis	No date
Amphibian—2½ ton, 6 x 6 chassis	No date
Armored	No date
Bomb Service—½ ton, 4 x 4 chassis	No date
Command Reconnaissance, ¾ ton, 4 x 4 chassis	August 1, 1943
Distributor, 800 gal.—4 ton, 6 x 6 chassis	No date
Garbage, tamper type	No date
Hydrogen Cylinder	No date
Pilot	No date
Surgical Operating—2½ ton, 6 x 6 chassis	No date
Tank, Gasoline, 750 gal.—2½ ton, 6 x 6 chassis	No date
Tank, Water, 700 gal.—2½ ton, 6 x 6 chassis	No date
Torpedo Compressor	No date
Torpedo Crane	No date
Truck—5-6 ton, 4 x 4 chassis	August 1, 1943

This Schedule will be amended from time to time by the addition or removal of body types or changes in dates, or otherwise.

[F. R. Doc. 43-2217; Filed, February 10, 1943; 3:51 p. m.]

Chapter XI—Office of Price Administration

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 280,[1] Amendment 11]

MAXIMUM PRICES FOR SPECIFIC FOOD PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new § 1351.807a is added as set forth below:

§ 1351.807a *Special provision for foreign-type cheese.* Sellers of cheese, except processed cheese of all kinds, Cheddar cheese covered by Maximum Price Regulation No. 289,[2] aged Cheddar cheese covered by Maximum Price Regulation No. 280 and cheese of less than 20% butterfat content in the water free substance, may add 3¢ per pound to the maximum prices provided in § 1351.803 hereof.

This amendment shall become effective February 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2203; Filed, February 10, 1943; 12:43 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 289,[2] Amendment 3]

DAIRY PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1351.1519 (e) (2) of Maximum Price Regulation No. 289 is amended to read as follows:

§ 1351.1519 * * *

(e) * * *

(2) *Sales of aged or cured Cheddar cheese.* All sales of aged or cured Cheddar cheese are exempt from the provisions of this section. Maximum prices for sales of aged or cured Cheddar cheese shall be determined under the provisions of Maximum Price Regulation No. 280.[1] Aged or cured Cheddar cheese is Cheddar cheese which has been permitted to stand under a controlled temperature for such a length of time that it has acquired a clean, pleasant, mild aroma, a pleasing nutty flavor, a mellow, silky, meaty body, and a close, solid, uniformly colored interior. For purposes of this Maximum Price Regulation No. 289, no Cheddar cheese shall be considered aged or cured unless the same has remained in the possession of either an assembler, or a wholesaler under controlled temperature conditions for at least six months: *Provided, however,* That the maximum price for the sale to the United States Government or any agency thereof of Cheddar cheese which has been subjected to aging or curing by remaining in the possession of an assembler or wholesaler under controlled temperature conditions for two months or longer, shall be governed by the provisions of Maximum Price Regulation No. 280. The provisions of this subparagraph shall not be effective after April 1, 1943. After April 1, 1943 Cheddar cheese whether or not aged or cured shall be subject to the specific maximum prices provided in § 1351.1519 of this regulation.

This amendment shall become effective February 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2204; Filed, February 10, 1943; 12:43 p. m.]

PART 1377—WOODEN CONTAINERS

[Revocation of MPR 160[1]]

SEASONAL WOODEN AGRICULTURAL CONTAINERS

A statement of the considerations involved in the revocation of Maximum Price Regulation No. 160 is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 160 is hereby revoked.

This revocation shall become effective February 11, 1943.

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2205; Filed, February 10, 1943; 12:42 p. m.]

PART 1377—WOODEN CONTAINERS

[MPR 320]

EASTERN AND CENTRAL WOODEN AGRICULTURAL CONTAINERS

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

AUTHORITY: §§ 1377.201 to 1377.216, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1377.201 *Sales of Eastern and Central wooden agricultural containers at higher than maximum prices prohibited.* (a) On and after February 11, 1943, regardless of any contract or obligation, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business, any Eastern and Central wooden agricultural containers at prices higher than the maximum prices fixed by this Maximum Price Reg-

[1] 7 F.R. 10144, 10337, 10475, 10585, 10786, 10995; 8 F.R. 158, 876, 877, 1120, 1468.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10996; 8 F.R. 490, 1458.

[1] 7 F.R. 4337, 4852, 5462, 5564, 8037.

ulation 320, and no person shall agree, offer or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged or paid.

§ 1377.202 *To what products, transactions and persons this regulation applies*—(a) *Products covered by the regulation.* This regulation, under the term "Eastern and Central wooden agricultural containers," covers the following types of containers manufactured in the states of Alabama, Arkansas, Delaware, Florida, Georgia, Illinois, Indiana, Kansas, Iowa, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Ohio, Oklahoma, Nebraska, New Jersey, New York, North Carolina, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, Wisconsin, and West Virginia:

(1) All veneer and combination veneer and sawn lumber agricultural containers; (2) all sawn lumber agricultural containers specifically listed in the price tables in the Appendix (§ 1377.216) of this regulation; and (3) all sawn lumber agricultural containers, whether or not listed in the price tables, manufactured in factories whose 1942 container production was at least 25 per cent in agricultural veneer packages. The term "agricultural container" means any assembled or unassembled box, crate, tray, lug, cup, hamper, basket, carrier, or similar container made principally of wood and customarily used for picking, handling, storing or shipping fresh fruits and vegetables. It includes any constituent part (partial shook) of the kind of containers mentioned, if it is ready to be assembled into the container, and also includes carstrips, riser sticks and tomato stakes.

This regulation does not cover coopered products, veneer and plywood drums, or used containers.

(b) *Transactions covered by the regulation.* This regulation covers all sales and purchases (in the course of trade and business) of Eastern and Central wooden agricultural containers.

(c) *Persons covered by the regulation.* Any person who sells or purchases (in the course of trade or business) Eastern and Central wooden agricultural containers is subject to this regulation. The term "person" includes: an individual, corporation, partnership, association, or any other organized group of persons, or their legal successors, or representatives; the United States, or any government, or any of its political subdivisions; or any agency of the foregoing.

§ 1377.203 *Explanation of basic maximum prices for Eastern and Central agricultural containers*—(a) *Basic maximum prices.* The "basic maximum prices" for Eastern and Central agricultural containers are listed in the price tables of the Appendix (§ 1377.216) of this regulation. These ceiling prices are for direct factory sales of containers

(1) Shipped in any quantity by rail, or

(2) Pick-up at the factory or shipped by truck in amounts of not less than a minimum truckload.

(b) *What is a "direct factory sale".* A "direct factory sale" is a sale in which the shipment of containers originates at a container manufacturing plant, no matter who the seller is, and no matter whether he is usually known as a factory operator, wholesaler, dealer, distributor, agent, or anything else. A shipment is regarded as originating at a factory if the containers reach the purchaser without ever becoming an integral part of the stock of a warehouse.

(c) *Additions to basic maximum price.* Additions to the basic maximum price can be made (in accordance with the next four sections) for:

(1) Containers shipped from a warehouse,

(2) Delivery of containers more than 50 miles from the supplying factory or warehouse,

(3) Pick-up sales and truck shipments of less than a minimum truckload of containers,

(4) Resale of certain containers stocked by a factory which did not manufacture them.

§ 1377.204 *Addition for warehouse sales*—(a) *What is a "warehouse sale".* A "warehouse sale" is a sale in which containers are shipped to the purchaser out of the stocks of a warehouse that is not located next to, or ordinarily considered as a part of, a factory. A shipment is considered to be made out of the stocks of a warehouse only if the containers were a part of the regular warehouse stock at the time the sale was made.

(b) *Addition to basic maximum price.* In warehouse sales the following two items can be added to the basic maximum price:

(1) Average inbound freight (on the particular size and type of container) at the carload rail rate (including freight tax) from producing factory to warehouse. The average inbound freight on each size and type of container is to be weighted by the quantity in the warehouse inventory (at the time of sale) that had been received from each different factory. No inbound freight can be added for containers received from factories within 50 miles of the warehouse. The average is to be figured, at least once every two weeks during the normal selling season for the particular container.

(2) A 6 percent mark-up on the sum of the basic maximum price and the average inbound freight.

§ 1377.205 *Addition for delivery*—(a) *Free delivery zone.* No charge can be added for delivery of containers anywhere within 50 miles of the factory, in direct factory sales, or within 50 miles of the warehouse, in warehouse sales.

(b) *Shipments by common or contract carrier outside the free delivery zone.* Where containers are shipped by contract or common carrier beyond the 50 mile free delivery zone, the seller (in either a direct factory sale or a warehouse sale) may add to the basic maximum price the actual transportation charges (including freight tax) paid by seller, or transportation charges based on the actual freight rate and the approximate weights in the price tables in the Appendix (§ 1377.216).

(c) *Shipments by private truck outside the free delivery zone.* Where containers are shipped by private truck (one that is owned or controlled by the seller) beyond the 50 mile free delivery zone the seller (in either a direct factory sale or a warehouse sale) may add to the basic maximum price the actual cost of transportation. The actual cost shall be figured by the method which the seller used during the year 1942, but each factor of cost may be charged in at its present price or value. In no event shall the charge for transportation be more than 80 per cent of the common carrier truck charge at the truckload rate for a similar shipment. If the seller is unable to figure the actual cost of private truck transportation, the seller may apply by letter to the Lumber Branch of the Office of Price Administration, Washington, D. C. for permission to charge for all private truck shipments, beyond the free delivery zone, an amount not greater than 80 percent of the common carrier truck charge at the truckload rate for a similar shipment. Permission can be granted by letter.

§ 1377.206 *Addition for pick-up sales and truck shipments of less than minimum truckload amount*—(a) *What is a "minimum truckload" amount.* The minimum truckload amount for many containers is set out in the price tables in the Appendix (§ 1377.216). Where a shipment includes more than one size and type container, it is a minimum truckload amount if the part truckloads of each size and type container total a whole truckload. For example, a shipment of a half truckload of bushel baskets and a half truckload of berry cups is a minimum truckload.

(b) *Addition to basic maximum price.* In pick-up sales and truck shipments of less than a minimum truckload amount, the following addition may be made to the basic maximum price (in either direct factory sales or warehouse sales):

(1) If the sale involves less than 25 percent of a minimum truckload amount, an addition of 10 percent of the basic maximum price.

(2) If the sale involves more than 25 percent of a minimum truckload amount, but less than a minimum truckload amount, an addition of 5 per cent of the basic maximum price.

(c) *Pool truck shipments.* A pool truck shipment is one which includes the orders of more than one purchaser.

(1) If the pool truck shipment is to one location, the maximum price for each order included in the shipment is the same as the ceiling price which would apply if all the containers in the shipment were bought by a single purchaser.

(2) If the pool truck shipment is to more than one location, the maximum price for each part of the shipment delivered to a different location is the ceiling price which would apply if that part were sold and delivered alone.

§ 1377.207 *Addition where a factory stocks the containers of another factory.* Where a factory stocks containers or container parts manufactured by another factory, the maximum resale price is the ceiling price which would apply if the containers were manufactured by the factory making the resale. However, in the case of complete containers or complete bundled shook handled in this manner, the reselling factory may add to the basic maximum price inbound transportation at the carload rail rate if, and only if, each container or bundle of container shook is individually marked with the actual manufacturer's name or number. No inbound transportation may be added if the two factories are 50 miles or less apart.

§ 1377.208 *Basic maximum prices for containers not specifically priced.* Eastern and Central wooden agricultural containers not specifically listed in the price tables in the Appendix (§ 1377.216) are nevertheless subject to this regulation.

The basic maximum price for any of these containers is a price which bears the 1941 shipping season relation to the price of the most similar container (called the "yardstick" container) which is specifically listed in the price tables in the Appendix. The manufacturer of the container being priced should find the difference between the price received for that container and the yardstick container in 1941 shipping season. This difference is then to be added to or subtracted from the basic maximum price for the yardstick container. The result is the basic maximum price for the containers produced by the particular manufacturer (but not by other manufacturers of the same container). This price, with a complete description of the container and the way the price was computed, must be reported to the Office of Price Administration, Washington, D. C. The price may be ordered reduced if it is found excessive. But if the price is not disapproved within 20 days of the receipt of the report, it is approved.

If the manufacturer cannot figure a maximum price under this section, he should write to the Lumber Branch of the Office of Price Administration, Washington, D. C., giving a complete description of the thing to be priced, his requested price, and any facts supporting the request. The Office of Price Administration will then by letter give him either a specific basic maximum price or instructions on how to compute it.

A manufacturer using this pricing provision cannot make deliveries of the container being priced until the basic maximum price has been approved or established by the Office of Price Administration.

Once a basic maximum price for a container has been approved or established by the Office of Price Administration under the pricing provision, the manufacturer must tell the basic maximum price to each warehouse operator, dealer or broker who sells the manufacturer's production of this container.

§ 1377.209 *What the invoice must contain*—(a) *Description of container.* All invoices must contain a sufficiently complete description of the containers or parts to show whether the price is proper or not. Any specification or extra which affects the maximum price must be mentioned in the description.

(b) *Number of containers.* The invoice must show the number of containers or footage of shook involved in the particular sale.

(c) *Addition for delivery charges.* The invoice must show separately any addition to the basic maximum prices which the seller makes for delivery beyond the 50-mile free delivery zone (in accordance with § 1377.205 *Addition for delivery*).

(d) *Warehouse sales.* In warehouse sales the invoice must contain the words "warehouse sale."

§ 1377.210 *Prohibited practices*—(a) *General.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings, and the like.

(b) *Specific prohibited practices.* The following are among the specific practices prohibited:

(1) Getting the effect of a higher price by changing credit practices or cash discounts from what they were on October 1, 1941. This includes reducing the cash discount period, decreasing credit periods, or making greater charges for extension of credit. In all cases, if the sale is on cash terms, the maximum price must be reduced by the same amount as the sale price would have been reduced for similar cash terms on October 1, 1941. For example, if the maximum price without cash discount is $10.00 and if in sales of this item on October 1, 1941, to purchasers of a certain class the seller reduced sales prices 2 percent for cash within 10 days, the ceiling cash price in sales to purchasers of this class is $9.80. For purposes of this paragraph, no discount over 2 percent is considered a cash discount.

(2) Quoting a gross price above the maximum price, even if accompanied by a discount, the effect of which is to bring the net price below the maximum.

(3) Charging a purchasing or selling commission based on quantity or value of containers purchased or sold, if the commission plus the purchase price is higher than the maximum price permitted by this regulation.

(4) Breaking up an order which would normally be a single order into a series of smaller orders in order to evade the maximum price limitations set forth in this regulation.

(5) Making the purchaser buy something he does not want in order to get what he does want.

(c) *Adjustable pricing.* A price may not be made adjustable to a maximum price which will be in effect sometime after delivery of the containers has been completed. The price may be made adjustable to the maximum price in effect at the time of delivery.

§ 1377.211 *Applications for adjustment and petitions for amendment*—(a) *Government contracts.* (1) The term "government contracts" is here used to include any contract with the United States or any of its agencies, or with the government of any governmental agency of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States." It also includes any subcontract under this kind of contract.

(2) Any person who has made or intends to make a "government contract" and who thinks that the maximum price established in this regulation is impeding or threatens to impede production of Eastern and Central wooden agricultural containers which are essential to the war program and which is or will be the subject of the contract, may file an application for adjustment in accordance with Procedural Regulation No. 6,[1] issued by the Office of Price Administration.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[2] issued by the Office of Price Administration.

§ 1377.212 *Records and reports*—(a) *Records.* All persons making sales covered by this regulation must keep records which will show a complete description of the containers sold, the name and address of the buyer, the date of sale, and the price. Buyers must keep similar records, including the name and address of the seller. These records must be kept for any month in which the seller or buyer sold or bought at least $200 worth of Eastern and Central wooden agricultural containers. They must be kept for two years, for inspection by the Office of Price Administration. Any records which the Office of Price Administration later requires must also be kept.

(b) *Reports.* Any reports that the Office of Price Administration has required in the past, or requires from time to time, must be submitted.

§ 1377.213 *Enforcement.* (a) Persons violating any provision of this maximum price regulation are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this regulation or of any other regulation or order issued by the Office of Price Administration are urged to communicate with the nearest field, State or regional office of the Office of Price Administration or its principal office in Washington, D. C.

(c) War Procurement Agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this regulation. Persons who make sales covered by this regulation to War Procurement Agencies are, however, subject to all the liabilities imposed by this regulation. "War Procurement Agencies" include the War Department, the Navy Department, the United States Maritime Commission, and the Lend-Lease Section in the Procure-

[1] 7 F.R. 5087, 5664.
[2] 7 F.R. 8961.

ment Division of the Treasury Department, or any of their agencies.

§1377.214 *Relation to other regulations*—(a) *General Maximum Price Regulation.*[1] Any sale or delivery covered by this Maximum Price Regulation No. 320 is not subject to the General Maximum Price Regulation.

(b) *Maximum Price Regulation 160 (Seasonal Wooden Agricultural Containers.)*[2] Maximum Price Regulation 160 (Seasonal Wooden Agricultural Containers) ceases to be in effect after this Maximum Price Regulation No. 320 becomes effective.

(c) *Revised Maximum Export Price Regulation.*[3] The maximum price for export sales of Eastern and Central wooden agricultural containers is governed by the Revised Maximum Export Price Regulation.

§ 1377.215 *Effective date.* (a) This regulation (§§ 1377.201 to 1377.216, inclusive) shall become effective February 11, 1943. However, in the case of 32-quart bean hampers sold for delivery in the State of Florida according to the terms of Order No. 7[4] under section 18 (c), as amended, of the General Maximum Price Regulation, the seller may at his option continue to deliver according to the terms of that order until March 10, 1943.

(b) If Eastern or Central wooden agricultural containers have been received before February 11, 1943, by a carrier, other than one owned or controlled by the seller, for shipment to a buyer, that shipment is not subject to this regulation. It remains subject to the terms of any regulation, whether the General Maximum Price Regulation or Maximum Price Regulation 160 (Seasonal Wooden Agricultural Containers), which covered it at the time the containers were turned over to the carrier.

§ 1377.216 *Appendix A: Basic maximum prices for Eastern and Central wooden agricultural containers* — (a) *Price zones.* Table I describes the price zones for Eastern and Central wooden agricultural containers. In all sales, including warehouse sales, the correct zone to use in figuring maximum prices is the zone in which the producing factory is located.

Zone 1: The States of: Florida; Georgia; Alabama; South Carolina; North Carolina; Virginia; West Virginia; Maryland; Delaware.

Zone 2: The States of: New Jersey; New York; Pennsylvania; Ohio.

Zone 3: The States of: Texas; Arkansas; Oklahoma; Louisiana; Mississippi.

Zone 4: The States of: Tennessee; Kentucky; Southern Missouri, including the counties of McDonald, Barry, Stone, Christian, Taney, Douglas, Ozark, Howell, Oregon, Ripley, Butler, Dunklin, Pemiscot, New Madrid, Stoddard, Mississippi, Scott, Cape Girardeau, Perry, Ste. Genevieve and Jefferson; Southern Illinois including the counties of Monroe, Randolph, Perry, Franklin, Hamilton, White, Johnson, Williamson, Saline, Gallatin, Union, Johnson, Pope, Hardin, Alexander, Pulaski and Massac.

Zone 5: The States of: Indiana; Iowa; Kansas; Nebraska; Northern Missouri, that part which is not included in zone 4, Northern Illinois, that part which is not included in zone 4.

Zone 6: The States of: Minnesota; Michigan; Wisconsin.

(b) *Basic maximum prices.* The basic maximum prices for Eastern and Central wooden agricultural containers are set out in price tables II to VI, inclusive. These tables also show the approximate weights and minimum truckload amounts of the containers priced.

TABLE I

PRICE ZONES

TABLE II

EXPORT TUBS; CONTINUOUS STAVE BASKETS; COVERS

Container description	Units	Approximate weight	Minimum truckload	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
		Pounds	*Dozens*						
1 bu. export tubs—Solid bottom	Dozen	58	125	$2.76	$2.82	$2.28	$2.40	$2.49	$2.61
1 bu. export tubs—Stitched in bottom	Dozen	52	125	2.76	2.82	2.28	2.40	2.49	2.61
1 bu. export tubs—Loose bottom—EZ-Pak	Dozen	52	125	2.76	2.82	2.28	2.40	2.49	2.61
1 bu. continuous stave—Bent bottom—3 hoop	Dozen	51	125	2.40	2.43	2.13	2.25	2.34	2.45
1 bu. continuous stave—Improved—3 hoop	Dozen	51	125	2.34	2.37	2.07	2.19	2.28	2.40
1 bu. continuous stave—Round bottom—2 hoop	Dozen	49	125	2.25	2.28	1.98	2.10	2.19	2.31
¾ bu. continuous stave—Round bottom—2 hoop—No covers or loop fasteners	Dozen	34	250		1.59				
½ bu. export tubs—Solid bottom	Dozen	37	175	2.52	2.58	2.04	2.16	2.28	2.37
½ bu. export tubs—Stitched in bottom	Dozen	33	175	2.52	2.58	2.04	2.16	2.28	2.37
½ bu. continuous stave—Bent bottom—3 hoop	Dozen	33	175	2.16	2.19	1.89	2.01	2.10	2.22
½ bu. continuous stave—Improved—3 hoop	Dozen	33	175	2.10	2.13	1.83	1.95	2.04	2.16
½ bu. continuous stave—Round bottom—2 hoop	Dozen	33	175	2.01	2.04	1.74	1.86	1.95	2.07
½ bu. continuous stave—Round bottom—Picking basket—No covers or loop fasteners.	Dozen	24	200					1.89	1.89
¼ bu. continuous stave—Round bottom—2 hoop	Dozen	16	300	1.74	1.77	1.60	1.68	1.77	1.77
¼ bu. continuous stave—Round bottom—2 hoop	Dozen	9	300	1.65	1.68	1.51	1.53	1.68	1.68
1 bu. full or Georgia crown covers	Dozen	18		.81	.81	.72	.75	.78	.81
1 bu. star crown covers	Dozen	16		.75	.75	.66	.69	.72	.75
1 bu. star flat covers	Dozen	15		.69	.69	.60	.63	.66	.69
1 bu. octagon covers	Dozen	13		.57	.57	.48	.51	.54	.57
1 bu. rimless covers—with 4 loops	Dozen	15		.81	.81	.72	.75	.78	.81
1 bu. moon covers	Dozen	14		.66	.66	.57	.60	.63	.66
½ bu. full or Georgia crown covers	Dozen	13		.75	.75	.66	.69	.72	.75
½ bu. star crown covers	Dozen	12		.69	.69	.60	.63	.66	.69
½ bu. star flat covers	Dozen	11		.63	.63	.54	.57	.60	.63

NOTES

1. All baskets and tubs are priced with full or Georgia crown covers, 2 handles and 2 loop fasteners, unless otherwise specified.
2. All covers are priced with 2 loop fasteners, unless otherwise specified.
3. For baskets without covers (except ½ bu. picking baskets and ¾ bu. baskets which are already priced without covers) deduct full or Georgia crown cover price and add 12¢ per dozen.
4. For all customer printing add 1¢ per impression; die charge extra for customer's account.
5. For baskets without side loop fasteners deduct 6¢ per dozen.
6. For baskets without handles deduct 6¢ per dozen.
7. For 2 extra side loop fasteners add 6¢ per dozen.
8. For 2 extra handles add 6¢ per dozen.
9. For covers other than full or Georgia crown covers deduct the following from basket prices as listed:
   a. Star crown covers—deduct 6¢ per dozen.
   b. Star flat covers—deduct 12¢ per dozen.
   c. Octagon covers—deduct 24¢ per dozen.
   d. Moon covers—deduct 18¢ per dozen.
   e. For flat covers with 4 loop fasteners, prices are to be the same as baskets with full or Georgia crown covers.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5783, 5775, 5784, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.

[2] 7 F.R. 4337, 4852, 5462, 5564, 8937.

[3] 7 F.R. 5059, 7242, 8829, 9000, 10530.

[4] 8 F.R. 1317.

TABLE III

HAMPERS; COVERS

Container description	Units	Approximate weight	Minimum truckload	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
		Pounds	*Each*						
1½ bu. (48 qt.) hampers—27" height—9" bottom—keg hoops	Hundred	660	1,500	$22.50	$22.50	$21.25	$22.50	$23.00	$23.00
1½ bu. (48 qt.) hampers—27" height—9" bottom—veneer hoops	Hundred	600	1,500	21.00	21.00	19.75	21.00	21.50	21.50
1½ bu. (48 qt.) hampers—24" height—10" bottom	Hundred	500	1,750	20.00	20.00	18.75	20.00	20.50	20.50
1¼ bu. (40 qt.) hampers—20" height—10" bottom	Hundred	450	2,000	19.50	19.50	18.25	19.50	20.00	20.00
1 bu. (32 qt.) bean hampers—wire or loop fasteners	Hundred	450	2,000	19.00	19.00	17.75	19.00	19.50	19.50
1 bu. (32 qt.) hampers—wire or loop fasteners	Hundred	450	2,000	18.00	18.00	16.75	18.00	18.50	18.50
1 bu. (32 qt.) hampers—tin fasteners	Hundred	450	2,000	17.50	17.50	16.25	17.50	18.00	18.00
1 bu. (32 qt.) hampers—handmade—cross brace	Hundred	350	2,250	17.50	17.50	16.25	17.50	18.00	18.00
¾ bu. (24 qt.) hampers	Hundred	250	3,000	12.50	12.50	11.25	12.50	13.00	13.00
¾ bu. (20 qt.) hampers—machine made—veneer hoops—no covers	Hundred	250	3,000	14.00	14.00	12.75	14.00	14.50	14.50
¾ bu. (20 qt.) hampers—machine made—keg hoops—no covers	Hundred	250	3,000	14.00	14.00	12.75	14.00	14.50	14.50
¾ bu. (20 qt.) hampers—hand made—cross brace—veneer hoops—no covers	Hundred	250	3,000	15.50	15.50	14.25	15.50	16.00	16.00
¾ bu. (20 qt.) hampers—hand made—cross brace—keg hoops—no covers	Hundred	200	3,500	10.50	10.50	10.00	10.50	10.75	10.75
½ bu. (16 qt.) hampers—no covers	Hundred	150	4,500	10.00	10.00	9.50	10.00	10.25	10.25
½ bu. (8 qt.) hampers—no covers	Hundred	100	6,000	9.50	9.50	9.00	9.50	9.75	9.75
¼ bu. (4 qt.) hampers—no covers	Hundred	150	----------	5.50	5.50	5.50	5.50	5.50	5.50
1 bu. (48 qt.) regular flat hamper covers	Hundred	100	----------	5.00	5.00	5.00	5.00	5.00	5.00
1 bu. (32 qt.) regular flat hamper covers	Hundred								

NOTES

1. For 1½ bu. hampers without covers, deduct listed price for 1½ bu. hamper covers and add $1.00 per hundred.
2. For 1 bu. hampers without covers, deduct listed price for 1 bu. hamper covers and add $1.00 per hundred.
3. For 1 bu. and 1½ bu. hampers with crown covers add $1.50 per hundred to listed price for these hampers with regular flat hamper covers.
4. For all customer printing add 1¢ per impression; die charge extra for customer's account.

TABLE IV

CLIMAX BASKETS; BERRY CUPS, TILL BASKETS

Container description	Units	Approximate weight	Minimum truckload	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
		Pounds							
1 qt. climax baskets—veneer covers—wire handles	Thousand	750	8,000	$39.50	$39.50	$35.00	$39.50	$42.00	$42.00
1 qt. climax baskets—veneer covers—wood handles	Thousand			40.50	40.50	36.50	40.50	43.00	43.00
1 qt. climax baskets—wire handles—no covers	Thousand			34.50	34.50	30.00	34.50	37.00	37.00
1 qt. climax baskets—no handles or covers	Thousand			31.50	31.50	27.00	31.50	34.00	34.00
1 qt. climax veneer covers only	Thousand			6.50	6.50	6.50	6.50	6.50	6.50
1 qt. climax wire handles only	Thousand			4.00	4.00	4.00	4.00	4.00	4.00
1 qt. climax wood handles only	Thousand			5.00	5.00	5.00	5.00	5.00	5.00
2 qt. climax baskets—veneer covers—wire handles	Thousand	1,000	8,000	50.50	50.50	46.00	50.50	53.00	53.00
2 qt. climax baskets—veneer covers—wood handles	Thousand			42.50	42.50	38.00	42.50	45.00	45.00
2 qt. climax baskets—wire handles—no covers	Thousand			39.50	39.50	35.00	39.50	42.00	42.00
2 qt. climax baskets—no handles or covers	Thousand			8.50	8.50	8.50	8.50	8.50	8.50
2 qt. climax veneer covers only	Thousand			4.00	4.00	4.00	4.00	4.00	4.00
2 qt. climax wire handles only	Thousand			5.00	5.00	5.00	5.00	5.00	5.00
2 qt. climax wood handles only	Thousand	2,500	4,000	99.50	99.50	80.00	99.50	92.00	92.00
1½ qt. climax baskets—Flat slatted covers—Wire handles	Thousand			104.50	104.50	95.00	104.50	97.00	97.00
1½ qt. climax baskets—Raised slatted covers—Wire handles	Thousand			101.00	101.00	91.50	101.00	93.50	93.50
1½ qt. climax baskets—Flat slatted covers—Wood handles	Thousand			106.00	106.00	96.50	106.00	98.50	98.50
1½ qt. climax baskets—Raised slatted covers—Wood handles	Thousand			87.50	87.50	78.00	87.50	80.00	80.00
1½ qt. climax baskets—Wire handles—No covers	Thousand			89.00	89.00	79.50	89.00	81.50	81.50
1½ qt. climax baskets—Wood handles—No covers	Thousand			84.50	84.50	75.00	84.50	77.00	77.00
1½ qt. climax baskets—No handles or covers	Thousand			16.00	16.00	16.00	16.00	16.00	16.00
1½ qt. climax slatted covers only	Thousand			21.00	21.00	21.00	21.00	21.00	21.00
1½ qt. climax raised slatted covers only	Thousand			6.00	6.00	6.00	6.00	6.00	6.00
1½ qt. climax wire handles only	Thousand			7.50	7.50	7.50	7.50	7.50	7.50
1½ qt. climax wood handles only	Thousand			7.75	7.75	7.75	7.75	7.75	7.75
1 qt. American berry cups—Pre-dried	Thousand	90	60,000	7.50	7.50	7.50	7.50	7.50	7.50
1 qt. American berry cups—Wet	Thousand	90	60,000	8.75	8.75	8.75	8.75	8.75	8.75
1 qt. American berry cups—Tight corners	Thousand	110	60,000	8.75	8.75	8.75	8.75	8.75	8.75
1 qt. hallock berry cups	Thousand	70	70,000	7.50	7.50	7.50	7.50	7.50	7.50
1 pt. American berry cups—Pre-dried	Thousand	70	70,000	7.25	7.25	7.25	7.25	7.25	7.25
1 pt. American berry cups—Wet	Thousand	70	60,000	7.75	7.75	7.75	7.75	7.75	7.75
1 pt. oblong berry cups	Thousand	45	80,000	7.75	7.75	7.75	7.75	7.75	7.75
½ pt. American berry cups	Thousand	45	80,000	7.75	7.75	7.75	7.75	7.75	7.75
½ pt. oblong berry cups	Thousand	135	40,000	14.50	14.50	14.50	14.50	14.50	14.50
½ qt. till baskets	Thousand	210	30,000	17.50	17.50	17.50	17.50	17.50	17.50
2 qt. till baskets	Thousand	340	25,000	19.50	19.50	19.50	19.50	19.50	19.50
3 qt. till baskets	Thousand	360	20,000	21.50	21.50	21.50	21.50	21.50	21.50
4 qt. till baskets	Thousand								

NOTES

1. For Climax Baskets with 2 loops, add $2.00 per thousand.
2. All Berry Cups are priced packed in cartons.

TABLE V

MARKET BASKETS: COVERS

Container description	Units	Approximate weight	Minimum truckload	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
		Pounds	*Dozens*						
4 qt. square braid splint market baskets	Dozen	5	350	$0.75	$0.65	$0.75	$0.75	$0.80	$0.80
8 qt. square braid splint market baskets	Dozen	9	300	.80	.70	.80	.80	.85	.85
12 qt. square braid splint market baskets	Dozen	10	250	.90	.80	.90	.90	.95	.95
15 qt. square braid splint market baskets	Dozen	15	200	.95	.85	.95	.95	1.00	1.00
24 qt. square braid splint market baskets	Dozen	36	150	1.05	.95	1.05	1.05	1.10	1.10
32 qt. square braid splint market baskets	Dozen	48	100	1.35	1.25	1.35	1.35	1.40	1.40
24 qt. square braid lettuce baskets with cover	Dozen	36	200	1.40	1.30	1.40	1.40	1.45	1.45
4 qt. slab baskets	Dozen	5	350	.70	.60	.70	.70	.75	.75
8 qt. slab baskets	Dozen	9	300	.75	.65	.75	.75	.80	.80
12 qt. slab baskets	Dozen	10	250	.85	.75	.85	.85	.90	.90
16 qt. slab baskets	Dozen	15	200	.90	.80	.90	.90	.95	.95
24 qt. slab baskets	Dozen	36	150	1.00	.90	1.00	1.00	1.05	1.05
32 qt. slab baskets	Dozen	48	100	1.30	1.20	1.30	1.30	1.35	1.35
8 qt. veneer covers	Hundred			.60	.55	.60	.60	.65	.65
12 qt. veneer covers	Hundred			.70	.65	.70	.70	.75	.75
16 qt. veneer covers	Hundred			.70	.65	.70	.70	.75	.75
24 qt. veneer covers	Hundred			.80	.75	.80	.80	.85	.85
8 qt. slatted rail covers	Dozen			.40	.45	.40	.40	.45	.45
12 qt. slatted rail covers	Dozen			.44	.38	.44	.44	.48	.48
16 qt. slatted rail covers	Dozen			.47	.40	.45	.45	.50	.50
24 qt. slatted rail covers	Dozen			.53	.48	.53	.53	.58	.58

NOTES

1. All market baskets are priced without covers, unless otherwise specified.

TABLE VI

CRATES; PARTS; MISCELLANEOUS

Freight container bureau No.	Container description	Units	Approximate weight	Minimum truckload	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
			Pounds							
251	24 qt. American berry crates	Hundred	11	1,000	$44.00	$40.00	$43.50	$43.50	$43.50	$43.50
5616	24 qt. wired American berry crates	Hundred	11	1,000	44.00	40.00	43.50	43.50	43.50	43.50
5564	24 qt. Jarrell type folding berry crates	Hundred	12	1,000			47.50	47.50		
5720	24 qt. hinged-cover berry crates—Made up	Hundred	13	200	57.00	50.00	56.50	56.50	58.50	58.50
202	16 qt. American berry crates	Hundred	6	1,250					37.00	37.00
206	16 qt. Hallock berry crates	Hundred	6	1,250					31.00	31.00
	16 qt. huckleberry crates	Hundred	6	1,250					28.00	28.00
206	16 qt. berry crates—Of long cups	Hundred	10	1,000	41.00					
252	24 qt. American berry crates	Hundred	8	1,250			36.50		39.00	39.00
206	24 qt. berry crates—Of long cups	Hundred	8	1,250					40.00	40.00
5617	24 qt. wired American berry crates	Hundred	8	1,250					40.00	40.00
	16 qt. American berry crates	Hundred	4	1,500					31.00	31.00
	Berry crate dividers	Hundred			2.00	2.00	2.00	2.00	2.00	2.00
	⅛ bu. apple box 11" x 13" x 17"	Hundred	6	1,250	24.00	24.00				
	⅛ bu. apple box—Full-pak	Hundred	7½	1,250		23.00				
	1 bu. Decker fruit box	Hundred	6	1,250						27.00
	1 bu. apple box	Hundred	6	1,250		21.00				
675	⅛ bu. nail citrus crates	Hundred	11	1,000	28.00		28.50			
705	¼ bu. nail citrus crates—No center head	Hundred	8	1,000	23.00		24.50			
620	⅛ bu. nail citrus crates	Hundred	11	1,000	28.00		28.50			
1004	⅛ bu. wirebound citrus crates	Hundred	7½	1,000	27.50		28.00			
678	1 bu. nail citrus crates	Hundred	6	1,250	21.00		21.50			
1001	1 bu. wirebound citrus crates	Hundred	4½	1,250	21.00		20.50			
3677	1 bu. wirebound citrus crates	Hundred	4½	1,250	19.50		20.00			
675	⅛ bu. nail citrus crates	Hundred	6	1,250	21.00		23.50			
690	⅛ bu. nail citrus crates—Half strip	Hundred	6	1,250	23.00		24.50			
710	¼ bu. nail citrus crates—7" x 12" x 12"	Hundred	3½	2,000	20.00		20.50			
1416	Pepper crates—11" x 11" x 22"	Hundred	5½	1,000	22.50		22.50			
1417	Pepper crates—Bliss, x 11" x 22"	Hundred	5½	1,000	22.50		22.50			
1054	1 bu. sweet potato crates—12" x 12" x 16¾"	Hundred	8	1,250	19.50		19.50			
1238–1296	1 bu. potato crates—12" x 12" x 15"	Hundred	7	1,250	20.00		20.00	20.50		
1700	1 bu. Vegetable crates—8" x 12" x 22"	Hundred	7	1,250	21.00		21.00			
3571	1 bu. folding sweet potato crate—11" x 13¾" x 16¾"	Hundred	5½	1,250				24.50		
	Corn crates—12" x 12" x 22½"—12" x 12" x 22"	Hundred	9	1,000	22.50		22.50			
3610	Wirebound celery crates—16" x 10" x 22"	Hundred	8½	1,000	24.50					
	Celery crates—Bunsbottom type—20" x 10" x 22"	Hundred	9	1,000	26.00					
485	Celery crates—Standard—20" x 10" x 22"	Hundred	9	1,000	24.00					
480	Celery crates—16" x 10" x 22"	Hundred	8	1,000	24.00					
1474	Pineapple crates—10½" x 12" x 33"	Hundred	12	1,000	25.00		25.00			
1472	Pineapple crates—Half-size—10½" x 12" x 16½"	Hundred	7	1,500	17.00		17.00			
1601	6 basket crates—Skeleton only—10" x 11" x 22"	Hundred	8	1,000	19.50		19.50	21.00		
	Carrier crates—Made up—Complete with (4—3 qt. square tins)									29.00
	Carrier crates—Made up—Complete with (6—3 qt. oblong tins)									45.00
	Carrier crates—Made up—Complete with (8—2 qt. oblong tins)									33.00
92	Lettuce crates—7½" x 15½" x 18"	Hundred	7	1,250	20.50		20.50			
93	Lettuce crates—7½" x 16" x 19"	Hundred	7	1,250	21.00		21.00			
93	Lettuce and vegetable crates—13" x 18" x 21½"	Hundred	11	1,000	34.00		34.00	34.50		
93	Lettuce and vegetable crates—13½" x 17½" x 21½"	Hundred	11	1,000	34.00		34.00			
5001	Folding vegetable crate—17" x 18" x 21"	Hundred	14	1,000				34.50		
150–662	Lettuce and vegetable crates—9" x 13" x 22"	Hundred	8	1,250	22.50		22.50			
205	Cabbage crates—12" x 12" x 22"	Hundred	9	1,000			25.00			
5517	Feldrin cabbage crates—15½" x 12" x 22½"	Hundred	12	1,000				32.00		
461	Cantaloupe crates—9" x 13" x 22"	Hundred	9	1,250			25.00			
464	Cantaloupe crates—9" x 18" x 22"	Hundred	8	1,250			23.50			
1040	Tomato lugs—6¾" x 13½" x 15"	Hundred	6	1,500	19.00		19.00			
1025	Tomato lugs—6¾" x 13½" x 16½"	Hundred	6	1,500				19.50		
1015	Tomato lugs—4¾" x 13½" x 16½"	Hundred	4	1,500				17.50		
301	Avocado lugs—4" x 11½" x 18½"	Hundred	4	1,500	17.00		17.00			
1350	Bushish crates—23" x 15" x 18½"	Hundred	7	1,250	20.50		20.50			
	Citrus field crates—Cypress—12" x 13" x 33" (outside)	Hundred	14½	1,000	78.00		78.00			
	Tomato field crates—Cypress—11" x 11" x 24"	Hundred	10	1,000	48.00		48.00			
	Tomato field crate fasteners—Cypress—11" x 12" x 24"	Hundred	10	1,000	50.00		50.00			
	Car strips—Cypress ½" x 1" x 8 ft.	Thousand		10,000	17.50		17.50			
	Car strips—Pine ½" x 1" x 8 ft.	Thousand		10,000	16.50		16.50			
	Tomato stakes—Cypress ½" x 1" x 4 ft.	Thousand		20,000	9.00		9.00			
	Tomato stakes—Pine ½" x 1" x 4 ft.	Thousand		20,000	8.00		8.00			

TABLE VI—Continued

CRATES; PARTS; MISCELLANEOUS—Continued

Freight container bureau No.	Container description	Units	Approximate weight	Minimum truckload	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
			Pounds							
	Citrus riser sticks—Straight—Tangerine	Hundred			$0.55		$0.55			
	Citrus riser sticks—Straight—Orange	Hundred			.75		.75			
	Citrus riser sticks—Straight—Grapefruit	Hundred			.95		.95			
	Citrus riser sticks—Beveled—Tangerine	Hundred			.80		.80			
	Citrus riser sticks—Beveled—Orange	Hundred			1.00		1.00			
	Citrus riser sticks—Beveled—Grapefruit	Hundred			1.20		1.20			
203	24 qt. American berry crate parts:									
	Ends	Hundred			5.06	$5.54	4.94	$5.42	$5.42	$5.42
	Sides	Hundred			2.78	3.04	2.72	2.98	2.98	2.98
	Tops	Hundred			3.25	3.56	3.18	3.48	3.48	3.48
	Bottoms	Hundred			2.47	2.68	2.40	2.62	2.62	2.62
202	24 pint American berry crate parts:									
	Ends	Hundred					3.50		4.11	4.11
	Sides	Hundred					2.00		2.35	2.35
	Tops	Hundred					1.92		2.23	2.23
	Bottoms	Hundred					1.58		1.85	1.85
13	bushel nail citrus crate parts:									
	Ends	Hundred			4.50		4.50			
	Centers	Hundred			5.00		5.00			
	Sides	Hundred			3.58		3.70			
	Tops	Hundred			3.57		3.70			
	Bottoms	Hundred			3.27		3.40			
676	4.5 bushel nail citrus crate parts:									
	Ends	Hundred			3.70		3.71			
	Centers	Hundred			4.11		4.12			
	Sides	Hundred			2.04		3.05			
	Tops	Hundred			2.93		3.05			
	Bottoms	Hundred			2.68		2.81			
1416–1417	Pepper crate parts:									
	Ends	Hundred			4.75		4.75			
	Sides	Hundred			3.80		3.80			
	Tops	Hundred			2.70		2.70			
	Bottoms	Hundred			2.70		2.70			
1235–1236	Potato crate parts:									
	Ends	Hundred			4.50		4.50	4.61		
	Sides	Hundred			2.75		2.75	2.82		
	Tops	Hundred			2.75		2.75	2.82		
	Bottoms	Hundred			2.75		2.75	2.82		
	Celery crate—Bunsbottom type—20" x 10" x 22"—Parts:									
	Ends	Hundred			6.00					
	Sides	Hundred			5.00					
	Tops	Hundred			1.50					
	Bottoms	Hundred			2.50					
485	Celery crate—Standard—20"x10"x22"—Parts:									
	Ends	Hundred			6.00					
	Sides	Hundred			4.00					
	Tops	Hundred			1.50					
	Bottoms	Hundred			2.50					
480	Celery crate—16"x10"x22"—Parts:									
	Ends	Hundred			5.00					
	Sides	Hundred			4.00					
	Tops	Hundred			3.00					
	Bottoms	Hundred			3.00					
1040–1025	Tomato lug parts:									
	Ends	Hundred			3.23		3.23	3.32		
	Sides	Hundred			1.60		1.60	1.64		
	Tops	Hundred			4.23		4.23	4.35		
	Bottoms	Hundred			3.51		3.51	3.61		
	Cleats	Hundred			.80		.80	.81		
1550	Radish crate—7½" x 15" x 18¾"—Parts:									
	Ends	Hundred			4.25		4.25			
	Sides	Hundred			2.40		2.40			
	Tops	Hundred			3.60		3.60			
	Bottoms	Hundred			3.60		3.60			

NOTES

1. All crates are priced unitized but knocked down, unless otherwise specified.
2. All dimensions on crates are inside, unless otherwise specified.
3. For all stock and customer printing add 1½c per impression; die charge extra for customer's account.
4. All berry crates are priced complete with cups and dividers.
5. All berry crates sold without cups or dividers, deduct 4c per crate and ceiling price of cups.
6. For dyed cleats add 1½c per crate.
7. For curved sides on 1⅛ bushel nail type citrus crates add 11½c per crate.
8. For curved sides on ⅝ bushel nail type citrus crates and lugs add 1c per crate
9. For all nail type celery crates with 22" x 10" head frames add 2c per crate.
10. For making up crates (except those already priced made-up) add 13½c per crate.
11. All parts are complete or unitized units, not sets.

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator

[F. R. Doc. 43-2206; Filed, February 10, 1943; 12:47 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 190 Under § 1499.3 (b) of GMPR]

PENNSYLVANIA SALT MFG. CO. AND CHIPMAN CHEMICAL CO., INC.

For the reasons set forth in an opinion issued simultaneously herewith, paragraph (a) of § 1499.1426 to Order No. 190 is amended and new paragraphs (e) and (f) are added to § 1499.1426 to read as set forth below:

§ 1499.1426 *Approval of maximum prices for sales of sodium chlorate by the Pennsylvania Salt Manufacturing Company of Washington and by the Chipman Chemical Company, Inc.* (a) The maximum prices for sales by the Pennsylvania Salt Manufacturing Company of Washington and by its agent, Chipman Chemical Company, Inc., of sodium chlorate manufactured at the Portland, Oregon, plant of the Pennsylvania Salt Manufacturing Company of Washington are established as set forth below, f. o. b. Portland, Oregon:

(1) *Contract sales.*

Quantity delivered at one time:	*Per cwt*
20 tons or more	$8.50
10 up to 20 tons	8.65
1 up to 10 tons	9.40
Less than 1 ton	9.90

(2) *Spot sales.* $1.00 per cwt. may be added to maximum prices established for contract sales in subparagraph (1) above.

(3) *Definitions.* (a) "Contract sale" means a sale to a single agency of the United States under a contract to purchase at least fifty tons of sodium chlorate or a sale to any other person under a contract to purchase at least fifty tons of sodium chlorate in approximately equal monthly installments over a period of one year from the date of such contract.

(ii) "Spot sale" means a sale other than a contract sale.

* * * * *

(e) By August 1, 1943 the Pennsylvania Salt Manufacturing Company of Washington shall submit to the Office of Price Administration in Washington, D. C., a report for the six month period ending June 30, 1943, showing the costs of production of sodium chlorate in its Portland, Oregon, plant and sales of such sodium chlorate in tons and in dollars during such period and including a profit and loss statement for that plant for such period.

(f) This Amendment No. 1 (§ 1499.1426 (a) (e) and (f)) to Order No. 190 under § 1499.3 (b) of the General Maximum Price Regulation shall become effective February 11, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. No. 9250, 7 F.R. 7871)

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2196; Filed, February 10, 1943; 12:41 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 275 Under § 1499.3 (b) of GMPR]

SCOVILL MANUFACTURING COMPANY

Approval of maximum prices for certain steel battery caps.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, and § 1499.3 (b) of the General Maximum Price Regulation, *It is hereby ordered:*

§ 1499.1711 *Authorization to Scovill Manufacturing Company for sale of certain steel battery caps.* (a) On and after the effective date of this Order No. 275, Scovill Manufacturing Company, of Waterbury, Connecticut, is authorized to sell and deliver and offer to sell and deliver to Ray-O-Vac Company steel caps for No. 2 size dry cell batteries at a price not to exceed $0.2867 per thousand, and Ray-O-Vac Company may buy and receive such steel caps as above. The price set forth above is f. o. b. seller's factory.

(b) This Order No. 275 may be revoked or amended at any time by the Office of Price Administration.

(c) This Order No. 275 shall become effective February 11, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2197; Filed, February 10, 1943; 12:46 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 193 Under § 1499.18 (b) of GMPR]

PENNSYLVANIA WHOLESALE DRUG CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1094 *Adjustment of maximum prices for Witch Hazel N. F. Pint Size, M. D. Brand sold by Pennsylvania Wholesale Drug Company, Wilkes-Barre, Pennsylvania.* (a) The maximum prices for Witch Hazel N. F. Pint size, M. D. Brand sold by Pennsylvania Wholesale Drug Company, Wilkes-Barre, Pennsylvania, shall be as follows:

	Per pint bottle
On sales by Pennsylvania Wholesale Drug Co., Wilkes-Barre, Pennsylvania.	$1.95 per case of 12 bottles.
On sales by retailers after purchases from Pennsylvania Wholesale Drug Co., Wilkes-Barre, Pennsylvania.	Their present maximum price or $0.35 per bottle, whichever is higher.

(b) All discounts, allowances, and trade practices, in effect during March 1942 with respect to sales of Witch Hazel N. F. Pint Size, M. D. Brand, by the Pennsylvania Wholesale Drug Company, and by retailers purchasing from such company, shall remain in effect under this Order No. 193.

(c) At the time of the first delivery of Witch Hazel N. F. Pint size, M. D. Brand made to each retailer under the price specified in this Order No. 193, Pennsylvania Wholesale Drug Company shall furnish each such purchaser with a copy of the following notice:

The Office of Price Administration has permitted us by Order No. 193 under § 1499.18 (b) of the General Maximum Price Regulation to raise our maximum price of N. F. Witch Hazel, M. D. Brand in pint bottles to $1.95 per case of 12 bottles. This Order also provides that each retailer purchasing from Pennsylvania Wholesale Drug Company, Wilkes-Barre, Pennsylvania, may adjust its maximum price to $0.35 per pint bottle if its present maximum price is a lower figure.

(d) All prayers of the applicant not granted herein are denied.

(e) This Order No. 193 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 193 (§ 1499.1094) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 193 (§ 1499.1094) shall become effective February 11, 1943. (Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2202; Filed, February 10, 1943; 12:47 p. m.]

PART 1400—RATIONING OF FOOTWEAR

[Ration Order 6,[1] Amendment 9]

MEN'S RUBBER BOOTS AND RUBBER WORK SHOES; RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1404.37a, paragraph (b) of § 1404.39 and paragraph (b) of § 1404.43 are amended; new §§ 1404.37b and 1404.37c, new paragraph (c) of § 1404.31 and new paragraph (i) of § 1404.71 are added, as set forth below:

Acquisition and Transfer by Retailer, Distributor, and Manufacturer

§ 1404.31 *Transfer of rubber footwear to exempt persons.* * * *

(c) *A retailer or distributor may get certificates to acquire rubber footwear for an exempt agency.* (1) A person owning a registered retail or distributing establishment which has an order from or for the account of one of the agencies enumerated in paragraph (b) may get Parts I of certificates to enable him to get the rubber footwear necessary to fill the order. Application shall be made (on OPA Form R–604) to the Board with which the establishment is registered and shall be accompanied by a copy of the purchase order and, if the rubber footwear is to be acquired for the account of one of the enumerated agencies, the applicant shall display to the Board a copy of the war order or other evidence that title to the rubber footwear will vest in and remain with the agency. (2) If the Board is satisfied that the rubber footwear is to be transferred to or for the account of one of the agencies enumerated in paragraph (b), it may issue to the applicant certificates for such types and in such denominations as will enable the applicant to get the necessary rubber footwear. (3) If the order is cancelled or if, for any reason, the rubber footwear is not transferred to or for the account of one of the agencies enumerated in paragraph (b), the applicant shall surrender to the Board for cancellation certificates equivalent to those issued pursuant to this paragraph.

§ 1404.37a *Retailer or distributor may exchange certificates for one type of rubber footwear for certificates of another type*—(a) *Application is made to the State Director.* A person owning a registered retail or distributing establishment may, on approval of the State Director, exchange certificates for one or more types of rubber footwear for certificates for the same number of pairs of rubber footwear of a different type. Application shall be made (on OPA Form R–604) to the State Director of the State in which the establishment is registered and the application shall be accompanied by the Parts I of the certificates which the applicant wants to exchange. An applicant may surrender certificates for exchange only if he may validly use them to order stock. An establishment may not get another exchange within one year after making a similar application unless the State Director, in his discretion, approves the second application because of some unusual condition justifying it.

(b) *State Director to exchange certificates.* The State Director may issue certificates to the applicant for a number of pairs of rubber footwear, of the types desired, equal to the number of pairs represented by the certificates given up. The newly issued certificates shall be dated as of the date of their issuance.

(c) *Applicant to make necessary changes on his copy of his inventory.* When certificates are exchanged, the retailer or distributor shall immediately change the copy of his inventory (OPA Form R–601A) in his possession by adding the number of pairs of rubber footwear of each type represented by the newly issued certificates and subtracting the number of pairs of rubber footwear of each type represented by the certificates given up.

§ 1404.37b *Retailer or distributor may apply for an increased stock*—(a) *Application is made to the State Director.* A registered retail or distributing establishment whose stock of rubber footwear (including certificates) is not large enough to service its customers, may get certificates for the number of extra pairs of rubber footwear needed. Application shall be made (on OPA Form R–604) to the State Director of the State in which the establishment is registered.

(b) *Information to be submitted to the State Director with the application.* The applicant shall submit with his application (1) a copy of the latest inventory (OPA Form R–601A) in his file, (2) a statement in writing of the number of pairs of rubber footwear transferred by him during the year ending September 29, 1942, the number of pairs transferred by him since September 29, 1942, and the number of pairs he expects to transfer during the next six months, and (3) information necessary to satisfy the State Director that the applicant's stock of rubber footwear is too low to service his customers.

(c) *Basis for State Director's action.* If upon all the information submitted to him by the applicant, the State Director decides that certificates should be issued permitting the applicant to add to his stock of rubber footwear, the State Director shall issue Parts I of certificates to allow the applicant to get rubber footwear of such types and in such quantities as the State Director shall, in his discretion, deem proper.

(d) *Applicant to make necessary changes on his copy of his inventory.* When certificates are issued to allow a retailer or distributor to add to his stock of rubber footwear, he shall immediately change the copy of his inventory (OPA Form R–601A) in his possession by adding the number of pairs of rubber footwear, by types, represented by the certificates issued to him.

§ 1404.37c *Opening of new outlets*—(a) *Application is made to the State Director.* Any person wishing to get a stock of rubber footwear for resale is eligible to get certificates to permit him to acquire the rubber footwear needed to service his customers upon application (on OPA Form R–604) to the State Director of the State in which the new outlet is to be located.

(b) *Information to be submitted to the State Director with the application.* The applicant shall submit with his application a statement of the number of pairs of rubber footwear he expects to transfer from the new outlet during the next six months.

(c) *Basis for State Director's action.* The State Director may issue Parts I of certificates to allow the applicant to get rubber footwear of such types and in such quantities as the State Director shall, in his discretion, deem necessary to service the customers of the new outlet.

(d) *New establishments are required to file an inventory.* If the State Director issues certificates for the new establishment, the retailer or distributor shall immediately prepare in duplicate an inventory (on OPA Form R–601A) dated as of the date of issuance of the certificates. The original of the inventory shall be sent to the State Director and the copy shall be kept by the applicant.

(e) *State Director to issue certificate of registration.* When the State Director receives the original of the applicant's inventory, he shall issue to the applicant a serially numbered certificate of registration (OPA Form R–602).

Exceptions

§ 1404.39 *Voluntary or involuntary transfer of an establishment.* * * *

(b) A person acquiring rubber footwear on the authority of this section shall be subject to all the provisions of Ration Order No. 6 and must file an inventory and receive a certificate of registration as provided in § 1404.37c. However, if the newly acquired rubber footwear is added to the stock of a registered establishment, the transferee must immediately prepare in duplicate an inventory (on OPA Form R–601A) dated as of the date of acquisition of the added rubber footwear. The original of the inventory shall be sent to the Central Inventory Unit, Office of Price Administration, Empire State Building, New York City and the copy shall be kept by the establishment.

§ 1404.43 *Other excepted transfers.* * * *

(b) *Transfers to exempt persons.* (1) Any person may, without the surrender of certificates, transfer rubber footwear to or for the account of any of the agencies enumerated in § 1404.31 (b); or to any persons acquiring such rubber footwear for export to and use in any foreign country, or as slop-chest supplies for the use of crew members aboard any ocean-going vessel operating in foreign, coastwise, or intercoastal trade; or may ship or otherwise send rubber footwear to a Territory, possession, or dependency of the United States (except the District of Columbia).

(2) A person who transfers rubber footwear for the account of any of the agencies enumerated in § 1404.31 (b), on the authority of this paragraph, must first get a copy of the war order or other evidence that the title to the rubber footwear will vest in and remain with the agency.

* * * * *

Effective Date

§ 1404.71 *Effective dates of amendments.* * * *

(i) Amendment No. 9 (§§ 1404.31 (c), 1404.37a, 1404.37b, 1404.37c, 1404.39 (b), 1404.43 (b)) shall become effective February 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; W.P.B. Directive 1, 7 F.R. 562 and Supplementary Directive 1–N, 7 F.R. 7730; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2207; Filed, February 10, 1943; 12:42 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 21 to Supp. Reg. 4,[1] to GMPR[2]]

CALCIUM CARBIDE

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.* A new subparagraph (29) is added to paragraph (a) of § 1499.29 as set forth below:

§ 1499.29 * * *

(a) * * *

(29) Sales or deliveries of calcium carbide by the Defense Supplies Corporation to the United States or any agency thereof, or to the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States," or any agency of any such Government.

* * * * * *

(d) * * *

(21) Amendment No. 21 (§ 1499.29 (a) (29)) to Supplementary Regulation No. 4 shall become effective February 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2198; Filed, February 10, 1943; 12:41 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5056, 5089, 5566, 6082, 6084, 6426, 6793, 6744, 7175, 7538, 8021, 9827, 10022, 10110, 10531; 8 F.R. 130, 137, 372.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5783, 5784, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.

[1] 7 F.R. 7749, 7967, 8363, 8809, 9084, 9736, 10581, 10781; 8 F.R. 548.

PART 1499—COMMODITIES AND SERVICES

[Amendment 107 to Supp. Reg. 14[1] to GMPR[2]]

FERROCHROMIUM

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new subparagraph (65) is added to § 1499.73 (a) as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services, and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

(65) *Ferrochromium*—(i) *Carload lots, packed in barrels or drums.* On sales of ferrochromium in carload lots, packed in barrels or drums at the request of and for the convenience of the buyer, the seller's maximum price, as determined under section 2 of the General Maximum Price Regulation, may be increased by $7.00 per gross ton.

(ii) *Special packing expenses permitted to be added to the maximum price of ferrochromium on sales to procurement agencies.* On sales or deliveries of ferrochromium to a procurement agency of the United States there may be added to the maximum domestic price for such commodity an additional charge for packing to the specifications set by the buyer. This additional charge shall not exceed $3.00 per gross ton if the material is packed in 50 gallon drums or barrels or $6.00 per gross ton if the material is packed in smaller drums or barrels. This addition shall be in lieu of the special packing expenses permitted to be added by Supplementary Order No. 34* and Supplementary Order No. 34 shall not apply to any sale of ferrochromium.

(iii) *Definitions.* For the purposes of this § 1499.73 (a) (65):

(*a*) "Ferrochromium" means any alloy principally of iron and chromium containing not more than 75% or less than 55% chromium.

(*b*) *Effective dates of amendments.* • • •

(108) Amendment No. 107 (§ 1499.73 (a) (65)) to Supplementary Regulation No. 14 to the General Maximum Price Regulation shall become effective February 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2199; Filed, February 10, 1943; 12:41 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 108 to Supp. Reg. 14[1] to GMPR[2]]

STORAGE AND DISTRIBUTION OF AVIATION GASOLINE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (66) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services, and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided:

• • • • •

(66) *Services connected with storage and distribution of aviation gasoline for War Department and Department of the Navy*—(i) *Maximum prices.* Maximum prices for services involved in connection with the storage and distribution of aviation gasoline for the War Department and the Department of the Navy, including the services of arranging for shipment to and from supply and storage points, handling through terminals and bulk plants, delivery to points of consumption, and services incidental thereto, shall be either (*a*) the maximum prices established for such services by § 1499.2 of the General Maximum Price Regulation or (*b*) prices agreed upon by the seller and the purchaser of such services and reported to the Office of Price Administration by such seller within 10 days of the date on which such agreement is made or of the date of this amendment, whichever is later.

(ii) *Adjustment of maximum prices by Office of Price Administration.* Maximum prices established pursuant to subdivision (i) (*b*) hereof shall be deemed to have been established and approved as maximum prices for the services to which they relate unless the Office of Price Administration disapproves or modifies such prices by an order mailed to the seller, within 30 days after receipt of the report described in subdivision (iii) hereof. Such disapproval or modification shall become effective five days after the date of mailing of such order.

(iii) *Form of report.* The report required by inferior subdivision (i) (*b*) hereof shall be mailed in duplicate to the Office of Price Administration, Transportation and Public Utilities Division, Washington, D. C., shall be entitled "Report of Maximum Prices for Storage and Distribution of Aviation Gasoline for Armed Services Under § 1499.73 (a) (66) of Supplementary Regulation No. 14", and shall contain the following information.

(*a*) The name and address of the supplier of the service;

(*b*) Either a complete copy of the agreement between the supplier of the service and the War Department or the Department of the Navy or a statement describing in full the service or services to be performed, the price to be charged therefor, the location at which each service is to be performed, and the volume of aviation gasoline to be handled at each such location; and

(*c*) In the event the contract provides for the payment of a single price for two or more services, a statement of the amount calculated for each service in determining such single price.

(iv) *Definitions.* As used in this subparagraph (66), the term "aviation gasoline" means gasoline with an octane rating of 87 or higher.

(*b*) *Effective dates.* • • •

(109) Amendment No. 108 (§ 1499.73 (a) (66)) to Supplementary Regulation No. 14 shall become effective February 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2200; Filed, February 10 1943 12:41 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486, 5709, 6008, 5911, 6008, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9495, 9496, 10381, 9639, 9786, 9900, 9901, 10069, 10111, 10022, 10151 10231, 10294, 10346, 10381, 10480, 10583, 10537, 10705, 10557, 10583, 10865, 11005, 8 F.R. 276, 439, 535, 494, 589, 863, 980, 1030, 876, 878, 1139, 1590, 1121, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6939, 6794, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.

* 7 F.R. 10779.

[1] 7 F.R. 5486, 5709, 6008, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7293, 7365, 7401, 7400, 7510, 7536, 7604, 7538, 7453, 7511, 7536, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 8899, 9391, 9395, 9495, 9496, 9639, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10537, 10557, 10583, 10705, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 980, 1030, 876, 878, 1139, 1590, 1121, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4650, 4738, 5027, 5276, 5192, 5265, 5445, 5775, 5784, 5783, 6058, 6081, 5484, 5565, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.

PART 1499—COMMODITIES AND SERVICES

[Amendment 111 to Supp. Reg. 14[1] to GMPR[2]]

OLEOMARGARINE IN OKLAHOMA

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (69) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided:

• • • • •

(69) *Oleomargarine*—(i) *Maximum prices for sales of oleomargarine in the state of Oklahoma.* The maximum prices for sales of oleomargarine in the state of Oklahoma shall be as follows:

(*a*) *Sales by wholesalers.* The maximum price that a wholesaler may charge for sales of an item of oleomargarine in the state of Oklahoma shall be the wholesaler's "net cost" of that item per pound plus 3¢ for each pound.

(*b*) *Sales by a retailer.* The maximum price that a retailer may charge for sales of an item of oleomargarine in the state of Oklahoma shall be the retailer's "net cost" of that item per pound plus 4¢ for each pound.

(ii) *Definitions.* For the purpose of this subparagraph (69) the following terms have the following meanings:

(*a*) "Oleomargarine" shall mean all those products labelled and sold as oleomargarine.

(*b*) "Item" shall mean any brand, kind, grade, container size and container type of oleomargarine and a separate maximum price shall be figured for each brand, kind, grade, container size and container type.

(*c*) "Wholesaler" means a person who buys oleomargarine and resells the same to commercial, industrial or institutional users or to retailers, located in the state of Oklahoma, without materially changing the form of the item.

(*d*) "Retailer" means a person who buys oleomargarine and resells the same to the ultimate consumer without materially changing the form of the item.

(*e*) "Net cost" shall mean the amount paid for an item of oleomargarine delivered at the wholesaler's or retailer's (as the case may be) customary receiving point less all discounts except the discount for prompt payment; however, no charge or cost for local unloading or local trucking shall be included. "Net cost" shall be based on the most recent purchase. A retailer may not base his "net cost" on purchases from another retailer. A wholesaler's "net cost" may not be based on purchases from another wholesaler.

This amendment shall become effective on February 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2201; Filed, February 10, 1943; 12:45 p. m.]

PART 1340—FUEL

[MPR 121,[1] Amendment 10]

MISCELLANEOUS SOLID FUELS DELIVERED FROM PRODUCING FACILITIES

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (3) is added to § 1340.249 (d) as set forth below:

§ 1340.249 *Appendix A: Maximum prices for miscellaneous solid fuels delivered from producing facilities.* * * *

(d) * * *

(3) A producer or distributor of beehive oven coke produced in Pennsylvania and in the counties of Monongalia Preston and Upshur, West Virginia may add to the maximum prices determined under paragraphs (a), (b) or (c) of this section for sales of such coke, a sum not to exceed fifty cents per ton.

This Amendment No. 10 shall become effective as of February 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250; 7 F.R. 7871)

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2219; Filed, February 10, 1943; 4:45 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Amendment 3 to Supp. 1 to Ration Order 5C[1]]

MILEAGE RATIONING: GASOLINE REGULATIONS

Paragraph (a) of § 1394.8401 is amended, and a new paragraph (e) is added to § 1394.8401, as set forth below:

§ 1394.8401 *Designation of unit value in gallons of gasoline.* (a) The unit value of any coupon in the hands of a dealer or distributor, other than a coupon issued to him as a ration, shall be that value which such coupon had at the time and place it was surrendered by a consumer in exchange for gasoline. The value of the unit represented by coupons in Class A, B, C, D, E, R, T–1 and T–2 ration books, when surrendered by a consumer in exchange for gasoline, is hereby designated and fixed as follows:

(1) (i) Four (4) gallons of gasoline, with respect to Class A, B and C book coupons outside of the gasoline shortage area. Class A book coupons numbered 4, 5 and 6 and Class B and C book coupons shall have a value of three (3) gallons of gasoline within the gasoline shortage area.

(ii) "Gasoline shortage area" means the States of Connecticut, Delaware, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia except the portion which lies within the corporate limits of the City of Bristol, the District of Columbia, the portion of West Virginia which lies within and east of the counties of Mineral, Grant and Pendleton, and the State of Florida except the area which lies west of the counties of Gadsden, Liberty and Franklin.

(2) One and five-tenths (1.5) gallons of gasoline, with respect to Class D book coupons:

(3) One (1) gallon of gasoline, with respect to Class E book coupons;

(4) Five (5) gallons of gasoline, with respect to Class R, T-1 and T-2 book coupons.

• • • • •

(e) Amendment No. 3 (§ 1394.8401 (a)) to Supplement No. 1 to Ration Order No. 5C shall become effective at 12:01 a.m. on February 10, 1943, and shall continue in force and effect until amended by further order or direction of the Office of Price Administration.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 10, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2218; Filed, February 10, 1943; 4:45 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5C,[1] Amendment 21]

MILAGE RATIONING: GASOLINE REGULATIONS

A rational for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486, 5709, 5911, 6008, 6271, 6369, 6473, 6177, 6774, 6775, 6776, 6793, 6887, 6892, 6939, 6965, 7011, 7012, 7203, 7250, 7289, 7365, 7400, 7401, 7453, 7510, 7511, 7535, 7536, 7538, 7604, 7739, 7671, 7812, 7914, 7946, 8024, 8199, 8237, 8351, 8358, 8534, 8652, 8707, 8881, 8899, 8950, 8954, 8955, 8953, 9043, 9082, 9131, 9196, 9391, 9397, 9495, 9496, 9639, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10583, 10537, 10705, 10557, 10583, 10865, 11005; 8 F.R. 276, 429, 535, 494, 589, 863, 1139, 1590, 980, 1030, 876, 1121, 878, 1142, 1279, 1383, 1589, 1455, 1460, 1639, 1467.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5575, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 8942, 9004, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.

No. 30——4

[1] 7 F.R. 3237, 3989, 4483, 5941, 6002, 6386, 8521, 8587, 8938, 8948, 10529.

[2] 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 565, 607, 1028, 1202, 1203, 1365, 1282, 1366, 1318, 1588.

[1] 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10767, 11009, 11070; 8 F.R. 179, 274, 369, 372, 565, 607, 1028, 1202, 1203, 1365, 1182, 1366, 1318, 1588.

Subparagraph (44) of paragraph (a) of § 1394.7551, paragraph (b) of § 1394.8113, subparagraph (1) of paragraph (a) of § 1394.8207 and § 1394.8211 are amended; a new paragraph (d) to § 1394.8206b, a new paragraph (c) to § 1394.8207, new paragraphs (f) and (g) to § 1394.8215, and a new paragraph (u) to § 1394.8352 are added; as set forth below:

Definitions

§ 1394.7551 *Definitions.* (a) • • •

(44) "Gasoline shortage area" means the States of Connecticut, Delaware, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia except the portion which lies within the corporate limits of the City of Bristol, the District of Columbia, the portion of West Virginia which lies within and east of the counties of Mineral, Grant and Pendleton, and the State of Florida except the area which lies west of the counties of Gadsden, Liberty and Franklin.

• • • • • •

Expiration, Revocation and Redetermination of Rations

§ 1394.8113 *Revocation, review, modification and redetermination of rations by Boards and District, State and Regional Officers in territory formerly within gasoline shortage area.* • • •

(b) Upon such review, the Board, or the District Manager, State Director or Regional Administrator shall receive and consider any evidence presented by the holder of the ration and may require him to appear for examination and to produce such witnesses or evidence as the Board or such officer may deem material. Upon redetermination, the Board or such officer may require that any coupons or coupon books be surrendered, and shall issue a ration of the class or quantity to which the holder is entitled. Within forty-eight (48) hours of receiving notice requiring the surrender of any coupons or coupon books pursuant to this section, the person holding the coupons or coupon books shall surrender them to the Board or officer from whom he received such notice. Any person may appeal from an adverse decision under this section, pursuant to Procedural Regulation No. 9.

Ration Banking

§ 1394.8206b *Deposits.* • • •

(d) A depositor shall not list for deposit on a single slip coupons of the same class which have different values. He shall list such coupons upon separate slips according to their value.

Restrictions on Transfers Between Dealers and Distributors

§ 1394.8207 *Restriction on transfers to dealers.* (a) • • •

(1) Except as provided in § 1394.8209, no dealer or distributor shall transfer or offer to transfer gasoline to a dealer, and no dealer shall receive a transfer of gasoline, except in exchange for a quantity of coupons or other evidences at the time of the actual delivery of the gasoline or in advance thereof, equal in gallonage value to the quantity of the gasoline transferred, or, in cases in which gasoline is regularly transferred to him on a temperature adjustment basis, equal in gallonage value to the adjusted quantity of gasoline transferred: *Provided*, That transfers of gasoline may be made only in exchange for coupons which bear the notations required by paragraphs (d) and (e) of § 1394.8004, paragraph (c) of § 1394.8006 and paragraph (b) of § 1394.8206, and which have been affixed to coupon sheets containing the name, address, date of surrender and unit value of the coupons as prescribed in § 1394.8211.

• • • • • •

(c) Notwithstanding any other provision of Ration Order No. 5C, no dealer or distributor shall make or accept an exchange of a coupon for gasoline, and no distributor shall deposit a coupon for a credit, except in an amount equal to the gallonage value which such coupon had at the time and place it was surrendered in exchange for gasoline by a consumer.

§ 1394.8211 *Preservation of coupons; coupon sheets.* Each dealer and distributor shall affix all coupons received by him in exchange for transfers or returns of gasoline to coupon sheets (Form OPA R-120). Only coupons which are of the same class or type and which were received at the same unit value shall be affixed to a single sheet. Prior to deposit in a bank or any transfer of such coupons, the dealer or distributor who first accepted such coupons from a consumer shall write, stamp or print upon the coupon sheet his business or firm name, as registered at the Board, his business address, the name of the county where his place of business is located, the unit value of the coupons and the date on which such coupon sheet is surrendered by him to a dealer or distributor for replenishment or, when it has never been so surrendered, the date on which such coupon sheet is deposited for credit in a ration bank account.

§ 1394.8215 *Transfer and surrender of expired coupons.* • • •

(f) On and after February 10, 1943, but not later than March 1, 1943, each dealer who operates a place of business within the portion of the State of West Virginia which lies west of the counties of Mineral, Grant, and Pendleton or the portion of the State of Florida which lies west of the counties of Gadsden, Liberty, and Franklin or the corporate limits of the City of Bristol, Virginia, who has in his possession or control Class A, B, or C ration coupons received by him in exchange for transfers of gasoline at a time when such coupons had a value at the place of transfer of three (3) gallons of gasoline each, shall list all such coupons on Form OPA R-541 at a value of three (3) gallons each and deliver them to the Board having jurisdiction over the place of business at which such coupons were received. The Board shall issue to the dealer, in exchange for such coupons, inventory coupons equal in gallonage value to the listed value of coupons surrendered.

(g) On and after February 10, 1943, but not later than March 1, 1943, each distributor who has in his possession or control Class A, B, or C ration coupons received by him in exchange for transfers of gasoline made within the portion of the State of West Virginia which lies west of the counties of Mineral, Grant, and Pendleton or the portion of the State of Florida which lies west of the counties of Gadsden, Liberty, and Franklin or the corporate limits of the City of Bristol, Virginia, at a time when such coupons had, at the place of transfer, a value of three (3) gallons of gasoline each, shall list all such coupons on a separate deposit slip and deposit them for credit at a value of three (3) gallons each, in appropriate ration bank accounts maintained by him.

Effective Dates

§ 1394.8352 *Effective dates of amendments.* • • •

(u) Amendment No. 21 (§§ 1394.7551 (a) (44), 1394.8113 (b), 1394.8206b (d) 1394.8207 (a) (1) and (e), 1394.8211, and 1394.8215 (f) and (g)) to Ration Order No. 5C shall become effective February 10, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 10, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2220; Filed, Feb. 10, 1943, 4:45 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 267 Under § 1499.3 (b) of GMPR]

MAJOR VITAMINS, INC.

Correction

In the document appearing on page 1686 of the issue for Saturday, February 6, 1943, the ceiling price for 1,000 tablets of "Major B Brand Vitamin B Complex" in the second table in § 1499.1703 (e) (ii) should be 7.25.

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 203—BRIDGE REGULATIONS

BRIDGES IN BAYOU D'INDE, LA.

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), the following special regulations are prescribed to govern the operation of the State of Louisiana highway bridge and the railway bridge of the Defense Plant Corporation, Cities Service Refining Corporation, Agent.

§ 203.512 *Bayou D'Inde, La.; State of Louisiana highway bridge, and Defense Plant Corporation, Cities Service Refining Corporation, Agent, railroad bridge.* (a) The owners of, or agencies controlling, the bridges will not be required to keep tenders in constant attendance at the above-named bridges.

(b) Whenever a vessel unable to pass under the closed highway bridge desires to pass through the draw, at least 12 hours advance notice of the time the opening is required shall be given, by telephone or otherwise, to the District Engineer, Department of Highways, State of Louisiana, at Lake Charles, Louisiana, or to a designated representative.

(c) Whenever a vessel unable to pass under the closed railroad bridge desires to pass, at least 72 hours advance notice of the time opening is required shall be given to the owners of, or agency controlling, the bridge.

(d) Upon receipt of such notice, the authorized representatives, in compliance therewith, shall arrange for the prompt opening of the bridge at the time specified in the notice for the passage of the vessel.

(e) The owners of, or agencies controlling, each bridge shall keep conspicuously posted on both the upstream and downstream sides of the bridge in such manner that it can easily be read at any time, a copy of these regulations, together with a notice stating exactly how the representatives specified in paragraphs (b) and (c) may be reached.

(f) The operating machinery of the highway bridge draw shall be maintained in a serviceable condition, and the draw opened and closed at least once every four months to make certain that the machinery is in proper order for satisfactory operation. [Regs. January 29, 1943 (CE 823 (D'Inde Bayou—Calcasieu Parish, La.) (Mile 2.2)—SPEON)]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-2222; Filed, February 11, 1943; 9:52 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 120—ANNUAL, SPECIAL OR PERIODICAL REPORTS

QUARTERLY REPORTS OF PERSONS FURNISHING CARS TO OR ON BEHALF OF CARRIERS BY RAILROAD OR EXPRESS COMPANIES

ORDER

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 18th day of January, A. D. 1943.

The subject of the requirement of reports from persons furnishing cars or protective service to or on behalf of carriers by railroad or express companies, and the corresponding section of the Code of Federal Regulations being under consideration:

It is ordered, That the order of this Commission dated January 19, 1942, in the matter of quarterly reports of persons furnishing cars or protective service to or on behalf of any carriers by railroad or express company be, and it is hereby vacated and set aside, effective January 1, 1943.

§ 120.71 *Quarterly reports of persons furnishing cars to or on behalf of carriers by railroad or express companies.* (a) Beginning with the three months' period ending March 31, 1943, and quarterly thereafter, until further order of this Commission, all persons furnishing cars to or on behalf of carriers by railroad or express companies, subject to the provisions of section 20, Part I of the Interstate Commerce Act, and owning 10 or more cars, are required to file reports in accordance with form QCL, which is hereby approved and made a part of this order.[1]

(b) Each such quarterly report shall be filed, in duplicate, in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington, D. C., within 60 days after the close of the period to which it relates.

(Sec. 13, 54 Stat. 917; 49 U.S.C. 20 (6))

By the Commission, Division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-2247; Filed, February 11, 1943; 11:47 a. m.]

[1] Form filed as part of the original document.

Notices

DEPARTMENT OF AGRICULTURE AND BOARD OF ECONOMIC WARFARE.

JOINT ORDER CLARIFYING FUNCTIONS AND RESPONSIBILITIES

PUBLIC PURCHASE OF FOOD AND FACILITIES NECESSARY FOR WAR EFFORT AND CIVILIAN ECONOMY

Executive Order No. 9280 of December 5, 1942 (7 F.R. 10179), directs that the Secretary of Agriculture "assume full responsibility for and control over the nation's food program," that "in exercising such authority, he shall," among other things, "promulgate policies to govern the purchase and procurement of food by all other Federal agencies," and that "existing methods for the purchase and procurement of food by other Federal agencies shall continue until otherwise determined by the Secretary pursuant to this Executive Order." Executive Order No. 9280 further provides that "with respect to the issuance of the directives for the importation of food heretofore issued to the Board of Economic Warfare by the Chairman of the War Production Board under Executive Order No. 9128 of April 13, 1942 (7 F.R. 2809), the Secretary shall issue those directives which relate to the importation of food for human and animal consumption, and the Chairman of the War Production Board and the Secretary shall jointly issue those directives which relate to the importation of food for industrial uses." Executive Order No. 9128 of April 13, 1942, provides that the Board of Economic Warfare "receive and be responsible for executing directives • • • as to quantities, specifications, delivery time schedules, and priorities of materials and commodities • • • required to be imported for the war production effort and the civilian economy," and that the Board "determine the policies, plans, procedures and methods of the several Federal departments, establishments, and agencies with respect to the procurement and production of such commodities, including the financing thereof." Executive Order No. 9280 provides that "any provision of any executive order or proclamation conflicting with this Executive Order is superseded to the extent of such conflict."

In order to clarify the respective functions of the Secretary of Agriculture and the Board of Economic Warfare, to avoid duplication and multiplicity of Government procurement agencies operating in foreign countries, and to insure the effective utilization of the existing foreign procurement organization and facilities of the Board and of the Department of Agriculture, respectively, the following joint order is issued:

1. The Secretary, or whenever so required by Executive Order No. 9280, the Secretary and the Chairman of the War Production Board jointly, shall issue directives to the Board as to the quantities, specifications, delivery time schedules, and priorities of food and food facilities required to be obtained by public purchase in foreign countries for the war effort and the domestic civilian economy.

2. The Board shall receive such directives and be responsible for the initiation, preparation, negotiation, or amendment of any contracts, agreements, or arrangements necessary to fulfill such directives. In addition, the Board shall supervise and administer all food production programs under such contracts and agreements. The officers of the Board shall, insofar as practicable, without duplication of effort, consult with the officers of Commodity Credit Corporation regarding the method of procurement involved prior to the conclusion of any contract, agreement or arrangement establishing the method of procurement.

Commodity Credit Corporation, however, shall be responsible for transacting current spot purchases of food and food facilities abroad offered in the United States. Any spot offerings made abroad to the representatives of the Board shall be communicated by the Board to the Commodity Credit Corporation in the United States. Commodity Credit Corporation shall be authorized to execute purchase contracts with respect to spot offerings of food or food facilities from foreign sources for which no directive for public purchase has been issued by the Secretary, but shall first consult with the Board with respect to such purchases. Upon advice from the Board, Commodity Credit Corporation will suspend spot purchases of any foods or food facilities in specific countries pending the initiation or negotiation of contracts or agreements by the Board relating to such foods or food facilities.

3. Commodity Credit Corporation shall execute such contracts and agreements

as may be negotiated by the Board hereunder for the Corporation's account and shall be responsible for the acceptance of delivery and for the disbursement of funds under such contracts and agreements, as well as the necessary accounting with respect to such disbursement, and the inspection, storage, handling, or disposition on and after delivery. The Corporation shall be guided by such policies as the Board may recommend for the coordination in foreign countries of warehousing and transportation plans and procedure.

4. The services of the Board's foreign field personnel shall be made available to the Corporation to such extent as the Corporation may request in the performance of its responsibilities hereunder. In order to avoid duplication of personnel, the Corporation shall, so far as is feasible, avail itself of the Board's staff in foreign countries.

5. All contracts negotiated by the Board for the procurement or development of food or food facilities (as these terms are defined in Executive Order No. 9280) in foreign countries shall be negotiated for the account of Commodity Credit Corporation except, however, the Board may procure food or food facilities for the account of the U. S. Commercial Corporation or other appropriate agency in areas that may be agreed upon or in instances where the primary purpose is not the procurement of food for human, animal, or industrial uses.

6. With respect to any foreign procurement of wool, cotton, sugar, or other food produced in the United States, the Board of Economic Warfare and the Commodity Credit Corporation shall collaborate in determination of all policies and, insofar as practicable, the Board shall consult Commodity Credit Corporation regarding terms of contracts, which policies or terms, if adopted with respect to foreign procurement, might affect the domestic procurement of such commodities.

CLAUDE R. WICKARD,
Secretary of Agriculture.

H. A. WALLACE,
Chairman, Board of Economic Warfare.

FEBRUARY 10, 1943.

[F. R. Doc. 43-2233; Filed, February 11, 1943; 10:58 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

SUGAR AND RELATED PRODUCTS INDUSTRY

MINIMUM WAGE RECOMMENDATION

Notice or hearing on the minimum wage recommendation of Industry Committee No. 50 for the Sugar and Related Products Industry to be held March 4, 1943.

Whereas, the Administrator of the Wage and Hour Division of the United States Department of Labor, acting pursuant to section 5 (b) of the Fair Labor Standards Act of 1938 on October 5, 1942, by Administrative Order No. 162 appointed Industry Committee No. 50 for the Sugar and Related Products Industry, composed of an equal number of representatives of the public, employers in the industry and employees in the industry, such representatives having been appointed with due regard to the geographical regions in which the industry is carried on; and

Whereas, Industry Committee No. 50, on January 5, 1943, recommended a minimum wage rate for the Sugar and Related Products Industry and duly adopted a report containing such recommendations and reasons therefor and filed such report with the Administrator on January 8, 1943, pursuant to section 8 (d) of the Act and § 511.19 of the regulations issued under the Act; and

Whereas, the Administrator is required by section 8 (d) of the Act, after due notice to interested persons and giving them an opportunity to be heard, to approve and carry into effect by order the recommendation of Industry Committee No. 50 if he finds that the recommendation is made in accordance with law and is supported by the evidence adduced at the hearing and taking into consideration the same factors as are required to be considered by the industry committee, will carry out the purposes of section 8 of the Act; and, if he finds otherwise, to disapprove such recommendation;

Now, therefore, notice is hereby given that:

I. The recommendation of Industry Committee No. 50 is as follows:

Wages at a rate of not less than forty cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the Sugar and Related Products Industry (as defined in Administrative Order No. 162) who is engaged in commerce or in the production of goods for commerce.

II. The definition of the Sugar and Related Products Industry as set forth in Administrative Order No. 162, issued October 5, 1942, is as follows:

The production of sugar, molasses, and syrups, of all types, made wholly or in part from maple sap, sugar beets, sugarcane, sorgo, or any derivative therefrom, and the production of beet pulp, bagasse, lime cake, and related by-products: *Provided, however,* That fountain syrups commonly and commercially so known shall not be included in this definition.

The production of any products covered under this definition shall be deemed to begin with the loading of the raw materials at the farm.

The definition of the sugar and related products industry covers all occupations in the industry which are necessary to the production of the products covered by this definition, including clerical, maintenance, shipping and selling occupations: *Provided, however,* That in a wholesaling or selling department of a manufacturing establishment clerical, maintenance, shipping and selling employees, the greater part of whose work relates to the sale of articles which have been purchased for resale or of articles not covered by this definition shall not be deemed to be covered by this definition, and *Provided, further,* That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

III. The full text of the report and recommendation of Industry Committee No. 50 is and will be available for inspection by any person between the hours of 9:00 a. m. and 4:00 p. m. at the following offices of the United States Department of Labor, Wage and Hour Division:

Boston, Massachusetts, Old South Building, 294 Washington Street.
New York, New York, 341 Ninth Avenue.
Newark, New Jersey, Essex Building, 31 Clinton Street.
Philadelphia, Pennsylvania, 1216 Widener Building, Chestnut and Juniper Streets.
Pittsburgh, Pennsylvania, Clark Building, Liberty Avenue and Seventh Street.
Richmond, Virginia, 215 Richmond Trust Building, 627 East Main Street.
Baltimore, Maryland, 201 North Calvert Street.
Raleigh, North Carolina, North Carolina Department of Labor, Salisbury and Edenton Streets.
Columbia, South Carolina, Federal Land Bank Building, Hampton and Marion Streets.
Atlanta, Georgia, Fifth Floor, Witt Building, 249 Peachtree Street N.E.
Jacksonville, Florida, 456 New Post Office Building.
Birmingham, Alabama, 1007 Comer Building, 2nd Avenue and 21st Street.
New Orleans, Louisiana, 916 Union Building.
Jackson, Mississippi, 404 Deposit Guaranty Bank Building, 102 Lamar Street.
Nashville, Tennessee, 509 Medical Arts Building, 115 Seventh Avenue, N.
Cleveland, Ohio, Main Post Office, West 3d and Prospect Avenue.
Cincinnati, Ohio, 1312 Traction Building, 5th and Walnut Streets.
Detroit, Michigan, David Scott Building, 1150 Griswold Street.
Chicago, Illinois, 1200 Merchandise Mart, 222 West North Bank Drive.
Minneapolis, Minnesota, 406 Pence Building, 730 Hennepin Avenue.
Kansas City, Missouri, 504 Title and Trust Building, 10th and Walnut Streets.
St. Louis, Missouri, 316 Old Customs House.
Denver, Colorado, 300 Chamber of Commerce Building, 1726 Champa Street.
Dallas, Texas, Rio Grande National Building, 1100 Main Street.
San Francisco, California, 800 Humboldt Bank Building, 785 Market Street.
Los Angeles, California, 417 H. W. Hellman Building.
Seattle, Washington, 305 Post Office Building, 3rd Avenue and Union Street.
San Juan, Puerto Rico, Post Office Box 112.
Washington, District of Columbia, Department of Labor, 1st Floor.
New York, New York, 165 West 46th Street.

Copies of the Committee's report and recommendation may be obtained by any person upon request addressed to the Administrator of the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York.

IV. A public hearing will be held on March 4, 1943, before Major Robert S. Campbell, Presiding Officer, at 10:00 a. m. in Hotel Roosevelt, New Orleans, Louisiana, for the purpose of taking evidence on the following question:

1. Whether the recommendation of Industry Committee No. 50 should be approved or disapproved.

V. Any interested person supporting or opposing the recommendation of Industry Committee No. 50 may appear at the aforesaid hearing to offer evidence, either on his behalf or on behalf of any other person: *Provided,* That not later than February 27, 1943, such person shall file with the Administrator at New York, New York, a notice of his intent to appear which shall contain the following information:

1. The name and address of the person appearing.
2. If such person is appearing in a representative capacity, the name and address of the person or persons whom he is representing.
3. Whether such person proposes to appear for or against the recommendation of Industry Committee No. 50.
4. The approximate length of time requested for his presentation.

Such notice may be mailed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, and shall be deemed filed upon receipt thereof.

VI. Any person interested in supporting or opposing the recommendation of Industry Committee No. 50 may secure further information concerning the aforesaid hearing by inquiry directed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, or by consulting with attorneys representing the Administrator who will be available for that purpose at the Office of the Solicitor, United States Department of Labor, in Washington, D. C. and New York, New York.

VII. Copies of the following document relating to the Sugar and Related Products Industry will be made available on request for inspection by any interested person who intends to appear at the aforesaid hearing:

Report entitled, *Economic Factors Bearing on the Establishment of Minimum Wages in the Sugar and Related Products Industry,* prepared by the Economics Branch, Wage and Hour Division, United States Department of Labor, December 1942.

VIII. The hearing will be conducted in accordance with the following rules, subject, however, to such subsequent modifications by the Administrator or the Presiding Officer as are deemed appropriate.

1. The hearing shall be stenographically reported and a transcript made which will be available to any person at prescribed rates upon request addressed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York.
2. In order to maintain orderly and expeditious procedure, each person filing a Notice to Appear shall be notified, if practicable, of the approximate day and the place at which he may offer evidence at the hearing. If such person does not appear at the time set in the notice, he will not be permitted to offer evidence at any other time except by special permission of the Presiding Officer.
3. At the discretion of the Presiding Officer, the hearing may be continued from day to day, or adjourned to a later date, or to a different place by announcement thereof at the hearing by the Presiding Officer or by other appropriate notice.
4. At any stage of the hearing, the Presiding Officer may call for further evidence upon any matter. After the Presiding Officer has closed the hearing before him, no further evidence shall be taken, except at the request of the Administrator, unless provision has been made at the hearing for the later receipt of such evidence. In the event that the Administrator shall cause the hearing to be reopened for the purpose of receiving further evidence, due and reasonable notice of the time and place fixed for such taking of testimony shall be given to all persons who have filed a notice of intention to appear at the hearing.
5. All evidence must be presented under oath or affirmation.
6. Written documents or exhibits, except as otherwise permitted by the Presiding Officer, must be offered in evidence by a person who is prepared to testify as to the authenticity and trustworthiness thereof, and who shall, at the time of offering the documentary exhibit, make a brief statement as to the contents and manner of preparation thereof.
7. Written documents and exhibits shall be tendered in duplicate and the persons preparing the same shall be prepared to supply additional copies if such are ordered by the Presiding Officer. When evidence is embraced in a document containing matter not intended to be put in evidence, such a document will not be received, but the person offering the same may present to the Presiding Officer, the original document together with two copies of those portions of the document intended to be put in evidence.
8. Subpoenas requiring the attendance of witnesses or the presentation of a document from any place in the United States at any designated place of hearing may be issued by the Administrator at his discretion, and any person appearing in the proceeding may apply in writing for the issuance by the Administrator of the subpoena. Such application shall be timely and shall identify exactly the witness or document and state fully the nature of the evidence proposed to be secured.
9. Witnesses summoned by the Administrator shall be paid the same fees and mileage as are paid witnesses in the courts of the United States. Witness fees and mileage shall be paid by the party at whose instance witnesses appear, and the Administrator before issuing subpoena may require a deposit of an amount adequate to cover the fees and mileage involved.
10. The rules of evidence prevailing in the courts of law or equity shall not be controlling.
11. The Presiding Officer may, at his discretion, permit any person appearing in the proceeding to cross-examine any witness offered by another person insofar as is practicable, and to object to the admission or exclusion of evidence by the Presiding Officer. Requests for permission to cross-examine a witness offered by another person and objections to the admission or exclusion of evidence shall be stated briefly with the reasons for such request on the ground of objection relied on. Such requests or objections shall become a part of the record, but this record shall not include argument thereon except as ordered by the Presiding Officer. Objections to the approval of the Committee's recommendation and to the promulgation of a wage order based upon such approval must be made at the hearing before the Presiding Officer.
12. Before the close of the hearing, the Presiding Officer shall receive written requests from persons appearing in the proceeding for permission to make oral arguments before the Administrator upon the matter in issue. These requests will be forwarded to the Administrator by the Presiding Officer with the record of the proceedings. If the Administrator, in his discretion, allows the request, he shall give such notice thereof as he deems suitable to all persons appearing in the proceedings, and shall designate the time and place at which the oral arguments shall be heard. If such requests are allowed, all persons appearing at the hearing will be given opportunity to present oral argument.
13. Briefs (12 copies) may be submitted to the Administrator following the close of the hearing, by any persons appearing therein. Notice of the final dates for filing such briefs shall be given by the Administrator in such manner as shall be deemed suitable by him.
14. On the close of the hearing, the Presiding Officer shall forthwith file a complete record of the proceedings with the Administrator. The Presiding Officer shall not file an intermediate report unless so directed by the Administrator. If a report is filed, it shall be advisory only and have no binding effect upon the Administrator.
15. No order issued as a result of the hearing will take effect until after due notice is given of the issuance thereof by publication in the FEDERAL REGISTER.

Signed at New York, New York, this 9th day of February, 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-2242; Filed, February 11, 1943; 11:16 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Amendment to Vesting Order 340]

KNOOP, LANGE & CO., INC.

Whereas, pursuant to Vesting Order Number 340 of November 6, 1942, the undersigned vested certain shares of stock in Knoop, Lange & Co., Inc., more particularly described in such order; and

Whereas, in setting forth in said order the beneficial owners of such stock the name of Karl Ludwig Lange (whose last known address was represented to the undersigned as being Germany and who is a national of a designated enemy country, Germany) was inadvertently omitted;

Now, therefore, Vesting Order Number 340 of November 6, 1942 is hereby amended as follows and not otherwise:

By inserting immediately following the name "Karl Heinz Lange" appearing therein, the name "Karl Ludwig Lange,"

All other provisions of such Vesting Order Number 340 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C. on February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2235; Filed, February 11, 1943; 11:07 a. m.]

[Vesting Order 637]

ELASTIC RAIL SPIKE CORPORATION

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation:

1. Finding that Max Rueping, whose last known address was represented to the undersigned as being Frankfurt, Germany, is a

citizen of Germany and is a national of a designated enemy country (Germany);

2. Finding that all of the issued and outstanding capital stock of Elastic Rail Spike Corporation, a Delaware corporation, New York, New York, consisting of 1,000 shares of Class A common stock and 1,000 shares of Class B common stock, are registered in the names of Oscar M. Bernuth and George T. Fields, as Voting Trustees under a Voting Trust Agreement dated June 1, 1939;

3. Finding that said Max Ruepling is the beneficial owner of the 1,000 shares of Class A common stock hereinbefore referred to, and that the voting trust certificate representing his interest in such shares and in the voting trust agreement is registered in his name;

4. Finding that the aforesaid corporation is a business enterprise within the United States and that said 1,000 shares of Class A common stock constitutes a substantial part (namely, 50%) of all the outstanding capital stock of said business enterprise and represent an interest therein;

5. Determining, therefore, that said business enterprise is a national of a designated enemy country (Germany);

6. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

7. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

8. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian (a) the aforesaid 1,000 shares, together with any stock certificate or certificates issued in connection therewith and presently outstanding, and (b) all the right, title, and interest of said Max Ruepling in and to the aforesaid voting trust certificate and agreement, to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision, and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision, or control or to terminate same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 6, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2236; Filed, February 11, 1943; 11:07 a. m.]

[Vesting Order 731]

REINHARD SEGEBADE, ET AL.

Re: Interest of Reinhard Segebade, Paul Segebade, Ferdinand Creutzenberg, and Heinrich Creutzenberg in certain trust property.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Reinhard Segebade, Paul Segebade, Ferdinand Creutzenberg, and Heinrich Creutzenberg, whose last known addresses are Oldenburg, Mittenwalde, Hamburg and Altona Gross Flottbeck, Germany, respectively, are citizens of Germany and are nationals of a designated enemy country (Germany);

2. Finding that the property described in subparagraph 3 hereof is payable or deliverable to, or claimed by, the aforesaid persons;

3. Finding that the property described as follows:

All right, title, interest and estate, both legal and equitable, of whatsoever kind or nature of said Reinhard Segebade, Paul Segebade, Ferdinand Creutzenberg, and Heinrich Creutzenberg, and each of them, and of each and all of other nationals, whomsoever they may be, of any and all designated enemy countries, in and to that certain property held in trust by the Safe Deposit and Trust Company of Baltimore, Maryland, as trustee under the will of Ferdinand Meyer, dated November 25, 1933,

is property which is in the process of administration by a person acting under judicial supervision and which is payable or deliverable to, or claimed by, nationals of a designated enemy country (Germany);

4. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2237; Filed, February 11, 1943; 11:07 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 17 Under MPR 152]

PORTALES CANNING COMPANY

DENIAL OF PETITION FOR ADJUSTMENT OF MAXIMUM PRICES

Order No. 17 under Maximum Price Regulation No. 152—Canned Vegetables.

On October 19, 1942 the Portales Canning Company filed a petition pursuant to Procedural Regulation No. 6 issued by the Office of Price Administration, for specific authorization to adjust maximum prices established under Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by applicant with respect to the packing in No. 2 and No. 10 size cans of snap beans which applicant proposes to sell to the Quartermaster Depots of the United States Army.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and pursuant to Procedural Regulation No. 6, *It is hereby ordered*, That:

(a) The petition of Portales Company for adjustment of its maximum prices for snap beans packed in No. 2 and No. 10 size cans as established under Maximum Price Regulation No. 152 be, and it is hereby, denied.

(b) Any contract entered into by the Portales Canning Company at the prices requested in the petition shall be revised in accordance with the terms of this order, and any payment made to the Portales Canning Company in excess of the maximum price established shall be refunded to the purchaser, and within 30 days after the date on which this order was mailed to him, the applicant shall file a statement with the Office of Price Administration to the effect that such contracts were revised in accordance with the terms of this order, and wherever required refunds were made.

(c) This Order No. 17 may be revoked or amended by the Price Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and of section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to terms used herein.

(e) This order shall become effective on February 11, 1943.

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2186; Filed, February 10, 1943; 12:43 p. m.]

[Order 18 Under MPR 152]

FLOTILL PRODUCTS CO.

APPROVAL OF MAXIMUM PRICE

Order No. 18 under Maximum Price Regulation No. 152—Canned Vegetables.

The Flotill Products Company has filed application for specific authorization to charge a maximum price pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by the applicant with respect to the packing of fancy unpeeled tomatoes in tomato juice and concentrated tomato paste in certain sizes.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered*, That:

(a) The Flotill Products Company, Stockton, California, may sell, offer to sell, or deliver, and any person may buy, offer to buy, or receive the following commodities at the maximum prices indicated:

Size or standard container	Commodity	Authorized maximum price f. o. b. factory
		Per dozen
No. 1 Tall	Fancy unpeeled tomatoes in tomato juice.	$1.19
No. 2	Fancy unpeeled tomatoes in tomato juice.	1.87
No. 10	Fancy unpeeled tomatoes in tomato juice.	6.38
6 ounce	Fancy concentrated tomato paste made from pear shaped tomatoes, 33% solids, 1.1422 specific gravity.	.59
8 ounce	Fancy concentrated tomato paste made from pear shaped tomatoes, 33% solids, 1.1422 specific gravity.	.86
6 ounce	Fancy concentrated tomato paste made from pear shaped tomatoes, 33% solids, 1.1422 specific gravity.	.82
6 ounce	Fancy heavy tomato paste made from pear shaped tomatoes, 33% solids, 1.129 specific gravity.	.83
8 ounce	Fancy heavy tomato paste made from pear shaped tomatoes, 33% solids, 1.129 specific gravity.	.80
6 ounce	Fancy heavy tomato paste made from pear shaped tomatoes, 33% solids, 1.129 specific gravity.	.77
No. 10	Fancy concentrated tomato paste, 33% solids, 1.1422 specific gravity.	14.04

(b) This Order No. 18 may be revoked or amended by the Price Administrator at any time.

(c) The applicant, Flotill Products Company shall not change its customary allowances, discounts or price differentials unless such change results in a lower price.

(d) Unless the context otherwise requires the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(e) This order shall become effective on February 11, 1943.

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2187; Filed, February 10, 1943; 12:43 p. m.]

[Order 19 Under MPR 152]

E. PRITCHARD, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 19 under Maximum Price Regulation No. 152—Canned Vegetables.

On December 12, 1942 E. Pritchard, Inc., North Pearl Street, Bridgeton, New Jersey, filed a petition pursuant to Procedural Regulation No. 6, issued by the Office of Price Administration, for specific authorization to adjust a maximum price established under Maximum Price Regulation No. 152 for sales to the armed forces of the United States.

Due consideration has been given the information submitted by applicant with respect to the packing in 14-ounce size glass bottles of extra standard tomato catsup which applicant proposes to sell to the Quartermaster Depots of the United States Army.

For the reason set forth in the opinion which accompanies this order, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and pursuant to Procedural Regulation No. 6, *It is hereby ordered*, That:

(a) E. Pritchard, Inc., may sell, offer to sell or deliver to the Quartermaster Depots of the United States Army, and the Quartermaster Depots of the United States Army may buy, offer to buy or receive 14-ounce size glass bottles of extra standard tomato catsup at a price no higher than the maximum price of $1.17 per dozen, f. o. b. factory.

(b) This Order No. 19 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to terms used herein.

(d) This order shall become effective on February 11, 1943.

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2188; Filed, February 10, 1943; 12:43 p. m.]

[Order 21 Under MPR 152]

JOHN H. DULANY AND SON

APPROVAL OF MAXIMUM PRICES

Order No. 21 under Maximum Price Regulation No. 152—Canned Vegetables.

John H. Dulany and Son, Fruitland, Maryland, have filed an application for specific authorization to charge a maximum price pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by applicant with respect to the packing in No. 2 size cans of extra standard 75 percent Green, and 25 percent White Fordhook Variety Fresh Lima Beans.

For the reason set forth in the opinion which accompanies this order, and under the authority rested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered*, That:

(a) John H. Dulany and Son may sell, offer to sell or deliver, and any person may buy, offer to buy or receive No. 2, size cans of extra standard 75 percent Green, and 25 percent White Fordhook Variety Fresh Lima Beans at a price no higher than the maximum price of $2.00 per dozen f. o. b. factory.

(b) This Order No. 21 may be revoked or amended by the Price Administrator at any time.

(c) The applicant, John H. Dulany and Son, shall not change its customary allowances, discounts or price differentials unless such changes result in a lower price.

(d) Unless the context otherwise requires the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the term used herein.

(e) This order shall become effective on 11th day of February 1943.

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2189; Filed, February 10, 1943; 12:44 p. m.]

[Order 22 Under MPR 152]

VAL VITA FOOD PRODUCTS

APPROVAL OF MAXIMUM PRICES

Order No. 22 under Maximum Price Regulation No. 152—Canned Vegetables.

The Val Vita Food Products, Inc., Fullerton, California, has filed an application for specific authorization to charge a particular maximum price pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by applicant with respect to the packing in $10\frac{1}{2}$ ounce size cans of fancy tomato sauce meeting the density specification of 1.045 specific gravity.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive

Order No. 9250, *It is hereby ordered*, That:

(a) The Val Vita Food Products, Inc., may sell, offer to sell or deliver, and any person may buy, offer to buy, or receive $10\frac{1}{2}$ ounce size cans of tomato sauce, of a density of 1.045 specific gravity at a price no higher than the maximum price of .56 cents per dozen, f. o. b. factory.

(b) This Order No. 22 may be revoked or amended by the Price Administrator at any time.

(c) The applicant Val Vita Food Products, Inc., shall not change its customary allowances, discounts or price differentials unless such change results in a lower price.

(d) Unless the context otherwise requires the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

This order shall become effective on 11th day of February 1943.

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2190; Filed, February 10, 1943; 12:42 p. m.]

[Order 23 Under MPR 152]

GILLETTE CANNING COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 23 under Maximum Price Regulation No. 152—canned vegetables.

The Gillette Canning Company, Gillette, Wisconsin, has filed an application for specific authorization to charge a particular maximum price pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by applicant with respect to the packing in No. 1 size can of fancy ungraded as to sieve size sweet peas.

For the reasons set forth in the opinion which accompanies this order and under the authority rested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered*, That:

(a) The Gillette Canning Company may sell, offer to sell, or deliver and any person may buy, offer to buy or receive fancy ungraded as to sieve size sweet peas at a price no higher than the maximum price of $.96 per dozen f. o. b. factory for the No. 1 size can.

(b) This Order No. 23 may be revoked or amended by the Price Administrator at any time.

(c) The applicant, Gillette Canning Company, shall not change its customary allowances, discounts or price differentials unless such change results in a lower price.

(d) Unless the context otherwise requires the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152, and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(e) This order shall become effective on 11th day of February, 1943.

Issued this 10th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2191; Filed, February 10, 1943; 12:44 p. m.]

[Order 24 Under MPR 152]

P. J. RITTER COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 24 under Maximum Price Regulation No. 152—Canned Vegetables.

On December 23, 1942, P. J. Ritter Company, Bridgeton, New Jersey, filed a petition pursuant to Procedural Regulation No. 6 issued by the Office of Price Administration, for specific authorization to adjust a maximum price established under Maximum Price Regulation No. 152 for sale to the armed forces of the United States.

Due consideration has been given the information submitted by applicant with respect to the packing in 12 ounce size glass bottles of fancy tomato catsup which applicant proposes to sell to the Quartermaster Depots of the United States Army.

For the reasons set forth in the opinion which accompanies this order, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and pursuant to Procedural Regulation No. 6, *It is hereby ordered*, That:

(a) P. J. Ritter Company may sell, offer to sell or deliver to the Quartermaster Depots of the United States Army, and the Quartermaster Depots of the United States Army may buy, offer to buy or receive 12 ounce size glass bottles of fancy tomato catsup at a price no higher than the maximum price of $1.23 per dozen, f. o. b. factory.

(b) This Order No. 24 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to terms used herein.

(d) This order shall become effective on February 11, 1943.

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2192; Filed, February 10, 1943; 12:44 p. m.]

[Order 7 Under MPR 157]

FORT DODGE TENT & AWNING CO.

ORDER GRANTING ADJUSTMENT

Order No. 7 under Maximum Price Regulation No. 157—Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes—Docket No. 3157-47.

On July 3, 1942, Fort Dodge Tent & Awning Company, of Fort Dodge, Iowa, filed an application, under Maximum Price Regulation No. 157, for adjustment of its maximum prices for small wall tents, complete without pins, poles or flies. Due consideration has been given to said application and an opinion in support of this Order No. 7 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 and Procedural Regulation No. 6, issued by the Office of Price Administration, *It is hereby ordered:*

(a) Fort Dodge Tent & Awning Company may sell and deliver to any war procurement agency, under Maximum Price Regulation No. 157, the following commodity at a price not in excess of the following price:

$4.90 each for small wall tents, complete without pins, poles or flies, conforming to specifications of Jeffersonville Quartermaster Depot, Jeffersonville, Indiana, No. 56 (Stock No. 24-T-323).

(b) With respect to deliveries of the commodity described in paragraph (a), on and after July 3, 1942, Fort Dodge Tent & Awning Company may receive payments under Maximum Price Regulation No. 157 at a price not exceeding $4.90 each.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 7 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1378.10 of Maximum Price Regulation No. 157 shall apply to the terms used herein.

This Order No. 7 shall become effective February 11, 1943.

Issued this 10th day of February 1943.

PRENTISS M. BROWN
Administrator.

[F. R. Doc. 43-2182; Filed, February 10, 1943; 12:44 p. m.]

[Order 8 Under MPR 157]

WELLS LAMONT SMITH CORP.

ORDER DENYING ADJUSTMENT

Order No. 8 under Maximum Price Regulation No. 157—Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes—Docket No. 3157-26.

On October 21, 1942, Wells Lamont Smith Corporation, Chicago, Illinois, filed an application under Maximum Price Regulation No. 157 for adjustment of the maximum price of its special cotton glove made of jersey material. Due consideration has been given to the application, and an opinion in support of this Order No. 8 has been issued simultaneously and filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 and Procedural Regulation No. 6, *It is ordered*, That:

(a) The applications for adjustment are hereby denied.

(b) Gibbs Underwear Company shall immediately notify all persons with whom it has contracts which are subject to Maximum Price Regulation No. 157 and which establish prices in excess of those authorized by Maximum Price Regulation No. 157 that it will make final settlement of such contracts in accordance with the maximum prices established by Maximum Price Regulation No. 157.

(c) Gibbs Underwear Company shall refund to persons with whom it has contracts which are subject to Maximum Price Regulation No. 157 all payments which have been made to it in excess of the maximum prices authorized by Maximum Price Regulation No. 157.

(d) Within 30 days after the date on which this Order No. 9 was mailed to it, Gibbs Underwear Company shall file a statement with the Office of Price Administration, Washington, D. C., stating the action it has taken to comply with the terms of this Order No. 9.

(e) This Order No. 9 shall become effective February 11, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2184; Filed, February 10, 1943; 12:43 p. m.]

[Order 157 Under MPR 188]

COLUMBUS HEATING AND VENTILATING CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 157 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Authorization of maximum prices of fittings and connectors to be used in the installation of "Formdux", for the Columbus Heating and Ventilating Company.

For the reasons set forth in an opinion which has been issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, and § 1499.158 of Maximum Price Regulation No. 188, *It is hereby ordered* That:

(a) The Columbus Heating and Ventilating Company of Columbus, Ohio, may sell and deliver to Chrysler Airtemp Sales Corporation fittings and connectors to be used in the installation of "Formdux" at the maximum prices set forth in paragraph (b) below, f. o. b. Columbus, Ohio.

(b) This Order No. 157 is applicable to the following types and sizes of such fittings and connectors, and the maximum prices therefor are as indicated.

	Sizes as follows
No. 101—Collar connection:	
6" x 8"	.358
9" x 8"	.4444
12" x 8"	.5061
15" x 8"	.5802
18" x 8"	.6419
21" x 8"	.716
24" x 8"	.7777
27" x 8"	.8394
30" x 8"	.95
6" x 6"	.30
6" x 9"	.36
6" x 12"	.45
6" x 15"	.52
6" x 18"	.60
6" x 21"	.68
6" x 24"	.75
6" x 27"	.82
6" x 30"	.90
8" x 30"	.95
10" x 6"	.40
10" x 9"	.48
10" x 12"	.55
10" x 15"	.63
10" x 18"	.70
10" x 21"	.77
10" x 24"	.85
10" x 27"	.93
10" x 30"	1.00
12" x 6"	.45
12" x 7"	.592
12" x 9"	.52
12" x 12"	.60
12" x 15"	.68
12" x 18"	.75
12" x 21"	.82
12" x 24"	.90
12" x 27"	.98
12" x 30"	1.05
No. 102—Stack collar—including scoop:	
8" x $3\frac{1}{4}$"	.2543
12" x $3\frac{1}{4}$"	.2963
10" x $3\frac{1}{4}$"	.28
14" x $3\frac{1}{4}$"	.36
No. 103—Collar take-off:	
8" x 6"	.4198
No. 104—Ell take-off with 6" scoop:	
8" x 6" to 8" x 6"	.6913
8" x 6" to 8" x $3\frac{1}{4}$"	.6913
12" x 6" to 12" x $3\frac{1}{4}$"	.8148
6" x 8"	.64
6" x 9"	.72
6" x 12"	.96
8" x 9"	.96
8" x 12"	1.28
12" x 9"	1.44
12" x 12"	1.92
10" x 6"	.80
10" x 9"	1.20
10" x 12"	1.60
6" x 10" to 10" x $3\frac{1}{4}$"	.80
6" x 14" to 14" x $3\frac{1}{4}$"	1.12
No. 105—Trunk top or bottom connector:	
33"	.2469
No. 106—Trunk side connector:	
6"	.06
8"	.0741
10"	.09
12"	.11
No. 107—Wall stack connector:	
10" x $3\frac{1}{4}$"	.2469
14" x $3\frac{1}{4}$"	.32
8" x $3\frac{1}{4}$"	.2346
12" x $3\frac{1}{4}$"	.2469
No. 108—Trunk reducer:	
3" x 8"	.3358
6" x 8"	.3629
9" x 8"	.3901
12" x 8"	.4872
3" x 6"	.16
3" x 10"	.27
3" x 12"	.32
6" x 6"	.32
6" x 10"	.54
6" x 12"	.65
9" x 6"	.49
9" x 10"	.82
9" x 12"	.98
No. 109—Top or side take-off with scoop:	
8" x 6" to 8" x $3\frac{1}{4}$"	.6173
8" x 6" to 12" x $3\frac{1}{4}$"	.7160
No. 110—Transition to metal:	
8" x 6" to 8" x $3\frac{1}{4}$"	.5052
8" x 6" to 12" x $3\frac{1}{4}$"	.9135
No. 111—Transition:	
6" x 8" to 8" x $3\frac{1}{4}$"	.5050
6" x 8" to 12" x $3\frac{1}{4}$"	.9127

No. 112—90° horizontal stack ell, to metal:	
8" x 3¼"	.5234
12" x 3¼"	.5802
No. 113—90° horizontal stack ell:	
8" x 3¼"	.6345
12" x 3¼"	.6913
No. 114—90° vertical stack ell:	
8" x 3¼"	.5234
12" x 3¼"	.5802
No. 115—45° vertical angle, to metal:	
8" x 3¼"	.4247
12" x 3¼"	.4444
No. 116—45° vertical angle:	
8" x 3¼"	.4247
12" x 3¼"	.4244
No. 117—90° horizontal stack ell, to metal:	
8" x 3¼"	.6345
12" x 3¼"	.6913
No. 118—Vertical stack head with damper:	
8" x 3¼"	.5802
12" x 3¼"	.6913
No. 119—Horizontal stack head with damper:	
8" x 6" to 12" x 6"	.8086
8" x 3¼" to 6" x 8"	.5502
12" x 3¼" to 6" x 12"	.6913
No. 120—End cap:	
6" x 8"	.2864
9" x 8"	.2938
12" x 8"	.3037
15" x 8"	.3209
18" x 8"	.3437
21" x 8"	.3950
24" x 8"	.4197
27" x 8"	.4566
30" x 8"	.78
6" x 6"	.12
6" x 9"	.18
6" x 12"	.24
6" x 15"	.26
6" x 18"	.35
6" x 21"	.41
6" x 24"	.47
6" x 27"	.53
6" x 30"	.58
6" x 10"	.19
9" x 10"	.29
12" x 10"	.39
15" x 10"	.49
18" x 10"	.58
21" x 10"	.68
24" x 10"	.78
27" x 10"	.88
30" x 10"	.97
12" x 9"	.35
12" x 12"	.47
12" x 15"	.52
12" x 18"	.70
12" x 21"	.82
12" x 24"	.94
12" x 27"	1.05
12" x 30"	1.17
No. 121—Wall stack end cap:	
8" x 3¼"	.3358
12" x 3¼"	.3481
No. 126—Formdux side rail:	
32"	.3235
33"	.3235

(c) The Columbus Heating and Ventilating Company shall make such reports as the Office of Price Administration may from time to time request.

(d) This Order No. 157 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 157 shall become effective February 11, 1943.

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2195; Filed, February 10, 1943; 12:45 p. m.]

[Order 13 Under RPS 53]

VEGETABLE OIL PRODUCTS CO., INC.

ORDER ESTABLISHING MAXIMUM PRICES

Order No. 13 under Revised Price Schedule No. 53—Fats and Oils.

Establishing Maximum Prices for Vegetable Oil Products Company, Inc., Wilmington, California, on its Vop, White Cap, Cream Flake, and Vegetable Pastry, Shortenings—Docket No. 1053–27–P.

On November 7, 1942 Vegetable Oil Products Company, Inc., of Wilmington, California, filed a Protest against the provisions of § 1351.151 (b) (12) (vi). On or about December 6, 1942, it filed a request, duly verified December 2, 1942, that its protest be considered not only as a protest but as an application for adjustment.

Due consideration has been given to the application, and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, and in accordance with § 1351.151 (b) (12) (vii) of Revised Price Schedule No. 53, *It is hereby ordered:*

(a) *VOP Standard Shortening.* The maximum delivered prices of Vegetable Oil Products Company, Inc.'s "Vop" standard shortening, in the area defined in § 1351.151 (b) (12) (viii) as "Pacific Coast," shall be the following prices:

Drums (per pound)	16 75 cents
Cartons:	
12/4 lbs. (per case)	$8.20.
48/1 lbs. (per case)	$8 35.

(b) *"White Cap", "Cream Flake", and "Vegetable Pastry", hydrogenated shortenings.* The maximum delivered prices of Vegetable Oil Products Company, Inc.'s, "White Cap", "Cream Flake", and Vegetable Pastry", hydrogenated shortenings, in that area defined in § 1351.151 (b) (12) (viii) as "Pacific Coast", shall be the following prices:

Drums (per pound)	17. 50 cents

(c) The provisions of § 1351.151 (b) (12) (v) and (viii) of Revised Price Schedule No. 53 shall apply to the maximum prices established by this Order for the shortenings hereinabove named.

(d) All prayers of the application not granted herein are denied.

(e) This Order No. 13 may be revoked or modified by the Price Administrator at any time.

This Order No. 13 shall become effective February 11, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2185; Filed, February 10, 1943; 12:46 p. m.]

[Order 32 Under RPS 57]

BIGELOW SANFORD CARPET CO.

APPROVAL OF MAXIMUM PRICE

Order No. 32 under Revised Price Schedule No. 57—Wool Floor Coverings.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and by virtue of the authority vested in the Price Administrator under the Emergency Price Control Act of 1942 as amended, and Executive Order 9250, *It is hereby ordered:*

(a) Bigelow Sanford Carpet Company may sell, offer to sell, deliver or transfer the new fabric designated as Warfield at prices no higher than those set forth below:

Warfield at $2.43 per square yard f. o. b. mill roll

Warfield at $29.50 per 9 x 12 size f. o. b. mill.

subject to discounts, allowances, and rebates no less favorable than those in effect as to Fervak under § 1352.1 of Revised Price Schedule No. 57. Other sizes and zone maximum prices of Warfield shall be determined on the basis of the same differentials as established by Revised Price Schedule No. 57 between the square yard f. o. b. mill and the other sizes and zone maximum prices of Fervak.

(b) This Order No. 32 may be revoked or amended by the Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1352.11 of Revised Price Schedule No. 57 shall apply to terms used herein.

This order shall become effective on the 11th day of February, 1943.

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2193; Filed, February 10 1943, 12:46 p. m.]

[Order 70 Under RPS 64]

PREMIER STOVE COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 70 under Revised Price Schedule No. 64—Domestic Cooking and Heating Stoves.

On January 9, 1943, the Premier Stove Company, Belleville, Illinois, completed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64 for approval of a maximum price for a new model coal and wood range designated in the application as model 60.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No 9250, *It is hereby ordered:*

(a) Premier Stove Company may sell, offer to sell, transfer or deliver its model 60 coal and wood range at a price no higher than $45.30 f. o. b. factory to dealers, subject to discounts, allowances and terms no less favorable than those in effect with respect to its model F41–16 as established under Revised Price Schedule No. 64.

(b) This Order No. 70 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 70 shall become effective on the 11th day of February 1943.

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2194; Filed, February 10, 1943; 12:45 p. m.]

[Order 5 Under Restriction Order 2]

PUERTO RICO

RICE RESTRICTION

Pursuant to the authority vested in the Director of the Office of Price Administration for Puerto Rico by Directive No. 1 of the War Production Board issued January 24, 1942, by Supplementary Directive 1–J, as amended, issued October 29, 1942, and by Restriction Order No. 2 issued by the Office of Price Administration on December 10, 1942, *It is hereby ordered:*

(a) *Quotas.* (1) Quota Period No. 5 shall commence on February 8, 1943 and shall end on February 21, 1943.

(2) The amount of rice to be distributed during Quota Period No. 5 is approximately 8,000,000 pounds.

(3) Each retailer shall be entitled to receive from the War Price and Rationing Board having jurisdiction purchase certificates (OPA Form PRF–3) authorizing him to accept transfers of rice in amounts totalling not more than 25% in pounds of rice sales reported by such retailer for the month of November, 1941 on OPA Form PRF–1 (the number of 100 pound sacks equals the dollar volume of sales of rice reported divided by $5.00) or such lesser percentage of such sales as may be required by the limitations of the quota of the Board.

(4) The Director shall assign to each Board a quantity of rice for Quota Period No. 5 equal in pounds to the population of the area of its jurisdiction as reported by the latest United States Census for Puerto Rico multiplied by four subject to necessary adjustments among Boards because of variations in requirements due to proven trade practices.

(5) Each institutional and industrial user shall be entitled to receive from the Board having jurisdiction purchase certificates (OPA Form PRF–3) authorizing it to accept transfers of rice in amounts totalling not more than 25% in pounds of the amount of rice purchases reported by it for the month of November, 1941 on OPA Form PRF–1.

(6) Each Board shall have the right to require a person to furnish it with such proof as shall be necessary to substantiate the amount which such person may claim to be entitled to receive out of the total quota allotted to such Board.

(7) On application to the Board having jurisdiction, the Board shall examine all of the facts pertinent to the establishment of the new business, assign a temporary quota after having taken into consideration all of the circumstances and shall render a full and complete report to the Director within three days thereafter. The Director may, based on the facts presented, direct the Board to amend the assigned quota. The applicant may pursuant to § 1407.3007, apply for an adjustment to the Director at any time after the assignment of the temporary quota.

(8) The quota of each person, other than a consumer, entitled to rice hereunder shall be reduced by an amount equal to the quantity of rice in his possession on February 8, 1943 and acceptance by any person of purchase certificates in the full amount of his quota shall constitute a representation that he had no rice in his possession on such date.

(b) *Allotments.* (1) A consumer may not accept a transfer of, and no person shall knowingly transfer to a consumer, more than two pounds of rice during any one calendar week for each consumer on whose behalf the transfer is made.

(c) Any person, partnership, corporation, association, government agency, or any other organized group or enterprise which willfully performs any act prohibited or willfully fails to perform any act required by any provisions of Order No. 5 under Restriction Order No. 2, shall be guilty of a misdemeanor and upon conviction be fined not more than $10,000 or imprisoned for not more than one year, or both, and shall be subject to such other penalties as may be specified by all applicable statutes.

This order shall be effective as of February 8, 1943 at 8:00 a. m.

Issued this 8th day of February 1943.

WILLIAM B. MEAD
Director for the Office of Price Administration of Puerto Rico.

[F. R. Doc. 43-2181; Filed, February 10, 1943; 12:42 p. m.]

[Rev. Order 145 Under MPR 120]

ILLINOIS POCAHONTAS COAL COMPANY

ORDER GRANTING ADJUSTMENT

Revised Order No. 145 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 1120–45–P.

Order No. 145 is amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended and Executive Order No. 9250, and in accordance with § 1340.207 (d) and (e) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals in the following size groups produced by Illinois Pocahontas Coal Company or its successor, at the Pocahontas Mine, Mine Index No. 138, in District No. 10, may be sold and purchased for shipment by rail, by truck and for railroad fuel at prices not to exceed the following respective prices per net ton f. o. b. the mine:

Size groups:	Maximum prices	
	Truck	*Rail*
1	$3.25	———
3	3.00	$2 49
6	2.75	2 25
14	2 00	1 75
Railroad fuel (on line)		
Mine run		2 10
6" x 1½" egg		2 25

(b) Within thirty (30) days from the effective date of this order, the said Illinois Pocahontas Coal Company or its successor shall notify all persons purchasing coal from the Pocahontas Mine, Mine Index No. 138, District No. 10, of the adjustments granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in revised Maximum Price Regulation No. 122.

(c) This Revised Order No. 145 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120, shall apply to the terms used herein.

(e) This Revised Order No. 145 shall become effective February 10, 1943.

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2221; Filed, February 10, 1943; 4:45 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1–218]

TRUSCON STEEL COMPANY

ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 8th day of February, A. D., 1943.

The New York Stock Exchange pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2–1 (b) promulgated thereunder, having made application to strike from listing and registration the $10 Par Common Stock of Truscon Steel Company; and

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on February 18, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-2212; Filed, February 10, 1943; 2:27 p. m.]

[File No. 30-175]

WALNUT ELECTRIC & GAS CORP.

ORDER TO CEASE TO BE A HOLDING COMPANY

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 9th day of February, A. D., 1943.

In the matter of W. C. Gilman, as Liquidating Trustee of Walnut Electric & Gas Corporation.

W. C. Gilman, as Liquidating Trustee of Walnut Electric & Gas Corporation, having filed an application pursuant to section 5 (d) of the Public Utility Holding Company Act of 1935 requesting an order that applicant has ceased to be a holding company;

Appropriate notice having been given and a public hearing on said application having been duly held, and the Commission having issued and filed its findings and opinion herein;

It is hereby ordered and declared, That said applicant has ceased to be a holding company and that the registration of said applicant as a holding company be, and is by virtue of this order, no longer effective.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-2213; Filed, February 10, 1943; 2:28 p. m.]

[File No. 59-10]

THE NORTH AMERICAN COMPANY AND ITS SUBSIDIARY COMPANIES

ORDER CONVENING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 8th day of February, 1943.

The order of the Commission entered in the above styled and numbered proceeding on April 14, 1942, having provided that the record in said proceeding be reopened and a hearing convened at a date to be set by further order for the purpose, among others, of affording the respondents an additional opportunity for the presentation of further relevant evidence bearing on the permissibility of the retention by The North American Company, a registered holding company, of the gas business conducted by, and the securities of, its subsidiary, The St. Louis County Gas Company, in addition to the integrated electric utility system operated by a subsidiary of The North American Company, Union Electric Company of Missouri and its subsidiaries; and

It now appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that said hearing be convened for the aforesaid purpose:

It is ordered, That a hearing be convened in this proceeding for the purpose of receiving evidence as to the retainability of The St. Louis County Gas Company by The North American Company, and that said hearing be held at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, at 10:00 A. M. on the 16th day of March, 1943 in such room as may be designated by the hearing room clerk. Notice is hereby given of said hearing to all interested persons said notice to be given to The North American Company, The St. Louis County Gas Company and Union Electric Company of Missouri by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing above ordered. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That all persons desiring to be heard or otherwise wishing to participate herein, shall notify the Commission to that effect in the manner provided for by Rule XVII of the Commission's Rules of Practice, on or before March 13, 1943.

It is further ordered, That, without limiting the scope of the issues to be considered at this hearing, as described herein, evidence will be received bearing on the following issues:

A. Whether there would be a loss of substantial economies within the meaning of section 11 (b) (1) of the Public Utility Holding Company Act of 1935 if the gas business of The St. Louis County Gas Company were not conducted under common control with the electric business of Union Electric Company of Missouri;

And, in particular, as pertinent and relevant to a determination of the issue set forth in paragraph A above, the respondents herein shall produce such evidence as they may have bearing on:

(1) A comparison of the amounts devoted to repairs, maintenance, replacements and improvements of plant and other service facilities as between the electric utility operations of Union Electric Company of Missouri and its subsidiaries, and the gas utility operations of The St. Louis County Gas Company;

(2) A similar comparison with respect to the amounts devoted to and types of promotional activities;

(3) Methods of allocation of costs, expenses, and other accounts as between the said operations;

(4) The feasibility of increasing the extent of natural gas distribution by The St. Louis County Gas Company and the effect, if any, which control of such company by The North American Company may have on the type of gas distributed, the extension of service area, and the cost of gas service to consumers;

(5) The effect of independent operation of the gas business conducted by The St. Louis County Gas Company and free and unrestrained competition between the gas and electric businesses in the area with respect to adequacy of service, rates, proper maintenance and the revenues and income of such gas and electric businesses; and

B. Whether the continued combination of The St. Louis County Gas Company with Union Electric Company of Missouri under common control of The North American Company is so large (considering the state of the art and the area or region affected) as to impair the advantages of localized management, efficient operation, or the effectiveness of regulation.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-2214; Filed, February 10, 1943; 2:28 p. m.]

[File No. 70-487]

THE NORTH AMERICAN COMPANY

ORDER CONSENTING TO WITHDRAWAL OF APPLICATION OR DECLARATION (OR BOTH)

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 8th day of February, 1943.

The North American Company, a registered holding company, having requested permission to withdraw the application or declaration (or both) in the above styled and numbered proceeding filed on February 19, 1942 relating to the disposition of all of the common stock of Union Electric Company of Missouri;

It is ordered, That The North American Company be and it is hereby permitted to withdraw said aplication or declaration (or both) and that the same be and it is hereby deemed to be withdrawn.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-2208; Filed, February 10, 1943; 2:27 p. m.]

[File No. 70-665]

ASSOCIATED UTILITIES CORP. AND E. M. GILBERT ENGINEERING CORP.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of February, A. D., 1943.

Associated Utilities Corporation, a registered holding company, and its subsidiary, E. M. Gilbert Engineering Corporation, having filed a joint declaration pursuant to sections 12 (c) and 12 (f) of the Public Utility Holding Company Act of 1935, and Rule U-42 promulgated thereunder, regarding the merger of E. M. Gilbert Engineering Corporation into Associated Utilities Corporation, the assumption of all the assets and liabilities of E. M. Gilbert Engineering Corporation by Associated Utilities Corporation, and the acquisition by E. M. Gilbert Engineering Corporation of all its outstanding ten shares of common capital stock for cancellation; and

Such joint declaration having been filed on January 14, 1943, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act and the Commission not having received a request for a hearing with respect to said joint declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit the said joint declaration pursuant to Rule U-42 to become effective, and finding that the requirements of sections 12 (c) and 12 (f) are satisfied;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24, that said joint declaration be, and hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-2211; Filed, February 10, 1943; 2:27 p. m.]

[File No. 70-668]

SOUTHERN-HENKE ICE & STORAGE COMPANY

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of February, A. D., 1943.

Southern-Henke Ice & Storage Company, a non-utility subsidiary of The Middle West Corporation, a registered holding company, having filed an application pursuant to the Public Utility Holding Company Act of 1935 regarding the issuance of its unsecured promissory note in the principal amount of $50,000 to be dated February 9, 1943, payable to the order of City National Bank and Trust Company of Chicago on or before nine months after the date thereof, and to bear interest at the rate of 4% per annum to maturity, and at the rate of 6% per annum after maturity, for the purpose of refunding or renewing its outstanding unsecured promissory note in the present unpaid principal amount of $50,000 held by said City National Bank and Trust Company of Chicago; and

Said application having been filed on January 18, 1943, and notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said application within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the issue and sale of the proposed note is exempt from the provisions of section 6 (a) of the Act by reason of the second clause of the third sentence of section 6 (b) thereof, and finding that the acquisition of applicant's outstanding note is exempt from section 12 (c) by reason of subsections (2) and (6) of Rule U-42 (b) promulgated thereunder, and deeming it appropriate in the public interest and in the interest of investors and consumers to grant said application;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act, and subject to the terms and conditions prescribed in Rule U-24, that said application be and it is hereby granted.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-2210; Filed, February 10, 1943; 2:27 p. m.]

[File No. 70-669]

UNION ELECTRIC COMPANY OF MISSOURI AND IOWA UNION ELECTRIC COMPANY

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of February 1943.

Union Electric Company of Missouri, a registered holding company, and its subsidiary, Iowa Union Electric Company, having filed a joint declaration and application pursuant to sections 6 (b), 9 (a), and 10 of the Public Utility Holding Company Act of 1935, relating to (1) the proposal of Iowa Union Electric Company (a) to issue and sell to Union Electric Company of Missouri, the owner of all of its presently outstanding common stock, for cash at $45 per share, 8,793 additional shares of its no par value common stock having a stated value of $45 per share, and (b) to issue and deliver to the First National Bank in St. Louis, Missouri, its promissory note in the principal amount of $200,000 bearing interest at the rate of 2% per annum payable on demand three years after the date thereof, and (c) to use the proceeds from the sale of said additional common stock and from the promissory note, together with other funds, to redeem its presently outstanding bonds in the aggregate principal amount of $700,000; and (2) the proposal of Union Electric Company of Missouri to acquire for cash at $45 per share the 8,793 shares of additional common stock of Iowa Union Electric Company above referred to; and

Said declaration and application having been filed on January 20, 1943, and notice of said filing having been duly given in the manner and form prescribed by Rule U-23 under said Act, and the Commission not having received a request for hearing with respect to said declaration and application within the period specified in such notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the requirements of sections 6 and 10 and Rule U-43, are satisfied and that no adverse findings are necessary thereunder, and that the proposed transactions are within the exceptions provided by Rules U-42 and U-50, and deeming it appropriate in the public interest and in the interests of investors and consumers to approve said application and to permit said declaration to become effective;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24 that the said application be and the same hereby is approved and that the said declaration be and the same hereby is permitted to become effective forthwith.

By the Commission (Commissioner Healy dissenting for the reasons set forth in his memorandum of April 1, 1940).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-2209; Filed, February 10, 1943; 2:27 p. m.]

[File No. 1-1603]

BEAVER GOLD AND COPPER CO.

ORDER FOR HEARING AND DESIGNATING OFFICER TO TAKE TESTIMONY

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of February, A. D. 1943.

In the matter of Proceeding under section 19 (a) (2) of the Securities Exchange Act of 1934, as amended, to determine whether the registration of Beaver Gold and Copper Company Common Capital Stock, 10¢ Par Value, Assessable, should be suspended or withdrawn.

I

It appearing to the Commission:

That Beaver Gold and Copper Company, a corporation organized under the laws of the State of Utah, is the issuer of Common Capital Stock, 10¢ Par Value, Assessable; and

That said Beaver Gold and Copper Company registered such security on the Salt Lake Stock Exchange, a national securities exchange, by filing with the Exchange and with the Commission on or about May 29, 1935, an application on Form 10, pursuant to section 12 (b) and (c) of the Securities Exchange Act of 1934, as amended, and Rule X-12B-1, as amended, promulgated by the Commission thereunder, registration pursuant to such application having become effective on July 16, 1935, and remaining in effect to and including the date hereof; and

It further appearing to the Commission:

That Rule X-13A-1, promulgated pursuant to section 13 of said Securities Exchange Act of 1934, as amended, did and does require that an annual report for each issuer of a security registered on a national securities exchange shall be filed on the appropriate form prescribed therefor; and

That Rule X–13A-2, promulgated pursuant to Section 13 of the Securities Exchange Act of 1934, as amended, did and does prescribe form 10–K as the annual report form to be used for the annual reports of all corporations except those for which another form is specified, and that no other form was or is specified for use by the said Beaver Gold and Copper Company; and

That said Rule X–13A-1 requires that said annual report be filed not more than 120 days after the close of each fiscal year or such other period as may be prescribed in the instruction book applicable to the particular form; that the Instruction Book for Form 10–K does not prescribe any period other than such 120 days; and that pursuant to said Rule X–13A-1 the annual report must be filed within such period unless the registrant files with the Commission a request for an extension of time to a specified date within six months after the close of the fiscal year; and

That said Beaver Gold and Copper Company has a fiscal year ending December 31; that the annual report for its fiscal year ended December 31, 1941, was due to be filed not later than April 30, 1942; that the registrant made no request for extension of time within which to file such report; that the time for filing was not extended by the Commission; that the annual report for the fiscal year ended December 31, 1941 was not filed within the time prescribed for filing said report or at any later date; and

II

The Commission having reasonable cause to believe that:

The said Beaver Gold and Copper Company has failed to comply with the provisions of section 13 of the Securities Exchange Act of 1934, as amended, and rules X-13A–1 and X-13A–2 promulgated thereunder, in that (1) it has failed to file its annual report for the year ended December 31, 1941, within the time prescribed for filing said report, and (2) it has failed to file such annual report at any later date; and

III

It being the opinion of the Commission that the hearing herein ordered to be held is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Securities Exchange Act of 1934, as amended;

It is ordered, Pursuant to section 19 (a) (2) of said Act, that a public hearing be held to determine whether Beaver Gold and Copper Company has failed to comply with section 13 of the Securities Exchange Act of 1934, as amended, and the Rules, Regulations and Forms promulgated by the Commission thereunder, in the respects set forth above; and if so, whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding twelve months or to withdraw the registration of the Common Capital Stock, 10¢ Par Value, Assessable, of said Beaver Gold and Copper Company on said Salt Lake Stock Exchange;

It is further ordered, Pursuant to the provisions of section 21 (b) of the Securities Exchange Act of 1934, as amended, that for the purpose of such hearing John L. Geraghty, an officer of the Commission, is hereby designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take testimony and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law;

It is further ordered, That the taking of testimony in this hearing begin on the 27th day of February 1943, at 10:00 A. M., Mountain War Time at the Regional Office of the Securities and Exchange Commission, Room 822, 444 17th Street, Denver, Colorado, and continue thereafter as such time and place as the officer hereinbefore designated may determine.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-2222; Filed, February 11, 1943; 9:51 a. m.]

[File No. 1-2848]

AETNA BALL BEARING MANUFACTURING CO.

ORDER SETTING HEARING ON APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of February, A. D. 1943.

The Aetna Ball Bearing Manufacturing Co., pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2–1 (b) promulgated thereunder, having made application to the Commission to withdraw its Common Stock, $1 Par Value, from listing and registration on the Chicago Stock Exchange; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Friday, March 19, 1943, at the office of the Securities and Exchange Commission, 105 West Adams Street, Chicago, Illinois, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Henry Fitts, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-2223; Filed, February 11, 1943; 9:51 a. m.]

WAR MANPOWER COMMISSION.

[Directive XVIII]

OCCUPATIONAL DEFERMENT OF ACTIVE OCEAN GOING SEAMEN

By virtue of the authority vested in me as Chairman of the War Manpower Commission by Executive Orders Nos. 9139 and 9279, and having found that the maintenance of our armed forces overseas and the supplying of our allies render it essential that there be continuously available a pool of trained and experienced seamen to man the ships of our rapidly expanding merchant marine; that the number of experienced and available seamen is so limited and the difficulties of recruitment for this hazardous activity so great as to call for the retention in active ocean going service of all persons currently so engaged; that many active ocean going seamen have been inducted into the armed forces on the basis of incomplete and inaccurate information as to their activities or on the basis of a misapprehension as to the normal lack of continuity in their employment; and that an orderly and centralized procedure for acquainting local and appeal boards of the Selective Service System in the War Manpower Commission with current and reliable information upon registrants engaged in active ocean going service will contribute toward assuring the uniform and continued deferment of such registrants by such boards from training and service under the Selective Training and Service Act of 1940, as amended, it is hereby directed:

I. The War Shipping Administration in the Office for Emergency Management shall:

(a) Maintain accurate and current records on the activities of all persons engaged, or becoming engaged, in active ocean going service as defined in paragraph II of this directive, and on the basis of such records make accurate and current reports to local boards of the Selective Service System in the War Manpower Commission upon the activities of each and every such person, and initiate and pursue appeals to appeal boards with respect to such persons, to the end that such persons may be initially and continuously deferred on occupational grounds from training and service under the Selective Training and Service Act of 1940, as amended, for so long as they continue to be engaged in active ocean going service.

(b) Maintain such records and furnish such information and reports as the War Manpower Commission shall from time to time require to insure that the number of persons engaged in active ocean going service does not exceed manpower needs, and that all persons deferred on occupational grounds on the basis of their active ocean going service are being fully utilized in such service; and

(c) Cooperate with the War Manpower Commission in the recruitment for active ocean going service of persons not currently so engaged but experienced in such service and qualified therefor, to the end that the manpower needs of essential coastal and off-shore shipping may eventually be met with the minimum of reliance upon previously inexperienced men and upon manpower otherwise available for immediate training and service under the Selective Training and Service Act of 1940, as amended.

II. As used in this directive, "active ocean going service" means service as an officer or member of the crew of a vessel engaged in coastal or off-shore shipping which is documented under the laws of the United States or which is owned by, chartered to, or operated by, or for the account or use of, the Administrator of the War Shipping Administration or the United States Transport Service, and shall include in addition to periods while actually at sea, periods during which the seaman is on authorized shore leave, or is remaining ashore temporarily for the express purpose of receiving instruction in a Prospective Licensed Officer or refresher course at a school maintained or approved by the United States Maritime Service.

FOWLER HARPER,
Acting Chairman.

FEBRUARY 10, 1943.

[F. R. Doc. 43-2246; Filed, February 11, 1943; 11:35 a. m.]

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FEDERAL REGISTER

VOLUME 8 NUMBER 31

Washington, Saturday, February 13, 1943

The President

EXECUTIVE ORDER 9303

AMENDING THE FOREIGN SERVICE REGULATIONS OF THE UNITED STATES

By virtue of and pursuant to the authority vested in me by section 1745, as amended, and section 1752 of the Revised Statutes of the United States (U. S. C., title 22, secs. 127 and 132), it is ordered as follows:

1. Item 30 of the Tariff of United States Foreign Service Fees, section V–15 of the Foreign Service Regulations (E.O. No. 7968 of September 3, 1938, as amended by E.O. No. 8297 of December 4, 1939; 22 CFR 105.15, 1939 Supp.), is hereby amended to read as follows:

Item No.	*Nature of Service*	*Fee*
30	Notarial and other services rendered officials of foreign governments who render gratuitously reciprocal courtesies to officers (including military and naval officers) of the Government of the United States.	No fee

2. Sections V–49 to V–52, inclusive, of the Foreign Service Regulations (E.O. No. 7968 of September 3, 1938; 22 CFR 105.49 to 105.52, 1939 Supp.) are hereby revoked.

3. Section V–54 (d) of the Foreign Service Regulations (E.O. No. 7968 of September 3, 1938; 22 CFR 105.54 (d), 1939 Supp.) is hereby amended by deleting from the second sentence thereof the words "in the handwriting of the officer".

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
February 11, 1943.

[F. R. Doc. 43-2286; Filed, February 12, 1943; 10:34 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter X—Food Production Administration

[Amendment 1 to Supplementary Order 3, Food Production Order 3]

PART 1202—FARM MACHINERY AND EQUIPMENT

NEW FARM MACHINERY AND EQUIPMENT

A new subparagraph (6) is added to paragraph (c) of § 1202.253 (8 F.R. 469, 945, 1089), and a change is made in paragraph (e) thereof.

§ 1202.253 *Supplementary Order 3.*

* * *

(c) * * *

(6) (i) A State board may order that changes be made in distribution plans issued by the Director of Food Production which control persons who hold new farm machinery and equipment for distribution in such State, *Provided*, That such orders shall conform to the requirements of either of the following subparagraphs (6) (i) (*a*) and (6) (i) (*b*):

(*a*) If any person holding new farm machinery and equipment for sale in any State desires to exchange with another person or other persons the distribution plan, or any part thereof, controlling his distribution of such new farm machinery and equipment, and if such person locates another person or other persons who hold the same type of new farm machinery and equipment for distribution in the same State and who are willing to participate in such exchange, then all such persons may petition the State board for such State for an order authorizing the exchange upon which they have agreed. The State board may order that such exchange be made, if it determines to its satisfaction that such exchange will expedite the program for rationing new farm machinery and equipment within such State by preventing the impairment of established dealer relationships or existing service facilities, making new farm machinery and equipment available for sale in areas in which it is most adaptable for use, or accomplishing some similar pur-

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board and such orders shall be issued only upon the request and consent of the agreeing persons who hold for sale the machinery and equipment involved in the exchange.

(b) If a State board determines that changes in the distribution plans providing for distribution of farm machinery and equipment within such State will result in a more efficient use of farm machinery and equipment and will benefit the food production program within the State, the State board may order that such changes be made. In making such changes, a State board may increase or decrease county quotas of any item of farm machinery and equipment in order to make such quotas conform to the adjusted distribution plans, provided that the sum of all county quotas of any type of farm machinery and equipment shall not be increased above the State quota of such item and provided further that immediate notification must be given to the county farm rationing committee for any county for which a quota is changed.

No order shall be issued by a State board pursuant to the provisions of this subparagraph (6) (i) (b) unless such State board has taken the following factors into consideration and has determined, in light of such consideration, that the order should be issued.

(1) With few exceptions, necessary adjustments should be effected by properly distributing the farm machinery and equipment in excess of the announced county quotas.

(2) Changes in distribution plans for any farm machinery and equipment should be made, if possible, before such farm machinery and equipment reaches the hands of dealers.

(3) Changes in distribution plans should be made only to correct obvious inequities in distribution and to cope with emergency needs.

(4) Careful consideration should be given to the adaptability of farm machinery and equipment to areas in which the redistribution is being made.

(5) There is urgent necessity for efficient use of transportation facilities, both because of the national transportation problem and the increased cost to the farmer brought about by re-shipments.

(6) Service facilities, dealer representation, and other related factors should be considered.

(ii) A State board which issues an order under the authority of this paragraph (c) (6) shall order the changing of tags which accompany the affected farm machinery and equipment pursuant to the provisions of this paragraph (c) of this Supplementary Order No. 3. A State board issuing such an order shall designate specifically the changes to be made in such tags, and the person or persons having possession of farm machinery and equipment affected by this order shall promptly make the changes on the tags as ordered and report to the State board as soon as the changes are complete. If the tag on any item of farm machinery and equipment is changed pursuant to an order issued by a State board under the authority of this paragraph (c) (6), such machinery and equipment shall thereafter be treated, for the purposes of this paragraph (c) of this Supplementary Order No. 3, as though the altered tag had been originally affixed to such machinery and equipment.

(iii) Any person who holds new machinery and equipment for sale in any State shall comply with orders issued by the State board for such State under the authority of this paragraph (c) (6): *Provided*, That, if such person, prior to his receipt of an order issued under the authority of subparagraph (6) (i) (b) of this paragraph (c), has entered into a sales contract for, or has prepared bills of lading covering the shipment of, the new farm machinery and equipment affected by such order, such person, if he does not consent to such order, shall be deemed to have complied with such order if within 48 hours after his receipt of such order he delivers or mails such order to the issuing State board along with an explanatory statement furnishing the name and address of the person to whom each item covered by such order has been designated by such contract or bills of lading and furnishing also the date on which each such item is scheduled for delivery to the transferee. If such person does not deliver or mail such order to the issuing State board along with the statement described above within 48 hours after his receipt thereof, he shall be deemed to have consented to the terms of such order.

(iv) Any State board issuing an order under the authority of this paragraph (c) (6) shall transmit a copy of such order to the Director of Food Production.

Paragraph (e) is amended by adding subparagraph (1) as follows:

(1) This Amendment No. 1 to Supplementary Order No. 3 shall become effective February 15, 1943.

Done at Washington, D. C., this 11th day of February 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] M. CLIFFORD TOWNSEND,
Director of Food Production.

[F. R. Doc. 43-2302; Filed, February 12, 1943; 11:26 a. m.]

Chapter XI—Food Distribution Administration

[Food Distribution Order 20]

PART 1410—LIVESTOCK AND MEATS

PACKERS REQUIRED TO SET ASIDE LARD AND RENDERED PORK FAT

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to assure an adequate supply and efficient distribution of lard and rendered pork fat to meet war and civilian needs, *It is hereby ordered*, As follows:

§ 1410.1 *Lard and rendered pork fat required to be set aside*—(a) *Definitions.* When used in this regulation unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) "Lard" means lard as defined in the regulations promulgated under the Meat Inspection Act, Amendment 13 to B. A. I. Order 211, Revised, 9 CFR, 1940 Sup. 1.1 (cc).

(2) "Rendered pork fat" means rendered pork fat as defined in the regulations promulgated under the Meat Inspection Act, Amendment 13 to B. A. I. Order 211, Revised, 9 CFR, 1940 Sup. 1.1 (dd).

(3) "Packer" means any person, partnership, corporation, association, or other business entity engaged in producing lard or rendered pork fat and operating pursuant to the provisions of the Meat Inspection Act.

(4) "Offer to sell" means to offer lard or rendered pork fat for sale to a governmental agency, on contract forms furnished by and in accordance with specifications furnished by such agency, at prices not exceeding the ceiling prices established by the Office of Price Administration, for delivery within not more than 60 days from the date of offer.

(5) "Governmental agency" means the Food Distribution Administration, the Federal Surplus Commodities Corporation, and any other governmental agency designated by the Director.

(6) "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by the Director.

(b) *Restrictions on packers.* (1) Every packer shall set aside on a calendar week basis and hold for delivery to a governmental agency a quantity of lard and rendered pork fat equal to his total production produced or rendered during the week beginning with the first day of the calendar week following the date of the issuance of this order and each subsequent week thereafter. The lard or rendered pork fat required to be set aside hereunder need not be segregated, but may be mixed, commingled, or stored in common with other lard or rendered pork fat of the same grade and quality.

(2) If no governmental agency has, within 60 days after the close of any weekly period, purchased, contracted to purchase, offered to purchase, or manifested to any packer its intention or desire to purchase the entire amount of lard and rendered pork fat required to be set aside under this order during said weekly period, the amount thereof not sold, contracted for sale, or sought for purchase is released from the restrictions of paragraph (b) (1) hereof and may be disposed of by such packer at his discretion.

(3) Notwithstanding any of the provisions in paragraph (b) (1) hereof, any packer who after the date hereof has made an offer to sell or who has sold or contracted to sell to any governmental agency a quantity of lard or rendered pork fat equivalent to 50 percent of the total amount of lard and rendered pork fat produced during any weekly period or periods may, at his option, sell and dispose of the remainder of the amount produced during such periods.

(4) All lard and rendered pork fat set aside pursuant to the provisions hereof shall be stored in such a manner as to maintain the quality of such lard or rendered pork fat.

(5) The restrictions hereof shall be observed without regard to the rights of creditors, prior contracts, existing contracts, payments made, or to deliveries of lard or rendered pork fat made prior to the date hereof. This order shall not, however, be construed as reducing the amount of lard or rendered pork fat which any packer is required to offer, or to deliver under any existing contract with any governmental agency, but any lard or rendered pork fat required to be delivered after the effective date of this order to any governmental agency pursuant to a preexisting contract may be used in computing the percentage of lard or rendered pork fat offered to a governmental agency pursuant to the provisions of paragraph (b) (3) hereof.

(c) *Records and reports.* Every packer subject to this order shall keep an accurate record of the number of pounds of lard and rendered pork fat produced during each weekly period and shall maintain such other records for such periods of time as the Director may designate and shall execute and file such reports upon such forms and shall submit such information as the Director may from time to time request or direct, and within such times as he may prescribe. (Record keeping requirements in this order approved by the Bureau of the Budget.)

(d) *Audits and inspections.* Every packer subject to this order shall, upon request, permit inspections at all reasonable times of his stocks of lard and rendered pork fat, and of the premises used in his business, and all his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(e) *Territorial scope.* The provisions of this order shall apply only to the operations of packers conducted within any of the 48 States or the District of Columbia.

(f) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition, in writing (in triplicate), for relief to the Director, setting forth in said petition all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate and such action by the Director shall be final.

(g) *Violations.* Any person who willfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order, or who willfully conceals a material fact concerning a matter within the scope of this order, may be prohibited from receiving or making further deliveries of any material subject to allocation and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(h) *Communications to Director.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to Meat Purchase Division, Livestock and Meats Branch, Food Distribution Administration, 5 South Wabash Avenue, Chicago, Illinois, Ref: FD–20.

(i) *Delegation of authority.* The Director is hereby designated to administer the provisions of this order and is authorized, notwithstanding any of the provisions hereof, to release any or all of the lard and rendered pork fat required to be set aside hereunder.

(j) *Effective date.* This order shall become effective on the date of its issuance.

(E.O. 9280, 7 F.R. 10179)

Issued this 11th day of February 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-2301; Filed, February 12, 1943; 11:26 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter I—Aid of Civil Authorities and Public Relations

PART 7—MANUFACTURE OF DECORATIONS

SERVICE FLAG AND SERVICE LAPEL BUTTON

Sections 7.31 to 7.41, inclusive, are added as follows:

Sec.
7.31 Service flag, term defined.
7.32 Design of approved service flag.
7.33 Colors of service flag.
7.34 Immediate family defined.
7.35 Organizations defined.
7.36 Rules and cautions for display of service flag.
7.37 Service lapel button, design and use.
7.38 Manufacture and sale of service flag and service lapel button.
7.39 Applications required.
7.40 Availability of materials.
7.41 Securing of service flag and service lapel buttons.

AUTHORITY: §§ 7.31 to 7.41 issued under the Act of Congress approved October 17, 1942, Public Law 750, 77th Congress.

SOURCE: These regulations are also contained in W.D. Circular 35, February 2, 1943.

§ 7.31 *Service flag, term defined.* The term, service flag, refers to any symbol used pursuant to the act for private or public display to represent that a person (or persons) is serving in the armed forces of the United States during the current war.

§ 7.32 *Design of approved service flag.* Under the authority contained in the act approved October 17, 1942, Public Law 750, 77th Congress, the Secretary of War approved the following design for a service flag which is described as follows:

(a) *Flag for immediate family.* On a white rectangular field a blue star or stars within a red border.

(1) The number of blue stars will correspondent to the number of individuals from the "immediate family" who are symbolized on the flag.

(2) The flag horizontally displayed will have the stars arranged in a horizontal line or lines with one point of each star up.

(3) The flag vertically displayed will have the stars arranged in a vertical line or lines with one point of each star up.

(4) If the individual symbolized is killed or dies while serving, from causes other than dishonorable, the star (or stars) representing that individual will have superimposed thereon a gold star of smaller size so that the blue forms a border.

(b) *Flag for organizations.* The flag for organizations will correspond to that described in paragraph (a) above. However, instead of using a separate star for each member, one star may be used with the number of the members indicated by arabic numerals, which will appear below the star. If any members are deceased as determined under the circumstances cited in paragraph (a) (4) above, a gold star will be placed nearest the staff or to the dexter of the blue star in the case of a flag having horizontal display, or will be placed above the blue star in the case of a flag used in a vertical display. Below this star will be the arabic numerals. The gold stars in both cases will be smaller than the blue stars so that the blue will form a border. The numerals in all cases will be in blue.

(c) *Size and relative proportions.* The size of the service flag will correspond to that used in the flag of the United States, if the display is made with the flag of the United States. In all other instances where the flag is for a display not involving the flag of the United States, the service flag will be made in the size dictated by the circumstances necessitating the display.

§ 7.33 *Colors of service flag.* The shades of red, white, and blue used in the service flag will correspond to those prescribed for the colors of the flag of the United States as defined by Federal Specification No. TT–C–591.

§ 7.34 *Immediate family defined.* The "immediate family" referred to in the act includes father, mother, wife, son, daughter, sister, husband, brother.

§ 7.35 *Organizations defined.* The work "organization" as used in this circular refers to those group organizations, such as places of business, churches, schools, colleges, fraternities, sororities, societies, etc., with which the individual was associated.

§ 7.36 *Rules and cautions for display of service flag*—(a) *Rules.* The regulations below for the display of the service flag have been coordinated with the "Flag Code for the display of the Flag of the United States of America" as carried in Joint Resolution (Public Law 623, 77th Cong., Second Session; Bull. 33, W.D., 1942), approved June 22, 1942.

(1) When the service flag is displayed from a staff in a church or public auditorium, if it is displayed in the chancel of a church or on the speaker's platform in a public auditorium, the flag of the United States will occupy the position of honor and be placed at the clergyman's or speaker's right as he faces the congregation or audience with the service flag at the clergyman's or speaker's left. When the service flag is displayed from a staff in a church or public auditorium elsewhere than in the chancel or on the platform, the flag of the United States will be placed in the position of honor at the right of the congregation or the audience as they face the chancel or platform, and the service flag will be placed on the left of the congregation or the audience as they face the chancel or platform.

(2) When displayed against a wall with the flag of the United States, the flag of the United States will be on the right, the flag's own right, and its staff will be in front of the staff of the service flag.

(3) When the service flag is displayed on the same halyard with the flag of the United States, the latter will be at the peak. When the flags are flown from adjacent staffs, the flag of the United States will be hoisted first and lowered last. The service flag will never be displayed above or to the right of the flag of the United States.

(4) When displayed with the flag of the United States, the service flag will be of approximately equal size but never larger than the flag of the United States.

(5) When displayed from a staff projecting horizontally or at an angle from a window sill, balcony, or front of a building, the flag of the United States will be placed at the peak of the staff if on the same halyard, or to the right, the flag's own right, if displayed on adjacent staffs.

(6) When the service flag is displayed otherwise than by being flown from a staff, it will be displayed flat, whether indoors or out. When displayed either horizontally or vertically against a wall the flag will be placed so that the one point of the star is uppermost.

(7) When the service flag is displayed in an open area it will be suspended vertically.

(b) *Cautions.* (1) The service flag will form a distinctive feature of the ceremony of unveiling exercises, but it will never be used as a covering for a statue or monument.

(2) When displayed with the flag of the United States, the flag of the United States will not be dipped to any person or thing. The service flag will be dipped as a mark of honor.

(3) The service flag will never be displayed upside down.

(4) The service flag will never touch anything beneath it, such as the ground, the floor, water, window sill, or merchandise.

(5) The service flag will never be carried flat or horizontally, but always aloft and free.

(6) The service flag will never be used as drapery of any sort whatsoever, never festooned, drawn back, nor up in folds, but always allowed to fall free.

(7) The service flag will never be fastened, displayed, used, or stored in such a manner as will permit it to be easily torn, soiled, or damaged in any way.

(8) The service flag will never be used as a covering for a ceiling.

(9) The service flag will never have placed upon it, nor on part of it, nor attached to it any mark, insignia, letter, word, figure, design, picture, or drawing of any nature except those provided for in the approved design.

(10) The service flag will never be used as a receptacle for receiving, holding, carrying, or delivering anything.

(11) The service flag will never be used for advertising purposes in any manner whatsoever. It will not be embroidered on such articles as cushions or handkerchiefs and the like, printed, or otherwise impressed on paper napkins or boxes or anything that is designed for temporary use and discarded, or used as any portion of a costume or athletic uniform. Advertising signs will not be fastened to a staff or halyard from which the service flag is flown.

(12) The service flag, when it is in such condition that it is no longer a fitting emblem for display, will be destroyed in a dignified way, preferably by burning.

(c) *Changes to rules, who may make.* Any rules or custom pertaining to the display of the service flag may be altered, modified, or repealed, or additional rules with respect thereto may be prescribed by the Secretary of War whenever he deems it to be appropriate or desirable, and any such alteration or additional rule will be set forth in the FEDERAL REGISTER and by announcement through the public press.

§ 7.37 *Service lapel button, design and use.* The design and use of the service lapel button will correspond so far as applicable to the provisions in sections 7.31 to 7.36, inclusive.

§ 7.38 *Manufacture and sale of service flag and service lapel button.* Under authority contained in the act approved October 17, 1942, Public Law 750, 77th Congress, the Secretary of War under regulations herein prescribed may grant certificates of authority for the manufacture and sale of service flags and service lapel buttons conforming to the approved design recorded herein. A certificate of authority to manufacture and/or sell service flags and service lapel buttons will be granted only upon agreement in writing by the applicant that he will not deviate in the manufacture or sale of the approved official service flag and/or service lapel button in view of the penalty that will be invoked under the law cited above.

§ 7.39 *Applications required.* Applicants desiring to enter into the manufacture and/or sale of service flag and/or service lapel button governed by this circular should address The Adjutant General's Office, Washington, D. C.

§ 7.40 *Availability of materials.* The materials from which the service flag and service lapel buttons may be manufactured will be such as are available for such purposes under the restrictions imposed by the War Production Board.

§ 7.41 *Securing of service flag and service lapel buttons.* There is no authority of law whereby the Government may manufacture, issue, or sell service flag and service lapel buttons.

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-2320; Filed, February 12, 1943; 11:50 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4021]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

PURITY PRODUCTS, INC., ET AL.

§ 3.6 (n) *Advertising falsely or misleadingly — Nature — Product:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service:* § 3.6 (x) *Advertising falsely or misleadingly — Results.* In connection with offer, etc., of respondents' preparation "VBev", or any other similar preparation, and on the part of respondent Purity Products, Inc., and respondent The Journal of Living Publishing Corporation, and their respective officers, etc., and on the part of respondent Lindlahr (editor of last named corporation's "Journal of Living"), disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of respondents' said preparation, which advertisements represent, directly or through inference, (1) that the use of respondents' preparation VBev will have any beneficial effect upon any manifestation of vitamin B_1 or vitamin G deficiency; or that respondents' preparation (2) is anything more than a food supplement, which supplies certain vitamins in quantities which can be obtained through the ingestion of ordinary foods; (3) has any therapeutic value in the treatment of any disease or condition caused by, or associated with, a vitamin B_1 deficiency, or that it will supply necessary amount of vitamin B_1 to persons suffering from a vitamin B_1 deficiency; (4) has any effect upon the assimilation or absorption of food to increase weight; (5) has any therapeutic value in the treatment of nervousness, nervous indigestion, sleeplessnes, tired feeling, lack of energy, underweight, or general run-down condition or that it has any therapeutic value in the treatment of any disease or condition of which these conditions may be symptomatic; or (6) has any therapeutic value in the treatment of arthritis or that it will have any beneficial effect upon this condition; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Purity Products, Inc., et al., Docket 4021, February 9, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 9th day of February, A. D. 1943.

In the Matter of Purity Products, Inc., a Corporation, The Journal of Living Publishing Corporation, a Corporation, and Victor H. Lindlahr

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, answer of the respondents, testimony and other evidence taken before trial examiners of the Commission theretofore duly designated by it in support of the allegations of said complaint and in opposition thereto, report of Trial Examiner Arthur F. Thomas upon the evidence, briefs filed in support of the complaint and in opposition thereto, and oral argument of counsel; and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, Purity Products, Inc., a corporation, and The Journal of Living Publishing Corporation, a corporation, and their respective officers, representatives, agents, and employees, and Victor H. Lindlahr, an individual, and his representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, or distribution of their preparation known as "VBev," or any other preparation of substantially similar composititon or possessing substantially similar properties, whether sold under the same name or under any other name, do forthwith cease and desist from directly or indirectly:

(1) Disseminating or causing to be disseminated any advertisement by means of the United tSates mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents directly or through inference:

(a) That the use of respondents' preparation VBev will have any beneficial effect upon any manifestation of vitamin B_1 or vitamin G deficiency,

(b) That respondents' preparation is anything more than a food supplement, which supplies certain vitamins in quantities which can be obtained through the ingestion of ordinary foods,

(c) That respondents' preparation has any therapeutic value in the treatment of any disease or condition caused by, or associated with, a vitamin B_1 deficiency, or that it will supply necessary amount of vitamin B_1 to persons suffering from a vitamin B_1 deficiency.

(d) That respondents' preparation has any effect upon the assimilation or absorption of food to increase weight.

(e) That respondents' preparation has any therapeutic value in the treatment of nervousness, nervous indigestion, sleeplessness, tired feeling, lack of energy, underweight, or general run-down condition or that it has any therapeutic value in the treatment of any disease or condition of which these conditions may be symptomatic.

(f) That respondents' preparation has any therapeutic value in the treatment of arthritis or that it will have any beneficial effect upon this condition;

(2) Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of respondents' preparation VBev which advertisement contains any of the representations prohibited in paragraph (1) hereof and the respective subdivisions thereof.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-2292; Filed, February 12, 1943; 10:48 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes

PART 3—INCOME TAX UNDER THE REVENUE ACT OF 1936

PART 9—INCOME TAX UNDER THE REVENUE ACT OF 1938

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

MUTUAL INVESTMENT COMPANIES AND REGULATED INVESTMENT COMPANIES

In order to conform Regulations 94 [Part 3, Title 26, Code of Federal Regulations], Regulations 101 [Part 9, Title 26, Code of Federal Regulations, 1939 Supp.], and Regulations 103 [Part 19, Title 26, Code of Federal Regulations, 1940 Supp.] to section 170 of the Revenue Act of 1942 (Public Law 753, 77th Congress), such regulations are amended as follows:

PARAGRAPH 1. Regulations 103 are amended by inserting the following immediately before § 19.361–1:

SEC. 170. REGULATED INVESTMENT COMPANIES (Revenue Act of 1942, Title I.)

(a) *Definition and rates of normal tax and surtax.* Supplement Q of Chapter 1 is amended to read as follows:

SUPPLEMENT Q—REGULATED INVESTMENT COMPANIES

SEC. 361. DEFINITION.

(a) *In general.* For the purposes of this chapter, the term "regulated investment company" means any domestic corporation (whether chartered or created as an investment trust, or otherwise), other than a personal holding company as defined in section 501, which at all times during the taxable year is registered under the Investment Company Act of 1940 (54 Stat. 789, 15 U.S.C., 1940 ed., secs. 80 a–1 to 80 b–2), or that Act, as amended, either as a management company or as a unit investment trust, or which is a common trust fund or similar fund excluded by section 3 (c) (3) of such Act from the definition of "investment company" and is not included in the definition of "common trust fund" by section 169.

(b) *Limitations.* Despite the provisions of subsection (a), a corporation shall not be considered a regulated investment company for any taxable year unless—

(1) At least 90 per centum of its gross income is derived from dividends, interest, and gains from the sale or other disposition of stock or securities; and

(2) Less than 30 per centum of its gross income is derived from the sale or other disposition of stock or securities held for less than three months; and

(3) At the close of each quarter of the taxable year (A) at least 50 per centum of the value of its total assets is represented by cash and cash items (including receivables), Government securities, securities of other regulated investment companies, and other securities for the purposes of this calculation limited in respect of any one issuer to an amount not greater in value than 5 per centum of the value of the total assets of the taxpayer and to not more than 10 per centum of the outstanding voting securities of such issuer, and (B) not more than 25 per centum of the value of its total assets is invested in the securities (other than Government securities or the securities of other regulated investment companies) of any one issuer, or of two or more issuers which the taxpayer controls and which are determined, under regulations prescribed by the Commissioner with the approval of the Secretary, to be engaged in the same or similar trades or businesses or related trades or businesses. For the purposes of clause (B), in ascertaining the value of the taxpayer's investment in the securities of an issuer, there shall be included its proper proportion of the investment of any other corporation, a member of a controlled group, in the securities of such issuer, as determined under regulations prescribed by the Commissioner and approved by the Secretary. The term "controls", as used in this paragraph, means the ownership in a corporation of 20 per centum or more of the total combined voting power of all classes of stock entitled to vote. The term "controlled group", as used in this paragraph, means one or more chains of corporations connected through stock ownership with the taxpayer if (i) 20 per centum or more of the total combined voting power of all classes of stock entitled to vote of each of the corporations (except the taxpayer) is owned directly by one or more of the other corporations, and (ii) the taxpayer owns directly 20 per centum or more of the total combined voting power of all classes of stock entitled to vote, of at least one of the other corporations. The term "value" as used in this paragraph means, with respect to securities (other than those of majority-owned subsidiaries) for which market quotations are readily available, the market value of such securities; and with respect to other securities and assets, fair value, as determined in good faith by the board of directors, except that in the case of securities of majority-owned subsidiaries which are investment companies such fair value shall not exceed market value or asset value, whichever is higher. All other terms used in the preceding provisions of this paragraph shall have the same meaning as when used in the Investment Company Act of 1940, or that Act as amended. A corporation which meets the foregoing requirements of this paragraph at the close of any quarter shall not lose its status as a regulated investment company because of a discrepancy during a subsequent quarter between the value of its various investments and such requirements unless such discrepancy exists immediately after the acquisition of any security or other property and is wholly or partly the result of such acquisition. A corporation which does not meet such requirements at the close of any quarter by reason of a discrepancy existing immediately after the acquisition of any security or other property which is wholly or partly the result of such acquisition during such quarter shall not lose its status for such quarter as a regulated investment company if such discrepancy is eliminated within thirty days after the close of such quarter and in such cases it shall be considered to have met such requirements at the close of such quarter for the purpose of applying the preceding sentence. A corporation which meets such requirements at the close of its first full quarter after the date of the enactment of the Revenue Act of 1942, or eliminates any discrepancy between the value of its investments and such requirements existing at the close of such quarter within thirty days thereafter, shall be deemed to have met such requirements at all previous times; and

(4) It files with its return for the taxable year an election to be a regulated investment company or has made such election for a previous taxable year which began after December 31, 1941.

* * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942 Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 2. Section 19.361–1 of Regulations 103 is amended by inserting at the end thereof the following sentence: The term "mutual investment company" is not applicable to taxable years beginning after December 31, 1941.

PAR. 3. Regulations 103 are amended by inserting the following immediately after § 19.361–5:

§ 19.361–6 *Definition of a regulated investment company*—(a) *In general.* The provisions of the Internal Revenue Code with respect to regulated investment companies as defined in section 361 (a) as amended by the Revenue Act of 1942 apply only to taxable years beginning after December 31, 1941. As to the definition of the term "corporation", see section 3797 (a) (3).

(b) *Limitations upon source of income.* Section 361 (b) (1) and (2) provides that at least 90 percent of the corporation's gross income for the taxable year shall be derived from dividends, interest, and gains from the sale or other disposition of stock or securities, and less than 30 percent of the corporation's gross income shall have been derived from the sale or other disposition of stock or securities held for less than three months. In determining the percentage of the corporation's gross income which has been derived from such sources, a loss from the sale or other disposition of stock or securities does not enter into the computation. A determination of the period for which stock or securities have been held shall be governed by the provisions of section 117 (h) insofar as applicable.

(c) *Limitations requiring diversification of investments.* Section 361 (b) (3), with respect to diversification of investments, requires, in clause (A), that at the close of each quarter of the taxable year at least 50 percent of the value of the total assets of the corporation be represented by cash and cash items (including receivables), Government securities, securities of other regulated investment companies, and other securities. For the purpose of this calculation investments in securities other than Government securities or securities of other regulated investment companies shall be limited in respect of any one issuer to an amount not greater than 5 percent of the value of the total assets of the corporation and to not more than 10 percent of the outstanding voting securities of such issuer. Assuming that at least 50 percent of the value of the total assets of the corporation satisfies these requirements, and that the limiting provisions of clause (B) are not violated, the corporation will satisfy the requirements of section 361 (b) (3), notwithstanding that the remaining assets do not satisfy the diversification requirements of clause (A). For example, a corporation may own all the stock of another corporation, provided it otherwise meets the requirements of clauses (A) and (B).

Clause (B) prohibits the investment at the close of each quarter of the taxable year of more than 25 percent of the value of the total assets of the corporation (including the 50 percent or more mentioned in clause (A)) in the securities (other than Government securities or the securities of other regulated investment companies) of any one issuer, or of two or more issuers, which the corporation controls and which are engaged in the same or similar trades or businesses or related trades or businesses, including such issuers that are merely a part of a unit contributing to the completion and sale of a product or the rendering of a particular service. Two or more issuers are not considered as being in the same or similar trades or businesses merely because they are engaged in the broad field of manufacturing or of any other general classification of industry, but issuers shall be construed to be engaged in the same or similar trades or businesses if they are engaged in a distinct branch of business, trade, or manufacture in which they render the same kind of service or produce or deal in the same kind of product, and such service or products fulfill the same economic need. If two or more issuers produce more than one product or render more than one type of service, then the chief product or service of each shall be the basis for determining whether they are in the same trade or business. The term "controls," "controlled group," and "value" are defined for the purposes of this paragraph in section 361 (b) (3), as amended. All other terms used in this section have the same meaning as when used in the Investment Company Act of 1940, or that Act as amended. In determining the value of the investment company's investment in the securities of any one issuer, there shall be included its proper proportion of the investment of any other corporation, a member of a controlled group, in the securities of such issuer. With respect to the effect which certain discrepancies between the value of its various investments and the requirements of section 361 (b) (3) or the elimination of such discrepancies will have on the status of a company as a regulated investment company for the purposes of these sections, see section 361 (b) (3). A company claiming to be a regulated investment company shall keep sufficient records as to investments so as to be able to show that it has complied with the provisions of section 361 (b) (3) during the taxable year. Such records shall be kept at all times available for inspection by any authorized officer or employee of the Bureau of Internal Revenue, and shall be retained as long as the contents thereof may become material in the administration of any internal-revenue law.

The requirements as to diversification under section 361 (b) (3) are illustrated by the following examples:

Example (1). Investment Company W at the close of its first quarter of the taxable year has its assets invested as follows: 5 percent in cash, 10 percent in Government securities, 20 percent in securities of regulated investment companies as defined in section 361, 10 percent in the securities of Corporation A, 15 percent in Corporation B, 20 percent in Corporation C, and the balance, 20 percent, in the securities of various corporations, not exceeding 5 percent of its assets in any one company. Investment Company W owns 15 percent of the voting stock of Corporation C and less than 10 percent of the voting stock of the other corporations, except that it owns all of the voting stock of Corporations A and B. None of the corporations is a member of a controlled group. Investment Company W meets the requirements at the end of its first quarter under section 361 (b) (3). It complies with clause (A) since it has 55 percent of its assets invested as provided in clause (A). It complies with clause (B) since it does not have more than 25 percent of its assets invested in the securities of any one issuer, or of two or more issuers which it controls.

Example (2). Investment Company V at the close of a particular quarter of the taxable year has its assets invested as follows: 10 percent in cash, 35 percent in Government securities, 7 percent in the securities of Corporation A, 12 percent in Corporation B, 15 percent in Corporation C, and 21 percent in Corporation D. Investment Company V fails to meet the requirements of clause (A) of section 361 (b) (3) since its assets invested in Corporations A, B, C, and D exceed in each case 5 percent of the value of the total assets of the company at the close of the particular quarter.

Example (3). Investment Company X at the close of the particular quarter of the taxable year has its assets invested as follows: 20 percent in cash and Government securities, 5 percent in Corporation A, 10 percent in Corporation B, 25 percent in Corporation C, and the other 40 percent in the securities of miscellaneous corporations, not exceeding 5 percent in any one issuer. Investment Company X owns less than 10 percent of the voting power of all of the corporations, except it owns more than 20 percent of the voting power of Corporations B and C. Corporation B manufactures radios and Corporation C acts as its distributor and also distributes radios for other companies. Investment Company X fails to meet the requirements of section 361 (b) (3) since it has 35 percent of its assets invested in the securities of two issuers which it controls and which are engaged in related trades or businesses.

Example (4). Investment Company Y at the close of the particular quarter has 15 percent of its assets invested in cash and Government securities, 30 percent in Corporation K, a regulated investment company, 10 percent in Corporation A, 20 percent in Corporation B, and the remaining 25 percent in various corporations in none of which is more than 5 percent of its assets invested. Corporation K has 20 percent of its assets invested in Corporation L, and Corporation L has 40 percent of its assets invested in Corporation B. Corporation A also has 30 percent of its assets invested in Corporation B, and owns more than 20 percent of the voting power in Corporation B. Investment Company Y owns more than 20 percent of the voting power of Corporations A and K. Corporation K owns more than 20 percent of the voting power of Corporation L, and Corporation L owns more than 20 percent of the voting power of Corporation B. Investment Company Y is disqualified under clause (B) since more than 25 percent of its assets is considered invested in Corporation B as shown by the following calculation:

Percentage of assets invested directly in Corporation B, 20.

Percentage invested through the controlled group, Y–K–L–B, 2.4 determined as follows:

40% of 20% of 30% = 2.4.

Percentage invested in the controlled group, Y–A–B, 3, determined by taking 30% of 10%.

Total percentage of assets of Investment Company Y invested in Corporation B—25.4.

Example (5). Investment Company Z at the close of its first full quarter after the enactment of the Revenue Act of 1942 meets the requirements of section 361 (b) (3) and has 20 percent of its assets invested in Corporation A. Later during the taxable year it makes distributions to its shareholders and because of such distributions it finds at the close of the taxable year that it has more than 25 percent of its remaining assets invested in Corporation A. Investment Company Z does not lose its status as a regulated investment company because of such distributions.

(d) *Requirements as to election.* Even if an investment company satisfies the other requirements of section 361 for the taxable year, it will not be considered a regulated investment company for such year within the meaning of Supplement Q unless it elects to be a regulated investment company for such taxable year, or has made such an election for a previous taxable year which began after December 31, 1941. The election shall be made by the taxpayer by computing income as a regulated investment company in its return for the first taxable year to which it desires the election to be applicable. No other method of making such election is permitted. An election once made is irrevocable for the current taxable year and all succeeding taxable years.

PAR. 4. Regulations 103 are amended by inserting the following immediately before section 19.362–1:

SEC. 170. REGULATED INVESTMENT COMPANIES. (Revenue Act of 1942, Title I.)

* * * * *

SEC. 362. TAX ON REGULATED INVESTMENT COMPANIES.

(a) *Earnings and profits.* The earnings and profits of a regulated investment company for any taxable year beginning after December 31, 1941 (but not its accumulated earnings and profits) shall not be reduced by any amount which is not allowable as a deduction in computing its net income for such taxable year.

(b) *Method of taxation of companies and shareholders.* In the case of a regulated investment company which distributes during the taxable year to its shareholders as taxable dividends other than capital gain dividends an amount not less than 90 per centum of its net income for the taxable year computed without regard to net long-term and net short-term capital gains, and complies for such year with all rules and regu-

lations prescribed by the Commissioner, with the approval of the Secretary, for the purpose of ascertaining the actual ownership of its outstanding stock:

(1) Its Supplement Q net income shall be its adjusted net income (computed by excluding the excess, if any, of the net long-term capital gain over the net short-term capital loss, and without the net operating loss deduction provided in section 23 (s)) minus the basic surtax credit (excluding capital gain dividends) computed under section 27 (b) without the application of paragraphs (2) and (3). For the purposes of this paragraph, the net income shall be computed without regard to section 47 (c).

(2) Its Supplement Q surtax net income shall be its net income (computed by excluding the excess, if any, of the net long-term capital gain over the net short-term capital loss, and without the net operating loss deduction provided in section 23 (s)) minus the dividends (other than capital gain dividends) paid during the taxable year increased by the consent dividends credit provided by section 26. For the purposes of this paragraph and paragraph (5) the amount of dividends paid shall be computed in the same manner as provided in subsections (d), (e), (f), (g), (h), and (l) of section 27 for the purpose of the basic surtax credit provided in section 27. For the purposes of this paragraph the net income shall be computed without regard to section 47 (c).

(3) There shall be levied, collected, and paid for each taxable year upon its Supplement Q net income a tax equal to 24 per centum of the amount thereof.

(4) There shall be levied, collected, and paid for each taxable year upon its Supplement Q surtax net income a tax equal to 16 per centum of the amount thereof.

(5) There shall be levied, collected, and paid for each taxable year a tax of 25 per centum of the excess, if any, of the net long-term capital gain over the sum of the net short-term capital loss and the amount of capital gain dividends paid during the year.

(6) A capital gain dividend shall be treated by the shareholders as gains from the sale or exchange of capital assets held for more than 6 months.

(7) A capital gain dividend means any dividend or part thereof which is designated by the company as a capital gain dividend in a written notice mailed to its shareholders at any time prior to the expiration of thirty days after close of its taxable year. If the aggregate amount so designated with respect to a taxable year of the company is greater than the excess of the net long-term capital gain over the net short-term capital loss of the taxable year, the portion of each distribution which shall be a capital gain dividend shall be only that proportion of the amount so designated which such excess of the net long-term capital gain over the net short-term capital loss bears to the aggregate amount so designated

* * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 5. Regulations 103 are amended by inserting the following immediately after § 19.362–1:

§ 19.36–2 *Earnings and profits of a regulated investment company.* In the determination of the earnings and profits of a regulated investment company for any taxable year beginning after December 31, 1941, such earnings and profits shall not be reduced by any amount which is not allowable as a deduction in computing its net income for such taxable year. See section 362 (a). Thus, if a corporation would have had earnings and profits of $500,000 for the taxable year except for the fact that it had a net capital loss of $100,000, which amount was not deductible in determining its net income, its earnings and profits for that year if it is a regulated investment company would be $500,000. However, in determining its accumulated earnings and profits as of the beginning of the following taxable year, the earnings and profits for the previous year to be considered in such computation would amount to $400,000 assuming that there had been no distribution from such earnings and profits. For the purpose of the earnings-and-profits concept, it is immaterial whether during the taxable year a regulated investment company is taxable under Supplement Q.

§ 19.362–3 *Method of taxation of regulated investment companies.* If a regulated investment company distributes during the taxable year to its shareholders as taxable dividends other than capital gain dividends an amount not less than 90 percent of its net income for the taxable year computed without regard to net long-term and net short-term capital gains, and complies for such year with the provisions of § 19.362–4 (relating to records required to be kept for the purpose of ascertaining the actual ownership of its outstanding stock), it is taxable upon its Supplement Q net income (as defined in section 362 (b) (1)) at the rate of 24 percent of the amount thereof, upon its Supplement Q surtax net income (as defined in section 362 (b) (2)) at the rate of 16 percent of the amount thereof, and upon the excess of any net long-term capital gain over the sum of the net short-term capital loss and the amount of capital gain dividends (as defined in section 362 (b) (7)) paid during the year, at the rate of 25 percent of such excess. If a regulated investment company does not in a particular year distribute as taxable dividends, other than capital gain dividends, to its stockholders at least 90 percent of its net income computed without regard to net long-term and net short-term capital gains, it will, in spite of being classified as a regulated investment company, be taxed in that year as an ordinary corporation (that is, it will be entitled to the dividends received credit, but will not be entitled to the basic surtax credit). The term "taxable dividends" means dividends (as defined in section 115 after the application of section 362 (a)) which are taxable in the hands of such shareholders as are subject to taxation under chapter 1. A taxable dividend is not distributed to its shareholders during the taxable year within the meaning of section 362 (b), unless the dividend is received by the shareholders during the taxable year of the company. See § 19.27 (b)–2, relating to when dividends are considered paid. Due to the provision in section 362 (a) with respect to the concept of earnings and profits of a regulated investment company, even though such a company has no accumulated earnings and profits if it makes distributions during the taxable year of an amount equal to its net income for that year, regardless of the amount of losses which are not deductible against such net income, it will be allowed a basic surtax credit equal to its net income, and thus not be liable for any income tax for the taxable year provided it otherwise satisfies the requirements of Supplement Q. The terms "Supplement Q net income", "Supplement Q surtax net income", and "capital gain dividends" are defined in section 362 (b) (1), (2), and (7), respectively.

§ 19.362–4 *Records to be kept for purpose of determining whether a corporation claiming to be a regulated investment company is a personal holding company.* Every regulated investment company shall maintain in the collection district in which it is required to file its income tax return permanent records showing the information relative to the actual owners of its stock contained in the written statements required by these regulations to be demanded from the shareholders. The term "actual owner of stock," as used in these regulations, includes the person who is required to include in gross income in his return the dividends received on the stock. Such records shall be kept at all times available for inspection, by any authorized officer or employee of the Bureau of Internal Revenue, and shall be retained as long as the contents thereof may become material in the administration of any internal-revenue law. For the purpose of determining whether a domestic corporation claiming to be a regulated investment company is a personal holding company as defined in section 501, the permanent records of the company shall show the maximum number of shares of the corporation (including the number and face value of securities convertible into stock of the corporation) to be considered as actually or constructively owned by each of the actual owners of any of its stock at any time during the last half of the corporation's taxable year, as provided in section 503. Statements giving such information shall be demanded not later than 30 days after the close of the corporation's taxable year, as follows:

(1) In the case of a corporation having 2,000 or more record owners of its stock on any dividend record date, from each record holder of 5 percent or more of its stock; or

(2) In the case of a corporation having less than 2,000 and more than 200 record owners of its stock, on any dividend record date, from each record holder of one percent or more of its stock; or

(3) In the case of a corporation having 200 or less record owners of its stock, on any dividend record date, from each record holder of one-half of one percent or more of its stock.

§ 19.362–5 *Additional information required in returns of shareholders.* Any person who fails or refuses to comply with the demand of a regulated investment company for the written statements which § 19.362–4 requires the company to demand from its shareholders shall submit as a part of the income tax return required by the Internal Revenue Code of such person a statement showing, to the best of his knowledge and belief:

(1) The number of shares actually owned by him at any and all times during the period for which the return is filed in any company claiming to be a regulated investment company;

(2) The dates of acquisition of any such stock during such period and the names and addresses of persons from whom it was acquired;

(3) The dates of disposition of any such stock during such period and the names and addresses of the transferees thereof;

(4) The names and addresses of the members of his family (as defined in section 503 (a) (2)); the names and addresses of his partners, if any, in any partnership; and the maximum number of shares, if any, actually owned by each in any corporation claiming to be a regulated investment company, at any time during the last half of the taxable year of such company;

(5) The names and addresses of any corporation, partnership, association, or trust in which he had a beneficial interest to the extent of at least 10 percent at any time during the period for which such return is made, and the number of shares of any corporation claiming to be a regulated investment company actually owned by each;

(6) The maximum number of shares (including the number and face value of securities convertible into stock of the corporation) in any domestic corporation claiming to be a regulated investment company to be considered as constructively owned by such individual at any time during the last half of the corporation's taxable year, as provided in section 503 and §§ 19.503 (a)–1 to 19.503 (a)–7, inclusive, and § 19.503 (b)–1; and

(7) The amount and date of receipt of each dividend received during such period from every corporation claiming to be a regulated investment company.

When making demand for the written statements required of each shareholder under these regulations, the company shall inform each of the shareholders of his duty to submit as a part of his income tax return the statements which are required by this section if he fails or refuses to comply with such demand. A list of the persons failing or refusing to comply in whole or in part with a company's demand shall be maintained as a part of its records required by these regulations. A company which fails to keep such records to show the actual ownership of its outstanding stock as are required by these regulations, or which may be required from time to time by any rule or regulation prescribed by the Commissioner, with the approval of the Secretary, for such purpose, shall not be taxable as a regulated investment company.

Nothing in these regulations shall be construed to relieve regulated investment companies or their shareholders from the duty of filing information returns required by regulations prescribed under sections 147 and 148.

§ 19.362–6 *Method of taxation of shareholders of regulated investment companies.* Shareholders who receive capital gain dividends from a regulated investment company distributed during a taxable year of the regulated investment company for which it is taxable under section 362 (b), shall treat such dividends as gains from the sale or exchange of capital assets held for more than six months. A capital gain dividend is defined in section 362 (b) (7) as any dividend or part thereof which is designated by a regulated investment company as a capital gain dividend in a written notice mailed to its shareholders at any time prior to the expiration of 30 days after the close of its taxable year. If the aggregate amount so designated with respect to the taxable year is greater than the excess of the net long-term capital gain over the net short-term capital loss of the taxable year, the portion of each distribution which shall be a capital gain dividend shall be only that proportion of the amount so designated which such excess of the net long-term capital gain over the net short-term capital loss bears to the aggregate amount so designated. Thus, if a regulated investment company making its return on the calendar year basis advised its shareholders by written notice mailed December 30, 1942, that of a distribution of $500,000 made December 15, 1942, $200,000 constituted a capital gain dividend, amounting to $2 per share, and it was later discovered that an error had been made in determining the excess of the net long-term capital gain over the net short-term capital loss of the taxable year and that instead of such excess being $200,000 it was $100,000, then instead of each shareholder having received a capital gain dividend of $2 per share he would have received a capital gain dividend of $1 per share.

PAR. 6. Regulations 94, 101, and 103 are each amended by inserting the following caption and provision of law immediately preceding article 48 (e)–1 of Regulations 94, article 362–1 of Regulations 101, and § 19.361–2 of Regulations 103:

SEC. 170. REGULATED INVESTMENT COMPANIES. (Revenue Act of 1942, Title I.)

* * * * *

(c) *Retroactive provisions relating to earnings and profits.*—For any taxable year beginning after December 31, 1935, and before January 1, 1942, of a corporation which filed an income tax return as a mutual investment company, the earnings and profits of such corporation for such taxable year (but not its accumulated earnings and profits) shall not be reduced by any amount which is not allowable as a deduction in computing its net income for such taxable year; except that this subsection shall not result in earnings and profits of the taxable year in excess of the aggregate of the distributions made by the corporation to its shareholders during the taxable year exclusive of the amounts, if any, which the corporation advised its shareholders to be nontaxable for Federal income tax purposes.

PAR. 7. Article 48 (e)–1 of Regulations 94, article 362–1 of Regulations 101, and section 19.362–1 of Regulations 103, as amended by Treasury Decision 5066, approved October 10, 1941, are each amended by inserting the following paragraph at the end thereof:

If a corporation filed an income tax return for a taxable year to which these regulations are applicable as a mutual investment company, the earnings and profits of such corporation for such taxable year (but not its accumulated earnings and profits) shall not be reduced by any amount which is not allowable as a deduction in computing its net income for such taxable year, except that this provision shall not result in earnings and profits for the taxable year in excess of the aggregate of the distributions made by the corporation to its shareholders during the taxable year, exclusive of the amounts, if any, which the corporation advised its shareholders to be nontaxable for Federal income tax purposes. Thus, if a corporation made a return for a taxable year showing adjusted net income of $500,000 and a basic surtax credit of $500,000, and subsequently it was discovered that the company had no accumulated earnings and profits at the beginning of the taxable year, and its earnings and profits for the taxable year amounted only to $450,000 instead of $500,000 due to the fact that there were losses of $50,000 which were not deductible against net income, the company will, nevertheless, be allowed a basic surtax credit of $500,000 if it were otherwise entitled to such credit, provided it has not advised its shareholders that $50,000 of the distribution was not taxable as a dividend. If it had advised its shareholders that $30,000 of the distribution was not taxable as a dividend, then the basic surtax credit for such taxable year would amount to $470,000, and the company's Supplement Q net income would amount to $30,000.

(Sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C. 62), section 62 of the Revenue Act of 1938 (52 Stat. 480; 26 U.S.C. 62), section 62 of the Revenue Act of 1936 (49 Stat. 1673; 26 U.S.C. 62), and section 170 of the Revenue Act of 1942 (Public Law 753, 77th Congress))

NORMAN D. CANN,
Acting Commissioner of Internal Revenue.

Approved: February 10, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43–2249; Filed, February 11, 1943; 12:54 p. m.]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

AMORTIZATION OF BOND PREMIUM BY OWNERS OF BONDS

In order to conform Regulations 103 [Part 19, Title 26, Code of Federal Regulations, 1940 Sup.] to section 126 of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding section 24 the following:

SEC. 126. AMORTIZABLE BOND PREMIUM. (Revenue Act of 1942, Title I.)

(a) *Deduction for Amortizable Bond Premium.*—Section 23 (relating to deductions from gross income) is amended by inserting at the end thereof the following:

(v) *Bond Premium Deduction.*—In the case of a bondholder, the deduction for amortizable bond premium provided in section 125.

* * * * *

PAR. 2. There is inserted immediately preceding § 19.25–1 the following:

SEC. 126. AMORTIZABLE BOND PREMIUM. (Revenue Act of 1942, Title I.)

* * * * *

(l) *Cross references.*

(1) Section 25 (a) (2) (relating to credits for normal tax) is amended by inserting at the end thereof the following: "(For reduction of credit under paragraph (1) or (2) on account of amortizable bond premium, see section 125)."

PAR. 3. There is inserted immediately preceding § 19.26–1 the following:

SEC. 126. AMORTIZABLE BOND PREMIUM. (Revenue Act of 1942, Title I.)

* * * * *

(l) *Cross references.*

* * * * *

(2) Section 26 (a) (relating to credits of corporations) is amended by inserting at the end thereof the following: "(For reduction of credit under this subsection on account of amortizable bond premium, see section 125)."

PAR. 4. There is inserted immediately preceding § 19.113 (b) (1)–1 the following:

SEC. 126. AMORTIZABLE BOND PREMIUM. (Revenue Act of 1942, Title I.)

* * * * *

(c) *Adjustment to basis.*—Section 113 (b) (1) (relating to adjustments to basis) is amended by inserting at the end thereof the following new subparagraph:

(H) in the case of any bond (as defined in section 125) the interest on which is wholly exempt from the tax imposed by this chapter, to the extent of the amortizable bond premium disallowable as a deduction pursuant to section 125 (a) (2), and in the case of any other bond (as defined in such section) to the extent of the deductions allowable pursuant to section 125 (a) (1) with respect thereto.

* * * * *

PAR. 5. Section 19.113 (b) (1)–1 is amended by inserting at the end thereof the following new paragraph: For adjustment to basis of bonds on account of amortizable bond premium, see §§ 19.125–1 to 19.125–9.

PAR. 6. There is inserted immediately after § 19.124–8 the following:

SEC. 126. AMORTIZABLE BOND PREMIUM. (Revenue Act of 1942, Title I.)

* * * * *

(b) *General rule, election, and definitions.*—The Internal Revenue Code is amended by inserting after section 124 the following new section:

SEC. 125. AMORTIZABLE BOND PREMIUM.

(a) *General rule.* In the case of any bond, as defined in subsection (d), the following rules shall apply to the amortizable bond premium (determined under subsection (b)) on the bond for any taxable year beginning after December 31, 1941:

(1) *Interest wholly or partially taxable.* In the case of a bond (other than a bond the interest on which is excludible from gross income), the amount of the amortizable bond premium for the taxable year shall be allowed as a deduction.

(2) *Interest wholly tax-exempt.* In the case of any bond the interest on which is excludible from gross income, no deduction shall be allowed for the amortizable bond premium for the taxable year.

(3) *Adjustment of credit in case of interest partially tax-exempt.* In the case of any bond the interest on which is allowable as a credit against net income, the credit provided in section 25 (a) (1) or (2), or section 26 (a), as the case may be, shall be reduced by the amount of the amortizable bond premium for the taxable year.

(For adjustment to basis on account of amortizable bond premium, see section 113 (b) (1) (H))

(b) *Amortizable Bond Premium.*

(1) *Amount of bond premium.* For the purposes of paragraph (2), the amount of bond premium, in the case of the holder of any bond, shall be determined with reference to the amount of the basis (for determining loss on sale or exchange) of such bond, and with reference to the amount payable on maturity or on earlier call date, with adjustments proper to reflect unamortized bond premium with respect to the bond, for the period prior to the date as of which subsection (a) becomes applicable with respect to the taxpayer with respect to such bond.

(2) *Amount amortizable.* The amortizable bond premium of the taxable year shall be the amount of the bond premium attributable to such year.

(3) *Method of determination.* The determinations required under paragraphs (1) and (2) shall be made:

(A) In accordance with the method of amortizing bond premium regularly employed by the holder of the bond, if such method is reasonable;

(B) In all other cases, in accordance with regulations prescribing reasonable methods of amortizing bond premium, prescribed by the Commissioner with the approval of the Secretary.

(c) *Election on taxable and partially taxable bonds.*

(1) *Eligibility to elect and bond with respect to which election permitted.* This section shall apply with respect to the following classes of taxpayers with respect to the following classes of bonds only if the taxpayer has elected to have this section apply:

(A) *Partially tax-exempt.* In the case of a taxpayer other than a corporation, bonds with respect to the interest on which the credit provided in section 25 (a) (1) or (2) is allowable; and

(B) *Wholly taxable.* In the case of any taxpayer, bonds the interest on which is not excludible from gross income but with respect to which the credit provided in section 25 (a) (1) or (2), or section 26 (a), as the case may be, is not allowable.

(2) *Manner and effect of election.* The election authorized under this subsection shall be made in accordance with such regulations as the Commissioner with the approval of the Secretary shall prescribe. If such election is made with respect to any bond (described in paragraph (1)) of the taxpayer, it shall also apply to all such bonds held by the taxpayer at the beginning of the first taxable year to which the election applies and to all such bonds thereafter acquired by him and shall be binding for all subsequent taxable years with respect to all such bonds of the taxpayer, unless, upon application by the taxpayer, the Commissioner permits him, subject to such conditions as the Commissioner deems necessary, to revoke such election. The election authorized under this subsection in the case of a member of a partnership shall be exercisable with respect to bonds of the partnership only by the partnership. In the case of bonds held by a common trust fund, as defined in section 169, or by a foreign personal holding company, as defined in section 331, the election authorized under this subsection shall be exercisable with respect to such bonds only by the common trust fund or foreign personal holding company.

(d) *Definition of bond.* As used in this section, the term "bond" means any bond, debenture, note, or certificate or other evidence of indebtedness, issued by any corporation and bearing interest (including any like obligation issued by a government or political subdivision thereof), with interest coupons or in registered form, but does not include any such obligation which constitutes stock in trade of the taxpayer or any such obligation of a kind which would properly be included in the inventory of the taxpayer if on hand at the close of the taxable year, or any such obligation held by the taxpayer primarily for sale to customers in the ordinary course of his trade or business.

* * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

§ 19.125–1 *In general*—(a) *Application.* Section 125 makes provision for the amortization of bond premium by the owners of the bonds. It is mandatory with respect to:

(1) Fully tax-exempt bonds (the interest on which is excludible from gross income), whether the owner is a corporation, individual, or other taxpayer; and

(2) Partially tax-exempt bonds (the interest on which is subject only to surtax) owned by a corporation.

It is optional, at the election of the taxpayer, with respect to:

(1) Fully taxable bonds (the interest on which is subject to normal tax and surtax), whether the owner is a corporation, individual, or other taxpayer; and

(2) Partially tax-exempt bonds owned by taxpayers other than corporations.

The term "bond" as used in section 125 means any bond, debenture, note, or certificate or other evidence of indebtedness, issued by any corporation and bearing interest (including any like obligation issued by a government or political subdivision thereof), with interest coupons or in registered form, but does not include any such obligation which constitutes stock in trade of the taxpayer or any such obligation of a kind which would properly be included in the inventory of the taxpayer if on hand at the close of the taxable year, or any such obligation held by the taxpayer primarily for sale to customers in the ordinary course of his trade or business. Since bonds owned by dealers in securities are excluded from the foregoing definition, section 125 has no application to such dealers.

(b) *Operation.* In the case of a fully tax-exempt bond, the amortizable bond premium for the taxable year is simply an adjustment to the basis or adjusted basis of the bonds. Thus, if such premium is $1, the basis or adjusted basis of the bond is reduced by $1. No deduction is allowable on account of such amortizable bond premium. In the case of a fully taxable bond to which section 125 is applicable, the amortizable bond premium is both an adjustment to the basis or adjusted basis of the bond and a deduction. In the case of a partially tax-exempt bond to which such section is applicable, the amortizable bond premium for the taxable year is used for three purposes: (1) As an adjustment to the basis or adjusted basis of the bond; (2) as a deduction; and (3) as a reduction of the credit for the interest on the bond, provided in section 25 (a) (1) or (2), or section 26 (a). Accordingly, if the interest on such a partially tax-exempt bond for the taxable year is $30 and the amortizable bond premium thereon for such taxable year is $5, the $30 is included in gross income, the $5 is allowable as a deduction, an adjustment in the amount of $5 is made to the basis or adjusted basis of the bond, and the credit on account of such interest is $25 ($30 minus $5).

In the case of a trust the income of which is distributable to the beneficiaries in whole or in part, where the trustee elects to amortize bond premium by deducting the amount thereof in the return filed for the trust on Form 1041, the distributable income of the trust determined in accordance with the provisions of section 162 (b) is the full amount otherwise distributable without reduction for amortization of bond premium in all cases where, under the law applicable to the trust or under the provisions of the trust instrument, the income distributable to the beneficiaries shall not be reduced by such reduction for amortization (see section 24 (d)).

§ 19.125–2 *Bond premium and amortizable bond premium.* Bond premium on any bond to which section 125 applies is the excess of the amount of the basis (for determining loss on sale or exchange) of the bond over the amount payable at maturity or, in the case of a callable bond, earlier call date. (For determination of applicable call date see § 19.125–5.) If the date as of which such basis of the bond was established precedes the first taxable year with respect to which such section applies to the bond, there shall be made adjustments proper to reflect unamortized bond premium on such bond for the period including the holding period (as determined under section 117 (h)) prior to the date as of which section 125 first becomes applicable to the bond in the hands of the taxpayer. The application of the preceding sentence relating to adjustments may be illustrated by the following examples:

Example (1). On January 1, 1942, T, who makes his income tax returns on the calendar year basis, owns a fully taxable $100 bond, maturing on January 1, 1952. T purchased this bond on January 1, 1932, for $120. T elects to have section 125 apply to such bond for 1942 and subsequent taxable years. In determining the amount of bond premium to be amortized over the remaining 10 years of the life of the bond, T is required, but solely for such purpose, to treat the bond as if he had amortized the bond premium thereon during the prior 10 years under this section, and to make the proper adjustment in the original bond premium. Accordingly, T would treat $10 as having been amortized during the first 10 years and would be required to amortize the remaining $10 over the following 10 years. When the bond is redeemed on January 1, 1952, for $100, only the $10 attributable to the second 10 years will actually have been amortized. The $10 attributable to the first 10 years will have been treated as an adjustment to the original bond premium but will not have been amortized. Consequently T will have a capital loss in the year of redemption on account of the $10 attributable to the period 1932–1942.

Example (2). On January 1, 1942, X's father gave him a fully taxable $100 bond maturing on January 1, 1952. X's father had purchased the bond on January 1, 1932, for $120. The fair market value of the bond at the time of the gift was $130. X makes his income tax returns on the calendar year basis and elects to amortize the bond premium on the bond during the period from 1942 to 1952. Under section 113 (a) (2) the cost of the bond to X's father constitutes the basis of the bond in X's hands for determining loss, since such cost is lower than the fair market value of the bond at the time of the gift, and under section 117 (h) (2) X's holding period is deemed to include the 10 years during which his father held the bond. X is required to treat the bond as if the bond premium thereon had been amortized during his father's holding period. Thus, X is required to amortize $10 over the period 1942–1952 and in the year of redemption will have a capital loss on account of the $10 attributable to his father's holding period.

Example (3). On January 1, 1942, Y, who makes his income tax returns on the calendar year basis, owns a tax-exempt $100 bond, maturing on January 1, 1951. He purchased this bond on January 1, 1941, for $110. On December 31, 1944, Y sells the bond for $108 and thus realizes a gain of $1, computed as follows:

(1) Total bond premium ($110 minus $100)	$10
(2) Amount of bond premium amortizable under section 125 (Total bond premium minus unamortized bond premium attributable to 1941, $10 minus $1)	9
(3) Amount of bond premium amortized from January 1, 1942, through December 31, 1944 ($1 for each such year)	3
(4) Adjusted basis of bond at close of 1944 ($110 minus $3)	107
(5) Gain ($108 minus $107)	1

Amortizable bond premium on any bond to which section 125 applies is such part of the bond premium on the bond as is attributable to the taxable year.

§ 19.125–3 *Methods of amortization.* The determinations of the bond premium and amortizable bond premium on any bond to which section 125 applies shall be made in accordance with:

(a) The method of amortization regularly employed by the taxpayer, if such method is reasonable; or

(b) The method of amortization prescribed by this section.

A method of amortization will be deemed "regularly employed" by a taxpayer if the method was consistently followed in taxable years beginning prior to January 1, 1942, or if for taxable years beginning on or after such date the taxpayer (including a taxpayer who followed a different method in taxable years beginning prior to January 1, 1942) initiates in the first taxable year for which the deduction is taken a reasonable method of amortization and consistently follows such method thereafter. A taxpayer who regularly employs a method of amortization may be one, for example, who is subject to the jurisdiction of a State or Federal regulatory agency and who, for the purposes of such agency, amortizes the bond premium on his bonds in accordance with a method prescribed or approved by such agency. However, it is not necessary that the taxpayer be subject to the jurisidiction of such an agency or that the method be prescribed or approved by such agency. It is sufficient if the taxpayer regularly employs a method of amortization and if such method is reasonable.

The method of amortization prescribed by this section is as follows:

(1) The bond premium on any bond to which section 125 applies shall be determined in accordance with § 19.125–2 and shall be computed as of the end of the taxable year (or as of the date of disposition or redemption of the bond, if it was disposed of or redeemed in the taxable year) but without regard to the amortizable bond premium for the taxable year; and

(2) The amortizable bond premium on such bond for the taxable year shall be an amount which bears the same ratio to the bond premium on the bond as the number of months in the taxable year during which the bond was owned by the taxpayer bears to the number of months from the beginning of the taxable year (or, if the bond was acquired in the taxable year, from the date of acquisition) to the date of maturity or earlier call date. For the purposes of this section a fractional part of a month shall be disregarded unless it amounts to more than half a month in which case it shall be considered as a month.

§ 19.125–4 *Election.* In the case of a corporation, the election provided in section 125 may be made only with respect to fully taxable bonds. In the case of a taxpayer other than a corporation, the election provided in such section may be made with respect to (a) fully taxable bonds only, or (b) partially tax-exempt bonds only, or (c) both fully taxable bonds and partially tax-exempt bonds. Such election shall be made by the taxpayer by claiming a deduction for the bond premium in his return for the first taxable year to which he desires the election to be applicable. No other method of making such election is permitted. If the election is so made, the taxpayer should attach to his return a statement showing the computation of the deduction. The election shall apply to all bonds in respect of which it was made owned by the taxpayer at the beginning of the first taxable year to which the election applies and also to all bonds of such class (or classes) thereafter acquired by him, and shall be binding for all subsequent taxable years. Upon application by the taxpayer, the Commissioner may permit him to revoke the election, subject to such conditions as the Commissioner deems necessary. In the case of bonds owned by a partnership, common trust fund, or foreign personal holding company, the election shall be exercisable by such partnership, common trust fund, or foreign personal holding company.

§ 19.125–5 *Callable and convertible bonds.* The fact that a bond is callable

or convertible into stock does not, in itself, prevent the application of section 125. For the purposes of such section, in the case of a callable bond the earlier call date will be considered as the maturity date and the amount due on such date will be considered as the amount payable on maturity, unless the taxpayer regularly employs a different method of amortization which is reasonable. Hence, the bond premium on such a bond is required to be spread over the period from the date as of which the basis for loss of the bond is established down to the earlier call date, rather than the maturity date. The earlier call date may be the earliest call date specified in the bond as a day certain, the earliest interest payment date if the bond is callable at such date, the earliest date at which the bond is callable at par, or such other call date, prior to maturity, specified in the bond as may be selected by the taxpayer. A taxpayer who deducts amortizable bond premium with reference to a particular call date may not thereafter use a different call date in the calculation of amortization deductions with respect to such premium. A convertible bond is within the scope of section 125 if the option to convert on a certain date specified in the bond rests with the holder thereof.

§ 19.125–6 *Capitalized expenses.* In the case of a bond on which there is no bond premium exclusive of capitalized expenses, such as buying commissions), but to which section 125 otherwise applies a taxpayer who is required by these regulations to use the method of amortization prescribed by § 19.125–3, a taxpayer who regularly employs a reasonable method of amortization under which such capitalized expenses are amortized, or a taxpayer who regularly employs a reasonable method of amortization under which such capitalized expenses are not amortized, is permitted but not required, to amortize such capitalized expenses in accordance with such method.

In the case of a bond to which section 125 applies and on which there is bond premium exclusive of capitalized expenses, a taxpayer who is required by these regulations to use the method of amortization prescribed by § 19.125–3, must treat capitalized expenses as being part of the bond premium for the purposes of section 125, or if the taxpayer regularly employs a reasonable method of amortization under which such capitalized expenses are treated as being part of the bond premium for the purposes of amortization, such capitalized expenses must be treated as being part of the bond premium for the purposes of section 125, but if under such regularly employed method such capitalized expenses are not treated as being part of the bond premium for the purposes of amortization, the taxpayer may, but is not required to treat such capitalized expenses as being part of the bond premium for the purposes of section 125.

§ 19.125–7 *Taxable years in which interest not received or accruable.* In the case of a taxpayer who makes his income returns on the cash receipts and disbursements basis or one who makes his returns on the accrual basis and who owns a bond to which section 125 applies and in respect of which no interest is received or accrued by the taxpayer during the taxable year, if the taxpayer is required by these regulations to use the method of amortization prescribed by § 19.125–3, or if the taxpayer regularly employs a reasonable method of amortization under which the bond premium on such bond for such taxable year is amortized, or if the taxpayer regularly employs a reasonable method of amortization under which the bond premium on such bond for such taxable year is not amortized, amortization of bond premium on such bond for such taxable year is not required, but will be permitted in accordance with such method.

§ 19.125–8 *Bonds owned by decedents*—(a) *Cash basis decedents.* If a decedent on the cash receipts and disbursements basis owned fully taxable bonds and partially tax-exempt bonds to which section 125 applies:

(1) In the case of a fully taxable bond, the interest accruing thereon during the period ending with his death is, by reason of section 126, included upon its receipt in the gross income of the estate or legatee, whichever acquires the right to receive such interest, while the deduction on account of amortizable bond premium for such period is properly allowable as a deduction for such period under the decedent's method of accounting and is not allowable as a deduction for the estate or legatee; and

(2) In the case of a partially tax-exempt bond:

(i) The interest accruing thereon for such period is similarly included upon its receipt in the gross income of the estate or legatee, as the case may be;

(ii) The estate's or legatee's credit for such interest is not reduced on account of the amortizable bond premium for such period; and

(iii) The deduction on account of the amortizable bond premium for such period is allowable as a deduction in the return for the decedent as in the case of a fully taxable bond.

The application of the foregoing provisions relating to a partially tax-exempt bond may be illustrated by the following example:

Example. At the time of his death in 1942, D owns a partially tax-exempt bond to which section 125 applies. For the period beginning January 1, 1942, and ending with his death, the accrued interest on such bond is $25 and the amortizable bond premium is $2. D's estate has the right to receive such interest. D's executor, in making the income tax return for such period, may take into account a deduction in the amount of $2 on account of the amortizable bond premium for such period. D's estate includes the interest ($25) in its gross income upon receipt and, for the purposes of the normal tax, receives a credit for $25, which is not reduced on account of the amortizable bond premium which was a deduction allowable for the last taxable period of the decedent.

(b) *Accrual basis decedents.* If a decedent on the accrual basis owns fully taxable bonds and partially tax-exempt bonds to which section 125 applies:

(1) In the case of a fully taxable bond both the interest accruing thereon during the period ending with his death and the deduction on account of the amortizable bond premium for such period is allowable as a deduction in the return for the decedent; and

(2) In the case of a partially tax-exempt bond, the rule as to the accrued interest and the amortization deduction is the same as in (1) above, and his credit for such interest is required to be reduced by the amount of the amortizable bond premium for the period ending with the decedent's death.

§ 19.125–9 *Partially tax-exempt bond owned by estates, trusts, partnerships, etc.* If a trust owning partially tax-exempt bonds elects to amortize the bond premium thereon under section 125, the credits of the trust and the beneficiaries on account of such interest are required to be reduced by the portion of the amortization deduction attributable to their shares of such interest. A similar rule is applied in the case of partially tax-exempt bonds owned by estates, common trust funds, partnerships, foreign personal holding companies, and personal service corporations.

PAR. 7. There is inserted immediately preceding § 19.163–1 the following:

SEC. 126. AMORTIZABLE BOND PREMIUM. (Revenue Act of 1942, Title I.)

* * * * * * *

(d) *Credits of estate or trust and beneficiary.* Section 163 (relating to credits of estate or trust and beneficiary) is amended by inserting at the end thereof the following new subsection:

(c) *Credits of estate or trust and beneficiary in case of bond premium.* If the estate or trust elects under section 125 to treat the premium on bonds, the interest on which is allowable as a credit under section 25 (a) (1) or (2), as amortizable,

(1) For the purposes of subsection (a) (2) the credits allowed by section 25 (a) shall be reduced as provided in section 125 (a) (3),

(2) For the purposes of subsection (b) the proportionate share of the legatee, heir or beneficiary of such interest shall be his proportionate share of such interest (determined without regard to this paragraph) reduced by so much of the deduction under section 23 (v) as is attributable to such share. The remainder of such deduction, for the purposes of the last sentence of subsection (b), shall be applied in reduction of such credits of the estate or trust.

* * * * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 8. Section 19.163–1 is amended as follows:

(A) By inserting at the end of subsection (b) the following:

* * * (For reduction of credits on account of amortizable bond premium, see § 19.125–9.)

(B) By inserting at the end of subsection (c) the following:

* * * (For reduction of credits on account of amortizable bond premium see § 19.125–9.)

PAR. 9. There is inserted immediately preceding § 19.169–1 the following:

SEC. 126. AMORTIZABLE BOND PREMIUM. (Revenue Act of 1942, Title I.)

* * * * * * *

(c) *Credit of participant in common trust fund for partially tax-exempt interest.* Section 169 (c) (2) (relating to credits of participants) is amended by inserting at the end thereof the following new sentence: "If the common trust fund elects under section 125 to treat the premium on bonds, the interest on which is allowable as a credit under section 25 (a) (1) or (2), as amortizable, for the purposes of the preceding sentence the proportionate share of the participant of such interest received by the common trust fund shall be his proportionate share of such interest (determined without regard to this sentence) reduced by so much of the deduction under section 23 (v) as is attributable to such share.

* * * * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 10. Section 19.169–2 (b) is amended by inserting immediately after the first sentence the following: (For reduction of credit for such interest on account of amortizable bond premium, see § 19.125–9.)

PAR. 11. There is inserted immediately preceding § 19.184–1 the following:

SEC. 126. AMORTIZABLE BOND PREMIUM. (Revenue Act of 1942, Title I.)

* * * * * * *

(f) *Credit of partner for partially tax-exempt interest.* Section 184 (relating to credits of partners) is amended by inserting at the end thereof the following new sentence: "If the partnership elects under section 125 to treat the premium on bonds, the interest on which is allowable as a credit under section 25 (a) (1) or (2), as amortizable, for the purposes of the preceding sentence the partner's proportionate share of the interest received by the partnership shall be his proportionate share of such interest (determined without regard to this sentence) reduced by so much of the deduction under section 23 (v) as is attributable to such share."

* * * * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 12. Section 19.184–1 is amended by inserting at the end thereof the following: (For reduction of credit for such interest on account of amortizable bond premium, see § 19.125–9.)

PAR. 13. There is inserted immediately preceding § 19.337–1 the following:

SEC. 126. AMORTIZABLE BOND PREMIUM. (Revenue Act of 1942, Title I.)

* * * * * * *

(g) *Credit of United States shareholder for partially tax-exempt interest.* Section 337 (c) (relating to credits of United States shareholders) is amended by inserting at the end thereof the following new sentence: "If the foreign personal holding company elects under section 125 to treat the premium on bonds, the interest on which is allowable as a credit under section 25 (a) (1) or (2), as amortizable, for the purposes of the preceding sentence each United States shareholder's proportionate share of such interest received by the foreign personal holding company shall be his proportionate share of such interest (determined without regard to this sentence) reduced by so much of the deduction under section 23 (v) as is attributable to such share."

* * * * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 14. Section 19.337–2 is amended by inserting at the end of the first paragraph the following: (For reduction of credit for such interest on account of amortizable bond premium, see § 19.125–9.)

PAR. 15. There is inserted immediately preceding section 19.394–1 the following:

SEC. 126. AMORTIZABLE BOND PREMIUM. (Revenue Act of 1942, Title I.)

* * * * * * *

(h) *Credit of shareholder of personal service corporation for partially tax-exempt interest.* Section 394 (c) (relating to the credits of shareholders of a personal service corporation) is amended by inserting at the end thereof the following new sentence: "For any taxable year of the corporation beginning after December 31, 1941, each such shareholder's proportionate share of such interest received by the corporation shall be his proportionate share of such interest (determined without regard to this sentence) reduced by so much of the deduction under section 23 (v) as is attributable to such share."

* * * * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 16. Section 19.394–2 is amended by inserting at the end thereof the following: (For reduction of credit for such interest on account of amortizable bond premium, see § 19.125–9.)

(Sec. 126 of the Revenue Act of 1942 (Public Law 753, 77th Congress), and sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C., 1940, ed. 62))

[SEAL] NORMAN D. CANN,
Acting Commissioner of Internal Revenue.

Approved: February 10, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43–2248; Filed, February 11, 1943; 12:54 p. m.]

[T.D. 5226]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

MISCELLANEOUS AMENDMENTS

Regulations 103 amended to conform to certain sections[1] of the Revenue Act of 1942.

In order to conform Regulations 103 [Part 19, Title 26, Code of Federal Regulations, 1940 Sup.] to certain sections[1] of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, such regulations are amended to read as follows:

PARAGRAPH 1. There is inserted immediately preceding § 19.119–1 the following:

SEC. 160. ALIENS AND FOREIGN CORPORATIONS TREATED AS NONRESIDENTS. (Revenue Act of 1942, Title I.)

* * * * * * *

(c) Section 119 (a) (1) (relating to interest from sources in the United States) is amended by striking out "and not having an office or place of business therein".

* * * * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 2. Section 19.119–2 is amended by striking out "and not having an office or place of business therein" and inserting in lieu thereof the following: "(or, for taxable years beginning prior to January 1, 1942, not engaged in business within the United States and not having an office or place of business therein)".

PAR. 3. There is inserted immediately preceding § 19.123–1 the following:

SEC. 154. COMMODITY CREDIT LOANS. (Revenue Act of 1942, Title I.)

(a) *Taxable years subject to code.* Section 123 is amended by inserting at the end thereof the following:

(c) The election provided for in subsection (a) with respect to taxable years beginning after December 31, 1938, and before January 1, 1942, may be exercised by the taxpayer at, or at any time prior to, the time prescribed for the filing of the taxpayer's return for the taxable year of the taxpayer beginning in 1942, or if there is more than one taxable year of the taxpayer beginning in 1942, for the last taxable year so beginning, provided the records of the taxpayer are sufficient to permit an accurate computation of income for such years, and the taxpayer consents in writing to the assessment, within such period as may be agreed upon, of any deficiency for such years, even though the statutory period for the assessment of any such deficiency had expired prior to the filing of such consent.

* * * * * * *

[1] Secs. 106. Tax on nonresident alien individuals. 107. Tax on foreign corporations. 109. Treaty obligations. 131 (a) (2) Personal exemption; nonresident aliens. 131 (a) (3). Citizens of possessions, etc. 131 (c) (2) Fiduciary returns. 131 (c) (3). Information returns. 136 (b). Penalties for willfully false return. 136 (c). Clerical amendments. 154 (a). Commodity credit loans; taxable years subject to Code. 157. Recovery of unconstitutional Federal taxes. 158 (a). Foreign tax credit; choice of credit. 158 (d). Limit on credit in case of corporations. 158 (e). Credit on account of subsidiary of foreign subsidiary. 158 (f). Credit for taxes in lieu of income, etc., taxes. 160 (c), (d), (e) and (f). Aliens and foreign corporations treated as nonresidents. 167. Certain transactions not deemed engaging in trade or business. 168. Period for filing petition before The Tax Court of the United States extended in certain cases. 511. Definition of military or naval forces of the United States.

PAR. 4. There is inserted immediately following § 19.123–2 the following:

§ 19.123–3 *Retroactive election to include loans in income.* Even though the taxpayer has not previously elected to treat any loans received by him from the Commodity Credit Corporation as income, he may exercise such election with respect to any taxable year beginning after December 31, 1938, and before January 1, 1942, at, or at any time prior to, the time prescribed for the filing of the taxpayer's return for the taxable year of the taxpayer beginning in 1942, or if there is more than one taxable year of the taxpayer beginning in 1942, for the last taxable year beginning in 1942. If the taxpayer makes such a retroactive election, then for all taxable years subsequent to the one for which the election was made he shall include in his gross income all amounts received by him during those years as loans from the Commodity Credit Corporation, unless he secures the permission of the Commissioner to change to a different method of accounting. The taxpayer must, in addition, meet two other conditions before he will be allowed to make an election with regard to any taxable year beginning after December 31, 1938, and before January 1, 1942, to include any loans received from the Commodity Credit Corporation in his gross income.

1. The records of the taxpayer must be sufficient to permit an accurate computation of income for the taxable year in question and for all subsequent taxable years.

2. The taxpayer must consent in writing to the assessment, within such period as may be agreed upon, of any deficiency for the taxable year in question and for all subsequent taxable years which began before January 1, 1942, even though the statutory period for the assessment of any such deficiency has expired prior to the filing of such consent, and even though the deficiency does not result from the inclusion in gross income of amounts received as loans from the Commodity Credit Corporation.

PAR. 5. There is inserted immediately before the heading "Credits Against Tax" which precedes section 131 the following:

SEC. 157. RECOVERY OF UNCONSTITUTIONAL FEDERAL TAXES. (Revenue Act of 1942, Title I.)

(a) *In general.* Chapter 1 of the Internal Revenue Code is amended by inserting after section 127 the following new section:

SEC. 128. RECOVERY OF UNCONSTITUTIONAL FEDERAL TAXES.

Income (excluding interest) attributable to the recovery during the taxable year of a tax imposed by the United States which has been held unconstitutional, and in respect of which a deduction was allowed in a prior taxable year may be excluded from gross income for the taxable year, and the deduction allowed in respect thereof in such prior taxable year treated as not having been allowable, if

(a) The taxpayer elects in writing (at such time and in such manner as may be prescribed by regulations prescribed by the Commissioner with the approval of the Secretary) to treat such deduction as not having been allowable for such prior taxable year, and

(b) The taxpayer consents in writing to the assessment, within such period as may be agreed upon, of any deficiencies resulting from such treatment, even though the statutory period for the assessment of any such deficiency had expired prior to the filing of such consent.

(b) *Taxable years to which applicable.* The amendment made by subsection (a) shall be applicable with respect to taxable years beginning after December 31, 1940.

§ 19.128–1 *Recovery of unconstitutional taxes.*—(a) *In general.* With respect to taxable years beginning after December 31, 1940, and subject to the limitations herein, a taxpayer who recovers unconstitutional Federal taxes, such as taxes imposed by the Agricultural Adjustment Act, which were paid or accrued and for which a deduction was allowed in a prior taxable year is entitled at his election (see paragraph (b) of this section) to exclude the income (exclusive of interest) attributable to such recovery from his gross income in the taxable year of recovery.

In the event a taxpayer elects to receive the benefits of section 128 the income (exclusive of interest) attributable to the recovery of the unconstitutional Federal tax will be treated as an offset to the deduction allowed therefor in prior taxable years. The taxpayer's return for the prior taxable year or years with respect to which the statutory period for the assessment of a deficiency has expired will be opened only for the purpose of reducing the deduction allowed for the unconstitutional Federal tax and assessing the resulting deficiency or deficiencies, if any, and only if the taxpayer consents in writing to the assessment (see paragraph (b) of this section). No other adjustment will be allowed.

In the event the disallowance of the deduction allowed in respect of a prior taxable year results in a deficiency for that year, the deficiency will be assessed within the period agreed upon between the taxpayer and the Commissioner, in respect of the taxable year of the prior deduction, against the taxpayer (who must file a written consent to the assessment as provided in paragraph (b)) even though the statutory period for the assessment may have expired prior to the filing of the consent.

If a taxpayer does not elect under the provisions of section 128 to exclude the tax recovered from gross income in the taxable year of recovery, the tax recovered shall from the standpoint of its inclusion in or exclusion from gross income be governed by the provisions of section 22 (b) (12).

Where a taxpayer's liability for income tax with respect to the deduction or the recovery or with respect to the tax liability for the year of the deduction or recovery has been finally determined by a written agreement or by a decision of the Board of Tax Appeals or of any Court, the taxpayer will not be entitled to the benefits of section 128 or of this section. As to taxability of refund of taxes generally, see section 22 (b) (12) as added by section 116 of the Revenue Act of 1942.

(b) *Manner of making election.* The election provided for in paragraph (a) of this section shall be made by the taxpayer filing with the Commissioner a statement in writing that he elects to treat the deduction allowed in a prior taxable year for the unconstitutional tax as not having been allowable for such taxable year. Such a statement must be filed with the taxpayer's return for the taxable year in which the recovery of the unconstitutional tax or taxes occurs. Where the recovery antedates the date of approval of this Treasury decision the statement of election must be filed within 90 days after February 10, 1943, the date of approval of this Treasury decision. No other method of making the election is permitted. The statement of election must contain a description of the tax recovered, the date of recovery, the taxable year in which paid or accrued and the taxable year for which the deduction was allowed. The statement of election must also contain a statement signifying the taxpayer's consent (1) to the Commissioner's treating the deduction or portion thereof allowed in a prior year with respect to the unconstitutional tax as not allowable for that year and (2) to the Commissioner's assessing, in respect of the taxable year for which the deduction was allowed, any deficiency, together with interest thereon as provided by law, resulting from disallowance of the deduction, or portion thereof even though the statutory period for the assessment of any such deficiency may have expired prior to the filing of such consent.

As used in this section the term "recovery" includes not only refund or credit of taxes previously paid, but includes also the cancellation of a purported tax liability which was accrued and deducted for a prior taxable year but never actually paid.

PAR. 6. There is inserted immediately preceding section 19.131–1 the following:

SEC. 158. FOREIGN TAX CREDIT. (Revenue Act of 1942, Title I.)

(a) *Choice of credit.* Section 131 (a) (relating to allowance of credit for taxes of foreign countries and possessions of the United States) is amended to read as follows:

(a) *Allowance of credit.* If the taxpayer chooses to have the benefits of this section, the tax imposed by this chapter, except the tax imposed under section 102 or section 450, shall be credited with:

(1) *Citizens and domestic corporations.* In the case of a citizen of the United States and of a domestic corporation, the amount of any income, war-profits, and excess-profits taxes paid or accrued during the taxable year to any foreign country or to any possession of the United States; and

(2) *Resident of United States.* In the case of a resident of the United States, the amount of any such taxes paid or accrued during the taxable year to any possession of the United States; and

(3) *Alien resident of United States.* In the case of an alien resident of the United States, the amount of any such taxes paid or accrued during the taxable year to any foreign country, if the foreign country of which such alien resident is a citizen or subject, in imposing such taxes, allows a similar credit to citizens of the United States residing in such country; and

(4) *Partnerships and estates.* In the case of any such individual who is a member of a partnership or a beneficiary of an estate or trust, his proportionate share of such taxes of the partnership or the estate or trust paid or accrued during the taxable year to a foreign country or to any possession of the United States, as the case may be.

Such choice may be made or changed at any time prior to the expiration of the period prescribed for making a claim for credit or refund of the tax imposed by this chapter.

* * * * *

(c) The amendments made by subsections (a) and (b) shall be applicable with respect to taxable years beginning after December 31, 1940.

(d) *Limit on credit in case of corporations.* Section 131 (b) is amended to read as follows:

(b) *Limit on credit.* The amount of the credit taken under this section shall be subject to each of the following limitations:

(1) The amount of the credit in respect of the tax paid or accrued to any country shall not exceed the same proportion of the tax against which such credit is taken, which the taxpayer's net income from sources within such country bears to his entire net income, in the case of a taxpayer other than a corporation, or to the sum of the normal-tax net income and the amount of the credit for adjusted excess profits net income provided in section 26 (e), in the case of a corporation, for the same taxable year; and

(2) The total amount of the credit shall not exceed the same proportion of the tax against which such credit is taken, which the taxpayer's net income from sources without the United States bears to his entire net income, in the case of a taxpayer other than a corporation, or to the sum of the normal-tax net income and the amount of the credit for adjusted excess profits net income provided in section 26 (e), in the case of a corporation, for the same taxable year.

(e) *Credit on account of subsidiary of foreign subsidiary.* Section 131 (f) (relating to credit for taxes of a foreign subsidiary) is amended to read as follows:

(f) *Taxes of Foreign Subsidiary.*

(1) *Foreign subsidiary of domestic corporation.* For the purposes of this section, a domestic corporation which owns a majority of the voting stock of a foreign corporation from which it receives dividends in any taxable year shall be deemed to have paid the same proportion of any income, war-profits, or excess-profits taxes paid or deemed to be paid by such foreign corporation to any foreign country or to any possession of the United States, upon or with respect to the accumulated profits of such foreign corporation from which such dividends were paid, which the amount of such dividends bears to the amount of such accumulated profits; *Provided*, That the amount of tax deemed to have been paid by such domestic corporation under this subsection shall in no case exceed the same proportion of the tax against which credit is taken which the amount of such dividends bears to the amount of the normal-tax net income of the domestic corporation in which such dividends are included. The term "accumulated profits" when used in this subsection in reference to a foreign corporation, means the amount of its gains, profits, or income in excess of the income, war-profits, and excess-profits taxes imposed upon or with respect to such profits or income; and the Commissioner with the approval of the Secretary shall have full power to determine from the accumulated profits of what year or years such dividends were paid; treating dividends paid in the first sixty days of any year as having been paid from the accumulated profits of the preceding year or years (unless to his satisfaction shown otherwise), and in other respects treating dividends as having been paid from the most recently accumulated gains, profits, or earnings. In the case of a foreign corporation, the income, war-profits, and excess-profits taxes of which are determined on the basis of an accounting period of less than one year, the word "year" as used in this subsection shall be construed to mean such accounting period.

(2) *Foreign subsidiary of foreign corporation.* If such foreign corporation owns all the voting stock (except qualifying shares) of another foreign corporation from which it receives dividends in any taxable year it shall be deemed to have paid the same proportion of any income, war-profits, or excess-profits taxes paid by such other foreign corporation to any foreign country or to any possession of the United States, upon or with respect to the accumulated profits of the corporation from which such dividends were paid, which the amount of such dividends bears to the amount of such accumulated profits.

(f) *Credit for taxes in lieu of income, etc., taxes.* Section 131 (relating to credit for taxes of foreign countries and possessions of the United States) is amended by inserting at the end thereof the following new subsection:

(h) *Credit for taxes in lieu of income, etc., taxes.* For the purposes of this section and section 23 (c) (1), the term "income, war-profits, and excess-profits taxes" shall include a tax paid in lieu of a tax upon income, war-profits, or excess-profits otherwise generally imposed by any foreign country or by any possession of the United States.

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 7. Section 19.131–1 is amended as follows:

(A) By striking from the first and third paragraphs the words "signifies in his return his desire" wherever occurring therein, and inserting in lieu thereof the following: "chooses (or, for years beginning before January 1, 1941, if the taxpayer signifies in his return his desire)".

(B) By striking from the second paragraph the words "signifies in his return his desire" and inserting in lieu thereof the following: "chooses (or, for years beginning before January 1, 1941, who signifies in his return his desire)".

(C) By inserting as the fourth paragraph thereof the following:

The choice available to the taxpayer with respect to claiming such credit for any taxable year beginning after December 31, 1940, may be exercised (or changed if previously exercised) by the taxpayer at any time prior to the expiration of the period prescribed by statute for the making of a claim for credit or refund for such taxable year. For disallowance as a deduction of foreign income, war-profits or excess-profits taxes in the event such choice is made, see § 19.23 (c)–1.

(D) By amending the fourth paragraph (as that paragraph existed prior to this Treasury decision) to read as follows:

For taxable years beginning after December 31, 1939, and before January 1, 1943, no credit for taxes shall be allowed against the tax imposed under section 102, relating to surtax on corporations improperly accumulating surplus, and for taxable years beginning after December 31, 1942, credit for taxes shall be allowed neither against the tax imposed under section 102, relating to surtax on corporations improperly accumulating surplus, nor against the Victory tax imposed under section 450.

PAR. 8. Section 19.131–2 is amended by adding immediately after the first sentence thereof the following:

* * * For the purposes of section 131, and section 23 (c) (1) the term "income, war-profits and excess-profits taxes" includes, for taxable years beginning after December 31, 1941, a tax imposed by statute or decree by a foreign country or by a possession of the United States if (a) such country or possession has in force a general income tax law, (b) the taxpayer claiming the credit would, in the absence of a specific provision applicable to such taxpayer, be subject to such general income tax, and (c) such general income tax is not imposed upon the taxpayer thus subject to such substituted tax. For example, the A Corporation does business in the X Country which imposes an income tax upon substantially a net income base. The ascertainment of net income, though not the determination of gross income, from sources in X Country is found administratively difficult. The X Country, by decree, provides that corporations circumstanced as was the A Corporation would, in lieu of the income tax at the rate of 20 percent otherwise payable, be subject to tax at the rate of 10 percent upon the amount of gross income from X Country. In accordance with such decree, the A Corporation paid X Country the sum of $25,000 in 1943 with respect to its tax liability to the X Country for the year 1942. Such amount, subject to the applicable limitations, is available as a credit to the A Corporation as foreign income, war-profits or excess-profits taxes against the United States tax liability for the year 1942.

PAR. 9. Section 19.131–3, as amended by Treasury Decision 5056, approved June 28, 1941, is further amended as follows:

(A) By adding after the word "If" in the first sentence thereof the following: ", for taxable years beginning before January 1, 1941,".

(B) By adding as the second sentence thereof the following:

* * * For taxable years begining after December 31, 1940 if the taxpayer does not so signify in his return his desire to claim such credit but subsequent to the filing of such return he chooses to claim such credit, he must so notify the Commissioner and attach to such notification Form 1116 or Form 1118, as the case may be.

(C) By amending the last paragraph thereof as follows:

(1) By inserting after the word "If" the following: ", for taxable years beginning before January 1, 1941,".

(2) By inserting after the word "cannot" the following: ", for such taxable years,".

(3) By adding at the end of such paragraph the following sentence: "For years beginning after December 31, 1940, however, the taxpayer may claim the benefits of section 131 at any time prior to the expiration of the period prescribed for

the making of claim for credit or refund of the tax imposed under chapter 1 of the Code for such taxable year."

PAR. 10. Section 19.131–7 is amended as follows:

(A) By amending the heading thereof to read as follows:

§ 19.131–7 *Taxes of subsidiary corporation*—(a) *Domestic corporation owning a majority of the stock of a foreign corporation.*

(B) By inserting as the third sentence thereof the following:

* * * See, however, the limitations provided in section 131 (b) and § 19.131–8.

(C) By adding at the end thereof the following:

(b) *Foreign subsidiary of foreign subsidiary of a domestic parent corporation.* In the case of any foreign corporation coming within the scope of section 131 (f) (1) and subsection (a) of this section in which such foreign corporation (hereinafter referred to as the foreign parent) owns all of the stock, except qualifying shares, of another foreign corporation (hereinafter referred to as the foreign subsidiary), the foreign parent, receiving a dividend from the foreign subsidiary, shall be deemed to have paid that proportion of the income, war-profits and excess-profits taxes actually paid by the foreign subsidiary upon or with respect to the accumulated profits of such foreign subsidiary which the amount of such dividends bears to the amount of such accumulated profits. Such tax is then taken into consideration in the determination of the amount of income, war-profits and excess-profits taxes paid or deemed to have been paid by the foreign parent upon or with respect to its own accumulated profits from which dividends were paid by such foreign parent to its domestic parent corporation.

The application of these principles in the determination of the amount of the foreign tax available as a basis for a credit to the domestic parent corporation may be illustrated by the following example:

Example. The A Company, a domestic corporation, owns a majority of the voting stock of the B Company, Ltd., a foreign corporation, which in turn owns all of the stock except qualifying shares of the C Company, Ltd., another foreign corporation. The accumulated profits of the B Company amount to $200,000 (including $25,000 dividend derived from the C Company) and the foreign income tax paid by the B Company with respect to such accumulated profits amounts to $60,000. The C Company has accumulated profits of $150,000 upon or with respect to which the foreign income, war-profits and excess-profits taxes are $45,000. A dividend of $50,000 is paid in 1942 by the B Company to the A Company and in the same year a dividend of $25,000 is paid by the C Company to the B Company. The amount of the foreign income, war-profits, and excess-profits tax of the C Company deemed to have been paid by the B Company is $\frac{\$25,000}{150,000} \times \$45,000$, or $7,500. The proportion of the foreign income tax deemed to have been paid by the A Company with respect to the accumulated profits of the B Company from which the dividend of $50,000 was paid by the B Company to the A Company equals $\frac{\$50,000}{200,000} \times (\$60,000 \text{ plus } \$7,500)$ equals $16,875.

PAR. 11. Section 19.131–8, as amended by Treasury Decision 5122, approved March 2, 1942, is further amended as follows:

(A) By striking out the first sentence and inserting in lieu thereof the following:

The amount of the income and profits taxes paid or accrued (including the taxes which, in accordance with the provisions of section 131 (f), are deemed to have been paid) during the taxable year to each foreign country or possession of the United States, limited under section 131 (b) (1) so as not to exceed that proportion of the tax against which credit is taken which the taxpayer's net income from sources within such country or possession bears to (a) his entire net income, or (b) (for taxable years beginning after December 31, 1939 and prior to January 1, 1942) the normal-tax net income in the case of a corporation, or (c) (for taxable years beginning after December 31, 1941) the sum of the normal-tax net income and the amount of the credit for adjusted excess profits net income provided in section 26 (e) in the case of a corporation, for the same taxable year, is the tentative credit in respect of the taxes paid or accrued to such country or possession.

(B) By striking out the second sentence and inserting in lieu thereof the following:

The sum of these tentative credits, limited under section 131 (b) (2) so as not to exceed the same proportion of the tax against which credit is taken which the taxpayer's net income from sources without the United States bears to (a) his entire net income, or (b) (for taxable years beginning after December 31, 1939 and prior to January 1, 1942) the normal-tax net income in the case of a corporation, or (c) (for taxable years beginning after December 31, 1941) the normal-tax net income computed without the credit for adjusted excess profits net income provided in section 26 (e) in the case of a corporation, for the same taxable year, is the amount allowable as a credit against the income tax under chapter 1 for income or profits taxes paid or accrued to foreign countries or possessions of the United States.

(C) By amending the third sentence thereof to read as follows:

In computing the tax against which the credit is taken there must, for years beginning after December 31, 1939, and before January 1, 1943, be excluded the tax, if any, imposed by section 102, and for years beginning after December 31, 1942, there must be excluded both the tax imposed by section 102 and the tax imposed by section 450.

(D) By inserting in the third paragraph from the end immediately after "December 31, 1940," the following: "and before January 1, 1942".

(E) By adding at the end thereof the following:

For years beginning after December 31, 1941, the deduction, under section 202 of the Revenue Act of 1941, amending section 23 (c), of excess profits tax imposed by subchapter E of chapter 2 is not allowed in the computation of net income for the purposes of chapter 1. However, in the determination of normal-tax net income, there is allowed as a credit against the adjusted net income the amount of income subject to the tax imposed by subchapter E of chapter 2. (Section 13 (a) (2), as amended by section 105 of the Revenue Act of 1942.) It is, therefore, provided in section 131 (b), as amended by section 158 (d) of the Revenue Act of 1942, that in the case of a domestic corporation the amount of the credit with respect to the tax paid or accrued to any country shall not exceed the same proportion of the tax imposed by chapter 1 which the corporation's net income from sources within such country bears to the entire normal-tax net income of such corporation computed without the allowance of the credit for adjusted excess profits net income. Hence, the total amount of the credit shall not exceed the same proportion of the tax imposed by chapter 1 which the corporation's net income from sources without the United States bears to the entire normal-tax net income computed without the allowance of the credit for adjusted excess profits net income. These principles may be illustrated by the following:

Example. The following facts exist for the calendar year 1942 with respect to the A Corporation which makes its income tax return on the calendar year basis:

Normal-tax net income (computed without the credit for adjusted excess profits net income)	$250,000
Less: Adjusted excess profits net income	75,000
Normal-tax net income (after credit for adjusted excess profits net income)	175,000
Net income from Country A	160,000
Foreign tax paid on Country A income	35,000
Total normal tax and surtax	70,000

COMPUTATION OF FOREIGN TAX CREDIT FOR PURPOSES OF NORMAL TAX AND SURTAX

$$\frac{100,000}{250,000}\left(\frac{\text{net income from A Country}}{\text{normal-tax net income before deducting adjusted excess profits net income}}\right) \times \$70,000 = \$28,000$$

Amount allowable as a credit $28,000

In the event that net income is derived from more than one foreign country or possession of the United States, the limitation provided in section 131 (b) (2) shall be applied based upon the taxpayer's net income from sources without the United States and the entire normal-tax net income of the corporation computed without the credit for adjusted excess profits net income.

PAR. 12. There is inserted immediately preceding section 19.142–1 the following:

SEC. 131. REDUCTION OF PERSONAL EXEMPTION AND CREDIT FOR DEPENDENTS—REQUIREMENT FOR RETURN. (Revenue Act of 1942, Title I.)

* * * * *

(c) *Return requirement.*

* * * * *

(2) *Fiduciary returns.*—Section 142 (a) (requiring returns of fiduciaries) is amended by striking out "$1,500" wherever occurring therein and inserting in lieu thereof "$1,200", and by striking out "$750" wherever occurring therein and inserting in lieu thereof "$500".

* * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 13. Section 19.142–1, as amended by Treasury Decision 5086, approved October 10, 1941, is further amended as follows:

(A) By striking from the paragraphs designated as "(c)" and "(d)" the figures "$750 ($800" wherever occurring therein and inserting in lieu thereof the following: "$500, ($750 for a taxable year beginning after December 31, 1940, and before January 1, 1942, and $800".

(B) By striking from the paragraph designated as "(c)" the figures "$1,500 ($2,000" wherever occurring therein and inserting in lieu thereof the following: "$1,200 ($1,500 for a taxable year beginning after December 31, 1940, and before January 1, 1942, and $2,000".

PAR. 14. Section 19.142–2, as amended by Treasury Decision 5011, approved September 24, 1940, is further amended by inserting before the period at the end of the first paragraph thereof the following: "(see § 19.25–3)".

PAR. 15. There is inserted immediately preceding § 19.145–1 the following:

SEC. 136. DECLARATION THAT RETURN MADE UNDER PENALTIES FOR PERJURY IN LIEU OF OATH. (Revenue Act of 1942, Title I.)

* * * * *

(b) *Penalty.* Section 145 (relating to penalties) is amended by inserting after subsection (b) the following new subsection:

(c) Any individual who willfully makes and subscribes a return which he does not believe to be true and correct as to every material matter, shall be guilty of a felony, and, upon conviction thereof, shall be subject to the penalties prescribed for perjury in section 125 of the Criminal Code.

(c) *Clerical amendments.*—Section 145 (c) is amended by striking out "(c)" and inserting in lieu thereof "(d)" and section 145 (d) is amended by striking out "(d)" and inserting in lieu thereof "(e)".

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 16. Section 19.145–1 is amended by inserting immediately before the last sentence thereof the following new sentence:

For taxable years beginning after December 31, 1941, an individual who willfully makes and subscribes a return which he does not believe to be true and correct as to every material matter, is guilty of a felony, and, if convicted may be fined not more than $2,000 and imprisoned not more than five years (see Criminal Code, section 125, 18 U. S. C. 1940 ed., 231).

PAR. 17. There is inserted immediately preceding § 19.147–1 the following:

SEC. 131. REDUCTION OF PERSONAL EXEMPTION AND CREDIT FOR DEPENDENTS—REQUIREMENT FOR RETURN. (Revenue Act of 1942, Title I.)

* * * * *

(c) *Return requirement.*—

* * * * *

(3) *Information returns.* Section 147 (a) (relating to information at the source) is amended by striking out "$750" wherever occurring therein and inserting in lieu thereof "$500".

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 18. Section 19.147–1, as amended by Treasury Decision 5086, is further amended as follows:

(A) By changing the heading of the section to read as follows:

§ 19.147–1 *Return of information as to payments of $1,000 for 1939, $800 for 1940, $750 for 1941 and $500 for years thereafter.*

(B) By changing the first sentence to read as follows:

All persons making payment to another person of fixed or determinable income of $1,000 or more in the calendar year 1939, or $800 or more in the calendar year 1940, or of $750 or more in the calendar year 1941, or of $500 or more in any subsequent year, must render a return thereof to the Commissioner for such year on or before February 15 of the following year, except as specified in §§ 19.147–3 to 19.147–5, inclusive.

PAR. 19. Section 19.147–2, as amended by Treasury Decision 5086, is further amended by changing the first sentence thereof to read as follows:

The names of all employees to whom payments of $1,000 or more a year are made during the calendar year 1939, or of $800 or more during the calendar year 1940, or of $750 or more during the calendar year 1941, or of $500 or more during a subsequent calendar year, whether such total sum is made up of wages, salaries, commissions, or compensation in any other form, must be reported.

PAR. 20. Section 19.147–3, as amended by Treasury Decision 5103, approved December 13, 1941, is further amended as follows:

(A) By changing that part of the first paragraph preceding the colon to read as follows:

Payments of the following character, although more than $1,000 during the calendar year 1939, or more than $800 during the calendar year 1940, or more than $750 during the calendar year 1941, or more than $500 during a subsequent calendar year, need not be reported in returns of information on Form 1099:

(B) By changing the paragraph designated as "(e)" to read as follows:

(e) Payments of rent made to real estate agents (but the agent must report payments to the landlord if the amount paid during the calendar year 1939 was $1,000 or more, or during the calendar year 1940 was $800 or more, or during the calendar year 1941 was $750 or more, or during a subsequent calendar year was $500 or more);

(C) By changing that paragraph designated as "(h)" to read as follows:

(h) Payments of salaries, or other compensation for personal services aggregating less than $2,500 for the calendar year 1939, or less than $2,000 for the calendar year 1940, or less than $1,500 for the calendar year 1941, or less than $1,200 for subsequent calendar years, made to a married individual (citizen or resident);

(D) By changing that paragraph designated as "(j)" to read as follows:

(j) Payments of income upon which income tax has been withheld at the source and reported on Forms 1012, 1013, 1042, or Forms V–1, V–2, and V–3; and

PAR. 21. Section 19.147–7, as amended by Treasury Decision 5086, is further amended by striking from the first sentence "within a subsequent year" and by inserting in that sentence immediately after "$750 or more" the following: "within 1941, or $500 or more within a subsequent year".

PAR. 22. Section 19.148–3, as amended by Treasury Decision 5086, is further amended by striking out "$750" in the first paragraph and inserting in lieu thereof "$500 ($750 during a calendar year prior to the calendar year 1942)".

PAR. 23. There is inserted immediately preceding § 19.204 (c)–1 the following:

SEC. 160. ALIENS AND FOREIGN CORPORATIONS TREATED AS NONRESIDENTS. (Revenue Act of 1942, Title I.)

* * * * *

(d) Section 204 (d) (relating to deductions of foreign corporations), * * * are amended by striking out "or having an office or place of business therein" wherever occurring therein.

* * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 24. There is inserted immediately preceding § 19.211–1 the following:

SEC. 106. TAX ON NONRESIDENT ALIEN INDIVIDUALS. (Revenue Act of 1942, Title I.)

(a) *Tax in general.* Section 211 (a) (1) (A) (relating to tax on nonresident alien individuals not engaged in trade or business within the United States) is amended by striking out "27½ per centum" and inserting in lieu thereof "30 per centum". The amendments made by this subsection shall apply with respect to amounts received after the ninth day after the date of the enactment of this Act regardless of whether the taxable year of the recipient begins before January 1, 1942, or after December 31, 1941.

(b) *Aggregate receipts more than $15,400.* Section 211 (a) (2) is amended to read as follows:

(2) *Aggregate more than $15,400.* The tax imposed by paragraph (1) shall not apply to any individual if the aggregate amount received during the taxable year from the sources therein specified is more than $15,400.

(c) *Tax where gross income of more than $15,400.* Section 211 (c) (relating to tax on certain nonresident alien individuals) is amended by striking out "$23,000" wherever occurring therein and inserting in lieu thereof "$15,400"; and by striking out "27½ per centum" and inserting in lieu thereof "30 percentum". In the application of the amendments made by this subsection, the rate shall be 27½ per centum with respect to the period ending with the ninth day after the date of the enactment of this Act and shall be 30 per centum with respect to the period after such day.

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

SEC. 109. TREATY OBLIGATIONS. (Revenue Act of 1942, Title I.)

No amendment made by this title shall apply in any case where its application would be contrary to any treaty obligation of the United States.

SEC. 160. ALIENS AND FOREIGN CORPORATIONS TREATED AS NONRESIDENTS. (Revenue Act of 1942, Title I.)

* * * * * *

(d) * * *, section 211 (b) (relating to nonresident alien individuals), * * * are amended by striking out "or having an office or place of business therein" wherever occurring therein.

(e) Section 211 (a) (1) and section 211 (c) (relating to the imposition of tax on nonresident aliens) * * * * are amended by striking out "and not having an office or place of business therein" wherever occurring therein.

* * * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

SEC. 167. TRANSACTIONS IN STOCK, SECURITIES, AND COMMODITIES NOT CONSIDERED ENGAGING IN TRADE OF BUSINESS IN CERTAIN CASES. (Revenue Act of 1942, Title I.)

The last sentence of section 211 (b) (relating to definition of being engaged in trade or business in the United States) is amended to read as follows: "Such phrase does not include the effecting, through a resident broker, commission agent, or custodian, of transactions in the United States in commodities (if of a kind customarily dealt in on an organized commodity exchange, if the transaction is of the kind customarily consummated at such place, and if the alien, partnership, or corporation has no office or place of business in the United States at any time during the taxable year through which or by the direction of which such transactions in commodities are effected), or in stocks or securities."

* * * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 25. Section 19.211–7, as amended by Treasury Decision 5086, is further amended as follows:

(A) By amending the first paragraph thereof to read as follows:

§ 19.211–7 *Taxation of nonresident alien individuals.* For the purposes of this section and §§ 19.212–1, 19.213–1, 19.214–1, 19.215–1, and 19.217–2, nonresident alien individuals are divided into three classes: (1) nonresident alien individuals not engaged in trade or business within the United States (or, for taxable years beginning prior to January 1, 1942, not engaged in trade or business within the United States and not having an office or place of business therein) at any time during the taxable year and deriving in the taxable year not more than $15,400 ($23,000 during a taxable year beginning after December 31, 1940, and before January 1, 1942, $24,000 during a taxable year beginning after December 31, 1939, and before January 1, 1941, and $21,600 during a taxable year beginning before January 1, 1940) gross amount of fixed or determinable annual or periodical income from sources within the United States; (2) nonresident alien individuals not engaged in trade or business within the United States (or, for years beginning prior to January 1, 1942, not engaged in trade or business within the United States and not having an office or place of business therein) at any time during the taxable year and deriving in the taxable year more than $15,400 ($23,000 during a taxable year beginning after December 31, 1940, and before January 1, 1942, $24,000 during a taxable year beginning after December 31, 1939, and before January 1, 1941, and $21,600 during a taxable year beginning before January 1, 1940) gross amount of fixed or determinable annual or periodical income from sources within the United States; and (3) nonresident alien individuals who at any time during the taxable year are engaged in trade or business in the United States (or, for taxable years beginning prior to January 1, 1942, are engaged in trade or business in the United States or have an office or place of business therein).

(B) By inserting at the end of the first paragraph of paragraph (a) the following:

Under the provisions of the tax convention between the United States and Canada (ratifications exchanged June 15, 1942) certain annuities and pensions received on and after January 1, 1941, by individual residents of Canada are exempt from tax.

(C) By amending the second paragraph of paragraph (a) to read as follows:

The fixed or determinable annual or periodical income from sources within the United States of a nonresident alien individual not engaged in trade or business within the United States (or, for taxable years beginning prior to January 1, 1942, not engaged in trade or business within the United States and not having an office or place of business therein) at any time during the taxable year and deriving in the taxable year not more than $15,400 ($23,000 during a taxable year beginning after December 31, 1940, and before January 1, 1942, $24,000 during a taxable year beginning after December 31, 1939, and before January 1, 1941, and $21,600 during a taxable year beginning before January 1, 1940) gross amount of fixed or determinable annual or periodical income from sources within the United States is taxable at the rate of 30 percent as to such income received on and after October 31, 1942 (27½ percent as to such income received after December 31, 1940, and before October 31, 1942, 16½ percent for a taxable year beginning after December 31, 1939, and before January 1, 1941 (see § 19.15–1), and 10 percent for a taxable year beginning prior to January 1, 1940), except that such rate shall be reduced, in the case of a resident of a contiguous country or, for taxable years beginning after December 31, 1940, any country in North, Central or South America, or in the West Indies or of Newfoundland, to such rate (not less than 5 percent) as may be provided by treaty with such country. (See also § 19.212–1.) Under the terms of the tax convention between the United States and Canada, signed December 30, 1936, and effective January 1, 1936, the tax at the rate of 10 percent, or 16½ percent, as the case may be, imposed by section 211 (a) was reduced to 5 percent as to items of income received prior to April 30, 1941, in the case of a nonresident alien individual who is a resident of Canada. (See paragraph 106 of the Appendix to these regulations.) Under the provisions of the tax convention between the United States and Canada (ratifications exchanged June 15, 1942) and effective January 1, 1941, the tax rates of 27½ percent or 30 percent, as the case may be, otherwise imposed by section 211 (a), were reduced to 15 percent as to items of income received on or after April 30, 1941, in the case of a nonresident alien individual who is a resident of Canada. Such convention, however, does not affect the rates of tax prescribed under the prior tax convention with Canada.

(D) By amending the heading of paragraph (b) to read as follows:

(b) *No United States business or office—Aggregate more than $15,400 ($23,000 during a taxable year beginning after December 31, 1940, and before January 1, 1942, $24,000 during a taxable year beginning after December 31, 1939, and before January 1, 1941, and $21,600 during a taxable year beginning before January 1, 1940).*

(E) By striking from paragraphs (b) and (c) wherever occurring therein "27½ percent (15 percent" and inserting in lieu thereof the following: "30 percent (27½ percent of the gross amount received after December 31, 1940, and before October 31, 1942, 15 percent".

(F) By striking out the last two sentences of paragraph (b) and inserting in lieu thereof the following:

Nonresident aliens within class (2) (other than residents of Canada) are also subject to the Victory tax imposed by section 450. A nonresident alien, a resident of Canada, within class (2) is not subject to the provisions of section 211 (c) or of this section but is subject to taxation as set forth in subsection (a) of this section regardless of the amount of his fixed or determinable annual or periodical income from sources within the United States.

(G) By striking from paragraph (c) "4 percent imposed by section 11 and the graduated surtax imposed by section 12 (b)," and inserting in lieu thereof the following: "6 percent (4 percent for taxable years beginning before January 1, 1942) imposed by section 11, the graduated surtax imposed by section 12 (b) and the Victory tax imposed by section 450."

(H) By adding at the end of the second paragraph of pararaph (c) the following:

The term "commodities" as used in section 211 (b) means only goods of a kind customarily dealt in on an organized commodity exchange, such as a grain futures or a cotton futures market, and does not include merchandise in the ordinary channels of commerce.

PAR. 26. Section 19.212–1 is amended as follows:

(A) By striking from paragraph (a) "and not having an office or place of business therein" and inserting in lieu thereof "(or, for taxable years beginning prior to January 1, 1942, not engaged in trade or business within the United States and not having an office or place of business therein)".

(B) By striking from paragraph (b) "or had an office or place of business therein" and inserting in lieu thereof the following: "(or, for taxable years beginning prior to January 1, 1942, was engaged in trade or business within the United States or had an office or place of business therein)".

(C) By striking from paragraph (b) "4 percent and the surtax" and inserting in lieu thereof the following: "6 percent (4 percent for taxable years beginning before January 1, 1942), the surtax and (for taxable years beginning after December 31, 1942) the Victory tax".

(D) By striking from paragraph (b) "or having an office or place of business therein" and inserting in lieu thereof the following: "(or, for taxable years beginning before January 1, 1942, engaged in trade or business within the United States or having an office or place of business therein)".

(E) By adding at the end of paragraph (b) the following:

The term "commodities" as used in section 211 (b) means only goods of a kind customarily dealt in on an organized commodity exchange, such as a grain futures or a cotton futures market, and does not include merchandise in the ordinary channels of commerce.

PAR. 27. Section 19.212–2 is amended as follows:

(A) By striking out "or had an office or place of business therein" and inserting in lieu thereof the following: "(or, for taxable years beginning prior to January 1, 1942, was engaged in trade or business within the United States, or had an office or place of business therein)".

(B) By striking out "and not having an office or place of business therein" and inserting in lieu thereof the following: "(or, for taxable years beginning prior to January 1, 1942, was not engaged in trade or business within the United States and had no office or place of business therein)".

PAR. 28. Section 19.213–1, as amended by Treasury Decision 5086, is further amended as follows:

(A) By amending paragraph (a) thereof to read as follows:

Deductions Allowed Nonresident Alien Individuals

(a) *No United States business or office*—(1) *General rule.* In general, a nonresident alien individual not engaged in trade or business within the United States (or, for taxable years beginning before January 1, 1942, not engaged in trade or business within the United States and not having an office or place of business therein) at any time during the taxable year is not allowed any deductions, the tax being imposed upon the amount of gross income received.

(2) *Aggregate more than $15,400 ($23,000 for a taxable year beginning after December 31, 1940, and before January 1, 1942, $24,000 for a taxable year beginning after December 31, 1939, and before January 1, 1941, and $21,600 for a taxable year beginning before January 1, 1940).* A nonresident alien individual (other than a resident of Canada) not engaged in trade or business within the United States (or, for taxable years beginning before January 1, 1942, not engaged in trade or business within the United States and not having an office or place of business therein) at any time during the taxable year and deriving for such year more than $15,400 ($23,000 for a taxable year beginning after December 31, 1940, and before January 1, 1942, $24,000 for a taxable year beginning after December 31, 1939, and before January 1, 1941, and $21,600 for a taxable year beginning before January 1, 1940) gross amount of fixed or determinable annual or periodical income from sources within the United States is allowed for such year only such deductions as are properly allocable to such income. He is also allowed the contributions or gifts made within the taxable year whether or not connected with income from sources within the United States but only if made to domestic corporations or to community chests, funds, or foundations created in the United States of the type specified in section 23 (o), or to the vocational rehabilitation fund, subject to the limitations provided in section 23 (o).

(B) By striking from paragraph (b) thereof "or had an office or place of business therein" and inserting in lieu thereof the following: "(or, for taxable years beginning before January 1, 1942, was engaged in trade or business within the United States or had an office or place of business therein)".

PAR. 29. There is inserted immediately preceding § 19.214–1 the following:

SEC. 131. REDUCTION OF PERSONAL EXEMPTION AND CREDIT FOR DEPENDENTS—REQUIREMENT FOR RETURN. (Revenue Act of 1942, Title I.)

(a) *Personal exemption.*

* * * * * *

(2) *Nonresident aliens.* Section 214 (relating to personal exemption of nonresident alien individuals) is amended to read as follows:

SEC. 214. CREDITS AGAINST NET INCOME.

In the case of a nonresident alien individual the personal exemption allowed by section 25 (b) (1) of this chapter shall, except as hereinafter provided in the case of a resident of a contiguous country, be only $500. In the case of a nonresident alien individual residing in a contiguous country who is married and living with husband or wife or who is the head of a family, the personal exemption shall be that specified in section 25 (b) if such contiguous country allows to citizens of the United States not residing in such country who are married and living with husband or wife and to citizens of the United States not residing in such country who are heads of families the same personal exemption as that allowed citizens of such country who are married and living with husband or wife or who are heads of families, as the case may be. The credit for dependents allowed by section 25 (b) (2) shall not be allowed in the case of a nonresident alien individual unless he is a resident of a contiguous country.

* * * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 30. Section 19.214–1, as amended by Treasury Decision 5086, is further amended to read as follows:

§ 19.214–1 *Credits to nonresident alien individuals*—(a) *No United States business or office*—(1) *General rule.* In general, a nonresident alien individual not engaged in trade or business in the United States (or, for taxable years beginning before January 1, 1942, not engaged in trade or business in the United States and not having an office or place of business therein) at any time during the taxable year is not allowed any credits under section 25, the tax being imposed upon the amount of gross income received.

(2) *Aggregate more than $15,400 ($23,000 for a taxable year beginning after December 31, 1940, and before January 1, 1942, $24,000 for a taxable year beginning after December 31, 1939, and before January 1, 1941, and $21,600 for a taxable year beginning before January 1, 1940).* In the case of a nonresident alien individual (other than a resident of Canada) not engaged in trade or business within the United States (or, for taxable years beginning before January 1, 1942, not engaged in trade or business within the United States and not having an office or place of business therein) at any time during the taxable year and deriving in such year gross amount of

fixed or determinable annual or periodical income from sources within the United States of more than $15,400 ($23,000 for a taxable year beginning after December 31, 1940, and before January 1, 1942, $24,000 for a taxable year beginning after December 31, 1939, and before January 1, 1941, and $21,600 for a taxable year beginning before January 1, 1940) credits allowed are those applicable in the case of nonresident alien individuals engaged in trade or business within the United States (or, for taxable years beginning before January 1, 1942, engaged in trade or business within the United States or having an office or place of business therein).

(b) *United States business or office.* In the case of a nonresident alien individual who at any time within the taxable year was engaged in trade or business within the United States (or, for taxable years beginning before January 1, 1942, was engaged in trade or business within the United States or had an office or place of business therein) the personal exemption allowed as a credit against net income by section 25 (b) (1) shall, except in the case of a resident of a contiguous country, be $500 ($750 for a taxable year beginning after December 31, 1940, and before January 1, 1942, $800 for a taxable year beginning after December 31, 1939, and before January 1, 1941, and $1,000 for a taxable year beginning before January 1, 1940), whether such alien is a single person, a married person living with husband or wife, or the head of a family. However, in the case of a resident of Canada or Mexico the same personal exemption as in the case of a citizen of the United States applies on the basis of reciprocity. If, therefore, it is established to the satisfaction of the Commissioner that the individual is married and living with husband or wife or is the head of a family, as the case may be, the personal exemption pertaining to such status will be applicable, provided that the country of which the individual is a resident, allows a citizen of the United States not residing in such country, and who is married and living with husband or wife or is the head of a family, the same personal exemption as is allowed by such country to its own citizens who occupy such status. The credit for dependents provided by section 25 (b) (2) is allowed to nonresident alien individuals who at any time within the taxable year were engaged in trade or business within the United States (or, for taxable years beginning before January 1, 1942, were engaged in trade or business within the United States or had an office or place of business therein) only if they are residents of Canada or Mexico. If the status of the taxpayer as to dependents changes during the taxable year, the credit for dependents shall be determined as provided in § 19.25–7.

PAR. 31. Section 19.215–1, as amended by Treasury Decision 5086, is further amended as follows:

(A) By striking out "and not having an office or place of business therein" wherever occurring therein and inserting in lieu thereof the following: "(or, for taxable years beginning before January 1, 1942, not engaged in trade or business within the United States and not having an office or place of business therein)".

(B) By striking out "or had an office or place of business therein" and inserting in lieu thereof the following: "(or, for taxable years beginning before January 1, 1942, was engaged in trade or business within the United States or had an office or place of business therein)".

(C) By striking out "$23,000 ($24,000" wherever occurring therein and inserting in lieu thereof the following: "$15,400 ($23,000 for a taxable year beginning after December 31, 1940, and before January 1, 1942, $24,000".

PAR. 32. Section 19.217–2 as amended by Treasury Decision 5086, is further amended as follows:

(A) By striking out "and not having an office or place of business therein" wherever occurring therein and inserting in lieu thereof the following: "(or, for taxable years beginning before January 1, 1942, not engaged in trade or business within the United States and not having an office or place of business therein)."

(B) By striking out "and not having any office or place of business therein" and inserting in lieu thereof the following: "(or, for taxable years beginning before January 1, 1942, not engaged in trade or business within the United States and not having an office or place of business therein)."

(C) By striking out "or has an office or place of business therein" and inserting in lieu thereof the following: "(or, for taxable years beginning before January 1, 1942, engaged in trade or business within the United States or has an office or place of business therein)."

(D) By striking out "or had an office or place of business therein" and inserting in lieu thereof the following: "(or, for taxable years beginning before January 1, 1942, was engaged in trade or business within the United States or had an office or place of business therein)."

(E) By striking out "$23,000 ($24,000" wherever occurring therein and inserting in lieu thereof the following: $15,400 ($23,000 for a taxable year beginning after December 31, 1940, and before January 1, 1942".

(F) By striking out "$750 ($800" and inserting in lieu thereof the following: "$500 ($750 for a taxable year beginning after December 31, 1940, and before January 1, 1942, $800".

PAR. 33. There is inserted immediately preceding section 19.219–1 the following:

SEC. 160. ALIENS AND FOREIGN CORPORATIONS TREATED AS NONRESIDENTS. (Revenue Act of 1942, Title I.)

* * * * *

(f) Section 219 (relating to nonresident alien members of partnerships) is amended by striking out "and as having an office or place of business within the United States if the partnership of which he is a member has such an office or place of business".

* * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 34. Section 19.219–1, as amended by Treasury Decision 5086, is further amended as follows:

(A) By striking out "or has an office or place of business therein" wherever occurring therein and inserting in lieu thereof the following: "(or, for taxable years beginning before January 1, 1942, engaged in trade or business within the United States or has an office or place of business therein)".

(B) By striking out "and has no office or place of business therein" and inserting in lieu thereof the following: "(or, for taxable years beginning before January 1, 1942, not engaged in trade or business within the United States and has no office or place of business therein)".

(C) By striking out "$23,000 ($24,000" and inserting in lieu thereof the following: "$15,400 ($23,000 for a taxable year beginning after December 31, 1940, and before January 1, 1942, $24,000".

PAR. 35. There is inserted immediately preceding § 19.231–1 the following:

SEC. 107. TAX ON FOREIGN CORPORATIONS. (Revenue Act of 1942, Title I.)

Section 231 (a) (relating to tax on nonresident foreign corporations) is amended by striking out "27½ per centum" and inserting in lieu thereof "30 per centum". The amendments made by this section shall apply with respect to amounts received after the ninth day after the date of the enactment of this Act regardless of whether the taxable year of the recipient begins before January 1, 1942, or after December 31, 1941.

SEC. 109. TREATY OBLIGATIONS. (Revenue Act of 1942, Title I.)

No amendment made by this title shall apply in any case where its application would be contrary to any treaty obligation of the United States.

SEC. 160. ALIENS AND FOREIGN CORPORATIONS TREATED AS NONRESIDENTS. (Revenue Act of 1942, Title I.)

* * * * *

(d) * * * section 231 (b) (relating to nonresident foreign corporations), * * * are amended by striking out "or having an office or place of business therein" wherever occurring therein.

(e) * * * section 231 (a) (relating to the imposition of tax on nonresident foreign corporations) are amended by striking out "and not having an office or place of business therein" wherever occurring therein.

* * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 36. Section 19.231–1, as amended by Treasury Decision 5086, is further amended as follows:

(A) By striking out "and not having an office or place of business therein" and inserting in lieu thereof the following: "(or, for taxable years beginning before January 1, 1942, not engaged in trade or business within the United States and not having an office or place of business therein)".

(B) By striking out "or have an office or place of business therein" and inserting in lieu thereof the following: "(or, for taxable years beginning before January 1, 1942, engaged in trade or business within the United States or have an office or place of business therein)".

(C) By striking out "27½ percent (16½" and inserting in lieu thereof the following: "30 percent as to such income received on and after October 31, 1942 (27½ percent as to such income received after December 31, 1940, and prior to October 31, 1942, 16½".

(D) By adding at the end of the third paragraph thereof the following:

Under the provisions of the tax convention between the United States and Canada (ratifications exchanged June 15, 1942) the tax rates of 27½ percent or 30 percent, as the case may be, otherwise imposed by section 231 (a) are reduced to 15 percent as to items of income received on or after January 1, 1941, in the case of such corporations organized under the laws of Canada. Such convention, however, does not affect the rate of 5 percent applicable with respect to dividends paid to such corporations before April 30, 1941, under the prior tax convention with Canada.

(E) By adding in the fourth paragraph thereof immediately after "December 31, 1940," the following: "and before January 1, 1942".

(F) By adding as the next to the last sentence of the fourth paragraph thereof the following:

However, for a taxable year beginning after December 31, 1941, a resident foreign corporation is also liable to the corporation surtax at the following rates:

(1) Upon corporation surtax net incomes of $25,000 or less, 10 percent of the amount thereof.

(2) Upon corporation surtax net incomes over $25,000 but not over $50,000, $2,500, plus 22 percent of the amount of such income in excess of $25,000.

(3) Upon corporation surtax net incomes of more than $50,000, 16 percent of the entire amount thereof.

(G) By adding at the end of the fifth paragraph thereof the following:

The term "commodities" as used in section 211 (b) means only goods of a kind customarily dealt in on an organized commodity exchange, such as a grain futures or a cotton futures market, and does not include merchandise in the ordinary channels of commerce.

PAR. 37. Section 19.231–2 is amended by striking out "or has an office or place of business therein" and inserting in lieu thereof the following: "(or, for taxable years beginning before January 1, 1942, engaged in trade or business in the United States or has an office or place of business therein)".

PAR. 38. There is inserted immediately preceding § 19.251–1 the following:

SEC. 131. REDUCTION OF PERSONAL EXEMPTION AND CREDIT FOR DEPENDENTS—REQUIREMENT FOR RETURN. (Revenue Act of 1942, Title I.)

(a) *Personal exemption.*

* * * * *

(3) *Citizens of possessions, etc.* Section 251 (f) (relating to personal exemption of citizens entitled to benefits of section 251) is amended by striking out "$750" and inserting in lieu thereof "$500".

* * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

SEC. 160. ALIENS AND FOREIGN CORPORATIONS TREATED AS NONRESIDENTS. (Revenue Act of 1942, Title I.)

* * * * *

(d) * * * section 251 (e) (relating to deductions in the case of citizens and domestic corporations entitled to the benefits of section 251) are amended by striking out "or having an office or place of business therein" wherever occurring therein.

* * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 39. There is inserted immediately preceding § 19.272–1 the following:

SEC. 168. PERIOD FOR FILING PETITION EXTENDED IN CERTAIN CASES. (Revenue Act of 1942.)

(a) *Period extended.* Section 272 (a) (1) (relating to period for filing petition with Board of Tax Appeals) is amended by inserting at the end thereof the following new sentence: "If the notice is addressed to a person outside the States of the Union and the District of Columbia, the period specified in this paragraph shall be one hundred and fifty days in lieu of ninety days."

(b) *Effective date.* The amendment made by this section shall be applicable with respect to notices of deficiency mailed after the date of the enactment of this Act.

PAR. 40. Section 19.272–1 is amended by striking out the fifth, sixth, and seventh sentences and inserting in lieu thereof the following:

Within 90 days after notice of the deficiency is mailed (or within 150 days after mailing in the case of such a notice mailed after October 21, 1942, and addressed to a person outside the States of the Union and the District of Columbia), as provided in section 272 (a), a petition may be filed with the Board of Tax Appeals (so referred to in these regulations but now designated as The Tax Court of the United States) for a redetermination of the deficiency. In determining such 90-day or 150-day period, Sunday or a legal holiday in the District of Columbia is not to be counted as the 90th or 150th day. Except as stated in paragraphs (1), (2), (3), (4), and (5) of this section, no assessment of a deficiency in respect of a tax imposed by chapter 1 shall be made until such notice has been mailed to the taxpayer, nor until the expiration of such 90-day or 150-day period, nor, if a petition has been filed with the Board, until the decision of the Board has become final.

PAR. 41. Section 19.273–1 is amended as follows:

(A) By striking out the third sentence of the second paragraph and inserting in lieu thereof the following:

The taxpayer may file a petition with the Board for a redetermination of the amount of the deficiency within 90 days after such notice is mailed (or within 150 days after mailing in the case of such a notice mailed after October 21, 1942, and addressed to a person outside the States of the Union and the District of Columbia) not counting Sunday or a legal holiday in the District of Columbia as the 90th or 150th day.

(B) By inserting immediately after "90-day", wherever occurring in the third paragraph, the words "or 150-day".

PAR. 42. Section 19.312–1 is amended by striking out the third sentence of the second paragraph and inserting in lieu thereof the following:

Under such circumstances if no petition is filed with the Board of Tax Appeals within 90 days after the mailing of the notice (or within 150 days after mailing in the case of such a notice mailed after October 21, 1942, and addressed to a person outside the States of the Union and the District of Columbia) to the taxpayer, transferee, or other person, the tax, or liability under section 311, will be assessed immediately upon the expiration of such 90-day or 150-day period, and demand for payment will be made by the collector.

PAR. 43. There is inserted immediately preceding § 19.3797–1 the following:

SEC. 511. DEFINITION OF MILITARY OR NAVAL FORCES OF THE UNITED STATES. (Revenue Act of 1942, Title V.)

Section 3797 (a) (15) is amended to read as follows:

(15) *Military or naval forces of the United States.*—The term "military or naval forces of the United States" includes the Marine Corps, the Coast Guard, the Army Nurse Corps, Female, the Women's Army Auxiliary Corps, the Navy Nurse Corps, Female, and the Women's Reserve branch of the Naval Reserve.

PAR. 44. Section 19.3797–8 is amended by striking out the third and fourth sentences and inserting in lieu thereof the following:

A foreign corporation engaged in trade or business within the United States (or, for years beginning before January 1, 1942, engaged in trade or business within the United States or having an office or place of business therein) is referred to in these regulations as a resident foreign corporation and a foreign corporation not engaged in trade or business within the United States (or, for taxable years beginning before January 1, 1942, not engaged in trade or business within the United States and not having any office or place of business therein) as a nonresident foreign corporation. A partnership engaged in trade or business within the United States (or, for taxable years beginning before January 1, 1942, engaged in trade or business within the United States or having an office or place of business therein) is referred to in these regulations as a resident partnership, and a partnership not engaged in trade or business within the United States (or, for taxable years beginning before January 1, 1942, not engaged in trade or business within the United States and not having any office or place of business therein) as a nonresident partnership.

PAR. 45. There is inserted immediately after § 19.3797–10 a new section to read as follows:

§ 19.3797–11 *Military or naval forces of the United States.* The term "military or naval forces of the United States" is defined in section 3797 (a) (15). The term includes, among other organizations, the Coast Guard, which in turn includes the Coast Guard Reserve, of which the Women's Reserve is a branch. The definition in section 3797 (a) (15) is inclusive only and not exclusive.

(Secs. 106, 107, 109, 124 (b), 131 (a) (2) and (3), 131 (c) (2) and (3), 136 (b) and (c), 154 (a), 157, 158 (a), (d), (e), and (f), 160 (c), (d), (e), and (f), 167, 168, and 511 of the Revenue Act of 1942 (Public Law 753, 77th Congress) and section 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C., 1940 ed., 62))

[SEAL] NORMAN D. CANN,
Acting Commissioner of Internal Revenue.

Approved: February 10, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43–2294; Filed, February 12, 1943; 11:03 a. m.]

[T.D. 5227]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

CREDIT FOR DIVIDENDS PAID ON CERTAIN PREFERRED STOCK

In order to conform Regulations 103 [Part 19, Title 26, Code of Federal Regulations, 1940 Sup.] to section 133 of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 19.26–1 the following:

SEC. 133. CREDIT FOR DIVIDENDS PAID ON CERTAIN PREFERRED STOCK. (Revenue Act of 1942, Title I.)

Section 26 is amended by inserting at the end thereof the following new subsection:

(h) *Credit for dividends paid on certain preferred stock.*

(1) *Amount of credit.* In the case of a public utility, the amount of dividends paid during the taxable year on its preferred stock. The credit provided in this subsection shall be subtracted from the basic surtax credit provided in section 27.

(2) *Definitions.* As used in this subsection and section 15 (a)—

(A) *Public utility.* The term "public utility" means a corporation engaged in the furnishing of telephone service or in the sale of electric energy, gas, or water, if the rates for such furnishing or sale, as the case may be, have been established or approved by a State or political subdivision thereof or by an agency or instrumentality of the United States or by a public utility or public service commission or other similar body of the District of Columbia or of any State or political subdivision thereof.

(B) *Preferred stock.* The term "preferred stock" means stock issued prior to October 1, 1942, which during the whole of the taxable year (or the part of the taxable year after its issue) was stock the dividends in respect of which were cumulative, limited to the same amount, and payable in preference to the payment of dividends on other stock.

PAR. 2. There is inserted immediately following § 19.26–4 the following:

§ 19.26–5 *Credit for dividends paid on preferred stock of public utilities.* The credit provided in section 26 (h) is an amount equal to the dividends paid during the taxable year by certain public utility corporations on certain classes of preferred stock. As used in this section, the term public utility means a corporation engaged in the furnishing of telephone service, or in the sale of electric energy, gas, or water if the rates charged by such corporation for such furnishing or sale, as the case may be, have been established or approved by a State or political subdivision thereof or by an agency or instrumentality of the United States or by a public utility or public service commission or other similar body of the District of Columbia or of any State or political subdivision thereof. If a schedule of rates has been filed with any of the above bodies having the power to disapprove such rates, then such rates shall be considered as established or approved rates even though such body has taken no action on the filed schedule. Rates fixed by contract between the corporation and the purchaser, except where the purchaser is the United States, a State, the District of Columbia, or an agency or political subdivision of the United States, a State, or the District of Columbia, shall not be considered as established or approved rates in those cases where they are not subject to direct control, or where no maximum rate for such contract rates has been established, by the United States, a State, the District of Columbia, or by an agency or political subdivision thereof. The credit provided in section 26 (h) will not be denied solely because part of the gross income of the corporation consists of revenue derived from such furnishing or sale at rates which are not so regulated, provided the corporation establishes to the satisfaction of the Commissioner (1) that the revenue from regulated rates and the revenue from unregulated rates are derived from the operation of a single interconnected and coordinated system within a single area or region, in one or more states and (2) that the regulation to which it is subject in part of its operating territory is effective to control rates within the unregulated territory so that the rates within the unregulated territory have been and are substantially as favorable to users and consumers as are the rates within the regulated territory.

For the purpose of section 26 (h) preferred stock means stock which was issued prior to October 1, 1942, and which during the whole of the taxable year (or the part of the taxable year after its issue) was stock the dividends in respect of which were cumulative, nonparticipating as to earnings or profits either currently or in liquidation, and payable in preference to the payment of dividends on other stock. If the stock has a par or stated value its share in any distribution in liquidation must be limited to the par or stated value of the stock plus any accumulated unpaid dividends. In addition, the preferred stock must be such that the rate of return is fixed and cannot be changed by a vote of the board of directors or by some similar method. However, if there are several classes of preferred stock, all of which meet the above requirements, the credit provided in section 26 (h) shall not be denied in the case of a given class of preferred stock merely because there is another class of preferred stock whose dividends are to be paid before those of the given class of stock. Likewise, it is immaterial for the purposes of this section whether the stock be voting or non-voting stock.

The amount allowable as a credit under section 26 (h) shall be subtracted from the basic surtax credit otherwise computed under section 27 (b).

(Sec. 133 of the Revenue Act of 1942 (Pub. Law 753, 77th Cong.), and sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C., 1940 ed., 62))

[SEAL] NORMAN D. CANN,
Acting Commissioner of Internal Revenue.

Approved: February 10, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43–2295; Filed, February 12, 1943; 11:03 a. m.]

TITLE 29—LABOR

Chapter IV—Children's Bureau

[Amendment of Hazardous-Occupations Order 1]

PART 422—OCCUPATIONS PARTICULARLY HAZARDOUS FOR THE EMPLOYMENT OF MINORS BETWEEN 16 AND 18 YEARS OF AGE OR DETRIMENTAL TO THEIR HEALTH OR WELL BEING

By virtue of and pursuant to the authority conferred by section 3 (l) of the Fair Labor Standards Act of 1938; an amendment to Hazardous-Occupations Order No. 1 having been proposed for final adoption by the Chief of the Children's Bureau; opportunity having been given to all interested parties to file objections thereto within 20 days from the date of publication of said proposed order in the FEDERAL REGISTER; no such objections having been filed; and sufficient reason appearing for the final adoption of said proposed order with minor changes therein,

Now, therefore, It is ordered, That § 422.1 of Part 422 of Chapter IV, Title 29, Code of Federal Regulations, is hereby amended to read as follows:

§ 422.1 *Occupations in or about plants manufacturing explosives or articles containing explosive components*—(a) *Finding and declaration of fact.*—The following occupations in or about plants manufacturing explosives or articles containing explosive components are particularly hazardous for minors between 16 and 18 years of age:

(1) All occupations in or about any plant manufacturing explosives or articles containing explosive components except plants manufacturing small-arms ammunition not exceeding .50 caliber in size, shotgun shells, or blasting caps when manufactured in conjunction with small-arms ammunition.

(2) The following occupations in or about any plant manufacturing small-arms ammunition not exceeding .50 caliber in size, shotgun shells, or blasting caps when manufactured in conjunction with small-arms ammunition:

(i) All occupations involved in the manufacturing, mixing, transporting, or handling of explosive compounds and all other occupations requiring the performance of any duties in the explosives area in which explosive compounds are manufactured or mixed.

(ii) All occupations involved in the manufacturing, transporting, or handling of primers and all other occupations requiring the performance of any duties in the same building in which primers are manufactured.

(iii) All occupations involved in the priming of cartridges and all other occupations requiring the performance of any duties in the same workroom in which rim-fire cartridges are primed.

(iv) All occupations involved in the plate loading of cartridges and in the operation of automatic loading machines.

(v) All occupations involved in the loading, inspecting, packing, and shipping of blasting caps.

(b) *Definitions.* For the purpose of this order:

(1) The term "plant manufacturing explosives or articles containing explosive components" means the land with all buildings and other structures thereon, used in connection with the manufacturing or processing of explosives or articles containing explosive components.

(2) The terms "explosives" and "articles containing explosive components" mean and include ammunition, black powder, blasting caps, fireworks, high explosives, primers, smokeless powder, and all goods classified and defined as explosives by the Interstate Commerce Commission in "Regulations for Transportation by Rail of Explosives, etc," as amended, Docket 3666, issued pursuant to the Act of March 4, 1921 (c. 172, 41 Stat. 1444, U.S. Code tit. 18, sec. 382).

(c) This order shall not justify noncompliance with any Federal or State law or municipal ordinance establishing a higher standard than the standard established herein.

(d) This amendment shall become effective upon publication in the FEDERAL REGISTER.

KATHARINE F. LENROOT,
Chief of the Children's Bureau.

[F. R. Doc. 43–2319; Filed, February 12, 1943; 11:48 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1826]

PART 321—MINIMUM PRICE SCHEDULE, DISTRICT NO. 1

ORDER GRANTING TEMPORARY RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 1 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 1 and for a change in shipping point for the coals of Mine Index No. 125.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 1 and requesting a change in shipping point for the coals of Mine Index No. 125 also located in District No. 1; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows:

Commencing forthwith § 321.7 *(Alphabetical list of code members)* is amended

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 1

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 321, Minimum Price Schedule for District No. 1 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 321.7 *Alphabetical list of code members*—Supplement R

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group numbers]

Mine index number	Code number	Mine name	Subdistrict No.	Seam	Shipping point	Railroad	Freight origin group No.	1	2	3	4	5
3889	Bilose, G. C.	Beryl	6	B	Punxsutawney, Pa.	PRR	50	(1)	(1)	F	(1)	(1)
3888	Bilose, G. C.	Williams #2	6	H	Punxsutawney, Pa.	PRR	50	(1)	(1)	F	(1)	(1)
1824	B. & C. Coal Company	Case	4	B	Reidsburg, Pa.	NYC	30	G	G	(*)	H	H
1150	Griffith Estate, E. W.	E. W. Griffith Estate Mine.	29	B	Johnstown, Pa.	J&SC	48	(1)	(1)	(*)	F	(1)
3797	Griffith Estate, E. W.	Grove #4	29	C	Johnstown, Pa.	J&SC	48	(1)	(1)	(*)	E	(*)
98	Hawk Run Coal Mining Co.	Coaldale #26	3	A	Hawk Run, Pa.	NYC	44	H	(1)	(*)	(*)	(*)
3462	Hawk Run Coal Mining Co.	Coaldale #26 B	5	B	Hawk Run, Pa.	NYC	44	H	(1)	(*)	(*)	(*)
125	Morrisdale Coal Mining Co.	{Conard Slope, Tdabelle	8	B	{Morrisdale, Pa. Hawk Run, Pa.	{NYC PRR	44	D	D	D	D	D
1196	Mountain Fuel Company (Fred M. McIntyre)	Riddle #1	23	E	Homer City, Pa.	PRR	81	G	G	G	G	G
3504	Riddle & Riddle (Harry E.)	Riddle #1	7	B	Grampian, Pa.	PRR	45	F	(1)	(*)	F	(1)
3886	Schwarz Coal Co., R. R.	Belfast #15	5	A	Philipsburg, Pa.	NYC	41	(1)	(1)	H	(1)	(1)
3887	Schwarz Coal Co., R. R.	Belfast #16	5	A	Philipsburg, Pa.	NYC	41	(1)	(1)	H	(1)	(1)
3910	Wolf-O-Lack Coal Company (Geo. W. Wolf)	Louw Wolf A (S)	4	A	Reidsburg, Pa.	NYC	30	(1)	(1)	G	H	(1)
3911	Wolf-O-Lack Coal Company (Geo. W. Wolf)	Louw Wolf E (S).	4	D	Reidsburg, Pa.	NYC	30	(1)	(1)	G	H	(1)

(1) Indicates no classification effective for these size groups.
(*) Indicates coal in this size group previously classified and priced.
(') Indicates additional shipping point.

FOR TRUCK SHIPMENTS

§ 321.24 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine Index No.	Mine	Sub-district No.	County	Seam	All lumps coal double screened (lump size 2" and over	Double screened top size 2" and under	Run of mine modified R/M	2" and under slack	¾" and under slack
						1	2	3	4	5
Blose, G. C.	3389	Beryl	6	Jefferson	E	(†)	(†)	240	(†)	(†)
Blose, G. C.	3888	William #2	6	Jefferson	B	(†)	(†)	240	(†)	(†)
Bookamyre Coal Co. (S. L. Haer)	3878	Bookamyre	15	Indiana	E	(†)	(†)	245	(†)	(†)
Borger, Alfred & Doyle (Alfred Borger).	3890	Borger	9	Centre	D	(†)	(†)	250	(†)	(†)
Griffith Estate Mine, E. W.	1450	E. W. Griffith Estate.	29	Cambria	B	(†)	(†)	(*)	230	(†)
Griffith Estate Mine, E. W.	3797	Grove #1	29	Cambria	C	(†)	(†)	(*)	235	(*)
Hawk Run Coal Mining Co.	98	Coaldale #26	8	Centre	A	255	(†)	(*)	(*)	(*)
Hawk Run Coal Mining Co.	3462	Coaldale #26-B	8	Centre	B	255	(†)	(*)	(*)	(*)
Nau Coal Co. (William Nau)	3885	Nau	32	Somerset	B	(†)	(†)	240	(†)	(†)
Riddle & Riddle (Harry E. Riddle)	3594	Riddle #1	7	Clearfield	B	265	(†)	(*)	230	(†)
Schnars Coal Co., R. B.	3886	Belfast #15	8	Centre	A	(†)	(†)	230	(†)	(†)
Schnars Coal Co., R. B.	3887	Belfast #16	8	Centre	A	(†)	(†)	230	(†)	(†)
Spangler, Frank & Wilson Duppstadt (Frank Spangler).	3852	Duppstadt	41	Somerset	D	(†)	(†)	240	(†)	(†)
Thompson, Orin S.	3877	Deer Creek #1	8	Clearfield	B	(†)	(†)	250	(†)	(†)
Walker, Thomas	3801	Anderson	2	McKean	Alton	(†)	(†)	240	(†)	(†)
Wolf-O-Lack Coal Company (Geo. W. Wolf).	3010	Lone Wolf A (S)	4	Clarion	A'	260	235	235	230	210
Wolf-O-Lack Coal Company (Geo. W. Wolf).	3011	Lone Wolf E (S).	4	Clarion	D	260	235	235	230	210

†Indicates no classification effective for these size groups.
*Indicates coal in this size group previously classified and priced.

[F. R. Doc. 43-2239, Filed, February 11, 1943; 11:13 a. m.]

[Docket Nos. A-1822 and A-1823]

PART 327—MINIMUM PRICE SCHEDULE, DISTRICT NO. 7

ORDER GRANTING RELIEF, ETC.

Order consolidating matters and granting temporary and conditionally providing for final relief in the matter of the petitions of District Board No. 7 for a change in shipping points for the coals of certain mines located in District No. 7.

Original petitions, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting that the shipping point for the coals produced at the Penman Mine, Mine Index No. 140, of the Beckley Fire Creek Coal Company be changed from Lanark, West Virginia to Penman, West Virginia, and that the shipping point for the coals produced at the Laurel Creek Mine, Mine Index No. 219, of the Greenbrier Smokeless Coal Company, be changed from McRoss, West Virginia to Reese, West Virginia; and

It appearing that the petitions filed herein should be consolidated; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That the petitions filed herein be, and the same hereby are, consolidated.

It is further ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 327.11 (*Low volatile coals: Alphabetical list of code members*) is amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: January 23, 1943.

[SEAL] DAN H. WHEELER, *Director*.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 7

FOR ALL SHIPMENTS EXCEPT TRUCK

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 327, Minimum Price Schedule for District No. 7 and supplements thereto.

§ 327.11 *Low volatile coals: Alphabetical list of code members*—Supplement R

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	Sub-dist. No.	Low volatile seam	Shipping point	Railroad	Freight origin group Nos.	Price classification by size group No.									
								1	2	3	4	5	6	7	8	9	10
140	Beckley Fire Creek Coal Co.	Penman	2	Beckley & Fire Creek	Penman, W. Va.[1]	C&O	10	A	A	A	A	A	B	B	B	B	B
219	Greenbrier Smokeless Coal Co.	Laurel Creek	1	Fire Creek	Reese, W. Va.[1]	N.F.&G.	19	D	(†)	(†)	(†)	(†)	B	B	B	B	B

†When shown under a Size Group Number, this symbol indicates no classification effective for this size group.
[1] Denotes change in shipping point. Shipping point at Lanark, W. Va., shall no longer be applicable.
[2] Denotes change in shipping point, railroad and Freight Origin Group. Shipping point at McRoss, W. Va., on the C&O-NYC in Freight Origin Group 17 shall no longer be applicable.

[F. R. Doc. 43-2240; Filed, February 11, 1943; 11:13 a. m.]

[Docket No. A-1787]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices and for changes in freight origin group numbers and shipping points for the coals of certain mines in District No. 8.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines located in District No. 8 for rail and truck shipments, respectively, and changes in Freight Origin Group Numbers and shipping points for the coals of certain mines located in District No. 8 for rail shipments;

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 328.11 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 328.34 (*General prices for high volatile coals in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof, and, commencing forthwith, the Freight Origin Group Numbers and shipping points appearing in the aforesaid Supplement R for certain mines mentioned therein are effective in place of the Freight Origin Group Numbers and shipping points heretofore established for these mines.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: January 27, 1943.

[SEAL] DAN H. WHEELER, *Director*.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 8

FOR ALL SHIPMENTS EXCEPT TRUCK

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No. 8 and supplements thereto.

§ 328.11 *Alphabetical list of code members*—Supplement R

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

| Mine Index No. | Code member | Mine name | High volatile seam | Sub-district No. | Shipping point | Railroad | Freight origin group No. | Price classifications by size group Nos. For destinations other than Great Lakes | | | | | | | | |

§ 328.11 *Alphabetical list of code members*—Supplement R—Continued

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine Index No.	Code member	Mine name	High volatile seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Price classifications by size group Nos. For destinations other than Great Lakes: 1 2	3 4	5 6	7	8	9	10	11 12 13 14	15 16 17	18 19 20 21	22	23	24	25	26	27	For Great Lakes cargo only: 1 2	3 4	5 6	7	8	9	10	16 17	18 19 20 21	22	24	25	26	27
776	Rogers, C. E	Rogers No. 1	Sand Gap	6	Richmond, Ky.[10]	L&N	111	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(†)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)
5835	Salyer, I. C	Salyers No. 1	No. 3	6	Cumberland Falls, Ky.	CNO&TP	171	O	O	M	L	H	F	H	D	E	K	(†)	(†)	(†)	(†)	(†)	(†)	O	O	M	H	F	F	H	N	K	(†)	(†)	(†)	(†)	(†)
627	Shackleford, Roscoe	Shackleford	Hazard No. 4 Rider.	3	Barwick, Ky.	L&N	100	(*)	(*)	(†)	(†)	(†)	(†)	F	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(*)	(*)	(†)	(†)	(†)	(†)	(†)
5874	Thompson & Whitaker (Fred W. Thompson).	Clift Spring No. 1	Bon Air No. 2	6	Obey City, Tenn.	TC	210	P	P	M	L	K	J	M	H	G	O	(†)	(†)	(†)	(†)	(†)	(†)	P	O	M	H	F	F	M	Q	O	(†)	(†)	(†)	(†)	(†)
5815	Twinton Coal Co. (O. N. Brown).	Twinton	Bon Air No. 2	6	Crawford, Tenn.	TC	210	P	P	M	L	K	J	M	H	G	O	(†)	(†)	(†)	(†)	(†)	(†)	P	O	M	H	F	F	M	Q	O	(†)	(†)	(†)	(†)	(†)
806	Vermillion, C. C	Wister	Blue Gem	6	Jellico, Tenn.[1]	L&N & Sou	113	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(†)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)
5842	Williams, Joe & Claud Wynn (Joe Williams).	Williams & Wynn.	Kelhoka	2	Evarts, Ky.	L&N	80	Q	Q	L	K	H	F	D	D	E	K	(†)	(†)	(†)	(†)	(†)	(†)	P	M	L	G	E	D	D	N	K	(†)	(†)	(†)	(†)	(†)
5748	Williams, Walter	Williams	Lower Cedar Grove.	8	West Gilbert, W. Va.	C&O	150	O	O	L	K	H	F	H	D	D	F	(†)	(†)	(†)	(†)	(†)	D	O	N	L	G	D	D	H	M	F	(†)	(†)	(†)	(†)	D
2018	Wyatt, H. L. & Oril Copeland (H. L. Wyatt).	Wyatt & Copeland.	Isoline	6	Campbell Jct., Tenn.	TO	72	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)	(†)	(†)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(†)	(†)	(†)	(†)	(†)
1679	Yeary, Tip	Dixie Gem	Hignite	6	Kelos, Ky.	L&N & Sou	113	H	H	F	E	E	C	E	D	D	K	(†)	(†)	(†)	(†)	(†)	(†)	H	H	F	C	B	C	E	M	K	(†)	(†)	(†)	(†)	(†)

[1] Mine Index No. 5760, originally assigned to this mine, shall no longer be applicable.
[2] Denotes new shipping point and Freight Origin Group. Shipping point at Heller, Ky., on C&O Railroad, in Freight Origin Group No. 61 shall no longer be applicable.
[4] Denotes new shipping point. Shipping point at Wilder, Tennessee shall no longer be applicable.
[5] Denotes new shipping point and Freight Origin Group. Shipping point at Clearfield, Ky., on M&NF Railroad in Freight Origin Group No. 64, shall no longer be applicable.
[6] Denotes new shipping point. Shipping point at Light, W. Va. shall no longer be applicable.
[8] Denotes new shipping point and Freight Origin Group. Shipping point at Robbins, Tenn., on CNO&TP in Freight Origin Group No. 70 shall no longer be applicable.
[9] Denotes new shipping point and Freight Origin Group. Shipping point at Robbins, Tenn., on CNO&TP Railroad in Freight Origin Group No. 70 shall no longer be applicable.
[9] Denotes new shipping point and Freight Origin Group. Shipping point at New River or Robbins, Tenn. on CNO&TP Railroad in Freight Origin Group No. 70, shall no longer be applicable.
[4] Denotes new shipping point and Freight Origin Group. Shipping point at Robbins, Tenn. on CNO&TP Railroad in Freight Origin Group No. 70 shall no longer be applicable.
[10] Denotes new shipping point. Shipping point at Berea, Kentucky, shall no longer be applicable.
[11] Denotes new shipping and Freight Origin Group. Shipping point at Wister, Ky., on L&N Railroad in Freight Origin Group No. 111 shall no longer be applicable.
[12] Mine Index No. 5804, originally assigned to this mine, shall no longer be applicable.
(†) Indicates no classification effective for these size groups.
(*) Indicates previously classified these size groups.

FOR TRUCK SHIPMENTS

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine	Mine index No.	Seam	Base sizes: Lump over 2" 4" x 6"	Lump 2" and under, exc 3" x 6"	Lump ¾" and under	Egg 2" x 4", exc 2" x 3"	Stove 3" and under, nut 2" and under	Straight mine run	2" and under, slack	¾" and under, slack
				1	2	3	4	5	6	7	8
SUBDISTRICT NO. 1—BIG SANDY—ELKHORN											
BOYD COUNTY, KY.											
Huddleston, Arthur	Huddleston No. 1	5810	No. 7	285	265	250	240	225	220	170	165
GREENUP COUNTY, KY.											
Adams, Allen	Adams No. 2	[illegible]	[illegible]	285	265	250	240	225	220	170	165
Shaw, Irvin P	Wynnum	[illegible]	No. [illegible]	285	265	250	240	225	220	170	165

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T—Continued

Code member index	Mine	Mine index No.	Seam	Base sizes: Lump over 2" 4" x 6"	Lump 2" and under, exc 3" x 6"	Lump ¾" and under	Egg 2" x 4", exc 2" x 3"	Stove 3" and under, nut 2" and under	Straight mine run	2" and under, slack	¾" and under, slack
				1	2	3	4	5	6	7	8
SUBDISTRICT—NO. 1 BIG SANDY—ELKHORN—Con											
LAWRENCE COUNTY, KY.											
Thompson, Milton	Thompson	5831	McHenry	285	265	250	240	225	220	170	165
Robinett, Milt	Gussler	5847	McHenry	285	265	250	240	225	220	170	165
SUBDISTRICT NO. 2—HARLAN											
HARLAN COUNTY, KY.											
Crack, H. F	Orik	5[illegible]	Main	[illegible]	270	245	230	240	225	195	190
Williams Joe & Claud Wynn (Joe Williams)	Williams-Wynnum	5842	Kelhoka	[illegible]	265	240	225	235	220	170	170

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T—Continued

Code member index	Mine	Mine index No.	Seam	Base sizes: Lump over 2" 4" x 6"	Lump 2" and under, exc 3" x 6"	Lump ¾" and under	Egg 2" x 4", exc 2" x 3"	Stove 3" and under, nut 2" and under	Straight mine run	2" and under, slack	¾" and under, slack
				1	2	3	4	5	6	7	8
SUBDISTRICT NO. 3—HAZARD											
BREATHITT COUNTY, KY.											
Clem, Wm	Clem	5849	Knob	285	265	250	235	210	220	165	160
Thompson, W. W	Miller	5816	Hazard No. 4	285	265	250	235	210	220	165	160
LETCHER COUNTY, KY.											
Parsons, Zion	Zion Parsons	5806	"A"	290	270	245	250	230	235	195	190
Richardson, Tom	Richardson	5853	Elkhorn	205	275	240	240	225	230	180	175
WOLFE COUNTY, KY.											
Kincaid, Osie & Brack Centers (Osie Kincaid)	Bush No. 1	5818		285	265	250	240	225	220	170	165
Miller, John A	Miller	5708	Creek	285	265	250	240	225	220	170	165
SUBDISTRICT NO. 4—KANAWHA											
BOONE COUNTY, W. VA.											
Comer, O. E. (O. E. Comer Coal Co.)	Short Creek	5705	No. 2 Gas	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
SUBDISTRICT NO. 6—SOUTHERN APPALACHIAN											
KNOX COUNTY, KY.											
Brooks & Williams (Johnson Brooks)	B. & W	5861	Dean	295	275	260	250	235	250	165	160
Jackson, Scott B	Jackson	5847	Blue Gem	355	335	275	280	245	245	165	160
McWilliams, R. D	McWilliams	5802	Jellico	275	255	245	245	225	235	175	170
Shelton, Ed	Martin	5764	Blue Gem	355	335	255	280	245	245	165	160
MCCREARY COUNTY, KY											
Salyer, I. C	Salyers No. 1	5835	No. 3	275	255	235	230	220	225	175	170
PULASKI COUNTY, KY.											
Waddle & Barnes (Lloyd Waddle)	Waddle & Barnes	5851	No. 3	285	265	240	240	225	230	175	170
WAYNE COUNTY, KY.											
Barnett, Rufus	Koontz	5807	No. 3	275	255	235	230	220	225	175	170
Barnett, Shelby	Barnett	5800	No. 3	275	255	235	230	220	225	175	170
WHITLEY COUNTY, KY.											
Loy, Nathan	Loy	5813	River Gem	295	275	240	250	235	250	165	160
Roaden, R. L	Roaden	5802	Blue Gem	355	335	255	280	245	245	165	160
ANDERSON COUNTY, TENN.											
White, J. C. & Harley Nelson (J. C. White)	White & Nelson	5833	Coal Creek	275	255	245	250	225	235	165	160

[3] Mine Index No. 5760, originally assigned to this mine, shall no longer be applicable.
(*) Indicates previously classified these size groups.

§ 328.34 *General prices for high volatile coals in cents per net ton for shipment into all market areas*—Supplement T—Continued

Code member index	Mine	Mine index no.	Seam	Base sizes: Lump over 2" 4" x 6"	Lump 2" and under, exc 3" x 6"	Lump ¾" and under	Egg 2" x 4", exc 2" x 3"	Stove 3" and under, nut 2" and under	Straight mine run	2" and under, slack	¾" and under, slack
				1	2	3	4	5	6	7	8
SUBDISTRICT NO. 6—SOUTHERN APPALACHIAN—Continued											
CAMPBELL COUNTY, TENN.											
Baird, Miller (Miller Baird Coal Company)	Miller Baird No. 2	5811	Rex	315	295	250	265	235	220	165	160
Douglas, John H	John H. Douglas	5856	Blue Gem	355	335	255	280	245	245	165	160
CUMBERLAND COUNTY, TENN.											
Wyatt, H. L. & Oril Copeland (H. L. Wyatt)	Wyatt & Copeland	[2]2018	Isoline	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
FENTRESS COUNTY, TENN.											
Dixon & Bilbrey (John H. Dixon)	Dixon & Bilbrey	5871	Bon Air No. 2	270	250	225	230	205	215	155	150
Ford, Benton	Ford No. 1	5803	Bon Air No. 2	270	250	225	230	205	215	155	150
OVERTON COUNTY, TENN.											
Thompson & Whitaker (Fred W. Thompson)	Clift Spring No. 1	5834	Bon Air No. 2	270	250	225	230	205	215	155	150
Twinton Coal Co. (O. N. Brown)	Twinton	5815	Bon Air No. 2	270	250	225	230	205	215	155	150
PICKETT COUNTY, TENN.											
Owens, Albert	Upchurch	5890	Bon Air No. 2	270	250	225	230	205	215	155	150
ROANE COUNTY, TENN.											
Green, C. A	Fanback	5812	Sewanee	275	255	245	250	225	235	165	160
SCOTT COUNTY, TENN.											
Phillips, L. C	Phillips	5897	Paint Rock	275	255	235	230	220	225	175	170
SUBDISTRICT NO. 7—VIRGINIA											
LEE COUNTY, VA											
Rhymer, Walter	Kirks	5851	No. 3	285	265	235	240	225	225	175	170
WISE COUNTY, VA.											
Christie Coal Co	Christie "E"	5875	Dorchester	(†)	(†)	240	(†)	(†)	230	(†)	(†)
SUBDISTRICT NO. 8—WILLIAMSON											
BUCHANAN COUNTY, VA											
Horne, Earnest M	Horne	5832	Lower Banner	285	265	240	240	235	230	175	170
Webb, Roy	Roy Webb	5872	Jawbone	285	265	240	240	235	230	175	170
MINGO COUNTY, W. VA.											
Fitzpatrick, Frank	Marrowbone Fuel Co.	5863	Warfield	265	245	230	220	205	220	160	155
Hodge, Jake	Breeden	5864	No. 5 Block	265	245	225	230	205	215	165	160
Williams, Walter	Williams	5748	Lower Cedar Grove	275	255	240	245	220	230	195	190
WAYNE COUNTY, W. VA.											
Richardson, Ardist	Loco	5809	No. 5 Block	265	245	225	230	205	215	165	160

[3] Mine Index No. 5694, originally assigned to this mine, shall no longer be applicable.
(†) Indicates no classification effective for these size groups.
(*) Indicates previously classified these size groups.

[F R Doc 43-2241; Filed, February 11, 1943, 11:13 a m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service

Subchapter A—Bureau of Accounts

[1943, 3d Supp. to Dept. Circ. 195]

PART 208—PUBLIC MONEYS AND OFFICIAL CHECKS OF UNITED STATES DISBURSING OFFICERS

NOTICE OF CESSATION OF CAPACITY TO ACT IN CAPACITY OF DISBURSING OFFICER

JANUARY 22, 1943.

Section 208.14 of Part 208, Subchapter A, Chapter II, Title 31, of the Code of Federal Regulations of the United States of America (appearing also as paragraph 14 of Treasury Department Circular No. 195, dated January 24, 1921, as amended) is hereby amended to read as follows:

§ 208.14 *When disbursing officer ceases to act in that capacity; notice to Secretary of Treasury.* Whenever any disbursing officer of the United States shall cease to act in that capacity, he shall at once so inform the Treasurer of the United States. (R.S. 161; 5 U.S.C. 22; apply R.S. 3620, sec. 1, 19 Stat. 249, sec. 1, 41 Stat. 654, 655; 31 U.S.C. 492)

It will no longer be necessary for disbursing officers who have been relieved of disbursing duties to transmit to the Secretary of the Treasury, Division of Bookkeeping and Warrants, a list of outstanding and unpaid checks.

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 43-2296; Filed, February 12, 1943; 11:03 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter III—Bureau of Mines

PART 303—GENERAL LICENSES PERTAINING TO EXPLOSIVES

GENERAL PURCHASER'S LICENSE FOR SODIUM NITRATE AND AMMONIUM NITRATE AS FERTILIZER

General License No. 6 (§ 303.6)[1] is amended to read as follows:

§ 303.6 *General purchaser's license for sodium nitrate and ammonium nitrate as fertilizer.* A general license is hereby granted under the Federal Explosives Act of December 26, 1941 (55 Stat. 863), to any person as defined therein who, as owner, manager, tenant or sharecropper, operates a tract of land for the production of food, fiber, medicinal herbs, tobacco, or inedible oils, authorizing him to purchase and possess sodium nitrate and ammonium nitrate for use as a fertilizer on that tract of land and to use them for that purpose thereon.

This general license relieves those covered by it only from the duty of applying for and securing an individual license. It does not relieve them or anyone else from the duty of keeping records on the acquisition and disposition of sodium nitrate and ammonium nitrate, as prescribed by the regulations issued under the Act, or from any other obligation imposed upon them by the Act or the regulations. It expires at the close of business on June 30, 1943, unless sooner terminated.

R. R. SAYERS,
Director.

The foregoing license as amended is approved, and all regulations inconsistent therewith are waived.

OSCAR L. CHAPMAN,
Assistant Secretary.

February 10, 1943.

[F. R. Doc. 43-1305; Filed, February 12, 1943; 11:39 a. m.]

[1] 7 F.R. 4760, 6670, 10925; 8 F.R. 564.

Chapter VI—Selective Service System

[No. 169]

ORDER PRESCRIBING FORMS

REEMPLOYMENT COMMITTEE REPORT ON RELEASED OR DISCHARGED MAN

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177 and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 129, entitled "Reemployment Committee Report on Released or Discharged Man," effective immediately upon the filing hereof with the Division of the Federal Register.[1] The original supply of forms will be used until exhausted.

The foregoing revision shall become a part of the Selective Service Regulations, effective immediately upon the filing hereof with the Division o the Federal Register.

LEWIS B. HERSHEY,
Director.

DECEMBER 29, 1942.

[F. R. Doc. 43-2306; Filed, February 12, 1943; 11:42 a. m.]

[1] Form filed as part of the original document.

Chapter VIII—Board of Economic Warfare

Subchapter A—General

PART 800—ORDERS AND DELEGATIONS OF AUTHORITY

[Delegation of Authority 40]

§ 800.70 *Delegation of Authority No. 40.* By virtue of the authority vested in me, as Assistant Director in charge of the Office of Exports, by Delegation of Authority No. 25, issued by the Executive Director on June 30, 1942, Arthur N. Ziegler, Colonel, J. A. G. D., is hereby designated Acting Chief of Office, Office of Exports, during the absence of the Chief of Office, and authority is hereby delegated to said Acting Chief of Office to exercise, in the absence of the Chief of Office, all the authority delegated to the Chief of Office by me in Delegation of Authority No. 31, dated November 21, 1942 (7 F.R. 9807).

Dated: February 11, 1943.

HECTOR LAZO,
Assistant Director.

[F. R. Doc. 43-2285; Filed, February 12, 1943; 9:36 a. m.]

Subchapter B—Export Control

[Amendment No. 9]

PART 802—GENERAL LICENSES

MISCELLANEOUS AMENDMENTS

1. Paragraph (a) of § 802.2 *General license numbers* is hereby amended by rescinding the general license number assigned to the destination below, and assigning the following new number:

Liberia 75

2. Paragraph (a) of § 802.3 *General license country groups* is hereby amended by adding to the list of destinations in Group K the following:

Liberia 75

3. Subparagraph (c) of § 802.11 *Personal baggage* is hereby amended by deleting therefrom country designation number "91".

4. Subparagraph (1) (iv) of paragraph (a) of § 802.13 *Ship and plane stores, supplies and equipment* is hereby amended by deleting therefrom country designation number "91".

(Sec. 6, 54 Stat. 714; Public Law 75 77th Con.; Public Law 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807)

PAUL CORNELL,
Chief of Office, Office of Exports.

FEBRUARY 11, 1943.

[F. R. Doc. 43-2287; Filed, February 12, 1943; 10:45 a. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1010—SUSPENSION ORDERS

[Amendment 1 to Suspension Order S-194]

SMILE BEVERAGE CO.

Paragraphs (a) and (b) of § 1010.194 *Suspension Order S-194*, issued January 1, 1943, are amended to read as follows:

§ 1010.194 *Suspension Order S-194.* (a) During each of the months from January 1943 through March 1943, both inclusive, the number of closures made of tinplate, terneplate, of blackplate, which may be processed, consumed, or used by Isadore Christ, individually, or doing business as the Smile Beverage Company, or otherwise, under the terms of Conservation Order M-104, shall be reduced by the amount of one hundred fifty (150) gross.

(b) During each of the months of April 1943 through September 1943, both inclusive, the quota of closures made from tinplate, terneplate, or blackplate, which may be processed, consumed, or used by Isadore Christ, individually or doing business as the Smile Beverage Company, or otherwise, under the terms of Conservation Order M-104 as now or hereafter amended, shall be reduced so as not to exceed the amount of one hundred (100) gross.

Issued this 11th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2284; Filed, February 11, 1943; 4:57 p. m.]

PART 1029—FARM MACHINERY AND EQUIPMENT AND ATTACHMENTS AND REPAIR PARTS THEREFOR

[Limitation Order L-170, as Amended Feb. 12, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage of critical materials entering into the manufacture of farm machinery and equipment and attachments and repair parts therefor, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1029.10 *Limitation Order L-170*—(a) *Applicability of priorities regulations.* (1) This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(2) *Protection of production schedules.* Producers of any items of farm machinery and equipment and repair parts under the terms of this order may, notwithstanding the provisions of Priorities Regulation No. 1, as amended, schedule their production of such items as if the orders therefor bore a rating of AA-3.

(b) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person, other than a supplier, engaged in the manufacture of farm machinery and equipment or of repair parts for farm machinery and equipment; *Provided*, That:

(i) No person who did not manufacture any farm machinery and equipment or repair parts in 1940 or 1941 shall be deemed a "producer", nor shall any such person manufacture any such products of an aggregate value exceeding $2,500 for the period November 1, 1942 to October 31, 1943, inclusive; and

(ii) No state prison institution shall engage in the manufacture of any such products until such time as it has received a specific quota from the Director General for Operations.

(3) "Class A producer" means any producer whose total net sales (including sales of all affiliates of such producer) of all products during the calendar year 1941 exceeded $10,000,000 in value (including domestic sales and exports).

(4) "Class B producer" means any producer whose total net sales (including sales of all affiliates of such producer) of all products during the calendar year 1941 exceeded $750,000 but did not exceed $10,000,000 in value (including domestic sales and exports).

(5) "Class C producer" means any producer whose total net sales (including sales of all affiliates of such producer) of all products during the calendar year 1941 did not exceed $750,000 in value (including domestic sales and exports).

(6) "Affiliate" of a producer means any subsidiary thereof, any subsidiary of such a subsidiary, any parent company, and any subsidiary or parent of such a parent company.

(7) "Supplier" means any person engaged in the manufacture (for sale to a producer) of materials, parts, assemblies or sub-assemblies to be physically incorporated into farm machinery and equipment or repair parts manufactured by such producer, or to be resold by such producer as repair parts.

(8) "Distributor" means any person not a producer whose business consists, in whole or in part, of the sale of farm machinery and equipment or attachments and repair parts from inventory, and includes wholesalers, jobbers, retailers and other persons performing similar functions.

(9) "Farm machinery and equipment" means agricultural machinery, mechanical equipment and implements (including all attachments used in conjunction therewith) used for the production or care of crops, livestock, livestock products, or other produce on a farm (or elsewhere in the case of poultry), including irrigation and drainage equipment (excluding tile), horseshoes (including muleshoes), horseshoe nails, harness hardware, and water well casing (fabricated by other than pipe mills); but excluding repair parts, and also excluding all of the following: tracklaying type tractors, equipment ordered by the United States Department of Agriculture or other United States Government agencies buildings and repairs thereto, fencing, poultry nettings and wire, wire fencing, bale ties or straps, oil well casing and water pipe, nails (other than horseshoe nails) and sundry hardware, grain bins and corn cribs (other than those made of iron and steel), and hand tools.

(10) "Attachment" for farm machinery and equipment means a supplementary appliance which may be added to an otherwise complete machine to extend the utility of such machine.

(11) "Repair parts" means all types of replacement parts considered separately or as assemblies which are manufactured for use and used in the repair and maintenance of farm machinery and equipment, and shall include plow shares and shapes, and water pump cylinders. No item listed on Schedule A (except to the extent provided in paragraph (g) (5) hereof) shall be deemed a repair part, except that items of harness hardware may be deemed repair parts to the extent actually sold for repair or replacement purposes.

(12) "Base production" means the weight of a producer's total production of any item of farm machinery and equipment during either the calendar year 1940 or 1941, in whichever year such weight was the greater; except that, as to items which are bracketed together in Schedule A, the base production shall be the weight of the total production of each group of items so bracketed; and except that, as to silos (item 296 of Schedule A), the base production shall be the total weight of iron and steel entering into the production of such items.

(13) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind, which will be physically incorporated into any item of farm machinery and equipment or repair parts.

(14) "Weight" means the net shipping weight of any item of farm machinery and equipment which is completely manufactured, or completely fabricated and ready for shipment in knock-down form; except that, as to silos (Item 296 of Schedule A), weight means the total weight of iron and steel entering into the production of such items.

(15) "Schedule A" means the schedule of quota percentages attached hereto and made a part hereof, as amended from time to time. If any item of farm machinery and equipment or repair parts is not specifically listed or otherwise provided for in such schedule, the quota percentage therefor shall be deemed to be 0%.

(16) "Lend-lease order" means any order for farm machinery and equipment or repair parts placed by any agency of the United States Government in response to a requisition filed pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(c) *General restrictions on production for domestic use (including "concentration of production").* (1) Except as provided in paragraph (g) hereof, and subject to the provisions of paragraphs (c) (2), (c) (3) and (e) hereof, during the period November 1, 1942, to October 31, 1943, inclusive, no producer shall:

(i) Manufacture, for sale in the continental United States, a total quantity

by weight of any item of farm machinery and equipment listed in Schedule A in excess of that quantity obtained by multiplying the applicable quota percentage (designated in the appropriate column of said Schedule A for Class A producers, Class B producers and Class C producers respectively) for such item by his base production of such item for such sale; except that:

(a) Wherever, in said Schedule A, two or more items are bracketed together and only one quota percentage assigned thereto, such percentage shall be applied to such producer's total base production of all such bracketed items, and the total permissible weight thus determined may be distributed among all or any one or more of such bracketed items at his election;

(b) As to silos (Item 296 of Schedule A), the permitted production of a producer shall not exceed the number of units produced by him during either 1940 or 1941, whichever was the greater; and

(c) Any producer, instead of conforming to his quota percentages for the items of attachments as indicated respectively in Schedule A, may at his option manufacture not more than an aggregate of 20% of his total base production of such attachments, and the total permissible weight thus determined may be distributed among all or any one or more of such items of attachments at his election: *Provided*, That once such option is made, it shall apply to all attachments to be produced.

(ii) Manufacture for sale in the continental United States, a total quantity of repair parts of a value (manufacturer's current selling price at the factory) in excess of an aggregate of 160% of one-half the total value (manufacturer's selling price at the factory during 1940 and 1941) of his entire net sales of repair parts during the calendar years 1940 and 1941 combined;

(iii) Manufacture, for sale in the continental United States, any farm machinery and equipment requiring rubber tires;

(iv) Sell in the continental United States any quantity of farm machinery and equipment or repair parts which is in excess of the quantity thereof authorized to be manufactured for such sale by the provisions of this order.

(2) The Director General for Operations may, by specific directions issued to any one or more producers, increase or decrease any such producer's quotas as to all or any one or more items authorized to be produced by him by this paragraph (c), and may transfer any portion of such quotas between any such producers (including the transfer thereof from producers located in critical areas as the same may be designated from time to time by the War Manpower Commission).

(3) As to any portion of any such producer's quota as so established which he may decide not to produce at any time after November 1, 1942, he shall immediately notify the War Production Board, so that appropriate action can be taken to transfer such portion of his quota.

(d) *General restrictions on production for export.*

(1) Except as provided in paragraph (g) hereof, and subject to the provisions of paragraphs (d) (2), (d) (3) and (e) hereof, during the period November 1, 1942, to October 31, 1943, inclusive, no producer shall manufacture for shipment, or ship:

(i) To all foreign countries within any group of countries listed respectively on Schedules B-1, B-3, B-4 and B-6, attached hereto and made a part hereof, as amended from time to time, a quantity by weight of farm machinery and equipment and repair parts in the aggregate in excess of a designated percentage (listed respectively on each such schedule) of one-half the net shipping weight of the total quantity thereof exported by said producer during the calendar years 1940 and 1941 in the aggregate to all such countries within the particular group;

(ii) To any foreign country listed respectively on Schedule B-2 and B-5, attached hereto and made a part hereof, as amended from time to time, a quantity by weight of farm machinery and equipment and repair parts in the aggregate in excess of that quantity obtained by multiplying the quota percentage designated on the applicable Schedule for such country by one-half the net shipping weight of the total quantity thereof exported by said producer during the calendar years 1940 and 1941 to that country;

(iii) To Canada a quantity by units of any item of farm machinery and equipment or attachments and repair parts (as listed in Schedule B-7, attached hereto and made a part hereof, as amended from time to time) in excess of that quantity obtained by multiplying the quota percentage designated in said Schedule B-7 for such item by the quantity thereof shipped by said producer to Canada during the calendar year 1940; or

(iv) To any foreign country (including Canada and territories and possessions of the United States) any farm machinery and equipment requiring rubber tires.

(2) Except as to items destined for Canada (Schedule B-7) and for territories and possessions of the United States (Schedule B-6), no producer shall fabricate or process any material to be physically incorporated into any item of farm machinery and equipment which may be authorized to be manufactured for export by paragraph (d) (1) above, unless and until he has received from the Director General for Operations specific authorization for such fabrication or processing as to any or all such items, application for which may be by letter setting forth the pertinent facts: *Provided*, That nothing in this paragraph (d) (2) shall be deemed to prevent any such producer from earmarking for export, within his export quota, any items of farm machinery and equipment or repair parts from his inventory, whether or not such items were manufactured specifically for export.

As to any portion of any such producer's export quota, as established by paragraph (d) (1) above, which he may decide not to produce at any time after November 1, 1942, he shall immediately notify the War Production Board, so that appropriate action can be taken to transfer such portion of his export quota.

(3) The Director General for Operations may, by specific directions issued to any one or more producers, increase or decrease any such producer's quotas as established by paragraph (d) (1) above, and may transfer any portion of such quotas between any such producers (including the transfer thereof from producers located in critical areas as the same may be designated from time to time by the War Manpower Commission).

(e) *Further restrictions on production—(1) Restrictions on production for specific periods.* The Director General for Operations may from time to time issue supplementary orders (or specific directions to any one or more producers) governing the production of all or any one or more items of farm machinery and equipment or repair parts for specified monthly, bi-monthly or quarterly periods. On and after the effective date of any such supplementary order or specific direction, no producer affected thereby shall, notwithstanding the provisions of this Order L-170, manufacture any such item during the period specified except in accordance with the terms of such supplementary order or specific direction.

(2) *Items containing iron and steel.* No person shall put into process any iron or steel (excluding screws, nails, rivets, bolts, or wire, strapping or small hardware for joining or other similar essential purposes) to make any of the following items:

Barnyard stock tanks	Hog troughs
Bee hives.	Laying nests.
Butter churns.	Livestock feeders
Butter molds.	Marking poles
Canopies for electric brooders	Milk stools.
Cattle stalls.	Neck yokes.
Corn cribs.	Poultry feeders
Doubletrees.	Singletrees.
Farm gates.	Stanchions.
Grain bins.	Stock pens
Grit boxes.	Thills
Guide handles	Tongues.
Hobbies (all types).	Weaners.

Provided, however, That nothing in this subparagraph (e) (2) shall be deemed to prevent the manufacture or processing of cattle stalls, stanchions or stock pens solely from rerolled rail steel plus strapping and essential hardware.

(f) *Overproduction under Order L-26.* Any items of farm machinery and equipment or attachments and repair parts which have been manufactured and or sold by any producer prior to November 1, 1942, and which are in excess of such producer's authorized quota under Limitation Order L-26 (including all amendments thereto and appeals granted thereunder), shall be deducted from such quotas as may be authorized for such producer by the provisions of this order or subsequent orders: *Provided*, That no such deduction shall constitute a condonation of any violation of any order or regulation of the War Production Board.

(g) *Exceptions*—(1) To the extent that the weight of any item or items of a producer's quota as established by paragraph (c) (1) hereof has been or will be increased by his substituting for more critical materials entering into such item or items any one or more of the following materials:

Glass or other ceramic products.
Plain concrete.
Fibre board.
Wood fibre products.
Plywood (produced with binder or adhesive not restricted by Conservation Order M-25 or any other applicable M or L order).
Gum and other hardwood lumber.
Softwood lumber (subject to the restrictions of Conservation Order M-208 or any other applicable M or L order);

such increased weight shall not operate to reduce the number of units which he could have otherwise manufactured pursuant to paragraph (c) (1) above. In addition, if any such producer has made, or shows that he can make, in any item or items of his quota as established by paragraphs (c) and (d) hereof, a substitution of any of the materials listed above for more critical materials entering into such item or items, he may apply by letter to the Director General for Operations for reconsideration of his quota, based on such substitution.

(2) Any item of farm machinery and equipment or attachments and repair parts which was manufactured for sale within the continental United States by a producer within his authorized quota under Limitation Order L-26 (including all amendments thereto and appeals granted thereunder) and which is, prior to November 1, 1942, completely manufactured, or completely fabricated and ready for shipment in knock-down form, may be sold on and after such date without reference to the provisions of this order.

(3) Nothing in paragraph (d) of this order shall be deemed to prohibit or control the shipment of any item of farm machinery and equipment or attachments and repair parts which:

(i) Was manufactured for export by a producer within his authorized quota under paragraph (c) (1) (iii) of Limitation Order L-26 (including all amendments thereto and appeals granted thereunder), and

(ii) Is covered by either an export license issued by the Board of Economic Warfare or by a lend-lease order, dated prior to November 1, 1942, (except as to items destined for Canada and territories and possessions of the United States), and

(iii) Is, prior to such date, completely manufactured or completely fabricated and ready for shipment in knock-down form.

Any such items for export which, prior to November 1, 1942, are in production or on order but not completely manufactured or ready for shipment in knock-down form, shall be deducted from such export quotas as may be authorized for such producer by the provisions of this order or subsequent orders, and shall not be manufactured on and after such date except in accordance with the provisions of paragraph (d) above.

(4) The restrictions of this Order L-170 shall not apply to the manufacture by any person of any of the following items of farm machinery and equipment:

Bee hives.
Farm gates.
Feed trucks.
Grit boxes.
Hog troughs.
Laying nests.
Livestock feeders.
Milk stools
Poultry feeders
Poultry waterers (other than those made from iron and steel).

Provided, however, That such items are made entirely (except for nails and essential strappings and fastenings) from any one or more of the following materials:

Glass or other ceramic products.
Plain concrete.
Fibre board.
Wood fibre products.
Plywood (produced with binder or adhesive not restricted by conservation order M-25 or any other applicable M or L order).
Gum and other hardwood lumber.
Softwood lumber (subject to the restrictions of conservation order M-208 or any other applicable M or L order).

(5) Any producer of any of the following items listed in Group 17 of Schedule A:

Feed carriers.
Litter carriers.
Track for feed and litter carriers.
Hay carriers.
Track for hay carriers.
Cattle stalls and fittings.
Cattle stanchions and fittings.

may consider not more than 30% of his base production of each such item as "repair parts" rather than "farm machinery and equipment". The value of such 30% may be added to his total repair parts quota established pursuant to paragraph (c) (1) (ii) hereof, and should be so reported on such forms as are filed pursuant to paragraph (m) hereof. His production quota for the remaining 70% shall be determined by multiplying his applicable Schedule A quota percentage for the particular item by 70% of his base production thereof.

(h) *Restrictions on sales for domestic use.* Subject to such directions as may be issued from time to time as to rationing control, by, or pursuant to delegations from the Director General for Operations.

(1) No person shall sell any item of new farm machinery and equipment (except horseshoes, muleshoes, horseshoe nails and harness hardware) which he knows or has reason to know will not be used in the hands of the ultimate consumer for the production or care of crops, livestock, livestock products or other produce on a farm (or elsewhere in the case of poultry), except to fill a contract or purchase order bearing a preference rating of A-9 or higher;

(2) On and after November 1, 1942, no distributor shall sell or deliver to a consumer any new repair part which he knows or has reason to know will not be incorporated reasonably promptly into farm machinery and equipment in the possession of such consumer.

(i) *Inventory provisions.* (1) No distributor shall keep in his inventory, or under his control, for a period of more than thirty days, any used, traded-in, imperfect or non-usable item of farm machinery and equipment or repair parts which cannot be reconditioned, but must dispose of the same through the customary disposal or scrap channels.

(2) Any producer may sell to any other producer any material in his inventory which is in excess of his requirements for the items of farm machinery and equipment and repair parts permitted to be manufactured under the provisions of this order. Such sales shall be expressly permitted within the terms of paragraph (c) (3) of Priorities Regulation No. 13 as amended.

(j) *Standardization, simplification, substitution, and conservation of critical materials.* (1) In the manufacture of any item of farm machinery and equipment or repair parts, no producer shall use any alloy steel, stainless steel, aluminum, magnesium, copper, brass, bronze, zinc, nickel, tin, cadmium or fabricated rubber products for any purpose where the use of other less critical materials will not impair the efficiency of operation of such item.

No materials shall be used which are prohibited by M Orders or other restrictions on use of critical materials as now or hereafter ordered by the Director General for Operations.

(2) The Director General for Operations may from time to time issue supplementary orders or schedules establishing required specifications with respect to the production of any item or items of farm machinery and equipment and repair parts. "Required specifications" may include requirements to standardize or simplify the types, sizes or models of, or the specifications for, any such item or items; to eliminate, reduce or conserve the use of critical materials in the production thereof; and to substitute less critical for more critical materials in the production thereof. On and after the effective date of any such supplementary order or schedule, no farm machinery and equipment and repair parts affected thereby shall be produced, fabricated, assembled, or delivered, if such production, fabrication, assembly, or delivery is prohibited by the terms thereof.

(k) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(l) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(m) *Reports.* (1) All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(2) Each producer shall file not later than thirty days after October 19, 1942, a report of his production quotas on Form PD–629.

(3) Each producer shall file by the 10th day of each month a report on Form PD–630 of his production during the preceding month, the first report to be made on or before December 10, 1942.

(4) Each producer affected by paragraph (d) hereof shall file by the 10th day of each month a report on Form PD–387 (revised) of his shipments during the preceding month (starting with November, 1942) to all foreign countries (including all countries listed on Schedules B–1, B–2, B–3, B–4, B–5, B–6, and B–7).

(n) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(o) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him in comparison with others similarly situated, may appeal to the War Production Board, setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(p) *Communications.* All communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Farm Machinery and Equipment Division, Washington, D. C. Ref.: L–170.

(q) *Inconsistent orders.* This order supersedes as of November 1, 1942, Limitation Order L–26, and Supplementary Limitation Orders L–26–a and L–26–d, and all amendments thereto and appeals granted thereunder.

Issued this 12th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

SCHEDULE OF QUOTAS COVERING THE DOMESTIC PRODUCTION OF FARM MACHINERY AND EQUIPMENT AND REPAIR PARTS THEREFOR FOR THE PERIOD NOVEMBER 1, 1942, TO OCTOBER 31, 1943

NOTE: Schedule A amended as follows: First sentence of introductory statement revised; Division 4 of Group 13 amended; Items 230, 250–252, 254, 255, 258, 260, 287 amended; Items 253, 264, 265, and 295 deleted; Divisions 5 and 7 of Group 18, and 7 and 9 of Group 19, deleted.

Quotas for repair parts are determined according to the provisions of paragraph (c) (1) (ii). Quotas for new machinery and equipment including attachments are expressed as a percentage of the weight of each item produced during 1940 or 1941, whichever was higher. Producers of these items must use the percentages set forth in the respective columns, depending upon whether they are Class A, Class B, or Class C producers. Production of "bracketed items" may be distributed among all or any one or more items included in the particular bracket so long as the total weight of material used does not exceed that determined by the quota percentage assigned to the particular bracket.

Any item of farm machinery and equipment not provided for in this Schedule A shall not be manufactured, unless specifically exempted by Order L–170.

GROUP 1: PLANTING, SEEDING AND FERTILIZING MACHINERY

Item		Class of producer "A"	"B"	"C"
	DIVISION 1: PLANTERS (HORSE AND TRACTOR DRAWN)	*Percent*	*Percent*	*Percent*
1	One row, one horse corn planters	0	0	44
2	One row, one horse corn and cotton planters	0	0	[illegible]
3	One row, two horse corn and cotton planters	0	0	[illegible]
4	Two row, corn planters	3	22	[illegible]
5	Two row, corn and cotton planters	0	19	[illegible]
6	Three row and over, corn planters	11	75	75
7	Three row and over, corn and cotton planters	0	0	[illegible]
	DIVISION 2: PLANTERS (TRACTOR MOUNTED)			
8	One row, corn planters			
9	One row, corn and cotton planters			
10	Two row, corn planters	15	15	1
11	Two row, corn and cotton planters			
12	Three row and over, corn planters			
13	Three row and over, corn and cotton planters			
	DIVISION 3: POTATO PLANTERS			
14	Horse or tractor drawn	0	10	7
	DIVISION 4: TRANSPLANTERS			
15	Horse or tractor drawn	0	0	1
16	Hand			
	DIVISION 5: LISTERS WITH PLANTING ATTACHMENTS (HORSE OR TRACTOR DRAWN)			
17	One row	8	75	75
18	Two row			
19	Three row and over			
	DIVISION 6: LISTERS WITH PLANTING ATTACHMENTS (TRACTOR MOUNTED)			
20	One row	12	12	12
21	Two row			
22	Three row and over			
	DIVISION 7: BEET DRILLS			
23	Horse or tractor drawn	13	75	75
	DIVISION 8: GRAIN DRILLS			
24	One horse, 3 or 5 disc drills	0	0	25
25	Fertilizer drills, horse or tractor drawn	3	75	75
26	Plain drills, horse or tractor drawn			
	DIVISION 9: BROADCAST SEEDERS			
27	Wheeled, horse or tractor	0	0	[illegible]
28	Endgate	0	22	75
29	Hand, wheelbarrow and other	0	0	[illegible]
	DIVISION 10: GARDEN PLANTERS			
30	Hand	0	0	1
31	Horse or tractor drawn	0	0	[illegible]
	DIVISION 11: FERTILIZER DISTRIBUTORS			
32	Horse or tractor drawn	0	0	[illegible]
	DIVISION 12: LIME SPREADERS (SOWERS)			
33	Wheeled type, horse or tractor drawn	0	0	[illegible]
34	Endgate type	0	0	[illegible]
35	Truck body type	0	0	[illegible]
	DIVISION 13: MANURE SPREADERS			
36	Four wheeled, horse or tractor drawn	0	10	7
37	Two wheeled, tractor drawn			
	DIVISION 14: OTHER PLANTING, SEEDING AND FERTILIZING MACHINERY			
	Other planting, seeding and fertilizing machinery including, but not limited to, potato seed cutters, farm limestone pulverizers, manure loaders, vegetable planters. (List each item separately.)			
38		0	0	[illegible]
39		0	0	[illegible]
40		0	0	[illegible]
	DIVISION 15: ATTACHMENTS			
41	Attachments for all items in Group 1 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 2: PLOWS AND LISTERS

Item		Class of producer "A"	"B"	"C"
	DIVISION 1: MOLDBOARD PLOWS (HORSE DRAWN)	*Percent*	*Percent*	*Percent*
42	Walking, one horse, steel bottom	0	0	11
43	Walking, one horse, chilled bottom	0	0	12
44	Walking, two horse and larger	0	0	28
45	Sulky	0	0	0
46	Gang, two bottom and larger	0	0	0
	DIVISION 2: MOLDBOARD PLOWS (TRACTOR DRAWN OR MOUNTED)			
47	One bottom, tractor drawn			
48	Two bottom, tractor drawn			
49	Three bottom, tractor drawn	9	75	75
50	Four bottom, tractor drawn			
51	Five bottom, and larger, tractor drawn	0	0	0
52	One bottom, tractor mounted			
53	Two bottom, tractor mounted	13	13	13
	DIVISION 3: DISC PLOWS (HORSE DRAWN)			
54	Single disc and larger	0	0	0
	DIVISION 4: DISC PLOWS (TRACTOR DRAWN OR MOUNTED)			
55	One disc, tractor drawn			
56	Two disc, tractor drawn	0	0	17
57	Three disc, tractor drawn			
58	One disc, tractor mounted			
59	Two disc, tractor mounted	8	8	8
60	Four disc, tractor drawn			
61	Five disc, tractor drawn	0	0	0
62	Six disc and larger, tractor drawn			
	DIVISION 5: ONE WAY DISC PLOWS OR TILLERS			
63	One way plows	0	5	75
	DIVISION 6: LISTERS (HORSE OR TRACTOR DRAWN)			
	(Middlebusters without planting attach.)			
64	One row, horse or tractor drawn			
65	Two row, horse or tractor drawn	0	0	19
66	Three row and larger horse or tractor drawn			
	DIVISION 7: LISTERS (TRACTOR MOUNTED)			
	(Middlebusters without planting attach.)			
67	One row, tractor mounted			
68	Two row, tractor mounted	18	18	18
69	Three row and larger tractor mounted			
	DIVISION 8: SUBSOIL PLOWS			
70	Horse drawn	0	0	0
71	Tractor drawn	0	0	0
72	Tractor mounted	0	0	0
	DIVISION 9: PLOW STOCKS			
73	Single or double stocks	0	0	12
	DIVISION 10: OTHER PLOWS AND LISTERS			
	(List each item separately)			
74		0	0	34
75		0	0	34
76		0	0	34
	DIVISION 11: ATTACHMENTS			
77	Attachments for all items in Group 2 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 3: HARROWS, ROLLERS, PULVERIZERS AND STALK CUTTERS

	DIVISION 1: HARROWS			
78	Spike tooth harrow sections, horse or tractor drawn	0	0	24
79	Spring tooth harrow sections, horse or tractor drawn	0	34	75
80	Disc harrows, horse or tractor drawn	2	75	75
81	Disc harrows, tractor mounted	22	22	22
	DIVISION 2: SMOOTH LAND ROLLERS			
82	Smooth land rollers, not including lawn rollers	0	0	0
	DIVISION 3: SOIL PULVERIZERS AND PACKERS			
83	Soil pulverizers and packers	0	0	19
	DIVISION 4: STALK CUTTERS			
84	Stalk cutters	0	0	86
	DIVISION 5: RIDGE BUSTERS			
85	Ridge busters, horse or tractor drawn			
86	Ridge busters, tractor mounted	0	0	14

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 3: HARROWS, ROLLERS, PULVERIZERS AND STALK CUTTERS—Continued

Item		Class of producer "A"	"B"	"C"
	DIVISION 6: OTHER HARROW AND ROLLERS			
	(List each item separately)	*Percent*	*Percent*	*Percent*
87		0	0	14
88		0	0	14
89		0	0	14
	DIVISION 7: ATTACHMENTS			
90	Attachments for all items in Group 3 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 4: CULTIVATORS AND WEEDERS

	DIVISION 1: CULTIVATORS (HORSE AND TRACTOR DRAWN)			
91	One horse, all types	0	0	15
92	One row, walking, two horse	0	0	65
93	One row, riding, two horse	2	75	75
94	Two row and over, riding	0	0	0
95	Beet cultivator	12	75	75
96	Field cultivator	0	0	62
96a	Field cultivator and filler, tractor mounted	9	9	9
97	Harrl cultivator, net including blade and tined hoes, rakes and shutter equipment	0	0	15
	DIVISION 2: CULTIVATORS (TRACTOR MOUNTED)			
98	One row			
99	Two row	20	20	20
100	Three and four row			
101	Five row and over			
	DIVISION 3: ROTARY HOES			
102	Rotary hoes, horse or tractor drawn	0	0	32
	DIVISION 4: WEEDERS			
103	Rod weeders, horse or tractor drawn	0	1	30
104	Tooth weeders, horse or tractor drawn	0	0	32
104a	Tooth weeders, tractor mounted	15	15	15
	DIVISION 5: OTHER CULTIVATORS AND WEEDERS			
	(List each item separately)			
105		0	0	34
106		0	0	34
	DIVISION 6: ATTACHMENTS			
107	Attachments for all items in Group 4 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 5: SPRAYERS DUSTERS AND ORCHARD HEATERS

	DIVISION 1: POWER SPRAYERS			
108	Power sprayers	0	0	43
109	Traction sprayers	0	0	21
	DIVISION 2: HAND SPRAYERS WITH TANK, BARREL, KNAPSACK, ETC., WITH COMPLETE EQUIPMENT (CAP. 1 QT., OR OVER BUT LESS THAN 5 GALS.)			
110	Compressed air			
111	Knapsack self contained			
112	Trombone, pump type			
113	Bucket pump type, single cylinder	0	0	9
114	Bucket pump type, double cylinder			
115	Atomizing, single action (1 qt. and larger cap.)			
116	Atomizing, continuous (1 qt. and larger cap.)			
	DIVISION 3: SPRAYERS, WITH TANK, BARREL, KNAPSACK, ETC., WITH COMPLETE EQUIPMENT (CAP. 5 GALS. OR MORE)			
117	Barrel pump type with complete equipment	0	0	36
118	Wheelbarrow type with complete equipment			
	DIVISION 4: SPRAY PUMPS (POWER)			
119	Spray pumps, power	0	0	23
	DIVISION 5: WEED AND FRAR BURNERS			
120	Weed and lear burners	0	0	23
	DIVISION 6: DUSTERS			
121	Power dusters	0	0	19
122	Traction dusters	0	0	23
123	Hand dusters (agricultural only)	0	0	66
	DIVISION 7: ORCHARD HEATERS			
124	Orchard heaters	0	0	11
	DIVISION 8: ATTACHMENTS			
125	Attachments for all items in Group 5 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 6: HARVESTING MACHINERY

Item		Class of producer "A"	"B"	"C"
	DIVISION 1: COMBINES (HARVESTER THRESHERS)	*Percent*	*Percent*	*Percent*
126	Width of cut, 6 feet and under			
127	Width of cut, over 6 feet including 10 feet	24	24	24
128	Width of cut, over 10 feet			
	NOTE. Out of his total quota for combines, no Class "A" producer may manufacture Items 127 and 128 in excess of 10% of his 1940-1941 average annual production of these items.			
	DIVISION 2: GRAIN AND RICE BINDERS			
129	Grain binders (ground drive)	9	75	75
130	Grain binders (power take-off drive)			
131	Rice binders	43	75	75
	DIVISION 3: CORN BINDERS			
132	Corn binders (row binder) horse or tractor drawn	13	75	75
	DIVISION 4: CORN PICKERS			
133	One row, mounted type	33	33	33
134	Two row, mounted type			
135	One row, pull type	0	71	75
136	Two row, pull type			
	DIVISION 5: FIELD ENSILAGE HARVESTERS (ROW TYPE)			
137	Field ensilage harvesters, row type	14	75	75
	DIVISION 6: POTATO DIGGERS			
138	Walking plow type	0	0	28
139	Horse or tractor	0	0	42
	DIVISION 7: PEA AND BEAN HARVESTERS (ROW TYPE)			
140	Horse or tractor, row type	0	0	32
	DIVISION 8: BEET LIFTERS			
141	Horse or tractor	16	75	75
	DIVISION 9: OTHER HARVESTING MACHINERY			
	Other harvesting machinery including, but not limited to, windrowers grain type, seed harvesters and strippers, potato pickers, cane harvesters, hop pickers, beet loaders, peanut diggers, cotton harvesters. (List each item separately.)			
142		0	0	51
143		0	0	51
144		0	0	51
	DIVISION 10: ATTACHMENTS			
145	Attachments for all items in Group 6 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 7: HAYING MACHINERY

	DIVISION 1: MOWERS (GROUND-DRIVE)			
146	Horse or tractor drawn (ground drive)	8	75	75
	DIVISION 2: MOWERS (POWER TAKE OFF DRIVE)			
147	Tractor mtd. or semi-mtd. (power take-off drive)	28	28	28
	DIVISION 3: RAKES			
148	Sulky, dump	9	75	75
149	Side delivery incl. comb. side rakes and tedders	17	75	75
150	Sweep	0	0	47
	DIVISION 4: HAY LOADERS			
151	Hay loaders	9	75	75
	DIVISION 5: STACKERS			
152	Stackers (stationary type)	0	0	19
152a	Combination stacker-loaders	0	0	75
	DIVISION 6: PICK-UP BALERS			
153	Pick-up hay balers	0	45	75
	DIVISION 7: OTHER HAYING MACHINERY			
	Other haying machinery, including, but not limited to, field bale loaders, field hay choppers (List each item separately):			
154		0	0	41
155		0	0	41
156		0	0	41
	DIVISION 8: ATTACHMENTS			
157	Attachments for all items in Group 7 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 8: MACHINES FOR PREPARING CROPS FOR MARKET OR USE

Item		Class of producer "A"	"B"	"C"
	DIVISION 1: STATIONARY THRESHERS (GRAIN, RICE AND ALFALFA)	*Percent*	*Percent*	*Percent*
158	Threshers, width of cylinder under 28 inches	0	0	65
159	Threshers, width of cylinder 28 inches and over			
	DIVISION 2: STATIONARY PEA AND BEAN THRESHERS			
160	Stationary pea and bean threshers	0	0	25
	DIVISION 3: PEANUT PICKERS			
161	Peanut pickers	0	0	75
	DIVISION 4: ENSILAGE CUTTERS (SILO FILLERS)			
162	Ensilage cutters (silo fillers)	0	0	65
	DIVISION 5: FEED CUTTERS (HAND AND POWER)			
163	Feed cutters, hand and power	0	0	30
	DIVISION 6: CORN SHELLERS			
164	Corn shellers, hand	0	0	19
165	Power corn shellers, spring (2, 4, 6 and 8 hole)	0	0	0
166	Power corn shellers, cylinder (150 bu. & under)	0	0	22
167	Power corn shellers, cylinder (over 150 bu.)	0	75	75
	DIVISION 7: CORN HUSKERS AND SHREDDERS			
168	Combination corn husker-shredders	0	0	23
169	Corn huskers	0	0	23
170	Corn shredders	0	0	23
	DIVISION 8: STATIONARY HAY BALERS			
171	Horse	0	0	0
172	Engine or belt power	0	0	75
	DIVISION 9: FEED GRINDERS AND CRUSHERS			
173	Hand	0	0	13
174	Power, burr type	0	0	51
175	Hammer and roughage mills	0	8	75
	DIVISION 10: CLEANERS AND GRADERS (CORN AND GRAIN)			
176	Cleaners and graders (corn and grain)	0	0	12
	DIVISION 11: POTATO SORTERS AND GRADERS			
177	Potato sorters and graders	0	0	23
	DIVISION 12: MAPLE SIRUP EVAPORATORS			
178	Complete sets of pans, not including furnace	0	0	63
179	Furnaces	0	0	20
	DIVISION 13: CANE SIRUP EVAPORATORS			
180	Complete sets of pans, not including furnaces	0	0	63
181	Furnaces	0	0	20
	DIVISION 14: CANE MILLS (FARM SIZE)			
182	Cane mills (farm size)	0	0	37
	DIVISION 15: CIDER MILLS AND FRUIT PRESSES			
183	Cider mills and fruit presses	0	0	12
	DIVISION 16: OTHER MACHINES FOR PREPARING CROPS FOR MARKET OR USE			
	Other machines for preparing crops for market or use, including but not limited to, broom corn shredders, feed mixers, fruit, nut and vegetable graders, sorters, washers and sackers. (List each item separately.)			
184		0	0	13
185		0	0	13
186		0	0	13
	DIVISION 17: ATTACHMENTS			
187	Attachments for all items in Group 8 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 9: FARM ELEVATORS AND BLOWERS

	DIVISION 1: ELEVATORS (PORTABLE)			
188	Elevators, portable	0	0	35
	DIVISION 2: ELEVATORS (STATIONARY)			
189	Elevators, stationary	0	0	21
	DIVISION 3: BLOWERS (GRAIN AND FORAGE)			
190	Blowers (grain and forage)	0	0	35
	DIVISION 4: ATTACHMENTS			
191	Attachments for all items in Group 9 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 10: TRACTORS

Item		Class of producer "A"	"B"	"C"
	DIVISION 1: TRACTORS, WHEEL TYPE	*Percent*	*Percent*	*Percent*
192	Tractors, wheel, special purpose, under 30 h. p.	14	14	14
193	Tractors, wheel, special purpose, 30 & over h. p.			
194	Tractors, wheel, all purpose, under 30 h. p.			
195	Tractors, wheel, all purpose, 30 & over h. p.			
	DIVISION 2: GARDEN TRACTORS (INCLUDING MOTOR TILLERS)			
196	Garden tractors (including motor tillers)	0	0	27
	DIVISION 3: ATTACHMENTS			
197	Attachments for all items in Group 10 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 11: ENGINES

	DIVISION 1: ENGINES (UNDER 1 H. P.)			
198	Air cooled	0	0	0
	DIVISION 2: ENGINES (ONE OR MORE BUT UNDER 5 H. P.)			
199	Air cooled	0	2	75
200	Water cooled	4	75	75
	DIVISION 3: ENGINES (FIVE OR MORE BUT UNDER 10 H. P.)			
201	Air cooled	0	24	75
202	Water cooled	0	24	75
	DIVISION 4: ENGINES (TEN OR MORE BUT UNDER 20 H. P.)			
203	Water cooled	0	0	0
	DIVISION 5: ATTACHMENTS			
204	Attachments for all items in Group 11 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 12: FARM WAGONS AND TRUCKS

	DIVISION 1: WAGONS			
205	Wagons, farm without boxes	0	0	32
	DIVISION 2: TRUCKS			
206	Trucks, farm (not motortrucks)	0	30	75
	DIVISION 3: WAGON BODIES			
207	Wagon and truck boxes, farm	0	0	29
	DIVISION 4: FARM SLEIGHS			
208	Sleighs and bob-sleds	0	0	26
	DIVISION 5: TRAILERS (FARM)			
209	Trailers, farm	0	0	0
	DIVISION 6: OTHER TRANSPORTING EQUIPMENT			
	(Not motortrucks—list each item separately)			
210		0	0	25
211		0	0	25
	DIVISION 7: ATTACHMENTS			
212	Attachments for all items in Group 12 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 13: DOMESTIC WATER SYSTEMS

	DIVISION 1: DEEP WELL			
213	Deep well, reciprocal	0	0	48
214	Deep well jet pumps	0	0	36
	DIVISION 2: SHALLOW WELL			
215	250–499 gals. per hour	0	0	53
216	500 gals. per hour and over	0	0	35
	DIVISION 3: POWER PUMPS			
217	Horizontal type, up to and including 75 gals. per minute, 100 lb. pressure	0	6	75
	DIVISION 4: WATER WELL CASING			
218	Water well casing (fabricated by other than pipe mills)	85	5	85
	DIVISION 5: ATTACHMENTS			
219	Attachments for all items in Group 13, expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 14: FARM PUMPS AND WINDMILLS

Item		Class of producer "A"	"B"	"C"
	DIVISION 1: PUMPS, WATER	*Percent*	*Percent*	*Percent*
220	Pitcher pumps	0	18	75
221	Hand and windmill pumps	0	10	75
	DIVISION 2: WINDMILLS			
222	Windmill heads	0	0	56
223	Windmill towers	0	0	59
	DIVISION 3: PUMP JACKS			
224	Pump jacks	0	0	36
	DIVISION 5: ATTACHMENTS			
226	Attachments for all items in Group 14 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 15: IRRIGATION EQUIPMENT

	DIVISION 1: IRRIGATION PUMPS			
227	Turbine pumps, 1 to 1,200 G.P.M.	0	0	31
228	Turbine pumps 1,200 G.P.M. and up, belt driven	0	0	14
229	Centrifugal pumps	0	0	26
230	Hydraulic rams	0	0	49
	DIVISION 2: DISTRIBUTION EQUIPMENT			
231	Land leveling equipment, ditchers, corrugators and scrapers (excluding power ditchers, draglines and other self-powered machines)	0	0	18
232	Portable pipe and extensions, sprinklers, valves and gates, expressed in terms of net shipping weight in pounds	0	0	18
	DIVISION 3: OTHER FARM IRRIGATION EQUIPMENT			
	(List each item separately.)			
233		0	0	18
234		0	0	18
235		0	0	18
	DIVISION 4: ATTACHMENTS			
236	Attachments for all items in Group 15 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 16: DAIRY FARM MACHINES AND EQUIPMENT

	DIVISION 1: MILKING MACHINES			
237	Milking machines	0	32	75
	DIVISION 2: FARM CREAM SEPARATORS			
238	Farm cream separators, capacity 200 lbs. per hr. or less	0	7	75
	DIVISION 3: FARM CREAM SEPARATORS			
239	Farm cream separators, capacity 225 lbs. to 500 lbs. per hour	7	7	75
	DIVISION 4: FARM CREAM SEPARATORS			
240	Farm cream separators, capacity 501 lbs. to 1,500 lbs. per hour	0	0	0
	DIVISION 5: FARM MILK COOLERS			
241	Immersion type	0	0	48
242	Surface or tubular type			
	DIVISION 6: FARM BUTTER MAKING EQUIPMENT			
243	Butter churns (See Paragraph (e) (2) of L-170)	0	0	29
244	Butter molds (See Paragraph (e) (2) of L-170)			
	DIVISION 7: OTHER DAIRY FARM MACHINES AND EQUIPMENT			
	Other dairy farm machines and equipment including but not limited to milk pails, milk strainers, sterilizing tanks, washing tanks and water heaters. (List each item separately.)			
245	Milk pails	0	0	75
246	Milk strainers	0	0	75
247		0	0	0
248				
	DIVISION 8: ATTACHMENTS			
249	Attachments for all items in Group 16 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 17: BARN AND BARNYARD EQUIPMENT

Item		Class of producer "A"	"B"	"C"
	DIVISION 1: FEED CARRIERS, LITTER CARRIERS, AND FEED TRUCKS	*Percent*	*Percent*	*Percent*
250	Feed carriers (See Paragraph (g) (5) of L-170)	0	0	25
251	Litter carriers (See Paragraph (g) (5) of L-170)	0	0	25
252	Track for feed and litter carriers (See Paragraph (g) (5) of L-170)	0	0	71
253	Deleted February 12, 1943.			
	DIVISION 2: HAY UNLOADING EQUIPMENT			
254	Hay carriers (See Paragraph (g) (5) of L-170)	0	0	72
255	Track for hay carriers (See Paragraph (g) (5) of L-170)	0	0	71
256	Hay forks, harpoon and grapple	0	0	45
257	Pulleys and fittings	0	0	71
	DIVISION 3: CATTLE STALLS AND PEN EQUIPMENT			
258	Cattle stalls and fittings (See Paragraph (e) (2) and (g) (5) of L-170)	0	8	75
259	Livestock pens (See Paragraph (e) (2) of L-170)	0	27	75
	DIVISION 4: CATTLE STANCHIONS			
260	Cattle stanchions and fittings (See Paragraph (e) (2) and (e) (5) of L-170)	0	0	70
	DIVISION 5: LIVESTOCK DRINKING CUPS AND WATERING BOWLS			
261	Livestock drinking cups	0	0	49
262	Outside livestock watering bowls	0	0	16
	DIVISION 6: BARNYARD STOCK TANKS			
263	Barnyard stock tanks (see paragraph (e) (2) of L-170)	0	0	49
264	Deleted February 12, 1943			
	DIVISION 7: FEEDERS, FEED COOKERS, AND TANK HEATERS			
265	Deleted February 12, 1943.			
266	Feed cookers	0	0	15
267	Tank heaters	0	0	37
	DIVISION 8: BARN DOOR TRACK AND HANGERS			
268	Barn door track	0	9	75
269	Barn door hangers			
	DIVISION 9: OTHER BARN AND BARNYARD EQUIPMENT			
	Including but not limited to ventilating equipment, livestock dipping tanks, hog waterers, dairy scales, cattle and horse clippers, and bull staffs. (List each item separately.)			
270		0	0	22
271				
272				
	DIVISION 10: ATTACHMENTS			
273	Attachments for all items in group 17 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 18: FARM POULTRY EQUIPMENT

	DIVISION 1: INCUBATORS			
274	Incubators, 1,000-egg capacity and smaller	0	0	31
275	Incubators, over 1,000-egg capacity	0	0	26
	DIVISION 2: FLOOR BROODERS			
276	Oil	0	8	75
277	Coal	0	21	75
278	Gas	0	0	40
279	Wood	0	21	75
280	Electric	0	0	72
	DIVISION 3: BATTERY BROODERS (HEATED)			
281	Three deck and smaller (heated)	0	0	26
282	Four deck (heated)			
283	Five deck (heated)			
	DIVISION 4: GROWING AND LAYING BATTERIES			
284	Growing	0	0	21
285	Laying	0	0	0
	DIVISION 5: POULTRY FEEDERS			
286	Deleted February 12, 1943.			
	DIVISION 6: POULTRY WATERERS			
287	Poultry waterers (iron and steel only)	0	0	53
	DIVISION 7: LAYING NESTS AND GRIT BOXES			
288	Deleted February 12, 1943.			
289	Deleted February 12, 1943.			

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 19: FARM POULTRY EQUIPMENT—Continued

Item		Class of producer "A"	"B"	"C"
	DIVISION 8: OTHER FARM POULTRY EQUIPMENT			
	Including but not limited to, egg scales, egg baskets, egg graders, and leg bands. (List each item separately.)	*Percent*	*Percent*	*Percent*
290		0	0	18
291				
292				
	DIVISION 9: ATTACHMENTS			
293	Attachments for all items in Group 18 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 19: MISCELLANEOUS FARM EQUIPMENT

	DIVISION 1: BEEKEEPERS' SUPPLIES			
294	Beekeepers' supplies (except bee hives)	0	0	38
295	Deleted February 12, 1943.			
	DIVISION 2: SILOS			
296	Silos (total weight of iron and steel) (NOTE: Number of units limited to 1940 or 1941 production, whichever was greater.)	0	0	16
	DIVISION 3: HORSE SHOES (INCLUDING MULE SHOES)			
297	Horse shoes (including mule shoes) (NOTE: Calks and nails are considered as repairs.)	0	45	75
	DIVISION 4: HARNESS HARDWARE			
298	Harness hardware	31	31	31
	DIVISION 5: POWER SHEEP SHEARING MACHINES			
299	Power sheep shearing machines	100	100	100
	DIVISION 6: ELECTRIC FENCE CONTROLLERS			
300	Electric fence controllers	0	0	16
301	Electric fence accessories			
	DIVISION 7: Deleted February 12, 1943			
302 thru 308 inc.	Deleted February 12, 1943			
	DIVISION 8: FARM WOOD-SAWING MACHINES			
309	Farm wood-sawing machines	0	0	16
	DIVISION 9: FARM GATES			
310	Deleted February 12, 1943.			
	DIVISION 10: FARM LIGHTING PLANTS			
311	Farm lighting plants	0	0	0
	DIVISION 11: ATTACHMENTS			
312	Attachments for all items in group 19 expressed in terms of net shipping weight in pounds.[1]	(1)	(1)	(1)

[1] Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

EXPORT SCHEDULES

SCHEDULE OF EXPORT QUOTAS BY GROUPS OF COUNTRIES AND QUOTA PERCENTAGES COVERING THE SHIPMENT OF FARM MACHINERY AND EQUIPMENT AND REPAIR PARTS FOR THE PERIOD OF NOVEMBER 1, 1942, TO OCTOBER 31, 1943

(Quotas shown are expressed as a percentage of one-half the total weight of shipments made to all the countries in the particular group during the calendar years 1940 and 1941.)

Schedule B–1

Quota Percentage—111%

United Kingdom:

Great Britain	Scotland
Northern Ireland	Wales

Schedule B–2

NOTE: Schedule B-2 amended in its entirety.

Country:	*Quota percentage*
Australia	180
Union of South Africa	90
Egypt and Sudan	65
British India	65
Palestine	118
Liberia	118
Iran	118
Turkey	70
French Oceania and Free French Areas thereof	118
British East Africa	118
Other British West Africa	118
New Zealand	170
No. & So. Rhodesia	90
Gold Coast	118
Arabia	118
U. S. S. R.	118
Mauritius	70
Belgian Congo	118
Madagascar	118
French Cameroun	118
Ethiopia	118
Syria	118
Gozo	70
Ceylon	118
Nigeria	118
Iraq	118
China	70
Iceland	300
British Oceania	118
Cyprus	118
Malta	118
Falkland Islands	118

Schedule B–3

Quota Percentage—39%

Argentine	Haiti
Chile	Nicaragua
Dominican Republic	Peru
Guatemala	Venezuela
Mexico	Brazil
Paraguay	Costa Rica
Uruguay	Ecuador
Bolivia	Honduras
Colombia	Panama Republic
Cuba	Salvador

Schedule B–4

Quota Percentage—61%

Mozambique	Angola
Portugal	Labrador
Switzerland	French West Indies
Newfoundland	Sweden
Eire	Greenland
Spain	

Schedule B–5

NOTE: Schedule B-5 amended in its entirety.

Country:	*Quota percentage*
British Guiana	70
Bermuda	70
Barbados	70
Trinidad	70
Surinam	70
Jamaica	70
Curacao	70
British Honduras	70
Other British West Indies	70

Schedule B–6

Quota Percentage—37%

Alaska	Hawaii
Virgin Islands	Puerto Rico

Schedule B–7

SCHEDULE OF QUOTAS BY ITEMS COVERING THE SHIPMENT TO CANADA OF FARM MACHINERY AND EQUIPMENT AND REPAIR PARTS THEREFOR AND THE PERIOD NOVEMBER 1, 1942, TO OCTOBER 31, 1943

(Quotas shown are expressed as a percentage of the number of units of each item shipped to Canada during the calendar year 1940. Items not listed are not to be manufactured for shipment to Canada.)

Group I—Seeding and Fertilizing Machinery:	*Quota percentage*
Grain Drill (Plain)	22
Grain Drill (Press)	0
Corn Planter and Drill	25
Potato Planter	20
Manure Spreader	30
Other Planting and Seeding (including Beet Drills and Transplanter)	20
Group II—Plows:	
Walking Plow—1 furrow	33
Tractor Plow	22
Disc Plow	0
Harrow Plow—One Way Disc—Tiller	32
All other Plows (including Integral)[1]	31

[1] Subject to appeal under paragraph (o).

Group III—Tillage and Cultivating Machinery:	*Quota percentage*
Scufflers and Horse Hoes	25
Corn Cultivators	25
Field Cultivators	30
All other Cultivators (including Beet, Tobacco, and Integral)	20
Drag Harrow Sections	7
Spring Tooth Harrows	23
Disc Harrows	25
Group IV—Haying Machinery:	
Mower	30
Hayloader	35
Side Rake and Tedder	25
Dump Rake	25
Pick-up Baler and Hay	100
All other Haying Machines (including Hay forks, knives, etc.)	25
Group V—Harvesting Machinery:	
Horse Drawn Grain Binder	0
Tractor Grain Binder	0
Corn Binder	25
Combine—Reaper, Thresher	33
Swather	20
Stationary Thresher	0
Potato Digger	25
Corn Sheller	25
Corn Picker (150 units Mfgr. designated later)	
Other Harvesting Equipment, including Beet Lifters)	25
Group VI—Sundry Machines for Preparing Crops for Market or Use:	
Grinder, Feed Cutter, Roller, Pulper	50
Ensilage Cutter	35
Hammer Mill	7
Grain Loader or Elevator	25
Group VII—Farm Power:	
Wheel Tractor	24
Stationary Engine	50
Group VIII—Wagons, Trucks, Sleighs:	
Wagon Gears	60
Farm Truck	60
Group IX—Dairy Equipment:	
Milking Machine Complete	100
Cream Separator	84
Churn	100
Group X—Sprayers and Dusters:	
Potato and Orchard Sprayer and Duster	50
Sprayer Pump	54
Group XI—Domestic Water System:	
Well or Cistern Pump	50
Pump Jack	50
Windmill Head	50
Domestic Water Pressure System	25
Group XII—Barn and Barnyard Equipment	0
Group XIII—Miscellaneous Equipment:	
Incubator	40
Brooder (Floor Type)	40
Wheel Barrow (Wood Only)	53
Sheep Shearers and Animal Clippers	239
Attachments and Repair Parts	150

[INTERPRETATION 1]

In order to clarify the classification of producers under paragraphs (b) (3), (4), (5) and (6) of § 1029.10 *Limitation Order L–170*, resulting from transfers of quotas pursuant to § 944.28 (Interpretation of Limitation and Conservation Orders with respect to the Assignability of Quotas), the following official interpretation is hereby issued with respect to said § 1029.10:

(a) Whenever a producer's total farm equipment business has been or may be sold as a going concern, continuing, in the hands of the purchaser, to make substantially the same product at the same plant and with substantially the same personnel (other than executive officers), the classification of the purchaser shall be based upon his total net sales (including those of affiliates) of all products during 1941, plus total sales of farm machinery and equipment and repair parts by the acquired company during 1941. However, if the purchaser uses the acquired company's 1940 base production under paragraph (b) (12) of Order L–170, then, for purposes of the purchaser's classification, sales of the acquired company during 1940, rather than 1941, must be used.

(2) Any other arrangement whereby a producer purports, or has purported, to assign to another person his quota (or a portion thereof) for the production of farm machinery and equipment or repair parts is invalid, unless specifically authorized for the period covered by Order L–170 by the Director General for Operations pursuant to an appeal, which should be made jointly. If such an appeal is granted, the classification of the assignee, unless otherwise directed, will be based upon his total net sales (including those of affiliates) of all products during 1941, plus the 1941 sales of that portion of the assignor's farm machinery and equipment or repair parts business acquired by the assignee. If the assignee is authorized to use the assignor's 1940 base production of such portion, then, for purposes of the assignee's classification, sales of the assignor during 1940, rather than 1941, must be used.

(3) Assignments of quota specifically authorized by appeal under Limitation Order L–26 for the period ending October 31, 1942, are not recognized for the period covered by Order L–170. Accordingly, a new appeal should be made in each case where the assignee wishes to continue producing pursuant to an assignment of quota authorized under Order L–26. Appeals by any such assignee and his classification are governed by § 944.28 and paragraph (2) above. (Issued December 12, 1942.)

[F. R. Doc. 43–2297; Filed, February 12, 1943; 11:00 a. m.]

PART 1075—CONSTRUCTION

[Preference Rating Order P–55, as Amended Feb. 12, 1943]

HOUSING CONSTRUCTION MATERIALS

Section 955.4 *Preference Rating Order P–55* is hereby amended to read as follows:

Name of owner:..... Address:..... Serial No.....
Effective date:.....

§ 1075.7 *Preference Rating Order 55; Housing construction materials.* For the purpose of facilitating the acquisition of material for the construction of the housing project hereinafter described, a preference rating is hereby assigned to deliveries to the above-named owner upon the following terms:

(a) *Definitions.* (1) "Owner" means the specific person to whom this order is addressed above.

(2) "Builder" means the owner and any building contractor or subcontractor with whom the owner has placed a contract pursuant to which such contractor or subcontractor has agreed to furnish critical material.

(3) "Housing project" means the housing project described in the builder's application, comprising _____ units.

(4) "Material" shall mean any personal property including but not limited to structural supplies and equipment, and supplies and equipment to be used at the location during the construction of the housing project.

(5) "Critical material" means any material included in the War Housing Critical List, and only such material. Copies of this list may be obtained from any local office of the Federal Housing Administration, or from any field office of the War Production Board.

(6) "Application" means the owner's application on Form PD–105, Serial No. _____, dated _____.

(b) *Assignment of preference rating.* The following preference ratings are hereby assigned to deliveries to the builder of those quantities and kinds of material which may be specifically authorized for such rating by the Director General for Operations on the copy of the application returned to the builder:

(c) *Restrictions on use of preference ratings.* (1) The builder may apply the preference ratings hereby assigned only to those quantities and kinds of material specifically authorized for such rating by the Director General for Operations on the copy of the application returned to the owner and subject to the conditions therein set forth. This order will be cancelled immediately if the builder is found to have applied any rating to deliveries in excess of his specific authorization.

(2) The builder may not apply any preference rating herein assigned to obtain delivery of material, nor shall he accept delivery of material, in greater quantities or on earlier dates than required to enable him to maintain his construction schedule on the housing project.

(d) *Restrictions on use of materials.* The builder shall not order or accept delivery of any critical material to be incorporated into the housing project or incorporate any critical material into the housing project other than that specifically set forth and approved in the application.

(e) *Application of preference rating.* The builder in order to apply the preference ratings hereby assigned to deliveries of material to him, must, in addition to complying with the provisions of Priorities Regulation 3, submit in triplicate each purchase order or contract which is to be rated hereunder to the same local office with which the owner filed his application (or, where the owner is the Federal Public Housing Authority to the appropriate local office of that Authority), for the countersignature of an authorized official. No purchase order on contract placed by the builder shall be a rated order without such countersignature.

(f) *Liability of owner.* The owner and any other person who now holds or hereafter acquires any beneficial interest in the housing project or any part thereof, is hereby ordered to comply with all the representations, certifications and promises made by said owner in the Application, except where and to the extent such other person is relieved of such

responsibility by regulation of the National Housing Agency.

(g) *Records.* In addition to the records required to be kept under Priorities Regulation 1, as amended from time to time, the builder and each subcontractor and supplier placing or receiving any purchase order or contract rated hereunder shall retain, for a period of two years for inspection by representatives of the War Production Board, endorsed copies of all such purchase orders or contracts, whether accepted or rejected, segregated from all other purchase orders or contracts or filed in such manner that they can be readily segregated for such inspection.

(h) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall unless otherwise directed be addressed to: War Production Board, Washington, D. C., Ref: P–55.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control, and may be deprived of priorities assistance by the Director General for Operations, and may be denied permission to begin construction under General Conservation Order L–41.

(j) *Applicability of Priorities Regulations 1 and 3.* This order and all transactions affected thereby are subject to the provisions of all Priorities Regulations of the War Production Board (Part 944) including Priorities Regulations 1 and 3, as amended from time to time.

(k) *Effective date.* This order shall take effect on the date stipulated in the heading hereof and unless sooner revoked, shall expire on the ____ day of ----------.

(l) *Effect on outstanding orders.* This order shall not affect serially numbered P–55 orders issued prior to February 12, 1943.

Issued this 12th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–2299; Filed, February 12, 1943, 11:00 a. m.]

PART 3182—FLAX FIBER AND PRODUCTS

[Conservation Order M–284]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of flax fiber and products for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3182.1 *Conservation Order M–284.*—(a) *Definitions.* For the purposes of this order:

(1) "Flax" means the following forms of fiber from the flax plant (linum usatatissimum), wherever grown, when grown for fiber purposes as distinguished from seed purposes: raw or unhackled flax, hackled flax, hackling machine tow, tossed flax and flax pullings.

(2) "Flax product" means any product, except hackled flax, hackling machine tow, noils or combed tow, processed from flax or flax mixed with other material.

(3) "Hose yarn" means a flax product to be woven into hose for fire-fighting use.

(4) "Shoe thread" means a flax product for repairing shoes or for sewing or repairing harnesses.

(5) "Sack sewing twine" means a flax product used in the field for sewing grain sacks.

(b) *Restrictions on processing, use and sales.* (1) No person shall put into process any flax except for the manufacture, by himself or others, of single or plied yarn or roving.

(2) No person shall commercially use or incorporate, or knowingly sell, any flax single or plied yarn or roving except for:

(i) A flax product to fill orders for the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration, but only to the extent that the use of such flax product is required by the specifications of the prime contract involved;

(ii) A flax product to fill orders bearing a preference rating of A–1–j or higher: *Provided,* That hackling machine tow, tossed flax and flax pullings may be used on orders bearing a preference rating of A–10 or higher;

(iii) Hose yarn;

(iv) Shoe thread;

(v) Fish nets, netting, webs and other fishing gear, but only for commercial fishing uses;

(vi) Sack sewing twine: *Provided,* That hackling machine tow, tossed flax and flax pullings may be used for twine, rope or thread, but not for weaving purposes.

(c) *Importation.* The importation of flax shall be made in conformity with the provisions of General Imports Order M–63, as amended from time to time.

(d) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all the applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(e) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(f) *Reports.* All processors and owners of flax shall file a monthly report on Form PD–469 not later than the 10th day of the following month with the United States Tariff Commission, Washington, D. C., acting as compiling agent for the War Production Board. All persons affected by this order shall file such other reports as may from time to time be required by the War Production Board.

(g) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Ref.: M–284.

(h) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 12th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–2298; Filed, February 12, 1943, 11:00 a. m.]

Chapter XI—Office of Price Administration

PART 1304—IRON AND STEEL SCRAP

[RPS 4[1] as Amended Feb. 11, 1943]

IRON AND STEEL SCRAP

Sec.

1304.1 Maximum prices on sales of iron and steel scrap other than railroad scrap.
1304.2 Maximum prices on sales of iron and steel railroad scrap.
1304.3 Lower than maximum prices
1304.4 Method of securing information governing maximum prices on sales of iron and steel railroad scrap
1304.5 Geographical application.
1304.6 Commissions.
1304.7 Evasion
1304.8 Record-keeping and reporting requirements.
1304.8a Licensing order applicable.
1304.9 Petitions for amendment.
1304.10 Enforcement.
1304.11 Definitions.
1304.12 Effective date.
1304.12a Effective dates of amendments
1304.13 Appendix A: Maximum prices for iron and steel scrap other than railroad scrap.
1304.14 Appendix B: Maximum prices for iron and steel scrap originating from railroads.
1304.15 Appendix C: Maximum prices for cast iron scrap other than railroad scrap.

[1] 7 F.R. 1207.

Sec.

1304.16 Appendix D: Maximum prices for iron and steel scrap for export from the United States.
1304.17 Appendix E: Maximum prices for iron and steel scrap imported into the United States.

AUTHORITY: §§ 1304.1 to 1304.17, inclusive, issued under Executive Orders Nos. 8734, 8875, 6 F.R. 1917, 4483. (Executive authority superseded by Emergency Price Control Act of 1942, Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.)

§ 1304.1 *Maximum prices on sales of iron and steel scrap other than railroad scrap.* On and after April 3, 1941, regardless of the terms of any contract of sale or purchase or other commitment theretofore entered into, no person shall sell, offer to sell, deliver, or transfer iron and steel scrap other than railroad scrap, to the consumer of such scrap or to his broker, at prices higher than the prices set forth in Appendices A, C, D and E, incorporated herein as §§ 1304.13, 1304.15, 1304.16 and 1304.17, and no consumer or his broker shall buy, offer to buy, or accept delivery of, iron and steel scrap other than railroad scrap at prices higher than the prices set forth in Appendices A, C, D and E (§§ 1304.13, 1304.15, 1304.16 and 1304.17) except as provided in §§ 1304.6 and 1304.9 hereof.

§ 1304.2 *Maximum prices on sales of iron and steel railroad scrap.* On and after April 3, 1941, regardless of the terms of any contract of sale or purchase, or other commitment theretofore entered into, no person shall sell, offer to sell, deliver or transfer iron and steel railroad scrap to the consumer of such scrap or to his broker, at prices higher than the prices set forth in Appendices B, D and E, incorporated herein as §§ 1304.14, 1304.16 and 1304.17, and no consumer or his broker shall buy, offer to buy, or accept delivery of iron and steel railroad scrap at prices higher than the prices established in Appendix B, except as provided in §§ 1304.6 and 1304.9 hereof.

§ 1304.3 *Lower than maximum prices.* Lower prices than those set forth in Appendices A, B, C, D and E (§§ 1304.13, 1304.14, 1304.15, 1304.16 and 1304.17) may, however, be charged, demanded, paid or offered.

§ 1304.4 *Method of securing information governing maximum prices on sales of iron and steel railroad scrap.* On and after April 3, 1941, no sale of any grade of iron and steel railroad scrap, for which a maximum price is not listed in § 1304.14, Appendix B, shall be made until after the Office of Price Administration has established a maximum price therefor, and until opportunity has been given any prospective buyer of such scrap to learn the maximum price applicable to such sale. The prospective buyer may ascertain such maximum price by addressing an inquiry to the Office of Price Administration, Washington, D. C. The railroad maker thereof or other person shall file with the Office of Price Administration the information required to determine with § 1304.14, Appendix B, the maximum price thereby established for such grade.

§ 1304.5 *Geographical application.* The provisions of Revised Price Schedule No. 4 shall apply only to sales, offers to sell, deliveries, or transfers of iron and steel scrap moving within, into or out of one of the 48 States of the United States or the District of Columbia.

§ 1304.6 *Commissions.* (a) No commission shall be payable hereunder, except by a consumer to a broker for brokerage services rendered to the consumer. In the event that a broker purchases iron and steel scrap for sale to a consumer, such consumer may pay such broker a commission not exceeding 50 cents per gross ton.[2] No commission shall be payable unless (1) the broker guarantees the quality and delivery of an agreed tonnage of scrap; (2) the scrap is purchased by the consumer at a price not higher than the maximum applicable herein; (3) the broker sells the scrap to the consumer at the same price at which he purchased it; (4) the broker does not split or divide the commission, in whole or in part, with the seller or sellers of the scrap, with another broker or sub-broker, or with the consumer; (5) the commission is shown as a separate item on the invoice.

No commission shall be payable to a person for scrap which he prepares; nor shall any commission be payable to a person controlling, or holding directly or indirectly a substantial financial interest in, the person preparing the scrap, or to a person controlled by the person preparing the scrap, or to a person in whom the person preparing the scrap holds directly or indirectly a substantial financial interest. ((a) amended by Amendments 6 and 8, 7 F.R. 4488 and 8190.)

(b) Whenever a consumer shall employ, or retain in its employ or as its agent, for the purchase of iron and steel scrap, any individual who, at any time since April 3, 1941, has been engaged as the partner, officer, employee or agent of a person who is or was engaged in the business of selling iron and steel scrap to consumers, or who holds or, since April 3, 1941, has held, any direct or indirect interest, in any such person, such consumer (1) shall neither retain nor acquire any business or commercial relations with such person or with any other person owning a substantial interest in such person, or with any affiliate of such person or of such other person; and (2) shall in no event pay a commission in connection with the purchase of iron and steel scrap to any person whatsoever: *Provided, however,* That the prohibitions of this paragraph shall not apply if the arrangement for employment of such individual has been submitted to and approved by the Office of Price Administration as not designed or tending toward the evasion of the provisions of this Revised Price Schedule. ((b) amended by Amendment 6, 7 F.R. 4488.)

(c) Notwithstanding any provision to the contrary in paragraph (a) of this § 1304.6, if scrap is sold to a consumer and is to be prepared in-transit pursuant to the provisions of § 1304.13 (c) (4), (5) or (6) or § 1304.14 (e) (4), the fact that the preparation is to be performed by the person selling the scrap to the consumer shall not preclude such person from charging a commission. ((c) added by Amendment 10, 8 F.R. 857)

§ 1304.7 *Evasion.* The price limitations set forth in Revised Price Schedule No. 4 shall not be evaded whether by direct or indirect methods, in connection with the purchase, sale, delivery or transfer of iron and steel scrap, alone or in conjunction with any other material, or by way of any commission, credit, billing, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or by upgrading, or otherwise.

§ 1304.8 *Record-keeping and reporting requirements.* Every dealer in, and every maker, smelter, processor, broker, or consumer of, and every other person purchasing or selling iron and steel scrap shall keep for inspection by the Office of Price Administration for a period of not less than one year, complete and accurate records of:

(a) As of the close of each month, the quantity in pounds and quality by grades of iron and steel scrap, (1) on hand and (2) on order;

(b) In the case of transactions for which maximum prices are established in Revised Price Schedule No. 4, each such purchase or sale, the date thereof, the name and address of the buyer or the seller, the shipping point price, the quantity in pounds and quality in grades, as defined in the applicable appendix, the mode or modes of transportation used from shipping point to point of delivery, the transportation charges involved, the bills of lading and other documents evidencing the movement from shipping

[2] For grades of scrap commanding a premium for contained nickel under § 1304.13 (a) (4), the maximum commission shall be $1.00 per gross ton.

point to point of delivery, the delivered price and the commission, if any, involved in the transaction. The record shall also contain such further requirements as are set forth in the applicable appendix (see especially § 1304.15 (b) (2) (iii)).

(c) In the case of transactions (including purchases or sales of used material which is to be made into iron and steel scrap, e. g., a box car, locomotive, graveyard automobile or the like) for which no maximum prices are established hereunder, each such purchase or sale, the date thereof, name and address of the buyer or seller, the type of material involved, the purchase or sales price, and the terms of such price (i. e. whether the material is purchased or sold "as is", "where is", or "delivered to the dealer's yard", or otherwise.

(d) Persons affected by Revised Price Schedule No. 4 shall submit such reports to the Office of Price Administration as it may from time to time require.

(e) Where shipment of scrap to the consumer or his broker involves rail or water movement, the shipper must execute and mail to the consumer or broker a shipping notice simultaneously with the shipment of the scrap. Such shipping notice must contain the date of shipment, number and initial of car or name of vessel, the consumer's and/or broker's purchase order number, the specific grade or grades of scrap as they are designated in the applicable appendix of this Revised Price Schedule No. 4 (e. g., No. 2 Heavy Melting Steel, Cut Automotive Steel 2 ft. and under, Unprepared Heavy Melting Steel, Heavy Breakable Cast (No. 1 Cupola Cast), and the signature of the shipper or his duly authorized representative. ((e) added by amendment 3, 7 F.R. 3087)

(f) Reports regarding initial sales of inferior unlisted grades of scrap shall be filed in accordance with the requirements of §§ 1304.13 (a) (7) and 1304.15 (a) (4). ((f) added by Amendment 8, 7 F.R. 8190)

§ 1304.8a *Licensing order applicable.* The provisions of Supplementary Order No. 5 [1]—Licensing, are applicable to every dealer subject to this Revised Price Schedule No. 4, as amended, selling iron and steel scrap to a consumer or his broker. In this section, and this section only, the term "dealer" shall have the meaning given to it by Supplementary Order No. 5. (§ 1304.8a added by Amendment 4, 7 F.R. 3550)

§ 1304.9 *Petitions for amendment.* Any person seeking an amendment of any provisions of this Revised Price Schedule No. 4 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[2] (§ 1304.9 as amended by Supplementary Order 26, 7 F.R. 8948)

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1304.10 *Enforcement.* (a) Persons violating any provision of this Revised Price Schedule No. 4 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942. ((a) amended by Amendment 4, 7 F.R. 3550)

(b) Persons who have evidence of any violation of this Revised Price Schedule No. 4 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1304.11 *Definitions.* (a) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing. ((a) amended by Amendment 4, 7 F.R. 3550)

(b) "Iron and steel scrap" means all ferrous materials, either alloyed or unalloyed, of which iron or steel is a principal component, which are the waste of industrial fabrication, or objects that have been discarded on account of obsolescense, failure, or other reasons, and shall include any material, whether reusable or not, which is normally consumed (by way of example but not by way of limitation) in remelting, rerolling, reworking, ballast, or annealing operations, or as a reduction agent. ((b) amended by Amendment 2, 7 F.R. 2155)

(c) "Iron and steel scrap other than railroad scrap" means the kinds and grades of imported and domestic iron and steel scrap referred to in Appendices A, C, D and E (§§ 1304.13, 1304.15, 1304.16 and 1304.17)

(d) "Iron and steel railroad scrap" means iron and steel scrap having a railroad origin and includes the kinds and grades of imported and domestic iron and steel scrap referred to in Appendices B, D and E (§§ 1304.14, 1304.16 and 1304.17)

(e) "Railroad" means steam and electric railroads, street, suburban, and interurban electric railways and local trolleys, and mines, logging roads and similar sources of iron and steel scrap.

(f) "Consumer" means a purchaser for its own consumption of iron or steel scrap—(by way of example but not by way of limitation) smelter, foundry, steel mill, briquetter, forge shop, and any governmental agency or sub-division other than the Metals Reserve Corporation. ((f) amended by Amendment 6, 7 F.R. 4488.)

(g) "Imported scrap" means iron and steel scrap which does not originate in and is not shipped from one of the 48 States or the District of Columbia.

§ 1304.12 *Effective date.* Price Schedule No. 4 shall become effective April 3, 1941, except as otherwise specifically provided herein. (Issued April 2, 1941.)

§ 1304.12a *Effective dates of amendments.*

Amendment Nos. and issue dates:	Effective
Amendment 1 (3–18–42)	3–18–42
Amendment 2 (3–30–42)	3–31–42
Amendment 3 (4–24–42)	4–28–42
Amendment 4 (5–12–42)	5–18–42
Amendment 5 (5–22–42)	5–26–42
Amendment 6 (6–13–42)	6–17–42
Amendment 7 (8–8–42)	8–14–42
Amendment 8 (10–9–42)	10–15–42
Correction (1–22–43)	10–15–43
Amendment 9 (12–4–42)	12–1–43
Amendment 10 (1–16–43)	1–22–43
Correction (1–22–43)	1–22–43
Amendment 11 (2–11–43)	2–16–43

§ 1304.13 *Appendix A: Maximum prices for iron and steel scrap other than railroad scrap.* (a) Basing point prices from which shipping point prices and consumers' delivered prices are to be computed.

(1) *Basing point*[1] *prices of the base grade, No. 1 heavy melting steel.*

No. 1 Heavy Melting Steel (Item 1)

Basing point:	Price per gross ton
Pittsburgh, Pa.[2]	$20 00
Brackenridge, Pa.	20 00
Butler, Pa.	20 00
Monessen, Pa.	20 00
Midland, Pa.	20 00
Johnstown, Pa.	20 00
Sharon, Pa.	20 00
Canton, Ohio	20 00
Steubenville, Ohio	20 00
Youngstown, Ohio	20 00
Warren, Ohio	20 00
Weirton, W. Va.	20 00
Cleveland, Ohio	19 50
Cincinnati, Ohio[3]	19 50
Middletown, Ohio	19 50
Portsmouth, Ohio	19 50
Ashland, Ky.	19 50
Buffalo, N. Y.	19 25
Claymont, Del.	18 75
Coatesville, Pa.	18 75
Conshohocken, Pa.	18 75
Harrisburg, Pa.	18 75
Phoenixville, Pa.	18 75
Sparrow's Point, Md.	18 75
Chicago, Ill.	18 75
Bethlehem, Pa.	18 25
Kokomo, Ind.	18 25
Duluth, Minn.	18 00
Detroit, Mich.	17 85
Toledo, Ohio[4]	----
St. Louis, Mo.[5]	17 60

[1] A basing point includes the switching district of the city named.

[2] The Pittsburgh basing point includes the switching districts of Bessemer, Homestead, Duquesne, Munhall and McKeesport, Pa.

[3] The Cincinnati basing point includes the switching district of Newport, Ky.

[4] Toledo, Ohio shall be a basing point for Items 8, 9, 10, 11, and 12 and the basing point prices for those items shall be:

	Price per gross ton
Item 8. Machine shop turnings	$12 85
Item 9. Mixed borings and turnings	12 85
Item 10. Shovelling turnings	14 85
Item 11. No. 2 Busheling	15 35
Item 12. Cast iron borings	13 85

[5] The St. Louis basing point includes the switching districts of Granite City, East St. Louis and Madison, Illinois.

[1] 7 F.R. 3403, 6077, 9723; 8 F.R. 605.

[2] 7 F.R. 8961

Basing point:	Price per gross ton
Atlanta, Ga.	17.00
Alabama City, Ala.	17.00
Birmingham, Ala.	17.00
Los Angeles, Calif.	17.00
Pittsburg, Calif.	17.00
San Francisco, Calif.[6]	17.00
Minnequa, Colo.	16.50
Seattle, Wash.	14.50

[6] The San Francisco basing point includes the switching districts of South San Francisco, Niles and Oakland, California.

((1) amended by Amendment 6, 7 F.R. 4488; note 4 corrected, 8 F.R. 1114)

(2) *Basing point prices of standard grades.* The basing point price of any of the following standard grades at the applicable basing point named in subparagraph (1) of this paragraph shall be the basing point price of No. 1 heavy melting steel at such basing point, plus or minus the adjustment specified below:

Standard grades	Adjustments (plus or minus)
Basic Open Hearth Grades:	
2. No. 2 heavy melting steel	-------
3. No. 1 busheling	-------
4. No. 1 bundles	-------
5. No. 2 bundles	-------
6. No. 3 bundles	—$2.00
7. Tin-can bundles	— 4.00
8. Machine shop turnings	— 5.00
Blast Furnace Grades:	
9. Mixed borings and turnings	— 5.00
10. Shovelling turnings[7]	— 3.00
11. No. 2 busheling	— 2.50
12. Cast iron borings	— 4.00
Electric Furnace, Acid Open Hearth and Foundry Grades—For Electric Furnace, Acid Open Hearth and Foundry Use Only: [1]	
13. Billet, bloom and forge crops	+ 5.00
14. Bar crops and plate scrap	+ 2.50
15. Cast steel	+ 2.50
16. Punchings and plate scrap	+ 2.50
17. [Revoked by Amendment 7]	
18. Cut structural and plate scrap, 3 ft. and under	+ 1.50
19. Cut structural and plate scrap, 2 ft. and under	+ 2.00
20. Cut structural and plate scrap, 1 ft. and under	+ 2.50
21. [Revoked by Amendment 10]	
22. Foundry Steel, 2 ft. and under	+ 1.50
23. Foundry steel, 1 ft. and under	+ 2.00
24. Automotive springs and crankshafts	+ 1.00
25. Alloy free turnings	— 2.00
26. Heavy turnings	— .50
27. Electric furnace bundles	+ 1.00

[1] No Basic Open Hearth or Blast Furnace consumer may purchase any Electric Furnace, Acid Open Hearth or Foundry Grade at a price in excess of the price listed in this paragraph for the corresponding Basic Open Hearth or Blast Furnace Grade: *Provided, however*, That this limitation shall not apply where the scrap has been shipped pursuant to an allocation order issued by the War Production Board. The prices of Items 13, 25 and 26 shall not exceed the prices of Basic Open Hearth and Blast Furnace Grades respectively, unless delivered to the consumer direct from the industrial producer thereof.

(Items 2–7, 12–16, 24–27, inc., amended by Amendment 6, 7 F.R. 4488; 8, 9, 10, 18, 19, 20, 22, and 23, amended by Amendment 10, 7 F.R. 857; 11 amended by Amendment 8, 7 F.R. 8190; footnote 1 amended by Amendment 7, 7 F.R. 6217)

(3) *Basing point prices of special grades.* The basing point price of any of the following special grades at the applicable basing point named in subparagraph (1) of this paragraph shall be the basing point price of No. 1 heavy melting steel at such basing point, plus or minus the adjustment specified below:

Special grades	Adjustments (plus or minus)
28. Briquetted machine shop turnings	------
28a. Baled machine shop turnings	------
29. Briquetted shoveling turnings	------
29a. Briquetted alloy free turnings	$2.00
For electric furnace, acid open hearth and foundry use only.	
30. Briquetted cast iron borings	—1.00
Cast iron borings—for chemical use only:	
31. No. 1 chemical borings[1]	—1.00
32. No. 2 chemical borings[1]	—2.00

[1] An additional charge of 75 cents per gross ton may be made where Items 31 and 32 are loaded in box cars.

((3) amended by Amendment 6, 7 F.R. 4488; 28a added by Amendment 8, 7 F.R. 8190; 29a added by Amendment 7, 7 F.R. 6217.)

(4) *Premiums for alloy content.* With the exception of the premiums specifically authorized below or in any other price schedule or regulation issued by the Office of Price Administration, no premium may be charged for contained alloys. In order to command the premiums authorized below, the scrap need not come direct from the industrial producer; nor with the exception of subdivisions (ii) (d) and (iii) are the premiums confined to a particular use. ((4) Amended by Amendment 7.)

(i) Nickel steel scrap 5.25% nickel and under. Where any grade of scrap governed by this Appendix contains 1% or more nickel, a premium of $1.00 per gross ton for each ¼ of 1% nickel may be charged. The premium shall be applied in accordance with the following table:

1% up to 1.25% nickel content	+ $4.00
1.25% up to 1.50% nickel content	+ 5.00
1.50% up to 1.75% nickel content	+ 6.00
1.75% up to 2.00% nickel content	+ 7.00
2.00% up to 2.25% nickel content	+ 8.00
etc.	

No premium for nickel content may be charged for any grade having less than 1% nickel. ((i) amended by Amendment 6.)

(ii) Where, apart from alloy content, any grade of scrap meets the specifications contained in paragraph (f), the following premiums above the maximum prices for such items shall be the maximum applicable for the contained alloys:

(a) Alloy steel scrap containing less than 1% nickel, no premium for the nickel content.

(b) Alloy steel scrap containing 1% or more nickel, $1.00 per gross ton for each ¼ of 1% nickel, but no premium for other contained alloys.

(c) Alloy steel scrap in which molybdenum is contained, $2.00 per gross ton for .15% to .65% molybdenum, or $3.00 per gross ton for over .65% molybdenum; but no premium for nickel content under 1%, or for other contained alloys. If the nickel content is 1% or more, no premium is allowable for the contained molybdenum.

(d) Alloy steel scrap conforming to specifications SAE 52,100 and sold for *Electric Furnace Use only*, $1.00 per gross ton. ((ii) amended by Amendments 6 and 7)

(iii) Where high manganese steel scrap containing at least 10% manganese, cut 12" x 24" x 8" and under, and suitable without further preparation for direct charging into an electric furnace, is sold for electric furnace use only, the basing point price at the applicable basing point shall be $7.00 per gross ton over No. 1 heavy melting steel. If the material is larger than 12" x 24" x 8" and is sold for electric furnace use only, the basing point price at the applicable basing point shall be $3.00 per gross ton over No. 1 heavy melting steel. ((iii) amended by Amendment 8)

(5) (i) *Prohibition against special preparation charges.* Except upon prior approval by the Office of Price Administration, no charge may be made for special preparation. ((i) amended by Amendment 10)

(ii) Whenver scrap has arrived at the point of delivery, and the consumer engages a dealer to prepare such scrap, no charge may be made for such service unless prior approval is secured from the Office of Price Administration. ((ii) added by Amendment 8)

(6) *Grades superior to No. 1 heavy melting steel.* Except upon prior approval by the Office of Price Administration, no grade of scrap (other than those listed in this paragraph) shall command a premium over the maximum price established herein for the base grade, No. 1 heavy melting steel. ((6) amended by Amendment 6)

(7) *Grades inferior to No. 1 heavy melting steel.* Grades (other than those listed in this paragraph) which are inferior to the base grade, No. 1 heavy melting steel, shall be priced at the average differential below the base grade price which the seller received during the base period September 1, 1940 to January 31, 1941: *Provided, however*, That if the seller's base period experience was inadequate or unrepresentative, the seller shall apply to the Office of Price Administration, Washington, D. C., for the establishment of an appropriate price. For the initial sale after October 15, 1942, of each unlisted grade of scrap priced according to the seller's base period experience, such seller shall file with the Office of Price Administration, Washington, D. C., within 15 days after delivery of such scrap, a complete description of the material sold and the price charged.

For the purposes of this subparagraph only, the term seller means the person selling to the broker, or, in cases where a broker is not involved in the transaction, the person selling to the consumer. ((7) amended by Amendment 8)

(8) *Mixed shipments.* (i) When grades of scrap commanding different maximum prices under the provisions of this Revised Price Schedule No. 4, are included in one vehicle, the maximum price for the scrap in such vehicle shall be the maximum price applicable to the lowest priced grade in the vehicle.

(ii) The limitation in (i) of this subparagraph shall not affect shipments involving vessel movement if each grade commanding a different maximum price under the provisions of Revised Price Schedule No. 4 is segregated in the vessel.

(iii) Where one vehicle contains exclusively grades of scrap for which premiums for alloy content are established under the provisions of this Revised Price Schedule No. 4, such premiums shall not apply (and the limitations set forth in (i) of this subparagraph shall apply), unless each such grade is segregated in the vehicle. ((8) amended by Amendment 6)

(b) *The most favorable basing point.* The "most favorable basing point" is the basing point which, when used to compute the shipping point price in the manner set forth in paragraph (c) (1) and (2) below, will yield the highest shipping point price.

(c) *Maximum shipping point prices—*(1) *Where shipment to the consumer is wholly or partially by rail, or vessel, or combination of rail and vessel.* Where the shipment of scrap to the consumer is by rail, or vessel, or combination of rail and vessel, the scrap is at its shipping point when it has been placed f. o. b. railroad car or f. a. s. vessel for shipment to the consumer. In such cases, the maximum shipping point price shall be:

(i) For shipping points located within a basing point, the price established in paragraph (a) of this section for the scrap at the basing point in which the shipping point is located, minus the applicable switching charge deduction set forth in subparagraph (5); and

(ii) For shipping points located outside a basing point, the price listed in paragraph (a) hereof for the scrap at the most favorable basing point, minus the lowest established charge for transporting scrap from the shipping point to such basing point by rail or water carrier, or combination thereof. Where vessel movement is involved in the computation, in lieu of any established charges at the dock or of any charge or cost customarily incurred at the dock, 75 cents per gross ton must be included as part of the deduction in computing the shipping point price: *Provided, however,* At Memphis, Tenn., the deduction shall be 50 cents per gross ton, at Great Lakes ports $1.00 per gross ton, and at New England ports $1.25 per gross ton.

(2) *Where shipment to the consumer is solely by motor vehicle.* Where the shipment of scrap to the consumer is solely by motor vehicle, the scrap is at its shipping point when it has been loaded on such vehicle. In such cases, the maximum shipping point price shall be:

(i) For shipping points located within a basing point, the price established in paragraph (a) of this section for the scrap at the basing point in which the shipping point is located, minus the applicable switching charge deduction set forth in subparagraph (5); and

(ii) For shipping points located outside a basing point, the price listed in paragraph (a) hereof for the scrap at the most favorable basing point minus the lowest established charge for transporting scrap by public carrier from the shipping point to such basing point. Where vessel movement is involved in the computation, in lieu of any established charges at the dock or of any charge or cost customarily incurred at the dock, 75 cents per gross ton must be included as part of the deduction in computing the shipping point price: *Provided, however,* At Memphis, Tenn., the deduction shall be 50 cents per gross ton, at Great Lakes ports $1.00 per gross ton, and at New England ports $1.25 per gross ton. If no established transportation rate exists for a portion of the movement from shipping point to basing point, the actual charge or cost customarily incurred by the shipper in such portion of the movement shall be included as part of the deduction in computing the shipping point price. ((1) (i) and (ii) amended by Amendment 6).

(3) *Established charges.* (i) The transportation charges or switching charges used in computing maximum shipping point prices need not reflect any rise in rates which became effective after March 14, 1942; nor need such charges reflect the amount of any tax imposed upon such charges. ((i) amended by Amendment 9, 7 F.R. 10141)

(ii) No vessel charge shall be deemed an established charge within the meaning of this Revised Price Schedule No. 4 unless it has been the basis of actual movement of scrap to the most favorable basing point during the calendar years 1940 to 1941. (ii) amended by Amendment 7)

(4) *Exceptions to the formula for computing shipping point prices.*[1] (i) At all shipping points in the United States, the maximum shipping point price for No. 1 heavy melting steel scrap (with differentials established in paragraph (a) of this section for all other grades) need not fall below $13.00 per gross ton. In Tampa, Florida, Pensacola, Florida, Gulfport, Mississippi, Mobile, Alabama, New Orleans, Louisiana, Lake Charles, Louisiana, Port Arthur, Texas, Beaumont, Texas, Galveston, Texas, Texas City, Texas, Houston, Texas, and Corpus Christi, Texas, the maximum shipping point price need not fall below $14.00 per gross ton for No. 1 heavy melting steel scrap (with differentials established in paragraph (a) of this section for all other grades).

(ii) The maximum shipping point price for No. 1 heavy melting steel (with differentials established in paragraph (a) of this section for all other grades) at all shipping points in New York City or Brooklyn, N. Y., shall be $15.33 per gross ton f. o. b. cars or f. a. s. vessel, or, where delivery to the consumer is solely by motor vehicle, loaded on such vehicle. Maximum shipping point prices at all shipping points in the State of New Jersey shall be computed from the most favorable basing point in terms of all-rail transportation charges: *Provided, however,* That maximum shipping point prices at all shipping points in Hudson and Bergen Counties, New Jersey, shall be computed from the Bethlehem, Pa., basing point. ((ii) amended by Amendment 11)

(iii) The maximum shipping point price for No. 1 heavy melting steel (with differentials established in paragraph (a) of this section for all other grades) at all shipping points within the Boston, Mass., switching district shall be $15.00 per gross ton f. o. b. cars or f. a. s. vessel, or, where delivery to the consumer is solely by motor vehicle, loaded on such vehicle. ((4) amended by Amendment 6)

(5) *Switching charge deductions for shipping points within basing points.*

[Switching charge deduction]

Basing point[1]	Cents per gross ton
Pittsburgh, Pennsylvania	55
Brackenridge, Pennsylvania	55
Butler, Pennsylvania	28
Monessen, Pennsylvania	28
Midland, Pennsylvania	42
Johnstown, Pennsylvania	42
Sharon, Pennsylvania	42
Canton, Ohio	28
Steubenville, Ohio	28
Youngstown, Ohio	42
Warren, Ohio	42
Weirton, West Virginia	42
Cleveland, Ohio	42
Cincinnati, Ohio	28
Portsmouth, Ohio	28
Middletown, Ohio	14
Ashland, Kentucky	28
Buffalo, New York	36
Claymont, Delaware	36
Coatesville, Pennsylvania	28
Conshohocken, Pennsylvania	36
Harrisburg, Pennsylvania	36
Phoenixville, Pennsylvania	28
Sparrow's Point, Md.	11
Chicago, Ill.	84
Bethlehem, Pennsylvania	28
Kokomo, Indiana	28
Duluth, Minnesota	28
Detroit, Michigan	84
Toledo, Ohio	42
St. Louis, Missouri	28
Atlanta, Georgia	42
Alabama City, Alabama	26
Birmingham, Alabama	42
Los Angeles, California	42
Pittsburg, California	36
San Francisco, California	42
Minnequa, Colorado	22
Seattle, Washington	38

[1] For basic open hearth grades, and Items 21, 22, 23, and 24, the switching charge deduction shall be 80 cents per gross ton.

((5) added by Amendment 6)

(d) *Maximum prices delivered to the plant of a consumer.* Scrap is at the point of delivery to the consumer when it has arrived for unloading at the plant of the consumer. In no case shall any charge or cost incurred in placing the scrap at the shipping point or any charge or cost incurred in unloading the scrap at the point of delivery, or in subsequent handling, be included in the maximum delivered price.

(1) *Where transportation from shipping point to point of delivery is wholly or partially by rail, by vessel, or combination of rail and vessel,* the maximum delivered price shall be the shipping point price as determined in paragraph (c) of this section, plus the established charge for transporting the scrap from the shipping point to the point of delivery by the mode of transportation employed.

[1] See also paragraph (c) of this section.

Where transportation from shipping point to point of delivery includes a rail-truck movement to a consumer lacking adequate facilities for receiving the scrap by rail, and the truck portion of such rail-truck movement occurs in a motor vehicle other than a public carrier, no established charges or costs incurred in unloading the scrap from the railroad car and hauling the scrap to point of delivery may be included in the delivered price. In lieu thereof, $1.00 per gross ton may be included in the delivered price. If the consumer has adequate facilities for receiving the scrap by rail, no charge may be made for the truck portion of such rail-truck movement.

Where transportation from shipping point to point of delivery includes water movement, if no established rate exists for such water movement, then the actual charge or cost incurred in such movement may be used in computing the maximum delivered price.

If transportation from shipping point to point of delivery includes water movement other than by deck scow or railroad lighter, and tariffs establishing charges at the dock are published, charges incurred at the dock, but not to exceed the published tariffs may be included in the delivered price. If no such tariffs are published, or if the scrap is shipped over a dock owned or controlled by the shipper, the actual charges incurred at the dock but not to exceed 75¢ per gross ton may be included in the delivered price: *Provided, however,* That this maximum allowance shall be 50¢ per gross ton at Memphis, Tennessee, $1.00 per gross ton at Great Lakes ports, and $1.25 per gross ton at New England ports. In the case of water movement by deck scow or railroad lighter, no established charges at the dock or any charge or cost customarily incurred at the dock may be included in the delivered price. In lieu thereof, 50¢ per gross ton may be included in the delivered price. ((1) Amended by Amendments 6 and 9)

(2) *Where transportation from shipping point to point of delivery is solely by motor vehicle.* (i) Where transportation is by public carrier, the maximum delivered price shall be the shipping point price as determined in paragraph (c) of this section, plus the established public carrier charge for transporting the scrap by motor vehicle from the shipping point to the point of delivery.

(ii) Where transportation is by other than public carrier, the maximum delivered price shall be the shipping point price as determined in paragraph (c) of this section, plus the charge for transporting the scrap at the established rail carload rate for the lowest minimum weight from the rail siding nearest the shipping point to the rail siding nearest the point of delivery: *Provided, however,* That this charge need never fall below $1.00 per gross ton.

(3) In computing maximum delivered prices under this paragraph, any tax imposed upon the transportation charges from shipping point to point of delivery, and any increase in the transportation charges from shipping point to point of delivery resulting from a rise in rates which became effective after March 14, 1942 may be included only if such tax and such increase are shown as separate items on the invoice.

(4) In no case, however, shall the delivered price exceed the price listed in paragraph (a) for the basing point nearest, in terms of established transportation charges, to the consumer's plant, by more than $1.00 plus the amount of any tax imposed on the transportation charges from shipping point to point of delivery, plus any increase in the transportation charges from shipping point to point of delivery resulting from a rise in rates which became effective after March 14, 1942, with the following exceptions: ((3) and (4) amended by Amendment 9)

Exception 1. For consumers having St. Louis as their nearest basing point the delivered price may not exceed the St. Louis basing point price by more than $1.50 plus any increase in transportation charges mentioned in (d) (3) above: *Provided,* That the delivered price of scrap shipped to such consumers from shipping points in Arkansas may not exceed the St. Louis basing point price by more than two dollars plus any increase in transportation charges mentioned in (d) (3) above. For consumers whose nearest basing points are Detroit, Birmingham, and Alabama City, respectively, the delivered price may not exceed by more than two dollars plus any increase in transportation charges mentioned in (d) (3) above, the price at their respective basing points.

Exception 2. In the case of machine shop turnings or related grades of turnings, as defined herein, delivered to electric furnace producers of ferro alloys, and in the case of chemical borings delivered to chemical users thereof, the delivered price shall not be limited to one dollar etc., in excess of the price at the basing point nearest the consumer's plant. (Exceptions 1 and 2 amended by Amendment 1, 7 F.R. 2155)

Exception 3. "Remote scrap" means all the kinds and grades of iron and steel scrap referred to in § 1304.13, Appendix A, having a shipping point and a point of origin within the States of Montana, Idaho, Wyoming, Nevada, Arizona, New Mexico, Texas, Oklahoma, Florida, Oregon, Utah, Washington, North Dakota, South Dakota, and Louisiana, Nebraska and Kansas shall be remote for shipping points having a maximum shipping point price of $13.00 per gross ton. Colorado scrap shall be remote scrap for Colorado consumers only. Shipping points in California having a maximum shipping point price of $13.00 per gross ton shall be remote for California consumers only. (Exception 3 amended by Amendment 8)

(i) The delivered price of remote scrap may exceed by more than $1.00 but not more than $5.00 the price at the basing point nearest the consumer's plant: *Provided,* That immediately upon delivery of such scrap, the consumer files with the Office of Price Administration, Washington, D. C., (*a*) a fully detailed statement under oath setting forth the name and address of the seller, the shipping point of the scrap, the grade, quantity and price at shipping point, delivered price, the mode of transportation employed and the transportation charges from the shipping point to the point of delivery, and (*b*) certified copies of all bills of lading covering the shipment of such scrap from the remote shipping point to the point of delivery.

[NOTE: Supplementary Order No. 23 (7 F.R. 8478), provides that on and after October 24, 1942, no report filed with the Office of Price Administration pursuant to any price regulation need be notarized.]

(ii) Where the delivery price of remote scrap would exceed by more than $5.00 the price at the basing point nearest the consumer's plant, the consumer may not purchase or accept delivery of such scrap until his application to the Office of Price Administration, Washington, D. C., for permission to absorb the additional transportation charges necessary to secure such scrap has been approved. Applications by consumers must be under oath and fully detailed, setting forth the name and address of the seller, point of shipment of the scrap, the grade, quantity and price at shipping point, proposed delivered prices, the mode of transportation to be employed, and the transportation charges from the shipping point to the consumer's plant. The application must also contain a statement by the consumer of its need for, and its willingness to accept, such scrap at the price quoted.

Immediately upon delivery of such scrap, the consumer must comply with the filing requirements of paragraph (i) (*b*) above. ((i) and (ii) amended by Amendment 1.)

Exception 4. Where scrap is shipped by vessel from Duluth, Minnesota, or Superior, Wisconsin, to consumers located in Buffalo, New York, Elyria, Ohio, Cleveland, Ohio, Saginaw, Michigan, Detroit, Michigan, or Chicago, Illinois, the delivered price shall not be limited to one dollar, etc., in excess of the basing point nearest the consumer's plant.

Exception 5. In computing the delivered price of Billet, Bloom and Forge crops originating in and shipped from the Pittsburgh Basing Point, the maximum transportation charges which may be added to the shipping point price shall be $2.65. (Exceptions 4 and 5 amended by Amendment 1.)

Exception 6. The delivered price of Item 14, Bar Crops and Plate Scrap, Item 16, Punchings and Plate Scrap, Item 25, Alloy Free Turnings, and Item 26, Heavy Turnings, produced in industrial plants in the State of Michigan and shipped directly to consumers located in or nearest, in terms of established transportation charges, to the Buffalo, N. Y., Pittsburgh, Brackenridge or Midland, Pennsylvania, basing point, shall not exceed by more than $3.00 plus any increase in transportation charges mentioned in paragraph (d) (3), the price at the basing point nearest the consumer's plant. (Exception 6 amended by Amendment 7.)

Exception 7. (i) Where scrap is shipped from a New England shipping point to a consumer outside New England, the maximum transportation charges which may be added to the shipping point price shall be $6.65 per gross ton.

(ii) Where scrap is shipped from a New England shipping point to a New England consumer, the delivered price shall not be limited to $1.00, etc., over the price at the nearest basing point, nor by the $6.65 per gross ton transportation allowance contained in (i) of this exception. (Exception 7 amended by Amendment 6)

Exception 8. If the maximum shipping point price at any shipping point is computed by using a vessel rate, and due to seasonal factors the water movement to which the vessel rate applied is unavailable, a consumer who could ordinarily receive scrap by water movement from such shipping point to the point of delivery at a delivered price not in excess of $1.00 etc. above the price at the basing point nearest the consumer's plant, may, so long as the water movement is unavailable, absorb the all-rail transportation charges incurred in the movement from such shipping point to the point of delivery. (Exception 8 added by Amendment 9)

Exception 9. (i) Where scrap is shipped pursuant to an allocation order issued by the War Production Board, the delivered price shall not be limited to $1.00 etc., in excess of the price at the basing point nearest the consumer's plant: *Provided, however,* That in all such cases, the most economical trans-

portation facilities must be employed. For example, but not by way of limitation:

(a) If vessel or rail-vessel or vessel-rail facilities are available from shipping point to point of delivery, and use of such facilities will result in lower transportation charges than all-rail movement, the maximum transportation charges which may be added to the shipping point price may not exceed the charges which would apply if the cheapest available facility were employed;

(b) Where the most economical method available involves rail movement, the rail transportation charges must be computed on the basis of the rates for the highest minimum carload weight available.

(ii) Where scrap shipped pursuant to an allocation order issued by the War Production Board is stored, in transit, with a warehousing company, and the warehousing certificates for such scrap are pledged by the consumer as security for a loan to meet the consumer's indebtedness for the shipment, if the consumer defaults on the loan, and the scrap is resold to a consumer by the pledgee, the maximum delivered price upon the resale shall be the maximum shipping point price at the original shipping point, plus the established charges incurred in the movement from the shipping point to the point of storage, plus the established transportation charges incurred in the movement from the point of storage to the point of delivery. (Exception 9 added by Amendment 1 and amended by Amendment 7)

(e) *Unprepared scrap.* (1) The maximum prices established hereinabove are maximum prices for prepared scrap. The term "unprepared scrap" shall have its customary trade meaning and shall not include such demolition projects as bridges, box cars or graveyard automobiles, which must be so priced that the prepared scrap will deliver to the consumer within the maximum delivered price established hereinabove. ((e) amended by Amendment 7)

(2) For unprepared scrap, maximum prices shall be $3.50 (and in the case of the material from which No. 1, No. 2, and No. 3 bundles are made, $4.00) less than the maximum prices for the corresponding grade or grades of prepared scrap. In no case, however, shall electric furnace, acid open-hearth and foundry grades, listed in paragraph (a) of this section be used as the "corresponding grade or grades of prepared scrap." (2) amended by Amendment 10)

(3) Except as otherwise provided in this paragraph, where scrap is to undergo preparation prior to its arrival at the point of delivery, such scrap is not at its shipping point, as that phrase is defined in paragraph (c) of this section, until after such preparation has been completed. ((3) amended by Amendment 8)

(4) Where a consumer purchases unprepared remote scrap in rail carload lots, if no adequate facilities for preparation exist at or near the shipping point, the consumer may designate a dealer or dealers to prepare such scrap on a preparation fee basis. The maximum preparation fee shall be $4.00 per gross ton for No 1, No. 2, and No. 3 bundles, and $3.50 per gross ton for all other grades. The maximum delivered price shall be the maximum shipping point price for the unprepared scrap at the remote shipping point, plus the rail transportation charges incurred in moving the scrap to the dealer's yard, plus the applicable maximum preparation fee, plus transportation charges from the dealer's yard to the point of delivery. The transportation charges from the dealer's yard to the point of delivery shall be computed in the same manner as the charges allowable under § 1304.13 (d) on an identical tonnage of scrap shipped by the dealer from his yard to the same point of delivery. The maximum delivered price of such scrap shall not exceed by more than $5.00 the price at the basing point nearest the consumer's plant except upon prior approval of the Office of Price Administration as provided in Exception 3 in paragraph (d) of this section. Every purchase of scrap on this preparation fee basis shall likewise be subject to all the filing and other requirements in Exception 3 of paragraph (d) of this section. At no time shall ownership of such scrap reside in the dealer to whom the preparation fee is paid.

(5) If unprepared scrap in rail carload lots is allocated by the War Production Board to a consumer lacking facilities for preparing such scrap, such consumer may designate a dealer or dealers to prepare such scrap in-transit on a preparation fee basis. The maximum preparation fee shall be the differential established in paragraphs (a) and (e) of this section between the unprepared scrap and the listed grade into which the scrap is prepared—e. g. $3.50 per gross ton for No. 1 heavy melting steel, $5.50 per gross ton for foundry steel, 1 foot and under, and $4.00 per gross ton for No. 1, No. 2 and No. 3 bundles. If the unprepared scrap is scrap rails in random lengths, the maximum preparation fee shall be as follows: $2.00 per gross ton for rails cut 3 feet and under; $2.25 per gross ton for rails cut 2 feet and under; and $2.50 per gross ton for rails cut 18 inches and under. The maximum delivered price shall be the maximum shipping point price for the unprepared scrap at the original shipping point, plus the rail transportation charges incurred in moving the scrap to the dealer's yard, plus the applicable maximum preparation fee, plus transportation charges from the dealer's yard to the point of delivery. The transportation charges from the dealer's yard to the point of delivery shall be computed in the same manner as the charges allowable under § 1304.13 (d) on an identical tonnage of scrap shipped by the dealer from his yard to the same point of delivery pursuant to an allocation order. At no time shall ownership of such scrap reside in the dealer to whom the preparation fee is paid. ((4) and (5) added by Amendment 8 and amended by Amendment 10)

(6) If the War Production Board allocates machine shop turnings, Item 8, in rail carload lots to a consumer, such consumer may designate a dealer or dealers to prepare such scrap in-transit, into baled machine shop turnings, Item 28a. The maximum preparation fee for such service shall be $5.00 per gross ton. The maximum delivered price shall be the maximum shipping point price for machine shop turnings, Item 8, at the original shipping point, plus the rail transportation charges incurred in moving the scrap to the dealer's yard, plus the $5.00 per gross ton preparation fee, plus transportation charges from the dealer's yard to the point of delivery. The transportation charges from the dealer's yard to the point of delivery shall be computed in the same manner as the charges allowable under § 1304.13 (d) on an identical tonnage of scrap shipped by the dealer from his yard to the same point of delivery pursuant to an allocation order. At no time shall the ownership of such scrap reside in the dealer to whom the preparation fee is paid. ((6) added by Amendment 10)

(f) *Definitions of grades referred to in paragraph (a).* All grades must be free of dirt, non-ferrous metals, or foreign material of any kind and free of excessive rust and corrosion. ((f) amended by Amendment 6)

Basic Open Hearth Grades

(1) *No. 1 heavy melting steel.* Clean wrought iron or steel scrap ¼ inch and over in thickness, not over 18 inches in width and not over 5 feet in length. Individual pieces must be free from attachments and so cut as to lie flat in the charging box. May include heavy forgings, forge butts, billet, bloom, slab or bar crops not conforming to chemical analysis required for electric furnace or acid open hearth use. May include new mashed pipe ends, original diameter 4 inches and over. May not include auto body and fender stock. ((1) amended by Amendment 10)

(2) *No. 2 heavy melting steel.* Wrought iron or steel scrap, black or galvanized, ⅛ inch and over in thickness, not over 18 inches in width and not over 5 feet in length. (Uncut bumpers and front axles of passenger automobiles, and uncut rear ends of passenger automobiles free of wheels and brake assemblies and drained of oil, may be included even though over 5 feet in length.) Individual pieces must be free from attachments and so cut as to lie flat in the charging box. May include pipe; heavy oil field or similar cable not less than 1 inch in diameter and cut to lengths of 3 feet or less; and car sides and light plate cut 15 inches by 15 inches or under. May not include auto body and fender stock. ((2) amended by Amendment 8)

(3) *No. 1 busheling.* Clean wrought iron or steel scrap ⅛ inch and over in thickness, not exceeding 12 inches in any dimension. May not contain burnt material, or auto body and fender stock. Must be free of metal coated, limed, or porcelain enameled stock.

(4) *No. 1 bundles.* New black steel sheet scrap, clippings, or skeleton scrap, hydraulically compressed or hand bundled to charging box size and weighing not less than 75 pounds per cubic foot. (Hand bundles must also be tightly secured and stand handling with a magnet.) Must be free of paint or protective coating of any kind. May include Stanley balls, or mandrel wound bundles or skeleton reels, tightly secured. May not include detinned scrap, electrical shells, or any material over 0.5% of silicon. ((3) and (4) amended by Amendment 10)

(5) *No. 2 Bundles.* Body and fender scrap or similar black sheet scrap, hydraulically compressed to charging box size and weighing not less than 75 pounds per cubic foot. May include chemically detinned material. No tin can will be deemed to be detinned unless it has undergone the chemical process for the removal and recovery of tin. May not include galvanized, vitreous enameled stock, tin plate, terne plate or other metal coated material. Painted or lacquered material shall not be considered as coated material. May include hydraulically compressed uncoated fence wire and light coil springs.

(6) *No. 3 Bundles.* Galvanized sheet scrap or galvanized wire hydraulically compressed into charging box size and weighing not less than 75 pounds per cubic foot. May not include terne plate or vitreous enameled stock.

(7) *Tin-can bundles.* Must be exclusively tin-coated or tin-alloyed material, reasonably clean with all contents removed, and hydraulically compressed into charging box size. Minimum weight 75 pounds per cubic foot. ((5), (6) and (7) amended by Amendment 6)

(8) *Machine shop turnings.* Clean steel or wrought iron turnings, (including high sulphur shell turnings), free of cast or malleable iron borings, non-ferrous metals in a free state, scale, or excessive oil. May not contain badly rusted or corroded stock.

Blast Furnace Grades

(9) *Mixed borings and turnings.* Clean, short, steel or wrought iron turnings (including high sulphur shell turnings), drillings, screw cuttings, and cast or malleable iron borings and drillings, free of nonferrous metals in a free state, scale, or excessive oil. May not contain badly rusted or corroded stock.

(10) *Shovelling turnings.* Clean, short, steel or wrought iron turnings (including high sulphur shell turnings), drillings, or screw cuttings. May include any such material whether resulting from crushing, raking, or other processes. Must be free of stringy, bushy, tangled or matted material, lumps, non-ferrous metals in a free state, excessive oil, or scale.

(11) *No. 2 busheling.* Cut hoops, netting, cut unbaled fence wire, light sheets, rusted car sides, cotton ties, and galvanized light material. No dimension over 12 inches. May be black or galvanized. May include oil field or similar cable cut to lengths of 2 feet or less. No hard steel, porcelain enameled, or metal coated material may be included. ((8), (9), (10) and (11) amended by Amendment 10)

(12) *Cast iron borings.* Clean cast iron borings and drillings, free of steel turnings, scale, lumps, and excessive oil. ((12) amended by Amendment 6.)

Electric Furnace, Acid Open Hearth and Foundry Grades

(13) *Billet, bloom, and forge crops.* Billet, bloom, axle, slab, heavy plate and heavy forge crops, not over 0.05% phosphorus or sulphur, not over 0.5% silicon and free from alloys. Must be not less than 2 inches in thickness, not over 18 inches in width, and not over 36 inches in length. Must be new material. ((13) amended by Amendment 10)

(14) *Bar crops and plate scrap.* Bits, jars, tool joints, shell forgings, flashings, bar crops, and plate scrap, not over 0.05% of phosphorus or sulphur, not over 0.5% of silicon, and free from alloys. Must be not less than 2 inches in thickness, not over 18 inches in width, and not over 36 inches in length, except that plate scrap may not be less than ½ inch in thickness. Flashings may be of any thickness but may not exceed 2 feet in length. ((14) amended by Amendment 8)

(15) *Cast steel.* All cast steel not over 48 inches long or 18 inches wide, not over 0.05% phosphorus or sulphur, free of alloys and attachments. May include heads, gates, and risers. ((15) amended by Amendment 6)

(16) *Punchings and plate scrap.* Punchings, plate scrap, and bar crops, not over 0.05% of phosphorus or sulphur, not over 0.5% of silicon and free of alloys. All material must be cut 12 inches and under. Punchings may not be less than ¼ inch in diameter. ((16) amended by Amendment 10)

(17) [Revoked by Amendment 8]

(18) *Cut structural and plate scrap, 3 feet and under.* Clean, open-hearth steel plates, structural shapes, crop ends, shearings, or broken steel tires. Must be not less than ¼ inch thick, cut to 3 feet and under in length and 18 inches and under in width. Not over 0.05% of phosphorus or sulphur.

(19) *Cut structural and plate scrap, 2 feet and under.* Clean, open-hearth steel plates, structural shapes, crop ends, shearings, or broken steel tires. Must be not less than ¼ inch thick, cut to 2 feet and under in length and 18 inches and under in width. Not over 0.05% of phosphorus or sulphur.

(20) *Cut structural and plate scrap, 1 foot and under.* Clean, open-hearth steel plates, structural shapes, crop ends, shearings, or broken steel tires. Must be not less than ¼ inch thick, cut to 1 foot and under in length and width. Not over 0.05% of phosphorus or sulphur. ((18), (19), and (20), amended by Amendment 10)

(21) [Revoked by Amendment 10.]

(22) *Foundry steel, 2 feet and under.* Steel scrap ⅛ inch and over in thickness, not over 2 feet in length or 18 inches in width. Individual pieces must be free from attachments. May not include nonferrous metals, metal coated material, cast or malleable iron, wrought iron, pipe, body and fender stock, cable, enameled or galvanized material.

(23) *Foundry steel, 1 foot and under.* Steel scrap ⅛ inch and over in thickness, not over 1 foot in length or width. Individual pieces must be free from attachments. May not include nonferrous metals, metal coated material, cast or malleable iron, wrought iron, pipe, body and fender stock, cable, enameled or galvanized material. ((22) and (23) amended by Amendment 10)

(24) *Automotive springs and crankshafts.* Clean automotive springs, and crankshafts.

(25) *Alloy free turnings.* New, short, clean steel turnings, free from lumps, tangled or matted material, cast iron borings, alloys, or excessive oil, containing not more than 0.05% phosphorus or sulphur.

(26) *Heavy turnings.* Short, heavy steel turnings not over 0.05% phosphorus or sulphur. Must be free from alloys. Must weight not less than 75 pounds per cubic foot. This grade may include rail chips.

(27) *Electric furnace bundles.* New, black steel sheet scrap hydraulically compressed into bundles 14 x 14 x 20 or smaller.

Special Grades

(28) *Briquetted machine shop turnings.* Machine shop turnings, Item 8, compressed into a cohesive non-friable solid reasonably free from oil, each briquette to weigh not more than 20 pounds and to have a density of not less than 60%. ((24) to (28), inclusive, amended by Amendment 6)

(28a) *Baled machine shop turnings.* Machine shop turnings, Item 8, hydraulically compressed into bundles weighing not less than 75 pounds per cubic foot. May include not over 25% (by weight) black sheet scrap used for binding or wrapping purposes. ((28a) added by Amendment 8, amended by Amendment 10)

(29) *Briquetted shovelling turnings.* Shovelling turnings, Item 10, compressed into a cohesive non-friable solid reasonably free from oil, each briquette to weigh not more than 20 pounds and to have a density of not less than 60%.

(29a) *Briquetted alloy free turnings.* Alloy free turnings, Item 25, compressed into a cohesive non-friable solid reasonably free from oil, each briquette to weight not more than 20 pounds and to have a density of not less than 60%. ((29a) added by Amendment 7)

(30) *Briquetted cast iron borings.* Cast iron borings, Item 12, compressed into a cohesive non-friable solid reasonably free from oil, each briquette to weigh not more than 20 pounds and to have a density of not less than 60%.

(31) *No. 1 chemical cast iron borings.* New clean cast iron borings and drillings containing not more than 1.00% oil, free from steel turnings or chips, lumps, scale, corroded or rusty material.

(32) *No. 2 chemical cast iron borings.* New clean cast iron borings and drillings containing not over 1.50% oil, free from steel turnings or chips, lumps, scale, corroded or rusty material. ((29), (30), (31) and (32) amended by Amendment 6)

§ 1304.14 *Appendix B: Maximum prices for iron and steel scrap originating from railroads*—(a) *Scrap originating from railroads operating in a basing point named below.* (All prices given below are per gross ton.) The scrap is at its point of delivery to the consumer when it has arrived for unloading at the plant of the consumer. Where used in this Appendix, the term "transportation charges" means the established charges for transporting the scrap to the point of delivery by the mode of transportation employed. The term "transportation

charges" shall include any tax imposed upon the transportation charges from shipping point to point of delivery, and any increase in transportation charges resulting from a rise in rates which became effective after March 14, 1942; and where specific amounts of allowable transportation charges are mentioned, there may be superadded thereto 6% of such allowable charge and the amount of the tax on such charge. In no case shall the maximum delivered price include any charge or cost incurred in unloading the scrap at the point of delivery or in subsequent handling. ((a) amended by Amendment 9)

(2) DELIVERED TO A CONSUMER'S PLANT LOCATED ON THE LINE OF THE RAILROAD FROM WHICH THE SCRAP ORIGINATED

[All the prices given below are per gross ton]

Basing points[1]	(i) Listed grades					
	No. 1 railroad grade heavy melting steel	Scrap rails	Rails for rerolling[2]	Scrap rails 3 feet and under	Scrap rails 2 feet and under	Scrap rails 18 inches and under
Ashland, Ky	$20.50	$21.50	$23.00	$23.50	$23.75	$24.00
Birmingham, Ala	18.00	19.00	20.50	21.00	21.25	21.50
Buffalo, N. Y	20.25	21.25	22.75	23.25	23.50	23.75
Canton, Ohio	21.00	22.00	23.50	24.00	24.25	24.50
Chicago, Ill	19.75	20.75	22.25	22.75	23.00	23.25
Cincinnati, O	20.50	21.50	23.00	23.50	23.75	24.00
Cleveland, O	20.50	21.50	23.00	23.50	23.75	24.00
Detroit, Mich	18.85	19.85	21.35	21.85	22.10	22.35
Duluth, Minn	19.00	20.00	21.50	22.00	22.25	22.50
Kansas City, Mo	17.00	18.00	19.50	20.00	20.25	20.50
Kokomo, Ind	19.25	20.25	21.75	22.25	22.50	22.75
Los Angeles, Calif	18.00	19.00	20.50	21.00	21.25	21.50
Middletown, O	20.50	21.50	23.00	23.50	23.75	24.00
Philadelphia, Pa	19.75	20.75	22.25	22.75	23.00	23.25
Pittsburgh, Pa	21.00	22.00	23.50	24.00	24.25	24.50
Portsmouth, O	20.50	21.50	23.00	23.50	23.75	24.00
San Francisco, Calif	18.00	19.00	20.50	21.00	21.25	21.50
Seattle, Wash	16.50	17.50	18.00	18.50	18.75	19.00
Sharon, Pa	21.00	22.00	23.50	24.00	24.25	24.50
Sparrow's Point, Md	19.75	20.75	22.25	22.75	23.00	23.25
Steubenville, O	21.00	22.00	23.50	24.00	24.25	24.50
St. Louis, Mo	18.50	19.50	21.00	21.50	21.75	22.00
Wheeling, W. Va	21.00	22.00	23.50	24.00	24.25	24.50
Wilmington, Del	19.75	20.75	22.25	22.75	23.00	23.25
Youngstown, O	21.00	22.00	23.50	24.00	24.25	24.50

[1] Where the railroad originator of the scrap operates in two or more of the Basing Points named above, the highest of the maximum prices established above for such Basing Points shall be the maximum price of the scrap delivered to a consumer's plant at any point on the railroad's line.

[2] The term "rails for rerolling" includes any rails which are sold to be used for rerolling, irrespective of whether or not such rails are usable for re-laying.

(ii) *Grades not listed.* (*a*) The price at which a consumer located on the line of the railroad from which the scrap originated may purchase any grade of scrap not listed above shall not exceed the average price per gross ton which such railroad sold such grade delivered to the plant of a consumer, whether located on or off the line of the railroad, during the period commencing September 1, 1940, and ending January 31, 1941, or, in case no sale was made during the period, the price at which the grade was last sold by the railroad prior thereto, and, in either event, adjusted to allow for the average grade differentials of the railroad in a manner indicated in subdivision (*b*) below.

(*b*) For purposes of subdivision (*a*) above, the maximum prices for any grade not listed in subparagraph (1) (i), shall be adjusted to allow for the average grade differentials of the railroad by:

First, computing the amount of the base grade differential for the railroad which shall be the difference between the average price per gross ton at which the railroad from which the scrap originated sold No. 1 railroad grade heavy melting steel scrap delivered to the plant of the consumer, whether located on or off the line of the railroad during the period commencing September 1, 1940, and ending January 31, 1941, and the railroad's maximum price established for such grade under subparagraph (1) (i); and

Second, by applying this base grade differential to the price to be adjusted by either subtracting the amount of such differential from such prices in case the railroad's average price of No. 1 railroad grade heavy melting steel scrap exceeds the railroad's maximum price established for such grade under paragraph (a) (1), or adding the same in case the railroad's average price is less than such maximum.

(2) *Delivered to a consumer's plant located off the line of the railroad from which the scrap originated.* Except in the case of allocation orders issued by the War Production Board and of shipments of scrap by vessel from Duluth, Minnesota, or Superior, Wisconsin, to consumers located in Buffalo, N. Y., Cleveland, Ohio, Elyria, Ohio, Detroit, and Saginaw, Michigan, and Chicago, Illinois, the maximum price is either of the following, whichever is greater:

(i) The maximum price established in subparagraph (1) above, for scrap delivered to a consumer on the line of the railroad from which the scrap originated, or, if the consumer can establish that he has been served by the same source of scrap in the past, the maximum price plus transportation charges (including off-the-line switching charges), from the railroad's line to the point of delivery, of not more than two dollars per gross ton for rails for rerolling, scrap axles and other scrap for rerolling, and of not more than one dollar per gross ton for all other grades of scrap; or

(ii) The prices listed in subparagraph (1) above, for the basing point nearest the consumer's plant.

(*a*) Where scrap is shipped by vessel from Duluth, Minnesota, or Superior, Wisconsin, to consumers located in Buffalo, New York, Elyria, Ohio, Cleveland, Ohio, Detroit and Saginaw, Michigan, and Chicago, Illinois, the maximum delivered price shall be the maximum price established in paragraph (1) above, for scrap delivered to a consumer on the line of the railroad from which the scrap originated, plus transportation charges from the railroad's line to the point of delivery.

(*b*) Where scrap is shipped pursuant to an allocation order issued by the War Production Board, the maximum delivered price shall be the maximum price established in subparagraph (1), for scrap delivered to a consumer on the line of the railroad from which the scrap originated, plus transportation charges from the railroad's line to the point of delivery. ((2) amended by Amendment 7).

(*b*) *Scrap originating from railroads not operating in any of the basing points named above.* Except in the case of allocation orders issued by the War Production Board and of rails for rerolling, the maximum price of any grade of such scrap delivered to consumers located on and off the line of the railroad shall not exceed:

(1) *For the grades listed above, either of the following, whichever is less.* (i) The average price per gross ton at which the railroad originator of the scrap sold any such grade to consumers located on and off the line of the railroad during the period commencing September 1, 1940 and ending January 31, 1941; or

(ii) The price at the basing point nearest, in terms of transportation charges, to the consumer's plant; and

(2) *For the grades not listed above, either of the following, whichever is less.* (i) The average price per gross ton at which the railroad originator of the scrap sold any such grade to consumers located on and off the line of the railroad during the period commencing September 1, 1940, and ending January 31, 1941; or

(ii) The average price per gross ton as determined in subdivision (i) hereof, minus the amount by which the average price of No. 1 railroad grade heavy melting steel scrap, as determined in (1), exceeds the price of No. 1 railroad grade heavy melting steel scrap at the basing point nearest, in terms of transportation charges, to the consumer's plant.

In the case of rails for rerolling, the maximum price of such scrap f. o. b. the line of the railroad originator thereof shall be the average price per gross ton at which the railroad originator sold such grade f. o. b. its line during the period commencing September 1, 1940, and ending January 31, 1941. The maximum price of rerolling rails shall be the f. o. b. line price thus established plus transportation charges from the railroad's line to the rerolling mill's point of delivery.

This exception for rails for rerolling applies only to railroads not operating in a basing point named in paragraph (a) (1) (i) hereof.

Where, pursuant to an allocation order issued by the War Production Board, any grade of scrap other than rails for rerolling is shipped to an off-line consumer, and the foreign line proportion of the through haul to such consumer exceeds the foreign line proportion of the through haul, if any, to the consumer whom the railroad supplied with the largest tonnage of the specific grade during the period from September 1, 1940 to January 31, 1941, then such excess may be added to the maximum price for such grade established in this paragraph.

Where any grade of scrap is shipped to an off-line consumer, there may be added to the maximum delivered price established under this paragraph, any increase in the foreign line proportion of the through haul resulting from a rise in rates which became effective after March 14, 1942, and any tax imposed upon such haul: *Provided, however,* That such increase and such tax shall be shown as separate items on the invoice. ((b) amended by Amendments 7 and 9)

(*c*) *Railroad scrap prepared by a dealer.* Railroad scrap prepared by a dealer shall be deemed to have lost its railroad origin, and the maximum prices of such scrap shall be governed by paragraph (d) of this section.

(*d*) *Maximum prices for scrap which has lost its railroad origin, scrap originating from mines, logging roads, and similar sources and scrap originating from roads who did not within two weeks after February 9, 1942, file average price information with the Office of Price Administration.* In the case of scrap which has lost its railroad origin, scrap originating from mines, logging roads, and similar sources, and any grade of scrap originating from a railroad which did not within two weeks after February 9, 1942, file the average price information for such grades as required under paragraphs (a) or (b) hereof and by § 1304.4, the maximum prices shall be as follows: ((c) and (d) amended by Amendment 2)

(1) In the case of scrap rails, scrap rails 3 feet and under, scrap rails 2 feet and under, scrap rails 18 inches and under, and rails for rerolling, the maximum shipping point price shall be computed by application of the provisions of paragraphs (b) and (c) of § 1304.13, Appendix A, to the prices at the most favorable basing points in this Appendix. The switching charge deductions pursuant to the provisions of paragraph (c) (1) (i) and (c) (2) (i) of § 1304.13 shall be those listed in said paragraph, supplemented by the following switching charge deductions:

Basing point:	*Switching charge deduction Cents per gross ton*
Philadelphia, Pennsylvania	14
Wheeling, West Virginia	28
Wilmington, Delaware	28
Kansas City, Missouri	32

In no case need this maximum shipping point price fall below $14.00 per gross ton for scrap rails, $16.00 per gross ton for scrap rails 3 feet and under, $16.25 per gross ton for scrap rails 2 feet and under, $16.50 per gross ton for scrap rails 18 inches and under, and $15.50 per gross ton for rails for rerolling. The maximum delivered price shall be the shipping point price thus obtained plus transportation charges from the shipping point to the point of delivery. ((1) amended by Amendment 6)

(2) All other grades of such scrap shall be classified under § 1304.13, Appendix A, or § 1304.15, Appendix C, and their maximum prices shall be governed by the provisions of the applicable appendix, except that:

(i) In the case of railroad steel axles sold for rerolling or reforging use only, the basing point price for such grade at the applicable basing point under the provisions of § 1304.13, Appendix A, shall be $6.00 per gross ton over the basing point price for No. 1 heavy melting steel. The definition of "railroad steel axles" shall be: solid car and/or locomotive axles (free of axles with key-way between wheel seats, no axles of shorter lengths than distances between wheel seats to be included).

(ii) In the case of railroad steel wheels sold for electric furnace, acid open hearth and foundry use only, the basing point price for such grade at the applicable basing point under the provisions of § 1304.13, Appendix A, shall be $3.50 per gross ton over the basing point price for No. 1 heavy melting steel. The definition of "railroad steel wheels" shall be: solid cast steel, forged, pressed or rolled steel car and/or locomotive wheels, 36" and under in diameter.

(iii) In the case of railroad couplers and railroad knuckles sold for electric furnace, acid open hearth and foundry use only, the basing point price for such grade at the applicable basing point under the provisions of § 1304.13, Appendix A, shall be $3.00 per gross ton over the basing point price for No. 1 heavy melting steel. The definition of "railroad couplers and railroad knuckles" shall be: railroad car and/or locomotive steel couplers, knuckles and/or locks stripped clean of all other attachments.

(iv) In the case of railroad springs sold for electric furnace, acid open hearth and foundry use only, the basing point price for such grade at the applicable basing point under the provisions of § 1304.13, Appendix A, shall be $3.50 per gross ton over the basing point price for No. 1 heavy melting steel. The definition of "railroad springs" shall be: coil springs made of material less than 9/8" in diameter and elliptical springs made of material less than 1/4" in thickness, not over 18" width. ((2), (i), (ii) (iii) and (iv) amended by Amendment 2)

(v) In the case of railroad brake shoes, the maximum shipping point price shall be $4.75 per gross ton below the price of No. 1 cupola cast at the applicable shipping point. The definition of "railroad brake shoes" shall be: cast iron driving and/or car brake shoes of all types except composition filled shoes, suitable for foundry use ((v) amended by Amendment 3)

(13) [Revoked by Amendment 3]

(*e*) *Unprepared scrap.* (1) The maximum prices listed in paragraph (a) (1) (i) of this section of Appendix B are for prepared scrap. For such grades, in unprepared form, the maximum prices shall be $3.50 per gross ton under the maximum prices for the corresponding grade or grades of prepared scrap.

(2) Pursuant to paragraph (a) (1) (i) and paragraph (b) (2) of this section, Appendix B, the Office of Price Administration has authorized maximum prices for prepared grades of scrap originating from railroads that filed the required average price information. For such grades, in unprepared form, the maximum prices shall be $3.50 under the maximum prices for the corresponding grade of prepared scrap.

(3) Except as provided in (4) of this subparagraph, where scrap is to undergo preparation prior to its arrival at the point of delivery, such scrap is not at its shipping point as that phrase is defined in paragraph (c) of § 1304.13 hereof, until after such preparation has been completed. ((e) (1), (2) and (3) amended by Amendment 6)

(4) Where a consumer purchases grades of unprepared scrap for which maximum prices have been authorized under paragraph (a) (1) (ii) or paragraph (b) (2) of this section, the consumer may designate a dealer or dealers to prepare such scrap on a preparation fee basis. The maximum preparation fee shall be the applicable differential established in paragraphs (a) and (e) of § 1304.13 or paragraphs (a) and (e) of § 1304.14, whichever is applicable, between the unprepared scrap and the listed grade into which the scrap is prepared—e. g. $3.50 per gross ton for No. 1 heavy melting steel, $6.00 per gross ton for cut structural and plate scrap 1 foot and under, and $2.50 per gross ton for scrap rails 18 inches and under. In such cases the maximum delivered price shall be the maximum delivered price applicable to an identical shipment of the unprepared scrap direct to such consumer, plus the applicable maximum preparation fee. At no time shall ownership of such scrap reside in the dealer to whom the preparation fee is paid. ((4) amended by Amendment 10)

(*f*) *Mixed shipments.* (1) When grades of scrap commanding different maximum prices under the provisions of this Revised Price Schedule No. 4, are included in one vehicle, the maximum price for the scrap in such vehicle shall be the maximum price applicable to the lowest priced grade in the vehicle.

(2) The limitation in (1) of this paragraph shall not affect shipments involving vessel movement if each grade commanding a different maximum price under the provisions of Revised Price Schedule No. 4 is segregated in the vessel.

(3) Where one vehicle contains exclusively grades of scrap for which premiums for alloy content are established under the provisions of this Revised Price Schedule No. 4, such premiums shall not apply (and the limitations set forth in (1) of this paragraph shall apply), unless each such grade is segregated in the vehicle. ((f) amended by Amendment 8)

§ 1304.15 *Appendix C: Maximum price for cast iron scrap other than railroad*

scrap'—(a) *Maximum price at shipping point*—(1) *Listed grades.* Where shipment of the scrap to the consumer is wholly or partially by rail, or vessel, or combination of rail and vessel, the scrap is at its shipping point when it has been placed f. o. b. railroad car or f. a. s. vessel for shipment to the consumer.

Where shipment of the scrap to the consumer is solely by motor vehicle, the scrap is at its shipping point when it has been loaded on such vehicle.

The shipping point price for grades of cast iron scrap at the following shipping points in the United States shall be: ((1) amended by Amendment 6)

	Group A	Group B	Group C
1. No. 1 Cupola Cast	$18 00	$19 00	$20 00
2. [Revoked]			
3. Clean Auto Cast	18 00	19 00	20 00
4. Unstripped Motor Blocks	15 50	16 50	17 50
5. Stove Plate	17 00	18 00	19 00
6. Heavy Breakable Cast	15 50	16 50	17 50
7. Charging Box Cast	17 00	18 00	19 00
8. Miscellaneous Malleable	20 00	21 00	22 00

(Item 2 revoked and Item 4 amended by Amendment 10)

Group A includes the states of Montana, Idaho, Wyoming, Nevada, Utah, Arizona and New Mexico.

Group B includes the states of North Dakota, South Dakota, Nebraska, Colorado, Kansas, Oklahoma, Texas and Florida.

Group C includes all states not named in groups A and B, and includes the switching district of Kansas City, Kans.-Mo.

(2) *Special preparation charges.* (i) Except upon prior approval by the Office of Price Administration, no charge may be made for special preparation.

(ii) Whenever scrap has arrived at the point of delivery, and the consumer engages a dealer to prepare such scrap, no charge may be made for such service unless prior approval is secured from the Office of Price Administration. ((2) amended by Amendment 10)

(3) *Grades superior to No. 1 cupola cast.* Except upon prior approval by the Office of Price Administration, no grade of scrap (other than miscellaneous malleable) shall command a premium over the maximum price established herein for No. 1 cupola cast.

(4) *Grades inferior to No. 1 cupola cast.* Grades (other than those listed in this paragraph) which are inferior to No. 1 cupola cast shall be priced at the average differential below the base grade price which the seller received during the base period September 1, 1940 to January 31, 1941: *Provided, however,* That if the seller's base period experience was inadequate or unrepresentative, the seller shall apply to the Office of Price Administration, Washington, D. C., for the establishment of an appropriate price. For the initial sale after October 15, 1942 of each unlisted grade of scrap priced according to the seller's base period experience, such seller shall file with the Office of Price Administration, Washington, D. C., within 15 days after delivery of such scrap, a complete description of the material sold and the price charged.

For the purposes of this subparagraph only, the term seller means the person selling to the broker, or, in cases where a broker is not involved in the transaction, the person selling to the consumer. ((4) amended by Amendment 8)

[1] All prices given below are per gross ton.

(5) *Purchases by basic open hearths.* Except in the case of Item 4 (unstripped motor blocks) and Item 7 (charging box cast) no basic open hearth (and, in the case of Item 8, miscellaneous malleable, no consumer other than a malleable foundry) may pay for any grade a price in excess of the price listed in this paragraph for Item 6 (heavy breakable cast). The restrictions in this subparagraph shall not apply to scrap shipped pursuant to an allocation order issued by the War Production Board. ((5) amended by Amendment 10)

(6) *Mixed shipments.* (i) When grades of scrap commanding different maximum prices under the provisions of this Revised Price Schedule No. 4, are included in one vehicle, the maximum price for the scrap in such vehicle shall be the maximum price applicable to the lowest price grade in the vehicle.

(ii) The limitation in (i) of this subparagraph shall not affect shipments involving vessel movement if each grade commanding a different maximum price under the provisions of Revised Price Schedule No. 4 is segregated in the vessel. ((2) to (6) inclusive added by Amendment 6)

(b) *Maximum price delivered to a consumer.* Scrap is at its point of delivery to a consumer when it has arrived for unloading at the plant of the consumer. In no case shall any charge or cost incurred in placing the scrap at the shipping point or any charge or cost incurred in unloading the scrap at the point of delivery, or in subsequent handling, be included in the maximum delivered price.

The maximum price at which any grade of cast iron scrap may be delivered to a consumer shall be:

(1) Where transportation from shipping point to point of delivery is wholly or partially by rail or vessel, or combination of rail and vessel, the maximum delivered price shall be the shipping point price listed in paragraph (a) of this section, plus the established charge for transporting the scrap from the shipping point to the point of delivery by the mode of transportation employed. Where transportation from shipping point to point of delivery includes a rail-truck movement to a consumer lacking adequate facilities for receiving rail deliveries of scrap, and the truck portion of such rail-truck movement occurs in a motor vehicle other than a public carrier, no established charges or costs incurred in unloading the scrap from the railroad car and hauling the scrap to point of delivery may be included in the delivered price. In lieu thereof, $1.00 per gross ton may be included in the delivered price. If the consumer has adequate facilities for receiving the scrap by rail, no charge may be made for the truck portion of such rail-truck movement. ((1) amended by Amendment 8)

(2) *Where transportation from shipping point to point of delivery is solely by motor vehicle.* (i) Where transportation is by public carrier, the maximum delivered price shall be the shipping point price listed in paragraph (a) of this section, plus the established public carrier charge for transporting the scrap by motor vehicle from the shipping point to the point of delivery.

(ii) Where transportation is by other than public carrier, the maximum delivered price shall be the shipping point price listed in paragraph (a) of this section, plus the charge for transporting the scrap at the established rail carload rate for the lowest minimum weight, from the rail siding nearest the shipping point to the rail siding nearest the point of delivery, provided however that this charge need never fall below $1.00 per gross ton.

(iii) Where shipment of the scrap to the consumer is solely by motor vehicle, the delivered price shall not exceed the shipping point price unless the consumer shall receive a certificate made out to the Office of Price Administration, Washington, D. C., and signed by the person from whose yard or point of accumulation the scrap was placed at its shipping point and by the person by whom or on behalf of whom the scrap was transported from shipping point to point of delivery. Such certificate shall, among other things, specify the quantity and grade of the scrap, the shipping point, the point of delivery, and the transportation charges from shipping point to point of delivery. The consumer shall acknowledge receipt of the material on the face of the certificate. Certification must be executed on the Office of Price Administration's Form 104.15 (or : copy thereof). Such forms may be secured from the Office of Price Administration, Washington, D. C., or from any Regional Office.

The above mentioned certificate, shall be preserved by the consumer as part of the record-keeping requirements outlined in § 1304.8. A copy shall likewise be preserved by all persons signing the certificate.

(3) In computing maximum delivered prices under this paragraph, any tax imposed upon the transportation charges from shipping point to point of delivery, and any increase in transportation charges from shipping point to point of delivery resulting from a rise in rates which became effective after March 14, 1942 may be included only if such tax and such increases are shown as separate items on the invoice. ((3) amended by Amendment 9)

(4) Where scrap shipped pursuant to an allocation order issued by the War Production Board is stored, in-transit, with a warehousing company, and the warehousing certificates for such scrap are pledged by the consumer as security for a loan to meet the consumer's indebtedness for the shipment, if the consumer defaults on the loan, and the scrap is resold by the pledgee, maximum delivered price upon the resale shall be the maximum shipping point price at the original shipping point, plus the established transportation charges incurred in the movement from the original shipping point to the point of storage, plus the established transportation charges incurred in the movement from the point of storage to the point of delivery. ((4) amended by Amendment 7)

(c) Definitions of grades referred to in paragraph (a).

Item 1. No. 1 cupola cast. Clean cast iron scrap, including machinery cast iron scrap, cast iron parts of agricultural machinery and iron castings of a miscellaneous nature. Must be cupola size, not over 24 inches by 30 inches, and no piece to weigh over 150 pounds. Must be free of stove plate, burnt iron and foreign material. (Item 1 amended by Amendment 10)

Item 2. [Revoked by Amendment 10]

Item 3. Clean auto cast. Clean auto blocks, free of all steel parts except camshafts, valves, valve springs and studs.

Item 4. Unstripped motor blocks. Automobile motors from which steel and nonferrous fittings have not been removed. Must be free of transmissions, parts of frames, drive shafts, and differentials. (Items 3 and 4 amended by Amendment 10)

Item 5. Stove plate. Clean cast-iron stove plate. Must be free from malleable and steel parts, window weights, plow points, grates, burnt iron, etc.

Item 6. Heavy breakable cast. Clean cast-iron scrap, such as columns, pipes, plates, and castings of miscellaneous nature, weighing over 150 pounds, and which can be broken by an ordinary drop into cupola size.

Item 7. Charging box size cast. Clean cast iron scrap, such as columns, pipes, plates and castings of miscellaneous nature, but free from stove plate. Must be 18 inches by 5 feet and smaller, except that unbroken cast iron car wheels may be included. (Item 7 amended by Amendment 10)

Item 8. Miscellaneous malleable. Malleable parts of automotive vehicles, agricultural implements, and miscellaneous malleable iron castings. Must be free from cast iron and steel parts and other foreign material.

(d) *Unprepared scrap.* Except in the case of heavy breakable cast, the maximum prices established hereinabove are maximum prices for prepared scrap. For unprepared scrap, exclusive of heavy breakable cast, maximum prices shall be $2.50 less than the maximum prices for the corresponding grade or grades of prepared scrap.

Where scrap is to undergo preparation prior to its arrival at the point of delivery, such scrap is not at its shipping point, as that phrase is defined in paragraph (a) hereof, until after such preparation has been completed.

§ 1304.16 *Appendix D: Maximum prices for iron and steel scrap for export from the United States.* (Per gross ton, f. a. s. and f. o. b. point of export)

(a) *Other than railroad scrap.* The maximum export prices of any grade of iron and steel scrap other than railroad scrap shall be the maximum shipping point price derived under § 1304.13, Appendix A, or § 1304.15, Appendix C, plus all transportation charges, as defined in paragraph (d) of § 1304.13, Appendix A, for transporting the scrap from the shipping point to the place of export. For scrap exported by ship this maximum export price shall be f. a. s. vessel at the place of export and actual costs incident to shipment for export may be added if shown as a separate charge on the invoice. For scrap exported by means other than by ship, this maximum export price shall f. o. b. railroad cars at the place of export. Commission of the domestic broker may be added as provided in § 1340.6 of Revised Price Schedule No. 4 and must be shown as a separate charge on the invoice.

(b) *Scrap originating from railroads.* The maximum export price of any grade of iron and steel scrap of railroad origin shall be the maximum price established and determined under § 1304.14 Appendix B for a consumer located on the line of the railroad originator of the scrap plus all transportation charges, as defined in paragraph (a) of § 1304.14 Appendix B, from the line to the place of export. For scrap originating from a railroad not operating at a basing point, no transportation charges shall be added to the maximum prices of such scrap as determined under § 1304.14 Appendix B. For scrap exported by ship these maximum prices shall be f. a. s. vessel at the place of export and actual costs incident to shipment for export may be added if shown as a separate charge on the invoice. For scrap exported by means other than by ship, this maximum export price shall be f. o. b. railroad cars at the place of export. Commission of the domestic broker may be added as provided in § 1304.6 of Revised Price Schedule No. 4 and must be shown as a separate charge on the invoice.

§ 1304.17 *Appendix E: Maximum prices for iron and steel scrap imported into the United States.* With the exception of the Metals Reserve Corporation, only consumers, and persons acting as brokers on behalf of specific consumers, may enter into contracts to import iron and steel scrap.

Imported scrap is at its point of delivery to a consumer when it has arrived for unloading at the consumer's plant.

No such purchase of imported scrap may be made until after the consumer has filed with the Office of Price Administration, Washington, D. C., a fully detailed statement under oath setting forth the name and address of the seller, the grade and quantity of the scrap, a detailed breakdown of all factors of which the price at the point of delivery is comprised; and until such application has been approved.

Immediately upon delivery of such scrap, the consumer must file certified copies of bills of lading covering the shipment of such scrap. (§ 1304.17 amended by Amendment 6)

Issued this 11th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2250; Filed, February 11, 1943; 1:29 p. m.]

PART 1305—ADMINISTRATION

[Correction to General Ration Order 3A[1]]

RATION BANKING; DEPOSITORS

The designation § 1304.433 is corrected to read § 1305.433.

(Pub. Laws 421, 507 and 729, 77th Cong.; E.O. 9125, issued by the President on April 7, 1942; W.P.B. Dir. No. 1, 7 F.R. 562)

Issued this 11th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2252; Filed, February 11, 1943; 1:24 p. m.]

[1] 8 F.R. 1130.

PART 1305—ADMINISTRATION

[General Ration Order 4]

TERRITORIAL LIMITATION AND BOARDS' JURISDICTION

Pursuant to the authority vested in the administrator of the Office of Price Administration by Executive Order No. 9125 and by War Production Board Directive No. 1, *It is hereby ordered:*

§ 1305.39 *Territorial limitation and boards jurisdiction*—(a) *Territorial limitations.* Except as otherwise provided therein, all ration orders and regulations shall be effective throughout the forty-eight states of the United States and the District of Columbia. Rationing Orders No. 2 and No. 2A (New Passenger Automobiles), Ration Order No. 4A (Typewriters), and Revised Ration Order No. 7 (New Adult Bicycles) shall be effective also in the territories and possessions of the United States.

(b) *Administration.* The war price and rationing boards, the plant area boards, and the persons selected by the Office of Price Administration shall administer ration orders and regulations. These boards and persons shall have the powers and duties which are or may be conferred upon them by such orders and regulations and which are or may be otherwise delegated to them by the Office of Price Administration.

(c) *Jurisdiction of boards.* A war price and rationing board shall have jurisdiction within the area to which it is assigned and shall have the power to perform the functons assigned to it in each ration order and regulation.

(d) *Effective date.* This General Order No. 4 (§ 1305.39) shall become effective this 16th day of February 1943.

Issued this 11th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2251; Filed, February 11, 1943; 1:29 p. m.]

PART 1316—COTTON TEXTILES

[RPS 35[1] as Amended Feb. 11, 1943]

CARDED GREY AND COLORED-YARN COTTON GOODS

A new paragraph (c) is added to § 1316.53; Table VII is added to § 1316.61 (b) (4); § 1316.61 (c) (2) is revoked; § 1316.61 (c) (4) is amended by deleting the second paragraph; and § 1316.62 is amended so that Revised Price Schedule 35 as amended February 11, 1943, shall read as follows:

Sec.

1316.51 Maximum prices for cotton goods
1316.52 Less than maximum prices
1316.53 Evasion
1316.54 Records and reports
1316.55 Details required in contract of sale and invoice
1316.56 Revoked
1316.57 Enforcement
1316.58 Petitions for amendment
1316.59 Definitions
1316.60 Effective date of Price Schedule No. 35
1316.60a Effective dates of amendments
1316.61 Appendix A: Maximum prices for cotton goods
1316.62 Effect of amendments

AUTHORITY: §§ 1316.51 to 1316.62, inclusive, issued under E.O. 8734, 8875; 6 F.R. 1917, 4483.

[1] 7 F.R. 2132.

Executive authority superseded by Emergency Price Control Act of 1942, Pub Laws 421 and 729, 77th Cong; E.O. 9250, 7 F.R. 7871.

In June 1941, the Office of Price Administration, as a first step toward stabilizing prices for the major types of cotton textiles, issued Price Schedule No. 11, establishing maximum prices for six leading kinds of cotton grey goods. In August that Schedule was supplemented by maximum prices for other classes of grey goods. Now maximum prices are extended to further important types of grey goods, and to the principal types of cotton colored-yarn goods. For convenience, the carded-yarn fabrics already under maximum prices have been withdrawn from Price Schedule No. 11 and are included, along with numerous other textiles made of carded yarn, in Price Schedule No. 35; grey goods made of combed yarns will continue to be covered by Price Schedule No. 11.

§ 1316.51 *Maximum prices for cotton goods.* On and after the applicable ceiling date (as set forth in Appendix A, incorporated herein as § 1316.61), regardless of the terms of any contract of sale or purchase, or other commitment, no person shall sell, offer to sell, deliver or transfer cotton goods, and no person shall buy, offer to buy, or accept delivery of cotton goods, at prices higher than the maximum prices set forth in § 1316.61, Appendix A, except that:

(a) The maximum prices established herein are not applicable to sales or deliveries of cotton goods to any person or persons outside the United States, its territories and possessions;

(b) Except as may be expressly provided elsewhere herein, the provisions of Price Schedule No. 35 are not applicable to sales or deliveries of cotton goods made by any wholesaler, jobber, or retailer in the performance of a recognized distributive function: *Provided*, That sales and deliveries of cotton goods (1) to a converter or finisher, or (2) by the manufacturer thereof or by any agent of such manufacturer shall not be made at prices higher than the established maximum prices.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that the prohibition contained in any price regulation against buying or receiving any commodity or service at a price higher than the maximum price permitted by such regulation shall not apply to any war procurement agency, or government whose defense is vital to the defense of the United States.]

[NOTE: Supplementary Order No. 31 (7 F.R. 9894) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

§ 1316.52 *Less than maximum prices.* Lower prices than those set forth in § 1316.61, Appendix A, may be charged, demanded, paid or offered.

§ 1316.53 *Evasion.* (a) The price limitations set forth in Price Schedule No. 35 shall not be evaded whether by direct or indirect methods in connection with a purchase, sale, delivery or transfer of cotton goods, alone or in conjunction with any other material, or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or otherwise.

(b) No price agreed upon in any contract shall be changed by amendment of such contract, by substitution therefor of a new contract, or otherwise (whether or not such change is made pursuant to the terms of the original contract) if the change so effected results in an agreed price in excess of the maximum price applicable under § 1316.61 hereof, in accordance with the date the original contract was made, to the original contract or to deliveries pursuant thereto.

(c) No person shall, for the purpose of evading the price limitations set forth in this schedule, engage in or procure commission weaving or commission spinning.

§ 1316.54 *Records and reports.* Every person making purchases or sales of cotton goods after October 20, 1941, shall keep for inspection by the Office of Price Administration for a period of not less than one year, complete and accurate records of (a) each such purchase or sale, showing the date thereof, the name and address of the buyer or the seller, the price paid or received, and the quantity in yards of each construction purchased or sold; (b) the quantity in yards of cotton goods (1) on hand, and (2) on order, as of the close of each calendar month; and (c) in the case of manufacturers, the quantity in yards or pounds of each construction of cotton goods manufactured during each calendar month.

Persons affected by Price Schedule No. 35 shall submit such reports to the Office of Price Administration as it may, from time to time, require.

§ 1316.55 *Details required in contract of sale and invoice.* (a) Every seller of cotton goods shall, with respect to each sale thereof, deliver to the purchaser a contract of sale which shall contain, in addition to the terms thereof, (1) the date on which the sale or contract of sale was made; (2) a full description of each construction of cotton goods sold, including (i) the width; (ii) in the case of grey goods, the cloth count; (iii) the number of yards per pound; (iv) where necessary to determine the applicable maximum price, the yarn numbers used in the warp and filling, or the average yarn numbers, as the case may be; and (v) where, in conformity with Price Schedule No. 35, a premium is charged or deduction made, the feature of the goods or of their manufacture for which such premium is allowed or deduction required; and (3) the discount, if any, allowed for prompt payment.

§ 1316.56 [Revoked]

§ 1316.57 *Enforcement.* (a) Persons violating any provision of this Revised Price Schedule No. 35 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Revised Price Schedule No. 35 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

[NOTE: The provisions of Supplementary Order No. 36, licensing sellers of yarns, textiles, textile products and services relating thereto, are applicable to all persons making sales under this Revised Price Schedule No. 35.]

§ 1316.58 *Petitions for Amendment.* Any person seeking an amendment of any provision of this Revised Price Schedule No. 35 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[1] (§1316.53 as amended by Supplementary Order 26, 7 F.R. 8948.)

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Supplementary Order No. 9 (7 F.R. 5444) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations with the exception of those on scrap, waste, and salvage materials.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on pending wage or salary increases requiring the approval of the National War Labor Board.]

§ 1316.59 *Definitions.* When used in Price Schedule No. 35, the term:

(a) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(b) "Cotton goods" means cotton grey goods and cotton colored-yarn goods of the types and specifications for which maximum prices are established in § 1316.61, Appendix A.

(c) "Ceiling date" means the date, as specified in § 1316.61, Appendix A, on which Price Schedule No. 35 becomes effective with respect to any given fabric.

(d) "War procurement agency" includes the War Department, the Department of the Navy, Reconstruction Finance Corporation, the United States Maritime Commission, War Shipping Administration, and the Lend-Lease Section in the Procurement Division of the Treasury Department of the United States, or any agency of any of the foregoing, and shall be deemed to include stores operated as army canteens, post exchanges or ships' service activities. ((d) added by Amendment 9, 7 F.R. 8596)

§ 1316.60 *Effective date of Price Schedule No. 35.* This Schedule (§§ 1316.51 to 1316.61, inclusive) shall become effective October 21, 1941. (Issued October 18, 1941.)

[1] 7 F.R. 8961.

§ 1316.60a *Effective dates of amendments.*

Amendment Nos. and Issue dates:	Effective
Amendment 1, (4-8-42)	4- 9-42
Amendment 2, (4-22-42)	4- 8-42
Amendment 3, (4-28-42)	5- 4-42
Amendment 4, (5-25-42)	5-30-42
Amendment 5, (8-20-42)	8-26-42
Amendment 6, (9-12-42)	9-12-42
Amendment 7, (9-15-42)	9-15-42
Amendment 8, (10-10-42)	10-12-42
Amendment 9, (10-22-42)	10-28-42
Amendment 10, (11-2-42)	11- 4-42
Amendment 11, (1-2-43)	2- 7-43
Amendment 12, (2-11-43)	2-16-43

§ 1316.61 *Appendix A: Maximum prices for cotton goods.* Paragraph (a) contains, in summary form, the maximum prices, as established prior to October 21, 1941, and certain premiums allowable for the types of cotton goods theretofore subject to Price Schedule No. 11, but on and after that date subject to Price Schedule No. 35. The maximum prices set forth in paragraph (a) are applicable to such types of goods only when they are delivered pursuant to a sale or contract of sale entered into prior to the above-mentioned date and only when the sale or contract of sale establishes a specific price for the entire contract; otherwise such goods are subject to the prices appearing in paragraph (b). (Paragraph amended by Amendment 11, 8 F.R. 155)

Paragraph (b) contains maximum prices for all cotton goods subject to Price Schedule No. 35. As qualified by paragraph (c), these maximum prices are applicable to all transactions except those subject to paragraph (a).

Paragraph (c) sets forth the conditions under which, in addition to the otherwise applicable maximum prices as found in paragraphs (a) and (b), premiums may be paid for (1) cotton goods made to special physical requirements established by the buyer, (2) cotton goods of demonstrably superior quality, and (3) window-shade cloth.

(a) Cotton goods of the following specifications which, prior to October 21, 1941, were covered by a sale or contract of sale establishing a specific price for the entire contract but not delivered pursuant thereto, shall not be delivered to the purchaser at prices in excess of those set forth below. The maximum prices appearing herein are prices f. o. b. the seller's point of shipment; they are gross prices before discounts of any nature are deducted and include all commissions. ((a) amended by Amendment 11, F.R. 155)

The maximum prices set forth herein become effective on October 21, 1941, which shall constitute the ceiling date for the fabrics subject thereto.

In addition to the maximum prices set forth in the table immediately below, the following premiums may be charged:

(1) The premiums allowable under § 1316.61 (c) below.

(2) For narrow print cloths:

Of widths:	Cents per lb.
32¼" to 28½", inclusive	2
28¼" to 26", inclusive	3
25¼" to 24", inclusive	4
23¾" to 21", inclusive	5

(3) For print cloths with total thread count per square inch of 72 to 99, both inclusive: 1½

(4) For high-count Class C Sheetings:

Of widths—Continued.	Cents per lb.
130 to 139, inclusive, total threads per square inch	1
140 to 159, inclusive, total threads per square inch	2½
160 and more total threads per square inch	4

Nothing herein contained shall authorize any of the above premiums to be charged in connection with any deliveries made before October 21, 1941.

Type and construction of cloth	Maximum prices for deliveries pursuant to contracts entered into prior to August 23, 1941	Maximum prices for deliveries pursuant to contracts entered into between August 23, 1941 and October 20, 1941, inclusive
Standard print cloth, 40" and narrower	$0.43 per lb.[1] [2]	$0.43 per lb.[1] [2]
Carded broadcloth, 40" and narrower, 100 sley and below	$0.43 per lb.[1]	$0.43 per lb.[1] [2]
Sheetings, 40" and narrower:		
A. Yarn numbers up to 17s, inclusive	$0.355 per lb.[1]	$0.355 per lb.[1] [2]
B. Yarn numbers 16s to 21s, inclusive	$0.365 per lb.[1]	$0.365 per lb.[1] [2]
C. Yarn numbers above 21s	$0.38 per lb.[1]	$0.38 per lb.[1] [2]
Part waste osnaburgs, 40" and narrower		
Yarn numbers up to 9s, inclusive	$0.29 per lb.[1]	$0.29 per lb.[1] [2]
Yarn numbers above 9s	$0.32 per lb.[1]	$0.32 per lb.[1] [2]
Tobacco cloth, 40" and narrower	$0.46 per lb.	$0.46 per lb.[2]

[1] Subject to premium of one cent per pound for feeler motion.
[2] Subject to premium of one cent per pound for fabrics of shade cloth quality.
[3] For seconds and shorts, five percent less than the above figures constitutes the maximum price.

(b) (1) *Determination of maximum prices.*[3] Except as provided in paragraph (a) of this section, and subject to the qualifications contained in paragraph (c) of this section, the maximum price for cotton goods shall be determined on the basis of the spot cotton price[4] of the business day immediately preceding that on which the contract of sale is made, regardless of any change in the spot cotton price subsequent thereto: *Provided*, That:

(i) Where the contract of sale was made on or before July 20, 1941, the maximum price shall be determined on the basis of a spot cotton price of 15.99 cents per pound;

(ii) For deliveries of woven tickings against contracts entered into prior to March 9, 1942, the maximum price shall be determined on the basis of a spot cotton price of 19.28 cents per pound; and

(iii) Where the contract of sale is made on or after May 4, 1942, the maximum price shall be determined on the basis of a spot cotton price of 20.37 cents per pound. ((1) amended by Amendment 3, 7 F.R. 3164)

(2) *Terms of sale.* The maximum prices set forth in paragraph (b) are prices f. o. b. the seller's point of shipment. The prices are gross prices before discounts of any nature are deducted and include all commissions; for certain types of goods, however, mandatory discounts are specified below.

(3) *Ceiling date.* The maximum prices set forth below in Tables I to V inclusive, and the qualifications thereto of paragraph (c), become effective on October 21, 1941, which shall constitute the ceiling date for the fabrics covered by said tables and by said qualifications thereto. The maximum prices set forth below in Table VI, and the qualifications thereto of paragraph (c), become effective on May 4, 1942, which shall constitute the ceiling date for the fabrics covered by said Table and by said qualifications thereto. ((3) amended by Amendment 3)

(4) *Maximum price tables.* In addition to the maximum prices set forth in the following tables, the following premiums for special manufacturing processes may be charged. None of the premiums allowable hereunder is applicable, however, to osnaburgs delivered against contracts entered into prior to January 23, 1942, or to print cloths of Class B or C; to any fabric excepted below; or to any fabric which, in its standard construction, is normally manufactured by means of the process on which such premium is predicated.

[3] Except as otherwise provided in this Revised Price Schedule No. 35, this method of determining the maximum price shall be used in connection with deliveries and transfers pursuant to contracts of sales made before, as well as on or after, the applicable ceiling date.

Sales under "open-price" contracts, pursuant to which the price is to be determined as of a date subsequent to that on which the contract is entered into, are permissible hereunder: *Provided*, That the contract (1) specifies the quantity of goods to be delivered and (2) fixes the exact date upon which the price is to be settled. In connection with such contracts the date on which the price is settled shall be regarded, for purposes of paragraph (b), as the day on which the sale or contract of sale is made.

[4] As used herein, the term "spot cotton price" means the average, published daily by the United States Department of Agriculture, of the price quotations for middling 15/16-inch cotton on ten designated spot markets.

TABLE I

Name of manufacturing process	Premium (cents per yard)
Feeler motion	[1] 1⅛
Weaves requiring five or more cams:	
Weaves, other than plain, which (exclusive of selvage) require five cams	[2] 1¼
Weaves, other than plain, which (exclusive of selvage) require six or more cams	[2] 1½
Weaves requiring dobby looms:	
Weaves requiring 16 harnesses or less	[2] 1¼
Weaves requiring more than 16 harnesses	[2] 1½
Fancy draw:	
For ply cords, bunched ends, skip dents, double draw (2 ends or more weaving as one), reverse-twist warp stripes, or any other novelty draw, or for any combination of the above	½
Each extra beam	½
Hard twist:	
Warp yarn: where turns per inch equal 5¼ or more times the square root of yarn size	½
Filling yarn: where turns per inch equal 4¾ or more times the square root of yarn size	½
Clipping	1
	(Cents per lb)
Slubs	2

[1] This premium, which is not applicable to cloths other than sheetings, osnaburgs, carded broadcloth, and Class A print cloths, is effective January 23, 1942. In connection with deliveries against contracts entered into between October 21, 1941, and January 22, 1942, inclusive, a premium of one cent per pound is allowable for feeler motion when used in the production of sheetings and Class A print cloth.

[2] Effective December 29, 1941. In connection with deliveries against contracts entered into between October 21 and December 28, 1941, inclusive, premiums are allowable (except on twills and drills of the types and classes listed in Table III–A) as follows:

Weaves which, including selvage, require 5 cams ¼¢ per yd.

Weaves which, including selvage, require 6 or more cams ½¢ per yd.

[3] If a premium is charged for dobby weave, no additional premium may be charged either for fancy draw or for slubs.

TABLE II—PRINT CLOTH YARN GROUP

Specifications for the types and classes of cloth listed herein are set forth in Table II–A.

A fabric falling within the specifications (as set forth in Table II–A) for any type of cloth listed herein shall be subject to the maximum price established herein even if made in a weave requiring 3 or 4 cams.

TABLE II—PRINT CLOTH YARN GROUP

[Specifications for the types and classes of cloth listed herein are set forth in Table II–A]

Type and class of cloth	Spot cotton price—Cents per pound													
	15.99 to 16.42 incl.	16.43 to 16.85 incl.	16.86 to 17.29 incl.	17.30 to 17.73 incl.	17.74 to 18.17 incl.	18.18 to 18.60 incl.	18.61 to 19.04 incl.	19.05 to 19.48 incl.	19.49 to 19.91 incl.	19.92 to 20.35 incl.	20.36 to 20.79 incl.	20.80 to 21.22 incl.	21.23 to 21.66 incl.	21.67 to 22.10 incl.
	Cents per pound [1]													
Print cloth: [1]														
Class A	43.00	43.50	44.00	44.50	45.00	45.50	46.00	46.50	47.00	47.50	48.00	48.50	49.00	49.50
Class B	44.50	45.00	45.50	46.00	46.50	47.00	47.50	48.00	48.50	49.00	49.50	50.00	50.50	51.00
Class C	46.00	46.50	47.00	47.50	48.00	48.50	49.00	49.50	50.00	50.50	51.00	51.50	52.00	52.50
Carded Broadcloth:														
Class A	43.00	43.50	44.00	44.50	45.00	45.50	46.00	46.50	47.00	47.50	48.00	48.50	49.00	49.50
Class B	46.00	46.50	47.00	47.50	48.00	48.50	49.00	49.50	50.00	50.50	51.00	51.50	52.00	52.50
Class C	50.00	50.50	51.00	51.50	52.00	52.50	53.00	53.50	54.00	54.50	55.00	55.50	56.00	56.50
Class D	55.00	55.50	56.00	56.50	57.00	57.50	58.00	58.50	59.00	59.50	60.00	60.50	61.00	61.50
Pajama Checks:														
Class A	45.00	45.50	46.00	46.50	47.00	47.50	48.00	48.50	49.00	49.50	50.00	50.50	51.00	51.50
Class B	44.50	45.00	45.50	46.00	46.50	47.00	47.50	48.00	48.50	49.00	49.50	50.00	50.50	51.00
Carded Poplins:														
Class A:														
1	43.00	43.50	44.00	44.50	45.00	45.50	46.00	46.50	47.00	47.50	48.00	48.50	49.00	49.50
2	42.00	42.50	43.00	43.50	44.00	44.50	45.00	45.50	46.00	46.50	47.00	47.50	48.00	48.50
3	41.00	41.50	42.00	42.50	43.00	43.50	44.00	44.50	45.00	45.50	46.00	46.50	47.00	47.50
Class B:														
1	45.00	45.50	46.00	46.50	47.00	47.50	48.00	48.50	49.00	49.50	50.00	50.50	51.00	51.50
2	44.00	44.50	45.00	45.50	46.00	46.50	47.00	47.50	48.00	48.50	49.00	49.50	50.00	50.50
3	43.00	43.50	44.00	44.50	45.00	45.50	46.00	46.50	47.00	47.50	48.00	48.50	49.00	49.50
Class C:														
1	48.00	48.50	49.00	49.50	50.00	50.50	51.00	51.50	52.00	52.50	53.00	53.50	54.00	54.50
2	46.00	46.50	47.00	47.50	48.00	48.50	49.00	49.50	50.00	50.50	51.00	51.50	52.00	52.50
3	44.00	44.50	45.00	45.50	46.00	46.50	47.00	47.50	48.00	48.50	49.00	49.50	50.00	50.50
Class D:														
1	50.00	50.50	51.00	51.50	52.00	52.50	53.00	53.50	54.00	54.50	55.00	55.50	56.00	56.50
2	48.00	48.50	49.00	49.50	50.00	50.50	51.00	51.50	52.00	52.50	53.00	53.50	54.00	54.50
3	46.00	46.50	47.00	47.50	48.00	48.50	49.00	49.50	50.00	50.50	51.00	51.50	52.00	52.50
Carded Piques:														
Class A	47.00	47.50	48.00	48.50	49.00	49.50	50.00	50.50	51.00	51.50	52.00	52.50	53.00	53.50
Class B	50.00	50.50	51.00	51.50	52.00	52.50	53.00	53.50	54.00	54.50	55.00	55.50	56.00	56.50
Class C	53.00	53.50	54.00	54.50	55.00	55.50	56.00	56.50	57.00	57.50	58.00	58.50	59.00	59.50
Three-Leaf Twills:														
Class A	40.00	40.50	41.00	41.50	42.00	42.50	43.00	43.50	44.00	44.50	45.00	45.50	46.00	46.50
Class B	41.00	41.50	42.00	42.50	43.00	43.50	44.00	44.50	45.00	45.50	46.00	46.50	47.00	47.50
Class C	44.00	44.50	45.00	45.50	46.00	46.50	47.00	47.50	48.00	48.50	49.00	49.50	50.00	50.50
Class D	45.00	45.50	46.00	46.50	47.00	47.50	48.00	48.50	49.00	49.50	50.00	50.50	51.00	51.50
Class E	45.50	46.00	46.50	47.00	47.50	48.00	48.50	49.00	49.50	50.00	50.50	51.00	51.50	52.00

[1] In addition to the above maximum prices for print cloth, the following premiums may be charged for narrow widths: 32½" to 28½", incl., 2 cents; 28¼" to 26", incl., 3 cents; 25¾" to 24", incl., 4 cents; 23¾" to 21", incl., 5 cents. For seconds and short lengths of all fabrics listed in this table, the prices appearing herein shall be discounted by five percent.

[NOTE: Table II amended by Amendment 1, 7 F.R. 2738]

TABLE II-A—KEY TO TYPES AND CLASSES OF CLOTH IN TABLE II

[All numbers inclusive]

Type and class of cloth (including all widths under 42")	Yarn numbers			Thread count per inch			Yards per pound (Poplins based on square yard; Piques and Three-leaf Twills based on actual width)
	Warp	Filling	Average	Total	Warp	Filling	
PRINT CLOTH							
Class A	28s–32s	36s–45s	33s or over	160–100			
Class B	28s–32s	36s–45s	33s or over	99–72			
Class C	28s–32s	36s–45s	33s or over	71 or less			
CARDED BROADCLOTH							
Class A	28s or over			166 or less			
Class B	28s or over			167–174			
Class C	34s or over			175–189			
Class D	39s or over			190–200			
PAJAMA CHECKS							
Class A				160 or more			
Class B				159 or less			
CARDED POPLINS							
Class A	28s–33⅓s				76–108	34–52	
1							3.50 or over.
2							3.49–3.01.
3							3.00 or less.
Class B	28s–33⅓s				109 or over	34–52	
1							3.50 or over.
2							3.49–3.01.
3							3.00 or less.
Class C	34s or over				76–108	34–52	
1							3.50 or over.
2							3.49–3.01.
3							3.00 or less.
Class D	34s or over				109 or over	34–52	
1							3.50 or over.
2							3.49–3.01.
3							3.00 or less.
CARDED PIQUES							
Class A	29s–31⅓s			152–176			3.70 or over.
Class B	29s–31⅓s			177–199			3.40–3.69.
Class C	29s–31⅓s			200–210			3.00–3.39.
THREE-LEAF TWILLS							
Class A				140–151			2.45–2.89.
Class B				132–152			2.90–3.89.
Class C				140–148			3.90–4.10.
Class D				140–148			4.11–4.39.
Class E				124–147			4.40–5.20.

TABLE III—SHEETING YARN GROUP

[Specifications for the types and classes of cloth listed herein are set forth in Table III-A]

Type and class of cloth	Spot cotton price—Cents per pound													
	15.99 to 16.42 incl.	16.43 to 16.85 incl.	16.86 to 17.29 incl.	17.30 to 17.73 incl.	17.74 to 18.17 incl.	18.18 to 18.60 incl.	18.61 to 19.04 incl.	19.05 to 19.48 incl.	19.49 to 19.91 incl.	19.92 to 20.35 incl.	20.36 to 20.79 incl.	20.80 to 21.22 incl.	21.23 to 21.66 incl.	21.67 to 22.10 incl.
	Cents per pound [1]													
Sheetings:														
Class A	35.50	36.00	36.50	37.00	37.50	38.00	38.50	39.00	39.50	40.00	40.50	41.00	41.50	42.00
Class B	36.50	37.00	37.50	38.00	38.50	39.00	39.50	40.00	40.50	41.00	41.50	42.00	42.50	43.00
Class C [2]	38.00	38.50	39.00	39.50	40.00	40.50	41.00	41.50	42.00	42.50	43.00	43.50	44.00	44.50
Drills: [3]														
Class A	34.00	34.50	35.00	35.50	36.00	36.50	37.00	37.50	38.00	38.50	39.00	39.50	40.00	40.50
Class B	35.00	35.50	36.00	36.50	37.00	37.50	38.00	38.50	39.00	39.50	40.00	40.50	41.00	41.50
Class C	36.00	36.50	37.00	37.50	38.00	38.50	39.00	39.50	40.00	40.50	41.00	41.50	42.00	42.50
Class D	37.00	37.50	38.00	38.50	39.00	39.50	40.00	40.50	41.00	41.50	42.00	42.50	43.00	43.50
Class E	38.00	38.50	39.00	39.50	40.00	40.50	41.00	41.50	42.00	42.50	43.00	43.50	44.00	44.50
Three-leaf Jeans [3]	40.50	41.00	41.50	42.00	42.50	43.00	43.50	44.00	44.50	45.00	45.50	46.00	46.50	47.00
Four-leaf twills: [3] [4]														
Class A	34.50	35.00	35.50	36.00	36.50	37.00	37.50	38.00	38.50	39.00	39.50	40.00	40.50	41.00
Class B	35.50	36.00	36.50	37.00	37.50	38.00	38.50	39.00	39.50	40.00	40.50	41.00	41.50	42.00
Class C	38.00	38.50	39.00	39.50	40.00	40.50	41.00	41.50	42.00	42.50	43.00	43.50	44.00	44.50
Class D	38.50	39.00	39.50	40.00	40.50	41.00	41.50	42.00	42.50	43.00	43.50	44.00	44.50	45.00
Osnaburgs: [4]														
Class A	29.00	29.50	30.00	30.50	31.00	31.50	32.00	32.50	33.00	33.50	34.00	34.50	35.00	35.50
Class B	30.00	30.50	31.00	31.50	32.00	32.50	33.00	33.50	34.00	34.50	35.00	35.50	36.00	36.50
Class C	31.00	31.50	32.00	32.50	33.00	33.50	34.00	34.50	35.00	35.50	36.00	36.50	37.00	37.50
Class D	32.00	32.50	33.00	33.50	34.00	34.50	35.00	35.50	36.00	36.50	37.00	37.50	38.00	38.50
Class E	32.50	33.00	33.50	34.00	34.50	35.00	35.50	36.00	36.50	37.00	37.50	38.00	38.50	39.00

[NOTE: Table III amended by Amendment 1, 7 F.R. 2738]

(Footnotes on following page)

(References for table on preceding page)

[1] For seconds and short lengths of all fabrics listed in this table, the prices appearing herein shall be discounted by 8 percent.

[2] The maximum prices set forth above for Class C sheetings, drills, three-leaf jeans, and four-leaf twills shall be adjusted in accordance with the differentials appearing below. No more than one thread-count differential and one herringbone-weave differential may be added to the maximum price for any given fabric.

CLASS C SHEETINGS

(Total thread-count per sq. in.)

130 to 139, inclusive	add 1¢
140 to 159, inclusive	add 2½¢
160 and over, inclusive	add 4¢

DRILLS (ALL CLASSES)

(Total thread-count per sq. in.)

90 and under	deduct ½¢
116 to 124, inclusive	add ½¢
125 and over	add 1¢

(Herringbone weaves)

Reverse twist	add 1½¢
Plain	add ½¢

THREE-LEAF JEANS

(Herringbone weaves)

Reverse twist	add 1½¢
Plain	add ½¢

FOUR-LEAF TWILLS (ALL CLASSES)

(Total thread-count per sq. in.)

114 and under	deduct ½¢
124 and over	add ½¢

(Herringbone weaves)

Reverse twist	add 1½¢
Plain	add ½¢

[3] The maximum prices set forth herein for four-leaf twills must be discounted (1) where payment is made within 10 days of delivery, by 3 percent, and (2) where payment is made within the next 60 days, by 2 percent and by interest at 6 percent per annum for such portion of the 60-day period as the buyer, at his option or pursuant to agreement with the seller, anticipates by earlier payment.

[4] The maximum prices appearing above for osnaburgs are effective January 23, 1942. For part-waste osnaburgs delivered pursuant to contracts entered into between October 21, 1941 and January 22, 1942, inclusive, the maximum prices are as follows:

Class	Description of class	Maximum prices
A	Yarn numbers up to 9s, inclusive	Same as for Class A, above.
B	Yarn numbers above 9s	Same as for Class D, above.

[5] The maximum prices set forth in the table above are for part-waste osnaburgs. Maximum prices for clean osnaburgs shall be the above prices plus the following differentials:

For clean osnaburgs made of tinged cotton, 1½ cents per lb.

For clean osnaburgs made entirely of white cotton, 2 cents per lb.

No osnaburg shall be classed, for the purposes of Price Schedule No. 35, as a clean osnaburg unless it is wholly free from cord strips and other waste material.

For any osnaburg with 32 or more picks per inch, a premium of ¼ cent per pound over the otherwise applicable maximum price may be charged.

For any osnaburg 42" or over in width a premium of 5 percent over the otherwise applicable maximum price: *Provided*, That maximum prices for deliveries of osnaburgs 42" and over in width against contracts entered into between May 4, and May 29, 1942, both inclusive, shall be determined in accordance with Maximum Price Regulation No. 118 (7 F. R. 3038, 3211, 3522, 3578, 3824, 3905, 4405, 5224, 5405, 5567, 5836, 6035, 6484). *Provided further*, That contracts entered into between May 30, 1942, and October 11, 1942, both inclusive, under the terms of and at prices in compliance with this Revised Price Schedule No. 35, may be carried out at the contract price.

For 72" 36 x 22 1.00 basket-weave osnaburg seedbag fabric or for any other Class A or B osnaburg produced at the request of the War Production Board and made on looms normally used for the production of household blanket fabrics, a premium of 1½¢ per pound over the otherwise applicable maximum price may be charged.

[NOTE: Footnotes amended by Amendment 4, 7 F.R. 3900, Amendment 5, 7 F.R. 6640, and Amendment 8, 7 F.R. 8201.]

TABLE III-A—KEY TO TYPES AND CLASSES OF CLOTH LISTED IN TABLE III

Type and class of cloth	Yarn numbers (all numbers inclusive)	Weights (yards per pound—all numbers inclusive)[1]
Sheetings (under 42" in width):		
Class A	Up to 18s	
Class B	18s to 21s	
Class C	Above 21s	
Drills (under 42" in width):		
Class A		2.00 and under.
Class B		2.01 to 2.50
Class C		2.51 to 3.00
Class D		3.01 to 3.50
Class E		3.51 and over.
Three-leaf Jeans (under 42" in width)	All	All.
Four-leaf Twills (under 42" in width):		
Class A		1.50 and under.
Class B		1.51 to 2.00.
Class C		2.01 to 2.85.
Class D		2.86 and over.
Osnaburgs:		
Class A		2.35 and under.
Class B		2.36 to 2.70.
Class C		2.71 to 3.05.
Class D		3.06 to 3.50.
Class E		3.51 and over.

[1] Weights for sheetings, drills, three-leaf jeans, and four-leaf twills are for all widths pro-rated to 37"; weights for osnaburgs are for all widths prorated to 40".

TABLE IV—WOVEN TICKINGS

The maximum prices (including the differentials) set forth below apply to woven tickings made of yarns 26s and coarser, except tickings 4.95 yds. to the pound and lighter and tickings made in weaves requiring a jacquard loom. Loading in excess of an average of 5 per cent in finished weight shall be disregarded in determining the weight of the fabric for purposes of these maximum prices.

The maximum prices set forth in the table immediately following are to be adjusted in accordance with the differentials set forth thereafter.

Type of cloth and yards per pound or ounces per yard	Spot cotton prices—cents per pound		
	19.21 to 19.95	19.67 to 20.12	20.13 to 20.58
	Cents per yard		
Twills:			
2.00	22.75	23.00	23.25
2.58	19.00	19.125	19.375
3.00	17.375	17.625	17.75
4.50	15.625	15.875	16.00
Sateens:	14.00	14.25	14.375
2.00	27.50	27.75	28.00
2.67	21.375	21.625	21.875
3.00	19.00	19.25	19.375

Differentials. (All differentials provided herein are premiums over or discounts from the prices set forth in the Table immediately above)

(i) *Multiple color patterns.* For twills (but not for sateens) containing more than one color (other than bleached or grey warp or colored selvage) premiums may be charged as follows:

	Cents per yd.
3.01 yards and lighter	½
3.00 yards and heavier	¾

(ii) *Width.* The prices set forth above are for tickings 32" in width. The price for tickings of any other width shall be pro-rated to the 32" prices set forth herein and may also include the following premiums:

	Cents per yd.
For tickings 28½" or less in width	½
For tickings 42" to 54.99" in width	1½
For tickings 55" and over in width	2½

(iii) *Weight.* The price for any ticking of a weight intermediate between those listed above shall be determined by interpolation, according to the respective yardages per pound, between the prices there set forth; the price for any ticking of a weight greater or less than any listed above shall be determined in proportion to its weight, from the price set forth for, respectively, the heaviest or lightest ticking listed.

(iv) *Bleaching.* Where more than 50 percent, by weight, of the warp yarn is bleached, a premium of ½ cent per yard may be charged.

(v) *Special finish or treatment.* In addition to the maximum prices set forth above, a seller may charge a premium for sanforizing, antiseptic treatment or other special treatment or finish. Any such charge shall not exceed the charge made by the seller during the period October 1 to October 15, 1941, for the same special treatment or finish on ticking of the same type and weight in connection with the sale of a comparable quantity. If during such period, the same type or weight of ticking was not sold by the seller with such special treatment or finish, the charge therefor shall be in line with the charge for such special treatment or finish on ticking of the nearest comparable type and weight sold or delivered during such period. If during such period no ticking was sold by the seller with such special treatment or finish, the charge therefor shall be in line with the charge made for the nearest comparable special treatment or finish during that period. In determining a premium hereunder, the seller shall use his October 1 to October 15, 1941, charges to purchasers of the same general class or, if he had no such purchasers during that period, to purchasers of the most nearly comparable class, appropriately increased or decreased by his normal price differential between the respective classes of purchasers.

(vi) *Terms.* Maximum prices set forth herein shall be discounted by terms of "3 percent 10 days or 2-10, 60 extra."

(vii) *Seconds and shorts.* For seconds and short lengths of tickings, the prices set forth herein shall be discounted by the following percentages:

	Percent
Seconds	5
Short lengths (yds., inclusive):	
20 to 40	5
10 to 19.99	10
2 to 9.99	15

(viii) *Sales by mills to persons other than jobbers.* On sales by mills to persons other than jobbers, the prices set forth herein shall be discounted by 2½ percent.

TABLE V—COLORED YARN GROUP, ECRU, STANDARD CONTINUOUS, AND SPECIAL PRICES ARE FOR ALL

Type of cloth and yards per pound or ounces per yard	Spot cotton prices—Cents per pound	
	20.37	
Denims:	Cents per yard	
Mill finish:		
2.00 yards	18.75	
3.00 yards	17.50	
2.90 yards	18.25	
2.45 yards	18.25	
2.40 yards	18.375	
2.90 yards	16.25	
2.78 yards	21.50	
9 oz. (1.78)	24.00	
8 oz.	26.75	
Sanforized:		
3.15 yards	16.50	
3.00 yards	16.50	
2.70 yards	18.25	
2.40 yards	20.25	
8 oz. (2.00)	21.75	
9 oz. (1.78)	24.75	
10 oz. (1.60)	27.50	
11 oz.	30.625	

[NOTE: Table IV amended by Amendment 1, 7 F.R. 2738, Amendment 2, 7 F.R. 3900, Amendment 4, 7 F.R. 8900, and Amendment 6, 7 F.R. 7248.]

[1] The maximum prices listed above are for all patterns made entirely or in part with white filling yarn. For herringbone weave ½

The maximum prices set forth herein are for denims of 28 to 30 inches, inclusive, in width. The maximum price for a denim of any other width shall be that price which stands in the same relation to the applicable price set forth herein as does its width to the same width of 28- to 30-inch denim as the width of such other denim bears to 29 inches.

Maximum prices for denims of weights (prorated to 29 inches) intermediate between those listed herein shall be determined by interpolation, according to the respective number of yards per pound, between the maximum prices set forth herein. The maximum price for denims of weights greater or less than any listed herein shall be determined in inverse proportion to the respective number of yards per pound from the maximum price for, respectively, the heaviest or lightest denim listed in this table.

For seconds and short lengths of denim, the maximum prices listed in this table must be discounted as follows: Seconds, 5 cent; short lengths, 20 to 40 yards, inclusive, 5 cent; 10 to 19.99 yards, 1 cent; 2 to 9.99 yards, 15 percent.

The maximum prices set forth herein shall be discounted (1) where payment is made within 10 days of delivery, by 3 percent, and (2) where payment is made within the next 60 days, by 2 percent per annum for such portion of the 60-day period as the buyer at his option or pursuant to agreement with the seller, anticipates by earlier payment.

The maximum prices set forth herein shall apply to contracts of sale entered into on or after May 4, 1942, and also to all deliveries made on or after that date against contracts entered into on or after May 4, 1942.

[NOTE: Footnotes amended by Amendment 5, 7 F.R. 6640.]

TABLE VI—COLORED YARN GROUP, ECRU, STANDARD CONTINUOUS, AND SPECIAL PRICES ARE FOR ALL

Class of cloth and weight in yards per pound[1]	Cotton spot prices—Cents per pound (all numbers inclusive)	
	20.37	
Carded fine yarn shirting:	Cents per yd.	
Chambrays:		
Mill finish:		
4.85 yards	12.25	
3.90 yards	13.50	
3.70 yards	16.00	
Sanforized:		
3.90 yards	16.00	
3.70 yards	18.75	
Carded coarse yarn shirting:		
Chambrays:		
Mill finish: 3.00 yards	16.00	
Sanforized: 3.00 yards	18.75	
Carded fine yarn shirting covers:		
Mill finish:		
3.90 yards	14.25	
3.20 yards	16.75	
Sanforized		
3.90 yards	16.75	
3.20 yards	19.50	
Carded coarse yarn shirting covers:		
Mill finish: 3.20 yards	16.25	
Sanforized: 3.20 yards	19.25	
Cotton pants covers:		
2.85 yards	21.75	
2.90 yards	20.31	
2.40 yards	22.65	

(Table V amended by Amendment 1, 7 F.R. 2738)

[1] The maximum prices set forth herein are for clothes 36 or more inches in width. The maximum price for a fabric of any lesser width shall be that price which stands in the same relation to the applicable price set forth herein (i. e., for the same cloth of 36-inch width) as does its width to 36 inches.

Maximum prices for cloths of weight other than those listed herein (for the same type of cloth) shall be determined by interpolation, according to the respective number of yards per pound, from the maximum prices for the cloth of that type and of the nearest weight.

The maximum prices set forth herein shall be discounted (1) where payment is made within 10 days of delivery, by 3 percent, and (2) where payment is made within the next 60 days, by 2 per cent and by interest at 6 per cent per annum for such portion of the 60-day period as the buyer, at his option or pursuant to agreement with the seller, anticipates by earlier payment.

The maximum prices set forth herein shall apply to contracts of sale entered into on or after August 26, 1942, and also to all deliveries made on or after that date against contracts entered into on or after May 4, 1942.

(Cents per yard)

Seconds	½
Short lengths:	
20 to 40 yards, inclusive	½
10 to 19.99 yards, inclusive	1
1 to 9.99 yards, inclusive	1½

[1] Maximum prices for seconds and short lengths of these covers shall be the above prices, discounted as follows:

(Cents per yard)

Seconds	1
Short lengths:	
20 to 40 yards, inclusive	1
10 to 19.99 yards, inclusive	2½
1 to 9.99 yards, inclusive	3½

[NOTE: Footnotes amended by Amendment 5, 7 F.R. 6640.]

sons other than jobbers, percentage premiums may be charged as follows:

	Percent
Plain twills under 42" in width	5
Plain twills 42" and over in width, fancy twills and sateens	7½

As used herein, "fancy twill" means a twill containing more than one color (other than white or gray warp of colored selvage); "plain twill" means any other twill.

A premium may be charged for shipments in bales of less than standard size: *Provided*, That such premiums shall not exceed that prevailing between October 1 to October 15, 1941.

(ix) *Sales by jobbers.* In addition to the prices set forth herein, jobbers may charge a premium of not more than 12½ per cent for plain twills and of not more than 17½ per cent for fancy twills and sateens.

Where shipment is made from the jobber's warehouse in assortments requiring repackaging of the goods as received from the mill, the jobber may charge in addition to the foregoing (1) the incoming freight and (2) a premium of not more than 5 per cent: *Provided*, That in such cases the jobber shall without charge deliver the goods to the place of business of local customers or, in the case of other customers, to the carrier. As used herein, the term "local customer" means a customer whose place of business is located in the same metropolitan area as the jobber.

Except as provided in (x) below, no producer of ticking and no person or concern controlling, controlled by, or under common control with a producer of ticking shall be eligible for the jobbers' premiums set forth herein.

(x) *Special premiums for high-cost producers.*—(a) Conestogo Cotton Mills, Lancaster, Pa., may charge the following premiums, over the prices and differentials set forth above:

	Cents per yd.
22" 2.00 yd. twill	¾
42" 2.50 yd. twill	¾
80" 3.44 yd. twill	1
42" 4.00 yd. sateen	¾

(b) Wm. Whitaker & Sons, Philadelphia, Pa., may charge, in addition to the prices and differentials set forth above, the following premiums: On each ounce premium of 10½ per cent for plain twills and of 17½ per cent for fancy twills and sateens. [Table (x) added by Amendment 5, 7 F.R. 1688]

Description and specifications:	*Cents per pound*
Fabric 1 (for commercial purposes)—	46.10
Width: Less than 42".	
Cloth count: 64 x 60.	
Yarns:	
Warp: 30s.	
Filling: 30s with warp twist.	
Weight: Approximately 4.60 yds. per lb.	
Minimum breaking strength:	
Warp: 44 lbs.	
Filling: 40 lbs.	
(To be determined from the average of 5 tests in each warp and filling direction under Federal Specifications CCC–T–191–A—grab method).	
Fabric 2 (for industrial purposes)—	[1] 47.08
Width: Less than 42".	
Cloth count: 64 x 60.	
Yarns:	
Warp: 28s.	
Filling: 28s with warp twist.	
Weight: Approximately 4.25 yds. per lb.	
Cotton: 1 1/16" staple.	
Minimum breaking strength:	
Warp: 48 lbs.	
Filling: 48 lbs.	
(To be determined by the average of 5 tests in each warp and filling direction under Federal Specifications CCC–T–191–A—grab method).	

[1] This price is permissible only for sales to industrial consumers. Even though the fabric meets the enumerated specifications, if it is sold for commercial purposes, the maximum price shall be that established for Fabric 1.

For feeler motion a premium of ⅛ cent per yard may be charged.

For seconds and short lengths the maximum prices shall be discounted by five per cent.

(c) (1) In addition to the maximum prices set forth in paragraphs (a) and (b) a premium may be demanded, charged, paid or accepted for cotton goods (other than those named in subparagraphs (4) and (5) below) made pursuant to specifications furnished by the buyer establishing special physical requirements which cannot be met by the most nearly comparable grade of commercial quality: *Provided*, That cotton goods made in accordance with performance specifications shall not exceed the highest differential in price charged for cotton goods of the most nearly comparable grade of commercial quality for such goods during the 3 years preceding the application. Upon receipt of any such application the Office of Price Administration will permit any person affected by such application to file a written statement setting forth facts pertinent to the issue of whether permission to pay a premium should be granted, and if so, in what amounts, and will request such further information as it deems necessary and proper. No permission to the greatest hereunder unless it is found that it is essential to the buyer's [illegible] of similar goods of the type for which [illegible] and which [illegible] to pay or accept, in addition to the maximum prices appearing in paragraphs (a) or (b), a premium for (i) cotton goods made to such buyer's specifications issued on or after July 21, 1941; (ii) specification goods of a kind not manufactured by a seller during the 12 months immediately prior to June 1941, and for which the buyer considers it fair to pay such seller a premium of more than 5 per cent over the otherwise applicable maximum price; or (iii) specification goods of a kind manufactured and sold by a seller during the 12 months immediately prior to June 1941 under such circumstances that the highest differential in price charged (in cents over the then prevailing market price of the most nearly comparable goods of commercial quality) by such seller during said 12-month period does not represent a fair and equitable return for the additional manufacturing cost entailed in meeting the specifications for such goods. ((3) amended by Amendment 10, 7 F.R. 8937)

Such application, which shall be sworn to before a notary public, shall be accompanied by a yard-long sample of the fabric in its full width and shall state in detail (i) the construction of the cloth, including the width, thread count, and weight, and, with respect to both the warp and filling yarns, the yarn number and the staple, grade, and kind of cotton used; (ii) the specifications, if any, to which the goods are made; (iii) the use to which the goods are to be put; (iv) the reasons, if any, why goods of staple commercial quality would not be satisfactory for such use; and (v) the person or persons, if any, from whom the goods were purchased and the premiums if any, paid (in cents over the prevailing market prices of the most nearly comparable goods of commercial quality for such goods during the 3 years preceding the application. Upon receipt of any such application the Office of Price Administration will permit any person affected by such application to file a written statement setting forth facts pertinent to the issue of whether permission to pay a premium should be granted, and if so, in what amounts, and will request such further information as it deems necessary and proper. No permission to the greatest hereunder unless it is found that it is essential to the buyer's [illegible] of similar goods of the type for which [illegible] and which [illegible] to pay or accept, in addition to the maximum prices appearing in paragraphs (a) or (b), a premium for (i) cotton goods made to such buyer's specifications issued on or after July 21, 1941; (ii) specification goods of a kind not manufactured by a seller during the 12 months immediately prior to June 1941, and for which the buyer considers it fair to pay such seller a premium of more than 5 per cent over the otherwise applicable maximum price; or (iii) specification goods of a kind manufactured and sold by a seller during the 12 months immediately prior to June 1941 under such circumstances that the highest differential in price charged (in cents over the then prevailing market price of the most nearly comparable goods of commercial quality) by such seller during said 12-month period does not represent a fair and equitable return for the additional manufacturing cost entailed in meeting the specifications for such goods. ((3) amended by Amendment 10, 7 F.R. 8937)

Such application, which shall be sworn to before a notary public, shall be accompanied by a yard-long sample of the fabric in its full width and shall state in detail (i) the construction of the cloth, including the width, thread count, and weight, and, with respect to both the warp and filling yarns, the yarn number and the staple, grade, and kind of cotton used; (ii) the specifications, if any, to which the goods are made; (iii) the use to which the goods are to be put; (iv) the reasons, if any, why goods of staple commercial quality would not be satisfactory for such use; and (v) the person or persons, if any, from whom the goods were purchased and the premiums if any, paid (in cents over the prevailing market prices of the most nearly comparable goods of commercial quality for such goods during the 3 years preceding the application. Upon receipt of any such application the Office of Price Administration will permit any person affected by such application to file a written statement setting forth facts pertinent to the issue of whether permission to pay a premium should be granted, and if so, in what amounts, and will request such further information as it deems necessary and proper. No permission to the greatest hereunder unless it is found that it is essential to the buyer's [illegible] of similar goods of the type for which [illegible] and which [illegible] to pay or accept, in addition to the maximum prices appearing in paragraphs (a) or (b), a premium for (i) cotton goods made to such buyer's specifications issued on or after July 21, 1941; (ii) specification goods of a kind not manufactured by a seller during the 12 months immediately prior to June 1941, and for which the buyer considers it fair to pay such seller a premium of more than 5 per cent over the otherwise applicable maximum price; or (iii) specification goods of a kind manufactured and sold by a seller during the 12 months immediately prior to June 1941 under such circumstances that the highest differential in price charged (in cents over the then prevailing market price of the most nearly comparable goods of commercial quality) by such seller during said 12-month period does not represent a fair and equitable return for the additional manufacturing cost entailed in meeting the specifications for such goods. ((3) amended by Amendment 10, 7 F.R. 8937)

Such application, which shall be sworn to before a notary public, shall be accompanied by a yard-long sample of the fabric in its full width and shall state in detail (i) the construction of the cloth, including the width, thread count, and weight, and, with respect to both the warp and filling yarns, the yarn number and the staple, grade, and kind of cotton used; (ii) the specifications, if any, to which the goods are made; (iii) the use to which the goods are to be put; (iv) the reasons, if any, why goods of staple commercial quality would not be satisfactory for such use; and (v) the person or persons, if any, from whom the goods were purchased and the premiums if any, paid (in cents over the prevailing market prices of the most nearly comparable goods of commercial quality for such goods during the 3 years preceding the application. Upon receipt of any such application the Office of Price Administration will permit any person affected by such application to file a written statement setting forth facts pertinent to the issue of whether permission to pay a premium should be granted, and if so, in what amounts, and will request such further information as it deems necessary and proper. No permission to the greatest hereunder unless it is found that it is essential to the buyer's [illegible] of similar goods of the type for which [illegible] and which [illegible]

(4) For window-shade or book cloth of the same constructions as print cloth of Class A or Class B, a premium of 6 cents per pound may be charged. Where any or all of such premium is charged, no premium is allowable for feeler motion. The premium permissible hereunder is not applicable to selected print cloth but only to goods manufactured for use in high quality window shades or for other uses requiring cloth equally free of imperfections. ((4) As amended by Amendment 12)

(5) The provisions of subparagraphs (1), (2), and (3) above are not applicable to the fabrics described below, for which the premiums set forth herein may be charged in addition to the otherwise applicable maximum price as set forth in paragraph (b): *Provided*, (i) That the fabrics are made for use in the manufacture of products to meet the specifications named below opposite the premium charged; and (ii) that the purchaser shall certify in writing to the seller, before any delivery is made, that the fabric is to be so used.

	Premium allowable (cents per lb.)
Grey goods made for use in products to meet—	
U. S. Army Specification No. 6–247 (July 12, 1937) and Amendment No. 1 (July 10, 1940) for cloth, drill, unbleached (fully shrunk)—	1
U. S. Army Specification No. 6–261 (January 7, 1939) and Amendment No. 1 (May 24, 1940) for cloth, cotton herringbone twill [1]—	1
	(Cents per yd.)
Quartermaster Corps Tentative Specification (October 31, 1940) for Raincoats, Single Texture, Rubberized, O. D.—	½
United States Army Specifications for synthetic resin coated rainwear delivered after March 14, 1942—	½
Water-repellent denim made for use in products to meet—	
Quartermaster Corps Specification P. Q. D. No. 142 (in its present form or as hereafter amended) (Bags, Barrack, O. D.) where the water-repellent process is applied by a job processor: *Provided*, That where the water-repellent process is applied by a job processor the seller shall deliver to the purchaser a certificate stating that the water-repellent process was applied by a job processor and setting forth the name and address of such job processor—	[2] 1.75
United States Army Specifications where such products require synthetic resin coated sheetings or print cloths. (This premium may be charged and paid for all deliveries made on and after September 15, 1942.)—	½

(6) Permission to pay premiums has been granted under (3) above as follows:

Permission granted to—	*By letter dated*
Hamilton Textile Corp., New York, N. Y—	Dec. 5, 1941
Formica Insulation Co., Cincinnati, Ohio—	Dec. 27, 1941
Pacific Mills, Boston, Mass—	Jan. 16, 1942
Marathon Rubber Products Co., Wausau, Wis—	Jan. 16, 1942

(7) *Premiums for Pequot narrow sheeting.* The provisions of subparagraphs (1), (2) and (3) of this paragraph (c) are not applicable to narrow sheetings manufactured by Pequot Mills of Salem, Massachusetts, for the brands and constructions described below, for which the premiums listed herein may be charged in addition to the otherwise applicable maximum price set forth in Table III of paragraph (b). The premiums are in lieu of all other premiums or differentials otherwise provided in this Price Schedule No. 35.

Construction	*Premiums allowable (Cents per lb.)*
Pequot 36" 68 x 72	5¼
Pequot 40" 68 x 72	5¼
Eldorado 36" 67 x 76	6¼

((7) added by Amendment 5, 7 F.R. 6610)

(8) *War procurement.* (i) A war procurement agency purchasing cotton goods located at a shipping point other than the mill where such cotton goods are produced, may, in addition to the otherwise applicable maximum price, pay the seller an amount equal to the transportation costs which the seller incurred or becomes obligated to incur in shipping such goods to such shipping point. ((8) added by Amendment 5, 7 F.R. 6610)

Price Schedule No. 35 when such contract was made;

(c) deliveries made pursuant to contracts entered into prior to the effective date of such amendment shall not be made or accepted at prices higher than the maximum price applicable under the terms of Price Schedule No. 35, as in effect when the contract was made.

Issued this 11th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–2253; Filed, February 11, 1943; 1:28 p. m.]

PART 1340—FUEL

[Correction to Amendment 9 to MPR 120]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

The reference to Mine Index No. 8 of the Consolidated Coal Mines, Inc. in § 1340.233 (b) (2) (i) (c) is corrected to read Mine Index No. 160.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–2254; Filed, February 11, 1943; 1:22 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 227,[1] Amendment 1]

DRIED FRUITS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.[1]

Sections 1341.352 (a) (1) (ii), 1341.352 (a) (1) (iii) and 1341.352 (a) (6) (ii) are added as set forth below.

§ 1341.352 *Packer's maximum prices for dried fruits.* (a) * * *

(1) * * *

(ii) The packer's maximum prices f.o.b. factory for FDCC Grade Processed Dried Apricots to retail stores (including all stores owned by an affiliate

sons other than jobbers, percentage premiums may be charged as follows:

	Percent
Plain twills under 42" in width	5
Plain twills 42" and over in width, fancy twills and sateens	7½

As used herein, "fancy twill" means a twill containing more than one color (other than white or gray warp of colored selvage); "plain twill" means any other twill.

A premium may be charged for shipments in bales of less than standard size: *Provided*, That such premiums shall not exceed that prevailing between October 1 to October 15, 1941.

(ix) *Sales by jobbers.* In addition to the prices set forth herein, jobbers may charge a premium of not more than 12½ per cent for plain twills and of not more than 17½ per cent for fancy twills and sateens.

Where shipment is made from the jobber's warehouse in assortments requiring repackaging of the goods as received from the mill, the jobber may charge in addition to the foregoing (1) the incoming freight and (2) a premium of not more than 5 per cent: *Provided*, That in such cases the jobber shall without charge deliver the goods to the place of business of local customers or, in the case of other customers, to the carrier. As used herein, the term "local customer" means a customer whose place of business is located in the same metropolitan area as the jobber.

Except as provided in (x) below, no producer of ticking and no person or concern controlling, controlled by, or under common control with a producer of ticking shall be eligible for the jobbers' premiums set forth herein.

(x) *Special premiums for high-cost producers.*—(a) Conestogo Cotton Mills, Lancaster, Pa., may charge the following premiums, over the prices and differentials set forth above:

	Cents per yd.
32" 2.00 yd. twill	¾
32" 2.58 yd. twill	½
60" 1.15 yd. twill	1
32" 2.00 yd. sateen	¾

(b) Wm. Whitaker & Sons, Philadelphia, Pa., may charge, in addition to the prices and differentials set forth above, the basic jobbers' premium of 12½ per cent for plain twills and of 17½ per cent for fancy-twills and sateens. (Table VI added by Amendment 3, 7 F.R. 5164)

(xi) *Special premium in lieu of other premiums.* In lieu of all other premiums and differentials, Alabama Mills, Inc., Birmingham, Alabama, may charge a premium of 3 cents per yard over the base prices listed in Table VI for 200,000 yards of their Sterling tickings, styles 78944 and 78945 ((xi) added by Amendment 5, 7 F.R. 6640)

TABLE VII—SPECIAL CLOTH

The maximum prices for grey goods conforming to the specifications set forth below shall be as follows:

Description and specifications:	*Cents per pound*
Fabric 1 (for commercial purposes)	46.10
Width: Less than 42".	
Cloth count: 64 x 60	
Yarns:	
Warp: 30s	
Filling: 30s with warp twist	
Weight: Approximately 4.60 yds per lb	
Minimum breaking strength:	
Warp: 44 lbs	
Filling: 40 lbs.	
(To be determined from the average of 5 tests in each warp and filling direction under Federal Specifications CCC-T-191-A—grab method).	
Fabric 2 (for industrial purposes)	[1] 47.08
Width: Less than 42".	
Cloth count: 64 x 60	
Yarns:	
Warp: 28s	
Filling: 28s with warp twist.	
Weight: Approximately 4.25 yds per lb.	
Cotton: 1 1/16" staple.	
Minimum breaking strength:	
Warp: 48 lbs.	
Filling: 48 lbs.	
(To be determined by the average of 5 tests in each warp and filling direction under Federal Specifications CCC-T-191-A—grab method).	

[1] This price is permissible only for sales to industrial consumers. Even though the fabric meets the enumerated specifications, if it is sold for commercial purposes, the maximum price shall be that established for Fabric 1.

For feeler motion a premium of ⅛ cent per yard may be charged.

For seconds and short lengths the maximum prices shall be discounted by five per cent.

(c) (1) In addition to the maximum prices set forth in paragraphs (a) and (b) a premium may be demanded, charged, paid or accepted for cotton goods (other than those named in subparagraphs (4) and (5) below) made pursuant to specifications furnished by the buyer establishing special physical requirements which cannot be met by the most nearly comparable goods of commercial quality: *Provided*, That, except in accordance with permission granted under § 1316.61 (c) (3):

(i) The premium shall not exceed the highest differential in price charged (in cents over the then prevailing market price of the most nearly comparable goods of commercial quality) by the seller for goods of the same specifications during the 12 months immediately prior to June, 1941, or, if no such goods have been sold by the seller during that period, 5 per cent of the otherwise applicable maximum price;

(ii) No premium shall be charged hereunder, unless the specifications to which the goods are made were issued by the buyer prior to July 21, 1941.

(2) [Revoked by Amendment 12]

(3) Application may be made by any buyer, or, where goods have been sold but not delivered prior to the applicable ceiling date, by any seller, to the Office of Price Administration for permission to pay or accept, in addition to the maximum prices appearing in paragraphs (a) or (b), a premium for (i) cotton goods made to such buyer's specifications issued on or after July 21, 1941; (ii) specification goods of a kind not manufactured by a seller during the 12 months immediately prior to June 1941 and for which the buyer considers it fair to pay such seller a premium of more than 5 per cent over the otherwise applicable maximum price; or (iii) specification goods of a kind manufactured and sold by a seller during the 12 months immediately prior to June 1941 under such circumstances that the highest differential in price charged (in cents over the then prevailing market price of the most nearly comparable goods of commercial quality) by such seller during said 12-month period does not represent a fair and equitable return for the additional manufacturing cost entailed in meeting the specifications for such goods. ((3) amended by Amendment 10, 7 F.R. 8937)

Such application, which shall be sworn to before a notary public, shall be accompanied by a yard-long sample of the fabric in its full width and shall state in detail (i) the construction of the cloth, including the width, thread count, and weight, and, with respect to both the warp and filling yarns, the yarn number and the staple, grade, and kind of cotton used; (ii) the specifications, if any, to which the goods are made; (iii) the use to which the goods are to be put; (iv) the reasons, if any, why goods of staple commercial quality would not be satisfactory for such use; and (v) the person or persons, if any, from whom the goods were purchased and the premiums, if any, paid (in cents over the prevailing market prices of the most nearly comparable goods of commercial quality) for such goods during the 3 years preceding the application. Upon receipt of any such application the Office of Price Administration will permit any person affected by such application to file a written statement setting forth facts pertinent to the issue of whether permission to pay a premium should be granted, and if so, in what amount; and will conduct such further investigation as it deems necessary and proper. No permission will be granted hereunder unless it is shown that it is essential to the buyer's business to obtain goods of the type for which he seeks to pay a premium and that the seller is entitled to receive a premium for such goods, and unless the Administrator finds that production of such goods would not be inconsistent with the interests of national defense. Permission granted to any buyer or to any seller hereunder will constitute authority for the other to accept or pay, as the case may be, the premium approved therein. In granting any permission hereunder the Office of Price Administration will require appropriate reports to be filed by the buyer and seller.

[Note: Supplementary Order No. 23, (7 F.R. 8478) provides that on and after October 24, 1942, no report filed with the Office of Price Administration pursuant to any price regulation need be notarized.]

(4) For window-shade or book cloth of the same constructions as print cloth of Class A or Class B, a premium of 6 cents per pound may be charged. Where any or all of such premium is charged, no premium is allowable for feeler motion. The premium permissible hereunder is not applicable to selected print cloth but only to goods manufactured for use in high quality window shades or for other uses requiring cloth equally free of imperfections. ((4) As amended by Amendment 12)

(5) The provisions of subparagraphs (1), (2), and (3) above are not applicable to the fabrics described below, for which the premiums set forth herein may be charged in addition to the otherwise applicable maximum price as set forth in paragraph (b): *Provided*, (i) That the fabrics are made for use in the manufacture of products to meet the specifications named below opposite the premium charged; and (ii) that the purchaser shall certify in writing to the seller, before any delivery is made, that the fabric is to be so used.

	Premium allowable (cents per lb.)
Grey goods made for use in products to meet—	
U. S. Army Specification No. 6-247 (July 12, 1937) and Amendment No. 1 (July 10, 1940) for cloth, drill, unbleached (fully shrunk)	1
U. S. Army Specification No. 6-261 (January 7, 1939) and Amendment No. 1 (May 24, 1940) for cloth, cotton, herringbone twill [1]	1

	(Cents per yd.)
Quartermaster Corps Tentative Specification (October 31, 1940) for Raincoats, Single Texture, Rubberized, O. D.	½
United States Army Specifications for synthetic resin coated raincoats delivered after March 14, 1942	½
Water-repellent denim made for use in products to meet—	
Quartermaster Corps Specification P. Q. D. No. 142 (in its present form or as hereafter amended) (Bags, Barrack, O. D.) where the water-repellent process is applied by the cloth or by an affiliated concern	[2] 1.25

[1] Grey goods made for use in meeting this specification are classified under Price Schedule No. 35 as Class A drills.

[2] These premiums are predicated upon information from the Quartermaster Corps that the specifications will require that the water-repellent finish meet the following minimum requirements:

	Spray Rating
Initially	80
After 10 days exposure to weather in accordance with Federal Specification CCC-T-191a, as amended, Section XIII, Par. 3	70

In the event that the required spray rating is subsequently lowered, the Office of Price Administration will appropriately revise the premiums and such revised premiums will be made applicable to all contracts and deliveries made pursuant to the lower requirements. ((5) Amended by Amendment 5, 7 F.R. 6640, Amendment 6, 7 F.R. 7248, Amendment 7, F. R. 7318, Amendment 9, 7 F.R. 8586)

	(Cents per yd.)
Water-repellent denim—Con.	
Quartermaster Corps Specification P. Q. D. No. 142 (in its present form or as hereafter amended) (Bags, Barrack, O. D.) where the water-repellent process is applied by a job processor: *Provided*, That where the water-repellent process is applied by a job processor the seller shall deliver to the purchaser a certificate stating that the water-repellent process was applied by a job processor and setting forth the name and address of such job processor	[1] 1.75
United States Army Specifications where such products require synthetic resin coated sheetings or print cloths. (This premium may be charged and paid for all deliveries made on and after September 15, 1942.)	½

(6) Permission to pay premiums has been granted under (3) above as follows:

Permission granted to—	*By letter dated*
Hamilton Textile Corp., New York, N. Y.	Dec. 5, 1941
Formica Insulation Co., Cincinnati, Ohio	Dec. 27, 1941
Pacific Mills, Boston, Mass.	Jan. 16, 1942
Marathon Rubber Products Co., Wausau, Wis.	Jan. 16, 1942

(7) *Premiums for Pequot narrow sheeting.* The provisions of subparagraphs (1), (2) and (3) of this paragraph (c) are not applicable to narrow sheetings manufactured by Pequot Mills of Salem, Massachusetts, for the brands and constructions described below, for which the premiums listed herein may be charged in addition to the otherwise applicable maximum price set forth in Table III of paragraph (b). The premiums are in lieu of all other premiums or differentials otherwise provided in this Price Schedule No. 35.

Construction:	*Premiums allowable (Cents per lb.)*
Pequot 36" 68 x 72	5¾
Pequot 40" 68 x 72	5¾
Eldorado 36" 67 x 76	6½

((7) added by Amendment 5, 7 F.R. 6640)

(8) *War procurement.* (i) A war procurement agency purchasing cotton goods located at a shipping point other than the mill where such cotton goods are produced, may, in addition to the otherwise applicable maximum price, pay the seller an amount equal to the transportation costs which the seller incurred in bringing the cotton goods to such shipping point. ((8) added by Amendment 9, 7 F.R. 8586)

§ 1316.62 *Effect of amendments.* Unless the contrary is expressly provided in any amendment to Price Schedule No. 35:

(a) such amendment shall not be deemed to affect the provisions of Price Schedule No. 35 as they stood prior to such amendment;

(b) it shall be permissible for any person to make or accept delivery of cotton goods at the price agreed upon in a contract of sale or purchase entered into prior to such amendment, if such price was subject to and in conformity with Price Schedule No. 35 when such contract was made;

(c) deliveries made pursuant to contracts entered into prior to the effective date of such amendment shall not be made or accepted at prices higher than the maximum price applicable under the terms of Price Schedule No. 35, as in effect when the contract was made.

Issued this 11th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2253; Filed, February 11, 1943; 1:28 p. m.]

PART 1340—FUEL

[Correction to Amendment 9 to MPR 120]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

The reference to Mine Index No. 8 of the Consolidated Coal Mines, Inc. in § 1340.233 (b) (2) (i) (c) is corrected to read Mine Index No. 160.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2254; Filed, February 11 1943; 1:22 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 227,* Amendment 1]

DRIED FRUITS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Sections 1341.352 (a) (1) (ii), 1341.352 (a) (1) (iii) and 1341.352 (a) (6) (ii) are added as set forth below.

§ 1341.352 *Packer's maximum prices for dried fruits.* (a) * * *

(1) * * *

(ii) The packer's maximum prices f. o. b. factory for FSCC Grade Processed Dried Apricots, in wood boxes containing 25 pounds, shall be as follows:

Grade	[Government sales, prices in dollars per ton]		
	Blenheims	Northerns	San Joaquins
FSCC Grade processed dried apricots	$407.92	$380.32	$352.72

(iii) "FSCC Grade processed dried apricots" means wholesome and edible dried apricots that fail to meet the re-

*Copies may be obtained from the Office of of Price Administration.

[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218, 6265, 6272, 6472, 6325, 6524, 6744, 6896, 7777, 7670, 7914, 7942, 8354, 8650, 8948, 9783, 10470, 10581, 10780, 10993, 11008, 11012; 8 F.R. 926, 1388, 1629.

[2] 7 F.R. 7531, 8948.

quirements for U. S. Grade A, or U. S. Fancy; U. S. Grade B or U. S. Choice; U. S. Grade C or U. S. Standard; U. S. Grade D. Slabs as established in Tentative United States Standards for Grades of Dried Apricots, but contain not more than 10 per cent by weight of the pieces seriously damaged by discoloration and not more than 10 per cent by weight of the pieces that possess pits or pieces of pit or are affected by mold, decay, imbedded dirt, insect infestation or other foreign material, of which not more than 2/10 or 2 per cent may be affected by decay. The finished products shall contain not more than 26 per cent moisture by weight.

"Seriously damaged by discoloration" means that the apricots are dark brown in color or show black areas covering more than ¼ of the surface.

Interpretations of all other terms used in the above grade shall be as outlined in *Tentative United States Standards for Grades of Dried Apricots*, issued by the United States Deparment of Agriculture.

* * * * *

(6) * * *

(ii) The packer's maximum price f. o. b. factory, for dehydrated muscat raisins of valencia type, of all grades, packed in fibre boxes containing 25 pounds, for sales to the United States Government, shall be $198.22 per ton.

* * * * *

This amendment shall become effective February 17, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 11th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43-2255; Filed, February 11, 1943; 1:29 p. m.]

PART 1351—FOODS AND FOOD PRODUCTS

[RFS 53,[1] Amendment 23]

FATS AND OILS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new subparagraph (16) is added to paragraph (b) of § 1351.151 as set forth below:

§ 1351.151 *Maximum prices for fats and oils.* * * *

(b) * * *

(16) On and after February 16, 1943, the maximum prices of the following fats and oils shall be the following prices:

Domestic Olive Oil

(i) *Pure pressed edible domestic olive oil*, f. o. b. producer's plant in returnable drums, carlots or less than carlots, as follows:

Percent F. F. A. (Max.):	*Dollars per gallon*
.50	4.80
1.00	4.70
1.41 (U. S. P.)	4.60
1.50	4.575
1.75	4.55
2.00	4.50
2.25	4.45
2.50	4.40
2.75	4.35
3.00	4.30

(ii) *Pure pressed domestic olive oil*, f. o. b. producer's plant, in returnable drums, carlots or less than carlots, as follows:

Percent F. F. A. (range):	*Dollars per gallon*
3.01 to 3.50	4.25
3.51 to 4.00	4.20
4.01 to 5.00	4.15
5.01 to 6.00	4.10
6.01 to 7.00	4.05
7.01 to 8.00	4.00
8.01 or more	4.00, less 1½¢ for each 1% or fraction of 1% of F. F. A. over 8%

(iii) *Refined, bleached, and deodorized domestic olive oil*, f. o. b. producer's plant, in returnable drums, carlots or less than carlots, as follows:

Percent F. F. A. (max.):	*Dollars per gallon*
.50	4.75

(iv) *Differentials.* (*a*) The maximum prices, f. o. b. producer's plant, of domestic olive oil shipped in tankcars, shall be the maximum prices set forth above, in subdivisions (i), (ii) and (iii) hereof, for the same oil when shipped in returnable drums, less 6½¢ per gallon.

(*b*) The maximum prices, f. o. b. producer's plant, of domestic olive oil shipped in wooden barrels, shall be the maximum prices set forth above, in subdivisions (i), (ii) and (iii) hereof, for the same oil when shipped in returnable drums, plus 10¢ per gallon.

(v) *Limitation.* The maximum prices of domestic olive oil established in § 1351.151 (b) (16) (i), (ii), (iii) and (iv) are the maximum prices for such olive oil when sold in drums, barrels, or larger containers; they are not the maximum prices for such olive oil when sold in containers smaller than drums or barrels.

Imported Olive Oil

(vi) The maximum price of imported olive oil, in drums with duties and taxes paid, f. o. b. port of entry, shall be the maximum price, in returnable drums at the producer's plant, of domestic olive oil of the same F. F. A., plus 6½¢ per gallon.

(vii) *Limitation.* The maximum prices of imported olive oil established in § 1351.151 (b) (16) (vi) are the maximum prices for such olive oil when sold in drums; they are not the maximum prices for such olive oil when sold in containers smaller than drums.

* * * * *

§ 1351.159 *Effective dates of amendment.* * * *

(x) Amendment No. 23 (§ 1351.151 (b) (16)) to Revised Price Schedule No. 53 shall become effective February 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2256; Filed, February 11, 1943; 1:30 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 289,[1] Amendment 4]

DAIRY PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sections 1351.1505 (a) and 1351.1520 of Maximum Price Regulation No. 289 are amended to read as follows:

§ 1351.1505 *Records and reports.* (a) Every sale of a listed dairy product covered by this Maximum Price Regulation No. 289, except sales of butter at retail by retail route sellers and by creameries, shall after the effective date of this regulation be invoiced by the seller. The original invoice shall be delivered to the buyer and shall state (1) the date of purchase, (2) the name and address of the buyer and seller, (3) the quantity and description of each listed dairy product sold, (4) the price per unit of sale and in total. Any retail route seller or creamery selling at retail which has customarily given a purchaser a sales slip, receipt, or similar evidence of purchase shall continue to do so, and upon request from a purchaser, regardless of previous custom, shall give the purchaser such a receipt. This receipt shall state those facts required by this paragraph to be stated on an invoice.

* * * * *

§ 1351.1520 *Maximum prices for butter*—(a) *Bulk butter*—(1) *Definition.* "Bulk butter" means unprinted butter packed solid in fibre boxes or other shipping containers except wooden tubs.

(2) The maximum price for any sale and delivery of bulk butter to a wholesaler, a chain store warehouse, a retailer owned cooperative warehouse, the United States Government or any agency thereof, and any purchaser who alone or in combination with other purchasers purchases in carload lots for single delivery shall be as set forth in the following subdivisions (i) to (ix) inclusive, of this subparagraph.

(i) The maximum price for bulk butter of the following scores or grades delivered in the cities of Chicago (and all of Cook County, Illinois), New York, and San Francisco shall be as follows:

TABLE A

	Chicago	New York	San Francisco
	Cents per lb.	*Cents per lb.*	*Cents per lb.*
U. S. Grade AA or U. S. 93 score	46½	47¼	48
U. S. Grade A or U. S. 92 score	46	46¾	47½
U. S. Grade B or U. S. 90 score	45¾	46½	47¼
U. S. Grade C or U. S. 89 score	45¼	46	46¾
U. S. Cooking Grade	44	44¾	45½
No Grade	40	40¾	41½

(ii) The maximum price for any particular score or grade of bulk butter delivered at any place east of a line running south from the Canadian Border along the eastern shore of Lake Michigan, the Illinois-Indiana State Line, the Illinois-Kentucky State line, and then south along the eastern bank of the Mississippi River to the state of Louisiana, and thence along the Mississippi-Louisiana state line to the Gulf of Mexico, shall be the maximum price in Chicago for the particular score or grade of butter, as stated in Table A above, plus the lowest published railroad car lot freight rate per lb. gross weight from Chicago to the place of delivery with no adjustment allowed for tare or icing.

(*a*) *Provided, however,* That at any place in the states of Virginia, West Virginia, Maryland, Delaware, Pennsylvania, New Jersey, New York, Connecticut, Massachusetts, Rhode Island, New Hampshire, and Vermont and in the District of Columbia, the maximum price shall not exceed the maximum price in New York City for that particular score or grade of butter as stated in Table A above.

(iii) The maximum price for any particular score or grade of bulk butter delivered at any place in Minnesota, Wisconsin, the upper peninsula of Michigan, Iowa, Missouri, and Illinois (except the city of Chicago and Cook County) shall be the maximum price in New York City for such score or grade of butter, as stated in Table A above, less transportation charges to New York City. Transportation charges shall be the lowest published railroad car lot freight rate per pound, gross weight, from that place to New York City times 1.15.

(iv) The maximum price for any particular score or grade of bulk butter delivered at any place in the states of Washington and Oregon shall be as follows:

	Cents per lb.
U. S. Grade AA or U. S. 93 score	47¾
U. S. Grade A or U. S. 92 score	47¼
U. S. Grade B or U. S. 90 score	47
U. S. Grade C or U. S. 89 score	46½
U. S. Cooking Grade	45¼
No Grade	41¼

(v) The maximum price for any particular score or grade of bulk butter delivered at any place in the states of California, Nevada, and Arizona, shall be as follows:

	Cents per lb.
U. S. Grade AA or U. S. 93 score	48
U. S. Grade A or U. S. 92 score	47½
U. S. Grade B or U. S. 90 score	47¼
U. S. Grade C or U. S. 89 score	46¾
U. S. Cooking Grade	45½
No Grade	41½

(vi) The maximum price for any particular score or grade of bulk butter delivered at any place in the state of Arkansas and at Fort Worth and Dallas, Texas, shall be as follows:

	Cents per lb.
U. S. Grade AA or U. S. 93 score	46½
U. S. Grade A or U. S. 92 score	46
U. S. Grade B or U. S. 90 score	45¾
U. S. Grade C or U. S. 89 score	45¼
U. S. Cooking Grade	44
No Grade	40

(vii) The maximum price for any particular score or grade of bulk butter delivered at any place in Louisiana or at any place in Texas except that area lying north of the line formed by the southern boundaries of the following counties: Andrews, Martin, Howard, Mitchell, Noland, Taylor, Callahan, Eastland, Palo Pinto, Parker, Wise, Denton, Collin, Lamar, Fannin, and Red River, shall be the maximum price for that particular score or grade stated in foregoing subdivision (vi) of this subparagraph plus transportation charges from Fort Worth, Texas to that place. Transportation charges shall be the lowest published railroad car lot freight rate per pound, gross weight, from Fort Worth to that place times 1.15.

(viii) The maximum price for any particular score or grade of bulk butter delivered at any place in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, New Mexico, Colorado, Utah, Wyoming, Montana, Idaho, and that part of Texas not included in the foregoing subdivision (vii) of this subparagraph shall be the maximum price for that particular score or grade in San Francisco, as stated in Table A above, less transportation charges from that place to San Francisco. Transportation charges shall be the lowest published railroad car lot freight rate per pound, gross weight, from that place to San Francisco, times 1.15.

(ix) The maximum prices established in the foregoing subdivisions (i) to (viii) inclusive, of this subparagraph, are for sales of bulk butter delivered to the purchaser's customary receiving point. Bulk butter sold f. o. b. any point shall be considered "delivered" to the purchaser at that point.

(3) The maximum price for the sale of any particular score or grade of bulk butter in any place to any purchaser not described in subparagraph (2) of this paragraph shall be the maxium price for that particular score or grade in that place as set forth in subdivisions (i) to (viii) inclusive, of subparagraph (2) of this paragraph plus:

(i) 2¼¢ per lb. where delivery is made to such purchaser's place of business.

(ii) 1¾¢ per lb. where delivery is not made to such purchaser's place of business.

This subparagraph shall be applicable to sales made directly to individual retail stores, or to individual commercial users (such as restaurants, hotels, and clubs), or to individual industrial users (such as bakeries and other food processors who use butter in their manufacturing processes), or to individual institutional users (such as hospitals and schools) provided such individual retail stores, or commercial, industrial, or institutional users are not purchasing, alone or in combination with other purchasers, in quantities of carload lots for a single delivery.

(b) *Butter in prints or packages.* (1) The maximum price for the sale of any particular score or grade of butter in prints or packages delivered at any place shall be the maximum price for bulk butter of that particular score or grade in that particular place to that particular type of purchaser, as determinable from the provisions of paragraph (a) of this section, plus the appropriate following sum:

TABLE B

1¾¢ per lb. for ½ lb. and 1 lb. prints or rolls parchment wrapped.

2¼¢ per lb. for ½ lb. and 1 lb. prints in cartons.

2½¢ per lb. for ¼ lb. prints in cartons.

2¢ per lb. for ¼ lb. prints without cartons.

3½¢ per lb. for Butterettes, chiplets, or similar types of restaurant cut butter.

1½¢ per lb. for all other consumer packages.

½¢ per lb. for unprinted butter packed in tubs.

Except in the case of butter packed in tubs, the above prices are for butter in prints or packages packed in cases or boxes.

(2) The maximum prices established in the foregoing subparagraph (1) of this paragraph are for sales of butter in prints or packages delivered to the purchaser's customary receiving point. Butter in prints or packages sold f. o. b. any point shall be considered "delivered" to the purchaser at that point.

(c) *Sales at retail by retail route-sellers.* (1) A "retail route-seller" is a person who customarily makes sales of butter directly from a truck or wagon operated by a driver-salesman over a regular route. A "retail route-seller" shall include a dairy company operating delivery routes through driver-salesmen, but shall not include a grocery store or meat market which delivers butter.

(2) The maximum price for any particular score or grade and form of butter sold in any place by a retail route-seller shall be the maximum price for that particular score or grade as determinable from the provisions of subdivisions (i) to (ix) inclusive, of paragraph (a) (2) of this section plus the appropriate sum for that particular form, as determinable from the provisions of Table B of paragraph (b) of this section plus 8¢ per lb.

(d) *Sales at retail by creameries.* (1) The maximum price for any particular score or grade and form of butter sold at retail in any place by a creamery shall be the maximum price for that particular score or grade as determinable from the provisions of subdivisions (i) to (ix) inclusive, of paragraph (a) (2) of this section plus the appropriate sum from Table B of paragraph (b) of this section for that particular form plus 2¢ per lb.

(2) The provisions of the foregoing subparagraph (1) shall apply to all retail sales by a creamery except sales through retail route-sellers, and sales from retail or dairy stores owned or operated by the creamery and physically separated from the premises of the creamery. Maximum prices for sales of butter by such retail or dairy stores are

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1309, 1836, 2132, 3430, 3821, 4229, 4294, 4484, 5605, 7665, 7666, 7977, 8204, 8653, 8702, 8948, 9130, 9189, 9393, 9486, 9958, 10471, 10530, 11069; 8 F.R. 1200.

[1] 7 F.R. 10996, 8 F.R. 490, 1458.

governed by Maximum Price Regulation No. 268 [1] as amended.

(e) *Maximum price in places not on railroad line or siding.* The maximum price for any sale of butter to a purchaser in any place not located on a railroad line or siding shall be the maximum price to a purchaser of the same type in that closest place which is located on a railroad line or siding and which is in the same area, as determinable from the provisions of subdivisions (i) to (viii) inclusive, of paragraph (a) (2) of this section.

(f) *Calculations.* All transportation charges referred to in the foregoing paragraphs shall be calculated on a cents per lb. basis and such calculations shall be carried to the second decimal point. All maximum prices for butter of any score or grade or form shall be calculated as follows: In sales of quantities of 1 lb. or less, the fractional price per lb. shall be adjusted to the nearest cent, or to the next higher cent where the fractional price is ½¢. In multiple pound sales the fractional price per lb. shall be multiplied by the number of pounds sold and the total price then adjusted to the nearest cent, or to the next higher cent where the total price ends with the fraction of ½¢. Sales at retail by retail route-sellers shall be deemed multiple pound sales unless separate collections are made for each single delivery of 1 lb. or less.

(g) *Definitions*—(1) *Butter.* "Butter" means the food product, commonly known as butter, which is made exclusively from milk or cream, or both, with or without the addition of common salt or coloring matter, and containing not less than 80% by weight of milk fat, all tolerance being allowed for. Such percentage of milk fat requirement shall equal that determined by the method prescribed in Official and Tentative Methods of Analysis of the Association of Official Agricultural Chemists, 5th Edition, 1940.

(2) *Score or grade of butter.* "Score or grade of butter" means the quality of butter determined in accordance with the Official United States Standards for U. S. Grades of Creamery Butter issued in January 1943 by the United States Department of Agriculture and effective February 1, 1943.

(3) *Form of butter.* "Form of butter" means the form in which it is sold and delivered, namely, bulk, prints, or packages.

(4) *Place.* "Place" means any city, town, village, or hamlet in the United States.

(5) *Wholesaler.* "Wholesaler" within the meaning of Section 1351.1520 is a person who sells "at wholesale" as defined in paragraph (a) (2) of Section 1351.1517: *Provided however,* That a person shall be deemed a wholesaler even though he prints the butter he sells and even though he sells to commercial, industrial, or institutional users.

(h) *Exempt sales*—(1) *Sales at retail.* The provisions of this section shall not be applicable to sales of butter at retail except as provided above in paragraphs (c) and (d) of this section with respect to sales and deliveries at retail by retail route-sellers and sales at retail by creameries. All other sales at retail, except sales of "farm butter" by farmers directly to individual consumers, shall be priced under the provisions of Maximum Price Regulation No. 268 as amended.

(2) *Sales of farm butter.* The provisions of this section shall not be applicable to any sale of "farm butter." "Farm butter" means any butter produced by a farmer on his farm from milk produced solely on his farm. The price for all sales and deliveries of "farm butter" by farmers shall be determined under the provisions of Maximum Price Regulation No. 280.[2]

(3) The sales exempted under subparagraphs (1) and (2) of this paragraph are in addition to the sales exempted by the application of certain provisions of the General Maximum Price Regulation [3] as provided in Section 1351.1511 hereof.

(i) *Reference to Food Distribution Order No. 2.* (1) The Dairy Products Marketing Association shall be considered an agency of the United States Government for purposes of purchasing butter set aside by a creamery for sale to the United States Government. The Dairy Products Marketing Association or any other agency of the United States Government may compensate any authorized receiver of butter for services rendered in assembling unprinted butter for sale to the United States Government. An authorized receiver for the purposes of this paragraph shall mean an authorized receiver as defined in Food Distribution Order No. 2 issued by the Food Distribution Administration of the United States Department of Agriculture.

This amendment shall become effective February 16, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 11th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2257; Filed, February 11, 1943; 1:26 p. m.]

PART 1356—DOMESTIC AND COMMERCIAL COOKING AND HEATING STOVES AND RANGES

[RPS 64,[4] Amendment 4]

DOMESTIC AND HEATING STOVES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Paragraph (d) in § 1356.1 is amended to read as set forth below:

§ 1356.1 *Maximum prices for stoves.* • • •

(d) *Other stoves.* The maximum price for any stove (other than a stove sold or delivered pursuant to a cost-plus contract) which differs in specifications from any stove referred to in paragraphs (a) or (b) of this section, and which may be offered for sale under § 1356.4 shall be the price authorized by the Office of Price Administration after the manufacturer has submitted to it an application containing (1) the proposed price and specifications of such stoves, and (2) such other data as the Office of Price Administration may request; and no sale, offer to sell, delivery, or transfer of such stove shall be made until such approval shall be given. Such authorization will be given in the form of an order prescribing the maximum price which the applicant may charge, and such order may also establish maximum prices which sellers of the stove generally may charge, including wholesalers and retailers of the stove.

§ 1356.13 *Effective dates of amendments.* • • •

(d) Amendment No. 4 to Revised Price Schedule No. 64 (§ 1356.1 (d)) shall become effective February 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O 9250, 7 F.R. 7871)

Issued this 11th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2258; Filed, February 11, 1943; 1:30 p. m.]

PART 1358—TOBACCO

[MPR 260,[1] Amendment 4]

CIGARS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Subparagraph (1) of paragraph (a) of § 1358.102 is amended; subparagraph (5) of paragraph (a) of § 1358.102 is amended by the addition of a sentence thereto; paragraph (c) of § 1358.102 is amended by the addition of a new subparagraph (2a) between subparagraphs (2) and (3) thereof; subparagraph (1) of paragraph (a) of § 1358.102a is amended; subparagraph (5) of paragraph (a) of § 1358.102a is amended by the addition of a sentence thereto; paragraph (c) of § 1358.102a is amended by the addition of a new subparagraph (2a) between subparagraphs (2) and (3) thereof; § 1358.103 is revoked and a new § 1358.103 is substituted therefor; subparagraph (1) of paragraph (b) of § 1358.109 is amended; paragraph (d) of § 1358.112 is amended; the last sentence of paragraph (a) of § 1358.113 is amended; the last sentence of paragraph (b) of § 1358.113 is amended; the last sentence of paragraph (c) of § 1358.113 is amended; and a new paragraph (d) is added to § 1358.115a as set forth below.

§ 1358.102 • • •

(a) • • •

(1) To determine his maximum list price for any particular brand or size of domestic cigars, each manufacturer shall first note from Column 1 of Appendix A, his March 1942 stated retail price therefor. Such manufacturer shall then ascertain from Column 3 of Appendix A the new maximum retail price for such particular cigars, and from Column 4 of Appendix A his new maximum list price therefor. If a manufacturer had no March 1942 stated retail price for a particular brand or size of domestic cigars, he shall use as the March 1942 stated retail price thereof for purposes of this regulation, his highest March 1942 stated retail price for the same cigar under a different brand name, or if he had none, then the highest March 1942 stated retail price of his most closely competitive manufacturer for domestic cigars of the same size and quality. Any manufacturer who is unable to determine the amount to use as his March 1942 stated retail price for any particular brand or size of domestic cigars, shall make written application for determination of such amount to the Office of Price Administration, Tobacco Section, Washington, D. C. After receipt of such application, the Office of Price Administration or any duly authorized officer thereof, may by order establish the amount to be used by such manufacturer as his March 1942 stated retail price for the brand or size of domestic cigars in question.

• • • • • •

(5) • • • Such manufacturer's maximum list price for such particular price class of cigars shall, however, be the amount determined in accordance with subparagraph (1) of this paragraph (a).

• • • • • •

(c) • • •

(2a) If any manufacturer's maximum price for cigars of a particular price class is a maximum net selling price subject only to a discount for cash, the wholesaler's maximum list price therefor shall not be in excess of the manufacturer's maximum list price determined in accordance with subparagraph (1) of paragraph (a) of this section.

• • • • • •

§ 1358.102a • • •

(a) • • •

(1) To determine his maximum list price for any particular brand or size of imported cigars, such importer shall first note from Column 1 of Appendix B his March 1942 stated retail price therefor. Such importer shall then ascertain from Column 3 of Appendix B the new maximum retail price for such particular cigars and from Column 4 of Appendix B his new maximum list price therefor. If the importer had no March 1942 stated retail price for a particular brand or size of imported cigars, he shall use as the March 1942 stated retail price thereof for purposes of this regulation, his highest March 1942 stated retail price for the same cigar under another brand name, or if he had none, then the highest March 1942 stated retail price of his most closely competitive importer for imported cigars of the same size and quality. Any importer who is unable to determine the amount to use as his March 1942 stated retail price for any particular brand or size of imported cigars, shall make written application for determination of such amount to the Office of Price Administration, Tobacco Section, Washington, D. C. After receipt of such application the Office of Price Administration or any duly authorized officer thereof, may by order establish the amount to be used by such importer as his March 1942 stated retail price for the brand or size of imported cigars in questions.

• • • • • •

(5) • • • Such importer's maximum list price for such particular price class of imported cigars, shall, however, be the amount determined in accordance with subparagraph (1) of this paragraph (a).

• • • • • •

(c) • • •

(2a) If any importer's maximum price for imported cigars of a particular price class is a maximum net selling price subject only to a discount for cash, the wholesaler's maximum list price therefor shall not be in excess of the importer's maximum list price determined in accordance with the provisions of subparagraph (1) of paragraph (a) of this section.

§ 1358.103 *Maximum prices set under this regulation cannot be changed.* On or before January 15, 1943, every manufacturer and importer of cigars must establish a maximum list price and a maximum retail price pursuant to this regulation for each brand and size of cigars sold by him. The maximum list price and maximum retail price in effect on January 15, 1943 and established by a manufacturer of domestic cigars under §§ 1358.102 and 1358.116 Appendix A, or by an importer of imported cigars under §§ 1358.102a and 1358.117 Appendix B shall be the maximum list price and the maximum retail price respectively of the particular brand or size of cigars in question from that date forward, subject only to adjustments permitted under § 1358.107 (b), (c) and (d).

§ 1358.109 • • •

(b) • • •

(1) In the determination of maximum prices, the reduction or elimination by a seller (other than a seller at retail) of his customary promotional advertising or other allowances and discounts or price differentials existing in March 1942, whether due to freight or otherwise.

§ 1358.112 • • •

(d) "Stated retail price" means the retail price printed or otherwise marked by the manufacturer or importer upon the individual box or container of a particular brand or size of cigars, or if a retail price was not so marked, then the retail price suggested by the manufacturer or importer for the particular brand or size of cigars in his standard price list effective during March, 1942.

§ 1358.113 • • •

(a) • • • No notification shall be required after the first notification to any particular purchaser with reference to any particular brand or size of domestic cigars unless an adjustment is thereafter made in the manufacturer's maximum prices established hereunder.

(b) • • • No notification shall be required after the first notification to any particular purchaser with reference to any particular brand or size of domestic cigars unless an adjustment is thereafter made in the wholesaler's maximum prices established hereunder.

(c) • • • No notification shall be required after the first notification to any particular purchaser with reference to any particular brand or size of imported cigars unless an adjustment is thereafter made in the importer's maximum prices established hereunder.

• • • • • •

§ 1358.115a • • •

(d) Amendment No. 4 to Maximum Price Regulation No. 260 (§§ 1358.102 (a) (1), 1358.102 (a) (5), 1358.102 (c) (2a), 1358.102a (a) (1), 1358.102a (a) (5), 1358.102a (c) (2a), 1358.103, 1358.109 (b) (1), 1358.112 (d), 1358.113 (a), 1358.113 (b), 1358.113 (c) and 1358.115a (d)) shall become effective February 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2259; Filed, February 11, 1943; 1:27 p. m.]

PART 1399—CONSTRUCTION, OIL FIELD, AND RELATED MACHINERY

[MPR 134,[1] Amendment 6]

CONSTRUCTION AND ROAD MAINTENANCE EQUIPMENT RENTAL PRICES AND OPERATING OR MAINTENANCE SERVICE CHARGES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1399.11 (b) is amended by adding thereto the following subparagraph:

§ 1399.11 *Petitions for amendment.* • • •

(b) *Special amendments.* • • •

(3) *U. S. Army Engineers, Alaska.* Notwithstanding any provisions of this Maximum Price Regulation No. 134 or of Maximum Price Regulation No. 194,[2] the maximum rental price per month for any construction or road maintenance equipment leased or furnished by any person to the United States Army Engineers for use in connection with the Alaska Western Railways Survey in the Territory of Alaska shall be the appli-

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[1] 7 F.R. 9184; 8 F.R. 322

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10144, 10337, 10475, 10585, 10786, 10995; 8 F.R. 158, 876, 877, 1120, 1468.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4330, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.

[3] 7 F.R. 1329, 1836, 2000, 2132, 4404, 5872, 6221, 8948.

[1] 7 F.R. 8997, 10255, 10475, 11113.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3203, 3411, 3447, 7001, 8386, 9054, 8948, 9785.

[2] 7 F.R. 5909, 6268, 6744, 8023, 8358, 8947, 9195, 10231, 10790, 11012; 8 F.R., 856.

cable monthly rate set forth in § 1399.15, Appendix A, plus 100% of such rate, irrespective of the number of hours that such equipment may be used.

§ 1399.14a *Effective dates of amendments.* * * *

(f) Amendment No. 6 (§ 1399.11 (b) (3)) to Maximum Price Regulation No. 134 shall become effective February 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2260; Filed, February 11, 1943; 1:26 p. m.]

PART 1425—LUMBER AND DISTRIBUTION

[Correction to Amendment 3 to MPR 215[1]]

DISTRIBUTION YARD SALES OF SOFTWOOD LUMBER

In § 1425.12 (a) (5), line 5, the words "Central Producing Agency" should read "Central Procuring Agency". In § 1425.14, the last paragraph, the letters "MBM" should be "CWT" so that the paragraph should read: "If the distribution yard is located at the basing point, or within a radius of 10 miles from it, a rate of 10 cents per CWT may be used to figure inbound transportation charges". In § 1425.16 (c) (2), the last sentence should read: "These proofs must be submitted to the Lumber Branch of the Office of Price Administration, Washington, D. C. within 30 days after the transaction has been completed."

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2261; Filed, February 11, 1943; 1:30 p. m.]

[1] 7 F.R. 7094, 7452, 8402, 8942; 8 F.R. 978.

PART 1499—COMMODITIES AND SERVICES

[Order 277 Under § 1499.3 (b) of GMPR]

BROOKLYN COOPERAGE CO.

The Brooklyn Cooperage Company, New York City, has made application under § 1499.3 (b) of the General Maximum Price Regulation for specific authorization to determine maximum prices for commodities which cannot be priced under § 1499.2 thereof. Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith, and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, *It is ordered:*

§ 1499.1713 *Approval of maximum prices for tight cooperage sold by the Brooklyn Cooperage Company.* (a) On and after December 11, 1942, Brooklyn Cooperage Company of New York City, may sell and deliver, offer, agree and solicit, and attempt to sell and deliver tight cooperage products manufactured by it at its Chalmette, Louisiana plant, which cannot be priced under § 1499.2 of the General Maximum Price Regulation and any person may buy from said Brooklyn Cooperage Company such products at a price no higher than that established in accordance with the formula hereinafter set forth:

To the maximum price of the base barrel specified in the application, and on file with the Office of Price Administration in Washington, D. C., apply the differentials listed in the following tables:

CHALMETTE PLANT

TABBE 1—TIGHT STAVES

[Add to or subtract from base barrel set]

Species and grade	36"	35"	34"	29½ and 30"
Red Oak:				
No. 1	+.10	+.05	.00	−.50
No. 2	−.25	−.30	−.35	.....
White Oak:				
Sap Clear	+1.45	+1.35	+1.25	+.35
Tight Sap	+.35	+.30	+.25	−.30
Open Sap (Oil)	+.20	+.15	+.10	−.40
Chestnut Oak	+.20	+.15	+.10	.....
Oak Petrolatum	−.35	−.40	−.46	.....
Gum (Red and Sweet)	+.05	.00	−.05	−.55
Gum (Red No. 2)	−.60	−.65	−.70	.....
Gum (Black and Tupelo)	.00	−.05	−.10	.....
Gum (Black and No. 2)	−.60	−.65	−.70	.....
Gum (Mixed)*	−.05	.....	.....	.....
Gum (Mixed No. 2)	−.60	−.65	−.70	.....
Second Hand Whiskey	.....	.....	+1.35	+.65

*The use of a bung stave of a species other than gum in an otherwise gum stave barrel does not make such barrel "gum mixed."

All above grades and set bilge measurement, except as qualified in "gum mixed" on bung staves, are as per "Grade Rules and Specifications" for Tight Barrel Staves and Heading of the Associated Cooperage Industries of America, Inc.

CHALMETTE PLANT

TABLE 2—TIGHT HEADING

[Add to or subtract from base barrel set]

Species and grade	20¾" to 21"	18½"	17½"	16⅝"
Red Oak:				
No. 1—¾"	.00	.....	−.10	−.10
No. 1—⅞"	+.01	.....	−.09	−.09
No. 1—1"	+.02	.....	−.08	−.08
No. 2	−.13	.....	.....	.....
White Oak:				
Sap Clear	+.54	.....	+.24	+.24
Tight Sap ¾"	+.04	.....	−.05	−.05
Tight Sap ⅞"	+.06	.....	−.03	−.03
Tight Sap 1"	+.08	.....	−.01	−.01
Open Sap-Oil	+.01	.....	−.08	−.08
Open Sap-Oil 1"	+.03	.....	−.06	−.06
Gum—R & S:				
¾"	+.035	+.015	.....	.....
⅞"	+.015	.....	−.085	−.085
No. 2	−.115	.....	.....	.....
Hackberry	+.015	.....	.....	.....
Ash:				
¾"	+.035	+.015	.....	.....
1"	+.055	.....	.....	.....

CHALMETTE PLANT

TABLE 3—TIGHT BARREL HOOPS

[Add to or subtract from base barrel for each set of two]

(All Black Steel)

Gallonage	51/53 to 57/59	50	40	30/35	80
16 ga. Head Hoop:					
2" width	+.0255	+.0255	.....	.....	.....
1¾" width	+.0049	+.0049	.....	.....	.....
16 ga. Quarter Hoops:					
1¾" width	+.0410	+.0410	.....	.....	.....
16 ga. Bilge Hoops 1¾"	+.0056	+.0056	.....	.....	.....
17 ga. Head Hoops:					
1¾" width	.00	−.0018	−.0136	−.0197	−.0197
17 ga. Bilge Hoops:					
1¾" width	.00	−.0086	−.0161	.....	.....
18 ga. Head Hoops:					
1¾" width	−.0182	−.0182	.....	.....	.....
1⅜" width	.....	.....	.....	−.0334	.....
18 ga. Quarter Hoops:					
1⅞6" width	.....	−.0054	−.0141	.....	.....
18 ga. Bilge Hoops:					
1¾" width	−.0210	−.0210	.....	−.0405	−.0405
1⅜" width	−.0448	−.0448	.....	−.0515	.....
1½" width	.....	.....	.....	.....	.....
19 ga. Quarter Hoops:					
1⅞6" width	−.0134	−.0134	.....	.....	.....
1½" width	−.0117	−.0117	.....	−.0252	−.0252
1⅜6" or 1¾" width	.....	.....	.....	−.0359	.....
19 ga. 2nd Quarter Hoops:					
15⅛" x 19"	+.0878	+.0878	.....	.....	.....
1½" x 18"	+.1029	+.1029	.....	.....	.....
1½" x 19"	.....	.....	.....	+.0778	.....
1¾" or 1⅜6" x 19"	.....	.....	.....	.....	+.0613

For galvanized hoops add 68% of black steel hoop price.

CHALMETTE PLANT

TABLE 4—ON BARREL ONLY

Gallons	Labor costs (add or subtract dollars per barrel)				Overhead costs (add or subtract dollars per barrel)			
	6 hoops	8 hoops	10 hoops	12 hoops	6 hoops	8 hoops	10 hoops	12 hoops
50/60	.00	+.013	.....	.....	.00	+.009	.....	.....
40	−.027	.....	.....	.....	−.028	.....	.....	.....
25/35	−.055	−.042	.....	.....	−.048	−.039	.....	.....
50/60 tight sap	.....	+.045	.....	.....	.....	+.032	.....	.....
50/60 sap clear	.....	+.075	.....	.....	.....	+.053	.....	.....
50/60 1" thick head	.....	+.055	+.075	+.155	.....	+.039	+.053	+.110

For Number 2 Barrels.
After applying labor and overhead differentials add .043 per barrel.

CHALMETTE PLANT

TABLE 5—DIFFERENTIALS FOR LINING, PAINTING, ETC., TIGHT BARRELS

	Silicating		Paraffining		Gluing	Special Coca Cola	Painting Coca Cola
	Test coat	Heavy coat	Oak	Gum			
50/60	.051	.055	.....	.....	.....	.....	.....
55/57	.....	.....	.....	.145	.....	.....	.....
53/55	.....	.....	.125	.....	.....	.143	.....
51/53	.....	.....	.105	.135	.558	.....	.....
50	.....	.....	.....	.125	.558	.133	.088
40	.....	.....	.....	.....	.....	.116	.084
30	.045	.....	.075	.090	.463	.....	.....
10	.....	.....	.050	.050	.....	.....	.....
5	.....	.....	.041	.041	.....	.....	.....
50 2nd hand	.....	.....	.....	.....	.....	.116	.076
40 2nd hand	.....	.....	.....	.....	.....	.113	.073
Kegs	.....	.....	.....	.....	.....	.....	.049
Paraffining outside of barrel	.....	.140	.....	.....	.....	.....	.....
Water testing	.....	.020	.....	.....	.....	.....	.....
Dropping heads	.....	.045	.....	.....	.....	.....	.....
Stenciling	.....	.005	.....	.....	.....	.....	.....
Stenciling and weighing	.....	.014	.....	.....	.....	.....	.....
Branding	.....	.032	.....	.....	.....	.....	.....

For double lining, add twice the differential above.

CHALMETTE PLANT

TABLE 6.—MISCELLANEOUS DIFFERENTIALS

	Add per barrel
For barrels:	
Lathing barrels	.026
Sanding barrels	.026
Lathing and sanding barrels	.043
Riveting extra hoops (per hoop)	.007
Bung	.010
Varnishing hoops (per hoop)	.004
Vent holes	.014
Boring bilge bung holes	.009
Boring holes in heads:	
Up to 1"	.019
Above 1" to 2"	.022
Above 2" to 3"	.033
Above 3" to 4"	.060
Above 4" to 5"	.076
For shooks:	*Deduct*
Riveting hoops—6 hoops	.030
Riveting hoops—8 hoops	.041
Overhead—25/35 gal	.220
Overhead—50/60 gal	.194

(b) Within ten days after determining a maximum price under this order, the Brooklyn Cooperage Company shall report such price to the Lumber Branch of the Office of Price Administration in Washington, D. C. Such report shall set forth (1) a detailed description of the product for which the price is determined, (2) a statement that the maximum price reported was determined in accordance with the formula set forth in paragraph (a) of this order and (3) a detailed explanation of the application of such formula in determining the maximum price for the particular product.

(c) This Order No. 277 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 277 (§ 1499.1713) shall become effective as of December 11, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2262; Filed, February 11, 1943; 1:25 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 278 Under § 1499.3 (b) of GMPR]

SUPERIOR METAL PRODUCTS CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1714 *Approval of maximum prices for sales of victory type milk shipping containers manufactured by Superior Metal Products Company of St. Paul, Minnesota.* (a) Any person may sell and deliver and any person may buy or receive victory type milk shipping containers manufactured by Superior Metal Products Company of St. Paul, Minnesota at the following maximum prices:

VICTORY MINNESOTA PATTERN (ROLLED OR FUSED BOTTOM)

	Carload 14000#	300 to carload	25 to 299	24 or less
20 Quart 6½" neck	2.81	3.01	3.11	3.26

VICTORY TIGER PATTERN (ROLLED OR FUSED BOTTOM)

32 Quart 6⅛" neck	3.71	3.91	4.06	4.26
40 Quart 6⅛" neck	3.86	4.06	4.21	4.41
32 Quart 7⅛" neck	3.76	3.96	4.11	4.31
40 Quart 7⅛" neck	3.91	4.11	4.26	4.46

VICTORY WISCONSIN PATTERN (WITH INSERTED FUSED BOTTOM AND INSIDE BOTTOM HOOP

32 Quart 7⅛" neck	4.01	4.31	4.46	4.66
40 Quart 7⅛" neck	4.16	4.41	4.56	4.76

VICTORY ST. PAUL PATTERN (SUPERIOR-WELD, SEAMLESS)

20 Quart 6⅛" neck	3.56	3.76	3.86	4.06
32 Quart 7⅛" neck	4.56	4.86	5.01	5.21
40 Quart 6⅛" neck	4.66	4.91	5.06	5.26
40 Quart 7⅛" neck	4.71	4.96	5.11	5.31

VICTORY ST. JOHN PATTERN (WITH CHAINED PLUG COVER)

8 Quart	2.25	2.40	2.50	2.60
12 Quart	2.58	2.73	2.83	2.93

VICTORY NIAGARA PATTERN (WITH CHAINED PLUG COVER)

4 Quart	1.85	1.95	2.05	2.15

(b) All freight equalization practices and allowances, and discounts, applicable to the sale of the old type cans for which these new cans are now being substituted, whether based on quantity, type of purchaser or any other cause shall be applicable to the sales of these new cans.

(c) Superior Metal Products Company must advise all brokers, wholesalers, jobbers or retailers to whom it sells and such brokers, wholesalers and jobbers must advise all retailers to whom they sell, of the maximum prices established by this order in the following manner:

The maximum price of "Victory Type" ---------- size has been established by the Office of Price Administration at $---- each. The steel content of this container has been reduced in order to release steel for essential war purposes. This price does not disturb any allowances and discounts which you have formerly received.

(d) This Order No. 278 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 278 (§ 1499.1714) shall become effective February 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2263; Filed, February 11, 1943; 1:29 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 194 Under § 1499.18 (b) of GMPR]

W. C. BETTILYON

Authorization of a maximum price for "Dux-sulation" insulating material for W. C. Bettilyon, 50 Spice Street, Boston, Massachusetts.

For the reason set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Adminstrator by the Emergency Price Control Act of 1942, as amended, and by Executive Order No. 9250 and under § 1499.18 (b) of the General Maximum Price Regulation, *It is hereby ordered*, That:

§ 1499.1095 *Adjustment of maximum prices for "Dux-sulation" insulating material sold by W. C. Bettilyon, 50 Spice Street, Boston, Massachusetts.* (a) W. C. Bettilyon, 50 Spice Street, Boston, Massachusetts, is authorized to sell, deliver and offer for sale, and all persons are authorized to receive or buy from him "Dux-sulation" insulating material at cash prices at his place of business not to exceed $13.40 per "Roll" of such material in quantities of 24 Rolls or less, and $12.45 per "Roll" in quantities of 25 to 249 Rolls.

(b) The authorization granted to W. C. Bettilyon in paragraph (a) is subject to the condition that he shall notify persons purchasing "Dux-sulation" insulating material from him that the Office of Price Administration has by this order authorized his maximum prices as provided in paragraph (a).

(c) All delivery allowances, applicable to the sale of "Dux-sulation" insulating material during March 1942, whether based on class of purchaser or any other cause, shall be applicable to the sale of "Dux-sulation" insulating material under the maximum prices authorized by this order.

(d) This Order No. 194 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 194 (§ 1499.1095) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 194 shall become effective February 12, 1943.

Issued this 11th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2267; Filed, February 11, 1943; 1:24 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 109 to Supp. Reg. 14[1] to GMPR[2]]

SHELLAC VARNISH

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (67) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of the General Maximum Price Regulation for certain commodities, services, and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided:

* * * * *

(67) (i) Any manufacturer may, at his option, sell shellac varnish and any person may buy shellac varnish at the maximum prices established herein instead of at the maximum prices established for shellac varnish pursuant to other provisions of the General Maximum Price Regulation.

(a) Maximum prices for sales by manufacturers other than at retail. The maximum price per gallon f. o. b. manufacturer's plant for shellac varnish sold other than at retail may be calculated as follows:

(i) The maximum price per gallon in barrels f. o. b. manufacturer's plant shall be the sum of the following three items: the cost of alcohol used; the cost of shellac used; and the applicable mark-up.

(A) The cost of alcohol used shall be the actual delivered cost of such alcohol.

(B) The cost of the shellac used shall be the actual delivered cost of such shellac, except that:

If the manufacturer imported the shellac used or purchased it from the Defense Supplies Corporation, the cost of the shellac is calculated by using the applicable maximum price established in paragraphs (a) and (b) of § 1415.115 of Maximum Price Regulation No. 245, or;

If the manufacturer has bleached the shellac used, the cost of the shellac is calculated by using the applicable maximum price for bleached shellac established in paragraph (f) of § 1415.115 of Maximum Price Regulation No. 245.

(C) The mark-up shall be calculated as follows:

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7265, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9395, 9495, 9496, 9639, 9786, 9900, 9901, 1069, 1011, 1022, 10151, 10231, 10294, 10346, 10381, 10480, 10537, 10557, 10583, 11005, 10855; 8 F.R. 276, 439, 535, 494, 689, 863,1139, 1590, 980, 1030, 876, 1121, 878, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467.

[2] 7 F.R. 3153, 3330, 3606, 3990, 3991, 4330, 4887, 5027, 4659, 4738, 5276, 5192, 5365, 5445, 5775, 5784, 5783, 6058, 6081, 5484, 5565, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.

Cut in pounds	When the delivered cost of alcohol used is—35¢ or less per gallon the mark-up shall be—	More than 35¢ but less than 48¢ per gallon the mark-up shall be—	48¢ or more per gallon the mark-up shall be—
	Per gal. of shellac varnish	*Per gal. of shellac varnish*	*Per gal. of shellac varnish*
1	$.24	$.27	$.31
2	.33	.37	.40
3	.42	.45	.48
3½	.45	.49	.52
4	.49	.52	.55
5	.55	.58	.61
6	.60	.63	.66
7	.65	.68	.70
8	.69	.72	.74
9	.73	.76	.78
10	.77	.79	.81

(ii) *Container differentials.* For sales of shellac varnish in containers smaller than a barrel the following additional charges per gallon may be added to the maximum prices established above.

Container	Size	Per gallon
⅛ barrel	25–30 gallon	$.05
Wooden container	5–15 gallon	.15
Can	5-gallon	.10
Can	1-gallon	.20
Glass jug	1-gallon	.25
Can	½-gallon	.30
Glass bottle	1-quart	.50
Can	1-quart	.50
Glass bottle	1-pint	.75
Can	1-pint	.75
Glass bottle	½-pint	1.15
Can	½-pint	1.15
Glass bottle	¼-pint	2.30
Can	¼-pint	2.30

(b) Maximum prices for sales by manufacturers at retail. (i) The maximum prices for sales of shellac varnish sold at retail by such manufacturers shall be 150 per cent of the maximum prices established above.

(ii) Any wholesaler may, at his option, sell shellac varnish and any person may buy shellac varnish at the maximum prices established herein instead of at the maximum prices established for shellac varnish pursuant to other provisions of the General Maximum Price Regulation.

(a) Maximum prices for sales by wholesalers to retailers. The maximum prices of shellac varnish for sales by a wholesaler to a retailer shall be 125 per cent of the actual delivered cost of such shellac varnish to such wholesaler.

(b) Maximum prices for sales by a wholesaler who repackages and sells to retailers. The maximum price for sales of shellac varnish to retailers by a wholesaler who repackages such shellac varnish in smaller containers shall be 125 per cent of the sum of the following items: the actual delivered cost of the shellac varnish to the wholesaler and the applicable differential shown herewith.

Container	Size	Per gallon
⅛ barrel	25–30 gallon	$.05
Wooden container	5–15 gallon	.15
Can	5-gallon	.10
Can	1-gallon	.20
Glass jug	1-gallon	.25
Can	½-gallon	.30
Glass bottle	1-quart	.50
Can	1-quart	.50
Glass bottle	1-pint	.75
Can	1-pint	.75
Glass bottle	½-pint	1.15
Can	½-pint	1.15
Glass bottle	¼-pint	2.30
Can	¼-pint	2.30

(c) Maximum prices for sales by wholesalers at retail. The maximum price for sales of shellac varnish at retail by a wholesaler shall be 150 per cent of the delivered cost of such shellac varnish to such wholesaler.

(d) Maximum prices for sales by a wholesaler who repackages and sells at retail. The maximum price for sales of shellac varnish at retail by a wholesaler who repackages such shellac varnish in smaller containers shall be 150 per cent of the sum of the following items: the actual delivered cost of the shellac varnish to the wholesaler and the applicable differential shown in (b).

(iii) *Maximum prices for shellac varnish sold by retailers.* Any retailer may sell shellac varnish at retail at the maximum prices established herein instead of at the maximum prices established for shellac varnish pursuant to other provisions of the General Maximum Price Regulation.

(a) For sales of shellac varnish by a retailer the maximum price shall be 150 per cent of the actual delivered cost of such shellac varnish to such retailer.

(b) For sales of shellac varnish by retailers who repackage in smaller packages the maximum price shall be 150 per cent of the sum of the following items: the delivered cost of such shellac varnish to such retailer and the applicable differential shown herewith.

Container	Size	Per gallon
⅛ barrel	25–30 gallon	$.05
Wooden container	5–15 gallon	.15
Can	5-gallon	.10
Can	1-gallon	.20
Glass jug	1-gallon	.25
Can	½-gallon	.30
Glass bottle	1-quart	.50
Can	1-quart	.50
Glass bottle	1-pint	.75
Can	1-pint	.75
Glass bottle	½-pint	1.15
Can	½-pint	1.15
Glass bottle	¼-pint	2.30
Can	¼-pint	2.30

For example:

	Per gal.
Delivered cost of white shellac varnish in barrels to wholesaler is	$2.20
Differential for repackaging from barrels to quarts is	.50
	2.70
125 percent of $2.70 is	3.38
	Per quart
Wholesaler's maximum price for quart, including container, is $3.38÷4 or	.85

(c) Maximum prices for sales by retailers who repackage and sell at retail. The maximum price for sales of shellac varnish at retail by a retailer who repackages such shellac varnish in smaller containers shall be 150 per cent of the sum of the following items: the actual delivered cost of the shellac varnish to the retailer and the applicable differential shown in (b).

For example:

	Per gal.
Delivered cost of white shellac in barrels to retailer	$2.20
Differential for repackaging from barrels to quarts	.50
	2.70
150 percent of $2.70	4.05
	Per quart
Retailer's maximum price for quart, including container, is $4.05÷4 or	1.01

(iv) The maximum prices established in this subparagraph may not be increased by reason of any charge for containers other than the container differentials set forth herein, except that where sales of shellac varnish are made to the United States or any agency thereof, if the contract of sale requires special packaging, an additional charge may be made for the actual cost of such packaging provided that it is separately stated on the invoice.

(v) *Notification to retailers by sellers determining maximum prices under subdivision* (i) and (ii). Any seller who determines his maximum price for shellac varnish under subdivisions (i) and (ii) shall deliver invoices to retailers covering sales subject to this subparagraph (67) to § 1499.73 (a), and at the time of delivery attach to his first invoice to each such retailer on any sale at a price so determined a notice as follows:

The Office of Price Administration has permitted us to raise our maximum price on (*manufacturer inserts description of shellac varnish herein*) shellac varnish, -- pound cut, from (*manufacturer inserts old price*) to (*manufacturer inserts new price*) per (*manufacturer inserts container size*). This increase represents only that part of cost increases which we are unable to absorb. Retailers are authorized to, (a) maintain their March 1942 ceiling price on such shellac varnish, or (b) determine a ceiling price by multiplying the current net delivered cost to such retailer by 1.50, whichever is higher. If such retailer repackages this shellac in smaller packages and also elects to determine a new ceiling price, according to the method provided under (b) above, he may add the appropriate differential from the following list before multiplying by 1.50:

CONTAINER DIFFERENTIALS

Container	Size	Differential Per Gallon
⅛ barrel	25–30 gallon	$.05
Wooden container	5–15 gallon	.15
Can	5 gallon	.10
Can	1 gallon	.20
Glass jug	1 gallon	.25
Can	½ gallon	.30
Glass bottle	1 quart	.50
Can	1 quart	.50
Glass bottle	1 pint	.75
Can	1 pint	.75
Glass bottle	½ pint	1.15
Can	½ pint	1.15
Glass bottle	¼ pint	2.30
Can	¼ pint	2.30

The Office of Price Administration requires retailers to keep this notice for examination.

This amendment shall become effective February 17, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. No. 9250, 7 F.R. 7871)

Issued this 11th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2264; Filed, February 11, 1943; 1:27 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 22 Under Supp. Reg. 15]

SUGAR TRANSPORT CO.

Order No. 22 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 of the General Maximum Price Regulation—Docket No. GF3-2081.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1322 *Adjustment of maximum prices for contract carrier services sold by A. B. Friesner, doing business as Sugar Transport Company, of Paulding, Ohio.* (a) A. B. Friesner, doing business as Sugar Transport Company, 115 West Wayne Street, Paulding, Ohio, may sell and deliver contract carrier services in connection with the transportation of sugar for the Paulding Sugar Company, of Paulding, Ohio, at prices not to exceed the rates as set forth in its proposed contract, marked Exhibit B and attached to its application filed with this Office on September 21, 1942.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 22 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 22 (§ 1499.1322) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 22 (§ 1499.1322) shall become effective February 12, 1943.

(Pub. Laws No. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2268; Filed, February 11, 1943; 1:22 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. Supp. Service Reg. 4 to MPR 165 as Amended [1]]

BOWLING

The preamble and § 1499.654 are amended to read as set forth below:

A statement of the considerations involved in the issuance of Revised Supplementary Service Regulation No. 4 has been issued simultaneously herewith, and has been filed with the Division of the Federal Register.* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended and Executive Order No. 9250, *It is hereby ordered,* That:

§ 1499.654 *Modification of maximum prices established by Maximum Price Regulation No. 165 as amended for bowling.* (a) The maximum prices established by Maximum Price Regulation No. 165 as amended are modified for bowling as hereinafter provided:

(1) *League bowling.* The maximum price for each price classification of league bowling shall be the highest price charged for each such price classification in September 1941 plus a total sum of 7¢ for three games of ten pins or plus a total sum of 10¢ for three games of duck pins, candle pins, and other types of bowling.

(2) *Open bowling.* The maximum price for each price classification of open bowling shall be the highest price charged for each such price classification in September 1941 plus the sum of 3¢ a game of ten pins or plus the sum of 4¢ a game of duck pins, candle pins, and other types of bowling.

(b) If the maximum prices for bowling cannot be determined under paragraph (a), they shall be the maximum prices of the most closely competitive seller of the same class.

(c) If the maximum prices for bowling cannot be determined under paragraphs (a) or (b), they shall be those prices approved by the Office of Price Administration. Application for such approval may be made by letter and shall be filed in duplicate with the appropriate field office of the Office of Price Administration. The application shall contain at least the following information: A list showing the type or types of bowling, the price classifications therefor, and the proposed prices; a statement of the reasons why prices cannot be established as elsewhere provided in this Revised Supplementary Service Regulation No. 4; a statement containing an estimate for one month, on the basis of the proposed prices, of expected revenue, expected labor, materials, and overhead costs, and expected profits. The following additional information should be submitted where the bowling establishment was acquired by transfer: The name and the address of the transfer or, the date of the transfer and the prices charged by the transferor in and after September 1941. Unless the Office of Price Administration or an authorized representative thereof shall, by order mailed to the applicant within 20 days from the date of filing the application, disapprove the maximum prices reported, such prices shall be deemed to have been approved, subject to disapproval or adjustment at any time by the Office of Price Administration.

(d) When used in this Revised Supplementary Service Regulation No. 4:

(1) "League bowling" means bowling done under contract between groups of bowlers and the bowling proprietors, by the terms of which the rates and conditions of bowling are set for the season.

(2) "Open bowling" means all nonleague bowling.

(3) "Each price classification of" league or open bowling means the price distinction customarily made for different persons (such as, but not limited to, members of the armed forces, men, women, children); for different times of the day (such as, but not limited to, mornings, afternoons, evenings); or for different days of the week (such as, but not limited to, week days, Saturdays, Sundays, holidays). The same relative price distinction for each price classification of bowling made in September 1941 must be retained.

(e) Lower prices than those established by this Revised Supplementary Service Regulation No. 4 may at any time be charged, demanded, paid, or offered.

(f) Every bowling alley proprietor or other person operating a bowling establishment shall keep such records as are required by § 1499.108 of Maximum Price Regulation No. 165 as amended, except that the base period for which such records shall be kept under paragraphs (a) and (b) of that section shall be September 1941 instead of March 1942, but he need not file with his War Price and Rationing Board the statement required by § 1499.108.

(g) Within thirty days after the effective date of this Revised Supplementary Service Regulation No. 4, every bowling alley proprietor or other person operating a bowling establishment shall post his maximum prices for league bowling and for open bowling as established under this Revised Supplementary Service Regulation No. 4 in a manner plainly visible to, and understandable by, the patrons of his establishment. This posting shall be in the following form:

Prices charged for bowling are now subject to the services regulation (Maximum Price Regulation No. 165 as amended) of the Office of Price Administration. The maximum prices for each classification of bowling on and after December 28, 1942, may be no higher than the highest prices charged in September 1941 for a series of three games of league bowling plus 7¢ for ten pins or plus 10¢ for duck pins, candle pins, and other types of bowling; and may be no higher than the highest prices charged in September 1941 for one game of open bowling plus 3¢ per game for ten pins or plus 4¢ per game for duck pins, candle pins, and other types of bowling.

Our ceiling prices determined on the above basis are ---------- (Indicate prices for each type and price classification of league and open bowling.)

This revised supplementary service regulation shall become effective February 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2265; Filed, February 11, 1943; 1:29 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 188,[1] Amendment 6]

MANUFACTURERS' MAXIMUM PRICES FOR SPECIFIED BUILDING MATERIALS AND CONSUMERS' GOODS OTHER THAN APPAREL

A statement of the considerations involved in the issuance of Amendment No. 6 to Maximum Price Regulation No. 188 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Sections 1499.159b and 1499.165a (f) are added as set forth below:

§ 1499.159b *Modification of provisions of Maximum Price Regulation No. 188.* The provisions of Maximum Price Regulation No. 188 as applied to certain commodities subject thereto may be modified by order under this § 1499.159b.

§ 1499.165a *Effective dates of amendments.* * * *

(f) Amendment No. 6 to Maximum Price Regulation No. 188 (§§ 1499.159b and 1499.165a (f)) shall become effective February 16, 1943.

Issued this 11th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2266; Filed, February 11, 1943; 1:26 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 271,[1] Amendment 4]

CERTAIN PERISHABLE FOOD COMMODITIES, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1351.1002, a new subparagraph (5) is added to paragraph (a).

§ 1351.1002 *How a country shipper establishes his maximum price for a perishable food commodity, as set forth in Appendix A*—(a) * * *

(5) *Imported dry onions.* (i) If early dry onions of any variety are imported from Mexico for sale within the continental limits of the United States, the maximum price f. o. b. point of entry per 50 pounds shall be the maximum price listed in the table entitled "Early Dry Onions" in Appendix A for the period in which such imported early dry onions are offered for sale.

(ii) For dry onions imported from any country other than Mexico, the maximum price per 50 pounds at any terminal market or other wholesale receiving point shall be the maximum delivered price for the most closely similar variety of domestic dry onions in the particular terminal market or other wholesale receiving point where such imported dry onions are being offered for sale.

* * * * *

This amendment shall become effective February 17, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2283; Filed, February 11, 1943; 4:49 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5872, 7967, 8943, 8948, 10155; 8 F.R. 537.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9179, 10715; 8 F.R. 233.

PART 1351—FOODS AND FOOD PRODUCTS

[RPS 91,[1] as Amended February 11, 1943]

TEA

A new paragraph (i) is added to § 1351.261, and a new item is added to the list in § 1351.260a, so that Revised Price Schedule No. 91 as amended by Amendment 5, February 11, 1943, shall read as follows:

Wholesale prices of tea, which had remained fairly stable during the four months previous to the outbreak of war on December 7, 1941, have increased sharply since that date. This increase has occurred in spite of substantial stocks of tea in the United States and continued large imports after the outbreak of war. The primary cause of the price rise has been a speculative markup of inventories by importers and brokers in anticipation of a shortage of shipping space available for tea. Studies made by this Office show that the prices prevailing from October 1 to October 15, 1941, are fair and equitable to producers and consumers and, in view of the actual cost of tea on hand in this country, form a satisfactory basis for trading. The establishment of maximum prices at this level will, therefore, remove unfair speculative profits, achieve price stability, and prevent further unwarranted price increases.

Should unwarranted price rises occur at stages of distribution not covered by Price Schedule No. 91, appropriate action will be taken by this Office.

Accordingly, under the authority vested in me by Executive Order No. 8734, it is hereby directed that:

Sec.
1351.251 Maximum prices for tea.
1351.252 Exempt sales.
1351.253 Less than maximum prices.
1351.254 Permission to carry out contracts entered into prior to February 3, 1942.
1351.255 Evasion.
1351.256 Records and reports.
1351.257 Petitions for amendment.
1351.258 Enforcement.
1351.259 Definitions.
1351.260 Effective date of Price Schedule No. 91.
1351.260a Effective dates of amendments.
1351.261 Appendix A: Maximum prices for tea.

AUTHORITY: §§ 1351.251 to 1351.261, inclusive, issued under authority contained in E.O. 8734, 8875, 6 F.R. 1917, 4483; Pub. Laws 421 and 729; E.O. 9250, 7 F.R. 7871.

§ 1351.251 *Maximum prices for tea.* On and after February 3, 1942, regardless of the terms of any contract of sale or purchase or other commitment, except as provided in § 1351.254 hereof, no person shall sell, offer to sell, deliver, or transfer tea, and no person shall buy, offer to buy, or accept delivery of tea at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1351.261.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that the prohibition contained in any price regulation against buying or receiving any commodity or service at a price higher than the maximum price permitted by such regulation shall not apply to any war procurement agency, or government whose defense is vital to the defense of the United States.]

[NOTE: Supplementary Order No. 31 (7 F.R. 9804) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price.]

[NOTE: Supplementary Order No. 34 (7 F.R. 10779) permits special packing expenses to be added to maximum prices on sales to procurement agencies of the United States.]

§ 1351.252 *Exempt sales.* Sales of tea, blended or unblended, in packages of less than half chest lots shall be excepted from the operation of this Schedule.

(§ 1351.252 amended by Amendment 1, 7 F.R. 1857)

§ 1351.253 *Less than maximum prices.* Lower prices than the maximum prices established by Revised Price Schedule No. 91 may be charged, demanded, paid or offered.

§ 1351.254 *Permission to carry out contracts entered into prior to February 3, 1942.* Any person who, prior to February 3, 1942, has entered into a contract of sale or other firm commitment calling for the delivery or transfer after that date, of tea, at prices higher than the maximum prices established by Revised Price Schedule No. 91 may petition the Office of Price Administration for permission to deliver such tea at its actual cost. Such petition shall be made and filed pursuant to the provisions of Procedural Regulation No. 1 [2] issued by the Office of Price Administration and shall be supported by affidavits setting forth (a) the name and address of the buyer and seller; (b) the quantity, type, and grade of tea involved; (c) the cost of that tea to the applicant; (d) the price contracted for with the buyer; and (e) the delivery date provided for in the contract. Permission will be granted only when necessary to protect the applicant against loss in the disposition of inventory acquired prior to February 3, 1942, at prices higher than the established maximum prices and held by the applicant on that date. Such application must be filed with the Office of Price Administration on or before April 1, 1942. No permission will be granted, in any case, to make delivery of tea on or after June 1, 1942, at prices higher than the established maximum prices.

(§ 1351.254 amended by Amendment 1)

§ 1351.255 *Evasion.* The price limitations set forth in Revised Price Schedule No. 91 shall not be evaded whether by direct or indirect methods in connection with a purchase, sale, delivery, or transfer of tea, or by way of premium, commission, service, transportation or other charge, or by any other trade understanding, or by making the discounts given or other terms and conditions of sale more onerous to the purchaser than those available or in effect on October 1, 1941, or by any other means.

[1] 7 F.R. 1378.

§ 1351.256 *Records and reports.* (a) All persons who have received deliveries of tea under contracts of sale entered into after October 15, 1941, at prices higher than the maximum prices established by Revised Price Schedule No. 91, shall report the quantity and cost of such receipts to the Office of Price Administration on or before February 24, 1942.

(b) Every person making purchases or sales of tea on and after February 3, 1942 shall keep for inspection by the Office of Price Administration for a period of not less than one year complete and accurate records thereof, including the name of the purchaser, the date of the contract, the price paid or received, and the type, grade, quality, and amount sold.

(c) Every person affected by Revised Price Schedule No. 91 shall submit such reports to the Office of Price Administration as it may from time to time require.

§ 1351.257 *Petitions for amendment.* Any person seeking an amendment of this Revised Price Schedule No. 91 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

(§ 1351.257 amended by Supplementary Order No. 26, 7 F.R. 8948)

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Supplementary Order No. 9 (7 F.R. 5444) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those on scrap, waste, and salvage materials.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1351.258 *Enforcement.* (a) Persons violating any provision of this Revised Price Schedule No. 91 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Revised Price Schedule No. 91, or any price schedule, regulation, or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation, are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

(§ 1351.258 amended by Amendment 1)

§ 1351.259 *Definitions.* When used in Revised Price Schedule No. 91 the term:

(a) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(Paragraph (a) amended by Supplementary Order 12, 7 F.R. 6385)

(b) (Revoked by Amendment 1)

(c) "Cost of putting the tea into the warehouse" includes (1) "labor in and out"; (2) trucking and labor costs from dock to warehouse; and (3) warehouse storages for "first month."

(Paragraph (c) amended by Amendment 1)

§ 1351.260 *Effective date of Price Schedule No. 91.* This Schedule (§§ 1351.251 to 1351.261, inclusive) shall become effective on February 3, 1942.

(Issued February 3, 1942)

§ 1351.260a *Effective dates of amendments.*

Amendment Nos. and issue dates:	*Effective*
Amendment 1, 3-10-42	3-12-42
Amendment 2, 3-18-42	3-18-42
Amendment 3, 4-2-42	4-2-42
Amendment 4, 2-11-43	9-25-42

§ 1351.261 *Appendix A: Maximum prices for tea.* (a) The maximum prices shall include all commissions and all other charges except that increases in the charges prevailing prior to the opening of business on December 8, 1941, for ocean freight, war risk insurance, and marine insurance may be added to the maximum prices if such charges have been actually incurred by the seller on such sale. Decreases in said charges prevailing prior to the opening of business on December 8, 1941, shall be subtracted from the maximum prices.

(b) The maximum prices for tea shall be as follows:

	Cents per pound ex dock New York City		
	Common	Medium	Fine
INDIA			
Broken Orange Pekoe, Broken Pekoe, Fannings	42¾	46¾	53
Orange Pekoe, Pekoe, Broken Pekoe Souchong, Pekoe Souchong	40¾	44¾	50
CEYLON AND SOUTHERN INDIA			
Broken Orange Pekoe, Broken Pekoe, Fannings	46¾	50	59¾
Orange Pekoe, Pekoe, Broken Pekoe Souchong, Pekoe Souchong	45¾	49¾	57¾
JAVA AND SUMATRA			
Broken Orange Pekoe, Broken Pekoe, Fannings	40¾	42¾	51
Orange Pekoe, Pekoe, Flowery Pekoe, Flowery Pekoe Souchong, Pekoe Souchong, Other Souchongs	41¾	44¾	51
CHINA			
Young Hyson	27½	35½	48½
Congou	41	45	57
Gun Powder #1		48	
Gun Powder #2		41	
Gun Powder #3		38	
Gun Powder #4		35	
Gun Powder #5		32½	
Gun Powder #6		31½	
Gun Powder #7		29	
Gun Powder #8		27½	
First Imperial		33½	
Second Imperial		30½	
Third Imperial		27½	

The maximum prices for tea imported from any other country or for grades of better or inferior quality not named shall be the prices at which sales of those grades were made in New York on October 15, 1941, or in the event no such sale was made on that date, the prices at which sales of the corresponding grades were last made prior to October 15, 1941, in that city.

(Paragraph (b) amended by Amendments 1, 2, and 3, 7 F.R. 1857, 2153, 2580)

(c) The maximum prices quoted above are ex dock New York City. The maximum prices ex dock any other port of entry shall be determined by adding to or subtracting from the New York City price the difference between the actual cost of ocean freight, war risk insurance, and marine insurance from the port of origin to New York City and the actual cost of ocean freight, war risk insurance, and marine insurance from the port of origin to such other port of entry.

(d) For any tea sold ex warehouse rather than ex dock New York City or any other port of entry, the cost of "putting the tea into the warehouse", as defined in § 1351.259, may be added by the seller who incurred the cost.

(Paragraphs (c) and (d) amended by Amendment 1)

(e) The delivered price for tea shall in no case exceed the maximum prices specified above plus actual transportation charges incurred from the dock or warehouse at New York City or other port of entry to the place of destination.

(f) Any person making a sale of tea of ten chests or less may add to the maximum price for that sale ((f) amended by Amendment 2, 7 F.R. 1857) an amount which shall not exceed ten percent of such maximum price.

(Paragraph (f) amended by Amendment 2, 7 F.R. 1857)

(g) Any person who, for the accommodation of his customers, blends tea for sale in quantities of more than half chest lots may add to the maximum price an amount which shall not exceed one cent per pound.

(h) The maximum prices for tea sold for export, except for export to Canada, may exceed the maximum prices set forth in the above paragraphs by no more than ten per cent.

(Paragraphs (f), (g) and (h) added by Amendment 1)

(i) The maximum prices for green tea set aside and sold to the U. S. Commercial Company pursuant to Amendment No. 3 under M-111, paragraph 3 (p) 7th War Production Board, shall be the higher of the following:

(1) The maximum prices set forth in § 1351.261, paragraphs (a) to (e) inclusive.

(2) The seller's "net cost" of the tea. "Net cost" shall mean the purchase price less than any discount allowed for prompt payment plus freight charges actually incurred.

(Paragraph (i) added by Amendment 4)

[1] Revised, 7 F.R. 8961.

Issued this 11th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2282; Filed, February 11, 1943; 4:49 p. m.]

PART 1346—BUILDING MATERIALS

[MPR 317]

LOCKS AND LOCK SETS

Correction

In Table VI, Sectional Latch Sets, appearing on page 1805 of the issue for Wednesday, February 10, 1943, the maximum price for the fourth item should read "9.50 doz."

PART 1499—COMMODITIES AND SERVICES

[Order 279 Under § 1499.3 (b) of GMPR]

BAYER-SEMESAN COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.1715 *Authorization of maximum prices for sales of certain Ceresan products manufactured by Bayer-Semesan Company.* (a) On and after February 13, 1943, the maximum prices for the sale of certain Ceresan products manufactured by the Bayer-Semesan Company, of Wilmington, Delaware, shall be the prices set forth below:

Product	Unit	Maximum prices for sales to jobbers	Maximum prices for sales to retailers	Maximum prices for sales to consumers
2 percent Ceresan	28-gallon drum containing not less than 150 pounds.	$51.98	$63.75	$78.00
New improved Ceresan	8-pound can	3.232	4.045	5.40

(b) The prices set forth in the preceding paragraph shall be subject to terms by the seller, with respect to transportation charges and discounts, which are no less favorable to the purchaser than those which were previously in effect for sales of 2% Ceresan and New Improved Ceresan in 20-gallon drums and 5-pound cans respectively.

(c) Bayer-Semesan Company shall supply to each jobber, before or at the time of its first delivery of 2% Ceresan in 28-gallon drums to the jobber, a written statement as follows:

The Office of Price Administration has authorized us to charge $51.98, subject to customary discounts, for the sale to jobbers of 2% Ceresan in 28-gallon drums containing not less than 150 pounds. Jobbers are authorized to charge $63.75 for sales to retailers. The price authorized for sales to consumers is $78.00. The Office of Price Administration requires that you keep this notice for examination.

(d) The Bayer-Semesan Company shall place on each 28-gallon drum of 2% Ceresan the following notice:

Retail ceiling price $78.00.

(e) Bayer-Semesan Company shall supply to each jobber, before or at the time of its first delivery of New Improved Ceresan in 8-pound cans to the jobber, and shall include with each shipping unit of such product for a period of three months, a written statement. If such statement is enclosed in a shipping unit, a legend shall be placed upon the outside of such unit, reading "Price Notice Enclosed". The written statement shall read as follows:

The Office of Price Administration has authorized us to charge $3.232, subject to customary discounts, for the sale to jobbers of New Improved Ceresan in 8-pound cans. Jobbers are authorized to charge $4.045 for sales to retailers. The price authorized for sales to consumers is $5.40. A copy of this notice is included with every shipping case. If the initial sale to a retailer is a split-case sale, the jobber is required to provide such retailer with a copy of this notice. The Office of Price Administration requires that you keep this notice for examination.

(f) This Order No. 279 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 279 (§ 1499.1715) shall become effective February 13, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2307; Filed, February 12, 1943; 11:34 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 139—STANDARD TIME ZONE BOUNDARIES

LINE BETWEEN EASTERN AND CENTRAL ZONES

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D. C., on the 5th day of February A. D. 1943.

It appearing, that by report and order dated October 24, 1918, the Commission defined the limits of the various time zones throughout the United States as created by the Act of Congress entitled "An Act to Save Daylight and to Provide Standard Time", approved March 19, 1918, which limits, as subsequently amended from time to time, were restated and redefined in the sixteenth supplemental report and order in this investigation, dated May 19, 1928;

It further appearing, that by reports and orders of October 15 and 31, 1941, the boundary between the United States standard Eastern and Central time zones, as so defined, was modified to include the entire State of Georgia within the Eastern zone;

And it further appearing, that Legh R. Powell, Jr., and Henry W. Anderson as Receivers of the Seaboard Air Line Railway Company have filed a petition for cancelation of the unused portion of certain operating exception heretofore authorized; and that a full investigation of the matters and things involved has been made, and Division 2, on the date hereof, has made and filed the twenty-sixth supplemental report containing its findings of fact and conclusions thereon, which said twenty-sixth supplemental report is hereby referred to and made a part hereof;

It is ordered, That the said order of October 24, 1918, as subsequently amended, with particular reference to the modifications made by order of October 15, 1941, and corresponding sections of the Code of Federal Regulations, be, and they are hereby, revised and amended to read as follows:

Section 139.3 *Boundary line between eastern and central zones.* Paragraph (h) *Operating exceptions.* Subparagraph (2) *Lines west of boundary included in eastern zone.* The list of the portions of the lines of railroad located west of the zone boundary, but included within the United States standard eastern time zone for operating purposes only, is amended so as to change the description of the excepted portion of the Seaboard Air Line west of Esom, Ga., to read as follows:

From: Georgia-Alabama State line (west of Esom, Ga.)
To: Jacksonville, and Birmingham, Ala.

(Secs. 1, 2, 4, 40 Stat. 450–451; sec. 1, 41 Stat. 1446; sec. 3, 42 Stat. 1434; secs. 1, 2, 56 Stat. 9; 15 U.S.C. 261–265)

And it is further ordered, That the modifications hereby made in the outstanding order herein shall become effective forthwith.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-2318; Filed, February 12, 1943; 11:49 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1452]

PETITION OF BITUMINOUS COAL CONSUMER'S COUNSEL

MEMORANDUM OPINION AND ORDER ADOPTING PROPOSED FINDINGS OF FACT, ETC.

In the matter of the petition of Bituminous Coal Consumers' Counsel for amendment of the marketing rules and regulations.

Memorandum opinion and order modifying and adopting as modified the proposed findings of fact, proposed conclusions of law, and recommendations of the examiner and granting relief.

This proceeding was instituted on a petition filed with the Bituminous Coal Division on May 13, 1942, by Bituminous Coal Consumers' Counsel, pursuant to

section 4 II (d) of the Bituminous Coal Act of 1937, seeking a change in Rule 1 (J) of section VII of the Marketing Rules and Regulations. The original petition, filed by Consumers' Counsel on May 13, 1942, requested only that Rule 1 (J) be amended to provide that "interest need not be charged on shipments to the War Department for the duration of the war and for six months thereafter." In accordance with the prayer of the petition and following an informal conference, the relief requested by Consumers' Counsel, limited to the War Department for the duration of the war and six months thereafter, was granted temporarily, pending final disposition of the petition.

In the Notice of and Order for Hearing, dated June 10, 1942, the issue raised by the original petition was broadened by the Director to include the propriety of amending Rules 1 (I) and (J) as to any particular agency of the Federal Government or of a state or local government because of its difficulties in making prompt payments for coal or transportation charges, or both, by reasons imposed by law or otherwise.

Thereupon the City of Chicago, a political subdivision of the State of Illinois, filed its petition of intervention, requesting that Rule 1 (J) be amended to permit payment by the City of Chicago of invoices for prepaid transportation charges at the time it is required to pay the invoices for the coal upon which such freight charges were prepaid. The City of Chicago also requested such other and further relief in the premises as may be proper.

Petitions of intervention were also filed by the Bituminous Coal Producers' Boards for Districts Nos. 1, 2, 7, 8 and 10.

A hearing in this matter was duly held before Scott A. Dahlquist, a duly designated Examiner of the Division, at a hearing room thereof in Washington, D. C., at which all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard, and at which the petitioner and all intervening parties appeared. An appearance was also entered for the Navy Department. Consumers' Counsel availed itself of the opportunity presented by the enlarged scope of the hearing and introduced evidence relating to agencies other than the War Department. Thus evidence was adduced to show difficulties in compliance with the rules involved in connection with purchases of coal by Procurement Division, the Department of Agriculture, Immigration Service, Department of Justice, Federal Works Agency, Public Health Service, War Department, Navy, Tennessee Valley Authority, Department of the Interior, Veterans' Administration, Post Office Department and others.

On September 11, 1942, the Examiner made and entered herein his Report, Proposed Findings of Fact, Proposed Conclusions of Law, and Recommendations.

Rule 1 (I) relates to the terms of payment of an account for the sale of coal and provides for the payment of interest in the circumstances set forth in the Rule. Rule 1 (J) relates to the prepayment of transportation charges and provides that the seller shall charge and the purchaser shall pay interest on the amount of such prepayment under circumstances set forth. The Examiner found and recommended that the Rules should be amended to the extent that Rule 1 (I) and the interest provisions of Rule 1 (J) should not apply to sales of coal to Federal, State or local Governments or agencies thereof.

An opportunity was afforded to all interested parties to file exceptions to the Examiner's Report, and supporting briefs, and District Board No. 1 filed exceptions together with a brief in support thereof. In its brief, District Board No. 1 objected to the generality of the relief recommended. It contended that the exemption accorded the United States Government and agencies thereof should be limited and that State and local Governments and agencies thereof should not be exempted from the operation of the Rules. There was no objection to the Examiner's Findings and Conclusions as they related to the City of Chicago.

I find that the evidence supports the conclusions and recommendations of the Examiner with respect to the United States Government and agencies thereof. The evidence clearly demonstrates that because of the restrictions imposed on such purchasers by law, the rules in question should not be applied to them.

However, the evidence does not support the Examiner's Recommendation that all State and local Governments or agencies thereof should be exempted from the provisions of the rules.

Evidence on behalf of the City of Chicago, Illinois, shows in detail the manner in which the City is required by law to make purchases and payments and justifies the limited relief from the provisions of Rule 1 (J) which the City requested. The City merely sought the amendment of Rule 1 (J) of section VII to permit payment by the City without liability for interest of prepaid freight charges at the same time as payment is due on the invoices for the coal itself. I find that relief in this respect should be limited to that request; there is no need or justification shown for granting the City general exemption from the provisions of Rules 1 (I) and 1 (J).

Moreover, there is no evidence warranting an extension of the general exemption which is demonstrated as necessary for federal agencies to State and local Governments. The Examiner apparently treated the evidence offered as to the City of Chicago as typical and, on the basis of that evidence, concluded that relief should extend to all State and local Governments. There was no proof offered, however, that conditions governing Chicago were typical nor was there evidence of similarity between Chicago and any State or local Government. Indeed, Consumers' Counsel itself stated that, relying on the remedy afforded to local governments under section 4 II (d), it had "not attempted to introduce evidence regarding the need for relief in so far as the various states and political subdivisions throughout the country are concerned." This is not a situation calling for the application of official knowledge or notice. Even if it were, it may very well be questioned whether regulations governing methods of payment in the case of Chicago would be found to be similar, even in principle, to those applicable to the various states or to the multitudinous local governments. Chicago is the second largest City in the United States. It is well known that such cities are confronted with conditions peculiar to themselves calling for equally peculiar and different treatment of fiscal and administrative affairs.

The Examiner was therefore in error in recommending that State and local Governments and agencies thereof generally be exempted from the provisions of the rules. In that respect the exceptions of District Board No. 1 are well taken and should be sustained. In all other respects the exceptions should be denied.

I find, therefore, that the exceptions of District Board No. 1 should be allowed to the extent indicated. I further find that the Findings of Fact, Conclusions of Law, and Recommendations of the Examiner should be modified as herein indicated and, as thus modified, approved and adopted as the Findings of Fact and Conclusions of Law of the undersigned.

Now, therefore, it is ordered, That the Exceptions of District Board No. 1 to the Proposed Findings of Fact, Proposed Conclusions of Law, and Recommendations of the Examiner be, and they hereby are, granted to the extent set forth above, and in all other respects are denied.

It is further ordered, That the Proposed Findings of Fact and Proposed Conclusions of Law of the Examiner be, and they hereby are modified as hereinabove set forth and, as thus modified, approved and adopted as the Findings of Fact and Conclusions of Law of the undersigned.

It is further ordered, That Rule 1 (I) of section VII of the Marketing Rules and Regulations be, and the same hereby is, modified and amended to read as follows:

(I) Unless payment of an account for the sale of coal is received by the seller within ten (10) days after the due date of such an account as provided in these marketing Rules and Regulations, the seller shall charge and the buyer shall pay interest from and after the due date of the account at the rate of not less than five (5%) per centum per annum on the invoice price of the coal sold: *Provided, however*, That no interest need be charged on the account by the seller unless such interest exceeds fifty (50¢) cents on the total purchases for any one month, except where an account remains unpaid thirty (30) days after the due date thereof interest must be charged from the due date, regardless of the amount of such interest: *Provided further*, That in the case of sales made to State or local Governments, or any agency thereof, interest need not be paid at a rate in excess of, but shall be paid at a rate of not less than that prescribed by applicable statutes or rules as the maximum rate of interest governing such payments, where that prescribed maximum is less than five (5%) per centum per annum: *And provided further*, That the provisions of this Rule shall not apply in the case of sales made to the Federal Government or any agency thereof.

It is further ordered, That the last sentence of Rule 1 (J) of section VII of the Marketing Rules and Regulations be amended to read as follows:

(J) * * * Where the transportation charges are thus prepaid, the amount thereof shall, immediately upon receipt of the freight bill or notice of sight draft payment be invoiced to the buyer for immediate payment and unless payment for such transportation charges is received by the seller within ten (10) days from the date of the invoice, the seller shall charge and the buyer shall pay interest at the rate of five (5%) per centum per annum from the due date commencing on the day following the date payment is due, except as otherwise provided in the minimum price schedule: *Provided, however*, That in the case of sales made to State or local Governments, or any agency thereof, interest need not be paid at a rate in excess of, but shall be paid at a rate of not less than that prescribed by applicable statutes or rules as the maximum rate of interest governing such payments, where that prescribed maximum is less than five (5%) per centum per annum; *Provided further*, That in the case of sales made to the City of Chicago, interest need not be charged and paid unless payment for such transportation charges is not received by the seller on or before the date of payment as provided in this Rule on invoices for the coal sold; and *Provided further*, That no such charge or payment of interest is required in the case of sales made to the Federal Government or any agency thereof.

Dated: February 11, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2288; Filed, February 12, 1943; 10:50 a. m.]

DEPARTMENT OF AGRICULTURE.

Food Distribution Administration.

[Docket No. AO 29-A 5]

DUBUQUE, IOWA, MARKETING AREA

NOTICE OF HEARING ON HANDLING OF MILK

Proposed amendment to tentatively approved marketing agreement, as amended, and order, as amended, regulating the handling of milk in the Dubuque, Iowa, marketing area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 et seq.), and in accordance with the applicable rules of practice and procedure thereunder (7 CFR 900.1-900.17; 6 F.R. 6570, 7 F.R. 3350), notice is hereby given of a hearing to be held in the United States Courthouse, Dubuque, Iowa, beginning at 10 a. m., c. w. t., February 18, 1943, with respect to a proposed amendment to the tentatively approved marketing agreement, as amended, and the order, as amended, regulating the handling of milk in the Dubuque, Iowa, marketing area. This amendment has not received the approval of the Secretary of Agriculture.

This public hearing is for the purpose of receiving evidence with respect to the economic or marketing conditions which relate to the amendment or any modification thereof, which is hereinafter set forth. Such evidence may also include economic or marketing data relative to the provisions of the said tentatively approved marketing agreement and order which will be affected by approval of the proposed amendment or any modification thereof. The amendment which has been proposed is set forth below:

Delete § 912.6 (a) (4) and substitute therefore the following:

(4) For Class III milk the price shall be the average of the basic or field price per hundredweight ascertained by the market administrator to have been paid for milk of 3.5 percent butterfat content received during the period beginning with the 16th day of the previous month and ending with the 15th day of the then current month at the plants listed in subparagraph (5) of this paragraph: *Provided*, That with respect to that volume of milk actually manufactured into American type Cheddar cheese the price shall be the result of the following computation by the market administrator: Multiply by 2.4 the average weekly prevailing price per pound of the cheese known as "Twins" during said delivery period on the Wisconsin Cheese Exchange, Plymouth, Wisconsin, (or in the absence of such prices, the price of "Twins" at Chicago, as reported by the United States Department of Agriculture) and multiply such result by 3.5.

Copies of this notice of hearing, of the tentatively approved marketing agreement, as amended, and of the order, as amended, now in effect, may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1331 South Building, Washington, D. C., or may be there inspected.

Dated: February 11, 1943.

[SEAL] THOMAS J. FLAVIN,
Assistant to the Secretary of Agriculture.[1]

[F. R. Doc. 43-2300; Filed, February 12, 1943; 11:26 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

[Administrative Order 174]

MATTRESS, BEDDING, AND RELATED PRODUCTS INDUSTRY

APPOINTMENT OF INDUSTRY COMMITTEE

1. By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor, do hereby appoint and convene for the mattress, bedding, and related products industry (as such industry is defined in paragraph 2) an industry committee composed of the following representatives:

For the Public. Max Meyer, Chairman, New York, New York; Robert Preston Brooks, Athens, Georgia; William F. Christians, Philadelphia, Pennsylvania; James Dolly, Austin, Texas; Amy Hewes, South Hadley, Massachusetts; Elizabeth Magee, Cleveland, Ohio.

For the Employees. Solomon Barkin, New York, New York; Sal B. Hoffmann, Philadelphia, Pennsylvania; Morris Muster, New York, New York; Boris Shishkin, Washington, D. C.; Ernest Trecroci, Kenosha, Wisconsin; J. Raymond Walsh, Washington, D. C.

For the Employers. Irving Buchman, Brooklyn, New York; William Friedlander, Chicago, Illinois; L. D. Hammack, Taylor, Texas; George R. Koeninger, Chattanooga, Tennessee; John L. Novascone, New York, New York; Leo J. Simon, San Francisco, California.

Such representatives having been chosen with due regard to the geographical regions in which such industry is carried on.

2. For the purpose of this order the term "Mattress, Bedding, and Related Products Industry" means:

(a) The manufacture, renovation, and repair of mattresses, boxsprings, bedsprings (except metal), bedding, and related products, including, but without limitation, sleeping bags, bolsters, upholstered bedrests, and hassocks.

(b) The processing of feathers to be used as filling.

Provided, however, That this industry shall not include any product or part the manufacture of which is covered by the definition of an industry for which a wage order has been issued or for which an industry committee has been appointed under the Fair Labor Standards Act.

3. The definition of the mattress, bedding, and related products industry covers all occupations in the industry which are necessary to the production of the articles covered by the definition, including clerical, maintenance, shipping, and selling occupations: *Provided, however*, That this definition does not cover clerical, maintenance, shipping, and selling occupations when carried on in a wholesaling or selling department, physically segregated from the other departments of a manufacturing establishment the greater part of the sales of which wholesaling or selling department are sales of articles which have been purchased for resale: *And provided, further*, That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

4. Any person who, in the opinion of the committee, having a substantial interest in the proceeding and who is prepared to present material pertinent to the question under consideration, may, with the approval of the committee, appear on his own behalf or on behalf of any other person.

5. The industry committee herein created shall meet at 10:00 a. m. on March 23, 1943 at the Hotel Astor, New York,

[1] Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81; 7 F.R. 2656).

New York, and, in accordance with the provisions of the Fair Labor Standards Act of 1938 and rules and regulations promulgated thereunder, shall proceed to investigate conditions in the industry and recommend to the Administrator minimum wage rates for all employees thereof who within the meaning of said Act are "engaged in commerce or in the production of goods for commerce," excepting employees exempted by virtue of the provisions of section 13 (a) and employees coming under the provisions of section 14.

Signed at New York, New York, this 11th day of February 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-2304; Filed, February 12, 1943; 11:22 a. m.]

[Administrative Order 176]

METAL, PLASTICS, MACHINERY, INSTRUMENT, AND ALLIED INDUSTRIES

ACCEPTANCE OF RESIGNATION FROM AND APPOINTMENT TO INDUSTRY COMMITTEE

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignation of Mr. James Wishart from Industry Committee No. 53 for the Metal, Plastics, Machinery, Instrument, and Allied Industries, and do appoint in his stead Miss Mary Ann Loeser of Detroit, Michigan, as representative for the employees on such committee.

Signed at New York, New York this 11th day of February 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-2303; Filed, February 12, 1943; 11:22 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6454]

ASHBACKER RADIO CORP. (WKBZ)

NOTICE OF HEARING

In re application of Ashbacker Radio Corporation (WKBZ); dated November 26, 1941; for modification of license; class of service, broadcast; class of station, broadcast; location, Muskegon, Michigan; operating assignment specified: Frequency, 1450 kc.; power, 250 w.; hours of operation, unlimited.

You are hereby notified that the Commission on October 27, 1942, denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the requested change in operating frequency would result in an improvement of the service and coverage of Station WKBZ.

2. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942, or as amended September 22, 1942.

3. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience and necessity would be served by the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Ashbacker Radio Corporation, Radio Station WKBZ, WKBZ Auditorium, 424–432 Apple Avenue, Muskegon, Michigan.

Dated at Washington, D. C., February 10, 1943.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-2290; Filed, February 12, 1943; 10:55 a. m.]

[Docket No. 6433]

ASHEVILLE CITIZENS–TIMES CO., INC. (WWNC)

NOTICE OF HEARING

In re application of Asheville Citizen-Times Company, Inc., (WWNC); dated October 17, 1941; for modification of construction permit; class of service, broadcast; class of station, broadcast; location, Asheville, North Carolina; operating assignment specified: Frequency, 570 kc.; power, 5 kw. (DA–Night); hours of operation, unlimited.

You are hereby notified that the Commission has examined the above-described application and has designated the matter for hearing for the following reasons:

1. To determine the cost of completing the construction authorized in permit No. B3–P–2644, and the financial outlay, if any, incurred in connection therewith by the applicant, prior to April 27, 1942.

2. To determine when the construction heretofore authorized in permit No. B3–P–2644 was actually commenced.

3. To determine what materials and equipment the applicant has on hand or available for the construction authorized in permit No. B3–P–2644 and the additional material and equipment, if any, necessary for the completion thereof.

4. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

5. To determine whether in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Asheville Citizen-Times Co., Inc., Radio Station WWNC, 14 O. Henry Avenue, Asheville, North Carolina.

Dated at Washington, D. C., February 10, 1943.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-2291; Filed, February 12, 1943; 10:55 a. m.]

[Docket No. 6110]

MACKINAC RADIO SERVICE (WHQ)

NOTICE OF HEARING

In re application of Mackinac Radio Service (WHQ) (E. M. Tellefson) Mackinac Island, Michigan, for, renewal of license of Station WHQ.

The Commission having under consideration the application of E. M. Tellefson, doing business as Mackinac Radio Service for renewal of the license of coastal radiotelegraph station WHQ; and the Commission, by its order of October 22, 1941, having granted an indefinite continuance of the hearing in this matter hefetofore set for October 29, 1941;

It is ordered, this 9th day of February 1943, That the hearing on the above-entitled application be, and the same is hereby, fixed for the 9th day of March 1943, beginning at 10 a. m., at the offices of the Federal Communications Commission in Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-2289; Filed, February 12, 1943. 10:55 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4900]

AMERICAN REFRACTORIES INSTITUTE, ET AL.

ORDER APPOINTING TRIAL EXAMINERS AND FIXING TIME AND PLACE FOR HEARING

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 11th day of February, A. D. 1943.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A. section 41),

It is ordered, That Webster Ballinger, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That a hearing in this proceeding for the sole purpose of securing the documents called for in the subpoenas duces tecum heretofore served and the identification of documents be set to begin on Monday, March 22, 1943, at ten o'clock in the forenoon of that day (Eastern Standard Time), in Court Room No. 4, Sixth Floor, Post Office Building, Pittsburgh, Pennsylvania.

Upon the completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission:

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-2293; Filed, February 12, 1943; 10:49 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Correction to Order 97 Under MPR 120]

CONTINENTAL COAL CO.

ORDER GRANTING ADJUSTMENT

Correction to Order No. 97 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120–268.

The reference to Size Group No. 1 in Order No. 97 under Maximum Price Regulation No. 120 and in the opinion which accompanies that order is hereby corrected to read Size Group No. 2.

This correction to Order No. 97 shall be effective as of December 5, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2274; Filed, February 11, 1943; 1:23 p. m.]

[Revocation of Order 150 Under MPR 120]

BLACK MOUNTAIN CORPORATION

ORDER OF REVOCATION AND ORDER CLOSING PROTEST DOCKET

Order revoking Order No. 150 under Maximum Price Regulation No. 120, and closing the protest docket—Docket No. 1120–38–P.

On May 23, 1942, Black Mountain Corporation, 231 South La Salle Street, Chicago, Illinois, filed a protest against the provisions of Maximum Price Regulation No. 120. On January 20, 1943 there was issued Order No. 150 under Maximum Price Regulation No. 120, effective January 21, 1943, increasing protestant's maximum prices on certain size groups but decreasing them on others. Protestant has since requested, by letter, that Order No. 150 be revoked and that the protest be treated as withdrawn.

After due consideration, the request is granted, Order No. 150 is hereby revoked as of the date of its issuance, and Protest Docket No. 1120–38–P is hereby closed.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued and effective this 11th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2275; Filed, February 11, 1943; 1:24 p. m.]

[Orde· 156 Under MPR 120]

ALABAMA BY-PRODUCTS CORPORATION

ORDER GRANTING ADJUSTMENT

Order No. 156 under Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant—Docket No. 1120–13–P.

For the reasons set forth in an opinion issued simultaneously herewith and under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (b) of Maximum Price Regulation No. 120, *It is hereby ordered:*

(a) Coals produced by Alabama By-Products Corporation, Birmingham, Alabama, at its Bradford Mine (Mine Index No. 77) in District No. 13, may be sold and purchased for shipment by rail at prices not to exceed the following prices per net ton f. o. b. the mine:

	Size groups					
	6	14	15	16	17	18
Maximum prices	$3.70	$3.60	$3.60	$3.60	$3.60	$3.60

	Size groups											
	1	2	3	4	5	6	7	8	9	10	11	12
Rail shipments	290	285	255	255	245	235	210	200	235	185	180	235
Truck shipments	345	335	320	295	290	265	240	230				

(b) Within thirty (30) days from the effective date of this order, the said Tasa Coal Company shall notify all persons purchasing its coals of the adjustments granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price, except in accordance with and subject to the conditions stated in Revised Maximum Price Regulation No. 122.

(c) This Order No. 157 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(e) This Order No. 157 shall become effective February 12, 1943.

Issued this 11th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2277; Filed, February 11, 1943; 1:24 p. m.]

(b) Within thirty (30) days from the effective date of this order Alabama By-Products Corporation shall notify all persons purchasing its coals of the adjustment granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Revised Maximum Price Regulation No. 122.

(c) The action taken in this Order No. 156 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(e) This Order No. 156 shall become effective February 12, 1943.

Issued this 11th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2276; Filed, February 11, 1943; 1:25 p. m.]

[Order 157 Under MPR 120]

TASA COAL COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 157 under Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant—Docket No. 3120–317.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (b) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced by Tasa Coal Company, Cadiz, Ohio, at its Freemont Mine, Mine Index No. 122, in District 4, may be sold at prices not to exceed the following respective prices per net ton f. o. b. the mine.

[Order 158 Under MPR 120]

WORDEN COAL COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 158 under Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant—Docket No. 3120–291.

For reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (d) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced in Size Group 3 by Worden Coal Company, Worden, Illinois, at its Worden Coal Company Mine, Mine Index No. 1314, in District No. 10, may be sold and purchased for shipment by truck at prices not to exceed the following price per net ton, f. o. b. the mine:

Size group:	*Maximum Price*
3	$3.00

(b) Within thirty (30) days from the effective date of this order, the Worden Coal Company shall notify all persons purchasing its coals of the adjustments granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Revised Maximum Price Regulation No. 122.

(c) This Order No. 158 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(e) This Order No. 158 shall become effective February 12, 1943.

Issued this 11th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–2278; Filed, February 11, 1943; 1:25 p. m.]

[Order 159 Under MPR 120]

BAIETT AND TALBOT COAL COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 159 under Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant—Docket No. 3120–297.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals in Size Groups 6 and 7 produced by Baiett and Talbot Coal Company for shipment by truck at the Baiett and Talbot Mine (Mine Index No. 1436) in District No. 10, may be sold and purchased f. o. b. the mine at prices not to exceed $3.80 and $3.55 per ton, respectively.

(b) Within thirty (30) days from the effective date of this Order, the Baiett and Talbot Coal Company shall notify all persons purchasing its coals of the adjustments granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Revised Maximum Price Regulation No. 122.

(c) This Order No. 159 may be revoked or amended by the Administrator at any time.

(d) All prayers of the petitioner not granted herein are denied.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(f) This Order No. 159 shall become effective February 12, 1943.

Issued this 11th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–2280; Filed, February 11, 1943; 1:25 p. m.]

[Order 9 Under MPR 136]

WILMINGTON IRON WORKS

APPROVAL OF MAXIMUM RATES

Order No. 9 under Maximum Price Regulation No. 136, as amended—Machines and Parts, and Machinery Services—Docket No. 3136–184.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and Procedural Regulation No. 6, *It is hereby ordered:*

(a) On and after the effective date of this order, Wilmington Iron Works, of Wilmington, North Carolina, may sell machinery services at the following rates:

	Per hour
Welders	$2.00
Pattern makers	2.00
Mechanics	1.90
Helpers	1.00

(b) This Order No. 9 may be revoked or amended by the Office of Price Administration at any time.

(c) This Order No. 9 shall become effective February 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–2270; Filed, February 11, 1943; 1:23 p. m.]

[Order 10 Under MPR 157]

FOSTER MANUFACTURING COMPANY, INC.

ORDER GRANTING ADJUSTMENT

Order No. 10 under Maximum Price Regulation No. 157—Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes—Docket No. 3157–49.

On September 2, 1942, Foster Manufacturing Company, Inc. of New Orleans, Louisiana, filed an application under Maximum Price Regulation No. 157, for adjustment of its maximum prices for large wall tents without flies. Due consideration has been given to said application and an opinion in support of this Order No. 10 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 and Procedural Regulation No. 6, issued by the Office of Price Administration, *It is hereby ordered:*

(a) Foster Manufacturing Company, Inc. may sell and deliver the following commodity under Maximum Price Regulation No. 157 at a price not in excess of the following price:

$12.00 each for large wall tents, without flies, of the type specified in Contract No. W431–qm–8855–O. I. 8965.

(b) With respect to deliveries of the commodity described in paragraph (a), on and after September 2, 1942, Foster Manufacturing Company, Inc. may receive payment under Maximum Price Regulation No. 157 at a price not exceeding $12.00 each.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 10 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1378.10 of Maximum Price Regulation No. 157 shall apply to the terms used herein.

This Order No. 10 shall become effective February 12, 1943.

Issued this 11th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–2272; Filed, February 11, 1943; 1:23 p. m.]

[Order 11 Under MPR 157]

GEORGE R. BURROWS, INC.

ORDER ADJUSTING MAXIMUM PRICE

Order No. 11 under Maximum Price Regulation No. 157—Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes—Docket No. 3157–48.

On July 14, 1942, George R. Burrows, Inc., of Brooklyn, New York, filed an application under Maximum Price Regulation No. 157 for adjustment of its maximum price for pyramidal tents. Due consideration has been given to said application and an opinion in support of this Order No. 11 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Revised Procedural Regulation No. 1 and Procedural Regulation No. 6 issued by the Office of Price Administration, *It is hereby ordered:*

(a) George R. Burrows, Inc. may sell and deliver to any war procurement agency under Maximum Price Regulation No. 157 the following commodity at a price not in excess of the following price:

$12.75 each for pyramidal tents, M–34 without bag (without pins and poles) conforming to specifications of Jeffersonville Quartermaster Depot, Jeffersonville, Indiana.

(b) Any contract subject to Maximum Price Regulation No. 157 entered into at a price exceeding $12.75 shall be revised accordingly; any payments made to the applicant exceeding $12.75 shall be refunded promptly to the purchaser; and within 30 days after the date on which this order was mailed to it, the applicant shall file a statement with this Office to the effect that such contracts, if entered into, were so revised and that such refunds, if required, were made.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 11 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1378.10 of Maximum Price Regulation No. 157 shall apply to the terms used herein.

This order shall become effective February 12, 1943.

Issued this 11th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–2273; Filed, February 11, 1943; 1:23 p. m.]

[Order 10 Under MPR 163]

HARTFORD WOOLEN COMPANY

ORDER DENYING ADJUSTMENT

Order No. 10 under Maximum Price Regulation 163—Woolen and Worsted Civilian Apparel Fabrics.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) The application for adjustment of its maximum prices under Maximum Price Regulation No. 163 filed by Hartford Woolen Company of Hartford, Vermont, and assigned Docket No. 3163–16, is denied.

(b) This Order No. 10 shall become effective February 11, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–2271; Filed, February 11, 1943; 1:22 p. m.]

[Order A–1 Under MPR 188]

REFRACTORY FLINT CLAY

MODIFICATION OF MAXIMUM PRICES

Order No. A–1 under § 1499.159b of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

An opinion accompanying Order No. A–1 under § 1499.159b of Maximum Price Regulation No. 188 has been issued simultaneously herewith and filed with the Division of the Federal Register.

(a) *Modification of maximum prices in Maximum Price Regulation No. 188.* The provisions of Maximum Price Regulation No. 188 as applied to certain commodities subject thereto are modified in accordance with § 1499.159b of Maximum Price Regulation No. 188 as hereinafter provided.

(1) *Modification of maximum prices for crude refractory flint clay.* (i) The maximum price for the sale and delivery of crude refractory flint clay produced in Carter and Greenup Counties, Kentucky, and not more than 35 miles away from the town of Taylor, Kentucky, shall be $2.75 per net ton, delivered to purchasers in the town of Taylor, Kentucky.

(ii) *Definitions.* For the purposes of this subparagraph (1) the term "crude refractory flint clay" means a crude refractory flint clay which is hard or flint-like fire clay with a very low plasticity usually breaking with a smooth shell-like fracture.

This Order No. A–1 shall become effective February 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–2269; Filed, February 11, 1943; 1:26 p. m.]

[Order 158 Under MPR 188]

STREATOR FURNITURE, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 158 under § 1499.156 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel. Approval of maximum prices for sales by Streator Furniture, Inc., of a table and two bench unit called "Porta-Nook".

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Streator Furniture, Incorporated, Streator, Illinois, is authorized to sell and deliver the self-contained table and two bench unit designated as "Porta-Nook" at a price f. o. b. Streator, Illinois, no higher than $13.67 per unit.

(b) This Order No. 158 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 158 shall become effective on the 12th day of February 1943.

Issued this 11th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–2279; Filed, February 11, 1943; 1:22 p. m.]

[Order 159 Under MPR 188]

KIMBERLY-CLARK CORPORATION

AUTHORIZATION OF MAXIMUM PRICES

Order No. 159 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

On November 12, 1942, the Kimberly-Clark Corporation of Neenah, Wisconsin, filed an application with the Office of Price Administration seeking a specific authorization pursuant to § 1499.158 of Maximum Price Regulation No. 188 to determine maximum prices for its "Kimsul" Window Insulation. Due consideration of this application has been had, and an opinion in support of this order has been filed with the Division of the Federal Register.

Authorization of maximum prices for "Kimsul" Window Insulation manufactured and sold by the Kimberly-Clark Corporation.

(a) The Kimberly-Clark Corporation is authorized to sell, deliver and offer for sale, and all persons are authorized to receive or buy from it in the course of trade, "Kimsul" Window Insulation manufactured and sold by the Company at the following prices, f. o. b. factory, full freight allowed to destinations within the territorial limits of the United States:

(1) Prices to distributors:

In carload quantities as determined by published rail tariffs, $23.75 per 1,000 square feet;

In less than carload quantities of at least 25,000 square feet, $24.75 per 1,000 square feet;

In quantities of 5,000 to but not including 25,000 square feet, $25.75 per 1,000 square feet;

In quantities less than 5,000 square feet, $27.75 per 1,000 square feet.

(2) Prices to dealers:

In quantities of 25,000 square feet or more, $25.75 per 1,000 square feet;

In quantities of 5,000 square feet to but not including 25,000 square feet, $26.75 per 1,000 square feet;

In quantities less than 5,000 square feet, $28.75 per 1,000 square feet.

(b) All cash discounts applicable to the sale of any type of insulation manufactured and sold by the Kimberly-Clark Corporation shall be applicable to the sale of "Kimsul" Window Insulation under this order.

(c) The authorization granted to the Kimberly-Clark Corporation in paragraph (a) above is subject to the following conditions:

(1) That it shall notify all customers purchasing "Kimsul" Window Insulation from it that the Office of Price Administration has by this order authorized

its maximum prices as provided in paragraph (a) above; and

(2) That it shall, not later than May 15, 1943, submit in triplicate to the Office of Price Administration a report as follows:

(i) A statement setting forth in detail the cost as of May 1, 1943, to manufacture a given quantity (a representative run) of "Kimsul" Window Insulation using March 1942 material and labor costs;

(ii) A statement (for the same quantity) of the manufacturing overhead, staff and administration expense, selling expense and interest on bonded debt, allocated on the basis of the company's experience in manufacturing and selling the commodity in question; and

(iii) An explanation of the method used in making this proration.

(d) This Order No. 159 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 159 shall become effective February 12, 1943.

Issued this 11th day of Febrary 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2281; Filed, February 11, 1943; 1:27 p. m.]

[Order 3 Under MPR 74 as Amended]

McIVER FEED & MILLING CO.

APPROVAL OF MAXIMUM PRICE

Order No. 3 under § 1363.62 (a) (5) (ii) of Maximum Price Regulation No. 74, as Amended—Animal Product Feeding-stuffs.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the provisions of § 1363.62 (a) (5) (ii) of Maximum Price Regulation No. 74, as amended, *It is ordered:*

(a) *Approval of maximum price for sales of meat scraps by McIver Feed & Milling Co. with a guaranteed minimum protein content of 48 per cent.* McIver Feed & Milling Co., San Antonio, Texas, may sell and deliver and any person may buy and receive from McIver Feed & Milling Co., meat scraps with a guaranteed minimum protein content of 48 per cent at a maximum price of $65.58 per ton, f. o. b. conveyance at production plant of McIver Feed & Milling Co., located in Zone 4.

(b) *Price adjustments where actual analysis differs from guaranteed minimum protein content.* In any sale made pursuant to the provisions of this order if the actual analysis differs from the guaranteed minimum percentage of protein permitted by this order, then:

(1) If above the guaranteed minimum percentage of protein, no increase in maximum prices is permitted.

(2) If one per cent or less below the guaranteed minimum percentage of protein, deduct $1.50 per ton from the selling price.

(3) If more than one per cent below the guaranteed minimum percentage of protein deduct from the selling price, $1.50 per ton for the first per cent and $3.00 per ton for each additional per cent or fraction thereof.

(c) *Notification of maximum prices.* McIver Feed & Milling Co. shall provide the following notice of the maximum price established by this Order with the first delivery to each buyer of meat scraps having a guaranteed minimum protein content of 48 per cent.

The Office of Price Administration has permitted us to sell meat scraps with a guaranteed minimum protein content of 48 per cent at a maximum price of $65.58 per ton, f. o. b. our production plant, which is in line with the maximum prices established for the product by Maximum Price Regulation No. 74, as amended. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for sales of these meat scraps.

(d) All prayers and requests contained in the application of the McIver Feed & Milling Co. which have not been granted herein are denied.

(e) This Order No. 3 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 3 shall become effective February 13, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2315; Filed, February 12, 1943; 11:32 a. m.]

[Rev. Order 4 Under MPR 120]

PERU DEEP VEIN COAL CO., ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Revised Order No. 4 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant.

Order No. 4 under Maximum Price Regulation No. 120 is hereby revised and amended to read as set forth below:

For the reasons set forth in an opinion issued simultaneously herewith and in the opinions accompanying Order No. 4 and Amendment No. 1 to Order No. 4, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) *Truck or wagon shipments.* (1) Coals in the following size groups produced by the following producers in Section 2 of District No. 10 may be sold and purchased for shipment by truck or wagon at prices not exceeding the following respective prices per net ton f. o. b. the mine:

(i) Peru Deep Vein Coal Company (Mine Index No. 73):

	Size groups					
	1	3	5	8	14	19
Maximum prices	$4.85	$4.85	$3.80	$3.50	$2.40	$3.50

(ii) Union Coal Company (Mine Index No. 175):

	Size groups						
	1	3	6	19	24	25	
Maximum prices	$4.85	$4.85	$3.80	$3.50	$3	$2	

(iii) Spring Valley Coal Mining Company (Mine Index No. 164):

	Size groups			
	1	3	6	11
Maximum prices	$4.85	$4.85	$3.80	$2

(iv) Longview Coal Co., Inc. (Mine Index No. 574):

Size groups	6
Maximum prices	3.80

(2) Coals in the following size groups produced by the following producers in Section 3 of District No. 10 may be sold and purchased for shipment by truck or wagon at prices not exceeding the following respective prices per net ton f. o. b. the mine:

(i) Thermal Coal Co. (Mine Index No 612):

	Size groups			
	1	3	7	11
Maximum prices	$4.10	$3.60	$3.10	$2

(ii) Warner Coal Company (Mine Index No. 586):

	Size groups		
	3	6	11
Maximum prices	$4.35	$3.15	$2

(iii) Knoxville Mining Company (Mine Index No. 598):

	Size groups			
	1	3	8	11
Maximum prices	$4.10	$3.60	$2.90	$2

(iv) Mielke Bros. (R. F. Mielke) (Mine Index No. 575):

	Size groups		
	3	7	8
Maximum prices	$4.00	$3.40	$2

(v) Mielke Brothers (Mine Index No. 640):

	Size groups	
	3	7
Maximum prices	$4.00	$2.95

(vi) Little John Coal Co. (Mine Index No. 84):

	Size groups	
	20	24
Maximum prices	$3.00	$2.75

(3) Coals in the following size groups produced by the following producers in Section 4 of District No. 10 may be sold and purchased for shipment by truck or wagon at prices not exceeding the following respective prices per net ton f. o. b. the mine:

(i) Edward Mohn and Son (Mine Index No. 791):

	Size groups		
	1	8	11
Maximum prices	$3.35	$2.65	$2.75

(b) *Rail Shipments.* (1) Coals produced by Union Coal Company, District No. 10 at Mine Index No. 175 may be sold and purchased at prices per net ton f. o. b. the mine not exceeding the maximum prices established for rail shipments of coals produced in Price Group No. 31.

(c) This Revised Order No. 4 may be revoked or amended by the Price Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

(e) This Revised Order No. 4 shall become effective February 13, 1943.

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2311; Filed, February 12, 1943; 11:33 a. m.]

[Order 160 Under MPR 120]

GINGER HILL COAL COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 160 under Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant—Docket No. 3120-213.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (d) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced by Ginger Hill Coal Company, Springfield Township, Ohio, at its Ginger Hill Mine, Mine Index No. 444, in District No. 4, may be sold and purchased for shipment by truck or wagon at prices not to exceed the following respective prices per net ton f. o. b. the mine:

	Size groups			
	2	5	6	7
Maximum prices	$4.75	$4.25	$4.00	$3.25

(b) Within thirty (30) days from the effective date of this order, the said Ginger Hill Coal Company shall notify all persons purchasing its coals of the adjustment granted in paragraph (a) of this order and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Revised Maximum Price Regulation No. 122.

(c) This Order No. 160 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120, shall apply to the terms used herein.

(e) This Order No. 160 shall become effective February 13, 1943.

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2309; Filed, February 12, 1943; 11:34 a. m.]

[Order 162 Under MPR 120]

BELL COAL COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 162 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120-300.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (b) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced by Bell Coal Company, Rella, Kentucky, at its Bell Mine, Mine Index No. 37, in District No. 8, may be sold and purchased for shipment by rail f. o. b. the mine at prices not to exceed the following Maximum Prices per net ton:

	Size groups									
	1	2	5	6	7	8	10	19	20	22
Max. prices	4.00	4.00	3.60	3.35	3.15	3.00	3.40	2.60	2.55	2.40

(b) Within 30 days from the effective date of this order, the Bell Coal Company shall notify all persons purchasing its coals of the adjustments granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Revised Maximum Price Regulation No. 122.

(c) This Order No. 162 may be revoked or amended by the Administrator at any time:

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(e) This Order No. 162 shall become effective February 13, 1943.

Issued this 12th day of February 1943.

PRENTISS N. BROWN,
Administrator.

[F. R. Doc. 43-2310; Filed, February 12, 1943; 11:34 a. m.]

[Order 10 Under MPR 136 as Amended]

WESTON ELECTRICAL INSTRUMENT CORP.

ADJUSTMENT OF MAXIMUM PRICES

Order 10—Adjustment of Maximum Prices under § 1390.25 (a) of Maximum Price Regulation No. 136, as Amended—Machines and Parts and Machinery Services.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and in accordance with § 1390.25 (a) of Maximum Price Regulation No. 136, as amended, and Procedural Regulation No. 6, *It is hereby ordered:*

(a) Weston Electrical Instrument Corporation, Newark, New Jersey, may sell to any purchaser, upon government contract, or subcontract, any of the electrical measuring instruments described on the list below which it purchases from Sangamo Electrical Company, Springfield, Illinois under contract 57-P-3 (Navy) at a maximum price not exceeding the maximum price established therefor by Maximum Price Regulation No. 136, as amended, plus 15% of such latter price.

Item	Model	Description
1	606-237	Control Indicator for Sperry A-5 Auto Pilot for Army Air Forces.
2	507	Indicator with thermocouple 120 M. A. Flush wide flange black metal case for tank set SCR 508 and 528, Artillery set SCR-608 and 628.
3	301	Vm. 30 V. 62 ohms per volt. Flush black metal case for SCR 274 (RC 54 and RC 55 Test set).
4	301	Vm. 150 V. 1,000 ohms per volt. Flush black metal case for SCR 274 (RC 54 and RC 55 Test set).
5	301	Vm. 300 V. 1,000 ohms per volt. Flush black metal case for SCR 274 (RC 54 and RC 55 Test set).

Item	Model	Description
6	301	Am. 10 A. Flush black metal case for SCR 274 (RC 54 and RC 55 Test set).
7	301	M. A. 25 M. A. Flush black metal case for SCR-274 (RC 54 and RC 55 Test set).
8	301	M. A. 30 M. A. Flush black metal case for SCR-274 (RC 54 and RC 55 Test set).
9	301	M. A. 250 M. A. Flush black metal case for SCR-274 (RC 54 and RC 55 Test set).
10	301	K. Vin 4 K. V. scale 1000 ohms per volt flush 3½" bakelite case. No multiplier. For SCR-268B Radar equipment.
11	301	M. A. 1000 M. A. Flush bakelite case for SCR-268B Radar equipment.
12	301	M. A. 1 M. A. 105 ohms General Requirements.
13	606-2341	Tuning meter I-70-B on BC434 Remote Control for Radio Compass.
14	507	Thermo with couple 750 M. A. Flush wide flange black metal case for command set ATA-ARA, Command set SCR-274.
15	507	Thermo Am. 4A. Flush wide flange black metal case for test set for ATA-ARA Test set RC 54 and RC 55.
16	507	Thermo Am. 2A Flush wide flange black metal case. Type CV-2320A for Command set CF RV.
17	506	M. A. 35 M. A. Flush bakelite case for command set FG RV.

(b) This Order No. 10 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 10 under § 1390.25 (a) of Maximum Price Regulation No. 136, as amended, shall become effective February 13, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F. R. 7871)

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2317; Filed, February 12, 1943; 11:32 a. m.]

[Order 32 Under Rev. MPR 148]

WILLIAM UNDERWOOD CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 32 under § 1364.22(h) (2) (ii) of Revised Maximum Price Regulation No. 148—Dressed Hogs and Wholesale Pork Cuts.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) On and after February 13, 1943, The William Underwood Company, Walnut Street, Watertown, Massachusetts, is authorized to establish the following maximum selling prices for Underwood Deviled Ham sold by it:

Can size:	Price per dozen cans
3 ounce	$1.85
5 ounce	2.70

(b) On and after February 13, 1943, all wholesalers of Underwood Deviled Ham are authorized to establish as the maximum selling price per pound of Underwood Deviled Ham packed in 3 ounce or 5 ounce cans the highest price per pound of net content at which the 2¼ ounce and the 4½ ounce were listed in the price list or lists upon the basis of which the wholesaler made sales and deliveries during the period from February 16, 1942 to February 20, 1942, inclusive, plus 1½ cent per pound. In determining the price for a dozen cans, if the maximum selling price as determined above, ends in a fraction of a cent, correction should be made to the nearest penny.

(c) The William Underwood Company shall supply to all wholesalers who purchase Underwood Deviled Ham from it for resale on or before the time of the initial sale of such products in the new sizes a written notification to read as follows:

The Office of Price Administration has permitted us to charge the following prices for Underwood Deviled Ham, packed in the new 3 ounce and 5 ounce containers:

	Per doz. cans
3 ounce can	$1.85
5 ounce can	2.70

You are permitted to take as your ceiling price for Underwood Deviled Ham, packed in 3 ounce and 5 ounce containers the highest price per pound of net content at which the 2¼ ounce and the 4½ ounce cans were listed in your price list or lists upon the basis upon which you made sales and deliveries during the period from February 16, 1942 to February 20, 1942, inclusive, plus 1½ cent per pound. In determining the price for a dozen cans if the maximum selling price as determined above ends in a fraction of a cent, correction should be made to the nearest penny.

The following table may prove helpful to you in making out your new prices:

UNDERWOOD DEVILED HAM

[Table of maximum resale prices for 5 oz. and 3 oz. cans permitted to wholesalers and distributers under revised Maximum Price Regulation No. 148 based on resale prices of the comparable 4½ oz. and 2¼ oz. cans during the base period Feb. 16 to 20, inclusive, 1942.]

Per dozen 4½ oz. #½ cans cost February 16-20, 1942 $2.40 per doz.	Per dozen 5 oz. cans cost January 1942 $2.70 per doz.	Per dozen 2¼ oz. #¼ cans cost February 16-20, 1942 $1.40 per doz.	Per dozen 3 oz. cans cost January 1943 $1.85 per doz.
Former resale prices	*New resale prices*	*Former resale prices*	*New resale prices*
$2.45	$2.775	$1.43	$1.94
2.475	2.81	1.45	1.965
2.50	2.83	1.46	1.98
2.525	2.86	1.47	1.995
2.55	2.89	1.48	2.01
2.575	2.92	1.49	2.02
2.60	2.945	1.50	2.035
2.65	3.00	1.525	2.07
2.70	3.06	1.550	2.10
2.75	3.11	1.575	2.13
2.80	3.17	1.60	2.165
2.85	3.225	1.625	2.20
2.90	3.27	1.65	2.235
2.95	3.335	1.675	2.265
3.00	3.39	1.70	2.30
		1.75	2.37
		1.80	2.43

The following may be helpful in instances to which the foregoing table does not apply.

1 doz. 4½ oz. cans (old size ½'s) = 3.37 pounds.
1 doz. 5 oz. cans (new size) = 3.75 pounds.
1 doz. 2¼ oz. cans (old size ¼'s) = 1.68 pounds.
1 doz. 3 oz. cans (new size) = 2.25 pounds.

You are required to supply all retailers with the following notice:

The Office of Price Administration has authorized us by Order to sell Underwood Deviled Ham in the new 3 ounce and 5 ounce containers at the following maximum prices:

(Maximum prices calculated in accordance with the formula set out above.)

As a retailer, you are to determine your maximum selling prices for Underwood Deviled Ham packed in the new 3 ounce and 5 ounce containers in accordance with Section (3) (a) of the General Maximum Price Regulation.

You are required to keep this notice for examination.

(c) The William Underwood Company shall furnish to all retailers who purchase Underwood Deviled Ham from it before or at the time of the initial sale of such product in the new cans the same written notice as wholesalers are required to furnish as set out in the preceding paragraph.

(d) All discounts, allowances, practices with regard to charges for transportation and other trade practices in effect with respect to the above listed commodity during February 16 to February 20, 1942 by the manufacturer and wholesalers of Underwood Deviled Ham shall remain in effect under this Order.

(e) The maximum selling prices set forth in paragraphs (a) and (b) shall be subject to adjustment at any time by the Office of Price Administration.

(f) This Order No. 32 may be revoked or amended by the Office of Price Administration at any time.

(g) This Order No. 32 shall become effective February 13, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2316; Filed, February 12, 1943; 11:32 a. m.]

[Amendment 1 to Order 1 Under MPR 169]

NEBRASKA BEEF CO., ET AL.

EXEMPTION FROM CERTAIN PROVISIONS

Amendment No. 1 to Order No. 1 under Maximum Price Regulation No. 169—Beef and Veal Carcasses and Wholesale Cuts.

An opinion accompanying this amendment to Order No. 1 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Paragraph (c) is amended by adding the following sentences: • • •

(c) • • •

This paragraph (c) shall be inapplicable with respect to deliveries of beef carcasses custom slaughtered for war procurement use, made by the Nebraska Beef Company, Earl C. Gibbs, Inc., Morris Rifkin and Son, Omaha Packing Company, Drummond Packing Company, Lincoln Meat Company, The George Kaiser Packing Company, Abraham Bros. Packing Company, and Reynolds Packing Company before December 10, 1942.

• • • • • •

(e) This Amendment No. 1 to Order No. 1 under Maximum Price Regulation No. 169 shall become effective as of December 10, 1942.

(Pub. Laws 421, 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2312; Filed, February 12, 1943; 11:33 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 59-62, 70-641]

GEORGIA POWER AND LIGHT CO., ET AL.

NOTICE OF AND ORDER INSTITUTING PROCEEDINGS, ETC.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 10th day of February 1943.

In the matter of Georgia Power and Light Company and General Gas & Electric Corporation, Florida Power Corporation, 59-62.

In the matter of General Gas & Electric Corporation, Florida Power Corporation, Florida Public Service Company, Sanford Gas Company, Santa Fe Land Company and Georgia Power and Light Company; File No. 70-641.

Notice of and Order instituting Proceedings under sections 11 (b) (2), 15 (f) and 20 (a) of the Public Utility Holding Company Act of 1935 and Order for Consolidation.

The Commission having examined the corporate structure of Georgia Power and Light Company, a subsidiary of General Gas & Electric Corporation, a registered holding company, which in turn is a subsidiary of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company, and the files and records of the Commission with respect thereto, and said examination having disclosed data establishing, or tending to establish, that:

1. General Gas & Electric Corporation, a public utility holding company, is a corporation organized July 21, 1925, under the laws of the State of Delaware; it is a registered holding company under the Public Utility Holding Company Act of 1935.

2. Georgia Power and Light Company is a corporation organized under the laws of the State of Georgia on May 21, 1927; it is engaged in the generation, purchase, transmission and distribution of electrical energy in the southern part of the State of Georgia. It receives, by means of interstate transmission lines which run between Florida and Georgia, approximately 90% of its energy requirements from Florida Power Corporation, the generating facilities of which are located entirely within the State of Florida. Florida Power Corporation is also a subsidiary of General Gas & Electric Corporation. Georgia Power and Light Company also owns and operates certain water properties and owns certain ice properties which are leased to others.

3. A condensed balance sheet, per books, of Georgia Power and Light Company as of September 30, 1942, is as follows:

ASSETS AND OTHER DEBITS

Fixed Capital (including intangibles)		$5,854,325.07
Current and accrued assets		320,791.41
Deferred debits:		
Unamortized debt discount and expense	$264,301.91	
Retirement work in progress	20,401.64	
Other	2,940.57	
		287,644.12
Total assets and other debits		6,462,760.60

LIABILITIES AND OTHER CREDITS

Preferred stock—$6 Cumulative—10,527 shares, no par value, having liquidation value of $100 per share, totaling $1,052,700	$952,986.79
Common stock—21,650 shares, no par value	1,462,770.00
Long term debt	3,177,674.95
Current and accrued liabilities	352,116.80
Deferred credits	19,812.93
Reserves:	
Retirement (depreciation) of fixed capital	474,930.22
Uncollectible accounts	9,613.31
Contributions in aid of construction	1,207.61
Capital surplus	66,835.89
Earned surplus (deficit)	(55,187.90)
Total liabilities and other credits	6,462,760.60

( ) Denotes red figure.

4. As of September 30, 1942, fixed capital, per books, amounted to $5,854,325.07. As of the same date the retirement reserve amounted to $474,930.22; thus the net fixed capital, per books, amounted to $5,379,934.85.

5. Included in the electric fixed capital account of the company are certain items which have been classified by the company as Electric Plant Adjustments (F. P. C. Account No. 107). These total $688,302.35.

Also included in the electric fixed capital account of the company are certain items which have been classified by the company as credits to Electric Plant Acquisition Adjustments (F. P. C. Account No. 100.5). These credit items total $201,923.25.

6. There appears below a tabulation setting forth, as of September 30, 1942, per books, the gross fixed capital account and the depreciable property segregated by classes of utilities, the retirement reserve, and a calculation of the net fixed capital and the percentage of the retirement reserve to gross depreciable fixed capital:

	Gross book value	Gross book value of depreciable property
Fixed capital:		
Electric	$4,520,114.94	$3,656,976.77
Water	85,347.21	80,269.67
Ice	1,139,321.03	880,587.86
Construction work in progress	109,541.89	
Total	5,854,325.07	4,617,834.30
Reserve for retirements	474,930.22	474,930.22
Net fixed capital	5,379,394.85	

Percent of reserve to gross depreciable fixed capital, 10.28.

7. The gross book value of the ice property, as of September 30, 1942, was recorded at $1,139,321.03. This property is leased until June 1, 1950 to a non-affiliated corporation. The book amount has been calculated by the company to be not less than $787,486.03 in excess of the present value of the estimated rentals to be received during the term of the lease period, less expenses applicable thereto, plus the salvage or going concern value of the ice property at the end of the lease period.

8. No dividends have been paid on the $6 Cumulative Preferred stock of the company since February 15, 1934. As of September 30, 1942, the accumulated undeclared dividend arrearages on this class of stock amounted to $51.75 per share, or a total of $544,772.25. Of this amount the arrearages applicable to the 6,327 shares held by the public amounted to $327,422.25, and the arrearages applicable to the 4,200 shares held by General Gas & Electric Corporation amounted to $217,350.

9. No dividends have been paid on the common stock of the company since February 1932.

10. As of September 30, 1942, capital surplus was carried on the books of the company at $66,835.89 and represented primarily the difference between the recorded amount of net assets acquired and the consideration paid for the same. On the same date the earned surplus account was carried on the books as a deficit of $55,187.90.

11. According to calculations of the company, if a transfer from the fixed capital account to the retirement reserve is made of items which have been classified by the company as credits to Electric Plant Acquisition Adjustments (F. P. C. Account No. 100.5), amounting to $201,923.25, the retirement reserve, as of September 30, 1942, will remain inadequate by not less than $96,113.53. Increasing the retirement reserve by this latter amount will correspondingly in-

crease the deficit in the earned surplus account.

12. The 4,200 shares of preferred stock of Georgia Power and Light Company owned by its parent, General Gas & Electric Corporation, were acquired in April, 1942, for a cash consideration of $75,600, the said consideration being equivalent to $18 per share.

13. Writing off the Electric Plant Adjustments (F. P. C. Account No. 107) in the amount of $688,302.35, reducing the carrying value of the ice property from the book amount of $1,139,321.03 to an estimated present value of $351,835.00, increasing the retirement reserve by the charge to earned surplus (deficit) in the amount of $96,113.53, setting up the entire amount of preferred stock at its liquidating value of $1,052,700 in lieu of the stated value of $952,986.79, and provision for cumulative dividend arrearages of $544,772.25 on the entire amount of preferred stock would increase the earned surplus deficit, as of September 30, 1942, from the book figure of $55,187.90 to $2,271,575.27. As of the same date, the common stock and capital surplus accounts, per books, amounted to $1,462,770.00 and $66,835.89, respectively. The total of these two amounts was $1,529,605.89, which is less than the adjusted earned surplus deficit of $2,271,575.27. This indicates that there would then be no asset value for the common stock.

14. Setting up only the publicly-held preferred stock at the liquidating value of $632,700 and the parent-held preferred stock at its acquisition cost of $75,600, and providing for cumulative dividend arrearages of $327,422.25 on only the publicly-held preferred stock, plus the other adjustments set forth in Paragraph 13 pertaining to the fixed property and retirement reserve accounts, would increase the earned surplus deficit, as of September 30, 1942, from the book figure of $55,187.90 to $1,709,825.27. As of the same date, the common stock and capital surplus accounts, per books, totaled $1,529,605.89 (as indicated in Paragraph 13 above), which is less than the adjusted earned surplus deficit of $1,709,825.27. This indicates that there would then be no asset value for the common stock.

15. Set forth below is the capital structure, including surplus, of Georgia Power and Light Company, per books, as of September 30, 1942, and adjusted to give effect to (a) the write-off of Electric Plant Adjustments (F.P.C. Account No. 107), (b) the reduction in the book value of the ice property, (c) the increase in the retirement reserve, (d) setting up the entire preferred stock at liquidation value, and (e) setting up cumulative dividends in arrears on the entire amount of preferred stock. This adjusted capital structure is further adjusted to set forth only the publicly-held preferred stock at liquidation value including arrearages, and the parent-held preferred stock at acquisition cost.

	Per Books Sept. 30, 1942		Adjusted, Sept. 30, 1942 [1]		Adjusted, Sept. 30, 1942 [2]	
	Amount	Percent of total	Amount	Percent of total	Amount	Percent of total
Long-term debt:						
1st 5's—1978 ($3,665,500 held by public, $45,000 held in system)	$3,110,500.00	55.40	$3,110,500.00	77.12	$3,110,500.00	77.12
Serial notes payable to R. E. A.	67,174.95	1.20	67,174.95	1.67	67,174.95	1.67
Total long-term debt	3,177,674.95	56.60	3,177,674.95	78.79	3,177,674.95	78.79
Preferred stock and arrears:						
$6 cumulative, no par value:						
Held by public—6,327 shares	952,986.79	17.00	632,700.00	15.69	632,700.00	15.69
Held by parent—4,200 shares			420,060.00	10.41	75,600.00	1.87
Arrears—$41.75 per share:						
Due public			327,422.25	8.12	327,422.25	8.12
Due parent			217,350.00	5.39		
Total preferred stock and arrears	952,986.79	17.00	1,597,472.25	39.61	1,035,722.25	25.68
Total long-term debt and preferred stock and arrears	4,130,661.74	73.60	4,775,147.20	118.40	4,213,397.20	104.47
Common stock and surplus (deficit):						
Common stock—21,650 shares, no par value—all held by parent	1,462,770.00	26.10	1,462,770.00	36.26	1,462,770.00	36.26
Capital surplus	66,835.89	1.19	66,835.89	1.66	66,835.89	1.66
Earned surplus (deficit)	(55,187.90)	(0.98)	(2,271,575.27)	(56.32)	(1,709,825.27)	(42.39)
Total common stock and surplus (deficit)	1,474,417.99	26.31	(741,969.38)	(18.40)	(180,219.38)	(4.47)
Total capitalization and surplus	5,605,079.73	100.00	4,033,177.82	100.00	4,033,177.82	100.00

( ) Denotes red figure.

[1] "Preferred stock and arrears" reflects liquidation value of $100 per share and arrears of $51.75 per share for all preferred shares.

[2] "Preferred stock and arrears" reflects liquidation value of $100 per share and arrears of $51.75 per share for publicly held preferred shares, and $75,600 to parent, General Gas & Electric Corporation, for 4,200 shares, or $18 per share. No interest on said parent's preferred stock investment cost is reflected (if any be allowable) in lieu of dividends.

16. As of September 30, 1942, the ratio of total debt to net fixed property, per books, adjusted to reflect the write-off of Electric Plant Adjustments (as described in paragraph 5 above), the increase in the retirement reserve (as described in Paragraph 11 above), and the reduction in the book value of the ice property (as described in paragraph 7 above), amounted to 83.46%.

17. As of September 30, 1942, the ratio of total debt and preferred stock at liquidation value for all shares, including dividend arrears, to total net fixed property, adjusted as indicated in Paragraph 16 above, plus other net assets, including deferred debits, amounted to 118.36%. This indicates that there would then remain no asset value for the common stock.

18. As of September 30, 1942, after adjustment to reflect liquidation value and dividend arrears thereon for only the publicly held preferred stock and to reflect acquisition cost to General Gas & Electric Corporation for its preferred stock holdings, the ratio of total debt and preferred stock to the total of net fixed property, adjusted as indicated in Paragraph 16 above, plus other net assets, including deferred debits, amounted to 104.44%. This indicates that there would then remain no asset value for the common stock.

19. The following tabulation sets forth gross income and deductions therefrom, per books, of Georgia Power and Light Company for the five calendar years 1937 through 1941 and the twelve months ended September 30, 1942, with certain resulting coverages:

	Calendar years ended Dec. 31—					12 months ended Sept. 30, 1942
	1937	1938	1939	1940	1941	
Gross income	$140,378.94	$162,389.45	$197,234.46	$218,206.05	$240,559.96	$208,495.84
Deductions from income:						
Interest on long-term debt	157,570.00	160,458.17	160,274.98	159,906.85	158,878.21	158,367.44
Interest on debt to associated companies		12,983.66	9,495.13	4,495.74	2,862.65	2,155.45
Other interest	*18,877.46	5,134.92	3,667.48	6,805.71	6,515.46	7,622.76
Amortization of debt discount and expense	9,791.28	9,791.28	9,788.16	9,773.86	7,441.80	7,835.12
Taxes assumed on interest						2,583.71
Interest charged to construction (credit)	(664.92)	(13.77)	(89.76)	(135.27)	(1,419.10)	(1,419.10)
Miscellaneous					3,521.75	91.00
Total deductions from income	185,273.82	188,374.56	183,135.99	180,846.89	177,800.77	177,236.38
Net income	(44,894.88)	(25,985.11)	14,098.47	37,359.16	62,759.19	31,259.56
Preferred dividend requirements	63,432.00	63,432.00	63,162.00	63,162.00	63,162.00	63,162.00
Balance for dividends on common stock	None	None	None	None	None	None
Times earned ratios:						
Interest on long-term debt	0.89	1.01	1.23	1.36	1.51	1.32
Total deductions from income	.76	.86	1.08	1.21	1.35	1.18
Total deductions from income and preferred dividend requirements	.56	.64	.80	.89	1.00	.87
Earnings per share of common stock	None	None	None	None	None	None

*This item probably includes interest on debt to associated companies.

( ) Denotes red figure.

20. Except for the purpose of electing directors, all of the voting power of Georgia Power and Light Company is vested in the common stock, all of which is held by General Gas & Electric Corporation. For the purpose of electing the Board of Directors, the preferred stock votes share for share with the common stock as follows:

Class of stock	Number of votes	Percent of voting power
Preferred stock in the hands of the public	6,327	19.7
Preferred stock owned by General Gas & Electric Corporation	4,200	13.0
Common stock, all owned by General Gas & Electric Corporation	21,650	67.3
Total number of votes	32,177	100.0

It appears that on December 4, 1942, an application-declaration was filed by the above named respondents and Florida Power Corporation, Florida Public Service Company, Sanford Gas Company, and Santa Fe Land Company (File No. 70-641), proposing certain transactions, as part of which Florida Public Service Company, Sanford Gas Company and Santa Fe Land Company would be merged into Florida Power Corporation. The filing further proposes that the merged company will authorize a new series of preferred stock, designated 6% preferred stock, $50 par value, to be issued only in exchange for $6 no par preferred stock of Georgia Power and Light Company held by the public, on a share for share basis, such offer to be conditioned upon acceptance by 95% (or such smaller percentage as may be determined by the merged company from time to time, but not less than 75%) of all shares of the outstanding preferred stock of Georgia Power and Light Company within a reasonable time. The proposal is also made that, upon the consummation of the exchanges referred to, respondent, General Gas & Electric Corporation, will sell to the merged company for $1 all of its holdings of the common stock (21,650 shares) and its 4,200 shares of $6 preferred stock of Georgia Power and Light Company. It is further proposed, as a part of the said application-declaration, that when, as and if the merged company shall have acquired not less than 10,211 shares of Georgia Power and Light Company preferred stock, the entire amount of preferred stock so acquired and 5,000 shares of common stock will be returned to Georgia Power and Light Company for cancellation.

The said application-declaration also proposes that Georgia Power and Light Company will record on its books the original cost of its Electric Fixed Capital as determined by the company, and the difference (amounting to $688,302.35) between this amount and the amount of its Electric Fixed Capital as stated upon its books will be charged to the deficit in the Earned Surplus Account and thence to Capital Surplus; it would also create a reserve (in the sum of $787,486.03) for the amount by which its Ice Fixed Capital exceeds the present value of such ice property, the present value being calculated by discounting at 5% the estimated lease rentals to be received for the remainder of the lease, plus the estimated salvage or going concern value of the ice property at the end of the lease.

The said application-declaration further proposes that Georgia Power and Light Company will add to its Reserve for Depreciation of Fixed Capital the sum of $298,036.78, by transferring from the Electric Fixed Capital account certain items presently classified by the company as credits to Electric Plant Acquisition Adjustments (F. P. C. Account No. 100.5) in the sum of $201,923.25 and by charging the sum of $96,113.53 to Earned Surplus, thereby increasing the Earned Surplus deficit by a like amount.

The said application-declaration further proposes that the respondent, General Gas & Electric Corporation, contribute to the merged company and the merged company in turn contribute to the respondent, Georgia Power and Light Company, $300,000 in cash, which, with $50,000 or more of Georgia Power and Light Company's own funds, will be applied by the respondent, Georgia Power and Light Company to the retirement of its First Mortgage Bonds.

The capitalization of Georgia Power and Light Company, as of September 30, 1942, after giving effect to the transactions proposed in the application-declaration referred to above, would be as follows:

First Mortgage 5% Bonds, due 1978	$2,760,500.00
Serial notes payable to R. E. A. (due serially after one year)	67,174.95
Common stock—16,650 shares, no par value	1,123,875.00
Capital surplus	1,886.27
Total Capitalization and Surplus	3,953,436.22

It therefore appearing to the Commission, in the light of the foregoing, that it is appropriate and in the public interest, and in the interest of investors and consumers, to institute proceedings against Georgia Power and Light Company and General Gas & Electric Corporation, under sections 11 (b) (2), 15 (f), and 20 (a) of the Public Utility Holding Company Act of 1935, to determine whether certain orders should be entered pursuant to the provisions of said sections:

It is hereby ordered, That proceedings be instituted pursuant to sections 11 (b) (2), 15 (f), and 20 (a) of the Act and that Georgia Power and Light Company and General Gas & Electric Corporation are hereby made Respondents in these proceedings, and said Respondents shall file with the Secretary of the Commission on or before the 1st day of March, 1943, their answers admitting, denying or otherwise explaining their positions with respect to the allegations heretofore made in Paragraphs 1 to 20 of this order. Such answers may also include a statement by Respondents of their views as to what action, if any, should be taken to bring about a fair and equitable distribution of voting power among the security holders of Georgia Power and Light Company; to restate the fixed property account, retirement reserve, capital accounts, surplus and other accounts, so as to segregate, dispose of, and eliminate write-ups and other inflationary items in the fixed capital and other accounts, set up adequate reserves for depreciation of fixed property, and make other adjustments in conformity with the standards of the Public Utility Holding Company Act of 1935, with respect to Georgia Power and Light Company; and to take such other action as may be necessary or appropriate under the provisions of sections 11 (b) (2), 15 (f), and 20 (a) of said Act with respect to said Respondents.

It appearing that the above-named Respondents have joined in the filing of an application-declaration (File No. 70-641), and that certain phases of the said application-declaration relate to the reorganization of Georgia Power and Light Company; and a hearing having been ordered by this Commission on the said application-declaration, and hear-

ings having been held before a trial examiner, further hearings in the proceeding having been continued indefinitely; and

It further appearing that the proceedings embraced by File No. 70–641 and the present matter are related, and that evidence offered in respect to such proceedings may have a bearing upon the matter which is the subject of this notice under sections 11 (b) (2), 15 (f), and 20 (a), and that substantial savings of time and expense will result if the matters are consolidated;

It is hereby ordered, That such proceedings in File No. 70–641 are consolidated with the present proceeding in File No. 59–62; and

It is further ordered, That a hearing be held on the 9th day of March, 1943, at 10 o'clock a. m., E. W. T., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on such date by the hearing room clerk in room 318. At such hearing, in addition to the issues presented by the application-declaration bearing File No. 70–641, (as set forth in Holding Company Act Release No. 3996), and without limiting the scope of the issues presented by the matters in the consolidated proceeding, particular attention will be directed at the within hearing for the purpose of determining the following matters and questions:

1. Whether voting power is unfairly or inequitably distributed among security holders of Georgia Power and Light Company;

2. What action, if any, is necessary and should be required to be taken by Georgia Power and Light Company, for the purpose of effecting an equitable distribution of voting power among its security holders;

3. What action, if any, is necessary and should be required to be taken by General Gas & Electric Corporation to ensure that the corporate structure of the holding company system, insofar as the relationship of General Gas & Electric Corporation and Georgia Power and Light Company is concerned, is not unduly complicated;

4. What action shall be taken to limit the participation of General Gas & Electric Corporation as a holder of preferred stock of Georgia Power and Light Company to the amount of the acquisition cost thereof;

5. What action, if any, is necessary and should be required to be taken by Georgia Power and Light Company to restate its fixed property account, retirement reserve, capital accounts, and surplus and other accounts, so as to segregate, dispose of, and eliminate write-ups and other inflationary items in the fixed property or other accounts, set up adequate reserves for depreciation of plant and property, and make other adjustments in conformity with the standards of the Public Utility Holding Company Act of 1935; and

6. What other or further action, if any, should be required to be taken by the Respondents to meet the requirements of the applicable Sections of the Public Utility Holding Company Act of 1935, and more especially the requirements of sections 11 (b) (2), 15 (f), and 20 (a) of the Act.

At the outset of said hearing, consideration will be given to such issues, if any, as may arise from the allegations in Paragraphs 1 to 20 hereof, in Respondents' Answers hereinbefore provided for, and in any other papers filed herein by interested persons. To the extent that any allegations set forth above are not controverted in the Respondents' Answers and are not controverted by any other interested person, such facts shall be deemed to be admitted for the purposes of this proceeding.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearings in such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all the powers granted to the Commission under section 18 (c) of said Act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered, That the Secretary of the Commission shall serve notice of the hearing aforesaid by mailing a copy of this order by registered mail to Georgia Power and Light Company and to General Gas & Electric Corporation, Respondents, not less than 15 days prior to the date hereinbefore fixed within which Respondents may file their answers; and that notice of the entry of this order and of said hearing is hereby given to all security holders of Georgia Power and Light Company and of General Gas & Electric Corporation, to all consumers of said Georgia Power and Light Company, to all States, municipalities and political subdivisions of States within which are located any of the utility assets of Georgia Power and Light Company, to all State commissions, State securities commissions and all agencies, authorities or instrumentalities of one or more States, municipalities or other political subdivisions having jurisdiction over Georgia Power and Light Company, or over any of the businesses, affairs or operations of said Respondents, and to all other persons, such notice to be given by a general release of the Commission distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935, and by publication of this order in the FEDERAL REGISTER not later than 15 days prior to the date hereinbefore fixed within which Respondents may file their answers.

It is further ordered, That jurisdiction be and is hereby reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues or questions which may arise in these proceedings, and to take such other action as may appear necessary to the orderly and economical disposition of the issues involved.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43–2224; Filed, February 11, 1943; 9:51 a. m.]

WAR MANPOWER COMMISSION.

[General Order 4]

ORDER DESIGNATING CERTAIN ACTIVITIES AND OCCUPATIONS AS NON-DEFERRABLE

By virtue of the authority vested in me as Chairman of the War Manpower Commission by Executive Orders Nos. 9139 and 9279, I hereby designate the following activities and occupations as non-deferrable activities and non-deferrable occupations for the purpose of the War Manpower Commission Policy on Non-Deferrable Activities and Occupations, issued February 3, 1943:

I. All occupations in the following activities:

a. Manufacturing activities:
  Fabric Products:
    Curtains, draperies, and bedspreads.
    Pleating, stitching, tucking, and embroidery.
    Trimmings, stamped art goods, and art needlework.
  Glass Products:
    Cut, beveled, and etched glass.
    Cutware.
    Glass novelties.
    Mosaic glass.
    Stained, leaded, ornamented, and decorated glass.
  Jewelry and Metal-Plated Products:
    Costume jewelry and novelties.
    Jewelers' fixings and materials.
    Jewelry.
    Jewelry cases.
    Lapidary work (nonindustrial).
    Ornamental gold and silver leaf and foil (nonindustrial).
    Silverware and plated ware (nonindustrial).
  Miscellaneous:
    Decorative feathers, plumes, and artificial flowers.
    Frames, mirror and picture.
    Greeting cards and picture post cards.
    Signs and advertising displays.
b. Service:
  Automobile rental service.
  Dance, music, theatrical, and art studios and schools.
  Gambling.
  Interior decorating.
  Night clubs.
  Parking lots.
  Photographic studios.
  Turkish baths, massage parlors, clothing rental, porter service, and social-escort services.
c. Wholesale and retail trade:
  Antiques:
  Beer, wines, and liquors.
  Custom tailors and furriers.
  Candy, confectionery, and nuts.
  Florists.
  Jewelry.
  Novelties.
  Tobacco.

II. All the following occupations, regardless of the activity in which they may be found:

Bar cashier.
Bar boy.
Bartenders.
Bath house attendants.
Beauty operators.
Bell boys.
Boot blacks.
Bus boys.
Butlers.
Charmen and cleaners.
Cosmeticians.
Custom tailors.
Custom furriers.
Dancing teachers.
Dish washers.
Doormen and starters.
Elevator operators (passenger and freight; excluding industrial freight elevators used in connection with production).
Elevator starters (passenger and freight).
Errand boys (including messengers and office boys).
Fortune tellers (including astrologers, clairvoyants, mediums, mind readers, palmists, etc.).
Gardeners.
Greens keepers.
Grouud keepers.
Housemen.
Hair dressers.
Lavatory attendants.
Messengers, errand boys, office boys.
Newsboys.
Night club managers and employees.
Porters (other than those in railroad train service).
Private chauffeurs.
Soda dispensers.
Ushers.
Valets.
Waiters (other than those in railroad train service).

PAUL V. MCNUTT,
Chairman.

FEBRUARY 3, 1943.

[F. R. Doc. 43–2322; Filed, February 12, 1943; 11:57 a. m.]

POLICY ON NON-DEFERRABLE ACTIVITIES AND OCCUPATIONS

The majority of all registrants of military age are now deferred from military training and service under the Selective Training and Service Act of 1940, as amended, on grounds of dependency without regard to occupation. Some of these registrants are engaged in activities or occupations not essential to the war effort—activities and occupations which cannot in time of war be considered as entitled to share manpower with the armed forces. Deferment of such registrants from military service on the grounds of dependency can no longer be permitted if the manpower requirements of our armed forces and of essential civilian activities are to be met.

To the end that the maximum number of physically qualified registrants may be made available for military service in the armed forces with the minimum disruption of war production, agriculture and other essential civilian activities, I do hereby declare the following policy:

I. Except as may be necessary to avoid undue hardship in exceptional cases, no person registered under the Selective Training and Service Act of 1940, as amended, who is of military age, and who, on or after April 1, 1943, is engaged in an activity or occupation designated by the Chairman of the War Manpower Commission as a "non-deferrable" activity or occupation, or who is not on or after that date normally engaged in any activity or endeavor, may be deferred from training and service under the Selective Training and Service Act of 1940, as amended, on grounds of dependency.

II. The Chairman shall from time to time designate, and modify prior designations of, activities or occupations, or both, found by him to be non-deferrable activities or occupations for the purposes of this policy.

PAUL V. MCNUTT,
Chairman.

FEBRUARY 3, 1943.

[F. R. Doc. 43–2321; Filed, February 12, 1943; 11:57 a. m.]

FEDERAL REGISTER

VOLUME 8 NUMBER 32

Washington, Tuesday, February 16, 1943

Regulations

TITLE 7—AGRICULTURE

Chapter I—Food Distribution Administration[1]

Chapter C—Regulations Under the Farm Products Inspection Act

PART 53—MEATS, PREPARED MEATS, AND PRODUCTS (GRADING AND CERTIFICATION)

REVISION OF REGULATIONS

Pursuant to the authority vested in the Secretary of Agriculture by law (56 Stat. 664; 7 U.S.C. 414), the following [illegible] and regulations under Chapter I, Subchapter C, Part [illegible] Federal Regulations is proposed to become effective on February [illegible], 1943.

DEFINITIONS

[illegible] words, [illegible] defined

ADMINISTRATION

[illegible]

WHERE SERVICE MAY BE OFFERED

[illegible] of markets and locations.

[illegible] grading services may be withdrawn

GRADING SERVICES

[illegible] of service

[illegible] establishment of grading [illegible]

Who may obtain grading service.

[illegible] obtain grading service.

[illegible] of application for grading service

[illegible] application for grading service [illegible] filed

[illegible] application for grading service [illegible] be rejected.

[illegible] application for grading service [illegible] be withdrawn.

[illegible] of agent

[illegible] of product.

[illegible] of service

[illegible] of grading.

[illegible] interest of grader.

Certificates: Issuance.

Certificates: Form.

[illegible] of certificates.

Additional information.

[illegible] Agricultural Marketing Administration

GRADE IDENTIFICATION

Sec.

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53.24 Custody of grade-identifying devices.

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53.42 How fees shall be paid.

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53.46 Identification.

53.47 Correction of certificate or grading.

53.48 Publications.

53.49 Political activity.

AUTHORITY: §§ 53.1 to 53.49, inclusive, issued under 56 Stat. 664; 7 USC 414.

DEFINITIONS

§ 53.1 *Meaning of words.* Words used in this part in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

§ 53.2 *Terms defined.* For the purpose of the regulations in this part, unless the context otherwise requires, the following terms shall be construed, respectively, to mean:

(a) *The act.* The following provisions of an act of Congress entitled "An Act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1943, and for other purposes," approved July 22, 1942, (56 Stat. 664; 7 U.S.C. 1940 ed. 414), or any future Act of Congress conferring like authority:

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FR Enabling the Secretary of Agriculture, independently and in cooperation with other branches of the Government, State agencies, purchasing and consuming organizations, boards of trade, chambers of commerce, or other associations of business men or trade organizations, and persons or corporations engaged in the production, transportation, marketing, and distribution of farm and food products, whether operating in one or more jurisdictions, to investigate and certify to shippers and other interested parties the class, quality, and condition of cotton, tobacco, fruits, and vegetables, whether raw, dried, or canned, poultry, butter, hay, and other perishable farm products when offered for interstate shipment or when received at such important central markets as the Secretary of Agriculture may from time to time designate, or at points which may be conveniently reached therefrom under such rules and regulations as he may prescribe, including payment of such fees as will be reasonable and as nearly as may be to cover the cost for the service rendered: *Provided*, That officers and employees who, under proper authorization, use privately owned motor vehicles in the performance of official travel within the corporate limits of their official stations for the purpose of inspecting and grading farm and food products and the supervision thereof at points located within the said corporate limits may be reimbursed for such travel at a rate not to exceed three cents per mile: *Provided, further*, That certificates issued by the authorized agents of the Department shall be received in all courts of the United States as prima facie evidence of the truth of the statements therein contained.

(b) *Department.* The United States Department of Agriculture.

(c) *Secretary.* The Secretary of Agriculture or any officer or employee of the Department to whom the Secretary has heretofore delegated or may hereafter delegate the authority to act in his stead.

(d) *Administration.* Food Distribution Administration.

(e) *Director.* The Director of Food Distribution of the Department, or any officer or employee of the Administration to whom the Director has heretofore lawfully delegated, or to whom the Director may hereafter lawfully delegate, the authority to act in his stead.

(f) *Person.* Individual, association, partnership, or corporation.

(g) *Financially interested party.* Anyone having a financial interest in the products involved, including the shipper, the receiver, or the carrier, or any authorized person in behalf of such party.

(h) *Applicant.* A financially interested party who requests product grading services.

(i) *Official grader.* Employee of the Department of Agriculture authorized by the Secretary to investigate and certify to shippers and other interested parties the class, quality, grade, or condition of products under the act.

(j) *Licensed grader.* A grader licensed by the Secretary to grade products under the act and the provisions of this part.

(k) *Supervisor of grading.* An official grader or other qualified person designated by the Director to supervise grading, branding, and certification of products and to maintain uniformity thereof under the provisions of the act and the regulations in this Part.

(l) *Regulations.* Rules and regulations of the Secretary under the Act.

(m) *Products.* Meats, prepared meats, meat food products, and meat byproducts.

(n) *Meat.* Meat is the flesh derived from cattle, sheep, swine, or goats intended for human food with or without the accompanying and overlying fat, and the portions of bone, skin, sinew, nerve, and blood vessels which normally accompany the flesh.

(o) *Prepared meats.* Prepared meat is the product obtained by subjecting meat to a process of drying, curing, smoking, cooking, comminuting, seasoning, or flavoring, or to any combination of such processes to which no considerable quantity of any substance other than meat or meat byproducts has been added.

(p) *Meat food products.* A meat food product is any article of food or any article which enters into the composition of food for human consumption, which is derived or prepared, in whole or in part, by a process of manufacture, from any edible portion of cattle, sheep, swine, or goats, if such portion be all or a considerable and definite portion of the article.

(q) *Meat byproducts.* Meat byproducts are all edible parts, other than meat, derived from cattle, sheep, swine, or goats, and include such organs and parts as hearts, livers, kidneys, tongues, tails, sweetbreads, brains, lungs, melts, stomachs, tripe, lips, snouts, and ears.

(r) *Carcass.* A carcass is the commercially prepared or dressed body of any cattle, sheep, swine, or goat intended for human food.

(s) *Designated markets.* Any shipping, receiving, handling, or distributing point designated by the Secretary or the Director as an important central market where products may be graded and certified under the act.

(t) *Grading service.* A service authorized by the act and established and conducted under this part for the purpose of grading and certifying products.

(u) *Grade.* Grade is the last important commercial subdivision of a product based on certain definite value and preference-determining factors, such as conformation, finish, and quality in meats.

(v) *Office of grading.* The office of an official grader of products.

(w) *Grading.* The act of determining the class, quality (grade), or condition of products according to official or tentative standards for such products, or of determining their compliance with specifications.

(x) *Grading certificate.* Certificate issued by an official grader showing the class, quality (grade), or condition of products graded.

(y) *Certification of products.* The preparation and issuance of signed grading certificates as required under the provisions of this part.

(z) *Class.* Class is a subdivision of a product based on essential physical characteristics that differentiate between major groups of the same kind or species. For instance, the classes of beef are: Steer, heifer, cow, stag, and bull.

(aa) *Quality.* Quality in a product is a combination of its inherent properties which determines its relative degree of excellence.

(bb) *Condition.* Condition has reference to the nature of a product which affects its merchantability with special reference to its state of preservation, cleanliness, soundness, wholesomeness, or fitness for human food.

(cc) *Standards.* The official and tentative standards of the Department for the class, quantity (grade), or condition of products.

(dd) *Specifications.* The descriptions of official and tentative standards for products, Federal specifications for products, or such other specifications as may be approved by the Director.

(ee) *Grade identification.* A name or symbol denoting the official grade of products graded or the record of same on an official certificate.

(ff) *Grade-identifying device.* A brand, stamp, seal, mark, or other device approved by the Director to be affixed to products or to the containers thereof to indicate the grade of such

product as determined by an official or licensed grader.

(gg) *Appeal.* A request by a financially interested party for appeal grading and certification.

(hh) *Appeal grading.* The act of grading and certifying products in response to an appeal from original grading and certification.

(ii) *License.* A license issued by the Secretary under the act.

(jj) *Fees.* Charges to cover costs of grading services rendered.

(kk) *Container.* A receptacle, wrapper, or covering in which products are customarily packed and delivered to the meat trade or to consumers.

(ll) *Immediate container.* A unit carton, can, pot, tin, casing, wrapper or other receptacle or covering in which products are customarily packed and delivered to the meat trade or to consumers.

(mm) *Shipping container.* A carton, box, bag, barrel, crate, or other receptacle or covering enclosing products packed in one or more immediate containers.

(nn) *Cooperative agreements.* Agreements between the Administration and other branches of the Government, State agencies, and other agencies or persons as specified in the act to conduct cooperatively product grading services under the act and the provisions in this part.

ADMINISTRATION

§ 53.3 *Authority.* The Director is charged with the administration of the provisions of the act and of the regulations in this part and is authorized to designate important central markets and to issue such instructions as he may deem proper and necessary for the conduct of the service.

WHERE SERVICES MAY BE OFFERED

§ 53.4 *Designated markets and locations.* Grading and certification services in accordance with the provisions of the act may be offered, at the discretion of the Director, at designated markets, and at other designated locations.

(a) *Designated market.* All important central markets as determined under § 53.2 (s) where meats and products are manufactured or prepared, or shipped, received, or distributed in commerce in considerable quantities are hereby declared to be the designated markets where grading and certification services may be offered and conducted.

(b) *Other designated locations.* Points other than regularly designated markets with activities similar to those outlined under (a), that are readily accessible from designated markets, and to which services can be extended conveniently by the Director in accordance with the provisions of the act.

§ 53.5 *When grading services may be withdrawn.* The Director may withdraw grading services from any designated market or other point when the exigencies of the service require such withdrawal.

GRADING SERVICES

§ 53.6 *Kind of service.* Examination, identification, and certification of products may be made according to the U. S. standards for class, quality (grade), and condition, or according to specifications approved by the Director for this purpose.

§ 53.7 *Request for establishment of grading service.* Requests for the establishment of grading services at designated markets or at other points may be filed with the Director.

§ 53.8 *Who may obtain grading service.* Request for product grading services may be made by any financially interested person or his authorized agent, including Federal, State, county, and municipal governments, and common carriers.

§ 53.9 *How to obtain grading service.* Application for grading service may be filed in an office of grading or with an official grader. It may be made orally, in writing, by telegraph, telephone or other means of communication. If made orally, the official grader or the office of grading may require that it be confirmed in writing or by telegram stating the facts required by § 53.10.

§ 53.10 *Form of application for grading service.* Each formal application for grading service shall include such of the following information as may be necessary, or as may be required by the Director for proper location and identification of the product: (a) The date of application; (b) the description and location of the product to be graded; (c) the name and post office address of the applicant or of the person, if other than the applicant, making the application in his behalf; (d) the interest of the applicant (except an official of the Federal Government or of a State) therein; (e) the name, post office address, and interest of all other known parties, except carriers, in the products involved; (f) the shipping point and destination of the product, and (g) type of service desired.

§ 53.11 *When application for grading service deemed filed.* An application for grading shall be deemed filed when delivered to an established office of grading. Records showing the date and time of filing shall be made and kept in such office.

§ 53.12 *When application for grading service may be rejected.* Any request for grading service may be rejected by the official grader in charge of the office of grading in which it is filed, for noncompliance with the act or with any regulation thereunder, simulation or imitation of grade labels, altering certificates, failure to make product available for examination, abusive language or act of violence directed toward the grader, attempts to influence the judgment of the grader, or any other interference with grader while performing grading, and such official grader shall immediately notify the applicant of the reasons for such rejection and shall report his action with the reasons therefor to the Director through his immediate supervisor.

§ 53.13 *When application for grading service may be withdrawn.* A request for grading service may be withdrawn by the applicant at any time before the service is performed upon payment of any expenses already incurred in connection therewith.

§ 53.14 *Authority of agent.* Proof of the authority of any person requesting service on behalf of another may be required at the discretion of the official grader.

§ 53.15 *Accessibility of product.* The applicant shall cause the products on which services are requested to be made easily accessible for grading and to be so placed with adequate illuminating facilities as to disclose their class, quality (grade), and condition.

§ 53.16 *Basis of service.* Examination, identification, and certification for class, quality (grade), and condition, or compliance with specification, shall be based upon the official or tentative standards of the Department of Agriculture, Federal specifications, or such specifications of other public or of private agencies using the service, as have been approved by the Director.

§ 53.17 *Order of grading.* Grading services shall be rendered in the order in which requests are received, except that precedence may be given to requests made by another branch of the Federal Government, a State, a county, or a municipality, and to requests for appeal grading. (§ 53.30.)

§ 53.18 *Financial interest of grader.* No official grader shall grade any products in which he is directly or indirectly financially interested.

§ 53.19 *Certificates: Issuance.* The official grader shall prepare, sign, and issue official certificates covering products graded by him unless through special arrangements approved by the Director this be not required, in which case complete records of the grading shall be furnished the Administration.

§ 53.20 *Certificates: Form.* Certificates shall include as much of the following information as may be required by the Director: (a) The number of the certificate; (b) name of designated market and place of grading; (c) date of grading; (d) names and addresses of applicant, party in possession, and shipper and buyer, if known; (e) the true class, quality (grade), or condition of the products graded; (f) the exact number of carcasses, sides, quarters, cuts, and packages of products graded by classes and grades; (g) if previously graded, reference to previous certificate by number; (h) if rejected or not graded, reason for rejecting or not grading; (i) for purposes of identification, the weight of each class, grade, and lot; (j) the amount of time, fees, and expenses; (k) name of official grader or graders; (l) additional facts necessary to describe fully the condition, class, and grade.

§ 53.21 *Disposition of certificates.* The original certificate, and not to exceed two copies, shall be delivered or mailed immediately to the applicant or a person designated by him. One copy shall be filed in the office of the official grader and one copy forwarded to the Director. Copies of certificates shall be kept on file until other disposition is ordered by the Director. Copies will be furnished to other financially interested parties as outlined in § 53.41 (d).

§ 53.22 *Advance information.* Upon request of an applicant, all or any part of the contents of the certificate may be transmitted by telegraph or telephone to him, or to any person designated by him, at his expense.

GRADE IDENTIFICATION

§ 53.23 *Evidence of grade.* As evidence to applicants, purchasers, consumers and others of the class, quality (grade), or condition of products graded under the act, all such products or the immediate and shipping containers thereof shall bear a mark or marks when and as required by the Director, which shall show in plain, prominently displayed characters the true grades of such products in accordance with the provisions of this section.

(a) *Products officially graded shall be identified for grade.* Products graded under the act and in accordance with the regulations in this part shall be stamped, branded, or otherwise marked with appropriate grade-identifying device bearing a name or symbol to show the true grade of such products according to the U. S. standards, or their compliance with specifications, except that such marks may not be required when an applicant desires official certificates only for class, quality (grade), or condition.

(b) *Supervision of grade identifications.* Official graders shall stamp, brand, label, tag, seal, or otherwise identify the correct grade on products or supervise such operations when they are performed by others.

(c) *Grade-identifying devices.* The Director may authorize or approve devices for branding, stamping, or imprinting the official grade on products or the containers thereof or for indicating the compliance of such products with specifications.

(d) *What grade-identification device shall show.* Each grade-identifying device shall bear a name or appropriate symbol approved by the Director clearly indicating the grade of the product, as determined by an official grader, and such other marks or symbols as may be required by the Director for service identification purposes.

(e) *Name or trade mark of applicant may be used on grade-identifying device.* Subject to the approval of the Director, the name or trade mark, or both, of an applicant may be included as inserts in a grade-identifying device in such form and order as the Director may approve. Such inserts shall be furnished by the applicant without cost to the Administration.

§ 53.24 *Custody of grade-identifying devices.* All grade-identifying devices including those indicating compliance with specifications approved by the Director shall be kept in the custody of the Administration and accurate records shall be kept by the Administration of all grade-identifying and other related devices. Each office of grading shall keep a record also of the devices assigned to it. Such devices shall be distributed only by authorized employees of the Administration who shall maintain complete records of same.

§ 53.25 *Alteration or imitation of grade-identifying devices forbidden.* No brand, stamp, tag or other grade-identifying device, or any words, symbols or legends thereof authorized in this part for use of official graders to indicate the Federal grades shall be altered, defaced, imitated or simulated in any respect and used for the purpose of misrepresentation or deception. (See § 53.44.)

APPEAL GRADING

§ 53.26 *When appeal may be made.* A request for appeal grading may be made by any financially interested party whenever he is dissatisfied with the class, quality (grade), or condition as shown on the officially graded and identified product or as stated in the applicable certificate.

§ 53.27 *How to obtain appeal grading.* Appeal grading may be obtained by filing a request for same with the Director (a) direct, or (b) through the official in charge of the meat grading service at nearest designated market, or (c) through the grader who did the original grading. The request for appeal grading shall state the reasons therefor, and may be accompanied by a copy of any previous grading certificate or report, or any other information which the applicant may have received regarding the product at the time of the original grading. Such request may be made orally, in writing, by telegraph, telephone, or otherwise. If made orally, the person receiving the request may require that it be confirmed in writing as specified in §§ 53.9 and 53.10. Requests for appeal grading received through the office of grading or an official grader shall be transmitted promptly to the Director for instructions.

§ 53.28 *When appeal may be refused.* If it shall appear that the reasons stated in a request for appeal grading are frivolous or unsubstantial, or that the quality or condition of the products has undergone a material change since the original grading, or that the products cannot be made accessible for thorough examination and grading, or that the identity has been lost, or that the regulations in this part have not been complied with, the request may be refused.

§ 53.29 *When appeal may be withdrawn.* A request for appeal grading may be withdrawn by the applicant at any time before the regrading has been performed upon payment of any expenses incurred by the Administration in connection therewith.

§ 53.30 *Order in which appeal gradings shall be made.* Appeal gradings shall be performed as far as practicable in the order in which requests are received. They shall take precedence over all other pending grading requests.

§ 53.31 *Who shall make appeal gradings.* Appeal grading of products shall be made by official graders designated therefor by the Director or by the person in charge of an office of grading when so authorized by the Director, and such grading shall be conducted jointly by two official graders when practicable. No official grader shall pass upon the correctness of his own grading or of a certificate issued by him.

§ 53.32 *Appeal grading certificate.* Immediately after an appeal grading has been made a certificate designated or marked as "appeal grading certificate" shall be prepared, signed, and issued referring specifically to the original certificate and stating the class, quality (grade), or condition of the product as shown by the appeal grading. In all other respects the provisions of §§ 53.6 to 53.22 shall apply to such appeal grading certificates except that if the applicant for appeal grading be not the original applicant, a copy of the appeal grading certificate shall be mailed to the original applicant.

§ 53.33 *Superseded certificate.* When an original grading certificate shall have been superseded by an appeal grading certificate, the original grading certificate shall become null and void and shall not thereafter represent the class, quality, or condition of the product described therein. If the original and all copies of the superseded certificate are not delivered to the person with whom the application for appeal is filed, the officer or officers issuing the appeal grading certificate shall forward notice of such issuance and of the cancelation of the original certificate to such persons as he considers necessary to prevent fraudulent use of the canceled certificate.

§ 53.34 *When request for regrading is not an appeal.* Gradings requested to determine the condition of products which have been graded previously and which may have undergone material change since the original grading shall not be considered appeal gradings within the meaning of this section. Regrading requested for the purpose of obtaining an up-to-date certificate and not involving any question as to the correctness of the original certificate covering the products in question, shall not be considered appeal grading within the meaning of §§ 53.26 to 53.34.

LICENSED GRADERS

§ 53.35 *Who may be licensed as graders.* Persons showing proper qualifications may be licensed by the Secretary as graders of products which may be graded under the act. Such license shall be countersigned by the Chief, Livestock Branch, or by other official designated by him.

§ 53.36 *Suspension of license.* Any license may be suspended, pending final action by the Secretary, by the Director, or by the Chief of the Livestock Branch whenever such official shall deem such action to be for the good of the service. Within 7 days after any such suspension the licensee may file an appeal in writing to the Secretary, supported by any argument or evidence that he may wish to submit in his behalf.

§ 53.37 *Applicant to be examined for competency.* Each applicant for a li-

cense shall be examined as directed by the Director for the purpose of determining his competency, at such times and places and in such manner as may be prescribed by the Director or by any officer of the Administration designated by him for the purpose.

§ 53.38 *License, property of Department.* Each license shall be the property of the Department, but the licensee to whom issued, except as provided in § 53.36, shall have the right to the possession thereof.

§ 53.39 *Return of license.* If any license shall have been superseded, suspended, canceled, or revoked the same shall be returned to the Secretary through its office of grading to which the licensee is assigned.

§ 53.40 *Conditions governing license.* Each licensed grader shall be governed by the rules and regulations in this part and be under the supervision of official graders designated by the Director as supervisors of grading.

CHARGES FOR GRADING SERVICES

§ 53.41 *Fees and costs.* A charge shall be made and collected in the form of fees for services rendered, at rates established herein, to cover the cost of maintaining the service as specified below.

(a) *Basis for charges.* Fees and charges for grading services at designated markets shall be based on the actual time required to render the services, including the time required for travel of the official grader in connection therewith, at the rate of two dollars and twenty cents ($2.20) per hour for each official grader assigned, unless otherwise provided by special agreement approved by the Director: *Provided*, That no grading services shall be rendered for less than a minimum charge of one dollar and ten cents ($1.10): *And provided further*, That the Director may, in lieu of the fixed charge of $2.20 per hour, fix other reasonable charges for the grading and certification of products at rates that, in his judgment, will cover the costs of the services.

(b) *Charges under cooperative agreement.* Charges for grading under cooperative agreements shall be those provided herein unless otherwise stipulated in such agreements.

(c) *Charges for appeal grading.* Fees for appeal grading shall be double those for original grading; except that appeal grading requested by Federal Government agencies shall be at actual cost: *Provided*, That when on an appeal grading it is found that there was error in the original grading equal to or exceeding 10 percent of the total weight of the products graded, no charge will be made unless special agreement with the applicant is made in advance.

(d) *Charges for extra copies of grading certificates.* For not to exceed three copies of a certificate to any person financially interested in a product involved in addition to those issued in accordance with § 53.21 the fee shall be one dollar ($1.00).

§ 53.42 *How fees shall be paid.* Fees and other charges shall be paid by the applicant in accordance with directions on the fee bill furnished him, and in advance if required by the official grader.

§ 53.43 *Disposition of fees.* Fees and other moneys collected for grading services rendered shall be handled as indicated in paragraphs (a) and (b) of this section:

(a) *By graders employed by the Department.* Fees for grading done by graders exclusively employed by the Department shall be remitted to the Administration by check, draft, or money order made payable to the Treasurer of the United States upon presentation of appropriate billing.

(b) *By graders under cooperative agreements.* Fees for grading done by graders acting under cooperative agreements with a State or municipal organization, or other cooperating party, shall be handled in accordance with the terms of such agreements.

MISCELLANEOUS

§ 53.44 *Fraud or misrepresentation.* (a) Any willful misrepresentation or any deceptive or fraudulent practice made or committed by any person in connection with the making or filing of an application, the use of a grading, regrading, or appeal grading certificate or of a grade label authorized or approved under the regulations in this part, any fraudulent or unauthorized use or simulation of any official grade stamp, brand, tag, mark, or approved label, or the alteration or imitation of grade-identifying devices (§ 53.25), or any willful violation of the regulations in this part or of the supplementary rules and instructions issued by the Director may be deemed sufficient cause for debarring from any further benefits of the act the person found guilty thereof after opportunity for hearing has been accorded him. Pending investigation and hearing, the Director may, without hearing, direct that such person shall be denied the benefits of the act.

(b) Any official grader who may be a party to any fraud, deception or misrepresentation outlined in this section and in § 53.25, or who may conceal knowledge thereof shall, at the discretion of the Secretary, be dismissed from the Department with prejudice or disciplined according to the gravity of his offense.

§ 53.45 *Interfering with a grader.* Any further benefits of the act may be denied to an applicant who either personally or through an agent or representative interferes with or obstructs, by intimidation, threats, assault, or any other improper means, a grader in the performance of his duties.

§ 53.46 *Identification.* All official graders, licensed graders, and supervisors of grading shall have in their possession at all times Administration identification cards and shall identify themselves by such cards on request.

§ 53.47 *Correction of errors in grading.* When an official grader, supervisor of grading, or other responsible employee of the Administration has evidence of misgrading, or of incorrect grade identification on a product, or of incorrect certification, he shall report same to his immediate superior officer and to the party having possession of the product. The supervisor of grading or the officer in charge of grading shall cause such errors to be corrected.

§ 53.48 *Publications.* Publications under this part shall be made in the Service and Regulatory Announcements of the Administration and through such other media as the Director may from time to time designate for the purpose.

§ 53.49 *Political activity.* All official graders and supervisors of grading and others authorized, either by appointment or license from the Secretary to grade and to issue grading certificates under the act and this part are forbidden, during the period of their appointment or license to take an active part in political management or in political campaigns. Political activity in city, county, State, or national elections, whether primary or regular, or in behalf of any party or candidate, or any measure to be voted upon, is prohibited. This applies to all appointees, including temporary and cooperative employees, and employees on leave of absence with or without pay. Willful violation of this section will constitute grounds for dismissal in the case of appointees, and revocation of licenses in the case of licensees.

Done at Washington, D. C. this 15th day of February 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-2472; Filed, February 15, 1943, 11:25 a. m.]

Chapter X—Food Production Administration

[Interpretation 9 Under Food Production Order 3]

PART 1202—FARM MACHINERY AND EQUIPMENT

FARM CREAM SEPARATORS

The following is an interpretation of the application of Food Production Order No. 3[1] to farm cream separators which are listed under the heading "Dairy Farm Machines and Equipment" in Schedule I.

INTERPRETATION 9

A question has arisen as to whether the words "Farm cream separators, capacity 251 lbs. to 800 lbs. per hour" include farm cream separators with a capacity of 800 lbs. per hour.

Food Production Order No. 3 is interpreted to include such farm cream separators. In other words, farm cream separators with a capacity of 800 lbs. per hour are subject to the provisions of Food Production Order No. 3 just as farm cream separators with capacities of less than 800 lbs. per hour. Only if a farm cream separator has a capacity of more than 800 lbs. per hour is it excluded from the provisions of Food Production Order No. 3.

Issued this 13th day of February 1943.

[SEAL] M. CLIFFORD TOWNSEND,
Director of Food Production.

[F. R. Doc. 43-2396; Filed, February 13, 1943; 11:29 a. m.]

[1] 7 F.R. 9647; 8 F.R. 469, 945, 1089, 1825.

Chapter XI—Food Distribution Administration

[Food Directive 3]

PART 1400—DELEGATIONS OF AUTHORITY

DELEGATION OF AUTHORITY TO OFFICE OF PRICE ADMINISTRATION WITH RESPECT TO FOOD RATIONING

Pursuant to the authority vested in me by Executive Order No. 9280 of December 5, 1942, and in order to enable the Office of Price Administration effectively to administer and enforce rationing programs with respect to food, *It is hereby ordered*, As follows:

§ 1400.3 *Food Directive 3: control over food.* (a) The Office of Price Administration is authorized and directed to perform the functions and exercise the power, authority, and discretion conferred upon the President by Title III of the Second War Powers Act, 1942, with respect to the exercise of control over the sale, transfer, delivery, or other disposition of rationed food by or to any person and over the use of rationed food by any person. In performing such functions and in exercising such power, authority, and discretion, the Office of Price Administration may regulate or prohibit the sale, transfer, delivery, or other disposition of rationed food to, or acquisition or use of rationed food by, any person who has acted in violation of any food rationing or restriction regulation or order prescribed by the Office of Price Administration.

(b) The authority herein delegated to the Office of Price Administration shall not include the power to limit or restrict the quantity of rationed food which may be obtained by or for the Army, Navy, Marine Corps, Coast Guard, War Shipping Administration, Maritime Commission, Veterans' Administration, or the Food Distribution Administration, or by or for governmental agencies or other persons to the extent to which they acquire such food for export to, or consumption or use in, any foreign country, or by or for such other governmental agencies as the Secretary of Agriculture from time to time may designate.

(c) Nothing contained herein shall affect the authority of the Secretary of Agriculture to determine the need for and the time and extent of civilian food rationing, including the prescription of differential rations and eligibility classifications therefor; to determine supplies of rationed food available for distribution for civilian consumption, including the fixing of individual processor quotas of rationed food available for such distribution; and to control the distribution of non-rationed food to all users.

(d) (1) The term "food" as used herein shall have the same meaning as is given such term by Executive Order No. 9280 of December 5, 1942.

(2) The term "rationed food" as used herein means any food the civilian consumer rationing of which has been authorized by the War Production Board or by the Secretary or which hereafter may be directed by the Secretary of Agriculture.

(3) The term "person" as used herein includes an individual, partnership, corporation, association, or any organized group of persons, whether incorporated or not.

(e) This Directive supersedes the delegation of authority to the Office of Price Administration made by War Production Board Directive No. 1, issued by the Chairman of the War Production Board on January 24, 1942 (7 F.R. 562), and by Supplementary Directives No. 1E (7 F.R. 2965), 1-M, (7 F.R. 7234) and 1-R (7 F.R. 9684, 10372), and the delegation of authority to the Office of Price Administration made by Food Directive No. 1 issued by the Secretary of Agriculture on January 16, 1943 (8 F.R. 827), to the extent that such Directives and Supplementary Directives confer authority with respect to control over food: *Provided, however*, That the existing authority of the Office of Price Administration with respect to control over sugar, meat, coffee, and processed foods, and with respect to control over all materials in Puerto Rico and the Virgin Islands (7 F.R. 5043, 8731), and the Panama Canal Zone (7 F.R. 7200, 7281) (insofar as such authority relates to control over food), is in all respects hereby ratified, confirmed, and continued in full force and effect as though provided in and made a part of this Directive: *And provided further, however*, That all action heretofore taken (including, without limitation, regulations or orders heretofore issued) by the Office of Price Administration pursuant to said War Production Board Directive No. 1, said Supplementary Directives, and said Food Directive No. 1 is hereby ratified, approved and confirmed, and the authority delegated by such Directives and Supplementary Directives shall continue to remain in full force and effect with respect to all such action for all purposes, including the purpose of allowing or sustaining any suit, action, prosecution or administrative or other proceeding heretofore or hereafter commenced with respect to any violation heretofore committed or right or liability heretofore incurred under or pursuant to the terms thereof.

(f) Except as is otherwise expressly provided herein, nothing contained herein shall be construed to limit or modify any regulation or order heretofore issued by the Secretary of Agriculture pursuant to the authority of Executive Order No. 9280 of December 5, 1942, nor to delegate to the Office of Price Administration the power to extend, amend, or modify any such regulation or order.

(g) This Food Directive No. 3 shall become effective February 15, 1943.

Issued this 15th day of February 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R Doc. 43-2469; Filed, February 15, 1943; 11:25 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VIII—Procurement and Disposal of Equipment and Supplies

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

INTERDEPARTMENTAL PURCHASES: INADVERTENT PURCHASES OUTSIDE THE GENERAL SCHEDULE OF SUPPLIES

Section 81.606 (e) is hereby added as follows:

§ 81.606 *Purchases under contracts of Procurement Division, Treasury Department.* * * *

(e) *Ratification of purchases not made under contracts of the Procurement Division, Treasury Department.* When it appears to his satisfaction that an item listed in the General Schedule of Supplies was not purchased under a contract of the Procurement Division, Treasury Department, because the contracting officer overlooked the necessity of purchasing under such a contract, the chief of the supply service concerned may ratify such purchase. This will be done, however, only where it appears that the oversight represents an isolated instance and not a continued course of neglect. A statement will be presented to the chief of the supply service setting forth all of the facts, including the contract price paid as compared to that payable under the Treasury Department contract, and all facts which tend to excuse the failure to purchase under the Treasury Department contract.

(Sec. 5a, National Defense Act, as amended, 41 Stat. 764, 54 Stat. 1225; 10 U.S.C. 1193-1195, and the First War Powers Act, 1941, 55 Stat. 838; 50 U.S.C. Sup. —601-622) [Services of Supply Memorandum No. S5-31-43, February 8, 1943]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-2452; Filed, February 15, 1943; 10:19 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Amendment 24-2, Civil Air Regulations]

PART 24—MECHANIC RATING

REEXAMINATION OF APPLICANTS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 8th day of February, 1943.

Effective February 8, 1943, § 24.36 of the Civil Air Regulations is amended to read as follows:

§ 24.36 *Reexamination.* An applicant for a mechanic certificate or rating who has failed any prescribed practical or theoretical examination or test may apply for reexamination at any time after the expiration of 30 days from the date of such failure: *Provided*, That an applicant who has failed only the examination on the pertinent Civil Air Regulations may apply for reexamination on the Civil Air Regulations after he has received not less than 5 hours instruction on the Civil

Air Regulations from a certificated ground instructor and presents a statement from such instructor showing the amount of instruction given and stating that he deems the applicant qualified to pass the required examination.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] F. A. TOOMBS,
Acting Secretary.

[F. R. Doc. 43-2391; Filed, February 13, 1943, 11:04 a. m.]

[Amendment 61-4, Civil Air Regulations]

PART 61—SCHEDULED AIR CARRIER RULES

AIRPORT LANDINGS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 8th day of February 1943.

Effective February 8, 1943, § 61.77201 (b) of the Civil Air Regulations is amended to read as follows:

§ 61.77201 (b) *Landing.* Landing may be made at the nearest suitable airport at which favorable weather conditions exist.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] F. A. TOOMBS,
Acting Secretary.

[F. R. Doc. 43-2392; Filed, February 13, 1943; 11:04 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter I—Food Distribution Administration[1]

GENERAL AMENDMENTS

By virtue of the authority vested in the Secretary of Agriculture by the Commodity Exchange Act (42 Stat. 998, as amended; 7 U.S.C. 1940 ed. 1-17a), the following amendments to Title 17, Chapter I, Parts 1 to 11, inclusive, Code of Federal Regulations (17 CFR, 1938, 1939, 1940, 1941 sups. and 7 FR 2721, 2987, 4289, 4755, 9417) are hereby promulgated:

1. Parts 1 to 11, inclusive, are amended by (a) striking out the word "Administrator" wherever it appears therein and inserting the word "Director" in lieu thereof; and (b) striking out the words "Commodity Exchange Branch" wherever they appear therein and inserting the words "Compliance Branch" in lieu thereof.

2. Paragraphs (g) and (v) of § 1.3, Part 1, are amended to read as follows:

(g) *Administration.* This term means the Food Distribution Administration of the United States Department of Agriculture.

* * * * *

(v) *Director.* This term means the Director of Food Distribution of the United States Department of Agriculture or any officer or employee of the Administration to whom the Director has heretofore lawfully delegated, or to whom the Director may hereafter lawfully delegate, the authority to act in his stead.

Done at Washington, D. C., this 15th day of February 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-2468; Filed, February 15, 1943, 11:30 a. m.]

[1] Formerly Agricultural Marketing Administration.

TITLE 22—FOREIGN RELATIONS

Chapter III—Proclaimed List of Certain Blocked Nationals

CUMULATIVE SUPPLEMENT NO. 4, FEBRUARY 12, 1943, TO REVISION IV OF NOVEMBER 12, 1942

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, the Secretary of Commerce, the Board of Economic Warfare, and the Coordinator of Inter-American Affairs, by Proclamation 2497 of the President of July 17, 1941 (6 F.R. 3555), Cumulative Supplement 4 containing certain additions to, amendments to, and deletions from The Proclaimed List of Certain Blocked Nationals, Revision IV of November 12, 1942 (7 F.R. 9510), is hereby promulgated.[1]

By direction of the President:

CORDELL HULL
Secretary of State.

RANDOLPH PAUL,
Acting Secretary of the Treasury.

CHARLES FAHY,
Acting Attorney General.

JESSE H. JONES,
Secretary of Commerce.

MILO PERKINS,
Executive Director,
Board of Economic Warfare.

NELSON A. ROCKEFELLER,
Coordinator of Inter-American Affairs.

FEBRUARY 12, 1943.

[F. R. Doc. 43-2393; Filed, February 13, 1943, 11:20 a. m.]

[1] Filed with the Division of the Federal Register in The National Archives. Requests for printed copies should be addressed to the Federal Reserve Banks or the Department of State.

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Order No. 345]

PART 308—REPORTS AND RECORDS

DISTRICT NO. 15—MONTHLY TONNAGE REPORTS

An order relieving code members within District No. 15 from filing monthly tonnage reports required by the rules and regulations prescribed by order in General Docket No. 24.

The Bituminous Coal Producers Board for District No. 15 having requested that the code members within said district be relieved from filing the monthly tonnage reports required to be filed pursuant to the Rules and Regulations Requiring Tonnage Reports from Code Members, established by Order in General Docket No. 24, dated April 7, 1942, and having shown good cause why such request should be granted;

It is ordered, That § 308.26 (*Rules and regulations requiring tonnage reports from code members to facilitate the levying and collection of code assessments by district boards*) be amended to provide that the code members within District No. 15 be, and they are hereby relieved until further Order of the Division, from filing with the Statistical Bureau for District No. 15 monthly tonnage data on B. C. D. Form No. 718, with respect to coal produced on and after January 1, 1943. (Sec. 10 (a) 50 Stat. 88, 15 U.S.C. Supp. 840 (a); Sec. 2 (a) 50 Stat. 72; 15 U.S.C. 829 (a)).

Dated: February 12, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2458; Filed, February 15, 1943, 10:55 a. m.]

[Docket No. A-462]

PART 324—MINIMUM PRICE SCHEDULE, DISTRICT NO. 4

ORDER GRANTING RELIEF, ETC.

Memorandum opinion and order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board 4 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 4.

An original petition pursuant to section 4, Part II (d) of the Bituminous Coal Act of 1937, was duly filed with the Bituminous Coal Division by the above-named party, requesting, the establishment of price classifications and minimum prices for the coals of certain mines located in District No. 4 not heretofore classified and priced, including the coals produced by Oliver Slay at the Slay Mine, located in Perry County, Ohio, in Subdistrict 6, of District No. 4.

An order granting temporary and conditionally final relief was issued in the above-entitled matter on December 23, 1940, 6 F.R. 122 in which, however, minimum prices and price classifications were not established for the coals of the said Slay Mine, for the reason that it appeared at that time that said petition proposed minimum prices and price classifications for the Slay Mine, Mine Index No. 1011, operated by the said Oliver Slay, Perry County, Ohio, in Subdistrict 6, of District No. 4, for which minimum prices and price classifications had been theretofore established.

However, it now appears that the mine referred to in the original petition was a new mine, also known as the Slay Mine, and also located in Perry County, Subdistrict 6, of District No. 4. Accordingly, the Director is of the opinion that minimum prices and price classifications, both temporary and permanent, should now be established for this new mine, to be retroactively effective as of December 23, 1940, the date upon which the order granting temporary and conditionally final relief was issued in this matter.

Now, therefore, it is ordered, That, effective December 23, 1940, the Schedule of Effective Minimum Prices for District No. 4 for Truck Shipments, § 324.24 (*General prices in cents per net ton for shipment into all market areas*), be, and the same hereby is, amended and supplemented to include the following effective minimum f. o. b. mine prices and price classifications, in cents per net ton for shipment into all market areas, which reflect the twenty cents per net ton increase established by the order issued in General Docket No. 21 on August 28, 1942, for the Slay Mine, a deep mine, Mine Index No. 3127, operated in Seam 5 of Subdistrict No. 6, of District No. 4, Clayton Township, Perry County, Ohio, by Oliver Slay:

Size groups							
1	2	3	4	5	6	7	8
300	290	280	265	250	215	185	175

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: February 13, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2459; Filed, February 15, 1943; 10:55 a. m.]

[Docket No. A-1789]

PART 329—MINIMUM PRICE SCHEDULE, DISTRICT NO. 9

AMENDED ORDER GRANTING RELIEF

Order correcting order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 9 for establishment of price classifications and minimum prices for the coals of certain mines in District No. 9.

An order having been issued on January 6, 1943, 8 F.R. 1262, Granting Temporary Relief and Conditionally Providing for Final Relief in the above-entitled matter; and

It appearing that in Supplement T § 329.24 (*General prices in cents per net ton for shipment into any market area*) annexed to and made a part of said order a price of $1.14, instead of $1.15, is inadvertently shown for the Size Groups 13 and 14 coals produced for truck shipments at the Midkiff Mine (Mine Index No. 1046) of C. P. Midkiff; and that in Supplement R § 329.5 (*Alphabetical list of code members*) annexed to and made a part of said order permission was inadvertently omitted for the Howton-Parrish Mine (Mine Index No. 301) of Roy Walker to load coals at Providence, Kentucky, on the L & N Railroad as well as on the I C Railroad;

Now, therefore, it is ordered, That the schedule marked Supplement T § 329.24 (*General prices in cents per net ton for shipment into any market area*) annexed to and made a part of the Order dated January 6, 1943, 8 F.R. 1262, Granting Temporary Relief and Conditionally Providing for Final Relief in the above-entitled matter be, and it hereby is, amended to provide a price of $1.15 in the Size Groups 13 and 14 coals produced for truck shipments at the Midkiff Mine (Mine Index No. 1046) of C. P. Midkiff; and

It is further ordered, That the schedule marked Supplement R § 329.5 (*Alphabetical list of code members*) annexed to and made a part of said Order of January 6, 1943, 8 F.R. 1262, is amended to include permission for the Howton-Parrish Mine (Mine Index No. 301) of Roy Walker to load coals at Providence, Kentucky, on the L & N Railroad as well as the I C Railroad.

Dated: February 12, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2460; Filed, February 15, 1943; 10:54 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter A—General Provisions

PART 903—DELEGATIONS OF AUTHORITY

[Amendment 2 to WPB Reg. 1 as Amended July 9, 1942]

Section 903.0 *War Production Board Regulation 1*, is hereby amended by the addition of the following new paragraphs:

(f) The Director of the Office of War Utilities of the War Production Board shall be directly responsible to the Chairman on policy matters, and to the Program Vice Chairman on administrative matters. In addition to, and without limitation upon, the delegations of authority set forth above, the Director of the Office of War Utilities of the War Production Board is authorized to perform the functions and exercise the powers, authority, and discretion conferred upon the President by section 2 (a) of the Act of June 28, 1940, as amended by the Act of May 31, 1941, and Title III of the Second War Powers Act, 1942, so far as they relate to (1) producing, transmitting and distributing electricity, manufactured gas, water and central steam heating, (2) transmitting and distributing natural gas, (3) furnishing of communications services except radio, and (4) redistributing materials and equipment owned by, in the possession of, or held for the account of, persons engaged in such activities and services.

The Director of the Office of War Utilities shall also have the authority to issue, amend, repeal, and administer (1) preference ratings for the construction, maintenance, repair and operation of facilities for such activities and services, (2) allotments of material under the Controlled Materials Plan, (3) other orders and directions to control the use of material and equipment owned by, in the possession of, or held for the account of, persons engaged in the foregoing activities and services, including, with respect to all of the foregoing, authority to amend, repeal and supersede any existing orders and directions heretofore issued by the War Production Board relating to the foregoing subject matter.

(g) The Director of the Office of War Utilities may exercise the duties and authority referred to above, either in his own name, or through such other official, agency or person as he shall designate.

(E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 13th day of February 1943.

DONALD M. NELSON,
Chairman.

[F. R. Doc. 43-2475; Filed, February 15, 1943; 11:38 a. m.]

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-236]

KRAUSS, JACOBY & KRAUSS

Krauss, Jacoby & Krauss, Jamaica, New York, is a partnership engaged in the construction business. The partners of this concern also own For-Win Realty Company, Inc., Jamaica, New York, a corporation also engaged in the construction business. On or about September 5, 1942, the Berger Department Store, located in Utica, New York, was damaged by fire and For-Win Realty Company, Inc. was retained to reconstruct the damaged building at an estimated cost of $45,000. This firm thereupon began the construction despite the fact that no authorization to begin such construction was applied for or obtained from the War Production Board. The contract for this work was later assigned to Krauss, Jacoby & Krauss which company completed the reconstruction of the damaged building. This construction constituted a violation of Conservation Order L-41 by both companies. During this time each company was familiar with the restrictions contained in that order.

These violations of Conservation Order L-41 have hampered and impeded the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.236 *Suspension Order S-236.* (a) Deliveries of material to For-Win

Realty Company, Inc., or Krauss, Jacoby & Krauss, their respective successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned or applied to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(b) No allocation shall be made to For-Win Realty Company, Inc., or Krauss, Jacoby & Krauss, their respective successors and assigns, of any material the supply or distribution of which is governed by any order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) No person shall apply or extend any preference rating assigned by any preference rating order, preference rating certificate, or general preference order, whether heretofore or hereafter issued, for the purpose of obtaining the delivery of material for any Defense Housing project or other construction with which For-Win Realty Company, Inc., or Krauss, Jacoby & Krauss, their successors and assigns, shall be directly or indirectly connected, except as specifically authorized by the Director General for Operations.

(d) Nothing contained in this order shall be deemed to relieve For-Win Realty Company, Inc., or Krauss, Jacoby & Krauss from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on February 15, 1943, and shall expire on May 15, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 12th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F R Doc 43-2342, Filed, February 12, 1943, 4:56 p. m.]

PART 962—IRON AND STEEL

[Supplementary Order M-21-a as Amended Feb 13 1943]

ALLOY IRON, ALLOY STEEL AND ELECTRIC FURNACE CARBON STEEL

§ 962.2 *Supplementary Order M-21-a*—(a) *Definitions.* For the purposes of this order:

(1) "Alloy steel" means any steel containing any one or more of the following elements in the following amounts:

Manganese, maximum of range in excess of 1.65%. Silicon, maximum of range in excess of 0.60%. Copper, maximum of range in excess of 0.60%. Aluminum, chromium, cobalt, columbium, molybdenum, nickel, titanium, tungsten, vanadium, zirconium, or any other alloying element in any amount specified or known to have been added to obtain a desired alloying effect.

(2) "Alloy iron" means any iron containing any one or more of the following elements in the following amounts:

Manganese, maximum of range in excess of 1.65%. Silicon, maximum of range in excess of 5.00%. Copper, maximum of range in excess of 0.60%. Aluminum, chromium, cobalt, columbium, molybdenum, nickel, titanium, tungsten, vanadium, zirconium, or any other alloying element in any amount specified or known to have been added to obtain a desired alloying effect.

It does not include those materials commonly known as ferro-alloys.

(3) "Electric furnace carbon steel" means any steel other than alloy iron or alloy steel that is melted in any type of electric furnace.

(4) "Producer" means any person who melts alloy iron, alloy steel or electric furnace carbon steel for subsequent conversion into rolled or forged products.

(b) *Purchasers' statements.* Each person who orders alloy iron, alloy steel or electric furnace carbon steel from a producer shall include in the purchaser's statement required by paragraph (c) of General Preference Order M-21 the end use (by general classification and specific part name) for which such material will be used, the Government contract number (if any), and the date on which delivery is needed.

(c) *Producers' forms.* Each producer shall file monthly with the War Production Board, Reference: M-21-a, melting schedules on forms PD-391, 391-a, and such other forms as may be from time to time prescribed. The Director General for Operations may make such changes in any melting schedule as to him shall seem appropriate and may from time to time issue supplementary directions with regard to melting of alloy iron, alloy steel and electric furnace carbon steel.

(d) *Melting and deliveries of alloy iron, alloy steel and electric furnace carbon steel.* Except pursuant to specific authorization or direction of the Director General for Operations, alloy iron, alloy steel or electric furnace carbon steel, shall be melted and delivered as follows:

(1) Each producer shall melt alloy iron, alloy steel or electric furnace carbon steel in accordance and only in accordance with such melting schedules as are approved by the Director General for Operations or such supplementary directions as may from time to time be issued by the Director General for Operations.

(2) Each producer shall deliver alloy iron, alloy steel or electric furnace carbon steel on an order and only on an order for which the melting has been specifically authorized or directed by the Director General for Operations.

(e) *Special directions.* The Director General for Operations may from time to time issue directions as to facilities to be used in production and directions specifying as to any alloying element the quantities and proportions which may be used in making alloy iron or alloy steel, and whether and in what proportions, any such element is to be the metal, a ferro-alloy, reclaimed metal, scrap, a chemical compound or any other material containing such element.

(f) *Restrictions of deliveries under toll agreements.* Except pursuant to specific authorization or direction of the Director General for Operations, no person shall make or accept delivery under any toll agreement whereby one person melts alloy iron, alloy steel or electric furnace carbon steel for another person.

(g) *Exceptions.* The provisions of this order shall not apply to "tool steel" as defined by Supplementary Order M-21-h, or to alloy iron, alloy steel or electric furnace carbon steel castings.

(h) *Special provisions with respect to stainless steel.* Notwithstanding the foregoing provisions of this order, and regardless of the approval of any melting schedule, no producer shall use ferrochrome (including all prepared forms of chromium) in the melting of stainless steel to an extent where the aggregate chromium content derived from ferrochrome for all stainless steel melted by him in any calendar month exceeds 60 percent of the chromium content of all high carbon stainless steel (carbon over .10 percent) melted by him during such month, plus 70 percent of the chromium content of all low carbon stainless steel (carbon .10 percent maximum) melted by him during such month.

Issued this 13th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F R Doc. 43-2388 Filed February 13, 1943; 10:48 a. m.]

PART 3046—LOW PRESSURE CAST IRON BOILERS

[Limitation Order L-187 as Amended Feb 13, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of metals for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3046.1 *General Limitation Order L-187*—(a) *Definitions.* For the purposes of this order:

(1) "Low pressure cast iron boiler" means any boiler designed for the purpose of heating water so as to provide heat for the interior of a building by means of circulating steam or hot water which boiler:

(i) Operates at a maximum working pressure not exceeding fifteen pounds per square inch of steam pressure or thirty pounds per square inch of water pressure, and

(ii) Is composed preponderantly of cast iron.

(2) "Parts" includes all materials used as repair parts for low pressure cast iron boilers.

(3) "Military low pressure cast iron boiler" means any low pressure cast iron boiler which is manufactured for delivery to or for the account of the Army, Navy, War Shipping Administration or the Maritime Commission of the United States or the Defense Plant Corporation.

(4) "War housing low pressure cast iron boiler" means any low pressure cast iron boiler which is manufactured on a specific contract or order for use in a building rated under Preference Rating Order P-55, P-110, or any order in the P-19 series.

(b) *Restrictions.* (1) No person shall manufacture, fabricate or assemble any low pressure cast iron boiler, and no person shall manufacture or fabricate any component parts of such boilers, except that:

(i) The manufacture, fabrication or assembly of military or war housing low pressure cast iron boilers built to use solid fuel, or of low pressure cast iron boilers built to use solid fuel for use in a hospital constructed, to be constructed or under construction, may be specifically authorized by the Director General for Operations on Form PD-704; and

(ii) During the first six months of 1943, any manufacturer of low pressure cast iron boilers may manufacture or fabricate such component parts as he can manufacture or fabricate by using an aggregate weight of iron and steel not in excess of 13% of the total weight of iron and steel which he put into process in the manufacture or fabrication of such component parts during the calendar year 1940; and

(iii) Any manufacturer of low pressure cast iron boilers may, in addition, manufacture or fabricate such component parts as may be necessary to replace in his inventory component parts manufactured pursuant to (ii) above which were used to manufacture low pressure cast iron boilers pursuant to (i) above; and

(iv) Any manufacturer of low pressure cast iron boilers who shall not have used the weight of iron and steel permitted under (ii) and (iii) above, or any portion thereof, during the first six months of 1943, may use that weight or such unused portion during the remainder of 1943; and

(v) Any person may assemble such boilers shipped or to be shipped in accordance with paragraphs (2) (ii) and (iii) below.

(2) No manufacturer of low pressure cast iron boilers may ship any low pressure cast iron boilers built to use solid fuel, whether assembled or in sets of component parts, except that;

(i) Any such manufacturer may ship any such boilers authorized under paragraph (b) (1) (i); and

(ii) Any such manufacturer may ship in the first six months of 1943 a number of such boilers the total weight of iron and steel of which will not exceed 4½% of the weight of iron and steel which he put into process in the manufacture, fabrication or assembly of component parts of low pressure cast iron boilers during the calendar year 1940; provided that nothing in this order shall restrict the shipment of such boilers as have been or may hereafter be assembled from parts in the inventory of any manufacturer on January 1, 1943; and

(iii) Any such manufacturer who shall not have shipped in the first six months of 1943 boilers permitted under (ii) above may ship those boilers or any unshipped number thereof during the remainder of 1943.

(c) *Manufacture of parts.* Nothing in this order shall restrict the use of iron and steel in the manufacture of parts designed for converting low pressure cast iron boilers to solid fuel burning from oil or gas burning, or of repair parts for military or hospital low pressure cast iron boilers.

(d) *Avoidance of excessive inventories.* No person shall accumulate, for use in the manufacture of low pressure cast iron boilers, inventories of any materials (whether raw, semi-processed or processed) in the excess of the minimum amounts necessary to maintain production at the rates permitted by this order.

(e) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(f) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(g) *Reports.* All persons affected by this order shall execute and file with the War Production Board on or before the tenth day of each calendar month a report on Form PD-639, and shall keep a copy of such monthly report in their own files for a period not less than two years.

(h) *Violations and false statements.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(i) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in the community, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may apply for relief by addressing a letter to the War Production Board, setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(j) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(k) *Applicability of other orders.* Insofar as any other order issued by the Director General for Operations, or to be issued by him hereafter, limits the use of any material to a greater extent than the limitations imposed by this order, the restriction of such other order shall govern unless otherwise specified therein.

(l) *Communications.* All reports, to be filed, appeals and other communications concerning this order, shall be addressed to the War Production Board, Plumbing and Heating Division, Washington, D. C., Ref.: L-187.

Issued this 13th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2389; Filed, February 13, 1943; 10:48 a. m.]

PART 3063—FOOTWEAR

[Conservation Order M 217, as Amended Feb. 13, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of shoe manufacturing material for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3063.1 *Conservation Order M-217*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time, except Priorities Regulation 17, which shall be inapplicable to footwear.

(b) *Definitions.* For the purposes of this order:

(1) "Put into process" means the first cutting of leather or fabric in the manufacture of footwear.

(2) "Footwear" includes house slippers but does not include foot covering designed to be worn over shoes.

(3) "Work shoes" means any shoes or boots with unlined quarters which are designed to be worn at any form of work requiring specially heavy or substantially made footwear.

(4) "Horizontal quarter seams" means seams on quarters running in a predominantly horizontal direction (i. e. parallel to the sole).

(5) "Design and construction" of footwear means the make-up of the footwear in every detail, so that any two items of footwear of the same design and construction are necessarily identical, except in size; but does not refer to the means whereby the footwear is manufactured.

(6) "Cattle hide leather" means any leather made from cattle hides, including hides of bulls, cows, and steers, and calf and kip skins (but excluding slunks), and shall also include buffalo hides.

(7) "Pintucking" means a raised effect on the surface of footwear accom-

plished by either single or double needle stitching, but does not include the raised seam on a moccasin type vamp.

(8) "House slippers" means any footwear designed exclusively for indoor or house wear.

(9) "Padded sole house slippers" means slippers having conventional padded soles where the outsole is made of fabric, imitation leather or split leather not over 2½ ounces in weight and is directly stitched to the upper or to a platform cover.

(c) *Curtailment in the use of materials and colors in the manufacture of footwear.* (1) No person shall manufacture, or put into process any leather or fabric for the manufacture of, any footwear with:

(i) Leather seam laps gauging over ⅛ inch in width.

(ii) Horizontal quarter seams, on lined low quarter shoes.

(iii) Wing or shield tips on men's shoes and boys' shoes over size 6, or wing tips or long shield tips on women's, girls', misses', youths', little gents' and children's shoes and boys' shoes of size 6 and under.

(iv) Full overlay tips or full overlay foxings, except on work shoes.

(v) Woven vamp or quarter patterns.

(vi) Quarter collars, except on unlined shoes and padded sole house slippers with cloth uppers.

(vii) Bows or other ornaments, if made of leather in whole or in part.

(viii) Outside taps, on footwear other than men's high shoes, unless the middle sole is of synthetic composition material.

(ix) Leather slip soles other than those cut from bellies or offal.

(x) More than one full leather sole, in goodyear welt footwear other than work shoes.

(xi) Full breasted heels, except on hand-turned footwear.

(xii) Welting in excess of ⅛ inch in width and 5/32 inch in thickness in shoes other than work shoes, or welting in excess of 9/16 inch in width and 5/32 inch in thickness in work shoes.

(xiii) Straps, buckles, knife pockets or decorative stitching on boots or work shoes.

(xiv) Men's one piece uppers (i. e., vamp and quarter cut in one piece and seamed up the back).

(xv) Extension stitched heel seats, except in stitchdowns, in other children's shoes up to and including size 3 and in safety and established orthopedic footwear.

(xvi) Metal nail heads for studs or any metal for decorative purposes.

(xvii) Any stitching thread made from reserved Egyptian cotton (as defined in Conservation Order M-117) or reserved American extra staple cotton (as defined in Conservation Order M-197) for any decorative or any non-functional purpose.

(xviii) Any non-functional or decorative stitching except:

(a) Not more than four rows of non-functional stitching on imitation tips, foxings, saddles, mudguards and moccasin type vamps.

(b) Not more than an aggregate of four rows of functional and non-functional stitching parallel to the vamp, tip, foxing, saddle, and moccasin seams.

(c) Design stitching solely to permit direct non-stop stitching between cut-outs.

(xix) Any strippings, braidings, pintuckings, lacings or overlays, except those serving a necessary functional purpose.

(xx) Straps passing over, under or through a tongue or vamp.

(xxi) Raised quarter or raised back seams (other than vertical back seams), except on genuine moccasins.

(xxii) Multiple straps, on Roman sandals.

(xxiii) Kiltie or other ornamental tongues, if made of leather in whole or in part.

(xxiv) Platform soles and platform effects, on all footwear of heel height over 1¾ inches, using size 4B as the standard.

(xxv) Leather covered platforms or leather platform effects, on any footwear.

(xxvi) Heels gauging over 2¼ inches in height, using size 4B as the standard.

(xxvii) Metal spikes, on golf shoes.

(xxviii) Caulk or storm welting.

(xxix) Rawhide or other leather laces, except on work shoes.

(2) No person shall use in the manufacture of any footwear any steel shanks of any gauge except:

18 gauge	.045 minimum, 50 carbon steel.
21 gauge	.032 minimum, 50 carbon steel.
19 gauge	.040 minimum, low carbon or basic steel

unless such shanks were in said person's inventory on September 10, 1942, or were subsequently acquired from a producer of steel shanks who had, prior to September 10, 1942, rolled steel plate for shanks of a different gauge.

(3) No person shall put into process any leather for the manufacture of any boots except men's blucher high-cut laced boots 10 inches or under in height (measured from heel seat, using size 7 as the standard) and men's and women's utility work cowboy boots.

(4) No person shall put into process any leathers or fabrics for the manufacture of footwear of more than one color (subject to unavoidable deviations in shade normally experienced in finishing leathers or dyeing fabrics). This restriction shall apply to the color of stitching, lacing and bindings, but shall not apply to the color of linings and soles. Nothing in this paragraph shall prevent unavoidable discoloring of thread, leather and perforations as a result of antiqueing, or the use of embossed leather or genuine reptiles of the colors permitted in paragraph (f) (1) below but having slight variations in shade caused by normal finishing of such leather.

(5) No person shall put into process for the manufacture of footwear any leather or fabric except leather or fabric finished or dyed in accordance with paragraph (f) below: *Provided, however,* That nothing contained in this paragraph (c) (5) shall prevent any person from using:

(i) Any solid color white cattle hide, turftan (as defined below) or bluejacket blue (as defined below) leather finished prior to March 16, 1943;

(ii) Any other solid color leather finished prior to October 16, 1942;

(iii) Any solid color turftan or bluejacket blue fabric acquired by the manufacturer prior to February 20, 1943; or

(iv) Any other solid color fabric dyed prior to September 13, 1942 and acquired by the manufacturer prior to February 16, 1943.

(6) No person shall put into process any cattle hide upper leather (other than kip sides, kipskins and calf) or upper leather splits gauging 4½ ounces or over for the manufacture of any footwear except work shoes, cowboy utility boots and lined police type high shoes.

(7) No person shall put into process any cattle hide upper leather, or grain leather outsoles (except heads, bellies, shins and shanks of 5 iron or less) for the manufacture of house slippers or romeos.

(8) No person shall put into process any leather outsoles for the manufacture of footwear having raised or flat seam moccasin type vamps or mudguard vamps, any saddle-type footwear, or any footwear with imitation wing tips, imitation stitched moccasin types, imitation stitched mudguards and imitation stitched saddles: *Provided, however,* That nothing in this subparagraph (c) (8) shall apply to women's and girls' shoes with heels ¾ inches and over in height, using size 4B as the standard.

(9) No person shall put into process any patent leather for the manufacture of men's shoes.

(10) No person shall put into process any upper leather or leather or rubber soles for the manufacture of men's sandals.

(d) *Restrictions on styling and types manufactured.* (1) No person shall put into process any leather or fabric for the manufacture of any footwear of a design and construction not utilized by him between September 1, 1940 and December 31, 1942: *Provided, however,* That this paragraph shall not prevent correction of patterns to the extent necessary to remove features prohibited by this order.

The Director General for Operations may make exceptions to this paragraph in favor of patterns or designs which will conserve leather or other materials.

(2) No person shall put into process any leather or fabric for the manufacture of any women's gold, silver, satin or brocade evening slippers.

(3) No person shall put into process any leather or fabric for the manufacture of any footwear for the special purpose of retail display.

(e) *Exceptions to paragraphs (c) and (d) above.* The foregoing prohibitions and restrictions of this order shall not apply to:

(1) Footwear the soles of which are made wholly from materials other than leather or rubber (which may, however, utilize leather for hinges or for tabs, heel inserts or other nonskid or soundproofing features covering not more than 25% of the area of the bottom of the sole).

(2) Special types of footwear made for the physically deformed or maimed.

(3) Football, baseball, hockey, skating, bowling, track, and ski shoes and other similar footwear designed for use in active participation in sports which require specially constructed footwear for such use. This does not include golf shoes.

(4) Footwear forming part of historical or other costumes for theatrical productions.

(5) Infants' soft sole footwear.

(6) Footwear the uppers of which are made of shearlings not reserved for military use under General Conservation Order M-94.

(f) *Restriction on tanning and dyeing.* (1) No person shall finish any leather for use as upper leather except in the following colors (subject to unavoidable deviations in shade normally experienced in finishing leathers):

Black.
White, except in cattle hide leathers.
Army russet and town brown, as appearing on the Fall 1942 color card of the Textile Color Card Association of the United States, Inc.

(2) No person shall color any leather or dye any fabric for use in shoe uppers except in the colors mentioned in paragraph (f) (1) above, (subject to unavoidable deviations in shade normally experienced in tanning and dyeing).

(3) No person engaged in the business of shoe manufacturing shall dye any new footwear except in the colors mentioned in paragraph (f) (1) above.

(4) The restrictions in this paragraph shall not apply to the dyeing of fabrics for use in padded sole house slippers.

(g) *General exceptions.* The prohibitions and restrictions of this order shall not apply to footwear to be delivered to, or for the account of, the Army or Navy of the United States (excluding Post Exchanges and Ships' Service Stores), the United States Naval Academy at Annapolis, Md., the United States Military Academy at West Point, New York, the United States Maritime Commission, The Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development and the War Shipping Administration: or to, or for the account of, the government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom including its Dominions, Crown Colonies and Protectorates, and Yugoslavia; or on any contract or purchase order placed by any agency of the United States Government for footwear to be delivered to, or for the account of, the Government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or to custom-made footwear delivered for personnel of the Army or Navy of the United States.

(h) *Restrictions relating to sales and deliveries.* (1) No person shall sell or deliver any new footwear, the leather or fabric for which was put into process on or after October 31, 1942, unless such footwear is manufactured in conformity with this order.

(2) No tanner or sole cutter shall deliver any leather to any shoe manufacturer if he knows or has reason to believe said leather is to be used in violation of the terms of this order.

(3) The prohibitions and restrictions of this paragraph shall not apply to:

(i) Deliveries of footwear or leather by, or to, any person having temporary custody thereof for the sole purpose of transportation or public warehousing.

(ii) Any bank, banker or trust company affecting or participating in a sale or delivery of footwear or leather solely by reason of the presentation, collection, or redemption of an instrument, whether negotiable or otherwise.

(4) In making sales or delivery of any footwear, no person shall make discriminatory cuts in quantity or quality between former customers who meet such person's regularly established prices, terms and credit requirements, or between former customers and his own consumption of said footwear. Reduction in sales or deliveries proportionate with any curtailment in supply available for non-military use shall not constitute a discriminatory cut.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(j) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, purchases, production and sales.

(k) *Reports.* Each person affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be required by said Board from time to time.

(l) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Ref.: M-217.

(m) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(n) *Effective date.* This order as amended shall take effect on April 30, 1943, with the exception of the amended paragraphs listed below, which shall take effect on the following dates: Paragraphs (a), (b), (c) (4), (c) (5), (d) (1), (e) (3), (e) (5), (e) (6), (f) (2), (f) (3), (f) (4), (g), (i) February 13, 1943; paragraph (c) (7) March 31, 1943; paragraph (c) (8) May 31, 1943; paragraph (f) (1) March 15, 1943.

Until the effective date of any provision hereby amended, the provision shall remain in full force and effect as originally issued.

Issued this 13th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

INTERPRETATION 1

The word "manufacture" in line two of paragraph (c) (1) of § 3063.1 (Conservation Order M-217), refers to the operation whereby the features mentioned in subdivisions (i) to (xvii), inclusive, of said paragraph became a part of the footwear.

Illustration: Subdivision (iv) refers to full overlaid tips or full overlaid foxings except on work shoes. The order prohibits the placing of full overlay tips or full overlay foxings on dress shoes after October 31, 1942. But it does not prohibit the completion of the shoe if an overlaid tip or an overlaid foxing has been affixed prior to said date. (Issued October 6, 1942.)

[F. R. Doc. 43-2387; Filed, February 13, 1943; 10:48 a. m.]

PART 3173—ELECTRIC MOTOR CONTROLLERS

[General Conservation Order L-250]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials and facilities used in the manufacture of electric motor controllers for defense, for private account and for export; and the following order is deemed necessary and appropriate in the

public interest and to promote the national defense.

§ 3173.1 *General Conservation Order L–250*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Manufacturer" means any enterprise to the extent that it is engaged in the business of manufacturing controllers, and includes sales and distribution outlets and warehouses controlled by any such person.

(3) "Manufacture" means the production, fabrication or assembly of any controller, or of any part thereof.

(4) "Controller" means any new device or equipment used to stop, start or regulate electric motors or to protect electric motors against overheating or overloading; including manual and magnetic starters and controllers, contactors and relays, speed regulators, drum switches, shunt or series coil type thermal or magnetic overload relays (except switch gear induction type relays), motor field rheostats, and solenoid, thrustor and torque motor brakes; and related pilot devices such as push button stations, and limit, pressure and float switches. The term does not include wiring devices or snap switches rated 15 amperes or less; safety switches; fuses; air circuit breakers; oil circuit breakers; domestic type thermostats, refrigeration controls or furnace controls; or any replacement part for a passenger automobile, truck, truck trailer, passenger carrier, or off-the-highway motor vehicle, as defined in Limitation Order L–158, as amended.

(5) "Commercial" as applied to a size, type or rating of a product means any size, type or rating thereof heretofore normally produced by any producer as a standard item, for his inventory or for general distribution, and not in fulfillment of special orders.

(b) *Restrictions on orders.* On and after March 1, 1943, no manufacturer shall accept any order, or commence manufacture in fulfillment of any order, for any controller or part thereof, unless the order bears a preference rating of AA–5 or higher.

(c) *Restrictions on manufacture.* (1) Except as otherwise provided herein, on and after March 1, 1943, no manufacturer shall accept any order, or commence manufacture in fulfillment of any order, for any controller or part thereof unless such controller or part is to be manufactured in accordance with the standards prescribed in subparagraph (2) below. On and after May 14, 1943, no manufacturer shall deliver any controller or part thereof, unless it has been manufactured in accordance with such standards. The limitations of this subparagraph shall not apply to any order for, or delivery of any controller or part which was completely fabricated on or before February 13, 1943.

(2) Subject to the other provisions of this paragraph, all controllers and parts thereof shall be manufactured in compliance with the following requirements and shall be otherwise of the simplest practicable design:

(i) All control circuit wiring shall follow a straight line between terminals except where, and to the extent that deviation therefrom is necessary to avoid electrical or mechanical interference.

(ii) All wiring carrying 15 amperes or less shall have no greater copper content than size No. 14 AWG wire; except when and to the extent that a larger copper content is required to avoid abnormal voltage drop or heating.

(iii) All buses, connecting straps and terminals, except for oil immersed controllers, shall be of the smallest commercial size copper necessary to prevent the bus, strap or terminal from exceeding a temperature rise of 50° over 40° C. ambient temperature when carrying the full load current of the motor with which the controller will be used.

(iv) All control circuit wiring insulation between terminals on a controller shall be of one color for each voltage.

(v) No controller of a type listed in Appendix A, for a single motor, shall include a contactor having an ampere rating in excess of the maximum rating prescribed in the appendix for such controller; except where operation requires repeated opening of stalled motor current (such as plug-stop or jogging (inching) duty) at a rate in excess of 5 per minute.

(vi) No general purpose controller, for a single motor, of the type listed below rated 600 volts or less shall include control circuit fuses or a control circuit disconnect switch:

(*a*) Alternating current magnetic across the line type starters;

(*b*) Alternating current magnetic reduced voltage autotransformer, reactor, impedance, or primary resistance type starters;

(*c*) Alternating current combination across the line starters and thermal or magnetic circuit breakers;

(*d*) Alternating current combination across the line starters and motor circuit switches.

(*e*) Direct current reduced voltage controllers.

(*f*) Direct current, reduced voltage controllers with motor circuit switches or thermal or magnetic circuit breakers.

(vii) No general purpose controller, for a single motor, of the types listed below rated 600 volts or less shall include a control transformer unless master switches or pilot devices of the necessary rating are not obtainable as a commercial product:

(*a*) Alternating current magnetic across the line type starters;

(*b*) Alternating current magnetic reduced voltage autotransformer, reactor, impedance, or primary resistance type starters;

(*c*) Alternating current combination across the line starters and thermal or magnetic circuit breakers;

(*d*) Alternating current combination across the line starters and motor circuit switches.

(viii) No alternating current controller of the reduced voltage autotransformer, reactor, impedance, or primary resistance type shall be provided for a polyphase induction motor of 20 horse power or less, rated 600 volts or less.

(ix) No controller or control equipment of the types listed below, rated 600 volts or less, shall be provided with a floor mounting type steel enclosing case or steel cabinet:

(*a*) Magnetic controller for main mill or auxiliary motors, for a metal rolling mill (mill duty controllers);

(*b*) Magnetic controllers for cab operated cranes;

(*c*) Protective panels for cranes;

(*d*) Magnetic or manual controllers for fire pumps;

(*e*) Magnetic controllers for elevators;

(*f*) Magnetic controllers for skip hoists;

(*g*) Magnetic, manual, or combination magnetic and manual controllers for synchronous motors.

(*h*) Magnetic controllers of the across-the-line or reduced voltage type for a single motor.

(*i*) Resistor banks for secondary or armature control, mounted separately from the controller; except where forced draft or air circulation is required to meet the temperature limitation.

The limitations of this subparagraph shall not apply to any controller or control equipment used below the level of the ground in a mine or quarry; or to any controller to be used in a Class 1 hazardous location as defined in paragraph 5005, article 500, chapter 5 of the National Electrical Code, approved by the American Standards Association, August 7, 1940, or in a Class 2 hazardous location as defined in paragraph 5006, article 500 of the above mentioned code; or to be used generally in an atmosphere which is corrosive, or which contains such quantities of metal particles, dust or fumes as to be destructive of an open type controller; nor shall such limitations apply in any case where the controller is to be installed permanently outdoors without other protection.

(x) No controller shall be supplied with built in test jacks or test receptacles.

(xi) No alternating current motor controller of less than 1,000 horsepower, and no direct current motor controller of 50 horsepower or less, shall include instruments, meters, potential transformers, or current transformers or shunts to be used for metering, mounted on the controller panel or enclosure; but this restriction shall not apply to controllers used to regulate a series of direct current motors driving a common load, nor to alternating current line ammeter and direct current field ammeter to be installed on synchronous motor controllers nor to ampere hour meters to be installed on industrial truck or locomotive control panels.

(xii) No aluminum, copper, chromium nickel, cadmium, or alloys or finishes thereof shall be used in the manufacture of enclosing cases, name plates, identification plates or door handles for controllers.

(xiii) No stainless steel shall be used in the manufacture of any controllers or part; except where necessary to provide non-magnetic properties required for operation or to prevent sticking or binding of moving parts.

(3) The limitations of paragraph (c) shall not apply to any controller delivered for use aboard any ship owned or operated by the Army, Navy, Maritime Commission or War Shipping Administration.

(d) *Miscellaneous provisions*—(1) *Records and reports.* All persons affected by this order shall keep and preserve, for not less than two years, accurate and complete records concerning inventories, production and sales. All such persons shall execute and file with the War Production Board, such reports and questionnaires as the Director General for Operations shall request from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Appeals.* Any appeal from the provisions of this order may be filed by either the manufacturer or the purchaser or proposed purchaser. Any such appeal shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal. On appeals from the provisions of paragraph (c) (2) (viii), the letter shall include the following data:

(i) Horsepower, voltage, frequency and phase of the motor to be controlled;

(ii) The kva rating of the transformer bank supplying the motor;

(iii) The maximum load on the transformer bank, exclusive of the motor to be controlled;

(iv) Description of the equipment being driven by the motor if reduced voltage starter is necessary to limit starting torque;

(v) And any other information necessary to establish the need for a reduced voltage starter.

(4) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to War Production Board, General Industrial Equipment Division, Washington, D. C.; Ref.: L–250.

Issued this 13th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

APPENDIX A

ALTERNATING CURRENT CONTROLLERS

TABLE NO. 1—SQUIRREL CAGE AND WOUND ROTOR MOTOR CONTROLLERS

Maximum permissible size of:
(a) Enclosed across-the-line magnetic switch starters (8 hour basis)
(b) Reduced voltage general purpose magnetic starters

H. P. at 110 volts		H. P. at 220 volts		H. P. at 440–550 volts		Maximum size	Maximum ampere rating
Three phase	Single phase	Three phase	Single phase	Three phase	Single phase		
1½	1	2	1½	2	1½	10	15
3	1½	5	3	7½	5	11	23
7½	3	15	7½	25	10	2	30
15	7½	30	15	50	25	3	100
25	------	50	------	100	------	4	150
------	------	100	------	200	------	5	300
------	------	200	------	400	------	6	600

[1] These sizes not applicable to (a) or (b) for oil immersed controllers of the across-the-line or reduced voltage types, or (b) reduced voltage general purposes magnetic starters.

TABLE NO. 2—SYNCHRONOUS MOTOR CONTROLLERS

Maximum permissible size of:
(a) Contactors for full voltage starting
(b) Contactors for reduced voltage starting

Horsepower rating				Maximum contactor rating (8 hour)
220 volt		440–550 volt		
1.0 P. F.	0.8 P. F.	1.0 P. F.	0.8 P. F.	
20	15	30	25	50
40	30	60	50	100
60	50	125	100	150
125	100	250	200	300
250	200	500	400	600
500	400	1,000	800	1,200

TABLE NO. 3—OVERHEAD TRAVELING CRANE CONTROLLERS

Maximum permissible size of:
(a) Line contactor
(b) Accelerating contactors

Horsepower @ 220 volts crane duty	Horsepower @ 440–550 volt crane duty	Maximum ampere rating (8 hour)	Maximum ampere rating crane duty
------	------	50	50
40	75	100	133
60	125	150	200
150	300	300	400
300	------	600	800

DIRECT CURRENT CONTROLLERS

TABLE NO. 4—GENERAL PURPOSE & MACHINE TOOL SERVICE CONTROLLERS

Maximum permissible size of:
(a) Line contactor
(b) Reversing contactor
(c) Final accelerating contactor

Horsepower rating			Maximum ampere rating
115 volt	230 volt	550 volt	
3	5	------	25
5	10	20	50
10	25	50	100
20	40	75	150
40	75	150	300
75	150	300	600

TABLE NO. 5—STEEL MILL AUXILIARIES & OVERHEAD TRAVELING CRANE CONTROLLERS

Maximum permissible size of:
(a) Line contactor
(b) Accelerating contactor

Horsepower continuous duty	Maximum ampere rating (8 hour)	Horsepower mill or crane duty	Maximum ampere rating mill or crane duty
25	100	35	133
40	150	65	200
75	300	110	400
150	600	225	800

[F. R. Doc. 43–2386: Filed, February 13, 1943; 10:48 a. m.]

PART 903—DELEGATIONS OF AUTHORITY

[Supplementary Directive 1Q, as Amended Feb. 15, 1943]

RATIONING OF TIRES, TIRE CASINGS, TIRE TUBES, ETC.

Further delegation of authority with reference to the rationing of tires, tire casings, tire tubes, tire retreading and recapping materials, gasoline and passenger automobiles.

§ 903.22 *Supplementary Directive 1Q.* (a) The authority heretofore delegated to the Office of Price Administration by Directive No. 1, § 903.1, is hereby extended to include the exercise of control over:

(1) The sale, transfer, delivery or other disposition of all tires, tire casings, tire tubes, tire retreading and recapping materials, and used passenger automobiles by or to any person;

(2) The use, alteration, mounting; or other disposition of tires, tire casings, tire tubes, tire retreading and recapping materials, and passenger automobiles by any person, and

(3) The sale, transfer, delivery or other disposition of gasoline by any person to any consumer; the use of gasoline by any consumer, the use of gasoline substitutes or gasoline blends by any consumer in a motor vehicle, and the blending of gasoline by any gasoline dealer; and

(4) The sale, transfer, delivery or other disposition of gasoline by any person to any person other than a consumer, to the extent of requiring the delivery of such coupons, certificates or other evidence as the Office of Price Administration may prescribe as a condition to such sale, transfer, delivery or disposition.

(b) The authority of the Office of Price Administration shall include the power to regulate or prohibit the sale, transfer, delivery or other disposition of tires, tire casings, tire tubes, tire retreading and recapping materials, gasoline and passenger automobiles to, or acquisition, use, alteration, mounting or other disposition of said materials and facilities by, any person who has acted in violation of any rationing regulation or order prescribed by the Office of Price Administration.

(c) The authority delegated by this order does not include the power to limit or restrict;

(1) The quantity of the materials and facilities referred to herein obtainable by the Army, Navy, Marine Corps or Coast Guard of the United States, or by government agencies or other persons to the extent to which they acquire such materials or facilities for export to and consumption or use in any foreign country; and

(2) The manufacture of tires, tire tubes, tire casings, tire retreading and recapping materials and passenger automobiles or the manufacture, processing, distilling or refining of gasoline; and

(3) The importation, use, sale, transfer, delivery or other disposition of airplane tires, airplane tire casings, or airplane tire tubes.

(d) As used herein:

(1) "Passenger automobile" means a passenger automobile of any model, built upon a standard or lengthened passenger car chassis, having a seating capacity of not more than ten persons, irrespective of the number of miles it has been driven (or the chassis of such automobile), including taxis, but not including ambulances, hearses and station wagons.

(2) "Used passenger automobile" means any 1941 or earlier model passenger automobile which has been driven 1000 miles or more.

(3) "Gasoline" means any petroleum product either commonly known or sold as gasoline (including casinghead and natural gasoline) or having a flash point below 100° Fahrenheit (closed cup test, ASTM D-56-36), except: (i) fuel oil as defined in Ration Order No. 11, naphthas, aromatics, synthetic rubber raw materials, solvents or specialties, not used or blended for use as fuel in internal combustion engines, (ii) any finished petroleum product having an octane rating of 85 or more (ASTM D-357-42T) or any component thereof, used for the propulsion of aircraft, and (iii) liquefied petroleum gases.

(4) "Motor vehicle" means any rubber-tired, self-propelled conveyance the motive power for which is furnished by an internal combustion engine designed for operation by gasoline and which is built primarily for the purpose of transporting persons or property.

(5) "Tire, tire tube, tire casing, and tire recapping and retreading materials" mean any of the foregoing made in whole or in part of any kind of rubber.

(6) "Rubber" means any form or type of natural, reclaimed, or synthetic rubber, or other similar materials.

(7) "Person" includes any individual, partnership, corporation, association, business trust, government or government agency, or any organized group of persons whether incorporated or not.

(8) "Consumer" means any person acquiring gasoline for use, including use as a component part of any manufactured article, material, or compound other than gasoline. The term includes dealers and distributors to the extent that they use gasoline, or acquire gasoline for use rather than for transfer.

(9) "Gasoline dealer" means any person engaged in the business of selling or transferring gasoline, except a person who transfers, receives, or uses gasoline in such a manner as to be required to account for the state motor fuel taxes imposed thereon directly to the motor fuel tax administration of a state.

(e) This supplementary directive supersedes the delegation of authority to the Office of Price Administration made by Supplementary Order M-15-c, § 940.4, as amended, Supplementary Directive No. 1-B, § 903.3, as amended, and Supplementary Directive No. 1-H, § 903.9, as amended: *Provided, however*, That all action heretofore taken (including, without limitation, regulations or orders heretofore issued) by the Office of Price Administration pursuant thereto or pursuant to said supplementary directives as originally issued, is hereby ratified, approved and confirmed, and the authority so delegated shall continue to remain in full force and effect with respect to all such action which is not inconsistent with the terms of this directive, for all purposes including the purpose of allowing or sustaining any suit, action, prosecution or administrative or other proceeding heretofore or hereafter commenced with respect to any violation heretofore committed or right or liability heretofore incurred under or pursuant to the terms thereof.

(E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9246, 7 F.R. 7379; Sec. 2 (a), Pub. No. 671, 76th Cong., as amended by Pub. No. 89, 77th Cong., and by Pub. No. 507, 77th Cong.; W.P.B. Dir. No. 1, 7 F.R. 562; W.P.B. Reg. No. 1, 7 F.R. 561, as amended, 7 F.R. 2126)

Issued this 15th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2443; Filed, February 15, 1943; 10:09 a. m.]

PART 1169—MAHOGANY, PHILIPPINE MAHOGANY AND ALBARCO

[General Conservation Order M-122 as Amended Feb. 15, 1943]

Part 1169—Mahogany and Philippine Mahogany is hereby amended to read:

Part 1169—Mahogany, Philippine Mahogany and Albarco.

Section 1169.1 *General Conservation Order M-122* is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage of mahogany, Philippine mahogany and Albarco for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1169.1 *General Conservation Order M-122*—(a) *Definitions.* For the purposes of this order:

(1) "Mahogany" means the wood of the several species of the genus Swietenia and the wood of the several species of the genus Khaya, both of the Meliaceae family.

(2) "Philippine mahogany" means the wood of the several species of the genera Shorea, Parashorea and Pentacme of the Dipterocarpaceae family, otherwise known as tanguile, red lauan, tiaong, almon, bagtikan, mayapis and white lauan.

(3) "Albarco," sometimes referred to as Colombian mahogany, means the wood of the genus Carianiena.

(4) "War-use mahogany, war-use Philippine mahogany and war-use Albarco," means mahogany, Philippine mahogany and Albarco in the form of logs, flitches, knife cut veneer and lumber in all thicknesses of the grades of Firsts and Seconds and Selects (except such highly figured and cross-grained mahogany Philippine mahogany and Albarco as is not suitable for plywood and parts for aircraft, boats and ships, or for patterns and models), also Firsts and Seconds Wormy, N. O. Wormy, and No. 1 Common (N) Wormy, suitable for patterns and models. The grades of mahogany and Philippine mahogany referred to are those specified in National Hardwood Lumber Association Rule Book in effect on February 15, 1943. Albarco shall be graded in the same way and according to the same standards as mahogany and Philippine mahogany.

(5) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons, whether incorporated or not.

(6) "Importer" means any person who imports mahogany, Philippine mahogany or Albarco.

(7) "Dealer" means any person who purchases mahogany, Philippine mahogany or Albarco for resale.

(8) "Fabricator" means any person who uses war-use mahogany, war-use Philippine mahogany or war-use Albarco in any form in the manufacture of semi-finished or finished products consisting wholly or partly of mahogany, Philippine mahogany or Albarco.

(9) "Converter" means any person who manufactures or re-manufactures mahogany, Philippine mahogany or Albarco in the form of logs, sections of logs, blocks, flitches, timbers or lumber, into lumber or veneer or other forms utilizable by fabricators.

(b) *Restrictions on sales and deliveries.* After February 15, 1943, no person, other than an importer acting as such, shall buy or accept delivery of war-use mahogany, war-use Philippine mahogany or war-use Albarco, and no dealer, importer, fabricator or converter shall sell or deliver war-use mahogany, war-use Philippine mahogany or war-use Albarco, except upon the following categories of orders:

(1) Orders specifying delivery to or for the account of any of the agencies or governments specified in paragraph (b) (1) or (b) (2) of § 944.1, Priorities Regulation No. 1, as amended from time to time;

(2) Orders placed by converters, dealers, and fabricators for uses limited to those enumerated in paragraph (d) hereof to satisfy orders by or in behalf of any of the agencies or governments specified in paragraph (b) (1) or (b) (2) of § 944.1, Priorities Regulation No. 1, as amended from time to time;

(3) Orders placed by any person for use in making patterns and models used in the manufacture of products bearing a preference rating of AA-1 or higher;

(4) Orders placed by dealers to replace an equal number of board feet of war-use mahogany, war-use Philippine mahogany or war-use Albarco delivered subsequent to May 26, 1942, for the uses specified in paragraph (d), subparagraph (2), of this order: *Provided, however*, That such orders are not for Firsts and Seconds or Selects.

War-use mahogany, war-use Philippine mahogany, and war-use Albarco replaced in dealers' stocks pursuant to the provisions of this paragraph (b), subparagraph (4), shall be delivered only for the purposes specified in paragraph (d), subparagraph (2), of this order;

(5) Orders placed by importers.

The restrictions in this paragraph (b) on sale or delivery of war-use mahogany, war-use Philippine mahogany, and war-use Albarco shall not apply to the sale or delivery by any person who on May 26, 1942, had in his inventory not in excess of one hundred board feet of war-use mahogany, war-use Philippine mahogany or war-use Albarco, as to such one hundred feet or less of war-use mahogany, war-use Philippine mahogany or war-use Albarco in inventory.

(c) *Restrictions on production.* No converter or fabricator shall process logs into flitches, lumber or veneer, nor further process flitches, as the case may be, unless such logs or flitches are so processed to produce the maximum of war-use mahogany, war-use Philippine mahogany and war-use Albarco obtainable therefrom, in the form desired.

(d) *Restrictions on use.* Except as authorized by paragraph (e) hereof, no person shall consume any war-use mahogany, war-use Philippine mahogany or war-use Albarco in the production of any product or equipment except those hereinafter specified, namely:

(1) Plywood and parts for aircraft, boats and ships to the extent that mahogany, Philippine mahogany or Albarco is specifically permitted by the controlling specifications;

(2) Patterns and models used in the manufacture of products bearing a preference rating of AA-1 or higher.

(e) *Exceptions.* A fabricator acting as such on May 26, 1942, may continue to process stocks of war-use mahogany, war-use Philippine mahogany and war-use Albarco in his possession on that date without regard to the limitations contained in paragraph (d) hereof.

(f) *Allocations.* The Director General for Operations may allocate specific quantities of war-use mahogany, war-use Philippine mahogany and war-use Albarco to specific persons. He may also direct the specific manner and quantities in which delivery shall be made to particular persons, and direct or prohibit particular uses of war-use mahogany, war-use Philippine mahogany and war-use Albarco, or the production by any person of particular items of war-use mahogany, war-use Philippine mahogany and war-use Albarco. He may also direct the manner in which war-use mahogany, war-use Philippine mahogany and war-use Albarco shall be processed to satisfy the categories of orders specified in paragraph (b) above. Such allocations and directions will be made to insure the satisfaction of war requirements in the United States, both direct and indirect, and they may be made in the discretion of the Director General for Operations, without regard to any preference ratings assigned to particular purchase orders or contracts. The Director General for Operations may also take into consideration the possible dislocation of labor and the necessity of keeping a plant in operation so that it may be able to fulfill war and essential civilian requirements.

(g) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board as amended from time to time, except to the extent that paragraph (b) hereof is in conflict with the provisions of Priorities Regulations Nos. 1 and 3 to which extent the provisions of this order shall be controlling.

(2) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(3) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be required by said Board from time to time.

(4) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the Lumber and Lumber Products Division, War Production Board, Washington, D. C. Ref.: M-122.

(5) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 15th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2445; Filed, February 15, 1943; 10:10 a. m.]

PART 1188—RAILROAD EQUIPMENT

[Interpretation 1 to Limitation Order L-97 as Amended Jan. 1, 1943]

The following official interpretation is hereby issued by the Director General for Operations with respect to § 1188.1 *General Limitation Order L-97* as amended:

As used in paragraph (g) and authorizations issued thereunder,

1. The term "dismantle" means to remove or strip all usable parts from a locomotive for re-use on other locomotives and to reduce the remainder to scrap material;

2. The term "scrap" means to reduce the entire locomotive to scrap material without removing any parts for re-use.

Issued this 15th day of February, 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2446; Filed, February 15, 1943; 10:10 a. m.]

PART 1213—SAFETY EQUIPMENT

[Limitation Order L-114 as Amended Feb. 15, 1943]

The fulfillment of requirements for the defense of the United States has created shortages in the supplies for the war effort, for private account and for export, of materials entering into the production of safety equipment; and the following order is deemed necessary and appropriate in the public interest and to promote the war effort:

§ 1213.1 *General Limitation Order L-114*—(a) *Definitions.* For the purposes of this order:

(1) "Safety equipment" means equipment and devices designed to promote safety or to prevent or reduce accidents, injuries, occupational hazards or diseases, including, but not by way of limitation, the following articles: guards, goggles, shields, safety cans, oily waste cans, harnesses, headgear, belts, shoes, safety clothing, masks, respirators, inhalators, resuscitating apparatus, hazard measuring devices, protective creams, treads, and warning signs. The term shall not include any automotive or traffic equipment or devices.

(2) "Hazard measuring devices" means devices or instruments designed to detect, indicate, measure or record the presence of poisonous or combustible gases or other harmful substances in the atmosphere for the purpose of promoting safety or preventing or reducing occupational accidents, diseases and hazards of all types. The term shall not include "industrial instruments" as defined in Limitation Order L-134, nor "laboratory equipment" as defined in Limitation Order L-144.

(b) *Restrictions on use of scarce materials.* Except as provided in paragraph (c) below, or upon specific authorization of the Director General for Operations, no person shall incorporate in the manufacture of safety equipment, or in any component part thereof, or sell, deliver, rent, purchase, accept delivery of, or obtain any safety equipment or parts thereof, in which there is incorporated or used, any of the following materials: aluminum, asbestos cloth, chromium, copper, copper base alloys, nickel, corrosion resisting steel, alloy steel, tin,

synthetic plastics, magnesium, rubber or synthetic rubber, neoprene, or elastic fabric, as defined in Conservation Order M–174.

(c) *General exceptions.* Paragraph (b) shall not apply to safety equipment assembled or manufactured:

(1) Prior to May 5, 1942, or from parts which were finished and ready for assembly on said date, provided such safety equipment is delivered to fill purchase orders bearing preference ratings of A–10 or higher, or

(2) From materials to the extent permitted in Appendix A hereof, or

(3) For delivery to, or for the account of, the Army or Navy of the United States, the Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics or the government of any country entitled to deliveries under the Act of Congress of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), provided, and to the extent that the materials designated in paragraph (b) are necessary for efficient functioning and required endurance of safety equipment intended for use:

(i) In or on completed vehicles, aircraft, or ships, or

(ii) Outside of continental United States, or in Alaska, or

(iii) In the protection of military or naval personnel while not engaged in production, maintenance, or repair.

(4) Any order or contract from any agency or government mentioned in paragraph (c) (3) requiring the incorporation or use of scarce materials designated in paragraph (b) shall constitute a representation that the conditions exist under which such scarce materials may be incorporated or used within the terms of this order. Said representation may be relied on by the person with whom the purchase order or contract is placed, his sub-contractors, and suppliers.

(d) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board as amended from time to time.

(e) *Records.* All persons to whom this order applies shall keep and preserve for not less than two years, accurate and complete records concerning inventories, production and sales.

(f) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(g) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(j) *Communications.* All reports required to be filed hereunder and all other communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Safety and Technical Equipment Division, Washington, D. C., Ref.: L–114.

(k) *Effect of other orders.* With respect to the use of the materials named herein for incorporation in the products named herein, or in component parts thereof, this order shall be subject to all other orders to conserve specific raw materials (M orders), and all orders providing for a preference rating in deliveries, or for allocation, as are now or may hereafter be in effect.

Issued this 15th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

APPENDIX A

[NOTE: Appendix A amended February 15, 1943].

Pursuant to the provisions of paragraph (b) of the above order, the following materials may be used to the extent indicated:

(1) Asbestos cloth in protective clothing, for industrial operations involving intense heat or handling of hot objects, or for firefighting.

(2) Copper or copper base alloys, other than nickel silver, when essential to the proper functioning of:

(a) Eyelets, rivets, and fasteners worn on the person and required to be non-corrosive or non-sparking.

(b) Frames, side screen binders and temples for spectacle type goggles.

(c) Valves, unions, ferrules, tubing, connections, housings, non-sparking fittings, fastenings, gaskets, pins, probe tubes, orifices, regulators and bearings, for respirators, gas masks or hazard measuring devices through which explosive, toxic, or corrosive gases, dusts or fumes may pass.

(d) Valves, tubing, manifolds, chambers, gaskets, discs, breaker valves, unions, connections, mouthpieces, orifices and facepiece parts on safety equipment through which oxygen or air under pressure is conducted.

(e) Conductors of electricity for safety devices and appliances.

(f) Lens retaining rings and fittings on gas mask facepieces.

(g) Exhalation and inhalation valve inserts and angle tubes for gas masks, air line respirator and breathing apparatus, face and mouth pieces.

(h) Tubing and fittings in hazard measuring devices.

(i) Screen for mask type goggles or hoods but not including side screens on spectacle type or molded goggles.

(j) Bridge clips for molded goggles.

(k) Cylinders, valves, tubing and regulators for compressed air, mechanical guarding devices.

(3) Nickel in:

(a) Nickel silver for pad inserts for nose pads on spectacle type goggles, but not to exceed 10% in such alloy.

(b) Nickel silver for the following, but not to exceed 10% nickel in such alloy:

(i) Valve inserts for respirators.

(ii) Reducing, admission, dilution, check and safety valve pins, stems, plungers, inserts, screws, spiders, sleeves, yokes and bearings on gas masks, breathing apparatus, or hazard measuring devices.

(c) Leaded nickel silver for goggle frame screws and rivets, but not to exceed 18% nickel in such alloy.

(d) Nickel plating for spectacle type goggles until, but not after, May 31, 1943.

(e) Nickel silver for end pieces and guard arms on spectacle type goggles, but not to exceed 10% nickel in such alloy.

(4) Alloy steel in oxygen cylinders for breathing apparatus and inhalators, for which NE 8124 or 8233 steel may be applied.

(5) Tin in solder as permitted by Conservation Order M–43, as amended from time to time.

(6) Synthetic plastics in:

(a) Protective hats and caps.

(b) Face shields.

(c) Goggle frames.

(d) Lenses and laminated glass.

(e) Respirator and gas mask parts.

(f) Mounting panels, rheostats, connections, plugs, and insulation in cases, for hazard measuring devices when necessary for efficient operation.

(g) Safety clothing.

(h) Salt tablet dispensers.

(i) Machine guards.

(7) Rubber as permitted under Supplementary Order M–15–b, as amended from time to time.

(8) Synthetic rubber on specific authorization of the Director General for Operations.

(9) Elastic fabric in safety equipment to the extent necessary for efficient functioning and required endurance, except that when elastic fabric is used in headbands for the following safety equipment it shall not exceed the lengths specified hereafter:

(a) Cup type goggles—4 inches when crude or synthetic rubber is used; 8 inches when reclaimed or scrap rubber is used;

(b) Respirators—12 inches when crude or synthetic rubber is used; to the extent necessary for efficient functioning and required endurance when reclaimed or scrap rubber is used.

[F. R. Doc. 43–2447; Filed, February 15, 1943; 10:10 a. m.]

PART 3096—PAPER AND PAPERBOARD

[General Conservation Order M–241 as Amended Feb. 15, 1943 [1]]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply, for defense, for private account and for export, of various materials and facilities required in the manufacture and distribution of paper and paperboard; and the following order is deemed necessary in the public interest and to promote the national defense:

[1] NOTE: The purpose of this amendment is to amend the item "Wrapping Paper" in List A.

§ 3096.1 *General Conservation Order M–241*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) "Produce" includes all operations connected with the production of paper and paperboard, including operations in the finishing room and packaging, but does not include processes or operations applied to paper and paperboard after the primary papermaking, such as printing, waxing, gumming, coating, bag manufacture, cup manufacture and envelope manufacture, box and container manufacture, and the fabrication of paper into paper articles.

(3) "Mill" means a congregation of pulp preparation and roll and sheet finishing equipment, paper machines and subsidiary facilities located and operated together as a single producing unit for the production of paper and paperboard.

(4) "Base period" means the six month period from October 1, 1941 through March 31, 1942.

(5) "Paper merchant" means any person regularly engaged in the business of buying and reselling paper and/or paperboard.

(c) *Restrictions on production of paper and paperboard.* (1) Unless specifically authorized by the Director General for Operations pursuant to subparagraph (5) of this paragraph (c), no person or persons shall produce paper or paperboard in any mill which has not produced paper or paperboard since August 1, 1942.

(2) Each manufacturer of paper and/or paperboard shall for each mill operated by him determine quarterly a production quota, calculated as follows:

(i) Determine, separately for each class of paper and paperboard on List A the quantity thereof produced at such mill during the period from October 1, 1941 through March 31, 1942;

(ii) Subtract from the result for each class the quantity produced at such mill during such period of each of the grades of paper or paperboard on List B falling within such class;

(iii) Multiply the remainder for each class by percentage figure set opposite the particular class on List A;

(iv) Add together the several tonnages obtained by (iii), and divide by two.

The quantities shall be measured, to the nearest ton, in tonnage delivered from the paper machine. The method and basis for determining such tonnage shall be that method and basis followed at the particular mill in the past, or any other practicable method and basis, provided the same method and basis are used to determine both current production and production during the base period. If any machine unit of any mill was shut down during the base period for as much as 72 consecutive hours, excluding vacations and holidays, there may be added to (i) for such mill for the class of paper or paperboard principally produced on such machine unit, whatever quantity thereof could have been produced on such machine unit during the down time at the average rate of operation during the preceding month.

The Director General may from time to time by amendment change the classification and/or percentages on List A or change List B, specifying a particular date for the change to take effect. Quotas for production after any such date shall be calculated according to Lists A and B as amended, until further amended. If the effective date of any such amendment is other than the first day of a calendar quarter, the quota for the quarter within which such date falls shall be recalculated by adding together (i) the proportion of the old quota which equals the proportion of the quarter preceding such date and (ii) the proportion of the new quota which equals the proportion of the quarter following such date, including such date.

(3) No person or persons shall during the first calendar quarter of 1943 or any calendar quarter thereafter produce at any mill any quantity of paper and/or paperboard in excess of the quota for such mill for such quarter determined according to subparagraph (2) of this paragraph (c), except:

(i) To the extent and upon the conditions stated in subparagraph (4) of this paragraph (c); or

(ii) To the extent specifically authorized by the Director General for Operations pursuant to paragraph (5) (c) of this order, subject to any conditions imposed by the Director General for Operations in such authorization: and, *Provided*, That,

(i) Within such quota there may be produced at any mill any quantities of any one or several kinds of paper and/or paperboard, provided that the aggregate during any quarter does not exceed such mill's quota for that quarter; and

(ii) Regardless of and over and beyond any such quota, any person may produce at any mill, unless restricted by paragraph (c) (1) or by paragraph (e), any quantity of any kind of paper on List B.

(4) If one person owns only one mill, and such mill is equipped with only one machine unit for the manufacture of paper and/or paperboard, such person may, unless restricted by paragraph (c) (1) or by paragraph (e), produce at such mill during any calendar week any quantity of paper and/or paperboard required to occupy such machine 120 hours during such week: *Provided*, That such person shall in no other week during the same calendar quarter operate such mill in excess of 120 hours.

(5) If any person owns more than one mill, and can show that by combining or exchanging the several quotas of such mills, or parts thereof, significant quantities of critical materials will be saved, transportation reduced, labor released in areas where needed, or other materials or facilities required in the national defense conserved, he may submit to the Director General for Operations, in writing, a plan for such combination or exchange, stating the quantity and kinds of paper and/or paperboard produced at each mill involved during each month of the year from October 1, 1941 through September 30, 1942, the quantity and kinds of paper expected to be produced at each such mill during each quarter under such plan, how long he proposes to operate under such plan, his reasons for desiring to adopt such plan, and the respects wherein he conceives that such plan will accomplish the purposes mentioned. The Director General for Operations may thereupon approve, modify, or disapprove such plan or may impose upon the execution of any such plan whatever conditions he may deem appropriate to this order. Upon receipt from the Director General for Operations of approval in writing of such a plan the proponent may produce at the mills designated in such plan the quantities and kinds of paper and/or paperboard provided for in such plan, subject to any modifications or conditions imposed by the Director General for Operations in his approval. No person shall undertake or attempt to carry into effect any such plan unless and until he receives such approval.

(d) *Reserve production.* Each manufacturer of paper and/or paperboard shall reserve in the production schedule of each of his mills for the month of January, 1943, and for each calendar month thereafter, time and supplies sufficient to produce and deliver within such month, at the order of the Director General for Operations, 2% of such mill's quota for the current calendar quarter. In general this should amount to approximately 6% of each month's production. The Director General for Operations may on or before the 15th of any month, by telegram or letter, direct any manufacturer to employ such reserve to produce any kind of paper and/or paperboard usually produced at such mill, and any quantity thereof, not to exceed in the aggregate for any one month 2% of such mill's quota for the current quarter, and sell and deliver the same within the month to any person named by the Director General for Operations. The manufacturer may refuse so to produce and deliver only for the reasons specified for the refusal of rated orders in § 944.2 (b) of Priorities Regulation No. 1. If the manufacturer does not on or before the 15th of any month receive from the Director General for Operations directions as to the disposition of such reserve (or has received directions as to the disposition of a part but not of the remainder) he may employ the same (or such remainder) as he may desire, consistent with the other provisions of this order.

(e) *Restrictions on inventory.* Unless specifically authorized by the Director General, by telegram or letter, or excepted by paragraph (e) (5):

(1) No person shall knowingly deliver, and no person shall accept delivery of any quantity of newsprint, if the inventory of newsprint in the hands of the person accepting delivery is, or will by virtue of such acceptance become, either (i) in excess of two carloads or (ii), if in excess of two carloads, greater than seventy five days' supply, on the basis of either his average rate of consuming newsprint for the preceding quarter or his average rate of consuming newsprint as projected for the then current quarter;

(2) No person shall knowingly deliver to any person except a paper merchant and no person except a paper merchant shall accept delivery of, any quantity of any grade of paper or paperboard other than newsprint, if the inventory of such grade in the hands of the person accepting delivery is, or will by virtue of such acceptance become, either (i) in excess of two carloads or (ii), if in excess of two carloads greater than sixty days' supply, on the basis of either his average rate of consuming such grade of paper or paperboard for the preceding quarter or his average rate of consuming such grade of paper or paperboard as projected for the then current quarter;

(3) No person shall knowingly deliver to a paper merchant, and no paper merchant shall accept delivery of, any quantity of any grade of paper or paperboard other than newsprint, if the inventory of such grade in the hands of such paper merchant is, or will by virtue of such acceptance become, either (i) in excess of two carloads or (ii), if in excess of two carloads, greater than ninety days' supply, on the basis of either his average rate of distributing such grade of paper or paperboard for the preceding quarter or his average rate of distributing such grade of paper or paperboard as projected for the then current quarter;

(4) No person shall produce at any mill any quantity of any grade of paper or paperboard other than newsprint, if his inventory of such grade at such mill is, or will by virtue of such production become, in excess of (i) two carloads or (ii), if in excess of two carloads, greater than sixty days' supply, on the basis of either the average rate of shipment of such grade from such mill for the preceding quarter or the average rate of shipment of such grade from such mill as projected for the then current quarter.

(5) The term "grade of paper or paperboard" refers to the classification on United States Department of Commerce (Census) Form WPB-514, as revised November 7, 1942, each caption (except those which are further broken down by following captions) representing a separate grade. If a person's gross inventory of a grade is in excess of two carloads or sixty days' supply, as above, but his inventory of a particular item within that grade is less than thirty days' supply (or, in the case of a paper merchant, less than sixty days' supply), he may accept delivery of or produce, and others may deliver to him, any quantity of such item as may be required to provide him with thirty days' supply (or in the case of a paper merchant sixty days' supply). The restrictions of this paragraph (e) apply equally to paper and paperboard of foreign and domestic origin, and apply to intra company deliveries as defined in § 944.12 of Priorities Regulation No. 1. They do not, however, apply to those papers commonly reported on United States Department of Commerce (Census) Form WPB-514, as revised November 7, 1942, under the captions "Photographic and other sensitized" (07611) and "Cigarette" (08512), or to any paper or paperboard after it is printed or converted beyond waxing or coating, or to inventories held by or for any agency or government referred to in § 944.1 (b) (1) and (2) of Priorities Regulation No. 1, or by or for the United States Government Printing Office.

(f) *Miscellaneous provisions*—(1) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(2) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(3) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(4) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(5) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(6) *Communications.* All communications concerning this order shall unless otherwise directed, be addressed to, War Production Board, Pulp and Paper Division, Washington, D. C. Ref.: M-241.

Issued this 15th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

LIST A

[NOTE: The item "Wrapping Paper" was amended Feb. 15, 1943.]

Column 1 lists general classes of paper and paperboard by names common in the trade. Each class includes all the grades of paper or paperboard reported on United States Department of Commerce (Census) Forms OPM-514 (for the last quarter of 1941) and WPB-514 (for the first quarter of 1942) by the code numbers, respectively as indicated, set out under the name. In the calculation of a mill's quota there should first be determined the whole quantity of each class produced at the mill during the base period, then subtracted from the result for each class the quantity produced at the mill during the base period of any kind of paper or paperboard on List B falling within such class, then the remainder multiplied by the percentage in column 2, and the several results added and the total divided by two (See (c) (2) of Order M-241, as amended.)

Class of paper or paperboard	*Percentage*
Newsprint OPM-514—0100 to 0103, incl. WPB-514—01000 to 01300, incl.	90
Groundwood papers OPM-514—0200 to 0207, incl. WPB-514—02000 to 02900, incl.	85
Book papers OPM-514—0300 to 0340, incl. WPB-514—03000 to 03590, incl.	85
Writings OPM-514—0350 to 0375, incl., 0980 to 0983, incl. WPB-514—04000 to 08009, incl.	95
Wrapping paper (including imitation vegetable parchment, but not including glassine, greaseproof and genuine vegetable parchment) OPM-514—0400 to 0494, incl. (except 0440, 0450 for glassine, and 0460 for genuine vegetable parchment) and 0800 WPB-514—09000 to 10900, incl. (except 09600, 09700 for glassine, and 09800 for genuine vegetable parchment) and 19000	85
Glassine, greaseproof and genuine vegetable parchment OPM-514—0440, 0450 (glassine only) and 0460 (genuine vegetable parchment only) WPB-514—09600, 09700 (glassine only) and 09800 (genuine vegetable parchment only)	100
Tissue paper OPM-514—0500 to 0516, incl. WPB-514—11000 to 11900, incl. and 12100 to 12990, incl.	100
Absorbent papers OPM-514—0600 to 0607, incl WPB-514—13000 to 13990, incl.	80
Container board OPM-514—0901 to 0930, incl. WPB-514—51000 to 51900, incl.	100
Folding box board, etc OPM-514—0940 to 0943, incl. WPB-514—52000 to 52990, incl.	85
Set-up box boards, etc OPM-514—0950 to 0952, incl. WPB-514—53000 to 53990, incl.	80
Cardboard OPM-514—0970 to 0974, incl. WPB-514—54000 to 54900, incl.	80
Special industrial boards OPM-514—0960, 0990, 1000, 1020 WPB-514—55000 to 57000, incl. 59000 to 59900, incl.	90

LIST B

Column 1 lists the grades of paper and paperboard which may in general be manufactured without restriction. (See (c) (3) of Order M-241, as amended). The general class within which each falls, according to the classification on List A, is indicated in Column 2. In the calculation of a mill's quota, the amount produced during the base period of each kind of paper and paperboard listed in column 1 is to be subtracted from the total quantity of the corresponding class in column 2 produced during the base period. (See (c) (2) (ii) of further identified by the numbers in parentheses following each, being the code numbers Order M-241, as amended). The kinds of paper and paperboard listed in column 1 are for each on United States Department of Commerce (Census) Forms OPM-514 (for the last quarter of 1941) and WPB-514 (for the first quarter of 1942), respectively as indicated.

Column 1	Column 2 (Corresponding general class on List A)
(Unrestricted)	
Sanitary napkin and wadding stock (OPM-514: 0510, 0516) (WPB-514: 11100)	Tissue Papers
Absorbent for Vulcanized Fibre (OPM-514: 0605) (WPB-514: 13500)	Absorbent Papers
Absorbent for Resin Impregnating and Plastics (OPM-514: 0607) (WPB-514: 13910, 13990)	Absorbent Papers
Building Papers (OPM-514: 0700 to 0704 incl.) (WPB-514: 14000 to 14900 incl.)	Not Listed in A
Building Boards (OPM-514: 1010 to 1013 incl.) (WPB-514: 58000 to 58900 incl.)	Not Listed in A
Container Board, from waste (OPM-514: 0904 to 0930 incl.) (WPB-514: 51200, 51300, 51410, 51420, and 51440 to 51900 incl.)	Container Board
Cigarette Paper (less than 24 x 36, 480, 18 ±) (OPM-514: 0502) (WPB-514: 12110)	Tissue Papers
Condenser Paper (less than 24 x 36, 480, 18 ±) (OPM-514: 0503) (WPB-514: 12120)	Tissue Papers
Carbonizing Paper (less than 24 x 36, 480, 18 ±) (OPM-514: 0504) (WPB-514: 12130)	Tissue Papers
Stencil and Lens Paper (less than 24 x 36, 480, 18 ±) (OPM-514: 0505) (WPB-514: 12190)	Tissue Papers
Photographic Paper (not separately identified on census forms)	Writing Papers
Currency Paper (not separately identified on census forms)	Writing Papers

[F. R. Doc. 43-2439; Filed, February 15, 1943; 10:09 a. m.]

PART 3146—GARMENT LEATHER

[Conservation Order M-265 as Amended Feb. 15, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of leather for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3146.1 *Conservation Order M-265*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of priorities regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Cattlehide" means the hide or skin of bulls, steers and cows, whether native or branded, foreign or domestic, including calf and kipskins (but excluding slunks) and shall also include buffalo hides.

(2) [Revoked Dec. 31, 1942]

(3) [Revoked Dec. 31, 1942]

(4) "Garment leather" means leather to be incorporated into jackets, jerkins, doublets, vests, coats and other similar articles of apparel.

(5) "Military order" means an order for products to be delivered to, or for the account of, the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, the Marine Corps, the War Shipping Administration, the governments of Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies and Protectorates, or Yugoslavia, or the governments of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(6) "Civilian order" means any order except a military order.

(c) *Restriction on processing of garment leather.* No tanner shall put into process for garment leather, or continue to process, any cattlehides, (other than cattlehide splits) except to the extent required to fill military orders.

This restriction shall not apply to any cattlehides which have reached a stage in the process on November 28, 1942 where they cannot be made into leather suitable for any other purpose.

(d) *Restriction upon sales and deliveries of garment leather made from cattlehides.* No tanner or converter shall sell or deliver any leather made from cattlehides (other than cattlehide splits) against any civilian order for garment leather if such leather is suitable for filling any of his military orders.

(e) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(f) *Reports.* Each person affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be required by said Board from time to time.

(g) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, purchases, production and sales.

(h) *Communications to the War Production Board.* All reports, applications, forms or communications required under or referred to in this order, and all communications concerning this order, shall, unless otherwise directed, be addressed to War Production Board, Textile, Clothing and Leather Division, Washington, D. C. Ref: M-265.

(i) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or who furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority assistance.

(j) *Expiration date.* This order shall expire on April 15, 1943.

Issued this 15th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc 43-2440; Filed, February 15, 1943; 10:09 a. m.]

PART 3151—ASCORBIC ACID

[General Preference Order M-269 as Amended Feb. 15, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of ascorbic acid for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3151.1 *General Preference Order M-269*—(a) *Definitions.* (1) "Ascorbic acid" means ascorbic acid (cevitamic acid or vitamin C) in crude or refined form. The term shall include any chemical compound of ascorbic acid but shall not include standard dosage forms (tablets, capsules, ampoules, solutions, etc.), combinations in food or beverages, or ascorbic acid of natural origin.

(2) "Producer" means any person engaged in the production or processing of ascorbic acid, and includes any person who imports ascorbic acid or has ascorbic acid produced for him pursuant to toll agreement.

(3) "Distributor" means any person who purchases ascorbic acid solely for the purpose of resale without further processing and without changing the form thereof.

(4) "Allocation month" means the period beginning on the 15th day of a calendar month and continuing through the 14th day of the calendar month following. The allocation month of January, for example, shall mean the period beginning January 15.

(b) *Restrictions on deliveries and use.* (1) Subject to paragraph (c) hereof, on and after December 15, 1942 no producer or distributor shall deliver or use ascorbic acid, and no person shall accept delivery of ascorbic acid, except as specifically authorized or directed by the Director General for Operations.

(2) Authorizations or directions with respect to deliveries to be made or accepted in each allocation month will so far as practicable be issued by the Director General for Operations prior to the commencement of such allocation month, but the Director General for Operations may at any time at his discretion and notwithstanding the provisions of paragraph (c) hereof, issue directions with respect to deliveries to be made or accepted. He may also at any time issue directions with respect to the use or uses which may or may not be made of material to be delivered or then on hand.

(3) Each person specifically authorized to accept delivery of ascorbic acid shall use such material for the purpose authorized, and only for such purpose, except as otherwise specifically directed by the Director General for Operations, or as provided in paragraph (b) (4) hereof.

(4) Ascorbic acid allocated for inventory shall not be used except as specifically directed by the Director General for Operations. Ascorbic acid allocated to fill a specified order or class of orders shall, where and to the extent that such order or class of orders is subsequently cancelled, revert to inventory.

(c) *Exceptions to requirement for authorization.* Specific authorization of the Director General for Operations shall not be required for:

(1) Acceptance of delivery by any person in any one allocation month of five ounces or less of ascorbic acid in the aggregate; provided that such person has not been specifically authorized or directed by the Director General for Operations to accept delivery of any quantity of such material during such month;

(2) The delivery by any producer or distributor to any person who shall have filed with him a certificate in substantially the following form:

The undersigned purchaser hereby certifies to the War Production Board and to his supplier that the ascorbic acid hereby ordered for delivery in the allocation month beginning ---------- 15, 194- and ending
month
the 14th day of the calendar month following, does not, taken with all other ascorbic acid delivered or to be delivered in such month (from all sources), exceed five ounces, the amount which he is entitled to receive under paragraph (c) (1) of General Preference Order No. M-269

Name of purchaser

By ----------
Authorized official Title

Date

Provided, however, That no certificate shall be required for the delivery by any producer or distributor to any person in any allocation month of not more than one ounce. Such certificate shall be signed by an authorized official, either manually or as provided in Priorities Regulation No. 7. The receipt of such certificate shall not authorize the delivery of ascorbic acid by a producer or distributor where he knows or has reason to believe the same to be false, but in the absence of such knowledge or reason to believe, he may rely on the certificate.

(3) The use by any producer in any allocation month of five ounces or less of ascorbic acid in the aggregate.

(4) Delivery of ascorbic acid to, or acceptance of delivery of ascorbic acid by, a person for incorporation into standard dosage forms, where the person making deliver; has previously received such ascorbic acid pursuant to specific authorization of the Director General for Operations and retains title to such ascorbic acid and to the product made therefrom.

(d) *Applications and reports.* (1) Each person seeking authorization to accept delivery of (and each producer or distributor seeking authorization to use) ascorbic acid during any allocation month, beginning with the allocation month which commences January 15, 1943, whether for his own consumption or resale, shall file application therefor on or before the 1st day of the calendar month in which such allocation month begins. Where delivery or use is to be in the allocation month commencing December 15, 1942, such application shall be filed as many days as possible in advance of the requested acceptance of delivery or use. In any case, such application shall be made on Form PD-600, in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD-600 may be obtained at local field offices of the War Production Board.

(ii) Five copies shall be prepared, of which one shall be forwarded to the supplier, three to the War Production Board, Chemicals Division, Washington, D. C., Ref.: M-269, and the fifth retained for applicant's file.

(iii) In the heading, under name of chemical, specify "ascorbic acid"; under WPB Order No., specify "M-269"; under unit of measure, specify ounces; under name of your company, specify name and mailing address; and specify the allocation month and year for which authorization for acceptance of delivery is sought.

(iv) In Columns 1, 11 and 19, specify quality; for example, USP, crude, calcium ascorbate.

(v) In Column 3, specify the exact product in the manufacture or preparation of which you will use ascorbic acid or in which you will incorporate ascorbic acid. Retailers ordering ascorbic acid for resale (as ascorbic acid), will specify "Resale at retail". If purchase is for inventory, state "inventory".

(vi) In Column 4, specify in each case (including case where your purchase is for "resale") ultimate use to be made of product (as, for example, "medicinal", "beverage", "food fortification"), and also specify in each case whether your customer is Army, Navy, other government agency, Lend-Lease or commercial customer.

(2) Each producer or distributor seeking authorization to make delivery of ascorbic acid during any allocation month, beginning with the month commencing January 15, 1943, shall file application on or before the 5th day of the calendar month in which such allocation month begins. Application for authorization to deliver in the allocation month beginning December 15, 1942, shall be made as many days as possible in advance of the requested delivery. In any case, such application shall be made on Form PD-601 in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD-601 may be obtained at local field offices of the War Production Board.

(ii) Prepare four copies and forward three to the War Production Board, Chemicals Division, Washington, D. C., Ref.: M-269, the fourth to be retained by the producer or distributor.

(iii) Producers who have filed application on Form PD-600 specifying themselves as their suppliers, shall list their own names as customers on Form PD-601 and shall list their request for allocation in the manner prescribed for other customers.

(iv) In the heading, under name of chemical specify "ascorbic acid"; under WPB Order No., specify "M-269"; under name of company, state name and mailing address; under unit of measure specify ounces; and state the allocation month and year during which deliveries covered by your application are to be made.

(v) In Columns 3 and 8, specify grades as stated in customer's Form PD-600.

(vi) The producer or distributor may, if he wishes, leave Column 5 blank.

(vii) Names of customers to whom small order deliveries are to be made during the next allocation month pursuant to paragraph (c) of this order need not be listed, but insert in Column 1 "Total small order deliveries (estimated)", and in Column 4, state the estimated quantity.

(viii) If it is necessary to use more than one sheet to list customers, number each sheet in order and show grand totals for all sheets on the last sheet, which is the only one that need be certified.

(3) The Director General for Operations may require each person affected by this order to file such other reports as may be prescribed, and may issue special directions to any such person with respect to preparing and filing Forms PD-600 and PD-601.

(e) *Notification of customers.* Each supplier shall notify his regular customers as soon as possible of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(f) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board priorities regulations, as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C. Ref.: M-269.

Issued this 15th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2441; Filed, February 15, 1943; 10:10 a. m.]

PART 3187—PHYSICAL THERAPY EQUIPMENT

[General Limitation Order L-259]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account and for export of the materials entering into the manufacture of physical therapy equipment; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3187.1 *General Limitation Order L-259*—(a) *Definitions.* For the purposes of this order:

(1) "Physical therapy equipment" means apparatus, equipment, devices and appliances designed to produce, generate, apply or administer spectral rays (except X-rays), electrical currents, mechanical stimuli, heat, refrigerants, liquids, gases or vapors to man or other animals in a manner designed to produce therapeutic effect or to destroy body tissue. The term shall include only the following articles, as each is hereinafter defined: medical diathermy units; surgical diathermy units; fever cabinets; infra-red generators; galvanic generators, faradic generators, sinusoidal generations, and any combination of such generators; whirlpool baths; paraffin baths; electric massagers; bath cabinets; therapeutic lamps; passive vascular exercise apparatus; baldness treatment devices; ultra-violet radiation equipment; electric bakers; and heat applicators. The aforementioned articles, as each is hereinafter defined, shall not include used or rebuilt equipment, nor any parts or material for the repair or maintenance of existing equipment.

(2) "Medical diathermy unit" means any instrument designed to produce heat for therapeutic purposes within the body tissues by means of a high frequency electric current generated by a spark gap or a vacuum tube type of oscillator. The term shall include "conventional" or long wave diathermy, short wave diathermy, and ultra short wave diathermy.

(3) "Surgical diathermy unit" means a diathermy unit employing a high frequency electric current which is designed for the performance of surgical procedures by cutting, coagulation or desiccation and which is not adaptable for medical diathermy treatment.

(4) "Fever cabinet" means a cabinet or bag designed to induce fever artificially by radiant or induced heat.

(5) "Infra-red generator" means a heating element with a concave reflector which produces infra-red rays either from an incandescent bulb, a carbon, or a radiant cone, coil or disc, and which is designed to produce therapeutic effect.

(6) "Galvanic generator" means a generator designed to deliver and apply direct current to the body tissues or to deposit the ions of certain salts in solution into the body tissues.

(7) "Faradic generator" means a generator designed to deliver and apply induced electric current to the body tissues.

(8) "Sinusoidal generator" means a generator designed to deliver and apply sinusoidal current to the body tissues.

(9) "Whirlpool bath" means a container designed to circulate thermally controlled liquids around portions of the body to produce therapeutic effect. The term shall include, but not by way of limitation, arm and leg baths and underwater exercise tanks.

(10) "Paraffin bath" means a device designed to apply heat to the body through the medium of melted paraffin.

(11) "Therapeutic lamp" means any electrical device designed to apply heat to the body which utilizes an incandescent bulb.

(12) "Passive vascular exercise apparatus" means apparatus designed to apply alternating negative and positive pressures to portions of the body, but the term shall not include "iron lungs" nor baldness treatment devices.

(13) "Baldness treatment device" means any device or equipment designed to check or treat baldness by applying alternating negative and positive pressures to the scalp.

(14) "Ultra-violet radiation equipment" means any generator designed to generate ultra-violet spectral energy to produce therapeutic effect. The term shall include both the carbon arc and quartz mercury types of generators. "Major ultra-violet radiation equipment" means equipment having a manufacturer's list price of not less than $150.

(15) "Electric massager" means any device which is designed to massage the human body and which utilizes an electric motor, electronic tubes, oscillating tubes, or any combination thereof. The term shall include, but not by way of limitation, electric vibrators and reducing machines.

(16) "Bath cabinet" means a cabinet or box designed to enclose the body for the purpose of administering either moist or dry heat.

(17) "Electric baker" means a device designed for local and general application of radiant heat which utilizes a reflector and incandescent light bulbs or electric heating elements, or both.

(18) "Heat applicator" means any device, appliance or equipment which utilizes liquids, air, or any other substance or material and which is designed to apply heat to the body for therapeutic purposes, other than medical diathermy units, surgical diathermy units, fever cabinets, infra-red generators, whirlpool baths, paraffin baths, therapeutic lamps, bath cabinets, electric bakers, hot water bottles and chemical bags, and accessories used in connection with such articles.

(19) "Hospital" means any institution named on the list of hospitals listed by the American Medical Association, or any other institution for the care of the sick and disabled which has five or more beds for patients.

(20) "Person" means any individual, partnership, association, business trust,

corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(21) "Distributor" means any person who purchases physical therapy equipment solely for the purpose of resale without further fabrication.

(b) *Restrictions on the manufacture of physical therapy equipment.* (1) No person shall manufacture or continue the manufacture of any physical therapy equipment, except to fill specific purchase orders or contracts for delivery to or for the account of:

(i) The Army or Navy of the United States; or

(ii) Any agency of the United States Government for delivery to or for the account of the government of any country pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(2) The restrictions of subparagraph (1) of this paragraph (b) shall not apply to:

(i) The manufacture of surgical diathermy units, major ultra-violet radiation equipment, electric bakers, passive vascular exercise apparatus and fever cabinets;

(ii) The manufacture of whirlpool baths, provided that no metal is incorporated in their manufacture except in pipes and pipe fittings; or

(iii) The assembly of any physical therapy equipment which is assembled from parts which were finished and ready for assembly on February 15, 1943, provided that such assembly is completed on or before March 15, 1943.

(c) *Restrictions on the delivery of physical therapy equipment.* (1) No person shall sell or deliver any surgical diathermy unit, whirlpool bath (containing metal in any part other than pipes and pipe fittings), major ultra-violet radiation equipment, electric baker, passive vascular exercise apparatus or fever cabinet, except to or for the account of:

(i) The Army or Navy of the United States;

(ii) Any agency of the United States Government for delivery to or for the account of the government of any country pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act);

(iii) Any person to whom an export license covering the specific equipment has been issued by the Board of Economic Warfare, provided, however, that delivery shall not be made to any person holding an export license which was issued prior to February 15, 1943, unless such export license has been revalidated by the Board of Economic Warfare after said date;

(iv) Any hospital, or any medical department of an industrial concern which is located on the premises of such concern, for the use of such hospital or medical department; or

(v) Any distributor.

(2) No person shall purchase or accept delivery of any physical therapy equipment if he knows or has reason to believe that the delivery of such physical therapy equipment is prohibited by the terms of subparagraph (1) of this paragraph (c).

(d) *Production and shipping schedules and restrictions thereon.* On or before February 25, 1943, and on or before the 15th day of each succeeding calendar month, each manufacturer of physical therapy equipment shall file with the War Production Board in triplicate on Form PD-774, his proposed production and shipping schedule of physical therapy equipment for such period as production and shipping may be planned. Unless the Director General for Operations shall otherwise direct, each production and shipping schedule of physical therapy equipment shall be deemed to be approved as of the first day of the month following the month during which such schedule was required to be filed. Each manufacturer shall produce and ship in accordance with his production and shipping schedule as approved or changed by the Director General for Operations.

(e) *Reports.* All persons affected by this order shall file such reports as may be required from time to time by the War Production Board.

(f) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(i) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board as amended from time to time.

(j) *Correspondence.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Safety and Technical Equipment Division, Washington, D. C., Ref.: L-259.

Issued this 15th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2442; Filed, February 15, 1943; 10:10 a. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL

[MPR 112,[1] Amendment 11]

PENNSYLVANIA ANTHRACITE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In § 1340.195, paragraph (b) (3) is amended; in § 1340.197, the text is designated as paragraph (b), a new paragraph (a) is added and the headnote is amended to read as set forth below; in § 1340.200, paragraph (c) (1) is amended.

§ 1340.195 *Records and reports.* * * *

(b) * * *

(3) The cash discounts on all sales and quantity discounts, or rebates, f. o. b. trucks at mines or preparation plants operated as an adjunct to a mine or mines, in effect during the period October 1–15 1941, inclusive.

* * * * *

§ 1340.197 *Applications for adjustment and petitions for amendment.* (a) (1) The Administrator may by order grant an adjustment of the maximum prices to any producer who shows to the satisfaction of the Administrator that (i) the sale of its mine's entire production at the maximum prices would not return a realization equal to its representative cost of production; (ii) such costs of production are of a continuing nature; and (iii) the anthracite produced at the mine has in the past sold at premium prices or is of such quality that there is now a reasonable opportunity for securing premium prices.

(2) The Office of Price Administration may require in connection with any such application, filed under the provisions of this paragraph, full data on costs, profits, price history and other relevant factors. Applications for adjustment pursuant to this paragraph shall be filed in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

(3) Any adjustments granted under this paragraph shall not exceed the amount necessary to permit the producer to obtain a realization on the sale of its mine's entire production approximately equal to the mine's representative cost of production.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 2512, 2739, 2818, 2868, 3521, 4539, 4540, 8948, 10529, 10554, 10714, 8 F.R. 444.

(b) Persons seeking any modification of this Maximum Price Regulation No. 112 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1340.200 *Appendix A: Maximum prices for anthracite.* * * *

(c) *Cash discounts, credit terms and special services.* (1) There shall be deducted from the maximum prices established in paragraphs (a) and (b) of this section the cash discounts on all sales and quantity discounts, or rebates, f. o. b. trucks at mines or preparation plants operated as an adjunct to a mine or mines, in effect during the period October 1–15, 1941, inclusive.

This amendment shall become effective Feb. 12, 1943.

(Pub. Laws 421 and 729; 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2325; Filed, February 12, 1943; 3:24 p. m.]

PART 1340—FUEL

[MPR 120,[1] Amendment 39]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1340.229 (b) is amended to read as set forth below:

Section 1340.229 *Appendix R: Maximum prices for bituminous coal produced in District No. 18.* * * *

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.*

From all mines	Prices and size group Nos.														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Sub-district No. 1	560	530		525		470	445	405	340		310	280	225		425	455
Sub-district No. 2	540	515	505	490	505	480	450	420	370		300	280	240	425	425	
Sub-district No. 3		450						385	285		235		185			
Sub-district No. 4	535	485									245				335	335
Sub-district No. 5		585					535			385		285			485	
Sub-district No. 6		485				435		385	300		335	255	235		435	
Sub-district No. 7		485						385	300		275	255	210			
Sub-district No. 8		535							235	185	135				285	

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 110 cents in all size groups.

(3) *Maximum prices in cents per net ton for railroad fuel.* The maximum prices for railroad fuel shall be those shown in subparagraph (1) above for Size Group No. 16: *Provided*, That where no maximum price is specified therein for a particular subdistrict, or where the size of coal involved is not included in Size Group No. 16 the maximum price for such railroad fuel shall be the commercial all-rail maximum price for the grade and size involved.

Exception to (2) *above:* Sub-District No. 2.

Producer	Mine	Mine index	Movement	Prices and size group Nos.															
				1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Adkins Fuel & Cerrillos Coal Co.	Jones	11	Truck	555		520	505	520	495	465	435	365		315	295	255	430		

This Amendment No. 39 shall be effective as of February 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2341; Filed, February 12, 1943; 4:31 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3168.

PART 1340—FUEL

[RPS 88,[1] Amendment 67]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1340.159 (c) (1) (xiii), the text is designated (*a*) and a new inferior subdivision (*b*) is added as set forth below:

§ 1340.159 *Appendix A: Maximum prices for petroleum and petroleum products.* * * *

(c) *Specific prices.* * * *

(1) *Crude petroleum.* * * *

(xiii) *Kentucky.* * * *

(*b*) The maximum price at the receiving tank for crude petroleum produced in the Uniontown field, Union County, Kentucky shall be $1.37 per barrel.

§ 1340.158a *Effective dates of amendments.* * * *

(ppp) Amendment No. 67 (§ 1340.159 (c) (1) (xiii) (*b*)) to Revised Price Schedule No. 88 shall become effective the 18th day of February 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 12th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2324; Filed, February 12, 1943; 3:26 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 226,[1] Amendment 5]

FRUIT PRESERVES, JAMS AND JELLIES

A statement of the considerations involved in the issuance of Amendment No. 5 to Maximum Price Regulation No. 226 has been issued and filed with the Division of the Federal Register.*

In § 1341.302, paragraph (a) (3) is amended by the addition of a word, a new subparagraph (4) is added to paragraph (a), and paragraphs (g) and (h) are added; in § 1341.309a, the first sentence in paragraph (b) (1) is amended and a new paragraph (c) is added; all as shown below.

§ 1341.302 *Packer's maximum prices for fruit preserves, jams and jellies.* (a) The packer's maximum price per dozen or other unit f. o. b. factory for each kind, flavor, brand and container type and size of fruit preserves, jams and jellies covered by this Maximum Price Regulation No. 226 shall be:

* * * * *

(3) * * * except as limited in paragraph (b) (7) of this section; plus

(4) The difference, if any, per dozen or other unit between the weighted average cost, exclusive of fruit, which the packer actually incurred during the year 1941 in cold-packing fresh fruit of the given flavor for use in his 1941 pack and the weighted average cost which he ac-

*7 F.R. 1107, 1371, 1798, 1799, 1886, 2132, 2304, 2352, 2634, 2945, 3463, 3482, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 4857, 5481, 5867, 5868, 5988, 5983, 6057, 6167, 6471, 6680, 7242, 7838, 8433, 8478, 9120, 9134, 9335, 9425, 9460, 9620, 9621, 9817, 9820, 10684, 11069, 11112, 11075; 8 F.R. 157, 232, 233, 857, 1227, 1200, 1457, 1312, 1318, 1642.

[1] 7 F.R. 7490, 8798, 8889, 8890, 8948, 10226; 8 F.R. 1134.

tually incurred during the year 1942 in cold-packing fresh fruit for use in his 1942 pack. However, in no event shall this difference exceed 1 cent per pound of the frozen fruit.

* * * * *

(g) *Separate maximum prices in sales to wholesalers and retailers.* Any packer who has an established practice of selling an item to wholesalers and retailers at substantially different prices may calculate separate maximum prices to these classes of purchasers. For this purpose, the packer shall accordingly segregate his 1941 prices for the item when calculating weighted average prices charged during the 1941 base period.

(h) *Sales to the United States and agencies.* Any packer selling an item to the United States or its agencies shall take as his maximum price in that sale the maximum price established for him in sales to wholesalers or, if he sells only to retailers, the maximum price established for him in sales to retailers. A packer who sells only to the ultimate consumer shall take as his maximum price the maximum price which the nearest comparable packer who sells to wholesalers or retailers is entitled to charge.

§ 1341.309a *Information which packers must give their customers.* * * *

(b) *Notice from packers to retailers*—(1) *General package requirement.* Every packer who sells any item of fruit preserves, jams or jellies under his own label during the 90-day period beginning November 6, 1942, whether to a wholesaler or a retailer, shall include with its shipping case (or other package unit in which the retailer usually purchases the product) a "Notice of Retailers Permitted Increase". * * *

(c) *Notification of wholesalers and retailers where the packer's maximum price has again been changed.* In cases where the packer is required to revise his maximum price for an item because of an amendment changing the packer's pricing method, the packer shall insert shipping case notices, in the manner explained above in paragraph (b), for 90 days after the change is made. If the packer previously sent out retailer notices for the item, he shall add the following sentence to the new notice: "OPA has made a new change in the packer's ceiling price and it now directs you to re-figure your ceiling as provided in this notice." The packer shall also notify his wholesalers in the manner explained in paragraph (a), and in each case where a wholesaler notice for the item has already been sent out he shall add the same new sentence and shall request that the wholesaler do likewise when notifying retailers.

§ 1341.317 *Effective dates of amendments.* * * *

(f) Amendment No. 5 (§§ 1341.302 (a), (g), and (h), 1341.309a (b) and (c), and 1341.317 (f)) to Maximum Price Regulation No. 226 shall become effective February 18, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 12th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43-2326; Filed, February 12, 1943; 3:24 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 280,[1] Amendment 12]

MAXIMUM PRICES FOR SPECIFIED FOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1351.801 (j) is amended to read as set forth below:

§ 1351.801 *Purpose of this regulation.* * * *

(j) *Meaning of the term "listed food products".* Wherever the term "listed food products" appears in this regulation it refers to a particular kind, grade, quality and container size of the food products listed above.

* * * * *

§ 1351.821 *Effective dates of amendments.* * * *

(j) Amendment No. 12 (§ 1351.801 (j)) to Maximum Price Regulation No. 280 shall become effective December 3, 1942.

(Pub. Laws 421 and 729; 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 12th day of February 1943.

* * *

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43-2327; Filed, February 12, 1943; 3:26 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 322]

ALFALFA HAY—CALIFORNIA, OREGON, WASHINGTON

In the judgment of the Price Administrator it is necessary and proper to establish maximum prices for sales of alfalfa hay in California, Oregon and Washington.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.* In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. So far as practicable the Administrator has advised and consulted with members of the industry which will be affected by this regulation.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration after consultation with and with the concurrence of the Secretary of Agriculture, this Maximum Price Regulation No. 322 is hereby issued.

AUTHORITY: §§ 1351.950 to 1351.966 inclusive issued under Public Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871.

§ 1351.950 *Prohibition against sales of alfalfa hay in California, Oregon and Washington above maximum prices.* On and after the effective date of this regulation regardless of any contract or other obligation, no person subject to this regulation shall sell or deliver alfalfa hay and no person subject to this regulation in the course of trade or business shall buy or receive such alfalfa hay at a price higher than the maximum prices permitted by this regulation and no person subject to this regulation shall agree, offer, solicit or attempt to do any of the foregoing: *Provided*, That the provisions of this regulation shall not apply to sales or deliveries of alfalfa hay otherwise covered by this regulation if prior to the effective date of this regulation such alfalfa hay has been sold to a buyer and has been received by a carrier other than a carrier owned or controlled by the seller for shipment to such buyer. But any resales of such last mentioned alfalfa hay which is so in transit at the effective date of this regulation shall be subject to this regulation.

§ 1351.951 *Sales at lower than maximum prices.* Lower prices than the maximum prices set forth in this regulation may be charged, demanded, paid or offered.

§ 1351.952 *Territory and transactions subject to this regulation.* The provisions of this regulation shall apply only to the states of California, Oregon and Washington. It shall govern the sale and delivery of all alfalfa hay produced in such states as well as the sale and delivery of all alfalfa hay produced elsewhere which is sold to a dealer, retailer, feeder or ultimate user located in any of said states.

§ 1351.953 *Maximum prices for sales by a producer.* (a) "Producer" means a person who grows or raises alfalfa hay.

(b) The maximum price for the sale or delivery of alfalfa hay by a producer shall be $20.00 per ton loose on the farm except that in a sale or delivery where a certificate signed by a federal or state hay inspector is furnished the maximum prices for the grade described in the certificate loose on the farm shall be as follows:

	Grade No. 1	Grade No. 2	Grade No. 3
Alfalfa hay	$22.50	$20.00	$17.00
Alfalfa leafy hay		21.00	19.00
Alfalfa extra leafy hay	23.50	22.00	20.00

(c) The maximum delivered price for the sale or delivery of alfalfa hay by a producer shall be the applicable maximum price loose on the farm as above set forth plus actual transportation charges from seller's farm to buyer's receiving point.

§ 1351.954 *Maximum prices for sales by a dealer.* (a) "Dealer" means a person who buys alfalfa hay from any person and resells it other than at retail.

(b) The maximum price for the sale or delivery of alfalfa hay by a dealer shall be $1.50 per ton over his cost which must not exceed a producer's maximum price thereon plus all actual transportation charges incurred by such dealer as the seller.

§ 1351.955 *Maximum prices for sales by a retailer.* (a) "Retailer" means a person who buys alfalfa hay from any person and resells the same in quantities of less than 2 tons to a feeder or ultimate user after unloading and storing the same in his established place of business which must consist of a permanent structure or building such as a feed store or structural warehouse.

(b) The maximum price for the sale or delivery of alfalfa hay by a retailer shall be $5.00 per ton over his cost which must not exceed a dealer's maximum price thereon plus all actual transportation charges incurred by the retailer as the seller.

§ 1351.956 *Maximum price for sales in bales.* Where alfalfa hay is sold in bales the cost of baling not exceeding $4.00 per ton if and as incurred by the seller may be added to the appropriate maximum price above set forth.

§ 1351.957 *Maximum prices for sales of alfalfa hay imported from a foreign country.* (a) The maximum price for the first sale and delivery of alfalfa hay imported from a foreign country within the States of California, Oregon and Washington after the importation shall be the total of:

(1) The seller's cost not exceeding the maximum price of a producer plus $1.00 per ton, plus

(2) The maximum mark up for the class of persons to which the seller belongs, plus

(3) Actual transportation charges from the port of entry of the alfalfa hay in question to the buyer's receiving point.

(b) The maximum price for all subsequent sales and deliveries of such alfalfa hay shall be the maximum mark up of the class of persons to which the seller belongs over his cost not exceeding the maximum price which he could have lawfully have paid a dealer as a first seller thereof plus actual transportation charges incurred by such seller if any.

§ 1351.1958 *Addition of freight tax.* In adding transportation charges under the foregoing sections the seller may add and include as a part thereof the 3 per cent transportation tax when paid provided for under section 620 of the Revenue Act of 1942.

§ 1351.1959 *Limitation on mark ups in sales between dealers or between retailers respectively.* No more than a total of one dealer's mark up of $1.50 per ton shall be added or included in determining the maximum price of any dealer irrespective of the number of dealers who may have handled the alfalfa hay in question.

No more than the total of one retailer's mark up of $5.00 per ton shall be added or included in determining the maximum price of any retailer irrespective of the number of retailers who may have handled the alfalfa hay in question.

§ 1351.1960 *Maximum price for export sales.* The maximum price at which any person subject to this regulation may export any alfalfa hay covered by this regulation shall be determined in accordance with Revised Maximum Export Regulation issued by the Office of Price Administration.

§ 1351.1961 *Maximum prices shall not be increased for any special charges.* The maximum prices hereinbefore specified shall not be increased by any other charges whatsoever including but not limited to duties, brokerages, or commissions, storage, insurance, carrying or handling charges or charges for the extension of credit.

§ 1351.1962 *Definitions.* As used in this regulation alfalfa hay and grades of alfalfa hay refer to alfalfa hay and grades of alfalfa hay as established in the Handbook of Official Hay Standards issued by the Department of Agriculture.

§ 1351.1963 *Records and reports.* (a) Every seller subject to this regulation shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect his customary records including if any all bills, invoices and other documents relating to every sale or delivery of alfalfa hay after the effective date of this regulation.

(b) Upon demand every such seller shall submit such records to the Office of Price Administration and keep such further records as the Office of Price Administration may from time to time require.

§ 1351.1964 *Evasion.* The maximum prices set forth in this regulation shall not be evaded in any manner whatsoever in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to alfalfa hay alone or in conjunction with any other charge, discount, premium or privilege or by tying agreement or other trade understanding or by changing a previous business practice.

§ 1351.1965 *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension provisions and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

Persons who have evidence of any violation of this regulation or of any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such violation are urged to communicate with the nearest district, field, state, or regional office of the Office of Price Administration or with its principal office in Washington, D. C.

§ 1351.1966 *Effective date.* This Maximum Price Regulation No. 322 (§§ 1351.1950 to 1351.1966 inclusive) shall become effective on and after February 18, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2328; Filed, February 12, 1943; 3:26 p. m.]

PART 1372—SEASONAL COMMODITIES

[MPR 210,[1] Amendment 10]

RETAIL AND WHOLESALE PRICES FOR FALL AND WINTER SEASONAL COMMODITIES

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new § 1372.113 is added, as set forth below:

§ 1372.113 *Modification of maximum prices for certain commodities and transactions.* The maximum prices for the commodities and transactions listed below are to be determined as hereinafter provided:

(a) *Sales at retail of bowl or reflector type electric portable heaters*—(1) *Maximum prices.* The maximum price for a sale at retail of a bowl or reflector type portable electric heater is the price set forth below:

Watts 659 and less	$3 00
Watts 660 to 799	4 00
Watts 800 to 999	5 00
Watts 1,000 and over	6 00

These prices include Federal excise tax.

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*Copies may be obtained from the Office of Civilian Defense.

[1] 7 F.R. 10144, 10337, 10475, 10585, 10786, 10995; 8 F.R. 158 876, 877, 1120, 1468.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6789, 7318, 7173, 7912, 8651, 8930, 8937, 8948, 9614, 10109; 8 F.R. 973.

(2) *Application for exception.* Any seller at retail of a bowl or reflector type electric portable heater may apply to the appropriate Regional Office of the Office of Price Administration for an order granting an exception to the provisions of subparagraph (1) and authorizing the use of the pricing formulas contained in §§ 1372.102 to 1372.104 of this Maximum Price Regulation No. 210. Each Regional Administrator is authorized to grant an exception to any applicant who is able to show:

(i) That the manufacturer of the heater has complied with the provisions of Maximum Price Regulation No. 188. Evidence of this may be submitted in the form of an affidavit of the manufacturer setting forth that he is the manufacturer of the heater, and that he determined his price in accordance with Maximum Price Regulation No. 188 and reported it, if required to do so; together with a statement of such price and the method of computing it; and

(ii) If the heater was bought from a wholesaler, that the wholesaler and any prior sellers other than the manufacturer have complied with Maximum Price Regulation No. 210. Evidence of this may be submitted in the form of affidavits of the wholesaler and of any other prior sellers other than the manufacturer setting forth that they sold the heater and determined its price in accordance with Maximum Price Regulation No. 210 or the General Maximum Price Regulation; together with statements of the prices charged and the methods of computing them.

The applicant must also show his own maximum price as computed under Maximum Price Regulation No. 210 and the method of determining it.

§ 1372.111a *Effective dates of amendment.* * * *

(j) Amendment No. 10 (§ 1372.113 (a)) to Maximum Price Regulation No. 210 shall become effective February 18, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2331; Filed, February 12, 1943; 3:25 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5B,[1] Amendment 14]

GASOLINE RATIONING REGULATIONS FOR PUERTO RICO

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1394.2252 and paragraph (b) of § 1394.2301 are amended to read as follows and paragraph (n) is added to § 1394.3052:

§ 1394.2252 *Basic ration books.* (a) Class A Ration Books shall be issued as basic rations for passenger automobiles, shall contain six (6) pages of eight (8) coupons to each page and shall be valid for transfer of gasoline to holders thereof only during the periods as follows:

Coupons:	Valid period Month of
A-6	January 1943
A-7	February 1943
A-8	March 1943
A-9	April 1943
A-10	May 1943
A-11	June 1943
A-12	July 1943

(b) Class D Ration Books marked "basic" shall be issued as basic rations for motorcycles, shall contain six (6) pages of eight (8) coupons to each page and shall be valid for transfers of gasoline to the holders thereof at any time during the semi-annual period commencing February 1st or August 1st for which they shall be issued.

§ 1394.2301 *Supplemental rations.* * * *

(b) Class B and C Ration Books shall be issued as supplemental rations for passenger automobiles, shall contain twelve (12) pages of eight (8) coupons to each page and shall be valid for transfers of gasoline to holders thereof only during periods as follows:

B or C coupons bearing No.:	Valid period—6 days commencing with—
12	January 24, 1943
13	February 1, 1943
14	February 8, 1943
15	February 15, 1943
16	February 22, 1943
17	March 1, 1943
18	March 8, 1943
19	March 15, 1943
20	March 22, 1943
21	March 29, 1943
22	April 5, 1943
23	April 12, 1943
24	April 19 1943

* * * * * *

§ 1394.3052 *Effective dates of amendments.* * * *

(n) Amendment No. 14 (§§ 1394.2252 and 1394.2301 (b)) shall become effective at 6:00 p. m. on January 28, 1943.

(Pub. No. 617, 76th Cong., 3rd sess., as amended by Pub. No. 89, 77th Cong., 1st sess., and by Pub. No. 507, 77th Cong., 2nd sess., Pub. No. 421, 77th Cong., 2nd sess., WPB Directive No. 1, Supp. Div. No. 1J as amended (7 F.R. 562, 8731))

Issued this 28th day of January 1943.

WILLIAM B. MEAD,
Director,
Office of Price Administration for Puerto Rico.

[F. R. Doc. 43-2329; Filed, February 12, 1943; 8:26 p. m.]

[Ration Order 3,[1] Amendment 39]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

SUGAR RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraph (f) is added to § 1407.86 as set forth below:

Institutional and Industrial Users

§ 1407.86 *Allotments.* * * *

(f) Notwithstanding the provisions of paragraph (b), no registering unit may apply for an allotment for the period beginning March 1, 1943, to be used by the registering unit in the preparation or service of food or beverages which the registering unit or the owner of the registering unit will serve to consumers or for an allotment on that part of a base which was established on the basis of such a use: *Provided, however,* That a registering unit that applies on or before February 27, 1943, may obtain an allotment not in excess of one-fourth of the amount which it obtained on the basis of such use pursuant to this section for the January-February period. Any allotment granted pursuant to this paragraph shall be deducted from future allotments for such use (institutional user allotments).

Effective Date

§ 1407.222 *Effective date of amendments.* * * *

(nn) Amendment No. 39 (§ 1407.86 (f)) shall become effective February 12, 1943.

(Pub. Law 421, 77th Cong., W.P.B. Dir. No. 1 and Supp. Dir. No. 1E)

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2340; Filed, February 12, 1943; 3:37 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 12,[2] Amendment 15]

COFFEE RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1407.1041 is amended to read as follows, and paragraph (o) of § 1407.1090a is added as set forth below:

Transfer and Acquisition of Green Coffee

§ 1407.1041 *Transfer and acquisition of green coffee.* (a) Notwithstanding anything to the contrary contained in Ration Order No. 12, no person shall acquire except by import or pursuant to §§ 1407.1053, 1407.1054, 1407.1056, 1407.1058, or 1407.1060, green coffee if as the result of such acquisition his existing inventory would exceed 50 percent of his allowable inventory of coffee. If green coffee is acquired by any person by import or pursuant to §§ 1407.1053, 1407.1054, 1401.1056, 1407.1058, or 1407.1060, in an amount which, together with the coffee in his existing inventory, exceeds 50 percent of his allowable inventory of coffee, such person if he does not make an immediate sale of coffee in an amount equivalent to such excess shall, within 24 hours after acquiring such green coffee, offer, through established coffee dealers and brokers, an equivalent amount of coffee for sale in conformity with Ration Order No. 12. If, prior to the acceptance of such offer, such person becomes entitled, as a result of reduction of his existing inventory, to acquire green coffee, coffee in an amount equivalent to the amount which he is so entitled to acquire may be withdrawn from the amount of coffee offered for sale pursuant to this section.

(b) Any person making an offer for sale in accordance with paragraph (a) of this section shall, at the same time, forward a report to the Office of Price Administration, Washington, D. C., stating (1) the amount so offered for sale; (2) whether the coffee offered for sale is from his existing inventory; (3) a description of the coffee offered for sale; (4) the location of the coffee offered for sale; and (5) the names and addresses of the brokers or dealers through whom the offer is being made. In the event of the sale or the withdrawal from offer for sale, pursuant to paragraph (a) of this section, of any such coffee, such person shall forward a report of such sale or withdrawal, within 24 hours thereafter, to the Office of Price Administration, Washington, D. C., stating, in the case of a sale, the name and address of the purchaser, the date of sale, and the amount sold, and, in the case of such withdrawal, the amount withdrawn from the offer for sale.

Effective Date

§ 1407.1090a *Effective dates of amendments.* * * *

(o) Amendment No. 15 (§§ 1407.1041 and 1407.1090a (o)) to Ration Order No. 12 shall become effective February 12, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 729, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1-R)

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2333; Filed, February 12, 1943; 3:27 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 2966, 3242, 3783, 4545, 4618, 5183, 6361, 6084, 6473, 6828, 6937, 7289, 7321, 7446, 7510, 7557, 8402, 8655, 8710, 8739, 8809, 8830, 8831, 9042, 9396, 9460, 9899, 10017, 10553, 10556, 10845; 8 F.R. 166, 262, 445, 620, 1028, 1204, 1288.

[2] 7 F.R. 9710, 10380, 11071, 11072; 8 F.R. 28, 167, 566, 621, 566, 978, 1316, 1366, 1266, 1631.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 12,[1] Amendment 17]

COFFEE RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraph (a) of § 1407.1000 is amended to read as follows, and paragraph (c) of § 1407.1090 and a new item to § 1407.1092 are added, as set forth below:

Institutional Users

§ 1407.1000 *Allotment certificates—*(a) *Application.* Application for allotment certificates shall be made by a registering unit for each period, as provided in this section. The first period for which allotment certificates may be granted shall be the period from the date of registration to January 31, 1943, inclusive, and application therefor shall be made at the time of registration. The second such period shall be from February 1, 1943, to February 28, 1943, inclusive. All subsequent applications for allotment certificates shall be for consecutive two-month periods, the first of which shall commence on March 1, 1943. Applications shall be made not later than the fifth day of the first month of the period for which the application is being made and not earlier than the 15th day of the month preceding the period. The board, in its discretion, may permit an application to be made at any time after the time specified herein but in such case the board shall reduce the allotment by an amount which bears the same proportion to the allotment as the number of days which have elapsed from the start of the period bears to the total total number of days in the period.

* * * * * *

(c) *Limitation on applications.* Notwithstanding the provisions of paragraph (a) of this section, no registering unit may apply for an allotment for the period beginning March 1, 1943, to be used by the registering unit in the preparation of beverages which the registering unit or the owner thereof will serve to individuals or for an allotment on that part of a base which was established on the basis of such a use: *Provided, however,* That a registering unit that applies on or before February 27, 1943, may obtain an allotment not in excess of one-half of the amount which it obtained on the basis of such use pursuant to Ration Order No. 12 for the period beginning February 1, 1943. Any allotment granted pursuant to this paragraph shall be deducted from future allotments for such use (institutional user allotments).

Schedules

§ 1407.1092 *Allotment percentage for institutional users.*

Period	Percentage of base
* * * * *	* *
March 1, 1943, to April 30, 1943, inclusive	80

This amendment shall become effective February 12, 1943.

(Pub. Law 671, 76th Congress, as amended by Pub. Laws 89, 507, 421, and 729, 77th Congress; W.P.B. Dir. No. 1, Supp. Dir. No. 1-R)

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2334; Filed, February 12, 1943; 3:27 p. m.]

PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS

[MPR 324]

NORTHERN WHITE CEDAR FENCE POSTS

In the judgment of the Price Administrator it is necessary and proper to establish maximum prices for sales of Northern white cedar fence posts by a specific maximum price regulation. This commodity designation embraces fence posts produced in a defined area of the northern States. The Price Administrator has ascertained and given due consideration of the prices of Northern white cedar fence posts prevailing between October 1 and October 15, 1941, and has made adjustments for such revelant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the Industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations involved in the issuance of this regulation has been prepared, issued simultaneously herewith, and has been filed with the Division of the Federal Register.* Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1,[1] issued by the Office of Price Administration, Maximum Price Regulation No. 324 is hereby issued.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8961.

Sec.

1426.201 Sales of Northern white cedar fence posts at higher than maximum prices prohibited.
1426.202 Scope of this regulation.
1426.203 Maximum prices for sales to a person other than a consumer.
1426.204 Maximum prices for sales to consumers.
1426.205 Transportation additions.
1426.206 Display of maximum prices.
1426.207 Prohibited practices.
1426.208 Petitions for adjustment and amendment.
1426.209 Records.
1426.210 Enforcement and licensing.
1426.211 Relation to other regulations.
1426.212 Effective date.

§ 1426.201 *Sales of Northern white cedar fence posts at higher than maximum prices prohibited.* (a) On and after February 18, 1943, regardless of any contract or other obligation, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business, any Northern white cedar fence posts at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

Diameter at small end (except on quarters which are measured by width of flat side)	Length	Each	Estimated weights	Diameter at small end	Length	Each	Estimated weights
			Lbs				*Lbs.*
7" to 9" Quarters	7'	$0.14	17	3" round	8'	$0.17	28
Over 5" to 10" Quarters	7'	.18	22	4" round	8'	.25	35
				5" round	8'	.32	45
5" Halves	7'	.17	17	6" round	8'	.40	60
6" Halves	7'	.19	22	7" round	8'	.50	75
7" Halves	7'	.21	30	8" round	8'	.80	90
8" Halves	8'	.22	22	6" round	8'	.50	68
6" Halves	8'	.25	37				
7" Halves	8'	.28	37	4" round	10'	.47	45
				5" round	10'	.60	55
5" Halves	10'	.40	27	6" round	10'	.68	75
6" Halves	10'	.50	37	7" round	10'	.90	90
4" Round	6'	.19	18	8" round	10'	1.00	125
5" Round	6'	.21	25	4" round	12'	.60	55
6" Round	6'	.23	40	5" round	12'	.70	75
				6" round	12'	.80	90
2" Round	7'	.11	10	7" round	12'	1.40	110
3" Round	7'	.185	17	8" round	12'	1.90	135
4" Round	7'	.25	28				
5" Round	7'	.26	35	4" round	14'	.75	70
6" Round	7'	.30	50	5" round	14'	.90	85
7" Round	7'	.35	60	6" round	14'	1.20	110
8" Round	7'	.50	75				

Additions for selected stock:
All diameters, eight feet long, turning stock posts, add $0.10 each.
All diameters, ten feet long, turning stock posts, add $0.20 each.

(b) *Sizes not specifically priced.* Sizes of northern white cedar fence posts not specifically priced in subsection (a) above, are nevertheless subject to this regulation. Maximum prices for such posts shall be determined as follows:

(1) The maximum price shall bear the October 1941 relationship to the "yardstick" size, which is a post 3" round and 7' long. The seller should find the difference between the price received for the "yardstick" size and the item to be priced during October 1941, or the first month prior to October 1941 in which he made sales of both sizes. He should then determine the price at which he sold northern white cedar fence posts 3" round and 7' long during that same month. The difference between these amounts shall be added to the maximum here established for the yardstick ($0.185), where the item is of greater value than the "yardstick" size, or subtracted from the maximum established for the yardstick if it is of less value. The resulting amount shall be the tentative maximum price. If the seller made no sales of the "yardstick" size, he may use the nearest comparable size to make this computation.

This tentative price shall be submitted to the Lumber Branch, Office of Price Administration, Washington, D. C., within 10 days of the use of the price, together with certified copies of the invoices of the sales which were used to determine the maximum price. If, within thirty days after receipt of the request for approval, the Office of Price Administration does not adjust or require further justification of the maximum price, it shall be considered approved and shall thereafter be the maximum price for that seller for that item. Pending approval or action by the Office of Price Administration, the seller may deliver the item and receive payment therefor, subject to the condition that a refund will be made if the price is in excess of that finally approved by the Office of Price Administration.

(2) For any size of northern white cedar fence posts for which a specific maximum price is not provided, and which cannot be priced under paragraph (a) of this section, the maximum price shall be the price established by the Lumber Branch, Office of Price Administration, Washington, D. C., after full facts have been submitted in support of any request for the establishment of such a maximum price. This maximum price may be established by a letter or telegram.

§ 1426.202 *Scope of this regulation*—(a) *Products covered.* The term "Northern white cedar fence posts" is used to describe round or split, peeled or unpeeled, fence posts which are cut from white cedar (Thuja occidentalis) produced in the states of Michigan, Minnesota, and Wisconsin.

(b) *Persons covered.* Any person who buys (in the course of trade or business) or sells Northern white cedar fence posts is subject to this regulation. The term "person" includes: an individual, corporation, partnership, association, or any other organized groups, their legal successors or representatives; the United States or any government, or any of its political subdivisions; or any agency of the foregoing.

§ 1426.203 *Maximum prices for sales to a person other than a consumer.* (a) The following are the maximum prices at which Northern white cedar fence posts may be sold to any person other than a consumer. These prices are f. o. b. concentration yard or other loading-out point in the producing area. Where sales are made on a delivered basis the maximum price shall be established by adding the appropriate transportation addition as provided in § 1426.205 (*Transportation additions*):

§ 1426.204 *Maximum prices for sales to consumers.* The maximum delivered prices at which northern white cedar fence posts may be sold to consumers shall be the sum of the following:

(a) The prices listed in § 1426.203;

(b) The transportation addition provided in § 1426.205 (a) (2); and

(c) 33⅓ percent of the sum of (1) and (2).

§ 1426.205 *Transportation additions.* (a) To the maximum prices set forth in § 1426.203 may be added transportation from the applicable basing point, which as used in this regulation means either Gemmell, Minnesota; Rexton, Michigan; or Rhinelander, Wisconsin. (1) Where sale is made to a person not a consumer, the basing point is the one nearest the shipper's loading out point. (2) When sale is to a consumer, the basing point shall be the one nearest the retailer if sold by a retail yard, or nearest the consumer, if sold by any other person.

For example, a concentration yard operator in computing a delivered price to a retailer must use the basing point nearest the concentration yard. The retailer, selling to consumers, on the other hand, must use the basing point nearest the retail yard in arriving at his maximum price.

(b) The addition shall be computed as follows:

(1) When the estimated weights in § 1426.203 are used, the weight times the carload freight rate from the applicable basing point to the actual destination is the maximum permissible addition, even if the estimated weights are higher than the actual weights. Estimated weights higher than those given in § 1426.203 may not be used.

(2) When estimated weights are not used, the amount for transportation shall be the actual weight times the rate from the applicable basing point.

§ 1426.206 *Display of maximum prices.* Any person selling Northern white cedar fence posts to consumers shall display in a manner plainly visible to and understandable by the purchasing public the maximum prices permitted under this regulation. Such display shall be headed "Ceiling Prices" and shall list the prices by diameter and length.

§ 1426.207 *Prohibited practices.* (a) *General.* Any practice which obtains the effect of a higher-than-ceiling price without actually raising the price is as much a violation of this Regulation as an outright over-ceiling price. This applies to the use of commissions, serviced, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings, and the like.

(b) *Adjustable pricing.* A price may not be adjustable to a maximum price which will be in effect at some time after delivery of the product has been completed, but the price may be adjustable to the maximum price in effect *at* the time of delivery.

§ 1426.208 *Applications for adjustments and petitions for amendment*—(a) *Government contracts.* (1) Any person who has made or intends to make a "government contract" and who thinks that a maximum price in this regulation is impeding or threatens to impede production of any northern white cedar fence posts which are essential to the war program and which are or will be the subject of the contract, may file an application for adjustment in accordance with Procedural Regulation No. 6[2] issued by the Office of Price Administration.

(2) The term "government contracts" is here used to include any contract with the United States or any of its agencies, or with the Government or any governmental agency of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An act to promote the defense of the United States". It also includes any subcontract under this kind of contract.

(3) As soon as the application is filed, contracts, deliveries, and payments may be made at the requested price, subject to refund if the requested price is disapproved or lowered. The seller must advise the buyer that the delivery is made subject to this refund.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[3] issued by the Office of Price Administration.

§ 1426.209 *Records.* Any person, other than a consumer, who buys or sells 200 or more Northern white cedar fence posts in any one month, must keep records of the items sold, names and addresses of buyers, date of sale, and price. The records must be kept for two years for inspection by the Office of Price Administration.

§ 1426.210 *Enforcement and licensing.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942, as amended.

[2] 7 F.R. 5087, 5664
[3] 7 F.R. 8961.

(b) Persons who have evidence of any violation of this regulation or any regulation or order issued by the Office of Price Administration are urged to communicate with the nearest field, state, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

(c) The provisions of Supplementary Order No. 18 (§ 1305.22)[4] licensing persons selling lumber, lumber products, or building materials, are applicable to every person, except producers making sales of Northern white cedar fence posts for which maximum prices are established by this regulation. This order, in brief, provides that a license is necessary, except for producers, to make sales under this regulation. A license is automatically granted to all sellers making these sales. It is not necessary to apply specially for the license, but a registration may later be required. The Emergency Price Control Act of 1942, as amended, and Supplementary Order 18 tell the circumstances under which licenses may be suspended. The license cannot be transferred.

§ 1426.211 *Relation to other regulations*—(a) *General Maximum Price Regulation.* Any sale or delivery covered by this maximum price regulation is not subject to the General Maximum Price Regulation.

(b) *Maximum Export Price Regulation.* The maximum price for export sales of Northern white cedar fence posts is governed by the Revised Maximum Export Price Regulation.[5]

§ 1426.212 *Effective date.* (a) This Maximum Price Regulation 324 (§§ 1426.201 to 1426.212, inclusive) shall become effective February 18, 1943.

(b) If Northern white cedar fence posts have been received before February 18, 1943, by a carrier, other than one owned or controlled by the seller, for shipment to a buyer, the shipment is not subject to this regulation. It remains subject to the General Maximum Price Regulation.[6]

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2335; Filed, February 12, 1943; 3:25 p. m.]

PART 1433—FEATHERS AND DOWN

[Correction to MPR 318[7]]

FEATHERS AND DOWN

The reference to March 1, 1943, in §§ 1433.1 and 1433.13 is corrected to read March 15, 1943.

[4] 7 F.R. 7240, 11007.
[5] 7 F.R. 5059, 7242, 8829, 9000, 10530.
[6] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5057, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8831, 8942, 9004, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.
[7] 8 F.R. 1682.

(Pub. Law 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.)

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2336; Filed, February 12, 1943; 3:24 p. m.]

PART 1499—COMMODITIES AND SERVICES

[GMPR,[1] Amendment 43]

DEFINITION OF "SELLER"

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.20 (s) is amended to read as set forth below:

§ 1499.20 *Definitions and explanations.* * * *

(s) "Seller" includes the seller of any commodity or service. Where a seller at retail makes sales or supplies services through more than one selling unit, other than salesmen making sales at uniform prices, each such separate place of business of the seller shall be deemed to be a separate seller. Where a seller other than at retail makes sales or supplies services through more than one selling unit, all selling units whose prices for most of the commodities they sell have customarily been determined centrally by the same office, shall be deemed to be a single seller; but where a seller has by charging different prices for a commodity at his selling units established different classes of purchasers, he will have different maximum prices for the different selling units. For the purposes of Section 16 of this regulation, the owner of a business shall be considered the seller regardless of the number of separate places of business he owns.

§ 1499.23a *Effective dates of amendments.* * * *

(rr) Amendment No. 43 (§ 1499.20 (s)) to General Maximum Price Regulation shall become effective February 18, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2339; Filed, February 12, 1943; 3:27 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 78 § 1499.3 (b) of GMPR]

NORTON COMPANY

Order No. 78 (§ 1499.292) under § 1499.3 (b) of the General Maximum Price Regulation is hereby revoked.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6939, 6794, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued and effective this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2337; Filed, February 12, 1943; 3:24 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 96 Under § 1499.3 (b) of GMPR]

MAXIMUM PRICES FOR SPECIAL BONDED ABRASIVES

Order No. 96 (§ 1499.960) under § 1499.3 (b) of the General Maximum Price Regulation is hereby revoked.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued and effective this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2338; Filed, February 12, 1943; 3:25 p. m.]

PART 1300—PROCEDURE

[Procedural Reg. 9, Amendment 3]

UNIFORM APPEAL PROCEDURE UNDER RATION ORDERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraph (c) is added to § 1300.610 and paragraph (c) of § 1300.611 is amended as set forth below:

§ 1300.610 *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§ 1300.611 (c)) to Procedural Regulation No. 9 shall become effective February 19, 1943.

§ 1300.611 *Appendix A: List of district and state offices designated by regional administrators to decide appeals.* * * *

(c) *Region III.* Indiana: Indianapolis, South Bend; Kentucky: Louisville; Michigan: Detroit, Grand Rapids, Iron Mountain, Saginaw; Ohio: Cincinnati, Cleveland, Columbus, Toledo; West Virginia: Charleston, Wheeling.

(Pub. Law 507, 77th Cong., W.P.B. Dir. 1, 7 F.R. 562; E.O. 9125, 7 F.R. 2719)

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2413; Filed, February 13, 1943; 12:51 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Ration Order 1A,* Amendment 11]

DEALER AND MANUFACTURER TRANSFERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sections 1315.804 (c) (5) (ii), 1315.805 (b) and 1315.1005 (b) are revoked; §§ 1315.804 (e), 1315.805 (a), 1315.805 (c), 1315.806 (j), 1315.807 (e), 1315.808 (b) and 1315.1005 (c) are amended as follows:

§ 1315.804 *Dealer and manufacturer transfers.* * * *

(e) *Transfers without certificate upon authorization.* (1) The following transfers of tires, tubes or camelback may be made (without certificate) upon written authorization of the State Director or District Manager having jurisdiction over the area in which the transferee is located:

(i) From a person, other than a dealer or manufacturer, to a dealer or manufacturer.

(ii) From a retailer to a dealer or manufacturer.

(iii) From a wholesaler to a wholesaler or manufacturer.

(iv) From a manufacturer to a manufacturer.

(2) The following transfers of replenishment portions (Parts B) of certificates or receipts may be made upon authorization of the State Director or District Manager having jurisdiction over the area in which the transferee is located:

(i) From a retailer to a dealer.

(ii) From a wholesaler to a wholesaler.

(3) The application for authority to make any transfer permitted in subparagraphs (1) and (2) shall state the names and addresses of the transferor and transferee, the number of Parts B and the amount, type and grade of tires, tubes or camelback called for thereon and the amount, type and grade of tires, tubes or camelback to be transferred and the reason for the transfer.

§ 1315.805 *Acquisition for retransfer purposes.* (a) Subject to the provisions of paragraph (c) of this section, tires, tubes or camelback may be acquired, without certificate, in the following cases:

* * * * *

(c) *Required transfers.* A person other than a dealer acquiring full title to tires, tubes or camelback hereunder shall, within thirty days, sell such tires, tubes or camelback to a dealer or manufacturer if authorized to make the transfer as provided in section 804 (e), or to the Defense Supplies Corporation.

§ 1315.806 *Transfers without certificate, special authorization or notice.* * * *

(j) *Transfer of unit for unit.* (1) A dealer may, without certificate, transfer tires, tubes or camelback to a dealer in exchange for tires, tubes or camelback of the same amount, type and grade.

(2) A dealer may, without certificate, transfer tires, tubes or camelback to a manufacturer in exchange for tires, tubes or camelback of the same amount and type and of the same or an inferior grade.

§ 1315.807 *Miscellaneous transactions.* * * *

(e) *Lost, stolen or destroyed stock and Parts B.* The State Director or District Manager for the area in which the dealer is located may, upon the dealer's application, issue replenishment portions of certificates to replace tires, tubes, camelback, replenishment portions (Parts B) or certificates which have been lost, stolen, destroyed or irreparably damaged.

§ 1315.808 *Transfers to certain governmental agencies, manufacturers of vehicles or for export.* * * *

(b) *Transfer to manufacturer of vehicles or equipment.* No person may transfer tires or tubes to any manufacturer of vehicles or equipment for mounting as original equipment on a vehicle or equipment made by him, except upon the written approval of the War Production Board.

§ 1315.1005 *Records and reports of transfers.* * * *

(c) *Record of transfers upon authorization.* Any person who acquires or transfers, tires, tubes, camelback or replenishment portions of certificates pursuant to an authorization issued by the Office of Price Administration shall retain a copy of such authorization as part of his records.

§ 1315.1199a *Effective dates of amendments.* * * *

(k) Amendment No. 11 (§§ 1315.804, 1315.805, 1315.805, 1315.807, 1315.808 and 1315.1005) to Ration Order No. 1A shall become effective February 15, 1943.

(Pub. Law No. 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, W.P.B. Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2414; Filed, February 13, 1943; 12:51 p. m.]

PART 1340—FUEL

[MPR 120, Amendment 40]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§§ 1340.218 (b) and 1340.219 (b) are amended to read as set forth below:

§ 1340.218 *Appendix G: Maximum prices for bituminous coal produced in District No. 7.* * * *

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

DISTRICT NO. 7—LOW VOLATILE COALS

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this Appendix.* (i) For the methods of shipment and uses indicated in (2) above:

25 cents to Sizes Group 1 to 6, inclusive.

DISTRICT NO. 7—HIGH VOLATILE COALS

(6) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this Appendix.* (i) For the methods of shipment and uses indicated in (7) above:

25 cents to Size Groups 1 to 6, inclusive.

§ 1340.219 *Appendix H: Maximum prices for bituminous coal produced in District No. 8.* * * *

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

DISTRICT NO. 8—HIGH VOLATILE COALS

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this Appendix.* (a) Meadow Creek Coal Company, Solon Mine, Mine Index 432, shall take the same Maximum Prices for shipment to Market Area 114 (Nashville, Tennessee) as are applicable to that mine in all other Market Areas.

(b) Price classifications and size group Nos. 1 to 23, inclusive, shown below, are the applicable effective minimum price classifications and size group numbers as of October 1, 1942, for all-rail shipment.

Price classifications	Prices and size group Nos.																						
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21	22	23
A	415	415	415	390	375	350	300	315	285	265	285	285	285	285	285	280	280	265	245
B	415	390	390	375	350	325	290	285	280	260	280	280	280	280	280	280	280	260	240
C	395	375	375	360	350	325	290	285	280	260	280	280	280	280	280	280	280	260	240
D	385	375	375	360	350	325	290	285	280	260	280	280	280	280	280	280	280	255	230
E	375	365	365	350	350	320	290	285	275	260	280	280	275	275	270	270	270	245	225
F	365	360	360	350	340	320	290	285	275	260	280	280	275	275	270	270	270	245	225
G	365	360	360	345	340	315	290	285	275	260	280	280	275	275	270	270	270	245	225
H	365	355	355	340	325	315	290	285	275	260	275	275	275	275	265	265	265	240	220
I	365	350	350	340	325	315	285	285	275	260	275	275	275	275	265	265	265	240	220
J	345	340	340	330	325	315	285	285	275	260	275	275	275	275	265	265	265	240	220
K	330	330	330	330	325	315	285	285	275	260	275	275	275	275	265	265	265	240	220
L	330	330	330	325	325	315	285	285	275	260	275	275	275	275	265	265	265	240	220
M	330	330	330	325	325	315	285	285	275	260	275	275	275	275	265	265	265	240	220
N	330	330	330	325	325	315	285	285	275	260	275	275	275	275	265	265	265	240	220
O	325	320	320	305	305	290	280	270	270	255	270	270	270	270	255	255	255	235	210
P	310	305	305	300	300	285	280	270	270	255	270	270	270	245	240	240	255	235	210
Q	310	305	305	300	300	285	280	270	270	255	270	270	270	245	240	240	255	235	210
R	310	305	305	300	300	285	280	270	270	255	270	270	270	245	240	240	255	235	210
S	310	305	305	300	300	285	280	270	270	255	270	270	270	245	240	240	255	235	210
Mine Index No. 316	475	465	450	415	385	350	300	315	285	265	285	285	285	285	285	280	280	265	245
Mine Index No. 207	475	465	450	415	385	350	300	315	285	265	285	285	285	285	285	280	280	265	245
Mine Index No. 500	475	465	450	415	385	350	300	315	285	265	285	285	285	285	285	280	280	265	245

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 65 cents for Size Groups 1, 2, and 3; 40 cents for Size Groups 4, 5, and 6.

(3) *Maximum prices in cents per net ton for railroad locomotive fuel.* The maximum prices for Railroad Locomotive Fuel (including Lake and Tidewater Cargo) shall be the applicable effective minimum prices as of October 1, 1942, for all-rail on line shipments (without adjustments on account of price exceptions, freight differentials, and substitutions), plus a sum not exceeding 40 cents per net ton.

(4) *Maximum prices in cents per net ton for smithing coal.* The maximum prices from all mines in all size groups of Smithing Coal shall not exceed 550 cents per net ton.

(5) In the event any specific maximum price has been adjusted prior to February 9, 1943, the effective maximum price in such case shall not be determined by reference to sub-paragraphs (6) and (7) above, but must be computed by adding to such adjusted price the following sum:

(i) For the methods of shipment and uses indicated in (6) above:

15 cents to Size Groups 1 to 8, inclusive, and Size Group 10.

(ii) For the methods of shipment and uses indicated in (7) above:

25 cents to Size Groups 9, and Size Groups 15 to 23, inclusive.

(7) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 65 cents for Size Groups 1, 2, and 3; 40 cents for Size Groups 4, 5, and 6.

(8) *Maximum prices in cents per net ton for railroad locomotive fuel.* The maximum prices for Railroad Locomotive Fuel (including Lake and Tidewater Cargo) shall be the applicable effective minimum prices as of October 1, 1942, for all-rail on line shipments (without adjustments on account of price exceptions, freight differentials, and substitutions), plus a sum not exceeding 40 cents per net ton.

(9) In the event any specific maximum price has been adjusted prior to February 9, 1943, the effective maximum price in such case shall not be determined by reference to sub-paragraphs (6) and (7) above, but must be computed by adding to such adjusted price the following sum:

(i) For the methods of shipment and uses indicated in (6) above:

15 cents to Size Groups 1 to 8, inclusive, and Size Group 10.

(ii) For the methods of shipment and uses indicated in (7) above:

25 cents to Size Groups 9, and Size Groups 15 to 23, inclusive.

(i) For the methods of shipment and uses indicated in (2) above:

25 cents to Sizes Group 1 to 6, inclusive.

DISTRICT NO. 7—HIGH VOLATILE COALS

(6) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this Appendix.* (i) *Special price instruction.* Price classifications and Size Group Nos. 1 to 23, inclusive, shown below, are the applicable effective minimum price classifications and size group numbers as of October 1, 1942, for all-rail shipment.

Price classifications	Prices and size group Nos.																						
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21	22	23
A	415	415	415	390	375	350	300	315	285	265	285	285	285	285	285	280	280	265	245
B	415	390	390	375	350	325	290	285	280	260	280	280	280	280	280	280	280	260	240
C	395	375	375	360	350	325	290	285	280	260	280	280	280	280	280	280	280	260	240
D	385	375	375	360	350	325	290	285	280	260	280	280	280	280	280	280	280	255	230
E	375	365	365	350	350	320	290	285	275	260	280	280	275	275	270	270	270	245	225
F	365	360	360	350	340	320	290	285	275	260	280	280	275	275	270	270	270	245	225
G	365	360	360	345	340	315	290	285	275	260	280	280	275	275	270	270	270	245	225
H	365	355	355	340	325	315	290	285	275	260	275	275	275	275	265	265	265	240	220
I	365	350	350	340	325	315	285	285	275	260	275	275	275	275	265	265	265	240	220
J	345	340	340	330	325	315	285	285	275	260	275	275	275	275	265	265	265	240	220
K	330	330	330	330	325	315	285	285	275	260	275	275	275	275	265	265	265	240	220
L	330	330	330	325	325	315	285	285	275	260	275	275	275	275	265	265	265	240	220
M	330	330	330	325	325	315	285	285	275	260	275	275	275	275	265	265	265	240	220
N	330	330	330	325	325	315	285	285	275	260	275	275	275	275	265	265	265	240	220
O	325	320	320	305	305	290	280	270	270	255	270	270	270	270	255	255	255	235	210
P	310	305	305	300	300	285	280	270	270	255	270	270	270	245	240	240	255	235	210
Q	310	305	305	300	300	285	280	270	270	255	270	270	270	245	240	240	255	235	210
R	310	305	305	300	300	285	280	270	270	255	270	270	270	245	240	240	255	235	210
S	310	305	305	300	300	285	280	270	270	255	270	270	270	245	240	240	255	235	210
Mine Index No. 316	475	465	450	415	385	350	300	315	285	265	285	285	285	285	285	280	280	265	245
Mine Index No. 207	475	465	450	415	385	350	300	315	285	265	285	285	285	285	285	280	280	265	245
Mine Index No. 500	475	465	450	415	385	350	300	315	285	265	285	285	285	285	285	280	280	265	245

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* (i) The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 90 cents per ton.

(ii) The maximum prices from Mine Index No. 316 shall not exceed the following:

Size groups					
1	2	3	4	5	6
Price: 495	425	405	390	345	345

(3) *Maximum prices in cents per net ton for railroad locomotive fuel.* The maximum prices for Railroad Locomotive Fuel (including Lake and Tidewater Cargo) shall be the applicable effective minimum prices as of October 1, 1942, for all-rail on line shipments (without adjustments on account of price exceptions, freight differentials, and substitutions), plus a sum not exceeding 70 cents per net ton.

(4) *Maximum prices in cents per net ton for smithing coal.* The maximum prices from all mines in all size groups of Smithing Coal shall not exceed 550 cents per net ton.

(5) In the event any specific maximum price has been adjusted prior to February 9, 1943, the effective maximum price in such case shall not be determined by reference to subparagraphs (1) and (2) above, but must be computed by adding to such adjusted price the following sum:

(i) For the methods of shipment and uses indicated in (1) above:

5 cents to all classifications in Size Groups 1 and 2.

10 cents to classifications A to C, inclusive, and 15 cents to classifications D and E in Size Group 3.

15 cents to all classifications in Size Group 4.

10 cents to classification A and 5 cents to classifications B to E, inclusive, in Size Group 5.

20 cents to all classifications in Size Group 6.

25 cents to classification A and 40 cents to classifications B to D, inclusive, in Size Group 7.

35 cents to classifications A to C, inclusive, 45 cents to classification D, 40 cents to classification E, and 35 cents to classifications F to J, inclusive, in Size Group 8.

35 cents to classifications A and B, 30 cents to classification C, 40 cents to classifications D and E and 35 cents to classifications F to J, inclusive, in Size Group 9.

35 cents to classifications A to D, inclusive, 40 cents to classification E and 35 cents to classifications F to J, inclusive, in Size Group 10.

(ii) For the methods of shipment and uses indicated in (2) above:

25 cents to Sizes Group 1 to 6, inclusive.

DISTRICT NO. 7—HIGH VOLATILE COALS

(6) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this Appendix.* (i) *Special price instruction.* Price classifications and Size Group Nos. 1 to 23, inclusive, shown below, are the applicable effective minimum price classifications and size group numbers as of October 1, 1942, for all-rail shipment.

Price classifications	Prices and size group Nos.																		
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21	22	23
A	410	410	385	390	360	320	355	305	295	265	285	285	285	285	285	280	280	265	245
B	410	390	375	375	350	325	325	295	280	260	280	280	280	280	280	280	280	260	240
C	370	360	360	360	350	325	300	315	285	265	285	285	285	285	285	280	280	260	240
D	345	345	345	345	340	320	300	315	285	265	285	285	285	285	285	280	280	255	230
E	345	345	345	345	340	320	300	315	285	265	285	285	285	285	285	280	280	245	225
F	340	340	340	340	340	320	300	315	285	265	285	285	285	285	285	280	280	245	225
G																			
H																			
I																			
J																			
Mine Index No. 316	475	465	450	415	385	350	300	315	285	265	285	285	285	285	285	280	280	265	245
Mine Index No. 207																			
Mine Index No. 500																		

Price classifications	Prices and size group Nos.																	
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21	22	23
A	415	415	415	395	375	350	330	315	285	285	285	285	285	285	285	280	280	265	245
B	415	390	390	370	350	325	290	285	285	285	285	285	285	285	285	280	280	265	240
C	405	375	375	360	340	325	290	285	280	280	280	280	280	280	280	280	280	265	240
D	385	375	375	360	340	325	290	285	280	280	280	280	280	280	280	280	280	265	240
E	375	365	355	350	340	320	290	285	275	275	275	275	275	275	275	270	270	265	240
F	365	340	330	320	305	300	290	285	275	275	275	275	275	275	275	270	270	265	240
G	365	375	340	340	325	315	290	285	275	275	275	275	275	275	275	265	260	260	240
H	360	355	340	340	325	315	290	275	260	320	....	....	....	275	265	260	260	260	230
J	355	350	340	340	325	315	285	270	260	320	....	....	....	265	260	260	260	225	....
K	345	340	340	340	325	315	285	265	260	320	....	....	....	265	260	260	260	220	....
L	330	330	325	325	300	300	285	265	....	320	....	....	....	265	260	245	245	220	....
M	330	330	325	325	300	295	285	265	....	320	....	....	....	245	240	235	235	220	....
N	330	330	325	325	300	295	275	....	....	....	....	....	....	245	240	235	235	210	....
O	315	310	305	305	290	290	270	....	....	....	....	....	....	245	240	235	235	185	....
P	310	305	300	300	285	280	270	....	....	....	....	....	....	245	240	235	235	185	....
Q	310	305	300	300	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
R	310	305	300	300	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
S	310	305	300	300	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses (exclusive of Cannel Coal).* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 65 cents for Size Groups 1, 2, 3, 4 and 5; 40 cents for Size Groups 6, 7 and 8.

Stoker double screened coal with top size not exceeding $1\frac{1}{4}$" and bottom size less than $1\frac{1}{4}$" which is now included in Size Group No. 5 in the Effective Minimum Price Schedule for District No. 8 for truck shipment, may be sold at maximum prices not exceeding those applicable to Size Group No. 10 coal which is now included in the Schedule of Effective Minimum Prices for District No. 8 for rail shipment from the same mine.

(3) *Maximum prices in cents per net ton for Railroad Locomotive Fuel.* The maximum prices for Railroad Locomotive Fuel (including lake and tidewater cargo) shall be the applicable effective minimum prices as of October 1, 1942, for all-rail on-line shipments (without adjustments on account of price exceptions, freight differentials, and substitutions), plus a sum not exceeding 40 cents per net ton.

(4) *Maximum prices in cents per net ton for Cannel Coal.* The maximum prices for rail, truck or wagon shipments to all destinations and for all uses, shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 70 cents per net ton for mines in the Logan Subdistrict, and 45 cents per net ton for mines in all other subdistricts for lump, egg and chip sizes; and 35 cents for machine cuttings in all subdistricts.

(5) In the event any specific maximum price has been adjusted prior to February 9, 1943, the effective maximum price in such case shall not be determined by reference to sub-paragraphs (1) and (2) above, but must be computed by adding to such adjusted price the following sum:

(i) For the methods of shipment and uses indicated in (1) above:

15 cents to Size Groups 1 to 8, inclusive, and Size Group 10.

25 cents to Size Group 9, and Size Groups 15 to 23, inclusive.

(ii) For the methods of shipment and uses indicated in (2) above:

25 cents to Size Groups 1 to 8, inclusive.

DISTRICT NO. 8—LOW VOLATILE COALS

(6) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this Appendix.*

Price classifications	Prices and size group Nos.									
	1	2	3	4	5	6	7	8	9	10
A	410	420	385	330	320	355	325	295	290	285
B	370	380	375	345	300	355	325	295	290	285
C	370	380	375	345	300	350	295	290	285	275
D	345	365	355	315	300	350	295	285	280	275
E	345	360	350	310	275	330	....	280	275	270
F	340	360	....	....	....	....	....	275	270	265
G	....	....	....	....	....	....	....	275	270	265
H	....	....	....	....	....	....	....	275	270	265
I	....	....	....	....	....	....	....	270	270	265
J	....	....	....	....	....	....	....	270	270	265

(7) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* (a) The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 90 cents per ton.

(8) *Maximum prices in cents per net ton for Railroad Locomotive Fuel.* The maximum prices for Railroad Locomotive Fuel (including Lake and Tidewater Cargo) shall be the applicable effective minimum prices as of October 1, 1942, for all-rail on-line shipments (without adjustments on account of price exceptions, freight differentials, and substitutions), plus a sum not exceeding 70 cents per net ton.

(9) *Maximum prices in cents per net ton for Smithing Coal.* The maximum prices from all mines in all size groups for Smithing Coal shall not exceed 350 cents per net ton.

(10) In the event any specific maximum price has been adjusted prior to February 9, 1943, the effective maximum price in such case shall not be determined by reference to subparagraphs (6) and (7) above, but must be computed by adding to such adjusted price the following sum:

(i) For the methods of shipment and uses indicated in (6) above:

5 cents to all classifications in Size Groups 1 and 2.

10 cents to classifications A to C, inclusive, and 15 cents to classifications D and E in Size Group 3.

15 cents to all classifications in Size Group 4.

10 cents to classification A and 5 cents to classifications B to E, inclusive, in Size Group 5.

20 cents to all classifications in Size Group 6.

25 cents to classification A and 40 cents to classifications B to D, inclusive, in Size Group 7.

35 cents to classifications A to C, inclusive, 45 cents to classification D, 40 cents to classification E and 35 cents to classifications F to J, inclusive, in Size Group 8.

35 cents to classifications A and E, 30 cents to classification C, 40 cents to classifications D and E and 35 cents to classifications F to J, inclusive, in Size Group 9.

35 cents to classifications A to D, inclusive, 40 cents to classification E and 35 cents to classifications F to J, inclusive, in Size Group 10.

(ii) For the methods of shipment and uses indicated in (7) above:

25 cents to Size Groups 1 to 8, inclusive.

This amendment shall be effective as of February 13, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2415; Filed, February 13, 1943; 12:48 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[Correction to MPR 312[1]]

MAPLE SYRUP

The reference to "paragraph (c)" in § 1351.1615 (d) (3) is corrected to read "paragraph (d)"

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2416; Filed, February 13, 1943; 12:49 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 12,[2] Amendment 10]

COFFEE RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraph (b) of § 1407.1071 is amended to read as follows, and paragraph (p) of § 1407.1090a is added as set forth below:

Reports and Records

§ 1407.1071. *By persons transferring or acquiring coffee.* * * *

(b) Every person, other than the Army, Navy, Marine Corps, and Coast Guard, and Commodity Credit Corporation, who transfers or acquires green coffee shall monthly, beginning in January 1943, prepare a report in triplicate, showing, with respect to the previous month, (1) the names and addresses of the persons to whom green coffee was transferred and from whom green coffee was acquired, together with the dates and amounts of such transfers and acquisitions, and (2) his inventory of green and roasted coffee as of the first day of the month in which the report is prepared.

Effective Date

§ 1407.1090a *Effective dates of amendments.* * * *

(p) Amendment No. 16 (§§ 1407.1071 (b) and 1407.1090a (p)) to Ration Order No. 12 shall become effective February 19, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 729, 77th Cong.; W.B.P. Dir. 1, Supp. Dir. 1-R)

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2417; Filed, February 13, 1943; 12:51 p. m.]

[1] 8 F.R. 1266.

[2] 7 F.R. 9710, 10380, 11071, 11072; 8 F.R. 28, 167, 566, 621, 978, 1316, 1366, 1286, 1631.

*Copies may be obtained from the Office of Price Administration.

PART 1499—COMMODITIES AND SERVICES

[Order 280 Under § 1499.3 (b) of GMPR]

P. D. RIDENOUR SALES COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1716 *Authorization of maximum prices for sales of "Little Major" Brand, Dehydrated Spinach Flakes, in one-ounce paper packages by P. D. Ridenour Sales Company, Merchandise Mart, Chicago, Illinois, and by wholesalers and retailers.* (a) On and after February 15, 1943, the maximum price for sales by the P. D. Ridenour Sales Company, Merchandise Mart, Chicago, Illinois of "Little Major" Brand, Dehydrated Spinach Flakes, packed in one-ounce paper packages, shall be $1.15 per dozen f. o. b. Chicago, Illinois.

(b) The wholesale grocers' maximum prices for "Little Major" Brand, Dehydrated Spinach Flakes, packed in one-ounce paper packages, shall be $1.35 per dozen.

(c) Retail grocers' maximum prices for "Little Major" Brand, Dehydrated Spinach Flakes, packed in one-ounce paper packages, shall be 15¢ per one-ounce package.

(d) No seller, except a seller at retail, shall change his customary discounts, allowances and price differentials applying to comparable items in making sales of one-ounce size paper packages of "Little Major" Brand, Dehydrated Spinach Flakes unless such change in these customary discounts, allowances and price differentials result in lower selling prices.

(e) On and after February 15, 1943, the P. D. Ridenour Sales Company shall supply a written notification to each wholesaler at the time of the first delivery of one-ounce paper packages of "Little Major" Brand, Dehydrated Spinach Flakes, to such wholesaler and for a period of three months thereafter, and shall include with each shipping unit of one-ounce paper packages of "Little Major" Brand, Dehydrated Spinach Flakes a written notification to retailers. If such retailer notification is enclosed within a shipping unit, a legend shall be affixed outside of such unit to read "Retailer's notice enclosed." The written notification for each type of purchaser shall include the following statements:

Notification from P. D. Ridenour Sales Company to wholesalers:

The OPA has authorized us to charge wholesalers $1.15 per dozen f. o. b. Chicago, Illinois for one-ounce paper packages of "Little Major" Brand, Dehydrated Spinach Flakes subject to all customary allowances and discounts. Wholesalers are authorized to establish a ceiling price of $1.35 per dozen. Retailers are authorized to establish a ceiling price of 15¢ per one-ounce paper package. A copy of notification to retailers is included in every shipping unit of these items. If the initial sale of these items to any retailer is a split case sale, wholesalers are required to provide such retailer with a copy of the retail notification so enclosed. OPA requires that you keep this notice for examination.

Notification from P. D. Ridenour Sales Company to retailers:

The OPA authorizes retailers to establish ceiling prices for "Little Major" Brand, Dehydrated Spinach Flakes packed in one-ounce paper packages of 15¢ per one-ounce package. OPA requires that you keep this notice for examination.

(f) This Order No. 280 may be revoked or amended by the Price Administrator at any time.

(g) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation and section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to terms used herein.

(h) This Order No. 280 (§ 1499.1716) shall become effective on February 15, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2398; Filed, February 13, 1943; 12:59 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 281 Under § 1499.3 (b) of GMPR]

CREAMERY PACKAGE MFG. COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1717 *Approval of maximum prices for sales of victory type milk shipping containers manufactured by The Creamery Package Mfg. Company.* (a) Any person may sell and deliver and any person may buy or receive victory type milk shipping containers manufactured by The Creamery Package Mfg. Company of 1243 West Washington Boulevard, Chicago, Illinois, at the following maximum prices:

	MAXIMUM PRICE EACH			
	Carload	300 or over	25 to 299	24 or less
"Victory Type" Climax, 20-quart, 6⅛" neck	$2.80	$3.00	$3.10	$3.25
"Victory Type" Tiger, 32-quart, 6⅛" neck	3.65	3.85	4.00	4.20
"Victory Type" Tiger, 40-quart, 6⅛" neck	3.80	4.00	4.15	4.35
"Victory Type" Cleveland, 32-quart, 7¼" neck	3.95	4.25	4.40	4.60
"Victory Type" Cleveland, 40-quart, 7¼" neck	4.10	4.35	4.50	4.70
"Victory Type" Solderless, 32-quart, 7¼" neck	4.50	4.80	4.95	5.15
"Victory Type" Solderless, 40-quart, 7¼" neck	4.65	4.90	5.05	5.25

(b) All freight equalization practices and allowances, and discounts, applicable to the sale of the old-type cans for which these new cans are now being substituted, whether based on quantity, type of purchaser or any other cause shall be applicable to the sales of these new cans.

(c) The Creamery Package Mfg. Company must advise all brokers, wholesalers, jobbers, or retailers to whom it sells, and such brokers, wholesalers and jobbers must advise all retailers to whom they sell, of the maximum prices established by this order, in the following manner:

The maximum price of "Victory Type" _____ _____ quart size, has been established by the Office of Price Administration at $_____ each. The steel content of this container has been reduced in order to release steel for essential war purposes. This price does not disturb any allowances and discounts which you have formerly received.

(d) This Order No. 281 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 281 (§ 1499.1717) shall become effective February 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2399; Filed, February 13, 1943; 12:54 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Correction to Order 163 Under § 1499.18 (b) of GMPR]

TOBIN PACKING COMPANY

Correction to Order No. 163 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-669.

It is ordered that in paragraph (a) of § 1499.1064 in Order No. 163 under § 1499.18 (b) of the General Maximum Price Regulation, the reference to "Los Angeles, California" be corrected to read "Fort Dodge, Iowa."

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2400; Filed, February 13, 1943; 12:49 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 195 Under § 1499.18 (b) of GMPR]

ROYCE CHEMICAL COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1096 *Adjustment of maximum prices for sales of Royox in 8-ounce bottles by Royce Chemical Company.* (a) The maximum price for sales by the Royce Chemical Company, Carlton Hill, New Jersey, of Royox in 8-ounce bottles shall be $2.88 per case of 24 bottles.

(b) All discounts, allowances, and trade practices in effect with respect to sales of this product by the Royce Chemical Company during March 1942, shall remain in effect under this Order No. 195 except that the Royce Chemical Company shall not be required to continue giving one free 8-ounce bottle, as a bonus or special deal, with each 8-ounce bottle purchased.

(c) At the time of the first delivery of this product to each purchaser at a price determined under this Order No. 195, the Royce Chemical Company shall give to each purchaser a notice reading as follows:

The Office of Price Administration has permitted us to discontinue our bonus offer of one free 8-ounce bottle of Royox with each 8-ounce bottle purchased. This permission was granted us with the understanding that retail prices would not be raised thereby. Your maximum prices for sales of 8-ounce bottles of Royox will be the same as they were in March 1942 except that you will not be required to give one free bottle with each bottle sold.

(d) This Order No. 195 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 195 (§ 1499.1096) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 195 (§ 1499.1096) shall become effective February 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2418; Filed, February 13, 1943; 12:52 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 196 Under § 1499.18 (b) of GMPR]

FRANK COLLADAY HARDWARE COMPANY

Order No. 196 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-3061.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1097 *Authorization of adjustment of maximum prices on Barrett "Panamoid" Smooth Surfaced Roll Roofing sold by the Frank Colladay Hardware Company of Hutchinson, Kansas.* (a) The Frank Colladay Hardware Company is authorized to sell, deliver and offer for sale, and all persons are authorized to receive or buy from it in the course of trade, Barrett "Panamoid" Smooth Surfaced Roll Roofing, in medium (45 pounds per roll) and heavy (55 pounds per roll) weight, at the price of $1.39 per roll for the medium weight and $1.61 per roll for the heavy weight, at the Company's place of business.

(b) All discounts and allowances customarily allowed, and all services rendered, by the Frank Colladay Hardware Company on sales of Barrett "Panamoid" Smooth Roll Roofing in medium and heavy weight during March 1942, shall continue to be allowed by the Company on such sales.

(c) This Order No. 196 (§ 1499.1097) may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 196 (§ 1499.1097) shall become effective February 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2419; Filed, February 13, 1943; 12:53 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 197 Under § 1499.18 (b) of GMPR]

ELDER MANUFACTURING COMPANY

Order No. 197 Under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-2166.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1098 *Adjustment of maximum prices for men's dress shirts, style No. D180, manufactured by the Elder Manufacturing Company.* (a) Elder Manufacturing Company, of St. Louis, Missouri, may sell and deliver and any person may buy and receive the following commodity at prices not higher than those set forth below:

(1) $17.50 per dozen for men's dress shirts, style No. D180, manufactured by the Elder Manufacturing Company, having the same specifications as to quality of fabrics and trimmings, standard of construction and garment dimensions as those for which Elder Manufacturing Company established $15.75 under § 1499.2 of the General Maximum Price Regulation.

(b) The adjustment granted to Elder Manufacturing Company in paragraph (a) is subject to the following conditions:

(1) All discounts, trade practices, and practices relating to shipping and shipping charges in effect in March 1942, shall be applicable to the maximum price set forth in paragraph (a) hereof.

(2) Elder Manufacturing Company shall mail to every person who purchases style No. D180 a notice reading as follows:

The Office of Price Administration has permitted us to raise our maximum prices for sales to you of our men's dress shirts, Style No. D180, from $15.75 to $17.50 per dozen. This amount represents increases in costs which we are unable to absorb, and it was granted with the understanding that wholesale and retail prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise your maximum prices for these shirts.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 197 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 197 is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 197 shall become effective February 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.)

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2420; Filed, February 13, 1943; 12:53 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 198 Under § 1499.18 (b) of GMPR]

KICKAWAY GARMENTS, INC.

Order No. 198 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-2047.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1099 *Adjustment of maximum prices for certain wholesalers selling children's knitted rayon panties manufactured by Kickaway Garments, Inc.* (a) East Coast Merchandise Co., Inc., New York, New York; Hilb and Company, Inc., Denver, Colorado; George Kern and Company, Minneapolis, Minnesota; The Krolik Corp., Detroit, Michigan; Markovitz Brothers, Philadelphia, Pennsylvania; Millman Underwear Company, Baltimore, Maryland; M. R. Sanders and Sons, Inc., Cincinnati, Ohio; Schneider, Battinus and Simon, Chicago, Illinois; Tootle-Campbell Dry Goods Company, St. Joseph, Missouri; Hibben, Hollweg and Company, Indianapolis, Indiana; and Butler Bros., Chicago, Illinois, may sell and deliver and any person may buy and receive from them, children's knitted rayon panties, Style No. 6280, manufactured by Kickaway Garments, Inc. at a maximum price of $2.75 per dozen.

(b) The adjustment granted in paragraph (a) is subject to the following conditions:

(1) All discounts, trade practices, and all practices relating to shipping and shipping charges in effect in March 1942, shall be applicable to the maximum prices set forth in paragraph (a) hereof.

(2) East Coast Merchandise Co., Inc., New York, New York; Hilb and Company, Inc., Denver, Colorado; George Kern and Company, Minneapolis, Minnesota; The Krolik Corp., Detroit, Michigan; Markovitz Brothers, Philadelphia, Pennsylvania; Millman Underwear Company, Baltimore, Maryland; M. R. Sanders and Sons, Inc., Cincinnati, Ohio; Schneider, Battinus and Simon, Chicago, Illinois; Tootle-Campbell Dry Goods Company, St. Joseph, Missouri; Hibben, Hollweg and Company, Indianapolis, Indiana; and Butler Bros., Chicago, Illinois, shall mail to their respective purchasers of children's knitted rayon panties, Style No. 6280, manufactured by Kickaway Garments, Inc., a notice reading as follows:

The Office of Price Administration has permitted us to raise our prices for sales to you of children's knitted rayon panties manufactured by Kickaway Garments, Inc., Style No. 6280, from $2.50 to $2.75 per dozen. This amount represents only that part of cost increases which we were unable to absorb and the increase was granted with the understanding that retail prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for sales of these panties. In order that we may continue to provide you with these panties it will be necessary for you to accept this reduction in your margin.

(c) All prayers of the application not granted herein are denied.

(d) This order No. 198 may be revoked or amended by the Price Administration at any time.

(e) This Order No. 198 is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 198 shall become effective February 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2421; Filed February 13, 1943; 12:52 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 2 to Rev. Supp. Reg. 12[1] to GMPR[2]]

SALES OR DELIVERIES OF IMPORTED COMMODITIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10532; 8 F.R. 611.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4239, 4287, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 8942, 9004, 9435, 9615, 9916, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.

In § 1499.1404 (a) (2), subdivision (v) is added, to read as set forth below:

§ 1499.1404 *Exceptions.* (a) • • •

(2) • • •

(v) Lumber and wood shingles produced in and imported from Canada or Mexico.

• • • • •

§ 1499.1410 *Effective dates of amendments.* • • •

(b) Amendment No. 2 (§ 1499.1404 (a) (2) (v)) shall become effective February 15, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2401; Filed, February 13, 1943; 12:51 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 112 to Supp. Reg. 14[1] to GMPR[2]]

FRUIT, BERRY AND GRAPE WINES, ETC.

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Subparagraph (61) (i) (*a*) (2) of paragraph (a) of § 1499.73 is amended to read as follows:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of the General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

• • • • • •

(61) *Fruit wines, berry wines and grape wines (other than California grape wines)*—(i) *Maximum prices for sellers other than sellers at retail—(a) Permitted increases; specific types of wine.* • • •

(2) *Fruit wines containing less than 18% alcohol by volume.*

Group classification	Type of fruit wine	Permitted increase per gallon
		Cents
Group C	Apricot	12
C	Apple	12
C	Cantaloupe	12
C	Cherry	12
C	Papaya	12
C	Pawpaw	12
C	Pear	12
C	Peach	12
C	Pineapple	12
C	Plum	12
C	Prune	12

• • • • •

This amendment shall become effective February 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2397; Filed, February 13, 1943; 12:51 p. m.]

PART 1300—PROCEDURE

[Procedural Regulation 4,[1] Amendment 1]

PROCEDURE IN ISSUANCE OF RATIONING SUSPENSION ORDERS

Section 1300.181 of Procedural Regulation No. 4 is hereby amended to read as set forth below:

§ 1300.181 *Effective date.* Procedural Regulation No. 4 (§§ 1300.151 to 1300.181, inclusive) shall become effective at 12:01 A. M. on March 1, 1943. It governs all proceedings in cases instituted on and after that date. Unless the Hearing Administrator otherwise directs, it shall also govern all further proceedings in cases then pending; *Provided, however,* That the procedure which was formerly applicable shall govern review of orders issued prior to March 1, 1943, and the provisions establishing such procedure are continued in effect for this purpose.

This Amendment No. 1 to Procedural Regulation No. 4 shall become effective February 13, 1943.

(Pub. Law No. 671, 76th Cong., as amended by Pub. Laws No. 89 and 507, 77th Cong., Pub. Law No. 421, 77th Cong., E.O. 9125, 7 F.R. 2719, issued April 7, 1942, W.P.B. Dir. No. 1, 7 F.R. 562, as suplemented, E.O. 9280, 7 F.R. 10179, issued December 5, 1942, Food Directive 1 of the Secretary of Agriculture, 8 F.R. 827)

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2424; Filed, February 13, 1943; 4:09 p. m.]

[1] 8 F.R. 1744.

PART 1337—RAYON

[MPR 90]

RAYON WASTE

The preamble of Revised Price Schedule No. 90,[1] Rayon Waste, is amended and §§ 1401.51 to 1401.61, inclusive, are renumbered, redesignated and amended as set forth below:

A statement of the considerations involved in the issuance of this Maximum Price Regulation No. 90 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

So far as practicable, the Price Administrator has advised and consulted with representative members of the rayon waste industry. In the judgment of the Price Administrator, the maximum prices established by this regulation are, and will be, generally fair and equitable and comply with the requirements of the Emergency Price Control Act of 1942, as amended, and will effectuate the purposes of said act.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and in accordance with Revised Procedural Regulation No. 1[2] issued thereunder by the Office of Price Administration, Maximum Price Regulation No. 90 is hereby issued.

Sec.

1337.101 Prohibition against dealing in rayon waste at prices above the maximum or engaging in certain other practices; lower prices permitted.
1337.102 To what transactions, products, persons and geographical areas this regulation applies.
1337.103 The maximum prices.
1337.104 What records must be kept.
1337.105 Adjustable pricing.
1337.106 Enforcement.
1337.107 Who may file petitions for amendment.
1337.108 Effective date of this regulation.

AUTHORITY: §§ 1337.101 to 1337.108, inclusive, issued under Pub. Laws 421 and 729, 77th Cong., Executive Order 9250, 7 F.R. 7671.

§ 1337.101 *Prohibition against dealing in rayon waste at prices above the maximum or engaging in certain other practices; lower prices permitted*—(a) *Prohibition against dealing in rayon waste at prices above the maximum.* No person shall sell or deliver and no person shall buy or receive any rayon waste at prices higher than the maximum prices established by this regulation and no person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided*, That until March 19, 1943, deliveries may be made against contracts entered into prior to February 19, 1943, at prices in compliance with the maximum prices established by Revised Price Schedule No. 90.

(b) *Less than maximum prices.* Prices lower than the maximum prices established by this regulation may be charged, demanded, paid or offered.

(c) *Other prohibited practices.* Any practice which is a device to obtain the effect of a higher-than-ceiling price without actually raising the ceiling price is as much a violation of this regulation as an outright over-ceiling price. This applies to commissions, premiums, extra charges for services, tying agreements, trade understandings and similar devices.

§ 1337.102 *To what transactions, products, persons and geographical areas this regulation applies*—(a) *What transactions are covered.* This regulation covers all sales and deliveries of rayon waste. Such sales and deliveries are not subject to the General Maximum Price Regulation[3] or Supplementary Regulation No. 1.[4] However, the maximum price at which rayon waste may be exported shall be determined in accordance with the Revised Maximum Export Price Regulation.[5] This regulation does not cover sales of rayon tops and rayon noils.[6]

(b) *What products are covered.* As used herein, the term "rayon waste" means unprocessed waste resulting from the manufacture of staple fiber and continuous filament yarn produced chemically from cellulose or with a cellulose base. The regulation does not cover waste resulting from the manufacture of such products as spun yarns, knitted and woven fabrics and garments made from rayon staple fiber or continuous filament yarn. Nor does the regulation cover processed waste: i. e., waste which has been subjected to such mechanical operations as stripping, picking, carding or garnetting.

(c) *What persons are covered.* This regulation covers all persons, including any individual, corporation, partnership, association, or any other organized group, their legal successors or representatives, the United States, or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing.

(d) *What geographical areas are covered.* This regulation applies to the continental United States, including the District of Columbia, and the territories and possessions of the United States.

§ 1337.103 *The maximum prices*—(a) *Terms of sale.* The following maximum prices are established on a basis of f. o. b. shipping point, net weight and net 10 days. The maximum prices include all commissions and other charges except those expressly provided for herein.

(b) *Maximum prices for sales of rayon waste by producers.* The prices set forth below are maximum prices for sales of rayon waste by producers, including any person who owns or controls a plant which produces rayon waste.

TABLE I

Grade	Price per pound
Bleached open waste, coarse	$0.17
Bleached open waste, semi-coarse	.16
Bleached open waste, fine	.15
Bleached open waste, mixed deniers	.155
Unbleached open waste, coarse	.165
Unbleached open waste, semi-coarse	.155
Unbleached open waste, fine	.145
Undesulphured open waste, coarse	.16
Undesulphured open waste, semi-coarse	.15
Undesulphured open waste, fine	.14
Undesulphured or unbleached open waste, mixed deniers	.15
Bleached threads, coarse	.14
Bleached threads, semi-coarse	.13
Bleached threads, fine	.12
Bleached threads, mixed deniers	.125
Unbleached threads, coarse	.135
Unbleached threads, semi-coarse	.125
Unbleached threads, fine	.115
Undesulphured threads, coarse	.13
Undesulphured threads, semi-coarse	.12
Undesulphured threads, fine	.11
Mixed open and thread waste, mixed deniers bleached and or unbleached	.12
Undesulphured or unbleached threads, mixed deniers	.12
Staple fiber waste	.11

As used herein, "coarse" includes all deniers over 5, "semi-coarse" includes all deniers from $2\frac{1}{2}$ to 5, inclusive, and "fine" includes all deniers less than $2\frac{1}{2}$; "unbleached" waste is waste which has been washed at least twice in a solution customarily used for the removal of sulphur from rayon waste; and "undesulphured" waste is waste which has never been desulphured or bleached.

(c) *Maximum prices for sales of rayon waste by persons other than producers.* The maximum price for the sale of rayon waste by a person other than a producer shall be the applicable maximum price set forth in Table I plus an amount equal to 7 per cent of this price.

§ 1337.104 *What records must be kept.* Every person making sales of rayon waste after February 18, 1943, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect complete and accurate records showing for each sale of rayon waste: (a) the date; (b) the name and address of the purchaser; (c) the grade of rayon waste sold; (d) the price contracted for or received therefor; and (e) the quantity sold.

§ 1337.105 *Adjustable pricing.* No seller shall enter into an agreement which provides that the price of rayon waste shall be adjusted to a price in excess of the applicable maximum price established by this regulation unless he first secures permission from the Price Administrator. Where a petition for amendment requires extended consideration, the Price Administrator may, upon request, grant permission to the seller to agree with the buyer to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1337.106 *Enforcement.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) The provisions of Supplementary Order No. 5,[1] Licensing, are applicable to every dealer selling rayon waste to consumers. Insofar as such sales are subject to Supplementary Order No. 5, the term "consumer" includes any person who performs for his own account any or a combination of the processes of sterilizing, dusting, stripping, dyeing, picking, carding, oiling or garnetting on rayon waste or who uses rayon waste in any manufacturing process.

§ 1337.107 *Who may file petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

§ 1337.108 *Effective date of this regulation.* This regulation (§§ 1337.101 to 1337.108, inclusive) shall become effective February 19, 1943.

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2425; Filed, February 13, 1943; 4:11 p. m.]

PART 1337—RAYON

[MPR 325]

RAYON TOPS AND RAYON NOILS

A statement of the considerations involved in the issuance of this Maximum Price Regulation No. 325 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

So far as practicable, the Price Administrator has advised and consulted with representative members of the rayon tops and rayon noils industry. In the judgment of the Price Administrator, the maximum prices established by this regulation are, and will be, generally fair and equitable and comply with the requirements of the Emergency Price Control Act of 1942, as amended, and will effectuate the purposes of said act.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and in accordance with Revised Procedural Regulation No. 1[2] issued thereunder by the Office of Price Administration, Maximum Price Regulation No. 325 is hereby issued.

Sec.

1337.126 Prohibition against dealing in rayon tops and rayon noils at prices above the maximum or engaging in certain other practices; lower prices permitted.
1337.127 To what transactions, products, persons and geographical areas this regulation applies.
1337.128 The maximum prices.
1337.129 What records must be kept.
1337.130 Adjustable pricing.
1337.131 Enforcement.
1337.132 Who may file petitions for amendment.
1337.133 Effective date of this regulation.

AUTHORITY: §§ 1337.126 to 1337.133, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; Executive Order 9250, 7 F.R. 7871.

§ 1337.126 *Prohibition against dealing in rayon tops and rayon noils at prices above the maximum or engaging in certain other practices; lower prices permitted*—(a) *Prohibition against dealing in rayon tops and rayon noils at prices above the maximum.* No person shall sell or deliver and no person shall buy or receive any rayon tops or rayon noils at prices higher than the maximum prices established by this regulation and no person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided*, That until March 19, 1943 deliveries may be made against contracts entered into prior to February 19, 1943, at prices in compliance with the maximum prices established by Revised Price Schedule No. 90[1] or the General Maximum Price Regulation.[2]

(b) *Less than maximum prices.* Prices lower than the maximum prices established by this regulation may be charged, demanded, paid or offered.

(c) *Other prohibited practices.* Any practice which is a device to obtain the effect of a higher-than-ceiling price without actually raising the ceiling price is as much a violation of the regulation as an outright over-ceiling price. This applies to commissions, premiums, extra charges for services, tying agreements, trade understandings and similar devices.

§ 1337.127 *To what transactions, products, persons and geographical areas this regulation applies*—(a) *What transactions are covered.* This regulation covers all sales and deliveries of rayon tops and rayon noils. Such sales and deliveries are not subject to the General Maximum Price Regulation or to Supplementary Order No. 5, Licensing.[3] However, the maximum price at which rayon tops and rayon noils may be exported shall be determined in accordance with the Revised Maximum Export Price Regulation.[4]

(b) *What products are covered.* As used herein, the term "rayon top" means a continuous sliver of acetate or viscose process rayon staple fiber or rayon waste wound into a ball weighing approximately ten pounds and the term "rayon noil" means the short rayon fibers that are combed out in the process of manufacturing rayon tops.

(c) *What persons are covered.* This regulation covers all persons, including any individual, corporation, partnership, association, or any other organized group, their legal successors or representatives, the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing.

(d) *What geographical areas are covered.* This regulation applies to the continental United States, including the District of Columbia, and the territories and possessions of the United States.

§ 1337.128 *The maximum prices*—(a) *Terms of sale.* The following maximum prices are established on a basis of f. o. b. shipping point, net weight and net 10 days. These maximum prices include all commissions and other charges.

(b) *Maximum prices for rayon tops and rayon noils.*

TABLE I—RAYON TOPS

Type	Price per pound
Viscose staple fiber tops:	
Lustrous, 5½ denier	$ .375
Dull, 5½ denier	.385
Lustrous, 3 denier	.385
Dull, 3 denier	.395
Acetate staple fiber tops:	
Lustrous or dull, 8 denier or less:	
Untinted	.60
Tinted	.62
Lustrous or dull, over 8 denier:	
Untinted	.625
Tinted	.645
Rayon waste tops:	
Lustrous or dull, all deniers	.355

TABLE II—RAYON NOILS

Type	Price per pound
Viscose staple fiber, lustrous or dull, all deniers	.15
Acetate staple fiber noils, lustrous or dull, all deniers	.28
Rayon waste noils, lustrous or dull, all deniers	.15

(1) *Maximum prices for other types of rayon tops and rayon noils.* The maximum price for any rayon tops or rayon noils for which maximum prices are not set forth in Tables I and II above shall be the price issued by the Price Administrator. An application for such a maximum price must be submitted by the seller to the Office of Price Administration, Washington, D. C. and shall contain a description of the type of rayon top or rayon noil, including the denier and luster of the fibers, and the maximum price requested by the seller.

§ 1337.129 *What records must be kept.* Every person making sales of rayon tops or rayon noils after February 18, 1943, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect complete and accurate records. These records shall show for each sale of rayon tops or rayon noils: (a) the date; (b) the name and address of the purchaser; (c) the type of rayon tops or rayon noils sold; (d) the price contracted for or received therefor; and (e) the quantity sold.

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 728, 954, 822, 1377, 3829, 8948.

[2] 7 F.R. 8961.

[3] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5545, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6939, 6794, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317. Sellers of rayon waste, are, however, subject to the Licensing provisions of Supplementary Order No. 5 to the General Maximum Price Regulation. See § 1337.106 (b).

[4] 7 F.R. 3158, 3488, 3892, 4183, 4410, 4428, 4487, 4488, 4493, 4669, 5066, 5192, 5276, 5366, 5484, 5607, 5717, 5942, 6082, 6473, 6685, 7011, 7250, 7317, 7598, 7604, 7739, 8336, 8652, 8798, 8930, 8833, 9082, 9131, 9616, 9622, 9975, 9976, 10022, 10557, 11118; 8 F.R. 130, 265, 927, 1454.

[5] 7 F.R. 5059, 7242, 8829, 9000, 10530.

*Rayon tops and rayon noils which were formerly defined as rayon waste and covered by Revised Price Schedule No. 90 are now covered by Maximum Price Regulation No. 325, Rayon Tops and Rayon Noils.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3403, 6077, 9723; 8 F.R. 605.

[2] 7 F.R. 8961.

[1] 7 F.R. 1377, 2132, 3829, 8948.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5545, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6939, 6794, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.

[3] 7 F.R. 3403, 6517, 9723; 8 F.R. 605.

[4] 7 F.R. 5059, 7242, 8829, 9000, 10530.

§ 1337.130 *Adjustable pricing.* No seller shall enter into an agreement which provides that the price of rayon tops or rayon noils shall be adjusted to a price in excess of the applicable maximum price established by this regulation unless he first secures permission from the Price Administrator. Where a petition for amendment requires extended consideration, the Price Administrator may, upon request, grant permission to the seller to agree with the buyer to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1337.131 *Enforcement.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) The provisions of Supplementary Order No. 36, licensing persons selling yarns, textiles, textile products, and services related thereto, are applicable to every person selling rayon tops and rayon noils.

§ 1337.132 *Who may file petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

§ 1337.133 *Effective date of this regulation.* This regulation (§§ 1337.126 to 1337.133, inclusive) shall become effective February 19, 1943.

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2426; Filed, February 13, 1943; 4:11 p. m.]

PART 1351—FOODS AND FOOD PRODUCTS

[MPR 329]

PURCHASES OF MILK FROM PRODUCERS FOR RESALE AS FLUID MILK

In the judgment of the Price Administrator, it is necessary and proper, in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, to establish maximum prices for purchases of "milk" from producers at the highest prices paid by individual buyers for milk delivered during January 1943.

The Price Administrator has ascertained and given due consideration to the prices received by producers for "milk" prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined to be of general applicability.

In the judgment of the Price Administrator, the maximum prices established by this Regulation are generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. A statement of the considerations involved in the issuance of this Regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

The maximum prices established are not below the highest of the price standards required by the provisions of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1,[1] issued by the Office of Price Administration, and after consultation with and with the approval of the Secretary of Agriculture, Maximum Price Regulation No. 329 is hereby issued.

Sec.

1351.401 Prohibition against purchases of "milk" from producers above maximum prices.
1351.402 Maximum prices for purchases of "milk" from producers.
1351.403 Transfer of business or stock in trade.
1351.404 Definitions.
1351.405 Exempt sales.
1351.406 Records and reports.
1351.407 Petitions for amendment.
1351.408 Petitions for adjustment.
1351.409 Adjustable pricing.
1351.410 Evasion.
1351.411 Enforcement.
1351.412 General Maximum Price Regulation and Maximum Price Regulation No. 280 superseded.
1351.413 Export sales.
1351.414 Geographical applicability.

AUTHORITY: §§ 1351.401 to 1351.414, inclusive, issued pursuant to Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1351.401 *Prohibition against purchases of "milk" from producers above maximum prices.* On and after February 13, 1943, regardless of any contract, agreement, or other obligation, no purchaser, in the course of trade or business, shall buy or receive "milk" from any producer at a price higher than the maximum permitted by this regulation. No purchaser shall agree, offer, solicit, or attempt to do any of the foregoing. Lower prices may be charged, demanded, paid, or offered.

§ 1351.402 *Maximum prices for purchases of "milk" from producers.* (a) The maximum price for each grade of "milk" shall be the highest price each purchaser of "milk" from a producer paid that producer for "milk" of the same grade received during January 1943, or the minimum producers' price established under the provisions of the Agricultural Marketing Agreement Act of 1937, as amended, whichever is higher.

(b) If the purchaser's maximum price cannot be determined under the above paragraph (a), his maximum price shall be the weighted average price he paid to producers for the lowest priced 60% (by volume) of "milk" of the same grade received during January 1943.

Example. Distributor A received milk during January 1943 from 5 producers, as shown below:

Producer	Pounds of milk	Butterfat test	Basic test	Price (cwt. b. f. o. b. plant per cwt. for milk of basic test)
		Percent	*Percent*	
No. 1	6,000	3.8	3.5	$3.30
No. 2	11,000	3.9	3.5	3.30
No. 3	9,000	3.6	3.5	3.30
No. 4	10,000	3.7	3.5	3.30
No. 5	9,000	3.8	3.5	3.45
Total	45,000			

[1] Butterfat differential = 5 cents per point of butterfat.

60% of total receipts—27,000 pounds. Since 26,000 pounds were purchased at $3.30 f. o. b. plant for 3.5% milk from producers 1, 2, and 3, 1,000 pounds of the higher priced milk purchased from producer No. 4 will be added to determine the average price for the lowest priced 60% of total milk receipts, as follows:

Pounds of milk	*Price for basic test*	
6,000 or 60 cwt.	× $3.30 per cwt.	= $198.00
11,000 or 110 cwt.	× 3.30 per cwt.	= 363.00
9,000 or 90 cwt.	× 3.30 per cwt.	= 297.00
1,000 or 10 cwt.	× 3.45 per cwt.	= 34.50
Total....27,000 or 270 cwt.		Total.... 892.50

To determine the weighted average price for the lowest priced 60% of distributor A's milk receipts during January, divide the total of $892.50 by 270 cwt. This results in a price of $3.30½, which is the maximum price for milk of basic test (3.5%).

To determine the maximum price for milk of other than the basic butterfat test, the butterfat differential should be applied.

(c) If a purchaser did not purchase milk received during January 1943 on a butterfat test basis, but purchased it on a weight or volume basis, he may continue to purchase on the same basis.

If he desires to change to a butterfat basis for payment to producers, he shall apply to the Regional Administrator for the determination of the butterfat basis and differential on which to pay producers.

(d) No purchaser shall participate in any change of customary allowances, discounts, price differentials, or other trade practices applicable to purchases made by him unless such change results in a lower price.

(e) No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of "milk" than he paid on deliveries during January 1943.

§ 1351.403 *Transfer of business or stock in trade.* If the business, assets, or stock in trade of any purchaser is sold or otherwise transferred on or after February 13, 1943, the maximum prices for purchases by the transferee shall be the same as those to which his transferor would have been subject if no transfer had occurred, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the latter to maintain records required by this regulation.

§ 1351.404. *Definitions.* When used in this regulation, the term:

(a) "Milk" means liquid cows' milk in a raw, unprocessed state, which is purchased for resale for human consumption as fluid milk. "In a raw, unprocessed state" means unpasteurized, and not sold and delivered in glass or paper containers.

(b) "Grade" refers to the butterfat content and the quality standards established by public health authorities, except as provided in paragraph (c) of § 1351.402.

(c) "Producer" means a farmer, or other person or representative, who owns, superintends, manages, or otherwise controls the operation of a farm on which milk is produced. Farmers' cooperatives are producers, and hence their sales of "milk" are covered by this regulation when (1) they do not own or lease physical facilities for receiving, processing, or distributing milk, and (2) they do own or lease physical facilities for receiving, processing, or distributing milk, but they act as selling agents for producers, whether members or not.

(d) "Purchaser" means any person who buys "milk" from a producer for resale.[2]

(e) "Person" means an individual, corporation, partnership, association, or other organized group of persons, or any legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, any other government, or any of its political subdivisions or agencies.

(f) Unless the context manifestly otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and the General Maximum Price Regulation, as amended,[3] issued by the Office of Price Administration, shall apply to other terms herein.

§ 1351.405 *Exempt sales.* (a) This regulation shall not apply to sales and deliveries of "milk" at retail; or at wholesale in glass or paper containers, as defined and covered by the General Maximum Price Regulation; and it shall not apply to those bulk sales and deliveries at wholesale in any other type of container covered by Maximum Price Regulation No. 280.[4]

(b) This regulation shall not apply to purchases of "milk" from a producer at a price lower than $2.75 per cwt. for milk of 4% butterfat content.

(c) This regulation shall not apply to purchases of bulk milk from producers for use in manufactured dairy products, such as butter, cheese, evaporated or condensed milk, powdered milk, casein, ice cream, and commercial or industrial milk products.

§ 1351.406 *Records and reports.* (a) Every person who purchases "milk" from a producer shall preserve for examination by the Office of Price Administration all his existing records relating to prices paid for such products received during January 1943, together with the name and address of each producer, and shall prepare on or before February 13, 1943, on the basis of available information or records, and keep for examination by the Office of Price Administration, a statement, showing:

(1) The highest price paid each producer for said products received during January 1943; and

(2) The customary allowances, discounts, and other price differentials applicable to himself.

(b) Every person who purchases "milk" from a producer shall keep and make available for examination by the Office of Price Administration records of the same kind that he customarily kept relating to prices which he paid to producers for milk received during January 1943, and, in addition, records showing prices paid to each producer since January 1943.

(c) Such person shall submit reports to the Office of Price Administration and keep other records, in addition to or in lieu of those required in paragraphs (a) and (b) of this section, which the Office of Price Administration may from time to time require.

§ 1351.407 *Petitions for amendment.* Any person seeking a modification of any provision of this regulation may file a petition for Amendment in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1351.408 *Petitions for adjustment.* (a) Any person seeking an adjustment of maximum prices established by this regulation may file a petition for adjustment in accordance with Revised Procedural Regulation No. 1 where:

(1) An existing or threatened shortage in the supply of "milk" for any particular locality will be substantially reduced or eliminated by adjusting maximum producers' prices; and

(2) The adjustment will not tend to create a shortage or need for price increases in other localities, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

(b) In any locality where the prices for producers' sales of "milk" are regulated by an order, agreement, or license issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended, the Regional Administrator may not adjust maximum prices below the required minimum fixed by such order, agreement, or license.

(c) Any person may file a petition for adjustment in accordance with Revised Procedural Regulation No. 1, requesting an increase in the maximum prices payable to producers under this regulation with respect to any particular locality, wherever such increase will not necessitate, under the provisions of the Emergency Price Control Act of 1942, as amended, any increase in the maximum prices for fluid milk sold at wholesale or retail.

(d) Such petitions for adjustment shall be filed with the appropriate regional office. Each Regional Administrator is authorized to act upon petitions under paragraphs (a) and (c) of this section, and is authorized further to make such adjustments of the maximum prices within his region as are necessary to keep prices in the various localities within his region in appropriate relationship to one another and in appropriate relationship to the prices in other regions.

§ 1351.409 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to and at prices not in excess of the maximum prices in effect at the time of delivery. In appropriate situations where a petition for amendment requires extended consideration, the Price Administrator may, upon application, grant permission that the parties agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition thereof.

§ 1351.410 *Evasion.* The price limitations of this Regulation shall not be evaded by direct or indirect methods, by means of, or in connection with, any

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10144, 10337, 10475, 10585, 10786, 10995; 8 F.R. 158, 876, 877, 1120, 1468, 1741.

[1] 7 F.R. 10996; 8 F.R. 490, 1458.

[1] 7 F.R. 8961.

[2] A farmers' cooperative is a "purchaser" whenever it purchases "milk", and its purchases from both member and nonmember producers are, therefore, covered by the regulation. The fact that a farmers' cooperative may also be a producer, as defined in this section, is immaterial.

[3] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5789, 5784, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 8942, 9004, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.

[4] 7 F.R. 10144, 10337, 10475, 10585, 10786, 10995; 8 F.R. 158, 876, 877, 1120, 1468, 1741.

offer, solicitation, agreement, sale, delivery, purchase, or receipt of or relating to "milk", alone or in conjunction with any other commodities, or by way of, or in connection with, any commission, service, transportation, or other charge or discount, premium, or privilege, tying agreement, trade understanding, or change in any business or trade practice.

§ 1351.411 *Enforcement.* (a) Purchasers violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspensions of licenses provided by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence or knowledge of any violation of this regulation, or of any price schedule, regulation, or order issued by the Office of Price Administration, or of any acts or practices which constitute a violation, should communicate the information to the nearest district, state, field, or regional office of the Office of Price Administration, or the National Office in Washington, D. C.

§ 1351.412 *General Maximum Price Regulation and Maximum Price Regulation No. 280 superseded.* This regulation supersedes Maximum Price Regulation No. 280 with respect to certain bulk sales and deliveries of milk at wholesale by producers, and any purchases of "milk" from producers as herein defined covered by the General Maximum Price Regulation.

§ 1351.413 *Export sales.* The maximum price at which a producer may export "milk" shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation,[1] issued by the Office of Price Administration.

§ 1351.414 *Geographical applicability.* This regulation shall be applicable only to the 48 States of the United States and the District of Columbia.

This Maximum Price Regulation No. 329 shall become effective February 13, 1943 and terminate on April 9, 1943.

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

Approved:

CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-2427, Filed, February 13, 1943, 4:10 p. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[RPS 85,[1] Amendment 9]

NEW PASSENGER AUTOMOBILES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1360.52 (d) the date March 15, 1943 is substituted for the date February 15, 1943 wherever the latter date appears.

This Amendment No. 9 shall become effective February 14, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2429, Filed, February 13, 1943; 4:10 p. m.]

PART 1381—SOFTWOOD LUMBER

[MPR 219,[1] Amendment 2]

NORTHEASTERN SOFTWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1381.316, Table 1 is amended to read as follows:

§ 1381.316 *Maximum prices for Northeastern white pine lumber processed round edge where shipment originates at a mill.* (a) * * *

TABLE 1

	On sticks	Loaded on trucks	Loaded on railroad cars
DRY			
4" and thicker, log run...	$27.50	$28.50	$29.50
Box sides.....	17.50	18.50	19.50

* * * * *

This amendment shall become effective February 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2430, Filed, February 13, 1943; 4:10 p. m.]

PART 1404—RATIONING OF FOOTWEAR

[Ration Order 17,[1] Amendment 1]

SHOES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The heading of Part 1404 is amended to read as set forth above. In Ration Order 17, Sec. 1.4 and the last sentence of the definition of "used" in Sec 3.13 are revoked; a new Sec. 1.4 is added; and paragraph (a) of Sec. 1.14 is amended; all to read as set forth below:

Article I—How Consumers Buy Shoes

SEC. 1.4 *Consumers may get extra shoes for use outside the United States.* Any District Office, or a Board when authorized by the District Office, may issue Stamps (or Temporary Shoe Purchase Certificates) to permit the acquisition of the number of pairs of shoes needed for personal use by a person who is or will be living outside of the continental United States because of work related to the war or by a member of his family residing with him. Application shall be made in writing, containing all information on which the eligibilty of the applicant is based, and such other information as the District Office or Board may require. The application may be signed by an agent.

SEC. 1.14 *Members of armed services may acquire shoes.* (a) Any member of the armed services of the United Nations may acquire shoes furnished or sold him by a branch of the armed services of the United States, without surrendering ration currency.

* * * * *

Effective Date

Amendment No. 1 (Secs. 1.4, 3.13, 1.14) shall become effective February 13, 1943

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 429, 77th Cong., W.P.B. Dir. 1, 7 F.R. 562, E.O. 9125, 7 F.R. 2719)

Issued this 13th day of February 1943

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2431; Filed, February 13, 1943, 4:09 p. m.]

PART 1427—MAGNESIUM

[MPR 314,[1] Amendment 1]

MAGNESIUM AND MAGNESIUM ALLOY INGOT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1427.52 is amended, and a new § 1427.59a is added, as set forth below:

§ 1427.52 *Prohibition.* (a) On and after February 1, 1943, regardless of any contract or other obligation,

(1) No person shall sell or deliver magnesium or magnesium alloy ingot at a price higher than the maximum price established by this regulation; and

(2) No person in the course of trade or business shall buy or receive magnesium or magnesium alloy ingot at a price higher than the maximum price established by this regulation; and

(3) No person shall agree, offer, solicit or attempt to do any of the acts prohibited in subparagraphs (1) and (2) of this paragraph; *Provided*, That if any person on February 1, 1943 had on hand or in transit magnesium ingot purchased by him at a price higher than the maximum price established by this regulation he may, until March 1, 1943 or until the equivalent of such inventory has been delivered by him, whichever is earlier, carry out at contract prices any contract entered into prior to February 1, 1943 for the sale of magnesium alloy ingot to the United States or any agency thereof.

(b) The maximum prices established by this regulation shall have no application to sales to, or purchases by, the Metals Reserve Company.

(c) Prices lower than the maximum prices established by this regulation may be charged, demanded, paid or offered.

§ 1427.59a *Effective dates of amendments.* (a) Amendment No. 1 to Maximum Price Regulation No. 314 (§ 1427.52) shall be effective as of February 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2432; Filed, February 13, 1943; 4:11 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 110 to Supp. Reg. 14[1] to GMPR[2]]

CORRECTIVE EYE GLASSES

A statement of considerations involved in the issuance of Amendment No. 110 has been prepared and filed with the Division of the Federal Register.* A new subparagraph (68) is added to paragraph (a) of § 1499.73 to read as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of the General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

* * * * *

(68) *Corrective eye glasses sold to the ultimate user and services involving the examination and refraction of eyes.* (i) The extent to which sales to the ultimate user of corrective eye glasses and of services involving the examination and refraction of eyes are subject to the General Maximum Price Regulation shall be as follows:

(a) All sales other than manufacturers' sales of corrective eye glasses and spectacles are subject to the General Maximum Price Regulation.

(b) The charge to a person for services involving the examination and refraction of eyes is not subject to the General Maximum Price Regulation if the seller is not selling corrective eye glasses or spectacles to that person, either as part of the same transaction or as part of the general course of dealing.

(c) If a seller is rendering to any person services involving the examination and refraction of eyes, and he is also selling corrective eye glasses or spectacles to that person, either as part of the same transaction or as part of the same general course of dealing, the following rules apply:

(*1*) If the seller makes a single charge for the sale of both the glasses and the services, the joint sale is subject to the General Maximum Price Regulation.

(*2*) If the seller makes a separate charge for the sale of the glasses and a separate charge for the sale of the services, and during March 1942 he customarily made separate charges, then the charge for the services is not subject to the General Maximum Price Regulation. The sale of the glasses, however, is subject to the General Maximum Price Regulation.

(*3*) If the seller makes a separate charge for the sale of the glasses and a separate charge for the sale of the services, but in March 1942 he did not customarily make separate charges, and made a single charge for the services and the glasses, then the sum of the charge for the examination and refraction of eyes, plus the charge for the sale of the glasses shall not exceed the highest charge made in March 1942 for the same combination of services and glasses. In order to maintain the correct maximum prices on the sale of the eye glasses, the sale of the glasses and the sale of the services shall be treated as a joint sale of the glasses and the services and shall be subject to the General Maximum Price Regulation.

(b) *Effective dates.* * * *

(1*0) Amendment No. 110 to Supplementary Regulation No. 14 (§ 1499.73 (a) (68)) shall become effective February 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2433, Filed, February 13, 1943; 4:10 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 114 to Supp. Reg. 14[1] to GMPR[2]]

MODIFICATION OF MAXIMUM PRICES FOR CERTAIN COMMODITIES, SERVICES, AND TRANSACTIONS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1499.73 (a) (19) (iv) (*a*) the date March 15, 1943 is substituted for the date February 15, 1943 wherever the latter date appears.

This Amendment No. 114 shall become effective February 14, 1943.

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2434; Filed, February 13, 1943; 4:10 p. m.]

Chapter XIII—Petroleum Administration for War

PART 1510—SUPPLY

[Petroleum Directive 59, Amendment]

(a) Section 1510.28 Petroleum Directive 59, as Amended December 12, 1942, (7 F.R. 10621) is hereby amended by changing § 1510.23 to read as follows:

§ 1510.28 *Petroleum supply program.* The Director of Petroleum Supply, Office of Petroleum Coordinator for War, shall prepare and forward to the General Committees of Districts One, Two, and Three statements showing the petroleum supply forecasts for Districts One, Two, and Three, the quantities of crude petroleum required for refining within each District and for movement between districts, the quantities of the Principal Petroleum Products to be manufactured within each District, and the specific inter-district movements. The supply forecast for District One will show the amount of each of the Principal Petroleum Products expected to be available for distribution within each zone, including the amounts of Principal Petroleum Products to be produced, imported, and withdrawn from inventories. The appropriate committee or subcommittee in Districts Two and Three, as designated by the General Committees for Districts Two and Three, shall prepare and submit in quadruplicate to the said Director a suggested monthly schedule for the succeeding month showing the points of origin of the supplies available for shipment from Districts Two and Three which will permit maximum efficient use of transportation facilities. These schedules shall give the name of the suppliers, the quantity available at each point of origin, a general description of the quality, including, in case of heavy fuel oil, sulphur content, of the products available for shipment, and such other information as may from time to time be specified by the Director of Petroleum Supply. Such committees or subcommittees shall, subject to the direction of the Director of Petroleum Supply of the Office of Petroleum Coordinator for War or such District Director as he may designate, arrange for purchases, sales, exchanges, or loans of the Principal Petroleum Products and for the common use of facilities among those engaged in

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5059, 7242, 8829, 9000, 10530

[1] 7 F.R. 1364, 1675, 2134, 2132, 6048, 6897, 7100, 7436, 7942, 8948, 9899, 8 F.R. 1450.

[1] 7 F.R. 7285, 7747, 8948; 8 F.R. 368.

[2] 8 F.R. 1749

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486, 5709, 5911, 6008, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7536, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9495, 9496, 10381, 10480, 10583, 10537, 10705, 10557, 10583, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 980, 1030, 876, 878, 1139, 1590, 1121, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467.

7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942 9435, 9615, 9816, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.

[1] 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9495, 9496, 9637, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10537, 10557, 10583, 10705, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 1139, 1590, 980, 1030, 876, 1121, 878, 1142, 1279, 1383, 1589, 1455 1460, 1633, 1467, 1813.

[2] F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6939, 6794, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9816, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.

the petroleum industry in the area over which such committee has jurisdiction so as to provide, so far as possible, for the concentration of supplies of Principal Petroleum Products at points which will permit the maximum efficient use of available transportation facilities. The Director of Refining, Office of Petroleum Coordinator for War, shall furnish to the Director of Petroleum Supply, a suggested monthly schedule for the succeeding month assigning among the several refineries in District One the crude petroleum to be shipped into District One and showing the monthly quantity and the quality of the Principal Petroleum Products to be manufactured at each refinery in District One during such month. Copies of all suggested schedules provided for in this section, effective for the following calendar month, shall be forwarded to the appropriate committees or subcommittees and to the Persons named therein.

(b) Section 1510.29 Petroleum Directive 59, as Amended December 12, 1942, (7 F.R. 10621) is hereby amended by changing § 1510.29 (a) and (e) to read as follows:

§ 1510.29 *Supply and distribution program for District One.* (a) A suggested schedule showing the sales position of each original supplier in each of the six zones described in Exhibit A hereof and for all of District One for each of the principal petroleum products. The determination shall be based on sales made during the calendar year 1941, and shall be expressed as a percentage of the total sales of each of such products made by all original suppliers in the same areas and for the same period. In making such determination the subcommittee may make allowances for seasonal variations in sales volume on a monthly basis. In order to avoid duplication in the determination of the sales position of any Person, sales and deliveries made by one original supplier to another original supplier shall be included as sales of the receiving supplier and deducted from the sales made by the delivering supplier. In order to reflect true zone sales positions in the preparation of such schedules, adjustments shall be made for sales made in one zone for shipment to another zone and for any complete or substantial discontinuance of any class of business in any zone since January 1, 1942.

(e) Subject to the supervision of the District Director of Marketing, District One, the subcommittee shall arrange for purchases, sales, exchanges, and loans of the Principal Petroleum Products among the original suppliers so as to provide each such original supplier with a proportionate part of each of the principal petroleum products available for distribution in each zone on the basis of the sales position of each such original supplier as determined under § 1510.29 (a) hereof. Subject to the supervision of the said Director, the subcommittee may withhold from the amount of each product expected to be available for distribution as shown by the supply forecasts referred to in § 1510.28 hereof, an amount not to exceed three per cent of motor fuel and five per cent of the other principal petroleum products as a supply subject to distribution to original suppliers by the subcommittee under the supervision of the said Director to meet emergency, extraordinary, or unexpected conditions that may arise with respect to any original supplier. The terms and conditions of any sale, loan, or exchange to be made pursuant to this section shall be negotiated between the individual parties to any such transaction: *Provided, however,* That: * * *

(E.O. 9276, 7 F.R. 10091)

Issued this 10th day of February 1943.

RALPH K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 43-2476; Filed, February 15, 1943, 11:57 a. m.]

War Department

ISSUANCE OF NECESSITY CERTIFICATES

Amendments to regulations prescribed by the Secretary of War and the Secretary of the Navy, with the approval of the President, governing the issuance of necessity certificates under section 124 (f) of the Internal Revenue Code.

The regulations governing issuance of necessity certificates under section 124 (f) of the Internal Revenue Code, prescribed by the Secretary of War and the Secretary of the Navy and approved by the President May 22, 1942 (7 F.R. 4233), are amended as follows:

1. In paragraph 1 strike out the word "corporations" appearing in the first sentence and substitute in lieu thereof the word "persons".

2. In paragraph 2 (a) strike out "June 10, 1940" and substitute in lieu thereof "December 31, 1939".

3. In paragraph 2 (b) strike out "June 10, 1940" and substitute in lieu thereof "January 1, 1940".

4. Paragraph 2 (c) is amended to read as follows:

"Taxpayer" means a person as that term is defined in section 3797 (a) (1) of the Internal Revenue Code.

5. In paragraph 5 (a) strike out "June 10, 1940" and substitute in lieu thereof "December 31, 1939".

6. Paragraph 6 is amended to read as follows:

Form of application. The standard form of application for a necessity certificate with accompanying instructions may be obtained from the certifying authority. In cases where time does not permit preparation of a formal application, an informal written application will be accepted, pending the filing of a formal application. The formal application need not follow the standard form nor repeat any of the language of these regulations; but it should clearly and concisely set forth the information called for in the standard form, with particular reference to such of the considerations set forth in Article 3 of these regulations as may be relevant to the application. The application must be duly sworn to and should give the name of the person authorized to represent the taxpayer for the purpose of the application.

7. Paragraph 7 is amended to read as follows:

Place and time of filing of application; making of election. An application for a necessity certificate is filed when received at the office of the certifying authority in Washington, D. C., or at any other office designated by the certifying authority. The application must be thus filed within six months after the beginning of the construction, reconstruction, erection, or installation, or the date of acquisition, of the facilities sought to be certified, or before December 1, 1941, whichever is later; except that (a) in the case of an emergency facility completed or acquired by a corporation after December 31, 1939, and before June 11, 1940, the application must be filed on or before April 21, 1943, and (b) in the case of an emergency facility completed or acquired after December 31, 1939, by a person other than a corporation, the application must be filed before the expiration of six months after the beginning of construction, reconstruction, erection, or installation of the emergency facility or the date of its acquisition, or on or before April 21, 1943, whichever is later.

The part of any facility which was constructed, reconstructed, erected, or installed not earlier than six months prior to the filing of an application for a certificate, is deemed a separate facility for the purpose of determining the timeliness of the filing, notwithstanding that the other part of such facility was constructed, reconstructed, erected, or installed earlier than six months prior to the filing of the application.

The application should be filed in time to enable the certifying authority to issue a necessity certificate before expiration of the taxpayer's time of making of election, as set forth in section 124 (f) (3) of the Internal Revenue Code.

These amendments shall be effective as of October 21, 1942.

HENRY L. STIMSON,
Secretary of War.

JAMES FORRESTAL,
Acting Secretary of the Navy.

Approved: February 1, 1943.

FRANKLIN D ROOSEVELT,
President.

[F. R. Doc. 43-2457; Filed, February 15, 1943; 10:21 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 203—BRIDGE REGULATIONS

SNOHOMISH RIVER, WASH.

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), the provisions of § 203.805 of Bridge Regulations are extended to include the State of Washington highway bridge at Snohomish, Washington, and are amended by deleting paragraph (f) therefrom, the title being amended as follows:

§ 203.805 *Snohomish River, Wash.; Northern Pacific Railway and Great Northern Railway bridges and the State of Washington highway bridge at Snohomish, Wash.* * * *

(f) [Rescinded] [Regs., February 5, 1943 (CE 823 (Snohomish R.—Snohomish, Wash.) (Mile 15)—SPEON)]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-2453; Filed, February 15, 1943; 10:19 a. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

PART 307—WAR SHIPPING ADMINISTRATION PRICE ADJUSTMENT BOARD

[General Order 30]

ESTABLISHMENT OF PRICE ADJUSTMENT BOARD

Establishing the War Shipping Administration Price Adjustment Board for the renegotiation of war contracts of the War Shipping Administration.

Sec.

307.1 Creation of War Shipping Administration Price Adjustment Board.
307.2 Membership of Price Adjustment Board.
307.3 Delegation of authority by the Administrator, War Shipping Administration.
307.4 Records of the Board.

AUTHORITY: §§ 307.1 to 307.4, inclusive, issued under E.O. 9001, 9054, 9127, 9244; 6 F.R. 6787; 7 F.R. 837, 2753, 7327; Pub. Laws 528, 753, 77th Cong.

§ 307.1 *Creation of War Shipping Administration Price Adjustment Board.* By virtue of the authority vested in the Administrator, War Shipping Administration, by the Statutes of the United States and Executive Orders 9001, 9054, 9127 and 9244, dated December 27, 1941; April 10, 1942; February 7, 1942 and September 16, 1942, respectively, including section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942 (Pub Law 528, 77th Congress), approved April 28, 1942, as amended by section 801 of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, and in order to control profits and costs under war contracts of the War Shipping Administration through adjustments with contractors, it is ordered and there is created a board to be known as the "War Shipping Administration Price Adjustment Board".

§ 307.2 *Membership of Price Adjustment Board.* The Price Adjustment Board established by this Order will consist of representatives of the Fiscal, Operations and Legal Divisions of the War Shipping Administration together with a fourth member to be selected with the approval of the Chairman of the War Production Board as his representative. Additional members of the Board shall be appointed by the Administrator from time to time should it appear advisable. The Administrator shall designate the member who shall act as Chairman of the Price Adjustment Board.

§ 307.3 *Delegation of authority by the Administrator, War Shipping Administration.* To effect an expeditious and reasonable renegotiation of contract prices, the use of the authority of enforcement conferred upon the Administrator, War Shipping Administration, by the Statutes and Executive Orders aforesaid, is authorized and may be exercised by the War Shipping Administration Price Adjustment Board, which hereby is charged with the responsibility for bringing about such review of contract and subcontract prices as it may deem to be desirable, renegotiating, or causing to be renegotiated, such contract prices when in its judgment, such action is necessary or desirable, and making such recommendations to the Administrator for approval as may be appropriate to effectuate the results of such renegotiations. To expedite this purpose the Board may delegate to any one or more of its members the power to initiate investigations, request information and assistance on behalf of the Board and to represent the Board in negotiations with contractors. The Board is authorized and instructed whenever appropriate to function jointly with representatives or agencies of the United States Maritime Commission, the Navy Department, the War Department, the War Production Board, the Treasury Department, and other Departments or agencies of the Government.

§ 307.4 *Records of Board.* The Board shall keep a written record of each action taken by it.

[SEAL] E. S. LAND,
Administrator.

FEBRUARY 12, 1943.

[F. R. Doc. 43-2394; Filed, February 13, 1943; 11:28 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 15—RULES AND REGULATIONS GOVERNING ALL RADIO STATIONS IN THE WAR EMERGENCY RADIO SERVICE [1]

Correction

Attention is directed to the following omissions from material published in the Saturday, January 23, 1943 issue of the FEDERAL REGISTER:

Section 15.62 (a) (4): Change the period to a comma and add "including method of compliance with Restricted Order No. 2."

Section 15.82 (d): Change the period to a comma and add "including method of compliance with Restricted Order No. 2."

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-2448; Filed, February 15, 1943; 10:22 a. m.]

[1] 8 F.R. 1077.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 112—RECORDS OF ELECTRIC RAILWAY COMPANIES

DESTRUCTION OF RECORDS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 6th day of February 1943.

The regulations to govern the destruction of records of electric railway companies, being under consideration by the division pursuant to authority of section 20 of the Interstate Commerce Act, and the division having found need for modifications and amendments of the regulations to govern the destruction of records of electric railway companies, the modifications and amendments attached hereto and made a part hereof being found necessary for administration of the provisions of Part I of the Act, are hereby approved; and

It is ordered, That all carriers operating independently as electric railroad lines, herein referred to as electric railway companies, subject to the provisions of the Interstate Commerce Act, and every trustee, executor, administrator, or assignee of any such carrier be, and they are hereby required to comply with the regulations to govern the destruction of records of electric railway companies as hereby modified and amended;

It is further ordered, That this order shall become effective July 1, 1943.

And it is further ordered, That a copy of this order shall be served upon every electric railway company subject to the Act and upon every trustee, executor, administrator, or assignee of any such electric railway company and that notice of this order be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register,[1] the National Archives.

By the Commission, Division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-2474; Filed, February 15, 1943; 11:21 a. m.]

[1] A list of modifications to be made in § 112.1, *List of accounts, records, and memoranda, and periods of retention,* was filed with the Division of the Federal Register.

Notices

TREASURY DEPARTMENT.

Fiscal Service: Bureau of Public Debt

THREE AND THREE-EIGHTHS PERCENT TREASURY BONDS OF 1943–47

NOTICE OF CALL FOR REDEMPTION

1. Public notice is hereby given that all outstanding 3⅜ percent Treasury Bonds of 1943–47, dated June 15, 1927, are hereby called for redemption on June

15, 1943, on which date interest on such bonds will cease.

2. Full information regarding the presentation and surrender of the bonds for redemption under this call will be found in Department Circular No. 666, dated July 21, 1941.

3. These bonds will be redeemed at par, and holders will not be offered other obligations of the United States in exchange for their called bonds.

HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

FEBRUARY 13, 1943.

[F R Doc. 43-2382; Filed, February 13, 1943; 10:07 a. m.]

WAR DEPARTMENT.

WOW BANDANNA DESIGNED FOR ORDNANCE WORKERS

A design for a bandanna for women Ordnance workers has been approved by the Secretary of War. The purchasing and wearing of this article, known as the "WOW Bandanna", is optional with the workers for whom it is designed. The "WOW Bandanna" makes use of the Ornance Department insignia and, in accordance with paragraph 7, Army Regulations No. 600–90 (§ 7.6, Title 10, Code of Federal Regulations), its manufacture may be authorized, subject to the following conditions, upon application to the Office of the Chief of Ordnance, Executive Branch, War Department, Washington, D. C.

1. *Design.* A. The design of the "WOW Bandanna" shall conform to the sketch depicted in Figure One, attached herto,[1] which is incorporated and made a part of this condition. The Ordnance Department insignia of a shell and flame shall be scattered or "tossed about" in the "WOW Bandanna" without following any regular arrangement. The insignia shall not be presented in parallel rows. The number of insignia used in the bandanna shall be in the following proportion: from ninety-five (95) to one hundred-and-fifteen (115) for each square yard of cloth.

B. The "WOW Bandanna" may be made with or without a border. If a border is used, it shall occur at the edges of the bandanna.

C. The insignia of the Army Ordnance Department used in the design pattern shall be that shown in the sketch in Figure Two,[1] attached hereto, which is incorporated and made a part of this condition. The size of the insignia, as reproduced in the "WOW Bandanna" shall be as follows: diameter of shell, one (1) inch; length of flame above shell, one (1) inch. The over-all length of the insignia, from the bottom of the shell to the tip of the flame shall be two (2) inches.

2. *Color.* A. The basic color scheme authorized is as follows:

(1) The background color of the "WOW Bandanna" shall be "Army Ordnance Red," or as near to that shade as possible.[2] • • •

(2) The Ordnance Department insignia of a shell and flame shall be in white.

(3) If the red bandanna is made with a border, the border shall be white, and this border shall occur at the edges of the bandanna.

B. The following optional color scheme is also authorized, since this color combination may be desirable for summer wear:

(1) The background color may be white.

(2) The Ordnance Department insignia will be in "Army Ordnance Red" or as near to that shade as possible.

(3) If the white bandanna is made with a border, the border shall be in "Army Ordnance Red," and this border shall occur at the edges of the bandanna.

3. *Size and shape.* The minimum size of the "WOW Bandanna" shall be a twenty-seven (27) inch square.

4. *Washable.* The "WOW Bandanna" must be washable and able to withstand frequent laundering without undue fading or running of colors.

5. *Samples.* A. A sample of the "WOW Bandanna" manufactured under this license shall be submitted by the manufacturer to the Ordnance Department for approval before making bulk shipments of the bandannas from which the sample is taken.

B. At the time the sample is submitted to the Ordnance Department the manufacturer shall state the price at which it is planned to merchandise the bandannas from which the sample is taken.

C. The sample and price statement should be sent to The Chief of Ordnance, War Department, Washington, D. C., Attention: Capt. James D. Allen, Executive Branch.

6. *Representations.* No representations shall be made, by advertising or otherwise, that the "WOW Bandanna" • • • conforms to safety specifications of the Army Ordnance Department, or that the War Department approves or recommends this particular type of headgear to the exclusion of other types of headgear, or that it recommends the product of any individual manufacturer. Advertisements of the "WOW Bandanna" must be submitted for approval to the Review Branch, War Department Bureau of Public Relations, Washington, D. C., prior to publication.

Special Note to Manufacturers and Others Concerned

1. *Merchandising.* No conditions are imposed concerning the merchandising of the "WOW Bandanna" • • •. Manufacturers may elect to merchandise either by direct sale to war plants or through regular retail channels, or both.

2. *Cloth.* No conditions other than those hereinbefore set forth are imposed concerning specifications for the cloth used in "WOW Bandannas".

3. *Safety features.* Manufacturers are notified that clothing worn in explosive areas in plants and in certain machine shops are required to meet safety standards in effect at such establishments. In the event of direct sale to such establishments, samples of the cloth to be used should be submitted to the establishment for approval of its safety features.

(42 Stat. 1286 as amended by 45 Stat. 437; 10 U.S.C. 1425, and 47 Stat. 342 as amended by 53 Stat. 752; 18 U.S.C. 76a, 76b) [Letter of authorization to manufacture and sell "WOW Bandanna", Office of the Chief of Ordnance]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F R Doc. 43-2454; Filed, February 15, 1943; 10:21 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1812]

DISTRICT BOARD 17

NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 17 for the elimination of Price Instruction and Exception No. 15 from the schedule of effective minimum prices for District No. 17 for all shipments.

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on March 22, 1943 at 10:00 o'clock in the forenoon of that day at a hearing room of the Division Circuit Court Room, P. O. Building, Denver, Colorado.

It is further ordered, That D. C. McCurtain, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before March 18, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petition of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of the original petition.

The matter concerned herewith is in regard to the petition of District Board No. 17 for revision of the effective minimum prices for coals produced and shipped by truck from Subdistricts 1, 2, 3, 6, 7 and 8 in District No. 17 by eliminating Price Instruction and Exception No. 15 from the Schedule of Effective Minimum Prices for District No. 17 for All Shipments.

Dated: February 12, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F R Doc. 43-2385; Filed, February 13, 1943; 10:27 a. m.]

[Docket No. A-1840]

A. & M. COAL CO., INC.

NOTICE OF AND ORDER FOR HEARING AND ORDER GRANTING TEMPORARY RELIEF

In the matter of the petition of the A. & M. Coal Co., Inc., c/o Jay D. Hill, for revision of price classifications and minimum prices for the coals of the A. & M. Coal Company Mine, Mine Index No. 40, District No. 14.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting changes, both temporary and permanent in the price classifications and minimum prices for the coals of its A. & M. Coal Company Mine, Mine Index No. 40 in District No. 14; and

It appearing that no final determination should be made at this time with respect to the establishment of permanent price classifications and minimum prices for the coals of the aforesaid mine as requested; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petition of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief be and the same hereby is granted as follows: Commencing forthwith, the Schedules of Effective Minimum Prices for District No. 14 for All Shipments Except Truck and for Truck Shipments are amended to include the following price classifications and minimum prices in lieu of those heretofore in effect for the coals of the A. & M. Coal Company Mine, Mine Index No. 40 in District No. 14 as follows:

	Size groups							
	4	6	7	8	9	10	11	18
For all shipments except truck	A	A	B	B	A	C	C	B
Truck shipments	510	510	510	510	485	435	420	475

It is further ordered, That a hearing in the above-entitled matter under the applicable provisions of the Bituminous Coal Act of 1937 and the rules of the Division be held on March 19, 1943, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division at Sebastian County Circuit Court Room, Fort Smith, Arkansas.

It is further ordered, That D. C. McCurtain, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before March 15, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention, or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of the A. & M. Coal Company, Inc. requesting the following changes in the price classifications and minimum prices for the coals of its A & M. Coal Company Mine, Mine Index No. 40, District No. 14, for All Shipments Except Truck and for Truck Shipments:

	Size groups							
	4	6	7	8	9	10	11	18
For all shipments except truck								
From	C	C	D	D	C	E	D	C
To	A	A	B	B	A	C	C	B
Truck shipments								
From	490	490	490	490	465	415	400	465
To	510	510	510	510	485	435	420	475

Dated: February 12, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F R Doc. 43-2383; Filed, February 13, 1943; 10:27 a. m.]

[Docket No B 362]

ALDER RUN MINING CO.

NOTICE OF AND ORDER FOR HEARING

In the matter of Leroy Hubler, trading under the name and style of Alder Run Mining Company, Code Member.

A complaint dated January 28, 1943, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on January 27, 1943, by Bituminous Coal Producers Board for District No. 1, complainant, a district board with the Bituminous Coal Division (the "Division"), alleging wilful violation by Leroy Hubler, trading under the name and style of Alder Run Mining Company, (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder:

It is ordered, That a hearing in respect to the subject matter of such complaint be held on March 19, 1943, at 10 a. m., at a hearing room of the Bituminous Coal Division at Community Room, Altoona, Pennsylvania.

It is further ordered, That Edward J. Hayes, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

[1] Filed with the Division of the Federal Register.

[2] A color sample of "Army Ordnance Red" will be furnished to manufacturers in connection with authorizations.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging that Leroy Hubler, trading under the name and style of Alder Run Mining Company, R. F. D. No. 1, Morrisdale, Pennsylvania, whose code membership became effective as of September 13, 1938, operator of the Shannon Mine, Mine Index No. 461, located in Subdistrict No. 8, District No. 8, Clearfield County, Pennsylvania, has wilfully violated the Act, the Code, and rules and regulations promulgated thereunder by selling and delivering, coal produced at the aforesaid mine, in the following transactions:

I. By selling and delivering for rail shipment, subsequent to October 14, 1940, substantial tonnages of coal produced by said code member at the aforesaid mine, notwithstanding the fact that minimum prices, temporary or final, had not been established therefor by the Division including:

Sales during the period October 21, 1940, to March 25, 1941, both dates inclusive, of approximately 3,218.05 net tons of run of mine coal to R. S. Walker, trading under the name and style of Bradford Coal Company ("Walker"), Bigler, Pennsylvania, and delivering said coal at rail sidings other than at Alder Run, Pennsylvania, to Walker at his railroad sidings located at Bigler, Munson, Shawville, and Morrisdale, Pennsylvania, who resold and shipped said coal by rail from his said rail sidings to various purchasers, so that each such transaction constituted a wilful violation of the Order of the Director issued in General Docket No. 19 dated October 9, 1940, which became effective October 14, 1940; or

II. By selling and delivering by truck subsequent to September 30, 1940, coal produced at the aforesaid Shannon Mine at prices below the effective minimum price for said coal plus transportation charges, handling, or incidental charges from the transportation facilities at the mine to the points at which all such charges were assumed and directly paid by the purchaser, including the following transactions:

The sale and delivery during the period from October 21, 1940, to March 25, 1941, both dates inclusive, of approximately 3,222.05 net tons of run of mine coal to Walker at prices ranging from $1.85 to $2.00 per net ton f. o. b. his railroad sidings, located at Bigler, Munson, Shawville, and Morrisdale, Pennsylvania, whereas such coal was classified as Size Group No. 3 and priced at $2.25 per net ton f. o. b. said mine, to which minimum price there should have been added, as required by the applicable price instruction, the transportation, handling, and other charges from the transportation facilities at the mine to said points of delivery, where all such charges were assumed and directly paid by said purchaser, so that each of said transactions constituted a sale and delivery of coal in wilful violation of section 4, Part II (e) and (g) of the Act and Part II (e) and (g) of the Code.

III. By selling subsequent to September 30, 1940, below the effective minimum prices therefor, coal produced at his aforesaid mine, including the sale and delivery of approximately 454.525 net tons of run of mine coal (Size Group 3) during the period October 5, 1940, to January 31, 1941, both dates inclusive, to Kristianson & Johnson Coal Company, Inc., ("Kristianson") Lanse, Pennsylvania, and allowing Kristianson deductions, unauthorized discounts, or commissions in the amount of 12 cents per net ton from the applicable f. o. b. mine price at $2.25 per net ton established therefor, resulting in sales by said Code Member at $2.13 per net ton for said coal to Kristianson, so that each such transaction constituted a wilful violation of section 4 Part II (e) of the Act and Part II (e) of the Code.

Dated: February 12, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2384; Filed, February 13, 1943; 10:27 a. m.]

APPLICATION FOR REGISTRATION AS DISTRIBUTOR

To all district boards, code members, distributors, the Consumers' Counsel and other interested persons.

An application for registration as a distributor has been filed by each of the following and is under consideration by the Director:

Name and address	*Date application filed*
French McC. Emmons, 1006 Commercial Trust Bldg., Philadelphia, Pa.	Feb. 2, 1943
J. H. Weaver Co., 1617 Pennsylvania Blvd., Philadelphia, Pa.	Jan. 26, 1943

Any district board, code member, distributor, the Consumers' Counsel, or any other interested person, who has pertinent information concerning the eligibility of any of the above-named applicants for registration as distributors under the provisions of the Bituminous Coal Act and the Rules and Regulations for the Registration of Distributors, is invited to furnish such information to the Division on or before March 15, 1943. This information should be mailed or presented to the Bituminous Coal Division, Department of the Interior, Washington, D. C.

Dated: February 13, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2462; Filed, February 15, 1943; 10:55 a. m.]

[Docket No. A-1422]

DISTRICT BOARD 11

ORDER DISMISSING PETITION

In the matter of the petition of District Board No. 11 for preliminary or temporary and permanent order for increase in the minimum prices for coals produced in said district.

A petition having been filed on April 21, 1942, with the Bituminous Coal Division, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, by District Board No. 11, requesting that an order be issued increasing temporarily by 20 cents per net ton the effective minimum prices applicable to the coals produced for shipment into all market areas by all code members in Minimum Price Areas Nos. 1 and 2; that this petition be consolidated with other petitions filed on behalf of code members or district boards in Minimum Price Areas Nos. 1 and 2 and set for hearing with any hearing to be held on the second phase of General Docket No. 21; and that the petitioner herein and the code members in District No. 11, and the code members in Minimum Price Area No. 2 be granted such other relief as may be appropriate;

A notice and order concerning consolidation and hearing having been issued on May 4, 1942, 7 F.R. 3374, consolidating the matters in Dockets Nos. A-1299, A-1360, A-1423 and A-1424 for all purposes with General Docket No. 21 and denying District Board No. 11's request for consolidation of Docket No. A-1422 with General Docket No. 21;

A memorandum opinion and order denying temporary relief having been issued in this matter on June 3, 1942, 7 F.R. 4280;

A motion having been filed by District Board No. 11 requesting that its petition in this matter be withdrawn;

An order in General Docket No. 21 having been issued on August 28, 1942, 7 F.R. 6943, effective October 1, 1942, concerning, inter alia, the minimum prices for coals produced in Minimum Price Areas Nos. 1, 2, and 3, and it appearing, therefore, that the motion of District Board No. 1, should be granted:

Now, therefore, It is ordered, That the petition of District Board No. 11 herein for temporary relief be, and it hereby is, dismissed.

Dated: February 13, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2463; Filed, February 15, 1943; 10:55 a. m.]

[Docket No. A-1424]

DISTRICT BOARD 9

ORDER DISMISSING PETITION

In the matter of the petition of District Board No. 9 for preliminary or temporary and permanent order for increase in the minimum prices for coals produced in said district.

A petition having been filed on April 22, 1942, with the Bituminous Coal Division, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, by District Board No. 9, requesting that an order be issued increasing temporarily by 20 cents per net ton the effective minimum prices applicable to the coals produced for shipment into all market areas by all code members in Minimum Price Areas Nos. 1, 2 and 3; that this petition be consolidated with other petitions filed on behalf of code members or district boards in Minimum Price Areas Nos. 1, 2, and 3 and set for hearing with any hearing to be held on the second phase of General Docket No. 21, and that the petitioner herein and the code members in District No. 9, and the code members in Minimum Price Area No. 2 be granted such other relief as may be appropriate;

A Notice and Order Concerning Consolidation and Hearing having been issued on May 4, 1942, 7 F.R. 3374, consolidating the matters in Dockets Nos. A-1299, A-1360, A-1423 and A-1424 for all purposes with General Docket No. 21 and denying District Board No. 11's request for consolidation of Docket No A-1422 with General Docket No. 21;

A Memorandum Opinion and Order Denying Temporary Relief having been issued in this matter on June 3, 1942, F.R. 4280;

A motion having been filed by District Board No. 9 requesting that its petition in this matter be withdrawn;

An Order in General Docket No. 21 having been issued on August 28, 1942, 7 F.R. 6943, effective October 1, 1942, concerning, inter alia, the minimum prices for coals produced in Minimum Price Areas Nos. 1, 2, and 3, and it appearing, therefore, that the motion of District Board No. 9 should be granted:

Now, therefore, It is ordered, That the petition of District Board No. 9 herein for temporary relief be, and it hereby is, dismissed.

Dated: February 13, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2466; Filed, February 15, 1943; 10:54 a. m.]

[Docket Nos. A-1847, A-1847, Part II]

DISTRICT BOARD 18

MEMORANDUM OPINION, ETC.

In the matter of the petition of District Board No. 18 for the establishment of price classifications and minimum prices for the Green Raney Mine.

In the matter of the petition of District Board No. 18 for revision of the boundaries of District No. 18 to include therein all coal producing counties in the state of Arizona.

Memorandum opinion and order severing Docket No. A-1847 Part II from Docket A-1847, and notice of and order for hearing in Docket No. A-1847 Part II.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, was duly filed with this Division by the above-named party requesting (1) the establishment of price classifications and minimum prices for the coals of the Green Raney Mine, Mine Index No. 176, of Gus D. Raney, in Subdistrict 6 of District No. 18 for shipment by truck; and (2) revision of the boundaries of District No. 18 to include therein all coal producing counties in the State of Arizona and all coal producing counties in the State of New Mexico except Colfax County, New Mexico.

As stated in the order issued in Docket No. A-1847, a reasonable showing of necessity has been made for the granting of the relief requested by petitioner as to the establishment of price classifications and minimum prices for the coals of the Green Raney Mine, Mine Index No. 176, of Gus D. Raney in Subdistrict 6 of District No. 18 for shipment by truck. Further, as stated in the above-mentioned order, petitioner's request that all coal producing counties in the State of New Mexico, except Colfax County, be included in District No. 18, appears to have been satisfied by the order issued in Docket No. 898-FD, on October 23, 1940.

The Director is of the opinion that no relief, either temporary or permanent, should be granted in connection with petitioner's request that the boundary of District No. 18 be revised to include therein all coal producing counties in the State of Arizona, pending a hearing in this matter.

Now, therefore, It is ordered, That the portion of Docket No. A-1847 relating to the proposed revision of boundaries of District No. 18 to include all coal producing counties in the State of Arizona be, and the same hereby is, severed from the remainder of Docket No. A-1847 and designated as Docket No. A-1847, Part II.

It is further ordered, That a hearing in Docket No. A-1847 Part II, under the applicable provisions of said Act and the rules and regulations of the Division be held on March 15, 1943, at 10 o'clock in the forenoon of that day at a hearing room of the Bituminous Coal Division, Washington, D. C.

It is further ordered, That W. A. Cuff, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before March 11, 1943.

All persons are hereby notified that the hearing in Docket No. A-1847, Part II, and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 18 for revision of the boundaries of District No. 18 to include therein all coal producing counties in the State of Arizona.

Dated: February 12, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2464; Filed, February 15, 1943; 10:54 a. m.]

[Docket No. B-185]

OLD BEN COAL CORPORATION

ORDER WITHDRAWING NOTICE OF AND ORDER FOR HEARING AND TERMINATING MATTER WITHOUT PREJUDICE

In the matter of Old Ben Coal Corporation, registered distributor, Registration No. 6983.

The above-entitled matter having been instituted by Notice of and Order for Hearing dated January 26, 1942, and the hearing herein having been indefinitely postponed by subsequent order of the Director to a date and place to be thereafter designated by an appropriate order; and

The Director deeming it advisable that said Notice of and Order for Hearing be withdrawn;

Now, therefore, It is ordered, That the said Notice of and Order for Hearing dated January 26, 1942, be and the same is hereby withdrawn, and that the above-entitled matter be, and the same hereby is, terminated without prejudice.

Dated: February 13, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2465; Filed, February 15, 1943; 10:54 a. m.]

[Docket No B-367]

FRANK DUNNING, INC.

NOTICE OF AND ORDER FOR HEARING

The Bituminous Coal Division (the "Division") finds it necessary in the proper administration of the Bituminous Coal Act of 1937 (the "Act") and the Bituminous Coal Code (the "Code") promulgated thereunder to determine:

(A) Whether Frank Dunning, Inc., Registered Distributor, Registration No. 2566, hereinafter sometimes referred to as (the "Distributor"), whose address is 1419 Midland Building, Cleveland, Ohio, has violated any provisions of the Act, the Code, and Orders of the Division, including the Marketing Rules and Regulations, Rules and Regulations for the Registration of Distributors (the "Distributor's Rules"), and its Distributor's Agreement (the "Agreement"), dated August 15, 1940, and filed by said Distributor pursuant to an Order of the National Bituminous Coal Commission dated March 24, 1939, entered in General Docket No. 12, which was adopted and ratified as an Order of the Division on July 1, 1939, and more particularly whether subsequent to September 30, 1940, said Distributor:

1. (a) During the period October 1, 1940, to and including April 8, 1941, while acting as distributor, purchased approximately 1,048.27 net tons of various sizes of coal from John H. Ridgway (Ridgway Coal Company), operator of the Ridgway Mine (Mine Index No. 1804), Uhrichsville, Ohio, code member, and resold or delivered said coal to or through Dunning Sales Corporation, Cleveland, Ohio; and

(b) During the period October 8, 1940, to and including January 24, 1941, while acting as distributor, purchased approximately 199.16 net tons of various sizes of coal from said John H. Ridgway (Ridgway Coal Company), and resold said coal to Sibila Trucking Company, Massillon, Ohio; and

(c) On December 24, 1940, while acting as distributor, purchased from said John H. Ridgway (Ridgway Coal Company) approximately 13.45 net tons of 2" nut and slack coal, and resold said coal to Sterling Coal Sales Company; and

(d) During the period November 1, 1940, to and including May 12, 1941, while acting as distributor, purchased approximately 266.15 net tons of various sizes of coal from William Carlisle (Wainwright Coal Company), operator of the Wainwright Mine (Mine Index No. 1711), Wainwright, Ohio, code member, and resold said coal to or through Dunning Sales Corporation, Cleveland, Ohio; and

(e) During the period November 5, 1940, to and including December 31, 1940, while acting as distributor, purchased approximately 75.3 net tons of various sizes of coal from said William Carlisle (Wainwright Coal Company) and resold said coal to Sibila Trucking Company, Massillon, Ohio; and

(f) On November 16, 1940, while acting as a distributor, purchased approximately 11.9 net tons of 2 inch lump coal from said William Carlisle (Wainwright Coal Company) and resold said coal to Cardinal Fuel & Supply Company, Columbus, Ohio; and

(g) On February 3, 1940, while acting as a distributor, purchased approximately seven tons of nut and slack coal from Victor H. Espenschied, operator of the Espenschied Mine (Mine Index No. 1732), Dover, Ohio, code member, and resold said coal to or through Dunning Sales Corporation, Cleveland, Ohio;

and accepted and retained distributor's discounts in the amount of 12 cents per ton on said coal, whereas in respect to each of the above transactions, said distributor (1) failed to reduce to writing and to file copies of all spot orders or written confirmations thereof, within ten (10) business days after the date of the making of spot orders or the written confirmations thereof, with the Statistical Bureau for District No. 4, in violation of Rules 1 and 3 of section V of the Marketing Rules and Regulations (the "Marketing Rules"), and Paragraphs (e) and (f) of the Agreement; and (2) failed to file with said Statistical Bureau copies of sales slips or invoices relating to the resale of said coal by truck or wagon, in violation of Division's Orders Nos. 301, 307, and 312, issued August 8, 1940, December 11, 1940, and February 24, 1941, respectively, and paragraphs (e) and (f) of the agreement; and (3) actually resold and delivered said coal in trucks in less than carload lots and in a noncontinuous flow to its vendees, in violation of paragraph (d) of the Agreement; and

2. While engaging in the transactions in subparagraphs (a), (d), and (g) of paragraph 1, hereinabove described, distributor purchased approximately 1321.42 net tons of various sizes of coal and resold or delivered said coal to or through Dunning Sales Corporation (retailer) for consumption and use by Hotel Hollenden, Cleveland, Ohio, and accepted and retained distributor's discounts in the amount of 12 cents per net ton of said coal, whereas said retail outlet financially or otherwise controlled said distributor and distributor engaged in said method of disposing of said coal for the purpose of unjustly enriching said distributor, resulting in violations of paragraph 12 of section 4 II (i) of the Act, §§ 304.12 (b) 8 and 304.19 (a) and (c) of the distributor's rules, Rule 12 of section XIII of the marketing rules and paragraphs (c), (d), and (g) of the agreement.

(B) Whether the registration of said Frank Dunning, Inc., registered distributor, Registration No. 2566, should be revoked or suspended or other appropriate penalties imposed.

It is, therefore, ordered, That a hearing pursuant to § 304.14 of the rules and regulations for the registration of distributors, to determine whether the aforementioned Frank Dunning, Inc., has committed violations in the respects heretofore described and whether the registration of said distributor should be revoked or suspended, or other appropriate penalties imposed, be held at 10 a. m., March 25, 1943, at a hearing room of the Division at Rm. 518, Bulkley Bldg., Cleveland, Ohio.

It is further ordered, That Joseph A. Huston, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Distributor and to all persons and entities having an interest in such proceeding.

Notice is hereby given that answer setting forth the position of said Distributor with reference to the matters hereinbefore described, shall be filed with the Bituminous Coal Division at its Washington Office or with any one of the field offices of the Division, within twenty (20) days after date of service hereof on said Distributor, and that failure to file an answer herein within such period, unless the presiding officer shall otherwise order, shall be deemed to be an admission by said Distributor so failing of the commission of the violations hereinbefore described and a consent to the entry of an appropriate order thereon.

Notice is also hereby given that any application or applications pursuant to § 301.132 of the Rules of Practice and Procedure Before the Division for the disposition of this proceeding without formal hearing must be filed not later than fifteen (15) days after receipt by said Distributor of this Notice of and Order for Hearing.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered therein may concern, in addition to the matters specifically alleged herein, other matters incidental and related thereto, whether raised by amendment, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Dated: February 13, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc 43-2467; Filed, February 15, 1943; 10:54 a. m.]

[Docket No. B-274]

EDWARDSVILLE COAL CO., INC.

ORDER GRANTING APPLICATION FOR RESTORATION OF CODE MEMBERSHIP

A written complaint dated June 3, 1942, having been filed on June 6, 1942, by the Bituminous Coal Producers Board for District No. 10, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), alleging willful violation by Edwardsville Coal Co., Inc., a corporation, Marine Road, Edwardsville, Illinois, code member in District No. 10, of the Act, of the Bituminous Coal Code (the "Code"), and the rules and regulations thereunder; and

An order having been issued herein on December 1, 1942, cancelling and revoking the code membership of said Edwardsville Coal Co., Inc., effective as of the date of said order; and said order of cancellation and revocation having been duly served on December 12, 1942, on said Edwardsville Coal Co., Inc.; and

Edwardsville Coal Co., Inc., having filed with the Bituminous Coal Division (the "Division") on February 6, 1943, its application for restoration of its code membership to become effective simultaneously with the effective date of the order entered in Docket No. B-274 issued December 1, 1942, cancelling and revoking the code membership of said Edwardsville Coal Co., Inc., in the said Code; and

It appearing from said application and other information in the possession of the Division, that the said Edwardsville Coal Co., Inc., paid to the Collector of Internal Revenue at Springfield, Illinois, on January 15, 1943, the sum of $286.84 pursuant to the order issued December 1, 1942 in the above-entitled matter, as a condition precedent to the restoration of its code membership.

Now, therefore, It is ordered, That, said application of Edwardsville Coal Co., Inc., filed with the Division on February 6, 1943, for restoration of its code membership be, and the same hereby is, granted.

It is further ordered, That, said restoration of the code membership of Edwardsville Coal Co., Inc., be, and the same hereby is effective simultaneously with the effective date of the order entered in Docket No. B-274 cancelling and revoking the code membership of said Edwardsville Coal Co., Inc., in the Code.

Dated: February 12, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc 43-2461; Filed, February 15, 1943; 10:55 a. m.]

Bureau of Mines.

J. H. SMITH, DRAGOON, ARIZ.

ORDER REVOKING LICENSE AND DIRECTING ITS SURRENDER

Proceedings for revocation of the Federal explosives license, issued under the Federal Explosives Act of December 26, 1941 (55 Stat. 863) to the above-named licensee, were begun on October 30, 1942, by the filing of Specification of Charges setting forth violations of the act and regulations by J. H. Smith. Following receipt of a reply from the licensee, dated November 7, 1942, a Notice of Hearing, dated December 4, 1942, was transmitted to him. A hearing was held on the charges on December 18, 1942, in Phoenix, Arizona, before the Hearing Officer duly designated by me, at which hearing the licensee failed to appear, although he received due notice thereof, and evidence was adduced bearing upon these charges.

The Report of the Hearing Officer, transmitted to me on December 24, 1942, found in its findings of fact and conclusions of law that the licensee had violated various provisions of the act and regulations and recommended the revocation of his license and that he be denied any future license. A copy of the Hearing Officer's Report, together with notification of the transmittal of the case record and Hearing Officer's Report to me, were sent to the licensee on December 24, 1942, and he was advised that he was allowed 15 days from the date of the receipt thereof to file an original and two copies of a statement in writing setting forth such exceptions to the Report or to any other part of the record or proceedings (including rulings upon all motions and objections) as he might desire and an original and two copies of a brief in support of his exceptions. The licensee was also advised of his right to request permission to argue the matter orally before me. The time granted to the licensee within which to file exceptions and brief, allowing a reasonable time for the delivery of the notice, has expired and nothing has been received from the licensee.

Now, therefore, by virtue of the authority vested in me by sections 8 and 18 of the Federal Explosives Act and § 301.22 of the regulations issued pursuant thereto (7 F.R. 5901), I, R. R. Sayers, Director of the Bureau of Mines, having reviewed the record,

Order

That the Hearing Officer's Report, including its findings, conclusions and recommendations be and it is hereby approved and adopted as my own;

That Vendor's License No. 235577 and any and all other Federal explosives licenses heretofore issued to J. H. Smith of Dragoon, Arizona, be and they are hereby revoked;

That the licenses mentioned in the preceding paragraph shall be surrendered by delivering them to me on or before March 1, 1943, or by depositing them on or before that date in the United States Mail with postage prepaid addressed to me; and

That the revocation of the licenses mentioned above shall be with prejudice to the right of the licensee to secure new licenses under the Federal Explosives Act and regulations, and no such license shall be granted to him in the future.

Dated: February 10, 1943.

R. R. SAYERS,
Director.

[F. R. Doc. 43-2455; Filed, February 15, 1943; 10:20 a. m.]

General Land Office.

[Public Land Order 85]

SOUTH DAKOTA

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT AS A BOMBING RANGE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, *It is ordered*, As follows:

Subject to valid existing rights, the public lands in the following-described areas are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the War Department as a bombing range:

BLACK HILLS MERIDIAN

T. 8 N., R. 9 E.,
Secs. 3, 4, 5, and 6.
T. 9 N., R. 9 E.,
Secs. 19 to 22, inclusive, and secs. 27 to 34, inclusive.

The areas described, including both public and non-public lands, aggregate 10,062.03 acres.

This order shall take precedence over, but shall not rescind or revoke, the withdrawal for classification and other purposes made by Executive Order No. 6910 of November 26, 1934, as amended, so far as such order affects the above-described lands.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior, when they are no longer needed for the purpose for which they are reserved.

ABE FORTAS,
Acting Secretary of the Interior.

JANUARY 29, 1943.

[F. R. Doc. 43-2449; Filed, February 15, 1943; 10:19 a. m.]

[Public Land Order 87]

NEVADA

WITHDRAWING PUELIC LANDS FOR USE OF THE WAR DEPARTMENT AS A SAFETY ZONE FOR RIFLE RANGES

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, and to section 10 of the act of December 29, 1916, 39 Stat. 865 (U.S.C., title 43, sec. 300), and also to section 1 of the act of June 28, 1934, as amended, 48 Stat. 1269 (U.S.C., title 43, sec. 315), *It is ordered*, As follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral-leasing laws, and reserved for the use of the War Department as a safety zone for rifle ranges:

MOUNT DIABLO MERIDIAN

T. 3 N., R. 44 E.,
Secs. 3, 4, 5, 8, 9, 10, 16, 17, and 21.

The areas described aggregate 5,763.72 acres.

This order shall take precedence over, but shall not rescind or revoke, (1) the order of March 6, 1919, of the Secretary of the Interior withdrawing lands for stock driveway purposes (Stock Driveway No. 62), and (2) the order of November 24, 1937, of the Secretary of the Interior withdrawing lands for a proposed grazing district, so far as such orders affect any of the above-described lands.

It is intended that the lands described herein shall be returned to the administration of the Department of the In-

terior, when they are no longer needed for the purpose for which they are reserved.

ABE FORTAS,
Acting Secretary of the Interior.

FEBRUARY 3, 1943.

[F. R. Doc. 43-2450; Filed, February 15, 1943; 10:20 a. m.]

[Public Land Order 88]

UTAH

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR RELOCATION AUTHORITY AS A JAPANESE RELOCATION CENTER

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, and to section 1 of the act of June 28, 1934, as amended, 48 Stat. 1269 (U.S.C., title 43, sec. 315), *It is ordered*, As follows:

Subject to valid existing rights, the public lands in the following-described areas are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the War Relocation Authority as a Japanese Relocation Center:

SALT LAKE MERIDIAN

T. 16 S., R. 8 W.,
Secs. 1 to 4, inclusive, secs. 9 to 16, inclusive, secs. 19 to 24, inclusive, secs. 27, 28, 29, 32, 33, and 34.
T. 17 S., R. 8 W.,
Secs. 3, 4, 5, N½ sec. 8, N½ sec. 9, N½ sec. 10.

The areas described, including both public and non-public land, aggregate 18,864.88 acres.

The order of April 8, 1935, of the Secretary of the Interior, establishing Utah Grazing District No. 3, is hereby modified to the extent necessary to permit the use of the lands as herein provided.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior, when they are no longer needed for the purpose for which they are reserved.

ABE FORTAS,
Acting Secretary of the Interior.

FEBRUARY 6, 1943.

[F. R. Doc. 43-2451; Filed, February 15, 1943; 10:20 a. m.]

Grazing Service.

NEW MEXICO GRAZING DISTRICT

RANGE CONSERVATION COMMITTEE

Amendment of section 2, paragraph *d* of the Rules for the Administration of New Mexico Grazing District No. 7 under the Act of June 28, 1934 (48 Stat. 1269), as amended by the Act of June 26, 1936 (49 Stat. 1976), and the Act of July 14, 1939 (Pub. No. 173, 76th Cong.)

Pursuant to the provisions of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1269), as amended by the act of June 26, 1936 (49 Stat. 1976), and the act of July 14, 1939 (Pub. No. 173, 76th Cong.), paragraph *d* of section 2 of the Rules for the Administration of New Mexico Grazing District No. 7, approved on September 1, 1939 (4 F.R. 3965), is amended to read as follows:

Section 2, Par. *d. Range Conservation Committee: Members; organization; duties and functions.* The range conservation committee is authorized to assist the regional grazier in the administration of the district, to establish proper cooperative relations with other interested Federal agencies, to review the recommendations of the district advisers and to perform such other duties relating to the management of the district as the Secretary of the Interior may direct. It shall consist of a representative of the Office of Indian Affairs, nominated by the Commissioner of Indian Affairs; a representative of the General Land Office, nominated by the Commissioner; and a representative of the Grazing Service, nominated by the Director of Grazing. The members of the range conservation committee after appointment by the Secretary of the Interior shall meet at district headquarters at least once a month and as often as business may require at the call of the chairman who shall be the representative of the Office of Indian Affairs.

The duties of the range conservation committee shall be:

(1) To arrange for cooperative range, economic, conservation, agronomic, engineering, and other surveys necessary for the proper and effective use and administration of the Federally owned and controlled lands in the district and to formulate range management and conservation plans based on these surveys.

(2) To formulate and negotiate cooperative field agreements between the interested Federal agencies for the making of such surveys and for the execution of the conservation and range management plans authorized in the preceding paragraph.

(3) To review the recommendations of the district advisory board concerning applications for grazing licenses and permits prior to action by the regional grazier on such applications.

(4) To review the recommendations of the district advisory board on modifications of the rules and of the district boundaries and to present its findings of fact and advice concerning these matters to the Director of Grazing or the Secretary of the Interior.

(5) To interpret the economic and dependency surveys and to recommend to the Secretary of the Interior such protective, maximum, and other limits as will facilitate the conservative use of Federally owned and controlled lands by the largest number of qualified users.

ARCHIE D. RYAN,
Acting Director of Grazing.

JANUARY 19, 1943.

I concur:
JOHN COLLIER,
Commissioner of Indian Affairs.
JANUARY 20, 1943.

FRED W. JOHNSON,
Commissioner, General Land Office.
JANUARY 30, 1943.

Approved: February 10, 1943.

ABE FORTAS,
Under Secretary.

[F. R. Doc. 43-2471; Filed, February 15, 1943; 10:20 a. m.]

DEPARTMENT OF AGRICULTURE.

Food Distribution Administration
Sugar Branch.

NOTICE OF HEARINGS AND DESIGNATION OF PRESIDING OFFICERS

Pursuant to the authority contained in subsections (b) and (d) of section 301 and section 511 of the Sugar Act of 1937 (Public, No. 414, 75th Congress), as amended, notice is hereby given that public hearings will be held as follows:

At Sacramento, California, in the County Court House, Supervisor's room, on February 22, 1943, at 9:30 a. m.; at Los Angeles, California, in the Patriotic Hall, 1916 South Figuerora Street, on February 24, 1943, at 9:30 a. m.; at Salt Lake City, Utah, in the Newhouse Hotel, on February 26, 1943, at 9:30 a. m.; at Denver, Colorado, in the Empire Room, Shirley Savoy Hotel, on March 1, 1943, at 9:30 a. m.; at Billings, Montana, in the Commercial Club Hall, on March 4, 1943, at 9:30 a. m.; at St. Paul, Minnesota, in the Auditorium, State Office Building, on March 6, 1943 at 9:30 a. m.; at Detroit, Michigan, Room 859, Federal Building, on March 8, 1943 at 9:30 a. m.

The purpose of such hearings is to receive evidence likely to be of assistance to the Secretary of Agriculture in determining (1), pursuant to the provisions of section 301 (b) of the said act, fair and reasonable wages for persons employed in the production, cultivation, or harvesting of the 1943 crop of sugar beets on farms with respect to which applications for payments under the said act are made, and (2), pursuant to the provisions of section 301 (d) of the said act, fair and reasonable prices for the 1943 crop of sugar beets to be paid under either purchase or toll agreements, by processors who, as producers, apply for payments under the said act; and to receive evidence likely to be of assistance to the Secretary of Agriculture in making recommendations, pursuant to the provisions of section 511 of the said act, with respect to the terms and conditions of contracts between producers and processors of sugar beets and with respect to the terms and conditions of contracts between laborers and producers of sugar beets.

Joshua Bernhardt, C. R. Oviatt, and H. H. Simpson are hereby designated as presiding officers to conduct, either jointly or severally, the foregoing hearings.

Done at Washington, D. C. this 13th day of February 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Assistant Secretary of Agriculture.

[F. R. Doc. 43-2470; Filed, February 15, 1943; 11:25 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

[Administrative Order 175]

MISCELLANEOUS TEXTILE, LEATHER, FUR, STRAW, AND RELATED PRODUCTS INDUSTRIES

APPOINTMENT OF INDUSTRY COMMITTEE NO. 55

1. By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, U. S. Department of Labor, do hereby appoint and convene for the miscellaneous textile, leather, fur, straw, and related products industries (as such industry is defined in paragraph 2) an industry committee composed of the following representatives:

For the Public: Max Meyer, Chairman, New York, New York; Ruth Allen, Austin, Texas; R. Walston Chubb, St. Louis, Missouri; Mary Barnet Gilson, Providence, Rhode Island; David A. McCabe, Princeton, New Jersey; Willard L. Thorpe, New York, New York; Ernst Correll, Washington, D. C.; Herman Miehl, Philadelphia, Pennsylvania; Charles S. Johnson, Nashville, Tennessee; Rev. Harlan Frost, Toledo, Ohio; Richard Lester, Chapel Hill, North Carolina; Rev. L. L. Mann, Chicago, Illinois.

For the Employers: Harry Bloom, New York, New York; F. J. Bowman, Chicago, Illinois; A. L. Clifton, Waco, Texas; Jack Gantz, New York, New York; Charles A. Gotthelf, New York, New York; Michael Hollander, Newark, New Jersey; Fred Katzner, New York, New York; William Regnery, Chicago, Illinois; W. W. Rushton, Atlanta, Georgia; Sam Spector, New York, New York; L. B. Sudderth, Buford, Georgia; Edward Wittcoff, St. Louis, Missouri.

For the Employees: Solomon Barkin, New York, New York; S. H. Dalrymple, Akron, Ohio; Anthony H. Esposito, New York, New York; Sal B. Hoffmann, Philadelphia, Pennsylvania; Marx Lewis, New York, New York; Morris Muster, New York, New York; F. H. Nyork, Chicago, Illinois; Irving Potash, New York, New York; Boris Shishkin, Washington, D. C.; Lazare Teper, New York, New York; J. Raymond Walsh, Washington, D. C.; William E. G. Batty, New Bedford, Massachusetts.

Such representatives having been chosen with due regard to the geographical regions in which such industry is carried on.

2. The term "Miscellaneous Textile, Leather, Fur, Straw, and Related Products Industries" as used in this order shall, except as specifically provided herein, include:

(a) The coating, impregnating, and other processing of textiles, including, but without limitation, the production of oilcloth, artificial leather, linoleum, and felt base floor coverings.

(b) The manufacture of any product from textile yarn or fabric (made from any animal, mineral, vegetable or synthetic fiber or mixtures of any of these fibers), impregnated or coated textiles, hair, bristles, straw, leather, feathers, and similar materials; except the weaving of fabric from mineral fibers or yarn.

(c) The dressing, dyeing, and other processing or handling of fur skins or pelts, and the manufacture of any product from fur skins or pelts.

(d) The manufacture of men's or boys' straw or harvest hats, the term "straw" being used in the trade sense and not being confined to materials made from natural fibers.

Provided, however, That this industry shall not include any product or part (other than men's and boys' straw or harvest hats) the manufacture of which is covered by the definitions of an industry for which a wage order has been issued or for which an industry committee has been appointed under the Fair Labor Standards Act.

3. The definition of the miscellaneous textile, leather, fur, straw, and related products industries covers all occupations in the industry which are necessary to the production of the articles covered by the definition, including clerical, maintenance, shipping, and selling occupations: *Provided, however,* That this definition does not cover clerical, maintenance, shipping, and selling occupations when carried on in a wholesaling or selling department, physically segregated from the other departments of a manufacturing establishment, the greater part of the sales of which wholesaling or selling department are sales of articles which have been purchased for resale: *And provided further,* That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

4. Any person who, in the opinion of the committee, having a substantial interest in the proceeding and who is prepared to present material pertinent to the question under consideration, may, with the approval of the committee, appear on his own behalf or on behalf of any other person.

5. The industry committee herein created shall meet at 10:00 a. m. on March 2, 1943 at the Astor Hotel, New York, New York, and, in accordance with the provisions of the Fair Labor Standards Act of 1938 and rules and regulations promulgated thereunder, shall proceed to investigate conditions in the industry and recommend to the Administrator minimum wage rates for all employees thereof who within the meaning of said Act are "engaged in commerce or in the production of goods for commerce," excepting employees exempted by virtue of the provisions of section 13 (a) and employees coming under the provisions of section 14.

Signed at New York, New York, this 11th day of February 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-2323; Filed, February 12, 1943; 2:44 p. m.]

LEARNER EMPLOYMENT CERTIFICATES

J. H. COWNIE CO., KENOSHA, WIS.

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective February 15, 1943.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE

J. H. Cownie Company, 2323 Sixtieth Street, Kenosha, Wisconsin; Parachutes, Army jackets, work clothing, wool and leather work gloves; 10 percent (T); machine operator, hand sewer, presser for a learning period of 320 hours at 30¢ per hour until February 15, 1944.

Signed at New York, N. Y., this 13th day of February 1943.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-2437; Filed, February 15, 1943; 9:05 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the determination and order or regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective February 15, 1943. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel Industry

Hardwick Woolen Mills, Inc., Church Street, Cleveland, Tennessee; Men's and boys' clothing (pants); 5 percent (T); February 15, 1944.

New York Handkerchief Manufacturing Company, 1021 W. Adams Street, Chicago, Illinois; Handkerchiefs; 5 percent (T); February 15, 1944.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-lined Garments Divisions of the Apparel Industry

A. & B. Brassiere Company, 1 Little Burnet Street, New Brunswick, New Jersey; Brassieres; 2 learners (T); February 15, 1944.

Alpha Manufacturing Company, 18 Front Street, Hammonton, New Jersey; Dresses, pants, ladies' skirts and raincoats; 6 learners (T); February 15, 1944.

Beverly Frocks, 108–110 East 22nd Street, Chicago Heights, Illinois; Ladies' wash dresses; 10 learners (T); February 15, 1944.

Cadillac Shirt Company, 374 Elm Street, Perth Amboy, New Jersey; Shirts, shorts; 11 learners (T); February 15, 1944.

Hamilton Carhartt Overall Company, Irvine, Kentucky, Overalls, trousers, coats and caps; 10 percent (T); February 15, 1944.

Castro-Walsh, Incorporated, Camden, Maine; Infants' wear; 10 learners (T); February 15, 1944.

Co-Ed Frocks, Incorporated, Assumption, Illinois; Cotton outer clothing, service clothing; 10 learners (T); February 15, 1944.

Iron King Overall Company, 113 S. Hanover Street, Baltimore, Maryland; Men's work clothing, overalls, pants; 10 learners (T); February 15, 1944.

Juvenile Manufacturing Company Incorporated, 327 N. Flores, San Antonio, Texas; Infants' and children's apparel, Government mosquito bars; 10 percent (T); February 15, 1944.

Morris Kinwald, 1139 South 4th Street, Camden, New Jersey; Children's cotton dresses; 2 learners (T); February 15, 1944.

R. O. Layfield, 105 College Street, Burlington, Vermont; Ladies' night gowns and pajamas; 40 learners (E); August 15, 1943.

Malough Brothers, 39 E. Federal Avenue, Logan, Utah; Ladies' and children's wearing apparel; 76 learners (E); August 15, 1943.

J. B. Pearson Company, Main Street, Thomaston, Maine; Sheep skin lined coats, trousers, mackinaws; 10 learners (T); February 15, 1944.

S & S Clothing Corporation, 44 Lehigh Street, Wilkes-Barre, Pennsylvania; Boys' pants; 10 percent (T); February 15, 1944.

Stameo Uniform, Incorporated, Madison, Georgia; Tents, shelter bags, shirts and pants; 10 percent (T); February 15, 1944.

Alperin Strauss Company, Incorporated, Loogootee, Indiana; White undress Navy middies; 10 percent (T); February 15, 1944.

Hosiery Industry

Chipman LaCrosse Mills Company, Incorporated, 125 E. Caswell Street; Hendersonville, North Carolina; Seamless hosiery; 5 percent (T); February 15, 1944.

Russell Hosiery Mill, Star, North Carolina; Seamless hosiery; 5 percent (T); February 15, 1944.

Sterling Hosiery Mills, Incorporated, Spindale, North Carolina; Full-fashioned hosiery; 5 percent (T); February 15, 1944.

West Creek Hosiery Company, Sprague Avenue, West Creek, New Jersey; Full-fashioned hosiery; 1 learner (T); February 15, 1944.

Gloves Industry

Menominee Glove Company, Sheridan Road, Menominee, Michigan; Leather dress gloves; 50 learners (E); August 15, 1943.

Knitted Wear Industry

Emple Knitting Mills, 27 Columbia Street, Bangor, Maine; Knitted outerwear; 5 learners (T); February 15, 1944.

H. L. Miller & Son, Coal Street, Carbon, Pennsylvania; Knitted underwear; 5 percent (T); February 15, 1944.

Textile Industry

Charles H. Bacon Company, Lenoir City, Tennessee; Combed peeler cotton yarn; 3 percent (T); February 15, 1944.

Carolyn Manufacturing Company, Whitesburg, Georgia; Cotton yarn; 3 percent (T); February 15, 1944.

Reid Mills, Hogansville, Georgia; Number duck; 3 percent (T); February 15, 1944.

Pacific Mills—Granby Plant, Heyward Street, Columbia, South Carolina; Yarn & thread; 3 percent (T); February 15, 1944.

Pacific Mills—Olympia Plant, Heyward Street, Columbia, South Carolina; Yarn and thread; 3 percent (T); February 15, 1944.

Pacific Mills—Richland Plant, Heyward Street, Columbia, South Carolina; Yarn and thread; 3 percent (T); February 15, 1944.

Tennessee Tufting Company, 2404 Herman Street, Nashville, Tennessee; Tufted bed spreads; 5 percent (T); February 15, 1944.

Cigar Industry

Consolidated Cigar Corporation, Railroad and Furnace Streets, Allentown, Pennsylvania; Cigars; 30 learners (E); 15 stripping machine operators and 15 hand strippers for a learning period of 160 hours at 75% of the applicable minimum wage until May 14, 1943.

Signed at New York, N. Y., this 13th day of February 1943.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc 43-2438; Filed, February 15 1943, 9:04 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5817]

WEST COAST POWER COMPANY

NOTICE OF APPLICATION

FEBRUARY 8, 1943.

Notice is hereby given that on February 8, 1943, an application was filed with the Federal Power Commission, pursuant to section 203 of the Federal Power Act, by West Coast Power Company, a corporation organized under the laws of the State of Delaware and doing business in the States of Oregon and Idaho, with its principal business office at Portland, Oregon, seeking an order authorizing the sale of certain of its electrical facilities located in Columbia and Clastsop Counties, Oregon, including a 2300/11,000-Volt Substation, 1500 KVA capacity, located in Westport, Oregon, and 11 KV transmission line commencing at said substation and extending in a northeasterly direction to the south bank of the Columbia River, where it connects with facilities of the Bonneville Power Administration. The consideration to be paid for the facilities the application states, is $150,000, subject to certain adjustments; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 28th day of February 1943, file with the Federal Power Commission a petition or protest in accordance with the Commission's Rules of Practice and Regulations.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 43-2395; Filed, February 13 1943; 11:25 a. m.]

OFFICE OF THE ALIEN PROPERTY CUSTODIAN.

[Vesting Order 591]

CERTAIN COPYRIGHTS AND INTERESTS THEREIN

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title and interest of every kind or nature whatsoever of the original authors of each and all of the publications described in Exhibit A attached hereto and made a part hereof, in, to and under each and all of the copyrights described in said Exhibit A, including but not limited to all accrued royalties, all right to receive royalties, and all damages and profits recoverable at law or in equity from any or all persons, firms, corporations or governments for past infringement thereof, all contractual rights of whatsoever kind or nature arising by virtue of said copyrights, and all rights of renewal subject to be exercised by such authors or by their widows, children, executors or next of kin, in, to and under each and all of the copyrights described in said Exhibit A,

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of foreign countries, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on December 29, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Copyright Nos.	Nature of works	Titles of works	Name and last known addresses of authors of original works	Last known nationality of authors of original works
A-[illegible]	Book	The Montessori Elementary Material (Vol. 2—The Advanced Montessori Method).	Maria Montessori, Amsterdam, Holland.	Unknown.
A-[illegible]	Book	The Romance of French Weaving.	Paul Reder, Paris, France	French.
A-[illegible]	Book	Reise In Die Literatur	Otto Kolschwitz, Germany	German.
A-[illegible]	Book	The French Boy	Paul Vaillant-Courturier Paris, France.	Unknown.
A-[illegible]	Book	French History	Emile Saillens, Neuilly-sur-Seine, France.	French.
A-[illegible]	Book	The Birth of Rome (with 35 illustrations by H. C. Pitz).	Laura Orvitte, Florence, Italy	Unknown.
A-[illegible]	Book	French Provincial Furniture	H. Lognon, Paris, France	Unknown.
A-[illegible]	Book	Burners of Men	Marcel Grlaule, Paris IX, France	Unknown.
A-[illegible]	Book	Two Loves I Have	Countess Clara Longworth de Chambrun, Paris VI, France.	French.
A-[illegible]	Book	Honore De Balzac	Maime, F. Brunetierre, Paris, France.	Unknown.
A-[illegible]	Book	Tilio—A Boy of Papua	R. Voorhoeve, Amsterdam, Netherlands.	Unknown.

[F. R. Doc. 43-2343; Filed, February 13, 1943; 9:36 a. m.]

[Vesting Order 826]

ESTATE OF EMMA ALBERS

In re: Estate of Emma Albers, deceased—File D-28-1892; E. T. sec. 1658.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, Bronx County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
Bertha Linnfeld	Germany.
Dr. Helmuth Linnfeld	Germany.
Wilhelm Linnfeld	Germany.
Emma Carola Linnfeld	Germany.
Martha Beindorff	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Bertha Linnfeld, Dr. Helmuth Linnfeld, Wilhelm Linnfeld, Emma Carola Linnfeld, and Martha Beindorff, and each of them, in and to the Estate of Emma Albers, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian,

[F. R. Doc. 43-2344; Filed, February 13, 1943; 9:34 a. m.]

[Vesting Order 827]

TRUST UNDER WILL OF HENRY BOHLS

In re: Trust under Will of Henry Bohls, deceased—File D-28-2087; E. T. sec. 2424.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Bank of California National Association, 400 California Street, San Francisco, California, Trustee, acting under the judicial supervision of Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Frida Bohls, whose last known address is Germany; and

Determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Frida Bohls, in and to the trust estate created under the Last Will and Testament of Henry Bohls, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2345; Filed, February 13, 1943; 9:33 a. m.]

[Vesting Order 828]

ESTATE OF ALIDA MALATISTA BRIZZOLARA

In re: Estate of Alida Malatista Brizzolara, also known as Adelida Brizzolara, deceased—File D-38-1034; E. T. sec. 2877.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Angelo Brizzolara, Administrator, c/o Alvin Gerlack, 1565 Russ Building 235 Montgomery Street, San Francisco, California, acting under the judicial supervision of Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely, Mrs. Louisa Raggi, whose last known address is Italy; and

Determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Mrs. Louisa Raggi in and to the estate of Alida Malatista Brizzolara, also known as Adelida Brizzolara, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2346; Filed, February 13, 1943; 9:33 a. m.]

[Vesting Order 829]

ESTATE OF GUSTAVE LOUIS BRUMMER

In re: Estate of Gustave Louis Brummer, deceased—File D-28-1711; E. T. sec. 723.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Alexander Louis Dubossarsky	Germany.
Boris Dubossarsky	Germany.
Lida Sauer	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Alexander Louis Dubossarsky, Boris Dubossarsky and Lida Sauer, and each of them, in and to the Estate of Gustave Louis Brummer, deceased

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2347; Filed, February 13, 1943; 9:33 a. m.]

[Vesting Order 830]

ESTATE OF LOUIS CATALDI

In re: Estate of Louis Cataldi, deceased—File D-38-958; E. T. sec. 2000.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Surrogate of Passaic County, New Jersey, Depositary, acting under the judicial supervision of Surrogate Court of Passaic County, State of New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Vincenzo Cataldi	Italy.
Concelia Scamale	Italy.
Salvatore Russo	Italy.
Agatha Russo	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Vincenzo Cataldi, Concella Scamale, Salvatore Russo, and Agatha Russo, and each of them, in and to the estate of Louis Cataldi, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2348; Filed, February 13, 1943; 9:33 a. m.]

[Vesting Order 831]

ESTATE OF LOUIS DEMBITZER

In re: Estate of Louis Dembitzer, deceased—File F-7-1055; E. T. sec. 1174.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interest are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Baron Rothschild Hospital of Vienna, whose last known address is (Austria) Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interest:

All right, title, interest and claim of any kind or character whatsoever of Baron Rothschild Hospital of Vienna in and to the Estate of Louis Dembitzer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interest and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interest or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2349; Filed, February 13, 1943; 9:33 a. m.]

[Vesting Order 832]

ESTATE OF ARTHUR M. EISIG

In re: Estate of Arthur M. Eisig, deceased—File D-28-1939; E. T. sec. 1940.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Chemical Bank & Trust Company and Arthur J. Cohen, Executors and Trustees, acting under the judicial supervision of Surrogate's Court in and for the County of Westchester, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known Address*
Elsa Bauml	Germany
Ida Heske	Germany
Ada Thiel (Thiel)	Germany.
Thekla Klinger	Germany.
Hedwig Intichar	Germany.
Hede Intichar	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever, of Elsa Bauml, Ida Heske, Ada Thiel (Theil), Thekla Klinger, Hedwig Intichar and Hede Intichar, and each of them, in and to the trust created under the will of Arthur M. Eisig, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2350; Filed, February 13, 1943; 9:31 a. m.]

[Vesting Order 833]

ESTATE OF JOHANNE FEDDE

In re: Estate of Johanne Fedde, also known as Augusta Elise Johanne Fedde, deceased—File F-28-17505; E. T. sec. 1858.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that— .

(1) The property and interests hereinafter described are property which is in the process of administration by Hugh L. Nehring, Ancillary Administrator, acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for New York County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany namely,

National:	*Last known address*
Heinrich Georg Karl Fedde-----	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Heinrich Georg Karl Fedde in and to the Estate of Johanne Fedde, also known as Augusta Elise Johanne Fedde, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2351; Filed, February 13, 1943; 9:31 a. m.]

[Vesting Order 834]

TRUST UNDER WILL OF THERESE C. FRAENCKEL

In re: Trust under will of Therese C. Fraenckel, deceased—File F–28–1954; E. T. sec. 1911.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and prusuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Carl H. Fraenckel, Trustee, c/o The Continental Bank and Trust Company of New York, acting under the judicial supervision of Surrogate's Court of New York County, State of New York;

(2) Such property and interests are payable or delivered to, or claimed by, a national of a designated enemy country, Germany, namely, Johanna von Passow, whose last known address is Germany; and

Determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Johanna von Passow in and to the trust estate created under the Last Will and Testament of Therese C. Fraenckel, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2352; Filed, February 13, 1943; 9:31 a. m.]

[Vesting Order 835]

TRUST UNDER WILL OF EMIL FUCHS

In re: Trust under will of Emil Fuchs, deceased—File D–28–1961; E. T. sec. 2016–A.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Guaranty Trust Company of New York, Trustee, 524 Fifth Avenue, New York, N. Y., acting under the judicial supervision of the Surrogate's Court of New Yc. . County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely, Melitta Strakosch Lindner whose last known address is Germany; and

Determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Melitta Strakosch Lindner in and to the trust estate created under Article Thirteenth of the Last Will and Testament of Emil Fuchs, deceased

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian

[F. R. Doc. 43-2353; Filed, February 13, 1943; 9:31 a. m.]

[Vesting Order 836]

TRUST UNDER WILL OF EMIL FUCHS

In re: Trust under will of Emil Fuchs, deceased—File D–28–1961; E.T. sec. 2016–B.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Guaranty Trust Company of New York, Trustee, 524 Fifth Avenue, New York, N. Y., acting under the judicial supervision of the Surrogate's Court of New York County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Hermance Strakosch Matzner---	Germany

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Hermance Strakosch Matzner in and to the trust estate created under Article Ninth of the Last Will and Testament of Emil Fuchs, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2354; Filed, February 13, 1943; 9:31 a. m.]

[Vesting Order 837]

TRUST UNDER WILL OF EMIL FUCHS

In re: Trust under will of Emil Fuchs, deceased—File D–28–1961; E. T. sec. 2016–C.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Guaranty Trust Company of New York, Trustee, 524 Fifth Avenue, New York, N. Y., acting under the judicial supervision of the Surrogate's Court of New York County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely, Mika Strakosch, whose last known address is Germany; and

Determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Mika Strakosch in and to the trust estate created under Article Ninth of the Last Will and Testament of Emil Fuchs, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2355; Filed, February 13, 1943; 9:30 a. m.]

TRUST UNDER WILL OF EMIL FUCHS

[Vesting Order 838]

In re: Trust under the will of Emil Fuchs, deceased—File D–28–1961; E. T. sec. 2016–D.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Guaranty Trust Company of New York, Trustee, acting under the judicial supervision of Surrogate's Court of New York County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany (Austria), namely,

National:	*Last known address*
Paul Rosenbaum----	Province of Austria. Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany (Austria); and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Paul Rosenbaum in and to the trust estate created under the Eleventh Article of the Last Will and Testament of Emil Fuchs, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2356; Filed, February 13, 1943; 9:30 a. m.]

[Vesting Order 839]

TRUST UNDER WILL OF EMIL FUCHS

In re: Trust under will of Emil Fuchs, deceased—File D–28–1961; E. T. sec. 2016–E.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Guaranty Trust Company of New York, Trustee, 524 Fifth Avenue, New York, N. Y., acting under the judicial supervision of the Surrogate's Court of New York County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely, Adriana Leoni, whose last known address is Italy; and

Determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Adriana Leoni in and to the trust estate created under Article Twelfth of the Last Will and Testament of Emil Fuchs, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2357; Filed, February 13, 1943; 9:30 a. m.]

[Vesting Order 840]

ESTATE OF JOSEPH GABLER

In re: Estate of Joseph Gabler, deceased—File D–28–2185; E. T. sec. 3089.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The First National Bank, Mrs. Hedwig Gabler, and Mrs. Eva L. Kershaw, Executors, acting under the judicial supervision of the Orphans' Court of the State of Pennsylvania, in and for Luzerne County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Eva Saureling	Germany

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Eva Sauerling in and to the Estate of Joseph Gabler, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2358; Filed, February 13, 1943; 9:30 a. m.]

[Vesting Order 841]

ESTATE OF GAETANO GRASSIA

In re: Estate of Gaetano Grassia, also known as Gaetano Grazzia, deceased—File No. D–9–100–38–1008; E.T. sec. 2177.

Under the authority of the Trading with the Enemy Act as amended, Executive Order No. 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York, as depositary, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Carmelo Grassia	Italy
Alfonso Grassia	Italy
Guiseppa Grassia	Italy

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Carmelo Grassia Alfonso Grassia and Guiseppa Grassia, in and to the estate of Gaetano Grassia, also known as Gaetano Grazzia, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2359; Filed, February 13, 1943; 9:30 a. m.]

[Vesting Order 842]

ESTATE OF SIMON HANDLER

In re: Estate of Simon Handler, deceased—File D–34–89; E.T. sec. 1969.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Adolph Handler, Administrator, 500 Southern Boulevard, Bronx, New York, acting under the judicial supervision of Surrogate's Court of New York County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

Nationals:	*Last known address*
Anna Cohen	Hungary.
Lilly Heinrich	Hungary.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Anna Cohen and Lilly Heinrich, and each of them, in and to the estate of Simon Handler, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2360; Filed, February 13, 1943; 9:29 a. m.]

[Vesting Order 843]

ESTATE OF ANNA GESINE HANISH

In re: Estate of Anna Gesine Hanish, deceased—File D–28–1885; E. T. sec. 1650.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for King's County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Dietrich Murken	Germany.
John William Murken	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Dietrich Murken and John William Murken and each of them in and to the Estate of Anna Gesine Hanish, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2361; Filed, February 13, 1943; 9:36 a. m.]

[Vesting Order 844]

ESTATE OF SOPHIE ADELHEID HILLMANN

In re: Estate of Sophie Adelheid Hillmann, deceased—File D–28–1986; E.T. sec. 2063.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Marshal Stearns, Ancillary Administrator, acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Kings County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Luise Marie Hauck	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Luise Marie Hauck in and to the Estate of Sophie Adelheid Hillmann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in Section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2362; Filed, February 13, 1943; 9:37 a. m.]

[Vesting Order 845]

ESTATE OF FRANZISKA VALESKA ELIZABETH HORRMANN

In re: Estate of Franziska Valeska Elizabeth Horrmann, deceased—File No. D–28–1824; E. T. sec. 1599.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Richmond County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Ruth Pfautsch	Germany.
Kurt Glaser	Germany.
Heinz Glaser	Germany.
Charlotte Glaser	Germany

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Ruth Pfautsch, Kurt Glaser, Heinz Glaser and Charlotte Glaser, and each of them, in and to the Estate of Franziska Valeska Elizabeth Horrmann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2363; Filed, February 13, 1943; 9:37 a. m.]

[Vesting Order 846]

TRUST UNDER WILL OF JOSEPH HUND

In re: Trust under the will of Joseph Hund, deceased; File D–28–1866; E. T. sec. 1277.

Under the authority of the Trading with the Enemy Act as amended and Executive Order 9095 as amended and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Land Title Bank and Trust Company, substituted trustee, acting under the judicial supervision of the Orphans Court, Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
August Hund	Germany
Free Fire Department	Germany

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany, and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of August Hund and the Free Fire Department, operating in Ottersweier, Amt. Buhl, Baden, Germany, in and to the estate of Joseph Hund, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2364; Filed, February 13, 1943; 9:37 a. m.]

[Vesting Order 847]

ESTATE OF ELIZABETH KUNTZ

In re: Estate of Elizabeth Kuntz, deceased; File D–28–2010; E. T. sec. 2168.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by George J. Christman, Executor of the estate of Elizabeth Kuntz, deceased, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
August Kunz	Germany
Friedrich Schmitt	Germany
Jacob Schmitt	Germany

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of August Kunz, Friedrich Schmitt and Jacob Schmitt and each of them, in and to the Estate of Elizabeth Kuntz, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2365; Filed, February 13, 1943; 9:37 a. m.]

[Vesting Order 848]

ESTATE OF WILLIAM LENZ

In re: Estate of William Lenz, deceased; File D–28–1886; E.T. sec. 1651.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Kings County;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Theresa Muller	Germany
Maria Muller	Germany
Joseph Lenz	Germany

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said executive order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Theresa Muller, Maria Muller and Joseph Lenz and each of them in and to the Estate of William Lenz, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2366; Filed, February 13, 1943; 9:37 a. m.]

[Vesting Order 849]

ESTATE OF OTTO LICHTEN

In re: Estate of Otto Lichten, deceased—File D–28–1685; E. T. sec. 629.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Arthur Lichten, whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Arthur Lichten in and to the Estate of Otto Lichten, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interest and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interest or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2367; Filed, February 13, 1943; 9:36 a. m.]

[Vesting Order 850]

ESTATE OF WILLIAM MANZ

In re: Estate of William Manz, deceased; File D–28–2050; E. T. sec. 2351.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Wilhelmina Manz Mercer, Executrix, acting under the judicial supervision of the Orphans' Court of the State of Pennsylvania, in and for Philadelphia County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Georg Schloner	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Georg Schloner in and to the Estate of William Manz, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2368; Filed, February 13, 1943; 9:36 a. m.]

[Vesting Order 851]

ESTATE OF FREDERICK AUGUST MENGE

In re: Estate of Frederick August Menge, deceased; File No. D–28–1367; E.T. sec. 75.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Theodore P. Anderson, as administrator, acting under the judicial supervision of the Court of Probate, District of Stonington, Stonington, Connecticut;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Wilhelmina Menge whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Wilhelmina Menge in and to the Estate of Frederick August Menge, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2369; Filed, February 13, 1943; 9:36 a. m.]

[Vesting Order 852]

ESTATE OF RUDOLPH MOLL

In re: Estate of Rudolph Moll, deceased; File F–28 62; E. T. sec. 1693.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York, as depositary acting under the judicial supervision of the Surrrogate's Court, Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Rudolph Moll	Germany.
Paul Moll	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Rudolph Moll and Paul Moll, and each of them, in and to the estate of Rudolph Moll, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2370; Filed, February 13, 1943; 9:35 a. m.]

[Vesting Order 853]

ESTATE OF ERIC PLACK

In re: Estate of Eric Plack, also known as Erick Plack, also known as E. Plack, and also known as Eric Plach, deceased—File D–6–143; E. T. sec. 1782.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Lester W. Kimball, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for Riverside County;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Austria, namely,

Nationals:	*Last known address*
Karl Plach, or his surviving issue	Austria.
Christine Kraupar, or her surviving issue.	Austria.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Austria; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Karl Plach, or his surviving issue and Christine Kraupar, or her surviving issue and each of them in and to the Estate of Eric Plack, also known as Erick Plack, also known as E. Plack, and also known as Eric Plach, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2371; Filed, February 13, 1943; 9:35 a. m.]

[Vesting Order 854]

ESTATE OF ANDREW RORDEN

In re: Estate of Andrew Rorden, deceased; File D–28–1772; E. T. sec. 908.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Martin Baudixen, Trustee, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Orange;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Dorothea Hassold	Germany.
Nichels Hinrichsen	Germany.
Kreske Johannsen	Germany.

Nationals—Continued.	*Last known address*
Gardina Rorden	Germany.
Gerrett Jansen Rorden	Germany.
Henriette Knudtsen	Germany.
Tyra Petersen	Germany.
Frida Hansen	Germany.
Paula Arfsten	Germany.
Theodor Knudtsen	Germany.
Max Boyens	Germany.
Josephine Boyens Toitzik	Germany.
John Boyens	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Dorothea Hassold, Nickels Hinrichsen, Kreske Johannsen, Gardina Rorden, Gerrett Jansen Rorden, Henriette Knudtsen, Tyra Petersen, Frida Hansen, Paula Arfsten, Theodor Knudtsen, Max Boyens, Josephine Boyens Toitzik and John Boyens and each of them in and to the Trust Estate created under the Will of Andrew Rorden, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8. 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2372; Filed, February 13, 1943; 9:35 a. m.]

[Vesting Order 855]

ESTATE OF MARY SALAY

In re: Estate of Mary Salay or Szali, deceased; File D–34–93; E. T. sec. 2080.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by John M. Huston, Clerk of Court, acting under the judicial supervision of the Orphans Court of Allegheny County, Pittsburgh, Penna.;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

Nationals:	*Last known address*
Julia Glowski	Hungary.
Andrew Shedlock	Hungary.
Ilona Toth	Hungary.
Joseph Acsai	Hungary.
Elizabeth Acsai	Hungary.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Julia Glowski, Andrew Shedlock, Ilona Toth, Joseph Acsai, Elizabeth Acsai and each of them, in and to the Estate of Mary Salay or Szali, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2373; Filed, February 13, 1943; 9:35 a. m.]

[Vesting Order 856]

ESTATE OF FRANK SANTULLI

In re: Estate of Frank Santulli, deceased; File D-38-456; E. T. sec. 788.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Kings County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely Amelia Amodeo whose last known address is Italy;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy, and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Amelia Amodeo in and to the Estate of Frank Santulli, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interest and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc 43-2374; Filed, February 13, 1943; 9:35 a. m.]

[Vesting Order 857]

ESTATE OF BARTOLO SEBBEN

In re: Estate of Bartolo Sebben, deceased; File D-38-343; E. T. sec. 399.

Under the authority of the Trading with the Enemy Act as amended and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the McDowell County National Bank, Administrator, acting under the judicial supervision of McDowell County Court, Welch, West Virginia;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Alessandro Sebben	Italy
Antonio Sebben	Italy
Erma Sebben	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Alessandro Sebben, Antonio Sebben and Erma Sebben and each of them in and to the Estate of Bartolo Sebben, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2375, Filed, February 13, 1943; 9:34 a. m.]

[Vesting Order 858]

ESTATE OF JOSEPH SIEBER

In re: Estate of Joseph Sieber, deceased; File D-28-6335; E.T. sec. 2079.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by John M. Huston, Clerk of Court, acting under the judicial supervision of the Orphans Court of Allegheny County, Pittsburgh, Penna;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals	*Last known address*
Caroline Plendel	Germany
Creszenz Singer	Germany
Martin Sieber	Germany

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Caroline Plendel, Crezzenz Singer, Martin Sieber and each of them, in and to the Estate of Joseph Sieber, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2376; Filed, February 13, 1943; 9:29 a. m.]

[Vesting Order 859]

ESTATE OF MARI SOEHL

In re: Estate of Mari Soehl, deceased; File D-28-1880; E. T. sec. 1645.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, Kings County, New York;

(2) Such property and interest are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Irma Hejhal, whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interest:

All right, title, interest and claim of any kind or character whatsoever of Irma Hejhal in and to the Estate of Mari Soehl, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interest and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interest or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2377; Filed, February 13, 1943; 9:29 a. m.]

[Vesting Order 860]

ESTATE OF JAKOBINE CHRISTINE SOFFNER

In re: Estate of Jakobine Christine Soffner, deceased; File No. D-28-1883; E.T. sec. 1648.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Kings County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Ludwig Soffner, whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Ludwig Soffner in and to the Estate of Jakobine Christine Soffner, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2378; Filed, February 13, 1943; 9:29 a. m.]

[Vesting Order 861]

ESTATE OF WILHELM STAPEL

In re: Estate of Wilhelm Stapel, deceased: File No. D-9-100-28-1952; E. T. sec. 2296.

Under the authority of the Trading with the Enemy Act as amended, Executive Order No. 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York, as depositary, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany.

Nationals:	*Last known address*
Christian Stapel	Germany.
Anna Domeyer	Germany
Frida Schunemann	Germany
Karl Thies	Germany

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Christian Stapel, Anna Domeyer, Frida Schunemann and Karl Thies, in and to the estate of Wilhelm Stapel, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The term "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2379; Filed, February 13, 1943; 9:34 a. m.]

[Vesting Order 862]

ESTATE OF DAVID STORCK

In re: Estate of David Storck, deceased; File D–28–2011; E. T. sec. 2100.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Harry Storck, Administrator, acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Westchester County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

	Last known address
National:	
Ida Schweyer	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Ida Schweyer, in and to the Estate of David Storck, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY.
Alien Property Custodian.

[F. R. Doc. 43–2380; Filed, February 13, 1943; 9:34 a. m.]

[Vesting Order 863]

ESTATE OF EMMA EMILIE WOLTMANN

In re: Estate of Emma Emilie Woltmann, deceased; File D–28–1889; E. T. sec. 1655.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Kings County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national, of a designated enemy country, Germany, namely, Peter Wilhelm Niebuhr whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Peter Wilhelm Niebuhr in and to the Estate of Emma Emilie Woltmann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2381; Filed, February 13, 1943; 9:34 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Special Order ODT W-2]

AMERICAN BARGE LINE CO. ET AL.

COORDINATION OF TOWAGE OPERATIONS

Directing coordinated towage operations of carriers by water on inland waterways in the United States.

Upon consideration of the application for authority to coordinate towage operations with respect to the transportation of property by water on inland waterways in the United States, filed with this Office by American Barge Line Company, Campbell Transportation Company, Inland Waterways Corporation (Federal Barge Lines), Union Barge Line Corporation, and Mississippi Valley Barge Line Company, and in order to assure maximum utilization of the facilities, services, and equipment of carriers of property by water, and to conserve and providently utilize vital equipment, material, and supplies, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. American Barge Line Company, Campbell Transportation Company, Inland Waterways Corporation (Federal Barge Lines), Union Barge Line Corporation, and Mississippi Valley Barge Line Company, in the transportation of property by water on inland waterways in the United States, may, subject to terms and conditions acceptable to each such company, tow barges or other craft for one another whether such barges or other craft be laden with cargo or otherwise.

2. Nothing in this order shall be construed as authorizing the carriers through joint action to initiate or establish the rates or charges for towage for the public, or for the transportation of property for the public, or as affecting the liability of the carriers for loss of or damage to the property transported or the authority of the respective carriers for which the towage is performed, to engage in the transportation.

This order shall become effective February 15, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 15th day of February 1943.

JOSEPH B. EASTMAN,
Director.

[F. R. Doc 43–2484; Filed, February 15, 1943; 11:58 a. m.]

[Supplementary Order ODT 3, Revised 15]

ADVANCE EXPRESS CO. ET AL.

COORDINATED OPERATION AT EAU CLAIRE, WIS.

Charles Hildenbrand and Elias Hildenbrand, doing business as Advance Express Co., et al.

Upon consideration of the application to coordinate common carrier motor vehicle service at the City of Eau Claire, Wisconsin, filed with the Office of Defense Transportation by Charles Hildenbrand and Elias Hildenbrand, doing business as Advance Express Co., Milwaukee, Wisconsin, Briggs Transfer Company, Whitehall, Wisconsin, Britton Motor Service, Inc., Chicago, Illinois, Cary Transfer Company, Inc., Eau Claire, Wisconsin, Consolidated Freightways, Inc., Portland, Oregon, Glendenning Motorways, Inc., St. Paul, Minnesota, A. G. Henneman, doing business as A. G. Henneman Transfer, Bloomer, Wisconsin, Green Bay Transport, Inc., Green Bay, Wisconsin, George Hart, doing business as Hart Motor Express, Minneapolis, Minnesota, Carl Mueller, doing business as Mueller Transportation, Co., Eau Claire, Wisconsin, Fred B. Wines, doing business as United Shipping Company, Minneapolis, Minnesota, Wheeler Transportation Company, Menasha, Wisconsin, as governed by § 501.9 of General Order ODT 3, Revised, as amended,[1] and

It appearing that such appointment will result in coordination of transportation of property by motor vehicle and that such coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies, to assure the maximum utilization of such transportation equipment, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. Charles Hildenbrand and Elias Hildenbrand, doing business as Advance Express Co., Briggs Transfer Company, Britton Motor Service, Inc., Consolidated Freightways, Inc., Glendenning Motorways, Inc., A. G. Henneman, doing business as A. G. Henneman Transfer, Green Bay Transport, Inc., George Hart, doing business as Hart Motor Express, Carl Mueller, doing business as Mueller Transportation Co., Fred B. Wines, doing business as United Shipping Company, Wheeler Transportation Co., (hereinafter collectively called the carriers) in the performance of transportation of property as common carriers by motor vehicle, shall appoint the Cary Transfer Co., Inc., as their common agent at the City of Eau Claire, Wisconsin, upon such terms as shall be agreed upon by the carriers or, in the event of their disagreement, as the Office of Defense Transportation shall find to be just and reasonable.

2. The Cary Transfer Co., Inc., shall act as common agent of the carriers and in such capacity shall perform collection and delivery service at the City of Eau Claire, Wisconsin, and shall interchange and divert such shipments as may be agreed upon by the carriers and shall divert such shipments as may be necessary to comply with the provisions of General Order ODT 3, Revised, as amended.

3. The carrier to whom a shipment has been diverted shall forward such shipment on the billing and pursuant to the lawfully applicable rates, charges, rules and regulations of the carrier issuing the bill of lading.

4. Except as may be otherwise provided by agreement between the carriers, or prescribed by the Interstate Commerce Commission or by appropriate State regulatory body, the division of revenues derived from the transportation performed pursuant hereto shall be as determined by the Office of Defense Transportation.

5. The records of the carriers and their common agent, the Cary Transfer Co., Inc., shall be available for examination and inspection at all reasonable times by a representative of the Office of Defense Transportation.

6. The provisions of this order shall not be so construed or applied as to require or permit the motor carriers named herein to perform any transportation service, the performance of which by it is not authorized or sanctioned by law, or to render any service beyond its transportation capacity, or to alter its legal liability to any shipper.

7. Each of the carriers shall file forthwith with the appropriate regulatory body or bodies having jurisdiction over the operations affected by this order, and publish in accordance with law, and continue in effect until further order, tariffs, setting forth any changes in fares, charges, operations, rules, regulations and practices of the carrier which may be necessary to accord with the provisions of this order; together with a copy of this order; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on one day's notice.

8. Communications concerning this order should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C., and should refer to "Supplementary Order ODT 3 Revised–15."

This order shall become effective February 25, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the office of Defense Transportation by further order may designate.

Issued at Washington, D. C. this 15th day of February 1943.

JOSEPH B. EASTMAN,
Director.

[F. R. Doc. 43–2482; Filed, February 15, 1943; 11:57 a. m.]

[1] 7 F.R. 5445, 6689, 7694.

[Supplementary Order ODT 3, Revised 16]

CONSOLIDATED FREIGHTWAYS, INC. AND NORTHERN PACIFIC TRANSPORT COMPANY

COORDINATED OPERATION BETWEEN BILLINGS AND SIDNEY, MONT.

Upon consideration of the application to coordinate common carrier motor vehicle service between Billings and Sidney, Montana, filed by Consolidated Freightways, Inc., Portland, Oregon, and Northern Pacific Transport Company, Billings, Montana, as governed by § 501.9 of General Order ODT 3, Revised, as amended,[1] and

It appearing that such coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies, and to assure the maximum utilization of such transportation equipment, the attainment of which purposes is essential to the successful prosecution of the war: *It is hereby ordered*, That:

1. Consolidated Freightways, Inc., shall:

(a) Suspend its operations between Glendive and Sidney, Montana, including service to the intermediate points of Stipek, Intake, Savage, and Crane, Montana, and divert to the Northern Pacific Transport Company at Glendive, Montana, such shipments as are destined to Stipek, Intake, Savage, Crane, and Sidney, Montana.

(b) Accept from Northern Pacific Transport Company at its terminal in Billings, Montana, such shipments as are destined to Glendive, Terry, Miles City, Forsyth, Hysham, and Custer, Montana, and transport such shipments in its own vehicles to the terminals of Northern Pacific Transport Company at points of destination.

2. Northern Pacific Transport Company shall:

(a) Accept from Consolidated Freightways, Inc., at Glendive, Montana, such shipments as are destined to Stipek, Intake, Savage, Crane, and Sidney, Montana, and transport such shipments in its own vehicles to points of destination.

(b) Pick up at Sidney, Crane, Savage, Intake, and Stipek, Montana, shipments consigned on bills of lading of Consolidated Freightways, Inc., to Glendive, Montana, and points beyond and shall transport such shipments in its own vehicles to the terminal of Consolidated Freightways, Inc., at Glendive, Montana.

(c) Divert to Consolidated Freightways, Inc., at Northern Pacific Transport Company's terminal, Billings, Montana, such shipments as are destined to Glendive, Terry, Miles City, Forsyth, Hysham, and Custer, Montana, whenever it has less than a capacity load, or does not have equipment available to transport such shipments.

3. The carrier to whom a shipment has been diverted shall forward such shipment on the billing and pursuant to the lawfully applicable rates, charges, rules and regulations of the carrier issuing the bill of lading.

4. Except as may be otherwise provided by agreement between the carriers,

[1] 7 F.R. 5445, 6689, 7694.

or prescribed by the Interstate Commerce Commission or by appropriate State regulatory body, the division of revenues derived from the transportation performed pursuant hereto shall be as determined by the Office of Defense Transportation.

5. The records of the carriers shall be available for examination and inspection at all reasonable times by a representative of the Office of Defense Transportation.

6. The provisions of this order shall not be so construed or applied as to require or permit the motor carriers named herein to perform any transportation service, the performance of which by it is not authorized or sanctioned by law, or to render any service beyond its transportation capacity, or to alter its legal liability to any shipper.

7. Each of the carriers shall file forthwith with the appropriate regulatory body or bodies having jurisdiction over the operations affected by this order, and publish in accordance with law, and continue in effect until further order, tariffs, or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations and practices of the carrier which may be necessary to accord with the provisions of this order, together with a copy of this order; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on one day's notice.

8. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised–16", and should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

9. This order shall become effective February 25, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 15th day of February 1943.

JOSEPH B. EASTMAN,
Director.

[F. R. Doc. 43-2483; Filed, February 15, 1943; 11:56 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Amendment 2 to Order 1 Under MPR 169]

WILLIAM DAVIES CO.

ORDER TO REFUND EXCESS CHARGES

Amendment No. 2 to Order No. 1 under Maximum Price Regulation No. 169—Beef and Veal Carcasses and Wholesale Cuts.

An opinion accompanying this amendment to Order No. 1 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Paragraph (b) is amended by adding the following sentence:

(b) • • •

With respect to deliveries made before December 19, 1942 by the William Davies Company of Chicago, Illinois (3169–33 and 3169–34) of sheep casing frankfurters and bologna, such applicant shall refund to the purchaser the difference between the requested price received and the maximum prices established for the sale of such sausage items by Maximum Price Regulation No. 286, Certain Sausage Products for War Procurement Agencies.

• • • • •

(f) This Amendment No. 2 to Order No. 1 under Maximum Price Regulation No. 169 shall become effective as of December 19, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2313; Filed, February 12, 1943; 11:34 a. m.]

[Amendment 1 to Order 8 Under MPR 169]

HOUSTON PACKING CO. AND ARMOUR AND CO.

ORDER TO REFUND EXCESS CHARGES

Amendment No. 1 to Order No. 8 under Maximum Price Regulation No. 169—Beef and Veal Carcasses and Wholesale Cuts.

An opinion accompanying this amendment to Order No. 1 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Paragraph (b) is amended by adding the following sentence:

(b) • • •

With respect to deliveries made before December 19, 1942 by the Houston Packing Company of Houston, Texas, (3169–93, 3163–94 and 3169–96) and Armour and Company of Delaware, of Chicago, Illinois (3169–116, 3169–117, 3169–121 and 3169–122) of sheep casing frankfurters, hog casing frankfurters, skinless frankfurters and bologna, such applicants shall refund to the purchaser the difference between the requested prices received and the maximum prices established for the sale of such sausage items by Maximum Price Regulation No. 286, Certain Sausage Products for War Procurement Agencies.

• • • • •

(d) This Amendment No. 1 to Order No. 8 under Maximum Price Regulation No. 169 shall become effective as of December 19, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2314; Filed, February 12, 1943; 11:33 a. m.]

[Correction to Order 3 Under RPS 91]

UNITED STATES COMMERCIAL CO.

APPROVAL OF MAXIMUM PRICE

Correction to Order No. 3 under Revised Price Schedule No. 91—Tea.

An item in the table in paragraph (b) is corrected to read as follows:

(b) • • •

Buyer	Description	Price—f. o. b. New York
United States Commercial Co.	606 h/chests #3 gunpowder tea.	60¢ per lb. less 1% commission.

• • • • •

This correction shall be effective as of December 31, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2308; Filed, February 12, 1943; 11:32 a. m.]

[Order 161 Under MPR 120]

E. EICHELBERGER & COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 161 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 1120–146–P.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (b) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced in Size Group 3 by E. Eichelberger & Company, Everett, Pennsylvania, at its Bacon No. 4 Mine (Mine Index No. 22) in District No. 1, may be sold and purchased for shipment by rail at prices not to exceed $3.05 per net ton f. o. b. the mine, and for shipment by truck at prices not to exceed $3.10 per net ton f. o. b. the mine.

(b) Within thirty (30) days from the effective date of this order, the said E. Eichelberger & Company shall notify all persons purchasing its coals of the adjustments granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with, and subject to, the conditions stated in Revised Maximum Price Regulation No. 122.

(c) This Order No. 161 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(e) This Order No. 161 shall become effective February 13, 1943.

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2330; Filed, February 12, 1943; 3:27 p. m.]

[Order 1 Under MPR 112]

COLONIAL COLLIERY CORP.

ORDER GRANTING ADJUSTMENT

Order No. 1 under Maximum Price Regulation No. 112—Pennsylvania Anthracite—Docket No. 3112–9.

For the reasons set forth in an opinion issued simultaneously herewith under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended and Executive Order No. 9250, and in accordance with § 1340.197 (a) of Maximum Price Regulation No. 112, *It is hereby ordered:*

(a) The Colonial Colliery Corporation, 1421 Chestnut Street, Philadelphia, Pennsylvania, may sell and deliver, and any person may buy and receive, the product described in paragraph (b) below at prices not in excess of the prices stated therein;

(b) Anthracite produced at its mine located at Natalie, Northumberland County, Pennsylvania, at prices not to exceed the following:

Domestic:	
Broken, egg, stove and chestnut	$7.55
Pea	6.00
Steam:	
Buckwheat #1	4.45
Rice (Buckwheat #2)	3.50
Barley (Buckwheat #3)	2.50
All sizes smaller than Barley Buckwheat #3) if sold for fuel or sintering use, including (specifically but not exclusively) Buckwheat #4, river or dredge Barley, and smaller sizes	1.80

(c) Within thirty days from the effective date of this order the said Colonial Colliery Corporation shall notify all persons purchasing its coals of the adjustment granted in paragraph (b) of this order and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of coal the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Revised Maximum Price Regulation No. 122;

(d) This Order No. 1 may be revoked or amended by the Price Administrator at any time;

(e) All prayers of the petition not granted herein are denied;

(f) Unless the context otherwise requires, the definitions set forth in § 1340.198 of Maximum Price Regulation No. 112 shall apply to the terms used herein;

(g) This Order No. 1 shall become effective February 12, 1943.

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2332; Filed, February 12, 1943; 3:24 p. m.]

[Amendment 1 to Order 79 to MPR 188]

THE CRANE COMPANY

AUTHORIZATION OF MAXIMUM PRICE

Amendment No. 1 to Order No. 79 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

An opinion accompanying this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

The first undesignated paragraph and paragraph (a) of Order No. 79 are amended, and a new paragraph (h) is added, as set forth below:

Authorization of a maximum price of cast-iron valves and fittings, malleable iron valves and fittings, brass valves and fittings, brass and iron plumbing fixture trim, cast and forged steel valves, cast and forged steel fittings, fabricated steel valves and fittings, and fabricated pipe made according to specifications. • • •

(a) The Crane Company of 836 South Michigan Avenue, Chicago, Illinois, may sell and deliver, and any person may buy and receive from the Crane Company, cast-iron valves and fittings, malleable iron valves and fittings, brass valves and fittings, brass and iron plumbing fixture trim, cast and forged steel valves, cast and forged steel fittings, fabricated steel valves and fittings and fabricated pipe made according to specifications, at a price not more than that determined by the use of the pricing formula submitted to the Office of Price Administration under date of September 8, 1942, and used by the Crane Company in March 1942 to determine the prices at that time, of such items. The values given to the factors used in said formula shall be no higher than the highest value given to the same factors in the determination of March 1942 prices under said formula, and the method used in computing said factors shall be the method used in March 1942.

• • • • •

(h) This Amendment No. 1 to Order No. 79 shall become effective as of the 12th day of December, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2403; Filed, February 13, 1943; 12:53 p. m.]

[Correction to Order 115 Under MPR 188]

ACE UPHOLSTERING CO.

ORDER GRANTING ADJUSTMENT

Correction to Order No. 115 under Maximum Price Regulation No. 188[1]—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

The references to § 1499.161 (a) (2) in Order No. 155, are corrected to read § 1499.161 (a) (1).

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2405; Filed, February 13, 1943; 12:52 p. m.]

[1] 7 F.R. 5872, 7967, 8943, 8948, 10155; 8 F.R. 537.

[Order 160 Under MPR 188]

SIMMONS COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 160 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Maximum prices for sales by the Simmons Company of San Francisco, California, of certain regular galvanized wire rope thimbles and galvanized manila rope thimbles.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) This Order No. 160 sets maximum prices for sales of certain Regular Galvanized Wire Rope Thimbles and Galvanized Manila Rope Thimbles manufactured and sold by the Simmons Company, San Francisco, California, which have been described in an application submitted by the manufacturer to the Office of Price Administration.

Listed below are the maximum prices and terms for sales by the Simmons Company to all classes of purchasers:

REGULAR GALVANIZED WIRE ROPE THIMBLES

Size of rope in inches	*Net price per hundred pieces*
1/8	$2.64
5/16	2.64
1/4	2.64
5/16	3.15
3/8	3.60
7/16	4.20
1/2	4.80
5/8	6.60
3/4	7.80
7/8	9.60
1	12.60
1 1/8	25.35
1 1/4	29.35
1 1/2	80.00
1 3/4	106.70
2	133.35

GALVANIZED MANILA ROPE THIMBLES

Size of rope in inches	*Net price per piece*
5/16	$0.034
3/8	.034
7/16	.04
1/2	.053
5/8	.067
3/4	.08
7/8	.10
1	.12
1 1/8	.134
1 1/4	.20
1 3/8	.267
1 1/2	.334
1 3/4	.65
2	.334

The prices are f. o. b. factory, San Francisco, California.

(b) This Order No. 160 may be revoked or amended at any time by the Price Administrator.

(c) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to terms used herein.

(d) This Order No. 160 shall become effective on the 15 day of February 1943.

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2402; Filed, February 13, 1943; 12:53 p. m.]

[Order 161 Under MPR 188]

THE JOHNS-MANVILLE SALES CORPORATION

AUTHORIZATION TO DETERMINE MAXIMUM PRICES

Order No. 161 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Authorization for the Johns-Manville Sales Corporation to determine maximum prices for certain custom-made products.

On October 13, 1942, the Johns-Manville Sales Corporation of Twenty-Two East Fortieth Street, New York, New York filed an application with the Office of Price Administration seeking a specific authorization pursuant to § 1499.158 of Maximum Price Regulation No. 188 to determine maximum prices for certain "custom-made products" (as defined in paragraph (b) below) and for instructions as to the method to be used in determining maximum prices for such products to be manufactured by them. Due consideration has been given to this application, and an Opinion in support of this order has been issued simultaneously herewith and filed with the Division of the Federal Register.

(a) The maximum price which may be charged by the Johns-Manville Sales Corporation for "custom-made products" shall be determined in accordance with the appropriate formulae as contained in the following papers, issued by the Johns-Manville Sales Corporation and on file with the Office of Price Administration, available to inquirers:

(1) The notice entitled "Effect of Price Ceilings on SPPI'S," addressed to "All Factory Office Managers" from "General Headquarters", dated originally May 15, 1942 and marked "Revised June 3, 1942";

(2) The notice entitled "Effect of Price Ceilings on SPPI'S; Price Ceilings applicable to Commodities", addressed to "All Factory Office Managers" from "General Headquarters", dated originally May 15, 1942, and marked "Completely Revised July 23, 1942";

(3) The Schedule known as Schedule A headed "Order and Billing Procedure—Section M-29", in two pages, dated June 10, 1940, unsigned and marked "Requested by: M. J. Boedeker";

(4) The schedule known as Schedule B, headed "Order and Billing Procedure—Section M-29", in three pages, dated June 10, 1940, and revised March 13, 1942, and marked "Requested by: M. J. Boedeker";

(5. The schedule known as Schedule C, headed "Order and Billing Procedure—Section M-29", in four pages, dated June 10, 1940 and revised April 6, 1942, and marked "Requested by: M. J. Boedeker";

(6) The schedule known as Schedule G, headed "Order and Billing Procedure—Section M-29", in two pages, undated and marked "Requested by: M. J. Boedeker".

(b) The term "custom-made product" as used in this Order No. 161 shall include all items manufactured by the Johns-Manville Sales Corporation of the types designated in subparagraph (5) below, which are subject to Maximum Price Regulation No. 188; and

(1) Which are not part of, and will not become part of, the Johns-Manville Sales Corporation's standard line of products; and

(2) Which were not delivered or offered for delivery during March 1942 by the Johns-Manville Sales Corporation; and

(3) The prices of which cannot be determined upon the basis of prices which the Johns-Manville Sales Corporation had in effect for standard items and for special processing during March 1942; and

(4) Which may not be priced under § 1499.155 of Maximum Price Regulation No. 188; and

(5) Which are of the following types:

Rigid asbestos shingles and asbestos clapboard.
Asphalt shingles.
Smooth roll roofings.
Slatekote roll roofings.
Building papers (asphalt or tar only).
Asbestos ready-to-lay roofings.
Encased insulating board.
Asbestos wallboard.
Asbestos flexboard.
Decorative wall sheets.
Built-up roof insulation.
Flat transite.
Corrugated transite.
Acoustical correction materials.
Sound insulation materials.
Acoustical equipment materials.
Insulations.
Marinite.
Banroc blankets, pipe covering and other insulations.
Powders and air set cements.
Rock cork pipe covering—sheets—lagging and accessories.
Insulation cements.
Range boiler jackets.
Flat transite—plain and w r.
Miscellaneous insulation sheets—(panocel, cellinite, roll fire felt).
Insulation accessories.
Magnesia pipe covering—blocks and cement.
Industrial friction materials.
Transite pipe and accessories.
Chemstone.
Asbestos ebony.
Flat transite for electrical purposes.
Trancel.
Electrobestos products.
Miscellaneous electrical products: Protector Mountings—Niagrite—Asbestoment.
Asbestos paper tapes.
Refractory (cement) products.
Power products specialties.
BX cellular insulation.
Transite conduit—Korduct and accessories.

(c) The authorization granted to the Johns-Manville Sales Corporation in paragraph (a) hereof is subject to the following conditions:

(1) That it shall notify all purchasers purchasing custom-made product from it that the price thereof has been authorized by the Office of Price Administration under this order; and

(2) That, for the first 50 maximum prices determined under this order, it shall, within 10 days after each such maximum price has been so determined, report that price by a report submitted in triplicate to the Office of Price Administration stating that the price was determined in accordance with the formulae set forth in paragraph (a) hereof and setting forth in detail the calculations made in determining that price, including a description of the product and of the labor and materials used; and

(3) That it shall, for all maximum prices authorized by this order and not required to be reported by paragraph (c) (2) above, keep records, available at all times to the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, including in such records the same information as is described in paragraph (c) (2) above.

(d) Any selling price determined under this order shall be subject to adjustment at any time by the Office of Price Administration.

(e) This Order No. 161 may be revoked or amended by the Office of Price Administration at any time.

(f) This Order No. 161 shall become effective February 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2404; Filed, February 13, 1943; 12:53 p. m.]

[Order 162 Under MPR 188]

THE GLENSHAW GLASS CO.

APPROVAL OF MAXIMUM PRICES

Order No. 162 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is hereby ordered:*

(a) The Glenshaw Glass Company of Glenshaw, Pennsylvania is hereby authorized to sell, deliver and offer for sale and all other persons are authorized to buy and receive in the course of trade, $32\frac{5}{8}$ ounce capacity standard glass containers, 63 millimeter finish, at the price of $3.20 per gross for orders of 1000 or more cases of one dozen each, and of $3.30 per gross for all orders of less than 1000 such cases, at any destination within free delivery territory as recognized by the glass container industry in March 1942, and delivered to any other destination in the United States at not more than these prices with such additional charges for delivery as were customarily added to catalogue prices of wide mouth glass containers by sellers generally in March 1942.

(b) All differentials and services which were customarily rendered by the Glenshaw Glass Company in its sales of glass containers in March 1942, must be maintained. The prices specified in this order must be reduced by 1% for payment within 10 days of the invoice date, and may not be increased by any charge for the extension of credit.

(c) All prayers in the application not specifically granted by this order are hereby denied.

(d) The authority granted by this Order No. 162 shall not be effective after a Maximum Price Regulation governing the container which is the subject of this order is issued by the Office of Price Administration.

(e) This Order No. 162 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 162 shall become effective February 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2412; Filed, February 13, 1943; 12:59 p. m.]

[Order 2 Under MPR 214]

STANDARD ALLOY CO.

ADJUSTMENT OF MAXIMUM PRICE

Order No. 2 under Maximum Price Regulation No. 214—High Alloy Castings—Docket No. 3214-3.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration, *It is hereby ordered:*

Adjustment of maximum price of Standard Alloy Company on sales of high alloy fan wheel castings to Garden City Fan Company. (a) Notwithstanding anything to the contrary contained in Maximum Price Regulation No. 214, Standard Alloy Company, Cleveland, Ohio, may sell and deliver high alloy fan wheel castings of an analysis of 35% nickel, 15% chrome for industrial ovens and furnaces to Garden City Fan Company, Chicago, Illinois, at a price not to exceed 47 cents per pound and Garden City Fan Company may buy and receive said castings as above. This price of 47 cents per pound is a delivered price, i. e., f. o. b. the foundry with freight allowed to destination, and includes all extras.

(b) All prayers of petition not granted herein are denied.

(c) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 2 shall become effective February 15, 1943, and shall become retroactively effective December 18, 1942, the date of which Standard Alloy Company filed its application for adjustment.

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2407; Filed, February 13, 1943; 12:49 p. m.]

[Order 7 Under MPR 244]

LAKE ERIE ENGINEERING CORP.

APPROVAL OF MAXIMUM PRICES

Order No. 7 under § 1421.163 of Maximum Price Regulation 244—Gray Iron Castings.

For the reasons set forth in the opinion issued simultaneously herewith, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with Maximum Price Regulation 244 issued by the Office of Price Administration, *It is hereby ordered:*

Maximum prices for gray iron castings sold by the Lake Erie Engineering Corporation. (a) Lake Erie Engineering Corporation, Buffalo, New York, is hereby authorized to determine maximum prices on sales and deliveries of gray iron castings produced by it at its foundry in the Village of Sloan, Erie County, New York, in accordance with § 1421.166 of Maximum Price Regulation 244, as amended by Amendment No. 2, as though the foundry were situated in its former location at Woodward and Riverview Avenues, Town of Tonawanda, Erie County, New York. The foregoing authorization shall apply to all sales and deliveries of, and contracts and offers to sell, gray iron castings made by said Lake Erie Engineering Corporation on and after October 26, 1942.

(b) This Order No. 7 shall become effective February 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2406; Filed, February 13, 1943; 12:52 p. m.]

[Order 35 Under RPS 6]

PHOENIX IRON COMPANY

ORDER GRANTING RELIEF

Order No. 35 under Revised Price Schedule No. 6—Iron and Steel Products—Docket No. So-28-7.

On December 31, 1942, The Phoenix Iron Company, Phoenixville, Pa., filed an application for adjustment of prices that might be charged by it for its product, pursuant to the provisions of Supplementary Order No. 28 and Revised Price Schedule No. 6. Due consideration has been given to the application for adjustment, and an opinion in support of this Order No. 35 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, and in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration, *It is hereby ordered:*

(a) The Phoenix Iron Company may sell and deliver and agree, offer, solicit and attempt to sell and any person may buy and receive from The Phoenix Iron Company carbon steel shapes and merchant bars at prices not in excess of those stated in paragraph (b).

(b) (1) The maximum base price which may be charged for carbon steel shapes is $2.35 per 100 pounds, f. o. b. the governing or emergency basing point.

(2) The maximum base price which may be charged for merchant bars is $2.40 per 100 pounds, f. o. b. the governing or emergency basing point.

(3) The maximum base prices set forth in 1 and 2 above shall be applicable to shipments of all material produced after January 1, 1943.

(c) All prayers of the petitioner not granted herein are denied.

(d) This Order No. 35 may be revoked or amended by the Price Administrator at any time.

(e) The definitions set forth in § 1306.8 of Revised Price Schedule No. 6 shall apply to terms used herein.

(f) This Order No. 35 shall be effective as of January 1, 1943.

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2411; Filed, February 13, 1943; 12:48 p. m.]

[Suspension Order 211]

HAINES GAS STATION

ORDER RESTRICTING TRANSACTIONS

Hubert H. Peterson and Robert J. Boyle, co-partners, Haines Gas Station, 6503 Georgia Avenue, N. W., Washington, D. C., hereinafter called respondents, were duly served with a notice of charges of violations of Ration Order No. 5A, Gasoline Rationing Regulations, issued by the Office of Price Administration. Pursuant to the notice, a hearing upon the charges was held in Washington, D. C., on November 27, 1942. There appeared a representative of the Office of Price Administration and respondents. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been duly considered by the Chairman of the Industry Council, it is hereby determined:

(a) Respondents are dealers in gasoline and operate a gasoline filling station located at 6503 Georgia Avenue, N. W., Washington, D. C.

(b) Respondents have violated Ration Order No. 5A, Gasoline Rationing Regulations, (§ 1394.1502), in that on various occasions between July 22 and November 16, 1942, respondents transferred gasoline to consumers without receiving in exchange therefor any gasoline ration coupons or other evidences.

Because of the great scarcity and critical importance of gasoline in Washington, D. C., respondents' violations of Ration Order No. 5A, Gasoline Rationing Regulations, have resulted in the diversion of gasoline from military and essential civilian uses into non-essential uses in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Chairman of the Industry Council that further violations by respondents are likely unless

appropriate administrative action is taken: *It is hereby ordered:*

(c) During the period in which this Suspension Order No. 211 shall be in effect,

(1) Respondents shall not accept any deliveries or transfers of, or in any manner directly or indirectly receive from any source any gasoline for resale at their filling station at 6503 Georgia Avenue, N. W., Washington, D. C.

(2) Respondents shall not transfer or deliver or otherwise trade or deal in gasoline at their filling station at 6503 Georgia Avenue, N. W., Washington, D. C.

(3) No person shall in any manner, directly or indirectly transfer or deliver any gasoline to respondents for resale at their filling station at 6503 Georgia Avenue, N. W., Washington, D. C.

(d) Any terms used in this Suspension Order No. 211 that are defined in Ration Order No. 5A, Gasoline Rationing Regulations, shall have the meaning therein given them.

This Suspension Order No. 211 shall become effective 12:01 a. m. February 23, 1943, and unless sooner terminated shall expire 12:01 a. m. March 25, 1943.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89 and 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); W.P.B. Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216); Supplementary Directive 1Q (7 F.R. 9121))

Issued this 13th day of February 1943.

LOUIS H. HARRIS,
Chairman, Industry Council.

[F. R. Doc. 43-2408; Filed, February 13, 1943; 12:49 p. m.]

[Amendment 1 to General Order 46[1]]

HEARING ADMINISTRATOR AND HEARING COMMISSIONERS

DELEGATION OF AUTHORITY

Paragraph (d) of General Order No. 46 is amended to read as set forth below:

(d) This General Order No. 46 shall take effect the 1st day of March, 1943.

This Amendment No. 1 to General Order No. 46 shall become effective February 13, 1943.

(Pub. Law No. 671, 76th Cong., as amended by Pub. Laws No. 89, 507, 77th Cong., Pub. Law 421, 77th Cong., E.O. 9125 7 F.R. 2719, issued April 7, 1942, W.P.B. Dir. No. 1, 7 F.R. 562, as supplemented, E.O. 9280, 7 F.R. 10179, issued December 5, 1942, Food Directive 1 of the Secretary of Agriculture, 8 F.R. 827.)

Issued this 13th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2435; Filed, February 13, 1943; 4:09 p. m.]

[1] 8 F.R. 1771.

[Order 17 Under Rev. MPR 161]

BONNEVILLE LOGGING COMPANY, ET AL.

OVERTIME ADDITIONS

Order No. 17 Under § 1381.156 of Revised Maximum Price Regulation No. 161—West Coast Logs.

The following listed companies were granted authority under § 1381.160 (e) of Maximum Price Regulation No. 161 to make additions to the maximum prices provided in that regulation where operations have been conducted on an overtime basis. That section has been incorporated into Revised Maximum Price Regulation No. 161 as § 1381.156.

Those claiming the overtime addition are required by the Regulation to submit a report as outlined in § 1381.156 (b) (formerly § 1381.160 (e) (2) in the original regulation) not later than the 15th of each month in which the overtime addition is claimed. It is likewise provided that the addition may be made only so long as the required number of hours are worked.

For the reasons indicated, the authorities to make overtime additions heretofore granted to the named companies are hereby cancelled, effective on the dates indicated:

(a) The following authorizations are cancelled as of the date indicated for failure to submit the reports required by § 1381.156 (b) of the regulation, after special notification that the authorizations would be cancelled for failure to comply with that requirement:

Name	*Effective date*
Bonneville Logging Co., Seattle, Wash	Dec. 1, 1942
Beaver Logging Co., Portland, Oreg	Dec. 1, 1942
Hector Brown Logging Co., Monroe, Wash.	Jan. 1, 1943
Alex Cugini, Renton, Wash.	Dec. 1, 1942
Camp Creek Timber Co., Gardiner, Oreg	Dec. 1, 1942
DeGroot Logging Co., Bremerton, Wash.	Nov. 1, 1942
Drake Logging Co., Bellingham, Wash.	Jan. 1, 1943
Duffy Bros., Clallam Bay, Wash.	Dec. 1, 1942
Elk Creek Logging Co., Foster, Oreg.	Nov. 1, 1942
Eastern & Western Lumber Co., Portland, Oreg.	Dec. 1, 1942
Eastern & Western Lumber Co., Grays River, Wash.	Nov 1, 1942
Franks & Sherin, Sedro Woolley, Wash.	Nov. 1, 1942
F. E. Foss & Sons, Concrete, Wash.	Nov. 1, 1942
Gehrke Logging Co., Port Angeles, Wash.	Nov. 1, 1942
Grays River Logging Co., Rosburg, Wash.	Dec. 1, 1942
M. V. Hissong, Concrete, Wash.	Nov 1, 1942
Jones & Anderson Logging Co., Darrington, Wash.	Nov. 1, 1942
James and Charles Johnston Logging Co., Hoodsport, Wash.	Nov. 1, 1942
Matt Kippola Logging Co., Paulsbo, Wash.	Jan. 1, 1943
Lane-Linn Logging Co., Eugene, Oreg.	Dec. 1, 1942
Lerback Logging Co., Seaside, Oreg.	Dec. 1, 1942
Lyle McNeill Logging Co., Bellingham, Wash.	Dec. 1, 1942
McMillen Logging Co., Rose Lodge, Oreg.	Nov. 1, 1942
M. & G. Logging Co., Springfield, Oreg.	Nov. 1, 1942
L. Marenakos, Renton, Wash.	Dec. 1, 1942
Lee Martin, Quilcene, Wash.	Dec. 1, 1942
Mt Baker Timber Co., Bellingham, Wash.	Dec. 1, 1942
Maywood Logging Co., Inc., Lester, Wash.	Dec. 1, 1942
Frank W. McCullock, Eugene, Oreg.	Jan 1, 1943
Olympic Logging Co., Seattle, Wash.	Dec. 1, 1942
Olson Bros. Lumber Co., Camas, Wash.	Dec 1, 1942
Potter-Maginnis Piling Co., Ridgefield, Wash.	Dec. 1, 1942
Rockaway Logging Co., Rockaway, Oreg.	Dec. 1, 1942
Robinson Logging Co., Seattle, Wash.	Dec. 1, 1942
Jack Ranilla, Sedro Woolley, Wash.	Dec. 1, 1942
Robertson Bros. Logging Co., Concrete, Wash.	Nov. 1, 1942
A. W. Salmon, Aberdeen, Wash.	Nov. 1, 1942
Simonson Logging Co., Cascadia, Oreg.	Nov. 1, 1942
Scritsmier Co., Portland, Oreg.	Jan. 1, 1943
Scott & Blum, Gaston, Oreg.	Jan. 1, 1943
Timber Logging Co., Aberdeen, Wash.	Nov. 1, 1942
M. E. Wilson, Portland, Oreg.	Nov. 1, 1942
Winona Investment Co., Deming, Wash.	Dec. 1, 1942
Willapa Harbor Lumber Mills, Raymond, Wash.	Dec. 1, 1942
Elmer Watters Logging Co., Lebanon, Oreg.	Nov. 1, 1942

(b) The following authorizations are cancelled as overtime operations have been discontinued:

Name	*Effective date*
Carlisle Lumber Co., Onalaska, Wash.	Jan. 15, 1943
Grand Rapids-Oregon Timber Co., Seaside, Oreg.	Nov. 15, 1942
Hamilton Bros. Logging Co., Warrenton, Oreg.	Nov. 1, 1942
Robert Hickey, Everett, Wash.	Jan. 15, 1943
Usitalo Bros. Logging Co., Darrington, Wash.	Jan. 15, 1943
Kemp Davis & Kemp, Bellingham, Wash.	Dec. 1, 1942
Petty Bros. & Blunk, Concrete, Wash.	Oct. 1, 1942
Roy J. Kimbel, Shelton, Wash.	Sept. 1, 1942
Murphy-Nelson Logging Co., Portland, Oreg.	Dec. 1, 1942
Sundown Logging Co., Yelm, Wash.	Dec. 1, 1942
A. J. Bartley, Raymond, Wash.	Nov. 1, 1942
Wooden & Combs Logging Co., Jewell, Oreg.	Dec. 1, 1942
Reed Holding Logging Co., Clatskanie, Oreg.	Dec. 1, 1942
Carson Lumber Co. Carson, Wash.	Dec. 1, 1942

This Order No. 17 shall become effective February 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2436; Filed, February 13, 1943; 4:09 p. m.]

Regional Office, Region 1

[Emergency Order 2, Amendment 1 Under Ration Order 11]

FUEL OIL SHORTAGE IN NEW ENGLAND AREA

Pursuant to the authority conferred upon the Regional Administrator by § 1394.5715 of Ration Order No. 11, as amended, paragraphs (a) and (c) (11) of Emergency Order No. 2 are amended to read as follows:

(a) *Findings.* The Regional Administrator finds that in the States of Connecticut, Massachusetts and Rhode Island, as the result of the continuing serious decrease in stocks, there still exists in such area an emergency in the transportation and distribution of fuel oil which endangers the public health, the public welfare and the war effort.

* * * * * * *

(c) *Order.* * * *

(11) *Effective period.* Emergency Order No. 2 shall terminate at 12:00 p. m. February 11, 1943 unless extended by further order.

Effective Date of Amendment 1

Amendment 1 to Emergency Order No. 2 shall become effective February 9, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1-0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719, Ration Order No. 11, 7 F.R. 8480)

Issued this 9th day of February 1943.

KENNETH B. BACKMAN,
Regional Administrator.

[F. R. Doc. 43-2409; Filed, February 13, 1943; 12:48 p. m.]

[Emergency Order 3, Amendment 1 Under Ration Order 11]

FUEL OIL SHORTAGE IN PROVIDENCE, TIVERTON AND FALL RIVER SUPPLY AREA

Pursuant to the authority conferred upon the Regional Administrator by § 1394.5715 of Ration Order No. 11, as amended, paragraphs (a) and (c) (7) of Emergency Order No. 3 are amended to read as follows:

(a) *Findings.* The Regional Administrator finds that in the territory served by the terminal and storage facilities of the Providence, Tiverton and Fall River Supply Area, as established under § 1510.29 (b) of Petroleum Directive 59 (including all of the State of Rhode Island and certain portions of Southeastern Massachusetts and Eastern Connecticut), as the result of the continuing inadequacy of the supply of fuel oil of Grade No. 6, or Bunker "C" oil, hereinafter referred to as Bunker "C" oil, to meet the demands of vitally important users, there exists an emergency in the transportation and distribution of Bunker "C" oil which endangers the public health, the public welfare, and the war effort.

* * * * * * *

(c) *Order.* * * *

(7) *Effective period.* Emergency Order No. 3 shall terminate at 12:00 p. m. February 11, 1943 unless extended by further order.

Effective Date of Amendment 1

Amendment 1 to Emergency Order No. 3 shall become effective February 9, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1-0, 7 F.R. 8418, E.O. 9125, 7 F.R. 2719, Ration Order No. 11, 7 F.R. 8480)

Issued this 9th day of February 1943.

KENNETH B. BACKMAN,
Regional Administrator.

[F. R. Doc. 43-2410; Filed, February 13, 1943; 12:49 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-66, 59-61, 59-35]

FEDERAL WATER AND GAS CORP. AND NEW YORK WATER SERVICE CORP.

ORDER APPROVING CERTAIN ASPECTS OF PLAN FILED AND DIRECTING CERTAIN ACTION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 10th day of February, 1943. A. D.

In the matter of Federal Water and Gas Corporation and subsidiary companies, File No. 54-66; Federal Water and Gas Corporation and subsidiary companies, respondents, File No. 59-61, and New York Water Service Corporation, Federal Water and Gas Corporation, File No. 59-35.

Federal Water and Gas Corporation, a registered holding company, and subsidiary companies, having filed an application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for approval of a plan, the purpose of which is to effect compliance by Federal Water and Gas Corporation and subsidiaries with the provisions of section 11 (b) of said Act;

The Commission having on December 31, 1942 instituted proceedings under section 11 (b) of the Act involving Federal Water and Gas Corporation and subsidiaries to determine what action should be required to be taken by such companies under said section; and having ordered a consolidation of such proceedings with the proceedings involving the plan filed by Federal and subsidiaries pursuant to section 11 (e) and with proceedings heretofore instituted by the Commission, pursuant to section 11 (b) (2) of the Act involving New York Water Service Corporation and Federal Water and Gas Corporation;

Federal Water and Gas Corporation having requested that the order of the Commission approving that portion of the plan providing for the sale of its interests in Union Water Service Company and the use of the proceeds of such sale to retire a portion of the outstanding debentures of Federal conform with the requirements of sections 371 (b) and 371 (f) of the Internal Revenue Code as amended by the Revenue Act of 1942, including sections 171 and 506 (f) thereof, and contain the findings therein specified;

A public hearing having been held after appropriate notice and the Commission having examined the record and having made and filed its Findings and Opinion herein;

The Commission having found therein that the sale by Federal of the preferred and common stocks owned by it of Union Water Service Company for the sum of $1,200,000, and the use of the proceeds of sale of said stock in partial retirement or cancellation of such of Federal's 5½% debentures as may be retired by said proceeds of sale, are necessary or appropriate to the integration or simplification of the Federal Water and Gas Corporation holding company system and are necessary and appropriate to effectuate the provisions of section 11 (b) of Public Utility Holding Company Act of 1935;

It is ordered, That Federal Water and Gas Corporation shall take such action as may be necessary to divest itself of all interests held by it, directly or indirectly, in the businesses conducted and properties owned by Alabama Water Service Company, Union Water Service Company, Ohio Water Service Company, West Virginia Water Service Company, Scranton-Spring Brook Water Service Company, New York Water Service Corporation, and the water properties in Oregon and the gas properties in Florida owned by the Peoples Water and Gas Company: *Provided*, That in the case of Peoples Water and Gas Company, Scranton-Spring Brook Water Service Company and New York Water Service Corporation such divestments shall not be effected through the sale of securities owned by Federal prior to the recapitalization of such companies in such manner as to provide for a fair and equitable distribution of voting power among security holders thereof;

It is further ordered, That the sale by Federal Water and Gas Corporation of the 9,900 shares of common stock and the 6,000 shares of $6 cumulative preferred stock of Union Water Service corporation owned by it for $1,200,000 (subject to closing adjustments), and the application of all of such proceeds of sale to the retirement or cancellation of 5½% debentures of Federal are necessary or appropriate to the integration or simplification of the Federal Water and Gas Corporation holding company system and are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935;

It is further ordered, That such sale of the interests of Federal Water and Gas Corporation in Union Water Service Corporation be consummated within sixty days from the date of this order and that all of the proceeds of such sale be used for the retirement or cancellation of 5½% debentures of Federal not later than November 30, 1943;

It is further ordered, That Peoples Water and Gas Company, Scranton-Spring Brook Water Service Company, and New York Water Service Corporation shall take such steps as may be necessary to recapitalize their capital

structures so as to fairly and equitably distribute voting power among the security holders of such companies: *Provided*, That in the case of the New York Water Service Company the common stock shall be accorded no recognition in such recapitalization;

It is further ordered, That Federal Water and Gas Corporation, Pennsylvania Water Service Company, and Scranton-Spring Brook Water Service Company shall take such action as may be necessary to cause the elimination of Pennsylvania Water Service and the sixty-three inactive subsidiaries of Scranton-Spring Brook Water Service Company, specified in Form U5S filed by Federal for the year 1941;

It is further ordered, That the plan filed by Federal Water and Gas Corporation and subsidiaries pursuant to section 11 (e) insofar as it relates to the action ordered to be taken by Federal and subsidiaries pursuant to section 11 (b) (1) and section 11 (b) (2), be and hereby is approved;

It is further ordered, That jurisdiction be and hereby is, reserved to consider all matters relating to this consolidated proceeding not disposed of by our Order herein, to entertain such further proceedings, to make such further and supplemental findings, to approve the terms and conditions and to take such additional and further action as may be found to be appropriate in the premises in connection with the disposition of securities or assets and the recapitalization of companies as required by our Order herein and as proposed by applicants' plan pursuant to section 11 (e) of the Act.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-2390; Filed, February 13, 1943; 10:55 a. m.]

[File No. 70-645]

MIDLAND UNITED CO. AND PUBLIC SERVICE CO. OF INDIANA

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE AND GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 12th day of February, A. D., 1943.

In the matter of Hugh M. Morris, trustee of the estate of Midland United Company and Public Service Company of Indiana, Inc.

Hugh M. Morris, Trustee of the Estate of Midland United Company, a registered holding company, and Public Service Company of Indiana, Inc., a subsidiary thereof, having filed a declaration and application pursuant to the Public Utility Holding Company Act of 1935, particularly sections 10, 12 (d), and 12 (f) thereof, and Rule U-43 thereunder, with respect to the following transaction:

Public Service Company of Indiana, Inc., proposes to purchase from the Trustee of Midland United Company 525 shares of no par value common stock of Union City Electric Company, an electric utility company operating in Ohio, being all the outstanding securities of said company, for a cash consideration of $75,000, plus an amount equal to the undistributed earnings of Union City Electric Company, for the period from September 30, 1940, to the end of the month preceding the date of closing (which amount, as of September 30, 1942, aggregated $11,767.80).

Said declaration and application having been filed on December 9, 1942, and an amendment thereto having been filed on January 29, 1943, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said matter within the period specified in said notice or otherwise, and not having ordered a hearing thereon; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit the said declaration pursuant to Rule U-43 to become effective, and finding, with respect to the said application under section 10 of said Act, that the transaction involved has the tendency required by section 10 (c) (2) of said Act, and that no adverse findings are necessary under sections 10 (b) and 10 (c) (1) of said Act;

It is hereby ordered, Pursuant to Rule U-23, and the applicable provisions of said Act, and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid declaration as amended be, and hereby is, permitted to become effective, and that the aforesaid application as amended be, and hereby is, granted forthwith.

By the Commission, Commissioner Healy dissenting for the reasons set forth in his memorandum of April 1, 1940.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-2422; Filed, February 13, 1943; 3:55 p. m.]

[File No. 1-1737]

NEW PREMIER CONSOLIDATED MINES CO.

ORDER FOR HEARING AND DESIGNATING OFFICER TO TAKE TESTIMONY

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 11th day of February, A. D. 1943.

In the matter of proceeding under section 19 (a) (2) of the Securities Exchange Act of 1934, as amended, to determine whether the registration of New Premier Consolidated Mines Company common stock, $1 par value, nonassessable, should be suspended or withdrawn.

I

It appearing to the Commission:

That New Premier Consolidated Mines Company, a corporation organized under the laws of the State of Utah, is the issuer of Common Stock, $1.00 Par Value, Non-Assessable; and

That said New Premier Consolidated Mines Company registered such security on the Salt Lake Stock Exchange, a national securities exchange, by filing with the Exchange and with the Commission on or about June 3, 1935, an application on Form 10, pursuant to section 12 (b) and (c) of the Securities Exchange Act of 1934, as amended, and Rule X-12B-1, as amended, promulgated by the Commission thereunder, registration pursuant to such application having become effective on July 16, 1935, and remaining in effect to and including the date hereof; and

It further appearing to the Commission:

That Rule X-13A-1, promulgated pursuant to section 13 of said Securities Exchange Act of 1934, as amended, did and does require that an annual report for each issuer of a security registered on a national securities exchange shall be filed on the appropriate form prescribed therefor; and

That Rule X-13A-2, promulgated pursuant to section 13 of the Securities Exchange Act of 1934, as amended, did and does prescribe Form 10-K as the annual report form to be used for the annual reports of all corporations except those for which another form is specified, and that no other form was or is specified for use by the said New Premier Consolidated Mines Company, and

That said Rule X-13A-1 requires that said annual report be filed not more than 120 days after the close of each fiscal year or such other period as may be prescribed in the instruction book applicable to the particular form; that the Instruction Book for Form 10-K does not prescribe any period other than such 120 days; and that pursuant to said Rule X-13A-1 the annual report must be filed within such period unless the registrant files with the Commission a request for an extension of time to a specified date within six months after the close of the fiscal year; and

That said New Premier Consolidated Mines Company has a fiscal year ending December 31; that the annual report for its fiscal year ended December 31, 1941, was due to be filed not later than April 30, 1942; that the registrant made no request for extension of time within which to file said report; that the time for filing was not extended by the Commission; that the annual report for the fiscal year ended December 31, 1941 was not filed within such period or at any later date; and

II

The Commission having reasonable cause to believe that:

The said New Premier Consolidated Mines Company has failed to comply with the provisions of section 13 of the Securities Exchange Act of 1934, as amended, and Rules X-13A-1 and X-13A-2 promulgated thereunder, in that (1) it has failed to file its annual report for the year ended December 31, 1941, within the time prescribed for filing said report, and (2) it has failed to file such annual report at any later date; and

III

It being the opinion of the Commission that the hearing herein ordered to be held is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Securities Exchange Act of 1934, as amended;

It is ordered, Pursuant to section 19 (a) (2) of said Act, that a public hearing be held to determine whether New Premier Consolidated Mines Company has failed to comply with section 13 of the Securities Exchange Act of 1934, as amended, and the Rules, Regulations and Forms promulgated by the Commission thereunder, in the respects set forth above; and if so, whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding twelve months or to withdraw the registration of the Common Stock, $1.00 Par Value, Non-Assessable, of said New Premier Consolidated Mines Company on said Salt Lake Stock Exchange;

It is further ordered, Pursuant to the provisions of section 21 (b) of the Securities Exchange Act of 1934, as amended, that for the purpose of such hearing, John L. Geraghty, an officer of the Commission, is hereby designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take testimony and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law;

It is further ordered, That the taking of testimony in this hearing begin on the 26th day of February, 1943, at 10:00 A. M., Mountain War Time, at the Regional Office of the Securities and Exchange Commission, 444 17th Street, Denver, Colorado, and continue thereafter at such time and place as the officer hereinbefore designated may determine.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-2423; Filed, February 13, 1943; 3:55 p. m.]

[File No. 70-672]

CONSOLIDATED ELECTRIC AND GAS COMPANY AND HOUGHTON COUNTY ELECTRIC LIGHT COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 12th day of February 1943.

Notice is hereby given that an application or declaration (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Consolidated Electric and Gas Company, a registered holding company, and its subsidiary company, Houghton County Electric Light Company; and

Notice is hereby given that any interested party may, not later than February 27, 1943 at 5:30 p. m., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reason for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such application or declaration (or both), as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration or application (or both), which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

Consolidated Electric and Gas Company proposes to make a capital contribution of 800 shares of common stock, $25 par value, of Houghton County Electric Light Company to that Company. Houghton County Electric Light Company proposes to reclassify its outstanding preferred stock, (12,000 shares of $25 par value), all of which is owned by Consolidated Electric and Gas Company, into 12,000 shares of common stock of $25 par value.

The new common stock of Houghton County Electric Light Company to be received by Consolidated Electric and Gas Company will be pledged under the indenture securing the Collateral Trust Bonds of Consolidated Electric and Gas Company in substitution for the old shares of preferred and common stocks of Houghton County Electric Light Company which will be surrendered and cancelled.

No change will be made in the aggregate carrying value on the books of Consolidated Electric and Gas Company of its investment in Houghton County Electric Light Company as a result of the proposed transactions.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-2456; Filed, February 15, 1943; 10:19 a. m.]

WAR PRODUCTION BOARD.

[Certificate 32]

STEEL WAREHOUSES IN SAN FRANCISCO BAY AREA

PLAN FOR REPLACEMENT ORDERS

The ATTORNEY GENERAL: Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), in order to obtain and maintain the stocks which are needed by steel warehouses in the San Francisco Bay area to serve the small and emergency needs of essential industries, I have requested such warehouses to place in operation a plan whereby replacement orders in less-than-carload lots of individual warehouses in that area will be grouped by the War Production Board into mill lots and orders placed by it with mills in the name of and for shipment to one or more of the participating warehouses, to be held there for the account of the various owners or to be distributed among them as may be desired.

Pursuant to the aforesaid section 12, after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such plan, is requisite to the prosecution of the war.

Dated: February 13, 1943.

DONALD M. NELSON, *Chairman.*

[F. R. Doc. 43-2477; Filed, February 15, 1943; 11:56 a. m.]

[Certificate 33]

PETROLEUM SUPPLY

APPROVAL OF AMENDMENT

The ATTORNEY GENERAL: Pursuant to the provisions of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I submit amendment to Petroleum Directive No. 59[1] of the Office of Petroleum Administration for War.

For the purposes of the aforesaid section 12, I hereby approve said amendment; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such amendment, is requisite to the prosecution of the war.

Dated: February 13, 1943.

DONALD M. NELSON, *Chairman.*

[F. R. Doc. 43-2478; Filed, February 15, 1943; 11:56 a. m.]

[Certificate 34]

EAU CLAIRE, WISC.

COORDINATING MOTOR CARRIER SERVICE

The ATTORNEY GENERAL: Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I submit herewith Supplementary Order ODT 3, Revised-15,[1] issued by the Director of The Office of Defense Transportation, in respect of coordinated motor carrier service at Eau Claire, Wisconsin.

For the purpose of the aforesaid section 12 of Public Law No. 603, I have approved said order; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with Supplementary Order ODT 3, Revised-15, is requisite to the prosecution of the war.

Dated: February 13, 1943.

DONALD M. NELSON, *Chairman.*

[F. R. Doc. 43-2479; Filed, February 15, 1943; 11:57 a. m.]

---

[1] *Supra.*

[Certificate 35]

BILLINGS–SIDNEY, MONT.

COORDINATING MOTOR CARRIER SERVICE

The ATTORNEY GENERAL: Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I submit herewith Supplementary Order ODT 3, Revised–16,[1] issued by the Director of The Office of Defense Transportation, in respect of coordinated motor carrier operation between Billings, Montana, and Sidney, Montana.

For the purpose of the aforesaid section 12 of Public Law No. 603, I have approved said order; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with Supplementary Order ODT 3, Revised–16, is requisite to the prosecution of the war.

Dated: February 13, 1943.

DONALD M. NELSON,
Chairman.

[F R Doc. 43-2480; Filed, February 15 1943; 11:56 a. m.]

[1] *Supra.*

[Certificate 36]

CARRIERS ON INLAND WATERWAYS

COORDINATING TOWAGE OPERATIONS

The ATTORNEY GENERAL: Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I submit herewith Special Order ODT W–2,[1] issued by the Director of The Office of Defense Transportation, directing coordinated towage operations of certain carriers by water on inland waterways in the United States.

For the purpose of the aforesaid section 12 of Public Law No. 603, I have approved said order; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with Special Order ODT W–2, is requisite to the prosecution of the war.

Dated: February 13, 1943.

DONALD M. NELSON,
Chairman.

[F R Doc 43-2481, Filed, February 15 1943; 11:57 a. m.]

Reference

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FEDERAL REGISTER

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Washington, Wednesday, February 17, 1943

Regulations

TITLE 7—AGRICULTURE

Chapter IV—Federal Crop Insurance Corporation

PART 411—1942 COTTON CROP INSURANCE REGULATIONS

REFUNDS OF EXCESS PAYMENTS

By virtue of the authority vested in the Federal Crop Insurance Corporation by the Federal Crop Insurance Act, approved Febuary 16, 1938, as amended, the 1942 Cotton Crop Insurance Regulations[1] are amended as follows:

Section 411.27 of said regulations is amended to read as follows:

§ 411.27 *Refunds of excess payments.* (a) No refund of any payment on a note for payment of a premium shall be acted upon by the Corporation until the acreage planted to cotton on all the insurance units covered by the insurance contract has been determined. Nothing in this section shall be construed to restrict the Corporation's right to refund any premium at such earlier date as it may determine.

(1) The cash equivalent of any refund of premium shall be determined by multiplying the amount to be refunded, in terms of pounds of lint cotton of the grade and staple constituting the premium for the insurance contract with respect to which the payment was made, by the cash equivalent price per pound applicable for the day the payment was tendered: *Provided, however,* That if payments on the note for the insurance contract are made on more than one day such payments shall be applied in the order in which tendered and the refund shall be made from the payments tendered, starting with the last, any portion of which was not used in payment of the note, and each such payment or portion thereof not so used shall be considered as a separate payment in the application of the foregoing formula for determining the amount of such refund.

(2) No refund shall be made except upon receipt of a written request unless the cash equivalent of such refund is one dollar or more.

(b) *Refund of excess payments received after maturity of note.* Payments received after the maturity date for the note shall be refunded in the actual amount of money paid to the Corporation in excess of that determined to be necessary to pay such note: *Provided, however,* That no refund of less than one dollar shall be made unless a written request for such refund is received.

(Amendment to § 411.27 issued under secs. 506 (c), 507 (c), 508, 509, 516 (b); 52 Stat. 73, 74, 75, 77; 7 U.S.C. 1940 ed., 1506 (c), 1507 (c), 1508, 1509, 1516 (b), as amended by 55 Stat. 255)

Adopted by the Board of Directors on December 22, 1942.

[SEAL] M. CLIFFORD TOWNSEND, *Chairman.*

Approved: February 15, 1943.

GROVER B. HILL, *Assistant Secretary of Agriculture.*

[F. R. Doc. 43-2541; Filed, February 16, 1943; 11:13 a. m.]

[1] 6 F.R. 6442; 7 F.R. 1729, 4471, 7874, 9629; 8 F.R. 1301.

Chapter XI—Food Distribution Administration

[Food Distribution Order 21]

PART 1415—IMPORTED FOODS

DISTRIBUTION OF TEA FOR CIVILIAN CONSUMPTION

Pursuant to the authority vested in me by Executive Order No. 9280, issued December 5, 1942, and in order to assure an adequate supply and efficient distribution of tea to meet war and essential civilian needs, *It is hereby ordered,* As follows:

§ 1415.1 *Distribution of tea for civilian consumption*—(a) *Definition.* For the purpose of this order:

(1) "Person" shall include any individual, partnership, corporation, or any organized group of persons, whether incorporated or not.

(2) "Commodity" shall mean the Commodity Credit Corporation.

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FEDERAL REGISTER

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(3) "Tea" shall mean tea owned by Commodity and made available for civilian consumption, except as otherwise indicated by the contract.

(4) "Packer" shall mean any person who packs tea owned by him or who has tea owned by him packed for his account by some other person.

(5) "Director" shall mean the Director of Food Distribution, United States Department of Agriculture.

(6) "Qualified distributor" shall mean any person designated as a qualified distributor in accordance with paragraph (c) hereof.

(7) "Type" shall mean the quality, grade and sortation of tea.

(b) *Purchases of tea.* Subject to the provisions of this order, only qualified distributors shall be eligible to purchase tea from Commodity. Such purchases shall be made only on orders approved by the Director as to quantities and types of tea. The total quantity which any qualified distributor shall be eligible to purchase shall not exceed a portion of the available supply of tea determined by the Director as nearly as may be practicable on the basis of the ratio of his annual imports of tea for the years 1940 and 1941 to the average annual total imports of tea of all qualified distributors for the years 1940 and 1941.

(c) *Qualified distributors.* (1) The Director shall designate as qualified distributors tea importers who have indicated a willingness to act as such and who are, in the judgment of the Director, by reason of their experience, facilities and personnel, able efficiently to distribute tea to packers and otherwise to discharge the functions and duties which they may be called upon to perform under this order.

(2) Any importer of tea not designated as a qualified distributor, who believes that he is qualified to act as such may appeal to the Director within 15 days after publication of the list of qualified distributors. On such appeal he shall set forth the pertinent facts and the reasons he considers he is entitled to be designated as a qualified distributor. The Director may thereupon take such action as he deems appropriate. If, on appeal, the Director designates any tea importer as a qualified distributor, such designation shall not affect sales made to other qualified distributors prior to such designation.

(3) The Director may terminate the status of a qualified distributor who fails to enter into the contract offered by Commodity for the purchase of tea and the performance of services incident to the importation and handling of tea, or who upon entering into such contract fails to comply therewith, or who violates any provision of this order or Food Distribution Order No. 18 or any Director Food Distribution Orders supplementary thereto.

(4) A qualified distributor may terminate his status as a qualified distributor upon giving the Director at least 30 days' written notice. Such termination shall not affect any existing contractual relationship with Commodity.

(d) *Tea Distribution Committee.* There shall be established a Tea Distribution Committee. The members of the committee shall be chosen by the Director from among those persons who, in the judgment of the Director, are, by reason of their experience and knowledge of the tea industry, qualified to serve as members of the committee.

(e) *Distribution of tea.* (1) The qualified distributors shall receive orders for tea from packers, file copies of packers' orders with the Director, and fill packers' orders in accordance with the determinations of the Director and in accordance with Food Distribution Order No. 18 or any Director Food Distribution Orders supplementary thereto.

(2) After consulting with the members of the Tea Distribution Committee, the Director shall, within the limits of the respective quantities of tea which qualified distributors are eligible to purchase hereunder and packers quotas established under Food Distribution Order No. 18, make allocations to qualified distributors and packers of the types of tea available so as to meet, as nearly as may be possible, the requirements of packers' orders received by qualified distributors, and shall approve or, if necessary, modify and approve distributors' orders of tea from Commodity in accordance with such allocations.

(f) *Records and reports.* All qualified distributors shall maintain such records for such periods of time, and shall execute and file such reports and submit such information, as the Director may from time to time request or direct, and within such times as he may prescribe.

(g) *Audits and inspections.* Every qualified distributor shall permit inspection during reasonable business hours of his books, records, and accounts by the Director.

(h) *Appeals.* Except as provided by paragraph (c) (2) hereof, any person affected by this order, who considers that compliance herewith would work an exceptional and undue hardship on him, may appeal to the Director, setting forth all pertinent facts in justification of such appeal, together with the statement of the nature of the relief requested. The Director may, upon the basis of such appeal and other information, take such action as he deems appropriate.

(i) *Violations.* Any person who wilfully violates any provision of this order or, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and, upon conviction, may be punished by fine or imprisonment. In addition, any person who, in the judgment of the Director, is found to have violated any of the terms or provisions of this order, may be prohibited from making or obtaining further deliveries of tea, or from processing or using material under priority control and may be deprived of priorities assistance.

(j) *Communications.* All reports required to be filed hereunder and all communications concernings this order, shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C. Ref. FD-21.

(k) *Delegation of authority.* The Director may delegate any or all of the powers and authorities herein conferred upon the Director to such person or persons as he may designate.

(l) *Effective date.* This order shall become effective immediately.

(E.O. 9280, 7 F.R. 10179)

Issued this 15th day of February, 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-2514; Filed, February 15, 1943; 4:34 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess-Profits Taxes

[T. D. 5228]

PART 19—INCOME TAX UNDER INTERNAL REVENUE CODE

DISTRIBUTION BY PERSONAL HOLDING COMPANIES

Regulations 103, 101 and 94 amended to conform to sections 181, 182, 183, 184, 185, 186 and 132 (d) (e) of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, relating to personal holding companies.

Regulations 103

In order to conform Regulations 103 [Part 19, Title 26, Code of Federal Regulations, 1940 Sup.] to sections 181, 182, 183, 184, 185, 186, and 132 (d) (e) of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 19.28 (d)-1 the following:

SEC. 186. DISTRIBUTIONS BY PERSONAL HOLDING COMPANIES. (Revenue Act of 1942, Title I.)

. . . . . .

(e) *Consent dividends.* (1) Section 28 (d) (1) of the Internal Revenue Code and section 28 (d) (1) of the Revenue Act of 1938 are amended to read as follows:

(1) Unless it files (in accordance with regulations prescribed by the Commissioner with the approval of the Secretary) with its return for such year, or within one year after the date of enactment of the Revenue Act of 1942, in the case of a corporation which is a personal holding company for the taxable year with respect to which it claims the benefits of this section, signed consents made under oath by persons who were shareholders, on the last day of the taxable year, of the corporation, of any class of consent stock; and

. . . . . .

(f) *Effective date of amendments.* The amendments made by subsections (a) to (e), inclusive, shall be effective as of the date of enactment of the laws amended thereby.

. . . . . .

(h) *Overpayments and deficiencies.* If the refund or credit of any overpayment for any taxable year, to the extent resulting from the application of subsections (e) and (g) of this section is prevented on the date of the enactment of this Act or within one year from such date, then, notwithstanding any other provision of law or rule of law (other than this subsection and other than section 3761 of the Internal Revenue Code or section 3229 of the Revised Statutes, or such section as amended by section 815 of the Revenue Act of 1938, relating to compromises), such overpayment shall be refunded or credited in the same manner as in the case of an income tax erroneously collected if claim therefor is filed within one year from the date of the enactment of this Act. If the assessment or collection of any deficiency for any taxable year, to the extent resulting from the application of subsections (e) and (g) of this section, is prevented on the date of the filing of the shareholders' consents referred to in subsection (e) or on the date of filing of the claim referred to in subsection (g) (1) or within one year from the date of filing of such consents or claim, as the case may be, then, notwithstanding any other provision of law or rule of law, such deficiency shall be assessed and collected if assessment is made within one year from the date of the filing of such consents or claim, as the case may be. The failure of a shareholder to include in his gross income for the proper taxable year the amount specified in the consent made by him referred to in subsection (g) (2) shall have the same effect, with respect to the deficiency resulting therefrom, as is provided in section 272 (f) of the applicable revenue law with respect to a deficiency resulting from a mathematical error appearing on the face of the return.

PAR. 2. Section 19.28 (d)-1 is amended as follows:

(A) By changing the period at the end of the first sentence of the second paragraph to a comma, and inserting the following:

see § 19.53-4, or such consent may be made at any time not later than one year after October 21, 1942, if the corporation was a personal holding company for the taxable year for which the credit is claimed.

(B) By inserting immediately after the second comma in the third sentence of the second paragraph the following:

or in the case of a personal holding company referred to in section 28 (d) (1), within one year after October 21, 1942,

(C) By inserting immediately after "Form 973" appearing in the third sentence of the second paragraph the following:

or Form 973A, in the case of a personal holding company,

PAR. 3. There is inserted immediately after § 19.28 (d)-2, a new section as follows:

§ 19.28 (d)-3 *Overpayments and deficiencies.* For the refund or credit of any overpayment, and the assessment or collection of any deficiency referred to in section 186 (h) of the Revenue Act of 1942, see § 19.504-6.

PAR. 4. There is inserted immediately preceding § 19.115-1 the following:

SEC. 186. DISTRIBUTIONS BY PERSONAL HOLDING COMPANIES. (Revenue Act of 1942, Title I.)

(a) *Definition of dividend.* (1) *Amendment to Internal Revenue Code.* Section 115 (a) of the Internal Revenue Code (relating to definition of dividend) is amended by inserting at the end thereof the following new sentence: "Such term also means any distribution to its shareholders, whether in money or in other property, made by a corporation which, under the law applicable to the taxable year in which the distribution is made, is a personal holding company, or which, for the taxable year in respect of which the distribution is made under section 504 (c) or section 506 or a corresponding provision of a prior income tax law, is a personal holding company under the law applicable to such taxable year."

. . . . . .

(b) *Personal holding company dividends not applied in reduction of basis.* Section 115 (b) (relating to source of distributions) of the Internal Revenue Code, the Revenue Act of 1938, and the Revenue Act of 1936, are amended by inserting at the end of such sub-

section the following new sentence: "The preceding sentence shall not apply to a distribution which is a dividend within the meaning of the last sentence of subsection (a)."

* * * * *

(f) *Effective date of amendments.* The amendments made subsections (a) to (e), inclusive, shall be effective as of the date of enactment of the laws amended thereby.

* * * * *

PAR. 5. Section 19.115–1 is amended by inserting immediately after the first full paragraph thereof the following new paragraph:

The term "dividend" also includes any distribution to shareholders (other than distributions under section 115 (c), relating to distributions in liquidation, section 115 (e), relating to distributions by personal service corporations, and section 115 (f), relating to stock dividends) made by a corporation which, for the taxable year in which such a distribution is made or for the taxable year in respect of which it is made under section 504 (c), relating to dividends paid within 2½ months after the close of the taxable year, or section 506, relating to deficiency dividends, or corresponding provisions of a prior income tax law, was under the applicable law a personal holding company. Such a distribution, if made on or after October 21, 1942, will constitute a taxable dividend even if not paid out of accumulated or current earnings or profits. For treatment of any distribution made prior to October 21, 1942, which is a dividend solely by reason of the last sentence of section 115 (a), see § 19.504–3.

PAR. 6 There is inserted immediately preceding § 19.500–1 the following:

SEC. 181. RATES OF PERSONAL HOLDING COMPANY TAX. (Revenue Act of 1942, Title I.)

The rate schedule of section 500 (relating to tax on personal holding companies) is amended to read as follows:

(1) 75 per centum of the amount thereof not in excess of $2,000, plus

(2) 85 per centum of the amount thereof in excess of $2,000.

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 7. Section 19.500–1, as amended by Treasury Decision 5086, approved October 10, 1941, is further amended as follows:

(A) By inserting in the last sentence of the first paragraph immediately after the first comma the following: "and before January 1, 1942,".

(B) By inserting at the end of the first paragraph the following:

For taxable years beginning after December 31, 1941, the rate of tax is 75 percent of the undistributed subchapter A net income not in excess of $2,000, and 85 percent of the undistributed subchapter A net income in excess of $2,000. For the alternative tax where the net long-term gain for any taxable year exceeds the net short-term capital loss, see section 117 (c) and the regulations thereunder.

PAR. 8. There is inserted immediately preceding § 19.501–1 the following:

SEC. 182. EXEMPTION OF CERTAIN CORPORATIONS FROM PERSONAL HOLDING COMPANY TAX. (Revenue Act of 1942, Title I.)

(a) *Exemption of certain loan and investment corporations.* Section 501 (b) (relating to exemptions from personal holding company tax) is amended to read as follows:

(b) *Exceptions.* The term "personal holding company" does not include:

(1) A corporation exempt from taxation under section 101.

(2) A bank as defined in section 104.

(3) A life insurance company.

(4) A surety company.

(5) A foreign personal holding company as defined in section 331.

(6) A licensed personal finance company under State supervision, at least 80 per centum of the gross income of which is lawful interest received from individuals each of whose indebtedness to such company did not at any time during the taxable year exceed $300 in principal amount, if such interest is not payable in advance or compounded and is computed only on unpaid balances.

(7) A loan or investment corporation, a substantial part of the business of which consists of receiving funds not subject to check and evidenced by installment or fully paid certificates of indebtedness or investment, and making loans and discounts, and the loans to a person who is a shareholder in such corporation during such taxable year by or for whom 10 per centum or more in value of its outstanding stock is owned directly or indirectly (including in the case of an individual, stock owned by the members of his family as defined in section 503 (a) (2)) outstanding at any time during such year do not exceed $5,000 in principal amount.

(b) *Taxable years to which amendment applicable.* The amendment made by this section shall be applicable to taxable years beginning after December 31, 1941, except that if a taxpayer, within the time and in the manner and subject to such regulations as the Commissioner with the approval of the Secretary prescribes, elects to have such amendments apply retroactively to all taxable years of the taxpayer beginning after December 31, 1938, and not beginning after December 31, 1941, such amendments shall be applicable to such taxable years.

SEC. 183. CONSOLIDATED INCOME. (Revenue Act of 1942, Title I.)

Section 501 (c) is amended by inserting at the end thereof the following: "The preceding sentence shall apply only if the common parent corporation is a common parent of an affiliated group of railroad corporations which would be eligible to file consolidated returns under section 141 prior to its amendment by the Revenue Act of 1942.

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 9. Section 19.501–1 is amended by inserting after the first paragraph thereof the following paragraph:

For taxable years beginning after December 31, 1941 a loan or investment corporation, as defined in section 501 (b) (7), is not taxable as a personal holding company. If, for any prior taxable year (or years) beginning after December 31, 1938 and before January 1, 1942, such a corporation classifies as a personal holding company under section 501 (a), it is not subject to the surtax imposed by section 500 for such taxable year (or years) if it elects, within one year after October 21, 1942, not to be so taxed. The election can be made only by the filing of a notice in writing with the Commissioner of Internal Revenue, Washington, D. C., attention Income Tax Unit, within such one-year period, requesting that the exemption granted by section 501 (b), as amended, be applied to all such prior taxable year (or years) with respect to which the corporation was otherwise subject to surtax as a personal holding company.

PAR. 10. There is inserted immediately preceding § 19.504–1 the following:

SEC. 132. COMPUTATION OF NET OPERATING LOSS CREDIT AND DIVIDENDS PAID CREDIT. (Revenue Act of 1942, Title I.)

* * * * *

(d) *Technical amendment.* Section 504 (a) (relating to definition of undistributed Subchapter A net income) is amended by striking out ", and, in the computation of the dividend carry-over for the purposes of this subchapter, the term 'adjusted net income' as used in section 27 (c) means the adjusted net income minus the deduction allowed for Federal taxes under section 505 (a) (1)".

(e) *Years to which amendments applicable.* The amendments made by this section shall be applicable only with respect to taxable years beginning after December 31, 1939, but shall be applicable in the computations with respect to previous taxable years for the purpose of ascertaining the amount of any dividend carry-over from such previous taxable years.

SEC. 186. DISTRIBUTIONS BY PERSONAL HOLDING COMPANIES. (Revenue Act of 1942, Title I.)

* * * * *

(c) *Dividends paid after close of taxable year.* Section 504 (c) of the Internal Revenue Code and section 405 (c) of the Revenue Act of 1938 (relating to credit for dividends paid after close of taxable year) are amended as follows:

(1) By amending subsection (c) (1) and (2) to read as follows:

(c) Dividends paid after the close of the taxable year and before the 15th day of the third month following the close of the taxable year, if claimed under this subsection in the return, but only to the extent to which such dividends would have been includible in the computation of the basic surtax credit for the taxable year if distributed during such taxable year; but the amount allowed under this subsection shall not exceed either

(1) The undistributed Subchapter A net income for the taxable year computed without regard to this subsection; or,

(2) And by striking out (3) and inserting in lieu thereof (2).

* * * * *

(f) *Effective date of amendments.* The amendments made by subsections (a) to (e), inclusive, shall be effective as of the date of enactment of the laws amended thereby.

(g) *Retroactive application.* The amendments made by subsections (a) to (d), inclusive, shall not apply with respect to any distribution, which is a dividend solely by reason of the last sentence of section 115 (a) of the applicable revenue law, made prior to the date of enactment of this Act by a corporation which, under the law applicable to the taxable year in which the distribution is made, is a personal holding company, or which, for the taxable year in respect of which it is made under section 504 (c) or section 506 or a corresponding provision of a prior income tax law, is a personal holding company under the law applicable to such taxable year, unless:

(1) The corporation (under regulations prescribed by the Commissioner with the approval of the Secretary) files, within one year after the date of the enactment of this Act, a claim for the benefit of this section on account of such distribution;

(2) Such claim is accompanied by signed consents made under oath by each person to whom the corporation made such distribution agreeing to the inclusion of the amount of such distribution to him in his gross income as a taxable dividend. If any such person is no longer in existence or is under disability then the consent may be made by his legal representative; and

(3) Each such consent filed is accompanied by cash, or such other medium of payment as the Commissioner may by regulations authorize, in an amount equal to the amount that would be required by section 143 (b) or 144 of the applicable revenue law to be deducted and withheld by the corporation if the amount of the distribution to the shareholder had been paid to the shareholder in cash as a dividend. The amount accompanying such consent shall be credited against the tax under the applicable revenue law imposed by section 211 (a) or 231 (a) upon the shareholder.

(h) *Overpayments and deficiencies.* If the refund or credit of any overpayment for any taxable year, to the extent resulting from the application of subsections (e) and (g) of this section is prevented on the date of the enactment of this Act or within one year from such date, then, notwithstanding any other provision of law or rule of law (other than this subsection and other than section 3761 of the Internal Revenue Code or section 3229 of the Revised Statutes, or such section as amended by section 815 of the Revenue Act of 1938, relating to compromises), such overpayment shall be refunded or credited in the same manner as in the case of an income tax erroneously collected if claim therefor is filed within one year from the date of the enactment of this Act. If the assessment or collection of any deficiency for any taxable year, to the extent resulting from the application of subsections (e) and (g) of this section, is prevented on the date of the filing of the shareholders' consents referred to in subsection (e) or on the date of filing of the claim referred to in subsection (g) (1) or within one year from the date of filing of such consents or claim, as the case may be, then, notwithstanding any other provision of law or rule of law, such deficiency shall be assessed and collected if assessment is made within one year from the date of the filing of such consents or claim, as the case may be. The failure of a shareholder to include in his gross income for the proper taxable year the amount specified in the consent made by him referred to in subsection (g) (2) shall have the same effect, with respect to the deficiency resulting therefrom, as is provided in section 272 (f) of the applicable revenue law with respect to a deficiency resulting from a mathematical error appearing on the face of the return.

* * * * *

SEC. 184. COMPUTATION OF UNDISTRIBUTED SUBCHAPTER A NET INCOME. (Revenue Act of 1942, Title I.)

(a) Section 504 (relating to deductions from subchapter A net income) is amended by adding at the end thereof the following:

(d) Amounts distributed before January 1, 1944, in redemption of preferred stock outstanding before January 1, 1934 (including any preferred stock issued after January 1, 1934, in lieu of such previously outstanding preferred stock) if such distributions are made by a corporation the aggregate of whose gross sales and gross receipts arising from manufacturing, commercial, processing and service operations during the four-year period immediately before January 1, 1934, exceeded the aggregate of its gross receipts from dividends, interest, royalties, annuities, and gains from the sale or exchange of stock or securities during such period.

(b) The amendment made by this section shall be applicable to taxable years beginning after December 31, 1940.

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 11. Section 19.504–1, as amended by Treasury Decision 5052, approved June 10, 1942, is further amended as follows:

(A) By striking out "and" after the parenthetical expression "see § 19.504–2" and inserting in lieu thereof a comma.

(B) By striking out the period at the end of the first sentence and inserting in lieu thereof the following:

and, (D) amounts distributed in redemption of preferred stock outstanding prior to January 1, 1934 (including preferred stock subsequently issued in lieu thereof), but only if such distributions are made before January 1, 1944, for taxable years beginning after December 31, 1940, by a corporation specified in section 504 (d).

(C) By striking out the last sentence and inserting in lieu thereof the following:

In computing the dividend carry-over for the purposes of subchapter A of chapter 2, for taxable years beginning after December 31, 1938 and prior to January 1, 1940, the term "adjusted net income" as used in section 27 (c), prior to its amendment by the Revenue Act of 1942, means the adjusted net income minus the deductions allowed under section 505 (a) (1) for Federal taxes.

PAR. 12. There is inserted immediately after § 19.504–2 the following:

§ 19.504–3 *Retroactive application.* If any distribution, which is a dividend solely by reason of the last sentence of section 115 (a), as amended, was made prior to October 21, 1942, by a corporation which, under the revenue law applicable to the taxable year in which the distribution was made, was a personal holding company, or which, for the taxable year in respect of which it is made under section 504 (c) or section 506 or a corresponding provision of a prior income tax law, was a personal holding company under the law applicable to such taxable year, the corporation is entitled to a dividends paid credit for any taxable year in which, or with respect to which the distribution was made: *Provided:*

(1) The corporation files with the Commissioner of Internal Revenue, Washington, D. C., attention Income Tax Unit, Records Division, within one year after October 21, 1942, a claim for the benefit of section 186 of the Revenue Act of 1942, on account of any distribution, which is a dividend by reason of the last sentence in section 115 (a), as amended, made before October 21, 1942;

(2) Such claim is accompanied by signed consents made on oath or affirmation on Form 972, as provided in § 19.504–5, by each shareholder to whom the corporation made such distribution agreement to the inclusion of the amount of such distribution as a taxable dividend in his gross income for the taxable year in which it is made; and

(3) Each such consent filed is accompanied by payment of an amount equal to that which would be required by section 143 (b) or 144 of the applicable revenue law to be deducted and withheld by the corporation if the amount of the distribution to the shareholder had been paid to the shareholder in cash as a dividend.

§ 19.504–4 *Claim for benefit of section 186 of the Revenue Act of 1942—(a) General.* [redacted] claim for the benefit of section 186 of the Revenue Act of 1942 must be filed within one year after October 21, 1942, claiming credit for any distribution, which is a dividend solely by reason of the last sentence of section 115 (a), as amended.

(b) *Form of claim.* The claim for such credit shall be made in duplicate, under oath or affirmation, on Form 973B, copies of which, upon request, may be procured from any collector.

(c) *Contents of claim.* The claim shall, in accordance with the provisions of this section and the instructions on the form, set forth the following information:

(1) The name and address of the corporation;

(2) Taxable year or years for which the benefit of a credit is claimed;

(3) Amount of distribution which is a dividend solely by reason of the last sentence of section 115 (a) as amended by the Revenue Act of 1942, and date of payment thereof;

(4) Amount of distribution previously allowed, if any, as a dividends paid credit, and amount of distribution previously disallowed as a dividends paid credit and for which signed consents accompany the claim;

(5) Whether the corporation was a personal holding company under the law applicable to the taxable year in which the distribution was made or for the taxable year in respect of which it was made under sections 504 (c) or 506 or a corresponding provision of a prior income tax law;

(6) Amount of tax to be eliminated, refunded or credited; and

(7) Such other information as may be required by the claim form.

§ 19.504–5 *Making and filing of consents.* A consent shall be made in duplicate on oath or affirmation on Form 972 in accordance with these regulations and the instructions on the form or issued therewith and may be made only by or on behalf of the shareholder to whom the corporation made the distribution. In the consent it must be agreed that such distribution shall be included as a taxable dividend in the gross income for the taxable year in which the distribution is made.

A consent may be made at any time not later than one year after October 21, 1942. Within such time the corporation must file two duly executed duplicate originals of each consenting shareholder's consent, and a return on oath or affirmation on Form 973B, showing the class and number of shares of each class held at date of dividend payment, amount previously considered taxable, amount previously considered nontaxable, and all other information required by the form.

In the event that any consent filed by the corporation is made by a shareholder from whom, if the amount of the distribution had been paid in cash as a dividend, the corporation would have been required to deduct and withhold any amount as a tax under section 143 (b) or 144, such consent, when filed by the corporation, must be accompanied by payment of the amount which would have been required to be deducted and withheld if the amount of the distribution had been paid in cash as a dividend. Such payment must be in one of the following forms:

(a) Cash;

(b) United States postal money order;

(c) Certified check drawn on a domestic bank, provided that the law of the place where the bank is located does not permit the certification to be rescinded prior to presentation;

(d) A cashier's check of a domestic bank; or

(e) A draft on a domestic bank or a foreign bank maintaining a United States agency or branch and payable in United States funds.

The amount of such payment shall be credited against the tax imposed by section 211 (a) or 231 (a) upon the shareholder.

§ 19.504–6 *Overpayments and deficiencies*—(a) *Overpayments.* If, as a result of the application of section 186 of the Revenue Act of 1942, any overpayment is established or determined with respect to the personal holding company tax for any year and a claim is filed within one year after October 21, 1942, for the credit or refund of such overpayment, and if, on October 21, 1942 or within one year thereafter, such credit or refund would otherwise be prevented, then notwithstanding any other provision of law or rule of law (other than section 186 (h) of the Revenue Act of 1942, and other than section 3761 of the Internal Revenue Code or section 3229 of the Revised Statutes, or such section as amended by section 815 of the Revenue Act of 1938, relating to compromises), such overpayment shall be refunded or credited in the same manner as in the case of an income tax erroneously collected.

(b) *Deficiencies.* If, as a result of the application of section 186 of the Revenue Act of 1942, a deficiency is established or determined with respect to the personal holding company tax for any year, and if, on the date of the filing of the consents referred to in subsection (e) of that section, or on the date of filing of the claim referred to in subsection (g) (1) of that section, or within one year from the date of filing such consents or claim, as the case may be, the assessment or collection of such deficiency is prevented, then, notwithstanding any other provision of law or rule of law, the deficiency shall be assessed and collected if assessment is made within one year from the filing of such consents or claim, as the case may be.

(c) *Amounts not included in shareholder's return.* If a shareholder fails to include in his gross income for the proper taxable year the amount specified in section 186 (g) (2) of the Revenue Act of 1942, such failure shall have the same effect with respect to the deficiency resulting therefrom, as is provided in section 272 (f) of the Internal Revenue Code with respect to a deficiency resulting from a mathematical error appearing on the face of the return.

PAR. 13. There is inserted immediately preceding § 19.506–1 the following:

SEC. 186. DISTRIBUTIONS BY PERSONAL HOLDING COMPANIES. (Revenue Act of 1942, Title I.)

* * * * *

(d) *Deficiency dividends.*

(1) *Amendment of Internal Revenue Code.* The first sentence of section 506 (c) (1) is amended to read as follows: "For the purposes of this subchapter, the term 'deficiency dividends' means the amount of the dividends paid, on or after the date of the closing agreement or on or after the date the decision of the Board or the judgment becomes final, as the case may be, and prior to filing claim under subsection (d), which would have been includible in the computation of the basic surtax credit for the taxable year with respect to which the deficiency was asserted if distributed during such taxable year."

* * * * *

(f) *Effective date of amendments.* The amendments made by subsections (a) to (e), inclusive, shall be effective as of the date of enactment of the laws amended thereby.

(g) *Retroactive application.* The amendments made by subsections (a) to (d), inclusive, shall not apply with respect to any distribution, which is a dividend solely by reason of the last sentence of section 115 (a) of the applicable revenue law, made prior to the date of enactment of this Act by a corporation which, under the law applicable to the taxable year in which the distribution is made, is a personal holding company, or which, for the taxable year in respect of which it is made under section 504 (c) or section 506 or a corresponding provision of a prior income tax law, is a personal holding company under the law applicable to such taxable year, unless:

(1) The corporation (under regulations prescribed by the Commissioner with the approval of the Secretary) files, within one year after the date of the enactment of this Act, a claim for the benefit of this section on account of such distribution;

(2) Such claim is accompanied by signed consents made under oath by each person to whom the corporation made such distribution agreeing to the inclusion of the amount of such distribution to him in his gross income as a taxable dividend. If any such person is no longer in existence or is under disability then the consent may be made by his legal representative; and

(3) Each such consent filed is accompanied by cash, or such other medium of payment as the Commissioner may by regulations authorize, in an amount equal to the amount that would be required by section 143 (b) or 144 of the applicable revenue law to be deducted and withheld by the corporation if the amount of the distribution to the shareholder had been paid to the shareholder in cash as a dividend. The amount accompanying such consent shall be credited against the tax under the applicable revenue law imposed by section 211 (a) or 231 (a) upon the shareholder.

(h) *Overpayments and deficiencies.* If the refund or credit of any overpayment for any taxable year, to the extent resulting from the application of subsections (e) and (g) of this section is prevented on the date of the enactment of this Act or within one year from such date, then, notwithstanding any other provision of law or rule of law (other than this subsection and other than section 3761 of the Internal Revenue Code or section 3229 of the Revised Statutes, or such section as amended by section 815 of the Revenue Act of 1938, relating to compromises), such overpayment shall be refunded or credited in the same manner as in the case of an income tax erroneously collected if claim therefor is filed within one year from the date of the enactment of this Act. If the assessment or collection of any deficiency for any taxable year, to the extent resulting from the application of subsections (e) and (g) of this section, is prevented on the date of the filing of the shareholders' consents referred to in subsection (e) or on the date of filing of the claim referred to in subsection (g) (1) or within one year from the date of filing of such consents or claim, as the case may be, then, notwithstanding any other provision of law or rule of law, such deficiency shall be assessed and collected if assessment is made within one year from the date of the filing of such consents or claim, as the case may be. The failure of a shareholder to include in his gross income for the proper taxable year the amount specified in the consent made by him referred to in subsection (g) (2) shall have the same effect, with respect to the deficiency resulting therefrom, as is provided in section 272 (f) of the applicable revenue law with respect to a deficiency resulting from a mathematical error appearing on the face of the return.

SEC. 195. DEFICIENCY DIVIDENDS OF PERSONAL HOLDING COMPANIES. (Revenue Act of 1942, Title I.)

Section 506 (relating to credits and refunds in case of deficiency dividends) is amended by inserting at the end thereof the following new subsections:

(g) *Rate for taxable years 1939, 1940, and 1941.* If the deficiency is established or determined for a taxable year which begins after December 31, 1939, and does not begin after December 31, 1941, the rates under subsections (a) and (b) used in determining the amount of the credit or refund shall be 71½ per centum in lieu of 65 per centum and 82½ per centum in lieu of 75 per centum.

(h) *Rate for taxable years after 1941.* If the deficiency is established or determined for a taxable year which begins after December 31, 1941, the rates under subsections (a) and (b) used in determining the amount of the credit or refund shall be 75 per centum in lieu of 65 per centum and 85 per centum in lieu of 75 per centum.

SEC. 196. DISTRIBUTIONS BY PERSONAL HOLDING COMPANIES. (Revenue Act of 1942, Title I.)

* * * * *

(i) *Additional credit or refund for prior years.* Section 506 of the Internal Revenue Code (relating to deficiency dividends) is amended by adding at the end thereof the following new subsection:

(j) *Additional credit or refund for prior taxable year—*

(1) *Election to have a certain dividend considered as a deficiency dividend.* If a corporation was a personal holding company for any taxable year beginning after December 31, 1936, and prior to January 1, 1942, and its adjusted net income, Title 1A net income or Subchapter A net income, in the case of a tax imposed by Titles 1A of the Revenue Acts of 1936 and 1938, or Subchapter A of the Internal Revenue Code, as the case may be, exceeds the sum of (A) the earnings and profits accumulated after February 28, 1913, as of the beginning of the taxable year and (B) the earnings and profits of the taxable year (computed as of the close of the taxable year without diminution by reason of any distributions made during the taxable year) and if prior to the date of enactment of the Revenue Act of 1942, the corporation paid all or any portion of the tax imposed by Title 1A or Subchapter A for any such taxable year or years then the corporation may elect, within six months after the date of enactment of the Revenue Act of 1942 to have the amount of a dividend paid within such six-month period considered as a deficiency dividend. Such election must be made by the filing of a claim (under regulations prescribed by the Commissioner with the approval of the Secretary) within such six-month period and after the payment of the dividend, specifying the taxable year or years with respect to which such dividend applies, setting forth the amount of the dividend to be apportioned to each taxable year, and claiming the benefit of this subsection by reason of such dividend.

(2) *Effect of election.* If the corporation exercises the election authorized under paragraph (1) of this subsection—

(A) The credit or refund shall be computed, and credited or refunded without interest, as provided in subsection (b) and at the rates provided therein or in subsection (g), as the case may be, but shall be subject to the limitations in subsection (f). In any case where a dividend is apportioned to more than one taxable year the credit or refund shall be determined for each taxable year on the basis of the amount of the dividend apportioned thereto; and

(B) The dividends paid credit for the taxable year in which paid and for a prior taxable year or years shall be determined as provided in subsection (c) (2).

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 14. Section 19.506–3 is amended by inserting after "$2,000" where it appears the second time in the second sentence of the first paragraph, the following:

except that if the deficiency is established or determined for a taxable year beginning after December 31, 1939 and before January 1, 1942, the rates for determining the amount of the credit are 71½ percent in lieu of 65 percent and 82½ percent in lieu of 75 percent, and except further that if the deficiency is established or determined for a taxable year beginning after December 31, 1941, the rates for determining the amount of the credit are 75 percent in lieu of 65 percent, and 85 percent in lieu of 75 percent.

PAR. 15. Section 19.506–4 is amended by inserting after "$2,000" where it appears the second time in the second sentence of the first paragraph, the following:

except that if the deficiency is established or determined for a taxable year beginning after December 31, 1939 and before January 1, 1942, the rates for determining the amount of the credit or refund are 71½ percent in lieu of 65 percent and 82½ percent in lieu of 75 percent, and except further that if the deficiency is established or determined for a taxable year beginning after December 31, 1941 the rates for determining the amount of the credit or refund are 75 percent in lieu of 65 percent and 85 percent in lieu of 75 percent.

PAR. 16. There is inserted immediately after §19.506–7 the following:

§ 19.506–8 *Retroactive application.* For regulations relating to making and filing of the claims and consents referred to in subsections (d) (1) and (g) of section 186 of the Revenue Act of 1942, see §§ 19.504–3, 19.504–4 and 19.504–5.

§ 19.506–9 *Overpayments and deficiencies.* For the refund or credit of any overpayment, and the assessment or collection of any deficiency referred to in section 186 (h) of the Revenue Act of 1942, see § 19.504–6.

§ 19.506–10 *Election to have a certain dividend considered as a deficiency dividend.* Section 506 (j) is designed to be used particularly in those cases where a corporation was a personal holding company for certain taxable years beginning prior to January 1, 1942, and the personal holding company tax has been paid in whole or in part prior to October 21, 1942 for such taxable years. In such a case the corporation may elect to have the amount of a dividend paid within six months after October 21, 1942, to shareholders to whom the distribution is made, considered as a deficiency dividend under the following conditions, qualifications and limitations:

(1) It must be established by the corporation that its income, upon which the personal holding company tax is imposed, exceeds the sum of (A) the earnings and profits accumulated after February 28, 1913, as of the beginning of the taxable year and (B) the earnings and profits of the taxable year (computed as of the close of such year without diminution by reason of any distributions made during the taxable year);

(2) The corporation is required to make an election within six months after October 21, 1942, to have the amount of a dividend paid within such six-month period treated as a deficiency dividend;

(3) The election must be made by the filing of a claim for credit or refund within such six-month period;

(4) The dividend must be paid prior to the filing of the claim for credit or refund and the shareholders to whom the distribution is made must include such distribution as a taxable dividend in their returns for the taxable year in which such distribution is made;

(5) The credit or refund shall be made as provided in section 322, but without regard to section 322 (b) (relating to the limitations on the allowance of refunds or credits), or section 322 (c) (relating to the effect of petitions to the Board on refunds or credits);

(6) No credit or refund shall be made under section 506 (j), with respect to any amount of tax paid on or after October 21, 1942; and

(7) No interest shall be allowed on the credit or refund.

§ 19.506–11 *Claim for additional credit or refund for prior taxable year*—(a) *General.* A claim for additional credit or refund under section 506 (j), relating to election to have a certain dividend treated as a deficiency dividend, must be filed within six months after October 21, 1942, claiming the benefit of that section by reason of a dividend paid within such six-month period.

(b) *Form of claim.* The claim for additional credit or refund under this section shall be made in duplicate, on oath or affirmation, on Form 976A, copies of which, upon request, may be procured from any collector.

(c) *Contents of claim.* There shall be attached to and made a part of the claim a certified copy of the resolution of the board of directors, or other authority, authorizing the payment of the dividend with respect to which the claim is filed. In addition the claim shall, in accordance with the provisions of this section and the instructions on the form, set forth the following information:

(1) The name and address of the corporation;

(2) The place and date of incorporation;

(3) The amount of the personal holding company tax imposed for each of the taxable years involved; if tax paid (in whole or in part), date of payment and amount thereof;

(4) The amount of the income, upon which the personal holding company tax is imposed, in excess of the sum of the earnings and profits accumulated after February 28, 1913, as of the beginning of the taxable year, and the earnings and profits of the taxable year (computed as of the close of such year without diminution by reason of any distributions made during the taxable year);

(5) A statement setting forth the various classes of stock outstanding, the name and address of each shareholder, the class and number of shares held by each on the date of payment of the dividend with respect to which the claim is filed, and the amount of such dividend paid to each shareholder;

(6) The date the dividend was paid, the taxable year or years with respect to which such dividend applies, and the amount of the dividend to be apportioned to each taxable year;

(7) The amount claimed as a credit or refund; and

(8) Such other information as may be required by the claim form.

§ 19.506–12. *Effect of election.* If the corporation elects to have a distribution made within six months after October 21, 1942, considered as a deficiency dividend as provided in section 506 (j), and files the claim required by that section:

(a) The credit or refund shall be computed, and credited or refunded without interest, as provided in section 506 (b) and at the rates provided therein or in section 506 (g), as the case may be. However, such credit or refund shall not be allowed with respect to any deficiency attributable, in whole or in part, to fraud with intent to evade the tax or to a fail-

ure to file a timely return without reasonable cause for such failure. See section 506 (f). In any case where a dividend is apportioned to more than one taxable year the credit or refund shall be determined for each taxable year on the basis of the amount of the dividend apportioned thereto; and

(b) The dividends paid credit for the taxable year in which paid and for a prior taxable year or years shall be determined in the manner prescribed in section 506 (c) (2).

REGULATIONS 101 AND 94

PAR. 17. Section 186 of the Revenue Act of 1942 provides in part as follows:

SEC. 186. DISTRIBUTIONS BY PERSONAL HOLDING COMPANIES. (Revenue Act of 1942, Title I.)

(a) *Definition of dividend.*—

* * * * * *

(2) *Amendment to Revenue Act of 1938.* Section 115 (a) of the Revenue Act of 1938 (relating to definition of dividend) is amended by inserting at the end thereof the following new sentence: Such term also means any distribution to its shareholders, whether in money or in other property, made by a corporation which, under the law applicable to the taxable year, in which the distribution is made, is a personal holding company, or which, for the taxable year in respect of which the distribution is made under section 405 (c) or section 407 is a personal holding company under the law applicable to such taxable year.

(3) *Amendment to Revenue Act of 1936.* Section 115 (a) of the Revenue Act of 1936 (relating to definition of dividend) is amended by inserting at the end thereof the following new sentence: Such term also means any distribution to its shareholders, whether in money or in other property, made by a corporation in a taxable year of the corporation beginning after December 31, 1936, which, for such year, is a personal holding company.

(b) *Personal holding company dividends not applied in reduction of basis.* Section 115 (b) (relating to source of distributions) of the Internal Revenue Code, the Revenue Act of 1938, and the Revenue Act of 1936, are amended by inserting at the end of such subsection the following new sentence: "The preceding sentence shall not apply to a distribution which is a dividend within the meaning of the last sentence of subsection (a).

(c) *Dividends paid after close of taxable year.* Section 504 (c) of the Internal Revenue Code and section 405 (c) of the Revenue Act of 1938 (relating to credit for dividends paid after close of taxable year) are amended as follows:

(1) By amending subsection (c) (1) and (2) to read as follows:

(c) Dividends paid after the close of the taxable year and before the 15th day of the third month following the close of the taxable year, if claimed under this subsection in the return, but only to the extent to which such dividends would have been includible in the computation of the basic surtax credit for the taxable year if distributed during such taxable year; but the amount allowed under this subsection shall not exceed either

(1) The undistributed Subchapter A net income for the taxable year computed without regard to this subsection; or;

(2) And by striking out "(3)" and inserting in lieu thereof "(2)".

(d) *Deficiency dividends.*—

* * * * * *

(2) *Amendment of Revenue Act of 1938.*— The first sentence of section 407 (c) (1) of the Revenue Act of 1938 is amended to read as follows: "For the purposes of this title, the term 'deficiency dividends' means the amount of the dividends paid, on or after the date of the closing agreement or on or after the date the decision of the Board or the judgment becomes final, as the case may be, and prior to filing claim under subsection (d), which would have been includible in the computation of the basic surtax credit for the taxable year with respect to which the deficiency was asserted if distributed during such taxable year."

(3) *Amendment of Revenue Act of 1936.*— Title 1A of the Revenue Act of 1936, as amended (relating to surtax on personal holding companies), is further amended by adding at the end thereof the following new section:

SEC. 361. DEFICIENCY DIVIDENDS.

The provisions of section 407 of the Revenue Act of 1938, as amended by section 185 [186] (d) (2) of the Revenue Act of 1942 shall be applicable with respect to a deficiency established or determined under this title for any taxable year beginning after December 31, 1936, and before January 1, 1938.

(e) *Consent dividends.*

(1) Section 28 (d) (1) of the Internal Revenue Code and section 28 (d) (1) of the Revenue Act of 1938 are amended to read as follows:

(1) Unless it files (in accordance with regulations prescribed by the Commissioner with the approval of the Secretary) with its return for such year, or within one year after the date of enactment of the Revenue Act of 1942, in the case of a corporation which is a personal holding company for the taxable year with respect to which it claims the benefits of this section, signed consents made under oath by persons who were shareholders, on the last day of the taxable year, of the corporation, of any class of consent stock; and

(2) For the purposes of this section, section 28 of the Revenue Act of 1938, as amended by this subsection, shall be applicable with respect to a corporation for any taxable year beginning after December 31, 1936, and before January 1, 1938, for which it was, under the applicable law, a personal holding company, and to its shareholders. Such section 28 shall be applied as though the phrase "basic surtax credit" in subsection (c) thereof were "dividends paid credit".

(f) *Effective date of amendments.* The amendments made by subsections (a) to (e), inclusive, shall be effective as of the date of enactment of the laws amended thereby.

PAR. 18. Pursuant to the above provisions of law, §§ 19.28 (d)–1 and 19.28 (d)–3, 19.115–1, 19.504–3, 19.504–4, 19.504–5, and 19.504–6, 19.506–3, 19.506–4, 19.506–8, 19.506–9, 19506–10, 19.506–11, and 19.506–12 of Regulations 103, as amended or added by this Treasury decision (which regulations cover taxable years beginning after December 31, 1938), are hereby made applicable to taxable years beginning after December 31, 1936 and prior to January 1, 1939 (such years being covered by Regulations 101 and by Regulations 94, as amended by Treasury Decision 4791, approved January 14, 1938).

(Sec. 62 of the Internal Revenue Code (53 Stat. 32, 26 U.S.C., 1940 ed., 62), corresponding provisions of prior internal revenue laws, and sections 181, 182, 183, 184, 185, 186 and 132 (d) (e) of the Revenue Act of 1942 (Public Law 753, 77th Congress))

[SEAL] NORMAN D. CANN,
Acting Commissioner of Internal Revenue.

Approved: February 13, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43–2532; Filed, February 16, 1943, 10.28 a. m.]

[T.D. 5229]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

CONSOLIDATED RETURNS FOR INCOME AND EXCESS-PROFITS TAXES

Regulations 103 amended to conform to section 159, Revenue Act of 1942, relating to making of consolidated income and excess profits tax returns.

In order to conform Regulations 103 [Part 19, Title 26, Code of Federal Regulations, 1940 Sup.] to section 159 of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, such regulations are amended to read as follows:

PARAGRAPH 1. There is inserted immediately preceding § 19.52–1 the following:

SEC. 159 EXTENSION OF CONSOLIDATED RETURNS PRIVILEGE TO CERTAIN CORPORATIONS. (Revenue Act of 1942, Title I.)

* * * * * *

(f) *Cross-reference.* Section 52 (b) is amended to read as follows:

(b) *Cross-reference.* For provisions relating to consolidated returns, see section 141

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 2. Section 19.52–1, as amended by Treasury Decision 5165, approved August 13, 1942, is further amended by changing the words "and of affiliated corporations, see section 141 and § 19.141–1" in the expression following the last semicolon in the third sentence to read as follows: "and of affiliated corporations, see section 141 and §§ 19.141–1 and 19.141–2".

PAR. 3. There is inserted immediately preceding § 19.141–1 the following:

SEC. 159. EXTENSION OF CONSOLIDATED RETURNS PRIVILEGE TO CERTAIN CORPORATIONS. (Revenue Act of 1942, Title I.)

(a) *General rule.* Section 141 (relating to consolidated returns of railroad corporations) is amended to read as follows:

SEC. 141. CONSOLIDATED RETURNS.

(a) *Privilege to file consolidated income and excess-profits-tax returns.*—An affiliated group of corporations shall, subject to the provisions of this section, have the privilege of making consolidated income and excess-profits-tax returns for the taxable year in lieu of separate returns. The making of consolidated returns shall be upon the condition that the affiliated group shall make both a consolidated income-tax return and a consolidated excess-profits-tax return for the taxable year, and that all corporations which at any time during the taxable year have been members of the affiliated group making a consolidated income-tax return consent to all the consolidated income- and excess-profits-tax regulations prescribed under subsection (b) prior to the last day prescribed by law for the filing of such returns. The making of a consolidated income-tax return shall be considered as such consent. In the case of a corporation which is a member of the affiliated group for a fractional part of the year, the consolidated returns shall include the income of such corporation for such part of the year as it is a member of the affiliated group. In the case of a corporation which is not a member of the affiliated group after March 31, 1942, of the last taxable year of such group which begins before April 1, 1942, such corporation shall not be considered a member of the affiliated group for consolidated income-tax-return purposes for such year but shall be considered a member of such group for consolidated excess-profits-tax-return purposes for such year, and the consent require in the case of such corporation shall relate only to the consolidated excess-profits-tax regulations.

(b) *Regulations.* The Commissioner, with the approval of the Secretary, shall prescribe such regulations as he may deem necessary in order that the tax liability of any affiliated group of corporations making consolidated income- and excess-profits-tax returns and of each corporation in the group, both during and after the period of affiliation, may be returned, determined computed, assessed, collected, and adjusted, in such manner as clearly to reflect the income- and excess-profits-tax liability and the various factors necessary for the determination of such liability, and in order to prevent avoidance of such tax liability. Such regulations shall prescribe the amount of the net operating loss deduction of each member of the group which is attributable to a deduction allowed for a taxable year beginning in 1941 on account of property considered as destroyed or seized under section 127 (relating to war losses), and the allowance of the amount so prescribed as a deduction in computing the net income of the group shall not be limited by the amount of the net income of such member.

(c) *Computation and payment of tax.* In any case in which consolidated income-tax and excess-profits-tax returns are made or are required to be made, the taxes shall be determined, computed, assessed, collected, and adjusted in accordance with the regulations under subsection (b) prescribed prior to the last day prescribed by law for the filing of such returns; except that the tax imposed under section 15 or section 204 shall be increased by 2 per centum of the consolidated corporation surtax net income of the affiliated group of includible corporations. Only one specific exemption of $5,000 provided in section 710 (b) (1) shall be allowed for the entire affiliated group of corporations for the purposes of the tax imposed by Subchapter E of Chapter 2.

(d) *Definition of "affiliated group."* As used in this section, an "affiliated group" means one or more chains of includible corporations connected through stock ownership with a common parent corporatin which is an includible corporation if—

(1) Stock possessing at least 95 per centum of the voting power of all classes of stock and at least 95 per centum of each class of the nonvoting stock of each of the includible corporations (except the common parent corporation) is owned directly by one or more of the other includible corporations; and

(2) The common parent corporation owns directly stock possessing at least 95 per centum of the voting power of all classes of stock and at least 95 per centum of each class of the nonvoting stock of at least one of the other includible corporations.

As used in this subsection, the term "stock" does not include nonvoting stock which is limited and preferred as to dividends.

(e) *Definition of "includible corporation".* As used in this section, the term 'includible corporation' means any corporation except:

(1) Corporations exempt under section 101 from the tax imposed by this chapter.

(2) Insurance companies subject to taxation under section 201 or 207.

(3) Foreign corporations.

(4) Corporations entitled to the benefits of section 251, by reason of receiving a large percentage of their income from sources within possessions of the United States.

(5) Corporations organized under the China Trade Act, 1922.

(6) Regulated investment companies subject to tax under Supplement Q.

(f) *Includible insurance companies.* Despite the provisions of paragraph (2) of subsection (e), two or more domestic insurance companies each of which is subject to taxation under the same section of this chapter shall be considered as includible corporations for the purpose of the application of subsection (d) to such insurance companies alone.

(g) *Subsidiary formed to comply with foreign law.* In the case of a domestic corporation owning or controlling, directly or indirectly, 100 per centum of the capital stock (exclusive of directors' qualifying shares) of a corporation organized under the laws of a contiguous foreign country and maintained solely for the purpose of complying with the laws of such country as to title and operation of property, such foreign corporation may, at the option of the domestic corporation, be treated for the purpose of this chapter and of Subchapter E of Chapter 2 as a domestic corporation.

(h) *Suspension of running of statute of limitations.* If a notice under section 272 (a) in respect of a deficiency for any taxable year is mailed to a corporation, the suspension of the running of the statute of limitations, provided in section 277, shall apply in the case of corporations with which such corporation made a consolidated return for such taxable year.

(i) *Allocation of income and deductions.* For allocation of income and deductions of related trades or businesses, see section 45.

* * * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 4. Sections 19.141–1, 19.141–2, and 19.141–3 are amended to read as follows:

§ 19.141–1 *Consolidated income tax returns of affiliated corporations for taxable years beginning after December 31, 1938, but before January 1, 1942*—(a) *In general.* The regulations prescribed under section 141 (b), prior to its amendment by the Revenue Act of 1942, have been promulgated as Regulations 104 and are applicable to the making of consolidated income tax returns by affiliated corporations for taxable years beginning after December 31, 1938, in the case of railroad corporations, and after December 31, 1939, in the case of Pan-American trade corporations, but, in either case, before January 1, 1942, and to the determination, computation, assessment, collection, and adjustment of income tax liabilities under consolidated returns for such years. For definition of taxable year, see section 48.

(b) *Formation of and changes in affiliated group.* An affiliated group of railroad corporations, within the meaning of section 141, prior to its amendment by the Revenue Act of 1942, is formed at the time that the common parent corporation becomes the owner directly of at least 95 percent of the stock (as defined by subsection (d) of such section) of another corporation. A corporation becomes a member of such an affiliated group at the time that one or more members of such group become the owners directly of at least 95 percent of its stock. A corporation ceases to be a member of such an affiliated group at the time that the aggregate of its stock owned directly by the members of such group becomes less than 95 percent. As to when Pan-American trade corporations are deemed to be an affiliated group of corporations, see section 152.

(c) *Corporations to be included in consolidated returns.* The privilege of filing consolidated returns for taxable years beginning after December 31, 1938, in the case of railroad corporations, and after December 31, 1939, in the case of Pan-American trade corporations, but, in either case, before January 1, 1942, is limited to corporations constituting an "affiliated group" as defined in sections 141 (d) and 152 prior to their amendment by the Revenue Act of 1942. The Internal Revenue Code requires each corporation to be either (1) a corporation whose principal business is that of a "common carrier by railroad," (2) a corporation whose assets consist principally of stock in such corporations and which does not itself operate a business other than that of a "common carrier by railroad," or (3) a Pan-American trade corporation as defined in section 152. The term "common carrier by railroad" includes steam and electric railroads, street, suburban, and interurban electric railways, street and suburban trackless trolley systems of transportation, and street or suburban bus systems of transportation operated as a part of street or suburban electric railway or trackless trolley systems, but does not include express, refrigerator, or sleeping car companies. If a "common carrier by railroad" as above defined has leased its railroad properties and such properties are operated as such by another common carrier by railroad, the business of receiving rents for such properties is considered as the business of a common carrier by railroad. (As to what constitutes a Pan-American trade corporation, see §§ 19.152–1 and 19.152–2.)

A consolidated return must include every domestic corporation which is a member of the "affiliated group"; but shall not include a foreign corporation (except as provided in section 141 (h) prior to its amendment by the Revenue Act of 1942); a corporation organized under the China Trade Act, 1922; or a corporation entitled to the benefits of section 251.

PAR. 5. Section 19.141–4 is amended by redesignating such section as paragraph "(d)" of § 19.141–1, and by amending the

first sentence of such paragraph to read as follows:

In the case of a domestic corporation owning or controlling, directly or indirectly, the entire capital stock (exclusive of directors' qualifying shares) of a corporation described in section 141 (d) (3), prior to its amendment by the Revenue Act of 1942, and organized under the laws of Canada or of Mexico and maintained solely for the purpose of complying with the laws of such country as to title and operation of property, such foreign corporation may, at the option of the domestic corporation, be treated for taxable years beginning after December 31, 1938, as a domestic corporation.

PAR. 6. There is inserted immediately after § 19.141–1 (d) the following new section:

§ 19.141–2 *Consolidated income and excess profits tax returns of affiliated corporations for taxable years beginning after December 31, 1941*—(a) *In general.* Section 141, as amended by the Revenue Act of 1942, prescribes rules for the making, for taxable years beginning after December 31, 1941, of both consolidated income and excess profits tax returns by an affiliated group of corporations. Regulations promulgated as Regulations 104 applicable to consolidated income tax returns, and as Regulations 110 applicable to consolidated excess profits tax returns, as amended to reflect the provisions of the Revenue Act of 1942, under the authorization contained in section 141 (b), are applicable to the making of consolidated income and excess profits tax returns for taxable years beginning after December 31, 1941, and to the determination, computation, assessment, collection, and adjustment of income and excess profits tax liabilities of the affiliated group and each member thereof both during and after the period of affiliation. For definition of taxable year see section 48.

(b) *Formation of and changes in affiliated group.* An affiliated group of corporations, within the meaning of section 141, is formed at the time that the common parent corporation, which is an includible corporation, becomes the owner directly of stock possessing at least 95 percent of the voting power of all classes of stock and at least 95 per cent of each class of the nonvoting stock (not including nonvoting stock which is limited and preferred as to dividends) of another includible corporation. A corporation becomes a member of such an affiliated group at the time that one or more members of such group become the owners directly of stock possessing at least 95 percent of the voting power of all classes of its stock and at least 95 percent of each class of its nonvoting stock (not including nonvoting stock which is limited and preferred as to dividends).

(c) *Corporations to be included in consolidated returns.* The privilege of filing consolidated income and excess profits tax returns for taxable years beginning after December 31, 1941, is extended to all includible corporations constituting an "affiliated group" as defined in section 141 (d). In case a corporation is a member of an affiliated group for a fractional part of the year, the consolidated returns shall include the income of such corporation for the part of the year during which it is a member of the group. However, a corporation which is not a member of such group after March 31, 1942, of the last taxable year of such group which begins before April 1, 1942, shall not be considered a member of such group for consolidated income tax return purposes for such year, but shall be considered a member of such group for consolidated excess profits tax return purposes for such year. An "includible corporation" is defined by section 141 (e) to mean any corporation except:

(1) A corporation exempt under section 101 from the tax imposed by Chapter I;

(2) An insurance company subject to taxation under section 201 or 207 (except as provided in section 141 (f));

(3) A foreign corporation (except as provided in section 141 (g));

(4) A corporation entitled to the benefits of section 251, by reason of receiving a large percentage of its income from sources within possessions of the United States;

(5) A corporation organized under the China Trade Act, 1922; and

(6) A regulated investment company subject to tax under Supplement Q.

The consolidated income tax return and the consolidated excess profits tax return must include every includible corporation which, under the provisions of section 141, is a member of the affiliated group. In no case may a consolidated return be filed by subsidiary corporations as an affiliated group unless the common parent corporation through which the subsidiaries are connected is a member of the group. For instance there will not be recognized as an affiliated group two domestic industrial corporations the common parent corporation of which is a regulated investment company subject to tax under Supplement Q. In addition, no corporation which is connected by stock ownership with an affiliated group of includible corporations through a nonincludible corporation may be included in the consolidated return of such group.

Every corporation which is a member of an affiliated group making consolidated returns under section 141 is a member of such group both for consolidated income tax and consolidated excess profits tax return purposes, regardless of any exemption to which it might have been entitled if separate returns had been made. (See sections 725 (b) and 727.)

(d) *Consolidated returns of insurance companies.* An insurance company subject to tax under section 204 is an includible corporation and may be included in an affiliated group together with corporations other than insurance companies taxable under section 201 or section 207. Insurance companies subject to tax under section 201 or 207 are not includible corporations under section 141 (e) (2). Under section 141 (f), however, a domestic insurance company taxable under section 201 may be included in an affiliated group comprised solely of other domestic insurance companies taxable under section 201; it may not be included in an affiliated group with other corporations. Similarly, a domestic insurance company taxable under section 207 may be included in an affiliated group comprised solely of other domestic insurance companies taxable under section 207; it may not be included in an affiliated group with other corporations. An affiliated group of domestic insurance companies taxable under section 201, or a group of domestic insurance companies taxable under section 207 may not include a domestic insurance company taxable under section 204.

(e) *Foreign corporations which may be treated as domestic corporations.* In the case of a domestic corporation owning or controlling directly or indirectly, the entire capital stock (exclusive of directors' qualifying shares) of a corporation organized under the laws of Canada or of Mexico and maintained solely for the purpose of complying with the laws of such country as to title and operation of property, such foreign corporation may, at the option of the domestic corporation, be treated as a domestic corporation. The option to treat such foreign corporation as a domestic corporation must be exercised at the time of making the first consolidated income and excess profits tax returns under the Internal Revenue Code as amended by the Revenue Act of 1942, and cannot be exercised at any time thereafter. If the election is exercised to treat such foreign corporation as a domestic corporation, it must be included in both the consolidated income and excess profits tax returns of the affiliated group of which it is a member for each year for which such group makes or is required to make a consolidated return.

(f) *Computation of tax.* The surtax imposed by section 15 or section 204 upon an affiliated group making a consolidated income tax return shall be increased by 2 percent of the consolidated corporation surtax net income. In case the consolidated corporation surtax net income exceeds $25,000 but not $50,000, the surtax on the first $25,000 is $3,000 instead of $2,500 as provided in section 15 (b) (2) in the case of corporations not making a consolidated return.

PAR. 7. There is inserted immediately preceding § 19.152–1 the following:

SEC. 159. EXTENSION OF CONSOLIDATED RETURNS PRIVILEGE TO CERTAIN CORPORATIONS. (Revenue Act of 1942, Title I.)

. . . . . .

(b) *Pan-American trade corporations.* Section 152 (relating to consolidated income tax returns of Pan-American trade corporations) shall not apply with respect to any taxable year beginning after December 31, 1941.

. . . . . .

PAR. 8. There is inserted immediately after § 19.152–2 the following new section:

§ 19.152–3 *Years for which Pan-American trade corporations may file consolidated returns.* The provisions of section 152, and of §§ 19.152–1 and 19.152–2 shall be applicable only with respect to taxable years beginning after December 31, 1939, and prior to January 1, 1942. With respect to taxable years beginning after December 31, 1941, see section 141, as amended by the Revenue Act of 1942, and § 19.141–2.

PAR. 9. There is inserted immediately after section 238 the following:

SEC. 159. EXTENSION OF CONSOLIDATED RETURNS PRIVILEGE TO CERTAIN CORPORATIONS. (Revenue Act of 1942, Title I.)

. . . . . .

(c) *Foreign corporations.* Section 238 relating to denial of affiliation of foreign corporations) is repealed.

. . . . . .

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 10. There is inserted immediately preceding § 19.251–1 the following:

SEC. 159. EXTENSION OF CONSOLIDATED RETURNS PRIVILEGE TO CERTAIN CORPORATIONS. (Revenue Act of 1942, Title I.)

. . . . . .

(d) *Section 251 corporations.* Section 251 (i) (relating to denial of affiliation of section 251 corporations) is repealed.

. . . . . .

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 11. There is inserted immediately after section 264 the following:

SEC. 159. EXTENSION OF CONSOLIDATED RETURNS PRIVILEGE TO CERTAIN CORPORATIONS. (Revenue Act of 1942, Title I.)

. . . . . .

(e) China Trade Act Corporations.—Section 264 (relating to denial of affiliation of China Trade Act corporations) is repealed.

. . . . . .

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

Sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U. S. C., 1940 ed., 62) and section 159 of the Revenue Act of 1942 (Public Law 753, 77th Congress).)

[SEAL] NORMAN D. CANN,
Acting Commissioner of Internal Revenue.

Approved: February 13, 1943.

JOHN L. SULLIVAN,
Acting Secretary of Treasury.

[F R Doc. 43–2534; Filed, February 16, 1943; 10:28 a. m.]

[T. D. 5230]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

MISCELLANEOUS AMENDMENTS

Regulations 103 amended to conform to certain sections[1] of the Revenue Act of 1942.

In order to conform Regulations 103 [Part 19, Title 26, Code of Federal Regulations, 1940 Sup.] to certain sections[1] of the Revnue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, such regulations are amended to read as follows:

PARAGRAPH 1. There is inserted immediately preceding § 19.101 (18)–1 the following:

SEC. 137. EXEMPTION OF VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATIONS. (Revenue Act of 1942, Title I.)

(a) *Exemption of Voluntary Employees' Beneficiary Association.* Section 101 (16) of the Internal Revenue Code, and of the Revenue Acts of 1938, 1936, and 1934, and section 103 (16) of the Revenue Acts of 1932 and 1928, are amended to read as follows:

(16) Voluntary employees' beneficiary associations providing for the payment of life, sick, accident, or other benefits to the members of such association or their dependents, if (A) no part of their net earnings inures (other than through such payments) to the benefit of any private shareholder or individual, and (B) 85 per centum or more of the income consists of amounts collected from members and amounts contributed to the association by the employer of the members for the sole purpose of making such payments and meeting expenses;.

(b) *Retroactive effect.* For the purposes of the Internal Revenue Code and the Revenue Acts of 1928, 1932, 1934, 1936, and 1938, the amendments made to the Internal Revenue Code and those Acts by subsection (a) of this section shall be effective as if they were a part of the Internal Revenue Code and such revenue Acts on the respective dates of their enactment.

. . . . . .

PAR. 2. There is inserted immediately preceding § 19.102–1 the following:

SEC. 138. DENIAL OF CAPITAL LOSS CARRY-OVER TO SECTION 102 COMPANIES. (Revenue Act of 1942, Title I.)

That part of section 102 (d) (1) (relating to definition of section 102 net income) which precedes subparagraph (A) is amended to read as follows:

(1) *Section 102 net income.* The term "section 102 net income" means the net income, computed without the benefit of the capital loss carry-over provided in section 117 (e) from a taxable year which begins after December 31, 1940, and computed without the net operating loss deduction provided in section 23 (s), minus the sum of ____.

SEC. 105. TAX ON CORPORATIONS. (Revenue Act of 1942, Title I.)

. . . . . .

(e) *Technical amendments made necessary by change in base for corporate tax.*

. . . . . .

(2) *Computation of section 102 net income.* Section 102 (d) (1) (relating to the definition of section 102 net income) is amended by inserting at the end thereof the following new subparagraph:

(D) *Income subject to excess-profits tax.* The credit for income subject to the tax imposed by Subchapter E of Chapter 2 provided in section 26 (e).

. . . . . .

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 3. There is inserted immediately preceding the heading Computation of Net Income which immediately precedes sec. 111, the following:

SEC. 141. WESTERN HEMISPHERE TRADE CORPORATIONS. (Revenue Act of 1942, Title I.)

The Internal Revenue Code is amended by inserting after section 108 the following new section:

SEC. 109. WESTERN HEMISPHERE TRADE CORPORATIONS.

For the purposes of this chapter, the term "western hemisphere trade corporation" means a domestic corporation all of whose business is done in any country or countries in North, Central, or South America, or in the West Indies, or in Newfoundland and which satisfies the following conditions:

(a) If 95 per centum or more of the gross income of such domestic corporation for the three-year period immediately preceding the close of the taxable year (or for such part of such period during which the corporation was in existence) was derived from sources other than sources within the United States; and

(b) If 90 per centum or more of its gross income for such period or such part thereof was derived from the active conduct of a trade or business.

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

§ 19.109–1 *Western hemisphere trade corporations.* Under the provisions of section 15, as amended by section 105 of the Revenue Act of 1942, a domestic corporation qualifying as a western hemisphere trade corporation is, for taxable years beginning after December 31, 1941, exempt from the surtax imposed upon corporations generally by section 15 as thus amended. To so qualify, the following tests must be met:

(a) Its entire business must be carried on within the geographical limits of North, Central, or South America, or in the West Indies, or in Newfoundland; and

(b) 95 percent or more of its gross income for the 3-year period immediately preceding the close of the taxable year

[1] 105 (e) (2). Technical amendment relating to the definition of 102 net income. 115 (b). Basis of real property upon which improvements have been made by lessee. 137 (a). emption of voluntary employees' beneficiary associations. 137 (b). Retroactive effect of exemption of voluntary employees beneficiary associations. 138. Denial of capital loss carry-over to section 102 companies. 141. Western hemisphere trade corporations. 142. Nonrecognition of loss and determination of basis in case of certain railroad reorganizations. 143. Basis of gifts. 144. Basis of property in case of optional value for estate tax purposes. 146. Effect on earnings and profits of wash sale losses. 147. Distributions in liquidation. 148. Income from sources without United States in certain cases. 149. Reciprocal exemption of compensation of employees of the Commonwealth of the Philippines. 166. Technical amendment to definition of "dividend".

(or for such part of such period during which the corporation was in existence) must be derived from sources without the United States; and

(c) 90 percent or more of its gross income for such period or such part thereof must be derived from the active conduct of a trade or business.

A domestic corporation is not excluded from the exemption merely because, incident to the conduct of its trade or business, it retains title in goods to insure payment for such goods shipped to a country outside the geographical areas enumerated in section 109.

A corporation which claims exemption as a Western Hemisphere Trade Corporation shall attach to its income tax return a statement showing that its entire business is done in one or more of the designated countries, and for the 3-year period immediately preceding the close of the taxable year (or for such part thereof during which the corporation was in existence) (1) its total gross income from all sources, (2) the amount thereof derived from the active conduct of a trade or business, (3) a description of such trade or business and the facts upon which the corporation relies to establish that such trade or business was actively conducted by it, and (4) the amount of its gross income, if any, from sources within the United States. The gross income from sources without the United States and within the United States shall be determined as provided in section 119 and the regulations prescribed thereunder.

PAR. 4. There is inserted immediately after section 112 (b) (8) the following:

SEC. 142. NONRECOGNITION OF LOSS AND DETERMINATION OF BASIS IN CASE OF CERTAIN RAILROAD REORGANIZATIONS. (Revenue Act of 1942, Title I.)

(a) *Nonrecognition of loss in railroad reorganizations.* Section 112 (b) (relating to the recognition of gain or loss upon the sale or exchange of property) is amended by inserting at the end thereof the following new paragraph:

(9) *Loss not recognized on certain railroad reorganizations.* No loss shall be recognized if property of a railroad corporation, as defined in section 77m of the National Bankruptcy Act, as amended, is transferred, after December 31, 1939, in pursuance of an order of the court having jurisdiction of such corporation:

(A) In a receivership proceeding, or

(B) In a proceeding under section 77 of the National Bankruptcy Act, as amended, to a railroad corporation, as defined in section 77m of the National Bankruptcy Act, as amended; organized or made use of to effectuate a plan of reorganization approved by the court in such proceeding. The term "reorganization", as used in this paragraph, shall not be limited by the definition of such term in subsection (g).

* * * * *

(d) *Taxable years to which applicable.* The amendments made by this section shall be applicable to taxable years beginning after December 31, 1939.

§ 19.112 (b) (9)–1 *Nonrecognition of loss upon transfer of property of railroad corporation.* For the purpose of section 112 (b) (9), it is unnecessary that the transfer be a direct transfer by the corporation undergoing reorganization or that such reorganization constitute a reorganization within the meaning of section 112 (g). It is sufficient if the transfer is made in pursuance of an order of the court and is an integral step in the consummation of a plan of reorganization approved by the court having jurisdiction of the proceeding. If these conditions are satisfied, no loss is recognized to the transferor upon the ultimate transfer of the property, or to the transferor upon any intermediate transfer.

Section 112 (b) (9) applies only to a transfer resulting in a loss and has no application if the transfer therein described results in a gain.

PAR. 5. There is inserted immediately preceding § 19.113 (a) (2)–1 the following:

SEC. 143. BASIS OF GIFTS. (Revenue Act of 1942, Title I.)

(a) *Gifts after December 31, 1920.* The first sentence of section 113 (a) (2) is amended to read as follows: "If the property was acquired by gift after December 31, 1920, the basis shall be the same as it would be in the hands of the donor or the last preceding owner by whom it was not acquired by gift, except that if such basis (adjusted for the period prior to the date of the gift as provided in subsection (b)) is greater than the fair market value of the property at the time of the gift, then for the purpose of determining loss the basis shall be such fair market value."

* * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 6. Section 19.113 (a) (2)–1, as amended by Treasury Decision 5137, approved April 11, 1942, is further amended as follows:

(A) By changing subsection (a) to read as follows:

(a) *Property included.* Section 113 (a) (2) applies to all property acquired after December 31, 1920, by gift. It does not apply:

(1) To property acquired by devise or bequest (see section 113 (a) (5)); or

(2) To property acquired by an instrument which, under section 113 (a) (5), is to be treated as though it were a will; or

(3) For taxable years beginning before January 1, 1942, to property acquired as a gift made by a transfer in trust.

Section 113 (a) (2) applies to all gifts of whatever description, whenever and however made, perfected, or taking effect; whether in contemplation of or intended to take effect in possession or enjoyment at or after the donor's death; or whether made by means of the exercise (other than by will) of a power of appointment or revocation, or any other power. For the purpose of determining basis for taxable years beginning before January 1, 1942, section 113 (a) (2) does not apply to property acquired as a gift made by a transfer in trust. See section 113 (a) (3). For the purpose of determining basis for taxable years beginning after December 31, 1941, section 113 (a) (2) applies whether the gift was made by a transfer in trust or otherwise.

(B) By changing the second sentence of the first paragraph of paragraph (b) to read as follows:

For the purpose of determining loss, the basis is as so determined, except that in any case in which such basis, adjusted for the period prior to the date of the gift as provided in section 113 (b), is greater than the fair market value of the property at the time of the gift, the basis is such fair market value.

(C) By inserting after the third sentence of the second paragraph of paragraph (b) the following sentence:

For taxable years beginning after December 31, 1941, such uniform basis applies to the property in the hands of the trustee or the beneficiary under a gift instrument, both during the term of the trust and after the distribution of the trust corpus.

(D) By relettering paragraph (d) as paragraph (e), and by inserting immediately after paragraph (c) the following:

(d) *Reinvestments by fiduciary.* For taxable years beginning after December 31, 1941, if the property is an investment by the fiduciary under the terms of the gift (as, for example, in the case of a sale by the fiduciary of property transferred under the terms of the gift, and the reinvestment of the proceeds), the cost or other basis to the fiduciary is taken in lieu of the basis specified in paragraph (b) of this section.

PAR. 7. There is inserted immediately preceding § 19.113 (a) (3)–1 the following:

SEC. 143. BASIS OF GIFTS. (Revenue Act of 1942, Title I.)

* * * * *

(b) *Transfers in trust after December 31, 1920.* Section 113 (a) (3) is amended to read as follows:

(3) *Transfer in trust after December 31, 1920.* If the property was acquired after December 31, 1920, by a transfer in trust (other than by a transfer in trust by a gift, bequest, or devise) the basis shall be the same as it would be in the hands of the grantor, increased in the amount of gain or decreased in the amount of loss recognized to the grantor upon such transfer under the law applicable to the year in which the transfer was made.

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 8. Section 19.113 (a) (3)–1, as amended by Treasury Decision 5137, is further amended as follows:

(A) By changing the second sentence of paragraph (a) to read as follows:

It does not apply to property acquired by bequest or devise, by an instrument which, under section 113 (a) (5), is to be treated as though it were a will, or, for taxable years beginning after December 31, 1941, to property acquired as a gift by transfer in trust made at any time after December 31, 1920.

(B) By inserting at the end of paragraph (a) the following sentence:

For taxable years beginning after December 31, 1941, if the property was acquired as a gift by transfer in trust, it is not within section 113 (a) (3), but is within section 113 (a) (2) or section 113 (a) (4).

PAR. 9. There is inserted immediately preceding § 19.113 (a) (5)–1 the following:

SEC. 144. BASIS OF PROPERTY IN CASE OF OPTIONAL VALUE FOR ESTATE TAX PURPOSES. (Revenue Act of 1942, Title I.)

(a) *Basis of property.* Section 113 (a) (5) (relating to basis of property transmitted at death) is amended by adding at the end thereof the following new sentence: "In the case of an election made by the executor under section 811 (j), the time of acquisition of the property shall, for the purpose of this paragraph, be the applicable valuation date of the property prescribed by such section in determining the value of the gross estate."

(b) *Property to which amendment applicable.* The amendment made by this section shall be applicable only with respect to property includable in the gross estate of a decedent dying after the date of the enactment of this Act.

PAR. 10. Section 19.113 (a) (5)–1 is amended as follows:

(A) By changing the first sentence of paragraph (b), following *Basis*, to read as follows:

Section 113 (a) (5) provides three rules for determining the basis of property transmitted at death, first a rule governing property generally, second a special rule governing stock in a foreign personal holding company, and third a special rule applicable to both the first and second rules in certain cases where for estate tax purposes the decedent's gross estate is valued at the optional valuation dates.

(B) By changing the first part of the first sentence of paragraph (b) (1), reading "Except as prescribed in paragraph (2)", to read "Except as prescribed in subparagraphs (2) and (3) of this paragraph".

(C) By inserting immediately preceding paragraph (c) the following:

(3) *Special rule where property valued at optional valuation dates.* Section 113 (a) (5), as amended by the Revenue Act of 1942, provides a special rule applicable in determining the basis of property described in paragraphs (1) and (2) of this subsection where:

(i) Such property is includible in the gross estate of a decedent who died after October 21, 1942, and

(ii) The executor elects for estate tax purposes under section 811 (j) to value the decedent's gross estate at the optional valuation dates prescribed in such section.

In such cases, the time of acquisition of such property for the purposes of subparagraphs (1) and (2) of this paragraph and the remainder of this section is considered to be the date at which such property is valued for estate tax purposes. Thus, in such cases, generally the basis will not be the value at the date of the decedent's death but (with certain limitations) the value at the date one year after his death or, in the case of such property distributed by the executor (or trustee, in certain cases) within one year after the decedent's death, the value as of the time of such distribution. See § 81.11 of Regulations 105.

(D) By changing paragraph (c) to read as follows:

(c) *Fair market value.* For the purposes of this section, the value of property as of the date of the death of the decedent as appraised for the purpose of the Federal estate tax or the optional value as appraised for such purpose, whichever is applicable as provided in (3) of paragraph (b), or if the estate is not subject to such tax, its value appraised as of the date of the death of the decedent for the purpose of State inheritance or transmission taxes, shall be deemed to be its fair market value at the time of acquisition.

PAR. 11. There is inserted immediately after § 19.113 (a) (19)–2 the following:

SEC. 142. NONRECOGNITION OF LOSS AND DETERMINATION OF BASIS IN CASE OF CERTAIN RAILROAD REORGANIZATIONS. (Revenue Act of 1942, Title I.)

* * * * *

(b) *Basis of property acquired by certain railroad corporations.* Section 113 (a) (relating to the basis of the property) is amended by inserting at the end thereof the following new paragraph:

(20) *Property acquired by railroad corporation.* If the property of a railroad corporation, as defined in section 77m of the National Bankruptcy Act, as amended, was acquired after December 31, 1939, in pursuance of an order of the court having jurisdiction of such corporation—

(A) In a receivership proceeding, or

(B) In a proceeding under section 77 of the National Bankruptcy Act, as amended, and the acquiring corporation is a railroad corporation, as defined in section 77m of the National Bankruptcy Act, as amended, organized or made use of to effectuate a plan or [sic] reorganization approved by the court in such proceeding, the basis shall be the same as it would be in the hands of the railroad corporation whose property was so acquired. The term "reorganization" as used in this paragraph, shall not be limited by the definition of such term in section 112 (g).

* * * * *

(d) *Taxable years to which applicable.* The amendments made by this section shall be applicable to taxable years beginning after December 31, 1939.

§ 19.113 (a) (20)–1 *Property acquired by railroad corporation in a receivership or bankruptcy proceeding.* Section 113 (a) (20) sets forth certain conditions under which the basis of property acquired by a railroad corporation is the same as it would have been in the hands of the railroad corporation whose property was acquired. For the purpose of section 113 (a) (20), it is unnecessary that the acquisition in question be a direct transfer from the corporation undergoing reorganization or that such reorganization constitute a reorganization within the meaning of section 112 (g). It is sufficient if the acquisition is in pursuance of an order of the court and is an integral step in the consummation of a reorganization plan approved by the court having jurisdiction of the proceeding.

If the conditions of section 113 (a) (20) are satisfied, then for the purpose of determining basis, the provisions of section 113 (a) (20) only shall apply, notwithstanding that the transaction might also fall within another provision of section 113 (a).

SEC. 142. NONRECOGNITION OF LOSS AND DETERMINATION OF BASIS IN CASE OF CERTAIN RAILROAD REORGANIZATIONS. (Revenue Act of 1942, Title I.)

* * * * *

(c) *Basis of property acquired pursuant to railroad reorganization under section 77B of the National Bankruptcy Act, as amended.* Section 113 (a) (relating to the basis of the property) is amended by inserting at the end thereof the following new paragraph:

(21) *Property acquired by street, suburban, or interurban electric railway corporation.* If the property of any street, suburban, or interurban electric railway corporation engaged as a common carrier in the transportation of persons or property in interstate commerce was acquired after December 31, 1934, in pursuance of an order of the court having jurisdiction of such corporation in a proceeding under section 77B of the National Bankruptcy Act, as amended, and the acquiring corporation is a street, suburban, or interurban electric railway engaged as a common carrier in the transportation of persons or property in interstate commerce, organized or made use of to effectuate a plan of reorganization approved by the court in such proceeding, then, notwithstanding the provisions of section 270 of Chapter X of the National Bankruptcy Act, as amended, the basis, for any taxable year beginning after December 31, 1939, shall be the same as it would be in the hands of the corporation whose property was so acquired. The term "reorganization", as used in this paragraph, shall not be limited by the definition of such term in section 112 (g).

(d) *Taxable years to which applicable.* The amendments made by this section shall be applicable to taxable years beginning after December 31, 1939.

§ 19.113 (a) (21)–1 *Property acquired by electric railway corporation in bankruptcy proceeding.* Subject to the limitations and conditions set forth in section 113 (a) (21), if the reorganization under section 77B of the National Bankruptcy Act, as amended, of an electric railway corporation results in the acquisition of the property of such corporation by another corporate entity, the basis of such property in the hands of the acquiring corporation is the same as it would be in the hands of the old corporation. It is requisite to the application of the section that both corporations be street, suburban, or interurban electric railway corporations engaged in the transportation of persons or property in interstate commerce, and that the acquisition is in pursuance of an order of the court and is an integral step in the consummation of a reorganization plan approved by the court having jurisdiction of the proceeding. If section 113 (a) (21) applies, section 270 of Chapter X of the National Bankruptcy Act, as amended, relating to the adjustment of basis by reason of the cancellation or reduction of indebtedness in a bankruptcy proceeding, is inapplicable. Moreover, if the transaction is within the provisions of section 113 (a) (21) and may also be considered to be within any other provision of section 113 (a), then

the provisions of section 113 (a) (21) only shall apply.

PAR. 12. There is inserted immediately after § 19.113 (b) (3)–2 the following:

SEC. 115. IMPROVEMENTS BY LESSEE. (Revenue Act of 1942, Title I.)

* * * * *

(b) *Basis of real property upon which improvements have been made by lessee.* Section 113 (relating to basis for determining gain or loss) is amended by adding at the end thereof the following new subsection:

(c) *Property on Which Lessee Has Made Improvements.* Neither the basis nor the adjusted basis of any portion of real property shall, in the case of the lessor of such property, be increased or diminished on account of income derived by the lessor in respect of such property and excludible from gross income under section 22 (b) (11). If an amount representing any part of the value of real property attributable to buildings erected or other improvements made by a lessee in respect of such property was included in gross income of the lessor for any taxable year beginning before January 1, 1942, the basis of each portion of such property shall be properly adjusted for the amount so included in gross income.

§ 19.113 (b) (3)–3 *Property on which lessee has made improvements.* In any case in which a lessee of real property has erected buildings or made other improvements upon the leased property and the lease is terminated by forfeiture or otherwise resulting in the realization by such lessor of income which, were it not for the provisions of section 22 (b) (11) of the Internal Revenue Code, would be includible in gross income of the lessor, the amount so excluded from gross income shall not be taken into account in determining the basis or the adjusted basis of such property or any portion thereof in the hands of the lessor. If, however, in any taxable year beginning prior to January 1, 1942, there has been included in the gross income of the lessor an amount representing any part of the value of such property attributable to such buildings or improvements, the basis of each portion of such property shall be properly adjusted for the amount so included in gross income. For example, A leased in 1930 from B for a period of 25 years unimproved real property and in accordance with the terms of the lease B erected a building on the property. It was estimated that upon expiration of the lease the building would have a depreciated value of $50,000, which value the lessor elected to report (beginning in 1931) as income over the term of the lease. In 1942 B forfeits the lease. The amount of $22,000 reported as income by A during the years 1931 to 1941, both years inclusive, shall be added to the basis of the property represented by the improvements in the hands of A. If in such case A did not report during the period of the lease any income attributable to the value of the building erected by the lessee and the lease was forfeited in 1940 when the building was worth $75,000, such amount, having been included in gross income under the law applicable to that year, is added to the basis of the property represented by the improvements in the hands of A. As to treatment of such property for the purposes of capital gains and losses, see section 117.

PAR. 13. There is inserted immediately preceding § 19.115–1 the following:

SEC. 146. EFFECT ON EARNINGS AND PROFITS OF WASH SALE LOSSES. (Revenue Act of 1942, Title I.)

(a) *Wash sale losses not recognized.* Section 115 (1) (relating to earnings and profits of corporations) is amended by inserting after the third sentence thereof the following new sentence: For the purposes of this subsection, a loss with respect to which a deduction is disallowed under section 118, or a corresponding provision of a prior income-tax law, shall not be deemed to be recognized.

(b) *Effective date of amendment.* The amendment made by this section shall be effective as if it were made by section 501 of the Second Revenue Act of 1940.

SEC. 147. DISTRIBUTIONS IN LIQUIDATION. (Revenue Act of 1942, Title I.)

Section 115 (c) is amended to read as follows:

(c) *Distributions in liquidation.* Amounts distributed in complete liquidation of a corporation shall be treated as in full payment in exchange for the stock, and amounts distributed in partial liquidation of a corporation shall be treated as in part or full payment in exchange for the stock. The gain or loss to the distributee resulting from such exchange shall be determined under section 111, but shall be recognized only to the extent provided in section 112. In the case of amounts distributed (whether before January 1, 1939, or on or after such date) in partial liquidation (other than a distribution to which the provisions of subsection (h) of this section are applicable) the part of such distribution which is properly chargeable to capital account shall not be considered a distribution of earnings or profits. If any distribution in partial liquidation or in complete liquidation (including any one of a series of distributions made by the corporation in complete cancellation or redemption of all its stock) is made by a foreign corporation which with respect to any taxable year beginning on or before, and ending after, August 26, 1937, was a foreign personal holding company, and with respect to which a United States group (as defined in section 331 (a) (2)) existed after August 26, 1937, and before January 1, 1938, then, despite the foregoing provisions of this subsection, the gain recognized resulting from such distribution shall be considered as a gain from the sale or exchange of a capital asset held for not more than 6 months.

SEC. 166. TECHNICAL AMENDMENT TO DEFINITION OF "DIVIDEND". (Revenue Act of 1942, Title I.)

Section 115 (a) (relating to definition of dividends) is amended by striking out "(except in section 203 (a) (3) and section 207 (c) (1), relating to insurance companies)" and inserting the following "(except in section 201 (c) (5), section 204 (c) (11) and section 207 (a) (2) and (b) (3) (where the reference is to dividends of insurance companies paid to policy holders))."

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1942, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1941.

PAR. 14. Section 19.115–1 is amended by changing the parenthetical expression appearing after the words "chapter 1" in the first sentence of the first paragraph to read as follows:

(except when used in section 201 (c) (5), section 204 (c) (11) and section 207 (a) (2) and (b) (3) where the reference is to dividends of insurance companies paid to policyholders).

PAR. 15. Section 19.115–5, as amended by Treasury Decision 5086, approved October 10, 1941, is further amended as follows:

(A) By changing the last sentence of the first paragraph of subdivision (*b*) to read as follows:

For this purpose the term "complete liquidation" includes any one of a series of distributions made by a corporation in complete cancellation or redemption of all of its stock in accordance with a bona fide plan of liquidation and under which the transfer of the property under the liquidation is to be completed within a time specified in the plan, but not exceeding, from the close of the taxable year during which it is made the first of the series of distributions under the plan, (1) three years if the first of such series of distributions is made in a taxable year beginning after December 31, 1937, but not after December 31, 1941, or (2) two years, if the first of such series of distributions was made in a taxable year beginning prior to January 1, 1938.

(B) By inserting immediately preceding subdivision (c) the following:

Example. A, an individual who makes his income tax returns on the calendar year basis, owns 20 shares of stock of the P Corporation, a domestic corporation. 10 shares of which were acquired in 1931 at a cost of $1,500, and the remainder of 10 shares in December 1941, at a cost of $2,900. He receives in April 1942, a distribution of $250 per share in complete liquidation, or $2,500 on the 10 shares acquired in 1931, and $2,500 on the 10 shares acquired in December 1941. The gain of $1,000 on the shares acquired in 1931 should be included in A's gross income to the extent of 50 percent, or $500; the loss of $400 on the shares acquired in 1941 should be deducted in computing A's net income to the extent of 100 percent, or $400. (See section 117.)

(C) By changing the first sentence of paragraph (c) to read as follows:

In the case of amounts distributed in a partial liquidation of a corporation, the amount of the gain or loss recognized is subject to the limitations contained in section 117, but, with respect to taxable years beginning after December 31, 1938, and not after December 31, 1941, the entire amount of the gain recognized shall be considered as a short-term capital gain despite the provisions of section 117.

(D) By inserting at the end thereof the following:

Example. A, an individual who makes his income tax return on the calendar year basis, owned 20 shares of participating preferred stock of the Z Corporation, 10 shares of which were acquired in 1933 for $1,700 and 10 shares of which were acquired in January 1942, for $1,120. In May 1942, the corporation in a transaction qualifying as a partial liquidation redeemed the entire issue of preferred stock by paying the holders thereof $152 per share. A received $1,520 on the 10 shares acquired in 1933, and $1,520 on the 10 shares acquired in January 1942. The loss of $180 on the shares acquired in 1933 should be deducted in computing A's net income to the extent of 50 percent, or $90; the gain of $400 on the shares acquired in January 1942, should be included in A's gross income to the extent of 100 percent, or $400. (See section 117.)

PAR. 16. Section 19.115–12, as added by Treasury Decision 5024, approved December 19, 1940, is amended by striking out the third sentence of the second paragraph and substituting therefor the following sentences:

A loss (other than a wash sale loss with respect to which a deduction is disallowed under the provisions of section 118 or corresponding provisions of prior revenue laws) may be recognized though not allowed as a deduction (by reason, for example, of the operation of sections 24 (b) and 117 and corresponding provisions of prior revenue laws) but the mere fact that it is not allowed does not prevent decrease in earnings and profits by the amount of such disallowed loss. Wash sale losses, however, disallowed under section 118 and corresponding provisions of prior revenue laws, are deemed nonrecognized losses and do not reduce earnings or profits.

PAR. 17. There is inserted immediately preceding § 19.116–1 the following:

SEC. 148. INCOME FROM SOURCES WITHOUT UNITED STATES IN CERTAIN CASES. (Revenue Act of 1942, Title I.)

(a) *Exclusion of Earned Income From Foreign Sources.* Section 116 (a) (relating to earned income from sources without the United States) is amended to read as follows:

(a) Earned Income From Sources Without the United States.—

(1) *Foreign resident for entire taxable year.* In the case of an individual citizen of the United States, who establishes to the satisfaction of the Commissioner that he is a bona fide resident of a foreign country or countries during the entire taxable year, amounts received from sources without the United States (except amounts paid by the United States or any agency thereof) if such amounts would constitute earned income as defined in section 25 (a) if received from sources within the United States; but such individuals shall not be allowed as a deduction from his gross income any deductions properly allocable to or chargeable against amounts excluded from gross income under this subsection.

(2) *Taxable year of change of residence to United States.* In the case of an individual citizen of the United States, who has been a bona fide resident of a foreign country or countries for a period of at least two years before the date on which he changes his residence from such country to the United States, amounts received from sources without the United States (except amounts paid by the United States or any agency thereof), which are attributable to that part of such period of foreign residence before such date, if such amounts would constitute earned income as defined in section 25 (a) if received from sources within the United States; but such individual shall not be allowed as a deduction from his gross income any deductions properly allocable to or chargeable against amounts excluded from gross income under this subsection.

(b) *Taxable years to which amendment applicable.* The amendment made by subsection (a) shall be applicable with respect to taxable years beginning after December 31, 1942, and so much of the amendment made by subsection (a) as inserts paragraph (2) in section 116 (a) shall also be applicable to taxable years beginning in 1942.

SEC. 149. RECIPROCAL EXEMPTION OF COMPENSATION OF EMPLOYEES OF THE COMMONWEALTH OF THE PHILIPPINES. (Revenue Act of 1942, Title I.)

(a) **Section 116 (h)** (relating to reciprocal exemption of official compensation) **is amended** to read as follows:

(*h*) *Compensation of employees of foreign governments or of the Commonwealth of the Philippines.*

(1) *Rule for exclusion.* Wages, fees, or salary of an employee of a foreign government or of the Commonwealth of the Philippines (including a consular or other officer, or a nondiplomatic representative) received as compensation for official services to such government or such Commonwealth—

(A) If such employee is not a citizen of the United States, or is a citizen of the Commonwealth of the Philippines (whether or not a citizen of the United States); and

(B) If the services are of a character similar to those performed by employees of the Government of the United States in foreign countries or in the Commonwealth of the Philippines, as the case may be; and

(C) If the foreign government, or the Commonwealth of the Philippines, whose employee is claiming exemption grants an equivalent exemption to employees of the Government of the United States performing similar services in such foreign country or such Commonwealth, as the case may be.

(2) *Certificate by Secretary of State.* The Secretary of State shall certify to the Secretary of the Treasury the names of the foreign countries which grant an equivalent exemption to the employees of the Government of the United States performing services in such foreign countries, and the character of the services performed by employees of the Government of the United States in foreign countries. If the Commonwealth of the Philippines grants an equivalent exemption to the employees of the United States performing services in such Commonwealth the Secretary of State shall certify such fact to the Secretary of the Treasury and the character of the services performed by employees of the Government of the United States in such Commonwealth.

(b) The amendment made by this section shall be applicable only to taxable years beginning after December 31, 1939.

SEC. 19.116–1 *Earned income from sources without the United States.* For taxable years beginning after December 31, 1942, there is excluded from gross income earned income in the case of an individual citizen of the United States provided the following conditions are met by the taxpayer claiming such exclusion from his gross income: (a) It is established to the satisfaction of the Commissioner that the taxpayer has been a bona fide resident of a foreign country or countries throughout the entire taxable year; (b) such income is from sources without the United States; (c) the income constitutes earned income as defined in section 25 (a) if received from sources within the United States; and (d) such income does not represent amounts paid by the United States or any agency or instrumentality thereof. Hence, a citizen of the United States taking up residence without the United States in the course of the taxable year is not entitled to such exemption for such taxable year. However, once bona fide residence in a foreign country or countries has been established, temporary absence therefrom in the United States on vacation or business trips will not necessarily deprive such individual of his status as a bona fide resident of a foreign country. Whether the individual citizen of the United States is a bona fide resident of a foreign country shall be determined in general by the application of the principles of §§ 19.211–2, 19.211–3, 19.211–4 and 19.211–5 relating to what constitutes residence or nonresidence, as the case may be, in the United States in the case of an alien individual.

For any taxable year beginning after December 31, 1941, in the case of an individual citizen of the United States, there shall be excluded from gross income earned income from sources without the United States derived during the period of his foreign residence if (a) such citizen was a bona fide resident of a foreign country or countries for at least two years prior to the date upon which he becomes a resident of the United States and ceased to be a resident of such foreign country or countries; (b) such amounts would constitute earned income as defined in section 25 (a) if received from sources within the United States; and (c) such income does not represent amounts paid by the United States or any agency or instrumentality thereof. The application of this provision may be illustrated by the following example:

Example. A, a United States citizen making his return on a calendar year basis, has been a resident of X Country for a period of four years ended June 30, 1942, upon which date he becomes a resident of the United States and ceases to be a resident of X Country. Throughout the years 1940 and 1941, A had rendered personal services in the X Country payment for which was not made until August 1942, at which time he was paid for such services the sum of $50,000. Such amount may be excluded from gross income of A for the calendar year 1942.

In any case in which any amount otherwise constituting gross income is excluded from gross income under the provisions of section 116 (a), there shall not be allowed as a deduction from gross income any items of expenses or losses or other deductions properly applicable to or chargeable against the amounts so excluded from gross income.

PAR. 18. Section 19.116–1, as amended by Treasury Decision 5124, approved March 5, 1942, is further amended as follows:

(A) By changing the number "19.116–1" to "19.116–2".

(B) By inserting immediately after "(But see section 116 (a).)" the following:

Subject to the same conditions, for taxable years beginning after December 31, 1939, wages, fees, or salaries of an employee of the Commonwealth of the Philippines received as compensation for official services rendered to such commonwealth are exempt from Federal income tax subject to the same kind of certification by the Secretary of State to the Secretary of the Treasury. Such latter exemption does not apply to a citizen of the United States unless he is also a citizen of the Commonwealth of the Philippines. (See section 251.)

PAR. 19. Section 19.116–2, as it existed prior to this Treasury decision, is amended by changing the number "19.116–2" to "19.116–3".

(Secs. 105 (e) (2), 115 (b), 137 (a), 137 (b), 138, 141, 142, 143, 144, 146, 147, 148,

149 and 166 of the Revenue Act of 1942 (Public Law 753, 77th Cong.), and sec. 62 of the Internal Revenue Code (53 Stat. 32, 26 U.S.C., 1940 ed., 62))

[SEAL] NORMAN D. CANN,
Acting Commissioner of Internal Revenue.

Approved: February 13, 1943.
JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-2533; Filed, February 16, 1943; 10:28 a. m.]

TITLE 29—LABOR

Chapter IX—Agricultural Labor

PART 1101—WAGES IN PRODUCTION OF SUGAR BEETS AND SUGARCANE

APPROVAL OF DECREASE IN WAGES

By virtue of the authority vested in the Secretary of Agriculture by §§ 4001.5c and 4001.5d of the regulations promulgated by the Director of Economic Stabilization, with the approval of the President, dated November 30, 1942 (7 F.R. 10024), the following order of approval is hereby promulgated:

§ 1101.1 *Approval of decrease in wages.* Approval is hereby given to the payment of wages by the employer to agricultural labor employed on the farm in the production, cultivation, or harvesting of sugar beets or sugarcane, below the highest wage paid for such work between January 1, 1942, and September 15, 1942, provided such wages are not less than the wages required to be paid for such work in order for the producer to qualify for conditional payments made pursuant to Title III of the Sugar Act of 1937, as amended (50 Stat. 909).

(Pub. Law 729, 77th Cong., §§ 4001.5c and 4001.5d of the regulations promulgated by the Director of Economic Stabilization, dated November 30, 1942, 7 F.R. 10024)

Done at Washington, D. C., this 15th day of February 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-2540; Filed, February 16, 1943; 11:13 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1743]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

AMENDMENT OF RELIEF ORDER

Order amending order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 8.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting, among other things, the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the No. 4 Mine, Mine Index No. 5823, of the Crystal Block Coal and Coke Company and the Blue Gem Mine, Mine Index No. 5905 of the Gatliff Coal Company in District No. 8; and

An order granting temporary and conditionally final relief as prayed for having been issued hereon December 21, 1942, 8 F.R. 341; and

A motion having been filed by the petitioner on January 29, 1943 with the Division, requesting (1) that the temporary and conditionally final relief heretofore granted by said order be modified with respect to the said No. 4 Mine, Mine Index No. 5823 and to the said Blue Gem Mine, Mine Index No. 5805, by extending said temporary and conditionally final relief to April 3, 1943; and (2) that the seam designation of coals produced from the Ridge View Mine, Mine Index No. 407 of the Ridge View Coal Company be changed from "Cedar Grove and No. 2 Gas" to "No. 2 Gas"; and

It appearing from said motion that petitioner has not been able to secure commercial testing analyses of coals and other data with regard to the relative market values of the coals produced at the said No. 4 Mine, Mine Index No. 5823 and the said Blue Gem Mine, Mine Index No. 5805; and

It further appearing from said motion that Ridge View Coal Company has discontinued mining coals from the Cedar Grove seam and that this producer is now engaged in removing rail and other mining equipment from its operations in the Cedar Grove seam; and

It further appearing that a reasonable showing of necessity has been made for the granting of said motion; that no petitions of intervention and no motions in opposition to the granting of said motion have been filed with the Division in the above-entitled matter; and that the following action is deemed necessary to effectuate the purposes of the Act;

Now, therefore, it is ordered, That said motion be, and the same hereby is, granted and that the temporary relief heretofore granted by the order issued herein on December 21, 1942, 8 F.R. 341, be, and the same hereby is, continued to April 3, 1943, at which time such relief shall become final unless otherwise ordered during the intervening period.

It is further ordered, That the seam designation of coals produced from the Ridge View Mine, Mine Index No. 407 of the Ridge View Coal Company be, and the same hereby is, changed from "Cedar Grove and No. 2 Gas" to "No. 2 Gas."

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within 45 days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: February 13, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2535; Filed, February 16, 1943; 10:46 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 170]

DELIVERY LIST

ORDER REVISING FORM

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 151, entitled "Delivery List," effective immediately upon the filing hereof with the Division of the Federal Register[1]

The foregoing revision shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

FEBRUARY 15, 1943.

[F. R. Doc. 43-2500; Filed, February 15, 1943; 3:17 p. m.]

[No. 171]

NOTICE OF CALL

ORDER PRESCRIBING FORM

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 10, entitled "Notice of Call," effective immediately upon the filing hereof with the Division of the Federal Register.[1]

The foregoing revision shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JANUARY 28, 1943.

[F. R. Doc. 43-2528; Filed, February 16, 1943; 9:15 a. m.]

[1] Filed with the Division of the Federal Register

[2] Filed as part of the original document.

[No. 172]

QUARTERLY WORK PROGRESS REPORT

ORDER PRESCRIBING FORM

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R., 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No 26, 7 F.R. 10512, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 52, entitled "Quarterly Work Progress Report," effective immediately upon the filing hereof with the Division of the Federal Register.[1]

The foregoing revision shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JANUARY 30, 1943.

[F. R. Doc. 43-2529; Filed, February 16, 1943; 9:15 a. m.]

PART 623—CLASSIFICATION PROCEDURE

[Amendment 127, 2d Ed.]

PHYSICAL EXAMINATION BY EXAMINING PHYSICIAN

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 623.33 to read as follows:

§ 623.33 *Physical examination by examining physician.* (a) The Director of Selective Service, from time to time, will issue a List of Defects (Form 220), which will set forth defects which manifestly disqualify the registrant for military service.

(b) A registrant shall personally appear before the examining physician and shall be examined in the manner provided in paragraph (c) of this section except when the examining physician or the local board is convinced that the appearance of the registrant for physical examination before the examining physician will be injurious to the registrant's health or the health of those who might be brought in contact with him. When the registrant appears before the examining physician, his physical examination should be held in a well-lighted, well-heated place. It should be held while the registrant is in the nude.

(c) The physical examination should consist of observing the registrant while walking toward, standing before, and walking away from the examining physician. The registrant may be required to go through calisthenics to determine the mobility of joints or to furnish a basis for determination of his alertness, intelligence, understanding of commands, postural tensions, tendencies to incoordination, and tremors. If peculiarities are noted, simple questions should be asked in an effort to bring out replies bearing on the mental health and personality characteristics of the registrant. The examining dentist, or if he is not available, the examining physician, will examine the mouth of the registrant. The examining physician will take blood from the registrant for a serological test. The blood specimen will be collected in a container furnished by the State health officer and will be forwarded to the State laboratory or other laboratory designated by the State Director of Selective Service, together with the accomplished form prescribed within the State for such purpose. If the report on the first serological test of the registrant is other than truly negative, the examining physician shall take additional blood for further serological tests until he is satisfied that the blood is truly negative, truly doubtful, or truly positive. Additional blood for further serological tests will not be taken if distance or circumstances over which the local board or the registrant has no control make it impracticable for additional tests to be taken. Serological tests will be accomplished without expense to the Selective Service System, unless such expense is specifically authorized by the Director of Selective Service. No other laboratory procedures will be undertaken as a part of this physical examination.

(d) Local boards, with the assistance of the examining physician and such agencies that may be designated by the State Director of Selective Service, should seek from any source possible, information bearing on a history of mental disease in the family of the registrant or social maladjustment, poor work record, other mental or personality disorders of the registrant, or any physical condition which might cause the armed forces ultimately to reject the registrant. This information may be secured from local social agencies, school systems, state hospitals, training schools for defectives, and any other sources. The local board shall submit lists of registrants whose physical qualifications are being considered to such agencies as the Director of Selective Service or State Director of Selective Service may specify to assist in securing this information. The examining physician shall review the information thus received, and the local board shall forward this information or an abstract thereof to the induction station in accordance with arrangements mutually agreeable to the State Director of Selective Service and the induction station for the transmittal of such information. When such information is being forwarded, a notation to that effect will be entered under "Remarks," Item 25 of the Report of Physical Examination and Induction (Form 221).

(e) The examining physician may report to the local board that a registrant is suffering from a condition listed in the List of Defects (Form 220) basing his report upon one or more of the following: (1) the physical examination of the registrant while he is before him; (2) his personal professional knowledge of the registrant's physical condition; (3) an acceptable affidavit from a reputable physician to the effect that such physician has personal professional knowledge of the registrant's physical condition, provided such affidavit is filed with the local board; or (4) an official statement from a Government or State agency concerning the physical condition of the registrant, provided such statement is filed with the local board.

(f) The examining physician shall procure from the registrant the necessary information and shall complete Items 22 and 23 of the Report of Physical Examination and Induction (Form 221).

(g) The examining physician shall enter in Item 24 on the Report of Physical Examination and Induction (Form 221) the result of the serological tests as "Truly Negative," "Truly Doubtful," or Truly Positive."

(h) The examining physician will enter in Item 25 on the Report of Physical Examination and Induction (Form 221) any pertinent remarks which he deems advisable for the benefit of the examiners at the induction station.

(i) The examining physician, in Item 26 on the Report of Physical Examination and Induction (Form 221), shall complete the answer to the following question:

Do you find that the above-named registrant has any of the defects set forth in the List of Defects (Form 220)?

If the examining physician's answer is "Yes," he shall describe the defects in order of their significance. If the examining physician entertains a doubt as to whether he should answer "Yes" or "No," his answer shall be "No." No other information should be included under Item 26.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

FEBRUARY 15, 1943.

[F. R. Doc. 43-2527; Filed, February 16, 1943; 9:15 a. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-238]

HOUSE OF JAVA CO., INC.

The House of Java Co., Inc., located at 803 Greenwich Street, New York, New York, is a New York corporation engaged in the business of selling roasted coffee. The Company is a roaster as defined in Conservation Order M-135 which restricted deliveries of coffee by roasters. During each of the months in the period of June 1, 1942 through October 31, 1942, the Company violated Conservation Order M-135 by delivering to its customers coffee in excess of the quantity which it was permitted to deliver during such

[1] Filed as part of the original document.

months. The Company's excess deliveries amounted to 19,389 pounds of coffee.

These violations of Conservation Order M–135 have impeded and hampered the war effort of the United States. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.238 *Suspension Order S–238.* (a) The House of Java Co., Inc., its successors and assigns, shall not, as owner, agent or broker, sell, transfer or deliver any green or roasted coffee, except as specifically authorized by the Director General for Operations: *Provided, however*, That The House of Java Co., Inc., may sell and deliver such roasted coffee as shall be in its possession upon the effective date of this order.

(b) Nothing contained in this order shall be deemed to relieve The House of Java Co., Inc., its successors and assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect February 18, 1943, and shall expire on May 18, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 15th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc 43–2526; Filed, February 15, 1943; 5:01 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–243]

TYNE CO., ILLINOIS ORDNANCE WORKS

John J. Tyne, Sr., John J. Tyne, Jr., Nicholas Hermes and Thomas J. Fogarty, of Chicago, Illinois, are engaged in the business of warehousing and fabricating steel pipe and other steel products under the name of Tyne Co. and Illinois Ordnance Works. Between September 24, 1942 and October 22, 1942, Tyne Co. placed orders with various steel producers for steel pipe extending a preference rating of AA–1 to 368,253 pounds of pipe and a preference rating of AA–2 to 198,618 pounds of pipe. At the time these orders were placed and the ratings extended, Tyne Co. was authorized to extend an AA–1 rating for only 92,742 pounds of pipe and an AA–2 rating for only 51,985 pounds of pipe under the provisions of Priorities Regulation No. 3 and Supplementary Order M–21–b. Tyne Co., therefore, extended an AA–1 rating to 275,511 pounds of pipe over and above the amount it was authorized to receive on this rating and extended an AA–2 rating to 146,633 pounds of pipe over and above the amount authorized. These extensions were made with knowledge of the restrictions contained in Priorities Regulation No. 3 and Supplementary Order M–21–b and constituted wilful violations of these Orders.

Tyne Co. also violated Supplementary Order M–21–b by failing to apply preference ratings for deliveries of steel pipe to stock on Form PD–83–g and in failing to extend to such deliveries the lowest rating received on shipments within the accumulated total. These acts constituted wilful violations of the Order.

Tyne Co. also violated Priorities Regulation No. 3 by placing duplicate orders and by failing to designate the exact tonnage to which each rating was applicable. These acts constituted wilful violations of Priorities Regulation No. 3.

These violations of Priorities Regulation No. 3 and Supplementary Order M–21–b have hampered and impeded the war effort of the United States and made it necessary to withdraw all priorities assistance and allocations of scarce materials from those persons for a period of time. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.243 *Suspension Order S–243.* (a) Deliveries of material to John J. Tyne, Sr., John J. Tyne, Jr., Nicholas Hermes and Thomas J. Fogarty, their successors and assigns, and each and all of them, individually, or doing business as a co-partnership, in their own names or in the name of Tyne Co., Illinois Ordnance Works, or any other individual, partnership, trade or corporate names, either on their own account or on behalf of others, shall not be accorded priority, directly or indirectly, over deliveries under any other contract or order, and no preference rating shall be assigned, applied or extended, directly or indirectly, to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations;

(b) No allocation shall be made to John J. Tyne, Sr., John J. Tyne, Jr., Nicholas Hermes and Thomas J. Fogarty, their successors and assigns, and each and all of them, individually, or doing business as a co-partnership, in their own names or in the name of Tyne Co., Illinois Ordnance Works, or any other individual, partnership, trade or corporate name, either on their own account or on behalf of others, of any material, the supply or distribution of which is governed by any order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) Nothing contained in this order shall be deemed to relieve John J. Tyne, Sr., John J. Tyne, Jr., Nicholas Hermes and Thomas J. Fogarty from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on February 15, 1943, and shall expire on May 15, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 13th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F.R. Doc. 43–2444, Filed, February 15, 1943; 10:09 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Regulation 3 as Amended Feb. 16, 1943]

UNIFORM METHOD OF APPLICATION AND EXTENSION OF PREFERENCE RATING

§ 944.23 *Priorities Regulation 3*—(a) *Definitions.* For the purposes of this regulation:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind.

(3) "Assignment" of a preference rating means the granting to any person, by order or certificate issued by or under the authority of the Director General for Operations, of the right to use such rating.

(4) "Application" of a preference rating means the use of the rating by the person to whom it is initially assigned by or under the authority of the Director General for Operations, and includes the initial issuance by any governmental agency, under authority of the Director General for Operations, of a preference rating certificate rating a delivery to be made directly to such agency.

(5) "Extension" of a preference rating means the use of the rating by any person to whom it is applied or extended by another person.

(b) *General provisions.* (1) Except to the extent otherwise provided in Priorities Regulation No. 11 (§ 944.32) with respect to persons required or permitted to qualify under the production requirements plan, any person may apply a preference rating assigned to him by any preference rating certificate or preference rating order issued to him in his name or as one of a class, and any person may extend any rating which has been applied or extended to deliveries to be made by him, subject to the provisions of this regulation.

(2) A preference rating may be applied by the person to whom it is assigned only to the specific quantities and kinds of material authorized, or to the minimum required amounts of material when no specific quantities are authorized. Any rating which has been applied or extended by others to deliveries to be made by a person may, subject to the provisions of this regulation, be extended by such person in order to obtain not more than the same amount and kind of material (except as specified in paragraph (c) (3) of this regulation) which he has delivered or is required to deliver pursuant to such rating.

(3) No person shall duplicate, in whole or in part, purchase orders which he has placed with one or more suppliers for delivery of material to which he has applied or extended a rating, in such manner that the amount of the material ordered exceeds the amount to which he is authorized to apply or extend the rating, even though he intends to cancel or reduce his purchase orders to the authorized amount prior to completion of delivery.

(c) *Extension of ratings.* The following provisions shall be applicable to all extensions of preference ratings notwithstanding any inconsistent provisions of the preference rating certificate or preference rating order assigning the rating, except to the extent otherwise provided in Priorities Regulation No. 11 (§ 944.32) with respect to persons required or permitted to qualify under the production requirements plan. No preference rating may be extended to the delivery of any material except:

(1) Material which will itself be delivered by the person extending the rating on a delivery bearing the rating which is being extended, or which will be physically incorporated into material to be so delivered, including the portion of such material normally consumed or converted into scrap or byproducts in the course of processing; or

(2) Material which is required to replace in inventory material so delivered or incorporated. Material shall not be deemed to be required if the delivery can be made and a practicable working minimum inventory of such material still retained; and if, in making delivery, the inventory is reduced below such minimum, the rating may be extended to replace such material only to the extent necessary to restore the inventory to such minimum: *Provided, however*, That the material ordered for replacement must be substantially the same as the material delivered or incorporated in the material delivered, subject only to minor variations in size, shape or design or substitutions of less scarce materials, which in any case do not substantially alter the purpose for which the same is to be used; or

(3) Repair, maintenance and operating supplies, subject to the following conditions and limitations:

(i) The amount of maintenance, repair and operating supplies obtained by any person under this regulation and under any preference rating ("P") order (except P–100) assigning a rating to such person shall not, in the aggregate, exceed during any period the limit, if any, specified in such preference rating order for use of the rating thereby assigned;

(ii) The cost of all maintenance, repair and operating supplies obtained by any other person by extension of a rating shall not exceed in any month ten percent of the cost of materials described in subparagraphs (1) and (2) of this paragraph (c) to which the same grade of rating is extended during the same month (or, if such materials are obtained without preference rating assistance, to which the same grade of rating could be extended, during such month if priorities assistance were needed);

(iii) The cost of maintenance, repair and operating supplies consisting of metals in any of the forms listed on the Metals List attached to Priorities Regulation No. 11 (§ 944.32) to which the rating is extended in any month shall not in any event exceed two and one-half percent of the cost of materials described in said subparagraphs (1) and (2) to which the same grade of rating is extended during the same month (or, if such materials are obtained without preference rating assistance, to which the same grade of rating could be extended during such month if priorities assistance were needed);

(iv) The term "maintenance, repair and operating supplies" as used in this subparagraph (3) shall include only those supplies which are actually required for directly processing the material described in subparagraph (1) or (2) above of this paragraph (c) or for maintenance or repair of production machinery and equipment used in such processing. It does not include any of the following regardless of whether normally carried as operating supplies according to established accounting practices:

(*a*) Materials for maintenance or repair of buildings.

(*b*) Fabricated containers (in knockdown or set-up forms, whether assembled or unassembled), required for packaging products to be shipped or delivered.

(*c*) Printed matter, stationery and office supplies.

(*d*) Paper, paperboard and products manufactured therefrom; molded pulp products.

(*e*) Fuel or electric power.

(*f*) Office machinery or office equipment.

(*g*) Clothing, shoes or other wearing apparel, if made of leather or textiles, except that the following types may be included in operating supplies when specially designed and used to furnish protection against specific occupational hazards (other than weather):

(*1*) Asbestos clothing.

(*2*) Safety clothing impregnated or coated for the purpose of making the same resistant against fire, acids, other chemicals or abrasives.

(*3*) Safety industrial rubber gloves and hoods and lineman's rubber gloves and sleeves.

(*4*) Gauntlet type welders' leather gloves and mittens, and electricians' leather protector or cover gloves.

(*5*) Other safety leather gloves or mittens, but only if steel stitched or steel reinforced.

(*6*) Safety industrial leather clothing other than gloves or mittens.

(*7*) Metal mesh gloves, aprons and sleeves.

(*8*) Plastic and fibre safety helmets.

(*h*) Materials for plant expansion or plant construction.

(v) In cases where the material to be processed is furnished by the customer, the cost thereof to the customer shall, for the purposes of this paragraph (c) (3), be taken instead of cost to the processor and the month in which the processing order is placed shall be taken in lieu of the month in which the material to be processed is ordered.

A person may not extend a rating to any materials in excess of the quantities specified in this paragraph (c) nor to materials for plant improvement, expansion or construction, to machine tools or other capital equipment, to business machines whether purchased or leased, or to maintenance, repair or operating supplies other than those specified above in subparagraph (3) of this paragraph (c).

(d) *Method of application or extension.* (1) Any person authorized to apply or extend preference ratings may do so:

(i) On a written contract or purchase order, by endorsing on, or attaching to, each contract or purchase order placed by him to which the rating is to be applied or extended, a certification in substantially the following form signed manually or as provided in Priorities Regulation No. 7 (§ 944.27) by an official duly authorized for such purpose:

CERTIFICATION

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply or extend the preference ratings indicated opposite the items shown on this purchase order, and that such application or extension is in accordance with Priorities Regulation No. 3 as amended, with the terms of which the undersigned is familiar.

(Name of Purchaser and PRP Certificate No. if Purchaser is a PRP Unit) _____ (Address) _____

By _____ (Signature and Title of Duly Authorized Officer) _____ (Date) _____

(ii) On a purchase order placed by telegraph, by including in the telegram the following certification: "Ratings indicated are certified pursuant to Priorities Regulation No. 3." The requirements for manual signature or authorization under Priorities Regulation No. 7 (§ 944.27) will be satisfied in such case if the copy of the outgoing telegram retained by the person placing the order is signed or authorized in the manner provided in that regulation.

(iii) On a purchase order placed by telephone and requiring shipment within seven days, by stating to the supplier at the time of placing the order the substance of the certification set forth in subparagraph (ii) of this paragraph (d) (1); provided, however, in such case, that the person making the statement is an official duly authorized to make such certification, and the person making the statement furnishes to the supplier within seven days after placing the purchase order written confirmation of such order, bearing a certification of such preference rating substantially in the form prescribed by subparagraph (i) of this paragraph (d) (1). No preference rating received by telephone shall be extended by the supplier until receipt by him of the written certification herein required. In case of failure to receive written certification within the seven days' period herein prescribed, the supplier shall not accept any other order from, or deliver any additional material of any kind to, the purchaser until such written certification is furnished. On or before the fifteenth day of each month, any supplier who has received in the prior month a preference rating applied or extended by telephone shall notify the War Production Board, Compliance Division, of any case in which a purchaser has failed to furnish to him the written certification when due.

(iv) The person receiving the certification and rating shall be entitled to rely on such representation, unless he knows or has reason to believe it to be false. Each person applying or extending a rating must maintain at his regular place of business all documents, including purchase orders and preference rating orders and certificates, upon which he relies as entitling him to apply or extend such rating, segregated and available for inspection by representatives of the War Production Board, or filed in such manner that they can be readily segregated and made available for such inspection. In addition thereto, each person applying or extending a rating shall execute and file with the War Production Board all reports and questionnaires required by the applicable preference rating certificate or preference rating order and such other reports and questionnaires as said Board shall from time to time request.

(2) Such certification may be used in lieu of any other form of certification required by the terms of any regulation, preference rating order or preference rating certificate (including, without limitation, the instructions accompanying Forms PD–1A, PD–3A and PD–25A) as a means of applying or extending a preference rating and in lieu of furnishing any copy of any preference rating order required thereby; except that the provisions of Priorities Regulation No. 9 (§ 944.30) with respect to the method of applying (but not extending) preference ratings covering certain types of exports must be complied with when ratings are applied pursuant to that regulation.

(3) Notwithstanding the requirements of any applicable preference rating order or certificate,

(i) A person may defer extending any rating for a period of not more than three months after he becomes entitled to extend the same;

(ii) Ratings of the same grade assigned by different preference rating certificates or orders may be combined and extended to a single delivery; and

(iii) Ratings of different grades, whether assigned by the same or different preference rating certificates or orders, may be extended to deliveries under a single purchase order provided the amount of each material to which a particular grade of rating is extended is shown either as a separate item, or on a percentage basis where the material involved is of such type and in such quantities that the supplier can readily determine from percentage figures alone, the exact effect of the extension of the rating on his production and delivery schedule. To the extent necessary to avoid production or delivery of material in quantities smaller than the minimum commercially practicable, items to which ratings of different grades might be extended may be combined and the rating of the lowest grade extended to the total production or delivery.

(4) In addition to complying with the foregoing requirements of this paragraph (d), any person applying or extending a preference rating shall include on his purchase order or contract such information (except designation of the number or serial number of the preference rating certificate or preference rating order assigning the rating) as may be required by the terms of any applicable order of the Director General for Operations and which the person placing the purchase order is able to furnish.

(e) *Applicability of other restrictions.* Except as expressly otherwise provided in paragraphs (c) and (d) of this regulation, the application or extension of any rating shall be subject to any applicable restrictions contained in any order of the Director General for Operations assigning the preference rating in question or regulating transactions in the material involved, including, without limitation, restrictions as to the kind and amount of material to which preference ratings may be applied or extended, requirements of countersignature or other written approval of particular transactions, and restrictions on the use of material.

(f) *Effect on existing certificates and orders.* All existing forms of preference rating certificates issued by or under authority of the Director of Priorities, the Director of Industry Operations or the Director General for Operations are continued in full force and effect, and additional certificates on such forms may continue to be issued by the persons now or hereafter authorized to issue the same until such authority is revoked or amended, subject to the provisions of this and other regulations of the Director General for Operations. All certificates and all existing orders of the Director of Priorities, the Director of Industry Operations and the Director General for Operations are to be deemed amended by this regulation only where and to the extent that the provisions of this regulation indicate that it is to control.

Issued this 16th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–2538, Filed, February 16, 1943; 10:48 a. m.]

PART 3033—PORTLAND CEMENT

[Limitation Order L–179, as amended Feb. 16, 1943]

The fulfillment of requirements for the defense of the United States has made imminent a shortage in the supply of portland cement for defense, for private account and for export; and the following order is deemed necessary and appropriate to protect the public interest and to promote the national war effort:

§ 3033.1 *General Limitation Order L–179*—(a) *Restrictions*—(1) *Manufacture.* On and after twenty days subsequent to August 3, 1942, no person shall manufacture any portland cement except portland cement which conforms with one or more of the following specifications as such specifications exist on August 3, 1942:

(i) Federal specifications: Emergency Alternate Federal Specification for cement; Portland–E–SS–C–191b, dated June 5, 1942;

(ii) Federal specifications: Emergency Alternate Federal Specification for cement; Portland–E–SS–C–201a, dated June 5, 1942;

(iii) Federal specifications: Emergency Alternate Federal Specification for cement; Portland E–SS–C–206a, dated June 5, 1942;

(iv) American Society for Testing Materials specifications: Emergency Alternate Specification for Portland Cement A. S. T. M. Designation EA–C 150–Type I, dated June 6, 1942;

(v) American Society for Testing Materials specifications: Emergency Alternate Specification for Portland Cement A. S. T. M. Designation EA–C 150–Type III, dated June 6, 1942;

(vi) American Society for Testing Materials specifications: Emergency Alternate Specifications for Portland Cement A. S. T. M. Designation EA–C 150–Type II, dated June 6, 1942.

(2) [Revoked February 16, 1943]

(3) *Requirements for testing.* A purchaser of portland cement may require tests of such cement, but such tests may only be made in accordance with "Federal Specifications: Emergency Alternate Federal Specifications for Cement; Portland—Dated June 5, 1942. E–SS–C158a" or "American Society for Testing Materials Specifications C 77–40."

(b) *Specific exemptions.* The provisions of this order shall not apply to portland cement manufactured and stored pursuant to orders or contracts for any cement:

(1) To be used in the following named projects under the direction or control of the United States Bureau of Reclamation:

(i) Boise Project—Anderson Ranch Dam—Boise, Idaho;

(ii) Central Valley Project—Kennett Division—Redding, California;

(iii) Central Valley Project—Friant Division—Friant, California;

(iv) Davis Dam Project—Kingman, Arizona;

(2) To be used in the following project under the direction or control of United States War Department, U. S. Army Engineer Corps:

(i) Norfolk Dam—Arkansas.

(3) To be used in the following projects under the direction or control of the Tennessee Valley Authority:

(i) Fontana Dam—Fontana Dam, North Carolina;

(ii) Douglas Dam—Rural Station, Jefferson City, Tennessee;

(iii) Fort Loudon Dam—Lenoir City, Tennessee;

(iv) Kentucky Dam—Gilbertsville, Kentucky;

(v) Apalachia Dam—Farner, Tennessee;

(vi) Ocoee No. 3 Dam—McFarland, Tennessee;

(4) To be used in oil wells under conditions of high temperature, such cement being commonly known as "oil well cement";

(5) To be used pursuant to the specific authorization of the Director General for Operations.

(c) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(d) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(e) *Reports.* Each person to whom this order applies shall file with the War Production Board such reports and questionnaires as said Board shall from time to time specify.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of appeal.

(h) *Applicability of other orders.* The provisions of Priorities Regulation No. 1 (§ 944.14, *Inventory restrictions*) shall not apply to this order and all transactions affected thereby. Insofar as any other order issued by the Director General for Operations, or to be issued by him after August 3, 1942, limits the use of any material to a greater extent than the limits imposed by this order the restrictions of such other order shall govern, unless otherwise specified herein.

(i) *Communications.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Building Materials Division, Washington, D. C., Ref.: L–179.

Issued this 16th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–2537; Filed, February 16, 1943; 10:48 a. m.]

PART 3168—FANS AND BLOWERS

[General Limitation Order L–280]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials and facilities used in the manufacture of fans and blowers for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3168.1 *General Limitation Order L–280*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Fan or blower" means any new device or machine which moves, compresses or exhausts air or other gases by centrifugal, rotary or axial means; except (i) wall type propeller fans having a blade diameter of less than 17 inches; (ii) ceiling, air circulator, desk, wall bracket, and portable window fans, and pedestal type fans of a portable nature; (iii) fans and blowers manufactured by a person solely for incorporation into other machinery or devices (including pulverizers, stokers, and boilers) also manufactured by him; (iv) propeller type fans for use as a part of internal combustion engines; and (v) critical turbo-blowers as defined by Limitation Order L–163, as amended.

(3) "Manufacturer" means any person who engages in the fabrication or assembly of fans or blowers, and includes sales and distribution outlets controlled by any such person.

(4) "Dealer" means any person who purchases fans or blowers for resale; except sales and distribution outlets controlled by a manufacturer, and except persons who purchase fans or blowers solely for resale as a component part of a boiler, pulverizer or stoker.

(5) "Delivery" includes delivery of a fan or blower from one affiliate to another or from one branch, division or section of a single enterprise to another branch, division or section of the same enterprise, where the recipient affiliate, branch, division or section will use the fan or blower.

(6) "New" as applied to a fan or blower means any fan or blower which has not been delivered to a purchaser for use.

(7) "Approved order" means:

(i) Any order for a fan or blower bearing a preference rating of AA–5 or higher; or

(ii) Any order for a fan or blower which the Director General for Operations approves pursuant to subparagraph (b) (3) hereof.

(b) *Restrictions on acceptance of orders for and delivery of fans and blowers.* (1) After February 28, 1943, no manufacturer or dealer shall accept any order for a fan or blower unless the order is an approved order; and after March 31, 1943, no manufacturer shall deliver any fan or blower in fulfillment of any order unless the order is an approved order.

(2) The limitations and restrictions of paragraph (b) (1) above shall not apply to any order for repair parts (i) in an amount not exceeding $500 for any single fan or blower, or 50% of the original sales price of the fan or blower to be repaired, whichever is less in any particular case; or (ii) in any amount, for the repair of a fan or blower when there has been an actual breakdown or suspension of operations thereof because of damage, wear and tear, destruction or failure of parts or the like, and the essential repair and maintenance parts are not otherwise available.

(3) Any manufacturer or dealer may apply for authorization to deliver orders on his books which are not approved orders by filing a report thereof in duplicate on Form PD–795, together with a statement of the percentage of completion of each such order. The Director General for Operations may thereupon approve any such orders regardless of the rating thereof, or may rerate any such orders in order to constitute them approved orders.

(4) No manufacturer shall accept any order for a fan or blower if he knows or has reasonable cause to believe that he will be unable to make delivery on or before the delivery date specified in the order. Any order received by a manufacturer, specifying a delivery date which the manufacturer knows or has reasonable cause to believe he will be unable to meet, shall be returned by the manufacturer to the proposed purchaser within twenty days after the receipt thereof.

(c) *Delivery schedules.* (1) After February 28, 1943, no manufacturer shall deliver any fan or blower unless the same has been included in a delivery schedule theretofore approved by the Director General for Operations in accordance with the provisions of subparagraph (2) below.

(2) On or before the 24th day of February 1943, and on or before the 18th day of each succeeding calendar month, every manufacturer of fans and blowers shall file a report on Forms PD–795 and 796, giving such information as shall be required thereby, including his delivery schedule for fans and blowers for the two calendar months immediately following. The delivery of all fans and blowers shown on such schedule as proposed to be made in such two calendar months shall be deemed to be approved by the Director General for Operations upon the receipt of such Forms PD–795 and 796 by the War Production Board, unless the Director General for Operations shall otherwise direct. The Director General for Operations may at any time revoke such approval as to any or all fans or blowers so listed for delivery, change the schedule of deliveries or prescribe a new schedule, allocate any order held by any manufacturer to any other manufacturer, or direct the delivery of any fan or blower, in production or completed, to any other person at the established price and terms. No manufacturer shall change the schedule of deliveries as so approved, changed or prescribed by the Director General for Operations, without specific authorization of the Director General for Operations.

(d) *Schedules of specifications.* The Director General for Operations may at any time, and from time to time, issue schedules (by amendments to this order) establishing required specifications for fans or blowers. Upon and after the date of issuance of any such schedule of specifications, or such other date as shall be prescribed therein, no person shall accept any order for, fabricate, assemble, sell, deliver, accept delivery of or use any fans or blowers or parts therefor except in accordance with the terms of such schedule. As used in this paragraph the term "required specifications" shall mean specifications fixed for the fabrication, assembly, production, construction or other manufacture of fans or blowers and designed to eliminate, reduce, or conserve the use of critical materials in fans or blowers or parts, by simplifying or standardizing the fans or blowers; specifying the operating conditions under which they may be used; restricting the numbers of sizes, types, models, or kinds produced or the kinds or quantities of materials used by a manufacturer; or requiring substitution of less critical materials for more critical materials; or by establishing other re-

quirements for the manufacture, sale, delivery or use of such fans or blowers.

(e) *Miscellaneous provisions* — (1) *Appeals.* An appeal may be taken either by a manufacturer or by his proposed purchaser from any provision of this order or from any action taken hereunder by the Director General for Operations. Any such appeal shall be made by filing a letter, in triplicate, referring to the particular provision or action appealed from, and stating fully the grounds of the appeal.

(2) *Records and reports.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales. All such persons shall execute and file with the War Production Board, such reports and questionnaires as the Director General for Operations shall request from time to time.

(3) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to War Production Board, General Industrial Equipment Division, Washington, D. C., Ref.: L-280.

Issued this 16th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2539; Filed, February 16, 1943; 10:48 a. m.]

Chapter XI—Office of Price Administration

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5C,[1] Amendment 22]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subparagraph (12) of paragraph (a) of § 1394.7551 is amended, and a new paragraph (v) is added to § 1394.8352; as set forth below:

Definitions

§ 1394.7551 *Definitions.* * * *

(a) * * *

(12) "Gasoline" means any petroleum product either commonly known or sold as gasoline (including casinghead and natural gasoline) or having a flash point below 100° Fahrenheit (closed cup test, ASTM D-56-36), except:

(i) Fuel oil as defined in Ration Order No. 11, naphthas, aromatics, synthetic rubber raw materials, solvents or specialties, not used or blended for use as fuel in internal combustion engines. Any quantity of the foregoing products which is used or blended for use as fuel in internal combustion engines shall be deemed to be gasoline when the product so used or blended is commonly known or sold as gasoline or has a flash point below 100° Fahrenheit (closed cup test, ASTM D-56-36);

(ii) Any finished petroleum product having an octane rating of 85 or more (ASTM D-42T) or any component thereof used for the propulsion of aircraft. Any quantity of such a product which is used for a purpose other than the propulsion of aircraft shall be deemed to be gasoline when the product so used is commonly known or sold as gasoline or has a flash point below 100° Fahrenheit (closed cup test, ASTM D-56-36), and

(iii) Liquefied petroleum gases, regardless of use.

* * * * *

Effective dates

§ 1394.8352 *Effective dates of amendments.* * * *

(v) Amendment No. 22 (§ 1394.7551 (a) (12)) to Ration Order No. 5C shall become effective March 8, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 15th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2493; Filed, February 15, 1943; 12:29 p. m.]

[MPR 326]

PART 1440—PROCESSED FOOD COMMODITIES

MACARONI PRODUCTS AND NOODLE PRODUCTS

This Maximum Price Regulation No. 326 is issued by the Price Administrator in order to establish maximum prices for macaroni products and noodle products at levels which are generally fair and equitable and which will aid in stabilizing the cost of living. The statement of considerations involved in the issuance of this regulation has been issued and filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 326 is hereby issued.

AUTHORITY: §§ 1440.1 to 1440.15, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1440.1 *Prohibition against dealing in macaroni products and noodle products above maximum prices.* (a) On and after February 20, 1943, regardless of any contract or other obligation, no person shall sell or deliver any macaroni product or noodle product at a price higher than the maximum prices established for it by this regulation. No person shall buy or receive any macaroni product or noodle product in the course of trade or business at a higher price than the maximum prices established for it by this regulation. Nor shall any person agree, offer, solicit, or attempt to do any of these things.

(b) However, prices lower than maximum prices may be charged and paid.

§ 1440.2 *Producer's maximum prices for macaroni products and noodle products.* The producer's maximum price per dozen or other unit for each variety, type, brand, container size and style of macaroni products and noodle products to each class of purchasers thereof shall be:

(a) The producer's maximum price per dozen or other unit for such variety, type, brand, container size and style to each class of purchasers calculated in accordance with the General Maximum Price Regulation;[1] plus

(b) The increase in the cost of the farinaceous and egg ingredients and packaging materials thereof determined as follows:

(1) The cost per dozen or other unit as of February 20, 1943, of the farinaceous and egg ingredients and packaging materials figured at the ceiling prices of the producer's principal supplier to the class of purchasers to which the producer belongs; minus

(2) The sum of the weighted average actual cost of each of the farinaceous and egg ingredients and packaging materials per dozen or other unit used to produce the same commodity during March 1942.

"Cost" as used in subparagraph (1), if the ceiling price of the producer's supplier is not a delivered price, means the ceiling price plus cost of delivery of purchases in a usual amount to the producer's customary receiving point, from the customary shipping point by the usual mode of transportation.

A producer's "weighted average actual cost" as used in subparagraph (2) means his total cost of each farinaceous or egg ingredient or packaging material figured on a delivered basis at his factory, divided by the number of units used in producing all his macaroni products and noodle products.

Maximum prices as calculated under this regulation resulting in a fraction of a cent shall be reduced to the nearest lower cent if the fraction is less than one-half cent and shall be increased to the nearest higher cent if the fraction is one-half cent or more.

(c) *New container sizes and styles.* (1) The maximum price per dozen or other unit for a variety, type and brand of macaroni products or noodle products packed in any container size or style which the producer did not sell during March 1942 shall be calculated as follows: He shall

(i) *Determine the base container.* If the producer sold the same variety, type and brand of macaroni products or noodle products during March 1942, but only in other container sizes or styles, he shall first determine the most similar container style in which he is able to calculate a maximum price for that variety, type and brand under this regulation (even though he no longer sells that container style). From that container style he shall choose the nearest size, which is 50% or less larger, or if there is no such size, 50% or less smaller than the new size (even though he no longer sells those sizes). This will be the "base container". If there is no such smaller size, he shall go to the next most similar container style and proceed in the same manner to find the base container.

NOTE: In most cases "the most similar container style" will be merely the container style which the producer is adding to or replacing, like a cellophane bag which he may be replacing with a carton. Where there has been only a size change, "the most similar container style" will of course, be the same container style. This is also true in the reverse situation; where there has been a change only in container style, the "nearest size" will be the same size.

(ii) *Find the base price.* The producer shall take as the "base price" his maximum price for the variety, type and brand of macaroni products or noodle products when packed in the base container. However, if this maximum price is a price delivered to the purchaser or to any point other than the producer's factory, the producer shall first convert it to a base price f. o. b. producer's factory by deducting whatever transportation charges were included in it.

(iii) *Deduct the container cost.* Taking his base price f. o. b. factory, the producer shall then subtract the direct cost of the base container. "Direct cost of the container" means the net cost, at the producer's factory, of the container, label and proportionate part of the outgoing shipping case, but it does not include costs of filling, closing, labeling or packing.

(iv) *Adjust for any difference in contents.* The figure obtained by this deduction shall then be adjusted, in the case of a size change, by dividing it by the number of ounces or other units in the base container and multiplying the result by the number of the same units in the new container.

(v) *Add the new container cost to get the price f. o. b. factory.* Next, the producer shall add to the adjusted figure the "direct cost of the container" in the new size and style. If his maximum price for the commodity in the base container is an f. o. b. factory price, the resulting figure is the producer's maximum price, f. o. b. factory.

(vi) *Convert to a maximum delivered price, if the maximum price for the base container is on a delivered basis.* If the producer's maximum price for the macaroni products or noodle products in the base container is a delivered price, he shall figure transportation charges to be added, as follows: The producer shall take the transportation charges which he first deducted to get his base price and adjust them in exact proportion to the difference in shipping weight. If for any reason the macaroni products or noodle products in the new container will move under a different freight tariff classification, the producer shall figure his transportation charges (by the same means of transportation and to the same destination) on the basis of the new shipping weight, but at the rate in effect for that freight tariff classification during March 1942. Increases in tariff rates or transportation taxes made since March 31, 1942, shall not be taken into account. (Similar principles shall apply where shipping volume is the measure of the transportation charge.) The producer shall then add these transportation charges to his f. o. b. factory price for the commodity in the new container. The resulting figure is the producer's maximum delivered price.

(d) The maximum price for each variety, type, brand, container size and style of macaroni products and noodle products for a producer who owns more than one factory shall be determined separately for each factory.

§ 1440.3 *Inability to fix prices under § 1440.2.* (a) If the producer's maximum price for any macaroni product or noodle product cannot be determined under § 1440.2, his maximum price shall be the maximum price, as determined under this regulation, of a comparable commodity produced by him or, if he did not produce a comparable commodity, by his most closely competitive producer.

(b) If the producer's maximum price for any macaroni product or noodle product cannot be determined under § 1440.2 or under paragraph (a) of this section, the maximum price shall be a price determined after specific authorization from the Office of Price Administration, Washington, D. C., on application setting forth (1) a detailed description of the variety, type, brand, container size and style; and (2) a statement of the facts which differentiate it from the most similar product for which he has determined a maximum price identifying and describing the similar product and stating the maximum price determined for it. When authorization is given, it will be accompanied by instructions for determining the maximum price.

§ 1440.4 *Customary allowances and discounts.* No producer shall change his customary allowances, discounts or trade practices unless such change results in the same or a lower net price.

§ 1440.5 *Transfer of business or stock in trade.* If the business assets or stock in trade of any producer are sold or otherwise transferred on or after February 20, 1943, and the transferee carries on the business, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no transfer had taken place, and his obligation to keep records to verify those prices shall be the same. The transferor shall either preserve or make available or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions contained in this Regulation.

§ 1440.6 *Evasion.* The price limitations set forth in this regulation shall not be exceeded by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to any macaroni product or noodle product alone or in conjunction with any other commodity, or by way of any service, transportation, or other charge or discount, premium or other privilege, or by tying-agreement or other understanding or otherwise.

§ 1440.7 *Enforcement.* Any person violating a provision of this regulation is subject to the criminal penalties, civil enforcement actions and suits for treble damages provided by the Emergency Price Control Act of 1942, as amended.

§ 1440.8 *Records and reports.* Every producer who makes sales of any macaroni product or noodle product covered by this regulation shall (a) as long as the Emergency Price Control Act of 1942, as amended, continues in effect, preserve for examination by the Office of Price Administration all his existing records which were the basis for the computations required by § 1440.2; and (b) preserve for the same period all records of the same kind as he has customarily kept relating to the prices charged for all macaroni products and noodle products sold on or after February 20, 1943; and (c) file with his nearest State or district office of the Office of Price Administration, within thirty days after the effective date of this regulation a statement showing for each variety, type, brand, container size and style, (1) the name of each farinaceous and egg ingredient and packaging material and its maximum price as of February 20, 1943, per unit of purchase. (If the maximum price is f. o. b. shipping point, show the shipping point and freight addition); (2) weighted average actual cost per unit of purchase of each farinaceous and egg ingredient and packaging material used in producing the same commodity in March 1942 (if the cost is f. o. b. shipping point, show freight addition); (3) the per dozen or other unit cost of each farinaceous and egg ingredient and packaging material figured at maximum prices as stated in (1) above; (4) the per dozen or other unit cost of each farinaceous and egg ingredient and packaging material figured at March cost as stated in (2) above; (5) the result of subtracting the figures obtained in (4) from those obtained in (3); (6) the maximum price for the commodity computed in accordance with the General Maximum Price Regulation; and (7) the result of adding the figures obtained in (5) to those stated in (6) which result shall be the producer's new maximum price for that commodity, and (d) as long as the Emergency Price Control Act of 1942, as amended, continues in effect, preserve at each factory a true copy of each such statement filed with the Office of Price Administration for examination by any person during ordinary business hours. Any producer who claims that substantial injury would result to him from making any such statement to any other person may file a copy of the statement with the State or district office of the Office of Price Administration nearest to each of his factories. The information contained in the statement will not be published or disclosed unless it is determined that the withholding of the information is contrary to the purposes of this regulation.

§ 1440.9 *Petition for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[2]

§ 1440.10 *Geographical applicability.* The provisions of this regulation shall be

*Copies may be obtained from the Office of Price Administration

[1] 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070, 8 F.R. 179, 274, 369, 372, 607, 565, 1028, 1202, 1203, 1365, 1282, 1366, 1318, 1598

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.

[2] 7 F.R. 8961.

applicable only to the forty-eight states of the United States and the District of Columbia.

§ 1440.11 *Applicability of the General Maximum Price Regulation and Maximum Price Regulation No. 262.*[3] The provisions of this regulation supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries of macaroni products and noodle products for which maximum prices are established by this regulation. They also supersede the provisions of Maximum Price Regulation No. 262 with respect to egg noodles.

§ 1440.12 *Export sales.* The maximum prices at which a person may export macaroni products and noodle products shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[4] issued by the Office of Price Administration.

§ 1440.13 *Definitions.* (a) When used in this regulation the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organization, group of persons, legal successors or representatives of any of the foregoing and includes the United States, any of its agencies, any other government, or any of its political subdivisions and any agency of any of the foregoing.

(2) "Producer" means a person operating an establishment producing, manufacturing or processing a macaroni product or noodle product.

(3) "Macaroni products" means the class of food each of which is prepared by drying formed units of dough made from semolina, durum flour, farina, flour, or any combination of two or more of these, with water and with or without one or more of certain optional ingredients such as milk, whole wheat, soy flour, vegetables and salt and as further defined in the proposed order for Definitions or Standards of Identity of macaroni products of the Food and Drug Administration as printed in the FEDERAL REGISTER on December 22, 1942, pages 10728 to 10734 inclusive. Plain noodles shall be deemed to be a macaroni product for the purposes of this regulation.

(4) "Noodle products" means the class of food each of which is prepared by drying formed units of dough made from semolina, durum flour, farina, flour, or any combination of two or more of these, with liquid eggs, dried eggs, egg yolks, frozen yolks, or any combination of two or more of these with or without water and with or without one or more of certain optional ingredients such as milk, whole wheat, soy flour, vegetables and salt and as further defined in the proposed order for Definitions or Standards for Identity of noodle products of the Food and Drug Administration as printed in the FEDERAL REGISTER on December 22, 1942, pages 10728 to 10734 inclusive.

(5) "Farinaceous ingredient" means semolina, durum flour, farina, or wheat flour.

(6) "Comparable commodity" means a commodity of equal weight and quantity offering fairly equivalent utility and differing in ingredients or packaging materials from the commodity produced in March 1942 by the seller or his most closely competitive seller only by changes to the best possible feasible substitutes for ingredients or packaging materials. A macaroni product shall not be considered comparable to a noodle product.

(7) "The most closely competitive producer" means the producer who:

(i) Sells to the same class of buyer,

(ii) Produces the same or similar quality range of the product,

(iii) Has sold in the past the same kind of macaroni product, or noodle product at approximately the same prices as the producer establishing a maximum price,

(iv) Has used the same marketing methods, and

(v) Is located in the same general area or, if there is no such producer in the same general area, is located in the nearest area.

(b) Unless the context otherwise requires, the definitions of section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used in this regulation.

§ 1440.14 *Effective date.* This regulation (§§ 1440.1 to 1440.15, inclusive) shall become effective February 20, 1943.

§ 1440.15 *Appendix A.*

EXAMPLE SHOWING METHOD OF COMPUTING NEW CEILING PRICE

Variety	Egg noodles.
Type	Home style.
Brand	X Y Z
Container size	1 pound.
Container style	Cellophane.
Selling unit	1 dozen.

COSTS

	Feb. 28, 1941 ceiling costs	March 1942 average costs
INGREDIENTS	(1)	(2)
Durum flour per barrel, delivered		
Per barrel f. o. b. Minneapolis	6.00	5.20
Plus freight to factory	.80	
Total	7.40	----
Egg yolks per pound delivered	.16	.32
PACKAGING MATERIAL		
Cellophane bags per M delivered	8.85	8.85
Cellophane tape per roll delivered	.75	.75
Shipping case per M delivered	70.00	60.00
COMPUTATION OF INGREDIENT COST PER POUND		
300 pounds of durum flour	11.3265	7.9592
34.5 pounds of egg yolks	19.8720	11.0400
Total cost of raw material	27.1985	18.9992
Divided by 299.749 pound net yield cost of raw material per pound	.0907	.0634
NOTE: Shrinkage for purposes of example 5 including floor loss		
PER DOZEN 1 POUND PACKAGES	(3)	(4)
Ingredients	1.0881	.7608
Cellophane bags (width allowance, −1)	.1150	.1150
Cellophane tape	.0100	.0100
Shipping case	.0700	.0600
Total cost of ingredients and packaging material per dozen	(3) 1.2831	(4) .9458
(5)	(5) 1.2834	
	(5) .9458	
Increased cost of ingredients and packaging material per dozen	.3376	
(6) Plus March 1942 ceiling price	1.25	
(7) Equals new ceiling price	1.5876 or 1.59	

[3] 7 F.R. 9244, 10844, 8 F.R. 262, 273, 437, 973.

[4] 7 F.R. 5059, 7442, 8829, 9000, 10530.

Issued this 15th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2494; Filed, February 15, 1943; 12:29 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 199 Under § 1499.18 (b) of GMPR]

JOHN SCHUSTER

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1100 *Denial of application for adjustment of maximum prices for domestic malt beverages sold by John Schuster, 825 Market Street, Farrell, Pennsylvania.* (a) The application of John Schuster, 825 Market Street, Farrell, Pennsylvania, filed July 29, 1942 and assigned Docket No. GF3-963, requesting permission to adjust his maximum prices on the domestic malt beverage products of the Pabst Brewing Company, The Simon Pure Brewing Company, The Pilsener Brewing Company and the Kubler Brewing Company. The adjustment is hereby denied.

(b) This Order No. 199 (§ 1499.1100) shall become effective February 15, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7671)

Issued this 15th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2496; Filed, February 15, 1943; 12:29 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 282 Under § 1499.3 (b) of GMPR]

SHANNON HOSIERY MILLS, INC.

Shannon Hosiery Mills, Incorporated, of Columbus, Georgia, made application for an authorization to determine the maximum price it may charge for its style No. 1500 full-fashioned 45 gauge women's hosiery made of rayon and cotton combination yarn. Due consideration has been given the application and it appears that this hosiery cannot be priced by the seller under § 1499.2 of the General Maximum Price Regulation. For the reasons set forth in the opinion supporting this order, which has been issued simultaneously herewith and has been filed with the Division of the Federal Register, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended and in accordance with Revised Procedural Regulation No. 1 and § 1499.3 (b) of the General Maximum Price Regulation, issued by the Office of Price Administration, *It is hereby ordered:*

§ 1499.1718 *Approval of maximum price for style No. 2500 women's hosiery made of rayon and cotton combination yarn manufactured by Shannon Hosiery Mills, Incorporated.* (a) On and after February 16, 1943, the maximum price at which Shannon Hosiery Mills, Incorporated, Columbus, Georgia, may sell, deliver and offer for sale style No. 1500 women's hosiery made of rayon and cotton combination yarn shall be $8.75 per dozen, f. o. b. point of shipment. Any person may buy and receive and offer to buy and receive style No. 1500 at $8.75 per dozen from Shannon Hosiery Mills, Incorporated.

(b) The maximum selling price set forth in paragraph (a) shall be subject to adjustment at any time by the Office of Price Administration.

(c) This Order No. 282 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 282 (§ 1499.1718) shall become effective February 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2498; Filed, February 15, 1943; 12:30 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 283 Under § 1499.3 (b) of GMPR]

NEWMAN'S COFFEE CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1719 *Authorization of maximum price for sale of Newman's Blended Coffee, a brand of coffee compound by Newman's Coffee Company to institutions.* (a) On and after February 16, 1943, the maximum price for sales of Newman's Blended Coffee by Newman Coffee Company, having its principal place of business at Billings, Montana shall be 31¢ per pound delivered to institutions.

(b) This Order No. 283 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 283 (§ 1499.1719) shall become effective February 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2499; Filed, February 15, 1943; 12:30 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Correction to Order No. 233 Under § 1499.3 (b) of GMPR]

INTERSTATE COFFEE CO.

The last sentence in § 1499.1469 (a) (2) is corrected to read as follows:

§ 1499.1469 (a) • • •
(2) • • •

This price shall not include delivery to customer's place of business.

This correction shall be effective as of January 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2497; Filed, February 15, 1943; 12:30 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 23 Under Supp. Reg. 15]

BROWN TRUCKING COMPANY

Order No. 23 Under § 1499.75 (a) (3) of Supplementary Regulation No. 15 of the General Maximum Price Regulation—Docket No. GF3-1388.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1323 *Adjustment of maximum prices for contract carrier services sold by the Brown Trucking Company.* (a) The Brown Trucking Company, 456 South Miami Street, Wabash, Indiana, may sell and furnish contract carrier services in connection with the transportation of pulpboard, scrap or waste paper, wooden skids and cores, sizing, starch, used paperboard machinery, machinery and woodpulp, between Wabash, Indiana, and points in Illinois, Ohio and Missouri at prices not exceeding the rates set forth in the schedule of minimum rates, MF-ICC No. 17, filed by Brown Trucking Company with the Interstate Commerce Commission on July 16, 1942, to become effective August 15, 1942.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 23 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 23 (§ 1499.1323) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 23 (§ 1499.1323) shall become effective February 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2495; Filed, February 15, 1943; 12:29 p. m.]

PART 1340—FUEL

[MPR 323]

ASPHALT AND ASPHALT PRODUCTS

In the judgment of the Price Administrator all asphalt and asphalt products sold in the United States should be placed under one specific dollars-and-cents maximum price regulation as far as possible. In issuing this Maximum Price Regulation No. 323 the Price Administrator has ascertained and given due consideration to the prices of asphalt and asphalt products prevailing between October 1 and October 15, 1941 and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the consideration involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 323, Asphalt and Asphalt Products, is hereby issued.

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1340.374	Effective date.

AUTHORITY: §§ 1340.351 to 1340.374 inclusive, issued under Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871.

§ 1340.351 *Sales of asphalt and asphalt products at higher than maximum prices prohibited.* (a) On and after February 20, 1943, regardless of any contract or other obligation no person shall sell or deliver and no person shall buy or receive in the course of trade or business any asphalt or asphalt product at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

§ 1340.352 *To what transactions and persons this regulation is applicable*—(a) *What transactions are covered.* This regulation covers all sales and deliveries of asphalt and asphalt products either by refiners, resellers, distributors, roofers, retailers, or by any other persons.

(b) *What persons are covered.* Any person selling asphalt or asphalt products is subject to the regulation. The term "persons" includes any individual, corporation, partnership, association or any other organized group of persons; their legal successors and representatives; the United States or any other government or any political subdivision or any agency of the foregoing.

§ 1340.353 *Maximum bulk prices for standard products*—(a) *Use of reference*

*Copies may be obtained from the Office of Civilian Defense.

points explained. The reference points and prices listed in Tables I and II below are for the sole purpose of determining maximum prices f. o. b. refinery. If the refinery is located at a reference point, then the maximum f. o. b. price for that refinery is the price listed in the table for that reference point. If the refinery is not located at a reference point, then to establish the maximum price on any standard grade of asphalt locate the reference point geographically (air line) closest to the refinery in question; the prices indicated at this reference point are the maximum prices f. o. b. that refinery.

Example: A refiner at Robinson, Illinois wants to determine his maximum price for asphalt cement 100–300 penetration f. o. b. refinery. The map indicates that St. Louis, Missouri is the closest reference point. The table shows that the price is $12.50 per ton for the St. Louis reference point. Therefore, the maximum price f. o. b. the Robinson refinery for this grade of asphalt cement is $12.50.

(b) *Limitation on price of roofing flux and roofing asphalt.* Normally, a seller is permitted to charge his maximum f. o. b. refinery price as determined by Table I or II, even though the laid-down cost to the buyer may exceed what his laid-down cost would have been had he purchased from some other refinery. To this general principle there is one exception, namely, a refiner must make a reduction in his maximum f. o. b. refinery bulk price when all of the following circumstances are present.

(1) The sale is of roofing flux or oxidized asphalt; and

(2) The refinery nearest the destination has a different reference point from the refinery making the shipment; and

(3) The sum of the maximum f. o. b. price at the refinery from which a shipment is made plus the rail freight cost from that refinery to the destination exceeds the sum of the maximum f. o. b. price at the refinery producing roofing flux or oxidized asphalt nearest to that destination plus the rail freight cost from that nearest refinery to that destination.

Under the above circumstances the reduction in his maximum f. o. b. refinery price as determined by Table I or II shall be the amount necessary to make the laid-down cost from the refinery making the shipment the same as it would be from the refinery producing roofing flux or oxidized asphalt nearest the destination. However, the required reduction need never exceed 20% of the maximum f. o. b. refinery price.

For example: A buyer in Wisconsin desires to purchase roofing flux. The refinery nearest to him producing roofing flux uses Chicago as its reference point. Assume that the laid-down cost on the Indiana purchase is $10.50 plus $1.00 freight, or $11.50. Suppose the same buyer wishes to purchase from a Texas refinery. The Texas refinery uses Ft. Worth, Texas, as its reference point; the maximum price for the Texas refinery is $7.50. Assume the freight from the Texas refinery to the same buyer in Wisconsin is $7.00. This would mean a laid-down cost to the buyer of $14.50. To equalize this with the laid-down cost from Indiana of $11.50 would mean a reduction in the f. o. b. Texas refinery price of $3.00. But this is more than 20% of the Texas f. o. b. price of $7.50. Therefore the reduction by the Texas refiner would be $1.50 (20% of $7.50) making his maximum f. o. b. refinery price for the Wisconsin destination $6.00 and the buyer's laid-down cost from the Texas refinery would be $13.00. Reductions in maximum prices for roofing flux and roofing asphalt do not apply when making shipments to destinations in District 1 as defined by the Office of Petroleum Administrator for War.

(c) *Price tables to determine maximum bulk prices f. o. b. refiners for standard grades; exclusive of taxes.*

TABLE I—REFINERIES EAST OF WASHINGTON, OREGON AND CALIFORNIA

[Asphalt cement, Roofing flux, Oxidized asphalt: Price in dollars per net ton of 2,000 lbs. Liquid asphalt: Price in cents per U. S. gallon]

Reference points	Asphalt cement		Liquid asphalt			Roofing flux	Oxidized asphalt	
	Pen. 40–100	Pen. 100–300	S. C. 1–5	M. C. 1–5	R. C. 1–5		110–165 M. P.	165–220 M. P.
New York, N. Y.	$15.00	$14.00	.0575	.0625	.0625	$12.50	$13.50	$14.50
Charleston, S. C.	14.00	13.00	.0550	.0600	.0625	12.25	13.25	14.25
Buffalo, N. Y.	14.00	13.00	.0525	.0575	.0600	11.75	12.75	13.75
(a) Columbus, O. Refinery	15.00	14.00	.0525	.0600	.0625	11.75	12.75	13.75
(b) Columbus, O. Delivered [1]	17.00	16.00	.0600	.0675	.0700			
Somerset, Ky.			.0425	.0525	.0550			
Chicago, Ill.	14.00	13.00	.0450	.0575	.0600	10.50	11.50	12.50
St. Louis, Mo.	13.50	12.50	.0425	.0550	.0575	9.00	10.00	11.00
El Dorado, Ark.	10.50	9.50	.0400	.0450	.0475	7.50	8.50	9.50
New Orleans, La.	13.00	12.00	.0500	.0550	.0575	10.50	11.50	12.50
Kansas City, Mo.	10.50	9.50	.0300	.0400	.0425			
Wichita, Kans.	10.50	9.50	.0300	.0425	.0450	8.00	9.00	10.00
Oklahoma City, Okla.	11.00	10.50	.0400	.0475	.0500	8.00	9.00	10.00
Fort Worth, Tex.	11.00	10.00	.0400	.0500	.0525	7.50	8.50	9.50
Houston, Texas	11.50	10.50	.0425	.0525	.0550	8.50	9.50	10.50
Great Falls, Mont.	13.50	12.50	.0475	.0650	.0650			
Cody, Wyoming [2]	11.00	10.00	.0325	.0450	.0475	8.50	9.50	10.50
Dodge City, Kans.	11.00	10.00	.0300	.0450	.0475	8.00	9.00	10.00
Salt Lake City, Utah	17.00	16.00	.0425	.0750	.0775			
Santa Fe, N. M.	15.00	14.00	.0475	.0625	.0625			
Yazoo City, Miss.	13.00	12.00				10.50	11.50	12.50
West Branch, Mich.	15.00	14.00		.0650	.0675	12.25	13.25	14.25

NOTE: These prices are net prices and no discounts thereunder are required to be made.

[1] Notwithstanding this table, the maximum delivered bulk price for flux to the roofing and floor covering industry at the points designated below shall be as follows: In the city limits of St. Paul and Minneapolis, Minnesota, $13.25 per ton. Within the State of Louisiana, $9.25 per ton.

[2] The delivered prices indicated are only for refineries using Columbus as a reference point and apply only to their shipment to points within the State of Ohio. The refinery prices apply to all shipments outside the State of Ohio.

[3] For refineries within the State of Montana using Cody as a reference point, the maximum bulk price f. o. b. refinery M. C. or R. C. grades is .056 per gallon when the material is sold for use within the State of Montana.

[4] For S. C. 1, 2 and 3, .0450 for S. C. 4 and 5.

TABLE II—REFINERIES IN OREGON, WASHINGTON AND CALIFORNIA

Reference point	Asphalt cement		Liquid asphalt							Roofing flux	Oxidized asphalt	
	Penetration		R. C. M. C. R. O. M. C. 0–1	R. C. M. C. 2–3–4–5 R. O. M. C. 2–3–4–5–6	SC 0	SC 1	SC 1A	SC 2	SC 3&4	SC 5&6		110–165 M. P.	165–220 M. P.
	11–40	41–200											
San Francisco, Calif.	$12.00	$9.50	$11.50	$10.00	$10.00	$7.60	$5.40	$9.50	$9.50	$9.50	$7.25	$11.00	$12.00
Bakersfield, Calif.	12.00	9.50	11.50	10.00	9.75	6.60	5.10	7.50	8.50	9.00	7.25	11.00	12.00
Los Angeles, Calif.	12.00	9.00	11.00	9.50	9.75	6.60	5.10	7.00	7.50	8.50	7.25	11.00	12.00
Santa Maria, Calif. [1]	10.00	7.50	9.50	8.00	8.00	5.60		7.50	7.50	7.50	7.25	11.00	12.00
Spokane, Wash.	16.50	16.50	16.50	16.50									
Seattle, Wash., for water-borne transportation only				[2] 12.50	[2] 12.50		6.30	12.00					

[1] Refiners in the Santa Maria Valley of California may charge a price delivered to the buyer not in excess of the sum of the maximum f. o. b. refinery or terminal price for the same product established for the refinery or terminal nearest to the particular destination and the rail freight tariff from such nearest refinery to destination.

[2] M. C. 2 and R. C. 3 and 4 only apply to bulk storage points at Portland and Seattle.

(d) In the event that a seller is unable to determine his maximum bulk price for the sale of any standard product under this price regulation because a price for such product is not listed in Tables I and II opposite the reference point which determines his maximum price, then that seller shall set a tentative maximum bulk price for such product. Such tentative price shall be in line with the level of prices set forth in said tables and the differential between the tentative price of a particular standard product and the maximum prices of the refinery for other standard products shall be consistent with the differentials between these products at other reference points. The seller shall within 5 days after setting a tentative maximum price file with the Petroleum Branch of the Office of Price Administration, a written request for approval of such tentative maximum price. Such tentative price shall be the seller's maximum price for the particular product unless it is disapproved in writing by the Office of Price Administration within 30 days from the date it is filed as above provided or a substitute price is set by the Office of Price Administration. If a substitute price is set, then such price shall be the maximum price. A tentative price which has been approved as a maximum price hereunder may subsequently be changed by order of the Price Administrator.

§ 1340.354 *Maximum bulk prices for special products.* The maximum bulk price f. o. b. refinery for special products as defined in § 1340.360 (b) shall be:

(a) Where the seller delivered a special product during the period August 1–November 1, 1941, the highest price charged by the seller for a delivery of that product during such period to a purchaser of the same class provided, however, that a price charged under a contract entered into prior to said period need not be maintained unless such contract price reflected current market conditions during said period.

All prices determined under (a) together with a description of this special product must be filed with the Office of Price Administration at Washington, D. C. within 30 days after the effective date of this price regulation.

(b) If the seller is unable to determine his maximum bulk price for a special product under (a), he shall set a tentative maximum price f. o. b. his refinery taking into consideration the two products which he sells which are nearest in specifications to the product to be priced, one having the next lower maximum price to the chosen tentative price and one having the next higher maximum price. He shall then complete Form No. 652.166 below.

If the seller has no product of similar specifications, he shall take into consideration the prices of the two products which his nearest geographical competitor sells which are nearest in specifications to the product to be priced, one having the next lower maximum price and one having the next higher maximum price.

Such a seller shall then complete Form No. 652.166 below with reference to such products of that nearest competitor. Space for name and address of nearest competitor must then be added to the form.

The seller shall within 15 days after setting a tentative maximum price, file with the Office of Price Administration a written request for approval of such tentative maximum price. In connection with such request, the seller shall file with the Petroleum Branch of the Office of Price Administration at its principal office in Washington, D. C. the information required in form No. 652.166 below:

OPA Form No. 652.166 Budget Bureau No. 08–S.T. 153

REPORT OF TENTATIVE MAXIMUM PRICE SPECIAL ASPHALT PRODUCT

	Product nearest in specification, having a lower maximum price A	New product B	Product nearest in specification, having a higher maximum price C
1a. Identification			
b. Maximum Price and unit of sale including container if packaged			
2. Delivery Cost of Ingredients Used in the Manufacture of Products Shown Above, Item 1a, Column A, B, and C:			
a. Crudes or residuum			
b. Asphalt			
c. Other ingredients (list each)			
3. The Percentage of Weight of Finished Product of Ingredients Used in the Manufacture of the Products Shown Above, Item 1a, Column A, B, and C and detailed in Item 2a, b, & c:			
a. Crudes or residuum			
b. Asphalt			
c. Other ingredients (list each)			
Total (add a, b, and c)	100.0	100.0	100.0
4. Container Shipments:			
a. Type of container (i. e. Barrel, drum, carton, etc.)			
b. Material from which container is fabricated			
c. Capacity of container			
d. Unit cost of container			
5. Penetration of Finished Product:			
a. at 32° F.			
b. at 77° F.			
c. at 115° F.			
6. Ductility of Finished Product: 77° F.			
7. Flash Point of Finished Product: Degrees F.			
8. Melting Point of Finished Product: Degrees F.			
9. Percent Soluble of Finished Product:			
a. In carbon disulphide			
b. In carbon tetrachloride			
10. Percent Loss on Heating of Finished Product			

NOTE: All tests shall be conducted in accordance with the latest methods as set forth by the A. S. T. M.

11. Has the new product been requested by a buyer? (Answer "yes" or "no") .....

12. Identify products replaced by new product .....

13. Identify product supplemented by new product .....

Filed by .....
Name of company
Address
Date

NOTE: Where a new special product is liquid, and where the tests required above are not applicable, then standard detailed specifications should be supplied.

§ 1340.355 *Changes in ingredients and changes in the costs of purchased ingredients*—(a) *Changes in ingredients.* When a seller makes a change in the ingredients used in the production of a special product or when he makes a change in the percentage of the same ingredients formerly used he shall be considered as making a new product and should file a tentative maximum price and report under § 1340.354.

(b) *Changes in the costs of purchased ingredients.* An adjustment in the maximum price of a special product may, however, be requested when the seller's cost of a special product, as compared with his cost during the period August 1–November 1, 1941, has been increased because of a change in the cost of purchased ingredients. No request will be considered hereunder unless the change in the cost of purchased ingredients exceeds 20% of the cost during the period August 1–November 1, 1941 and the total cost of producing the special product has also increased by not less than 20%.

A seller should set a tentative maximum price for the special product f. o. b. his refinery by filing with the Petroleum Branch of the Office of Price Administration at its principal office in Washington, D. C. a statement setting forth:

(1) Present maximum price

(2) The tentative maximum price

(3) The ingredients used in producing the special product upon which the request for a price increase is made, the percentages by weight of each ingredient in the finished product, and the weighted average costs thereof during the period August 1–November 1, 1941 and the costs at the time the request for an adjustment is made. The weighted average cost of an ingredient shall be determined by dividing the total amount expended for such ingredient during the period heretofore specified by the total quantity purchased.

If any of the above information is not reported with the tentative maximum price, it will be disapproved until such time as all data have been submitted. Disapproval of a tentative maximum price automatically requires the manufacturer to return to his original maximum price.

Where the information required is submitted, a tentative price shall be the seller's maximum price for the particular product unless it is disapproved in writing by the Office of Price Administration within 30 days from the date it is filed as above provided or a substitute price is set. If a substitute price is set, then such price shall be the maximum price. A tentative price which has been approved as a maximum price hereunder may subsequently be changed by order of the Price Administrator.

§ 1340.356 *Packaged asphalt.* (a) When the seller supplies the container, the maximum price for packaged asphalt in carload quantities shall be the sum of the following:

(1) The maximum bulk price as determined by this price regulation.

(2) The actual cost of the container used.

(3) The following packaging differentials:

Reference point:	*Packaging differential per ton*
New York, N. Y.	$2.00
Charleston, S. C.	2.00
Buffalo, N. Y.	3.00
Columbus, Ohio	3.00
Chicago, Ill.	3.00
St. Louis, Mo.	4.00

Reference point—Continued.	*Packaging differential per ton*
El Dorado, Ark	$4.00
New Orleans, La	3.00
Kansas City, Mo	4.00
Wichita, Kansas	4.00
Oklahoma City, Okla	4.00
Dallas, Texas	4.00
Houston, Texas	4.00
Cody, Wyoming	4.00
Billings, Mont	4.00
Dodge City, Kansas	4.00
Salt Lake City, Utah	4.00
San Francisco, Cal	4.00
Bakersfield, Cal	4.00
Los Angeles, Cal	4.00
Santa Maria, Cal	4.00

The seller's invoice shall in every case separately show the above charges.

(b) When the purchaser supplies the container, the seller's maximum price for packaged asphalt in carload quantities shall be the maximum bulk price as determined by this price regulation plus the packaging differential specified under (a) (3) above.

(c) The seller's maximum price for packaged asphalt for less than carload quantities shall be his maximum price for carload quantities plus $2.00 per ton.

§ 1340.357 *F. o. b. warehouse and bulk plant sales.* The maximum price for asphalt of any dealer, reseller or refiner who receives shipments at a warehouse or a bulk plant other than a terminal as defined in § 1340.360 (e) in carload or truckload quantities, and who unloads, stores, and resells such asphalt in less than carload quantities shall be determined by adding to the cost delivered at the warehouse or bulk plant based on carload rail shipments an amount sufficient to give the seller the same dollars and cents mark-up that he had during the major portion of the period August 1–November 1, 1941. If a seller did not carry inventory or receive shipments of asphalt at a warehouse or bulk plant in the period specified above, then his maximum price shall be the maximum price of his most closely competitive seller. The mark-ups computed under this section must be reported to the Petroleum Branch of the Office of Price Administration at Washington, D. C., within 15 days after February 20, 1943. Where a warehouse or bulk plant is not situated on a rail siding, the cost delivered at the nearest siding will determine the basis for establishing the maximum price. For the purposes of this section "mark-up" means the dollars-and-cents difference between the selling price of the asphalt and the cost thereof delivered at the warehouse or the nearest railroad siding.

§ 1340.358 *Other retail sales.* The maximum price of any retail seller not otherwise covered by this regulation shall be the delivered cost at his retail establishment or other point of delivery plus an amount sufficient to give the seller the same dollars and cents differential between his selling price and his delivered cost at the retail establishment or other point of delivery that he had during the major portion of the period August 1–November 1, 1941.

§ 1340.359 *Terminals.* Bulk prices at terminals when shipments are received by water are not determined by reference points. When shipments in bulk are made from terminals, the laid-down cost to a buyer at a given destination shall not exceed the maximum f. o. b. refinery price established by this regulation for the asphalt refinery nearest to that destination plus the rail freight from that nearest refinery to that destination. The maximum f. o. b. price on a given shipment from a terminal shall be the laid-down cost to the buyer as above defined less rail freight from terminal to the destination. The deduction of rail rate also applies to truck shipments.

Note that bulk storage points at Portland, Oregon, and Seattle, Washington, have specific prices in the table covering Oregon, Washington, and California.

§ 1340.360 *Definitions.* (a) "Asphalt" means any asphalt refined from petroleum.

(b) "Standard product" means any of the following grades:

(1) *Roofing flux.* Roofing flux means any grade of soft asphalt or liquid asphalt, having a Melting Point of less than 110° F. (Method, ball and ring A. S. T. M. D. 36–26) when sold to the roofing or floor covering industry for saturating or further processing to a higher melting point.

(2) *Oxidized asphalt.* Oxidized asphalt means any grade of asphalt which has a penetration of less than 125 (Method A. S. T. M. D. 88–38) and has been oxidized to a melting point above 110° F. when sold to the roofing or floor covering industry and has not been specially processed by the addition of another ingredient.

(3) *Asphalt cement.* Asphalt cement means any grade of asphalt which has a penetration of more than 40 and less than 300 at 77° F. when used for paving purposes.

(4) *Liquid asphalt.* "Liquid asphalt" means any grade of asphalt having a penetration in excess of 300 at 77° F. when used for road construction or any type of bituminous surfacing.

S. C. (Slow Curing).

M. C. (Medium Curing).

R. C. (Rapid Curing).

(c) "Special product" means any asphalt or asphalt product not included under standard products with the exception of those products which have been specially processed by the addition of another ingredient and when used by the roofing or paint industry.

(d) "Rail freight" means the lowest railroad rate applicable to the commodity to be shipped.

(e) "Terminal" means a bulk tank storage point other than a refinery where shipments are received by water.

(f) "Ton" means a net ton of 2000 pounds.

(g) "Gallon" means a U. S. gallon.

(h) "Bulk price" means a tank car, tank truck or barge price.

§ 1340.361 *Shipments by insulated tank cars.* Where a particular seller had an additional charge in effect during the period August 1–November 1, 1941 for shipments made in insulated tank cars, this same charge may be continued.

§ 1340.362 *Tank truck sales.* Where a particular seller had an additional charge in effect during the period August 1–November 1, 1941 for filling tank trucks, this additional charge may be continued.

§ 1340.363 *Maximum prices on delivered basis.* If a seller wishes to quote a delivered price, the delivered price shall never result in a higher laid-down cost to a particular buyer than that which would have resulted if the seller had sold f. o. b. the refinery plus rail freight from the refinery to destination.

§ 1340.364 *Brokerage or commissions.* Brokerage or commissions which increase the maximum price listed or determined above will not be allowed. The maximum price chargeable to the buyer by a seller f. o. b. a refinery or terminal includes any brokerage or commission which may be involved in the particular sale.

§ 1340.365 *Conversion table.* While actual weights on specified products may vary slightly, for sake of uniformity the following table shall be used for converting gallons to tons, or tons to gallons:

LIQUID ASPHALT Grade	*Gallons per ton at 60° F*
0	257
1	251
2	248
3	245
4	243
5	241

ASPHALT CEMENTS Penetration	*Gallons per ton at 60° F*
40–100	235
100–200	237
200–300	239

§ 1340.366 *Adjustable pricing.* Where a contract or agreement provides for the sale of asphalt or asphalt products to be delivered at a future date, the parties may agree that the prices to be charged shall be the maximum price in effect at the time of each delivery.

§ 1340.367 *Transfers of business or stock in trade.* If the business, assets or stock in trade of any seller or any person as defined in § 1340.352 (b) are sold or otherwise transferred on or after November 1, 1941 and the transferee carries on the business, or continues to deal in the same or similar asphalt and or asphalt products, in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records and make reports shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the records and reports provisions of this price regulation.

§ 1340.368 *Federal and State taxes.* Any tax upon or incident to the sale, delivery, processing, or use of asphalt or asphalt products, imposed by any statute of the United States or statute or ordinance of any State or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such asphalt or asphalt products and in preparing the records of such seller with respect thereto:

(a) *As to a tax in effect prior to November 1, 1941.* (1) If the seller paid such tax, or if the tax was paid by any prior vendor, irrespective of whether the amount thereof was separately stated and collected from the seller, but the seller did not customarily state and collect separately from the purchase price during the period August 1–November 1, 1941, the amount of the tax paid by him or tax reimbursement collected from him by his vendor, the seller may not collect such amount in addition to the maximum price, and in such case shall include such amount in determining his maximum price under this price regulation.

(2) In all other cases, if, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of the tax paid by any prior vendor and separately stated and collected, and in such case the seller shall not include such amount in determining the maximum price under this price regulation.

(b) *As to a tax or increase in a tax which becomes effective on or after November 1, 1941.* If the statute or ordinance imposing such tax or increase does not prohibit the seller from stating and collecting the tax or increase separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

§ 1340.369 *Applications for adjustment or petitions for amendment*—(a) *Government contracts.* (1) The term "government contract" is here used to include any contract with the United States or any of its agencies, or with the government or any governmental agency of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 1, 1941, entitled "An Act to promote the defense of the United States." It also includes any subcontract under this kind of contract.

(2) Any person who has made or intends to make a "government contract" and who thinks that a maximum price in this regulation is impeding or threatens to impede production of material which is essential to the war program and which is or will be the subject of the contract, may file an application for adjustment in accordance with Procedural Regulation No. 6, issued by the Office of Price Administration.

(3) As soon as the application is filed, government contracts, deliveries, and payments may be made at the requested price, subject to refund if the requested price is disapproved or lowered. The seller must tell the buyer that the delivery is made subject to this refund.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[1] issued by the Office of Price Administration.

§ 1340.370 *Reports, records and petitions.* (a) The following reports are required by this regulation:

Sec. 1340.353 (d) Tentative maximum bulk price set by seller for standard products not listed in Tables I and II.

1340.354 (a) Maximum bulk price determined by seller for special products.

1340.354 (b) Tentative maximum bulk price set by seller for special product in case he is unable to determine maximum bulk price.

1340.355 (a) Tentative maximum bulk price set by seller for special product—change in ingredients.

1340.355 (b) Tentative maximum bulk price—change in the cost of ingredients.

1340.537 Report of mark-up by dealers, resellers, or refiners when reselling less than carload lots from warehouse or bulk storage.

1340.367 Reports to be continued unchanged in case of transfer of business or of stock.

(b) The following records are required by this regulation:

Sec. 1340.356 (a) Item Required in Seller's Invoice for Packaged Asphalt.

1340.367 Records to be continued unchanged in case of transfer of business or of stock.

(c) The following petitions may be filed under this regulation:

Sec. 1340.369 (a) (2) Application for an adjustment if a maximum price is thought to impede work on a government contract.

§ 1340.369 (b) Petition for amendment of any provision of this regulation.

(d) *Other reports and records.* All sellers and purchasers of asphalt and asphalt products shall file such other reports and keep such other records as the Office of Price Administration may from time to time require.

§ 1340.371 *Enforcement and licensing.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this regulation or order issued by the Office of Price Administration are urged to communicate with the nearest field, state, or regional offices of the Office of Price Administration or its principal office in Washington, D. C.

(c) War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this regulation. "War procurement agencies" include the War Department, the Department of the Navy, the United States Maritime Commission and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any of their agencies.

(d) The Emergency Price Control Act of 1942 and Supplementary Order 18 explain the circumstances under which licenses may be suspended. A license cannot be transferred.

§ 1340.372 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 323 shall not be evaded whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to any other commodity, or by way of commission, service, transportation, or any other charge, or discount, premium, or other privilege, or by tying agreement or other trade understanding, or otherwise.

§ 1340.373 *Maximum export price regulation.* The maximum prices for export sales of asphalt and asphalt products are covered by the Maximum Export Price Regulation.

§ 1340.374 *Effective date.* Maximum Price Regulation No. 323 (§§ 1340.351 to 1340.374, inclusive) shall become effective February 20, 1943, *Provided, however,* That where a buyer and seller have agreed on a particular price subject to the approval of the Office of Price Administration, the effective date of this regulation shall be the date of execution of such agreement for deliveries thereunder.

Issued this 15th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–2504; Filed, February 15, 1943; 3:07 p. m.]

[1] 7 F.R. 8961.

PART 1340—FUEL

[RPS 88,[1] Amendment 68]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 88 is amended by revoking definitions of and maximum price provisions relating to asphalt and asphalt products as follows:

In § 1340.157(b), the following items are revoked:

Paving and cut-back asphalts, asphalt emulsions, road oils, roofing asphalt and roofing flux.

Asphalts and asphalt products not listed above are not for the time being included in the term "petroleum products" as defined above.

In § 1340.157, paragraphs (k) to (q) inclusive are revoked.

Section 1340.159 (c) (5) is revoked.

§ 1340.158a *Effective dates of amendments.* * * *

(qqq) Amendment No. 68 to Revised Price Schedule No. 88 shall become effective this 20th day of February 1943.

(Pub. Laws 421 and 729, 7th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–2503; Filed, February 15, 1943; 3:08 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1107, 1371, 1798, 1799, 1886, 2132, 2304, 2352, 2634, 2945, 3463, 3482, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 4857, 5481, 5867, 5868, 5988, 5983, 6057, 6167, 6471, 6680, 7242, 7838, 8433, 8478, 9120, 9134, 9335, 9425, 9460, 9620, 9621, 9817, 9820, 10684, 11075; 8 F.R. 157, 232, 233, 857, 1227, 1200, 1457, 1812, 1318, 1642.

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 237,[1] Amendment 9]

ADJUSTED AND FIXED MARKUP REGULATION FOR SALES OF CERTAIN FOOD PRODUCTS AT WHOLESALE

A statement of the considerations involved in the issuance of Amendment No. 9 to Maximum Price Regulation No. 237 has been issued and filed with the Division of the Federal Register.*

Item No. 5 of the table in § 1351.519 is amended; a new item No. 14 is added to said table; subparagraphs e and f of paragraph 2 of § 1351.519 are amended and a new subparagraph n is added to paragraph 2 thereof; all to read as set forth below:

§ 1351.519 *Appendix B:*

[Figures to be used by wholesale distributors in determining new maximum prices under § 1351.503 of this regulation (new maximum prices are required after the effective date of this regulation)]

Food product	Last date for determining new maximum prices under this regulation	Last date for filing new maximum prices with appropriate OPA District or State offices	Figure to be multiplied by net cost of item in determining new maximum prices under this regulation		
			Class 1, retail-owned co-operative	Class 2, cash and carry	Class 3, service and delivery
5. Fish, processed	Mar. 10, 1943	Mar. 20, 1943	1.095	1.13	1.19
14. Macaroni and noodle products	Mar. 10, 1943	Mar. 20, 1943	1.09	1.115	1.15

* * * * *

2. *Definition of food products on which wholesalers must determine new maximum prices under § 1351.503 of this regulation.* * * *

e Processed fish shall mean all canned fish and seafood and all salted, pickled, dried or otherwise processed fish except smoked fish and smoked seafood not canned; excluded are all fresh or frozen fish and seafood.

f. Cooking and salad oils shall mean all vegetable, fruit and leaf plant oils, whether pure or mixed; but shall not include prepared dressings or pure olive oil.

* * * * *

n. Macaroni and noodle products shall mean any dried macaroni or noodle product including but not limited to macaroni, spaghetti, vermicelli, sea shells, bows, egg noodles, egg alphabets, and macaroni and spaghetti dinners.

* * * * *

This amendment shall become effective on February 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2205; Filed, February 15, 1943; 3:09 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 238,[1] Amendment 10]

ADJUSTED AND FIXED MARKUP REGULATION FOR SALES OF CERTAIN FOOD PRODUCTS AT RETAIL

A statement of the considerations involved in the issuance of Amendment No. 10 to Maximum Price Regulation No. 238 has been issued and filed with the Division of the Federal Register.*

Item No. 5 of the table in §1351.619 is amended; a new item No. 14 is added to said table, and the column in said table entitled "Last date for filing new maximum prices with appropriate local war price and rationing board" is deleted; subparagraphs e and f of paragraph 2 of § 1351.619 are amended and a new subparagraph n is added to paragraph 2 thereof; all to read as set forth below:

§ 1351.619 *Appendix B:*

[Figures to be used by retail distributors in determining new maximum prices under § 1351.603 of this regulation (new maximum prices are required after the effective date of this regulation)]

Food product	Last date for determining new maximum prices under this regulation	Figure to be multiplied by net cost of item in determining new maximum prices under this regulation				
		Independent retailer with annual volume			Class 4, chain retailer with annual volume under $250,000	Class 5, any retailer (chain or independent) with annual volume $250,000 or more
		Class 1, under $20,000	Class 2, $20,000 but less than $50,000	Class 3, $50,000 but less than $250,000		
5. Fish, processed	Mar. 10, 1943	1.27	1.27	1.27	1.21	1.21
14. Macaroni and noodle products	Mar. 10, 1943	1.32	1.32	1.32	1.27	1.26

* * * * *

2. *Definition of food products on which retailers must determine new maximum prices under § 1351.603 of this regulation.* * * *

e Processed fish shall mean all canned fish and seafood and all salted, pickled, dried or otherwise processed fish except smoked fish and smoked seafood not canned; excluded are all fresh or frozen fish and seafood.

f. Cooking and salad oils shall mean all vegetable, fruit and leaf plant oil, whether pure or mixed; but shall not include prepared dressings or pure olive oil. * * *

n Macaroni and noodle products shall mean any dried macaroni or noodle product including but not limited to macaroni, spaghetti, vermicelli, sea shells, bows, egg noodles, egg alphabets, and macaroni and spaghetti dinners.

* * * * *

This amendment shall become effective on February 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2506; Filed, February 15, 1943; 3:09 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 255,[1] Amendment 4]

PERMITTED INCREASES FOR WHOLESALERS OF CERTAIN FOODS

Canned fruits, berries and juices, as listed.
Frozen fruits, berries and vegetables.
Fruit preserves, jams and jellies.
Apple butter.
Canned apples.
Apple sauce.
Apple juice.
Canned boned chicken and turkey.
Maple sugar.
Blended maple syrup.
Fountain fruits.
Tamales.
Tortillas.
Potato chips.
Raisin filled or topped biscuits and crackers.
Fig bars.
Peanut candy.
Honey (extracted).
Canned chili con carne.
Shoestring potatoes.
Julienne potatoes.
Pretzels.
Nut topping.
Canned prune juice, canned dried prunes, canned prune concentrate, and all other canned dried prune products.
Canned chicken and noodle dinner.
Canned chicken a la king.
Canned homestyle chicken.

A statement of the considerations involved in the issuance of Amendment No. 2 to Revised Maximum Price Regulation No. 256 has been issued and filed with the Division of the Federal Register.*

The title is amended, as shown above, and subparagraphs (10) and (15) of § 1351.203 (b) are revoked.

This amendment shall become effective February 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2501; Filed, February 15, 1943; 3:07 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[Rev. MPR 256,[1] Amendment 2]

PERMITTED INCREASES FOR RETAILERS OF CERTAIN FOODS

Canned fruits, berries and juices, as listed
Frozen fruits, berries and vegetables.
Fruit preserves, jams and jellies.
Apple butter.
Canned apples.
Apple sauce.
Apple juice.
Canned boned chicken and turkey.
Maple sugar.
Blended maple syrup
Fountain fruits.
Tamales.
Tortillas.
Potato chips.
Raisin filled or topped biscuits and crackers.
Fig bars.
Peanut candy.
Honey (extracted).
Canned chili con carne.
Shoestring potatoes.
Julienne potatoes.
Pretzels.
Nut topping.
Canned prune juice, canned dried prunes, canned prune concentrate, and all other canned dried prune products.
Canned chicken and noodle dinner.
Canned chicken a la king.
Canned homestyle chicken.

This amendment shall become effective February 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2507; Filed, February 15, 1943; 3:09 p. m.]

PART 1382—HARDWOOD LUMBER

[MPR 281,[1] Amendment 1]

NAVY OAK SHIP STOCK

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1382.201, paragraph (a) is amended; in § 1382.202, paragraphs (a) and (c) are amended; in § 1382.203, the text of paragraph (a) is amended and a new paragraph (b) is added; in § 1382.204, paragraphs (c) and (d) are amended; a new subparagraph (5)[2] is added to paragraph (b) of § 1382.205; in § 1382.206, paragraph (a) is amended; in Appendix A, § 1382.212, the text of paragraph (a) is amended; subparagraph (4) in § 1382.212 (a) is amended; paragraphs (b) and (c) are redesignated to be subparagraphs (a) (5) and (a) (6), respectively; a new paragraph (b) is added; all as set forth below:

§ 1382.201 *Sales of Navy oak ship stock at higher than maximum prices prohibited.* (a) On and after December 14, 1942, regardless of any contract or other obligation, no person shall sell or deliver and no person shall buy or receive in the course of trade or business, any Navy oak ship stock at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer or attempt to do any of the foregoing. The maximum prices are set forth in Appendix A (§ 1382.212).

§ 1382.202 *To what transactions, products, and persons this regulation applies*—(a) *What transactions are covered.* The maximum prices established by this regulation apply to all sales and deliveries of Navy oak ship stock, except distribution yard inventory sales of less than 5,000 board feet, which are subject to the General Maximum Price Regulation.[2] This Maximum Price Regulation 281 divides sales into three kinds: direct-mill sales, distribution yard inventory sales, and distribution yard service sales.

(1) *"Direct-mill sale."* A "direct-mill sale" is a sale in which the shipment of ship stock originates at a sawmill, no matter who the seller is, and no matter whether he is usually known as a mill operator, wholesaler, retailer, distributor or anything else. A shipment is regarded as originating at a mill if the ship stock reaches the purchaser without ever becoming part of the stock of a distribution yard.

(2) *"Distribution yard inventory sale."* A "distribution yard inventory sale" is a sale in which the ship stock that is sold and shipped to the purchaser is in the regular inventory of a distribution yard at the time of sale. A "distribution yard" is a yard which gets ship stock from mills, unloads, sorts, stores, and resells and redistributes it, which regularly maintains an assorted inventory of ship stock, and which is established to make quick deliveries of many different items of ship stock in large or small quantities.

(3) *"Distribution yard service sale."* A "distribution yard service sale" is a sale in which a distribution yard (defined in subparagraph (2) above) makes a sale or receives an order for ship stock which it does not have in inventory, which it thereafter receives and places in inventory at the request of the purchaser, and which it then delivers to the purchaser in quantities as needed. Where the yard merely reloads ship stock, or handles and stores it no more than is necessary in a normal case where the yard receives a mill shipment, reloads it, and delivers it to the buyer, the sale is a direct-mill sale and not a distribution yard service sale.

* * * * *

(c) *What persons are covered.* Any person who makes the kind of sale or purchase covered by this regulation is subject to it. The term "person" includes an individual, corporation, partnership, association, or any other organized group; their legal successors or representatives; the United States, or any government, or any of its political subdivisions; or any agency of any of the foregoing.

§ 1382.203 *How to figure delivered prices*—(a) *Transportation addition in direct-mill sales.* In direct-mill sales the transportation charges set forth below may be added to the maximum f. o. b. mill prices for direct-mill sales set out in paragraph (a) of the Appendix.

* * * * *

(b) *Delivery addition in distribution yard inventory and service sales.* In distribution yard inventory and service sales the seller may add to the maximum prices, f. o. b. yard (as set out in paragraph (b) of the Appendix), delivery charges for transportation from the yard to the purchaser, in accordance with paragraphs (a) (1) and (a) (2) above.

§ 1382.204 *What the invoice must contain.* * * *

(c) *Type of sale.* The invoice must state whether the sale is a direct-mill sale, distribution yard inventory sale, or distribution yard service sale.

(d) *Transportation and delivery charges.* In all sales where the seller has quoted a delivered price, the invoice must contain: (1) the point of origin of the shipment; (2) the destination; (3) the rail or truck rate (or, if private truck is used, the amount added for transportation); and (4) indirect-mill sales, any charge which the seller is permitted to make for truck delivery before or after rail haul.

[1] 7 F.R. 8205, 8427, 8808, 9183, 9973, 10013, 10715; 8 F.R. 373, 569, 1200.

[2] 7 F.R. 8209, 8808, 9184, 10013, 10227, 10714; 8 F.R. 120, 374, 532, 1116.

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8890, 10471, 10472; 8 F.R. 1266.

[2] 7 F.R. 8893, 10473; 8 F.R. 1266.

Apple sauce.
Apple juice.
Canned boned chicken and turkey.
Maple sugar.
Blended maple syrup.
Fountain fruits.
Tamales.
Tortillas.
Potato chips.
Raisin filled or topped biscuits and crackers.
Fig bars.
Peanut candy.
Honey (extracted).
Canned chili con carne.
Shoestring potatoes.
Julienne potatoes
Pretzels.
Nut topping.
Canned prune juice, canned dried prunes, canned prune concentrate, and all other canned dried prune products.
Canned chicken and noodle dinner.
Canned chicken a la king.
Canned homestyle chicken.

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1364.861 (a) is amended to read as follows:

§ 1364.861 *Maximum prices for frozen Canadian smelts.* (a) The prices set forth below are maximum prices per pound packed in the usual container f. o. b. shipping point in the metropolitan area of Boston, Massachusetts. The maximum prices are gross prices and the seller shall deduct therefrom his customary allowances, discounts, and differentials. Add one cent per pound for each grade to obtain the maximum prices in the metropolitan area of New York, New York and Philadelphia, Pennsylvania.

"Extras" per pound @ $.24.
"No. 1s" per pound @ $.15.
"Mediums" per pound @ $.08.
"Dressed" per pound @ $.25.

* * * * *

* Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 619.

[1] 7 F.R. 10290.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5783, 5784, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.

§ 1382.205 *Prohibited practices.* * * *

(b) *Specific practices.* * * *

(5) Unnecessarily routing ship stock through a distribution yard.

§ 1382.206 *Relation to other regulations.* (a) The provisions of this Maximum Price Regulation 281 supersede the provisions of the General Maximum Price Regulation, except as to distribution yard inventory sales of less than 5000 board feet of Navy oak ship stock. This regulation also supersedes the provisions of all specific hardwood regulations relating to the grades and items of lumber covered by this regulation. All specific prices for any of the grades or items of lumber covered by this regulation which previously have been authorized for particular mills under any of the special grade provisions of existing lumber maximum price regulations are hereby revoked, and such prices are superseded by the maximum prices established by this Maximum Price Regulation No. 281.

* * * * *

§ 1382.212 *Appendix A: Maximum prices for Navy oak ship stock.*—(a) *Maximum f. o. b. mill prices for direct-mill sales.* The maximum prices for direct-mill sales of Navy oak ship stock are as set forth below. These prices are f. o. b. mill for 1000 board feet of Navy oak ship stock, in the grade specifications of the United States Navy Department.

* * * * *

(4) *Complete ship schedule.* When any seller furnishes and delivers all of the white oak select car stock and white oak ship planking included in a complete Navy schedule of such material, according to the schedule of quantities and sizes, and in accordance with the specifications of the Navy Department, the maximum f. o. b. mill price for 1000 feet of such material shall be as follows:

Designation of schedule:	*Maximum f. o. b. mill price*
YT	$135 00
ATR	140 00
APC	145 00
YN	190 00

If any portion of the material included in any of these schedules is furnished in red oak, the maximum prices shall be adjusted accordingly.

When a seller who furnishes a complete ship schedule substitutes, in any part, material other than white or red oak, the maximum price shall be adjusted to reflect the lower ceiling prices of the substituted materials. This adjusted price, with a complete description of the schedule and the materials to be furnished, must be reported to the Office of Price Administration, Washington, D. C., and may be ordered reduced, if found to be excessive. But if the price is not disapproved within 30 days of the receipt of the report, it is approved.

A seller using this special pricing provision can go ahead with delivery of the lumber and collection of the price he has computed or requested, but he must tell the buyer that the price is subject to revision within the 30-day period, and, if the price is ordered reduced, must refund any excess over the final approved price.

* * * * *

(b) *Maximum prices for distribution yard service and inventory sales*—(1) *Definition of "Pacific Coast".* This paragraph distinguishes between sales by distribution yards located on the Pacific Coast, and other distribution yard sales. For this purpose, the "Pacific Coast" means the parts of California, Oregon and Washington west of the crest of the Sierra Nevada and Cascade Mountains.

(2) *Maximum f. o. b. Pacific Coast yard prices.* The maximum f. o. b. yard prices for Pacific Coast distribution yard inventory or service sales are the sum of the following items:

(i) The maximum f. o. b. mill price.

(ii) Inbound freight figured on a freight rate of $.90 per 100 pounds and the actual weight of the ship stock.

(iii) A handling charge of $12.00 per 1000 board feet.

(iv) A mark-up on items (i) and (ii) not greater than the following:

10 percent in distribution yard service sales, and

20 percent in distribution yard inventory sales.

(3) *Maximum prices for other yards.* For yards other than those located on the Pacific Coast, the direct-mill maximum prices apply to all sales, whether out of distribution yard stocks or not.

This amendment shall become effective February 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2508; Filed, February 15, 1943; 3:08 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Supp. Amendment 14 to Maximum Rent Regulations]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

Paragraph (b) (2) of §§ 1388.16, 1388.66, 1388.116, 1388.166, 1388.216, 1388.266, 1388.316, 1388.366, 1388.416, 1388.466, 1388.516, 1388.566, 1388.616, 1388.666, 1388.716, 1388.766, 1388.816, 1388.866, 1388.916, 1388.966, 1388.1016, 1388.1656, 1388.1706, 1388.1756, 1388.1806, 1388.2056, 1388.3056, 1388.4056, 1388.5056, 1388.6056, 1388.7056, 1388.8056, 1388.36, 1388.136, 1388.236, 1388.286, 1388.386, 1388.586, 1388.686, 1388.786, and 1388.886 of Maximum Rent Regulations Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 24, 25, 26, 27, 28, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, 53, 55, 57, 52, 60, and 62, respectively, is amended to read as follows:

§ ------ *Restrictions on removal of tenant.* * * *

(b) * * *

(2) Removal or eviction of a tenant of the vendor, for occupancy by a purchaser who has acquired his rights in the housing accommodations on or after ------,[1] is inconsistent with the purposes of the Act and this maximum rent regulation and would be likely to result in the circumvention or evasion thereof, unless (i) the payment or payments of principal made by the purchaser, excluding any payments made from funds borrowed for the purpose of making such principal payments, aggregate 33⅓% or more of the purchase price, and (ii) a period of three months has elapsed after the issuance of a certificate by the Administrator as hereinafter provided. For the purposes of this paragraph (b) (2), the payments of principal may be made by the purchaser conditionally or in escrow to the end that that they shall be returned to the purchaser in the event the Administrator denies a petition for a certificate. If the Administrator finds that the required payments of principal have been made, he shall, on petition of either the vendor or purchaser, issue a certificate authorizing the vendor or purchaser to pursue his remedies for removal or eviction of the tenant in accordance with the requirements of the local law at the expiration of three months after the date of issuance of such certificate.

In no other case shall the Administrator issue a certificate for occupancy by a purchaser who has acquired his rights in the housing accommodations on or after ------,[1] unless he finds (i) that the vendor has or had a substantial necessity requiring the sale and that a reasonable sale or disposition of the accommodations could not be made without removal or eviction of the tenant, or (ii) that other special hardship would result, or (iii) that equivalent accommodations are available for rent, into which the tenant can move without substantial hardship or loss; under such circumstances the payment by the purchaser of 33⅓% of the purchase price shall not be a condition to the issuance of a certificate, and the certificate may authorize the vendor or purchaser, either immediately or at the expiration of three months, to pursue his remedies for removal or eviction of the tenant in accordance with the requirements of the local law.

This Supplementary Amendment No. 14 to Maximum Rent Regulations for Housing Accommodations other than Hotels and Rooming Houses shall become effective February 15, 1943.

(Pub. Law 421, 77th Cong.)

Issued this 15th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2509; Filed, February 15, 1943; 3:07 p. m.]

[1] The applicable words are to be inserted for each maximum rent regulation. The applicable words are as follows: For Maximum Rent Regulations Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 24, 25, 26, 27, 28, 33, 35, 37, 39, 41, 43, 45, 47, 49, insert "October 20, 1942;" for Maximum Rent Regulation No. 51, insert "November 1, 1942;" for Maximum Rent Regulations Nos. 52, 53, 55, 57, 62, insert "the effective date of this Maximum Rent Regulation;" and for Maximum Rent Regulation No. 60, insert "November 6, 1942."

PART 1405—FERRO-ALLOYS

[MPR 248,[1] Amendment 2]

MANGANESE ORES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and is filed with the Division of the Federal Register.*

A new § 1405.56a is added as set forth below:

§ 1405.56a *Sales or deliveries of domestic metallurgical manganese ores to dealers and to certain other buyers.* Neither the provisions of this Maximum Price Regulation No. 248, other than § 1405.59, nor the provisions of the General Maximum Price Regulation shall apply to the sale or delivery of domestic metallurgical manganese ore to a dealer who buys such ore for resale or to the sale or delivery of such ore to a user or processor who uses it in the production of spiegeleisen or of ferro-manganese containing less than 75% manganese or who charges it directly in the production of steel or in foundry operations.

§ 1405.64a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§ 1405.56a) to Maximum Price Regulation No. 248 shall become effective February 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2510; Filed, February 15, 1943; 3:08 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Supp. Service Reg. 6 to MPR 165 as Amended[2]]

REPAIR OF AUTOMOTIVE VEHICLES AND FARM EQUIPMENT

A statement of the considerations involved in the issuance of this Supplementary Service Regulation No. 6, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1499.656 *Increases in hourly rates charged by certain sellers.* (a) Any person engaged in the repair or maintenance of automotive vehicles or farm equipment:

Who employs a total of not more than eight persons; and whose wage increases have been exempted from the provisions of Executive Order No. 9250 by the National War Labor Board; and

Who uses a customer's hourly rate to determine his maximum prices under Maximum Price Regulation No. 165 as amended;

may determine his maximum customer's hourly rate by selecting the highest of the following:

(1) The highest customer's hourly rate actually charged in March 1942; or

(2) The average basic hourly wage rate (before payment of overtime) paid to employees performing farm equipment and automotive repair work in the week which includes March 31, 1942, multiplied by 2; or

(3) The average basic hourly wage rate (before payment of overtime) paid to employees performing such work in the week which includes March 31, 1942, plus 60¢

and adding thereto an amount equal to the increase, since March 31, 1942 in the average basic hourly wage rate (before payment of overtime) paid employees performing such work, provided that such increases in wage rates were not in violation of the regulations of the National War Labor Board. Where the resulting rate is no divisible by 5 cents, it may be adjusted upward to the nearest amount so divisible.

(b) A person who increases his prices under paragraph (a) shall prepare a list containing the name and wage paid each employee (exclusive of supervisory and nonproductive employees) who performed repair or maintenance services on automotive vehicles or farm equipment in the week including March 31, 1942, a similar list of employees performing such services in the week preceding the increase in the customer's hourly rate, and a statement setting forth:

(1) The average basic hourly wage rate of employees in his shop engaged in repair or maintenance work (exclusive of supervisory and nonproductive employees) for the week including March 31, 1942, and also for the week preceding the date of the increase in his customer's hourly rate; and

(2) His highest customer's hourly rate in effect in March 1942; his increased customer's hourly rate; and the date upon which it became effective.

This statement shall be prepared in the form set forth in Appendix A and shall, together with the lists of employees, be permanently retained and made available for public inspection in the same manner as the statement of maximum service prices required by § 1499.108 of Maximum Price Regulation No. 165, as amended.

(c) 30 days after an increased customer's hourly rate has been put into effect such rate may be again recomputed to take into account further increases in the average basic hourly wage rate, provided that all requirements of paragraphs (a) and (b), including the preparation of a new list of employees and a new statement in the form set forth in Appendix A, are again met.

(d) Any person engaged in the repair or maintenance of automotive vehicles or farm equipment, who qualifies under paragraph (a) but who does not employ any persons in supplying such services, may take as his maximum customer's hourly rate the highest of the following:

(1) His highest customer's hourly rate actually charged in March 1942; or

(2) The current permissible maximum customer's hourly rate (as determined under this regulation) of his most closely competitive seller of the same class who does employ persons in supplying such services.

(e) Persons covered by this regulation may make an additional charge for work done at overtime wage rates in overtime hours if the customer actually requested that the work be done in overtime hours and the employee performing the work was paid overtime wages for the work. The ratio of the overtime charge to the regular charge shall not exceed the ratio of the overtime wage rate to the regular wage rate; i. e., if overtime wages are one and one-half times regular wages (time and a half for overtime) the overtime customer's hourly rate may be one and one-half times the regular customer's hourly rate.

(f) When a price is increased as authorized herein, the seller shall post conspicuously in his place of business a notice setting forth his new maximum customer's hourly rate for each service involved. This notice shall be posted in the following form:

AUTHORIZED HOURLY RATE FOR LABOR

(To be used in determining our maximum prices for service)

	New hourly rate
Automotive repairs	$-------
Farm equipment repairs	$-------

This rate is in accordance with OPA regulations. The calculations on which it is based are available for inspection during regular business hours.

This regulation shall become effective February 22, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

APPENDIX A—FORM FOR RECORDING INCREASE IN SERVICE RATE

(If you increase your maximum customer's hourly rate, you must fill out this form and keep it as part of your permanent records. You do NOT have to file it with OPA but must make it available for inspection during your regular business hours.)

Explanation of increase in customer's hourly rate, effective ----------
(give date)

(a) *Present average basic hourly wage rate.* (1) Total amount of straight-time wages (excluding overtime payments) paid to employees directly engaged in repair and maintenance work in the week before the increase---------- $-------

(2) Total number of straight-time hours (excluding overtime) worked by such employees in the week before the increase --------

Present average basic hourly wage rate (divide item 1 by item 2)---------- Item A. $------

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8694, 10017.

[2] 7 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 10480, 10557, 10619, 10718, 9972, 11010; 8 F.R. 1060.

(b) *Average basic hourly wage rate on March 31, 1942.* (1) Total amount of straight-time wages (excluding overtime payments) paid in the week which includes March 31, 1942, to employees directly engaged in repair or maintenance work---------- $------

(2) Total number of straight-time hours (excluding overtime) worked by such employees in the week which includes March 31, 1942----------

Average basic hourly wage rate in March 1942 (divide Item 1 by Item 2)---------- Item B. $------

(c) *Increase in average basic hourly wage rate* (Item A minus Item B)---------- Item C. $------

(d) *New maximum customer's hourly rate.* (1) The highest customer's hourly rate *actually charged* in March 1942---- $------

(2) The average basic hourly wage rate in March (Item B above) *multiplied by* 2---------- $------

(3) The average basic hourly wage rate in March (Item B above) *plus 60 cents*---------- $------

Highest of (1), (2) or (3) above---------- Item D $------

Tentative Maximum Customer's hourly rate (Item C plus Item D)---------- Item E $------

Final Maximum Customer's hourly rate---------- $------

(If Item E cannot be divided evenly by five cents, you may round it upward to the nearest nickel.)

Issued this 15th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2513; Filed, February 15, 1943; 3:09 p. m.]

PART 1499—COMMODITIES AND SERVICES

[GMPR,[1] Amendment 44]

CERTAIN SALES OR DELIVERIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1499.9 (b) (5) is amended to read as set forth below:

(b) This regulation shall not apply to the following sales or deliveries:

* * * * *

(5) By hotels, restaurants, soda fountains, bars, cafes, caterers, or other similar eating establishments, of meals, servings of food portions customarily served separately or as part of a meal, or beverages mixed or prepared by the seller. This exemption shall not apply to sales of ice cream in cones, dixie cups or similar packages.

§ 1499.23a *Effective dates of amendments.* * * *

(ss) Amendment No. 44 (§ 1499.9 (b) (5)) to the General Maximum Price Regulation shall become effective February 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2512; Filed, February 15, 1943; 3:07 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RPS 63[1] as Amended Feb. 13, 1943]

RETAIL PRICES FOR NEW RUBBER TIRES AND TUBES

By Amendment No. 7 paragraph (a) (1) in § 1315.104 is amended; in § 1315.105 the words "for so long as the Emergency Price Control Act of 1942 remains in effect" are substituted for the words "for a period of not less than one year"; a new § 1315.105a is added;

Paragraph (f) in each of §§ 1315.110 and 1315.111 is amended by adding a new subparagraph (3); paragraphs (g) and (h) in each of §§ 1315.110 and 1315.111 are amended by adding a new sentence at the end of each; subparagraph (3) in paragraph (i) in each of §§ 1315.110 and 1315.111 is amended by inserting the words "for passenger-car tires or tubes and the 8:25 x 20 size for truck tires or tubes" immediately after the phrase "6:00 x 16 size" where it first occurs, and by inserting the words "or the 8:25 x 20 size, as the case may be," immediately after the phrase "6:00 x 16 size" where it occurs a second time, and a new subparagraph (4) is added to each paragraph (i);

In subdivision (ii) of paragraph (o) (1) in § 1315.110, the words "on April 24, 1942", are deleted and the paragraph reference "(m)" is substituted for the paragraph reference "(n)"; in subdivision (ii) of paragraph (o) (1) in § 1315.111, the words "April 24, 1942", are deleted;

Paragraph (b) in § 1315.111 is amended by amending five of the items in the table, in which The Brown Fence and Wire Co., Hardware Merchandising Corporation, Hibbard, Spencer, Bartlett and Co., The Pep Boys and Strauss Stores Corporation are listed as the distributors and by inserting seven new items in the table in the appropriate places for the distributors' names to appear in alphabetical order; paragraph (d) in § 1315.111 is amended by amending four of the items in the table, in which Abel Sales Corporation, The Brown Fence and Wire Co., Hardware Merchandising Corporation and Pep Boys are listed as the distributors, and by inserting thirty-six new items in the table in the appropriate places for the distributors' names to appear in alphabetical order; paragraph (e) (1) in § 1315.111 is amended by amending one of the items in the table, in which Hibbard, Spencer, Bartlett and Co. is listed as the distributor, and by inserting nine new items in the table in the appropriate places for the distributors' names to appear in alphabetical order; and paragraph (e) (2) in § 1315.111 is amended by inserting two new items in the table in the appropriate places for the distributors' names to appear in alphabetical order; so that Revised Price Schedule No. 63 as amended February 13, 1943 shall read as set forth below:

The outbreak of war with the Japanese Empire makes uncertain the future shipment of rubber from the Far East and necessitates for the present time a great curtailment in the consumption of rubber for new rubber tires and tubes so that the rubber stockpile already accumulated may be available for military and essential civilian purposes. There are large stocks of new rubber tires and tubes in the hands of retailers, and sales from these stocks are permitted only to those consumers who can demonstrate that it is in the national interest for them to have such new tires or tubes.

Since July 3, 1941, the Office of Price Administration with the complete cooperation of the members of the tire and tube industry has stabilized, within maximum levels, the wholesale prices received by manufacturers for new rubber tires and tubes. Stabilization of retail prices is now considered essential to the success of the Government's effort to insure that the limited number of new rubber tires and tubes available are used where they are most needed in our economy.

The maximum retail prices set forth in Price Schedule No. 63 are established, after investigation and conferences with members of both the manufacturing and distributive phases of the industry, on the basis of price lists presently used by the industry and which were so used shortly before the outbreak of the war in the Pacific. Observance of Price Schedule No. 63 will be fair to buyers and to sellers alike, and will further the Government's program for the allocation of rubber tires and tubes to consumers.

Accordingly, under the authority vested in me by Executive Order No. 7734, it is hereby directed that:

Sec

1315.101 Maximum retail prices for new rubber tires and tubes.
1315.101a Leasing or renting of new rubber tires and tubes.
1315.102 Less than maximum prices.
1315.103 Evasion.
1315.104 Posting of prices.
1315.105 Records and reports.
1315.105 Enforcement.
1315.106a Licensing: Applicability of the registration and licensing provisions of the General Maximum Price Regulation.
1315.107 Petitions for amendment.
1315.108 Definitions.
1315.109 Effective date of Price Schedule No. 63.
1315.109a Effective dates of amendments.
1315.110 Appendix A: Maximum retail prices for manufacturers' brands of new rubber tires and tubes.
1315.111 Appendix B: Maximum retail prices for private brands of new rubber tires and tubes.
1315.112 Appendix C: Maximum retail prices for new passenger-car reclaimed rubber war tires.

AUTHORITY: §§ 1315.101 to 1315.112, inclusive, issued under E.O. 8734, 8875, 6 F.R. 1917, 4483. (Executive authority superseded by Emergency Price Control Act of 1942, Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871.)

§ 1315.101 *Maximum retail prices for new rubber tires and tubes.* On and after January 5, 1942, regardless of the terms of any contract of sale or other commitment, no person shall sell, offer to sell, deliver, or transfer, at retail, any new rubber tire or tube, at prices higher than the maximum prices set forth in Appendices A and B, hereof, incorporated herein as § 1315.110 and § 1315.111.

[NOTE: Supplementary Order No. 31 (7 F.R. 9804) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price.]

[NOTE: Supplementary Order No. 34 (7 F.R. 10779) permits special packing expenses to be added to maximum prices on sales to procurement agencies of the United States.]

§ 1315.101a *Leasing or renting of new rubber tires and tubes.* The maximum price for leasing or renting any new rubber tire or tube shall be determined according to Maximum Price Regulation No. 165,[2] as Amended—Services, as now or hereafter amended.

(§ 1315.101a added by Amendment 5, 7 F.R. 7364)

§ 1315.102 *Less than maximum prices.* Lower prices than those set forth in Appendices A and B (§ 1315.110 and § 1315.111) may be charged or demanded.

§ 1315.103 *Evasion.* The price limitations set forth in Price Schedule No. 63 shall not be evaded whether by direct or indirect methods in connection with the sale, delivery, or transfer of a new rubber tire or tube, alone or in conjunction with any other article or material, or by way of any commission, service, transportation, or other charge, or by tying-agreement or other trade understanding, or by increasing the charges for the extension of credit or for the mounting of a tire or tube on a vehicle or for any other service over those in effect on November 25, 1941, or by making terms and conditions of sale more onerous to purchasers than those available or in effect on November 25, 1941, or by any other means. The purchaser shall always have the option of paying at the time of the purchase the full cash price of the tire or tube, which shall not exceed the maximum price less any trade-in allowance. He shall also have the option of receiving delivery of such tire or tube at the seller's place of business, without having it mounted on a vehicle or having any other service performed.

[NOTE: Supplementary Order No. 29 (7 F.R. 9816) lists certain services customarily offered by retailers which may be curtailed or eliminated without a compensating reduction in ceiling prices.]

§ 1315.104. *Posting of prices.* (a) Every person engaged in the business of selling new rubber tires or tubes at retail, shall mark or post maximum prices for such tires or tubes in accordance with one of the following subparagraphs:

(1) Such seller shall keep posted in a conspicuous place in each retail establishment at which such tires or tubes are offered for sale, a price list setting forth the maximum retail prices applicable to such tires or tubes. Lists of maximum prices computed in compliance with the terms of Revised Price Schedule No. 63 and prepared by manufacturers of manufacturers' brands and by owners of private brands, may be used for this purpose.

(2) Or such seller shall mark or post the maximum prices of such tires or tubes in accordance with the provisions of § 1499.13 (a) of the General Maximum Price Regulation.[3]

(b) If, on November 25, 1941, the seller had special and separate charges in effect for the extension of credit, for the demounting or mounting of a tire or tube on a vehicle or rim, or for any other service, in connection with the sale of new rubber tires or tubes, and if he desires to continue such charges after January 5, 1942, such seller shall keep posted in a conspicuous place in each retail establishment at which such tires or tubes are offered for sale, a statement listing the prices in effect on November 25, 1941, for such extra service.

(c) A seller at retail shall not remove or cause to be removed from any new rubber tire or tube any tag or label that has been attached to such tire or tube pursuant to an order of the Office of Price Administration.

(§ 1315.104 amended by Amendment 6, 7 F.R. 9888)

§ 1315.105 *Records and reports.* Every person engaged in the business of selling new rubber tires or tubes at retail shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect, complete and accurate records of every such sale of such articles, showing the date thereof, the name and address of the purchaser, the price, and the brand name, size, and quantity of all new rubber tires or tubes sold.

Persons affected by Price Schedule No. 63 shall submit such reports to the Office of Price Administration as it may, from time to time, require.

§ 1315.105a *Filing statement of maximum prices.* The provisions of § 1499.13 (b) of the General Maximum Price Regulation requiring the filing of certain statements of maximum prices with the appropriate War Price and Rationing Board of the Office of Price Administration shall not apply to any sale or delivery of new tires or tubes for which a maximum price is established by this Revised Price Schedule No. 63.

§ 1315.106 *Enforcement.* (a) Persons violating any provision of this Revised Price Schedule No. 63 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Revised Price Schedule No. 63, or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1315.106a *Licensing: Applicability of the registration and licensing provisions of the General Maximum Price Regulation.* The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Revised Price Schedule No. 63 selling at retail any new rubber tire or tube covered by this Revised Price Schedule

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6815, 6939, 6794, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.

[1] 7 F.R. 1323.

[1] 7 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9972, 10480, 10619, 10718, 11010; 8 F.R. 1060.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5783, 5784, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.

No. 63. When used in this section, the term "selling at retail" has the definition given to it by § 1499.20 (o) of the General Maximum Price Regulation. Said registration and licensing provisions became effective as to persons selling at retail on May 18, 1942.

§ 1315.107 *Petitions for amendment.* Any person seeking an amendment of any provision of this Revised Price Schedule No. 63 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[1]

([§ 1315.107 amended by Supplementary Order No. 26, 7 F.R. 4948])

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Supplementary Order No. 9 (7 F.R. 5444) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those on scrap, waste, and salvage materials.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1315.108 *Definitions.* (a) When used in Price Schedule No. 63 the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing;

(2) "Sale at retail" means any sale to a purchaser for use by such purchaser and not for resale;

(3) "New rubber tire or tube" means any rubber tire or tube that has been used less than 1,000 miles;

(4) "Manufacturers' brands" of new rubber tires or tubes means all tires or tubes marketed under brand names owned by the manufacturer of such tires or tubes;

(5) "Private brands" of new rubber tires or tubes means all tires or tubes marketed under brand names not owned by the manufacturer of such tires or tubes;

(6) "Rubber" means all forms and types of rubber including synthetic and reclaimed rubber;

(7) "Exhibit C passenger-car tires and tubes" means any new rubber passenger-car tires and tubes of a brand, type, quality and size listed on the Exhibit C filed with the Office of Price Administration in March 1942 by the manufacturer or distributor of such tires or tubes in connection with the Tire Return Plan sponsored by the Office of Price Administration, and made part of the contract between such manufacturer or distributor and Defense Supplies Corporation.

(8) "Passenger-car reclaimed rubber war tire" means any passenger-car tire, regardless of the brand or other name appearing thereon, which is manufactured primarily of reclaimed rubber under restrictions of the War Production Board applicable to such war tires, and which has the words "War Tire" marked on the sidewall.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

([§ 1315.108 amended by Amendment 6, 7 F.R. 9888])

§ 1315.109 *Effective date of Price Schedule No. 63.* This Schedule (§§ 1315.101 to 1315.111, inclusive) shall become effective on January 5, 1942.

[Issued December 30, 1941]

§ 1315.109a *Effective dates of amendments.*

Amendment Nos. and Issue dates:	Effective
Amendment 1, 4-22-42	4-25-42
Amendment 2, 5-14-42	5-18-42
Amendment 3, 7-23-42	7-24-42
Amendment 4, 8-3-42	8-4-42
Correction, Amendment 4, 8-7-42	8-4-42
Amendment 5, 9-16-42	9-22-42
Amendment 6, 11-25-42	11-25-42
Amendment 7, 2-13-43	2-19-43

§ 1315.110 *Appendix A: Maximum retail prices for manufacturers' brands of new rubber tires and tubes.* The following prices are the maximum prices that may be charged at retail for new rubber tires or tubes at the seller's place of business. The maximum prices set forth herein may not be exceeded for any such sale, even though in a particular case no used tire or tube is traded in. If a used tire or tube is traded in, the trade-in allowance shall be deducted from the maximum price.

The actual dollar amount of the Federal excise tax paid on any tire or tube may in each case be added to the maximum price established by Price Schedule No. 63.

(a) The maximum retail prices for manufacturers' brands of passenger-car tires (4 ply) and truck tires (10 ply) listed in paragraph (b) below shall be:

PASSENGER-CAR TIRES

Size	Price
4.50—12	$9.10
4.00—15	7.80
5.00—15	10.80
6.50—15	17.50
7.00—15	19.80
8.25—15	28.15
5.00—16	10.70
5.50—16	13.15
6.00—16	14.70
6.25—16	16.60
6.50—16	17.90
7.00—16	20.30
7.50—16	25.70
5.25/5.50—17	13.50
6.00—17	16.00
5.25/5.50—18	12.35
6.00—18	17.25
4.75/5.00—19	11.05
5.25—20	15.10

TRUCK TIRES

8.25—15	68.50
7.50—18 (32 x 7)	62.10
8.25—18	65.75
9.00—18	78.10
10.50/11.00—18	106.70
7.00—20 (32 x 6)	47.50
7.50—20 (34 x 7)	63.40
8.25—20	67.05
9.00—20	80.75
8.25—22	72.40
9.00—22	84.75
7.00—24 (36 x 6)	55.10
7.50—24 (38 x 7)	71.10
8.25—24	76.40
9.00—24	88.15

(b) The prices set forth in paragraph (a) above apply to tires carrying brand names of manufacturers as follows:

Manufacturer	Brand of passenger-car tires	Brand of truck tires
The Armstrong Rubber Co.	Super Quality	Heatmaster.
Brunswick Tires	Deluxe	Heavy Service.
The Century Tire & Rubber Co.	First Line Deluxe	Commercial Service Rib Tread.
Columbia Tire & Rubber Co.	Self-Aire	Columbia—First Line.
The Cooper Corporation	Universal	All-Duty.
Corduroy Rubber Co.	Thorobred	Universal.
The Dayton Rubber Manufacturing Co.	Double Duty	Thorobred.
Denman Tire and Rubber Co.	Superlux	Super Truck and Bus Rib Tread.
Diamond Tires	Super 107 Gold Cup	Heavy Service.
Dunlop Tire and Rubber Corporation		Gold Cup Heavy Duty Truck and Bus
The Falls Rubber Co.	Road Master	Super Rib Truck and Bus.
Federal Tires	Classic	Commercial Double Blue Pennant (Cotton).
The Firestone Tire & Rubber Co.	Champion Deluxe	Transport Heavy Duty.
Fisk Tires	Air Flight Deluxe	Transportation (Cotton).
Fleetwood Tire & Rubber Co.	First Line Deluxe	Fleetwood—First Line.
Ford Motor Co.	Ford	Ford.
G & J Tires	Classic	Stalwart.
The Gates Rubber Co.	Vulco	Vulco Heavy Duty Truck and Bus.
The General Tire & Rubber Co.	New Duel Grip	Super Highway.
The Giant Tire & Rubber Co.	Deluxe	Super Rib Truck and Bus.
Gillette Tires	Ambassador (Cotton)	Super-Ribbed (Cotton).
The B. F. Goodrich Co.	Silvertown Deluxe	Speedliner Heavy Duty.
The Goodyear Tire & Rubber Co.	Deluxe All-Weather	High Miler Rib.
Hood Tires	"400"	Heavy Service.
Inland Rubber Corporation	Heavy Service	Masterpiece.
The Kelly-Springfield Tire Co.	Registered	Registered.
Lee Tire & Rubber Co.	Deluxe	Heavy Duty Special.
McCreary Tire & Rubber Co.	Super Service	Super Service.
The Mansfield Tire & Rubber Co.	Deluxe	Transport—First Line.
Miller Tires	Imperial	Heavy Service.
The Mohawk Rubber Co.	Chief	Chief Bus.
The Monarch Rubber Co.	Noble Deluxe	Truck and Bus Balloon.
National Tire Stores, Incorporated	National	Heavy Duty Truck and Bus Balloon.
The Norwalk Tire & Rubber Co.	N-40	N-6 Rib Traction.
Pennsylvania Rubber Co.	Advanced Deluxe	Universal.
The Pharis Tire & Rubber Co.	Road Gripper Super	Pharis First Line.
The Richland Rubber Co.	Deluxe	Rapid Transit.
F. G. Schenuit Rubber Co.	Schenuit Balloon	First Line Truck and Bus.
Seiberling Rubber Co.	Special Service Deluxe	Special Service—Heat Vented.
United States Rubber Co.	Royal Deluxe	Royal Fleetway.
The United Tire & Rubber Co.	Deluxe	Commercial.

(Table amended by Amendment 6, 7 F.R. 9888)

[1] 7 F.R. 8961.

(c) The maximum retail prices for manufacturers' brands of passenger-car tubes and truck tubes listed in paragraph (d) below shall be:

PASSENGER-CAR TUBES

Size	Price
4.25—12	$2.60
4.50—12	2.60
4.00—15	2.40
5.00—15	2.80
6.50—15	4.25
6.50—15	4.25
7.00—15	4.30
7.00—15	5.00
7.50—15	6.60
8.25—15	2.65
5.00—16	3.05
5.50—16	3.65
6.00—16	3.65
6.00—16	4.30
6.25—16	5.20
6.50—16	6.75
7.00—16	4.40
7.50—16	5.40
8.25—16	3.50
5.00—17	2.75
5.25—18	
5.50—18 D.C.	
5.25—17	3.30
5.50—17	
6.00—17	
6.50—17	
7.00—17	4.40
7.00—17	4.40
7.00—18	
7.50—18	
7.50—17	5.40
5.50—18 FB	3.50
6.00—18	
6.50—18	
5.25—19	
5.50—19	
6.00—19	
6.50—19	
7.50—18	5.45
4.75—19	2.95
5.00—19	6.00
7.50—19	2.75
5.25—20	3.90
5.50—20	
6.00—20	

TRUCK TUBES

Size	Price
7.00—15	4.50
7.50—15	6.75
8.25—15	9.85
9.00—15	11.30
9.75—15	11.90
10.00—15	
6.00—16	3.40
6.50—16	4.05
7.00—16	4.65
7.50—16	6.95
6.00—17	3.80
6.00—17	3.80
6.50—17	
6.50—17	3.80
7.00—17	4.75
7.50—17	4.75
6.50—18	5.00

TRUCK TUBES—Continued

Size	Price
7.00—18	$4.80
7.50—18 (32 x 7)	8.45
8.25—18	10.00
9.00—18	11.55
9.75—18	12.25
10.00—18	
10.50—18	13.75
11.00—18	
11.25—18	18.90
12.00—18	
5.50—20 (30 x 5)	4.15
6.00—20	
6.00—20 (30 x 5)	4.15
6.50—20 (32 x 6-8)	5.10
6.50—20	5.10
7.00—20	
7.00—20 (32 x 6-10)	6.30
7.00—20 (32 x 6)	6.30
7.50—20 (34 x 7)	8.90
8.25—20	10.25
9.00—20 (36 x 8)	11.75
9.75—20	12.60
9.75—20 (38 x 9)	12.60
10.00—20	
10.50—20	14.95
11.00—20	
11.25—20	20.00
12.00—20	
12.00—20	20.00
12.75—20	
13.00—20	26.50
13.50—20	
14.00—20	30.80

TRUCK TUBES—Continued

Size	Price
16.00—20	$23.40
8.25—22	10.90
9.00—22	12.25
9.75—22	12.95
10.00—22	
10.50—22	16.05
11.00—22	
11.25—22	21.60
12.00—22	
7.00—24	6.80
7.00—24 (36 x 6)	6.80
7.00—24 (36 x 6)	6.80
7.50—24 (38 x 7)	9.60
8.25—24	11.65
9.00—24 (40 x 8)	12.95
9.75—24	13.40
10.00—24 (42 x 9)	
10.50—24	17.80
11.00—24 (44 x 10)	
11.25—24	22.30
12.00—24	
12.00—24	22.30
12.75—24	13.50
13.00—24	
13.50—24	35.05
14.00—24	
16.00—24	64.15
18.00—24	78.30
21.00—24	123.00
24.00—32	138.85
18.00—40	78.90
30.00—40	402.20
36.00—40	502.15

(d) The prices set forth in paragraph (c) above apply to tubes carrying manufacturers' brand names as follows:

Manufacturer	Brand of passenger-car tubes	Brand of truck tubes
The Armstrong Rubber Co.	Heatmaster Deluxe	Heatmaster.
Brunswick Tire & Tubes	Deluxe	Heavy Service (Black).
The Century Tire & Rubber Co.	Two Tone Heavy Duty	Century Heavy Duty.
The Cooper Corporation		Long Service.
Corduroy Rubber Co.	Universal	Universal.
Cupples Co.	Worthmore Deluxe	Worthmore Deluxe Extra Heavy Service.
The Dayton Rubber Manufacturing Co.	Thorobred	Thorobred.
Denman Tire and Rubber Co.	Mercury	First Line Truck Tubes.
Diamond Tires & Tubes	Superlux	Heavy Service.
Dunlop Tire and Rubber Corporation	Extra H. D. (Red)	
H. B. Egan Manufacturing Co.		Camel
The Falls Rubber Co.		Ebonite.
Federal Tires & Tubes	Classic	Double Blue Pennant.
The Firestone Tire & Rubber Co.	Deluxe Champion	Transport.
Fisk Tires & Tubes		Transportation.
Ford Motor Co.	Ford	Ford.
G & J Tires & Tubes	Classic	Stalwart.
The Gates Rubber Co.	Vulco Heavy Duty Red	Vulco Heavy Duty Black.
The General Tire & Rubber Co.	Heavy Duty Molded	Heavy Duty Molded.
The Giant Tire & Rubber Co.		Super-Rib Truck and Bus.
Gillette Tires & Tubes	Ambassador	Gillette Heavy Service.
The B. F. Goodrich Co.	Silvertown	Silvertown.
The Goodyear Tire & Rubber Co.	Heavy Duty (Black)	Heavy Duty (Black).
Hood Tires & Tubes	Hood "400"	Heavy Service.
Inland Rubber Corporation	Heavy Duty Red	Heavy Duty.
The Kelly-Springfield Tire Co.	Registered	Kelly Black.
Lee Tire & Rubber Co.		Heavy Duty Red.
McCreary Tire & Rubber Co.		McCreary.
The Mansfield Tire & Rubber Co.	Two Tone Heavy Duty	First Line Heavy Duty.
Miller Tires & Tubes	Imperial	Heavy Service.
The Mohawk Rubber Co.	Heavy Duty	Heavy Duty.
The Monarch Rubber Co.	Noble	Noble.
National Tire Stores, Inc.	Safety Rim Fly	Heavy Duty Black.
Pennsylvania Rubber Co.	R/X Pinchproof	Pennsylvania.
The Polson Rubber Co.	Super Heavy Duty Pinch Proof	Truck and Bus Super Heavy Duty.
The Richland Rubber Co.	Two Tone	Heavy Duty.
F. G. Schenuit Rubber Co.	First Line	First Line.
Seiberling Rubber Co.	Special Service Black	Special Service Black.
United States Rubber Co.	Royal Deluxe	Royal.
The United Tire & Rubber Co.	Dual Base	Commercial.

(Table amended by Amendment 6, 7 F.R. 9888)

(e) (1) The maximum retail prices for 6.00/6.25—16 passenger-car tubes carrying the brand names of certain manufacturers shall be as follows:

Manufacturer	Brand of passenger-car tubes	Maximum price
Carlisle Tire & Rubber Co.	Greyhound, One Color.	$2.45
Columbia Tire & Rubber Co.	Hold Tite Heavy Duty.	1.95
The Cooper Corporation.	Long Service Deluxe.	3.35
The Durkee-Atwood Co.	Red Wing	2.45
H. B. Egan Manufacturing Co.	Camel	2.45
The Falls Rubber Co.	Evergreen	3.05
Fisk Tires & Tubes	Safti-Bag	2.75
Fleetwood Tire & Rubber Co.	Heavy Duty Red	1.95
The Giant Tire & Rubber Co.	Deluxe	3.20
Lee Tire & Rubber Co.	Heavy Duty Red	3.35
McCreary Tire & Rubber Co.	Super Heavy Duty	2.75
The Norwalk Tire & Rubber Co.	Extra Heavy Duty Carbon Base Flinch Proof.	2.57
The Pharis Tire & Rubber Co.	Heavy Duty	1.95

(Table amended by Amendment 6, 7 F.R. 9888)

(2) The maximum retail prices for 8.25—20 truck tubes carrying the brand names of certain manufacturers shall be as follows:

Manufacturer	Brand of truck tubes	Maximum price
Carlisle Tire & Rubber Co.	Heavy Duty Truck and Bus.	$7.80
Columbia Tire & Rubber Co.	Columbia Black	7.80
Dunlop Tire and Rubber Corporation.	Gold Cup	9.15
Fleetwood Tire & Rubber Co.	Fleetwood Black	7.80
The Norwalk Tire & Rubber Co.	Extra Heavy Duty Carbon Base.	9.81
The Pharis Tire & Rubber Co.	Heat Proof	7.80

(f) The maximum retail prices for all sizes not included in paragraph (a) shall be calculated for manufacturers' brands of passenger-car tires (4 ply) included in paragraph (b) as follows:

(1) Take the manufacturer's consumer list price in effect November 25, 1941 for the unlisted size of tire and express it as a percentage of the manufacturer's consumer list price of the same date for the 6.00—16 passenger-car tire included in paragraph (b).

(2) Apply this percentage to the maximum price for the 6.00—16 (4 ply) passenger-car tire as shown in paragraph (a).

EXAMPLE: On a November 25, 1941 consumer list for one of the brands of passenger-car tires shown in paragraph (b), the 6.00—16 tire was listed at $15.00. On the same date an odd sized tire was listed at $18.00. Dividing the 18 by the 15, it appears that the odd sized tire was listed at 120 percent of the 6.00—16 size tire. Since the 6.00—16 tire is now not to sell in excess of $14.75, the odd sized tire may not sell in excess of 120 percent of $14.75, or $17.70.

(3) If the manufacturer had no consumer list price in effect November 25, 1941, for the 6.00—16 size of the brand of passenger-car tire included in paragraph (b), the size to be substituted for the 6.00—16 size in making the calculations called for in subparagraphs (1) and (2) above shall be the first one of the following sizes for which there was such a consumer list price:

5.25/5.50—17	6.25—16
6.50—16	7.00—15
4.75/5.00—19	5.50—16
5.25/5.00—18	6.50—15
7.00—16	6.00—17

(g) The maximum retail prices for all sizes not included in paragraph (a) shall be calculated for manufacturers' brands of truck tires (10 ply) included in paragraph (b) as indicated in paragraph (f), except that the 8.25—20 truck-tire shall replace the 6.00—16 passenger-car tire in making the calculations. If the manufacturer had no consumer list price in effect November 25, 1941, for the 8.25—20 size of the brand of truck tire included in paragraph (b), the size to be substituted for the 8.25—20 size in making the calculations shall be the first one of the following sizes for which there was such a consumer list price:

7.00—20 (32 x 6)	8.25—18
7.50—20 (34 x 7)	7.50—18 (32 x 7)
9.00—20	9.00—24
7.50—24 (38 x 7)	9.00—22

(h) The maximum retail prices for all sizes not included in paragraph (c) shall be calculated for manufacturer's brands of passenger-car and truck tubes included in paragraph (d) as indicated in paragraph (f), using the appropriate price for the 6.00—16 size tube in all calculations for passenger-car tubes and the appropriate price for the 8.25—20 size tube for truck tubes. The same calculations shall be made for all sizes not specified in paragraph (e) of the brands included in that paragraph. If the manufacturer had no consumer list price in effect November 25, 1941, for the 6.00—16 size passenger-car tube or for the 8.25—20 size truck tube of the appropriate brand to be used in the calculations, the size to be substituted for either of such sizes in making the calculations shall be the first one of the following passenger-car or truck sizes, as the case may be, for which there was such a consumer list price:

PASSENGER-CAR SIZES

6.00—16	4.75—19
6.25—16	5.00—19
5.25—17	5.00—17
5.50—17	5.25—18
6.00—17	5.50—18DC
6.50—17	7.00—15
6.50—16	5.50—16
7.00—16	

TRUCK SIZES

7.00—20	8.25—18
7.00—20 (32 x 6)	7.50—18 (32 x 7)
7.50—20 (34 x 7)	9.00—24 (40 x 8)
9.00—20 (36 x 8)	9.00—22
7.50—24 (38 x 7)	

(i) The maximum retail prices for all other lines, levels, qualities, or weights of passenger-car and truck tires and tubes sold under manufacturers' brands of the manufacturers listed in paragraphs (b), (d), and (e) for which maximum retail prices are not specifically fixed by Price Schedule No. 63 shall be calculated as follows:

(1) Take the manufacturer's consumer list price in effect November 25, 1941, for the particular brand, line, level, quality, or weight of tire or tube for which no maximum price is specifically fixed by Price Schedule No. 63 and express it as a percentage of the manufacturer's consumer list price of the same date for the corresponding size of the brand of this manufacturer for which a maximum price is specifically fixed by Price Schedule No. 63.

(2) Apply this percentage to the maximum price, for the corresponding size, set forth in paragraph (a), for tires, and paragraphs (c) and (e), for tubes.

EXAMPLE: On a November 25, 1941 manufacturer's consumer list for one of the brands of passenger-car tires shown in paragraph (b), the 6.00—16 size (4 ply) was listed at $16.00. On the same date the 6.00—16 size (4 ply) of a lower quality brand of the same manufacturer had a list price of $12.00. Dividing the 12 by the 16, it appears that the lower quality brand was listed at 75 percent of the price of the brand listed in paragraph (b). Since the 6.00—16 size (4 ply) of the brand listed in paragraph (b) is now to sell not in excess of $14.75, the 6.00—16 size (4 ply) of the lower quality brand may not sell in excess of 75 percent of $14.75 or $11.05.

(3) If for any particular size of a brand, line, level, quality or weight of tire or tube for which no maximum price is specifically fixed herein, there is no corresponding size on the consumer list price in effect November 25, 1941 for the brand of this manufacturer for which a maximum price is specifically fixed herein, the maximum price for such size of such brand for which no maximum price is specifically fixed shall be determined by using the 6.00—16 size for passenger-car tires or tubes and the 8.25—20 size for truck tires or tubes in the calculations called for in subparagraphs (1) and (2) above, and maintaining the same relationship between such other size and the 6.00—16 size or the 8.25—20 size, as the case may be of the brand for which no maximum price is specifically fixed as existed between such sizes on the November 25, 1941 consumer list price for such brand.

(4) If the manufacturer had no consumer list price in effect November 25, 1941, for the 6.00—16 size passenger-car tire or tube or for the 8.25—20 size truck tire or tube of the appropriate brand to be used in the calculations under this paragraph, the size to be substituted for either of such sizes in making the calculations shall be the first size for which there was such a consumer list price among the sizes occurring in the appropriate list of passenger-car or truck tire or tube sizes set forth for a similar purpose in paragraphs (f), (g) and (h).

(j) The maximum retail prices for manufacturers' brands of passenger-car tires other than 4 ply and truck tires other than 10 ply shall be calculated to maintain the relationship expressed in paragraph (i) above.

(k) For manufacturers who did not use a consumer list for quoting prices on November 25, 1941, the calculations of the percentages called for in paragraphs (f), (g), (h), (i), and (j), shall be made on the basis of the manufacturer's selling price list.

(Paragraph (k) amended by Amendment 6, 7 F.R. 9888)

(l) The maximum retail prices for manufacturers' brands of passenger-car and truck tires and tubes owned by manufacturers not listed in paragraphs (b), (d), and (e) shall be those given in paragraph (a) for tires and paragraph (c) for tubes.

(m) Notwithstanding any other provision of paragraphs (a) to (l) inclusive, the maximum retail prices for the following brands of tires and tubes owned by the following manufacturers shall be as follows:

(1) The Armstrong Rubber Company: Maximum prices for the "Streamline" brand of passenger-car tires for all sizes listed in paragraph (a) shall be the prices listed in paragraph (a), with other sizes determined according to the method set forth in paragraph (f). Maximum prices for the 6.00—16, (4 ply) "Air Coaster" and "Standard" brands of passenger-car tires shall be $12.90 and $10.05, respectively. Other sizes and plies of these brands shall remain in the same percentage relationship to these prices as they bore on the Armstrong Rubber Company's Consumer Price List in effect on November 25, 1941.

(2) United States Rubber Company: (i) Maximum prices for the "U. S. Royal Master" and Fisk "Safti-Flight" brands of passenger-car tires shall be the consumer list prices for those brands on file with the Office of Price Administration which were in effect on November 25, 1941.

(ii) Maximum prices for the "Federal Special Service" and "Gillette Special Service" brands of truck tires in the following sizes shall be:

Size	Ply	Maximum price
8.25–20	12	$83.20
9.00–20	12	100.90
10.00–20	14	125.65
11.00–20	14	154.90

(Subparagraph (2) amended by Amendment 6, 7 F.R. 9888)

(n) Notwithstanding any other provisions of this section, on and after April 25, 1942, the maximum retail prices for manufacturers' brands of passenger-car tires and tubes shall be 16% greater than the maximum prices determined for such tires or tubes according to paragraphs (a) to (m), inclusive, of this section.

(o) (1) Notwithstanding any other provisions of this section, the maximum retail prices for any manufacturers' brands of Exhibit C passenger-car tires and tubes shall be determined according to whichever of the following subdivisions (i) or (ii) is applicable. The maximum retail prices established by this paragraph shall supersede any higher or different maximum prices which may have been established for such tires or tubes by paragraphs (a) to (n) of this section.

(i) If the Exhibit C filed with the Office of Price Administration on which the particular tires or tubes are listed sets forth consumer list prices, the maximum retail prices shall be the prices set forth on the Exhibit C list, without deducting the 20, 40, and 60% discount prescribed by the Exhibit C, for tires or tubes of the same brand and size.

(ii) If the Exhibit C filed with the Office of Price Administration on which the particular tires or tubes are listed sets forth net wholesale prices, the maximum retail prices shall be determined by taking the maximum retail prices in effect under paragraphs (a) to (m) of this section, for the tires or tubes of the same manufacturer which are most comparable as to type, quality, and size, and adjusting such price in accordance with the price differentials prevailing in the industry on March 1, 1942, for differences in brand, type, quality and size.

(2) It shall be the duty of the seller to determine which of the tires or tubes he is selling appear on the Exhibit C filed with the Office of Price Administration by the manufacturer thereof, the prices set forth for such tires or tubes on the Exhibit C list, whether such prices are consumer list prices or net wholesale prices, and any other information which is necessary to enable the seller to determine the maximum retail prices for Exhibit C passenger-car tires or tubes under subparagraph (1) of this paragraph. Such information can ordinarily be obtained from the manufacturer of the tires and tubes involved. All such information can be obtained by any seller by writing to the Office of Price Administration, Washington, D. C., where an accurate Exhibit C for each manufacturer is on file and available for inspection at all times.

(p) The maximum retail prices for manufacturers' brands of tires and tubes for special purpose trucks and busses, off-the-road equipment, industrial and commercial tractors, trailers, industrial equipment, farm implements and motorcycles, shall be calculated according to the method set forth in paragraphs (f), (g), and (h) of this section, using as the basis for calculating, the 6.00—16 or 8.25—20 size tire or tube as specified by those paragraphs. The paragraph to be used shall be the one which specifies the type of tire or tube most nearly comparable to the tire or tube for which a maximum retail price is being calculated.

§ 1315.111 *Appendix B: Maximum retail prices for private brands of new rubber tires and tubes.* The following prices are the maximum prices that may be charged at retail for new rubber tires or tubes at the seller's place of business. The maximum prices set forth herein may not be exceeded for any such sale, even though in a particular case no used tire or tube is traded in. If a used tire or tube is traded in, the trade-in allowance shall be deducted from the maximum price.

The actual dollar amount of the Federal Excise Tax paid on any tire or tube may in each case be added to the maximum price established by Price Schedule No. 63.

(a) The maximum retail prices for private brands of passenger-car tires (4 ply) and truck tires (10 ply) listed in paragraph (b) below shall be:

PASSENGER-CAR TIRES

Size	Price
4.50—12	$8.20
4.00—15	7.00
5.00—15	9.70
6.50—15	15.75
7.00—15	17.80
8.25—15	25.35
5.00—16	9.65
5.50—16	11.85
6.00—16	15.25
6.25—16	14.95
6.50—16	16.10
7.00—16	18.30
7.50—16	23.20
5.25/5.50—17	12.20
6.00—17	14.40
5.25/5.50—18	11.10
6.00—18	15.50
4.75/5.00—19	9.95
5.25—20	13.60

TRUCK TIRES

8.25—15	61.65
7.50—18 (32 x 7)	55.90
8.25—18	59.15
9.00—18	70.30
10.50/11.00—18	95.40
7.00—20 (32 x 6)	42.75
7.50—20 (34 x 7)	57.05
8.25—20	60.90
9.00—20	72.65
8.25—22	65.15
9.00—22	76.25
7.00—24 (36 x 6)	49.60
7.50—24 (38 x 7)	64.00
8.25—24	68.75
9.00—24	79.35

(b) The prices set forth in paragraph (a) apply to tires carrying brand names of distributors as follows:

Distributor	Brand of passenger-car tires	Brand of truck tires
A-1 Tire Co.	Auburn Deluxe	
Abel Sales Corporation	Custombilt	Custom Built "RNS" Torture Type.
Ajax Tire and Rubber Corporation	A-100 Safety	
Albert Tire Co.	Silver Eagle	
American Tire Alliance	Aristocrat	All-Service.
Apex Tire Inc.	Safety Deluxe	Regular Tread Balloon.
Arkansas Fuel Oil Co.	Milemaster	Speedmaster.
Atlas Supply Co.	Atlas Grip Safe	Atlas Truck-Coach (Cotton).
Banner Tire Co.	Belmont Master	
W. H. Barber Co.	Ingersoll Heavy Duty Black	Highway Transport.

Distributor	Brand of passenger-car tires	Brand of truck tires
Bareco Oil Co	Be Square Supreme Rib Tread.	Be Square Balloon Truck.
Belknap Hardware & Manufacturing Co	Belknap Deluxe	Extra Heavy Duty Ribbed. Traction.
Broadway Tire Co	Carnegie Custom-Master	Carnegie Custom-Master.
The Brown Fence & Wire Co	First Line	Stop Skid.
Burke-Savage Tire Co	Silver Eagle	
Butler Brothers	Cunningham	Cunningham Oversize Heavy Duty.
Cenzan Tires, Ltd	Scout	
Certified Brands, Inc	Certified Deluxe	
Champlin Refining Co	Super Deluxe Custom Built	Champlin Super Deluxe.
Cities Service Oil Co	Mile Masters	Speedmaster.
Coast to Coast Stores	Super Safe-Flex	
Cooperative Distributors, Inc	"Californian First Liner"	
Cooperative G. L. F. Farm Supplies, Inc	Super Unico	Unico Truck.
Cooperative Seed & Farm Supply Service, Inc	do	Do.
Direct Service Oil Co	Viking	&
Englert Tire & Rubber Co	Gold Seal Standard	Gold Seal Truck and Bus Balloon.
Farm Bureau Cooperative Association, Inc	Super Unico	Unico Truck.
Farm Bureau Services, Inc	do	Do.
Farmers Cooperative Exchange, Inc	do	Do.
Gamble Stores	Crest Deluxe	Super Crest Speed Special (Cotton).
The Globe Oil & Refining Co	Rocket	Rocket Truck.
Goldblatt Brothers, Inc	Apollo Supreme	
Hardware Associates, Inc	Ever Best Master Premium	Ever Best Truck and Bus Balloon.
Hibbard, Spencer, Bartlett & Co	O. V. B. Deluxe	Hibbard Heavy Duty.
Hicks Rubber Co., Inc	Lone Star	Star Masterpiece.
Illinois Farm Supply Co	Master	Master Rib.
Imperial Tire Co	Lafayette Deluxe	
Kotzen Tire Co	Mallory Deluxe	
Marshall-Wells Co	Zenith Super Safe	Zenith Streamliner.
Montgomery Ward & Co	Riverside Deluxe	Riverside First Quality—Non-Skid.
Moore's Auto Accessories	Deluxe	
Murray Tire and Rubber Corporation (New York).	Gear Grip Tread M-100	Custom Built "RNS" Torture Type.
Northern Tire & Rubber Co	Ranger	
Ohio Oil Co	Linco Deluxe	Linco J-1 Truck and Bus Balloon.
Pennsylvania Farm Bureau Co-operative Association.	Super Unico	Unico Truck.
The Pep Boys	Cornell Clipper	Cornell Super Service.
Richmond Rubber Co., Inc	Mile Master Deluxe	Super Miler.
S. & M. Tire & Auto Supply Co	Gold Medal Deluxe	Gold Medal—100 level.
Savenick's	Savoy Master	
Savoy Rubber Co	Savoy Master	
Sears, Roebuck & Co	Allstate Deluxe	Allstate Deluxe Non Skid.
Shapleigh's Hardware Co	Shapleigh Deluxe	Shapleigh Transport Balloon Truck.
Sobel Bros	Oxford Deluxe	
Southern States Cooperative, Inc	Super Unico	Unico Truck.
Spiegel, Inc	Caravan	Caravan.
The Standard Rubber Co	Argyle Mainliner	Truck Balloon.
Standard Tire & Battery Co	Silver Eagle	
Strauss Stores Corporation	Regal Custom & Safety Built	
Triplex Tire Co	Streamline (4 ply)	
Tru Test Marketing & Merchandising Corporation	Tru Test Super	Tru Test Truck and Bus.
United Co-operatives, Inc	Super Unico	Unico Truck.
United Tire Co	Savoy "Master"	
Vanderbilt Tire & Rubber Co	Vanderbilt First Line (4 ply)	Vanderbilt Deluxe Truck-Bus.
Vanguard Tire & Rubber Co	Super Vanguard	
Vogue Rubber Co	Ritz	
Western Auto Supply Co. (Los Angeles, Calif.).	Western Giant Double Duty	Western Giant Truck.
Western Auto Supply Co. (Kansas City, Mo.).	Super Safety	Davis High Speed.
Westminster Tire Corporation	Life Protector K-100	Custom Built "RNS" Torture Type.
Wisconsin Co-op Farm Supply Co	Master	Master Rib.
World Tire Corporation (St. Louis, Mo.)	Auburn Deluxe	
World Tire Corporation (Toledo, Ohio)	Douglas Super Liner	

(Table amended by Amendment 6, 7 F.R. 9888 and Amendment 7)

(c) The maximum retail prices for private brands of passenger-car and truck tubes listed in paragraph (d) below shall be:

PASSENGER-CAR TUBES

Size	Price
4.25—12	$1.40
4.50—12	1.40
4.00—15	1.30
5.00—15	1.50
6.50—15	2.25
6.50—15 7.00—15	2.25
7.00—15	2.30
7.50—15	2.65
8.25—15	3.55
5.00—16	1.40
5.50—16	1.65
6.00—16	1.95
6.00—16 6.25—16	1.95
6.50—16 7.00—16	2.30

PASSENGER-CAR TUBES—Continued

Size	Price
7.50—16	$2.80
8.25—16	3.60
5.00—17 5.25—18 5.50—18 D. C.	1.45
5.25—17 5.50—17 6.00—17 6.50—17	1.75
7.00—17	2.35
7.00—17 7.50—17 7.00—18 7.50—18	2.35
7.50—17	2.90
5.50—18 FB 6.00—18 6.50—18 5.25—19 5.50—19 6.00—19 6.50—19	1.85
7.50—18	2.90
4.75—19 5.00—19	1.60

PASSENGER-CAR TUBES—Continued

Size	Price
7.50—19	$3.20
5.25—20	1.45
5.50—20 6.00—20	2.10

TRUCK TUBES

Size	Price
7.00—15	3.40
7.50—15	5.15
8.25—15	7.50
9.00—15	8.60
9.75—15 10.00—15	9.05
6.00—16	2.60
6.50—16	3.10
7.00—16	3.55
7.50—16	5.30
6.00—17	2.90
6.00—17 6.50—17	2.90
6.50—17 7.00—17 7.50—17	3.60
7.50—17	3.60
6.50—18	3.80
7.00—18	3.65
7.50—18 (32 x 7)	6.45
8.25—18	7.60
9.00—18	8.80
9.75—18 10.00—18	9.30
10.50—18 11.00—18	10.45
11.25—18 12.00—18	14.40
5.50—20 6.00—20 (30 x 5)	3.15
6.00—20 (3· x 5)	3.15
6.50—20 (32 x 6–8)	3.90
6.50—20 7.00—20	3.90
7.00—20 (32 x 6–10) (32 x 6)	4.80 4.80
7.50—20 (34 x 7)	6.75
8.25—20	7.80
9.00—20 (36 x 8)	8.95
9.75—20	9.60
9.75—20 10.00—20 (38 x 9)	9.60
10.50—20 11.00—20	11.40
11.25—20 12.00—20	15.20
12.00—20	15.20
12.75—20 13.00—20 13.50—20 14.00—20	20.15 23.45
16.00—20	25.40
8.25—22	8.30
9.00—22	9.30
9.75—22 10.00—22	9.85
10.50—22 11.00—22 11.25—22 12.00—22	12.20 16.45
7.00—24	5.15
7.00—24 (36 x 6) (36 x 6)	5.15 5.15
7.50—24 (38 x 7)	7.30
8.25—24	8.85
9.00—24 (40 x 8)	9.80
9.75—24 10.00—24 (42 x 9)	10.20
10.50—24 11.00—24 (44 x 10)	13.55
11.25—24 12.00—24	16.45
12.00—24	16.95
12.75—24 13.00—24 13.50—24 14.00—24	22.45 26.65
16.00—24	48.80
18.00—24	59.60
21.00—24	93.60
24.00—32	105.65

TRUCK TUBES—Continued

Size	Price
18.00—40	$60.05
30.00—40	306.05
36.00—40	382.10

(d) The prices set forth in paragraph (c) above apply to tubes carrying distributors' brand names as follows:

Distributor	Brand of passenger-car tubes	Brand of truck tubes
A-1 Tire Co	Defender Heavy Duty Black.	
Abel Sales Corporation	Senator.	
Ajax Tire and Rubber Corporation	Red Molded, Black Molded	Black Standard.
Apex Tire, Inc	Heavy Duty Red	Truck Tube.
Arkansas Auto Supply	Gridiron	Gridiron
Arkansas Fuel Oil Co	Standard	Standard.
Atha Supply Co	Junior Atlas Red and Black	
Auto Spring & Bearing Co., Inc	American	American.
W. H. Barber Co	Ingersoll Heavy Duty Black	Greater Service Heavy Duty Red.
Bareco Oil Co	Be Square	Be Square.
Belknap Hardware & Manufacturing Co	Standard Heavy Duty	Speedmore.
Joseph L. Bickerstaff's Sons, Inc	Bickerstaff Deluxe	Bickerstaff Deluxe.
Bohnett Tire Co		Bohnett Heat Resisting.
Braxton Motor Co	Mountaineer Heavy Duty Ten-Black Pinchproof.	Mountaineer Heavy Duty.
Broadway Tire Co	Fulton Black	Fulton Heavy Duty Black.
Brooklyn Tire Exchange	United Super Master Heavy Duty.	United Super Master Heavy Duty.
The Brown Fence & Wire Co	Red Extra Heavy	Black Extra Heavy.
Bruck Tire Co	Lorraine Heavy Duty	
Burke-Savage Tire Co	Silver Eagle Heavy Duty	Silver Eagle Pinch Proof Deluxe.
Burner and Williams	B. & W. Tutone	
Butler Brothers		Cunningham Heavy Duty.
Butler Chain Co., Inc	Regular	Regular.
Capitol Auto Stores	Capitol	
Certified Brands, Inc	Certified Heavy Duty	Certified Heavy Duty.
Champlin Refining Co	Extra Quality	Deluxe.
Cities Service Oil Co	Standard	
Coast to Coast Stores	Safe-Flex Red and Black	Safe-Flex Black.
Cooperative G. L. F. Farm Supplies, Inc	Unico Heavy Duty Tube	Unico Truck.
Cooperative Oil Association, Inc	COA Super Quality	COA Super Quality.
Cooperative Seed & Farm Supply Service, Inc.	Unico Heavy Duty Tube	Unico Truck.
Dell Tire Corporation	Dell	Dell.
Dempsey & Sanders	Hi-ten	
Dickel Distributing Co	Majestic	Majestic.
Eagle Tire Co	Vulcan Heavy Duty Red	
Farm Bureau Cooperative Association, Inc	Unico Heavy Duty Tube	Unico Truck.
Farm Bureau Services, Inc	Unico Heavy Duty Tube	Unico Truck.
Farmers Cooperative Exchange, Inc	Unico Heavy Duty Tube	Unico Truck.
Franklin Auto Supply	Ben Franklin Regular	Ben Franklin.
Fritz Auto Parts Co	Leader	Leader.
Gamble Stores	Crest Standard	Crest Truck
The Globe Oil & Refining Co	Rocket Passenger-Car Tube	Rocket Truck Tube.
Goldblatt Brothers, Inc	Apollo Extra Duty	
M. Greenberg & Sons		M. G. & S.
Harbison & Gathright, Inc	H. & G. Deluxe	H. & G. Deluxe.
Hardware Associates Inc	Ever Best Heavy Duty	Ever Best Heavy Duty.
Hercules Specialty Co	Hercules	Hercules Pinch Proof.
Hicks Rubber Co., Inc	Meteor Red	
Willard A. Hill Organization	New Yorker Heavy Duty Black.	New Yorker Heavy Duty Black.
Hollander Auto Stores	Victory	
Hoover Tire Co		Hoover Heavy Duty Chief.
Illinois Farm Supply Co	Ace	Master Truck.
Imperial Tire Co	Lafayette Heavy Duty	
Levin's Auto Supply Co	Van Ness Deluxe Red and Black.	Van Ness Deluxe Red and Black.
London Tire Co., Inc	Mitchell	Mitchell.
Main Street Service Station	Main Street Service Station.	
Markey Supply Co	Marco	Marco.
Marshall-Wells Co	Zenith Deluxe	Zenith Deluxe.
Model Tire Store, Inc	Model	Model.
Montgomery Ward & Co	Riverside	Riverside.
Moore-Handley Hardware Co	Morhand	Morhand
Murray Tire and Rubber Corporation (New York).	Red Molded, Black Molded.	Black Standard.
Myhand & Holtrey	M. & H. Premium	M. & H. Premium.
Ninth Street Tire & Battery Service		Super Chief.
Peerless Auto Supply Co	Peerless	Peerless.
Pennsylvania Farm Bureau Co-operative Association.	Unico Heavy Duty Tube	Unico Truck.
The Pep Boys	Cornell Deluxe	Cornell.
Richmond Rubber Co., Inc	Ultra Heavy Duty	Ultra Heavy Duty.
Reich-Schlenger, Inc	Spaulding Pinch Proof	
S & M. Tire & Auto Supply Co	Gold Medal	Gold Medal Heat Resisting Heavy Duty Black
Savoy Rubber Co		Savoy.
Sears, Roebuck & Co		Allstate Deluxe.
Shapleigh's Hardware Co		Good Service Truck and Bu .
Skinner Tire & Rubber Co	Red Devil Heavy Duty Pinchproof.	All-Red Heavy Duty.
Sobel Bros	Oxford Heavy Duty	
Southern States Cooperative, Inc	Unico Heavy Duty Tube	Unico Truck.
Spiegel, Inc	Argyle Heavy Duty	Caravan.
Strauss Stores Corporation	Regal Heavy Duty Black	
Times Square Stores Corporation	Michigan	
Tru Test Marketing & Merchandising Corporation.	Standard Red	
United Co-operatives, Inc	Unico Heavy Duty Tubes	Unico Truck.
Vanity Oil & Tire Co	Valtire	Valtire.
Vanguard Tire & Rubber Co	Vanguard Red	Vanguard Truck and Bus.
Western Auto Supply Co., (Los Angeles, Calif.)		Jumbo Black.
Western Auto Supply Co., (Kansas City, Mo.)	Standard	Davis Truck.
Westminster Tire Corporation	Red Molded, Black Molded.	Black Standard.
Wisconsin Co-op Farm Supply Co	Ace	Master Truck.
World Tire Corporation (St. Louis, Mo.)	Defender Heavy Duty Black	Mainliner Heavy Duty Red.
World Tire Corporation (Toledo, Ohio)	Mainliner Red	Heavy Duty Red.

(Table amended by Amendment 6, 7 F.R. 9888 and Amendment 7)

(e) (1) The maximum retail prices for 6.00/6.25—16 passenger-car tubes carrying the brand names of certain distributors shall be as follows:

Distributor	Brand of passenger-car tubes	Maximum price
Advance Auto Supply Co.	Advance	$2.30
Albert Tire Co	Silver Eagle Heavy Duty.	2.75
American Tire Alliance	Tri-Flex	2.15
Banner Tire Co	Kenmore	2.45
Bohnett Tire Co	Bohnett Heat Resisting.	2.32
Butler Brothers	Cunningham	2.30
Englert Tire & Rubber Co.	Red Seal	2.60
Hibbard, Spencer, Bartlett & Co.	Hibbard True Value	2.11
Hoover Tire Co	Hoover Heavy Duty Chief.	3.60
W. E. Johnson & Co	Johnson Heavy Duty Red.	2.29
Martin & Criswell	Martin & Criswell Heavy Duty.	2.75
Moore's Auto Accessories.	Deluxe	2.45
Ninth Street Tire & Battery Service.	Standard Chief	2.75
Ohio Oil Co	Regular	2.11
Opelle Tire Co	Opelle Heavy Duty	3.65
Phillips Petroleum Co	Unique	1.44
Savenick's	Savoy Heavy Duty	2.75
Savoy Rubber Co	Savoy Heavy Duty	2.75
Sears, Roebuck & Co	Allstate Extra Heavy Red.	2.20
Serber Rubber Co., Inc	Superba	3.65
Shapleigh's Hardware Co.	Good Service	2.11
Standard Supply & Tire Corporation.	Richlin	2.40
Sweet & Long	Sweet & Long	2.60
Tanner Service Station	Tanner Heavy Duty	2.91
Thompson & Ducey	Thompson & Ducey Heavy Duty.	2.80
Triplex Tire Co	Extra Heavy Hi-Tex Pinch Proof.	3.45
United Tire Co	Savoy Red Passenger	2.75
Vanderbilt Tire & Rubber Co.	Vanderbilt De Luxe	2.45
Vogue Rubber Co	Red Pinch Proof	5.10
Western Auto Supply Co. (Los Angeles, Calif.).	Giant Brown	2.15

(Table amended by Amendment 6, 7 F.R. 9888 and Amendment 7)

(2) The maximum retail prices for 8.25—20 truck tubes carrying the brand names of certain distributors shall be as follows:

Distributor	Brand of truck tubes	Maximum price
Albert Tire Co	Silver Eagle Heavy Duty.	$10.25
American Tire Alliance	All Service Truck and Bus.	10.25
Atlas Supply Co	Truck Coach Tube	8.95
Cities Service Oil Co	Acme Heavy Service	10.25
Eagle Tire Co	Vulcan	10.25
Englert Tire & Rubber Co.	Gold Seal	9.65
Fordham Tire Co. (Vanderbilt Tire Co.).	Vanderbilt Truck and Bus Tube.	10.25
Hicks Rubber Co., Inc	Star Deluxe	10.25
Indiana Farm Bureau Cooperative Association, Inc.	Super Heavy Duty Black.	10.25
W. E. Johnson & Co	Johnson Heavy Duty Red.	8.59
Ohio Oil Co	Linco Truck and Bus.	9.32
Serber Rubber Co., Inc	Superba	10.25
Standard Rubber Co	Heavy Duty Black	10.25
Standard Supply & Tire Corporation.	Richlin	9.36
Tru Test Marketing & Merchandising Corporation.	Heavy Service	8.75
Vanderbilt Tire & Rubber Co.	Vanderbilt Truck and Bus Tube.	10.25

(Table amended by Amendment 6, 7 F.R. 9888 and Amendment 7)

(f) The maximum retail prices for all sizes not included in paragraph (a) shall be calculated for the private brands of passenger-car tires (4 ply) included in paragraph (b) as follows:

(1) Take the consumer list price in effect November 25, 1941, for the unlisted size of tire and express it as a percentage of the consumer list price of the same date for the 6.00—16 passenger-car tire included in paragraph (b).

(2) Apply this percentage to the maximum price for the 6.00—16 (4 ply) passenger-car tire as shown in paragraph (a).

EXAMPLE: On a November 25, 1941, consumer list for one of the brands of passenger-car tires shown in paragraph (b) the 6.00—16 tire was listed at $12.00. On the same date an odd-size tire was listed at $14.40. Dividing the 14.40 by the 12, it appears that the odd-size tire was listed at 120 percent of the 6.00—16 size tire. Since this 6.00—16 tire is now not to sell in excess of $13.25, the odd size may not sell in excess of 120 percent of $13.25 or $15.90.

(3) If there was no consumer list price in effect November 25, 1941, for the 6.00—16 size of the brand of passenger-car tire included in paragraph (b), the size to be substituted for the 6.00—16 size in making the calculations called for in subparagraphs (1) and (2) above shall be the first one of the following sizes for which there was such a consumer list price:

5.25/5.50—17	6.25—16
6.50—16	7.00—15
4.75/5.00—19	5.50—16
5.25/5.50—18	6.50—15
7.00—16	6.00—17

(g) The maximum retail prices for all sizes not included in paragraph (a) shall be calculated for private brands of truck tires (10 ply) included in paragraph (b), as indicated in paragraph (f) except that the 8.25—20 truck tire shall replace the 6.00—16 passenger-car tire in making the calculation. If there was no consumer list price in effect November 25, 1941, for the 8.25—20 size of the brand of truck tire included in paragraph (b), the size to be substituted for the 8.25—20 size in making the calculations shall be the first one of the following sizes for which there was such a consumer list price:

7.00—20 (32 x 6)	8.25—18
7.50—20 (34 x 7)	7.50—18 (32 x 7)
9.00—20	9.00—24
7.50—24 (38 x 7)	9.00—22

(h) The maximum retail prices for all sizes not included in paragraph (c) shall be calculated for private brands of passenger-car and truck tubes included in paragraph (d) as indicated in paragraph (f), using the appropriate price for the 6.00—16 size tube in all calculations for passenger-car tubes and the appropriate price for the 8.25—20 size tube for truck tubes. The same calculations shall be made for all sizes not specified in paragraph (e) of the brands included in that paragraph. If there was no consumer list price in effect November 25, 1941, for the 6.00—16 size passenger-car tube or for the 8.25—20 size truck tube of the appropriate brand to be used in the calculations, the size to be substituted for either of such sizes in making the calculations shall be the first one of the following passenger-car or truck sizes, as the case may be, for which there was such a consumer list price:

PASSENGER-CAR SIZES

6.00—16		4.75—19	
6.25—16		5.00—19	
5.25—17		5.00—17	
5.50—17		5.25—18	
6.00—17		5.50—18	DC
6.50—17		7.00—15	
6.50—16		5.50—16	
7.00—16			

TRUCK SIZES

7.00—20		8.25—18	
7.00—20	(32 x 6)	7.50—18	(32 x 7)
7.50—20	(34 x 7)	9.00—24	(40 x 8)
9.00—20	(36 x 8)	9.00—22	
7.50—24	(38 x 7)		

(i) The maximum retail prices for all other lines, levels, qualities or weights of passenger-car and truck tires and tubes sold under private brands by the distributors listed in paragraphs (b), (d), and (e) for which maximum retail prices are not specifically fixed by Price Schedule No. 63 shall be calculated as follows:

(1) Take the consumer list price in effect November 25, 1941, for the particular brand, line, level, quality or weight of tire or tube for which no maximum price is specifically fixed by Price Schedule No. 63 and express it as a percentage of the consumer list price of the same date for the corresponding size of the brand of this distributor for which a maximum price is specifically fixed by Price Schedule No. 63.

(2) Apply this percentage to the maximum price, for the corresponding size, set forth in paragraph (a), for tires, and paragraphs (c) and (e), for tubes.

EXAMPLE: On a November 25, 1941, consumer list for one of the brands of passenger-car tires shown in paragraph (b), the 6.00—16 size (4 ply) was listed at $14.00. On the same date the 6.00—16 size (4 ply) of a lower quality private brand tire handled by the same distributor had a list price of $11.20. Dividing the $11.20 by the 14, it appears that the lower quality brand was listed at 80 percent of the price of the brand listed in paragraph (b). Since the 6.00—16 size (4 ply) of the brand listed in paragraph (b) is now not to sell in excess of $13.25, the 6.00—16 size (4 ply) of the lower quality brand may not sell in excess of 80 percent of $13.25 or $10.40.

(3) If for any particular size of a brand, line, level, quality or weight of tire or tube for which no maximum price is specifically fixed herein, there is no corresponding size on the consumer list price in effect November 25, 1941, for the brand of this distributor for which a maximum price is specifically fixed herein, the maximum price for such size of such brand for which no maximum price is specifically fixed shall be determined by using the 6.00—16 size for passenger-car tires or tubes and the 8.25—20 size for truck tires or tubes in the calculations called for in subparagraphs (1) and (2) above, and maintaining the same relationship between such other size and the 6.00—16 size or the 8.25—20 size, as the case may be, of the brand for which no maximum price is specifically fixed, as existed between such sizes in the November 25, 1941, consumer list price for such brand.

(4) If there was no consumer list price in effect November 25, 1941, for the 6.00—16 size passenger-car tire or tube or for the 8.25—20 size truck tire or tube of the appropriate brand to be used in the calculations under this paragraph, the size to be substituted for either of such sizes in making the calculations shall be the first size for which there was such a consumer list price among the sizes occurring in the appropriate list of passenger-car or truck tire or tube sizes set forth for a similar purpose in paragraphs (f), (g) and (h).

(j) The maximum retail prices for private brands of passenger-car tires other than 4 ply and truck tires other than 10 ply shall be calculated to maintain the relationship expressed in paragraph (i) above.

(k) For private brand distributors who did not use a consumer list for quoting prices on November 25, 1941, the calculations of the percentages called for in paragraphs (f), (g), (h), (i), and (j), shall be made on the basis of wholesale price lists.

(Paragraph (k) amended by Amendment 6, 7 F.R. 9888)

(l) The maximum retail prices for private brands of passenger-car and truck tires and tubes owned by distributors not listed in paragraphs (b), (d), and (e) shall be those given in paragraph (a) for tires and paragraph (c) for tubes.

(m) Notwithstanding any other provision of paragraphs (a) to (l) inclusive, the maximum retail prices for the following brands of tires and tubes owned by the following private brand distributors shall be as follows:

(1) Triplex Tire Company: Maximum prices for all brands of passenger-car and truck tires shall be the consumer price list of the company on file with the Office of Price Administration which was in effect on September 30, 1941.

(2) National Co-operatives, Inc.: Maximum prices for all brands of passenger-car and truck tires and tubes shall be those set forth on the list of maximum retail prices filed pursuant to this subparagraph with the Division of the Federal Register.[1] Such list of maximum retail prices is available at any district, state, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

(Paragraph (m) amended by Amendment 4, 7 F.R. 9888)

(n) Notwithstanding any other provisions of this section, on and after April 25, 1942, the maximum retail prices for private brands of passenger-car tires and tubes shall be 16⅔% greater than the maximum prices determined for such tires or tubes according to paragraphs (a) to (m) inclusive of this section.

(o) (1) Notwithstanding any other provisions of this section, the maximum retail prices for any private brands of Exhibit C passenger-car tires and tubes shall be determined according to whichever of the following subdivisions (i) or (ii) is applicable. The maximum retail prices established by this paragraph shall supersede any higher or different maximum prices which may have been established for such tires or tubes by paragraphs (a) to (n) of this section.

(i) If the Exhibit C filed with the Office of Price Administration on which the particular tires or tubes are listed sets forth consumer list prices, the maximum retail prices shall be the prices set forth on the Exhibit C list, without deducting the 20, 40, or 60% discount prescribed by the Exhibit C, for tires or tubes of the same brand and size.

(ii) If the Exhibit C filed with the Office of Price Administration on which the particular tires or tubes are listed sets forth net wholesale prices, the maximum retail prices shall be determined by taking the maximum retail prices in effect under paragraphs (a) to (m) of this section, for the tires or tubes of the same distributor which are most comparable as to type, quality, and size and adjusting such price in accordance with the price differentials prevailing in the industry on March 1, 1942, for differences in brand, type, quality and size.

(2) It shall be the duty of the seller to determine which of the tires or tubes he is selling appear on the Exhibit C filed with the Office of Price Administration by the distributor or manufacturer thereof, the prices set forth for such tires or tubes on the Exhibit C list, whether such prices are consumer list prices or net wholesale prices, and any other information which is necessary to enable the seller to determine the maximum retail prices for Exhibit C passenger-car tires or tubes under subparagraph (1) of this paragraph. Such information can ordinarily be obtained from the distributor or manufacturer of the tires or tubes involved. All such information can be obtained by any seller by writing to the Office of Price Administration, Washington, D. C., where an accurate Exhibit C for each distributor and manufacturer is on file and available for inspection at all times.

(p) The maximum retail prices for private brands of tires and tubes for special purpose trucks and busses, off-the-road-equipment, industrial and commercial tractors, trailers, industrial equipment, farm implements and motorcycles, shall be calculated according to the method set forth in paragraphs (f), (g), and (h), of this section, using as the basis for calculating, the 6.00—16 or 8.25—20 size tire or tube as specified by those paragraphs. The paragraph to be used shall be the one which specifies the type of tire or tube most nearly comparable to the tire or tube for which a maximum retail price is being calculated.

§ 1315.112 *Appendix C: Maximum retail prices for new passenger-car reclaimed rubber war tires.* The following prices are the maximum prices that may be charged at retail for new rubber tires or tubes at the seller's place of business. The maximum prices set forth herein may not be exceeded for any such sale, even though in a particular case no used tire or tube is traded in. If a used tire or tube is traded in, the trade-in allowance shall be deducted from the maximum price. The actual dollar amount of the Federal excise tax paid on any tire or tube may in each case be added to the maximum price established by Revised Price Schedule No. 63.

(a) Notwithstanding any of the provisions of Appendixes A and B (§§ 1315.110 and 1315.111), the maximum retail prices for new passenger-car reclaimed rubber war tires shall be:

PASSENGER-CAR RECLAIMED RUBBER WAR TIRES

Size	*Maximum price*
7.00—15	$17.80
6.00—16	13.25
6.25/6.50—16	16.65
7.00—16	18.25
5.25/5.50—17	12.20
5.25/5.50—18	11.10
4.75/5.00—19	9.95
4.50/4.75/5.00—20	11.05
4.40/4.50—21	9.90
30 x 3½	8.45

(§ 1315.112 added by Amendment 6, 7 F.R. 9888)

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2516; Filed, February 15, 1943; 4:41 p. m.]

PART 1340—FUEL

[RPS 88,[1] Amendment 70]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1340.159 (c) (3), subdivision (xi) is amended to read as set forth below:

§ 1340.159 *Appendix A: Maximum prices for petroleum and petroleum products.* * * *

(c) *Specific prices.* * * *

(3) *Distillate fuel oils.* * * *

(xi) *Metropolitan Boston, Massachusetts, area.* In the Metropolitan Boston, Massachusetts, area, comprised of the following towns and cities: Arlington, Belmont, Boston, Braintree, Brookline, Cambridge, Canton, Chelsea, Cohassett, Dedham, Dover, Everett, Hingham, Lexington, Lynn, Malden, Medford, Melrose, Milton, Nahant, Needham, Newton, Quincy, Reading (but not North Reading), Revere, Saugus, Somerville, Stoneham, Swampscott, Wakefield, Waltham, Watertown, Wellesley, Weston, Westwood, Weymouth, Winchester, Winthrop and Woburn, maximum prices for kerosene, No. 1 fuel oil and range oil shall be as follows:

	Cents per gallon
F. o. b. terminals in bulk lots for delivery by barge	6.65
F. o. b. terminals in bulk lots for delivery by tank car or motor transport	6.9
At seller's yard for delivery into buyer's tank wagons	7.5
At seller's yard for deliveries in containers in quantities of 10 gallons or less	10
Tank wagon deliveries to resellers in quantities of 25 gallons or over	9.5
Tank wagon deliveries to consumers in quantities of 25 gallons or over	10
Tank wagon deliveries in quantities of less than 25 gallons and truck deliveries in containers in quantities of less than 25 gallons	11.7

* * * * * *

§ 1340.158a *Effective dates of amendments.* * * *

(sss) Amendment No. 70 (§ 1340.159 (c) (3) (xi)) to Revised Price Schedule No. 88 shall become effective February 20, 1943, and shall, unless earlier revoked or replaced, expire on April 15, 1943.

(Pub. Law 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2518; Filed, February 15, 1943; 4:42 p. m.]

PART 1340—FUEL

[RPS 88,[1] Amendment 73]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1340.159 (c) (3) subdivisions (xiv), (xv), (xvi), (xvii), and (xviii) are added as set forth below:

§ 1340.159 *Appendix A: Maximum prices for petroleum and petroleum products.* * * *

(c) *Specific prices.* * * *

(3) *Distillate fuel oils.* * * *

(xiv) *Bridgeport, Connecticut Area.* In the Bridgeport, Connecticut Area comprising the townships and cities of Bridgeport, Easton, Fairfield, Monroe, Stratford, Trumbull, Weston and Westport, maximum prices for kerosene, No. 1 fuel oil and range oil shall be as follows:

	Cents per gallon
F. o. b. terminals in bulk lots for delivery by tank car or motor transport	7.2
At seller's yard for delivery into buyer's tank wagons	7.5
At seller's yard for deliveries in containers in quantities of 10 gallons or less	11.0
Tank wagon deliveries to resellers in quantities of 25 gallons or over	8.9
Tank wagon deliveries to consumers in quantities of 25 gallons or over	9.7
Tank wagon deliveries to consumers in quantities of less than 25 gallons	11.2

[1] Filed with the Division of the Federal Register as part of the original document.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1107, 1371, 1798, 1799, 1886, 2132, 2304, 2352, 2634, 2945, 3463, 3482, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 4857, 5481, 5867, 5868, 5988, 5983, 6057, 6167, 6471, 6680, 7242, 7838, 8433, 8478, 9120, 9134, 9335, 9425, 9460, 9620, 9621, 9817, 9820, 10684, 11069, 11112, 11075; 8 F.R. 157, 232, 233, 857, 1227, 1200, 1457, 1312, 1318, 1642, 1799.

(xv) *New Haven, Connecticut Area.* In the New Haven, Connecticut Area comprising the townships and cities of Bethany, Branford, East Haven, Hamden, Milford, North Branford, North Haven, Orange, West Haven and Woodbridge, maximum prices for kerosene, No. 1 fuel oil and range oil shall be as follows:

	Cents per gallon
F. o. b. terminals in bulk lots for delivery by tank car or motor transport	7.2
At seller's yard for delivery into buyer's tank wagons	7.5
At seller's yard for deliveries in containers in quantities of 10 gallons or less	11.0
Tank wagon deliveries to resellers in quantities of 25 gallons or over	8.9
Tank wagon deliveries to consumers in quantities of 25 gallons or over	9.7
Tank wagon deliveries to consumers in quantities of less than 25 gallons	11.2

(xvi) *Hartford, Connecticut Area.* In the Hartford, Connecticut Area comprising the townships and cities of Bloomfield, East Hartford, East Windsor, Glastonbury, Hartford, Newington, Wethersfield, Windsor, Windsor Locks, West Hartford and South Windsor, maximum prices for kerosene, No. 1 fuel oil and range oil shall be as follows:

	Cents per gallon
F. o. b. terminals in bulk lots for delivery by tank car or motor transport	7.2
At seller's yard for delivery into buyer's tank wagons	7.5
At seller's yard for deliveries in containers in quantities of 10 gallons or less	10.0
Tank wagon deliveries to resellers in quantities of 25 gallons or over	9.7
Tank wagon deliveries to consumers in quantities of 25 gallons or over	9.7
Tank wagon deliveries to consumers in quantities of less than 25 gallons	11.2

(xvii) *Danbury, Connecticut Area.* In the Danbury, Connecticut Area comprising the following townships and cities in the State of Connecticut: Bethel, Bridgewater, Brookfield, Danbury, Redding, Ridgefield, New Fairfield, New Milford, Newtown and Sherman; and the following townships and cities in the State of New York: Brewster, Patterson and Pawling, maximum prices for kerosene, No. 1 fuel oil and range oil shall be as follows:

	Cents per gallon
At seller's yard for delivery into buyer's tank wagons	7.9
At seller's yard for deliveries in containers in quantities of 10 gallons or less	11.0
Tank wagon deliveries to resellers in quantities of 25 gallons or over	9.7
Tank wagon deliveries to consumers in quantities of 26 gallons or over	10.2
Tank wagon deliveries to consumers in quantities of less than 25 gallons	11.7

(xviii) *New England States.* Until April 15, 1943, at all points in the New England States other than those within the areas defined in subdivisions (xiv), (xv), (xvi) and (xvii) above, the maximum tank wagon prices for kerosene, No. 1 fuel oil and range oil to consumers in quantities of less than 25 gallons shall be 1½ cents per gallon above the maximum tank wagon price for the particular seller at the particular point determined under applicable provisions of this price schedule for deliveries in quantities of 25 gallons or over.

This Amendment No. 73 shall become effective the 15th day of February 1943.

(Pub. Laws 421 and 729, 77th Cong; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2519; Filed, February 15, 1943; 4:41 p. m.]

PART 1340—FUEL

[MPR 137,[1] Amendment 23]

PETROLEUM PRODUCTS SOLD AT RETAIL

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1340.91 new paragraphs (p), (q), (r) and (s) are added as set forth below:

§ 1340.91 * * *

(p) In the Bridgeport, Connecticut Area, comprising the townships and cities of Bridgeport, Easton, Fairfield, Monroe, Stratford, Trumbull, Weston and Westport, the maximum price for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil shall be 12.2 cents per gallon.

(q) In the New Haven, Connecticut Area, comprising the townships and cities of Bethany, Branford, East Haven, Hamden, Milford, North Branford, North Haven, Orange, West Haven and Woodbridge, the maximum price for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil shall be 12.2 cents per gallon.

(r) In the Hartford, Connecticut Area, comprising the townships and cities of Bloomfield, East Hartford, Glastonbury, Hartford, Newington, Wethersfield, Windsor, Windsor Locks, East Windsor, South Windsor and West Hartford, the maximum price for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil shall be 12.2 cents per gallon.

(s) In the Danbury, Connecticut, Area, comprising the following townships and cities in the State of Connecticut: Bethel, Bridgewater, Brookfield, Danbury, Redding, Ridgefield, New Fairfield, New Milford, Newtown and Sherman; and the following townships and cities in the State of New York: Brewster, Patterson, and Pawling, the maximum price for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil shall be 12.7 cents per gallon.

This Amendment No. 23 shall become effective this 15th day of February 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2517; Filed, February 15, 1943; 4:41 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[Temporary MPR 26]

ONION SETS 1942 CROP

In the judgment of the Price Administrator, the prices of onion sets have risen and are threatening to rise further to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942, as amended, and are thereby causing undue increases in prices.

The Administrator has considered all pertinent provisions of the Emergency Price Control Act of 1942, as amended, and has complied with all requirements thereof including the provisions of section 3 of this Act, as amended.

The maximum prices established by this Temporary Maximum Price Regulation No. 26 are, in the judgment of the Price Administrator, generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order 9250.

Therefore, with the concurrence of the Secretary of Agriculture and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, this Temporary Maximum Price Regulation No. 26 is hereby issued, establishing as the maximum prices on onion sets of the 1942 crop the price or prices prevailing with respect thereto within five days prior to the date of issuance of this temporary regulation.

AUTHORITY: §§ 1439.101 to 1439.109, inclusive, issued under Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871.

§ 1439.101 *Prohibition against sales at higher than maximum prices.* While this regulation is in effect, regardless of any contract, agreement or other obligation, no person to whom this temporary regulation is applicable shall sell, offer for sale or deliver any onion sets at prices higher than the maximum prices specified in this temporary regulation, and no person in the course of trade shall buy, solicit or receive any such onion sets at a price higher than the maximum prices specified in this temporary regulation; and no person shall agree, offer, solicit or attempt to do any of the foregoing. Lower prices may be charged, demanded, paid or offered.

§ 1439.102 *Definitions.* (a) When used in this Temporary Maximum Price Regulation No. 26, the term:

(1) "Person" means an individual, corporation, partnership, association or other organized group of persons or the successor or representative of any of the foregoing, and includes the United States or any government or any political subdivision or agency of either thereof.

(2) "Each seller" includes each grower, dealer, wholesaler, wholesale outlet, retailer, retail outlet and every other person selling onion sets of the 1942 crop.

(3) "Dealer" means a person who buys such onion sets and cleans, sizes or bags the same for resale by him.

(4) "Wholesaler" means a person who buys such onion sets and resells to any person other than ultimate users.

(5) "Wholesale outlet" means a department, branch or unit of one concern or a unit of an affiliated group of concerns or organizations which department, branch or unit performs a function equivalent to that of a wholesaler in the selling or distribution of such onion sets and which concern, concerns or organizations also deal in such onion sets at the grower or dealer levels of distribution.

(6) "Retailer" means a person who buys such onion sets and resells to ultimate users.

(7) "Retail outlet" means a department, branch or unit of one concern or a unit of an affiliated group of concerns or organizations which department, branch or unit performs a function equivalent to that of a retailer in the selling or distribution of such onion sets and which concern, concerns or organizations also deal in such onion sets at other levels of distribution.

(8) "Commercial user" means a person who buys such onion sets to plant for a crop of onions which he intends to sell.

(9) "Ultimate user" means a person who buys such onion sets to plant for a crop of onions which he intends for his own use.

(10) "Billing charge" means a charge or entry as a part of the bookkeeping system of debits and credits made between different departments, branches or units of one concern or between different units of an affiliated group of concerns or organizations for services rendered or commodities delivered by one to another.

(11) "Each class of sales or deliveries" means all of the sale or deliveries of such onion sets by each seller during the five days prior to the date of issuance of this temporary regulation to one of the following groups or classes of buyers or recipients: dealers, wholesalers, wholesale outlets, retailers, retail outlets, commercial users and ultimate users.

(12) "Onion sets of the 1942 crop" means a small onion bulb produced in 1942 and sold for use for planting to yield a crop of onions.

§ 1439.104 *Maximum prices for all sellers of onion sets of the 1942 crop.* (a) Each seller's maximum price and billing charge for all sales or deliveries of onion sets of the 1942 crop shall be his highest price or billing charge charged on and for each class of sales or deliveries of each type, variety or size of onion sets during the five days prior to the date of issuance of this temporary regulation.

However, in determining "his highest price or billing charge" the seller shall not commingle f. o. b. selling prices and billing charges with delivered selling prices and billing charges. If for a given class of sales or deliveries during said five day period he had both, then his highest price or billing charge f. o. b. his established place of business shall be his maximum price and billing charge f. o. b. his established place of business hereunder; and his highest price or billing charge delivered to a given point or area (including all territory within which he had a uniform delivered price or billing charge during said base period) shall be his maximum price and billing charge delivered to that point or area hereunder. If under the foregoing provision a seller has no maximum delivered price or billing charge for any particular point or area he may determine the same by adding to his maximum price or billing charge f. o. b. his established place of business (determined as herein provided) the actual delivery cost as to each subsequent transaction; or he may take all or a representative list of prospective deliveries in a designated area and average his actual or estimated actual cost of such deliveries in said area and that figure added to his maximum f. o. b. price and billing charge shall be his uniform maximum delivered price and billing charge for that area. If under the foregoing provisions a seller had no maximum price or billing charge f. o. b. his established place of business, he may determine the same by taking his maximum price and billing charge delivered to a given point or area and deducting therefrom the actual or averaged actual delivered cost from his established place of business to or within that point or area and the figure obtained shall be his maximum price and billing charge f. o. b. his established place of business.

(b) If under the foregoing provision, a seller has no maximum price or billing charge for a given class of sales or deliveries, his maximum price and billing charge for such class of sales and deliveries shall be the maximum price and billing charge of his closest competitor for such class of sales and deliveries.

(c) If under the foregoing provisions a seller has a maximum price and billing charge for a given class of sales and deliveries for one or more, but not for all types, varieties, or sizes of onion sets of the 1942 crop, he shall determine his maximum price and billing charge for those types, varieties or sizes for which he has no such price or billing charge, by taking his maximum price and billing charge for that class of sales and deliveries for the most nearly similar type, variety or size and add thereto or subtract therefrom the discount or premium, as the case may be normal to his own business or, if none, normal to the trade for the type, variety or size in question in relation to said most nearly similar type, variety or size on which he has a maximum price and billing charge; and the resultant figure shall be his maximum price and billing charge for the type, variety or size in question.

(d) If any retailer cannot determine a maximum price under the foregoing provisions, he may establish his maximum price by taking the price in any catalogue of any reputable mail order house for sales to ultimate users of the type, variety or size of onion sets in question prevailing during said five days prior to the date of issuance of this temporary regulation. Said maximum price shall be f. o. b. his established place of business or delivered, dependent upon which basis the price is quoted in said catalogue.

(e) To cover shrinkage, for every two weeks after the effective date of this temporary regulation each seller or prospective seller may add 5 cents per bushel to his maximum price as hereinbefore established.

§ 1439.105 *Evasion.* The provisions of this Temporary Maximum Price Regulation No. 26 shall not be evaded whether by direct or indirect methods in connection with any offer, solicitation, agreement, sale, delivery, purchase, or receipt of any commodity covered by this regulation alone or in conjunction with any other commodity or by way of commission, service, transportation or other charge, or discount, premium or other privilege or by tying-agreement or other trade understanding or otherwise.

§ 1439.106 *Protests and petitions for amendment.* Any person seeking a protest or an amendment of any provisions of this temporary regulation may file a protest or petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1[1] issued by the Office of Price Administration.

§ 1439.107 *Enforcement.* Any persons violating any provisions of this Temporary Maximum Price Regulation No. 26 shall be subject to the criminal penalties, civil enforcement actions, and suits for treble damage provided for by the Emergency Price Control Act of 1942, as amended.

§ 1439.108 *Records.* Every person selling onion sets shall preserve for examination by the Office of Price Administration all his existing records relating to prices which he charged for sales or deliveries of onion sets during the five days prior to the issuance of this temporary regulation; and thereafter prepare and maintain for examination by any person during ordinary business hours a statement showing his then existing maximum prices for onion sets.

§ 1439.109. *Effective period.* This Temporary Maximum Price Regulation No. 26 (§§ 1439.101 to 1439.109, inclusive) shall become effective on February 15, 1943 and shall, unless earlier revoked or replaced, expire on 12 o'clock midnight April 16, 1943.

Issued this 15th day of February 1943.

PRENTISS M. BROWN,
Administrator.

Approved:

GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 43-2520; Filed, February 15, 1943; 4:41 p. m.]

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3165, 3749, 4273, 4653, 4780, 4853, 5363, 5868, 5941, 6057, 6896, 7902, 8353, 8938, 8948, 9335, 10694, 11008, 11112, 11175; 8 F.R. 231, 232, 1226, 1586, 1799.

[1] 7 F.R. 971, 3663, 6967.

PART 1499—COMMODITIES AND SERVICES

[Order 284 Under § 1499.3 (b) of GMPR]

PENN TOBACCO COMPANY

The Penn Tobacco Company, a corporation, has made application under § 1499.3 (b) of the General Maximum Price Regulation for determination of a maximum price for the Willoughby Taylor DeLuxe Smoking Set (two 1⅝ ounce packages of Willoughby mixture smoking tobacco, a Taylor Arms pipe and a packing container for those items with a cellulose acetate cover). Due consideration has been given to the application and an opinion in support of this order issued simultaneously herewith has been filed with the Division of the Federal Register.* For the reasons set forth in the opinion, under the authorization vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and in accordance with § 1499.3 (b) of the General Maximum Price Regulation, *It is hereby ordered*, That:

§ 1499.1720 *Authorization of a maximum price for the Willoughby Taylor DeLuxe Smoking Set for the Penn Tobacco Company.* (a) On and after February 16, 1943, the Penn Tobacco Company, Wilkes-Barre, Pennsylvania, may sell and deliver, and any purchaser may buy and receive from the Penn Tobacco Company, the Willoughby Taylor DeLuxe Smoking Set at a maximum price not in excess of $12.00 per dozen, less 10% trade discount and 2% cash discount for payment within 10 days, plus the amount of any state or local tax applicable to the particular quantity of smoking sets sold and paid or payable by the manufacturer to the proper taxing authorities with respect to the particular quantity of smoking sets in question.

(b) Any wholesaler or jobber may sell and deliver, and any purchaser may buy Willoughby Taylor DeLuxe Smoking Sets from such wholesaler or jobber at maximum price not in excess of $12.00 per dozen, less discounts customarily allowed in March, 1942 by such wholesaler or jobber for sales on combination tobacco packages to purchasers of the same class plus the amount of any state or local tax applicable to the particular quantity of smoking sets involved and paid or payable by the wholesaler or jobber to the proper taxing authorities and to any prior vendor with respect to the particular quantity of smoking sets in question.

(c) Any retailer may sell and deliver and any person may buy and receive Willoughby Taylor DeLuxe Smoking Sets from such retailer at a price no higher than $1.25 per set plus the amount of any state or local tax applicable.

(d) On or before the first delivery of any Willoughby Taylor DeLuxe Smoking Set to any purchaser, the Penn Tobacco Company and every wholesaler and jobber who delivers such sets shall notify the purchaser of the exact maximum price thereof, as set forth in this order by delivering to such purchaser a written notice as follows:

On our new Willoughby Taylor DeLuxe Smoking Tobacco Set the Office of Price Administration has authorized us to establish a maximum list price of $12.00 per dozen. Manufacturers' discounts may not be less than 10% trade discount plus 20% cash discount for payment within 10 days. Wholesalers' and jobbers' discounts may not be less than those customarily allowed in March, 1942 on their sales of other smoking sets or similar combination packages to the same class of purchasers. The amount of any state or local tax applicable to the particular set, if any, may be added to the manufacturer's maximum price. The amount of any state or local tax applicable may be added to the wholesalers' or jobbers' maximum list price.

The Office of Price Administration has also authorized us to establish a maximum retail price of $1.25 per set and the amount of any state or local tax applicable may be added to such maximum retail price.

Wholesalers and jobbers receiving this notice are required to give similar notice to each person to whom they sell and deliver Willoughby Taylor DeLuxe Smoking Sets at or before their first delivery of such sets to the purchaser. The Office of Price Administration requires you to keep this notice for examination.

(e) This Order No. 284 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 284 (§ 1499.1720) shall become effective February 16, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2521; Filed, February 15, 1943; 4:43 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 285 Under § 1499.3 (b) of GMPR]

WALTER S. BUCK, JR.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1721 *Approval of maximum prices for sales of a dehydrated dog food by Walter S. Buck, Jr., as producer.* (a) Walter S. Buck, Jr. of North Wales, Pennsylvania, as producer, may sell and deliver and any person may buy and receive from Walter S. Buck, Jr. a dehydrated dog food (hereinafter called Buckys dehydrated dog food), consisting of 12 ingredients (flaked corn, meat meal, dried skimmed milk, wheat bran, wheat shorts, bread crumbs, alfalfa meal, bone meal, salt, molasses, wheat germ oil and fish meal) packed in five pound packages at a price not exceeding $1.80 per case of 6 five-pound packages, delivered. This maximum price is only authorized for Buckys dehydrated dog food when made according to the formula used by Walter S. Buck, Jr. in connection with his application for this order subject, however, to the provisions of paragraph (h) below.

(b) No increase in the maximum price authorized in the previous paragraph may be made by any seller of Buckys dehydrated dog food, except in a sale at wholesale or retail.

(c) The maximum delivered price which a seller may charge in a sale at wholesale for Buckys dehydrated dog food shall be $2.10 per case of 6 five-pound packages. (A sale at wholesale shall include all sales to retailers and to kennels and pet shops.)

(d) The maximum delivered price which a seller may charge in a sale at retail for Buckys dehydrated dog food shall be $3.00 per case of 6 five-pound packages or 50 cents per five pound package.

(e) The maximum prices authorized by this order shall not be increased by any charges whatsoever, including but not limited to duties, brokerages, commissions, advertising, storage, insurance, carrying and handling charges or charges for the extension of credit.

(f) *Records.* Every person making a purchase or sale of Buckys dehydrated dog food in the course of trade or business, except a seller at retail, shall keep for inspection by the Office of Price Administration, so long as the Emergency Price Control Act of 1942 remains in effect, complete and accurate records of each such purchase and sale including (1) the date thereof, (2) the name and address of the purchaser, (3) the price charged and (4) the amount sold. Sellers at retail are not required to keep records of sales at retail but shall keep all invoices and notices received with the purchase of each shipping unit.

(g) On and after February 16, 1943, and on or before the time of first delivery of Buckys dehydrated dog food to any wholesaler or retailer Walter S. Buck, Jr. or any other seller shall supply the buyer with a written statement, and also include or attach to each shipping unit of such dehydrated dog food a copy of such statement which shall read as follows:

The Office of Price Administration has authorized ceiling prices for this dehydrated dog food as made by Walter S. Buck, Jr. You are authorized to establish your ceiling price as follows:

In a sale at wholesale your ceiling price is $2.10 per case of 6 five-pound packages, delivered.

In a sale at retail your ceiling price is $3.00 per case of 6 five-pound packages or 50 cents per 5 pound package, delivered.

If the first sale made by a wholesaler is a split case sale the wholesaler is required to supply the retailer with a copy of this notice. The Office of Price Administration requires that you keep this notice and all invoices for examination. A copy of this notice is enclosed in every packing unit of the dehydrated dog food authorized for sale by Walter S. Buck, Jr.

(h) (1) Walter S. Buck, Jr. may change the formula used in making Buckys dehydrated dog food as stated in his application for this order and may continue to use the maximum price established by this order: *Provided*, That there is no substantial change in the cost or quality of the products in the new formula.

(2) Walter S. Buck, Jr. shall report such new formula to the Food and Food Products Branch, Office of Price Administration, Washington, D. C. and shall set forth under oath or affirmation the reasons for the change, and justification for charging the maximum price authorized by this order for the new formula. In no event shall the maximum prices issued by this order be increased as result of such change in formula, but lower prices may be charged, demanded, paid or offered. Such report shall be made prior to or immediately upon such change in formula but not later than two weeks after such changed formula is first used.

(3) The Office of Price Administration may adjust the price of Buckys dehydrated dog food made according to such new formula at any time.

(i) This Order No. 285 may be revoked or amended by the Price Administrator at any time.

(j) This Order No. 285 (§ 1499.1721) shall become effective February 16, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 15th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2522; Filed, February 15, 1943; 4:43 p. m.]

*Copies may be obtained from the Office of Price Administration.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[No. 3666]

PARTS 73 AND 75—TRANSPORTATION OF EXPLOSIVES[1]

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 10th day of February, A. D. 1943.

In the matter of regulations for transportation of explosives and other dangerous articles.

It appearing, That pursuant to section 233 of the Transportation of Explosives Act approved March 4, 1921, (41 Stat. 1445), and section 204 (a) (2) of Part II of the Interstate Commerce Act, the Commission has formulated and published certain regulations for transportation of explosives and other dangerous articles;

It further appearing, That in applications received we are asked to amend the aforesaid regulations as set forth in provisions made part hereof;

And it further appearing, That amendments involved in said applications, having been considered and found to be in accord with the best-known practicable means for securing safety in transit:

It is ordered, That the aforesaid regulations for transportation of explosives and other dangerous articles, be, and they are hereby, amended as follows:

Part 2—Commodity list of explosives and other dangerous articles[1]

Amending list, order Aug. 16, 1940, as follows (add):

Article	Classed as	Exemptions and packing (sec.)	Label	Maximum quantity, express
Isoprene.....	Inf. L...	103, 110	Red...	10 gallons.

Part 3—Regulations Applying to Shippers

Superseding and amending par. (b) (3) (a), sec. 60, order Oct. 28, 1942, to read as follows (packing black powder and low explosives):

(b) (3) (a) Because of the present emergency and until further order of the Commission, black powder and low explosives may be shipped in fiber kegs, spec. 13A. Net weight not more than 25 pounds.

Superseding and amending par. (b) (4), sec. 61, order Aug. 16, 1940, to read as follows (packing high explosives):

(b) (4) Dry, fine wood pulp or sawdust, at least ¼ inch in depth, must be spread over the bottom of boxes, lined in accordance with sec. 61 (b) (3), before the cartridges or bags of gelatin dynamite, or other explosives containing more than 30 percent liquid ingredients, are packed therein.

Amending sec. 65, order Aug. 16, 1940, as follows (packing smokeless powder) (add):

(b) (6) Spec. 21A. *Fiber drums.* Use of this container will be permitted because of the present emergency and until further order of the Commission.

(f) (8) Spec. 21A. *Fiber drums.* Drums having wooden heads must be provided with a strong sift-proof liner. Use of this container will be permitted because of the present emergency and until further order of the Commission.

Amending sec. 104, order Aug. 16, 1940, as follows (packing alcohol) (add):

(d) Spec. 12B.—Because of the present emergency and until further order of the Commission, inside glass containers not over 1.21 gallons capacity each are authorized when only one inside container is packed in each outside container.

(e) Because of the present emergency and until further order of the Commission, existing tank cars complying with spec. 103, 103W, ARA–III, AAR 203, or AAR 203W, previously used for the transportation of wine, are authorized when stenciled "Alcohol Only" and equipped with safety valves of the type required on spec. 103 tank cars.

Amending sec. 110, order Aug. 16, 1940, as follows (packing inflammable liquids) (add):

(b) (8) Spec. 21B. *Fiber drums.* Use of this container will be permitted because of the present emergency and until further order of the Commission.

(Note 3, par. (c) (8)) Because of the present emergency and until further order of the Commission, spec. ICC–104 tank cars, equipped with safety valves set to open at pressure of 35 pounds (with a tolerance of plus or minus 3 pounds) and which are vapor tight at 28 pounds per square inch, gage pressure, are authorized provided they are stenciled as required above.

Amending sec. 113, order Aug. 16, 1940, as follows (packing paint, etc.) (add):

(g) Because of the present emergency and until further order of the Commission, paint (other than aluminum, bronze and gold paint), enamel, varnish, shellac and lacquer, with flash point above 20° F. may be shipped in fiber drums, spec. 21B, except that drum must be able to withstand one drop from a height of 2 feet on chime at bottom and 1 drop from a height of 2 feet flat on top, in lieu of the 4 foot drop test prescribed by par. 6 (a) of spec. 21B.

Amending par. (f), sec. 204, order Aug. 16, 1940, as follows (packing sodium hydrosulfite) (add):

NOTE: Because of the present emergency and until further order of the Commission, the use of inside metal drums will not be required but in lieu thereof the drum must be lined or otherwise treated so as to prevent the entrance of moisture in quantities sufficient to create a hazardous condition in transportation. Maximum loaded capacity 110 pounds net.

Amending sec. 207, order Aug. 16, 1940, as follows (packing sulfide of sodium, etc.) (add):

(b) (7) Spec. 11A. *Wooden barrels or kegs.* Net weight not over 350 pounds. Head battens required. Barrel or keg must be lined with heavy waxed duplex (asphalt laminated) Kraft paper having 90-pound basis weight and 90-pound Mullen test. Use of this container will be permitted because of the present emergency and until further order of the Commission.

Superseding and amending addendum to Note 3, par. (q) (1), sec. 303, order Feb. 26, 1942, to read as follows (maximum permitted filling density in tank cars transporting liquefied petroleum gas of specific gravity shown, taken at 60 degrees, F.):

ADDENDUM TO NOTE 3: Because of the present emergency and until further order of the Commission, and only for shipments made during the months of November to March, inclusive, the following filling densities may be used in lieu of those specified in the Table, Note 3, as amended:

Specific gravity	Filling density	Specific gravity	Filling density
0.500	47.40	0.520	49.69
.501	47.51	.521	49.70
.502	47.62	.522	49.81
.503	47.73	.523	49.92
.504	47.84	.524	50.03
.505	47.95	.525	50.14
.506	48.06	.526	50.25
.507	48.17	.527	50.36
.508	48.28	.528	50.47
.509	48.39	.529	50.58
.510	48.51	.530	50.69
.511	48.61	.531	50.79
.512	48.72	.532	50.90
.513	48.83	.533	51.01
.514	48.94	.534	51.12
.515	49.05	.535	51.23
.516	49.16	.536	51.34
.517	49.27	.537	51.45
.518	49.38	.538	51.56
.519	49.49	.539	51.67

[1] Parts 2 and 3 in this order appear in CFR as Parts 73 and 75.

Specific gravity	Filling density	Specific gravity	Filling density
0.540	51.78	0.588	56.83
.541	51.88	.589	56.95
.542	51.99	.590	57.06
.543	52.09	.591	57.15
.544	52.20	.592	57.25
.545	52.31	.593	57.34
.546	52.41	.594	57.44
.547	52.52	.595	57.53
.548	52.62	.596	57.63
.549	52.73	.597	57.72
.550	52.84	.598	57.82
.551	52.94	.599	57.91
.552	53.05	.600	58.01
.553	53.16	.601	58.10
.554	53.26	.602	58.20
.555	53.37	.603	58.29
.556	53.48	.604	58.39
.557	53.58	.605	58.49
.558	53.69	.606	58.58
.559	53.80	.607	58.68
.560	53.91	.608	58.77
.561	54.01	.609	58.87
.562	54.12	.610	58.97
.563	54.22	.611	59.06
.564	54.33	.612	59.16
.565	54.43	.613	59.26
.566	54.54	.614	59.35
.567	54.64	.615	59.45
.568	54.75	.616	59.55
.569	54.85	.617	59.64
.570	54.96	.618	59.74
.571	55.06	.619	59.84
.572	55.17	.620	59.94
.573	55.27	.621	60.03
.574	55.38	.622	60.13
.575	55.48	.623	60.23
.576	55.59	.624	60.32
.577	55.69	.625	60.42
.578	55.80	.626	60.52
.579	55.90	.627	60.61
.580	56.01	.628	60.71
.581	56.11	.629	60.81
.582	56.22	.630	60.91
.583	56.32	.631	61.00
.584	56.43	.632	61.10
.585	56.53	.633	61.19
.586	56.64	.634	61.29
.587	56.74	.635	61.39

Amending sec. 346, order Aug. 16, 1940, as follows (packing methyl bromide) (add):

(h) Spec. 5A. *Metal drums of bilge type, made of 13 gage material, having a capacity not to exceed 33 gallons.* Use of this container will be permitted because of the present emergency and until further order of the Commission.

Superseding and amending Note, par. (g), sec. 361, orders Aug. 16, 1940, and July 14, 1942, to read as follows (packing poisonous solids, n. o. s.):

NOTE: All butt seams of all boxes must be covered with Kraft tape not less than 3 inches in width and having strength, Mullen or Cady test, of not less than 60 pounds before gumming, extending over the edges and at least 2 inches down the sides of the box. The use of other tapes of equal or superior strength is authorized.

Tape not required on manufacturer's joint that is both glued and stitched.

(Added Note, order July 14 1942.) Because of the present emergency and until further order of the Commission, tape 2½ inches may be used.

(Test note continued in effect.)

Appendix—Shipping Container Specifications

Amending par. 2, specification 2N, order Aug. 16, 1940, as follows (add):

NOTE: Because of the present emergency and until further order of the Commission, the minimum thickness of metal in heads may be 1XL–107-pound tin plate for cans of not over 4 3/16 inches diameter and 1XL–135-pound tin plate for cans of not over 6 11/16 inches diameter, provided side seams are soldered and heads are attached to body by full double seams internally soldered.

Superseding and amending par. 32, specification 12B, order Dec. 12, 1942, to read as follows:

32. *Special box—Authorized only for railway fusees.* Must comply with this specification except as follows: Must be 1-piece type of double-faced corrugated fiberboard at least 400 pound test or solid fiberboard of same strength at least 0.100 inch thick; lining and pads not required; authorized gross weight 75 pounds. For fusees equipped with spikes, protection as required in section 64 (c) (12) (c) must be provided.

Amending order Aug. 16, 1940, as follows (add):

SPECIFICATION 21B—FIBER DRUMS

GENERAL

Use of this container authorized because of the present emergency and until further order of the Commission.

1. *Compliance.* Required in all details.

2. *Maximum rated capacity.* Five gallons. Actual capacity shall be not less than rated capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus one quart.

CONSTRUCTION

3. *Parts and dimensions (minimum).* As follows:

Maximum rated capacity (gallons)	Side wall	Wooden heads[1]	Fiber heads[2]		Metal heads
	Calculated strength[3]	Thickness (inch)	Thickness (inch)	Strength[4]	Minimum thickness in the black (gage, U. S. standard)
5	850	13/16	0.170	800	24

[1] Joints in heads must be Linderman joints, glued.

[2] When made of 2 or more discs, the discs must be fastened together with adhesive.

[3] Number of laminations times strength of sheet. For walls made with liner, include liner in calculations.

[4] Mullen or Cady test.

4. *Sidewalls.* To be solid or consist of outer shell with liner, each piece to be made of a continuous fiber sheet, convolutely or spirally wound, at least 0.01 inch thick, the plies being secured together by adhesive.

5. (a) The interior of the drum must be lined or so treated as to prevent penetration by the material with which the drum is filled for shipping.

(b) The exterior surface of the drum must be so coated or treated as to withstand normal weathering.

TESTS

6. *Type tests.* Samples taken at random, filled with (1) the heaviest material which is to be shipped and (2) the lightest material which is to be shipped, closed as for use, must withstand tests without leakage as follows:

(a) Drum must be able to withstand a drop from height of 4 feet on a solid concrete floor, so as to strike diagonally on its (1) top chime, (2) drum closure, (3) end, or any other weak point. Drums with wooden heads to be dropped with grain of wood in cover parallel to concrete surface. No single drum shall be expected to withstand more than one drop.

(b) Drums tested as in subparagraph (a) must stand for a period of 24 hours on each end without leakage (1) on end on which it was dropped and (2) on opposite end.

(c) Compression test by applying weight or pressure not less than 1,000 pounds on the top of drum.

(d) The tests described above must be made by the manufacturer or the shipper on samples taken at random of each type and size of container at start of production or of usage and must be repeated every four months or less during production or usage; results of such tests must be retained until subsequent tests are made.

REGISTRATION OF DRUM SPECIFICATION

7. Specification for each type of drum manufactured (under this specification), together with a detailed report of the tests, shall be filed with the Bureau of Explosives. Change in construction (drum and closure) differing from specification thus filed must be approved by the Bureau of Explosives before authorized for use.

MARKING

8. *On each container.* As follows:

(a) ICC-21B. This mark shall be understood to certify that the container complies with all specification requirements.

(b) Name or symbol (letters) of maker; this must be registered with the Bureau of Explosives and located just above, below, or following the mark specified in (a).

(Sec. 233, 41 Stat. 1445; sec. 204 (a) (2), 49 Stat. 546; 18 U.S.C. 383, 49 U.S.C. 304.)

It is further ordered, That this order amending the aforesaid regulations shall be effective on and after February 10, 1943, and shall remain in full force and effect and be observed until further order of the Commission;

And it is further ordered, That copies of this order be served upon all the parties of record herein and that notice be given to the public by posting in the office of the Secretary of the Commission at Washington, D. C.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 43-2473; Filed, February 15, 1943; 11:21 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1595]

CARROLLTOWN COAL CO.

NOTICE OF HEARING, ETC.

In the matter of the petition of Carrolltown Coal Company, a corporation, for approval of its agreement with Frank B. Wood, an individual trading and doing business as F. B. Wood Coal Mining Company to purchase the entire production of the Foxburg No. 1 Mine, Mine Index No. 1685, and other coal; for a change in shipping point, and for permission to mix coals of Mine Index Nos. 582 and 1685.

Memorandum opinion and order denying application for modification, continuing temporary relief, and notice of and order for rehearing.

An original petition, pursuant to section 4, Part II (d) of the Bituminous Coal Act of 1937, was duly filed with the Bituminous Coal Division, requesting the approval of an agreement attached thereto and requesting temporary and permanent relief to load and mix the coals produced by Carrolltown Coal Company, at the Victor 9–A Mine, Mine Index No. 582 with the coals produced by Frank B. Wood (F. B. Wood Coal Mining Company) at the Foxburg No. 1 Mine, Mine Index No. 1685.

A petition of intervention was filed in the above-entitled matter by District Board No. 1, the district in which the mines involved herein are located, requesting, among other things, that a temporary order be entered approving the above-referred to agreement.

An order granting temporary relief and conditionally providing for final relief was issued in the above-entitled matter on December 15, 1942, granting permission to load and mix the coals produced at said mines, changing the shipping points and freight origin group numbers for such coals, and providing that the price which shall apply to such mixture shall be that which is listed for the coal in the mixture which has the highest price classification.

An application for modification of such temporary and conditionally final relief was filed in the above-entitled matter by Bituminous Coal Consumers' Counsel, requesting that said order entered herein on December 15, 1942, be modified so as to provide as follows:

(a) When such mixture is sold the invoice shall properly identify the coal. This requirement is to be effective both as to temporary and as to final relief.

(b) The temporary relief granted by said Order (as modified by requested items "----(a)" above) shall remain in force and effect for a period of 60 days. Prior to the expiration of said 60-day period, the original petitioner or District Board No. 1 shall submit to the Director and to the Consumers' Counsel information regarding the percentages of coal from the component mines going into the mixture sold by petitioner under the terms of said temporary relief; factual information as to the physical and chemical characteristics, such as analytical data, of the mixture sold by the petitioner, including similar data as to the various coals comprising said mixture; and any other information which would further enable the Director to determine the classification and minimum mine price which should finally apply to said mixture. Upon submission of such data, the temporary relief shall remain in effect pending an order finally determining the applicable classification and minimum mine price for said mixture. If such data are not submitted as aforesaid, the said temporary relief shall terminate; and final relief shall become effective, to the effect that the price that shall apply to such mixture shall be the price which is listed for the coal in the mixture which has the "E" price classification (the lowest classification now applicable to a component coal).

Upon consideration of the foregoing requests, it appears that said application for modification should be denied at this time, subject, however, to a renewal thereof at the conclusion of the hearing to be held in this matter. It also appears, that the temporary relief heretofore granted by the order issued herein on December 15, 1942, should not become final, but should continue in full force and effect, pending further order of the Division, and that this matter should be scheduled for hearing.

Therefore, it is ordered, That the application for modification, heretofore filed herein by Bituminous Coal Consumers' Counsel be, and the same hereby is, denied, subject, however to a renewal thereof at the conclusion of the hearing to be held in this matter.

It is further ordered, That the temporary relief granted in said order issued in the above-entitled matter on December 15, 1942, be, and the same hereby is, continued in full force and effect pending further order of the Division.

It is further ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on March 16, 1943, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, Washington, D. C. On such day the Chief of the Records Section will advise as to the room where such hearing will be held.

It is further ordered, That Travis Williams or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before March 12, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition filed in the above-entitled matter by Carrolltown Coal Company, and the application for modification filed by Bituminous Coal Consumers' Counsel, which are more fully hereinabove described.

Dated: February 13, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-2536; Filed, February 16, 1943; 10:46 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

PENS AND PENCILS MANUFACTURING INDUSTRY

NOTICE OF ORAL ARGUMENT

Notice of oral argument before the Administrator and opportunity to submit written briefs in the matter of the minimum wage recommendation of Industry Committee No. 52 for the Pens and Pencils Manufacturing Industry.

Whereas, a hearing was held on January 12, 1943, before Major Robert N. Campbell, as presiding officer, at which all persons interested in the report and recommendation of Industry Committee No. 52 for the fixing of a minimum wage rate in the Pens and Pencils Manufacturing Industry were given an opportunity to be heard and to offer evidence bearing thereon; and

Whereas, the complete record of said hearing has been transmitted to the Administrator, Now, therefore, notice is hereby given:

That the Administrator will receive written briefs (not fewer than twelve copies) on on before March 5, 1943, at the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, from any person who entered an appearance at said hearing, and will hear oral argument upon the complete record of said hearing on March 12, 1943, at 10:00 a. m., in Room 3229, United States Department of Labor Building, Washington, D. C., by any person who entered an appearance at said hearing, provided that on or before March 5, 1943, such person notifies the Wage and Hour Division of his intension to offer oral argument and of the amount of time he will require to make his presentation.

Signed at New York, New York, this 15th day of February 1943.

L. METCALFE WALLING, *Administrator.*

[F. R. Doc. 43-2530; Filed, February 16, 1943; 10:07 a. m.]

[Administrative Order 172]

GLOVE AND KNITTED WEAR INDUSTRIES

AUTHORIZATION TO MAKE FINDINGS OF FACT, ETC., IN LEARNER EMPLOYMENT REGULATIONS

An order authorizing Merle D. Vincent to make findings of fact and recommendations in the matter of regulations governing the employment of learners in the Gloves and Mittens Industry and in the Knitted Wear Industry from hearings held before Alex G. Nordholm.

Due cause therefor appearing, *it is hereby ordered*, That the records of the hearing held on November 14, 1941, before Alex G. Nordholm, to determine what, if any, modifications of Part 522, §§ 522.060 to 522.071, (Regulations Applicable to the Employment of Learners in the Knitted Wear Industry) are warranted; and of the hearing held on April 28, 1942, before Alex G. Nordholm, to determine what, if any, changes should be

made in the Findings and Determination, dated February 8, 1940, with respect to the employment of learners in the Glove Industry, be filed with Merle D. Vincent, hereby designated as my authorized representative to examine such records and to make findings of fact and recommendations thereon.

Signed at New York, New York, this 15th day of February 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-2531; Filed, February 16, 1943; 10:07 a. m.]

NATIONAL HOUSING AGENCY.

Federal Public Housing Authority.

DELEGATION OF CONTRACTING POWERS IN THE DEVELOPMENT OF WAR HOUSING PROJECTS

FEBRUARY 15, 1943.

The following powers and duties, to be exercised in connection with the development of projects undertaken pursuant to the provisions of Public Nos. 671, 781, and 849, 76th Congress, and Public Nos. 9, 73, and 353, 77th Congress, as amended, are hereby delegated by the Commissioner:

1. To regional directors and assistant regional directors:

a. To act as contracting officer with respect to all matters pertaining to the development of projects, except that until further notice the acceptance of options to purchase land or the execution of leases for sites shall be referred to the Central Office for acceptance or execution.

2. To regional directors and assistant regional directors for development:

a. To select or approve sites.

b. To grant revocable licenses, permits, and easements, and to execute appropriate instruments therefor, to facilitate the provision of adequate utility services.

c. To dedicate, and to execute appropriate deeds of conveyance or other instruments therefor, land for streets, alleys, walks, or other means of egress and ingress.

d. To effectuate, wherever possible, the annexation of project property by political subdivisions if necessary to facilitate the extension of adequate public facilities or services, including utilities, to such property.

3. To regional construction advisers:

a. To approve change orders involving sums up to and including $2,500.

4. To project managers:

a. To approve changes and lump sum subcontracts involving sums up to and including $500.

Persons exercising the above powers and duties shall do so in accordance with established FPHA policies and procedures, applicable laws and regulations, and within approved budgets; and shall execute documents in their own name, for the Commissioner.

[SEAL] HERBERT EMMERICH,
Commissioner.

[F. R. Doc. 43-2515; Filed, February 15, 1943; 4:31 p. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 586]

PATENT OF HANNS KLEMM

Re: Patent of Hanns Klemm, No. 2,283,740.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Hanns Klemm is a citizen of Germany residing in Boblingen, Germany, and therefore is a national of a foreign country (Germany);

2. Finding that the patent identified as follows:

Number	Issue date	Inventor	Record owner	Title
2,283,740	5/19/42	H. Klemm	Davis & Co. Inc.	Adhesive composition

is owned by the aforesaid Hanns Klemm;

3. Finding, therefore that the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the aforesaid patent,

is property in which a national of a foreign country (Germany) has an interest;

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on December 29, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2542; Filed, February 16, 1943; 11:19 a. m.]

[Vesting Order 587]

PATENT AND PATENT INTEREST OF LEO AND ANNA UBBELOHDE

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Leo Ubbelohde and Mrs. Anna Ubbelohde (nee Baehr), whose last known addresses were represented to the undersigned as being Berlin-Charlottenburg, Germany, are nationals of a foreign country (Germany);

2. Finding that Leo Ubbelohde is the inventor and record owner of the patent referred to in paragraph 3 hereof;

3. Finding, therefore, that the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to Patent No. 2,048,305 issued by the United States Patent Office on July 21, 1936 under the title "Viscosimeter";

is property of a national of a foreign country (Germany);

4. Finding that the property described as follows:

Interest of the aforesaid Leo Ubbelohde and Mrs. Anna Ubbelohde in and to that certain license agreement entered into between Leo Ubbelohde and the Fish-Schurman Corporation of New York City, the interest of Leo Ubbelohde in which agreement was assigned to said Mrs. Anna Ubbelohde and pursuant to which agreement the Fish-Schurman Corporation acquired the sole and exclusive general license to manufacture and sell in the United States of America viscosimeters covered by the aforesaid patent and any additional United States patents relating to viscosimeters which Leo Ubbelohde might in the future acquire, together with all income, profits, royalties and other property heretofore accrued or which may hereafter accrue to or in favor of said Leo Ubbelohde and Mrs. Anna Ubbelohde, and each of them, by virtue of such agreement;

is property payable or held with respect to a patent or right related thereto in which an interest is held by, and such property is itself an interest held therein by, nationals of a foreign country (Germany);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraphs 3 and 4, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order, may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on December 29, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2543; Filed February 16, 1943; 11:18 a. m.]

[Vesting Order 588]

PATENTS OF EDMUND ALTENKIRCH AND SIEMENS-SCHUCKERTWERKE A. G.

Re: Patents recorded in the names of Edmund Altenkirch and Siemens-Schuckertwerke A. G.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Edmund Altenkirch is a resident of Germany and therefore is a national of a foreign country (Germany);

2. Finding that Siemens-Schuckertwerke A. G. is a corporation organized under the laws of, and having a principal place of business in, Germany and therefore is a national of a foreign country (Germany);

3. Finding that the aforesaid Edmund Altenkirch is the record owner of the patents referred to in subparagraph 5 hereof;

4. Finding that the aforesaid Siemens-Schuckertwerke A. G. is the record owner of the patent referred to in subparagraph 6 hereof;

5. Finding, therefore, that the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents registered in the United States Patent Office under the numbers and on the dates set forth in Exhibit A attached hereto and made a part hereof,

is property in which a national of a foreign country (Germany) has an interest;

6. Finding, therefore, that the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to Patent Re. No. 20,933 issued by the United States Patent Office on November 29, 1938, under the title "Apparatus and Process for Conditioning Air or the Like",

is property in which a national of a foreign country (Germany) has an interest;

7. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

8. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraphs 5 and 6, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on December 29, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

United States letters patent which stand of record in the United States Patent Office in the names of Edmund Altenkirch, Germany, the inventor.

Paten. No.	Date of issue	Title
2,138,684	11/29/38	Drying and cooling apparatus.
2,138,685	11/29/38	Refrigerating apparatus.
2,138,686	11/29/38	Intermittent absorption refrigerating apparatus.
2,138,687	11/29/38	Water accumulator.
2,138,688	11/29/38	Method and apparatus for the production of gold.
2,138,689	11/29/38	Method for gaining water out of the atmosphere.
2,138,690	11/29/38	Method for the dehumidification of air.
2,138,691	11/29/38	Method and apparatus for conditioning air.
2,188,760	1/2/40	Drying method and apparatus.
2,233,189	2/25/41	Separating and cooling apparatus.
2,281,515	5/5/42	Air conditioning.

[F. R. Doc. 43-2544; Filed, February 16, 1943; 11:18 a. m.]

[Vesting Order 593]

REAL PROPERTY OF TSUKUSA AND TOMOE KIYONO

Re: Certain real property in Mobile, Alabama, and a bank account, owned by Tsukusa and Tomoe Kiyono.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Tsukusa Kiyono (also known as T. Kiyono) and Tomoe Kiyono, his wife, whose last known addresses were represented to the undersigned as being Tokyo, Japan, are citizens of Japan and are nationals of a designated enemy country (Japan);

2. Finding that the property described as follows:

a. All right, title, interest and estate, both legal and equitable, of said Tsukusa Kiyono and Tomoe Kiyono, and each of them, in and to that certain real property, together with all fixtures, improvements and appurtenances thereto, situated at 32 Houston Street, Mobile, Alabama, and particularly described as follows:

Lot 18 of Dauphin Place according to Plat recorded in Deed Book 102, N. S., page 27 in the Probate Court of Mobile County, Alabama;

b. All right, title, interest and claim of any name or nature whatsoever of said Tsukusa Kiyono and Tomoe Kiyono, and each of them, in and to all indebtedness, contingent or otherwise and whether or not matured, owing to them by the Merchants National Bank of Mobile, Alabama, including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness, including particularly, but not limited to, the account in said Merchants National Bank of Mobile carried in the names of Mr. and Mrs. T. Kiyono, Special;

is property within the United States owned or controlled by nationals of a designated enemy country (Japan);

3. Determining that the property described in subparagraph 2-b hereof is necessary for the maintenance or safeguarding of other property (namely that hereinbefore described in subparagraph 2-a) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive Order;

4. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Japan);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be

paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on December 30, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2545; Filed, February 16, 1943; 11:20 a. m.]

[Vesting Order 604]

MUTUAL SUPPLY COMPANY, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Y. Kanazawa, whose last known address was represented to the undersigned as being Kobe, Japan, and Kiyoski Togasaki, whose last known address was represented to the undersigned as being Tokyo, Japan, are nationals of a designated enemy country (Japan);

2. Finding that 447 shares of $20 par value common stock of Mutual Supply Company, Inc., a California corporation, San Francisco, California, are owned by and registered in the names of the aforesaid individuals, as follows:

Names:	*Number of shares*
Y. Kanazawa	167
Kiyoski Togasaki	280
Total	447

3. Finding that said corporation is a business enterprise within the United States and that said 447 shares of stock constitute a substantial part (namely, 14.3%) of all the outstanding capital stock of said business enterprise and represent an interest therein;

4. Determining, therefore, that said business enterprise is a national of a foreign country (Japan);

5. Determining that to the extent that the nationals referred to in subparagraph 1 hereof are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Japan);

6. Having determined, and certified to the Secretary of the Treasury, that it is necessary in the national interest to liquidate such business enterprise;

7. Having made all other determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

8. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the shares of stock described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 6, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2546; Filed, February 16, 1943; 11:16 a. m.]

[Vesting Order 716]

W. & F. PRODUCE COMPANY

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Kakuo Tanaka is a subject of Japan and is interned in the United States, and therefore is a national of a designated enemy country (Japan);

2. Finding that W. & F. Produce Company, a sole proprietorship, Los Angeles, California is a business enterprise within the United States;

3. Finding that said W. & F. Produce Company is owned and controlled by the aforesaid Kakuo Tanaka and therefore is a national of a designated enemy country (Japan);

4. Finding therefore that the property described as follows:

All property of any nature whatsoever situated in the United States and owned or controlled by, payable or deliverable to, or held on behalf of or on account of or owing to said W. & F. Produce Company,

is property of a business enterprise within the United States which is a national of a designated enemy country (Japan);

5. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Japan);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2548; Filed, February 16, 1943; 11:20 a. m.]

[Vesting Order 723]

PATENT INTEREST OF HERBERT BRÜNE

Re: Interest of Herbert Brüne in a certain contract relating to a patent.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Herbert Brüne is a resident of Dresden, Germany, and is a national of a foreign country (Germany);

2. Finding that said Herbert Brüne has an interest in the contract referred to in subparagraph 3 hereof;

3. Finding, therefore, that the property described as follows:

The interest of said Herbert Brüne in, to and under that certain contract dated March 17, 1941, by and between him and Carl O. Goettsch, which contract relates to United States Patent Number 2,228,048, and all accrued royalties, and other moneys payable or held with respect to said interest, together with all damages for the breach of said contract and the right to sue therefor,

is property payable or held with respect to a patent or right related thereto in which an interest is held by, and such property itself constitutes an interest held therein by, a national of a foreign country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinabove described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2552; Filed, February 16, 1943; 11:17 a. m.]

[Vesting Order 724]

PATENT INTEREST OF COMPAGNIE DURA

Re: Interest of Compagnie Dura in a certain contract relating to a patent.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Compagnie Dura is a French company having a principal place of business at Courbevoie (Seine) France, and is a national of a foreign country (France);

2. Finding that said Compagnie Dura has an interest in the contract referred to in subparagraph 3 hereof;

3. Finding, therefore, that the property described as follows:

The interest of said Compagnie Dura in, to and under a certain contract dated May 4, 1939 by and between it and Detroit Harvester Company, a Michigan corporation, relating to window regulators and particularly, but not limited to, a double-arm regulator in accordance with an invention of one Robert Raphael, as disclosed in the specification in U. S. Patent No. 2,281,383 issued April 28, 1942, including all accrued royalties and other monies payable or held with respect to said interest, and all damages for breach of said contract, together with the right to sue therefor,

is property payable or held with respect to a patent or right related thereto in which an interest is held by, and such property itself constitutes an interest held therein by, a national of a foreign country (France);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2553; Filed, February 16, 1943; 11:17 a. m.]

[Vesting Order 726]

PATENT INTEREST OF HELLMUTH FISCHER

Re: Interest of Hellmuth Fischer in a certain contract relating to patents.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Hellmuth Fischer is a resident of Ilmenau, Thuringia, Germany, and is a national of a foreign country (Germany);

2. Finding that said Hellmuth Fischer has an interest in the contract referred to in subparagraph 3 hereof;

3. Finding, therefore, that the property described as follows:

The interest of said Hellmuth Fischer, his heirs, executors, administrators and assigns, in, to and under an agreement dated January 1, 1938, between him and Corning Glass Works of Corning, New York, a New York corporation, which agreement was signed by said Hellmuth Fischer on August 15, 1938 and by Corning Glass Works on September 6, 1938 (pursuant to which agreement said Corning Glass Works acquired an exclusive license in the field of luminescent glasses and articles made therefrom and in methods and ingredients for the manufacture and production thereof when used in vapor discharge lamps and in glasses under Patent Nos. 2,049,765, 2,097,275, 2,099,602, and 2,255,109, and in which Corning Glass Works agreed to pay certain specified royalties to said Hellmuth Fischer), including all accrued royalties and other monies payable or held with respect to said interest and all damages for breach of said agreement together with the right to sue therefor,

in property payable or held with respect to patents or rights related thereto in which an interest is held by, and such property itself constitutes an interest held therein by, a national of a foreign country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2554; Filed, February 16, 1943; 11:17 a. m.]

[Vesting Order 727]

PATENT INTEREST OF DR. ING. FRIEDRICH GAITZSCH

Re: Interest of Dr. Ing. Friedrich Gaitzsch in a certain agreement relating to patents.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Dr. Ing. Friedrich Gaitzsch is a resident of Chemnitz, Germany, and is a national of a foreign country (Germany);

2. Finding that said Dr. Ing. Friedrich Gaitzsch has an interest in the agreement referred to in subparagraph 3 hereof;

3. Finding, therefore, that the property described as follows:

The interest of said Dr. Ing. Friedrich Gaitzsch in, to and under that certain agreement by and between him and Carl O. Goettsch, Cincinnati, Ohio, entered into on or about June 15, 1939, and relating to United States Patent Numbers 2,237,286, and 2,209,558, including all accrued royalties and other moneys payable or held with respect to said interest and all damages for the breach of said agreement, together with the right to sue therefor,

is property payable or held with respect to patents or rights related thereto in which an interest is held by, and such property itself constitutes an interest held therein by, a national of a foreign country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2555; Filed, February 16, 1943; 11:16 a. m.]

[Vesting Order 728]

PATENT INTEREST OF WILHELM JUFFA

Re: Interest of Wilhelm Juffa in a certain agreement relating to a patent.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Wilhelm Juffa is a resident of Ilmenau, Thuringia, Germany, and is a national of a foreign country (Germany);

2. Finding that said Wilhelm Juffa has an interest in the agreement referred to in subparagraph 3 hereof;

3. Finding, therefore, that the property described as follows:

The interest of said Wilhelm Juffa, his heirs, executors, administrators and assigns, in, to and under an agreement dated May 22, 1939, between him and Corning Glass Works of Corning, New York, a New York corporation, and executed by him on May 22, 1939, and by Corning Glass Works on May 31, 1939 (pursuant to which agreement said Corning Glass Works acquired for a period of five years an exclusive license for the United States and a non-exclusive license for the Dominion of Canada to manufacture, use and sell reducing pieces embodying the inventions disclosed in Patent No. 2,052,713 and in which said Corning Glass Works agreed to pay to said Wilhelm Juffa certain specified royalties) including all accrued royalties and other monies payable or held with respect to said interest and all damages for breach of said agreement, together with the right to sue therefor,

is property payable or held with respect to a patent or rights related thereto in which an interest is held by, and such property itself constitutes an interest held therein by, a national of a foreign country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2556; Filed, February 16, 1943; 11:16 a. m.]

[Vesting Order 732]

SOCIETE FRANCAISE DES CHARBONNAGES DU TONKIN

Re: Asphalt pitch owned by Societe Francaise des Charbonnages du Tonkin.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Societe Francaise des Charbonnages du Tonkin is an association owned and controlled by French interests whose principal place of business and last known address is Shanghai, China and which is controlled by or acting for or on behalf of a designated enemy country (Japan) or a person within such country;

2. Therefore determining that said Societe Francaise des Charbonnages du Tonkin is a national of a designated enemy country (Japan);

3. Finding that the 1,980 iron drums of asphalt pitch stored in the name of Getz Brothers and Company in the Potrero Warehouse of Union Oil Company, San Francisco, California, are owned by said Societe Francaise des Charbonnages du Tonkin, and therefore are property within the United States owned or controlled by a national of a designated enemy country (Japan);

4. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Japan);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2557; Filed, February 16, 1943; 11:20 a. m.]

[Vesting Order 733]

CONTRACT RIGHTS OF ROLAND KOMMANDITGESELLSCHAFT AND ERNST OSTHOFF

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Roland Kommanditgesellschaft, a business enterprise doing business at Essen, Germany, is a national of a foreign country (Germany);

2. Finding that said Roland Kommanditgesellschaft is the owner of the interest described in subparagraph 3 hereof;

3. Finding, therefore, that the property described as follows:

The interest of Roland Kommanditgesellschaft in and to a contract by and between Roland Aktiengesellschaft Chemische Fabrik and American Felsol Company, Inc., dated June 30, 1937, relating to trademark No. 199,780 "Felsol" registered June 16, 1925, in the name of "W. C. Feicks, Lorain, Ohio, U. S. A.", together with all accrued royalties and other monies payable or held with respect to such interest,

is property payable or held with respect to a trade-mark or right related thereto in which an interest is held by, and such property itself constitutes an interest held therein by, a national of a foreign country (Germany);

4. Finding that Ernst Osthoff, whose last known address is Essen, Germany, is a national of a designated enemy country (Germany);

5. Finding that said Ernst Osthoff is the owner of the interest described in subparagraph 6 hereof;

6. Finding, therefore, that the property described as follows:

The interest of Ernst Osthoff in and to the contract by and between American Felsol Company, Inc. and Ernst Osthoff, by the terms of which American Felsol Company agreed to pay a "salary" of $1800 per quarter to Ernst Osthoff, together with the claim of Ernst Osthoff to the balance accrued under the contract as evidenced by an account payable to him on the books and records of the American Felsol Company,

or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2557; Filed, February 16, 1943; 11:20 a. m.]

[Vesting Order 733]

CONTRACT RIGHTS OF ROLAND KOMMANDITGESELLSCHAFT AND ERNST OSTHOFF

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Roland Kommanditgesellschaft, a business enterprise doing business at Essen, Germany, is a national of a foreign country (Germany);

2. Finding that said Roland Kommanditgesellschaft is the owner of the interest described in subparagraph 3 hereof;

3. Finding, therefore, that the property described as follows:

The interest of Roland Kommanditgesellschaft in and to a contract by and between Roland Aktiengesellschaft Chemische Fabrik and American Felsol Company, Inc., dated June 30, 1937, relating to trademark No. 199,780 "Felsol" registered June 16, 1925, in the name of "W. C. Feicks, Lorain, Ohio, U. S. A.", together with all accrued royalties and other monies payable or held with respect to such interest,

is property payable or held with respect to a trade-mark or right related thereto in which an interest is held by, and such property itself constitutes an interest held therein by, a national of a foreign country (Germany);

4. Finding that Ernst Osthoff, whose last known address is Essen, Germany, is a national of a designated enemy country (Germany);

5. Finding that said Ernst Osthoff is the owner of the interest described in subparagraph 6 hereof;

6. Finding, therefore, that the property described as follows:

The interest of Ernst Osthoff in and to the contract by and between American Felsol Company, Inc. and Ernst Osthoff, by the terms of which American Felsol Company agreed to pay a "salary" of $1800 per quarter to Ernst Osthoff, together with the claim of Ernst Osthoff to the balance accrued under the contract as evidenced by an account payable to him on the books and records of the American Felsol Company,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

7. Determining that to the extent that said Ernst Osthoff is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Germany);

8. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

9. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraphs 3 and 6 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2558; Filed, February 16, 1943; 11:16 a. m.]

[Vesting Order 763]

CONTRACT INTERESTS OF ALFRED EICKHOFF

Re: Contract interests of Alfred Eickhoff doing business as Eickhoff Brothers, Gebrueder Eickhoff Maschinenfabrik, and Gebrueder Eickhoff Maschinenfabrik und Eisengiesserei.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Alfred Eickhoff doing business as Eickhoff Brothers and having at one time an office at Scranton, Pennsylvania, is a resident of Germany and is a national of a foreign country (Germany);

2. Finding that Gebrueder Maschinenfabrik of Bochum, Germany, is a business enterprise organized under the laws of Germany and is a national of a foreign country (Germany);

3. Finding that Gebrueder Eickhoff Maschinenfabrik und Eisengiesserei is a business enterprise organized under the laws of Germany and is a national of a foreign country (Germany);

4. Finding that the aforesaid persons have interests in the contracts referred to in subparagraph 5 hereof;

5. Finding, therefore that the property described as follows:

The interest of (i) Alfred Eickhoff doing business as Eickhoff Brothers, his heirs, administrators, executors, assigns and successors, (ii) Gebrueder Eickhoff Maschinenfabrik and (iii) Gebrueder Eickhoff Maschinenfabrik und Eisengiesserei, in and to the following contracts (including all royalties and other moneys due or to become due to each and all of such persons under said contracts and all damages for breach thereof and the right to sue therefor):

(a) Contract dated August 1, 1935, between Alfred Eickhoff doing business as Eickhoff Brothers and Goodman Manufacturing Company, an Illinois corporation, by which Goodman Manufacturing Company acquired a non-exclusive and non-assignable license to manufacture and sell throughout the United States of America and its territorial possessions vibratory chutes or carriers or ball frames as parts of said chutes or carriers embodying the inventions of Patent No. 1,735,137.

(b) Contract dated October 19, 1934, between Alfred Eickhoff doing business as Eickhoff Brothers and American Car and Foundry Co., a New Jersey corporation, by which American Car and Foundry Co. acquired a non-exclusive and non-assignable license to manufacture and sell throughout the United States of America and its territorial possessions vibratory chutes or carriers or ball frames as parts of said chutes or carriers embodying the inventions of Patent No. 1,735,137.

(c) Contract dated August 1, 1935, between Alfred Eickhoff doing business as Eickhoff Brothers and Goodman Manufacturing Company, an Illinois corporation, by which Goodman Manufacturing Company acquired a non-exclusive and non-assignable license to manufacture and sell throughout the United States of America and its territorial possessions guide frames used in combination with shaking conveyors embodying the inventions set forth in Patent No. 1,742,800,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitute interests held therein by, nationals of a foreign country (Germany);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 5, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it

should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 25, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2559; Filed, February 16, 1943; 11:16 a. m.]

[Vesting Order 771]

OTTILIE STRIEDER

Re: Real property in Shorewood, Wisconsin and certain securities and bank accounts owned by Ottilie Strieder.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Ottilie Strieder, sometimes known as Tillie Traudt Strieder, is a citizen of Germany whose last known address is Leipzig, Germany, and is a national of a designated enemy country (Germany);

2. Finding that said Ottilie Strieder is the owner of the property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

a. All right, title, interest and estate, both legal and equitable, of Ottilie Strieder, in and to the real property situated at 4468–70 North Frederick Avenue, Shorewood, Wisconsin, more particularly described in Exhibit A attached hereto and made a part hereof, together with all the fixtures, improvements and appurtenances thereto, and any and all claims of Ottilie Strieder for rents, refunds, benefits or other payments arising from the ownership of such property.

b. Those certain securities, more particularly described in Exhibit B attached hereto and made a part hereof, held by William A. Millmann, 2313 East Kensington Boulevard, Shorewood, Wisconsin, attorney-in-fact for Ottilie Strieder, and

c. All right, title, interest and claim of any name or nature whatsoever of said Ottilie Strieder, in and to all obligations, contingent or otherwise and whether or not matured, owing to her by the First Wisconsin National Bank, Milwaukee, Wisconsin, including but not limited to all security rights in and to all collateral for any or all such obligations and the right to sue for and collect such obligations, and including particularly the checking and savings accounts in said bank maintained for her by William A. Millman, attorney-in-fact for Ottilie Strieder,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

4. Determining that the property described in subparagraphs 3–b and 3–c hereof is necessary for the maintenance or safeguarding of other property (namely, that hereinbefore described in subparagraph 3–a) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive Order;

5. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Germany);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 27, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

All that tract or parcel of land situated in the County of Milwaukee, State of Wisconsin, more particularly described as follows:

The West Seventy-five and Fifty-eight Hundredths (75.58) feet of Lot numbered One (1) and the West Seventy-five and Fifty-eight Hundredths (75.58) feet of North Thirteen (13) Feet of Lot numbered Two (2) in Block numbered Five (5), in Lake Bluff, being part of the North West and the South-west One-quarter (¼) of Section numbered Three (3) and the South East Fractional One Quarter (¼) of Section numbered Three (3), in Township numbered Seven (7) North of Range numbered Twenty-two (22) East, in the village of Shorewood.

EXHIBIT B

Description of property item	*Value as of June 14, 1941*
Wacker, Wabash Corp. 5% First Mortgage	55 00
De Paul Educational Society First Mortgage	1,000 00
2 Shares Public Gas and Coke Co.	50
3 Shares National Dairy Products	39 00
24 Shares General Motors Corp.	924 00
8 Shares Chase National Bank of New York	234 00
6 Shares Public Gas and Coke Co., Pfr.	20 00
20 Shares Empire Gas and Fuel Co., 8% cu. Pfd.	1,840 00
	4,112 50

[F. R. Doc. 43–2560; Filed, February 16, 1943; 11:20 a. m.]

[Vesting Order 773]

CONTRACT RIGHT OF WLODZIMIERZ MARYAN DANIEWSKI

Re: Contract right of Wlodzimierz Maryan Daniewski, Kielce, Poland, relating to Patent No. 1,850,537.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation:

1. Finding that Wlodzimierz Maryan Daniewski, whose last known address is Kielce, Poland, is a national of a foreign country (Poland);

2. Finding, therefore, that the following property:

The interest (together with all accrued royalties and other moneys payable or held with respect thereto) of said Wlodzimierz Maryan Daniewski in and to that certain agreement between him and Corning Glass Works, Corning, New York, dated November 26, 1928, pursuant to which certain moneys are payable to him in connection with the assignment by him to said company of a patent application and any patent to be issued thereon, which assignment was recorded by the United States Patent Office on December 22, 1928, in liber K–137, page 216 and pursuant to which Patent No. 1,850,537 was issued to the Corning Glass Works by the United States Patent Office on March 29, 1932;

is property payable or held with respect to a patent or right related thereto in which an interest is held by, and such property itself constitutes an interest held therein by, a national of a foreign country (Poland);

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to

indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 28, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2561; Filed, February 16, 1943; 11:19 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 4 Under MPR 74 as Amended]

BRISTOL PACKING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 4 under § 1363.62 (a) (5) (ii) of Maximum Price Regulation No. 74, as Amended—Animal Product Feedingstuffs.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the provisions of § 1363.62 (a) (5) (ii) of Maximum Price Regulation No. 74, as amended, *It is ordered:*

(a) *Approval of maximum prices for sales of meat scraps by Bristol Packing Company of Lewiston, Idaho with a guaranteed minimum protein content of 53 percent.* Bristol Packing Company of Lewiston, Idaho, may sell and deliver and any person may buy and receive from Bristol Packing Company meat scraps with a guaranteed minimum protein content of 53 percent at a maximum price of $61.03 per ton, f. o. b. conveyance at production plant of Bristol Packing Company located in Zone 1.

(b) *Price adjustments where actual analysis differs from guaranteed minimum protein content.* In any sale made pursuant to the provisions of this Order if the actual analysis differs from the guaranteed minimum percentage of protein permitted by this order, then:

(1) If above the guaranteed minimum percentage of protein, no increase in maximum prices is permitted.

(2) If one percent or less below the guaranteed minimum percentage of protein, deduct $1.50 per ton from the selling price.

(3) If more than one per cent below the guaranteed minimum percentage of protein deduct from the selling price, $1.50 per ton for the first percent and $3.00 per ton for each additional percent or fraction thereof.

(c) *Notification of maximum prices.* Bristol Packing Company shall provide the following notice of the maximum price established by this order with the first delivery to each buyer of meat scraps having a guaranteed minimum protein content of 53 per cent.

The Office of Price Administration has permitted us to sell meat scraps with a guaranteed minimum protein content of 53 per cent at a maximum price of $61.03 per ton, f. o. b. our production plant, which is in line with the maximum prices established for the product by Maximum Price Regulation No. 74, as amended. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for sales of these meat scraps.

(d) All prayers and requests contained in the application of the Bristol Packing Company which have not been granted herein are denied.

(e) This Order No. 4 may be revoked or amended by the Price Administrator at any time.

(f) Every provision of Maximum Price Regulation No. 74, as amended, except so far as this order permits the sale of meat scraps on a 53 per cent protein basis, shall apply to sales of meat scraps by the Bristol Packing Company.

(g) This Order No. 4 shall become effective February 16, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 15th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–2487; Filed, February 15, 1943; 12:31 p. m.]

[Order 163 Under MPR 120]

ANCHOR COAL COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 163 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120–302.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (b) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced by Anchor Coal Company, Whitesville, West Virginia, at its Anchor No. 5 Mine, Mine Index No. 492, in District No. 8, may be sold and purchased for shipment by rail and via Great Lakes at prices not to exceed the following respective prices per net ton f. o. b. the mine:

Size group	Rail shipment	Shipment via Great Lakes
9	$2.75	$2.80
16	2.80	2.80
18	2.70	2.70
19, 20, 21	2.65	2.65

(b) Within thirty (30) days from the effective date of this order, the said Anchor Coal Company shall notify all persons purchasing its coals of the adjustments granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Revised Maximum Price Regulation No. 122.

(c) This Order No. 163 may be revoked or amended by the Administrator at any time;

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein;

(e) This Order No. 163 shall become effective February 16, 1943.

Issued this 15th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–2491; Filed, February 15, 1943; 12:30 p. m.]

[Order 164 Under MPR 120]

MACON MULKEY COAL COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 164 under Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant—Docket No. 3120–256.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (b) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coal produced by the Macon Mulkey Coal Company, Macon, Missouri, at its No. 1 Mine, Mine Index No. 59, in District No. 15, in Size Group 2, for shipment by all methods of transportation to all destinations and for all uses may be sold and purchased at a price not to exceed $2.95 per ton f. o. b. the mine;

(b) Within thirty (30) days from the effective date of this order, the Macon Mulkey Coal Company shall notify all persons purchasing its coal of the adjustments granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale prices except in accordance with and subject to conditions stated in Revised Maximum Price Regulation No. 122.

(c) This Order No. 164 may be revoked or amended by the Administrator at any time;

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein;

(e) All prayers of the petition not granted herein are hereby denied.

(f) This Order No. 164 shall become effective February 16, 1943.

Issued this 15th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2492; Filed, February 15, 1943; 12:31 p. m.]

[Order 3 Under MPR 177]

SOUTHEASTERN CLOTHING CORPORATION

ORDER GRANTING MAXIMUM PRICES

Order No. 3 under § 1389.106 of Maximum Price Regulation 177—Men's and Boys' Tailored Clothing.

For the reasons stated in the opinion issued simultaneously herewith, *It is hereby ordered:*

(a) Southeastern Clothing Corporation of 16–20 West 19th Street, New York, New York, may sell and deliver and any person may buy and receive from Southeastern Clothing Corporation, sport coats at prices not in excess of those which may be determined under paragraphs (b) and (c) of this order.

(b) The following shall be the maximum prices for the garments set forth, and for any garments similar thereto, sold or delivered by Southeastern Clothing Corporation, otherwise than at retail:

(1) $3.37½ for cadet sport coats, sizes 8 to 20 inclusive, made of goods sold by C. M. Hoff Company as range number 309, made with New York market grade D tailoring.

(2) $6.12 for young men's sport coats, sizes 33 to 42, made of goods sold by L. Bachmann and Company, Inc., as La Porte Range 693, one-half lined with iridescent rayon 92-count, made with New York market boys' grade A tailoring.

(c) The maximum price of Southeastern Clothing Corporation for any other young men's sport coat or cadet sport coat shall be determined by adding to the "current cost" of the garment, as determined under § 1389.119 (a) (4) of Maximum Price Regulation 177, a percentage margin of $16\frac{2}{3}$ percent on the selling price. But no maximum price shall exceed $4.50 for a cadet's sport coat, or $6.50 for a young men's sport coat.

(d) The permission granted in this order is subject to the following conditions:

All discounts and trade practices, including practices relating to shipping and shipping charges, which were observed by Southeastern Clothing Corporation during the months of July to November 1941, inclusive, shall apply to sales for which maximum prices are determined under this order.

(e) All requests of the application which are not granted by this order are denied.

(f) This order may be revoked or amended by the Price Administrator at any time.

(g) Unless the context otherwise requires, the definitions set forth or incorporated in Maximum Price Regulation 177 apply to terms used in this order.

This Order No. 3 shall become effective February 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2489; Filed, February 15, 1943; 12:31 p. m.]

[Order 25 Under MPR 152]

COLEMAN CANNING COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 25 under Maximum Price Regulation No. 152—Canned Vegetables.

The Coleman Canning Company, Coleman, Wisconsin, has filed an application for specific authorization to charge particular maximum prices pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by Applicant with respect to the packing of fancy 4 sieve cut wax beans and fancy 4 sieve cut green beans in No. 1 size cans.

For the reasons set forth in the Opinion which accompanies this Order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered* That:

(a) The Coleman Canning Company may sell, offer to sell or deliver and any person may buy, offer to buy or receive fancy 4 sieve cut wax beans and fancy 4 sieve cut green beans packed in No. 1 size cans at a maximum price of $.88 per dozen f. o. b. factory.

(b) This Order No. 25 may be revoked or amended by the Price Administrator at any time.

(c) The Applicant, Coleman Canning Company, shall not change its customary allowances, discounts or price differentials unless such change results in a lower price.

(d) Unless the context otherwise requires the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(e) This order shall become effective on 16th day of February 1943.

Issued this 15th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2490; Filed, February 15, 1943; 12:31 p. m.]

[Order 3 Under MPR 214]

STANDARD ALLOY CO.

ADJUSTMENT OF MAXIMUM PRICE

Order No. 3 under Maximum Price Regulation No. 214—High Alloy Castings—Docket No. 3214-5.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration, *It is hereby ordered:*

Adjustment of maximum price of Standard Alloy Company on sales of high alloy fan housing castings to Lindberg Engineering Company. (a) Notwithstanding anything to the contrary contained in Maximum Price Regulation No. 214, Standard Alloy Company, Cleveland, Ohio, may sell and deliver high alloy fan housing castings of an analysis of 25% chrome, 12% nickel for industrial ovens and furnaces to Lindberg Engineering Company, Chicago, Illinois at a price not to exceed 59 cents per pound and Lindberg Engineering Company may buy and receive said castings as above. This price of 59 cents per pound is a delivered price, i. e., f. o. b. the foundry with freight allowed to destination, and includes all extras.

(b) All prayers of petition not granted herein are denied.

(c) This Order No. 3 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 3 shall become effective February 16, 1943 and shall become retroactively effective December 18, 1942, the date on which Standard Alloy Company filed its application for adjustment.

Issued this 15th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2488; Filed, February 15, 1943; 12:29 p. m.]

[Order 1 Under § 1315.51 (f) of RPS 56]

BOSTON WOVEN HOSE AND RUBBER COMPANY

AUTHORIZATION OF MAXIMUM PRICES

On January 29, 1943, Boston Woven Hose and Rubber Company of Boston, Massachusetts, filed its application with the Office of Price Administration seeking specific authorization pursuant to § 1315.51 (f) of Revised Price Schedule No. 56—Reclaimed Rubber, of a maximum price for a grade of reclaimed rubber produced by Boston Woven Hose and Rubber Company described as No. 611 Special. Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and in accordance with § 1315.51 (f) of Revised Price Schedule No. 56 issued by the Office of Price Administration, *It is hereby ordered:*

(a) The maximum prices which may be charged by Boston Woven Hose and Rubber Company, Boston, Massachusetts, for No. 611 Special reclaimed rubber shall be $.0657 per pound when sold in less than carload lots and $.0632 per pound when sold in carload lots.

(b) Boston Woven Hose and Rubber Company shall pay all transportation charges incurred in the delivery of No. 611 Special reclaimed rubber but is not required by this Order No. 1 to pay more than 30 cents per hundred pounds.

(c) This Order No. 1 may be revoked or amended by the Office of Price Administration at any time.

(d) This Order No. 1 shall become effective February 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2493; Filed, February 15, 1943; 12:32 p. m.]

[Order 2 Under § 1315.51 (f) of RPS 56]

LANDERS CORPORATION

AUTHORIZATION OF MAXIMUM PRICE

On February 2, 1943, Landers Corporation, of Toledo, Ohio, filed its application with the Office of Price Administration seeking specific authorization pursuant to §1315.51 (f) of Revised Price Schedule No. 56—Reclaimed Rubber, of a maximum price for boot and shoe reclaimed rubber purchased from Pequanoc Rubber Company and U. S. Rubber Reclaiming Company. Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1315.51 (f) of Revised Price Schedule No. 56 issued by the Office of Price Administration, *It is hereby ordered:*

(a) The maximum price which may be charged by Landers Corporation, Toledo, Ohio, for boot and shoe reclaimed rubber purchased by it from Pequanoc Rubber Company and U. S. Rubber Reclaiming Company when sold f. o. b. the present location of the reclaimed rubber shall be $7\frac{3}{8}$ cents per pound.

(b) This Order No. 2 may be revoked or amended by the Office of Price Administration at any time.

(c) This Order No. 2 shall become effective February 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 15th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2486; Filed, February 15, 1943; 12:31 p. m.]

Regional Office, Region I.

[Emergency Order 4 Under Ration Order 11]

FUEL OIL SHORTAGE IN GREATER BOSTON AREA AND CONNECTICUT

Pursuant to the authority conferred upon the Regional Administrator by § 1394.5715 of Ration Order No. 11, as amended, the following emergency order is prescribed:

(a) *Findings.* The Regional Administrator finds that in the territory served by the terminal and storage facilities of the Greater Boston Supply Area, as established under § 1510.29 (b) of Petroleum Directive 59, and in the State of Connecticut, as the result of the continuing inadequacy of the supply of fuel oils of grades Nos. 2, 3 and 4, including Diesel oil and gas oil, there exists an emergency in the transportation and distribution of such fuel oils which endangers the public health, the public welfare and the war effort.

(b) *Scope of order.* (1) Nothing in this emergency order shall be construed to limit the quantity of fuel oil of any grade which may be acquired by the persons listed in § 1394.5052 of Ration Order No. 11.

(2) This emergency order applies only to fuel oils of grades Nos. 2, 3 and 4, including Diesel oil and gas oil, and does not apply to fuel oil of grade No. 1, commonly known as range oil or kerosene. The oils covered by this order are hereinafter referred to as "distillate oil." Nothing in this emergency order shall be construed to affect the operation of Emergency Order No. 1 as amended.

(3) This emergency order shall be effective in the State of Connecticut and in the territory served by the terminal and storage facilities of the Greater Boston Supply Area, as established under § 1510.29 (b) of Petroleum Directive 59, and shall include:

(i) All of the State of Connecticut;

(ii) In Massachusetts, the Counties of Suffolk and Essex; Middlesex County (except Ashby, Townsend, Shirley, Ayer, Hopkinton and Holliston); Norfolk County (except Medway, Bellingham, Franklin, Wrentham, Plainville and Foxboro); Plymouth County (except Lakeville, Middleboro, Carver, Plymouth, Rochester, Wareham, Marion and Mattapoisett); and the town of Easton in Bristol County.

(c) *Order.* During the effective period of this order, notwithstanding the provisions of § 1394.5661 of Ration Order No. 11 relating to discrimination in transfers to consumers,

(1) No dealer shall transfer or deliver distillate oil to any consumer nor shall any consumer accept a transfer or delivery if such consumer has on hand a supply sufficient to meet his estimated needs for seven days.

(2) No dealer shall transfer or deliver distillate oil to any consumer nor shall any consumer accept a transfer or delivery in an amount greater than his estimated consumption for a ten day period: *Provided, however,* That this limitation of the amount of a delivery shall not operate to prohibit a delivery

(i) To the extent of 100 gallons, where 100 gallons is more than a ten days' supply, or

(ii) In excess of a ten days' supply where extraordinary circumstances of transportation or distribution require it.

(3) Notwithstanding the provisions of paragraphs (1) and (2), a dealer whose stocks are, in his judgment, too low to warrant such deliveries shall not be required to make a delivery to any consumer who has an estimated three days' supply on hand, nor shall any dealer be required to make a delivery to any consumer in an amount greater than his estimated consumption for a three day period: *Provided, however,* That any public utility engaged in the production and distribution of gas or electricity shall be entitled to demand and receive a supply sufficient, when added to its stock on hand, to meet its estimated needs for a seven day period.

(4) *List of priorities of transfers and deliveries.* During the effective period of this order, notwithstanding the provisions of § 1394.5661 of Ration Order No. 11, relating to discrimination in transfers to consumers, transfers and deliveries of distillate oil shall be made to all consumers on the following list, to the extent at least of their minimum requirements as provided by paragraph (c) (3), prior to deliveries to any other consumers;

(i) Consumers who require distillate oil for use in private dwellings;

(ii) Consumers who require distillate oil for use in other buildings used for residential purposes, including hospitals, apartment houses, hotels, rooming houses and the like;

(iii) Consumers who, in accordance with paragraph 9 of this order, obtain from a Local War Price and Rationing Board a certification in writing that they require distillate oil to a specified amount to meet an emergency involving a serious threat to life, health or valuable property, and who furnish such certification to the dealer prior to delivery;

(iv) Consumers requiring distillate oil for power and processing whose use of distillate oil for such purposes is exclusively in operations listed in Schedule A of Petroleum Administrative Order No. 3: *Provided,* That each such consumer who has not delivered to his dealer the certification prescribed in said Order No. 3 shall certify in writing to his dealer forthwith that his use of fuel oil for power and processing is exclusively in operations listed in said Schedule A: *And provided further,* That a copy of such certification shall be forthwith sent by each such consumer to the nearest District Office of the War Production Board. No particular form of certificate shall be required, but each certificate shall recite that a copy thereof has been sent to the said District Office;

(v) Consumers requiring distillate oil for space heating or hot water whose use of distillate oil for such purposes is exclusively in connection with operations listed in Schedule A of Petroleum Administrative Order No. 3: *Provided,* That each such consumer so certify in writing to his dealer forthwith: *And provided further,* That a copy of such certification shall be forthwith sent by each such consumer to the nearest District Office of the War Production Board. No particular form of certificate shall be required, but each certificate shall recite that a copy thereof has been sent to the said District Office;

(vi) Consumers engaged partially in operations listed on Schedule A of Petroleum Administrative Order No. 3, to the

extent necessary to enable them to carry on such operations (including distillate oil for the purposes of space heating and hot water as well as power and processing), *Provided*, That each such consumer certify in writing to his dealer the percentage of his present ration that is necessary to enable him to carry on such operations, *and Provided further*, That a copy of such certification shall be forthwith sent by each such consumer to the nearest District Office of the War Production Board. No particular form of certificate shall be required, but each certificate shall recite that a copy thereof has been sent to the said District Office;

(vii) Consumers none of whose operations are included in Schedule A of Petroleum Administrative Order No. 3 to the extent that the Director of Region I of the War Production Board, or his duly authorized representative, may certify that they are engaged in essential war production the temporary interruption of which would seriously impede the war effort, provided that each such consumer shall furnish to his dealer such certificate or a copy thereof, prior to delivery. Such certification may cover distillate oil for the purposes of space heating and hot water as well as power and processing. The numerical arrangement of the foregoing list does not indicate priority of any consumer over any other consumer on such list, except that if at any time the supply is insufficient to meet the requirements of the entire list the Director of Region I of the War Production Board or his duly authorized representative may prescribe the order and extent of priority in which consumers referred to in paragraphs (iv) (v) (vi) and (vii) shall be supplied.

(5) Any dealer shall refuse to make deliveries to consumers not on the priority list whenever from the state of his inventory and his anticipated receipts he reasonably believes that he will be unable to continue to satisfy the requirements of priority users for the five days next following.

(6) Any dealer who has satisfied all the minimum demands for distillate oil to the extent provided in paragraphs (c) (1), (2), and (3) made upon him by consumers on the priority list and who is not exercising his right under paragraph (5) to refuse to make deliveries to consumers not on the priority list shall thereafter give preference to the minimum demands of consumers who require distillate oil for use in buildings used exclusively for one or more of the following purposes: Retail food stores, drug stores, restaurants not commonly regarded as places of entertainment or amusement, laundries, police stations, fire stations, post offices, court houses, schools, churches, and the carrying on of federal, state, or local governmental functions.

(7) Any dealer who has satisfied all minimum demands for distillate oil to the extent provided in paragraphs (1), (2), and (3) made upon him by consumers on the priority list, and who has satisfied all minimum demands of consumers entitled to preferential deliveries under paragraph (6) may thereafter subject to § 1394.5661 of Ration Order No. 11 relating to discrimination in transfers to consumers, make transfers or deliveries out of his remaining stocks of such distillate oil to any consumer, including consumers a portion of whose requirements have been given priority under paragraphs (vi) and (ii) above, except that the following are prohibited:

(i) Delivery to, and acceptance by, consumers for use in buildings operated exclusively for purposes of amusement, entertainment, athletics or sports, including but not limited to theatres, night clubs, bowling alleys, pool rooms, dance halls, bar rooms and skating rinks;

(ii) Acceptance by consumers of delivery for use in buildings devoted in part to purposes of amusement, entertainment, athletics or sports, unless every practicable means has been taken to cut off the radiation and circulation of heat to the portion of such buildings devoted to purposes of amusement, entertainment, athletics or sports. Deliveries allowable under this paragraph shall be no more than sufficient to meet such consumers' reduced needs.

(8) Any dealer who in good faith refuses to make a delivery to a consumer because of a reasonable belief that such consumer falls within the class of consumers deliveries to whom are prohibited shall not be deemed to have committed a violation of the provisions of § 1394.5661 of Ration Order No. 11 relating to discrimination in transfers to consumers.

(9) Any consumer who requires a transfer for an emergency involving serious threat to life, health, or valuable property may, upon satisfying a Local Board of the genuineness of the need and the lack of other means of meeting it, obtain from the Local Board a certification of the existence of the emergency which will authorize delivery of a specified amount to such consumer to the same extent as if he were on the priority list above.

(10) *Definitions.* All terms in this order which are defined in Ration Order No. 11 shall have the meaning assigned to them in that ration order.

(11) *Penalties.* Any violation of this order shall be deemed a violation of Ration Order No. 11.

(12) *Restrictions on transfers to consumers.* Nothing contained in this emergency order shall be construed to increase the allowable ration of any consumer or to authorize a transfer or delivery of fuel of any grade to a consumer except in exchange for valid coupons or other evidences, or delivery receipts, authorized by Ration Order No. 11.

(13) *Effective period.* This order shall take effect at 12:01 a. m. February 12, 1943, and shall terminate at 12:00 midnight February 21, 1943, unless extended by further order.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1–0 7 F.R. 8418; E.O. 9125, 7 F.R. 2719, Ration Order No. 11, 7 F.R. 8480)

Issued this 11th day of February 1943.

KENNETH B. BACKMAN,
Regional Administrator.

[F. R. Doc. 43–2523; Filed, February 15, 1943; 4:42 p. m.]

[Emergency Order 5 Under Ration Order 11]

RESIDUAL OIL SHORTAGE IN SOUTHERN NEW ENGLAND

Pursuant to the authority conferred upon the Regional Administrator by § 1394.5715 of Ration Order No. 11, as amended, the following emergency order is prescribed:

(a) *Findings.* The Regional Administrator finds that in the States of Connecticut, Massachusetts, and Rhode Island, as the result of the continuing inadequacy of the supply of residual oils, there exists an emergency in the transportation and distribution of such residual oils which endangers the public health, the public welfare and the war effort.

(b) *Scope of order.* (1) Nothing in this emergency order shall be construed to limit the quantity of fuel oil of any grade which may be acquired by the persons listed in § 1394.5052 of Ration Order No. 11.

(2) This emergency order applies only to fuel oils of grades Nos. 5 and 6, and any other grade of residual oil commonly known or sold as Bunker "C". The oils covered by this order are hereinafter referred to as Bunker "C" oil.

(3) This emergency order shall be effective in the States of Connecticut, Massachusetts, and Rhode Island.

(c) *Order.* During the effective period of this order, notwithstanding the provisions of § 1394.5661 of Ration Order No. 11 relating to discrimination in transfer to consumers,

(1) No dealer shall transfer or deliver Bunker "C" oil to any consumer nor shall any consumer accept a transfer or delivery if such consumer has on hand a supply of such Bunker "C" oil sufficient to meet his estimated needs for three days.

(2) No dealer shall transfer or deliver Bunker "C" oil to any consumer nor shall any consumer accept a transfer or delivery in an amount which, when added to his stock on hand, is greater than his estimated needs for three days: *Provided, however*, That this limitation on the amount of a delivery shall not operate to prohibit a delivery of a greater amount:

(i) Where such greater amount represents the minimum practicable delivery, or

(ii) Where extraordinary circumstances of transportation or distribution require the delivery of a greater amount.

(3) Notwithstanding the provisions of paragraphs (1) and (2) any public utility engaged in the production and distribution of gas or electricity shall be entitled to demand and receive a supply sufficient, when added to its stock on hand, to meet its estimated needs for a seven day period.

(4) *List of priorities of transfers and deliveries.* During the effective period of this order, notwithstanding the provisions of § 1394.5661 of Ration Order No. 11, relating to discrimination in transfers to consumers, transfers and deliveries of Bunker "C" oil shall be made to all consumers on the following list, for the purposes specified, subject to the provisions of paragraphs (c) (1) (2) and (3), prior to deliveries to any other consumers:

(i) Consumers who require Bunker "C" oil for use in private dwellings;

(ii) Consumers who require Bunker "C" oil for use in other buildings used for residential purposes, including hospitals, apartment houses, hotels, rooming houses and the like;

(iii) Consumers who in accordance with paragraph 9 of this order, obtain from a local War Price and Rationing Board a certification in writing that they require Bunker "C" oil to a specified amount to meet an emergency involving a serious threat to life, health or valuable property, and who furnish such certification to the dealer prior to delivery;

(iv) Consumers requiring Bunker "C" oil for power and processing whose use of Bunker "C" oil for such purposes is exclusively in operations listed in Schedule A of Petroleum Administrative Order No. 3: *Provided*, That each such consumer who has not delivered to his dealer the certification prescribed in said Order No. 3 shall certify in writing to his dealer forthwith that his use of Bunker "C" oil for power and processing is exclusively in operations listed in said Schedule A: *And provided further*, That a copy of such certification shall be forthwith sent by each such consumer to the nearest District Office of the War Production Board. No particular form of certificate shall be required, but each certificate shall recite that a copy thereof has been sent to the said District Office.

(v) Consumers requiring Bunker "C" oil for space heating or hot water whose use of Bunker "C" oil for such purposes is exclusively in connection with operations listed in Schedule A of Petroleum Administrative Order No. 3. *Provided*, That each such consumer so certify in writing to his dealer forthwith: *And provided further*, That a copy of such certification shall be forthwith sent by each such consumer to the nearest District Office of the War Production Board. No particular form of certificate shall be required, but each certificate shall recite that a copy thereof has been sent to the said District Office.

(vi) Consumers engaged partially in operations listed on Schedule A of Petroleum Administrative Order No. 3, to the extent necessary to enable them to carry on such operations (including Bunker "C" oil for the purposes of space heating and hot water as well as power and processing): *Provided*, That each such consumer certify in writing to his dealer the percentage of his present ration that is necessary to enable him to carry on such operations: *And provided further*, That a copy of such certification shall be forthwith sent by each such consumer to the nearest District Office of the War Production Board. No particular form of certificate shall be required, but each certificate shall recite that a copy thereof has been sent to the said District Office.

(vii) Consumers none of whose operations are included in Schedule A of Petroleum Administrative Order No. 3 to the extent that the Director of Region I of the War Production Board, or his duly authorized representative, may certify that they are engaged in essential war production the temporary interruption of which would seriously impede the war effort: *Provided*, That each such consumer shall furnish to his dealer such certificate or a copy thereof, prior to delivery. Such certification may cover Bunker "C" oil for the purposes of space heating and hot water as well as power and processing.

The numerical arrangement of the foregoing list does not indicate priority of any consumer over any other consumer on such list, except that if at any time the supply is insufficient to meet the requirements of the entire list the Director of Region I of the War Production Board or his duly authorized representative may prescribe the order and extent of priority in which consumers referred to in paragraphs (iv) (v) (vi) and (vii) shall be supplied.

(5) Any dealer shall refuse to make deliveries to consumers not on the priority list whenever from the state of his inventory and his anticipated receipts he reasonably believes that he will be unable to continue to satisfy the requirements of priority users for the five days next following.

(6) Any dealer who has satisfied all the minimum demands for Bunker "C" oil to the extent provided in paragraphs (c) (1), (2), and (3) made upon him by consumers on the priority list and who is not exercising his right under paragraph (5) to refuse to make deliveries to consumers not on the priority list shall thereafter give preference to the minimum demands of consumers who require Bunker "C" oil for use in buildings used exclusively for one or more of the following purposes: Retail food stores, drug stores, restaurants not commonly regarded as places of entertainment or amusement, laundries, police stations, fire stations, post offices, court houses, schools, churches, and the carrying on of federal, state, or local governmental functions.

(7) Any dealer who has satisfied all minimum demands for Bunker "C" oil to the extent provided in paragraphs (c) (1), (2), and (3) made upon him by consumers on the priority list, and who has satisfied all minimum demands of consumers entitled to preferential deliveries under paragraph (6) may thereafter, subject to § 1394.5661 of Ration Order No. 11 relating to discrimination in transfers to consumers, make transfers or deliveries out of his remaining stocks of such Bunker "C" oil to any consumer, including consumers a portion of whose requirements have been given priority under paragraphs (vi) and (vii) above, except that the following are prohibited:

(i) Delivery to, and acceptance by, consumers for use in buildings operated exclusively for purposes of amusement, entertainment, athletics or sports, including but not limited to theatres, night-clubs, bowling alleys, pool rooms, dance halls, bar rooms and skating rinks;

(ii) Acceptance by consumers of delivery for use in buildings devoted in part to purposes of amusement, entertainment, athletics or sports, unless every practicable means has been taken to cut off the radiation and circulation of heat to the portion of such buildings devoted to purposes of amusement, entertainment, athletics or sports. Deliveries allowable under this paragraph shall be no more than sufficient to meet such consumers' reduced needs.

(8) Any dealer who in good faith refuses to make a delivery to a consumer because of a reasonable belief that such consumer falls within the class of consumers deliveries to whom are prohibited shall not be deemed to have committed a violation of the provisions of § 1394.5661 of Ration Order No. 11 relating to discrimination in transfers to consumers.

(9) Any consumer who requires a transfer for an emergency involving serious threat to life, health, or valuable property may, upon satisfying a local board of the genuineness of the need and the lack of other means of meeting it, obtain from the local board a certification of the existence of the emergency which will authorize delivery of a specified amount to such consumer to the same extent as if he were on the priority list above.

(10) *Definitions.* All terms in this order which are defined in Ration Order No. 11 shall have the meaning assigned to them in that ration order.

(11) *Penalties.* Any violation of this order shall be deemed a violation of Ration Order No. 11.

(12) *Restrictions on transfers to consumers.* Nothing contained in this emergency order shall be construed to increase the allowable ration of any consumer or to authorize a transfer or delivery of fuel oil of any grade to a consumer except in exchange for valid coupons or other evidences, or delivery receipts, authorized by Ration Order No. 11.

(13) *Effective period.* This order shall take effect at 12:01 a. m. February 12, 1943, and shall terminate at 12:00 midnight February 21, 1943, unless extended by further order.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1–0 7 F.R. 8418; E.O. 9125, 7 F.R. 2719, Ration Order No. 11, 7 F.R. 8480)

Issued this 11th day of February 1943.

KENNETH B. BACKMAN,
Regional Administrator.

[F. R. Doc. 43–2524; Filed, February 15, 1943; 4:42 p. m.]

Regional Office, Region II.

[Order 1 Under § 1340.260 of Rev. MPR 122]

PENNSYLVANIA ANTHRACITE IN CERTAIN BOROUGHS OF NEW YORK CITY

Order No. 1 under § 1340.260 of Revised Maximum Price Regulation No. 122—Solid Fuels Sold and Delivered by Dealers: Pennsylvania Anthracite Delivered by Dealers in the Boroughs of Manhattan, Bronx, Brooklyn and Queens, City of New York, State of New York.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1340.-260, as amended, of Revised Maximum Price Regulation No. 122, and for the

reasons set forth in an opinion issued simultaneously herewith; *It is ordered:*

(a) *Maximum prices established by this order.* The maximum prices of dealers for Pennsylvania anthracite, in the sizes and quantities set forth in Schedules I to IV hereof (contained in paragraphs (d) and (g), respectively), delivered to or at any point in the zones described in such schedules, shall be the applicable zone maximum prices prescribed therein. The maximum delivered price shall be determined by reference to the appropriate schedule of this order covering the zone to which the delivery is made, whether the dealer is located in one of said four zones, or elsewhere. The maximum price for a "yard" sale, as herein defined, shall be determined by reference to the appropriate schedule covering the zone in which the purchaser takes physical possession or custody of the anthracite.

(b) *What this order prohibits.* Regardless of any contract or other obligation, no person shall:

(1) Sell or, in the course of trade or business, buy Pennsylvania anthracite, of the sizes and in the quantities set forth in the schedules herein, at prices higher than the applicable maximum prices specified in such schedules, though less than maximum prices may be charged, paid or offered;

(2) Obtain any price higher than the applicable maximum price by changing the discounts authorized herein; or charging a price for any service set forth in the schedules higher than the maximum price prescribed therein for such service; or charging for any service for which a charge is not specifically authorized by the applicable schedule; or increasing any interest rate on debts over that charged in December, 1941; or using any other device by which a price higher than the applicable maximum price is obtained; or using any tying agreement or imposing any requirement that anything other than the fuel requested by the buyer be purchased by him.

(c) *Method of computing maximum prices.* The specific maximum prices for sales of Pennsylvania anthracite on a delivered basis, in the sizes and quantities set forth in Schedules I to IV hereof (contained in paragraphs (d) to (g), respectively), shall be computed by deducting from the applicable prices set forth in paragraph (1) (i) of each schedule, the amount of the discounts set forth in paragraph (1) (ii) of each schedule. The amount of such discounts shall be separately stated. There may be added, for certain services actually rendered by the dealer at the request of the purchaser, an amount not in excess of the amount specified in paragraph (1) (iii) of each schedule as the maximum authorized charge for such service, provided such amount is separately stated. The required discounts and the maximum authorized service charges are generally stated in terms of an amount per net ton, or per 100 lbs. In the case of deliveries of fractions of a net ton, or fractions of 100 lbs., respectively, the required discounts and the maximum authorized service charges shall be apportioned accordingly, to the nearest full cent. The specific maximum prices for "yard" sales shall be the applicable prices set forth in paragraph (2) of each schedule.

(d) *Schedule I, covering Manhattan and part of the Bronx.* Schedule I establishes specific maximum prices for certain sizes of Pennsylvania anthracite, in certain specific quantities, delivered to or at any point within Zone I. Zone I embraces the Borough of Manhattan and that part of the Borough of the Bronx which is west and south of the Bronx River.

(1) *Delivered sales*—(i) *Sales made on a "sidewalk delivery" basis.*

Size	Per net ton, for sales of 5 tons or more	Per net ton, for sales of less than 5 tons, but more than ½ ton	½ ton	Per 100 lbs., for sales of 100 lbs. or more, but less than ½ ton	Per 10 lbs., for sales of less than 100 lbs.
Broken, egg, stove, nut	$12.80	$13.05	$6.80	$.90	$0.10
Pea	11.10	11.35	5.95	.80	.09
Buckwheat	8.70	8.95	4.75	.....	.....
Rice	7.85	8.10	4.30	.....	.....
Barley	7.00	7.25	3.90	.....	.....

(ii) *Required discounts.* The following discounts, per net ton, shall be deducted from the prices set forth in paragraph (1) (i) of this schedule for payment on or before the tenth day of the month immediately following the month during which delivery was made:

Sizes:	Required discounts (cents)
Broken, egg, stove, nut	15
Pea, buckwheat	10
Rice, barley	5

(iii) *Maximum authorized service charges.*

Special service rendered	Maximum authorized charge (cents per net ton)
Single trim	30
Double trim	45
Regular labor (where it is necessary to move the coal by regular labor from the truck to the chute or window, and, then, as a separate operation, from the cellar floor to the bin, two, but no more than two, regular labor charges may be made)	60
Carry labor:	
No more than 2 steps up or down	80
For each additional 2 steps up or down	5
	(Cents per 100 lbs.)
Carrying upstairs, in deliveries of 100 lbs. or more but not more than one ton, for each full flight of stairs above the ground floor (Where a charge is made for carrying upstairs, no charge may be made for carry labor)	10

(2) *"Yard" sales.*

Size	Per net ton, for sales of ½ ton or more	Per 100 lbs., for sales of 100 lbs. or more, but less than ½ ton	Per 10 lbs., for sales of less than 100 lbs.
Broken, egg, stove, nut	$11.60	$.80	$.09
Pea	9.20	.70	.08
Buckwheat	7.25	.....	.....
Rice	6.40	.....	.....
Barley	6.50	.....	.....

(e) *Schedule II, covering that part of the Bronx not included in Schedule I.* Schedule II establishes specific maximum prices for certain sizes of Pennsylvania anthracite, in certain specific quantities, delivered to or at any point within Zone II. Zone II embraces that part of the Borough of the Bronx not included in Zone I, and which is north and east of the Bronx River.

(1) *Delivered sales*—(i) *Sales made on a "sidewalk delivery" basis.*

Size	Per net ton, for sales of 5 tons or more	Per net ton, for sales of less than 5 tons, but more than ½ ton	Per net ton, for sales of more than ½ ton, but less than 3 tons	½ ton	Per 100 lbs., for sales of 100 lbs. or more, but less than ½ ton	Per 10 lbs., for sales of less than 100 lbs.
Broken, egg, stove, nut	$12.80	$13.25	$13.50	$7.00	$.90	$.10
Pea	11.10	11.55	11.80	6.15	.80	.09
Buckwheat	8.70	8.95	8.95	4.75	.....	.....
Rice	7.85	8.10	8.10	4.80	.....	.....
Barley	7.00	7.25	7.25	3.90	.....	.....

(ii) *Required discounts.* The following discounts, per net ton, shall be deducted from the prices set forth in paragraph (1) (i) of this schedule for payment on or before the tenth day of the month immediately following the month during which delivery was made:

Sizes:	Required discounts (cents)
Broken, egg, stove, nut	15
Pea, Buckwheat	10
Rice, Barley	5

(iii) *Maximum authorized service charges.*

Special services rendered	Maximum authorized charges (cents per net ton)
Single trim	30
Double trim	45
Regular labor (where it is necessary to move the coal by regular labor from the truck to the chute or window, and, then, as a separate operation, from the cellar floor to the bin, two, but no more than two, regular labor charges may be made)	60
Carry labor:	
No more than 2 steps up or down	80
For each additional 2 steps up or down	5
	(cents per 100 lbs.)
Carrying upstairs, in deliveries of 100 lbs. or more but not more than one ton, for each full flight of stairs above the ground floor (where a charge is made for carrying upstairs, no charge may be made for carry labor)	10

(2) *"Yard" sales.*

Size	Per net ton, for sales of ½ ton or more	Per 100 lbs., for sales of 100 lbs. or more, but less than ½ ton	Per 10 lbs., for sales of less than 100 lbs.
Broken, egg, stove, nut	$11.60	$0.80	[illegible]
Pea	9.20	.70	[illegible]
Buckwheat	7.50	.....	.....
Rice	6.65	.....	.....
Barley	5.50	.....	.....

(f) *Schedule III, covering Brooklyn and Western Queens.* Schedule III establishes specific maximum prices for certain sizes of Pennsylvania anthracite, in certain specific quantities, delivered to or at any point within Zone III. Zone III embraces the Borough of Brooklyn and that part of the Borough of Queens which is referred to herein as Western Queens, and is defined in paragraph (q) (12) of this order.

(1) *Delivered sales*—(i) *Sales made on a "delivered to storage" basis.*

Size	Per net ton, for sales of more than ½ ton	½ ton	Per 100 lbs., for sales of 100 lbs. or more, but less than ½ ton	Per 10 lbs., for sales of less than 100 lbs.
Broken, egg, stove, nut	$12.25	$6.50	$.90	$.10
Pea	11.70	6.10	.80	.09
Buckwheat	8.75	4.65	.....	.....
Rice	9.25	4.90	.....	.....
Barley	7.75	4.15	.....	.....
[illegible]	8.25	4.40	.....	.....
[illegible]	6.90	3.70	.....	.....

[1] Rescreened.

(ii) *Required discounts.* There shall be deducted from the prices set forth in paragraph (1) (i) of this schedule, on sales and deliveries of broken, egg, stove, nut and pea sizes of Pennsylvania anthracite, a discount of twenty-five cents (25¢) per net ton, for cash on delivery. For payment on or before the tenth day of the month immediately following the month during which delivery was made, there shall be deducted from such prices, on sales and deliveries of all the sizes of Pennsylvania anthracite set forth in the schedule, a discount of one percent (1%) of the selling price.

(iii) *Maximum authorized service charges.*

Special service rendered	Maximum authorized charge (cents per 100 lbs.)
Carrying upstairs, in deliveries of 100 lbs. or more but not more than one ton, for each full flight of stairs above the ground floor	10
	Per net ton
Deliveries not within the meaning of "delivered to storage," as hereinafter defined, provided that there shall be no extra charge for deliveries to those premises to which delivery was made without extra charge prior to Jan. 1, 1942	$1

(2) *"Yard" sales.*

Size	At yards, etc., receiving cwt. rail, per net ton, for sales of ½ ton or more	At yards, etc., receiving cwt. rail, per net ton, for sales of less than ½ ton	Per 100 lbs., for sales of 100 lbs. or more, but less than ½ ton	Per 10 lbs., for sales of less than 100 lbs.
Broken, egg, stove, nut	$11.25	$11.00	$.80	$.09
Pea	9.70	9.45	.70	.08
Buckwheat	7.50	7.25	.....	.....
Rice	6.65	6.40	.....	.....
Barley	5.75	5.50	.....	.....

(g) *Schedule IV, covering Eastern Queens.* Schedule IV establishes specific maximum prices for certain sizes of Pennsylvania anthracite, in certain specific quantities, delivered to or at any point within Zone IV. Zone IV embraces that part of the Borough of Queens not included in Zone III, and which is referred to herein as Eastern Queens and is defined in paragraph (q) (13) of this order.

(1) *Delivered sales*—(i) *Sales made on a "delivered to storage" basis.*

Size	Per net ton, for sales of more than ½ ton	½ ton	Per 100 lbs., for sales of 100 lbs. or more, but less than ½ ton	Per 10 lbs., for sales of less than 100 lbs.
Broken, egg, stove, nut	$13.50	$7.00	$.90	$.10
Pea	11.95	6.25	.80	.09
Buckwheat	9.50	5.00	.....	.....
Rice	9.75	5.15	.....	.....
Barley	8.65	4.60	.....	.....
[illegible]	9.00	4.75	.....	.....
[illegible]	7.80	4.15	.....	.....

[1] Rescreened.

(ii) *Required discounts.* There shall be deducted from the prices set forth in paragraph (1) (i) of this schedule, on sales and deliveries of all the sizes of Pennsylvania anthracite set forth therein, a discount of twenty-five cents (25¢) per net ton for cash on delivery; or a discount of one percent (1%) of the selling price for payment on or before the tenth day of the month immediately following the month during which delivery was made.

(iii) *Maximum authorized service charges.*

Special service rendered	Maximum authorized charge (cents per 100 lbs.)
Carrying upstairs, in deliveries of 100 lbs. or more but not more than one ton, for each full flight of stairs above the ground floor	10¢
	Per net ton
Deliveries not within the meaning of "delivered to storage," as hereinafter defined, provided that there shall be no extra charge for deliveries to those premises to which delivery was made without extra charge prior to Jan. 1, 1942	$1

(2) *"Yard" sales.*

Size	Per net ton, for sales of ½ ton or more	Per 100 lbs., for sales of 100 lbs. or more, but less than ½ ton	Per 10 lbs., for sales of less than 100 lbs.
Broken, egg, stove, nut	$11.50	$.80	$.09
Pea	9.95	.70	.08
Buckwheat	7.75	.....	.....
Rice	6.90	.....	.....
Barley	6.05	.....	.....

(h) *Addition of railroad freight rate increase prohibited.* The specific maximum prices prescribed herein include the amount of the railroad freight rate increase incurred as a result of the Interstate Commerce Commission's order in its Docket Ex Parte 148, effective March 18, 1942, and such railroad freight rate increase may not be added to the specific maximum prices.

(i) *Addition of increases in suppliers' maximum prices prohibited.* The specific maximum prices established by this order may not be increased to reflect, in whole or in part, any subsequent increase to a dealer in his supplier's maximum price for the same fuel. The specific maximum prices already reflect increases to dealers in their suppliers' maximum prices occuring up to the effective date of this order. If increases in suppliers' maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(j) *Taxes.* A dealer subject to this order may collect, in addition to the specific maximum prices established herein, provided he states it separately, the amount of the Federal tax upon the transportation of property imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by the supplier from whom he purchased. A retail dealer subject to this order may also collect, in addition to the specific maximum prices established herein, provided he states it separately, the amount of the New York City sales tax payable by such dealer.

(k) *Adjustable pricing.* A price may not be made adjustable to a maximum price which will be in effect at some time after delivery of the anthracite has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(l) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed in the New York Regional Office of the Office of Price Administration.

(m) *Applicability of other regulations.* Section 1499.15, *Registration,* and § 1499.16, *Licensing,* of the General Maximum Price Regulation shall apply to this order. No other provision of the General Maximum Price Regulation shall apply to this order.

(n) *Records.* Every dealer subject to this order shall preserve, keep, and make available for examination by the Office of Price Administration, the same records he was required to preserve and keep under § 1340.262 (a) and (b) of Revised Maximum Price Regulation No. 122.

(o) *Posting of maximum prices: sales slips and receipts.* (1) Every dealer subject to this order shall post all his maximum prices (as set forth in the applicable schedule or schedules of this

order) in his place of business in a manner plainly visible to and understandable by the purchasing public.

(2) Every dealer subject to this order shall, except in the case of Pennsylvania anthracite sold in bags in lots of one hundred pounds or less not exceeding a total of one-half ton, give each purchaser a sales slip or receipt showing the name and address of the dealer, the kind, size, and quantity of the solid fuel sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts, the authorized service charges and the taxes, which must be deducted from, or which may be added to, the specific maximum prices prescribed herein.

In the case of sales of Pennsylvania anthracite in bags in lots of one hundred pounds or less not exceeding a total of one-half ton, every dealer subject to this order shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requesed by such purchaser or if such dealer during December, 1941, customarily gave purchasers such sales slips or receipts.

(p) *Enforcement.* (1) Persons violating any provision of this order are subject to the criminal penalties, civil and enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the New York District Office of the Office of Price Administration.

(q) *Definitions and explanations.* When used in this Order No. 1 the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "seller," "buy," "purchase," and "purchaser," shall be construed accordingly.

(3) "Dealer" means any person selling Pennsylvania anthracite of the sizes set forth in the schedules herein, or a person who sold Pennsylvania anthracite of such sizes subject to Revised Maximum Price Regulation No. 12, Solid Fuels Sold and Delivered By Dealers, or subject to Maximum Price Regulation No. 122, Solid Fuels Delivered From Facilities Other Than Producing Facilities—Dealers, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Distributor" means a person who purchases Pennsylvania anthracite at or for delivery from a mine or a preparation plant operated as an adjunct of any mine or briquette plant, for resale and resells the same in not less than cargo or railroad carload lots, without physically handling such anthracite, and any person acting as an agent of such distributor in the sale of Pennsylvania anthracite.

(5) "Sidewalk delivery" means delivery to the point nearest and most accessible to the buyer's place of storage, and at which the coal can be discharged directly from the seller's truck.

(6) "Delivered to storage" means delivery to the buyer's bin or storage space. The seller's truck shall be driven to the point nearest and most accessible to the bin or storage space designated by the buyer. If the distance to be traversed in delivering the coal from the truck to the bin or storage space is then no greater than 90 feet, and if the coal is moved by wheelbarrow or barrel and need be dumped no more than once after removal from the truck, no service charge may be made in connection with such delivery.

(7) "Yard" sales means delivery into the buyer's possession or custody at the yard, dock, barge, car, or at a place of business of the dealer other than at his truck or vehicle.

(8) "Single trim" refers in general to the movement of coal by shovel, usually performed to make room for more coal to be delivered, and effected by a downward movement of the shovel to make the coal slide.

(9) "Double trim" refers in general to the movement of coal by shovel from one place to another, effected by heaving, tossing or lifting the coal by shovel.

(10) "Regular labor" refers in general to the movement of coal by wheelbarrow or barrel.

(11) "Carry labor" refers in general to the labor involved in carrying coal in baskets from the truck to the bin or storage space.

(12) "Western Queens" refers to that part of the Borough of Queens, in the City of New York, lying generally west of the following boundary line: Starting at a point at the foot of Lefferts Boulevard, at Jamaica Bay; thence in a northerly direction along Lefferts Boulevard to the intersection of Lefferts Boulevard and Kew Gardens Road; thence in a northwesterly direction along Kew Gardens Road to the intersection of Kew Gardens Road, Queens Boulevard and Union Turnpike; thence in a northeasterly direction along Union Turnpike to the intersection of Union Turnpike and Francis Lewis Boulevard; thence in a northwesterly direction along Francis Lewis Boulevard to the intersection of Francis Lewis Boulevard and Willets Point Boulevard; thence northeasterly along Willets Point Boulevard to the Long Island Sound shore line. Premises on the eastern or southern side of the boulevards, roads and turnpike which form the boundary line separating Western Queens from Eastern Queens shall be deemed a part of Western Queens for the purposes of this order.

(13) "Eastern Queens" refers to that part of the Borough of Queens not included in Western Queens as herein defined.

(14) The sizes of Pennsylvania anthracite described as broken, egg, stove, nut, pea, buckwheat, rice and barley shall refer to the same sizes of anthracite as were sold and delivered in the Boroughs of Manhattan, Bronx, Brooklyn and Queens with such designation during December, 1941.

(r) *Right of amendment or revocation.* The Regional Administrator reserves the right at any time to amend, revoke or rescind this order, or any provision thereof.

(s) *Effect of order on Revised Maximum Price Regulation 122.* This order shall supersede Revised Maximum Price Regulation No. 122, except as to any sales or deliveries of solid fuels not specifically subect to this order.

(t) *Effective date.* This order shall become effective February 15, 1943.

Issued this 15th day of February 1943.

SYLVAN L. JOSEPH,
Regional Administrator.

[F. R. Doc. 43-2525; Filed, February 15, 1943; 4:44 p. m.]

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FEDERAL REGISTER

VOLUME 8 NUMBER 34

Washington, Thursday, February 18, 1943

Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 17—REGULATIONS OF THE BOARD OF LEGAL EXAMINERS[1]

REGISTERS; RIGHTS OF ELIGIBLES WHO ENTER MILITARY SERVICE

Sections 17.8 *Registers of eligibles* and 17.9 *Rights of eligibles who enter military service* are added as follows:

§ 17.8 *Registers of eligibles.* Registers of eligibles for attorney positions shall contain such numbers, be applicable to such positions, and be effective for such periods as the Board shall determine and announce. The publication of each register and of the supplements thereto shall constitute the certification of the eligibles included. The register, together with pertinent information concerning the eligibles which the Board will supply shall be available in full to appointing officers, who may make selections for appointment from among those included, subject to the Board's stated minimum experience requirements for particular grades of positions and with the exception that the Board may from time to time suspend the certification of eligibles from particular States in order to give effect to the principle that appointments shall so far as practicable be distributed among the States in proportion to population. Except as to individuals of whom the Board is advised by appointing officers in advance of publication of the register, all appointments to the positions and for the period covered by any register shall be from the register. The selections from any register shall be communicated immediately by the appointing agencies to the Board. The Board, immediately upon entering its approval of proposed appointments, will remove the names of the appointees from the register. The Board may from time to time add to a register others who have qualified through examination, in substitution for those who have been found unavailable for appointment, and may at any time suspend or cancel the eligibility of an individual included upon a register for cause arising either before or after his original certification. In case the life of a register is extended, the eligibles remaining upon it may as a condition of continued eligibility be required to furnish supplementary statements of qualifications and experience.

§ 17.9 *Rights of eligibles who enter military service.* Applicants for the Board's register who enter the military and related services or who are drafted into national service under the Selective Service Act shall enjoy the following rights, provided request is made within six months following their honorable discharge and return to civilian status:

(a) An applicant whose score upon a written examination confers eligibility for oral examination and who enters the service before his oral examination shall be entitled to take a qualifying oral examination or at the option of the Board to compete in a competitive oral examination in process at the time of his request and, if recommended by the examining committee, to be included for one year among the eligibles for positions in the grade or grades for which the original written examination was given.

(b) An applicant who enters the service after having qualified for a register but before the register is announced shall not be placed upon the register but shall be included for one year following action upon his request among the eligibles for positions in the grade or grades covered by the register for which he had qualified.

(c) An eligible upon a register who enters the service during the life of the register shall be included among the eligibles for positions in the same grade or grades for one year following action upon his request.

The foregoing rights shall accrue regardless of the tenure and status attaching to appointments during the

(Continued on next page)

[1] 6 F.R. 3577, 4091, 4181, 6471, 7 F.R. 2201, 563.

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FEDERAL REGISTER

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periods within which eligibility is conferred pursuant to this regulation.

(E.O. 8743, 6 F.R. 2117)

By the United States Civil Service Commission.

[SEAL] H. B. MITCHELL, *President.*

JANUARY 30, 1943.

[F. R. Doc. 43–2582, Filed, February 16, 1943; 1:41 p. m.]

TITLE 7—AGRICULTURE

Chapter VII—Agricultural Adjustment Agency

[ACP-1943-3]

PART 701—AGRICULTURAL CONSERVATION PROGRAM

SUBPART E—1943 [1]

Pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, the 1943 Agricultural Conservation Program, as amended, is further amended as follows:

1. Section 701.401, the first paragraph thereof, is amended to read as follows:

§ 701.401 *Allotments, yields, and grazing capacities.* The national allotments are 43,423,000 acres for corn; 55,000,000 acres for wheat; 25,550,276 acres for cotton (excluding the acreage reserve for new growers); 1,610,000 acres for peanuts; and 1,380,000 acres for rice. The State allotments for corn, wheat, and cotton shall be identical with those established under Title III of the Agricultural Adjustment Act of 1938, as amended. The State allotments for peanuts are: Alabama 274,907 acres; Arkansas 5,473 acres; California 1,257 acres; Florida 73,236 acres; Georgia 550,694 acres; Louisiana 353 acres; Mississippi 2,476 acres; New Mexico 3,673 acres; North Carolina 225,702 acres; Oklahoma 61,607 acres; South Carolina 18,375 acres; Tennessee 4,766 acres; Texas 246,373 acres and Virginia 141,108 acres. The State allotments for rice are: Arkansas 239,800 acres; Louisiana 607,200 acres; Texas 367,700 acres, California 163,900 acres; Missouri 500 acres and Hawaii 900 acres. The county normal yields of corn, wheat, cotton and peanuts shall be identical with those established under Title III of the Agricultural Adjustment Act of 1938, as amended. The State average yields of rice per acre are: Arkansas 23.2 cwt.; Louisiana 18.1 cwt.; Texas 22.1 cwt.; California 32.0 cwt.; and Missouri 22.5 cwt. The national and State allotments and the county normal yields for each kind of tobacco will be established by the Secretary.

2. Section 701.410 is amended by adding at the end thereof the following new paragraph (f):

§ 701.410 *General provisions relating to payments.* • • •

(f) *Operated farms.* Production adjustment payments will be made only with respect to farms that are operated except in areas designated by the Agricultural Adjustment Agency as areas in which a substantial number of farms will not be operated for causes beyond the control of the operators. In these areas the production adjustment allowance for a special crop on a farm that is not operated will be computed on the smaller of (1) the acreage allotment or (2) 125 percent of the acreage planted to the crop.

Done at Washington, D. C., this 16th day of February 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL, *Assistant Secretary of Agriculture.*

[1] 7 F.R. 10031, 10127, 8 F.R. 45, 59.

[F. R. Doc. 43–2583; Filed, February 16, 1943; 2:35 p. m.]

[ACP-1943-6]

PART 701—AGRICULTURAL CONSERVATION PROGRAM

SUBPART E—1943

Pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, the 1943 Agricultural Conservation Program, as amended, is further amended as follows:

1. Section 701.401 (a) is amended by deleting subparagraph (5) thereof and by renumbering subparagraph (6) as subparagraph (5).

2. Section 701.403 is amended by deleting paragraph (b) thereof, by re-lettering paragraphs (c), (d), and (e) as paragraphs (b), (c), and (d), respectively, and by changing new paragraphs (b) and (c) to read as follows:

§ 701.403 *Production adjustment allowance and deductions.* • • •

(b) *Deduction for failure to achieve 90 percent of the sum of the war crop goals.* The deduction for failure to achieve 90 percent of the sum of the war crop goals shall be made only from the farm production adjustment allowance. No deduction shall be made where the county committee finds, in accordance with instructions issued by the Agricultural Adjustment Agency, that the failure to achieve 90 percent of the sum of the war crop goals is due to flood or drought. The deduction will be $15.00 for each acre by which the sum of the acreage planted to war crops on the farm is less than 90 percent of the sum of the war crop goals for the farm.

(c) *Deductions for exceeding allotments.* Deductions for exceeding allotments shall be made from the remainder of the farm production adjustment allowance after any deduction provided for in paragraph (b) above has been made. If the deductions for exceeding allotments are in excess of the remainder of the farm production adjustment allowance, each person's share of the excess after proration of net deductions shall be deducted from such person's share in the production adjustment payment for any other farm in the county, and may be deducted from such person's share of the production adjustment payment for any other farm in the State, if the State committee finds that the crops grown on the farm or farms with respect to which such deductions are computed substantially offset the contribution to the program made on such other farm or farms. These deductions shall be determined as follows:

(1) *Cotton.* Ten times the payment rate for each acre planted to cotton in excess of the cotton allotment.

(2) *Tobacco.* Ten times the payment rate for each acre of tobacco harvested in excess of the applicable tobacco allotment.

(3) *Wheat*—(i) *Wheat on a wheat allotment farm.* Ten times the payment rate for each acre planted to wheat on the farm in excess of the wheat allotment.

(ii) *Wheat on a non-wheat-allotment farm.* Ten times the payment rate for each acre of wheat on the farm harvested for grain, or for any other purpose after reaching maturity, in excess of the larger of 15 acres or the wheat allotment, or in areas designated by the Agricultural Adjustment Agency in excess of the largest of 15 acres, the wheat allotment, or if no wheat is sold from the farm, three acres per family living on the farm and having an interest in the wheat crop grown thereon.

(d) *Miscellaneous deductions.* • • •

3. Section 701.405 (a) (2) is amended to read as follows:

§ 701.405 *Division of payments and deductions*—(a) *Payments and deductions in connection with crop acreage allotments.* • • •

(2) The deduction for failure to achieve 90 percent of the sum of the war crop goals shall be made prorata from the items constituting the farm production adjustment allowance.

Done at Washington, D. C., this 16th day of February 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL, *Assistant Secretary of Agriculture.*

[F. R. Doc. 43–2584; Filed, February 16, 1943; 2:35 p. m.]

Chapter XII—Commodity Credit Corporation

[CCC Order 3]

PART 1600—OILSEEDS

RESTRICTIONS ON SOYBEAN PURCHASES

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to assure adequate supplies of soybeans to meet essential civilian and war needs, *It is hereby ordered*, As follows:

§ 1600.3 *Restriction on soybean purchases*—(a) *Definitions.* (1) "Processor" as used herein means any person operating a processing plant for producing soybean oil and meal.

(2) "Manufacturer" as used herein means any person operating a manufacturing plant for producing soybean products other than oil and meal.

(3) "Seed dealer" as used herein means any person regularly engaged in the buying and selling of soybeans for planting purposes.

(4) "Country elevator" as used herein means any person who regularly purchases directly from farmers, stores, and sells grain at other than terminal markets.

(5) "Person" as used herein means any individual, partnership, corporation, association, or other business entity.

(6) "Purchase" as used herein means to purchase, acquire by barter or exchange, or to contract to do any of the foregoing. The term "sell" as used herein shall be construed accordingly.

(7) "Soybeans" as used herein means whole and ground soybeans.

(b) *Limitation on inventory and use of soybeans by processors, manufacturers, and seed dealers.* No processor, manufacturer, or seed dealer shall purchase or accept delivery of soybeans of the 1942 crop in a total quantity which, taken in conjunction with the quantity of his existing supply of soybeans, would be in excess of his processing, manufacturing, and seed sales requirements for the period ending October 10, 1943; and no soybeans of the 1942 crop shall be used by a processor, manufacturer, or seed dealer except for meeting his processing, manufacturing, and seed sales requirements, or for sale to persons eligible to purchase or accept delivery of such soybeans under this subsection or under paragraph (c) hereof.

(c) *Restrictions on purchase of soybeans by other persons.* No person other than a processor, a manufacturer, or a seed dealer shall purchase or accept delivery of soybeans of the 1942 crop in a total quantity in excess of the quantity (1) required to fill orders on hand at the time of such purchase from processors, manufacturers, and seed dealers; (2) required to be delivered or deliverable under contracts with the Commodity Credit Corporation; and (3) necessary to meet his planting requirements: *Provided*, That this paragraph shall not prevent a country elevator, without orders on hand from processors, manufacturers, or seed dealers, from purchasing directly from farmers an aggregate quantity of such soybeans not in excess of two thousand (2,000) bushels.

(d) *Prohibition on purchase and use for feed and fertilizer.* No person shall purchase or accept delivery of soybeans of the 1942 crop for use as, or manufacture into, fertilizer or feed for livestock, poultry or pets; and no soybeans of the 1942 crop purchased or delivered after the effective date of this order shall be used as, or manufactured into, fertilizer or feed for livestock, poultry or pets. This restriction shall apply only to soybeans in whole or ground form.

(e) *Prohibition on sales.* No person shall sell soybeans to any person if he knows or has reason to believe that the purchase of such soybeans would be in violation of this order.

(f) *Existing contracts.* The restrictions imposed by this order shall be effective notwithstanding any contract or commitment to the contrary.

(g) *Records and reports.* Every person subject to this order shall maintain for not less than two years accurate and complete records concerning his sales, purchases and uses of soybeans, and shall maintain such other records, execute and file such reports upon such forms, and submit such information as the Commodity Credit Corporation may from time to time request or direct, and within such times as it may prescribe.

(h) *Audits and inspections.* Every person subject to this order shall, upon

request, permit inspections at all reasonable times by duly authorized representatives of the Commodity Credit Corporation of his stocks of soybeans and of the premises used for crushing, processing, or storing of such soybeans and soybean products manufactured therefrom, and all of his books, records and accounts shall, upon request, be submitted to audit and inspection by duly authorized representatives of Commodity Credit Corporation.

(i) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Commodity Credit Corporation, setting forth all pertinent facts and the nature of the relief sought. The Commodity Credit Corporation may thereupon take such action as it deems appropriate and such action shall be final.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order, or who wilfully conceals a material fact concerning any matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of or from crushing, processing or using vegetable oilseeds and oilseed products of any kind, and such further action may be taken against him as the Commodity Credit Corporation deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, 1942, and under any and all other applicable laws.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the Commodity Credit Corporation, United States Department of Agriculture, Washington, D. C., Ref: CCC-3.

(l) *Exercise of authority conferred.* The authority conferred upon the Commodity Credit Corporation by this order shall be exercised by the President or Acting President of the Commodity Credit Corporation or such employees of the Department of Agriculture as he may designate.

(m) *Commodity Credit Corporation Oilseed Order 3 superseded.* This order supersedes in all respects Oilseed Order No. 3 issued by Commodity Credit Corporation on October 14, 1942 (7 F.R. 8375), except that, as to violations of said order or rights accrued, liabilities incurred or appeals taken under said order prior to the effective date hereof, said Oilseed Order No. 3 shall be deemed in full force and effect for the purpose of sustaining any proper suit, action or other proceeding with respect to any such violation, right or liability. Any appeal pending under said Oilseed Order No. 3 shall be considered under this order.

(n) *Effective date.* This order shall become effective as of 12:01 a. m., e. w. t., February 18, 1943.

(E.O. 9280, 7 F.R. 10179)

Issued this 17th day of February 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-2596; Filed February 17, 1943, 11:15 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Personnel

PART 71—RECRUITING AND INDUCTION FOR THE ARMY OF THE UNITED STATES[1]

REENLISTMENT OF MEN DISCHARGED TO ACCEPT COMMISSIONS

Section 71.6 (d) is amended as follows:

§ 71.6 *Grade.* * * *

(d) *Reenlistment of men discharged to accept commissions as officers or appointment as warrant officers.* (1) Any enlisted man of the Regular Army who serves on active duty as a Reserve officer of the Army of the United States or who is discharged to accept a commission in the Army of the United States and whose active service as a commissioned officer terminates honorably will be entitled without regard to any physical disqualification incurred, or having its inception, while on active duty in line of duty, to reenlist in the grade held prior to such commissioned service, without loss of service or seniority and without regard to whether a vacancy exists in the appropriate enlisted grade: *Provided*, That application for reenlistment is made within 6 months after the termination of such commissioned service. Enlisted men of the Regular Army will be entitled to count active commissioned service in the Army of the United States as enlisted service for all purposes.

(2) Any man in an enlisted status in the Army of the United States (other than an enlisted man of the Regular Army) discharged to accept a commission as an officer or appointment as warrant officer or who serves as a commissioned officer of the Army of the United States (and any enlisted man of the Regular Army discharged to accept an appointment as a warrant officer), whose active service as a commissioned officer or warrant officer terminates honorably and who tenders himself for reenlistment within 6 months after termination of such commissioned or warrant officer service if he has passed his 38th birthday, or within 15 days after termination of such service if he is between the ages of 18 and 38, will, regardless of physical disqualification incurred or having inception while on active duty in line of duty, and regardless of whether a vacancy exists in the appropriate enlisted grade, be accepted and restored without loss of seniority to the grade held by him prior to such commissioned or warrant officer service; and will be entitled to count active commissioned or warrant officer service in the Army of the United States as service for all purposes.

(3) These individuals will be reenlisted in the grade held prior to discharge to accept appointment.

(41 Stat. 765; 10 U.S.C. 42) [Par. 10*d*, AR 600-750, September 30, 1942, as amended by C 6 February 8, 1943]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-2592; Filed, February 17, 1943, 10:06 a. m.]

Chapter VIII—Procurement and Disposal of Equipment and Supplies

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

MISCELLANEOUS AMENDMENTS

Sections 81.308a, 81.308b, 81.379, 81.380 and 81.381 are hereby amended as follows:

AUTHORITY: Sec. 5a, National Defense Act, as amended 41 Stat. 764, 54 Stat. 1225; 10 U.S.C. 1193-1195, and the First War Powers Act, 1941, 55 Stat. 838; 50 U.S.C. Sup. 601-622.

SOURCE: The regulations in §§ 81.308a, 81.308b, 81.379, 81.380 and 81.381 are also contained in Services of Supply Memorandum No. S5-24-43, February 2, 1943.

§ 81.308a *Supplemental agreements and change orders not involving receipt of consideration.* Except as otherwise specifically provided in these regulations, approval by the Director, Purchases Division, Headquarters, Services of Supply, will be required for each supplemental agreement or change order which does not involve the receipt by the Government of adequate legal consideration, or which modifies or releases an accrued obligation owing directly or indirectly to the Government including accrued liquidated damages or liability under any surety or other bonds. In every such case the supply service shall submit a full statement of the case and of the action recommended together with a finding by the supply service, adequately supported, that the prosecution of the war would be facilitated by the action recommended. The Director, Purchases Division, will signify his approval by manual execution of the supplemental agreement or change order, where such instrument is submitted, or where such instrument is not submitted, by memorandum, indorsement, letter, or telegram in response to the request for approval.

§ 81.308 *Correction of mistakes.* (a) Effecting amendment of contracts with the least possible delay to correct misunderstandings, mistakes, errors, and ambiguities will facilitate the prosecution of the war by expediting the procurement program and by giving contractors proper assurance that mistakes unavoidable in a war program as large and extensive as that now in progress, will be corrected expeditiously and fairly. Accordingly, mistakes may be corrected by supplemental agreement pursuant to Title II of the First War Powers Act, 1941, and Executive Order No. 9001 as follows:

(1) Each chief of a supply service may enter into supplemental agreements correcting mistakes found by the chief of the supply service to be of the following types: (i) misunderstandings, mistakes, errors of the parties to a written agreement, or ambiguities therein, which consist solely of a failure to express in the written agreement the true agreement between them in accordance with the negotiations between them; (ii) mistakes and errors of a contractor, even if unilateral, which consist solely of the failure of the contractor, in good faith, to set forth in a bid or in a written agreement what he intended to include therein; *Provided*, Both as to such mutual mistakes and such unilateral mistakes, that the effect of any change by such supplemental agreement to correct any such mistakes does not make an adjustment of $50,000 or more; *And provided further*, That such change will not result in the payment to the contractor of a sum in excess of any bid made by another contractor where such contract was placed as a result of a formal or informal invitation to bid.

(2) Supplemental agreements correcting mistakes of any other type, or where the correction of the mistake involves an adjustment amounting to $50,000 or more, will be submitted for the approval of the Director, Purchases Division, Headquarters, Services of Supply.

(3) Approval of the Director, Purchases Division, will not be required in the case of any supplemental agreement correcting a mistake, under which the Government receives adequate new legal consideration, regardless of whether the supplemental agreement involves an adjustment amounting to $50,000 or more.

(b) Supplemental agreements to correct misunderstandings, mistakes, errors, and ambiguities in contracts submitted for the approval of the Director, Purchases Division, Headquarters, Services of Supply, in accordance with the provisions of § 81.308a and of this section will be accompanied by a full statement of the circumstances including all relevant papers or copies thereof. The evidence submitted shall show that an error or mistake was made or that a misunderstanding or ambiguity exists, in what it consists and how it occurred, and where relevant, the true intent of the parties. When this paragraph does not require that supplemental agreements be submitted for the approval of the Director, Purchases Division, the chief of the supply service approving or executing such agreement will see that a similar statement is prepared with respect to each such supplemental agreement and that such statement and all relevant papers and evidence are carefully preserved.

§ 81.379 *Steps to be taken in event of default.* (a) The rigid enforcement of contract provisions imposing liquidated damages on contractors for failure to perform within specified periods, or authorizing termination of contracts for default, has been found in many instances to impede the prosecution of the war. The delegation as hereinafter provided to chiefs of supply services of discretion to take such action as may seem to them fair and equitable under all the circumstances will expedite the procurement of necessary war materiel and facilitate the prosecution of the war. For the foregoing reasons, authority is conferred upon the chief of each supply service to authorize contracting officers under his command, subject to such limitations as the chief of the supply service may establish, to take any of the following courses in the event of default of the contractor:

(1) Permit the contractor to proceed and to charge the contractor with the actual damages resulting from the default. If the contract provides for liquidated damages, such damages and not actual damages must be charged.

(2) Enter into a supplemental agreement with the contractor's surety providing for the completion of performance of the contract and for payment therefor. Such supplemental agreement should clearly state that all rights against the contractor are reserved so far as the surety does not undertake to cure the effect of the defaults by the contractor.

(3) Terminate the contract when the contractor has not given a performance bond or when the surety under such a bond has pursuant to any requirement thereof, been given an opportunity (if such requirement is contained in the bond) to complete the contract but does not elect to do so. Such termination may be:

(i) Under any provision of the contract permitting termination in the event of default, in which case the provisions of § 81.380 shall be applicable.

(ii) Under any contract article providing for termination for the convenience of the Government, if the contracting officer shall find that the use of that termination article will facilitate the prosecution of the war and be equitable under all the circumstances unless the contracting officer shall determine that the defaults of the contractor (*a*) have been gross or wilful, or (*b*) have caused substantial injury to the Government.

(b) Extend by supplemental agreement the time fixed in the contract for performance in the manner provided in § 81.381 if the default consists of failure to perform within the time specified by the contract. In general, it is not the policy of the Government to terminate contracts for default under the stringent provisions of a delays-damages article, in a manner to bring about a forfeiture or a severe loss on the part of the contractor, merely because, at a time when the Government desires to terminate its contract for reasons not based upon the defaults of the contractor, the contractor happens to be in technical default under the contract.

§ 81.380 *Steps to be taken in event of termination because of default.* (a) If termination is effected pursuant to a contract provision substantially similar to that set forth in § 81.352 or Article 9 of the contract form contained in § 81.1302 of this title, the chief of a supply service may, but is not required, to pursue the remedies provided for in such contract provision or available by law. In lieu of making use of such remedies he may, if he finds that to do so will facilitate the prosecution of the war, make a supplemental agreement with the contractor and relieve the contractor of liability which would result from the enforcement of such remedies. Such an agreement may be entered into only with the prior approval of the Director, Purchases Division, Headquarters, Services of Supply (obtained in the manner provided in § 81.308a), except where the chief of a supply service shall find any one of the following facts:

(1) That the Government no longer has need for the supplies, services, or construction called for by the contract.

(2) That the default of the contractor is excusable.

(3) That the supplies or services, undelivered because of the contractor's default, can be obtained from some source other than the contractor on a basis as favorable as that set forth in the contract or that the construction provided for in the contract can be accomplished on terms substantially as favorable to the Government as though performed under the original contract. In such event, even if for reasons of policy the supply service may wish to buy supplies of the type covered by the contract on terms more expensive or less favorable to the Government than those set forth in the contract, the contractor should not be charged with such excess expense. (For example, the supply service may desire to buy from particular producers or in particular geographical areas in order to distribute war work more widely, despite any extra expense involved. The excess expense in such a case is not equitably to be charged to the contractor.)

(4) That any excess cost charged to the contractor would be nominal.

§ 81.381 *Delays.* The chief of each supply service may authorize contracting officers designated by him, at any time before final settlement of a contract (and notwithstanding any provision of the contract requiring that notice be given of the cause of delay in performance), to extend by supplemental agreement the time fixed in the contract for performance and to waive accrued liquidated damages. Each such supplemental agreement shall be entered into pursuant to the First War Powers Act and Executive Order No. 9001. If the contractor shall be in default by reason of delay at the date thereof, a report shall be made to the Director, Purchases Division, Headquarters, Services of Supply, describing the circumstances and the action taken. When, in the opinion of the contracting officer, default of the contract or will result in substantial pecuniary injury to the Government, the authority granted in this section will not be exercised except with the prior approval of the Director, Purchases Division, obtained in the manner provided in § 81.308a. For the purposes of this section the contractor shall not in any case be considered in

[1] 7 F.R. 9222

default by reason of delay if such delay is excusable within the meaning of the contract.

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc 43-2591; Filed, February 17, 1943; 10:06 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 173]

RECORD OF ABSENCE FROM OFFICIAL DUTY (STATE)

ORDER PRESCRIBING FORM

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301–318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in an Administrative Order dated December 5, 1942, I hereby prescribe the following change in DSS form:

Revision of DSS Form 85, entitled "Record of Absence from Official Duty (State)," effective immediately upon the filing hereof with the Division of the Federal Register[1]

The foregoing revision shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

DECEMBER 11, 1942.

[F. R. Doc. 43-2589; Filed February 17, 1943; 9:08 a. m.]

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment 10]

PART 804—INDIVIDUAL LICENSES

CERTIFICATES OF NECESSITY

Section 804.8 *Certificates of necessity* is hereby amended by adding the following new paragraph:

§ 804.8 *Certificates of necessity.* • • •

(e) Application for the renewal of a license to export must be accompanied by a certificate of necessity when:

(1) The commodity desired to be exported is contained in the list of commodities set forth in paragraph (b) of this section and has not been manufactured on the date application for renewal is filed; or

(2) The commodity desired to be exported, whether or not manufactured, has been added to the list of commodities set forth in paragraph (b) of this section subsequent to the date of issuance of the original license.

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807)

Dated: February 13, 1943.

PAUL CORNELL,
Chief of Office,
Office of Exports.

[F. R. Doc. 43-2604; Filed, February 17, 1943; 11:36 a. m.]

[Amendment 11]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

1. In the column headed "General license group" the group designations assigned to the commodities listed immediately below (at every place where said commodities appear in said section) are amended to read as follows:

Commodity	Department of Commerce No.	General license group	Shipping priority rating
PETROLEUM PRODUCTS AND TETRAETHYL LEAD			
C. Other crude oil (including topped crude, long residuum) not conforming to the above definitions A and B	5011.68	C	
Da. Natural gasoline (conforming to G)	5012.00	C	
Db. Natural gasoline (conforming to H)	5012.00	C	
H. Other motor fuels and gasoline not conforming to the above definitions E, F, and G	5017.98	C	
Q. Other motor lubricating oil not conforming to above specifications for aviation lubricating oil, and not conforming to O or P	5040.98	C	
R. Other lubricating oils not conforming to O or P above:			
Red and pale	5033.00	C	
Black	5034.00	C	
Bright stocks	5035.10	C	
Steam refined cylinder stocks	5035.20	C	
Insulating or transformer oils	5038.00	C	
Raw or semirefined distillates or stocks from which lubricants may be produced	5040.00	C	

2. In the column headed "Shipping priority rating" the shipping priority rating assigned to the commodity listed immediately below (at every place where said commodity appears in said section) is deleted and in the column headed "General License Group" the group designation assigned to the commodity listed immediately below (at every place where said commodity appears in said section) is amended to read as follows:

Commodity	Department of Commerce No.	General license group	Shipping priority rating
Fish:			
Fish, fresh, other (include that of fish	0071.00	None	

The amendments set forth above under "1" and "2" shall not apply to licensed shipments of the above commodities which are on dock, on lighter, laden aboard the exporting carrier or in transit to ports of exit pursuant to actual orders for export on or before the date this regulation is published in the FEDERAL REGISTER.

3. In the column headed "Shipping priority rating" the shipping priority rating assigned to the commodities listed below (at every place where said commodities appear in said section) are deleted and in the column headed "General License Group" the group designations assigned to the commodities listed below (at every place where said commodities appear in said section) are amended to read as follows:

Commodity	Department of Commerce No.	General license group	Shipping priority rating
Chemicals (See also Medicinals):			
Sodium carbonate calcined (soda ash)	8365.00	C	
Sodium hydroxide (caustic soda; (convert solutions to dry weight for statistical purposes)	8373.00	C	

The amendments set forth above under "3" shall not apply to licensed shipments of the above commodities which are on dock, on lighter, laden aboard the exporting carrier or in transit to ports of exit pursuant to actual orders for export on or before March 22, 1943.

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 40, 8 F.R. 1938)

Dated: February 16, 1943.

A. N. ZIEGLER,
Acting Chief of Office,
Office of Exports.

[F. R. Doc. 43-2605; Filed, February 17, 1943; 11:36 a. m.]

[Amendment 12]

PART 808—PROCEDURE RELATING TO SHIPMENT OF LICENSED EXPORTS TO THE OTHER AMERICAN REPUBLICS

EXPORT PROGRAM OR EXPORT PROJECT LICENSE

Part 808, Procedure Relating, etc., is hereby amended by inserting the following new section between §§ 808.3 and 808.4:

§ 808.3a *Export program or export project license (S. P.) shipments weighing less than 2,240 pounds.* Notwithstanding any other provision in this Part, the provisions thereof applying to shipments weighing 2240 pounds or more shall apply fully to any shipment weighing less than 2240 pounds to be exported under an export program or export project license (S. P.).

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951, Delegation of Authority No. 40, 8 F.R. 1938)

Dated: February 16, 1943.

A. N. ZIEGLER,
Acting Chief of Office,
Office of Exports.

[F. R. Doc. 43-2606; Filed, February 17, 1943; 11:36 a. m.]

[1] Form filed as part of the original document.

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P. D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-242]

L. FELDMAN AND CO.

L. Feldman and Company, Chicago, Illinois, a partnership composed of Perry Feldman and Louis Feldman, is a wholesaler of automotive supplies and is a warehouse as defined in General Preference Order M-9-a. From February 6 to July 15, 1942, the Company sold copper wire and copper tubing on orders which either did not bear any preference ratings or did not bear the preference ratings required by General Preference Order M-9-a. During this period the Company was aware of the restrictions imposed by General Preference Order M-9-a and its sales constituted wilful violations of that order which have hampered and impeded the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing: *It is hereby ordered,* That:

§ 1010.242 *Suspension Order S-242.* (a) Perry Feldman and Louis Feldman, individually or doing business as L. Feldman and Company or otherwise, their successors and assigns, shall not accept delivery of, sell, transfer, deliver, or otherwise deal in any copper or copper base alloy, wire or tubing, except with the written approval of the Regional Compliance Chief, Chicago Regional Office, War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Perry Feldman and Louis Feldman, individually or doing business as L. Feldman and Company or otherwise from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on February 20, 1943, and shall expire on May 20, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 16th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2588; Filed, February 16, 1943; 5:05 p. m.]

PART 903—DELEGATIONS OF AUTHORITY

[W.P.B. Regulation 1, as Amended Feb. 13, 1943[1]]

DELEGATING POWERS WITH RESPECT TO PRIORITIES TO DIRECTOR GENERAL FOR OPERATIONS; AND RATIFYING ACTIONS OF DIRECTOR OF PRIORITIES AND DIRECTOR OF INDUSTRY OPERATIONS

§ 903.0 *Regulation 1.* (a) (1) The Director General for Operations shall perform the functions and exercise all the powers, authority and discretion conferred upon the President by section 2 (a) of the Act of June 28, 1940, as amended by the Act of May 31, 1941, and by the Act of March 27, 1942, including the power of the Chairman of the War Production Board under paragraph (e) of Directive 1 of the War Production Board (§ 903.1) to delegate to the Office of Price Administration additional powers with respect to the exercise of rationing control and to amend the delegation with respect thereto contained in said Directive 1.

(2) The Director General for Operations shall review, clear and approve for execution all requests or proposals originating from other Federal agencies, private industry, or other sources for priority action with respect to the procurement, production, transmission or transportation of materials, articles, power, fuel, and other commodities; issue or provide for the issuance of all priority orders, warrants, certificates or ratings with respect to the supply, production, transmission or transportation of materials, articles, power, fuel, and other commodities, and, with reference to specific priority authorities vested by law in established departments and agencies of the Government, certify to such departments and agencies, when he deems such action necessary to the most effective prosecution of war procurement and production, that preferential treatment is essential for certain materials, commodities, facilities or services.

(3) The Director General for Operations shall, in consultation with the United States Maritime Commission, determine when, to what extent, and in what manner, priorities shall be accorded to deliveries of material as provided in section 2 (a) (3) of Public No. 46, 77th Congress, First Session, entitled "An Act to Make Emergency Provision for Certain Activities of the United States Maritime Commission, and for Other Purposes," approved May 2, 1941. Deliveries of material shall take priority as provided in said Act in accordance with such determinations and the orders issued in pursuance thereof by the Director General for Operations.

(4) The Director General for Operations shall perform the functions and exercise all the powers, authority and discretion conferred upon the Chairman of the War Production Board by Executive Orders 8942, 9024, 9040, and 9138, under the Act of October 10, 1940, as amended, and the Act of October 16, 1941, as amended, except the power, authority and discretion conferred upon the Chairman of the War Production Board by paragraph 1b of Executive Order 9040 to establish policies and to issue rules and regulations with respect to requisitioning under said Acts.

(b) The Director General for Operations may exercise the powers, authority and discretion conferred upon him by this regulation through such officers of the War Production Board and such other officials of the Government (including the Contracting and Procurement Officers and Inspectors of the War and Navy Departments) and in such manner as he may determine.

(c) All existing rules, regulations, orders, directions, certificates and other actions of the Director of Industry Operations or of his predecessor, the Director of Priorities of the Office of Production Management, are hereby ratified and confirmed and shall remain in full force and effect until they expire by their terms or are revoked or amended, and any references therein or in any rule, regulation, order, direction, certificate or other action issued on or after July 9, 1942 or taken, to the Director of Industry Operations, or to his predecessor, the Director of Priorities, shall be deemed to be references to the Director General for Operations. Any such rules, regulations, orders, directions, certificates and other actions issued on or after July 9, 1942 or taken in the name of the Director of Industry Operations in any manner heretofore authorized shall be valid for all purposes to the same extent as if issued or taken in the name of the Director General for Operations, unless such authorization shall have been specifically revoked.

(d) In addition to, and without limitation upon, the foregoing delegation of authority, the Rubber Director of the War Production Board is hereby authorized to perform the functions and exercise the powers, authorities and discretion conferred upon the President by section 2 (a) of the Act of June 28, 1940 (54 Stat. 676) as amended by the Act of May 31, 1941 (Public Law No. 89, 77th Congress) and Title III of the Second War Powers Act, 1942 (Act of March 27, 1942, Public Law No. 507, 77th Congress), to the extent necessary for the performance of the following duties and functions:

(1) To allot rubber among the War Department, Navy Department, Maritime Commission, Aircraft Scheduling Unit, Office of Lend-Lease Administration, Board of Economic Warfare, Dominion of Canada, the Domestic Requirements Section of the Office of Rubber Director, and any other public or private agency authorized to act as a claimant agency before the War Production Board, and also to allot rubber for civilian requirements;

(2) To allocate and apportion rubber among the users thereof, including all allocations and apportionments from the rubber stockpile;

(3) To issue, administer and, where necessary, amend or repeal new orders regulating the production, distribution and use of rubber and rubber products, and to amend, repeal and supersede any existing orders heretofore issued by the War Production Board regulating such production, distribution and use: *Provided, however,* That all existing orders of the War Production Board affecting such production, distribution or use shall remain in effect until specifically amended, repealed or superseded. The authority hereby delegated shall not include authority to regulate or control the distribution of any material or products other than rubber and rubber products, even when such other material or prod-

[1] This document is a re-statement of Amendment 2 to WPB Reg. 1 as amended July 9, 1942 which appeared in the FEDERAL REGISTER February 16, 1943, page 2007 and reflects the order in its complete form as of February 13, 1943.

ucts are for use in the production of rubber.

(e) The Rubber Director may exercise the duties and functions referred to above, either in his own name, through the Director General for Operations of the War Production Board or through such other official, agency or person as he shall designate.

(f) The Director of the Office of War Utilities of the War Production Board shall be directly responsible to the Chairman on policy matters, and to the Program Vice Chairman on administrative matters. In addition to, and without limitation upon, the delegations of authority set forth above, the Director of the Office of War Utilities of the War Production Board is authorized to perform the functions and exercise the powers, authority, and discretion conferred upon the President by section 2 (a) of the Act of June 28, 1940, as amended by the Act of May 31, 1941, and Title III of the Second War Powers Act, 1942, so far as they relate to (1) producing, transmitting and distributing electricity, manufactured gas, water and central steam heating, (2) transmitting and distributing natural gas, (3) furnishing of communications services except radio, and (4) redistributing materials and equipment owned by, in the possession of, or held for the account of, persons engaged in such activities and services.

The Director of the Office of War Utilities shall also have the authority to issue, amend, repeal and administer (1) preference ratings for the construction, maintenance, repair and operation of facilities for such activities and services, (2) allotments of material under the Controlled Materials Plan, (3) other orders and directions to control the use of material and equipment owned by, in the possession of, or held for the account of, persons engaged in the foregoing activities and services, including, with respect to all of the foregoing, authority to amend, repeal and supersede any existing orders and directions heretofore issued by the War Production Board relating to the foregoing subject matter.

(g) The Director of the Office of War Utilities may exercise the duties and authority referred to above, either in his own name, or through such other official, agency or person as he shall designate.

Issued this 13th day of February 1943.

DONALD M. NELSON,
Chairman.

[F. R. Doc. 43-2597; Filed, February 17, 1943; 11:18 a. m.]

PART 940—RUBBER AND BALATA AND PRODUCTS AND MATERIALS OF WHICH RUBBER OR BALATA IS A COMPONENT

[Supplementary Order M-15-g, as Amended Feb. 17, 1943]

RUBBER TIRES FOR INDUSTRIAL POWER TRUCKS

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of rubber for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 940.9 *Supplementary Order M-15-g*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Rubber" means any kind of crude rubber, latex, reclaimed rubber, scrap rubber or synthetic rubber.

(3) "Rubber tire" means any solid or pneumatic tire or tire tube made in whole or in part of any kind of rubber and used or designed for use on any industrial power truck.

(4) "Industrial power truck" means any self-power-propelled industrial truck or wheel tractor designed primarily for handling material (either by carrying or towing) on floors or paved surfaces in and around industrial plants, warehouses, docks, shipyards, airports or depots. The term shall not include automotive tractors, trucks, or wheel-type industrial tractors designed for use on tax-built highways, or in such operations as construction, earth-moving, mining, logging, industrial yard work, or petroleum development.

(b) *Restrictions on delivery or acquisition.* Except as permitted by paragraph (c) hereof, no person shall sell, lease, rent, deliver or otherwise transfer, or purchase, accept or otherwise acquire, any new rubber tire used or designed for use on any industrial power truck except under a purchase order rated A-1-a or better on a Preference Rating Certificate PD-1A, or under a purchase order rated A-1-a or better on a Preference Rating Certificate PD-408, provided that no Preference Rating Certificate PD-408 shall be used to acquire any such tire unless such certificate is an individual or interim certificate which covers only the tire or tires which are needed for one or more industrial power trucks referred to in such certificate. Each application filed pursuant hereto for a preference rating for any such tires on Form PD-1A or Form PD-408 shall contain or be accompanied by a statement certifying that each tire covered by such application is needed for replacement purposes within fifteen days from the delivery date specified in such application. No such tire which is permanently mounted on or affixed to a base band made of iron, steel or any other metal shall be delivered for replacement purposes pursuant to this paragraph (b) unless (1) there is delivered to the person supplying such replacement tire a metal base band of comparable size, or (2) said tire is mounted on or affixed to a base band which was furnished by the person acquiring said tire.

(c) *Exceptions.* The prohibitions of paragraph (b) hereof shall not apply to the sale, lease, renting, delivery or transfer or purchase, acceptance or acquisition of any new rubber tire used or designed for use on any industrial power truck:

(1) *War orders.* When such tire is purchased or acquired to fill any war order, as defined in Supplementary Order M-15-b (§ 940.3), as amended from time to time.

(2) *Original equipment.* When such tire is purchased or acquired to equip any new industrial power truck, manufactured or delivered under the provisions of Limitation Order L-112 (§ 1210.1), as amended from time to time (including any such vehicles manufactured or delivered under appeals from said Limitation Order L-112): *Provided,* That no person shall purchase, receive or otherwise acquire any new rubber tires to be used as original equipment on new industrial power trucks in quantities which will result in such person having an inventory of rubber tires held for such purpose in excess of his requirements for thirty days.

(3) *Tire distributors and vehicle manufacturers.* When any such tires are acquired for resale to others by either (i) any person (other than a manufacturer of tires for industrial power trucks) who, during the calendar year 1941, was regularly engaged in the business of furnishing new rubber tires for industrial power trucks for replacement purposes and who, while engaged in such business, maintained during the greater part of the calendar year 1941, an inventory of not less than twenty tires for such purpose, or (ii) any person who is a manufacturer of industrial power trucks and who also engages in the business of furnishing to others new rubber tires for industrial power trucks for replacement purposes: *Provided,* That no person shall purchase, receive or otherwise acquire for resale to others as replacement tires any such new rubber tires in quantities which will result in such person having an inventory of rubber tires held for such purpose in excess of his anticipated orders for the ensuing thirty days: *And provided further,* That no such person shall dispose of any such tires from his inventories except in accordance with paragraphs (b), (c) (1) or (c) (2) hereof.

(d) *Restriction on destruction of metal base bands.* No person shall knowingly destroy or damage any metal base band designed for an industrial power truck tire if such base band is still usable for mounting or affixing any such tire.

(e) *Miscellaneous provisions*—(1) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(2) *Reports.* All persons affected by this order shall prepare and file such reports and questionnaires as may from time to time be requested by the Director General for Operations or the Rubber Director.

(3) *Audit and inspection.* All records required to be kept by this order or by any priorities regulation of the War Production Board shall, upon request, be submitted to audit and inspection by a duly authorized representative of the War Production Board.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Appeals.* Any appeal from the provision of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of appeal.

(6) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington, D. C., Ref.: M-15-g.

NOTE: Paragraph (e) was formerly designated (d).

Issued this 17th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2598; Filed, February 17, 1943; 11:18 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Regulation 16, as Amended Feb. 17, 1943]

APPEALS

§ 944.37 *Priorities Regulation 16*—(a) *Certain appeals to be filed with field offices.* Every appeal from any order listed in Appendix A to this regulation shall be filed with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates, notwithstanding any existing provision of any regulation, order or form.

(b) *Appeals forms.* Every appeal from any order listed in Appendix A to this regulation shall be filed on Form PD-500 or such other form as may be specifically designated in Appendix A, notwithstanding any existing provision of any regulation, order or form.

(c) *Other appeals.* An appeal from any rule, regulation or order not listed in Appendix A to this regulation shall be filed with the Washington Office of the War Production Board unless the rule, regulation or order appealed from provides otherwise.

(d) *Appeal by letter.* An appeal for which no specific form is prescribed by any rule, regulation or order shall be made by filing with the appropriate office of the War Production Board a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

This regulation as amended shall take effect February 22, 1943.

Issued this 17th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

APPENDIX A

[Appendix A amended February 17, 1943]

Orders

L-18-b	L-59-a	L-152 (PD-417)
L-18-c	L-59-b	L-157 (Letter)
L-21	L-62	L-161
L-21-a	L-64	L-165 (Letter)
L-22 (Letter)	L-64-a	L-173 (Letter)
L-23	L-73	L-179 (Letter)
(PD 203)	L-74 (Letter)	L-185 (Letter)
L-23-a	L-77	L-187
L-23-b	L-79 (Letter)	L-199 (Letter)
L-23-c	L-80	L-205 (Letter)
L-27 (Letter)	L-81	L-218
L-27-a	L-92	L-225
L-29	L-93	L-229 (Letter)
L-30-a	L-98	L-236 (Letter)
L-30-b	L-104	M-11-b
L-30-c	L-135	M-83 (Letter)
L-30-d	L-136	M-122 (Letter)
L-33	L-142 (Letter)	M-126
L-36	L-150 (Letter)	M-177 (Letter)
L-42 (Letter)	L-150-a (Letter)	M-208 (Letter)
L-49	L-150-b (Letter)	M-209 (Letter)
L-59		M-248 (Letter)

[F. R. Doc. 43-2601; Filed, February 17, 1943; 11:19 a. m.]

PART 1142—DRY CELL BATTERIES AND PORTABLE LIGHTS OPERATED BY DRY CELL BATTERIES

[Supplementary Limitation Order L-71-a as Amended Feb. 17, 1943]

HEARING AID BATTERIES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of hearing aid batteries, and critical materials used in the production of such batteries for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1142.2 *Supplementary General Limitation Order L-71-a*—(a) *Definitions.* For the purposes of this order:

(1) "Hearing aid battery" means any dry cell battery designed and produced primarily for use in any hearing aid device for personal use.

(2) "Manufacturer" means any person engaged in the business of manufacturing or assembling hearing aid batteries.

(3) "Circular C435" means Circular C435 of the National Bureau of Standards, issued February 18, 1942, entitled "American Standard Specification for Dry Cells and Batteries".

(b) *General restrictions.* On and after April 1, 1943, no manufacturer shall produce any hearing aid batteries which do not conform to the following limitations:

(1) Each hearing aid battery for carbon type hearing aid device shall contain either two or three cells none of which shall be smaller than the cell designated "CD" in Table 1 of Circular C435, with the modifications permitted in Section 2.2 of that Circular, except that four or six cells designated as "C" in such Table may be used in a battery containing a dual circuit.

(2) No "A" or "B" hearing aid battery shall contain as an integral part of such battery a wire connector designed to be attached to its complementary "B" or "A" battery, respectively.

(3) Each "A" hearing aid battery shall contain as terminals either:

(i) Plug-in sockets having the terminal arrangement shown in IV in Figure 1 in Circular C435; or

(ii) Flashlight cell type terminals as described in Section 11.4 of Circular C435.

(4) Except as provided in subparagraph (5) of this paragraph (b), each "B" hearing aid battery

(i) Shall conform to one of the following three limitations:

(a) 22½ volts, 15 cells;

(b) 33 volts, 22 cells; or

(c) 45 volts, 30 cells.

(ii) Shall contain as terminals plug-in sockets having the terminal arrangement shown in III in Figure 1 in Circular C435, except that up to and including May 31, 1943, a manufacturer may produce 30 volt "B" batteries containing terminals having the arrangement shown in XI in Figure 2 of Circular C435.

(5) Each "A" or "B" hearing aid battery which contains a label bearing the name or trade mark of any manufacturer of hearing aid devices shall also indicate on such label the voltage of the battery and contain the following language: "This battery is produced in accordance with War Production Board orders and is designed to be suitable for use with any make of hearing aid device which requires for its operation a battery of this voltage and which is equipped with suitable connectors."

(c) *Applicability of other orders.* Insofar as any other order heretofore or hereafter issued by the Director of Priorities, the Director of Industry Operations or the Director General for Operations, including Limitation Order L-71, limits the use of any material in the production of hearing aid batteries to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

(d) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(e) *Violations.* Any person who wilfully violates any provision of this order or who in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assistance.

(f) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(g) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(h) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(i) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(j) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers' Durable Goods Division, Washington, D. C.; Ref.: L-71-a.

Issued this 17th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2600; Filed, February 17, 1943; 11:18 a. m.]

PART 1173—RUBBER YARN AND ELASTIC THREAD

[Conservation Order M-124 as Amended Feb. 17, 1943]

Section 1173.1 *Conservation Order M-124* is hereby amended to read as follows:

§ 1173.1 *Conservation Order M-124*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Restrictions on use and delivery.* No person shall knit, weave or otherwise process or use, sell, deliver, purchase, order or accept any rubber yarn, latex yarn or elastic thread, including all types of synthetic rubber yarn or thread, except:

(1) As heretofore or hereafter specifically authorized by letter or telegram of the Director General for Operations;

(2) For sale and delivery by or to the Defense Supplies Corporation or its representatives;

(3) Any rubber yarn, latex yarn or elastic thread in a retail merchant's stock as such on March 29, 1942.

(c) *Authorizations.* Any authorization requested under paragraph (b) (1) shall be filed on Form PD-556, including inventory data and the prime contractor's name and prime contract number if a Government contract is involved.

(d) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(e) *Communications.* All reports required to be filed under, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing, and Leather Division, Washington, D. C., Ref: M-124.

(f) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 17th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2599; Filed, February 17, 1943; 11:18 a. m.]

PART 1279—ELASTIC FABRICS, KNITTED, WOVEN OR BRAIDED

[Conservation Order M-174 as Amended Feb. 17, 1943]

Section 1279.1 *Conservation Order M-174* is hereby amended to read as follows:

§ 1279.1 *Conservation Order M-174*—(a) *Definition of elastic fabric.* For the purposes of this order, "elastic fabric" shall mean any fabric knitted, woven or braided containing bare rubber core or covered rubber thread, including all types of synthetic rubber core or thread, six inches in width or less, of any quality or in any condition whatsoever.

(b) *Restrictions on use and delivery.* Notwithstanding the provisions of any other conservation or limitation order, no person shall process, cut, change the form of, attach, sew on, sell, deliver, purchase or accept any elastic fabric except:

(1) As heretofore or hereafter specifically authorized by letter or telegram of the Director General for Operations;

(2) For sale or delivery by or to the Defense Supplies Corporation or its representatives;

(3) Any elastic fabric which, on or before the opening of business on June 20, 1942, was already packaged in the customary retail packaging of such fabric, where such packaging differs in both put-up and amount of fabric from the packaging of the same fabric for distribution to processors, manufacturers, or any persons other than retail distributors or persons selling to retail distributors.

(c) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(d) *Authorizations.* Any authorization requested under paragraph (b) (1) shall be filed on form PD-556, including inventory data and the prime contractor's name and prime contract number if a Government contract is involved.

(e) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(f) *Communications.* All reports required to be filed under, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Ref.: M-174.

(g) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 17th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2602; Filed, February 17, 1943; 11:19 a. m.]

PART 3156—CATTLE HIDE LEATHER AND CATTLE HIDE LEATHER PRODUCTS

[Conservation Order M-273]

The fulfillment of requirements for the defense of the United States has created shortages in the supplies of cattle hide leather and cattle hide leather products for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3156.1 *Conservation Order M-273*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time, except as provided in paragraph (h) of this order.

(b) *Definitions.* For the purposes of this order:

(1) "Tanner" means any person who during the preceding three years has tanned, or who during the operation of this order tans, more than 100 cattle hides during any one calendar month either for his own account or on contract for others.

(2) "Cattle hides" means the hides or skins of bulls, steers, cows, and buffaloes, whether native or branded, foreign or domestic, including calf and kip skins (but excluding slunks).

(3) "Military order" means an order for leather to be delivered to, or for the account of, the Army or Navy of the United States, the Marine Corps, the Coast Guard, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, or any foreign government pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act) or for leather to be physically incorporated into products to be so delivered.

(4) "Manufacturer" means any person engaged in the business of making cattle hide leather products, except a person primarily engaged in repairing such products for non-industrial consumers.

(c) *Restrictions on harness, skirting, collar, latigo, lace, rigging, rawhide, bag, case, strap and upholstery leather.* Effective April 1, 1943, no tanner shall fill or contract to fill any order (whether or not bearing a preference rating) for any harness, skirting, collar, latigo, lace, rigging, rawhide, bag, case, strap or upholstery leather in excess of the monthly or other quota and delivery schedule fixed for such tanner from time to time by the Director General for Operations pursuant to application on Report Form PD-772.

(d) *Prohibition against blackening of harness leather.* No tanner shall produce any harness leather in any color other than russet, except to fill military orders.

(e) *Restrictions on processing and disposition of leather.* (1) No tanner shall process cattle hides in a manner contrary to any order issued by the Director General for Operations pursuant to this paragraph, directing the production of specific types of leather meeting military or other designated specifications.

(2) No tanner shall sell or deliver leather contrary to any order of the Director General for Operations issued pursuant to this paragraph restricting the sale or delivery of leather meeting designated military specifications.

(3) No tanner shall produce any bag, case, or strap leather from cattle hides of qualities meeting Federal Specifications KK-L-151a, KK-L-166 or KK-L-271a unless the hides are split in a manner to yield—

(i) Grains of the weights required to meet his unfilled military orders, or

(ii) Grains of the maximum weights obtainable, provided that this restriction shall not require the production of grains in excess of eight ounces.

(f) *Restrictions on the use of cattle hide leather in manufacturing.* (1) No manufacturer shall incorporate any cattle hide leather in any product not listed in Schedule A hereof, except as provided in paragraph (f) (2).

(2) The restrictions of paragraph (f) (1) shall not apply to products manufactured:

(i) From cattle hide leather ordered by the manufacturer prior to February 17, 1943 and delivered to him prior to April 1, 1943, provided the products are completely fabricated before June 1, 1943.

(ii) From leather of the following types if such leather is not suitable for military orders or for any product listed in Schedule A:

Vegetable tanned cattle hide leather under three and one-half ounces in weight other than calf or kip;
Upholstery leather buffings;
Cattle hide leather scrap.

(iii) From cattle hide leather not suitable for any product listed in Schedule A if specifically authorized by the Director General for Operations. Any tanner or manufacturer may apply by letter once a month for relief under this paragraph, stating why such relief is necessary, the customers to whom he intends to sell and the proposed uses of such leather.

(iv) To fill military orders.

(3) No manufacturer shall use:

(i) Rough sole leather under 12 iron for any purpose other than the manufacture or repair of footwear.

(ii) Rough sole leather 12 iron or heavier for any purpose other than the manufacture or repair of footwear, or for round belting.

(iii) Rough or curried belting leather for any purpose other than transmission belts, hydraulic, packing, mechanical, or textile leathers: *Provided, however,* That this restriction shall not apply to slabs cut from the portion of the butt bend or single bend beginning at the edge from which the belly was removed and not exceeding twelve inches in width at the widest point.

(iv) Rough shoulders cut from belting or sole leather hides for any purpose other than welting, hydraulic, packing, mechanical or textile leathers.

(4) The restrictions of paragraphs (f) (3) (i), (ii) and (iv) shall not apply to military orders.

(g) No tanner or processor shall sell or deliver any cattle hide leather if he knows or has reason to believe that such leather will be used in violation of this order.

(h) Notwithstanding the provisions of Priorities Regulation No. 3, no preference rating applied to the delivery of clothing, gloves, shoes or other wearing apparel shall be extended to obtain leather to be incorporated in such products, except to fill military orders.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(j) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Reference M-273.

(k) *Reports.* Tanners of cattle side upper leather shall file monthly reports of their operations on Form PD-770. Tanners of calf and kip leather shall file monthly reports of their operations on Form PD-778. Tanners of harness, skirting, collar, latigo, lace, rigging, rawhide, bag, case, strap and upholstery leather shall file reports of their operations on Form PD-772 on or before the 10th day of each month commencing with the month of March, 1943. In addition, all persons affected by this order shall execute and file with the War Production Board such other reports and questionnaires as may be required by said Board from time to time.

(l) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, purchases, production and sales.

(m) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 17th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

Footwear.
Transmission belts.
Hydraulic, packing and mechanical leather products.
Leather products for textile equipment.
Harness, horse collars, and saddlery for police, farm and industrial use.
Trusses.
Surgical supports.
Artificial limbs.
Orthopedic products including arch supports.
Cattle and drovers' whips and quirts.
Belt laces and thongs.
Cap visors.
Divers' equipment.
Motorcycle saddles.
Sheaths for industrial knives.
Work chaps
Work gloves.
Work aprons.
Garments for heavy duty workers, provided made from leather produced unavoidably in tanning or cutting for specific military orders, but rejected as not meeting military specifications.
Heavy duty work belts.
Industrial safety clothing and equipment only to the extent essential for safety and protection in the performance of the workers' duties.
Furniture leather essential for repair and maintenance of transportation equipment, office and commercial furniture.
Athletic goods except golf bags.
Leather puttees for peace officers, transportation and industrial workers.

SCHEDULE A—Continued

Rifle scabbards, pistol holsters, pistol belts for peace officers, guards, cowboys.
Luggage handles and attaching pieces, welts, bindings and corners.
Rawhide hammers and hammer faces.

[F. R. Doc. 43-2603; Filed, February 17, 1943; 11:19 a. m.]

Chapter XI—Office of Price Administration

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Ration Order 1A. Corr. to Amendment 10[1]]

TIRES, TUBES, RECAPPING AND CAMELBACK

The designation § 1315.602 (f) is corrected to read § 1315.602 (h).

(Pub. Law No. 67, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, W.P.B. Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 16th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2571; Filed, February 16, 1943; 2:26 p. m.]

PART 1340—FUEL

[RPS 88,[2] Amendment 72]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1340.159 (c) (3), subdivision (ix) is amended to read as set forth below:

§ 1340.159 *Appendix A: Maximum prices for petroleum and petroleum products.* * * *

(c) *Specific prices.* * * *

(3) *Distillate fuel oils.* * * *

(ix) *Lower peninsula of Michigan.* (*a*) The maximum tank wagon prices for prime white distillate, range oil, also known as stove oil or heater oil, and Nos. 1, 2 and 3 fuel oil at all points in the lower peninsula of Michigan, except in the counties of Genesee, Macomb, Washtenaw, Monroe, Oakland and Wayne, shall be .4 of a cent per gallon above the maximum prices thereof determined under the provisions of this price schedule which would otherwise be applicable.

(*b*) In the counties of Genesee, Macomb, Washtenaw, Monroe, Oakland and Wayne, in the State of Michigan, the maximum tank wagon prices for the petroleum products mentioned below shall be as follows:

	Cents per gallon
Kerosene	9.7
Range oil, also known as stove oil or heater oil:	
In quantities of 25 gallons or over	7.9
In quantities of less than 25 gallons	8.9
Prime white distillate and Nos. 1 and 2 fuel oil:	
In quantities of 100 gallons or over	7.4
In quantities of less than 100 gallons	8.4
No. 3 fuel oil:	
In quantities of 100 gallons or over	6.9
In quantities of less than 100 gallons	7.9

* * * * * *

§ 1340.158a Effective dates of amendments. * * *

(uuu) Amendment No. 72 (§§ 1340.159 (c) (3) (ix)) to Revised Price Schedule No. 88 shall become effective 22d day of February, 1943.

(Pub. Law 421 and 729, 77th Cong.; E.O. 9250; 7 F.R. 7871)

Issued this 16th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2573; Filed, February 16, 1943; 2:26 p. m.]

PART 1340—FUEL

[MPR 137,[1] Amendment 22]

PETROLEUM PRODUCTS SOLD AT RETAIL

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1340.90 (a), subparagraph (12) is amended, in § 1340.91, paragraph (h) is amended, and a new paragraph (o) is added, as set forth below:

§ 1340.90 *Definitions.* (a) * * *

(12) "Petroleum products" means motor fuel as defined in § 1340.90 (a) (2), kerosene, prime white distillate, Nos. 1 and 2 fuel oil and range oil, cleaner's or other naphthas, motor lubricating oil, and solvents, mineral spirits and all distillate fuel oils and other petroleum fractions when sold as anti-freeze preparations.

§ 1340.91 *Appendix A: Maximum prices for petroleum products sold at retail establishments.* * * *

(h) Notwithstanding the provisions of other paragraphs of this section, the maximum prices for kerosene, range oil, prime white distillate, Nos. 1 and 2 fuel oil and diesel fuel oil for sellers at retail establishments in the States of Connecticut, Delaware, Florida (east of the Apalachicola River), Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Pennsylvania, Rhode Island, South Carolina, South Dakota, Vermont, Virginia, West Virginia, Wisconsin and in the District of Columbia shall be 0.3 of a cent per gallon above the maximum prices in the above states and the District of Columbia as determined under any provision of this maximum price regulation which would otherwise govern, except that the total amount charged on each lot sold shall be adjusted to the nearest cent.

* * * * * *

(o) Within the counties of Genesee, Macomb, Washtenaw, Monroe, Oakland and Wayne in the State of Michigan the maximum prices for sellers at retail establishments of kerosene, prime white distillate, Nos. 1 and 2 fuel oil and range oil, also known as stove oil or heater oil, shall be as follows:

	Cents per gallon
In the case of kerosene	14.2
In the case of range oil, also known as stove oil or heater oil	11.2
In the case of prime white distillate and Nos. 1 and 2 fuel oil	10.7

§ 1340.93a *Effective dates of amendments.* * * *

(x) Amendment No. 22 (§§ 1340.90 (a) (12); 1340.91 (h) and (o)) to Maximum Price Regulation No. 137 shall become effective February 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2572; Filed, February 16, 1943; 2:25 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Fourth Rev. Zoning Order 1 under Rationing Order 3[1]]

SUGAR RATIONING REGULATIONS

Order Establishing Zones

Pursuant to § 1407.168, the Third Revised Zoning Order No. 1 is amended to read as follows:

§ 1407.281 *Establishment of zones; authorization of certain deliveries, shipments and transfers.* (a) The following zones are hereby established:

Zone 1 shall include the States of Maine, New Hampshire and Rhode Island; and Barnstable, Bristol, Dukes, Essex, Middlesex, Nantucket, Norfolk, Plymouth, Suffolk, and Worcester Counties in the State of Massachusetts.

Zone 1-A shall include the State of Vermont and that part of the State of Massachusetts not included in Zone 1.

Zone 2 shall include the States of Connecticut and New York; and Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic, Sussex and Union Counties in the State of New Jersey.

Zone 3 shall include the State of Delaware; that part of the State of New Jersey not included in Zone 2; and all of the State of Pennsylvania except Adams, Allegheny, Armstrong, Beaver, Bedford, Blair, Butler, Cambria, Cumberland, Fayette, Franklin, Fulton, Greene, Huntingdon, Indiana, Juniata, Lawrence, Mifflin, Perry, Somerset, Washington, Westmoreland, and York Counties.

Zone 3-A shall include that part of the State of Pennsylvania not included in Zone 3.

Zone 4 shall include the State of Maryland; the District of Columbia; Berkeley, Grant, Hampshire, Hardy, Jefferson, Mineral and Morgan Counties in the State of West Virginia; and all points in the State of Virginia not included in Zone 5.

Zone 5 shall include all points in the State of West Virginia not included in Zone 4; Alleghany, Amherst, Appomattox, Augusta, Bath, Bedford, Bland, Botetourt, Buchanan, Campbell, Carroll, Charlotte, Craig, Dickenson, Floyd, Franklin, Giles, Grayson, Halifax, Henry, Highland, Lee, Montgomery, Nelson, Patrick, Pittsylvania, Pulaski, Roanoke, Rockbridge, Russell, Scott, Smyth, Tazewell, Washington, Wise and Wythe Counties, and the independent cities of Bristol, Buena Vista, Clifton Forge, Danville, Lynchburg, Martinsville, Radford, Roanoke, and Staunton in the State of Virginia; Athens, Belmont, Fairfield, Gallia, Guernsey, Harrison, Hocking, Jackson, Jefferson, Licking, Meigs, Monroe, Morgan, Muskingum, Noble, Perry, Vinton and Washington Counties in the State of Ohio; Bell, Breathitt, Floyd, Harlan, Johnson, Knott, Lawrence, Leslie, Letcher, Magoffin, Martin, Perry and Pike Counties in the State of Kentucky; Anderson, Blount, Bradley, Campbell, Carter, Claiborne, Cocke, Grainger, Greene, Hamblen, Hamilton, Hancock, Hawkins, Jefferson, Johnson, Knox, Loudon, McMinn, Meigs, Monroe, Polk, Rhea, Roane, Sevier, Sullivan, Unicoi, Union, and Washington Counties in the State of Tennessee; and all points in the State of North Carolina where the base rate is based on shipments from Baltimore, Maryland.

Zone 6 shall include the States of South Carolina, Georgia and North Carolina except all points in the State of North Carolina included in Zone 5.

Zone 7 shall include that part of the State of Florida which lies east of the Apalachicola River.

Zone 8 shall include the States of Arkansas, Alabama, Louisiana and Mississippi; that part of the State of Florida which lies west of the Apalachicola River; those parts of the States of Kentucky and Tennessee not included in Zone 5; Adams, Brown, Butler, Clark, Clermont, Clinton, Fayette, Franklin, Greene, Hamilton, Highland, Lawrence, Madison, Montgomery, Pickaway, Pike, Preble, Ross, Scioto and Warren Counties in the State of Ohio; Bartholomew, Brown, Clark, Clay, Crawford, Daviess, Dearborn, Decatur, Dubois, Fayette, Floyd, Franklin, Gibson, Greene, Hancock, Harrison, Hendricks, Henry, Jackson, Jefferson, Jennings, Johnson, Knox, Lawrence, Marion, Martin, Monroe, Morgan, Ohio, Orange, Owen, Parke, Perry, Pike, Posey, Putnam, Ripley, Rush, Scott, Shelby, Spencer, Sullivan, Switzerland, Union, Vanderburgh, Vermillion, Vigo, Warrick, Washington and Wayne Counties in the State of Indiana; Dunklin, Mississippi, New Madrid, Pemiscot and Scott Counties in the State of Missouri; and Alexander, Gallatin, Hardin, Massac, Pope, Pulaski and White Counties in the State of Illinois.

Zone 9 shall include all points in the State of Texas where the base rate is 35 cents or less.

Zone 10 shall include the lower peninsula of the State of Michigan.

Zone 11 shall include that part of the State of Ohio not included in Zones 5 and 8; and all points in the State of Indiana not included in Zone 8 where the base rate is based on shipments from Baltimore, Maryland.

Zone 12 shall include all of the continental United States not included in Zones 1 to 11 inclusive.

(b) "Base rate" as used herein, refers to the lowest published refiner's base rate in effect on the date of issuance of this Fourth Revised Zoning Order No. 1.

(c) Sugar may be delivered, shipped or transferred as follows:

(1) From Zone 1 to any point in Zone 1-A.

(2) From Zone 3 to any point in Zone 3-A.

(3) From Zone 4 to any point in Zone 3-A.

(4) From Zone 12 to any point in Zones 9 or 11.

(d) Confectioners' sugar in bulk may be delivered, shipped or transferred from Zone 4 to any point in Zone 5 except that part of Tennessee located in Zone 5 and from Zone 6 to that part of Tennessee located in Zone 5 and any point in Zone 7.

(e) Any carrier who has, prior to the effective date of this Fourth Revised Zoning Order No. 1, accepted sugar for a delivery, shipment or transfer not at that time prohibited by §§ 1407.168 and 1407.281 may complete such delivery, shipment or transfer after the effective date of this Fourth Revised Zoning Order No. 1.

This Revised Zoning Order shall become effective February 16, 1943.

(Pub. Law 421, 77th Cong.; W.P.B. Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; § 1407.168 of Rationing Order No. 3)

Issued this 16th day of February 1943.

HAROLD B. ROWE,
Director, Food Rationing Division.

[F. R. Doc. 43-2576; Filed, February 16, 1943; 2:32 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 3,[1] Amendment 40]

SUGAR RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1407.69 is amended as set forth below:

Consumers

§ 1407.69 *Issuance of books to consumers having an excess supply of sugar or who have surrendered their books.* (a) Every consumer who has been registered but who has not been issued a war ration book by reason of the ownership of an excess sugar supply shall be entitled to receive a war ration book by application to the Board at any time subsequent to the commencement of the latest of the ration periods during which stamps become valid having a weight value equal to the excess sugar supply owned on May 4, 1942, (as adjusted by any reduction authorized by Rationing Order No. 3) by the consumer, if not a member of a family unit, or by all the members of the family unit if the consumer was a member of a family unit on such date. At the time of issuing such war ration books the Board shall detach therefrom stamps in weight value equal to such excess sugar supply and any additional stamps applicable to expired ration periods. The Board shall also detach therefrom stamps required to be detached by Ration Order No. 12.

(b) A registered consumer who has not been issued a book by reason of the ownership of an excess sugar supply, and a consumer whose book has been surrendered pursuant to the provisions of § 1407.71, § 1407.73, or § 1407.74, shall, by application to the Board, be entitled to receive a book containing stamps Nos. 17 to 28, inclusive, except stamps required to be detached by Ration Order No. 12. If such book has been issued, it shall be surrendered to the Board as a condition precedent to the issuance of the consumer's book pursuant to paragraph (a) of this section or to the return of the consumer's book pursuant to the provisions of § 1407.71, § 1407.73 or § 1407.74.

(c) Before returning a book which has been surrendered to the Board, the Board shall detach therefrom stamps applicable to expired ration periods and all stamps required to be detached by Ration Order No. 12.

Effective Date

§ 1407.222 *Effective dates of amendments.* * * *

(oo) Amendment No. 40 (§ 1407.69) shall become effective February 22, 1943.

(Pub. Law 421, 77th Cong., W.P.B. Dir. No. and Supp. Dir. No. 1E)

Issued this 16th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2574; Filed, February 16, 1943; 2:25 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 3,[1] Amendment 41]

SUGAR RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraph (a) of § 1407.68 is amended; paragraph (c) of § 1407.68 is revoked and paragraph (d) of § 1407.68 is redesignated paragraph (c) as set forth below:

Consumers

§ 1407.68 *Late registration of consumers.* (a) A consumer who has not been registered may register and apply for a war ration book at the office of the Board having jurisdiction over the area in which he resides. Such registration shall be made in the same manner and on the same conditions as a registration

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9160, 9392, 9724, 10072, 10336; 8 F.R. 435, 606, 1585, 1628, 1629, 1839.

[2] 7 F.R. 1107, 1371, 1798, 1799, 1886, 2132, 2304, 2352, 2634, 2945, 3463, 3482, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 5857, 5481, 5867, 5868, 5988, 5983, 6057, 6167, 6471, 6680, 7242, 7838, 8433, 8478, 9120, 9134, 9335, 9425, 9460, 9620, 9621, 9817, 9820, 10684, 11069, 11112, 11075; 8 F.R. 157, 232, 233, 857, 1227, 1200, 1457, 1312, 1318, 1642, 1799.

[1] 7 F.R. 3165, 3749, 4273, 4653, 4780, 4853, 5363, 5868, 5941, 6057, 6896, 7902, 8353, 8938, 8948, 9335, 10684, 11006, 11112, 11075; 8 F.R. 231, 232, 1226, 1586, 1799.

[1] 7 F.R. 2966, 3242, 3783, 4545, 4618, 5103, 5361, 6084, 6473, 6828, 6937, 7289, 7321, 7406, 7510, 7557, 8402, 8655, 8710, 8739, 8809, 8830, 8831, 9042, 9396, 9460, 9899, 10017, 10258, 10556, 10845; 8 F.R. 166, 262, 445, 620, 1028, 1204, 1288.

made during the registration period, except that the application shall be accompanied by an OPA Form No. R-315 on which the applicant shall state: (1) the names of the consumers on whose behalf the application is filed, their addresses on May 4, 1942, their addresses since that date including their present addresses, and the dates during which they lived at each address; (2) that such persons have not been registered and the reasons therefor; and (3) such other facts as the Board may require. There shall be submitted with the application such evidence including affidavits as the Board may require to substantiate such statements. The board may not grant the application until it has taken such action as the Office of Price Administration may direct. The number of stamps to be removed from the war ration book shall be determined on the basis of the sugar supply owned on the 4th day of May, 1942, by the consumer if he was not a member of a family unit on such date, or by the members of the family unit of which he was a member on such date. In every case the stamps for any ration periods which have expired shall be detached from the war ration book issued.

This amendment shall become effective February 22, 1943.

(Pub. Law 421, 77th Cong.; W.P.B. Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965)

Issued this 16th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2575; Filed, February 16, 1943, 2:25 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 12,[1] Amendment 18]

COFFEE RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The figure "15" in §§ 1407.952 (h), 1407.957, 1407.970, 1407.975 (b), and 1407.1020 (c) is deleted, and the figure "14" is substituted therefor; paragraph (a) of § 1407.1085 is amended to read as follows; and new paragraph (p) of § 1407.1090a is added as set forth below:

Enforcement

§ 1407.1085 *Removal of coffee stamps from war ration books of persons under 14 years old.* (a) Notwithstanding anything to the contrary contained in Ration Order No. 12, where the age shown on any War Ration Book One is under 14 years, all coffee stamps shall be removed therefrom at the time War Ration Book Two is issued. For every coffee stamp missing from such a War Ration Book One, one coffee stamp shall be removed from the War Ration Book One of the parent, guardian, or other adult person in whose household the minor lives and in whose custody his War Ration Book One has been kept. However, the board may waive this requirement if it finds that the coffee stamps are missing because they were removed prior to issuance of the war ration book or were removed by misunderstanding or by accident at any other time, and that they were not used to acquire coffee. The board shall destroy all coffee stamps it detaches from war ration books pursuant to this paragraph.

* * * * *

Effective Date

§ 1407.1090a *Effective dates of amendments.* * * *

(p) Amendment No. 18 (§§ 1407.952 (h); 1407.957; 1407.970; 1407.975 (b); 1407.1020 (c); 1407.1085; and 1407.1090a (p)) to Ration Order No. 12 shall become effective February 20, 1943.

(Pub. Law 671, 76th Congress, as amended by Pub. Laws 89, 507, 421, and 729, 77th Congress; WPB Dir. No. 1, Supp. Dir. No. 1-R)

Issued this 16th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2577; Filed, February 16, 1943; 2:26 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 12,[1] Amendment 19]

COFFEE RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraphs (a) and (c) of § 1407.970 are amended to read as follows and paragraph (q) of § 1407.1090a is added as set forth below:

Consumers

§ 1407.970 *Individuals not possessing war ration books.* (a) Any individual who registered as a consumer pursuant to Rationing Order No. 3 and who either (1) did not obtain a war ration book by virtue of the provisions of Rationing Order No. 3 or (2) surrendered his war ration book thereafter to the board pursuant to § 1407.71, 1407.73, or 1407.74 of Rationing Order No. 3, may, upon applying therefor to the board receive a war ration book containing stamps Nos. 17 to 28, inclusive, together with any other stamps to which such individual may be entitled pursuant to Rationing Order No. 3: *Provided, however,* That coffee stamps for any ration periods which have expired shall be detached from the war ration book issued to any such individual whose age, as entered in said war ration book, is 15 years or more.

* * * * *

(c) Any individual whose war ration book does not contain stamps other than stamps Nos. 17 to 28, and who under the provisions of Rationing Order No. 3 subsequently becomes entitled to any stamps numbered 16 or less may exchange his war ration book at the board for a new war ration book. Before issuing the new war ration book, the board shall detach all stamps required to be detached by Rationing Order No. 3, the coffee stamps corresponding to any coffee stamp which had been removed from the surrendered war ration book, and the coffee stamps for ration periods which have expired. *Provided, however,* That such coffee stamps shall not be detached from the war ration book issued to any individual whose age as entered therein is less than 15 years.

Effective Date

§ 1407.1090a. *Effective dates of amendments.* * * *

(q) Amendment No. 19 (§§ 1407.970 (a) and (c) and 1407.1090a (q) to Ration Order No. 12 shall become effective February 22, 1943.

(Pub. Law 671, 76th Congress, as amended by Pub. Laws 89, 507, 421, and 729, 77th Congress; W.P.B. Dir. No. 1, Supp. Dir. No. 1-R)

Issued this 16th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2578; Filed, February 16 1943, 2:25 p. m.]

PART 1427—MAGNESIUM

[Correction to MPR 314[1]]

MAGNESIUM AND MAGNESIUM ALLOY INGOT

In the table of maximum base prices for magnesium and magnesium alloy ingot appearing in § 1427.51 (a), the line "ASTM B80-41T No. 11" is corrected to read "ASTM B93-41T No. 11", and the line "ASTM B94-40T No. 13" is corrected to read "ASTM B93-41T No. 13"

§ 1427.59a *Effective dates of amendments.* * * *

(b) Correction (§ 1427.51 (a)) to Maximum Price Regulation No. 314 shall be effective as of February 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2579, Filed, February 16, 1943, 2:26 p. m.]

PART 1438—NONMETALLIC MINERALS

[MPR 327]

CERTAIN NONMETALLIC MINERALS

In the judgment of the Price Administrator it is necessary and proper to establish maximum prices for certain nonmetallic minerals by a specific maximum price regulation.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.* In the judgment of the Price Administrator the maximum prices established by this Maximum Price Regulation No. 327 are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with Revised Procedural Regulation No. 1,[1] issued by the Office of Price Administration, Maximum Price Regulation No. 327, is hereby issued.

Sec.

1438.1 Commodities subject to this Maximum Price Regulation 327.
1438.2 Maximum prices for commodities listed in § 1438.1.
1438.3 Less than maximum prices.
1438.4 Packaging and transportation charges and practices.
1438.5 Import sales.
1438.6 Export sales.
1438.7 Idle or frozen materials.
1438.8 Adjustable pricing.
1438.9 Evasion.
1438.10 Records and reports.
1438.11 Enforcement.
1438.12 Applications for adjustment and petitions for amendment.
1438.13 Applicability of this Maximum Price Regulation 327.
1438.14 Effective date.

AUTHORITY: §§ 1438.1 to 1438.14, inclusive, issued pursuant to Public Laws 421 and 729, 77th Cong.; and E.O. 9250, 7 F.R. 7871.

§ 1438.1 *Commodities subject to this Maximum Price Regulation 327.* The provisions of this Maximum Price Regulation No. 327 apply to the nonmetallic minerals set forth in the following list whether in ore, concentrate, ground, meshed, expanded, or other form, quality or state. For the purposes of this Maximum Price Regulation No. 327 each form, quality or state of any such minerals shall be considered a distinct commodity.

Agate	Ilmenite
Andalusite	Industrial Diamonds
Anhydrite	Kaolin
Asbestos	Kieselguhr
Barite	Kyanite
Bentonite	Nepheline Syenite
Celestite	Olivine
Corundum	Pumice
Cryolite	Pumicite
Diatomaceous Earth	Quartz Pebbles
Dumortierite	Roofing Granules
Emery	Rutile
Feldspar	Sepiolite
Flint	Sillimanite
Fuller's Earth	Strontianite
Garnet	Topaz
Gilsonite	Tripoli
Graphite	Vermiculite
Greensand	Witherite
Iceland Spar	

§ 1438.2 *Maximum prices for commodities listed in § 1438.1*—(a) *Maximum prices, except as provided in paragraph (b) of this § 1438.2.* On and after February 22, 1943, regardless of any contract, agreement, lease or other obligation, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business from any seller, any of the commodities listed in § 1438.1, at a price in excess of the following maximum prices, and no person shall agree, offer, solicit, or attempt to do so.

(1) The seller's maximum price shall be the highest net price charged by him for the same commodity on a delivery made during March, 1942, to a purchaser of the same class.

(2) If no such delivery was made by the seller during March, 1942, the seller's maximum price shall be his highest net offering price for the same commodity in March, 1942, to a purchaser of the same class.

(3) Whenever any seller is unable to determine his maximum price under paragraphs (a) (1) and (a) (2) of this section for any commodity covered by this regulation (each form, quality or state of each mineral being considered a distinct commodity), his maximum price shall be determined as follows:

(i) If his maximum price was determined prior to February 22, 1943, in accordance with the provisions of the General Maximum Price Regulation, that price shall be the seller's maximum price for that commodity.

(ii) In all other cases the seller shall determine the net price at which he expects to sell his commodity and shall then file such net price with the Office of Price Administration for approval as his maximum price. Such proposed selling price shall be filed with the Office of Price Administration, Second and D Streets, S. W., Washington, D. C., within fifteen days after the first sale of the commodity that is made on or after February 22, 1943.

Pending action by the Price Administrator of prices submitted for approval under this paragraph (a) (3) (ii), any such seller may sell, deliver, exchange, or offer to sell, deliver or exchange, and any person may buy, offer to buy or receive from such seller any such commodity at the price submitted for approval. If, however, the Price Administrator disapproves the price submitted, the selling price shall be revised downward to the maximum price which the Price Administrator shall approve, and any payment made in excess of the price so approved may be required to be refunded to the buyer within fifteen days after the date of the order informing the seller of such revision. In the absence of notice to the contrary from the Office of Price Administration within thirty days after a seller files such a selling price with the Office of Price Administration, the price filed shall stand approved and shall be the maximum price applicable.

When filing such a price with the Office of Price Administration, the seller shall set forth, in addition to the net price, his list price, and all discounts, allowances, and differentials for all classes of buyers, a description and identification of the commodity, a statement of facts differentiating such commodity from the other commodities sold by the seller, a statement showing how the proposed price was determined, and a description of the use or uses for which the commodity is to be produced.

(b) *Maximum prices for certain commodities sold by the American Abrasive Company, Kyanite Products Corporation, the Metals Reserve Company, the Minnesota Mining & Manufacturing Company, the Pan-Chemical Company, the Western Feldspar Milling Company, and the Yancey Cyanite Co.* (1) The American Abrasive Company, Westfield, Massachusetts, may sell and deliver, and any person may buy and receive from the American Abrasive Company, optical grades of corundum grain of sizes #60 to #250, inclusive, at prices not in excess of 9.75¢ per pound, f. o. b. the seller's mill.

(2) Kyanite Products Corporation, 11 Broadway, New York, New York, may sell and deliver, and any person may buy and receive from Kyanite Products Corporation, the following grades of Kyanite at prices not higher than those set forth below:

STANDARD KYANITE

[Net ton prices f. o. b. Cullen, Va., RR.) or Lafayette (N. & W. RR.) Va.]

	Raw	Calcined (unfritted)
35 mesh:		
Less than carload lots, 100# bags	$22.50	$27.50
Carloads, 100# bags	21.50	26.50
Carloads in bulk	19.00	----
48 or 100 mesh:		
Less than carload lots, 100# bags	24.50	29.50
Carloads, 100# bags	23.50	28.50
250 mesh:		
Less than carload lots, 100# bags	27.50	32.50
Carloads, 100# bags	26.50	31.50
325 mesh:		
Less than carload lots, 100# bags	37.50	42.50
Carloads, 100# bags	36.50	41.50

(3) The Metals Reserve Company may sell and deliver to the American Abrasive Company, Westfield, Massachusetts, and the American Abrasive Company may buy from the Metals Reserve Company, South African crystal corundum ore and South African boulder corundum ore at maximum prices of $107 and $74 per short ton, respectively, delivered at the purchaser's plant at Westfield, Massachusetts.

(4) The Minnesota Mining & Manufacturing Company, St. Paul, Minnesota, may sell and deliver, and any person may buy and receive from the Minnesota Mining & Manufacturing Company, green roofing granules known as No. 35, No. 350, and No. 359 at a price not higher than $15.00 per ton.

(5) The Pan-Chemical Company, 205 First National Bank Building, Pomona, California, may sell and deliver, and any person may buy and receive from the Pan-Chemical Company, celestite having a minimum content of 90% strontium sulphate and a maximum content of 4½% calcium sulphate at a price not in excess of $18.67 per short ton, f. o. b. Westmorland, California.

(6) (i) The Western Feldspar Milling Company, 1333 Maple Street, Denver, Colorado, may sell and deliver, and any person may buy and receive from the Western Feldspar Milling Company, feldspar at a price not higher than that set forth below:

Grade:	*F. o. b. car, Denver, Colorado, Per ton*
Glass makers feldspar	$7 00
140 mesh pottery spar	8 50
140 mesh enamel spar	8 50
200 mesh pottery spar	8 50
200 mesh enamel spar	9 50
80 mesh spar sold locally	10 50

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9710, 10380, 11071, 11072; 8 F.R. 28, 167, 566, 621, 978, 1286, 1316, 1366, 1631.

[1] 8 F.R. 1367.

[1] 7 F.R. 8961.

(ii) All discounts, allowances and trade practices in effect with respect to the above-listed commodity during March, 1942, by the seller shall remain in effect.

(7) The Yancey Cyanite Co., Asheville, North Carolina, may sell and deliver, and any person may buy and receive from the Yancey Cyanite Company, glass grade kyanite packed in bags at a price not in excess of $40 a ton f. o. b. the seller's railroad shipping point.

(c) *Definitions.* (1) When used in this Maximum Price Regulation No. 327, the term:

(i) "Net price" means the price actually charged by the seller; i. e., the list or quoted price less all discounts, allowances, and differentials.

(ii) "Offering price" means the price quoted in the seller's price list, or, if he had no such price list, the price which he regularly quoted in any other manner. But "offering price" shall not include a price intended to withhold a commodity or service from the market, or a price offered as a bargaining price by a seller who usually sells at a price lower than his asking price. "Net offering price" means offering price less all discounts, allowances, and differentials.

(iii) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(iv) "Purchaser of the same class" refers to the practice adopted by the seller of setting different prices for commodities or services for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or for purchasers located in different areas or for different quantities or under different conditions of sale. Customary differentials in discounts on price list goods shall be among the criteria which establish differences among classes of purchasers.

(v) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "seller," "buy," "purchase" and "purchaser," shall be construed accordingly.

(2) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

§ 1438.3 *Less than maximum prices.* Lower prices than those set forth in § 1438.2 may be charged, demanded, paid or offered.

§ 1438.4 *Packaging and transportation charges and practices.* A seller may not change the packaging and transportation charges and practices which he had in effect during March, 1942, if such change would result in higher prices to his customers.

§ 1438.5 *Import sales.* The maximum prices established by Revised Supplementary Regulation No. 12[2] to the General Maximum Price Regulation[3] issued by the Office of Price Administration, apply to all commodities listed in § 1438.1 imported into the forty-eight states of the United States and the District of Columbia.

§ 1438.6 *Export sales.* Export sales of the commodities listed in § 1438.1 shall be subject to the provisions of Revised Maximum Export Price Regulation[4] issued by the Office of Price Administration.

§ 1438.7 *Idle or frozen materials.* The maximum price at which any person may sell or deliver any idle or frozen commodities listed in § 1438.1 shall be determined in accordance with the provisions of Maximum Price Regulation No. 204[5] on Idle or Frozen Materials Sold Under Priorities Regulation No. 13.

§ 1438.8 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment requires extended consideration, the Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1438.9 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 327 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to the commodities listed in § 1438.1, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1438.10 *Records and reports.* (a) Every person making sales or deliveries of the commodities listed in § 1438.1, and every person making purchases or accepting delivery of the commodities listed in § 1438.1 in the course of trade or business, shall keep for inspection by the Office of Price Administration for so long a period as the Emergency Price Control Act of 1942, as amended, remains in effect complete and accurate records of each such sale, purchase, or delivery showing the date thereof, the name of the purchaser or seller, the quantity and kind of commodity sold, purchased, or delivered, and the price received or paid therefor, and each such seller shall keep a record of all discounts, differentials, and allowances which the seller had in effect during March, 1942, with a proper identification of each such discount, differential and allowance.

(b) On or before March 10, 1943, every producer shall file with the Office of Price Administration, Washington, D. C., a copy of his current price lists and discount schedules, or other statements setting forth his current selling prices for all classes of buyers, indicating in each instance his maximum price and the manner in which it was determined, unless such producer has already filed such information with that Office. The reports required under this paragraph (b) refer only to domestic transactions. Reports with respect to export prices are governed by the provisions of the Revised Maximum Export Price Regulation issued by the Office of Price Administration.

(c) Such person shall submit such other reports to the Office of Price Administration, and keep such other records in addition to or in place of the records required in paragraph (a) of this section, as the Office of Price Administration may from time to time require.

§ 1438.11 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 327 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 327, or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1438.12 *Applications for adjustment and petitions for amendment*—(a) *Applications for adjustment.* The following adjustment provisions (subparagraph (1) and (2)) permit the granting of relief to producers who are unable to maintain or expand their production under their existing maximum prices whenever under (1), there is a general shortage in the essential supply of the commodity, or, under (2), the loss of the seller's production would result in higher prices to consumers. The extent of relief to be granted under each provision is set forth therein.

(1) Whenever it appears that a shortage exists or threatens to exist in the essential supply of a commodity listed in § 1438.1 and that a producer of such commodity is unable to maintain or expand his production at his maximum price or prices, the Office of Price Administration may, either on application for adjustment in accordance with the provisions of Revised Procedural Regulation No. 1 or on its own motion, adjust his maximum price or prices by an amount necessary to permit the maintenance or expansion of such production upon a reasonable operating margin. In determining such margin, consideration will be given to such factors as:

(i) Revenue from sales of such commodity and from all other sources, and

(ii) Production, mining, development, milling, processing, and transportation costs, administrative and sales expenses, depreciation and depletion charges, taxes (excluding Federal and State income taxes), and capital investment.

(2) Whenever it appears that the loss of a seller's production of any commodity listed in § 1438.1 would force his customers to resort to higher priced sources of supply and that the seller is unable to maintain his production at his maximum price or prices, the Office of Price Administration may, either on application for adjustment in accordance with the provisions of Revised Procedural Regulation No. 1 or on its own motion, adjust his maximum price or prices by an amount adequate to cover his operating costs: *Provided, however,* That in no instance will the seller's maximum price be increased to a price in excess of the general level of prices prevailing for alternative sources of the supply of the commodity. The term "operating costs" shall include the cost of labor, maintenance, supplies, power, taxes other than State and Federal income taxes, insurance, workmen's compensation, royalties, and other direct expenses, depreciation and depletion (wherever practicable as determined by the Bureau of Internal Revenue in the computation of the Federal income tax), and reasonable costs of selling and administration.

(3) Before filing an application for adjustment under the provisions of subparagraph (1) and (2), it is suggested that each applicant obtain from the Office of Price Administration, Washington, D. C., a statement of the specific information that will be necessary in order that his application may receive prompt action.

(b) *Petitions for amendment.* Any person seeking amendment of any provisions of this Maximum Price Regulation No. 327 may file a petition for an amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1438.13 *Applicability of this Maximum Price Regulation No. 327.* The provisions of this Maximum Price Regulation No. 327 supersede the provisions of the General Maximum Price Regulation and the provisions of all other maximum price regulations with respect to sales and deliveries for which maximum prices are established by this Maximum Price Regulation No. 327.

§ 1438.14 *Effective date.* This Maximum Price Regulation No. 327 (§§ 1438.1 to 1438.14, inclusive) shall become effective February 22, 1943 for the District of Columbia and the forty-eight states of the United States, and shall become effective April 12, 1943 for the territories and possessions of the United States.

Issued this 16th day of February 1943.

PRENTISS M. BROWN,
Administrator.

F. R. Doc. 43-2580; Filed, February 16, 1943; 2:25 p. m.]

[2] 7 F.R. 10532; 8 F.R. 611.

[3] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6958, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.

[4] 7 F.R. 3096, 3824, 4294, 4541, 5059, 7242, 8829, 9000, 10530.

[5] 7 F.R. 6479, 7366, 8948.

PART 1499—COMMODITIES AND SERVICES

[Amendment 113 to Supp. Reg. 14[1] to GMPR[2]]

BREAD AND ROLLS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (70) is added to § 1499.73 (a) as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.*

(a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

* * * * * * *

(70) *Bread and rolls.* (i) Notwithstanding any provision of any regulation or order heretofore issued by the Office of Price Administration to the contrary, no seller of bread or rolls need reduce his previous maximum price thereon by reason of any acts or omissions taken in compliance with any Food Distribution Order issued by the Food Distribution Administration of the United States Department of Agriculture: *Provided,* That any change in weight or in ingredients: (1) which reduces the value of such bread or rolls and (2) which is not specifically required by any such Food Distribution Order, shall require a corresponding change or establishment of a new maximum price for the new product as and in the manner elsewhere and heretofore in this General Maximum Price Regulation provided.

(b) *Effective date of amendment.* * * *

(111) Amendment No. 113 (§ 1499.73 (a) (70)) to Supplementary Regulation No. 14 to the General Maximum Price Regulation shall become effective February 22, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 16th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2581; Filed, February 16, 1943; 2:26 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5456, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9495, 9496, 9639, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10537, 10705, 10557, 10583, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 1139, 1590, 980, 1030, 876, 1121, 878, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467, 1813.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 8942, 9004, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 286,[1] Amendment 1]

CERTAIN SAUSAGE PRODUCTS FOR WAR PROCUREMENT AGENCIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

All of § 1364.811 following the words "December 19, 1942" is deleted; § 1364.802 is amended as set forth below:

§ 1364.802 *Maximum prices for certain sausage products sold to war procurement agencies of the United States Government.* The maximum prices on sales to war procurement agencies of certain sausage products produced in accordance with federal specifications, approved by the Federal Specifications Board, for use of agencies of the United States Government shall be computed as provided in this section.

(a) *How to determine the maximum prices.* (1) The maximum price for product sold f. o. b. the point of production shall be the base price specified in paragraph (b) of this section, plus the amount specified in paragraph (c) of this section for the zone in which the product is produced; plus the additions specified in paragraph (d) of this section where applicable;

(2) The maximum price for product sold on any other basis than f. o. b. the point of production shall be the base price specified in paragraph (b) of this section, plus the amount specified in paragraph (c) of this section for the zone in which the product is delivered into the physical possession of the buyer; plus the additions specified in paragraph (d) of this section, where applicable: *Provided,* That if the product is shipped by common carrier from an establishment of the seller located in the zone in which the buyer takes physical possession, the cost of such carriage may be added in lieu of the addition for local delivery provided in subparagraph (1) of paragraph (d).

Product:	*Price per hundred weight*
Frankfurters, hog casings	$26.25
Frankfurters, sheep casings	27.75
Frankfurters, skinless	26.25
Bologna	23.00

(c) *Zone differentials.*

Zone 1	$2.25
Zone 2	1.25
Zone 3	.75
Zone 4	Base
Zone 5	.50
Zone 6	.75
Zone 7	1.00
Zone 8	1.25
Zone 9	1.50
Zone 10	1.75

(d) *Other additions*—(1) *Local delivery.* If the delivery of any of the products specified herein is made by a vehicle owned or operated by the seller, the seller may charge for such delivery an amount equivalent to the lowest commercial com-

[1] 7 F.R. 10554.

mon carrier rate for such delivery. However, if there is no common carrier service to the buyer's destination, the seller may charge for delivery the actual cost of making the delivery: *Provided, however*, That such delivery charge shall in no event exceed:

$0.25 per cwt up to 25 miles.
$0.50 per cwt 26 miles to 150 miles
$0.75 per cwt 151 miles to 300 miles

(ii) *Freezing.* For freezing at the request of the buyer the seller may add $.35 per cwt.

(iii) *Packaging for export shipment.* For packing in an export container, United States Government specifications, the seller may add $.50 per cwt.

This amendment shall become effective February 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2587, Filed, February 16, 1943, 4:27 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 183,[1] Amendment 19]

PUERTO RICO

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subparagraph (16) is added to paragraph (a) of § 1418.1; subparagraphs (25) and (26) are added to paragraph (a) of § 1418.11; and paragraph (j) is added to § 1418.14

§ 1418.1 *Maximum prices.* (a) Maximum prices are established as follows:

* * * * * *

(16) On and after February 16, 1943, regardless of any contract, agreement, or other obligation, no person shall sell or deliver and no person shall buy or receive bread in the Territory of Puerto Rico at prices higher than the maximum prices permitted by § 1418.14 (j), and no person shall offer, solicit, or attempt to do any of the foregoing.

§ 1418.11 *Definitions.* (a) When used in this Maximum Price Regulation No. 183 the term * * *

(25) "Bread" means the article of food sold in standard loaves prepared by moistening, kneading and baking meal or flour usually with the addition of yeast or leaven, such as "pan francaise" or "pan de agua" (French bread), "pan de sandwich" (Sandwich bread), and "pan sobado" (Breaked bread (sic)).

(26) "Specialty bread" means raisin bread, cracked wheat bread or any variety of bread, other than "pan francaise", "pan de agua", "pan de sandwich" or "pan sobado", which constituted 10% or less of the gross sales of the bread produced by the bakery during the month of January, 1943.

§ 1418.14 *Table of maximum prices.* * * *

(j) *Table X: Specific maximum prices for bread.*

(1) The maximum prices for bread sold or delivered in the Territory of Puerto Rico shall be:

At bakery wholesale sales	At bakery to retailers	Direct retail to consumers	Delivered to institutional and consumer customers	All sales of half
Price per lb. $0.077	Price per lb. $0.080	Price per lb. $0.085	Price per lb. $0.085	Price per lb. $0.1

For sales of different quantities the maximum price shall be completed proportionately. Maximum prices for specialty bread continue to be governed by the General Maximum Price Regulation.

§ 1418.13a *Effective dates of amendments.* * * *

(8) Amendment No. 19 (§§ 1418.1 (a) (16); 1418.11 (a) (25) (26) and 1418.14 (j)) to Maximum Price Regulation No. 183 shall become effective on February 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2586, Filed, February 16, 1943, 4:27 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 288,[1] Amendment 3]

SPECIFIC MAXIMUM PRICES IN ALASKA

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subparagraphs (2) and (3) are added to § 1418.351 (a); subparagraphs (3), (4) and (5) are added to § 1418.355; paragraph (a) of § 1418.360 is amended; and paragraphs (b) and (c), Tables II and III, are added to § 1418.363.

§ 1418.351 *Maximum prices.* (a) * * *

(2) On and after February 22, 1943, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver evaporated milk and no person shall buy or receive evaporated milk in the Territory of Alaska at prices higher than the maximum prices set forth in § 1418.363, Table II; and no person shall agree, offer, solicit or attempt to do any of the foregoing.

(3) On and after February 22, 1943, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver butter and no person shall buy or receive butter in the Territory of Alaska at prices higher than the maximum prices set forth in § 1418.363, Table III; and no person shall agree, offer, solicit or attempt to do any of the foregoing.

§ 1418.355 *Definitions.* (a) * * *

(3) "Butter" means the food product, commonly known as butter, which is made exclusively from milk or cream, or both, with or without the addition of common salt or coloring matter, and containing not less than 80% by weight of milk fat, all tolerance being allowed for. Such percentage of milk fat requirement shall equal that determined by the method prescribed in Official and Tentative Methods of Analysis of the Association of Official Agricultural Chemists, 5th Edition, 1940.

(4) "Score or grade of butter" means the quality of butter determined in accordance with the Official United States Standards for U. S. Grades of Creamery Butter issued in January 1943 by the United States Department of Agriculture and effective February 1, 1943.

(5) "Bulk" and "print" means the form in which butter is sold and delivered.

§ 1418.360 *Relation to other regulations.* (a) Notwithstanding the provisions of Maximum Price Regulation No. 194, maximum prices for the commodities enumerated in the Tables set forth in § 1418.363 of this Maximum Price Regulation No. 288 shall be established by this Maximum Price Regulation No. 288. Maximum prices for commodities not enumerated in the tables set forth in § 1418.363 of this Maximum Price Regulation No. 288 are governed by Maximum Price Regulation No. 194, the General Maximum Price Regulation, or other price regulations applicable in the Territory of Alaska.

§ 1418.363 *Tables of maximum prices* * * *

(b) *Table II: Maximum retail prices for evaporated milk.* (1) The maximum prices for all grades of evaporated milk sold at retail in the Territory of Alaska shall be:

	14½-ounce can		6-ounce can		8-pound can (price per cans)
	Price per can	Price for 2 cans	Price per can	Price for 2 cans	
Ketchikan, Wrangell, Petersburg, Juneau, Skagway, Sitka, Douglas, Haines	$0.11	$0.22	$0.06	$0.11	$0.[illegible]

(2) The maximum retail price for all grades of evaporated milk sold in places other than those enumerated above shall continue to be established by Maximum Price Regulation No. 194, if imported, and by the General Maximum Price Regulation or other applicable price regulation if produced in the Territory of Alaska.

(c) *Table III: Maximum retail prices for butter.* (1) The maximum prices for print butter in cartons sold at retail in the Territory of Alaska shall be:

	14½-ounce can		6-ounce can		8-pound can (price per cans)
	Price per can	Price for 2 cans	Price per can	Price for 2 cans	
Cordova, Yakutat, Seward, Kodiak, Anchorage, Fairbanks on Alaskan Railroad south of Curry, Curry and all points north of Curry on Alaskan Railroad, Nome	$0.12 .13 .14 .13	$0.23 .25 .28 .25	$0.06 .07 .07 .06	$0.12 .13 .14 .12	$0.95 1.05 1.20 1.00

(2) The maximum retail price for all grades of evaporated milk sold in places other than those enumerated above shall continue to be established by Maximum Price Regulation No. 194, if imported, and by the General Maximum Price Regulation or other applicable price regulation if produced in the Territory of Alaska.

(c) *Table III: Maximum retail prices for butter.* (1) The maximum prices for print butter in cartons sold at retail in the Territory of Alaska shall be:

	No grade (per pound)	U. S. cooking grade (price per pound)	88- and 89-score butter (price per pound)	90-, 91-, 92-, 93-score butter (price per pound)	Brine butter (price per pound)
Ketchikan, Wrangell, Petersburg, Juneau, Skagway, Sitka, Douglas, Haines	$0.47	$0.61	$0.62	$0.63	$0.68
Cordova, Yakutat, Seward, Kodiak, Anchorage, Fairbanks on Alaskan Railroad south of Curry	.59	.63	.64	.65	.70
Curry and all points north of Curry on Alaska Railroad, Nome	.60 .63 .64	.64 .67 .68	.65 .68 .69	.66 .69 .70	.71 .74 .75

(2) For sales of fractions of a pound, the maximum price shall be proportionately computed, except where print butter is sold in pound packages containing individually wrapped quarter pounds the maximum retail price may be increased by one cent per pound.

(3) The maximum retail price for print butter parchment wrapped shall be computed by deducting one cent per pound from the prices set forth in the table above.

(4) The maximum retail price for bulk butter shall be computed by deducting two cents per pound from the prices set forth in the table above.

(5) The maximum retail price for butter sold in one pound tin containers may be increased by nine cents per pound, and for butter sold in two pound tin containers may be increased by 5½ cents per pound.

(6) The maximum retail price for all grades of butter sold in places other than those enumerated above shall continue to be established by Maximum Price Regulation No. 194, if imported, and by the General Maximum Price Regulation if produced in the Territory of Alaska.

§ 1418.362a *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§§ 1418.351 (a) (2) and (3) 1418.355 (a) (3), (4) and (5), 1418.360 (a) and 1418.363 (b) and (c)) to Maximum Price Regulation No. 288 shall become effective February 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 16th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2585; Filed, February 16, 1943; 4:27 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 190 Under § 1499.3 (b) of GMPR]

PENNSYLVANIA SALT MFG. CO. AND CHIPMAN CHEMICAL CO., INC.

Correction

In § 1499.1426 (a) (3) of the document appearing on page 1892 of the issue for Friday, February 12, 1943, the subparagraph should read: "(3) *Definitions.* (i) 'Contract sale' * * *."

PART 1499—COMMODITIES AND SERVICES

[Order 277 Under § 1499.3 (b) of GMPR]

BROOKLYN COOPERAGE CO.

Correction

In Table I of the document appearing on page 1976 of the issue for Saturday, February 13, 1943, the entry in the third column for Oak Petrolatum should be "—.45". In Table 3 appearing on page 1977 the second entry listed under "18 ga. Head Hoops" should read "1½" width."

TITLE 46—SHIPPING

Chapter II—Coast Guard: Inspection and Navigation

PART 136—"A" MARINE INVESTIGATION BOARD RULES

TEMPORARY WARTIME RULES GOVERNING INVESTIGATIONS OF ACCIDENTS AND CASUALTIES[1]

By virtue of the authority vested in me by section 4450, R.S., as amended (46 U.S.C. 239), and Executive Order No. 9083, dated February 28, 1942 (7 F.R. 1609), the temporary wartime rules and regulations governing investigations of accidents and casualties are amended as follows:

Section 136.103 (a) is amended by changing the last two sentences thereof to read as follows:

§ 136.103 *Notice of casualty and voyage records.* (a) * * * The master owner, charterer, or agent of any vessel involved in a marine casualty, in addition to the notice required by this section, shall, as soon as practicable after the occurrence of the casualty, prepare and file an original and three copies of a report of such casualty on Coast Guard Form N C G 2692 with the District Coast Guard Officer of the district in which the casualty occurred or in which the vessel first arrives after such casualty. A report of personal accident not involving death shall be made on Coast Guard Form N C G 924 (e).

Section 136.104 is amended to read as follows:

§ 136.104 *Preliminary investigations.* (a) As soon as possible after receiving notice of a marine casualty, other than a casualty resulting from enemy action, the District Coast Guard Officer in whose jurisdiction the casualty occurs, or in cases involving casualties occurring on the high seas, to whose jurisdiction the personnel of the vessel or vessels involved first return shall cause a preliminary investigation of such casualty to be made.

(b) The preliminary investigations will be conducted by examining officers designated by the District Coast Guard Officer. Such examining officers shall have the power to administer oaths, subpoena witnesses, require persons having knowledge of the subject matter of the investigation to answer questionnaires, and require the production of relevant books, papers, documents, and other records.

(c) At the conclusion of the investigation, the District Coast Guard Officer shall submit to Headquarters a full and complete report of all the facts and circumstances relating to the casualty or accident together with such recom-

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*Copies may be obtained from the Office of Price Administration

[1] 7 F.R. 5620, 6744, 6659, 7454, 7843, 7945, 8558, 8833, 8946, 9341, 9731, 9975, 10225, 10559, 10812, 8 F.R. 149, 324, 542, 978, 1589.

[1] 7 F.R. 10581, 11012; 8 F.R. 28, 567.

[1] 7 F.R. 6778, 10866; 8 F.R. 550.

mendations for subsequent action as he deems proper. This report is in addition to action taken under § 136.106 to suspend or revoke licenses or certificates.

(d) The District Coast Guard Officer shall designate examining officers who shall conduct preliminary investigations of complaints made, in any case not involving a marine casualty or accident, against a licensed officer or holder of a certificate of service or efficiency charging him with any act of incompetency or misconduct while acting under the authority of his license or certificate, or with any act in violation of the provisions of sections 170, 214, 215, 222, 224, 224a, 226, 228–234, 239, 240, 361, 362, 364, 371–373, 375–382, 384, 385, 391, 391a, 392, 393, 399, 400, 402–416, 435–440, 451–453, 460–463, 464, 467, 470–481, 482 or 489–498 of Title 46 of the United States Code or of any regulations issued thereunder for the purpose of determining whether reasonable basis exists for the institution of proceedings for the revocation or suspension of the license or certificate. In the conduct of preliminary investigations hereunder, such officers shall have the power to administer oaths, subpoena witnesses, require persons having knowledge of the subject matter of the investigation to answer questionnaires, and require the production of relevant books, papers, documents, and other records.

(e) In every preliminary investigation of a complaint as provided in paragraph (d) of this section, the examining officer conducting such investigation shall, where the licensed officer or holder of a certificate of service or efficiency whose conduct is being investigated is available, advise such person informally of the substance of the complaint against him and afford him an opportunity at that time to make such comment in refutation of such complaint as he may desire.

Section 136.106 is amended to read as follows:

§ 136.106 *Suspension or revocation proceedings.* (a) Suspension or revocation proceedings shall be instituted by an examining officer in any case in which it appears, as a result of any preliminary investigation made under paragraphs (a) or (d) of § 136.104, or otherwise, that there are reasonable grounds to believe that a licensed officer or holder of a certificate of service is incompetent or has been guilty of misbehavior, negligence, or unskillfulness or has endangered life or has wilfully violated any of the provisions of sections 170, 214, 215, 222, 224, 224a, 226, 228–234, 239, 240, 361, 362, 364, 371–373, 375–382, 384, 385, 391, 391a, 392, 393, 399, 400, 402–416, 435–440, 451–452, 460–463, 464, 467, 470–481, 482, or 489–498 of Title 46 of the United States Code or any of the regulations issued thereunder.

(b) To institute such proceedings the examining officer shall prepare charges and specifications against such person, fix the time and place of hearing, summon the person charged and subpoena witnesses, and transmit the case for hearing by a hearing officer.

(c) The District Coast Guard Officer shall designate hearing officers who will conduct the hearings provided for in this section. No case shall be heard by any officer or employee who participated in the preliminary investigation thereof.

(d) A notice of the time and place of hearing and a copy of the charges and specifications shall be served upon the person charged either by personal service or by registered mail with return receipt required, sufficiently in advance of the time set to give the such person a reasonable opportunity to prepare his defense. When personal service is made upon the person charged, the officer or employee making service shall exhibit the original of the notice to the person charged, read it to such person if he cannot read, and give him a copy thereof and of the charges and specifications.

(e) The hearing officer shall open the hearing at the time and place specified in the notice, administer all necessary oaths, cause a complete record of the proceedings to be kept, regulate and conduct the hearing in such a manner as to bring out all the relevant and material facts, and insure the accused a fair and impartial hearing on the charges made against him. The examining officer shall aid in the orderly presentation of evidence and may examine and cross-examine witnesses and introduce documentary evidence into the record. The person charged shall have the right to have counsel present at the hearing and shall be permitted to call, examine and cross-examine witnesses and to introduce relevant documentary evidence into the record. Any witness may, if he so desires, have personal counsel present during the time he is being examined to advise him as to his rights, privileges, and immunities under the Constitution, but such counsel may not otherwise participate in the hearing.

(f) The hearing officer shall have power either on his own motion or upon the request of the person charged to issue subpoenas summoning witnesses or requiring the production of any relevant books, papers, documents, or other evidence.

(g) In any case in which the person charged, after having been duly served with notice of a hearing fails to appear, a notation to that effect shall be made in the record and the hearing shall proceed.

(h) At the conclusion of the hearing the hearing officer shall make an appropriate decision, based upon the evidence adduced at the hearing as to the guilt or innocence of the person charged. In the event the person charged is found guilty, the hearing officer shall issue and serve upon the accused an appropriate order suspending or revoking his license or certificate. Such order shall be effective immediately, and the license or certificate of service or efficiency so revoked or suspended shall be immediately surrendered. In the absence of appeal as provided in § 136.107, the findings and decision of the hearing officer shall be final and shall be binding on the person charged for all purposes.

Section 136.107 is amended to read as follows:

§ 136.107 *Appeal.* (a) Any person whose license or certificate of service or efficiency is revoked or suspended may, within 30 days after the decision of the hearing officer, take an appeal to the District Coast Guard Officer of the district in which the hearing was held. Every appeal shall be typewritten or written in a legible hand and shall set forth as briefly as possible the name of the appellant, the nature of the charge, the name of the hearing officer who made the decision, the substance of the decision, and a statement of each separate ground for such appeal.

(b) The District Coast Guard Officer on appeal may affirm, reverse, or modify the decision of the hearing officer or remand the case for further hearing. The District Coast Guard Officer will not consider evidence which is not a part of the record of the hearing and will not consider any ground of appeal which is not specified by the accused. The decision of the District Coast Guard Officer on appeal will be in writing and will contain his findings and conclusions. The decision of the District Coast Guard Officer on appeal shall be final and shall be binding on the parties for all purposes.

(c) A transcript of the record before the hearing officer shall be made available to any person whose license or certificate is revoked or suspended for the purpose of making an appeal pursuant to the provisions of this section.

(d) Any person whose license or certificate is revoked or suspended and who intends to appeal from the decision of revocation or suspension may file with the hearing officer a request for a temporary license or certificate valid during the pendency of the appeal. Such temporary license or certificate may be issued in the discretion of the hearing officer or of the District Coast Guard Officer. Each such temporary license or certificate shall contain such terms and conditions as the issuing officer may prescribe and shall contain a definite expiration date fixed by the issuing officer, which date, however, may be extended from time to time by the issuing officer.

Section 136.109 (a) is amended to read as follows:

§ 136.109 *Disclosure of records.* (a) No reports of investigations or records of proceedings or any information relating thereto shall be open to public inspection or otherwise disclosed, except as may be authorized by the Commandant.

(R.S. 4450, as amended 46 U.S.C. 239. E.O. 8976, 9083, 6 F.R. 6441, 7 F.R. 1609)

R. R. WAESCHE,
Commandant.

FEBRUARY 16, 1943.

[F. R. Doc. 43-2590; Filed, February 17, 1943; 9:54 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

CONSOLIDATED OIL CO., INC., ET AL.

ORDER REVOKING CERTAIN REGISTRATIONS

In the matter of the revocation of registrations as distributors of Consolidated Oil Co., Inc., Charles H. Krutckoff, Incorporated, Ridgedale Coal Company, Inc., F. L. Shillington, Harry Wolins-Kolmar Coal Co.

The registered distributors, whose names are set forth in Exhibit A, attached hereto and made a part hereof, having requested revocation of registration, having discontinued or disposed of their distribution business, having been reorganized under a new name, having been otherwise succeeded in their business or for other reasons being no longer engaged in business, the registrations previously granted to them should be revoked and their names withdrawn from the List of Registered Distributors.

Accordingly, *It is so ordered.*

Dated: February 15, 1943.

[SEAL] DAN H. WHEELER,
Director.

EXHIBIT A

Registration No.	Name	Address
1802	Consolidated Oil Co., Inc.	1824 12th St., Lynchburg, Va.
5288	Charles H. Krutckoff, Inc.	537 S. Dearborn St., Chicago, Ill.
7714	Ridgedale Coal Co., Inc.	Union Building, Syracuse, N. Y.
8345	F. L. Shillington	Lister Block, James St., N., Hamilton, Ontario, Canada.
9845	Harry Wolins-Kolmar Coal Co.	1156 S. Kolmar Ave., Chicago, Ill.

[F. R. Doc. 43-2593; Filed, February 17, 1943; 10:38 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the determination and order or regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective February 18, 1943. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel Industry

T. J. Jones Company, 381 S. Sherman Street, Wilkes-Barre, Pennsylvania; Miner's lamp holder caps, safety helmets, electric leather battery belts; 2 learners (T); February 18, 1944.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry.

Leading Lady Slips Corporation, 400 Walnut Street, Yonkers, New York; Ladies' underwear; 6 learners (T); February 18, 1944.

H. B. Spoont, 12–18 E. Coal Street, Shenandoah, Pennsylvania; Slacks, coveralls, shirts, bathrobes; 10 learners (T); February 18, 1944.

Hosiery Industry

Hosiery Processing Company, Incorporated, Hooker Road, Rossville, Tennessee; Full-fashioned hosiery; 5 percent (T); February 18, 1944.

Millinery Industry

Adler Manufacturing Company, 19 Townsend Street, Port Chester, New York; Millinery novelties; 6 learners (T); August 18, 1943.

Textile Industry

Belmont Cotton Mills Company, S. Lafayette Street, Shelby, North Carolina; Cotton; 3 learners (T); February 18, 1944.

Signed at New York, N. Y., this 16th day of February 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-2595; Filed, February 17, 1943; 11:11 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ROTH TOBACCO COMPANY

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective February 18, 1943.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE

Roth Tobacco Company, 102 S. Frederick Street, Cape Girardeau, Missouri; Tobacco; 5 learners (T); Twist maker for a learning period of Eight weeks (320) hours at 30¢ per hour until April 29, 1943.

Signed at New York, N. Y., this 16th day of February 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-2594; Filed, February 17, 1943; 11:11 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 661]

PATENTS OF H. THOMA, ET AL.

Re: Patents of citizens and residents of enemy countries.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that all the persons, except Chemical Marketing Company, Inc., to whom reference is made in the column headed "Record owner" in Exhibit A attached hereto and made a part hereof, are citizens and residents of Germany, Hungary, Italy or Japan, and therefore are nationals of said foreign countries;

2. Finding that each such person is the owner of the patent or patents with respect to which such person is listed as record owner in said Exhibit A;

3. Finding that the true owners of the patents described in said Exhibit A with

respect to which Chemical Marketing Company, Inc., is listed thereon as the record owner, are nationals of a foreign country (Germany);

4. Finding, therefore, that the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents identified in said Exhibit A,

is property in which nationals of foreign countries (Germany, Hungary, Italy and Japan) have interests;

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 4, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on January 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Patents which are identified as follows and the titles to which stand of record in the United States Patent Office in the names of the persons indicated, respectively:

Patent number	Date	Record owner	Inventor	Title
Re. 20,026	6/14/36	H. Thomas	H. Thomas	Hydraulic pump and motor.
1,589,490	6/22/26	Farbwerke vorm Friedr Bayer & Co.	H. Herminghaus	Pharmaceutical compound.
1,591,984	7/13/26	Chemical Marketing Company, Inc.	E. Krouse et al	Process for the chlorination of hydrocarbons.
1,610,294	12/14/26	F. Lang	F. Lang	Combustion power engine.
1,636,475	7/19/27	Patent-Treuhand-Gesellschaft fur Elektrische Gluhlampen m. b. H.	S. Loewenherz	Machine for drilling drawing dies or stones.
1,637,340	8/ 2/27	E. Gminder	E. Gminder	Elimination of fibrous waste from machines.
1,645,365	10/11/27	Chemical Marketing Company, Inc.	H. Hochstetter	Making anhydrous salts of fatty acids.
1,658,842	2/14/28	E. Gminder	E. Gminder	Process and apparatus for defiberizing plant parts and cleaning the reclaimed fibers.
1,666,894	4/24/28	E. Gminder	E. Gminder	Spinning.
1,674,368	6/19/28	I. G. Farbenindustrie A. G.	W. Kolle et al	Benzimidazolonarsenic acids and process of preparing the same.
1,679,673	8/ 7/28	Chemical Marketing Company, Inc.	E. Krouse et al	Making formaldehyde from methylene chloride.
1,679,767	8/ 7/28	E. Gminder	E. Gminder	Cotton fabric and manufacturing the same.
1,681,708	8/21/28	E. Gminder	E. Gminder	Stretching frame for fibrous material.
1,688,384	10/23/28	E. Gminder	E. Gminder	Apparatus for softening, refining, and cleaning entangled and short-fiber material.
1,714,853	5/28/29	K. Dobbelstein	O. Dobbelstein	Apparatus for drying, charring, and otherwise treating loose material.
1,715,372	6/ 4/29	M. Kohler	M. Kohler	Overseaming machine.
1,718,911	6/ 4/29	E. Gminder	E. Gminder	Method an Apparatus for obtaining fiber material from stalks.
1,718,688	6/25/29	E. Gminder	E. Gminder	Apparatus for removing material from centrifugal machines.
1,719,458	7/ 2/29	C. Hulfschmidt	C. Hulfschmidt	Water-softening filter and regenerating and purifying the same.
1,722,136	7/23/29	A. Friedmann	L. Friedmann	Valveless lubricating oil-pumping apparatus.
1,722,285	7/30/29	E. Giampietro	E. Giampietro	Composite plug for bottles.
1,722,404	7/30/29	C. Dursch	C. Dursch	Welding and soldering composition.
1,722,410	7/30/29	A. Abel	A. Abel	Method and device for producing stroboscopic light effects.
1,724,484	8/13/29	S. Junghans	O. Junghans	Setting machine for time fuses.
1,724,918	8/20/29	J. Fehling	J. Fehling	Apparatus for preventing unauthorized use of motor vehicles.
1,725,331	8/20/29	E. Blau	E. Blau	Surface plate for wheel lathes.
1,725,359	8/20/29	K. Randa & K. Danzer.	A. Lederer	Manufacturing carbon.
1,725,638	8/20/29	P. Hellermann	P. Hellermann	Device for stretching pieces of tube.
1,726,143	8/27/29	J. Balog	R. Eisinger	Box for the secret packing of hygienic rubber protective means or the like.
1,726,482	8/27/29	E. Huppertz	B. Gernhardt	Rapid process for the automatic production of inspissated sugar fruits.
1,726,615	9/ 3/29	Fiat S. A.	O. Fornaca	Wheel-suspension means for motor vehicles.
1,727,270	9/ 3/29	P. Bernhardt	P. Bernhardt	Intersecting gill box.
1,727,494	9/10/29	T. Klatt	T. Klatt	Device for manufacturing templates for molds for grinding deformed spherical surfaces.
1,727,720	9/10/29	F. Kruckenberg	F. Kruckenberg	Method of and device for dampening noises caused by propellers and other quickly-moving bodies.
1,727,775	9/10/29	Vereinigte Stahlwerke A. G.	W. Hulsbruch	Alloy-steel building material.
1,728,055	9/10/29	I. Gonyk	I. Gonyk	Night lamp.
1,740,012	10/ 1/29	L. Lowy	L. Lowy	Rolling mill.
1,730,736	10/ 8/29	C. Goerke	C. Goerke	Skill-testing machine.
1,733,739	10/29/29	B. Lankamp	B. Lankamp	Mold for manufacturing hair clamps.
1,734,262	11/ 5/29	E. Lutschen	E. Lutschen	Cooler.
1,734,416	11/ 5/29	O. Bracker	O. Bracker	Cock or tap for controlling fluids.
1,735,285	11/12/29	A. Kortenbach	A. Kortenbach	Umbrella device.
1,735,604	11/19/29	E. Blau	E. Blau	Stop for locating work in machine tools.
1,730,309	11/19/29	A. Dolling	A. Dolling	Pedal protector.
1,736,040	11/19/29	J. Loffler	S. Loffler	Manufacturing high-pressure boilers.
1,742,683	1/ 7/30	P. Boehm	P. Boehm	Centrifugal machine.
1,743,540	1/14/30	W. Gosmann and M. Staeck	W. Gosmann et al	Accumulator for miners' electrical lamps.
1,744,531	1/21/30	J. De Tovaros	J. De Tovaros	Sliding current collector for overhead wires of electric railways.
1,746,156	2/ 4/30	E. Jahn	E. Jahn	Device for separating admixed solid bodies from fluid streams.
1,747,934	2/18/30	W. Heldenhain	W. Heldenhain	Apparatus for hardening products of iron, steel, and other ferromagnetic materials
1,748,172	2/25/30	K. Gommel	K. Gommel	Typewriting machine.
1,748,711	2/25/30	E. Gminder	E. Gminder	Slippage drawing roller.
1,748,712	2/25/30	E. Gminder	E. Gminder	Method of and system for producing spread draft in spinning.
1,750,360	3/11/30	W. Friedrichs	W. Friedrichs	Franking machine.
1,751,187	3/18/30	K. Alze	K. Alze	Locomotive-engine draft regulator.
1,751,637	3/25/30	B. Jablonsky	B. Jablonsky	Automobile direction indicator.
1,754,304	4/ 8/30	S. Horn	S. Horn	Stencil sheet.
1,759,507	4/ 8/30	Chemical Marketing Company, Inc.	O. Fuchs	Method of producing activated carbon.
1,753,706	4/ 8/30	Junkers Flugzeug- und-Motorenwerke A. G.	H. Junkers	Unit for assembling lattice work.
1,753,786	4/ 8/30	A. Hinkel	A. Hinkel	Indicating device for displaying variable information.
1,754,364	4/15/30	P. Kemp	P. Kemp	Bearing metal.
1,755,544	4/22/30	E. Jalowetz	E. Jalowetz	Improving brewing waters.
1,764,074	6/17/30	E. Gminder	E. Gminder	Process and apparatus for preparing staple or fibrous material for spinning.
1,764,680	6/17/30	E. Gminder	E. Gminder	Extraction of foreign bodies from spinning material.
1,796,598	3/17/31	E. Gminder	E. Gminder	Process of treating the fibers of textile material.
1,797,147	3/17/31	K. Imhoff	K. Imhoff et al	Aeration tank for sewage treatment by activated sludge.
1,799,685	6/30/31	E. Gminder	E. Gminder	Wet process for treatment of fibers and apparatus therefor.
1,801,350	4/21/31	I. G. Farbenindustrie A. G.	H. Hopff	Production of valuable organic oxygen compounds.
1,811,846	6/30/31	E. Gminder	E. Gminder	Method of producing fancy figures on textile material by mercerization.
1,836,123	12/15/31	I. G. Farbenindustrie A. G.	G. Kalischer et al	Carboxylic acids of the fatty aromatic series and the process of making them
1,846,859	2/23/32	E. Gminder	E. Gminder	Production of bast fibers from vegetable stalks.
1,862,592	6/14/32	I. G. Farbenindustrie A. G.	E. Goth	Manufacturing viscose.
1,896,945	2/ 7/33	W. Friedrich	W. Friedrich	Process of manufacturing nitrous oxide.
1,900,850	3/ 2/33	E. Gminder	E. Gminder	Apparatus for treating fibrous material.
1,935,830	11/21/33	Chemische Fabrik Joh. A. Benckiser G. m. b. H.	F. Dransbach	Cleansing agent.
1,941,647	1/ 2/34	O. Wolfes	O. Wolfes	Process for the manufacture of ether derivatives of 1-benzyl-3-methyl-iso-quinoline.
1,956,673	5/ 1/34	Enzinger-Union-Werke A. G.	K. Enzinger	Process and apparatus for sterilizing filter mass.
1,963,009	6/12/34	G. Wunsch	G. Wunsch	High-power gas heating apparatus.
1,971,972	8/28/34	Enzinger-Union-Werke A. G.	H. Adam	Filter element.
1,977,558	10/16/34	Chemische Fabrik R. Baumheier K. Gesellschaft.	R. Kern	Emulsifying media and the process of manufacturing the same.
2,001,284	5/14/35	Dr. F. Raschig G. m. b. H.	W. Prahl et al	Manufacture of anilin from chlorobenzene and ammonia.
2,014,157	9/10/35	Enzinger-Union-Werke A. G.	H. Adam	Device for inserting packing discs in bottle closures.
2,049,905	8/ 4/36	E. Gminder	E. Gminder	Drawing bast fiber roving.
2,057,145	10/13/36	Chemical Marketing Company, Inc.	F. Hoffner et al	Pharmaceutical preparations for stimulating the respiratory centris and decreasing the circulation.
2,075,312	3/30/37	I. G. Farbenindustrie A. G.	F. Straus	Production of halogenated ethers.
2,075,313	3/30/37	I. G. Farbenindustrie A. G.	F. Straus	Production of halogenated ethers.
2,076,049	4/ 6/37	G. Seitz	G. Seitz	Sheet filter.
2,076,451	4/ 6/37	F. Fallscheer	F. Fallscheer	Device for producing tubes or bobbins of the kind used in the textile industry for receiving the yarn.
2,088,862	7/ 3/37	Dresdan-Leipziger Schnellpressen-Fabrik A. G.	K. Lang	Printing machines.
2,104,454	1/ 4/38	Enzinger-Union-Werke A. G.	H. Filss	Filling device for counter-pressure filling machines.
2,119,837	6/ 7/38	Chemical Marketing Company, Inc.	T. Wehrle	Process and apparatus for exterminating pests in articles.
2,125,072	7/26/38	Chemische Fabrik R. Baumheier K. Gesellschaft.	R. Kern	Sulpho acids and process of manufacture.
2,128,782	8/30/38	Rutgerswerke Akt	B. Muller	Process of making noninflammable plates or slabs from fibrous materials.
2,146,334	2/ 7/39	U. De Carla	U. De Carla	Air propeller with automatically variable pitch.
2,177,265	10/24/39	Chemische Fabrik von Heyden A. G.	C. Rath	Method and apparatus for reducing the pressure of high pressure systems.
2,183,553	12/19/39	F. Eidmann	F. Eidmann	Testing tubers for virus infection.
2,187,858	1/23/40	Chemische Fabrik R. Baumheier K. G.	R. Kern	Method of producing impregnating compositions.
2,195,718	4/ 2/40	A. Leber	A. Leber	Optical exposure meter.
2,196,152	4/ 9/40	I. G. Farbenindustrie A. G.	H. Hopff	Production of condensation products of vinyl methyl ketone and water-soluble aldehydes.
2,238,149	4/15/41	E. Aeckerle	E. Aeckerle	Process for improving the stability of hygroscopic substances.
2,247,000	6/24/41	M. Popoff	M. Popoff	Spraying process and apparatus.
2,252,179	8/12/41	Chemische Fabrik Joh. A. Benckiser G. m. b. H.	A. Beyer	Process for obtaining esters of polymeric metaphosphoric acid.
2,267,833	10/ 7/41	W. Baseler H. Bangl & J. Dietrich.	W. Baseler et al	Sleeper for rail tracks.
2,270,143	1/13/42	A. Schaich	A. Schaich	Separating mill.
2,282,560	5/12/42	G. Fabig	G. Fabig	Automatic suction circulating pump.
2,294,826	9/ 1/42	W. Bergenthun & E. Pieper.	W. Bergenthun	Method of treating textile material.

[F. R. Doc. 43–2547; Filed, February 16, 1943; 11:18 a. m.]

[Vesting Order 720]

PATENT APPLICATIONS OF P. COUFFIGNAL, ET AL.

Re: Patent applications of foreign nationals.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

Patent applications identified in Exhibit A attached hereto and made a part hereof, in which the nationality of the record owner is shown opposite the serial numbers thereof;

is property in which nationals of a foreign contry or countries have interests, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on January 21, 1943.

LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Patent applications identified as follows, which stand of record in the United States Patent Office in the names of nationals of the countries indicated opposite the numbers thereof:

Serial No.	Filing date	Inventor	Title	Nationality of record owner
133,276	3/26/37	P. Couffignal	Apparatus calling for a material representation of numbers.	France.
195,628	3/12/38	H. Plauson	Process of and apparatus for the activation of chemical reactions.	Germany and Estonia.
262,270	3/16/39	R. Burall	Cash registers	France and Luxemburg.
277,290	6/ 3/39	N. Steensen	Process of molding concrete structures	Denmark.
290,309	8/15/39	R. Picard et al	Method of making retractile articles	France.
290,310	8/15/39	R. Picard et al	Method of making retractile articles	France.
311,909	12/30/39	L. Vautier	Method and apparatus for making artificial sponges.	France.
311,910	12/30/39	L. Vautier	Apparatus for and method of preparing artificial sponges.	France.
378,299	2/10/41	E. Brizay	Construction of piles, caissons and the like in situ.	Straits Settlements.
396,473	6/ 3/41	R. Burall	Cash registers	France and Luxemburg.
407,692	8/30/41	M. Gravina et al	Clutch devices	France and Italy.
469,348	9/ 3/41	A. Schuller et al	Process for stabilizing cellulose esters	Belgium and Hungary.
482,356	2/25/42	J. Elian	Synthetic process for preparing hydrocarbons, particularly gasoline.	Belgium and Estonia.
455,378	8/19/42	P. Gamet	Directional aerials	France.

[F. R. Doc. 43–2549; Filed February 16, 1943; 11:18 a. m.]

[Vesting Order 721]

PATENT APPLICATIONS OF L. DIKANSKY, ET AL.

Re: Patent applications of citizens of occupied, neutral or allied countries residing in enemy or enemy-occupied countries.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that all the persons to whom reference is made in the column headed "Owner" in Exhibit A attached hereto and made a part hereof, are citizens of the occupied, neutral or allied countries and residents of the enemy or enemy-occupied countries represented by the code numbers set forth after their respective names under the heading "NAT CODE" in said Exhibit A in accordance with the following:

7 represents Belgium.
27 represents France.
38 represents Italy.
49 represents Netherlands.
61 represents Spain.
65 represents Union of Soviet Socialist Republics.

2. Finding, therefore, that such persons are nationals of the foreign countries represented by the code numbers set forth in said Exhibit A after their respective names in accordance with the aforesaid code;

3. Finding that the persons referred to in paragraph 1 hereof are the owners of the patent applications with respect to which such persons are listed as owners in said Exhibit A, and finding, therefore, that such patent applications are property in which nationals of foreign countries have interests;

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the patent applications identified in said Exhibit A, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Patent applications in the United States Patent Office which are identified as follows:

Serial No.	Date	Owner	Inventor	Title	Nat Code
229, 226	9/ 9/38	L. Dikansky	L. Dikansky	Devices for producing compensated and regulable oscillations to be applied to vibrating sieves, vibrating selectors, vibrating conveyors and the like.	38 & [illegible]
235, 108	10/14/38	W. Diterichs	W. Diterichs	Manufacture of synthetic mineral products.	27 & [illegible]
261, 386	3/11/39	S. Loinaz	S. Loinaz	Shaving apparatus	27 & 61
264, 270	3/25/39	Arthur Sarti	F. Casanova	Gasoline economizers for combustion engines.	27
275, 747	5/25/39	J. Michel	J. Michel	Ball-and-socket joint for control transmissions.	27
279, 592	6/19/39	Societe Allinges Autoproteges.	L. Canac et al	Alloy	27
286, 744	7/27/39	L. Lelzaola	L. Lelzaola	Cylinders of internal-combustion engines with combustion-and-whirling chambers in the pistons.	27 & [illegible]
304, 589	11/16/39	Compagnie Nationale de Matieres Colorantes et Manufactures de Produits Chimiques du Nord Reunies Etablissements Kuhlmann.	P. Petitcolas	Intermediary products dyes derived from same and their manufacturing processes.	27
313, 670	1/13/40	S. Yanovsky	S. Yanovsky	Automatic shooting control devices for firearms working on the recoil principle.	7 & [illegible]
334, 985	5/13/40	Societe Allinges Autoproteges.	L. Canac et al	Light and ultra-light alloys and the methods of their manufacture.	27
336, 019	5/18/40	W. De Garkovenko	W. De Garkovenko	Concentrating device for cartridges and method of construction thereof.	27 & 65
401, 969	7/11/41	S. A. des Manufactureurs de Glaces et Produits Chimique de St. Gobain Chauny et Cirey.	B. Long	Method of manufacturing sponge glass articles and the like.	27
402, 440	7/14/41	Etablissements Lamblotte Freres	C. Coutor	Product applicable for tanning purposes and method for making the same	27
412, 210	9/25/41	Martin Moulet & Cie	J. Moulet	Centralized remote control systems for piping networks	27
412, 525	9/26/41	Societe Bronzavia	J. Malczewski	Electric circuits	27
412, 526	9/26/41	Societe Bronzavia	J. Malczewski	Devices for controlling multiple shutters.	27
412, 527	9/26/41	Societe Bronzavia	J. Malczewski	Electric circuits of the kind of the armoured ignition circuits for engines	27
412, 528	9/26/41	Societe Bronzavia	J. Malczewski	Construction of turbo-machines	27
413, 856	10/ 6/41	H. Burgerhout	C. Van Der Leun	Fastening devices for casement windows, doors and the like.	49
416, 914	10/28/41	N. V. Gruno & Adek Rijwielenfabrieken.	A. Lankhorst	Process of rustproofing	49
418, 067	11/ 6/41	Compagnie Nationale de Matieres Colorantes et Manufactures de Produits Chimiques du Nord Reunies Etablissements Kuhlmann.	A. Durr	Printing colors and a method for manufacturing the same.	27
419, 145	11/18/41	Societe Francaise Radio-Electrique	H. Chireix	Apparatus for detecting underground lying metallic objects	27
422, 459	1-/10/41	Compagnie Nationale de Matieres Colorantes et Manufactures de Produits Chimiques du Nord Reunies Etablissements Kuhlmann	G. Passelecq	Agglomerating mixtures of solid material and liquid.	27
422, 764	12/13/41	De Directie van der Staatsmijnen.	M. Driessen	Separation of suspensions of solid matter in liquids	49
426, 244	1/ 9/42	Compagnie Nationale de Matieres Colorantes et Manufactures de Produits Chimiques du Nord Reunies Etablissements Kuhlmann.	G. Passelecq et al	Molds and in particular to foundry cores and to their manufacture.	27
426, 245	1/ 9/42	Compagnie Nationale de Matieres Colorantes et Manufactures de Produits Chimiques du Nord Reunies Etablissements Kuhlmann.	G. Passelecq	Manufacture of molded products.	27
431, 003	2/16/42	V. Breslav	V. Breslav	Internal combustion engine.	7 & [illegible]
434, 440	3/12/42	S. A. Compagnie Fraucais De Rathinage.	P. Woog	Catalysis process with continuous regeneration of the catalyzer.	[illegible]
436, 306	3/26/42	Le Materiel Electrique S. A.	P. de Gincomont	Series-parallel and parallel connections for direct current motors with split up exciting winding.	27
446, 580	4/28/42	Puseux Boulanger & Cie	J. Hauvette	Method of recovering rubber and resulting product.	27

[F. R. Doc. 43-2550; Filed, February 16, 1943; 11:18 a. m.]

[Vesting Order 722]

PATENT APPLICATIONS OF OSWALD FIDEL WYSS, ET AL.

Re: Patent applications of nationals of foreign countries.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each person, except F. Von Opel, to whom reference is made in the column headed "Owner" in Exhibit A attached hereto and made a part hereof, is a citizen and resident of the enemy country represented by the code number set forth after his respective name under the heading "NAT CODE" in said Exhibit A in accordance with the following:

28 represents Germany
34 represents Hungary
57 represents Rumania;

2. Finding, therefore, that each such person is a national of the foreign country represented by the code number set forth in said Exhibit A after his respective name in accordance with the aforesaid code;

3. Finding that F. Von Opel is a German citizen interned in the United States and, therefore, is a national of a foreign country (Germany);

4. Finding that each of the persons referred to in paragraphs 1 and 3 hereof is the owner of the patent application or applications with respect to which such person is listed as owner in said Exhibit A, and finding, therefore, that such patent applications are property in which nationals of foreign countries have interests;

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the patent applications identified in said Exhibit A, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on January 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Patent applications in the United States Patent Office which are identified as follows:

Serial No.	Date	Owner	Inventor	Title	Nat Code
92, 371	7/24/36	Oswald Fidel Wyss	P. Vogele	Manufacture of materials comprising artificial resins.	28
137, 892	4/19/37	W. C. Heraeus G. m. b. H.	M. Auwarter	Production of metallic surface layers.	28
152, 413	7/ 7/37	Oswald Fidel Wyss	A. Schmid	Processes for the production of heat.	28
248, 046	12/28/38	O. Steiner	O. Steiner	Cinematograph cameras	28
281, 690	6/28/39	M. Nitescu	M. Nitescu	Catalytic process for converting liquid and gaseous hydrocarbons into anti-knock spirit and aromatic hydrocarbons.	57
323, 484	3/11/40	Vereinigte Glanzstoff-Fabriken A. G.	W. Bergenthun	Method of treating textile material.	28
363, 709	10/31/40	H. Ranke	H. Ranke	Electric welding apparatus and method.	28
376, 273	1/28/41	Gesellschaft fur Linde's Eismaschinen A. G.	E. Karwat	Operation of shaft furnaces	28
407, 518	8/20/41	Heinrich Lanz A. G.	K. Jansen	Cutter head for milling machines.	28
414, 206	10/ 8/41	Braunschweiger Huttenwerke G. m. b. H.	E. Meier, Sr.	Process of manufacturing composite metal bodies.	28
414, 207	10/ 8/41	Braunschweiger Huttenwerke G. m. b. H.	E. Meier, Sr.	Method of applying bush metal to bushes.	28
414, 208	10/ 8/41	Braunschweiger Huttenwerke G. m. b. H.	E. Meier, Sr.	Method of applying a lining to machine elements.	28
414, 298	10/ 9/41	Fernseh G. m. b. H.	R. Behne et al	Television pick-up tube	28
428, 655	1/26/42	Egyesult Izzolampa es Villamosagi Reszvenytarsasag.	L. Heller	Condensing spent steam	34
430, 569	2/12/42	Fernseh G. m. b. H.	R. Von Felgel-Farnholz.	Black spot correcting means	28
430, 707	2/13/42	Telefunken G. m. b. H.	G. Hainke	Production of flat glass	28
447, 499	6/18/42	F. Von Opel	F. Von Opel	Fastening devices	28

[F. R. Doc. 43-2551; Filed, February 16, 1943; 11:17 a. m.]

[Vesting Order 864]

TRUST UNDER WILL OF DAVID G. ALSOP

In re: Trust under Will of David G. Alsop, deceased; File D-39-1664; E. T. sec. 992.

Under the authority of the Trading with the Enemy Act as amended and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Provident Trust Co. of Philadelphia, Trustee, acting under the judicial supervision of the Orphans' Court of Montgomery County, Pennsylvania; and

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Japan, namely,

	Last known address
National:	
Ryu Sato Oyalzu	Japan.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Ryu Sato Oyalzu in and to the Trust Estate created under the Last Will and Testament of David G. Alsop, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2607; Filed, February 17, 1943; 11:45 a. m.]

[Vesting Order 865]

ESTATE OF ALICE M. BACON

In re: Estate of Alice M. Bacon, deceased; File No. D-39-1505; E. T. sec. 967.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Union and New Haven Trust Company, as Trustee and Co-executor, acting under the judicial supervision of the Court of Probate, District of New Haven, New Haven County, Connecticut;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Japan, namely,

Nationals:	*Last known address*
Maki Hitotsuyanagi	Japan.
Mitsu Watanabe Kaariyama	Japan.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Japan, and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and intersts:

All right, title, interest, and claim of any kind or character whatsoever of Maki Hitotsuyanagi and Mitsu Watanabe Kaariyama, and each of them, in and to trusts created by the Last Will and Testament of Alice M. Bacon, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2608; Filed, February 17, 1943; 11:45 a. m.]

[Vesting Order 866]

ESTATE OF JULIUS BAMBERGER

In re: Estate of Julius Bamberger, deceased; File D–28–1774; E. T. sec. 921.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Wells Fargo Bank & Union Trust Company, Trustee, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Elsa Meier	Germany.
Hugo Strauss	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Elsa Meier and Hugo Strauss and each of them in and to the trust estate created under the Will of Julius Bamberger, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc 43–2609; Filed, February 17, 1943; 11:45 a. m.]

[Vesting Order 867]

ESTATE OF EMMA BARTELS

In re: Estate of Emma Bartels, deceased; File No. D–28–1897; E. T. sec. 1663.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for King's County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Amanda Pickenpack	Germany
Diedrich Haack	Germany

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Amanda Pickenpack and Diedrich Haack, and each of them, in and to the Estate of Emma Bartels, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc 43–2610; Filed, February 17, 1943; 11:45 a. m.]

[Vesting Order 868]

ESTATE OF HELEN BLUM

In re: Estate of Helen Blum, also known as Honi Neuman, deceased. File D–34–85; E.T. sec. 1698.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York, as depositary acting under the judicial supervision of the Surrogate's Court, Bronx County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

Nationals:	*Last known address*
Ignatz Neuman	Hungary
Bella Neuman	Hungary
Hajenal Neuman Salter	Hungary

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Ignatz Neuman, Bella Neuman, and Hajenal Neuman Salter, and each of them, in and to the Estate of Helen Blum, also known as Honi Neuman, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2611; Filed, February 17, 1943; 11:46 a. m.]

[Vesting Order 869]

ESTATE OF HERMAN BRAUSE

In re: Estate of Herman Brause, also known as Herman B. Brause, deceased; File D–28–2106; E.T. sec. 2470.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Donald B. Waltman, Clerk of the Orphans' Court of York County, Pennsylvania, Depositary, acting under the judicial supervision of Orphans' Court of York County, State of Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Margarte Tetzler and the other children (names unknown) of Annie Kersh, deceased	Germany

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Margarte Tetzler and the other children (names unknown) of Annie Kersh, deceased, and each of them, in and to the estate of Herman Brause, also known as Herman B. Brause, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2612; Filed, February 17, 1943; 11:50 a. m.]

[Vesting Order No. 870]

ESTATE OF FRANK BUFFATTO

In re: estate of Frank Buffatto, deceased; File D–38–1103; E. T. Sec. 2040.

Under the authority of the Trading with the Enemy Act, as amended and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Ben H. Brown, Public Administrator of Los Angeles County, of the estate of Frank Buffatto, deceased, acting under the judicial supervision of Superior Court, County of Los Angeles, California;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

National:	*Last known address*
Giuseppe Buffatto	Italy.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Giuseppe Buffatto in and to the Estate of Frank Buffatto, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time

as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2613; Filed, February 17, 1943; 11:50 a. m.]

[Vesting Order 871]

ESTATE OF IDA CONSTANTIAN

In re: Estate of Ida Constantian, deceased; File No. D-28-3282; E. T. sec. 1672.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Bronx County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Otto Peter	Germany.
Paul Gomm	Germany.
August Peter	Germany.
Marie Gomm	Germany.
Elizabeth Burger	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Otto Peter, Paul Gomm, August Peter, Marie Gomm and Elizabeth Burger, and each of them, in and to the Estate of Ida Constantian, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2614; Filed, February 17, 1943; 11:50 a. m.]

[Vesting Order 872]

ESTATE OF AUGUST EBERT

In re: Estate of August Ebert, deceased; File D-28-1887; E. T. sec. 1652.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Friederike Harr	Germany.
Frieda Uhlmann	Germany.
Caroline Uhlmann	Germany.
Wilhelmina Uhlmann Assenheimer	Germany.
Alvin Ebert.	

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and,

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Friederike Harr, Frieda Uhlmann, Caroline Uhlmann, Wilhelmina Uhlmann Assenheimer and Alvin Ebert and each of them in and to the Estate of August Ebert, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2615; Filed, February 17, 1943; 11:50 a. m.]

[Vesting Order 873]

ESTATE OF JOHN ERNST

In re: Estate of John Ernst, deceased; File D-66-541; E. T. sec. 4137.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Citizens & Southern National Bank, 22 Bull Street, Savannah, Georgia, and Miss Angela Goette, 314 E. State Street, Savannah, Georgia, Executors, acting under the judicial supervision of the Court of Ordinary, of the State of Georgia, in and for the County of Chatham;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Mrs. Clara Hajdozy	Germany (Austria).
Miss Frederica Elizabeth Ernst	Germany.
Cilli Ernst Spalteholz	Germany.
Wilhelm Ernst	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Mrs. Clara Hajdozy, Miss Frederica Elizabeth Ernst, Cilli Ernst Spalteholz and Wilhelm Ernst, and each of them, in and to the estate of John Ernst, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2616; Filed, February 17, 1943; 11:50 a. m.]

[Vesting Order 874]

ESTATE OF LEO FISCHEL

In re: Estate of Leo Fischel, deceased; File No. D-28-1906; E. T. sec. 1670.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Bronx County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Alice Gries	Germany.
Paul Fischel	Germany.
Fritz Fischel	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Alice Gries, Paul Fischel and Fritz Fischel, and each of them, in and to the Estate of Leo Fischel, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2617; Filed, February 17, 1943; 11:51 a. m.]

[Vesting Order 875]

ESTATE OF BARBARA FLEISCHMAN

In re: Estate of Barbara Fleischman, deceased; File D-9-100-28-1976; E. T. sec. 2294.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for New York County;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Johan Kraus	Germany.
Kunigunde Ritschler	Germany.
Katharina Schwinn	Germany.
Andreas Kraus	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Johan Kraus, Kunigunde Ritschler, Katharina Schwinn and Andreas Kraus and each of them, in and to the Estate of Barbara Fleischman, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2618; Filed, February 17, 1943; 11:51 a. m.]

[Vesting Order 876]

ESTATE OF JOHANNA FURST

In re: Estate of Johanna Furst, deceased; File D-9-100-6-137; E. T. sec. 1592.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, Bronx County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Franz Unger	Germany.
Theresa Sakasits	Germany.
Brigetta Unger	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Or-

der or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Franz Unger, Theresa Sakasits and Brigetta Unger and each of them in and to the Estate of Johanna Furst, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2619; Filed, February 17, 1943; 11:51 a. m.]

[Vesting Order 877]

ESTATE OF GEERTGE GOLDSCHMIDT

In re: Estate of Geertge Goldschmidt also known as Gertje Goldschmidt and Greta Goldschmidt, deceased; File No. D–28–1900; E. T. sec. 1666.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Kings County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Carl Janssen whose last known address is Germany,

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Carl Janssen in and to the Estate of Geertge Goldschmidt also known as Gertje Goldschmidt and Greta Goldschmidt, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2620; Filed, February 17, 1943; 11:51 a. m.]

[Vesting Order 878]

ESTATE OF SARAH GREENBERG

In re: Estate of Sarah Greenberg, deceased; File No. D–9–100–55–229; E. T. Sec. 1625.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, Bronx County, New York,

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely Fishel Mokotoff, whose last known address is Germany,

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Fishel Mokotoff in and to the estate of Sarah Greenberg, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2621; Filed, February 17, 1943; 11:51 a. m.]

[Vesting Order 879]

ESTATE OF HENRY GRUBE

In re: Estate of Henry Grube, deceased—File D–28–1882; E. T. Sec. 1647.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Willy Grube	Germany.
Theodore Grube	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Willy Grube and Theodore Grube, and each of them, in and to the Estate of Henry Grube, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2622; Filed, February 17, 1943; 11:51 a. m.]

[Vesting Order 880]

ESTATE OF HEINRICH H. GRUBE

In re: Estate of Heinrich H. Grube, deceased—File F–28–14610; E. T. Sec. 4100.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Philip F. Farley, Ancillary Administrator, 17 Battery Place, New York, New York, acting under the judicial supervision of Surrogate's Court of Kings County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Martha Grube	Germany.
Herman Otto Grube	Germany.
Karl Heinz Grube	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Martha Grube, Herman Otto Grube, Karl Heinz Grube, and each of them, in and to the estate of Heinrich H. Grube, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2623; Filed, February 17, 1943; 11:52 a. m.]

[Vesting Order 881]

ESTATE OF JOHN GSTACH

In re: Estate of John Gstach, deceased—File D–28–1566; E. T. sec. 341.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Bronx County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Franz Gstach	Germany.
Isabella Zwergen	Germany.
Marie Schwarzhaus	Germany.
Karl Gstach	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Franz Gstach, Isabella Zwergen, Marie Schwarzhaus and Karl Gstach and each of them in and to the Estate of John Gstach, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2624; Filed, February 17, 1943; 11:52 a. m.]

[Vesting Order 882]

ESTATE OF AUGUSTA GUGGISBERG

In re: Estate of Augusta Guggisberg, deceased—File No. D–28–1848; E. T. Sec. 1682.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that —

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Bronx County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Sophie Morle	Germany.
Lina Troupel	Germany.
Louise Faber	Germany.
Mathilde Prevosts	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Sophie Morle, Lina Troupel, Louise Faber and Mathilde Prevosts, and each of them, in and to the Estate of Augusta Guggisberg, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2625; Filed, February 17, 1943; 11:52 a. m.]

[Vesting Order 883]

ESTATE OF LENA HERRMANN

In re: Estate of Lena Herrmann, deceased—File D–28–1894; E.T. Sec. 1660.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Lina Walter	Germany.
Hans Herschmann	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Lina Walter and Hans Herschmann, and each of them, in and to the Estate of Lena Herrmann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2626; Filed, February 17, 1943; 11:52 a. m.]

[Vesting Order 884]

ESTATE OF WILHELM HOLSCHER

In re: Estate of Wilhelm Holscher, deceased—File D–28–1945; E. T. sec. 1832.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Gustav Holscher and Arthur F. Graham, Co-executors, acting under the judicial supervision of the Orphans' Court of the State of Pennsylvania, in and for Allegheny County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
(Frau) Lina Holscher	Germany.
Editha Monnig	Germany.
Friedrich Monnig	Germany.
Siegfried Monnig	Germany.
Walter Monnig	Germany.
Gerhard Monnig	Germany.
Friedrich Degener	Germany.
Elfriede Tegtmeyer	Germany.
Friedrich Deiter	Germany.
Matilde (Mathilde) Peter	Germany.
Friedrich Deiter, Jr	Germany.
Heinrich Deiter	Germany.
Anneliese Deiter	Germany.
(Frau) Lina Sieckmann	Germany.
Heinrich Holscher	Germany.
(Frau) Alvine Kallmeyer	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of (Frau) Lina Holscher, Editha Monnig, Friedrich Monnig, Siegfried Monnig, Walter Monnig, Gerhard Monnig, Friedrich Degener, Elfriede Tegtmeyer, Friedrich Deiter, Matilde (Mathilde) Peter, Friedrich Deiter, Jr., Heinrich Deiter, Anneliese Deiter, (Frau) Lina Sieckmann, Heinrich Holscher and (Frau) Alvine Kallmeyer and each of them in and to the Estate of Wilhelm Holscher, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2627; Filed, February 17, 1943; 11:52 a. m.]

[Vesting Order 885]

ESTATE OF GUIDO HOSELBARTH

In re: Estate of Guido Hoselbarth, also known as Guido Haselbarth, deceased; File D–28–1729; E. T. sec. 834.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by George Keehfuss, Executor, acting under the judicial supervision of the Orphans' Court of the State of Pennsylvania, in and for Philadelphia County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Katherine Hoselbarth	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Katherine Hoselbarth in and to the Estate of Guido Hoselbarth, also known as Guido Haselbarth, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2628; Filed, February 17, 1943; 11:46 a. m.]

[Vesting Order 886]

ESTATE OF CARL LEMKE

In re: Estate of Carl Lemke, deceased—File No. D–28–1896; E.T. sec. 1662.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Kings County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Elizabeth (Ellie) Sohl	Germany.
Richard Sohl	Germany.
Marie Sohl	Germany.
Herman Schmarje	Germany.
Rudolph Schmarje	Germany.
Marie S. Otte	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Elizabeth (Ellie) Sohl, Richard Sohl, Marie Sohl, Herman Schmarje, Rudolph Schmarje and Marie S. Otte, and each of them, in and to the Estate of Carl Lemke, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2629; Filed, February 17, 1943; 11:46 a. m.]

[Vesting Order 887]

TRUST UNDER WILL OF MANUEL MARENGO

In re: Trust under will of Manuel Marengo, deceased—File F–38–3614; E. T. Sec. 739.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Bank of America National Trust and Savings Association, Trustee, 300 Montgomery Street, San Francisco, California, acting under the judicial supervision of Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Angela Carlotta Marengo	Italy.
Collateral heirs and kinsmen (names unknown) of Manuel Marengo, deceased.	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Angela Carlotta Marengo, and collateral heirs and kinsmen (names unknown) of Manuel Marengo, deceased, and each of them, in and to the trust estate created under the Last Will and Testament of Manuel Marengo, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further de-

termination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2630; Filed, February 17, 1943; 11:46 a. m.]

[Vesting Order 888]

ESTATE OF ERNEST MENZELL

In re: Estate of Ernest Menzell, deceased—File D–28–1690; E. T. Sec. 653.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Ernestine Pauline Manja	Germany.
Bertha Johanne Vogel	Germany.
Emma M. L. Wystrach	Germany.
Anna E. I. Anders	Germany.
Karl H. A. Schloz	Germany.
Karl G. A. Pensler	Germany.
Martha Bredan	Germany.
Luise M. Boer	Germany.
Hans Menzel	Germany.
Fritz C. Menzel	Germany.
Elizabeth B. Boer	Germany.
Auguste Sophie Carl	Germany.
Maria M. Hoffmann	Germany.
Carl F. Boer	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Ernestine Pauline Manja, Bertha Johanne Vogel, Emma M. L. Wystrach, Anna E. I. Anders, Karl H. A. Schloz, Karl G. A. Pensler, Martha Bredan, Luise M. Boer, Hans Menzel, Fritz C. Menzel, Elizabeth B. Boer, Auguste Sophie Carl, Maria M. Hoffmann, and Carl F. Boer, and each of them, in and to the Estate of Ernest Menzell, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2631; Filed February 17, 1943; 11:46 a. m.]

[Vesting Order 889]

ESTATE OF NICOLO MILIOTO

In re: Estate of Nicolo Milioto, deceased—File D-38-403; E. T. Sec. 1608.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, Bronx County, New York;

(2) Such property and interest are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely, Anna Milioto, whose last known address is Italy;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interest:

All right, title, interest and claim of any kind or character whatsoever of Anna Milioto in and to the Estate of Nicolo Milioto, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interest and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2632; Filed, February 17, 1943; 11:46 a. m.]

[Vesting Order 890]

ESTATE OF HELMUT MINNE

In re: Estate of Helmut Minne, deceased—File No. D–28–1838; E. T. Sec. 1678.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Bronx County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Karl Minne	Germany.
Bertha Minne	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Karl Minne and Bertha Minne, and each of them, in and to the Estate of Helmut Minne, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2633; Filed, February 17, 1943; 11:47 a. m.]

[Vesting Order 891]

ESTATE OF MARGARET MORGEN

In re: Estate of Margaret Morgen, deceased—File No. D–28–1902; E. T. Sec. 1668.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Kings County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Ludwig Kraus	Germany.
Margaretha Schlick	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Ludwig Kraus and Margaretha Schlick, and each of them, in and to the state of Margaret Morgen, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2634; Filed, February 17, 1943; 11:47 a. m.]

[Vesting Order 892]

ESTATE OF AUGUSTE MOSLER

In re: Estate of Auguste Mosler, deceased; File F–28–7860; E. T. sec. 1757.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by William J. Topken, Ancillary Administrator c. t. a., acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for New York County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Hans Mosler	Germany.
Ida Adelheid Mosler	Germany.
Executors, administrators, or personal representatives, names unknown, entitled to receive the estate of Auguste Mosler, who died a resident of Germany.	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Hans Mosler, Ida Adelheid Mosler and Executors, administrators, or personal representatives, names unknown, entitled to receive the estate of Auguste Mosler, who died a resident of Germany and each of them in and to the Estate of Auguste Mosler, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2635; Filed, February 17, 1943; 11:47 a. m.]

[Vesting Order 893]

ESTATE OF EMILE PFIZER

In re: Estate of Emile Pfizer, deceased; File D–28–1745; E. T. sec. 853.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The National City Bank of New York and Albert A. Teeter, coexecutors, acting under the judicial supervision of the Somerset County Orphans' Court of Somerset County, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Alice Foehr	Germany.
Johannah Schnor	Germany.
Max Voeth	Germany.
Marie Metzel	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Alice Foehr, Johannah Schnor, Max Voeth and Marie Metzel and each of them in and to the Estate of Emile Pfizer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F R Doc 43-2636; Filed, February 17, 1943; 11:47 a m]

[Vesting Order 894]

ESTATE OF ALBERT PROTZ

In re: Estate of Albert Protz, deceased; F-28-71; E. T. sec. 2279.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for New York County;

(2) Such property and interest are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Heinrich Protz-Stoffers whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany, and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interest:

All right, title, interest, and claim of any kind or character whatsoever of Heinrich Protz-Stoffers in and to the Estate of Albert Protz, deceased,

to be held, used, administered, liquidated sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interest and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interest or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc 43-2637; Filed, February 17, 1943; 11 47 a m.]

[Vesting Order 895]

ESTATE OF THERESA RAITH

In re: Estate of Theresa Raith, deceased; File D-28-1692; E. T. sec. 641.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that:

(1) The property and interests hereinafter described are property which is in the process of administration by Frederick V. Hebard, Executor of the estate of Theresa Raith, deceased, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely:

Nationals:	*Last known address*
Magdalena Raith	Germany
Simon Raith	Germany
Betty Jauch	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Magdalena Raith, Simon Raith and Betty Jauch, and each of them, in and to the Estate of Theresa Raith, deceased,

to be held, used, administered, liquidated sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2638; Filed, February 17, 1943; 11:48 a m]

[Vesting Order 896]

ESTATE OF FRANK RATH

In re: Estate of Frank Rath, deceased; File D-28-1893; E. T. sec. 1659.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, Bronx County, New York;

(2) Such property and interest are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Johann Rath, whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interest:

All right, title, interest and claim of any kind or character whatsoever of Johann Rath in and to the Estate of Frank Rath, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interest and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interest or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F R Doc. 43-2639; Filed, February 17, 1943; 11:48 a. m.]

[Vesting Order 897]

ESTATE OF JOHN ROMITO

In re: Estate of John Romito, deceased; File D-38-363; E. T. sec. 747.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Philip Romito, administrator, acting under the judicial supervision of the Middlesex County Orphans' Court of Middlesex County, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Pasquale Romito	Italy.
Francesco Romito	Italy.
Guiseppe Romito	Italy.
Rosina Sarvancio	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Pasquale Romito, Francesco Romito, Guiseppe Romito and Rosina Sarvancio and each of them in and to the Estate of John Romito, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interest and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2640; Filed, February 17, 1943; 11:48 a. m.]

[Vesting Order 898]

ESTATE OF LIBERATO SCHIAVONI

In re: Estate of Liberato Schiavoni, deceased; File D-38-398; E. T. Sec. 1318.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by John Schiavoni, Administrator, 2504 Bathgate Avenue, Bronx, New York, acting under the judicial supervision of Surrogate's Court of Warren County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	*Last known address*
Giselda Marcozzi	Italy.
Lucia Caralla	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Giselda Marcozzi and Lucia Caralla, and each of them, in and to the estate of Liberato Schiavoni, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2641; Filed, February 17, 1943; 11:48 a. m.]

[Vesting Order 899]

ESTATE OF IDA SONNENSCHEIN

In re: Estate of Ida Sonnenschein, deceased; File D-28-1867; E. T. sec. 1690.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Klara Maier	Germany.
Frieda Dreisacher	Germany.
Simon Maier	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Klara Maier, Frieda Dreisacher and Simon Maier, and each of them, in and to the Estate of Ida Sonnenschein, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2642; Filed, February 17, 1943; 11:49 a. m.]

[Vesting Order 900]

GUARDIANSHIP ESTATE OF ANNA STENGER

In re: Guardianship estate: Anna Stenger, minor; File F–28–12324—E. T. sec. 1230.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Land Title Bank and Trust Company, substituted guardian of the Estate of Anna Stenger, acting under the judicial supervision of the Orphans Court of Philadelphia County, Pennsylvania.

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Anna Stenger	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Anna Stenger in and to her estate under guardianship of Land Title Bank & Trust Company, guardian,

to be held, used, administered, liquidated sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2643; Filed, February 17, 1943; 11:49 a. m.]

[Vesting Order 901]

ESTATE OF WILLIAM J. TOMFORD

In re: Estate of William J. Tomford, deceased; File No. D–28–1898; E. T. sec. 1664.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Kings County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Dick Tomforde	Germany.
Ludwig Tomforde	Germany.
Heinrich Tomforde	Germany.
Wilhelm Tomforde	Germany.
Dora Schumacher	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Dick Tomforde, Ludwig Tomforde, Heinrich Tomforde, Wilhelm Tomforde and Dora Schumacher, and each of them, in and to the Estate of William J. Tomford, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2644; Filed, February 17, 1943; 11:49 a. m.]

[Vesting Order 902]

ESTATE OF MARIE TROST

In re: Estate of Marie Trost, deceased; File F–28–4294; E. T. sec. 1292.

Under the authority of the Trading with the Enemy Act as amended and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Phil C. Katz, Administrator, acting under the judicial supervision of the Superior Court of San Francisco County, California.

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	*Last known address*
Friedrich E. C. Trost	Germany.
Anna M. J. Hansen	Germany.
Elsa Hedwig Scheff	Germany.
Maria Martha Trost	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Friedrich E. C. Trost, Anna M. J. Hansen, Elsa Hedwig Scheff and Maria Martha Trost, and each of them, in and to the estate of Marie Trost, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2645; Filed, February 17, 1943; 11:49 a. m.]

[Vesting Order 903]

ESTATE OF LOUISE A. WAGNER

In re: Estate of Louise A. Wagner, deceased; File No. D–28–1447; E.T. sec. 132.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Chase National Bank of The City of New York, as Administrator of the goods, chattels and credits of Louise A. Wagner, deceased, acting under the judicial supervision of the Surrogate's Court of the County of New York, New York.

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Gustave Gotthold Johannes Alexander Sperl	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany;

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Gustave Gotthold Johannes Alexander Sperl in and to the Estate of Louise A. Wagner, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2646; Filed, February 17, 1943; 11:49 a. m.]

[Vesting Order 904]

ESTATE OF PAUL F. WALTER

In re: Estate of Paul F. Walter, deceased; File D–28–2057; E. T. sec. 2321.

Under the authority of the Trading with the Enemy Act as amended and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by T. T. Grant, Administrator, acting under the judicial supervision of Superior Court of Spokane County, Washington.

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	*Last known address*
Max Walter	Germany.

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Max Walter in and to the estate of Paul F. Walter, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form

APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2647; Filed, February 17, 1943; 11:49 a. m.]

[Vesting Order 905]

ESTATE OF WILHELMINA WESTENDORF

In re: Estate of Wilhelmina Westendorf, deceased; File D–28–1823; E. T. sec. 1387.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interest are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Emma Deyle, whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interest:

All right, title, interest and claim of any kind or character whatsoever, of Emma Deyle, in and to the Estate of Wilhelmina Westendorf, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interest and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–2648; Filed, February 17, 1943; 11:50 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 1 Under MPR 65]

GROSFELD HOUSE, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 1 under § 1352.51 (b) (2) of Maximum Price Regulation No. 65—Resale of Floor Coverings.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and by virtue of the authority vested in the Price Administrator under the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) Grosfeld House, Inc., New York, N. Y., may sell, offer to sell, deliver, or transfer the fabrics listed herein designated as Commander, Admiral, and President, at prices no higher than those set forth below:

	Cut order price	Roll price
Commander	$7.30	$6.35
Admiral	10.50	9.45
President	11.95	10.75

subject to 5% cash discount, 10 days, f. o. b. New York, New York.

(b) This Order No. 1 may be revoked or amended by the Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1352.11 of Revised Price Schedule No. 57 shall apply to terms used herein.

This order shall become effective on the 17th day of February, 1943.

Issued this 16th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–2562; Filed, February 16, 1943; 2:27 p. m.]

[Order 163 Under MPR 188]

SUPERIOR BEDDING COMPANY

APPROVAL OF A MAXIMUM PRICE

Order No. 163 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the division of the Federal Register and by virtue of the authority vested in the Price Administrator under the Emergency Price Control Act of 1942, *It is hereby ordered:*

(a) The Superior Bedding Company, 1358 Mullett Street, Detroit, Michigan, may sell the following new mattresses, listed herein at prices no higher than those set forth below:

Leader mattress	$7 00
Peerless mattress	8 50
Superior 4 row mattress	11 50
Everbest 4 row mattress	15 00
Comfort queen mattress	17 50
Kingrest mattress	15 00

(b) This Order No. 163 may be revoked or amended by the Office of Price Administration at any time.

(c) This Order No. 163 shall become effective on the 17th day of February 1942.

Issued this 16th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–2563; Filed, February 16, 1943; 2:26 p. m.]

[Suspension Order 210]

BASSETT'S AUTO CO.

ORDER RESTRICTING TRANSACTIONS

Bert O. Bassett, doing business as Bassett's Auto Company, Minocqua, Wisconsin, hereinafter called respondent, was duly served with notice of charges of violations of revised tire rationing regulations, issued by the Office of Price Administration. Pursuant to the notice, a hearing upon the charges was held in Rhinelander, Wisconsin, on November 24, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been considered by the Chairman of the Industry Council, It is hereby determined that:

(a) Respondent has violated revised tire rationing regulations (§§ 1315.801 and 1315.802) in that, on or about May 15, 1942, respondent, a tire dealer, transferred mounted and used 4 new automobile tires, taken from his stock, on motor vehicles owned or operated by him, without obtaining a certificate from a war price and rationing board authorizing such transfer. Such transfer was not within any of the classes of transfers permitted by revised tire rationing regulations to be made without the exchange of a certificate.

Because of the great scarcity and critical importance of rubber in the United States respondent's violation of revised tire rationing regulations has resulted in the diversion of rubber from military and essential civilian uses to non-essential uses, in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Chairman of the Industry Council that further violations by respondent are likely unless appropriate administrative action is taken.

It is therefore ordered:

(b) During the period in which this Suspension Order No. 210 shall be in effect,

(1) Respondent shall not in any manner, directly or indirectly, sell, transfer or deliver any new or used tires or tubes or any recapped or retreaded tires to any person; *Provided, however*, That subject to the prior approval of and supervision by the Regional Administrator of Region VI, Office of Price Administration, respondent may dispose of his stocks of tires and tubes on hand at the time this order is served upon him.

(2) Respondent shall not in any manner directly or indirectly accept for resale any deliveries or transfers of new or used tires or tubes or recapped or retreaded tires.

(3) No person shall in any manner directly or indirectly deliver or transfer any new or used tires or tubes or recapped or retreaded tires to respondent for resale.

(c) Any terms used in this Suspension Order No. 210 that are defined in revised tire rationing regulations shall have the meaning therein given them.

(d) This Suspension Order No. 210 shall become effective 12:01 A. M. February 26, 1943 and shall remain in effect until 12:01 A. M. December 31, 1944.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong. as amended by Pub. Laws 89 and 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1B (7 F.R. 925, 3387) Supplementary Directive No. 1Q (7 F.R. 9121))

Issued this 16th day of February 1943.

LOUIS H. HARRIS,
Chairman, Industry Council.

[F. R. Doc. 43–2564; Filed, February 16, 1943; 2:28 p. m.]

[Suspension Order 212]

EAGLE OIL CO.

ORDER RESTRICTING TRANSACTIONS

H. S. Heisler, doing business as Eagle Oil Company, 252 Pearl Street, Baltimore, Maryland, hereinafter called respondent, was duly served with a notice of charges of violations of Ration Order No. 5A, gasoline rationing regulations, issued by the Office of Price Administration. Pursuant to the notice, a hearing upon the charges was held in Baltimore, Maryland, on December 7, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been duly considered by the Chairman of the Industrial Council, It is hereby determined:

(a) Respondent is a dealer in gasoline and operates a gasoline filling station located at 252 Pearl Street, Baltimore, Maryland.

(b) Respondent has violated Ration Order No. 5A, gasoline rationing regulations, (§ 1394.1502), in that on various occasions between July 22 and November 17, 1942 respondent transferred gasoline to consumers without receiving in exchange therefor any gasoline ration coupons. Such transfers were not within the classes of transfers of gasoline permitted by the provisions of Ration Order No. 5A gasoline rationing regulations, to be made without the exchange of gasoline ration coupons.

(c) Respondent has violated Ration Order No. 5A, gasoline rationing regulations, (§§ 1394.1502 and 1394.1503), in that between July 22, and November 17, 1942 respondent transferred gasoline to consumers and accepted in exchange therefor thirty-seven Class A, No. 3 gasoline ration coupons.

Because of the great scarcity and critical importance of gasoline in Maryland, respondent's violations of Ration Order No. 5A, gasoline rationing regulations, have resulted in the diversion of gasoline from military and essential civilian uses into non-essential uses in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Chairman of Industrial Council that further violations by respondent are likely unless appropriate administrative action is taken.

It is therefore ordered:

(d) During the period in which this Suspension Order No. 212 shall be in effect,

(1) Respondent shall not accept any deliveries or transfers of, or in any manner directly or indirectly receive from any source any gasoline for resale at his station at 252 North Pearl Street, Baltimore, Maryland.

(2) Respondent shall not transfer or deliver or otherwise trade or deal in gasoline at his station at 252 North Pearl Street, Baltimore, Maryland.

(3) No person shall in any manner, directly or indirectly transfer or deliver any gasoline to respondent for resale at his station at 252 North Pearl Street, Baltimore, Maryland.

(e) Any terms used in this Suspension Order No. 212 that are defined in Ration Order No. 5A, gasoline rationing regulations, shall have the meaning therein given them.

This Suspension Order No. 212 shall become effective 12:01 A. M. February 26, 1943, and unless sooner terminated shall expire 12:01 A. M. March 13, 1943.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89 and 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216); Supplementary Directive 1Q (7 F.R. 9121))

Issued this 16th day of February, 1943.

LOUIS H. HARRIS,
Chairman, Industry Council.

[F. R. Doc. 43–2565; Filed, February 16, 1943; 2:28 p. m.]

[Suspension Order 213]

LOU'S ESSO STATION

ORDER RESTRICTING TRANSACTIONS

Louis Yaccarino, doing business as Lou's Esso Station, Prospect and Summerfield Avenues, Asbury Park, New Jersey, hereinafter called respondent, was duly served with notice of charges of violations of Ration Order No. 5A, gasoline rationing regulations, issued by the Office of Price Administration. Pursuant to the notice a hearing upon the charges was held in Asbury Park, New Jersey, on October 19, 1942. Respondent did not appear at this hearing but subsequently requested a rehearing. Pursuant to this request a further hearing upon the charges was held in Asbury Park, New Jersey, on November 6, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been considered by the Chairman of the Industry Council, It is hereby determined that:

(a) Respondent is a dealer in gasoline and operates a filling station at Prospect and Summerfield Avenues, Asbury Park, New Jersey.

(b) Respondent has violated Ration Order No. 5A, gasoline rationing regulations, (§ 1394.1101) in that on or about September 10, 1942, respondent, instead of using Non-Highway rations to clean automobile parts and tools, the purpose for which the rations were issued, used them to replenish his inventory.

(c) Respondent has violated Ration Order No. 5A, gasoline rationing regulations, (§ 1394.1503) in that between July 22, 1942 and July 31, 1942, respondent transferred gasoline to consumers and into the fuel tanks of motor vehicles without receiving in exchange therefor any gasoline ration coupons and without recording the names and addresses of the transferees and the number of gallons of gasoline so transferred. Such transfers were not within any of the classes of transfers permitted by Ration Order No. 5A, gasoline rationing regulations, to be made without the exchange of coupons. Although some of these consumers failed to surrender gasoline ration coupons to respondent on or before August 4, 1942, respondent failed to report to the State office of the Office of Price Administration nearest to him the names and addresses of such consumers.

Because of the great scarcity and critical importance of gasoline in New Jersey, violations of the gasoline rationing regulations by respondent necessarily have resulted in the diversion of gasoline from military and essential uses to non-essential uses in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Chairman of the Industry Council that further violations of the gasoline rationing regulations by respondent are likely unless appropriate administrative action is taken.

It is therefore ordered:

(d) During the period in which this Suspension Order No. 213 shall be in effect,

(1) Respondent shall not in any manner, directly or indirectly, sell, transfer or deliver gasoline to any person.

(2) Respondent shall not in any manner directly or indirectly accept any deliveries or transfers of gasoline for resale.

(3) No person shall in any manner directly or indirectly transfer or deliver any gasoline to respondent for resale.

(e) Any terms used in this Suspension Order No. 213 that are defined in Ration Order No. 5A, gasoline rationing regulations, shall have the meaning therein given them.

(f) This Suspension Order No. 213 shall become effective at 12:01 A. M. February 26, 1943 and shall remain in effect until April 27, 1943.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, and 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216); Supplementary Directive 1Q (7 F.R. 9121))

Issued this 16th day of February 1943.

LOUIS H. HARRIS,
Chairman, Industry Council.

[F. R. Doc. 43-2566; Filed, February 16, 1943; 2:28 p. m.]

[Suspension Order 214]

GEORGE H. MILLER

ORDER RESTRICTING TRANSACTIONS

George H. Miller, Sidman, Cambria County, Pennsylvania, hereinafter called respondent was duly served with a notice of specific charges of violations of Rationing Order No. 3, sugar rationing regulations, issued by the Office of Price Administration. Pursuant to the notice a hearing on the charges was held in Pittsburgh, Pennsylvania, on October 20, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been considered by the Chairman of the Industry Council, It is hereby determined that:

(a) Respondent owns and operates an establishment which is a wholesaler of sugar.

(b) Respondent has violated Rationing Order No. 3, sugar rationing regulations, (§ 1407.102) in that on May 7, 1942, respondent accepted delivery of 40,000 pounds of sugar without surrendering any certificates or stamps in exchange therefor until July 29, 1942. Respondent had not included this sugar in his present inventory at the time of registration.

(c) Respondent has violated Rationing Order No. 3, sugar rationing regulations, (§ 1407.102) in that on or about May 7, 1942, respondent transferred to the Johnstown Sanitary Dairy Company of Johnstown, Pennsylvania, 20,000 pounds of sugar without receiving any certificates or stamps in exchange therefor.

Because of the great scarcity and critical importance of sugar in the United States respondent's violations of Rationing Order No. 3, sugar rationing regulations, has resulted in the diversion of sugar from military and essential uses to non-essential uses in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Chairman of the Industry Council that further violations by respondent are likely unless appropriate administrative action is taken.

It is therefore ordered:

(d) During the period in which this Suspension Order No. 214 shall be in effect.

(1) Respondent shall not accept any deliveries or transfers of or in any manner directly or indirectly receive from any source any sugar for resale.

(2) Respondent shall not transfer or deliver or otherwise trade or deal in sugar.

(3) No person shall in any manner directly or indirectly transfer or deliver any sugar to respondent for resale.

(e) Any terms used in this Suspension Order No. 214 that are defined in Rationing Order No. 3, sugar rationing regulations, shall have the meaning therein given them.

(f) This suspension order shall become effective 12:01 A. M. February 26, 1943 and unless sooner terminated shall expire 12:01 A. M. April 27, 1943.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.; E.O. 9125 (7 F.R. 2719); E.O. 9280 (7 F.R. 10179) W.P.B. Directive No. 1 (7 F.R. 562) and Supplementary Directive No. 1E (7 F.R. 2965))

Issued this 16th day of February 1943.

LOUIS H. HARRIS,
Chairman, Industry Council.

[F. R. Doc. 43-2567; Filed, February 16, 1943; 2:27 p. m.]

[Suspension Order 215]

ATLANTIC MOTOR SERVICE

ORDER RESTRICTING TRANSACTIONS

Robert Bell, doing business as the Atlantic Motor Service, 2437 West Passyunk Avenue, Philadelphia, Pennsylvania, hereinafter called respondent, was duly served with a notice of charges of violations of Ration Order No. 5A, gasoline rationing regulations, issued by the Office of Price Administration. Pursuant to the notice, a hearing upon the charges was held in Philadelphia, Pennsylvania, on December 2, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been duly considered by the Chairman of the Industry Council, It is hereby determined:

(a) Respondent is a dealer in gasoline and operates a gasoline filling station located at 2437 West Passyunk Avenue, Philadelphia, Pennsylvania.

(b) Respondent has violated Ration Order No. 5A, gasoline rationing regulations, (§§ 1394.1502 and 1394.1503), in that between July 22, and November 17, 1942, respondent transferred gasoline to consumers and accepted in exchange for such transfers 40 Class A, No. 3 coupons; 9 Class A, No. 4 coupons; 1 Class A, No. 5 and 6 Class A, No. 6 coupons.

Because of the great scarcity and critical importance of gasoline in Pennsylvania, respondent's violations of Ration Order No. 5A, gasoline rationing regulations, have resulted in the diversion of gasoline from military and essential civilian uses into non-essential uses in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Chairman of the Industry Council that further violations by respondent are likely unless appropriate administrative action is taken.

It is therefore ordered:

(c) During the period in which this Suspension Order No. 215 shall be in effect,

(1) Respondent shall not accept any deliveries or transfers of, or in any manner directly or indirectly receive from any source any gasoline for resale.

(2) Respondent shall not transfer or deliver or otherwise trade or deal in gasoline.

(3) No person shall in any manner, directly or indirectly transfer or deliver any gasoline to respondent for resale.

(d) Any terms used in this Suspension Order No. 215 that are defined in Ration Order No. 5A, gasoline rationing regulations, shall have the meaning therein given them.

This Suspension Order No. 215 shall become effective 12:01 A. M. February 26, 1943, and unless sooner terminated shall expire 12:01 A. M. March 13, 1943.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89 and 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719; WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 5216, 3877); Supplementary Directive 1Q (7 F.R. 9121))

Issued this 16th day of February 1943.

LOUIS H. HARRIS,
Chairman, Industry Council.

[F. R. Doc. 43-2568; Filed, February 16, 1943; 2:27 p. m.]

[Suspension Order 217]

CHARLEY'S TIRE STATION

ORDER RESTRICTING TRANSACTIONS

Charles Lucerne, doing business as Charley's Tire Station, Main Street, Bloomingdale, New Jersey, hereinafter called respondent, was duly served with a notice of charges of violations of Ration Order No. 5A, gasoline rationing regulations, issued by the Office of Price Administration. Pursuant to the notice a hearing upon the charges was held in Newark, New Jersey, on December 23, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been considered by the Chairman of the Industry Council, It is hereby determined that:

(a) Respondent is a dealer in gasoline and operates a filling station known as Charley's Tire Station at Main Street, Bloomingdale, New Jersey.

(b) Respondent has violated Ration Order No. 5A, gasoline rationing regulations, (§§ 1394.1502 and 1394.1503) in that between July 22, 1942, and November 18, 1942, respondent transferred gasoline to consumers and into the fuel tanks of motor vehicles in exchange for 184 Class A. No. 3 and 7 Class A. No. 4 gasoline ration coupons.

Because of the great scarcity and critical importance of gasoline in New Jersey, violations of the gasoline rationing regulations by respondent necessarily have resulted in the diversion of gasoline from military and essential uses to non-essential uses in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Chairman of the Industry Council that further violations of the gasoline rationing regulations by respondent are likely unless appropriate administrative action is taken.

It is therefore ordered:

(c) During the period in which this Suspension Order No. 217 shall be in effect,

(1) Respondent shall not in any manner, directly or indirectly, sell, transfer or deliver gasoline to any person.

(2) Respondent shall not in any manner directly or indirectly accept any deliveries or transfers of gasoline for resale.

(3) No person shall in any manner directly or indirectly transfer or deliver any gasoline to respondent for resale.

(d) Any terms used in this Suspension Order No. 217 that are defined in Ration Order No. 5A, gasoline rationing regulations, shall have the meaning therein given them.

(e) This Suspension Order No. 217 shall become effective at 12:01 A. M. February 26, 1943 and shall remain in effect until March 13, 1943.

(Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89 and 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216; Supplementary Directive 1Q (7 F.R. 9121))

Issued this 16th day of February 1943.

LOUIS H. HARRIS,
Chairman, Industry Council.

[F. R. Doc. 43-2569; Filed, February 16, 1943; 2:27 p. m.]

[Suspension Order 218]

CAMEL'S SERVICE STATION

ORDER RESTRICTING TRANSACTIONS

Joseph M. Camel, doing business as Camel's Service Station, Route No. 10 and Salem Street, Dover, New Jersey, hereinafter called respondent, was duly served with a notice of charges of violations of Ration Order No. 5A, gasoline rationing regulations, issued by the Office of Price Administration. Pursuant to the notice, a hearing upon the charges was held in Newark, New Jersey, on December 11, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been duly considered by the Administrator, It is hereby determined:

(a) Respondent is a dealer in gasoline and operates a gasoline filling station located at Route No. 10 and Salem Street, Dover, New Jersey.

(b) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations, (§ 1394.1502), in that on various occasions between July 22 and November 17, 1942, respondent transferred gasoline to consumers and into the fuel tanks of their motor vehicles without receiving in exchange therefor any gasoline ration coupons. Such transfers were not within the classes of transfers of gasoline permitted by the provisions of Ration Order No. 5A, Gasoline Rationing Regulations, to be made without the exchange of gasoline ration coupons.

(c) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations, (§§ 1394.1502 and 1394.1503) in that on various occasions between July 22 and November 17, 1942, respondent transferred gasoline to consumers and into the fuel tanks of their motor vehicles and accepted in exchange for such transfers thirty Class A, No. 3 gasoline ration coupons.

Because of the great scarcity and critical importance of gasoline in Washington, D. C., respondent's violations of Ration Order No. 5A, Gasoline Rationing Regulations, have resulted in the diversion of gasoline from military and essential civilian uses into non-essential uses, in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Chairman of the Industry Council that further violations by respondent are likely unless appropriate administrative action is taken.

It is therefore ordered:

(d) During the period in which this Suspension Order No. 218 shall be in effect,

(1) Respondent shall not accept any deliveries or transfers of, or in any manner directly or indirectly receive from any source any gasoline for resale.

(2) Respondent shall not transfer or deliver or otherwise trade or deal in gasoline.

(3) No person shall in any manner, directly or indirectly transfer or deliver any gasoline to respondent for resale.

(e) Any terms used in this Suspension Order No. 218 that are defined in Ration Order No. 5A, Gasoline Rationing Regulations, shall have the meaning therein given them.

(f) This Suspension Order No. 218 shall become effective 12:01 a. m. February 26, 1943, and unless sooner terminated, shall expire 12:01 a. m. March 8, 1943.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89 and 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); W.P.B. Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216; Supplementary Directive 1Q (7 F.R. 9121))

Issued this 16th day of February 1943.

LOUIS H. HARRIS,
Chairman, Industry Council.

[F. R. Doc. 43-2570; Filed, February 16, 1943; 2:27 p. m.]

[Order 157 Under MPR 188]

COLUMBUS HEATING AND VENTILATING CO.

AUTHORIZATION OF MAXIMUM PRICES

Correction

Item No. 112 of paragraph (b) of the document appearing on page 1904 of the issue for Friday, February 12, 1943, should read "*No. 112—90° vertical stack ell, to metal:*".

[Order 158 Under MPR 188]

STREATOR FURNITURE, INC.

APPROVAL OF MAXIMUM PRICES

Correction

The first paragraph of the document appearing on page 1989 of the issue for Saturday, February 13, 1943, should read: "Order No. 158 under § 1499.158 of Maximum Price Regulation No. 188 • • •."

2223 43

FEDERAL REGISTER

VOLUME 8 NUMBER 35

Washington, Friday, February 19, 1943

Regulations

TITLE 7—AGRICULTURE

Chapter IV—Federal Crop Insurance Corporation

PART 403—1941 WHEAT CROP INSURANCE REGULATIONS

By virtue of the authority vested in the Federal Crop Insurance Corporation by the Federal Crop Insurance Act, approved February 16, 1938, as amended, the 1941 Wheat Crop Insurance Regulations are amended as follows:

Section 403.64 of the 1941 Wheat Crop Insurance Regulations is amended by deleting the semicolon at the end of item 1 thereof, inserting a comma, and adding the following provision:

• • • unless the Corporation determines that all or part of such threshed wheat was unmerchantable, in which case the amount to be included in the total production representing the unmerchantable wheat may be determined by appraisal;

(Secs. 506 (a), 516 (b); 52 Stat. 73, 77, 7 U.S.C. 1940 ed., 1506 (e), 1516 (b))

Adopted by the Board of Directors on December 22, 1942.

[SEAL] M. CLIFFORD TOWNSEND,
Chairman.

Approved: February 17, 1943.

GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 43-2699; Filed, February 18, 1943; 11:50 a. m.]

PART 404—1942 WHEAT CROP INSURANCE REGULATIONS

By virtue of the authority vested in the Federal Crop Insurance Corporation by the Federal Crop Insurance Act, approved February 16, 1938, as amended, the 1942 Wheat Crop Insurance Regulations[1] are amended as follows:

Section 404.64 of the 1942 Wheat Crop Insurance Regulations is amended by deleting the semicolon at the end of item 1 thereof, inserting a comma, and adding the following provision:

• • • unless the Corporation determines that all or part of such threshed wheat was unmerchantable, in which case the amount to be included in the total production representing the unmerchantable wheat may be determined by appraisal;

(Secs. 506 (e), 516 (b); 52 Stat. 73, 77, 7 U.S.C. 1940 ed., 1506 (e), 1516 (b))

Adopted by the Board of Directors on December 22, 1942.

[SEAL] M. CLIFFORD TOWNSEND,
Chairman.

Approved: February 17, 1943.

GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 43-2700; Filed, February 18, 1943; 11:50 a. m.]

PART 405—1943 WHEAT CROP INSURANCE REGULATIONS

By virtue of the authority vested in the Federal Crop Insurance Corporation by the Federal Crop Insurance Act, approved February 16, 1938, as amended, the 1943 Wheat Crop Insurance Regulations (7 F.R. 4811) are amended as follows:

Section 405.12 of the 1943 Wheat Crop Insurance Regulations is amended by deleting the semicolon at the end of item 1 thereof, inserting a comma, and adding the following provision:

• • • unless the Corporation determines that all or part of such threshed wheat was unmerchantable, in which case the amount to be included in the total production representing the unmerchantable wheat may be determined by appraisal;

[1] 6 F.R. 3513; 7 F.R. 1746, 4399, 4470, 6179.

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FEDERAL REGISTER

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(Secs. 506 (e), 516 (b); 52 Stat. 73, 77 7 U.S.C. 1940 ed., 1506 (e), 1516 (b))

Adopted by the Board of Directors on December 22, 1942.

[SEAL] M. CLIFFORD TOWNSEND, *Chairman.*

Approved: February 17, 1943.

GROVER B. HILL, *Acting Secretary of Agriculture.*

[F. R. Doc 43-2701; Filed, February 18, 1943; 11:50 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter II—Aircraft

PART 21—USE OF ARMY AIRCRAFT

PASSENGERS IN AIRCRAFT; AUTHORIZATION

Section 21.3 (a) (1) (i) is amended as follows:

§ 21.3 *Passengers in aircraft; authorization.* • • •

(a) (1) On flights which may extend beyond the local flying area:

(i) Military personnel of the Army of the United States, Navy, Marine Corps, Coast Guard, personnel of the Army Specialist Corps, Women's Army Auxiliary Corps, and commissioned officers of the United States Coast and Geodetic Survey. (R.S. 161; 5 U.S.C. 22) [Par. 1, AR 95–90, August 24, 1942, as amended by C 1]

• • • • • •

[SEAL] J. A. ULIO, *Major General, The Adjutant General.*

[F. R. Doc. 43-2682; Filed, February 18, 1943; 9:31 a. m.]

PART 23—ASSISTANCE TO AIRCRAFT OF FOREIGN REGISTRY

GOVERNMENT-OWNED AIRCRAFT

Sections 23.1 (b), 23.3, 23.4 and 23.5 are amended as follows:

§ 23.1 *Authority.* • • •

(b) *Government-owned aircraft of foreign registry.* Air base and air navigation facilities owned or operated by the War Department may be made available for the use of operators of Government-owned aircraft of foreign registry upon request by the aircraft commander to the Commanding General, Army Air Forces, or such officer as he may designate, or commanding officers of Army Air Forces stations. (44 Stat. 571, 53 Stat. 795; 49 U.S.C. 175, 22 U.S.C. 259) [Par. 2b, AR 95–55, July 13, 1942]

• • • • • •

§ 23.3 *Rules to be observed.* (a) Operators of aircraft of foreign registry utilizing the air navigation facilities owned or operated by the War Department will be required to comply with the air and ground rules and regulations promulgated by the War Department, the Commanding General, Army Air Forces, or the commanding officer of the establishment to which the facilities being employed pertain.

(b) Any violation of these rules and regulations will be made the subject of a report to the War Department. (44 Stat. 571, 53 Stat. 795; 49 U.S.C. 175, 22 U.S.C. 259) [Par. 4, AR 95–55, July 13, 1942]

§ 23.4 *Emergency sales.* The provisions of section II, AR 95–50, (§§ 22.4 to 22.7), apply to all aircraft of foreign registry except as follows:

(a) Commanding officers of Army Air Forces stations are authorized to make emergency sales of aircraft fuel, oil, equipment, and supplies, and to furnish mechanical service, temporary shelter, and other assistance to operators of civil aircraft of foreign registry for cash in emergency, when such supplies or assistance are required in order that the aircraft may continue to the nearest commercial airport, subject to the provisions of §§ 23.1 (c) and 23.5.

(b) Commanding officers of Army Air Forces stations are authorized to make sales of aircraft fuel, oil, equipment, and supplies, and to furnish mechanical service, temporary shelter, and other assistance to operators of Government-owned aircraft of foreign registry under such regulations as may be promulgated by the Commanding General, Army Air Forces.

(c) Commanding officers of Army Air Forces stations are authorized to furnish shelter without charge, and to furnish mechanical service and other assistance at cost and to sell at cost fuel, oil, equipment, and supplies for any aircraft operated by any foreign military or air attaché accredited to the United States, subject to § 23.5. (44 Stat. 571, 53 Stat. 795; 49 U.S.C. 175, 22 U.S.C. 259) [Par. 5, AR 95–55, July 13, 1942]

§ 23.5 *Responsibility of the War Department.* (a) The War Department will accept no responsibility for the quality or condition of the fuel, oil, or supplies sold, or the competence or skill of the mechanical service furnished to operators of aircraft of foreign registry.

(b) Requests for fuel, oil, supplies, or services in connection with aircraft of foreign registry will be made in writing by the aircraft commander, who will specify in detail the kind of fuel, oil, or supplies desired or the precise services to be furnished.

(c) The operator of the aircraft of foreign registry or a subordinate designated by him requesting mechanical service at the Army Air Forces station will personally supervise the performance of any services rendered and upon completion of the work will release the United States from all responsibility by written certificate stating that the supplies furnished and work performed have been satisfactory, and, if the aircraft is to be flown from that station, that it is airworthy.

(d) Aircraft of foreign registry will not be cleared nor permitted to take off from Army Air Forces stations until such certificate of airworthiness has been made by the aircraft operator. (44 Stat. 571, 53 Stat. 795; 49 U.S.C. 175, 22 U.S.C. 259) [Par. 6, AR 95–55, July 13, 1942]

[SEAL] J. A. ULIO, *Major General, The Adjutant General.*

[F. R. Doc. 43-2681; Filed, February 18, 1943; 9:31 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter IV—Secret Service

PART 405—ILLUSTRATION OF WAR SAVINGS BONDS AND STAMPS

FEBRUARY 17, 1943.

Part 405 of the regulations of May 9, 1942 (7 F.R. 3471) is hereby amended to read as follows:

§ 405.1 *Authority.* This authorization is made under authority of section 150 of the Act of March 4, 1909, 35 Stat. 1116 (18 U.S.C. 264) and under all other authority vested in the Secretary of the Treasury.

§ 405.2 *Illustrations authorized.* (a) Authority is hereby given to make, hold, dispose of and use illustrations of War Savings Bonds and War Savings Stamps for publicity purposes in connection with the campaign for the sale of War Savings Bonds and Stamps: *Provided,* That illustrations of stamps are of a size less than three-quarters or more than one and one-half, in linear dimension, of each part of such stamp.

(b) The making of any reproduction of a War Savings Bond or Stamp in any manner or in any form other than as provided in these regulations is not permitted.

§ 405.3 *Modification or revocation.* This authorization may be modified or revoked at any time.

[SEAL] D. W. BELL, *Acting Secretary of the Treasury.*

[F. R. Doc. 43-2691; Filed, February 18, 1943; 11:40 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 174]

REQUEST FOR TRANSFER FOR DELIVERY

ORDER PRESCRIBING FORM

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301–318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 154, entitled "Request for Transfer for Delivery," effective immediately upon the filing hereof with the Division of the Federal Register.[1]

The foregoing revision shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY, *Director.*

JANUARY 28, 1943.

[F. R. Doc. 43-2685; Filed, February 18, 1943; 10:35 a. m.]

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment 13]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

§ 801.2 *Prohibited exportations*[2] is hereby amended in the following particulars:

1. In the column headed "Shipping Priority Rating" the shipping priority ratings assigned to the commodities listed below (at every place where said commodities appear in said section) are deleted and in the column headed "General License Group" the group designations assigned to the commodities listed below (at every place where said commodities appear in said section) are amended to read as follows:

Commodity	Department of Commerce No.	General license group	Shipping priority rating
Boots and shoes, infants and children	0648.00	None	.....
Boots and shoes, men's McKay sewed	0645.10	None	.....
Boots and shoes, men's stitchdown	0645.40	None	.....
Boots and shoes, men's welt	0645.30	None	.....
Boots and shoes, men's n. e. s.	0645.90	None	.....
Boots and shoes, women's and misses, McKay sewed	0647.10	None	.....
Boots and shoes, women's and misses, stitchdown	0647.40	None	.....
Boots and shoes, women's and misses, turn or turned	0647.20	None	.....
Boots and shoes, women's and misses, with cemented soles (compo, argo, stuck-on, etc.)	0647.50	None	.....
Boots and shoes, women's and misses, welt	0647.30	None	.....
Boots and shoes, women's and misses, n. e. s.	0647.90	None	.....
Boots and shoes, youths' and boys'	0646.00	None	.....
Boots, shoes, and other footwear, leather soled with uppers of material other than leather (include evening slippers, ballet slippers, house slippers of felt and artificial leather, beach sandals and other footwear with fabric uppers)	0656.10	None	.....
Slippers (for housewear all leather)	0650.00	None	.....

[1] Form filed as part of the original document.

[2] 8 F.R. 1494, 1879, 1616, 1709.

2. In the column headed "Shipping Priority Rating" the shipping priority ratings assigned to the following commodities (at every place where said commodities appear in said section) are deleted:

Commodity	Department of Commerce No.
Flavoring extracts, synthetic	8295.90
Rice flour, meal, and polish	1058.00
Rice, milled, including brown, broken, rice and rice screenings	1057.00
Soap, laundry	8713.00
Soap, medicated	8710.00
Soap, powdered or flaked	8716.00
Soap, toilet or fancy	8712.00
Soap, n. e. s.	8729.00

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 40, 8 F.R. 1938)

Dated: February 13, 1943.

A. N. ZIEGLER, *Acting Chief of Office, Office of Exports.*

[F. R. Doc. 43-2689; Filed, February 18, 1943; 11:32 a. m.]

[Amendment 14]

PART 802—GENERAL LICENSES

IN TRANSIT LICENSES

Paragraph (d) of § 802.9 *General in transit licenses* (8 F.R. 1549) is hereby amended by adding to the list of commodities contained therein the following:

Commodity	Schedule B No.
Meters, electric, measuring and watt-hour	7035.00

This amendment shall become effective February 25, 1943, but shall not apply to licensed shipments of the above commodity which were on dock, on lighter, laden aboard the exporting carrier, or in transit to ports of exist pursuant to actual orders for export on or before said effective date.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 40, 8 F.R. 1938.)

Dated: February 17, 1943.

A. N. ZIEGLER, *Acting Chief of Office, Office of Exports.*

[F. R. Doc. 43-2690; Filed, February 18, 1943; 11:32 a. m.]

Chapter XI—Office of Price Administration

PART 1499—COMMODITIES AND SERVICES

[Order 266 Under § 1499.3 (b) of GMPR]

BRAY, STANLEY AND ELLIS, INC.

Bray, Stanley and Ellis, Incorporated, 83 Lincoln Street, Boston, Massachusetts, made application under § 1499.3 (b) of the General Maximum Price Regulation for approval of maximum prices for its new line of men's felt gaiters. Due consideration has been given to the application and an opinion in support of this

order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* For the reasons set forth in the opinion and under the authority vested in Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration *It is ordered:*

§ 1499.1722 *Approval of maximum prices for sale by Bray, Stanley and Ellis, Incorporated of men's unlined felt gaiters made of a felt fabricated with an osnaburg cotton base.* (a) On and after February 18, 1943, the maximum prices at which Bray, Stanley and Ellis, Incorporated, 83 Lincoln Street, Boston, Massachusetts, may sell, deliver and offer for sale its men's felt gaiters made of a felt fabricated with an osnaburg cotton base shall be as follows:

Stock No.:	*Maximum price*
8112	$1.60
8118	2.25
8120	1.80
8123	2.10
8128	2.25
8130	1.95
8137	2.60
8138	2.45

(b) The maximum prices authorized by this Order No. 286 shall be subject to discounts, allowances and terms no less favorable than those in effect during March 1942, for sale by Bray, Stanley and Ellis, Incorporated, of its felt gaiters made with a burlap base. This discount shall include but is not limited to the customers' discount of 5% which was offered during March 1942 by the corporation on its sales of men's felt gaiters with a burlap base.

(c) The maximum prices authorized by paragraph (a) of this Order No. 286 shall be subject to adjustment at any time by the Office of Price Administration.

(d) This Order No. 286 may be amended or revoked by the Office of Price Administration at any time.

(e) This Order No. 286 shall become effective February 18, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 17th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2653; Filed, February 17, 1943; 11:57 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 287 Under § 1499.3 (b) of GMPR]

BUHL STAMPING COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1723 *Approval of maximum prices for sales of victory type milk shipping containers manufactured by Buhl Stamping Company of Detroit, Michigan.* (a) Any person may sell and deliver and any person may buy or receive victory type milk shipping containers manufactured by Buhl Stamping Company of Detroit, Michigan at prices not in excess of those set forth in price list No. 1142 issued by said Buhl Stamping Company a copy of which has been received and is on file with this Office.

(b) All freight equalization practices and allowances, and discounts, applicable to the sale of the old-type cans for which these new cans are now being substituted, whether based on quantity, type of purchaser or any other cause shall be applicable to the sales of these new cans.

(c) Buhl Stamping Company must advise all brokers, wholesalers, jobbers or retailers to whom it sells and such brokers, wholesalers and jobbers must advise all retailers to whom they sell, of the maximum prices established by this order in the following manner:

The maximum price of "Victory Type" _____ size has been established by the Office of Price Administration at $____ each. The steel content of this container has been reduced in order to release steel for essential war purposes. This price does not disturb any allowances and discounts which you have formerly received.

(d) This Order No. 287 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 287 (§ 1499.1723) shall become effective February 18, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 17th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2654; Filed, February 17, 1943; 11:56 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 288 Under § 1499.3 (b) of GMPR]

GEUDER, PAESCHKE & FREY CO.

For the reasons set forth in an opinion issued simultaneously herewith: *It is ordered:*

§ 1499.1724 *Approval of maximum prices for sales of victory type milk shipping containers manufactured by Geuder, Paeschke & Frey Company of Milwaukee, Wisconsin.* (a) Any person may sell and deliver and any person may buy or receive victory type milk shipping containers manufactured by Geuder, Paeschke & Frey Company of Milwaukee, Wisconsin at the following maximum prices:

	Carload	300 or more	25 to 299	24 or less
Minnesota pattern				
#55	$2.80	$3.00	$3.10	$3.25
#887	3.50	3.70	3.85	4.05
#1017	3.65	3.85	4.00	4.20
Smith, solderless:				
#708	4.50	4.80	4.95	5.15
#710	4.65	4.90	5.05	5.25

(b) All freight equalization practices and allowances, and discounts, applicable to the sale of the old-type cans for which these new cans are now being substituted, whether based on quantity, types of purchaser or any other cause shall be applicable to the sales of these new cans.

(c) Geuder, Paeschke & Frey Company of Milwaukee, Wisconsin must advise all brokers, wholesalers, jobbers or retailers to whom it sells and such brokers, wholesalers and jobbers must advise all retailers to whom they sell, of the maximum prices established by this order in the following manner:

The maximum price of "Victory Type" _____ size has been established by the Office of Price Administration at $____ each. The steel content of this container has been reduced in order to release steel for essential war purposes. This price does not disturb any allowances and discounts which you have formerly received.

(d) This Order No. 288 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 288 (§ 1499.1724) shall become effective February 18, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 17th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2655; Filed, February 17, 1943; 11:57 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 289 Under § 1499.3 (b) of GMPR]

SOLAR-STURGES MFG. CO.

For the reasons set forth in an opinion issued simultaneously herewith: *It is ordered:*

§ 1499.1725 *Approval of maximum prices for sales of victory type milk shipping containers manufactured by Solar-Sturges Mfg. Co., of Melrose Park, Illinois.* (a) Any person may sell and deliver and any person may buy or receive victory type milk shipping containers manufactured by Solar-Sturges Mfg. Co., of Melrose Park, Illinois, at the following maximum prices:

ROLL BOTTOM "VICTORY" PATTERN

Capacity	Carload	300 or more but L. C. L.	25 to 299	24 or less
20-qt.	$2.80	$3.00	$3.10	$3.25
32-qt.	3.67	3.87	4.02	4.22
32-qt.	3.72	3.92	4.07	4.27
40-qt.	3.82	4.02	4.17	4.37
40-qt.	3.87	4.07	4.22	4.42

Prices include No. 9 or 9-A Plug Covers on 6¼" neck cans, and No. 10 or 10-A Plug Covers on 7¼" neck cans.

HOOP BOTTOM "VICTORY" PATTERN

Capacity	Carload	300 or more but L. C. L.	25 to 299	24 or less
20-qt.	$3.00	$3.20	$3.30	$3.50
32-qt.	3.97	4.27	4.42	4.62
40-qt.	4.12	4.37	4.52	4.72

Prices include No. 9 or 9-A Plug Cover on 6¼" neck can and No. 10 or 10-A Plug Covers on 7¼" neck cans.

SOLDERLESS PATTERN "VICTORY" CAN

Capacity	Carload	300 or more but L. C. L.	25 to 299	24 or less
20-qt.	$3.55	$3.75	$3.85	4.05
32-qt.	4.52	4.82	4.97	5.17
40-qt.	4.67	4.92	5.07	5.27

Prices include No. 9 or No. 9-A Plug Cover on 6¼" neck can and No. 10 or 10-A Plug Covers on 7¼" neck cans.

(b) All freight equalization practices and allowances and discounts, applicable to the sale of the old-type cans for which these new cans are now being substituted, whether based on quantity, types of purchaser or any other cause shall be applicable to the sales of these new cans.

(c) Solar-Sturges Mfg. Co., of Melrose Park, Illinois must advise all brokers, wholesalers, jobbers or retailers to whom it sells and such brokers, wholesalers and jobbers must advise all retailers to whom they sell, of the maximum prices established by this order in the following manner:

The maximum price of "Victory Type" _____ size has been established by the Office of Price Administration at $____ each. The steel content of this container has been reduced in order to release steel for essential war purposes. This price does not disturb any allowances and discounts which you have formerly received.

(d) This Order No. 289 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 289 (§ 1499.1725) shall become effective February 18, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 17th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2656; Filed, February 17, 1943; 11:59 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 290 Under § 1499.3 (b) of GMPR]

ATLANTIC STAMPING CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1726 *Approval of maximum prices for sales of victory type milk shipping containers manufactured by Atlantic Stamping Company of Rochester, New York.* (a) Any person may sell and deliver and any person may buy or receive victory type milk shipping containers manufactured by Atlantic Stamping Company of Rochester, New York at prices not in excess of those set forth in price list No. 1142 issued by said Atlantic Stamping Company, a copy of which has been received and is on file with this office.

(b) All freight equalization practices and allowances, and discounts, applicable to the sale of the old-type cans for which these new cans are now being substituted, whether based on quantity, type of purchaser or any other cause shall be applicable to the sales of these new cans.

(c) Atlantic Stamping Company must advise all brokers, wholesalers, jobbers or retailers to whom it sells and such brokers, wholesalers and jobbers must advise all retailers to whom they sell, of the maximum prices established by this order in the following manner:

The maximum price of "Victory Type" _____ size has been established by the Office of Price Administration at $____ each. The steel content of this container has been reduced in order to release steel for essential war purposes. This price does not disturb any allowances and discounts which you have formerly received.

(d) This Order No. 290 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 290 (§ 1499.1726) shall become effective February 18, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 17th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2657; Filed, February 17, 1943; 11:57 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 201 Under § 1499.18 (b) of GMPR]

MITTET LINE & NET CO.

Order No. 201 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF1-874-P.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1801 *Adjustment of maximum prices for single-ply and three-ply fishing line manufactured and sold by Mittet Line & Net Company, of Seattle, Washington.* (a) Mittet Line & Net Company, Seattle, Washington, may sell and deliver, and any person may buy from that company, single-ply and three-ply fishing line at prices per pound not in excess of the following:

	Single-ply	Three-ply
	Cents	*Cents*
40 and 48 pound line	44	46
28 and 32 pound line	46	48
16 pound line	47	49
14 pound line	49	51
12 pound line	52	54
10 pound line	54	56
8 pound line	56	58

(b) Maximum prices set forth in paragraph (a) herein shall be subject to the same terms and conditions of sale as Mittet Line & Net Company offered during 1942 to each class of customers.

(c) Mittet Line & Net Company shall cause the following written notice to be sent to all persons to whom it sells fishing line:

The Office of Price Administration has permitted us to raise our maximum prices for sales to you of fishing line, as follows:

[Adjusted maximum price]

	Single-ply	Three-ply
	Cents	*Cents*
40 and 48 pound line	44	46
28 and 32 pound line	46	48
16 pound line	47	49
14 pound line	49	51
12 pound line	52	54
10 pound line	54	56
8 pound line	56	58

The amount of the increase of these prices over our previous maximum prices represents only that part of cost increases which we were unable to absorb, and was granted with the understanding that wholesale and retail prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise the maximum prices on a resale of any of these items.

(d) All prayers of the protest not granted herein are denied.

(e) This Order No. 201 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 201 (§ 1499.1801) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 201 (§ 1499.1801) shall become effective February 18, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 17th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2658; Filed, February 17, 1943; 11:59 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 202 Under § 1499.18 (b) of GMPR]

MARTIN DENNIS CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1802 *Adjustment of maximum prices for "1010 Oil", manufactured by the Martin Dennis Company.* (a) The Martin Dennis Company, 839 Summer Avenue, Newark, New Jersey, may sell and deliver, and any person may buy and receive from the Martin Dennis Company "1010 Oil" at prices not higher than the following:

1010 Oil, $10.50 per 100 pounds, f. o. b. producer's plant.

(b) This Order No. 202 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 202 (§ 1499.1802) is hereby incorporated as a section of supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(d) This Order No. 202 (§ 1499.1802) shall become effective February 18, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 17th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2659; Filed, February 17, 1943; 11:59 a. m.]

*Copies may be obtained from the Office of Price Administration.

PART 1499—COMMODITIES AND SERVICES

[Order 16, Under § 1499.29 of GMPR]

HOMER E. CLARK

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.416 *Denial of application for adjustment of maximum prices of agricultural liming materials sold by Homer E. Clark to Agricultural Adjustment Agency.* (a) The application of Homer E. Clark, of Eudora, Kansas, filed with the Agricultural Adjustment Agency, and transmited to the Office of Price Administration on January 2, 1943, requesting adjustment of his maximum prices of agricultural liming materials for sale to Agricultural Adjustment Agency, is denied.

(b) The applicant may submit to the Office of Price Administration additional facts in support of his application within 15 days of the effective date of this order.

(c) This order No. 16 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 16 (§ 1499.416) shall become effective February 18, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 17th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2649; Filed, February 17, 1943; 11:56 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 24 Under Supp. Reg. 15 to GMPR]

HOWARD A. HARBOURT

Order No. 24 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation—Docket No. GF3-2641.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1324 *Adjustment of maximum prices for contract carrier services for Howard A. Harbourt of 169 Marshall Avenue, Trenton, New Jersey.* (a) Howard A. Harbourt of 169 Marshall Avenue, Trenton, New Jersey, may sell and deliver contract carrier services at not more than $1.875 per hour for the services of a 1½ ton truck with driver and helper.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 24 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 24 (§ 1499.1324) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 24 (§ 1499.1324) shall become effective February 18, 1943.

(Pub. Law No. 421, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 17th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2650; Filed, February 17, 1943; 11:56 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 25 Under Supp. Reg. 15 to GMPR]

FREIGHTMASTERS, INC.

Order No. 25 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation—Docket No. GF3-1226.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1325 *Adjustment of maximum prices for contract carrier services by Freightmasters, Inc., a Missouri corporation with principal offices located in Kansas City, Missouri.* (a) Freightmasters, Inc., a Missouri corporation with principal offices located in Kansas City, Missouri, may sell and deliver contract carrier services at prices not to exceed 6% above the maximum prices established by it in March, 1942.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 25 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 25 (§ 1499.1325) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by §1499.2.

(e) This Order No. 25 (§ 1499.1325) shall become effective February 18, 1943.

(Pub. Law No. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 17th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2651; Filed, February 17, 1943; 11:56 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 26 Under Supp. Reg. 15 to GMPR]

ZUZICH TRUCK LINE

Order No. 26 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation—Docket No. GF3-1227.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1326 *Adjustment of maximum prices for contract carrier services by George Zuzich doing business as Zuzich Truck Line of Kansas City, Missouri.* (a) George Zuzich an individual doing business as Zuzich Truck Line of Kansas City, Missouri, may sell and deliver contract carrier services at prices not to exceed 1% above the maximum prices established by him in March, 1942.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 26 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 26 (§ 1499.1326) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 26 (§ 1499.1326) shall become effective February 18, 1943.

(Pub. Laws No. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 17th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2652; Filed, February 17, 1943; 11:59 a. m.]

PART 1305—ADMINISTRATION

[General Ration Order 6]

WAR RATION BOOK TWO

§ 1305.41 *The issuance and use of War Ration Book Two.* Under the authority vested in the Administrator by Executive Orders No. 9125 and 9280, issued by the President on April 7, 1942 and December 5, 1942, respectively, Directive No. 1 and Supplementary Directive No. 1-M of the War Production Board, issued on January 24, 1942 and September 12, 1942, respectively, and Food Directive No. 1 issued by the Secretary of Agriculture on January 16, 1943, General Ration Order 6 (War Ration Book Two), which is annexed hereto and made a part hereof, is hereby issued.

GENERAL RATION ORDER 6—WAR RATION BOOK TWO

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AUTHORITY: § 1305.41, issued under Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. No. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10178; W.P.B. Directive No. 1, 7 F.R. 562, and Supplementary Directive 1-M, 7 F.R. 7234, and Food Directive No. 1, 8 F.R. 827.

SECTION 1.1 *War Ration Book Two.* War Ration Book Two (OPA Form No. R-121) may be used to get rationed commodities designated by the Office of Price Administration. A War Ration Book Two issued to any person shall remain the property of the United States, and may be used by such person only in a way permitted by the Office of Price Administration.

SEC. 1.2 *Who may get War Ration Book Two.* (a) Every person may get War Ration Book Two (OPA Form No. R-121) upon proper application unless:

(1) He is confined in a prison, asylum, or similar institution of involuntary confinement, whether public or private; or

(2) He is a member of the armed forces of the United States and is receiving subsistence in kind or is messed separately under an officer's command.

(b) No person shall apply for, or have, more than one War Ration Book Two for his own use.

SEC. 1.3 *Consumer declaration must accompany application.* (a) Every application for War Ration Book Two must be accompanied by a declaration (OPA Form No. R-1301) filled out and signed by the applicant or his agent.

(b) A separate declaration must be filed for each family unit and for each person who is not a member of a family unit, on behalf of whom application for War Ration Book Two is made. "Family unit" includes all persons related by blood, marriage, or adoption, who regularly reside in the same household.

SEC. 1.4 *Application from February 21, to February 28, 1943.* (a) Only a person who has War Ration Book One, and who submits it with his declaration, may apply for War Ration Book Two between February 21 and February 28, 1943, inclusive.

SEC. 1.5 *Where to apply.* (a) Application for War Ration Book Two shall be made at the war price and rationing board for the place where the applicant lives, or at any other place designated by the Office of Price Administration. If the applicant has War Ration Book One, and cannot apply there without great inconvenience, he may apply at another board, or other place of registration.

SEC. 1.6 *How to apply*—(a) *By appearance.* (1) One adult member shall apply in person for all members of a family unit eligible to receive War Ration Book Two. If there is no adult member of a family unit, application for the members of the family unit shall be made by the oldest member or by a responsible adult. If, for any reason, one of the members of a family unit is not included in its Declaration, he shall file a separate declaration.

(2) All other applications must be made in person but if any person is unable to appear, an adult agent who can complete the declaration may apply for him.

(b) *By mail.* Applications may be made by mail, addressed to the office designated to receive such applications, if the Regional Administrator has announced that application by mail may be made in the applicant's community. Such announcement will be made only where personal appearance would be extremely difficult because of distance, transportation, or other conditions.

SEC. 1.7 *Stamps to be removed from War Ration Book One.* (a) Where the age shown on any War Ration Book One is under fourteen years, all coffee stamps (Stamps 19 to 28, inclusive) shall be removed. For every coffee stamp missing from such a book, one coffee stamp shall be removed from the War Ration Book One of the parent, guardian or other adult person in whose household the minor lives and in whose custody his War Ration Book One has been kept. However, the board may waive this requirement if it (or its member or representative at the place of registration) finds that the coffee stamps are missing because they were removed prior to issuance of the book or were removed by misunderstanding or by accident at any other time, and were not used to acquire coffee.

(b) For every full pound of coffee in excess of one owned on November 28, 1942, by an individual applicant, the registrar shall remove one coffee stamp from his War Ration Book One.

(c) Coffee held by a family unit shall be considered to be owned by those members of the family unit whose ages are fourteen years or over as shown on their War Ration Book One. The number of pounds of coffee owned by the family unit on November 28, 1942, in excess of the number of such persons shall be considered to be excess pounds. These stamps shall be removed as nearly equally as possible from the books of the members of the family unit whose ages as shown on their books are 14 years or over.

(d) If the number of coffee stamps to be removed from a War Ration Book One exceeds the number of stamps in it the number in excess shall be written in ink or indelible pencil by the registrar on the inside cover of the War Ration Book One as follows: "_____coffee". The persons to whom the book was issued shall be charged with such excess.

(e) Coffee stamps shall be removed in the following order: 27, 28, 25, 26, 23, 24, 21, 22, 19, 20.

SEC. 1.8 *Circling of age and return of War Ration Book One.* (a) To indicate that a War Ration Book Two has been issued against a War Ration Book One, the person issuing the War Ration Book Two shall draw a circle, in ink or indelible pencil, around the age written on War Ration Book One. After this has been done, and all the coffee stamps to be removed have been removed, each War Ration Book One received from the applicant shall be returned to him.

(b) War Ration Book Two shall not be issued for any person if a circle has been drawn around his age written on his War Ration Book One.

SEC. 1.9 *Stamps to be removed from War Ration Book Two.* (a) One eight-point blue stamp shall be removed from the War Ration Book Two, of an individual applicant for each can, bottle, or jar of canned processed foods in excess of five owned by him on February 21, 1943.

(b) Processed foods held by a family unit shall be considered to be owned by all members of the family unit. One eight-point blue stamp shall be removed from the War Ration Book Two of a member of the family unit for each can, bottle, or jar of canned processed food in excess of five for each member owned by the family unit on February 21, 1943.

(c) Only eight-point blue stamps shall be removed. Stamps shall be removed in alphabetical order as nearly equally as possible from the books of the members of a family unit. If the eight-point blue stamps to be removed from a War Ration Book Two exceed twenty-four the number in excess of twenty-four shall be written on the inside front cover of the book in ink or indelible pencil as follows "_____ cans."

(d) Processed foods in cans, bottles, or jars of less than eight ounces and home canned processed foods shall not be counted for the purposes of this section.

SEC. 1.10 *Issuance of War Ration Book Two.* (a) The person issuing a War Ration Book Two shall fill in the name of the person for whom it is issued, and the number and address of the board, on the front cover of the book. In addition, a validation stamp (OPA Form No. R-123) shall be pasted on the front cover of the book, over the space marked "This book not valid." The book shall then be signed by the issuing officer and given to the applicant or his agent.

(b) The person for whom the War Ration Book Two is issued, or his agent, shall write the serial number of the book across the bottom part of the validation stamp and shall fill in all the remaining information called for on the cover of the book. The book shall not be valid for use before this is done.

SEC. 1.11 *Procedure where application is by mail.* (a) Each application by mail shall be accompanied by the declaration, and by the War Ration Book One of each person covered by the declaration. All other provisions of this order dealing with the issuance of War Ration Book Two and application in person for Book Two shall apply to such applications by mail. Any Book Two issued pursuant to application by mail shall be mailed to the applicant along with all Books One received from him.

SEC. 1.12 *Application on or after March 1, 1943.* (a) Any war price and rationing board may refuse to accept applications for, or issue War Ration Book Two between March 1, and March 14, 1943, inclusive.

(b) Any person who did not receive War Ration Book Two prior to March 1, 1943, may apply for it on or after that date, unless the board at which he applies refuses to permit such application until after March 14, 1943. In such case, application may be made only on or after March 15, 1943.

(1) If such person has War Ration Book One, all the provisions of this order dealing with the issuance of War Ration Book Two to such a person shall apply. In addition, if War Ration Book Two is issued after one or more ration periods have ended, all the stamps which were valid during those periods must be removed before it is issued.

(2) If such person does not have War Ration Book One, application for War Ration Book Two may be made only at the board for the place where the applicant lives, and must be made in person. In addition to completing the declaration (OPA form No. R-1301), the applicant shall submit a special application on OPA Form No. R-315, stating why he does not

have Book One. If the board finds that the applicant does not have War Ration Book One and that he did not receive War Ration Book Two, it shall issue War Ration Book Two to him. All other provisions of this order dealing with application for, and issuance of War Ration Book Two, when a person has War Ration Book One, shall apply only so far as pertinent. If War Ration Book Two is issued after one or more ration periods have ended, all stamps which were valid during those periods must be removed before it is issued.

SEC. 1.13 *Disposition of forms and removal of stamps.* (a) All stamps removed from War Ration Books One and Two and all forms submitted by applicants may be disposed of only as authorized by the Office of Price Administration.

SEC. 1.14 *Surrender of War Ration Book Two.* (a) Within ten days after the death of a person to whom a War Ration Book Two has been issued, the person in possession of it shall turn it over to any board.

(b) When a person to whom a War Ration Book Two has been issued is confined in an institution of involuntary confinement, whether public or private, for a period likely to exceed ten days, he shall turn his book over to an official of the institution. The book shall be returned to him when he leaves the institution.

(c) A person to whom a War Ration Book Two has been issued shall turn it over to any local board when:

(1) He leaves the United States for a period of more than thirty days; or

(2) He becomes a member of the armed forces of the United States and will receive subsistence in kind or will be messed separately under an officer's command.

SEC. 1.15 *The Office of Price Administration may issue War Ration Book Two to law enforcement or investigatory government agencies.* (a) War Ration Book Two may be issued by the Office of Price Administration, on such terms and conditions as it may deem proper, to any law enforcement or investigatory agency of the United States, or of any state or local government for the use of such agencies, and for distribution to and use by their officers, agents, or employees in the performance of official duties which depend upon secrecy.

(b) Any such government agency may apply in writing (on its official stationery or letterhead) to the district office (or, where there is no district office, to the State office) for the place where its principal business office is located. The application shall state the number of books which it needs and the purposes for which the books will be used.

(c) The district (or State) office will issue the number of books which it finds will be needed by the government agency. Such books will be issued in blank.

SEC. 1.16 *Wrongful withholding prohibited.* (a) A person who has a War Ration Book Two which is not his shall, upon demand, deliver it to the person who is entitled to have it under this or any other order of the Office of Price Administration.

SEC. 1.17 *False statements prohibited.* (a) No person shall in any declaration, application or other document made pursuant to or required by the provisions of this order make or cause to be made any untrue statement of any fact, or omit, or cause to be omitted any statement of any fact required to be stated therein or necessary to make the statement therein not misleading.

(b) No person shall offer, solicit, attempt or agree to do, any act in violation of this order.

SEC. 1.18 *Suspension orders.* (a) Any person who violates General Ration Order 6 may, by administrative suspension order, be prohibited from acquiring or using any rationed commodity for such period as in the judgment of the Administrator, or such person as he may designate for such purpose, is necessary in the public interest and to promote the national security.

SEC. 1.19 *Definitions.* (a) When used in this order:

(1) "Applicant" means:

(i) Any person who applies for War Ration Book Two on his own behalf or on behalf of members of the family unit to which he belongs; and

(ii) Any person or family unit on whose behalf application is made by another who is not an applicant under (i) with respect to such application.

(2) "Coffee" means coffee as defined in Ration Order No. 12.

(3) "Processed foods" means processed foods as defined in Ration Order No. 13.[1]

This ration order shall become effective 12:01 a. m. February 21, 1943.

Issued this 17th day of February 1943

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43-2672, Filed, February 17, 1943; 3:59 p. m.]

PART 1305—ADMINISTRATION

[Supp Order 37]

AMENDING OR ADDING A PROHIBITION AGAINST SERVICE COMMISSIONS IN CERTAIN MAXIMUM PRICE REGULATIONS AND REVISED MAXIMUM PRICE REGULATIONS GOVERNING LUMBER

A statement of the considerations involved in the issuance of this supplementary order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, including Section 201 (d) thereof, *It is hereby ordered*, That:

§ 1305.43 *Prohibition against service commissions in certain regulations and revised regulations governing lumber.* (a) The prohibition against certain service commissions in the specified paragraph of each maximum price regulation or revised maximum price regulation listed in paragraph (b) of this order is amended, and a prohibition against service commissions is added by the specified paragraph of each maximum price regulation listed in paragraph (c) of this order, to read as follows:

It is unlawful for any person to charge, receive or pay a commission for the service of procuring, buying, selling or locating lumber, or for any related service (such as "expediting" which does not involve actual physical handling of lumber, if the commission plus the purchase price results in a total payment by the buyer of lumber which is higher than the maximum price of the lumber. For purposes of this Regulation, a commission is any service charge or payment which is figured either directly or indirectly on the basis of the quantity, price or value of the lumber in connection with which the service is performed.

(b) The numbers of the paragraphs containing the prohibitions against certain service commissions which are amended by this order, and the applicable maximum price regulations or revised maximum price regulations, are as follows:

Section:		Schedule or Regulation No.
1381.506	(c)	94
1382.105	(d)	97
1312.354	(c)	140
1381.404	(d)	210
138-.456	(c)	200

(c) The numbers of the paragraphs which add the prohibition against service commissions set forth in this order, and the applicable maximum price regulations, are as follows:

Section:		Schedule or Regulation No.
1381.204	(c)	19
1381.54	(c)	20
1382.4	(c)	146
1382.54	(c)	136
1425.6	(c)	215
1381.304	(d)	219
1381.254	(c)	222
1382.154	(c)	223
1382.205	(c)	231

This supplementary order shall become effective February 23, 1943.

(Pub Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 17th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2673, Filed, February 17, 1943; 3:50 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 207,[1] Amendment 3]

FROZEN FRUITS, BERRIES AND VEGETABLES

A statement of the considerations involved in the issuance of Amendment No. 3 to Maximum Price Regulation No. 207 has been issued and filed with the Division of the Federal Register.*

In § 1341.202, paragraphs (c) and (d) are amended and a new paragraph (i) is added, and in § 1341.206a a new paragraph (d) is added, as shown below.

§ 1341.202 *Packer's maximum prices for frozen fruits, berries and vegetables.* • • •

(c) If the maximum price for any kind, grade and container size of any frozen fruits, berries or vegetables cannot be determined under paragraphs (a), (b) or (i) of this section. • • •

(d) If the packer's maximum price cannot be determined under paragraphs (a), (b), (c), or (i) of this section, • • •

• • • • • •

(i) *New container types and sizes.* (1) The maximum price per dozen or other unit for a kind and grade of frozen fruits, berries or vegetables packed in any container type or size of which the packer made no sales during the first 60 days after the beginning of the 1941 pack shall be calculated as follows. He shall:

(i) *Determine the base container.* If the packer sold the same kind and grade of frozen fruits, berries or vegetables during the first 60 days following the beginning of the 1941 pack, but only in other container types or sizes, he shall first determine the most similar container type in which he is able to calculate a maximum price for that kind and grade of frozen fruits, berries or vegetables under this regulation (even though he no longer sells that container type). From that container type he shall choose the nearest size which is 50% or less larger, or if there is no such size, 50% or less smaller (even though he no longer sells those sizes). This will be the "base container." If there is no such smaller size, he shall go to the next most similar container type and proceed in the same manner to find the base container.

NOTE: In most cases "the most similar container type" will be merely the container type which the packer is adding to or replacing, like the tin which he may be replacing with glass. Where there has been only a size change, "the most similar container type" will, of course, be the same container type. This is also true in the reverse situation; where there has been a change only in container type, the "nearest size" will be the same size.

(ii) *Find the base price.* The seller shall take as the "base price" his maximum price per dozen, f. o. b. factory, for the kind and grade of frozen fruit, berries or vegetables when placed in the base container. However, if this maximum price is a price delivered to the purchaser or to any point other than the seller's factory, the seller shall first convert it to a base price f. o. b. factory by subtracting whatever transportation charges were included in it.

(iii) *Deduct the container cost.* Taking his base price, f. o. b. factory, the seller shall then subtract the direct cost of the base container. "Direct cost of the container" means the net cost, at the packer's factory, of the container, caps, label and proportionate part of the outgoing shipping carton, but it does not include costs of filling, closing, labeling or packing.

(iv) *Adjust for any difference in contents.* The figure obtained by this deduction shall then be adjusted, in the case of a size change, by dividing it by the number of ounces or other units in the base container and multiplying the result by the number of the same units in the new container.

(v) *Add the new container cost to get the price f. o. b. factory.* Next, the seller shall add to the adjusted figure the "direct cost of the container" in the new type and size. If his maximum price for the commodity in the base container is an f. o. b. factory price, the resulting figure is the seller's maximum price, f. o. b. factory.

(vi) *Convert to a maximum delivered price, if the maximum price for the base container is on a delivered basis.* If the seller's maximum price for the frozen fruit, berries or vegetables in the base container is a delivered price, he shall figure transportation charges to be added, as follows: The seller shall take the transportation charges which he first deducted to get his base price and adjust them in exact proportion to the difference in shipping weight. If for any reason the frozen fruit, berries or vegetables in the new container will move under a different freight tariff classification, the seller shall figure his transportation charges (by the same means of transportation and to the same destination) on the basis of the new shipping weight, but at the rate in effect for that freight tariff classification during March 1942. Increases in tariff rates or transportation taxes made since March 31, 1942, shall not be taken into account. (Similar principles shall apply where shipping volume is the measure of transportation charge.) The seller shall then add these transportation charges to his f. o. b. factory price for the commodity in the new container. The resulting figure is the seller's maximum delivered price.

(2) If the packer has established a maximum price for any new item prior to February 23, 1943, under § 1341.202, (c) or (d), he may retain that maximum price, or, at his option, he may establish a maximum price under this paragraph.

§ 1341.206a *Information to purchasers from packers.* • • •

(d) When any packer has established a maximum price under paragraph (i) of § 1341.202, he is not required to notify his wholesalers or retailers under the provisions of this section.

§ 1341.215 *Effective dates of amendments.* • • •

(c) Amendment No. 3 (§§ 1341.202, (b), (c), and (i), 1341.206a (d) and 1341.215 (c)) to Maximum Price Regulation No. 207 shall become effective February 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 17th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2674; Filed, February 17, 1943; 3:50 p. m.]

PART 1364—FRESH, CURED, AND CANNED MEAT AND FISH PRODUCTS

[MPR 328]

CANNED EASTERN AND GULF OYSTERS

In the judgment of the Price Administrator the prices of canned Eastern and Gulf oysters have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has ascertained and given due consideration to the prices of canned Eastern and Gulf oysters prevailing between October 1, 1941 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable, and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The maximum prices established herein are not below the average price of such commodities in the year 1941.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 328 is hereby issued.

AUTHORITY: §§ 1364.901 to 1364.912, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1364.901 *Sales of canned Eastern and Gulf oysters at higher than maximum prices prohibited.* (a) On or after February 23, 1943, regardless of any contract, agreement, or other obligation, no canner, or agent or other person acting on behalf, or under control, of such canner shall sell or deliver any canned Eastern and Gulf oysters, and no person in the course of trade or business shall buy or receive from a canner any canned Eastern and Gulf oysters at prices higher than the maximum prices set by this regulation, and no person shall agree, offer, solicit, or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

§ 1364.902 *Where the regulation applies.* The provisions of this regulation shall apply to the forty-eight states of the United States and the District of Columbia.

§ 1364.903 *Sales to which this regulation does not apply.* The provisions of this regulation shall not be applicable to sales or deliveries of canned Eastern and Gulf oysters to a purchaser if prior to February 23, 1943, such canned Eastern and Gulf oysters have been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

§ 1364.904 *Relation to other regulations.* (a) The provisions of this regulation repeal the provisions of the General

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1840.

[1] 7 F.R. 6509, 6831, 8875, 8948.

Maximum Price Regulation [1] with respect to sales and deliveries for which maximum prices are established by this regulation.

(b) The maximum price at which a person may export canned Eastern and Gulf oysters shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation [2] issued by the Office of Price Administration.

§ 1364.905 *Conditional agreement.* No seller of canned Eastern and Gulf oysters shall enter into an agreement permitting the adjustment of the prices to prices which may be higher than the maximum prices provided by § 1364.911 in the event that this regulation is amended or is determined by a court to be invalid or upon any other contingency: *Provided*, That if a petition for amendment has been duly filed, and such petition requires extensive consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment.

§ 1364.906 *Records and reports.* (a) Every person making a purchase or sale of canned Eastern and Gulf oysters under this regulation in the course of trade or business or otherwise dealing therein, other than a purchaser at retail, after February 22, 1943, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended remains in effect, complete and accurate records of each such purchase or sale, showing the date thereof, the name and address of the buyer and of the seller, the price contracted for or received, the quantity and a description of the grade or brand, style of pack, and container size of canned Eastern and Gulf oysters.

(b) Each person shall submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraph (a) of this section as the Office of Price Administration may from time to time require.

§ 1364.907 *Evasion.* The price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to canned Eastern and Gulf oysters, alone or in conjunction with any other commodity, or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying agreement, or other trade understanding, or by changing the grade or style of processing or the packaging of canned Eastern and Gulf oysters.

§ 1364.908 *Enforcement.* (a) Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violations of this regulation or any price schedule, regulation, or order issued by the Office of Price Administration or of any act or practices which constitute such a violation are urged to communicate with the nearest district, state, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1364.909 *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 [3] issued by the Office of Price Administration.

§ 1364.910 *Definitions.* (a) When used in this maximum price regulation the term:

(1) "Person" includes any individual, corporation, partnership, association, or other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, or other government, or any of its political subdivisions, and any agency of the foregoing: *Provided*, That no punishment provided by this regulation shall apply to the United States or to any such government, political subdivision, or agency.

(2) "Eastern and Gulf oysters" means oysters of the genus Ostrea virginica, where the same are caught in Atlantic waters or the Gulf of Mexico.

(3) "Canner" means a person who preserves oysters by processing and hermetically sealing in metal containers.

(4) "No. 1 Picnic" means a can (211 x 400) packed to a net content of 7½ ozs.

(5) "No. 2" means a can (307 x 409) packed to a net content of 14 ozs.

(6) "Price per dozen" means the price for 12 cans of oysters packed for shipment in the usual container.

(7) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1364.911 *Maximum canners' prices for canned Eastern and Gulf oysters.* (a) The prices set forth below are maximum prices per dozen cans f. o. b. the shipping point nearest cannery. The maximum prices are gross prices and the seller shall deduct therefrom his customary allowances, discounts and differentials to purchasers of different classes.

	Per dozen cans
No 1 Picnic	$3.15
No 2 Picnic	5.80

(b) For container sizes of oysters not listed in paragraph (a) the price shall be a price determined by the Office of Price Administration to be in line with the prices listed in paragraph (a). Such determination shall be made upon written request, addressed to the Office of Price Administration, Washington, D. C., and accompanied by sworn statements showing costs and usual differentials.

§ 1364.912 *Effective date.* This Maximum Price Regulation No. 328 (§§ 1364.901 to 1364.912) shall become effective February 23, 1943.

Issued this 17th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2675; Filed, February 17, 1943; 3:50 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 3 to Maximum Rent Regulation 45 [1]]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

The second paragraph of § 1388.8056 (d) (1) of Maximum Rent Regulation No. 45 is amended to read as follows:

§ 1388.8056 *Restrictions on removal of tenant.* • • •

(d) (1) • • •

No tenant shall be removed or evicted from housing accommodations, by court process or otherwise, unless, at least ten days (or, as to housing accommodations within the New Orleans Defense-Rental Area where the ground for removal or eviction is nonpayment of rent, at least five days) prior to the time specified for surrender of possession and to the commencement of any action for removal or eviction, the landlord has given written notices of the proposed removal or eviction to the tenant and to the area rent office, stating the ground under this section upon which such removal or eviction is sought and specifying the time when the tenant is required to surrender possession.

§ 1388.8064a *Effective dates of amendments.* • • •

(c) Amendment No. 3 (§ 1388.8056 (d) (1)) to Maximum Rent Regulation No. 45 shall become effective February 22, 1943.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2677, Filed, February 17, 1943; 3:50 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11 [1] Amendment 38]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In paragraphs (b) (1), (f) and (g) of § 1394.5402, the phrase "Petroleum Administrative Order No. 3" is amended to read "Petroleum Distribution Order No. 3"; and a new subparagraph (9) is added to paragraph (a) of § 1394.5151; as set forth below:

Restrictions on Issuance of Rations

§ 1394.5151 *Restrictions on issuance of rations.* (a) • • •

(9) For the non-occupational use of a boat, or for the use of a boat for pleasure cruising, guiding parties, and fishing, other than to procure fish as necessary food or for sale or processing, in the area mentioned in paragraph (f) of § 1394.5402: *Provided, however*, That a ration for the non-occupational use of a boat may be issued or used:

(i) For family or personal necessity purposes for which no adequate alternative means of transportation are available;

(ii) By naval or military personnel on leave or furlough, evidenced by duly issued leave or furlough authorization, for the purpose of visiting relatives or making social calls; or

(iii) In accordance with any requirements of the United States Coast Guard, Coast Guard Auxiliary, or Navy, if the boat is not otherwise used.

• • • • • •

This amendment shall become effective on February 23, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562, Supp. Directive No. 1-0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 17th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2676; Filed, February 17, 1943; 3:50 p. m.]

PART 1305—ADMINISTRATION

[General Ration Order 5]

FOOD RATIONING FOR INSTITUTIONAL USERS

Why restaurants and other institutional users must be rationed. Food is consumed not only in private homes, but also in other types of eating places, such as restaurants, boarding houses and public and private institutions. For people who do all their eating at home, the ordinary individual rationing controls, through food ration stamps, provide fair and equitable distribution of scarce foods. However, these controls do not cover the problem of the many people who take some or all of their meals in public eating places, or in institutions.

It would not be reasonable to restrict home consumption and, at the same time, to permit restaurant use of food to remain uncontrolled. On the other hand, it is clear that adequate provision must be made for those who are not home consumers. Their needs must be satisfied and, to the extent possible, they should be placed in the same position as those who eat at home.

This was recognized when the sugar rationing program was started. Restaurants, boarding houses and other eating establishments were registered as "institutional users", and a method was provided for giving them "allotments" of sugar. When coffee rationing began, institutional users were again registered and given allotments of coffee. Under both programs, the aim was to give eating establishments allotments which would put their patrons in much the same position as home consumers. That aim—to give restaurant consumers their fair share of scarce foods, and no more—is common to all food rationing programs.

Need for a general institutional user program. With the launching of a program for rationing processed foods and with the prospective extension of rationing to meat and other foods, it becomes necessary to eliminate the complications which would result from handling eating establishments on a program by program basis. In order to avoid confusion, a general method for getting all rationed foods should be made available to eating establishments.

The purpose of this order is to bring together all rules which institutional users follow in getting supplies of rationed foods—those now being rationed and those to be rationed in the future. At the same time, this order is prepared in the light of the problems and experience of institutional users under earlier food programs. Where experience has shown that earlier programs did not give full recognition to certain differences in their operations and functions, this order recognizes those differences. Where experience has shown that greater flexibility is needed, this order provides it.

The program is timed to begin on the same date as processed foods rationing—and the date coincides with the beginning of sugar and coffee allotment periods. In that way, institutional users simply register under this order—instead of registering under the processed foods order and, at the same time, apply for sugar and coffee allotments. The information they furnish at registration will be used to determine not only their allotments of processed foods, but also of sugar and coffee—and, to the extent possible, of meats and other foods, when they are rationed.

How institutional users are rationed. Food eaten in private homes is rationed by issuing books to the individual members of the household. This method is not, at the present time, readily adaptable to food eaten in public eating places. It would require complicated machinery for the issuance of stamps for meals, or for very small quantities of each rationed food—a stamp good for the two spoonfuls of sugar used at a meal, a stamp for a cup of coffee, a stamp for a helping of canned vegetables. The complexity of these methods and of others which were considered, as well as the burdens which would be involved in administering them, indicated that it would be better, under present conditions, to ration foods for eating establishments on a broader basis—by giving each establishment an allotment of rationed foods, which it can use for serving meals.

The problem then arises as to how the allotment should be figured. The amount of patronage in each restaurant may change greatly over a short period of time. There are many differences among restaurants—some serve large portions, while some serve small ones—some specialize in one food, while some specialize in another. Moreover, the size of the meals eaten by customers varies widely. One customer makes a meal out of a sandwich and a cup of coffee. Another eats five or six courses. To make fair allotments of rationed foods involves the consideration of several items of information. It also involves computations which are time-consuming. However, this cannot be avoided if the public interest is to be protected, and if institutional users are to be treated fairly.

There are, however, two types of institutional users whose problems and operations can be covered very simply and easily. These are small boarding houses, which are called Group I institutional users, and institutions of involuntary confinement (such as jails, prisons, asylums and homes for delinquents), which are called Group II institutional users. Other eating establishments—such as restaurants, cafeterias, hotels, refreshment stands, canteens, charity establishments and the like (called Group III institutional users) have problems which are somewhat more complex. Group III users get their allotments on the basis of more detailed information and computations made by the ration Boards.

The Group I plan for boarding houses and similar establishments. Boarding houses, particularly the small ones, are very much like enlarged family households. They are therefore treated in much the same way as households. They get their supplies of rationed foods by using the ration books of their boarders and of the other people who eat there. They thus operate on what is known as the "pooled book" plan. (There are certain very small users who are not covered by the program at all. Those who serve fewer than seven people a day are not even required to register, since they can be regarded as ordinary households.)

This plan is compulsory for eating places (other than institutions of involuntary confinement, and certain other specified users), where less than fifty (50) people reside and where eighty (80) percent of the food service is to people living on the premises and eating eight (8) or more meals a week there. Any institutional user establishment whatsoever—a large boarding house, a hotel or a restaurant, or even a jail—may adopt this plan if it so desires. But any establishment which operates under this plan cannot acquire rationed foods in any other manner.

The idea behind this plan is that a small boarding house, where almost all the meals are served to regular boarders,

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[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5783, 5784, 6058, 6081, 6007, 6216, 6615, 6784, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.

[2] 7 F.R. 5059, 7242, 8829, 9000, 10530.

[3] 7 F.R. 8961.

[1] 7 F.R. 6641, 6827, 7404, 7534, 7668, 8505, 8506, 8507, 9784, 9821, 10845, 11115; 8 F.R. 2109.

[1] 7 F.R. 8480, 8708, 8809, 8897, 9316, 9346, 9492, 9427, 9430, 9621, 9784, 10153, 10081, 10379, 10530, 10531, 10780, 10707, 11118, 11071; 8 F.R. 165, 237, 437, 369, 374, 535, 439, 444, 607, 668, 977, 1203, 1235, 1282, 1681, 1636, 1859.

*Copies may be obtained from the Office of Price Administration.

does not need and should not get an allotment. It can get rationed foods, just like a family household, through the pooled ration books of its boarders. A person who takes eight or more meals at a place where he lives presumably does not have to use his ration book anywhere else. If he does, he can make appropriate arrangements with the boarding house keeper. The occasional meals served to outside guests should create no hardship. If necessary, the guests can arrange to let the owner get food for them by using their books, just like guests in an ordinary family household.

The pooled book plan may be too burdensome for very large boarding establishments, and impracticable for restaurants without steady customers. For that reason, they are not required to operate under that plan. Yet there are individual cases where such establishments may find it worthwhile to make arrangements with their customers for the use of their ration books to get food for them, and may regard the pooled book plan as less troublesome than applying for allotments. Such places are therefore allowed to operate on the pooled book plan if they wish to do so.

The Group II plan for institutions of involuntary confinement. In the case of institutions of involuntary confinement, the problem of controlling the supply of rationed foods is simplified by the circumstance that they have a relatively stable population, and even more by the fact that they generally operate on a food budget per person. The obvious solution is to give them an allowance per person for each rationed food, which approximates the private consumer's ration. That allowance is the maximum which they can get.

Institutions of this type cannot be compelled to operate on a pooled book basis since many of their inmates will not have or will not be entitled to ration books.

At the time of registration, applicants in this group declare the number of persons served during the month of December 1942. (December 1942 is the base month which generally serves as the standard in institutional user calculations.) The Board multiplies this figure by the allowance per person. It then multiplies the result by two and the figure obtained is the first allotment, for the two month period beginning March 1, 1943. The same allotment is granted for the second period.

The allotments for all periods after the first two will be based on the number of persons served during the two calendar months preceding the date on which applications for new allotments can be made.

Institutions may apply for a supplemental allotment (calculated on a per person basis) under certain circumstances to take care of an increase in the number of persons served.

The Group III plan for restaurants and similar eating places. In solving the allotment problems for the largest class of eating places, the Group III institutional user establishments, it was necessary to work out fair methods for measuring two things—the basis for computing allotments when a rationing program goes into effect, and the changes in allotments that should be made to take care of changes in the volume of business that are bound to arise in the course of the program.

How the allotment basis is fixed.—To fix the allotment basis, the month of December 1942 was selected as the standard. This month was chosen because it represents conditions prior to the start of processed foods rationing and of other rationing programs that may follow. The amount of food a restaurant or other eating establishment used in December will show, by and large, the amount of the consumer demand which it normally satisfies. (If an establishment was not operated in December 1942, the order makes provision for using figures for a different month to fix the allotment basis).

While the actual use of a food during December can be taken as a basis for fixing the allotment, it would not be proper to give an allotment equal to the full December use. The average home consumer gets, under rationing, less than his normal supply of a rationed food. Restaurants and restaurant consumers should bear a reduction comparable to that borne by home consumers. To accomplish this, the December use is multiplied by a percentage (called a "factor") that is set by the Office of Price Administration for each rationed food. That percentage corresponds to the reduction that the home consumer bears. However, sugar and coffee were rationed in December and their December use was already curtailed by rationing. Therefore there is, at least for the first period, no reduction for sugar and coffee.

December use is, however, not the only fact which must be taken into account in fixing an allotment basis. Certain restaurants feature, and serve unusually large portions of, a particular food such as meat. When that food is rationed such restaurants would have an advantage over other restaurants that did not feature it, if the allotments to all restaurants were based only on December use. Under rationing, the amount of rationed food which a restaurant and a restaurant consumer can get should not be increased merely because unusually large portions of that food were served in the past. Rationed foods are too scarce for that.

In order to prevent unfairness, a second test is also applied in fixing the allotment basis. The number of customers served during December is multiplied by an allowance per person for the particular rationed food, which approximates the private consumer's ration. The figure reached this way is compared with the figure reached on the basis of December use. Whichever figure is smaller is taken as the allotment basis. In this way, the basis takes into account the type of operation and the volume of business and, through the "per person" allowance, aims to make certain that no institutional user can get more than a fair share of a scarce food.

The allotment for the first two periods is then fixed at two times this allotment basis—since the allotment is for a two month period, while the basis covers only one month of operation (December 1942).

How increased allotments are given. The second major problem affecting Group III users arises from changes in the volume of their business. Allotments for later periods should, of course, be based on the experience and the need of the applicant and his patrons. There are two customary ways of measuring changes in the volume of business—change in the number of persons served, and change in dollar revenue. Of these the more important, from the point of view of rationing, is the number of persons served, since that shows how much food is needed. However, that figure—the number of persons served—is not altogether reliable for all purposes. It may include a larger number of hot-and-pie sales rather than complete meals. Or a restaurant may reduce its prices and serve more people, but if it serves less to each person it would not need more food. In order to check whether an increase in number of persons served really shows an increased service of food, dollar revenue must be examined. A restaurant which reduced both its portions and its prices does not need, and would not get, larger allotments merely because it served more people.

Therefore, in determining allotments for later periods, every applicant in Group III is required to show (1) his revenue for the first two of the three calendar months before the new allotment period, and (2) the number of persons he served during those two months. These figures are compared with his December figures. If they show that the average number of persons he served and his average dollar revenue both increased, as compared with December, his allotment is increased. However, since his dollar revenue is used as a check, for the reasons stated above, only the smaller increase is counted—so that if dollar revenue increased less than persons served, his allotment is increased only in proportion to the growth in his dollar revenue. If, on the other hand, the average number of persons he served shows a decrease, as compared with December, his allotment is decreased proportionately, regardless of his dollar revenue. (This is done so that a restaurant cannot get a larger allotment just by increasing the price of its meals.) In all other cases, the allotment remains the same. For example, if the number of persons served increased, while dollar revenue decreased, the allotment is unchanged—because dollar revenue is used as a check against increases, as explained before.

In the case of establishments that do not charge for meals, no increases in allotments are given. The reason for this is that increases are primarily intended for places which serve the public at large and which meet an increased public need. Generally speaking, the fact that an establishment charges for food is a fair indication that it serves the public at large. There are, of course, certain exceptions, but that is the fairest and simplest general rule. In order to take care of cases of undue hardship, provision is made for adjustments—and establishments of other types that do not charge for food are given an opportunity to petition for an adjustment when a situation which warrants relief exists.

Treatment of individuals who live in Group II and Group III establishments. A person who lives in a hotel and takes his meals there regularly, does not need his war ration books while he is there. Since he gets meals without using his books he does not need them to buy food. The same is true of a person who is confined in an institution where he is fed.

For these reasons, the order provides that a person who lives in a Group II or Group III establishment for seven days or more, and who takes eight or more meals a week there, must turn over his war ration books to the owner of the establishment. The owner must tear out stamps covering the period of his stay, and must send them to the board for cancellation. The owner of the establishment is, of course, not allowed to use the stamps. When a person ends his stay at the establishment, his books must be returned.

The purpose of this rule is to make sure that ration stamps are not used in cases where they are obviously not needed. The rule applies only to cases where a person regularly eats at an institutional user establishment in Group II or III, and also lives there. In cases of that sort, it is reasonable to assume that he does not need the stamps in his books, since he gets food where he lives, without using the books to get it.

If a person lives in a Group I establishment, however, he needs his books to get food because the establishment operates on a pooled-book basis. Therefore, he does not have to give up stamps for cancellation—and he may let the boarding house keeper use his books to get rationed food for service to him.

Adjustments. To take care of special situations which may arise, and of cases of serious hardship, the order contains provisions for granting many types of adjustments. Hospitals may, for example, obtain additional allotments to meet the dietary needs of patients. An institutional user whose operations increase substantially during an allotment period, and whose allotment is not large enough to cover the increase, may get a supplemental allotment. Provision is made for emergency allotments, in cases of public disasters such as fires, floods and similar emergencies, when sufferers must be fed.

The order thus aims to achieve maximum flexibility and to take care, as far as possible, of all cases of legitimate need. However, the need must, of course, be of a type which can properly be recognized in the light of the scarcity of rationed foods and the necessity of fair control over their distribution and use.

§ 1305.202 *Food rationing for institutional users.*—Under the authority vested in the Administrator by Executive Order No. 9125, issued by the President on April 7, 1942, Directive No. 1 and Supplementary Directives No. 1–E, 1–M, and 1–R of the War Production Board, issued on January 24, April 21, September 12, and November 20, 1942, repectively, Executive Order No. 9280, issued by the President on December 5, 1942, and Food Directive No. 1, issued by the Secretary of Agriculture on January 16, 1943, General Ration Order No. 5 (Food Rationing for Institutional Users), which is annexed hereto and made a part hereof, is hereby issued,

AUTHORITY: § 1305.202, issued under Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77 Cong.; E.O. 9125, 7 F.R. 2719, E.O. 9280, 7 F.R. 10179, WPB Dir. 1, Supp. Dir. 1–E, 1–M, and 1–R, 7 F.R. 562, 2965, 7234, 9684, respectively, Food Dir. 1, 8 F.R. 827.

GENERAL RATION ORDER NO. 5 [1]—FOOD RATIONING FOR INSTITUTIONAL USERS

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Article I—Users and Establishments Covered by Order

SECTION 1.1 *What is an institutional use?* (a) Any use by a "person" of a "rationed food" in the preparation of food which he serves to consumers, or in the service of food to consumers, is an "institutional use." However, such use of rationed food in a household is not an institutional use unless an average of seven or more people a day are served there, not counting those who maintain the household, the members of their family, and their employees and servants.

(b) Any use of a rationed food for producing an article which is not a rationed food and which is not to be served by the person who uses it, is an industrial and not an institutional use. (For example, if processed foods and sugar are used at a bakery to bake pies which it sells to consumers, such use is an industrial use since the bakery does not "serve" the pies. If at the same place, pie is served to consumers who eat there, the use of rationed foods to make such pie is an institutional use.)

SEC. 1.2 *What is an institutional user establishment?* (a) Any place where there is an institutional use of rationed foods is an "institutional user establishment."

(b) If the person who prepares the food does not serve it at a fixed location, the term "institutional user establishment" refers to his institutional use of food, and not to the place at which he happens to be serving it at any given time. (For example, a caterer, or a person who prepares food and serves it from a mobile canteen or from a railroad dining car may have no fixed location at which he serves the food. In that case, this operation is regarded as his institutional user establishment.)

(c) If a person prepares food at one place and serves it at another fixed place, any rationed food used in its preparation is considered used in the establishment where he serves it.

(d) If a person prepares food at a place where no food is served, and then serves that food somewhere else, the place where it is prepared is not an institutional user establishment. (For example, if a person prepares food at a central kitchen where no food is served, and then sends it to his restaurant for service there, the kitchen is not an institutional user establishment, but the restaurant is.)

(e) The same place may be both an industrial user establishment and an institutional user establishment. (For example, if a bakery uses sugar to bake pies which it does not serve to consumers, and also to bake pies which are served to consumers who eat there, the bakery is both an industrial user establishment and an institutional user establishment.)

SEC. 1.3 *Who is an institutional user?* (a) Any person who makes an institutional use of a rationed food is called an "institutional user."

Article II—Groups of Institutional User Establishments

SEC. 2.1 *Institutional user establishments are divided into three groups.* (a) Institutional user establishments are divided into three groups:

(1) A "pooled book" group, called Group I;

(2) An "involuntary confinement" group, called Group II;

(3) A "general" group, called Group III.

(b) Establishments in Group I do not receive allotments of rationed foods, but may obtain those foods for preparation and service through the use of the "war ration books" of the persons eating there. Establishments in the other groups are given allotments of rationed foods.

SEC. 2.2 *Group I establishments and users.* (a) An institutional user establishment is in Group I if:

(1) Food is served in that establishment to persons who live there or who live in premises maintained by the institutional user in connection with it; and

(2) Fewer than fifty (50) persons, on the average, lived in the establishment (or in the premises maintained in connection with it), during December 1942; and

(3) Eighty percent (80%) or more of the food services in the establishment during December 1942, were to persons who lived there (or in the premises maintained in connection with it) for seven consecutive days or more and who had eight or more meals a week there. In making the above determinations, members of the family, employees and servants must be included.

(b) Institutions of involuntary confinement (such as prisons, insane asylums and homes for delinquents) and also lake steamers, fishing vessels, tugs, barges, and other ships, are not in Group I even if they meet the above tests.

(c) If an institutional user establishment was not in operation during December 1942, its figures during its last full calendar month of operation after January 1, 1942, are used for determining whether it is a Group I establishment. Its figures for that month are to be treated, for this purpose, just as if they were for December 1942.

(d) An institutional user may, if he desires, register and operate any of his institutional user establishments as a Group I establishment. (However, if he does so, he must operate it on a "pooled book" basis and he cannot get an allotment for that establishment.)

(e) Any institutional user who has an establishment in Group I is called a Group I institutional user with respect to that establishment.

SEC. 2.3 *Group II establishments and users.* (a) An institutional user establishment is in Group II if it is operated as a prison, jail, insane asylum, home for delinquents or other institution of involuntary confinement.

(b) Any institutional user who has an establishment in Group II is called a Group II institutional user with respect to that establishment.

SEC. 2.4 *Group III establishments and users.* (a) All institutional user establishments not covered by sections 2.2 or 2.3 are in Group III. In addition, any lake steamer, fishing vessel, tug, barge, or other ship, is in Group III.

(b) Any institutional user who has an establishment in Group III is called a Group III institutional user with respect to that establishment.

SEC. 2.5 *Institutional users who have establishments in more than one group.* (a) An institutional user who has establishments in more than one group is treated separately for each group. For the purposes of this order, he is treated as a separate person for each group (except for certain purposes in connection with registration and application for allotments).

Article III—*Registration and Opening Inventory of Institutional Users*

SEC. 3.1 *Institutional users must register at board.* (a) Every institutional user must register with the Office of Price Administration, on OPA Form R–1307, at any time from March 1 to March 10, 1943, inclusive, or at such other time or times as may be designated by the Deputy Administrator in Charge of Rationing. (Seasonal users see section 10.1.)

(b) Two copies of the registration form must be completed and signed by the institutional user or his authorized agent, and must be filed with the board for the place where his principal business office is located. He must give all information called for by the form. He must retain a third copy at all times at his principal business office.

(c) If an institutional user has establishments in more than one group, he must give the information called for by the form separately for each group.

(d) An institutional user who has more than one institutional user establishment must either combine all his establishments in a single registration, or must file a separate registration form for each of them. He may not combine some and register others separately. If he registers his establishments separately, the registration form for each establishment must be filed with the board for the place where that establishment is located, and the third copy must be retained at all times at that establishment. If he combines all his establishments in a single registration, he must attach to the form a list of his establishments, showing the name and address of each and the group to which it belongs. However, if he operates mobile conveyances (such as ships, airplanes, dining cars or mobile canteens), he need not list them but he must describe on the form the types he operates.

(e) If an institutional user who has more than one institutional user establishment registers them separately, each establishment is to be treated separately, for all the purposes of this and any other food ration order, just as if it were operated by a different person. This rule applies to all operations under this order, except where specific provision to the contrary is made for establishments which are separately registered.

SEC. 3.2 *Institutional users must report their opening inventory of processed foods.* (a) As part of his registration on OPA Form R–1307, every institutional user must report the point value of his inventory of "processed foods" at the close of business on February 28, 1943. (This inventory is called his "opening inventory" of processed foods.) If he files a combined registration for institutional user establishments in more than one group, he must report separately the total inventory of his establishments in each group.

(b) An institutional user's opening inventory of processed foods consists of all processed foods in the inventory of his institutional user establishment. The inventory of an establishment includes all processed foods physically located at or in transit to it, except:

(1) Processed foods stored there for another person, or held there as security for a loan or similar transaction, or in transit to it for either of those purposes; and

(2) Processed foods included in the inventory of any other establishment under Ration Order No. 13 (processed foods ration order).

(c) An institutional user's opening inventory of processed foods also includes all processed foods which he holds at or which are in transit to any place other than his institutional user establishment, for his institutional use. However, processed foods included in the inventory of any other establishment, under Ration Order No. 13, must not be reported as part of his opening inventory.

(d) If an institutional user has more than one establishment, or if he has establishments in more than one group, processed foods which are physically located at or in transit to an establishment must be included in the inventory of that establishment or, if he has registered his establishments together, of the group to which it belongs. However, any other processed foods in his inventory may be divided among his establishments as he chooses.

(e) An institutional user's opening inventory of processed foods does not include any held for personal or family use. (These must, however, be declared, to the extent required, in an application for War Ration Book Two.)

(f) The point value of an institutional user's inventory of processed foods at the close of business on February 28, 1943, is to be computed in the following way:

(1) The amount in pounds in each of the following classes is determined:

(i) Canned and bottled;
(ii) Frozen;
(iii) Dried and dehydrated.

(2) The amount in each class is multiplied by a factor fixed by the Office of Price Administration (in a supplement to this order) to represent the average point value of processed foods in that class.

(3) The resulting figures are added, and the total is the point value of his processed foods inventory.

SEC. 3.3 *Opening inventory of sugar and coffee.* (a) At the time of an institutional user's registration, the amounts of sugar and coffee, as of February 28, 1943, which the board or boards with which he has registered for sugar and coffee would have been required to deduct from certificates issued for his future institutional user allotments or allowances under Ration Orders No. 3 and 12 (sugar and coffee rationing regulations) shall be his "opening inventory" of sugar and coffee. If the institutional user was registered at a board or boards other than the one with which he is now registering, he shall notify the latter board of the address of the board or boards with which he was registered and of his opening inventories of sugar and coffee at each of those boards.

(b) If an institutional user has establishments in more than one group, his opening inventory of sugar and coffee may be divided between the groups as he chooses. If he has more than one establishment in a group, and registers them separately, his opening inventory of sugar and coffee may be divided among them, as he chooses.

(c) An institutional user who registered on OPA Form R–310, as both an industrial and an institutional user of sugar, may divide his opening inventory of sugar between these uses in proportion to his use of sugar in each.

SEC. 3.4 *Late registration.* The board may, in its discretion, permit an institutional user to register after March 10, 1943. In such case, except for good cause shown, the allotment shall be reduced by an amount corresponding to the part of the period which has elapsed at the time of registration and no allotment shall be granted for any allotment periods which have expired prior to registration.

Article IV—Group I Institutional Users

SEC. 4.1 *Group I institutional users get rationed foods by using "pooled" war ration books.* (a) Institutional users are not entitled to allotments of rationed foods for establishments in Group I. They may, however, get rationed foods for the preparation or services of food in Group I establishments through the use of the war ration books of the individuals eating there. The books of these individuals may be "pooled" with the institutional user, who may act as their agent in acquiring rationed foods for service to them. Individuals eating in a Group I establishment may make such arrangement for the use of their war ration books by the person operating the establishment as may be mutually satisfactory. (However, they are not required to give up their books to him.)

SEC. 4.2 *Group I user must account for opening inventory.* (a) An institutional user who had an opening inventory of a rationed food for his Group I establishment must not buy or acquire any more of that rationed food until he gives up to the board currently valid stamps or certificates received by him, equal to that opening inventory. Only stamps taken from the war ration books of individuals eating in his establishment and only certificates received from those individuals may be given up by him.

(b) However, upon application on OPA Form R–315, showing that the applicant's opening inventory of processed foods and the stamps and certificates which he would have after giving up stamps or certificates equal to his opening inventory will not provide him with a reasonable quantity of particular types of processed foods needed in the operation of his establishment, the board may authorize him to retain stamps or certificates to enable him to acquire a reasonable quantity of those types of processed foods, and to surrender stamps or certificates of an equal point value at such future dates as may be fixed by the board. (For example: An applicant may have an opening inventory of 1,000 points consisting entirely of canned soups. The total point value of currently valid stamps and certificates of individuals eating in his establishment, which he can surrender to the board, may be 1,000 points. If he surrendered those certificates and stamps he would be unable to acquire canned vegetables. In such case the board may permit him to retain 200 points for the purchase of canned vegetables, if he needs them in the operation of his establishment. The board can require the surrender of those 200 points at the beginning of subsequent periods of validity of stamps.)

Article V—Allotments for Group II and III Users

SEC. 5.1 *Group II and III users are entitled to allotments.* (a) Institutional users are entitled to allotments of rationed foods for establishments in Group II and III. (An institutional user who is a roaster of green coffee under Ration Order No. 12 may be entitled not only to an allotment under this order but also to an allowable inventory as a roaster under Ration Order No. 12. As a roaster, he is also required to comply with the provisions of Ration Order No. 12 applicable to roasters.)

SEC. 5.2 *Allotments are given for two month periods.* (a) Allotments for Group II and III institutional users are given for two month periods. The first allotment period is from March 1, 1943 to April 30, 1943, inclusive. Each consecutive two month period which follows is an allotment period.

SEC. 5.3 *Group II and III users must apply for allotments.* (a) An institutional user in Group II or III must apply for an allotment for each period for which he needs one. (An institutional user in these groups may use rationed foods only up to the amounts of the allotments he gets. His allotment establishes his right to use rationed foods—it is not just a method by which he gets those foods. Therefore, he may need an allotment even if his stocks on hand are adequate.)

(b) An institutional user's registration on OPA Form R–1307 is treated as an application for allotments for the first allotment period. His application for allotments for later periods must be made to the board, on OPA Form R–1309,

in person or by mail. That application must be filed not more than fifteen (15) days before, nor more than five (5) days after, the beginning of the period.

(c) The board may, in its discretion, permit an application for an allotment to be made later than the time fixed in the last paragraph. In such case, it shall reduce the allotment by an amount corresponding to the part of the allotment period which has elapsed at the time of application.

Article VI—Computation of Allotment for Group II Users

SEC. 6.1 *Allotment is Computed on Basis of Number of Persons Served.* (a) An institutional user's allotment for establishments in Group II is based on the number of persons to whom he served food there. In counting the number of persons served, anyone who was served more than once is to be counted separately for each occasion he was served. (For example, a person who was served on 30 separate occasions is to be counted as if he were 30 persons.)

SEC. 6.2 *Amount of allotments for each of the first two allotment periods.* (a) The allotment of each rationed food for each of the first two allotment periods is computed in the following way:

(1) The number of persons served during December 1942 is multiplied by the "allowance per person" fixed for that food by the Office of Price Administration, as set forth in the supplement to this order;

(2) The result is multiplied by two (since the allotment is for two months);

(3) The figure obtained is the allotment.

SEC. 6.3 *Amount of subsequent allotments.* (a) The allotment of each rationed food for each subsequent allotment period (after the second period) is computed in the following way:

(1) The number of persons served during the first two of the three calendar months preceding the allotment period is determined;

(2) That number is multiplied by the allowance per person fixed for that food;

(3) The figure obtained is the allotment.

Article VII—Computation of Allotment for Group III Users

SEC. 7.1 *Group III users have a "base" for each rationed food.* (a) An institutional user has a "base" for each rationed food, for his establishments in Group III. That "base" is determined in the following way:

(1) The amount of rationed food he used there during December 1942 is multiplied by the "December use factor" fixed for that food by the Office of Price Administration, as set forth in the supplement to this order;

(2) The total number of persons he served there during December 1942, is multiplied by the "allowance per person" fixed for that food by the Office of Price Administration, as set forth in the supplement to this order;

(3) The smaller of the two figures obtained under (1) and (2) above is his "base" for that rationed food.

(b) In counting the number of persons served, anyone who was served more than once is to be counted separately for each occasion he was served. (For example, a person who was served on 30 separate occasions is to be counted as if he were 30 persons).

(c) In counting the number of persons served and in determining the amount of rationed food used during December 1942, food service to Army, Navy, Marine Corps or Coast Guard personnel messed under the command of a commissioned or non-commissioned officer, is not to be included.

(d) The amount of sugar and coffee used is figured in pounds. The amount of processed foods used is figured in points and their point value is to be computed in the same way as the point value of the opening inventory of processed foods. (This computation is covered by section 3.2 (f)). In determining December use of coffee, the weight of any substances or substitutes, such as, but not limited to, chicory, cereal, peas, or beans, which the institutional user mixed, blended or compounded with the coffee used by him, is not to be included.

SEC. 7.2 *The allotment for each of the first two periods is twice the base.* (a) An institutional user's allotment of each rationed food for each of the first two allotment periods, for his establishments in Group III, is twice his base for that food. (It is twice the base because the allotment period is two months, while the base was determined by his figures for only one month of operation.)

SEC. 7.3 *Computation of allotments for subsequent periods for institutional users who charge for food services.* (a) If an institutional user charges for food service, and did charge during the month used in determining his base, his allotment of each rationed food for any subsequent allotment period (after the second period) for his establishments in Group III, is determined by comparing his volume of business during December 1942 with his volume during the first two of the three calendar months preceding the allotment period.

(b) If the number of persons he served during the first two of the three calendar months preceding the allotment period is less than two times the number he served in December 1942, his allotment of a rationed food is computed in the following way:

(1) The number of persons he served during those first two months is divided by the number he served during December 1942;

(2) The figure so obtained is multiplied by his base for that food;

(3) The result is his allotment.

(c) If the number of persons he served and his dollar revenue during the first two of the three calendar months preceding the allotment period are both more than two times his corresponding figures for December 1942, his allotment of a rationed food is computed in the following way:

(1) The number of persons he served during those first two months is divided by the number he served in December 1942;

(2) His dollar revenue for those first two months is divided by his dollar revenue for December 1942;

(3) The smaller of the two figures obtained under (1) and (2) above is multiplied by his base for that food;

(4) The result is his allotment.

(d) In all other cases, his allotment of a rationed food is two times his base for that food.

(e) In counting the number of persons served and in determining his dollar revenue, food service to Army, Navy, Marine Corps or Coast Guard personnel messed under the command of a commissioned or non-commissioned officer is not to be included.

(f) Where an institutional user makes a combined charge for food and lodging or for food and other services, his dollar revenue is computed by determining how much of the total charge reasonably covers the service of food and non-alcoholic beverages. (However, if the combined charge covers entertainment, that part of the charge is included in dollar revenue.) If a determination has been made under any maximum rent regulations of the Office of Price Administration, of the part of the total charge which is for rent, that determination shall be used for the purposes of this paragraph.

SEC. 7.4 *Computation of allotments for subsequent periods for institutional users who do not charge for food services.* (a) If a Group III institutional user does not charge for food service, or did not charge during the month used in determining his base, his allotment of each rationed food for any subsequent allotment period (after the second period), for his establishments in Group III, is twice his base for that food. However, if the number of persons he served during the first two of the three calendar months preceding the allotment period is less than twice the number he served in December 1942, the allotment is computed in the following way:

(1) The number of persons he served during those first two months is divided by the number he served in December 1942.

(2) The figure so obtained is multiplied by his base for that food;

(3) The result is his allotment.

NOTE: A Group III institutional user may not, under this section, obtain an increased allotment for a Group III establishment which made no charge for food services.

Article VIII—Institutional Users Who Did Not Operate During All or Part of December 1942

SEC. 8.1 *Institutional users who operated during only part of December 1942.* (a) If a Group II or III institutional user operated his establishment for only part of December 1942 the figures which determine his base and his allotments are to be converted to a full December basis, in the following way:

(1) The number of persons served and, in the case of a Group III user, the amount of rationed food used and his dollar revenue, during December 1942, are divided by the number of days he operated or was open for business during that month;

(2) The results are multiplied by the number of days he would have operated or would have been open for business during December 1942 if it had been a normal month of operations;

(3) The figures so obtained are treated as his figures for December 1942, for all the purposes of this order, just as if those were his actual figures.

SEC. 8.2 *Institutional user who did not operate in December 1942.* (a) If a Group II or III institutional user did not operate his establishment during any part of December 1942, but did do so at any time between January 1, 1942 and February 28, 1943, the figures which determine his base and his allotments are taken from his most recent period of operations, instead of December 1942.

(b) His base and his allotments are to be based on the number of persons he served and, in the case of a Group III user, the amount of rationed food used and his dollar revenue, during his last full calendar month of operation between January 1, 1942 and February 28, 1943. If he did not operate for a full calendar month, his allotments are to be based on his actual figures for the last calendar month in which he operated. However, if the last calendar month was February 1943, his actual figures shall be converted to a full month basis in the way provided in section 8.1 for institutional users who operated during only part of December.

(c) The figures referred to in paragraph (b) are used, instead of his December figures, for all the purposes of this Order. His base and his allotments are determined on the basis of those figures, just as if they were for the full month of December 1942.

Article IX—Issuance of Certificate

SEC. 9.1 *Institutional users may get certificates for their allotments.* (a) An institutional user who is given an allotment of a rationed food is entitled to a certificate for the amount of his allotment (except as provided in section 9.2).

(b) If his opening inventory of a rationed food is less than his allotment of that food for the first allotment period, he is entitled to receive a certificate for the difference. He will then be entitled, for each subsequent allotment period, to a certificate for the amount of his allotment for that period.

(c) Only one certificate is to be issued, regardless of the size of the allotment. Certificates for pounds shall not be issued in fractions of pounds, but shall be issued to the nearest pound.

(d) If an institutional user has establishments in more than one group, his opening inventory and his allotments are determined separately for each group and he is to receive a separate certificate for each group. If he has registered his establishments separately, his opening inventory and his allotments are determined separately for each establishment and he is to receive a separate certificate for each.

(e) An institutional user who will not need his full allotment should apply for a certificate only in the amount which he will actually need.

SEC. 9.2 *No certificate may be issued to an institutional user who has excess inventory.* (a) If an institutional user's opening inventory of a rationed food is larger than his allotment of that food for the first allotment period, the difference is "excess inventory". He is not entitled to a certificate for the first allotment period. He may not be given a certificate until the total of his subsequent allotments exceeds his excess inventory, at which time he may get a certificate for the difference.

SEC. 9.3 *Certificate may be issued in certain cases to institutional users who have unbalanced stocks.* (a) Upon application on OPA Form R-315 by a Group II or III institutional user whose opening inventory of processed foods is more than half of his first allotment and whose inventory (together with the certificate, if any, issued to him for the first allotment period) will not provide him with a reasonable quantity of particular types of processed foods needed in the operation of his establishment or establishments, the board may issue a certificate to him to enable him to acquire a reasonable quantity of those types of processed foods. However, the amount of the certificate issued to him pursuant to this paragraph (together with any other certificate, if any, issued to him for the first period) shall not exceed fifty (50) percent of his first allotment, regardless of the period in which application is made. Issuance of a certificate pursuant to this paragraph shall not be deemed to be an increase in the allotment. The amount of the certificate is added to the applicant's excess inventory (or, if he has no excess inventory shall be treated as excess inventory).

Article X—Seasonal Users

SEC. 10.1 *Seasonal users.* (a) A Group II or III institutional user is a seasonal user with respect to an establishment which is not in operation during every month in the year. However, if he has more than one establishment in Group II or III and his establishments are registered together, he is a seasonal user with respect to establishments in either group only if there is some month in the year in which he operates no establishment in that group.

(b) A seasonal user who is not in operation between March 1 and March 10, 1943 inclusive, may register either between those dates, or at any time prior to resuming operations. His registration constitutes an application for an allotment for the first allotment period in which he will operate. If he registers between March 1 and March 10, 1943, the board may, at his request, issue a certificate to him when he resumes operations, instead of at the time of registration.

(c) His application for an allotment for any subsequent allotment period in which he will operate must be filed not more than fifteen (15) days before, nor more than five (5) days after, the beginning of the period. However, when he suspends operations he may apply for an allotment for the allotment period following the date on which he suspends operations, even though he will not be in operation during that period. The allotment to which he would be entitled for that period is to be used as his allotment for the period in which he resumes operations. The board may, at his request, issue a certificate to him when he resumes operations, instead of at the time of the application.

(d) Until a seasonal user has operated in at least three calendar months after February 28, 1943, his allotment for each rationed food shall be twice his base for that food, except that:

(1) If his base was determined on a full calendar month of operation (or by conversion to a full calendar month basis of his figures for part of December 1942 or February 1943) and he will not be in operation during the entire allotment period, he shall notify the board of the number of days he will not be in operation during that allotment period. His allotment shall be equal to twice his base reduced by an amount corresponding to the part of the period during which he will not be in operation; and

(2) If his base was determined on his actual figures for part of a month only (not converted to a full calendar month basis) and he will operate in any allotment period less than twice the number of days he operated during the month used to determine his base, he shall notify the board of the number of days he was in operation during the month used in determining his base and of the number of days he will be in operation during the allotment period. His allotment shall be computed by multiplying his base by the number of days that he will be in operation during the allotment period and then dividing the result by the number of days he was in operation during the month used in determining his base.

(e) After a seasonal user has been in operation in three calendar months after March 1, 1943, his allotments shall be determined in accordance with section 6.3, 7.3, or 7.4, whichever is applicable. In computing his allotments, the calendar months in which he was not in operation shall be disregarded and the months in which he was in operation shall be treated as if he operated continuously. For example, a seasonal user may operate only from August 15 to September 15 and from December 15 to February 28. His January-February allotment will be based on his actual operations in August and September. (That is, from August 15 to September 15—the first two of the three calendar months preceding the allotment period.)

SEC. 10.2 *Seasonal liquidation of inventory.* (a) Notwithstanding any provisions to the contrary in any ration order, an institutional user in Group II or III who operates on a seasonal basis may, when he completes his season, transfer his remaining inventory of rationed foods to a retailer or wholesaler in exchange for stamps, certificates or ration checks.

(b) He shall turn in to the board for cancellation the stamps, certificates or ration checks received by him and notify the board of the name and address of the transferee. However, if he has an account for a rationed food, he shall deposit such stamps, certificates and ration checks received for that food and he

shall issue to the board a certified check in the amount of the stamps, certificates and ration checks so deposited. When he next resumes operations, the board shall issue to him, if he so requests, a certificate for each rationed food in the amount for which he surrendered stamps, certificates or ration checks for that food.

Article XI—Supplemental Allotments

SEC. 11.1 *Group II and III users may get supplemental allotments if operations increase.* (a) If an institutional user finds that, because of increased operations, the allotment of any rationed food for his establishments in Group II or III will be exhausted before the end of the current allotment period, he may apply for a supplemental allotment. The application must be made to the board on OPA Form R–315. However, an institutional user is not entitled to a supplemental allotment for establishments in Group III if he does not charge for food, or did not charge during the month used in determining his base.

(b) The application must show the number of persons he served from the beginning of the current allotment period to the date of the application. In the case of a Group III user, it must also show his dollar revenue during that period.

SEC. 11.2 *Supplemental allotment for Group II user.* (a) In the case of an application by a Group II user for a supplemental allotment for the first or second allotment period, the board shall grant the supplemental allotment only if it finds that the number of persons he will serve, during the allotment period in which the application is made, will be more than twenty (20) percent larger than twice the number he served during December 1942. The supplemental allotment is to be computed as follows:

(1) The number of persons he served during December 1942, is multiplied by two;

(2) The resulting figure is subtracted from the total number he will serve during the current period;

(3) The difference is multiplied by the allowance per person for the rationed food for which the application is made;

(4) The result is the supplemental allotment to be granted.

(b) In the case of an application by a Group II user for a supplemental allotment for a subsequent allotment period (after the second period), the board shall grant the supplemental allotment only if it finds that the number of persons he will serve during the allotment period in which the application is made, will be more than twenty (20) percent larger than the number he served during the first two of the three calendar months preceding that period. The supplemental allotment is to be computed in the following way:

(1) The number of persons he served during those first two months is subtracted from the total number he will serve during the current period;

(2) The difference is multiplied by the allowance per person for the rationed food for which the application is made;

(3) The result is the supplemental allotment to be granted.

SEC. 11.3 *Supplemental allotment in first two periods for Group III user.* (a) If a Group III user applies for a supplemental allotment for the first or second allotment period the Board shall grant the supplemental allotment only if it finds that both:

(1) The number of persons he will serve during the allotment period in which the application is made, will be more than twenty (20) percent larger than twice the number he served during December 1942; and

(2) His dollar revenue during the allotment period in which application is made will be more than twenty (20) percent larger than twice his dollar revenue during December 1942.

(b) His supplemental allotment of a rationed food is to be computed in the following way:

(1) The amount of the estimated increase in the number of persons he will serve is divided by twice the number he served during December 1942;

(2) The amount of the estimated increase in his dollar revenue is divided by twice his dollar revenue for December 1942;

(3) The smaller of the two figures obtained in (1) and (2) above, is multiplied by his allotment of the rationed food for the period in which application is made;

(4) The result is the supplemental allotment to be granted.

SEC. 11.4 *Supplemental allotment for subsequent periods, for Group III user.* (a) If a Group III user applies for a supplemental allotment for a subsequent allotment period (after the second period) the board shall grant the supplemental allotment only if it finds that both:

(1) The number of persons he will serve during the current allotment period will be more than twenty (20) percent larger than the number he served during the first two of the three calendar months preceding that period; and

(2) His dollar revenue during the current period will be more than twenty (20) percent larger than his dollar revenue during those first two months.

(b) His supplemental allotment of a rationed food is to be computed in the following way:

(1) The amount of the estimated increase in the number of persons he will serve is divided by the number he served during those first two months;

(2) The amount of the estimated increase in his dollar revenue is divided by his dollar revenue for those first two months;

(3) The smaller of the two figures obtained in (1) and (2) above, is multiplied by his allotment of the rationed food for the current period;

(4) The result is the supplemental allotment to be granted.

SEC. 11.5 *Applicant accounts for supplemental allotment when applying for subsequent allotment.* (a) If an institutional user has received a supplemental allotment of a rationed food during the first or second allotment period, it is added to his original allotments for those periods. If the total of his allotments during those two periods is larger than twice the allotment to which he is entitled for the third period, the difference must be deducted from the allotment for the third period.

(b) If an institutional user has received a supplemental allotment of a rationed food during an allotment period after the second period it is added to his allotment for that period. If the sum is larger than the allotment to which he is entitled for the next period, the difference must be deducted from that allotment.

(c) The provisions of this section do not apply to supplemental allotments granted under section 11.6.

SEC. 11.6 *Supplemental allotments for hospitals.* (a) An institutional user who operates a hospital or other establishment engaged in the care and treatment of the sick may apply for a supplemental allotment of a rationed food, if needed to meet the dietary requirements of the persons living and receiving care there. Application must be made to the board on OPA Form R–315. It must contain a statement by the physician in charge of the establishment showing the reason why a supplemental allotment is required and the additional amount of the rationed food needed for that purpose.

(b) The board shall grant a supplemental allotment in the amount which it finds necessary to meet the dietary requirements of the persons living and receiving care in the establishment.

(c) An institutional user who has received a supplemental allotment under this section must report at the end of the allotment period in which it was granted, the amount, if any, which was not used for such purpose during that period. That amount shall be treated as excess inventory.

Article XII—Emergency Allotments and Adjustments

SEC. 12.1 *Emergency allotments may be obtained to meet public emergencies.* (a) Upon the occurrence or imminence of a public disaster, such as a flood, fire or tornado, any institutional user or other person who feeds or is about to feed people who require assistance because of the disaster, may apply for an emergency allotment of any rationed food needed for that purpose. The application may be made to any board, on OPA Form R–315. The applicant must describe the nature of the public emergency, the number of people he is feeding or will feed during that emergency, and the amount of the allotment he needs.

(b) If the board finds that the applicant needs an allotment of rationed food for the purposes described in paragraph (a) above, it may grant the application and give him an allotment in the amount it finds necessary for those purposes. It shall issue a certificate for the amount of the allotment.

(c) Within thirty (30) days after he has received the allotment, the applicant must report to the Board which issued the certificate the amount of the allotment he used for those purposes, and must return to that board certificates, ration checks, or stamps for any amount not so used. However, if the board finds that the emergency still exists, it may allow him to account at a later date.

SEC. 12.2 *Petitions for adjustment or for other relief.* (a) Any institutional user may petition the board, for an adjustment of his base or allotment, or for any other relief. The petition shall state the name and address of the petitioner, the nature of the relief he seeks, the grounds on which the relief is sought, and any other relevant facts. The board may request any additional information it considers pertinent. Within ten (10) days after receiving the petition the board shall send it, together with all evidence and information received, to the district office. The board may attach to the petition its recommendation concerning the action to be taken.

(b) The district office shall not act upon the petition (unless authorized by the Washington Office to do so) but shall forward it, together with all other material received from the board, to the Washington Office for appropriate action. The petitioner may be requested to furnish further information and to appear personally.

Article XIII—New Institutional Establishments

SEC. 13.1 *New Group I establishment.* (a) Any person may operate a new Group I establishment if he first registers it by giving written notice to the board of his intention to do so. The notice must give the name and address of the establishment and his inventory of rationed foods, if any, for that establishment. (He shall not include in the inventory any rationed foods previously included in the inventory of any other establishment or any rationed foods acquired by him in exchange for stamps or certificates.) That inventory shall be his opening inventory for that establishment.

SEC. 13.2 *New Group II establishments which are registering separately.* (a) A person who desires to operate a new Group II establishment and who has no Group II establishment, or who has two or more institutional user establishments which have been registered separately, must register the new establishment by filing OPA Form R–315. He must state on the form the address of the proposed establishment, the date on which he will commence operations, the number of persons he expects to serve during the allotment period in which he commences operations and his inventory of rationed foods, if any, for that establishment. (He shall not include in the inventory any rationed foods previously included in the inventory of any other establishment or any rationed foods acquired by him in exchange for certificates or ration checks.) That inventory shall be his opening inventory for that establishment.

(b) If the board is satisfied that the new establishment will be a Group II establishment, it shall grant an allotment for each rationed food for the allotment period in which he commences operations. It shall compute the allotment by multiplying the number of persons which it estimates will be served during that allotment period by the allowance per person for the rationed food.

(c) The institutional user shall, at the end of the period during which he commenced operations, report to the Board the number of persons served by him during that period. If the number is less than the number the board estimated he would serve, the difference shall be multiplied by the allowance per person for each rationed food and the result shall be deducted from his next allotments of that food.

(d) Application for allotments for subsequent periods shall be made on OPA Form R–1309 in accordance with section 5.3.

(e) Allotments for the two periods immediately following the one in which the institutional user commenced operations shall be computed in the following way:

(1) The number of persons he served between the date of registration and the date of his application for an allotment is divided by the number of days he operated between those dates;

(2) The figure so obtained is multiplied by 60;

(3) The result is multiplied by the allowance per person for each rationed food. This figure is his allotment of that food.

(f) Thereafter, allotments shall be computed in accordance with section 6.3.

SEC. 13.3 *New Group III establishments which are registering separately.* (a) A person who desires to operate a new Group III establishment at which a charge will be made for the food served, and who has no Group III establishment, or who has two or more institutional user establishments which have been registered separately, must apply to the board to be registered pursuant to this section.

(b) Application shall be made on OPA Form R–315, on which the applicant shall state:

(1) The proposed location of the establishment;

(2) The date on which he will commence operations;

(3) The type of operation in which he intends to engage (for example, a table restaurant, cafeteria, drugstore lunch counter, industrial canteen, hamburger or hot dog stand);

(4) The seating capacity of the establishment;

(5) His schedule of prices;

(6) Whether he intends to bake his own pies, cakes, bread, and other pastry;

(7) The number of persons he expects to serve there during the allotment period in which he commences operations (other than Army, Navy, Marine Corps or Coast Guard personnel which will be messed under the command of a commissioned or non-commissioned officer); and

(8) His inventory of rationed foods, if any, for that establishment. (However, he shall not include any foods which he reported on any previous declaration of inventory or which he acquired in exchange for certificates or ration checks.) That inventory shall be his opening inventory for that establishment.

(c) The board shall send the application to the district office.

(d) If the district office is satisfied that the new establishment will be a Group III establishment, it shall give the applicant allotments of rationed foods for the allotment period in which he commences operations, and issue any certificates to which he may be entitled. The amount of the allotment of each rationed food for that period shall be determined by the district office on the basis of the manner in which the establishment will be operated, the number of persons which it estimates will be served during that time, and of allotments which have been granted to similar or comparable establishments. However, the allotment shall not be more than the amount obtained by multiplying the allowance per person for that food by the estimated number of persons to be served. After acting on the application the district office shall return the file to the board. Thereafter, applications for allotments shall be made to the board.

(e) When he applies for his second allotments, he shall report to the board on OPA Form R–1307, the number of persons served, the dollar revenue, and his use during the last thirty (30) days of the food items set out in Schedule A of that form. If he has not yet operated for thirty (30) days, he shall report the information for the period he did operate and the figures are to be converted to a full month basis in the manner described in section 8.1. The figures for the last thirty (30) days (or converted to a full month basis) shall be used for such establishment whenever this order refers to use, dollar revenue, or number of persons served during December 1942.

(f) The board shall compute a base for each rationed food (to be used in determining the amount of allotments for the periods following the one in which he commenced operation) in the following way:

(1) The allotment of each rationed food given by the district office is divided by the number of persons the district office estimated he would serve and the result is multiplied by the number of persons served during the last 30 days computed in accordance with paragraph (e) of this section.

(2) The figure obtained shall be his base. However, if his use of the rationed food during those 30 days is less than that figure, the amount he used shall be his base for that food.

(g) The allotment for each rationed food for the allotment period following the one in which he commenced operations shall be twice the base for that food. It shall also be twice the base for the next period if, at the time application for the allotment is made, the establishment has not been in operation in three calendar months. The allotments for the following periods shall be computed in accordance with section 7.3.

(h) At the end of the period in which he commenced operations, the institutional user shall report to the board (on OPA Form R–1307), the number of per-

sons served during that period. If the number of persons actually served during the period in which the institutional user commenced operations is less than the number of persons which the district office estimated he would serve, he shall be charged with excess inventory in an amount computed in the following way:

(1) The allotment of each rationed food given by the district office is divided by the number of persons the district office estimated he would serve.

(2) The figure obtained is multiplied by the difference between the number of persons actually served and the number of persons which the district office estimated he would serve.

(3) The result shall be treated as excess inventory.

SEC. 13.4 *Combined registration of new Group II and III establishments.* (a) A person who desires to operate a new Group II or III establishment to be registered together with one or more institutional establishments of the same group which he already operates must notify the board of his intention to do so and of the address of the proposed establishment. This shall constitute registration of the establishment on the form already filed for his other establishments. No separate allotment will be granted for the new establishment, but a supplemental allotment may be granted by the board pursuant to section 11.3 or section 11.4 whichever is applicable.

SEC. 13.5 *Where new establishments are registered.* (a) If an institutional user already has two or more establishments which are registered together he shall register a new institutional user establishment together with his other establishments and at the same board. If he already has institutional user establishments registered separately the new establishment shall be registered separately with the board where it will be located. If he has only one other establishment he may elect whether his establishments will be registered together or separately. If he registers them together, registration shall be at the board for the area where his principal office is located. If he registers them separately, registration shall be at the board for the area where the establishment will be located.

Article XIV—Appeals

SEC. 14.1 *Appeals.* (a) Any person directly affected by any action of a board, district office, State director, or regional administrator, under this order, may appeal, in accordance with the provisions of Procedural Regulation No. 9.[1]

(b) This section shall not apply to any action on a petition made pursuant to section 12.2, except action taken by an official who has been authorized by the Office of Price Administration to grant or deny such petition.

Article XV—Acquisition and Use of Rationed Foods

SEC. 15.1 *Acquisition of rationed foods.* (a) An institutional user may acquire a rationed food only in the way provided in the order rationing such food and he shall surrender stamps, certificates, or ration checks and shall issue ration checks in connection with such food, only for the purposes permitted and with the effect provided in such order and, if he has an account, in General Ration Order No. 3A.

SEC. 15.2 *Use of rationed food.* (a) No Group II or III institutional user may use more of any rationed food during an allotment period than his allotments of that rationed food for that period plus any unused part of his allotments for earlier periods and any allotments granted to him for the next period. This restriction does not apply, however, to rationed foods used for food services to Army, Navy, Marine Corps, or Coast Guard personnel messed under the command of a commissioned or non-commissioned officer.

SEC. 15.3 *Restrictions on use of rationed foods and certificates.*—(a) No institutional user may use for any purpose other than an institutional use any rationed food included in his opening inventory, or any rationed food acquired for institutional use.

(b) An institutional user may not transfer to, or use for, any institutional user establishment rationed foods, war ration books, stamps, certificates, ration checks or "ration credits" acquired for another institutional user establishment, unless both establishments are Group II or III establishments, are in the same group and are registered together.

Article XVI—Ration Bank Accounts

SEC. 16.1 *What a ration bank account is.* (a) A ration bank account is very much like an ordinary checking account. An institutional user who opens a ration bank account deposits in it certificates and ration checks issued to him, and issues ration checks drawn on it to transfer ration credits. The rules governing the opening and use of ration bank accounts are contained in General Ration Order No. 3A.[2]

SEC. 16.2 *Who may open accounts.* (a) A Group II or III institutional user may open an account for any rationed food. (A Group I user may not.) The opening of an account for one rationed food will not require him to open an account for any other rationed food.

(b) If the establishments of a Group II or III institutional user are separately registered, he may open separate accounts for any one or more of his establishments without opening accounts for the others. He may not use the same account for more than one establishment.

(c) Any Group II institutional user who has combined his establishments in one registration, may open one account for all his Group II establishments, or a separate account for each or for any combination of them. Any Group III institutional user whose establishments are registered together has the same privilege for his Group III establishments. No account may be opened for, or serve, establishments in more than one group. If an account is opened pursuant to this paragraph for any establishment in Group II or Group III, all other establishments in the same group must also have an account or accounts.

SEC. 16.3 *Use of ration bank accounts.* (a) An institutional user who has an account may deposit in it certificates issued to him only in the form and during the periods prescribed by the order rationing the food for which he has the account. Ration checks issued to him may be deposited at any time.

(b) An institutional user may issue checks drawn on his account only for the purposes permitted and with the effect prescribed by the order rationing the food for which he has the account. Ration credits may be transferred by the use of a ration check, without the delivery of rationed foods, between accounts of establishments in the same group which are registered together.

(c) An account opened by an institutional user may be used only for his operations as an institutional user. It may not be used for his operations in any other capacity, as for example, an industrial user or wholesaler.

Article XVII—Persons Living in Institutional User Establishments

SEC. 17.1 *A person who lives in Group II or III institutional user establishment must give up his war ration books.* (a) A person who lives in any Group II or III institutional user establishment (or in premises maintained in connection with it) for seven consecutive days or more, and who takes eight or more meals a week there, must turn over all his war ration books containing stamps designated for the acquisition of any rationed food, to the institutional user who operates the establishment. If he makes arrangements in advance to live there for seven consecutive days or more and to take eight or more meals a week, he must turn over the books before the week begins. Otherwise he must turn them over as soon as he has lived there for seven consecutive days and has eaten, during that period, eight or more meals.

(b) An institutional user who operates a Group III establishment in which fewer than fifty (50) people regularly live must get the war ration books of all persons who live in the establishment (or in premises maintained in connection with it) for seven consecutive days or more and who eat eight or more meals a week there. He must take the books from any person who makes arrangements in advance, as soon as the week begins. Otherwise, he must get the books as soon as the person has lived there for seven consecutive days and has, during that period, eaten eight or more meals. He may not serve food to any person who does not turn over all his war ration books containing stamps designated for rationed foods, when required to do so by this order.

(c) An institutional user who operates a Group II or a Group III establishment in which fifty or more people live, must accept and hold war ration books which are turned over to him by persons who live there.

(d) An institutional user in Group II or III must remove from any War Ration Book One turned over to him, sugar and coffee stamps which expire while he has them. He must also remove from any War Ration Book Two eleven points (as nearly as possible) of currently valid stamps for each week during which the person who turned over the book lives in his establishment (or in premises maintained in connection with it) for seven consecutive days and takes eight or more meals there. He must surrender to his board all stamps so removed, at the time of his next application for an allotment and, in any event, not later than five days after the beginning of the next allotment period. He must not use those stamps for any purpose, nor may he deposit them in any ration bank account.

(e) A war ration book shall be returned, temporarily, to the person from whom it was received for use in acquiring any rationed product other than a rationed food product, or for use in obtaining another war ration book.

(f) The war ration books, with stamps detached as required above, must be returned to the person from whom they were received when he leaves the establishment or stops taking eight or more meals a week there.

Article XVIII—Reports and Records

SEC. 18.1 *In general.* (a) All institutional users shall maintain such records and make such reports as this order requires and as the Office of Price Administration may from time to time require. Such records shall be maintained for a period of not less than two years and shall be available during such period for inspection by the Office of Price Administration, through any authorized representative, at any reasonable time.

SEC. 18.2 *Records required.* (a) Every Group II and III institutional user shall maintain records showing by calendar months, for each such group of his establishment, (and, if his establishments are separately registered, for each such establishment) the number of persons served and the dollar revenue.

SEC. 18.3 *Disclosure of information.* (a) Information and documents obtained pursuant to this order will not be disclosed, in response to subpoena or otherwise, to any person other than the person furnishing such information or documents unless the Administrator of the Office of Price Administration (or a representative of the Office of Price Administration designated by him) determines that the requested disclosure is not contrary to law and consents to such disclosure.

Article XIX—Prohibitions

SEC. 19.1 *Prohibitions.* (a) No person shall use points, stamps, war ration books, certificates or ration checks unless he has received them in a way permitted by this or any other order of the Office of Price Administration.

(b) No person shall offer, solicit, attempt or agree to do or assist in doing any act in violation of this order.

(c) No person shall, in any registration, report, application or other statement or record made pursuant to this order make any untrue statement of fact or omit to state any fact which is required to be stated or which is necessary to make any statement not misleading.

Article XX—Enforcement

SEC. 20.1 *Suspension orders.* (a) Any person who violates this order may, by administrative suspension order, be prohibited from receiving any transfers or deliveries of, or from selling or using or otherwise disposing of, any rationed foods or other rationed product or facility. Such suspension order shall be issued for such period as in the judgment of the Administrator, or such person as he may designate for such purpose, is necessary or appropriate in the public interest to promote the national security.

Article XXI—To Whom This Order Does Not Apply

SEC. 21.1 *To whom this order does not apply.* (a) This order does not apply to the Army, Navy, Marine Corps, Coast Guard, or War Shipping Administration, of the United States, or to ocean going vessels operating in foreign, coastwise, or intercoastal trade acquiring rationed foods as ships' stores for consumption aboard such vessels. (Those users obtain rationed foods in accordance with the ration orders governing such foods.)

(b) The provisions of this order do not apply to the Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Civil Aeronautics Authority, the National Advisory Commission for Aeronautics, or the Office of Scientific Research and Development, of the United States, with respect to sugar. (Those users obtain sugar in accordance with Rationing Order No. 3.)

(c) The provisions of this order do not apply to the Maritime Commission of the United States with respect to coffee. (The Maritime Commission obtains coffee in accordance with Ration Order No. 12.)

(d) The provisions of this order do not apply to the Office of Lend-Lease Administration and the Food Distribution Administration, of the United States with respect to processed foods. (Those users obtain processed foods in accordance with Ration Order No. 13.)

Article XXII—Definitions

SEC. 22.1 *Definitions.* When used in this order:

"Account" means a ration bank account carried by a bank, in which the bank keeps a record of deposits of stamps, certificates and ration checks and of transfers of ration credits.

"Acquire" means to get possession or title in any way.

"Allowance per person" means the allowance of a rationed food per person as set forth in the supplement to this order.

"Board" means a war price and rationing board. "The board" means the war price and rationing board with which the institutional user establishment is, or is required to be registered.

"Certificate" means a certificate issued in accordance with Rationing Order No. 3, or Ration Orders No. 12 or 13.

"Coffee" means coffee as defined in Ration Order No. 12.

"District office" means the district office of the Office of Price Administration for the area in which the board with which an institutional user has registered is located, or, if there is no such district office, the State office of the Office of Price Administration in that area.

"Dollar revenue" means gross dollar revenue derived from the service of food and non-alcoholic beverages. Where a combined charge is made for food and lodging or for food and other services, dollar revenue is computed by determining how much of the total charge reasonably covers the service of food and non-alcoholic beverages. (However, if the combined charge covers entertainment, that part of the charge is included in dollar revenue.) If a determination has been made under any maximum rent regulations of the Office of Price Administration, of the part of the total charge which is for rent, that determination shall be used in computing dollar revenue. Dollar revenue does not include revenue derived from food services to Army, Navy, Marine Corps or Coast Guard personnel messed under the command of a commissioned or non-commissioned officer.

"Issue", when used with respect to a ration check, means the delivery of a completed ration check to the person to whose account the ration check is made payable.

"Person" means any individual, corporation, partnership, association, business trust, and includes the United States or any agency thereof, and any state or any political subdivision or agency thereof, and any other government or agency thereof, or any organized group of individuals.

"Processed foods" means processed foods as defined in Ration Order No. 13.

"Ration check" means a check, in the form prescribed by the Office of Price Administration, drawn by a depositor against his account and made payable to the account of a named person.

"Ration credits" means the credits in an account reflecting deposits of stamps, certificates or ration checks.

"Rationed food" means sugar, coffee, or processed foods.

"Stamp" means a stamp in, or taken from a war ration book.

"Sugar" means sugar as defined in Rationing Order No. 3.

"War ration book" means War Ration Book One (OPA Form R–302) or War Ration Book Two (OPA Form R–121).

Article XXIII—Post Exchanges and Ship Service Departments Ashore

SEC. 23.1 *How post exchanges and Ship Service Departments Ashore obtain rationed foods for institutional use.* (a) Army, Navy, Marine Corps, and Coast Guard post exchanges and Ship Service Departments Ashore, which make an institutional use of rationed foods, are not required to register with a board under this order. The Army Exchange Service of the United States War Department, the Bureau of Naval Personnel of the Navy Department, the Coast Guard, and the Marine Corps may, at any time apply to the Washington Office of the Office of Price Administration for allotments of rationed foods for the post exchanges and Ship Service Departments Ashore, for allotment periods, beginning with March 1, 1943. Allotments will be given in accordance with arrangements made with the Office of Price Administration. The Washington Office will

[1] 7 F.R. 8796, 8 F.R. 856, 1838.

[2] 8 F.R. 1130, 1449

issue one certificate for each rationed food. The amount for which the certificate is issued may be distributed, through the use of ration checks, to the various post exchanges and Ship Service Departments Ashore.

(b) Ration bank accounts may be opened for post exchanges and Ship Service Departments Ashore, at any time after February 20, 1943, in the same manner as ration bank accounts may be opened for other institutional users.

Effective Date

This general ration order shall become effective 12:01 a. m. on March 1, 1943 except that Sections 22.1 and 23.1 shall become effective February 20, 1943.

Issued this 18th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2702; Filed, February 18, 1943; 11:56 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 107,[1] Amendment 9]

USED TIRES AND TUBES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new paragraph (c) is added to § 1315.1353a, as set forth below:

§ 1315.1353a *Minimum quality specifications for repaired tires and tubes.* * * *

(c) Notwithstanding any of the provisions of paragraphs (a) and (b) of this section, the minimum quality specifications set forth in Appendix C (§ 1315.1362) shall not apply to used tires or tubes which have been repaired in accordance with written permission from the Office of the Rubber Director, War Production Board, Washington, D. C., to deviate from the minimum quality specifications set forth in Appendix C, for purposes of an experimental program sponsored by that Office. In order for any repaired used tire or tube to be exempt from such minimum quality specifications in accordance with this paragraph, the consumer purchaser must be given, on the sales slip or otherwise, the following written statement: "Experimental tire (or tube). Keep this slip to identify the tire (or tube)." The slip upon which the statement is made must clearly identify the tire or tube by giving the serial number, brand name, and any other pertinent description.

This amendment shall become effective February 24, 1943.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1838, 1981, 2394, 3891, 5177, 7365, 8586, 8799, 8802, 8948; 8 F.R. 1584.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2711; Filed, February 18, 1943; 11:57 a. m.]

PART 1316—COTTON TEXTILES

[MPR 11,[1] Amendment 1]

FINE COTTON GOODS

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.*

Section 1316.3 (b) is amended; in § 1316.4 (d) four provisions and footnote 1 of Table I (the twenty-second lawn construction; the fifteenth marquisette construction; the first umbrella cloth construction; the first beat-up construction) and Table III are amended, as set forth below:

§ 1316.3 *To what transactions, fabrics and persons this regulation applies.* * * *

(b) *What fabrics are covered.* This regulation covers:

(1) Any grey fabric (i) made wholly of combed cotton yarns; (ii) made of combed and carded cotton yarns and so constructed that either the warp or the filling consists wholly of combed yarn and 50 per cent or more of its total weight content is composed of combed cotton yarns; or (iii) made of rayon[**] and cotton and so constructed that the fabric contains some combed cotton yarn, except:

(a) Fabrics covered by Revised Price Schedule No. 23 as amended;[**]

(b) Fabrics (other than marquisettes) containing colored yarn elsewhere than in the selvage;

(c) Cross-bordered handkerchief cloth;

(d) Twills;

(e) Oxfords;

(f) Balloon cloth;

(g) Madras made in a weave requiring a dobby loom.

(2) Grey sateens made in whole or in part of combed cotton yarn; and

(3) Unfinished box-loom clip-spot marquisettes and beat-up marquisettes made of combed or carded cotton yarn or any combination thereof.

§ 1316.4 *Maximum prices.* * * *

(d) The maximum prices are as follows:

TABLE I[1]

TYPE AND CONSTRUCTION OF CLOTH	Cents per yard
* * * * *	
Lawns:	
* * * * *	
37½"—96 x 92, 5.50	16.51
* * * * *	
Marquisettes:	
* * * * *	
	Cents per yard
40"—52 x 32 (ply filling)	16.92
* * * * *	
Umbrella cloth:	
26"—84 x 108, 6.52	20.00
* * * * *	
Beat-ups (Marquisettes):	
39½"—36 x 16, 5.33 Extra (carded filling)	7.13
* * * * *	

TABLE III

(1) This Table establishes maximum prices for every fabric covered by this regulation for which a specified price is not set forth in or ascertainable from Tables I and II.

(2) Except as provided below the maximum price for fabrics subject to Table III shall be as follows:

	Price (cents per pound)
Cloths:	
Lawn	75
Broadcloths	60
Voiles	75
Dimities	60
Marquisettes	75
Other fabrics	50

(3) For any fabric subject to the pound price maximum prices set forth in (2) above a seller may request the Office of Price Administration to determine a special maximum price in lieu of such poundage price. The request shall contain a complete description of the cloth including:

(i) Fabric name
(ii) Width:
  (a) In the reed
  (b) Of woven cloth
(iii) Weight of grey cloth (yds per lb)
(iv) Cloth count of woven cloth
(v) Yarn details—for each warp and filling yarn:
  (a) Count
  (b) Ply
  (c) Twist
  (d) Percentage to weight of cloth
(vi) Cuts:
  (a) Yards per cut for sizing
  (b) Yards woven per cut
(vii) Percentage of sizing in cloth
(viii) Loom:
  (a) Type
  (b) Model
  (c) Speed
  (d) Percentage of weaving efficiency
(ix) Weave and harnesses required
(x) Number of looms per weaver

Even if such a request has been made the seller may not contract for, demand or receive a price higher than the applicable poundage price appearing in (2) above except under the conditions hereinafter set forth.

(4) For any fabric subject to Table III which is sold or delivered pursuant to a government contract (as defined in § 1316.7):

(i) If the delivery is made prior to March 24, 1943, the maximum price shall be the maximum price in effect on January 6, 1943;

(ii) If the delivery is made (or to be made) on or after March 24, 1943, the seller may charge a price not in excess of the maximum price in effect on January 6, 1943 subject to the following conditions: first, that prior to March 24, 1943 (or within one week of any initial contract of sale made thereafter for such fabric) the seller shall have filed with the Office of Price Administration in accordance with (3) above a request for a special maximum price; and, second, that upon the establishment of a special maximum price the seller shall promptly refund to the purchaser the amount by which the price received exceeds the special maximum price.

(5) For any fabric subject to Table III of a construction sold or delivered by the seller between July 1, 1942 and January 6, 1943, which is sold or delivered pursuant to a contract other than a government contract, a seller who in accordance with (3) above has requested the Office of Price Administration to determine a special maximum price for such fabric may reserve the right to charge the purchaser an amount equal to the difference between the applicable poundage maximum price set forth in (2) above and the special maximum price thereafter established pursuant to the seller's request.

This amendment shall become effective February 24, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2703; Filed, February 18, 1943; 11:55 a. m.]

PART 1350—EMERGENCY CIVILIAN DEFENSE MATERIALS AND EQUIPMENT

[MPR 321]

FELDSPAR FIRE EXTINGUISHERS

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for sales of feldspar fire extinguishers by a separate maximum price regulation.

Feldspar fire extinguishers are a new commodity, the manufacture of which is subject to license by the Department of the Interior under United States Patent No. 2,294,532, issued September 1, 1942.

[1] 8 F.R. 361

[**] "Rayon" means fibers chemically produced from cellulose or with a cellulose base by the viscose, acetate or cuprammonium process.

[**] The following fabrics are covered by Revised Price Schedule No. 23. Any fabric so constructed that 80% or more of its ends by count in the warp shall consist of rayon, any fabric so constructed that 80% or more of its picks by count in the filling shall consist of rayon; any fabric constructed with a plied yarn in the warp and the filling where one of the threads in the ply used in the warp and the filling is rayon yarn, even though the total weight content of the rayon is less than 50% of the total weight of the fabric; and any fabric so constructed that 50% or more of its total weight content is composed of rayon except for fabrics containing 25% or more of wool that are woven on a woolen loom.

[1] Fabrics shall be subject to the yardage prices set forth in Tables I and II rather than to the poundage prices set forth in Table III unless they are over 4% lighter or over 6% heavier than the weights specified, except that for marquisettes and beat-up marquisettes the appropriate yardage price shall apply to all weights of each construction specified.

The maximum prices set forth in Table I shall apply only to fabrics made wholly of combed cotton yarn unless otherwise specified.

For a fabric the same as one of those listed in Table I except for a difference in width not exceeding two inches and a consequent proportionate difference in weight, the maximum price shall be the price shown in Table I adjusted in the ratio which the width of one fabric bears to the other.

After consultation with licensees and applicants for licenses in so far as practicable, the Price Administrator has determined that the maximum prices established by this regulation which apply to the sale of feldspar fire extinguishers are generally fair and equitable and are necessary to check inflation and to effectuate the purposes of the Emergency Price Control Act.

A statement of considerations involved in the issuance of this regulation is issued simultaneously herewith and filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as Amended, and Executive Order 9250, this Maximum Price Regulation No. 321 is hereby issued.

Sec.
1350.101 Maximum prices for feldspar fire extinguishers.
1350.102 Less than maximum prices.
1350.103 Sales for export.
1350.104 Adjustable pricing.
1350.105 Evasion.
1350.106 Records and reports.
1350.107 Enforcement.
1350.108 Licensing.
1350.109 Petitions for amendment.
1350.110 Applicability of General Maximum Price Regulation.
1350.111 Definitions.
1350.112 Effective date.
1350.113 Appendix A: Maximum prices for feldspar fire extinguishers.

AUTHORITY: §§ 1350.10 to 1350.113, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1350.101 *Maximum prices for Feldspar fire extinguishers.* On and after February 24, 1943, regardless of any contract, agreement, lease, or other obligation, no person shall sell or deliver vitrescible extinguisher materials packaged and sold as magnesium fire extinguishers in accordance with licenses issued by the Department of the Interior under United States Patent No. 2,294,532, issued September 1, 1942, hereinafter referred to as feldspar fire extinguishers, and no person shall buy or receive feldspar fire extinguishers in the course of trade or business at prices higher than the prices set forth in Appendix A hereof and incorporated herein as § 1350.113, and no person shall agree, offer, solicit, or attempt to do any of the foregoing.

The maximum prices established by this section (§ 1350.101) may be modified by the Price Administrator at any time.

§ 1350.102 *Less than maximum prices.* Lower prices than those set forth in Appendix A of § 1350.113 may be charged, demanded, paid or offered.

§ 1350.103 *Sales for export.* The maximum prices at which a person may sell or deliver feldspar fire extinguishers for export shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[1] issued by the Office of Price Administration July 2, 1942.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5059, 7242, 8829, 9000, 10530.

§ 1350.104 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment or for adjustment or exception requires extended consideration, the Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1350.105 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 321 shall not be evaded whether by direct or indirect methods in connection with a purchase of feldspar fire extinguishers, alone or in conjunction with any other material, or by way of any commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1350.106 *Records and reports.* (a) Every person, except a consumer, making purchases or sales of feldspar fire extinguishers on or after February 24, 1943, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect, complete and accurate records of each such purchase or sale, except sales to consumers showing the date thereof, the name and address of the buyer, the price received, and the quantity of each classification and grade sold.

(b) Persons affected by this Maximum Price Regulation No. 321 shall submit such reports to the Office of Price Administration and keep such other records in addition to, or in place of the records required in paragraph (a) of this section as the Office of Price Administration may, from time to time require.

§ 1350.107 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 321 shall be subject to the civil and criminal penalties, civil enforcement actions, and suits for treble damage provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 321 or any price schedule, regulation, or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1350.108 *Licensing*—(a) *License required.* Effective February 24, 1943, a license as a condition of selling is required of every seller subject to the provisions of this Maximum Price Regulation No. 321.

(b) *License granted.* Effective February 24, 1943, or whenever such seller becomes subject to the provisions of this Maximum Price Regulation No. 321, every seller of feldspar fire extinguishers is hereby granted a license as a condition of selling such commodity. Such license shall, unless suspended in accordance

with the provisions of the Emergency Price Control Act of 1942, as amended, remain in effect as long as and to the extent that said regulation or any amendment, supplement, or order thereto remains in effect.

(c) *License suspended.* Effective February 24, 1943, no person whose license to sell feldspar fire extinguishers is suspended in proceedings under section 205 (f) (2) of the Emergency Price Control Act of 1942, as amended, shall during the period of such suspension, sell any feldspar fire extinguishers.

§ 1350.109 *Petitions for amendment.* Any person seeking a modification of any provision of this Maximum Price Regulation No. 321, may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[1]

§ 1350.110 *Applicability of General Maximum Price Regulation.*[2] The provisions of this Maximum Price Regulation No. 321 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this Maximum Price Regulation No. 321

§ 1350.111 *Definitions.* (a) When used in this Maximum Price Regulation No. 321, the term:

(1) "Consumer" means any person who purchases a feldspar fire extinguisher for use and not for resale.

(2) "Distributor" means any person who purchases a feldspar fire extinguisher for resale.

(3) "Licensee" means any person licensed under United States Patent No. 2,294,532.

(4) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing.

(5) "Wholesaler" means any distributor of feldspar fire extinguishers reselling such extinguishers for resale.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1350.112 *Effective date.* This Maximum Price Regulation No. 321 shall become effective February 24, 1943.

§ 1350.113 *Appendix A: Maximum prices for feldspar fire extinguishers.* (See § 1350.111—Definitions) (a) *Sales by licensee*—(1) *Sales to distributor.* This Maximum Price Regulation No. 321 and the General Maximum Price Regulation issued April 28, 1942, shall not apply to sales or deliveries of feldspar fire extinguishers by a licensee to a distributor nor to purchases by a distributor of feldspar fire extinguishers from a licensee.

(2) *Sales to consumer.* The licensee's maximum price on sales to a consumer shall not exceed the licensee's highest price f. o. b. his plant to a distributor plus fifty-four (54) percent thereof, plus transportation charges paid by licensee.

(b) *Sales by distributor.*—(1) *Sales to another distributor.* Distributor's maximum price on a sale to another distributor shall not exceed the purchase price, excluding transportation charges, paid licensee for feldspar fire extinguishers, plus twenty-five (25) percent of such purchase price excluding transportation charges, plus transportation charges paid by distributor: *Provided*, That no amount except transportation charges paid by the seller shall be added to the licensee's selling price where the licensee has agreed with the licensor to act as a wholesaler.

(2) *Sales to consumer.* Distributor's maximum price on a sale to a consumer shall not exceed the distributor's purchase price of feldspar fire extinguishers from his supplier excluding transportation charges, plus an amount not to exceed fifty-four (54) percent of such purchase price excluding transportation charges, plus transportation charges paid by distributor.

(c) *Notification.* On or after February 24, 1943, every licensee and every distributor shall, before or at the time of his first delivery to any distributor, inform such distributor in writing that his maximum price for sales of feldspar fire extinguishers is established by paragraph (b), § 1350.113 of this Maximum Price Regulation No. 321, as follows:

Sales by distributor—(1) *Sales to another distributor.* Distributor's maximum price on a sale to another distributor shall not exceed the purchase price, excluding transportation charges, paid licensee for the feldspar fire extinguishers, plus twenty-five (25) percent of such purchase price excluding transportation charges, plus transportation charges paid by distributor: *Provided*, That no amount except transportation charges paid by the seller shall be added to the licensee's selling price where the licensee has agreed with the licensor to act as a wholesaler.

(2) *Sales to consumer.* Distributor's maximum price on a sale to a consumer shall not exceed the distributor's purchase price of feldspar fire extinguishers from his supplier excluding transportation charges, plus an amount not to exceed fifty-four (54) percent of such purchase price excluding transportation charges, plus transportation charges paid by distributor.

Issued this 18th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2712; Filed, February 18, 1943; 11:57 a. m.]

[1] 7 F.R. 8961.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6958, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10451, 8 F.R. 371, 1204, 1317.

PART 1358—TOBACCO

[MPR 260,[1] Amendment 5]

CIGARS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1358.103 is amended as set forth below:

§ 1358.103 *Maximum prices set under this regulation cannot be changed.* On or before January 15, 1943, every manufacturer and importer of cigars must establish a maximum list price and a maximum retail price pursuant to this regulation for each brand and size of cigars sold by him. The maximum list price and the maximum retail price in effect on January 15, 1943 and established by a manufacturer of domestic cigars under §§ 1358.102 and 1358.116 Appendix A, or by an importer of imported cigars under §§ 1358.102a and 1358.117 Appendix B, shall be the maximum list price and the maximum retail price respectively of the particular brand or size of cigars in question from that date forward, subject only to adjustments permitted under § 1358.107 (b), (c) and (d); *Provided*, That, at any time before 90 days after the effective date of an amendment to this regulation adjusting or providing alternative maximum list prices and/or maximum retail prices for a domestic cigar of a particular March 1942 retail price class, a manufacturer of such domestic cigar may adjust his maximum list price and/or maximum retail price therefor, as the case may be, as permitted or required by such amendment.

This amendment shall become effective February 24, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2704; Filed, February 18, 1943; 11:54 a. m.]

PART 1382—HARDWOOD LUMBER

[MPR 313,[1] Amendment 1]

PRIME GRADE HARDWOOD LOGS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1382.251, paragraph (a) is amended to read as set forth below:

§ 1382.251 *Sales of prime grade hardwood logs at higher than maximum prices prohibited.* (a) On and after February 6, 1943, regardless of any contract or obligation, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business, any prime grade hardwood logs at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer or attempt to do any of these things. However, if a contract for sale of prime grade hardwood logs was made before February 1, 1943, at prices higher than the maximum prices fixed in this regulation, the buyer or seller may apply by letter to the Lumber Branch, Office of Price Administration, Washington, D. C., for permission to complete (in whole or part) deliveries under the contract, at the contract price, until (but not including) April 1, 1943. The application must include a copy of the contract, or a summary of all the terms of the contract. Permission to complete deliveries under the contract until April 1, 1943, may be granted by letter or telegram.

This amendment shall become effective as of February 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2705; Filed, February 18, 1943; 11:55 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8997, 10255, 10175, 11113, 8 F.R. 1314.

[2] 8 F.R. 1453.

PART 1389—APPAREL

[MPR 153, as Amended,[1] Amendment 8]

WOMEN'S, GIRLS' AND CHILDREN'S OUTERWEAR GARMENTS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1389.12 is amended as set forth below:

§ 1389.12 *Termination date.* This Maximum Price Regulation 153, as amended, shall become inoperative on February 24, 1943, at 12:01 a. m., for all sales at retail and wholesale.

This amendment shall become effective February 18, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2706; Filed, February 18, 1943; 11:55 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4387, 5869, 7010, 7535, 8946, 10081; 8 F.R. 129, 1139, 1394.

PART 1389—APPAREL

[MPR 330]

RETAILERS' AND WHOLESALERS' PRICES FOR WOMEN'S, GIRLS' AND CHILDREN'S OUTERWEAR GARMENTS

In the judgment of the Price Administrator it is necessary and proper to establish maximum prices for retailers and wholesalers of certain women's, girls' and children's outerwear garments. The maximum prices established by this regulation are in the judgment of the Price Administrator, generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.* Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 330 is hereby issued.

Sec.
1389.551 Scope of this regulation.
1389.552 How to find your ceiling price under this regulation.
1389.553 Explanation of highest price line limitation.
1389.554 How to use the pricing rules.
1389.555 What acts are prohibited by this regulation.
1389.556 Enforcement.
1389.557 Records.
1389.558 Invoices, sales slips and receipts, notification and disclosure to retailers.
1389.559 Relation to the other maximum price regulations.
1389.560 How this regulation may be amended.
1389.561 Geographical applicability of this regulation.
1389.562 Definitions.
Appendix A: What garments must be priced under this regulation.
Appendix B: Example of a pricing chart.

AUTHORITY: §§ 1389.551 to 1389.562, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1389.551 *Scope of this regulation*—(a) *What garments must be priced under this regulation.* A list of the women's, girls' and children's outerwear garments which must be priced under this regulation is given in Appendix A at the end of the regulation. This regulation applies only to the garments which are described in that list. Hereafter, the women's, girls' and children's outerwear garments covered by this regulation are referred to as "garments."

(b) *Kinds of sales which are covered.* This regulation applies to sales by retailers and wholesalers. It does not apply to sales by manufacturers, manufacturing-retailers, custom-tailors or dressmakers. These terms are defined in § 1389.362. If after reading these definitions, you are in doubt as to whether this regulation applies to you, consult the nearest field office of the Office of Price Administration.

(c) *When this regulation takes effect.* This regulation takes effect February 24, 1943. As to garments delivered to you on or after February 24, 1943, you may not sell at higher prices than the ceiling prices set by this regulation. As to garments delivered to you before February 24, 1943, you were required to set your ceiling prices under § 1499.2 (a) of the General Maximum Price Regulation[1] or under Maximum Price Regulation 153, as amended.[2] You may, if you desire, continue to use those ceiling prices for these garments, or you may reprice your garments under the ceilings set in this regulation.

§ 1389.552 *How to find your ceiling price under this regulation*—(a) *Explanation of rules.* You find your ceiling price under this regulation by calculating the markup which you took on garments you delivered during the "base period", and then applying that markup to the cost of the garments you are pricing. You find what the "base period" markup is by using one of the pricing rules which are given in § 1389.554. However, you are not permitted to sell any garment at a higher price than the "highest price line" at which you delivered a garment of the same "category number" in March 1942. (This "highest price line" provision is explained in § 1389.553).

(b) *What is a "category number."* The garments covered by this regulation are listed in Appendix A. Each kind of garment (such as dresses, coats, suits, skirts) is broken down into certain size groups. Each size group is described as a category and given a "category number."

For example: all "women's" coats are placed in Category No. 1; all "misses'" and "junior misses'" coats in sizes from 9 to 20, inclusive, are in Category No. 2; all "teen age" coats in sizes from 10 to 16, inclusive, are in Category No. 3; "women's" jackets are in Category No. 11; "girls'" dresses in sizes from 7 to 14, inclusive, are in Category No. 24, etc.

(c) *What is the "base period."* The base period is very important because you must determine your markup from your deliveries of garments during that period. The base period is:

(1) For retailers, the period between August 1, 1941 and December 31, 1941, both inclusive.

(2) For wholesalers, the period between July 1, 1941 and October 31, 1941, both inclusive.

(3) For retailers who started to sell garments after October 1, 1941 but before November 1, 1942, and for wholesalers who started to sell garments after September 1, 1941 but before November 1, 1942, the base period is the first

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.

[2] 7 F.R. 4381, 5869, 7010, 7535, 8946, 10081; 8 F.R. 129, 1139, 1394.

four months immediately following the time of starting of sale of garments.

(4) For those mail-order catalogue establishments making sales on the basis of orders received by mail, who printed their Spring 1942 catalogues prior to January 15, 1942, the base period is the month of March 1942.

§ 1389.553 *Explanation of "highest price line" limitation.* In order that the consumer may continue to buy garments at customary price levels, this regulation provides a highest price line rule, or an over-all ceiling rule for each category. The rule is that you may not, under any circumstances, sell any garment at a higher price than the highest price line at which you delivered a garment of the same category number during March 1942. If you did not deliver any garments of the same category number during March 1942, then you may not sell a garment of that category number at a higher price than the highest price line at which your most closely competitive seller of the same class delivered a garment of that category number during March 1942.

§ 1389.554 *How to use the pricing rules*—(a) *Pricing chart.* In order to find your ceiling price for any garment, you use that one of the five following pricing rules which is applicable. It will be helpful in using these pricing rules to prepare immediately a pricing chart to have before you when you establish your ceiling prices. This chart should contain a list of (1) the category numbers you delivered in the base period, (2) the cost price at which you purchased garments in each of these category numbers, (3) the selling price at which you delivered during the base period the largest number of garments for each cost price, (4) the percentage markup for this selling price, (5) the highest price at which you delivered a garment of each category number in March 1942 (or if you did not deliver such a category number, the highest price at which your most closely competitive seller of the same class delivered a garment of this category number during March 1942.)

An example of a pricing chart and instructions for its preparation are given in Appendix B.

(b) *Summary of pricing rules.* (1) You first find whether you delivered in the base period a garment of the same category number as the garment for which you are calculating your ceiling price. If you did, then you find your ceiling price by using either Rule 1, 2 or 3.

(2) If you find that you did not deliver in the base period a garment of the same category number as the garment you are pricing, then you must calculate your ceiling under Rule 4.

(3) You are permitted to price a garment under Rule 5 only if none of the rules from 1 through 4 apply to your case. For example, you must use Rule 5 if you first started selling garments in February, 1943.

(c) *Pricing rules for garments of a category number delivered during the base period.* To find your ceiling price for garments of the same category number as garments which you delivered during the base period, you compare the cost price at which you purchased the garments now being priced with the cost price at which you purchased garments of the same category number which you delivered during the base period, and then use the first of the next three rules that applies.

Rule 1. The ceiling price for a garment of the same cost to you as a garment you delivered in the base period is the selling price at which you delivered the largest number of such garments during the base period.

For example: You want to find your ceiling price for women's dresses (Category No. 21), which you now buy in a $6.75 cost price line. During the base period, you delivered a total of 250 women's dresses which you bought at a $6.75 cost price. Of these 250 dresses your selling price was $9.95 for 50 of these dresses, $10.95 for 125 of them and $11.95 for 75 of them. Your ceiling price this season for dresses which cost you $6.75 is $10.95, since that is the price at which you delivered in the base period the largest number of women's dresses that cost you $6.75.

However, if during the base period you delivered an equal number of units at two or more different selling prices then your ceiling price shall be the lowest of these selling prices.

For example: You want to find your ceiling price for women's coats (Category No. 1), which you now buy in a $22.75 cost price line. In the base period, you delivered 120 coats that cost you $22.75. You delivered 20 of them at $32.50, 50 of them at $35.00 and 50 at $39.95. Your ceiling price this season for coats that cost you $22.75 is $35.00. Since you delivered 50 coats at $35.00 and 50 coats at $39.95, the rule requires that you take as your ceiling the lower of the two selling prices.

Rule 2. This rule is used where the garment being priced is bought by you at a cost different from the cost of garments of the same category number, which you delivered in the base period.

In such case, you calculate your ceiling price as follows: You first find the next lower cost price line of garments of the same category number, which you delivered in the base period. You then find the selling price at which you delivered the largest number of units of such garments in the next lower cost price line in the base period. Then you find the percentage markup which you took on these garments in the base period and apply the same percentage markup to the garments you are pricing.

For example: You want to find your ceiling price for women's dresses (Category No. 21), that you now buy at a $7.75 cost price line. In the base period you delivered women's dresses that cost you $6.75 and $8.75, but you did not deliver any that cost you $7.75. To calculate your ceiling, you find your next lower cost price line in women's dresses, that you delivered in the base period, which is $6.75. You delivered in the base period altogether 200 women's dresses which you bought in a $6.75 cost price line. You delivered 125 of them at $10.95 and 75 at $11.95. Since $10.75 is the selling price at which you delivered the largest number of units, you then calculate the percentage markup, which you took in the base period on the garments sold at $10.95 and which cost you $6.75. This markup is 38.4%. (This percentage markup is found in Column D of your Pricing Chart). You then apply this same percentage markup to the $7.75 cost of the garments you are pricing and you find that your ceiling price is $12.58.

Rule 3. This rule is used where the garment you are pricing is bought by you at a cost which is lower than any cost price line of garments of the same category number which you delivered in the base period. In such case you follow exactly the same procedure set forth in Rule 2, except that you apply the percentage markup taken by you on the lowest cost price line of garments of the same category number delivered in the base period instead of the next lower cost price line.

For example: You want to find your ceiling price for women's dresses (Category No. 21), that you now buy in a $2.75 cost price line. In the base period, you did not deliver any women's dresses which cost you less than $3.75. Since $3.75 is the lowest base period cost price line for women's dresses, you find that the selling prices at which you delivered in the base period the largest number of women's dresses which cost you $3.75 is $5.98. Thus the percentage markup which you took on women's dresses which cost you $3.75 and which you sold at $5.98 is 37.3%. (This percentage markup is found in Column D of your pricing chart). Thus by applying this same percentage markup on your $2.75 cost of the garment being priced, you find your ceiling price to be $4.39.

(d) *Pricing rules for garments in a category number not delivered during the base period.* To find your ceiling price for garments which are in a category number that you did not deliver during the base period, you compare the cost price line of the garment being priced with the cost price line at which you bought garments of other category numbers delivered by you during the base period, and then use Rule 4.

Rule 4. Your ceiling price for a garment of a category number that you did not deliver in the base period is determined as follows:

(1) If you delivered, during the base period, garments of any category number which you purchased at the same cost as the garment you are pricing, then your ceiling price is the selling price at which you delivered the largest number of such garments during the base period.

Example 1. You want to find your ceiling price on women's suits (Category No. 6), which you now buy at $6.75. You did not deliver any women's suits during the base period, but you did deliver one other category number, women's dresses (Category No. 21), which you bought at $6.75. Since during the base period, you delivered the largest number of women's dresses bought in a $6.75 cost price line, at $10.95, your ceiling price for such dresses, under Rule 1, is $10.95. Therefore, $10.95 is your ceiling price for women's suits bought at $6.75, as that is the ceiling price you established for garments in another category number bought at the same cost.

(2) If you did not deliver during the base period garments of any category number which you bought at the same cost as the garment you are pricing, then you take the next lower cost price line of garments which you delivered in the base period and find the selling price at which you delivered the largest number of such garments; then find the percentage markup which you took on these garments, and apply this percentage markup to the cost of the garments you are pricing.

Example 2. You want to find the ceiling price for misses' suits (Category No. 7) which you now buy at $9.25. You did not deliver any misses' suits during the base period, nor did you deliver any garments at all which you bought at $9.25. You delivered women's dresses (Category No. 21) bought at $8.75, which is the next lower cost price line for any garments delivered by you in the base period. Under Rule 2 you find that you may take a 37.3% markup for the women's dresses bought at $8.75, since in the base period you delivered at $13.95 the largest number of women's dresses which cost you $8.75. (This percentage markup is found in Column D of your pricing chart). Thus you may take a 37.3% markup on the misses' suits bought at $9.25, and your ceiling price for these misses' suits is $14.75.

(3) If you did not deliver during the base period any garment you bought at a cost price lower than the garment you are pricing, then you take the lowest cost price line of garments which you did deliver and find the selling price at which you delivered the largest number of such garments; then find the percentage margin which you took on these garments and apply this percentage markup to the cost of the garments you are pricing.

Example 3. You want to find the ceiling price for blouses (Category No. 26), which you now buy at $2.50. You did not deliver any blouses during the base period. However, the lowest cost price line in which you bought any garments which you delivered in the base period was $3.75 at which you bought women's dresses (Category No. 21). Since you delivered the largest number of such dresses in the base period at $5.98, you are permitted a 37.3% markup on those dresses. Under Rule 3 you find you may take the same markup on the blouses as you took on the garments in your lowest cost price line delivered during the base period. Therefore, your ceiling price is $3.99, which is calculated by taking a markup of 37.3%, the markup on the lowest cost price line for garments in any category number delivered during the base period.

(4) In applying Rule 4, you might find that in the base period the largest number of garments that you delivered in two or more category numbers, which you purchased in the same cost price line, or in the next lower cost price line, or in the lowest cost price line, was delivered at different selling prices. In any such case in determining your ceiling price you must use that selling price or that percentage markup which gives you the lowest ceiling price. Also, if you find that you delivered during the base period an equal number of units at two or more different selling prices, then you shall use the lowest of these selling prices.

Example 4: Suppose that in calculating your ceiling price on the women's suits mentioned in Example 1 above, you find that during the base period you delivered not only women's dresses bought at $6.75, but also girls' coats (Category No. 4), which you bought at $6.75 and delivered at $9.95. Under Rule 1, your ceiling price for girls' coats bought at $6.75, is $9.95, since in the base period you delivered the largest number of girls' coats bought at that price for $9.95, and therefore, your ceiling price for these women's suits is $9.95 instead of $10.95 since that selling price gives you the lowest ceiling price.

Example 5: Suppose that in calculating your ceiling price on the misses' suits, which you now buy at $9.25, mentioned in Example 2 above, you find that during the base period you delivered not only women's dresses (Category No. 21), bought at $8.75 but also women's coats (Category No. 1), which you bought at $8.75. You delivered the largest number of such women's coats at $12.95, giving you a percentage markup of 32%. By applying to the cost of your misses' suits, ($9.25) the percentage markup on women's coats, 32%, you calculate a ceiling price of $13.60 for your misses' suits. Whereas, if you apply to the cost of your misses' suits your percentage markup on women's dresses, 37.3%, you calculate a price of $14.75 for your misses' suits. Your ceiling price for these misses' suits is therefore, $13.60, as you must use a 32% markup, for that is the percentage markup which will give you the lowest ceiling price.

(e) *Rule 5—For wholesalers and retailers who started selling garments on or after November 1, 1942, or who cannot otherwise price.* This rule is used when you find that none of the preceding four pricing rules applies to your situation. In such case, the ceiling price for the garment being priced shall be the same as the ceiling price established by your most closely competitive seller of the same class, for the same garment, or if none has been established for the same garment, then the ceiling price established by such competitive seller for the similar garment most nearly like it.

(f) *Special provisions for selling establishments which sell through separate departments.* (1) For the purpose of this regulation each separate department of a selling establishment shall be considered a separate seller.

(2) The highest price at which a separate department of a selling establishment may deliver a garment of a category number which it did not deliver in March 1942, shall be the highest price at which any department of the same selling establishment delivered a garment of the same category number during the base period.

(3) A separate department which is established after November 1, 1942, by a selling establishment which was in business prior to that date, shall establish its maximum prices in the following manner:

(i) The highest price line at which it may sell a garment in any category number shall be the highest price line at which any department of the selling establishment is permitted to sell a garment of that category number under this regulation.

(ii) The maximum markup which it may apply to the cost of the garment being priced shall be the highest markup which any department of the selling establishment is permitted to take had the garment been sold in that department or unit.

§ 1389.555 *What acts are prohibited by this regulation.* On and after the effective date of this regulation regardless of any contract or other obligation, no person shall do any of the following:

(a) Sell or deliver any garment at a price higher than the ceiling price permitted by this regulation, although he may lawfully charge prices below the ceiling.

(b) Change his customary discounts, allowances or price differentials, if the change results in a higher net price.

(c) Require a purchaser to buy any other article or service in connection with the sale or delivery of a garment.

(d) Do any other act which directly or indirectly increases, above the maximum price, the consideration paid for a garment or delivery of any garment.

(e) Buy or receive, in the course of trade or business, any garment which was sold in violation of any of the paragraphs of this section.

(f) Agree, offer, solicit or attempt to do any of the acts prohibited by this regulation.

§ 1389.556 *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, proceedings for the suspension of licenses, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

§ 1389.557 *Records.* (a) You must keep a record of all prices established under this regulation. For each price, the record must show (1) the cost of the garment, (2) the selling price, (3) if you did not price under Rule 1, the percentage markup used in establishing the ceiling price, and (4) the pricing rule under which the ceiling was calculated.

(b) You must also preserve the records that you were required to prepare by § 1389.8 of Maximum Price Regulation 153, as amended.

(c) If you did not deliver the same category of garment during March 1942, you must keep a record showing (1) the name and address of your most closely competitive seller of the same class, and (2) his highest price line for a garment of that category number.

(d) If you use Rule 5 in pricing any garments, then you must keep a record of (1) the name and address of your most closely competitive seller of the same class whose garment you used to establish your maximum price, (2) a description of such garment of such most closely competitive seller, and (3) a description of your same or similar garment priced on the basis of such garment.

§ 1389.558 *Invoices, sales slips and receipts, notification and disclosure to retailers.* (a) Every wholesaler, in connection with a sale to a retailer shall deliver an invoice or other similar document showing (1) the date, (2) the name and address of the seller and purchaser, (3) the style number and category number of each of the different styles of garment sold, (4) the quantity of each different style of garment sold, (5) the price of each different style of garment sold, and (6) all discounts, allowances and other price differentials.

(b) Every retailer who has customarily given his customers a sales slip, receipt or similar evidence of purchase must continue to do so. Upon request from a customer, a retailer, regardless of previ-

ous custom, must give the purchaser a receipt showing (1) the date, (2) the name and address of the seller, (3) the name and description of each garment sold, and (4) the price received for it.

§ 1389.559 *Relation to the other maximum price regulations.* (a) The General Maximum Price Regulation shall not apply, and this regulation shall apply to sales of garments covered by this regulation. However, the following sections of the General Maximum Price Regulation are made a part of this regulation, and you must observe them.

(1) Sellers operating more than one retail establishment (§ 1499.4a).

(2) Transfers of business or stock in trade (§ 1499.5).

(3) Federal and state taxes (§ 1499.7).

(4) Current records (§ 1499.12).

(5) Marking and posting of cost-of-living commodities (§ 1499.13), except that paragraph (b) of § 1499.13 (filing of cost-of-living statements) does not apply.

(6) The registration and licensing provisions of §§ 1499.15 and 1499.16 shall apply to every person who sells women's, girls' and children's outerwear garments at wholesale or retail.

(b) *Revised Maximum Export Price Regulation.*[1] Revised Maximum Export Price Regulation shall apply, and this regulation shall not apply to sales or deliveries for which maximum prices are established by Revised Maximum Export Price Regulations, issued by the Office of Price Administration.

(c) *Maximum Price Regulation 153, as amended.* This regulation shall be considered as an amendment to Maximum Price Regulation No. 153, as amended, for all purposes, except that it shall be known as Maximum Price Regulation No. 330.

§ 1389.560 *How this regulation may be amended.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment of general applicability. Any such petition must be filed in accordance with the provisions of Revised Procedural Regulation No. 1,[2] issued by the Office of Price Administration.

§ 1389.561 *Geographical applicability of this regulation.* This regulation shall be applicable to the continental United States, and to the District of Columbia, but not to the territories and possessions of the United States.

§ 1389.562 *Definitions.* (a) Unless the context otherwise requires or unless otherwise specifically provided herein, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, shall apply to the terms used in this regulation.

(b) "Retail sale" or "sale at retail" means a sale to an ultimate consumer other than an industrial or commercial user.

(c) "Wholesale sale" or "sale at wholesale" means a sale, otherwise than at retail, of a garment which the seller received in substantially the form in which he sells it. Sales by a manufacturer of those garments which he produces or has produced for him are not considered sales at wholesale.

(d) A "manufacturer" is a person who sells a garment which he has fabricated or which has been fabricated for him by an agent or by a "contractor" as that term is defined in Maximum Price Regulation No. 172.[3]

(e) A "manufacturing-retailer" is a manufacturer who maintains one or more establishments selling at retail, or who otherwise sells to ultimate consumers and who sells substantially all of the garments that he manufactures to ultimate consumers.

(f) A "custom tailor" or "dressmaker" is a manufacturer who sells to ultimate consumers from his own establishment, garments fabricated by himself to the individual specifications and at the special order of such ultimate consumers.

(g) "Cost price line", "cost price" and "cost" have the same meaning when used in this regulation.

In applying your markup to "cost" in this regulation, you use the same "cost" basis that you used in the base period. Thus, if in the base period you applied your markup to invoice price, before discount and freight, you now calculate your markup on the same basis. On the other hand, if you applied your markup during the base period to net cost then you now calculate your markup on that basis.

(h) "Seller" means a seller of any of those types of women's, girls' and children's outerwear garments covered by this regulation.

APPENDIX A: WHAT GARMENTS MUST BE PRICED UNDER THIS REGULATION

This regulation applies to the following garments, if fabricated from yard goods, including knitted fabrics and lace.

(a) *Coats:* "Coats" include feminine outerwear garments, commonly known as coats, usually worn over other outer apparel, untrimmed, trimmed and fur-trimmed sport and dress, including capes and wraps, but not including rainwear garments or garments made of artificial leather. Rainwear garments are those which are commonly regarded as having their chief use as protection against rain. Infants' coats are not included.

Category numbers:
- 1—"Women's"—all sizes.
- 2—"Misses'" and "jr. misses'"—sizes from 9 to 20, inclusive.
- 3—"Teen age"—sizes from 10 to 16, inclusive.
- 4—"Girls'"—sizes from 7 to 14, inclusive.
- 5—"Children's"—sizes from 3 to 6, inclusive.

(b) *Suits:* "Suits" include two-piece feminine outerwear garments, untrimmed, trimmed and fur-trimmed, consisting of a separate jacket and separate skirt fabricated of wool, cotton, rayon, silk or other yard goods of either matching or contrasting material to be sold at a unit price. Skating suits consisting of a separate jacket and a separate skirt are deemed to be suits. Infants' suits are not included.

Category numbers:
- 6—"Women's"—all sizes.
- 7—"Misses'" and "jr. misses'"—sizes from 9 to 20, inclusive.
- 8—"Teen age"—sizes from 10 to 16, inclusive.
- 9—"Girls'"—sizes from 7 to 14, inclusive.
- 10—"Children's"—sizes from 3 to 6, inclusive.

(c) *Separate jackets:* "Separate jackets" include feminine outerwear garments, commonly known as jackets, including skating jackets, but excluding garments made of artificial leather. Boleros, jerkins and other garments of the same type are considered to be jackets. Infants' jackets are not included.

Category numbers:
- 11—"Women's"—all sizes.
- 12—"Misses'" and "jr. misses'"—sizes from 9 to 20, inclusive.
- 13—"Teen age"—sizes from 10 to 16, inclusive.
- 14—"Girls'"—sizes from 7 to 14, inclusive.
- 15—"Children's"—sizes from 3 to 6, inclusive.

(d) *Separate skirts:* "Separate skirts" include feminine outerwear garments, commonly known as skirts, including skating skirts, but excluding culottes. Infants' skirts are not included.

Category numbers:
- 16—"Women's"—all sizes.
- 17—"Misses'" and "jr. misses'"—sizes from 9 to 20, inclusive.
- 18—"Teen age"—sizes from 10 to 16, inclusive.
- 19—"Girls'"—sizes from 7 to 14, inclusive.
- 20—"Children's"—sizes from 3 to 6, inclusive.

(e) *Dresses:* "Dresses" include feminine outerwear garments commonly known as dresses, whether used for street, evening, house or utility wear. Jumpers, gumpies, pinafores, brunchcoats, smocks and similar garments are considered dresses. Infants' dresses are not included.

Category numbers:
- 21—"Women's"—all sizes.
- 22—"Misses'" and "jr. misses'"—sizes from 9 to 20, inclusive.
- 23—"Teen age"—sizes from 10 to 16, inclusive.
- 24—"Girls'"—sizes from 7 to 14, inclusive.
- 25—"Children's"—sizes from 3 to 6, inclusive.

(f) *Blouses:* "Blouses" include feminine outerwear garments, commonly known as blouses or shirtwaists.

Category number:
- 26—"Blouses"—sizes 30 and up

(g) *Snowsuits:* "Snowsuits" include children's (including boys' and girls') and infants' outerwear garments, commonly known as snowsuits, or ski suits.

Category numbers:
- 27—One-piece snowsuits (with or without a matching hat)—sizes from 1 to 6, inclusive.
- 28—Snowsuits of two pieces (with or without a matching hat)—sizes from 7 to 14, inclusive.

(h) *Legging sets and separate leggings:* "Legging sets" and "separate leggings" include children's (including boys' and girls') and infants' outerwear garments, commonly known as legging sets and separate leggings, but excluding garments made of artificial leather.

Category numbers:
- 29—Legging sets—sizes from 1 to 10, inclusive.
- 30—Separate leggings—sizes from 1 to 10, inclusive.

(i) *Separate ski pants:* "Separate ski pants" include children's (including boys' and girls') outerwear garments, commonly known as ski pants.

Category number:
- 31—Separate ski pants—sizes 3 to 14, inclusive.

APPENDIX B: EXAMPLE OF A PRICING CHART

(a) *Pricing chart.* An example of a pricing chart which you should prepare to assist you in pricing your garments follows:

PRICING CHART

A Category No.	B Cost price lines	C Selling price	D Percentage mark-up	E Highest March price line
1 (women's dresses).	$3.75	$5.98	*Percent* 37.3	.....
	4.75	7.95	40.3	.....
	5.00	8.95	38.6	.....
	6.75	10.95	38.4	.....
	8.75	13.95	37.3	.....
	9.75	14.95	34.8	.....
	10.75	16.95	36.6	$17.95

A Category No.	B Cost price lines	C Selling price	D Percentage mark-up	E Highest March price line
1 (women's coats).	$11.75	$19.95	*Percent* 41.1	.....
	12.75	19.95	36.1	.....
	14.75	25.00	41.0	.....
	18.75	29.95	37.4	.....
	19.75	29.95	33.7	.....
	22.75	35.00	35.0	.....
	26.75	39.95	33.0	$42.00

(b) *How to prepare your pricing chart:*

1. In Column A, list the category numbers of the garments you are pricing. You will find the category numbers for the garments in Appendix A.

2. In Column B, list all the cost price lines at which you purchased garments that you delivered during the base period. (§ 1389.562 (c) explains what the base period is).

3. In Column C, list the selling price at which you delivered during the base period the largest number of units of each cost price line listed in Column B. (See Rule 1, if you delivered the same number of units at two or more selling prices, for then you use the lowest selling price).

4. In Column D, list the percentage markup taken on each cost price line listed in Column B. This is how you make this calculation:

Step 1. You subtract the cost price line (Column A) from the selling price (Column B) and the difference is the dollar markup.

Step 2. Divide this dollar markup by the selling price (Column B, and the result is the percentage markup.

For example: In the pricing chart listed above, in order to find the percentage markup taken on the $3.75 cost price line, you subtract $3.75 (Column A) from $5.98 (Column B). The difference is $2.23. By dividing $2.23 by $5.98 (Column B), you find your percentage markup to be 37.3%.

5. In Column E, list the highest price line at which you delivered in March 1942 a garment of each category number listed in Column A. If you did not deliver a garment of any category number in March 1942, then list the highest price line at which your most closely competitive seller of the same class delivered a garment of the same category number in March 1942.

6. The percentage markups illustrated in Column D and in the examples given throughout the regulation are markups on selling price. If you usually calculate your markups on your cost prices, you may under this regulation, continue to calculate your markups on cost instead of on selling price. However, you must calculate your markups in the same manner now that you did in the base period.

This regulation shall become effective February 24, 1943.

Issued this 18th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2713; Filed, February 18, 1943; 11:56 a. m.]

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[1] 7 F.R. 5059, 7242, 8829, 9000, 10530.

[2] 7 F.R. 8961.

[3] 7 F.R. 4882, 6684, 8351, 8948, 10864.

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5C,[1] Amendment 23]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraph (b) of § 1394.7704, and the text of paragraph (a), subdivision (ii) of subparagraph (1) of paragraph (a), and subdivision (ii) of subparagraph (2) of paragraph (a) of § 1394.7705 are amended; a new subparagraph (51) to paragraph (a) of § 1394.7551, a new § 1394.7707 and a new paragraph (w) to § 1394.8352 are added; as set forth below:

Definitions

§ 1394.7551 *Definitions.* (a) • • •

(51) "State Director" means the person holding the office of State Director in a district or State office, or the office of District Manager in a district office, who has been designated by the Regional Administrator to decide, pursuant to Procedural Regulation No. 9, appeals from the decisions of local war price and rationing boards located in the area over which such office has jurisdiction.

Supplemental Rations

§ 1394.7704 *Allowance of mileage.*

• • •

(b) Upon the basis of the application and such other facts as the Board may require, the Board shall allow mileage for driving within the continental United States for any of the purposes listed in paragraph (b) of § 1394.7703 for which applicant has applied, with respect to which the applicant has established the facts required by paragraph (a) hereof. The Board shall allow only that portion of the claimed mileage (in the absence of a ride-sharing arrangement) with respect to which the applicant has established the inadequacy of alternative means of transportation (in accordance with paragraph (a) (2) (ii) of this section). The Board shall then determine the total occupational mileage per month required by the applicant and allowed by it for the three-months' period specified in paragraph (b) of § 1394.7703 and shall issue a supplemental ration, in accordance with the provisions of § 1394.7705, to provide such mileage: *Provided,* That except in accordance with the provisions of § 1394.7707, no Board outside of the gasoline shortage area may allow an average of more than 470 miles per month, and no Board within the gasoline shortage area may allow an average of more than 378 miles per month for any occupational mileage other than preferred mileage as defined in § 1394.7706. The Board may allow an average mileage in excess of such maximum only if the excess consists of such preferred mileage or additional mileage allowed pursuant to § 1394.7707.

• • • • • •

§ 1394.7705 *Issuance of supplemental rations.* (a) Supplemental rations shall be issued to provide the total mileage allowed by the Board in accordance with §§ 1394.7704 or 1394.7707.

(1) • • •

(ii) In the event that the mileage allowed by the Board pursuant to paragraph (b) of § 1394.7704 or § 1394.7707 exceeds 470 miles per month: one or more Class C books bearing expiration dates three months from the date of issuance or December 1, 1942, whichever is later, and containing the number of coupons specified in Table II for the mileage allowed.

(2) • • •

(ii) In the event that the mileage allowed by the Board pursuant to paragraph (b) of § 1394.7704 or § 1394.7707 exceeds 378 miles per month: one or more Class C books bearing expiration dates three months from the date of issuance or December 1, 1942, whichever is later, and containing the number of coupons specified in Table IIA for the mileage allowed.

• • • • • •

§ 1394.7707. *Additional mileage allowance.* (a) In any case where the applicant or person entitled to the use of the vehicle is not eligible for preferred mileage for driving between home and a fixed place or places of work, or between fixed places of work in connection with his principal occupation, and more mileage is required for such driving than 470 miles per month (378 miles per month in the gasoline shortage area) the Board, upon approval of the State Director, may allow additional mileage in excess of such maximum, to the extent required for such driving. No mileage may be allowed in such case for driving in the course of work, unless the driving in the course of work consists of preferred mileage.

(b) An applicant for additional mileage under this section must establish by clear and convincing proof that: (1) such driving is between home and a fixed place or places of work, or between fixed places of work, in connection with the principal occupation of the applicant or person entitled to the use of the vehicle, (2) a bona fide ride-sharing arrangement has been made pursuant to which at least four persons (including the operator) are regularly carried in the vehicle for the purpose of going to and from their occupations, or that no such ride-sharing arrangement exists but that the vehicle carries as many persons as could reasonably be expected under the circumstances, and (3) there are no reasonably adequate alternative means of transportation.

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 607, 565, 1028, 1202, 1203, 1365, 1282, 1366, 1318, 1588, 1813.

(c) If the applicant meets the requirements of paragraph (b) of this section the Board may tentatively issue a ration pursuant to § 1394.7705 which does not include the additional mileage claimed by the applicant, unless such ration has already been issued, and may forward the application to the State Director. Each application shall be accompanied by a recommendation in writing by the Board stating any pertinent facts in addition to those stated in the application, the additional mileage which the Board recommends be allowed for such driving, and the reasons for its recommendation. The Board shall notify the applicant of the amount of additional mileage it has recommended, or of its refusal to make a recommendation.

(d) The State Director, or a person designated by him, shall receive and consider any further evidence presented by the applicant and may require the applicant to appear before him for examination and to produce such witnesses or evidences as he may deem material. The State Director shall pass upon the application and the Board's recommendation and shall promptly notify the Board of his decision and return the application to the Board. If the recommendation of the Board is approved in whole or in part, the Board shall: (1) require the applicant to surrender any supplemental ration previously issued for use with the vehicle, and (2) issue a new supplemental ration pursuant to § 1394.-7705, in the amount of the total mileage allowed pursuant to paragraph (a) of this section and § 1394.7704.

Any person may appeal to the Regional Administrator from an adverse decision of the State Director, pursuant to Procedural Regulation No. 9.[1]

Effective Dates

§ 1394.8352 *Effective dates of amendments.* * * *

(w) Amendment No. 23 (§§ 1394.7551 (a) (51), 1394.7704 (b), 1394.7705 (a), (a) (1) (ii), and (a) (2) (ii), and 1394.-7707) to Ration Order No. 5C shall become effective February 24, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 18th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2707; Filed, February 18, 1943; 11:55 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Restriction Order 3]

CANNED MEAT AND CANNED FISH

Preamble. The war has brought a tremendous increase in the demand for canned meat and canned fish. At the same time because of material and manpower restrictions imposed by the war, the output of canned meat and canned fish cannot be increased correspondingly. The result is that our supplies of canned meat and canned fish are not sufficient to meet the demand. Our limited supplies of canned meat and canned fish available for civilian distribution must be conserved until arrangements can be made for their orderly and equitable distribution.

§ 1407.4001 *Restriction on transfer of canned meat and canned fish.* Under the authority vested in the Administrator by Executive Order No. 9125, issued by the President on April 7, 1942; Directive No. 1 and Supplementary Directive No. 1-M of the War Production Board, issued on January 24, 1942, and September 12, 1942, respectively; Executive Order No. 9280, issued by the President on December 5, 1942; and Food Directive No. 1, issued by the Secretary of Agriculture on January 16, 1943, Restriction Order 3 (Canned Meat and Canned Fish) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: §1407.4001, issued pursuant to Pub. Law. 671, 76th Cong., as amended by Pub. Law 89, 77th Cong., and by Pub. Law 507, 77th Cong.; Pub. Law 421, 77th Cong., as amended by Pub. Law 729, 77th Cong.; Executive Order No. 9125, 7 F.R. 2719; Executive Order No. 9280, 7 F.R. 10179; WPB Directive No. 1, 7 F.R. 562, and Supplementary Directive No. 1-M, 7 F.R. 7234; and Food Directive No. 1, 8 F.R. 827.

SECTION 1. *General rule, transfers of canned meat and canned fish are prohibited.* No person shall transfer or acquire canned meat or canned fish. The only exceptions to this prohibition are stated in the next five sections.

SEC. 2. *Transfers of canned meat and canned fish to exempt persons and agencies are permitted.* (a) Any person or government agency is an exempt person or exempt agency with respect to canned meat or canned fish obtained by or for it for export to, and consumption or use in, any foreign country. The other exempt agencies for the purposes of this order are the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, War Shipping Administration, Maritime Commission, Panama Canal, Civil Aeronautics Authority, National Advisory Committee for Aeronautics, Office of Scientific Research and Development, Food Distribution Administration, and Office of Lend-Lease Administration.

(b) Any person may transfer canned meat or canned fish to or for the exempt persons or exempt agencies named in the preceding paragraph. Canned meat or canned fish may be acquired by or for these exempt persons or exempt agencies.

SEC. 3. *Transfers of canned fish to wholesalers are permitted.* (a) Any place where a person who deals in canned meat or canned fish keeps stocks of canned meat or canned fish for sale or other transfer is a wholesale establishment if, in the last month before February 1943 in which canned meat or canned fish from those stocks were transferred, 50 per cent or more of the canned meat or canned fish so transferred was transferred from there directly to persons acquiring canned meat or canned fish for other than personal use. Any person who has a wholesale establishment is called a wholesaler, but only with respect to such an establishment.

(b) Any person may transfer canned fish to a wholesaler. Wholesalers may acquire canned fish. (Canned meat may not be transferred or acquired under this paragraph.)

SEC. 4. *Canned meat or canned fish in transit.* Canned meat or canned fish in transit at the time this order takes effect may be delivered to the consignee and acquired by him.

SEC. 5. *Canned meat or canned fish may also be transferred if the Director of the Food Rationing Division authorizes the transfer.* (a) Persons may transfer or acquire canned meat or canned fish when authorized to do so by the Director of the Food Rationing Division, Office of Price Administration, Washington, D. C.

(b) Any person who desires such authority to transfer or acquire canned meat or canned fish must apply in writing to the Director of the Food Rationing Division, Office of Price Administration, Washington, D. C. The application must state the kind and amount of canned meat or canned fish he wishes to transfer or acquire and the reasons why such authority should be given.

SEC. 6. *Certain deliveries by or to carriers are permitted.* Deliveries of canned meat or canned fish may be made by or to carriers for the purpose of effecting transfers thereof permitted by the previous four sections.

SEC. 7. *Certain wholesalers must report their inventories of canned meat and canned fish held on February 17, 1943.* (a) Certain persons were required to file with the Bureau of the Census, Washington, D. C., before February 12, 1943, a report showing, for January 1943, their stocks and receipts of canned and preserved foods. (The report was to be made on OPA Form CF-2.) Wholesalers who complied with this requirement need not file the inventory report required by this section.

(b) All other wholesalers must file an inventory report with the Office of Price Administration. The report must show, for each wholesale establishment, all the canned meat and canned fish physically located at that establishment, at the close of business February 17, 1943. The report must show separately the number of hermetically sealed containers holding canned meat classified by size of container and the number of hermetically sealed containers holding canned fish classified by size of container. (The report need not show a classification by type of canned meat or by type of canned fish.) It must contain a certification that the information contained in it is complete and accurate. The report, including the certification, must be signed by the wholesaler or his authorized agent.

(c) The report must be filed by mailing it to the Director of the Food Rationing Division, Office of Price Administration, Washington, D. C. It must be filed on or before March 5, 1943. (It is considered filed on time if the envelope is postmarked on or before that date.)

(d) The wholesaler must complete a duplicate of his report. It must be held for at least two years at a place where his books of account and other business records are customarily kept and be open to audit and inspection by agents of the Office of Price Administration.

SEC. 8. *Records of transfers.* Every person who acquires or transfers canned meat or canned fish must keep a record of the names and addresses of persons transferring or acquiring the canned meat or canned fish and the number and size of the hermetically sealed containers transferred or acquired. (These records must show whether the transaction involved canned meat or whether it involved canned fish but need not show the type of canned meat or the type of canned fish.) These records must be held for at least two years at a place where his books of account and other business records are customarily kept, and be open to audit and inspection by agents of the Office of Price Administration.

SEC. 9. *Canned meat and canned fish held for sale must not be opened except for inspection.* No person shall, except for necessary and customary inspection, puncture or open a hermetically sealed container in which canned meat or canned fish is packed if it is held for sale or transfer.

SEC. 10. *Where order applies.* This order applies only in the 48 States of the United States and the District of Columbia.

SEC. 11. *Office of Price Administration may issue suspension orders.* Any person who violates this order may, by administrative suspension order, be prohibited from receiving any transfer or delivery of, or from selling or using or otherwise disposing of, any canned meat or canned fish or other rationed product or facility. Such suspension order shall be issued for such period as in the judgment of the Administrator, or such person as he may designate for such purpose, is necessary or appropriate in the public interest and to promote the national security.

SEC. 12. *Definitions.* When used in this order:

"Acquire" means to accept a transfer or to get possession or title in any other way.

"Canned fish" means all fish or shellfish packed in hermetically sealed containers of any type and sterilized by the use of heat. It does not include processed foods as defined in Ration Order No. 13[1] or pharmaceutical products.

"Canned meat" means all meat packed in hermetically sealed containers of any type and sterilized by the use of heat. It does not include processed foods as defined in Ration Order No. 13[1] or pharmaceutical products.

"Meat" means any edible part of cattle, calves, sheep, lambs, and swine. It includes all products containing meat in which the meat constitutes more than 10 per cent of the total net weight. Oils, lards, rendering fats, and rendered fats, and by-products of these five species not used for human consumption are not considered to be meat.

"Person" means not only an individual, but also a partnership, corporation, or association. It includes a government agency and any other organized group or enterprise.

"Transfer" means to sell, give, exchange, lend, deliver or consign. It includes any transfer of possession or title, however accomplished.

This restriction order shall become effective at 12:01 a. m. on February 18, 1943.

Issued this 18th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2692; Filed, February 18, 1943; 11:52 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 165,[1] as Amended, Supp. Service Reg. 7]

SERVICES RENDERED IN CONNECTION WITH THE NEGOTIATION OF PURCHASE OR SALE OF FUEL OIL

A statement of the considerations involved in the issuance of Supplementary Service Regulation No. 7 has been filed with the Division of the Federal Register.* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Supplementary Service Regulation No. 7 is hereby issued.

§ 1499.657 *Modification of maximum prices established by Maximum Price Regulation No. 165, as amended, for commission selling of fuel and heating oils in certain states and District of Columbia.* (a) Any person engaged in the service of commission selling or commission distribution, from tank wagons, of fuel oil and heating oil, including but not limited to kerosene, range oil, Nos. 1, 2, 3, 4, 5 and 6 fuel oil, Diesel oil and gas oil in the States of Connecticut, Delaware, Florida (east of the Apalachicola River), Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Pennsylvania, Rhode Island, South Carolina, South Dakota, Vermont, Virginia, West Virginia, Wisconsin, and in the District of Columbia is hereby permitted to charge, and any person purchasing such service is hereby permitted to pay, three-tenths of a cent per gallon in addition to the maximum price established for such seller under this regulation.

(b) This Supplementary Service Regulation No. 7 (§ 1499.657) shall become effective February 24, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E. O. 9250, 7 F.R. 7871)

Issued this 18th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2714; Filed, February 18, 1943; 11:56 a. m.]

*Copies may be obtained from the Office of Price Administration.

PART 1499—COMMODITIES AND SERVICES

[Amendment 13 to Rev. Supp. Reg. 11[1] to GMPR[2]]

EXCEPTIONS FOR CERTAIN STEVEDORING SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Subparagraph (101) of § 1499.46 (b) is amended to read as set forth below:

§ 1499.46 *Exceptions for certain services.* * * *

(b) The provisions of the General Maximum Price Regulation shall not apply to the rates, fees, charges, or compensation for the following services: * * *

* * *

(101) Stevedoring, and carloading and unloading, when performed under a contract for any War Procurement Agency or for the government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 1942, entitled "An Act to Promote the Defense of the United States," or for any agency of such government.

* * * * * *

(d) *Effective dates.* * * *

(14) Amendment No. 13 (§ 1499.46 (b) (101)) to Revised Supplementary Regulation No. 11 shall become effective February 24, 1943.

(Pub. Laws 421 and 729, 77th Cong., E. O. 9250, 7 F.R. 7871)

Issued this 18th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2715; Filed, February 18, 1943; 11:56 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

PART 21—PACIFIC REGION NATIONAL WILDLIFE REFUGES

LOWER KLAMATH NATIONAL WILDLIFE REFUGE, CALIFORNIA AND OREGON

Under authority of section 84 of the act of March 4, 1909, 35 Stat. 1088, as amended by the act of April 15, 1924, 43 Stat. 98, the administration of which was transferred to the Secretary of the Interior on July 1, 1939, by Reorganization Plan No. II (4 F.R. 2731) (53 Stat. 1431), and in extension of § 12.9 of the Regulations for the Administration of National Wildlife Refuges, dated Decem-

[1] 7 F.R. 8796, 8 F.R. 856, 1838.

[1] 8 F.R. 1840.

[1] 7 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9972, 10480, 10557, 10619, 10718, 11010; 8 F.R. 1060, 1979.

[1] 7 F.R. 6426, 6965, 7604, 7758, 8282, 8431, 8810, 9195, 9894; 8 F.R. 130, 149.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 5913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.

ber 19, 1940 (5 F.R. 5284), the following is hereby ordered:

§ 21.573 *Lower Klamath National Wildlife Refuge, California and Oregon; hunting.* Migratory waterfowl (except those species for which no open season is prescribed by the Migratory Bird Treaty Act regulations), coots, and pheasants may be taken within certain areas hereinafter described of the Lower Klamath National Wildlife Refuge, in California and Oregon, during the period prescribed therefor for the respective states by the Migratory Bird Treaty Act regulations, in accordance with the provisions of the Regulations for the Administration of National Wildlife Refuges Under the Jurisdiction of the Fish and Wildlife Service, dated December 19, 1940 (5 F.R. 5284), and in accordance with the regulations promulgated pursuant to the authority contained in the Migratory Bird Treaty Act of July 3, 1918, as amended, when, in manner, by means, and to the extent not prohibited by either Federal or State law or regulation, and under the following special provisions, conditions, restrictions, and requirements:

(a) *Areas open to hunting.* All the lands of the United States within the following-described areas of the refuge shall be open to hunting:

(1) All that part of the refuge lying in the State of Oregon.

(2) All that part of the refuge lying northeasterly of a line extending from the intersection of the north-south quarter line section 14, T. 48 N., R. 2 E., and the north boundary of the State of California, southeasterly to the center of section 30, T. 48 N., R. 3 E.; thence easterly to the center of section 29, T. 48 N., R. 3 E.; and thence southeasterly to a point on the refuge boundary at the east one-sixteenth corner on the east-west quarter line of section 9, T. 47 N., R. 3 E., Mount Diablo Meridian.

(b) *State laws.* Any person while hunting within the refuge must comply with the applicable State laws and regulations.

(c) *Hunting licenses and permits.* Any person who hunts within the refuge shall be in possession of a valid State hunting license, if such license is required, and, if hunting migratory waterfowl, a properly validated migratory-bird hunting stamp. The license and the stamp shall serve as a Federal permit for hunting on the refuge and must be carried on the person of the licensee while so hunting. The license and the stamp must be exhibited upon the request of any representative of the California Department of Natural Resources or of the Oregon State Game Commission authorized to enforce the State game laws, or of any representative of the Department of the Interior. Upon request of the officer in charge, the licensee must also exhibit for inspection all wildlife killed by him or in his possession.

(d) *Disorderly conduct; intoxication.* No person who is visibly intoxicated will be permitted to enter upon the refuge for the purpose of hunting, and any person who indulges in any disorderly conduct on the refuge will be removed therefrom by the officer in charge and dealt with as prescribed by law.

(e) *Hunting dogs.* Each person hunting on the public shooting grounds will be permitted to take his hunting dogs, not to exceed two in number, upon such areas for the purpose of retrieving dead or wounded birds, but such dogs shall not be permitted to run at large on the public shooting grounds or elsewhere on the refuge.

(f) *Entry upon refuge; firearms.* Persons entering the refuge for the purpose of hunting shall use such routes of travel as may be designated by suitable posting by the officer in charge and shall not otherwise enter upon the refuge. The carrying or being in possession of firearms within the areas of the refuge not open to public hunting is prohibited, except that such firearms may be possessed or transported along routes of travel designated by the officer in charge, across such closed areas provided they are unloaded, and broken or properly encased. The carrying or being in possession of rifled firearms or the use of single-ball or slug-loaded shotgun shells on the refuge is prohibited.

(g) *Penalties.* Failure of a permittee to comply with any of the conditions, restrictions, or requirements of the regulations in this section will be sufficient cause for removing him from the refuge and for refusing him further hunting privileges on the refuge.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

OCTOBER 15, 1942.

[F. R. Doc. 43-2670; Filed, February 17, 1943; 3:08 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Mines.

SILVER STATE CONSTRUCTION CO. AND A. D. DRUMM, JR.

ORDER REVOKING LICENSES AND DIRECTING SURRENDER THEREOF

In the matter of Silver State Construction Co., and A. D. Drumm, Jr., Fallon, Nevada, licensees. Proceeding for revocation of licenses.

Proceedings for the revocation of the Federal explosives licenses, issued under the Federal Explosives Act of December 26, 1941 (55 Stat. 863), to the above-named licensees, were begun on October 14, 1942, by the filing of Specifications of Charges and Notices of Hearing setting forth violations of the act and regulations thereunder by the Silver State Construction Co. and A. D. Drumm, Jr. After due reply received from the licensee, A. D. Drumm, Jr., denying any and all charges and requesting a hearing, a hearing was held on December 14, 1942, in Berkeley, California, before the Hearing Officer duly designated by me, at which hearing there was no appearance by or on behalf of the licensees. Testimony was heard and evidence was adduced bearing upon the charges made.

The reports of the Hearing Officer, dated January 15, 1943, made findings of fact and reached conclusions that the licensees had violated various provisions of the act and regulations, and recommended the revocation of the licenses. The licensees were allowed 15 days from the date of receipt of the reports within which to file with me such exceptions to the reports or to any other part of the records or proceedings as they might desire. The 15-day period has now expired without the filing of any exceptions by or on behalf of the licensees.

Now, therefore, by virtue of the authority vested in me by sections 8 and 18 of the Federal Explosives Act and section 301.22 of the regulations issued pursuant thereto (7 F.R. 5901), I, R. R. Sayers, Director of the Bureau of Mines, having reviewed the record, *Order*, That the Hearing Officer's Reports, including his findings, conclusions and recommendations be, and they are hereby, approved and adopted as my own;

That Purchaser's License No. 242 593, Foreman's License No. 489,972, and any and all other Federal explosives licenses heretofore issued to the Silver State Construction Co. and/or A. D. Drumm, Jr., pursuant to the Federal Explosives Act, be, and they are hereby, revoked as of 12:01 a. m., February 28, 1943;

That the licenses mentioned in the preceding paragraph shall be surrendered by delivering them to me on or before February 28, 1943, or by depositing them on or before that date in the United States mail with postage prepaid and addressed to me.

Dated: February 13th, 1943.

R. R. SAYERS,
Director.

[F. R. Doc. 43-2671; Filed, February 17, 1943; 3:08 p. m.]

Office of Indian Affairs.

WAPATO INDIAN IRRIGATION PROJECT, WASH.

ORDER ELIMINATING CERTAIN LANDS

Whereas the Act of Congress approved June 22, 1936 (49 Stat. 1803), authorizes and directs the Secretary of the Interior to cause investigations to be made to determine whether the owners of non-Indian lands under Indian irrigation projects are unable to pay irrigation charges; and

Whereas the said Act provides in part as follows: "* * * Where the Secretary finds that said landowners are unable to make payment * * * he may adjust, defer or cancel such charges, in whole or in part, as the facts and conditions warrant. In adjusting or deferring any such charges the Secretary may enter into contracts with said landowners for the payment of past due charges, but such contracts shall not extend the payment of such charges over a period in excess of ten years. * * *"; and

Whereas the said Act further provides that "Where the Secretary finds that any such lands are permanently non-irrigable he may, with the consent of the landowners, eliminate such lands from the project"; and

Whereas eleven landowners within the Wapato Indian Irrigation Project, Washington, have executed agreements consenting to and requesting that all or a portion of their lands be eliminated from the project, and an investigation and report pertaining to said lands, completed October 1, 1941, shows that some portion or all of the said lands should be eliminated from the project and financial adjustments made because the lands involved are found to be permanently non-irrigable; and

Whereas one other landowner has requested that an adjustment be made of past due irrigation charges because defects of project drainage works made it impossible for him to operate his 40.0 acres of land profitably for a period of years;

Now, therefore, I, Harold L. Ickes, Secretary of the Interior, pursuant to authority vested in me by the Act of June 22, 1936 (49 Stat. 1803), and subject to the terms and conditions thereof, including approval by Congress and the written consent of the landowners heretofore given, hereby eliminate the following described lands from the Wapato Indian Irrigation Project, totaling 386.01 acres, formerly designated as irrigable, and classified as indicated below:

	Class A land	Class B land
T. 11 N., R. 19 E.: Sec. 19	$S\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}SE\frac{1}{4}$ and $S\frac{1}{2}S\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}SE\frac{1}{4}$	
Sec. 21	$SW\frac{1}{4}SE\frac{1}{4}$	$SE\frac{1}{4}SE\frac{1}{4}$.
T. 11 N., R. 20 E.: Sec. 25	$S\frac{1}{2}S\frac{1}{2}W\frac{1}{4}NE\frac{1}{4}$	$NW\frac{1}{4}SE\frac{1}{4}$.
Sec. 19		Lot 4 (27.42 acres) and the south 529.22 feet of lot 3 (10.09 acres).
Sec. 36		$S\frac{1}{2}N\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}NW\frac{1}{4}$ and $S\frac{1}{2}S\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$.
T. 11 N., R. 17 E.: Sec. 36	$NE\frac{1}{4}NE\frac{1}{4}NE\frac{1}{4}$; $E\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}NE\frac{1}{4}$; $S\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$; $E\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}NE\frac{1}{4}$.	$S\frac{1}{2}NE\frac{1}{4}$.
T. 11 N., R. 18 E.: Sec. 3	All that part of the $SW\frac{1}{4}NE\frac{1}{4}$ lying south of the main canal extension.	All that part of the $N\frac{1}{2}NW\frac{1}{4}SE\frac{1}{4}$ lying south of the main canal extension and $SW\frac{1}{4}NW\frac{1}{4}SE\frac{1}{4}$ and $W\frac{1}{2}W\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}SE\frac{1}{4}$.
Sec. 9	$S\frac{1}{2}NE\frac{1}{4}NE\frac{1}{4}$ and $E\frac{1}{2}NW\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$.	$SW\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$.
T. 11 N., R. 19 E.: Sec. 24	$E\frac{1}{2}E\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}NW\frac{1}{4}$ and $SW\frac{1}{4}NE\frac{1}{4}NE\frac{1}{4}NW\frac{1}{4}$, 5 acres, of which the north 3.30 acres are Class A land.	$E\frac{1}{2}E\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}NW\frac{1}{4}$ and $SW\frac{1}{4}NE\frac{1}{4}NE\frac{1}{4}NW\frac{1}{4}$, 5 acres, of which the south 1.70 acres are Class B land.

I hereby cancel the obligations assessed against these lands amounting to $8 672.56 on behalf of construction assessments; $4,183.22 of unpaid operation and maintenance assessments; and $1,656.25 unpaid penalties, as reflected by the project records, and order that no further assessments shall be made against the 386.01 acres of lands eliminated from the project. I also cancel delinquent operation and maintenance charges amounting to $557.65, and penalties amounting to $302.73, assessed against the $E\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}$ (Class A land) and the $W\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}$ (Class B land) sec. 7, T. 10 N., R. 19 E., and order that the owner thereof be allowed credit on subsequent operation and maintenance assessments for $58 paid on these tracts for the year 1939.

I order that payments heretofore made on construction charges against the lands being eliminated from the said project be credited to the costs of construction for the lands retained in the project by the landowners involved.

I also order that agreements deferring the collection of irrigation assessments heretofore executed on behalf of the lands in question be canceled in those cases where the landowners retain no land under the project, and modified in those cases where land is retained in the project by the landowners, to reflect the cancellation of charges and elimination of lands dealt with in this order.

I further order that any assessments made pending action by Congress confirming this order, against any lands eliminated from the project by the terms of this order, shall be canceled, and that any payments made because of any such assessments shall be credited to other lands of the owners retained in the project.

The adjustments of project areas and assessments provided for in this order are conditioned upon the landowners making immediate settlement of delinquent irrigation charges remaining against the lands retained by them in the project, either by cash payment or by the execution of contracts providing for the deferment of the balances due, and the payment of the recording fees to Yakima County, Washington, for the recordation of the applications requesting the elimination of the owners' lands from the Wapato Project. The recording of these instruments shall not be done until after Congress shall have acted favorably on this order.

Done in the City of Washington, District of Columbia, this 9th day of September 1942.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 43-2680; Filed, February 18, 1943; 9:34 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket Nos. 411, 554, 571, 577 and 578]

NATIONAL AIRLINES, INC., ET AL.

NOTICE OF ORAL ARGUMENT

In the matter of the applications of National Airlines, Inc., Delta Air Corporation, Braniff Airways, Inc., Eastern Air Lines, Inc., and Chicago and Southern Air Lines, Inc., for certificates and amendment of certificates of public convenience and necessity under section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said Act, in the above-entitled proceeding, that oral argument is assigned to be held on March 3, 1943, at 10 a. m. (eastern war time) in Room 5042 Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before the Board.

By the Civil Aeronautics Board.

Dated Washington, D. C., February 17, 1943.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 43-2684; Filed, February 18, 1943; 9:51 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. DI-166]

GEORGIA POWER COMPANY

ORDER GRANTING CONTINUANCE OF HEARING AND DENYING APPLICATION TO TAKE DEPOSITIONS

FEBRUARY 16, 1943.

Upon application filed February 10, 1943, by declarant for further continuance of hearings herein until June 1, 1943, and upon application filed on the same date for permission to take the depositions at Milledgeville, Georgia, on February 19, 1943, of certain named persons, five living in Milledgeville and one living near Oconee, Georgia; it appearing that:

(a) Hearings having been held in the above-entitled matter at Atlanta, Georgia, from September 21 to October 7, 1942, and at Washington, D. C., from January 18 to 20, 1943, and a continuance to March 1, 1943, having been granted at the request of declarant for the purpose of enabling it to prepare rebuttal testimony for presentation at the hearing to be reconvened on the last-named date in Washington, D. C.;

(b) The declarant desires additional time within which to make further investigation and points out that no construction is under way at the present time and claims that no use of the river will be affected by the allowance of additional time; And it not appearing that the testimony proposed to be taken by depositions is represented as in rebuttal of any testimony, or that it could not have been offered at the time the hearing was originally held in Atlanta, and no reasons have been given showing the necessity of taking depositions at Milledgeville, if the reconvened hearing is held in the State of Georgia;

The Commission finds that:

(i) Further postponement of the hearing as hereinafter provided is reasonable and consistent with the public interest;

(ii) By reconvening the hearing as hereinafter provided the witnesses, whose depositions it was proposed to

take; may appear in person and give testimony,

It is ordered, That:

(A) The hearing in this matter be further postponed to reconvene on Thursday, April 8, 1943, beginning at 9:45 a. m. (e. w. t.) in Room 216 of the Commission's Regional Office, 10 Forsyth Street Building, Atlanta, Georgia; and

(B) The application for permission to take depositions is hereby denied.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 43-2683; Filed, February 18, 1943; 9:31 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Amendment 1 to Order 63 Under MPR 120]

GROVE COAL COMPANY

ORDER GRANTING ADJUSTMENT

Amendment No. 1 to Order No. 63 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 1120-67-P.

Paragraph (b) of Order No. 63 is amended to read as set forth below:

(b) The Grove Coal Company, Boone, Iowa, may sell and deliver, and any person may buy and receive, for shipment by truck or wagon, the bituminous coal in Size Groups 1, 3, 4, and 8 produced at the Grove Mine of the Grove Coal Company, Mine Index No. 324, District No. 12, at prices per net ton not to exceed $5.20, $4.95, $4.95, and $2.95 respectively, f. o. b. the mine.

* * * * * *

This Amendment No. 1 to Order No. 63 shall become effective February 18, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 17th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2666, Filed, February 17, 1943; 11:56 a. m.]

[Order 3 Under Rev. MPR 125]

EXCEL BRASS AND ALUMINUM FOUNDRY

ADJUSTMENT OF MAXIMUM PRICES

Order No. 3 under Revised Maximum Price Regulation No. 125—Nonferrous Castings.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and § 1395.12 of Revised Maximum Price Regulation No. 125: *It is hereby ordered:*

(a) The Excel Brass and Aluminum Foundry of Pekin, Illinois may sell and deliver to any person and any person may buy and receive from The Excel Brass and Aluminum Foundry of Pekin, Illinois nonferrous castings, the same, or of the same class, as those sold or contracted to be sold by The Excel Brass and Aluminum Foundry of Pekin, Illinois during the period from October 1 to October 15, 1941, inclusive, and those sold, contracted to be sold or delivered by The Excel Brass and Aluminum Foundry of Pekin, Illinois during the period from May 11, 1942 to January 31, 1943 inclusive at the maximum prices prescribed by § 1395.15 of Revised Maximum Price Regulation No. 125: except that in determining the maximum price of nonferrous castings under that section, The Excel Brass and Aluminum Foundry of Pekin, Illinois, need not make the reductions required by paragraph (b) of that section.

(b) This Order No. 3 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 3 shall become effective as of February 1, 1943.

Issued this 17th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2664; Filed, February 17, 1943; 11:57 a. m.]

[Order 12 Under MPR 157]

HY-ART COAT MAKERS, INC.

ORDER GRANTING ADJUSTMENT

Order No. 12 under Maximum Price Regulation No. 157—Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes—Docket No. 3157-25.

On September 15, 1942, Hy-Art Coat Makers, Inc., 663 Broadway, New York, New York, filed an application under Maximum Price Regulation No. 157 for adjustment of its maximum prices for certain overcoats. Due consideration has been given to the application, and an opinion in support of this order has been issued simultaneously herewith and filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 and Procedural Regulation No. 6: *It is hereby ordered:*

(a) Hy-Art Coat Makers, Inc., may sell and deliver the following commodities under Maximum Price Regulation No. 157 at prices not exceeding the following prices:

(1) $3.82 each for Wool Service Overcoats delivered pursuant to Contract W 669-qm-16844, Philadelphia Quartermaster Depot, Quartermaster Corps, United States Army.

(2) $3.75 each for Wool Service Overcoats delivered pursuant to Contract W 669-qm-19990, Philadelphia Quartermaster Depot, Quartermaster Corps, United States Army.

(3) $3.75 each for other Wool Service Overcoats conforming to specifications of Contract W 669-qm-19990.

(4) For Wool Service Overcoats of different specifications, $3.75 each plus or minus an amount equal to actual increases of decreases, if any, in costs directly resulting from the changes in specifications of Overcoats conforming to specifications of Contract W 669-qm-19990.

(b) With respect to deliveries of the commodity described in paragraph (a), on and after September 15, 1942, Hy-Art Coat Makers, Inc., may receive payments under Maximum Price Regulation No. 157 at prices not exceeding the above prices.

(c) All prayers of the application not granted herein are denied.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 12 shall become effective February 18, 1943.

(Pub. Law 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 17th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2661; Filed, February 17, 1943; 11:58 a. m.]

[Order 13 Under MPR 157]

STRUTWEAR KNITTING COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 13 under Maximum Price Regulation No. 157—Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes—Docket No. 3157-38.

On November 30, 1942, Strutwear Knitting Company, Minneapolis, Minnesota, filed an application, under Maximum Price Regulation No. 157, for adjustment of its maximum prices for cotton khaki trousers. Due consideration has been given to said application and an opinion in support of this Order No. 13 has been issued simultaneously herewith and filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 and Procedural Regulation No. 6, issued by the Office of Price Administration: *It is hereby ordered:*

(a) Strutwear Knitting Company may sell and deliver to any war procurement agency, under Maximum Price Regulation No. 157, the following commodity at a price not in excess of the following price:

$.65 per unit for cotton khaki trousers conforming to the specifications of Contract W 669-qm-22786, Philadelphia Quartermaster Depot, United States Army.

(b) With respect to deliveries of the commodity described in paragraph (a), on and after November 30, 1942, Strutwear Knitting Company may receive payments under Maximum Price Regulation No. 157 at a price not exceeding $.65 per unit.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 13 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definition set forth in § 1378.10 of Maximum Price Regulation No. 157 shall apply to the terms used herein.

This Order No. 13 shall become effective February 18, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 17th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2660; Filed, February 17, 1943; 11:58 a. m.]

[Order 164 Under MPR 188]

J. M. BAKER PATTERN COMPANY

ORDER DENYING ADJUSTMENT

Order No. 164 under § 1499.161 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel—Docket No. 3188-39.

For the reasons set forth in an opinion issued simultaneously herewith: *It is ordered*, That:

(a) The application for adjustment of maximum prices of Baker cellar, roof, dock, and ship pipes manufactured and sold by the J. M. Baker Pattern Company of 43 Hospital Street, Providence, Rhode Island, filed by said Company, and assigned Docket No. 3188-39 is denied.

(b) This Order No. 164 is effective as of November 25, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 17th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2662; Filed, February 17, 1943; 11:58 a. m.]

[Order 14 Under MPR 157]

WACO GARMENT MANUFACTURING COMPANY

ORDER DENYING ADJUSTMENT

Order No. 14 under Maximum Price Regulation No. 157—Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes—Docket No. 3157-16.

On September 16, 1942, Waco Garment Manufacturing Company, Waco, Texas, filed an application under Maximum Price Regulation No. 157 for adjustment of its maximum prices for cotton herringbone twill trousers for the United States Army. Due consideration has been given to the application, and an opinion in support of this Order No. 14 has been issued simultaneously and filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 and Procedural Regulation No. 6: *It is ordered*, That:

(a) The application for adjustment is hereby denied.

(b) Waco Garment Manufacturing Company shall immediately notify all persons with whom it has contracts which are subject to Maximum Price Regulation No. 157 and which establish prices in excess of those authorized by Maximum Price Regulation No. 157 that it will make final settlement of such contracts in accordance with the maximum prices established by Maximum Price Regulation No. 157.

(c) Waco Garment Manufacturing Company shall refund to persons with whom it has contracts which are subject to Maximum Price Regulation No. 157 all payments which have been made to it in excess of the maximum prices authorized by Maximum Price Regulation No. 157.

(d) Within 30 days after the date on which this Order No. 14 was mailed to it, Waco Garment Manufacturing Company shall file a statement with the Office of Price Administration, Washington, D. C., stating the action it has taken to comply with the terms of this Order No. 14.

(e) This Order No. 14 shall become effective February 18, 1943.

Issued this 17th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2663; Filed, February 17, 1943; 11:58 a. m.]

[Order 165 Under MPR 188]

EDGAR BROTHERS CO.

AUTHORIZATION OF MAXIMUM PRICE

Order No. 165 under § 1499.158 of Maximum Price Regulation 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other than Apparel.

Authorization of a maximum price for Edgar Brothers Company, Metuchen, New Jersey, for "Kao-Lite" a lightweight calcined aggregate.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Order No. 9250, and pursuant to § 1499.158 of Maximum Price Regulation No. 188: *It is hereby ordered*, That:

(a) Specific authority is hereby granted to Edgar Brothers Company, Metuchen, New Jersey, to sell and deliver to any person f. o. b. its plant at Metuchen, New Jersey, "Kao-Lite" a lightweight calcined aggregate @ $40 per net ton.

(b) Edgar Brothers Company shall submit such reports to the Office of Price Administration, Washington, D. C., as it may from time to time require.

(c) This Order No. 165 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 165 shall become effective February 18, 1943.

Issued this 17th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2665; Filed, February 17, 1943; 11:57 a. m.]

[Order 4 Under MPR 121]

PACKAGE FUEL COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 4 under Maximum Price Regulation No. 121—Miscellaneous Solid Fuels Delivered from Producing Facilities—Docket No. 3121-12.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.247a (b) of Maximum Price Regulation No. 121, *It is hereby ordered:*

(a) Packaged coal briquettes produced by the Package Fuel Company, 542 East Michigan Avenue, Kalamazoo, Michigan, may be sold and purchased in ten pound packages at prices not to exceed those set forth below:

DIRECT SALES TO CONSUMERS

	F. o. b. plant	Delivered
200 packages	$12.25	$13.25
100 packages	6.13	6.63
50 packages	3.35	3.85
45 packages	3.00	
30 packages	2.00	
14 packages	1.00	
13 packages or less	[1] .075	

SALES TO RETAIL DEALERS

200 packages	11.50	

[1] Per package.

(b) Within thirty (30) days from the effective date of this order the said Package Fuel Company shall notify all persons purchasing its packaged coal briquettes of the adjustments granted by paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of briquettes the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Revised Maximum Price Regulation No. 122.

(c) This Order No. 4 may be revoked or amended by the Price Administrator at any time.

(d) All prayers of the petitioner not granted herein are denied.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.248 of Maximum Price Regulation No. 121 shall apply to terms used herein.

(f) This Order No. 4 shall become effective February 19, 1943.

Issued this 18th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2709; Filed, February 18, 1943; 11:55 a. m.]

[Order 26 Under MPR 152]

HIPKE FOODS, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 26 under Maximum Price Regulation No. 152—Canned Vegetables.

Hipke Foods, Incorporated, New Holstein, Wisconsin, has filed an application for specific authorization to charge particular maximum prices pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by Applicant with respect to the packing in No. 10 size cans of whole red beets packed 70 or over to a can and whole red beets packed 110 or over to a can.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, *It is hereby ordered*, That:

(a) The Hipke Foods, Incorporated, may sell, offer to sell or deliver, and any person may buy, offer to buy or receive, whole red beets packed 70 or over to a can at a maximum price of $4.83 per dozen f. o. b. factory for No. 10 size cans and whole red beets packed 110 or over to a can at a maximum price of $6.00 per dozen f. o. b. factory for the No. 10 size cans.

(b) This Order No. 26 may be revoked or amended by the Price Administrator at any time.

(c) The applicant, Hipke Foods, Incorporated, shall not change its customary allowances, discounts or price differentials unless such change results in a lower price.

(d) Unless the context otherwise requires, the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(e) This order shall become effective on 19th day of February 1943.

Issued this 18th day of February 1943.

FRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2708; Filed, February 18, 1943; 11:57 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 31-437]

SOUTHERN UTILITIES COMPANY, LIMITED

ORDER EXTENDING EXEMPTION

At a regular session of the Securities and Exchange Commission held at its offices in the City of Philadelphia, Pennsylvania on the 15th day of February, 1943.

The Commission having heretofore on December 2, 1938, after a public hearing, ordered that the Southern Utilities Company, Limited, be exempted to the extent specified from certain provisions of the Public Utility Holding Company Act of 1935 applicable to it as a subsidiary company of North Continent Utilities Corporation, a registered holding company; and

The Commission, after subsequent applications by Southern Utilities Company, Limited, having in its order dated January 8, 1941 extended the time during which such order should be effective to January 31, 1943; and

Southern Utilities Company, Limited, having on January 27, 1943, filed an application pursuant to section 3 (b) of the Public Utility Holding Company Act of 1935 seeking an extension of the time during which such previous order of this Commission should be effective; and

The Commission having considered such application and it appearing that the circumstances upon which such original order of exemption was issued still exist and that a further extension of the time during which such order of exemption shall be effective will not be detrimental to the public interest or the interest of investors or consumers:

It is therefore ordered, That the time during which such order of exemption shall be effective be, and hereby is, extended until January 31, 1945, without prejudice to the right of Southern Utilities Company, Limited, to apply for a further extension of the time during which such order shall be effective and also without prejudice to the right of Southern Utilities Company, Limited, to apply at any time for such enlargement of any of the provisions of such order as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-2667; Filed, February 17, 1943; 3:08 p. m.]

[File No. 31-439]

GREAT NORTHERN GAS COMPANY, LIMITED

ORDER EXTENDING EXEMPTION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 15th day of February, 1943.

The Commission having heretofore on December 2, 1938, after a public hearing, ordered that the Great Northern Gas Company, Limited, be exempted to the extent specified from certain provisions of the Public Utility Holding Company Act of 1935 applicable to it as a subsidiary company of North Continent Utilities Corporation, a registered holding company; and

The Commission, after subsequent applications by Great Northern Gas Company, Limited, having in its order dated January 8, 1941 extended the time during which such order should be effective to January 31, 1943; and

Great Northern Gas Company, Limited, having on January 27, 1943, filed an application pursuant to section 3 (b) of the Public Utility Holding Company Act of 1935 seeking an extension of the time during which such previous order of this Commission should be effective; and

The Commission having considered such application and it appearing that the circumstances upon which such original order of exemption was issued still exist and that a further extension of the time during which such order of exemption shall be effective will not be detrimental to the public interest or the interest of investors or consumers:

It is therefore ordered, That the time during which such order of exemption shall be effective be, and hereby is, extended until January 31, 1945, without prejudice to the right of Great Northern Gas Company, Limited, to apply for a further extension of the time during which such order shall be effective and also without prejudice to the right of Great Northern Gas Company, Limited, to apply at any time for such enlargement of any of the provisions of such order as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-2668; Filed, February 17, 1943; 3:08 p. m.]

[File Nos. 70-453, 59-4]

WESTERN PUBLIC SERVICE CO., ET AL.

ORDER DENYING APPLICATIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of February, A. D., 1943.

In the matter of The Western Public Service Company, a Maryland Corporation, The Western Public Service Company, a Delaware Corporation, Engineers Public Service Company, File No. 70-453; Engineers Public Service Company and its Subsidiary Companies, Respondents, File No. 59-4.

Engineers Public Service Company, a registered holding company, and its subsidiaries The Western Public Service Company (a Maryland corporation) and The Western Public Service Company (a Delaware corporation) having filed applications and declarations pursuant to the Public Utility Holding Company Act of 1935 and the rules promulgated thereunder, regarding the sale of certain assets of said The Western Public Service Company (a Maryland corporation) and related transactions, including the proposed acquisition and retirement by Engineers Public Service Company of its own preferred stock outstanding in the hands of the public by invitation for tenders and by open market purchases; the said applications having heretofore been granted and the declarations having been permitted to become effective except with respect to the declaration regarding the proposed acquisition and retirement by Engineers Public Service Company of its own preferred stock, as to which jurisdiction was reserved;

Hearings having been held with respect to the said declaration after due notice, and the Commission being fully advised in the premises and having this day made and filed its findings and opinion herein;

Now therefore, on the basis of the said findings and opinion and pursuant to sections 11 and 12 of the said Act, *it is hereby ordered*, That said applications as respects the said acquisitions and retirements be and they are hereby denied.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-2669; Filed, February 17, 1943; 3:09 p. m.]

WAR PRODUCTION BOARD.

AMENDMENT TO REVOCATION OF PREFERENCE RATING

Preference Rating Order P-19-e, Serial No. 370-e. Builder: Kansas State Highway Commission, Topeka, Kansas. Project: Construction of concrete pavement, bridges and grading identified as: 10-99-SNFA 392 F (1).

The revocation of preference rating issued on December 29, 1942, with respect to the above named project is hereby amended by striking paragraph (3) thereof and by substituting the following:

(3) The builder shall neither perform nor permit the performance of any further construction or installation on the project, except for permitted further construction being construction necessary for purposes of safety or health or to avoid undue damage to or deterioration of materials already incorporated and construction necessary to permit installation of hub-guard and hand-rail on bridge (No. 10.5) at Spring Creek, Wabaunsee County, Kansas.

Issued February 17, 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2678; Filed, February 17, 1943; 4:54 p. m.]

RESTORATION AND AMENDMENT OF PREFERENCE RATING

Preference Rating Order P-19-h, Serial No. 13391. Builder: The Vulcan Detinning Company, Sewaren, New Jersey. Project: Neville Island (Pittsburgh, Pa.).

The revocation issued January 10, 1943 of the above serially numbered preference rating order is hereby cancelled; the ratings assigned by said preference rating order are hereby restored; and said preference rating orders shall have full force and effect, as hereinafter amended.

The above serially numbered preference rating order is hereby amended to expire on February 28, 1943.

Issued February 17, 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2679; Filed, February 17, 1943; 4:54 p. m.]

FEDERAL REGISTER

VOLUME 8 NUMBER 36

Washington, Saturday, February 20, 1943

Regulations

TITLE 7—AGRICULTURE

Chapter VII—Agricultural Adjustment Agency

[ACP-1943-7]

PART 701—AGRICULTURAL CONSERVATION PROGRAM

SUBPART E—1943

Pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, the 1943 Agricultural Conservation Program,[1] as amended, is further amended as follows:

Section 701.404 is amended by deleting the words "Agricultural Conservation and Adjustment Administration" wherever they appear therein, and by inserting in lieu thereof the words "Agricultural Adjustment Agency."

Done at Washington, D. C., this 17th day of February 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 43-2693; Filed, February 18, 1943; 11:50 a. m.]

[MQ-703-Cotton, Supp. 1]

PART 722—COTTON

SUBPART E—1943

Pursuant to the authority vested in the Secretary of Agriculture by Title III of the Agricultural Adjustment Act of 1938, as amended, public notice is hereby given of the following amendment to MQ-703, "Regulations Pertaining to Cotton Marketing Quotas for the 1943-1944 Marketing Year", issued December 31, 1942.

Section 722.511 (b) is amended by deleting definition (3), by renumbering definitions (4) to (46), inclusive, as definitions (3) to (45), inclusive, and by deleting the words "Agricultural Conservation and Adjustment Administration" as they appear in the new definition (24) and by inserting in lieu thereof the words "Agricultural Adjustment Agency."

(Public Law No. 430, 75th Congress, approved February 16, 1938; 52 Stat. 31, 7 U.S.C. 1301 et seq., as amended.)

Done at Washington, D. C., this 17th day of February 1943. Witness my hand and the seal of the Department of Agriculture

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 43-2694; Filed, February 18, 1943; 11:51 a. m.]

[1] 7 F.R. 10031, 10127; 8 F.R. 45, 59, 2142, 2143.

[Tobacco-703 Burley, Supp. 1]

PART—724—BURLEY TOBACCO

SUBPART E—1943

Pursuant to the authority vested in the Secretary of Agriculture by Title III of the Agricultural Adjustment Act of 1938, as amended, public notice is hereby given of the following amendment to Tobacco 703, "Marketing Quota Regulations, Burley Tobacco—1943-44 Marketing Year," issued December 31, 1942.

Section 724.513 is amended to read as follows:

§ 724.513 *Instructions and forms.* The Chief of the Agricultural Adjustment Agency of the United States Department of Agriculture shall cause to be prepared and issued with his approval such instructions and such forms as may be necessary or expedient for carrying out this procedure.

(52 Stat. 38, 47, 54 Stat. 392, 53 Stat. 1261, 56 Stat. 51, 7 U.S.C. 1940 ed. 1301 (b), 1313; 52 Stat. 66, 7 U.S.C. 1940 ed. 1375 (a), as amended)

Done at Washington, D. C., this 17th day of February 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 43-2695; Filed, February 18, 1943; 11:50 a. m.]

(Continued on next page)

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FEDERAL REGISTER

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[Tobacco 703-Flue-cured Supp 1]

PART 727—FLUE-CURED TOBACCO

SUBPART E—1943

Pursuant to the authority vested in the Secretary of Agriculture by Title III of the Agricultural Adjustment Act of 1938, as amended, public notice is hereby given of the following amendment to Tobacco 703, "Marketing Quota Regulations, Flue-cured Tobacco—1943-44 Marketing Year", issued December 31, 1942.

Section 727.513 is amended to read as follows:

§ 727.513 *Instructions and forms.* The Chief of the Agricultural Adjustment Agency of the United States Department of Agriculture shall cause to be prepared and issued such instructions and such forms as may be deemed necessary or expedient for carrying out this procedure.

(52 Stat. 38, 47, 54 Stat. 392, 53 Stat. 1261, 56 Stat. 51, 7 U.S.C. 1940 ed. 1301 (b) 1313; 52 Stat. 66, 7 U.S.C. 1940 ed. 1375 (a), as amended)

Done at Washington, D. C., this 17th day of February, 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc 43-2696; Filed, February 18, 1943; 11:51 a. m.]

[Wheat 43-1, Supp. 1]

PART 728—WHEAT

SUBPART E—1943

Pursuant to the authority vested in the Secretary of Agriculture by Title III of the Agricultural Adjustment Act of 1938, as amended, public notice is hereby given of the following amendment to Wheat 43—1, "Regulations Pertaining to Farm Acreage Allotments and Normal Yields for the 1943 Crop of Wheat", issued June 26, 1942.

1. Section 728.412 (a) (1) is amended by deleting the words "Administrator of the Agricultural Conservation and Adjustment Administration" as they appear in the second sentence, and substituting in lieu thereof the words "Chief of the Agricultural Adjustment Agency".

2. Section 728.415 is amended to read as follows:

§ 728.415 *Instructions and forms.* The Chief of the Agricultural Adjustment Agency shall cause to be prepared and issued with his approval such instructions and such forms as may be required to carry out these regulations.

3. Section 728.416 is amended by deleting definition 3 and by renumbering definitions 4 to 7, inclusive, as definitions 3 to 6, inclusive, and by deleting the words "Agricultural Conservation and Adjustment Administration" as they appear in new definition 5 and inserting in lieu thereof the words, "Agricultural Adjustment Agency".

(52 Stat. 39, 54, 66, 202; 54 Stat. 392, 727, 728, 1209, 1211; 7 U.S.C. 1940 ed. 1301 (b), 1334 (c), 1375 (b); 56 Stat. 51, as amended)

Done at Washington, D. C., this 17th day of February, 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 43-2697; Filed, February 18, 1943; 11:51 a. m.]

[MQ 703—Peanuts, Supp 1]

PART 729—NATIONAL MARKETING QUOTA FOR PEANUTS

SUBPART E—1943

Pursuant to the authority vested in the Secretary of Agriculture by Title III of the Agricultural Adjustment Act of 1938, as amended, public notice is hereby given of the following amendment to MQ-703, "Regulations Pertaining to Marketing Quotas for Peanuts of the Crop Planted in the Calendar Year 1943", issued December 31, 1942.

Section 729.203, is amended to read as follows:

§ 729.203 *Instructions and forms.* The Chief of the Agricultural Adjustment Agency of the United States Department of Agriculture shall cause to be prepared and issued with his approval such instructions and forms as may be necessary for carrying out these regulations.

(52 Stat. 33; 7 U.S.C., 1940 ed., 1301 et seq., as amended.)

Done at Washington, D. C., this 17th day of February 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc 43-2698; Filed, February 18, 1943; 11:51 a. m.]

Chapter X—Food Production Administration

[FPO3, Interpretation 8]

PART 1202—FARM MACHINERY AND EQUIPMENT

NEW FARM MACHINERY AND EQUIPMENT

The following is an interpretation of subparagraph (1) of paragraph (b) of § 1202.251 *Supplementary Order 1*[1] of Food Production Order No. 3.

INTERPRETATION NO. 8

Paragraph (b) (1) of § 1202.251 of Food Production Order No. 3 provides, generally, for the prorata distribution by manufacturers of metal milk cans and covers manufactured prior to, or pursuant to War Production Board Order M-200. (7 F.R. 7808, 8 F.R. 601). Questions have arisen as to the application of the paragraph to sales for use and as to the method of prorating metal milk cans and covers for resale.

Paragraph (b) (1) permits a manufacturer of new metal milk cans and covers to transfer for resale all metal milk cans and covers manufactured by him prior to the effective date of, and 70 percent of his production of metal milk cans and covers authorized by, War Production Board Order M-200, to the same manufacturers, distributors, mail order houses or dealers to whom such manufacturer distributed metal milk cans and covers for resale in the calendar year 1941. However, each manufacturer is required to distribute to each such person for resale the same percentage of his permitted distribution of metal milk cans and covers as the percentage of his production during the calendar year 1941, which he transferred to each such person for resale. For example, a distributor who in the calendar year 1941 received for resale 10 percent of a manufacturer's total production of metal milk cans and covers in that year is now authorized to receive at least 10 percent of such manufacturer's permitted distribution of its 1943 production of metal milk cans and covers. As will be explained below, it is possible that such distributor may receive even more than 10 percent of such manufacturer's permitted distribution.

Problems arise when a person authorized by paragraph (b) (1) to acquire from a manufacturer metal milk cans and covers for resale is unable or is not willing to do so, or when such a person fails to place an order for metal milk cans and covers within a reasonable time. A question has arisen as to whether a manufacturer must prorate his distribution for use among the persons to whom he previously transferred metal milk cans and covers for use. Another closely related question involves the inability of a manufacturer to determine which of his transfers during the calendar year 1941 were for resale and which were for use; in such cases, how is the manufacturer to prorate his distribution? Some difficulty has also developed in interpreting the word "area".

As used in the paragraph, the word "area" is interpreted to mean "State".

By the terms of paragraph (b) (1) a manufacturer is required to prorate his transfers for resale; his distribution of metal milk cans and covers for use is to be based only on purchase certificates issued by county farm rationing committees in the States in which he distributed metal milk cans and covers for use during the calendar year 1941; his distribution for use therefore is not to be prorated among persons, but is to be prorated, insofar as there is a sufficient number of purchase certificates, among the States in which the manufacturer made transfers for use during the calendar year 1941.

Any manufacturer who is genuinely unable to ascertain if any particular transfer made by him in the calendar year 1941 was for resale or for use is authorized by this paragraph to dispose of the number of metal milk cans and covers of his 1943 permitted distribution which bears to his total 1943 permitted distribution the same relationship as the metal milk cans and covers so transferred in the calendar year 1941 bore to his 1941 distribution. In other words, if a manufacturer transferred to A, located in Ohio, 20% of such manufacturer's production in the calendar year 1941 and is now genuinely unable to determine if such transfer was for resale or for use, such manufacturer may transfer, either for resale or for use, 20% of its permitted distribution in 1943 to other persons in Ohio. He is not required to transfer such metal milk cans and covers to the same persons to whom he transferred milk cans and covers in the calendar year 1941.

In transferring for resale, a manufacturer is to prorate both among persons and States. First, he is to transfer for resale to each person to whom he transferred metal milk cans and covers in the calendar year 1941 the same proportion of his permitted distribution in 1943 as the proportion of his production in the calendar year 1941 which he transferred in that year to such person for resale. Second, as it becomes apparent that any person entitled to receive metal milk cans and covers from such manufacturer does not intend to place an order for such metal milk cans and covers, the manufacturer shall, after the passage of a reasonable time after such person has been notified in writing by such manufacturer of his intent to sell such milk cans and covers to other purchasers, prorate such metal milk cans and covers among distributors, mail order houses or dealers (not necessarily the same ones to whom he made transfers for resale in the calendar year 1941) for resale or use in the same States in which they would have been sold if the person so notified had placed the maximum order allowed to him under the paragraph.

Another question which has arisen under this paragraph concerns the method a manufacturer should employ in holding back 30% of his production under War Production Board Order M-200. Should a manufacturer hold back 30 out of every 100 metal milk cans and covers which he produces or is it permissible for him to transfer all of his current production so long as it does not exceed 70% of his authorized production of metal milk cans and covers? This paragraph is interpreted to authorize a manufacturer to transfer all his current production of metal milk cans and covers to the extent that such production does not exceed 70% of the metal milk cans and covers authorized by War Production Board Order M-200 to be produced by such manufacturer. Under the terms of the paragraph, no manufacturer may transfer or physically move (except for purposes of storage in the county in which such equipment is located) the remaining 30% of his quota, except pursuant to further orders from the Secretary of Agriculture or the Director of Food Production.

Still another problem arises in connection with the transfer of metal milk cans and covers by a manufacturer to a United States Government agency or to any person for export to and consumption or use in any foreign country. The provisions of paragraph (b) (1) are interpreted to mean that such transfers shall not be made except with the prior consent of the Director of Food Production and when made, such transfers shall be charged against the 30% of such manufacturer's quota which has not been authorized for transfer. This interpretation applies both to past and future transfers to a United States Government agency or to any person for export to and consumption or use in any foreign country. Transfers to any person, other than a United States Government agency, for use by such person in serving a United States Government agency are not within the category of transfers to a United States Government agency.

Issued this 18th day of February 1943.

[SEAL] M. CLIFFORD TOWNSEND,
Director of Food Production.

[F. R. Doc. 43-2730; Filed, February 18, 1943; 4:37 p. m.]

[1] Formerly designated Ration Order C, Supp. Order 1 (7 F.R. 9796).

TITLE 10—ARMY: WAR DEPARTMENT

Chapter I—Aid of Civil Authorities and Public Relations

PART 3—ARREST AND CONFINEMENT OF PERSONS NOT SUBJECT TO MILITARY LAW

Section 3.1 is amended as follows:

§ 3.1 *Persons not subject to military law.* Persons not subject to military law may be placed in arrest or confinement by members of the Military Establishment, as follows:

(a) *General.* All members of the Military Establishment have the ordinary right and duty of civilians to assist in the maintenance of the peace. Where, therefore, a felony or a misdemeanor amounting to a breach of the peace is being committed, it is the right and duty of every member of the military service, as of every civilian, to arrest the perpetrator no matter what his status. For prosecution of petty offenses committed on military reservations, see AR 490-5.[1]

(b) *By members of the guard or of military police.* Members of the guard or of military police may place persons not subject to military law in arrest or confinement when apprehended while in the act of committing a felony or a misdemeanor amounting to a breach of the peace within the limits of military jurisdiction.

(c) *Restraint.* The restraint imposed under the provisions of (a) or (b) above will not exceed that reasonably necessary, nor extend beyond such time as may be required to dispose of the case by orderly transfer of custody to civil authority or otherwise, under the law.

(d) *Ejection.* Persons not subject to military law who are found within the limits of military jurisdiction in the act of committing a breach of regulations, not amounting to a felony or a breach of the peace, may be removed therefrom upon orders from the commanding officer and ordered by him not to reenter. For penalty imposed upon reentrance after ejection see section 45, act of March 4, 1909 (35 Stat. 1097), as amended by act of March 28, 1940 (54 Stat. 80; 18 U. S. C. 97).

(R.S. 161; 5 U.S.C. 22). [Par. 4, AR 600-355, July 17, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-2740; Filed, February 19, 1943; 11:17 a. m.]

Chapter III—Claims and Accounts

PART 33—GRATUITY UPON DEATH

MISCELLANEOUS AMENDMENTS

Sections 33.3 and 33.7 are amended as follows:

§ 33.3 *When payment may not be made*—(a) *No beneficiary designated.* Where it is shown that there is no widow or child and no person has been previously designated by the officer or enlisted man as beneficiary of the gratuity of 6 months' pay, no payment under the act is authorized. (See 14 Comp. Dec. 913; 1 Comp. Gen. 771)

(b) *When beneficiary is murderer.* Payment of 6 months' gratuity pay may not be made to a person who takes the life of another, whether or not the act be punished by the State or other civil authority concerned. (See MS. Comp. Gen., A 60953, June 12, 1935)

(c) *Term "child" defined as understood in act March 2, 1923.* (1) In view of the provisions of the act of March 2, 1923, 42 Stat. 1385; 10 U.S.C. 903, the term "child" as used in these regulations is not to be construed as including any married child or unmarried child over 21 years of age of a deceased officer or enlisted man who is not actually a dependent of such deceased officer or enlisted man. (See 4 Comp. Gen. 730)

[1] Administrative regulations of the War Department relating to petty offenses committed by civilians on federal reservations.

(2) The words "to any married child or unmarried child over twenty-one years of age * * * who is not actually a dependent of such deceased officer or enlisted man" appearing in the act of March 2, 1923, amending the act of December 17, 1919, 41 Stat. 367; 10 U.S.C. 903, authorizing payment of six months' pay to certain specified beneficiaries of officers and enlisted men of the Regular Army under certain circumstances and conditions, clearly forbid such payments to married children, notwithstanding the allegation of dependency on the deceased officer or enlisted man. (See 18 Comp. Gen. 567) (41 Stat. 367, 42 Stat. 1385, 55 Stat. 796; 10 U.S.C. 456, 903) [Par. 5, AR 35-1540, December 19, 1942, as amended by C 1, February 1, 1943]

§ 33.7 *Persons missing, or missing in action.* Claims of beneficiaries of persons missing, or missing in action, are payable upon a finding of death by the Secretary of War as prescribed in the act of March 7, 1942, Public Law 490, 77th Congress. (Also see AR 35-1320[1]) (41 Stat. 367, 42 Stat. 1385, 55 Stat. 796; 10 U.S.C. 456, 903) [Par. 9, AR 35-1540, December 19, 1942, as amended by C 1, February 1, 1943]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-2741; Filed, February 19, 1943; 11:17 a. m.]

Chapter VII—Personnel

PART 77—MEDICAL AND DENTAL ATTENDANCE

CIVILIAN DENTAL ATTENDANCE

Section 77.43 is amended as follows:

§ 77.43 *Civilian dental attendance*—(a) *Emergency dental attendance.* When a dental officer is not available, and the required service cannot be rendered by the medical officer, one being available (see § 77.40 (c)), civilian dental service for the relief of pain or acute septic conditions or for first-aid treatment of dental injuries due to direct violence suffered by one of the personnel enumerated in § 77.40 (c), may be obtained on Government account in the same manner as civilian medical attendance is obtained, whether the personnel in need of dental treatment be on duty, or on furlough or leave of absence. (See § 77.3.) Such service will be confined to the relief of the immediate emergency only. Follow-up procedures are subject to the provisions of (b) below.

(b) *Routine or extensive dental attendance.* (1) Civilian dentists may not be employed at Government expense for the treatment of chronic lesions, filling operations, prosthetic replacements, and other prolonged or extensive procedures, such as those required following the relief of an immediate emergency, until specific authority for such employment has been received from commanding generals of service commands. Except that in the case of military personnel on duty without troops in foreign countries, dental service of this character which is urgently necessary may be procured without awaiting advance authority from commanding generals of service commands, provided that this will not apply to the employment of civilian dentists for elective dentistry. For the dentistry obtained without prior authority under the provisions of the foregoing sentence, the authority of commanding generals of service commands will be applied for in submitting the dentist's account in each case.

(2) In requesting authority to employ a civilian dentist, information will be given as follows:

(i) The character and extent of the disability.

(ii) Its origin or causation, and, if due to external violence, what the violence was, when it occurred, and whether it was suffered in the actual performance of duty.

(iii) The professional procedures considered necessary to correct it.

(iv) What measures of relief have been taken by the medical officer, or, if no measures have been taken, the reasons therefor.

(v) An estimate of the time required for its correction and the probable costs thereof.

(vi) A statement of the duties upon which the patient is engaged and how his absence therefrom, should dental treatment require it, would affect the public interest.

(vii) When last on duty at a station where the services of a dental officer were available.

(viii) The probable length of tour of duty at their present station.

(ix) Present status, whether duty, leave, or furlough. If on leave or furlough, the day and hour the leave or furlough started and the day and hour of termination should be stated.

(x) The probability of their attendance at one of the next summer training camps, and the camp they will attend, if known.

(3) Application for authority to employ civilian dental service having been made as above, commanding generals of service commands may, as they consider proper, grant or deny the request or recommend that the patient be ordered to a station where he can receive treatment from a dental officer. (R.S. 161; 5 U.S.C. 22) [Par. 5, AR 40-510, July 31, 1942, as amended by C 1, September 10, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-2742; Filed, February 19, 1943; 11:17 a. m.]

Chapter VIII—Procurement and Disposal of Equipment and Supplies

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

POLICY WITH RESPECT TO TAX EXEMPTION

Sections 81.804a and 81.809a are added as follows:

§ 81.804a *Definitions.* The following terms are used in this procurement Regulation No. 8 as they are defined in Treasury Decision 5114: "Prime contract" means a contract made by the United States. "Purchase article" means any article purchased as such by the United States under a prime contract. "Construction article" means any article for use as equipment, material, or supplies by a prime contractor in performing a prime contract: *Provided, however,* That payment for the article is made by the United States. "Subsidiary article" means any article which by itself or after being combined by any persons with other articles is incorporated in a purchase article or construction article.

The following terms are defined for the purposes of this Regulation No. 8 as follows: "Subcontract" means any purchase or agreement to perform all or any part of the work, or to make or furnish any article, required for the performance of another contract or subcontract. "Article" includes any material, part, assembly, machinery, equipment, or other personal property.

§ 81.809a *Policies with respect to contracts or purchases made on or after March 1, 1943—(a) Army-Navy joint tax exemption policies with respect to Federal excise taxes.* The Under Secretary of War, jointly with the Under Secretary of the Navy, has issued the memorandum dated January 4, 1942, quoted below. The purpose of the policies stated therein is to reduce administrative work caused to Government departments and to contractors with respect to Federal excise tax exemptions. It is believed that the new policies will also tend to eliminate confusion which has arisen particularly in connection with purchases, on a tax exempt basis in accordance with Treasury Decision 5114, by fixed price (lump sum) contractors and subcontractors, of articles and supplies for incorporation in or use in connection with supplies or work to be furnished or performed under a prime contract with the Government. The policies outlined in the memorandum have no application whatsoever to state and local taxes or exemptions thereunder or to fixed price (lump sum) prime contracts or subcontracts made prior to March 1, 1943, or to subcontracts or purchase orders thereunder. (The memorandum does not change or have any effect upon the exemption expressly provided by section 3442 (1) of the Internal Revenue Code under which contractors manufacturing taxable purchase articles may obtain subsidiary articles tax exempt in the manner provided in that section and applicable regulations.) The memorandum follows:

POLICY AS TO FEDERAL EXCISE TAX EXEMPTIONS—TO BECOME EFFECTIVE MARCH 1, 1943

The War and Navy Departments adopt the following policies as to the payment of Federal excise taxes and exemptions therefrom, with respect (a) to all contracts executed by the Government after March 1, 1943, and all subcontracts thereunder and (b) to all subcontracts made after March 1, 1943 under cost-plus-a-fixed-fee prime contracts, regardless of when the prime contracts were executed. Certain terms used in this memorandum are defined in Note 1 below. The purpose of these policies is to reduce administrative work caused to Government Departments and to contractors with respect to Federal excise tax exemptions and to avoid the complications which have arisen in connection with purchases on a tax exempt basis in accordance with Treasury Decision 5114 by fixed price (lump sum) contractors and subcontractors.

1. The Government may make direct purchases of articles subject to Federal excise taxes ("purchase articles") on a price basis which either includes or excludes such taxes. In general, it will be War and Navy Department policy to make such direct purchases on a tax exclusive basis except where administrative convenience makes tax inclusive purchasing preferable.

2. In general, fixed-price (lump-sum) contractors, subcontractors, suppliers and materialmen will not be authorized to purchase "construction articles", "subsidiary articles" or articles used or consumed in the performance of the prime contract or subcontract, on a tax-exclusive basis pursuant to Treasury Decision 5114, and no tax exemption certificates will be issued in respect thereof.

3. A prime contractor under a cost-plus-a-fixed-fee or cost prime contract, or any cost-plus-a-fixed-fee or cost subcontractor thereunder, may purchase any articles subject to Federal excise taxes ("construction articles", "subsidiary articles", or articles used or consumed in the performance of such prime contract or subcontract) on a price basis which either includes or excludes such taxes: *Provided,* That in general purchases on a tax exclusive basis shall be made by a cost-plus-a-fixed-fee subcontractor only where there is no fixed-price contractor intervening between such subcontractor and the prime contractor. Tax exemption certificates will be issued where purchases are made on a tax-exclusive basis pursuant to the policy announced in this paragraph. In general, it will be War and Navy Department policy to have such cost-plus-a-fixed-fee contractors and cost-plus-a-fixed-fee subcontractors make such purchases on a tax exclusive basis except where administrative convenience makes tax inclusive purchasing preferable. The term "cost contract" includes any contract provision on a cost basis and any contract for special additional facilities or emergency plant facilities of the Government-ownership type or substantially in the form approved by the Advisory Commission to the Council of National Defense and published in the FEDERAL REGISTER on October 19, 1940 (5 F.R. 4147, No. 205).

4. Exceptions to the policies prescribed in this memorandum may be authorized by the War or Navy Departments in order to facilitate procurement.

5. Bidders and contractors will be advised of the policies herein set forth as promptly as possible, so that they may make plans, fix prices, and prepare cost analyses consistently with such policies.

6. The policies herein contained have no application to state and local taxes. These policies will likewise not necessitate any change in the policies applicable to fixed-price prime contracts and subcontracts executed prior to March 1, 1943, and subcontracts thereunder.

Dated this 4th day of January 1943.

ROBERT P. PATTERSON,
Under Secretary of War.
JAMES V. FORRESTAL,
Under Secretary of the Navy.

NOTE 1. This note in the statement of policy refers to the definitions set out in § 81.804a.

(b) *Changes effected by the new policies.* The principal changes effected by the new policy are:

(1) Under the new policies, fixed price (lump-sum) prime contracts made on or after March 1, 1943, for acquisition by the War Department of articles subject to Federal excise taxes ("purchase articles") will in general be made on a price basis which excludes such Federal excise taxes. The chief of any supply service may authorize any contract or class of prime contracts to be made on a price basis which includes such Federal excise taxes.

(2) Fixed price (lump-sum) prime contractors under contracts made on or after March 1, 1943, and subcontractors under them will not in general be authorized to purchase "subsidiary articles" (see § 81.804a) or articles used or consumed in the performance of the prime contract on a tax exclusive basis pursuant to Treasury Decision 5114.

(3) Where the prime contract with the Government is on a cost-plus-a-fixed-fee basis, regardless of the date of the execution of the prime contract, a fixed price (lump-sum) subcontractor thereunder whose subcontract is made on or after March 1, 1943, will not be authorized to purchase "subsidiary articles," or articles used or consumed in the performance of the prime contract or subcontract, on a tax exclusive basis pursuant to Treasury Decision 5114.

(4) Cost-plus-a-fixed-fee prime contractors and cost-plus-a-fixed-fee subcontractors acting under them (where no lump sum contractor intervenes between the prime contractor and the cost-plus-a-fixed-fee subcontractor) will normally purchase articles which are subject to Federal excise tax on a tax exclusive basis.

(c) *Issuance to be in accordance with policy.* Except as provided in paragraph (d) of this section, no tax exemption certificate will be issued by any officer or employee of the War Department or pursuant to Treasury Decision 5114 in a manner inconsistent with the policies outlined in the preceding paragraph and set forth in the memorandum quoted in paragraph (a) of this section. Nothing in these regulations or in the memorandum quoted in paragraph (a), however, requires any contractor or subcontractor to forego any Federal excise tax exemption to which he may be entitled otherwise than under Treasury Decision 5114 (see for example, Internal Revenue Code, sec. 3442). Where contractors are entitled to any such exemption, contracting officers should take precautions to see that prices under lump-sum contracts are fixed after giving due consideration to the effect of such exemption.

(d) *Variations from policy.* The chief of any supply service may authorize variations (consistent with applicable tax exemption laws and tax regulations) from the policies set forth in the memorandum quoted in paragraph (a) of this section and from the regulations herein prescribed in accordance therewith in paragraphs (b) and (c) of this section, in any case or class of cases where he finds that such action is necessary to facilitate procurement. Any variations so authorized will be reported at once in writing to the Director, Purchases Division, Headquarters, Services of Supply. (Variations authorized by paragraph (f) of this section need not be so reported.)

(e) *Changes.* The chief of each supply service will make necessary changes in existing bid forms, specifications, and instructions relating to bids and evaluation of contracts to carry out the policies set forth in the memorandum quoted in paragraph (a) of this section. Great care will be exercised in drawing contracts and purchase orders to make certain that their provisions reflect accurately the intention of the parties with respect to taxes and that they are consistent with the policies above mentioned.

(f) *Exception to tax policy with respect to radio apparatus, parts, and similar terms.* In some instances contractors have experienced difficulty in ascertaining what items and parts of certain specialized military and naval equipment are subject to the tax on radio apparatus and parts imposed by section 3404, Internal Revenue Code, section 545, as amended by Revenue Act of 1941. Accordingly, as an exception to the tax policy set forth in paragraph (a) (see par. (d) of this section), contracting officers are given authority to make prime contracts by the terms of which the prime contractor will be permitted to make purchases, on a basis exclusive of the tax imposed by section 3404, of articles which are or may be subject to the tax imposed by that section, whether such articles (1) constitute subsidiary articles, or (2) are acquired by the prime contractor for transfer by him to the United States as purchase articles. With respect to any such purchases, the prime contractor may be authorized to issue tax exemption certificates in accordance with Treasury Decision 5114 and subject to its limitations. The authority granted by this paragraph will not be exercised unless the contracting officer is of the opinion that purchase of such articles on a tax inclusive basis will involve special difficulties to the prime contractor or his suppliers and subcontractors in ascertaining whether particular items are subject to tax.

(g) *Taxable articles manufactured by the prime contractor and included in a purchase article as a component part thereof.* The tax policy set out in paragraph (a) of this section is not intended to prevent the Government from buying purchase articles on a basis exclusive of any taxes on component parts of such purchase articles where such component parts (1) have been manufactured by the prime contractor himself and (2) have been included in the purchase article by such manufacturer himself. Buying such purchase articles from prime contractors on a basis exclusive of any tax imposed with respect to such component parts pursuant to the provisions of section 3444, Internal Revenue Code, as amended by section 553 (d), Revenue Act of 1941, is consistent with the above mentioned tax policy.

(Sec. 5a, National Defense Act, as amended, 41 Stat. 764, 54 Stat. 1225; 10 U.S.C. 1193-1195, and the First War Powers Act, 1941, 55 Stat. 838; 50 U.S.C. Sup. 601-622)

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-2743; Filed, February 19, 1943; 11:17 a. m.]

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[1] Administrative regulations of the War Department relating to pay of military personnel.

TITLE 14—CIVIL AVIATION

Chapter II—Administrator of Civil Aeronautics, Department of Commerce

PART 501—AIRCRAFT REGISTRATION CERTIFICATES

APPLICATION, ISSUANCE, ETC.

FEBRUARY 10, 1943.

Acting pursuant to the authority vested in me by sections 308 and 501 of the Civil Aeronautics Act of 1938, as amended, I hereby amend Part 501 of the regulations of the Administrator of Civil Aeronautics to read as follows:

Sec.
501.1 Application.
501.2 Issuance of registration certificate.
501.20 Previously registered aircraft.
501.21 New or previously unregistered aircraft.
501.22 Effective date.
501.3 Transferability.
501.4 Duration.
501.5 Display.
501.6 Invalidation.
501.7 Surrender.
501.8 Notice of change of address.

§ 501.1 *Application.* Application for the registration of an aircraft shall be made upon the applicable form prescribed and furnished by the Administrator.

§ 501.2 *Issuance of registration certificate.*

§ 501.20 *Previously registered aircraft.* A registration certificate will be issued by the Administrator for aircraft previously registered under the provisions of the Civil Aeronautics Act of 1938, as amended, only if:

(a) The applicant mails or delivers a duly executed application for registration to the Administrator; and

(b) The applicant submits with such application proof satisfactory to the Administrator that the applicant is a citizen of the United States;[1] and

(c) The applicant submits with the application for registration a conveyance which meets the requirements prescribed in Part 503 of the Regulations of the Administrator of Civil Aeronautics, evidencing his ownership of the aircraft; and

(d) The conveyance submitted with the above application establishes in the recordation system of the Administrator, title to the aircraft in the applicant: *Provided*, That this requirement shall not be applicable to contracts of conditional sale in which the seller is the recorded owner of the aircraft.

§ 501.21 *New or previously unregistered aircraft.* A registration certificate will be issued by the Administrator or his authorized inspector for aircraft not previously registered under the provisions of the Civil Aeronautics Act of 1938, as amended, only if:

(a) The applicant mails or delivers a duly executed application for registration to the Administrator or his authorized inspector; and

(b) The applicant submits with such application proof satisfactory to the Administrator that the applicant is a citizen of the United States; and

(c) The applicant submits satisfactory proof of ownership of such aircraft.

§ 501.22 *Effective date.* Aircraft will be deemed to be registered upon the date that the documents required by §§ 501.20 and 501.21, whichever is applicable, are received by the Administrator or his authorized inspector.

§ 501.3 *Transferability.* A registration certificate is not transferable except that upon the transfer of ownership of an aircraft registered as civil aircraft of the United States, the registration and certificate issued pursuant thereto may be transferred to the purchaser upon the following conditions:

(a) The purchaser is a citizen of the United States; and

(b) On the date the registered owner transfers ownership of such aircraft, he shall endorse the registration certificate in the manner provided thereon and deliver such certificate to the purchaser; and

(c) On the date of transfer, an application for registration of the aircraft in the name of the purchaser, together with all documents required by § 501.20, are mailed to the Administrator.

§ 501.4 *Duration.* The registration and certificate issued pursuant thereto shall remain in effect indefinitely unless suspended or revoked: *Provided*, That such registration and certificate may be cancelled by the Administrator at any time within 90 days after issuance and thereafter they shall immediately expire upon the date:

(a) The aircraft is registered under the laws of any foreign country; or

(b) The registration of the aircraft is cancelled at the written request of the owner; or

(c) The aircraft is totally destroyed or scrapped; or

(d) The ownership of the aircraft is transferred, unless the certificate is transferred in accordance with § 501.3.

§ 501.5 *Display.* A registration certificate shall be carried at all times in the aircraft and shall be presented upon the request of any duly authorized representative for the Administrator, or any state or municipal official charged with enforcing local laws or regulations involving Federal compliance.

§ 501.6 *Invalidation.* Any registration of an aircraft by the Administrator shall be null and void if at the time of registration:

(a) The aircraft was registered under the laws of any foreign country; or

(b) The person registered as owner was not the true and lawful owner of the aircraft; or

(c) The person registered as owner was not a citizen of the United States; or the interest of such person in the aircraft was created by any transaction not entered into in good faith, but for the purpose of avoiding, with or without the knowledge of the registered owner, the provision of the Civil Aeronautics Act of 1938, as amended, prohibiting the registration of an aircraft in the name of a person not a citizen of the United States.

§ 501.7 *Surrender.* Upon the suspension, revocation, expiration or invalidation of a registration certificate, the owner of the aircraft shall, upon request, surrender such certificate to any authorized representative of the Administrator.

§ 501.8 *Notice of change of address.* The registered owner of any aircraft shall notify the Administrator immediately of any change of address.

This amendment shall become effective March 31, 1943.

C. I. STANTON,
Administrator.

[F. R. Doc. 43-2745; Filed, February 19, 1943, 11:21 a. m.]

PART 503—RECORDATION OF AIRCRAFT OWNERSHIP

REQUIREMENTS, ELIGIBILITY, ETC.

FEBRUARY 10, 1943.

Acting pursuant to the authority vested in me by sections 308 and 503 of the Civil Aeronautics Act of 1938, as amended, I hereby adopt Part 503 of the regulations of the Administrator of Civil Aeronautics to read as follows:

Sec.
503.1 Recordation required.
503.2 Eligibility.
503.3 Notice of transfer.

§ 503.1 *Recordation required.* All conveyances affecting the title to, or interest in, any aircraft registered under the provisions of the Civil Aeronautics Act of 1938, as amended, shall be executed upon the applicable form prescribed by the Administrator, or a form deemed by the Administrator to be its equivalent, and shall be recorded with the Administrator.

§ 503.2 *Eligibility.* A conveyance shall be eligible for recordation only if:

(a) It is accompanied by a duly executed application for registration, together with all the documents required by § 501.2 of the Regulatons of the Administrator of Civil Aeronautics: *Provided*, That this paragraph shall not apply to conveyances affecting an interest in, but not title to the aircraft, or conveyances transferring ownership to a person not eligible to obtain registration; and

(b) It is accompanied by a certificate of ownership for the aircraft which is the subject of the conveyance, if such certificate has been issued by the Administrator,[1] *Provided*, That, in the event of the loss or destruction of such certificate of ownership, the owner shall submit in lieu thereof proof satisfactory to the Administrator that such certificate has been destroyed or lost; and

(c) It affects an aircraft currently registered under the terms of the Civil Aeronautics Act of 1938, as amended; and

(d) It states the interest in the aircraft of the person by whom such conveyance is made or given, or in the case of a contract of conditional sale, the interest of the seller; and

(e) It states the interest transferred by the conveyance; and

(f) It is acknowledged before a notary public or other officer authorized by law of the United States, or of a State, Territory or possession thereof, or the District of Columbia, to take acknowledgment of deeds.

§ 503.3 *Notice of transfer.* The registered owner of any aircraft, within five days after the conveyance of such aircraft, or other disposition thereof, shall furnish the Administrator, upon the prescribed form, notice of sale or other disposition of the aircraft.

This amendment shall become effective March 31, 1943.

C. I. STANTON,
Administrator.

[F. R. Doc. 43-2744; Filed, February 19, 1943; 11:21 a. m.]

[1] "Citizen of the United States" means (a) an individual who is a citizen of the United States or of one of its possessions, or (b) a partnership of which each member is such an individual, or (c) a corporation or association created or organized under the laws of the United States or of any State, Territory or Possession of the United States, of which the president and two-thirds or more of the board of directors and other managing officers thereof are such individuals and in which at least 75 per centum of the voting interest is owned or controlled by persons who are citizens of the United States or of one of its possessions. (Section 1 (13), Civil Aeronautics Act of 1938)

[1] On or after the effective date of these regulations the Administrator will issue a certificate of ownership which lists ownership and liens as of that date. These certificates of ownership will be issued for each aircraft as to which a conveyance is received for recordation. Thereafter no conveyance will be eligible for recordation unless accompanied by a certificate of ownership.

§ 322.9 (*Special prices*—(c) *Railroad fuel*) is amended by adding thereto Supplement R–II, and § 322.23 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: January 28, 1943.

DAN H. WHEELER,
Director.

[SEAL]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A–1814]

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 2, for the establishment of minimum price classifications and minimum prices for the coals of certain mines in District No. 2.

An original petition, and an amendment thereto, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 2; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 322.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–I,

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 2

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.

§ 322.7 *Alphabetical list of code members*—Supplement R–I

FOR ALL SHIPMENTS EXCEPT TRUCK

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
1197	Dry Run Coal Co. (Robert G. Huene)[1]	Dry Run (D)	Redstone	9	Monongahela, Pa.	PRR	74	(1)	(1)	(1)	C	C	C	C	C	C	C	C	C	C	C	C	C
90	Frick Coke Company, H. C.[1]	Hazel (W)	Pittsburgh	7	Curtisville, Pa.	PRR	74	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
90	Frick Coke Company, H. C.[1]	Hazel (R)	Pittsburgh	7	Curtisville, Pa.	PRR	74	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
161	Frick Coke Company, H. C.[1]	National #1	Pittsburgh	7	Muse, Pa.	PRR	72	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
161	Frick Coke Company, H. C.[1]	National #3 (W)	Pittsburgh	7	Muse, Pa.	Mont	72	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
162	Frick Coke Company, H. C.[1]	National #3 (R)	Pittsburgh	7	Muse, Pa.	Mont	72	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
34	Hillman Coal & Coke Company	Clyde #2 (D)	Pittsburgh	9	Bosco, Pa.	Mongh.	56	D	E	E	C	D	D	D	D	D	D	D	D	D	D	D	D
2296	Mammoth Coal & Coke Company	Mammoth	Pittsburgh	3	Mammoth, Pa.	PRR	71	(1)	(1)	(1)	C	D	D	D	D	D	D	D	D	D	D	D	D
116	Miller and Frank (J. Frank Miller Coal Company)[1]	Kline	Pittsburgh	3	Marguerite, Pa.	PRR	74	(1)	(1)	(1)	E	E	E	E	E	E	E	E	E	E	E	E	E
2581	Sanford-Graham & Peterson Coal Co. (L. H. Peterson)[1]	Mapel-Sterling	Pittsburgh	3	Mapel-Sterling Mine, Pa.	Mongh.	30	F	F	E	E	E	E	E	E	G	F	G	G	G	G	G	G
2487	Semler Coal Co. (W. H. Semler)[1]	Semler-Aiken	Pittsburgh	9	Sturgis, Pa.	PRR																	
3573	Valley Coal Corp.[1]	Top Block	U. Freeport	1	Montgomery, Pa.	B&O	15	E	E	C	C	E	E	E	E	E	E	E	E	E	E	E	E
						PRR	30	E	E	C	C	E	E	E	E	E	E	E	E	E	E	E	E
160	Weirton Coal Company	Isabella	Pittsburgh	3	Isabella, Pa.	PRR	31	E	E	C	C	E	E	E	E	E	E	E	E	E	E	E	E
2616	White & Frederick Coal Co. (C. W. White)[1]	White & Frederick	Pittsburgh	3	Walterburg, Pa.	B&O																	
1603	Wylie Coal & Coke Co. (Martin W. Keane)	Crystal Strip	Pittsburgh	3	Gans, Pa.	B&O	110	(1)	(1)	(1)	C	D	D	D	D	D	D	D	D	D	D	D	D
					Fairchance, Pa.	PRR																	

[1] Indicates no classifications effective for these size groups.
[2] Indicates change in ownership and additional classifications.
[3] Indicates change in ownership only.

§ 322.9 *Special prices*—(c) *Railroad fuel*—Supplement R–II

In § 322.9 (c) Minimum Price Schedule, add the mine index numbers in groups shown. Group No. 1: 116, 162, 2266; Group No. 2: 90, 161, 373; Group No. 5: 1197; Group No. 6: 1693, 2616; Group No. 7: 34, 160, 2581; Group No. 21: 2487.

FOR TRUCK SHIPMENTS

§ 322.23 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index No.	Mine Index No.	Mine	Seam	Base Sizes: Lump, over 4"	Lump 4"	Lump 3"	Lump 2"	Egg 2" x 1¼"	Stove 1¼" x 1"	Pea ¼" x 11/64"	Run of Mine	2" Nuts	1¼" Slack	¼" Slack
				1	2	3	4	5	6	7	8	9	10	11
ALLEGHENY COUNTY														
Frick Coke Company, H. C.	161	National #1	Pittsburgh	295	285	275	265	255	235	230	210	200	190	180
ARMSTRONG COUNTY														
Valley Coal Corp.[1]	57	Top Block	U. Freeport	300	290	270	260	245	235	225	225	205	195	185
FAYETTE COUNTY														
Cunningham Coal & Coke Co.	2553	Leonard #1	Pittsburgh	305	295	285	275	265	255	245	240	230	220	210
Isaacs Coke Company (Lawrence Farmer)	2580	Violet Mine	Pittsburgh	305	295	285	265	245	230	230	230	225	215	195
Greenwich Coal Co. (Charles Lentz)	2615	Greenwich	New Lexington	310	300	290	270	250	240	230	230	220	210	190
Vanek Brothers (John Vanek)	2566	Uhel	Pittsburgh	305	295	285	265	245	230	230	230	220	210	190
White & Frederick Coal Co. (C. M. White)	2619	White & Fred	Pittsburgh	315	305	295	275	255	240	230	230	225	220	195
Wynn Coal & Coke Co. (Martin W. Kinney)	1666	Crystal Strip	Pittsburgh	305	295	285	275	265	245	235	240	225	220	195
GREENE COUNTY														
Browning, Virgil	1967	Porter	Waynesburg	285	275	265	255	245	225	225	225	225	205	175
Cochran Gas Coke & Fuel Co. (Robert G. Hamilton)	2581	Mapletown	Pittsburgh	295	285	275	265	255	245	245	245	245	215	185
Frank Coke Company, H. C.	95	Hare	Pittsburgh	315	305	295	275	265	245	235	245	230	195	165
Frank Coke Company, H. C.	102	National #3	Pittsburgh	315	305	295	275	265	245	235	245	230	195	165
Hennessy Coal & Coke Company[1]	91	Clyde #2 (D)	Pittsburgh	335	325	315	295	275	255	245	255	225	215	195
WESTMORELAND COUNTY														
Hepler, Jesse	1580	Wagner	Miller	285	275	265	245	225	205	215	225	205	195	165
Jacobs, John	572	Kinkead #2	Pittsburgh	300	290	280	260	240	230	230	235	215	205	165
Mammoth Coal & Coke Company (John H. Dent)	220	Mammoth	Parkwood	305	295	285	280	260	250	245	245	225	205	165
Mellon, J. Frank, Jr. Fossil Mining Coal Company[1]	119	King	Pittsburgh	310	300	290	280	260	250	250	245	225	215	195
Seanor Coal Co. (W. H. Seanor)	2487	Seanor-Ahern	Pittsburgh	295	285	275	265	245	240	245	235	215	205	195

[1] Includes change in ownership only.
[2] For mechanically cleaned coal add 10¢ to Size Groups 3, 4, 5, 6, 7.
[3] For mechanically cleaned coal add 10¢ to Size Groups 5, 6, 7 to Size Groups 8, 9, 10, 11.

[F. R. Doc. 43-2686; Filed, February 18, 1943; 11:10 a. m.]

[Docket No. A-1832]

PART 327—MINIMUM PRICE SCHEDULE, DISTRICT NO. 7

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 7 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 7.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 7; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act:

It is ordered, That pending final disposition of the above entitled matter, temporary relief is granted as follows: Commencing forthwith, § 327.11 (*Low volatile coals: Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 327.34 (*General prices in cents per net ton for shipment into any market area*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: February 1, 1943.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 7

NOTE: The matter contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 327, Minimum Price Schedule for District No. 7 and supplements thereto.

§ 327.11 *Low volatile coals: Alphabetical list of code members*—Supplement R

FOR ALL SHIPMENTS EXCEPT TRUCK

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups (or all uses except as separately shown)]

Mine Index No.	Code member	Mine name	Sub-district No.	Low volatile seam	Price classification by size group Nos. 1	2	3	4	5	6	7	8	9	10
826	Beamer, Frank (Beamer Peoples Coal Co.)	Beamer	4	Welch	(2)	(2)	(2)	(2)	(2)	(2)	B	(2)	(2)	(2)
2619	Hennessy Coal & Coke Company	Angle	3	Eagle #3	(2)	(2)	(2)	(2)	(2)	(2)	B	(2)	(2)	(2)
382	Landry, C. L., Jr. (The Red Ash Coal Company)	The Red Ash Coal Co.	1	Red Ash	(2)	(2)	(2)	(2)	(2)	(2)	B	(2)	(2)	(2)

Mine Index No.	Code member	Mine	Sub-district No.	County	Seam	All lump 3½" or larger, all 624 and above	Stoker 3/4" x 1½" or smaller	Stoker, mine run	Stoker, mine run less than 1¼" top size or smaller	1¼" screenings	¾" screenings
						1	2	3	4	5	6
Landry, C. L., Jr. (The Red Ash Coal Company).	The Red Ash Coal Co.	332	1	McDowell	Red Ash	335		300	275	205	200
Smith, W. J.	Hillside	330	2	Fayette	Sewell			300	235		

[F. R. Doc. 43-2687; Filed, February 18, 1943; 11:10 a. m.]

[Docket No. A-1833]

PART 329—MINIMUM PRICE SCHEDULE, DISTRICT NO. 9

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 9 for the establishment of price classifications and minimum prices for the coals of certain mines and for a change in shipping point for the coals of Mine Index No. 335.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 9 and for a change in the shipping point for the coals of Mine Index No. 335 in District No. 9 from point Nebo, Kentucky, to Providence, Kentucky; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 329.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 329.24 (*General prices in cents per net ton for shipment into any market area*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That the price classifications and minimum prices heretofore established for the coals of Mine Index No. 335 for all shipments except truck shall no longer be applicable to shipments of such coals originating at point Nebo, Kentucky.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: January 29, 1943.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 9

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 329, Minimum Price Schedule for District No. 9 and supplements thereto.

§ 329.5 *Alphabetical list of code members*—Supplement R

FOR ALL SHIPMENTS EXCEPT TRUCK

Mine Index No.	Producer	Mine	Seam	Freight origin group	Shipping point	Railroad
335	Brown, Jack	Brown #1		9	[1] 50	L&N-IC.
1653	Brown, Jack	Brown No. 2		9	50	L&N-IC.
1653	Dixon & Dixon (H. C. Dixon)	Morris		9	10	L&N-IC.
1665	Dwire, Burk	Nebo		9	30	L&N
1665	Morris Brothers (Arthur Morris)	Morris No. 2		9	10	IC.
1657	Norton Coal Corporation	East Opening No. 1		12	40	L&N-IC.
1657	Norton Coal Corporation	East Opening No. 2		11	10	L&N-IC.
1647	Taylor & Green (Archie Green)	Burl		9	30	L&N.
823	Waltrip, Marion H.	Waltrip		9	30	L&N.

[1] Shipping point, Nebo, Kentucky; Freight Origin Group 30 is no longer applicable.

The f. o. b. mine prices for coal shipped by Mine Index Nos. 335, 1068, 1653, 1665, 1656, 1657, 1647, 823 to any market except Illinois and for any use, including Railroad Locomotive Fuel, are the same as the prices shown for Beech Creek Coal Company, Mine Index No. 1, in Price Schedule No. 1 for District No. 9, for All Shipments Except Truck.

FOR TRUCK SHIPMENTS

§ 329.24 *General prices in cents per net ton for shipment into any market area—* Supplement T

Code member Index	Mine Index No.	Mine	Seam	Prices and size group Nos. 1, ½	3	4	5	6	7	8	9	10, 11, 12	13, 14	26, 27	28, 29
HOPKINS COUNTY															
Brown, Jack	1058	Brown No. 2	#9	210	200	190	180	175	165	160	155	145	115	55	125	120
Dixon & Dixon (Leslie Dixon)	1051	Morris	#9	210	200	190	180	175	165	160	155	145	115	55	125	120
Morris Brothers (Arthur Morris)	1057	Morris No. 2	#9	210	200	190	180	175	165	160	155	145	115	55	125	120
Norton Coal Corporation	1056	East Opening #1	#12	210	200	190	180	175	165	160	155	145	115	55	125	120
Norton Coal Corporation	1057	East Opening #2	#11	210	200	190	180	175	165	160	155	145	115	55	125	120

[F. R. Doc. 43-2688, Filed, February 18, 1943; 11:10 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter III—Bureau of the Public Debt

[1943 Department Circular 394, 2d Am.]

PART 300—DISTINCTIVE PAPER FOR UNITED STATES CURRENCY AND OTHER SECURITIES

DESCRIPTION OF PAPER

FEBRUARY 18, 1943.

Section 300.2 of Department Circular No. 394, dated February 1, 1928 (31 CFR 300.2), as amended April 22, 1941 (6 F.R. 2191), is hereby further amended to read as follows:

§ 300.2 *Description of paper.* The paper is cream-white bank-note paper which closely resembles in general appearance the paper now in use, and which must conform to specifications prescribed by the Secretary of the Treasury, in which currency paper and bond paper may be differentiated. The distinctive feature, identical for all paper used for the production of paper currency and public debt issues of the United States, shall consist of small segments of fiber, either natural or synthetic, colored red and blue, incorporated in the body of the paper while in process of manufacture and evenly distributed throughout.

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 43-2739; Filed, February 19, 1943; 10:39 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-239]

THOMAS OIL COMPANY

J. D. Thomas, doing business as Thomas Oil Company, Saratoga Springs, New York, is engaged in the marketing of motor fuel. During the months of May, June and July, 1942, the Thomas Oil Company, in wilful violation of Limitation Order L-70, made deliveries of motor fuel to R. C. Vrooman Service Station, Van Dorn and Maple Streets, Saratoga Springs, New York, and to Manny's Service Station, 77 Putnam Street, Saratoga, New York, which the Company owns, substantially in excess of the amounts permitted to be delivered to such stations in accordance with the provisions of Limitation Order L-70.

These violations of Limitation Order L-70 have impeded and hampered the war effort of the United States by diverting motor fuel to uses unauthorized by the War Production Board. In view of the foregoing facts: *It is hereby ordered*, That:

§ 1010.239 *Suspension Order S-239.* (a) J. D. Thomas, doing business as Thomas Oil Company, his successors and assigns, shall not deliver, or cause to be delivered, directly or indirectly, any motor fuel, as defined in Limitation Order L-70, to R. C. Vrooman Service Station, Van Dorn and Maple Streets, Saratoga Springs, New York, and to Manny's Service Station, 77 Putnam Street, Saratoga, New York.

(b) Nothing contained herein shall be deemed to relieve J. D. Thomas, doing business as Thomas Oil Company, his successors and assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on February 22, 1943, and shall remain in effect until May 22, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 18th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2724; Filed, February 18, 1943; 4:34 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-244]

DE WITT-NASH CO.

The De Witt-Nash Company, Cleveland, Ohio, is a roaster and wholesale distributor of coffee. In the months of August and September, 1942, the Company delivered to its customers approximately 10,715 pounds of coffee in excess of the amounts it was permitted to deliver under the provisions of Conservation Order M-135. These excessive deliveries were caused by the Company's inexcusable negligence in failing to compute its quota in the proper manner.

These violations of Conservation Order M-135 have given the Company an advantage over its competitors and have made it appropriate that the Company's future deliveries of coffee should be restricted to compensate for such over-deliveries. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.244 *Suspension Order S-244.* (a) During each of the calendar months of March, April and May, 1943, deliveries of coffee by The De Witt-Nash Company, its successors and assigns, shall not exceed 15,670 pounds, except as specifically authorized by the Director General for Operations.

(b) Nothing contained in this order shall be deemed to relieve The De Witt-Nash Company from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect March 1, 1943, and shall expire on May 31, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 18th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2725; Filed, February 18, 1943; 4:34 p. m.]

PART 1068—CANS

[Amendment 1 to Conservation Order M-81 as Amended Jan. 13, 1943]

Section 1068.1 *Conservation Order M-81* (8 F. R. 516) is hereby amended in the following particulars:

1. Paragraph (a) (2) is amended to read as follows:

(2) "Tinplate" means any sheet steel coated with tin and includes "primes" "seconds", "waste-waste" (except "electrolytic waste-waste") and all other forms of tinplate except waste.

2. Paragraph (a) (4) is amended to read as follows:

(4) "Blackplate" means any sheet steel 29-gauge or lighter, other than tinplate or terneplate. The term includes "blackplate rejects" and "electrolytic waste-waste", and all other forms of blackplate except waste.

3. Paragraph (c) (3) is amended to read as follows:

(3) No product packed in a can shall be repacked for sale in a can or any other container by the same or a different person in the same or a different form except to the extent specifically permitted in the schedules attached to this order or pursuant to Conservation Order M-104.

4. The paragraph numbered (2) in the explanatory text at the heading of Schedule I is amended to read as follows:

(2) All persons manufacturing cans shall, to the greatest extent available, use 0.50 tinplate wherever the single asterisk appears, and chemically treated blackplate wherever the double asterisk appears. All persons using cans marked with the asterisk, are hereby required to accept from the manufacturer making delivery, to the greatest extent available, cans made as specified of 0.50 tinplate wherever the single asterisk appears; and cans made as specified of chemically treated blackplate wherever the double asterisk appears.

Product	Packing quota	Can sizes	Can materials: Body	Can materials: Ends
27. Condensed Milk, as defined by the Federal Security Administrator, Federal Register, July 2, 1940, § 936, page 2041, and §§ 936, page 2405, amended, Federal Register, August 5, 1941, pages 3622 and 3674.	100% 1942	14 oz.	1.25 tin	1.25 tin.

6. The paragraph numbered (2) in the explanatory text at the heading of Schedule II is amended to read as follows:

(2) All persons manufacturing cans shall, to the greatest extent available, use 0.50 tinplate wherever the single asterisk appears, and chemically treated blackplate wherever the double asterisk appears. All persons using cans marked with the asterisk, are hereby required to accept from the manufacturer making delivery, to the greatest extent available, cans made as specified of 0.50 tinplate wherever the single asterisk appears; and cans made as specified of chemically treated blackplate wherever the double asterisk appears.

Wherever the double asterisk appears, to the extent that chemically treated blackplate is not available, 0.50 tinplate is to be used by manufacturers and cans made therefrom accepted by users, to the greatest extent available, in preference to 1.25 tinplate.

7. Items 1 and 5 of Schedule II are amended to read as follows:

Product	Packing quota	Can sizes	Can materials: Body	Can materials: Ends
1. Bacon	None	(24 oz.	1.25 tin *	1.25 tin **
		(11 lb.		
5. Tongue	50% 1942	6 oz.	1.25 tin *	1.25 tin **

8. Schedule II is amended by the addition of the following items:

Product	Packing quota	Can sizes	Can Materials: Body	Can Materials: Ends
17. Liquid Edible Oils, including only animal, vegetable, olive, fish and other marine animal, and edible mineral oils, except lubricating oils.	50% 1942 pack of size 5 tin.	5-gal. reusable	1.25 tin	1.25 tin.
18. Citrus Concentrates	None	10	1.25 tin *	1.25 tin. *
19. Butter and Oleomargarine	None	10	1.25 tin *	1.25 tin. *
20. Maple Syrup, limited to syrup made by the evaporation of maple sap, without the addition of sugar or water, in cans weighing not less than 11 pounds to the gallon.	Unlimited	1-gal.	Frozen tinplate.	

9. The items in Schedule III hereinafter listed are amended to read as follows:

Product	Packing quota	Can sizes	Can material: Body	Can material: Ends
23. Toilet bowl cleaners, limited to cleaners containing not less than 70% by weight of soda. Until June 30, 1943.	50% 1942	10 oz.	Blackplate.	Blackplate.
28. Paints, copper bottom or antifouling.	Unlimited	1-gal.	1.25 tin	1.25 tin.
29. Paints: Oil or oleoresinous, ready mixed, including primers, undercoats and finishes, whether applied in oil and colors in oil. Farmerettes barred.	33⅓% 1942	1-gal.	Filtre.	Blackplate (50% of bottoms may be tinplate). Tinplate (non-frozen blackplate or blackplate rejects).
		1-qt.	Filtre.	Fibre bottoms; blackplate ring; filling made from waste blackplate recovered in manufacture of cans for 1-gal. three boiled linseed oil.
31. Shoe polish, leather dressing, and saddle soap. Until June 30, 1943.	50% 1942	Any size	Frozen blackplate and blackplate rejects.	
32. Soap, paste, limited to mechanic's hand soap.	100% 1942	3-lb.	Frozen blackplate and blackplate rejects.	

10. Schedule III is amended by the addition of the following item:

Product	Packing quota	Can sizes	Can materials: Body	Can materials: Ends
37. Ointment and salve	Unlimited	3-oz., 5-oz., 1-oz.	Limited to frozen tinplate and frozen blackplate and blackplate rejects).	

Issued this 18th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2726; Filed, February 18, 1943; 4:34 p. m.]

PART 1075—CONSTRUCTION

[Conservation Order L-41, as Amended Feb. 19, 1943]

Conservation Order L-41 as heretofore amended is hereby amended to read as follows:

§ 1075.1 *Conservation Order L-41—*

(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Construction" means the erection, construction, reconstruction, restoration, or remodeling of any structure or project, or additions thereto or extensions or alterations thereof, but not including:

(i) "Maintenance and repair" as defined in paragraph (a) (12);

(ii) The excavation or other movement of earth where no material except earth or other unprocessed material is to be incorporated.

(3) "Residential construction" means any construction where the principal designed function of the structure or project is or will be to provide living space or accommodations.

(4) "Multiple residential construction" means any residential construction where the principal designed function of the structure or project is or will be to provide living space or accommodations for six or more families, or which is divided or to be divided into six or more suites.

(5) "Agricultural construction" means any construction, (other than residential construction), where the principal designed function of the structure or project is or will be the production of agricultural products including, but not limited to, those produced by farmers, plant-

ers, ranchmen, dairymen, poultrymen, or nut or fruit growers.

(6) "Industrial construction" means any construction where the principal designed function of the structure or project is or will be the manufacture, processing or assembling of goods or materials.

(7) "Other restricted construction" means any construction, other than residential, multiple residential, agricultural, or industrial construction, including, but not limited to, commercial, highway, roadway, sub-surface, railroad, and utilities construction, whether publicly or privately financed.

(8) "Project" means all separate structures or units of construction situated in close proximity to each other and integrated to serve a single general use; it does not mean a particular construction operation or job. In no case shall a single structure or unit of construction be subdivided into more than one project for the purpose of this order.

(9) "Begin construction" means to initiate construction, or to resume construction which has not been carried on as one continuous construction job, by physically incorporating or installing into a structure or project on the site, material which is to be an integral part of the structure or project.

(10) "Cost" shall be the sum of the total cost or value, whichever is higher, of the following (except as qualified in (a) (11) below):

(i) Material which is to be an integral part of the structure or project, including articles, chattels, or fixtures which are to be physically incorporated in and used as a part of the structure or project, or are to be so substantially affixed thereto that they cannot be detached without materially injuring them or the structure or project;

(ii) Labor engaged in the construction;

(iii) Architects', engineers' and contractors' services.

(11) "Cost" does not include the following:

(i) The value of used material, articles, chattels or fixtures which have been severed from the same or another structure or project and are to be used without change in ownership, nor the cost or value of labor engaged in incorporating the same;

(ii) The cost or value of production machinery or equipment to be used directly in the manufacturing, processing or assembling of goods or materials;

(iii) The value of labor, not entailing financial outlay, of an owner or tenant and members of the owner's or tenant's immediate family residing with him, on a structure or project owned or leased by him.

(12) "Maintenance and repair" means such work as is necessary to keep a structure or project in sound working condition, or to rehabilitate a structure or project or any portion thereof when the same has been rendered unsafe or unfit for service by wear and tear or other similar causes. The term does not include any building operation or job where a structural alteration or change in design is to be made. However, different materials may be used and different types of articles, chattels or fixtures (but of the same general nature) may be incorporated, provided that there are no such structural alterations or changes in design. No building operation or job may be part construction and part maintenance and repair, as the terms are used herein, but if any construction is to be done, the entire building operation or job is construction. Maintenance and repair does not include the reconstruction or restoration of a structure or project or portion thereof destroyed by fire, flood, tornado, earthquake, act of God or the public enemy.

(b) *Prohibited construction.* (1) No person shall begin construction, carry on any construction begun in violation of any order in the L–41 series, cause such construction to be begun or carried on or participate in such construction, or order, purchase, accept delivery of, withdraw from inventory or in any other manner secure or use material for such purposes.

(2) The terms and restrictions of (b) (1) shall not apply where the construction is of:

(i) A structure or project to be the property of the Army or Navy of the United States, the United States Maritime Commission, Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, or the Office of Scientific Research and Development;

(ii) A structure or project which is to be used directly in the discovery, development or depletion of mineral deposits;

(iii) A type subject to the provisions of any order in the M–68 series (Part 1047) relating to the production and distribution of petroleum, or is of a type subject to the provisions of any Petroleum Administrative Order (Chapter XIII), and such construction is permitted only to the extent authorized by the applicable order in the M–68 series or by the applicable Petroleum Administrative Order;

(iv) Telephone facilities or equipment, including facilities or equipment for such telegraph or teletypewriter service as may be conducted by a telephone operator, other than buildings, and is authorized or permitted under the terms of Order L–50 (§ 1095.1);

(v) Railroad tracks, together with necessary operating facilities, but not including buildings, tunnels, overpasses, underpasses, or bridges;

(vi) Facilities, other than buildings, to be owned by a producer, as defined in Order P–46 (§ 978.1), pertaining to utilities, and which are to be used directly in providing one or more of the services set forth in paragraph (a) (1) of said order;

(vii) Irrigation pipe lines or drainage tile drains, classified as agricultural construction under this order, in which no materials except earth or other unprocessed material or clay or non-reinforced concrete tile not more than 12 inches in internal diameter are incorporated.

(viii) Agricultural construction necessary to the installation of material or equipment, the distribution of which is controlled by Order L–170 (§ 1029.10) or orders in the M–21 series (Part 962), and which are listed in Schedule 1 of Food Production Order 3 of the United States Department of Agriculture.

(ix) A structure or project which can be completed with materials which have been or can be obtained without priorities assistance (other than priorities assistance assigned by paragraph (b) (1) of Conservation Order M–208 (§ 3049.1) or which have been acquired with priorities assistance, for a purpose other than to be incorporated into the construction of the structure or project, before construction was begun, (but may, pursuant to applicable orders and regulations of the War Production Board, be used in the construction of such structure or project)—and no material will be used to provide electric, gas, water, steam or sanitation services for the incorporation of which specific authorization is required under Order P–46 (§ 978.1), unless such authorization has been received before construction of the structure or project was begun—and

(*a*) The construction is residential (but not multiple residential), or is specifically listed on Schedule B attached hereto, and the estimated cost is less than $200, or

(*b*) The construction is multiple residential, agricultural or other restricted construction, is not specifically listed on Schedule B, and the estimated cost is less than $1,000, or

(*c*) The construction is industrial, is not specifically listed on Schedule B, and the estimated cost is less than $5,000 or

(*d*) The construction is the minimum necessary to make safe and to protect any structure or project (or the contents thereof) damaged or destroyed by fire, flood, tornado, earthquake, act of God or the public enemy, or

(*e*) The construction is agricultural and the immediate construction thereof is determined by the United States Department of Agriculture, in accordance with such administrative procedures as may be from time to time prescribed to be necessary to avert threatened loss of farm products: *Provided*, That within two weeks of such determination Form PD–200 is filed in accordance with the provisions of paragraph (f) of this section.

(3) The terms and restrictions of (b) (1) shall not apply where the construction is to reconstruct or restore:

(i) Residential or multiple residential construction damaged or destroyed by fire, flood, tornado, earthquake, act of God or the public enemy, or to build in its place and stead new residential or multiple residential construction: *Provided, however*, That the estimated cost of such reconstruction, restoration, or new construction shall be less than $5,000, and that within two weeks of such damage or destruction Form PD–105 (for residential) or Form PD–200 (for multiple residential) is filed in accordance with the provisions of paragraph (f) of this section;

(ii) Agricultural construction damaged or destroyed by fire, flood, tornado, earthquake, act of God or the public enemy where the immediate reconstruction thereof is determined by the United States Department of Agriculture, in accordance with such administrative procedures as may be from time to time prescribed, to be essential to the agricultural program: *Provided*, That within two weeks of such damage or destruction Form PD–200 is filed in accordance with the provisions of paragraph (f) of this section;

(iii) Industrial or other restricted construction, not specifically listed on Schedule B, damaged or destroyed by fire, flood, tornado, earthquake, act of God or the public enemy, where the immediate reconstruction thereof is necessary for the prosecution of the war or the protection of public health or safety: *Provided*, That within five days of the damage or destruction notice thereof is given by telegraph to the War Production Board setting forth (*a*) the cause of the damage or destruction, (*b*) the function of the structure or project which has been damaged or destroyed, (*c*) the type of construction, (*d*) why immediate reconstruction or restoration is necessary, and (*e*) the estimated cost of reconstruction: *And provided further*, That within two weeks of the giving of such telegraphic notice, Form PD–200 is filed in accordance with the provisions of paragraph (f) of this section.

Nothing contained in this subparagraph (3) shall be interpreted as a commitment that priorities assistance will be accorded to any particular construction authorized by the provisions of this subparagraph and the Director General for Operations may at any time either order said construction to cease or require any modification thereof that seems to him to be proper.

(4) The terms and restrictions of (b) (1) shall not apply where the construction has been or is hereafter authorized by the Director of Priorities of the Office of Production Management or by the Director of Industry Operations or the Director General for Operations of the War Production Board by the issuance of:

(i) One of the preference rating orders or certificates listed on Schedule A attached hereto, as that schedule may be amended from time to time, according priorities assistance to the construction; or

(ii) An order specifically authorizing the construction.

(5) The exceptions set forth in paragraphs (b) (2) (ix) (*a*), (b) (2) (ix) (*b*), and (b) (2) (ix) (*c*) shall not be construed to authorize separate or successive construction operations commencing after September 6, 1942, the aggregate cost of which over any continuous twelve-month period exceeds the amount specified in the applicable paragraph for the particular structure or project; not including in said aggregate cost the cost of any construction thereon during said period authorized under the provisions of paragraph (b) (2) (ix) (*d*), (b) (2) (ix) (*e*), (b) (3) and (b) (4).

(c) *Prohibited deliveries.* No person shall accept an order for, sell, deliver, or cause to be delivered material which he knows, or has reason to believe, will be used in violation of the terms of this order.

(d) *Further construction limitations.* Nothing in this order shall be construed to authorize the use or delivery of any material, or the application or extension of any preference rating, in violation of the provisions of any conservation, limitation or other order or regulation heretofore or hereafter issued by the Director of Priorities, Office of Production Management, by the Director of Industry Operations or by the Director General for Operations of the War Production Board.

(e) *Orders or certificates not constituting authorization.* The assignment of a preference rating by a PD–1, PD–1A, or other certificate, or by any order, other than those listed on Schedule A, shall not constitute authorization to begin construction.

(f) *Application for authority to begin construction.* (1) The application forms prescribed by paragraphs (f) (2) and (f) (3) hereof shall be executed by the person who is or is to be the owner of the structure or project for which authorization is required by the terms of this order, or his duly authorized agent.

(2) If the applicant requires priorities assistance for the proposed construction, an application shall be made for the appropriate preference rating order or certificate listed on Schedule A on the form referred to therein.

(3) Where the applicant does not require priorities assistance, application for specific authorization to begin construction referred to in paragraph (b) (4) (ii) hereof may be made by filing Form PD–200, or such other forms as may hereafter be prescribed. Such forms are to be filed in the manner prescribed on Schedule A for the filing of applications for Preference Rating Order P–19–h.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining any further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Communications.* Applications, communications and reports under this order shall, unless otherwise directed in Schedule A or by specific instructions be addressed to: War Production Board, Washington, D. C., Ref.: L–41.

Those relating to residential construction shall in addition be conspicuously marked "Res.", those relating to multiple residential construction "M. R.", those relating to agricultural construction "Agr.", those relating to industrial construction "Ind.", and those relating to other restricted construction "O. R."

This order, as amended, shall supersede all orders, amendments and interpretations in the L–41 series heretofore issued, except L–41–a, L–41–b and its interpretation, and L–41–c.

Issued this 19th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

The following preference rating orders and certificates are listed pursuant to paragraph (b) (4) (i) of the above order. A general description of the type of construction covered by each, the appropriate application form and where such form should be filed, are given solely for the purposes of identification.

Preference rating order	Type of construction	Application form	Where filed
P–14–a	Shipyards and shipways	No form	Maritime Commission, Washington, D. C.
P–14–b			
P–19	Structures or projects important to the war effort and essential civilian needs, other than housing.	No further application accepted under P–19 and P–19–a. Apply for P–19–h.	
P–19–a			
P–19–d	Publicly financed war housing	No further applications accepted; see P–19–h	
P–19–g			
P–19–c	Public roads	Application is made by or through the Public Roads Administration of F. W. A.	
P–19–h	Structures and projects important to the war effort and essential civilian needs, including war housing owned by FPHA and farm dwellings (for other housing see P–55 below).	Form PD–200	At the following places or such other places as may be prescribed: Agricultural and farm dwellings with Department of Agriculture County War Board having jurisdiction over location of the site. All other types of construction with War Production Board, Washington, D. C.
P–19–L			
P–41	Construction of air transport facilities	Expired Oct. 1, 1942	
P–55	Housing and Remodeling of housing except farm dwellings and housing owned by the FPHA.	Form PD–105 and Form PD–105A.	With FHA field office having jurisdiction over location of the site.
P–55, Amended			
P–59 as amended	Construction of certain types for production of chemicals	Form PD–315	With War Production Board Washington, D. C., Ref P–59.
P–98–b	Construction related to petroleum enterprises as defined and limited therein.	See orders in M–68 series	
P–110	Remodeling of housing programmed for critical areas by the National Housing Agency.	No further applications accepted.	
P–130	Construction of certain facilities other than buildings by telephone companies and construction by such companies of facilities necessary to serve defense projects.	See order Form PD–685	With War Production Board, Washington, D. C., or such other place as may be prescribed.
P–132	Construction of certain facilities other than buildings by telegraph companies and construction by such companies of facilities necessary to serve defense projects.	See order Form PD–683	With War Production Board, Washington, D. C., or such other place as may be prescribed.
Certificates: PD–3 PD–3A	Certain specific types of construction of the Army or Navy	PD–3A	With the contracting or procurement official having jurisdiction of the contract.

SCHEDULE B

The following structures or projects are listed pursuant to paragraphs (b) (2) (ix) and (b) (3) (iii) of the above order:

(a) A structure or project which has as its principal designed function:

(1) Public or private amusement, entertainment or recreation, with the exception of playgrounds for children;

(2) Occupancy by not more than five establishments selling or dispensing goods, merchandise, food or drink, or providing services;

(3) Use as a club, lodge, fraternity or sorority house, association, auditorium or assembly hall;

(4) Manufacture, processing or assembling of any one or more of the following:

(i) Athletic supplies, sporting goods, or toys or games as defined in Order L-81.

(ii) Beverages, except milk,

(iii) Books, magazines, newspapers, greeting cards, or other printed or engraved matter,

(iv) Candy or chewing gum,

(v) Cigars, cigarettes, smoking or chewing tobacco or snuff,

(vi) Jewelry, watches, traveling bags, brushes, razors, pipes and like articles for personal use or adornment,

(vii) Furniture, silverware, china, household electrical appliances, draperies, and all other similar articles,

(viii) Musical instruments,

(ix) Stationery or office supplies,

(x) Toiletries or cosmetic products as defined in Order L-171,

(xi) Wearing apparel of every sort, nature or description, except for the Army or Navy;

(b) Industrial construction with a productive floor area of less than 10,000 square feet.

[F. R. Doc. 43-2733; Filed, February 19, 1943; 10:18 a. m.]

PART 1075—CONSTRUCTION

[Interpretation 1 of Conservation Order L-41 as Amended Feb. 19, 1943]

The following official interpretation is hereby issued by the Director General for Operations with respect to § 1075.1 *Conservation Order No. L-41:*[1]

(a) Paragraph (a) of Conservation Order No. L-41, as amended, places in different classes the construction of various structures or projects, and paragraph (b) (2) (ix) provides the limits within which the several classes of construction may be begun without authorization. Any structure shall be classified in accordance with such provisions unless it constitutes a part of a "project" as defined in paragraph (a) (8), in which event the classification of the project shall control.

(b) In connection with paragraphs (a) (3), (a) (4), (a) (5), (a) (6), and (a) (7), where part of a structure or project falls within one class under said order and other parts within another or other classes, the predominant designed use shall determine the classification of the whole structure or project.

(c) In connection with paragraphs (a) (5) and (a) (7), a structure to be used primarily for the storage of farm products which are produced by a person other than the proprietor of such structure shall be interpreted to be "other restricted construction."

(d) "Construction" as defined in paragraph (a) (2) includes the laying of asphalt tile, linotile, cork tile, rubber tile, and linoleum, if the same is cemented to or in any way is affixed to the construction.

(e) The application of siding or roofing is "construction" as the word is used in paragraph (a) (2), where such siding or roofing is applied to a portion of a building or structure which is not in need of "maintenance and repair" as the words are used in paragraph (a) (12).

Issued this 19th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc 43-2734; Filed, February 19, 1943; 10:18 a. m.]

[1] *Supra.*

PART 3063—FOOTWEAR

[Amendment 1 to Conservation Order M-217, as amended Feb. 13, 1943]

Section 3063.1 *Conservation Order M-217* is hereby amended:

1. By adding the following at the end of paragraph (b) immediately following (b) (9):

(10) "Line" means footwear of any one of the following types:

Men's dress.
Men's work.
Youths' and boys'.
Women's and growing girls'
Misses' and children's.
Infants'.
House slippers.
Athletic

to the extent that such type of footwear is manufactured for sale in the same manufacturer's price range: *Provided*, That

(i) Footwear of substantially identical kind and quality sold in more than one price range to different types of purchasers shall be deemed one line; and

(ii) In case the sale by the manufacturer is at retail or to a purchaser controlled by the manufacturer, the applicable price range shall be the retail price range.

(11) "Price range" shall have the usual trade significance, provided that the highest list price in the range does not exceed the lowest in the range by more than ten (10%) per cent.

(12) "Civilian footwear" as used in paragraph (i) means boots, shoes, slippers and other foot coverings made in whole or in part of leather or with rubber soles, not including rubber footwear.

2. By adding a new paragraph (i) after paragraph (h):

(i) *Restrictions on production of lines of footwear.* (1) Except on specific authorization of the Director General for Operations, no person shall in any six (6) months' period beginning March 1, 1943, complete the manufacture of more civilian footwear within any line than permitted in the table shown below:

Description	*Maximum permitted amount or percentage per line*
House slippers	75% of number manufactured from July 1, 1942, to Dec. 31, 1942, inclusive.
All others	100% of number manufactured from July 1, 1942, to Dec. 31, 1942, inclusive.

(2) Except on specific authorization of the Director General for Operations, no person shall manufacture any line of civilian footwear not manufactured by him in the period from July 1st, 1942 to December 31st, 1942.

(3) *Exceptions.* Notwithstanding the provisions of paragraphs (i) (1) or (i) (2):

(i) A lower priced line of the same type of civilian footwear may be substituted in whole or in part for a higher priced line.

(ii) The unused quota of any higher priced line may be added to a lower priced line of the same type of civilian footwear.

(iii) The manufacture of civilian footwear in a line not manufactured in the period from July 1, 1942 to December 31, 1942, may be completed if such footwear was put into process prior to February 19, 1943.

3. By relettering present paragraphs (i), (j), (k), (l) and (m) to (j), (k), (l), (m), and (n) respectively.

4. By relettering paragraph (n) to paragraph (o) and changing said present paragraph (n) to read as follows:

(o) *Effective dates.* The effective dates of the respective amended paragraphs of this order are as follows: Paragraphs (a), (b) (6) through (b) (9), (c) (4), (c) (5), (d) (1), (e) (3), (e) (5), (e) (6), (f) (2), (f) (3), (f) (4) and (g)—February 13, 1943; paragraphs (j), (k), (l), (m), (n) and (o)—February 19, 1943; paragraphs (b) (10), (b) (11), (b) (12) and (i)—March 1, 1943; paragraph (f) (1)—March 15, 1943; paragraph (c) (7)—March 31, 1943; paragraph (c) (8)—May 31, 1943; all other amended paragraphs—April 30, 1943

Conservation Order M-217 as issued September 10, 1942 shall remain in full force and effect except as superseded on the effective dates, as stated above, of the foregoing amended paragraphs.

Issued this 19th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2735; Filed, February 19, 1943; 10:18 a. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL

[MPR 189,[1] Amendment 6]

BITUMINOUS COAL SOLD FOR DIRECT USE AS BUNKER FUEL

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In paragraph (a) of § 1340.308 a new subparagraph (8) is added, and in § 1340.313, paragraph (e) is redesignated as paragraph (d) and new paragraphs (c) and (e) are added, to read as set forth below:

§ 1340.308 *Definitions.* (a) • • •

(8) Reference to a bituminous coal producing district (e. g. "District No. 1") is a reference to the same district as defined in the Bituminous Coal Act of 1937, as amended.

• • • • • •

§ 1340.313 *Appendix A: Maximum prices for bituminous coal for use as bunker fuel.* • • •

(c) The following special rule shall apply to bunker fuel produced in Districts 1–4 and 6–8:

(1) Not more than 25 cents per net ton may be added to the maximum prices determined in accordance with paragraph (a) or (b) of this section when the bunker fuel has been produced at mines in Districts Nos. 1, 2, 3, 4, or 6.

(2) Not more than 25 cents per net ton may be added to the maximum prices determined in accordance with paragraph (a) or (b) of this section when the bunker fuel is high-volatile bituminous coal produced in Districts 7 and 8; and not more than 40 cents per net ton may be so added when the bunker fuel is low-volatile bituminous coal produced in Districts 7 or 8.

• • • • • •

(e) Where the maximum price cannot be determined under paragraphs (a), (b) and (c) of this section, then the maximum price shall be a price determined by the supplier in accordance with specific authorization from the Office of Price Administration. A supplier who seeks an authorization to determine a maximum price under the provisions of this paragraph shall file with the Office of Price Administration, Solid Fuels Branch, Washington, D. C., two copies of an application setting forth (1) a description of the bunker fuel for which a maximum price is sought, including the producing districts and mine index numbers of the originating mines, and, where a mixture is involved, the proportions of each of the different coals mixed; (2) a statement of the reasons why the bunker fuel in question cannot be priced under paragraphs (a), (b) and (c) of this section; and (3) any other facts which the supplier wishes to submit in support of the application.

This amendment shall become effective February 18, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2728; Filed, February 18, 1943; 4:47 p. m.]

[1] 7 F.R. 5831, 6684, 8939, 10225, 10470, 10529.

*Copies may be obtained from the Office of Price Administration.

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS

[MPR 129,[1] Amendment 15]

CUTTER BOX OR HOUSEHOLD ROLLS, ETC.

Cutter box or household rolls.
Envelopes.
Paper cups, paper containers and liquid tight containers.
Sanitary closures and milk bottle caps.
Drinking straws.
Certain sulphate and certain sulphite papers.
Certain tissue papers.
Rope and jute papers.
Technical papers.
Gummed papers.
Tags, pin tickets and marking machine tickets.
Glazed and fancy papers.
Reliefe book matches.
Unprinted single weight crepe paper in folds.

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1347.12, paragraph (c) (1), the table of maximum prices is amended by changing the maximum manufacturer's delivered price per gross in item e from $3.96 to $3.84; in paragraph (c) (3) the date, February 15, 1943, is amended to read May 15, 1943 and in the second table of paragraph (c) (3) the retailer's maximum price per fold on 7½' x 20" (ratio 1½ to 1) is changed from 4 cents to 5 cents.

This amendment shall become effective February 18, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 18th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2729; Filed, February 18, 1943; 4:47 p. m.]

[1] 7 F.R. 3178, 3242, 3482, 3554, 4176, 4668, 5172, 5780, 5712, 5780, 5943, 7974, 8939, 8948, 9131, 9724, 10152, 10812.

*Copies may be obtained from the Office of Price Administration.

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 1—RULES OF PRACTICE AND PROCEDURE

SPECIAL SERVICE AUTHORIZATIONS

The Commission on February 16, 1943, effective immediately, amended § 1.366 as follows:

§ 1.366 *Special service authorizations.* Special service authority may be issued to the licensee of a standard broadcast station or, in connection with the furnishing of facilities for service to the United States Government, to the licensee of an international broadcast station or an international point-to-point station, for a service other or beyond that authorized in its existing license for a period not exceeding that of its existing license.

Application for special service authorization for standard broadcast stations must be made by formal application[1] and a satisfactory showing must be made in regard to the following, among others:

(a) That the requested operation may not be granted on a regular basis under the existing rules governing the operation of standard broadcast stations;

(b) That experimental operation is not involved as provided for by § 3.32 of the Rules and Regulations;

(c) That public interest, convenience, and necessity will be served by the authorization requested.

(Sec. 4 (i), 48 Stat. 1068, 47 U.S.C. 154(i))

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-2721; Filed, February 18, 1943; 3:16 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] Form 317.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Service Order 110]

PART 97—ROUTING OF TRAFFIC

DIVERSION AND REROUTING OF PETROLEUM AND PETROLEUM PRODUCTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 15th day of February, A. D. 1943.

It appearing that upon representations from the Petroleum Administration for War and the Office of Defense Transportation, an emergency exists requiring immediate action to prevent shortage of railroad equipment and congestion of traffic, and to promote the service in the interest of the public and the commerce of the people; *It is ordered*, That:

§ 97.7 *Diversion and rerouting of petroleum and petroleum products.* H. G. McNamara, whose office shall be in the office of the General Yardmaster of the Central Railroad of New Jersey, Elizabethport, N. J., is hereby designated and appointed as Agent of the Interstate Commerce Commission and vested with authority to divert or reroute carloads of petroleum and petroleum products destined to points in the New York Harbor area in the States of New Jersey and New York which cannot be currently placed for unloading at refineries, storage points, or other unloading points, to other refineries, storage points, or other unloading points on the line of the same or any other railroad in said area where such cars can be currently placed for unloading. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, That this order shall become effective immediately and shall remain in force until further order of the Commission; that copies of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-2727; Filed, February 18, 1943; 4:44 p. m.]

Notices

DEPARTMENT OF LABOR.

Wage and Hour Division.

[Administrative Order 178]

MATTRESS, BEDDING, AND RELATED PRODUCTS INDUSTRY

ACCEPTANCE OF RESIGNATION FROM AND APPOINTMENT TO INDUSTRY COMMITTEE 54

By virtue of and pursuant to the authority vested in me by the Fair Labor

Standards Act of 1938, I. L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignation of Mr. James Dolly from Industry Committee No. 54 for the Mattress, Bedding, and Related Products Industry, and do appoint in his stead Mr. Alva W. Taylor of Nashville, Tennessee, as representative for the public on such committee.

Signed at New York, New York, this 18th day of February 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-2732; Filed, February 19, 1943; 9:22 a. m.]

[Administrative Order 177]

MISCELLANEOUS TEXTILE, LEATHER, FUR, STRAW, AND RELATED PRODUCTS INDUSTRIES

ACCEPTANCE OF RESIGNATION FROM AND APPOINTMENT TO INDUSTRY COMMITTEE 55

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I. L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignations of Reverend Harlan Frost and Mr. Herman Michl from Industry Committee No. 55 for the Miscellaneous Textile, Leather, Fur, Straw, and Related Products Industries, and do appoint in their stead Reverend A. Herbert Haslam of Toledo, Ohio, and Mr. H. LaRue Frain of Philadelphia, Pennsylvania, respectively, as representatives for the public on such committee.

Signed at New York, New York, this 18th day of February 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-2731; Filed February 19, 1943; 9:22 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 662]

INTERESTS OF ANNA STROMEYER, ET AL.

Re: Interests of German nationals in certain real properties in Texas, certain bank accounts and a coin collection.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Anna Stromeyer, Meta Eyl and Hans Eyl are citizens of and reside in Germany and are nationals of a designated enemy country (Germany);

2. Finding that said persons are the owners of the property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

a. All right, title, interest and estate, both legal and equitable, of the aforesaid Anna Stromeyer, Meta Eyl and Hans Eyl, and each of them, in and to those certain real properties situated in the Counties of Milam, Galveston, Montgomery, Upton, Coleman, Hardin and Leon in the State of Texas, more particularly described in Exhibit A attached hereto and made a part hereof, together with all fixtures, improvements and appurtenances thereto and any and all claims of Anna Stromeyer, Meta Eyl and Hans Eyl, and each of them, for rents, refunds, benefits or other payments arising from the ownership of such property;

b. All right, title, interest and claim of any name or nature whatsoever of said Anna Stromeyer, Meta Eyl and Hans Eyl, and each of them, in and to all obligations, contingent or otherwise and whether or not matured, owing to them or any of them by Hutchings-Sealy National Bank of Galveston, Texas, and Republic National Bank of Dallas, Texas, or either of them, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to sue for and collect such obligations, and including particularly the account in said Hutchings-Sealy National Bank of Galveston carried in the name of Henry J. Runge, Agent, and the accounts in said Republic National Bank of Dallas carried in the names of Julius H. Runge, Attorney, Julius H. Runge, Agent and Julius H. Runge, Trustee, respectively; and

c. The interests of said Anna Stromeyer, Meta Eyl and Hans Eyl, and each of them, in and to that certain coin collection in the possession of Henry J. Runge in Galveston, Texas,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

4. Determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that hereinbefore described in subparagraph 3-a) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive Order;

5. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 12, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

(1) The following described land in the Henry J. Runge Subdivision of League No 3 of the Fernando Rodriquez 3-League Grant, in Milam County, Texas, being Subdivisions 8, 9, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 26, 27 and 28, and all of Subdivision 25, except 107 12 acres off the west side of Subdivision 25, which tract of 107 12 acres is bounded on the west by the west line of Subdivision 25, and bounded on the east by a line running parallel to the west line of Subdivision 25, and at a sufficient distance from said West Line to include 107 12 acres. It being the intention to convey all the land conveyed by Thomas W. Jackson to Henry J. Runge, by deed dated January 8th, 1890, recorded in vol. 26, page 294, of the Deed Records of Milam County, Texas, except those tracts conveyed to third parties prior to the death of the said Henry J. Runge, and except Subdivision 24 and the west 107 12 acres of Subdivision 25.

(2) The following described lands in Galveston, Texas:

(a) Lot 3 in Block 72, in the town of Arcadia, out of the I. & G. M. R. R. Company Survey No. 18, containing 63.9 acres, more or less.

(b) All of Block 62 in the town of Arcadia out of the I. & G. N. R. R. Company Survey No. 17, containing approximately 9 acres, more or less.

(c) All of the minerals and mineral rights which own in Blocks 9, 10, and 41, in the town of Arcadia out of the I. & G. N. R. R. Company Survey No. 17, each of said blocks containing 2 acres, more or less, said mineral rights being those mineral rights which were reserved in my favor in a deed to J. R. Beaver, conveying Block 41, and in a Deed to George Laine and wife, conveying Blocks 9 and 10.

The above described lots and blocks are shown by the map of the Angell-Runge Addition to the town of Arcadia, Texas, recorded in Book 91, page 218 of the Deed Records of Galveston County, Texas.

(d) Mineral rights and the right to explore for oil and gas in: A block of land six hundred and forty (640) feet in width, Northerly and Southerly, by seven hundred and twenty (720) feet in length, Easterly and Westerly, and being all that tract of ground known as the Park Site and bounded on the South by Park Street, and on the East by Peck Street, and on the North by Eighth Street, and on the West by Terry Street. Said tract of land 10.578 acres, more or less. Said Park Site being shown on a plat of the Arcadia Town Sight recorded in Book 91, Page 218 of the Galveston County Deed Records.

(3) The following described land in Montgomery County, Texas: Being that certain 1107-acre tract, described as follows: The E½ of the W½ of the Jas. Hodge League, Abstract No. 19, Montgomery County, Texas.

(4) The following described land in Upton County, Texas, to-wit: Being 426⅔ acres in Upton County, Texas, and being a part of Survey No. 49, Certificate No. 371, issued to Mrs. Nancy A. Lee for 1280 acres, Patent No. 176, Vol. 34, to said Nancy A. Lee, Abst. No. 5576. The said 426⅔ acres are the same conveyed by said Nancy A. Lee to J. M. Henderson and by said Henderson to Leon Hatlin, and is more particularly described as follows, viz: Being a part of Survey No. 49, 1280 acres for Nancy A. Lee, beginning at a stake S. E corner of said 1280 acre Survey; thence W. 1267 vrs.; Thence N. 1900 vrs. a stake on N line of said Survey; thence E. 1267 vrs. to the N. E. corner of said Survey; thence S. 1900 vrs. to the place of beginning; and being the same land conveyed by Leon Haflin to Henry J. Runge, June 7, 1888, by deed recorded in Book 18, page 52, of the Deed Records of Upton County, Texas.

(5) The following described land in Coleman County, Texas, being all of Blocks Nos. 5, 6 and 7, of G. C. & S. F. Addition to the town of Santa Anna, a map of which is of record in Vol. 67, pages 434-435 of the Deed Records of Coleman County, Texas, and containing approximately 15.9 acres of land, more or less and being the same land described in the warranty deed from Gulf, Colorado, Santa Fe Railway Company to Henry J. Runge, dated February 2, 1889, recorded in Book U, page 505, of the Deed Records of Coleman County, Texas.

(6) The following described lands in Leon County, Texas, to-wit: The land in the Jose Marie Viesca 11-League Grant, in said County and being out of the parts of said Viesca 11-League Grant owned at one time by Kauffman & Runge and Seigfred Fruner as the same appears in a plat which was filed for record on September 9, 1885, and which now appears of record in Vol. U, page 203, in the Deed Records of Leon County, Texas.

(7) The land in Hardin County: A tract out of the S. Jackson Survey consisting of 25 acres.

[F. R. Doc. 43-2736; Filed, February 19, 1943; 10:37 a. m.]

[Vesting Order 765]

SOUTH TEXAS COMPRESS COMPANY

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found in Vesting Order Number 60 of July 28, 1942, that South Texas Compress Company, a Texas corporation, is a national of a designated enemy country (Japan);

2. Finding that Jiro Hinomizu and Tokeo Sugiura, whose last known addresses are Japan, are nationals of a designated enemy country (Japan);

3. Finding that Yoichi Noda is residing in Japan or is a subject of Japan residing in Shanghai, China, enemy occupied country, and is, therefore, a national of a designated enemy country (Japan);

4. Finding that out of the total issued and outstanding capital stock of said business enterprise 625 shares of $100 par value common stock thereof are registered in the names of and owned by the aforesaid Jiro Hinomizu, Yoichi Noda, and Tokeo Sugiura, in the following respective amounts:

Names:	*Number of shares*
Jiro Hinomizu	250
Yoichi Noda	125
Tokeo Sugiura	250
Total	625

5. Finding therefore that the aforesaid 625 shares of stock represent interests in said business enterprise owned by nationals of a designated enemy country (Japan);

6. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Japan);

7. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

8. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian that 625 shares of stock referred to in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 25, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2737; Filed, February 19, 1943; 10:37 a. m.]

[Vesting Order 813]

FUJI TRADING COMPANY, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Kaku Nagano, whose last known address is Tokyo, Japan, is a national of a designated enemy country (Japan);

2. Finding the 8,780 shares of $10 par value common capital stock of Fuji Trading Company, Inc., an Illinois corporation, Chicago, Illinois, are registered in the name of and owned by said Kaku Nagano;

3. Finding that said corporation is a business enterprise within the United States and that said 8,780 shares constitute a substantial part (namely, 58.5%) of all outstanding capital stock of said business enterprise and are evidence of control thereof;

4. Determining, therefore, that said business enterprise is controlled by said Kaku Nageno and is a national of a designated enemy country (Japan);

5. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Japan);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the shares of stock described in subparagraph 2 hereof to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on February 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2738; Filed, February 19, 1943; 10:37 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 4 Under Rev. MPR 125]

G-M BRASS AND ALUMINUM FOUNDRY COMPANY

ORDER ADJUSTING MAXIMUM PRICE

Order No. 4 under Revised Maximum Price Regulation No. 125—Nonferrous castings.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and § 1395.12 of Revised Maximum Price Regulation No. 125, *It is hereby ordered:*

(a) W. H. Gayton and Kermit R. Merrill, a partnership doing business as G-M

Brass and Aluminum Foundry Company, at Benton Harbor, Michigan, may sell and deliver, and Viloco Machine Company, Benton Harbor, Michigan, may buy and receive brass castings on the so-called "conversion" basis, at the price of nine and one-half cents ($.09½) per pound, all, or substantially all, of the metal for such castings to be furnished by the buyer.

(b) All of the prayers of the petition not granted herein are denied.

(c) This Order No. 4 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 4 shall become effective February 19, 1943.

Issued this 18th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2710; Filed, February 18, 1943; 11:55 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 7-674]

SALT LAKE STOCK EXCHANGE—NATIONAL TUNNEL & MINES CO.

ORDER GRANTING APPLICATION FOR PERMISSION TO EXTEND UNLISTED TRADING PRIVILEGES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of February, A. D., 1943.

In the matter of application by the Salt Lake Stock Exchange to extend Unlisted Trading Privileges to National Tunnel & Mines Company Common Stock, No Par Value.

The Salt Lake Stock Exchange having made application to the Commission, pursuant to section 12 (f) of the Securities Exchange Act of 1934 and Rule X-12F-1, for permission to extend unlisted trading privileges to the Common Stock, No Par Value, of National Tunnel & Mines Company; and

After appropriate notice a hearing having been held in this matter at the Denver Regional Office of the Commission; and

The Commission having this day made and filed its findings and opinion herein;

It is ordered, Pursuant to section 12 (f) of the Securities Exchange Act of 1934, that the application of the Salt Lake Stock Exchange for permission to extend unlisted trading privileges to the Common Stock, No Par Value, of National Tunnel & Mines Company be and the same is hereby granted.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-2718; Filed, February 18, 1943; 3:15 p. m.]

[File No. 7-679]

BOSTON STOCK EXCHANGE—ERIE RAILROAD CO.

ORDER GRANTING APPLICATION FOR PERMISSION TO EXTEND UNLISTED TRADING PRIVILEGES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of February, A. D., 1943.

In the matter of application by the Boston Stock Exchange to extend unlisted trading privileges to Erie Railroad Company certificates of beneficial interest in the common stock, no par value.

The Boston Stock Exchange having made application to the Commission, pursuant to section 12 (f) of the Securities Exchange Act of 1934 and Rule X-12F-1, for permission to extend unlisted trading privileges to the Certificates of Beneficial Interest in the Common Stock, No Par Value, of Erie Railroad Company; and

After appropriate notice a hearing having been held in this matter at the Boston Regional Office of the Commission; and

The Commission having this day made and filed its findings and opinion herein;

It is ordered, Pursuant to section 12 (f) of the Securities Exchange Act of 1934, that the application of the Boston Stock Exchange for permission to extend unlisted trading privileges to the Certificates of Beneficial Interest in the Common Stock, No Par Value, of Erie Railroad Company be and the same is hereby granted.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-2717; Filed, February 18, 1943; 3:15 p. m.]

[File No. 59-38]

UNITED PUBLIC UTILITIES CORPORATION AND ITS SUBSIDIARY COMPANIES

NOTICE OF FILING APPLICATION, ETC.

Notice of filing of respondents' application and order reconvening hearing for purpose of considering said application.

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 17th day of February 1943.

The Commission having previously, by order dated March 4, 1942, under section 11 (b) (1) of the Public Utility Holding Company Act of 1935, ordered that United Public Utilities Corporation divest itself of all its interests in, and in the properties and assets owned or operated by, the following companies: Fort Smith Gas Company, Southern Gas Producing Company, Cap. F. Bourland Ice Company, Alabama United Ice Company, Louisiana Ice Service, Incorporated, and Texas Ice & Refrigerating Company, and said order having provided that the respondents should make application to the Commission for the entry of such further orders as were necessary or appropriate for that purpose, and the Commission having reserved jurisdiction to enter such further orders as might be necessary or appropriate;

Notice is hereby given that United Public Utilities Corporation, a registered holding company, has filed on February 17, 1943 an application requesting the entry of an order by this Commission under section 11 (c) of the Act extending the time for compliance with our order of March 4, 1942 for a period of one year;

It appearing to the Commission that it is appropriate in the public interest of investors and consumers that the hearing herein be reconvened for the purpose of considering said application;

It is ordered, That the hearing in this proceeding shall be reconvened at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on such date by the Hearing Room Clerk, at 10:00 a. m., e. w. t., on the 2d day of March 1943. All persons desiring to be heard, or otherwise wishing to participate in the proceedings should notify the Commission in the manner provided by our Rules of Practice, Rule XVII on or before March 1, 1943. At said reconvened hearing on that day, the issues will be limited to a consideration of the request presented by said application;

All interested persons are referred to said application, which is on file in the office of said Commission for full details concerning the application;

It is further ordered, That Willis E. Monty, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to assert all powers granted to the Commission under section 18 (c) of the Act and to the trial examiner under the Commission's Rules of Practice;

It is further ordered, That without limiting the scope of issues presented by said application, particular attention will be directed at said hearing to the following matters and questions:

(1) Whether or not the United Public Utilities Corporation has exercised due diligence in its efforts to comply with the order of this Commission dated March 4, 1942;

(2) Whether an extension of one year in which to comply with our order of March 4, 1942, as requested by applicant, is necessary or appropriate in the public interest or for the protection of investors or consumers, or whether a shorter period would be adequate.

Notice of such hearing is hereby given to the respondents and applicant herein, and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors and consumers.

It is further ordered, That the Secretary of this Commission serve notice of the entry of this order by mailing a copy thereof by registered mail to the respondents and intervenor, and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-2720; Filed, February 18, 1943; 3:15 p. m.]

[File No. 70-193]

CENTRAL STATES POWER & LIGHT CORPORATION

ORDER PERMITTING WITHDRAWAL OF DECLARATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 16th day of February 1943.

Central States Power & Light Corporation, a registered holding company and a subsidiary of Ogden Corporation, also a registered holding company, having on November 1, 1940 filed a declaration under the Public Utility Holding Company Act of 1935, with respect to certain capital contributions by it to its subsidiary companies, namely: Central States Power & Light Corporation of Oklahoma, Central Light & Power Company, Missouri Electric Power Company and Utilities Production Corporation; and

Central States having requested permission to withdraw said declaration, and having represented in such request that since the filing of said declaration Central States has undertaken a program of liquidation; that Central States has disposed of its investments in Central Light & Power Company and Utilities Production Corporation; that Central States Power & Light Corporation of Oklahoma has been dissolved; and that the sale of all the property and certain other assets of Missouri Electric Power Company is in process and subsequent to such sale the company will be dissolved; and

It appearing to the Commission that the withdrawal of said declaration is consistent with the public interest;

It is ordered, That the request of Central States Power & Light Corporation be, and it hereby is, granted, and said declaration is hereby deemed withdrawn.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-2719; Filed, February 18, 1943; 3:15 p. m.]

[File No. 70-662]

CONSOLIDATED ELECTRIC AND GAS CO., ET AL.

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 17th day of February, A. D., 1943.

In the matter of Consolidated Electric and Gas Company, Central Indiana Gas Company and Hoosier Gas Corporation.

Consolidated Electric and Gas Company, a registered holding company, and its subsidiary companies Central Indiana Gas Company and Hoosier Gas Corporation, having filed declarations and applications, with amendments thereto, pursuant to the Public Utility Holding Company Act of 1935, particularly sections 7, 9, 10 and 12 thereof and Rules U-42, U-43 and U-44 promulgated thereunder, regarding a reduction of Central Indiana Gas Company's capital stock from $4,648,969.62 to $4,000,000, through reclassification of its outstanding stock consisting of 54,000 common shares without par value, all of which is owned by Consolidated Electric and Gas Company, into 40,000 common shares of $100 par value, and regarding the reduction of the capital stock of Hoosier Gas Corporation from $535,199.96 to $500,000 through reclassification of its outstanding 18,257 shares of no par common stock and 400 shares of $100 par value preferred stock, all of which common and preferred stock are owned by Consolidated Electric and Gas Company, into 10,000 shares of $50 par value common stock and regarding the pledge by Consolidated Electric and Gas Company of the new common shares of Central Indiana Gas Company and Hoosier Gas Corporation under the indenture securing the Collateral Trust Bonds of Consolidated Electric and Gas Company, in substitution for the old shares of preferred and common stock of Central Indiana Gas Company and Hoosier Gas Corporation which will be surrendered and cancelled; and

Said applications and declarations having been filed on January 8, 1943 and certain amendments having been filed thereto, the last of said amendments having been filed on February 3, 1943, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act and the Commission not having received a request for a hearing with respect to said applications and declarations within the period prescribed in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that all applicable statutory requirements are met and deeming it appropriate in the public interest and in the interest of investors and consumers to grant said applications, as amended, and to permit said declarations, as amended, to become effective;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24 that the aforesaid applications, as amended, be and hereby are granted forthwith and that the aforesaid declarations, as amended, be and hereby are permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-2716; Filed, February 18, 1943; 3:15 p. m.]

WAR PRODUCTION BOARD.

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS PARTIALLY REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain revocation orders listed in Schedule A below, partially revoking preference rating orders issued in connection with, and partially stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project, and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued February 18, 1943.

CURTIS CALDER,
Director General for Operations.

SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Project affected	Date of issuance of revocation order
P-19-h	11692	Northern States Power Co., Minneapolis, Minn.	High Bridge & Aldrich substations	2/8/43
P-19-h	25271	H. K. Ferguson Co., Cleveland, Ohio.	Metal & Thermit Corp., Chicago, Ill.; Metal & Thermit Corp., New York, N. Y.; Los Angeles By Products Co., Los Angeles, Calif.; Los Angeles By Products Co., Dallas, Tex.; Vulcan Detinning Co., Buffalo, N. Y.; Vulcan Detinning Co., Sewaren, N. J.; Vulcan Detinning Co., Neville Island, Pa.; Standard Metal Refining Co., Baltimore, Md.	2/10/43
P-19-a	835-a	Aluminum Co. of America, Pittsburgh, Pa.	East St. Louis, Ill	2/8/43
P-19-h	31663	War Relocation Authority, Denver, Colo.	Heart Mountain Project, Cody, Wyo	2/10/43

[F. R. Doc. 43-2722; Filed, February 18, 1943; 4:34 p. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain revocation orders listed in Schedule A below, revoking preference rating orders issued in connection with, and stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construc-

tion of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued February 18, 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Project affected	Date of issuance of revocation order
P-19-h	8829	Carnegie Illinois Steel Corp., Pittsburgh, Pa.	Gary, Ind.	2/13/43
P-19-h	8830	Carnegie-Illinois Steel Corp., Pittsburgh, Pa.	Dravosburg, Pa.	2/13/43
P-19-h	34634	Standard Oil Co. of Indiana, Chicago, Ill.	River Rouge, Mich.	2/10/43
P-19-h	11599	Federal Works Agency, Washington, D. C.	Victoria, Tex. (WPW 41-271)	2/11/43
P-19-h	30795	H. K. Ferguson Co., Cleveland, Ohio	Birmingham, Ala.	2/10/43

[F. R. Doc. 43-2723; Filed, February 18, 1943; 4:34 p. m.]

FEB 24 1943

THE NATIONAL ARCHIVES — LITTERA SCRIPTA MANET — 1934 — OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 8 NUMBER 37

Washington, Tuesday, February 23, 1943

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

PART 10—FEDERAL LAND BANKS

LOAN REQUIREMENTS

Part 10 of Chapter I, Title 6, Code of Federal Regulations, is hereby amended to read as follows:

§ 10.10 *Farm unit; required area and yield of farm.* To constitute a proper unit for a bank loan, a farm must be of sufficient area to yield at the hands of an ordinarily capable farmer, putting it to the use to which it is generally adapted, using average methods, and receiving normal prices, an income sufficient to maintain the family of the applicant, pay operating expenses and taxes, maintain the property, and discharge the interest and amortization payments on his loan. Since the earning power of land varies because of difference in the quality of soils, climatic conditions, crop adaptation, and market facilities, no arbitrary acreage limit should be established as necessary for a farm unit. Any decision that a particular property does not constitute a proper farm unit should be reached only after careful consideration of standards of living, the factors of production, and the earning power of the individual farm.

(Sec. 6, 47 Stat. 14, sec. 12 "Fifth", 39 Stat. 370, as amended; 12 U.S.C. 665, 771 "Fifth")

[SEAL] W. E. RHEA,
Land Bank Commissioner.

[F. R. Doc. 43-2844; Filed, February 22, 1943; 10:25 a. m.]

TITLE 7—AGRICULTURE

Chapter VIII—Food Distribution Administration[1]

PART 802—SUGAR DETERMINATIONS

PROPORTIONATE SHARES FOR FARMS IN THE TERRITORY OF HAWAII FOR THE 1943 CROP

Pursuant to the provisions of subsections (a) and (b) of section 302 of the Sugar Act of 1937, as amended, the following determination is hereby issued:

§ 802.36f *Proportionate shares for farms in the Territory of Hawaii for the 1943 crop*—(a) *Proportionate share for any farm.* The proportionate share for any farm in the Territory of Hawaii for the 1943 crop shall be the amount of sugar, raw value, commercially recoverable from sugarcane grown on such farm and marketed (or processed by the producer) for the extraction of sugar during the calendar year 1943.

(b) *Adherent planter protection.* The provisions of this determination shall be subject to the following conditions: (1) that no changes in the planter-plantation sugarcane and sugar production relationship shall have been made, and (2) that no reduction in the number of planters shall have been made under programs carried out pursuant to the Act, except such as are considered justified and are approved by the Chief of the Sugar Branch, Food Distribution Administration, and the Director of the Division of Special Programs of the Agricultural Adjustment Agency, acting either jointly or severally.

(Sec. 302, 50 Stat. 910; 7 U.S.C. 1940 ed. 1132)

Done at Washington, D. C. this 18th day of February, 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Assistant Secretary.

[F. R. Doc. 43-2768; Filed, February 19, 1943; 12:37 p. m.]

[1] Formerly Sugar Branch.

Chapter XI—Food Distribution Administration

[FDO 22]

PART 1425—CANNED AND PROCESSED FOODS

RESTRICTIONS ON SALE AND DELIVERY

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to insure an adequate supply and efficient distribution of canned and processed foods and to meet

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war and civilian needs. *It is hereby ordered*, As follows:

§ 1425.1 *Canned and processed foods, allocation and restrictions on sale and delivery*—(a) *Definitions.* (1) "Director" means the Director of Food Distribution, United States Department of Agriculture or any employee of the United States Department of Agriculture designated by the Director.

(2) "Canner" means any person engaged in the business of canning foods in hermetically sealed metal or glass containers and sterilizing the same by the use of heat.

(3) "Processor" means any person other than a canner engaged in the commercial processing of foods to produce a frozen, dried, pickled, preserved, or otherwise nonperishable product.

(4) "Pack" means the total amount (by weight unless otherwise specified) of all grades of any particular food canned by any canner or processed by any processor during any packing season or during a crop year or calendar period specified by the Director as a quota period.

(5) "Government agency" means any officer, board, agency, commission, or government owned or government controlled corporation of the United States specifically designated by the Director.

(6) "Person" means any individual, partnership, corporation, association or other business entity.

(b) *Restrictions.* (1) Each canner and each processor shall set aside for the requirements of government agencies such canned or processed foods packed by him as the Director may from time to time order, without regard to previously existing contracts. All such canned or processed foods so set aside shall, unless and until released, be held for allocation to any government agency by the Director. Orders to set foods aside pursuant to this paragraph (b) (1) may be by general supplementary order or by written notice by the Director to the individual canner or processor. There shall not be calculated as part of the foods required to be set aside by this paragraph, foods delivered to any government agency when not so allocated to such agency by the Director.

(2) Canned or processed foods required to be set aside for governmental requirements by any other order of the Secretary of Agriculture under Executive Order 9280 or by the Director pursuant to such an order, shall not be required to be set aside by this order.

(3) The Director may allocate canned or processed foods to any government agency by specifically designating such agency as the authorized purchaser thereof, either by letter to the agency, by letter to the canner or processor, or by naming such agency in a general supplementary order. The Director will allocate foods pursuant to this order only to the Army or Navy of the United States, the Marine Corps, the Coast Guard, the United States Maritime Commission, the War Shipping Administration, the Panama Railroad, the Treasury of the United States, the Coast and Geodetic Survey, the Veterans' Administration, the Department of Agriculture, and any agencies of the United States Government for supplies to be delivered to or for the account of the government of any country pursuant to the act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), and any other agency when the Director shall find that allocation to such agency is directly essential to the war effort.

(4) If he determines that any canned or processed foods set aside pursuant to this order are not required for government agencies, the Director may release such canned or processed foods at any time and may so notify the canner or processor, or he may delegate authority to release such foods to the agency to which he has allocated them.

(5) The Director may issue specifications at any time as to processing, packing, containers, container treatment, can marking, labeling, boxing, and strapping, or he may authorize any government agency to issue such specifications.

(c) *Certificates and reports relating to the cans covered by this order*—(1) *Certificates.* Each canner who purchases any cans to pack any food for governmental use pursuant to this order—whether such purchase is by contract or on open account order—shall furnish to the can manufacturer, from whom he buys, a certificate, signed by an authorized official, in substantially the form attached hereto as "Exhibit A", which shall constitute a certification to the Food Distribution Administration, United States Department of Agriculture that such canner is familiar with the terms of this order (in its present form or as it may be amended from time to time), and that, during the life of this order, he will not use any cans purchased from such can manufacturer in violation of its terms. Only one such certificate covering all present and future purchases from a given can manufacturer, need be furnished by a canner to that can manufacturer but no can manufacturer shall be entitled to rely on any such certificates if he knows, or has reason to believe it to be false.

(2) *Reports.* Each canner and each processor shall, within 15 days after he has completed a seasonal pack, or in the instance of a non-seasonal product, at such times as may be prescribed, mail to or file with the Food Distribution Administration, United States Department of Agriculture a report thereof in such form as may be prescribed from time to time by the Director.

(d) *Inspection and grading.* Any canned or processed foods required to be set aside under this order shall be subject to inspection and grading at any time by the Director or by any person or government agency thereto authorized by him.

(e) *Records and reports.* All persons affected by this order shall keep and preserve for not less than two years, accurate and complete records concerning inventories, purchases, production and sales, and shall maintain such other records for at least two years (or for such other periods of time as the Director may designate), and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe.

(f) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections, at all reasonable times, of his stocks of canned and processed foods and premises used in his business, and all of his books, records and accounts shall upon request be submitted to audit and inspection by the Director.

(g) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate and such action shall be final.

(h) *Violations.* Any person who wilfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or wilfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U. S. C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(i) *Communications to Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution; United States Department of Agriculture; Washington, D. C. Ref.: FD–22.

(j) *Conservation Order M–86 superseded.* This order supersedes in all respects Conservation Order M–86, as amended (7 F.R. 10326), and supplemented [1], of the War Production Board except that as to violations of said conservation order, as amended and supplemented, or rights accrued, liabilities incurred, or appeals taken under said order, as amended and supplemented, prior to the effective date hereof said Conservation Order M–86, as amended and supplemented, shall be deemed in full force and effect for the purpose of sustaining any proper suit, action or other proceeding with respect to any such violation, right or liability. Any appeal pending under said Conservation Order M–86, as amended and supplemented, shall be considered under paragraph (g) hereof.

(k) *Effective date.* This order shall be effective as of the date of its issuance

(E.O. 9280, 7 F.R. 10179)

Issued this 19th day of February 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

EXHIBIT A—CANNER'S CERTIFICATE [2]

Certificate Required by paragraph (c) (1) of Food Distribution Order 22. One copy of this certificate is to be delivered to each can manufacturer from whom the canner purchases cans and is to cover all purchases present and future, so long as such order, in

[1] Supplementary Order M–86b, as amended (7 F.R. 8647), Supplementary Order M–86a, as amended (7 F.R. 9705), Supplementary Order M–86e, as amended (7 F.R. 10327).

[2] Secretary of Agriculture.

its present form or as it may be amended from time to time, remains in effect.

(Applicant's Name)

(Applicant's Address) (Date)

In accordance with paragraph (c) (1) of Food Distribution Order 22, to conserve the supply and direct the distribution of certain canned foods, the undersigned hereby certifies—and this shall constitute a certification to the Food Distribution Administration, United States Department of Agriculture—that the undersigned applicant is familiar with the terms of said Food Distribution Order 22, and any and all amendments thereto, and that said applicant will not use any cans purchased from

(Name of Can Manufacturer)

(Address of Can Manufacturer)

in violation of the terms of said Order and amendments.

(Legal Name of Applicant)

By

(Title of Official Reporting)

Section 35A of the U. S. Criminal Code (18 U.S.C. 80) makes it a criminal offense to make a false statement or representation to any department or agency of the United States as to any matter within its jurisdiction.

[F. R. Doc. 43-2763, Filed, February 19, 1943; 12:38 p. m.]

[FDO 22-1]

PART 1425—CANNED AND PROCESSED FOODS

CANNED FRUITS AND VEGETABLES

Pursuant to the authority vested in me by Food Distribution Order No. 22, dated February 19, 1943, issued under the authority of Executive Order No. 9280, dated December 5, 1942, and to effectuate the purposes of those orders, *It is hereby ordered*, As follows:

§ 1425.4 *Quota restrictions and allocations of canned fruits and vegetables (1942, 1942–43 pack)*—(a) *Definitions.* When used in this order the terms as defined in Food Distribution Order No. 22,[1] shall have the same meaning, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof.

(b) *Quota restrictions.* Each canner shall set aside to be delivered for the requirements of government agencies, pursuant to Food Distribution Order No. 22, a quota of fruits and vegetables packed by him at any time in the calendar year 1942 or, when specified in Tables II and III, attached hereto, in 1942–43. Such quota of fruits and vegetables shall be of the kinds and in the percentages set forth in Columns A and B of Tables I, II, and III, attached hereto.

If the type, style, or variety of any such fruit or vegetable is described in Column C, such quota shall be in the type, style, and variety described, but other types, styles or varieties shall be substituted to the extent that those specified in Column C are not packed. To the extent that the canner's production of the first prefernce grade of such fruit or vegetables specified in Column E is sufficient, at least two-thirds of the quota, but preferably the entire quota, shall be set aside from such grade. To the extent that the quantity so set aside does not fill his quota, the canner shall set aside sufficient of his production of the second preference grade, if any, specified in Column F to complete his quota. To the extent that the quantities so set aside out of both first and second preference grades do not fill his quota, the canner shall set aside sufficient of his production of the third preference grade, if any, specified in Column G to complete his quota. To the extent possible and insofar as compliance with the above grade requirements permits, at least two-thirds of the quota, but preferably the entire quota, shall be set aside in the largest can size specified in Column D. The balance shall be reserved in the next largest can sizes available in the order of preference specified in Column D.

Any canner who is required to set aside canned goods pursuant to this order shall provide himself with the necessary materials to pack such canned goods in export boxes which may be nailed wooden boxes, weatherproof solid fiber boxes, or wirebound wood boxes, at his option according to specifications attached hereto, except that nailed wooden boxes and weatherproof solid fiber boxes shall not be wired or strapped except as specifically directed by the purchaser.

(c) If any canned foods set aside for the requirements of government agencies have not been purchased within sixty days after the mailing or filing of the report prescribed in paragraph (c)(2) of Food Distribution Order No. 22, or such other time as the Director may fix, the canner may notify the Director in writing, that if such canned foods are not purchased within sixty days he will no longer hold such foods set aside. If any of such canned food is not purchased within sixty days after the mailing or filing of such notice, and if no further order is issued with respect to it, it shall be deemed released and shall be available for unrestricted sale and distribution.

(d) The report prescribed by paragraph (c)(2) of Food Distribution Order No. 22, shall be given on Form PD–343, Seasonal Pack Report. In the case of products listed in Tables II and III, of which the seasonal pack is completed in 1943, the report shall be filed within fifteen days of the completion thereof and shall not be limited to the year 1942 as indicated in the caption of said Form PD–343.

(e) *Effective date.* This order shall be effective as of the date of its issuance.

(E.O. 9280, 7 F.R. 10179; Food Distribution Order 22)

Issued this 19th day of February 1943.

[SEAL] ROY F. HENDRICKSON
Director of Food Distribution.

TABLE I—PEAMART PRODUCTS

NOTE: The quota of any product listed in Column A to be set aside by any canner for the Government shall be equal to the percentage shown in Column B applied to his total 1942 pack of that product.

A	B	C	D	E	F	G
Canned fruits and vegetables	Percentage of 1942 pack	Description	Can sizes preferred in order listed	Grade		
				First preference	Second preference	Third preference
Fruit cocktail	40		10–2½, 2	Choice	Fancy	
Peaches[2]	38	Clings, freestone halves, sliced.	10–2½, 2	Choice	Top std.[1]	Fancy.
Pears	40	Bartlett halves	10–2½, 2	Choice	Top std.[1]	Standard.
Asparagus	30	Culturally bleached all green.	10–2	Fancy cut	Fancy spear	
Beans, Lima	35	Fresh	10–2	Ext. std.	Fancy green	Std. and white.
Beans, string	35	Cut-green, wax round, flat.	10–2	Ext. std.	Top std.[1]	Fancy.
Corn, sweet	35	Yellow white; cream style. Whole kernel.	#2-full inside enamel—Cream style and whole kernel. #10—full inside enamel—Whole kernel only.	Ext. std.	Fancy	Standard.
Peas	35	Alaska's, 3, 4, sieve, sweets, 3 sieve and larger, ungraded.	10–2	Ext. std.	Top std.[1]	Fancy.
Tomatoes	35		10–2½, 2	Ext. std.	Top std.[1]	Fancy.
Tomato catsup	38		10–14 oz. glass and larger.	Fancy 25% solids.	Standard	
Tomato juice	17		10–3 cyl. (404 x 700).	Fancy		

[1] Top Standard means 70–74 inclusive as defined in terms of U. S. Grades.
[2] Except Freestone Peaches packed in California. (See Table II.)

[1] *Supra.*

TABLE II—SECONDARY PRODUCTS

NOTE: The use of tinplate in packing these products is restricted by Conservation Order No. M–81 as it may be amended from time to time. The quota to be set aside for the Government will be equal to the percentage shown in Column B below applied to the maximum production permitted by Order M–81. If actual production is less than the quota, the entire pack of the particular product shall be set aside.

A	B	C	D	E	F	G
Canned fruits and vegetables	Percentage as defined above	Description	Can sizes preferred in order listed	Grade		
				First preference	Second preference	Third preference
Apples[1]	100	Heavy pack	10	Standard		
Applesauce[1]	60	Fresh	10–2	Fancy	Standard	
Apricots	75	Halves unpeeled	10–2½	Choice	Top Std.[1]	Fancy.
Cherries R S P	44	Red pitted (water pack).	10–2	Standard		
Cherries, sweet	50	Light, dark pitted, unpitted.	10–2½–2	Choice	Top Std.[1]	Fancy.
Peaches	26	Freestone (Cal. only) halves—sliced.	10–2½–2	Choice	Fancy	
Pineapple	34	Sliced, crushed, tidbits (except salad and cocktail tidbits), chunks.	10–2½–2	Fancy	Standard	
Pineapple juice	14		10–3 cyl. (404 x 700) 2½–2.	Fancy		
Prunes, fresh	50	Italian	10–2½	Choice	Fancy	
Shorts	100	Cut-quartered sliced-diced.	10–2½–2	Fancy	Top Std.[1]	
Carrots	100	Diced	10–2½–2	Fancy	Top Std.[1]	
Pumpkin	72		2½	Fancy	Top Std.[1]	
Spinach	58		10–2½–2	Fancy	Top Std.[1]	

[1] Top standard means 70–74 inclusive as defined in terms of U. S. Grades.
[2] Top standard means 80–84 inclusive as defined in terms of U. S. Grades.
[3] 1942–1943 seasonal pack.

TABLE III—CANNED CITRUS PRODUCTS[1]

NOTE: The quota to be set aside for Governmental purchase from a canner's production during the quota period of any product listed in Column A shall be computed by applying the percentage in Column B against the canner's total production, by weight, of that product in the base period. The quota period shall be August 1, 1942 to July 31, 1943, in Florida, Texas and Arizona, and December 1, 1942 to November 30, 1943 in California. The base period shall be the corresponding period one year prior to the quota period.

A	B	C	D	E	F	G
Product	Percent of 1941–42 pack	Type, style, variety	Can sizes (sequence denotes preference)	Grade		
				First preference	Second preference	Third preference
Grapefruit	10	Segments	2	Fancy	Choice	Standard.
Grapefruit juice	48	Sweetened or unsweetened.	10–3 cyl. 2	Fancy	Standard	
Orange juice	21	Sweetened or unsweetened.	10–3 cyl. 2	Fancy	Standard	
Orange and grapefruit juice blended.	100	Sweetened or unsweetened.	10–3 cyl. 2	Fancy	Standard	

[1] Table I.

SPECIFICATIONS FOR BOXES

1 *Weatherproof solid fiber boxes.* Weatherproof solid fiber boxes must be of one piece regular slotted construction, metal stitched body joint; construction in accordance with the following table:

Total weight (exclusive of box)	Minimum thickness of board (inch)	Minimum bursting strength (pounds)
Not exceeding 42 lbs	0.090	325
Over 42 lbs., but not exceeding 75 lbs	.100	375

Boards shall further comply with the following waterproofing tests: Specimens 6" x 10", cut from unscored sections of boxes, shall be completely immersed in water for one hour, after which the component plies must not separate beyond 2" from the edges of the piece; after total immersion for 2½ hours similar samples must test not less than 50% of the originally specified bursting strength, and must weigh not more than 150% of the weight before immersion.

Bottom flaps shall be metal stitched, to the extent the canner's facilities permit, otherwise bottom flaps shall be securely sealed by gluing over all areas in contact; top flaps shall be sealed by gluing over all areas in contact. The sealed boxes shall be reinforced by two flat or round steel straps each having a joint or knot breaking strength of not less than 290 lbs., applied at right angles (over sides, top, and bottom, and over ends, top, and bottom), toward centers of respective panels, but over points of contact of cans with wall of box. Box-maker shall print or clearly mark by knurled impressions which do not impair the strength of the board, approximately ⅜" wide, to indicate the position of the strapping, and shall print a guarantee of compliance with this specification.

2. *Wirebound wood boxes.* Shall comply with Federal Specification NN–B–631a, except as follows: Styles 1, 2, or 3 boxes, or boxes with twisted loop closures, may be used. Veneer or sawed boards, of the following thicknesses, shall be used:

Total weight (exclusive of box)	Minimum finished thickness of ends		Minimum finished thickness of sides, tops, and bottoms	
	Group I or II woods (inch)	Group III or IV woods (inch)	Group I or II woods (inch)	Group III or IV woods (inch)
Not exceeding 55 lbs	5/8	9/16	9/32	1/4
Over 55 lbs., but not exceeding 75 lbs	3/4	11/16	11/32	5/16
Over 75 lbs. but not exceeding 100 lbs	3/4	13/16	13/32	5/16

Each side, top and bottom shall be nailed to each end piece with not less than four six-penny cement coated box nails for Groups I and II woods, or four five-penny cement coated box nails for Groups III and IV woods, spaced not more than three inches apart.

Boxes shall be sized to allow approximately one-eighth inch over exact length, width and height of contents.

Total weight (exclusive of box)	Minimum finished thickness of sides, top, bottom, ends, and liners		
	Group I woods (see note 1) (inch)	Group II and group III woods (inch)	Group IV woods (inch)
Not exceeding 55 lbs	7/16	1	1
Over 55 lbs., but not exceeding 85 lbs	1/2	1	1
Over 85 lbs., but not exceeding 125 lbs	5/16	1	1

NOTE 1: The following species of Group I may be of the same thickness permitted for Group II or III woods for sides, top, bottom, end and liners only: Cottonwood, Cypress, Magnolia, Noble Fir and Spruce.

Cleats shall not be less than 13/16" x 13/16" and shall be made of Group II, III or IV woods.

Binding wires shall be not less than No. 15 gauge (.072" diameter). Girth wires shall be spaced not more than 6" apart. End wires on Style No. 3 boxes shall be spaced not more than 6" from cleats or from each other.

Style No. 3 boxes shall have 2 edge liners not less than 1⅛" wide attached to each end perpendicular to (across) the grain of the end boards.

Boxes shall be printed with the name and address of the manufacturer and a guarantee of compliance with this specification.

3. *Nailed wooden boxes.* Boxes shall be made of new materials and of good commercial quality. All boxes shall be made of seasoned lumber having a moisture content not to exceed 18%. The pieces shall show no defects that materially weaken them, expose the contents of the box to damage or interfere with nailing. No knot or knot hole shall have a diameter exceeding one-third the width of the piece. Surfaces of box parts shall be sufficiently smooth to permit legible stenciling and shall not be splintery. Boxes for weights not exceeding 75 lbs. shall be Style 1, Federal Specification NN–B–621a. Boxes for weights exceeding 75 lbs. shall be Style 5 with triangular cleats for round or oval cans and Style 4 for square and oblong cans.

[Thickness of parts of boxes]

The nailed boxes shall be reinforced by two flat or round steel straps, each having a joint or knot breaking strength of not less than 290 lbs., applied over sides, top and bottom, approximately 1/6 the distance from each end of box.

[F. R. Doc. 43-2764, Filed, February 19, 1943, 12:36 p. m.]

[FDO 22-2]

PART 1425—CANNED AND PROCESSED FOODS

CANNED FRUIT AND FRUIT JUICES

Pursuant to the authority vested in me by Food Distribution Order No. 22, dated February 19, 1943 issued under the authority of Executive Order No. 9280, dated December 5, 1942 and to effectuate the purposes of those orders *It is hereby ordered*, As follows:

§ 1425.2 *Quota restrictions and allocations of canned fruit and fruit juices*—(a) *Definitions.* When used in this order the terms as defined in Food Distribution Order 22 [1], shall have the same meaning unless otherwise distinctly expressed or manifestly incompatible with the intent hereof.

(b) *Quota restrictions.* Every canner of canned fruits and fruit juices shall set aside to be delivered for the requirements of Government agencies, a quota of canned fruits and fruit juices packed by him at any time in the calendar year 1943 or, when specified, in 1942–43. The quota to be set aside from a canner's pack of any product listed in Column A of Table I, attached hereto, packed during the quota period for that product, shall be computed by applying the percentage in Column B against the canner's total pack in the base period, including his pack both in metal and glass containers. If the type, style, variety or grade of any such fruits and fruit juices is described in Table I, such quota shall be in the type, style, variety and grade described, but other types, styles, varieties or grades shall be substituted to the extent that those specified in Table I are not packed. If a canner is preparing to pack during the quota period any fruits or fruit juices, listed in Table I, which he did not pack during the base period, and for which unlimited tinplate is available under § 1068.1, Conservation Order M-81 [2], as amended [3], he shall so advise the Director of Food Distribution by letter, stating the anticipated quantities to be packed, and shall set aside a quota determined by applying the percentage set forth in Column B against the canner's total pack of the fruits or fruit juices in question during the quota period.

(c) *Definition of quota period.* With the exceptions hereinafter listed, the quota period is 1943. In case of grapefruit, grapefruit juice, orange juice, and orange juice and grapefruit juice blended, the quota period is August 1, 1942 to July 31, 1943, in Florida, Texas, and Arizona, and December 1, 1942 to November 30, 1943, in California.

(d) *Definition of base period.* The base period is in all cases the corresponding twelve-month period one year prior to the quota period.

(e) *Applicability of order.* Fruits and fruit juices not listed in Table I are not required to be set aside. Fruits and fruit juices packed in the Hawaiian Islands must be set aside as prescribed by this order, but this order does not apply to fruits and fruit juices packed in other territories and possessions of the United States.

(f) *Provisions applicable when whole pack not set aside for Government.* The following provisions apply whenever any product may be packed for nongovernmental requirements as well as for governmental requirements: To the extent that the canner's production of the first preference grade of such fruits and fruit juices specified in Column D is sufficient, at least two-thirds of the quota, but preferably the entire quota, shall be set aside from such grade. To the extent that the quantity so set aside does not fill his quota, the canner shall set aside sufficient of his production of the second preference grade, if any, specified in Column E to complete his quota. To the extent that the quantities so set aside out of both first and second preference grades do not fill his quota, the canner shall set aside sufficient of his production of the third preference grade, if any, specified in Column F to complete his quota. If a canner packs both in tinplate and glass, insofar as the above grade standards permit the quota shall be set aside from the part packed in tinplate, and from the part packed in glass only when the park packed in tinplate is insufficient.

To the extent possible and insofar as compliance with the above grade requirements permits, at least two-thirds of the quota, but preferably the entire quota, shall be set aside in the largest can size specified in Column G. The balance shall be reserved in the largest can sizes available in the order of preference specified in Column G.

(g) *Reports.* The report prescribed by paragraph (c) (2) of Food Distribution Order No. 22, shall be given on Form PD-343, revised. The report shall be filed within fifteen days of the completion of the pack.

(h) *Purchase, inspection and specifications.* Until further notice, the Army of the United States is hereby allocated the quotas prescribed by this order, to purchase for its own account and the account of other government agencies named in paragraph (b) (3) of Food Distribution Order No. 22, whenever it has agreed with such other agencies to do so. The Army of the United States and the Food Distribution Administration in the Department of Agriculture are also authorized to inspect and grade such canned foods pursuant to paragraph (d) of Food Distribution Order No. 22. The Army of the United States is also authorized to issue specifications at any time as to processing, packing, containers, container treatment, can marking, labeling, boxing, and strapping of such canned foods pursuant to paragraph (b) (5) of Food Distribution Order No. 22.

(i) *Effective date.* This order shall be effective as of the date of its issuance.

(E.O. 9280, 7 F.R. 10179; Food Distribution Order 22)

Issued this 19th day of February 1943.

[SEAL] ROY F. HENDRICKSON,
Director of Distribution.

TABLE I—CANNED FRUITS AND FRUIT JUICES

A	B	C	D	E	F	G
Product	Percentage of base period pack	Type, style, variety (sequence does not denote preference)	Grade: First preference	Grade: Second preference	Grade: Third preference	Can sizes (sequence denotes preference)
Apples	63	Heavy pack	Standard	Fancy		10
Applesauce	41		Fancy	Standard		10-2
Apricots	60	Halved, unpeeled	Choice	Standard (Fancy not desired)	Pie or water pack	10-2½
Berries [1]	70		Water pack	(syrup pack not desired)		10.
Blueberries	100		Water pack	(syrup pack not desired)		10.
Cherries, R&P	70	Red sour pitted (water pack)	Standard			10-2.
Cherries, sweet	65	Light or dark, (pitted or unpitted)	Choice	Top standard [2]	Fancy	10-2½-2.
Figs	100	Kadota	Choice	Fancy		10.
Fruit cocktail	64		Choice	Fancy		10-2½.
Grapefruit	19	Segments	Fancy	Choice	Broken	2.
Grapefruit juice	58	Sweetened, unsweetened	Fancy	Standard		10-1 cyl. 2.
Orange juice (Florida)	45	Sweetened, unsweetened	Fancy	Standard		10-1 cyl. 2.
Orange juice (States other than Florida)	21	Sweetened, unsweetened	Fancy	Standard		10-3 cyl. 2.
Orange and grapefruit juice blended	100	Sweetened, unsweetened (50% orange) (50% grapefruit)	Fancy	Standard		10-3 cyl. 2.
Peaches	55	Yellow clingstone, halved or sliced	Choice	Top standard [2]		10-2½.
		Freestone (except California), yellow, halved or sliced	Choice	Fancy		10-2½.
Pears	60	Bartlett, halved	Choice	Top standard [2]	Fancy	10-2½.
Pineapple	70	Sliced, crushed, chunks, tidbits, (except cocktail tidbits)	Fancy	Standard		10-2½.
Pineapple juice	37		Fancy			10-3 cyl.-2.

[1] Top standard means 70-74 inclusive as defined in terms of U. S. grade.
[2] Blackberries, boysenberries, loganberries, youngberries only. Percentage applies to combined pack of these four varieties.

[F. R. Doc. 43-2765; Filed, February 19, 1943; 12:37 p. m.]

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[1] *Supra.*
[2] 7 F.R. 10321.
[3] 8 F.R. 228.

[FDO 22-3]

PART 1425—CANNED AND PROCESSED FOODS

CANNED VEGETABLES

Pursuant to the authority vested in me by Food Distribution Order No. 22, dated February 19, 1943 issued under the authority of Executive Order No. 9280, dated December 5, 1942 and to effectuate the purposes of those orders *It is hereby ordered*, As follows:

§ 1425.3 *Quota restrictions and allocations of canned vegetables*—(a) *Definitions.* When used in this order the terms as defined in Food Distribution Order 22,[1] shall have the same meaning unless otherwise distinctly expressed or manifestly incompatible with the intent hereof.

(b) *Quota restrictions.* Every canner of canned vegetables shall set aside to be delivered for the requirements of Government agencies, a quota of canned vegetables packed by him at any time in the calendar year 1943 or, when specified, in 1942–43. The quota to be set aside from a canner's pack of any product listed in Column A of Table I, attachcd hereto, packed during the quota period for that product, shall be computed by applying the percentage in Column B against the canner's total pack in the base period, including his pack both in metal and glass containers. If the type, style, variety or grade of any such vegetables is described in Table I, such quota shall be in the type, style, variety and grade described, but other types, styles, varieties or grades shall be substituted to the extent that those specified in Table I are not packed. If a canner is preparing to pack during the quota period any vegetables, listed in Table I, which he did not pack during the base period, and for which unlimited tinplate is available under § 1068.1, Conservation Order M-81,[2] as amended,[3] he shall so advise the Director of Food Distribution by letter, stating the anticipated quantities to be packed, and shall set aside a quota determined by applying the percentage set forth in Column B against the canner's total pack of the vegetables in question during the quota period.

(c) *Definition of quota period.* The quota period is 1943.

(d) *Definition of base period.* The base period is in all cases the corresponding twelve-month period one year prior to the quota period.

(e) *Applicability of order.* Vegetables not listed in Table I are not required to be set aside. Vegetables packed in the Hawaiian Islands must be set aside as prescribed by this order, but this order does not apply to vegetables packed in other territories and possessions of the United States.

(f) *Provisions applicable when whole pack not set aside for Government.* The following provisions apply whenever any product may be packed for nongovernmental requirements as well as for governmental requirements: To the extent that the canner's production of the first preference grade of such vegetables specified in Column D is sufficient, at least two-thirds of the quota, but preferably the entire quota, shall be set aside from such grade. To the extent that the quantity so set aside does not fill his quota, the canner shall set aside sufficient of his production of the second preference grade, if any, specified in Column E to complete his quota. To the extent that the quantities so set aside out of both first and second preference grades do not fill his quota, the canner shall set aside sufficient of his production of the third preference grade, if any, specified in Column F to complete his quota. If a canner packs both in tinplate and glass, insofar as the above grade standards permit the quota shall be set aside from the part packed in tinplate, and from the part packed in glass only when the part packed in tinplate is insufficient.

To the extent possible and insofar as compliance with the above grade requirements permits, at least two-thirds of the quota, but preferably the entire quota, shall be set aside in the largest can size specified in Column G. The balance shall be reserved in the largest can sizes available in the order of preference specified in Column G.

(g) *Reports.* The report prescribed by paragraph (c) (2) of Food Distribution Order No. 22, shall be given on Form PD-343, revised. The report shall be filed within fifteen days of the completion of the pack.

(h) *Purchase, inspection and specifications.* Until further notice, the Army of the United States is hereby allocated the quotas prescribed by this order, to purchase for its own account and the account of other government agencies named in paragraph (b) (3) of Food Distribution Order No. 22, whenever it has agreed with such other agencies to do so. The Army of the United States and the Food Distribution Administration in the Department of Agriculture are also authorized to inspect and grade such canned foods pursuant to paragraph (d) of Food Distribution Order No. 22. The Army of the United States is also authorized to issue specifications at any time as to processing, packing, containers, container treatment, can marking, labeling, boxing, and strapping of such canned foods pursuant to paragraph (b) (5) of Food Distribution Order No. 22.

(i) *Effective date.* This order shall be effective as of the date of its issuance.

(E.O. 9280, 7 F.R. 10179; Food Distribution Order 22)

Issued this 19th day of February, 1943.

[SEAL] ROY F. HENDRICKSON,
Director of Food Distribution.

TABLE 1—CANNED VEGETABLES

A	B	C	D	E	F	G
Product	Percentage of base period pack	Type, style, variety (sequence does not denote preference)	Grade: First preference	Grade: Second preference	Grade: Third preference	Can sizes (sequence denotes preference)
Asparagus	43	All green or culturally bleached.	Fancy cut	Fancy spear		10-2.
Beans, lima	37	Fresh	Extra standard	Fancy	Standard	10-2.
Beans, snap	38	Green, wax cut	Top standard [1]	Fancy		10-2½-2.
Beets	100	Cut, quartered diced, sliced, whole 1½" diameter and under.	Fancy	Top standard [1]		10-2½-2.
Carrots	130	Diced	Fancy	Top standard [1]	Standard except for size (chips).	10-2½-2.
Corn, sweet [4]	40	White, yellow-cream style, whole kernel.	Fancy	Extra standard	Top standard [2]	10-2.
Peas	48	Alaska—3, 4, sieve; sweet—3 sieve and larger, ungraded.	Extra standard	Top standard [1]	Fancy	10-2.
Pumpkin or squash	51		Fancy	Top standard [1]		2½.
Spinach	48		Fancy	Top standard [1]		10-2½.
Tomatoes	40		Extra standard	Top standard [1]	Fancy	10-2½-2.
Tomato catsup	61		Fancy 26%-33% solids.	Fancy 33% solids or over.	Fancy 25%-29% solids.	10-3 cyl.-2½-2. 14 oz. glass or larger.
Tomato juice	43		Fancy			10-3 cyl.-2.
Tomato puree	71	Heavy (minimum specific gravity—1.045).	Fancy			10.
Tomato paste	40		Fancy			10-2½-2.

[1] Top Standard means 80-84 inclusive as defined in terms of U. S. grades.
[2] Top Standard means 70-74 inclusive as defined in terms of U. S. grades.
[4] Full inside enamel cans required. Number 10 cans to be used for whole kernel only.

[F. R. Doc. 43-2766; Filed, February 19, 1943; 12:36 p. m.]

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[1] *Supra.*
[2] 7 F.R. 10321.
[3] 8 F.R. 228.

[FDO 23]

PART 1465—FISH

RESTRICTIONS ON THE SALE OF SPECIFIED CANNED FISH

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to insure an adequate supply and efficient distribution of canned fish of the 1942 pack to meet war and civilian needs, *It is hereby ordered*, As follows:

§ 1465.11 *1942 pack of canned fish, allocation and restrictions on sales*—(a) *Definitions.* When used in this order unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) "Canner" means any person, partnership, association, business trust, corporation or any organized group of persons whether incorporated or not, engaged in the business of canning fish in hermetically sealed metal or glass containers and sterilizing the same by the use of heat.

(2) "Pack" means the total amount, by net weight, of all grades of fish enumerated in Groups 1 to 4 in paragraph (b) (1), packed by any canner from March 1, 1942 to February 28, 1943.

(3) "Government agency" means any officer, board, agency, commission, or government-owned or government-controlled corporation of the United States specifically designated by the Director.

(4) "Delivery to Government agencies" means the transfer of title of the canned fish to the Food Distribution Administration or any Government agency designated by the Director. Such delivery may be evidenced by execution of bill of lading or receipt acceptable to the Director or designated agency.

(5) "Director" means the Director of Food Distribution, United States Department of Agriculture or any employee of the United States Department of Agriculture designated by the Director.

(b) *Restrictions on canners.* (1) Notwithstanding any previous notice of release by any Government agency, no canner after February 19, 1943, may sell for delivery any part of his pack of the following fish packed by him at any time from March 1, 1942 to February 28, 1943, except as permitted by this order:

Group 1 Salmon: Red, sockeye, or blueback (Oncorhynchus nerka); Pink (Oncorhynchus gorbuscha); Silver, silverside, medium red, or coho (Oncorhynchus kisutch); Chum or keta (Oncorhynchus keta); King, chinook or spring (Oncorhynchus tschawytscha; Steelhead, or steelhead trout (Salmo irideus and S. Clarki, sometimes called S. Gairdneri).

Group 2 Pilchard. (Sardinia caerulea) by whatever name known, including sardines.

Group 3 Sea herring. Atlantic (Clupea harengus), by whatever name known, including sardines.

Group 4 Mackerel: Atlantic (Scomber scombrus); Pacific (Pneumatorphorus japonicus diego).

(2) Each canner may deliver, to any agency or agencies of the United States Government, specifically designated by the Director, any part or all of the canned fish listed in paragraph (b) (1), packed by him during the period specified in this order.

(3) 80% by net weight is hereby established as each canner's quota percentage for such sale to Government agencies of his pack of each species of Groups 2, 3, and 4, and 60% of his pack of each species of Group 1 of canned fish listed in paragraph (b) (1), packed during each quota period. The following quota periods are hereby established:

Period 1—March 1, 1942–January 31, 1943
Period 2—February 1943.

(4) The Food Distribution Administration within the Department of Agriculture is hereby allocated the quantities prescribed by this order, and authorized to purchase, for governmental requirements, those quantities and such other and further quantities as may be allocated to it from time to time. Said Food Distribution Administration is also authorized to inspect and grade such canned fish pursuant to paragraph (d) of this order.

(5) Any canner who has delivered to Government agencies his quota of his pack of any species of any Group of canned fish listed in paragraph (b) (1), packed during any quota period may deliver to persons other than Government agencies 20% of his pack of each species of Groups 2, 3, and 4, and 40% of his pack of each species of Group 1, packed during such quota period. The quantities permitted by this order to be delivered to other than Government agencies may be delivered by a canner in advance of delivery of his quota to Government agencies if so authorized by the Director: *Provided*, That the Director finds the canner is unable to deliver his quota for reasons beyond his control: *And provided further*, That he has obliged himself by contract to make deliveries of his quota when able: *Provided further*, That specific releases for delivery to other than Government agencies in excess of the percentages specified in this paragraph of any canner's pack of any species of any group listed in paragraph (b) (1), granted prior to February 19, 1943, by the Agricultural Marketing Administration, or the Food Distribution Administration, of the United States Department of Agriculture, or the Director General for Operations of the War Production Board and which subsequent to February 19, 1943, may be granted by the director, shall not be construed as being in violation of this order.

(6) Each canner shall mail to or file with the Food Distribution Administration, weekly within three days after the close of each calendar week on Form PD-495, "Canned Fish; Weekly Pack Report." A report on such form, shall be filed within fifteen days after the completion of each canner's seasonal pack, covering the entire amount of such pack.

(7) The Director may issue specifications at any time as to processing, packing, containers, container treatment, can marking, labeling, boxing, and strapping or he may authorize any Government agency to issue such specifications.

(c) *Certificates relating to the cans covered by this order*—(1) *Certificates.* Each canner who purchases any cans to pack fish for Government use pursuant to this Order—whether such purchase is by contract or on open account order—shall furnish, to the can manufacturer from whom he buys, a certificate, signed by an authorized official, in substantially the form attached hereto as "Exhibit A", which shall constitute certification to the Food Distribution Administration that such canner is familiar with the terms of this order (in its present form or as it may be amended from time to time) and that during the life of this order, he will not use any cans purchased from such can manufacturer in violation of its terms. Only one such certificate covering all present and future purchases from a given can manufacturer need be furnished by a canner to that can manufacturer but no can manufacturer shall be entitled to rely on any such certificate if he knows, or has reason to believe it to be false.

(d) *Inspection and grading.* Any canned fish required to be set aside under this order shall be subject to inspection and grading at any time by the Director or by any person or any Government agency specifically authorized by the Director.

(e) *Records and reports.* All persons affected by this order shall keep and preserve for not less than two years, accurate and complete records concerning inventories, purchases, production and sales, and shall maintain such other records for such other periods of time, and shall execute and file such reports upon such forms and submit such information, as the Director may from time to time request or direct, and within such times as he may prescribe.

(f) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections, at all reasonable times, of his stocks of canned fish and premises used in his business, and all of his books, records and accounts shall upon request be submitted to audit and inspection, by the Director.

(g) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate and such action shall be final.

(h) *Violations.* Any person who willfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or willfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(i) *Communications to Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution; United States Department of Agriculture; Washington, D. C. Ref: FD-23.

(j) *Effective date of and termination.* This order shall take effect on the date of issuance thereof, and, shall continue in effect until revoked.

(E.O. 9280, 7 F.R. 10179)

Issued this 19th day of February 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

EXHIBIT A—CANNER'S CERTIFICATE [1]

Certificate required by paragraph (c) (1) of Food Distribution Order 23. One copy of this certificate is to be delivered to each can manufacturer from whom the canner purchases cans and is to cover all purchases present and future, so long as such order, in its present form or as it may be amended from time to time, remains in effect.

(Applicant's Name)

(Applicant's Address) (Date)

In accordance with paragraph (c) (1) of Food Distribution Order 23, to conserve the supply and direct the distribution of certain canned foods, the undersigned hereby certifies—and this shall constitute a certification to the Food Distribution Administration, United States Department of Agriculture—that the undersigned applicant is familiar with the terms of said Food Distribution Order 23, and any and all amendments thereto, and that said applicant will not use any cans purchased from

(Name of Can Manufacturer)

(Address of Can Manufacturer)

In violation of the terms of said Order and amendments.

(Legal Name of Applicant)

By

(Title of Official Reporting)

Section 35A of the U. S. Criminal Code (18 U. S. C. 80) makes it a criminal offense to make a false statement or representation to any department or agency of the United States as to any matter within its jurisdiction.

[F. R. Doc. 43-2767; Filed, February 19, 1943; 12:38 p. m.]

[1] Secretary of Agriculture.

[Food Directive 5]

PART 1400—DELEGATIONS OF AUTHORITY

DELEGATION OF AUTHORITY WITH RESPECT TO RATIONING CONTROL OF PROCESSED FOODS

Pursuant to the authority vested in me by Executive Order 9280, dated December 5, 1942, and in order to enable the Office of Price Administration to undertake, administer, and enforce rationing programs with respect to processed foods, *It is hereby ordered*, as follows:

§ 1400.5 *Food Directive No. 5; control over processed foods.* (a) In order to permit the efficient rationing of processed foods, processed foods are hereby declared to be rationed foods for the purposes of Food Directive No. 3 (8 F.R. 2005). The Office of Price Administration is authorized to exercise all the powers delegated to it by Food Directive No. 3, subject to the terms and conditions thereof, with respect to all processed foods.

(b) Notwithstanding the provisions of Food Directive No. 3, the Office of Price Administration is hereby authorized to exercise control over the sale, transfer, delivery, or other disposition of processed foods by any person, or to any person, and control over the acquisition, use, or distribution of processed foods by any person.

(c) As used in this directive, the term "processed foods" means and includes:

(1) All fruit, fruit juices, vegetables, vegetable juices, soups, baby foods of all kinds, fish, shellfish, and milk packed in hermetically sealed containers of any type and sterilized by the use of heat.

(2) All jams, jellies, preserves, fruit butters, pickles and relishes.

(3) All frozen fruits and vegetables.

(4) All dried and dehydrated fruits and vegetables.

(5) All dried and dehydrated soups, including but not limited to meat, poultry, or vegetable bouillon cubes.

(6) All combinations of any of the foregoing with meat.

(7) All combinations of any of the foregoing.

(d) This Food Directive No. 5 shall become effective February 20, 1943.

(E.O. 9280, 7 F.R. 10179)

Issued this 20th day of February, 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-2815; Filed, February 20, 1943; 12:15 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter I—Aid of Civil Authorities and Public Relations

PART 5—SAFEGUARDING TECHNICAL INFORMATION

CLASSIFICATION OF VISITORS

Section 5.17 (c) is added as follows:

§ 5.17 *Classification of visitors.* • • •

(c) Canadian nationals will be considered as and accorded the same privileges as citizens of the United States with respect to the matter of visits to Government or commercial manufacturing establishments and experimental laboratories engaged on classified work or projects. (R.S. 161; 5 U.S.C. 22) [Par. 58, AR 380-5, September 28, 1942, as amended by C 5, January 23, 1943]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-2849; Filed, February 22, 1943; 10:26 a. m.]

Chapter III—Claims and Accounts

PART 34—MILITARY COURT FEES

WITNESSES; CIVILIANS

Section 34.3(a) (2) (ii)[1] is amended as follows:

§ 34.3 *Witnesses*—(a) *Civilians.* • • •

(2) • • •

(ii) (*a*) Witnesses attending in such courts, shall receive for each day's attendance and for the time necessarily occupied in going to and returning from the same, $2 (but see (*b*) below), and 5 cents per mile for going from his or her place of residence to the place of trial or hearing and 5 cents per mile for returning: *Provided*, That witnesses (other than witnesses who are salaried employees of the Government and detained witnesses) in the United States courts, who attend court at points so far removed from their respective residence as to prohibit return thereto from day to day, shall be entitled, in addition to the compensation provided by existing law, as modified by this Act, to a per diem of $3 for expenses of subsistence for each day of actual attendance and for each day necessarily occupied in traveling to attend court and return home. In cases in which the United States is a party, witnesses on behalf of the United States shall be entitled to the payments provided by this section.

(*b*) The Act of July 2, 1942 (56 Stat. 468) and other Department of Justice appropriation acts provided that no part of the sums therein appropriated shall be used to pay any witness more than one attendance fee for any one calendar day, which fee shall not exceed $1.50 except in the District of Alaska. (R.S. 161; 5 U.S.C. 22) [Par. 3*b*, AR 35-4120, March 18, 1942, as amended by C. 2, February 3, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-2850; Filed, February 22, 1943; 10:26 a. m.]

[1] 7 F.R. 2530, 9805.

PART 36—CLAIMS AGAINST THE UNITED STATES

APPREHENSION OF ABSENTEES

Sections 36.30 and 36.40 are amended and § 36.41 is rescinded as follows:

§ 36.30 *Apprehension of absentees*—(a) *Military personnel.* All military personnel are authorized and directed to arrest absentees, whatever may be the grade of the person making the arrest or of the person arrested.

(b) *Civil personnel.* Any civil officer or citizen may arrest, detain, and deliver an absentee when authorized by any commissioned officer of the Army. Such authority may be given by distributing W. D., A.G.O. Form No. 45, Descriptive List of Absentee Wanted by the United States Army, or in reply to an inquiry in accordance with paragraph (c) of this section.

(c) *Inquiry from civil officer or citizen.* Upon receipt of word by a post or organization commander from a civil officer or other citizen that such civilian intends to arrest or has arrested an alleged unauthorized absentee from his post or organization, the commander will ascertain such person's status and will promptly inform the inquirer concerning it by telephone, telegraph, or other expeditious means. If the person held is an absentee, the commander will direct the person holding him either to deliver him to or request a guard from the nearest military post, or hold him awaiting the arrival of a guard, and will inform such person of his right to payment for his services.

(d) *Guards.* W.D., A.G.O. Form No 45 directs the arresting officer to deliver an absentee to the nearest military post or hold him and inform the commanding officer of the nearest military post. Upon receipt of information that a civil officer or other civilian is holding an absentee the post commander will cause a guard to be sent for the absentee so that delivery will be accomplished as quickly as may be and in any event not later than 24 hours after receipt of the notification. If it is impracticable for the commander receiving the notification to provide a guard from his command he will make arrangements with a commander capable of providing a guard or will report the case to the commanding general of the service command.

(e) *Service commands.* Commanding generals of service commands will take steps to secure the active cooperation of all local boards and police forces, and such other officials and organizations as they may deem useful to insure that absentees are returned promptly to military control. (R.S. 161; 5 U.S.C. 22; 47 Stat. 1575; 10 U. S. C. 1431) [Par. 12, AR 615–300, January 30, 1943]

§ 36.40 *Property of absentee.* (a) When an enlisted man absents himself without leave, his company commander will cause the public property, including clothing, for which the absentee is responsible to be searched for and secured. His personal effects will be retained with his organization until he returns or until he is dropped from the rolls. In the latter case they will be disposed of as follows:

(1) Decorations, medals, discharges, and other military papers will be forwarded to The Adjutant General.

(2) Articles having material value will be disposed of by sale and the proceeds therefrom, together with any money left by the absentee, will be deposited with a disbursing officer, whose receipt will be taken and forwarded to The Adjutant General. The receipt will show the nature of the deposit.

(3) Articles having no salable value will be destroyed.

(b) In no case will the effects of an absentee, or any proceeds of the sale thereof, be turned over to his relatives, nor any payment made therefrom on any account, except with the approval of the War Department. (R.S. 161; 5 U.S.C.22) Par. 10, AR 615–300, January 30, 1943]

§ 36.41 [Rescinded] (R.S. 161; 5 U.S.C. 22) [AR 615–300, January 30, 1943]

[SEAL] J. A. ULIO
Major General,
The Adjutant General.

[F R Doc 43–2851; Filed, February 22, 1943 10 26 a m]

Chapter VI—Organized Reserves

PART 62—RESERVE OFFICERS' TRAINING CORPS

WASTE MATERIAL AND SALVAGE PROPERTY

Section 62.47 (f) (3) is hereby amended as follows:

§ 62.47 *Waste material and salvage property.* * * *

(f) *Disposition of waste material and salvage property by sale.* * * *

(3) *Copies of invitation for bids to be furnished The Quartermaster General.* Three copies of each invitation for bids covering the sale of waste materials and salvage property will be furnished The Quartermaster General on the same date that distribution thereof is made to prospective purchasers and bidders from posts, camps, and stations within the continental limits of the United States except Alaska, and two copies from posts, camps, and stations in the departments beyond the continental limits of the United States, Alaska, and Puerto Rico.

(Sec. 47, 39 Stat. 192; sec. 34, 41 Stat. 777; 10 U.S.C. 389) [Par. 24, AR 30–2145, September 2, 1942, as amended by C 2, February 11, 1943]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F R Doc 43–2852; Filed, February 22 1943; 10 26 a. m]

Chapter VII—Personnel

PART 79—PRESCRIBED SERVICE UNIFORM

NECKTIE, INSIGNIA, ETC.

Sections 79.14, 79.24 (7 F.R. 11, 9449) and 79.63 (7 F.R. 11), are amended and 79.54a is added as follows:

§ 79.14 *Necktie.* For officers, warrant officers, and enlisted men.

(a) *Material.* Without stripe or figure, of adopted standard (§ 79.2 (a) (3)).

(b) *General description.* Of adopted four-in-hand type. (R.S. 1296; 10 U.S.C. 1391) [Par. 14, AR 600–35, November 10, 1941, as amended by C 11, January 18, 1943]

§ 79.24 *Insignia for collar and lapel of coat.* * * *

(b) *Other officers, Army nurses, and warrant officers.* * * *

(2) *Insignia of arm, service, and bureau.* * * *

(xxiv) *Transportation Corps.* A ship's steering wheel, superimposed thereon a shield charged with a winged car wheel on a rail, all of the same material, 1 inch in height.

(xxv) *Warrant officers.* * * *

(xxvi) *Members of the United States Army Band.* * * *

(xxvii) *First Special Service Force.* * * * (R.S. 1296; 10 U.S.C. 1391) [Par. 24, AR 600–35, November 10, 1941, as amended by C12, February 5, 1943]

§ 79.63 *Colors of arms, services, bureau, etc.* * * *

(w) *Transportation Corps.* Brick red with golden yellow.

(x) *Warrant officers.* Brown. (R.S. 1296; 10 U.S.C. 1391) [Par. 63, AR 600–35, November 10, 1941, as amended by C 12, February 5, 1943]

§ 79.54a *Badge, flight surgeon.* The device consists of a pair of wings 3.125 inches of gold color metal with the letter "O" in the center of the wings, superimposed thereon the Medical Corps insignia. (R.S. 1296; 10 U.S.C. 1391) [Par. 54½, AR 600–35, November 10, 1941, as amended by C 13, February 11, 1943]

[SEAL] J. A. ULIO,
Major General
The Adjutant General

[F R Doc. 43 2853; Filed, February 22 1943, 10 26 a. m.]

Chapter IX—Transport

PART 92—CHARTER AND REDELIVERY OF VESSELS

CHARTER OF VESSELS

Sections 92.1 to 92.13, inclusive are hereby amended as follows:

Sec.
92.1 Commercial vessels.
92.2 Charters.
92.3 Time charter.
92.4 Bare-boat charter.
92.5 Rental of vessels by the Government.

Sec.
92.6 Owners' obligation as to condition.
92.7 Survey.
92.8 Inventories.
92.9 Repairs.
92.10 Removal of equipment, etc.
92.11 Execution of charter.
92.12 Disposition of survey, inventory, etc.
92.13 Change of form of charter.

AUTHORITY: §§ 92.1 to 92.13, inclusive, issued under R. S. 161; 5 U.S.C. 22.

§ 92.1 *Commercial vessels.* Commercial vessels as necessary and available will be chartered by an agency of the Government created for that purpose and will be refitted for troop and cargo service in accordance with standard specifications, under the direction of the Chief of Transportation, and assigned to the several ports to supplement the owned service. [Par. 1]

§ 92.2 *Charters.* Privately owned vessels when requisitioned or chartered in the usual way by the Government for and on account of the Transportation Corps of the War Department will be taken over under the charter party on the prescribed form. [Par. 2]

§ 92.3 *Time charter.* Under this form of charter the owner or other Government agency maintains in seaworthy condition and operates the vessel for the War Department, furnishing at owner's or other Government agency's expense all tools, equipment, supplies, and services, and also employs, pays, and discharges the master, officers, and crew, and is charged with the upkeep of the vessel. [Par. 3]

§ 92.4 *Bare-boat charter.* Under this form of charter the United States takes over and operates the vessel, furnishing all provisions, fuel, and water; pays, hires, and discharges the master, officers, and crew, and is charged with the upkeep of the vessel. [Par. 4]

§ 92.5 *Rental of vessels by the Government.* Where the Government is in possession of a private vessel under rental agreement with the owners or other Government agency thereof during the time negotiations for its purchase by the Government are in progress, rent for the vessel is properly payable under the rental agreement until approval of purchase agreement by the proper Government official, but in absence of any specific agreement the Government is not required or obligated to pay rent for the vessel subsequent to approval of purchase agreement up to and including date of payment of purchase money. (See 26 Comp. Dec. 738) [Par. 6]

§ 92.6 *Owners' obligation as to condition.* Under either form of charter the vessel when accepted by the United States will be, or will forthwith be, made by and at the expense of the owner or other Government agency, tight, strong, and well and sufficiently tackled, appareled, furnished, and equipped, and in every respect seaworthy and in good running order and condition; fit for the service in which she has usually been employed. The following instructions must be carefully and thoroughly followed, as neglect in preparing and preserving a complete detailed record of the condition of the vessel at the time she is taken over, together with a complete detailed inventory, may cause great trouble and loss to the Government at the time of redelivery of the vessel to the owner, or other Government agency. [Par. 7]

§ 92.7 *Survey.* (a) Upon receiving orders to take over a vessel from a private owner, or other Government agency, the officer charged with this duty, hereinafter called chartering officer, will call upon the owner or other Government agency delivering to him a copy of the requisition order, and arrange with the owner or other Government agency to make a survey of the physical condition of the ship and its machinery. The chartering officer will require the superintending engineer of the Army Transport Service at the nearest port to detail one or more marine experts experienced in the hull and deck departments of ocean-going steam vessels and one or more marine experts, holding license as chief engineer of ocean-going steam vessels and experienced in the operation, repair, and maintenance of the steam-engine department of ocean-going steam vessels, who in conjunction with the chartering officer and the owner or his representative will make a full, complete, and detailed survey of the physical condition of the ship, its equipment, and machinery. This survey will specify the condition of each element and unit in the ship, whether excellent, good, fair, or poor, and if any element or unit be found other than excellent will specify in detail in what respect the condition is other than excellent, for example, if the bearing of crank shaft of main engine were found to have been burned out and the metal run, it would not be sufficient to show the main crank shaft as being "poor" but it would be required to have survey show in what respect it was "poor" by specifying the exact condition in detail. Such survey involves the opening up for inspection of all engines, machinery, and auxiliaries for examination, and the testing by operation of all machinery and appliances. The vessel must also be drydocked for survey, and report made on underwater parts including measurement of extent to which tail shaft is down, condition of paint on bottom, and any plates set up or indented, any seams or rivets leaking, and any bilge keels broken, bent, or loose.

(b) This survey will be certified as correct as to the date taken, both by the chartering officer, the superintending engineer or his assistant, and the owner or his representative or other Government agency. In the event the owner or other Government agency does not agree as to any item or items of the survey, or refuses to sign such survey, a detailed statement as to disputed items, signed by the owner or his representative, should be obtained. If the owner or other Government agency refuses or neglects to make such statement, a detailed report as to items not agreed upon will be appended to the report of survey.

(c) Embodied in the report of survey will be a brief statement of the history of the vessel including its name, type, dead-weight tonnage, gross tonnage, passenger capacity; speed in knots per hour; consumption of coal or oil per 24 hours; the service in which the vessel has been engaged; a statement of accidents, groundings, collisions, etc., within the past year; when last drydocked; when last painted from truck to water line; when bottom last scaled and painted; when water tanks last scaled, cleaned, cement washed, and tested for tightness; when tail shafts last drawn; and a copy of United States inspection certificate, copy of hull board report on last drydocking, and copy of classification certificate and when classification expires appended. If the ship has no classification, that fact will be certified by owners.

(d) The report of survey will be accomplished in accordance with a model form to be furnished by the Chief of Transportation. [Par. 8]

§ 92.8 *Inventories.* The port steward and transportation purveyor will, in company with the chartering officer, make a complete inventory of the consumable stores, provisions, coal, oil, and water, as well as all furnishings, spares, tools, and supplies on the vessel. This inventory will be checked with the inventory furnished by the owner or other Government agency under terms of the charter and, in case it does not agree in all respects with the owner's or other Government agency's inventory, the owner's or other Government agency's attention will be called to any discrepancies, and if not corrected a full and detailed report of the items of difference should be made. [Par. 2]

§ 92.9 *Repairs.* As it is the duty of the owner or other Government agency, as hereinbefore stated, to deliver the vessel to the Government in every respect seaworthy and in good running order and condition, immediately upon the completion of the survey the owner or other Government agency will be notified in writing to accomplish forthwith such repairs as may be necessary to make the vessel seaworthy and place her in good and efficient running order. This notice will contain a detailed statement of the work demanded by the Government and be prepared by the superintending engineer and signed by him as well as by the chartering officer. In the event that the owner or other Government agency does not at once comply with the notice to make the vessel seaworthy and place her in good and efficient running order, or in the event the Government deems it expedient to itself accomplish the repairs necessary to put the vessel in good running order

and condition or to make her seaworthy, such work will be directed by the chartering officer to be done under the supervision of the superintending engineer, and charged to the owner or other Government agency, the charges being deducted from the charter hire. An accurate account of the cost of such repairs will be kept. [Par. 10]

§ 92.10 *Removal of equipment, etc.* In the event the Government removes from the vessel any of its furnishings, equipment, appliances, furniture, machinery, or installations, the superintending engineer will cause all such articles to be carefully boxed or crated and properly labeled with name of ship and list of contents; and same to be stored in a safe place for preservation against the time of redelivery of vessel to owner, or other Government agency. The superintending engineer will cause lists to be made in quadruplicate, showing all removals and giving the contents of each box or crate with place where stored; one copy of which will be delivered to the Chief of Transportation, one copy to owner of vessel, or other Government agency, one copy placed with the ship's papers, and one copy filed with the officer in command at the port where the removals are made. [Par. 11]

§ 92.11 *Execution of charter.* (a) The chartering officer will have the charter executed by the owner or other Government agency and by himself for the United States in triplicate, one copy for the General Accounting Office, Military Division, one copy for the Chief of Transportation, and one copy for the contractor on the ship.

(b) In determining the amount to be inserted in paragraph 14, time form, and paragraph 9, bare-boat form, the owner or other Government agency will be warned and cautioned against stating a false or fictitious value for his vessel; but will state true value of the vessel considering its age, history, and present condition. [Par. 12]

§ 92.12 *Disposition of survey, inventory, etc.* The original and three copies of the survey, inventory, and reports connected therewith will be retained by or forwarded to the officer in charge of the designated home port, who will send one copy of each to the Chief of Transportation, one copy to the owner or other Government agency or the vessel, and one copy will be placed with the ship's papers. [Par.13]

§ 92.13. *Change of form of charter.* In the event a boat has been under time charter and she is to be taken over on bare-boat form, all the steps heretofore outlined by way of survey, inventory, etc., will be performed as if the boat were coming into Government service for the first time with no previous Government service. [Par. 14]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-2789; Filed, February 20, 1943; 9:32 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 50817]

PART 4—APPLICATION OF CUSTOMS LAWS TO AIR COMMERCE

PRESQUE ISLE AIR BASE, MAINE [1]

FEBRUARY 19, 1943.

The Presque Isle Air Base, Presque Isle, Maine, is hereby redesignated as an airport of entry for civil aircraft and merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of the Air Commerce Act of 1926 (U.S.C. title 49, sec. 179 (b)), for a period of one year from February 20, 1943.

(Sec. 7 (b), 44 Stat. 572; 49 U.S.C. 177 (b))

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 43-2838; Filed, February 20, 1943; 3:47 p. m.]

TITLE 29—LABOR

Chapter VI—National War Labor Board

[General Order 29]

PART 803—GENERAL ORDERS

RATES OF PAY OF EMPLOYEES OF THE PAN AMERICAN UNION

§ 803.29 *General Order No. 29.* The National War Labor Board hereby delegates to the Director General of the Pan American Union power to make wage and salary adjustments with respect to employees of the Pan American Union insofar as such adjustments are necessary to correct maladjustments, or to correct inequalities, or gross inequities, as defined in the Board's Statement of Wage Policy of November 6, 1942, and any other general order or policy heretofore or hereafter announced thereunder.

(E.O. 9250, 7 F.R. 7871)

Adopted February 18, 1943.

L. K. GARRISON,
Executive Director.

[F. R. Doc. 43-2836; Filed, February 20, 1943; 2:55 p. m.]

[1] This document affects the tabulation in 10 CFR 4.13.

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amendment 129 2d Ed.]

PART 603—SELECTIVE SERVICE OFFICERS

MEDICAL ADVISORY BOARDS

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E. O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend section 603.31 to read as follows:

§ 603.31 *Composition, appointment, and duties.* (a) In each State, medical advisory boards shall be appointed by the Governor. The boards shall, if practicable, consist of internists; eye, ear, nose, and throat specialists; orthopedists; surgeons, psychiatrists; clinical pathologists; radiographers; and dentists. In the event that a complete medical advisory board cannot be made available in any area, the Governor may appoint one or more individual specialists to act as a medical advisory board.

(b) Upon proper request, the medical advisory board shall examine and submit a report on the physical and mental fitness for service of a registrant who has been rejected for or separated from either military service or work of national importance under civilian direction. Upon request of the Director of Selective Service, the medical advisory board shall examine and submit a report on the physical and mental fitness of any assignee who is performing work of national importance and, if requested, shall recommend for or against the discharge of such assignee based upon his physical or mental condition.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

FEBRUARY 20, 1943.

[F. R. Doc. 43-2843; Filed, February 20, 1943; 4:12 p. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1010—SUSPENSION ORDERS

[Amendment 1 to Suspension Order S-214]

COVE, INC.

Paragraph (b) of § 1010.214 *Suspension Order S-214* issued January 15, 1943, is hereby amended to read as follows:

§ 1010.214 *Suspension Order S-214.* (b) For a period of sixty days from the effective date of this order no application filed by Cove, Inc., or any other person for authorization to complete the said construction of the remodeling of the premises situated at 1301-03 Locust Street, Philadelphia, Pennsylvania, shall be granted.

Issued this 19th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2783; Filed, February 19, 1943; 5:00 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-245]

MANDAN ELECTRIC SUPPLY CO.

John Iverson, doing business as Mandan Electric Supply Company, Mandan, North Dakota, is a warehouse as defined in General Preference Order M-9-a. From February 6, 1942, to June 9, 1942, the Company sold a substantial quantity of copper wire on orders which did not bear any preference ratings. During this period the Company was aware of the restrictions contained in General Preference Order M-9-a and its sales constituted wilful violations of that order which have hampered and impeded the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.245 *Suspension Order No. S-245.* (a) John Iverson, doing business as Mandan Electric Supply Company, his successors and assigns, shall not accept delivery of, sell, transfer, deliver, or otherwise deal in any copper or copper base alloy wire, except with the written approval of the Regional Compliance Chief, Chicago Regional Office, War Production Board.

(b) Nothing contained in this order shall be deemed to relieve John Iverson, doing business as Mandan Electric Supply Company, from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on February 24, 1943, and shall expire on May 24, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 19th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2784; Filed, February 19, 1943; 5:00 p. m.]

PART 932—CORK AND PRODUCTS AND MATERIALS OF WHICH CORK IS A COMPONENT

[General Preference Order M-8-a as Amended Feb. 20, 1943]

Section 932.2 *General Preference Order M-8-a* is hereby amended to read as follows:

§ 932.2 *General Preference Order M-8-a*—(a) *Definitions.* For the purposes of this order:

(1) "Cork" means unmanufactured cork in all forms, including corkwood, bark, waste, by-product, shavings, curlings, and refugo.

(2) "Supplier" means any person in the United States who engages in the importation, sale, manufacture, or processing of cork or in the importation of manufactured cork in finished or semi-finished form.

(b) *Reserve established.* On and after October 1, 1941, each supplier is hereby directed to set aside his entire stock of cork and all finished and semi-finished products and materials of which cork is a component, as a reserve, for the fulfillment of present and future defense orders and such other orders and uses as may be authorized or directed from time to time by the Director General for Operations. No deliveries or withdrawals shall be made from this reserve, either for customers of such supplier or for purposes of manufacture or processing by such supplier, except pursuant to specific directions heretofore or hereafter issued by the Director General for Operations. Not later than November 1 for the month of November, 1941, and thereafter from time to time, the Director General for Operations will issue to each supplier specific directions covering deliveries by such supplier of cork and products and materials of which cork is a component which may be made by such supplier to his customers during any specified period, and further directing the kinds and quantities of cork products and materials of which cork is a component which may be manufactured by such supplier and the kinds and quantities of cork which may be used or processed by such supplier in the manufacture of such products and materials. The use, process to final product, and deliveries by such suppliers shall be made as directed in such allocation schedules. The Director General for Operations may also at any time limit or direct the uses which any person may or not make of cork products and materials of which cork is a component, and require any person seeking to place a purchase order for cork or products or materials of which cork is a component to place such order with one or more particular suppliers.

(c) *Special limitations*—(1) *Cork discs.* Notwithstanding any general authorization for the processing or delivery of cork discs for beverage crowns granted in any allocation schedule:

(i) No person not regularly engaged in the business of manufacturing and selling crowns with cork discs shall purchase or receive cork discs not in crown shells if his inventory, plus the amount to be acquired, is in excess of the number of cork discs not in crown shells he can and will insert or have inserted in crown shells during the 30-day period succeeding the date of proposed acquisition; and

(ii) No person shall sell or deliver cork discs not in crown shells to any person, other than one regularly engaged in the business of manufacturing and selling crowns with cork discs, unless the purchaser shall execute in duplicate Form PD-711, and deliver one copy to the seller with the purchase order. The seller shall retain such copy in his files for a period of 2 years.

(d) *Reports.* Each supplier shall execute and file with the War Production Board the following reports at the times specified:

(1) Form PD-29, on or before the 10th day of each month.

(2) Form PD-31, on or before the 10th day of each month.

(3) Form PD-32, on the 3d, 13th, and 23d days of each month.

(4) Such other forms at such times as may be specified from time to time.

All other persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as the Board shall from time to time request.

(e) *Miscellaneous provisions*—(1) *Appeal.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(2) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Cork, Asbestos and Fibrous Glass Division, Washington, D. C. Ref.: M-8-a.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing

or using, material under priority control and may be deprived of priorities assistance.

Issued this 20th day of February, 1943.

CURTIS E. CALDER,
Director General for Operations.

[F R Doc. 43 2805; Filed February 20, 1943; 11 40 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Regulation 11, as Amended Feb 20, 1943]

PRODUCTION REQUIREMENTS PLAN

§ 944.32 *Priorities Regulation No. 11*—(a) *Purpose.* It is the purpose of this regulation to provide for the integration of the system of distributing scarce materials in the interest of the war and the maintenance of the essential civilian economy by requiring principal industrial users of scarce materials to qualify under the production requirements plan and to obtain preference rating assistance primarily under that plan.

(b) *Definitions.* For the purposes of this regulation:

(1) "person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind.

(3) "PRP application" means an application for priority assistance under the production requirements plan on Form PD-25A or any other prescribed form.

(4) "PRP certificate" means the copy of a PRP application which has been returned to the applicant by the Director General for Operations with an assignment of preference ratings or other priority action endorsed thereon, and includes any supplementary or advance quarter ("bob-tail") certificate which may be issued from time to time.

(5) "PRP unit" means any person who is qualified under the production requirements plan by the issuance to such person of a PRP certificate. In case the certificate is issued to a branch, plant, department, or other division of a corporation or business, "PRP unit" refers only to the portion of the business to which the certificate is issued.

(6) "Production material" means material (including fabricated parts and subassemblies) which will be delivered by a PRP unit as its product, or will be physically incorporated into such product, and includes the portion of such material normally consumed or converted into scrap or by-products in the course of processing. It does not include any supplies or manufacturing equipment.

(7) "Supplies" means maintenance and repair materials and operating supplies. It also includes minor items of productive capital equipment (such as jigs and fixtures, dies and die blocks, portable pneumatic or portable electric tools, material required for minor relocation of plant machinery and equipment) and such items as hand tools, customarily purchased by the particular employer for sale to his employees for use only in his business, in those cases where they would constitute operating supplies under established accounting practice if issued to employees without charge. It does not include any of the following regardless of whether normally carried as operating supplies according to established accounting practice:

(i) Fabricated containers (in knockdown or set-up forms, whether assembled or unassembled), required for packaging products to be shipped or delivered.

(ii) Printed matter and stationery.

(iii) Paper, paperboard and products manufactured therefrom; molded pulp products.

(iv) Fuel or electric power.

(v) Office machinery or office equipment (whether purchased or leased).

(vi) Clothing, shoes or other wearing apparel, if made of leather or textiles, except that the following types may be included in operating supplies when specifically designed and used to furnish protection against specific occupational hazards (other than weather):

(*a*) Asbestos clothing.

(*b*) Safety clothing impregnated or coated for the purpose of making the same resistant against fire, acids, other chemicals or abrasives.

(*c*) Safety industrial rubber gloves and hoods and lineman's rubber gloves and sleeves.

(*d*) Gauntlet type welders' leather gloves and mittens, and electricians' leather protector or cover gloves.

(*e*) Other safety leather gloves or mittens, but only if stitched or steel reinforced.

(*f*) Safety industrial leather clothing other than gloves or mittens.

(*g*) Metal mesh gloves, aprons and sleeves.

(*h*) Plastic and fibre safety helmets.

(vii) Production material.

(viii) Materials for plant expansion or plant construction:

Provided, That this paragraph shall not prevent the acceptance by a PRP Unit of deliveries of "supplies" as defined in this regulation prior to February 23, 1943, pursuant to preference ratings properly applied prior to said date.

(8) "Listed material" means, with respect to any quarter, any material listed and given an item number on the Materials List No. 1, Revised, appearing on the form of PRP application for that quarter or required to be separately listed by supplementary instructions from the War Production Board.

(9) "Listed fabricated item" means, with respect to any quarter, any part, assembly or other item listed and given an item number on the Fabricated Items List No. 2 appearing on the form of PRP applications for that quarter. The first quarter for which such a list will be in effect will be the first quarter of 1943. "Listed fabricated item" also includes any item required to be listed separately by supplementary instructions from the War Production Board.

(10) "Class I producer" means any person (or any branch, plant, department, or other division of a corporation or business which operates as a separate entity and maintains a separate inventory) whose receipts or withdrawals from inventory during the most recent calendar quarter, or whose anticipated receipts or withdrawals from inventory during the current or next succeeding calendar quarter, of metals in the forms included on the attached metals list aggregate five thousand dollars or more in value, except:

(i) Any agency of the United States of any foreign government, of any state or territory, or of any subdivision thereof except when and to the extent that any such agency is engaged in the manufacture of commodities or other materials or the furnishing of repair facilities (such as Navy yards, arsenals, prison factories, etc.);

(ii) Any person to the extent that he is engaged in the business of:

(*a*) Transportation by any means;

(*b*) Furnishing of heat, light, power, electricity, gas or water to others;

(*c*) Quarrying;

(*d*) Production, refining, transportation, distribution or marketing of petroleum or associated hydrocarbons;

(*e*) Communications;

(*f*) Sewerage or drainage;

(*g*) The sale of material which he has not manufactured, processed, fabricated, assembled, or otherwise physically changed, including sales as a distributor, wholesaler, retailer, warehouse, industrial or mill supply house or scrap dealer;

(*h*) Construction at the site, of buildings, structures, or projects; and

(iii) Any producer located in Alaska, Panama Canal Zone, or in any territory or possession of the United States outside of the continental United States.

(11) "Assignment" of a preference rating means the granting to any person, by order or certificate issued by or under authority of the Director General for Operations, of the right to use such rating.

(12) "Application" of a preference rating means the use of the rating by the person to whom it is initially assigned by or under the authority of the Director General for Operations, and includes the initial issuance by any governmental agency, under authority of the Director General for Operations, of a preference rating certificate rating a delivery to be made directly to such agency.

(13) "Extension" of a preference rating means the use of the rating by any person to whom it is applied or extended by another person.

(c) Every Class I producer shall file a PRP application for the first quarter of 1943, except that no application shall be required of any person who becomes a Class I producer after December 31, 1942. Applications for the first quarter of 1943 shall be filed not later than October 25, 1942, or in the case of a person who was not a Class I producer as of October 15, 1942, as promptly after October 25, 1942, as possible. No person is required to file a PRP application for the second quarter of 1943 or for any subsequent quarter except as specifically directed by the Director General for Operations. The Director General for Operations may specifically require other persons to file such applications from time to time, and may also exempt particular Class I producers from the requirements of this paragraph or extend or advance their time for filing PRP applications. Any other processors of materials desiring priority assistance on a quarterly basis may also, with the consent of the Director General for Operations, qualify under the Production Requirements Plan, although not required to do so by this regulation.

(d) *Restrictions on application and extension of ratings by PRP units.* No PRP unit shall apply or extend any rating to the delivery of any material during any quarter other than the ratings authorized on its PRP certificates for that quarter; and the deliveries to which such ratings are so applied shall be limited in amount as specified on such certificates, with the following exceptions:

(1) A PRP unit may apply ratings specifically assigned to it for acquisition of items of capital equipment or materials for authorized plant expansion or plant construction.

(2) A PRP unit may apply to deliveries of material during the second quarter of 1943 and thereafter, the ratings assigned or permitted in Priorities Regulation No. 11A.

(3) In addition a PRP unit which receives a rated purchase order requiring the processing by another person of material owned and supplied by the PRP unit may extend the rating, for processing only and not for acquisition of material, to the person who is to do such processing for it.

(4) [Revoked January 30, 1943]

(5) In case preference rating assistance for a material is denied on the PRP certificate on the express ground that such assistance is unnecessary or that ratings for such material are not currently being assigned on PRP certificates, the provisions of this paragraph (d) shall not apply to such material.

(6) A PRP Unit may extend an AAA rating it receives, where necessary to obtain material which it will deliver or which will be physically incorporated into material which it will deliver on the AAA rating, subject to the following restrictions:

(i) The AAA rating may not be extended for quantities of material in excess of those required to be delivered by it or to be physically incorporated into materials to be delivered by it on the AAA rating;

(ii) The rating may not be extended to obtain any material to the extent that it has such material on hand which it would be required to divert for the purpose of supplying the material to be delivered on the AAA rating in accordance with the provisions of Priorities Regulation No. 1;

(iii) The rating may not be extended to replace inventory;

(iv) The quantity of any material obtained with the assistance of the AAA rating must, to the extent possible, be deducted from any quantity of such material authorized for receipt on its PRP certificates and not yet received; and

(v) In case it is necessary to extend the rating for materials other than those, or in excess of the quantities, authorized on its PRP certificates, a PD-25F form must be filed within three days after such extension reporting the excess quantity or the other materials to which the AAA rating was extended.

(e) *Restrictions on receipt of listed materials and fabricated items.* No PRP unit shall in any quarter accept deliveries (whether rated, unrated or allocated) of any listed material or any listed fabricated item, whether as production material, supplies or for any other use, in excess of the amounts specifically rated or otherwise authorized on its PRP certificates for such quarter, plus any balance of such materials or items authorized by its PRP certificates for delivery in the previous quarter which is in transit to the PRP unit at the end of the previous quarter or within three days thereafter, with the following exceptions:

(1) A PRP unit may accept deliveries of any balance of listed fabricated items specifically rated or otherwise authorized for the preceding quarter but not yet received.

(2) A PRP unit may in addition, subject to the applicable regulations and orders of the War Production Board, accept delivery of any such materials and items which consist of items of capital equipment or material for authorized plant expansion or plant construction.

(3) Any PRP unit which has applied ratings under the interim procedure specified in paragraph (i) of this regulation based on a particular PRP application may, until receipt of that particular PRP certificate, accept deliveries of the quantities of the materials to which it is authorized to apply ratings under the interim procedure. After receipt of such PRP certificate it may accept deliveries of listed materials and listed fabricated items in excess of the quantities authorized on such certificate only if the same were in transit to the PRP unit at the time its supplier received notice of postponement or cancellation of delivery pursuant to the provisions of paragraph (j) of this regulation and even then may not accept delivery of such materials or items unless shipment was made within ten days (including Sundays) after receipt by the PRP unit of the PRP certificate which necessitated such postponement or cancellation.

(4) A PRP unit may accept delivery of material to which it extends an AAA rating in accordance with the provisions of paragraph (d) (6) of this regulation.

(5) A PRP unit may accept delivery of listed materials or listed fabricated items in excess of the quantities authorized on its PRP certificates, to the extent that cancellation or postponement of such delivery is waived by the provisions of paragraph (j) (3) of this regulation.

(6) A PRP unit may, during the second quarter of 1943 and thereafter, accept delivery of listed materials or listed fabricated items to the extent permitted by Priorities Regulation No. 11A.

(f) *Restrictions on use of material.* Each PRP unit shall also comply with any additional restrictions which may be contained in its PRP certificate, including (without limitation) restrictions on the amount of material to be put into production, the use of any material, apportionment of quantities of material between different products, or on the sale of or delivery of specified products.

(g) *Prohibition against placing duplicate orders.* No PRP unit shall duplicate, in whole or in part, purchase orders which it has placed with one or more suppliers for delivery of any material (whether rated, unrated, or allocated) in such manner that the amount of such material ordered exceeds the amount actually required for delivery (not exceeding the amount authorized), even though the PRP unit intends to cancel or reduce its purchase orders prior to completion of delivery, to the amount of actual requirements as rated or otherwise authorized on its PRP certificate.

(h) *Scheduling of deliveries.* Each PRP unit shall, so far as practicable, place its purchase orders for the production material and supplies rated or otherwise authorized on its PRP certificate so as to call for substantially equal deliveries during each of the three months of the quarter, and shall in no event, unless absolutely necessary to maintain its delivery schedule or to obtain the minimum quantities practicably procurable, order for delivery during the first month of the quarter more than 40%, or during the first two months of the quarter more than 80%, of the total quantity of any production material authorized for delivery during the quarter.

(i) *Interim procedure.* During the interim between filing a PRP application for a particular quarter and receipt of the PRP certificate for such quarter a person may apply or extend preference ratings for delivery during such quarter, and, in case he shall have submitted advance quarter applications, may on or before February 2, 1943, but not thereafter, apply or extend preference ratings for delivery during only the first advance quarter, as follows:

(1) If he has been operating under the Production Requirements plan, he may apply the same preference ratings he was authorized to apply by his PRP certificates for the preceding quarter, to orders calling for delivery of not more than 40% during the first month of the quarter and 70% during the entire quarter, of the quantities of the materials indicated as his anticipated requirements on his PD-25A and on any PD-25F application

for the quarter, submitted prior to receipt by him of the first PRP certificate received by him for the quarter.

(2) If he has not been operating under the Production Requirements Plan, he may continue to apply and extend ratings under any applicable preference rating orders or preference rating certificates in the same manner as permitted prior to the beginning of the particular quarter; and, notwithstanding the termination of any preference rating order on or after the end of the preceding quarter, the same shall be deemed to continue in effect as to any such person until he receives his PRP certificate: *Provided, however*, That he shall not apply or extend ratings to the delivery in the particular quarter of any material in an aggregate quantity greater than 40% during the first month of the quarter, nor greater than 70% during the entire quarter, of the amount of such material which he has indicated as his anticipated requirements on his PRP application for the quarter, subject to any further restrictions contained in the preference rating certificates or orders assigning the ratings which he is applying or extending.

(3) After a person has received an advance quarter authorization, he may not thereafter apply ratings under the interim procedure to deliveries in that advance quarter of any materials included in the authorization for that quarter, until he files a complete PD–25A application for such quarter, but must use only the ratings authorized on advance quarter authorizations for such materials in that quarter. Upon the filing of a complete PD–25A application for a quarter a PRP unit may then rate purchase orders in accordance with the interim procedure even if this permits rating quantities in excess of those authorized by a previous advance quarter authorization for that quarter.

(4) A person who applies or extends any preference rating pursuant to this paragraph (i) shall deduct the amount of any material which he has received or to which he has applied or extended such rating from the amount rated or otherwise authorized by his corresponding PRP certificate (on Form PD–25A or PD–25F, as the case may be) when issued to him.

(j) *Rerating on receipt of PRP certificates.* (1) Each PRP unit, not later than the seventh day (including Sundays) after the receipt of any PRP certificate for a quarter, shall adjust its outstanding purchase orders so that they shall not exceed, either in quantities or in grades of preference rating, those authorized for the quarter and for any advance quarters covered by the PRP certificates in accordance with the provisions of this regulation; but this provision shall not require the adjustment of orders duly placed under paragraph (i) of this regulation for materials covered by a PD–25F application filed before receipt of a PD–25A certificate, until the return of such PD–25F certificate.

(2) This adjustment may be made by cancellation, postponement of deliveries, or by rerating. To the extent that authorized ratings are higher than those already applied to outstanding orders, rating adjustment shall be optional, and, with respect to any material, the balance of any authorized rating not used may be added to the authorized amount of any lower authorized rating.

(3) No person shall be required by the provisions of this paragraph (j), however, to cancel any order or portion thereof calling for delivery during the first twenty-one days of November 1942 or during the first twenty-one days of January 1943, of any listed material, if the producer thereof certifies in writing to such person (i) that substitution of other orders, or diversion of the material to fill other orders, (even if such other orders call for later delivery or carry a lower rating) is impossible, and (ii) that the production of such material has been completed or that cancellation would disrupt the producer's production schedules and result in substantially diminished production. Nothing herein contained, however, shall relieve a PRP unit from the obligation of cancelling or postponing delivery under other orders calling for delivery of similar material during the quarter, as to which no certification is received, to the extent necessary to bring the total receipts of such material during the quarter within the quantities authorized on its PRP certificates.

(k) *Restrictions on Class I producers who have not filed PRP applications.* Any Class I producer who has not filed his PRP application by the time required by this regulation or by any specific direction of the Director General for Operations may not extend or apply any rating, other than AAA ratings, until he has mailed or personally submitted his PRP application to the War Production Board: *Provided, however*, That these restrictions do not apply to ratings specifically assigned to a Class I producer for the purpose of acquisition of items of capital equipment, or materials for authorized plant expansion or plant construction.

(l) *Effect on existing orders and certificates.* (1) The provisions of this regulation do not terminate any other existing order or certificate granting preference rating assistance, but limit and prohibit the use of such orders or certificates by specified persons in the manner set forth above.

(2) The provisions of this regulation do not relieve PRP unit from compliance with the terms of any order of the War Production Board controlling the distribution or restricting the use of any specific material, including requirements for the filing or supplying of applications or other documents in connection with the purchase, sale, delivery, or use of any such material.

(m) *Special provisions with respect to metal mills.* Notwithstanding the foregoing provisions of this regulation, the following provisions shall govern with respect to any person (hereinafter in this paragraph (m) referred to as a "metal mill") to the extent that he is engaged in producing metals in any of the forms included on the attached metals list:

(1) A metal mill, in determining whether it is a Class I producer within the meaning of paragraph (b) (10) of this regulation, may exclude all receipts or withdrawals from inventory of metals which will be processed by the metal mill to produce any of the forms listed on the attached metals list. However, there must be included any metals in the forms listed, which will be used by it for maintenance, repair, or operating supplies, or will be fabricated by it beyond the forms listed.

(2) A metal mill need not include in its PRP application materials which will be processed by it to produce metals in any of the forms listed on the attached metals list, but it must include any material, including metals in the forms listed, which will be used by it for maintenance, repair, or operating supplies, or will be fabricated by it beyond the forms listed, and for which it requires priority assistance.

(3) A metal mill may extend and apply preference ratings assigned by a preference rating order or certificate, in the manner heretofore permitted, for delivery to it of material which has been excluded from its PRP application pursuant to the provisions of subparagraph (2) of this paragraph (m) and may accept delivery of such material.

(4) A metal mill, to the extent that it is engaged in producing any of the following:

(i) Pig iron and ferroalloys;

(ii) The following iron and steel products, including alloys: Ingots, blooms (including forged), billets (including forged), slabs (including forged), tube rounds, sheet and tin bars, structural shapes, piling, plates (universal and sheared), rails, tie plates, track spikes, splice bars, rail joints, hot rolled bars (including hoops and bands and concrete reinforcing bars), cold finished bars, pipe and tubes (except conduit), wire rods, wire as drawn (not including further fabrications therefrom), black plate, tin and terne plate, sheets, strip, tool steel bars (including high speed), steel wheels and axles (for railroad use only), railroad locomotive tires, armor plate, ordnance forgings, steel castings (rough as cast), skelp, rolling mill rolls, ingot molds;

(iii) Coke for use in the production of pig iron and ferroalloys;

May accept deliveries of supplies in any quarter without regard to the limitations of paragraph (e) hereof of this regulation and, notwithstanding the limitations of paragraph (d) hereof, may apply the ratings assigned on its PRP certificate to deliveries of supplies in the amounts essential for proper operation, subject, however, in every case to the restrictions of § 944.14 of Priorities Regulation No. 1 and to all other applicable regulations and orders.

(n) [Revoked January 30, 1943]

(o) *Exceptions or exemptions.* The Director General for Operations may grant exceptions or exemptions with respect to any or all provisions of this regulation. Any such action shall be in writing over the signature of the Director General for Operations and shall refer specifically to the fact that it is an exemption from or an exception to this regulation.

Issued this 20th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

METALS LIST

(a) Any of the metals listed in subparagraph (1) below in any of the forms listed in subparagraph (2) below:

(1) Metals:

Iron	Zinc
Carbon steel	Nickel
Alloy steel	Tin
Stainless steel	Cupro-nickel
Aluminum	Monel
Magnesium	Nickel-silver
Copper	Chrome nickel
Brass	Cadmium
Bronze	Silver
Lead (including antimonial)	Tantalum metal
	Tungsten carbide

(2) *Forms of metal.* Anodes, bars, billets, blooms, blocks, castings (including die castings), cones, dust, extruded shapes, fabricated shapes, foil, forgings, ingots, pigs, pipe, plates, powder, rails, refinery shapes, rings, rivets, rods, scrap, sheets, shot, skelp, slabs, strip, structural shapes and piling, tie plates and track accessories, tube and tubing, tube rounds, wheels and axles, wire and wire rods, wire products (including barbed and twisted fencing, bale ties, nails, staples, rope and strand but not including insect wire screen cloth).

[F. R. Doc. 43–2811; Filed, February 20, 1943; 11:41 a. m.]

PART 967—FORMALDEHYDE, HEXAMETHYLENETETRAMINE AND PENTAERYTHRITOL

[Allocation Order M–25 (General Preference Order M–25), as Amended Feb. 20, 1943]

Part 967 is hereby amended with respect to its heading to read, "Formaldehyde, Hexamethylenetetramine and Pentaerythritol".

The title General Preference Order M–25 is hereby amended to read, "Allocation Order M–25".

Section 967.1 is hereby amended in its entirety to read as follows:

§ 967.1 *Allocation Order M–25*—(a) *Definitions.* For the purpose of this order:

(1) "Formaldehyde" means the chemical compound known by that name in any form and from whatever source derived. The term formaldehyde includes formaldehyde in solution form of any concentration including, but not limited to, solutions known as Formalin and Formol. The term formaldehyde also includes formaldehyde in dry form, commonly known as paraformaldehyde.

(2) "Hexamethylenetetramine" means the reaction product of formaldehyde and ammonia known also as hexamethylenemine, methenamine, hexamine, aminoform, urotropin, formin, cystamin, and cystogen.

(3) "Pentaerythritol" means the reaction product of formaldehyde and acetaldehyde.

(4) "Supplier" means any producer or distributor as herein defined.

(5) "Producer" means any person who produces formaldehyde, hexamethylenetetramine or pentaerythritol, regardless of whether he produces it for his own account or pursuant to toll agreement.

(6) "Distributor" means any purchaser of formaldehyde, hexamethylenetetramine, or pentaerythritol from a producer for purpose of resale without further processing or admixing.

(b) *Restrictions on use and delivery of formaldehyde, hexamethylenetetramine or pentaerythritol.* (1) On and after March 1, 1943, no supplier of formaldehyde, hexamethylenetetramine or pentaerythritol shall use or deliver such material, and no person shall accept delivery of such material from a supplier, except as specifically authorized by the Director General for Operations, upon application pursuant to paragraph (f).

(2) Each person authorized to use or accept delivery of formaldehyde, hexamethylenetetramine or pentaerythritol shall use such material only for the purpose authorized, except as otherwise specifically directed by the Director General for Operations.

(3) In addition to regular monthly allocations, the Director General for Operations, at his discretion, may at any time issue special directions to any person with respect to the use, transportation or delivery of formaldehyde, hexamethylenetetramine, or pentaerythritol by such person, or of products made from such materials allocated to such person, notwithstanding the provisions of paragraphs (c), (d) or (e) hereof, or may issue special directions to any producer with respect to the kinds or quantity of formaldehyde, hexamethylenetetramine or pentaerythritol which he may produce or manufacture.

(c) *Small order exemption.* Notwithstanding the provisions of paragraph (b) (1):

(1) Any person may use or accept delivery of formaldehyde in any form or solution containing 555 pounds or less of formaldehyde by weight (for example, 1,500 pounds or less of 37% formaldehyde solution by weight), 100 pounds or less of hexamethylenetetramine, and 350 pounds or less of pentaerythritol in the aggregate during any one calendar month without specific authorization under this order:

(i) *Provided*, That such person has not been specifically authorized to use or accept delivery of any quantity of the same material during such month, and also

(ii) *Provided*, That such material is not used in the manufacture of resins for protective coatings, plastics or adhesives.

(2) Any supplier may deliver formaldehyde, hexamethylenetetramine or pentaerythritol without specific authorization under this order, to any person entitled to accept delivery pursuant to paragraph (c) (1) above, *Provided*, That:

(i) No producer shall deliver an aggregate amount of formaldehyde, hexamethylenetetramine or pentaerythritol, respectively, in any one calendar month pursuant to this paragraph, in excess of 2% of the amount of such material which he is specifically authorized to deliver during such month; and

(ii) No supplier shall make delivery of formaldehyde, hexamethylenetetramine or pentaerythritol during any month pursuant to this paragraph, if such delivery will prevent completion of any delivery which has been specifically authorized for such month; and

(iii) Any supplier may make deliveries pursuant to this paragraph without regard to preference ratings.

(d) *Defense plant production exemption.* Formaldehyde, hexamethylenetetramine and pentaerythritol produced by any department or agency of the United States Government, or produced in any plant owned by any agency of the United States Government, and which is delivered to and consumed by any such department, agency or plant, may be so used and delivered without specific authorization under this order, notwithstanding the provisions of paragraph (b) (1).

(e) *Special exemption for March.* Notwithstanding the provisions of paragraph (b) (1), any supplier may deliver formaldehyde, hexamethylenetetramine or pentaerythritol, and any person may accept such delivery, prior to receipt of authorization by the Director General for Operations to make and to accept such delivery, if:

(1) Application pursuant to paragraph (f) to make and to accept such delivery shall have been filed with, or mailed to, the War Production Board on or before February 28, 1943; and

(2) Shipment shall have originated on or before March 31, 1943.

(f) *Applications and reports.* (1) Each person seeking authorization to accept delivery of formaldehyde, hexamethylenetetramine and pentaerythritol, and each supplier seeking authorization to use or accept delivery of formaldehyde, hexamethylenetetramine, or pentaerythritol, shall file application on Form PD–600 in the manner prescribed therein, subject to the following instructions for the purpose of this order:

Form PD–600. Copies of Form PD–600 may be obtained at local field offices of the War Production Board.

Time. Applications for delivery from a supplier shall be filed in time to ensure that copies will have reached the supplier and the War Production Board on or before the 15th day of the month preceding the month for which authorization for use or acceptance of delivery is requested, where the supplier is a producer; and on or before the 10th day where the supplier is a distributor.

During February, 1943, applications shall be filed as soon as practicable.

Number of copies. Five copies shall be prepared, of which one shall be retained by the applicant; one (with columns 11 through 23 inclusive blank) shall be sent to the supplier, and three certified copies shall be sent to the War Production Board, Chemicals Division, Washington, D. C. Ref.: M–25.

Number of sets. A separate set of PD–600 application forms shall be submitted for each supplier and requests on separate sets of forms shall be made for formaldehyde, hexamethylenetetramine and pentaerythritol, respectively.

Heading. Under name of chemical, specify formaldehyde, hexamethylenetetramine or pentaerythritol, as the case may be; under War Production Board order number, specify M–25; under unit of measure, specify pounds, and fill in other information as required.

Column 1. In the case of formaldehyde, specify whether dry or solution form and specify strength of the solution. In the case of hexamethylenetetramine and pentaerythritol, specify grade as U. S. P., Technical, or other specified grade.

Column 2. Fill in as indicated.

Column 3. Fill in as follows:

For orders on hand:
- *Primary product
- Export (in original form)
- Resale (in original form)

For anticipated orders:
- *Primary product
- Export (in original form)
- Resale (in original form)

Inventory (in original form)
- *The primary products referred to above should be specified as follows:

(For formaldehyde)
- Allocated resins (specify type of resin)
- Non-allocated resins (specify type of resin)
- Hexamethylenetetramine
- Pentaerythritol
- Ethylene glycol
- Embalming fluid
- Drugs and pharmaceuticals (specify)
- Disinfectants
- Insecticides
- Fungicides
- Cellulose esters (specify)
- Dyes
- Photographic chemicals
- Other (specify)

(For hexamethylenetetramine)
- Explosives
- Allocated resins (specify type of resin)
- Non-allocated resins (specify type of resin)
- Drugs and pharmaceuticals (specify)
- Other (specify).

(For pentaerythritol)
- Allocated resins (specify type of resin)
- Non-allocated resins (specify type of resin)
- Explosives
- Other (specify)

Column 4. Opposite any primary product listed in Column 3 which is subject to allocation, specify only the allocation order number in Column 4. For each primary product not under allocation, specify end use in Column 4.

Opposite "Resale" in Column 3, suppliers shall write into Column 4 "upon further authorization, or under paragraph (c)".

Opposite "Export" in Column 3, specify in Column 4 the name of the individual, company or governmental agency to whom or for whose account the material will be exported, the country of destination and governing export license or contract numbers, unless Lend-Lease, in which case merely specify Lend-Lease. Also, indicate in Column 4 the same information with respect to any primary product listed in Column 3 which will be exported and which is not under allocation. For example, where explosives are specified in Column 3, indicate whether such explosives are to be exported.

Opposite "Inventory" in Column 3, leave Column 4 blank.

Columns 5, 6, 7, 8, and 9. Leave blank.

Column 10. Specify requested delivery dates.

Table II. Fill in as indicated. The same grades, if any, shall be listed in Column 11 as in Column 1.

Table III. Fill in as indicated.

Table IV. Fill in as indicated for each primary product listed in Column 3 above, except those primary products under direct allocation under another War Production Board order (such as allocated synthetic resins).

(2) Each supplier seeking authorization to make delivery of formaldehyde, hexamethylenetetramine or pentaerythritol during any calendar month shall file application on Form PD–601 in the manner prescribed therein, subject to the following instructions for the purpose of this order:

Form PD–601. Copies of Form PD–601 may be obtained at local field offices of the War Production Board.

Time. Each supplier shall make application on Form PD–601 on or before the 20th day of the month preceding the month for which authorization to make delivery is requested, except that applications for March, 1943, may be filed or mailed as late as February 28, 1943.

Number of copies. Four copies shall be prepared, of which one shall be retained by the supplier and three certified copies shall be filed with the War Production Board, Chemicals Division, Washington, D. C., Ref: M–25.

Number of sets. A separate set of PD–601 forms shall be filed for each plant or shipping point of supplier, and a separate set for formaldehyde, hexamethylenetetramine and pentaerythritol respectively.

Heading. Under name of chemical, specify formaldehyde, hexamethylenetetramine or pentaerythritol, as the case may be; under War Production Board order number, specify M–25; under unit of measure, specify pounds; and fill in other information as required.

Table I. Fill in as indicated. Each supplier filing a PD–600 application for use or acceptance of delivery, specifying himself as his supplier, shall list his own name as customer on his PD–601 form.

Table II. Fill in all columns as indicated. Grades shall be specified as provided in the instructions above for Column 1 of Form PD–600.

(3) The Director General for Operations may require each person affected by this order to file such other reports as may be prescribed, and may issue special directions to any such person with respect to preparing and filing Forms PD–600 and PD–601.

(g) *Allocations for inventory.* Formaldehyde, hexamethylenetetramine or pentaerythritol allocated for inventory shall not be used for any purpose except as specifically directed by the Director General for Operations or except to fill orders for authorized uses pending arrival of the formaldehyde, hexamethylenetetramine or pentaerythritol allocated to fill such orders. Upon arrival of such material, the allocated inventory shall be restored.

(h) *Delayed deliveries.* Each supplier shall fill all authorized orders in full and during the month for which allocated, as far as possible.

Each supplier shall notify the War Production Board of the cancellation of any authorized order, or of postponement of any authorized delivery for more than ten days after the allocation month, or of his inability to make any authorized delivery, as soon as possible after he has notice of such fact.

(i) *Notification of customers.* Each supplier shall notify his regular customers as soon as possible of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(j) *Miscellaneous provisions.*—(1) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board regulations, as amended from time to time, except Priorities Regulation No. 13, which shall be subject to this order to the extent that it is inconsistent herewith.

(2) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C., Ref: M–25.

Issued this 20th day of February 1943

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–2812; Filed, February 20, 1943; 11:41 a. m.]

PART 1075—CONSTRUCTION

[Preference Rating Order P–55–a]

§ 1075.8 *Preference Rating Order P–55–a; Conditions applicable to the holding and disposition of war housing units.*—(a) *Rental and sales price.* Pursuant to the provisions of Application Form PD–105 and revisions thereof (and related instruments filed in connection therewith), hereinafter referred to as "application form," requiring permission from the Director General for Operations, among other things, to increase the applicable amount of rental therein set forth, to dispose of any dwelling unit for more than the applicable amount as there set forth or to dispose of it other than in the manner stated for that unit:

(1) With respect to rentals which may be charged the first occupant of the dwelling unit, holders of Preference Rating Order P–55 are hereby permitted to charge rentals in excess of rentals set forth in the application form wherever and to the extent that such increased rental charge is authorized by the National Housing Agency or its representatives, prior to occupancy of the dwelling unit and such amount so authorized is hereby approved.

(2) With respect to rentals chargeable after the dwelling unit has been occupied, holders of Preference Rating Order P–55 are hereby permitted to charge rentals in excess of rentals set forth in the application form wherever and to the extent that such increased rental charge is specifically authorized by the Office of Price Administration; and such rental so authorized is hereby approved.

(3) Holders of Preference Rating Order P–55 are hereby permitted to sell or otherwise dispose of any dwelling unit for more than the amount set forth in the application form wherever and to the extent that such increased amount is authorized by the National Housing Agency or its representatives, and such amount so authorized is hereby approved.

(4) Holders of Preference Rating Order P–55 are hereby permitted to dispose of any dwelling unit in a manner other than in the manner stated in the application form wherever and to the extent that such other manner of disposition is authorized by the National Housing Agency or its representatives, and such manner of disposition is hereby approved.

(b) *War workers.* Notwithstanding the provisions of the application form wherein the owner certifies that he will not sell or rent any structure or portion thereof for at least thirty or sixty days after its completion except for occupancy by a person engaged in war activity as there defined, holders of Preference Rating Order P–55 are in addition hereby permitted so to dispose of such structure or portion thereof to such other persons as the National Housing Agency or its representatives may determine to be eligible to occupy such structure or portion thereof in accordance with regulations or orders of the National Housing Agency.

(c) *Conditions applicable to owners of war housing.* No person to whom a Preference Rating Order P–55 has been assigned shall transfer or dispose of any dwelling unit to which such order relates, or accept payment of rental or sales price for any such unit except in the manner and for the amount set forth in the application form or in the manner and for the amount approved pursuant to paragraph (a) hereof; nor shall any such person so transfer or dispose of any such unit to any person other than the persons specified in paragraph (b) hereof, except as authorized by regulations or orders of the National Housing Agency.

(d) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall unless otherwise directed be addressed to: War Production Board, Washington, D. C., Ref.: P–55–a.

(e) *Violations.* Any person who willfully violates any provisions of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control, and may be deprived of priorities assistance by the Director General for Operations, and may be denied permission to begin construction under General Conservation Order L–41.

Issued this 20th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–2806; Filed, February 20, 1943; 11:40 a. m.]

PART 1076—PLUMBING AND HEATING SIMPLIFICATION

[Schedule XII to Limitation Order L–42, as Amended Feb. 20, 1943]

PLUMBING FIXTURES

§ 1076.14 *Schedule XII to Limitation Order L–42.*—(a) *Definitions.* For the purposes of this schedule:

(1) "Producer" means any person who manufactures, processes or fabricates plumbing fixtures.

(2) "Plumbing fixture" means any bathtub, bidet, bath (foot sitz), drain pool (for a septic tank system), drain board, fountain (drinking, wash), interceptor (grease, oil, plaster), lavatory, laundry tray, sink (except a scullery sink, with or without drain boards), sink and laundry tray combination, sink leg, shower receptor, shower stall and receptor combination, septic tank, water closet bowl (including frostproof bowl), urinal, urinal tank, water closet tank (other than a pressure tank for a frostproof closet); but it does not include any plumbing fixture trim not specifically named in this schedule:

[NOTE: Paragraph (a) (2) amended on Feb. 20, 1943]

(b) *Limitations.* Pursuant to Limitation Order L–42 the following limitations are established for the manufacture of plumbing fixtures:

No metal may be used in the manufacture of plumbing fixtures except that:

(1) Any person may incorporate into any plumbing fixture the minimum quantity of metal which is required for coating, nuts, bolts, screws, clamps, rivets and other items of joining hardware, excluding chair carriers, which are necessary for the construction, assembly or installation of the plumbing fixture, provided that such use is not prohibited by any other order of the Director General for Operations.

(2) In addition, any person may incorporate into any of the following named plumbing fixtures the metals specified in quantities not exceeding those designated, provided that such use is not prohibited by any other order of the Director General for Operations:

(i) Into any wash fountain, 36 inches or more in diameter, including reinforcing mesh and rods, trap, column, fixture trim and internal piping, twenty-five pounds of metal (including a maximum of one pound of copper or copper base alloy);

(ii) Into any grease interceptor (excluding flow control device), five pounds of ferrous metal;

(iii) Into any oil interceptor, five pounds of ferrous metal;

(iv) Into any plaster interceptor, eight pounds of ferrous metal;

(v) Into any cement or concrete laundry tray, one ounce of zinc for waste plug in each outlet and ferrous metal as follows: one compartment, one and a half pounds for reinforcement, one and a half pounds for cast-in waste fitting; two compartments, two pounds for reinforcement, two and a half pounds for cast-in twin waste fitting; three compartments, three pounds for reinforcement, four pounds for one single cast-in waste fitting and one cast-in twin waste fitting;

(vi) Into any cement or concrete shower receptor and cast-in drain, six pounds of ferrous metal;

(vii) Into any shower stall and receptor combination, twenty-four pounds of ferrous metal (only secondary quality of sheet steel, including the rejects and trimmings, may be used);

(viii) Into any concrete septic tank, ferrous metal required for reinforcement only, inlet or outlet connection, internal syphon and internal syphon pipe connection;

(ix) Into any water closet bowl that is to be supplied with water through a diaphragm or a piston type flush valve or a pressure tank, one pound of ferrous metal for spud;

(x) Into any water closet bowl that is to be supplied with water from a water closet tank, one pound of ferrous metal for spud;

(xi) Into any component working parts of any tank for water closet (other than a pressure tank for a frostproof closet), four pounds of metal;

(xii) Into any urinal, one pound of ferrous metal for spuds;

(xiii) Into any component working parts of any tank for urinal, having $\frac{3}{4}$" automatic flush valve, five pounds of metal; having 1" automatic flush valve, seven pounds of metal; having $1\frac{1}{4}$" or larger automatic flush valve, ten pounds of metal.

(3) The restrictions of this order shall not apply to the use of lead.

(c) *General exceptions.* The prohibitions and restrictions contained in this schedule shall not apply to the use of metal in the manufacture of any plumbing fixture or any part thereof which is being produced:

(1) Under a specific contract or subcontract for use in chemical plants, research laboratories or hospitals, where and to the extent that the physical, chemical and aseptic properties make the use of other materials impracticable. This exception, however, does not include any plumbing fixture used in private rooms or nurses' or attendants' quarters in any plant, laboratory or hospital.

(2) Under a specific contract or subcontract for use as part of the equipment of any aircraft or any vessel other than a pleasure craft where the use of other material is impracticable: *Provided, however,* That no monel metal shall be used in the manufacture of any trough urinal.

(3) Under a specific contract or subcontract specifying trough urinals for delivery to, or for the account of, the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration for use outside the continental United States (the several States and the District of Columbia): *Provided, however,* That no monel

metal shall be used in the manufacture of any such trough urinal.

(d) *Simplified practices; exceptions.* No plumbing fixtures which do not conform to the standards established by this schedule shall be produced or delivered by any producer or accepted from any producer except with the express permission of the Director General for Operations: *Provided, however*, That the foregoing shall not prohibit the delivery by any producer of such plumbing fixtures as were in his stock in finished form on December 30, 1942, nor the receipt of such plumbing fixtures from such producer: *Provided, further*, That the foregoing shall not prohibit machining or assembling materials put into process prior to December 30, 1942, nor the delivery of the completed plumbing fixtures so produced, nor receipt of such plumbing fixtures from the producer: *Provided*, That the plumbing fixtures covered by the foregoing exceptions were not processed, produced or delivered in violation of this schedule as in effect prior to December 30, 1942.

(e) *Reports.* Each producer to whom this schedule applies, shall on or before the 15th day of each month, file with the War Production Board a report on Form PD 727 which shall cover the preceding month or portion thereof.

Issued this 20th day of February 1943

CURTIS E. CALDER,
Director General for Operations.

[F R Doc 43-2813; Filed, February 20, 1943, 11:41 a. m.]

PART 1223—STANDARDIZATION AND SIMPLIFICATION OF PAPER

[Schedule X to Limitation Order L-120]

HOUSEHOLD WAX PAPER ROLLS IN CUTTER BOXES

§ 1223.11 *Schedule X to Limitation Order L-120*—(a) *Standard ream count.* Basis weights for wax paper used in household rolls for enclosure in cutter boxes shall be calculated by reference to a standard ream of 500 sheets 24" x 36", with a tolerance of 7½%, after waxing, over or under the specified weight, instead of by reference to the ream of 480 sheets 24" x 36" heretofore used.

(b) *Restrictions on basis weight, width and length.* Except as provided in paragraph (f) of this schedule, no person shall manufacture waxed paper household rolls for enclosure in cutter boxes:

(1) Out of paper of any basis weight except 18# and/or 21#, after waxing, calculated according to the provisions of paragraph (a) of this schedule;

(2) In any width greater than 12 inches, subject to a tolerance of 5%;

(3) In any length less than 125 feet;

(4) In more than two different lengths.

Each manufacturer shall immediately select the two particular lengths (neither less than 125 feet) in which he proposes to manufacture such rolls, shall furnish such information concerning his selection as may be requested from time to time, shall keep records and samples of his selection readily available for inspection by representatives of the War Production Board, and hereafter shall not without specific authorization by the Director General for Operations, manufacture such rolls in any other lengths. Specific authorization to change the original selection may be applied for by letter, in triplicate, describing the lengths originally selected, the proposed new length or lengths, and the reason why the change is necessary.

(c) *Elimination of metal edge.* No manufacturer of cutter boxes for wax paper household rolls and no person who puts up household rolls in cutter boxes shall affix any metal cutting edge to or upon any such cutter box.

(d) *Restrictions on weight of cores, size and type of cutter boxes, and number of cutter boxes per shipping case.* (1) Except as provided in paragraph (f) of this schedule, no manufacturer shall wind waxed paper household rolls for enclosure in cutter boxes on cores or tubes which in weight exceed 25 lbs. per 1000 rolls, or package any such rolls in cutter boxes made in violation of the provisions of Table III of Schedule IV to Limitation Order L-239. For convenience, a copy of this table is included, as follows:

TABLE III—WAXED PAPER CUTTER BOXES

(a) No person shall manufacture any cutter boxes for packaging rolls of waxed paper excepting in accordance with the following maximum specifications:

(1) Box dimensions: $2^{11}/_{16}$" x $2^{11}/_{16}$" x $12^{3}/_{8}$".

(2) Quality of paperboard, no higher than bleached manila lined news basis 70 sheets per 50 lb. bundle.

(2) When packing such rolls for shipment each manufacturer shall pack the same in multiples of a dozen, with a minimum of 36 per shipping case, except that cutter boxes containing rolls of 200 feet or more in length may be packed a minimum of 24 per shipping case.

(e) *Prohibition of new designs and brands.* No manufacturer or distributor of waxed paper household rolls in cutter boxes shall use on or in connection with the cutter boxes for such rolls any trade design or brand the original plates for which were not in existence on or before February 20, 1943.

(f) *Temporary exception for existing inventories.* Until April 21, 1943, but not thereafter, any person may, notwithstanding the provisions of paragraphs (b) and (d) of this schedule, manufacture waxed paper household rolls for enclosure in cutter boxes out of paper of any basis weight or in any width or lengths, or wind the same on any weight cores, or package the same in any boxes or any number per shipping case, necessary to utilize such person's inventories of paper, cores, boxes or shipping cases on hand the 20th day of February, 1943.

Issued this 20th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2807; Filed, February 20, 1943; 11:40 a. m.]

PART 3065—SILICA GEL

[Revocation of General Preference Order M-219]

Section 3065.1 *General Preference Order M-219* is hereby revoked.

This action shall not be construed to affect in any way any liability or penalty accrued or incurred under said Order, M-219.

Issued this 20th day of February 1943

CURTIS E. CALDER,
Director General for Operations

[F R Doc 43-2808, Filed February 20 1943; 11:40 a. m.]

PART 3101—CANNED SAUERKRAUT

[Revocation of Conservation Order M-245]

Section 3101.1 *Conservation Order M-245* is hereby revoked effective 12:01 a. m., February 21, 1943. This action shall not be construed to affect in any way liabilities or penalties incurred or accrued under said order.

Issued this 20th day of February 1943

CURTIS E. CALDER
Director General for Operations

[F R Doc 43-2809, Filed February 20 1943; 11:40 a. m.]

PART 3138—FOUNTAIN PENS, MECHANICAL PENCILS, WOOD CASED PENCILS PEN NIBS, AND PEN HOLDERS

[General Limitation Order L-227, as Amended Feb. 20, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron and steel and other materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3138.1 *General Limitation Order L-227*—(a) *Definitions.* For the purposes of this order:

(1) "Fountain pen" means any writing device (including the pen nib) containing a reservoir of writing fluid in excess of that retained by capillary attraction on the surface of the pen nib thereof.

(2) "Mechanical pencil" means any writing instrument containing a movable core of lead or other marking material encased in a housing of any material whatsoever and including all types of automatic or mechanical pencils.

(3) "Wood cased pencil" means any writing instrument containing a non-movable core of lead or other marking material, encased in a sheath of wood.

(4) "Pen nib" means any removable writing point designed to deposit writing fluid upon a writing surface.

(5) "Pen holder" means any device designed to hold a pen nib in position for writing, except fountain pens.

(6) "Manufacturer" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not, who manufactures or assembles any fountain pens, mechanical pencils, wood cased pencils, pen nibs or pen holders, or who manufactures or assembles any part made specifically for incorporation into such products.

(7) "Part" means any part made specifically for incorporation into a fountain pen, mechanical pencil, wood cased pencil, pen nib or pen holder, except repair parts.

(8) "Repair part" means any part made specifically for incorporation into fountain pens, mechanical pencils, wood cased pencils, pen nibs or pen holders, which is not produced for or used in a new fountain pen, mechanical pencil, wood cased pencil, pen nib or pen holder.

(9) "Finishing material" means any material used as a protective coating on wood cased pencils or pen holders containing cellulose derivatives, synthetic resins, or plasticizers.

(b) *Restrictions upon production of fountain pens.* (1) On and after December 7, 1942, no manufacturer shall process, fabricate, work on or assemble any iron and steel, copper, copper base alloys, crude rubber or reclaimed rubber to be used in the production of fountain pens, nor shall any manufacturer process, fabricate, work on or assemble any stainless steel for pen nibs, or assemble any stainless steel pen nibs in fountain pens, except:

(i) Low carbon steel for functional parts of fountain pens other than pen nibs,

(ii) Crude or reclaimed rubber consisting of fountain pen semiprocessed or finished parts contained in his inventory prior to December 7, 1942,

(iii) Reclaimed rubber as permitted pursuant to Supplementary Order M-15-b, as amended from time to time,

(iv) Copper intended for silver or 14 karat gold pen nibs, and

(v) Stainless steel pen nibs which were contained in his inventory in completely fabricated form prior to December 7, 1942, may be assembled in fountain pens up to and including December 31, 1942.

(2) During the period beginning December 7, 1942, and ending December 31, 1942, inclusive, no manufacturer shall produce more parts or repair parts for fountain pens than the following percentages of such parts or repair parts produced by him during 1941:

(i) Parts for fountain pens, 7%.

(ii) Repair parts for fountain pens, 10%.

(3) During the period beginning December 7, 1942, and ending December 31, 1942, inclusive, no manufacturer shall produce more fountain pens than:

(i) 5% of the number of steel pen nib fountain pens produced by him during 1941, plus

(ii) 7% of the number of gold pen nib fountain pens produced by him during 1941.

(4) During the period of three months beginning January 1, 1943, and during each three months period thereafter, no manufacturer shall produce more parts or repair parts for fountain pens than the following percentages of such parts or repair parts produced by him during 1941:

(i) Parts for fountain pens, $12^{1}/_{2}$%.

(ii) Repair parts for fountain pens, 30%.

(5) During the period of three months, beginning January 1, 1943, and during each three months period thereafter no manufacturer shall produce more fountain pens than:

(i) $8^{3}/_{4}$% of the number of steel pen nib fountain pens produced by him during 1941, plus

(ii) $12^{1}/_{2}$% of the number of gold pen nib fountain pens produced by him during 1941.

(c) *Restrictions upon production of mechanical pencils.* (1) On and after December 7, 1942, no manufacturer shall process, fabricate, work on or assemble any iron and steel, copper, copper base alloys, crude rubber or reclaimed rubber for the production of mechanical pencils, except low carbon steel for functional parts, provided that no more than 8 pounds of such low carbon steel shall be contained in each group of 1,000 mechanical pencils produced by him on and after February 1, 1943.

(2) During the period beginning December 7, 1942, and ending December 31, 1942, inclusive, no manufacturer shall produce more parts or repair parts for mechanical pencils, or more mechanical pencils than the following percentages of such parts or repair parts for mechanical pencils, or mechanical pencils produced by him during 1941:

(i) Parts for mechanical pencils, 6%.

(ii) Repair parts for mechanical pencils, 10%.

(iii) Mechanical pencils, 6%.

(3) During the period of three months beginning January 1, 1943, and during each three months period thereafter, no manufacturer shall produce more parts or repair parts for mechanical pencils, or more mechanical pencils than the following percentages of such parts or repair parts for mechanical pencils, produced by him during 1941:

(i) Parts for mechanical pencils, $11^{3}/_{4}$%.

(ii) Repair parts for mechanical pencils, 30%.

(iii) Mechanical pencils, $11^{3}/_{4}$%.

(d) *Restrictions on production of wood cased pencils.* (1) On and after December 7, 1942, no manufacturer shall process, fabricate, work on or assemble any iron and steel, copper, copper base alloys, crude rubber or reclaimed rubber for the production of wood cased pencils, nor shall any manufacturer process, fabricate, work on or assemble any wood cased pencils containing any iron and steel, copper, copper base alloys, crude rubber or reclaimed rubber.

(2) During the period beginning December 7, 1942, and ending December 31, 1942, inclusive, no manufacturer of wood cased pencils shall produce more of such wood cased pencils than 22% of the number of such wood cased pencils produced by him during 1941.

(3) During the period of three months, beginning January 1, 1943, and during each three months period thereafter, no manufacturer of wood cased pencils shall produce more of such wood cased pencils than 22% of the number of such wood cased pencils produced by him during 1941.

(4) On and after December 7, 1942, no manufacturer shall use in connection with the manufacture of wood cased pencils more finishing material in the aggregate than an amount equal to the ratio of 1 gallon of finishing material per hundred gross of wood cased pencils produced by him.

(e) *Restrictions on production of pen holders and pen nibs.* (1) On and after December 7, 1942, no manufacturer shall process, fabricate, work on or assemble any iron and steel, copper, copper base alloys, crude rubber or reclaimed rubber for the production of pen holders, nor shall any manufacturer process, fabricate, work on or assemble any pen holders containing any iron and steel, copper, copper base alloys, crude rubber or reclaimed rubber.

(2) On and after December 7, 1942, no manufacturer shall use in connection with the manufacture of pen holders more finishing material in the aggregate than an amount equal to the ratio of 3 gallons of finishing material per hundred gross of pen holders produced by him.

(3) During the period beginning December 7, 1942, and ending December 31, 1942, inclusive, no manufacturer of pen holders shall produce more of such pen holders than 10% of the number of such pen holders produced by him during 1941.

(4) During the period of three months, beginning January 1, 1943, and during each three months period thereafter, no manufacturer of pen holders shall produce more of such pen holders than $31^{1}/_{4}$% of the number of such pen holders produced by him during 1941.

(5) During the period beginning December 7, 1942, and ending December 31, 1942, inclusive, no manufacturer of pen nibs shall produce more of such pen nibs than 23% of the number of such pen nibs produced by him during 1941.

(6) During the period of three months, beginning January 1, 1943, and during each three months period thereafter, no manufacturer of pen nibs shall produce more of such pen nibs than $46^{1}/_{4}$% of the number of such pen nibs produced by him during 1941.

(f) [Revoked February 20, 1943]

(g) *Restrictions on plating.* On and after December 31, 1942, no manufacturer shall use in the production of fountain pens, mechanical pencils, wood cased pencils, and pen holders any plating, coating or other metal finish containing any zinc, tin, cadmium, copper or nickel.

(h) *Inconsistent orders.* This order supersedes, as of December 7, 1942, Limitation Order L-113 and all amendments thereto and appeals granted thereunder.

(i) *Reports.* (1) Every manufacturer affected by this order shall execute and file with the War Production Board such

reports and questionnaires as said Board shall from time to time request.

(2) Every manufacturer affected by this order shall execute and file with the War Production Board, Washington, D. C., Ref.: L-227, on or before the 20th day following the close of each calendar month, Form PD-655.

(3) Every manufacturer affected by this order shall execute and file with the War Production Board, Washington, D. C., Ref.: L-227, on or before December 15, 1942, Form PD-721.

(j) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production, and sales.

(k) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(l) *Avoidance of excessive inventories.* No manufacturer of fountain pens, mechanical pencils, wood cased pencils, pen nibs, and pen holders shall accumulate for use in the manufacture of such fountain pens, mechanical pencils, wood cased pencils, pen nibs, and pen holders, inventories of raw materials, semi-processed materials, or finished parts in quantities in excess of the minimum amount necessary to maintain production at the rates permitted by this order.

(m) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(n) *Appeals.* Any appeal from the provisions of this order should be made on Form PD-500, addressed to the War Production Board, Consumers' Durable Goods Division, Ref.: L-227.

(o) *Applicability of other orders.* In so far as any other order heretofore or hereafter issued by the Director of Priorities, the Director of Industry Operations or the Director General for Operations, limits the use of any material in the production of fountain pens, mechanical pencils, wood cased pencils, pen nibs, and pen holders to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

(p) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(q) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers' Durable Goods Division, Washington, D. C., Ref.: L-227.

Issued this 20th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F R Doc 43-2814; Filed, February 20, 1943; 11:41 a. m.]

PART 3195—ANHYDROUS ALUMINUM CHLORIDE

[General Preference Order M-287]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of anhydrous aluminum chloride for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3195.1 *General Preference Order M-287*—(a) *Definitions.* (1) "Anhydrous aluminum chloride" means the chemical of that name, in any form.

(2) "Supplier" means any producer or distributor of anhydrous aluminum chloride.

(3) "Producer" means any person who produces anhydrous aluminum chloride.

(4) "Distributor" means any person who purchases anhydrous aluminum chloride for resale.

(b) *Restrictions on deliveries and use.* (1) On and after March 15, 1943, no supplier shall deliver or use anhydrous aluminum chloride, and no person shall accept delivery of anhydrous aluminum chloride from a supplier, except as specifically authorized or directed by the Director General for Operations.

(2) Authorizations or directions with respect to deliveries to be made or accepted in each month beginning with April, 1943 (and with respect to use by supplier) will so far as practicable be issued by the Director General for Operations prior to the commencement of such month, but the Director General for Operations may at any time at his discretion and notwithstanding the provisions of paragraph (c) hereof, issue directions with respect to deliveries to be made or accepted. He may also at any time issue directions with respect to the use or uses which may or may not be made by any person of anhydrous aluminum chloride to be delivered or then on hand, or with respect to the kinds of anhydrous aluminum chloride which a producer may manufacture.

(3) Each person specifically authorized to accept delivery of anhydrous aluminum chloride shall use such material for the purpose authorized, and only for such purpose, except as otherwise specifically directed by the Director General for Operations.

(4) Anhydrous aluminum chloride allocated for inventory shall not be used except as specifically directed by the Director General for Operations. Anhydrous aluminum chloride allocated to fill a specified order or class of orders shall, where and to the extent that such order or class of orders is for any reason not filled, revert to inventory.

(5) Each person who receives specific authorization to accept delivery of anhydrous aluminum chloride in any calendar month and who shall not prior to the first day of the next succeeding month have received delivery in full of the quantity so authorized, shall report such fact to the War Production Board not later than the 5th day of such succeeding month.

(6) Deliveries specifically authorized or directed to be made in any calendar month where the authorization or direction does not specify dates or order of shipment may be made without regard to preference ratings applicable to particular orders.

(c) *Exception to requirement for specific authorization.* (1) Notwithstanding the provisions of paragraph (b) (1) hereof, specific authorization or direction of the Director General for Operations shall not be required for:

(i) The acceptance of delivery by any person, or use by any supplier, of not more than 50 lbs. of anhydrous aluminum chloride in the aggregate in any calendar month: *Provided,* That such person (or supplier) has not been specifically authorized to use or accept delivery of any quantity of anhydrous aluminum chloride during such month.

(ii) The delivery of anhydrous aluminum chloride by any supplier to any person who shall have filed with him a certificate in substantially the following form:

The undersigned purchaser hereby certifies to the War Production Board and to his supplier that the anhydrous aluminum chloride hereby ordered for delivery in _____ (month) 194__, does not, taken with all other anhydrous aluminum chloride delivered or to be delivered from all sources in such month exceed 50 lbs., the amount which he is entitled to receive under paragraph (c) (1) of General Preference Order M-287.

_____
Name of purchaser

By_____
Date Authorized official Title

Provided, however, That no certificate shall be required respecting deliveries by any supplier to any person in any calendar month of not more than 10 lbs. Such certificate shall be signed by an authorized official, either manually or as provided in Priorities Regulation No. 7. The receipt of such certificate shall not authorize the delivery of anhydrous aluminum chloride by a supplier where he knows or has reason to believe the same to be false, but in the absence of such knowledge or reason to believe, he may rely on the certificate.

(2) No producer shall in any calendar month pursuant to paragraph (c) (1) deliver an aggregate amount of anhydrous aluminum chloride in excess of one per cent of the amount of anhydrous aluminum chloride which he is specifically authorized to deliver during such month.

(3) No supplier shall make deliveries during any calendar month pursuant to paragraph (c) (1) if such deliveries will prevent completion of any deliveries which have been specifically authorized for such month.

(d) *Applications and reports.* (1) Each person seeking authorization to accept delivery of (and each supplier seeking authorization to use) anhydrous aluminum chloride in any calendar month beginning with April, 1943, whether for own consumption or resale, shall file application on or before the 15th day of the preceding month. Where delivery or use is to be in March, 1943, such application shall be filed as many days as possible in advance of the requested acceptance of delivery or use. In each case, application shall be made on Form PD-600, in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD-600 may be obtained at local field offices of the War Production Board.

(ii) Five copies shall be prepared, of which one shall be forwarded to the supplier and three to the War Production Board, Chemicals Division, Washington, D. C., Ref.: M-287, the fifth to be retained for your files.

(iii) In the heading, under name of chemical specify anhydrous aluminum chloride; under WPB Order No., specify M-287; under name of company, specify name and mailing address; under unit of measure, specify pounds; and specify the month and year for which authorization for acceptance of delivery or use is sought.

(iv) In Columns 1, 11 and 19 specify grade in terms of the following: technical grade, chemically pure.

(v) In Columns 3, 20 and 22, specify your primary product in terms of the following:

Aviation gasoline
Refining aluminum metal
Synthetic rubber
Synthetic detergents
Toluene
Vat dyes
Nylon
Pharmaceuticals
Terpene resins
Lubricating oil additive
Lubricating oil refining
Catalyst for aviation gasoline, its components and raw materials
Other chemicals (specify)
Others (specify)
Resale (as anhydrous aluminum chloride)
Inventory (as anhydrous aluminum chloride)

(vi) In Column 4, specify ultimate use of product (where, for example, your primary product called for in Column 3 is "vat dyes", the ultimate use of product might be "overcoats"), and also specify in each case whether your customer is Army, Navy, other government agency, Lend-Lease, or commercial customer. Where the Form PD-600 is an application for anhydrous aluminum chloride for resale or inventory (in each case as anhydrous aluminum chloride), leave Column 4 blank.

(2) Each supplier seeking authorization to make delivery of anhydrous aluminum chloride during any calendar month beginning with April, 1943, shall file application on or before the 20th day of the preceding month. The application shall be made on Form PD-601 in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD-601 may be obtained at local field offices of the War Production Board.

(ii) Prepare four copies and forward three certified copies to the War Production Board, Chemicals Division, Washington, D. C., Ref.: M-287.

(iii) Suppliers who have filed application on Form PD-600 specifying themselves as their suppliers, shall list their own names as customers on Form PD-601 and shall list their request for allocation in the manner prescribed for other customers.

(iv) In the heading, under name of chemical, specify "anhydrous aluminum chloride"; under WPB Order No., specify "M-287"; under name of company, state name and mailing address; under unit of measure specify "pounds"; and state the month and year during which deliveries covered by your application are to be made.

(v) In Columns 3 and 8, specify grades as stated in customer's Form PD-600.

(vi) The supplier may, if he wishes, leave Column 5 blank.

(vii) Names of customers to whom small order deliveries are to be made during the next calendar month pursuant to paragraph (c) (1) of this order need not be listed, but insert in Column 1 "Total small order deliveries (estimated)", and in Column 4, state the estimated quantity.

(viii) If it is necessary to use more than one sheet to list customers, number each sheet in order and show grand totals for all sheets on the last sheet, which is the only one that need be certified.

(3) The Director General for Operations may require each person affected by this order to file such other reports as may be prescribed, and may issue special directions to any such person with respect to preparing and filing Forms PD-600 and PD-601.

(e) *Notification of customers.* Each supplier shall notify his regular customers as soon as possible of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(f) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C. Ref: M-287.

Issued this 20th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2810; Filed, February 20, 1943; 11:40 a. m.]

PART 1055—WOOL

[General Conservation Order M-73, as Amended Feb. 19, 1943]

Section 1055.1 *Conservation Order M-73* is hereby amended to read as follows:

§ 1055.1 *Conservation Order M-73*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Curtailment of use of wool for non-defense orders for period February 1, 1943, through July 31, 1943.* During the period February 1, 1943 through July 31, 1943, no person shall put into process any wool except to fill defense orders or as otherwise permitted by this order.

(c) *Quota for worsted system.* Any person having a basic quarterly poundage on the worsted system shall be entitled to put into process:

(1) During the period from February 1, 1943, through May 2, 1943, an amount of wool owned by him not in excess of 15% of such basic quarterly poundage, or 2,000 pounds, whichever is higher, for the manufacture of fabrics and yarns of any wool content, and an additional amount of wool owned by him not in excess of 20% of such basic quarterly poundage, or 3,000 pounds, whichever is higher, for the manufacture of fabrics and yarns containing not more than 65% wool.

(2) During the period from May 3, 1943, through July 31, 1943, an amount of wool owned by him not in excess of 30% of such basic quarterly poundage, or 2,000 pounds, whichever is higher, for the manufacture of fabrics and yarns of any wool content, and an additional amount of wool owned by him not in excess of 40% of such basic quarterly poundage, or 3,000 pounds, whichever is higher, for the manufacture of fabrics and yarns containing not more than 65% wool.

(d) *Quota for woolen and other systems.* Any person having a basic quarterly poundage on the woolen, cotton, felt, or any other system shall be entitled to put into process:

(1) During the period from February 1, 1943, through May 2, 1943, an amount of wool owned by him not in excess of 5% of such basic quarterly poundage, or 800 pounds, whichever is higher, for the manufacture of fabrics and yarns of any wool content, and an additional amount of wool owned by him not in excess of 25% of such basic quarterly poundage, or 4,200 pounds, whichever is higher, for the manufacture of fabrics and yarns containing not more than 65% wool.

(2) During the period from May 3, 1943, through July 31, 1943, an amount of wool owned by him not in excess of 5% of such basic quarterly poundage, or 800 pounds, whichever is higher, for the manufacture of fabrics and yarns of any wool content, and an additional amount of wool owned by him not in excess of 25% of such basic quarterly

poundage, or 4,200 pounds, whichever is higher, for the manufacture of fabrics and yarns containing not more than 65% wool.

(e) *Bonus for use of certain types of wool.* Any person shall, for each pound of wool of grades 44s and lower (including carpet wool) or pieces or locks of alpaca, llama, or huarizo, owned or hereafter acquired by such person and put into process within the limits of paragraphs (c) and (d), be entitled to put into process:

(1) On the worsted system, an additional two pounds of such material owned or hereafter acquired by him.

(2) On the woolen, cotton, or felt system, an additional five pounds of such material owned or hereafter acquired by him.

(f) *Quota for manufacture of floor covering.* Any person having a basic quarterly poundage calculated from wool put into process for the manufacture of floor covering shall be entitled to put into process:

(1) During the period from February 1, 1943, through May 2, 1943, an amount of wool owned by him not in excess of 25% of such basic quarterly poundage.

(2) During the period from May 3, 1943, through July 31, 1943, an amount of wool owned by him not in excess of 25% of such basic quarterly poundage.

(g) *Carry-over of unused portions of quotas.* Any amounts of wool which a person was entitled to put into process for non-defense orders during the period from August 3, 1942, through January 31, 1943, pursuant to this order as heretofore issued (excluding the additional allotment for use in knitted wear), and any amounts of wool which a person is entitled to put into process for non-defense orders during the period from February 1, 1943, through May 2, 1943, pursuant to paragraphs (c), (d), (e) and (f) of this order as presently effective, and which have not been put into process at the end of the applicable period may be carried over to the following period or periods covered by this order and operate to increase the corresponding quota of such following period or periods to that extent.

(h) *Special provisions for manufacture of yarn for use in manipulated fabrics.* (1) For the purposes of paragraphs (c) and (d) the putting into process of wool for the manufacture of yarns for sale to knitters or weavers to be manufactured by them into fabrics or garments containing not more than 65% wool shall be considered as the putting into process of wool for the manufacture of such fabrics.

(i) *Restrictions on use of certain types of wool and of wool content of certain products.*—(1) *Restriction on wool content of blankets and lounging wear for nondefense use.* No person shall manufacture for nondefense order any blanket, or any "feminine lounging wear" as defined in Limitation Order L–118, or any "masculine lounging wear" as defined in Limitation Order L–130, containing more than 65 per cent of wool.

(2) *Restrictions on use of certain wools in drapery and upholstery fabrics for nondefense use.* No person shall put into process for nondefense order for the manufacture of any drapery or upholstery fabrics any wool other than coarse carpet wool.

(3) *Restrictions on use of certain wools in floor coverings.* No person shall put into process any wool other than carpet wool for the manufacture of floor covering.

(4) *Restrictions on use of alpaca, huarizo and llama.* No person shall put into process any alpaca, llama or huarizo, other than pieces and locks, and no person shall use or process any alpaca tops, except for the manufacture of fabrics or yarn to be delivered to or for the account of, or to be physically incorporated into material or equipment to be delivered to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(j) *Defense orders filled out of inventory.* The filling of a defense order out of stocks on hand, which stocks were not manufactured on defense order, shall operate to increase the amount of wool which a person may put into process on nondefense order in the period in which such defense order is filled, to the extent of the amount of wool contained in the goods used to fill such defense order.

(k) *General exceptions.* The prohibitions and restrictions of this order shall not apply to any person to the extent that such person puts wool into process for the making of wool products entirely by hand, including the spinning and weaving of the fabrics.

(l) *Assignment of preference rating for certain uniform fabrics.* Deliveries of fabric to be used in the manufacture of the following types of uniforms:

(1) U. S. Bureau of Customs personnel,

(2) U. S. Forest Service personnel,

(3) U. S. Immigration and Naturalization Service personnel,

(4) U. S. Post Office Department personnel,

(5) Federal, State, County, Municipal or local government policemen, guards or militia,

(6) Flying personnel with commercial airlines,

(7) Organized civilian personnel assigned to the Armed Forces of the United States,

(8) Plant and airport guards,

(9) Nurses,

are hereby assigned a preference rating of A–10. Said rating shall be applied and extended in the manner provided by Priorities Regulation 3.

(m) *Prohibition against sales or deliveries.* No person shall hereafter sell or deliver any material to any person if he knows, or has reason to believe, such material is to be used in violation of this order.

(n) *Fair distribution of products.* In making sales or deliveries of wool yarn, fabrics, styles or patterns, no person shall make discriminatory reductions in amounts or quantities in acceptance of orders or deliveries between regular customers who meet such person's regularly established prices and terms, or between regular customers and his own consumption of these products.

(o) *Definitions.* For the purposes of this order:

(1) "Wool" means the fiber from the fleece of the sheep or lamb, or the hair of the Cashmere goat or camel or the alpaca, llama, vicuna, and related fibers, including fine carpet wool and coarse carpet wool, but (except for the purposes of paragraph (n)) shall not include mohair, noils, waste, reprocessed or reused wool, or yarn or cloth.

(2) "Manufacture" means any and all processing on any system beyond the scouring operation, excepting only the carding and combing operations on the worsted system.

(3) "Put into process" means:

(i) On the worsted system, the first process of drawing after combing.

(ii) On any other system using tops cut tops or broken tops, the first operation of cutting, breaking, picking or carding as the case may be.

(iii) On the woolen, felt, or any other system not using tops, the first step after scouring, carbonizing, dusting or similar cleaning or preparatory process and shall include the causing to be put into process by another for one's account.

(4) "Basic quarterly poundage" for any single system of manufacture shall mean one half of the number of pounds of wool and mohair, either kid or adult, put into process on that system by a person during the period from December 29, 1940 to June 28, 1941, both inclusive or for the period from January 1, 1941, to June 30, 1941, both inclusive, according to the method of keeping production records maintained by such person during such period. Such poundage shall be determined as follows:

(i) On the worsted system or any other system using tops, the weight of tops put into process at 15 per cent moisture regain, 3¼ per cent of oil and natural fats.

(ii) On the woolen system, scoured wool and mohair, either kid or adult, at 12 per cent moisture.

(iii) On the felt or any other system, the weight of wool and mohair, either kid or adult in the stage immediately preceding putting into process.

(p) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(q) *Violations.* Any person who wilfully violates any provisions of this order, or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(r) *Reports and records.* (1) Each person who puts wool into process shall file with the War Production Board a report on Form PD–274 setting forth the information required therein. Any person having stocks of wool shall file reports on WPB–295 and/or WPB–370, setting forth the information required therein. Any person making wool and part wool, woven and knitted fabrics and yarn, shall file with the War Production Board a report on form WPB–1420, setting forth the information required therein.

(2) All persons who put wool into process shall keep and preserve such records as will clearly and adequately show their methods and amounts of consumption hereunder.

(s) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Reference M–73.

Issued this 19th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–2787; Filed, February 19, 1943; 5:22 p. m.]

Subchapter A—General Provisions

PART 906—MACHINE TOOL TRANSFERS

[Directive 13]

§ 906.1 *Directive 13*—(a) *Utilization of machine tools.* (1) As a result of changes in program schedules, increasingly efficient operation, and development of new production techniques, many machine tools heretofore delivered have been rendered idle, or are in use on purposes less essential to the war effort than others for which they are urgently needed.

(2) To release all possible materials for other purposes and to bring about the production of articles of war in accordance with strategic military determinations, maximum utilization of existing machine tools must be secured.

(3) Machine tools recently purchased have been largely Government financed; when in conflict with the attainment of maximum utilization, the right to present or future ownership and the right to possession or use of any particular machine tool by any person, including any governmental agency, department or corporation, are deemed subordinate.

(4) The War Production Board is the agency responsible for developing information regarding existing machine tools not required in their present location, and is responsible for exercising overall supervision of the distribution of machine tools.

(b) *Policies.* Accordingly, the following policies have been established by the War Production Board in consultation with the War and Navy Departments, and the Defense Plant Corporation:

(1) The War Production Board may direct the transfer of any machine tool not in use or from use on any contract, purchase order, program, or other work regardless of ownership or contractual rights relating to the possession or use of such machine tool, to use on any other contract, purchase order, program, or other work in the same plant or any other plant. The direction of the War Production Board will be addressed to the departments or agencies primarily affected and a copy shall be furnished to the holder of such machine tool.

(2) The Tools Division of the War Production Board shall issue such a direction only after consultation with the War Department, the Navy Department, or any other Government agency or department the performance of whose contracts may be affected by such action. Consideration shall be given to the effect which such transfer will have on respective production programs, under the general policies directed by the Production Executive Committee.

(3) The guiding principle shall be that upon the issuance of such a direction the transfer of the machine tool in question shall be made promptly. Accordingly, every effort must be exerted by the Governmental agency concerned to obtain the consent of the holder of the machine tool to its immediate transfer. Adjustments between Governmental agencies necessitated by the transfer and likewise negotiations between such agencies and the machine tool holder with respect to the modification of any contract under which the machine tool is used or of any contract for the production of material with such machine tool shall, insofar as possible, be conducted after the transfer.

(4) If the consent of any private interest deemed necessary to the transfer of the machine tool cannot be obtained, or if the transfer is not accomplished with reasonable dispatch, the War Production Board will issue such orders as may be necessary to effectuate the transfer. When necessary, the machine tool shall be requisitioned pursuant to the Act of October 16, 1941, as amended.

(5) Reserves of machine tools retained by contractors against the possibility of future need for tools shall not be permitted if such tools are needed for other contractors. The execution of the policies herein established should obtain sufficient fluidity and flexibility in the distribution of machine tools to make such reserves wholly unnecessary.

(c) *Review of orders for machine tools.* The War Production Board, Tools Division, will request all Departments and Agencies participating in this directive to review all lists of machine tools on order so that those not urgently needed may be cancelled. The Tools Division will keep itself posted as to all urgent and special demands for machine tools so that immediate action may be taken in filling such orders.

(d) *Reports on available machine tools.* All departments and agencies of the Government participating in this directive shall determine the location of machine tools within their cognizance which are available for transfer to fill other more urgent needs, and shall promptly advise the War Production Board of such tools.

(e) *Effectuation of directive.* The War Production Board, the Army and Navy Departments, and the Defense Plant Corporation, shall take such other immediate steps as are necessary to effectuate this directive.

Issued this 6th day of February 1943.

DONALD M. NELSON,
Chairman.

WAR AND NAVY DEPARTMENTS
Approved:
JAMES V. FORRESTAL
ROBERT P. PATTERSON

DEFENSE PLANT CORPORATION
Approved:
HANS A. KLAGSBRUNN

[F. R. Doc. 43–2788; Filed, February 19, 1943; 5:22 p. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL

[RPS 88,[1] Amendment 69]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1340.157, paragraph (b) is amended and new paragraphs (y), (z), and (aa) are added; the text of the first undesignated paragraph of § 1340.159 is amended, and a new paragraph (e) is added, as set forth below:

§ 1340.157 *Definitions.* • • •

(b) "Petroleum products" means:

All grades of gasoline, including natural gasoline and blending naphthas; also special hydrocarbon fractions utilized in the manufacture of gasoline or the components thereof
Liquefied petroleum gases
Tractor distillates and similar distillate type motor fuels other than gasoline
Kerosene, including range oil or stove oil
Distillate burning, heating or fuel oils
Diesel fuel oils

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1107, 1371, 1798, 1799, 2132, 2304, 2352, 2634, 2945, 3116, 3166, 3482, 3524, 3552, 3576, 3895, 3963, 4483, 4653, 4854, 4857, 5481, 5867, 5868, 5988, 6057, 6167, 6471, 6680, 7242, 7838, 8433, 8478, 9120, 9134, 9335, 9425, 9460, 9620, 9621, 9817, 9820, 10684, 11069, 11112, 11075; 8 F.R. 157, 232, 233, 857, 1227, 1200, 1457, 1312, 1318, 1642, 1799.

Residual burning, heating or fuel oils

Lubricating oils, including motor, aviation and stock oils (neutrals, bright stocks, steam refined stocks and other stock oils) and all greases and industrial lubricating oils except core oils and core washing oils

Naphthas, solvents, mineral spirits and other petroleum fractions when sold as antifreeze preparations.

Paving and cut-back asphalts, asphalt emulsions, road oils, roofing asphalt and roofing flux.

For the time being industrial naphthas and solvents, and specialty products (such as household oils and spot removers) are excluded from the list of petroleum products subject to Revised Price Schedule No. 88.

Asphalts and asphalt products not listed above are not for the time being included in the term "petroleum products" as defined above.

* * * * *

(y) "Highest price charged during March, 1942" means:

(1) The highest price which the seller charged at the same shipping or delivery point to a purchaser of the same class for delivery of the particular petroleum product during March 1942.

(2) If the seller made no such delivery during March 1942, such seller's highest offering price to a purchaser of the same class for delivery during that month.

(3) If the seller made no such delivery and had no such offering price to a purchaser of the same class, the highest price charged by the seller during March, 1942 to a purchaser of a different class, adjusted to reflect the seller's customary differential between the two classes of purchasers.

(4) In no event, however, shall a price charged pursuant to a contract entered into prior to March 1942 be regarded as a price charged in March 1942 unless such contract was adjustable to reflect current market conditions at or about the dates of deliveries under such contract.

(z) "Sale at wholesale" means a sale by a person who receives delivery of a commodity and resells it without substantially changing its composition, either to an industrial or commercial user or to any person other than an ultimate consumer.

(aa) "Sale at retail" or "selling at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

§ 1340.159 *Appendix A: Maximum prices for petroleum and petroleum products.* The maximum prices established by Revised Price Schedule No. 88 (§§ 1340.151 to 1340.159, inclusive) shall include the prices on all domestic, export and import transactions, sales, transfers, exchanges or purchases of crude petroleum and on all domestic, export and import transactions, sales, transfers or exchanges of petroleum products, involving contract, bid or spot sales of crude petroleum at the well, the gathering point, tank or terminal, and of petroleum products for cargo or barge shipment, harbor delivery, f. o. b. refinery and terminal, and tank car and tank wagon delivery. With the exception of industrial lubricating oils and greases, prices for petroleum products when sold at retail at service stations, garages and stores are not governed by Revised Price Schedule No. 88.

* * * * *

(e) *Industrial lubricating oils and greases.* Notwithstanding the provisions of paragraph (b) above, maximum prices of industrial lubricating oils and greases shall be determined as set forth below:

(1) *Producer's maximum prices for industrial lubricating oils and greases delivered or offered for delivery during March 1942 or prior thereto.* The maximum price for a sale by a producer of any industrial lubricating oil or grease which is the same as an industrial lubricating oil or grease which was delivered or offered for delivery in March 1942 by the seller, shall be the highest price charged by the seller during March 1942 (as defined in paragraph (y) of § 1340.157) for the industrial lubricating oil or grease: *Provided, however,* That if no price was charged during March 1942 within the meaning of said paragraph (y) of § 1340.157, the producer's maximum price shall be determined under § 1340.159 (b) (7) of this Revised Price Schedule No. 88.

If the industrial lubricating oil or grease was not delivered or offered for delivery by the producer during March 1942 but was delivered or offered for delivery prior thereto, the producer's maximum price thereof shall be determined under § 1340.159 (b) (7) of this Revised Price Schedule No. 88.

(2) *Producer's maximum prices for industrial lubricating oils and greases not delivered or offered for delivery during March 1942 or prior thereto.* The maximum price for a sale by a producer of any industrial lubricating oil or grease which is not the same as an industrial lubricating oil or grease which was delivered or offered for delivery during March 1942 or prior thereto shall be the price determined by the first one of the four methods set forth in subdivisions (i), (ii), (iii) and (iv) of this subparagraph (2) which applies to the industrial lubricating oil or grease.

(i) *First pricing method: Minor changes.* The maximum price of any industrial lubricating oil or grease differing from an industrial lubricating oil or grease delivered or offered for delivery by the producer during March 1942 or prior thereto, only by reason of minor changes in composition which do not substantially reduce or increase the cost of ingredients or prevent its offering substantially equivalent serviceability shall be the maximum price of the industrial lubricating oil or grease delivered or offered for delivery during that period.

(ii) *Second pricing method: New industrial lubricating oils or greases which result from the compounding of two or more ingredients, each of which has a maximum price.* The maximum price of any industrial lubricating oil or grease which cannot be priced under subdivision (i) of this subparagraph (2) and which is produced by mixing two or more ingredients for each of which the producer has a maximum price under applicable regulations of the Office of Price Administration, shall be the weighted average by volume or by weight depending on whether the blended product is sold by volume or by weight of the maximum prices of the ingredients. In determining the weighted average mentioned above the seller shall multiply the per unit maximum price of each product being blended by the percentage (by volume or weight as above prescribed) of each ingredient and add the results of such multiplication.

(iii) *Third pricing method: Changes necessitated by shortages of ingredients.* (a) The maximum price of any industrial lubricating oil or grease which cannot be priced under subdivisions (i) or (ii) of this subparagraph (2) and which differs from an industrial lubricating oil or grease delivered or offered for delivery by the producer during March 1942, or prior thereto, only because of changes necessitated by shortages of ingredients, shall be the maximum price of the industrial lubricating oil or grease delivered or offered for delivery during that month adjusted by adding or subtracting the increase or decrease in direct ingredient cost resulting from the changes. Once the seller has determined his maximum price for a particular industrial lubricating oil or grease under this subdivision (iii) that price is his maximum price thereafter.

In calculating the direct costs of the ingredients of the industrial lubricating oil or grease delivered or offered for delivery during March 1942 and the changed industrial lubricating oil or grease, such cost shall be regarded as the maximum price which the producer's suppliers of such ingredient or ingredients may charge under applicable maximum price regulations.

(b) *Report of maximum prices.* Within five days after a purchaser first agrees to buy an industrial lubricating oil or grease for which a mximum price must be determined under this subdivision (iii), or at any time prior thereto, the producer shall report to the Office of Price Administration, Washington, D. C., the maximum price computed by him. The report shall set forth the following in the manner and form prescribed below:

OPA Form No. 652.171 Budget Bureau No. 08-R331

OFFICE OF PRICE ADMINISTRATION

REPORT OF TENTATIVE MAXIMUM PRICE

DUE TO CHANGE IN INGREDIENTS RESULTING FROM SHORTAGES

INDUSTRIAL LUBRICATING OILS AND GREASES*

Name of Product ..... Class of Purchaser .....

PART A—MAXIMUM PRICE

Unit of sale	*Original product*	*New product*
1. Pounds ☐ Gallons ☐ (Specify by "X")	2. ☐ (As determined under this schedule)	3. ..... (Tentative)

Composition of products

Line	PART B—ORIGINAL PRODUCT Ingredient [1]	% used	Cost per unit [2]	Cost of product
	1	2	3	4
1				
2				
3				
	Total	100.0	XXXX	

Line	PART C—NEW PRODUCT Ingredient [1]	% used	Cost per unit [2]	Cost of product
	1	2	3	4
1				
2				
3				
	Total	100.0	XXXX	

State the Reason for Each Shortage of Ingredients Indicated in Part B—Column 1: .....

Instructions and footnotes.—Footnote No. [1] In parts B and C the ingredients listed in columns 1 should correspond line by line. Where new ingredients are used these should be listed in column 1 of Part B following the list of original ingredients. Indicate ingredients changed as a result of a shortage and each substitute ingredient by an asterisk (*).

Footnote No. [2] Before computing these costs see §1340.159 (e) (iii) (a).

The unit of sale should be the same for Part A1 and Parts B and C.

*Upon written request by the producer, information contained in the report shall be treated as confidential.

The maximum price so reported shall be the seller's maximum price unless it is disapproved in writing by the Office of Price Administration within thirty days after the date it is reported as above provided or a substitute price is set by the Office of Price Administration. If a substitute price is set, then such price shall be the maximum price. Subsequent to this thirty-day period, the price reported shall be subject to adjustment (not to apply retroactively) at any time upon written order of the Office of Price Administration.

After the expiration of this thirty-day period the producer shall notify in writing each person purchasing the new industrial lubricating oil or grease for resale at wholesale that his maximum price for the new product shall be his maximum price for the product being replaced, adjusted by the amount of the difference in the cost to him of the new product.

(iv) *Fourth pricing method: Tentative maximum prices.* The maximum price for any industrial lubricating oil or grease which cannot be priced under subdivisions (i), (ii) or (iii) of this subparagraph (2) shall be determined in accordance with § 1340.159 (b) (7) of this Revised Price Schedule No. 88.

(3) *Maximum prices at wholesale or retail for industrial lubricating oils and greases delivered or offered for delivery during March 1942 or prior thereto.* The maximum price for a sale at wholesale or retail of any industrial lubricating oil or grease which is the same as an industrial lubricating oil or grease delivered or offered for delivery in March 1942 by the seller, shall be the highest price charged by the seller during March 1942 (as defined in paragraph (y) of § 1340.157) for the industrial lubricating oil or grease: *Provided, however,* That if no price was charged during March 1942 within the meaning of said paragraph (y) of § 1340.157, the seller's maximum price shall be determined under § 1340.159 (b) (7) of this Revised Price Schedule No. 88.

If the industrial lubricating oil or grease was not delivered or offered for delivery during March 1942 but was delivered or offered for delivery prior thereto, the seller's maximum price thereof shall be determined under § 1340.159 (b) (7) of this Revised Price Schedule No. 88.

If a producer's maximum price to a particular reseller for a particular industrial lubricating oil or grease as established under the General Maximum Price Regulation is increased or decreased by reason of the operation of subparagraph (1) of this paragraph (e) such reseller's maximum price for the same industrial lubricating oil or grease shall be determined in accordance with § 1340.159 (b) (7) of this Revised Price Schedule No. 88.

(4) *Maximum prices on wholesale and retail sales of industrial lubricating oils and greases not delivered or offered for delivery during March 1942 or prior thereto.* The maximum price for a sale at wholesale or retail of any industrial lubricating oil or grease which is not the same as an industrial lubricating oil or grease which was delivered or offered for delivery during March 1942 shall be determined by the first of the two methods set forth in subdivisions (i), (ii) or (iii) of this subparagraph (4) which applies to the industrial lubricating oil or grease.

(i) *First pricing method: Minor changes.* The maximum price of any industrial lubricating oil or grease differing from an industrial lubricating oil or grease delivered or offered for delivery by a seller at wholesale or retail during March 1942 or prior thereto only by reason of minor changes in composition which do not substantially reduce or increase the cost of ingredients or prevent its offering substantially equivalent serviceability shall be the maximum price of the industrial lubricating oil or grease delivered or offered for delivery during that period.

(ii) *Second pricing method: Wholesale prices—changes necessitated by shortages of ingredients.* The maximum price for any sale at wholesale of any industrial lubricating oil or grease which cannot be priced under subdivision (i) of this subparagraph (4) and which has been priced by the producer thereof under subdivision (iii) of subparagraph (2) of this paragraph (e) shall be the seller's maximum price for the product being replaced, adjusted by the amount of the difference in the cost of the new product to the seller.

(iii) *Third pricing method: Tentative maximum prices.* The maximum price for any sale at wholesale or retail, of any industrial lubricating oil or grease which cannot be priced under subdivision (i) or (ii) of this subparagraph (4) shall be determined in accordance with § 1340.159 (b) (7) of this Revised Price Schedule No. 88.

(5) *Price differentials.* Every seller shall continue all his allowances, discounts or other price differentials in effect during March 1942. In the case of industrial lubricating oils or greases priced under subparagraphs (2) or (4) of this paragraph (e) every seller shall in the case of sales to different classes of purchasers adjust the maximum prices determined for one class of purchaser to reflect all allowances, discounts and other price differentials which he was accustomed to make on that type of industrial lubricating oil or grease.

(6) *Transportation costs.* No seller of industrial lubricating oils or greases shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery of any industrial lubricating oil or grease, than the seller required purchasers of the same class to pay during March 1942 on deliveries of the same industrial lubricating oil or grease during March 1942. In the case of industrial lubricating oils or greases priced under subparagraph (2) or (4) of this paragraph (e) no seller shall require any purchaser and no purchaser shall be permitted to pay a larger proportion of transportation costs incurred in the delivery of such industrial oil or grease, than the seller required purchasers of the same class to pay during March 1942 on deliveries of the industrial lubricating

oil or grease used as a basis for determining the maximum price of the new industrial lubricating oil or grease.

§ 1340.158a *Effective dates of amendments.* • • •

(rrr) Amendment No. 69 (§§ 1340.157 (b), (v), (z), (aa); 1340.159 (e)) to Revised Price Schedule No. 88 shall become effective February 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2757, Filed, February 19, 1943, 12:04 p. m.]

PART 1381—SOFTWOOD LUMBER

[MPR 290,[1] Amendment 1]

SITKA SPRUCE LUMBER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1381.451 is amended by adding paragraph (c) and § 1381.452 (b) is amended as set forth below:

§ 1381.451 *Sales of Sitka spruce lumber at higher than maximum prices prohibited.* • • •

(c) The maximum f. o. b. mill prices for shipments originating in Alaska and delivered to points outside the Continental United States shall be the maximum f. o. b. mill prices set forth in Appendix A to which may be added an amount equal to the Maritime Commission's published freight rate from Seattle, Washington to the mill's shipping point, including surcharges, war risk insurance and the published Seattle wharfage and handling rate for comparable lumber. The maximum delivered prices for shipments originating in Alaska shall be the above maximum price plus transportation charges permitted in § 1381.454.

§ 1381.452 *To what transactions, products, and persons this regulation applies.* • • •

(b) *What products are covered.* This regulation covers all Sitka spruce (Picea sitchensis) lumber, except aircraft grades as defined in Revised Maximum Price Regulation No. 109, Aircraft Lumber,* whether the grades, sizes, and specifications are specifically named in the price tables in Appendix A or not. Sitka spruce lumber produced in all parts of the United States, in Canada, and in Alaska, is covered. All grade terms have the meaning given in the Standard Grading and Dressing Rules, Number 11, issued by the West Coast Lumbermen's Association, effective April 1, 1942.

• • • • • •

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 19.

[2] 7 F.R. 2238, 2543, 5667, 8585, 8948, 10100; 8 F.R. 270.

This amendment shall become effective February 25, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 19th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2758; Filed, February 19, 1943; 12:08 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136, as Amended,[1] Amendment 69]

MACHINES AND PARTS AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1390.32 one item is amended in paragraph (a) and two items are amended in paragraph (g); in § 1390.33 one item is amended in paragraph (c), all as set forth below:

§ 1390.32 *Appendix A: Machines and parts to which the October 1, 1941, date is applicable*—(a) *Prime movers, etc.:* • • •

Gasoline and kerosene engines for marine, tractor, railway, and stationary use (not including portable outboard motors).

(g) *Auxiliary equipment:* • • •

Open tanks and vessels (metal) (except field erected tanks or vessels; domestic fuel oil storage tanks; products commonly known as plumbing fixtures, such as flush tanks and laundry trays; products commonly known as pans and cans, such as pails, buckets, nonreturnable shipping containers, refuse receptacles, drip receivers, and waste receivers).

Pressure tanks (metal) (except field erected tanks; high pressure cylinders not over 1,000 lbs. water capacity for shipping or storing liquids or gases at pressures up to 3,000 lbs. per square inch, range boilers or expansion tanks not over 192 gal. capacity, made of metal not over 12 BWG gauge).

• • • • • •

§ 1390.33 *Appendix B: Machines and parts to which the March 31, 1942 date is applicable.* • • •

(c) *Miscellaneous.* • • •

Dies, molds, and patterns (except when the die, mold or pattern is sold or a separate charge is made therefore in connection with the sale of a casting and the maximum price established for the casting includes the price or charge for such die, mold or pattern).

This amendment shall become effective February 25, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2759, Filed, February 19, 1943; 12:06 p. m.]

[1] 7 F.R. 5047, 5362, 5665, 5908, 6425, 6682, 6899, 6964, 6965, 6937, 6973, 7010, 7246, 7320, 7365, 7509, 7602, 7739, 7744, 7907, 7912, 7945, 7944, 8198, 8362, 8433, 8479, 8520, 8652, 8707, 8897, 9001, 8948, 9040, 9041, 9042, 9053, 9054, 9729, 9736, 9822, 9823, 9899, 10109, 10230, 10556; 8 F.R. 155, 369, 534, 1058, 1382.

PART 1499—COMMODITIES AND SERVICES

[MPR 165 as Amended,[1] Supp. Service Reg. 8]

POWER LAUNDRIES IN PITTSFIELD AREA

A statement of the considerations involved in the issuance of this Supplementary Service Regulation No. 8 has been filed with the Division of the Federal Register.* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended and Executive Order No. 9250, Supplementary Service Regulation No. 8 is hereby issued.

§ 1499.658 *Power laundries in the Pittsfield area*—(a) *Dollars-and-cents maximum prices established for services sold by power laundries located in the Pittsfield area.* (1) The maximum prices established by Maximum Price Regulation No. 165 as amended—Services—for the family laundry services specified in Appendix A are modified as hereinafter provided. The maximum prices for family laundry services when sold by power laundries located in the Pittsfield area shall be the prices set forth in Appendix A.

The maximum price of a family laundry service which does not conform exactly to the description of one of the listed family services in Appendix A shall be that of the listed service all of whose specifications are met by the unlisted service. Thus, where an unlisted service offers more elements of laundry service than a particular listed service, but does not meet the specifications of a higher-priced listed service, its maximum price shall be that of the lower-priced listed service.

Power laundries in this area shall continue to accept as wearing apparel and flatwork those articles which customarily have been accepted as such, but may charge for all others at list price. In finished and list price services, starch must be supplied where necessary for proper finishing of wearing apparel (including shirts), unless the customer requests no starch. Handkerchiefs are to be priced and treated as wearing apparel.

(2) *The maximum prices established by Maximum Price Regulation No. 165, as amended, for commercial flatwork sold by power laundries in the Pittsfield area.* The maximum prices in the Pittsfield area for commercial flatwork washed and finished, ready for use shall be 6¢ per pound. All other commercial laundry services shall be governed by Maximum Price Regulation No. 165 as amended, or other applicable regulation.

(3) *Definitions.* As used in this supplementary service regulation the term:

"Family laundry services" means all laundry service except those supplied on a commercial or institutional basis.

"Pittsfield area" means the town of Pittsfield, Massachusetts, and is limited to it.

"Power laundries" means all establishments in the Pittsfield area offering laundry services for sale, with the exception of such hand laundries as do not use power machinery to wash laundry.

[1] 7 F.R. 6248, 6966, 8239, 8431, 8798, 8943, 9117, 9342, 9343, 9785, 9971, 9972, 10480, 10557, 10619, 10718, 11010; 8 F.R. 1060, 1979.

(4) *Posting requirements.* Within thirty days after the issuance of this supplementary service regulation, power laundries located in the Pittsfield area and offering family laundry services shall post, each in its own establishment, in a place and manner so that it is plainly visible to the purchasing public, a placard or card containing the maximum prices for the family laundry services set forth in Appendix A to this regulation, and for any other family laundry service, if offered. Also within thirty days after the issuance of this supplementary service regulation, power laundries in this area shall furnish to each customer a statement of the maximum prices of the services offered, with a description of each. In this statement the description of the listed services and their prices shall be exactly as set forth in Appendix A. Thereafter, new customers shall be furnished a similar statement.

(5) *Other laundry services rendered by power laundries in the Pittsfield area.* The maximum prices for other laundry services rendered by power laundries in the Pittsfield area shall be governed by Maximum Price Regulation No. 165 as amended, or other applicable regulation.

(6) *Prohibition against indirect price increases.* A laundry may not refuse to supply any low-priced laundry service which it supplied in March 1942, if it supplies or offers to supply any higher priced service which includes the same or substantially the same processes (with or without additional processes) as the low-priced service; except that a laundry may substitute for any service supplied in March 1942 the service listed in Appendix A of this supplementary service regulation which most closely resembles it in specifications and price.

(7) *Less than maximum prices.* Lower prices for any of the services covered by this supplementary service regulation may be charged, offered, demanded, or paid.

(8) *Appendix A: Maximum prices for family laundry services.*

Services	Maximum prices
Damp wash, in which all laundry is washed and returned damp	20 lbs. for $1.00 plus 5¢ for each additional lb. If requested, shirts finished for 15¢ extra.
Soft dry or family flat, in which the wearing apparel, if any, is washed and returned dry and the flatwork is washed and returned finished, read for use.	8 lbs. for $1.00 plus 10¢ for each additional lb. If requested shirts finished for 12½¢ extra
Press finish, in which the wearing apparel is washed and returned pressed, and the flatwork is washed and returned finished, ready for use.	Wearing apparel 20¢ per lb.; flatwork 11¢ per lb.; minimum charge $1.25. If requested, shirts finished for 7¢ extra.
Family finish, in which both wearing apparel and flatwork are washed and returned finished ready for use	Wearing apparel 30¢ per lb., flatwork 11¢ per lb. minimum charge $1.50. No extra charge for shirts.
List price, in which wearing apparel, flatwork, and specialties are washed and returned finished ready for use	

Ladies'

Blouses, plain	$0.15
Blouses, silk	.25
Blouses, fancy	.25
Brassiere, cotton	.10
Brassiere, silk	.20
Ladies silk collar	.15
Combination	.20
Cuffs, each	.05
Dresses, plain	.40
Dresses, silk, or sharkskin	.75
Girdles	.15
Nightgowns, cotton	.15
Nightgowns, silk	.25
Panties, plain	.10
Panties, silk	.25
Slips, cotton	.15
Slips, silk	.25
Skirts, plain	.25
Smock, plain	.18
Smock, silk	.50
Pajama shorts	.20
Uniforms, nurses, silk or sharkskin	.60
Uniforms, starch	.35
Suits, suit	.75
Women's overalls	.40
Aprons, plain	.10
Aprons, Hoover	.20
Aprons, fancy or extra large	.35

Men's

Undershirt—cotton	.10
Undershirt—silk	.12
Underdrawers, cotton	.10
Underdrawers, silk	.12
Work pants	.40
Coat, service, short	.20
Coat, service, long	.35

Men's—Continued

Shorts	$0.10
Support	.10
Ties, plain	.10
Ties, white bow	.15
White dress vest	.35
Unionalls	.50
Unionalls, white	.50
Union suit	.20
Union suit, wool	.20
Slacks	.40
Butcher apron	.10
B. V. D.	.15
Collars	.05
Collars, soft	.05
Collars, silk	.10
Duck coat	.40
Duck pant	.30
Handkerchiefs	.04
Hose	.06
Hose, wool	.15
Linen coats	.60
Linen pants	.40
Overalls, combination	.40
Overalls, coat	.25
Overalls, pant	.25
Overalls, white	.50
Pajama suit, cotton	.18
Pajama suit, silk	.25
Shirts	.18
Shirts, dress	.30
Shirts, dress collar att.	.30
Shirts, silk	.30
Summer suit	1.00

Flatwork

Napkins, plain	.04
Napkins, large	.05
Pillow slips	.06
Sheets	.18
Towels, face	.02
Towels, hand	.03

Flatwork—Continued

Towels, bath	$0.04
Towels, roller	.05
Wash cloth	.03
Rag rugs, lb	.13
Dish cloth	.02

Specialties

Comfortable, cotton	.75
Comfortable, silk	1.00
Pads	.20
Counterpanes, plain, fringed, wrinkled	.25
Counterpanes, tufted, chenille, candlewick	.50
Counterpanes, crocheted	1.50
Blankets:	
Cotton, single	.35
Cotton, double	.50
Wool, single	.60
Wool, double	1.00
Curtains, lace, plain, scrim	.60
Curtains, silk, rayon	.75
Curtains, cottage set	.75
Curtains, ruffled	1.00
Curtains, organdy	1.25
Curtains, double ruffle	1.50

In the list price service there may be imposed a minimum charge of 50¢ (after discount) for cash and carry customers, and a minimum charge of $1.00 for delivery customers.

All power laundries must offer at least a 15% discount to cash and carry customers for all family laundry services.

No additional charges of any kind whatsoever may be added to the maximum prices listed in this supplementary service Regulation.

This Supplementary Service Regulation No. 8 (§ 1499.658) shall become effective February 25 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 19th day of February 1943

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2760; Filed, February 19, 1943; 12:05 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 165,[1] as Amended; Supp. Service Reg. 9]

POWER LAUNDRIES IN FALL RIVER AREA

A statement of the considerations involved in the issuance of this Supplementary Service Regulation No. 9 has been filed with the Division of the Federal Register.* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order No. 9250, Supplementary Service Regulation No. 9 is hereby issued.

§ 1499.659 *Power laundries in the Fall River area*—(a) *Dollars-and-cents maximum prices established for services sold by power laundries located in the Fall River area.* (1) The maximum prices established by Maximum Price Regulation No. 165 as amended—Services—for family laundry services are modified as hereinafter provided in Appendix A.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9972, 10480, 10557, 10619, 10718, 11010. 8 F.R. 1060, 1979.

The maximum prices for family laundry services when sold by power laundries in the Fall River area shall be the prices set forth in Appendix A.

The maximum price of a family laundry service which does not conform exactly to the description of one of the listed family services in Appendix A shall be that of the listed service all of whose specifications are met by the unlisted service. Thus, where an unlisted service offers more elements of laundry service than a particular listed service, but does not meet the specifications of a higher-priced listed service, its maximum price shall be that of the lower-priced listed service.

Power laundries in this area shall continue to accept as wearing apparel and flatwork those articles which have customarily been accepted as such, but may charge for all others at list price. In finished and list price services, starch must be supplied where necessary for proper finishing of wearing apparel (including shirts), unless the customer requests no starch. Handkerchiefs are to be priced and treated as wearing apparel.

(2) *Definitions.* As used in this supplementary service regulation the term:

"Fall River area" means the town of Fall River, Massachusetts, and is limited to it.

"Family laundry services" means all laundry services except those supplied on a commercial or institutional basis.

"Power laundries" means all establishments in the Fall River area offering laundry services for sale, with the exception of such hand laundries as do not use power machinery to wash laundry.

(3) *Posting requirements.* Within thirty days after the issuance of this supplementary service regulation, power laundries located in the Fall River area and offering family laundry services shall post, each in its own establishment, in a place and manner so that it is plainly visible to the purchasing public, a placard or card containing the maximum prices for the family laundry services set forth in Appendix A to this supplementary service regulation, and for any other family laundry service, if offered. Also within thirty days after the issuance of this supplementary service regulation, power laundries in this area shall furnish to each customer a statement of the maximum prices of the services offered, with a description of each. In this statement the description of the listed services and their prices shall be exactly as set forth in Appendix A. Thereafter, new customers shall be furnished a similar statement.

(4) *Other laundry services rendered by power laundries in the Fall River area.* The maximum prices for industrial and commercial laundry services rendered by power laundries in the Fall River area shall be governed by Maximmm Price Regulation No. 165 as amended, or other applicable regulation.

(5) *Prohibition against indirect price increases.* A laundry may not refuse to supply any low-priced laundry service which it supplied in March 1942, if it supplies or offers to supply any higher priced service which includes the same or substantially the same processes (with or without additional processes) as the low-priced service; except that a laundry may substitute for any service supplied in March 1942 the service listed in Appendix A of this supplementary service regulation which most closely resembles it in specifications and price.

(6) *Less than maximum prices.* Lower prices for each of the family laundry services listed in Appendix A may be charged, offered, demanded, or paid.

(7) *Appendix A: Maximum prices for family laundry services.*

Services	*Maximum prices*
Damp Wash, in which all laundry is washed and returned damp.	17 lbs. for 75¢ plus 4¢ for each additional pound. If requested, each shirt finished for 12½¢ extra.
Thrifty, in which the wearing apparel is washed and returned damp, and the flatwork washed and returned finished ready for use.	Wearing apparel 5¢ per lb., flatwork 10¢ per lb.; minimum charge $1.00. If requested, each shirt finished for 12½¢ extra.
Economy or Family Flat, in which the wearing apparel, if any, is washed and returned dry and the flatwork is washed and returned finished ready for use.	12 lbs. for $1.25, plus 8¢ for each additional pound. If requested, each shirt finished for 11¢ extra.
Family Finish, in which both wearing apparel and flatwork are washed and returned finished ready for use.	Wearing apparel 18¢ per lb., flatwork 10¢ per lb., minimum charge $1.50. Each shirt finished for 6¢ extra.

List Price, a service in which wearing apparel, flatwork and specialties are washed and returned finished ready for use	
Nurses uniforms	$0 50
Dress shirts	25
Shirts	15
Collars	04
Handkerchiefs	03
Hose (pair)	05
Pajamas	16
Undershirts	08
Underdrawers (long)	10
Shorts	08
Union suits	15
Overalls	20
Unionalls	25
Sheets	15
Pillow slips	05
Towels	05
Table cloths	15
Napkins	05

NOTE: The maximum prices for all items supplied on a list price basis but unlisted shall be the ceiling prices established by Maximum Price Regulation No. 165 as amended.

In the list price service there may be imposed a minimum charge of 50¢ (after discount) for cash and carry customers and a minimum charge of $1.00 for delivery customers.

All power laundries must offer at least a 15% discount to cash and carry customers for all family laundry services.

No additional charges of any kind whatsoever may be added to the maximum prices listed in this supplementary service regulation.

This Supplementary Service Regulation No. 9 (§ 1499.659) shall become effective February 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2761; Filed, February 19, 1943; 12:06 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 165,[1] as Amended, Supp. Service Reg. 10]

POWER LAUNDRIES IN WATERBURY-NAUGATUCK AREA

A statement of the considerations involved in the issuance of Supplementary Service Regulation No. 10 has been filed with the Division of the Federal Register.[*] For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order No. 9250, Supplementary Service Regulation No. 10 is hereby issued.

§ 1499.660 *Power laundries in Waterbury-Naugatuck area—(a) Dollar-and-cents maximum prices established for services sold by power laundries located in the Waterbury-Naugatuck area.* (1) The maximum prices established by Maximum Price Regulation No. 165 as amended — Services — for the family laundry services specified in Appendix A are modified as hereinafter provided. The maximum prices for family laundry services when sold by power laundries located in the Waterbury-Naugatuck area shall be the prices set forth in Appendix A.

The maximum price of a family service which does not conform exactly to the description of one of the listed family services in Appendix A shall be that of the listed service all of whose specifications are met by the unlisted service. Thus, where an unlisted service offers more elements of laundry service than a particular listed service, but does not meet the specifications of a higher-priced listed service, its maximum price shall be that of the lower-priced listed service.

Power laundries in this area shall continue to accept as wearing apparel and flatwork those articles which have customarily been accepted as such, but may charge for all others at list price. In finished and list price services, starch must be supplied where necessary for proper finishing of wearing apparel (including shirts), unless the customer requests no starch. Handkerchiefs are to be priced and treated as wearing apparel.

(2) *Definitions.* As used in this supplementary service regulation the term:

"Family laundry services" means all laundry services except those supplied on a commercial or institutional basis.

"Power laundries" means all establishments in the Waterbury-Naugatuck area offering laundry services for sale, with the exception of such hand laundries as do not use power machinery to wash laundry.

"Waterbury-Naugatuck area" means the towns of Waterbury and Naugatuck, Connecticut, and is limited to them.

(3) *Posting requirements.* Within thirty days after the issuance of this supplementary service regulation, power laundries located in the Waterbury-Naugatuck area and offering family laundry services shall post, each in its own establishment, in a place and manner so that it is plainly visible to the purchasing public, a placard or card containing the maximum prices for the family laundry services set forth in Appendix A to this supplementary service regulation, and for any other family laundry service, if offered. Also within thirty days after the issuance of this supplementary service regulation, power laundries in this area shall furnish to each customer a statement of the maximum prices of the services offered, with a description of each. In this statement the description of the listed services and their prices shall be exactly as set forth in Appendix A. Thereafter, new customers shall be furnished a similar statement.

(4) *Other laundry services rendered by power laundries in the Waterbury-Naugatuck area.* The maximum prices for other laundry services rendered by power laundries in the Waterbury-Naugatuck area shall be governed by Maximum Price Regulation No. 165 as amended, or other applicable regulation.

(5) *Prohibition against indirect price increases.* A laundry may not refuse to supply any low-priced laundry service which it supplied in March 1942, if it supplies or offers to supply any higher priced service which includes the same or substantially the same processes (with or without additional processes) as the low-priced services; except that a laundry may substitute for any service supplied in March 1942 the service listed in Appendix A of this supplementary service regulation which most closely resembles it in specifications and price.

(6) *Less than maximum prices.* Lower prices for each of the family laundry services listed in Appendix A may be charged, offered, demanded, or paid.

(7) *Appendix A: Maximum prices for family laundry services.*

Services	*Maximum prices*
Damp wash, in which all laundry is washed and returned damp.	17 lbs. for $1.00, plus 4¢ for each additional pound. If requested, each shirt finished for 12¢ extra, and each pair of slacks for 25¢ extra.
Thrifty, in which the wearing apparel is washed and returned damp, and the flatwork washed and returned finished, ready for use.	Wearing apparel 5¢ per lb.; flatwork 12¢ per lb.; minimum charge $1.00. If requested, each shirt finished for 12¢ extra, and each pair of slacks for 25¢ extra.
Wet dry or family flat, in which the wearing apparel, if any, is washed and returned dry and folded, and the flatwork is washed and returned finished, ready for use.	7 lbs. for $1.20, plus 10¢ for each additional pound. If requested, each shirt finished for 9¢ extra, and each pair of slacks for 18¢ extra.
Family finish, in which both wearing apparel and flatwork are washed and returned finished, ready for use.	7 lbs. for $1.40, plus 12¢ for each additional pound. Each shirt 8¢ extra and each pair of slacks 16¢ extra.

List price, in which wearing apparel, flatwork and specialties are washed and returned finished ready for use	
Bedspreads:	
Cotton single	$0.40
Cotton double	.60
Wool single	.75
Wool double	1.00
B. V. D.'s	.15
Collars	.05
Collars soft	.03
Counterpanes:	
Fringed	.35
Plain	.25
Tufted	.50
Curtains:	
Ruffled	.60
Double ruffled	.75
Lace	.50
Cross-cross	.75
Scrim	.50
Duck coats	.50
Duck pants	.25
Handkerchiefs	.03
Hose	.05
Hose wool	.07
Linen coats	.60
Linen pants	.40
Napkins	.04
Overalls	.15
White overalls	.30
Pajamas	.25
Pillow slips	.07
Rag rugs (per lb.)	.12
Sheets	$0.18
Shirts	.18
Shirts, dress	.35
Shirts, dress with collar att.	.40
Shirts, silk	.35
Summer suits	1.00
Table cloths	.15
Towels	.04
Towels, bath	.05
Towels, roller	.05
Washcloths	.02
Undershirts	.06
Underdrawers	.08
Shorts	.08
Uniforms (nurses) silk	.40
Uniforms (nurses) starch	.35
Unionalls	.30
White unionalls	.50
Union suits	.15
Union suits, wool	.25
Comfortables	.50
Slacks	.35
Butcher aprons	.10

In the list price service there may be imposed a minimum charge of 50¢ (after discount) for cash and carry customers, and a minimum charge of $1.00 for delivery customers.

All power laundries must offer at least a 10% discount to cash and carry customers for all family laundry services.

No additional charges of any kind whatsoever may be added to the maximum prices listed in this supplementary service regulation.

This Supplementary Service Regulation No. 10 (§ 1499.660) shall become effective February 25, 1943.

(Pub. Laws 421 and 729, 77th Cong., E. O. 9250, 7 F.R. 7871)

Issued this 19th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2762; Filed, February 19, 1943; 12:06 p. m.]

PART 1340—FUEL

[Correction to Amendment 40 to MPR 120[1]]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

In § 1340.218 (b) (6) (i) and § 1340.219 (b) (1) (i) (*b*), the phrase "as of October 1, 1942" is deleted, and in § 1340.219 (b) (5) the date "February 9, 1943" is corrected so as to read "February 17, 1943".

This correction to Amendment No. 40 shall be effective as of February 13, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2777; Filed, February 19, 1943; 4:27 p. m.]

PART 1340—FUEL

[RPS 88,[1] Amendment 76]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.[*]

Section 1340.160 is amended to read as set forth below:

§ 1340.160 *Exceptions.* (a) The following petroleum products shall be exempt from §§ 1340.151 and 1340.159.

(1) All aviation gasoline of 87 octane rating or higher;

(2) The following to the extent purchased or sold for use in the manufacture of aviation gasoline of 87 octane rating or higher; components of aviation gasoline of 87 octane rating or higher, including alkylate, neohexane, iso-octane, hydrocodimers, isomate and hot acid oc-

[1] 7 F.R. 4734, 5026, 5567, 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9972, 10480, 10557, 10619, 10718, 11010, 8 F.R. 1060, 1979.

[*] Copies may be obtained from the Office of Price Administration.

[*] Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218, 6265, 6272, 6472, 6825, 6524, 6744, 6898, 7777, 7670, 7914, 7942, 8354, 8650, 8948, 9783, 10470, 10581, 10780, 10993, 11008, 11012; 8 F.R. 926, 1388, 1629, 1679, 1747, 1971, 2023, 2030.

[1] 7 F.R. 1107, 1371, 1798, 1799, 1866, 2132, 2304, 2352, 2634, 2945, 3463, 3482, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 4857, 5481, 5867, 5868, 5988, 5983, 6057, 6167, 6471, 6680, 7242, 7838, 8433, 8478, 9120, 9134, 9335, 9425, 9460, 9620, 9621, 9817, 9820, 10684, 11069, 11112, 11075; 8 F.R. 157, 232, 233, 857, 1227, 1260, 1457, 1312, 1318, 1642, 1799, 2023, 2105, 2119, 2152.

tanes; iso-pentane, iso-butane, normal butane and butylenes, and mixtures of iso-butane, normal butane and butylenes; and aromatic hydrocarbons and base stocks or fractions to the extent manufactured for and used in aviation gasoline of 87 octane rating or higher.

(3) The following special hydrocarbon fractions utilized in the manufacture of gasoline and the components thereof and liquefied petroleum gases to the extent sold or delivered for use in the manufacture of synthetic rubber: Components of synthetic rubber, including but not limited to, butadiene and styrene; all hydrocarbons and petroleum fractions used in the manufacture of butadiene and styrene, including but not limited to ethylene, propylene, butylene, iso-butylene, propane, butane and iso-butane.

(4) Toluene manufactured from petroleum.

(5) The following to the extent sold or delivered for use in the manufacture of such toluene: base stocks from which such toluene is to be extracted, and selected charging stocks to be processed for the synthesis of such toluene.

(b) All crude petroleum transported through the War Emergency Pipelines System and sold by Defense Supplies Corporation at the eastern termini of such system shall be exempt from this price schedule.

This Amendment No. 76 shall become effective the 19th day of February 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. D. Doc. 43-2776, Filed February 19, 1943; 4:27 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Restriction Order 1,[1] Amendment 13]

MEAT RESTRICTION

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new § 1407.919a is added to read as set forth below:

§ 1407.919a *Allocation orders.* (a) The District Manager of the Office of Price Administration or, where there is none, the State Director, having jurisdiction over any meat allocation area, may issue allocation orders requiring any person who is engaged in the business of selling or delivering controlled meat in or from within that area, to deliver any controlled meat, which he has in or brings into the area, to such persons within the area, at such times and in such quantities as the District Manager or the State Director may direct. Such allocation order may be issued only if the District Manager (or State Director) finds it to be in the public interest to do so by reason of the fact that the person to whom the order requires deliveries to be made has been unable to secure a reasonable quantity of controlled meat for delivery or service to consumers and that, as a result, such consumers are unable to acquire a reasonable amount of controlled meat. However, no such order shall require delivery of controlled meat to individual consumers.

(b) Any person to whom an allocation order has been issued under this section shall make deliveries in accordance with the order, notwithstanding the terms of any contract, agreement, or commitment, regardless of when made, and shall make such deliveries at a price not in excess of the applicable maximum price established pursuant to any order of the Office of Price Administration.

(c) An allocation order issued pursuant to this section shall set forth the name and address of the person directed to make delivery; the name and address of the person to whom deliveries are to be made; the type and amount of controlled meat to be delivered; and the date on or before which such deliveries are to be made. An allocation order may be modified or revoked by the District Manager or State Director who issued it.

(d) An allocation order may be personally served on the person to whom it is directed or may be sent by registered mail either to his business address within the area or, if he has none there, to his principal business address. An allocation order shall be effective upon service, or, if mailed, twenty-four hours after mailing, or at such later time as may be specified therein.

(e) No person who fails to comply with an allocation order shall make any deliveries of controlled meat.

(f) The territory located within the State of Rhode Island and within each of the following Districts of the Office of Price Administration shall constitute a meat allocation area:

San Francisco, California.
Los Angeles, California.

This amendment shall become effective February 19, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421 and 729, 77th Cong.; W.P.B. Directive No. 1; Supp. Dir. No. 1-M, 7 F.R. 562, 7234)

Issued this 19th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2781; Filed February 19, 1943; 4:41 p. m.]

[Amendment 53 to Supp. Reg.[1] 1 to GMPR[2]]

CRUDE PETROLEUM TRANSPORTED THROUGH WAR EMERGENCY PIPELINES SYSTEM

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1499.26 (b), a new subparagraph (13) is added as set forth below:

§ 1499.26 *Exceptions for certain commodities and certain sales and deliveries.* * * *

(b) General Maximum Price Regulation shall not apply to the following sales or deliveries:

* * * * *

(13) Of crude petroleum transported through the War Emergency Pipelines System and sold by Defense Supplies Corporation at the eastern termini of such system.

This Amendment No. 53 shall become effective the 19th day of February 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2778; Filed, February 19, 1943; 4:27 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 118 to Supp. Reg. 14[1] to GMPR[2]]

PETROLEUM TRANSPORTED BY BARGE ALONG GULF INTRACOASTAL WATERWAY

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (74) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for certain commodities, services, and transactions listed below are modified as hereinafter provided.

* * * * *

(74) *Transportation of petroleum and petroleum products, in bulk, by barge along Gulf Intracoastal Waterway*—(i) *Maximum prices.* Maximum prices for the transportation, by carriers other than common carriers, of petroleum and petroleum products in bulk by barge between points on the Gulf Intracoastal Waterway shall continue to be determined under the provisions of the General Maximum Price Regulation, except that the maximum prices for distances of 150 miles or more shall be as follows:

[Rate in mills per net ton per mile]

Distance in miles	Type of service	Minimum, 1,000 barrels	Over 1,000 to 24,000 barrels
150 to, but not including, 200	Towing only	3.70	3.00
	Tugs and barges	5.60	4.50
200 and over	Towing only	3.50	2.80
	Tugs and barges	5.30	4.25

Rules and Regulations

(a) *Distances.* Distances shall be determined in accordance with the official distance tables of the U. S. Engineers, except that 3 miles shall be added in the case of movements having one terminus east of Canal Street, New Orleans, and the other west of Harvey Canal lock.

(b) *Application of rates to cargoes.* The rates set forth above are based on the specified minimum cargoes. The maximum charge for cargoes of less than 16,000 barrels shall be the charge for a cargo of 16,000 barrels. The maximum charge for a cargo of over 16,000 barrels but less than 24,000 barrels shall not exceed the charge for a cargo of 24,000 barrels computed at the 24,000-barrel rate.

(c) *Wharfage and dockage.* The rates set forth above are exclusive of wharfage and dockage.

(d) *Tolls and port charges.* Canal tollage, lock charges and port charges are included in the rates set forth above for tugs and barges but not in those specified for towing only.

(e) *Insurance.* The rates set forth above are exclusive of cargo insurance. Insurance on barges is included in the rates set forth above for tugs and barges but not those specified for towing only.

(f) *Pumping out by carrier.* When cargo is discharged by use of carrier's pumps, an additional charge of ¾¢ per barrel may be made for use of carrier's pump. If the carrier performs discharging service, an additional charge may be added not exceeding the actual cost to the carrier of furnishing such service.

(g) *Cleaning of equipment.* In the event the shipper does not clean barges which have become dirtied in his service, the carrier may make an additional charge not to exceed the actual cost of any cleaning which may be necessary to make such barges suitable for the transportation of the commodities for which they were suitable when placed in the shipper's service. The carrier may also charge for all time necessary for such cleaning, whether performed by carrier or shipper, at the rates specified below for demurrage. Where cleaning is required to render barges suitable for transportation of the products of a particular shipper, the cost of cleaning shall be paid by the carrier or shipper, as determined by agreement between the parties: *Provided*, That the amount which may be added to the maximum prices herein specified may not exceed the actual cost of such cleaning.

(h) *Demurrage.* The rates specified above include free time of 3 hours at loading point and 3 hours at unloading point, and contemplate a loading rate of 2500 barrels per running hour and a discharge rate of 1500 barrels per running hour, day or night, Saturdays, Sundays and holidays not excepted. Demurrage for all additional time may be charged at the rate of $10.00 per running hour or fraction thereof per tug and $2.50 per running hour or fraction thereof per barge.

(i) *Additional charge for operating in Gulf of Mexico.* When operating conditions on the Gulf Intracoastal Waterway between Panama City and Port St. Joe, Florida, necessitate operation in the Gulf of Mexico, an additional charge may be made of not more than 33¢ per ton when the maximum rate is based on a cargo of 16,000 barrels and 24¢ per ton when the maximum rate is based on a cargo of 24,000 barrels.

(ii) *Definitions.* As used in this subparagraph (74):

(a) The term "barge" includes all non-self-propelled water craft used for the transportation of petroleum or petroleum products in bulk;

(b) The term "points on the Gulf Intracoastal Waterway" includes all points which are served with barge transportation by use of the Gulf Intracoastal Waterway and all points on the Mississippi River south of, and including, North Baton Rouge, Louisiana: *Provided*, That the provisions of this subparagraph (74) shall not apply to any transportation performed wholly or partially on the Mississippi River north of North Baton Rouge, Louisiana.

(b) *Effective dates.* * * *

(113) Amendment No. 118 (§ 1499.73 (a)) to Supplementary Regulation No. 14 shall become effective February 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2779; Filed, February 19, 1943; 4:28 p. m.]

PART 1306—IRON AND STEEL

[RPS 41[1] as Amended February 20, 1943]

STEEL CASTINGS

Sections 1306.100, 1306.102 and 1306.112 are amended and a new paragraph (d) is added to § 1306.110a so that Revised Price Schedule 41 as amended by Amendment 4 shall read as follows:

The production of steel castings plays a critical role in the whole defense program. Steel castings at reasonable prices are essential to the increased flow of machines, tanks, ships, airplanes, guns, and, indeed, every variety of military and naval supplies, from the assembly line to the front line of the nation's defense.

Since January 1, 1941, the prices of steel castings have advanced to a point where a further increase would create pressure to raise the prices of ordnance, transportation equipment, and machinery of every description and cause unwarranted risk to our enlarged defense program in terms of delay and useless expense.

After a thorough investigation of costs and other factors relevant to the production and sale of steel castings and after numerous conferences with representatives of all branches of the steel castings industry, it has been decided in the interest of national defense and the public welfare, to establish maximum prices for steel castings of every description whatever.

Accordingly, under the authority vested in me by Executive Order No. 8734, it is hereby directed that:

Sec.

1306.100 Maximum prices for steel castings and railroad specialties.
1306.101 Less than maximum prices.
1306.102 Adjustable pricing.
1306.103 Evasion.
1306.104 Filing of prices.
1306.105 Records and reports.
1306.107 Enforcement.
1306.108 Petitions for amendment, adjustment or exception.
1306.109 Definitions.
1306.110 Effective date of Price Schedule No. 41
1306.110a Effective dates of amendments.
1306.111 Geographical application.
1306.112 Appendix A: Maximum prices for steel castings.
1306.113 Appendix B: Maximum prices for railroad specialties.
1306.114 Appendix C: Exceptions.

AUTHORITY: §§ 1306.100 to 1306.114, inclusive, issued under E.O. 8734, 8875, 6 F.R. 1917, 4483; Pub. Laws 421 and 729, 77th Cong; E.O. 9250, 7 F.R. 7871.

§ 1306.100 *Maximum prices for steel castings and railroad specialties*—(a) *Steel castings.* Regardless of any contract or other obligation no producer shall sell or deliver, and no person shall buy or receive from a producer in the course of trade or business, any steel castings at prices higher than the maximum prices established in Appendix A (§ 1306.112) of this revised price schedule and no producer or person purchasing from a producer or proposing to purchase from a producer shall agree, offer or attempt to do any of these things: *Provided*, That the provisions of this paragraph shall not be applicable to deliveries of steel castings hereinafter defined as "armor, ordnance, navy and ship and marine castings"[2] if the orders for such castings were accepted prior to February 26, 1943 and if prior to March 28, 1943 such steel castings have been received by a carrier other than a carrier owned or controlled by the producer for shipment to such purchaser.

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*Copies may be obtained from the Office of Price Administration

[1] 7 F.R. 7829, 8217, 8524, 9247, 9250, 9639, 10258 10621, 10704; 8 F.R. 179, 375, 926, 1204, 1279.

[1] 7 F.R. 3158, 3488, 3892, 4183, 4410, 4428, 4487, 4488, 4493, 4669, 9131, 9616, 5066, 5192, 5276, 5366, 5484, 5607, 5717, 5942, 6082, 6473, 8833, 9082, 6685, 7011, 7250, 7317, 7598, 7604, 7739, 8336, 8652, 8798, 8810, 8930, 9622, 9975, 9976, 10022, 10557, 11118; 8 F.R. 130, 265, 927, 1454, 1813.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 5738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110.

[1] 7 F.R. 5486, 5709, 5911, 6008, 6271, 6369, 6473, 6477, 6774, 6775, 6776, 6793, 6887, 6892, 6939, 6965, 7011, 7012, 7203, 7250, 7289, 7365, 7400, 7401, 7453, 7510, 7511, 7535, 7536, 7538, 7604, 7671, 7739, 7812, 7914, 7946, 8024, 8199, 8237, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 8950, 8953, 8954, 8955, 8959, 9043, 9196, 9391, 9397, 9495, 9496, 9639, 9786, 9901, 9910, 10069, 10111, 10022, 10150, 10231, 10294, 10346, 10481, 10131, 10480, 10537, 10705, 10557, 10583, 10865, 11005; 8 F.R. 276, 439, 494, 535, 589, 863, 876, 878, 980, 1030, 9900, 1121, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467, 1813, 1894, 1978, 2041, 1895, 2035, 2157.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5484, 5565, 5775, 5784, 5783, 6058, 6081, 6001, 6007, 6216, 6215, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110.

[1] 7 F.R. 1281.

[2] See definition in § 1306.112 (a).

(b) *Railroad specialties.* Regardless of any contract or other obligation, no producer shall sell or deliver, and no person shall buy or receive from a producer in the course of trade or business, any railroad specialties at prices higher than the maximum prices established in Appendix B (§ 1306.113) of this revised price schedule, and no producer or person purchasing or proposing to purchase from a producer shall agree, offer or attempt to do any of these things.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that the prohibition contained in any price regulation against buying or receiving any commodity or service at a price higher than the maximum price permitted by such regulation shall not apply to any war procurement agency, or government whose defense is vital to the defense of the United States.]

[NOTE: Supplementary Order No. 31 (7 F.R. 9894) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

[NOTE: Supplementary Order No. 34 (7 F.R. 10779) permits special packing excises to be added to maximum prices on sales to procurement agencies of the United States.]

§ 1306.101 *Less than maximum prices.* Lower prices than those set forth in § 1306.112, Appendix A, and § 1306.113, Appendix B, may be charged, paid, or offered.

§ 1306.102 *Adjustable pricing.* (a) Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery.

(b) Where a petition for amendment has been made pursuant to § 1306.108 of this revised price schedule, petitioner, and any person who proposes to purchase or who purchases steel castings or railroad specialties from such producer may offer or agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1306.103 *Evasion.* The price limitations set forth in § 1306.100 shall not be evaded whether by direct or indirect methods in connection with a purchase, sale, delivery or transfer of steel castings, alone or in conjunction with any other material, or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1306.104 *Filing of prices.* On or before December 1, 1941, every producer shall file with the Office of Price Administration the exact and complete price or prices, extras, terms, and conditions, classified by size and quantity, in accordance with which he sold or would have sold on July 15, 1941, steel castings subject to § 1306.112, Appendix A: *Provided*, That where such price or prices coincide with the "Comprehensive Report" the producer need only signify that such prices do coincide with those listed in said Comprehensive Report: *And, provided further*, That filing as above is not necessary with respect to obsolete steel castings.

§ 1306.105 *Records and reports.* Every person making purchases or sales of steel castings after November 15, 1941, shall keep for inspection by the Office of Price Administration for a period of not less than one year, complete and accurate records of (a) each such purchase or sale, showing the date thereof, the name and address of the buyer or the seller, the price paid or received, and the quantity of each kind purchased or sold, and (b) the quantity of steel castings (1) on hand, and (2) on order, as of the close of each calendar month.

Persons affected by Price Schedule No. 41 shall submit such reports to the Office of Price Administration as it may, from time to time, require.

§ 1306.106 [Revoked.]

§ 1306.107 *Enforcement.* (a) Persons violating any provision of this Revised Price Schedule No. 41 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Revised Price Schedule No. 41, or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

[§ 1306.107 as amended by Supplementary Order 3, 7 F.R. 2132]

§ 1306.108 *Petitions for amendment, adjustment or exception.* (a) The Price Administrator may grant an exception permitting a seller of steel castings or railroad specialties to charge more than the maximum prices set forth in this Revised Price Schedule No. 41 in cases where the seller shows that he must otherwise absorb abnormally high transportation costs by reason of unusual circumstances arising from the emergency demands of the war. In all such cases the petitioner shall submit data indicating why the particular shipment or series of shipments are abnormal and the relation of such shipment or shipments to the war effort. Persons petitioning pursuant to this paragraph may be required to submit such data or reports in regard to any petition or order granting relief hereunder as may be from time to time required by the Price Administrator. Petitions for such exceptions must be filed in accordance with Procedural Regulation No. 1[1] issued by the Office of Price Administration.

[Paragraph (a) as amended by Amendment 2 7 F.R. 4667]

(b) Any person seeking an amendment of any provision of this Revised Price Schedule No. 41 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

[Paragraph (b) as amended by Supplementary Order 26, 7 F.R. 8948]

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Supplementary Order No. 9 (7 F.R. 5444) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those on scrap, waste, and salvage materials.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9819) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1306.109 *Definitions.* When used in Revised Price Schedule No. 41, the term:

(a) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

[Paragraph (a) as amended by Supplementary Order 12, 7 F.R. 6385]

(b) "Producer" means a person engaged in the production of steel castings or railroad specialties;

(c) "Steel castings" means any cast steel object, whether rough or machined, that has been initially cast into the desired shape of the finished product, and which contains less than 1.70% carbon and/or alloys totaling not more than 8%, and includes miscellaneous steel castings and steel castings produced for railroads other than the railroad specialties defined in paragraph (d) below:

[Paragraph (c) as amended by Amendment 3, 7 F.R. 7434]

(d) "Railroad specialties" means any or all side frames, bolsters, yokes and couplers of the types and sizes listed in § 1306.113, Appendix B hereto;

(e) "Comprehensive Report" means the "Comprehensive Report of Price Lists of Miscellaneous Castings," published by the Steel Founders' Society of America, for the third quarter of 1941, beginning July 1, 1941.

(f) "Base territory" means the States of New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, West Virginia, Kentucky, Ohio, Indiana, Illinois, and Michigan (southern peninsula only) and also including Bettendorf, Iowa, and St. Charles and St. Louis, Missouri.

[1] Revised, 7 F.R. 8961.

§ 1306.110 *Effective date of Price Schedule No. 41.* This Schedule (§§ 1306.100 to 1306.110, inclusive) shall become effective November 15, 1941. [Issued November 14, 1941]

§ 1306.110a *Effective dates of amendments.*

Amendment Nos. and Issue dates:

	Effective
Amendment 1, 3-12-42	3-16-42
Amendment 2, 6-20-42	6-25-42
Amendment 3, 9-18-42	9-24-42
Amendment 4, 2-20-43	2-26-43

§ 1306.111 *Geographical application.* The provisions of Price Schedule No. 41 shall apply only to sales, offers to sell, or deliveries of steel castings and railroad specialties moving within, into, or out of one of the 48 states or the District of Columbia.

§ 1306.112 *Appendix A: Maximum prices for steel castings.* The maximum prices for steel castings are set forth in the following four paragraphs (a), (b), (c) and (d). These maximum prices are applicable to the actual shipping weights of the castings. The maximum prices established in paragraph (a) shall not supersede any maximum prices which have been submitted to the Office of Price Administration on Form No. 141:4 and approved by the Office of Price Administration prior to February 26, 1943. Otherwise, the maximum prices in paragraph (a) of this Appendix A supersede maximum prices heretofore established for any or all of the classifications listed in Table I (Armor), Table II (Navy), Table III (Ordnance), and Table IV (Ship and Marine) which are set forth at the end of this Appendix A.

(a) *Armor, navy, ordnance and ship and marine castings.* The term "armor, navy, ordnance and ship and marine castings" means and includes all steel castings of the classifications (including "miscellaneous" classifications) listed in Tables I, II, III, and IV of this Appendix A. The maximum prices for such castings shall be computed as follows:

(1) *Weighing one pound or more.* Ascertain the applicable classification for the castings in Tables I, II, III or IV; ascertain from the column immediately to the left of the classification the key reference to the applicable price schedule for such classification; refer to the price schedule bearing such key reference, said price schedules appearing either in the Comprehensive Report on pages 74 to 158, inclusive, or where the letter "R"[4] is used in the key reference, in Table V of this Appendix A; the price in such price schedule for the applicable weight and quantity is the maximum price for the rough casting.[5]

(2) *Weighing less than one pound.* The maximum price each for rough castings shall be the applicable per pound price for an identical quantity of castings of the same classification weighing one to five pounds.[6]

(3) *Extras.* No charges for extras may be added in respect to the armor casting classifications listed in Table I, except charges for machining and charges where 100% non-destructive examination is specified. The charges for extras listed on pages 64, 65 and 66 of the Comprehensive Report may be added in respect to the navy, ordnance and ship and marine casting classifications listed in Tables II, III and IV where furnished and applicable. No charges for extras other than as above may be added in respect to said navy, ordnance and ship and marine casting classifications, except charges for machining and charges where non-destructive examination is specified.

(4) *Transportation charges or allowances.* The maximum prices as computed in this paragraph (a) are computed on a delivered basis. Where steel castings are sold or invoiced on an f. o. b. foundry basis there shall be deducted, in ascertaining the maximum price on such basis, the lowest applicable railroad rate from producer's foundry to the point of destination: *Provided*, That where the purchaser specifies a means of transportation costing in excess of the lowest applicable railroad charges in effect at the time of shipment, the excess may be added.

(5) *Quantity differentials.* Quantity differentials shall be applicable on the basis of quantities ordered from one pattern at one time. Where patterns are so constructed as to produce two or more dissimilar castings joined together and where the customer orders such combinations of castings shipped in one piece, the number of each separate component casting determines the quantity of each and the prices are based upon the individual weights. Where patterns are so constructed as to produce multiple castings of the same design but cast integrally in one piece the quantity is determined on the basis of the total number of individual castings so joined and the weight of the individual castings is determined by dividing the total weight of the integrated castings by the total number of individual castings so joined.

(6) *Pattern charges.* Prices are exclusive of pattern equipment or alterations thereof, except in the case of alterations only of any patterns which are to remain the property of the producer. In this exceptional circumstance the prices will be interpreted as including the furnishing by the foundry of the alterations.

(7) *N. O. C. B. N. classifications.* In any case where an applicable classification in Tables I, II, III or IV is labelled "N. O. C. B. N." the producer, may, in the alternative to using such classification and the applicable price schedule therefor, ascertain his maximum price in accordance with paragraph (d) of this Appendix A.

(b) *Industrial steel castings made by a producer on or before July 15, 1941.* The term "industrial steel castings" means and includes all steel castings other than armor, navy, ordnance and ship and marine castings. The maximum prices for a producer for industrial steel castings made by such producer on or before July 15, 1941, or for steel castings substantially similar in design and specification thereto, shall be the prices, to-

[4] The letter "R" has been used to designate price schedules in Table V. These price schedules do not appear in the Comprehensive Report. Wherever a key reference contains the letter "R" (for example, "X-11R"), the corresponding price schedule will be found in Table V, not in the Comprehensive Report.

[5] *Example:* An order is placed for 40 frame castings for diesel engines for the Navy. The shipping weight of these castings is 200 lbs. each. The applicable classification appears at Item No. 5255 in Table II. The key reference to the left of the classification in Table II is "4A-5." Price Schedule "4A-5" is the first price schedule on page 77 of the Comprehensive Report. The applicable price in this price schedule for the weight and quantity is $0.225 per lb.

If the key reference in the above example had been "4A-5R" instead of "4A-5", the corresponding price schedule would be found in Table V rather than in the Comprehensive Report.

[6] *Example:* An order is placed for 30 valve part (non-pressure) castings for the Navy. The shipping weight of these castings is less than 1 lb. each. The applicable classification appears at Item No. 5391 in Table II. The key reference to the left of the classification in Table II is "2B-6." Price schedule "2B-6" is the first price schedule on page 86 of the Comprehensive Report. The price for 30 castings weighing 1 to 5 lbs. is $0.42 per lb. The applicable price for 30 of the same castings weighing, less than 1 lb. each is $0.42 *each*.

gether with the extras, terms and conditions which were or customarily would have been charged by such producer on July 15, 1941.

(c) *Industrial steel castings other than those in paragraph (b).* The maximum prices for such castings shall be computed as follows:

(1) *Weighing one pound or more.* Ascertain the applicable classification for the casting in the alphabetical index of steel casting classifications appearing on pages 1 to 62, inclusive, of the Comprehensive Report;[1] ascertain from the column immediately to the left of the classification the key reference to the applicable price schedule for such classification; refer to the price schedule bearing such key reference, said schedules appearing in the Comprehensive Report on pages 74 to 158, inclusive; the price in such price schedule for the applicable weight and quantity is the maximum price for the rough casting. The two classifications in the Comprehensive Report, Items 5101 and 5102 on page 25 under title of "Miscellaneous Castings" and the classification, Item 6101, on page 35 under title of "Pressure Castings" are not "applicable classifications" within the meaning of this paragraph (c).

(2) *Weighing less than one pound.* The maximum prices each for rough castings shall be the applicable per pound price for an identical quantity of castings of the same classification weighing one to five pounds.

(3) *Extras.* The charges for extras listed on pages 64, 65 and 66 of the Comprehensive Report may be added where furnished and applicable. No charges for extras other than as above, except charges for machining or charges where non-destructive examination is specified, may be added.

(4) *Transportation charges or allowances.* The maximum prices as computed in this paragraph (c) are computed on a delivered basis. Where steel castings are sold or invoiced on an f. o. b. foundry basis there shall be deducted, in ascertaining the maximum price on such basis the lowest applicable railroad rate from producer's foundry to the point of destination: *Provided*, That where the purchaser specifies a means of transportation costing in excess of the lowest applicable railroad charges in effect at the time of shipment, the excess may be added.

(5) *Quantity differentials.* Quantity differentials shall be applicable on the basis of quantities ordered from one pattern at one time. Where patterns are so constructed as to produce two or more dissimilar castings joined together and where the customer orders such combinations of castings shipped in one piece, the number of each separate component casting determines the quantity of each and the prices are based upon the individual weights. Where patterns are so constructed as to produce multiple castings of the same design but cast integrally in one piece the quantity is determined on the basis of the total number of individual castings so joined and the weight of the individual castings is determined by dividing the total weight of the integrated castings by the total number of individual castings so joined.

(6) *Pattern charges.* Prices are exclusive of pattern equipment or alterations thereof, except (i) in the case of railway car castings when ordered in quantities of 500 or more pieces from one pattern at one time, provided the patterns are and remain the property of the foundry producing them, and (ii) in the case of alterations only of any patterns which are to remain the property of the producer. In these two exceptional circumstances the prices will be interpreted as including the furnishing by the foundry of patterns or alterations thereof as the case may be.

(7) *N. O. C. B. N. classifications.* In any case where an applicable classification in the Comprehensive Report is labelled "N. O. C. B. N." the producer may, in the alternative to using such classification and the applicable price schedule therefor, ascertain his maximum price in accordance with paragraph (d) of this Appendix A.

(d) *Steel castings other than in paragraphs (a), (b) and (c).* The maximum prices for such castings shall be determined as follows: The producer shall file with the Iron and Steel Branch of the Office of Price Administration, Washington, D. C., a cost estimate and proposed maximum selling price for such casting on and pursuant to Form No. 141:4 which proposed maximum selling price shall be approved, or approved subject to such adjustments, conditions, and limitations as the Office of Price Administration may provide, or shall be disapproved, within seven days from the time it is received by said Iron and Steel Branch, and in the event the Office of Price Administration does not send out, in writing, its approval or disapproval within seven days as above, the proposed maximum selling price as filed shall be deemed approved for the proposed sale with respect to which it was stated on Form No. 141:4 to be filed: *Provided*, That (i) in computing and filling out the items on Form No. 141:4 the cost factors and profit margins used shall be those in effect and prevailing between October 1 and October 15, 1941 for the producer filing said Form No. 141:4; (ii) where a price for a casting has been approved pursuant to this paragraph for a producer, such producer may submit to the Iron and Steel Branch of the Office of Price Administration, Washington, D. C., for approval a quantity price differential schedule for such casting, and if approved, such prices shall constitute the maximum prices at which such producer may sell such casting, except that a price schedule so established shall be subject to adjustment or revocation at any time by the Office of Price Administration on 30 days notice in writing to such producer.

[1] The navy classifications Items 5201 to 5393, inclusive, on pages 26–29, the ordnance classifications Items 5501 to 5584, inclusive, on pages 30–31 and the ship and marine classifications Items 8101 to 8162, inclusive, on pages 53–54 are not "applicable classifications" since they are not "industrial steel castings" and since maximum prices for these classifications are established in paragraph (a) of this Appendix A.

TABLE I—ORDNANCE (U. S. ARMY) CAST ARMOR CASTINGS

(Subject to ballistic test)

Item No.	Schedule reference	Classification
5501	X-217 R.	Ordnance (U. S. Army) armor castings, N. O. C. B. N. (subject to ballistic tests using control or test plates 18" x 18" or less and not to exceed 1¼" in thickness).
5502	X-225 R.	Ordnance (U. S. Army) cast armor castings, N. O. C. B. N. (subject to ballistic tests using control or test plates above 18" x 18" but not to exceed 36" x 36" and thickness of 1" (one inch) but not to exceed 3" (three inches).
5503	X-238 R.	Auxiliary sight device covers.
5504	X-218 R.	Ball joints or ball mounts.
5505	X-242 R.	Bearing caps.
5506	X-247 R.	Body rotor vision devices.
5507	X-247 R.	Body sighting devices—Front.
5508	X-247 R.	Body sighting devices—Rear.
5509	X-239 R.	Cupola bodies.
5510	X-238 R.	Elbow exhausts.
5511	X-252 R.	Final drive case covers—right hand.
5512	X-252 R.	Final drive case covers—left hand.
5513	X-252 R.	Final drive housings—right hand.
5514	X-252 R.	Final drive housings—left hand.
5515	X-262 R.	Foot gear shift levers.
5516	X-262 R.	Foot brake pedals.
5517	X-242 R.	Gas tank covers.
5518	X-250 R.	Gun mount rotors, sponson hull.
5519	X-243 R.	Gun mount supports.
5520	X-249 R.	Gun rotor covers.
5521	X-239 R.	Gun shields.
5522	X-249 R.	Periscope holders.
5523	X-237 R.	Pistol port doors.
5524	X-249 R.	Plates.
5525	X-240 R.	Rotor auxiliary vision device cups.
5526	X-245 R.	Rotor ends.
5527	X-253 R.	Rotor housings.
5528	X-248 R.	Rotor vision devices.
5529	X-252 R.	Rotors.
5530	X-239 R.	Shields.
5531	X-242 R.	Sighting devices—right end.
5532	X-242 R.	Sighting devices—left end.
5533	X-244 R.	Socket bow gun mounts.
5534	X-246 R.	Sponson gun mount brackets.
5535	X-241 R.	Sponson gun mount periscope covers.

TABLE I—ORDNANCE (U. S. ARMY) CAST ARMOR CASTINGS—Continued

Item No.	Schedule reference	Classification
5536	X-252 R.	Steering differential carriers.
5537	X-252 R.	Supports.
5538	X-250 R.	37-mm gun shields.
5539	X-251 R.	Turret front plates.
5540	X-314 R.	Turrets.
5541	X-246 R.	Vision device segments.
5542	X-243 R.	Vision slot doors.

TABLE II—NAVY CASTINGS

Item No.	Schedule reference	Classification
5601	2A-5	Boiler, tank & piping castings, N. O. C. B. N.—Pressure.
5602	B-3	Boiler, tank & piping castings, N. O. C. B. N.—Non-pressure.
5603	G-5	Bases—Anchor for stem expansion joints.
5604	C-2	Boiler (oil burners)—Gear quadrants.
5605	2B-2	Boiler (oil burners)—Crank handle quadrants.
5606	4A-3	Boiler (oil burners)—Register rings.
5607	D	Boiler (stationary)—Chain grate stoker links.
5608	3A-5	Boiler (stationary)—Cross boxes.
5609	3A	Boiler (stationary)—Feed water heater castings, N. O. C. B. N.
5610	G-5	Boiler (stationary)—Furnace grate bars.
5611	3A-5	Boiler (stationary)—Headers—Not including superheater headers.
5612	3A-5	Boiler (stationary)—Manifolds.
5613	G-5	Boiler (stationary)—Smoke, mud & fire door rings.
5614	X-190 R.	Boiler (stationary)—Stoker castings, N. O. C. B. N.
5615	4A-3	Boiler (stationary)—Stoker worms & screws (other than railroad locomotive).
5616	X-191 R.	Boiler (stationary)—Soot blower castings, N. O. C. B. N.—pressure.
5617	B	Boiler (stationary)—Soot blower castings, N. O. C. B. N.—non-pressure.
5618	4A-4	Boiler (stationary)—Superheater castings, N. O. C. B. N.
5619	4A-4	Boiler (stationary)—Superheater header castings, N. O. C. B. N.
5620	4A-4	Boiler (stationary)—Superheater header castings (¼ and ½ headers).
5621	C-5	Boiler & tank—caulking rings.
5622	2B-5	Boiler & tank—man & hand hole—covers.
5623	A-5	Boiler & tank—man & hand hole—frames.
5624	2A-5	Boiler & tank—man & hand hole—nozzles.
5625	B-5	Saddles (cradle supports).
5626	3A-5	Separator (steam, air, oil or vacuum)—Castings, N. O. C. B. N.
5627	A-5	Separator (steam, air, oil or vacuum)—castings, (no partition).
5628	3A-5	Steam crossovers.
5629	2A-9	Steam piping, N. O. C. B. N.
5630	2A-9	Steam (pressure) castings, N. O. C. B. N.
5631	3A-5	Trap (steam, air, oil or vacuum) castings, N. O. C. B. N.
5632	A-5	Trap (steam, air, oil or vacuum) castings, (no partition).
5633	A-5	Compressor (pneumatic)—Castings, N. O. C. B. N.—Not subject to pressure.
5634	2A-5	Compressor (pneumatic)—castings, N. O. C. B. N.—subject to pressure.
5635	D-5	Compressor (pneumatic)—crankdises (plain).
5636	2B-5	Compressor (pneumatic)—crankdises (with plus cast integrally).
5637	4A-9	Compressor (pneumatic)—crankshafts (solid connecting rod pins)—single or double throw.
5638	4A-9	Compressor (pneumatic)—crankshafts (solid connecting rod pins)—three or more throws.
5639	4A-9	Compressor (pneumatic)—crankshafts (solid connecting rod pins)—with straight disc or gear.
5640	X-189	Compressor (pneumatic)—crankshafts (solid connecting rod pins)—with webbed gear.
5641	A-5	Compressor (pneumatic)—cross-heads.
5642	3A-5	Compressor (pneumatic) — cross-heads with arms or extensions cast integrally.
5643	2B-9	Compressor (pneumatic)—cylinders.

TABLE II—NAVY CASTINGS—Continued

Item No.	Schedule reference	Classification
5644	A-5	Compressor (pneumatic)—cylinder heads.
5645	C-5	Compressor (pneumatic)—portable truck frames.
5646	A-5	Compressor (pneumatic) — valves, valve seats & valve parts (all weights).
5647	5A-5	Compressor (pneumatic) — valves, valve seats & valve parts (all weights) with stem cast integrally.
5648	2A-5	Diesel engine—castings, N. O. C. B. N.—Pressure.
5649	B-5	Diesel engine—castings, N. O. C. B. N.—non-pressure.
5650	B-2	Diesel engine—bearing bases, shells, bodies, caps & housings, N. O. C. B. N.
5651	C-1	Diesel engine—bell housings.
5652	B-5	Diesel engine—connecting rod & scavenger crank bearings & caps.
5653	5A-5	Diesel engine—cylinder heads (M. A. N. type).
5654	B-5	Diesel engine—cylinder insert caps.
5655	4A-5	Diesel engine—frames.
5656	B-5	Diesel engine—governor weights.
5657	B-5	Diesel engine—inner heads.
5658	4A-5	Diesel engine—pistons—(water cooled), N. O. C. B. N.
5659	5A-5	Diesel engine—pistons—(water cooled), M. A. N. type.
5660	B-5	Diesel engine—scavenger cranks.
5661	B-5	Diesel engine—scavenger crank bearings.
5662	B	Fan hubs—ventilating fan.
5663	C-9	Hoist & derrick castings, N. O. C. B. N.
5664	2B-9	Hoist & derrick—bed plates.
5665	B-9	Hoist & derrick—gear cases and covers.
5666	2A-9	Hoist & derrick—wildcats.
5667	2A-9	Hoist—drums & wildcats—electric, hydraulic, air, gasoline or steam power (including capstan, gypsy or winch heads or drums).
5668	2B-9	Miscellaneous carbon steel castings, N. O. C. B. N.—not subject to pressure.
5669	2A-9	Miscellaneous carbon steel castings, N. O. C. B. N.—subject to pressure.
5670	B-5	Ordnance—5 inch gun mount—castings, N. O. C. B. N.
5671	3A-9	Ordnance—5 inch gun mount—rammer cover castings.
5672	3A-9	Ordnance—5 inch gun mount—cross brackets.
5673	3A-9	Ordnance—5 inch gun mount—foot tread brackets.
5674	B-9	Ordnance—5 inch gun mount—power drive pinion & wormwheel brackets.
5675	2B-9	Ordnance—5 inch gun mount—power drive—worm brackets.
5676	2B-9	Ordnance—5 inch gun mount—checker's telescope brackets.
5677	2B-9	Ordnance—5 inch gun mount—training stop buffer housings.
5678	(*)	Ordnance—3 inch AA—50 caliber gun mount—castings, N. O. C. B. N.
5679	(*)	Ordnance—3 inch AA—50 caliber gun mount—carriages.
5680	(*)	Ordnance—3 inch AA—50 caliber gun mount—slides.
5681	(*)	Ordnance—3 inch AA—50 caliber gun mount—slide yokes.
5682	5A-5	Pump (centrifugal) castings, N. O. C. B. N.
5683	2B-5	Pump (concrete)—liners.
5684	2B-5	Pump (concrete)—valve chambers.
5685	A-5	Pump (reciprocating)—castings, N. O. C. B. N.—Not subject to pressure.
5686	B-5	Pump (reciprocating)—castings, N. O. C. B. N.—non-pressure.
5687	4A-9	Pump (reciprocating)—crankshafts (solid connecting rod pins)—single or double throw.
5688	4A-9	Pump (reciprocating)—crankshafts (solid connecting rod pins)—three or more throws.
5689	4A-9	Pump (reciprocating)—crankshafts (solid connecting rod pins)—with straight disc or gear.
5690	X-189	Pump (reciprocating)—crankshafts (solid connecting rod pins)—with webbed gear.
5691	2A-5	Pump (reciprocating)—cylinders (plain).
5692	4A-5	Pump (reciprocating)—cylinders (water jacketed).

*Maximum prices for these classifications shall be determined in accordance with paragraph (d) of § 1306.112 (Appendix A). No schedule reference appeared for these items in the Comprehensive Reports for the second and third quarters of 1941.

TABLE II—CASTINGS—Continued

Item No.	Schedule reference	Classification
5693	X-112R	Pump (rotary)—castings, N. O. C. B. N.
5694	5A-9	Pump (rotary)—cylinders.
5695	5A-9	Pump (rotary)—housings.
5696	2A-9	Pressure castings, N. O. C. B. N.
5697	2A-9	Ship & marine—castings, N. O. C. B. N. (pressure).
5698	B-9	Ship & marine—castings, N. O. C. B. N. (non-pressure).
5699	D-9	Ship & marine—anchors—mushroom (without test)—complete assembled weight.
5700	2B-9	Ship & marine—anchors—old style (without test)—complete assembled weight.
5701	B-9	Ship & marine—anchors—stockless (without test)—complete assembled weight.
5702	F-5	Ship & marine—anchor castings—stockless, N. O. C. B. N.
5703	F-9	Ship & marine—butts, chocks or bollards (mooring).
5704	F-9	Ship & marine—bollards, chocks or bitts (mooring).
5705	2B-5	Ship & marine—buoy—castings, N. O. C. B. N.
5706	H-5	Ship & marine—buoy—bottom castings.
5707	2A-9	Ship & marine—capstans.
5708	F-9	Ship & marine—chocks (open)—rollers or roller chock housings.
5709	F-9	Ship & marine—cleats.
5710	C-5	Ship & marine—corner castings.
5711	B-5	Ship & marine—davit—castings, N. O. C. B. N.
5712	B-5	Ship & marine davit—arms (Fox type).
5713	3A-9	Ship & marine—deck pipes.
5714	B-9	Ship & marine—docking skegs.
5715	2A-5	Ship & marine—drums & wildcats (including capstan, gypsy or winch heads or drums).
5716	2A-5	Ship & marine—drums (cable or brake including capstan, gypsy or winch heads or drums) with gears cast integrally).
5717	B-9	Ship & marine—gear cases & covers.
5718	X-88R	Ship & marine—gears, racks & segments (cast tooth or blank).
5719	X-88R	Ship & marine—gear spiders or centers.
5720	C-9	Ship & marine—hatch covers.
5721	B-9	Ship & marine—hatch rings or coamings.
5722	4A-9	Ship & marine—hawse pipes.
5723	E-5	Ship & marine—hooks for cranes, cable & chains.
5724	F-9	Ship & marine—kevels.
5725	X-159R	Ship & marine—outboard shaft bearings or skeg castings.
5726	F-7	Ship & marine—pile driver castings, N. O. C. B. N.
5727	D-5	Ship & marine—pile driver followers & drop hammers.
5728	X-88R	Ship & marine—pinions (cast tooth or blank), N. O. C. B. N.
5729	2A-9	Ship & marine—pressure castings, N. O. C. B. N.
5730	2B-9	Ship & marine—Propeller—blades.
5731	F-9	Ship & marine—Propeller—hubs.
5732	X-117R	Ship & marine—Propeller—wheels.
5733	2B-5	Ship & marine—Pulley—castings, N. O. C. B. N.
5734	C-5	Ship & marine—Pulley—hubs & plates.
5735	2B-9	Ship & marine—Quadrants.
5736	A-5	Ship & marine—Rocker beams (walking beams).
5737	D-4	Ship & marine—Rope sockets (for wire rope).
5738	2B-9	Ship & marine—Rudders or rudder frames.
5739	3A-9	Ship & marine—Rudder posts or contra-propeller posts.
5740	2B-5	Ship & marine—Sheaves, N. O. C. B. N.
5741	2B-5	Ship & marine—Sheave housings (for wire rope).
5742	3A-9	Ship & marine—Spectacle frames.
5743	R-9	Ship & marine—Sprockets or chain wheels, N. O. C. B. N.
5744	A-5	Ship & marine—Stanchions.
5745	3A-9	Ship & marine—Stern frames & stems.
5746	3A-9	Ship & marine—Stern tubes.
5747	X-159R	Ship & marine—struts.
5748	2B-9	Ship & marine—tillers.
5749	2B-9	Ship & marine—tiller arms.
5750	2A-9	Ship & marine—Wildcats for hoists or derricks.
5751	5A-9	Steam turbine—castings, N. O. C. B. N. (pressure)
5752	A-9	Steam turbine—castings, N. O. C. B. N. (non-pressure).

TABLE II—CASTINGS—Continued

Item No.	Schedule reference	Classification
5362	5A-9	Steam turbine—bleeder pipes.
5364	5A-9	Steam turbine—covers or shells—upper (with enclosed cored passages)
5365	5A-9	Steam turbine—covers or shells—upper (with open cored passages).
5366	5A-9	Steam turbine—cylinder bases or shells—lower (with enclosed cored passages)
5367	5A-9	Steam turbine—cylinder bases or shells—lower (with open cored passages).
5358	5A-9	Steam turbine—cylinder blade rings.
5359	5A-9	Steam turbine—cylinder dummy rings.
5360	5A-9	Steam turbine—cylinder nozzle block chambers.
5361	5A-9	Steam turbine—inlet pipes.
5362	5A-9	Steam turbine—maneuvering valve bodies.
5363	5A-9	Steam turbine—piping (of special design), N. O. C. B. N.
5364	2B-9	Steam turbine—reduction gear bearing shells
5365	5A-9	Steam turbine—rubbers.
5366	5A-9	Steam turbine—steam chest bodies.
5367	5A-9	Steam turbine—steam chest covers.
5368	2A-9	Steam turbine—steam chest bodies & covers (C type).
5369	5A-9	Steam turbine—throttle valve bodies.
5370	2A-9	Steam turbine—throttle valve bodies (C type)
5371	2A-5	Valves, fittings & piping—fittings, N. O. C. B. N.
5372	3A-5	Valves, fittings & piping—fittings—ammonia
5373	2A-5	Valves, fittings & fitting—fittings—flanged
5374	3A-5	Valves, fittings & piping—fittings—welding ends & screwed ends.
5375	G-2	Valves, fittings & piping—flanges—non-pressure, N. O. C. B. N.
5376	C-2	Valves, fittings & piping—flanges—pressure, N. O. C. B. N.
5377	B-6	Valves, fittings & piping—flanges—blind & reducing.
5378	B-6	Valves, fittings & piping—flanges—hub (over 1" high)
5379	C-2	Valves, fittings & piping—flanges—welding (pressure).
5380	A-5	Valves, fittings & piping—hand-wheels.
5381	E	Valves, fittings & piping—pipe clamps, straps and lugs.
5382	A-5	Valves, fittings & piping—pipe (steam), N. O. C. B. N.
5383	A-5	Valves, fittings & piping—sleeves—for water mains (bell—split).
5384	2A-6	Valves, fittings & piping—valve bodies—angle, cross & swing check types—single seat—flanged ends.
5385	3A-6	Valves, fittings & piping—valve bodies—gate type—double seat—flanged ends.
5386	3A-6	Valves, fittings & piping—valve bodies—globe type—single seat—flanged ends.
5387	4A-6	Valves, fittings & piping—valve bodies—globe type—double seat—flanged ends.
5388	X-219	Valves, fittings & piping—valve bodies—nonfoliot type.
5389	A-6	Valves, fittings & piping—valve bodies—seatless sleeve type.
5390	4A-6	Valves, fittings & piping—valve bodies—welding ends and screwed ends.
5391	2B-6	Valves, fittings & piping—valve parts—(non-pressure) N. O. C. B. N.
5392	2A-6	Valves, fittings & piping—valve parts (pressure) N. O. C. B. N.
5393	3A-5	Valves, fittings & piping—venturi meter tube castings (pressure).

TABLE III—ORDNANCE (U. S. ARMY) CASTINGS (NO BALLISTIC TESTS)

Item No.	Schedule reference	Classification
5543	X-11 R	Ordnance (U. S. Army) carbon steel castings, N. O. C. B. N.
5544	X-11 R	Combat wagon or car castings.
5545	X-11 R	Gun carriage castings, N. O. C. B. N.
5546	X-11 R	Gun carriage adapter castings.
5547	A	Levelling sockets.
5548	X-11 R	Machine gun mount castings.
5549	4A-9	Ring gears
5550	4A-4	Sleighs—top or bottom

TABLE III—ORDNANCE (U. S. ARMY) CASTINGS (NO BALLISTIC TESTS)—Continued

Item No.	Schedule reference	Classification
5551	X-74	Scout car—adjusting idler flanges
5552	X-75	Scout car—adjusting idlers with hubs
5553	X-76	Scout car—bogie brackets
5554	X-11 R	Tank—castings, N. O. C. B. N.
5555	2B-4	Tank—medium (type M-3) angle shaft brackets.
5556	X-11 R	Tank—Medium (type M-3)—Bracket spindles.
5557	X-233 R	Tank—Medium (type M-3)—Clutch spring housings.
5558	X-231	Tank—Medium (type M-3)—Compensating casing covers
5559	X-229	Tank—Medium (type M-3)—Differential bearing plates
5560	X-229	Tank—Medium (type M-3)—Final drive bearing spacers.
5561	X-229	Tank—Medium (type M-3)—Final drive cups.
5562	X-231	Tank—Medium (type M-3)—Final drive hubs.
5563	2B-4	Tank—Medium (type M-3)—Flywheels
5564	X-231	Tank—Medium (type M-3)—Gear box bases
5565	X-231 R	Tank—Medium (type M-3)—Gear housings.
5566	X-235 R	Tank—Medium (type M-3)—Gear plates.
5567	X-231	Tank—Medium (type M-3)—Hubs (with flanges).
5568	X-229	Tank—Medium (type M-3)—Hubs (without flanges).
5569	X-236	Tank—Medium (type M-3)—Hubs (QQ-S-681a grade No. 2, centrifugally cast).
5570	X-11 R	Tank—medium (type M-3)—spacers.
5571	X-233 R	Tank—medium (type M-3)—spindle.
5572	X-231 R	Tank—medium (type M-3)—steering brake drums.
5573	X-231 R	Tank—medium (type M-3)—steering brake shoes.
5574	X-231 R	Tank—medium (type M-3)—steering drum covers.
5575	X-231 R	Tank—medium (type M-3)—transmission brake housing.
5576	X-231 R	Tank—medium (type M-3)—worm housings.
5577	X-11 R	Tank—power transmission castings
5578	X-11 R	Tractor (crawler type) castings, N. O. C. B. N.
5579	X-11 R	Tractor (crawler type)—Idlers.
5580	2B	Tractor (crawler type)—Sprockets—single.
5581	A	Tractor (crawler type)—Sprockets—double.
5582	A	Transmission cases or housings.
5583	A	Worm brackets.
5584	4A-9	Yoke-cradles.

TABLE IV—SHIP & MARINE CASTINGS

Item No.	Schedule reference	Classification
8101	B-9	N. O. C. B. N (pressure).
8102	D-9	N. O. C. B. N (non-pressure).
8103	F-9	Anchors—mushroom (without test)—complete, assembled weight.
8104	C-9	Anchors—old style (without test)—complete, assembled weight
8105	D-9	Anchors—stockless (without test)—complete, assembled weight
8106	H-5	Anchor castings—stockless, N. O. C. B. N
8107	I	Barge—hinges.
8108	I	Barge—pawls.
8109	I	Barge—ratchets & ratchet wheels.
8110	F-5	Bearing housings, rolls & rings (heavy industrial roller bearing
8111	I-5	Bitts, chocks or bollards (mooring).
8112	I-5	Bollards, chocks or bitts (mooring).
8113	D-5	Buoy—castings, N. O. C. B. N.
8114	K-5	Buoy—bottom castings.
8115	B-9	Capstans
8116	I-5	Chocks (open)—roller or fixed check housings.
8117	I-5	Cleats.
8118	F-9	Corner castings.
8119	B-5	Cylinders.
8120	E-5	Davit—castings, N. O. C. B. N.
8121	E-5	Davit—arms (box type).
8122	A-9	Deck pipes.
8123	D-5	Docking skegs.
8124	2B-5	Drums & wildcats (including capstan, gypsy or winch heads or drums).
8125	2B-5	Drums (cable or brake including capstan, gypsy or winch heads or drums) with gears cast integral
8126	D-9	Gear cases & covers.
8127	X-312 R	Gears, racks & segments (cast tooth or blank).
8128	X-312 R	Gear spiders or centers.
8129	F-9	Hatch covers.
8130	E-5	Hatch rings or coamings.
8131	A-9	Hawse pipes.
8132	F-5	Hooks for cranes, cables & chains
8133	I-5	Keyels.
8134	A-9	Outboard shaft bearings.
8135	I-7	Pile driver castings, N. O. C. B. N.
8136	G-5	Pile driver followers & drop hammers.
8137	X-313R	Pinions (cast tooth or blank), N. O. C. B. N.
8138	G-9	Pontoon castings, N. O. C. B. N.
8139	F-9	Pontoon pivots, pivot saddles or bolsters & shoes.
8140	B-9	Pressure castings, N. O. C. B. N
8141	D-9	Propeller-blades.
8142	I-9	Propeller-hubs.
8143	X-117R	Propeller-wheels
8144	I-5	Pulley-castings, N. O. C. B. N.
8145	F-5	Pulley-hubs & plates
8146	D-9	Quadrants.
8147	C-5	Rocker beams (walking beams).
8148	G-4	Rope sockets (for wire rope).
8149	A-9	Rudders or rudder frames.
8150	A-9	Rudder posts or contra-post posts
8151	X-158 R	Rudder skegs.
8152	C-9	Sheaves, N. O. C. B. N
8153	C-9	Sheave housings (for wire rope).
8154	A-9	Spectacle frames.
8155	D-5	Sprockets or chain wheels, N. O. C. B. N.
8156	C-5	Stanchions.
8157	A-9	Stern frames, stems & stipls.
8158	A-9	Stern tubes.
8159	D-9	Tillers.
8160	D-9	Tiller arms.
8161	X-219	Valve bodies—manifold type
8162	2B-5	Wildcats for hosts or derricks

TABLE V—PRICE SCHEDULES

(Letter "R" schedules referred to in § 1306.112 (a) (1))

X-11 R

Weight per piece, lbs.	1-3	4-9	10-24	25-49	50-99	100 & over
1 to 5	.436	.425	.403	.360	.319	.282
5 to 10	.347	.336	.319	.284	.252	.223
10 to 25	.273	.266	.252	.226	.198	.176
25 to 50	.221	.216	.205	.183	.161	.142
50 to 100	.196	.191	.182	.162	.142	.126
100 to 250	.168	.164	.156	.143	.124	.110
250 to 500	.150	.147	.139	.127	.112	.099
500 to 1,000	.137	.134	.130	.117	.104	.092
1,000 to 2,500	.126	.123	.120	.110	.098	.087
2,500 to 5,000	.118	.115	.112	.102	.092	.081
5,000 to 10,000	.112	.109	.106	.098	.088	.078
10,000 to 25,000	.108	.106	.103	.100	.088	.078
25,000 to 50,000	.112	.109	.106	.104	.093	.083
50,000 to 100,000	.118	.115	.112	.109	.098	.087
Over 100,000 lbs	.126					

X-88 R

Weight per piece, lbs.:	*1 and over*
250 to 500	
500 to 1,000	
1,000 to 2,500	
2,500 to 5,000	
5,000 to 10,000	
10,000 to 25,000	
25,000 to 50,000	
50,000 to 100,000	
Over 100,000	

X-112 R

Weight per piece, lbs:	*1 a*
250 to 500	
500 to 1,000	
1,000 to 2,500	
2,500 to 5,000	
5,000 to 10,000	
10,000 to 25,000	
25,000 to 50,000	
50,000 to 100,000	
Over 100,000	

X-117 R

Weight per piece, lbs.:	*1 and over*
250 to 500	.178
500 to 1,000	.162
1,000 to 2,500	.149
2,500 to 5,000	.139
5,000 to 10,000	.133
10,000 to 25,000	.129
25,000 to 50,000	.133
50,000 to 100,000	.139
over 100,000	.149

X-158 R

Weight per piece, lbs.:	*1 and over*
500 to 1,000	.270
1,000 to 2,500	.225
over 2,500	.180

X-159 R

Weight per piece, lbs.:	*1 and over*
500 to 1,000	.385
1,000 to 2,500	.330
over 2,500	.275

X-190 R

Weight per piece, lbs.	1-3	4-9	10-24	25-49	50-99	100 & over
1 to 5	.408	.399	.378	.337	.296	.266
5 to 10	.320	.315	.298	.267	.234	.210
10 to 25	.250	.250	.237	.212	.186	.166
25 to 50	.228	.232	.220	.197	.173	.166
50 to 100	.196	.191	.182	.162	.142	.127
100 to 250	.168	.164	.156	.143	.124	.110
250 to 500	.150	.147	.139	.132	.128	.124

X-191 R

Weight per piece, lbs.	1-3	4-9	10-24	25-49	50 and over
1 to 5	.557	.543	.511	.459	.404
5 to 10	.440	.429	.406	.363	.318
10 to 25	.348	.340	.322	.288	.253
25 to 50	.282	.275	.261	.233	.205
50 to 100	.255	.248	.236	.210	.197
100 to 250	.218	.213	.202	.186	.175
250 to 500	.196	.191	.181	.171	.167
500 to 1,000	.178	.174	.169	.165	.161
over 1,000	.164	.160	.156	.151	.147
over 2,500	.153	.149	.146	.142	.137

X-217 R

Weight per piece, lbs.	1-49	50-99	100 to 249	250 and over
1 to 5	.360	.323	.308	.293
5 to 10	.325	.293	.278	.263
10 to 25	.308	.278	.263	.248
25 to 50	.263	.263	.248	.233
50 to 100	.278	.248	.233	.218
100 to 250	.263	.233	.218	.203
over 250	.248	.218	.203	.188

X-218 R

Weight per piece, lbs.	1-49	50-99	100 to 249	250 and over
1 to 5	.488	.458	.443	.428
5 to 10	.473	.450	.435	.420

X-225 R

Weight per piece, lbs.	1-49	50-99	100 to 249	250 and over
1 to 5	.435	.398	.383	.368
5 to 10	.398	.368	.353	.338
10 to 25	.353	.353	.338	.323
25 to 50	.368	.338	.323	.308
50 to 100	.353	.323	.308	.293
100 to 250	.338	.308	.293	.278
over 250	.323	.293	.278	.263

X-231 R

Weight per piece, lbs.	1-3	4-9	10-24	25-49	50-99	100 & over
1 to 5	.557	.543	.514	.459	.404	.361
5 to 10	.440	.429	.406	.363	.318	.285
10 to 25	.348	.340	.322	.288	.253	.226
25 to 50	.282	.275	.261	.233	.205	.198
50 to 100	.255	.248	.236	.210	.197	.191
100 to 250	.218	.213	.202	.186	.175	.169
250 to 500	.196	.191	.181	.171	.167	.161
500 to 1,000	.178	.174	.169	.165	.161	.157
1,000 to 2,500	.161	.160	.156	.151	.147	.144
2,500 to 5,000	.153	.149	.146	.142	.137	.134
5,000 to 10,000	.146	.142	.138	.135	.131	....
10,000 to 25,000	.141	.137	.134	.130	.127	....
25,000 to 50,000	.146	.142	.138	.135	.131	....
50,000 to 100,000	.153	.149	.146	.142	.137	....
Over 100,000	.164	....	....	....	....	....

X-233 R

Weight per piece, lbs.	1-3	4-9	10-24	25-49	50-99	100 & over
25 to 100	.473	.451	.427	.382	.335	.300

X-234 R

Weight per piece, lbs.	1-3	4-9	10-24	25-49	50-99	100 & over
10 to 50	.737	.720	.661	.609	.534	.480

X-235 R

Weight per piece, lbs.	1-3	4-9	10-24	25-49	50-99	100 & over
50 to 100	.374	.365	.346	.309	.272	.262

	Per lb.
X-237 R	$ .278
X-238 R	.293
X-239 R	.300
X-240 R	.308
X-241 R	.315
X-242 R	.323
X-243 R	.338
X-244 R	.345
X-245 R	.368
X-246 R	.375
X-247 R	.383
X-248 R	.398
X-249 R	.413
X-250 R	.450
X-251 R	1.300
X-252 R	1.338
X-253 R	1.413
X-282 R	.563

1 200 pieces and over.

X-312 R

Weight per piece, lbs.	*1 and over*
250 to 500	.112
500 to 1,000	.102
1,000 to 2,500	.094
2,500 to 5,000	.087
5,000 to 10,000	.083
10,000 to 25,000	.081
25,000 to 50,000	.083
50,000 to 100,000	.087
Over 100,000	.094

X-313 R

Weight per piece, lbs:	*1 and over*
250 to 500	.103
500 to 1,000	.094
1,000 to 2,500	.086
2,500 to 5,000	.081
5,000 to 10,000	.077
10,000 to 25,000	.074
25,000 to 50,000	.077
50,000 to 100,000	.083
Over 100,000	.086

X-314 R

Weight per piece, lbs.	*1 and over*
Under 3,000	.40
3,000 to 5,000	.35
Over 5,000	.30

§ 1306.113 *Appendix B: Maximum prices for railroad specialties.* (a) The maximum prices, including extras except as hereinafter provided, for railroad specialties shall be as set forth in Tables I, II, III and IV of this Appendix: *Provided,* That (1) An additional charge may be made by any producer for any extras furnished by such producer in cases where such extras were customarily charged by railroad specialty producers between October 1 and October 15, 1941, and the maximum amount of any additional charge for any such extra shall be the amount which was customarily charged by railroad specialty producers for the same extra between October 1 and October 15, 1941.

(2) An additional charge may be made by any producer for pattern costs for side-frames and bolsters where such pattern costs were customarily charged by such producer between October 1 and October 15, 1941, and the maximum amount of any additional charge for such pattern costs shall be the amount which customarily was or would have been charged by such producer for the same or similar pattern costs between October 1 and October 15, 1941.

(3) The maximum prices for coupler repair parts furnished by any producer shall be the prices which railroad specialty producers customarily charged therefor between October 1 and October 15, 1941.

(4) Where deliveries are made outside of base territory, there may be added charges for freight prevailing at time of delivery with the customary differential allowed to the purchaser, computed by methods used by the producer on October 1, 1941.

TABLE I—*Side frames*

(1) Furnished in Grade "B" Steel

ANDREWS FRAMES

Size of journal	Normal weight	1 to 10 pieces	11 to 49 pieces	50 to 99 pieces	100 to 199 pieces	200 to 399 pieces	400 or more pieces
4¼" x 8"	375#	$34.95 ea.	$33.00 ea.	$32.05 ea.	$31.10 ea.	$30.15 ea.	$27.10 ea.
5" x 9"	435	37.50 ea.	35.45 ea.	34.45 ea.	33.20 ea.	32.20 ea.	29.00 ea.
5½" x 10"	500	41.35 ea.	38.95 ea.	37.85 ea.	36.55 ea.	35.10 ea.	31.60 ea.
6" x 11"	630	51.80 ea.	48.90 ea.	47.30 ea.	45.55 ea.	43.95 ea.	39.45 ea.
6¼" x 12"	700	58.05 ea.	54.85 ea.	52.90 ea.	51.00 ea.	49.20 ea.	44.25 ea.

TABLE I—*Side frames*—Continued

PEDESTAL FRAMES

4¼" x 8"	410#	$36.55 ea.	$34.65 ea.	$32.65 ea.	$32.70 ea.	$31.75 ea.	$28.70 ea.
5" x 9"	470	39.60 ea.	37.50 ea.	36.55 ea.	35.25 ea.	34.30 ea.	31.10 ea.
5½" x 10"	540	44.75 ea.	41.35 ea.	40.25 ea.	38.60 ea.	37.50 ea.	34.00 ea.
6" x 11"	660	54.65 ea.	51.80 ea.	50.20 ea.	48.25 ea.	46.50 ea.	42.30 ea.
6½" x 12"	810	64.15 ea.	60.90 ea.	59.00 ea.	56.75 ea.	55.00 ea.	49.70 ea.

INTEGRAL BOX FRAMES

[Arranged to take A. A. R. Flat Spring Malleable Iron Lids or Pressed Steel Lids but not including the furnishing or application of such lids]

4¼" x 8"	475#	$45.05 ea.	$42.65 ea.	$41.50 ea.	$40.40 ea.	$39.10 ea.	$35.60 ea.
5" x 9"	590	48.75 ea.	46.15 ea.	44.90 ea.	43.60 ea.	42.15 ea.	38.30 ea.
5½" x 10"	610	54.70 ea.	50.80 ea.	49.20 ea.	47.75 ea.	46.35 ea.	41.85 ea.
6" x 11"	740	65.25 ea.	61.40 ea.	59.50 ea.	57.45 ea.	55.80 ea.	50.00 ea.
6½" x 12"	880	79.05 ea.	74.40 ea.	72.15 ea.	70.05 ea.	67.95 ea.	61.25 ea.

TENDERS

	Andrews frames	Pedestal frames	Integral box frames
4¼" x 8" and 5" x 9" Journals	$42.65 ea.	$47.45 ea.	$64.15 ea.
5½" x 10" Journals	57.05 ea.	61.90 ea.	86.55 ea.
6" x 11" Journals	61.90 ea.	66.85 ea.	92.00 ea.
6½" x 12" Journals	70.55 ea.	76.95 ea.	100.00 ea.

ELSEY INTEGRAL BOX FRAMES

Size of Journal	1 to 10 pieces	11 to 49 pieces	50 to 99 pieces	100 to 199 pieces	200 to 399 pieces	400 or more pieces
5½" x 10"	$89.20 ea.	$84.10 ea.	$81.35 ea.	$79.00 ea.	$76.65 ea.	$69.00 ea.
6" x 11"	95.40 ea.	90.00 ea.	87.30 ea.	84.60 ea.	82.10 ea.	74.00 ea.

FULL CUSHION PEDESTAL TYPE FRAMES

[Prices include the furnishing and application of pedestal and spring bar wear plates]

5" x 9"	$97.15 ea.	$91.60 ea.	$88.80 ea.	$86.05 ea.	$83.50 ea.	$75.15 ea.
5½" x 10"	104.70 ea.	96.00 ea.	93.15 ea.	90.30 ea.	87.65 ea.	79.10 ea.

STABILIZED PEDESTAL TYPE FRAMES

5½" x 10"	$76.70	$72.65 ea.	$70.40 ea.	$67.70 ea.	$65.70 ea.	$59.40 ea.

(2) Furnished in "High Tensile" Steel

INTEGRAL BOX FRAMES

[Arranged to take A. A. R. flat spring malleable iron lids or pressed steel lids, but not including the furnishing or application of such lids]

Size of Journal	Normal weight	1 to 10 pieces	11 to 49 pieces	50 to 99 pieces	100 to 199 pieces	200 to 399 pieces	400 or more pieces
4¼" x 8"	410#	$50.60 ea.	$47.50 ea.	$46.60 ea.	$45.35 ea.	$43.90 ea.	$39.95 ea.
5" x 9"	450	54.70 ea.	51.85 ea.	50.10 ea.	48.55 ea.	47.35 ea.	43.00 ea.
5½" x 10"	510	60.30 ea.	57.00 ea.	55.20 ea.	53.65 ea.	52.00 ea.	47.00 ea.
6" x 11"	690	73.25 ea.	68.97 ea.	66.80 ea.	64.60 ea.	62.65 ea.	55.15 ea.

TABLE II—*Bolsters*

(1) Furnished in Grade "B" Steel

ELSEY TRUCK BOLSTERS

Size of Journal	1 to 10 pieces	11 to 49 pieces	50 to 99 pieces	100 to 199 pieces	200 or more pieces
5½" x 10"	$78.80 ea.	$73.95 ea.	$71.35 ea.	$66.40 ea.	$59.00 ea.
6" x 11"	109.95 ea.	102.95 ea.	99.15 ea.	92.35 ea.	81.50 ea.

BARRETT WHITEHEAD TRUCK BOLSTERS

5½" x 10"	$90.15 ea.	$84.60 ea.	$81.60 ea.	$76.05 ea.	$67.50 ea.
6" x 11"	105.95 ea.	99.30 ea.	95.65 ea.	89.20 ea.	79.90 ea.
6½" x 12"	125.05 ea.	117.20 ea.	112.95 ea.	105.35 ea.	93.30 ea.

FULL CUSHION TRUCK BOLSTERS

5" x 9"	$70.30 ea.	$65.95 ea.	$63.60 ea.	$59.25 ea.	$52.55 ea.
5½" x 10"	79.00 ea.	73.75 ea.	70.80 ea.	65.55 ea.	58.55 ea.

STABILIZED TRUCK BOLSTERS

5½" x 10"	$77.00 ea.	$72.80 ea.	$70.20 ea.	$65.40 ea.	$58.00 ea.

TRUCK BOLSTERS

Size of journal	Normal weight	1 to 10 pieces	11 to 49 pieces	50 to 99 pieces	100 to 199 pieces	200 or more pieces
4¼" x 8"	650#	$58.55 ea.	$55.10 ea.	$53.45 ea.	$50.00 ea.	$44.60 ea.
5" x 9"	745	65.05 ea.	60.90 ea.	59.10 ea.	55.10 ea.	48.95 ea.
5½" x 10"	815	70.30 ea.	65.95 ea.	63.60 ea.	59.25 ea.	52.55 ea.
6" x 11"	1,000	84.90 ea.	78.90 ea.	75.70 ea.	69.90 ea.	63.25 ea.
6½" x 12"	1,200	101.85 ea.	94.80 ea.	90.80 ea.	83.90 ea.	76.10 ea.

BODY BOLSTERS

Class	Weight	1 to 10 pieces	11 to 49 pieces	50 to 99 pieces	100 to 199 pieces	200 or more pieces
A	1 lb to 550 lbs	$52.60 ea.	$50.20 ea.	$48.95 ea.	$45.85 ea.	$41.30 ea.
B	551 to 650 lbs	58.00 ea.	54.75 ea.	53.10 ea.	50.00 ea.	45.15 ea.
C	651 to 750 lbs	67.60 ea.	63.80 ea.	62.00 ea.	58.35 ea.	52.55 ea.
D	751 to 850 lbs	77.40 ea.	74.05 ea.	70.85 ea.	66.70 ea.	60.15 ea.
E	851 to 950 lbs	87.00 ea.	82.40 ea.	79.75 ea.	74.85 ea.	67.60 ea.
F	951 to 1050 lbs	96.80 ea.	91.35 ea.	88.65 ea.	83.35 ea.	75.20 ea.
G	1051 to 1150 lbs	106.40 ea.	100.40 ea.	97.50 ea.	91.70 ea.	82.85 ea.

TENDERS—TRUCK BOLSTERS

All capacities ..... $8.70 per 100 lbs.

The above prices cover cast steel body and truck bolsters with center plates and side bearings cast integral, or arranged for but not including the application of separable center plates or side bearings.

(2) Furnished in High Tensile Steel

TRUCK BOLSTERS

The prices shown below cover cast steel truck bolsters with center plates and side bearings cast integral, or arranged for application of separable center plates or side bearings:

Size of Journal	Normal weight	1 to 10 pieces	11 to 49 pieces	50 to 99 pieces	100 to 199 pieces	200 or more pieces
4¼" x 8"	455	$65.60 ea.	$61.75 ea.	$59.90 ea.	$56.05 ea.	$49.95 ea.
5" x 9"	525	72.90 ea.	68.35 ea.	66.20 ea.	61.75 ea.	54.85 ea.
5½" x 10"	570	78.80 ea.	74.05 ea.	71.80 ea.	66.40 ea.	58.90 ea.
6" x 11"	700	95.17 ea.	88.70 ea.	84.85 ea.	78.35 ea.	70.90 ea.
6½" x 12"	840	111.1 ea.	104.2 ea.	100.75 ea.	94.05 ea.	85.30 ea.

TABLE III—*Couplers*

(1) Furnished in Grade "B" Steel

A. A. R. STANDARD AND ALTERNATE STANDARD COUPLERS AND ATTACHMENTS

A. A. R. Type "E" top or rotary operating coupler, 12" heads with shanks not more than 21¼" long, fitted with 11" knuckles.

5 in. x 7 in. shanks, with 6½ in. butt end	$55.75 per pair
5 in. x 7 in. shanks, with 6¾ in. butt ends	$57.65 per pair.
6¼ in. x 8 in. shanks, with 6¾ in. butt ends	$60.50 per pair.
6¾ in. x 8 in. swiveling shanks, without butts, pins and cotters	$60.50 per pair.
Locomotive or Special Tender designs with shanks not over 21¾ in. long	$34.25 each.
Other special tender designs with unusual style shanks not over 21¾ in. long	$ 0845 per lb.
Passenger Coupler designs	$ 0845 per lb.

A. A. R. Alternate standard Swivel Butts, complete with pins, pin retainers and cotters, when furnished for assembly with couplers having swiveling shanks:

In lots of 1 to 99 pcs. incl	$17.50 per pair.
In lots of 100 to 199 pcs. incl	$16.50 per pair.
In lots of 200 pieces or more	$15.50 per pair

A. A. R. Alternate Standard Swivel Yokes, complete with pins and cotters, when furnished for assembly with couplers having swiveling shanks

In lots of 1 to 99 pcs. incl	$37.90 per pair
In lots of 100 to 199 pcs. incl	$36.40 per pair
In lots of 200 or more pieces	$34.90 per pair

FORMER M. C. B. COUPLERS

M. C. B. top operating freight, locomotive, or special tender couplers, 9¼ in. head, with shanks not over 21¾ in. long fitted with 9 in. or 11 in. knuckles ..... $25.50 each.

M. C. B. top, side, or bottom operating passenger couplers, not over 18 in. long from pulling face of knuckle to butt end, fitted with 9 in. knuckles, but not including the furnishing or application of wrought iron or steel straps, or separate wearing plates ..... $30.00 each.

Coupler Pockets complete, for use with locomotive coupler designs ..... $ 105 per lb.

SPECIAL M. C. B. COUPLERS NOS. 1 AND 2 COMPLETE COUPLERS

	Price each
Special M. C. B. No. 1 Top Operating Couplers with shanks not over 21¾" long and fitted with 9" knuckles.	
5 x 5" shanks, 6½" butt ends	$25.50
5 x 7" shanks, 6½" butt ends	25.50
Engine, Short Shanks	25.50
Special M. C. B. No. 2 Top Operating Couplers, with shanks not over 21¾" long and fitted with 9" knuckles	
5 x 5" shanks, 6½" butt ends	24.00
5 x 7" shanks, 6½" butt ends	24.00
Engine, Short Shanks	24.00

SPECIAL DESIGNS

	Drawing	Price each
Special M. C. B. No. 2 Coupler	Type "J"	$26.50
Special M. C. B. No. 2 Coupler	Type "H"	32.50
Special M. C. B. No. 2 Coupler	Type "M"	32.50
Special M. C. B. No. 2 Coupler	Type "T"	25.50
Special M. C. B. No. 1 Coupler,	Type "S"	28.50

Special M. C. B. No. 2 Top Operating Unit Radial Coupler	$28.30
Special M. C. B. No. 2 Rotary Operating Unit Radial Coupler	29.30
Special M. C. B. No. 1 Top Operating Unit Radial Coupler	29.80
Special M. C. B. No. 1 Rotary Operating Unit Radial Coupler	30.80

INCOMPLETE TYPE "E" AND M. C. B. COUPLER AND COUPLER BODY PRICES—TYPE "E"

A. A. R. Standard Type "E" Coupler Bodies Only; Without fittings:	Per pair
5 x 7 x 6½"	$42.45
5 x 7 x 9½"	43.75
6¼ x 8 x 6½", Rigid Shank	47.20
6¼ x 8 x 6½", Swivel Shank	47.20
Locomotive, Short shank	27.60

For determining prices of various other combinations of incomplete Type "E" Couplers, the following amounts for missing parts should be deducted.

	Type "E" freight couplers	Type "E" locomotive couplers
	Per pair	*Each*
Less Knuckles ..... deduct	$8.72	$4.36
Less Lifters ..... do	.92	.46
Less Knuckle Throwers ..... do	.98	.49
Less Locks ..... do	2.14	1.07
Less Knuckle Pins ..... do	.54	.27

M. C. B.

M. C. B. Coupler Bodies Only, without fittings:	*Each*
5 x 5 x 6½"	$20.60
5 x 7 x 6½"	20.60

For determining prices of various other combinations of incomplete M. C. B. Couplers, the following amounts for missing parts should be deducted.

	M. C. B. couplers (each)
Less Knuckles ..... deduct	$3.05
Less Lifters ..... do	.90
Less Locks ..... do	.68
Less Knuckle Pins ..... do	.27

TABLE III—*Couplers*—Continued

FRACTIONAL SIZE COUPLERS

½ Size top operating freight or tender couplers without uncoupling chains, price	$19.50 each.
¾ Size bottom or side operating freight or tender couplers without uncoupling chains, price	$21.00 each.
¾ Size top, side, or bottom operating passenger couplers, without uncoupling chains, price	$23.25 each.
1½ Size top operating freight or tender couplers, without uncoupling chains, price	$13.00 each.
1½ Size coupler pockets, price	$0.205 per lb.

(2) Furnished in High Tensile Steel

A. A. R. STANDARD AND ALTERNATE STANDARD COUPLERS AND ATTACHMENTS

A. A. R. Type "E" top or rotary operating couplers, 12" heads with shanks not more than 21¾" long, fitted with 11" knuckles.

6¼" x 8" shanks with 6½" butt ends	$67.25 per pr.
6¾" x 8" swiveling shanks, without butts, pins, and cotters	$67.25 per pr.

A. A. R. Alternate Standard Swivel Butts, complete with pins, pin retainers and cotters, when furnished for assembly with couplers having swiveling shanks

In lots of 1 to 99 pcs. incl	$19.65 per pr.
In lots of 100 to 199 pcs. incl	$18.40 per pr.
In lots of 200 pieces or more	$17.15 per pr.

A. A. R. Alternate Standard Swivel Yokes, complete with pins and cotters, when furnished for assembly with couplers having swiveling shanks.

In lots of 1 to 99 pcs. incl	$42.15 per pr.
In lots of 100 to 199 pcs. incl	$40.25 per pr.
In lots of 200 pieces or more	$38.40 per pr.

A. A. R. Standard Tight Lock Coupler Complete T-50 ..... $111.25 each.

A. A. R. Standard Tight Lock Coupler Yoke, Y-50, complete with Radial connection, Radial seat and pins ..... $112.50 each.

Type "E" Controlled Slack Coupler, Complete:

C. S. C.-1	$62.50 each.
C. S. C.-2	$92.80 each.
C. S. C.-3	$90.60 each.
C. S. C.-4	$71.05 each.
C. S. C.-5	$78.65 each.

[Table III as amended by Amendment 1, 7 F.R. 2001]

TABLE IV—*Yokes*

(1) Furnished in grade "B" Steel

CAST STEEL DRAFT YOKES FOR FREIGHT CARS, LOCOMOTIVE TENDERS, AND PASSENGER EQUIPMENT

	1-99 pieces	100-199 pieces	200 pieces or more
Schedule A—Covering Standard and Conventional Yokes of A. A. R. *Grade "B"* Steel, Horizontal key type for Freight cars and Locomotive tenders, providing			
Friction Draft Gear Pocket, 9¼" x 24½" for use with 6" x 1⅛" key, and standard 6" x 8" "D" and 6¾" x 8" "E" Couplers, and meeting A. A. R. test requirements	*(Per pr.)* $32.20	*(Per pr.* $29.70	*(Per pr.)* $26.00
Friction Draft Gear Pocket, 9¼" x 24½" for use with 5" x 1⅛" key, and 5" x 7" couplers (or 5" x 5")	29.80	27.60	24.10
Tandem Spring Draft Gear Pockets, with 8¾" or 8¼" between straps x 11", for use with 6" x 1⅛" key or 5" x 1¼" key	32.90	30.30	26.20
Friction Draft Gear Pocket, 9¼" x 18½", for use with 6" x 1⅛" key, and standard 6" x 8" "D" and 6¾" x 8" "E" Couplers and meeting A. A. R. test requirements	29.80	27.60	24.10
Friction Draft Gear Pocket, 9¼" x 18½", for use with 5" x 1⅛" key and 5" x 7" couplers (or 5" x 5")	26.60	24.60	21.40
Schedule "B"—Covering Non-Standard Vertical Key Type Freight Car Yokes of A. A. R. *Grade "B"* Steel including Vertical Keys and Retainers complete or keyless Type including locking castings, binders or other retainers complete, providing—			
Friction Draft Gear Pocket, 9¼" x 24½", having 5" x 1" straps and designed with or without ties for any size coupler butt	32.70	30.70	27.30
Friction Draft Gear Pocket, 9½" x 18½", having 5" x 1" straps and designed with or without ties for any size coupler butt	29.10	28.30	25.50
Tandem Spring Draft Gear Pockets, 10⅝" to 11¾" long separated by 5" to 5⅝" filler blocks, having 5" x 1" straps and designed with or without ties for any size coupler butt	36.00	33.80	30.10
Schedule C—Covering all other Freight Car Yokes of A. A. R. *Grade "B"* Steel, Horizontal Key Type; Vertical Key Type, with retainers but without Keys; or Keyless Type of Yoke without locking Castings, binders, or other retainers	*(Per lb.)* 9.10¢	*(Per lb.)* 8.40¢	*(Per lb.)* 7.37¢
NOTE: For Vertical Keys, not exceeding 25 lbs. each for use with vertical key yokes, or for locking castings, binders, or other retainers for use with Keyless type of Yokes, add to prices on Schedule C—$1.00 per Pair.			
Schedule "D"—Covering all other Tender Yokes of A. A. R. *Grade "B"* Steel	10.30¢	9.50¢	8.40¢
Schedule "E"—Covering Yokes of A. A. R. *Grade "B"* Steel for Passenger Equipment	10.30¢	9.50¢	8.40¢

TABLE IV—*Yokes*—Continued

(2) Furnished in High Tensile Steel

CAST STEEL DRAFT YOKES FOR FREIGHT CARS, LOCOMOTIVE TENDERS, AND PASSENGER EQUIPMENT—Continued

	1-99 pieces	100-199 pieces	200 pieces or more
Schedule "F"—Covering Standard and Conventional *Light Weight Yokes of High Tensile Steel* Horizontal Key Type for Freight Cars and Locomotive Tenders providing Friction Draft Gear Pocket 9¼" x 24¾", for use with 6" x 1⅜" key and standard 6" x 8" "D" and 6⅛" x 8" "E" Couplers, and meeting A. A. R. test requirements for high tensile steel	(Per pr.) $34.90	(Per pr.) $32.90	(Per pr.) $27.60

§ 1306.114 *Appendix C: Exceptions.* The following persons have been granted an exception under § 1306.108 of Price Schedule No. 41.

Utility Electric Steel Foundry, 3334 East Slausen Avenue, Vernon, California, by letter dated December 10, 1941;

Oklahoma Steel Castings Co., Tulsa, Okla., by letter dated December 18, 1941;

Duncan Foundry & Machine Works, Inc., Alton, Ill., by letter dated December 23, 1941;

Gunite Foundries Corporation, Rockford, Ill., by letter dated January 8, 1942.

All action taken in reliance upon the terms of any exception shall be at the risk of the person acting until and unless official notification has been received by such person pursuant to such application. Persons interested may secure the terms of an exception on application to the Office of Price Administration.

Issued this 20th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2830; Filed, February 20, 1943, 12:13 p. m.]

PART 1340—FUEL

[MPR 120,[1] Amendment 41]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Sections 1340.220 (b) and 1340.221 (b) are amended to read as set forth below:

§ 1340.220 *Appendix I: Maximum prices for bituminous coal produced in District No. 9.* * * *

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.*

	Prices and size group numbers									Prices and size group numbers—Continued																				
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29
All 14th Seam and Stray Seam mines	260	250	245	240	240	230	225	220	215	205	205	205	185	180	125	.....	215	210	210	210	210	210	205	200	175	195	190	185	185
All 6th Seam mines	280	270	260	250	250	240	225	215	200	300	300	300	245	245	110	.....										285	275	275	275
All 9th and 11th Seam mines and mines in Seams not specifically mentioned above	225	225	215	210	210	210	210	200	195	185	185	185	165	165	110	110	215	210	210	220	220	220	220	215	150	165	165	160	160

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum price as of October 1, 1942, plus a sum not exceeding 35 cents per net ton.

(3) *Maximum prices in cents per net ton for railroad locomotive fuel use.*

Prices and size group numbers									Prices and size group numbers—Continued																				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29
210	210	210	210	210	210	210	210	210	185	185	185	165	165	110	110	210	185	185	185	185	185	165	165	110	165	165	110	110

(4) In the event any specific maximum price has been adjusted prior to February 15, 1943, the effective maximum price in such case shall not be determined by reference to sub-paragraphs 1, 2 or 3 above, but must be computed by adding to such adjusted price the following amount in cents per net ton as shown for each size group.

(A) For methods of shipment and uses indicated in (1) above:

	Size group numbers									Size group numbers—Continued																				
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29
All 14th seam and stray seam mines	----	----	----	5	15	10	15	15	15	15	15	15	15	15	15	.....	15	15	15	15	15	15	15	15	15	15	15	15	15
All 6th seam mines	----	----	----	5	5	10	15	15	15	15	15	15	15	15	15	.....										15	15	15	15
All 9th and 11th seam mines and mines in seams not specifically mentioned above	----	----	----	5	15	10	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15

(B) For method of shipment and use indicated in (2) above:
15 cents ..... All Size Groups

(C) For use indicated in (3) above:
15 cents ..... All Size Groups

* 1340.221 *Appendix J: Maximum prices for bituminous coal produced in District No. 10.* * * *

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.*

For shipment from all mines in price groups shown below	Prices and size group numbers									Prices and size group numbers—Continued																				
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29
No. 1-2	335	330	330	300	300	270	260	255	255	245	255	255	215	205	155	105	260	255	265	270	305	295	245	235	215	230	230	225	220
3	295	295	295	280	270	265	260	255	260	250	250	215	215	205	155	105	260	255	255	255	260	260	235	225	205	225	225	215	210
4	295	295	295	280	270	265	245	235	250	245	245	240	185	175	120	105										195	185	----	----
5	260	260	260	235	230	225	215	215	220	210	210	210	175	165	110	95										185	175	----	----
6	235	235	235	230	215	210	200	200	220	210	210	210	175	165	110	95										185	175	----	----
7	260	260	260	250	250	235	225	230									230	225	225	225	225	215	215	215	180				
8	335	335	335	310	300	280	260	270	255	245	245	245	220	210	175	125	265	260	260	260	255	245	245	245	215	230	220	230	195
9							260																						
10, 16-17-18-19-20-21-22	245	240	240	210	195	195	190	190	220	215	215	215	185	175	115	95	230	225	225	225	220	215	210	200	170	195	185	185	----
11	315	275	270	255	245	230	225	230	230	225	225	225	175	165	110	95	270	265	265	265	260	250	195	185	185	185	175	185	----
12-13-23	245	240	240	240	205	205	200	205	215	215	215	215	165	160	105	...	225	220	220	235	225	215	200	190	160	175	170	----	----
14-15	300	300	300	295	290	285	285	285	290	255	255	255	235	185	110	.....	295	290	290	290	290	290	250	250	210	210	195	----	----
24-25-26	245	245	245	225	215	210	220	205	215	210	210	210	180	170	115	.....	235	230	245	235	215	205	205	195	170	200	180	----	----
27-28	255	240	245	240	220	210	220	205								.....	255	250	250	260	240	230	220	210	175			----	----
29	300	300	300	295	290	280	285	280	295	290	290	290	240	230	145	.....	300	295	285	285	295	245	245	230	205	250	240	----	----
30	285	285	285	275	270	270	270	270	290	255	245	265	215	205	150	.....	290	275	285	285	275	265	265	255	225	255	245	----	----
31	410	410	410	390	295	290	280	275	425	425	425	425	295	270	215	.....	310	305	305	305	305	295	295	285	255	295	280	----	----
32	285	285	285	275	270	270	265	260	260	255	265	265	235	235	180	.....										255	245	----	----
33	280	280	280	270	265	250	260	260	270	265	265	265	235	225	100	.....										245	235	----	----
34	280	280	280	270	265	250	250	250	255	250	250	250	220	210	155	.....	245	240	240	240	240	230	230	220	180	230	220	----	----

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum price as of October 1, 1942, plus a sum not exceeding 80 cents per net ton.

(3) *Maximum prices in cents per net ton for railroad locomotive fuel except as otherwise specifically provided herein.* The maximum prices for all railroad locomotive fuel shall be the applicable effective minimum prices as of October 1, 1942, for all-rail on-line shipments (without adjustments on account of price exceptions and freight differentials, but with application of railroad locomotive fuel Price Instructions A, B, C, D, and E), plus a sum not exceeding 35¢ per net ton: *Provided*, That the maximum price on screenings (as defined in railroad locomotive fuel Price Instruction C of the Effective Minimum Price Schedule for District No. 10) for all railroad fuel uses for shipment from all mines in Price Groups 12 and 13, shall be the maximum railroad locomotive fuel price for such screenings.

(4) In the event any specific maximum price has been adjusted prior to February 15, 1943, the effective maximum price in such case shall not be determined by reference to sub-paragraphs 1, 2 and 3 above, but must be computed by adding to such adjusted price the following sum:

(A) For the methods of shipment and uses indicated in (1) above; No increase in Size Groups 1 to 8, inclusive; Fifteen (15) cents in Size Groups 9 to 29, inclusive.

(B) For the methods of shipment and uses indicated in (2) above; Ten (10) cents in all size groups.

(C) For use indicated in (3) above; Ten (10) cents.

This amendment shall be effective as of February 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2831; Filed, February 20, 1943; 12:12 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 262,[1] Amendment 5]

SEASONAL AND MISCELLANEOUS FOOD COMMODITIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Sections 1351.954 (a) (1) and 1351.955 (a) (1) are amended; § 1351.959a is added; subparagraph (16) is added to § 1351.965 (a); and three commodities are added to the list in § 1351.969, all to read as set forth below:

§ 1351.954 *Maximum prices for listed seasonal food commodities.* * * *

(a) * * *

(1) No ingredient or packaging material subject to maximum prices prescribed by the Office of Price Administration shall be included in such costs at higher than the maximum purchase price to said producer. If the maximum purchase price is not a delivered price, the producer may add to this maximum purchase price the actual transportation costs which he incurred from the customary shipping point to his customary receiving point by the customary mode of transportation.

If any producer has heretofore calculated and reported a maximum price under this Maximum Price Regulation No. 262 without including such transportation charges, he may recalculate his maximum price in this respect only and report his recalculated maximum price in accordance with the method of reporting in § 1351.959 within thirty days after the effective date of this amendment.

* * * * *

§ 1351.955 *Maximum prices for listed miscellaneous food commodities.* * * *

(a) * * *

(1) He shall include in such cost every ingredient or packaging material subject to maximum prices prescribed by the Office of Price Administration at the maximum price established for the commodity for the class of purchasers to which he belongs. If the maximum price is not a delivered price, the producer may add to this maximum price the actual transportation costs which he incurs from the customary shipping point to his customary receiving point by the customary mode of transportation.

If any producer has heretofore calculated and reported his maximum price under this Maximum Price Regulation No. 262 without including such transportation charges, he may recalculate his maximum price in this respect only and report his recalculated maximum price in accordance with the method of reporting in § 1351.959 within thirty days after the effective date of this amendment.

* * * * *

[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218, 6265, 6272, 6472, 6325, 6524, 6744, 6998, 7777, 7670, 7914, 7942, 8354, 8630, 8918, 9783, 10470, 10581, 10780, 10993, 11008, 11012; 926, 1388, 1629, 1679, 1747, 1971, 2023, 2030.

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9244, 10844. 8 F.R. 262, 273, 437, 973.

* Copies may be obtained from the Office of Price Administration.

If the producer does recalculate and report a new maximum price, he shall also give new notices under § 1351.957, except that the 90-day period referred to therein shall be from and after the effective date of this amendment.

* * * * *

§ 1351.959a *Time limits where commodities are included by amendment.* (a) Whenever a commodity is included in this regulation by amendment on or after February 26, 1943, the producer of the commodity shall, within thirty days after the effective date of the amendment adding such commodity, calculate and report his maximum prices determined under the regulation to the Office of Price Administration at Washington, D. C., in accordance with the method of reporting set forth in § 1351.959. Unless this is done the producer cannot sell the commodity at all after said thirty-day period until he does calculate and report his prices as required. After a producer has calculated and reported his maximum prices under the regulation as amended after December 31, 1942, the provisions of the General Maximum Price Regulation shall not apply to sales or deliveries by him of the commodity added by amendment; and thirty days after the effective date of such amendment, the provisions of the General Maximum Price Regulation shall not apply to sales or deliveries by producers of such commodity.

(b) Wherever in the preceding sections the words "effective date of this regulation" appear they shall read "effective date of this amendment" as applied to any commodity included in the regulation by amendment.

(c) The time within which maximum prices shall be calculated and reported for any commodity heretofore added to this regulation by amendment subsequent to December 31, 1942, shall be thirty days after the effective date of this present amendment, and this time limit shall have like effect and significance as to any such commodity as December 31, 1942, had in §§ 1351.951, 1351.952, 1351.953 and 1351.959 in reference to the initial commodities subject to this regulation prior to any amendment.

§ 1351.965 *Definitions.* (a) When used in this Maximum Price Regulation No. 262 the term: * * *

(16) "Canned homestyle chicken" means either whole chicken or any combination of the various parts of chicken with skin and broth purified by heat and packed in hermetically sealed containers.

§ 1351.969 *Appendix B: Miscellaneous food commodities covered by this regulation.* The following miscellaneous food commodities are covered by and shall be governed by this Maximum Price Regulation No. 262.

* * * * *

Canned chicken a la king
Canned chicken and noodle dinner
Canned homestyle chicken

§ 1351.967a *Effective dates of amendments.* * * *

(e) This Amendment No. 5 to Maximum Price Regulation No. 262 (§§ 1351.954 (a) (1), 1351.955 (a) (1), 1351.959a, 1351.965 (a) (16) and 1351.969) shall become effective February 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2832; Filed, February 20, 1943; 12:12 p. m.]

PART 1361—FARM EQUIPMENT

[MPR 133,[1] Amendment 4]

RETAIL PRICES FOR FARM EQUIPMENT

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.[*]

Paragraph (a) of § 1361.3a is amended, and a new paragraph (e) is added to § 1361.3a, as set forth below:

§ 1361.3a *Maximum prices; used equipment*—(a) *Base price.* (1) In determining the maximum price for any of the following items of used farm equipment, a "base price" must first be calculated:

Farm tractors (except crawler tractors)
Combines
Corn pickers
Corn binders
Hay balers (motor or tractor operated)
A combination of any of the above listed items with other items of farm equipment specifically designed for mounting thereon, provided the combination is sold as a unit.

(2) The "base price" is the first of the following which is available:

(i) The manufacturer's suggested retail price for the same item of equipment f. o. b. factory which is currently in effect or if there is no such price currently in effect, the manufacturer's suggested retail price last issued; or

(ii) If the item of equipment has no manufacturer's current suggested retail price and never had any, the maximum price for which the same or nearest equivalent item might be sold new by any dealer in the locality, minus carload freight from the plant of the manufacturer thereof.

(3) In the case of a combination sale referred to in subparagraph (1), the maximum price for the unit shall be equal to the sum of the maximum prices of each of the items of farm equipment sold as part of the unit.

* * * * *

(e) *Prohibition against joint sales of used farm equipment and other items.* Except as provided in paragraph (a) (1) of this section, each item of used farm equipment listed in paragraph (a) (1) shall be sold separately and

(1) No retail dealer, service dealer, or any other person shall sell or negotiate the sale of any item of used farm equipment listed in paragraph (a) (1) of this section jointly with another item of farm equipment, whether or not listed in paragraph (a) (1), or with any other commodity for a lump sum; and

(2) No retail dealer, service dealer, or any other person shall sell or negotiate the sale of any item of used farm equipment not listed in paragraph (a) (1) or any other commodity with the understanding that such purchase carries an option to purchase an item of used farm equipment listed in paragraph (a) (1).

This amendment shall become effective February 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2833; Filed, February 20, 1943; 12:12 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 292 Under § 1499.3 (b) of GMPR]

LUDLOW MANUFACTURING AND SALES COMPANY

Ludlow Manufacturing and Sales Company, 211 Congress Street, Boston, Massachusetts, made application under § 1499.3 (b) of the General Maximum Price Regulation for approval of a maximum price for its hemp webbing. Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration, *It is ordered:*

§ 1499.1728 *Approval of maximum price for sales of hemp webbing by Ludlow Manufacturing and Sales Company.* (a) On and after February 22, 1943, the maximum price at which Ludlow Manufacturing and Sales Company of 211 Congress Street, Boston, Massachusetts, may sell, deliver and offer for sale its 3½ inch hemp webbing shall be $3.78 per 71 yard cut.

(b) The maximum price enumerated herein for hemp webbing shall be subject to discounts and allowances no less favorable to the purchaser than those offered during March 1942 by Ludlow Manufacturing and Sales Company on sales of its 3½ inch jute webbing.

(c) The maximum prices authorized by this order shall be subject to adjustment at any time by the Office of Price Administration.

(d) This Order No. 292 may be amended or revoked by the Office of Price Administration at any time.

This Order No. 292 shall become effective February 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2834; Filed, February 20, 1943; 12:13 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 293 Under § 1499.3 (b) of GMPR]

NATIONAL TITLE CO.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.1729 *Maximum prices for parts of a new fireplace grate manufactured by the National Tile Company, Inc.* (a) This Order No. 293 sets temporary maximum prices for sales of parts of the new fireplace grates manufactured from substitute materials by the National Tile Company, Inc., Anderson, Indiana. It applies only to the parts which have been described in an application submitted by the manufacturer to the Office of Price Administration. The order is temporary. No sales or deliveries may be made under its authority after the first day of April, 1943.

Listed below are the maximum prices for sales by the manufacturer, wholesalers and retailers.

Name of part	Factory to jobber price	Factory to retailer price	Wholesale price	Retail price
Ends	$1.24	$1.38	$1.65	$2.48
Center	1.33	1.46	1.77	2.67
Front grilles	.38	.42	.51	.77
Side grilles	.35	.39	.47	.70
Bottom grilles	.46	.51	.54	.92
Front rails	.27	.30	.37	.55
Rear rails	.23	.26	.30	.46
Cross	.05	.06	.07	.10

(1) The price listed under "Factory to jobber" in the above table is the maximum price for sales by the manufacturer to wholesalers or jobbers. The price is f. o. b. factory.

(2) The price listed under "Factory to retailer" in the above table is the maximum price for sales by the manufacturer to retailers. The price is f. o. b. factory.

(3) The price listed under "Wholesale price" in the above table is the maximum price for sales at wholesale by a person other than the manufacturer. The price is f. o. b. the seller's city.

(4) The price listed under "Retail price" in the above table is the maximum price for sales at retail.

(b) Before delivery of any part to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail ceiling price of the part. For example, a statement in the following form on a front grille would be sufficient: "Retail ceiling price 77 cents." The tag or label shall not be detached until after the part has been delivered to the consumer.

(c) At or before the time of first delivery after the effective date of this order, the manufacturer shall notify in writing every person who buys from him of the maximum prices set by this order No. 293 for resales by the purchaser. This written notice may be given in any convenient manner; for example, it may be shown on or attached to the invoice, or packed with the merchandise.

(d) This Order No. 293 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to terms used herein.

(f) This Order No. 293 (§ 1499.1729) shall become effective on the 22d day of February, 1943 and shall terminate on the first day of April, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2835; Filed, February 20, 1943; 12:20 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 203 Under § 1499.18 (b) of GMPR]

THE LEGIONNAIRE COMPANY

Order No. 203 Under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-843.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1803 *Adjustment of maximum prices for Flightex-cloth shirts manufactured by the Legionnaire Company for the American Legion.* (a) The Legionnaire Company of Boston, Massachusetts may sell and deliver, and the American Legion may buy and receive from the Legionnaire Company the following commodities at prices not higher than those set forth below:

(1) $31.42 per dozen for white Flightex-cloth shirts manufactured by the Legionnaire Company for the American Legion, having the same specifications as to quality of fabrics and trimmings, standards of construction and garment dimensions, as those for which the Legionnaire Company established $25.42 per dozen as its maximum price under § 1499.2 of the General Maximum Price Regulation.

(2) $32.92 per dozen for blue Flightex-cloth shirts manufactured by the Legionnaire Company for the American Legion, having the same specifications as to quality of fabrics and trimmings, standards of construction and garment dimensions, as those for which the Legionnaire Company established $26.92 per dozen as its maximum price under § 1499.2 of the General Maximum Price Regulation.

(b) The adjustment granted to the Legionnaire Company in paragraph (a) is subject to the following conditions:

(1) This adjustment shall apply only to sales by the Legionnaire Company to the American Legion.

(2) All discounts, trade practices, and all practices relating to shipping and shipping charges in effect in March 1942, shall be applicable to the maximum prices set forth in paragraph (a) hereof.

(3) The Legionnaire Company shall mail to the American Legion a notice reading as follows:

The Office of Price Administration has permitted us to raise our maximum prices for sales to you of our Flightex-cloth shirts from $25.42 to $31.42 per dozen for the white shirts, and from $26.92 to $32.92 per dozen for the blue shirts. These amounts represent only that part of cost increases which we were unable to absorb, and the new maximum prices conform to the prices agreed on in the contract between this company and the American Legion, dated February 20, 1942. The Office of Price Administration has established $2.88 each for the white shirts and $3.00 each for the blue shirts as the maximum prices at which you may sell these shirts.

(c) American Legion may not charge for the shirts (without emblems or insignia) specified in paragraph (a) of this section a price in excess of $2.88 each for the white shirts and $3.00 each for the blue shirts.

(d) All prayers of the application not granted herein are denied.

(e) This Order No. 203 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 203 is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2 of the General Maximum Price Regulation.

(g) This Order No. 203 shall become effective February 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2827; Filed, February 20, 1943; 12:14 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 9 Under § 1499.18 (c) of GMPR]

LYNN FOOD PRODUCTS CO.

Order No. 9 under § 1499.18 (c) as Amended, of the General Maximum Price Regulation—Docket No. GF3-2922.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is hereby ordered:*

§ 1499.1509 *Denial of application of Lynn Food Products Co.* On November 21, 1942, Lynn Food Products Co., 5960 Broadway, Chicago, Illinois, filed an application for adjustment of its maximum selling prices for "Mary Lynn" brand dehydrated Cream of Celery and Cream of Spinach soups packed in 3¾ oz. containers pursuant to § 1499.18 (c), as amended, of the General Maximum Price Regulation. The said application for adjustment hereby is denied.

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[*] Copies may be obtained from the Office of Price Administration.

[1] 7 F. R. 3185, 6936, 7599, 8948; 8 F. R. 184.

This order shall become effective February 20, 1943.

(Pub. Laws 429 and 721, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2828; Filed, February 20, 1943; 12:13 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 7 Under MPR 165 as Amended]

DIXIE VENEER CO.

Order No. 7 under § 1499.114 (a) of Maximum Price Regulation 165, as amended—Services.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.707 *Adjustment of maximum charges for custom cutting of African and Honduras mahogany veneer to standards of thickness for aircraft specifications by the Dixie Veneer Company, Norfolk, Virginia.* (a) The Dixie Veneer Company, Norfolk, Virginia, may make the following charges per thousand square feet for cutting African and Honduras mahogany veneer of the standards of thickness shown:

African mahogany, thickness	*Charges per M square feet*
1 10"	$13 50
1 12"	11 00
1 16"	8.00
1 20"	6 00
1 24"	5 25
1 28"	4 00
1 [illegible]	4 75
1 [illegible]	4 50

Honduras Mahogany, thickness	*Charges per M square feet*
1 10"	$14 00
1 12"	12.00
1 16"	8. 75
1 20"	6. 50
1 24"	5. 75
1 28"	4 75
1 32"	5 50
1 48"	5. 00

(b) This Order No. 7 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 7 shall become effective February 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2825; Filed, February 20, 1943; 12:21 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Correction to Amendment 21 to Ration Order 5C[1]]

MILEAGE RATIONING: GASOLINE REGULATIONS

The designation paragraph (e) in § 1394.8207 is corrected to read paragraph (f) in § 1394.8207.

[1] 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 565, 607, 1028, 1202, 1203, 1365, 1382, 1366, 1318, 1588, 1813, 1895, 2098.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 20th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2839, Filed, February 20, 1943; 3:59 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 13,[1] Amendment 1]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 13 is amended in the following respects:

1. Section 1.1 (a) is amended to read as follows:

(a) The following foods called "processed foods", are covered by this order:

(1) All fruits, fruit juices, vegetables, vegetable juices, soups, and baby foods, packed in hermetically sealed containers of any type and sterilized by the use of heat;

(2) All frozen fruits and vegetables;

(3) All dried and dehydrated fruits and soups;

(4) All dry beans, lentils, and peas.

The only foods in the above group which are not covered by this order are: candied fruits; brandied fruits; cereals; chili con carne; fruit cakes; fruit puddings; mince meat; bouillon cubes; milk; olives; maraschino cherries; potato salad; popcorn; nuts and nut meats; frozen fruits and vegetables in containers over ten (10) pounds; fruit and vegetable juices in containers over one (1) gallon; jams, jellies, marmalades, fruit butters, and other similar preserves; meat stews containing some vegetables; fruit drinks containing 50% or less by weight of natural fruit juices; prepared spaghetti, macaroni, noodles or similar paste products packed in hermetically sealed containers even if mixed or combined with added vegetable sauces; pickles and relishes, including pickled watermelon, cocktail onions, cocktail mushrooms, cocktail oranges, and other similar pickled specialties; and by-products of fruits or vegetables, such as soya bean oil, soya bean milk, fruit and vegetable dyes, and similar products. The foods not covered by this order are not "processed foods" as that term is used.

2. Section 3.1 (a) (1) is amended to read as follows:

(1) A person produces processed foods:

(i) If he bottles, cans, or packs fruits, fruit juices, vegetables, vegetable juices, soups, or baby foods, in hermetically sealed containers and sterilizes them by the use of heat; or

(ii) If he packs and freezes fruits or vegetables in containers of ten (10) pounds or less; or

(iii) If he sorts, washes, and dries or dehydrates fruits; or

(iv) If he packs frozen fruits or vegetables from containers over ten (10) pounds into containers of ten (10) pounds or less; or

(v) If he packs fruit or vegetable juices from containers over one (1) gallon into hermetically sealed containers of one (1) gallon or less and sterilizes them by the use of heat; or

(vi) If he sorts, washes, and cleans dry beans, lentils, or peas; or

(vii) If he packages dried or dehydrated vegetables or meat stocks whether or not in combination with noodles or other similar paste products, for use as a dried soup or soup base; or

(viii) If he uses processed foods to produce other processed foods (as, if he uses canned peaches to make canned fruit salad).

[NOTE: Not all items in the above groups are processed foods as that term is defined. For example, fruit and vegetable juices packed in containers over one (1) gallon are not processed foods. Canned olives are not processed foods. Therefore, a person who packs fruit juices in containers over one (1) gallon, or who cans or bottles olives, does not thereby produce a processed food.]

3. Section 21.1 (a) (10) is amended to read as follows:

(10) "Processed foods" means:

(i) All fruits, fruit juices, vegetables, vegetable juices, soups, and baby foods, packed in hermetically sealed containers of any type and sterilized by the use of heat;

(ii) All frozen fruits and vegetables;

(iii) All dried and dehydrated fruits and soups;

(iv) All dry beans, lentils, and peas.

The only foods in the above group which are not covered by this Order are: candied fruits; brandied fruits; cereals; chili con carne; fruit cakes; fruit puddings; mince meat; bouillon cubes; milk; olives; maraschino cherries; potato salad; popcorn; nuts and nut meats; frozen fruits and vegetables in containers over ten (10) pounds; fruit and vegetable juices in containers over one (1) gallon; jams, jellies, marmalades, fruit butters, and other similar preserves; meat stews containing some vegetables; fruit drinks containing 50% or less by weight of natural fruit juices; prepared spaghetti, macaroni, noodles or similar paste products packed in hermetically sealed containers even if mixed or combined with added vegetable sauces; pickles and relishes, including pickled watermelon, cocktail onions, cocktail mushrooms, cocktail oranges, and other similar pickled specialties; and by-products of fruit or vegetables, such as soya bean oil, soya bean milk, fruit and vegetable dyes, and similar products. The foods not covered by this order are not "processed foods" as that term is used.

4. Section 21.1 (a) (12) is amended to read as follows:

(12) "Processor establishment" means any place where a "person" produces "processed foods" for sale or "transfer". A person is considered to "produce" if he:

(i) Bottles, cans or packs fruits, fruit juices, vegetables, vegetable juices, soups, or baby foods in hermetically sealed containers and sterilizes them by the use of heat; or

(ii) Packs and freezes fruits or vegetables in containers of ten (10) pounds or less; or

(iii) Sorts, washes, and processes dried or dehydrated fruits; or

(iv) Packs frozen fruits or vegetables from containers over ten (10) pounds into containers of ten (10) pounds or less; or

(v) Packs fruit or vegetable juices from containers over one (1) gallon into containers of one (1) gallon or less; or

(vi) Sorts, washes, and cleans, dry beans, lentils, or peas; or

(vii) Packages dried or dehydrated vegetables or meat stocks whether or not in combination with noodles or other similar paste products, for use as a dried soup or soup base; or

(viii) Uses processed foods to make other processed foods. The term "processor establishment" also means any place to which a person imports processed foods into the United States, from any place outside the United States, for sale or transfer. It also includes a place at which a person does not produce or import processed foods, if he regularly keeps there, for sale or transfer, only processed foods which he himself produced or imported. Finally, there is one case in which a place where a person keeps stocks of processed foods produced or imported by someone else is a processor establishment. If he keeps those stocks at that place just to use them to produce other processed foods, that place is a processor establishment.

This amendment shall become effective 12:01 a. m. February 21, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Directive 1, 7 F.R. 562, and Food Directive 5)

Issued this 20th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2840; Filed, February 20, 1943; 3:59 p. m.]

PART 1429—POULTRY AND EGGS

[Rev. MPR 269,[1] Amendment 5]

POULTRY

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1429.27 is revoked and a new § 1429.27 is substituted therefor to read as set forth below:

§ 1429.27 *Period during which prices set forth in § 1429.26 are effective.* The prices set forth in § 1429.26 shall continue in effect until superseded by an amendment to this regulation.

This amendment shall become effective February 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of February 1943.

PRENTISS M. BROWN,
Administrator.

Approved:

GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 43-2841; Filed, February 20, 1943; 3:59 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. Order 130 Under § 1499.3 (b) of GMPR]

A. HUBBARD & SON, INC.

Section 1499.993 is amended to read as set forth below.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.993 *Approval of maximum prices for sales of Old Mother Hubbard New Dry Vitaminized Cat Food.* (a) A. Hubbard & Son, Inc., of Gloucester, Massachusetts, as producer, may sell and deliver, and any person may buy and receive from A. Hubbard & Son, Inc., Old Mother Hubbard New Dry Vitaminized Cat Food packed in 8-oz. bags at prices not exceeding 51 cents per dozen bags, delivered. This maximum price is only authorized for Old Mother Hubbard New Dry Vitaminized Cat Food when made according to the formula used by A. Hubbard & Son, Inc. in connection with its application for this order.

(b) No increase in the maximum price authorized by the previous paragraph may be made by any seller of Old Mother Hubbard New Dry Vitaminized Cat Food except by Old Mother Hubbard Dog Food Company, Inc. and by a seller at wholesale or retail.

(c) The maximum delivered price which Old Mother Hubbard Dog Food Company Inc. shall charge for Old Mother Hubbard New Dry Vitaminized Cat Food in a sale to any person delivered at a warehouse shall be 78 cents per dozen 8-oz. bags and in a sale to any other person shall be 83 cents per dozen 8-oz. bags.

(d) The maximum delivered price which a seller at wholesale (other than Old Mother Hubbard Dog Food Company, Inc.) shall charge in a sale to any person shall be 83 cents per dozen 8-oz. bags.

(e) The maximum delivered price which a seller at retail shall charge shall be 10 cents per 8-oz. bag.

(f) The maximum prices authorized by this order shall be subject to discounts, allowances and terms no less favorable than those in effect during March 1942 with respect to Old Mother Hubbard Canned Cat Food (or such earlier date upon which Old Mother Hubbard Canned Cat Food was last sold) and shall include duties, brokerage, advertising, storage, insurance, carrying and handling charges and charges for the extension of credit.

(g) *Records.* Every person making a purchase or sale of Old Mother Hubbard New Dry Vitaminized Cat Food in the course of trade or business, except a seller at retail, shall keep for inspection by the Office of Price Administration, so long as the Emergency Price Control Act of 1942 remains in effect, complete and accurate records of each such purchase and sale including (1) the date thereof, (2) the name and address of the purchaser, (3) the price charged and (4) the amount sold. Sellers at retail are not required to keep records of sales at retail but shall keep all invoices and notices received with the purchase of each shipping unit.

(h) On and after February 20, 1943, and on or before the time of first delivery of Old Mother Hubbard New Dry Vitaminized Cat Food to any person for purposes of resale the seller shall supply the buyer with a written statement, and also include or attach to each shipping unit of Old Mother Hubbard New Dry Vitaminized Cat Food a copy of such statement, which shall read as follows:

The Office of Price Administration has authorized a ceiling price for Old Mother Hubbard New Dry Vitaminized Cat Food. You are authorized to establish your ceiling price as follows:

(1) In a sale at wholesale you may charge 83 cents for each shipping case of twelve—8-oz. bags, delivered.

(2) In a sale at retail you may charge $1.20 for each shipping case of twelve 8 oz. bags, or 10 cents per 8-oz. bag, delivered.

If the first sale made by a wholesaler or retailer is a split case sale the wholesaler is required to supply the retailer with a copy of this notice. The Office of Price Administration requires that you keep this notice and all invoices for examination.

(i) All provisions of this order shall apply with like force and effect to the type of cat food previously produced (but not to any hereafter produced) by Old Mother Hubbard Dog Food Company Inc. which is like Old Mother Hubbard New Dry Vitaminized Cat Food.

(j) This Revised Order No. 130 may be revoked or amended by the Price Administrator at any time.

(k) This Revised Order No. 130 (§ 1499.993) shall become effective February 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2842; Filed, February 20, 1943; 4:00 p. m.]

Chapter XIII—Petroleum Administration for War

[Petroleum Administrative Order 8]

PART 1515—PETROLEUM PRODUCTION OPERATIONS

The fulfillment of the requirements for the defense of the United States has created a shortage of materials necessary

[1] 7 F.R. 10708, 10864, 11118, 8 F.R. 567, 856, 958.

*Copies may be obtained from the Office of Price Administration.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R., 1840.

for the production of petroleum for defense, for private account, and for export; and the following order is deemed necessary in the public interest, to promote the national defense, and to provide adequate supplies of petroleum for military and other essential purposes:

§ 1515.3. *Petroleum Administrative Order 8*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(b) *Restrictions on drilling of wells in Barnhart Field of Reagan County, Texas.* Notwithstanding the provisions of Conservation Order M-68, as amended (§ 1047.11 of Chapter IX), no person may use material to drill, complete, or provide additions to any well in the Barnhart Field of Reagan County, Texas, except:

(1) Where material is to be used to drill, complete, or provide additions to any well located within 150 feet of the center of the southeast quarter of a quarter section upon which quarter section no other drilling or producible well is located: *Provided*, That all separate property interests in the quarter section upon which such well is drilled are first consolidated with each other; or

(2) In accordance with any authorization of the Petroleum Administrator for War issued subsequent to the effective date of this order.

(c) *Applications.* Application for authorization to drill, complete or provide additions to any well in accordance with paragraph (b) (2) of this order shall be made by filing a letter in quadruplicate or a telegram with the Director of Production, Petroleum Administration for War, South Interior Building, Washington, D. C., Ref: PAO 8.

(d) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may file an appeal setting forth the pertinent facts and reasons why he considers himself entitled to relief. All appeals shall be filed in quadruplicate and shall be addressed to the Director of Production, Petroleum Administration for War, South Interior Building, Washington, D. C., Ref: PAO 8.

(e) *Violations.* Any person who willfully violates any provision of this order or who, by any act or omission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or such other action may be taken as is deemed appropriate.

(f) *Effective date.* This order shall take effect on the date of issuance.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 20th day of February 1943.

R. K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 43-2790; Filed, February 20, 1943; 10:39 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[General Permit ODT 3, Revised—7]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—EXCEPTIONS, PERMITS, AND EXEMPTIONS

SUBPART B—COMMON CARRIERS OF PROPERTY

EXPEDITED TRANSPORTATION SERVICE FOR ARMED FORCES AND CERTAIN GOVERNMENT AGENCIES

In accordance with the provisions of General Order ODT 3, Revised, as amended,[1] § 501.8, it is hereby authorized, that:

§ 521.506 *Expedited transportation service for armed forces and certain government agencies.* Any common carrier operating a motor vehicle, not otherwise exempt, engaged in transporting any shipment, the expedited movement of which is necessary to meet the needs of the military or naval forces of the United States, the United States Maritime Commission, or the War Shipping Administration, is hereby relieved, in respect of such motor vehicle, from compliance with the provisions of § 501.6 of General Order ODT 3, Revised, as amended, during the period such motor vehicle is being so operated: *Provided*, That there is carried on such vehicle, during the period it is being so operated, a written certificate in the form prescribed by the Office of Defense Transportation and executed by the owner or operator of such vehicle prior to such operation, showing the need for the expedited delivery, and, in respect of the shipment so transported, the name of the consignor; date of shipment; point of origin and destination; and weight, volume or measurement; and the truck or tractor number of such vehicle; and within forty-eight (48) hours of such operation the owner or operator of such vehicle shall forward said certificate, by United States mail, postage prepaid, to the district office of the Office of Defense Transportation for the area in which the home office or principal place of business of such owner or operator is located.

(E.O. 8989, 9156; 6 F.R. 6725, 7 F.R. 3349; Gen. Order O.D.T. 3, Revised, as amended 7 F.R. 5445, 6689, 7694)

This general permit shall become effective on March 1, 1943.

Issued at Washington, D. C., this 20th day of February 1943.

JOSEPH B. EASTMAN,
Director.

[F. R. Doc. 43-2792; Filed, February 20, 1943; 10:28 a. m.]

[General Permit ODT 6-10]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—EXCEPTIONS, PERMITS, AND EXEMPTIONS

SUBPART E—LOCAL DELIVERY CARRIERS

EXPEDITED TRANSPORTATION SERVICE FOR ARMED FORCES AND CERTAIN GOVERNMENT AGENCIES

In accordance with the provisions of General Order ODT 6, as amended, § 501.36 (e), it is hereby authorized, that:

§ 521.2010 *Expedited transportation service for armed forces and certain government agencies.* Any local carrier operating a motor vehicle, not otherwise exempt, engaged in transporting any shipment, the expedited movement of which is necessary to meet the needs of the military or naval forces of the United States, the United States Maritime Commission, or the War Shipping Administration, is hereby relieved, in respect of such motor vehicle, from compliance with the provisions of § 501.32 of General Order ODT 6, as amended, during the period such motor vehicle is being so operated: *Provided*, That there is carried on such vehicle, during the period it is being so operated, a written certificate in the form prescribed by the Office of Defense Transportation and executed by the owner or operator of such vehicle prior to such operation, showing the need for the expedited delivery, and, in respect of the shipment so transported, the name of the consignor; date of shipment; point of origin and destination; and weight, volume or measurement; and the truck or tractor number of such vehicle; and within forty-eight (48) hours of such operation the owner or operator of such vehicle shall forward said certificate, by United States mail, postage prepaid, to the district office of the Office of Defense Transportation for the area in which the home office or principal place of business of such owner or operator is located.

(E.O. 8989, 9156; 6 F.R. 6725, 7 F.R. 3349; Gen. Order O.D.T. 6, as amended, 7 F.R. 3008, 3532, 4184)

This general permit shall become effective on March 1, 1943.

Issued at Washington, D. C., this 20th day of February 1943.

JOSEPH B. EASTMAN,
Director.

[F. R. Doc. 43-2791; Filed, February 20, 1943; 10:28 a. m.]

[1] 7 F.R. 5445, 6689, 7694.

[2] 7 F.R. 3008, 3532, 4184.

[General Permit ODT 17-20]

PART 521—CONSERVATION OF MOTOR EQUIPMENT, EXCEPTIONS, PERMITS, AND EXEMPTIONS

SUBPART K—MOTOR CARRIERS OF PROPERTY

EXPEDITED TRANSPORTATION SERVICE FOR ARMED FORCES AND CERTAIN GOVERNMENT AGENCIES

In accordance with the provisions of General Order ODT 17, as amended,[1] § 501.71, it is hereby authorized, that:

§ 521.2896 *Expedited transportation service for armed forces and certain government agencies.* Any motor carrier operating a motor vehicle, not otherwise exempt, engaged in transporting any shipment, the expedited movement of which is necessary to meet the needs of the military or naval forces of the United States, the United States Maritime Commission, or the War Shipping Administration, is hereby relieved, in respect of such motor vehicle, from compliance with the provisions of § 501.69 of General Order ODT 17, as amended, during the period such motor vehicle is being so operated: *Provided*, That there is carried on such vehicle, during the period it is being so operated, a written certificate in the form prescribed by the Office of Defense Transportation and executed by the owner or operator of such vehicle prior to such operation, showing the need for the expedited delivery, and, in respect of the shipment so transported, the name of the consignor; date of shipment; point of origin and destination; and weight, volume or measurement; and the truck or tractor number of such vehicle; and within forty-eight (48) hours of such operation the owner or operator of such vehicle shall forward said certificate, by United States mail, postage prepaid, to the district office of the Office of Defense Transportation for the area in which the home office or principal place of business of such owner or operator is located.

(E.O. 8989, 9156; 6 F.R. 6725, 7 F.R. 3349; Gen. Order O.D.T. 17, as amended, 7 F.R. 5678, 7694, 9623)

This general permit shall become effective on March 1, 1943.

Issued at Washington, D. C., this 20th day of February 1943.

JOSEPH B. EASTMAN,
Director.

[F. R. Doc. 43-2793; Filed, February 20, 1943; 10:28 a. m.]

[Exemption Order ODT 23-2]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—EXCEPTIONS, PERMITS, AND EXEMPTIONS

SUBPART O—LIMITATION ON SPEED OF MOTOR VEHICLES

EXPEDITED TRANSPORTATION SERVICE FOR ARMED FORCES AND CERTAIN GOVERNMENT AGENCIES

Pursuant to Executive Orders 8989 and 9156, *It is hereby ordered*, That:

§ 521.3601 *Exemption of motor vehicle furnishing expedited transportation service for armed forces and certain government agencies.* Any motor vehicle, not otherwise exempt, engaged in transporting any shipment, the expedited movement of which is necessary to meet the needs of the military or naval forces of the United States, the United States Maritime Commission, or the War Shipping Administration, is hereby exempted from the provisions of General Order ODT 23 (7 F.R. 7694) during the period such vehicle is being so operated: *Provided*, (a) There is carried on such vehicle, during the period it is being so operated, a written certificate in the form prescribed by the Office of Defense Transportation and executed by the owner or operator of such vehicle prior to such operation, showing the need for the expedited delivery, and, in respect of the shipment so transported, the name of the consignor; date of shipment; point of origin and destination; and weight, volume or measurement; and the truck or tractor number of such vehicle; and within forty-eight (48) hours of such operation the owner or operator of such vehicle shall forward said certificate, by United States mail, postage prepaid, to the district office of the Office of Defense Transportation for the area in which the home office or principal place of business of such owner or operator is located, and (b) there is prominently displayed on such motor vehicle during such operation, in accordance with directions of such military or naval forces, United States Maritime Commission, or War Shipping Administration, distinctive marking showing that such motor vehicle is being operated in expedited service pursuant to this exemption order (§ 521.3601).

(E.O. 8989, 9156; 6 F.R. 6725, 7 F.R. 3349; Gen. Order O.D.T. 23, 7 F.R. 7694)

This exemption order (§ 521.3601) shall become effective on March 1, 1943.

Issued at Washington, D. C., this 20th day of February 1943.

JOSEPH B. EASTMAN,
Director.

[F. R. Doc. 43-2794; Filed, February 20, 1943; 10:28 a. m.]

[1] 7 F.R. 5678, 7694, 9623.

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-364]

RIO GRANDE COAL CO.

NOTICE OF AND ORDER FOR HEARING

In the matter of E. K. Olson, W. F. Olson, Francis Bradley and Mrs. George M. Hansen, individually and as partners, doing business under the name and style of Rio Grande Coal Company, code member.

A. Under provisions of the Bituminous Coal Act of 1937 (the "Act"), district boards are authorized in appropriate cases to file complaints of violations of the Act, the Bituminous Coal Code (the "Code") and rules and regulations of the Bituminous Coal Division (the "Division").

B. The Division on September 29, 1942, referred to District Board No. 20 information in its possession bearing on whether violations of the Act, the Code and orders, rules and regulations thereunder have been committed by E. K. Olson, W. F. Olson, Francis Bradley and Mrs. George M. Hansen, individually and as partners, doing business under the name and style of Rio Grande Coal Company, whose code membership became effective as of June 22, 1937, operator of the Rio Grande [redacted] Mine Index No. 18, located in Carbon County, Utah, Subdistrict No. 1 of District No. 20 in connection with the following:

1. *Section 4 II (e) and (g) of the Act and Part II (c) and (g) of the Code.* Sales and delivery by truck of coal produced at the aforesaid mine below the effective minimum price established therefor in the schedule of effective minimum prices for District No. 20 for all shipments plus an amount at least equal as nearly as practicable to the actual transportation, handling and incidental charges from the transportation facilities at the mine to the place from which all such charges were assumed and directly paid by the purchasers as required by Price Instruction and Exception No. 12 as amended and contained in Supplement No. 1 to the aforesaid schedule, including sales to the War Department, United States Government, during the period January 20, 1941 to March 31, 1941, both dates inclusive, for delivery to various C. C. C. Camps, of approximately 1446.97 net tons of 3" lump coal (Size Group No. 3) at delivered prices ranging from $4.25 to $9.00 per net ton, which were less than the effective minimum f. o. b. mine price of $3.24 per net ton, as set forth in the aforesaid schedule, plus the amount required to be added by said Price Instruction and Exception No. 12.

2. *Section 4 II (e) and (g) of the Act and Part II (c) and (g) of the Code.* Sales and delivery of coal purchased from Carl Nyman, a code member, which was produced at his National Mine, Mine Index No. 179, below the effective minimum price established therefor in said schedule of effective minimum prices, plus an amount at least equal as nearly as practicable to the actual transportation, handling and incidental charges from the transportation facilities at the mine to the place from which all such charges were assumed and directly paid by the purchasers, as required by said Price Instruction and Exception No. 12, including sales to the War Department, United States Government, during the period January 20, 1941 to March 31, 1941, both dates inclusive, for delivery to various C. C. C. Camps, of approximately 550.16 net tons of 3" lump coal (Size Group No. 3) at delivered prices ranging from $4.75 to $6.00 per net ton which were less than the effective minimum f. o. b. mine price for said coal of $3.34 per net ton as set forth in the aforesaid schedule, plus the amount required to be added by said Price Instruction and Exception No. 12 of said schedule.

3. *Order No. 14 and Rule 17 of section VI of the marketing rules and regula-*

tions. Failure to file with the Statistical Bureau for District No. 20 a copy of the contract for the sale of the coal referred to in paragraphs 1 and 2 hereinabove as required by Order No. 14 of the National Bituminous Coal Commission dated July 15, 1937 and adopted by order of the Bituminous Coal Division dated July 1, 1939 and Rule 7 of section VI of the marketing rules and regulations.

4. *Rules 1 and 2 of section VIII of the marketing rules and regulations.* Sales of the coal referred to in paragraphs 1 and 2 hereinabove on the basis of an analysis without a report of such analysis having been filed with the Statistical Bureau for District No. 20 and the District Board for District No. 20 as required by said rules.

C. By letter dated December 21, 1942 the Division notified said Board that unless it took action in this matter within fifteen days from the date of said notification, the Division would take such action in lieu of the Board as it deemed to be appropriate.

D. District Board No. 20 has not taken any action in this matter.

E. Section 6 (a) of the Act, provides in part that in the event a district board shall fail for any reason to take action authorized or required by this section, then the Division may take such action in lieu of the district board.

F. District Board No. 20 having failed to take action as authorized or required by the Act on the matters hereinbefore described, the Division finds it necessary in the proper administration of the Act to take action thereon in lieu of the board, as in this notice of and order for hearing provided, pursuant to section 6 (a) and other pertinent provisions of the Act for the purpose of determining:

1. Whether the code member has willfully violated section 4 II (e) and (g) of the Act; Part II (e) and (g) of the Code; Order of the Division No. 14 dated July 15, 1937; Rule 7 of section VI and Rules 1 and 2 of section VIII of the marketing rules and regulations; and

2. Whether in the event the code member is found to have violated the Act and the Code and rules and regulations thereunder an order should be entered revoking the code membership of the code member or directing the code member to cease and desist from violating the Act, the Code and rules and regulations thereunder.

Now, therefore, it is hereby ordered, That a hearing, pursuant to sections 4 II (j), 5 (b) and 6 (a) and other pertinent provisions of the Act be held on April 2, 1943, at 10 a. m., at a hearing room of the Division at the County Court Room, Price, Utah, to determine whether the aforementioned code member has committed the violations in the respects heretofore described and whether the code membership of said code member should be revoked or an order entered directing the code member to cease and desist from violating the Act, the Code and rules and regulations of the Division thereunder.

It is further ordered, That D. C. McCurtain, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time and to such places as he may direct by announcement at said hearing or any adjourned hearing, or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said code member and to all other parties herein and to all persons or entities having an interest in such proceeding. Any person or entity eligible under § 301.123 of the rules and regulations governing practice and procedure before the Division in proceedings instituted pursuant to sections 4 II (j) and 5 (b) of the Act may file a petition for intervention not later than five (5) days before the date set for hearing herein.

Notice is hereby given that answer setting forth the position of the code member with reference to the matters hereinbefore described must be filed with the Division at its Washington Office or with one of the Statistical Bureaus of the Division within twenty (20) days after the service of a copy hereof on the code member; and that any failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission by the code member of the commission of the violations hereinbefore described and a consent to the entry of an appropriate order thereon.

Notice is also hereby given that any application, pursuant to § 301.132 of said rules of practice and procedure before the Division for the disposition of this proceeding without formal hearing must be filed not later than fifteen (15) days after receipt by the code member of this notice of and order for hearing.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered therein may concern, in addition to the charges specifically alleged herein, other matters incidental and related thereto, whether raised by amendment, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Dated: February 19, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2800; Filed, February 20, 1943; 11:16 a. m.]

[Docket No. B-365]

R. GLENN DAVIS

NOTICE OF AND ORDER FOR HEARING

A. Under provisions of the Bituminous Coal Act of 1937 (the "Act"), district boards are authorized in appropriate cases to file complaints of violations of the Act, the Bituminous Coal Code (the "Code") and the rules and regulations of the Bituminous Coal Division (the "Division").

B. The Division, on September 21, 1942, referred to District Board No. 20 information in its possession bearing on whether violations of the Act, the Code and orders, rules and regulations thereunder, and particularly section 4 II (e) of the Act, Part II (e) of the Code and Rule 1 of section III of the marketing rules and regulations, have been committed by R. Glenn Davis, the code member above-named, whose code membership became effective as of August 1 1941, operator of the Castle Valley Fuel Mine, Mine Index No. 29, formerly operated by the Castle Valley Fuel Company as the Burn Bright Mine, located in Emery County, Utah, Subdistrict No. 1 of District No. 20 in connection with sales of coal produced at the aforesaid mine and allowing unauthorized discounts from the effective minimum prices therefor as set forth in the schedule of effective minimum prices for District No. 20 on all shipments, including the following:

1. Sales on or about August 21, 1941 and September 4, 1941, to the Castle Valley Fuel Company, Salt Lake City, Utah (an unregistered distributor) for resale and which was resold to the Cooperative Fuel and Lumber Association, Wilder, Idaho, of approximately 99.29 net tons of 3" lump coal (Size Group No. 3) at the effective minimum price of $3.65 per net ton f. o. b. said mine and allowing unauthorized discounts of 25 cents per net ton from said sales price;

2. Sales during the period October 10, 1941 to January 26, 1942, both dates inclusive, to said Castle Valley Fuel Company for resale and which was resold to said Cooperative Fuel and Lumber Association, of approximately 296.24 net tons of 1⅝" lump coal (Size Group No. 4) at the effective minimum price of $3.45 per net ton f. o. b. said mine and allowing unauthorized discounts of 25 cents per net ton from said sales price; and

3. Sales on or about January 23, 1942, to said Castle Valley Fuel Company for resale and which was resold to said Cooperative Fuel and Lumber Association, of approximately 30.15 net tons of 1⅝" x 1" pea coal (Size Group No. 8) at the effective minimum price of $2.25 per net ton f. o. b. said mine and allowing unauthorized discounts of 12 cents per net ton from said sales price.

C. By letter dated December 21, 1942 the Division notified said Board that unless it took action in this matter within fifteen days from the date of said notification, the Division would take such action in lieu of the district board as it deemed to be appropriate.

D. District Board No. 20 has not taken any action in this matter.

E. Section 6 (a) of the Act provides in part that in the event a district board shall fail for any reason to take action authorized or required by this section, then the Division may take such action in lieu of the district board.

F. District Board No. 20 having failed to take action as authorized or required by the Act on the matters hereinbefore described, the Division finds it necessary in the proper administration of the Act to take action thereon in lieu of the board as in this notice of and order for hearing provided, pursuant to section 6 (a) and other pertinent provisions of the Act, for the purpose of determining

1. Whether the code member has willfully violated section 4 II (e) of the Act, Part II (e) of the Code and Rule 1 of section III of the marketing rules and regulations; and

2. Whether, in the event the code member is found to have violated the Act and the Code and the rules and regulations thereunder, an order should be entered revoking the code membership of R. Glenn Davis, code member, or directing said code member to cease and desist from violating the Act, the Code and rules and regulations thereunder.

Now, therefore, it is hereby ordered, That a hearing, pursuant to sections 4 II (j), 5 (b) and 6 (a) and other pertinent provisions of the Act be held on April 1, 1943, at 10 a. m., at a hearing room of the Division at the Courtroom, Price, Utah, to determine whether the aforementioned code member has committed the violations in the respects heretofore described and whether the code membership of said code member should be revoked or an order entered directing the code member to cease and desist from violating the Act, the Code and rules and regulations of the Division thereunder.

It is further ordered, That D. C. McCurtain, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time and to such places as he may direct by announcement at said hearing or any adjourned hearing, or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said code member and to all other parties herein and to all persons or entities having an interest in such proceeding. Any person or entity eligible under § 301.123 of the rules and regulations governing practice and procedure before the division in proceedings instituted pursuant to sections 4 II (j) and 5 (b) of the Act may file a petition for intervention not later than five (5) days before the date set for hearing herein.

Notice is hereby given that answer setting forth the position of the code member with reference to the matters hereinbefore described must be filed with the Division at its Washington Office or with one of the Statistical Bureaus of the Division within twenty (20) days after the service of a copy hereof on the code member; and that any failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission by the code member of the commission of the violations hereinbefore described and a consent to the entry of an appropriate order thereon.

Notice is also hereby given that any application, pursuant to § 301.132 of said rules of practice and procedure before the Division for the disposition of this proceeding without formal hearing must be filed not later than fifteen (15) days after receipt by the code member of this notice of and order for hearing.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered therein may concern, in addition to the charges specifically alleged herein, other matters incidental and related thereto, whether raised by amendment, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Dated: February 19, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2801; Filed, February 20, 1943; 11:16 a. m.]

[Docket No. B-366]

CARL NYMAN

NOTICE OF AND ORDER FOR HEARING

A. Under provisions of the Bituminous Coal Act of 1937 (the "Act"), district boards are authorized in appropriate cases to file complaints of violations of the Act, the Bituminous Coal Code (the "Code") and the rules and regulations of the Bituminous Coal Division (the "Division").

B. The Division, on October 2, 1942, referred to District Board No. 20 information in its possession bearing on whether violations of the Act, the Code and orders, rules and regulations thereunder, and particularly section 4 II (e) and (g) of the Act and Part II (e) and (g) of the Code, have been committed by Carl Nyman, the code member above named, whose code membership became effective as of November 5, 1940, operator of the National Mine, Mine Index No. 179, located in Carbon County, Utah, Subdistrict No. 1 of District No. 20 in connection with sales of coal produced at the aforesaid mine and delivery of same by truck and by rail combined, below the applicable effective minimum prices therefor as set forth in Appendix III to the schedule of effective minimum prices for District No. 20 for all shipments plus an amount at least equal to the transportation, handling and incidental charges from the transportation facilities at the mine to the points from which such charges were assumed and directly paid by the purchasers as required by Price Instruction and Exception No. 12 as amended and contained in Supplement No. 1 to said schedule, including sales during the period December 26, 1941 to February 13, 1942, both dates inclusive, of approximately 340.90 net tons of 3" x 1⅝" nut coal (Size Group No. 7) to the United States Army and delivery of same to various C. C. C. camps located in Idaho, Nevada, Oregon and California at delivered prices ranging from $7.74 to $11.30 per net ton, which were less than the effective minimum f. o. b. mine price for said coal of $2.64 per net ton, plus the amount required to be added by said Price Instruction and Exception No. 12.

C. By letter dated December 21, 1942 the Division notified said board that unless it took action in this matter within fifteen days from the date of said notification the Division would take such action in lieu of the District Board as it deemed appropriate.

D. District Board No. 20 has not taken any action in this matter.

E. Section 6 (a) of the Act provides in part that in the event a district board shall fail for any reason to take action authorized or required by this section, then the Division may take such action in lieu of the district board.

F. District Board No. 20 having failed to take action as authorized or required by the Act on the matters hereinbefore described, the Division finds it necessary in the proper administration of the Act to take action thereon in lieu of the board as in this Notice of and Order for Hearing provided, pursuant to section 6 (a) and other pertinent provisions of the Act, for the purpose of determining

1. Whether the code member has willfully violated section 4 II (e) and (g) of the Act and Part II (e) and (g) of the Code; and

2. Whether, in the event the code member is found to have violated the Act and the Code and the rules and regulations thereunder, an order should be entered revoking the code membership of Carl Nyman, code member, or directing said code member to cease and desist from violating the Act, the Code and rules and regulations thereunder.

Now, therefore, it is hereby ordered, That a hearing, pursuant to sections 4 II (j), 5 (b) and 6 (a) and other pertinent provisions of the Act to be held on April 5, 1943, at 10 a. m., at a hearing room of the Division at the County Court Room, Price, Utah, to determine whether the aforementioned code member has committed the violations in the respects heretobefore described and whether the code membership of said code member should be revoked or an order entered directing the code member to cease and desist from violating the Act, the Code and rules and regulations of the Division thereunder.

It is further ordered, That D. C. McCurtain, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time and to such places as he may direct by announcement at said hearing or any adjourned hearing, or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said code member and to all other parties herein and to all persons or entities having an interest in such proceeding. Any person or entity eligible under § 301.123 of the rules and regulations governing practice and pro-

cedure before the Division in proceedings instituted pursuant to sections 4 II (j) and 5 (b) of the Act may file a petition for intervention not later than five (5) days before the date set for hearing herein.

Notice is hereby given that answer setting forth the position of the code member with reference to the matters hereinbefore described must be filed with the Division at its Washington Office or with one of the Statistical Bureaus of the Division within twenty (20) days after the service of a copy hereof on the code member; and that any failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission by the code member of the commission of the violations hereinbefore described and a consent to the entry of an appropriate order thereon.

Notice is also hereby given that any application, pursuant to § 301.132 of said rules of practice and procedure before the Division for the disposition of this proceeding without formal hearing must be filed not later than fifteen (15) days after receipt by the code member of this notice of and order for hearing.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered therein may concern, in addition to the charges specifically alleged herein, other matters incidental and related thereto, whether raised by amendment, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Dated: February 19, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-2802; Filed, February 20, 1943; 11:16 a. m.]

[Docket No. A-1856]

DISTRICT BOARD 11

ORDER DENYING TEMPORARY RELIEF AND NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 11 for establishment of minimum prices for raw and for washed stoker coals for shipment to MStP&SSM Railway for locomotive use.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with the Division by District Board No. 11, requesting that temporary and permanent relief be granted by the establishment of price classifications and minimum prices for raw and washed stoker coals for shipment to the MStP&SSM Railway for locomotive fuel use; and

It appearing that a reasonable showing of necessity has not been made for the granting of temporary relief in this matter prior to the hearing herein; and

The following action being deemed necessary to effectuate the purposes of the Act:

Now, therefore, it is ordered, That the request for temporary relief be, and the same hereby is, denied without prejudice to the renewal of such request for temporary relief upon a further showing or upon the basis of the record to be made at the hearing to be held herein:

It is further ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on March 23, 1943, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, at Washington, D. C. On such day the Chief of the Records Section will advise as to the room where such hearing will be held.

It is further ordered, That Travis Williams, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before March 17, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to a petition filed by District Board No. 11 requesting price classifications and minimum prices not heretofore established for raw or washed stoker coals, Size Groups 9–12, inclusive, and Size Groups 17–20, inclusive, in District No. 11, for shipment to the MStP&SSM Railway for locomotive fuel use.

Dated: February 19, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-2803; Filed, February 20, 1943; 11:17 a. m.]

General Land Office.

[Public Land Order 89]

NEVADA

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT FOR MILITARY PURPOSES

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, and to section 1 of the act of June 28, 1934, as amended, 48 Stat. 1269 (U.S.C., title 43 sec. 315), *It is ordered*, As follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral leasing laws, and reserved for the use of the War Department for military purposes.

MOUNT DIABLO MERIDIAN

T. 16 S., R. 56 E., sec. 9, lots 1 and 2. The areas described aggregate 66.60 acres

The order of the Secretary of the Interior of November 3, 1936, establishing Nevada Grazing District No. 5, and Executive Order No. 7373 of May 20, 1936, establishing the Desert Game Range, are hereby modified to the extent necessary to permit the use of the lands as herein provided. The modification of Executive Order No. 7373 is made with the understanding that patrol activities for the proper protection and maintenance of the Desert Game Range will be permitted in the areas involved one day each week, and such day will be determined jointly by the Commanding Officer of the area and the local representatives of the Fish and Wildlife Service, Department of the Interior.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior, when they are no longer needed for the purpose for which they are hereby reserved.

ABE FORTAS, *Acting Secretary of the Interior.*

FEBRUARY 10, 1943.

[F. R. Doc. 43-2771; Filed, February 19, 1943; 4:01 p. m.]

[Public Land Order 90]

MONTANA

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT FOR AVIATION PURPOSES

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, and to section 1 of the act of June 28, 1934, as amended, 48 Stat. 1269 (U. S. C., title 43, sec. 315), *It is ordered*, As follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the War Department for aviation purposes:

PRINCIPAL MERIDIAN

T. 26 N., R. 35 E.,
secs. 2, 3, 10, 11, 14, 15, 22, 23, 26, 27, 34, and 35.
T. 25 N., R. 38 E.,
sec. 1, S½;
sec. 2, S½;
secs. 11 and 12;
sec. 13, N½;
sec. 14, N½.
The areas described aggregate 10,248.74 acres.

The order of June 11, 1935, of the Secretary of the Interior, establishing Montana Grazing District No. 1 is hereby modified to the extent necessary to permit the use of the lands as herein provided.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior, when they are no longer needed for the purpose for which they are reserved.

ABE FORTAS, *Acting Secretary of the Interior.*

FEBRUARY 10, 1943.

[F. R. Doc. 43-2772; Filed, February 19, 1943; 4:02 p. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Agency.

[ACP-1942-Southern Great Plains, Supp. 5]

SOUTHERN GREAT PLAINS AREA

1942 SPECIAL AGRICULTURAL CONSERVATION PROGRAM

The 1942 Special Agricultural Conservation Program for the Southern Great Plains Area,[1] as amended, is further amended as follows:

Section 1, (f), (1), the first paragraph thereof, is amended to read:

(1) The net payment for any farm shall be subject to a deduction of 2 percent of the maximum amount computed in connection with cropland (section 2, (c), item (1)) for each 1 percent of the cropland on the farm by which the acreage of cropland on the farm devoted exclusively to one or more of the following uses throughout the 1942 crop year is less than 20 percent of the cropland on the farm: *Provided, however*, That when all or a part of the cropland in the farm has been acquired for the purpose of the National War effort or was flooded in 1942 and it would be impracticable or inequitable to require compliance with the soil-conserving requirement on the basis of the total cropland in the farm, the county committee with the approval of the State Committee, in accordance with instructions issued by the Agricultural Adjustment Agency may waive all or any part of such requirement.

(Sections 7 to 17, as amended, 49 Stat. 1148, 1915; 50 Stat., etc.)

Done at Washington, D. C. this 19th day of February 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY, *Under Secretary of Agriculture.*

[F. R. Doc. 43-2804; Filed, February 20, 1943; 11:12 a. m.]

[1] 6 F.R. 6661; 7 F.R. 768, 2112, 2877, 10823.

Food Distribution Administration.

WASHINGTON, D. C., MARKETING AREA

NOTICE OF REPORT, ETC., ON HANDLING OF MILK

Notice of report and opportunity to file written exceptions with respect to a proposed marketing agreement, as amended, and to a proposed marketing order, as amended, regulating the handling of milk in the Washington, D. C., marketing area, prepared by the Director of Food Distribution.

Pursuant to § 900.12 (a) of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders, notice is hereby given of the filing with the hearing clerk, Office of the Solicitor, United States Department of Agriculture, of this report of the Director of Food Distribution, with respect to a proposed marketing agreement, as amended, and to a proposed marketing order, as amended, regulating the handling of milk in the Washington, D. C., marketing area. Interested parties may file exceptions to the report with the said hearing clerk, Room 1331, Department of Agriculture, Washington, D. C., not later than the close of business of the 5th day after publication of this notice in the FEDERAL REGISTER. Exceptions must be filed in quadruplicate.

The proceedings were initiated by the Food Distribution Administration upon receipt of a petition from the Maryland and Virginia Milk Producers Association, Inc., for a public hearing to receive evidence on several amendments they proposed. Other amendments were also proposed by handlers. Following this request, and after consideration of the proposals, notice of the hearing was issued on January 12, 1943, and the hearing was convened on January 18, 1943, at Washington, D. C. The time for filing briefs expired at 12:00 p. m., e. w. t., January 25, 1943.

The hearing included, in addition to the industry proposals, consideration of a proposal for amendment made by the Dairy and Poultry Branch, Food Distribution Administration.

The major issues developed at the hearing were concerned with (1) the definition of producer, (2) the classification of milk, (3) the allocation of milk received from producers to each class, (4) the level of prices for Class I milk, (5) the pricing of nonproducer milk, (6) the type of pooling plan to be used in making payments to producers, and (7) the allocation of plant loss up to a maximum of 2 per cent of receipts to be classified in Class II instead of Class I.

With respect to these issues it is concluded from the record:

(1) The term "producer" should be defined so as to include any person who produces milk on a farm from which milk is delivered direct to a plant located in the marketing area, or to a plant located outside the marketing area from which milk was shipped to a plant located in the marketing area during May 1942.

(2) The classification of milk should be revised so as to include all butterfat in one class and the skim milk in two separate classes.

(3) The skim milk in milk, skim milk, and cream received from producers by each handler should be allocated to the higher skim milk class up to the full amount of skim milk in such class.

(4) The price of 96 pounds of skim milk in the higher class and 4 pounds of butterfat should be approximately 40 cents higher than the price of Class I milk in Order No. 45, as amended.

(5) Any difference between the necessary cost of nonproducer milk, hereafter called emergency milk, needed in the market and the value of such milk at the proposed class prices, should be shared by all handlers in proportion to the respective amounts of skim milk disposed of by them in the higher class.

(6) The individual handler pooling plan now being used in paying producers should not be changed.

(7) Any plant loss of skim milk should be allocated to the higher class. All butterfat, including any lost in the plant, should be in one class.

Other changes of a minor nature have also been made in accordance with the evidence in the record.

The following proposed marketing order prepared by the Director of Food Distribution, pursuant to § 900.12 (a) of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders, is recommended as the detailed means by which these conclusions may be carried out. The proposed marketing agreement is not included in this report because the provisions thereof will be the same as the provisions of the proposed marketing order.

PROPOSED MARKETING ORDER NO. 45, AS AMENDED, REGULATING THE HANDLING OF MILK IN THE WASHINGTON, D. C., MARKETING AREA.

It is found upon the evidence introduced at the public hearing held in Washington, D. C., January 18 and 19, 1943:

Findings. 1. That prices calculated to give milk produced for sale in the marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8e of the act (50 Stat. 246; 7 U. S. C. 1940 ed. 602, 608c), are not reasonable in view of the available supplies of feeds, the price of feeds, and other economic conditions which affect the supply of and demand for such milk and that the minimum prices set forth in the order, as amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and whole-

some milk, and be in the public interest; and that the fixing of such prices does not have for its purpose the maintenance of prices to producers above the levels which are declared in the act to be the policy of Congress to establish;

2. That the order, as amended, regulates the handling of milk in the same manner as and is applicable only to handlers defined in a marketing agreement, as amended, upon which a hearing has been held; and

3. That the issuance of this order, as amended, and all of the terms and conditions of the order, as amended, tend to effectuate the declared policy of the act.

Provisions

§ 945.3 *Definitions.* The following terms shall have the following meanings:

(a) "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended.

(b) "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the United States Department of Agriculture who is, or who may hereafter be, authorized to exercise the powers and perform the duties of the Secretary of Agriculture of the United States.

(c) "Washington marketing area," hereinafter referred to as the "marketing area," means the territory included within the boundary lines of the District of Columbia and that territory in the State of Maryland included between the District of Columbia Line and the following boundaries: Beginning at the junction of the southeastern boundary of the District of Columbia Line and Route 224, thence south on Route 224 to Oxon Hill, thence east on St. Barnaby Road to Gordon's Corner, thence northeast on Suitland-Silver Hill Road continuing Suitland to the junction of Route 4, thence northwest on Route 4 to Hillside, thence north on Crystal Spring Road continuing through Capitol Heights to 61st Street, thence north on 61st Street to the District of Columbia Line, thence northeasterly and thence northwesterly along said District Line to Kenilworth Avenue, thence north on Kenilworth Avenue to Defense Highway, thence east on Defense Highway, thence north on Edmonston Road to Greenbelt, and around the outside limits of Greenbelt, thence returning on Edmonston Road to Branchville Road, thence west on Branchville Road to the Baltimore - Washington Boulevard, thence south on the Baltimore-Washington Boulevard to Metzerott Road, thence west on Metzerott Road to Riggs Valley Road, thence to County Road, thence west to Blair Road, thence north to Piney Branch Road, continuing north on Piney Branch Road to White Oak at intersection of Colesville Road, thence continuing north on Colesville Road to Colesville, thence west on Glenmont Road to Brookville Road, thence south on Brookville Road to Wheaton, thence on Lincoln Avenue to Kensington, thence west on Knowles Avenue and continuing west on Strathmore Avenue to Rockville Pike, thence south on Rockville Pike to Grosvenor Lane, thence west on Grosvenor Lane to Old Georgetown Road, thence north on Old Georgetown Road to Bellsmill Road, thence west on Bellsmill Road to the Seven Locks Road, thence south on Seven Locks Road to Bradley Road, thence west on Bradley Road continuing to Conduit Road, thence southeasterly on Conduit Road to the District of Columbia Line.

(d) "Person" means any individual, partnership, corporation, association, or any other business unit.

(e) "Producer" means any person, irrespective of whether such person is also a handler, who produces milk on a farm from which milk is delivered direct to (1) a plant located in the marketing area which is approved or licensed for sale of milk for fluid consumption in the marketing area or (2) a plant located outside the marketing area from which milk was shipped during May 1942 to a plant included in (1) of this paragraph.

(f) "Handler" means any person, irrespective of whether such person is also a producer or a cooperative association of producers, who engages in the handling of milk, skim milk, or cream for fluid consumption in the marketing area: *Provided*, That this definition shall not include producers or cooperative associations of producers with respect to milk or cream not handled through their own receiving or bottling plant.

(g) "Market administrator" means the person designated pursuant to § 945.4 as the agency for the administration hereof.

(h) "Cooperative association" means any cooperative association of producers which the Secretary determines (1) to have its entire activities under the control of its members, and (2) to have and exercise full authority in the sale of milk of its members.

(i) "Delivery period" means the current marketing period from the first to the last day of each month, both inclusive.

(j) "Producer's milk plant" means any milk plant currently used for any or all of the handling functions of receiving, weighing (or measuring), sampling, cooling, pasteurizing, bottling, or other preparation of milk of producers for fluid sale or disposition in fluid form in the marketing area.

(k) "Farmer's milk plant" means any milk plant other than a "producer's milk plant" currently used for any or all of the handling functions of receiving, weighing (or measuring), sampling, cooling, pasteurizing, bottling, or other preparation of milk of persons who are not producers as defined in (e) of this section.

(l) "Emergency milk" means all milk, skim milk, and cream received at a producer's milk plant from a farmer's milk plant; and "emergency skim milk" means all of the skim milk in emergency milk.

§ 945.4 *Market administrator*—(a) *Designation.* The agency for the administration hereof shall be a market administrator who shall be a person selected by the Secretary. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

(b) *Powers.* The market administrator shall:

(1) Administer the terms and provisions hereof; and

(2) Report to the Secretary complaints of violations of the provisions hereof.

(c) *Duties.* The market administrator shall:

(1) Within 45 days following the date upon which he enters upon his duties, execute and deliver to the Secretary a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the Secretary;

(2) Pay, out of the funds provided by § 945.11, the cost of his bond, his own compensation, and all other expenses necessarily incurred in the maintenance and functioning of his office;

(3) Keep such books and records as will clearly reflect the transactions provided for herein, and surrender the same to his successor or to such other person as the Secretary may designate;

(4) Publicly disclose to handlers and producers, unless otherwise directed by the Secretary, the name of any person who, within 2 days after the date upon which he is required to perform such acts, has not (i) made reports pursuant to § 945.5, or (ii) made payments pursuant to § 945.10;

(5) Promptly verify the information contained in the reports submitted by handlers; and

(6) Check the weight and butterfat test of milk, skim milk, and cream received from producers by each handler each month and report the results of the butterfat tests to producers or to their cooperative association. The market administrator may designate an independent agency to check the weight and butterfat test of such receipts by handlers.

§ 945.5 *Reports of handlers*—(a) *Submission of reports.* Each handler shall report to the market administrator, in the detail and on forms prescribed by the market administrator, as follows:

(1) On or before the 5th day after the end of each delivery period the receipts of milk, skim milk, and cream at each producer's milk plant from producers, the weighted average test thereof, and the utilization of such receipts from producers, computed pursuant to § 945.6.

(2) On or before the 11th day after the end of each delivery period (i) the receipts of milk, skim milk, and cream at each producer's milk plant for the account of a handler or of a cooperative association, from each producer's milk plant and each farmer's milk plant, and the average butterfat content of each product from each source, (ii) the receipts at each producer's milk plant, if any, produced by him, and the average test thereof, (iii) the receipts at each producer's milk plant from new producers and the average test thereof, (iv) the name and address of each new producer, (v) the names of handlers from whom or to whom milk, skim milk or cream was received or delivered, and (vi) the address of each farmer's milk plant from which milk, skim milk, or cream was received at a producer's milk plant.

(3) Within 10 days after the market administrator's request with respect to any producer for whom such information is not in the files of the market administrator and with respect to a period or periods of time designated by the market administrator, (i) the name and address of such producer, (ii) the total pounds of milk, skim milk, and cream delivered and the average butterfat test thereof, (iii) the farm scores and cattle scores recorded by the respective health departments requiring permits to sell milk to handlers in the marketing area, and (iv) the number of days upon which deliveries were made.

(4) On or before the 19th day after the end of each delivery period, at the request of the market administrator, his producer pay roll, which shall show for each producer, (i) the total delivery of milk, skim milk, and cream with the average butterfat test thereof, (ii) the premium rate paid, (iii) the net amount of payment made pursuant to § 945.10, and (iv) the deductions and charges made by the handler with authorizations therefor.

(b) *Verification of reports.* Each handler shall provide the market administrator or his agent with reasonable access to those records and facilities which are necessary for:

(1) The verification of the information contained in the reports submitted in accordance with this section;

(2) The verification of the payments required by §§ 945.7 and 945.10;

(3) The checking of the weighing and sampling of milk, skim milk, and cream received by such handler; and

(4) Determining the utilization of milk, skim milk, and cream by the handler.

§ 945.6 *Classification of milk*—(a) *Milk to be classified.* All milk, skim milk, and cream received by each handler in his producer's milk plant shall be classified in the classes set forth in (b) of this section.

(b) *Classes of utilization.* Except as provided in (c) of this section, the classes of utilization of milk shall be as follows:

(1) Class I–A shall be all skim milk in milk, skim milk and cream received at a producer's milk plant that is not classified as Class II–A.

(2) Class I–B shall be all butterfat in milk, skim milk, and cream received at a producer's milk plant.

(3) Class II–A shall be all skim milk in milk, skim milk, and cream received at a producer's milk plant that is used in the manufacture of cottage cheese, skim milk powder, ice cream, and ice cream mix.

(c) *Transfers of milk and cream.* (1) The skim milk in milk, skim milk, and cream received at a producer's milk plant from another producer's milk plant shall be allocated to Class I–A: *Provided*, That it shall be allocated to Class II–A if the market administrator is requested in writing by the receiving handler and the selling handler to make such an allocation: *Provided further*, That the amount so allocated to any class shall not be greater than the amount used in that class by the receiving handler after deduction of any skim milk pursuant to (2) of this paragraph.

(2) The skim milk in milk, skim milk, and cream received at a producer's milk plant from a farmer's milk plant shall be allocated to Class II–A, except that any of this skim milk in excess of the amount of Class II–A disposed of at the producer's milk plant shall be allocated to Class I–A.

(d) *Responsibility of handlers in establishing the classification of milk.* In establishing the classification of any milk, skim milk, and cream received at a producer's milk plant, the burden rests upon the handler who received the milk, skim milk, or cream from producers or from a farmer's milk plant, to prove that it should not be classified as Class I–A and Class I–B.

§ 945.7 *Minimum prices*—(a) *Class prices.* Each handler shall pay not less than the following prices subject to (a), (b), (c), (d), (e), and (f) of § 945.10, for milk, skim milk, and cream purchased or received from producers and associations of producers:

(1) *Class I–A:* Subtract 4 times the price of Class I–B, determined pursuant to (2) of this paragraph, from $3.97 and divide by 96: *Provided*, That for Class I–A disposed of by a handler from a plant not having a health department permit to sell fluid milk or fluid cream in the District of Columbia, the price shall be 0.48 of a cent less: *Provided further*, That with respect to Class I–A disposed of from any producer's milk plant under a program approved by the Secretary for the sale or disposition of milk to low-income groups including persons who are on relief, the price shall be an additional 0.48 of a cent less.

(2) *Class I–B:* Add all market quotations (using midpoint or any weekly range as one quotation) of prices for a 40-quart can of sweet cream approved for "Pennsylvania only" and for "Pennsylvania, Newark, and lower Merion Township" in the Philadelphia, Pennsylvania, market, reported by the United States Department of Agriculture prior to the 6th day of the month for each of the last 4 weeks ending within the preceding month, divided by the number of quotations, divide by 33.48, and subtract 8.32 cents.

(3) *Class II–A:* Subtract 4.5 cents from the average of all price quotations f.o.b. New York City for roller process dry skim powder for human consumption published during the delivery period by the United States Department of Agriculture, multiply by 7.5, and divide by 96.

(b) *Class I–A cost adjustment.* When the total pounds of Class I–A disposed of by all handlers from producer's milk plants exceed 97 percent of the total pounds of skim milk in milk, skim milk, and cream received from all producers during any delivery period, the cost per pound to handlers of Class I–A, computed pursuant to (a) of this section, shall be adjusted through the handler-settlement fund, as provided by § 945.10 (g), by an amount computed by subtracting the total value for all handlers of the emergency skim milk needed by the market, as determined pursuant to (c) and (e) of this section, from the total cost of such emergency skim milk determined pursuant to (d) of this section, and dividing the resulting amount by the total pounds of Class I–A disposed of from producer's milk plants by all handlers.

(c) *Emergency skim milk needed by the market.* The quantity of emergency skim milk needed by the market shall be considered as not exceeding for any handler the difference between 103 percent of his Class I–A disposed of within 30 miles of the milestone in Washington, D. C., and the pounds of skim milk in milk, skim milk, and cream received from producers by such handler.

(d) *Cost of emergency skim milk.* The cost per pound of emergency skim milk purchased or received by a handler that was needed by such handler, which in no event shall exceed the price per pound for Class I–A plus 0.5 of a cent, shall be determined by the market administrator as follows:

(1) Where a handler purchases or receives emergency skim milk for a farmer's milk plant not owned by such handler, the cost shall be determined by subtracting the Class I–B value from the cost of the emergency milk f. o. b. Washington, D. C., as shown by the sales and transportation records: *Provided*, That if the total pounds of emergency skim milk purchased or received by a handler exceeds the amount needed, as determined pursuant to (c) of this section, the emergency skim milk needed shall be considered to be that skim milk costing the least amount per pound during the delivery period; and

(2) Where a handler received emergency skim milk from a farmer's milk plant owned by such handler, the cost shall be equal to the average cost per pound of emergency skim milk purchased or received by all handlers in the marketing area, determined pursuant to (1) of this paragraph: *Provided*, That if there is no basis of determining, pursuant to (1) of this paragraph, the average cost of emergency skim milk paid by handlers, the cost per pound of emergency skim milk received by a handler from his own farmer's milk plant shall be determined by the market administrator on the basis of the prevailing price being paid for milk of similar quality to farmers in the same area, less the Class I–B value of such milk, plus the prevailing charge for hauling milk from the area in which the farmer's milk plant is located to the producer's milk plant, as determined by the market administrator, plus a country station allowance of 0.16 of a cent per pound.

(e) *Class value of emergency skim milk needed.* The class value of the emergency skim milk needed by each handler shall be computed as follows:

(1) Multiply the pounds of such emergency skim milk allocated to Class I–A by the Class I–A price specified in (a) of this section;

(2) Multiply the pounds of such emergency skim milk allocated to Class II–A, which is not in excess of 3 percent

of the total pounds of Class I-A disposed of by such handler, by the Class II-A price specified in (a) of this section;

(3) Multiply the total pounds of emergency skim milk needed by such handler by the weighted average premium payable to producers by him for the delivery period; and

(4) Add together the resulting amounts.

§ 945.8 *Application of provisions*—(a) *Handlers who are also producers.* No provision hereof shall apply to a handler who is also a producer and who purchases or receives no milk from producers or an association of producers, except that such handler shall make reports to the market administrator at such time and in such manner as the market administrator may request.

(b) *Virgina handlers.* Any handler whose plant is located in the State of Virginia and who is subject to such regulation of the Virginia Milk Commission as provides for the payment to producers of prices identical with, or in excess of, the prices set forth in § 945.7 hereof, who complies with §§ 945.5 (a) (1), (2), (3), and (b), 945.7 (b), (c), (d), and (e), 945.9 (b), and 945.10 (g), (h), (i), and (j) of this order, and who reports the total payments made for milk received from producers as directed by the market administrator, shall not be subject to other provisions of this order.

§ 945.9 *Determination and announcement of uniform prices.*—(a) *Computation and announcement for each handler of uniform prices to be paid producers.* On or before the 7th day after the end of each delivery period the market administrator shall announce the Class I-B price and the uniform price per pound of skim milk to be paid producers by each handler for such delivery period. The market administrator shall compute the uniform prices of skim milk as follows: (1) multiply the pounds of skim milk received from producers that were allocated to each class by the prices applicable pursuant to § 945.7 (a); (2) add together the resulting amounts; and (3) divide the result obtained by the total pounds of skim milk in milk, skim milk, and cream received from producers.

(b) *Net pool obligations of handlers for emergency skim milk received at a producer's milk plant.* The net pool obligation of each handler for emergency skim milk needed by the market received at producer's milk plants during each delivery period shall be a sum of money computed by multiplying the pounds of Class I-A disposed of by the handler, including Class I-A disposed of for the account of an association of producers, by the Class I-A cost adjustment determined pursuant to § 945.7 (b).

(c) *Announcement of other market information.* As soon after the 11th day after the end of each delivery period as such information becomes available, the following data shall be compiled and listed separately by the market administrator for handlers not disposing of any milk, skim milk, or cream for fluid consumption in the District of Columbia and for handlers disposing of milk, skim milk, or cream for fluid consumption in the District of Columbia:

(1) The total pounds of butterfat and skim milk in milk, skim milk, and cream received from producers and the total pounds of such skim milk allocated to each class.

(2) The total pounds of butterfat and skim milk in emergency milk received at each producer's milk plant, the total pounds of emergency skim milk needed at each producer's milk plant, and the total pounds of such skim milk allocated to each class.

(3) The cost of emergency skim milk received at a producer's milk plant from each farmer's milk plant that was needed by the market as determined by the market administrator pursuant to § 945.7 (d).

(4) The name and address of all farmer's milk plants shipping milk, skim milk, or cream to a producer's milk plant during the delivery period.

(5) The Class I-A adjustment determined pursuant to § 945.7 (b).

§ 945.10 *Payment for milk*—(a) *Time and method of payment.* On or before the 10th day after the end of each delivery period, each handler shall make payments, subject to (b), (c), (d), (e), and (f) of this section, for all milk, skim milk, and cream received from producers at the prices announced pursuant to § 945.9 (a) as follows:

(1) To each producer, except as provided in (2) of this paragraph, at not less than the prices announced pursuant to § 945.9 (a); and

(2) To a cooperative association for (i) milk, skim milk, and cream which is caused to be delivered to a handler from producers by a cooperative association, and for which such cooperative association collects payment, a total amount equal to not less than the sum of the individual payments otherwise payable to such producers under (1) of this paragraph minus an amount equal to the pounds of skim milk and butterfat in milk, skim milk, and cream disposed of for the account of the association, times the composite price of skim milk and the Class I-B price, respectively, announced pursuant to § 945.9 (a), plus the weighted average premium payable to producers by such handler, times the pounds of skim milk and butterfat in such products, and (ii) other milk, skim milk, and cream in each use classification, determined pursuant to § 945.6 (c), received by such handler for the account of an association of producers at not less than the class prices specified in § 945.7 (a), plus the weighted average premium payable to producers by such handler.

(b) *Errors in payment.* Errors in making the payment prescribed in this section shall be corrected not later than the date for making payments next following the determination of such errors.

(c) *Butterfat content of milk, skim milk, and cream received from producers and of emergency milk.* The butterfat content of milk, skim milk, and cream received from producers shall be determined by taking the average of not less than 5 separate butterfat tests made from fresh samples during each delivery period. The butterfat content of emergency milk shall be determined at the producer's milk plant where it is received. The market administrator may designate an independent laboratory to make these tests.

(d) *Location adjustments to producers.* In making payments pursuant to (a) of this section the handlers may deduct 18 cents per hundredweight with respect to milk received from producers who have been delivering their entire supply of milk for the preceding 4 full delivery periods at a plant in which no milk is bottled or finally processed for distribution to consumers and which is located more than 35 miles from the District of Columbia: *Provided*, That handlers may make such a deduction on all milk received at such plant from new producers whose milk is not received on truck routes transferred to such a plant.

(e) *Premiums to be paid by handlers.* (1) In making payments pursuant to (a) of this section, handlers shall pay premium differentials on all milk, skim milk, and cream received from producers at producer's milk plants determined by applying the premium rates set forth in this paragraph for each producer on the same percentage of each producer's total deliveries as that percentage which the pounds of skim milk in milk, skim milk, and cream received from producers classified in Class I-A is to the total pounds of skim milk in milk, skim milk, and cream received from producers less the pounds of skim milk in milk, skim milk, and cream returned for the account of an association of producers. The premium rates referred to in this paragraph shall be determined from the following schedule with respect to the cattle scores and farm scores recorded for each producer by the respective health departments requiring permits to sell milk to handlers in the marketing area:

Farm score	With cattle score under 95	With cattle score 95 or over but under 98	With cattle score 98 or over
	Per hundredweight	Per hundredweight	Per hundredweight
Under 90	$0.00	$0.00	$0.00
90 to 92.9	.01	.03	.07
93 to 94.9	.02	.08	.13
95 to 96.9	.08	.14	.20
97 to 97.9	.21	.25	.27
Over 97.9	.31	.37	.31

(2) If more than one score has been recorded during any month, the simple average of the scores so recorded shall be used. Producers who are subject to health department regulations which do not provide for cattle scores in their scoring system shall be considered as having a cattle score of 98 or over and the score given them by the health department shall be considered the farm score for the purpose of supplying premiums under the above schedule.

(f) Handlers may distribute the payments they are required to make to producers for milk, skim milk, and cream received by them on any uniform basis, other than that specified above in this section, that is approved by the market administrator.

(g) *Handler-settlement fund.* The market administrator shall establish and maintain a separate fund known as the "handler-settlement fund" into which he shall deposit all payments made by handlers pursuant to (h) and (j) of this section and out of which he shall make all payments to handlers pursuant to (i) and (j) of this section: *Provided*, That the market administrator shall offset any such payment due to any handler against payments due from such handler. Immediately after computing the Class I-A cost adjustment for each delivery period the market administrator shall compute the amount by which each handler's net pool obligation is in excess of or less than the amount obtained by subtracting the cost of emergency skim milk needed by the handler, determined pursuant to § 945.7 (d) from the value of such emergency skim milk, determined pursuant to § 945.7 (e) and shall enter such amount on each handler's account as such handler's pool debit or pool credit, as the case may be, and render such handler a transcript of his account.

(h) *Payments to the handler-settlement fund.* On or before the 15th day after the end of each delivery period each handler shall make full payment to the market administrator of any pool debit balance shown on the account rendered, pursuant to (g) of this section, for the preceding delivery period.

(i) *Payments out of the handler-settlement fund.* On or before the 18th day after the end of each delivery period, the market administrator shall pay to each handler the pool credit balance shown on the account rendered, pursuant to (g) of this section, if any, for the preceding delivery period, less any unpaid obligations of the handler. If at such time the balance in the handler-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available.

(j) *Adjustment of errors in payments.* Whenever verification by the market administrator of reports or payments of any handler discloses errors made in payments to the handler-settlement fund, the market administrator shall promptly bill such handler for any unpaid amount and such handler shall, within 5 days, make payment to the market administrator of the amount so billed. Whenever vertification discloses that payment is due from the market administrator to any handler, the market administrator shall, within 5 days make such payment to such handler, provided the balance in the handler-settlement fund is sufficient to make such payments.

§ 945.11 *Expense of administration and marketing services*—(a) *Payments by handlers.* As his prorate share of the expense of the administration hereof, each handler, except those handlers exempted pursuant to § 945.8, shall pay to the market administrator on or before the 18th day after the end of each delivery period an amount equal to 2 cents per hundredweight with respect to all milk, skim milk, and cream received by him from a farmer's milk plant, producers, associations of producers, or produced by him during such delivery period, or such lesser amount, the exact amount to be determined by the market administrator: *Provided*, That each handler which is a cooperative association shall pay such prorate share of the expense of administration only on such milk, skim milk, and cream actually received at a producer's milk plant operated by such cooperative association. If the market administrator designates an independent agency to determine the butterfat content of milk, skim milk, and cream received by handlers from producers as permitted by § 945.10 (c), each handler shall pay to the market administrator an amount equal to the cost of such tests of emergency milk and one-half the cost of such tests of producers' milk, skim milk, and cream, the exact amount to be determined by the market administrator.

(b) *Marketing services.* If the market administrator designates an independent agency to determine the butterfat content of milk, skim milk, and cream received by handlers from producers, as permitted under § 945.10 (c), each handler shall deduct from his payments to each producer an amount equal to one-half the cost per test, the exact amount to be determined by the market administrator, and shall pay such deduction to the market administrator on or before the 18th day after the end of each delivery period. Such moneys shall be used by the market administrator to pay the independent laboratory for the verification of weight, sampling, and testing of milk, skim milk, and cream received from producers.

(c) *Suits by market administrator.* The market administrator may maintain a suit in his own name against any handler for the collection of such handler's pro rata share of expense set forth in this section.

§ 945.12 *Effective time, suspension, or termination*—(a) *Effective time.* The provisions hereof, or any amendment hereto, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated pursuant to (b) of this section.

(b) *Suspension or termination of order.* The Secretary may suspend or terminate this order or any provision hereof whenever he finds that this order or any provision hereof obstructs or does not tend to effectuate the declared policy of the act. This order shall, in any event, terminate whenever the provisions of the act authorizing it cease to be in effect.

(c) *Continuing power and duty of the market administrator.* (1) If, upon the suspension or termination of any or all provisions hereof, there are any obligations arising hereunder, the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided*, That any such acts required to be performed by the market administrator shall, if the Secretary so directs, be performed by such other person, persons, or agency as the Secretary may designate.

(2) The market administrator, or such other person as the Secretary may designate, shall (i) continue in such capacity until removed by the Secretary, (ii) from time to time account for all receipts and disbursements, and when so directed by the Secretary deliver all funds on hand, together with the books and records of the market administrator or such person, to such person as the Secretary shall direct, and (iii) if so directed by the Secretary execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant thereto.

(d) *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions hereof the market administrator, or such person as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

§ 945.13 *Emergency milk committee.* The milk industry may select an "Emergency Milk Committee" for the purpose of supervising the purchase and allocation among handlers of emergency milk for all handlers desiring to purchase their emergency milk through a single importing agency. The market administrator may be a member of such committee and may act as chairman thereof. Notice of all meetings of the committee shall be given to the Secretary and such person or persons as the Secretary may designate shall be permitted to attend and take part in such meetings.

§ 945.14 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States or name any bureau or division of the United States Department of Agriculture to act as his agent or representative in connection with any of the provisions hereof.

This report filed at Washington, D. C., the 19th day of February 1943.

[SEAL] C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 43-2770; Filed, February 19, 1943; 3:22 p. m.]

PHILADELPHIA MARKETING AREA

NOTICE OF REPORT, ETC., ON HANDLING OF MILK

Notice of report and opportunity to file written exceptions with respect to a proposed amendment to the marketing agreement and to Marketing Order No. 61, regulating the handling of milk in the Philadelphia Marketing Area, prepared by the Director of the Food Distribution Administration.

Pursuant to § 900.12 (a) of the General Regulations of the Food Distribution Administration formerly the Agricultural Marketing Administration, United States Department of Agriculture, governing proceedings to formulate marketing orders and marketing agreements, notice is hereby given of the filing with the hearing clerk of the report of the Director of the Food Distribution Administration, with respect to a proposed amendment to the marketing agreement and marketing order regulating the handling of milk in the Philadelphia marketing area.

Interested parties may file exceptions to the report with the Hearing Clerk, Room 1331, Department of Agriculture, Washington, D. C., not later than the close of business on the 5th day after publication of this notice in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

The proceedings were initiated by the Food Distribution Administration upon receipt of a petition from the Inter-State Milk Producers Cooperative Association, Inc., for a public hearing to receive evidence on several amendments they proposed. Other amendments were also proposed by handlers. Following this request, and after consideration of the proposals, notice of the hearing was issued on January 13, 1943, and the hearing was convened on January 21, 1943, at Philadelphia, Pennsylvania. The time for filing briefs was set at the close of the hearing, to expire at the close of business January 30, 1943.

The hearing included, in addition to the industry proposals, consideration of several proposals for amendment made by the Dairy and Poultry Branch, Food Distribution Administration.

The major issues developed at the hearing were concerned with (1) revision of the Class I price, (2) definition of handler and definition of producer to conform to the needs of the market in relation to supplies, (3) the method of pricing Class I sales outside the marketing area, (4) differentials for place of receipt of milk and location differentials to be applied to prices paid producers, (5) premiums for Grade A milk, (6) the pricing of Class II milk and milk in excess of both Class I and Class II, "distress milk," (7) the expense of administration, (8) flat price payments, (9) butterfat differentials, and (10) a 3-cent additional deduction allowed handlers in making payments to producers.

It is concluded from the record that several amendments to the order are necessary to effectuate the act. Furthermore, an upward revision of the Class I price at the earliest possible date is imperative while other issues require more study.

It is further recommended that as soon as possible the order be further amended to provide for changes in the Class I price when a combination of butter and skim milk powder prices move beyond certain limits and that other amendments be made, particularly with respect to items (3), (4), (5), and (7) in the foregoing enumeration of issues.

PROPOSED AMENDMENT TO THE ORDER REGULATING THE HANDLING OF MILK IN THE PHILADELPHIA, PENNSYLVANIA, MARKETING AREA

It is found upon the evidence introduced at the public hearing held at Philadelphia, Pennsylvania, January 21, 22, and 23, 1942:

Findings. 1. That prices calculated to give milk produced for sale in the marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8c (50 Stat. 246; 7 U.S.C. 1940 ed. 602, 608c) are not reasonable in view of the available supplies of feeds, the price of feeds, and other economic conditions which affect the supply of and demand for such milk and that the minimum price set forth in this amendment is such a price as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and that the fixing of such price does not have for its purpose the maintenance of prices to producers above the levels which are declared in the act to be the policy of Congress to establish;

2. That the order, as amended, will regulate the handling of milk in the same manner as and is applicable only to handlers defined in a marketing agreement, as amended, upon which a hearing has been held; and

(3) That the issuance of this amendment and all of the terms and conditions of the order tend to effectuate the declared policy of the act.

Provisions. 1. Delete § 961.4 (a) (1) and substitute therefor the following:

(1) Class I milk—$3.93 per hundredweight.

This report filed at Washington, D. C., the 19th day of February 1943.

[SEAL] C. W. KITCHEN,
Acting Director.

[F. R. Doc. 43-2769; filed, February 19, 1943; 3:22 p. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of Special Certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective February 22, 1943. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel Industry

Penn Neckwear Company, 1812 Parade Street, Erie, Pennsylvania; Men's and boys' neckwear; 5 learners (T); February 22, 1944.

Stratbury Manufacturing Company, E. Church Street, Galion, Ohio; Overcoats and topcoats; 5 percent (T); February 22, 1944.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry

Cotton City Wash Frocks, Inc., 52 12th Street, Fall River, Massachusetts; Ladies' and children's dresses; 10 percent (T); February 22, 1944.

Dickson-Jenkins Manufacturing Co., 202 St. Louis Avenue, Fort Worth, Texas; Sportswear, trousers and work clothing; 10 percent (T); February 22, 1944.

Fruitland Shirt Company, Fruitland, Maryland; Men's shirts; 6 learners (T); February 22, 1944.

Gerty Garment Company, 557 West Jackson Boulevard, Chicago, Illinois; Rayon and cotton dresses; 5 learners (T); February 22, 1944.

Greenwood Manufacturing Company, Chipley Building, Greenwood, South Carolina; Cotton dresses and housecoats; 10 percent (T); February 22, 1944. (This certificate replaces the one issued on August 10, 1942, for ten learners.)

Jaco Pants Company, Incorporated, Railroad Street, Statham, Georgia; Men's and boys' dress and semi-dress trousers; 10 percent (T); February 22, 1944.

Outdoor Frocks, Incorporated, Philmont, New York; Cotton dresses; 10 percent (T); February 22, 1944.

Glove Industry

The Frank Russell Glove Company, Berlin, Wisconsin; Leather dress and knit fabric gloves; 5 learners (T); February 22 1944.

Hosiery Industry

Bloomsburg Hosiery Mills, Incorporated, Nescopeck, Pennsylvania; Seamless hosiery; 5 learners (T); February 22, 1944.

Bloomsburg Hosiery Mills, Incorporated, 164 W. 9th Street, Bloomsburg, Pennsylvania; Seamless hosiery; 5 percent (T); February 22, 1944.

Chancellor Hosiery Mills, Incorporated, 1110 Moss Street, Reading, Pennsylvania; Seamless hosiery; 5 learners (T); February 22, 1944.

Crest Hosiery Company, 134 Pine Street, Hamburg, Pennsylvania; Full-fashioned hosiery; 3 learners (T); February 22, 1944.

Forest City Knitting Company, Catherine & Magnolia Streets, Rockford, Illinois; Seamless hosiery; 5 percent (T); February 22, 1944.

Tennessee Hosiery Company, Englewood, Tennessee; Seamless hosiery; 5 learners (T); February 22, 1944.

Knitted Wear Industry

New Knit Manufacturing Company, 95 Bridge Street, Lowell, Massachusetts; Knitted outerwear; 5 learners (T); February 22, 1944.

Telephone Industry

Central Iowa Telephone Company, Toledo, Iowa; To employ learners as commercial switchboard operators at its Forest City, Iowa exchange, located at K Street, Forest City, Iowa until February 22, 1944.

Textile Industry

The Springs Cotton Mills—Eureka Plant, Saluda Rd., Chester, South Carolina; Woven cotton fabrics; 15 learners (T); February 22, 1944.

The Springs Cotton Mills—Springstein Plant, Springs Street, Chester, South Carolina; Woven cotton fabrics; 10 learners (T); February 22, 1944.

The Springs Cotton Mills—Gayle Plant, Elliott Street, Chester, South Carolina; Woven cotton fabrics; 17 learners (T); February 22, 1944.

Cigar Industry

General Cigar Company, Incorporated, 5th & Hickory Streets, Mt. Carmel, Pennsylvania; Cigars; 31 learners (E); Hand cigar makers for a learning period of 960 hours at 75% of the applicable minimum wage until August 21, 1943.

Signed at New York, N. Y., this 20th day of February 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-2848; Filed, February 22, 1943; 10:25 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket Nos. 6481, 6483]

WESTERN UNION TELEGRAPH CO. AND POSTAL TELEGRAPH-CABLE CO.

ORDER DISMISSING PROCEEDINGS

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of February, 1943;

In the matter of the Western Union Telegraph Company. Increased charges for telegraph communications from the United States to New Hebrides.

In the matter of Postal Telegraph-Cable Company (New York). Charges for telegraph communications between the United States and New Hebrides.

It appearing that tariff schedules have been filed by The Western Union Telegraph Company, effective February 4, 1943, and by the Postal Telegraph-Cable Company (New York), effective February 5, 1943, pursuant to the special tariff permissions granted by the Commission by its order herein of January 26, 1943;

It is ordered, That the proceedings herein be, and the same are, hereby dismissed.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-2795; Filed February 20, 1943; 10:50 a. m.]

[Docket No. 6484]

WESTERN UNION TELEGRAPH CO. AND POSTAL TELEGRAPH-CABLE CO.

ORDER DISMISSING PROCEEDINGS

At a meeting of the Commission held at its offices in Washington, D. C., on the 16th day of February, 1943;

In the matter of The Western Union Telegraph Company and Postal Telegraph-Cable Company (New York). Proposed "Longram" classification of telegraph communications.

It appearing, that on December 30, 1942, The Western Union Telegraph Company and the Postal Telegraph-Cable Company (New York) filed with the Commission tariff schedules, to become effective February 1, 1943, proposing to establish a new classification of telegraph communications, designated as "Longram" communications; that by order of January 12, 1943, the Commission suspended the operation of said tariff schedules insofar as they provided for the "Longram" classification of communications, and deferred the use of such classification, and of the charges, regulations, practices, and services for and in connection with such classification, until and unless otherwise ordered by the Commission; and that the Commission ordered a hearing concerning the lawfulness of the "Longram" classification of telegraph communications, and of the charges, regulations, practices, and services for and in connection with such classification;

It further appearing, that on January 22, 1943, the Western Union Telegraph Company and the Postal Telegraph-Cable Company (New York), filed with the Commission applications for permission to file tariff schedules to become effective February 1, 1943, which would combine the "Day Letter" and "Longram" classifications of telegraph communications into one classification, designated as the "Day Letter Longram" classification, and which would make certain other revisions in the tariff schedules suspended herein; and requested dismissal of the proceeding herein; that the special tariff permission so requested was granted on January 26, 1943; and that pursuant to such permission, the two carriers have filed revised tariffs with the Commission effective February 1, 1943;

It is ordered, That the proceeding herein be, and the same is, hereby dismissed.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-2796; Filed February 20, 1943; 10:50 a. m.]

[Docket No. 6489]

W. A. WANSLEY (WOAF)

NOTICE OF HEARING

In re application of W. A. Wansley (WOAF); dated December 14, 1942; for renewal of license; class of service, public ship station, third class; class of station, public ship station, third class; location, Houston, Texas (Gulf Area); present operating assignment: frequency, 2,738 kcs.; power, 125 w.; emission, A3.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing to determine the following issues:

1. Whether or not the facilities and operation of Station WOAF are in compliance with §§ 8.27, 8.35 (a), and 8.109 of the Commission's Rules and Regulations.

2. Whether, in the light of the evidence adduced upon the foregoing issue, public interest, convenience or necessity would be served by a grant of the application herein designated for hearing.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of

a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: W. A. Wansley, 8125 Hockley Street, Houston, Texas.

Dated at Washington, D. C., February 18, 1943.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 43-2707; Filed, February 20, 1943; 10:50 a. m.]

[Docket No. 6490]

TIDEWATER WIRELESS TELEGRAPH CO. (WNW)

NOTICE OF HEARING

In re application of Tidewater Wireless Telegraph Company (WNW); dated December 3, 1942; for renewal of license; class of service, Public coastal; class of station, Coastal telegraph; location, Pier 98, South Wharves, Philadelphia, Pennsylvania.

You are hereby notified that the Commission, having examined the above-described application, and being unable to determine upon examination of such application that public interest, convenience or necessity would be served by the granting thereof, has designated the matter for hearing for the following reasons:

1. To determine if applicant has heretofore closed its aforesaid coastal telegraph radio station and withdrawn same from active commercial operation.

2. To determine if applicant, immediately prior to, and on February 1, 1943, was engaged in rendering public coastal telegraph service through its aforesaid station.

3. To determine if the applicant will institute regular and continuous immediate operation of its aforesaid station in the public coastal telegraph service.

4. To determine whether, in the light of the evidence adduced on the foregoing issues, public interest, convenience or necessity would be served by a grant of the application herein designated for hearing.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant upon the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules and Regulations. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules and Regulations.

The applicant's address is as follows: Tidewater Wireless Telegraph Company, Pier 98, South Wharves, Philadelphia, Pennsylvania.

Dated at Washington, D. C., February 18, 1943.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 43-2798, Filed, February 20, 1943; 10:50 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4882]

C. H. STEMMONS MANUFACTURING COMPANY, ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 19th day of February, A. D. 1943.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 USCA, section 41),

It is ordered, That Lewis C. Russell, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, March 15, 1943, at ten o'clock in the forenoon of that day (Central Standard Time), in Room 664, U. S. Court House, Kansas City, Missouri.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-2799, Filed February 20, 1943, 11:10 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 4 Under RPS 67]

ONSRUD MACHINE WORKS, INC.

ORDER GRANTING IN PART AND DENYING IN PART

Order No. 4 under Revised Price Schedule No. 67—New Machine Tools—Docket Nos. 3067-34, 3136-170.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and Procedural Regulation No. 6; *It is hereby ordered:*

(a) *Woodworking machinery under Maximum Price Regulation No. 136, as amended—Machines and parts, and Machinery Services.* Any person is authorized and permitted to sell and deliver the following machines manufactured by Onsrud Machine Works, Inc., of Chicago, Illinois, to any purchaser, at the prices set forth below: *Provided*, That each purchaser shall be allowed all discounts or other allowances in effect on October 1, 1941, to a purchaser of the same class:

Model No.	*Maximum price*
W-122	$2,475.00
W-122B	572.00
W-200	572.00
W-240	869.00
W-242	2,116.00
W-248	1,062.00
W-255	1,364.00
W-265	523.00
W-450	4,950.00
WA-50	3,080.00
S-76	545.00

(b) *Machine tools under Revised Price Schedule No. 67—New Machine Tools.* Any person is authorized and permitted to sell and deliver the following machine tools manufactured by Onsrud Machine Workers, Inc., of Chicago, Illinois, at the prices set forth below:

Model No.	Arms	Maximum price
A 1 C	Alum.	$3,[illegible]
A 1 R	C. I.	1,[illegible]
A 1 R	Alum.	1,[illegible]
A 1 R	Fab.	1,[illegible]
A 1 D	C. I.	1,[illegible]
A 1 D	Fab.	1,[illegible]
A 1 D	Alum.	1,[illegible]
A 1 DD	C. I.	2,[illegible]
A 1 DD	Fab.	2,[illegible]
A 1 DD	Alum.	2,[illegible]
A 4 C	Alum.	4,[illegible]
A 4 R	Fab.	2,[illegible]
A 4 R	C. I.	1,[illegible]
A 4 R	Alum.	2,[illegible]
A 4 D	C. I.	2,[illegible]
A 4 D	Fab.	2,[illegible]
A 4 D	Alum.	2,[illegible]
A 4 RR	Alum.	4,[illegible]
A 4 DD	C. I.	3,[illegible]
A 4 DD	Fab.	3,[illegible]
A 4 DD	Alum.	4,[illegible]
W 155 Router	.....	1,[illegible]
W 114 E Router	.....	1,[illegible]
A 80 Spar Miller	.....	22,[illegible]

(c) Within fifteen days after the effective date of this order, Onsrud Machine Works, Inc. shall (1) certify to the Office of Price Administration, Washington, D. C., that no sum for any machine in paragraph (a), delivered on or after September 7, 1942, has been paid in excess of the price set forth in paragraph (a) for such machine, and that no sum for any machine in paragraph (b), delivered on or after September 8, 1942, has been paid in excess of the price set forth in paragraph (b) for such machine; or (2) shall refund the excess over such price to each purchaser who has paid such excess for any such machine, and shall within fifteen days after making such refunds submit proof to the Office of Price Administration, Washington, D. C. that such refunds have been made.

(d) To the extent that the adjustments requested by Onsrud Machine Works, Inc. are not granted herein, the respective applications for adjustment of maximum prices filed by Onsrud Machine Works, Inc. are denied.

(e) The issuance of this order shall not in any way affect or relieve the liability of Onsrud Machine Works, Inc. for any violation of any regulation or order issued by the Office of Price Administration.

(f) This Order No. 4 may be revoked or amended by the Office of Price Administration at any time.

(g) This Order No. 4 shall become effective February 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of February 1943.

PRENTISS M. BROWN, *Administrator.*

[F. R. Doc. 43-2746; Filed, February 19, 1943; 12:06 p. m.]

[Order 15 Under MPR 157]

ROHRER KNITTING MILL

ORDER GRANTING ADJUSTMENT

Order No. 15 under Maximum Price Regulation No. 157—Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes—Docket No. 3157-43.

On December 30, 1942, Rohrer Knitting Mill, Orwigsburg, Pennsylvania, filed an application, under Maximum Price Regulation No. 157, for adjustment of its maximum prices for sleeveless cotton undershirts. Due consideration has been given to said application and an opinion in support of this Order No. 15 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 and Procedural Regulation No. 6, issued by the Office of Price Administration, *It is hereby ordered:*

(a) Rohrer Knitting Mill may sell and deliver to any war procurement agency, under Maximum Price Regulation No. 157, the following commodity at a price not in excess of the following price:

20[illegible]¢ per unit for undershirts conforming to the specifications of Contract W 669-qm-22513, Philadelphia Quartermaster Depot, United States Army.

(b) With respect to deliveries of the commodity described in paragraph (a), on and after December 30, 1942, Rohrer Knitting Mill may receive payment under Maximum Price Regulation No. 157 at a price not exceeding 20[illegible]¢ per unit.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 15 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1378.10 of Maximum Price Regulation No. 157 shall apply to the terms used herein.

This Order No. 15 shall become effective February 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of February, 1943.

PRENTISS M. BROWN, *Administrator.*

[F. R. Doc. 43-2751; Filed, February 19, 1943; 12:06 p. m.]

[Order 16 Under MPR 157]

THE E. RICHARD MEINIG COMPANY

ORDER DENYING ADJUSTMENT

Order No. 16 under Maximum Price Regulation No. 157—Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes—Docket No. 3157-29.

On August 21, 1942, The E. Richard Meinig Company, Reading, Pennsylvania, filed an application under Maximum Price Regulation No. 157. On August 31, 1942, the New York Regional Office of the Office of Price Administration issued an order of denial. Subsequently, the applicant duly filed a request for review by the Administrator of the order of denial. Due consideration has been given to the application, and an opinion in support of this Order No. 16 has been issued simultaneously herewith and filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 and Procedural Regulation No. 6, *It is ordered*, That:

(a) The application for adjustment is hereby denied.

(b) The E. Richard Meinig Company shall immediately notify all persons with whom it has contracts which are subject to Maximum Price Regulation No. 157 and which establish prices in excess of those authorized by Maximum Price Regulation No. 157 that it will make final settlement of such contracts in accordance with the maximum prices established by Maximum Price Regulation No. 157.

(c) The E. Richard Meinig Company shall refund to persons with whom it has contracts which are subject to Maximum Price Regulation No. 157 all payments which have been made to it in excess of the maximum prices authorized by Maximum Price Regulation No. 157.

(d) Within 30 days after the date on which this Order No. 16 was mailed to it, The E. Richard Meinig Company shall file a statement with the Office of Price Administration, Washington, D. C., stating the action it has taken to comply with the terms of this order.

(e) This Order No. 16 shall become effective February 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.)

Issued this 19th day of February 1943.

PRENTISS M. BROWN, *Administrator.*

[F. R. Doc. 43-2752; Filed, February 19, 1943; 12:07 p. m.]

[Order 17 Under MPR 157]

ALFRED DECKER & COHN, INC.

ORDER ADJUSTING MAXIMUM PRICE

Order No. 17 under Maximum Price Regulation No. 157—Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes—Docket No. 3157-8.

On July 16, 1942, Alfred Decker & Cohn, Inc., 416 South Franklin Street, Chicago, Illinois, filed an application under Maximum Price Regulation No. 157 for adjustment of its maximum price for certain overcoats. Due consideration has been given to the application, and an opinion in support of this order has been issued simultaneously herewith and filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 and Procedural Regulation No. 6, *It is hereby ordered:*

(a) The applicant may sell and deliver the following commodities under Maximum Price Regulation No. 157 at a price not exceeding the following price:

$3.76 each for overcoats conforming to specifications of Contract W669 qm-16847 (O. I. No. 8464), Philadelphia Quartermaster Depot, Quartermaster Corps, United States Army.

(b) Any contract subject to Maximum Price Regulation No. 157 entered into at a price exceeding $3.76 shall be revised accordingly; any payments made to the applicant exceeding $3.76 shall be refunded to the purchaser; and, within 30 days after the date on which this Order No. 17 was mailed to it, the applicant shall file a statement with this Office to the effect that such contracts, if entered into, were so revised and that such refunds, if required, were made.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 17 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 17 shall become effective February 20, 1943.

Issued this 19th day of February 1943.

PRENTISS M. BROWN, *Administrator.*

[F. R. Doc. 43-2753; Filed, February 19, 1943; 12:07 p. m.]

[Order 4 Under MPR 177]

WEARBEST COAT COMPANY

ORDER GRANTING MAXIMUM PRICES

Order No. 4 under § 1389.106 of Maximum Price Regulation No. 177—Men's and Boys' Tailored Clothing.

An opinion in support of this order has been issued simultaneously with this order. For the reasons set forth in the opinion, *It is hereby ordered*, That:

(a) Dora Weisberg, William Weisberg, Louis Weisberg and Abe Weisberg, doing business under the name of Wearbest Coat Company, 149 Fifth Avenue, New York, New York, may sell and deliver,

and any person may buy and receive from Wearbest Coat Company trousers in the 9000 and 9100 Ranges at prices not in excess of those set forth in paragraphs (b) and (c).

(b) The following shall be the maximum prices for the garments listed below and any similar garments, when they are sold or delivered by Wearbest Coat Company, otherwise than at retail:

(1) $4.83 for men's trousers in the 9000 Range, made of gabardine described as American Woolen Company Range EE 2434, with grade I tailoring.

(2) $6.11 for men's trousers in the 9100 Range, made of gabardine described as Gera Mills Range 43, with grade I tailoring.

(c) Wearbest Coat Company may determine the maximum price of any other men's pants by adding to the "current cost", as determined under § 1389.119 (a) (4) a percentage margin of 21 percent on the selling price. But no maximum price for men's pants shall exceed $6.11.

(d) The permission granted in this order is subject to the following conditions:

All discounts and trade practices, including practices relating to shipping and shipping charges which were observed by Wearbest Coat Company during July to November 1941, shall apply to sales for which maximum prices are determined under this order.

(e) This Order No. 4 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth or incorporated in Maximum Price Regulation 177 apply to the terms used in this order.

This Order No. 4 shall become effective February 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2749; Filed, February 19, 1943; 12:07 p. m.]

[Order 5 Under MPR 177]

WIENER AND KATZ

ORDER GRANTING MAXIMUM PRICES

Order No. 5 under § 1389.106 of Maximum Price Regulation No. 177—Men's and Boys' Tailored Clothing.

An opinion in support of this order has been issued simultaneously with this order. For the reasons set forth in the opinion, *It is hereby ordered*, That:

(a) Ben Wiener and Edward Katz, partners doing business under the name of Wiener and Katz, may sell and deliver, and any person may buy and receive from Wiener and Katz, juvenile or junior suits at prices not in excess of those set forth in paragraphs (b) and (c).

(b) The following shall be the maximum prices for the garments listed below and for any similar garments when they are sold or delivered by Wiener and Katz otherwise than at retail:

Lot No.	Mill origin and range of materials used	Maximum prices		
		Rugby	Elgin	Junior fancy
5115 to 5615	La Porte 603	$5.75	..	$6.50
5715 to 5915	Pearlest 16	5.75		6.50
6015 to 6415	Stevens 585	5.77		6.53
6118 and 5218	Amen Aldott Co 111	6.66	....	7.08
6318 to 6118	Commodore 262	6.16		7.08
6129 to 5326 and 5526	Stevens 870	6.37	6.13	7.47
5426	Stevens 870	6.37	6.13	7.47

(c) Wiener and Katz may determine the maximum price for any other juvenile suit with short pants or with long pants by adding to the "current cost", as defined in § 1389.119 (a) (4) of Maximum Price Regulation 177, a margin of 15¾ percent on the selling price. But no maximum price shall exceed $6.37 for a junior suit with short pants, or $7.47 for a junior suit with long pants.

(d) The permission granted in this order is subject to the following conditions:

All discounts and trade practices, including practices relating to shipping and shipping charges which were observed by Wiener and Katz during July to November 1941, shall apply to sales for which maximum prices are determined under this order.

(e) This Order No. 5 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth or incorporated in Maximum Price Regulation 177 apply to the terms in this order.

This Order No. 5 shall become effective February 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2750; Filed, February 19, 1943; 12:07 p. m.]

[Order 166 Under MPR 188]

PETER PAN BAKERIES, INC.

ORDER APPROVING MAXIMUM PRICES

Order No. 166 under § 1499.158 of Maximum Price Regulation No. 188 —Manufacturers' Maximum Prices for specified Building Material and Consumers' Goods Other Than Apparel. Maximum prices for a new bread slicer manufactured by Peter Pan Bakeries, Inc.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) This Order No. 166 sets maximum prices for sales of a new bread slicer manufactured by Peter Pan Bakeries, Inc., Detroit, Michigan.

(1) For sales to retailers by Peter Pan Bakeries, Inc., the maximum price is $.65 per unit, f. o. b. Detroit, Michigan.

(2) For sales at retail, the maximum price is $.79.

(b) Before delivery of the bread slicer to any purchaser for resale, the manufacturer shall attach a tag or label which plainly states that the retail ceiling price of the slicer is $.79. The tag or label shall not be detached until the slicer has been delivered to the consumer.

(c) At or prior to the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser of the maximum price set by this order for resales by the purchaser. This notice may be given in any convenient form

(d) This Order No. 166 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(f) This Order No. 166 shall become effective February 19, 1943.

Issued this 19th day of February, 1943.

FRENTISS M. BROWN.
Administrator.

[F. R. Doc. 43-2754, Filed, February 19, 1943 12:04 p. m.]

[Suspension Order 224]

EMERY R. HOFF

ORDER RESTRICTING TRANSACTIONS

Emery R. Hoff, 239 Pearl Street, Adrian, Michigan, hereinafter called respondent, was duly served with a notice of specific charges of violations of Revised Tire Rationing Regulations, issued by the Office of Price Administration. Pursuant to the notice a hearing was held in Lansing, Michigan, on December 17, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been duly considered, it is hereby determined:

(a) Respondent is a dealer in tires at 239 Pearl Street, Adrian, Michigan

(b) Respondent has violated revised tire rationing regulations (§ 1315.606) in that respondent, as a duly authorized tire inspector, certified that he had inspected 4 tires mounted on an automobile belonging to one Howard Christian Brandt when, in fact, respondent had not inspected the said tires; and further, in that respondent certified that the said 4 tires were worn smooth and should be retreaded and that a spare tire was not suitable for retreading when in fact the said 4 tires did not require retreading and the spare tire was suitable for retreading.

Because of the great scarcity and critical importance of rubber in the United States respondent's violations of revised tire rationing regulations have hampered the administration and enforcement of the tire rationing regulations and impeded the war effort. It appears that further violations by respondents are likely unless appropriate administrative action is taken.

It is therefore ordered:

(c) During the period in which this Suspension Order No. 224 shall be in effect,

(1) Respondent shall not accept any deliveries or transfers of, or in any manner directly or indirectly receive from any source any new, used, recapped or retreaded tires or any tubes for resale.

(2) Respondent shall not transfer or deliver or otherwise trade or deal in new, used, recapped or retreaded tires or any tubes.

(3) No person shall in any manner directly or indirectly transfer or deliver any new, used, recapped or retreaded tires or any tubes to respondent for resale.

(d) Any terms used in this Suspension Order No. 224 that are defined in revised tire rationing regulations shall have the meaning therein given them.

(e) This Suspension Order No. 224 shall become effective 12:01 a. m. March 1 1943, and unless sooner terminated, shall expire 12:01 a. m. April 30, 1943.

Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong. as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1B (7 F.R. 925, 3387); Supplementary Directive No. 1Q (7 F.R. 9121))

Issued this 19th day of February, 1943.

LOUIS H. HARRIS,
Chairman, Industrial Council.

[F. R. Doc. 43-2755; Filed, February 19, 1943; 12:04 p. m.]

[Suspension Order 225]

C. W. COERPER

ORDER RESTRICTING TRANSACTIONS

C. W. Coerper, doing business as Mountain Service Station, 16 Bloomfield Avenue, Verona, New Jersey, hereinafter called respondent, was duly served with a notice of charges of violations of Ration Order No. 5A, gasoline rationing regulations, issued by the Office of Price Administration. Pursuant to the notice a hearing upon the charges was held in Newark, New Jersey, on December 18, 1942. There appeared a representative of the Office of Price Administration and respondent failed to appear not withstanding personal service of notice of said hearing upon respondent. The evidence pertaining to the charges was presented before an authorized presiding officer.

The matter having been duly considered by the Chairman of the Industry Council, It is hereby determined:

(a) Respondent is a dealer in gasoline and operates a gasoline filling station at 16 Bloomfield Avenue, Verona, New Jersey.

(b) Respondent has violated Ration Order No. 5A, gasoline rationing regulations (§ 1394.1502), in that on November 18, 1942, respondent transferred gasoline to consumers and into the fuel tanks of their motor vehicles without receiving in exchange therefor any gasoline ration coupons. Such transfers were not within the classes of transfers of gasoline permitted by the provisions of Ration Order No. 5A, gasoline rationing regulations, to be made without the exchange of gasoline ration coupons.

(c) Respondent has violated Ration Order No. 5A, gasoline rationing regulations (§§ 1394.1502 and 1394.1503) in that on various occasions between July 22 and November 16, 1942, respondent transferred gasoline to consumers and into the fuel tanks of their motor vehicles and accepted in exchange for such transfers 23 Class A, No. 3 gasoline ration coupons.

Because of the great scarcity and critical importance of gasoline in New Jersey respondent's violations of Ration Order No. 5A, gasoline rationing regulations, have resulted in the diversion of gasoline from military and essential civilian uses into non-essential uses, in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Chairman of the Industry Council that further violations by respondent are likely unless appropriate administrative action is taken.

It is therefore ordered:

(d) During the period in which this Suspension Order No. 225 shall be in effect,

(1) Respondent shall not accept any deliveries or transfers of, or in any manner directly or indirectly receive from any source any gasoline for resale.

(2) Respondent shall not transfer or deliver or otherwise trade or deal in gasoline.

(3) No person shall in any manner, directly or indirectly transfer or deliver any gasoline to respondent for resale.

(e) Any terms used in this Suspension Order No. 225 that are defined in Ration Order No. 5A, gasoline rationing regulations, shall have the meaning therein given them.

(f) This Suspension Order No. 225 shall become effective 12:01 a. m. March 1, 1943, and unless sooner terminated, shall expire 12:01 a. m. April 30, 1943.

(Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216); Supplementary Directive 1Q (7 F.R. 9121))

Issued this 19th day of February 1943.

LOUIS H. HARRIS,
Chairman, Industry Council.

[F. R. Doc. 43-2756; Filed, February 19, 1943; 12:04 p. m.]

[Order 18 Under MPR 157]

THE WILLIAM CARTER COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 18 under Maximum Price Regulation No. 157—Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes—Docket No. 3157-43.

On August 20, 1942, The William Carter Company, Needham Heights, Massachusetts, filed an application under Maximum Price Regulation No. 157, for adjustment of its maximum prices for undershirts, cotton, summer, sleeveless. Due consideration has been given to said application and an opinion in support of this Order No. 18 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 and Procedural Regulation No. 6, issued by the Office of Price Administration, *It is hereby ordered:*

(a) The William Carter Company may sell and deliver to any war procurement agency, under Maximum Price Regulation No. 157, the following commodity at a price not in excess of the following price:

20½¢ per unit for undershirts conforming to the specifications of Contract W669-qm-17327, Philadelphia Quartermaster Depot, United States Army.

(b) With respect to deliveries of the commodity described in paragraph (a), on and after August 20, 1942, The William Carter Company may receive payment under Maximum Price Regulation No. 157 at a price not exceeding 20½¢ per unit.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 18 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1378.10 of Maximum Price Regulation No. 157 shall apply to the terms used herein.

This Order No. 18 shall become effective February 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2822; Filed, February 20, 1943; 12:21 p. m.]

[Order 19 Under MPR 157]

FRANKLIN-FERGUSON COMPANY, INC.

ORDER GRANTING ADJUSTMENT

Order No. 19 under Maximum Price Regulation No. 157—Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes—Docket No. 3157-21.

On October 20, 1942, Franklin-Ferguson Company, Inc., of New York City, New York, filed an application, under Maximum Price Regulation No. 157, for adjustment of its maximum prices for cotton drawers. Due consideration has

[1] 7 F.R. 5872, 7967, 8943, 8948, 10155; 8 F.R. 537.

been given to said application and an opinion in support of this Order No. 19 has been issued simultaneously herewith and filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 and Procedural Regulation No. 6, issued by the Office of Price Administration, *It is hereby ordered:*

(a) Franklin-Ferguson Company, Inc. may sell and deliver to any war procurement agency, under Maximum Price Regulation No. 157, the following commodity at a price not in excess of the following price:

$.356 per unit for cotton drawers conforming to the specifications of Contract W 669-qm-17389, Philadelphia Quartermaster Depot, United States Army.

(b) With respect to deliveries of the commodity described in paragraph (a), on and after October 20, 1942, Franklin-Ferguson Company, Inc. may receive payments under Maximum Price Regulation No. 157 at a price not exceeding $.356 per unit.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 19 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1378.10 of Maximum Price Regulation No. 157 shall apply to the terms used herein.

This Order No. 19 shall become effective February 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2823; Filed February 20, 1943; 12:13 p. m.]

[Order 20 Under MPR 157]

KEMPER KNITTING MILLS

ORDER DENYING ADJUSTMENT

Order No. 20 under Maximum Price Regulation No. 157—Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes—Docket No. 3157-27.

Kemper Knitting Mills, 1530 West Armitage Avenue, Chicago, Illinois, has filed an application for adjustment under Maximum Price Regulation No. 157. Due consideration has been given to the application, and an opinion in support of this Order No. 20 has been issued simultaneously and filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 and Procedural Regulation No. 6, *It is ordered*, That:

(a) The application for adjustment is hereby denied.

(b) Kemper Knitting Mills shall immediately notify all persons with whom it has contracts which are subject to Maximum Price Regulation No. 157 and which establish prices in excess of those authorized by Maximum Price Regulation No. 157 that it will make final settlement of such contracts in accordance with the maximum prices established by Maximum Price Regulation No. 157.

(c) Kemper Knitting Mills shall refund to persons with whom it has contracts which are subject to Maximum Price Regulation No. 157 all payments which have been made to it in excess of the maximum prices authorized by Maximum Price Regulation No. 157.

(d) Within 30 days after the date on which this Order No. 20 was mailed to it, Kemper Knitting Mills shall file a statement with the Office of Price Administration, Washington, D. C., stating the action it has taken to comply with the terms of this Order No. 20.

(e) This Order No. 20 shall become effective February 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2824; Filed, February 20, 1943; 12:13 p. m.]

[Order 167 Under MPR 188]

H. W. COVERT CO.

APPROVAL OF MAXIMUM PRICES

Order No. 167 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers Goods Other Than Apparel. Maximum prices for sales of a new fireplace grate manufactured by The H. W. Covert Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) This Order No. 167 sets temporary maximum prices for sales of a new fireplace grate manufactured by The H. W. Covert Company, 339 East 48th Street, New York, New York. It applies only to the grate which has been described in an application submitted by the manufacturer to the Office of Price Administration. The order is temporary. No sales or deliveries may be made under its authority after the first day of April 1943.

The prices stated below may be charged only if the manufacturer attaches to the grate the written warranty described in paragraph (b). If the manufacturer does not make the warranty, the maximum prices for sales by the manufacturer, wholesalers, and retailers shall be computed by deducting 15% from the prices stated below.

(1) For sales by the manufacturer to wholesalers or jobbers, the maximum price is $5.40 f. o. b. factory.

(2) For sales by the manufacturer to retailers, the maximum price is $5.95 f. o. b. factory.

(3) For sales at wholesale by persons other than the manufacturer, the maximum price is $7.20 f. o. b. the seller's city.

(4) For sales at retail, the maximum price is $10.80.

(b) The maximum prices set forth in paragraph (a) can be charged only if the manufacturer sells the grate with a written warranty in the following form:

"The H. W. Covert Company, 339 East 48th Street, New York, N. Y., the manufacturer of this grate, warrants to the retailer and to any person buying from him that it is fit for burning coal or wood in a fireplace." If the manufacturer desires to do so, he may add: "This warranty, however, does not protect against rough handling by the consumer."

The warranty shall be attached to the grate by the manufacturer and shall not be detached until after the grate has been delivered to the consumer.

(c) Before delivery of a fireplace grate to any purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail ceiling price of the grate. For example, a statement in the following form would be sufficient: "Retail ceiling price: $10.80". The tag or label shall not be detached until the grate has been delivered to the consumer.

(d) At or before the time of first delivery after the effective date of this order, the manufacturer shall notify in writing every person who buys from him of the maximum price set by this Order No. 167 for resales by the purchaser. This written notice may be given in any convenient manner; for example, it may be shown on or attached to the invoice or packed with the merchandise.

(e) This Order No. 167 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the general maximum price regulation shall apply to terms used herein.

(g) This Order No. 167 shall become effective on the 22d day of February 1943 and shall terminate on the 1st day of April, 1943.

Issued this 20th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2826; Filed February 20, 1943; 12:20 p. m.]

[Order 168 Under MPR 188]

OHIO FOUNDRY & MANUFACTURING CO

APPROVAL OF MAXIMUM PRICES

Order No. 168 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers Goods Other Than Apparel. Maximum prices for sales of a new fireplace grate distributed by The Ohio Foundry & Manufacturing Co.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) This Order No. 168 sets temporary maximum prices for sales of a new fireplace grate manufactured for The Ohio Foundry & Manufacturing Co., Steubenville, Ohio, by The Ohio Valley Clay Company, Steubenville, Ohio. It applies only to the grate which has been described in an application submitted by the manufacturer to the Office of Price Administration. The order is temporary. No sales or deliveries may be made under its authority after the first day of April, 1943.

The prices stated below may be charged only if The Ohio Foundry & Manufacturing Co. attaches to the grate a written warranty described in paragraph (b). If the company does not make the warranty, the maximum prices for sales by that company and by wholesalers and retailers should be computed by deducting 15% from the prices stated below.

(1) For sales by The Ohio Valley Clay Company to The Ohio Foundry & Manufacturing Co., the maximum price is $5.70.

(2) For sales by The Ohio Foundry & Manufacturing Co. to wholesalers or jobbers, the maximum price is $7.50 f. o. b., Steubenville, Ohio.

(3) For sales by The Ohio Foundry & Manufacturing Co. to retailers, the maximum price is $8.25, f. o. b. Steubenville, Ohio.

(4) For sales at wholesale by persons other than The Ohio Foundry & Manufacturing Co., the maximum price is $10.00, f. o. b. the seller's city.

(5) For sales at retail, the maximum price is $15.00.

(b) The maximum prices set forth in subparagraphs (2), (3), (4), and (5) of paragraph (a) can be charged only if The Ohio Foundry & Manufacturing Co. sells the grate with a written warranty in the following form:

"The Ohio Foundry & Manufacturing Co., Steubenville, Ohio, warrants to the retailer and to any person buying from him that this grate is fit for burning coal or wood in a fireplace". If the company desires to do so, it may add: "This warranty, however, does not protect against rough handling by the consumer."

The warranty shall be attached to the grate before shipment by The Ohio Foundry & Manufacturing Co., and shall not be detached until after the grate has been delivered to the consumer.

(c) Before delivery of a fireplace grate to any purchaser for resale, The Ohio Foundry & Manufacturing Co. shall attach a tag or label which plainly states the retail ceiling price of the grate. For example, a statement in the following form would be sufficient: "Retail ceiling price: $15.00." The tag or label should not be detached until the grate has been delivered to the consumer.

(d) At or before the time of the first delivery after the effective date of this order, The Ohio Foundry & Manufacturing Co. shall notify in writing every person who buys from it of the maximum price set by this Order No. 168 for resales by the purchaser. This written notice may be given in any convenient manner; for example, it may be shown on or attached to the invoice, or packed with the merchandise.

(e) This Order No. 168 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the general maximum price regulation shall apply to terms used herein.

(g) This Order No. 168 shall become effective on the 22d day of February 1943, and shall terminate on the 1st day of April, 1943.

Issued this 20th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2829; Filed, February 20, 1943; 12:20 p. m.]

[Order 5 Under RPS 67]

L. J. KAUFMAN MANUFACTURING COMPANY

ORDER GRANTING PETITION IN PART AND DENYING IT IN PART

Order No. 5 under Revised Price Schedule No. 67—New Machine Tools—Docket No. 3067-45.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and Procedural Regulation No. 6, *It is hereby ordered:*

(a) Any person is hereby authorized and permitted to sell and deliver, for the gross price of $1,000.00 each, any number of:

Special No. 8 Single Spindle Tapping Unit, $\frac{3}{4}$" capacity arranged for flat belt drive, complete with $1\frac{1}{2}$ H. P. 440 volt, 3-phase, 60 cycle motor and control.

manufactured by L. J. Kaufman Manufacturing Company, of Manitowoc, Wisconsin.

(b) L. J. Kaufman Manufacturing Company shall within fifteen days after this Order is issued (1) certify to the Office of Price Administration, Washington, D. C., that no sum in excess of $1,000.00 was paid by any purchaser for any such machine delivered on or after December 1, 1942, or (2) shall refund the excess over $1,000.00 to each purchaser who has paid such excess for any such machine delivered on or after December 1, 1942, and shall within fifteen days after making such refunds submit proof to the Office of Price Administration, Washington, D. C., that such refunds have been made.

(c) This Order No. 5 may be revoked or amended by the Office of Price Administration at any time.

(d) This Order No. 5 shall become effective February 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2821; Filed, February 20, 1943; 12:21 p. m.]

[Suspension Order 219]

ABRAHAM SCHIPS

ORDER RESTRICTING TRANSACTIONS

Abraham Schips, 2 Malden Street, Nassau, New York, hereinafter called respondent, was duly served with a notice of charges of violations of Ration Order No. 5A, gasoline rationing regulations, issued by the Office of Price Administration. Pursuant to the notice, a hearing upon the charges was held in Albany, New York, on December 14, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been considered, it is hereby determined that:

(a) Respondent is a dealer in gasoline and operates a filling station at 2 Malden Street, Nassau, New York.

(b) Respondent has violated Ration Order No. 5A, gasoline rationing regulations, (§ 1394.1503) in that on or about October 8, 1942, respondent transferred five gallons of gasoline to a consumer and into the fuel tank of a motor vehicle in exchange for a loose Class S gasoline ration coupon that was not issued for such vehicle.

(c) Respondent has violated Ration Order No. 5A, gasoline rationing regulations, (§ 1394.1502) in that on various occasions between July 22, 1942, and October 26, 1942, respondent transferred gasoline to consumers and into the fuel tanks of motor vehicles without receiving in exchange therefor any gasoline ration coupons. Such transfers were not within the classes of transfers permitted by Ration Order No. 5A, gasoline rationing regulations, to be made without the exchange of coupons.

Because of the great scarcity and critical importance of gasoline in New York respondent's violations of Ration Order No. 5A, gasoline rationing regulations, have resulted in the diversion of gasoline from military and essential civilian uses into non-essential uses, in a manner contrary to the public interest and detrimental to the national war effort. It appears that further violations by respondent are likely unless appropriate administrative action is taken.

It is therefore ordered:

(d) During the period in which this Suspension Order No. 219 shall be in effect,

(1) Respondent shall not in any manner directly or indirectly sell, transfer or deliver gasoline to any person.

(2) Respondent shall not in any manner directly or indirectly accept any deliveries or transfers of gasoline for resale.

(3) No person shall in any manner directly or indirectly transfer or deliver any gasoline to respondent for resale.

(e) Any terms used in this Suspension Order No. 219 that are defined in Ration Order No. 5A, gasoline rationing regulations, shall have the meaning therein given them.

(f) This suspension Order No. 219 shall become effective 12:01 a. m. March 2, 1943, and shall remain in effect until 12:01 a. m. March 17, 1943.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89 and 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216); Supplementary Directive 1Q (7 F.R. 9121))

Issued this 20th day of February 1943.

LOUIS H. HARRIS,
Chairman, Industry Council.

[F R Doc. 43-2816; Filed, February 20, 1943; 12 20 p. m.]

[Suspension Order 222]

FRYE'S GULF SERVICE STATION

ORDER RESTRICTING TRANSACTIONS

Carl W. Frye, doing business as Frye's Gulf Service Station, 360 Virginia Avenue, Hagerstown, Maryland, hereinafter called respondent, was duly served with a notice of charges of violations of Ration Order No. 5A, gasoline rationing regulations, issued by the Office of Price Administration. Pursuant to the notice, a hearing upon the charges was held in Baltimore, Maryland on December 4, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been duly considered, it is hereby determined that:

(a) Respondent is a dealer in gasoline and operates a gasoline filling station at 360 Virginia Avenue, Hagerstown, Maryland.

(b) Respondent has violated Ration Order No. 5A, gasoline rationing regulations (§§ 1394.1502 and 1394.1503) in that on various occasions between July 22 and November 7, 1942, respondent transferred gasoline to consumers and into the fuel tanks of their motor vehicles in exchange for gasoline ration coupons Class S from coupon books that were not issued for and did not bear the identification of the vehicles into which the transfers were made.

(c) Respondent has violated Ration Order No. 5A, gasoline rationing regulations (§§ 1394.1502 and 1394.1503) in that on various occasions between July 22 and November 7, 1942, respondent transferred gasoline to consumers and into the fuel tanks of their motor vehicles and accepted in exchange for such transfers 4 Class A, No. 3 gasoline ration coupons.

Because of the great scarcity and critical importance of gasoline in Maryland, respondent's violations of Ration Order No. 5A, gasoline rationing regulations, have resulted in the diversion of gasoline from military and essential civilian uses into non-essential uses, in a manner contrary to the public interest and detrimental to the national war effort. It appears that further violations by respondent are likely unless appropriate administrative action is taken.

It is therefore ordered:

(d) During the period in which this Suspension Order No. 222 shall be in effect,

(1) Respondent shall not accept any deliveries or transfers of, or in any manner directly or indirectly receive from any source any gasoline for resale.

(2) Respondent shall not transfer or deliver or otherwise trade or deal in gasoline.

(3) No person shall in any manner, directly or indirectly transfer or deliver any gasoline to respondent for resale.

(e) Any terms used in this Suspension Order No. 222 that are defined in Ration Order No. 5A, gasoline rationing regulations, shall have the meaning therein given them.

(f) This Suspension Order No. 222 shall become effective 12:01 a. m. March 2, 1943, and unless sooner terminated, shall expire 12:01 a. m. March 17, 1943.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89 and 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216); Supplementary Directive 1Q (7 F.R. 9121))

Issued this 20th day of February, 1943.

LOUIS H. HARRIS,
Chairman, Industry Council.

[F R Doc. 43-2817, Filed, February 20, 1943; 12 19 p m]

[Suspension Order 223]

RED WING GAS AND OIL COMPANY

ORDER RESTRICTING TRANSACTIONS

Red Wing Gas and Oil Company, 90 State Street, Albany, New York, hereinafter called respondent, was duly served with a notice of charges of violations of Ration Order No. 5A, gasoline rationing regulations, issued by the Office of Price Administration. Pursuant to the notice, a hearing upon the charges was held in Albany, New York on December 15, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been duly considered, It is hereby determined:

(a) Respondent is a licensed distributor of gasoline and operates a gasoline filling station located at 90 State Street, Albany, New York.

(b) Respondent has violated Ration Order No. 5A, gasoline rationing regulations (§§ 1394.1502 and 1394.1503) in that on various occasions between July 22 and November 2, 1942, respondent, by its agents, servants or employees, transferred gasoline to consumers and into the fuel tanks of their motor vehicles and accepted in exchange for such transfers 79 Class A, No. 3 gasoline ration coupons, 7 Class A, No. 4 gasoline ration coupons and 1 class A, No. 5 gasoline ration coupon.

(c) Respondent maintains a gasoline ration bank account in the State Bank of Albany, New York. On or about November 2, 1942, respondent deposited in said ration bank account, 450 Class A gasoline ration coupons which deposit included 79 Class A, No. 3 gasoline ration coupons, 7 Class A, No. 4 gasoline ration coupons and 1 Class A, No. 5 gasoline ration coupon. The State Bank of Albany has cancelled the credit of said deposit of 450 Class A gasoline ration coupons.

Because of the great scarcity and critical importance of gasoline in New York, respondent's violations of Ration Order No. 5A, gasoline rationing regulations, have resulted in the diversion of gasoline from military and essential civilian uses into non-essential uses, in a manner contrary to the public interest and detrimental to the national war effort. It appears that further violations by respondent are likely unless appropriate administrative action is taken.

It is therefore ordered:

(d) During the period in which this Suspension Order No. 223 shall be in effect,

(1) Respondent shall not accept any deliveries or transfers of, or in any manner directly or indirectly receive from any source any gasoline for resale.

(2) Respondent shall not transfer or deliver or otherwise trade or deal in gasoline.

(3) No person shall in any manner, directly or indirectly transfer or deliver any gasoline to respondent for resale.

(4) Respondent shall not make any withdrawals from or draw any checks upon its gasoline ration bank account.

(e) Respondent's gasoline ration bank account shall be credited to the extent of 1,452 gallons, the gallonage value of the valid coupons deposited by respondent on or about November 2, 1942.

(f) Any terms used in this Suspension Order No. 223 that are defined in Ration Order No. 5A, gasoline rationing regulations, shall have the meaning therein given them.

(g) This Suspension Order No. 223 shall become effective 12:01 A. M. March 2, 1943, and unless sooner terminated, shall expire 12:01 A. M. March 17, 1943.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89 and 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216); Supplementary Directive 1Q (7 F.R. 9121))

Issued this 20th day of February, 1943

LOUIS H. HARRIS,
Chairman, Industry Council

[F. R. Doc 43-2818, Filed, February 20 1943, 12.19 p. m.]

[Suspension Order 226]

TERMINAL REST STOPS, INC.

ORDER RESTRICTING TRANSACTIONS

Terminal Rest Stops, Inc., Route 17, Southfields, New York, a corporation, hereinafter called respondent, was duly served with a notice of charges of violations of Ration Order No. 5A, gasoline rationing regulations, issued by the Office of Price Administration. Pursuant to the notice, a hearing upon the charges was held in New York City, New York, on December 10, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges were presented before an authorized presiding officer. The matter having been duly considered, it is hereby determined:

(a) Respondent is a dealer in gasoline and operates a gasoline filling station located on Route 17, Southfields, New York.

(b) Respondent has violated Ration Order No. 5A, gasoline rationing regulations (§§ 1394.1502 and 1394.1503), in that between July 22 and September 19, 1942, respondent transferred gasoline to consumers and into the fuel tanks of their motor vehicles and accepted in exchange therefor 98 Class A, No. 2 coupons; 8 Class A, No. 3 coupons; 9 Class A, No. 4 coupons; 1 Class A, No. 5 coupons; 11 Class A, No. 6 coupons.

Because of the great scarcity and critical importance of gasoline in New York, respondent's violations of Ration Order No. 5A, gasoline rationing regulations, have resulted in the diversion of gasoline from military and essential civilian uses into non-essential uses in a manner contrary to the public interest and detrimental to the national war effort. It appears that further violations by respondent are likely unless appropriate administrative action is taken.

It is therefore ordered:

(c) During the period in which this Suspension Order No. 226 shall be in effect,

(1) Respondent shall not accept any deliveries or transfers of, or in any manner directly or indirectly receive from any source any gasoline for resale.

(2) Respondent shall not transfer or deliver or otherwise trade or deal in gasoline.

(3) No person shall in any manner, directly or indirectly transfer or deliver any gasoline to respondent for resale.

(d) Any terms used in this Suspension Order No. 226 that are defined in Ration Order No. 5A, gasoline rationing regulations, shall have the meaning therein given them.

This Suspension Order No. 226 shall become effective 12:01 a. m. March 2, 1943, and unless sooner terminated shall expire 12:01 a. m. March 12, 1943.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89 and 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216); Supplementary Directive 1Q (7 F.R. 9121))

Issued this 20th day of February 1943.

LOUIS H. HARRIS,
Chairman, Industry Council.

[F. R. Doc. 43-2819: Filed, February 20, 1943; 12:19 p. m.]

[Suspension Order 228]

MAURO ALFIERI

ORDER RESTRICTING TRANSACTIONS

Mauro Alfieri, 900 South Heald Street, Wilmington, Delaware, hereinafter called respondent, was duly served with a notice of charges of violations of Ration Order No. 5A, gasoline rationing regulations, issued by the Office of Price Administration. Pursuant to the notice, a hearing upon the charges was held in Wilmington, Delaware on October 26, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been duly considered, it is hereby determined that:

(a) Respondent is a dealer in gasoline and operates a filling station at 900 South Heald Street, Wilmington, Delaware.

(b) Respondent has violated Ration Order 5A, gasoline rationing regulations, (§ 1394.1102) in that on October 4, 1942, respondent had in his possession the following coupon books and coupons which had not been issued to or acquired by him in accordance with the provisions of Ration Order 5A: Two Class S gasoline ration books containing 630 coupons; two Class C gasoline ration books containing 102 coupons; and 344 Class C gasoline ration coupons in loose sheets.

Because of the great scarcity and critical importance of gasoline in Delaware, respondent's violations of Ration Order 5A, have interfered with the effective administration and enforcement of the gasoline rationing regulations. It appears that further violations by respondent are likely unless appropriate administrative action is taken.

It is therefore ordered:

(c) During the period in which this Suspension Order No. 228 shall be in effect,

(1) Respondent shall not accept any deliveries or transfers of, or in any manner directly or indirectly receive from any source any gasoline for resale.

(2) Respondent shall not transfer or deliver or otherwise trade or deal in gasoline.

(3) No person shall in any manner, directly or indirectly transfer or deliver any gasoline to respondent for resale.

(d) Any terms used in this Suspension Order No. 228 that are defined in Ration Order No. 5A, gasoline rationing regulations, shall have the meaning therein given them.

(e) This Suspension Order No. 228 shall become effective 12:01 a. m. March 2, 1943, and shall remain in effect until further order of the Office of Price Administration, but not later than December 31, 1944.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89 and 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216); Supplementary Directive 1Q (7 F.R. 9121))

Issued this 20th day of February, 1943.

LOUIS H. HARRIS,
Chairman, Industry Council.

[F. R. Doc. 43-2820; Filed, February 20, 1943; 12:19 p. m.]

[Administrative Exception Order 1 Under Ration Order 17]

WILLMARK SERVICE SYSTEM, INC.

ORDER GRANTING EXCEPTION

The Willmark Service System, Inc. is a business enterprise engaged in rendering services to clients, consisting principally of owners of retail stores, to test the efficiency and honesty of the client's sales clerks. The method used involves the making of a complete purchase of an article and observing the actions of the sales clerk in the course of the transaction. The article purchased is later returned to the owner of the store for refund, at the same or another establishment of the client in a way to prevent revealing to the client's employees the identity of the individual making the test. The corporation, through its employees, normally makes approximately 15,000 test purchases of shoes each year. The Willmark Service System, Inc. requests authority to secure ration currency to enable it to continue to make test purchases of shoes in the course of its business.

The granting of the request in this and all similar cases would not defeat or impair the effectiveness of the policy of the ration order because it would not increase the quantity of shoes used.

It is hereby ordered, That Willmark Service System, Inc., 250 West 57th Street, New York, New York, is authorized to receive from any client special shoe stamps (or, until such stamps are available, loose War Ration Stamps No. 17 and simulated receipts for refunds) which its employees may use to make purchases of shoes in the manner otherwise permitted by Ration Order No. 17. Each client of the Willmark Service System, Inc. is likewise authorized to furnish it with such ration currency. As soon as practicable after making a purchase of shoes with such ration currency it shall return the shoes (unused) to the establishment from which the ration currency was received. The Willmark Service System, Inc. and each of its clients shall keep records of the issuance of ration currency hereunder and the return of the shoes and shall make such reports as the Office of Price Administration may require.

It is hereby further ordered, That any other persons similarly situated may be authorized on similar conditions, to re-

ceive or issue ration currency to be used to make test purchases of shoes. Such authority may be granted in writing by the Director of the Miscellaneous Products Rationing Division, Office of Price Administration, Washington, D. C., or, if such services are performed only within the area of a Regional Office, by the Regional Administrator of the area.

This order shall become effective February 22, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 429, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562; E.O. 9125, 7 F.R. 2719)

Issued this 22d day of February 1943.

PAUL M. O'LEARY,
Deputy Administrator
in Charge of Rationing.

[F. R. Doc. 43-2859; Filed, February 22, 1943; 10:46 a. m.]

[Administrative Exception Order 1 Under Ration Order 11]

PREMISES USED FOR REGISTRATION FOR WAR RATION BOOK TWO

ORDER GRANTING EXCEPTION

For the purpose of receiving consumer's applications for War Ration Book Two (Form OPA R-121) the Office of Price Administration will require the use of designated school and other premises which will need to be heated during the registration period.

The allowable ration for heat in non-residential premises in the area hereinafter described was reduced by Amendment No. 23 to Ration Order No. 11. The fuel oil inventory and available coupons may become inadequate for the maintenance of the minimum heating requirements of these premises during the balance of the heating year by reason of the consumption of fuel oil for heating them during the registration period. The Deputy Administrator in Charge of Rationing finds that in such cases the issuance of additional coupons for the amount of fuel oil used for this purpose would not defeat or impair the effectiveness or the policy of Ration Order No. 11, as amended, and that the granting of such relief would not constitute an exception to, or waiver or variance of, any provision setting forth standards of eligibility or need for a fuel oil ration.

It is therefore ordered, That the person to whom a ration was issued for heating premises, in the area hereinafter mentioned, which are used by the Office of Price Administration for the registration of consumers for War Ration Book Two, may at any time during the remainder of the heating year, if his fuel oil on hand and currently valid coupons are then insufficient to meet the minimum heating requirements of such premises during the remainder of the heating year, apply to his war price and rationing board for currently valid coupons equal in gallonage value to the amount of fuel oil consumed in heating the space used for registration purposes. The applicant shall present to the board a signed statement setting forth the space in the premises used by the Office of Price Administration for such registration and the number of gallons of fuel oil required to heat such space during the registration period. The board shall issue to such applicant Class 1 coupon sheets (Form OPA R-1105) equal in gallonage value to the amount of fuel oil used for this purpose. The area hereinbefore referred to is the States of Connecticut, Delaware, Florida (east of the Apalachicola River), Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia and the District of Columbia.

This order shall become effective February 22, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421 and 429, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562; Supp. Dir. 1-0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 22d day of February 1943.

PAUL M. O'LEARY,
Deputy Administrator
in Charge of Rationing.

Fuel Oil—Daily Digest
(Ration Order No. 11)

RATIONING SPECIAL SERVICE

Administrative
Exception Order No. 1

Premises Used for Registration for War Ration Book Two

The Board may at any time during the remainder of the heating year issue currently valid coupons equal in gallonage value to the amount of fuel oil consumed in heating space used by the Office of Price Administration for the registration of consumers for War Ration Book Two in the seventeen Eastern States and the District of Columbia, where the amount of fuel oil on hand and currently valid coupons are insufficient to meet the minimum heating requirements of the premises during the remainder of the heating year.

[F. R. Doc. 43-2877; Filed, February 22, 1943; 10:42 a. m.]

[Order 4 Under Rev. Max. Export Price Reg.]

SOCONY-VACUUM OIL CO., INC.

ORDER DENYING PETITION FOR EXCEPTION

Order No. 4 under § 1375.9 (c) of the revised maximum export price regulation.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) The petition of the Socony-Vacuum Oil Company, Inc., New York, New York, filed January 2, 1943, to invoice directly to customers of its distributors in South America at its distributors' prices, is denied.

(b) This Order No. 4 shall become effective February 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2861; Filed, February 22, 1943; 10:45 a. m.]

[Order 3 Under MPR 118]

AVONDALE MILLS

ORDER AUTHORIZING MAXIMUM PRICE

Order No. 3 under § 1400.101 (b) (5) of Maximum Price Regulation No. 118—Cotton Products. Order authorizing maximum price for a cotton product.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

(a) The maximum price for the following cotton product shall be:

Producer	Style No.	Description	Cents per yard
Avondale Mills, Sylacauga, Ala.	1760 N	36" 70 x 45 2.90 sanforized suiting.	22.62

(b) The maximum price set forth in paragraph (a) shall apply f. o. b. point of shipment and shall be subject to terms of 2 percent 10 days, 60 days extra, with anticipation at the rate of 6 per cent per annum where payment is made after nine days.

(c) The maximum price set forth in paragraph (a) is for a fabric made in accordance with the construction details on file with the Office of Price Administration for the particular style number.

(d) The maximum price set forth in paragraph (a) may be used by the producer as a base price from which to determine "in line" maximum prices for related types, styles and constructions of cotton products which cannot otherwise be priced under §§ 1400.101 or 1400.118 (e) of Maximum Price Regulation No. 118. If any such determinations are made, the producer shall submit an appropriate report as required by the regulation.

(e) This Order No. 3 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 3 shall become effective February 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2880; Filed, February 22, 1943; 10:44 a. m.]

[Order 27 Under MPR 152]

NEW ERA CANNING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 27 under Maximum Price Regulation No. 152—Canned Vegetables.

The New Era Canning Company, New Era, Michigan, has filed an application for specific authorization to charge particular maximum prices pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by applicant with respect to the packing of stringless green bean siftings and stringless wax bean siftings packed in No. 2 size cans.

For the reasons set forth in the Opinion which accompanies this Order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered*, That:

(a) The New Era Canning Company may sell, offer to sell or deliver and any person may buy, offer to buy or receive stringless green bean siftings and stringless wax bean siftings packed in No. 2 size cans at a maximum price of $1.00 per dozen f. o. b. factory.

(b) This Order No. 27 may be revoked or amended by the Price Administrator at any time.

(c) The Applicant, New Era Canning Company, shall not change its customary allowances, discounts or price differentials unless such change results in a lower price.

(d) Unless the context otherwise requires the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(e) This order shall become effective on the 23d of February 1943.

Issued this 22d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2860; Filed, February 22, 1943; 10:45 a. m.]

[Order 28 Under MPR 152]

WALLA WALLA CANNING COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 28 under Maximum Price Regulation No. 152—Canned Vegetables.

The Walla Walla Canning Company, Walla, Walla, Washington, has filed an application for specific authorization to charge particular maximum prices pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by Applicant with respect to the packing of certain items of fresh lima beans in certain container sizes.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered*, That:

The Walla Walla Canning Company may sell, offer to sell or deliver and any person may buy, offer to buy or receive the following commodities at the maximum prices indicated:

Container No. or size	Commodity	Authorized maximum f. o. b. factory prices delivered
10½ ounce	Tiny green fresh lima beans	$1.20
10½ ounce	Tiny and small green fresh lima beans.	1.22
10½ ounce	White tiny and small fresh lima beans.	.99
No. 303 cans	Tiny green fresh lima beans	1.32
No. 303 cans	Tiny and small green fresh lima beans.	1.37
No. 303 cans	Small green fresh lima beans	1.37
No. 303 cans	Small and medium green fresh lima beans.	1.27
No. 303 cans	Medium green fresh lima beans	1.27
No. 303 cans	Green and white tiny extra standard fresh lima beans	1.22
No. 303 cans	Green and white small extra standard fresh lima beans.	1.22
No. 303 cans	Green and white medium extra standard fresh lima beans.	1.22
No. 303 cans	White medium fresh lima beans	.97

(b) This Order No. 28 may be revoked or amended by the Price Administrator at any time.

(c) The applicant, Walla Walla Canning Company, shall not change its customary allowances, discounts or price differentials unless such change results in a lower price.

(d) Unless the context otherwise requires the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(e) This order shall become effective on the 23d day of February 1943.

Issued this 22d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2879; Filed, February 22, 1943; 10:40 a. m.]

[Order 18 Under Rev. MPR 161]

LLOYD J. ALLEN, ET AL.

OVERTIME ADDITIONS

Order No. 18 Under § 1381.156 of Revised Maximum Price Regulation No. 161—West Coast Logs.

Pursuant to the provisions of § 1381.156 of Revised Maximum Price Regulation No. 161—West Coast Logs, (§ 1381.160 (c) of the regulation prior to its revision) each of the following persons has filed with the Office of Price Administration, Washington, D. C., a certified statement that the following hours per week are maintained in its logging operations. Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Section 1381.156 of Revised Maximum Price Regulation No. 161, *It is hereby ordered*.

(a) The following persons being on a 48-hour week may add to the maximum prices of all logs produced by them $1.00 per 1,000 feet log scale, effective on the dates indicated:

Name	Effective date
Lloyd J. Allen, Scappoose, Oreg.	Dec. 9, 1942
Beltz Logging Company, Tillamook, Oreg.	Sept. 9, 1942
Coast Range Timber Company, Tillamook, Oreg.	Nov. 1, 1942
Evans & Baker, Tenino, Wash.	Dec. 14, 1942
Fox & Burrows Logging Company, Port Angeles, Wash.	Oct. 1, 1942
Green Fir Logging Company, Glenwood, Oreg.	Sept. 9, 1942
Hanlin & McDonald Log Company, Grayland, Wash.	Dec. 12, 1942
Leonard Johnston Logging Company, Sequim, Wash.	Sept. 9, 1942
Lervick Logging Company, Hartford, Wash.	Nov. 1, 1942
R. A. Menefee Company, Portland, Oreg.	Dec. 1, 1942
Mill City Manufacturing Co., Inc., Mill City, Oreg.	Oct. 1, 1942
Herbert L. Miller, Shelton, Wash.	Dec. 17, 1942
Neuskah Tbr. Co., Inc., Aberdeen, Wash.	Oct. 1, 1942
Ole Nygaard, Astoria, Oreg.	Dec. 15, 1942
Philomath Lumber Company, Philomath, Oreg.	Sept. 9, 1942
Port Blakely Mill Company, Seattle, Wash.	Sept. 10, 1942
Provo Logging Company, Aberdeen, Wash.	Jan. 1, 1943
S. F. Rinehart, Raymond, Wash.	Oct. 26, 1942
Roseburg Lumber Company, Roseburg, Oreg.	Dec. 16, 1942
Santiam Logging Company, Sweethome, Oreg.	Jan. 1, 1943
Swanson Logging Company, Lebanon, Oreg.	Sept. 9, 1942
Rayonier, Incorporated, Seattle, Wash.	Sept. 9, 1942
O. A. Schultz, Tillamook, Oreg.	Sept. 9, 1942
Tri-County Logging Co., Inc., Marshfield, Oreg.	Sept. 9, 1942
Trio Logging Company, Aberdeen, Wash.	Oct. 1, 1942
St. Helens Pulp and Paper Company, St. Helens, Oreg.	Nov. 16, 1942
Lee Tittle, Tillamook, Oreg.	Sept. 9, 1942
Valentin Logging Company, Rose Lodge, Oreg.	Dec. 5, 1942

(b) The following persons which were formerly certified as being on a 54-hour week and permitted to add $1.50 per 1,000 feet log scale to all logs produced by them have reduced their operations to a 48-hour week effective on the date following each name. The maximum permissible overtime addition for each of these companies, effective from the date the change in number of hours was made is $1.00 per 1,000 feet log scale:

Name	Effective date
Woodland Logging Company, Inc., Ariel, Wash.	Nov. 1, 1942
Weatherly Timber Company, Newberg, Oreg.	Nov. 15, 1942
Ostrander Railway & Timber Co., Portland, Oreg.	Nov. 23, 1942
E. T. Cone Logging Company, McMinnville, Oreg.	Dec. 1, 1942
Henry Kling, Cannon Beach, Oreg.	Dec. 2, 1942
Cascade Timber Company, Tacoma, Wash.	Dec. 1, 1942
Chas. K. Spaulding Logging Company, Portland, Oreg.	Dec. 1, 1942

(c) The following company which was formerly certified as being on a 60-hour week and permitted to add $2.00 per 1,000 feet log scale to all logs produced by it,

has reduced its operation to a 54-hour week effective on the date following its name. The maximum permissible overtime addition for this company, effective from the date the change in number of hours was made, is $1.50 per 1 000 feet log scale:

M & D Timber Company,
Aberdeen, Wash.---------- Dec 1, 1942

(d) Baldridge Logging Company of Sedro-Woolley, Washington, was heretofore granted authority to add $1.00 per 1,000 feet log scale to all logs produced by it and was certified as being on a 48-hour week. Effective November 1, 1942, this Company was succeeded by Skagit Linn Logging Company, which is continuing to operate on a 48-hour week basis. Accordingly, the authority previously issued to Baldridge Logging Company is withdrawn, effective November 1, 1942, and Skagit Linn Logging Company is authorized to add $1.00 per 1,000 feet log scale for all logs produced by it.

(e) The complete list of logging operators operating on a 48-hour week and authorized to make an addition of $1.00 per thousand feet log scale, to logs produced and sold by them is as follows:

Aloha Lumber Company, Aloha, Wash.
Harry Aubol Logging Company, Cosmopolis, Wash.
Archibald Bros. Logging Company, Marblemount, Wash.
Anderson Bros. Company, Grand Ronde, Oreg.
Jerry Aarts Logging Company, Sumner, Wash.
A & L. Logging Company, Inc., Aberdeen, Wash.
Lloyd J. Allen, Scappoose, Oreg.
Buck Mountain Logging Company, Enright, Oreg.
A. H. Brandis, Nehalem, Oreg.
Byerly Logging Company, Portland, Oreg.
W. E. Bushnell, Shelton, Wash.
Bloedel-Donovan Lumber Mills, Bellingham, Wash.
Buckley Logging Company, Buckley, Wash.
Belding Logging Company, Portland, Oreg.
Blue Mountain Logging Company, Acme, Wash.
Jalmer Berg, Glacier, Wash.
Booth-Kelly Lumber Company, Eugene, Oreg.
Bradley Lumber Company, Bradwood, Oreg.
Beltz Logging Company, Tillamook, Oreg.
Consolidated Timber Company, Glenwood, Oreg.
Clark & Wilson Lumber Company, Portland, Oreg.
Crescent Logging Company, Port Angeles, Wash.
C. & H. Logging Company, Elsie, Oreg.
Cub Creek Timber Company, Lake Stevens, Wash.
Charman Logging Company, Hoquiam, Wash.
Crown-Zellerbach Corporation, San Francisco, Calif. (Neah Bay Division).
Crown-Zellerbach Corporation, San Francisco, Calif. (Clatsop County Division)
Crown-Zellerbach Corporation, San Francisco, Calif. (Siltcoos Division).
Crown-Zellerbach Corporation, San Francisco, Calif. (Cathlamet Division).
Cascade Timber Company, Tacoma, Wash.
Canyon Creek Logging Company, Everett, Wash.
Caffall Bros., Portland, Oreg.
Colton Log & Lumber Company, Portland, Oreg.
Canyon Lumber Company, Everett, Wash.
Clipper Loggers, Clipper, Wash.
A. F. Coates Lumber Company, Tillamook, Oreg.
E. T. Cone Logging Company, McMinnville, Oreg.
C. & H. Logging Company, Mehama, Oreg.
Chittick & Atkinson, Marblemount, Wash.
Coast Range Timber Company, Portland, Oreg.
Deep River Timber Company, Portland, Oreg.
Davis & White, Inc., Marysville, Wash.
Dye Logging Company, Tillamook, Oreg.
L. J. Esses Logging Company, Montesano, Wash.
English Lumber Company, Seattle, Wash.
Emmert Bros. Logging Company, Sweethome, Oreg.
Eagle Logging Company, Seattle, Wash.
Evans & Baker, Tenino, Wash.
Fiskerness & Kehne Logging Company, Centralia, Wash.
Fox & Burrows Logging Company, Port Angeles, Wash.
Gray Logging Company, Seaside, Oreg.
Garber-Bunker Timber Company, Grand Ronde, Oreg.
Galbraith Timber Company, Deming, Wash.
James R. Gleason, Satsop, Wash.
Great Bear Logging Company, Granite Falls, Wash.
Green Fir Logging Company, Glenwood, Oreg.
Hammond Lumber Company, Portland, Oreg.
Hutchins & Hutchins, Foster, Oreg.
Carl Helberg Company, Raymond, Wash.
Hollenbeck Logging Company, Seaside, Oreg.
P. R. Henry Logging Company, Forks, Wash.
Halverson & Dexter Log Company, Everson, Wash.
C. E. Harris, Shelton, Wash.
Conrad Hougen, Everson, Wash.
Hanlin & McDonald Log Company, Grayland, Wash.
L. E. Jensen, Raymond, Wash.
Johnson Bros. Logging Company, Naselle, Wash.
C. D. Johnson Lumber Corporation, Toledo, Oreg.
Leonard Johnston Logging Company, Sequim, Wash.
Henry Kling, Cannon Beach, Oreg.
Kay Logging Company, Seattle, Wash.
Keiski & Silvola Logging Company, Naselle, Wash.
Walter A. Kelly Brinnon, Wash.
Long-Bell Lumber Company, Longview, Wash.
Scott A. Layman, Baldi, Wash.
Lyman Timber Company, Everett, Wash.
Lindberg & Hobi, Tacoma, Wash.
Lake Shannon Shingle Company, Concrete, Wash.
Lloyd Logging Company, Longview, Wash.
O. P. Lewellen, Woodland, Wash.
Larson-Labiske Logging Company, Astoria, Oreg.
F. E. Langer, Port Orchard, Wash.
Lerviek Logging Company, Hartford, Wash.
Wm. A. Moore Logging Company, Bellingham, Wash.
Merrill & Ring Lumber Company, Seattle, Wash.
Monroe Logging Company, Everett, Wash.
M. B. Logging Company, Markham, Wash.
McDowell Creek Logging Company, Portland, Oreg.
Mist Logging Company, Portland, Oreg.
Mayr Bros., Aberdeen, Wash.
Mullinix Bros., Montesano, Wash.
Mullinix Bros., Pe Ell, Wash.
Mallory Logging Company, Raymond, Wash.
Don H. McKay, Shelton, Wash.
J. L. McCulley, Portland, Oreg.
Mt. Jefferson Lumber Company, Lyons, Oreg.
Manthe Logging Company, Longview, Wash.
Owen J. McDonough, Tillamook, Oreg.
M and M Wood Working Company, Portland, Oreg.
R. A. Menefee Company, Portland, Oreg.
Mill City Manufacturing Company, Mill City, Oreg.
Herbert I. Miller, Shelton, Wash.
Nelson-Deierlein, Sedro Woolley, Wash.
Northern Timber Company, Inc., Olympia, Wash.
Neuskah Timber Company, Inc., Aberdeen, Wash.
Ozette Timber Company, Beaver, Wash.
Ostrander Railway & Timber Company, Portland, Oreg.
Ozette Railway Company, Hoquiam, Wash.
Oscarson & Wickstrom, Taft, Oreg.
Polson Logging Company, Hoquiam, Wash.
Peterman Manufacturing Company, Tacoma, Wash.
Pacific Logging Company, Taft, Oreg.
Puget Sound Pulp & Timber Company, Bellingham, Wash.
Frank Pearce, Potlatch, Wash.
Picco Logging Company, Montesano, Wash.
C. E. Powell, Milwaukie, Oreg.
Pope & Talbot, Inc., Port Gamble, Wash.
Pope & Talbot, Inc., Portland, Oreg.
Prouty Logging Company, Warrenton, Oreg.
Philomath Lumber Company, Philomath, Oreg.
Port Blakely Mill Company, Seattle, Wash.
Provo Logging Company, Aberdeen, Wash.
Quinault Logging Company, Aberdeen, Wash.
Reiner Logging Company, Gates, Oreg.
Wm. S. Robinson Logging Company, Bellingham, Wash.
Ross Logging Company, Grand Ronde, Oreg.
Row River Lumber Company, Portland, Oreg.
S. F. Rinehart, Raymond, Wash.
Roseburg Lumber Company, Roseburg, Oreg.
Rayonier, Incorporated, Seattle, Wash.
Simpson Logging Company, Shelton, Wash.
The Sound Timber Company, Seattle, Wash.
Saginaw Logging Company, Aberdeen, Wash.
Standard Logging Company, Longview, Wash.
Snow Peak Logging Company, Dallas, Oreg.
Selective Logging Company, Rockport, Wash.
St. Paul & Tacoma Lumber Company, Tacoma, Wash.
Chas. K. Spaulding Logging Company, Portland, Oreg.
H. R. Stafford & Sons, Springfield, Oreg.
Scott Logging Company, Shelton, Wash.
South Fork Logging Company, Aberdeen, Wash.
Sun Timber Company, Portland, Oreg.
Sauk River Lumber Company, Everett, Wash.
Ira Smith Logging Company, Anacortes, Wash.
Siuslaw Forest Products Company, Inc., Mapleton, Oreg.
E. J. Shields Logging Company, Seaside, Oreg.
Siler Logging Company, Seattle, Wash.
Ed Simon & Company, Sultan, Wash.
Southard & Tobin, Olympia, Wash.
Skagit Linn Logging Company, Sedro Woolley, Wash.
Santiam Logging Company, Sweethome, Oreg.
Swanson Logging Company, Lebanon, Oreg.
O. A. Shultz, Tillamook, Oreg.
St. Helens Pulp and Paper Company, St. Helens, Oreg.
Taylor Bros., Castle Rock, Wash.
Tri-County Logging Co., Inc., Marshfield, Oreg.
Trio Logging Company, Aberdeen, Wash.
Lee Tittle, Tillamook, Oreg.
U. & W. Logging Company, Molalla, Oreg.
C. R. Van Vleet, Cannon Beach, Oreg.
Vancouver Plywood & Veneer Company, Vancouver, Wash.
Valentin Logging Company, Rose Lodge, Oreg.
Warnick Lumber Company, Bellingham, Wash.
Weyerhaeuser Timber Company, Vail, Wash.
Woodland Logging Company, Ariel, Wash.
Western Logging Company, Portland, Oreg.
Werner Timber Company, Taft, Oreg.
Walton Bros. Timber Company, Everett, Wash.
D. T. Waterhouse Logging Company, Gearhart, Oreg.
West End Logging Company, Beaver, Wash.
Whited Lumber Company, Yelm, Wash.
Wirkkala Bros. Logging Company, Naselle, Wash.
Ole Nygaard, Astoria, Oreg.
White River Lumber Company, Enumclaw, Wash.
West Fork Logging Company, Tacoma, Wash.
Weatherly Timber Company, Newberg, Oreg.
Weyerhaeuser Timber Company, Longview, Wash.
Weyerhaeuser Timber Company, Montesano, Wash.
M. C. Willie, Olympia, Wash.
Yunker & Wiecks, Elsie, Oreg.
Wirkkala-Johnson Logging Company, Naselle, Wash.
Frank Zavitski, Centralia, Wash.

(f) The complete list of logging operators operating on a 54-hour week and authorized to make an addition of $1.50 per thousand feet log scale to logs produced and sold by them is as follows:

H. L. Crippen Logging Company, Hoquiam, Wash.
H. A. Larson, Bellingham, Wash.
Morgan Logging Company, Forks, Wash.
Murphy Timber Company, Portland, Oreg.
M. & D. Timber Company, Aberdeen, Wash.
North Bend Timber Company, North Bend, Wash.
Noon & Crippen Logging Company, Randle, Wash.
Roaring River Logging Company, Portland, Oreg.
Stone Logging and Contracting Co., Inc., Tillamook, Oreg.
Sharp Logging Company, Molalla, Oreg.
A. K. Wilson, Portland, Oreg.
Yelton & McLaughlin, Bellingham, Wash.
C. P. Yates Logging Company, Seaside, Oreg.

(g) The complete list of logging operators operating on a 60-hour week and authorized to make an addition of $2.00 per thousand feet log scale to logs produced and sold by them is as follows:

Schetky Logging Company, Portland, Oreg.

(h) Orders No. 1 to 12, 14, 15, and 16 heretofore issued under § 1381.160 (e) of Maximum Price Regulation No. 161 (prior to revision) are hereby revoked as of the effective date of this Order.

This Order No. 18 shall become effective February 23, 1943.

Issued this 22d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2878. Filed, February 22, 1943; 10:42 a. m.]

[Order 169 Under MPR 188]

CELOTEX CORPORATION

ADJUSTMENT OF MAXIMUM PRICES

Order No. 169 under § 1499.161 (a) of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Adjustment of Maximum Prices for Gypsum Base Plaster Manufactured by the Celotex Corporation.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is hereby ordered:*

(a) The Celotex Corporation, Chicago, Illinois, is hereby authorized to sell, deliver and offer for sale and all persons are authorized to buy or accept from it in the course of trade gypsum base coat plaster at point listed below at the price per ton specified in the following list:

Gypsum Base Coat Plaster Per Ton at Destination

Destination:	
(1) *New Jersey:*	
(i) Camden County; also that portion of Burlington County north and west of a line extending from the southwestern corner of Monmouth County to and including the town of Browns Mills, thence to the northeastern corner of Camden County--------	$10.50
(ii) Salem and Gloucester Counties----------	10.85
(iii) Atlantic, Cumberland and Cape May Counties; also that portion of Burlington County south and east of a line extending from the southwest corner of Monmouth County to and not including the town of Browns Mills, to the northeast corner of Camden County------	11.00
(2) *Pennsylvania:*	
(i) Philadelphia and Delaware Counties; also that portion of Bucks County south and east of a line drawn between and including the towns of Lumberville and Lexington; also that portion of Montgomery County south and east of a line drawn between and including the towns of Mont Clare and South Hatfield----	10.50
(ii) Chester County; also that portion of Bucks County north and west of a line drawn between but not including the towns of Lexington and Lumberville; also that portion of Montgomery County north and west of a line drawn between but not including the towns of Mont Clare and South Hatfield----	10.85
(iii) Lehigh, Northampton, Berks and Lancaster Counties; also the town of Milford only in Pike County--------	11.25
(iv) The towns of Stroudsburg and E. Stroudsburg only in Monroe County----------	11.25
(3) *Delaware:*	
(i) That portion of New Castle County north of a line extending through the towns of New Castle, Tasker, State Road and Audenried--------	10.85
(ii) Balance of New Castle County----------	11.00

(4) For any point not specifically named above, the maximum price for gypsum base coat plaster under this order shall be $9.00 per ton, f. o. b. Philadelphia, Pennsylvania, subject to all discounts and freight allowances customarily allowed by the Celotex Corporation or by the industry generally in March 1942.

(b) The prices listed as maximum prices under this order shall be reduced by 2% when payment is made within 10 days from the date of invoice, and these prices may not be increased in any amount for extension of credit.

(c) All prayers in the petition not specifically granted by this order are hereby denied.

(d) This Order No. 169 may be revoked or amended by the Price Administrator at any time.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued and effective this 22d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2876; Filed, February 22, 1943; 10:44 a. m.]

[Order 170 Under MPR 188]

AMERICAN GRATE CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 170 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers Goods Other Than Apparel.

Maximum prices for sales of new fireplace grates and parts distributed by American Grate Co.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, § 1499.158 of Maximum Price Regulation No. 188, and § 1499.3 (b) of General Maximum Price Regulation: *It is ordered:*

(a) This Order No. 170 sets temporary maximum prices for sales of new fireplace grates and parts manufactured for American Grate Co., 476 Broad Street, Newark, New Jersey, by Federal Seaboard Terra Cotta Corporation, Perth Amboy, New Jersey. It applied only to the grates and parts which have been described in an application submitted by the manufacturer to the Office of Price Administration. The order is temporary. No sales or deliveries may be made under its authority after the first day of April, 1943.

The prices listed below as the maximum prices for the grates may be charged only if American Grate Co. attaches to each grate a written warranty described in paragraph (b). If the company does not make the warranty, the maximum prices for sales by that company and by wholesalers and retailers shall be computed by deducting 15% from the prices stated below.

(1) For sales by the Federal Seaboard Terra Cotta Corporation to American Grate Co., the maximum prices are as follows:

5-piece grate----------	$3.00
6-piece grate----------	3.56
Inside piece----------	.56
Outside piece----------	.66

These prices are for the grates and parts at the seller's shipping floor, not packed.

(2) For sales by American Grate Co. to wholesalers or jobbers, the maximum prices, f. o. b. Perth Amboy, New Jersey, are as follows:

5-piece grate	$5.00
6-piece grate	5.93
Inside piece	.93
Outside piece	1.10

(3) For sales by American Grate Co. to retailers, the maximum prices, f. o. b. Perth Amboy, New Jersey, are as follows:

5-piece grate	$5.50
6-piece grate	6.52
Inside piece	1.02
Outside piece	1.21

(4) For sales at wholesale by persons other than American Grate Co., the maximum prices, f. o. b. the seller's city, are as follows:

5-piece grate	$6.67
6-piece grate	7.90
Inside piece	1.23
Outside piece	1.47

(5) For sales at retail, the maximum prices are as follows:

5-piece grate	$10.00
6-piece grate	11.85
Inside piece	1.85
Outside piece	2.20

(b) The maximum prices for the grates set forth in subparagraphs (2), (3), (4), and (5), of paragraph (a) can be charged only if American Grate Co. sells the grate with a written warranty in the following form:

"American Grate Co., 476 Broad Street, Newark, New Jersey, warrants to the retailer and to any person buying from him that this grate is fit for burning coal or wood in a fireplace." If the company desires to do so, it may add: "This warranty, however, does not protect against rough handling by the consumer."

The warranty shall be attached to the grate before shipment by the American Grate Co., and shall not be detached until after the grate has been delivered to the consumer.

(c) Before delivery of a fireplace grate or part to any purchaser for resale, the American Grate Co. shall attach a tag or label which plainly states the retail ceiling price of the grate or part. For example, a statement in the following form on a tag attached to a 5-piece grate would be sufficient: "Retail Ceiling Price $10.00." The tag or label should not be detached until the grate or part has been delivered to the consumer.

(d) At or before the time of the first delivery after the effective date of this order, the American Grate Co. shall notify in writing every person who buys from it of the maximum price set by this Order No. 170 for resales by the purchaser. This written notice may be given in any convenient manner; for example, it may be shown on or attached to the invoice, or packed with the merchandise.

(e) This Order No. 170 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to terms used herein.

(g) This Order No. 170 shall become effective on the 23d day of February 1943, and shall terminate on the 1st day of April, 1943.

Issued this 22d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43-2862; Filed, February 22, 1943; 10:44 a. m.]

[Suspension Order 220]

DICK HOUGH

ORDER RESTRICTING TRANSACTIONS

Earl R. Hough, doing business as Dick Hough, 3008 Liberty Heights Avenue, Baltimore, Maryland, hereinafter called respondent, was duly served with a notice of charges of violations of Ration Order No. 5A, Gasoline Rationing Regulations, issued by the Office of Price Administration. Pursuant to the notice a hearing upon the charges was held in Baltimore, Maryland, on December 7, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been considered by the Chairman of the Industry Council, it is hereby determined that:

(a) Respondent is a dealer in gasoline and operates a filling station and an automobile repair shop at 3008 Liberty Heights Avenue, Baltimore, Maryland.

(b) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations (§ 1394.1502), in that on several occasions between July 22, 1942, and November 15, 1942, respondent transferred gasoline to consumers and into the fuel tanks of motor vehicles without receiving in exchange therefor any gasoline ration coupons. Such transfers were not within any of the classes of transfers permitted by the Ration Order No. 5A, Gasoline Rationing Regulations, to be made without the exchange of coupons.

(c) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations (§§ 1394.1502 and 1394.1503), in that on several occasions between July 22, 1942, and November 15, 1942, respondent transferred gasoline to consumers and into the fuel tanks of motor vehicles and accepted in exchange therefor thirty-one Class A, No. 3 gasoline ration coupons.

Because of the great scarcity and critical importance of gasoline in Maryland respondent's violations of Ration Order No. 5A, Gasoline Rationing Regulations, have resulted in the diversion of Gasoline from military and essential civilian uses into non-essential uses, in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Chairman of the Industry Council that further violations by respondent are likely unless appropriate administrative action is taken, *It is therefore ordered:*

(d) During the period in which this Suspension Order No. 220 shall be in effect,

(1) Respondent shall not in any manner directly or indirectly sell, transfer or deliver gasoline to any person.

(2) Respondent shall not in any manner directly or indirectly accept any deliveries or transfers of gasoline for resale.

(3) No person shall in any manner directly or indirectly transfer or deliver any gasoline to respondent for resale.

(e) Any terms used in this Suspension Order No. 220 that are defined in Ration Order No. 5A, Gasoline Rationing Regulations, shall have the meaning therein given them.

(f) This Suspension Order No. 220 shall become effective 12:01 a. m. March 4, 1943, and shall remain in effect until 12:01 a. m. March 19, 1943.

(Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); W.P.B. Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R., 3478, 3877, 5216); Supplementary Directive 1Q (7 F.R. 9121))

Issued this 22d day of February 1943

LOUIS H. HARRIS,
Chairman, Industry Council.

[F. R. Doc. 43-2858; Filed, February 22, 1943; 10:40 a. m.]

Regional Office, Region I.

[Amendment 1 to Emergency Order 4 Under Ration Order 11]

FUEL OIL SHORTAGE IN SOUTHERN NEW ENGLAND

Pursuant to the authority conferred upon the Regional Administrator by § 1394.5715 of Ration Order No. 11, as amended, a new paragraph (c) (14) is added as set forth below:

(c) (14) No consumer shall, for the purpose of obtaining a delivery of distillate oil, knowingly or in bad faith misstate or otherwise misrepresent the amount or supply of distillate oil which he has on hand or the amount of his estimated needs. A dealer to whom a consumer has made misstatements or misrepresentations with respect to such consumer's supply on hand or needs shall forthwith report to the nearest State or District office of the Office of Price Administration the name and address of such consumer and the facts as to the misstatement or misrepresentation by such consumer.

Effective date of Amendment 1. Amendment 1 to Emergency Order No. 4 shall become effective February 17, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1-O, 7 F.R. 8418; E.O 9125, 7 F.R. 2719, Ration Order No. 11, 7 F.R. 8480)

Issued this 16th day of February 1943

KENNETH B. BACKMAN,
Regional Administrator

[F. R. Doc 43-2747; Filed, February 19 1943; 12 05 p. m.]

[Amendment 1 to Emergency Order 5 Under Ration Order 11]

RESIDUAL OIL SHORTAGE IN SOUTHERN NEW ENGLAND

Pursuant to the authority conferred upon the Regional Administrator by § 1394.5715 of Ration Order No. 11, as amended, a new paragraph (c) (14) is added as set forth below:

(c) (14) No consumer shall, for the purpose of obtaining a delivery of Bunker "C" oil, knowingly or in bad faith misstate or otherwise misrepresent the amount or supply of Bunker "C" oil which he has on hand or the amount of his estimated needs. A dealer to whom a consumer has made misstatements or misrepresentations with respect to such consumer's supply on hand or needs shall forthwith report to the nearest State or district office of the Office of Price Administration the name and address of such consumer and the facts as to the misstatement or misrepresentation by such consumer.

Effective date of Amendment 1. Amendment 1 to Emergency Order No. 5 shall become effective February 17, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1-O, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719, Ration Order No. 11, 7 F.R. 8480)

Issued this 16th day of February 1943.

KENNETH B. BACKMAN,
Regional Administrator.

[F. R. Doc 43-2748, Filed, February 19, 1943, 12:05 p. m.]

[Emergency Order 1, Amendment 2 Under Ration Order 11]

KEROSENE SHORTAGE IN NEW ENGLAND AREA

Pursuant to the authority conferred upon the Regional Administrator by § 1394.5715 of Ration Order No. 11, as amended, paragraphs (b) (2), (d) and (f) of Emergency Order No. 1 are amended to read as follows:

(b) *Order.* * * *

(2) *Limitations on transfers and deliveries.* (i) During the effective period of this order, no person shall transfer or deliver kerosene within the kerosene shortage area to any consumer for use in space heaters in residential premises, or for domestic cooking or lighting, and no consumer shall accept a transfer or delivery for use in space heaters in residential premises, or for domestic cooking or lighting, in an amount in excess of twenty-five gallons in any one delivery. No such consumer shall be entitled to receive a delivery of kerosene which when added to his stock on hand will exceed twenty-five gallons.

(ii) No consumer shall, for the purpose of obtaining a delivery of kerosene, knowingly or in bad faith misstate or otherwise misrepresent the amount or supply of kerosene which he has on hand or the amount of his estimated needs. A dealer to whom a consumer has made misstatements or misrepresentations with respect to such consumers' supply on hand or needs shall forthwith report to the nearest State or District office of the Office of Price Administration the name and address of such consumer and the facts as to the misstatement or misrepresentation by such consumer.

* * * * *

(d) *Definitions.* "Kerosene shortage area" shall mean the States of Connecticut, Massachusetts and Rhode Island and the Counties of Belknap, Cheshire, Hillsboro, Merrimack, Rockingham, Sullivan and Stafford in the State of New Hampshire. All other terms used in this order shall have the meaning assigned to them in Ration Order No. 11.

* * * * *

(f) *Effective period.* Emergency order No. 1 shall terminate at 12:00 p. m. February 17, 1943 unless extended by further order.

Effective date of Amendment 2. Amendment 2 to Emergency Order No. 1 shall become effective February 17, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1-O, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719, Ration Order No. 11, 7 F.R. 8480)

Issued this 17th day of February 1943.

KENNETH B. BLACKMAN,
Regional Administrator.

[F. R. Doc. 43-2782; Filed February 19, 1943; 4:27 p m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 59-34, 59-56]

NEW ENGLAND GAS AND ELECTRIC ASSN., ET AL.

ORDER DENYING MOTION, ETC.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 17th day of February, A. D., 1943.

In the matter of New England Gas and Electric Association, Paul Smith, Alexander Speer, and Frederick W. Bartow, as trustees of Gas and Electric Associates, Francis G. Goodale, as trustee of Utility Investing Trust, Denis J. Driscoll and Willard L. Thorp, as trustees of Associated Gas and Electric Corporation, Stanley Clarke, as trustee of Associated Gas and Electric Company; File No. 59-34.

In the matter of New England Gas and Electric Association; File No. 59-56.

Order denying motion and reconvening hearing for further proceedings; order consolidating such proceedings, and order for consolidated hearing.

The Commission, by order dated September 30, 1941, having instituted proceedings under section 11 (b) (2) of the Public Utility Holding Company Act of 1935, with respect to New England Gas and Electric Association, a registered holding company; and hearings having been held, briefs having been filed, and the Commission having heard oral argument and taken said matter under advisement; and, by order dated September 26, 1942, having instituted proceedings under section 11(b)(1) of the said Act, with respect to New England Gas and Electric Association, and said order having designated November 30, 1942, as the date for public hearing in the matter embraced by said order, and such hearing date, at the request of New England Gas and Electric Association, having been postponed by subsequent order to February 24, 1943;

New England Gas and Electric Association having filed a motion to stay the issuance of any pending decision of the Commission in the said proceedings under section 11(b)(2) of the said Act, and to reopen said proceedings, alleging that certain new issues are pertinent to the section 11(b)(2) proceedings, and that they should be before the Commission for such action or consideration as the Commission may deem proper under the circumstances; said new issues having arisen as follows:

1. On October 16, 1942, there was instituted in the Middlesex Superior Court in the Commonwealth of Massachusetts, a suit by Paul Smith, Alexander Speer, and Frederick W. Bartow, as Trustees of Gas and Electric Associates, a subsidiary of the Trustees of Associated Gas and Electric Corporation, a registered holding company, against Francis G. Goodale, as Trustee of Utilities Investing Trust, and Floyd D. Campbell, H. Coleman Moore, Jr., Edward P. Furber, and Lothrop Withington, as Trustees of New England Gas and Electric Association, wherein the said Trustees of Gas and Electric Associates seek the following orders:

(a) That the Court order and decree that the issuance of 100,000 Second Preferred Shares by New England Gas and Electric Association to Utilities Investing Trust in substitution and exchange for 100,000 First Preferred Shares was fraudulent as to Gas and Electric Associates, that New England Gas and Electric Association issue or reissue 100,000 First Preferred Shares to Utilities Investing Trust, and that in return therefor, Utilities Investing Trust transfer and surrender the aforesaid 100,000 Second Preferred Shares to New England Gas and Electric Association;

(b) That the Court order and decree that the cancellation and release by Utilities Investing Trust of $14,583,290.12 of indebtedness of New England Gas and Electric Association to Utilities Investing Trust was fraudulent as to Gas and Electric Associates, that said indebtedness in said amount from New England Gas and Electric Associates to Utilities Investing Trust be reestablished, and that in return therefor, Utilities Investing Trust transfer and surrender to New England Gas and Electric Association, (1) 50,000 Common Shares of New England Gas and Electric Association, and (2) the 100,000 First Preferred Shares issued or reissued by New England Gas and Electric Association to Utilities Investing Trust.

2. On October 16, 1942, Denis J. Driscoll and Willard L. Thorp, as Trustees of Associated Gas and Electric Corporation, and Stanley Clarke, as Trustee of Associated Gas and Electric Company, instituted proceedings in the District

Court of the United States for the District of Massachusetts against Floyd D. Campbell, H. Coleman Moore, Jr., Edward P. Furber, and Lothrop Withington, as Trustees of New England Gas and Electric Association, wherein the said Trustees of Associated Gas and Electric Corporation and Associated Gas and Electric Company seek the following orders:

(a) That the defendants be ordered to account to the plaintiffs for profits received by New England Gas and Electric Association in, and resulting from, the transfer of the stock and indebtedness of Electric Associates, Inc., from Associated Gas and Electric Corporation to New England Gas and Electric Association;

(b) That an order be entered establishing a lien in favor of the plaintiffs upon the securities and investments received by New England Gas and Electric Association from Electric Associates, Inc., and any other property held by New England Gas and Electric Association which is found to be the proceeds of the stock and indebtedness of Electric Associates, Inc., transferred to New England Gas and Electric Association, or of the assets of Electric Associates, Inc., to secure the payment of the amount found to be due plaintiffs upon such accounting;

(c) That defendants be enjoined and restrained, during the pendency of this complaint, from transferring, assigning, or otherwise alienating or disposing of their right, title, and interest in and to the securities and investments received by New England Gas and Electric Association from Electric Associates, Inc., or any of them.

As a further ground for staying the issuance of any pending decision of the Commission and to reopen the said proceedings, under section 11 (b) (2) of the Act, New England Gas and Electric Association urges that the advantages available to it under the Internal Revenue Act, recently passed by Congress, with respect to the retirement of debt, will be of advantage to the security holders, and will make unnecessary the type of readjustment of its capital structure now under consideration by the Commission.

The Commission having considered the motion, and it appearing that the matters set forth therein are not relevant to the proper disposition of the issues briefed and argued before the Commission under section 11(b)(2) of the Act, and that the said motion should be denied; and

It further appearing to the Commission that the matters set forth in the said motion with respect to the pending suits against the Trustees of New England Gas and Electric Association are relevant to the determination of a proper allocation of securities under any plan of recapitalization of New England Gas and Electric Association, and that the hearing under section 11(b)(2) should be reconvened to consider the subject matter of such suits and for further proceedings under sections 11(a), 11(b)(2), 12(f), 12(g), 15(f) and 20(a) of said Act, and that Paul Smith, Alexander Speer, and Frederick W. Bartow, as Trustees of Gas and Electric Associates, Francis G. Goodale, as Trustee of Utilities Investing Trust, Denis J. Driscoll and Willard L. Thorp, as Trustees of Associated Gas and Electric Corporation, and Stanley Clarke, as Trustee of Associated Gas and Electric Company, be made parties in the proceeding, and that at said hearing there be considered, among other things, the various matters hereinafter set forth;

It further appearing to the Commission that all of the foregoing matters are related and that evidence offered in respect of each of the matters herein may have a bearing on the others, and that substantial savings in time, effort and expense, and substantial progress toward the speedy and effective carrying out of the purposes of the Act, and of the applicable provisions thereof, will result if the hearings in said matters are consolidated so that they may be heard as one matter, and that evidence adduced in each matter may stand as evidence in the others for all purposes; and that the hearing scheduled for February 24, 1943, with respect to the proceedings pursuant to section 11(b)(1) of said Act be postponed to the date of the consolidated hearing;

It is hereby ordered, That the said motion of New England Gas and Electric Association be, and hereby is, denied.

It is further ordered, That the said proceedings pursuant to sections 11 (a), 11 (b) (1), 11 (b) (2), 12 (f), 12 (g), 15 (f), and 20 (a) of said Act, be and hereby are consolidated for hearing, and that said consolidated hearing be held on March 4, 1943, at 10 a. m. E. W. T. at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day, the hearing room clerk in room 318 will advise where such hearing will be held.

It is further ordered, That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act, and to a trial examiner under the Rules of Practice.

It is further ordered, That the following additional persons be, and hereby are, made parties to this proceeding: Paul Smith, Alexander Speer, and Frederick W. Bartow, as Trustees of Gas and Electric Associates, Francis G. Goodale, as Trustee of Utilities Investing Trust, Denis J. Driscoll and Willard L. Thorp, as Trustees of Associated Gas and Electric Corporation, and Stanley Clarke, as Trustee of Associated Gas and Electric Company;

It is further ordered, That, without limiting the scope of issues presented by the said consolidated proceedings, and the matters and questions set forth in the Commission's order dated September 26, 1942, particular attention will be directed at the outset of said hearing to the following additional matters and questions;

1. The determination, for the purpose of arriving at a fair and equitable plan of reorganization of New England Gas and Electric Associates, Francis G. Goodale, as Trustee of Utilities Investing Trust, Denis J. Driscoll and Willard L. Thorp, as Trustees of Associated Gas and Electric Corporation, and Stanley Clarke, as Trustee of Associated Gas and Electric Company, and any other action to comply with section 11 (b) of the Act:

(a) Whether and to what extent Paul Smith, Alexander Speer, and Frederick W. Bartow, as Trustees of Gas and Electric Associates, and Francis G. Goodale, as Trustee of Utilities Investing Trust, have a valid claim against New England Gas and Electric Association;

(b) Whether and to what extent Denis J. Driscoll and Willard L. Thorp, as Trustees of Associated Gas and Electric Corporation, and Stanley Clarke, as Trustee of Associated Gas and Electric Company, have a valid claim against New England Gas and Electric Association.

(c) In the event such claims are deemed to be valid, the relative rank of such claims in relation to the claims of publicly held securities of New England Gas and Electric Association;

It is further ordered, That the Secretary of the Commission shall serve notice of the hearing aforesaid by mailing a copy of this order by registered mail to Floyd D. Campbell, H. Coleman Moore, Jr., Edward P. Furber, and Lothrop Withington, as Trustees of New England Gas and Electric Association, to Denis J. Driscoll and Willard L. Thorp, as Trustees of Associated Gas and Electric Corporation, to Stanley Clarke, as Trustee of Associated Gas and Electric Company, to Paul Smith, Alexander Speer, and Frederick W. Bartow, as Trustees of Gas and Electric Associates, and to Francis G. Goodale, as Trustee of Utilities Investing Trust; and that notice of the entry of this order and of the said hearing is hereby given to all subsidiaries of New England Gas and Electric Association, to all security holders of New England Gas and Electric Association and of its subsidiaries, to all consumers of said companies, to all States, municipalities and political subdivisions of States within which are located any of the utility assets of the holding company system of New England Gas and Electric Association, or under the laws of which any of the companies in said holding company system are incorporated, to all State commissions, State securities commissions, and to all agencies, authorities, administrative or judicial bodies, or instrumentalities of the United States of America and of one or more States, municipalities or other political subdivisions having jurisdiction over New England Gas and Electric Association, or any subsidiaries thereof, or over any of the other named parties, or over any of the businesses, affairs or operations of any of them, and to all other persons, such notice to be given by a general release of the Commission distributed through the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935, and by publication of this order in the FEDERAL REGISTER; and

It is further ordered, That any other person proposing to be heard in these proceedings shall file with the Secretary of the Commission on or before the 26th day of February, 1943, his application therefor, as provided by Rule XVII of the Rules of Practice.

It is further ordered, That jurisdiction be and hereby is reserved, if, at any time, it may appear conducive to an orderly and economic disposition of any proceeding or proceedings herein, to order a separate hearing concerning such proceeding or proceedings, to close the record with respect to any of the matters, or to take action on any of the matters prior to the closing of the record on the other matters.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-2773; Filed February 19, 1943; 4:01 p. m.]

[File No. 70-674]

THE NORTH AMERICAN COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of February, 1943.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The North American Company, a registered holding company.

Notice is further given that any interested person may, not later than March 6, 1943, at 4:00 p. m., e. w. t. request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said joint declaration or application, as filed or as amended, may ge granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to said joint declaration or application, which is on file in the office of the said Commission, for a statement of the transactions therein proposed, which are summarized below:

The North American Company proposes to pay a dividend on April 1, 1943 on its common stock in the common capital stock of The Detroit Edison Company, having a par value of $20 per share, owned by The North American Company, at the rate of one share of such stock of The Detroit Edison Company on each fifty shares of the outstanding common stock of The North American Company. No certificates will be issued for fractions of shares of stock of The Detroit Edison Company, but, in lieu thereof, cash will be paid at the rate of 38 cents for each 1/50 of a share of such stock of The Detroit Edison Company, this rate being based on the approximate market price of $19.00 per share as of February 11, 1943, the date the proposed dividend was declared. The North American Company estimates that the dividend will result in the distribution of substantially all of the 155,602 shares of such stock of The Detroit Edison Company owned by it and of approximately $350,000 in cash, and that the payment of the proposed dividend will result in a charge to earned surplus of approximately $4,100,000.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-2775; Filed, February 19, 1943; 4:01 p. m.]

[File No. 70-540]

TRI-CITY UTILITIES CO. AND KENTUCKY UTILITIES CO.

ORDER MODIFYING CONDITIONS AND GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 17th day of February, A. D., 1943.

In the matter of Tri-City Utilities Company, Successor in interest herein to Kentucky-Tennessee Light and Power Company, and Kentucky Utilities Company.

Applications and declarations, and amendments thereto, having been filed with this Commission by Tri-City Utilities Company, a subsidiary of Associated Electric Company, a registered holding company, and Kentucky Utilities Company, a registered holding company and a subsidiary of The Middle West Corporation, a registered holding company, pursuant to sections 10 and 12 (d), and Rule U-44 thereunder, of the Public Utility Holding Company Act of 1935, regarding the sale and exchange of certain electric public utility properties; and

The Commission having by order dated August 17, 1942, granted the applications and permitted the declarations to become effective, subject to the terms and conditions prescribed in Rule U-24; and having by further orders entered herein on October 9, 1942, and December 17, 1942, modified the said conditions to the extent necessary to extend the time within which such transactions may be consummated to February 17, 1943; and

Tri-City Utilities Company and Kentucky Utilities Company having requested that the said conditions be further modified to the extent necessary to extend the time within which the transactions as set forth in the applications and declarations may be made to April 17, 1943; and the Commission deeming it appropriate that such request be granted;

It is ordered, That the conditions contained in the order of August 17, 1942, be and hereby are modified to the extent necessary to extend the time within which such transactions may be made to April 17, 1943.

By the Commisison.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-2774; Filed February 19, 1943; 4:01 p. m.]

[File No. 31-494]

MANUFACTURERS TRUST COMPANY

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 19th day of February, 1943.

Notice is hereby given that on February 17, 1943, Manufacturers Trust Company filed an application in the above styled and numbered matter for an order extending its exemption as a holding company;

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said application, and that said application shall not be granted except pursuant to further order of the Commission;

It is ordered, That a hearing on such application under the applicable provisions of the Public Utility Holding Company Act of 1935 be held on February 24, 1943 at 10:00 a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Edward C. Johnson or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered, That any other person desiring to be heard in connection with these proceedings or proposing to intervene herein shall file with the Secretary of the Commission, on or before February 23, 1943, his request or application therefor as provided by Rule XVII of the Rules of Practice of the Commission.

It is further ordered, That the Secretary of the Commission shall serve notice of the hearing aforesaid by mailing a copy of this order to Manufacturers Trust Company by registered mail; and that notice of said hearing be given to all persons by publication of this order in the FEDERAL REGISTER.

The hearing herein ordered will be in regard to the request of the Manufacturers Trust Company that its exemption as a holding company, which expires on February 26, 1943, be extended to July 1, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-2837; Filed, February 20, 1943; 2:57 p. m.]

[File Nos. 59-47 and 54-63]

REPUBLIC SERVICE CORPORATION AND ITS SUBSIDIARIES

ORDER REQUIRING DIVESTMENT OF CERTAIN INTERESTS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 19th day of February 1943.

The Commission having instituted proceedings pursuant to sections 11 (b) (1) and 11 (b) (2) of the Public Utility Holding Company Act of 1935 by its Notices of and Orders for Hearing, dated May 9 and June 17, 1942, to determine, among other matters; what action is necessary to limit the operations of the holding company system of Republic Service Corporation to a single integrated public utility system, and to such other businesses as are reasonably incidental or economically necessary or appropriate to the operations of such integrated public utility system; whether the corporate structure of Republic unduly or unnecessarily complicates the structure of the holding company system; and whether, for the purpose of fairly and equitably distributing voting power among security holders of Republic pursuant to section 11 (b) (2) of the Act, it is necessary or appropriate that Republic revise and simplify its corporate structure, and take other steps to distribute the voting power fairly and equitably among its security holders.

Hearings having been held from time to time after appropriate notice; the respondents having filed, pursuant to section 11 (e) of the Act, a plan or reorganization designed to effect compliance with sections 11 (b) (1) and 11 (b) (2) of the Act, the proceedings as to which were duly consolidated with the pending proceedings under sections 11 (b) (1) and 11 (b) (2) of the Act; the Commission, on January 9, 1943 having issued a Notice and Order directing that consideration be given at the hearings reconvened on January 18, 1943 to certain issues specified in such Notice and Order;

A hearing having been held after appropriate notice and opportunity for hearing on the matters pertaining to the issues raised by said Notice and Order;

The parties having waived the filing of briefs, the submission of requests for specific findings and oral argument; the Commission having duly considered the record and having this day made and filed its findings and opinion herein;

It is ordered, Pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935, that respondent Republic Service Corporation shall take such action as may be appropriate, not in contravention of the applicable provisions of the Act or the rules and regulations promulgated thereunder; to divest itself of all interests in, and all ownership and control of Page Power Company, Madison Power Company, Massanutten Power Corporation, Massanutten Water Corporation, and Holston River Power Company;

It is further ordered, Pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935, that Republic Service Corporation shall take such steps as may be necessary to change its capitalization in an appropriate manner, not in contravention of the applicable provisions of the Act or the rules and regulations promulgated thereunder, so as to ensure that the corporate structure of Republic Service Corporation does not unduly or unnecessarily complicate the structure or unfairly or inequitably distribute voting power among security holders of the Republic Service Corporation holding company system, and that, upon such recapitalization, the common stock of Republic Service Corporation shall be accorded no participation.

It is further ordered, That Republic Service Corporation, in accordance with section 11 (c) of the Public Utility Holding Company Act of 1935, shall comply with this order within one year from the date of its entry; without prejudice to its right to apply for additional time for compliance with such order as provided in such section;

It is further ordered, That jurisdiction is reserved to enter such orders in these proceedings as may be necessary or appropriate for the purpose of carrying out the provisions of this order;

It is further ordered, That jurisdiction is reserved with respect to all the issues remaining in the consolidated proceedings herein.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-2845; Filed, February 22, 1943; 10:25 a. m.]

[File Nos. 70-651, 70-660]

SOUTHWESTERN PUBLIC SERVICE COMPANY AND JAMES C. TUCKER

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE AND GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 19th day of February, A. D. 1943.

Southwestern Public Service Company, a registered holding company, having filed a declaration pursuant to section 12 (d) of the Public Utility Holding Company Act of 1935, and Rule U-44 of the Rules and Regulations of the Commission promulgated thereunder, proposing to sell to James C. Tucker, an individual, all of the outstanding capital stock (being all of the securities) of two of its subsidiaries, the Arizona Electric Power Company and the Flagstaff Electric Light Company, for a basic purchase price of $775,000 cash, subject to certain adjustments to reflect changes in the current financial position of such subsidiary companies to the date of the closing of the transaction;

Said James C. Tucker having filed an application pursuant to sections 9 (a) (2) and 10 of said Act, proposing to purchase said securities;

A consolidated public hearing having been held upon said declaration and application, after appropriate notice, and the Commission having considered the record and having made and filed its findings and opinion herein; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective pursuant to the applicable sections of the Act and to grant said application;

It is ordered, That said declaration be, and it hereby is, permitted to become effective forthwith, and said application be, and it hereby is, granted.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F R Doc. 43-2846; Filed, February 22, 1943, 10:25 a. m.]

[File No. 70-671]

BADGER AUTO SERVICE COMPANY AND THE MILWAUKEE ELECTRIC RAILWAY & TRANSPORT COMPANY

ORDER APPROVING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 20th day of February 1943.

Badger Auto Service Company, a wholly owned subsidiary of The Milwaukee Electric Railway & Transport Company, and The Milwaukee Electric Railway & Transport Company, an indirect subsidiary of The North American Company, a registered holding company, having filed a joint application and declaration pursuant to applicable provisions of the Public Utility Holding Company Act of 1935 and the General Rules and Regulations promulgated thereunder, relating to (1) the proposal of Badger Auto Service Company (a) to purchase 200 shares of its capital stock having a par value of $50 per share for cash at par from The Milwaukee Electric Railway & Transport Company, and (b) to retire and cancel the shares to be so purchased; and (2) the proposal of The Milwaukee Electric Railway & Transport Company to sell to the Badger Auto Service Company said 200 shares of the capital stock of the latter company for cash at the par value thereof; and

Said joint application and declaration having been filed on the 28th day of January, 1943, and notice of said filing having been duly given in the manner and form prescribed by Rule U-23 under said Act, and the Commission not having received a request for a hearing with respect to said joint application and declaration within the period specified in such notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the requirements of sections 10, 12 (c) and 12 (f) and Rules U-42 and U-43 are satisfied and that no adverse findings are necessary thereunder, and deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24 that said application be and the same is hereby approved and that said joint declaration be and the same is hereby permitted to become effective forthwith.

By the Commission (Commissioner Healy dissenting for the reasons set forth in his memorandum of April 1, 1940).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F R Doc. 43-2847; Filed, February 22, 1943; 10:25 a. m.]

WAR PRODUCTION BOARD.

PROJECT AT DE BEQUE, COLO.

AMENDMENT OF CONSTRUCTION ORDER

Preference Rating Order P-19-e, Serial No. 642-e. Builder: Colorado State Highway Department; Address: Denver, Colorado. Project: Construction of new roads or improvement of substandard roads and grade separation structures identified as: SN-FAGH 210-D (1), De Beque, Colorado.

The revocation of preference rating issued on January 8, 1943, with respect to the above named project is hereby amended by striking paragraph (3) thereof and by substituting the following:

(3) *Prohibition of construction.* The builder shall neither perform nor permit the performance of any further construction or installation on the project, except construction may be continued solely for purposes of safety or health or to avoid undue damage to or deterioration of materials already incorporated and construction necessary to permit the completion of the underpass structure only.

Issued February 19, 1943.

CURTIS E. CALDER, *Director General for Operations.*

[F. R. Doc. 43-2785; Filed, February 19, 1943; 5:00 p. m.]

PROJECT AT HINTON, W. VA.

AMENDMENT OF CONSTRUCTION ORDER

Builder: U. S. War Department, Corps of Engineers; Washington, D. C. Project: Flood Control Project—Bluestone Reservoir, Hinton, West Virginia.

The revocation of preference rating issued on January 6, 1943, with respect to the above named project is hereby amended by striking paragraph (4) thereof and by substituting the following:

(4) Neither the builder nor any supplier, shall deliver or accept delivery of any further materials to be used in connection with the construction of or any installation on the project except material necessary to complete the permanent work inside the first cofferdam in order to prevent its possible loss, and fifteen conduit lining castings which may, when completed, be shipped by the supplier to the Bluestone Reservoir Project at Hinton, West Virginia. This paragraph shall not, however, prohibit the delivery to their immediate destination of any materials which are now in transit, or the acceptance of any such delivery.

Issued February 19, 1943.

CURTIS E. CALDER, *Director General for Operations.*

[F. R. Doc. 43-2786; Filed, February 19, 1943; 5:00 p. m.]

FEDERAL REGISTER

VOLUME 8 NUMBER 38

Washington, Wednesday, February 24, 1943

The President

EXECUTIVE ORDER 9304

DESIGNATING THE HONORABLE MARTIN TRAVIESO AS ACTING JUDGE OF THE DISTRICT COURT OF THE UNITED STATES FOR PUERTO RICO

By virtue of the authority vested in me by section 41 of the act entitled "An Act to provide a civil government for Puerto Rico, and for other purposes", approved March 2, 1917, as amended by section 2 of the act of March 26, 1938, 52 Stat. 118 (U.S.C., title 48, sec. 863), I hereby designate and authorize the Honorable Martin Travieso, Associate Justice of the Supreme Court of Puerto Rico, to perform and discharge the duties of Judge of the District Court of the United States for Puerto Rico and to sign all necessary papers and records as Acting Judge of the said Court, without extra compensation, during the absence, illness, or other legal disability of the Judge thereof, during the current calendar year.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
February 23, 1943.

[F. R. Doc. 43-2937; Filed, February 23, 1943; 12:05 p. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter X—Food Production Administration

[FPO 3,[1] Amendment 3]

PART 1202—FARM MACHINERY AND EQUIPMENT

NEW FARM MACHINERY AND EQUIPMENT

Schedules I and II are amended.

Schedule II is amended by deleting therefrom the following items:

Garden planters: Horse or tractor drawn
Cultivators, horse drawn:
One row, riding, two horse.
Two row and over, riding.

Schedule I is amended by adding thereto, under the main heading "Cultivators and weeders", the following item:

Cultivators, horse drawn:
One row, riding, two horse.

The effect of this amendment is to remove from the provisions of Food Production Order No. 3 the items deleted from Schedule II, with the exception of one row, riding, two horse cultivators which are incorporated in Schedule I and therefore can be sold for use only on presentation of proper purchase certificates.

§ 1202.243 *Effective dates of amendments.* * * *

(c) This Amendment No. 3 (Schedule I and Schedule II) to Food Production Order No. 3 shall become effective this 23d day of February 1943.

(E.O. 9280, 7 F.R. 10179)

Done at Washington, D. C., this 22d day of February 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Acting Secretary.

[F. R. Doc. 43-2935; Filed, February 23, 1943; 11:09 a. m.]

[1] 7 F.R. 9647; 8 F.R. 469, 945, 1089, 1825, 1911, 2224.

Chapter XI—Food Distribution Administration

[Food Distribution Order 24]

PART 1425—CANNED AND PROCESSED FOODS

CANNED FRUITS AND VEGETABLES

Pursuant to the authority vested in me by Executive Order No. 9280, issued December 5, 1942, and in order to assure an adequate supply and efficient distribution of canned fruits and canned vegetables to meet war and essential civilian needs: *It is hereby ordered*, As follows:

§ 1425.5 *Canned fruits and canned vegetables*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "restricted canned foods" means any of the fruits and veg-

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FEDERAL REGISTER

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etables, listed in Exhibit A attached hereto, packed in hermetically sealed metal or glass containers and sterilized by the use of heat, regardless of when or where packed, excluding, however, liquid, strained, mashed, or chopped canned foods, when packed as infant food or for invalid feeding, and excluding jams, jellies, preserves, marmalades, pickles, relishes, and soups.

(2) The term "non-quota purchaser" means:

(i) The Army, the Navy, the Marine Corps, the Coast Guard, the Coast and Geodetic Survey, the Defense Supplies Corporation, War Shipping Administration, or any agency of the United States Government for supplies to be delivered to or for the account of the government of any country pursuant to the act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(ii) Any person operating an oceangoing vessel engaged in the transportation of cargo or passengers in the foreign, coastwise, or intercoastal trade for nccessary supplies for such vessels.

(iii) Any person for retail sale through concession restaurants at Army, Navy, Marine Corps, or Coast Guard camps, or through outlets not operated for private profit and established primarily for the use of the Army, Navy, Marine Corps, or Coast Guard personnel within or on Army, Navy, Marine Corps, or Coast Guard establishments or vessels, including post exchanges, sales commissaries, officers' messes, servicemen's clubs, and ship's service departments.

(iv) Any person who furnishes eating facilities for members of the armed forces pursuant to contract therefor with the United States for necessary supplies for such purposes.

(v) Any person who purchases restricted canned foods for delivery in any territory, possession, or leased military base of the United States.

(vi) Any person who purchases grape juice, tomato pulp in 5 gallon cans, tomato paste in #10 cans, and peppers for use in the commercial manufacture of food products.

(vii) Any person who purchases restricted canned foods for resale to a nonquota purchaser, or to replace in his inventory material delivered to a nonquota purchaser.

(3) The term "person" means any individual, partnership, corporation, association, or any other business entity.

(4) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(5) The term "wholesale receiver" means any person other than a nonquota purchaser (regardless of whether or not he is also a canner) whose purchases, heretofore or hereafter, aggregate, during the period beginning on June 30, 1942, in excess of 4,000 cases of any group of restricted canned foods for any purpose.

(6) The term "base figure" means, at the wholesale receiver's option, either

the total of his acceptances of delivery, or his sales, in each group, between January 1, 1942, and August 31, 1942, of all canned foods listed in such group, wherever or whenever packed, minus all such goods sold to non-quota purchasers listed in the order.

(b) *Restrictions on delivery.* (1) No canner shall deliver any restricted canned foods to any wholesale receiver who cannot legally receive the goods under this order.

(2) Any wholesale receiver who has in his possession, in transit to him, or under contract for delivery at a future date (excluding goods frozen by other orders), less than the following percentages of his base figure

	Percent
For group I (in Exhibit A)	25
For group II (in Exhibit A)	25
For group III (in Exhibit A)	25

may accept delivery of a quantity of restricted canned foods of each group sufficient when added to the quantity in his possession or under his control by virtue of existing contracts for future delivery to equal the percentages hereinabove stated.

(c) *Unit of calculation.* All calculations as to base figure, quotas, and any other calculation that may become necessary under the provisions of this order shall be made in terms of cases.

(d) *Records and reports.* Every person subject to this order shall maintain such records for at least two years (or for such other periods of time as the Director may designate) and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe.

(e) *Audit and inspection.* Every person subject to this order shall, upon request, permit inspections at all reasonable times of his stocks of restricted foods, and premises used in his business, and all of his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(f) *Applicability of order.* (1) Any person doing business in one or more of the 48 States or the District of Columbia is subject to the provisions hereof. The provisions hereof shall not apply to any person doing business in any Territory or Possession of the United States with respect to such business.

(2) In the case of any person who is both a packer and a wholesale receiver, the provisions hereof applicable to packers shall apply to his operations as a packer, and the provisions hereof applicable to wholesale receivers shall apply to his operations as a wholesale receiver.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order, or wilfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States, may be prohibited from receiving or making further deliveries of any material subject to allocation; and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35 (a) of the Criminal Code (18 U. S. C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(h) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him, may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, and such action shall be final.

(i) *Communications to the Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C. Ref: FD–24.

(j) *Conservation Order M–237, as amended, superseded.* This order supersedes in all respects Conservation Order M–237 of the War Production Board, as amended January 7, 1943 (8 F.R. 312) except that as to violations of said order or rights accrued, liabilities incurred, or appeals taken under said order prior to the effective date hereof, said Conservation Order M–237, as amended, shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability. Any appeal pending under said Conservation Order M–237, as amended, shall be considered under (h) hereof.

(k) *Effective date.* This order shall take effect upon its issuance.

(E.O. 9280, 7 F.R. 10179)

Issued this 20th day of February 1943

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

EXHIBIT A

GROUP I—FRUITS

Apples, including crabapples.
Applesauce, including sauce from crabapples.
Apricots.
Berries of all kinds.
Cherries, red sour pitted.
Cherries, sweet.
Combinations of oranges and grapefruit.
Cranberries, including sauce and jelly.
Figs.
Fruits for salads.
Fruit cocktail.
Grapefruit.
Oranges.
Peaches, including nectarine
Pears.
Pineapples.
Plums.
Prunes.

GROUP II—FRUIT AND VEGETABLE JUICES

Apple.
Beet.
Carrot.
Celery.
Cherry.
Cranberry.
Berry, all.
Grape.
Grapefruit.
Grapefruit and orange combination.
Lemon.
Lime.
Orange.
Pineapple.
Prune.
Sauerkraut.
Spinach.
Tomato and tomato cocktail.
Mixed vegetables.
All fruit nectars.

GROUP III—VEGETABLES

Artichokes.
Asparagus.
Green and wax beans.
Green soya beans.
Lima beans.
Shell beans.
Beets.
Broccoli.
Brussels sprouts.
Cabbage.
Carrots.
Carrots and peas.
Cauliflower.
Celery.
Corn, including corn-on-cob.
Spinach and other green leafy vegetables.
Mushrooms.
Okra.
Onions.
Peas.
Peppers and pimentos.
Potatoes, white.
Pumpkin and squash.
Succotash.
Sweetpotatoes and yams.
Sauerkraut.
Tomatoes, whole or parts.
Tomato puree and pulp.
Tomato paste.
Tomato sauce.
Mixed vegetables, including vegetables for salad.

[F.R. Doc. 43–2697; Filed, February 22, 1943; 11:16 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Personnel

PART 79b—WOMEN'S ARMY AUXILIARY CORPS

ORDERS, ENROLLMENT AND DISCHARGE

Sections 79b.4, 79b.6 (e), and 79b.12 are amended as follows:

§ 79b.4 *Orders.* Orders authorizing assignment to duty, transfer, or other changes in status of individuals of the WAAC will be issued by the commanding general of the service command upon request of the WAAC service command director. Orders for detached service will be issued by the headquarters authorized to issue such orders for Army personnel at stations where WAAC personnel are assigned. (Act of May 14, 1942, Public Law 554, 77th Congress) [Par. 10, Women's Army Auxiliary Corps Regulations (Tentative) May 28, 1942, as amended by WAAC Cir. 17, December 29, 1942]

§ 79b.6 *Enrollment.*[1] • • •

(e) Enrollment will be conducted by Army recruiting officers at recruiting and induction stations. WAAC officers may, in the discretion of the commanding officer of the recruiting and induction station to which assigned, be authorized

[1] 7 F.R. 4818.

to administer the oath of enrollment to enrollees in the WAAC. (Act of May 14, 1942, Public Law 554, 77th Congress) [Par. 16, Women's Army Auxiliary Corps Regulations (Tenative) May 28, 1942, as amended by WAAC Cir. 13, October 14, 1942.]

* * * * *

§ 79b.12 *Discharge.* (a) Upon satisfactory completion of her term of service, an enrolled member of the WAAC will be honorably discharged (white certificate).

(b) (1) An enrolled member of the WAAC may be discharged for the convenience of the Government by the Secretary of War, when in the discretion of the Director, retention in the Corps would not be for the best interests of the Government, and a member so discharged may be given an honorable discharge (white certificate), a discharge (white certificate), or a summary discharge (blue certificate).

(2) Except in the case of the discharge of a member to accept a commission in the WAAC, in cases involving pregnancy, and in cases similar to those in which commanding officers may recommend or make discharges under provisions of AR 615-360[1] without board proceedings, no member will be discharged under the provisions of this paragraph without a thorough and complete investigation of all facts and circumstances, conducted by a board, consisting of at least three WAAC officers, in conformity with the provisions of AR 420-5.[2]

(c) An enrolled member of the WAAC may be discharged by the Secretary of War for disability in the following instances: When an enrolled member, because of injury, disease, or disability, physical or mental, is unfitted for service.

(1) If the same occurs in the line of duty, and this fact is established in accordance with the provisions of AR 345-415,[3] an enrolled member will be given an honorable discharge (white certificate).

(2) If the same occurs not in line of duty, and this fact is established in accordance with the provisions of AR 345-415,[3] an enrolled member may be given an honorable discharge (white certificate), or a discharge (white certificate), or a summary discharge (blue certificate).

(d) Each enrolled member of the WAAC on active duty will be given a complete physical examination, such as is prescribed for members of the Army, within a period of 72 hours prior to her separation from the Corps. (Act of May 14, 1942, Public Law 554, 77th Congress) [Pars. 35 to 38, inclusive, Women's Army Auxiliary Corps Regulations (Tentative), May 28, 1942, as amended by WAAC Cir. 3, February 1, 1943]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-2909; Filed, February 23, 1943; 10:02 a. m.]

[1] Administrative regulations of the War Department relative to discharge; release from active duty.

[2] Administrative regulations of the War Department relative to boards of officers for conducting investigations.

[3] Administrative regulations of the War Department relative to the daily sick report.

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regulations, Serial No. 260]

PART 60—AIR TRAFFIC RULES

DEVIATIONS FROM LEFT-HAND CIRCLE RULES

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 17th day of February 1943.

Effective immediately, pursuant to § 60.3301 of the Civil Air Regulations, the following deviations from the left-hand circle rule are prescribed unless the pilot receives other instructions from the air-traffic control-tower operator:

(a) *Meacham Field, Fort Worth, Texas.* All turns by aircraft approaching for a landing to the northeast or after take-off to the northeast shall be made to the right.

(b) *Weeks Field, Fairbanks, Alaska.* All turns by aircraft approaching for a landing to the east or after take-off to the east shall be made to the right.

(c) *Merrill Field, Anchorage, Alaska.* All turns by aircraft approaching for a landing to the south or east or after take-off to the south or east shall be made to the right.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 43-2887; Filed, February 22, 1943; 10:55 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 3369]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

AMERICAN MEMORIAL COMPANY

§ 3.6 (6) *Advertising falsely or misleadingly—Qualities or properties of product or service:* § 3.6 (x) *Advertising falsely or misleadingly—Results:* § 3.6 (bb 10) *Advertising falsely or misleadingly—Size or weight.* In connection with offer, etc., in commerce, of granite or marble monuments, tombstones or footstones, and among other things, as in order set forth, (1) representing by the use of the words "everlasting" or "eternal", or any other word of similar import or meaning, or in any other manner, that any monument, tombstone, or footstone composed of marble is everlasting; and (2) representing that respondent's monuments or tombstones weigh 400 pounds or any other specified weight or weights unless and until such is the fact; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Modified cease and desist order, American Memorial Company, Docket 3369, February 16, 1943]

§ 3.6 (h) *Advertising falsely or misleadingly—Fictitious or misleading guarantees:* § 3.72 (f 15) *Offering deceptive inducements to purchase—Guarantee, in general.* In connection with offer, etc., in commerce, of granite or marble monuments, tombstones or footstones, and among other things, as in order set forth, representing that the respondent has posted a bond guaranteeing the quality of its products or has posted a bond which insures conformity by the respondent with the laws of the United States Government or with the rules and regulations of any agency thereof, or has posted any other bond, unless and until such is the fact; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Modified cease and desist order, American Memorial Company, Docket 3369, February 16, 1943]

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Producer status of dealer or seller—Manufacturer.* In connection with offer, etc., in commerce, of granite or marble monuments, tombstones or footstones, and among other things, as in order set forth, representing, by means of pictorial or other representations of a factory or manufacturing plant, or in any other manner, that respondent makes or manufactures its granite monuments or tombstones unless and until it owns and operates or directly and absolutely controls the factory or plant wherein such monuments or tombstones are made or manufactured by it; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Modified cease and desist order, American Memorial Company, Docket 3369, February 16, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of February, A. D. 1943.

This proceeding having been heard by the Federal Trade Commission upon order to show cause why this case should not be reopened for the purpose of issuing a modified order to cease and desist, which order came on for hearing before the Commission on January 27, 1943, and the respondent having been duly served with a certified copy of said order prior to said hearing, and the Commission having considered the matter and the record herein and being now fully advised in the premises;

It is ordered, That the respondent, American Memorial Company, its officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of granite or marble monuments, tombstones, or footstones in commerce between and among the various states of the United States and in the District of Columbia, do forthwith cease and desist from:

(1) Representing by the use of the words "everlasting" or "eternal," or any other word of similar import or meaning, or in any other manner, that any monument, tombstone, or footstone composed of marble is everlasting;

(2) Representing that respondent's monuments or tombstones weigh 400 pounds or any other specified weight or weights unless and until such is the fact;

(3) Representing that the respondent has posted a bond guaranteeing the quality of its products, or has posted a bond which insures conformity by the respondent with the laws of the United States Government or with the rules and regulations of any agency thereof, or has posted any other bond, unless and until such is the fact;

(4) Representing, by means of pictorial or other representations of a factory or manufacturing plant, or in any other manner, that respondent makes or manufactures its granite monuments or tombstones unless and until it owns and operates or directly and absolutely controls the factory or plant wherein such monuments or tombstones are made or manufactured by it.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-2855; Filed, February 22, 1943; 10:47 a. m.]

[Docket No. 4051]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

D. M. ALACHUZOS COMPANY

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Producer status of dealer or seller—Grower or producer.* In connection with offer, etc., in commerce, of sponge products, (1) representing in any manner that the respondent is a producer of sponges; or (2) using the term "producer" in advertising or in any other manner when such use represents that respondent is a sponge producer; prohibited. Sec 5, 38 Stat. 719, as amended by sec 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, D. M. Alachuzos Company, Docket 4051, February 17, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 17th day of February, A. D. 1943.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, answer of the respondent, testimony and other evidence, in support of and in opposition to the allegations of the complaint, taken before trial examiners of the Commission theretofore duly designated by it, report of the trial examiners upon the evidence and exceptions filed thereto, and briefs filed in support of the complaint and in opposition thereto; and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, D. M. Alachuzos Company, a corporation, and its officers, representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, and distribution of sponge products in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Representing in any manner that the respondent is a producer of sponges.

(2) Using the term "producer" in advertising or in any other manner when such use represents that respondent is a sponge producer.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-2856; Filed, February 22, 1943; 10:47 a. m.]

[Docket No. 4138]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

UNITED STATES MARBLE & GRANITE COMPANY

§ 3.6 (h) *Advertising falsely or misleadingly—Fictitious or misleading guarantees:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service:* § 3.6 (x) *Advertising falsely or misleadingly—Results:* § 3.72 (f 15) *Offering deceptive inducements to purchase—Guarantee, in general.* In connection with offer, etc., in commerce, of marble tombstones and monuments, representing (1) that respondent's memorials composed of marble will stand the ravages of time forever, or that they are everlasting or forever durable, or that they will never fade, stain, or tarnish; (2) that respondent's said marble tombstones and monuments will always retain their original brightness or that said memorials are age enduring; and (3) that respondent has posted a "Gold Bond Guarantee" assuring purchasers of the everlasting quality and durability of his said marble tombstones and monuments and the freedom of such products from fading, staining, or tarnishing and that said "Gold Bond Guarantee" protects purchasers of such products if respondent's claims and representations are not true; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Modified cease and desist order, United States Marble & Granite Company, Docket 4138, February 16, 1943]

In the Matter of Asa L. Wooten, an Individual trading as United States Marble & Granite Company.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of February, A. D. 1943.

This proceeding having been heard by the Federal Trade Commission upon order to show cause why this case should not be reopened for the purpose of issuing a modified order to cease and desist, which order came on for hearing before the Commission on January 27, 1943, and the respondent having been duly served with a certified copy of said order prior to said hearing, and the Commission having considered the matter and the record herein and being now fully advised in the premises:

It is ordered, That the respondent, Asa L. Wooten, an individual, trading as United States Marble & Granite Company, or under any other trade name, his representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of marble tombstones and monuments in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or by implication:

(1) That respondent's memorials composed of marble will stand the ravages of time forever, or that they are everlasting or forever durable, or that they will never fade, stain, or tarnish;

(2) That respondent's said marble tombstones and monuments will always retain their original brightness or that said memorials are age enduring;

(3) That respondent has posted a "Gold Bond Guarantee" assuring purchasers of the everlasting quality and durability of his said marble tombstones and monuments and the freedom of such products from fading, staining, or tarnishing and that said "Gold Bond Guarantee" protects purchasers of such products if respondent's claims and representations are not true.

It is further ordered, That the respondent shall within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-2857; Filed, February 22, 1943; 10:47 a. m.]

TITLE 24—HOUSING CREDIT

Chapter I—Federal Home Loan Bank Administration

[Bulletin 16]

PART 2—ORGANIZATION OF THE BANKS

SALARIES OF EMPLOYEES ON LEAVE OF ABSENCE FOR SERVICE IN THE ARMED FORCES

FEBRUARY 19, 1943.

Paragraph (a) of § 2.5 of the Rules and Regulations for the Federal Home Loan Bank System is hereby amended, effective February 22, 1943, by adding the following sentence at the end thereof:

* * * A payment of salary to a person during leave of absence by reason of service in the armed forces of the United States during the present emergency declared by the President on September 8, 1939, may not be made in an amount exceeding 25% of the annual salary received by such person at the time such leave of absence commences or $300, whichever is the lower.

(Secs. 12 and 17 of the FHLBA, 47 Stat. 735 and 736, 12 U.S.C. 1432, 1437 and Sup.; E.O. 9070, 7 F.R. 1529)

This amendment is deemed to be of a minor character within the provisions of paragraph (b) of § 8.3 of the Rules and Regulations for the Federal Home Loan Bank System.

[SEAL] JAMES TWOHY,
Governor.
HAROLD LEE,
General Counsel.
JOHN M. HAGER,
Executive Assistant, to the Commissioner.

[F. R. Doc. 43-2903; Filed, February 22, 1943; 12:33 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess-Profits Taxes

[T.D. 5231]

PART 3—INCOME TAX UNDER THE REVENUE ACT OF 1936

PART 9—INCOME TAX UNDER THE REVENUE ACT OF 1938

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

LIFE INSURANCE CONTRACTS

Amending § 19.22 (b) (1)-1 of Regulations 103, and article 22 (b) (1)-1 of Regulations 101, 94, and 86, relating to the exclusion from gross income of amounts received under a life insurance contract paid by reason of the death of the insured.

PARAGRAPH 1. Section 19.22 (b) (1)-1 of Regulations 103 [Part 19, Title 26, Code of Federal Regulations, 1940 Sup.], as amended by Treasury Decision 5194, approved December 8, 1942, is further amended as follows:

(A) By striking the first five sentences and the portion of the sixth sentence preceding the colon and inserting in lieu thereof the following:

The proceeds of life insurance policies, paid by reason of the death of an insured to his estate or to a beneficiary (individual, partnership, or corporation), directly or in trust, are excluded from the gross income of the beneficiary, except in the case of a transferee for valuable consideration (other than a transferee to which the next to the last sentence of section 22 (b) (2) (A) applies or a spouse to whom such payments are income under section 22 (k). If, however, such proceeds are held by the insurer under an agreement to pay interest thereon, the interest payments must be included in gross income. In the case of a beneficiary to whom payments are made in installments pursuant to an option exercised by such beneficiary, the amount exempted is the amount payable immediately after the death of the insured had such beneficiary not elected to exercise an option to receive the proceeds of the policy or any part thereof at a later date or dates. In any mode of settlement pursuant to an agreement of the insurer with a beneficiary the portion of each distribution which is to be included in gross income shall be determined as follows:

(B) Paragraph (a) is amended by striking out the parenthetical expression therein which reads as follows: "(whether with the insured or with a beneficiary)" and inserting in lieu thereof the following: "with a beneficiary".

(C) Paragraphs (b), (c), and (d) are amended by inserting after the word "If" as it first occurs therein the following: ", pursuant to such agreement,".

(D) The final paragraph of § 19.22 (b) (1)-1 is amended by inserting after the words "If a mode of settlement" the following: "pursuant to such agreement".

PAR. 2. Article 22 (b) (1)-1 of Regulations 101 [§ 9.22 (b) (1)-1, Title 26, Code of Federal Regulations, 1939 Sup.], article 22 (b) (1)-1 of Regulations 94 [§ 3.22 (b) (1)-1, Title 26, Code of Federal Regulations], and article 22 (b) (1)-1 of Regulations 86 are each amended as follows:

(A) By striking the first five sentences and the portion of the sixth sentence preceding the colon and inserting in lieu thereof the following:

The proceeds of life insurance policies, paid by reason of the death of an insured to his estate or to a beneficiary (individual, partnership, or corporation), directly or in trust, are excluded from the gross income of the beneficiary, except in the case of a transferee for valuable consideration. If, however, such proceeds are held by the insurer under an agreement to pay interest thereon, the interest payments must be included in gross income. In the case of a beneficiary to whom payments are made in installments pursuant to an option exercised by such beneficiary, the amount exempted is the amount payable immediately after the death of the insured had such beneficiary not elected to exercise an option to receive the proceeds of the policy or any part thereof at a later date or dates. In any mode of settlement pursuant to an agreement of the insurer with a beneficiary the portion of each distribution which is to be included in gross income shall be determined as follows:

(B) Paragraph (a) is amended by striking out the parenthetical expression therein which reads as follows: "(whether with the insured or with a beneficiary)" and inserting in lieu thereof the following: "with a beneficiary."

(C) Each of the succeeding paragraphs is amended by inserting after the word "If" as it first occurs therein the following: ", pursuant to such agreement,".

(Secs. 22 (b) and 62 of the Internal Revenue Code (53 Stat. 10, 32), and secs. 22 (b) and 62 of the Revenue Acts of 1938, 1936, and 1934 (52 Stat. 457, 480, 26 U.S.C. Sup. 22 (b), 62; 49 Stat. 1657, 1673, 26 U.S.C. Sup. 22 (b), 62; 48 Stat. 686, 700, 26 U.S.C. 22 (b), 62))

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: February 22, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-2936; Filed, February 23, 1943; 11:50 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amendment 128, 2d Ed.]

PART 691—RULES FOR CAMPS OPERATED BY THE NATIONAL SERVICE BOARD FOR RELIGIOUS OBJECTORS

MEDICAL CARE AND HOSPITALIZATION

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, I hereby prescribe the following change in DSS forms:

1. Amend § 691.13 by adding paragraph (d) to read as follows:

§ 691.13 *Medical care and hospitalization.* * * *

(d) If, in the opinion of the camp physician, an assignee is physically unfit to perform work of national importance, he shall submit a report to that effect to the Director of Selective Service. The Director of Selective Service may authorize further physical examination and order such assignee to report to a medical advisory board. The medical advisory board shall submit a report on each such assignee to the Director of Selective Service who, if he deems it advisable in view of such report, may order the discharge of such assignee.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

FEBRUARY 22, 1943.

[F. R. Doc. 43-2910; Filed, February 23, 1943; 10:08 a. m.]

[No. 175]

REQUEST FOR TRANSFER OF RECORD

ORDER PRESCRIBING FORM

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, I hereby prescribe the following change in DSS forms:

Addition of a new form designated as DSS Form 64, entitled "Request for Transfer of Record," effective immediately upon the filing hereof with the Division of the Federal Register.[1]

The foregoing addition shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

FEBRUARY 22, 1943.

[F. R. Doc. 43-2911; Filed, February 23, 1943; 10:08 a. m.]

[No. 176]

NOTICE OF CALL ON STATE

ORDER PRESCRIBING FORM

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 12, entitled "Notice of Call on State," effective immediately upon the filing hereof with the Division of the Federal Register.[1]

The foregoing revision shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JANUARY 28, 1943.

[F. R. Doc. 43-2912; Filed, February 23, 1943; 10:08 a. m.]

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment 15]

PART 801—GENERAL REGULATIONS

PETROLEUM PRODUCTS AND TETRAETHYL LEAD

Section 801.2 *Prohibited exportation* is hereby amended in the following particulars:

In the column headed "General License Group" the group designations assigned to the commodities listed below (at every place where said commodities appear in said section) are amended to read as follows:

Commodity	Department of Commerce No.	General License Group
PETROLEUM PRODUCTS AND TETRAETHYL LEAD		
R—Other lubricating oils not conforming to O or P above:		
Light lubricating oil in small packages	5039.00	C
Lubricating oil, any other, n.e.s.	5040.98	C
S—Lubricating greases	5041.00	C
Y—Other petroleum products (except petrolatum and petrolatum jelly—See Chemicals)	5059.00	C
Z—Natural gas	5052.00	C

The above amendments shall not apply to licensed shipments of the above commodities which were on dock, on lighter, laden aboard the exporting carrier or in transit to ports of exit pursuant to actual orders for export prior to the date this regulation is published in the FEDERAL REGISTER.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 40, 8 F.R. 1938)

Dated: February 20, 1943.

A. N. ZIEGLER,
Acting Chief of Office, Office of Exports.

[F. R. Doc. 43-2898; Filed, February 22, 1943; 11:28 a. m.]

[Amendment 16]

PART 808—PROCEDURE RELATING TO SHIPMENT OF LICENSED EXPORTS TO THE OTHER AMERICAN REPUBLICS

APPLICATION PROCEDURE

Subparagraph (5) of paragraph (e) of § 808.6 *Application procedure* is hereby amended by deleting the following from the list of commodities contained therein:

Dept. of Commerce No.	*Commodity*
8365.00	Sodium carbonate, calcined (soda ash).
8373.00	Sodium hydroxide (caustic soda).

This amendment shall become effective March 22, 1943.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 40, 8 F.R. 1938)

Dated: February 20, 1943.

A. N. ZIEGLER,
Acting Chief of Office, Office of Exports.

[F. R. Doc. 43-2899; Filed, February 22, 1943; 11:28 a. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1068—CANS

[Interpretation 1 of Conservation Order M-81, as Amended Feb. 18, 1943]

The following interpretation is hereby issued by the Director General for Operations with respect to § 1068.1, *Conservation Order M-81.*

Frozen tinplate, terneplate or blackplate means only tinplate, terneplate or blackplate which, since prior to December 9, 1942, has been held in the inventory of a can manufacturer (or in the inventory of a supplier of such plate, having been produced for the account of a can manufacturer) because it had been so processed, or was of such size, gauge or grade, that it was not suitable for the manufacture of cans for which tinplate, terneplate or blackplate, are specified, without qualification, in the "Can Material" columns of the schedules attached to the said order.

Issued this 22d day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2891; Filed, February 22, 1943; 11:07 a. m.]

PART 1099—BEDS, SPRINGS AND MATTRESSES

[Limitation Order L-49 as amended Feb. 23, 1943]

§ 1099.1 *General Limitation Order L-49*—(a) *Definitions.* For the purposes of this order:

(1) "Bedding products" means the following: coil, flat, box and fabric bedsprings (whether or not they are integral parts of beds or other sleeping equipment); innerspring mattresses, pads and pillows; studio couches, sofa beds and lounges designed for dual sleeping and seating purposes.

(2) "Base period" means the twelve month period ending June 30, 1941.

(3) "Iron and steel used" means the aggregate weight of iron and steel contained in a finished product.

(4) "Joining hardware" means the minimum amount of iron and steel required for nails, nuts, bolts, screws, clasps, rivets and similar joining purposes.

(5) "Manufacturer" means any person who manufactures or assembles bedding products or parts made specifically for incorporation into bedding products.

(6) "Renovator" means any person who repairs used bedding products.

(b) *Restrictions on production of mattresses, pads and pillows.* (1) On and after June 8, 1942, no manufacturer shall procure or acquire any wire to be used in the production of innerspring constructions for innerspring mattresses, pads and pillows from any source whatsoever, except from the inventories of other manufacturers of such products.

[1] Form filed as part of the original document.

(2) On and after August 1, 1942, no manufacturer shall process, fabricate, work on or assemble any wire for use in the production of innerspring constructions for innerspring mattresses, pads and pillows.

(3) During the month of August 1942, no manufacturer shall use more wire in the aggregate production of innerspring mattresses, pads and pillows than 100% of the average monthly amount of wire used by him in the aggregate production of such products during the base period.

(4) On and after September 1, 1942, no manufacturer shall process, fabricate, work on or assemble any mattresses, pads and pillows containing any iron or steel, except

(i) Buttons, ventilators, handles or eyelets; or

(ii) A manufacturer may replace units contained in mattresses, pads and pillows previously sold by him if such replacement is specifically required by guarantee agreements entered into by such manufacturer.

(5) On and after August 1, 1942, no manufacturer shall procure or acquire any iron or steel to be used in the production of buttons, ventilators, handles or eyelets for mattresses, pads and pillows from any source whatsoever, except from the inventories of other manufacturers of such products.

(6) On and after September 1, 1942, no manufacturer shall process, fabricate, work on or assemble any buttons, ventilators, handles or eyelets for mattresses, pads and pillows if such buttons, ventilators, handles or eyelets contain any iron or steel.

(c) *Restrictions on production of coil, flat, box and fabric bedsprings.* (1) On and after December 1, 1942, no manufacturer shall process, fabricate, work on or assemble any coil, flat, box or fabric bedsprings containing more iron or steel other than joining hardware than the following specified amounts:

(i) Full size, 15 pounds.

(ii) Single or twin size, 9 pounds.

(2) During the period of two months beginning February 1, 1943, no manufacturer shall use more iron and steel in the aggregate production of coil, flat, box and fabric bedsprings (whether or not they are integral parts of beds or other sleeping equipment) than 2 1/2% of the iron and steel used by him in the aggregate production of coil, flat and fabric bedsprings (which were not integral parts of beds or other sleeping equipment) during the base period, plus 4 1/6% of the iron and steel used by him in the production of box bedsprings (whether or not they are integral parts of beds or other sleeping equipment) during the base period.

(3) During the period of three months beginning April 1, 1943, and during each three months period thereafter, no manufacturer shall use more iron and steel in the aggregate production of coil, flat, box and fabric bedsprings (whether or not they are integral parts of beds or other sleeping equipment) than 3 1/3% of the iron and steel used by him in the aggregate production of coil, flat and fabric bedsprings (which were not integral parts of beds or other sleeping equipment) during the base period, plus 6 1/4% of the iron and steel used by him in the production of box bedsprings (whether or not they are integral parts of beds or other sleeping equipment) during the base period.

(4) The restrictions contained in paragraphs (c) (2) and (c) (3) shall not apply to manufacturers of parts made specifically for incorporation into coil, flat, box and fabric bedsprings, but only to manufacturers of complete coil, flat, box and fabric bedsprings.

(d) *Restrictions on production of studio couches, sofa beds and lounges.* (1) On and after August 1, 1942, no manufacturer of parts made specifically for incorporation into studio couches, sofa beds and lounges designed for dual sleeping and seating purposes shall procure or acquire any iron or steel to be used in the production of such parts from any source whatsoever, except from the inventories of other manufacturers of such parts.

(2) On and after September 1, 1942, no manufacturer shall process, fabricate, work on or assemble any parts made specifically for incorporation into studio couches, sofa beds and lounges designed for dual sleeping and seating purposes if such parts contain any iron or steel, other than joining hardware.

(3) On and after November 1, 1942, no manufacturer shall process, fabricate, work on or assemble any studio couch, sofa bed or lounge designed for dual sleeping and seating purposes which contains any iron or steel other than joining hardware, except that manufacturers may, after November 1, 1942, process, fabricate, work on or assemble final fabric covers on any such studio couch, sofa bed or lounge, provided that any such studio couch, sofa bed or lounge has otherwise been completely processed, fabricated, worked on or assembled prior to November 1, 1942.

(e) *Restrictions on renovators of bedding products.* On and after September 1, 1942, no renovator shall replace any unit contained in an innerspring mattress, pad, pillow, studio couch, sofa bed or lounge with a unit which has never been used by an ultimate consumer.

(f) *Special exemptions.* The restrictions contained in this order shall not apply to the production of bedding products for the following purposes:

(1) In fulfillment of a specific order of, or contract with, the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, The Panama Canal, the Coast and Geodetic Survey, the Coast Guard, Civilian Aeronautics Authority, the National Advisory Commission for Aeronautics, Office of Scientific Research and Development and any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act); or

(2) In fulfillment of a specific order of, or contract with a hospital or sanitarium.

(g) *Inventory restrictions.* (1) The sales specified below shall be expressly permitted within the terms of paragraph (c) (3) of Priorities Regulation No. 13 (§ 944.34):

(i) Sales of wire by manufacturers of innerspring constructions for innerspring mattresses, pads and pillows, to other manufacturers of such products.

(ii) Sales of iron or steel by manufacturers of buttons, ventilators, handles or eyelets for mattresses, pads and pillows, to other manufacturers of such products.

(iii) Sales of iron or steel by manufacturers of parts made specifically for incorporation into studio couches, sofa beds and lounges designed for dual sleeping and seating purposes, to other manufacturers of such products.

(iv) Sales of wire by manufacturers of coil, flat, fabric or box bedsprings, to other manufacturers of such products.

(2) No manufacturer of bedding products shall accumulate for use in the manufacture of such products inventories of raw materials, semiprocessed materials, or finished parts in quantities in excess of the minimum amount necessary to maintain production of bedding products at the rates permitted by this order.

(h) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(i) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(j) *Reports.* Each manufacturer to whom this order applies shall file with the War Production Board such reports and questionnaires as said board shall from time to time request.

(k) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(l) *Appeal.* Any appeal from the provisions of this order must be made on Form PD-500 and must be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

(m) *Applicability of other orders.* Insofar as any other order issued, or to be issued hereafter, limits or may limit the use of any material in the production of bedding products to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

(n) *Communications.* All reports to be filed, and other communications concerning this order should be addressed to the War Production Board, Washington, D. C., Ref: L-49.

Issued this 23d day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

INTERPRETATION 1

Paragraph (d) (3), as amended September 19, 1942, provides that "On and after November 1, 1942, no manufacturer shall process, fabricate, work on or assemble any studio couch, sofa bed or lounge designed for dual sleeping and seating purposes which contains any iron or steel other than joining hardware, except that manufacturers may, after November 1, 1942, process, fabricate, work on or assemble final fabric covers on any such studio couch, sofa bed or lounge, provided that any such studio couch, sofa bed or lounge has otherwise been completely processed, fabricated, worked on or assembled prior to November 1, 1942."

This language is to be strictly construed. No operation other than the putting on of final fabric covers is permitted on and after November 1, 1942. Studio couches, sofa beds or lounges which are merely "sprung up" may not be padded or worked on in any way other than the assembly of final fabric covers. In connection with the assembly of final fabric covers, any work which is absolutely essential to such assembly is permitted. The assembly of hinges, decorative molding, nails, and similar items, after the final fabric cover is placed upon the studio couch, sofa bed or lounge, is also permitted. (Issued October 2, 1942.)

[F. R. Doc. 43-2918; Filed, February 23, 1943; 11:01 a. m.]

PART 3096—PAPER AND PAPERBOARD

[General Conservation Order M-241 as Amended Feb. 23, 1943 [1]]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply, for defense, for private account and for export, of various materials and facilities required in the manufacture and distribution of paper and paperboard; and the following order is deemed necessary in the public interest and to promote the national defense:

§ 3096.1 *General Conservation Order M-241*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) "Produce" includes all operations connected with the production of paper and paperboard, including operations in the finishing room and packaging, but does not include processes or operations applied to paper and paperboard after the primary papermaking, such as printing, waxing, gumming, coating, bag manufacture, cup manufacture and envelope manufacture, box and container manufacture, and the fabrication of paper into paper articles.

(3) "Mill" means a congregation of pulp preparation and roll and sheet finishing equipment, paper machines and subsidiary facilities located and operated together as a single producing unit for the production of paper and paperboard.

(4) "Base period" means the six month period from October 1, 1941 through March 31, 1942.

(5) "Paper merchant" means any person regularly engaged in the business of buying and reselling paper and/or paperboard.

(c) *Restrictions on production of paper and paperboard.* (1) Unless specifically authorized by the Director General for Operations pursuant to subparagraph (5) of this paragraph (c), no person or persons shall produce paper or paperboard in any mill which has not produced paper or paperboard since August 1, 1942.

(2) Each manufacturer of paper and/or paperboard shall for each mill operated by him determine quarterly a production quota, calculated as follows:

(i) Determine, separately for each class of paper and paperboard on List A, the quantity thereof produced at such mill during the period from October 1, 1941 through March 31, 1942;

(ii) Subtract from the result for each class the quantity produced at such mill during such period of each of the grades of paper or paperboard on List B falling within such class;

(iii) Multiply the remainder for each class by percentage figure set opposite the particular class on List A;

(iv) Add together the several tonnages obtained by (iii), and divide by two.

The quantities shall be measured, to the nearest ton, in tonnage delivered from the paper machine. The method and basis for determining such tonnage shall be that method and basis followed at the particular mill in the past, or any other practicable method and basis, provided the same method and basis are used to determine both current production and production during the base period. If any machine unit of any mill was shut down during the base period for as much as 72 consecutive hours, excluding vacations and holidays, there may be added to (i) for such mill for the class of paper or paperboard principally produced on such machine unit, whatever quantity thereof could have been produced on such machine unit during the down time at the average rate of operation during the preceding month.

The Director General may from time to time by amendment change the classification and/or percentages on List A or change List B, specifying a particular date for the change to take effect. Quotas for production after any such date shall be calculated according to Lists A and B as amended, until further amended. If the effective date of any such amendment is other than the first day of a calendar quarter, the quota for the quarter within which such date falls shall be recalculated by adding together (i) the proportion of the old quota which equals the proportion of the quarter preceding such date and (ii) the proportion of the new quota which equals the proportion of the quarter following such date, including such date.

(3) No person or persons shall during the first calendar quarter of 1943 or any calendar quarter thereafter produce at any mill any quantity of paper and/or paperboard in excess of the quota for such mill for such quarter determined according to subparagraph (2) of this paragraph (c), except:

(i) To the extent and upon the conditions stated in subparagraph (4) of this paragraph (c); or

(ii) To the extent specifically authorized by the Director General for Operations pursuant to paragraph (5) (c) of this order, subject to any conditions imposed by the Director General for Operations in such authorization: and, *Provided*, That,

(i) Within such quota there may be produced at any mill any quantities of any one or several kinds of paper and/or paperboard, provided that the aggregate during any quarter does not exceed such mill's quota for that quarter; and

(ii) Regardless of and over and beyond any such quota, any person may produce at any mill, unless restricted by paragraph (c) (1) or by paragraph (e), any quantity of any kind of paper on List B.

(4) If one person owns only one mill, and such mill is equipped with only one machine unit for the manufacture of paper and/or paperboard, such person may, unless restricted by paragraph (c) (1) or by paragraph (e), produce at such mill during any calendar week any quantity of paper and/or paperboard required to occupy such machine 120 hours during such week: *Provided*, That such person shall in no other week during the same calendar quarter operate such mill in excess of 120 hours.

(5) If any person owns more than one mill, and can show that by combining or exchanging the several quotas of such mills, or parts thereof, significant quantities of critical materials will be saved, transportation reduced, labor released in areas where needed, or other materials or facilities required in the national defense conserved, he may submit to the Director General for Operations, in writing, a plan for such combination or exchange, stating the quantity and kinds of paper and/or paperboard produced at each mill involved during each month of the year from October 1, 1941 through September 30, 1942, the quantity and kinds of paper expected to be produced at each such mill during each quarter under such plan, how long he proposes to operate under such plan, his reasons for desiring to adopt such plan, and the respects wherein he conceives that such plan will accomplish the purposes mentioned. The Director General for Operations may thereupon approve, modify, or disapprove such plan or may impose upon the execution of any such plan whatever conditions he may deem appropriate to this order. Upon receipt from the Director General for Operations of approval in writing of such a plan the pro-

[1] The purpose of this amendment is to make certain changes in Lists A and B.

ponent may produce at the mills designated in such plan the quantities and kinds of paper and/or paperboard provided for in such plan, subject to any modifications or conditions imposed by the Director General for Operations in his approval. No person shall undertake or attempt to carry into effect any such plan unless and until he receives such approval.

(d) *Reserve production.* Each manufacturer of paper and/or paperboard shall reserve in the production schedule of each of his mills for the month of January, 1943, and for each calendar month thereafter, time and supplies sufficient to produce and deliver within such month, at the order of the Director General for Operations, 2% of such mill's quota for the current calendar quarter. In general this should amount to approximately 6% of each month's production. The Director General for Operations may on or before the 15th of any month, by telegram or letter, direct any manufacturer to employ such reserve to produce any kind of paper and/or paperboard usually produced at such mill, and any quantity thereof, not to exceed in the aggregate for any one month 2% of such mill's quota for the current quarter, and sell and deliver the same within the month to any person named by the Director General for Operations. The manufacturer may refuse so to produce and deliver only for the reasons specified for the refusal of rated orders in § 944.2 (b) of Priorities Regulation No. 1. If the manufacturer does not on or before the 15th of any month receive from the Director General for Operations directions as to the disposition of such reserve (or has received directions as to the disposition of a part but not of the remainder) he may employ the same (or such remainder) as he may desire, consistent with the other provisions of this order.

(e) *Restrictions on inventory.* Unless specifically authorized by the Director General, by telegram or letter, or excepted by paragraph (e) (5):

(1) No person shall knowingly deliver, and no person shall accept delivery of any quantity of newsprint, if the inventory of newsprint in the hands of the person accepting delivery is, or will by virtue of such acceptance become, either (i) in excess of two carloads or (ii), if in excess of two carloads, greater than seventy five days' supply, on the basis of either his average rate of consuming newsprint for the preceding quarter or his average rate of consuming newsprint as projected for the then current quarter;

(2) No person shall knowingly deliver to any person except a paper merchant and no person except a paper merchant shall accept delivery of, any quantity of any grade of paper or paperboard other than newsprint, if the inventory of such grade in the hands of the person accepting delivery is, or will by virtue of such acceptance become, either (i) in excess of two carloads or (ii), if in excess of two carloads greater than sixty days' supply, on the basis of either his average rate of consuming such grade of paper or paperboard for the preceding quarter or his average rate of consuming such grade of paper or paperboard as projected for the then current quarter;

(3) No person shall knowingly deliver to a paper merchant, and no paper merchant shall accept delivery of, any quantity of any grade of paper or paperboard other than newsprint, if the inventory of such grade in the hands of such paper merchant is, or will by virtue of such acceptance become, either (i) in excess of two carloads or (ii), if in excess of two carloads, greater than ninety days' supply, on the basis of either his average rate of distributing such grade of paper or paperboard for the preceding quarte, or his average rate of distributing such grade of paper or paperboard as projected for the then current quarter;

(4) No person shall produce at any mill any quantity of any grade of paper or paperboard other than newsprint, if his inventory of such grade at such mill is, or will by virtue of such production become, in excess of (i) two carloads or (ii), if in excess of two carloads, greater than sixty days' supply, on the basis of either the average rate of shipment of such grade from such mill for the preceding quarter or the average rate of shipment of such grade from such mill as projected for the then current quarter.

(5) The term "grade of paper" or paperboard" refers to the classification on United States Department of Commerce (Census) Form WPB-514, as revised November 7, 1942, each caption (except those which are further broken down by following captions) representing a separate grade. If a person's gross inventory of a grade is in excess of two carloads or sixty days' supply, as above, but his inventory of a particular item within that grade is less than thirty days' supply (or, in the case of a paper merchant, less than sixty days' supply), he may accept delivery of or produce, and others may deliver to him, any quantity of such item as may be required to provide him with thirty days' supply (or in the case of a paper merchant sixty days' supply). The restrictions of this paragraph (e) apply equally to paper and paperboard of foreign and domestic origin, and apply to intra company deliveries as defined in § 944.12 of Priorities Regulation No. 1. They do not, however, apply to those papers commonly reported on United States Department of Commerce (Census) Form WPB-514, as revised November 7, 1942, under the captions "Photographic and other sensitized" (07611) and "Cigarette" (08512), or to any paper or paperboard after it is printed or converted beyond waxing or coating, or to inventories held by or for any agency or government referred to in § 944.1 (b) (1) and (2) of Priorities Regulation No. 1, or by or for the United States Government Printing Office.

(f) *Miscellaneous provisions*—(1) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(2) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(3) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(4) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(5) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(6) *Communications.* All communications concerning this order shall unless otherwise directed, be addressed to, War Production Board, Pulp and Paper Division, Washington, D. C. Ref.: M-241.

Issued this 23d day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

LIST A

NOTE: The items "Container board", "Folding box board, etc.", "Set-up box boards, etc.", and "Special industrial boards" deleted Feb 23, 1943.

Column 1 lists general classes of paper and paperboard by names common in the trade. Each class includes all the grades of paper or paperboard reported on United States Department of Commerce (Census) Forms OPM-514 (for the last quarter of 1941) and WPB-514 (for the first quarter of 1942) by the code numbers, respectively as indicated, set out under the name. In the calculation of a mill's quota there should first be determined the whole quantity of each class produced at the mill during the base period, then subtracted from the result for each class the quantity produced at the mill during the base period of any kind of paper or paperboard on List B falling within such class, then the remainder multiplied by the percentage in column 2, and the several results added and the total divided by two. (See (c) (2) of Order M-241, as amended.)

Class of paper or paperboard	*Percentage*
Newsprint	90
OPM-514—0100 to 0103, incl.	
WPB-514—01000 to 01300, incl.	
Groundwood papers	80
OPM-514—0200 to 0207, incl.	
WPB-514—02000 to 02900, incl.	
Book papers	80
OPM-514—0300 to 0340, incl.	
WPB-514—03000 to 03590, incl.	
Writings	90
OPM-514—0350 to 0375, incl., 0980 to 0983, incl.	
WPB-514—04000 to 08009, incl.	
Wrapping paper (including imitation vegetable parchment, but not including glassine, greaseproof and genuine vegetable parchment)	85
OPM-514—0400 to 0494, incl. (except 0440, 0450 for glassine, and 0460 for genuine vegetable parchment) and 0800	
WPB-514—09000 to 10900, incl. (except 09600, 09700 for glassine, and 09800 for genuine vegetable parchment) and 19000	
Glassine, greaseproof and genuine vegetable parchment	100
OPM-514—0440, 0450 (glassine only) and 0460 (genuine vegetable parchment only)	
WPB-514—09600, 09700 (glassine only) and 09800 (genuine vegetable parchment only)	
Tissue paper	100
OPM-514—0500 to 0516, incl.	
WPB-514—11000 to 11900, incl. and 12100 to 12990, incl.	
Absorbent papers	80
OPM-514—0600 to 0607, incl.	
WPB-514—13000 to 13990, incl.	
Cardboard	80
OPM-514—0970 to 0974, incl.	
WPB-514—54000 to 54900, incl.	

LIST B

NOTE: Item "Container board, from waste" deleted; "Container board", "Folding box board, etc.", "Set-up box boards, etc.", and "Special industrial boards", added, Feb. 23, 1943.

Column 1 lists the grades of paper and paperboard which may in general be manufactured without restriction. (See (c) (3) of Order M-241, as amended). The general class within which each falls, according to the classification on List A, is indicated in Column 2. In the calculation of a mill's quota, the amount produced during the base period of each kind of paper and paperboard listed in column 1 is to be subtracted from the total quantity of the corresponding class in column 2 produced during the base period. (See (c) (2) (ii) of Order M-241, as amended). The kinds of paper and paperboard listed in column 1 are further identified by the numbers in parentheses following each, being the code numbers for each on United States Department of Commerce (Census) Forms OPM-514 (for the last quarter of 1941) and WPB-514 (for the first quarter of 1942), respectively as indicated.

Column 1	Column 2 (Corresponding general class on List A)
(Unrestricted)	
Absorbent for Rosin Impregnating and Plastics (OPM-514: 0607) (WPB-514: 13910, 13990)	Absorbent Papers
Absorbent for Vulcanized Fibre (OPM-514: 0605) (WPB-514: 13500)	Absorbent Papers
Building Boards (OPM-514: 1010 to 1013 incl.) (WPB-514: 58000 to 58900 incl.)	Not Listed in A
Building Papers (OPM-514: 0700 to 0704 incl.) (WPB-514: 14000 to 14900 incl.)	Not Listed in A
Carbonizing Paper (less than 24 x 36, 480, 18 ≠) (OPM-514: 0504) (WPB-514: 12130)	Tissue Papers
Cigarette Paper (less than 24 x 36, 480, 18 ≠) (OPM-514: 0502) (WPB-514: 12110)	Tissue Papers
Condenser Paper (less than 24 x 36, 480, 18 ≠) (OPM-514: 0503) (WPB-514: 12120)	Tissue Papers
Container Board OPM-514—0901 to 0930, incl. WPB-514—51000 to 51900, incl.	Not listed in A
Currency Paper (not separately identified on census forms)	Writing Papers
Folding box board, etc. OPM-514—0940 to 0943, incl. WPB-514—52000 to 52990, incl.	Not listed in A
Photographic Paper (not separately identified on census forms)	Writing Papers
Sanitary napkin and wadding stock (OPM-514: 0510, 0516) (WPB-514: 11100)	Tissue Papers
Set-up box boards, etc. OPM-514—0950 to 0953, incl. WPB-514—53000 to 53990, incl.	Not listed in A
Special industrial boards OPM-514—0960, 0990, 1000, 1020. WPB-514—55000 to 57000, incl. 59000 to 59900, incl.	Not listed in A
Stencil and Lens Paper (less than 24 x 36, 480, 18 ≠) (OPM-514: 0505) (WPB-514: 12190)	Tissue Papers

[F. R. Doc. 43-2917; Filed, February 23, 1943; 11:01 a. m.]

PART 3189—FURNITURE

[General Limitation Order L-260]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron and steel and other critical materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3189.1 *General Limitation Order L-260*—(a) *Definitions.* For the purposes of this order:

(1) "Furniture" means all items commonly classified as furniture and including all items contained on Schedule A attached to this order, as amended from time to time. It shall not include items listed on Schedule B attached to this order, as amended from time to time.

(2) "Essential metal parts" means nails, brads, tacks, screws, bolts, nuts, hanger bolts, rivets, staples, washers and burrs, button molds, hinges (except hinge mechanisms for sofa beds) catches, strapping, top fasteners, drawer clips, shelf supports, domes and glides, bed fasteners, bed packing hooks, corrugated fasteners, table locks, table cleats, mirrof clips, angle braces, caps for leg tops of folding chairs, expansion shells, operating hardware for venetian blinds and venetian blind center supports for head rails and tilt rails.

(3) "Non-essential metal parts" means any hardware or parts containing any metal specifically intended for incorporation into furniture other than essential metal parts.

(4) "Metal parts manufacturer" means any person engaged in the business of manufacturing or assembling hardware or metal parts specifically intended for incorporation into furniture, whether or not he also manufactures furniture.

(5) "Furniture manufacturer" means any person engaged in the business of manufacturing or assembling furniture, whether or not he also manufactures metal parts for furniture.

(6) "Pattern" means any piece of furniture having its own identification mark and selling price, except that for the purposes of this order, two or more pieces of furniture identical in every respect other than color, finishing materials, fabric, leather, or other outer covering or cover but having the same selling price shall be considered to be one pattern. Two or more pieces of furniture identical in every respect other than in their method of joining or their content of essential metal parts, shall be considered to be one pattern, whether or not they have the same selling prices. Two or more pieces of furniture identical in every respect but cut in different woods or veneers or containing different trims other than handles, shall be considered two or more patterns regardless of whether they carry identical identification marks and selling prices. Similarly, a suite of furniture of two or more different pieces shall constitute two or more patterns.

(7) "Preferred order" means any order, contract, or subcontract placed by or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(8) "Cost value" means cost computed in accordance with the method of accounting consistently used by a furniture manufacturer for bookkeeping and financial statement purposes.

(9) "Pattern base period" means the month of September, 1941.

(10) "Metal parts base period" means the calendar year 1941, except that in the case of a furniture manufacturer whose fiscal year did not end on December 31, 1941, it means his fiscal year ending at any time between June 1, 1941 and May 31, 1942, inclusive.

(11) "Consume" when applied to essential metal parts means to use such parts in the production or packing of furniture or to supply such parts with furniture shipped in knock-down form.

(b) *Restrictions on production and acquisition of non-essential metal parts.* (1) On and after March 1, 1943, no metal parts manufacturer shall accept delivery of any iron or steel intended for the fabrication of non-essential metal parts.

(2) On and after March 26, 1943, no metal parts manufacturer shall process, fabricate, work on or assemble any non-essential metal parts.

(3) On and after April 12, 1943, no furniture manufacturer shall accept delivery of any non-essential metal parts.

(c) *Restrictions on essential metal parts.* (1) During the period beginning February 23, 1943 and ending June 30, 1943, no furniture manufacturer shall consume in the production of furniture (other than for preferred orders) essential metal parts having a total cost value of more than 25% of the total cost value of essential metal parts consumed by him in the production of furniture during his metal parts base period (other than for preferred orders).

(2) During the three months period beginning July 1, 1943, and during each three months period thereafter, no furniture manufacturer shall consume in the production of furniture (other than for preferred orders) essential metal parts having a total cost value of more than 12½% of the total cost value of essential metal parts consumed by him in the production of furniture during his metal parts base period (other than for preferred orders).

(3) The restrictions contained in paragraphs (c) (1) and (c) (2) of this order shall not apply to venetian blinds.

(4) On and after June 1, 1943, no furniture manufacturer shall consume in the production of venetian blinds more essential metal parts than 9 ounces per blind plus 2 ounces per blind for venetion blinds measuring 45" or more in width.

(d) *Restrictions on patterns.* (1) On and after July 1, 1943, no furniture manufacturer shall process, fabricate, work on, assemble or offer for sale more patterns than 35% of the total number of patterns offered for sale by him during the pattern base period, or 24 patterns, whichever is greater.

(2) On and after March 15, 1943, no furniture manufacturer shall process, fabricate, work on, assemble or offer for sale any pattern which had not been offered for sale by him prior to that date.

(3) The restrictions contained in this paragraph (d) shall not apply to venetian blinds.

(e) *Preferred order exemption.* The restrictions contained in this order shall not apply to preferred orders.

(f) *Special authorization exemption.* The Director General for Operations may grant specific authorizations to furniture manufacturers for relief from the provisions of paragraphs (b), (3), (d) (1), and (d) (2) of this order.

(g) *Reports.* (1) All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(2) On or before February 27, 1943, each furniture manufacturer shall file with the War Production Board a report on Form PD-798, stating the cost value of essential metal parts consumed by him during the metal parts base period and the number of patterns offered for sale by him during the pattern base period.

(h) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(i) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(j) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Appeal.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(l) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(m) *Applicability of other orders.* In so far as any other order heretofore or hereafter issued by the Director of Priorities, the Director of Industry Operations or the Director General for Operations limits the use of any material in the production of wood furniture to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

(n) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington, D. C., Ref: L-260.

Issued this 23d day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

Venetian blinds.
Barber and beauty shop furniture.
Store display equipment and show cases.
Frames to be used in the production of furniture.

SCHEDULE B

Metal office furniture and equipment as covered by Limitation Order L-13-a, as amended.
Metal household furniture as defined in Limitation Order L-62, as amended.
Bedding products as defined in Limitation Order L-49, as amended.
Hospital, medical, dental and related equipment as covered by List A of Conservation Order M-126, as amended.
Refrigerators.
Wooden lockers for offices and factories.
Wooden shelving.
Wooden factory and industrial equipment.
Furniture specifically designed for use in offices.
Wooden filing cabinets.
Baby cribs, high chairs, toilet chairs, toilet seats, and bathinettes.

[F. R. Doc. 43-2919; Filed, February 23, 1943; 11:01 a. m.]

PART 3207—INDUSTRIAL TYPE INSTRUMENTS, CONTROL VALVES AND REGULATORS: SIMPLIFICATION

[Limitation Order L-272]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account and for export of industrial type instruments, control valves, and regulators, and of critical materials entering into the production thereof, and the following order and the schedules issued pursuant hereto are deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3207.1 *Limitation Order L-272*—(a) *Definitions.* For the purpose of this order and any schedule issued pursuant hereto:

(1) "Producer" means any person who manufactures for sale control valves, regulators or any industrial type instrument as said products may be determined and defined in any schedule issued pursuant to this order.

(2) "Manufacture" means to put into production by performing or causing the performance of the first operation of machining, altering, processing or assembling material, by physical or chemical means, for the fabrication, assembly or production of control valves, regulators, or any industrial type instrument.

(3) "Repair part" means any component part of any control valve, regulator or industrial type instrument, as said products may be determined and defined in any schedule issued pursuant to this order, which is designed and produced to replace an identical part when such replacement is essential to the repair of any control valve, regulator or industrial type instrument.

(b) *Limitations.* (1) The Director General for Operations may from time to time issue schedules to this order establishing simplified practices with respect to the types, sizes, forms, specifications, composition, or other qualifications for control valves, regulators, and industrial type instruments; and on and after the date of issuance of any such schedule no producer shall manufacture any control valve, regulator or industrial type instrument to which such schedule relates which does not conform to the types, sizes and other specifications contained and prescribed in such schedule.

(2) No person shall sell or make delivery, and no person shall knowingly purchase or accept delivery of any control valve, regulator or industrial type instrument manufactured in violation of the terms of this order or any schedule issued pursuant hereto.

(c) *Exemptions.* (1) The provisions of this order and any schedule issued pursuant hereto shall not apply to the manufacture, sale, purchase or delivery of:

(i) Any control valve, regulator or industrial type instrument manufactured to fill a purchase order placed prior to the date of issuance of any applicable schedule, except to the extent specified in such schedule, or

(ii) Any repair parts.

(2) Where the provisions of this order or any schedule issued pursuant hereto conflict or are inconsistent with the provisions of Limitation Order L-134, the less restrictive provisions of either shall control to the extent of such conflict or inconsistency.

(d) *Applicability of regulations.* This order and any schedule issued pursuant hereto are subject to all applicable provisions of the regulations of the War Production Board.

(e) *Records.* All persons affected by this order or any schedule issued pursuant hereto shall keep and preserve for not less than two (2) years accurate and complete records concerning the manufacture, sale and delivery of control valves, regulators and industrial type instruments.

(f) *Reports.* All persons affected by this order or any schedule issued pursuant hereto shall file such reports as may be required from time to time by the War Production Board.

(g) *Appeals.* Any appeal from the provisions of this order or any schedule issued pursuant hereto shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) *Violations.* Any person who willfully violates any provision of this order or any schedule issued pursuant hereto, or who in connection with this order or any such schedule, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control, and may be deprived of priorities assistance.

(i) *Communications.* All reports required to be filed hereunder, appeals and other communications concerning this order, or any schedule issued pursuant hereto, should be addressed to: War Production Board, Radio and Radar Division, Washington, D. C., Ref.: L-272.

Issued this 22d day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2892; Filed, February 22, 1943; 11:07 a. m.]

PART 3207—INDUSTRIAL TYPE INSTRUMENTS, CONTROL VALVES AND REGULATORS: SIMPLIFICATION

[Schedule I to Limitation Order L-272]

CONTROL VALVES

§ 3207.2 *Schedule I to Limitation Order L-272*—(a) *Definition.* "Control valve" means any globe type valve, the inner portion of which is automatically positioned by pneumatic or hydraulic motive power, and which is produced and designed for use with any industrial type instrument, and shall include any body assembly thereof irrespective of the use to which such body assembly may be applied; exclusive, however, of control valves manufactured for use on watercraft other than pleasure craft.

(b) *Specifications.* (1) Screwed, union and flanged ends for bronze, iron and steel body control valves shall be manufactured only as follows:

(a) Screwed ends up to and including 2-inch sizes for primary pressure rating of 600-lb. American Standards Association and lower.

(b) Flanged ends, 2-inch size and above.

(c) Union ends shall be eliminated.

(2) Flanged body control valves shall be manufactured only with flanged facings and for primary pressure ratings as follows:

(a) Cast steel control valve bodies:
300-lb. American Standards Association.
600-lb. American Standards Association.
900-lb. American Standards Association.
1500-lb. American Standards Association.

End flange faces shall be either American Standards Association large male face; American Standards Association octagonal ring joint groove; or American Petroleum Institute octagonal ring joint groove, providing the groove is cut in the basic flange thickness in the 300-lb. pressure class.

(b) Cast iron control valve bodies:
125-lb. American Standards Association.
250-lb. American Standards Association.

(c) Bronze control valve bodies:
150-lb. Manufacturers Standardization Society—SP2.
300-lb. Manufacturers Standardization Society—SP2.

(3) Reduced area trim in balanced type control valves shall be furnished only where safety considerations require such construction.

(4) The following sizes of control valves shall be eliminated:

3¾ inch—4½ inch—5 inch—7 inch.

(5) Materials for control valve bodies shall be limited to bronze, cast iron, cast carbon steel or forged carbon steel; except that carbon molybdenum steel may be used in the 600-lb., 900-lb. and 1500-lb. American Standards Association primary pressure classes, or for operating temperatures exceeding 1000 degrees Fahrenheit or below minus 50 degrees Fahrenheit.[1]

[1] See paragraph (c) (2) of Limitation Order L-272.

(6) Producer's standard forms of the following classes shall be manufactured only:

Parabolic.
V-port.
Quick-opening.

(This limitation does not restrict the manufacture of butterfly, angle or needle type valves).

(7) Inner valves and seat rings for control valves shall be manufactured from the following materials only:

(a) Carbon steel.
(b) Stainless steel of chromium content not to exceed eighteen percent and nickel content not to exceed eight percent.[1]
(c) Bronze or brass.

Issued this 22d day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2893; Filed, February 22, 1943; 11:07 a. m.]

PART 3207—INDUSTRIAL TYPE INSTRUMENTS, CONTROL VALVES AND REGULATORS; SIMPLIFICATION

[Schedule II to Limitation Order L-272]

LIQUID LEVEL CONTROLLERS

§ 3207.3 *Schedule II to Limitation Order L-272*—(a) *Definition.* "Liquid level controller" means any float cage, external ball float or displacement type instrument normally used for the control of liquid level in industrial type processes; exclusive, however, of liquid level controllers, manufactured for use on watercraft other than pleasure craft.

(b) *Specifications.* Liquid level controllers shall be furnished only with 1 inch, 1½ inch or 2 inch National Pipe Thread screwed equalizing connections at producer's opinion for each size produced.

Issued this 22d day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2894; Filed, February 22, 1943; 11:07 a. m.]

PART 3207—INDUSTRIAL TYPE INSTRUMENTS, CONTROL VALVES AND REGULATORS; SIMPLIFICATION

[Schedule III to Limitation Order L-272]

PYROMETERS AND RESISTANCE THERMOMETERS

§ 3207.4 *Schedule III to Limitation Order L-272*—(a) *Definitions.* (1) "Pyrometer" includes millivoltmeter and potentiometer pyrometers and means any galvanometer type or null current automatically balanced type of potential measuring instrument which measures thermocouple voltage, is calibrated in degrees temperature, and has a scale length of not less than 4½ inches; exclusive, however, of precision type pyrometers manufactured and designed for laboratory use, or for use on watercraft other than pleasure craft.

(2) "Resistance thermometer" means any galvanometer type or null current

automatically balanced type resistance measuring instrument which measures variations in resistance, is calibrated in degrees temperature, and has a scale length of not less than 4½ inches; exclusive, however, of precision type resistance thermometers manufactured and designed for laboratory use, or for use on watercraft other than pleasure craft.

(b) *Operation of Schedule III.* The exemption provisions of paragraph (c) (1) (i) of Limitation Order L–272 shall not apply to this schedule.

(c) *Specifications.* (1) The following features, attachments and devices shall be eliminated:

(i) Special scale designs.

(ii) Special size cases and special finishes.

(iii) Cases having special design external wiring or conduit connection, either as to type or location of connections.

(iv) Internally mounted, manually operated thermocouple selector switches.

(v) External protection cases.

(vi) Special attachments or housing to adapt to explosion resistant service.

(vii) Special nameplates.

(viii) Legend plates.

(ix) Locks on control setters.

(x) Handles on non-portable instruments.

(xi) Connecting lugs with thermocouple leads for pyrometers having an internal resistance of one hundred ohms and above.

(2) Only one size chart for each style or type (strip or round) shall be furnished, size to be at producer's option.

(3) No scale or chart illumination (external or internal) shall be furnished except where same is a part of producer's standard manufacturing practice.

(4) No instrument lock and keys shall be furnished except where same are a part of producer's standard manufacturing design and practice.

Issued this 22d day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2895; Filed, February 22, 1943; 11:07 a. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL

[RPS 88,[1] Amendment 74]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1107, 1371, 1798, 1799, 2132, 2304, 2352, 2634, 2945, 3482, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 4857, 5481, 5867, 5868, 5988, 6057, 6167, 6471, 6680, 7242, 7838, 8433, 8478, 9130, 9134, 9335, 9425, 9460, 9620, 9817, 9820, 10684, 11069, 11112, 11075, 3116, 3166, 3552, 8586, 8701, 8741, 8829, 8938, 8948; 8 F.R. 157, 232, 233, 857, 1227, 1200, 1457, 1312, 1318, 1642, 1799, 2023, 2105, 2119, 2152.

In § 1340.159 (c) (3), subdivision (xii) is amended to read as set forth below:

§ 1340.159. *Appendix A: Maximum prices for petroleum and petroleum products.* • • •

(c) *Specific prices.* • • •

(3) *Distillate fuel oils.* • • •

(xii) *New York City, New York, Metropolitan Area.* (*a*) Within the corporate limits of New York City, New York, maximum prices for kerosene, No. 1 fuel oil and range oil, also known as stove oil, shall be as follows:

	Cents per gallon
F. o. b. terminals in bulk lots for delivery by barge	6.7
F. o. b. terminals in bulk lots for delivery by tank car or motor transport	6.8
At the seller's yard for delivery into buyer's tank wagons in the Boroughs of Manhattan, the Bronx, Brooklyn, Richmond and Queens	7.2
Tank wagon deliveries to resellers in quantities of 25 gallons or over	9.2
Tank wagon deliveries to consumers in quantities of 25 gallons or over	9.7
Tank wagon deliveries in quantities of less than 25 gallons and truck deliveries in containers in quantities of less than 25 gallons	12.2

(*b*) Within the Counties of Westchester, Nassau and Suffolk, in the State of New York the maximum prices for kerosene, No. 1 fuel oil, range oil, also known as stove oil, and Nos. 2, 3 and 4 fuel oil at the seller's yard for delivery into the buyer's tank wagons shall be .1 of a cent per gallon above the maximum prices thereof determined under the provisions of this price schedule which would otherwise be applicable.

(*c*) Within the corporate limits of New York City, New York the maximum price for Nos. 2, 3 and 4 fuel oil at the seller's yard for delivery into the buyer's tank wagons shall be 7.1 cents per gallon.

• • • • • •

§ 1340.158a *Effective dates of amendments.* • • •

(yyy) Amendment No. 74 (§§ 1340.159 (c) (3) (xii)) to Revised Price Schedule No. 88 shall become effective February 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2870; Filed, February 22, 1943; 10:43 a. m.]

PART 1345—COKE

[RPS 77,[1] Amendment 5]

BEEHIVE OVEN FURNACE COKE PRODUCED IN PENNSYLVANIA

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

[1] 7 F.R. 1352, 2000, 2132, 2760, 6386, 8948; 8 F.R. 1313.

A new paragraph, (c), is added to § 1345.51, as set forth below:

§ 1345.51 *Maximum delivered prices for beehive oven furnace coke produced in Pennsylvania.* • • •

(c) There may be added to the maximum prices herein established for beehive oven furnace coke produced in Pennsylvania an amount not in excess of $0.04 per net ton to the extent that a tax is incurred by the seller of such coke on the transportation of coal under Section 620 of the Revenue Act of 1942, if the seller separately states the amount of the tax in the sale to his purchaser.

This Amendment No. 5 to Revised Price Schedule No. 77 shall become effective as of February 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2871; Filed, February 22, 1943; 10:41 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 114,[1] Amendment 6]

WOODPULP

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1347.232 (a) (2) is amended, and an item is added to the table in § 1347.232 (b) (1), to read as follows:

§ 1347.232 *Appendix A: Maximum prices for woodpulp.* (a) • • •

(2) Maximum prices for delivery to consumer mills west of the Continental Divide, including the city of Denver, Colorado, shall be $6.00 per short air dry ton less than the maximum prices set forth in subparagraph (1) of this paragraph; except that, where woodpulp is produced east of the Continental Divide, excluding the city of Denver, Colorado, and is allocated by the War Production Board to consumer mills west of the Continental Divide, including the city of Denver, Colorado, the maximum prices for such deliveries shall be the same as those set forth in subparagraph (1) of this paragraph.

• • • • • •

(b) • • •

(1) • • •

	Producing area			
	Northeast	Lake Central	Southern	West coast
•	•	•	•	•
Bleached soda	$60.00	$60.00	$58.00	.....
•	•	•	•	•

[1] 7 F.R. 2843, 3576, 5059, 5564, 8997, 8948; 8 F.R. 321.

This amendment shall become effective this 27th day of February 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2873; Filed, February 22, 1943; 10:41 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPERS AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[Correction to MPR 307]

WAXED PAPERS

In § 1347.612 (a) (3) the reference to "1347.621" is corrected to read "1347.620".

In § 1347.601, paragraphs (a) and (b), and § 1347.612 (a) (1) are corrected to read as set forth below:

§ 1347.601 • • •

(a) No person shall sell, deliver, or transfer any waxed papers at higher prices than the maximum prices set forth in Appendices A, B, C, D, E, and F (§§ 1347.615, 1347.616, 1347.617, 1347.618, 1347.619, 1347.620 respectively), and no manufacturer shall sell, deliver, or transfer any waxed papers at higher prices than the maximum prices set forth in Appendix G (§ 1347.621) of this Maximum Price Regulation No. 307.

(b) No person shall buy or receive any such waxed papers in the course of trade or business at higher prices than the maximum prices set forth in Appendices A, B, C, D, E, and F (§§ 1347.615, 1347.616, 1347.617, 1347.618, 1347.619, 1347.620, respectively) and no person shall buy or receive from a manufacturer any such waxed papers in the course of trade or business at higher prices than the maximum prices set forth in Appendix G (§ 1347.621) of this maximum price regulation.

§ 1347.612 • • • (a) • • •

(1) "Manufacturer" includes any person who manufactures or converts waxed papers, and includes the agents and representatives of such person. The manufacturer's maximum prices are applicable to all sellers of waxed papers set forth in §§ 1347.615 to 1347.620 inclusive.

• • • • • •

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2872; Filed, February 22, 1943; 10:41 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[Rev. MPR 270,[1] Amendment 1]

DRY EDIBLE BEANS, SALES EXCEPT AT WHOLESALE AND RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1351.1214 is amended to read as follows:

§ 1351.1214 *Geographical applicability.* The provisions of this regulation shall be applicable to the forty-eight states of the United States, and the District of Columbia.

This amendment shall become effective February 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2875; Filed, February 22, 1943; 10:42 a. m.]

PART 1351—FOODS AND FOOD PRODUCTS

[RPS 51[1] as Amended Feb. 22, 1943]

COCOA BEANS AND COCOA BUTTER

Sections 1351.59 (b) (3) and 1351.59 (d) have been added and § 1351.61 (g) amended by Amendment 3, so that Revised Price Schedule 51 shall read as follows:

During the past few months, the prices of cocoa beans, a wholly imported commodity, and cocoa butter have increased sharply as the result of uncertainties in the shipping situation and increases in transportation and insurance costs. This has occurred despite the fact that stocks of cocoa beans are now the largest ever accumulated in this country. Since the high nutritive value of the foods processed from cocoa beans makes them of material importance to both our armed forces and our civilian population, it is essential that any inflationary price rises in this commodity be curbed. The outbreak of hostilities in the Far East on December 7, 1941, gave rise to a sharp increase in speculative activity which caused this Office to issue a temporary freezing order on December 11, 1941, limiting prices to those prevailing on December 8, 1941.

In the intervening weeks, this Office has been engaged in a thorough study of the economic and trade position of cocoa beans and cocoa butter. Due consideration has been given to prices prevailing during the period October 1 to October 15, 1941, and adjustments made for relevant factors.

Therefore, to prevent any future price spiraling and to maintain the stability recently achieved by the trade, the Office of Price Administration hereby issues a permanent Schedule for cocoa beans and cocoa butter.

Accordingly, under the authority vested in me by Executive Order No. 8734, it is hereby directed that:

Sec.

1351.51 Maximum prices for cocoa beans and cocoa butter.
1351.52 Export sales.
1351.53 Exempt sales.
1351.54 Less than maximum prices.
1351.55 Evasion.
1351.56 Records and reports.
1351.57 Petitions for amendment.
1351.58 Enforcement.
1351.59 Definitions.
1351.60 Effective date of Revised Price Schedule No. 51.
1351.60a Effective dates of amendments.
1351.61 Appendix A: Maximum prices for cocoa beans.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1307.

AUTHORITY: §§ 1351.51 to 1351.62, inclusive, issued under E.O. 8734, 8875, 6 F.R. 1917, 4483; Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1351.51 *Maximum prices for cocoa beans and cocoa butter.* On and after December 11, 1941, no person shall sell, offer to sell, deliver or transfer cocoa beans or cocoa butter, and no person shall buy, offer to buy, or accept delivery of cocoa beans or cocoa butter at prices higher than the maximum prices set forth in Appendices A and B hereof incorporated herein as §§ 1351.61 and 1351.62, except that

(a) Contracts entered into prior to December 11, 1941, may be carried out at the contract prices.

(b) Contracts for cocoa beans entered into prior to February 3, 1942, but subsequent to December 11, 1941, may be carried out at prices no higher than the maximum prices established in Price Schedule No. 51, as effective prior to Amendment No. 2.

(c) Special cocoa bean agreements now or hereafter entered into with Commodity Credit Corporation (United States Department of Agriculture, 1942, C.C.C., Cocoa Bean Form No. 1) providing for a price higher than the maximum price may be carried out at the contract price.

[§ 1351.51 as amended by Amendment 2, 7 F.R. 7404]

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that the prohibition contained in any price regulation against buying or receiving any commodity or service at a price higher than the maximum price permitted by such regulation shall not apply to any war procurement agency or government whose defense is vital to the defense of the United States.]

[NOTE: Supplementary Order No. 31 (7 F.R. 9894) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for the purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

§ 1351.52 *Export sales.* To the maximum prices for cocoa beans and cocoa butter sold for export, except to Canada, the following additions may be made:

(a) Consular fees actually incurred by the seller; and

(b) Ten percent of the prices set forth in §§ 1351.61 and 1351.62.

[§ 1351.52 as amended by Amendment 1, 7 F.R. 2633]

§ 1351.53 *Exempt sales.* Sales of less than one bag of cocoa beans and of less

than one bale of cocoa butter, and sales of cocoa butter deodorized or specially treated for pharmaceutical or cosmetic uses, shall be excepted from the operation of Revised Price Schedule No. 51.

§ 1351.54 *Less than maximum prices.* Lower prices than the maximum prices established by Revised Price Schedule No. 51 may be charged, demanded, paid, or offered.

§ 1351.55 *Evasion.* The price limitations set forth in Revised Price Schedule No. 51 shall not be evaded whether by direct or indirect methods in connection with a purchase, sale, delivery, or transfer of cocoa beans or cocoa butter, or by way of premium, commission, service, transportation, or other charge, or by any other trade understanding, or by making the discounts given or other terms and conditions of sale more onerous to the purchaser than those available or in effect on December 11, 1941, or by any other means.

§ 1351.56 *Records and reports.* (a) All sellers and all buyers who have entered into contracts prior to February 3, 1942, for the sale or delivery of cocoa beans or cocoa butter, on or after February 3, 1942, at prices higher than the maximum prices established by Revised Price Schedule No. 51, shall report all such contracts to the Office of Price Administration on or before February 25, 1942, stating (1) the name and address of the buyer and seller; (2) the actual date of the contract; (3) each and every delivery date provided for in the contract; and (4) the price, quantity, and description of the product sold.

After the buyer has received the final shipment called for by the contract he shall then report such receipt to the Office of Price Administration within two weeks thereof, certifying that the total amount received did not exceed the quantity specified in such contract.

(b) Every person making purchases or sales of cocoa beans or cocoa butter on and after February 3, 1942 shall keep for inspection by the Office of Price Administration for a period of not less than one year complete and accurate records thereof, including the name of the purchaser, the date of the contract, the price paid or received, and the type, grade, quality, and amount sold.

(c) Every person affected by Revised Price Schedule No. 51 shall submit such report to the Office of Price Administration as it may from time to time require.

§ 1351.57. *Petitions for amendment.* Any person seeking an amendment of any provisions of this Revised Price Schedule No. 51 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[1]

[§ 1351.57 as amended by Supplementary Order 26, 7 F.R. 8948.]

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Supplementary Order No. 9 (7 F.R. 5444) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those on scrap, waste, and salvage materials.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1351.58 *Enforcement.* (a) Persons violating any provision of this Revised Price Schedule No. 51 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Revised Price Schedule No. 51 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

[§ 1351.58 as amended by Supplementary Order 3, 7 F.R. 2132]

§ 1351.59 *Definitions.* When used in Revised Price Schedule No. 51 the term:

(a) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

[Paragraph (a) as amended by Supplementary Order 12, 7 F.R. 6385]

(b) "Cost of putting cocoa beans into the warehouse" includes (1) "labor in and out" (2) warehouse storage charges for not more than thirty days and (3) cartage to the warehouse.

(c) "Cocoa beans and cocoa butter sold for export" means sales by a domestic seller directly to a foreign buyer or foreign broker.

(d) "Growth" refers to the country of origin.

[Paragraphs (b) and (d) as amended by Amendment 3]

§ 1351.60 *Effective date of Revised Price Schedule No. 51.* This Schedule (§§ 1351.51 to 1351.62, inclusive) shall become effective on December 11, 1941.

[Issued December 11, 1941.]

§ 1351.60a *Effective dates of amendments.*

Amendment Nos and issue dates:	*Effective*
Amendment 1, 4-3-42	4- 6-42
Amendment 2, 9-17-42	9-23-42
Amendment 3, 2-22-43	2-27-43

§ 1351.61 *Appendix A: Maximum prices for cocoa beans.* (a) The maximum prices shall include all commissions and all other charges, except that:

(1) *As to ocean freight, war risk insurance and marine insurance*—(i) *On cocoa beans not eligible for the special cocoa bean agreement of the Commodity Credit Corporation and which were shipped before August 15, 1942.* Increases in the charges prevailing prior to the opening of business on December 8, 1941 for ocean freight, war risk insurance and marine insurance may be added to the maximum prices, if such charges have been actually incurred by the seller on such sale. Decreases in such charges prevailing prior to the opening of business on December 8, 1941 must be subtracted from the maximum prices.

(ii) *On cocoa beans not eligible for the special cocoa bean agreement of the Commodity Credit Corporation and which were shipped after August 15, 1942.* Increases in the charges prevailing prior to the opening of business on December 8, 1941 for ocean freight, war risk insurance and marine insurance may be added to the maximum prices, if such charges have been actually incurred by the seller on such sale: *Provided*, That the amount of the permissible addition for such charges may not exceed the difference between the war risk charges prevailing on December 8, 1941 and the prevailing war risk insurance rates offered by the War Shipping Administration at the date of shipment from the country of origin. Decreases in such charges prevailing prior to the opening of business on December 8, 1942 must be subtracted from the maximum prices.

(iii) *On cocoa beans eligible for the special cocoa bean agreement of the Commodity Credit Corporation.* Increases in the charges prevailing prior to the opening of business on December 8, 1941 for ocean freight, war risk insurance and marine insurance may not be added to the maximum prices for such cocoa beans except that increases in said charges may be added to the maximum prices in the case of sales to the War Department of the United States of America. Cocoa beans eligible for the Special Cocoa Bean Agreement of the Commodity Credit Corporation are: (a) Cocoa beans covered by unshipped contracts which were in force at 12:01 a. m. July 2, 1942. (b) Cocoa beans covered by unshipped contracts which were made between June 19 and July 2, 1942 and were in transit to a point within the continental United States at or prior to July 2, 1942.

[Paragraph (1) as amended by Amendment 2, 7 F.R. 7404]

(2) If the services of a broker or brokers are required, a commission or commissions which in the aggregate shall not exceed one percent of the selling price may be added to the maximum prices, provided such commissions have been actually paid.

(3) Where the buyer agrees to pay for cocoa beans or cocoa butter on a deferred payment basis, interest in an amount not to exceed one-half of one percent per month for not more than two months, and one-fourth of one percent per month for not more than ten months thereafter, may be charged.

[Paragraph (3) added by Amendment 1, 7 F.R. 2633]

(b) The maximum prices for cocoa beans shall be as follows:

	Cents per pound ex dock New York City
F. F. Accra (main crop)	8.90
F. A. Q. Lagos	8.75
Ivory Coast (main crop)	8.90
F. A. Q. Cameroons	8.70
Fine St. Thome	9.25
Superior Bahia	8.70
Sanchez	8.55
Superior Red Summer Arriba	11.50
Superior Seasons Arriba	10.75
La Guayra Caracas	11.25
Trinidad Caracas	12.25
Trinidad Estates	13.90
Grenada Estates	13.65
Fermented Panama	9.35
Fermented Costa Rican	9.25
Haiti	8.45
Java Estates #1	20.25
Ceylon Estates	16.75
Samoan	16.25

The maximum prices for cocoa beans imported from any other country, or for grades of better or inferior quality not named, shall be determined by applying the customary trade differentials to the maximum price for the grade listed above which is most closely related in quality.

(c) The maximum prices quoted above are ex dock New York City. The maximum prices ex dock any other port of entry shall be determined by adding to or subtracting from the New York City price the difference between the actual cost of ocean freight, war risk insurance, and marine insurance from the port of origin to New York City and the actual cost of ocean freight, war risk insurance, and marine insurance from the port of origin to such other port of entry.

(d) For any cocoa beans sold ex warehouse, rather than ex dock New York City or any other port of entry, the cost of actually "putting the cocoa beans into the warehouse" as defined in § 1351.59 may be added by the seller who incurred the cost.

(e) The delivered price for cocoa beans shall in no case exceed the maximum prices specified above plus actual transportation charges incurred from the dock or warehouse at New York City or other port of entry to the place of destination or to the place of ship loading, if the cocoa beans are intended for export.

(f) Any person making sales of cocoa beans in lots of twenty-five bags or less may add to the maximum prices for those sales an amount which shall not exceed seven and one-half percent of his comparable selling price for lots of more than twenty-five bags.

[Paragraph (f) as amended by Amendment 1, 7 F.R. 2633]

(g) The above prices shall be the maximum prices for all transactions except for futures contracts traded on the New York Cocoa Exchange, Inc. The maximum price for cocoa beans in contracts traded on the New York Cocoa Exchange, Inc., shall be 8.86 cents per pound. The maximum prices for cocoa beans delivered pursuant to a contract traded on the New York Cocoa Exchange, Inc., shall be as follows:

(1) If the delivery is against a futures contract entered into by the seller after December 11, 1941, but prior to February 3, 1942, the maximum price for that delivery shall be no higher than the maximum price for delivery of that growth and grade of cocoa beans established in Price Schedule No. 51, § 1351.61 (b) as effective prior to February 3, 1942, to which may be added cost of putting cocoa beans into the warehouse as defined in § 1351.59 and costs incurred in repiling cocoa beans for deliveries according to the rules of the New York Cocoa Exchange, Inc.

(2) If the delivery is against a futures contract entered into by the seller after February 3, 1942, but prior to February 27, 1943, the maximum price shall be no higher than the maximum price for delivery of that growth and grade of cocoa beans established in Revised Price Schedule 51, § 1351.61 (b) as effective on February 3, 1942, to which price may be added cost of putting cocoa beans into the warehouse as defined in § 1351.59 and costs incurred in repiling cocoa beans for deliveries according to the rules of the New York Cocoa Exchange, Inc.

(3) If the delivery is against a futures contract entered into by the seller after February 26, 1943, the maximum price shall be 8.86¢ increased or decreased in accordance with all the by-laws and rules of the New York Cocoa Exchange, Inc., provided that the total price charged to the buyer may not exceed the maximum price which may have been charged for the same lot of cocoa beans as determined under this schedule for the sale and delivery of cocoa beans in a transaction other than on the New York Cocoa Exchange, Inc.

[Paragraph (g) as amended by Amendment 3]

§ 1351.62 *Appendix B: Maximum prices for cocoa butter.* (a) The maximum prices for cocoa butter in bales sold in carload lots shall be twenty-five cents per pound f. o. b. factory shipping point.

(b) The delivered price shall in no case exceed the maximum price plus actual transportation charges incurred from the factory shipping point to the place of destination or to the place of shiploading, if the cocoa butter is intended for export.

(c) The following amounts may be added to the maximum price for cocoa butter when packed in:

(1) Cartons—20 cents per one hundred pounds;

(2) Wood cases—$1.00 per one hundred pounds; and

(3) Tin lined wood cases—$1.25 per one hundred pounds.

(d) To the maximum price for cocoa butter sold in less than carload lots an amount may be added which shall not exceed the following:

(1) 11,000 pounds to carload lots—0.15 cents per pound;

(2) 2,000 pounds to 10,999 pounds—0.25-cents per pound;

(3) 1,000 pounds to 1,999 pounds—0.40 cents per pound; and

(4) 200 pounds to 999 pounds—1 cent per pound.

(e) If the services of a broker or brokers are required, a commission or commissions, which in the aggregate shall not exceed 1% of the maximum prices named in paragraph (a) of § 1351.61 may be added to such maximum prices. This addition may be made only when such commissions have been actually paid, and shall be based upon the net maximum price established by the Schedule.

[Paragraph (e) added by Amendment 2, 7 F.R. 7404]

Issued this 22d day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2874: Filed, February 22, 1943; 10:40 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 275,[1] Amendment 3]

EXTRACTED HONEY

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subdivision (b) of Appendix A § 1351.1319 (c) (1) (ii) is amended to read as set forth below:

(b) *Cost increase for transportation.* The cost increase per pound for transportation shall be the difference, if any, between the figure obtained by dividing the total freight dollars paid for honey purchased during the "base period" by the total pounds of honey produced and purchased during the "base period", and the figure obtained by dividing the total freight dollars paid for honey purchased during the months of June, July and August, 1942, by the total pounds of honey produced and purchased during the months of June, July and August, 1942.

If the cost increase for transportation cannot be computed because of purchases not having been made during one or both of the above specified periods, then computations may be made on the basis of purchases made during those periods closest in point of time to the periods specified above. The periods adopted must each consist of three consecutive months and must be periods during which representative quantities were purchased. Transportation taxes which were paid shall be excluded in making the computations.

Example—(Continued) The seller's freight bill for 4,000 pounds of honey which was shipped into his plant during the base period of September, October and November, 1941, was $25.00. This total freight bill of $25.00

*Copies may be obtained from the Office of Price Administration

[1] 7 F.R. 9951, 10378, 10791.

[1] 7 F.R. 8961.

must be divided by 5,000 pounds which is the total number of pounds of honey that he purchased and produced during the base period. The resulting figure is 5¢ per pound.

During June, July and August, 1942, this seller of X brand clover honey purchased and shipped in 2,000 pounds and produced 500 pounds. His freight bill for the 2,000 pounds of honey shipped in during the period of June, July, and August, 1942, totalled $15.00. This freight bill of $15.00 must be divided by 2,500 pounds. The resulting figure is 6¢.

6¢ (freight cost in second period).
− 5¢ (freight rate cost in first period).

1¢ per lb (Amount allowed for increased freight cost)

This amendment shall become effective February 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2881; Filed, February 22, 1943; 10:45 a. m.]

PART 1400—TEXTILE FABRICS, COTTON, WOOL, SILK, SYNTHETICS AND ADMIXTURES

[MPR 118,[1] Amendment 16]

COTTON PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Added: §§ 1400.118 (d) (26) (vi), 1400.118 (d) (29) (vi).

The following item is inserted in § 1400.118 (d) (8) immediately before subdivision (i) thereof:

The maximum prices established herein for ducks shall apply to such products regardless of whether they are produced in a cotton mill, woolen or worsted mill, carpet mill, plush mill, paper mill or any other type of mill: *Provided*, That contracts entered into prior to February 27, 1943, at prices in compliance with the price regulation which was applicable on the date of contract may be carried out at the contract price.

Amended: §§ 1400.101 (b); 1400.118 (d) (8) (iii) (c); in 1400.118 (d) (29) (b) (e); under the column headed "Maximum Price", Reference No. 12 is amended to read ".80", Reference No. 17 is amended to read ".15", and Reference No. 27 is amended to read ".88".

In the table in § 1400.118 (d) (8) (x) (c), the words "Plied yarns throughout" are amended to read "10s 4-ply yarn throughout".

The proviso in § 1400.104 (c) is amended to read "*Provided*, That the maximum prices established herein for producers shall apply to sales and deliveries by any person to a converter or finisher."

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3038, 3211, 3522, 3578, 3824, 3905, 4405, 5224, 5405, 5567, 5836, 6055, 6484, 7451, 8217, 8941, 9002, 8948, 9969; 8 F.R. 274.

In the first sentence of § 1400.118 (b), the designation "§ 1400.101 (b) and (d)" is amended to read "§ 1400.101 (b) (2)".

In the first sentence of § 1400.118 (d) (22) (ii) the designation "§ 1400.101" is amended to read "§ 1400.101 (b) (2)".

Section 1400.118 (d) (23) (ii) (*b*) is amended by striking therefrom the portion beginning "On or before the 10th day of November, 1942", and ending with "the use to which the goods are to be put by the purchaser".

Revoked: §§ 1400.101 (c), 1400.101 (d), 1400.118 (e), and footnotes[2] and[4] under § 1400.101 (b).

§ 1400.101 *Maximum prices for cotton products.* • • •

(b) Except as otherwise provided herein, maximum prices shall be determined as follows:

(1) If the cotton product falls within one of the fabric groups enumerated in § 1400.118 (d):

(i) The maximum price shall be the price set forth therein for the particular cotton product: *Provided*, That any price established for the product of a particular producer shall apply only to that producer; or

(ii) If the maximum price for the particular cotton product cannot be determined under (i) above, the maximum price shall be a price in line with[5] the maximum price of the most nearly comparable cotton product which is specifically priced and is made by the same producer. A report (see subparagraph (4) below) is required when any product is priced under this subdivision (ii).

(iii) If the maximum price for the particular cotton product cannot be determined under (i) or (ii) above, the maximum price shall be a price authorized by the Office of Price Administration, Washington, D. C. In requesting authorization of a price under this subdivision (iii), the producer must submit to the Textile, Leather and Apparel Division, Office of Price Administration, Washington, D. C., on Form No. 648:151** all of the applicable information called for by that Form. The producer must also submit a full explanation of the necessity that exists for producing the cotton product for which a price is requested. It is not permissible to sell or deliver any cotton product which is to be priced under this subdivision until after the price is authorized, except as is permitted by paragraph (e) of this section.

(2) If the cotton product does not fall within one of the fabric groups enumerated in § 1400.118 (d):

(i) If the particular cotton product is one which the seller contracted to sell or listed for sale at a specific price during the base period, the maximum price shall be the weighted average price of such seller for such cotton product during the base period to a purchaser of the same general class, or, if the seller has no weighted average price (as defined herein) for the base period to such a purchaser, the maximum price shall be his weighted average price to purchasers of the most nearly comparable class, appropriately adjusted to compensate for his normal differential between prices charged purchasers of the respective classes. As used herein, the term "weighted average price" means (*a*) the average of prices agreed upon in connection with contracts of sale, weighted in accordance with the quantity sold at each price, or (*b*) if no contracts of sale were made, the average of the list prices in effect, weighted in accordance with the number of business days each list price was in effect. The maximum prices established by this subdivision for any cotton product may be increased by five cents per pound of cotton or flax noil contained in the cotton product after weaving and before any finishing or fabrication.

(ii) If the particular cotton product is one which the particular seller did not sell or list for sale at a specific price during the base period, the maximum price shall be a price in line[5] with the maximum price for the most nearly comparable cotton product made by the same seller and priced under subdivision (i) above. A report (see subparagraph (4) below) is required when any product is priced under this subdivision (ii).

(iii) If the cotton product is one which the particular seller did not sell or list for sale at a specific price during the base period, and one for which the particular seller cannot determine a price under subdivision (ii) above, the maximum price shall be a price authorized by the Office of Price Administration, Washington, D. C. In requesting authorization of a price under this subdivision (iii), the producer must submit to the Textile, Leather and Apparel Division, Office of Price Administration, Washington, D. C., on Form No. 648:151** all of the applicable information called for by that form. The producer must also submit a full explanation of the reasons why the product cannot be priced under the other provisions of this paragraph and a full statement of the necessity that exists for producing the cotton product for which a maximum price is requested. It is not permissible to sell or deliver any cotton product which is to be priced under this subdivision until after the price is authorized, except as is permitted by paragraph (e).

(3) All maximum prices properly determined under §§ 1400.101 (b) (2), (b) (3), (b) (4) and 1400.118 (e) (as said sections were in effect prior to February 27, 1943) which have been properly reported to the Office of Price Administration shall continue to be effective.

(4) If the maximum price for a cotton product is determined in accordance with subparagraph (1) (ii) or (2) (ii), of this paragraph, the seller, upon making his first sale, contract of sale or delivery based upon such price, shall file with the Textile, Leather and Apparel Division, Office of Price Administration, Washington, D. C., a report on Form No. 648:151,** giving all of the applicable information called for by that Form.

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§ 1400.118 *Specific and formula maximum prices for certain cotton products: construction reports.* • • •

(d) • • •

(8) *Ducks (in the grey).* • • •

(iii) *Single-filling ounce duck (flat duck).* • • •

(*e*) *Sales of gem ducks by wholesalers and jobbers.* Notwithstanding the provisions of § 1400.104 (a), the maximum prices for sales of gem ducks by persons other than manufacturers shall be:

	Cents per yard
8 oz.	21.34
9 oz.	24.25

These maximum prices are net prices and may be increased by an appropriate division factor for the purpose of granting customary credit or discount terms. Actual freight from mill to destination (not to exceed $1.00 per cwt.) shall be allowed by the seller. These prices apply to goods 30" to 31" in width, inclusive. For other widths, the pro rata basis set forth in (*b*) above, shall be used.

These maximum prices shall also apply, in lieu of those established in (*b*) above, to sales and deliveries of 8 oz. and 9 oz. gem ducks (in the grey), by the Shoe Fabrics Division of Pepperell Manufacturing Company, 160 State Street, Boston, Massachusetts, to shoe manufacturers.

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(26) *Terry products.* • • •

(vi) *Maximum prices for sales of name-woven institutional towels by wholesalers and jobbers.* This subdivision applies to all sales of name-woven institutional towels by persons other than producers.

The maximum price for any sale of name-woven institutional towels by persons other than producers shall be the maximum price determined in accordance with the General Maximum Price Regulation, adjusted as follows:

(*a*) If the maximum price determined under the General Maximum Price Regulation is based on an offering price for delivery during March 1942, of the same or a similar commodity, no adjustment shall be made.

(*b*) If the maximum price determined under the General Maximum Price Regulation is based on a delivery made during March 1942, of the same or a similar commodity, the seller shall determine the actual cost to him of the commodity delivered in March and the replacement cost under this regulation. He shall then adjust his maximum price computed under the General Maximum Price Regulation by the difference (in dollars and cents) between the actual cost of the commodity delivered in March 1942, and the replacement cost thereof: *Provided*, That if such adjustment results in a maximum price which is less than 107½ percent of replacement cost, then the maximum price shall be 107½ percent of replacement cost. As used herein the term "actual cost" means the net price actually paid after deducting all discounts allowed by the producer. The term "replacement cost" means the net maximum price permitted to producers by this regulation at the time a particular sale is made by a person other than a producer.

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(29) *Duck and crash towels and corded napkins.* • • •

(vi) *Maximum prices for sales of name-woven institutional towels by wholesalers and jobbers.* This subdivision applies to all sales of name-woven institutional towels by persons other than producers.

The maximum price for any sale of name-woven institutional towels by persons other than producers shall be the maximum price determined in accordance with the General Maximum Price Regulation, adjusted as follows:

(*a*) If the maximum price determined under the General Maximum Price Regulation is based on an offering price for delivery during March 1942, of the same or a similar commodity, no adjustment shall be made.

(*b*) If the maximum price determined under the General Maximum Price Regulation is based on a delivery made during March 1942, of the same or a similar commodity, the seller shall determine the actual cost to him of the commodity delivered in March and the replacement cost under this regulation. He shall then adjust his maximum price computed under the General Maximum Price Regulation by the difference (in dollars and cents) between the actual cost of the commodity delivered in March 1942, and the replacement cost thereof: *Provided*, That if such adjustment results in a maximum price which is less than 107½ percent of replacement cost, then the maximum price shall be 107½ percent of replacement cost. As used herein the term "actual cost" means the net price actually paid after deducting all discounts allowed by the producer. The term "replacement cost" means the net maximum price permitted to producers by this regulation at the time a particular sale is made by a person other than a producer.

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§ 1400.117 *Effective dates of amendments.* • • •

(p) Amendment No. 16 to Maximum Price Regulation No. 118 shall become effective as follows:

(1) As of November 1, 1942, with respect to § 1400.118 (d) (29) (v) (*e*) Reference Nos. 12, 17, and 27.

(2) As of February 27, 1943, with respect to §§ 1400.101 (b), (c), and (d), 1400.104 (c), and 1400.118 (b), 1400.118 (d) (8), (d) (8) (iii) (e), (d) (8) (x) (c), (d) (22) (ii), (d) (23) (ii) (b), (d) (26) (vi), (d) (29) (vi), 1400.118 (e), and footnotes[2] and[4] in 1400.101 (b).

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2882; Filed, February 22, 1943; 10:43 a. m.]

PART 1412—SOLVENTS

[MPR 28]

ETHYL ALCOHOL (EXCLUDING WEST COAST ETHYL ALCOHOL)

The preamble and the title are amended, and §§ 1335.150 to 1335.161, inclusive, are amended, renumbered and redesignated as set forth below:

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1,[1] issued by the Office of Price Administration, Maximum Price Regulation No. 28 is hereby issued.

SEC.

1412.251 Prohibition against sales of ethyl alcohol above maximum prices.
1412.252 Applicability of other regulations.
1412.253 Less than maximum prices.
1412.254 Export sales.
1412.255 Adjustable pricing.
1412.256 Petitions for amendment.
1412.257 Evasion.
1412.258 Enforcement.
1412.259 Records and reports.
1412.260 Definitions.
1412.261 Geographical applicability.
1412.262 Effective dates.
1412.263 Appendix A: Maximum prices for ethyl alcohol.

AUTHORITY: §§ 1412.251 to 1412.263, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1412.251 *Prohibition against sales of ethyl alcohol above maximum prices.* (a) On and after February 27, 1943, regardless of any contract, agreement, lease or other obligation:

(1) No person shall sell, deliver, or transfer ethyl alcohol in quantities of fifty gallons or more at higher prices than the maximum prices set forth in this regulation.

(2) No person shall buy or receive ethyl alcohol in quantities of fifty gallons or more in the course of trade or business at higher prices than the maximum prices set forth in this regulation.

(3) No person shall agree, offer, solicit or attempt to do any of the foregoing.

(b) Nothing in this regulation, or in the General Maximum Price Regula-

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8961.

tion,[2] shall apply to sales of ethyl alcohol by the Defense Supplies Corporation to the United States or any agency thereof, or to the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States," or any agency of any such Government, or to any person who will use such ethyl alcohol purchased by him to fulfill a contract with the United States or any agency thereof, or with any such Government or any agency of any such Government, or a subcontract under any such contract.

§ 1412.252 *Applicability of other regulations.* (a) The provisions of this regulation supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries of ethyl alcohol for which maximum prices are established by this Regulation.

(b) The provisions of this regulation, however, do not apply to sales and deliveries of west coast ethyl alcohol for which maximum prices are established by Maximum Price Regulation No. 295.[3]

(c) The provisions of this regulation do not apply to sales and deliveries of anti-freeze for which maximum prices are established by Maximum Price Regulation No. 170.[4]

(d) On and after February 27, 1943, the provisions of this regulation supersede the provisions of Revised Price Schedule No. 28,[5] except that orders issued under Revised Price Schedule No. 28 shall continue in effect according to their terms.

§ 1412.253 *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid, or offered.

§ 1412.254 *Export sales.* The maximum price at which a person may export ethyl alcohol shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation,[6] issued by the Office of Price Administration.

§ 1412.255 *Adjustable pricing.* It is permissible under this regulation to provide in a contract that the price shall be adjustable to a price not higher than the maximum price in effect at the time of delivery. In appropriate situations where a petition for amendment requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1412.256 *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

§ 1412.257 *Evasion.* The price limitations set forth in this regulation shall not be evaded either by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to ethyl alcohol, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying agreement, or other trade understanding, or by transactions with or through the agency of subsidiaries or affiliates or otherwise.

§ 1412.258 *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

§ 1412.259 *Records and reports.* (a) Every person making sales or purchases of ethyl alcohol for which maximum prices are established by this regulation, after February 26, 1943, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each such purchase or sale, showing the date thereof, the name and address of the buyer and the seller, the price contracted for or received, the quantity of each type and grade of such ethyl alcohol purchased or sold, and the type of container in which such ethyl alcohol was purchased or sold.

(b) Such persons shall submit such reports to the Office of Price Administration and shall keep such other records in addition to or in place of the records required in paragraph (a) of this section as the Office of Price Administration may from time to time require.

§ 1412.260 *Definitions.* (a) When used in this regulation, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions or any agency of any of the foregoing.

(2) "Manufacturer" means a person operating a factory, plant, or distillery which manufactures or produces ethyl alcohol and includes any agent of such manufacturer.

(3) "Ethyl alcohol" means ethyl alcohol, whether undenatured (including pure) or denatured, of 188 proof or higher produced in an industrial alcohol plant for sales to any person or produced in any other type of plant for sales to the United States or any agency thereof.

(4) "Gallon" means a wine gallon of 231 cubic inches, unless the context otherwise requires.

(5) "Premium grade pure ethyl alcohol" means ethyl alcohol of acidity as acetic acid not exceeding 0.0014 gms. per 100 cc, containing non-volatile material not over 0.0025 gms. per 100 cc, having no foreign odor in either dilute or concentrated form, and testing not less than 40 minutes permanganate time determined by the following method: A glass stoppered cylinder is thoroughly cleaned, rinsed with distilled water and then with the alcohol to be tested. If the cylinder has been previously used in this test, it should be cleaned with strong hydrochloric acid to remove the oxides of manganese formed in testing previous samples. A 50 cc portion of the alcohol to be tested is introduced, the cylinder and contents cooled to approximately 15° Centigrade, and 2 cc of freshly prepared potassium permanganate solution containing 0.2 gm. per liter is added by means of a pipette, the exact time being noted. The contents are mixed at once by inverting the stoppered cylinder, which is then placed out of bright light and kept at 15° to 16° C until the test is finished. The number of minutes required for the complete disappearance of the pink color is the permanganate time of the alcohol.

(b) Unless the context otherwise requires, the definitions set forth in Section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

§ 1412.261 *Geographical applicability.* The provisions of this regulation shall be applicable to the forty-eight states of the United States and the District of Columbia.

§ 1412.262 *Effective dates.* This Maximum Price Regulation No. 28 shall become effective February 27, 1943: *Provided,* That Revised Price Schedule No. 28 shall remain in effect until this Maximum Price Regulation No. 28 becomes effective February 27, 1943.

§ 1412.263 *Appendix A: Maximum prices for ethyl alcohol.* The following maximum prices are established, f. o. b. manufacturer's production point, for sales by manufacturers in quantities of fifty gallons or more of ethyl alcohol produced in any state of the United States and the District of Columbia except California, Oregon and Washington. The maximum prices are per wine gallon of ethyl alcohol of 188–191.6 proof, except where otherwise specified:

(a) *Heavy tonnage formulae*—(1) *Sales in tank cars or tank trucks.*

	Fermentation ethyl alcohol	Synthetic ethyl alcohol
CD12	$0.50	$0.28
CD13	.50	.28
CD14	.50	.28
SD1	.50	.275
SD2B	.48	.245
SD3A	.48	.29
SD12A	.475	.25
SD23A	.49	.28
SD23G	.53	.31
SD23H	.495	.28
1% proprietary name solvent	.51	.29

(2) *Sales other than in tank cars or tank trucks.* For sales other than in tank cars or tank trucks, the following amounts per gallon may be added to the maximum prices established in subparagraph (1) of this paragraph:

Container	C. L.	L. C. L.	
		Over 950 gallons	50-950 gallons
Drums (50–55 gallons)	$0.07	$0.09	$0.12
Half drums (25–30 gallons)	.09	.11	.14
Barrels (50–55 gallons)	.12	.14	.17
Half barrels (25–35 gallons)	.18	.20	.23
5 gallon containers	.17	.19	.22
Containers of less than 5 gallons	.22	.24	.27

For sales in intermediate size containers not listed above, there may be added the per gallon differential for the next larger size container of the same general type, plus or minus the per gallon difference in cost between the container being used and the next larger size container.

(b) *Undenatured ethyl alcohol and other formulae of denatured ethyl alcohol.*—(1) *Sales in tank cars or tank trucks.*—(i) *Undenatured (including pure) ethyl alcohol.*

Undenatured (including pure) fermentation ethyl alcohol ---------- $0.48
Undenatured (including pure) synthetic ethyl alcohol ---------- .245
For premium grade pure ethyl alcohol, add $.02 per gallon to above prices.

(ii) *Other formulae.* The maximum price per gallon for denatured ethyl alcohol of a formula not listed in paragraph (a) above shall be a price determined as follows:

To the maximum tank car price for 100 gallons of SD2B ethyl alcohol ($48.00 in the case of fermentation ethyl alcohol and $24.50 in the case of synthetic ethyl alcohol), add 115% of the net cost of the denaturants added to 100 gallons of undenatured ethyl alcohol to prepare the formula being priced; divide this total by the number of gallons of denatured ethyl alcohol thus obtained; round the figure so obtained to the nearest half cent, and add one cent. The resulting figure is the maximum tank car or tank truck price per gallon of the formula of denatured ethyl alcohol being priced.

"Net cost of the denaturants" means the delivered cost to the manufacturer of the denaturants actually used. Such "net cost" shall be determined in accordance with the accounting procedures in use by the manufacturer on September 30, 1942, for computing costs of material used, and shall not exceed the maximum delivered price to such manufacturer for such denaturants as established by any applicable regulation issued by the Office of Price Administration.

(2) *Sales other than in tank cars or tank trucks.* For sales other than in tank cars or tank trucks, the following amounts per gallon may be added to the maximum prices established in subparagraph (1) of this paragraph:

Container	C. L.	L. C. L.	
		Over 950 gallons	50-950 gallons
Drums	$0.07	$0.105	$0.135
Half drums	.09	.125	.155
Barrels	.12	.155	.185
Half barrels	.18	.215	.245
5 gallon metal container	.20	.235	.265
Other 5 gallon container	.40	.435	.465
1 gallon	.60	.635	.665

For sales in other size containers not listed above, there may be added the per gallon differential for the next larger size container of the same general type, plus or minus the per gallon difference in cost between the container being used and the next larger size container.

(c) *Undenatured and denatured ethyl alcohol of proof higher than 191.6.* For sales of undenatured (including pure) ethyl alcohol of higher than 191.6 proof and formulae of denatured ethyl alcohol based on ethyl alcohol of higher than 191.6 proof the following amounts per gallon may be added to the maximum prices established in paragraphs (a) and (b) above:

	Fermentation ethyl alcohol	Synthetic ethyl alcohol
Over 191.6 and less than 195.5 proof	$0.01	$0.01
195.5-200 proof	.05	.03

(d) *Containers.* No extra charge may be made for containers. The seller may, however, require the buyer to return a container, but where he does so the maximum price for the contents of any such container as established by paragraphs (a), (b) and (c) above shall be decreased by an amount equal to the maximum price established by the applicable regulation of the Office of Price Administration for a used container of the same kind in good condition, f. o. b. buyer's plant. Where a seller requires the return of a container, he may charge a reasonable deposit for the return of such container. The deposit must be repaid to the buyer upon his return of the container in good condition within a reasonable time. Transportation costs with respect to the return of empty containers to the seller shall in all cases be borne by the seller.

(e) *Tax paid ethyl alcohol.* The amount of any tax paid under the provisions of section 2800 of the Internal Revenue Code by the seller thereof with respect to any alcohol for which maximum prices are established by paragraphs (a), (b), (c) and (d) above, less the amount of any drawback received by such seller with respect to such ethyl alcohol under the provisions of section 2800 of the Internal Revenue Code, may be added by such seller to the maximum prices established by paragraphs (a), (b), (c) and (d) above for such ethyl alcohol.

(f) *Credit charges.* The maximum prices established by this regulation shall not be increased by any charges for the extension of credit.

(g) *Denatured ethyl alcohol sold on a toll basis.* Where denatured ethyl alcohol, made with denaturants furnished by the buyer, is sold by a manufacturer, the buyer shall pay the freight on the denaturants to the denaturing plant, and the manufacturer may charge for every gallon of undenatured ethyl alcohol supplied the maximum prices established in this regulation for undenatured ethyl alcohol of the same type and proof sold in the same quantity in identical containers and, in addition, 1½¢ per gallon of denatured ethyl alcohol thus produced.

(h) *Ethyl alcohol produced in converted alcoholic beverage distilleries.* (1) Until and including December 31, 1943, the maximum prices for the sale to the United States or any agency thereof of ethyl alcohol of 188 proof or higher produced in a converted alcoholic beverage distillery having a capacity of less than 15,000 gallons per day and which prior to July 1, 1942 did not sell ethyl alcohol of 188 proof or higher exclusively, shall be the maximum prices set forth in paragraphs (a) to (d) of this section, or the maximum prices computed pursuant to the following formula:

Maximum price per gallon f. o. b. works shall be the sum of the following cost items per gallon, less the recovered value of dried feed, fusel oil and the like, plus $0.04:

(i) Direct materials.
(ii) Direct labor.
(iii) Miscellaneous direct production charges.
(iv) Indirect production expenses.
(v) Miscellaneous direct expenses.
(vi) General expenses, not in excess of three cents per gallon.

(2) Maximum prices computed pursuant to the formula contained in subparagraph (1) of this paragraph shall be determined for the ethyl alcohol produced during each calendar quarterly three month period. For the period after a converted beverage distillery starts production of ethyl alcohol of 188 proof or higher, and until the end of the first calendar quarterly period thereafter which includes at least two full months, such maximum prices may be computed on the basis of estimated cost items. The prices for each succeeding calendar quarterly three month period, however, shall be computed on the basis of the actual cost items for the preceding period.

(3) Reports of all prices computed pursuant to the formula contained in subparagraph (1) of this paragraph shall be submitted to the Office of Price Administration, Washington, D. C. on a form to be obtained from that Office upon written request. The report for the first period after a converted alcoholic beverage distillery starts production of ethyl alcohol of 188 proof or higher for which maximum prices are computed pursuant to such formula shall be submitted within twenty days after the first sale of such

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.
[3] 7 F.R. 11115, 8 F.R. 129
[4] 7 F.R. 4763, 5717, 8948; 8 F.R 1232, 1813.
[5] 7 F.R. 1257, 1836, 2000, 2132, 3775, 7401, 7402, 8948.
[6] 7 F.R. 5059, 7242, 8829, 9000, 10530.

ethyl alcohol by such producer, and shall show the prices he proposes to charge and the estimated cost items upon which such prices are based. Within twenty days after the end of the first period, and within twenty days after the end of each succeeding period, there shall be submitted a report on such form. Such maximum prices shall be subject to disapproval in writing at any time by the Office of Price Administration, and if a maximum price reported by a producer pursuant to this paragraph is revised downward by the Office of Price Administration, and if any payment has been made at the reported price, the producer may be required to refund the excess.

(4) Maximum prices determined under § 1335.159 (e) of Revised Price Schedule No. 28 shall continue in effect until the end of the period for which such prices were determined. Where a converted alcoholic beverage distillery has previously determined maximum prices under § 1335.159 (e) of Revised Price Schedule No. 28, the maximum price for such converted alcoholic beverage distillery for the first period for which a maximum price is determined under this paragraph (h) shall be based upon the actual costs for the period preceding the period for which a maximum price is determined hereunder, and not upon estimated costs.

Issued this 22d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2883; Filed, February 22, 1943; 10:45 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 331]

SOYBEANS

In the judgment of the Price Administrator it is necessary and proper to establish maximum prices for sales of soybeans.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.* In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. So far as practicable the Administrator has advised and consulted with members of the industry which will be affected by this regulation.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration after consultation with and with the concurrence of the Secretary of Agriculture, this Maximum Price Regulation No. 331 is hereby issued.

*Copies may be obtained from the Office of Price Administration.

AUTHORITY: §§ 1439.201 to 1439.215, inclusive issued under Public Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871.

§ 1439.201 *Prohibition against sales of soybeans above maximum prices.* On and after the effective date of this regulation regardless of any contract or other obligation, no person subject to this regulation in the course of trade or business shall buy or receive soybeans at a price higher than the maximum prices permitted by this regulation and no person subject to this regulation shall agree, offer, solicit or attempt to do any of the foregoing: *Provided*, That the provisions of this regulation shall not apply to sales or deliveries of soybeans otherwise covered by this regulation if prior to the effective date of this regulation such soybeans have been sold to a buyer and have been received by a carrier other than a carrier owned or controlled by the seller for shipment to such buyer. But any resales of such last mentioned soybeans which are so in transit at the effective date of this regulation shall be subject to this regulation.

§ 1439.202 *Sales at lower than maximum prices.* Lower prices than the maximum prices set forth in this regulation may be charged, demanded, paid or offered.

§ 1439.203 *Applicability.* The provisions of this regulation shall apply only to raw and unprocessed soybeans of the 1942 or any previous crop which are sold for any purpose other than as seed for planting in 1943.

§ 1439.204 *Sales by a producer or any person selling to a country elevator.* The maximum price that a producer selling to anyone, or that any person (other than a trucker) selling to a country elevator, is permitted to charge in a sale of soybeans is $1.66 per bushel for class I (yellow) grades No. 1 and 2 and class II (green) grades No. 1 and 2. For all other classes and grades of soybeans the maximum price per bushel that a producer selling to anyone, or that any person (other than a trucker) selling to a country elevator is permitted to charge shall be figured by subtracting the processing value discounts currently prevailing for such classes and grades from said maximum price of $1.66 per bushel.

§ 1439.205 *Sales by a country elevator operator.* The maximum price that a country elevator operator is permitted to charge in a sale of soybeans shall be figured by adding a markup of 4¼ cents per bushel to the highest price which could be paid a producer for a like class and grade under the above section. To this maximum price may be added actual transportation charges, where furnished by the country elevator operator, from such country elevator to the buyer's receiving point.

§ 1439.206 *Sales by a trucker.* The maximum price that a trucker is permitted to charge in a sale of soybeans shall be one cent per bushel over the maximum price that may be charged by a producer for a like class and grade plus the lowest common carrier rate for the transportation of such soybeans by the trucker or, if no such rate exists, a reasonable charge for such transportation.

A sales ticket or bill of sale or other evidence indicating the point of origin of the soybeans and the quantity secured at the point of origin in question, shall be furnished by the trucker to the buyer in establishing the mileage for calculating the total transportation charge.

§ 1439.207 *Sales by a terminal elevator operator, commission merchant or any other seller.* The maximum price that a terminal elevator operator, commission merchant or any other seller not mentioned heretofore is permitted to charge in a sale of soybeans shall be determined by adding a markup of one cent per bushel to the maximum price that could be charged by a country elevator for a like class and grade, plus, actual transportation charges where furnished by the seller and an additional one cent per bushel for warehouse charges when incurred by the seller. Irrespective of the number of sellers of the class specified in this section who may have handled any particular lot of soybeans, neither of the two markups of one cent per bushel permitted by this section may be included more than once in figuring the maximum price.

§ 1439.208 *Transportation by seller.* Except as provided in § 1439.206, where a country or terminal elevator operator or other seller owns or controls the means of transportation and is expressly permitted to charge the cost of transportation when furnished by him as part of his maximum price under the above sections he may add a reasonable charge for such transportation.

§ 1439.209 *Addition of freight tax.* In adding transportation charges under the above sections the seller may add and include as a part of such transportation charges the 3 per cent transportation tax, when paid, as provided for under Section 620 of the Revenue Act of 1942.[1]

§ 1439.210 *Maximum price for export sales.* The maximum price at which any person subject to this regulation may export any soybeans covered by this regulation shall be determined in accordance with Revised Maximum Export Regulation issued by the Office of Price Administration.

§ 1439.211 *Maximum prices shall not be increased for any special charges.* Except as otherwise provided herein the maximum prices hereinbefore specified shall not be increased by any other charges whatsoever including but not limited to duties, brokerages, or commissions, storage, insurance, carrying or handling charges or charges for the extension of credit.

§ 1439.212 *Definitions.* The definitions set forth in the General Maximum Price Regulation shall apply to this regulation except as follows:

"Country elevator operator" and "Terminal elevator operator (which latter shall include subterminal elevator operator)" and "Commission merchant" shall have the meanings ascribed to them in the feed and grain industry.

"Producer" means a person who grows or raises soybeans, whether land owner, landlord or tenant.

Soybeans—grades and classes refer to the grades and classes set forth in the Handbook of Official Grain Standards of the United States issued by the U. S. Department of Agriculture.

"Trucker" means a person who purchases soybeans at the farm and delivers them to a buyer by truck without warehousing.

§ 1439.213 *Records and reports.* (a) Every seller subject to this regulation shall keep for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, his customary records including, if any, all bills, invoices and other documents relating to every sale or delivery of soybeans after the effective date of this regulation.

(b) Upon demand every such seller shall submit such records to the Office of Price Administration and keep such further records as the Office of Price Administration may from time to time require.

§ 1439.214 *Evasion.* The maximum prices set forth in this regulation shall not be evaded in any manner whatsoever in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to soybeans alone, or in conjunction with any other charge, discount, premium or privilege, or by tying agreement or other trade understanding, or by changing a previous business practice.

§ 1439.215 *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension provisions and suits for treble damages provided for in the Emergency Price Control Act of 1942, as amended.

This regulation shall become effective February 27, 1943.

Issued this 22d day of February 1943.

PRENTISS M. BROWN,
Administrator.

Approved:

CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-2884; Filed, February 22, 1943; 10:41 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Correction of Amendment 99[1] to Supp. Reg. 14 to GMPR]

FRUIT WINES, BERRY WINES AND GRAPE WINES (OTHER THAN CALIFORNIA GRAPE WINES)

A statement of the considerations involved in the issuance of this correction has been issued simultaneously herewith and filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1383.

[1] Supplementary Order No. 31, entitled, Tax on Transportation of Property Imposed by Revenue Act of 1942, shall not apply to this Maximum Price Regulation, 7 F.R. 9894; 8 F.R. 1312.

In Table I, § 1499.73 (a) (61) (ii), the cents per bottle permitted increase for wines in Group DD in the one-half gallon container size is corrected to read 4 instead of 3, and in the one gallon container size is corrected to read 8 instead of 6.

This correction shall become effective February 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2867; Filed, February 22, 1943; 10:42 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 116 to Supp. Reg. 14[1] to GMPR[2]]

SALES OF VIRGIN ALUMINUM INGOT BY METALS RESERVE COMPANY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

A new subparagraph (72) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

* * * * * *

(72) *Sales of virgin aluminum ingot by Metals Reserve Company.* On and after February 1, 1943, Metals Reserve Company's maximum base price for virgin aluminum ingot 99.3% pure shall be 15 cents per pound, regardless of the fact that individual shipments of such ingot may consist wholly or partially of material containing more or less than 99.3% aluminum: *Provided*, That all of such ingot delivered by Metals Reserve Company to any single buyer during any calendar month shall have a minimum average analysis of 99.3% aluminum.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7536, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9495, 9496, 9639, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10583, 10537, 10705, 10557, 10583, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 980, 1030, 876, 878, 1139, 1590, 1030, 1121, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467, 1813, 1894, 1978, 2041, 1895, 2035.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.

This amendment shall become effective February 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2866; Filed, February 22, 1943; 10:40 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 294 Under § 1499.3 (b) of GMPR]

COLLEGE INN FOOD PRODUCTS CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1730 *Authorization of maximum prices for sales of "College Inn Chili Dinner" in 9½ ounce packages by College Inn Food Products Company, 4301 South Ashland Avenue, Chicago, Illinois, by wholesalers and by retailers.* (a) On and after February 23, 1943, the maximum price for sales by College Inn Food Products Company, 4301 South Ashland Avenue, Chicago, Illinois, for College Inn Chili Dinners shall be:

$1.26 per dozen 9½ ounce packages.

This price shall include prepaid freight to purchasers' stations.

(b) Wholesale grocers shall determine their maximum delivered selling prices of "College Inn Chili Dinner" by adding to their net cost of each item a mark-up of 20% of such net cost. The maximum delivered prices so determined shall not exceed $1.51 per dozen 9½ ounce packages.

Where a maximum price per dozen determined by the provisions of this paragraph is a fractional cent price and the fraction of a cent is less than one-half cent, the price per dozen shall be lowered to the next lower cent. If the fraction is one-half cent or larger, the wholesaler may increase his maximum price per dozen to the next higher cent.

Net cost for a wholesale grocer as mentioned in this paragraph shall be his invoice price for the first delivery of "College Inn Chili Dinner" delivered in a customary quantity for this type of item by the customary mode of transportation to his customary receiving point, less all discounts allowed him, except discount for prompt payment. No charge or cost for unloading or local trucking shall be included in net cost.

(c) Sellers at retail shall determine their maximum selling prices of "College Inn Chili Dinner" by adding to their net cost of each item a mark-up of 33⅓% of such net cost. The maximum prices so determined shall not exceed 17 cents per 9½ ounce package.

Where a maximum price per package determined by the provisions of this paragraph is a fractional cent price and the fraction of a cent is less than one-half cent, the price per package shall be lowered to the next lower cent. If the fraction is one-half cent or larger, the retailer may increase his maximum price per package to the next higher cent.

Net cost for a retailer as mentioned in this paragraph shall be his invoice price for the first delivery of "College Inn Chili Dinner" delivered to his customary receiving point in a customary quantity of this type of item by a customary mode of transportation and from a customary source of supply, less all discounts allowed him except the discount for prompt payment. No charge or cost for unloading or local trucking shall ever be included.

(d) No seller, except a seller at retail, shall change his customary discounts, allowances and price differentials applying to comparable items of "College Inn Chili Dinner" in making sales of "College Inn Chili Dinner" unless such change in these customary discounts, allowances and price differentials results in lower selling prices.

(e) On and after February 23, 1943, College Inn Food Products Company, 4301 South Ashland Avenue, Chicago, Illinois, shall supply written notification to each wholesaler before or at the time of first delivery of "College Inn Chili Dinner" and for a period of three months thereafter shall include with each shipping unit of the "College Inn Chili Dinner" a written notification to retailers. If such retailer notification is inclosed in a shipment unit, a legend shall be affixed outside of such unit to read "Retailer's Notice Enclosed." The written notification for each type of purchaser shall include the following appropriate statements:

Notification from College Inn Food Products Company, to Wholesalers

The OPA has authorized us to charge wholesalers the following price per dozen packages of "College Inn Chili Dinner", subject to all customary allowances, and discounts:

$1.26 per dozen 9½ ounce packages

Wholesalers are authorized to establish a ceiling price for each item by adding to the net cost of the item 20% of such net cost, provided that the ceiling prices so determined shall not exceed $1.51 per dozen 9½ ounce packages. Net cost is the invoice cost of the first delivery of a customary supply at the customary receiving point, less all discounts, other than for prompt payment, and excluding charges for local hauling. Retailers shall establish a ceiling price by adding to their net cost 33⅓% of such net cost. Each individual ceiling price determined by any seller shall be figured to the nearest cent (raise one-half cent fractions to the next even cent). A copy of a notification to retailers is included in every shipping unit of these items. If the initial sale of one of these items to any retailer is a split case sale, wholesalers are required to provide such retailer with a copy of the retail notification so enclosed. OPA requires that you keep this notice for examination.

Notification From College Inn Food Products Company to Retailers

The OPA authorizes retailers to establish ceiling prices for "College Inn Chili Dinner" by adding to the net cost of each item 33⅓% of such net cost, provided that the ceiling prices so determined shall not exceed 17 cents per 9½ ounce package. Net cost is the invoice cost of the first delivery of a customary supply at the customary receiving point, less all discounts, other than for prompt payment, and excluding charges for local hauling. Such ceiling prices shall be figured to the nearest cent (raise one-half cent fractions to the next even cent). OPA requires that you keep this notice for examination.

(f) This Order No. 294 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 294 (§ 1499.1730) shall become effective February 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43-2863; Filed, February 22, 1943; 10:43 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 295 Under § 1499.3 (b) of GMPR]

SCOVILL MANUFACTURING COMPANY

Approval of maximum prices for steel washers for use on M-1 helmet liners.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, and § 1499.3 (b) of the General Maximum Price Regulation, *It is hereby ordered:*

§ 1499.1731 *Authorization to Scovill Manufacturing Company for sale of certain steel washers.* (a) On and after the effective date of this Order No. 295, Scovill Manufacturing Company, of Waterbury, Connecticut, is authorized to sell and deliver and offer to sell and deliver their No. 16777½ steel washers for use on M-1 helmet liners at prices not to exceed those set forth in paragraph (b) hereof, and any person may buy and receive or offer to buy and receive such washers at such prices from Scoville Manufacturing Company.

(b) Maximum prices, per thousand, f. o. b. factory: Zinc plated, $0.70; olive drab enamel finish, $1.95.

(c) This Order No. 295 may be revoked or amended at any time by the Office of Price Administration.

(d) This Order No. 295 shall become effective February 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43-2864; Filed, February 22, 1943; 10:42 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 296 Under § 1499.3 (b) of GMPR]

U. S. INDUSTRIAL CHEMICALS, INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1732 *Approval of maximum prices for sales of Sterno*—(a) *Sales by U. S. Industrial Chemicals, Inc. to S. Sternau and Co., Inc.* The maximum prices for sales of Sterno by the U. S. Industrial Chemicals, Inc. to S. Sternau and Co., Inc. shall be the prices set forth below, f. o. b. production point:

	Per oz.
Item 4000, glass jar containing 24.5 oz.	$ 007061
Item 4013, glass jar containing 13.47 oz.	.0094
Cubes in glass jars containing 8.607 oz.	.013906

(b) *Sales by S. Sternau and Co., Inc.*—(1) *Sales in eastern territory.* The maximum prices for sales of regular Sterno in eastern territory by S. Sternau and Co., Inc. shall be the prices set forth below, f. o. b. S. Sternau and Co., Inc. eastern territory shipping point:

Item 4000, glass jars containing 24.5 oz.

	Per dozen
Sales in quantities of one gross or more	$5.50
Sales in quantities of less than one gross	7.00

Item 4013, glass jars containing 13.47 oz.

	Per dozen
Sales in quantities of two gross or more	$3.65
Sales in quantities of less than two gross	4.30

(2) *Sales in western territory.* The maximum prices for sales of regular Sterno in western territory by S. Sternau and Co., Inc. shall be the prices set forth below, f. o. b. S. Sternau and Co., Inc. western territory shipping point:

Item 4000, glass jars containing 24.5 oz.

	Per dozen
Sales in qantities of one gross or more	$7.20
Sales in quantities of less than one gross	8.73

Item 4013, glass jars containing 13.47 oz.

	Per dozen
Sales in quantities of two gross or more	$4.80
Sales in quantities of less than two gross	5.73

(3) *Sales of cubes.* The maximum prices for sales of Sterno in cubes in glass jars containing 8.607 oz. shall be as set forth below, f. o. b. S. Sternau and Co., Inc. shipping point:

	Per dozen
Sales in quantities of 100 dozen or more	$4.00
Sales in quantities of less than 100 dozen	4.50

(c) *Sales by wholesalers.* (1) The maximum prices for sales of regular Sterno by wholesalers shall be as set forth below, f. o. b. seller's shipping point:

Item	Eastern territory	Western territory
	Per dozen	Per dozen
4000	$7.60	$8.73
4013	4.30	5.73

(2) The maximum prices for sales of Sterno in cubes in glass jars containing 8.607 oz. by wholesalers shall be $4.50 per dozen, f. o. b. seller's shipping point.

(d) *Sales by retailers.* The maximum prices for sales of Sterno by retailers shall be as set forth below:

Item	Eastern territory	Western territory
	Each	Each
4013	$.49	$.61

(e) *Notification by S. Sternau and Co., Inc.*—(1) *Notification to retailers.* On and after February 23, 1943, S. Sternau and Co., Inc. shall supply to each retailer before or at the time of the first delivery of Sterno Item 4013 by S. Sternau and Co., Inc. to such retailer, a written statement as follows:

The Office of Price Administration has authorized us to charge the following prices for Sterno Item 4013 in eastern territory, f. o. b. our eastern shipping point:

	Per dozen
Sales in quantities of two gross or more	$3.65
Sales in quantities of less than two gross	4.30

In western territory (including the states of Arizona, California, Idaho, Montana, Nevada, Oregon, Washington and Wyoming), we are authorized to charge the following prices for Sterno Item 4013, f. o. b. our western shipping point:

	Per dozen
Sales in quantities of two gross or more	$4.80
Sales in quantities of less than two gross	5.73

If your place of business is in western territory, including the states of Arizona, California, Idaho, Montana, Nevada, Oregon, Washington and Wyoming, your ceiling price is authorized to be $.61 per jar of Sterno Item 4013. If your place of business is in any other state, your ceiling price is authorized to be $.49 per jar for Sterno Item 4013.

The Office of Price Administration requires that you keep this notice for examination.

(2) *Notification to wholesalers.* On and after February 23, 1943, S. Sternau and Co., Inc. shall supply each wholesaler before or at the time of the first delivery by S. Sternau and Co., Inc., of Sterno Item 4013 to such wholesaler and shall include with each shipping unit of Sterno Item 4013 for a period of three months, a written notification. If such notification is enclosed in a shipping unit, a legend shall be affixed outside of such unit to read: "Retailers' Notice Enclosed." The written notification shall read as follows:

The Office of Price Administration has authorized us to charge in eastern territory $3.65 per dozen of Sterno Item 4013, f. o. b. our eastern shipping point. In western territory, including the states of Arizona, California, Idaho, Montana, Nevada, Oregon, Washington and Wyoming, we are authorized to charge for Sterno Item 4013, $4.80 per dozen f. o. b. our western shipping point. Wholesalers are authorized to establish a ceiling price for Sterno Item 4013 of $4.30 per dozen in eastern territory and $5.73 per dozen in western territory. Retailers are authorized to establish a ceiling price of $.49 per jar in eastern territory and $.61 per jar in western territory.

If the initial sale of this item to a retailer is a split-case sale, the wholesaler is required to provide such retailer with a copy of this notification.

The Office of Price Administration requires that you keep this notice for examination.

(f) *Definitions.* (1) "Eastern territory" means any state of the United States and the District of Columbia except Arizona, California, Idaho, Montana, Nevada, Oregon, Washington and Wyoming.

(2) "Western territory" means those states not included in the eastern territory.

(3) "Wholesaler" means a seller, other than S. Sternau and Co., Inc., who purchases Sterno and resells to a retailer or an industrial consumer.

(4) "Retailer" means a seller who sells to an individual ultimate consumer other than an industrial consumer.

(g) This Order No. 296 may be revoked or amended by the Price Administrator at any time.

(h) This Order No. 296 (§ 1499.1732) shall become effective February 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2865; Filed, February 22, 1943; 10:43 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 12 Under Supp. Reg. 15 to GMPR]

WRIGHT AND COBB LIGHTERAGE CO.

Amendment No. 1 to Order No. 12 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation—Docket No. GF3-2498.

An opinion accompanying this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraph (a) of § 1499.1312 is amended and a new paragraph, (f) is added to read as set forth below:

§ 1499.1312 *Adjustment of maximum prices for contract carrier services sold by the Wright & Cobb Lighterage Company.* (a) The Wright & Cobb Lighterage Company, 17 Battery Place, New York, N. Y., may sell and deliver lighterage services as a contract carrier, in connection with the transportation of cement within the lighterage limits of New York Harbor at prices not more than the following:

	Per bbl.
1,000 to 1,250 Bbls	$.24
1,251 to 1,500 Bbls	.22
1,501 and over	.21

* * * * *

(f) This Amendment No. 1 to Order No. 12 (§ 1499.1312) shall become effective as of January 21, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9259, 7 F.R. 7871)

Issued this 22d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2869; Filed, February 22, 1943; 10:45 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 27 Under Supp. Reg. 15 of GMPR]

BERRODIN TRANSPORT CO.

Order No. 27 under section 1499.75 (a) (3) of Supplementary Regulation No. 15 of the General Maximum Price Regulation—Docket No. GF3-905).

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1327 *Adjustment of maximum prices for contract carrier services sold by the Berrodin Transport Company, Inc.* (a) The Berrodin Transport Company, Inc., of 322 High Street, Akron, Ohio, may sell and deliver contract carrier services in connection with the transportation of tires, tubes, rubber products, auto parts and accessories, tire fabric and chemicals for the Firestone Tire & Rubber Company, at rates set forth in its contract with that company, dated May 4, 1942, and attached as Exhibit No. 2 to its application to this office for adjustment under the General Maximum Price Regulation.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 27 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 27 (§ 1499.1327) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 27 (§ 1499.1327) shall become effective February 23, 1943.

(Pub. Laws No. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2868; Filed, February 22, 1943; 10:44 a. m.]

PART 1307—RAW MATERIALS FOR COTTON TEXTILES

[MPR 33, Amendment 2]

CARDED COTTON YARNS AND THE PROCESSING THEREOF

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1307.66, paragraph (a) (2) is amended and in § 1307.67 paragraph (i) is added as set forth below:

§1307.66 *Appendix A: Maximum prices for base-grade carded cotton yarns*—(a) *Terms of sale.* * * *

(2) *Credit terms.* The terms of credit applicable to sales of base-grade carded cotton yarns shall be either (i) 2%—10th proximo or (ii) 2%—30 days: *Provided*, That a seller shall employ with respect to all sales to a given purchaser only one of the above credit terms. The maximum prices for carded cotton yarns established by § 1307.67 (i) below are net prices.

* * * * *

*Copies may be obtained from the Office of Price Administration.

*Copies may be obtained from the Office of Price Administration.

§ 1307.67 *Appendix B: Maximum prices for greige carded cotton yarns.* * * *

(i) *Maximum prices for yarns used in the manufacture of binder twine.* The maximum prices for carded cotton yarns produced under the "Cotton for Binder Twine Program" (announced by the United States Department of Agriculture on January 25, 1943 and for which purpose cotton is sold by the Commodity Credit Corporation) shall be the applicable maximum prices for carded cotton yarns of the same number and ply determined in accordance with § 1307.66 (b) and paragraphs (b) and (c) of § 1307.67 less 7¢ per pound.

§ 1307.65a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§§ 1307.66 (a) (2) and 1307.67 (i)) shall become effective February 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 1 F.R. 7871)

Issued this 22d day of February 1943.

FRENTISS M. BROWN,
Administrator.

[F R Doc. 43-2905; Filed, February 22, 1943; 4:49 p. m.]

PART 1351—FOODS AND FOOD PRODUCTS

[MPR 280,[1] Amendment 14]

ICE CREAM MIX

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new paragraph (g) is added to § 1351.803; a new paragraph (k) is added to § 1351.808; and a new subparagraph (8) is added to § 1351.816 (a), as set forth below:

§ 1351.803 *Maximum prices.* * * *

(g) The provisions of this Maximum Price Regulation No. 280 do not apply to the following milk product: "ice cream mix", the butterfat content of which is reduced to not less than 8% (by weight) included in 14% or more (by weight) of total milk solids. Maximum prices for sales of such "ice cream mix" are fixed in subparagraph (1a) of § 1499.73 (a) of Supplementary Regulation No. 14 to the General Maximum Price Regulation. [Amendment No. 119 to Supplementary Regulation No. 14]

§ 1351.808 *Exempt sales.* This Maximum Price Regulation No. 280 shall not apply to the following:

* * * * *

(k) Milk products known as "ice cream mix", as defined in subparagraph (8) of § 1351.816 (a) below. Maximum prices for sales of such "ice cream mix" are fixed in subparagraph (1a) of § 1499.73 (a) of Supplementary Regulation No. 14 of the General Maximum Price Regulation. [Amendment No. 119 to Supplementary Regulation No. 14]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10144, 10337, 10475, 10585, 10788, 10995; 8 F.R. 158, 876, 877, 1120, 1468, 1741, 1885, 2024, 2038.

§ 1351.816 *Definitions.* (a) When used in this Maximum Price Regulation No. 280, the term:

* * * * *

(8) "Ice cream mix" means any liquid or dry unfrozen preparation (including, but not limited to, ice cream mix, ice cream powder, milk ice mix, ice milk mix, milk shake mix, and similar preparations) containing sugar and milk fat, the percentage of which is reduced to not less than 8% (by weight) included in 14% or more (by weight) of total milk solids, as defined in subparagraph (1a) of § 1499.73 (a) of Supplementary Regulation No. 14. [Amendment No. 119 to Supplementary Regulation No. 14]

This amendment to Maximum Price Regulation No. 280 shall become effective February 22, 1943 and terminate on May 23, 1943.

(Pub. Laws 421 and 729; 77th Cong.; E.O. 9250; 7 F.R. 7871)

Issued this 22d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F R Doc. 43-2904; Filed, February 22, 1943; 4:51 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Amendment 20 to Ration Order 12]

COFFEE RATIONING REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 12 is amended in the following respect:

§ 1407.1020 (b) is amended by inserting after the phrase "coffee stamp No. 27", the phrase "and, on or before March 15, 1943, coffee stamp No. 28".

This amendment shall become effective February 22, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 729, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1-R)

Issued this 22d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F R Doc. 43-2906; Filed, February 22, 1943; 4:49 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 45 to GMPR[2]]

MILK PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A footnote is added to § 1499.9 (a) (3), and subparagraph (2) of § 1499.20 (p) is amended, as set forth below:

§ 1499.9 *Commodities excepted from this General Maximum Price Regulation.* (a) This General Maximum Price Regulation shall not apply to sales or deliveries of the following commodities.

* * * * *

(3) All milk products,[3] including butter, cheese, condensed and evaporated milk, except that fluid milk sold at wholesale and retail, cream sold at wholesale and retail, and ice cream shall be governed by this General Maximum Price Regulation.

§ 1499.20 *Definitions and explanations.* This General Maximum Price Regulation, and the terms appearing therein, unless the context otherwise requires, shall be construed as follows:

* * * * *

(p) "Sale at wholesale" means a sale by a person who buys a commodity and resells it, without substantially changing its form, to any person other than the ultimate consumer, except that * * * (2) "sold at wholesale" refers to a sale, by any person, of fluid milk or cream in bottles or paper container, ice cream mix whose butterfat content is reduced to not less than 8% included in 14% or more (by weight) of milk solids, and ice cream to any person, including an industrial or commercial user, other than the ultimate consumer.

This Amendment No. 45 to the General Maximum Price Regulation shall become effective February 22, 1943.

(Pub. Laws 421 and 729; 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F R. Doc. 43-2908; Filed, February 22, 1943; 4:49 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 119 to Supp. Reg. 14[4] to GMPR[2]]

ICE CREAM AND ICE CREAM MIX

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (1a) is added to § 1499.73 (a), as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services, and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided:[5]

* * * * *

(1a) *Ice cream and ice cream mix*—(i) *Adjusted maximum prices for ice cream and ice cream mix sold at wholesale and retail.*

(*a*) Maximum prices for sales at wholesale or retail of "ice cream" shall be the seller's established maximum price in effect on February 21, 1943, as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, or any applicable supplementary or adjustment order, adjusted as follows: Deduct 2¢ per gallon, or a proportionate amount for a part of a gallon, for each 1% reduction in butterfat more than 2½%.

(*b*) Maximum prices for sales at wholesale or retail of "ice cream mix" shall be the seller's established maximum price in effect on February 21, 1943, as determined under Maximum Price Regulation No. 280,[6] adjusted as follows: Deduct 4¢ per gallon, or a proportionate amount for a part of a gallon, for each 1% reduction in butterfat more than 2½%.

(ii) *Calculations.* (*a*) The foregoing pricing formula shall apply only to "ice cream" and "ice cream mix" of the same weight per gallon and quality as in March 1942, the butterfat content of which is reduced to not less than 8% (by weight) included in 14% or more (by weight) of milk solids. It applies to sales in any package size, whether more or less than one gallon, on a proportionate basis.

(*b*) If the seller had established maximum prices on February 21, 1943, for "ice cream" or "ice cream mix" having different percentages of butterfat content, his new maximum price for the same "ice cream" or "ice cream mix" with reduced butterfat content shall be determined on the basis of that "ice cream" or "ice cream mix" which, prior to change in butterfat, was next highest in butterfat content to the new product.

(*c*) If the seller at wholesale or retail had an established maximum price on February 21, 1943 for sales of bulk or packaged "ice cream" manufactured in combination with sherbet or other frozen milk products as a blended milk dessert, he shall change his maximum price by adjusting the highest price charged by him for said product during March 1942 to a purchaser of the same class by the amount of the required decrease applicable to the percentage of "ice cream" (by volume) contained in the combination product.

For example: Ice cream product consists of 66% (by volume) of ice cream testing 16% butterfat, combined with 34% (by volume) of sherbet. The butterfat content of the ice cream is lowered to 12%. The required decrease for ice cream whose butterfat is lowered 4% is 3¢ per gallon. 66% of 3¢ amounts to 2¢. The required decrease for this ice cream product is, therefore, 2¢ per gallon.

(*d*) The foregoing pricing formula is applicable to vanilla "ice cream" and "ice cream" having other flavors.

(*1*) The pricing formula applicable for vanilla "ice cream" of a particular percentage of butterfat content shall also be applicable to other flavored "ice cream" manufactured from the same preparation or mix, regardless of slight variations in butterfat content between the vanilla and the other flavored product.

(*2*) If no vanilla "ice cream" is manufactured out of the same preparation or mix, the flavored "ice cream" shall be priced on the basis of its actual butterfat content.

(*e*) All calculations shall be carried to the fourth decimal place of a cent. For sales at wholesale, maximum prices for any unit size less than one gallon resulting in a fraction of a cent shall be adjusted to the nearest ¼¢. In the case of single unit sales at retail, a maximum price expressed in a fraction of a cent must be reduced to the lowest even cent, if the fraction is less than ½¢, and may be increased to the next highest even cent if the fraction is ½¢ or more.

(iii) *Notice to retailers.*—(*a*) *Ice cream.* Every seller at wholesale of "ice cream" shall calculate the retailers' required decrease, if any, under this subparagraph (1a) of § 1499.73 (a) for each unit size sold at retail. At the time of making the first delivery after February 21, 1943, upon putting into effect a decrease in butterfat content or a required decrease in price, such wholesalers shall mail or otherwise deliver to retailers who purchase "ice cream" from them written notices of the change in butterfat content and the retailers' required decrease in price, if any, for each grade of "ice cream". With proper insertions, the notices shall read as follows:

Notice of Required Decrease in Price and Change in Butterfat Content of Ice Cream

Our ice cream now has a butterfat content of ------ %. Prior to the issuance of Food Distribution Order No. 8 by the Secretary of Agriculture on January 19, 1943, the butterfat content was ------ %, and our ceiling price was $------ for (10 gallon, 5 gallon, 3 gallon, gallon, half gallon, quart, pint, or half-pint) container sizes. Our new ceiling price is $------ for (10 gallon, 5 gallon, 3 gallon, gallon, half gallon, quart, pint or half pint) container sizes.

Your new OPA ceiling price shall be your maximum price for such ice cream on February 21, 1943, *minus* $------ for (10 gallon, 5 gallon, 3 gallon, gallon, half gallon, quart, pint, or half-pint) container sizes.

OPA requires that you keep this notice for examination, and that you record your new ceiling price in your statement of base period maximum prices kept in your store. You should also post your new ceiling price on bulk or packaged ice cream in place of your old ceiling prices.

(*b*) *Ice cream mix.* At the time of making the first delivery after February 21, 1943, upon putting into effect a decrease in butterfat content of a required decrease in price, every seller at wholesale of "ice cream mix" shall mail or otherwise deliver to purchasers of "ice cream mix" written notices of the change in butterfat content and the seller's required decrease, if any, for each grade of mix. With proper insertions, the notices shall read as follows:

Notice of Required Decrease in Price and Change in Butterfat Content of Ice Cream Mix

Our ice cream mix now has a butterfat content of ------%. Prior to the issuance of Food Distribution Order No. 8 by the Secretary of Agriculture on January 19, 1943, the butterfat content was ------ %, and our ceiling price was $------ for (10 gallon, 5 gallon, 3 gallon, gallon, half gallon, quart, pint, or half-pint) container sizes. Our new ceiling price is $------ for (10 gallon, 5 gallon, 3 gallon, gallon, half gallon, quart, pint or half pint) container sizes.

Your new OPA ceiling price shall be your maximum price for such ice cream on February 21, 1943, *minus* $------ for (10 gallon, 5 gallon, 3 gallon, gallon, half gallon, quart, pint, or half-pint) container sizes.

OPA requires that you keep this notice for examination, and that you record your new ceiling price in your statement of base period maximum prices kept in your store. You should also post your new ceiling price on bulk or packaged ice cream in place of your old ceiling prices.

(*c*) *Combination ice cream products.* At the time of making the first delivery after February 21, 1943, upon putting into effect a change in butterfat content or a required decrease in price, every seller at wholesale of an ice cream product consisting of ice cream manufactured in combination with sherbet or other frozen milk dessert shall mail or otherwise deliver to retailers who purchase such products for resale a written notice with proper insertions. The notices shall read as follows:

Notice of Required Decrease in Price and Change in Butterfat Content

The ice cream contained in our ice cream product now has a butterfat content of ------%. Prior to the issuance of Food Distribution Order No. 8 by the Secretary of Agriculture on January 19, 1943, the butterfat content was ------ %, and our ceiling price was $------ for (10 gallon, 5 gallon,

*Copies may be obtained from the Office of Price Administration.

[2] *Exception:* Adjusted maximum prices for the milk product known as "ice cream mix" the butterfat content of which is reduced to not less than 8% included in 14% or more (by weight) of milk solids are fixed in subparagraph (1a) of § 1499.73 (a) of Supplementary Regulation No. 14 to the General Maximum Price Regulation. [Amendment No. 119 to Supplementary Regulation No. 14]

[3] 7 F.R. 5486, 5709, 5911, 6008, 6271, 6472, 6473, 6477, 6774, 6775, 6776, 6887, 6892, 6965, 7011, 7012, 7203, 7250, 7289, 7365, 7401, 7453, 7510, 7511, 7535, 7536, 7578, 7739, 7671, 7812, 7914, 7946, 8024, 8159, 8351, 8358, 8524, 8652, 8707, 8881, 8889, 8954, 8955, 8953, 9043, 9082, 9131, 9196, 9397, 9495, 9496, 9639, 9786, 9900, 9901, 10111, 10022, 10151, 10231, 10294, 10346, 10480, 10537, 10557, 10583, 10705, 10865, 8 F.R. 276, 439, 535, 494, 589, 863, 1139, 980, 1030, 876, 1121, 878, 1142, 1279, 1363, 1455, 1460, 1633, 1467, 1813, 1694, 1973, 1895, 2035, 2157.

[4] 7 F.R. 10144, 10337, 10475, 10585, 10786, 10995; 8 F.R. 158, 876, 877, 1120, 1468, 1741, 1885, 2024, 2038.

[5] *Ice cream mix.* Maximum prices for the milk product known as "ice cream mix" the butterfat content of which is *reduced* to not less than 8% (by weight) included in 14% or more (by weight) of milk solids, established under the provisions of Maximum Price Regulation No. 280, are also modified under subparagraph (1a) of § 1499.73 (a). Subparagraph (1a) modifies maximum prices for "ice cream" established under any supplementary or adjustment order issued by the Office of Price Administration as well as those determined under § 1499.2. General Provisions, of the General Maximum Price Regulation.

[6] 7 F.R. 10144, 10337, 10475, 10585, 10786, 10995; 8 F.R. 158, 876, 877, 1120, 1468, 1741, 1885, 2024, 2038.

3 gallon, gallon, half-gallon, quart, pint or half-pint) container sizes. Our new ceiling price is $_____ for (10 gallon, 5 gallon, 3 gallon, gallon, half-gallon, quart, pint, or half-pint) container sizes.

Your new OPA price shall be your maximum price for such ice cream product in effect on February 21, 1943 *minus* $_____ for (10 gallon, 5 gallon, 3 gallon, gallon, half-gallon, quart, pint, and half-pint) container sizes.

OPA requires that you keep this notice for examination and that you record your new ceiling price in your statement base period maximum prices kept in your store. You should also post your new ceiling price in place of your old ceiling price for this product.

(iv) *Records and reports.* On or before March 10, 1943, every seller of "ice cream" or "ice cream mix" at wholesale affected by the provisions of this subparagraph (1a) who sold more than 25 000 gallons of "ice cream" or "ice cream mix" during 1942, shall prepare, on the basis of available information and records, and file with the Office of Price Administration, Food Price Division, Dairy Section, Washington, D. C., a report showing:

(*a*) Butterfat content of ice cream or ice cream mix during March 1942;

(*b*) Butterfat content after January 1943;

(*c*) Selling prices during March 1942 for each container size;

(*d*) Selling price after adjustment;

(*e*) Cost of butterfat at present (specify whether obtained from cream or butter); and

(*f*) Average weight per gallon of ice cream during March 1942 and at the present time.

(v) *Exempt sales.* The price adjustment authorized by this subparagraph (1a) for sellers who reduce the butterfat content of their products, shall not be applicable to any seller who violates the provisions of Food Distribution Order No. 8, issued by the Secretary of Agriculture on January 19, 1943.

(vi) *Definitions.* For purposes of this subparagraph (1a):

(*a*) "Ice cream" means any frozen or partially frozen dairy food product containing milk solids and sugar, flavoring, and/or stabilizer, fruit, nuts, coloring, testing 8% or more (by weight) of milk fat included in 14% or more (by weight) of total milk solids.

(*b*) "Ice cream mix" means any liquid or dry unfrozen dairy food product containing milk solids and sugar, testing 8% or more (by weight) of milk fat included in 14% or more (by weight) of total milk solids, and intended for the manufacture of ice cream.

(*c*) A seller of "ice cream mix" who does not change the butterfat content of his product shall continue in effect his established maximum prices existing on February 21, 1943, as determined under Maximum Price Regulation No. 280.

(vii) *Evasion.* The provisions of this subparagraph (1a) shall not be evaded by direct or indirect means, including but not limited to, the following:

(*a*) Reducing the quality of "ice cream" or "ice cream mix", other than by changing the butterfat content provided for herein; this includes any change in flavoring, fruits, nuts or weight of the product.

(*b*) Requiring any purchaser to enter into a tying agreement as a condition for the purchase of "ice cream" or "ice cream mix".

(*c*) Compelling a person purchasing a given quantity of "ice cream" or "ice cream mix" to accept delivery in the form of two or more smaller units at the higher prices applicable to such smaller container sizes.

This amendment shall become effective February 22, 1943 and terminate on May 23, 1943.

(Pub. Laws 421 and 729; 77th Cong.; E.O. 9250; 7 F.R. 7871)

Issued this 22d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2907; Filed, February 22, 1943; 4:49 p. m.]

PART 1305—ADMINISTRATION

[General Ration Order 5,[1] Amendment 1]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

General Ration Order No. 5 (§ 1305.202) is amended in the following respects:

1. A new Article XXIV and section 24.1 are added, to read as follows:

Article XXIV—War Relocation Authority and the Department of Justice

SEC. 24.1 *How the War Relocation Authority and the Department of Justice obtain rationed foods for institutional use in war relocation centers and alien detention stations and camps.* (a) The War Relocation Authority and the Department of Justice may apply to the Washington Office of the Office of Price Administration for allotments of rationed foods for allotment periods, beginning with March 1, 1943, for use in the preparation and service of food to persons confined in war relocation centers and alien detention stations and camps. These agencies are not required to register with a board under this order. Allotments will be given in accordance with arrangements made with the Office of Price Administration. The Washington Office will issue one certificate for each rationed food. The amount for which the certificate is issued may be distributed, through the use of ration checks, to the various centers, stations and camps.

(b) Ration bank accounts may be opened for centers, stations, and camps at any time after February 23, 1943, in the same manner as ration bank accounts may be opened for other institutional users.

2. The effective date provision of General Ration Order No. 5 is amended to read as follows:

This general ration order shall become effective 12:01 a. m., March 1, 1943, except that sections 22.1 and 23.1 shall become effective February 20, 1943, and section 24.1 shall become effective February 23, 1943.

This amendment shall become effective February 23, 1943.

(Pub. Laws 671, 76th Cong.; as amended by Pub. Laws 89, 421, and 507, 77th Cong; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, Supp. Dir 1-E, 1-M, and 1-R, 7 F.R. 562, 2965, 7234 9684, respectively; Food Dir. 1, 8 F.R. 827)

Issued this 23d day of February 1943

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2927; Filed, February 23, 1943, 11:07 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Ration Order 1A,[1] Amendment 12]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The following sections are amended: §§ 1315.201 (a) (4), 1315.201 (a) (26) 1315.201 (a) (27), 1315.401 (d), 1315.503 (c), 1315.503 (d) (4), 1315.609 (a) (2), 1315.609 (b) (1), 1315.804 (d) (2), 1315.804 (d) (4), 1315.806 (g) and 1315.806 (h) (2); the following sections are revoked: §§ 1315.508 (a) (2), 1315.610 (b) (2), 1315.804 (c) (4) (i), 1315.804 (d) (6), 1315.804 (h) and 1315.806 (h) (3); the following sections are added: §§ 1315.304, 1315.806 (h) (4) and 1315.806 (n); in § 1315.502, in the text of § 1315.503 (a) and in 1315.503 (a) (3) the phrase "or recapping service" is deleted; in the table in § 1315.804 (c) (3) the phrase "or 8½ lbs. of passenger-type camelback" is deleted; in § 1315.804 (d) (3) the phrase "or of OPA Form R-48" is deleted; and in § 1315.901 (e) and (f) the phrase "(truck or passenger-type)" is inserted after the word "camelback."

§ 1315.201 *Definitions.* (a) For the purpose of this Ration Order No. 1A: • • •

(4) "Camelback" means any rubber compound designed for application to a worn tire to make a new tread in the process of recapping. Except where the context indicates otherwise, "camelback" refers to truck-type camelback only.

• • • • •

(26) "Recapping" means the process of tread renewal in which passenger or truck-type camelback is applied to the tread surface of a tire.

(27) "Recapping service" means the recapping of a certificate holder's tire with truck-type camelback or a tire by a dealer or manufacturer to a certificate holder of a tire recapped with truck-type camelback in exchange for a recappable tire carcass.

§ 1315.304 *No board jurisdiction over passenger-type camelback.* No board may issue a certificate authorizing the recapping of any tire with passenger-type camelback.

§ 1315.401 *Quotas.* • • •

(d) *Passenger automobile spare tires.* No board shall issue a certificate for a spare tire to an applicant for a passenger automobile for which there has been issued only a Basic ration currently valid under Ration Order No. 5C, unless the mileage driven in such vehicle is necessary for carrying out one or more of the purposes described in § 1394.7706 of Ration Order No. 5C, except between the twenty-fifth and the last day of a month, and then only if there are no pending applications for tires for running wheels using passenger-type tires.

§ 1315.503 *Eligibility of passenger automobile.* • • •

(c) *Eligibility determined on basis of adjusted ration.* When the board has adjusted an applicant's mileage requirements pursuant to paragraphs (a) and (b) of this section, it shall determine the applicant's eligibility for a tire or tube on the basis of such adjusted mileage, and not on the basis of his former allowed gasoline mileage, in accordance with the following table:

Total allowed mileage	Kind of tire	Kind of tube
500 miles per month or less	Grade III	New or used at applicant's option.
501 to 1,000 miles per month	Grade II or Grade III tire at applicant's option.	New or used at applicant's option.
1,001 miles per month or over	Grade I, Grade II or Grade III tire at applicant's option.	New or used at applicant's option.
For fleet passenger automobiles or official passenger automobiles for which interchangeable gasoline ration books have been currently issued.	Grade III tire; if applicant establishes that the particular vehicle will be operated for the requisite number of miles (501 or 1,000) per month, then a Grade II or Grade I tire.	New or used at applicant's option.

The following limitations are applicable in determining the grade of tire that may be acquired on the basis of allowed mileage under the above table: Mileage allowed on a special ration shall not be included in the allowed mileage; and no certificate for a tire may be granted if the tire to be replaced can be recapped, except under the circumstances set forth in paragraph (d) of this section.

(d) *Exceptions to eligibility; mileage not governing.* • • •

(4) An applicant may be granted a certificate for a Grade III tire in any area where recapping facilities are unavailable or inadequate, upon turning in a recappable tire carcass.

• • • • •

§ 1315.609 *Execution and issuance of certificate*—(a) *Execution of certificates.* • • •

(2) The board shall indicate on the certificate the exact number, type, grade and size of the tires or tubes which may be acquired, or the number, type and size of the tires for which recapping service has been authorized.

(b) *Issuance of certificates.* • • •

(1) The board shall note on a certificate for recapping service that the applicant is entitled to truck-type camelback

§ 1315.804 *Dealer and manufacturer transfers.* • • •

(d) *Camelback.* • • •

(2) *For recapping.* A recapper may apply truck or pasenger-type camelback to the tread surface of a tire carcass: *Provided,* That no truck-type camelback shall be used in recapping a tire to be mounted on any station wagon, suburban carry-all or on an automobile originally designed to carry seven passengers or less, whether or not rebuilt, unless rebuilt as a bus or unless the vehicle is a taxicab or jitney. No recapper shall apply truck or passenger-type camelback to the thread surface of a tire carcass if the carcass will not be serviceable as a recapped tire. No recapper shall apply any rubber substance other than camel back to the thread surface of a tire for the purpose of tread renewal unless authorized by the Office of Price Admipistration or the War Production Board.

• • • • •

(4) *Permitted replenishment of camelback.* Subject to the provisions of subparagraph (3) of this paragraph any camelback dealer or manufacturer may, in exchange for the properly endorsed replenishment portion of a certificate marked "truck-type camelback", transfer the amount of camelback specified in the following table:

Size of tire	Number of pounds of camelback which may be purchased for each such tire
Smaller than 30 x 5	8½
30 x 5 up to but not including 7.50 x 18	12
7.50 x 18 up to but not including 9.00 x 20	16
9.00 x 20 up to but not including 12.00 x 20	22
12.00 x 20 and larger (regular truck-type)	32
12.00 and up (but not including tires 12.00 x 24 and larger) used on farm tractors (rear tires only), road-graders, earth movers and other similar equipment used primarily on off-the-road work	55
12.00 x 24 and larger	Amount necessary

When the amount of camelback to be replenished cannot be calculated from the above table, the person purchasing the camelback shall attach to the replenishment portion of the certificate or receipt a certified statement showing the amount of camelback necessary to recap the number of tires specified on the certificate or receipt, and he shall be entitled to purchase the amount of camelback appearing on such statement.

§ 1315.806 *Transfers without certificate, special authorization or notice.* • • •

(g) *Turn in of tires or tubes to be replaced.* A consumer who holds a certificate for a tire or tube and who is required to turn in the replaced tire or tube shall transfer it to a dealer. A dealer who receives tires under this paragraph shall retain such tires for a period of not less than thirty (30) days before disposing of them.

(h) *Transfers for recapping.* • • •

(2) A dealer may transfer a recappable carcass to a recapper if accompanied by Part B of a certificate authorizing recapping service and the recapper may transfer a used or recapped tire in exchange for such Part B.

• • • • •

(4) A person may have a tire recapped with passenger-type camelback without certificate.

• • • • •

(n) *Transfers of passenger-type camelback.* No person may purchase any passenger-type camelback in an amount which would give him in excess of 1500 pounds of passenger-type camelback for each mold he operates capable of recapping tires smaller than 7.50-20. A manufacturer of, or dealer in, camelback may not ship passenger-type camelback to any person unless such person makes a certification accompanying his order that the amount of passenger-type camelback ordered plus his stock on hand at the date of ordering will not exceed the amount he is entitled to possess under this paragraph.

This amendment shall become effective February 20, 1943.

(Pub. Law No. 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1, 7 F.R. 9121)

Issued this 19th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2780; Filed, February 19, 1943; 4:41 p. m.]

PART 1340—FUEL

[RPS 88,[1] Amendment 75]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In § 1340.159 (c) (3) a new subdivision (xix) is added as set forth below.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2195.

[1] 7 F.R. 9160, 9392, 9724, 10072, 10336, 10435, 606, 1585, 1628, 1629, 1639, 2030, 2112

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1371, 1798, 1799, 2132, 2304, 2352, 2634, 2945, 3463, 3482, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 4857, 5481, 5867, 5868, 5988, 6057, 6167, 6471, 6680, 7242, 7838, 8433, 8478, 9130, 9134, 9335, 9425, 9460, 9620, 9621, 9817, 9820, 10684, 11069, 11112, 11075, 3116, 3166, 3552, 8586, 8701, 8741, 8829, 8938, 8948; 8 F.R. 157, 232, 233, 857, 1227, 1200, 1457, 1312, 1318, 1642, 1799, 2023, 2105, 2119, 2152.

(xix) *Diesel oil: Mobile, Alabama; Pensacola, Florida; Panama City, Florida; and Port St. Joe, Florida.* The maximum price for distillate diesel oil of 28° A. P. I. gravity and above, ship's bunkers (ex lighterage) and f. o. b. refineries and terminals in bulk lots shall be as follows:

Port	*Cents per gallon*
Mobile, Alabama	4.625
Pensacola, Florida	4.75
Panama City, Florida	4.75
Port St. Joe, Florida	4.75

This Amendment No. 75 shall become effective the 1st day of March 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2922; Filed, February 23, 1943; 11:07 a. m.]

PART 1340—FUEL

[RPS 88, Amendment 73]

PETROLEUM AND PETROLEUM PRODUCTS

Correction

In the table under § 1340.159 (c) (3) (xvii), appearing on page 2120 of the issue for Wednesday, February 17, 1943, the fourth entry should read as follows:

Tank wagon deliveries to consumers in quantities of 25 gallons or over	10.2

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 286, Amendment 1]

CERTAIN SAUSAGE PRODUCTS FOR WAR PROCUREMENT AGENCIES

Correction

In the document appearing on page 2157 of the issue for Thursday, February 18, 1943, the heading for paragraph (b) was omitted. Accordingly, "(b) *Base prices.*" should be inserted immediately before the first table.

PART 1372—SEASONAL COMMODITIES

[MPR 315,[1] Amendment 1]

LEAD ARSENATE

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1372.206 is amended to read as set forth below:

§ 1372.206 *Notification by manufacturers and distributors of price changes.* If reductions or increases of the manufacturer's maximum prices for lead arsenate result from the provisions of this regulation, every manufacturer shall supply a written statement to each distributor or dealer to whom he sells, at or before the time of his first delivery to the distributor or dealer after the price reduction or increase becomes effective. The manufacturer shall also notify each distributor that the distributor is required to supply a copy of the same written statement to each dealer at or before the time of the distributor's first delivery to the dealer after the price reduction or increase becomes effective. The written statement shall read as follows:

The OPA has authorized us to increase (required us to reduce) our ceiling prices on lead arsenate as follows:

[The statement shall here list the amount of price increase or reduction for each package size of each lead arsenate product produced by the manufacturer, for which a change in maximum price has resulted from the provisions of the regulation.]

Distributors are allowed to increase (required to reduce) their ceiling prices for these products by the same amounts on merchandise delivered to them at such adjusted prices. Dealers are also allowed to increase (required to reduce) their ceilings by the same amounts on merchandise delivered to them at such adjusted prices. Distributors are, therefore, required to supply such dealers with an exact copy of this notice at or before the time of first delivery of such merchandise. OPA requires distributors and dealers to keep a copy of this notice for examination.

This amendment shall become effective March 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2923, Filed, February 23, 1943; 11:08 a. m.]

PART 1389—APPAREL

[MPR 332]

SIMPLIFIED MEN'S AND BOYS' SHIRTS AND PAJAMAS

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for the sale of simplified shirts and pajamas produced in accordance with War Production Board limitations.

The maximum prices established by this regulation are, in the judgment of the Price Administrator, generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, Maximum Price Regulation No. 332 is hereby issued.

Sec.

1389.501 Scope of this regulation.
1389.502 Rule 1: maximum prices for sales by manufacturers.
1389.503 Rule 2: maximum prices for sales by wholesalers and retailers.
1389.504 Maximum prices for simplified garments which cannot be priced under Rule 1 or 2.
1389.505 Informational requirements.
1389.506 Relation to other regulations, and other special situations.
1389.507 Transactions which are prohibited by this regulation.
1389.508 Less than maximum prices may be charged.
1389.509 Evasion.
1389.510 Disclosure of maximum prices.
1389.511 How this regulation may be amended.
1389.512 Enforcement.
1389.513 Definitions.

AUTHORITY: §§ 1389.501 to 1389.513 inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1389.501 *Scope of this regulation*—(a) *What garments are covered by this regulation.* This regulation applies to men's and boys' shirts and pajamas manufactured with curtailments of material and trimmings, and restrictions on packing in accordance with General Limitation Order L-169 of the War Production Board.[1] These shirts and pajamas will be called "simplified garments."

"Pajamas" includes any garment of a type customarily used by men and boys for sleeping, including garments consisting of a coat and pants, nightgowns, sleep coats, sleep slacks, sleep shirts, and lounging pajamas and suits.

This regulation requires that manufacturers label or mark each simplified garment with the symbol "–R–" to enable purchasers easily to recognize such garments.

(b) *What garments are excluded from this regulation.* Shirts of the following descriptions are not covered by this regulation:

(1) Shirts customarily graded as work shirts and made of any of the following constructions of cotton body material: carded yarn shirting chambrays, carded yarn shirting coverts, twills, carded yarn poplins, whipcords, moleskins, jeans, drills, cottonades; and

(2) Shirts made of wool, part-wool, cotton suede and cotton flannel including cotton domet.

(c) *What sellers must price under this regulation.* This regulation applies to all types of sellers. Manufacturers, including manufacturing retailers and custom tailors, will price under Rule 1 (§ 1389.502); wholesalers and retailers will price under Rule 2 (§ 1389.503).

§ 1389.502 *Rule 1: maximum prices for sales by manufacturers*—(a) *How a manufacturer determines his maximum price.* In any sale of a simplified garment by a manufacturer, the maximum price shall be his present maximum price of the "comparable" unsimplified garment put into process by him prior to November 25, 1942, less the reduction in cost resulting from the curtailments and restrictions of the simplified garment, and less, also, an amount equal to 15% of such reduction in cost.

(1) *What is a "comparable" garment.* An unsimplified garment is considered "comparable" to a simplified garment if both garments have the following characteristics:

(i) They are made of material having the same (*a*) weave, (*b*) weight and thread count within the tolerances as provided by the Worth Street rules, (*c*) finish, including type of shrinkage treatment, (*d*) color fastness; and

(ii) They are offered for sale in the same range of sizes and have the same size dimensions except for the simplifications made in accordance with General Limitation Order L-169 of the War Production Board; and

(iii) They have trimmings equal in quality and serviceability except for the simplifications made in accordance with General Limitation Order L-169 of the War Production Board;

(iv) They are manufactured and finished with equal standards of workmanship and inspection.

(v) They would ordinarily be sold by the manufacturer in the same price line except for the simplifications made in accordance with General Limitation Order L-169 of the War Production Board.

(2) *Reduction in cost of a price line.* Where the comparable unsimplified garment is one of a number of different styles which were sold in the same price line, the saving in each item of cost is figured on the basis of the average saving for the price line as a whole. This average is determined in accordance with the percentage of actual sales of each style of the comparable unsimplified garment during 1942. Based on this average saving, the reduction in cost shall be the same for all the styles of comparable unsimplified garments composing the price line.

For example: a pajama manufacturer had a $30.00 price line, composed of two unsimplified styles which are comparable to two simplified models he is now producing. His saving on trimmings is 30¢ a dozen on the first style and 75¢ a dozen on the second. In 1942, he sold in that price line 20% of the first style and 80% of the second. His average saving per dozen will be figured as follows:

First style—30¢ x 20%	$0.06
Second style—75¢ x 80%	0.60
Average saving per dozen	$0.66

His reduction in cost on trimmings for the entire price line will, therefore, be 66¢ per dozen.

(3) *How a manufacturer calculates his "reduction in cost"*—(i) *Meaning of "cost."* "Cost" includes all expenses for the following four items: (*a*) material, (*b*) direct and indirect labor, (*c*) trimmings, (*d*) boxing and other supplies.

(ii) *Savings which constitute the reduction in cost.* The saving in each of these items of cost must be figured separately in computing the amount of the reduction in cost. These savings shall be determined (*a*) by the actual reduction in yardage at the current cost of the material used in the simplified garment, (*b*) by the current cost of trimmings eliminated, (*c*) by the cost at current rates of the direct and indirect labor operations which have been eliminated or decreased, and (*d*) by the current cost of the boxing and other supplies reduced or eliminated. The measure of each saving shall be based on a comparison with the yardage taken, trimmings used, labor employed and boxing and other supplies used for the comparable unsimplified garment put into process by the manufacturer prior to November 25, 1942.

(iii) *Off-setting the increase in cost of fine combed-yarn cotton goods.* An increase in the replacement cost of fine combed-yarn cotton goods from November 25, 1942, to February 23, 1943, may be offset against the savings which result from the curtailments and restrictions of the simplified garment. No other increase in cost shall be offset against the savings. The maximum price of the simplified garment can never exceed the maximum price of the comparable unsimplified garment.

(iv) *Examples of calculation.* A manufacturer should calculate the amount of his saving in the production of a simplified garment in the following manner, substituting for each item listed his own actual figures for cost of material and the savings in yardage, direct and indirect labor, trimmings, and boxing and other supplies.

(*a*) *Example for shirt manufacturers.*

(Saving per dozen garments)	
Material—1¼ yds. @ 24¢ yd. (current cost)	$.30
Labor saving on boxing, collars, etc	.05
Boxing supplies, etc	.05
Reduction in cost	.40
Plus 15% on 40¢	.06
Reduction in price	.46

If a manufacturer's maximum price of the comparable unsimplified garment is $15.50 per dozen, the maximum price of the simplified garment would be $15.50 less $.46, or $15.04.

(*b*) *Example for pajama manufacturers.*

(Saving per dozen garments)	
Material—1¾ yds. @ 28¢ yd. (current cost)	$.49
Trimmings—pipings, frogs, sashes, decorations, etc	.50
Labor—frogs, piping, sashes, cuffs on sleeves and trousers, collars	.30
Reduction in cost	1.29
Plus 15% on $1.29	.19
Reduction in price	1.48

If a manufacturer's maximum price of the comparable unsimplified garment is $28.50 per dozen, the maximum price of the simplified garment would be $28.50 less $1.48, or $27.02.

(*c*) *Example of offsetting increase in cost of fine combed-yarn cotton goods.* If a pajama is made of fine combed-yarn cotton goods, and the replacement cost of these goods increased from November 25, 1942 to February 23, 1943, the calculation would be revised as follows:

Reduction in cost (taken from Example (b))	$1.29
Increase in replacement cost of goods: Cost on February 23, 1943	28¢
Cost on November 25, 1942	27¢
Increase per yard	1¢
Multiply by 50 (yardage of simplified garment)	.50
Net reduction in cost	.79
Plus 15% on 79¢	.12
Reduction in price	.91

The above examples (*a*) and (*b*) are merely illustrations and do not give maximum savings nor are they inclusive of all possible savings that may be made by a manufacturer.

(b) *Maximum price of a "second."* The maximum price of a simplified garment which is a "second," according to the manufacturer's standard of grading a "second" of the comparable unsimplified garment, is the maximum price of the simplified garment established by this regulation less the seller's customary percentage allowance for "seconds."

§ 1389.503 *Rule 2: maximum prices for sales by wholesalers or retailers.* (a) In any sale of a simplified garment at wholesale or retail, the maximum price of such garment shall be determined in accordance with the following procedure:

The seller shall

(1) Select from the same general classification and price range as the garment being priced under this section, the unsimplified garment of which the seller delivered the largest number of units during March 1942 and for which he had an established maximum price; and

(2) Divide his maximum price for that unsimplified garment by his replacement cost of that garment; and

(3) Multiply the percentage so obtained by the net cost to him of the garment being priced under this section. The resulting figure shall be the maximum price of the simplified garment being priced.

For example:

Maximum price of unsimplified garment	$2.00
Replacement cost of that unsimplified garment ($15.75 a doz.)	1.31
Net cost of simplified garment being priced ($15.00 a doz.)	1.25

$\frac{2.00}{1.31} = 153\%$

Multiply 153% by $1.25: 153% x $1.25 = $1.91 maximum price for simplified garment

(b) For purposes of this section, "replacement cost" means the net cost to the seller for his last purchase, or the net cost the seller would have had to pay on the basis of the last offering price to him, after May 18, 1942 but before February 23, 1943. "Net cost" means the price paid after deducting all discounts allowed to the seller, but adding transportation or delivery charges paid by him.

§ 1389.504 *Maximum prices for simplified garments which cannot be priced under Rule 1 or 2.* In certain cases, it will not be possible for a manufacturer to determine his maximum price of a simplified garment under Rule 1 (§ 1389.502) or for a wholesaler or retailer to determine his maximum price under Rule 2 (§ 1389.503). This is true, for example, in the case of a new retailer or wholesaler, or a company newly entering the shirt manufacturing business. In these and other appropriate cases, the seller's maximum price shall be determined in accordance with the following procedure:

(a) Where a seller cannot determine his maximum price under Rule 1 or 2, his maximum price of a simplified garment shall be the same as the maximum price established in accordance with this

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1586.

[1] 7 F.R. 7809.

regulation by the most closely competitive seller of the same class, (1) for the same simplified garment, or (2) if no such maximum price has been established for that garment, then for the similar simplified garment most nearly like it.

(b) In any case in which a seller cannot determine the maximum price of a simplified garment under Rule 1 or 2, or paragraph (a) of this section, he shall not sell, deliver, or offer for sale any such simplified garment until he has first received authorization from the Office of Price Administration. A seller who seeks such authorization shall file with the Office of Price Administration, Washington, D. C., three copies of an application setting forth (1) the reasons why he cannot price under the provisions of this regulation, (2) a description in detail of the garment for which a maximum price is sought, including a description of the fabric out of which the garment is made, (3) the differences which distinguish the simplified garment being priced from the unsimplified garments for which applicant has an established maximum price, and (4) an explanation of the necessity for manufacturing this particular simplified garment.

If such authorization is given, it will be accompanied by instructions as to the method of establishing the maximum price of the particular garment.

§ 1389.505 *Information requirements*—(a) *Identification of simplified garments*—(1) *Labeling or marking.* On and after March 1, 1943, a manufacturer must not deliver any simplified garment unless it has a label attached or other mark placed thereon which shall clearly bear the symbol "–R–". However, if the garment had been boxed before that date, the symbol "–R–" may be placed upon the box. No person shall remove any such label or mark from the garment before it is delivered to the ultimate consumer.

(2) *Bills, invoices, catalogs, and statements.* In every invoice, bill, catalog, and statement in which a manufacturer or wholesaler describes or designates a garment for which a maximum price is established by this regulation, he shall identify such garment by adding the symbol "–R–" to the style or catalog number.

(b) *Statement of maximum prices to be furnished to purchasers for resale.* Unless the specific information has been previously furnished to the purchaser, every manufacturer, wholesaler or other person who sells or delivers to a purchaser for resale, any garment for which a maximum price has been established by this regulation, shall furnish, at the time of delivery of such garment to the purchaser thereof, a statement in the following form containing the seller's maximum price for the garment delivered:

This notice is sent to you, as required by Maximum Price Regulation No. 332 issued by the OPA. It explains our maximum prices for the garments listed below, and tells you how to find your maximum prices.

Each of the styles listed below is marked with an "–R–", either on the garment or on the box. This shows that the garment has been simplified to conserve material in accordance with General Limitation Order L–169 of the War Production Board. You will find below our maximum prices for our new simplified styles, and also for the comparable unsimplified styles, if any, formerly sold by us. Wherever we have made a saving on the simplified style, we have passed on the reduction to you, as required by the OPA.

(Under each of the following headings, list the items sold)

Style No. of simplified garment	Description	Our maximum price	Our selling price	Our maximum price and style No. for the unsimplified model previously made

How to Compute Your Maximum Prices for Simplified Garments

You will

(1) Select from the same general classification and price range as the simplified garment being priced by you, the unsimplified garment of which you delivered the largest number of units during March 1942 and for which you had an established maximum price; and

(2) Divide your maximum price for that unsimplified garment by your replacement cost of that garment.

(3) Multiply the percentage so obtained by the net cost to you of the simplified garment being priced. The resulting figure shall be the maximum price of the simplified garment.

For example:

Maximum price of unsimplified garment	$2.00
Replacement cost of that unsimplified garment ($15.75 a doz.)	1.31
Net cost of simplified garment being priced ($15.00 a doz.)	1.25

Divide 2.00 by 1.31: $\frac{2.00}{1.31}$ = 153%

Multiply 153% by $1.25: 153% × $1.25 = $1.91 maximum price for simplified garment

In finding your maximum price in accordance with the above method, you should take as your *replacement cost*, the *net cost* to you of your last purchase or the *net cost* you would have had on the basis of the last offering price to you of the unsimplified garment, after May 18, 1942 but before February 23, 1943. *"Net cost"* means the price you paid after deducting all discounts allowed to you and after adding any transportation or delivery charges paid by you.

If you cannot compute your maximum prices under these instructions, then your maximum price of a simplified garment shall be the same as the maximum price established by the most closely competitive seller of the same class, (a) for the same simplified garment, or (b) if no such maximum price has been established for that garment, then for the similar simplified garment most nearly like it.

(For full details of pricing, consult Maximum Price Regulation No. 332 or the nearest state or district office of the Office of Price Administration.)

WARNING: The OPA has ruled that inasmuch as a garment made with curtailments of material and trimmings, and restrictions on packing, cannot be considered the "same" as or "similar" to a garment made without such curtailments and restrictions, all maximum prices for simplified garments must reflect the appropriate reduction in costs.

§ 1389.506 *Relation to other regulations, and other special situations*—(a) *General Maximum Price Regulation.* Any sale or delivery of a simplified garment covered by this Maximum Price Regulation No. 332 is not subject to the General Maximum Price Regulation.[1] However, the following sections of the General Maximum Price Regulation, as well as the amendments to them, shall continue to be applicable to any person selling any simplified garment covered by this regulation:

(1) Determination of maximum prices by sellers at retail operating more than one retail establishment (§ 1499.4a).

(2) Transfers of business or stock in trade (§ 1499.5).

(3) Federal and state taxes (§ 1499.7).

(4) Base-period records (§ 1499.11).

(5) Current records (§ 1499.12).

(6) Maximum prices of cost-of-living commodities; statement, marking, or posting (§ 1499.13), except that paragraph (b) of § 1499.13 shall not apply.

(7) Sales slips and receipts (§ 1499.14).

(8) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this regulation selling at wholesale or retail.

(b) *War procurement agencies—Maximum Price Regulation 157.* This regulation does not apply to sales of simplified shirts made in accordance with military specifications, when the sales are made to war procurement agencies as defined in Maximum Price Regulation 157.[2] It does not apply to sales made by war procurement agencies of simplified shirts, whether or not the shirts are made in accordance with military specifications.

(c) Maximum Price Regulation No. 210[3] does not apply to simplified men's and boys' shirts and pajamas.

(d) *Export sales.* This regulation does not apply to export sales of simplified garments, and the Revised Maximum Export Price Regulation[4] applies to such sales.

(e) *Contractors' services.* This regulation does not apply to the supply of contractors' services as defined in Maximum Price Regulation No. 172.[5]

(f) *Geographical applicability.* This regulation applies to sales in the District of Columbia and the 48 states.

§ 1389.507 *Transactions which are prohibited by this regulation.* On and after March 1, 1943, regardless of any contract or other obligation, no person shall

(a) Sell or deliver any simplified garment at a price higher than the maximum price established by this regulation; or

(b) Require a purchaser to buy or agree to buy any other article, service, wrapper or package in connection with a sale or delivery of any simplified garment for which a maximum price is established by this regulation; or

(c) Buy or receive any simplified garment in the course of trade or business at a price higher than the maximum price established by this regulation; or

(d) Do any other act which directly or indirectly increases the consideration paid for any simplified garment above the maximum price established by this regulation; or

(e) Offer, attempt, or agree to do any of the acts prohibited by this regulation.

§ 1389.508 *Less than maximum prices may be charged.* Lower prices than the maximum prices established by this regulation may be charged, demanded, paid or offered.

§ 1389.509 *Evasion.* The price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods. Any practice which is a device to secure the benefit of a higher-than-ceiling price without actually raising the maximum price is as much a violation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, discounts, special privileges, tying-agreements, trade understandings and the like.

§ 1389.510 *Disclosure of maximum prices.* Every person selling or offering for sale any simplified garment for which a maximum price has been established by this regulation shall, within 10 days after receipt of a written request from any person to whom the seller has sold such garment, disclose in writing to such person the seller's maximum price for the garment.

§ 1389.511 *How this regulation may be amended.* Any person seeking a modification of any provision of this regulation may file a petition for an amendment of general applicability in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1389.512 *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses provided by the Emergency Price Control Act of 1942, as amended.

§ 1389.513 *Definitions*—(a) *Definitions incorporated by reference.* Unless the context otherwise requires, or unless otherwise specifically provided herein, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 and in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(b) *Other definitions.* When used in this regulation, the following terms shall have the meanings set forth below:

(1) "Manufacturer" means a person who sells a garment which he has fabricated or which has been fabricated for him by an agent or by a "contractor" as that term is defined in Maximum Price Regulation No. 172.

(2) "Wholesaler" means a person who buys a garment and resells it otherwise than at retail without substantially changing the form of the garment.

(3) "Retailer" means a person who sells a garment, in a form substantially unchanged from the form in which he bought it, to an ultimate consumer other than an industrial or commercial user.

(4) "Simplified garment." A simplified garment is one which was manufactured with curtailments of materials and trimmings and restrictions on packing in accordance with General Limitation Order L–169 of the War Production Board.

(5) "Unsimplified garment." An unsimplified garment is one which was manufactured without the curtailments of materials and trimmings, and the restrictions on packing specified in General Limitation Order L–169 of the War Production Board.

This regulation shall become effective March 1, 1943.

Issued this 23d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–2924; Filed, February 23, 1943; 11:08 a. m.]

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4330, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6067, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454, 8 F.R. 371, 1204, 1317, 2055, 2110.

[2] 7 F.R. 4273, 4541, 4618, 5180, 5716, 6704, 6424, 8948.

[3] 7 F.R. 6789, 7318, 7173, 7912, 8651, 8830, 8937, 8948, 9614, 10109; 8 F.R. 973, 1813, 2025.

[4] 7 F.R. 5059, 7242, 8029, 9600, 10530.

[5] 7 F.R. 4882, 6681, 8351, 8949, 10864.

PART 1304—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5C,[1] Amendment 24]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The words "the back of" where they appear in § 1394.8003 are deleted; the text of § 1394.8217 is designated paragraph (b) of § 1394.8217; § 1394.7504, the text of paragraph (d) of § 1394.8004, the text of paragraph (c) of § 1394.8153, §1394.8165, §1394.8173 and paragraph (c) of § 1394.8201 are amended; a new paragraph (h) to § 1394.8215, a new paragraph (a) to § 1394.8217, and a new paragraph (x) to § 1394.8352 are added; as set forth below:

Scope of Ration Order No. 5C

§ 1394.7504 *Effect on other ration orders.* No allotment of gasoline issued pursuant to Ration Order No. 5C for use with a motor vehicle shall be construed to authorize such use where it would be in violation of Ration Order No. 1A or Ration Order No. 2A or any other automobile rationing regulation or to remove or avoid any disqualification of such vehicle under such ration orders or regulations.

General Provisions With Respect to Issuance of Rations and Tire Inspection Records

§ 1394.8004 *Notation on ration books, applications, coupons and tire inspection records.* • • •

(d) Each person to whom a ration book has heretofore been or is hereafter issued shall clearly write in ink or stamp in ink on the reverse side of each coupon issued to him (except that in the case of Class B coupons, the writing or stamping may be either on the front or reverse side), before accepting a transfer of gasoline in exchange for such coupons, the following information.

• • • • •

General Provisions With Respect to Transfer and Use

§ 1394.8153 *Transfer to consumers in exchange for coupons.* • • •

(c) *Bulk coupons.* Bulk transfers may be made in exchange for bulk coupons as follows:

• • • • •

Prohibited Acts

§ 1394.8165 *Display of stickers.* No person may use a Class A, B, C, T–1, or T–2 coupon book, or bulk coupon, other than one representing a special ration, issued for a registered or commercial motor vehicle, unless a sticker identifying the class of ration issued for use with such vehicle, in such form as may be prescribed by the Office of Price Administration, is affixed to and conspicuously displayed on such vehicle. Such sticker shall be displayed on such vehicle at all times, but the display of such sticker shall be in accordance with the laws of the State in which such vehicle is operated. A person to whom any ration in addition to a Class A ration has been issued shall display only the sticker identifying such additional ration.

§ 1394.8173 *Use in violation of other ration orders.* No person shall use gasoline for the operation of any motor vehicle in violation of Ration Order No. 2A or any other automobile rationing regulations or which results in the use of tires in violation of Ration Order No. 1A.

Replenishment and Audit

§ 1394.8201 *Registration of inventory and capacity.* • • •

(c) Each place of business at which functions corresponding to those of a dealer or intermediate distributor are performed, or at which gasoline is received from a licensed distributor on consignment for purposes of sale, which, under the terms of § 1394.7551 (a) (17), is deemed to be a part of the facilities of a licensed distributor, shall be registered (on Form OPA R–545) by such licensed distributor or consignee on December 1 and 2, 1942, with the Board having jurisdiction over the area in which such place of business is located: *Provided,* That neither the inventory of gasoline on hand nor the gasoline storage capacity shall be registered, but only the name of the licensed distributor or consignee operating such place of business, a statement that the place of business is operated by a licensed distributor or by a consignee,

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 607, 565, 1028, 1202, 1203, 1365, 1282, 1366, 1318, 1588, 1813, 1895, 2098.

and a certification as to the truth of this information.

* * * * *

Restrictions on Transfer Between Dealers and Distributors

§ 1394.8215 *Transfer and surrender of expired coupons.* * * *

(h) Any dealer or distributor in the limitation area who has in his possession or control coupons, other than A coupons bearing the designation "1" or "2", acquired on or before November 30, 1942, without the notations thereon required by §§ 1394.1304 (d), 1394.1304 (e) or 1394.1606 of Ration Order No. 5A shall surrender such coupons to the board having jurisdiction over the area in which his place of business is located on or before March 11, 1943. The board shall issue to the dealer or distributor in exchange for such coupons either inventory coupons or exchange certificates in the manner provided in paragraph (c) of this section: *Provided*, That each dealer or distributor shall execute and file with the board a statement that such coupons were acquired by him in exchange for gasoline on or before November 30, 1942.

Records and Audits

§ 1394.8217 *Accountability and records of dealers and intermediate distributors.* (a) Every dealer and intermediate distributor shall be accountable for all gasoline, coupons, ration credits and other evidences received by him and shall at all times have in his possession or control coupons, ration credits or other evidences having an aggregate gallonage value which, when added to the number of gallons of gasoline on hand, is equivalent in gallonage to his total gasoline storage capacity as stated in his registration filed with the board pursuant to §§ 1394.8201, 1394.8220, 1394.8222, 1394.8223 or 1394.8226, except for such gasoline as may be accounted for by evaporation, handling, accident or other extraordinary circumstances, and except for such coupons or other evidences as may be accounted for by theft or unavoidable loss or by failure to receive all inventory coupons to which he was entitled upon registration.

* * * * *

Effective Dates

§ 1394.8352 *Effective dates of amendments.* * * *

(x) Amendment No. 24 (§§ 1394.7504, 1394.8003, 1394.8004 (d), 1394.8153 (c), 1394.8165, 1394.8173, 1394.8201 (c), 1394.8215 (h), 1394.8217 (a) and (b)), to Ration Order No. 5C shall become effective March 1, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 10, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 23d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2925; Filed, February 23, 1943; 11:07 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 117 to Supp. Reg. 14[1] to GMPR[2]]

TRANSPORTATION OF FLUID MILK BY MOTOR TRUCK

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (73) is added to § 1499.73 (a) as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services, and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided:

* * * * *

(73) *Transportation of fluid milk by motor truck.* (i) Maximum prices arrived at in accordance with the provisions of § 1499.2 of the General Maximum Price Regulation for the transportation by truck of fluid milk consigned from the producers thereof to processing plants located in Fremont, Ohio, and Mayfield, Kentucky, may be altered as follows:

(*a*) Milk consigned from the producer thereof to processing plants in Mayfield, Kentucky, may be increased 5¢ per hundred pounds.

(*b*) Milk consigned from the producer thereof to processing plants in Fremont, Ohio; instead of being at the present rate of 25 cents per hundred pounds may be charged at the following rates:

Under $1.30 per cwt., 22½¢ per cwt.
$1.30–1.75 per cwt., 25¢ per cwt.
$1.75–2.25 per cwt., 27½¢ per cwt.
$2.25–2.75 per cwt., 30¢ per cwt.
Above $2.75 per cwt., 32½¢ per cwt.

(b) *Effective dates.* * * *

(112) Amendment No. 117 (§ 1499.73 (a) (73)) to Supplementary Regulation No. 14 shall become effective at 12:01 a. m., March 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2926; Filed, February 23, 1943; 11:07 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 282 Under § 1499.3 (b) of GMPR]

SHANNON HOSIERY MILLS, INC.

Correction

In the heading of § 1499.1718, appearing on page 2100 of the issue for Wednesday, February 17, 1943, "style No. 2500" should read "style No. 1500".

PART 1499—COMMODITIES AND SERVICES

[Order 284 Under § 1499.3 (b) of GMPR]

PENN TOBACCO COMPANY

Correction

The second sentence of the notice in paragraph (d) of the document appearing on page 2122 of the issue for Wednesday, February 17, 1943, should read, "Manufacturers' discounts may not be less than 10% trade discount plus 2% cash discount for payment within 10 days."

PART 1499—COMMODITIES AND SERVICES

[Order 291 Under § 1499.3 (b) of GMPR]

FAINER FROZEN FOODS

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1727 *Authorization of maximum prices for sales of Fainer Brand Frozen Foods by Fainer Frozen Foods, Pasadena, California, by authorized wholesale distributors and by retailers.* (a) On and after February 24, 1943, the maximum prices net f. o. b. Los Angeles, California, for sales by Fainer Frozen Foods, having its principal place of business at 915 South Arroyo Parkway, Pasadena, California, of "Fainer Frozen Foods" shall be:

$1.20 per dozen of 1 pound packages.
$2.28 per dozen of 2 pound packages.

for Fainer Brand Baked Beans, Chili Beans, Spaghetti with Soup Stock and Tomato Sauce; and

$1.92 per dozen of 1 pound packages.
$3.72 per dozen of 2 pound packages.

for Fainer Brand Chili and Beans and Spaghetti with Meat Sauce.

(b) Authorized wholesale distributors shall determine their maximum delivered selling prices of "Fainer Frozen Foods" by adding to their net cost of this item a mark-up over net cost of 33 percent of their net cost. Where a maximum price per dozen determined by the provisions of this paragraph is a fractional cent price and the fraction of a cent is less than one-half cent, the price per dozen shall be lowered to the next lower cent. If the fraction is one-half cent or larger, the distributor is permitted to increase his maximum price per dozen to the next higher cent.

Net cost for an authorized wholesale distributor as mentioned in this paragraph shall be his cost of Fainer Frozen Foods delivered in a customary quantity of this type of item by the customary mode of transportation to his customary receiving point, less all discounts allowed him, except discount for prompt payment. No charge or cost for unloading or local trucking shall be included in net cost.

(c) Sellers at retail shall determine their maximum selling prices of "Fainer Frozen Foods" by adding to their net cost of this item a mark-up over net cost of 36 percent of their net cost. Where a maximum price per package determined by the provisions of this paragraph is a fractional cent price and the fraction of a cent is less than one-half cent, the price per package shall be lowered to the next lower cent. If the fraction is one-half cent or larger, the retailer is permitted to increase his maximum price per package to the next higher cent.

Net cost for a retailer as mentioned in this paragraph shall be his cost for "Fainer Frozen Foods" delivered to his customary receiving point in a customary quantity of this type of item by a customary mode of transportation and from a customary source of supply, less all discounts allowed him, except the discount for prompt payment. No charge or cost for unloading or local trucking shall be included in net cost.

(d) No seller, except a seller at retail, shall change his customary discounts, cold storage allowances or other allowances applying to sales of other quick-frozen food items in making sales of "Fainer Frozen Foods" unless such a change in these customary discounts, cold storage allowances and other allowances results in lower selling prices.

(e) On and after February 24, 1943, Fainer Frozen Foods shall supply a written notification to each authorized wholesale distributor before or at the time of the first delivery of "Fainer Frozen Foods" to a distributor, and for a period of three months thereafter shall include with each shipping unit of "Fainer Frozen Foods" a written notification to retailers. If such a retailer notification is enclosed in a shipping unit, a legend shall be affixed outside of such unit to read "Retailer's Notice Enclosed." The written notifications, for each type of purchaser, shall include the following appropriate statements:

Notification From Fainer Frozen Foods to Authorized Wholesale Distributors

OPA has authorized us to charge wholesalers the following net selling prices, f. o. b. Los Angeles, California, for "Fainer Frozen Foods:"

$1.20 per dozen 1 pound packages.
$2.28 per dozen 2 pound packages.

for baked Beans, Chili Beans, Spaghetti with Soup Stock and Tomato Sauce and Hominy, and

$1.92 per dozen 1 pound packages.
$3.72 per dozen 2 pound packages.

for Chili and Beans and Spaghetti with Meat Sauce, subject to all customary discounts, cold storage allowances and other allowances. Wholesalers are authorized to establish a ceiling price by adding to the net cost of these items 33 per cent of such net cost. Net cost is cost at the customary receiving point less all discounts, other than for prompt payment, and excluding charges for local hauling. Retailers shall establish ceiling prices by adding to their net cost 36 percent of their net cost. Each individual ceiling price determined by any seller shall be figured to the nearest cent (raise one-half cent fractions to the next even cent). A copy of notification to retailers is included in every shipping unit of these items. If the initial sale of these items to any retailer is a split case sale, wholesalers are required to provide such retailer with a copy of the retail notification so enclosed. OPA requires that you keep this notice for examination.

Notification From Fainer Frozen Foods to Retailers

OPA authorizes retailers to establish ceiling prices for "Fainer Frozen Foods" in 1 pound and 2 pound packages by adding to the net cost of these items 36 percent of their net cost. Net cost is the invoice cost at the customary receiving point less all discounts, other than for prompt payment, and excluding charges for local hauling. Such ceiling prices shall be figured to the nearest cent (raise one-half cent fractions to the next even cent). OPA requires that you keep this notice for examination.

(f) This Order No. 291 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 291 (§ 1499.1727) shall become effective February 24, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2930; Filed, February 23, 1943; 11:06 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 292 Under § 1499.3 (b) of GMPR]

GROCERY PRODUCTS MANUFACTURING CORP.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1734 *Authorization of maximum prices for sales of diced dehydrated mushrooms in bulk by Grocery Products Manufacturing Corporation, Mushroom Division, West Chester, Pennsylvania.* (a) On and after February 24, 1943 the maximum price for sales by the Grocery Products Manufacturing Corporation, Mushroom Division, West Chester, Pennsylvania, of diced dehydrated mushrooms shall be $4.45 per pound delivered anywhere in the United States.

The maximum price authorized herein is a gross price and includes the cost of shipping containers. The Grocery Products Manufacturing Corporation, Mushroom Division, shall not make any additional charge for such shipping containers for any sale or delivery, and if any bulk sales of diced dehydrated mushrooms without being packaged in containers are made the per pound maximum price of such dehydrated mushrooms shall be reduced in such proportion as the cost of the shipping container bears to the total cost of the product per pound.

(b) The Applicant, Grocery Products Manufacturing Corporation, Mushroom Division, shall not change its customary allowances, discounts or price differentials unless such change results in a lower price.

(c) This Order No. 298 may be revoked or amended by the Price Administrator at any time.

(d) Unless the context otherwise requires the definitions set forth in § 1499.20 of the General Maximum Price Regulation and section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to terms used herein.

(e) This Order No. 298 (§ 1499.1734) shall become effective on the 24th day of February 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 23d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2921; Filed, February 23, 1943; 11:06 a. m.]

TITLE 46—SHIPPING

Chapter I—Bureau of Customs

Subchapter A—Documentation, Entrance and Clearance of Vessels, Etc.

[T.D. 50818]

PART 1—DOCUMENTATION OF VESSELS

OFFICIAL NUMBER AND SIGNAL LETTERS

46 CFR 1.16 relative to official number and signal letters amended to provide a uniform procedure in connection with the execution of the application for official number, forwarding the application to the Bureau, and notification of collector and owner of award of official number.

Section 1.16, Part 1, Title 46, Code of Federal Regulations, is hereby amended to read as follows:

§ 1.16 *Official number and signal letters.* (a) Every documented vessel shall have an official number awarded by the Commissioner of Customs. Application therefor shall be made on Customs Form 1320 by the owner or his agent through the collector of customs. When application is filed with the collector at the port designated as home port of the vessel, the application shall be in duplicate. When application is filed with the collector at any port other than the home port of the vessel, the application shall be in triplicate. In the case of corporate ownership, the application shall be signed in the corporate name by the president, secretary, or a specially authorized officer of the corporation or by an authorized agent. In the case of a partnership, the partnership name shall be signed by one of the partners, or by a duly authorized agent. In the case of in-

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 6965, 7011, 7012, 7250, 7269, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8555, 8959, 9043, 9196, 9397, 9391, 9495, 9496, 10381, 9639, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10460, 10583, 10537, 10705, 10557, 10583, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 980, 1030, 876, 878, 1121, 1139, 1590, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467, 1813, 1894, 1978, 2041, 1895, 2035, 2157.

[2] 7 F.R. 3153, 3530, 3668, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6939, 6794, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110.

dividual ownership by two or more persons, one of the owners may sign in his own name as managing owner, provided there is filed with the collector a written authorization for him to act in that capacity signed by all the owners. In every case the capacity in which the person signs, whether as owner, managing owner, agent, etc., shall be clearly stated below his signature. In addition to the information therein required, the application shall state the name of any former owner.

(b) When application for an official number is filed with the collector at the port designated as home port of the vessel, the original only of customs Form 1320 shall be forwarded to the Bureau. When application for an official number is filed with the collector at any port other than the home port of the vessel, the original and one copy of the application shall be forwarded to the Bureau. Upon the award of an official number to the vessel, the Bureau will forward to the collector transmitting the application a notice of such award on customs Form 1321 in duplicate. The original shall be delivered to the applicant and the duplicate retained in the collector's files. When the application for official number is filed with the collector at any port other than the home port of the vessel, and an official number is awarded to the vessel, a copy of the notice of award will also be forwarded by the Bureau to the collector at the home port together with a copy of the application.

(c) All seagoing vessels of 100 tons or over, in addition to an official number, may have signal letters awarded. Signal letters may also be awarded to seagoing vessels of less than 100 tons where special application is made therefor through the collector.

(R.S. 161, sec. 2, 3, 23 Stat. 118, 119, R.S. 4177, as amended; 5 U.S.C. 22, 46 U.S.C. 2, 3, 45. E.O. 9083; 7 F.R. 1609)

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: February 19, 1943.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 43-2902; Filed, February 22, 1943; 12:07 p. m.]

Chapter IV—War Shipping Administration

[General Order 12, Supp. 14]

PART 306—GENERAL AGENTS AND AGENTS

COMPENSATION PAYABLE TO GENERAL AGENTS, ETC.

Compensation payable to general agents, agents, berth sub-agents, and domestic and foreign sub-agents—dry cargo vessels.

1. Section 306.2 *Effective period* is amended to read:

§ 306.2 *Effective period.* (a) The compensation payable to general agents, agents, domestic sub-agents and foreign sub-agents for services performed in connection with the business of dry cargo vessels under Service Agreements (GAA and TCA) shall be calculated in accordance with the provisions of General Order 12, Part I, and applicable supplements thereto (§§ 306.1 to 306.12 inclusive), as follows:

(1) Vessels delivered on or after February 25, 1942:

The date of delivery of the vessel;

(2) Vessels delivered prior to February 25, 1942:

(i) As to vessels owned by or bareboat chartered to the Administration:

The commencement of the first voyage on or after April 22, 1942;

(ii) As to vessels time chartered to the Administration:

The commencement of the first voyage on or after February 25, 1942.

(b) The compensation payable to berth sub-agents for services performed in connection with the business of dry cargo vessels shall be calculated, as follows:

(1) In the absence of any agreed compensation, on any voyage that commenced on or after December 1, 1941 and prior to the attachment of the vessel under General Order 12, Part I, and applicable supplements thereto:

The compensation prescribed in Press Release 1085, i. e., one-third of one cent per bale cubic foot capacity per month;

(2) On any voyage that commenced subsequent to the attachment of the vessel under General Order 12, Part I, and applicable supplements thereto, and prior to midnight June 30, 1942:

The compensation prescribed in § 306.7 of General Order 12, Part I, and applicable supplements thereto (subject to adjustment in conformity with the suggestion contained in the Administrator's form letter dated November 23, 1942);

(3) On any voyage that commenced after midnight June 30, 1942:

The compensation prescribed in § 306.5 (a) in Supplement 7 to General Order 12, Part I; and

(4) In instances where only a relatively small part of the total bale capacity of a vessel was utilized by a berth sub-agent prior to the attachment of vessels under General Order 12 (such as vessels operated in the service of the military authorities on the West Coast):

The compensation of the berth sub-agent and domestic and foreign sub-agents shall be as determined by the Assistant Deputy Administrator for Fiscal Affairs.

2. Section 305.5 (a) *Berth sub-agent defined,* (General Order 12, Supp. 7, 7 F.R. 7561) is amended by striking out the comma and inserting in lieu thereof a a period after the words "June 30, 1942" in the fifth line of the second paragraph thereof, and by deleting the remainder of the sentence reading "and, as to any voyage then in progress, when the vessel is next free of cargo on board at that time."

3. Section 306.7 *Compensation of agents in continental United States ports,* (7 F.R. 6587, 8565, 8714, 10724; 8 F.R. 185, 279) is amended by adding the following paragraph:

(g) For compensation as Agent in connection with passengers transported on dry cargo vessels, the Agent will be compensated as follows:

$3.00 for each passenger carried outward.
$2.00 for each passenger carried homeward.

The term "passenger" for which compensation will be payable under this paragraph is as defined in § 306.23 of Supplement 3 to General Order 12.

This compensation is payable from the effective dates set forth in § 306.2, as amended.

4. Section 306.8, *Compensation of agents at ports outside of continental United States,* (7 F.R. 6587, 8565, 8714; 8 F.R. 185) is amended by adding the following paragraph:

(g) For compensation as Sub-Agent at ports outside the continental limits of the United States, including Alaska, for passengers handled on dry cargo vessels, the Agent may pay his foreign Sub-Agent, with respect to such passengers, at the prevailing commercial rate, but not in excess of the following:

$2.00 for each passenger embarked.
$1.00 for each passenger disembarked.

The term "passenger" for which compensation will be payable under this paragraph is as defined in § 306.23 of Supplement 3 to General Order 12.

This compensation is payable from the effective dates set forth in § 306.2, as amended.

5. Section 306.10 *Adjustment of earnings to cover deficiencies,* is amended by adding the following paragraph:

The effective date of the provisions of this § 306.10 shall be July 1, 1942, and adjustment for the first period shall be for the six months ending December 31, 1942, and thereafter on an annual basis.

6. Section 306.11 *Adjustment for excessive compensation,* is amended by adding the following paragraph:

The effective date of the provisions of this § 306.11 shall be July 1, 1942, and adjustment for the first period shall be for the six months ending December 31, 1942, and thereafter on an annual basis.

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

FEBRUARY 20, 1943.

[F. R. Doc. 43-2900; Filed, February 22, 1943; 11:49 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Amendment 1 to Service Order 92]

PART 95—CAR SERVICE

DESIGNATION OF AGENT AT CERTAIN PORTS

At a Session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 19th day of February, A. D. 1943.

Good cause appearing therefor; *It is ordered,* That:

Section 95.31 of this part is hereby amended to read as follows:

§ 95.31 (a) *Designation of agent at New York, New Jersey, Delaware, Pennsylvania, and Maryland ports; outline of duties.* W. R. Godber, Joint Manager of the Anthracite Tidewater Emergency Committee, 143 Liberty Street, New York, N. Y., is hereby designated and appointed as Agent of the Commission and vested with authority to control the movement of railroad cars used in the transportation of coal for transshipment by vessels at New York, New Jersey, Delaware, Pennsylvania, and Maryland ports and storage yards named in Trunk Line Tariff Bureau Tariff 139-C I.C.C. A-751, or in Trunk Line Tariff Bureau Tariff No. 138-B I.C.C. No. A-750, or supplements thereto. As Agent, he is hereby authorized to represent the Commission in the regulation of the shipment of coal to piers in such manner as to prevent the accumulation of cars of coal at such piers and storage yards by any transshipper in excess of the ability of such transshipper to provide vessel capacity for the prompt dumping of the coal. As Agent, he is authorized and directed to determine and advise the Commission in the establishment of the maximum number of cars which any transshipper may have on hand at any pier or storage yard or in transit from points of origin to said piers and storage yards. In arriving at said maximum number of cars said Agent shall give consideration to past performance in dumping, as well as any other circumstances which will affect the ability of the transshipper to unload from cars to vessels. As Agent, he is also authorized and directed to promote voluntary consolidation, for transshipment, of various grades and consignment designations of coal and to promote the reduction of the number of grades and consignment designations of coal to a minimum. As Agent, he is also authorized and directed to take the necessary action to bring about embargoes of transshippers, piers, or ports, to properly control the movement of cars used in the transportation of coal.

(b) *Diversion and rerouting of coal.* As Agent, he is authorized and vested with authority to divert and reroute cars loaded with coal moving to or through the ports named in paragraph (a) of this section, for transshipment by vessel or for delivery at the port, from the line or piers of any railroad which, in his opinion, can not currently accept and move such traffic, over the line or piers of any other railroad or railroads less congested and in a better position to handle the traffic. Such diversion and rerouting shall be made at any intermediate point en route, and, when necessary, at point of origin. Such diversion and rerouting shall be made regardless of the routing shown on the bill of lading designated by either shipper or carrier.

(c) *Rates to be applied.* Inasmuch as the diversion and rerouting of traffic pursuant to this order is deemed to be due to carriers' disability, rates applicable to traffic so forwarded shall be those which would have applied to the shipments if such shipments had moved as originally routed.

(d) *Division of rates.* In executing the orders and directions of the Commission provided for in this order the common carriers involved shall proceed without reference to contracts, agreements, or arrangements now existing between them with reference to the divisions of the rates of transportation applicable to said traffic; such divisions shall be, during the time this order remains in force, voluntarily agreed upon by and between said carriers; and upon failure of the carriers to so agree, said divisions shall be hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

It is further ordered, That this amendment shall become effective immediately and shall remain in force until further order of the Commission; and that copies of this amendment be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and that notice of this amendment be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-2896; Filed, February 22, 1943; 11:17 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-349]

BLUE GEM COAL CO.

NOTICE OF AND ORDER FOR HEARING

In the matter of A. C. Owens, H. D. McDonald and Lester Owens, individually and as co-partners doing business under the name and style of Blue Gem Coal Company, a partnership, Code Member.

An amended complaint dated February 17, 1943, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on February 17, 1943, by Bituminous Coal Producers Board for District No. 8, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by A. C. Owens, H. D. McDonald and Lester Owens, individually and as co-partners, doing business under the name and style of Blue Gem Coal Company, (the "Code Member"), of the Bituminous Coal Code (the "Code"), and rules and regulations thereunder:

It is ordered, That a hearing in respect to the subject matter of such amended complaint be held on March 22, 1943, at 10 a. m. at a hearing room of the Bituminous Coal Division at Room 214, Post Office Building, Knoxville, Tennessee.

It is further ordered, That Charles O. Fowler or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on said amended complaint.

Notice is hereby given that answer to the amended complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the amended complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the amended complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3250 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the amended complaint herein, other matters incidental and related thereto, whether raised by amendment of such amended complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the amended complaint herein.

The matter concerned herewith is in regard to the amended complaint filed by said complainant alleging that A. C. Owens, H. D. McDonald and Lester Owens, individually and as co-partners doing business under the name and style of Blue Gem Coal Company, a code member of Twinton, Tennessee, whose code membership became effective as of

September 3, 1940, and who operates the Blue Gem Mine, Mine Index No. 2481, located in Overton County, Tennessee, District No. 8, has willfully violated the Act, the Code, and the effective minimum prices established thereunder by selling during the period October 12, 1940, to September 25, 1941, both dates inclusive coal produced at the above-named mine to various purchasers, at prices below the effective minimum prices as established in the Schedule of Effective Minimum Prices for District No. 8 for Truck Shipment, as follows:

Size	Tonnage	Sales price f. o. b. mine	Effective minimum price f. o. b. mine
6" lump	53.55	$2.24 to $2.43	$2.50
2" x 6" egg	210.90	$1.50 to $2.09	2.10
2" x 3" nut	1,826.50	$0.50 to $1.50	1.85
1" x 2" pea	340.50	$0.29 to $1.35	1.85
Run of mine	36.50	$1.17 to $1.20	1.85
2" nut and slack	190.00	$0.35 to $0.76	1.35

Each sale and delivery of coal as set forth above resulted in a violation of section 4 Part II (e) of the Act and Part II (e) of the Code.

Dated: February 22, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2915; Filed, February 23, 1943; 10:44 a. m.]

[Docket No. B-357]

HUDSON COAL COMPANY

NOTICE OF AND ORDER FOR HEARING

I. Under provisions of the Bituminous Coal Act of 1937 (the "Act"), district boards are authorized in appropriate cases to file complaints of violations of the Act, the Bituminous Coal Code (the "Code") and rules and regulations of the Bituminous Coal Division (the "Division").

II. The Division on Febrary 11, 1943 referred to District Board No. 20 information in its possession bearing on whether violations of the Act, the Code, orders, rules and regulations thereunder have been committed by Hudson Coal Company, a corporation, the Code Member above-named (hereinafter referred to as the "Code Member") whose Code Membership became effective as of March 1, 1941, operator of the Sweet Mine, Mine Index No. 23, located in Carbon County, Utah, District No. 20, in connection with the following:

A. *Section 4 II (e) of the Act and Part II (e) of the Code.* Sales of coal produced at the aforesaid mine for rail shipment below the applicable minimum prices therefor as set forth in the Schedule of Effective Minimum Prices for District No. 20 for All Shipments (the "Schedule") including the following transactions:

1 Sales to various purchasers during the period March 31, 1941 to January 15, 1942, inclusive, of approximately 3,639.89 net tons of 3½" x 1⅝" nut coal at prices ranging from $2.65 per net ton to $2.75 per net ton f. o. b. the mine, whereas such coal, pursuant to Price Instruction No. 5 of the Schedule, should have been sold at not less than $2.90 per net ton f. o. b. said mine;

2. Sales to various purchasers during the period March 31, 1941 to January 15, 1942, inclusive, of approximately 615.15 net tons of 3½" x 1⅝" nut coal at prices ranging from $2.65 per net ton to $2.75 per net ton f. o. b. the mine, whereas such coal, pursuant to Price Instruction No. 5 of the Schedule, should have been sold at not less than $2.90 per net ton f. o. b. said mine;

3. Sale to Idaho Bean and Elevator Co., Twin Falls, Idaho, on or about January 10, 1942, of approximately 38 net tons of 3½" x 10" stove coal at $3.65 per net ton f. o. b. the mine, whereas such coal, pursuant to Price Instruction No. 5 of the Schedule, should have been sold at not less than $4.20 per net ton f. o. b. the mine;

4. Sales to various purchasers during the period August 9, 1941 to January 6, 1942, inclusive, of approximately 641.72 net tons of 3½" x 8" stove coal at $3.50 per net ton f. o. b. the mine, whereas such coal, pursuant to Price Instruction No. 5 of the Schedule, should have been sold at not less than $3.65 per net ton f. o. b. the mine;

5. Sales to various purchasers during the period April 29, 1941 to January 13, 1942, inclusive, of approximately 1182.05 net tons of 3½" lump coal at $3.65 per net ton f. o. b. the mine, whereas such coal, pursuant to Price Instruction No. 5 of the Schedule should have been sold at not less than $3.80 per net ton f. o. b. the mine;

(6) Sales to Asael Farr Coal Company, Ogden, Utah, during the period March 31, 1941 to January 15, 1942, inclusive, of approximately:

(a) 251.30 net tons of 3½" lump coal invoiced at $3.65 per net ton f. o. b. said mine, whereas said coal, pursuant to Price Instruction No. 5 of the Schedule, should have been sold at not less than $3.80 per net ton f. o. b. said mine;

(b) 675.12 net tons of 3½" x 8" stove coal invoiced at $3.50 per net ton f. o. b. said mine, whereas said coal, pursuant to Price Instruction No. 5 of the Schedule, should have been sold at not less than $3.65 per net ton f. o. b. said mine;

(c) 450.45 net tons of 1⅝", x 3½" oiled nut coal invoiced at $2.75 per net ton f. o. b. said mine, whereas said coal, pursuant to Price Instruction No. 5 of the Schedule, should have been sold at not less than $3.00 per net ton f. o. b. said mine;

(d) 253.21 net tons of 1⅝" x 3½" nut coal invoiced at $2.65 per net ton f. o. b. said mine, whereas said coal, pursuant to Price Instruction No. 5 of the Schedule, should have been sold at not less than $2.90 per net ton f. o. b. said mine;

(e) 156.28 net tons of 3½" lump coal invoiced at $3.65 per net ton f. o. b. the mine, whereas said coal, pursuant to Price Instruction No. 5 of the Schedule, should have been sold at not less than $3.80 per net ton f. o. b. said mine.

B. *Section 4 II (e) of the Act, Part II (e) of the Code and Rule 1 of Section X of the Marketing Rules and Regulations.* Granting unauthorized claims for allowances from the effective minimum prices, in amounts ranging from 25 cents to 40 cents per net ton, for alleged substandard preparation or quality, and also failing to comply with the requirements of Rule 1 of Section X of the Marketing Rules and Regulations, on coal sold to said Asael Farr Coal Company and Consolidated Coal Company, as follows:

1. To the Asael Farr Coal Company during the period October 16 to December 31, 1941, clusive, approximately 311.91 net tons of 3" lump coal; approximately 294.90 net tons of 3½" x 8" coal; approximately 261.92 net tons of 1⅝" x 3½" coal; and approximately 47.60 net tons of 3½" lump coal; and

2. To the Consolidated Coal Company during the period October 27, 1941 to December 31, 1941, inclusive, approximately 250.55 net tons of 8" lump coal; 228.75 net tons of 3½" x 8" coal; approximately 42.90 net tons of 1⅝" x 3½" coal; and approximately 43.90 net tons of 3½" x 10" coal.

C. *Order of the Division No. 313, dated February 24, 1941.* Failing to show on copies of invoices filed with the Division the actual size of coal sold by it, including all of the coal referred to in Item A hereinabove, sold for rail shipment to various purchasers, during the period March 31, 1941 to January 15, 1942, inclusive, as required by Order of the Division No. 313 dated February 24, 1941.

D. *Section 4 II (e) of the Act and Part II (e) of the Code.* Sales of coal produced at the aforesaid mine for truck shipment below the applicable minimum prices therefor as set forth in the Schedule including the following transactions:

1. Sales to the Eureka Powder Company during the period January 14 to 27, 1942, of approximately 34.85 tons of 3" lump coal at approximately $3.09 per net ton f. o. b. the mine, whereas the effective minimum price applicable for such coal was $3.65 per net ton f. o. b. the mine, as set forth in the Schedule;

2. The sale on or about January 14, 1942, to J. D. Richardson, of approximately 7.15 net tons of 1⅝" lump coal at approximately $2.89 per net ton f. o. b. the mine, whereas the effective minimum price applicable for such coal was $3.45 per net ton f. o. b. the mine, as set forth in the Schedule; and

3. The sales to Byron Fergeson on or about January 16, 1942, of approximately 11.67 net tons of 1" slack coal (oiled) at approximately $1.98 per net ton f. o. b. the mine, and approximately 13.03 net tons of 3" lump coal, on March 3, 1942, at approximately $3.09 per net ton, whereas the effective minimum prices applicable for such coals were $2.00 and $3.65 respectively, per net ton f. o. b. the mine, as set forth in the Schedule.

E. *Order of the Division No. 312 dated February 24, 1941.* Failing to show on copies of invoices filed with the Division the net actual weight and price per ton of the coal referred to in Item D hereinabove, as required by Order of the Division No. 312 dated February 24, 1941.

III. By said communication dated February 11, 1943, the Division notified said Board that unless it took action on the matters referred to therein within ten days from the date thereof the Division would take such action in lieu of the board as it deemed to be appropriate.

IV. District Board No. 20 has not taken any action on said matters.

V. Section 6 (a) of the Act provides in part that in the event a district board shall fail for any reason to take action authorized or required by this section then the Division may take such action in lieu of the district board.

VI. District Board No. 20 having failed to take action as authorized or required by the Act on the matters hereinbefore described, the Division finds it necessary in the proper administration of the Act to take action thereon in lieu of the Board, as in this Notice of and Order for Hearing provided, pursuant to section 6 (a) and other pertinent provisions of the Act for the purpose of determining:

A. Whether the Code Member wilfully violated sections 4 II (e) and (i) 8 of the Act; Part II (e) and (i) 8 of the Code; Rule 1 of section X, Rule 2 of section XII, and Rule 8 of section XIII, of the Marketing Rules and Regulations; and Orders of the Division No. 312 and 313, each dated February 24, 1941; and

B. Whether, in the event the Code Member is found to have violated the Act and the Code and rules and regulations thereunder, an order should be entered revoking the Code Membership of the Code Member, or directing the Code Member to cease and desist from violating the Act, the Code and rules and regulations thereunder.

It is hereby ordered, That a hearing pursuant to sections 4 II (j), 5 (b) and 6 (a), and other pertinent provisions of the Act, be held on March 29, 1943, 10 a. m. at a hearing room of the Division at the Courtroom, Salt Lake Court, Salt Lake City, Utah, to determine whether the aforementioned Code Member has committed the violations in the respects heretofore described and whether the Code Membership of said Code Member should be revoked or an order entered directing the Code Member to cease and desist from violating the Act, the Code and rules and regulations of the Division thereunder.

It is further ordered, That D. C. McCurtain, or any other officer of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time and to such places as he may direct by announcement at said hearing or any adjourned hearing, or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons or entities having an interest in such proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted pursuant to sections 4 II (j) and 5 (b) of the Act may file a petition for intervention not later than five (5) days before the date set for hearing herein.

Notice is hereby given that answer setting forth the position of the Code Member with reference to the matters hereinbefore described must be filed with the Division at its Washington Office or with one of the Statistical Bureaus of the Division within twenty (20) days after the date of service of a copy hereof on the Code Member; and that any failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission by the Code Member of the commission of the violations hereinbefore described and a consent to the entry of an appropriate order thereon.

Notice is also hereby given that any application, pursuant to § 301.132 of said Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing must be filed not later than fifteen (15) days after receipt by said Code Member of this Notice of and Order for Hearing.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered therein may concern, in addition to the charges specifically alleged herein, other matters incidental and related thereto, whether raised by amendment, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Dated: February 22, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2913; Filed, February 23, 1943; 10:44 a. m.]

[Docket No. B-369]

R. A. NIXON

NOTICE OF AND ORDER FOR HEARING

A complaint dated June 2, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on June 4, 1942, by Bituminous Coal Producers Board for District No. 11, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by R. A. Nixon, a code member in District No. 11 (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder:

It is ordered, That a hearing in respect to the subject matter of such complaint be held on March 23, 1943, at 10:00 a. m. at a hearing room of the Bituminous Coal Division at the Commissioner's Room, Vanderburgh County Courthouse, Evansville, Indiana.

It is further ordered, That Joseph A. Huston, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging that R. A. Nixon, located in Spurgeon, Indiana, whose code membership became effective as of March 4, 1940, operator of the Nixon Mine, Mine Index No. 887, located in Pike County, Indiana, District No. 11 has wilfully violated:

1. Section 4 II (e) of the Act and Part II (e) of the Code by selling to various purchasers, subsequent to October 1, 1940, approximately 3032 net tons of 1¼" lump coal (Size Group No. 6) produced at the aforesaid mine at $1.80 per net ton f. o. b. the mine, whereas the effective minimum price for said coal is $2.20 per net ton f. o. b. the mine.

2. Section 4 II (i) 8 of the Act and Part II (i) 8 of the Code, Orders of the Division Nos. 296 and 297, and Rule 2 of section XII and Rule 8 of section XIII of the Marketing Rules and Regulations by failing to set forth on his truck sales tickets during the period from October 1, 1940 to December 31, 1940, both dates inclusive, the actual size of coal sold during said period as required by said Orders of the Division Nos. 296 and 297. Said code member recorded the size of the coal sold on said truck sales tickets as run of mine coal, whereas it was in fact 1¼" lump coal.

3. Section 4 II (i) 8 of the Act and Part II (i) 8 of, the Code, Order of the Division No. 307 and Rule 2 of section XII and Rule 8 of section XIII of the Marketing Rules and Regulations, by failing to set forth on his truck sales tickets during the period from January 1, 1941 to February 25, 1941, both dates inclusive, the actual size of coal sold during said period as required by said Order of the Division No. 307. Said code member

recorded the size of the coal sold on said truck tickets as run of mine coal, whereas it was in fact 1¼" lump coal.

4. Order of the Division No. 307, by failing during the period from February 26, 1941 to March 31, 1941 to maintain records of coal sold by truck or wagon during said period as required by the said Order of the Division No. 307.

5. Section 4 II (1) 8 of the Act and Part II (1) 8 of the Code, Order of the Division No. 312 and Rule 2 of section XII and Rule 8 of section XIII of the Marketing Rules and Regulations, by failing to maintain proper records during the period from July 21, 1941 to October 18, 1941, both dates inclusive, as required by said Order of the Division No. 312. Said code member recorded the size of the coal sold on said truck tickets as run of mine coal, whereas it was in fact 1¼" lump coal.

Dated: February 22, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F R Doc 43-2916; Filed February 23, 1943; 10:44 a. m.]

[Docket No. A-1737]

DISTRICT BOARDS 7 AND 8

ORDER POSTPONING HEARING AND EXTENDING TIME FOR FILING STATEMENTS OR PETITIONS OF INTERVENTION

In the matter of the petition of District Boards Nos. 7 and 8 for an increase in minimum prices, pursuant to section 4 II (a) and (b) of the Bituminous Coal Act of 1937.

The Bituminous Coal Producer Board for District No. 3, an interested party in the above-entitled matter, filed an application on February 12, 1943, requesting that the time within which interested persons or parties may file their statements or petitions of intervention, setting forth their positions with regard to the specific requests and proposals of the original petitioners herein, and their own specific requests and proposals be extended to March 20, 1943, and that the hearing in said matter, heretofore scheduled for February 24, 1943, be postponed until March 24, 1943. All participants were given adequate opportunity to express their views concerning the application and many (including District Boards 1, 2, 4, 7, 8, 9, 11 and 12 and Consumers' Counsel) urged or stated they had no objection to the granting of the application for postponement of the hearing. Good cause has been shown why the application should be granted in part.

Now, therefore, it is ordered, That the time within which interested persons or parties in this docket may file statements or petitions of intervention pursuant to the Memorandum Opinion and Order Denying Temporary Relief and Notice of and Order for Hearing, entered January 9, 1943, be, and the same hereby is, extended to March 3, 1943.

It is further ordered, That the hearing in the above-entitled matter be postponed from February 24, 1943 to March 24, 1943, at the time and place heretofore designated.

Dated: February 19, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-2914; Filed, February 23, 1943; 10:44 a. m.]

CIVIL AERONAUTICS BOARD.

ADOPTION OF REGULATIONS PERTAINING TO TRAFFIC CONTROL

NOTICE OF HEARING

Notice is hereby given that on the second day of March, 1943, at 9:30 a. m., in Room 5042, Commerce Building, Washington, D. C., a hearing will be held before a presiding officer of the Board with respect to the adoption of regulations pertaining to §§ 60.33 and 60.530 (Traffic Control) of the Civil Air Regulations.

Dated at Washington, D. C., February 19, 1943.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS, *Acting Secretary*

[F R Doc 43-2885; Filed, February 22, 1943; 10:55 a. m.]

REGULATIONS PERTAINING TO AIRLINE TRANSPORT PILOTS' PHYSICAL EXAMINATIONS

NOTICE OF HEARING

Notive is hereby given that on the second day of March, 1943, at 11:00 a. m., in Room 5042, Commerce Building, Washington, D. C., a hearing will be held before a presiding officer of the Board with respect to the deletion of a portion of § 21.400 of the Civil Air Regulations pertaining to physical examinations of airline transport pilots.

Dated at Washington, D. C., February 19, 1943.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS, *Acting Secretary.*

[F R Doc 43-2886; Filed, February 22, 1943; 10:55 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-115]

THE EAST OHIO GAS COMPANY

ORDER POSTPONING HEARING

FEBRUARY 20, 1943.

It appearing to the Commission that:

Good cause has been shown for the postponement of the hearing in the above-entitled matter:

The Commission *orders*, That:

The hearing in the above-entitled matter heretofore set for March 3, 1943, be and the same hereby is postponed to begin April 7, 1943, at 9:45 a. m., in Room 331, Old Post Office Building, Cleveland, Ohio.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F R Doc 43-2901; Filed, February 22, 1943, 11:52 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No 4915]

THE DENTISTS' SUPPLY COMPANY OF NEW YORK

NOTICE OF HEARING

Complaint. Pursuant to the provisions of an Act of Congress approved October 15, 1914, entitled "An Act to Supplement Existing Laws Against Unlawful Restraints and Monopolies, and for Other Purposes" (the Clayton Act), as amended by an Act of Congress approved June 19, 1936 (U.S.C. Title XV, section 13) (The Robinson-Patman Act), and pursuant to the provisions of an Act of Congress approved September 26, 1914, entitled "An Act to Create a Federal Trade Commission to Define Its Powers and Duties and for Other Purposes" (The Federal Trade Commission Act), the Federal Trade Commission having reason to believe that the respondent named in the caption hereof has violated and is now violating the provisions of subsection (a) of section 2 of said Clayton Act as amended; and the Federal Trade Commission having reason to believe that said respondent has been and is using unfair methods of competition in commerce as "commerce" is defined in said Federal Trade Commission Act, and it appearing to said Commission that a proceeding by it in respect thereof would be in the public interest, hereby issues its complaint against the said respondent, stating its charges as follows:

Count 1

PARAGRAPH ONE: Respondent Dentists' Supply Company of New York is a corporation organized and existing by virtue of the laws of the State of New York with an office and principal place of business located at 220 West 42nd Street, New York City, and with factories located at York, Pennsylvania, and Philadelphia, Pennsylvania.

PAR. TWO: Respondent corporation is now, and has been since prior to June 19, 1936, engaged in the business of manufacturing artificial teeth which it sells to wholesale dealers known as dental supply houses, to dental laboratories and to dentists, located in States other than the State of Pennsylvania, causing said artificial teeth, when sold, to be transported from the place of manufacture within said State of Pennsylvania to the purchasers thereof located in states other than the State of Pennsylvania, and there is, and has been at all times herein mentioned, a continuous current of trade and commerce in said product across state lines between respondent's factories and the purchasers of such product. Said product is sold and distributed for use, consumption and resale within the various states of the United States and the District of Columbia.

PAR. THREE: In the course and conduct of its business as aforesaid respondent is now, and during the time herein mentioned has been, in substantial competition with other corporations engaged in the business of manufacturing and selling artificial teeth in commerce between and among the various states of the United States and the District of Columbia. Said corporate respondent is the largest manufacturer and distributor of artificial teeth in the United States, its sales constituting approximately 70% of the total United States production, and as such occupies a dominant position in the artificial teeth industry. The annual net sales of respondent in the United States of artificial teeth total approximately $3,000,000. Respondent's product is sold to over 200 authorized dealers known as dental supply houses which are wholesalers and which resell to the ultimate purchasers, dental laboratories and dentists located in the various states of the United States and in the District of Columbia. Dentists by trade custom seldom make their own false denture requirements but customarily order such work performed by dental laboratories which laboratories constitute the dominant factor in the use and consumption of artificial teeth. While respondent's dealers sell other dental supplies than teeth, approximately 20% of their sales are artificial teeth purchased from respondent.

Respondent is now, and has been since prior to June 19, 1936, selling its said dealers on the following uniform discount plan: Respondent grants its dealers a 40% discount, plus 9% for payment within 30 days, from the unit retail price of the artificial teeth as shown on respondent's price list; and in addition, where a dealer sells to a dental laboratory or dentist in $300 quantities, respondent grants the dealer making such purchase an additional 7½% discount. Dealers' resale prices, as suggested by respondent, are now and have been during said period on the basis of 10% discount from list prices on $100 purchases and 20% discount from list prices on purchases amounting to $300 or more.

PAR. FOUR: In the course and conduct of its business as aforesaid since June 19, 1936, respondent has been, and is now, discriminating in price between different purchasers buying such products of like grade and quality sold by the respondent for use, consumption and resale, by giving and allowing some of its purchasers of such products lower prices than given or allowed other purchasers competitively engaged in said line of commerce and by giving and allowing certain of said purchasers adjustments, rebates or discounts in the form of cash or commodities not given or allowed to other of respondent's purchaser customers. That the respondent has effectuated the discriminations in price referred to herein by superimposing upon the regular schedule of discounts allowed by respondent to its dealers and by its dealers to the ultimate purchasers a variety of additional rebates and discounts given in the form of free or bonus artificial teeth and more particularly hereinafter described in paragraphs 5, 6, 7 and 8 of this complaint.

PAR. FIVE: Respondent employs some twenty district sales representatives who visit dental laboratories and dentists for the purpose of promoting the sale of teeth by said prospective purchasers from respondent's dealers. Such sales representatives take orders for teeth, and solicit the execution of bonus contract agreements hereinafter described. Any orders for teeth obtained by respondent's sales representatives aforesaid are transmitted to respondent's New York Office where they are either filled directly by respondent or referred to a dealer to fill out of such dealer's current stock or are filled by shipping the order to such dealer for subsequent delivery to the purchaser. Respondent's book entries, however, invariably show the sale as having been made to the dealer and respondent looks to such dealer for payment of the order and credits the dealer's account accordingly.

As a special inducement to dental laboratories to purchase from respondent's dealer selling agencies in amounts in excess of $1000 per annum, since prior to June 19, 1936, respondent through its sales representatives aforesaid has been and is now soliciting and obtaining the execution of bonus contract agreements from numerous dental laboratories located in the various states of the United States and in the District of Columbia. If a laboratory agrees to purchase $1,000, $2500, $5000, or $10,000 worth of teeth annually from respondent's dealers or any of them, then respondent in turn agrees to give such purchaser 10% or $100 worth of free bonus teeth computed at unit retail prices on a $1000 to $2499 annual volume purchase, 15% or $375 worth of free bonus teeth similarly computed on a $2500 to $4999 annual volume purchase, 20% or $1000 worth of free bonus teeth similarly computed on a $5000 to $9999 annual volume purchase, and 25% or $2500 worth of free bonus teeth similarly computed on a $10,000 or greater annual volume purchase. That said bonus contracts contain among other provisions the following clauses, to-wit:

(1) The Consumer covenants and agrees to purchase from the Company's regular selling agencies named herein teeth of the Company's manufacture, namely: "Trubyte," "Solila," "Twentieth Century," "Dentsply," "Famous" and "Trubridge" teeth (Steele's facings excepted) and/or "Trubase" and "Truwax" and/or White's teeth to the total purchase price and amount of ---------- Dollars during the term of this agreement.

• • • • •

(5) Upon the faithful carrying out by the Consumer of the aforesaid covenants, the Company hereby covenants and agrees to give direct to the Consumer a Bonus on all such teeth and on "Trubase" or "Truwax" of its manufacture and on White's teeth purchased and paid for by the consumer during the term of this agreement by supplying free of charge to the Consumer porcelain teeth of the Company's manufacture (Steele's facings excepted), as specified by the Consumer of the value of $---------- Dollars. The value of the teeth so delivered as said Bonus to be computed at the Unit Prices of such teeth published in the price list of the Company, current December 31, 194-, or at the date of the termination of this agreement in case of its earlier termination.

(6) It is mutually covenanted and agreed that as evidence of the purchase of such teeth or wax by the Consumer, the Consumer shall present to the Company on or before January 20, 194-, receipted bills or other evidence, satisfactory to the Company, showing the quantities purchased, from whom purchased and amounts paid for same by the Consumer during the term of this agreement; and the amount of such purchases upon which the Bonus shall be computed shall be the amount actually paid by the Consumer for said teeth and wax; and within thirty days after the presentations of such evidence by the Consumer, the Company agrees to give the Consumer the quantity of teeth so due as said bonus.

That the amount of dollar purchases of teeth which the dental laboratory entering into such a contract agrees to purchase is either $1000, $2500, $5000 or $10,000 annually as heretofore alleged, one of which amounts being inserted in the space provided in clause (1) of such contract above set forth. That the dollar amount of bonus or free teeth agreed to be supplied by respondent to such dental laboratory purchaser in consideration for the agreed annual dollar volume purchase is a sum certain computed in the manner alleged, said dollar amount of bonus or free teeth being inserted in the space provided in clause (5) of such contract above set forth. If the amount which a dental laboratory agrees to purchase is not reached but one of the lower brackets is obtained within the period covered by the contract, then such dental laboratory is paid in accordance with the bracket it does reach whereas if a higher bracket is reached than agreed upon under the bonus contract, then such dental laboratory is paid at the rate provided for such higher bracket. The bonus provided by such bonus contract agreement is cumulative. For example, a dental laboratory purchasing $9500 in teeth is given 20% of $9500 or $1900 in free teeth. If, however, it purchases an additional $500 it will reach the $10,000 bracket and be paid a bonus at the rate of 25% of its entire purchases or $2500. That approximately 1400 of such bonus contracts have been executed by respondent and respondent's purchaser customers annually since June 19, 1936, and that minimum annual volume purchases provided for under such contracts were completed and bonus or free teeth given in the amount provided as to approximately 65% of the total number of bonus contracts executed. That respondent through its sales representatives not only personally solicits such dental laboratories for both regular teeth orders and for bonus contract agreements but also makes effective its special price policies and schedules as applied to them which price policies and schedules are reduced to writing and formally executed by both respondent and by such dental laboratories in the form of such bonus contracts aforesaid. That such dental laboratories are purchasers from and customers of respondent within the intent and meaning of the provisions of subsection (a) of section 2 of the Act described in the preamble hereof. That such bonus system results in a lower unit price being paid for teeth by respondent's purchaser customers who are able to take advantage of such bonus system by purchasing in the required volume and enables such purchaser customers in whose favor such discrimination is made either to undersell their competitors or furnish better facilities and services to their dentists customers, or both.

PAR. SIX: That, for the purpose of granting and allowing the bonus or free teeth discounts under its bonus system described in paragraph Five hereof, respondent has permitted the main office of some chain dental laboratory buyers to pool the orders of the unit laboratories thereof and has granted and allowed to such chain dental laboratory buyers the bonus applicable to the volume of teeth purchases during the bonus contract pe-

riod represented by the pooled orders. For example, if the pooled order has totaled over $10,000 in teeth ordered from respondent during the bonus contract period, each unit laboratory through its main office has received a 25% free teeth bonus on all its purchases even though the individual unit laboratory may not have ordered a sufficient quantity to qualify for any or for more than a 10% bonus under respondent's bonus system. That the respondent granting and allowing such pooling privilege in connection with the granting and allowing of bonus teeth under its bonus system aforesaid did not make shipment of the teeth purchased from all the unit laboratories during the bonus contract period to the main office or warehouse of such dental laboratory chains. That in fact the teeth purchased by such dental laboratory chains were and are now purchased in small amounts from time to time by each unit laboratory from many of respondent's dealers. That the chain dental laboratories receiving such pooling privilege in the calculation of bonuses under respondent's bonus system aforesaid were and are now in competition with other dental laboratories competing with such dental laboratory chains in the sale of respondent's teeth but which by virtue of not being a unit laboratory of a chain do not receive any bonus or as large a bonus from respondent.

PAR. SEVEN: Respondent since prior to June 19, 1936, has and now does operate a dental depot in New York City, where it keeps a complete stock of artificial teeth manufactured in its factories in the State of Pennsylvania and shipped to said dental depot located in New York City, State of New York. That in connection with the operation of such dental depot it sells directly to dental laboratories in competition with its dealers located in New York City. That in connection with such direct sales made to its purchaser customers it solicits and procures the execution of bonus contract agreements identical in form to said bonus contract agreements described in Paragraph Five of this complaint. That such bonus system employed in connection with sales made from respondent's New York City depot to purchaser customers located in the New York City area results in a lower unit price being paid for teeth by respondent's purchaser customers who are able to take advantage of such bonus system by purchasing in the required volume and enables such purchaser customers in whose favor such discrimination is made either to undersell their competitors or furnish better facilities and services to their dentist customers, or both.

PAR. EIGHT: The prices at which respondent sells its teeth products to its dealers are uniform and are as set forth in Paragraph Three of this complaint with the following exception: In fulfilling its agreement to furnish a specified amount of bonus or free teeth to its bonus contract holders, respondent since June 19, 1936, has and now does issue to such purchaser customers holding and completing bonus contracts certificates entitling the holder thereof to bonus or free teeth in the dollar amount specified therein upon presentation of such certificates to respondent or to any of respondent's dealers. Prior to January 1, 1939, respondent allowed its dealers a secondary bonus or discount of 8% of the dollar value of bonus certificates and in proportion to the dollar amounts of respondent's teeth purchased by the bonus certificate holders from such dealers. To illustrate: Abel Dental Laboratory of Houston, Texas, having a $1000 bonus contract, purchased during the period specified therein $56.48 worth of teeth from A. P. Cary Co. and $979.17 worth of teeth from Pendleton & Arto, two of respondent's dealers located in Houston, Texas; respondent issued to said dental laboratory purchaser two bonus certificates, one in the amount of $97.91 and another in the amount of $5.65. Both of such certificates were redeemed by said Pendleton & Arto and its account was credited for the amount of the teeth given in such redemption at dealers' list prices; however, Pendleton & Arto, which handled the redemption of both certificates, was allowed by respondent 8% of $97.91 as $979.17 of the merchandise had been purchased from such dealer and A. P. Cary Co. was allowed by respondent 8% of $5.65 as $56.48 of the merchandise had been purchased from such dealer. Since the dealer redeeming the bonus certificates is credited with the full amount of teeth given in redemption of such certificates at dealers' prices, no profit is made by the dealer on the transaction as is the case in ordinary dealers' sales. It is only in the event that the dealer has originally sold some of the merchandise to the bonus certificate holder upon which the bonus certificate is issued that the dealer redeeming the certificate obtains any part of the above described secondary bonus or discount. From January 1, 1939, and thereafter respondent increased such secondary bonus or discount paid to its dealers upon bonus certificates in the manner aforesaid from 8% to 12½%. The dealer's account is credited by respondent in the amount of such secondary bonus or discount allowed, thereby reducing the cost to the dealer of the teeth purchased by such dealer at regular dealers' prices. That the practice aforesaid of respondent's secondary bonus system to dealers results in a lower unit price being paid for teeth by some of respondent's dealers than is paid by other of respondent's dealers. Moreover, said secondary bonus or discount paid by respondent to its dealers and predicated upon the bonus certificates issued to dental laboratories under respondent's bonus system described in Paragraph Five hereof, implements and makes effective such bonus system to dental laboratories, thereby contributing to the discriminations and competitive injuries resulting from said bonus system of respondent described in said Paragraph Five hereof.

PAR. NINE: The effect of the discriminations in price set forth in paragraphs Five to Eight, inclusive, hereof, may be substantially to lessen competition between respondent and its competitors; between the customers of respondent in whose favor such discriminations are made and the customers of the competitors of the respondent; tend to create a monopoly in respondent in the line of commerce in which it is engaged; to injure, destroy or prevent competition with respondent; to injure, destroy or prevent competition with the customers of respondent who receive the benefit of such discriminations; to injure, destroy or prevent competition with customers of persons, partnerships and corporations that have knowingly received and are now knowingly receiving the benefit of such discriminations.

Such discriminations in price by the respondent between different purchasers of goods of like grade and quality in interstate commerce in the manner and form aforesaid, are in violation of the provisions of subsection (a) of section 2 of the Clayton Act described in the preamble hereof.

Count II

PARS. ONE TO EIGHT, INCLUSIVE: As Paragraphs One to Eight, inclusive, of Count II of this complaint, the Commission hereby incorporates Paragraphs One to Eight, inclusive, of Count I hereof to precisely the same extent as if each and all of them were set forth in full and repeated verbatim in this count.

PAR. NINE: The capacity, tendency and effect of the respondent's system of bonus contract agreements extended to dental laboratories in the manner fully described in Paragraphs Five, Six and Seven hereof and of the respondent's system of secondary bonuses or discounts extended to its dealers in the manner fully described in Paragraph Eight hereof, are and have been:

1. To bring about an unlawful discrimination in the prices at which respondent's artificial teeth are sold to respondent's purchaser customers.

2. To discriminate unlawfully against small dental laboratories who are or have been engaged or desire to engage in the use, consumption and resale of respondent's artificial teeth.

3. To unreasonably lessen, eliminate, restrain, stifle, hamper, suppress and injure competition in the sale of artificial teeth by encouraging concentrated buying of respondent's teeth in order to obtain the bonuses under respondent's bonus system and thereby depriving dealers of competing manufacturers of the business which they would enjoy under conditions of normal and unobstructed or free and fair competition in the sale of artificial teeth.

4. To encourage the purchase of excess requirements of respondent's artificial teeth beyond the needs of purchaser customers, thereby restricting, restraining and impeding the normal flow of commerce in such products.

5. To monopolize or to tend to monopolize in respondent interstate trade and commerce in artificial teeth.

6. To hamper and interfere with the natural flow of trade in commerce of artificial teeth to and through the various states of the United States; and to injure the manufacturer competitors of respondent by unfairly diverting business and trade from them and by depriving them of the business which they would enjoy were it not for the unfair tendency and effect of respondent's bonus system.

7. To prejudice and injure manufacturers who do not conform to respondent's bonus system or sales methods or who do not desire to conform to them but are compelled to adopt similar systems or sales methods by the action of respondent in that particular.

PAR. TEN: The acts and practices in this count set forth are all to the prejudice of the public; they have a dangerous tendency, to hinder, lessen, restrict and suppress competition in the interstate sale of artificial teeth throughout the several states, and to create a monopoly thereof in the hands of the respondent and constitute unfair methods of competition in commerce within the meaning of section 5 of the Federal Trade Commission Act described in the preamble hereof.

Wherefore, the premises considered, the Federal Trade Commission on this 18th day of February, 1943, hereby issues its complaint against said respondent.

Notice. Notice is hereby given you, The Dentists' Supply Company of New York, a corporation, respondent herein, that the 26th day of March, A. D. 1943, at 2 o'clock in the afternoon, is hereby fixed as the time, and the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said Act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The Rules of Practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

> In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.
>
> . . . . . .
>
> Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.
>
> If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.
>
> Contemporaneously with the filing of such answer the respondent may given notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 18th day of February A. D. 1943.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-2854; Filed, February 22, 1943; 10:47 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Amendment of Vesting Order 13]

VESTING OF CERTAIN PATENTS

Whereas pursuant to Vesting Order No. 13 of May 29, 1942, (7 F.R. 4128) the undersigned purported to vest several patents described in the Exhibits attached to the said order;

Whereas included among the patents listed in Exhibit D attached to the aforesaid order was Patent Number 2,261,008 (inventor R. Van Sickle, et al., for circuit interrupter) which patent was described therein as standing of record in United States Patent Office in the name of Lorenz, C. Aktiengesellschaft;

Whereas such patent in fact stands of record in the United States Patent Office in the name of Westinghouse Electric and Manufacturing Company, a corporation of the United States; and

Whereas it was intended to vest Patent Number 3,264,008 (which patent was subsequently vested by Vesting Order Number 201 of October 2, 1942) but such patent was, through clerical error, designated in Vesting Order Number 13 as Patent Number 2,261,008;

No, therefore, Vesting Order Number 13 of May 29, 1942, is hereby amended as follows and not otherwise:

By striking the number "2,261,008" appearing in Exhibit D attached thereto and made a part thereof.

All other provisions of said Vesting Order Number 13 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C. on February 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2890; Filed, February 22, 1943; 11:04 a. m.]

[Vesting Order 600]

HEINRICH WILHELM OSCAR DUVINAGE, ET AL.

Re: Real property in Queens County, New York, interests in which are owned by German citizens.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the persons, whose names and last known addresses as represented to the undersigned are set forth in Exhibit A attached hereto and made a part hereof, are citizens of Germany and are nationals of a designated enemy country (Germany);

2. Finding, therefore, that all right, title, interest and estate, both legal and equitable, of said persons, and each of them, as their interests appear opposite their respective names in said Exhibit A, in and to that certain real property situated at 9581 113th Street, South Ozone Park, Queens County, New York, together with all fixtures, improvements and appurtenances thereto, more particularly described in Exhibit B attached hereto and made a part hereof, is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

3. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on December 30, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Names and last known addresses	Interests
Heinrich Wilhelm Oscar Duvinage, #113 Hornerweg, Hamburg, Germany	1/24
Johannes Wilhelm Heinrich Duvinage, #219 Kielerstrasse, Altona, Germany	1/24
Paul Theodor Alwin Duvinage, #11 Venusberg, Hamburg, Germany	1/24
Elsa Johanna Albertina Duvinage Reimers, #173 Borstelmannsweg, Hamburg, Germany	1/24
Friederica Magdalena Sophie Friede Rumel, Bruel, Mecklenburg, Germany	1/6
Auguste Henriette Maria Friede Block, Bruel, Mecklenburg, Germany	1/6
Carl Christian Peter Friede, Friedrich Garfastrasse, Bruel, Mecklenburg, Germany	1/30
Wilhelm Carl Friede, #69 Deuchstrasse, Wilster Holstein, Germany	1/30
Friederica Maria Sophia Friede Pingel, #31 Hammerdelch, Hamburg, Germany	1/30
Bernhardine Elise Henriette Friede Alm, #13 Luisenstrasse, Schwerin, Mecklenburg, Germany	1/30
Paula Karla Hermine Bertha Gielow Hermann, #18 Wallensteinstrasse, Schwerin, Mecklenburg, Germany	1/30
Erna Clara Johanna Kruger, #111 Potsdammerstrasse, Michendorf near Potsdam, Germany	1/6

EXHIBIT B

All that certain lot, piece or parcel of land with the improvements thereon erected, situated, lying and being in the County of Queens, City and State of New York, surveyed April 18, 1891 by W. E. Conklin, Plot No. 1, Map No. 267, filed Queens County Clerk's Office July 17, 1891, bounded and more particularly described as follows:

Beginning at a point on the Easterly line of Cedar Avenue distant 100 feet Northerly from the corner formed by the intersection of the said Easterly line of Cedar Avenue with the Northerly line of Broadway; thence running Easterly along the Southerly line of Lot No. 7 as laid down on said map and parallel with the said Northerly line of Broadway 100 feet; thence Northerly parallel with the said Easterly line of Cedar Avenue fifty feet to the Southerly line of Lot No. 9 as laid down on said map; thence Westerly along said Southerly line of Lot No. 9 100 feet to the said Easterly line of Cedar Avenue; thence Southerly line of Lot No. 9 100 feet to the said fifty feet to the point or place of beginning.

Together with all the right, title and interest of the estate of William Friede, deceased, in and to so much of the land lying in Cedar Avenue, as lies in front of and adjacent to said above described premises to the center line thereof

[F. R. Doc. 43-2889; Filed, February 22, 1943; 11:04 a. m.]

[Vesting Order 919]

INDENTURE OF TRUST BY SINGER MANUFACTURING CO.

In re: Indenture of Trust made by Singer Manufacturing Company dated January 29, 1926—File No. D-38-299; E. T. sec. 128.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary, acting under the judicial supervision of the Supreme Court of the State of New York, in and for the County of Kings;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely,

	Last known address
National:	
Marie Burns Alberti d'Enno	Italy.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Marie Burns Alberti d'Enno in and to the fund deposited with the Treasurer of the City of New York pursuant to an order of the City of New York issued in connection with a petition by the Fulton Trust Company of New York requesting the Court to direct the settlement and distribution of the proceeds of a trust executed on January 29, 1926, by The Singer Manufacturing Company, a corporation organized under the laws of the State of New Jersey, and Fulton Trust Company of New York, a corporation organized under the Banking Law of the State of New York.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such properly and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the Proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 17, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F R Doc 43-2888; Filed, February 22, 1943; 11:04 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 29 Under MPR 152]

THE LAKE SIDE PACKING COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 29 under Maximum Price Regulation No. 152—Canned Vegetables.

The Lake Side Packing Company, Manitowoc, Wisconsin, has filed an application for specific authorization to charge particular maximum prices pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by applicant with respect to the packing of peas and snap beans in certain container sizes.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered*, That:

(a) The Lake Side Packing Company may sell, offer to sell or deliver and any person may buy, offer to buy or receive the following commodities at the maximum prices indicated;

Container No or size	Commodity	Applicant's packing point or factory location for each
No. 1 cans	Fancy 2, 3 and 4 sieve blended sweet peas.	$.95
No. 1 cans	Extra Standard 2, 3 and 4 sieve blended sweet peas.	.93
8 ounce	Fancy No. 1 sieve Alaska peas.	.91
8 ounce	Fancy No. 2 sieve Alaska peas.	.87
No. 1 cans	Standard 5 sieve sweet peas.	.77
8 ounce	Extra standard No. 2 sieve Alaska peas.	.70
8 ounce	Fancy No. 3 sieve cut green beans.	.68
8 ounce	Fancy No. 3 sieve cut wax beans	.68
No. 2 cans	Fancy 2, 3, and 4 sieve blended cut green beans.	1.15
No. 2 cans	Fancy 2, 3 and 4 sieve blended cut wax beans.	1.15
No. 10 cans	Fancy 2, 3 and 4 sieve blended cut green beans.	5.46
No. 10 cans	Fancy 2, 3, and 4 sieve blended cut wax beans.	5.46

(b) This Order No. 29 may be revoked or amended by the Price Administrator at any time.

(c) The applicant, Lake Side Packing Company, shall not change its customary allowances, discounts or price differentials unless such change results in a lower price.

(d) Unless the context otherwise requires the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(e) This order shall become effective on 24th day of February 1943.

Issued this 23d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R Doc 43-2930; Filed, February 23 1943; 11:06 a. m.]

[Order 21 Under MPR 157]

NATIONAL PANTS CORPORATION

ORDER DENYING ADJUSTMENT

Order No. 21 under Maximum Price Regulation No. 157—Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes—Docket No. 3157-30.

On October 29, 1942, National Pants Corporation, Dallas, Texas, filed an application for adjustment under Maximum Price Regulation No. 157. Due consideration has been given to the application, and an opinion in support of this Order No. 21 has been issued simultaneously and filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 and Procedural Regulation No. 6, *It is ordered*, That:

(a) The application for adjustment is hereby denied.

(b) National Pants Corporation shall immediately notify all persons with whom it has contracts which are subject to Maximum Price Regulation No. 157 and which establish prices in excess of those authorized by Maximum Price Regulation No. 157 that it will make final settlement of such contracts in accordance with the maximum prices established by Maximum Price Regulation No. 157.

(c) National Pants Corporation shall refund to persons with whom it has contracts which are subject to Maximum Price Regulation No. 157 all payments which have been made to it in excess of the maximum prices authorized by Maximum Price Regulation No. 157.

(d) Within 30 days after the date on which this Order No. 21 was mailed to it, National Pants Corporation shall file a statement with the Office of Price Administration, Washington, D. C., stating the action it has taken to comply with the terms of this Order No. 21.

(e) This Order No. 21 shall become effective February 24, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F R Doc. 43-2931; Filed, February 23, 1943; 11:06 a. m.]

[Order 172 Under MPR 188]

OTARION, INCORPORATED

ORDER DENYING APPLICATION FOR ADJUSTMENT

Order 172 under § 1499.161 (a) (1) of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel—Docket No. 3188-25.

For the reasons set forth in the opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) The application of Otarion, Incorporated, 448 North Wells Street, Chicago, Illinois, filed November 2, 1942, and assigned Docket No. 3188-25, requesting an adjustment of its maximum price for sales to dealers of the hearing aid manufactured by it, is denied.

(b) This Order No. 172 shall become effective February 24, 1943.

Issued this 23d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2929; Filed, February 23, 1943; 11:06 a. m.]

[Order 173 Under MPR 188]

ATKINS TABLE AND CABINET CO.

APPROVAL OF MAXIMUM PRICE

Order No. 173 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum price for the sale by Atkins Table and Cabinet Co., 127 Atkins Avenue, Brooklyn, New York, of Model No. 300 Ice Refrigerator.

For the reasons set forth in the opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) The maximum price for the sale by the Atkins Table and Cabinet Company, 127 Atkins Avenue, Brooklyn, New York, of the Model No. 300 Ice Refrigerator shall be $25.54.

(b) This Order No. 173 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 173 shall become effective on the 24th day of February 1943.

Issued this 23d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2932; Filed, February 23, 1943; 11:12 a. m.]

[Order 174 Under MPR 188]

DRATCH'S VICTORY REFRIGERATOR BOX

APPROVAL OF MAXIMUM PRICE

Order No. 174 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum price for the sale by Dratch's Victory Refrigerator Box, #1 Chester Street, Brooklyn, New York, of Model No. 333 Ice Refrigerator.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) The maximum price for the sale by Dratch's Victory Refrigerator Box, #1 Chester Street, Brooklyn, New York, of the Model No. 333 ice refrigerator shall be $24.70.

(b) This Order No. 174 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 174 shall become effective on the 24th day of February 1943.

Issued this 23d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2933; Filed, February 23, 1943; 11:12 a. m.]

[Order 171 Under MPR 188]

FLORIDA FURNITURE INDUSTRIES, INC.

ORDER GRANTING ADJUSTMENT

Order No. 171 under § 1499.161 (a) (1) of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel—Docket No. GF3-2821.

Granting an adjustment of maximum prices for sales of a bedroom suite by Florida Furniture Industries, Inc.

For the reasons set forth in the opinion issued simultaneously herewith and filed with the Division of the Federal Register, and by virtue of the authority vested in the Administrator under the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Florida Furniture Industries, Inc., Palataka, Florida, may sell and deliver its No. 71 bedroom suite at prices no higher than those set forth below:

Item:	*Maximum price*
No. 71 Bed	$7.45
No. 71 Chest	7.46
No. 71 Vanity	11.29

These prices shall be subject to Florida Furniture Industries, Inc.'s, discounts, allowances, and price differentials in effect for these articles during March, 1942.

(b) Florida Furniture Industries, Inc., shall send to each customer with each first delivery of an item in its No. 71 bedroom suite a notice reading as follows:

The Office of Price Administration has granted Florida Furniture Industries, Inc., permission to increase its maximum prices on the items of its #71 bedroom suite, but since the new maximum prices are below the prices charged by competitive manufacturers, you will not be permitted to increase your maximum prices.

(c) All prayers of this application not granted herein are denied.

(d) This Order No. 171 may be revoked or amended by the Administrator at any time.

(e) This Order No. 171 shall become effective February 24, 1943.

Issued this 23d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2934; Filed, February 23, 1943; 11:12 a. m.]

[Order 163 Under MPR 188]

SUPERIOR BEDDING COMPANY

APPROVAL OF A MAXIMUM PRICE

Correction

Paragraph (c) of the document appearing on page 2180 in the issue for Thursday, February 18, 1943, should read:

"(c) This Order No. 163 shall become effective on the 17th day of February 1943."

[Order 5 Under Rev. Maximum Export Price Regulation]

DAYBRITE LIGHTING INCORPORATED

ORDER GRANTING PETITION FOR RELIEF

Order No. 5 under § 1375.9 (c) of the Revised Maximum Export Price Regulation.

On January 21, 1943, DayBrite Lighting Inc., 5411 Bulwer Avenue, St. Louis, Missouri, filed a petition for relief from § 1375.9 (c) of the Revised Maximum Export Price Regulation, pursuant to the provisions of that section.

Due consideration has been given to the petition and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, *It is hereby ordered:*

(a) DayBrite Lighting Inc. is authorized to invoice directly to the Government of Guatemala, at its distributor's price, $279.80, certain fluorescent lighting fixtures.

(b) This Order No. 5 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 5 shall become effective February 24th, 1943.

Issued this 23d day of February 1943.

PRENTISS M. BROWN.
Administrator.

[F. R. Doc. 43-2928; Filed, February 23, 1943; 11:07 a. m.]

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FEDERAL REGISTER

VOLUME 8 NUMBER 39

Washington, Thursday, February 25, 1943

The President

PROCLAMATION 2576

RED CROSS WAR FUND CAMPAIGN, 1943

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the American National Red Cross during the first year of our participation in the war has rendered vital humanitarian services to the members of our armed forces and to their families;

WHEREAS the demands made upon the Red Cross are steadily increasing from day to day as it is called upon to accompany our Army and Navy into world-wide theaters of action, to provide blood plasma for our wounded, to send relief to American and United Nations prisoners of war, and to expand its preparations to meet emergencies at home; and

WHEREAS the American National Red Cross is under the necessity of raising further funds in order that these essential services may be continued and expanded;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America and President of the American National Red Cross, do hereby designate the month beginning March 1, 1943, as "Red Cross Month", and I request that during that month our people rededicate themselves to the splendid aims and activities of the Red Cross. I summon the men, women, and young people of our country, in every city and town and village, in every county and State throughout the land, to enlist in the army of mercy mobilized under the banner of the Red Cross and to contribute generously to the Red Cross War Fund in order that the sum of one hundred twenty-five million dollars, every cent of which is needed, may be raised promptly.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the City of Washington this 23rd day of February, in [SEAL] the year of our Lord nineteen hundred and forty-three, and of the Independence of the United States of America the one hundred and sixty-seventh.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[F. R. Doc. 43-2985; Filed, February 24, 1943; 11:41 a. m.]

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

PART 30—THE FEDERAL LAND BANK OF HOUSTON

FEES

Section 30.5 (8 F.R. 391) of Title 6, Code of Federal Regulations, is amended to read as follows:

§ 30.5 *Reamortization fees; land bank, Land Bank Commissioner or joint land bank and Land Bank Commissioner loans.* No fee will be collected with an application for reamortization. Each applicant, however, will be required to pay actual cash outlays incurred for abstract expense, notarial fees, recording fees, obtaining tax certificates, and other incidental items necessary for the completion of the transaction.

If a reappraisal is required in any case because of a delay on the part of the applicant, or is made at the applicant's request a fee of $10 will be charged. (Sec. 13 "Thirteenth," as added by sec. 4, 47 Stat. 1548, sec. 32, 48 Stat. 48, as amended, secs. 1, 2, 48 Stat. 344, 345; 12 U.S.C. 781 "Thirteenth," 1016, 1020, 1020a, and Sup.; 6 CFR 19.326) [Res. Ex. Com. January 24, 1943]

Section 30.10 (8 F.R. 391) of Title 6, Code of Federal Regulations, is amended to read as follows:

§30.10 *Release of Personal Liability Fees; land bank, Land Bank Commis-*

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FEDERAL REGISTER

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sioner or joint land bank and Land Bank Commissioner loans. A fee of $10 will be charged for release of personal liability to cover the expense of appraisal or investigation. Where no appraisal or investigation is necessary, no fee will be charged. (Sec. 13 "Ninth," 39 Stat. 372, sec. 26, 48 Stat. 44, sec. 32, 48 Stat. 48, as amended; 12 U.S.C. 781 "Ninth," 723 (e), 1016 (e) and Sup.; 6 CFR 19.326) [Res. Ex. Com., January 24, 1943]

[SEAL] THE FEDERAL LAND BANK OF HOUSTON,
Confirmed: STERLING C. EVANS, *President.*

[F. R. Doc. 43-2955, Filed, February 24, 1943; 10:12 a. m.]

TITLE 7—AGRICULTURE

Chapter IV—Food Production Administration (Federal Crop Insurance Corporation)

PART 412—1943 COTTON CROP INSURANCE CONTRACT REGULATIONS

The Federal Crop Insurance Program is part of the general program of the United States Department of Agriculture administered for the benefit of agriculture.

By virtue of the authority vested in the Federal Crop Insurance Corporation by the Federal Crop Insurance Act of 1938, as amended, these regulations are hereby published and prescribed to be in force and effect, with respect to the cotton crop insurance program, until amended or superseded by regulations hereafter made.

MANNER OF OBTAINING INSURANCE

Sec.
412.1 Application for insurance.
412.2 Acceptance of applications by the Corporation.

PREMIUM FOR INSURANCE CONTRACT

412.3 Amount of premium.
412.4 Manner of payment of premium.

INSURANCE COVERAGE

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412.6 Insured production.
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PAYMENT OF INDEMNITY

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PAYMENT OF INDEMNITY TO PERSONS OTHER THAN ORIGINAL INSURED

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412.36 Average yields and premium rates for special farming practices and for American Egyptian cotton.
412.37 Yield and rate appeals.

GENERAL

412.38 Meaning of terms.
412.39 Restriction on purchase and sale of cotton by the Corporation.
412.40 Records and access to farm.
412.41 Review of determinations of county committees.
412.42 Applicant's warranties; voidance for fraud.
412.43 Modification of insurance contract.
412.44 Fractional units in acres and yields.
412.45 Closing dates for submission of applications.
412.46 Maturity dates for premium notes under the Cotton Crop Insurance Program.

AUTHORITY: §§ 412.1 to 412.46, inclusive, issued under secs. 506 (e), 507 (c), 508, 509, 516 (b); 52 Stat. 73, 74, 75, 77; 7 U. S. C. Supp. V 1506 (e), 1507 (c), 1508, 1509, 1516 (b), as amended by 52 Stat. 835 and 55 Stat. 255; E.O. 9069, 9280, 7 F.R. 1409, 10179.

MANNER OF OBTAINING INSURANCE[1]

§ 412.1 *Application for insurance.* Application for insurance, on a form prescribed by the Corporation for such purpose, may be made by any person to cover his interest as landlord, owner, tenant, or sharecropper in cotton to be grown in the current year. If an applicant has an interest in both American Upland cotton and American Egyptian cotton, such applicant may insure either or both, using a separate application for American Upland cotton and for American Egyptian cotton, and if an application for American Upland cotton or American Egyptian cotton is submitted, only that cotton for which the application is submitted will be covered. An application shall cover the applicant's interest in the cotton crop on each insurance unit in the county in which the applicant has an interest at the beginning of the planting thereof. Applications shall be submitted to the

[1] Definitions of terms for purposes of the cotton crop insurance program are contained in § 412.38 hereof.

office of the county committee on or before the applicable closing date established by the Corporation for the county or area in which the insurance unit is located. These regulations shall apply to each application submitted regardless of whether it is to cover American Egyptian or American Upland cotton and any provisions of these regulations shall be construed as applying to both types of cotton unless the context specifically indicates otherwise.

§ 412.2 *Acceptance of applications by the Corporation.* (a) Upon acceptance of an application by the county committee, as evidenced by the signature of a county committeeman for and on behalf of the county committee in the space provided on the application, the insurance contract shall be in effect: *Provided*, That such application is submitted in accordance with the provisions of the application and of these regulations and any amendments thereto. Applicant's copy of accepted application is intended for delivery to the applicant. Each change in the data originally shown on the application shall be deemed to have been assented to by the applicant if such change is shown on the applicant's copy of the accepted application and he has not filed with the county committee a written objection to such change within ten days after his copy has been forwarded to him.

(b) The Corporation reserves the right to reject any application for insurance or to limit the insurance on the applicant's interest to 50 percent of the average yield for each insurance unit covered by the application in any case where the county committee determines that the risk which would be incurred warrants either such action.

PREMIUM FOR INSURANCE CONTRACT

§ 412.3 *Amount of premium.* (a) The premium for each insurance unit under the contract shall be the number of pounds of lint cotton determined by multiplying the acreage of cotton planted on such insurance unit (as determined by the Corporation but not in excess of the maximum insurable acreage), by the premium rate per acre and by the insured's interest in the crop at the beginning of its planting. If more than one premium rate has been established for the insurance unit, a premium shall be computed separately using the applicable acreage for each rate, and the total of the amounts so computed shall be the premium for the insurance unit. The premium for the insurance contract shall be the total of the premiums for the insurance units covered by the contract. The premium with respect to each insurance unit shall be regarded as earned when the cotton crop on such unit is planted. The minimum premium payable by the insured with respect to any insurance contract shall be ten pounds of cotton.

(b) The applicant's annual premium may be reduced in any year not to exceed 50 percent, if it is determined by the Corporation from a comparison of the insured production with the accumulated balance of premiums paid over indemnities received (with appropriate adjustments for insurance on cottonseed) on consecutively insured crops, that the risks on cotton crops produced by the insured justify such reduction. Nothing in this provision shall create in the insured any right to a reduced premium as a result of the total premiums he has paid exceeding the total indemnities he has received.

§ 412.4 *Manner of payment of premium.* (a) Each applicant for insurance shall sign a note in the form and manner prescribed by the Corporation. Such note shall represent a promise to pay the Corporation the total premium for all insurance units covered by the insurance contract and shall be payable on or before the maturity date specified in § 412.46 hereof. Such note shall not bear interest.

(b) Payment on any such note may be made in whole or in part before maturity, either in cotton or cash, or both. After maturity, payment may be made only in cash. In connection with any payment before maturity, there shall be credited on the note the number of whole pounds of lint cotton computed by dividing the payment made (the proceeds of the sale of cotton if cotton is paid) by the cash equivalent price per pound for the date of payment. The amount of any such note due at maturity shall be the cash equivalent thereof based on the cash equivalent price per pound applicable for such maturity date.

(c) Any unpaid amount on any such note (either before or after the date of maturity) may be deducted from any indemnity payable under the contract, from the proceeds of any commodity loan to the insured, and from any payment made to the insured under the Soil Conservation and Domestic Allotment Act, as amended, or any other act of Congress administered by the United States Department of Agriculture. Where any such deduction is made before the date of maturity, the cash equivalent of the deduction will be based on either the cash equivalent price used on computing the indemnity payment or the cash equivalent price in effect on the day the county committee approves such loan or other payment. Such price shall also be used in determining the number of pounds of lint cotton to be credited on the note.

(d) Payments in cash shall be made by means of cash or by check, money order, or bank draft payable to the order of the Treasurer of the United States. All checks and drafts will be accepted subject to collection, and payments tendered shall not be regarded as paid unless collection is made. When a payment is made in cotton, it shall be by means of an instrument acceptable to the Corporation representing salable cotton.

INSURANCE COVERAGE

§ 412.5 *Insurance period.* Insurance with respect to any insurance unit shall attach at the time the crop is planted and shall cease with respect to any portion of the crop upon weighing in at the gin, other disposal after harvest, transfer of interest in unharvested cotton after harvest is commenced, or January 31 of the year following the year in which the insured crop was planted, whichever occurs first, unless such date is extended in writing by the Corporation.

§ 412.6 *Insured production.* The insured production for each insurance unit under the contract shall be the number of pounds of cotton determined by multiplying the acreage of cotton planted (as determined by the Corporation but not in excess of the maximum insurable acreage as defined in § 412.38 (o) hereof) by the average yield per acre, by the insured percentage, and by the insured's interest in the crop at the beginning of its planting. If more than one average yield has been established for the insurance unit, the insured production shall be computed separately, using the applicable acreage for each yield, and the total of such computed amounts shall be the insured production for the insurance unit.

§ 412.7 *Causes of loss or damage insured against.* The insurance contract shall cover loss in yield of cotton due to drought, flood, hail, wind, frost, lightning, fire, tornado, storm, insect infestation, animal pests, plant diseases, excess or deficient moisture, incursions of animals, and such other unavoidable causes not specifically mentioned herein as may be determined by the Board of Directors of the Corporation, and loss caused by direct enemy attack or as a direct result of the actions of our own forces in resisting such attack. The contract shall not cover damage to quality, or loss in yield caused by the neglect or malfeasance of the insured or of any person in his household or employment or connected with the farm as tenant, sharecropper, or wage hand, nor shall it cover losses caused by theft, use of defective or unadapted seed, failure properly to prepare the land for planting, or properly to plant, care for, or harvest the insured crop, or by failure to replant the cotton in areas and under circumstances where the Corporation determines it is customary to replant, or, where insurance is written on an irrigated basis, failure properly to apply irrigation water to cotton in proportion to the amount of water available for all irrigated crops.

§ 412.8 *Notice of transfer damage, removal, etc., of cotton crop.* (a) Unless otherwise provided by the Corporation, notice in writing shall be given the Corporation at the office of the county committee (1) immediately after the cotton crop or any portion thereof is transferred to another person, or (2) if a loss is probable, immediately after any material damage to the insured crop and before the crop is harvested, removed, or any other use is made of it. Any such notice shall be given in time to allow the Corporation to make appropriate investigation.

(b) Any portion of the cotton crop that has been destroyed or substantially totally destroyed may be put to another use only with the consent of the Corporation subject to an appraisal by the Corporation of the yield that would be realized if such portion of the crop remained for harvest. No acreage planted

to cotton shall be considered as put to another use as long as any cotton on such acreage is remaining for harvest. Proper measures shall be taken to protect the crop from further damage, and there shall be no abandonment of any crop or portion thereof to the Corporation.

§ 412.9 *Time of loss.* Loss, if any, shall be deemed to have occurred at the completion of weighing in of the insured crop at the gin, or disposal of the harvested crop, or January 31 of the year following the year in which the insured crop was planted (unless such time is extended in writing by the Corporation), whichever occurs first, unless the Corporation determines that total or substantially total destruction of the cotton crop occurred earlier, in which event the loss shall be deemed to have occurred on the date so determined by the Corporation. The cotton crop shall be deemed to have been substantially totally destroyed if the Corporation finds that it has been so badly damaged that farmers generally in the area where the farm is located and on whose farms similar losses occurred would not further care for the crop or harvest any portion thereof.

§ 412.10 *Proof of loss.* If a loss is claimed, the insured shall submit to the Corporation at the office of the county committee, on a form prescribed by the Corporation, a statement in proof of loss containing such information as may be required regarding the insured crop. Such statement in proof of loss shall be submitted not later than 30 days after the time of loss, unless such time is extended in writing by the Corporation. It shall be a condition precedent to any liability under the insurance contract that the insured establish that any loss for which claim is made has been directly caused by one or more of the hazards insured against by the insurance contract during the term of the contract, and that the insured further establish that such loss has not arisen from or been caused by, either directly or indirectly, any of the hazards not insured against by the insurance contract.

§ 412.11 *Amount of loss.* (a) The amount of loss for which indemnity will be payable with respect to any insurance unit will be the insured production under the contract for such insurance unit less the interest insured under the contract (at the time harvest is commenced) in the lint cotton harvested from the insurance unit, and not destroyed, and the appraised production of lint cotton not harvested: *Provided, however,* That such amount shall be subject to one or more of the following reductions, whenever applicable, multiplied by the insured's interest in the crop at the time harvest is commenced or, if the crop is not harvested, at the time of loss:

(1) With respect to American Upland cotton where any acreage of cotton planted is put to another use with the consent of the Corporation, the number of pounds of cotton equal to the appraised production which would have been obtained from such acreage if it had not been put to such other use;

(2) Where any acreage of cotton is not replanted to cotton in areas and under circumstances where the Corporation determines it is customary to replant cotton, the number of pounds of cotton by which the amount of cotton, determined as the production from such acreage, is less than the product of the acreage, the average yield, and the insured percentage;

(3) Where a reduction in production of cotton on any acreage results either in whole or in part from one or more causes not insured against, including (i) the use of such acreage for any purpose other than the production of cotton, without the consent of the Corporation, and (ii) failure properly to apply irrigation water to cotton in proportion to the water available for all irrigated crops in instances in which insurance is written on an irrigated basis, a number of pounds equal to the appraised reduction in production, except that with respect to any acreage on which there is a complete failure in yield due solely to a cause not insured against, such number of pounds shall not be less than the product of the acreage, the average yield, and the insured percentage;

(4) Where any acreage of cotton is planted on acreage of poorer average quality than the average quality of the land considered in establishing the average yield and premium rate and such planting was not the result of an established rotation, or where the Corporation's risk has been increased upon any acreage by (i) planting a variety of cotton different from the variety of cotton considered in establishing the average yield or premium rate, (ii) following a fertilizer or other practice, in connection with the production of cotton on the insurance unit, different from that taken into consideration in establishing the average yield and premium rate for the unit, or (iii) planting the cotton crop under conditions of immediate hazard without adjustment of the average yield or premium rate to reflect such hazard, a number of pounds equal to the product of such acreage, the insured percentage, and the number of pounds of cotton per acre representing the difference between the average yield established and the yield appraised on the basis of the quality of the land seeded, the variety of cotton planted, the practice followed, or the immediate hazard at the time of planting, as the case may be. This adjustment shall be made for any one or more of the reasons listed in this item, notwithstanding that damage or total destruction of the insured crop occurs by reason of any other cause;

(5) Where the insurance unit consists of only a portion of the acreage considered in establishing the average yield and premium rate and the average productivity or farming hazards for such unit differs materially from the average productivity or farming hazards for the average considered in establishing the average yield and premium rate and the loss is caused by such difference, a number of pounds of cotton representing the product of the difference between the average yield per acre established for the acreage of which such unit is a part and the average productivity per acre appraised for such unit, the acreage of cotton on such unit, and the insured percentage;

(6) Where the loss is caused by inability to obtain labor, fertilizer, machinery, repairs, or insect poisons, as a result of war conditions, and a reasonable effort has been made to obtain such labor, fertilizer, machinery, repairs, insect poisons, or other farming essentials as may be approved by the Corporation, a number of pounds of cotton of not less than the smaller of either (i) the equivalent of the savings in cost of producing the insured crop, including harvesting and ginning, computed by dividing the savings in cost by 120 percent of the applicable cash equivalent price per pound for American Upland cotton and by 115 percent for American Egyptian cotton, or (ii) the amount of loss attributable to such cause;

(7) Where any acreage of American Egyptian cotton planted is totally or substantially totally destroyed before July 2, the number of pounds of cotton equal to the appraised production from such acreage: *Provided, however,* That the appraised production for such acreage shall not be less than 82 percent of the lint cotton insurance per acre if the crop is totally or substantially totally destroyed on or before April 30. Such percentage limitation shall be decreased by one percent per day from May 1 to May 31, inclusive, and by one-half of one percent per day from June 1 to July 2, inclusive. The county committee shall determine the date of the total or substantially total destruction of the cotton crop or of the portion of the acreage of the cotton crop affected, as the case may be, which date shall be the date for determining the amount of the appraised production and the percentage limitation on the appraised production with respect to such crop or acreage; and

(8) With respect to American Egyptian cotton, for any acreage not totally or substantially totally destroyed before July 2, 35 percent of the number of pounds of cotton by which the lint cotton produced on the insurance unit is less than the product of the lint cotton insurance per acre and such acreage not totally or substantially totally destroyed before July 2, except that if the cotton that has been harvested is destroyed before weighing in at the gin, the adjustment made for such cotton shall be only for the number of pounds of lint cotton equivalent to the savings in costs. The production shall be appraised for any cotton not harvested on acreage not totally or substantially totally destroyed before July 2.

(b) Where the insured fails to establish and maintain records of acreage or production for the component parts of a combination of two or more insurance units or portions thereof, the insurance contract may be voided by the Corporation and the premium forfeited by the insured: *Provided, however,* That if all the component parts of the combination are insured the insured production for the combination shall be ascertained and any loss for such combination shall be determined as outlined in paragraph (a) of this section.

(c) In order to cover loss of cottonseed on any insurance unit, there shall be added to the amount of loss determined under paragraph (a) of this section a number of pounds of lint cotton equal to 20 percent of such amount of loss of American Upland cotton or a number of pounds of lint cotton equal to 15 percent of such amount of loss of American Egyptian cotton.

PAYMENT OF INDEMNITY

§ 412.12 *When indemnity payable.* The amount of loss for which the Corporation may be liable with respect to any farm covered by the insurance contract shall be payable within 30 days after satisfactory proof of loss is approved by the Corporation. However, if payment of any indemnity is delayed for any reason beyond the time specified, the Corporation shall not be liable for interest or damages on account of such delay.

§ 412.13 *Indemnity payment.* (a) Any indemnity due under the insurance contract will be paid by the issuance of a certificate of indemnity on which will be shown the amount of loss. Settlement under such certificate will be made in cash or cotton in accordance with these regulations. Such certificate may also be used to obtain a loan from the Commodity Credit Corporation, if loans are available, in accordance with instructions issued by it.

(b) Any indemnity payable under an insurance contract shall be paid to, and settlement under the certificate of indemnity made with, the insured, his beneficiary, or such other person as may be entitled to the benefits of the insurance contract under the provisions of these regulations, notwithstanding any attachment, garnishment, receivership, trustee process, judgment, levy, equity, or bankruptcy directed against the insured or such other person, or against any indemnity alleged to be due to such person; nor shall the Corporation or any officer, employee, or representative thereof be a proper party to any suit or action with reference to such indemnity or the proceeds thereof nor be bound by any judgment, order, or decree rendered or entered therein. No officer, agent, or employee of the Corporation shall, because of any such process, order or decree, pay, or cause to be paid, to any person other than the insured, his beneficiary (designated by him in such form and manner as the Corporation may prescribe), or other person entitled to the benefits of the insurance contract, any indemnity payable, or any amount due in settlement of any certificate of indemnity in accordance with the provisions of the insurance contract. Nothing herein contained shall excuse any person entitled to the benefits of the insurance contract from full compliance with, or performance of, any lawful judgment, order, or decree with respect to the disposition of any sums paid thereunder as an indemnity.

§ 412.14 *Adjustments in connection with indemnity payments.* Where an adjustment is made in the amount of an indemnity, settlement for such adjustment may be made on the basis of a cash equivalent price per pound other than that used in making settlement under the certificate of indemnity originally issued.

§ 412.15 *Other insurance.* If the insured has or acquires any other "all-risk" insurance against substantially all the risks that are insured against by the Corporation under the insurance contract on the crop or portion thereof covered in whole or in part by such other "all-risk" insurance contract, whether valid or not, or whether collectible or not, the liability of the Corporation shall not be greater than its share would be if the amount of its obligations were divided equally between the Corporation and such other insurer. In any case where an indemnity is paid to the insured by another government agency because of damage to the cotton crop, the Corporation reserves the right to determine its liability under the cotton crop insurance contract taking into consideration the amount paid by such other agency.

§ 412.16 *Subrogation.* The Corporation may require from the insured an assignment of all rights of recovery against any person(s) for loss or damage to the extent that payment therefor is made by the Corporation, and the insured shall execute all papers required and shall do everything that may be necessary to secure such rights.

§ 412.17 *Suit.* No suit or action shall be brought to enforce any claim for loss under the insurance contract unless all the requirements of such contract have been complied with.

§ 412.18 *Creditors.* An interest existing by virtue of a debt, lien, mortgage, garnishment, levy, execution, bankruptcy, or any other process shall not be considered an interest in an insured crop within the meaning of these regulations.

PAYMENT OF INDEMNITY TO PERSONS OTHER THAN ORIGINAL INSURED

§412.19 *Payment to transferee.* Payment of indemnity will be made only to the person(s) having the insured interest in a cotton crop at the beginning of harvest or the time of loss, whichever occurs first. In the event there is a transfer of the insured interest in a cotton crop after planting and before the beginning of harvest, or the time of loss, whichever occurs first, the transferee shall be entitled to the benefits of the insurance contract as follows: (a) If the transfer is one of the entire insured interest in the crop or a percentage of such entire interest, the insurance unit shall not be changed, and the transferee shall be entitled to indemnity payable with respect to the transferred interest; (b) if the transfer is one of the insured interest or a portion thereof in a portion of the acreage constituting the insured crop, the acreage with respect to which such interest is transferred shall constitute a separate insurance unit for the purposes of determining the amount of loss: *Provided, however,* That an involuntary transfer of an insured interest in a cotton crop solely because of the existence of a debt, lien, mortgage, garnishment, levy, execution, bankruptcy, or other process shall not entitle any holder of any such interest to any benefits under the insurance contract: *Provided, further,* That if any transfer takes place after material damage to the insured crop or a portion thereof and the Corporation determines that the transfer was made for the purpose of requiring that the Corporation pay a greater indemnity than would have been paid if the transfer had not taken place, the Corporation shall not be liable for a greater amount of indemnity in connection with the insured crop than would have been paid if the transfer had not taken place. If, as a result of any such transfer, diverse interests appear, the indemnity, if any, payable with respect to such unit may be paid jointly to all persons having the insured interest in the crop at the time harvest is commenced or the time of loss, whichever occurs first, or to one of such persons on behalf of all such persons, and payment in any such manner shall constitute a complete discharge of the Corporation's liability under the insurance contract.

§ 412.20 *Death, incompetence, or disappearance of insured.* (a) If no beneficiary has been designated by the insured (or if designated, is ineligible or unavailable) and if the insured dies, is judicially declared incompetent, or disappears, before the time of loss or the time harvest is commenced, whichever occurs first, and his insured interest in a cotton crop is a part of his estate at such time, or if insured dies, is judicially declared incompetent, or disappears subsequent to such time, the indemnity, if any, shall be paid to the legal representative of his estate, if one is appointed or is duly qualified. If no such representative is or will be so qualified, the indemnity shall be paid to the persons beneficially entitled to share in the insured's interest in the crop or to any one or more of such persons on behalf of all such persons: *Provided, however,* That if the indemnity represents a number of pounds of cotton, the cash equivalent of which exceeds $500.00, the Corporation may withhold the payment of the indemnity until a legal representative of the insured's estate is duly qualified to receive such payment.

(b) If no beneficiary has been designated by the insured (or if designated, is ineligible or unavailable) and if the insured dies, is judicially declared incompetent, or disappears before the time harvest is commenced, or the time of loss, whichever occurs first, and his interest in the crop is not a part of his estate at such time, the indemnity, if any, shall be paid to the person(s) who succeeded to his interest in the crop in the manner provided for in § 412.19.

(c) If a beneficiary has been named by the insured and if the insured dies, is judicially declared incompetent, or disappears, payment of any indemnity to which the insured is entitled will be made to such beneficiary if eligible and available.

(d) If an applicant for insurance dies, is judicially declared incompetent, or disappears, before the cotton crop intended

to be covered by the application is planted, whoever succeeds him on the farm with the right to plant the cotton crop as his heir or heirs, administrator, executor, guardian, committee, or conservator shall become a party in his stead to the contract for which he applied upon filing with the office of the county committee, within 15 days (unless such period is extended by the Corporation) after such death, judicial declaration, or disappearance, a statement in writing requesting and undertaking such substitution, provided that at the time of such filing there has not been and is not imminent a loss of the crop for which an indemnity would be payable if the insurance had already attached to the crop.

(c) The insured shall be deemed to have disappeared within the meaning of these regulations if he fails to file with the county committee written notice of his new mailing address within 180 calendar days after any communication by or on behalf of the Corporation is returned undeliverable at the address stated in the proof of loss or after such loss has been established otherwise, whichever is earlier.

§ 412.21 *Collateral assignment of right under insurance contract.* The right to an indemnity under an insurance contract may be assigned by the original insured as collateral security for a current loan, current advance to assist in the making of a cotton crop, the amount of the current year's rental due under a leasing agreement with respect to the insurance unit upon which the cotton crop is or will be planted, or the amount of the current annual installment due under a mortgage, purchase, or trust agreement covering the purchase of the insurance unit upon which the cotton crop is or will be planted and an additional amount of any delinquency which may be due under the mortgage, purchase, or trust agreement of not to exceed the amount of the current annual installment, including interest and taxes. Such assignment shall be made by the execution of a form prescribed by the Corporation and, upon approval thereof by the Corporation, the interests of the assignee will be recognized in the event an indemnity is payable under the insurance contract, to the extent of the amount determined to be the unpaid balance of the amount (including interest and other charges) for which such assignment was made as collateral security: *Provided, however*, That (a) the Corporation in payment of the indemnity may issue a check payable jointly to all persons entitled thereto and that such payment shall constitute a complete discharge of the Corporation's obligation with respect to any loss under the insurance contract; and (b) payment of any indemnity will be subject to all conditions and provisions of the insurance contract. The Corporation's approval of an assignment shall not create in the assignee any right other than that derived from the assignor. The Corporation shall in no case be bound to accept notice of any assignment of the insurance contract, and nothing contained in any assignment shall give any right against the Corporation to any person other than the insured except to an assignee approved by the Corporation. Only one such assignment will be recognized in connection with the insurance contract, but if an assignment is released a new assignment of the right to an indemnity under the insurance contract may be made.

§ 412.22 *Fiduciaries.* Any indemnity payable under an insurance contract entered into in the name of a fiduciary who is no longer acting in such capacity at the time for the payment of indemnity and settlement under the certificate of indemnity will be made to the succeeding fiduciary upon appropriate application and proof satisfactory to the Corporation of his incumbency. In the event there is no succeeding fiduciary, payment of the indemnity and settlement under the certificate of indemnity shall be made to the person beneficially entitled under these regulations to the insured interest in the crop to the extent of their respective interests upon proper application and proof of the facts: *Provided, however*, That the loss may be adjusted with any one or more of the persons so entitled, and payment may be made to such person or persons in behalf of all the persons so entitled, whether or not the person to whom payment is made has been authorized to receive such payment by the other persons so entitled.

§ 412.23 *Indemnities subject to all provisions of insurance contract.* Indemnities payable to any person shall be subject to all the provisions of the insurance contract, including the right of the Corporation to deduct from any such indemnity the unpaid amount of the note of the original insured for the payment of the earned premium: *Provided, however*, That, in case of a transfer of an interest in an insured crop, such deduction to be made from an indemnity payable to the transferee shall not exceed the premium due on the interest in the crop so transferred. Any indemnity payable to any person other than the original insured as a result of transfer, or otherwise, shall be subject to any collateral assignment of the insurance contract by the original insured.

§ 412.24 *Determination of person to whom indemnity shall be paid.* In any case where the insured has transferred his interest in all or a portion of the cotton crop on any farm, has died, has become incompetent, has disappeared, has ceased to act as a fiduciary, or has designated a beneficiary or, if designated, such beneficiary is deceased or is otherwise unavailable or ineligible, payment in accordance with the provisions of these regulations will be made only after the facts have been established to the satisfaction of the Corporation. The determination of the Corporation as to the existence or nonexistence of a circumstance in the event of which payment may be made and of the person(s) to whom such payment shall be made shall be final and conclusive. Payment of any indemnity under this section shall constitute a complete discharge of the Corporation's obligation with respect to the loss for which such indemnity is paid and shall be a bar to recovery by any other person.

DEPOSITS, REFUNDS OF DEPOSITS, AND EXCESS NOTE PAYMENTS

§ 412.25 *Deposits to be applied toward payment of notes for future crop years.* (a) Any payment made by or for an applicant in excess of an amount equal to the number of pounds of lint cotton required to pay the note shall be credited as a deposit to be applied toward payment of the premium in the next succeeding crop year. Such deposit shall be stated in terms of the cotton equivalent of the payment made. The cotton equivalent shall be determined by dividing the amount of such excess payment by the cash equivalent price per pound applicable for the date on which the excess payment was made. The Corporation reserves the right to reject any tender of deposit.

(b) The acceptance of any deposit shall not obligate the Corporation to insure the interest of the depositor under any insurance contract, and any such deposit will be subject to the provisons of the insurance contract for the year in which the deposit is used. The depositor shall have no title or interest in any lint cotton held by the Corporation, including that deposited by him, and the Corporation shall be liable to the depositor only for the cash equivalent price per pound for each pound of the quantity of cotton credited to the insured's account.

§ 412.26 *Refunds of deposits.* Except as otherwise may be provided by the Corporation, no claim for refund of a deposit shall be made prior to the final date fixed by the Corporation for receipt of applications for the next succeeding Cotton Crop Insurance Program in the county in which the insurance unit covered by the insurance contract is located, unless an earlier time for such filing is fixed by the Corporation: *Provided, however*, That the Corporation may refund any deposit at such earlier date as it may determine. The cash equivalent price per pound of any refund of deposit shall be determined by multiplying the number of pounds of cotton credited to the insured's account by the cash equivalent price per pound applicable for the date on which the deposit was tendered.

§ 412.27 *Refunds of excess note payments.* (a) Before maturity of note: The Corporation shall not be required to make a refund of any excess payment made on account of a note until the acreage planted to cotton on all insurance units covered by the insurance contract has been determined. However, an earlier date may be fixed by the Corporation.

The cash equivalent of any refund shall be determined on the basis of the number of pounds of lint cotton to be refunded and the cash equivalent price for the appropriate grade and staple of such lint cotton, effective for the date such payment was submitted to the Corporation. If more than one payment is made on the note for the crop insurance premium, the payments shall be applied in the order of submittal to the Corporation. In computing the amount of any refund the payments shall be considered in their inverse order and each such payment or portion thereof shall be regarded as a separate payment in determining the cash equivalent of the refund.

(b) After maturity of note: Payments received after the maturity of the note for the payment of the crop insurance premium shall be refunded in the actual amount of money paid to the Corporation in excess of that determined to be necessary to pay such note.

There shall be no refund of an amount less than $1.00, with respect to payments made either before or after the maturity of the note, unless written request for such refund is received by the Corporation within one year after the date of maturity of the note.

§ 412.28 *Assignment or transfer of claims for refunds.* No claim for a refund, or any part or share thereof, or any interest therein, shall be assignable or transferable, notwithstanding any assignment of the insurance contract as security or any transfer of interest in any cotton crop covered by the insurance contract. Refund of any deposit will be made only to the depositor and refund of any other payment will be made only to the person who made such payment except as provided in § 412.29.

§ 412.29 *Refund in case of death, incompetence, or disappearance.* In any case where a person, who is entitled to a refund of a payment or a deposit, has died, has been judicially declared incompetent, or has disappeared, the provisions of § 412.20 with reference to the payment of indemnities in any such case shall be applicable with respect to the making of any such refund.

ESTABLISHMENT OF AVERAGE YIELDS AND PREMIUM RATES

§ 412.30 *Determination of farm average yields of lint cotton per acre.* (a) The county committee shall determine the 1941 crop yield of lint cotton per acre from reliable records for each farm on which cotton was planted in 1941. For those cotton farms on which no cotton was planted in 1941, or for which no 1941 crop data are available, the county committee shall appraise the 1941 crop yield per planted acre, basing such appraisal on the actual 1941 crop yield per planted acre on a similar farm and other available information. For those farms for which the county committee determines that the actual crop data are not applicable, the county committee shall adjust the crop yield to a figure which represents the yield of similar farms in the county which were not subject to the conditions for which adjustment is being made. The county committee may determine that actual crop data are not applicable in those cases in which (1) the committee finds that the yield for 1941 was abnormally low due to a cause which did not result in losses generally throughout the county, and which is not more likely to recur on the farm than to occur on any other farm in the county, which condition shall be referred to as "spot loss;" or (2) the committee determines that the crop in 1941 was planted on a small or unrepresentative acreage.

(b) The average yield of lint cotton for the farm shall be determined by averaging the 1941 crop yield per planted acre with the average yield of lint cotton per acre previously established for the farm and approved by the Corporation for use in determining the average farm yield for the 1943 program, giving a weight of nine to the average yield so previously established for the farm and a weight of one to the 1941 crop yield per planted acre: *Provided, however*, That the average yield established before factoring shall not exceed the average yield so previously established for the farm by more than 10 percent.

(c) For each farm for which a regular allotment has not been established for 1943 for which a permitted acreage or "new-grower allotment" has been established, upon application by a person having an interest in the cotton grown on such farm the county committee shall appraise an average yield. Such appraisal shall be based on the average yield of a farm similar in acreage, farming practices, topography, and risk of loss.

(d) An acreage of the final yields established for all farms in the county or administrative area, weighted by the most recent cotton acreage allotments then established for such farms under the agricultural conservation program, shall not exceed the check yield established by the Corporation for such county or administrative area.

§ 412.31 *Determination of premium rates for insurance.* (a) For all farms in the county for which an average yield is established in accordance with paragraphs (a) and (b) of § 412.30, the premium rate for 75-percent lint insurance shall be determined (1) by determining the loss cost portion of the premium rate for 75-percent lint insurance previously established for the farm and approved by the Corporation for use in determining the 1943 farm premium rate, (2) by adjusting such figure for the difference between the preliminary average yield of lint cotton per acre established for the farm for 1943 and the average lint yield per acre for the farm as approved by the Corporation for use in determining the 1943 average yield, (3) by averaging such adjusted figure with the 1941 crop loss per acre (that is, the amount by which the 1941 crop yield is less than 75 percent of the 1943 preliminary average lint yield per acre for the farm), giving a weight of nine to the figure arrived at under (2) above and a weight of one to the 1941 crop loss per acre (provided, however, that the amount of the 1941 crop loss per acre used in this computation shall not exceed 100 pounds), and (4) by averaging the figure thus obtained with the 1943 county check premium rate, giving equal weight to each. The Corporation may prescribe, however, different weights to be given to such figures where it determines that such procedure results in premium rates which more adequately reflect the risks on farms in the county. The same method of weighting shall be used for all farms in the county unless the Corporation determines that cotton farming conditions in the county warrant the use of different methods of weighting in separate areas within the county. The Corporation may provide other means of computation which will result in premium rates substantially the same as those arrived at under the above provisions.

(b) For each farm for which a regular allotment has not been established for 1943 but for which a permitted acreage or "new-grower allotment" has been established, upon application by a person having an interest in the cotton grown on such farm the county committee shall appraise a lint premium rate. Such appraisal shall be based on the established premium rate of a farm similar in acreage, farming practices, topography, and risk of loss.

(c) The average of the lint premium rates established for all farms in the county or administrative area weighted by the cotton acreage allotments established for such farms under the agricultural conservation program shall not be less than the check premium rate established by the Corporation for such county or administrative area.

(d) The minimum premium rate per acre for 75-percent lint insurance on American Upland cotton shall be four pounds of lint cotton plus two percent of the average yield established for the insurance unit, except that for insurance units with an average yield of less than 100 pounds per acre such minimum premium rate shall be six percent of the average yield established for the insurance unit. The minimum premium rate per acre for 75-percent lint insurance on American Egyptian cotton shall be 60 percent of the minimum rate thus computed.

(e) The premium rate for 50-percent lint insurance shall be determined by applying a percentage factor as determined by the Corporation to the premium rate for 75-percent lint insurance irrespective of the minimum premium rate for 75-percent insurance which has been established for the insurance unit. This percentage factor shall be based upon the relationship between the county average loss cost for 50-percent insurance and the county average loss cost for 75-percent insurance but shall not be less than 15 percent.

(f) The minimum rate for 50-percent lint insurance shall be one-third of the minimum rate for 75-percent lint insurance.

(g) To pay the premium for protection against loss of cottonseed, the premium rate for lint cotton insurance shall be increased by 20 percent on American Upland cotton and by 15 percent on American Egyptian.

(h) Notwithstanding the provisions of paragraph (a) of this section, the Corporation may establish premium rates by means of premium rate schedules, provided such method achieves the establishment of rates for insurance units in the same yield classification that are determined by the Corporation to be fair and just.

(i) The maximum premium rate per acre for lint insurance shall be one-half of the lint cotton insurance per acre established for the insured percentage as approved under the insurance contract.

§ 412.32 *Average yields and premium rates where farm varies widely in productivity or farming hazards or where tracts of the farm are widely separated.* If the land comprising any farm consists of tracts varying widely in productivity, topography, or farming hazards, or if tracts of the farm are widely separated, separate average yields and premium rates may be established by the Corporation for such tracts on the basis of appraisal, taking into consideration the yield data available.

§ 412.33 *County check yields.* (a) County check yields shall be established by the Corporation by averaging the county check yield established for the 1942 Cotton Crop Insurance Program (except in those counties in which the 1942 county check yield was identical with the 1942 Agricultural Conservation Program county normal yield, in which cases the average yield for a representative period shall be used) adjusted for changes in farming operations, where necessary, with the 1941 average yield in the county, giving a weight of nine to the 1942 county check yield, as adjusted, and a weight of one to the 1941 county average yield: *Provided, however*, That, if the county check yield thus computed differs by more than five percent from the 1942 county average yield used in computing the 1943 county check yield, such yield shall be limited to a value which shall be not less than 95 percent nor more than 105 percent, plus a certain portion (determined by the Corporation to be reasonable) of the calculated percentage increase in excess of 105 percent, of such 1942 county average yield.

(b) The Corporation may establish check yields which it deems fair and just for administrative areas other than a county.

§ 412.34 *County check premium rates.* (a) The Corporation shall establish county check premium rates on the basis of average loss costs for the county, for a period determined by the Corporation to be representative from annual yield data for the county during such period, and the relationship between yields and loss costs for sample farms in the county selected for actuarial purposes adjusted to reflect extraordinary conditions of loss included in actuarial data available to the Corporation and to reflect farming hazards not included in actuarial data available to the Corporation.

(b) The Corporation may establish check premium rates which it deems fair and just for administrative areas other than a county.

§ 412.35 *Average yields and premium rates for fractional parts of a farm and for farms which are combined or divided after the listing sheets are prepared.* (a) The average yield and premium rate for a fractional part of a farm which is to be insured as a separate insurance unit shall be the same as the average yield and premium rate for the entire acreage considered in establishing such average yield and premium rate, except as provided in § 412.32.

(b) Where due to combinations of insurance units after yields and rates applicable to the component parts of the combination have been approved by the Corporation and determination of the acreage planted to cotton on such component parts is not feasible or practical, average yields and premium rates for the acreage comprising such combinations may be established by the Corporation, provided the combination was effected before the planting of any cotton on the combination. Such determinations shall be based upon the average yield and premium rate for farms similar in acreage, farming practices, topography, and farming hazards, taking into consideration the average yield(s) and premium rate(s) for the original farm(s).

§ 412.36 *Average yields and premium rates for special farming practices and for American Egyptian cotton.* In areas where farming practices are followed which are determined by the Corporation to be special practices or where American Egyptian cotton is grown, yields and premium rates may be established for each special practice or for American Egyptian cotton for the county or administrative area and for individual insurance units. The method used for establishing average yields and premium rates for a special practice or for American Egyptian cotton shall be substantially the same as that used for establishing the yields and premium rates for the general practice or for American Upland cotton. Premium rates for American Egyptian cotton may be established by means of premium rate schedules as provided for in § 412.31, paragraph (h), of these regulations. The yield and premium rate thus established for the insurance unit(s) shall apply to the acreage of cotton planted on the insurance unit under the special farming practice or to the acreage planted to American Egyptian cotton on the insurance unit.

§ 412.37 *Yield and rate appeals.* An applicant may appeal for a change in the amount of lint cotton insurance per acre or premium rate per acre, established under these regulations with respect to a farm, in accordance with instructions issued by the Corporation.

GENERAL

§ 412.38 *Meaning of terms.* For the purpose of the 1943 Cotton Crop Insurance Program, the term:

(a) "Average yield" means the average yield of lint cotton per acre established by the Corporation for each insurance unit.

(b) "Cash equivalent price per pound" means the net price per pound of lint cotton established by the Corporation for the area in which the insurance unit is located on the basis of the price of lint cotton at the applicable spot market with differentials for the location of the area in which the insurance unit is situated.

(c) "Closing date" means the final date for the submission of applications for insurance to the office of the county committee, or the beginning of the planting of the cotton crop on any of the insurance units covered by the application for insurance, whichever occurs first. Such dates are specified by areas in § 412.45 hereof.

(d) "Corporation" means the Federal Crop Insurance Corporation.

(e) "Cotton crop" means only American Upland, or American Egyptian cotton when yields and rates have been approved by the Corporation, and does not include any cotton planted primarily for experimental purposes.

(f) "Crop year" means the period within which the cotton crop is planted and normally harvested, and shall be designated by reference to the calendar year in which the crop is planted.

(g) "County" means a political or civil division of a state and includes parishes in Louisiana.

(h) "County committee" means the group of persons elected within any county to assist in the administration of the agricultural conservation program in such county.

(i) "Farm" means all adjacent or nearby farm land under the same ownership which is operated by one person, including also: (1) Any other adjacent or nearby farm land which the county committee determines is operated by the same person as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other lands; and (2) any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops.

A farm shall be regarded as located in the county or administrative area, as the case may be, in which the principal dwelling is situated, or, if there is no dwelling thereon, it shall be regarded as located in the county or administrative area, as the case may be, in which the major portion of the farm is located.

(j) "Insurance contract" means the contract of insurance entered into between the applicant and the Corporation by virtue of the application for insurance and these regulations and any amendments thereto.

(k) "Insured percentage" means the percentage of the average yield of lint cotton per acre for the insurance unit covered by an insurance contract, and shall be either 50 or 75 percent.

(l) "Insurance unit" with respect to each insured shall be all or a portion of the acreage considered as a farm for the purpose of establishing the average yield and premium rate in which the insured has an interest as a cotton producer at the time of its planting except that when such acreage consists of land, part of which is regularly irrigated and the remainder never irrigated, or land upon part of which American Upland is grown and upon part of which American Egyptian is grown, or when separate yields and rates have been established for widely separated parts of a farm, such portions shall be considered separately for the purpose of establishing insurance units.

(m) "Landlord" or "owner" means a person who owns farm land and either rents such land to another person or operates it as a farm.

(n) "Lint cotton insurance per acre" means the number of pounds of lint cotton per acre for which the applicant is insured and shall be based upon the insured percentage.

(o) "Maximum insurable acreage" means the largest number of acres of cotton which may be insured on an insurance unit. Such acreage shall be the cotton acreage allotment for the insurance unit under the then current agricultural conservation program. In the event that the insurance unit is a part of the farm for which such cotton acreage allotment is established, the total of the maximum insurable acreages for all units constituting the farm shall not exceed such allotment and, if the cotton planted on all such units does exceed such allotment, the maximum insurable acreage for each such unit shall be the same percentage of the acreage planted to cotton on the unit as the cotton acreage allotment for the farm is of the total acreage planted to cotton on all such units. The term cotton acreage allotment shall also mean permitted acreage where applicable.

(p) "Operator" means a person who as landlord or cash tenant, or standing or fixed-rent tenant, is operating a farm, or who as a share tenant is operating a whole farm.

(q) "Person" means an individual, partnership, association, corporation, estate, or trust, or other business enterprise or other legal entity and, wherever applicable, a state, a political subdivision of a state, or any agency thereof.

(r) "Premium rate" means the premium rate per acre established by the Corporation.

(s) "Sharecropper" means a person who works a farm in whole or in part under the general supervision of the operator and is entitled to receive for his labor a share of the cotton crop thereon or of the proceeds therefrom.

(t) "State committee" means the group of persons designated within any state to assist in the administration of the agricultural conservation program in such state.

(u) "Tenant" means a person other than a sharecropper who rents land from another person (for cash, a fixed commodity payment, or a share of the crop or proceeds therefrom), and is entitled under a written or oral lease or agreement to receive all or a share of the crop or proceeds therefrom produced on such land.

§ 412.39 *Restriction on purchase and sale of cotton by the Corporation.* The restriction on the purchase and sale of cotton, as provided in section 508 (d) of the Federal Crop Insurance Act, as amended, reads in part as follows:

Insofar as practicable, the Corporation shall purchase the agricultural commodity only at the rate and to a total amount equal to the payment of premiums in cash by farmers or to replace promptly the agricultural commodity sold to prevent deterioration, and shall sell the agricultural commodity only to the extent necessary to cover payments of indemnities and to prevent deterioration: *Provided, however*, That nothing in this section shall prevent prompt offset purchases and sales of the agricultural commodity for convenience in handling. Nothing in this section shall prevent the Corporation from accepting, for the payment of premiums, notes payable in the commodity insured or the cash equivalent, upon such security as may be determined pursuant to subsection (b) of this section, and from purchasing the quantity of the commodity represented by any of such notes not paid at maturity.

§ 412.40 *Records and access to farm.* For the purpose of enabling the Corporation to determine the loss, if any, that may have occurred under the insurance contract, the insured shall keep, or cause to be kept, records of the harvesting, ginning, storage, shipment, sale, or other disposition, of all cotton produced on each insurance unit covered by the insurance contract. Such records shall be made available for examination by the Corporation, and as often as may reasonably be required, any person or persons designated by the Corporation shall have access to the farm. (See § 412.11 (b) hereof.)

§ 412.41 *Review of determinations of county committees.* All determinations by a county committee shall be subject to review and approval or revision by duly authorized representatives of the Corporation.

§ 412.42 *Applicant's warranties; voidance for fraud.* In applying for insurance the applicant warrants that the information, data, and representations submitted by him in connection with the insurance contract are true and correct, and are made by him, or by his authority, and shall be taken as his act. The insurance contract may be voided and the premium forfeited to the Corporation without the Corporation's waiving any right or remedy, including its right to collect the amount of the note executed by the insured, whether before or after maturity, if at any time the insured has concealed any material fact or made any false or fraudulent statements relating to the insurance contract, the subject thereof, or his interest in the cotton crop covered thereby, or if the insured shall neglect to use all reasonable means to produce, care for or save the cotton crop covered thereby, whether before of after damage has occurred, or if the insured fails to give any notice, or otherwise fails to comply with the terms of the contract, including the note, at the time and in the manner prescribed.

§ 412.43 *Modification of insurance contract.* No notice to any county committee or representative of the Corporation or knowledge possessed by any such county committee or representative or by any other person shall be held to effect a waiver of or change in any part of the insurance contract or to estop the Corporation from asserting any right or power under such contract; nor shall the terms of such contract be waived or changed except as authorized in writing by a duly authorized officer or representative of the Corporation; nor shall any provision or condition of the insurance contract or any forfeiture be held to be waived by any delay or omission by the Corporation in exercising its rights and powers thereunder or by any requirement, act, or proceeding, on the part of the Corporation or of its representatives, relating to appraisal or to any examination herein provided for.

§ 412.44 *Fractional units in acres and yields.* Fractions of yields per acre shall be rounded to the nearest pound. Fractions of loss costs and premium rates shall be rounded to the nearest tenth of a pound. Fractions of pounds, other than loss costs and premium rates, shall be rounded to the nearest pound. Fractions of acres representing total acres of cotton shall be rounded to the nearest tenth of an acre. Computations shall be carried to one digit beyond the digit that is to be rounded. If the extra digit computed is 1, 2, 3, or 4, the rounding shall be downward. If the extra digit computed is 6, 7, 8, or 9, the rounding shall be upward. If the extra digit computed is 5, the computation shall be carried to another digit. If the two extra digits are 50, the rounding shall be downward, and if the two extra digits are 51 or any higher figure, the rounding shall be upward.

§ 412.45 *Closing dates for submission of applications.* The closing dates established by the Corporation for the submission of applications to the office of the county committee are as follows:

Alabama. April 1 for the counties of Blbb, Blount, Calhoun, Chambers, Cherokee, Chilton, Clay, Cleburne, Colbert, Coosa, Cullman, De Kalb, Etowah, Fayette, Franklin, Jackson, Jefferson, Lamar, Lauderdale, Lawrence, Limestone, Madison, Marion, Marshall, Morgan, Pickens, Randolph, St. Clair, Shelby, Talladega, Tallapoosa, Tuscaloosa, Walker, and Winston.

March 15 for all other counties in the state.

Arizona. March 15 for American Upland; March 15 for American Egyptian, for all counties.

Arkansas. April 1 for all counties.

California. December 31 for Tulare Lake area of Kings County.

March 15 for remainder of Kings County and all other counties of the state.

Florida. March 15 for all counties.

Georgia. April 1 for the counties of Baldwin, Banks, Barrow, Bartow, Butts, Carroll, Catoosa, Chattooga, Cherokee, Clarke, Clayton, Cobb, Columbia, Coweta, Dade, Dawson, De Kalb, Douglas, Elbert, Fannin, Fayette, Floyd, Forsyth, Franklin, Fulton, Gilmer, Glascock, Gordon, Greene, Gwinnett, Habersham, Hall, Hancock, Haralson, Hart, Heard, Henry, Jackson, Jasper, Jones, Lamar, Lincoln, Lumpkin, McDuffie, Madison, Meriwether, Monroe, Morgan, Murray, Newton, Oconee, Oglethorpe, Paulding, Pickens, Pike, Polk, Putnam, Rabun, Richmond, Rockdale, Spalding, Stephens, Taliaferro, Towns, Troup, Union, Walker, Walton, Warren, White, Whitfield, and Wilkes.

March 15 for all other counties in the state.

Illinois. April 15 for all counties.

Kansas. April 15 for all counties.

Kentucky. April 15 for all counties.

Louisiana. March 15 for all counties.

Mississippi. April 1 for the counties of Alcorn, Attala, Benton, Bolivar, Calhoun, Carroll, Chickasaw, Choctaw, Clay, Coahoma, De Soto, Grenada, Holmes, Humphreys, Itawamba, Lafayette, Lee, Leflore, Lowndes, Marshall, Monroe, Montgomery, Noxubee, Oktibbeha, Panola, Pontotoc, Prentiss, Quitman, Sunflower, Tallahatchie, Tate, Tippah, Tishomingo, Tunica, Union, Washington, Webster, Winston, and Yalobusha.

March 15 for all other counties in the state.

Missouri. April 15 for all counties.

New Mexico. For American Upland April 15 for the counties of Curry, Harding, Lea, Quay, and Roosevelt.

March 15 for all other counties in the state for American Upland and April 1 for American Egyptian.

North Carolina. April 1 for all counties.

Oklahoma. April 1 for the counties of Adair, Atoka, Bryan, Carter, Cherokee, Choctaw, Coal, Haskell, Hughes, Johnston, Latimer, Le Flore, Love, McCurtain, McIntosh, Marshall, Murray, Muskogee, Okfuskee, Okmulgee, Pittsburg, Pontotoc, Pushmataha, Seminole, and Sequoyah.

April 15 for all other counties in the state.

South Carolina. March 15 for the counties of Allendale, Bamberg, Barnwell, Beaufort, Berkeley, Charleston, Colleton, Dorchester, Georgetown, Hampton, and Jasper.

April 1 for all other counties in the state.

Tennessee. April 1 for all counties.

Texas. February 15 for the counties of Cameron, Hidalgo, Starr, and Willacy.

March 1 for the counties of Aransas, Atascosa, Austin, Bee, Brazoria, Brooks, Calhoun, Colorado, De Witt, Duval, Fayette, Fort Bend, Frio, Galveston, Goliad, Gonzales, Harris, Jackson, Jim Hogg, Jim Wells, Karnes, Kenedy, Kleberg, La Salle, Lavaca, Live Oak, McMullen, Matagorda, Maverick, Nueces, Refugio, San Patricio, Victoria, Waller, Webb, Wharton, Wilson, Zapata, and Zavala.

March 15 for American Upland and April 1 for American Egyptian for the counties of Anderson, Angelina, Bastrop, Bell, Bexar, Blanco, Bosque, Brazos, Brewster, Burleson, Burnet, Caldwell, Chambers, Cherokee, Comal, Coryell, El Paso, Falls, Freestone, Gillespie, Grimes, Guadalupe, Hamilton, Hardin, Hays, Houston, Hudspeth, Irion, Jasper, Jefferson, Kendall, Kerr, Kimble, Lampasas, Lee, Leon, Liberty, Limestone, Llano, McLennan, Madison, Mason, Medina, Milam, Montgomery, Nacogdoches, Newton, Orange, Panola, Pecos, Polk, Presidio, Reeves, Robertson, Rusk, Sabine, San Augustine, San Jacinto, Schleicher, Shelby, Travis, Trinity, Tyler, Uvalde, Walker, Ward, Washington, and Williamson.

April 1 for the counties of Andrews, Borden, Bowie, Brown, Callahan, Camp, Cass, Coke, Coleman, Collin, Comanche, Concho, Cooke, Dallas, Dawson, Delta, Denton, Eastland, Ellis, Erath, Fannin, Fisher, Franklin, Gaines, Glasscock, Grayson, Gregg, Harrison, Henderson, Hill, Hood, Hopkins, Howard, Hunt, Johnson, Jones, Kaufman, Lamar, Marion, Martin, McCulloch, Menard, Midland, Mills, Mitchell, Morris, Navarro, Nolan, Palo Pinto, Parker, Rains, Red River, Rockwell, Runnels, San Saba, Scurry, Shackelford, Smith, Somervell, Stephens, Sterling, Tarrant, Taylor, Titus, Tom Green, Upshur, Van Zandt, and Wood.

April 15 for the counties of Archer, Armstrong, Bailey, Baylor, Briscoe, Carson, Castro, Childress, Clay, Cochran, Collingsworth, Cottle, Crosby, Deaf Smith, Dickens, Donley, Floyd, Foard, Gerza, Gray, Hale, Hall, Hardeman, Haskell, Hemphill, Hockley, Jack, Kent, King, Knox, Lamb, Lipscomb, Lubbock, Lynn, Montague, Motley, Parmer, Randall, Stonewall, Swisher, Terry, Throckmorton, Wheeler, Wichita, Wilbarger, Wise, Yoakum, and Young.

Virginia. April 1 for all counties.

§ 412.46 *Maturity dates for premium notes under the Cotton Crop Insurance Program.* The maturity dates for cotton crop insurance premium notes shall be six months after the closing dates established by the Corporation for the submission of applications to the office of the county committee, as stated in § 412.45.

Adopted by the Board of Directors on October 26, 1942, and December 22, 1942.

[SEAL] M. CLIFFORD TOWNSEND,
Chairman.

Approved: February 23, 1943.

GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 43-2961; Filed, February 23 1943; 2:59 p. m.]

Chapter XI—Food Distribution Administration

[FDO 6-1, Amendment 1]

PART 1405—FRUITS AND VEGETABLES

ORDER REQUIRING CITRUS FRUIT TO BE SET ASIDE

Pursuant to the authority vested in me by Food Distribution Order No. 6 (8 F.R. 511) issued by the Secretary of Agriculture of the United States on January 12, 1943, § 1405.3 (e) of Food Distribution Order No. 6-1 (8 F.R. 998) issued by the Director of Food Distribution on January 20, 1943, is amended as follows:

1. By inserting "(1)" at the beginning of the paragraph in said § 1405.3 (e) of said Food Distribution Order No. 6-1.

2. By inserting at the end of said section, as hereby amended, the following:

(2) Notwithstanding the provisions of (a), (b), and (c) hereof, any handler during any shipping period for any type or variety of citrus fruit may, at his option, set aside more than the quantities of citrus fruit required to be set aside by said provisions in (a), (b), and (c). Such excess amounts so set aside shall be accumulated as credits to be applied against shipments in future shipping periods: *Provided*, That any deficient quantities, permitted under (e) (1) hereof, shall first be deducted. Such credits against shipments in future shipping periods shall be applied in the same manner as if citrus fruit were actually set aside in such future shipping periods. The credits remaining unused, with respect to citrus fruit produced in California, shall be cancelled on November 15 in each year; and the credits remaining unused, with respect to citrus fruit produced in Arizona, Texas, or Florida, shall be cancelled on August 15 in each year.

The provisions of this amendment shall take effect at the beginning of the first shipping period, as defined in said Food Distribution Order No. 6, subsequent to the date of issuance hereof.

(E.O. 9280, 7 F.R. 10179; F.D.O. No. 6, 8 F.R. 511)

Issued this 24th day of February 1943.

[SEAL] ROY F. HENDRICKSON,
Director of Food Distribution.

[F. R. Doc. 43-2969; Filed, February 24, 1943, 11:22 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter I—Aid of Civil Authorities and Public Relations

CONDITIONS UNDER WHICH CERTAIN PHOTOGRAPHS MAY BE TAKEN

PART 5—SAFEGUARDING TECHNICAL INFORMATION

Section 5.3 (b) is amended as follows:

§ 5.3 *Right to possess classified military information.* • • •

(b) Photographs of classified features of military equipment or of other classified items will be made by members of the military service or by civilian employees of the War Department only when necessary in the conduct of their official duties and if made may be developed or printed in commercial establishments that have established a specific procedure for handling classified film, which procedure has been approved by the Provost Marshal General. Such film or prints will not be retained in the possession of commercial establishments so utilized. (R. S. 161; 5 U.S.C. 22) [Par. 13*b*, AR 380-5, September 28, 1942, as amended by C 6, February 16, 1943]

PART 9—SECRECY SURROUNDING TROOP MOVEMENTS

Section 9.3 (a) (2)[1] is amended as follows:

§ 9.3 *Embarkation*—(a) *Admission to piers.* • • •

(2) Personnel may take cameras within the limits of the pier or overseas, subject to the restrictions imposed by the commander of the port, ship, theater, or other area concerned. (R.S. 161; 5 U.S.C. 22) Par. 66*a*, AR 380-5, September 28, 1942, as amended by C 6, February 16, 1943]

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[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-2957; Filed, February 24, 1943, 10:11 a. m.]

Chapter III—Claims and Accounts

PART 38—ALLOTMENTS OF PAY

MISCELLANEOUS AMENDMENTS

Sections 38.1 (a) (6 F. R. 1650; 8 F. R. 580) and 38.6 (6 F.R. 1650) are amended as follows:

§ 38.1 *Definitions*—(a) *Allotment.* The word "allotment" as used herein refers to a definite portion of the pay of an officer, Army nurse, warrant officer, enlisted man, member of the Women's Army Auxiliary Corps, contract surgeon, or permanent civilian employee of the War Department on duty outside the continental limits of the United States, which is authorized to be paid to another person, or institution, in a manner prescribed by the Secretary of War. Allotments of pay are purely voluntary acts of the allotters; they carry no corresponding allowance or other obligation of the Government and require no administrative adjudication to become effective. They are revocable at the will of the alloter and vest no property rights in the allottee unless and until they have been paid to the allottee. (See 10 Comp. Dec. 208; 2 Comp. Gen. 144.) Mere issuance of a check for the allotment does not constitute payment thereof. The allotment has not been paid until the check has been collected or negotiated by the payee. (See 16 Comp. Dec. 151; 24 id., 734.) (Sec. 16, 30 Stat. 981; 40 Stat. 384; 52 Stat. 354; 10 U.S.C. 894; sec. 3, Act of Oct. 26, 1942, Public Law 761, 77th Congress) [Par. 2*a*, AR 35-5520, March 4, 1941, as amended by C 4, January 12, 1943]

• • • • •

§ 38.6 *Action in case allotter captured by enemy.* In case of capture by the enemy of a commissioned officer, Army nurse, warrant officer, officer of the Women's Army Auxiliary Corps, enlisted man, or enrolled member of the Women's Army Auxiliary Corps, who has an allotment in force at the time of the capture, the monthly payments of the same will be continued until otherwise ordered by the Secretary of War. (Sec. 16, 30 Stat. 981; 40 Stat. 384; 52 Stat. 354; 10 U.S.C. 894; sec. 3, Act of Oct. 26, 1942, Public Law 761, 77th Congress) [Par. 21, AR 35-5520, March 4, 1941, as amended by C 4, January 12, 1943]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-2958; Filed, February 24, 1943; 10:11 a. m.]

Chapter VI—Organized Reserves

PART 62—RESERVE OFFICERS' TRAINING CORPS

WASTE MATERIAL AND SALVAGE PROPERTY

Section 62.47 (f) (5) (ii) is amended as follows:

§ 62.47 *Waste material and salvage property.* • • •

(f) *Disposition of waste material and salvage property by sale.* • • •

(5) *Payments.* • • •

(ii) *Sale by negotiation.* See § 83.4 (b)[1]. (Sec. 47, 39 Stat. 192; sec. 34, 41 Stat. 777; 10 U.S.C. 389) [AR 145-20, July 1, 1938, as amended by C 4, November 14, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-2959; Filed February 24 1943; 10:11 a. m.]

Chapter VII—Personnel

PART 73—APPOINTMENT OF COMMISSIONED OFFICERS, WARRANT OFFICERS, AND CHAPLAINS

COMMISSIONS FOR MEDICAL, DENTAL, AND VETERINARY STUDENTS

So much of §§ 73.220 (7 F.R. 3803, 5366) and 73.221 (7 F.R. 3922, 5386) as authorizes the appointment as second lieutenant, Medical Administrative Corps, Army of the United States, of bona fide accepted matriculants at approved medical, dental, and veterinary schools within the continental United States is rescinded.

Students attending such schools outside the continental United States may continue to be appointed in the Medical Administrative Corps. (55 Stat. 728; 10 U.S.C. Sup. 484) [War Department Memorandum No. W150-3-43, February 8, 1943]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-2956; Filed, February 24, 1943; 10:11 a. m.]

[1] 8 F.R. 1481.

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a) Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1188—RAILROAD EQUIPMENT

[Supplementary Limitation Order L-97-a-1 as Amended Feb. 24, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron, steel and other materials for defense, for private account and for export; the railroad car building industry has on hand diversified inventories of materials not in balance among individual producers; it is desirable that such inventories be utilized to the best possible advantage; and the following order, supplementing General Limitation Order L-97-a, is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1188.3 *Supplementary General Limitation Order L-97-a-1*—(a) *Effect of General Limitation Order L-97-a.* This order supplements General Limitation Order L-97-a and is subject to the provisions of that order as amended from time to time.

(b) *Definitions.* For the purpose of this order:

(1) "Car parts" means any commodity, equipment, accessory, part, assembly or product manufactured for use in the construction of cars.

(2) "Cars" means all cars for use on railroads, including freight cars and passenger cars.

(3) "Supplier" means any person with whom a contract or order has been placed for delivery of car parts to a producer or another supplier.

(c) *General restrictions.* Preference ratings of A-2 or lower assigned prior to April 29, 1942, to the delivery of car parts or other material for the manufacture of cars under Preference Order P-8 (in accordance with paragraph (f) thereof), Preference Rating Order P-90 (Form PD-25A) or any certificate or order issued pursuant to PD-1 or PD-1A applications, are hereby canceled as of April 29, 1942. A purchase order to the delivery of which had been assigned a preference rating canceled by operation of this paragraph (c) shall be treated as an unrated order.

(d) Notwithstanding the provisions of § 944.11 (Use of Material Obtained Under Allocation or Preference Rating) of Priorities Regulation No. 1 as amended, or of General Preference Order M-21 as amended, any producer of cars or supplier may sell and deliver to any other such producer (including a producer of locomotives) or supplier, or to a railroad, any car parts the material in which was obtained under a preference rating for the construction of cars: *Provided*, That such material is to be used for the construction or repair of cars or locomotives, and that the purchaser endorses on the purchase order for such material the following statement signed by a duly authorized official:

The undersigned represents to the seller and to the War Production Board that the material ordered herein will be used for the construction or repair of railroad cars or locomotives.

Date

Name of purchaser

Signature of authorized official

Title

Such sales shall be expressly permitted within the terms of paragraph (c) (3) of Priorities Regulation No. 13, as amended. Nothing in this paragraph (d) shall impair the force and effect of § 944.2 (Compulsory Acceptance of Defense and Other Rated Orders) of said Regulation No. 1.

(e) *Interchangeability of car parts.* (1) Irrespective of the terms of any contract of sale or purchase with regard to specifications, every producer shall, in the production of cars, utilize all car parts which were in his inventory on February 15, 1943, to the extent that such car parts are interchangeable with those specified by the particular customer, unless an appeal by such customer has been granted pursuant to paragraph (e) (2) hereof. For the purpose of this paragraph (e) (1), no car part shall be considered interchangeable if it is not acceptable for use in interchange by the Code of Rules for the Interchange of Traffic as adopted by the Association of American Railroads, or if it does not meet the minimum requirements of said Association's Manual of Standard and Recommended Practice.

(2) Any customer who considers that compliance with the provisions of paragraph (e) (1) hereof would work an exceptional and unreasonable hardship upon him may appeal to the Transportation Equipment Division of the War Production Board setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

Issued this 24th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2970; Filed, February 24, 1943; 11:28 a. m.]

PART 3066—SHEEP INTESTINES

[General Conservation Order M–220 as Amended February 24, 1943]

§ 3066.1 *General Conservation Order M–220*—(a) *Definitions.* For the purposes of this order:

(1) "Sheep intestine" means any and all parts (other than the cecum) of the entire intestine of a sheep (ovis aries) which are suitable for the manufacture of surgical gut.

(2) "Surgical gut" means sterile gut prepared from the longitudinally split segment of sub-mucous connective tissue of the intestines of healthy sheep (ovis aries), meeting U.S.P. standards for diameter and tensile strength.

(3) "Slaughterer" means any person who slaughtered over 1,000 sheep during the 365 day period immediately prior to February 24, 1943.

(b) *Restrictions on the use, sale and delivery of sheep intestines.* (1) No slaughterer shall use or process any sheep intestines for purposes other than the manufacture of surgical gut nor sell or deliver any sheep intestines which he knows or has reason to believe will be used or processed for purposes other than the manufacture of surgical gut, until he has filled all purchase orders and contracts in his hands for sheep intestines which are to be processed or prepared for use in the manufacture of surgical gut.

(2) Any person desiring to purchase or accept delivery of sheep intestines from a slaughterer for the purpose of processing or preparing such sheep intestines for use in the manufacture of surgical gut shall make a certification on his purchase order or contract, signed by himself or a duly authorized official, in substantially the following form:

The undersigned hereby certifies that the sheep intestines ordered by this purchase order (or purchased under this contract) will be processed or prepared solely for use in the manufacture of surgical gut. This certification is made in accordance with the terms of Order M–220 with which the undersigned is familiar.

Name _____
By _____
Address _____
Date _____

Such certification shall constitute a representation to the War Production Board and the slaughterer of the facts stated therein. The slaughterer shall be entitled to rely on such representation until he knows or has reason to believe it to be false.

(c) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of sheep intestines shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(d) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production, sales, and deliveries, and shall also preserve all purchase orders and contracts affected by the terms of this order.

(e) *Reports.* All persons affected by this order shall file such reports as may be required from time to time by the War Production Board.

(f) *Appeals.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board, setting forth the pertinent facts and the reasons such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(g) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(i) *Communications to War Production Board.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Safety and Technical Equipment Division, Washington, D. C., Ref.: M–220.

Issued this 24th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2973; Filed, February 24, 1943; 11:28 a. m.]

PART 3180—WOODEN AND FIBRE SHIPPING CONTAINERS

[Preference Rating Order P–140]

To facilitate the acquisition of wooden and fibre shipping containers in the public interest and to promote the defense of the United States, preference ratings are hereby assigned to deliveries of such containers upon the following terms:

§ 3180.1 *Preference Rating Order P–140*—(a) *Definitions.* For the purposes of this order:

(1) "Shipping container" means any empty new or used box, crate, case, barrel, keg, kit, pail, tub, drum, basket, or hamper, in set-up or knock-down form, which is made in whole or in part from wood or corrugated or solid fibre and which is used as an outer container for the delivery or shipment of materials. The term does not include trunks, luggage or military locker boxes.

(2) "Part" means any shook, cleat, stave, heading, veneer, plywood, or corrugated or solid fibre which is cut to size for a shipping container.

(3) "User" means any person who:

(i) Uses shipping containers for the shipment or delivery of materials in connection with the sale thereof;

(ii) Gives, sells, rents or lends shipping containers to his suppliers of any product for their use in shipping or delivering such product to him.

(b) *Assignment of preference ratings.* (1) Preference ratings are hereby assigned as follows to deliveries of shipping containers or parts for the uses indicated below:

(i) AA–1 for the uses specified in List 1 attached hereto;

(ii) AA–2X for the uses specified in List 2 attached hereto;

(iii) AA–3 for the uses specified in List 3 attached hereto;

(iv) AA–4 for the uses specified in List 4 attached hereto;

(v) AA–5 for the uses specified in List 5 attached hereto.

(2) Preference ratings for uses not specified in the Lists attached hereto, as well as preference ratings differing from those assigned for Listed uses in accordance with subparagraph (1) of this paragraph (b) may, on application by any person on Form PD 802, be assigned to deliveries of shipping containers or parts by the Director General for Operations. Such assignment shall be accomplished by returning to the applicant an approved copy of said Form PD 802.

(3) Except where specifically stated to the contrary, the preference ratings assigned hereunder shall be available for the uses authorized, irrespective of whether or not the materials to be placed in the shipping containers have any inner wrappings or containers.

(c) *Application and extension of preference ratings.* (1) The preference ratings assigned pursuant to paragraphs (b)(1) and (2) above may be applied by any user in the manner provided in Priorities Regulation 3, for the purpose of obtaining shipping containers or parts for the uses indicated.

(2) Notwithstanding the provisions of any other preference rating order, preference rating certificate, or Regulation of the War Production Board, on and after February 24, 1943, no person receiving a rated order for the delivery of shipping containers or parts shall extend such rating to obtain any materials (other than parts as herein defined) for use in the manufacture of such shipping containers or parts; but if the person receiving such rated order acquires shipping containers or parts for redelivery without fabrication by him, other than the assembly of parts, he may extend such rating (as provided in Priorities Regulation 3) to such purchases.

(3) Notwithstanding any contrary provision of any Regulation of the War Production Board, no person eligible under this paragraph (c) to apply or extend preference ratings hereunder shall be considered ineligible because he is a PRP unit.

(d) *Ratings applicable to existing unfilled orders.* (1) Preference ratings assigned hereunder may be applied or extended to any unfilled order for shipping containers or parts placed prior to February 24, 1943. Any ratings so applied or extended shall supersede any other ratings applicable to such orders to the extent provided by Priorities Regulation 12.

(2) No person shall give effect to any preference rating which has been applied or extended to any existing unfilled order placed prior to February 24, 1943, for shipping containers or parts, unless

(i) Such preference rating has been applied or extended to such order after February 24, 1943 in accordance with subparagraph (1) of this paragraph (d), or

(ii) The items covered by such order are actually in transit or delivered to the customer on or before the 11th day of March 1943, or

(iii) He has been advised in writing by the person from whom such order was received that the rating originally applied or extended thereto is consistent with the ratings assigned under this order.

(3) The provisions of this paragraph (d) shall not affect rated orders placed prior to February 24, 1943, for the delivery of materials, other than parts, to be used in the manufacture of shipping containers or parts, nor require the cancellation or rerating of such orders.

(e) *Restrictions on application, extension and acceptance of other ratings.* (1) Subject to the provisions of paragraph (f) of this order, but notwithstanding any contrary provisions of any other preference rating order, preference rating certificate or regulation of the War Production Board, no person shall apply or extend any preference rating, for the delivery of shipping containers or parts except as specified in and in accordance with this order.

(2) No person receiving an order for shipping containers or parts shall give effect to any preference rating applied or extended thereto on and after February 24, 1943, if he knows or has reason to believe that said rating has not been applied or extended in accordance with the provisions of this order.

(f) *AAA ratings.* Nothing in this order shall apply to or in any way restrict the application or extension of any rating of AAA.

(g) *Miscellaneous provisions*—(1) *Applicability of regulations.* Except as otherwise provided in this order, this order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as same may be amended from time to time.

(2) *Effect of other orders.* The assignment of preference ratings hereunder shall not constitute authorization for the delivery, receipt, manufacture or use of any materials in violation of the provisions of any conservation or limitation order heretofore or hereafter issued by the Director of Priorities of the Office of Production Management, the Director of Industry Operations, or the Director General for Operations of the War Production Board.

(3) *Records.* In addition to the records required to be kept under Priorities Regulation No. 1, a user and each other person placing or receiving any purchase order or contract rated pursuant to this order shall retain for a period of two years for inspection by representatives of the War Production Board endorsed copies of all such orders or contracts, whether accepted or rejected, segregated from all other purchase orders or contracts or filed in such a manner that they can be readily segregated for such inspection.

(4) *Reports.* Each person who applies a preference rating assigned by or pursuant to this order shall file such reports as may be required from time to time.

(5) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington, D. C. Ref.: P–140.

(6) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(7) *Revocation or amendment.* This order may be revoked or amended at any time as to any person. In the event of revocation, deliveries already rated pursuant to this order shall be completed in accordance with said rating, unless the rating has been specifically revoked with respect thereto. No additional applications of the rating to any other deliveries shall thereafter be made by the person affected by such revocation.

Issued this 24th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

LISTS OF USES OF SHIPPING CONTAINERS TO WHICH PREFERENCE RATINGS ARE ASSIGNED BY ORDER P–140

LIST 1—AA–1

Shipping containers or parts for:

(a) The delivery or shipment, to the Army or Navy of the United States of the following combat end products complete for tactical operations—

(1) Aircraft
(2) Ammunition
(3) Armament and weapons
(4) Tanks
(5) Vehicles
(6) Escort naval vessels
(7) The following subsistence items:
  a. Emergency rations
  b. Canned meats, fish and poultry
  c. Canned butter and powdered milk
  d. Canned dried eggs
(8) Drugs, pharmaceutical and biological preparations
(9) Medical and surgical supplies and equipment

(b) The delivery or shipment of materials which are to be physically incorporated in any of the foregoing products provided—

(i) such products are to be delivered to the Army or Navy of the United States;

(ii) orders for the shipping containers or parts indicate that they are to be used solely for the delivery or shipment of such materials.

LIST 2—AA–2X

Shipping containers or parts for the following uses to the extent not covered by List 1:

(1) Export shipment of any article to any point outside of the forty-eight states of the United States, the District of Columbia, or Canada.

(2) Delivery or shipment of materials to or for the account of the Army or Navy of the United States (exclusive of United States Army or Marine Corps Post Exchanges or United States Navy Ships Service Departments located within the Continental limits of the United States), the United States Maritime Commission, the War Shipping Administration and the Panama Canal.

(3) Delivery or shipment of materials which are to be physically incorporated into products to be delivered to or for the account of any of the following, where orders for the shipping containers or parts indicate that they are to be used solely for such delivery or shipment:

Army or Navy of the United States (exclusive of United States Army or Marine Corps Post Exchanges or United States Navy Ships Service Departments).
United States Maritime Commission.
War Shipping Administration.
Panama Canal.
Any agency procuring for delivery pursuant to the Act of Congress of March 11, 1941 entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(4) Delivery or shipment of foods set aside for purchase by government agencies pursuant to orders heretofore or hereafter issued by the Director General for Operations or the Secretary of Agriculture. Use of shipping containers for storage of such foods during the set aside period pending government purchase shall be considered use for delivery or shipment for purposes of this order.

(5) Delivery, shipment or storage of "controlled meats", as defined in Restriction Order No. 1 of the Office of Price Administration, delivered or held for delivery "without charge against quotas" as provided by said order.

LIST 3—AA–3

Shipping containers or parts for the delivery or shipment of the following products (to the extent that such delivery or shipment is not covered by any preceding list):

1. Abrasive wheels and abrasives.
2. Agricultural implements; machinery, parts, accessories and equipment therefor.
3. *Alcohol, 5 gallons.
4. Automotive replacement parts and replacement batteries as defined in Orders L–158 and L–180.
5. *Butter, 10 lbs.
6. Chemicals, except those in List 4.
7. Communication equipment.
8. Crucibles, commercial.
9. Dried apples, dried apricots and dried peaches.
10. *Driers for paints, varnish and lacquer, 5 gallons.
11. Drugs, pharmaceutical and biological preparations.
12. *Edible or inedible oils or greases, 30 gallons.
13. Fish, including shell fish.
14. Fresh fluid milk.
15. Fresh fruits and vegetables as follows:

Apples	Plums
Apricots	Pears
Bananas	Prunes, fresh
Cherries	Berries
Citrus	Beans, snap and lima
Grapes	Carrots
Nectarines	Peas, fresh green
Peaches	Tomatoes

16. Fresh meat, meat products and lard.
17. •Fruit and vegetable juices, 10 gallons.
18. •Honey, 10 gallons.
19. Industrial machinery, including electrical equipment; parts, accessories and equipment, engines and batteries therefor.
20. Internal combustion engines.
21. Laboratory Reagent Chemicals, C. P Grade.
22. •Lard, tallow and shortening, 5 gallons.
23. •Lubricating greases, 5 pounds.
24. •Lubricating oils, 5 gallons.
25. Machine tools and accessories.
26. Medical and surgical supplies.
27. Mechanical power transmission machinery and equipment.
28. Metal sheets, rods and tubes.
29. Mining machinery
30. •Paint, except dry powder, 5 gallons
31. •Pickled foods, 5 gallons.
32. Printing ink.
33. •Putty, glazing and caulking compounds, 5 gallons
34. Professional and scientific equipment and instruments.
35. Railroad machinery, equipment and track accessories
36. •Refractory cements, 5 gallons.
37. •Roof cements, plastic, 5 gallons.
38. •Roof coatings, liquid, 5 gallons.
39. Tractors and construction equipment (including motor vehicles); parts, accessories and equipment therefor.
40. •Varnish and Lacquer, 5 gallons

•The preference rating assigned to List 3 uses is available to obtain shipping containers or parts for the materials on said list marked with an asterisk only when such materials are packed without inner packaging or wrapping and only when the containers have a capacity equal to or greater than that indicated after each such material.

LIST 4—AA-4

Shipping containers or parts for the delivery or shipment of the following products (to the extent that such delivery or shipment is not covered by any preceding list):

1. Alloys and rollings.
2. Asbestos products
3. •Asphalt, 30 gallons.
4. Batteries
5. •Beverages, 5 gallons
6. Burners, boilers and mechanical stokers, accessories therefor
7. Canned foods
8. Castings and forgings.
9. Chemicals, as follows:
   - Aluminum sulfate
   - Ammonium chloride
   - Ammonium nitrate
   - Ammonium phosphate (Di)
   - Ammonium phosphate (Mono)
   - Ammonium sulfate
   - Borax
   - Boric acid
   - Calcium arsenate
   - Calcium carbonate
   - Calcium oxide
   - Calcium phosphate (Di basic)
   - Calcium phosphate (Tri basic)
   - Calcium phosphate (Mono basic)
   - Calcimine
   - Carbon (activated)
   - Copper carbonate
   - Copper sulfate
   - Lead arsenate
   - Manganese sulfate
   - Magnesium carbonate
   - Magnesium sulfate (Epsom Salts)
   - Paradichlorobenzene
   - Potash Alum
   - Potassium carbonate
   - Potassium bicarbonate

LIST 4—AA-4—continued

9. Chemicals, as follows—Continued.
   - Potassium tartrate
   - Sal soda
   - Soda alum
   - Soda ash
   - Sodium bicarbonate
   - Sodium carbonate (sesqui)
   - Sodium chloride
   - Sodium metaborate
   - Sodium phosphate (di basic)
   - Sodium phosphate (mono basic)
   - Sodium phosphate (tri basic)
   - Sodium phosphate (hexameta)
   - Sodium phosphate (tetra)
   - Sodium pyrophosphate
   - Sodium pyrophosphate (tetra)
   - Sodium silicates, dry
   - Sodium sulfate (anhydrous)
   - Sodium sulfate (Glaubers salt)
   - Stearic acid
   - Sulfur dust
   - Sulfur refined
   - Tartaric acid
   - Zinc sulfate
   - Zinc stearate
   - Related compounds:
     - Adhesives (dry)
     - Boiler compounds (dry)
     - Dry detergents (except those containing more than 5% Caustic Soda or Caustic Potash and excepting synthetic wetting agents).
10. Compressed and liquefied gas.
11. Cork products.
12. Dairy products not otherwise listed.
13. Dried, frozen and preserved foods not elsewhere listed
14. Explosives and ammunition (non-military).
15. Fibrous glass products.
16. Fire extinguishers.
17. Fresh fruits and vegetables, as follows:

Cranberries	Kale
Quinces	Lettuce
Asparagus	Okra
Beets	Onions, green
Broccoli	Peppers, green
Cauliflower	Radishes
Celery	Rhubarb
Chickory Greens	Shallots
Collards	Spinach
Cucumbers	Potatoes, sweet
Egg Plant	Squash, summer
Escarole	Turnips
Greens	

18. Fruit and vegetable trees and plants (excluding ornamental).
18a. Glass containers and closures therefor.
19. Hardware (including but not limited to nuts, bolts, nails, screws, and spikes).
20. Mineral wool products.
21. •Molasses, 5 gallons.
22. Petroleum products
23. Pipe and pipe fittings.
24. Poultry and poultry products (including shell and dry eggs).
25. Pumps and pumping equipment.
26. Refractories
27. •Rosin, 30 gals.
28. Shortening and edible oil.
29. Stamping and machine shop metal products
30. Steam fittings.
31. Steam turbines.
32. Steel springs.
33. Tin cans and tinware
34. Tools
35. •Turpentine, 30 gals
36. •Tar, 30 gals

•The preference rating assigned to List 4 uses is available to obtain shipping containers or parts for the materials on said list marked with an asterisk only when such materials are packed without inner packaging or wrapping and only when the containers have a capacity equal to or greater than that indicated after each such material.

LIST 5—AA-5

Shipping containers or parts for the delivery or shipment of the following products (to the extent that such delivery or shipment is not covered by any preceding list):

1. Beverages.
2. Bicycles.
3. Blowers and fans.
4. Caskets or coffins.
5. Clothing.
6. Cooking and heating appliances.
7. Enameled iron sanitary ware.
8. Fabricated structural metals.
9. Flat glass.
10. Leather products.
11. Office and store machines.
12. Paint—dry powder.
13. Protective coatings.
14. Putty, glazing and caulking compounds
15. Paper and pulp products.
16. Refrigerators.
17. Steam and hot water appliances.
18. Steel doors and windows.
19. Textiles.
20. Tobacco.
21. Vitreous plumbing and enameled products.
22. Waxes and polishes.
23. Fresh fruits and vegetables not elsewhere listed.

[F. R. Doc. 43-2974; Filed, February 24, 1943, 11:28 a. m.]

PART 3196—STERILIZER EQUIPMENT

[General Limitation Order L-266]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account and for export of the materials entering into the manufacture of sterilizer equipment; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3196.1 *General Limitation Order L-266*—(a) *Definitions.* For the purposes of this order:

(1) "Sterilizer equipment" means the following types of sterilizers, as each is hereinafter defined, and includes heating elements when such elements are an integral part of such sterilizers: Pressure sterilizers, bulk pressure sterilizers, pressure water sterilizers, non-pressure water sterilizers, non-pressure utensil sterilizers, non-pressure instrument sterilizers, laboratory pressure sterilizers, bedpan washers, and field sterilizers. The term shall not include used or rebuilt sterilizer equipment, nor any parts or materials for the repair or maintenance of existing sterilizer equipment, nor shall it include any pressure cooker designed for processing foods.

(2) "Pressure sterilizer" means a sterilizer having a volumetric capacity of less than 40,000 cubic inches which is designed to utilize steam under pressure in order to free articles from living pathogenic microorganisms.

(3) "Bulk pressure sterilizer" means a sterilizer having a volumetric capacity of 40,000 cubic inches or more which is designed to utilize steam under pressure in order to free articles from living pathogenic microorganisms. It may or may not include attachments for fumigating purposes.

(4) "Pressure water sterilizer" means a sterilizer which is designed to heat water to a temperature higher than 212° F. in order to free it from living pathogenic microorganisms.

(5) "Non-pressure water sterilizer" means a sterilizer which is designed to free water from living pathogenic microorganisms by means of boiling.

(6) "Non-pressure utensil sterilizer" means a sterilizer which is designed to free hospital or medical utensils and similar articles from living pathogenic microorganisms by subjecting them to boiling water.

(7) "Non-pressure instrument sterilizer" means a sterilizer which is designed to free surgical, medical and dental instruments and similar articles from living pathogenic microorganisms by subjecting them to a boiling liquid. The term shall not include any such sterilizer which contains metal in no part other than the heating element, lid and essential hardware.

(8) "Laboratory pressure sterilizer" means a sterilizer which is designed to free articles from living pathogenic microorganisms by utilizing steam under pressure and which is specially designed for use in a laboratory.

(9) "Bedpan washer" means apparatus designed to wash (and, in some cases, to sterilize) bedpans, urinals, and similar articles, and which may or may not be equipped with flushing mechanism.

(10) "Field sterilizer" means any sterilizer which is designed for use in the field and which is manufactured for delivery to or for the account of (i) the Army or Navy of the United States, or (ii) any agency of the United States Government for delivery to or for the account of the government of any country pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(11) "Manufacturer" means any person engaged in the manufacturing, fabricating or assembling of sterilizer equipment.

(12) "Distributor" means any person who purchases sterilizer equipment solely for the purpose of resale without further fabrication.

(b) *Restrictions on the manufacture of sterilizer equipment.* (1) Except as provided in subparagraph (2) of this paragraph (b), no manufacturer shall manufacture or continue the manufacture of any sterilizer equipment other than the permitted sizes of the permitted types set forth in Schedule A attached to this order.

(2) Any sterilizer equipment which was in the process of fabrication on February 24, 1943, and which cannot be completely fabricated within the restrictions of Schedule A, attached to this order, may be further fabricated after said date only to the extent specifically authorized by the Director General for Operations. Any manufacturer requesting such specific authorization shall file a statement in duplicate with the War Production Board setting forth in detail the number of units of each type in process of fabrication on February 24, 1943, the extent of the fabrication, the amount of materials required to complete fabrication, the reasons why such units cannot be converted to the permitted types and sizes set forth in Schedule A, and any other facts supporting the request for specific authorization.

(c) *Restrictions on the use of certain materials in the manufacture of sterilizer equipment.* No manufacturer shall incorporate in the manufacture of any non-pressure utensil sterilizer, non-pressure instrument sterilizer, bulk pressure sterilizer or bedpan washer, any monel metal, stainless steel, copper, copper base alloy, nickel or chromium, except where the use of such metals is required in electrical circuits, control valves, safety valves, and gauges.

(d) *Restrictions on the sale and delivery of sterilizer equipment.* (1) Except as provided in subparagraph (2) of this paragraph (d), no person shall sell or deliver any sterilizer equipment, except to or for the account of:

(i) The Army or Navy of the United States;

(ii) Any agency of the United States Government for delivery to or for the account of the government of any country pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act);

(iii) Any person to whom an export license covering the specific equipment has been issued by the Board of Economic Warfare: *Provided, however,* That delivery shall not be made to any person holding an export license which was issued prior to February 24, 1943, unless such export license has been revalidated by the Board of Economic Warfare after said date;

(iv) Any distributor; or

(v) Any other person who has filed Form PD-556 pursuant to paragraph (e) of this order and has been specifically authorized on such form by the Director General for Operations to receive the specific sterilizer equipment and has furnished to his supplier one copy of such form bearing the signature of the Director General for Operations. (As a general rule, authority to receive sterilizer equipment will be granted only in cases where the equipment will receive general use and where essentiality is clearly established.)

(2) The restrictions set forth in subparagraph (1) of this paragraph (d) shall not apply to the sale or delivery of:

(i) Non-pressure instrument sterilizers which are 16" x 6" x 4" or smaller in size, or

(ii) Laboratory pressure sterilizers which are sold or delivered as "laboratory equipment" in accordance with the provisions of Limitation Order L-144.

(3) No person shall purchase or accept delivery of any sterilizer equipment if he knows or has reason to believe that the delivery of such sterilizer equipment is prohibited by the terms of this order.

(e) *Applications on Form PD-556.* Each person seeking authorization, as permitted by paragraph (d) (1) (v) of this order, to receive sterilizer equipment shall prepare Form PD-556 in quintuplicate (copies of which form may be obtained at the local offices of the War Production Board) in the manner prescribed therein, subject to the following instructions:

(1) The form should be filed only by the person (transferee) desiring to receive sterilizer equipment and not by the person (transferor) desiring to make delivery of such equipment.

(2) In describing the equipment for which application is made, give the type, manufacturer's name and catalogue number, and the size.

(3) Do not fill in section (6).

(4) Under section (5) give the following information:

(i) State whether or not you have in use any sterilizer equipment of the same type as, or of a type similar to, the equipment applied for. If so, (1) describe such equipment and (2) state whether the equipment applied for would be used to replace existing equipment or is needed for expansion of existing facilities. If the equipment applied for would be used to replace existing equipment, state what repairs of the existing equipment are necessary and why such repairs cannot be made. If the equipment applied for is needed for expansion of existing facilities, state the average number of hours per week during which the equipment is now used and the reasons why additional equipment is needed.

(ii) State how you now accomplish the work for which the equipment applied for would be used.

(iii) State what attempts you have made to obtain used or rebuilt equipment.

(iv) Give any other pertinent information which bears on the question of your need for the equipment for which application is made.

(f) *Production and shipping schedules and restrictions thereon.* On or before March 15, 1943, and on or before the 15th day of each succeeding calendar month, each manufacturer of sterilizer equipment shall file with the War Production Board in triplicate on Form PD-774, his proposed production and shipping schedules of sterilizer equipment for such period as production and shipping may be planned. Upon receipt of such form, the Director General for Operations will approve the proposed production and shipping schedule or make such changes therein as he shall deem necessary, and will return to the manufacturer a copy of such form as approved or changed. Each manufacturer shall produce and ship in accordance with his production and shipping schedule as approved or changed on such form by the Director General for Operations.

(g) *Reports.* All persons affected by this order shall file such reports as may be required from time to time by the War Production Board.

(h) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be pro-

hibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(k) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(l) *Correspondence.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Safety and Technical Equipment Division, Washington, D. C., Ref: L-266.

Issued this 24th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

Permitted types	*Permitted sizes*[1]
Pressure sterilizer (cylindrical)	16" diameter by 24" length 20" diameter by 36" length 30" diameter by 54" length
Pressure water sterilizer (one tank only)	8 gallon capacity 15 gallon capacity 25 gallon capacity
Non-pressure instrument sterilizer	13" length by 5" width by 3¼" depth 16" length by 6" width by 4" depth 20" length by 10" width by 9" depth
Non-pressure utensil sterilizer	24" length by 20" width by 20" depth
Vertical laboratory pressure sterilizer (cylindrical)	11" diameter by 24" length 14" diameter by 26" length
Bulk pressure sterilizer	No restriction
Field sterilizer	No restriction
Bedpan washer	No restriction

[1] A variation of not more than 10 percent in the specified dimensions and capacities will be permitted.

[F. R. Doc. 43-2971; Filed, February 24, 1943; 11:28 a. m.]

PART 3198—OXY-ACETYLENE APPARATUS

[General Conservation Order L-268]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials used in the manufacture of oxy-acetylene apparatus for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3198.1 *General Conservation Order L-268*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Manufacturer" means any person to the extent that he is engaged in the fabrication or assembly of oxy-acetylene apparatus, or parts thereof, and includes any sales or distribution agencies, outlets, warehouses, or branches owned or controlled by any such person.

(3) "Dealer" means any person to the extent that he acquires oxy-acetylene apparatus or parts thereof for resale, but does not include any sales or distribution agencies, outlets, warehouses or branches owned or controlled by a manufacturer.

(4) "Oxy-acetylene apparatus" means any new, manually operated device designed to use oxygen and acetylene gas, or other fuel gases, for the welding, heating, or cutting of metals.

(b) *Restrictions on acceptance and delivery of orders.* (1) On and after March 6, 1943, no manufacturer or dealer shall accept any order for oxy-acetylene apparatus, or parts thereof, unless the order bears a preference rating of AA-5 or higher.

(2) On and after April 25, 1943, no manufacturer or dealer shall deliver any oxy-acetylene apparatus or parts thereof except in fulfillment of an order bearing a preference rating of AA-5 or higher.

(3) The limitations and restrictions of paragraphs (b) (1) and (b) (2) above shall not apply to (i) any order for, or delivery of, oxy-acetylene apparatus or parts for the direct use of the Army, Navy, Maritime Commission or War Shipping Administration, or (ii) any order for, or delivery of, parts for repair of oxy-acetylene apparatus then in the hands of the user.

(c) *Manufacturing and sales restrictions*—(1) *Materials restrictions.* On and after May 25, 1943, no non-ferrous metals or stainless steels shall be used in the manufacture of the following parts or portions of oxy-acetylene apparatus:

(i) Case and bezel or slip ring of pressure gauges.

(ii) Bonnet of regulator.

(iii) Grip of adjusting screws and valves.

(iv) Hose connection nut.

(v) Cylinder connecting nuts for regulators and adaptors.

(vi) Packing nut of needle valves.

(vii) Lever or other actuating control of cutting oxygen.

(viii) Name plates.

(ix) Ferrules used on hose for sealing tight the hose connections.

(x) Torch handle casing of blowpipes or torches.

(xi) Cylinder adaptors for gases other than oxygen, except the section which conveys the gas.

(xii) Handle for tip cleaning drills. The provisions of this subparagraph shall not apply to oxy-acetylene apparatus or parts designed and used for operation under water.

(2) *Sales restrictions.* On and after March 6, 1943, no manufacturer or dealer shall pack or sell any blow pipe or torch tips or hose connections as part of the blow pipe or torch; but shall pack and sell such articles only as separate items of equipment bearing an independent sales price: *Provided, however,* That the provisions of this subparagraph shall not be construed to permit, justify or require any increase in the sales price of the equipment covered hereby.

(3) *Repair facilities for tips.* Any manufacturer who maintains facilities for, and performs the function of repairing oxy-acetylene apparatus, or part thereof, manufactured by him shall, upon request, repair any welding or cutting tips of his manufacture, except to the extent that his repair facilities are inadequate to fill the orders so received.

(d) *Purchase restrictions.* (1) No person shall purchase any oxy-acetylene apparatus part which will increase his inventory thereof beyond an amount equal to that used by him for repair purposes during the preceding two calendar months.

(2) No person shall purchase any oxy-acetylene apparatus as spare or standby equipment if and to the extent that the purchase will increase his stock thereof beyond one piece of spare apparatus for each ten pieces of like apparatus, or fraction thereof, in operation.

(e) *Production schedules.* Regardless of the terms of any other order or rule or regulation of the War Production Board, or of any contractual commitment by any manufacturer, purchaser or other person, the Director General for Operations may at any time (i) prescribe production and delivery schedules for any manufacturer, for any oxy-acetylene apparatus, or parts, for any periods of time, (ii) direct the cancellation of any order held by any manufacturer, (iii) allocate any undelivered order to any other manufacturer, or (iv) direct the delivery of any oxy-acetylene apparatus or parts, whether in production or completed, to any other person, in accordance with prices and terms regularly established for sales by the supplying manufacturer to such a purchaser; and each manufacturer shall schedule and effect his production and make deliveries of oxy-acetylene apparatus and parts in accordance with any such directions of the Director General for Operations.

(f) *Miscellaneous provisions*—(1) *Records and reports.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production, and sales.

All persons affected by this order shall execute and file with the War Production Board, such reports and questionnaires as the Director General for Operations shall from time to time request.

(2) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(3) *Other limitation orders.* Where the limitations imposed by any other L or M Order are applicable to the subject matter of this order, the most restrictive limitation shall apply, unless otherwise specifically provided herein.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Appeals.* An appeal from this order may be made either by the manufacturer or by the purchaser or proposed purchaser. Any such appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(6) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington, D. C., Ref.: L-268.

Issued this 24th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2972; Filed, February 24, 1943; 11:28 a. m.]

Subchapter C—Director, Office of War Utilities

PART 4500—ELECTRIC, GAS, WATER, AND STEAM UTILITIES—MATERIALS

[Utilities Order U-1]

Preference Rating Order P-46, as heretofore amended, is hereby revoked and shall be superseded by Utilities Order No. 1, as follows:

§ 4500.1 *Utilities Order U-1*—(a) *Definitions for the purpose of this order:*

(1) "Producer" means any individual, partnership, association, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not, located in the United States, its territories, or possessions, engaged in, or constructing facilities for the purpose of engaging in, one or more of the following services, whether or not such producer has applied the preference ratings herein assigned:

(i) Supplying electric power directly or indirectly for general use by the public.

(ii) Supplying gas, natural or manufactured, directly or indirectly for general use by the public, exclusive of the production and transmission of natural gas up to the point of its entry into gas transmission lines from field gathering lines.

(iii) Supplying water directly or indirectly for general use by the public, other than exclusively for irrigation purposes.

(iv) Supplying central steam heating directly or indirectly for general use by the public.

(v) Supplying any of the foregoing services but not for general use by the public, provided that a specific direction from the Director, Office of War Utilities, entitles such person or agency to apply the ratings herein assigned. Application for such a specific direction should be made by letter to the War Production Board, Washington, D. C., Ref.: U-1.

(2) "Producer" also means any producer, as defined in paragraph (a) (1), but located in the Dominion of Canada, to whom and in whose name a copy of this order has been specifically issued by the Director, Office of War Utilities, or the War Production Board.

(3) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(4) "Controlled material" means controlled material as defined in Schedule I of CMP Regulation 1.

(5) "Maintenance" means the upkeep of a producer's property and equipment in sound working condition.

(6) "Repair" means the restoration of a producer's property and equipment to sound working condition after wear and tear, damage, destruction of parts, or the like have made such property or equipment unfit or unsafe for service.

(7) "Operating supplies" means:

(i) Material which is essential to the operation of any of the industries or services specified above and which is generally carried in a producer's inventory and charged to operating expense accounts.

(ii) Material for an addition to or an expansion of property or equipment (including a minor extension of lines), provided that such addition or expansion shall not include any work order, job, or project in which the cost of material shall exceed $1,500 in the case of underground construction and $500 in the case of other construction, and provided that no single construction project shall be subdivided into parts in order to come below these limits.

(8) Material for "maintenance," "repair," and "operating supplies" includes only material which is essential to minimum service standards, and does not include material for the improvement of a producer's property or equipment through the replacement of material which is still usable in the existing installation with material of a better kind, quality, or design.

(9) "Supplier" means any person with whom a purchase order or contract has been placed for delivery of material to a producer or to another supplier.

(10) "Calendar quarterly period" means the quarterly period commencing on the first day of the first, fourth, seventh, and tenth months of the calendar year and ending, respectively, on the last day of the third, sixth, ninth, and twelfth months of the calendar year, or the producer's customary accounting period closest to such period.

(11) "Inventory" means all new or salvaged material in the producer's possession, unless physically incorporated in plant, without regard to its accounting classification, excluding, however, appliances, merchandising supplies, and material in the producer's possession which is segregated for use in additions and expansions specifically authorized (a) under paragraph (e) (2) of this order, or (b) by an operative order in the P-19 series, or (c) by an operative preference rating certificate issued by the War Production Board. After construction of such an addition or expansion is complete, however, any material remaining shall be included in "inventory", even though the rating therefor is still operative.

(12) "Construction" means any addition to or expansion of property or equipment having a dollar value for material in excess of the dollar values specified for "operating supplies" in paragraph (a) (7) (ii) of this order.

(13) "Class" means any one of those categories of material established as a basis for the classification of inventory in Schedule A of this order.

(14) "Short item" means any item of material which the producer estimates he will require for use in maintenance, repair, or as operating supplies during the ninety-day period following its delivery date.

(b) *Preference ratings.* (1) For maintenance, repair, and operating supplies, a preference rating of AA-1 is hereby assigned to orders to be placed by a producer for material (including controlled material, Class A products, Class B products, and other products or material), except that no preference rating is assigned to deliveries of controlled material after March 31, 1943.

(2) For construction of transmission, switching and distribution facilities necessary to serve rated projects or to serve rated equipment, the lowest rating assigned to such project for the delivery of controlled material or for the delivery of such equipment, is hereby assigned, subject to the provisions of paragraph (e) (2), to orders to be placed by a producer for material (including controlled material, Class A products, Class B products, and other products or material).

(c) *Restrictions on use of rating.* The preference ratings hereby assigned shall not be applied or extended by a producer or supplier:

(1) To obtain deliveries of scarce material, the use of which could be eliminated without serious loss of efficiency by substitution of less scarce material or by change of design,

(2) To obtain deliveries of material which can be purchased without the use of such ratings,

(3) To obtain automotive replacement parts as defined by Limitation Order L-158.

(d) *Procedure for obtaining controlled material.* (1) Subject to the terms of this order, any producer requiring delivery after March 31, 1943, of any controlled material, *except aluminum,* for use in maintenance, repair, or

as operating supplies, may obtain such controlled material by placing on his delivery order substantially the following certification, signed manually or as provided in Priorities Regulation No. 7:

CMP allotment symbol MRO–U. The undersigned certifies, subject to the criminal penalties for misrepresentation contained in Section 35 (A) of the United States Criminal Code, that the controlled material covered by this order is required for use in essential maintenance, repair or as operating supplies, and that delivery thereof will not result in a violation of the restrictions of paragraph (f) of Utilities Order U–1.

(2) An order for controlled materials for use in maintenance, repair, and as operating supplies, and bearing the CMP allotment symbol MRO–U and the certification required in this paragraph (d) shall be deemed an authorized controlled material order and shall have the same status as an order bearing an allotment number under all applicable CMP regulations unless otherwise expressly provided. Such allotment symbol shall constitute an "allotment number or symbol" for the purposes of CMP Regulation 3.

(3) Aluminum for delivery after March 31, 1943, required by a producer for any of the purposes specified in this paragraph (d), may be obtained only on specific application to the War Production Board, Director, Office of War Utilities, Washington, D. C., Ref.: U–1.

(e) *Application and extension of ratings.* (1) The ratings assigned by this order may be applied by a producer:

(i) To deliveries of material other than controlled material for use in maintenance, repair, and as operating supplies, only by use of a certification in substantially the following form (in lieu of the endorsement specified in Priorities Regulation No. 3 and the certification required in CMP Regulation 5), signed manually or as provided in Priorities Regulation No. 7:

Preference Rating AA–1, CMP allotment symbol MRO–U. The undersigned certifies, subject to the criminal penalties for misrepresentation contained in Section 35 (A) of the United States Criminal Code, that all material covered by this order is required for use in maintenance, repair, or as operating supplies; that this order is rated and placed in accordance with the restrictions of Utilities Order No. U–1.

(ii) To deliveries of material other than controlled material for construction to serve rated projects or equipment, in accordance with Priorities Regulation No. 3, as amended, *Provided:*

(a) That approval for such construction has been granted pursuant to paragraph (e) (2) hereof; and

(b) That the CMP allotment number assigned, upon approval of the construction pursuant to paragraph (e) (2), to deliveries of controlled material to be used in such construction by the producer is indicated on all rated orders.

(2) In addition to the requirements of paragraph (e) (1), a producer, in order to apply the preference ratings assigned by paragraph (b) (2), or to segregate material from inventory for the uses described in such paragraph, or to accept delivery of material for such uses, must, unless otherwise directed, communicate with the Office of War Utilities, War Production Board, Washington, D. C., Ref.: U–1, supplying in detail the following information or such other information as may from time to time be required:

(i) The producer's job number relating to the proposed construction.

(ii) A description of the project or equipment to be served, including the location, an estimate of peak load and consumption, as well as other pertinent information.

(iii) A description of the proposed utility construction including a print of line construction showing size of conductor or pipe, capacity of transformers, pumps, compressors, tanks, holders, and other equipment, the location of hydrants and important control valves, as well as other information relevant thereto.

(iv) A statement of relationship to military needs, war production, public health or safety.

(v) A copy of the customer's project or equipment preference rating order or certificate. (Such copies of orders or certificates are not required when utilities' applications accompany the customer's project application.)

(vi) A statement explaining whether service can be rendered in any other way, or by any other producer, with the use of smaller quantities of critical materials.

(vii) An estimate of the total cost of the producer's project.

(viii) A list of materials required for the construction, giving the estimated weight of each material with the estimated cost, classified as indicated in the instructions for revised Form PD–200. (Such list should indicate materials in inventory not to be replaced, materials to be purchased from the excess stocks of other producers, materials to be obtained or replaced without priorities assistance, and materials expected to be obtained or replaced with priorities assistance.)

(ix) The dates when deliveries of controlled material as specified on Form CMP–4C are required to meet the construction schedule, and the quantities of controlled material needed during each calendar quarter, excluding, however, controlled material to be obtained from other U–1 producers.

The Director, Office of War Utilities, will notify the producer whether and to what extent the application is approved and no producer shall apply such preference ratings, segregate material from inventory for the uses described in paragraph (b) (2), or accept delivery of material for such uses without such approval.

(3) The ratings assigned by this order may be extended by a supplier in the manner provided in Priorities Regulation No. 3, and CMP Regulation 3.

(4) An order for material, other than controlled material, bearing a rating assigned or extended in accordance with this paragraph (e) and a CMP allotment number or symbol shall have the same status as a rated order bearing a CMP allotment number under all applicable CMP regulations. Such number or symbol shall constitute an "allotment number or symbol" for the purposes of CMP Regulation 3.

(f) *Restrictions on deliveries, inventory, and withdrawals.*—(1) *Scheduling deliveries.* No producer shall, in placing orders, schedule for delivery to him in any calendar quarterly period any material (whether or not rated pursuant to this order) to be used for maintenance, repair, as operating supplies, or for any other purpose (except material to be segregated for use in additions and expansions specifically authorized under paragraph (e) (2) of this order, or by an operative order in the P–19 series, or by an operative preference rating certificate), the aggregate dollar value of which shall exceed one-third of the aggregate dollar value of withdrawals of material of the same class from inventory for such uses during the last nine months of 1942, *Provided*, That:

(i) Not more than 50 per cent of permitted scheduled deliveries of wire, cable, and bus bar may be scheduled by an electric power producer for delivery from a supplier other than another producer, and

(ii) Not more than 75 per cent of permitted scheduled deliveries of iron and steel pipe may be scheduled by a producer of gas, water, central steam heating, or public sanitation service for delivery from a supplier other than another producer.

(2) *Accepting deliveries; inventory restrictions.* No producer shall at any time accept any delivery of material (whether or not rated pursuant to this order) to be used for maintenance, repair, as operating supplies, or for any other purpose (except material to be segregated for use in additions and expansions specifically authorized under paragraph (e) (2) of this order, or by an operative order in the P–19 series, or by an operative preference rating certificate), if the producer's inventory of material in the same class is, or will by virtue of such acceptance become in excess of a practical working minimum. The value of such practical working minimum inventory shall in no case exceed the aggregate dollar value of inventory permitted, class by class, by paragraph (f) (2) of Preference Rating Order P–46 as amended October 10, 1942: *Provided* that after March 31, 1943, the value of such inventory, class by class, shall not exceed:

(i) For material in the following classes—transmission and distribution, meters, house regulators, and (in the case of electric power producers) wire, cable, and bus bar, as well as wood poles and cross arms—four-thirds of the aggregate dollar value of items of material of the same class withdrawn from inventory for use in maintenance, repair, and as operating supplies during the last nine months of 1942;

(ii) For material in the following classes—source of supply, reservoirs, elevated and pressure tanks, pumping and booster stations (excluding fuel), generating station (other than fuel), production and pumping station (excluding fuel)—the aggregate dollar value of items of material of the same class in inventory on the most recent date during the calendar year 1940 on which the producer's inventory was taken, plus an amount proportionate to the increase in system output during the preceding calendar quarterly period compared with the system output during the corresponding quarterly period of 1940;

(iii) For material in the switching and substation class, the aggregate dollar value of items of material of the same class in inventory on the most recent date during the calendar year 1940 on which the producer's inventory was taken;

(iv) For every other class of material except the classes specified in paragraph (f) (7), two-thirds of the aggregate dollar value of material of the same class withdrawn from inventory for use in maintenance, repair, and as operating supplies during the last nine months of 1942.

(3) *Withdrawals.* No producer shall, during any calendar quarterly period, make withdrawals from inventory of material to be used for maintenance, repair, as operating supplies or for any other purpose (except material to be sold or to be segregated for use in additions and expansions specifically authorized under paragraph (e) (2) of this order, or by an operative order in the P–19 series, or by an operative preference rating certificate), the aggregate dollar value of which shall exceed one-third of the aggregate dollar value of withdrawals of material of the same class from inventory for such uses during the last nine months of 1942.

(4) *Exceptions.* Notwithstanding the provisions of paragraphs (f) (1) and (3):

(i) A producer may, in any calendar quarterly period, increase scheduled deliveries and withdrawals of material in any of the classes named in paragraph (f) (2) (ii), over the limits prescribed in paragraphs (f) (1) and (f) (3) respectively, proportionately to the increase in system output in the preceding calendar quarterly period over the system output in the calendar quarter of 1942 corresponding to such preceding calendar quarterly period;

(ii) A producer may make withdrawals from inventory of consumer's meters or house-regulators in any calendar quarterly period in an amount not in excess of one-third of the number of such meters or house-regulators condemned and destroyed by the producer in the last nine months of 1942, plus the number of meters and house-regulators necessary to serve the net increase in customers occurring in the current quarter. For the purposes of this subparagraph, withdrawals of meters and house-regulators shall not include meters or house-regulators put in service to replace meters and house-regulators removed from service;

(iii) A producer may in any calendar quarterly period schedule for delivery or make withdrawals from inventory of, material necessary for the maintenance or repair of the producer's property or equipment which is damaged by acts of the public enemy, sabotage, explosion, fire, flood, and storm or similar climatic conditions: *Provided*, That if the restrictions of paragraphs (f) (1) and (3) are exceeded because of the scheduling of such deliveries, or because of such withdrawals, a full report thereof together with reasons therefor shall be made immediately to the Director, Office of War Utilities.

(iv) A producer may in any calendar quarterly period schedule for delivery material in any class having in the aggregate a dollar value not more than the dollar value of material of the same class taken from the producer's inventory for delivery to other persons authorized to accept delivery under applicable regulations of the War Production Board but only if, and to the extent that, such taking has reduced the producer's inventory of material of the same class below a practical working minimum; and

(v) A producer may in any calendar quarterly period withdraw from inventory material in any class having in the aggregate a dollar value not more than the dollar value of usable material of the same class salvaged from plant during the current calendar quarterly period.

(5) *Short item deliveries.* Notwithstanding the provisions of paragraph (f) (2), in cases where the inventory of a class of material exceeds a practical working minimum, a producer may accept deliveries of any short item within such class which is required for use in maintenance, repair, or as operating supplies;

(i) *Provided*, That all material in all classes of inventory in excess of a practical working minimum is:

(a) Separately accounted for on the producer's records,

(b) Continuously held for sale to financially responsible persons and agencies authorized (under applicable regulations issued by the War Production Board) to accept delivery thereof; and

(c) Reported to the War Production Board on Form WPB–921 A, B, or C, or in such other manner as the Director, Office of War Utilities, may prescribe, and

(ii) Further provided that material transferred from excess to practical working minimum inventory on the records of a producer or used from excess inventory is accounted for as a scheduled delivery under paragraph (f) (1); that is, that in any calendar quarterly period the aggregate dollar value of material in any class transferred on the producer's records from that portion of inventory which is separately accounted for as excess pursuant to this paragraph (f) (5) to practical working minimum inventory, or of material taken directly from such portion of inventory for use in maintenance, repair, or as operating supplies, plus the aggregate dollar value of short item deliveries in such class, does not exceed one-third of the aggregate dollar value of withdrawals of material of the same class from inventory for such uses during the last nine months of 1942.

(6) The Director, Office of War Utilities, on his own motion or on the application of any producer, may modify the limitations on practical working minimum inventory, on scheduling or accepting deliveries, or on making withdrawals set forth in this paragraph (f).

(7) The provisions of paragraphs (f) (1), (f) (2), and (f) (3) shall not apply to fuel, water purification material, and gas chemical material and supplies.

(g) *Controlled material to be used in construction.* (1) After March 31, 1943, notwithstanding the provisions of any preference rating certificate or other order, except a direction referring specifically to this paragraph (g), no producer shall schedule for delivery or accept delivery of any controlled material named in, and in the form indicated in, Schedule B of this order for use in construction if his usable stocks of such controlled material are, or will by virtue of such scheduling or acceptance become, in excess of the dollar value of such controlled material he estimates will be required for use in authorized construction on his system during the 60-day period succeeding the scheduled delivery date of such material, or the actual delivery date, whichever is the later.

(2) Notwithstanding the restrictions of paragraph (g) (1), a producer may accept deliveries of controlled material for use in construction under the circumstances stated in paragraph (c) of CMP Regulation 2.

(h) *Restrictions on additions to plant.* (1) No producer shall construct an addition to or an expansion of property or equipment, and no producer shall, in the case of contract construction, accept delivery of material for such purposes, unless:

(i) Such addition or expansion is specifically authorized by the Director, Office of War Utilities, or by the Director General for Operations, or

(ii) Such addition or expansion is an extension less than 250 feet in length (including service drop or service pipe and any portion built by or for a consumer) of a line to serve a new building where the foundation, under the main part of the structure, was completed prior to July 1, 1942, or

(iii) Such addition or expansion requires an expenditure of material having a dollar value of less than $1,500 in the case of underground construction and $500 in the case of other construction, and is not an extension of a line to consumer premises: *Provided, however*, That no single work order, job, or project shall be subdivided into parts to come below these limits and that such addition or expansion requires only material which is essential to minimum service standards and does not include material for the improvement of the producer's property through the replacement of material which is still usable in the existing installation with material of a better kind, quality, or design.

(2) No producer shall connect with a line built by or for a consumer or a prospective consumer which, at the date of its completion, exceeded the restrictions of this order applicable to lines constructed by or for producers, unless the producer has been specifically authorized by the Director, Office of War Utilities, to construct a line of substantially identical specifications to serve such consumer.

(i) *Sales from inventory.* No producer may make a sale of material from his inventory except as follows:

(1) Any sale of material which is a special sale under Priorities Regulation No. 13, as amended from time to time, may be made as provided in that regulation. In addition, any producer may make a special sale (i) to any other producer to fill an order bearing a preference rating of AA–5 or higher or (ii) pursuant to a specific direction issued by the Director, Office of War Utilities, and any such sale shall be expressly permitted under paragraph (c) (3) of Priorities Regulation No. 13.

(2) Any sale of material which is not a special sale under Priorities Regulation No. 13 may, subject to the restrictions of Limitation Orders L–31, L–94, and L–102, be made:

(i) To fill an order bearing a preference rating of AA–3 or higher, or

(ii) Pursuant to a specific direction issued by the Director, Office of War Utilities, or by the Director General for Operations, or

(iii) To a person who produces, or to the person from whom the producer purchased, such material in the form in which it was purchased, or

(iv) To a scrap dealer as scrap, or

(v) To a used equipment dealer for resale if the item is used equipment and is not listed on Schedule D hereof, or

(vi) To the Army, Navy, Maritime Commission, or a public housing authority for the repair of an actual or threatened breakdown of electric, gas, water, or central steam heating facilities owned and operated by such agencies. This exception shall not be construed to extend to a sale of material for use in construction.

(j) *Placing orders.* After March 31, 1943, except in an emergency no producer may transmit to any supplier, other than another producer, an order totaling $100 or more for the delivery of any material listed in Schedule C of this order (including material to be used in construction) without first obtaining a statement from the War Production Board Utility Inventory Control Office in his region that such material is not reasonably available in the excess inventory of another producer. This statement shall be secured by filing an inquiry, in duplicate, in letter form or by using the producer's own price inquiry forms, stating (1) the quantity of each item required and (2) a description of the item. An oral or telephonic statement will be sufficient for the purposes of this paragraph, provided that confirmation is promptly obtained.

(k) *Refusal to sell to other producers.* Any producer may, by specific direction from the Director, Office of War Utilities, be prohibited from applying or extending preference ratings assigned by this order or by any other certificate or order, upon a determination by the Director, Office of War Utilities, that such producer has wilfully refused to sell (after receiving a bona fide offer to purchase at not less than maximum prices established by regulations of the Office of Price Administration, made by any financially responsible producer who is authorized—under applicable regulations—to accept delivery of the material specified in such offer) the following material:

(1) Material which is in inventory in excess of a practical working minimum, and

(2) Material which is included in practical working minimum inventory when such material is required by another producer for the repair of an actual breakdown of facilities or equipment.

(l) *Audits and reports.* (1) Each producer and each supplier who applies the preference ratings hereby assigned, and each person who accepts a purchase order or contract for material to which a preference rating is applied, shall submit from time to time to an audit and inspection by duly authorized representatives of the War Production Board.

(2) Each producer and each such supplier shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request. Unless otherwise directed, producers shall file quarterly inventory reports on Forms PD–193B, 194B, or 195B.

(3) Each producer shall maintain a continuing record of inventory and of segregated material in his possession.

(4) In addition to the records required to be kept under Priorities Regulation No. 1, the producer, and each supplier placing or receiving any purchase order or contract rated hereunder, shall retain, for a period of 2 years, for inspection by representatives of the War Production Board, endorsed copies of all such purchase orders or contracts whether accepted or rejected, segregated from all other purchase orders or contracts or filed in such manner that they can be readily segregated for such inspection.

(m) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to: Office of War Utilities, War Production Board, Washington, D. C., Ref.: U–1.

(n) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from process or use of, material under priority control, and may be deprived of priorities assistance.

(o) *Applicability of regulations.* This order and all transactions affected thereby, except as herein otherwise provided, are subject to all applicable regulations of the War Production Board, as amended from time to time. The restrictions of paragraph (f) of CMP Regulation 5, however, shall not apply to producers as defined in this order, nor shall the preference ratings assigned in CMP Regulation 5 supersede preference ratings assigned by this order.

(p) All official actions pursuant to Preference Rating Order P–46 prior to February 24, 1943, in the name of the Director General for Operations are hereby ratified.

Issued this 24th day of February 1943.

J. A. KRUG,
Director, Office of War Utilities.

SCHEDULE A

All material in the inventory of any producer shall be carried on the producer's own records and reported to the War Production Board on Form PD–193B, 194B, 195B, or as otherwise required, classified as follows:

WATER UTILITIES MATERIAL CLASSES

1. Fuel, such as coal, fuel oil, and other fuel.
2. Material for source of supply, reservoirs, elevated and pressure tanks, pumping and booster stations (excluding fuels).
3. Purification materials, such as chlorine, alum, lime, other chemicals, and other purification operating supplies.
4. Meters.
5. Transmission and distribution material and supplies (excluding meters), cast iron, steel, and wrought iron pipe, copper and brass pipe and tubing, lead pipe, pipe fittings, valves and valve parts, hydrants, parts for meters and hydrants, other transmission and distribution materials and supplies.
6. Other material and supplies.

ELECTRIC UTILITIES MATERIAL CLASSES

1. Fuel, such as coal, fuel oil, and other fuel.
2. Generating Station Material (other than fuel), such as electrical equipment, parts, and materials, chemical materials and supplies, and other materials and supplies.
3. Switching and substation material, such as power transformers, other station equipment, parts, and material, and other material and supplies.
4. Wire, cable, and bus bar, such as bare copper and aluminum, weatherproof copper, underground cable, aluminum and copper shapes.
5. Wood poles and cross arms.
6. Meters.
7. Other transmission and distribution material, such as iron and steel poles, towers, and parts, line hardware—overhead and underground, distribution transformers, meter and transformer parts, and other line material and equipment (including insulators, lightning arrestors, etc.).
8. Other material and supplies.

GAS UTILITIES MATERIAL CLASSES

1. Fuel and gas production material, such as coal, coke, gas oil and crude oil, butane and propane, other fuel, residuals, and byproducts.
2. Production and pumping station material (excluding fuel).
3. Chemical material and supplies.
4. Meters and house regulators.
5. Transmission and distribution material (excluding meters and house regulators), such as cast iron, steel and wrought iron pipe, copper and brass pipe and tubing, pipe fittings, valves, and valve parts, governors and regulators, parts for meters, regulators, and governors, other transmission and distribution material and supplies.
6. Other material and supplies.

SCHEDULE B

Forms of controlled material subject to the restrictions of paragraph (g):

ALUMINUM

Cable (electric transmission only).

COPPER

Copper and copper base alloy tubing and pipe.

Copper rods and bars, including extruded shapes.

Copper wire and cable (including copper content of insulated wire and cable and copper content of composite conductor).

STEEL

Carbon and alloy steel bars, cold finished or hot rolled.
Carbon and alloy steel pipe.
Carbon and alloy steel plates.
Carbon steel rails and track accessories.
Carbon steel sheets and strip.
Carbon steel structural shapes and piling.
Carbon and alloy steel tubing.
Carbon steel wheels and axles.
Carbon and alloy steel wire rods, wire and wire products.

SCHEDULE C

Items restricted by the provisions of paragraph (j):

A. *Items to be used by water utilities:*
1. Cast iron pipe
2. Steel pipe
3. Wrought iron pipe
4. Cement asbestos pipe
5. Copper and brass tubing
6. Lead and lead-alloy pipe and tubing
7. Steel pipe fittings
8. Electric motors
9. Meters
10. Hydrants
11. Distribution valves, 2 inches and larger
12. Bronze valves, smaller than 2 inches, corporation cocks, curb stops
13. Pumps
14. Steel tanks
15. Steam engines
16. Chlorinators

B. *Items to be used by gas utilities:*
1. Cast iron pipe
2. Steel pipe
3. Wrought iron pipe
4. Copper and brass pipe and tubing
5. Steel pipe fittings, 1¼ inches and larger
6. Mechanical pipe couplings
7. District regulators and governors
8. Gas meters
9. Valves, 1¼ inches and larger
10. Condensers (coolers)
11. Electric motors
12. Steam engines
13. Exhausters
14. Boosters
15. Compressors
16. Pumps
17. Blowers
18. Station meters

C. *Items to be used by electric utilities:*
1. Wire (all types)
2. Cable
3. Bus bar shapes
4. Power transformers
5. Distribution transformers
6. Watt-hour meters
7. Oil or air circuit breakers
8. Disconnecting switches
9. Electric motors
10. Current transformers
11. Potential transformers
12. Suspension insulators
13. Lightning arrestors, 20,000 volts and over
14. Steam valve, piping and fittings, larger than 3 inch and for pressures of 300 pounds and over
15. Regulators (feeder voltage)
16. Fuse cutouts
17. Automatic line splices

SCHEDULE D

The following items of used equipment in the possession of producers may not be the subject of a sale to any used equipment dealer pursuant to paragraph (i) (2) (v) of this order:

USED EQUIPMENT

(1) Steam generating boilers designed for pressures of 100 pounds per square inch or above
(2) Steam engines and engine generator units of more than 300 h. p. rated capacity
(3) Oil or air circuit breakers of 2200 volts or higher
(4) Air circuit breakers of less than 2200 volts with interrupting capacity of 15,000 amperes or higher
(5) Metal clad switchgear of 2200 volts or higher
(6) Metal clad switchgear of less than 2200 volts containing oil or air circuit breakers listed in this Exhibit
(7) Unit substations containing transformers of 250 KVA or higher rated capacity
(8) Unit substations containing transformers of less than 250 KVA rated capacity if they also contain oil or air circuit breakers listed in this Exhibit
(9) Chlorinators
(10) Diesel and natural gas engines and engine generator units of more than 300 h. p. rated capacity
(11) Liquid filled power or distribution transformers 250 KVA and larger
(12) Steam turbine generator units of more than 300 h. p. rated capacity
(13) Mechanical drive steam turbines of more than 300 h. p. rated capacity
(14) Water gas sets
(15) Gas purification apparatus
(16) Electric motors, 250 h. p. or larger
(17) Pumps, 100 g. p. m. and larger
(18) Boosters
(19) Compressors
(20) Scrubbers
(21) Gas holders
(22) Gas station meters
(23) Blowers for manufactured gas plants
(24) Exhausters for manufactured gas plants

[F. R. Doc. 43–2975; Filed, February 24, 1943; 11:29 a. m.]

PART 4500—ELECTRIC, GAS, WATER, AND STEAM UTILITIES—MATERIALS

[Supplementary Utilities Order U–1–a]

Supplementary Preference Rating Order P–46–a, as amended December 10, 1942, is hereby revoked and superseded by § 4500.2, *Supplementary Utilities Order U–1–a*, as follows:

§ 4500.2 *Supplementary Utilities Order U–1–a.* Notwithstanding the provisions of paragraph (h) of Utilities Order U–1, service connections may be made by producers to facilities of the Army or Navy of the United States or the Maritime Commission, upon the direct order of the Army, Navy, or Maritime Commission: *Provided*, That the total length of the main extension or the service line does not exceed 250 feet, and the total cost of materials required for the extension does not exceed $1,500 in the case of underground construction and $500 in the case of other jobs.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561, as amended; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 24th day of February 1943.

J. A. KRUG,
Director, Office of War Utilities.

[F. R. Doc. 43–2976; Filed, February 24, 1943; 11:29 a. m.]

PART 4500—ELECTRIC, GAS, WATER, AND STEAM UTILITIES—MATERIALS

[Supplementary Utilities Order U–1–b]

Supplementary Preference Rating Order P–46–b, as amended December 16, 1942, is hereby revoked and superseded by § 4500.3, *Supplementary Utilities Order U–1–b*, as follows:

§ 4500.3 *Supplementary Utilities Order U–1–b.* Notwithstanding the provisions of paragraph (h) of Utilities Order U–1, gas and electric service connections may be made by producers to permit the operation of a gas or electric range in the dwelling of a domestic consumer; *Provided*, That:

(a) Complete facilities are not installed for serving either a gas range or an electric range.

(b) The dwelling proposed for connection is not equipped with a range of any kind; and

(c) Connections (including any additional service drop, primary, secondary, and ground conductor, but excluding service entrance conductor and interior wiring) can be made with an expenditure by the producer of not more than the following amounts of material:

(i) In the case of an electric range, 15 pounds of copper, or

(ii) In the case of a gas range, 75 feet of one and one-quarter inch steel pipe, or any length of steel pipe weighing in the aggregate not more than 170 pounds.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561, as amended; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 24th day of February 1943.

J. A. KRUG,
Director, Office of War Utilities.

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PART 4500—ELECTRIC, GAS, WATER, AND STEAM UTILITIES—MATERIALS

[Supplementary Utilities Order U–1–c]

Supplementary Preference Rating Order P–46–c, as amended January 20, 1943, is hereby revoked and superseded by § 4500.4 *Supplementary Utilities Order U–1–c*, as follows:

§ 4500.4 *Supplementary Utilities Order U–1–c.* Notwithstanding the provisions of paragraph (h) of Utilities Order U–1, electric service connections may be made by producers to permit the opera-

tion of farm production equipment: *Provided*, That all of the following conditions are satisfied:

(a) The prospective consumer possesses one of the following types of electric farm equipment of sufficient capacity for the use contemplated, or can obtain such equipment without priorities assistance, or a preference rating of AA–5 or better has been assigned to deliveries of such equipment to him:

(1) Water pump for livestock; (2) milking machine; (3) milk cooler; (4) incubator; (5) brooder; (6) feed grinder.

(b) There is no other means of operating such equipment on the premises.

(c) The length of such connection will not exceed 100 feet per animal unit determined in accordance with Schedule I annexed hereto, and will not exceed 5,000 feet total length, except upon specific authorization from Director, Office of War Utilities or the Director General for Operations.

(d) The prospective consumer will use electric service to operate equipment for farm production, and has livestock on hand which, together with his estimated production of livestock for market, aggregates not less than 10 animal units, determined in accordance with Schedule I annexed hereto.

(e) Primary lines are single phase and are constructed of No. 6 galvanized steel wire (except that copper-covered steel wire or No. 4 or No. 6 A. C. S. R. conductor may be used to the extent that it is available in the excess inventory of any producer).

(f) Secondary lines and services require not more than 30 pounds of copper for any prospective consumer.

(g) The prospective consumer's application for service is accompanied by a certification from his USDA County War Board in substantially the following form:

(To the Utility Addressed):

Mr ---------- is eligible for an electric connection of ------ feet under the terms of Utilities Order U–1–c. In the opinion of this USDA County War Board this connection will result in a substantial increase in farm production, or a substantial saving of farm labor, and is in accord with the spirit, as well as the letter, of Utilities Order U–1–c

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(For USDA County War Board)

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561, as amended; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 24th day of February 1943.

J. A. KRUG,
Director, Office of War Utilities.

SCHEDULE I

EQUIVALENT ANIMAL UNITS

A Livestock on hand:	
1 milk cow	one unit
10 beef cattle (all cattle, including calves, other than milk cows and cattle in feed lot)	one unit
30 breeding ewes	one unit
3 brood sows	one unit
75 laying hens	one unit
40 turkeys or geese	one unit
B. Estimated production in livestock for market:	
20 cattle (In feed lot) per year	one unit
160 lambs (In feed lot) per year	one unit
30 feeder pigs per year	one unit
250 chickens (not broilers) per year	one unit
600 chickens (broilers) per year	one unit

[F. R. Doc. 43–2978; Filed, February 24, 1943; 11:29 a. m.]

Chapter XI—Office of Price Administration

PART 1306—IRON AND STEEL

[RPS 49,[1] Amendment 12]

RESALE OF IRON OR STEEL PRODUCTS

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new section and appendix designated as § 1306.164, Appendix F is added to Revised Price Schedule No. 49 and a new paragraph (aa) is added to § 1306.157; §§ 1306.151, 1306.152, 1306.157 (c) and (f) and 1306.159, Appendix A, (f) and (1) have been amended.

§ 1306.151 *Maximum prices for the resale of iron or steel products.* On and after December 15, 1941, regardless of the terms of any contract of sale or purchase, or other commitment, no seller as defined in § 1306.157 (b) of this Revised Price Schedule No. 49 shall sell, offer to sell, deliver or transfer iron or steel products, and no person shall buy, offer to buy, or accept delivery of iron or steel products at prices higher than the maximum prices set forth in Appendix A, incorporated herein as § 1306.159 and in Appendix F, incorporated herein as § 1306.164.

§ 1306.152 *Less than maximum prices.* Lower prices than those set forth in § 1306.159, Appendix A and § 1306.164, Appendix F, may be charged, demanded, paid or offered.

§ 1306.157 *Definitions.* • • •

(c) "Iron or steel product" includes all iron or steel ingots, all semi-finished iron or steel products, all finished hot rolled or cold rolled iron or steel products, all iron or steel products further finished (by galvanizing, enameling, plating, coating, drawing, extruding or otherwise) in a manner commonly performed at steel works or rolling mills, and shall include all products listed in the table of Capacity and Production for Sale contained in the Annual Statistical Report of the American Iron and Steel Institute for 1939, pages 42 and 43: *Provided*, That the term shall not include pig iron. Any iron or steel product, as defined above, subject to the operations of pickling, cutting by machine or flame, cutting and threading of pipe, shall be considered a part of this definition of iron or steel product. This definition includes primes, rejects, seconds, wasters, waste wasters, side and end shearings, coil ends, fish tails, mill crop ends and all other off-grade products including reusable products. It does not include (1) crop ends of unused structural steel shapes, structural steel plates and steel shafting, all originating in shipbuilders' or in other fabricators' yards or plants, and reusable structural steel shapes, structural steel plates and steel shafting (which are covered by Maximum Price Regulation No. 310, Reusable Structural Steel Shapes and Plates, and Shafting [2]); (2) relaying rail (which is covered by Revised Price Schedule No. 46, Relaying Rail [3]); (3) reusable iron and steel pipe (which is covered by Maximum Price Regulation No. 230, Reusable Iron and Steel Pipe [4]); and (4) iron and steel scrap (which is covered by Revised Price Schedule No. 4, Iron and Steel Scrap [5]). The term "iron or steel product" includes concrete reinforcing bars but not the fabrication thereof (which is covered by Maximum Price Regulation No. 159, Fabricated Concrete Reinforcing Bars [6]). The term "iron or steel product" includes structural steel shapes but not the fabrication thereof (which is covered by Order No. 61, § 1499.3 (b) of General Maximum Price Regulation [7]). The term "iron or steel product" also includes cut nails allocated and sold to distributors under directive order, dated July 23, 1942, issued by the Director of Industry Operations, War Production Board.

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(f) "Dislocated tonnage" means—

(1) Any shipments by a seller of 150 to 350 miles which are made through any listed city, into any listed city, or substantially in the same direction and past any listed city; or

(2) Any shipments by a seller of more than 350 miles in any direction.

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(aa) The further definitions as set forth in § 1306.164, Appendix F, paragraph (b) shall apply to the secondary or rejected iron or steel products covered by Appendix F.

§ 1306.159 *Appendix A: Domestic, export, and import maximum prices for iron and steel products.* • • •

(f) *Maximum delivered prices for dislocated tonnage.* For dislocated tonnage, as defined in § 1306.157 (f), out of warehouse stock, the maximum delivered price for any iron or steel product so shipped shall be the seller's maximum price for shipments out of his own city or free delivery area (that is, his country price) as established in this Revised Price Schedule No. 49, plus freight to destination, less 15¢ per 100 pounds. *Provided*, That if, in computing the price on dislocated tonnage, the resultant delivered price is lower than the price that would be obtained by using § 1306.159 (b), only that part of the 15¢ need be deducted which will make the price

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*Copies may be obtained from the Office of Price Administration

[1] 7 F.R. 1300, 1836, 2132, 2473, 2540, 2682, 3330, 3893, 4342, 5176, 6893, 6935, 8948, 10644; 8 F.R. 319, 1583.

[2] 8 F.R. 1225.

[3] 7 F.R. 1295, 2132, 2508, 3446, 8948 10528

[4] 7 F.R. 7731, 7914, 8935, 8 F.R. 1621.

[5] 7 F.R. 1207, 2132, 2155, 2507, 3087, 3550, 3889, 4488, 6217, 8190, 8948, 10151; 8 F.R. 857, 1114

[6] 7 F.R. 4339, 4428, 5710, 8948; 8 F.R. 970 1202

[7] 7 F.R. 6604.

equivalent to that established by § 1306.159 (b). (In effect, if to the seller's advantage, he may use the dislocated tonnage provision when applicable; if not, he may use § 1306.159 (b)). *Provided further*, That the maximum delivered prices for dislocated tonnage shall not apply to shipments of pipe or tubular goods, and that on all shipments of standard pipe, seamless pipe, water well casing, large O. D. pipe, line pipe and wrought iron pipe originating from jobber's stocks in the States of Washington, Idaho, Montana, Oregon, Wyoming, Nevada, Utah, Colorado, Arizona, California, New Mexico and Texas (El Paso and Pecos only) and shipped to points within the above mentioned states or to points West of the 103rd meridian, within the States of North Dakota, South Dakota, Nebraska, and Texas, any freight actually paid in excess of the sum of thirty (30) cents per 100 pounds may be charged, notwithstanding that freight equalization of more than this amount may be required by the provisions of § 1306.159 (i) (1) and (2), establishing maximum delivered prices at such points of delivery.

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(l) *Maximum delivered prices for all other secondary or rejected iron or steel products for which prices are not established in § 1306.164, Appendix F, and reusable iron or steel products not governed by any other maximum price regulation.* The maximum delivered price for all other secondary or rejected iron or steel products for which prices are not established in § 1306.164, Appendix F, and reusable iron or steel products not governed by any other maximum price regulation, after such shearing, cutting, straightening, bending, or pickling as may be necessary, shall be computed in the same manner used by the seller on April 16, 1941. *Provided*, That such prices do not exceed the maximum delivered prices for comparable iron or steel products of prime quality.

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§ 1306.164, *Appendix F: Maximum delivered prices for certain secondary or rejected iron or steel products.* The maximum delivered prices for the following secondary or rejected iron or steel products: hot rolled, cold rolled, galvanized, galvannealed, and long terne sheets; hot and cold rolled strip; sheared and universal mill plates; tin mill black plate; and semi-finished iron or steel products; shall not be the prices for products of prime quality as otherwise established in this Revised Price Schedule No. 49, regardless of the sorting or other processing which the seller may perform, but shall be determined in accordance with the provisions of this § 1306.164, Appendix F.

(a) *Relationship to § 1306.159, Appendix A.* The provisions of the following paragraphs of § 1306.159, Appendix A, shall also apply to this Appendix F:

[8] 1306.159, Appendix A, (e) Maximum prices for exports of iron or steel products.

§ 1306.159, Appendix A, (k) (Sub-paragraphs (1), (2), (5), (6) and (8) only). Maximum delivered prices for shipments of carload quantities and in certain specific cases.

§ 1306.159, Appendix A, (m) General provisions.

§ 1306.159, Appendix A, (s) Maximum prices for imported iron or steel products.

(b) *Definitions.* When used in this Appendix F, the term:

(1) "Secondary or rejected iron or steel products" means iron or steel products purchased by the seller as any grade lower than prime quality or invoiced to him as such by his supplier.

(2) "Sheared to specifications" means cut from a size in stock either by shearing, slitting or burning to a different and exact dimension or dimensions specified in the buyer's order. It does not mean cut for the purpose of reconditioning material.

(3) "Unsheared" means not sheared to specifications.

(4) "Job or warehouse pickled" means pickled by any person other than an iron or steel mill or producer.

(5) "Mill extra" means the standard published or quoted extra of the United States Steel Corporation and its subsidiaries presently in effect as permitted under Revised Price Schedule No. 6.*

(6) "Rejects" means flat rolled secondary or rejected iron or steel products which meet the following requirements:

(i) Are of a designated specific grade, size and gauge (or thickness); and

(ii) Contain minor imperfections, such as surface defects, lack of flatness, camber, off-grade, off-temper and similar imperfections, but which may be utilized without requiring unusual processing in order to remove of minimize the imperfections; and

(iii) Conform to the following size restrictions:

Sheet "rejects": may not be smaller than 18" wide by 50" long or have an area of less than 900 square inches.

Sheared plate "rejects": may not be smaller than 36" wide by 84" long or have an area less than 21 square feet.

Universal mill plate "rejects": may not be smaller than 6" wide by 60" long.

Hot rolled strip "rejects": may not be smaller than 36" long by 3" wide or have an area less than 108 square inches.

Cold rolled strip "rejects": may not be smaller than 36" long by 3" wide or have an area less than 108 square inches.

Tin mill black plate "rejects": may not be smaller than 14" wide by 20" long or have an area less than 280 square inches; tin mill black plate "rejects" includes tin mill black plate in U. S. S. gauge #28 and heavier, which by product classification is priced on a sheet basis.

(7) "Wasters" means flat-rolled secondary or rejected iron or steel products

(i) Which meet the following requirements:

(*a*) Are of a designated specific gauge (or thickness) and are unassorted to size; and

(*b*) Are of the same quality as rejects; and

(*c*) Conform to the following size restrictions:

Sheet "wasters": may not be smaller than 15" wide by 40" long or have an area less than 600 square inches.

Sheared plate "wasters": may not be smaller than 24" wide by 72" long or have an area less than 12 square feet.

Universal mill plate "wasters": may not be smaller than 6" wide by 60" long.

Hot rolled strip "wasters": may not be smaller than 36" long by 3" wide or have an area less than 108 square inches.

Cold rolled strip "wasters": may not be smaller than 36" long by 3" wide or have an area less than 103 square inches.

Tin mill black plate "wasters": may not be smaller than 10" wide by 10" long or have an area less than 100 square inches; tin mill black plate "wasters" includes tin mill black plate in U. S. S. gauge #28 and heavier which by product classification is priced on a sheet basis; or

(ii) Which would otherwise be of rejects classification (i. e., sorted to size and of a designated specific gauge (or thickness)) except that they do not meet the rejects size restrictions but do meet the wasters size restrictions.

(8) "Waste wasters" means flat rolled secondary or rejected iron or steel products

(i) Which meet the following requirements:

(*a*) Are unassorted to both size and gauge (or thickness), whether of rejects or lower quality; and

(*b*) Conform to the following size restrictions:

Sheet "waste wasters": may not be smaller than 15" wide by 40" long or have an area less than 600 square inches.

Sheared plate "waste wasters": may not be smaller than 24" wide by 72" long or have an area less than 12 square feet.

Universal mill plate "waste wasters": may not be smaller than 6" wide by 60" long.

Tin mill black plate "waste wasters": may not be smaller than 10" wide by 10" long or have an area less than 100 square inches; tin mill black plate "waste wasters" includes tin mill black plate waste wasters in U. S. S. gauge #28 and heavier, which by product classification is priced on a sheet basis; or

(ii) Which are of rejects and wasters classifications but contain imperfections, in addition to those specified under rejects above, which appreciably limit the utility of the product (such as blisters, laminations, fluctuating gauges, perforations, dirty surfaces, bad edges, wrinkles and other mars), and require further processing by the purchaser (such as shearing, pickling, scrubbing or gauging) in order to remove or minimize such imperfections; and meet the waste wasters size restrictions as set forth in (i) above.

(9) "Offal" means flat-rolled secondary or rejected iron or steel products which would otherwise be:

(i) Of rejects classification, *but* fall within the following size restrictions:

Sheet offal: (*a*) are under 18" wide by 50" long or the equivalent area of 900 square inches but (*b*) are not smaller than 12" wide by 20" long or the equivalent area of 240 square inches.

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[9] 7 F.R. 1215, 2132, 2153, 2299, 2997, 3115, 3941, 4780, 7240, 8948.

Sheared plate offal: (a) are under 36" wide by 84" long or the equivalent area of 21 square feet but (b) are not smaller than 20" wide by 50" long or the equivalent area of 1000 square inches; or

(ii) Of wasters classifications, *but* fall within the following size restrictions:

Sheet offal: (a) are under 15" wide by 40" long or the equivalent area of 600 square inches but (b) are not smaller than 12" wide by 20" long or the equivalent area of 240 square inches.

Sheared plate offal: (a) are under 24" wide by 72" long or the equivalent area of 12 square feet but (b) are not smaller than 20" wide by 50" long or the equivalent area of 1000 square inches.

(10) "Side and end shearings" means flat-rolled secondary or rejected iron or steel products which would otherwise be:

(i) Of waste wasters classification, *but* fall within the following size restrictions:

Sheet side and end shearings: (a) are under 15" wide by 40" long or the equivalent area of 600 square inches but (b) are not smaller than 3" wide by 20" long or the equivalent area of 60 square inches.

Sheared plate side and end shearings: (a) are under 24" wide by 72" long or the equivalent area of 12 square feet but (b) are not smaller than 4" wide by 24" long or the equivalent area of 96 square inches; or

(ii) Of wasters or waste wasters classification, *but* fall within the following size restrictions:

Tin mill black plate side and end shearings. have an area less than 100 square inches.

(11) "Semi-finished rejects" means partly finished iron or steel products such as, but not limited to, blooms, billets, slabs, sheet bars, skelp, and tube rounds, which have been rejected because of poor surface condition, lack of internal soundness or other defects which render the steel unsuitable for sale or use by the mill as a prime product.

(c) *Maximum delivered prices for unsheared products.* (1) The maximum delivered price for unsheared secondary or rejected iron or steel products shall be the aggregate of:

(i) The delivered base price, as determined under sub-paragraph (2) below; plus

(ii) The extras specifically permitted in Table V below; and

(iii) The quantity charge or deduction and the warehouse pickling charge, where applicable, as set forth in paragraphs (f) and (g) below, respectively.

(2) The delivered base price (referred to under (c) (1) (i) above) shall be:

(i) For any shipment made within or into any city for which a base price for the product sold is listed in Tables I, II, III, or IV below, the delivered base price shall be the city base price as shown in Tables I, II, III, or IV for the classification and product sold. No freight or delivery charge is to be added.

(ii) For any shipment made to a destination for which a base price for the product sold is not listed in Tables I, II, III, or IV, the delivered base price shall be the country base price, as listed in Tables I, II, III, or IV of that city, for the classification and product sold, which, plus freight from that same city to destination, results in the lowest delivered base price at destination.

(iii) For any shipment which qualifies as dislocated tonnage, as defined in § 1306.157 (f), the delivered base price shall be the delivered country base price as established under subdivision (i) or (ii) above for the city from which shipment is made plus freight from that city to destination, less 15¢ per 100 pounds. If the resultant delivered base price at destination is lower than that established for such destination by subdivision (i) or (ii) above, it need not be used.

TABLE I—BASE PRICES FOR REJECTS

[Dollars per 100 pounds]

Cities [1]	Products								
	Hot rolled sheets	Cold rolled sheets	Galvanized sheets	Galvannealed sheets	Long terne sheets	Hot rolled strip	Cold rolled strip	Plate (both mill sheared and universal mill)	Black plate
Boston [2]	3.34	4.21	4.60	5.95	5.32	3.65	3.11	3.47	.....
New York [2]	3.32	4.14	4.50	5.85	5.22	3.56	3.25	3.58	4.05
Philadelphia [2]	3.20	4.17	4.41	5.63	5.40	3.56	3.16	3.29	.....
Baltimore (city)	3.15	4.60	4.55	5.45	.....	3.60	.....	3.33	.....
Baltimore (country)	3.05	4.50	4.45	5.45	.....	3.50	.....	3.23	.....
Washington, D. C [1]	3.24	4.59	4.64	.....	.....	3.69	.....	3.42	.....
Norfolk, Virginia [2]	3.47	4.05	4.86	.....	.....	3.69	.....	3.65	.....
Buffalo (city)	2.93	3.87	4.28	5.49	5.13	3.44	3.17	3.26	.....
Buffalo (country)	2.83	3.77	4.18	5.49	5.03	3.44	3.17	3.26	.....
Pittsburgh (city)	3.02	3.60	4.28	5.69	4.82	3.24	2.88	3.06	3.74
Pittsburgh (country)	2.92	3.69	4.18	4.69	4.82	3.14	2.78	2.96	3.64
Cleveland (city)	3.02	3.65	4.16	5.99	4.80	3.15	2.88	3.06	.....
Cleveland (country)	2.92	3.55	4.06	5.99	4.70	3.15	2.78	2.96	.....
Detroit [2]	3.02	3.87	4.36	5.70	5.53	3.09	3.06	3.24	.....
Omaha (city)	2.47	4.29	4.97	6.32	5.51	3.78	3.66	3.74	.....
Omaha (country)	3.37	4.29	4.97	6.32	5.51	3.68	3.66	3.64	.....
Cincinnati [2]	3.08	3.93	4.43	5.97	5.09	3.30	3.11	3.29	.....
Chicago (city)	2.93	3.69	4.37	5.72	4.91	3.24	3.15	3.20	3.74
Chicago (country)	2.83	3.59	4.27	5.62	4.81	3.14	3.05	3.10	3.64
Milwaukee [2]	3.04	3.81	4.48	5.83	5.02	3.36	3.19	3.31	.....
St. Paul [2]	3.15	3.92	4.59	5.94	5.49	3.47	.....	3.42	.....
St. Louis [2]	3.05	3.82	4.49	5.63	5.15	3.37	3.25	3.32	.....
Indianapolis (city)	3.11	3.83	4.51	5.63	5.09	3.38	2.95	3.33	.....
Indianapolis (country)	3.01	3.73	4.41	5.63	4.99	3.28	2.85	3.23	.....
Memphis [2]	3.47	4.19	4.73	.....	.....	3.69	.....	3.56	.....
Birmingham (city)	3.11	4.30	4.28	.....	.....	3.33	.....	3.20	.....
Birmingham (country)	3.01	4.30	4.28	.....	.....	3.23	.....	3.10	.....
New Orleans (city)	3.59	4.46	4.73	.....	.....	3.78	.....	3.51	.....
New Orleans (country)	3.46	4.46	4.63	.....	.....	3.68	.....	3.41	.....
Houston [2]	3.58	4.89	4.73	.....	.....	3.87	.....	3.83	.....
Los Angeles [2]	4.40	6.44	5.36	6.71	6.21	4.41	3.90	4.41	4.77
San Francisco (city)	4.10	6.80	5.94	.....	6.98	4.05	.....	4.19	.....
San Francisco (country)	4.00	6.70	5.84	.....	6.98	3.95	.....	4.09	.....
Tacoma [2]	4.19	5.97	5.13	.....	.....	3.83	.....	4.28	.....
Seattle [2]	4.19	5.97	5.13	7.70	6.89	3.83	.....	4.28	.....

[1] Prices are for the free delivery area of cities listed.
[2] City and country prices.

TABLE II—BASE PRICES FOR WASTERS

[Dollars per 100 pounds]

Cities [1]	Products								
	Hot rolled sheets	Cold rolled sheets	Galvanized sheets	Galvannealed sheets	Long terne sheets	Hot rolled strip	Cold rolled strip	Plates (both mill sheared and universal mill)	Black plate
Boston [2]	2.97	3.74	4.09	5.29	4.73	3.25	2.77	3.08	.....
New York [2]	2.85	3.68	4.09	5.20	4.64	3.17	[2] 2.89	3.01	3.60
Philadelphia [2]	2.84	3.70	3.92	5.00	4.80	3.16	[2] 2.81	2.84	.....
Baltimore (city)	2.80	4.04	4.04	4.84	.....	3.20	.....	2.98	.....
Baltimore (country)	2.70	4.04	3.94	4.84	.....	3.10	.....	2.88	.....
Washington, D. C [1]	2.88	4.08	4.12	.....	.....	3.28	.....	3.04	.....
Norfolk, Virginia [2]	3.08	3.60	4.32	.....	.....	3.28	.....	3.24	.....
Buffalo (city)	2.60	3.44	3.80	4.88	4.50	3.05	[2] 2.82	[2] 2.90	.....
Buffalo (country)	[2] 2.50	3.34	3.70	4.88	4.40	3.06	[2] 2.82	[2] 2.90	.....

TABLE II—BASE PRICES FOR WASTERS—Continued

[Dollars per 100 pounds]

Cities	Products								
	Hot rolled sheets	Cold rolled sheets	Galvanized sheets	Galvannealed sheets	Long terne sheets	Hot rolled strip	Cold rolled strip	Plate (both mill sheared and universal mill)	Black plate
Pittsburgh (city)	2.68	3.20	3.80	4.52	4.28	2.86	2.56	2.72	3.32
Pittsburgh (country)	2.58	3.20	3.70	4.42	4.28	2.76	2.46	2.62	3.22
Cleveland (city)	2.68	3.24	3.70	5.32	4.26	2.91	2.56	2.72	.....
Cleveland (country)	2.58	3.14	3.60	5.32	4.16	2.81	2.46	2.62	.....
Detroit [2]	2.74	3.44	3.87	5.06	4.74	2.74	2.72	2.88	.....
Omaha (city)	3.08	3.82	4.42	5.62	4.90	3.26	3.25	3.32	.....
Omaha (country)	2.98	3.82	4.42	5.62	4.90	3.26	3.26	3.22	.....
Cincinnati [2]	2.74	3.50	3.94	5.30	4.53	2.94	2.76	2.92	.....
Chicago (city)	2.60	3.28	3.88	5.08	4.36	2.88	2.80	2.84	3.32
Chicago (country)	2.50	3.18	3.78	4.98	4.26	2.78	2.70	2.74	3.22
Milwaukee [2]	2.70	3.38	3.98	5.18	4.46	2.98	2.83	2.94	.....
St. Paul [2]	2.80	3.48	4.00	5.28	4.88	3.08	.....	3.04	.....
St. Louis [2]	2.71	3.39	3.99	5.00	4.58	2.99	2.89	2.95	.....
Indianapolis (city)	2.76	3.46	4.01	5.00	4.52	3.00	2.62	2.96	.....
Indianapolis (country)	2.66	3.36	3.91	5.00	4.42	2.90	2.52	2.86	.....
Memphis [2]	3.08	3.74	4.20	.....	.....	3.28	.....	3.16	.....
Birmingham (city)	2.76	3.82	3.80	.....	.....	2.96	.....	2.84	.....
Birmingham (country)	2.66	3.82	3.80	.....	.....	2.86	.....	2.74	.....
New Orleans (city)	3.16	3.96	4.20	.....	.....	3.36	.....	3.12	.....
New Orleans (country)	3.06	3.96	4.10	.....	.....	3.26	.....	3.02	.....
Houston [2]	3.00	4.34	4.20	.....	.....	3.41	.....	3.40	.....
Los Angeles [2]	3.96	5.72	4.76	5.86	5.52	3.92	3.46	3.92	4.24
San Francisco (city)	3.64	6.04	5.28	.....	6.20	3.60	.....	3.72	.....
San Francisco (country)	3.54	5.94	5.18	.....	6.20	3.50	.....	3.62	.....
Tacoma [2]	3.72	5.30	4.56	.....	.....	3.40	.....	3.80	.....
Seattle [2]	3.72	5.30	4.56	6.84	6.12	3.40	.....	3.80	.....

[1] Prices are for the free delivery area of cities listed.
[2] City and country price.

TABLE III—BASE PRICES FOR WASTE WASTERS AND OFFAL

[Dollars per 100 pounds]

Cities [1]	Products						
	Hot rolled sheets	Cold rolled sheets	Galvanized sheets	Galvannealed sheets	Long terne sheets	Plates [2] (both mill sheared and universal mill)	Black plate [4]
Boston [2]	2.78	3.51	3.83	4.96	4.43	2.89	.....
New York [2]	2.69	3.45	3.75	4.88	4.35	2.82	3.38
Philadelphia [2]	2.66	3.47	3.68	4.69	4.50	2.66	.....
Baltimore (city)	2.63	3.75	3.79	4.54	.....	2.78	.....
Baltimore (country)	2.53	3.75	3.69	4.54	.....	2.68	.....
Washington, D. C [1]	2.70	3.83	3.85	.....	.....	2.85	.....
Norfolk, Virginia [2]	2.89	3.38	4.05	.....	.....	3.01	.....
Buffalo (city)	2.44	3.23	3.56	4.58	4.28	2.72	.....
Buffalo (country)	2.34	3.13	3.46	4.58	4.18	2.72	.....
Pittsburgh (city)	2.51	3.00	3.56	4.24	4.01	2.55	3.11
Pittsburgh (country)	2.41	3.00	3.46	4.14	4.01	2.45	3.01
Cleveland (city)	2.51	3.04	3.47	4.99	4.00	2.55	.....
Cleveland (country)	2.41	2.94	3.37	4.99	3.90	2.45	.....
Detroit [2]	2.57	3.23	3.63	4.75	4.14	2.70	.....
Omaha (city)	2.89	3.58	4.14	5.27	4.59	3.11	.....
Omaha (country)	2.79	3.58	4.14	5.27	4.59	3.01	.....
Cincinnati [2]	2.57	3.28	3.69	4.97	4.25	2.74	.....
Chicago (city)	2.44	3.08	3.64	4.76	4.09	2.66	3.11
Chicago (country)	2.34	2.98	3.54	4.66	3.99	2.56	3.01
Milwaukee [2]	2.54	3.17	3.74	4.86	4.19	2.76	.....
St. Paul [2]	2.63	3.26	3.75	4.95	4.58	2.85	.....

TABLE III—BASE PRICES FOR WASTE WASTERS AND OFFAL—Continued

[Dollars per 100 pounds]

Cities [1]	Products						
	Hot rolled sheets	Cold rolled sheets	Galvanized sheets	Galvannealed sheets	Long terne sheets	Plates [2] (both mill sheared and universal mill)	Black plate [4]
St. Louis [2]	2.58	3.18	3.74	4.69	4.29	2.77	.....
Indianapolis (city)	2.59	3.19	3.76	4.69	4.24	2.78	.....
Indianapolis (country)	2.49	3.09	3.66	4.69	4.14	2.68	.....
Memphis [2]	2.89	3.59	3.93	.....	.....	2.96	.....
Birmingham (city)	2.59	3.59	3.56	.....	.....	2.66	.....
Birmingham (country)	2.49	3.59	3.56	.....	.....	2.56	.....
New Orleans (city)	2.96	3.71	3.94	.....	.....	2.93	.....
New Orleans (country)	2.86	3.71	3.84	.....	.....	2.83	.....
Houston [2]	2.81	3.94	4.07	.....	.....	3.19	.....
Los Angeles [2]	3.74	5.36	4.46	5.59	5.18	3.68	3.98
San Francisco (city)	3.41	5.66	4.95	.....	5.81	3.49	.....
San Francisco (country)	3.31	5.56	4.85	.....	5.81	3.39	.....
Tacoma [2]	3.49	4.97	4.28	.....	.....	3.59	.....
Seattle [2]	3.49	4.97	4.28	6.41	5.74	3.56	.....

[1] Prices are for the free delivery area of cities listed.
[2] City and country prices.
[3] In offal classification, mill sheared plate only. There is no offal classification for universal mill plate.
[4] Waste Wasters classification only. Black plate has no offal classification.

TABLE IV—BASE PRICES FOR SIDE AND END SHEARINGS

[Dollars per 100 pounds]

Cities [1]	Products						
	Hot rolled sheets	Cold rolled sheets	Galvanized sheets	Galvannealed sheets	Long terne sheets	Plates (only mill sheared)	Black plate
Boston [2]	2.41	3.04	3.32	4.30	3.84	2.50	.....
New York [2]	2.33	2.99	3.25	4.23	3.77	2.44	2.93
Philadelphia [2]	2.31	3.01	3.19	4.06	3.90	2.31	.....
Baltimore (city)	2.28	3.25	3.28	3.93	.....	2.41	.....
Baltimore (country)	2.18	3.25	3.18	3.93	.....	2.31	.....
Washington, D. C [1]	2.34	3.32	3.35	.....	.....	2.47	.....
Norfolk, Virginia [2]	2.50	2.93	3.51	.....	.....	2.63	.....
Buffalo (city)	2.11	2.80	3.09	3.97	3.71	2.35	.....
Buffalo (country)	2.01	2.70	2.99	3.97	3.61	2.35	.....
Pittsburgh (city)	2.18	2.60	3.09	3.67	3.48	2.21	2.70
Pittsburgh (country)	2.08	2.60	2.99	3.57	3.48	2.11	2.60
Cleveland (city)	2.18	2.63	3.00	4.32	3.46	2.21	.....
Cleveland (country)	2.08	2.53	2.90	4.32	3.36	2.11	.....
Detroit [2]	2.23	2.80	3.15	4.11	3.85	2.34	.....
Omaha (city)	2.50	3.10	3.59	4.56	3.98	2.70	.....
Omaha (country)	2.40	3.10	3.59	4.56	3.98	2.60	.....
Cincinnati [2]	2.22	2.84	3.20	4.31	3.68	2.37	.....
Chicago (city)	2.11	2.67	3.15	4.13	3.54	2.31	2.70
Chicago (country)	2.01	2.57	3.05	4.03	3.44	2.21	2.60
Milwaukee [2]	2.20	2.75	3.24	4.21	3.63	2.39	.....
St. Paul [2]	2.28	2.83	3.25	4.29	3.97	2.47	.....
St. Louis [2]	2.20	2.76	3.24	4.06	3.72	2.40	.....
Indianapolis (city)	2.24	2.76	3.26	4.06	3.67	2.41	.....
Indianapolis (country)	2.14	2.66	3.16	4.06	3.57	2.31	.....
Memphis [2]	2.50	3.03	3.41	.....	.....	2.57	.....
Birmingham (city)	2.24	3.11	3.09	.....	.....	2.31	.....
Birmingham (country)	2.14	3.11	3.09	.....	.....	2.21	.....
New Orleans (city)	2.57	3.22	3.41	.....	.....	2.54	.....
New Orleans (country)	2.47	3.22	3.31	.....	.....	2.44	.....
Houston [2]	2.41	3.53	3.41	.....	.....	2.76	.....
Los Angeles [2]	3.22	4.65	3.87	4.84	4.49	3.19	3.45
San Francisco (city)	2.69	4.91	4.29	.....	5.04	3.02	.....
San Francisco (country)	2.86	4.81	4.19	.....	5.04	2.92	.....
Tacoma [2]	3.02	4.31	3.71	.....	.....	3.09	.....
Seattle [2]	3.02	4.31	3.71	5.56	4.97	3.09	.....

[1] Prices for the free delivery area of cities listed.
[2] City and country prices.

TABLE VI—PERMISSIBLE EXTRAS ON UNSHEARED SHEETS, STRIP, PLATES, AND BLACK PLATE

Description of product				Only permissible extras
Type	Classification	Sorting required	Size restrictions	
I. Hot rolled, galvanized, galvannealed, and long terne sheets.	A. Rejects	Grade, size, and gauge.	Not smaller than 18" wide by 50" long or have an area of at least 900 square inches.	90% of mill extras for size, gauge and pickling (If pickled).
	B. Wasters	Gauge	Not smaller than 15" wide by 40" long or have an area of at least 600 square inches.	80% of mill extras for gauge and pickling (If pickled). Where products have a combined size and gauge extra, 80% of lowest standard mill extra for that particular gauge.
	C. Waste wasters	None	Not smaller than 15" wide by 40" long or have an area of at least 600 square inches.	75% of mill extra for pickling (If pickled). Where lot is unassorted as to gauge within a specified range of gauges, 75% of lowest standard mill gauge extra within the range, for the entire lot.
	D. Offal	Gauge	Not smaller than 12" wide by 20" long or have an area of at least 240 square inches.	75% of mill extras for gauge and pickling (If pickled.) Where products have a combined size and gauge extra, 75% of lowest standard mill extra for that particular gauge.
	E. Side and end shearings.	None	Not smaller than 3" wide by 20" long or have an area of at least 60 square inches.	65% of mill extras for pickling (If pickled). Where lot is unassorted as to gauge within a specified range of gauges, 65% of lowest standard mill gauge extra within the range, for the entire lot.
II. Cold rolled sheets	A. Rejects	Grade, size, and gauge.	Not smaller than 18" wide by 50" long or have an area of at least 900 square inches	90% of mill extras for size and gauge; and 60% of extras for drawing quality and stretcher levelled resquared quality, of $.25 per 100 lbs. and $.55 per 100 lbs., respectively, *provided* such quality is specified in buyer's order *and* is actually furnished by seller.
	B. Wasters	Gauge	Not smaller than 15" wide by 40" long, or have an area of at least 600 square inches.	80% of mill extra for gauge. Where products have a combined size and gauge extra, 80% of lowest standard mill extra for that particular gauge.
	C. Waste wasters	None	Not smaller than 15" wide by 40" long, or have an area of at least 600 square inches.	Where lot is unassorted as to gauge within a specified range of gauges, 75% of lowest standard mill gauge extra within the range, for the entire lot.
	D. Offal	Gauge	Not smaller than 12" wide by 20" long, or have an area of at least 240 square inches.	75% of mill extra for gauge. Where products have a combined size and gauge extra, 75% of lowest standard mill extra for that particular gauge.
	E. Side and end shearings.	None	Not smaller than 3" wide by 20" long, or have an area of at least 60 square inches.	Where lot is unassorted as to gauge within a specified range of gauges, 65% of lowest standard mill gauge extra within the range, for the entire lot.
III. Mill sheared plates	A. Rejects	Grade, size, and gauge.	Not smaller than 36" wide by 84" long or have an area of at least 21 square feet.	90% of mill extras for thickness, size, pickling (If pickled), and blasting and quality; provided that quality extra may be charged only if it has been actually charged by the mill, was not the reason for the original rejection *and* is specified in buyer's order.
	B. Wasters	Gauge	Not smaller than 24" wide by 72" long or have an area of at least 12 square feet.	80% of mill extras for gauge and pickling (If pickled). Where products have a combined size and gauge extra, 80% of lowest standard mill extra for that particular gauge.
	C. Waste wasters	None	Not smaller than 24" wide by 72" long or have an area of at least 12 square feet.	75% of mill extra for pickling (If pickled). Where lot is unassorted as to gauge within a specified range of gauges, 75% of lowest standard mill gauge extra within the range, for the entire lot.
	D. Offal	Gauge	Not smaller than 20" wide by 50" long or have an area of at least 1,000 square inches.	75% of mill extras for gauge and pickling (If pickled). Where products have a combined size and gauge extra, 75% of lowest standard mill extra for that particular gauge.
	E. Side and end shearings.	None	Not smaller than 4" wide by 24" long or have an area of at least 96 square inches.	65% of mill extra for pickling (If pickled). Where lot is unassorted as to gauge within a specified range of gauges, 65% of lowest standard mill gauge extra within the range for the entire lot.
IV. Universal mill plates.	A. Rejects	Grade, size and gauge.	Not smaller than 6" wide by 60" long..	90% of mill extras for thickness, size, pickling (If pickled), sand blasting and quality, *provided* that quality extra may be charged only if it has actually been charged by the mill, was not the reason for the original rejection *and* is specified in buyer's order.
	B. Wasters	Gauge	Not smaller than 6" wide by 60" long..	80% of mill extras for gauge and pickling (If pickled). Where products have a combined size and gauge extra, 80% of lowest standard mill extra for that particular gauge.
	C. Waste wasters	None	Not smaller than 6" wide by 60" long..	75% of mill extra for pickling (If pickled). Where lot is unassorted as to gauge within a specified range of gauges, 75% of lowest standard mill gauge extra within the range, for the entire lot.
V. Hot rolled strip	A. Rejects	Grade, size and gauge.	Not smaller than 3" wide by 36" long or have an area of at least 108 square inches.	90% of mill extras for size, gauge and pickling (If pickled).
	B. Wasters	Gauge	Not smaller than 3" wide by 36" long or have an area of at least 108 square inches.	80% of lowest mill extra for gauge and 80% of mill extra for pickling (If pickled) for width range of 5⅛" to 12" of that gauge.
VI. Cold rolled strip	A. Rejects	Grade, size and gauge.	Not smaller than 3" wide by 36" long or have an area of at least 108 square inches.	90% of mill extras for size and gauge for strip .26 carbon and higher, 90% of mill extras for size and gauge in cut lengths for either hard or soft temper for strip under .26 carbon.
	B. Wasters	Gauge	Not smaller than 3" wide by 36" long or have an area of at least 108 square inches.	80% of lowest mill gauge extra for width range of over 6" to 9" inclusive, in cut lengths.
VII. Black plate	A. Rejects	Grade, size and gauge.	Not smaller than 14" wide by 20" long or have an area of at least 280 square inches.	90% of mill extras for size, gauge and finish (If applicable).
	B. Wasters	Gauge	Not smaller than 10" wide by 10" long or have an area of at least 100 square inches.	80% of mill extras for gauge and finish (If applicable). Where products have a combined size and gauge extra, 80% of lowest standard mill extra for that particular gauge.
	C. Waste wasters	None	Not smaller than 10" wide by 10" long or have an area of at least 100 square inches.	75% of mill extra for finish (If applicable). Where lot is unassorted as to gauge within a specified range of gauges, 75% of lowest standard mill gauge extra within the range, for the entire lot.
	D. Side and end shearings.	None	Have an area smaller than 100 square inches.	65% of mill extra for finish (If applicable). Where lot is unassorted as to gauge within a specified range of gauges, 65% of lowest standard mill gauge extra within the range, for the entire lot.

[1] This table is to be used in conjunction with tables I, II, III, and IV.

(d) *Maximum delivered prices for products sheared to specifications.* (1) The maximum delivered price for secondary or rejected iron or steel products sheared to specifications shall be the aggregate of:

(i) The delivered base price, as determined under subparagraph (2) below; plus

(ii) The extras specifically permitted in Table VIII below; and

(iii) The quantity charge or deduction, the warehouse pickling charge, and the shearing, slitting or flame-cutting charge, where applicable, as set forth in paragraphs (f) and (g) and Table IX below, respectively. *Provided*, That no

shearing or slitting charge may be made where hot and cold rolled sheets are sheared or slit to width only, 12" or under, and plates are sheared or flame-cut to width only, 6" or under.

(2) The delivered base price (referred to under (d) (1) (i) above) shall be:

(i) For any shipment made within or into any city for which a base price for the product sold is listed in Table VI or VII below, the delivered base price for the product sold shall be the city base price, as shown in Table VI or VII. No freight or delivery charge is to be added.

(ii) For any shipment to a destination for which a base price for the product sold is not listed in Table VI or VII, the delivered base price shall be the country base price, as listed in Table VI or VII of that city for the product sold, which, plus freight from that same city to destination, results in the lowest delivered base price at destination.

(iii) For any shipment which qualifies as dislocated tonnage, as defined in § 1306.157 (f), the delivered base price shall be the delivered country base price as established under sub-division (i) or (ii) above for the city from which shipment is made plus freight from that city to destination, less 15¢ per 100 pounds. If the resultant delivered base price at destination is lower than that established for such destination by sub-division (i) or (ii) above, it need not be used.

(3) The weight used in determining the total delivered price of sheared products shall be the net weight of the products shipped, not the gross weight from which they were sheared.

TABLE VI—BASE PRICES[1] FOR SHEETS AND PLATES SHEARED TO SPECIFICATIONS TO BOTH LENGTH AND WIDTH

[Dollars per 100 pounds]

Cities	Products					
	Hot rolled sheets	Cold rolled sheets	Galvanized sheets	Galvanneal sheets	Long terne sheets	Plates (universal mill)
Boston [2]	3.84	4.84	5.29	6.84	6.12	3.98
New York [3]	3.71	4.76	5.18	6.73	6.00	3.89
Philadelphia [4]	3.67	4.79	5.07	6.67	6.21	3.97
Baltimore (city)	3.62	5.18	5.33	6.96	- - -	3.93
Baltimore (country)	3.62	5.18	5.33	6.96	- - -	3.93
Washington, D. C. [5]	3.73	5.28	5.33	- - -	- - -	4.19
Norfolk, Virginia [6]	3.96	4.66	5.59	6.31	5.80	3.75
Buffalo (city)	3.99	4.95	4.92	6.31	5.64	3.72
Buffalo (country)	3.87	4.84	4.92	6.31	5.64	3.72
Pittsburgh (city)	3.47	4.14	4.92	5.85	5.32	3.42
Pittsburgh (country)	3.37	4.14	4.92	5.75	5.22	3.32
Cleveland (city)	3.47	4.19	4.78	6.88	5.32	3.52
Cleveland (country)	3.37	4.09	4.68	6.78	5.22	3.42
Detroit [7]	3.65	4.45	5.01	7.37	6.03	3.73
Omaha (city)	3.96	4.94	5.71	7.37	5.86	3.78
Omaha (country)	3.86	4.94	5.71	6.86	5.64	3.68
Cincinnati [8]	3.62	4.44	5.02	6.57	5.78	3.67
Chicago (city)	3.56	4.38	5.15	6.71	5.54	3.57
Milwaukee [9]	3.51	4.58	5.15	6.71	5.78	3.87
St. Louis [3]	3.51	4.39	5.16	6.47	5.92	3.82
Indianapolis (city)	3.67	4.40	5.19	6.47	5.86	3.73
Indianapolis (country)	3.57	4.30	5.09	6.47	5.75	3.63
Memphis [3]	3.98	4.92	5.43	4.92	- - -	4.09
Birmingham (city)	3.67	4.95	4.92	5.43	- - -	3.57
Birmingham (country)	3.47	4.95	4.92	5.43	- - -	3.57
New Orleans (city)	4.09	5.12	5.43	- - -	- - -	4.04
New Orleans (country)	3.99	5.02	5.33	- - -	- - -	3.95
Houston [3]	3.82	5.62	5.33	- - -	- - -	4.40
Los Angeles [3]	5.12	7.40	6.86	7.71	7.14	5.67
San Francisco (city)	4.71	7.81	6.87	- - -	8.02	4.87
San Francisco (country)	4.61	7.71	6.77	- - -	8.02	4.77
Tacoma [3]	4.71	7.81	6.87	8.85	- - -	4.92
Seattle [3]	4.81	6.86	5.90	- - -	7.92	- - -

[1] Prices for the free delivery area of cities listed.
[2] City and country prices.
[3] With allowance for waste included.

TABLE VIII[1]—PERMISSIBLE EXTRAS ON PLATES AND SHEETS SHEARED TO SPECIFICATIONS

Description of product		Only permissible extras
Type of shearing or slitting	Type of product sheared	
I. To both length and width	A. Hot rolled sheets	A. 90% of lowest mill size and gauge extra for the particular gauge of hot rolled sheets, and 90% of mill extra for pickling (if pickled) of hot rolled sheets.
	B. Cold rolled sheets	B. 90% of lowest mill size and gauge extra for the particular gauge of cold rolled sheets.
	C. Galvanized sheets	C. 90% of mill gauge extra for galvanized sheets.
	D. Galvannealed sheets	D. 90% of mill gauge extra for galvannealed sheets.
	E. Long terne sheets	E. 90% of mill gauge extra for long terne sheets.
	F. Plates (both mill sheared and universal mill)	F. 90% of mill gauge extra for plates.
II. To width only over 12" wide or to length only.	A. Hot rolled sheets	A. 90% of lowest mill size and gauge extra for the particular gauge of hot rolled sheets, and 90% of mill extra for pickling (if pickled) of hot rolled sheets.
	B. Cold rolled sheets	B. 90% of lowest mill size and gauge extra for the particular gauge of cold rolled sheets.
	C. Galvanized sheets	C. 90% of mill gauge extra for galvanized sheets.
	D. Galvannealed sheets	D. 90% of mill gauge extra for galvannealed sheets.
	E. Long terne sheets	E. 90% of mill gauge extra for long terne sheets.
III. To width only 12" or under	A. Hot rolled sheets	A. 90% of mill hot rolled strip extras for size, gauge and pickling (if pickled).
	B. Cold rolled sheets	B. 90% of mill cold rolled strip extras for size and gauge for strip .29% carbon and higher; 90% of mill cold rolled strip extras for size and gauge and lengths for either hard or soft temper for strip under .29% carbon.
IV. To width only over 6" wide or to length only.	Plates (both mill sheared and universal mill)	60% of mill extras for gauge and, pickling (if pickled) of plates.
V. To width only 6" or under (¼" to 4" thick inclusive).	Plates (both mill sheared and universal mill)	100% of mill bar size flats extra for size.

[1] This table is to be used in conjunction with tables VI and VII.

TABLE IX[1]—SHEET AND PLATE SHEARING, SLITTING AND FLAME-CUTTING SCHEDULE

A. SHEET SHEARING AND SLITTING CHARGES

[Dollars per 100 pounds]

Type of shearing and slitting	Gauge No.											
	7 and 8	9 and 10	11 and 12	13 and 14	15 and 16	17 and 18	19 and 20	21 and 22	23 and 24	25 and 26	27 and 28	29 and 30
I. To length only:												
12" to under 24"	.35	.35	.40	.40	.45	.45	.50	.55	.60	.70	.80	.90
24" to under 36"	.30	.30	.35	.35	.40	.40	.40	.45	.50	.60	.70	.80
36" to under 60"	.25	.25	.30	.30	.35	.35	.35	.40	.45	.55	.65	.70
60" and over	.25	.25	.25	.25	.30	.30	.30	.35	.40	.50	.60	.60
II. To width only:												
Under 1"	.70	.70	.75	.75	.60	.90	1.00	1.20	1.50	1.60	1.80	2.00
1" to 2"	.45	.45	.55	.55	.65	.65	.75	.85	1.00	1.10	1.30	1.40
Over 2" to 3"	.40	.40	.45	.45	.50	.50	.55	.60	.70	.80	.90	1.00
Over 3" to 4"	.35	.35	.40	.40	.40	.40	.45	.50	.60	.70	.80	.80
Over 4" to 6"	.30	.30	.35	.35	.35	.35	.40	.40	.50	.60	.70	.70
6" and over	.25	.25	.25	.25	.30	.30	.30	.30	.40	.50	.60	.60
III. To length and width												
A. To any width of 6" and over and to lengths listed below												
6" to under 12"	.65	.65	.75	.85	.95	1.05	1.10	1.15	1.20	2.00	2.60	2.00
12" to under 24"	.55	.55	.60	.65	.70	.75	.80	.85	.95	1.10	1.35	1.40
24" to under 36"	.40	.40	.45	.45	.50	.60	.65	.75	.85	.95	1.20	1.30
36" to under 60"	.40	.40	.40	.45	.45	.55	.60	.65	.75	.85	1.10	1.20
60" and over	.35	.35	.35	.40	.40	.45	.50	.55	.65	.75	1.00	1.10
B. To widths under 6"	Use the sum of the charges for sheared to width only and sheared to length only, as shown above.											
IV. Minimum shearing charge	$1.50 per size											

[1] This table is to be used in conjunction with tables VI, VII, and VIII.

B. PLATE[1] SHEARING CHARGES

[Dollars per 100 pounds]

Type of shearing	Length				
	6" to under 12"	12" to under 24"	24" to under 36"	36" to under 60"	60" and longer
I. To length only	.55	.30	.15	.10	.00
II. To width only, over 6" wide,[2] or to any width and the lengths listed	.75	.50	.35	.30	.20
III. Minimum shearing charge	$1.50 per size				

[1] ¼" to 1" thick inclusive, including universal mill, sheared, flange, fire box, high carbon and floor plates.
[2] Widths only 6" and under are covered by table VII, under "To width only 6" or under, (¼" to 4" thick inclusive)."

C. PLATE[1] FLAME-CUTTING CHARGES

1. THE CHARGES

[Dollars per lineal foot]

Thickness (inches)	Lineal feet			Thickness (inches)	Lineal feet		
	Under 5	5 to under 20	20 and over		Under 5	5 to under 20	20 and over
1	.23	.18	.14	3½	.67	.53	.40
1¼	.25	.20	.15	3¾	.71	.57	.43
1½	.27	.21	.16	4	.76	.61	.46
1¾	.29	.23	.17	4½	.86	.69	.52
2	.32	.25	.19	5	.96	.77	.58
2¼	.34	.27	.21	5½	1.08	.86	.65
2½	.38	.30	.23	6	1.20	.95	.72
2¾	.41	.34	.26	6½	1.34	1.07	.80
3	.46	.37	.28	7	1.50	1.20	.90
3¼	.52	.41	.31	7½	1.66	1.33	1.00
3½	.57	.45	.34	8	1.83	1.46	1.09
3¾	.61	.49	.37	10	2.51	2.01	1.51

[1] For all flame-cutting of plates over 1" thick, except for plates 1" thick and under which are flame-cut to width of 6" wide and narrower. The latter range is covered by table VII, in the column "To width only 6" or under (¼" to 4" thick inclusive)."

2. THE METHOD OF APPLYING THE CHARGES

A. Charges are to be based on total lineal feet of one thickness.
B. Minimum charge—50¢ net, per thickness.
C. Intermediate thicknesses are to take the next heavier plate basis.
D. Fractions of an inch of burning are to be charged for the next full inch.
E. Rectangular Plates—All thicknesses charged on net weight plus flame-cutting one side and one end at above rates per lineal foot. Flame-cutting all edges is specified, when charge is for two sides and two ends.
F. Circular Plates—All thicknesses are to be charged on the basis of gross weight of smallest square from which circle can be cut (size of square ½ inch larger than diameter specified), plus flame-cutting charge based on circumference of circle.
G. Rings—All thicknesses are to be charged at the gross weight of the nearest square from which ring can be flame-cut (size of square ½ inch larger than diameter specified), plus lineal foot charge for flame-cutting inner and outer circumferences.
H. Sketches with Straight Sides and no Re-entrant Cuts—All thicknesses are to be charged at the gross weight of smallest rectangle from which sketch can be cut (size of rectangle ½ inch larger than plate required), plus charge for lineal feet per perimeter of sketch.

(e) *Maximum delivered prices for semi-finished rejects.* (1) The maximum delivered price for semi-finished rejects shall be the aggregate of:

(i) The mill basing point base price for rerolling grade (or prime grade if there is no rerolling grade for the product) at the mill basing point nearest freightwise to the point of shipment, plus the applicable mill extra for cross-sectional area, plus freight from the basing point to location from which shipment is made, as established by Revised Price Schedule No. 6; plus

(ii) 10% per cent of (i) above; plus

(iii) Freight from location from which shipment is made to customer's destination.

(f) *Quantity charge or deduction.* (1) For a quantity of less than 40,000 pounds.

(i) For all products except cold rolled strip.

(a) To determine the quantity charge or deduction under subdivision (b) below, combine the weight of material on all orders of one day from one person for shipment to one destination, regardless of how shipments may be split by the seller for his own convenience or at the buyer's request; similarly, combine the weight of material in all shipments to one person in one day to one destination, regardless of whether such shipments are made against one order or any number of orders placed over a period of time.

(b) The quantity charge or deduction shall be at the rate of:

Under 100 =	Add $1.00 per 100 =
100 = to 399 =	Add $0.75 per 100 =
400 = to 1,999 =	No charge or deduction
2,000 = to 9,999 =	Deduct $0.10 per 100 =
10,000 = to 19,999 =	Deduct $0.15 per 100 =
20,000 = to 39,999 =	Deduct $0.20 per 100 =

(ii) For cold rolled strip only.

(a) To determine the quantity charge or deduction under sub-division (b) below, combine the weight of material on all orders for one gauge, width, temper and finish, of one day from one person for shipment to one destination, regardless of how shipments may be split by the seller for his own convenience or at the buyer's request; similarly, combine the weight of material in all shipments of one gauge, width, temper and finish, made to one person in one day to one destination, regardless of whether shipments are made against one order or any number of orders placed over a period of time.

(b) The quantity charge or deduction shall be at the rate of:

Under 200 =	Add $5.25 per 100 =
200 = to 299 =	Add $3.25 per 100 =
300 = to 499 =	Add $2.25 per 100 =
500 = to 999 =	Add $1.25 per 100 =
1,000 = to 1,999 =	Add $0.65 per 100 =
2,000 = to 5,999 =	Add $0.25 per 100 =
6,000 = to 39,999 =	No charge or deduction

(2) For a quantity of 40,000 pounds or more, the quantity charge or deduction shall be determined in accordance with the provisions of § 1306.159 (k) (2) and (5).

(g) *Warehouse pickling charge.* For secondary or rejected iron or steel products which have been job or warehouse pickled, in addition to the mill pickling extra allowed under Table V or VIII, there may also be added 25¢ per 100 pounds for sheets and 20¢ per 100 pounds for plates. No extra charges may be made in connection with this charge, such as, but not limited to, oiling, liming, drying, handling and transportation or cartage. The method of invoicing this warehouse pickling charge is set forth in paragraph (j) below.

(h) *Restrictions on extras and charges.* (1) Where a shipment is made containing two or more products or grades of products (or both) having different base prices or quality extras (or both), the maximum price for any shipment containing such range of products or grades (or both), unless the exact amount of each can be specified by the seller, shall be determined by computing the lowest base price or the lowest quality extra (or both). Such lowest base price or lowest quality extra (or both) shall be used in computing the price for the entire shipment.

For example:

(i) Where a shipment contains both hot rolled strip and cold rolled strip and the exact amount of each product cannot be specified by the seller, the maximum price for the entire shipment is the hot rolled strip price.

(ii) Where a shipment contains both hot rolled sheets and hot rolled pickled sheets and the exact amount of each grade cannot be specified by the seller, the maximum price for the entire shipment is the hot rolled sheet price.

(2) No extras not specifically listed in Table V or VIII above, and no charges not specifically listed in paragraphs (f) and (g) and Table IX above, may be added to the maximum delivered price (such as, but not limited to, analysis, thickness or gauge tolerance, deoxidizing, surface inspection, and roller levelling). *Provided*, That the Office of Price Administration may approve, upon application, certain extras and charges not permitted in this § 1306.164, Appendix A, and which were in effect and charged on April 16, 1941, by the seller or group of sellers applying.

(i) *Special inventory filing and record requirements.* Every seller of secondary or rejected iron or steel products, covered by this § 1306.164, Appendix F, shall comply with the following requirements:

(1) File, in duplicate, with the Office of Price Administration, Iron and Steel Price Branch, Washington, D. C., on or before April 1, 1943, his total inventory on hand on March 1, 1943, of secondary or rejected iron or steel products covered by this § 1306.164, Appendix F. This filing need not be made by any seller who had no inventory of secondary or rejected iron or steel products on hand on March 1, 1943. The inventory filing shall include the total tonnage of the products covered by this § 1306.164, Appendix F, segregated according to prime and secondary or rejected quality. A separate filing of this information shall be made for each warehouse location.

This requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(2) Keep open for inspection for a two year period an inventory in a form similar to that required to be filed under subparagraph (1) above, taken at the end of each of his accounting periods. Also, keep open for inspection for two years after date of purchase a record of all material purchased as secondary or rejected iron or steel products which are

covered by this § 1306.164, Appendix F. Such record shall distinguish secondary or rejected quality material from prime quality material. Further, there shall be kept for the same period records of purchases and sales of universal mill plates adequate to identify them as the product of a universal mill; of purchases and sales of all classifications of tin mill black plate in U. S. S. gauge # 28 and heavier; and of sales of job and warehouse pickled material on which a charge has been made in accordance with paragraph (g) above.

(j) *Special invoicing requirements.* Every seller of secondary or rejected iron or steel products shall indicate on all invoices covering the sale of such products, the classification of the material sold, that is, rejects, wasters, waste wasters, offal or side and end shearings; also, whether sheared to specifications or unsheared. There shall, also, be indicated as a separate item on each invoice covering all job or warehouse pickled material on which a charge has been made in accordance with paragraph (g) above, the statement "charge for warehouse pickling."

(k) *Secondary or rejected products not qualifying as rejects, wasters, waste wasters, offal or side and end shearings.* The maximum prices for secondary or rejected iron or steel products subject to this § 1306.164, Appendix F, which do not qualify as rejects, wasters, waste wasters, offal, or side and end shearings, shall be those set forth in Revised Price Schedule No. 4 for sales of iron and steel scrap to a consumer.

§ 1306.158 (a) *Effective dates of amendments.* • • • (1) Amendment No. 12 (§§ 1306.151; 1306.152; 1306.157 (c), (f), and (aa); 1306.159, Appendix A, (f) and (l); 1306.164, Appendix F) to Revised Price Schedule No. 49 shall become effective March 1, 1943.

Issued this 23d day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2938; Filed, February 23, 1943; 2:49 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5B,[1] Amendment 15]

GASOLINE RATIONING REGULATIONS FOR PUERTO RICO

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sections 1394.2460, 1394.2461, 1394.2462 and 1394.2463 are added and paragraph (o) is added to § 1394.3052.

Zafra Season Rations

§ 1394.2460 *Zafra season*—(a) *Introductory.* Sugar has been declared an essential commodity, the production of which is a necessary part of the war effort. Sugar cane is cut and processed in Puerto Rico during a period covering approximately from January 1st to July 1st in each year which is known as the "Zafra," or grinding season. So that there shall be a minimum of interference with the operations of the "Zafra" and in order to have complete control over the rationing of gasoline to be used in connection therewith, a "Zafra" season ration for gasoline may be issued by the Office of Price Administration for Puerto Rico during the "Zafra" season.

§ 1394.2461 *Zafra season ration.* (a) The owner or the person entitled to the use of a truck actually used for the transportation of cane, sugar or supplies essential to the cutting, processing, grinding and planting of sugar during the "Zafra" season shall be entitled to the gallonage necessary to perform such services.

(b) Applicant shall use the S type ration book issued to him by a board to acquire gasoline for the necessary haulage on the first day of his participation in the "Zafra". At the conclusion of his first day's work, he shall surrender to a member of the board assigned to the sugar central by which applicant has been engaged all ration books issued to him for the operation of each truck used by him on that date and upon proof by applicant to such member of the board of the consumption of a specific quantity of gasoline that day, he shall receive a Zafra certificate authorizing the acquisition of such quantity of gasoline. The Zafra certificate shall be on Form OPA PR–R 189, shall be signed by the authorized member of the board, signed and sealed by the person duly authorized to sign on behalf of the sugar central and signed by the applicant or his agent prior to its delivery to the applicant. Thereafter a Zafra certificate shall be issued at the completion of each day's work for the quantity of gasoline consumed during that day.

(c) Each Zafra certificate shall be valid for transfers of gasoline only on the next succeeding working day into the tanks of trucks specifically listed on the reverse thereof. Upon transfer of a quantity of gasoline into the truck or trucks whose license numbers are listed on the reverse thereof, the applicant or his agent shall insert the number of gallons so transferred to each such truck, and sign his name respectively, in the last two columns provided for the purpose.

(d) Each dealer shall deliver all Zafra certificates in his possession in accordance with the provisions of § 1394.2913, to the Board having jurisdiction not later than noon of the first Monday following the transfer of gasoline thereon and shall receive an exchange certificate (Form OPA R–548) in exchange therefor.

(e) Zafra certificates shall be numbered serially. The original or copy on white paper shall be delivered to the applicant. The duplicate original, or yellow copy, which shall be signed by the applicant, representative of the sugar central and by the member of the board, shall be retained by the sugar central until such time as the Director shall require its surrender to the Office of Price Administration.

§ 1394.2462 *Weekly reports by sugar centrals.* (a) Each sugar central shall prepare in duplicate a weekly report on form OPA PR–R 190. Such report shall be signed by a duly authorized officer or agent of the sugar central. The original thereof shall be mailed to the Office of Price Administration for Puerto Rico and a duplicate original thereof to the board having jurisdiction on the Monday following each calendar week of the Zafra season.

§ 1394.2463 *Return of S type ration book.* (a) Upon the termination of the use of a truck for the Zafra season, the owner or the person entitled to the use thereof and the duly authorized officer or agent of the sugar central shall both certify to that fact by executing Form OPA PR–R 191. Upon surrender thereof to the board having jurisdiction over the sugar central, the board shall remove from the ration book for cancellation all expired coupons and a proportionate number of coupons for that portion of the currently valid period which has already passed and shall then return the ration book to the person entitled thereto.

(b) Nothing contained in §§ 1394.2460 to 1394.2463 shall be construed to limit the right of any person to use any other type of ration authorized pursuant to Ration Order No. 5B.

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§ 1394.3052 *Effective dates of amendments.* • • •

(o) Amendment No. 15 (§§ 1394.2460, 1394.2461, 1394.2462 and 1394.2463[1] to Ration Order No. 5B, shall become effective at 8:00 a. m. on January 29, 1943.

(Pub. Law 617, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong., W.P.B. Directive No. 1, Supp. Dir. No. 1J, 7 F.R. 562, 8731)

Issued this 29th day of January 1943.

WILLIAM B. MEAD,
Director,
Office of Price Administration
for Puerto Rico.

[F. R. Doc. 43-2940; Filed, February 23, 1943; 2:49 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[Temporary MPR 28]

CERTAIN PERISHABLE FRUITS AND VEGETABLES

In the judgment of the Price Administrator, it is necessary and proper in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, to issue a temporary maximum price regulation establishing as the maximum prices for certain perishable fruits and vegetables the prices prevailing with respect thereto within the five days prior to the date of issuance of this regulation.

The maximum prices herein established are not below prices which will reflect to the producers of these perishable fruits and vegetables prices equal to the highest of the prices required by the provisions of section 3 of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250.

Therefore, under the authority vested in the Price Administrator by the aforesaid Act and Executive Order, and in accordance with Revised Procedural Regulation No. 1,[1] Temporary Maximum Price Regulation No. 28 is hereby issued.

§

1439.251 Purposes of this regulation.
1439.252 Prohibition against buying and selling above maximum prices.
1439.253 Maximum prices for certain perishable fruits and vegetables.
1439.254 Exempt sales.
1439.255 Evasion.
1439.256 Sales for export.
1439.257 Records and reports.
1439.258 Enforcement.
1439.259 Petitions for amendment.
1439.260 Relationship to the General Maximum Price Regulation.
1439.261 Geographical applicability.
1439.262 Definitions.
1439.263 Revocation or replacement of regulation.
1439.264 Effective period.

AUTHORITY: §§ 1439.251 to 1439.264, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250; 7 F.R. 7891.

§ 1439.251 *Purposes of this regulation.* The purposes of this regulation are to establish maximum prices for sales and deliveries of the following fresh fruits and vegetables, whether imported or domestic:

(a) Tomatoes.
(b) Snap beans.
(c) Carrots.
(d) Cabbage.
(e) Green peas.

The perishable fruits and vegetables listed above are referred to in this regulation as the "listed commodities."

§ 1439.252 *Prohibition against buying and selling above maximum prices.* From February 23, 1943 to April 24, 1943, inclusive, regardless of any contract, agreement, or any other obligation no person shall sell or deliver a listed commodity and no person in the course of trade or business shall buy or receive a listed commodity at a price higher than the maximum price permitted by this Temporary Maximum Price Regulation No. 28, and no person shall agree, offer, solicit or attempt to do any of the foregoing. Lower prices than the maximum prices may be charged, demanded, paid or offered.

§ 1439.253 *Maximum prices for certain perishable fruits and vegetables.* (a) The seller's maximum price for any listed commodity shall be the highest price charged by the seller to a purchaser of the same class during the period February 18, 1943 to February 22, 1943, inclusive, for the same listed commodity.

(b) If a seller during the period of February 18, 1943 to February 22, 1943, inclusive, did not sell, deliver or otherwise deal in a listed commodity, such seller's maximum price for such listed commodity shall be the highest price charged during the period February 18, 1943 to February 22, 1943, inclusive, by his most closely competitive seller to a purchaser of the same class for such listed commodity.

§ 1439.254 *Exempt sales.* This Temporary Maximum Price Regulation No. 28 shall not apply to the following:

(a) Deliveries to the United States, or any agency thereof, under contracts entered into prior to February 18, 1942.

(b) Sales or deliveries made directly by a farmer of any listed commodity grown on his farm. However, this Temporary Maximum Price Regulation No. 28 shall apply to a sale or delivery by a farmers' cooperative or to a sale or delivery made directly by a farmer of any listed commodity to an ultimate consumer if during the preceding month the farmer's sales to ultimate consumers of all food and food products produced on his farm exceeded $75.

§ 1449.255 *Evasion.* The price limitations set forth in this Temporary Maximum Price Regulation No. 28 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to a listed commodity alone or in conjunction with any other commodity, or by way of any commission, service, transportation,, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or by changing a business practice relating to the price lines, grading, labeling, packaging or branding of a listed commodity.

§ 1439.256 *Sales for export.* The maximum prices at which a person may export a listed commodity shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[1] issued by the Office of Price Administration.

§ 1439.257 *Records and reports.* (a) As to all sales not specifically exempted by other sections of this Temporary Maximum Price Regulation No. 28 every person selling a listed commodity shall preserve for examination by the Office of Price Administration all his existing records relating to prices which he charged for such listed commodity delivered or supplied during the period February 18, 1943 to February 22, 1943, inclusive, and his offering prices for delivery or supply of a listed commodity during such period; and shall prepare, on or before March 15, 1943, on the basis of all available information and records, and thereafter keep for examination by any person during ordinary business hours, a statement showing (1) the highest prices charged for such listed commodity during such period, together with an appropriate identification of such commodity, and (2) all his customary allowances, discounts, and other price differentials.

(b) As to all sales not specifically exempted by other sections of this Temporary Maximum Price Regulation No. 28 every person selling a listed commodity shall keep and make available for examination by the Office of Price Administration records of the same kind as he has customarily kept relating to the prices which he charged for such listed commodity during the period from February 23, 1943 to April 24, 1943, inclusive, and in addition, records showing, as precisely as possible, the basis upon which he determined maximum prices.

(c) Such persons shall submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraphs (a) and (b) of this section as the Office of Price Administration may from time to time require.

§ 1439.258 *Enforcement.* (a) Persons violating any provisions of this Temporary Maximum Price Regulation No. 28 are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses, provided by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this Temporary Maximum Price Regulation No. 28 or of any price schedule, regulation, or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation are urged to communicate with the nearest district, state, or regional office of the Office of Price Administration, or its principal office in Washington, D. C.

§ 1439.259 *Petitions for amendment.* Any person seeking an amendment of any provision of this Temporary Maximum Price Regulation No. 28 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, and amendments, issued by the Office of Price Administration.

§ 1439.260 *Relationship to the General Maximum Price Regulation.* The following sections of the General Maximum Price Regulation,[1] and amendments to them, shall be applicable to every person selling a listed commodity:

(a) *Determination of maximum prices by sellers at retail operating more than one retail establishment.* (§ 1499.4a) In applying § 1499.4a of the General Maximum Price Regulation, the base period of February 18, 1943 to February 22, 1943, inclusive, shall be substituted for the period of March 1942 used therein.

(b) *Adjustment of maximum prices in cases of special deals.* (§ 1499.4).

(c) *Transfers of business or stock in trade.* (§ 1499.5).

(d) *Federal and state taxes.* (§ 1499.7) In applying § 1499.7 of the General Maximum Price Regulation, the base period of February 18, 1943 to February 22, 1943, inclusive, shall be substituted for the period of March 1942 used therein, and the date February 22, 1943, shall be substituted for the date March 31, 1942.

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5607, 6389, 6390, 7400, 6871, 7908, 8385, 8335, 9134, 9431, 9817, 10109, 10379, 10530; 8 F.R. 534, 976, 2026.

[1] 7 F.R. 8961.

[1] 7 F.R. 5059, 7242, 8829, 9000, 10530.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 5794, 6939, 7093, 7322, 7454, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110.

§ 1439.261 *Geographical applicability.* The provisions of this Temporary Maximum Price Regulation No. 28 shall be applicable to the United States, its territories and possessions, and the District of Columbia.

§ 1439.262 *Definitions.* (a) When used in this Temporary Maximum Price Regulation No. 28, the term:

(1) "Person" means an individual, corporation, partnership, association, or other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, any other government, or any of its political subdivisions, and any agencies of any of the foregoing.

(2) "Highest price charged during the period February 18, 1943 to February 22, 1943, inclusive, means the highest price which the seller charged for a listed commodity delivered by him during the period from February 18, 1943 to February 22, 1943, inclusive, to a purchaser of the same class, or, if the seller made no such delivery during such period, his highest offering price for delivery during that period to a purchaser of the same class. No seller shall change his customary allowances, discounts or other price differentials unless such change results in a lower price. No seller shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery or supply of any listed commodity than the seller required purchasers of the same class to pay during the period February 18, 1943 to February 22, 1943, inclusive, on deliveries of a listed commodity.

(3) "Purchaser of the same class" refers to the practice followed by the seller in the ninety-day period preceding February 22, 1943, in setting different prices for sales to different purchasers or kinds of purchasers (for example, but not limited to, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer or any ordinarily recognized subgroup or combination of the foregoing) or for purchasers located in different areas or for different quantities or under different conditions of sale.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in the General Maximum Price Regulation, issued by the Office of Price Administration, shall apply to other terms used herein.

§ 1439.263 *Revocation or replacement of regulation.* This Temporary Maximum Price Regulation No. 28 may be revoked or replaced by a permanent maximum price regulation or order issued by the Office of Price Administration.

§ 1439.264 *Effective period.* This Temporary Maximum Price Regulation No. 28 (§§ 1439.251 to 1439.264, inclusive) shall become effective on February 23, 1943 and shall unless earlier revoked or replaced expire at twelve o'clock midnight, April 24, 1943.

Issued this 23d day of February 1943.

PRENTISS M. BROWN,
Administrator.

Approved:

CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-2939; Filed, February 23, 1943; 2:54 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 214, Amendment 1]

ELI LILLY AND CO.

Maximum Prices Authorized under § 1499.3 (b) of the General Maximum Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith, paragraph (d) of § 1499.1450 is hereby revoked.

This amendment shall be effective as of January 14, 1943.

(Pub. Laws 420 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7671)

Issued this 24th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2953; Filed, February 24, 1943; 9:53 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 297 Under § 1499.3 (b) of GMPR]

IRVINGTON VARNISH & INSULATOR COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1733 *Authorization for Irvington Varnish & Insulator Company to determine maximum prices for new products of varnished paper or varnished paper combined with other materials which products differ in use, serviceability or price range from other products delivered during March 1942 by Irvington Varnish and Insulator Company, and also differ in use, serviceability or price range from products delivered by Irvington Varnish & Insulator Company's most nearly competitive manufacturer during March 1942. These products are hereinafter called "new varnished paper products".* (a) The maximum prices which may be charged for new varnished paper products sold by Irvington Varnish & Insulator Company, Irvington, New Jersey, hereinafter called "the manufacturer" shall be determined in accordance with the following instructions:

(1) The cost of raw materials shall be computed at the cost of acquisition, which in no event shall exceed the appropriate maximum price established by the Office of Price Administration for such raw materials, or at the highest price which was charged for such raw materials during March 1942, whichever is lower. All subsequent savings in the cost of raw materials shall be reflected in the maximum prices.

(2) All charges for hand or machine operations involved in the manufacture or conversion of the product shall be computed at a rate not to exceed the hourly rate at which such hand or machine operations were computed during the month of March 1942, and the time allowance, or the resulting piece rates, for the operations shall not be in excess of those estimated or used during the month of March 1942.

(3) The percentage margin or difference between total manufacturing costs and selling price, f. o. b. manufacturer's plant, shall not exceed that percentage margin used in determining a selling price for that item sold by the manufacturer during March 1942 which most closely resembles the new varnished paper product in manufacturing cost, quantities of raw materials per unit, converting operations required and quantity of production.

(i) The manufacturer shall continue to grant its customary discounts, differentials and allowances to the different classes of purchasers in accordance with its accepted practice.

(ii) If the manufacturer's customary practice during March 1942 was to sell on a delivered basis, such practice shall be continued.

(b) Within ten days after a maximum price has been determined in accordance with this Order, Irvington Varnish & Insulator Company shall report to the Office of Price Administration, Washington, D. C. the maximum price as computed by it. The report shall set forth in detail a description of the new varnished paper product, a statement of the facts which differentiate this product from other commodities delivered during March 1942 by the manufacturer and by other competitive manufacturers of the same class, a computation of estimated costs, together with the percentage margin or difference between total manufacturing costs and selling price f. o. b. manufacturer's plant, the amount of transportation charges to be absorbed and also a statement indicating whether or not the method of handling freight charges is in line with the established policy of Irvington Varnish & Insulator Company for comparable commodities.

(c) Within ninety days after a maximum price has been determined in accordance with this order, Irvington Varnish & Insulator Company shall file with the Office of Price Administration, Washington, D. C., a report covering the actual manufacturing costs of the new varnished paper product. The report shall cover the entire period during which the new varnished paper product shall have been manufactured and any change in the allocation of freight charges and those set forth in the report required by (b) above shall be indicated.

(d) Any selling price determined under this order shall be subject to adjustment at any time by the Office of Price Administration.

(e) This Order No. 297 may be revoked or amended by the Office of Price Administration at any time.

(f) This Order No. 297 (§ 1499.1733) shall become effective February 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2945; Filed, February 24, 1943; 9:55 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 299 Under § 1499.3 (b) of GMPR]

SPERTI, INCORPORATED

Order No. 299—Maximum Prices Authorized under § 1499.3 (b) of the General Maximum Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1735 *Approval of maximum prices for sales of Bio-Dyne Ointment produced by Sperti, Incorporated*—(a) *Maximum prices for sales at retail of Bio-Dyne Ointment by any person*—(1) *Maximum prices for sales at retail other than on prescription.* The maximum prices for sales at retail other than on prescription by any person of Bio-Dyne Ointment produced by Sperti, Incorporated, Cincinnati, Ohio, are established as follows:

Size of package:	*Maximum price per package*
1 ounce	$0.65
15 ounces	5.50
5 pounds	21.50

(2) *Maximum prices for sales on prescription.* The maximum prices established by subparagraph (1) of this paragraph shall not apply to sales on prescription of Bio-Dyne Ointment produced by Sperti, Incorporated. The maximum price for a sale on prescription of such Bio-Dyne Ointment shall be determined by the person making the sale on prescription in accordance with the provisions of § 1499.3 (a) of the General Maximum Price Regulation, except that no report of the maximum price so determined need be filed as required by that section.

(b) *Maximum prices for sales to retailers other than chain stores.* The maximum prices for sales to retailers other than chain stores by any person of Bio-Dyne Ointment produced by Sperti, Incorporated, are established as follows:

Size of package:	*Maximum price per dozen*
1 ounce	$5.20
15 ounces	44.00
5 pounds	171.96

(c) *Maximum prices for sales to wholesalers and chain stores.* The maximum prices for sales to wholesalers and chain stores by any person of Bio-Dyne Ointment produced by Sperti, Incorporated, are established as follows:

Size of package:	*Maximum price per dozen*
1 ounce	$4.33
15 ounces	36.67
5 pounds	143.28

(d) *Maximum prices for sales to surgical supply houses.* The maximum prices for sales to surgical supply houses by any person of Bio-Dyne Ointment produced by Sperti, Incorporated, are established as follows:

Size of package:	*Maximum price per dozen*
1 ounce	$4.68
15 ounces	39.60
5 pounds	154.80

(e) *Discounts, allowances and price differentials on sales by Sperti, Incorporated, of Bio-Dyne Ointment.* As to sales by Sperti, Incorporated, the maximum prices set forth above are f. o. b. Norwood Station, Cincinnati, Ohio, on orders of less than $100, transportation charges to the buyer prepaid on orders of $100 and more. Sales to independent sales contractors by Sperti, Incorporated, shall be at a discount of not less than 10 percent of the maximum price set forth above applicable to the sale by the independent sales contractor to his customer.

(f) *Discounts, allowances, and price differentials on sales by persons other than Sperti, Incorporated, of Bio-Dyne Ointment.* Any person other than Sperti, Incorporated, making sales of Bio-Dyne Ointment shall apply to the maximum prices set forth above for such sales all quantity differentials, trade practices, credit terms, practices relating to the payment of shipping charges, and other customary discounts, allowances, or differentials for sales to purchasers of different classes (such as hospitals, industrial plants, and physicians) which were in effect in March, 1942, on his sale of the ointment most nearly comparable to Bio-Dyne Ointment.

(g) *Marking package with retail ceiling price.* On and after February 25, 1943, Sperti, Incorporated shall mark the cardboard container in which it packages each size package of Bio-Dyne Ointment as follows:

Size package:	*Marking*
1 ounce	"Ceiling Price 65 cents"
15 ounces	"Ceiling Price $5.50"
5 pounds	"Ceiling Price $21.50"

These legends shall be printed or stamped in letters at least one quarter as large as those used for the name of the product on such container to be used by the seller at retail to the ultimate consumer, when it is not sold on prescription and the type shall be sufficiently bold and the words shall be printed or stamped in a color which sharply contrasts with the background so that the words are clearly legible. No retailer, except a person making a sale on prescription, shall make sales of such ointment unless the package is marked with the ceiling price as required by this paragraph.

(h) *Notification of maximum prices*—(1) *By Sperti, Incorporated, to wholesalers.* Sperti, Incorporated, shall supply or shall cause each of its independent sales contractors to supply to each wholesaler before or at the time of its first delivery of Bio-Dyne Ointment a written notification of maximum prices as follows:

OPA has authorized us to charge wholesalers not more than the following maximum prices net for Bio-Dyne Ointment:

Size of package:	*Maximum price per dozen*
1 ounce	$4.33
15 ounces	36.67
5 pounds	143.28

Wholesalers' maximum prices for sales of Bio-Dyne Ointment to retailers are established as follows less customary discounts and allowances:

Size of package:	*Maximum price per dozen*
1 ounce	$5.20
15 ounces	44.00
5 pounds	171.96

Retailers' maximum prices for sales of Bio-Dyne Ointment are established as follows, less customary discounts and allowances, as marked upon each package:

Size of package:	*Maximum price each*
1 ounce	$0.65
15 ounces	5.50
5 pounds	21.50

OPA requires that you keep a copy of this notice for examination.

(2) *By Sperti, Incorporated, to retailers.* Sperti, Incorporated, shall supply a written notification to each retailer before or at the time of its first delivery of Bio-Dyne Ointment to such retailer. The written statement shall read as follows:

OPA has authorized us to charge retailers no more than the following maximum prices for Bio-Dyne Ointment, transportation charges prepaid on orders amounting to $100 or more.

Size of package:	*Maximum price per dozen*
1 ounce	$5.20
15 ounces	44.00
5 pounds	171.93

Your maximum prices are as follows for each of such packages:

Size of package:	*Maximum price per package*
1 ounce	$0.65
15 ounces	5.50
5 pounds	21.50

OPA requires that you keep this notice for examination. Where the retailer referred to in this subparagraph is a chain store, the following paragraph shall be substituted in lieu of the first paragraph of the written statement required by this paragraph:

OPA has authorized us to charge chain stores (retailers with six or more outlets) no more than the following maximum prices for Bio-Dyne Ointment, transportation charges prepaid on orders amounting to $100 or more:

Size of package:	*Maximum price per dozen*
1 ounce	$4.33
15 ounces	36.67
5 pounds	143.28

(i) *Definitions.* When used in this order "chain store" means a retailer operating six or more separate retail outlets.

(j) This Order No. 299 may be revoked or amended by the Price Administrator at any time.

(k) This order shall become effective February 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc 43-2943; Filed, February 24, 1943; 9:54 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 301 Under § 1499.3 (b) of GMPR]

DOW CHEMICAL CO.

Order No. 301—Maximum Prices Authorized under § 1499.3 (b) of the General Maximum Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1737 *Approval of maximum prices for sales of certain products manufactured by the Dow Chemical Company.* (a) The maximum prices for sales by the Dow Chemical Company, Midland, Michigan, of the following products manufactured by that company shall be the prices set forth below:

(1) *Dow Corning Fluid.*

$7.50 per lb. for quantities of 100 lbs. or more.
$7.70 per lb. for 11-99 lbs.
$7.95 per lb. for 1-10 lbs.

(2) *Dow Corning #4 Compound.*

$6.80 per lb for quantities of 100 lbs. or more.
$7.00 per lb. for 11-99 lbs.
$7.25 per lb for 1-10 lbs.

(3) *Dow Corning #51 Compound.*

	½ lb. containers	10 lb. containers	25 lb. containers
	Per lb.	*Per lb.*	*Per lb.*
100 lbs. or more	$0.14	$0.04	$0.01
26-99 lbs.	1.18	.08	.95
1-25 lbs.	1.21	1.01	

(b) All discounts, trade practices, and practices relating to the payment of transportation charges in effect during March 1942 on the sale of the most closely comparable product by the Dow Chemical Company shall apply to each maximum price set forth in paragraph (a).

(c) This Order No. 301 may be revoked or amended by the Price Administrator at any time.

(d) This Order shall become effective February 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2944; Filed, February 24, 1943; 9:54 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Correction to Order 189[1] Under § 1499.18 (b) of GMPR]

THE BANTON CORP.

Section 1499.1091 is redesignated as § 1499.1090.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2951; Filed, February 24, 1943; 9:55 a. m.]

Chapter XIII—Petroleum Administration for War

[PAO 9]

PART 1515—PETROLEUM PRODUCTION OPERATIONS

PROHIBITION OF GAS WELL DRILLING IN PORTIONS OF TEXAS

The fulfillment of the requirements for the defense of the United States has created a shortage of materials necessary for the production of petroleum for defense, for private account, and for export; and the following order is deemed necessary in the public interest, to promote the national defense, and to provide adequate supplies of petroleum for military and other essential purposes:

§ 1515.4 *Petroleum Administrative Order No. 9*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(b) *Prohibiting gas well drilling in portions of the State of Texas.* Notwithstanding the provisions of Conservation Order M-68,[2] as amended (§ 1047.1 of Chapter IX), no person may use material to drill, complete or provide additions to any well in any discovered or undiscovered natural gas field in the counties of Carson, Collingsworth, Gray, Hansford, Hartley, Hutchinson, Moore, Potter, Sherman or Wheeler in the State of Texas, except in accordance with any exception issued pursuant to paragraph (c) (10) of Conservation Order M-68, as amended, subsequent to February 23, 1943.

(c) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may file an appeal setting forth the pertinent facts and reasons why he considers himself entitled to relief. All appeals shall be filed in quadruplicate and shall be addressed to the Director of the Natural Gas and Natural Gasoline Division, Petroleum Administration for War, Interior Building, Washington, D. C., Ref.: PAO 9.

(d) *Violations.* Any person who wilfully violates any provision of this order, or who, by any act or omission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or such other action may be taken as is deemed appropriate.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 23rd day of February 1943.

HAROLD L. ICKES.
Petroleum Administrator for War.

[F. R. Doc. 43-2960; Filed, February 24, 1943; 10:10 a. m.]

[1] 8 F.R. 1687.
[2] 8 F.R. 104.

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order 2, Supp. 4]

PART 303—CONTRACTS FOR CARRIAGE ON VESSELS OWNED OR CHARTERED BY THE WAR SHIPPING ADMINISTRATION

UNIFORM VOYAGE CHARTER FOR PRIVATE CARRIAGE OF DRY CARGOES

General Order 2 (§§ 303.1 to 303.3 inclusive[1]) is amended by adding a new § 303.5:

§ 303.5 *Uniform voyage charter for private carriage of dry cargoes, "Warshipvoy 3 1/43".* (a) On and after March 1st, 1943 all voyage charters or trip charters entered into by or on behalf of the War Shipping Administration for the private carriage (as distinguished from common carriage) of dry cargoes on vessels operated by or on behalf of the War Shipping Administration shall be in the following form, which shall be designated as "Warshipvoy 3 1/43":

Contract No. ------

VOYAGE CHARTER PARTY

PART I

Warshipvoy
2 1/43
Part I

Charter Party made as of -------- 194 , at ---------- between the United States of America, acting by and through the Administrator, War Shipping Administration, (hereinafter called the "Owner") of the MS ---------- good ---------- SS ---------- --- (hereinafter called the "Vessel") and ---------- (hereinafter called the "Charterer")

This Charter Party consists of this Part I and Part II on the reverse hereof. Unless in this Part I otherwise provided, all of the provisions of Part II shall be part of this Charter Party as though fully incorporated herein.

[1] 7 F.R. 6557.

Net registered tonnage of vessel ----------
Classed ----------
Capacity for cargo (including on deck cargo, if any): ------ tons of 2240 lbs. (10% more or less, Vessel's option.)

[Sufficient space between each lettered paragraph to allow for insertion of data required:]

A. *Description of cargo.* (Unless otherwise especially agreed, all cargo to be stowed under deck and is of the same quality and character so that no separation need be made.)

B. *Loading port(s).* (State each port and the number of berths at which Vessel must be placed in each. State to whom notice of readiness is to be tendered. Express approval of WSA must be secured if Vessel must load while "Safely Aground." If necessary, an expected ready date at loading port may be shown, which date will be the earliest date upon which lay time will commence. Similarly, a cancelling date may be named. Extreme caution must be used in this connection, especially where copies of the charter must leave the continental United States.)

C. *Discharging port(s).* (State each port and the number of berths at which Vessel must be placed in each. State to whom notice of readiness is to be tendered. Express approval of WSA must be secured if Vessel must discharge while "Safely Aground.")

D. *Freight rate.* (State also whether prepaid or collect; where, how and when payable—Clause 6, Paragraphs (a) and (c) not to be modified.)

Demurrage. (State also where, how and when payable.)

E. *Stevedoring.* (State for whose account loading and discharging, dumping and trimming, etc.; who is to supply dunnage, fittings, etc; and provide tally clerks. If heavy lift involved—state at whose expense.)

F. *Loading Time.* (State rate—i. e., tons or bags or other unit, etc., per 24-hour period allowed for loading or placing under tackles, or number of hours allowed for complete loading, as case may be. *Not* reversible except as provided in Clause 12 of Part II.) Charterer must load (or place alongside) as fast as can but not less than at the rate or within the time specified herein.

G. *Discharging Time.* (State rate—i. e., tons or bags or other unit per 24-hour period—allowed for discharging or taking away, as the case may be; or number of hours allowed for complete discharge. *Not* reversible except as provided in Clause 12 of Part II.) Charterer must discharge (or take away) as fast as can but not less than at the rate or within the time specified herein.

H. *Special Provisions.* (Here, amongst other things should be stated any instance where Charterer must receive a Negotiable Bill of Lading upon loading of cargo. Ordinarily a cargo receipt only will be issued.)

Commission. Commission or brokerage is due and payable by the Owner in accordance with and to the extent of applicable regulations of the War Shipping Administration to ----------

In witness whereof the parties hereto have executed this agreement, in triplicate, as of the day and year first above written.

Witness the signature of:

UNITED STATES OF AMERICA,
By: WAR SHIPPING ADMINISTRATION,
Agent.

By: ----------

Witness the signature of:

VOYAGE CHARTER PARTY

Warshipvoy

PART II

1. *Vessel and voyage.* The Vessel on tendering hereunder shall be, as far as due diligence can make her so, tight, staunch and strong and fitted for service. Because of existing war conditions it is agreed that the Vessel may be of a type not fitted, constructed or ordinarily employed for the contract voyage and all risk of loss, damage or delay inherent in such carriage or attributable to such use shall be borne by the Charterer.

2. *Stevedoring and lighterage.* (a) Stevedoring and other expenses of loading and discharging, including any expense of tallying, winchmen, dunnage, cargo fittings, heavy lifts, dumping and trimming, removal of strongbacks with shore equipment where necessary is upon the basis set out in Part I. Any work not expressly undertaken in Part I by the Owner shall be performed by the Charterer at its risk and expense. Unless otherwise agreed, dunnage and fittings placed aboard by the Charterer may be retained on board at the option of the Owner. If the Owner elects not to retain them on board, the cost of removal and discharge shall be borne by the Charterer, and time so used shall count as laytime.

(b) If by the provisions of Part I the Charterer is to load or discharge, the Vessel will permit the use of ship's winches and other appropriate gear actually on board. The Vessel will, at all times, provide power sufficient to run all the winches, or all necessary to be worked. In cases where it is necessary to employ the Vessel's crew to operate winches, they shall be deemed the agents of the Charterer. At any berth where the Charterer is to load or discharge at his expense, or at any berth used upon the request of the Charterer, the Charterer must supply adequate light for night work performed but may have the use of any lighting facilities already aboard the vessel.

(c) Charterer agrees to indemnify the vessel and her owner, operator and agents in respect of any damage or expense arising from acts or negligence of the Charterer or his agents or contractors in the loading or discharging of the vessel; or from failure of equipment supplied by them.

(d) Lighterage, if any, to be at the risk and expense of the cargo.

3. *Loading port.* (a) The Vessel shall load the Cargo described in Part I, but in no case shall the Cargo exceed what the vessel can reasonably stow and carry, in the judgment of the Master, over and above the space and burthen necessary for Vessel's officers and crew, her cabin, tackle, apparel, furniture, provisions, fresh water, stores, necessary ballast and fuel. No Cargo shall be loaded on deck, unless provided in Part I hereof, and in such case the carriage of deck cargo shall be at the sole discretion of the Master and at the risk of the Charterer and Owners of such cargo. Any material required for securing deck cargo to be for account of the Charterer.

(b) Loading port or ports to be named by the Charterer not later than upon signing this charter.

4. *Loading berth.* (a) The Vessel will load at such berth or berths that the Charterer may designate, always, however, subject to the approval of the War Shipping Administration. One loading berth only is contemplated, and permission of the Owner is required for any additional berths.

(b) The Charterer warrants that such berth or berths as may be designated by him shall be safe in all respects and shall have sufficient depth of water at all times and stages of tide to accommodate safely Vessel of the size and particulars designated in Part I hereof, and that Vessel can proceed thereto, remain thereat, and depart therefrom always safely afloat.

(c) Charterer warrants that the berth will be available immediately upon Vessel being ready to load. Any time lost to the Vessel while awaiting berth to be counted as used time for loading.

5. *Loading time.* When the Vessel has arrived at the loading port, and is in all respects ready to load, a notice of readiness to load will be tendered at that time to the Charterer or his agent, whether or not during usual business hours. Four hours after the tender of notice of readiness (whether or not during usual business hours), the time allowed for loading shall commence, Vessel in or out of berth, unless loading actually started sooner.

6. *Freight.* (a) Freight to be considered earned on Cargo as same is taken aboard whether expressed herein to be prepaid or collect, Vessel and/or Cargo lost or not lost; loading weights or measurements, (as evidenced by cargo receipts) conclusive, if Vessel and/or Cargo lost.

(b) Freight shall be payable in United States currency in the United States upon completion of loading, without deductions for any cause, except for advances to the Master. In the event freight is to be determined on the out-turned weight, 90% of the freight on the loading weight shall be paid upon the signing of cargo receipts; the balance payable upon ascertainment of the gross landed weights as determined by certificates of public weighers, railway scale weights or by other customary means not inconsistent with these. Vessel may check-weight or -measure at its own expense.

(c) Should the Charterer fail to supply the Cargo stipulated in Part I hereof, the Vessel may, at the Master's option, and shall, upon the request of the Charterer, proceed on her voyage, provided that she is, in the judgment of the Master, in a seaworthy condition so far as the stowage of the Cargo is concerned. In such event, dead freight shall be paid upon the difference of the quantity loaded and the quantity she would have carried if loaded as contracted; such dead freight subject to all of the stipulations as to freight generally, hereunder.

(d) The Charterer agrees to pay such increase in freight and/or surcharge as may be prescribed in ordinary course by the War Shipping Administration on or before the date of completion of loading, and the Vessel shall have a lien upon the goods for any difference between such increased rate and surcharge and the rate and surcharge shown herein. Similarly, any reduction shall inure to the benefit of the Charterer.

7. *Advances.* Cash shall be advanced by the Charterer to the Master, if required, for ordinary disbursements at ports of loading and discharge against Master's receipt, and at current rates of exchange, free of interest, discount, commission, or insurance fees.

8. *Discharging port.* (a) If the port or ports of discharge are not specified in Part I hereof, such port or ports shall be named by the Charterer not later than time of completion of loading. Any loss of time resulting from delay in naming discharging port to count as used loading time.

(b) Diversion of the Vessel to another discharging port while enroute to the first named port at the request of the Charterer may be permitted by the Owner on such terms as may be agreed upon, but not a less additional charge than if an option had originally been granted in Part I hereof.

9. *Discharging berth.* (a) The Vessel will discharge at the berth or berths that the Charterer designates, always, subject, however, to the approval of the War Shipping Administration. One discharging berth only is contemplated, and permission of the Owner required for any additional berths.

(b) The Charterer warrants that such berth or berths as may be designated by him shall be safe in all respects and shall have sufficient depth of water at all times and stages of tide to accommodate safely the Vessel designated in Part I hereof, and that the Vessel can proceed thereto, remain thereat and depart therefrom always safely afloat.

(c) The Charterer warrants that the berth will be available immediately upon Vessel being ready to discharge. Any time lost to

the Vessel while awaiting berth to be counted as used time for discharging.

10. *Discharging time.* When the Vessel has arrived at the discharging port, and is in all respects ready to discharge, a notice of readiness to discharge will be tendered at that time to the Charterer or his agent, whether or not during usual business hours. Four hours after the tender of notice of readiness (whether or not during usual business hours) the time allowed for discharging shall commence. Vessel in or out of berth, unless discharging actually started sooner.

11. *Separation of cargo.* Unless otherwise stipulated in Part I all of the Cargo loaded is of the same character and quality, and no separation thereof is to be required. Cargo may be discharged and landed as it comes to hand. In the event the Charterer should desire separation of cargo, such separation to be at his risk and expense, and any material required to be for Charterer's account. In any event, the Owner not to be responsible for delivery of Cargo by quality or grade.

12. *Demurrage and overtime.* The freight designated in Part I hereof is predicated upon the Vessel working to her full capacity twenty-four hours per day of each and every day, Sundays and holidays included. The Charterer shall pay demurrage at the rate stipulated in Part I for all time that loading, discharging and used time (as elsewhere herein provided) exceeds the allowed laytime. If demurrage is incurred in loading, time saved in discharging may be credited against it, but otherwise time allowed for loading and discharging is not reversible. Overtime arising out of the Charterer's obligations hereunder to be paid by the Charterer; overtime arising out of the Owner's obligations hereunder to be paid by the Owner.

13. *Appointment of agents.* Owner's agents will act for the Vessel at both loading and discharging ports.

14. *Dues, taxes, wharfage, etc.* Any Government dues or other charges levied against the Vessel, either at the port of loading or port of discharge, which are not measured by the volume of Cargo, shall be for the account of the Vessel. The Vessel will be free of any wharf, dock, or quay dues, or similar charges, at both the port of loading and port of discharge. All other dues, taxes or assessments of any sort, including those against the Vessel which are measured by the volume of the cargo, shall be paid by the Charterer.

15. *Customs, weighers, etc.* All arrangements and expense for weighers, samplers and other Customs requirements in connection with the cargo to be paid by Charterer, and any delay resulting from failure to make such arrangements shall count as used laytime.

16. *Lien.* The Owner shall have an absolute lien on the cargo and upon all subfreights for all amounts due under this charter including freight, dead freight, demurrage and costs (including attorney's fees) of recovering the same, which lien shall continue after delivery of the Cargo hereunder.

17. *Assignment.* Subject to the prior approval of War Shipping Administration, the Charterer shall have the option of subletting or assigning this Charter to any individual or company, but the Charterer shall always remain responsible for the due fulfillment of this Charter in all its terms and conditions.

18. *Cargo receipt.* Non-negotiable receipts, in the form appearing herein, shall be signed by the Master as requested. Any receipt signed by the Master or Agent of the Owner shall be without prejudice to the terms, conditions and exceptions of this charter and subject to all of them. The Charterer hereby agrees to indemnify and hold harmless the Owner, the Master, and the Vessel from all consequences or liabilities that may arise from the Charterer or its agents, or the Master, signing bills of lading or other documents inconsistent with this Charter, or from any irregularity in papers supplied by the Charterer or its agents, or from complying with its or its agents' orders.

19. *Limitation of liability.* The Owner and the Vessel in all matters arising under this Charter Party shall be entitled to the like privileges and rights and immunities as are contained in Section 3 (6), Section 4, and Section 11 of the Carriage of Goods by Sea Act of the United States approved April 16, 1936. The aforesaid provisions (except as may be otherwise specifically provided herein) shall govern before the goods are loaded on and after they are discharged from the Vessel and throughout the entire time the goods are in the custody of the Owner or Vessel.

Neither the Vessel or Owner, nor any corporation owned by, subsidiary to or associated or affiliated with the Vessel or Owner shall be liable to answer for or make good any loss or damage to the goods occurring at any time and even though before loading on or after discharge from the Vessel, by reason or by means of any fire whatsoever, unless such fire shall be caused by its design or neglect.

Any provision of this Charter to the contrary notwithstanding, the Owner shall have the benefit of all limitation of, and exemptions from, liability accorded to the Owner or Chartered Owner by any statute or rule of law for the time being in force. See also clause 28 hereof.

20. *Both-to-blame collision clause.* If the Vessel comes into collision with another ship as a result of the negligence of the other ship and any act, neglect or default of the master, mariners, pilot or the servants of the Owner of the Vessel in the navigation or in the management of the Vessel, the owners of the Cargo carried hereunder will indemnify the Owner of the Vessel against all loss or liability to the other or non-carrying ship or her owners insofar as such loss or liability represents loss of, or damage to, or any claim whatsoever of the owners of said Cargo, paid or payable by the other or non-carrying ship or her owners to the owners of said Cargo and set-off, recouped or recovered by the other or non-carrying ship or her owners as part of their claim against the carrying Vessel or Owners. The foregoing provisions shall also apply where the owners, operators or those in charge of any ship or ships or objects other than, or in addition to, the colliding ships or objects are at fault in respect of a collision or contact.

21. *General average clause.* General average shall be adjusted, stated, and settled, according to Rules 1 to 15, inclusive, 17 to 22, inclusive, and Rule F of York-Antwerp Rules 1924, at such port or place in the United States as may be selected by the Owner of the Vessel, and as to matters not provided for by these Rules, according to the laws and usages at the port of New York. In such adjustment, disbursements in foreign currencies shall be exchanged into United States money at the rate prevailing on the dates made and allowances for damage to cargo claimed in foreign currency shall be converted at the rate prevailing on the last day of discharge at the port or place of final discharge of such damaged cargo from the Vessel. Average agreement or bond and such additional security, as may be required by the Owner, must be furnished before delivery of the Cargo. Such cash deposit as the Owner or his agents may deem sufficient as additional security for the contribution of the cargo and for any salvage and special charges thereon, shall, if required, be made by the cargo, shippers, consignees, or owners of the Cargo to the Owner before delivery. Such deposit shall, at the option of the Owner, be payable in United States money, and be remitted to the adjuster. When so remitted the deposit shall be held in a special account at the place of adjustment in the name of the adjuster pending settlement of the general average and refunds or credit balances, if any, shall be paid in United States money.

22. *Amended "Jason" clause.* In the event of accident, danger, damage, or disaster before or after commencement of the voyage resulting from any cause whatsoever, whether due to negligence or not, for which or for the consequence of which the Owner is not responsible by statute, contract, or otherwise, the Cargo, shippers, consignees, or owners of the Cargo shall contribute with the Vessel and its Owner in general average to the payment of any sacrifices, losses or expenses of a general average nature that may be made or incurred, and shall pay salvage and special charges incurred in respect of the Cargo. If a salving vessel is owned or operated by the Owner, salvage shall be paid for as fully as if the salving vessel or vessels belong to strangers.

23. *War risk clauses.* In any situation whatsoever and wheresoever occurring and whether existing or anticipated before commencement of or during the voyage, which in the judgment of the Owner or Master is likely to give rise to risk of capture, seizure, detention, damages, delay or disadvantage to or loss of the Vessel or any part of her Cargo, or to make it unsafe, imprudent or unlawful for any reason to commence or proceed on or continue the voyage or to enter or discharge the Cargo at the port of discharge, or to give rise to delay or difficulty in arriving, discharging at or leaving the port of discharge or the usual place of discharge in such port, the Owner or Master may before loading or before the commencement of the voyage, require the shipper or other person entitled thereto to take delivery of the Cargo at port of shipment and upon their failure to do so, may warehouse the Cargo at the risk and expense of the Cargo; or the Owner or Master, whether or not proceeding toward or entering or attempting to enter the port of discharge or reaching or attempting to reach the usual place of discharge therein or attempting to discharge the Cargo there, may discharge the Cargo into depot, lazaretto, craft or other place; or the Vessel may proceed or return, directly or indirectly, to or stop at any such port or place whatsoever as the Master or the Owner may consider safe or advisable under the circumstances, and discharge the Cargo or any part thereof, at any such port or place; or the Owner or the Master may retain the cargo on board until the return trip or until such time as the Owner or the Master think advisable and discharge the Cargo at any place whatsoever as herein provided or the Owner or the Master may discharge and forward the Cargo by any means at the risk and expense of the Cargo. The Owner or the Master is not required to give notice of discharge of the Cargo, or the forwarding thereof as herein provided. When the Cargo is discharged from the vessel, as herein provided it shall be at its own risk and expense, such discharge shall constitute complete delivery and performance under this contract and the Owner and the Vessel shall be freed from any further responsibility. For any service rendered to the Cargo as herein provided the Owner or the Vessel shall be entitled to a reasonable extra compensation.

The Owner, Master and Vessel shall have liberty to comply with any orders or directions as to loading, departure, arrival, routes, ports of call, stoppages, discharge, destination, delivery or otherwise howsoever given by the government of any nation or department thereof or any person acting or purporting to act with the authority of such government or of any department thereof, or by any committee or person having, under the terms of the war risk insurance on the Vessel, the right to give such orders or directions. Delivery or other disposition of the Cargo in accordance with such orders or directions shall be a fulfillment of the contract voyage. The Vessel may carry contraband, explosives, munitions, warlike stores, hazardous cargo, and may sail armed or unarmed and with or without convoy.

In addition to all other liberties herein the Owner and the Vessel shall have the right to withhold delivery of, reship to, deposit or discharge the Cargo at any place whatsoever, surrender or dispose of the Cargo in accordance with any direction, condition or agreement imposed upon or exacted from the Owner or the Vessel by any government or department thereof or any person purporting to act with the authority of either of them. In any of the above circumstances the Cargo shall be solely at its risk and expense and all expenses and charges so incurred shall be payable by the owner or consignee thereof and shall be a lien on the Cargo.

24. *Scope of voyage.* The scope of voyage herein contracted for shall include usual or customary or advertised ports of call whether named in this contract or not, also ports in or out of the advertised, geographical, usual or ordinary route or order, even though in proceeding thereto the Vessel may sail beyond the port of discharge or in a direction contrary thereto or return to the original port, or depart from the direct or customary route, and includes all canals, straits and other waters. The Vessel may call at any port for the purposes of the current voyage or of a prior or subsequent voyage. The Vessel may omit calling at any port or ports whether scheduled or not, and may call at the same port more than once; may for matters occurring before loading the Cargo, known or unknown at the time of such loading and matters occurring after such loading, either with or without the Cargo or passengers on board, and before or after proceeding toward the port of discharge, adjust compasses, dry dock, with or without cargo aboard go on ways or to repair yards, shift berths, make trial trips or tests, take fuel, passengers, crew or stores, remain in port, sail with or without pilots, tow and be towed, and save or attempt to save life or property; and all of the foregoing are included in the contract voyage.

25. *Exceptions.* The Vessel, her Master and Owner, shall not, unless otherwise in the Charter expressly provided, be responsible for any loss or damage or delay or failure in performing hereunder, arising or resulting from: Any act, neglect, default or barratry of the Master, pilots, mariners or other servants of the Owner in the navigation or management of the Vessel; fire, unless caused by the personal design or neglect of the Owner; collision, stranding, or peril, danger or accident of the sea or other navigable waters; saving or attempting to save life or property; wastage in weight or bulk, or any other loss or damage arising from inherent defect, quality or vice of the cargo; any act or omission of the Charterer, the Owner, shipper or consignee of the cargo, their agents or representatives; insufficiency of packing, insufficiency or inadequacy of marks; explosion, bursting of boilers, breakage of shafts, or any latent defects in hull, equipment or machinery; unseaworthiness of the Vessel unless caused by want of due diligence on the part of the Owner to make the vessel seaworthy or to have her properly manned, equipped and supplied, or from any other cause of whatsoever kind arising without the actual personal fault or privity of the Owner. And neither the Vessel, the Master or Owner, nor the Charterer, shall, unless otherwise in the Charter expressly provided, be responsible for any loss or damage or delay or failure in performing hereunder arising or resulting from: Act of God; act of war; act of public enemies, pirates or assailing thieves; arrest or restraint of princes, rulers or people, or seizure under legal process; strike or lockout or stoppage or restraint of labor from whatever cause, either partial or general; or riot or civil commotion. The Vessel shall have liberty to sail with or without pilots, to tow or to be towed, to go to the assistance of vessels in distress and to deviate for the purpose of saving life or property or of landing any ill or injured person on board or to repair or go on drydock either with or without cargo aboard. No exemption afforded to the Charterer under this clause shall diminish its obligations for payment of any sums due the Owner under the other provisions of this Charter.

26. *Ice clause.* The Vessel shall not be ordered to nor bound to enter any ice-bound place or any place where lights, lightships, marks and buoys on Vessel's arrival are or are likely to be withdrawn by reason of ice or where there is risk that ordinarily the Vessel will not be able on account of ice to enter, reach or leave the place. The Vessel shall not be obliged to force ice. If on account of ice the Master considers it dangerous to remain at the loading or discharging place for fear of the Vessel being frozen in and/or damaged, he has the liberty to sail to a convenient open place and await the Charterer's further instructions. Detention through any of the above causes to be for the Charterer's account.

27. *Definition of "owner".* Wherever the word "Owner" appears herein without further definition it refers to the Owner of the vessel, and shall be deemed to include a Time Charterer, Demise Charterer, or a Requisition Charterer or user.

28. *Part I and Part II.* This Charter Party consists of this Part II and Part I on the reverse hereof. Unless in this Part II otherwise provided, all of the provisions of said Part I shall be part of this Charter Party as though fully incorporated herein. In the event of conflict between the provisions of this Part II and those of Part I, the provisions of Part I shall govern to the extent of such conflict.

29. *Members of Congress.* No member of or delegate to the Congress, nor Resident Commissioner, shall be admitted to any share or part of this Charter or to any benefit that may arise therefrom, except as provided in Section 116 of the Act approved March 4, 1909.

FORM OF CARGO RECEIPT

Received in apparent good order and condition from _____ on board the _____ Motorship _____ Steamship _____ whereof _____ is Master, at the port of _____ to be delivered at the port of _____ or so near thereto as the Vessel can safely get, always afloat, unto _____. This shipment is carried under and pursuant to the terms of the Warshipvoy Charter dated _____ at _____ between _____ and _____, as Charterer, and all the terms, conditions, exceptions and exemptions whatsoever of the said Charter apply to and govern the rights of the parties concerned in this shipment.

In witness whereof, the Master has signed _____ Receipts of this tenor and date. Dated at _____ this _____ day of _____.

_____
Master

(b) The said Warshipvoy form of charter party shall be printed on one page in type no smaller than 6 point, Part I being completely on the face of the form, and Part II being completely on the reverse of the form.

(c) The right is reserved to approve other forms of voyage charters and to make general amendments or amendments appropriate to specific trades.

(d) Agents may upon previous advice to the War Shipping Administration and upon approval by them incorporate special clauses appropriate and necessary to the trade undertaken.

(e) This form of charter shall not apply to the West Indies sugar trade.

(E.O. 9054, 7 F.R. 837)

E. S. LAND,
Administrator.

FEBRUARY 24, 1943.

[F. R. Doc. 43-2986; Filed, February 24, 1943; 11:49 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-125]

J. T. DANIELS

ORDER RESCHEDULING HEARING AND REDESIGNATING EXAMINER

The above entitled matter having been heretofore scheduled for hearing on December 3, 1942, at 10 a. m., at a hearing room of the Bituminous Coal Division at the Cabell County Court House, Huntington, West Virginia, and said hearing having been postponed by Order dated November 27, 1942, to a time and place to be thereafter designated by an appropriate order; and

The Director deeming it advisable that the place and date of such hearing should now be designated;

Now therefore it is ordered, That the hearing in the above entitled matter be held on March 26, 1943, at 10 a. m., at a hearing room of the Bituminous Coal Division at Federal Ct. Rm., Federal Bldg., Catlettsburg, Kentucky.

It is further ordered, That Joseph A. Huston or any other officer of the Bituminous Coal Division that may be duly designated shall preside at said hearing vice the officer or officers heretofore designated.

It is further ordered, That the Notice of and Order for Hearing herein as amended by Order of the Director dated October 23, 1942, shall in all other respects remain in full force and effect.

Dated: February 22, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2963; Filed, February 24, 1943; 11:10 a. m.]

[Docket No. B-193]

W. R. NALL

ORDER CANCELLING HEARING AND DISCONTINUING MATTER

This matter was noticed for hearing at Grand Junction, Colorado on March 13, 1942 by Order dated January 28, 1942 and subsequently postponed to a date and

place to be designated by an appropriate order.

It now appears to the Director that W. R. Nall, the Code Member, has been inactive as such and not engaged in the production of coal since July 1, 1942, and that said hearing should be cancelled and the matter discontinued without prejudice.

It is so ordered.

Dated: February 23, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2962; Filed, February 24, 1943; 11:10 a. m.]

[Docket No. B-352]

JOE ADDIS & SON

NOTICE OF AN ORDER FOR HEARING

In the matter of Joe Addis, Phillip Addis and Lester Meeks, individually and as co-partners, doing business under the name and style of Joe Addis & Son, Code Member.

A complaint dated December 7, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on December 11, 1942, by Bituminous Coal Producers Board for District No. 4, a district board, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by Joe Addis, Phillip Addis and Lester Meeks, doing business under the name and style of Joe Addis & Son (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder:

It is ordered, That a hearing in respect to the subject matter of such complaint be held on March 25, 1943, at 10 a. m. at a hearing room of the Bituminous Coal Division at Federal Court Room, Federal Building, Catlettsburg, Kentucky.

It is further ordered, That Joseph A. Huston, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging that Joe Addis, Phillip Addis and Lester Meeks, individually and as co-partners, doing business under the name and style of Joe Addis & Son, a code member, of Ironton, Ohio, operating mines designated as Mines Index Nos. 2 and 1146, both located in Lawrence County, Ohio, District No. 4, Subdistrict No. 7, have wilfully violated the Act, the Code and rules and regulations promulgated thereunder:

(1) By failing and refusing to file for the months from and including January 1941 to and including November 1942 with the Statistical Bureau for District No. 4 within five (5) days after the end of each of said months reports of all sales made during each of said months of coal produced at either or both of the above mines and shipped therefrom by truck or wagon to various purchasers; and failing and refusing to file with the said Statistical Bureau for said period copies of truck tickets, sales slips, invoices and listings of said sales, as prescribed by section III (b) of Order No. 307, dated December 11, 1940, thereby violating Order No. 309, dated January 14, 1941, and section 4 II (a) of the Act;

(2) By failing and refusing to file currently as rendered with the Statistical Bureau for District No. 4 for the months of January, February and March 1941, copies of all invoices rendered of coal produced at either or both of the above mines and sold for rail shipment to various purchasers; and failing and refusing to file currently as rendered with said Statistical Bureau for said months copies of credit and debit memoranda and memoranda of all changes in specifications or in lieu thereof the information permitted to be filed in monthly reports, in violation of Order No. 156, dated December 18, 1937 and section 4 II (a) of the Act;

(3) By failing and refusing to maintain and file with the Division for each month from and including April 1941 to and including November 1942, certain records relating to the sale of coal produced at either or both of the above mines and shipped therefrom by rail; and failing and refusing for each of said months to maintain and keep on file at their office copies of all loading records, shipping records and daily billing sheets; and failing and refusing during said period to file with the Division copies of debit memoranda, credit memoranda or other memoranda, in violation of Order No. 313, dated February 24, 1941 and section 4 II (a) of the Act;

(4) By failing and refusing within ten (10) days after accepting any spot order to file a copy thereof with the Statistical Bureau for District No. 4 for each month from and including January 1941 to and including November 1942, covering all sales of coal produced at either or both of the above mines during said period and sold on spot orders; and failing within fifteen (15) days after entering into any contact to file a copy thereof with said Statistical Bureau covering all sales of coal produced at either or both of the above mines and sold on contract. Each failure to file within the time required resulted in a violation of Order No. 14, dated July 15, 1937, Rule 3 of section V or Rule 7 of section VI of the Marketing Rules and Regulations and section 4 II (a) of the Act;

(5) By selling and delivering for truck shipment, coal produced at the aforesaid mine (Mine Index No. 1146) during the period October 1, 1940 to July 31, 1942, both dates inclusive, to various purchasers at prices which were below the applicable minimum prices established therefor in Schedule No. 1 of the Effective Minimum Prices for District No. 4 for Truck Shipments, as follows:

Approximate number of tons	Size	Size group No.	F. o. b. mine sales price per net ton	Effective minimum price per net ton
1,417.60	3/8" x 0 slack	8	$1.00 to $1.[illegible]	$1.65
13,280.275	3/8" lump	2	2.21 to 2.[illegible]	2.45
941.120	3/8" x 1 1/4" stoker	6	1.00 to 1.[illegible]	1.65

Each sale resulted in a violation of section 4 II (e) of the Act and Part II (e) of the Code;

(6) By selling for truck shipment subsequent to September 30, 1940 coal produced at the aforesaid mine (Mine Index No. 1146) below the minimum prices established therefor in the Schedule No. 1 of Effective Minimum Prices for District No. 4 for Truck Shipments, including approximately 83.725 net tons of 3/8" x 0 slack coal (Size Group No. 8) during the period August 15, 1942 to August 20, 1942, both dates inclusive, to Superior Cement Corporation, Portsmouth, Ohio, at $1.25 per net ton f. o. b. said mine, whereas the effective f. o. b. mine price for said coal was $1.65 per net ton as set forth in the aforesaid Schedule 1, resulting in violations of section 4 II (e) of the Act and Part II (e) of the Code;

(7) By selling and delivering by truck during the period January 1, 1941 to July 31, 1942, both dates inclusive, coal produced at the aforesaid mine bearing Mine Index No. 1146 to the Superior Cement Corporation, f. o. b. the purchaser's bins at Portsmouth, Ohio, located approximately 7.7 miles from the code member's mine (Mine Index No. 1146), and failing to add to the f. o. b. mine price an amount equal, as nearly as practicable, to the actual cost of transporting and handling from the facilities at said mine to Portsmouth, Ohio, at which point such charges were asumed and paid by the purchaser, resulting in sales below the effective minimum prices established in the Schedule No. 1 of Effective Minimum Prices for District No. 4 for Truck Shipments, as follows:

Approximate number of tons	Size	Size group No.	Delivered sales price per net ton	Effective minimum price per net ton
667.45	3/8" x 0	8	$1.75	$1.65
2,440.50	Mine run	6	2.00	1.65
20.15	3/8" x 0	8	1.25	1.65
1,850.20	3/8" x 0	8	1.55	1.65
4,386.0	3/8" lump	5	2.25	2.45

Each sale for truck shipment resulted in violation of Price Instruction No. 6 of the Schedule No. 1 of Effective Minimum Prices for District No. 4 for Truck Shipments, as amended, and section 4, Parts II (e) and (g) of the Act and Parts II (e) and (g) of the Code;

(8) By selling and delivering by truck during the period December 20, 1940 to July 31, 1942, both dates inclusive, coal produced at Mine Index No. 1146, to the Ohio Calcium Company, Ironton, Ohio, f. o. b. the purchaser's bins at Ironton, Ohio, located approximately 3.9 miles from said mine, and failing to add to the f. o. b. mine price an amount equal as nearly as practicable, to the actual cost of transporting and handling from the facilities at said mine to Ironton, Ohio, at which point such charges were assumed and paid by the purchaser, resulting in sales below the effective minimum prices established in Schedule No. 1 of Effective Minimum Prices for District No. 4 for Truck Shipments, as follows:

Approximate number of tons	Size	Size group No.	Delivered sales price per net ton	Effective minimum price per net ton
700.00	1 1/4" lump	5	$2.48	$2.45
1,[illegible].00	1 1/4" x 1 1/4" egg	5	2.50	2.45
2,240.00	1 1/4" lump	5	2.41	2.45
1,[illegible].00	lump	5	2.00	2.45
1,[illegible].00	lump	5	2.15	2.45

Each sale for truck shipment resulted in violation of Price Instruction No. 6 of Schedule No. 1 of Effective Minimum Prices for District No. 4 for Truck Shipments, as amended, and section 4 Parts II (e) and (g) of the Act and Parts II (e) and (g) of the Code;

(9) By selling and delivering for rail shipment coal produced at the aforesaid mine bearing Mine Index No. 1146, on or about April 9, 1941, to Evans Coal Company, Lima, Ohio, approximately 53.5 net tons of 1 1/4" lump coal, and on or about January 28, 1942, to the Jackson Iron and Steel Company, Jackson, Ohio, approximately 52.3 net tons of 3 1/2" lump coal, whereas prices, temporary or final, had not been established by the Division for sales of said coal for shipment by rail. Each sale of said coal resulted in a violation of the Order in General Docket No. 19, dated October 9, 1940.

Dated: February 22, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2966; Filed, February 24, 1943; 11:11 a. m.]

[Docket No. A-1603]

SPRINGFIELD COAL CORP.

MEMORANDUM OPINION AND ORDER REOPENING MATTER AND NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of Springfield Coal Corporation, operator of Springfield No. 5 Mine, Mine Index No. 153, for approval of agreement to purchase 400 net tons of coal per day from F. R. Maurer and T. F. Price, a co-partnership, doing business as Maurer and Price, operator of the Cornwall No. 6 (S) Mine, Mine Index No. 3705, and Cornwall No. 7 (D) Mine, Mine Index No. 3706; for changes in freight origin group numbers and shipping points for the coals of Mine Index Nos. 3705 and 3706; and for permission to mix the coals of these mines.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, was duly filed with the Bituminous Coal Division, requesting the approval of an agreement attached thereto; temporary and permanent relief to load and mix coals produced at the Cornwall No. 6 (S) Mine, Mine Index No. 3705, and at the Cornwall No. 7 (D) Mine, Mine Index No. 3706 by F. R. Maurer and T. F. Price, a co-partnership trading and doing business as Maurer Price, with the coals produced by Springfield Coal Corporation, at the Springfield No. 5 Mine, Mine Index No. 153; and changes in the Freight Origin Group Numbers and shipping points for the coals of said Cornwall Nos. 6 and 7 mines.

An Order Granting Temporary Relief and Conditionally Providing For Final Relief was issued in the above-entitled matter on November 3, 1942, granting permission to load and mix the coals produced at said mines, changing the Freight Origin Group Numbers and shipping points for such coals, and providing that the price applying to such mixture shall be that which is listed for the coal in the mixture which has the highest price classification.

An application for modification of such temporary and conditionally final relief was filed in the above-entitled matter by the Bituminous Coal Consumers' Counsel, praying that said Order entered herein on November 3, 1942 be modified so as to provide as follows:

(a) When such mixture is sold the invoice shall properly identify the coal. This requirement is to be effective both as to temporary and as to final relief.

(b) The temporary relief granted by said Order of November 3, 1942 (as modified by requested item "• • • (a)" above) shall remain in force and effect for a period of 60 days from November 3, 1942. Prior to the expiration of said 60 days period, the original petitioner or District Board No. 1 shall submit to the Director and to the Consumers Counsel information regarding the percentages of coal from the component mines going into the mixture sold by petitioner under the terms of said temporary relief; factual information as to the physical and chemical characteristics such as analytical data, of the mixture sold by the petitioner, including similar data as to the various coals comprising said mixture; and any other information which would further enable the Director to determine the classification and minimum mine price which should finally apply to said mixture. Upon the submission of such data, the temporary relief shall remain in effect pending an order finally determining the applicable classification and minimum mine price for said mixture. If such data are not submitted as aforesaid, the said temporary relief shall terminate; and final relief shall become effective, to the effect that the price that shall apply to such mixture shall be the price which is listed for the coal in the mixture which has the "F" price classification (the lowest classification now applicable to a component coal).

A petition of intervention was filed in the above-entitled matter by District Board No. 1, the district in which the mines involved herein are located, requesting that said order entered herein on November 3, 1942 remain in full force and effect without modification.

It appears, however, that the temporary relief granted in the order issued herein on November 3, 1942 has become final pursuant to the provisions of said order. Nevertheless, in view of the positions taken in the petition of intervention filed herein by District Board No. 1, and in the application for modification filed herein by Bituminous Coal Consumers' Counsel, the Director is of the opinion that this matter should be reopened and scheduled for hearing.

Now, therefore, it is ordered, That the above-entitled matter be, and the same hereby is, reopened.

It is further ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on March 16, 1943 at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, Washington, D. C. On such day the Chief of the Records Section will advise as to the room where such hearing will be held.

It is further ordered, That Travis Williams or any other officer or officers of the Division duly designated for that

purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which Bituminous Coal Division on or before March 12, 1943.[1]

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered herein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition filed in the above entitled matter by Springfield Coal Corporation, and the application for modification filed by the Bituminous Coal Consumers' Counsel, which are more fully hereinabove described.

Dated: February 23, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-2964, Filed, February 24, 1943; 11:10 a. m.]

[Docket Nos. A-1766, Part II and A-1786, Part II]

DISTRICT BOARD NO. 4 AND SHEBAN MINING CO.

ORDER GRANTING MOTION TO POSTPONE HEARING, AND POSTPONING HEARING

In the matters of the petitions filed by District Board No. 4 and Sheban Mining Company for the establishment of price classifications and minimum prices for the coals produced at the Sheban Mine, Mine Index No. 2314.

The above-entitled matter having been heretofore scheduled for hearing on February 26, 1943, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, Washington, D. C., by a Notice of and Order for Hearing issued herein on February 4, 1943; and

A motion having been filed with this Division by District Board No. 4, one of the original petitioners herein, requesting that said hearing be postponed to April 8, 1943; and

It appearing from said motion that it is the opinion of said movant that in view of petitions of intervention filed herein that it is necessary that a more extensive investigation into this matter be made; and

The Director deeming that good cause for such postponement has been shown and that said hearing should be postponed;

Now, therefore, it is ordered, That said motion to postpone said hearing to April 8, 1943, be, and the same hereby is granted.

It is further ordered, That said hearing be, and the same hereby is, postponed to April 8, 1943, at 10 o'clock in the forenoon of that day, at the place and before the officer or officers previously designated.

It is further ordered, That the order entered in the above-entitled matter on February 4, 1943, shall, in all other respects, remain in full force and effect.

Dated: February 23, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-2965; Filed, February 24, 1943; 11:10 a. m.]

[Docket No. A-1780]

DISTRICT BOARD NO. 11

ORDER AMENDING ORDER GRANTING TEMPORARY RELIEF

In the matter of the petition of District Board No. 11 for establishment of price classifications and minimum prices for Mine Index No. 291.

An original petition pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 was filed by the above-named party requesting the establishment of temporary price classifications and minimum prices for rail shipments into Market Area No. 32 for approximately 8,000 tons of 1¼" x 0 Fourth Vein raw screenings produced at the Daviess County Mine, Mine Index No. 291, of Daviess County Coal Company, and stored on the ground at such mine.

By order issued January 1, 1943, in the above-entitled matter, temporary price classifications and minimum prices were established which were the same as those in effect for Fourth Vein coals produced at other mines located in Price Group 13 in District No. 11, for approximately 8,000 tons of 1¼" x 0 raw screenings (Size Group 14) produced at the Daviess County Mine, Mine Index No. 291, in District No. 11, and stored on the ground at said mine. Montgomery, Indiana, on the Baltimore & Ohio Railroad was established as the shipping point without the benefit of deductions for freight rate differences. The Order made the price classifications applicable only to destinations within Market Area No. 32. It was also ordered that District Board No. 11 notify the Division when the sale and delivery of this coal was completed and upon receipt of such notification Docket No. A-1780 would be closed.

Subsequent to the date of the order of January 1, 1943, District Board No. 11 filed a motion to amend its original petition. It was alleged that the code member producer has had difficulty in finding an outlet in Market Area No. 32 and requests that relief granted by order of the Director, dated January 1, 1943, be broadened to include all Market Areas in the State of Indiana, namely, Nos. 22-28, and 30-34, inclusive.

It appears that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth, that no petitions of intervention have been filed in this matter and that the following action is necessary in order to effectuate the purposes of the Act:

Now, therefore, it is ordered, That pending further order in the above-entitled matter, the motion to amend the order of January 1, 1943, be and the same hereby is granted in the manner set forth herein: Commencing forthwith, temporary prices of $1.55 per ton for shipment into Market Area No. 32 and $1.60 per ton for shipment into all other market areas are established for approximately 8,000 tons of 1¼" x 0 raw screenings (Size Group No. 14) produced at the Daviess County Mine, Mine Index No. 291, in District No. 11, and now stored on the ground at said mine, which prices are the same as those for coals produced in the Fourth Vein seam in Price Group 13 in the Schedule of Effective Minimum Prices for District No. 11. These prices shall apply f. o. b. shipping facilities at Montgomery, Indiana, on the Baltimore & Ohio Railroad, without the benefit of deductions for freight rate differences.

It is further ordered, That the Daviess County Coal Company shall file with the Division and District Board No. 11 not later than the 15th of the month following the month of shipments, statements indicating the tonnage shipped, the price received therefor, and to whom sold; that District Board No. 11 shall notify the Division by formal document appropriately designated as pertaining to Docket No. A-1780, when the sale and delivery of coal pursuant to this order has been completed; and that proceedings in Docket No. A-1780 shall be terminated and the docket closed upon receipt of the aforesaid notification from District Board No. 11.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to sections 4 II (d) of the Bituminous Coal Act of 1937.

Dated: February 22, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-2967; Filed, February 24, 1943; 11:11 a. m.]

[1] So in the original document.

[Docket No. A-1824]

DISTRICT BOARD NO. 8

ORDER GRANTING MOTION FOR CONTINUANCE AND CONTINUING HEARING

In the matter of the petition of District Board No. 8 for a change in price classifications and minimum prices for the coals of the Burning Creek Mine, of the Burning Springs Collieries Company, in District No. 8.

The above-entitled matter having been heretofore scheduled for hearing on February 23, 1943 at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, Washington, D. C., by a Notice of and Order for Hearing issued herein on February 3, 1943; and

A motion for continuance having been filed herein by District Board No. 8, the original petitioner in the above-entitled matter, requesting that said hearing be continued to April 23, 1943, or such date thereafter as may be convenient for the Director and the parties; and

The Director, deeming it advisable that said motion should be granted to the extent as hereinafter indicated and that said hearing should be continued; and

It appearing that no petitions of intervention have been filed in the above-entitled matter;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be, and the same hereby is, continued from February 23, 1943 at 10 o'clock in the forenoon of that day to April 23, 1943 at 10 o'clock in the forenoon of that day at the place and before the officer or officers previously designated.

Dated: February 22, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-2968, Filed, February 24, 1943; 11:11 a. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order 740]

ALLOCATION OF FUNDS FOR LOANS

FEBRUARY 6, 1943.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation:	*Amount*
Texas 3-2096C2 Victoria	$20,000

[SEAL] HARRY SLATTERY, *Administrator.*

[F. R. Doc. 43-2979; Filed, February 24, 1943; 11:34 a. m.]

[Administrative Order 741]

ALLOCATION OF FUNDS FOR LOANS

FEBRUARY 6, 1943.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation:	*Amount*
Virginia 3041G2 Prince William	$76,350

[SEAL] HARRY SLATTERY, *Administrator.*

[F. R. Doc. 43-2980; Filed, February 24, 1943; 11:34 a. m.]

[Administrative Order 742]

ALLOCATION OF FUNDS FOR LOANS

FEBRUARY 6, 1943.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Illinois 3-2037B2 Saline	$16,000
Mississippi 3040E1 Smith	40,000

[SEAL] HARRY SLATTERY, *Administrator.*

[F. R Doc. 43-2981; Filed, February 24, 1943; 11:34 a. m.]

[Administrative Order 743]

ALLOCATION OF FUNDS FOR LOANS

FEBRUARY 6, 1943.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation:	*Amount*
Texas 3120GM2 Travis	$45,000

[SEAL] HARRY SLATTERY, *Administrator.*

[F. R. Doc. 43-2982; Filed, February 24, 1943; 11:34 a. m.]

[Administrative Order 744]

ALLOCATION OF FUNDS FOR LOANS

FEBRUARY 6, 1943.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Colorado 3-1022B2 Boulder	$10,000
Minnesota 3-2083B2 Hubbard	20,000
Mississippi 3-R9039B2 Jackson	20,000
Montana 3-R9009D2 Yellowstone	10,000
North Carolina 3-9031B4 Halifax	12,000
Virgina 3-8022H2 Caroline	12,200
Wyoming 3-R9011D3 Lincoln	9,500

[SEAL] HARRY SLATTERY, *Administrator.*

[F. R. Doc. 43-2983; Filed, February 24, 1943; 11:34 a. m.]

[Administrative Order 745]

ALLOCATION OF FUNDS FOR LOANS

FEBRUARY 6, 1943.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Georgia 3-1066E1 Taylor	$41,000
Illinois 3-1041C2 Jefferson	30,000
Tennessee 3-1009L2 Macon	40,000
Washington 3-1035B2 Pend Oreille	7,000

[SEAL] HARRY SLATTERY, *Administrator.*

[F. R. Doc. 43-2984; Filed, February 24, 1943; 11:34 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket Nos. 226, 555, 563, 621 and 622]

AMERICAN AIRLINES INC., ET AL.

NOTICE OF ORAL ARGUMENT

In the matter of the applications of American Airlines, Inc., Transcontinental & Western Air, Inc., and Western Air Lines, Inc., for certificates of public convenience and necessity and amendments of existing certificates under section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said Act, in the above-entitled proceeding, that oral argument is assigned to be held on March 11, 1943, at 10 a. m. (eastern war time) in Room 5042 Commerce Building, 14th Street and Constitution Avenue, NW., Washington, D. C., before the Board.

By the Civil Aeronautics Board.

Dated: Washington, D. C., February 23, 1943.

[SEAL] F. A. TOOMBS, *Acting Secretary.*

[F. R. Doc. 43-2942; Filed, February 24, 1943; 9:45 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 165 Under MPR 120]

LEWIS MATHIE

ORDER GRANTING ADJUSTMENT

Order No. 165 Under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120-261.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (d) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced by Lewis Mathie, Millersburg, Ohio, at his Mathie Mine,

Mine Index No. 1568, in District No. 4, may be sold and purchased for truck shipments at prices not to exceed the following respective prices per net ton f. o. b. the mine:

Size groups	1	2	3
Maximum prices	3.50	3.50	3.50

(b) Within thirty (30) days from the effective date of this order, the said Lewis Mathie shall notify all persons purchasing coal from the Mathie Mine, Mine Index No. 1568 of the adjustments granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Revised Maximum Price Regulation No. 122.

(c) This Order No. 165 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.-208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(e) This Order No. 165 shall become effective February 23, 1943.

Issued this 24th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2950; Filed, February 24, 1943; 9:55 a. m.]

[Order 13 Under MPR 126, as Amended]

EAGLE FLUORSPAR COMPANY

DETERMINATION OF MAXIMUM PRICE

Order No. 13 under Maximum Price Regulation No. 126, as Amended—Fluorspar.

For the reasons set forth in the opinion issued simultaneously herewith, *It is hereby ordered*, That:

(a) Under the provisions of § 1376.1 (c) (3) of Maximum Price Regulation No. 126, as amended, the price of $30.00 per ton f. o. b. Marion, Kentucky, for fluorspar, the specifications of which are a minimum of 92% calcium fluoride and a maximum of 3% silica, is determined to be a price in line with the level of maximum prices established by Section 1376.1 of said regulation for sales made by the Eagle Fluorspar Company, Salem, Kentucky, and is the maximum price at which said company may sell or deliver such fluorspar.

(b) This order No. 13 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 13 shall become effective February 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2946; Filed, February 24, 1943; 9:53 a. m.]

[Amendment 1 to Order 6 Under MPR 136, as Amended]

THE CENTRAL TOOL COMPANY

APPROVAL OF MAXIMUM PRICES

Amendment No. 1 to Order No. 6 under Maximum Price Regulation No. 136, as Amended—Machines and Parts, and Machinery Services—Docket No. 3136-178.

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Paragraph (a) is amended to read as follows:

(a) The Central Tool Company, of Auburn, Rhode Island, is hereby authorized to sell and deliver to any purchaser the following micrometers and accessories at prices not in excess of the maximum prices set opposite each micrometer and accessory listed below:

	All black frame	Polished frame
Standard (1/1,000):		
1 inch	$6.25	$8.50
2 inch	7.00	9.50
3 inch	7.75	11.00
4 inch	8.50	12.50
5 inch	9.25	13.50
6 inch	10.00	14.50
Vernier (1/1,000):		
1 inch	8.00	10.25
2 inch	8.75	11.25
3 inch	9.50	13.25

Accessories:	
Locknut—additional	$1.00
Rocket Stop—additional	.75
Cases for Sets	7.50

The following discounts shall apply to the above prices on sales to jobbers:

1–11 Micrometers	15%
12–49 Micrometers	20%
50 or more Micrometers	25%

This amendment shall be effective as of January 21, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2954; Filed, February 24, 1943; 9:55 a. m.]

[Amendment 1 to Order 1 Under MPR 275]

H. J. HEINZ CO.

AUTHORIZATION OF MAXIMUM PRICES

Amendment No. 1 to Order No. 1 under Maximum Price Regulation No. 275—Extracted Honey.

Authorization of maximum prices of "Lakeshore" Brand Extracted Honey for H. J. Heinz Co., Pittsburgh, Pennsylvania.

An opinion accompanying this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Paragraph (c) is amended to read as follows:

(c) The H. J. Heinz Co. shall send to their purchasers at the time of the first sale a notice either enclosed in the shipping case or attached thereto which shall read as follows:

Notice of retailers' permitted increase.
Your new OPA ceiling price for the pound jar Lakeshore Brand Honey is your March ceiling for such item plus 7¢ per retail container. OPA requires you to keep this information for examination.

This amendment shall become effective February 25, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 24th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2952; Filed, February 24, 1943; 9:53 a. m.]

[Order 175 Under MPR 188]

MODERN REFRIGERATOR CO. INC.

APPROVAL OF MAXIMUM PRICE

Order No. 175 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of Maximum Price for the Sale by Modern Refrigerator Co., Inc., 840 East 98th St., Brooklyn, N. Y., of Model No. 100 Ice Refrigerator.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. *It is ordered:*

(a) The maximum price for the sale by the Modern Refrigerator Co., Inc., 840 East 98th St., Brooklyn, N. Y., of the Model No. 100 Ice Refrigerator shall be $25.99. This price is subject to the customary discounts and allowances and other price differentials which were in effect during March 1942.

(b) This Order No. 175 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 175 shall become effective on the 25th day of February 1943.

Issued this 24th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2948; Filed, February 24, 1943; 9:54 a. m.]

[Order 10 Under RPS 28]

UNITED DISTILLERS PRODUCTS CORP.

DISAPPROVAL OF MAXIMUM PRICE

Order No. 10 under Revised Price Schedule No. 28—Ethyl Alcohol.

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with § 1335.159 (g) of Revised Price Schedule No. 28, *It is hereby ordered:*

(a) The price of $1.19386 reported by United Distillers Products Corp., Amston, Connecticut, under § 1335.159 (g) for sales of ethyl alcohol produced by it during January, February and March 1943 is hereby disapproved.

(b) The maximum price for the sale of ethyl alcohol of 188 proof or higher whether undenatured or denatured, produced during January, February and March 1943 by United Distillers Products Corp., Amston, Connecticut, and sold to the Defense Supplies Corporation shall be $1.15219 per wine gallon, f. o. b. plant.

(c) If United Distillers Products Corp., has made any deliveries of ethyl alcohol produced by it since January 1, 1943 at prices higher than $1.15219 per wine gallon, the United Distillers Products Corp. shall make refund or adjustment for the excess of such prices over $1.15219.

(d) This Order No. 10 shall become effective February 24, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2949; Filed, February 24, 1943; 9:54 a. m.]

[Administrative Exception Order 2 Under Ration Order 6]

UNITED STATES RUBBER COMPANY

ORDER GRANTING EXCEPTION

(a) The above petitioner has in its inventory of rubber footwear certain types of sport and dress boots which it cannot dispose of under rationing control. These boots are not practical or heavy enough for industrial use and are, therefore, frozen in its possession. It requests that these boots be excluded from the rationed types and seeks permission to sell these boots Certificate-free. The boots in these categories are:

(1) U. S. Clay Snugleg Sporting Boot with pressed-fibre nonslip sole, hip-height boot now classed at type 1 (Mfg's. No. MB583);

(2) U. S. Clay Flyweight Boot with molded pressed-fibre nonslip sole, hip-height boot now classed as type 1 (Mfg's. No. MB527);

(3) U. S. Cavalry Boot with bright varnish finish, below-the-knee boot now classed as type 4 (Mfg's. No. MB937); and

(4) U. S. Over-the-Shoe Pac with 15" Slide Fastener, Saddle Brown, below-the-knee boot now classed at type 4 (Mfg's No. ML691).

(b) The relief requested in this and similar cases may be granted without defeating or impairing the effectiveness or policy of the Ration Order involved because:

(1) The War Production Board has prohibited the manufacture of these types of rubber footwear.

(2) Throughout the entire country there are not more than 1,000 to 2,000 pairs available.

(3) They cannot be sold for industrial use because they give substantially less than normal wear for industrial uses.

(c) *It is, therefore, ordered*, That the United States Rubber Company of 1230 Sixth Avenue, New York, New York, be and it hereby is authorized to transfer Certificate-free the rubber footwear listed in paragraph (a) above; *Provided*, That:

The United States Rubber Company shall first submit to the State Director in the area where it is registered a copy of its inventory and a list of the footwear to be sold Certificate-free, with the number of pairs and description of each. Upon the finding by the State Director that the list submitted falls within the classes set forth in paragraph (a) above, the United States Rubber Company shall correct its own copy of inventory (OPA Form R-601A) and file a corrected copy with the Central Inventory Unit, Empire State Building, New York City, and shall attach a label to such footwear stating they are "Not Rationed."

(d) It is further ordered that any other establishment having boots of a similar kind, whether made by the same or other manufacturers, may sell them Certificate-free after following the procedure set forth in paragraph (c) above, and obtaining the approval of the State Director.

(e) It is further ordered that any person receiving any rubber footwear labeled "Not Rationed" pursuant to paragraph (c) above, may further transfer such rubber footwear without applying for approval of the State Director.

This order shall become effective February 24, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 429, 77th Cong.; W.P.B. Directive 1, 7 F.R. 572; E.O. 9125, 7 F.R. 2719)

Issued this 24th day of February, 1943.

PAUL M. O'LEARY,
Deputy Administrator in Charge of Rationing.

[F. R. Doc. 43-2947; Filed, February 24, 1943; 9:53 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 31-501, 31-500]

CONSOLIDATED CITIES LIGHT, POWER & TRACTION CO., ET AL.

ORDER GRANTING AND DENYING APPLICATIONS FOR EXEMPTION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 22d day of February, A. D., 1943.

In the matter of Consolidated Cities Light, Power & Traction Company, File No. 31-501; Dominion Natural Gas Company, Limited, United Fuel Investments, Limited, Hamilton By Product Coke Ovens, Limited, United Gas and Fuel Company of Hamilton, Limited, The Wentworth Gas Company, Limited, The United Suburban Gas Company, Limited, File No. 31-500.

Applications having been filed by, or on behalf of, Consolidated Cities Light, Power & Traction Company, Dominion Natural Gas Company, Limited, United Fuel Investments, Limited, Hamilton By Product Coke Ovens, Limited, United Gas and Fuel Company of Hamilton, Limited, The Wentworth Gas Company, Limited, and The United Suburban Gas Company, Limited, pursuant to section 3 (b) of the Public Utility Holding Company Act of 1935, for exemption from the provisions of said Act applicable to them as subsidiaries of Cities Service Company, a registered holding company and by, or on behalf of, Dominion Natural Gas Company, Limited, United Fuel Investments, Limited, and United Gas and Fuel Company of Hamilton, Limited, pursuant to section 3 (a) (5) of said Act, for exemption from the provisions of said Act applicable to them as holding companies; and

A hearing having been held in respect of these matters after appropriate notice and the Commission having made and filed its findings herein;

It is ordered, That the application of Consolidated Cities Light, Power & Traction Company, pursuant to section 3 (b), be, and it hereby is, denied.

It is further ordered, That Dominion Natural Gas Company, Limited, United Fuel Investments, Limited and United Gas and Fuel Company of Hamilton, Limited, be, and hereby are, granted exemption, pursuant to section 3 (a) (5), from the provisions of section 4 which would require them to register by reason of owning, controlling or holding with power to vote 10 per centum or more of the outstanding voting securities of a public-utility company or of a holding company so controlling a public-utility company.

It is further ordered, That Dominion Natural Gas Company, Limited, United Fuel Investments, Limited, United Gas and Fuel Company of Hamilton, Limited, Hamilton By Products Coke Ovens, Limited, The Wentworth Gas Company, Limited, and The United Suburban Gas Company, Limited, be, and hereby are, granted exemption, pursuant to section 3 (b), from the following provisions of the Act:

a. Section 6, except that this exemption shall not extend to any issue or sale of securities which are to be publicly offered for sale within the United States or to any exercise of a privilege or right to alter the priorities, preferences, voting power, or any other right of the holders of any security which has previously been publicly offered for sale within the United States.

b. Section 9, except that this exemption shall not apply to the acquisition of any utility assets located within the United States or to the acquisition of any interest in the business of, or securities issued or guaranteed by any public-utility or holding company which, directly or indirectly, owns or controls utility assets located within the United States.

c. Section 11 (g), except with respect to solicitation within the United States of any proxy, consent, authorization, power of attorney, deposit or dissent in respect of any reorganization plan of any of such companies.

d. Subsection (b) of section 12; subsection (c) of section 12, except with respect to the acquisition, retirement or redemption of any security of such companies then held within the United States; subsection (e) of section 12, except with respect to the solicitation within the United States of any proxy, power of attorney, consent or authorization regarding any security of such companies; subsections (f) and (g) of section 12 except with

respect to transactions with associate or affiliate companies located within the United States; subdivision (2) of subsection (h) of section 12, except with respect to contributions to or in support of any political party within the United States or any committee or agency thereof; *Provided, however,* That the exemptions herein granted under section 12 shall be inapplicable in the event any order under section 12 should be made expressly applicable to Dominion or its subsidiaries or should any rule under section 12 be, by its terms, made expressly applicable to a company which is not, and has no subsidiary which is, a public-utility company operating within the United States or should any rule under section 12 be applicable to a transaction, involving Dominion or its subsidiaries, which is the subject of an application or declaration filed with this Commission.

e. Section 13, except with respect to the performing of services or construction work for, or the sale of goods to, any public-utility or holding company which, directly or indirectly, owns or controls utility assets located within the United States.

f. Section 15, unless rules, regulations or orders promulgated by the Commission pursuant to the provisions of this section shall by their terms be made expressly applicable to any company which is not, and which has no subsidiary company which is, a public-utility company operating in the United States.

g. Section 17 (c) of the Act.

It is further ordered, That nothing herein contained shall prejudice any rights of said applicants to apply for additional or other exemption.

It is further ordered, That the exemptions granted herein shall be subject to the provisions of the Act, and the rules thereunder, with respect to their revocation.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-2941; Filed, February 23, 1943; 3:01 p. m.]

FEDERAL REGISTER

VOLUME 8 NUMBER 40

Washington, Friday, February 26, 1943

Regulations

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Personnel

PART 73—APPOINTMENT OF COMMISSIONED OFFICERS, WARRANT OFFICERS AND CHAPLAINS

APPOINTMENT NOT MADE FROM CERTAIN CLASSES

Section 73.205 (j)[1] is amended as follows:

§ 73.205 *Appointment not made from certain classes.* • • •

(j) Any civilian without prior commissioned service (see § 73.206 (c) who has not attained his 35th birthday unless classified by Selective Service as class IV-F on account of physical disability, or who has attained his 35th but not his 38th birthday at the date of appointment if classified by Selective Service (or if as yet unclassified, but apparently classifiable) as class I-A or class II. Exception may be made in the case of chaplains and doctors of medicine, dentistry, and veterinary medicine, and in other cases where there is a critical need for the services of a particular individual, or where the individual is within a scarce category of specialized skill in which not enough men trained to fill the requirements of the armed forces are available at the time required. No civilian, of any age, will be appointed if classified as II-A, II-B, or III-B unless released from such classification by his local board. 55 Stat. 728; 10 U.S.C. Sup., 484) [Par 7*j*, AR 605-10, December 30, 1942, as amended by C 2, January 28, 1943]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-3015; Filed, February 25, 1943; 10:20 a. m.]

[1] 7 F.R. 841, 1000.

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 3945]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

PASADENA PRODUCTS, INC.

§ 3.6 (y) *Advertising falsely or misleadingly—Safety:* § 3.71 (e) *Neglecting, unfairly or deceptively, to make material disclosure—Safety.* In connection with offer, etc., of respondent's preparation "Sal-Ro-Cin", or any other similar preparation, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of said preparation, which advertisements fail to reveal that the frequent or continued use of respondent's preparation, "Sal-Ro-Cin", may be dangerous and should not be taken in excess of the dosage recommended of one to two tablets two to four times daily; prohibited: *Provided, however,* That if the directions for use, wherever they appear, on the label, in the labeling, or both on the label, and in the labeling, contain a warning of the potential dangers in the use of said preparation as hereinabove set forth, such advertisements need contain only the precautionary statement, "Caution: Use Only as Directed." (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Pasadena Products, Inc., Docket 3945, February 17, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 17th day of February, A. D. 1943.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, answer of the respondent, testimony and other evidence taken before trial examiners of the Commission theretofore duly designated by it, in support of the allegations of said complaint and in opposition thereto, report of the trial examiners upon the evidence, and briefs filed in support of the complaint and in opposi-

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tion thereto; and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Pasadena Products, Inc., a corporation, its officers, representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, or distribution of its preparation known as "Sal-Ro-Cin," or any other preparation of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under any other name, do forthwith cease and desist from directly or indirectly:

1. Disseminating or causing to be disseminated any advertisement by means of United States mails or by any means in commerce as "commerce" is defined in the Federal Trade Commission Act which advertisement fails to reveal that the frequent or continued use of respondent's preparation, "Sal-Ro-Cin," may be dangerous and should not be taken in excess of the dosage recommended of one to two tablets two to four times daily; provided, however, that if the directions for use, wherever they appear, on the label, in the labeling, or both on the label, and in the labeling, contain a warning of the potential dangers in the use of said preparation as hereinabove set forth, such advertisement need contain only the precautionary statement, "Caution: Use only as directed."

2. Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in commerce as "commerce" is defined in the Federal Trade Commission Act, of said preparation "Sal-Ro-Cin" which advertisement fails to reveal facts material with respect to the consequences which may result from the use of respondent's preparation as required in paragraph (1) hereof.

It is further ordered, That the respondent shall; within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-3049; Filed, February 25, 1943; 11:37 a. m.]

[Docket No. 4007]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

NORTHWEST FILM AD SERVICE, INC., ET AL.

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Producer status of dealer or seller—Grower or producer:* § 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Service.* In connection with offer, etc., in commerce, of advertising film service or motion picture trailers, and among other things, as in order set forth, representing that the respondents are producers of advertising films and moving picture trailers or that the respondents have branch offices or places of business in any city or state where no such branch office or place of business is operated or maintained; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Northwest Film Ad Service, Inc., et al., Docket 4007, February 20, 1943]

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Connections or arrangements with others:* § 3.6 (ee) *Advertising falsely or misleadingly—Terms and conditions:* § 3.72 (n 10) *Offering deceptive inducements to purchase—Terms and conditions.* In connection with offer, etc., in commerce, of advertising film service or motion picture trailers, and among other things, as in order set forth, representing, directly or by implication, that any manufacturer, distributor, or other person will pay any portion of the cost of any advertising film service or moving picture trailer unless directly authorized by such manufacturer, distributor, or other person to make such representations; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Northwest Film Ad Service, Inc., et al., Docket 4007, February 20, 1943]

§ 3.6 (ff 5) *Advertising falsely or misleadingly—Undertakings, in general:* § 3.72 (p) *Offering deceptive inducements to purchase—Undertakings, in general.* In connection with offer, etc., in commerce, of advertising film service or motion picture trailers, and among other things, as in order set forth, representing, directly or by implication, that respondents will not sell competitors of any purchaser of respondents' advertising film service or moving picture trailers unless respondents refrain from such sale; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Northwest Film Ad Service, Inc., et al., Docket 4007, February 20, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 20th day of February, A. D. 1943.

In the Matter of Northwest Film Ad Service, Inc., a Corporation, and Frank D. Atkins, an Individual

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, answer of the respondents, testimony and other evidence in support of, and in opposition to, the allegations of the complaint taken before trial examiners of the Commission theretofore duly designated by it, report of Trial Examiner Lewis C. Russell upon the evidence, and brief filed by counsel for the Commission; and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondents, Northwest Film Ad Service, Inc., a corporation, and its officers, and Frank D. Atkins, an individual, and their respective representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, and distribution of advertising film service or moving picture trailers in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Representing that the respondents are producers of advertising films and moving picture trailers or that the respondents have branch offices or places of business in any city or state where no such branch office or place of business is operated or maintained.

(2) Representing directly or by implication that any manufacturer, distributor, or other person will pay any portion of the cost of any advertising film service or moving picture trailer unless directly authorized by such manufacturer, distributor, or other person to make such representations.

(3) Representing directly or by implication that respondents will not sell competitors of any purchaser of respondents' advertising film service or moving picture trailers unless respondents refrain from such sale.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-3050; Filed, February 25, 1943; 11:37 a. m.]

[Docket No. 4583]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

PERGANDE INSTITUTE

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Individual or private business as educational, religious or research institution:* § 3.96 (b) *Using misleading name—Vendor—Individual or private business being educational or research institution.* In connection with offer, etc., in commerce, of respondent's courses of study, and among other things, as in order set forth, using the word "Institute", or any abbreviation or simulation thereof, as a part of respondent's trade name or as a part of the name of respondent's school; or otherwise representing, directly or by implication, that respondent's school is an institute; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Pergande Institute, Docket 4583, February 20, 1943]

§ 3.6 (f) *Advertising falsely or misleadingly—Demand or business opportunities:* § 3.6 (y 10) *Advertising falsely or misleadingly—Scientific or other relevant facts:* § 3.72 (i 5) *Offering deceptive inducements to purchase—Opportunities in product or service.* In connection with offer, etc., in commerce, of respondent's courses of study, and among other things, as in order set forth, representing, directly or by implication, (1) that the number of positions available in the United States civil service, or in any branch thereof, is greater than is actually the fact; (2) that examinations for positions in the United States civil service are held at more frequent intervals than is actually the fact, or that appointments to positions are made within a shorter period of time after the examination than is actually the fact; (3) that eligibility for the taking of a civil service examination may be determined by the applicant or by respondent, or by anyone other than the United States Civil Service Commission; and (4) that a high rating in a civil service examination assures the applicant an early appointment to a position; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Pergande Institute, Docket 4583, February 20, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 20th day of February, A. D. 1943.

In the Matter of G. F. Pergande, Individually and Doing Business Under the Name and Style of Pergande Institute

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence in support of and in opposition to the allegations of the complaint taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence, and brief in support of the complaint (no brief having been filed by respondent and oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, G. F. Pergande, individually and trading as Pergande Institute, or trading under any other name, and his agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of respondent's courses of study, do forthwith cease and desist from:

1. Using the word "Institute," or any abbreviation or simulation thereof, as a part of respondent's trade name or as a part of the name of respondent's school; or otherwise representing, directly or by implication, that respondent's school is an institute.

2. Representing, directly or by implication, that the number of positions available in the United States civil service, or in any branch thereof, is greater than is actually the fact.

3. Representing, directly or by implication, that examinations for positions in the United States civil service are held at more frequent intervals than is actually the fact, or that appointments to positions are made within a shorter period of time after the examination than is actually the fact.

4. Representing, directly or by implication, that eligibility for the taking of a civil service examination may be determined by the applicant or by respondent, or by anyone other than the United States Civil Service Commission.

5. Representing, directly or by implication, that a high rating in a civil service examination assures the applicant an early appointment to a position.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-3051; Filed, February 25, 1943; 11:37 a. m.]

[Docket No. 4843]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

HARLEM COMPANY

§ 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.6 (n) *Advertising falsely or misleadingly—*

Nature—Product. In connection with offer, etc., in commerce, of jewelry and novelties, and among other things, as in order set forth, using (1) the term "real diamond rings simulated," or any other term of similar import or meaning, to describe or in any way refer to rings which are made with imitation stones, or otherwise representing that rings which are made with imitation stones are made with diamonds; or (2) the term "yellow or white gold effect," or any other term of similar import or meaning, to in any way describe or refer to rings which do not contain an appreciable amount of metallic gold; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Harlem Company, Docket 4843, February 23, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23d day of February, A. D. 1943.

In the Matter of Paul J. Simmons, an Individual, Trading as Harlem Company

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, respondent's answer, and a stipulation as to the facts entered into by and between counsel for the Commission and counsel for the respondent upon the record; and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Paul J. Simmons, an individual trading as Harlem Company, or trading under any other name, his representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, and distribution of jewelry and novelties in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the term "real diamond rings simulated," or any other term of similar import or meaning, to describe or in any way refer to rings which are made with imitation stones, or otherwise representing that rings which are made with imitation stones are made with diamonds.

2. Using the term "yellow or white gold effect," or any other term of similar import or meaning, to in any way describe or refer to rings which do not contain an appreciable amount of metallic gold.

3. Representing in any way that an article which is in fact part of a combination offer is a free gift, or is given free or without cost, or representing that any article which may be obtained upon the purchase of another article is given free or without cost.

It is further ordered, That respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-3052; Filed, February 25, 1943; 11:37 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter B—Estate and Gift Taxes

[T.D. 5232]

PART 80—ESTATE TAX UNDER THE REVENUE ACTS OF 1926 AND 1932, AS AMENDED

DEDUCTION ON ACCOUNT OF PROPERTY PREVIOUSLY TAXED

In order to conform Regulations 80 (1937 Edition) [Part 80, Title 26, Code of Federal Regulations], applicable to estates of decedents dying before February 11, 1939, to the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately after section 303 (a) (2) of the Revenue Act of 1926, as amended by the Revenue Acts of 1932 and 1934, and preceding such section 303 (a) (2) as originally enacted, which precede article 41 (§ 80.41 of such Title 26), the following:

SEC. 407. DEDUCTION ON ACCOUNT OF PROPERTY PREVIOUSLY TAXED. (Revenue Act of 1942)

* * * * *

(b) *Amendments to Revenue Act of 1926 relating to property previously taxed.*

(1) The second sentence of section 303 (a) (2) of the Revenue Act of 1926, as amended, is amended by striking out "this" following "estate tax imposed under" and inserting in lieu thereof "the Revenue Act of 1932".

* * * * *

(c) *Effective dates.*

* * * * *

(4) The amendments made by subsection (b) shall be applicable with respect to estates of decedents dying after the date of enactment of the Revenue Act of 1932.

* * * * *

PAR. 2. The note which precedes article 41 (§ 80.41 of such Title 26) is amended to read as follows:

NOTE: The amendments to section 303 (a) (2) since its original enactment on February 26, 1926, were made by section 806 (a) of the Revenue Act of 1932, except as follows:

(1) Amendment by section 402 of the Revenue Act of 1934, inserting the clause, "and only if in determining the value of the net estate of the prior decedent no deduction was allowable under this paragraph in respect of the property or property given in exchange therefor", and

(2) Amendment by section 407 (b) (1) of the Revenue Act of 1942, which is set forth herein.

PAR. 3. Article 41 (§ 80.41 of such Title 26) is amended by inserting immediately preceding *Example* (1) the following paragraph:

Section 407 (b) (1) of the Revenue Act of 1942 amends section 303 (a) (2) of the Revenue Act of 1926, as amended, to provide for the allowance of the deduction for property previously taxed where only the additional estate tax under the Revenue Act of 1932 was imposed and paid with respect to the estate of the prior decedent. This amendment is applicable to estates of decedents dying after June 6, 1932, the date of the enactment of the Revenue Act of 1932. (See article 99 relative to refund or credit of any overpayment in cases where such deductions have been disallowed.)

PAR. 4. There is inserted immediately after section 303 (c) of the Revenue Act of 1926, as amended by the Revenue Act of 1934, and preceding such section 303 as originally enacted, which precede article 51 (§ 80.51 of such Title 26), the following:

SEC. 407. DEDUCTION ON ACCOUNT OF PROPERTY PREVIOUSLY TAXED. (Revenue Act of 1942.)

* * * * *

(b) *Amendments to Revenue Act of 1926 relating to property previously taxed.*

* * * * *

(2) The second sentence of section 303 (b) (2) of the Revenue Act of 1926, as amended, is amended by striking out "this" following "estate tax imposed under" and inserting in lieu thereof "the Revenue Act of 1932".

(c) *Effective dates.*

* * * * *

(4) The amendments made by subsection (b) shall be applicable with respect to estates of decedents dying after the date of enactment of the Revenue Act of 1932.

* * * * *

PAR. 5. The note which immediately precedes section 807 of the Revenue Act of 1932, (preceding article 51 (§ 80.51 of such Title 26)) is amended to read as follows:

NOTE: All of the amendments to section 303 (b) (2), as originally enacted, were made by section 806 (b) of the Revenue Act of 1932, except as follows:

(1) Amendment by section 402 of the Revenue Act of 1934, inserting the clause, "and only if in determining the value of the net estate of the prior decedent no deduction was allowable under this paragraph in respect of the property or property given in exchange therefor", and

(2) Amendment by section 407 (b) (2) of the Revenue Act of 1942, which is set forth herein.

PAR. 6. Article 53 (§ 80.53 of such Title 26) is amended by inserting at the end thereof the following paragraph:

Section 407 (b) (2) of the Revenue Act of 1942 amends section 303 (b) (2) of the Revenue Act of 1926, as amended, to provide for the allowance of the deduction for property previously taxed where only the additional estate tax under the Revenue Act of 1932 was imposed and paid with respect to the estate of the prior decedent. This amendment is applicable to estates of decedents dying after June 6, 1932, the date of the enactment of the Revenue Act of 1932. (See article 99 relative to refund or credit of any overpayment in cases where such deductions have been disallowed.)

PAR. 7. There is inserted immediately after the quotation of section 3228 of the Revised Statutes, as amended by the Revenue Act of 1928, and preceding section 319 (b) of the Revenue Act of 1926, as originally enacted, which precede article 99 (§ 80.99 of such Title 26), the following:

SEC. 407. DEDUCTION ON ACCOUNT OF PROPERTY PREVIOUSLY TAXED. (Revenue Act of 1942.)

* * * * *

(d) *Overpayments.* If the refund or credit of any overpayment to the extent resulting from the application of subsections (a), (b), and (c) of this section, is prevented on the date of enactment of this Act or within one year from such date, then, notwithstanding any other provision of law or rule of law (other than this subsection of this section and other than section 3761 of the Internal Revenue Code or section 3229 of the Revised Statutes, or such section as amended by section 815 of the Revenue Act of 1938, relating to compromises), such overpayment shall be refunded or credited in the same manner as in the case of an estate tax erroneously collected if claim therefor is filed within one year from the date of enactment of this Act.

PAR. 8. Article 99 (§ 80.99 of such Title 26), as amended by Treasury Decision 4831, approved July 18, 1938, is further amended by inserting immediately after the fourth paragraph thereof the following paragraph:

In case a refund or credit of any overpayment involving a deduction for property previously taxed to the extent resulting from the application of subsection (b) of section 407 of the Revenue Act of 1942, is prevented on October 21, 1942, or within one year from such date, then, notwithstanding any other provision of law or rule of law (other than subsection (d) of section 407 of the Revenue Act of 1942 and other than section 3761 of the Internal Revenue Code or section 3229 of the Revised Statutes, or such section as amended by section 815 of the Revenue Act of 1938, relating to compromises), such overpayment shall be refunded or credited in the same manner as in the case of an estate tax erroneously collected if claim therefor is filed within one year from October 21, 1942.

(SEC. 1101 of the Revenue Act of 1926 (44 Stat. 111, 26 U.S.C., 1934 ed., 1691 (a) (1)), in sec. 403 of the Revenue Act of 1932 (47 Stat. 245, 26 U.S.C., 1934 ed., 537), and in secs. 303 (a) (2) and 303 (b) (2) of the Revenue Act of 1926, as amended respectively by secs. 806 (a) and 806 (b) of the Revenue Act of 1932, by sec. 402 of the Revenue Act of 1934 (44 Stat. 72, 73, 47 Stat. 281, 48 Stat. 753, 26 U.S.C., 1934 ed., 412 (c), 461 (a) (2)), and by sec. 407 (b), (c) (4), and (d) of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942)

[SEAL] GUY T. HELVERING, *Commissioner of Internal Revenue.*

Approved: February 24, 1943.

JOHN L. SULLIVAN, *Acting Secretary of the Treasury.*

[F. R. Doc. 43-3056; Filed, February 25, 1943; 11:42 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment 17]

PART 801—GENERAL REGULATIONS

COFFEE EXPORTATION PROHIBITED

Section 801.2 *Prohibited exportations*[1] is hereby amended in the following particulars:

In the column headed "General License Group" the group designations assigned to the commodities listed below (at every place where said commodities appear in said section) are amended to read as follows:

Commodity	Department of Commerce No.	General license group
Coffee extracts and substitutes (include chicory, dried and roasted).	1513.00	None
Coffee, green	1511.00	None
Coffee, roasted (include decaffeinated).	1512.00	None

Licensed exports of the above commodities which were on dock, on lighter, laden aboard the exporting carrier or in transit to ports of exit pursuant to actual orders for export prior to the effective date of this amendment may be exported under the previous general license provisions.

This amendment shall become effective March 1, 1943.

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 40, 8 F.R. 1938)

Dated: February 22, 1943.

A. N. ZIEGLER, *Acting Chief of Office, Office of Exports.*

[F. R. Doc. 43-3053; Filed, February 25, 1943; 11:33 a. m.]

[Amendment 18]

PART 802—GENERAL LICENSES

PERSONAL BAGGAGE

Part 802, General Licenses, is hereby amended in the following particulars:

1. Subparagraph (4) of paragraph (a) of § 802.11 *Personal baggage* (8 F.R. 1556) is amended to read as follows:

§ 802.11 *Personal baggage.* (a) * * *

(4) Passenger automobiles when the personal property of persons departing the United States and not being exported for resale or other commercial purpose. Such persons must file with the collector of customs an affidavit certifying that the exportation is not for resale or other commercial purpose.

2. The following new section is inserted between §§ 802.11 and 802.12:

§ 802.11a *Resale of automobiles exported to Mexico as personal baggage.* Passenger automobiles exported to Mexico pursuant to § 802.11 (a) (4) above may be resold in Mexico subject to the following conditions:

(a) An application for license to export must be filed by the owner of the automobile with the American Embassy in Mexico City. Such application, in addition to other information required therein, shall contain:

(1) The applicant's last address in the United States.

(2) The port of exit from the United States.

(3) A complete description of the automobile and tires mounted thereon.

(b) The applicant must simultaneously file an affidavit stating the reasons for the proposed resale.

(c) If the license is granted by the Office of Exports, authority to resell will be transmitted to the applicant through the American Embassy in Mexico City at which time the affidavit executed pursuant to § 802.11 (a) (4) above will be returned to the applicant.

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 40, 8 F.R. 1938)

Dated: February 22, 1943.

A. N. ZIEGLER, *Acting Chief of Office, Office of Exports.*

[F. R. Doc. 43-3054; Filed, February 25, 1943; 11:33 a. m.]

[Amendment 19]

PART 808—PROCEDURE RELATING TO SHIPMENT OF LICENSED EXPORTS TO THE OTHER AMERICAN REPUBLICS

APPLICATION FORM PRESCRIBED

Section 808.5 *Application form prescribed* (8 F.R. 1574) is hereby amended to read as follows:

§ 808.5 *Application form prescribed.* Applications for shipping space shall be made on the applicable form as follows:

(a) Form BEW-166 may be used when:

(1) An individual export license is required for the proposed exportation; and

(2) The entire exportation is at, or is ready for shipment to, or will be ready for shipment to the port of exit from

[1] 8 F.R. 1494, 1879, 1616 1709, 2146, 2187, 2327.

the United States within two weeks from the date the individual export license is received by the applicant.

The limitations with respect to weight as prescribed in § 808.2 (c) of this Part shall not be applicable to the use of Form BEW–166.

(b) Form BEW–138 shall be used when:

(1) Form BEW–166 has not been used; and

(2) The proposed exportation weighs 2,240 pounds or more; and

(3) The entire exportation is at, or is ready for shipment to, or will be ready for shipment to the port of exit from the United States within three weeks from the date the application for freight space is submitted.

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 40, 8 F.R. 1938)

Dated: February 22, 1943.

A. N. ZIEGLER,
Acting Chief of Office,
Office of Exports.

[F. R. Doc. 43–3055, Filed February 25, 1943; 11:33 a. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P D Reg. 1, as amended, 6 F.R. 6680; W P B Reg. 1, 7 F.R. 561; E O. 9024, 7 F.R. 329; E O 9040, 7 F R 527, E O. 9125, 7 F R. 2719; sec. 2 (a), Pub Law 671, 76th Cong., as amended by Pub Laws 89 and 507, 77th Cong.

PART 1293—HAND TOOLS SIMPLIFICATION

[Schedule IV to Limitation Order L–157, as Amended Feb. 25, 1943]

HEAVY FORGED HAND TOOLS

§ 1293.5 *Schedule IV to Limitation Order L–157—*(a) *Definitions.* For the purposes of this schedule:

(1) "Producer" means any person who manufactures, stamps, forges, or otherwise fabricates heavy forged hand tools.

(2) "Heavy forged hand tools" means such (i) bars, (ii) blacksmiths' anvil tools, (iii) mauls and hammers or sledges weighing 4 pounds or over, (iv) hoes weighing $3\frac{1}{2}$ pounds or over, (v) mattocks, (vi) picks, (vii) railway track tools, (viii) tongs, (ix) wedges, (x) mine blasting hand tools, mine breast drills and miscellaneous forged hand tools, as are listed in Table 1 through Table 10 of Appendix A of this Schedule, and all other tools as are listed in said Tables.

(b) *Limitations.* Parts manufactured for repair and maintenance of any heavy forged hand tools are not subject to the limitations of this Schedule.

(c) *Simplified practices.* Pursuant to Limitation Order L–157 the sizes, types, grades, weights and finishes set forth in Appendix A and Tables 1 through 10 of this schedule are established for the manufacture of heavy forged hand tools.

(d) *Effective date of simplified practices.* On and after the 3rd day of November, 1942, no heavy forged hand tool which does not conform to the size, type, grade, finish, weight and standard established by paragraph (c) of this schedule (and set forth in Appendix A and tables hereto) shall be produced by any producer except upon approval of the Director General for Operations.

(e) *Records covering materials, work in progress, etc.* Each producer of heavy forged hand tools shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

Issued this 25th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

APPENDIX A TO SCHEDULE IV

[NOTE. Paragraph (4) Amended Feb 25, 1943]

Explanations and Limitations

(1) *Finishes.* Faces, bits, points, and other commonly ground parts of a heavy forged hand tool shall not have a finish finer than the finish resulting from the use of a 60-grit emery wheel, dry, when good commercial technique is employed, except that sample tools selected from a lot for inspection may be polished to as fine a degree as may be necessary for such inspection. All other surfaces of heavy forged hand tools shall not be finished other than by applying a coating of paint, enamel, or lacquer over the natural forged surface, free from scale.

(2) *Sizes.* Weights given herein are exclusive of wooden handles. Dimensions and weights are subject to commercial tolerances

(3) *Eyes.* The shapes of eyes specified by number herein and the dimensions of eyes, except those for which dimensions are given herein, shall conform with the diagrams and data on eye shapes and sizes shown pp. 10 to 18, inclusive, of Simplified Practice Recommendation R17–35, Forged Tools, issued by the National Bureau of Standards.

(4) Chisels cold, chisels hot, as both such types of chisel are set forth in Table 2 of this Appendix: Chisels, track (designs 1 and 2, A R E A) as set forth in table 7 of this Appendix; mauls, Pittsburgh or Bell pattern (designs 1 and 2, A R E A) as set forth in table 3 of this Appendix; and blacksmiths' double face sledges in 6-, 8-, 10-, and 12-pound sizes as set forth in table 3 of this Appendix; may be made of carbon steel or of such National Emergency alloy steels as are permitted by the Director General for Operations. All other tools listed in this Schedule, Appendix and Tables shall be made of carbon steel only.

(5) No producer shall offer the tools listed herein in more than one grade, finish, or kind of steel, except as provided in paragraph 4 above.

(6) Reference herein to "the forged hammers schedule" and to "the forged hatchets schedule" refer to Schedule II of Limitation Order L–157.

TABLE 1.—BARS

[NOTE: Table 1 Amended Feb. 25, 1943]

Chisel point:					
Diameter of octagon or hexagon	inch	⅝	¾	⅞	1
Length	inches	18	24	30	36
Claw, carpenters' and wrecking:					
Carpenters, gooseneck (the nail-pulling claw end bent around to form an angle of approximately 30 degrees with shaft of the bar, the other end wedge shaped and offset at an angle of about 30 degrees):					
Size of Hexagon or octagon	inches	½	¾	¾	¾
Length	do	12	24	30	36
Carpenters', gooseneck (the nail-pulling claw end bent by a double bend to an angle of from 90 to 120 degrees with the shaft of the bar, the other end wedge shaped and offset at an angle of about 30 degrees):					
Size of octagon or hexagon	inch	¾	¾	¾	
Over all length	inches	24	30	36	
Wrecking or straight (both ends offset at an angle of approximately 30 degrees, in opposite directions, one end wedge shaped and the other provided with a claw):					
Diameter of octagon or hexagon	inch	¾	¾	¾	
Length	inches	24	30	36	

Claw, railroad:
A. R. E. A.[a] design No. 1: 5 feet long, approximately 28 pounds.
A. R. E. A. design No. 2: 5 feet long, approximately 28 pounds.
Double end (for railroad and boat spikes): 30-pound.
Flextoe.
Light, with railroad standard heel 4-foot, 20-pound, for ½-inch spike.
Small, without heel:
3-foot, 8-pound, for ⅜ and ½-inch spikes.
2½ foot, 6-pound, for ⅜ and ½-inch spikes.
Other railroad claw-bars. None.
Coal or slate (one end tapered to a point, the other wedge-shaped and offset): 4½-foot, 1-inch octagon or hexagon, 11½-pound.
Crow, pinch-point, 3-pound, ¾-inch, 2-foot; and 6-pound, ⅞-inch, 3-foot.
Crow, pinch-and wedge-point:

Weight each	pounds	12	18	22	26
Size	inches	1⅛	1¼	1⅜ or 1½	1⅝
Length	do	51	60	63	66

[a] See Specifications and Plans for Track Tools, published by the American Railway Engineering Association, Construction and Maintenance Section, Association of American Railroads, 1942, annual edition.

TABLE 1.—BARS—Continued

Crow, pinch, Lecomotive (with toothed heel): None.
Crow, pinch, with heel, 20-pound, 66-inch.
Crow, pinch, or jimmy (or miners, or Dillonvale. Has offset wedge-shaped point): None.
Digging, post-hole:
With tamper: 5½ to 6 feet long, 1 inch in diameter; blade 3 inches wide, tamper 2¼ inches in diameter, one model only.
With loop end: None.
With point end: 8 feet long 1⅛-inch octagon or hexagon.
Flagging or paving: None.
Lining, diamond-shaped point:
Weight each ..... pounds .. 18 26
Size ..... inches .. 1¼ 1½
Length ..... inches .. 60 66
Lining, round point: None.
Punches, round end:
Sizes of round punch ..... inches .. ¼ ⅜ ½ ⅝ ¾ ⅞ 1
Stock at eye ..... do .. 1⅛ 1⅜ 1⅝ 1⅞ 2⅛ 2⅜ 2⅝
Length ..... do .. 7 7½ 7¾ 8 8¼ 8½
Punches, square end:
Sizes of square punch ..... inches .. ¼ ⅜ ½ ⅝ ¾ ⅞ 1
Stock at eye ..... do .. 1⅛ 1⅛ 1¼ 1⅜ 1⅝ 1½ 1½
Length ..... do .. 7 7¼ 7½ 7¾ 8 8¼ 8½
Set hammers:
Square sizes of stock at face ..... inches .. 1¼ 1½ 1¾
Weight ..... pounds .. 1½ 2 2¾
Sledges, top: Sizes of peen, inches, ¼, ⅜, ½, ⅝, ¾, ⅞, 1 1¼, 1½, 1¾, 2, 2½, and 3.
Sledges, bottom: Sizes of peen, inches, ¼, ⅜, ½, ⅝, ¾, ⅞, 1, 1¼, 1½, 1¾, 2, 2½, and 3.

TABLE 2.—BLACKSMITHS' ANVIL TOOLS

[NOTE: Table 2 Amended Feb. 25, 1943]

Chisels, cold:

Sizes of stock at eye	inches	1¼	1½	1¾
Length	do	6	7	8
Bit	do	1¼	1½	1¾
Weight	pounds	2	3	5

Chisels, hot:

Sizes of stock at eye	inches	1¼	1½	1¾
Length	do	7⅞	8¼	9⅜
Bit	do	1½	2	2¼
Weight	pounds	2	3	5

Flatters:

Sizes of face	inches	2	2½	3	4

Fullers, top:
Sizes of groove, inches, ¼, ⅜, ½, ⅝, 1, 1¼, 1½, 1¾, 2, 2½, 3, and 4.

Fullers, bottom (shank 2⅜ inches long for all sizes): Sizes of groove, inches, ¼, ⅜, ½, ¾, 1, 1¼, 1½, 1¾, 2.

Hardies (shank 2⅜ inches long for all sizes): Sizes of square shank, inches, ½, ⅝, ¾, ⅞, 1, 1⅛, 1¼.

Hatchet stakes: Bit, inches, 1⅝, 1¾, 1⅞, ?, 2⅛, 2¼, 2⅜.

Heading tools:

Diameter of hole (inches)	Length (inches)	Size of head (inches)
⅝	15	1¼ x 2½
¾	15	1¼ x 2½
⅞	15	1¼ x 2½
⅝	16	1⅝ x 2½
¾	16	1⅝ x 2½
1	16	1⅝ x 2½

TABLE 3.—HAMMER, MAULS, AND SLEDGES

[NOTE: Table 3 Amended Feb. 25, 1943]

Hammers:
Blacksmiths', double-face (See sledges)
Blacksmiths', hand, cross peen (For smaller sizes see forged hammers schedule.)

Weight	pounds	4	6	8	16	20
Length	inches	6½	7¾	9½	10½	
Eye size	do	2	2	2	2	
Eye sizes	inches	¾ by 1	1 by 1¼	1 by 1⅜	1¼ by 1½	
Spalding, double face:						
Weight	pounds		8	12	16	
Length	inches		6½	7	8	
Eye No.			2	2	2	
Eye size	inches		1 by 1¾	1 by 1⅜	1 by 1⅜	
Striking, Missouri pattern: None.						
Striking, short or Oregon pattern: None.						
Striking, long or Nevada pattern:						

Weight (pounds)	Length (inches)	Eye No.	Eye size (inches)
4	5¾	2	¾ by 1
6	6½	2	1 by 1¼
10	7¾	2	1 by 1⅜
12	8	2	1 by 1⅜
16	8½	2	1 by 1⅜

Mauls:
Coal: None.
Ship or top: 5-pound, 8¾-inch, Eye No. 2, 1 by 1¼ inch.
Spike, railroad.
Standard pattern (any two of the following):

Weight	pounds	4	8	10
Length	inches	9	12	12¾
Eye No.		2	2	2
Eye size	inches	¾ by 1	1 by 1⅜	1 by 1⅜

Pittsburgh or bell pattern:
A. R. E. A. design No. 1: 14-inch, approximately 10-pound.
A. R. E. A. design No. 2: 15-inch, approximately 10-pound.
Woodchoppers':
Straight bit, oval eye: None.
Oregon pattern, single-bit-axe eye: None.
Oregon pattern, double-bit-axe eye:

Weight	pounds	6	8
Length	inches	8½	9⅛
Eye No.		5	6
Eye size	inches	⅞ by 2¼	⅞ by 2¼

[1] Same as 4-pound bi chsmiths double face sledge.

TABLE 3.—HAMMERS, MAULS, AND SLEDGES—Continued

Mauls—Continued

Oregon pattern, oval eye:

Weight	pounds	6	8
Length	inches	8½	9⅛
Eye No.		2	2
Eye size	inches	1 by 1¼	1 by 1¼

Sledges

Blacksmiths', cross peen:

Weight	pounds	6	8	10	12	16
Length	inches	6½	7	7½	8	9
Eye No.		2	2	2	2	2
Eye size	inches	1 by 1¼	1 by 1¼	1 by 1⅜	1 by 1⅜	1 by 1⅜

Blacksmiths', straight peen:

Weight	pounds	8	12	14
Length	inches	7	8	8½
Eye No.		2	2	2
Eye size	inches	1 by 1¼	1 by 1⅜	1 by 1⅜

Blacksmiths', double face:

Weight (pounds)	Length (inches)	Eye No.	Eye Size (inches)
4	5¾	2	⅞ by 1
6	6	2	1 by 1¼
8	6½	2	1 by 1¼
10	7	2	1 by 1¾
12	7½	2	1 by 1¾
20	8¾	2	1¼ by 1¾

Moulders: None.

New England pattern, cross peen: None.

Ore: None.

Stone, flat face: None.

Stone, oval face:

Weight	pounds	8	12	16	20
Length	inches	7¼	8¼	9¼	9¾
Eye No.		2	2	2	2
Eye size	inches	1 by 1¼	1 by 1⅜	1 by 1⅜	1¼ by 1½

TABLE 4.—HOES

Accomac: 5-pound (nominal), blade 5⅞ to 6¾ inches, length 11 to 11¾ inches.

Clay: None.

Grub: 3½-pound, 3¾-inch bit, 10¾ inches long, No. 8 eye.

Grub, Baltimore pattern: None.

Hazel: None.

Palmetto (Accomac type, but with heavier blade): None.

Vineyard: None.

TABLE 5.—MATTOCKS

Asphalt, double eye: 10-pound, 3-inch bits, 20 inches long.

Asphalt, single eye: None.

Brush: None.

Cutter

3-pound, 13 inches over all, eye No. 7.

5-pound, 15¾ inches over all, eye No. 6.

Nursery: None.

Pick, 5-pound, 3½-inch blade, 19 inches over all, eye No. 6.

Pick and cutter: None.

Pick, intrenching: To be in accordance with U. S. Army Specification No. 17–171.

TABLE 6.—PICKS

[NOTE: Table 6 Amended Feb. 25 1943]

Boiler, or scaling hammer: 1-pound.

Canadian pattern, with sleeve: None.

Coal miners, adze eye

Cutting or straight pattern,

Mining or anchored pattern, short, and

Mining or anchored pattern, long:

1½-pound } eye No. 10, but with larger opening 2¼ by ¾ inch
2-pound }
2½-pound }
3-pound } eye No. 10, but with larger opening 3 by 1 inch.
3½-pound }
4-pound }
5-pound }

Coal miners anthracite pattern: None.

Coal miners, lip eye: None.

Coal, special construction (attached to handle by means of a collar and bolt): None.

Concrete (similar in shape to quarry pick): None.

Contractors, diamond pointed: None.

Contractors, point and chisel ends: 9-pound, 30-inch, eye No. 6.

Contractors, round pointed, or Yankee pattern: 8-pound, 30-inch, eye No. 6.

Drifting:

Weight	pounds	4	5	6
Length	inches	21	25	26
Eye No.		10	10	10

Drifting (all other models): None.

Mill: 2-pound.

Poll, or mining: 5-pound, 16-inch, eye No. 10.

Poll, or locomotive, 5 to 6 pound. One model only.

Poll, or zinc mining: None.

Prospectors': (See forged hammers schedule.)

Quarry: None.

Railroad or clay

Double pointed: 7-pound (A. R. E. A. design) 25-inch, eye No. 6; 8-pound, 26-inch, eye No. 6.

Point and chisel ends: 6-pound 23-inch, eye No. 6; 7-pound (A. R. E. A. design) 25-inch, eye No. 6, and 9-pound, 27-inch eye No. 6.

Eyeless: None.

Rock or ore

Point and chisel ends: 7-pound, 22-inch, eye No. 6.

Double pointed: 7-pound, 22-inch, eye No. 6.

Stone: None.

Surface: None.

Tamping.

A. R. E. A. V-tamp: 8-pound approximately, 24½-inch, eye No. 6; 10-pound tamp, 24½ inches long, eye No. 6, T or V tamp (one only).

T-tamp: eyeless. None.

Diamond tamp: None.

Diamond tamp, eyeless: None.

Trimmers': None.

TABLE 7.—RAILWAY TRACK TOOLS NOT ELSEWHERE CLASSIFIED—Continued

Punch, track, round point: A. R. E. A. design, 5½-pound.

Tongs, girder rail: Maximum weight 18 pounds.

Tongs, rail: A. R. E. A. design, 22-pound.

Tongs, tie: A. R. E. A. design, 10-pound. (May be furnished with lugs.)

Tongs, timber: Old or new A. R. E. A. design.

Wrenches, track, single and double end: A. R. E. A. design, jaw openings as desired.

Wrenches, track, mine:

Double end, S pattern:

For ½- and ⅝-inch bolts, 10½ inches long over all, maximum weight 1½ pounds, jaw opening as desired.

Single end, other end tapered for lining up holes:

For ½-inch bolts, 11½ inches long over all, maximum weight 1½ pounds, jaw opening as desired.

TABLE 8.—TONGS

[NOTE: Table 8 Amended Feb. 25, 1943]

Bit, with oblong bored jaws:

Curved pattern: 3½-pound.

Straight pattern: None.

Blacksmiths' bolt, curved lip, fluted jaw:

Diameter of bolt	inches	¼	⅜	½	⅝	¾	⅞	1	1¼
Length	do	18	18	20	22	22	24	24	26

Gad, flat jaw: 24-inch.

Horseshoers': 16-inch.

Pick: 24-inch.

Pick-up, double: 24-inch.

Pick-up, single: 24-inch.

Rivet: 24-inch.

Rivet heaters: 30-inch and 42-inch.

Sticker, straight or curved: 20-inch.

Straight fluted lip: 18-, and 24-inch.

TABLE 9.—WEDGES

Bucking, Pacific coast: 6-pound.

Coal: 2-, 2½-, 3-, and 3½-pound (one pattern only, to be proportioned as desired between the present short and long patterns.)

Coal, anthracite pattern: 2-, 2½, 3-, and 3½-pound.

Falling, broad pattern with ear: None.

Falling, Pacific coast: 5- and 8-pound.

Falling, Lake Superior pattern (sometimes called a splitting wedge): None.

Falling, narrow pattern: None.

Falling, Oregon pattern: None.

Falling, Puget Sound pattern: None.

Falling, Townsend pattern: None.

Frost: 16-pound.

Hanging (any wedges with holes in center of head): None.

Rock: None.

Saw, heavy pattern, with ear: None.

Saw, improved: ½-, 1-, 2-, and 3-pound.

Splitting, cedar: None.

Splitting, Oregon: 6-pound.

Standard or square head: 3-, 4-, 5-, and 6-pound.

Stave: 3- and 4-pound.

Stone: 2- and 4-pound.

Tie: None.

Truckee, or round head: 4-, 5-, and 6-pound.

Truckee, flared bit: None.

Wood, prouty: None.

TABLE 10.—MISCELLANEOUS FORGED HAND TOOLS, MINE BLASTING HAND TOOLS, AND MINE BREAST DRILLS

[NOTE: Table 10 Amended Feb. 25, 1943]

Axe, stone, double bit: None.

Bull points, hand:

Length	inches	12	15	24
Bar size	do	⅞	1	1¼

Chisel, side: 5-pound.

Chisels, welders' hot, alloy steel: 5-pound, 2-inch bit, stock at eye 1¼-inches, eye No. 2, eye size ¾ x 1 inch.

Chisels (varieties similar to blacksmiths' cold and hot chisels, such as drift, splitting, car, foundry, etc.): None.

Drift pin, barrel type and plug or taper type:

Diameter of stock	inches	⅜	9/16	11/16	13/16	15/16	1 1/16	1 3/16
Length	inches	6	6½	7	7½	8	8½	9

Frocs, cooper: 5-pound, 14-inch.

Gouge, handle: None.

Punch, backing out:

Diameter of face	inches	⅜	½	⅝	¾	⅞	1
Stock at eye	do	1⅛	1¼	1⅜	1⅜	1½	1½
Over all length	do	7¼	7½	7¾	8	8¼	8½

Rivet header or rivet set (also known as button sets): To be made in one type only:

Size of rivet	inches	½	⅝	¾	⅞
Weight	pounds	2½	3	4	5

MINE BLASTING TOOLS

Needles, copper: None.

Needles, steel: None.

Tamp drills, copper headed: None.

Tamp drills, all steel: None.

Scraper and copper headed tamper (with steel scraper): None.

Scraper and copper headed tamper (with detachable copper scraper): None.

Scrapers, double end (one end detachable copper): None.

Scrapers, double end, all steel: Diameter of steel body, ⅜-inch; lengths 6 and 7 feet.

Scrapers, spoon and sump type: None.

Scraper and tamper, all steel: None.

Scraper, all steel, with loop handle: None.

MINE BREAST DRILLS

Breast augers, complete, single and double crank:

Length, including flint of twist and crank stem (feet)	Length of twist (feet)	Sizes of oval augers (inches)	Size of conveyor augers (inches)
6	5	1¼, 1½	1½
7	6	1¼, 1½, 2	1½
8	7	1½	1½
9	8	1½	1½

Cranks, for breast augers, single and double: Lengths of stems (distance from threaded end to crank) 6- and 18-inch.

Twists, for single and double crank breast augers (with 6-inch shanks threaded for coupling to crank):

Length of twist, exclusive of shank (feet)	Sizes of oval augers (inches)	Size of conveyor augers (inches)
5	1¼, 1½	1½
6	1¼, 1½, 2	1½
7	1½	1½
8	1½	1½

[F. R. Doc. 43-3044; Filed, February 25, 1943; 11:25 a. m.]

PART 3102—NATIONAL EMERGENCY SPECIFICATIONS FOR STEEL PRODUCTS

[Schedule 4 to Limitation Order L–211]

STRUCTURAL STEEL SHAPES

§ 3102.5 *Schedule 4 to Limitation Order L–211*—(a) *Definitions.* (1) "Structural steel shapes" means flanged sections of carbon and alloy steel used in the construction of bridges, buildings, ships, towers, tanks, and for general structural purposes, but not including bar size sections such as channels, angles, tee and zee bars having maximum cross-section dimensions as follows: Equal angles and tees, under 2 inches; unequal angles, under 2½ inches; all other, under 3 inches.

(2) "Government order" means an order placed:

(i) By the Government of the United States or any department or agency thereof, or

(ii) By any other person covering material to be physically incorporated into material to be delivered to such government, department, or agency, or

(iii) By a warehouse which has been designated by such government, department, or agency as a source of supply for government orders, for delivery to a stock maintained for that purpose.

(b) *Restrictions in sizes and shapes.* No person shall produce, fabricate, or deliver any structural steel shape except in a size and shape set forth in National Emergency Specifications, Simplification of Structural Steel Shapes, as revised May 11, 1942.

(c) *Restrictions on specifications*—(1) *Government orders.* No person shall produce, fabricate, or deliver on a Government order any structural steel shape which does not conform to a specification set forth in List 1 or List 2 of this schedule.

(2) *Other orders.* No person shall produce, fabricate, or deliver on any order other than a government order any structural steel shape which does not conform to a specification set forth in List 1 of this Schedule.

(d) *Acceptance of delivery.* No person shall accept delivery of any structural steel shape which he knows or has reason to believe was produced, fabricated, or delivered in violation of the provisions of paragraphs (b) or (c).

(e) *General exceptions.* The provisions of paragraphs (b), (c), and (d) shall not apply to structural steel shapes:

(1) The production, fabrication, delivery, or acceptance of which is specifically excepted by the Director General for Operations. In the case of alloy structural steel shapes, such exceptions may be granted with respect to chemical compositions by the approval of a melting, production, or delivery schedule by the Director General for Operations, or

(2) Which have been produced or fabricated before February 25, 1943, or which before such date have been processed in such manner and to such extent that processing to conform to such provisions would be impracticable.

(3) Which are certified by the U. S. Army or Navy to the producer, fabricator, or supplier as being necessary to insure the military characteristics of the item for which such structural steel shape is required.

(f) *Exceptions on specifications.* The provisions of paragraphs (c) and (d) shall not prevent

(1) Waiver by the purchaser or procuring agency of any of the inspection or test requirements of the specifications prescribed in paragraph (c), or

(2) Delivery or acceptance of structural steel shapes which because of errors in manufacture do not conform to the requirements of paragraph (c), providing such requirements are waived by the purchaser or procuring agency.

(g) *Records.* Each person owning or possessing structural steel shapes excepted by the provisions of paragraphs (e) or (f) shall retain records of such material available for inspection by duly authorized representatives of the War Production Board. In addition, each person accepting an order for structural steel shapes excepted by the provisions of paragraph (e) (3) shall furnish details of such order to the War Production Board within five days after such acceptance.

Issued this 25th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

LIST 1

SPECIFICATIONS PERMISSIBLE FOR GENERAL USE

Tensile strength	Specification designation and grade	Specification title
Medium grades		
Ship hulls		
60,000–72,000 psi	A13–1942, Section 39	Structural steel for hulls.
Railroad cars and locomotive		
60,000–72,000 psi	AAR–M–116–42, Grade A	Steel, structural, shapes, plates and bars.
60,000–72,000 psi	AAR–M–116–42, Grade B	Steel, structural, shapes, plates and bars.
50,000–62,000 psi	ASTM–A113–42, for locomotives	Structural steel for locomotives and cars.
55,000–67,000 psi	ASTM–A113–42, for cars	Structural steel for locomotives and cars.
60,000–72,000 psi		
Bridges, buildings and general uses:		
60,000–72,000 psi	ASTM–A7–42	Steel for bridges and buildings.
60,000–72,000 psi	AREA–1941	Structural steel.
60,000–72,000 psi	AASHO–M94–39	Structural steel for bridges and buildings.
High strength structural grades		
Bridges, buildings and general uses:		
80,000–95,000 psi	ASTM–A94–39	Structural silicon steel.
80,000–95,000 psi	AREA–1941	Structural silicon steel.
80,000–95,000 psi	AASHO–M94–39	Structural silicon steel.
80,000–95,000 psi	ASTM–A242–42	Low alloy structural steel.
70,000 psi minimum		
66,000 psi minimum		
63,000 psi minimum		

NOTES

AIS = American Bureau of Shipping, Rules For Building And Classing Steel Vessels.
ASTM = American Society for Testing Materials, Standard Specifications.
AAR = Association of American Railroads, Manual of Standard And Recommended Practice.
AREA = American Railway Engineering Association, Specifications for Steel Railway Bridges.
AASHO = American Association of State Highway Officials, Standard Specifications for Highway Materials And Methods of Sampling and Testing.

LIST 2

SPECIFICATIONS PERMISSIBLE FOR GOVERNMENT ORDERS ONLY

Tensile strength	Specification designation and grade	Specification title
Cold flanging (soft, cold pressing) grades		
60,000 psi maximum	Army, 57–114–1, Class A	Steel, plates, shapes, sheets, strips and rectangular bars for welded structures.
48,000–58,000 psi	Army, 57–114, Class A	Steel, structural, (for) ordnance material.
50,000 psi minimum	Navy, 46S1, Grade F	Steel. Shapes and bars for hull construction.
55,000–65,000 psi	Federal, QQ–S–741, Grade C	Steel, structural (for) ships.
Medium grades		
60,000–72,000 psi	Army, 57–114, Class B	Steel, structural (for) ordnance material.
55,000 psi minimum	Navy, 46S1, Grade C	Steel. Shapes and bars for hull construction.
60,000 psi minimum	Navy, 46S1, Grade M	Steel. Shapes and bars for hull construction.
60,000–72,000 psi	Navy, 22Y	Specifications for structural steel welding as amended to permit surface reinforcing.
60,000 psi minimum (welding quality).	Federal, QQ–S–751, Grade A	Steel, structural (for) ships.
60,000 psi minimum (not welding quality).	Federal, QQ–S–751, Grade B	Steel, structural (for) ships.
60,000–72,000 psi	Federal, QQ–S–741, Type A, Class a	Steel, structural (including welding or rivet, (for) bridges and buildings.
60,000–72,000 psi (copper-bearing)	Federal, QQ–S–741, Type A, Class b	
64,000 to 72,000 psi (welding quality)	Federal, QQ–S–741, Type B, Class a.	

LIST 2—Continued.

SPECIFICATIONS PERMISSIBLE FOR GOVERNMENT ORDERS ONLY—continued

Tensile strength	Specification designation and grade	Specification title
Medium grades—Continued.		
50,000 to 72,000 psi (welding quality copper-bearing).	Federal, QQ–S–741, Type B, Class b.	Steel, plates, shapes, sheets, strips and rectangular bars for welded structures.
High strength grades		
80,000 psi maximum	Army, 57–114–1, Class B, Grade 1.	Steel, plates, shapes, sheets, strips and rectangular bars for welded structures.
100,000 psi maximum	Army, 57–114–1, Class B, Grade 2.	Steel, plates, shapes, sheets, strips and rectangular bars for welded structures.
140,000 psi maximum	Army, 57–114–1, Class C	Steel plates, shapes, sheets, strips and rectangular bars for welded structures.
80,000–95,000 psi	Army, 57–114, Class D	Steel, structural (for) ordnance material.
80,000 psi maximum	Navy, 46S1, Grade HT	Steel. Shapes and bars for hull construction.
100,000 psi maximum		
85,000 psi maximum		
75,000 psi minimum	Navy, 47S20, Class 1, Condition a.	Steel, corrosion resistant, structural shapes.

NOTES

1. The applicable issue of any of the specifications in List 2 shall be the issue in effect on the date of invitation to bid, or on the date of the purchase order or contract, or such subsequent issue as the procuring agency may substitute in the contract.
2. Federal Specifications QQ–S–741a and QQ–S–751a may be used prior to the effective date of Federal Specification QQ–S–741.

[F. R. Doc. 43–3046; Filed, February 25, 1943; 11:25 a. m.]

PART 3102—NATIONAL EMERGENCY SPECIFICATIONS FOR STEEL PRODUCTS

[Schedule 5 to Limitation Order L–211]

STEEL AXLES AND FORGINGS (RAILROAD AND TRANSIT SERVICES)

§ 3102.6 *Schedule 5 to Limitation Order L–211*—(a) *Definitions.* For the purposes of this schedule:

(1) "Axles" means rolled or forged steel axles for locomotives, tenders, and freight and passenger cars for railroad and rail transit service.

(2) "Forgings" means steel forgings (other than axles, wheels, or tires) for locomotives, tenders, freight and passenger cars for railroad and rail transit service.

(3) "Annealed" as used in any of the specifications in Lists 1 or 2, means heated to obtain the desired internal structure and cooled, evenly and slowly, either in air or in the furnace at the option of the manufacturer.

(b) *Restrictions on sizes and shapes.* No person shall produce, fabricate, or deliver:

(1) Freight car axles, except in the sizes and dimensions conforming to the 1939 AAR Standard Axle Designs as set forth in the 1941 Manual of the Association of American Railroads.

(2) Railroad passenger car and tender friction bearing axles except in the sizes and dimensions conforming to the AAR Design No. 6, adopted 1940, as set forth in the 1941 Manual of the Association of American Railroads.

(3) Transit car axles with machine offset dust guards, except in designs having off-set dimensions greater than ¼ inch, conforming to the specifications set forth in List 2 of this schedule.

(c) *Restrictions on specifications.* (1) No person shall produce, fabricate, or deliver axles except in conformance to the specifications set forth in List 1 of this schedule.

(2) No person shall produce, fabricate, or deliver forgings except in conformance to the specifications set forth in List 2 of this schedule.

(d) *Acceptance of delivery.* No person shall accept delivery of axles or forgings which he knows or has reason to believe were produced, fabricated, or delivered in violation of the provisions of paragraphs (b) or (c).

(e) *General exceptions.* (1) The provisions of paragraphs (b), (c), and (d) shall not apply to axles and forgings, the production, fabrication, delivery, or acceptance of which is specifically permitted by the Director General for Operations, or which have been produced or fabricated before February 25, 1943, or which before such date have been processed in such manner and to such extent that processing to conform to such provisions would be impracticable.

(2) The provisions of paragraphs (c) and (d) shall not prevent the purchaser or procuring agency from waiving any of the inspection and test requirements of the specifications prescribed in paragraph (c).

(3) The provisions of paragraphs (c) and (d) shall not prevent the delivery or acceptance of axles and forgings which because of errors in manufacture do not conform to the requirements of paragraph (c) providing such requirements are waived by the purchaser or procuring agency.

(4) The provisions of paragraphs (b) and (c) shall not apply to machining operations performed in the purchasers' shops.

(5) The provisions of paragraph (b) (2) shall not prevent the production, fabrication, delivery, or acceptance of railroad passenger car and tender friction bearing axles in other sizes and dimensions for repairs or replacements to railroad passenger cars and tenders built prior to February 25, 1943, provided the purchaser endorses on the purchase order a statement signed by an authorized official, either manually or as provided in Priorities Regulation No. 7, substantially as follows:

As permitted by Schedule 5 to Limitation Order L–211, the axles covered by this order are to be used for repairs or replacements to railroad passenger cars or tenders built prior to February 25, 1943.

_____ _____
Name of Purchaser Signature of Authorized Official

_____
Title

Such statement shall constitute a representation to the seller and to the War Production Board, and may be relied on by the seller unless he knows or has reason to believe it to be false.

(f) *Records.* Each person owning or possessing axles and forgings excepted by the provisions of paragraph (e) shall retain records of such material available for inspection by duly authorized representatives of the War Production Board.

Issued this 25th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

LIST 1

AXLES

Service condition and minimum tensile strength	Specification designation and grade	Specification title
Transit service annealed: 80,000 psi	ASTM–A236–42, Class D	Carbon-steel forgings for locomotives and cars, as amended by Emergency Alternate Provisions EA–A236 adopted August 12, 1942.
Quenched and tempered: 82,500–95,000 psi	ASTM–A236–42, Class G	Carbon-steel forgings for locomotives and cars, as amended by Emergency Alternate Provisions EA–A236 adopted August 12, 1942.
Railroad freight car service as forged (normal diameter 6½ inches or less): No specified tensile strength	AAR E–M–101–42, Grade A	Axles, carbon steel, for cars and locomotive tenders, adopted August 19, 1942.
No specified tensile strength	ASTM–A21–36	Carbon-steel axles for cars and tenders, as amended by Emergency Alternate Provisions EA–A21 adopted October 5, 1942.
Normalized and tempered: 85,000 psi	AAR–E–M–101–42, Grade C	Axles, carbon steel, for cars and locomotive tenders, adopted August 19, 1942.
Railroad passenger, tender and similar services as forged: No specified tensile strength	AAR–E–M 101–42, Grade A	Axles, carbon steel, for cars and locomotive tenders, adopted August 19, 1942.

LIST 1—Continued

AXLES—continued

Service condition and minimum tensile strength	Specification designation and grade	Specification title
Normalized and tempered: 85,000 psi	AAR-E-M-101-42, Grade C	Axles, carbon steel, for cars and locomotive tenders, adopted August 19, 1942.
83,000 and 85,000 psi	ASTM-A236-42, Class E	Carbon-steel forgings for locomotives and cars, as amended by Emergency Alternate Provisions EA-A236 adopted August 12, 1942.
Locomotive service normalized and tempered: 84,000 to 88,000 psi	AAR-E-M-101-42, Class A	Normalized and tempered steel forgings, adopted April 16, 1942.
84,000 to 88,000 psi	ASTM-A236-42, Class F	Carbon-steel forgings for locomotives and cars, as amended by Emergency Alternate Provisions EA-A236 adopted August 12, 1942.
Alloy steel axles, normalized and tempered: 80,000 psi	ASTM-A238-42, Class A	Alloy-steel forgings for locomotives and cars, as amended by Emergency Alternate Provisions EA-A238 adopted October 5, 1942
85,000 and 90,000 psi	ASTM-A238-42, Class B	
91,000 to 95,000 psi	ASTM-A238-42, Class C	
Normalized, quenched, and tempered: 85,000 to 95,000 psi	ASTM-A238-42, Class D	Alloy-steel forgings for locomotives and cars, as amended by Emergency Alternate Provisions EA-A238 adopted October 5, 1942
95,000 to 105,000 psi	ASTM-A238-42, Class E	
110,000 to 125,000 psi	ASTM-A238-42, Class F	

LIST 2

FORGINGS OTHER THAN AXLES, WHEELS, OR TIRES

Condition and minimum tensile strength	Specification designation and grade	Specification title
As forged: No specified tensile strength	AAR-E-M-102-42, Grade 1-2	Forgings, carbon steel, annealed and unannealed, adopted August 19, 1942
No specified tensile strength	ASTM-A236-42, Class A	Carbon-steel forgings for locomotives and cars, as amended by Emergency Alternate Provisions EA-A236 adopted August 12, 1942
Annealed: 80,000 psi	AAR-E-M-102-42, Grade 3	Forgings, carbon steel, annealed and unannealed, adopted August 19, 1942
80,000 psi	ASTM-A236-42, Class D	Carbon-steel forgings for locomotives and cars, as amended by Emergency Alternate Provisions EA-A236 adopted August 12, 1942
Normalized and tempered: 84,000 to 88,000 psi	AAR-E-M-101-42, Class A	Normalized and tempered steel forgings, adopted April 16, 1942
84,000 to 88,000 psi	ASTM-A236-42, Class F	Carbon-steel forgings for locomotives and cars, as amended by Emergency Alternate Provisions EA-A236, adopted August 12, 1942
Quenched and tempered: 82,500 to 90,000 psi	ASTM-A236-42, Class G	Carbon-steel forgings for locomotives and cars, as amended by Emergency Alternate Provisions EA-A236 adopted August 12, 1942
100,000 to 115,000 psi	ASTM-A236-42, Class H	
110,000 to 130,000 psi	ASTM-A236-42, Class I	
Alloy steel forgings normalized and tempered: 80,000 psi	ASTM-A238-42, Class A	Alloy-steel forgings for locomotives and cars, as amended by Emergency Alternate Provisions EA-A238 adopted October 5, 1942
85,000 to 90,000 psi	ASTM-A238-42, Class B	
91,000 to 95,000 psi	ASTM-A238-42, Class C	
Normalized, quenched and tempered: 85,000 to 95,000 psi	ASTM-A238-42, Class D	Alloy-steel forgings for locomotives and cars, as amended by Emergency Alternate Provisions EA-A238 adopted October 5, 1942
95,000 to 105,000 psi	ASTM-A238-42, Class E	
110,000 to 125,000 psi	ASTM-A238-42, Class F	

NOTE: Lists 1 and 2—AAR=Association of American Railroads, Manual of Standard and Recommended Practice. ASTM=American Society for Testing Materials, Standard Specifications.

[F. R. Doc. 43-3047; Filed, February 25, 1943; 11:25 a. m.]

PART 3102—NATIONAL EMERGENCY SPECIFICATIONS FOR STEEL PRODUCTS

[Schedule 6 to Limitation Order L-211]

MECHANICAL STEEL TUBING

§ 3102.7 *Schedule 6 to Limitation Order L-211*—(a) *Definitions.* "Mechanical tubing" means steel tubing for mechanical, structural or other nonpressure uses. Such tubing is generally made to special sizes and wall thicknesses other than those for standard pipe and is not hydrostatically mill tested.

(b) *Restrictions on quantities and sizes.* (1) No person shall produce cold drawn seamless mechanical tubing of low carbon steel (carbon less than 0.30 percent maximum) except on an order for at least the following minimum quantities, for manufacture and delivery at any one time, in any one size or in any one grade or finish; *Provided, however,* That orders may be pooled for manufacture if the total of the pooled orders exceeds the minimum quantities shown:

Outside diameter (inches)	*Minimum permissible quantity in one size or one grade (feet)*
Up to ¾ inch inclusive	1,000
Over ¾ inch to and including 1½ inches	800
Over 1½ inches to and including 3 inches	600
Over 3 inches to and including 6 inches	400
Over 6 inches	250

(2) No manufacturer shall be required to schedule for manufacture or delivery, for jobber or warehouse stock, cold drawn seamless mechanical tubing, of low carbon steel (carbon less than 0.30 percent maximum) except in the standard sizes set forth in Table I, attached hereto and made a part of this order.

(c) *Restrictions on specifications.* (1) No person shall produce, fabricate, or deliver cold drawn seamless mechanical tubing of low carbon steel (carbon less than 0.30 percent maximum) for jobber or warehouse stock which does not conform to the requirements set forth in the American Iron and Steel Institute Manual, section 18 (Steel Tubular Products) as revised September 1942, or to Army, Navy, or Federal specifications.

(2) No person shall produce, fabricate, or deliver mechanical tubing of a free cutting grade containing sulphur in excess of 0.05 percent.

(d) *Acceptance of delivery.* No person shall accept delivery of mechanical tubing which he knows or has reason to believe was produced, fabricated, or delivered in violation of the provisions of paragraph (b) or (c).

(e) *General exceptions.* The provisions of paragraphs (b), (c), and (d) shall not apply to mechanical tubing:

(1) The production, fabrication, delivery, or acceptance of which is specifically excepted by the Director General for Operations.

(2) Which has been produced or fabricated before February 25, 1943, or which before such date has been processed in such manner and to such extent that processing to conform to such provisions would be impracticable.

(f) *Exceptions on specifications.* The provisions of paragraphs (c) and (d) shall not prevent:

(1) Waiver by the purchaser or procuring agency of the inspection or test requirements of the specifications prescribed in paragraph (c), or

(2) Delivery or acceptance of mechanical tubing which because of errors in manufacture does not conform to the requirements of paragraph (c), providing such requirements are waived by the purchaser or procuring agency.

(g) *Records.* Each person owning or possessing mechanical tubing excepted by the provisions of paragraphs (e) and (f) shall retain records of such material available for inspection by duly authorized representatives of the War Production Board.

Issued this 25th day of February, 1943

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3048; Filed, February 25, 1943; 11:25 a. m.]

PART 3102—NATIONAL EMERGENCY SPECIFICATIONS FOR STEEL PRODUCTS

[Schedule 7 to Limitation Order L-211]

RAILS AND TRACK ACCESSORIES

§ 3102.8 *Schedule 7 to Limitation Order L-211*—(a) *Definitions.* For the purposes of this schedule:

(1) "Rails" means new standard tee rails (weighing over 60 pounds per yard) and plain, grooved and guard types of new steel girder rails.

(2) "Track accessories" means new steel joint bars (variously called splice bars, angle bars and fish plates), tie plates, track spikes, and track bolts and nuts.

(b) *Restrictions on specifications.* No person shall produce, fabricate, deliver, or accept rails or track accessories which he knows or has reason to believe do not conform to a specification set forth in List 1 of this schedule.

(c) *Exceptions.* (1) The provisions of paragraph (b) shall not apply to rails or track accessories:

(i) The production, fabrication, delivery, or acceptance of which is specifically permitted by the Director General for Operations.

(ii) Which have been produced or fabricated before February 25, 1943, or which before such date have been processed in such manner and to such extent that processing to conform to such provisions would be impracticable.

(2) The provisions of paragraph (b) shall not prevent

(i) Waiver by the purchaser or procuring agency of any of the inspection or test requirements of the specifications prescribed in paragraph (b).

(ii) Delivery or acceptance of rails or track accessories which because of errors in manufacture do not conform to the requirements of paragraph (b), providing such requirements are waived by the purchaser or procuring agency.

(iii) The production, fabrication, delivery, or acceptance of rails with hardened, milled, or beveled ends.

(iv) The production, fabrication, delivery, or acceptance of standard length rails (no shorts) of #1 classification without "A" rails, for use in the fabrication of frogs, switches and crossings, provided the purchaser endorses on the purchase order a statement signed by an authorized official, either manually or as provided in Priorities Regulation No. 7, substantially as follows:

As permitted by Schedule 7 to Limitation Order L-211, the standard length rails (no shorts) of #1 classification without "A" rails covered by this order are for use in the fabrication of frogs, switches, or crossings.

Name of Purchaser	Signature of Authorized Official	Title

Such statement shall constitute a representation to the seller and to the War Production Board, and may be relied on by the seller unless he knows or has reason to believe it to be false.

(d) *Records.* Each person owning or possessing rails or track accessories excepted by the provisions of paragraph (c) shall retain records of such material available for inspection by duly authorized representatives of the War Production Board.

Issued this 25th day of February, 1943.

CURTIS E. CALDER,
Director General for Operations.

LIST 1

Open-hearth tee rails	AREA-1942	Open-hearth steel rails, as amended by emergency provisions, adopted March 19, 1942.
Open-hearth tee rails	ASTM-A1-39	Open-hearth carbon-steel rails, as amended by Emergency Alternate Provision EA-A1, adopted April 6, 1942.
Steel girder rails	ASTM-A2-27	Open-hearth steel girder rails of plain, grooved and guard types.
Joint bars:		
Low carbon steel	ASTM-A3-33	Low-carbon steel joint bars.
Medium carbon steel	ASTM-A4-14	Medium carbon steel joint bars.
Quenched carbon steel	AREA-1936	Quenched carbon-steel joint bars.
Quenched carbon-steel joint bars	ASTM-A49-39	Quenched carbon-steel joint bars.
Track bolts and nuts:		
Low carbon steel bolts and nuts	ASTM-A76-33	Low-carbon steel track bolts and nuts.
Heat treated carbon steel bolts and nuts.	AREA-1939	Heat-treated carbon-steel track bolts, as amended by emergency provisions, adopted March 19, 1942.
Heat treated carbon steel bolts and nuts.	ASTM-A183-40T	Heat-treated carbon-steel track bolts and nuts, as amended by Emergency Alternate Provision EA-A183, adopted April 6, 1942.
Track spikes:		
Soft steel	AREA-1934	Soft steel cut track spikes, as amended by emergency provisions, adopted March 19, 1942
Soft steel	ASTM-A65-33	Soft steel track spikes.
High carbon steel	AREA-1942	High carbon steel track spikes, as amended by emergency provisions adopted March 19, 1942.
Screw spikes	ASTM-A66-33	Steel screw spikes.
Steel tie plates:		
Soft and medium grade	AREA-1942	Emergency specifications for soft and medium steel tie plates.
Soft and medium grade	ASTM-A67-33	Steel tie plates, as amended by Emergency Alternate Provision EA-A67, adopted April 6, 1942.
High carbon	AREA-1942	Hot-worked, high-carbon steel tie plates, as amended by emergency provisions, adopted March 19, 1942.
High carbon	ASTM-A241-41	Hot-worked high-carbon steel tie plates, as amended by Emergency Alternate Provision EA-A241, adopted April 6, 1942.

NOTE: AREA=American Railway Engineering Association, Construction and Maintenance Section, Association of American Railroads; ASTM=American Society for Testing Materials, Standard Specifications.

[F. R. Doc. 43-3037; Filed, February 25, 1943; 11:25 a. m.]

PART 3115—CONSTRUCTION MACHINERY AND EQUIPMENT SIMPLIFICATION AND CONSERVATION

[Schedule V to Limitation Order L-217]

PORTABLE CONSTRUCTION CONCRETE MIXERS

§ 3115.6 *Schedule V to Limitation Order L-217*—(a) *Definitions.* For the purposes of this Schedule V:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of portable construction concrete mixers.

(3) "Portable construction concrete mixer" means any concrete mixer manufactured to mix concrete in batches of 3½ cubic feet to 14 cubic feet inclusive.

(4) "Repair part" means any part manufactured for use in the repair of portable construction concrete mixers.

(5) "Running gear" means the mounting for portable construction concrete mixers such as truck wheels or skids.

(6) "Accessories and attachments" means any equipment regularly sold by a producer to be used in conjunction with the operation of a portable construction concrete mixer, but shall not include power units.

(b) *Limitation on production.* (1) On and after March 15, 1943, no producer shall put into process any materials for the manufacture of portable construction concrete mixers, running gear, or accessories and attachments which do not conform to the sizes and types established in paragraphs (c), (d) and (e) hereof. Nothing in this paragraph (b) (1) shall be deemed to prohibit the use of any such materials which may have been in transit to such producer or in process by him on that date.

(2) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(c) *Limitation on sizes and types of portable construction concrete mixers.* Producers are limited to the following sizes and types of portable construction concrete mixers:

(1) 7 cubic feet, two opening drum type.

(2) 10 cubic feet, two opening drum type.

(3) 14 cubic feet, two opening drum type.

(d) *Limitation on sizes and types of running gear.* Producers are limited to the following sizes and types of running gear:

(1) End discharge on two wheel mounting for 7 cubic feet and 10 cubic feet sizes of portable construction concrete mixers (except to fill orders placed by or for the account of the Army, Navy, Maritime Commission or War Shipping Administration).

(2) End discharge on four wheel mounting for 14 cubic feet size of portable construction concrete mixer.

(3) Skid mounting for 7, 10 and 14 cubic feet sizes of portable construction concrete mixers.

(e) *Limitation on sizes and types of accessories and attachments.* Producers are limited to the following sizes and types of accessories and attachments:

(1) Power loading skip for the 7, 10 and 14 cubic feet portable construction concrete mixers.

(2) Skip shaker for the 7, 10 and 14 cubic feet portable construction concrete mixers.

(3) Water measuring tank for the 7, 10 and 14 cubic feet portable construction concrete mixers.

(4) Batch meter for the 7, 10 and 14 cubic feet portable construction concrete mixers.

(5) Auxiliary water pump for the 7, 10 and 14 cubic feet portable construction concrete mixers.

(6) Gated batch-hopper for the 14 cubic feet portable construction concrete mixer only.

(7) Auxiliary hoist for the 14 cubic feet portable construction concrete mixer only.

(f) *Limitation on painting.* On and after March 15, 1943, no producer shall use striping or trimming on portable construction concrete mixers, nor use more than one color finish coat paint on any one mixer and its repair parts if painted. Nothing in this paragraph (f) shall be deemed to require the repainting of any mixers or repair parts in any such producer's inventory on March 15, 1943.

(g) *Limitation on mudguards and fenders.* On and after March 15, 1943, no producer shall put into process any metal in the manufacture of mudguards or fenders for portable construction concrete mixers except for supporting brackets, nor use any metal for streamlining except when required for structural strength or for safety. Nothing in this paragraph (g) shall be deemed to prohibit the use of any metal which may have been in transit to such producer or in process by him on that date.

(h) *Restrictions on producers.* No person, unless actively engaged in the current production of portable construction concrete mixers (as indicated by his January, 1943 filing of production and shipment schedules on form PD-697, pursuant to Limitation Order L-192) shall thereafter enter into the production thereof.

Issued this 25th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3038, Filed, February 25, 1943; 11:26 a. m.]

PART 3115—CONSTRUCTION MACHINERY AND EQUIPMENT SIMPLIFICATION AND CONSERVATION

[Schedule VI to Limitation Order L-217]

TRUCK MIXER-AGITATORS

§ 3115.7 *Schedule VI to Limitation Order L-217*—(a) *Definitions.* For the purposes of this Schedule VI:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of truck mixer-agitators.

(3) "Truck mixer-agitator" means any mixer body suitable for truck mounting ordinarily used for mixing or agitating concrete in transit, where the batched materials are or may be loaded by gravity into the mixer drum.

(4) "Repair part" means any part manufactured for use in the repair of truck mixer-agitators.

(b) *Limitation on production.* (1) On and after March 15, 1943, no producer shall put into process any materials for the manufacture of truck mixer-agitators which do not conform to the sizes and types established in paragraph (c) hereof. Nothing in this paragraph (b) (1) shall be deemed to prohibit the use of any such materials which may have been in transit to such producer or in process by him on that date.

(2) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(c) *Limitation on sizes and types.* Producers are limited to the following sizes of truck mixer-agitators, and no more than one type (either the inclined axis rotating drum or open body type) is permitted for each such size:

(1) 2 cubic yard mixer (3 cubic yard agitator).

(2) 4 cubic yard mixer (6 cubic yard agitator).

(d) *Limitation on painting.* On and after March 15, 1943, no producer shall use striping or trimming on truck mixer-agitators, nor, except for sign lettering, use more than one color finish coat paint on any one truck mixer-agitator and its repair parts if painted. Nothing in this paragraph (d) shall be deemed to require the repainting of any truck mixer-agitators or repair parts in any such producer's inventory on March 15, 1943.

(e) *Limitation on attachments.* On and after March 15, 1943, no producer shall use or put into process any metal in the manufacture of running board platforms or drum guards for truck mixed-agitators except for supporting brackets. Nothing in this paragraph (e) shall be deemed to prohibit the use of any metal which may have been in transit to such producer or in process by him on that date.

(f) *Restrictions on producers.* No person, unless actively engaged in the current production of truck mixer-agitators (as indicated by his January, 1943, filing of production and shipment schedules on Form PD-697, pursuant to Limitation Order L-192) shall thereafter enter into the production thereof.

Issued this 25th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3039; Filed, February 25, 1943; 11:26 a. m.]

PART 3115—CONSTRUCTION MACHINERY AND EQUIPMENT SIMPLIFICATION AND CONSERVATION

[Schedule VII to Limitation Order L-217]

PUMPS

§ 3115.8 *Schedule VII to Limitation Order L-217*—(a) *Definitions.* For the purposes of this Schedule VII:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of pumps as herein defined.

(3) "Pumps" means gasoline or electric motor driven pumps, skid or trailer mounted, ordinarily used by contractors for dewatering and supply of the types approved by the Associated General Contractors of America (A. G. C.), February 21, 1941, and listed below:

(i) Centrifugal self-priming pumps.
(ii) Diaphragm pumps.
(iii) Triplex piston road pumps.
(iv) Plunger pumps.

This definition does not include Underwriter's approved fire fighting pumps, farm type pumps and industrial type pumps.

(4) "Repair part" means any part manufactured for use in the repair of pumps as herein defined.

(5) "The Military" means the Army, Navy, Maritime Commission, War Shipping Administration and the following persons when acting as the authorized procurement agents for the Navy:

(i) Fuller, Merritt, Chapman and Scott Corporation.
(ii) M. T. Reed Contracting Company
(iii) Siems Drake Puget Sound.
(iv) Pacific Naval Air Bases.

(6) "New" when applied to pump means any pump which has not been sold by a producer or a distributor to a person acquiring it for use, regardless of whether such pump may have been leased to any person by such producer or distributor.

(7) "Copper" means unalloyed copper metal, including unalloyed copper metal produced from scrap.

(8) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds forty percent (40%) of the total weight of the alloy. It shall include alloy metal produced from scrap.

(b) *Exemptions.* Nothing in this schedule shall be deemed to prevent producers from filling orders for pumps placed by or for the account of the military.

(c) *Limitation on production and assembly of pumps.* (1) On and after March 15, 1943, no producer shall put into process any materials for the manufacture of pumps which do not conform to the sizes, types, models and designs established in paragraph (d) hereof. Nothing in this paragraph (c) (1) shall be deemed to prohibit the use of any such materials which may have been in transit to such producer or in process by him on that date.

(2) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(d) *Limitation on sizes and types.* Producers are limited to the following sizes, types and models of pumps, and no more than one design is permitted for each such type, size and model:

(1) *Self-priming centrifugal pumps* (Iron body construction only):
(i) 1½"—3,000 G. P. H. minimum capacity (mounted on skids only).
(ii) 2"—10,000 G. P. H. minimum capacity (two wheel trailer mounting or on skids only).
(iii) 3"—20,000 G. P. H. minimum capacity (two wheel trailer mounting or on skids only).
(iv) 4"—40,000 G. P. H. minimum capacity (two wheel trailer mounting or on skids only).
(v) 6"—90,000 G. P. H. minimum capacity (two wheel trailer mounting or on skids only).
(vi) 8"—125,000 G. P. H. minimum capacity (two wheel running gear or on skids only).
(vii) 10"—180,000 G. P. H. minimum capacity (four wheel running gear or on skids only).

(2) *Diaphragm pumps:*
(i) 3" single diaphragm on 2 wheel trailer mounting with closed type discharge.
(ii) 4" single diaphragm on 2 wheel trailer mounting with closed type discharge.

(3) *Triplex road pumps:*
(i) 125 G. P. H. at 500 pounds pressure model mounted on four wheel running gear.

(4) *Plunger pumps:*
(i) No plunger pumps are to be manufactured for dewatering purposes.

(e) *Limitation on painting.* On and after March 15, 1943, no producer shall use striping or trimming on pumps, nor use more than one color finish coat paint on any one pump and its repair parts if painted. Nothing in this paragraph (e) shall be deemed to require the repainting of any pumps or repair parts in any such producer's inventory on March 15, 1943.

(f) *Limitations on accessories.* On and after March 15, 1943, no producer shall manufacture, or receive from his supplier for resale, any of the following items, unless such items are in process or on order prior to February 25, 1943:

(1) Hand cranks, other than rope starters, to be furnished as equipment for new single cylinder engine pumps;
(2) Spring axle mountings for new pumps;
(3) Bearings, except plain or agricultural pin type bearings, for axle wheels on new pumps;
(4) Vacuum or pressure gauges, except for resale as special equipment;
(5) Skids, unless made of wood, for new pumps; or
(6) Wheel bushings containing copper or copper base alloy.

(g) *Restrictions on producers.* No producer, unless actively engaged in the current production of pumps (as indicated by his January, 1943, filing of production and shipment schedules on Form PD-697, pursuant to Limitation Order L-192) shall thereafter enter into the production thereof.

Issued this 25th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3040; Filed, February 25, 1943; 11:26 a. m.]

PART 1123—SHELLAC

[Allocation Order M-106 as Amended Feb. 25, 1943]

The order title Conservation Order M-106 is hereby amended to read Allocation Order M-106.

Section 1123.1 is hereby amended in its entirety to read as follows:

§ 1123.1 (*Allocation Order M-106*)—(a) *Definitions.* For the purpose of this order:

(1) "Shellac" means lac of all grades produced from the secretion of Lacifer Lacca Kerr (Tachardia Lacca) including dry, cut, bleached or otherwise processed shellac, seedlac or other types of lac, but excluding such lac after it has been incorporated into protective or technical coatings or molding compounds, or after it has been mixed with a substantial quantity of other materials (except chlorine, alcohol or other solvents, or impurities in the original lac), or has been made an integral part of some article (such as electrical equipment or parts). This exemption shall not apply to lac processed no further than cutting or bleaching.

(2) "Allocation month" means the calendar month during which the use, processing, delivery or acceptance of delivery of a particular quantity of shellac is specifically authorized.

(3) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons whether incorporated or not, including but not limited to consumers and suppliers as hereinafter defined.

(4) "Consumer" means any person who so uses shellac as defined above that it ceases to be within the definition of shellac; for example, any person who incorporates shellac into protective coatings is a consumer, but a person who merely cuts or bleaches shellac, or who uses a protective coating containing shellac, is not a consumer.

(5) "Supplier" means any person, including any importer, engaged in the business of selling shellac to other persons.

(6) "Inventory" of a person includes all shellac to or in which such person has any title or equity of redemption, as well as the inventory as so defined of affiliates and subsidiaries of such person, but excluding shellac ordered for future delivery for which payment has not been made.

(b) *Restrictions on use, processing and delivery.* (1) No person shall use, process, deliver or accept delivery of shellac except as specifically authorized by the Director General for Operations upon application pursuant to paragraph (e).

(2) Each person authorized to accept delivery of shellac shall use such material only for the purpose authorized except as otherwise specifically directed by the Director General for Operations.

(3) Shellac allocated for inventory shall be reserved intact and shall not be used, processed or delivered except as further specifically directed by the Director General for Operations. Likewise, shellac which is not used for the purpose for which it was allocated shall revert to inventory as though allocated for inventory.

(4) Authorizations for a particular allocation month shall not terminate at the end of such month, except with respect to delivery to and acceptance of delivery by any consumer who

(i) Requires the supplier to postpone any authorized delivery beyond ten days after the close of the allocation month; or

(ii) Fails to place an order with the supplier for the authorized shellac before the end of the allocation month.

(5) In addition to regular allocations of shellac by the Director General for Operations for each allocation month, the Director General for Operations at his discretion, notwithstanding the provisions of paragraph (c) or (d) hereof, may issue special directions to any person with respect to use, processing, delivery or acceptance of delivery of shellac by such person.

(c) *Existing stock exceptions.* The provisions of paragraph (b) (1) shall not apply to:

(1) Shellac which was cut or bleached and in the possession of a person other than a cutter, bleacher or importer prior to February 25, 1943; or

(2) Seed-lac which was cut or bleached prior to February 25, 1943, subject to any specific directions which may have been issued to the cutter or bleacher by the Director General for Operations with respect to such seed-lac.

(d) *General exceptions.* The provisions of paragraph (b) (1) shall not apply to:

(1) The use or processing for testing purposes by any person in any one calendar month of not more than 20 lbs. of shellac; or the delivery of samples of shellac of not more than 20 lbs. each by any person to any other person and the use of such samples of shellac by the deliveree for testing purposes, provided that no person during any one calendar month shall accept delivery of more than 20 lbs. of shellac for testing purposes, or deliver more than 50 lbs. of shellac for testing purposes.

(2) Delivery of shellac by (but not to), and the use or processing of shellac by, the United States Army, Navy, Coast Guard, Maritime Commission or War Shipping Administration.

(3) Delivery of shellac by any person to Defense Supplies Corporation, Commodity Credit Corporation, or any other Government agency which may from time to time be specified by the Director General for Operations.

(4) The importation of shellac into the United States or its territories and possessions, the acceptance of delivery of such shellac by the consignee thereof and the delivery by such consignee to any person who purchased or contracted to purchase such shellac prior to its importation; provided, that nothing contained in this paragraph (d) (4) shall alter the requirements of General Imports Order M-63, as now or hereafter amended.

(5) Delivery of shellac by any person to a supplier; provided, however, that no supplier shall deliver shellac to another supplier pursuant to this paragraph (d) (5), unless the aggregate amount of shellac held in inventory by the supplier making delivery is less than ten thousand (10,000) pounds immediately prior to the delivery.

(e) *Applications.* (1) Each consumer as defined in paragraph (a) (4) above seeking authorization to use, process or accept delivery of shellac shall file application for such authorization on or be-

fore the 15th day of the month preceding the requested allocation month, on Form PD–617 (revised), in the manner prescribed therein. Such consumer shall state, among other things, the technical reasons necessitating the use of shellac instead of other materials, the grade of shellac requested, alternate acceptable grades, or technical reasons why alternate grades cannot be used, and whether he proposes to process the shellac requested himself or how he wishes to have it processed before delivery to him. He shall forward five certified copies of his application to his supplier if seeking authorization for delivery as well as use; if seeking authorization for use of shellac from his own inventory only, he shall forward three certified copies of his application to the War Production Board, Chemicals Division, Washington, D. C., Ref: M–106.

(2) Each supplier receiving a set of PD–617 forms from a consumer shall, if he wishes to acquire a like amount of shellac from another supplier, execute Part II of the PD–617 set of forms and shall forward all these forms to the second supplier. The second supplier may repeat this process by executing Part III of the set of PD–617 forms and forwarding them to a third supplier. The third supplier and any subsequent suppliers to whom the set of PD–617 forms are forwarded, shall add similar additional parts in the same form and at the same time add one copy of all parts of the complete set before forwarding the set to another supplier.

(3) Each supplier receiving a set of PD–617 forms from a consumer or from another supplier and not needing to apply for delivery of shellac from another supplier, shall forward such forms, without making any entry therein or adding any additional copies, to the War Production Board, Chemicals Division, Washington, D. C., Ref: M–106.

(4) Each supplier seeking authorization to process shellac in inventory in anticipation of future orders shall apply for authorization on Form PD–617 in the manner prescribed therein on or before the 15th day of the month preceding the requested allocation month. Three certified copies of such PD–617 application shall be forwarded to the War Production Board, Chemicals Division, Washington, D. C. Ref: M–106.

(f) *Reports.* (1) On or before March 15, 1943, and on or before the 15th day of each calendar month thereafter, each person who on the first day of the previous calendar month had 5,000 pounds or more of shellac shall file with the War Production Board, Chemicals Division, Washington, D. C., Ref: M–106, an inventory report on Form PD–334 (revised) in the manner prescribed therein. Each person having a lesser quantity of shellac who shall receive a set of PD–334 forms from the War Production Board shall so certify in such forms as indicated and shall return such forms to the War Production Board.

(2) Each person who shall accept delivery of shellac pursuant to paragraph (d) (5) shall, within twenty-four hours after acceptance of such delivery, report by letter addressed to the War Production Board, Chemicals Division, Washington, D. C., Ref: M–106, the amount and grade of shellac delivered and the names of the persons making and accepting such delivery.

(3) Each person affected by this order shall file such other reports as may from time to time be required by the Director General for Operations.

(g) *Notification of customers.* Each supplier shall notify his regular customers as soon as possible of the requirements of this order as amended, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(h) *Miscellaneous provisions.*—(1) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board Regulations, as amended from time to time, except Priorities Regulation No. 13, which shall be subject to this order to the extent it is inconsistent herewith.

(2) *Records.* Each person who shall use or participate in any transaction with respect to shellac shall keep and preserve for a period of not less than two years accurate and complete records of all such transactions and of his use and inventory of shellac.

(3) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C., Ref.: M–106.

Issued this 25th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–3043; Filed, February 25, 1943; 11:27 a. m.]

PART 3022—SILVER

[Conservation Order M–199 as Amended Feb 25, 1943]

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of silver for defense, for private account, and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3022.1 *Conservation Order M–199.*—(a) *Definitions.* For the purposes of this order:

(1) "Silver" means silver bullion, silver scrap and other secondary forms of silver, and any alloy, compound, salt, or mixture containing more than one-half of one per cent of silver by weight. The term does not include alloyed gold produced in accordance with U. S. Commerce Standards CS 51–35 and CS 67–38.

(2) "Foreign silver" means any silver except that which has been produced since July 1, 1939, from mines situated inside of the territorial limits of the United States, its territories and possessions. It also includes foreign silver scrap and other secondary forms of foreign silver, and any alloy, compound, salt, or other mixture containing more than one-half of one per cent of foreign silver by weight. *Provided, however,* That scrap and other secondary forms of silver resulting from the processing of silver produced since July 1, 1939, from mines situated inside of the territorial limits of the United States, its territories and possessions, shall be considered as excepted from the category of "foreign silver," as such term is used herein, only as long as such scrap and secondary form of silver remains in the ownership of the person whose processing operations produced it.

(3) "Restricted use" means a use of silver in the manufacture of a product or part thereof or in any other use appearing upon List A hereto attached.

(4) "Inventory" of a person includes the inventory of affiliates and subsidiaries of such person, and the inventory of others where such inventory is under the control of or under common control with or available for the use of such person.

(5) "Manufacturer" means any person who uses silver by incorporating it physically in the products or parts thereof which he manufactures or who uses or consumes silver in any manufacturing, testing, laboratory, plating, or repairing process.

(6) "Supplier" means any person who imports, smelts, alloys, melts, rolls, or refines silver, or who sells silver to manufacturers. The term includes distributors.

(7) "Process" means cut, draw, machine, stamp, melt, cast, forge, roll, turn, spin, or otherwise shape. It also means assemble. The term does not include sand-bobbing, buffing, or polishing an assembled article.

(8) "Put into process" means the first change by the manufacturer in the form of material from that form in which it is received by him.

(9) The term "assemble" shall not be deemed to include the putting together of an article after delivery to a sales outlet or consumer in knockdown form pursuant to an established custom. The term "assemble" shall also not be deemed to include adding finished parts to an otherwise finished article when the placing of one or more finished parts or the size or type of one or more finished parts is determined by the use to which the ultimate consumer is to put the article. In all other cases, the term "assemble" shall be deemed to include adding parts, whether of silver or of any other material, to an article of silver, where such article is not deemed complete and ready for immediate sale or use until such parts have been added, including adding gems, stones, or glass jewels or beads to articles or parts of silver, and adding brushes, combs, knives, forks,

or other utensils to backs or handles of silver.

(10) The term "deliver" shall not be deemed to include a redelivery of silver to the owner thereof, who is a manufacturer, by a person to whom such owner delivered such silver to be alloyed or processed and returned to such owner for further processing; nor does it include the delivery under the same circumstances by the owner to the person who alloys or processes the silver for the owner.

(11) The term "receive" shall not be deemed to include a receipt of silver by the owner thereof, who is a manufacturer, from a person to whom such owner delivered such silver to be alloyed or processed and returned to such owner for further processing; nor does it include the receipt under the same circumstances from the owner by the person who alloys or processes the silver for the owner.

(12) "Domestic silver" means any silver except foreign silver.

(b) *Restrictions upon sale or delivery of foreign silver for restricted uses.* No supplier shall sell foreign silver except to a supplier or a manufacturer. No manufacturer shall sell foreign silver in the form of raw material, semi-processed material, or scrap except to a supplier or to fill orders bearing a preference rating of A–1–a or higher or to Metals Reserve Company or any other corporation organized under section (5) (d) of the Reconstruction Finance Corporation Act as amended. Between July 29, 1942, and October 1, 1942, except to fill orders bearing a preference rating of A–1–a or higher, no supplier shall sell or deliver foreign silver to any manufacturer for restricted uses in excess of one-twelfth of the aggregate amount by weight of such foreign silver sold or delivered by him to such manufacturer for restricted uses during the calendar year 1941 or in excess of one-sixth of the aggregate amount by weight of such foreign silver sold or delivered to him by such manufacturer for restricted uses during the period from January 1, 1942, to July 1, 1942, whichever is greater; and after October 1, 1942, except to fill orders bearing a preference rating of A–1–a or higher, no supplier shall sell or deliver any foreign silver to any manufacturer for restricted uses. No supplier shall sell or deliver foreign silver to any person if he knows, or has reason to believe, such silver is to be received or used in violation of the terms of this order.

(c) *Restrictions upon purchase or receipt of foreign silver for restricted uses.* Between July 29, 1942, and October 1, 1942, except to fill orders bearing a preference rating of A–1–a or higher, no manufacturer shall purchase or receive foreign silver for restricted uses in excess of one-twelfth of the aggregate amount by weight of such foreign silver purchased or received by such manufacturer for restricted uses during the calendar year 1941 or in excess of one-sixth of the aggregate amount by weight of such foreign silver purchased or received by such manufacturer for restricted uses during the period from January 1, 1942, to July 1, 1942, whichever is greater; and after October 1, 1942, except to fill orders bearing a preference rating of A–1–a or higher, no manufacturer shall purchase or receive any foreign silver for restricted uses.

(d) *Restrictions upon manufacture of foreign silver for restricted use.* Between July 29, 1942, and October 1, 1942, except to fill orders bearing a preference rating of A–1–a or higher, no manufacturer shall put into process foreign silver for restricted uses in excess of one-twelfth of the aggregate amount by weight of such foreign silver put into process by such manufacturer for restricted uses during the year 1941 or in excess of one-sixth of the aggregate amount by weight of such foreign silver put into process by such manufacturer for restricted uses during the period from January 1, 1942, to July 1, 1942, whichever is greater. Except to fill orders bearing a preference rating of A–1–a or higher, no manufacturer shall put into process any foreign silver for restricted uses, nor shall he process further any partially processed products or parts thereof of foreign silver on List A, unless the foreign silver was put into process prior to October 1, 1942, and unless the products or parts will be finished by November 15, 1942. After October 1, 1942, except to fill orders bearing a preference rating of A–1–a or higher, no manufacturer shall put into process any foreign silver for restricted uses; and after November 15, 1942, except to fill orders bearing a preference rating of A–1–a or higher, no manufacturer shall process any foreign silver for restricted uses.

[NOTE: The word "foreign" was struck from paragraphs (b) and (i) Feb. 25, 1943.]

(e) *Restrictions upon the purchase or receipt of domestic silver for restricted uses.* In the period between February 25, 1943, and April 1, 1943, and in any calendar month thereafter until further notice, no manufacturer shall purchase or receive domestic silver for restricted uses, except to fill orders bearing a preference rating of A–1–a or higher, in excess of $\frac{1}{24}$ of the aggregate amount by weight of all silver purchased or received (not including receipts under toll agreement) by such manufacturer for restricted uses during the calendar year 1941 or the calendar year 1942, whichever is greater; *Provided, however,* That such manufacturer, in computing the amount of domestic silver which he is entitled to purchase or receive under the foregoing provision, shall deduct from his said aggregate purchases or receipts for restricted uses for the year 1941 or 1942, as the case may be, the aggregate amount by weight of sales made by him in such year of silver scrap or silver waste material resulting from his processing operations.

(f) *Restrictions upon manufacture of domestic silver for restricted uses.* In the period between February 25, 1943, and April 1, 1943, and in any calendar month thereafter until further notice, no manufacturer shall put into process domestic silver for restricted uses, except to fill orders bearing a preference rating of A–1–a or higher, in excess of $\frac{1}{24}$ of the aggregate amount by weight of all silver put into process by such manufacturer for restricted uses during the calendar year 1941 or the calendar year 1942, whichever is greater; *Provided, however,* That such manufacturer, in computing the amount of domestic silver which he is entitled to put into process under the foregoing provision, shall deduct from the said aggregate amount put into process by him for restricted uses for the year 1941 or 1942, as the case may be, the aggregate amount by weight of sales made by him in such year of silver scrap or silver waste material resulting from his processing operations.

(g) *Special exception as to domestic silver.* The restrictions of this order as to the purchase, receipt, and manufacture of domestic silver for restricted uses shall not apply to any manufacturer:

(1) Who manufactures jewelry by the use of hand tools exclusively; or

(2) Who meets each and all of the following requirements:

(i) He was engaged in the silver manufacturing business throughout the year 1941;

(ii) His gross receipts in the year 1941 from the sale of silver products did not exceed $25,000;

(iii) He continues to employ five persons or less in such silver manufacturing business, each of whom is either over the age of 50 years or physically incapacitated from performing ordinary factory labor; and

(iv) His gross sales of silver products for the calendar year 1943 and for each calendar year thereafter do not exceed $35,000 per year.

(h) *Delivery certificate for silver.* No supplier shall deliver silver to any manufacturer and no manufacturer shall receive silver from any supplier unless the manufacturer shall make and deliver to the supplier, or endorse on the purchase order, a certificate, manually signed by the manufacturer or a responsible official thereof, in substantially the following form, to-wit:

The undersigned hereby certifies that he is familiar with the terms of Conservation Order M–199; that he is a manufacturer as such term is used in such order, and that the silver covered by the accompanying order of even date shall be received and used as permitted by said Order M–199.

Dated _____
Name _____
By _____

Such certificate shall constitute a representation by the manufacturer to the supplier and the War Production Board of the facts stated therein. The supplier shall be entitled to rely on such representation unless he knows or has reason to believe it to be false.

[NOTE: Paragraphs (h), (i), (j), (k), (l) and (m) formerly designated (e), (f), (g), (h), (i) and (j).]

(i) *General exception.* None of the restrictions in this order as to sale, purchase, delivery, receipt, or use of silver shall be applicable to the United States or any of its departments or governmental agencies.

(j) *Repair exception.* The restrictions of this order shall not apply to a person repairing a used article on or off the premises of the owner, if the person making the repair does not use silver weighing in the aggregate more than 3 ounces and if any putting into process or processing done by such person is for the purpose of making the specific repair. The term "repair" as used in this paragraph shall include the replating of used articles, provided the article was originally made of silver or silver-plated material.

(k) *Limitations of inventories.* No manufacturer shall receive delivery of silver, in the form of raw materials, semi-processed materials, finished parts, or sub-assemblies, nor shall he put into process any raw material, in quantities which in either case shall result in an inventory of raw, semi-processed, or finished material in excess of a minimum practicable working inventory, taking into consideration the limitations placed upon the use of silver by this order.

(l) *Reports.* Each supplier and each manufacturer and every other person affected by this order shall file such reports as may be requested from time to time by the Director General for Operations.

(m) *Miscellaneous provisions.*—(1) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of silver conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board by letter or other written communication, in triplicate, setting forth the pertinent facts and the reasons he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(2) *Applicability of order.* The prohibitions and restrictions contained in this order as to foreign silver shall apply to the use of such material in all items manufactured after July 29, 1942, irrespective of whether such items are manufactured pursuant to a contract made prior or subsequent to July 29, 1942. The prohibitions and restrictions contained in this order as to domestic silver shall apply to the use of such material in all items manufactured after February 25, 1943, irrespective of whether such items are manufactured pursuant to a contract made prior or subsequent to February 25, 1943. Insofar as any other order of the Director General for Operations may have the effect of limiting or curtailing to a greater extent than herein provided, the use of foreign or domestic silver in the production of any item, the limitations of such other order shall be observed.

(3) *Applicability of Priorities Regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Miscellaneous Minerals Division, Washington, D. C. Ref.: M-199.

(5) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 25th day of February, 1943.

CURTIS E. CALDER,
Director General for Operations.

LIST A

[NOTE: The title of List A and items 7, 10 and 11 amended Feb. 25, 1943]

RESTRICTED USES OF SILVER UNDER CONSERVATION ORDER M-199

1. Silverware, including, without limitation, knives, forks, spoons, plates, platters, dishes, pitchers, vases, cups, candlesticks, and all other kinds of flatware and holloware and table, kitchen, and decorative utensils and objects.
2. Watch cases and jewelry, including, without limitation, costume jewelry, blackout jewelry and other articles of personal adornment.
3. Badges and insignia.
4. Church goods as defined in General Limitation Order L-136.
5. Slide fasteners, hooks and eyes, snaps, fasteners, and buttons.
6. Closures for containers.
7. Pens and pencils, except the nibs and interior tubes of fountain pens.
8. Toilet sets and picture frames.
9. Musical instruments.
10. Electroplating not necessary for operational purposes, except for use in the manufacture and repair of dental, surgical, veterinary, and optical (including spectacle frames) instruments, appliances, and equipment.
11. Silverclad metal, except for use in the manufacture and repair of dental, surgical, veterinary, and optical (including spectacle frames) instruments, appliances, and equipment.
12. Insulated wire for electrical conductors

INTERPRETATION 1

Conservation Order M-199 imposes certain limitations upon the amount of foreign silver which a manufacturer may put into process for restricted uses. In many silver manufacturing processes, a manufacturer starts with a certain amount of silver in primary shapes and ends the operation with a large part of such silver in the form of scrap. It is customary for the manufacturer in these cases to have this scrap melted, rolled, or otherwise processed so as to return it to a primary shape in which it can again be subjected to manufacturing processes. This reforming of the silver scrap in some instances is done by the manufacturer himself, in other instances the work is done by others under toll agreement. The question has been presented as to whether the processing of this reformed scrap must be considered as coming within the meaning of the term "put into process" or whether such processing of reformed scrap shall be considered as only the continuation of a processing operation which began when the manufacturer processed for the first time in any form for a restricted use the specific amount of silver from which such scrap was produced.

It is hereby determined that for the purposes of Order M-199, the term "put into process" shall be deemed to cover only the manufacturer's first processing for a restricted use of a given amount of silver. It shall not be deemed to cover the subsequent processing of reformed scrap produced therefrom, whether such reforming is done by the manufacturer himself or by others for him under toll agreement. The term shall be deemed to cover, however, the processing for a restricted use of reformed scrap which was produced in a manufacturing operation which is not restricted under the order. (Issued September 1, 1942.)

PART 3169—KNIT UNDERWEAR

[Limitation Order L-247]

The fulfillment of requirements for the defense of the United States has created shortages in the supplies of materials for knit underwear for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3169.1 *Limitation Order L-247.*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purpose of this order:

(1) "Knit underwear" means all underwear made of knitted fabrics. The term shall not include slips, pajamas or gowns, other than infants' gowns.

(2) Unless otherwise indicated all trade terms shall have their customary trade meanings.

(c) *General restrictions on manufacture.* No person shall cut any fabric for or manufacture knit underwear, except in conformity with the following requirements:

(1) The types and number of permitted fabrics and models for each type shall be as shown in Schedule A. Any variation in either construction, fiber content of yarn, type of stitch, or weight, shall constitute a different fabric. Any variation in either cut, trim, or sleeve or leg length shall constitute a different model. A variation in color, method of finishing or size shall not constitute a different model.

(2) No knit underwear shall have any rayon striping, or any decorative trimming which does not add to the serviceability of the garment, unless permitted by Schedule A.

(3) The weight of any circular knit rayon fabric used shall not be lighter than 6.00 yards per pound or heavier than 3.50 yards per pound both based on 36 inch width.

(4) The rayon content in men's shirts, shorts or union suits or any types of infants' knit underwear shall be less than 50%.

(d) *Exception.* The prohibitions and restrictions of paragraph (c) shall not apply to knit underwear delivered to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(e) *Fair distribution of products.* No person shall discriminate, in the acceptance or filling of orders, sales or deliveries, of knit underwear as between any of his customers who meet his established prices and terms.

(f) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, purchases, production and sales.

(g) *Reports.* Each person affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be required by said Board from time to time.

(h) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(i) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C. Reference L-247.

(j) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Effective date.* This order shall take effect on April 1, 1943.

Issued this 25th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

Permitted types (all without decorative trim unless otherwise noted)	Maximum number and kinds of permitted fabrics	Maximum number of models per week in any type irrespective of fabric used
Men's knit shirts—Continued.		
Wool spun—flat	3 wool percentages	2 1
Wool spun—ribbed	3 wool percentages	1
Athletic shirts (sleeveless)	3	1
Men's knit drawers		
Heavyweight (over 5 lbs. per doz., for size 38, ankle length).	{2 all cotton 2 wool percentages	2
Lightweight	{2 all cotton 1 wool percentage	3
Wool spun—flat	3 wool percentages	1
Wool spun—ribbed	3 wool percentages	1
Fleeced	2 wool percentages	1
Sleeping garments		
Men's	3	2
Boys'	3	2
Boys' knit union suits		
Heavyweight (over 5½ lbs. for size 34, long sleeve ankle length).	{2 all cotton 2 wool percentages	3
Lightweight	1	2 1
Fleeced	1	2
Boys' knit shirts		
Shirts (with sleeves)	{3 all cotton 2 wool percentages	2
Athletic shirts (sleeveless)	2	1 2
Fleeced	3	2
Boys' knit drawers		
Drawers	{3 all cotton 2 wool percentages	3
Ladies' and misses' knit union suits		
Heavyweight (over 6 lbs. per doz., for size 38, long sleeve, ankle length).	{2 all cotton 2 wool percentages, no rayon	4
Light weight	2 wool percentages, no rayon	4
Tuck stitch	{2 all cotton	3
Ladies' non-rayon knit vests, pants, briefs and bloomers		
Heavyweight	2 all cotton	6
Lightweight	2 all cotton	4
Tuck stitch	{2 wool percentages 2 all cotton	6
Ladies' and misses' all rayon knit underwear		
Cutrimmed vests	{3 flat circular knit 3 tricot warp knit	1
	1 milanese warp knit	1
	1 ribbed knit	1
Trimmed panties	{3 flat circular knit 3 tricot warp knit	2
	1 milanese warp knit	3
Untrimmed panties	{3 flat circular knit 3 tricot warp knit	4
	1 milanese warp knit	3
	1 ribbed knit	1
	3 flat circular knit	2
Untrimmed chemise	{3 tricot warp knit	3
	1 milanese warp knit	2
Trimmed chemise	{3 tricot warp knit	1
	1 milanese warp knit	1
Children's (sizes 8-16) rayon knit underwear		
Vests, Panties, Combinations	2 (The same two fabrics shall be used for all three types.)	2 3 1

[1] Except as to bottom finish.

SCHEDULE A

Permitted types (all without decorative trim unless otherwise noted)	Maximum number and kinds of permitted fabrics	Maximum number of models per week in any type irrespective of fabric used
Men's knit union suits		
Heavyweight (over 9 lbs. per doz., for size 42, long sleeve ankle length).	{3 all cotton 2 wool percentages	2
Lightweight	3 wool percentages	4
Wool spun—flat	3 wool percentages	6
Fleeced	2	1
Men's knit shirts		
Heavyweight (over 7 lbs. per doz., for size 42, long sleeve).	{2 all cotton 2 wool percentages	2
Lightweight (with sleeves)	{2 all cotton 1 wool percentage	2

SCHEDULE A—Continued

Permitted types (all without decorative trim unless otherwise noted)	Maximum number and kinds of permitted fabrics	Maximum number of models per each type irrespective as fabric used
Children's (sizes 2–16) non-rayon knit underwear		
Union suits (other than tuck stitch)	1 lightweight all cotton 2 heavyweight all cotton 1 wool percentage	4
Tuck stitch union suits	3 (one all cotton and two wool percentage or one wool percentage and two all cotton).	2
Combinations (sizes 2–8 only)	1 lightweight all cotton 2 heavyweight all cotton 1 wool percentage	1
Waist suits (sizes 2–8 only)	1 lightweight all cotton 2 heavyweight all cotton 1 wool percentage	4
Vests	2 lightweight all cotton 2 heavyweight all cotton 1 wool percentage	2
Pants, briefs and bloomers	2 lightweight all cotton 2 heavyweight all cotton 1 wool percentage	3
Tuck stitch vest	2 all cotton 1 wool percentage	2
Tuck stitch pants, briefs and bloomers	1 wool percentage	3
Infants' knit underwear		
Bands	1 lightweight all cotton 1 heavyweight all cotton	2 2
Shirts	1 lightweight all cotton 1 heavyweight all cotton 2 heavyweight wool percentages	3
Binders	1 all cotton 1 wool percentage	1
Panties and training pants	2 lightweight all cotton 2 heavyweight all cotton 1 wool percentage	3
Combinations	2 lightweight all cotton 2 heavyweight all cotton 1 wool percentage	2 2 2
Gowns	2	1
Kimonas	1	1
Infants' and Children's Knit Sleeping Garments	2 all cotton 1 wool percentage	3

[1] Sleeve lengths.
[2] Bottom lengths.
[3] Top finishes.
[4] Except as to length.

[F R Doc 43-3041; Filed, February 25, 1943; 11:26 a. m.]

PART 3193—MATCHES

[Limitation Order L-263]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account and for export of lumber and other materials used in the manufacture of matches; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3193.1 *Limitation Order L-263*—(a) *Definitions.* (1) "Strike-on-box match" means a wood splint match normally strikeable on the box only, through the special preparation of the match head and the striking surface of the box.

(2) "Strike-anywhere match" means a wood splint match normally strikeable on any surface.

(3) "Book match" means a paper or cardboard splint match normally sold in book form.

(4) "Nought-size match" means a strike-anywhere match normally sold in boxes containing between 37 and 41 matches.

(5) "Single-lined board" means any paper board having a lining on one side containing virgin pulp or high grade waste or a combination thereof, the center and back being composed solely of materials listed in Schedule A annexed hereto.

(6) "Distributor" means a person who purchases matches for sale at wholesale and includes any person who purchases matches directly from a match manufacturer, but shall not include the Army or Navy of the United States, the United States Maritime Commission or War Shipping Administration.

(7) "30-day supply" or "45-day supply" means one-twenty-fourth and one-sixteenth, respectively, of the total quantity of matches of which delivery was accepted during the two year period January 1, 1941, to December 31, 1942.

(b) *Restrictions on production and packaging.* No manufacturer of matches shall on and after March 27, 1943:

(1) Manufacture any strike-anywhere match having a splint length exceeding $2\frac{1}{8}$ inches.

(2) Manufacture any strike-on-box match or nought-size match having a splint length exceeding 1 13/16 inches.

(3) Manufacture any book match having less than 20 or more than 40 splints per book.

(4) Package wood splint matches in any match box or holder designed to carry or hold, on an average, less than 40 wood splint matches.

(5) Package in any caddy a quantity of book match books containing in the aggregate less than 1,000 book match splints.

(6) Use in stitching any book match, steel wire heavier than 25 gauge wire or use more than $\frac{7}{8}$ of an inch of wire for each 20 book match splints.

(7) Manufacture more than one size of book match splint, nor shall the width of paper board used exceed 1.25 inches for each ten match splints.

(8) Manufacture any box for strike-on-box matches having a phosphorus striking surface greater than the area of one side of such box.

(9) Manufacture any cover for book matches having a phosphorus striking surface exceeding $\frac{1}{4}$ inch in width.

(10) Use in the manufacture of any match, match box, book cover, or caddy, any metal powder, metallic ink, lacquer, spirit varnish or over-print varnish.

(11) Use in the manufacture of any book match cover any paper board other than single-lined board or board manufactured solely from materials listed in said Schedule A.

(12) Package any book match in any caddy made from paper board manufactured from materials other than those listed in said Schedule A.

(13) Package any wood splint match in any match box made from paper board other than single-lined board or board manufactured solely from materials listed in said Schedule A.

(c) *Restrictions on deliveries.* (1) No distributor shall order, or accept delivery of, matches if the total quantity of matches (regardless of type) then owned by him or in his possession exceeds a 30-day supply.

(2) The quantity of matches which may be ordered or received by a distributor who at the time of placing such order or of such receipt does not own or have in his possession more than the 30-day supply specified in paragraph (c) (1) hereof, shall not exceed a 45-day supply: *Provided, however,* That this paragraph (c) (2) shall not prevent a distributor from ordering or accepting delivery of a single carload of matches or a single truck load of matches where shipment was made to him by carload or truck load, as the case may be, during the two year period January 1, 1941 to December 31, 1942.

(3) No person shall deliver matches to a distributor if he knows or has reason to believe that such delivery will be in violation of paragraphs (c) (1) and (c) (2) hereof.

(d) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(3) *Violations.* Any person who willfully violates any provisions of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C. Ref: L-263.

Issued this 25th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

Mixed paper.
News.
Overissue news.
Old corrugated containers.
Old craft corrugated containers.
New corrugated cuttings.
Box board cuttings.

[F. R. Doc. 43-3042; Filed, February 25, 1943; 11:26 a. m.]

Chapter XI—Office of Price Administration

PART 1304—IRON AND STEEL SCRAP

[Correction to RPS 4[1] as amended Feb. 11, 1943]

IRON AND STEEL SCRAP

Subparagraph (5) of § 1304.13 (c) is corrected to read as set forth below:

§ 1304.13 *Appendix A: Maximum prices for iron and steel scrap other than railroad scrap.* • • •

(c) • • •

(5) *Switching charge deductions for shipping points within basing points.*

(Switching charge deduction)

Basing point:	*Cents per gross ton*
• • • • •	
Conshohocken, Pennsylvania	11
• • • • •	
Pittsburg, California	42
• • • • •	

This correction shall be effective as of February 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2991; Filed, February 24, 1943; 12:11 p. m.]

PART 1305—ADMINISTRATION

[Correction to Supplementary Order 36[1]]

LICENSING SELLERS OF YARNS, TEXTILES, TEXTILE PRODUCTS AND SERVICES RELATED THERETO

In § 1305.42 (b), the number "151" should appear between the numbers "128" and "163".

[1] 7 F.R. 1207.
[1] 7 F.R. 1798.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2990; Filed, February 24, 1943; 12:12 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[Correction to Amendment 2 to MPR 266[1]]

CERTAIN TISSUE PAPER PRODUCTS

In § 1347.515 (b) (4), subdivision (ii) is corrected to read as set forth below:

§ 1347.515 • • •
(b) • • •
(4) • • •

(ii) Supplementary Order No. 34 shall not apply to § 1347.515 of this Maximum Price Regulation No. 266.

(Pub. Laws 421, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2993; Filed, February 24, 1943; 12:11 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[Correction to Amendment 12 to MPR 280[1]]

MAXIMUM PRICES FOR SPECIFIED FOODS

Paragraph (j) in § 1351.821 is redesignated as paragraph (k).

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2989; Filed, February 24, 1943; 12:12 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5C,[1] Amendment 25]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.[*]

Ration Order 5C is amended in the following respects:

1. Section 1394.7805 (b) is amended to read as follows:

(b) The Board shall examine the single unit certificate or the fleet certificate submitted and shall insert at the appropriate places provided in the application the maximum number of gallons of gasoline allowed by such certificate for the quarterly periods thereupon indicated. The Board shall allow the maximum number of gallons of gasoline permitted under paragraph (a) of this section, or the quantity of gasoline required by the applicant during the period or periods for which the ration is sought as stated in the application, whichever is less. The Board shall issue Class T-1 or T-2 books or bulk coupons in sufficient number to provide the number of gallons of gasoline allowed by it.

2. Section 1394.7805 (d) is amended to read as follows:

(d) The Board shall, when issuing Class T-1, T-2 or D books as transport rations, remove and cancel all coupons in excess of the number required to supply the gallonage allowed. The Board shall note on the face of the books the date of issuance or December 1, 1942, whichever is later, and the date of expiration of such books. If the applicant has requested that bulk coupons be issued to him, and if the applicant meets the requirements of paragraph (a) of § 1394.8006, the Board shall issue bulk coupons to the extent of the gallonage allowed by it for which bulk coupons are requested. On and after March 1, 1943, either at the time of original issuance or upon the first renewal of a transport ration for use with a vehicle for which a certificate of war necessity is required to be presented, the Board shall note on the face of the single unit certificate the Board number and the initials of the person issuing such books. In the case of a fleet certificate the Board shall note on the reverse side thereof the name or number and address of the issuing Board, and the initials of the person issuing such books.

3. Section 1394.7901 is amended to read as follows:

§ 1394.7901 *Persons entitled to non-highway rations.* Any person who requires gasoline for a non-highway purpose may obtain a non-highway ration authorizing the acquisition of the amount of gasoline required for such purpose, except as provided in § 1394.7904. Non-highway rations shall be issued for three-month periods except that rations for use in connection with farming shall be issued for six-month periods.

4. Section 1394.7902 (a) is amended by substituting for the words "three-month period" the words "three or six-month period".

5. Section 1394.7903 (b) is amended to read as follows:

(b) The applicant shall state the amount of gasoline needed for non-highway use during the three-month period, or if the use is in connection with farming, during the six-month period, following the date on which such ration is required, and the non-highway purpose or purposes for which such gasoline is needed.

6. Section 1394.7904 (a) is amended by substituting for the words "three-month period" the words "three or six-month period".

7. Section 1394.7904 (b) (3) is added to read as follows:

[*] Copies may be obtained from the Office of Price Administration.
[1] 7 F.R. 9335, 10714; 8 F.R. 531.
[1] 7 F.R. 10144, 10337, 10475, 10585, 10786, 10995; 8 F.R. 158, 876, 877, 1120, 1468, 1741, 1885, 2024, 2038.
[1] 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070, 8 F.R. 179, 274, 369, 372, 607, 565, 1028, 1202, 1203, 1365, 1282, 1366, 1318, 1588, 1813, 1895, 2098.

(3) In the case of an inboard motorboat or outboard motor used in connection with farming, the gallonage determined by the formulae in subparagraphs (1) and (2) of this paragraph shall be multiplied by two and the non-highway ration so determined shall be issued for a six-month period.

8. Section 1394.7904 (d) is amended to read as follows:

(d) Except as provided in paragraph (a) of § 1394.8103, no non-occupational ration may be issued for an inboard motor boat or an outboard motor during any three or six-month period for which a ration has already been issued.

9. Section 1394.8010 (a) is redesignated § 1394.8010 *Presentation of tire inspection records.*

10. Section 1394.8010 (b) is revoked.

11. Section 1394.8051 (b) is amended to read as follows:

(b) (1) If there have been no substantial changes since the date of the original application in the applicant's gasoline needs, or in the nature, amount, and conditions of use of the motor vehicle for which the original ration was issued, and if such original application accurately calculated the applicant's requirements, application for a renewal thereof (except in the case of a basic, special or transport ration) may be made by executing Form OPA R–543. The applicant shall in such case note on such form any changes in the nature or amount of his use since the date of the original application. If the applicant or principal user is employed at an establishment or facility described in subparagraph (3) of paragraph (a) of § 1394.7704 such form must be certified as indicated thereon by an official in charge of an organized transportation plan at such place of employment. If the Board is satisfied that there have been no substantial changes in the applicant's gasoline needs, or in the nature, amount and conditions of use of the motor vehicle for which the original ration was issued it may issue a renewal of such ration without requiring execution by the applicant of a new original application.

(2) In the case of a renewal of a transport ration issued for use with a commercial vehicle for which a certificate of war necessity has been issued, the Board shall, before the beginning of the calendar quarter, issue a renewal ration for such quarter without requiring execution by the applicant of any renewal form. If the renewal is for a fleet of commercial motor vehicles the Board shall notify the applicant not less than fifteen (15) days prior to the beginning of the new quarter to appear for a renewal ration. In order to obtain the first renewal after March 1, 1943 of a Transport ration issued before that date the applicant must present to the Board the single unit certificate issued for the vehicle, or in the case of a fleet of commercial vehicles, the fleet certificate issued for such fleet. The Board, upon such a renewal, shall insert at the appropriate places provided in the applicant's original application on Form OPA R–536 the maximum number of gallons of gasoline allowed by such certificate for the quarterly periods thereupon indicated. Upon receipt of notice from the Office of Defense Transportation that a certificate of war necessity has been recalled or revoked, or that the maximum gallonage allowance upon such certificate has been modified for any quarter, the Board shall make a notation upon the applicant's original application that the certificate has been recalled or revoked, or shall, in accordance with the notice received, revise the quarterly allowances which it originally inserted on such application pursuant to this section or paragraph (b) of § 1394.7805. Thereafter, if the certificate has been revoked, the Board shall issue no renewals. If the allowances have been modified, the renewals shall be issued in accordance with the modified allowances.

(3) An applicant may renew a transport ration for use with a motor vehicle owned or leased by the military or naval forces of the United States or State military forces organized pursuant to section 61 of the National Defense Act, as amended, by filling in the pertinent information on the face of the original Form OPA R–536 for the period for which the ration is required and executing the renewal certificate.

12. A new § 1394.8182 is added, to read as follows:

§ 1394.8182 *Misuse of certificates of war necessity.* No person shall use or attempt to use a certificate of war necessity to obtain the issuance of rations which would provide gallonage for use with any vehicle or fleet in excess of the maximum gallonage allowed by the Office of Defense Transportation, as stated upon the currently valid single unit or fleet certificate issued for such vehicle or fleet.

This amendment shall become effective March 2, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; W.P.B. Dir. No. 1, 7 F.R. 562; Supp. Dir. No. 10, 7 F.R. 9121; E.O. 9125, 7 F.R. 2719)

Issued this 24th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–2996; Filed, February 24, 1943; 12:12 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11,[1] Amendment 39]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1394.5001 (a) (1) is amended; in § 1394.5151 (a) (1) (IV) inferior subdivision (c) is amended, and a new inferior subdivision (f) is added to subdivision (iv); § 1394.5731 (a) (1) is amended by deleting, wherever it appears, the word "calendar" between the words "preceding" and "month"; as set forth below:

Definitions

§ 1394.5001 *Definitions.* (a) . . .

(1) "Additional facilities" means any equipment designed to use fuel oil, other than internal combustion engines or equipment used for domestic cooking or lighting purposes, which was installed subsequent to July 31, 1942. The term also means any space heater (whether or not installed) which was transferred subsequent to December 19, 1942.

. . . . .

Restrictions on Issuance of Rations

§ 1394.5151 *Restrictions on issuance of rations.* (a) No ration shall be issued or used:

(1) For the operation of additional facilities or converted facilities except where: . . .

(iv) The additional facility is a space heater and one of the following facts is established by the applicant: . . .

(c) Such space heater is used to heat the same premises heated by it prior to December 19, 1942; . . .

(f) The space heater has been acquired pursuant to Ration Order No. 9.[1]

. . . . .

This amendment shall become effective on March 2, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507; Pub. Law 421, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562; Supp. Directive No. 1–0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 24th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–2994; Filed, February 24, 1943; 12:12 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 3,[2] Amendment 42]

SUGAR RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subparagraph (27) of paragraph (c) of § 1407.21 is amended; in paragraph (c) of § 1407.140 the word "only" is deleted, and paragraph (h) is added to § 1407.140 as set forth below:

Definitions

§ 1407.21 *Meaning of terms used in Rationing Order No. 3.* . . .

(c) *Definitions.* . . .

(27) "Depositor" means a person who has a ration bank account. A person shall be deemed a separate depositor with respect to each of his accounts but shall be deemed a depositor only with respect to establishments served by such accounts.

. . . . .

Sugar Purchase Certificates, War Ration Books, War Ration Stamps and War Ration Checks

§ 1407.140 *Use of checks by depositors and non-depositors.* . . .

(h) No person may accept stamps, certificates, or checks which he knows or has reason to believe are transferred or surrendered in violation of this section.

This amendment shall become effective March 2, 1943.

(Pub. Law 421, 77th Cong.; W.P.B. Dir. No. 1, and Supp. Dir. No. 1E)

Issued this 24th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–2987; Filed, February 24, 1943; 12:12 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 3,[2] Amendment 43]

SUGAR RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new item is added to § 1407.243 to read as follows:

Schedules

. . . . .

§ 1407.243 *Schedule C: Designation of ration periods and weight value of stamps valid therein.*

Ration period	Stamp valid during ration period	Weight value of stamp
. . .	. . .	. . .
No. 12 (March 16, 1943 to May 31, 1943).	Stamp No. 12.	5 pounds.

This amendment shall become effective February 24, 1943.

(Pub. Law 421, 77th Cong.; W.P.B. Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965)

Issued this 24th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–2988; Filed, February 24, 1943; 12:12 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Correction of Amendment 19 to Ration Order 12[3]]

COFFEE RATIONING REGULATIONS

Amendment 19 to Ration Order No. 12 is corrected by substituting the figure "14" for the figure "15" wherever said figure appears in paragraphs (a) and (c) of § 1407.970.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 729, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1–R)

Issued this 24th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–2995; Filed, February 24, 1943; 12:12 p. m.]

PART 1432—RATIONING OF CONSUMERS' DURABLE GOODS

[Ration Order 9,[1] Amendment 2]

HEATING STOVES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1432.1 is amended by inserting the word "Oregon" between the words "Ohio" and "Pennsylvania", and by inserting the word "Washington" between the words "Virginia" and "West Virginia"; the phrase "all possible" in § 1432.13 (c) is deleted; § 1432.14 is amended; a new § 1432.14a is added; § 1432.15 (a) is amended; the headnote to and the text of § 1432.16 are amended; a new § 1432.16a is added; §§ 1432.17, 1432.18, 1432.31, 1432.32, 1432.33 and 1432.44 are amended; as set forth below:

Subpart B—Provisions Affecting Consumers and Boards

§ 1432.14 *Persons eligible to obtain certificates for new oil heating stoves.* The only persons who may obtain new oil heating stoves are those who:

(a) Need a new oil heating stove to heat essential living or working space which is not heated by any equipment, and who have not in the sixty (60) days before application disposed of any equipment which could have been used for heating the space; or

(b) Wish to replace oil burning equipment which heated essential living or working space and which is worn out or damaged beyond repair, and who have not in the sixty (60) days before application disposed of any equipment which could have been used for heating the space.

§ 1432.14a *Same; further qualifications.* The persons mentioned in § 1432.14 will not receive certificates for new oil heating stoves unless they are unable to use coal or wood burning equipment because:

(a) Coal burning equipment or coal for the use of such equipment is not available (excluding temporary shortages); and

(b) Wood burning equipment or wood for the use of such equipment is not available (excluding temporary shortages); or

(c) There is no flue or chimney or other provision for venting either coal or wood burning equipment; or

(d) No member of the household is physically able to operate either coal or wood burning equipment.

§ 1432.15 *Application for a certificate; persons who need new coal heating equipment as a substitute for or to supplement oil burning equipment.* (a) A person who wishes to substitute a new coal heating stove for oil burning equipment (see paragraph (a) of § 1432.13) must surrender to his board those unused and unexpired fuel oil coupons or coupon sheets which were issued for heating the space which is to be heated by the coal heating stove. The board shall retain the surrendered coupon sheets and coupons for thirty (30) days, and if within that period a coal heating stove (or the necessary coal) is not available and if the applicant shall tender to the board his unused stove certificate, the board shall return the coupon sheets to him in exchange for his unused stove certificate.

. . . . .

§ 1432.16 *Application for a certificate; persons who need a new coal heating stove.* A person who needs a new coal heating stove to heat unheated essential space (see paragraph (b) of § 1432.13) must present to the board the following statement signed by him:

(Date)

I, ---, hereby certify that
(Print name)

I am the owner (or tenant) of the premises located at --- which are
(Print address)

not heated by any equipment; that I need a new coal heating stove to heat essential living or working space in said premises; that I have not disposed of any equipment within the past sixty (60) days which could have been used to heat this space.

(Sign your name)

Section 1432.16a *Application for a Certificate: Persons Who Need a New Oil Heating Stove.* (a) A person who needs a new oil heating stove to heat unheated essential space (see paragraph (a) of § 1432.14) must present to the Board the following statement signed by him:

(Date)

I, ---, hereby certify that
(Print name)

I am the owner (or tenant) of the premises located at --- which is not
(Print address)

heated by any equipment; that I need a new oil heating stove to heat essential living or working space in said premises; that I have not disposed of any equipment within the past sixty (60) days which could have been used for heating this space. I am unable to use coal or wood burning equipment for the following reasons: ---

---

(Sign your name)

(b) The board may require confirmation by the dealer or a heating contractor of the reasons (other than phy-

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8480, 8708, 8809, 8897, 9316, 9396, 9492, 9427, 9430, 9621, 9784, 10153, 10081, 10379, 10530, 10531, 10780, 10707, 11118, 11071; 8 F.R. 165, 237, 437, 369, 374, 535, 439, 444, 607, 608, 977, 1203, 1235, 1282, 1316, 1466; 7 F.R. 11005; 8 F.R. 237, 1282, 1681, 1636, 1859, 2194.

[2] 7 F.R. 10720.

[3] 7 F.R. 2966, 3242, 3783, 4545, 4618, 5193, 5361, 6084, 6473, 6828, 6937, 7299, 7321, 7406, 7510, 7557, 8402, 8655, 8710, 8739, 8809, 8831, 9042, 9396, 9460, 9899, 10017, 10258, 10556, 10845; 8 F.R. 166, 262, 445, 620, 1028, 1204, 1288, 2026, 2153.

[1] 7 F.R. 9710, 10380, 11071, 11072; 8 F.R. 28, 167, 566, 621, 978, 1286, 1316, 1366, 1631, 2026, 2027, 2032, 2154.

[1] 7 F.R. 10720; 8 F.R. 1318.

sical inability) given by the applicant, if it feels that this confirmation is necessary to make a decision.

§ 1432.17 *Application for a certificate; person replacing worn out or damaged coal heating equipment.* (a) A person who needs a new coal heating stove to replace worn out or damaged coal heating equipment (see paragraph (c) of § 1432.13) must present to the board the following statement signed by him:

_____
(Date)

I, _____, hereby certify that
(Print name)

I am the owner (or tenant) of the premises located at _____;
(Print address)

and that I need a new coal heating stove because the coal fired equipment which was heating essential living or working space at these premises is worn out or damaged beyond repair, for the following reasons:

_____

_____

_____
(Sign your name)

(b) The board may require confirmation by the dealer or a heating contractor of the reasons given by the applicant, if it feels that this confirmation is necessary to make a decision.

§ 1432.18 *Application for a certificate; persons replacing worn out or damaged oil heating equipment.* (a) A person who needs a new oil heating stove to replace worn out or damaged oil heating equipment (see paragraph (b) of § 1432.14) must present to the board the following statement signed by him:

_____
(Date)

I, _____, hereby certify that
(Print name)

I am the owner (or tenant) of the premises located at _____; that I need
(Print address)

a new oil heating stove because the oil heating equipment which was heating essential living or working space at these premises is worn out or damaged beyond repair for the reasons stated below; that I have not disposed of any equipment within the past sixty (60) days which could have been used to heat this space. I am unable to use coal or wood burning equipment for the following reasons:

_____

_____

_____
(Sign your name)

(b) The Board may require confirmation by the dealer or a heating contractor of the condition of the equipment to be replaced and of the reasons (other than physical inability) given by the applicant, if it feels that this confirmation is necessary to make a decision.

Subpart C—Provisions Affecting Exporters and Certain Government Agencies

§ 1432.31 *Transfer of new heating stoves to certain Government Agencies.* The Army, Navy, Marine Corps, War Shipping Administration or the Maritime Commission, of the United States may acquire range burners, new coal or new oil heating stoves without obtaining certificates from Boards but they must, at or before the time of delivery, give to the dealer a memorandum receipt on an official letterhead of the agency, signed by an authorized representative thereof, setting forth the date of delivery, the name and address of the dealer and the number of units delivered, unless this information is contained in other documents retained by the dealer.

§ 1432.32 *Transfer of new heating stoves for export.* Any government agency or other person acquiring new coal or new oil heating stoves for export to and consumption or use in any foreign country may acquire such equipment without obtaining certificates from Boards, but they must, at or before the time of delivery, give to the dealer a memorandum receipt on the official letterhead of the agency or person, signed by an authorized representative of the agency or of such person, setting forth the date of delivery, the name and address of the dealer and the number of units delivered, unless this information is contained in other documents retained by the dealer.

§ 1432.33 *Transfers of new coal heating stoves under W. P. B. preference rating orders.* The Federal Public Housing Authority acquiring new coal heating stoves under any preference rating order of the War Production Board, or any contractor acquiring new coal heating stoves under W. P. B. Preference Orders Nos. P–55, P–110 or any preference rating order of the P–19 series, may acquire these stoves without obtaining certificates from Boards but they must, at or before the time of delivery, give to the dealer a memorandum receipt on an official letterhead of the agency or contractor, signed by an authorized representative of the agency or contractor, setting forth the date of delivery, the name and address of the dealer and the number of units delivered, unless this information is contained in other documents retained by the dealer.

Subpart D—Provisions Which Apply to the Trade

§ 1432.44 *New coal heating stoves may not be shipped outside limitation area.* No person may ship new coal heating stoves from inside the limitation area to any point outside the limitation area, except to the territory of Alaska or upon special permission from the Office of Price Administration, Washington, D. C.

This amendment shall become effective on March 2, 1943.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89 and 507; Pub. Law 421, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562; Supp: Directive No. 1–S, 7 F.R. 10668, E.O. 9125, 7 F.R. 2719)

Issued this 24th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–2992; Filed, February 24, 1943; 12:11 p. m.]

PART 1410—WOOL

[MPR 123,[1] as Amended Feb. 24, 1943]

RAW AND PROCESSED WOOL WASTE MATERIALS

Section 1410.71a is amended; § 1410.80, Table I, "Maximum Prices for Wool Waste," is amended; new items are added to the "Men's Wear" and "Miscellaneous" categories in Table II; Table III, "Maximum Prices for Knitted Wool Clips," is amended; and an item is added to the "Miscellaneous" category in Table IV; and in § 1410.81 the "Maximum Charge" table is amended by Amendment 5 so that Maximum Price Regulation 123 shall read as follows:

In the judgment of the Price Administrator, the prices of raw and processed wool waste materials have risen and are threatening further to rise to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of raw and processed wool waste materials prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this Regulation.

In the judgment of the Price Administrator, the maximum prices established by this Regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations[2] involved in the issuance of this Regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[3] issued by the Office of Price Administration, Maximum Price Regulation No. 123 is hereby issued.

Sec.

1410.71 Maximum prices for raw and processed wool waste materials
1410.71a Maximum prices for processed wool waste materials which cannot be priced under § 1410.71.
1410.72 Less than maximum prices.
1410.73 Conditional agreements.
1410.74 Evasion.
1410.75 Records and reports.
1410.76 Enforcement.
1410.77 Petitions for amendment.
1410.78 Definitions.
1410.79 Effective date.
1410.79a Effective dates of amendments
1410.80 Appendix A: Maximum prices for raw and processed wool waste material.
1410.81 Appendix B: Maximum charges for special processing services.

AUTHORITY: §§ 1410.71 to 1410.81, inclusive, issued pursuant to Pub. Laws No. 421 and 729 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1410.71 *Maximum prices for raw and processed wool waste materials.* On and after April 28, 1942, regardless of any contract, agreement, lease, or other obligation, no person shall sell or deliver raw or processed wool waste materials and no person shall buy or receive raw or processed wool waste materials in the course of trade or business, at prices

[1] 7 F.R. 3088, 3330.

[2] Statements of considerations are also issued simultaneously with the issuance of amendments.

[3] Revised, 7 F.R. 8961.

higher than the maximum prices established herein; and no person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided*, That contracts entered into prior to April 28, 1942, at prices in compliance with Revised Price Schedule No. 58,[4] as amended, may be carried out at the contract price.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that the prohibition contained in any price regulation against buying or receiving any commodity or service at a price higher than the maximum price permitted by such regulation shall not apply to any war procurement agency, or government whose defense is vital to the defense of the United States.]

(a) *Raw wool waste materials.* (1) The maximum price for any raw wool waste material of the type, kind, classification and grade (including color and percentage of wool content) enumerated in Tables I to VI, inclusive, of Appendix A, incorporated herein as § 1410.80, shall be the price set forth therein.

(2) (i) The maximum price for any type, kind, classification or grade of raw wool waste material not enumerated in Tables I to VI, inclusive, of Appendix A, incorporated herein as § 1410.80, shall be a price in line with the maximum price set forth in Tables I to VI, inclusive, for the nearest related type, kind, classification, and grade (including color and percentage of wool content) of raw wool waste material. The term "in line with," as used in this subparagraph (2), means having a justifiable relation to the maximum price with commensurate decreases or increases to give effect to actual differences in the type, kind, classification, grade, condition and quality of the materials.

(ii) In the event that a person has in stock or on contract 500 pounds or more of a raw wool waste material, the maximum price for which is determined pursuant to this subparagraph (2), such person shall, within 5 days after making his first sale of any part thereof, submit a request for the approval of the maximum price therefor to the Office of Price Administration, Washington, D. C. Such request for approval shall be accompanied by a sample and a description of such raw wool waste material and of the nearest related type, kind, classification and grade (including color and percentage of wool content) of raw wool waste material, the maximum price for which is set forth in the applicable table in § 1410.80: *Provided*, That if the maximum price approved by the Office of Price Administration is lower than the price at which the raw wool waste material was sold, the seller shall within 10 days after the approval of such maximum price refund to the purchaser the amount by which such selling price exceeded the approved maximum price.

[Paragraph (2) as amended by Amendment 3, 7 F.R. 9325]

(b) *Processed wool waste materials.* (1) Except as provided in subparagraph (2) the maximum price for processed wool waste materials shall be the aggregate of:

(i) The prices actually paid by the seller for the constituent raw materials, not including dyes, chemicals, oil or similar substances: *Provided*, That the prices for the constituent raw wool waste materials do not exceed the applicable maximum prices for such materials set forth in the Tables of § 1410.80, and

(ii) The applicable processing margin as defined in and subject to the provisions of § 1410.78 (a) (5): *Provided*, That no amount may be added to the prices actually paid by the seller for raw wool waste materials enumerated in Tables IV, V and VI, inclusive, of § 1410.80, for blending such materials.

(2) The maximum price for processed wool waste materials subjected only to any one or a combination of more than one of the special processing services set forth in Appendix B, incorporated herein as § 1410.81 shall be the aggregate of:

(i) The maximum prices for the constituent raw materials set forth in the applicable Tables of § 1410.80; and

(ii) The applicable maximum charges set forth in § 1410.81:

(3) Every person making a sale of processed wool waste materials in the course of trade or business or otherwise dealing therein, after April 27, 1942, shall deliver to the purchaser an invoice or similar document which shall show, in addition to the other items specifically required in this Maximum Price Regulation No. 123: (i) the quantity of the processed wool waste materials shipped or delivered and the price contracted for, received or paid therefor; (ii) the aggregate quantity of and the aggregate price paid by the seller for, the raw wool waste materials in the processed product so sold; (iii) an itemization of each of the processing services actually performed by the seller, or for his account and (iv) the applicable processing margin or the maximum charges set forth in § 1410.81 for the processing services performed.

(c) *Export sales.* The maximum prices for export sales of raw or processed wool waste materials sold by an exporter shall be determined in accordance with the Revised Maximum Export Price Regulation[5] issued by the Office of Price Administration.

[Paragraphs (b) and (c) as amended by Amendment 3]

§ 1410.71a *Maximum prices for processed wool waste materials which cannot be priced under § 1410.71.* The seller's maximum price for any processed wool waste material which cannot be priced under § 1410.71 of this Maximum Price Regulation No. 123, shall be a price in line with the level of maximum prices established by this Maximum Price Regulation No. 123, determined by the seller after specific authorization from the Office of Price Administration. A person who seeks an authorization to determine a maximum price under the provisions of this § 1410.71a shall file with the Office of Price Administration in Washington, D. C., an application setting forth (a) a description in detail of the processed wool waste material for which a maximum price is sought, together with a sample thereof and (b) a statement of the reasons why the maximum price for such processed raw wool waste material cannot be determined under the provisions of § 1410.71.

[§ 1410.71a added by Amendment 3 and amended by Amendment 5]

[NOTE: Supplementary Order No. 31 (7 F.R. 9894) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

[NOTE: Supplementary Order No. 34 (7 F.R. 10779) permits special packing expenses to be added to maximum prices on sales to procurement agencies of the United States.]

§ 1410.72 *Less than maximum prices.* Lower prices than the maximum prices established by this Maximum Price Regulation No. 123 may be charged, demanded, paid or offered.

§ 1410.73 *Conditional agreements.* No seller of raw or processed wool waste materials shall enter into an agreement permitting the adjustment of the prices to prices which may be higher than the maximum prices provided by this Maximum Price Regulation No. 123 in the event that this Maximum Price Regulation No. 123 is amended or is determined by a court to be invalid or upon any other contingency: *Provided*, That if a petition for amendment has been duly filed, and such petition requires extensive consideration, and the Administrator determines that an exception would be in the public interest pending such consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment. Requests for such an exception may be included in the aforesaid petition for amendment.

§ 1410.74 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 123 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to raw or processed wool waste materials, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

[4] 7 F.R. 2397, 2560, 2543, 3088, 3271, 4117, 4296, 4299, 4428, 5512, 6494, 7602, 7945, 8941, 8948, 10257.

[5] 7 F.R. 5059, 8829, 9000, 10530.

§ 1410.75 *Records and reports*—(a) *Raw wool waste materials.* Every person making a purchase or sale of raw wool waste materials in the course of trade or business or otherwise dealing therein, after April 27, 1942, shall keep for inspection by the Office of Price Administration, for a period of not less than one year, complete and accurate records of each such purchase or sale, showing: (1) the date thereof; (2) the name and address of the seller and buyer; and (3) the quantity of and the price contracted for, received or paid for each type, kind, classification and grade of materials so purchased or sold. An invoice or other similar document shall be delivered by the seller to the purchaser showing each of these items, in addition to the other items specifically required by this Maximum Price Regulation No. 123.

(b) *Processed wool waste materials.* (1) Every person making a sale of processed wool waste materials in the course of trade or business or otherwise dealing therein, after April 27, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than one year, complete and accurate records showing with respect to each such sale (i) the date thereof; (ii) the name and address of the purchaser; (iii) the quantity and cost price to the seller of each kind, classification and grade of the constituent materials in the processed product so sold; (iv) the quantity of processed wool waste material shipped or delivered to the purchaser and the price contracted for, received or paid therefor; (v) an itemization of each of the processes actually performed by the seller, or for his account, and the amount charged or paid therefor; (vi) the percentages and allowances for shrinkage or gain in processing and (vii) any other charges.

(2) Every person making a sale of processed wool waste materials in the course of trade or business or otherwise dealing therein, after April 27, 1942, shall keep and preserve in a safe place and make available for the inspection of the Office of Price Administration existing records showing each of the items (i) to (vii), inclusive, listed in subparagraph (1) of this paragraph, with respect to each sale during the period between October 1 and December 15, 1941, inclusive.

(c) Such persons shall keep such other records in addition to or in place of the records required in paragraphs (a) and (b) of this section and shall submit such reports to the Office of Price Administration as it may, from time to time, require.

§ 1410.76 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 123 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest district, state or regional office of the Office of Price Administration or its principal office in Washington, D. C.

(c) The provisions of Supplementary Order No. 5*—Licensing, are applicable to every dealer selling wool waste materials subject to this Maximum Price Regulation No. 123 to a consumer. "Dealer" shall in this paragraph (c) and this paragraph only have the meaning given to it by Supplementary Order No. 5. "Consumer" shall in this paragraph (c) and in this paragraph only mean a person who performs any or a combination of more than one of the processes enumerated in paragraph (a) (3) of § 1410.78 on wool waste materials or who uses wool waste materials in the manufacture of woolen yarn or in any other manufacturing process.

[§ 1410.76 as amended by Amendment 1, 7 F.R. 3829]

§ 1410.77 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 123 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

[§ 1410.77 as amended by Supplementary Order No. 26, 7 F.R. 8948]

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Supplementary Order No. 9 (7 F.R. 5444) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those on scrap, waste, and salvage materials.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1410.78 *Definitions.* (a) When used in this Maximum Price Regulation No. 123, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States and any agency thereof, or any other government or any of its political subdivisions, or any agency of the foregoing.

[Paragraph (1) as amended by Amendment 1, 7 F.R. 3829]

(2) "Raw wool waste materials" includes the types, kinds, classifications and grades of wool waste materials, enumerated in Tables I through VI, inclusive, of Appendix A hereof (§ 1410.80), regardless of the system of manufacture on which the waste materials were produced, as well as all related types, kinds, classifications and grades of raw wool waste materials, except those covered by other regulations and price schedules issued by the Office of Price Administration. The term is applicable to both domestic and imported raw wool waste materials.

(3) "Processing" includes any one or a combination of more than one of the following processes: blending, dusting, lumping, carding, shredding, garnetting, carbonizing, cutting, scouring, washing, stripping, dyeing, picking, sterilizing, burr picking and neutralizing. The term shall also include sorting when done in combination with any one or more of the aforementioned processes, other than sterilizing, burr picking or neutralizing.

(4) "Processed wool waste materials" means raw wool waste materials, whether or not in combination with wool or other fibers, which have been subjected to any one or a combination of more than one of the processes enumerated in subparagraph (3), and shall include raw wool waste materials subjected to any one or a combination of more than one of the special processing services for which maximum charges are established in § 1410.81. Without limiting the generality of the above definitions, processed wool waste materials include both "reused wool" and "reprocessed wool" as those terms are defined in the Wool Products Labeling Act of 1939. The term shall not include imported processed wool waste materials.

[Paragraphs (2), (3), and (4) as amended by Amendment 3, 7 F.R. 9325]

(5) "Applicable processing margin" means:

(i) The margin received by the seller for the sale or delivery to a purchaser of the same general class, during the period between October 1 and December 15, 1941, inclusive, of processed wool waste materials, of the same general type, classification and grade, on which the same process or processes have been performed. This margin shall be determined by subtracting the price paid by the seller for the constituent raw materials from the price received by the seller for the processed wool waste materials; or

(ii) If during said period no such sale or delivery were made, an amount in line with the applicable processing margin, determined in accordance with subdivision (i) of this subparagraph, received by the seller for the sale or delivery during the period between October 1 to December 15, 1941, inclusive, of the same, or if not the same, the nearest related type, classification and grade of processed wool waste materials on which the same, or if not the same, the nearest related process or processes have been performed. The term "in line with" as used in this subdivision means having a justifiable relation to the applicable processing margin, as determined in accordance with subdivision (i) of this subparagraph, with commensurate increases or decreases to give effect to actual differences in the processes performed and in type, classification and grade of the constituent raw materials; or

* 7 F.R. 3403.

(iii) In those cases in which the seller did not make a sale or delivery during the period between October 1 and December 15, 1941, inclusive, of the same or related processed wool waste materials on which the same or related process or processes have been performed, the margin or amount, determined in accordance with subdivisions (i) and (ii) of this subparagraph, received by the most closely competitive seller of the same general class for the sale or delivery during the period between October 1 and December 15, 1941, inclusive, of the processed wool waste materials of the same, or if not the same, the nearest type, classification and grade on which the same, or if not the same, the nearest related process or processes have been performed.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1410.79 *Effective date.* This Maximum Price Regulation No. 123 (§§ 1410.71 to 1410.80, inclusive) shall become effective April 28, 1942.

[Issued April 24, 1942]

§ 1410.79a *Effective dates of amendments.*

Amendment Nos. and issue dates	*Effective*
Amendment 1, 5–20–42	5–20–42
Amendment 2, 8–20–42	8–20–42
Amendment 3, 11–11–42	11–17–42
Amendment 4, 12–18–42	12–17–42
Amendment 5, 2–24–43	3– 1–43

* Amendment No. 3 shall become effective November 17, 1942: *Provided*, That a seller making deliveries of raw or processed wool waste materials within 60 days of November 17, 1942, pursuant to contracts entered into prior to such date in compliance with the provisions of Maximum Price Regulation No. 123, as then effective, may charge the contract prices therefor. [Amendment 4, 7 F.R. 10708]

§ 1410.80 *Appendix A: Maximum prices for raw and processed wool waste material.* (a) The maximum prices for raw wool waste material set forth in the following Tables I to VI, inclusive, and the maximum prices for processed wool waste materials as determined in accordance with § 1410.71 (b), are f. o. b. shipping point. Raw and processed wool waste materials may, however, be sold, offered for sale, delivered or transferred at prices delivered buyer's receiving point. In such case, the transportation charges must be shown as a separate item on the invoice or other document to be delivered by the seller to the purchaser, and the price f. o. b. shipping point, obtained by subtracting the transportation charge from the total delivered price, must not exceed the maximum f. o. b. shipping point price established herein. Whenever delivery is made in the seller's conveyance, the transportation charge shall not exceed the charge which would be applicable on an identical shipment from the same point of shipment to the same receiving point at the lowest available commercial transportation rate. In such cases the transportation charges must be shown as a separate item on the invoice or other similar document to be delivered by the seller to the purchaser.

(b) The maximum prices established herein shall not be increased by any charges for the extension of credit.

(c) The maximum prices established herein shall include all commissions, premiums and other charges except as provided herein.

(1) *Commissions for sales or purchases by brokers.* In the event that a purchaser or seller of wool waste materials of the types, kinds, classifications and grades enumerated in Table I hereof, except scourer's waste, shall employ a broker to make a purchase or sale on his behalf, a brokerage commission of not more than ¼ cent per pound or 1% of the purchase price, whichever is greater, may be charged for such services and added to the applicable maximum price established herein: *Provided*, That a commission may not be charged to both buyer and seller and a commission shall be payable only if (i) such wool waste materials are purchased or sold at a price not higher than the applicable maximum price established herein; (ii) the commission is shown as a separately itemized charge on the invoice or similar document delivered to the purchaser; and (iii) the commission is not split or divided with the buyer or with the seller or with an agent or employee of the buyer or the seller.

(2) *Premiums for sales of unprocessed government clips.* Any person who purchases from the United States Government wool clips of the types, kinds, classifications and grades enumerated in Table VI hereof, for resale, may upon such resale, add to the applicable maximum price established by this Regulation for such clips, a premium of ½ cent a pound or 3%, whichever is greater, if he resells them in their original government baling, and an additional premium of 1 cent a pound if sorted free of contraries and rebaled; *Provided*, That if such clips are sold after they have been subjected to any of the processes listed in § 1410.78 (a) (3) no such premium may be added but the maximum price shall be determined in accordance with § 1410.71 (b).

[Paragraph (3) revoked by Amendment 3, 7 F.R. 9325]

TABLE I—MAXIMUM PRICES FOR WOOL WASTES

[Expressed in dollars per pound, f. o. b. shipping point, net weight]

Classifications worsted wastes	100% wool as defined by wool labeling act					95% to 100% wool, balance other fibres					90% up to not including 95% wool, balance other fibres					85% up to not including 90% wool, balance other fibres				
	White	Light	Solid colors	Colored	Khaki	White	Light	Solid colors	Colored	Khaki	White	Light	Solid colors	Colored	Khaki	White	Light	Solid colors	Colored	Khaki
Drawing laps:																				
Fine and ½ blood	1.25	1.05	1.00	.95	1.00	1.15	.96	.92	.87	.92	1.09	.91	.87	.82	.87	.96	.81	.77	.73	.77
⅝ blood	1.05	.92	.87	.82	.87	.96	.84	.79	.75	.79	.91	.79	.75	.70	.75	.80	.70	.66	.62	.66
¾ blood	.85	.80	.75	.70	.75	.77	.73	.68	.63	.68	.72	.69	.64	.60	.64	.64	.61	.57	.53	.61
44's and below	.70	.65	.60	.55	.60	.63	.58	.54	.49	.54	.59	.55	.51	.46	.51	.52	.49	.45	.41	.49
Spinning and roving laps:																				
Fine and ½ blood	1.15	.98	.93	.88	.93	1.05	.90	.85	.80	.85	1.00	.85	.80	.76	.80	.88	.75	.71	.67	.75
⅝ blood	1.00	.90	.85	.80	.85	.91	.82	.77	.73	.77	.91	.78	.72	.69	.72	.76	.69	.65	.61	.69
¾ blood	.82	.78	.73	.68	.73	.74	.70	.66	.61	.66	.70	.67	.62	.58	.62	.62	.59	.55	.51	.59
44's and below	.63	.60	.57	.52	.57	.56	.53	.51	.46	.51	.53	.51	.48	.43	.48	.47	.45	.42	.38	.45
Rings:																				
Fine and ½ blood	1.10	.90	.85	.80	.85	1.01	.82	.77	.73	.77	.95	.78	.72	.69	.72	.84	.69	.65	.61	.69
⅝ blood	.95	.82	.77	.72	.77	.86	.75	.70	.65	.70	.82	.70	.66	.61	.66	.72	.62	.58	.54	.62
¾ blood	.77	.70	.65	.60	.65	.69	.63	.58	.54	.58	.65	.60	.55	.51	.55	.58	.53	.49	.45	.53
44's and below	.60	.55	.50	.45	.50	.53	.49	.44	.39	.44	.50	.46	.42	.37	.42	.44	.41	.37	.33	.41
Worsted spinning threads:																				
Fine and ½ blood	.92	.65	.60	.55	.56	.84	.58	.54	.49	.49	.79	.55	.51	.46	.47	.70	.49	.45	.41	.45
⅝ blood	.82	.60	.55	.50	.54	.74	.54	.49	.44	.47	.70	.51	.46	.42	.45	.62	.45	.41	.37	.41
¾ blood	.75	.55	.50	.45	.50	.67	.49	.44	.39	.44	.64	.46	.42	.37	.42	.56	.41	.37	.33	.37
44's and below	.58	.50	.45	.40	.45	.51	.44	.39	.35	.39	.48	.42	.37	.33	.37	.43	.37	.33	.29	.33
Worsted weaving threads:																				
Fine and ½ blood	.84	.57	.52	.47	.52	.76	.51	.46	.41	.46	.72	.48	.43	.39	.43	.63	.42	.38	.34	.38
⅝ blood	.74	.52	.47	.42	.47	.66	.46	.41	.37	.41	.63	.43	.39	.34	.39	.55	.38	.34	.30	.34
¾ blood	.68	.47	.42	.37	.42	.61	.41	.37	.32	.37	.57	.39	.34	.30	.34	.51	.34	.30	.26	.30
44's and below	.53	.42	.37	.32	.37	.47	.37	.32	.27	.32	.44	.34	.30	.25	.30	.39	.30	.26	.22	.26

TABLE I—MAXIMUM PRICES FOR WOOL WASTES—Continued

[Expressed in dollars per pound, f. o. b. shipping point, net weight]

Classifications worsted wastes	100% wool as defined by wool labeling act					95% to 100% wool, balance other fibres					90% up to not including 95% wool, balance other fibres					85% up to not including 90% wool, balance other fibers				
	White	Light	Solid colors	Colored	Khaki	White	Light	Solid colors	Colored	Khaki	White	Light	Solid colors	Colored	Khaki	White	Light	Solid colors	Colored	Khaki
Worsted soft knitting threads:																				
Fine and ½ blood	.97	.70	.65	.60	.65	.88	.63	.58	.54	.58	.83	.60	.55	.51	.55	.74	.53	.49	.45	.49
⅝ blood	.87	.65	.60	.55	.60	.79	.58	.54	.49	.54	.75	.55	.51	.46	.51	.66	.49	.45	.41	.45
¾ blood	.80	.60	.55	.50	.55	.72	.54	.49	.44	.49	.68	.51	.46	.42	.46	.60	.45	.41	.37	.41
⅞ blood	.60	.55	.50	.45	.50	.56	.49	.44	.39	.44	.53	.46	.42	.37	.42	.47	.41	.37	.33	.37
44's and below																				
Mohair drawing, spinning, roving laps:																				
Fine	1.00	.85	.80	.75	.80	.91	.77	.73	.68	.73	.86	.72	.69	.64	.69	.76	.65	.61	.57	.61
Medium	.70	.60	.55	.50	.55	.63	.58	.49	.44	.49	.59	.51	.46	.42	.46	.52	.45	.41	.37	.41
Coarse	.65	.55	.50	.45	.50	.58	.49	.44	.39	.44	.55	.46	.42	.37	.42	.48	.41	.37	.33	.37
Mohair spinning or weaving threads:																				
Fine	.88	.65	.60	.55	.60	.80	.58	.54	.49	.54	.75	.55	.51	.46	.51	.67	.49	.45	.41	.45
Medium	.68	.50	.45	.40	.45	.51	.44	.39	.35	.39	.48	.42	.37	.33	.37	.43	.37	.33	.29	.33
Coarse	.53	.45	.40	.35	.40	.47	.39	.35	.30	.35	.44	.37	.33	.28	.33	.39	.33	.29	.25	.29
Mohair soft knitting threads:																				
Fine	.93	.70	.65	.60	.65	.85	.63	.58	.54	.58	.80	.60	.55	.51	.55	.71	.53	.49	.45	.49
Medium	.63	.55	.50	.45	.50	.56	.49	.44	.39	.44	.53	.46	.42	.37	.42	.47	.41	.37	.33	.37
Coarse	.58	.50	.45	.40	.45	.51	.44	.39	.35	.39	.48	.42	.37	.33	.37	.43	.37	.33	.29	.33
Spinners brush and sweeps:																				
Fine	.58	.38	.33	.28	.33	.51	.33	.28	.23	.28	.48	.31	.26	.22	.26	.43	.27	.23	.19	.23
Medium	.53	.33	.28	.23	.28	.47	.28	.23	.19	.23	.44	.26	.22	.17	.22	.39	.23	.19	.15	.19
Coarse	.50	.30	.25	.20	.25	.44	.25	.20	.16	.20	.41	.24	.19	.15	.19	.36	.21	.17	.13	.17
Weavers sweeps:																				
Fine	.15	.10	.08	.08	.08	.11	.06	.04	.04	.04	.10	.055	.03	.03	.03	.08	.04	.025	.025	.025
Medium	.12	.07	.05	.05	.05	.08	.03	.02	.02	.02	.07	.025	.015	.015	.015	.06	.02	.015	.015	.015
Coarse	.10	.06	.04	.04	.04	.06	.025	.02	.02	.02	.05	.02	.015	.015	.015	.04	.015	.015	.015	.015
Dusted worsted card or worsted strips:																				
Fine	.62	.55	.50	.45	.50	.54	.49	.44	.39	.44	.51	.46	.42	.37	.42	.45	.41	.37	.33	.37
Medium	.55	.50	.45	.40	.45	.49	.44	.39	.35	.39	.46	.42	.37	.33	.37	.41	.37	.33	.29	.33
Coarse	.50	.45	.40	.35	.40	.44	.39	.35	.30	.35	.42	.37	.33	.28	.33	.37	.33	.29	.25	.29

Classifications, worsted wastes	65% up to not including 85% wool, balance other fibres					45% up to not including 65% wool, balance other fibres					25% up to not including 45% wool, balance other fibres					Less than 25% wool, balance other fibres				
	White	Light	Solid colors	Colored	Khaki	White	Light	Solid colors	Colored	Khaki	White	Light	Solid colors	Colored	Khaki	White	Light	Solid colors	Colored	Khaki
Drawing laps:																				
Fine and ¼ blood	.81	.70	.67	.63	.67	.59	.49	.47	.44	.47	.34	.28	.27	.23	.27	.22	.18	.16	.15	.16
⅝ blood	.70	.61	.58	.54	.58	.49	.43	.40	.38	.40	.29	.24	.23	.21	.23	.21	.15	.14	.13	.14
¾ blood	.56	.53	.49	.46	.49	.39	.37	.34	.32	.34	.23	.21	.19	.18	.19	.20	.13	.12	.11	.12
⅞ blood	.45	.42	.39	.35	.39	.31	.29	.27	.24	.27	.18	.16	.15	.13	.15	.16	.12	.11	.10	.11
44's and below																				
Spinning and roving laps:																				
Fine and ½ blood	.77	.65	.62	.58	.62	.54	.46	.43	.41	.43	.31	.26	.25	.23	.25	.21	.16	.15	.14	.15
⅝ blood	.66	.60	.56	.53	.56	.46	.42	.39	.37	.39	.27	.24	.23	.21	.23	.20	.15	.13	.12	.13
¾ blood	.54	.51	.48	.44	.48	.37	.36	.33	.31	.33	.21	.20	.19	.17	.19	.19	.13	.12	.11	.12
⅞ blood	.40	.39	.37	.33	.37	.28	.27	.25	.23	.25	.16	.15	.14	.12	.14	.15	.10	.11	.10	.11
44's and below																				
Rings:																				
Fine and ½ blood	.73	.60	.56	.53	.56	.51	.42	.39	.37	.39	.30	.24	.22	.21	.22	.20	.15	.14	.12	.14
⅝ blood	.63	.54	.51	.47	.51	.44	.38	.35	.33	.35	.25	.21	.20	.18	.20	.19	.13	.12	.11	.12
¾ blood	.50	.46	.42	.38	.42	.35	.32	.29	.27	.29	.20	.18	.16	.15	.16	.18	.11	.10	.10	.10
⅞ blood	.38	.35	.32	.28	.32	.26	.24	.22	.19	.22	.15	.13	.12	.10	.12	.14	.10	.10	.10	.10
44's and below																				
Worsted spinning threads:																				
Fine and ½ blood	.61	.42	.39	.35	.38	.42	.29	.27	.24	.26	.24	.16	.15	.13	.12	.13	.14	.10	.10	.10
⅝ blood	.54	.40	.35	.32	.34	.37	.27	.24	.22	.23	.21	.15	.13	.12	.10	.12	.13	.10	.10	.10
¾ blood	.49	.35	.32	.28	.32	.34	.24	.22	.19	.22	.19	.13	.12	.10	.10	.10	.13	.10	.10	.10
⅞ blood	.37	.32	.28	.25	.28	.25	.22	.19	.17	.19	.14	.12	.10	.10	.10	.10	.13	.10	.10	.10
44's and below																				
Worsted weaving threads:																				
Fine and ½ blood	.55	.37	.33	.30	.33	.38	.25	.23	.20	.23	.22	.14	.12	.11	.12	.15	.11	.10	.10	.10
⅝ blood	.48	.33	.30	.26	.30	.33	.23	.20	.18	.20	.19	.12	.11	.10	.11	.14	.10	.10	.10	.10
¾ blood	.44	.30	.26	.23	.26	.30	.20	.18	.15	.18	.17	.11	.10	.10	.10	.13	.10	.10	.10	.10
⅞ blood	.33	.26	.23	.19	.23	.23	.18	.15	.12	.15	.13	.10	.10	.10	.10	.13	.10	.10	.10	.10
44's and below																				
Worsted soft knitting threads:																				
Fine and ½ blood	.64	.46	.42	.39	.42	.45	.32	.29	.27	.29	.25	.18	.16	.15	.16	.16	.12	.10	.10	.10
⅝ blood	.57	.42	.39	.35	.39	.40	.29	.27	.24	.27	.23	.16	.15	.13	.15	.15	.11	.10	.10	.10
¾ blood	.52	.40	.35	.32	.35	.36	.27	.24	.22	.24	.21	.15	.13	.12	.13	.14	.10	.10	.10	.10
⅞ blood	.40	.35	.32	.28	.32	.28	.24	.22	.19	.22	.16	.13	.12	.10	.12	.14	.10	.10	.10	.10
44's and below																				
Mohair drawing, spinning, roving lap	.66	.56	.53	.49	.53	.46	.39	.37	.34	.37	.27	.22	.21	.19	.21	.21	.16	.15	.14	.15
Fine	.45	.39	.37	.32	.35	.31	.27	.24	.22	.24	.18	.15	.13	.12	.13	.20	.11	.13	.11	.11
Medium	.42	.35	.32	.28	.32	.29	.24	.22	.19	.22	.16	.13	.12	.10	.12	.16	.10	.11	.10	.11
Coarse																				
Mohair spinning or weaving threads:																				
Fine	.58	.42	.39	.35	.39	.40	.29	.27	.24	.27	.23	.16	.15	.13	.15	.74	.10	.10	.10	.10
Medium	.37	.32	.28	.25	.28	.25	.22	.19	.17	.19	.14	.12	.10	.10	.10	.13	.10	.10	.10	.10
Coarse	.33	.28	.25	.21	.25	.23	.19	.17	.14	.17	.13	.10	.10	.10	.10	.13	.10	.10	.10	.10
Mohair soft knitting threads																				
Fine	.61	.46	.42	.39	.42	.43	.32	.29	.27	.29	.25	.18	.16	.15	.16	.15	.11	.10	.10	.10
Medium	.40	.35	.32	.28	.32	.28	.24	.22	.19	.22	.16	.13	.12	.10	.12	.14	.10	.10	.10	.10
Coarse	.37	.32	.28	.25	.28	.25	.22	.19	.17	.19	.14	.12	.10	.10	.10	.14	.10	.10	.10	.10
Spinners brush and sweeps:																				
Fine	.37	.23	.20	.16	.20	.25	.16	.13	.10	.13	.14	.08	.07	.05	.07	.08	.07	.03	.03	.03
Medium	.33	.20	.16	.13	.16	.23	.13	.11	.08	.11	.13	.07	.05	.05	.05	.08	.05	.03	.03	.03
Coarse	.31	.18	.14	.11	.14	.21	.12	.09	.07	.09	.12	.06	.04	.04	.04	.08	.04	.03	.03	.03
Weavers sweeps:																				
Fine	.07	.035	.02	.02	.02	.04	.015	.015	.015	.015	.015	.015	.015	.015	.015	.015	.015	.015	.015	.015
Medium	.05	.015	.015	.015	.015	.03	.015	.015	.015	.015	.015	.015	.015	.015	.015	.015	.015	.015	.015	.015
Coarse	.03	.015	.015	.015	.015	.02	.015	.015	.015	.015	.015	.015	.015	.015	.015	.015	.015	.015	.015	.015
Dusted worsted card or worsted strips:																				
Fine	.39	.35	.32	.28	.32	.27	.24	.22	.19	.22	.15	.13	.12	.10	.12	.09	.08	.07	.07	.08
Medium	.35	.32	.28	.25	.28	.24	.22	.19	.17	.19	.13	.12	.10	.09	.10	.08	.07	.06	.06	.07
Coarse	.32	.28	.25	.21	.25	.22	.19	.17	.14	.17	.12	.10	.09	.07	.09	.07	.06	.05	.05	.06

TABLE I—MAXIMUM PRICES FOR WOOL WASTES—Continued

[Expressed in dollars per pound, f. o. b. shipping point, net weight]

Classifications woolen wastes	100% wool as defined by Wool Labeling Act					All wool fibres, 98% boil out					85% up to, not including 98% wool, balance other fibres					65% up to, not including 85% wool, balance other fibres				
	White	Light	Solid colors	Colored	Khaki	White	Light	Solid colors	Colored	Khaki	White	Light	Solid colors	Colored	Khaki	White	Light	Solid colors	Colored	Khaki
Woolen rovings:																				
Fine	.73	.58	.54	.49	.54	.60	.40	.35	.30	.32	.40	.35	.31	.26	.28	.37	.29	.26	.24	.24
Medium	.63	.54	.49	.44	.54	.55	.35	.30	.25	.32	.44	.31	.28	.23	.28	.32	.27	.24	.22	.24
Coarse	.59	.49	.44	.39	.49	.50	.30	.25	.22	.32	.40	.27	.23	.20	.28	.27	.14	.21	.18	.24
Woolen threads:																				
Fine	.68	.44	.42	.39	.43	.55	.35	.30	.25	.28	.45	.20	.25	.22	.23	.34	.22	.20	.19	.19
Medium	.58	.43	.41	.37	.43	.45	.32	.27	.22	.28	.37	.27	.23	.20	.23	.29	.21	.19	.17	.19
Coarse	.57	.42	.40	.37	.43	.40	.28	.23	.20	.28	.34	.24	.21	.19	.23	.28	.20	.18	.16	.19
Woolen card waste:																				
Fine	.49	.39	.35	.30	.30	.40	.30	.25	.20	.18	.33	.25	.21	.18	.18	.24	.19	.17	.14	.14
Medium	.39	.35	.30	.25	.30	.35	.26	.22	.18	.18	.27	.22	.18	.15	.18	.19	.17	.14	.12	.14
Coarse	.35	.30	.25	.20	.30	.30	.21	.18	.15	.18	.24	.18	.15	.13	.18	.17	.14	.12	.10	.14
Woolen strips:																				
Fine	.18	.09	.08	.07	.08	.14	.06	.05	.02	.05	.12	.05	.04	.015	.04	.08	.03	.02	.015	.03
Medium	.17	.08	.07	.06	.08	.13	.06	.05	.02	.05	.11	.04	.03	.015	.04	.07	.02	.02	.015	.03
Coarse	.16	.07	.06	.05	.08	.13	.06	.05	.02	.05	.11	.03	.02	.015	.04	.07	.02	.02	.015	.03
Napper flocks:																				
Wool	----	----	----	----	----	.25	.12	.10	.08	.10	.20	.10	.09	.05	.09	.11	.05	.035	.03	.035
Wool blanket	----	----	----	----	----	.45	.35	.17	.15	.17	.30	.25	.13	.11	.13	.22	.17	.14	.07	.14

Classifications woolen wastes	45% up to, not including 65% wool, balance other fibres					25% up to, not including 45% wool, balance other fibres					Less than 25% wool, balance other fibres				
	White	Light	Solid colors	Colored	Khaki	White	Light	Solid colors	Colored	Khaki	White	Light	Solid colors	Colored	Khaki
Woolen rovings:															
Fine	.93	.17	.10	.14	.14	.14	.11	.10	.10	.10	.08	.07	.07	.07	.07
Medium	.19	.16	.14	.13	.14	.12	.10	.10	.10	.10	.08	.07	.07	.07	.07
Coarse	.16	.14	.13	.11	.14	.11	.10	.10	.10	.10	.08	.07	.07	.07	.07
Woolen threads:															
Fine	.21	.15	.13	.11	.13	.12	.10	.10	.10	.10	.08	.07	.07	.07	.07
Medium	.18	.14	.12	.11	.13	.12	.10	.10	.10	.10	.08	.07	.07	.07	.07
Coarse	.15	.12	.11	.11	.13	.12	.10	.10	.10	.10	.08	.07	.07	.07	.07
Woolen card waste:															
Fine	.10	.13	.11	.09	.09	.10	.06	.06	.06	.06	.05	.03	.03	.03	.03
Medium	.14	.10	.10	.08	.09	.08	.04	.04	.04	.04	.05	.03	.03	.03	.03
Coarse	.10	.09	.09	.07	.09	.08	.04	.03	.03	.03	.05	.03	.03	.03	.03
Woolen strips:															
Fine	.05	.015	.015	.015	.015	.03	.015	.015	.015	.015	.02	.015	.015	.015	.015
Medium	.04	.015	.015	.015	.015	.03	.015	.015	.015	.015	.02	.015	.015	.015	.015
Coarse	.03	.015	.015	.015	.015	.03	.015	.015	.015	.015	.02	.015	.015	.015	.015
Napper flocks:															
Wool	.05	.015	.03	.015	.03	.03	.015	.015	.015	.015	.02	.015	.015	.015	.015
Wool blanket	.11	.08	.07	.03	.07	.06	.04	.03	.015	.03	.06	.025	.025	.015	.025

Classifications, miscellaneous	100% wool, as defined by Wool Labeling Act				
	White	Light	Solid colors	Colored	Khaki
Garnetted or carbonized, dusted, neutralized, worsted card or strips:					
Fine	.90	.75	.70	.65	.70
Medium	.80	.70	.65	.60	.65
Coarse	.70	.60	.55	.50	.55
Carbonized, dusted, neutralized burrs and burred burrs:					
Fine	.70	.55	.50	.45	.50
Medium	.65	.50	.45	.40	.45
Coarse	.55	.45	.40	.35	.40
Duffer waste:					
Fine	.32	.20	.20	.20	.20
Medium	.30	.15	.15	.15	.15
Coarse	.25	.12	.12	.12	.12

Classifications, miscellaneous	100% wool, as defined by the Wool Labeling Act				
	White	Light	Solid colors	Colored	Khaki
Paper making felt:					
Rovings:					
Fine	.85				
Medium	.80				
Coarse	.70				
Threads:					
Fine	.80				
Medium	.75				
Coarse	.65				
Card waste:					
Fine	.60				
Medium	.55				
Coarse	.50				

TABLE I—MAXIMUM PRICES FOR WOOL WASTES—Continued

(Expressed in dollars per pound f. o. b. shipping point, net weight)

Classifications. Miscellaneous. 100% wool, as defined by the Wool Labelling Act	
Scouring mill waste:	
Unsorted or after sort:	
Mixed grade, defective, colored, stained, grey, black, noils, or wastes, carbonized, neutralized, dusted	.52
Sorted—free of noils and waste, scoured and dusted:	
No. 1 White bulk 50's, 56's and finer grade	.83
No. 1 Grey, black, colored or stained bulk 50's, 56's and finer	.75
No. 2 White bulk 46's to 50's	.72
No. 2 Grey, black, colored, or stained bulk 46's to 50's	.68
Low White, grey, black, colored, stained bulk 44's and coarser	.54
Sorted—containing noils or waste, scoured and dusted:	
No. 1 White bulk 50's, 56's and finer	.70
No. 1 Grey, black, colored, or stained bulk 50's, 56's and finer	.62
No. 2 White bulk 46's to 50's	.59
No. 2 Grey, black, colored, or stained bulk 46's to 50's	.53
Low White, grey, black, colored or stained bulk 44's and coarser	.45

Classifications. Miscellaneous. 100% Wool, as defined by the Wool Labelling Act	White	Colored or rel	Brown or yellow
Tanners waste (boiled sheepskin trimmings scoured basis)			
Fine 1" to 1¼" long	.81	.40	.66
Medium 1" to 1¼" long	.72	.36	.56
Coarse 1" to 1¼" long	.61	.29	.46
Fine ½" to ¾" long	.62	.30	.50
Medium ½" to ¾" long	.51	.26	.44
Coarse ½" to ¾" long	.46	.20	.36
Fine ¼" to ½" long	.50	.21	.35
Medium ¼" to ½" long	.41	.20	.30
Coarse ¼" to ½" long	.29	.16	.25
Tanners shearings (sheepskin flocks—scoured basis after removal of leather and dirt):			
Fine 1" to 1¼" long	.92	.50	.70
Medium 1" to 1¼" long	.81	.41	.62
Coarse 1" to 1¼" long	.66	.33	.50
Fine ½" to ¾" long	.58	.30	.50
Medium ½" to ¾" long	.50	.26	.38
Coarse ½" to ¾" long	.41	.20	.30
Fine ¼" to ½" long	.50	.20	.35
Medium ¼" to ½" long	.41	.17	.30
Coarse ¼" to ½" long	.29	.14	.20

[Table I as amended by Amendment 5]

TABLE II—MAXIMUM PRICES FOR NEW WOOL CLIPS

[Expressed in dollars per pound f. o. b. shipping point gross weight tare not to exceed 5 percent]

MEN'S WEAR

Classifications (sorted to grades and color)	Free of cotton warps						With cotton warps
	100% wool, 58% boil out	95% to 98% wool, balance other fibres	90% to 95% wool, balance other fibres	80% to 90% wool, balance other fibres	70% to 80% wool, balance other fibres	50% to 70% wool, balance other fibres	Less than 50% wool, balance other fibres
Worsteds							
White	.58	.52	.49	.43	.36	.26	.14
Pearl gray	.44	.38	.36	.31	.26	.19	.10
Oxford (free of bankers)	.37	.32	.30	.25	.21	.15	.075
Oxford	.36	.31	.29	.24	.20	.14	.07
Bankers	.35	.30	.28	.23	.19	.13	.065
Light gray	.34	.29	.27	.22	.18	.12	.06
Black	.36	.31	.29	.25	.20	.14	.07
Black and white	.32	.27	.25	.21	.17	.11	.055
Tan	.36	.31	.29	.25	.20	.14	.07
Light brown	.33	.28	.26	.22	.18	.13	.06
Dark brown	.32	.27	.25	.21	.17	.12	.055
Mixed brown	.31	.26	.24	.20	.16	.11	.05
Navy blue	.35	.30	.28	.24	.20	.14	.065
Navy blue (pencil stripe)	.33	.28	.26	.22	.18	.13	.06
Powder blue	.32	.27	.25	.21	.17	.12	.055
Royal blue	.33	.28	.26	.22	.18	.13	.06
Teal blue	.35	.30	.28	.24	.20	.14	.065
Slate	.32	.28	.26	.22	.18	.13	.06
Light green	.33	.28	.26	.22	.18	.13	.06
Dark green	.32	.27	.25	.21	.17	.12	.055
Forestry	.33	.28	.26	.22	.18	.13	.06
Mixed light	.27	.22	.20	.14	.10	.075	.05
Mixed Worsteds	.23	.18	.16	.08	.08	.055	.035
All other sorted solid colors	.32	.27	.25	.21	.17	.12	.055
Sorted mixed dark	.24	.19	.17	.11	.12	.08	.04

TABLE II—MAXIMUM PRICES FOR NEW WOOL CLIPS—Continued

[Expressed in dollars per pound f. o. b. shipping point gross weight tare not to exceed 5 percent]

MEN'S WEAR—Continued

Classifications (sorted to grades and color)	Free of cotton warps						With cotton warps
	100% wool, 58% boil out	95% to 98% wool, balance other fibres	90% to 95% wool, balance other fibres	80% to 90% wool, balance other fibres	70% to 80% wool, balance other fibres	50% to 70% wool, balance other fibres	Less than 50% wool, balance other fibres
Worsted gabardines (free of silk, cotton or rayon decorations)							
White	.60	.53	.50	.44	.37	.28	.15
Tan	.43	.37	.35	.30	.25	.18	.09
Light brown	.37	.32	.30	.25	.21	.15	.07
Brown	.34	.29	.27	.23	.19	.14	.065
Blue	.37	.32	.30	.25	.21	.15	.07
Light blue	.40	.35	.32	.28	.23	.17	.09
Green	.38	.33	.30	.26	.22	.16	.08
Light green	.40	.35	.32	.28	.23	.17	.09
Mixed light	.30	.24	.21	.17	.13	.105	.055
Mixed dark	.26	.19	.17	.13	.09	.065	.035
Mixed gabardines	.28	.21	.19	.15	.11	.085	.045
All other sorted solid colors	.34	.29	.27	.23	.19	.14	.065
Topcoatings							
Camel hair shade	.45	.39	.37	.32	.27	.195	.10
Vicuna shade	.44	.38	.36	.31	.26	.19	.095
Chocolate	.28	.23	.22	.18	.15	.10	.04
Tan	.26	.21	.20	.17	.13	.09	.035
Light brown	.24	.195	.18	.15	.12	.08	.03
Dark brown	.23	.18	.17	.14	.11	.075	.03
Mixed brown	.22	.17	.16	.13	.10	.07	.03
Pearl gray	.35	.30	.28	.24	.20	.14	.065
Oxford (free of bankers)	.25	.20	.19	.16	.13	.085	.03
Black and white	.23	.18	.17	.14	.11	.075	.03
Royal blue	.235	.19	.18	.15	.12	.08	.03
Powder blue	.25	.20	.19	.16	.13	.085	.03
Light green	.23	.18	.17	.14	.11	.075	.03
Dark green	.22	.17	.16	.13	.10	.07	.03
Mixed light	.18	.14	.13	.08	.08	.05	.025
Mixed dark	.15	.11	.10	.08	.06	.035	.015
Mixed topcoating	.16	.12	.11	.09	.065	.04	.02
All other sorted solid colors	.24	.19	.18	.15	.12	.08	.03
Coverts							
Tan (free of selvages)	.28	.235	.22	.18	.15	.10	.045
Mixed light	.21	.165	.155	.13	.10	.06	.025
Mixed dark	.19	.145	.135	.11	.08	.04	.015
Mixed Coverts	.20	.155	.145	.12	.09	.05	.02
Overcoatings—Free of meltons and snow clips							
Camel hair shade	.40	.35	.325	.28	.23	.17	.09
Vicuna shade	.39	.34	.315	.27	.22	.16	.08
Tan	.20	.155	.145	.12	.09	.09	.02
Light brown	.19	.145	.135	.11	.085	.06	.02
Dark brown	.185	.14	.13	.105	.08	.0525	.02
Mixed brown	.18	.135	.125	.10	.075	.05	.02
Pearl gray	.32	.27	.25	.215	.18	.125	.055
Oxford	.18	.135	.125	.105	.08	.05	.02
Black and white	.19	.145	.135	.11	.085	.0525	.02
Navy blue	.18	.135	.125	.105	.08	.05	.02
Royal blue	.20	.155	.145	.12	.09	.06	.02
Powder blue	.21	.165	.155	.125	.10	.065	.02
Mixed blue	.17	.13	.12	.095	.07	.0425	.02
Light green	.16	.12	.11	.09	.065	.0375	.02
Dark green	.15	.11	.10	.08	.06	.03625	.02
Mixed green	.14	.10	.09	.07	.05	.03	.02
Mixed light	.14	.10	.09	.07	.05	.03	.02
Mixed dark	.11	.07	.06	.04	.02	.015	.015
Mixed	.12	.08	.07	.05	.03	.025	.015
All other sorted solid colors	.16	.12	.11	.09	.065	.0375	.02

TABLE II—MAXIMUM PRICES FOR NEW WOOL CLIPS—Continued

MEN'S WEAR—Continued

Classifications (sorted to grades and color)	Free of cotton warps						With cotton warps
	100% wool, 98% boil out	95% to 98% wool, balance other fibres	90% to 95% wool, balance other fibres	80% to 90% wool, balance other fibres	70% to 80% wool, balance other fibres	50% to 70% wool, balance other fibres	Less than 50% wool, balance other fibres
Mixed suitings							
White worsteds and woolens	.52	.46	.43	.37	.32	.23	.13
Suitings 75% worsteds 25% woolens	.20	.155	.145	.12	.09	.06	.02
Suitings 50% worsteds 50% woolens	.18	.135	.125	.105	.08	.05	.02
Suitings 100% woolens	.15	.11	.10	.08	.06	.0325	.02
Shetlands and Tweeds (Free of Nubs)							
Pastel	.30	.25	.235	.20	.16	.115	.06
Biege	.35	.30	.28	.24	.20	.14	.065
Powder blue	.26	.215	.20	.17	.135	.09	.035
Tan	.27	.225	.21	.18	.14	.10	.04
Mixed brown	.24	.195	.18	.15	.12	.08	.025
Light brown	.26	.215	.20	.17	.135	.09	.035
Dark brown	.25	.205	.19	.16	.125	.085	.03
Black and white	.25	.205	.19	.16	.125	.085	.03
Oxford	.26	.215	.20	.17	.135	.09	.035
Pearl	.35	.30	.28	.24	.20	.14	.065
Mixed green	.24	.195	.18	.15	.12	.08	.025
Dark green	.25	.205	.19	.16	.125	.085	.03
Light green	.26	.215	.20	.17	.135	.09	.035
Navy blue	.28	.235	.22	.185	.15	.10	.04
Mixed light (with nubs)	.205	.16	.15	.125	.095	.06	.02
Mixed dark (with nubs)	.18	.14	.125	.10	.075	.05	.015
All other sorted solid colors	.25	.205	.19	.16	.13	.085	.035
Sorted solid colors heather in design	.25	.205	.19	.16	.13	.085	.035
Mixed tweeds	.19	.145	.135	.11	.085	.055	.02
Camel hair top-coatings							
Light brown	.29	.24	.225	.19	.155	.11	.05
Dark brown	.29	.24	.225	.19	.155	.11	.05
Oxford (free of bankers)	.29	.24	.225	.19	.155	.11	.05
Black and white	.29	.24	.225	.19	.155	.11	.05
Royal blue	.29	.24	.225	.19	.155	.11	.05
Powder blue	.29	.24	.225	.19	.155	.11	.05
Light green	.29	.24	.225	.19	.155	.11	.05
Dark green	.29	.24	.225	.19	.155	.11	.05
Mixed colors	.275	.225	.21	.175	.14	.10	.04
All other sorted solid colors	.29	.24	.225	.19	.155	.11	.05

COTTON BACK KNITTED TOPCOATING AND OVERCOATING CLIPS. MINIMUM 50% WOOL—BALANCE COTTON OR RAYON

Tan	.08	Black and white	.05
Vienna	.08	Light brown	.05
Oxford	.05	Dark brown	.05
Navy blue	.05	Mixed	.03
Powder blue	.05	All other sorted solid colors	.05
Green	.05		

TABLE II—MAXIMUM PRICES FOR NEW WOOL CLIPS—Continued

WOMEN'S WEAR

Classifications (sorted to grades and color)	Free of cotton warps						With cotton warps
	100% wool, 98% boil out	95 to 98% wool, balance other fibres	90 to 95% wool, balance other fibres	80 to 90% wool, balance other fibres	70 to 80% wool, balance other fibres	50 to 70% wool, balance other fibres	Less than 50% wool, balance other fibres
Worsted crepes							
Pastel	.37	.32	.30	.255	.21	.15	.075
Pearl gray	.37	.32	.30	.255	.21	.15	.075
Navy blue	.24	.195	.18	.15	.12	.08	.03
Tan	.40	.345	.325	.28	.23	.17	.09
Black	.24	.195	.18	.15	.12	.15	.075
Mixed light	.28	.235	.22	.185	.15	.10	.045
Mixed dark	.22	.175	.16	.135	.11	.07	.025
Mixed crepes	.25	.205	.19	.16	.13	.085	.035
All other sorted solid colors	.25	.205	.19	.16	.13	.085	.035
All other sorted solid pastel colors	.39	.335	.315	.27	.225	.16	.08
Light rabbit hair	.33	.28	.26	.22	.18	.13	.06
Medium rabbit hair	.27	.225	.205	.175	.14	.10	.04
Dark rabbit hair	.20	.155	.145	.12	.09	.06	.015
Tricotines							
Pastel	.40	.345	.325	.28	.23	.17	.09
Navy blue	.24	.195	.18	.15	.12	.08	.03
Tan	.40	.345	.325	.28	.23	.17	.09
Brown	.24	.195	.18	.15	.12	.08	.03
Black	.24	.195	.18	.15	.12	.08	.03
Mixed light	.29	.24	.225	.19	.155	.11	.05
Mixed dark	.23	.185	.17	.145	.11	.075	.03
Mixed tricotines	.26	.215	.20	.17	.135	.09	.035
All other sorted solid colors	.25	.205	.19	.16	.13	.085	.035
Sorted solid pastel colors	.42	.37	.34	.30	.25	.18	.08
Shetlands							
Pastel	.39	.335	.315	.27	.225	.16	.085
Mixed light	.30	.25	.235	.20	.16	.115	.055
Mixed dark	.18	.14	.13	.105	.08	.05	.02
Mixed shetlands	.24	.195	.18	.15	.12	.08	.035
Sorted solid colors	.25	.205	.19	.16	.13	.085	.035
Sorted solid pastel colors	.41	.36	.33	.29	.24	.175	.09
Suedes							
Pastel	.35	.30	.28	.24	.20	.14	.07
Mixed light	.27	.225	.21	.18	.14	.10	.045
Mixed dark	.14	.10	.09	.07	.05	.03	.015
Mixed suedes	.20	.16	.15	.12	.09	.06	.02
Sorted solid colors	.22	.175	.16	.135	.11	.07	.025
Sorted solid pastel colors	.37	.32	.30	.255	.21	.15	.075
Polos							
White	.57	.51	.48	.42	.35	.26	.14
Solid pastel (mixed)	.35	.30	.28	.24	.20	.14	.07
Pastel two tone	.30	.25	.24	.20	.16	.12	.055
Pastel cheeks	.30	.25	.24	.20	.16	.12	.055
Eggshell	.40	.35	.33	.28	.23	.17	.09
Camel hair shade	.43	.38	.35	.30	.25	.185	.10
Chocolate	.30	.25	.24	.20	.16	.12	.055
Tan	.39	.33	.31	.27	.22	.16	.08
Tan and white	.30	.25	.24	.20	.16	.12	.055
Pearl gray	.33	.28	.26	.22	.18	.13	.065
Black and white	.24	.195	.18	.15	.12	.08	.03
Mixed light	.24	.195	.18	.15	.12	.08	.035
Mixed dark	.19	.145	.135	.11	.085	.055	.02
Mixed spring	.20	.16	.15	.12	.09	.06	.02
Mixed fall	.15	.11	.10	.08	.06	.03	.015
All other sorted solid colors	.25	.21	.19	.16	.13	.09	.035
All other sorted solid pastel colors	.40	.35	.33	.28	.23	.17	.09

TABLE II—MAXIMUM PRICES FOR NEW WOOL CLIPS—Continued

WOMEN'S WEAR—Continued

Classifications (sorted to grades and color)	Free of cotton warps						With cotton warps
	100% wool, 98% boil out	95% to 98% wool, balance other fibres	90% to 95% wool, balance other fibres	80% to 90% wool, balance other fibres	70% to 80% wool, balance other fibres	50% to 70% wool, balance other fibres	Less than 50% wool, balance other fibres
Flannels							
Pastel	.40	.35	.33	.28	.23	.17	.09
Scarlet	.32	.27	.25	.22	.18	.125	.06
Green	.27	.235	.21	.175	.14	.10	.04
Camel hair shade	.40	.345	.325	.28	.23	.17	.09
Tan	.38	.33	.31	.265	.22	.16	.08
Light cheviots	.18	.14	.13	.11	.08	.05	.015
Mixed light	.25	.205	.19	.16	.13	.085	.035
Mixed dark	.18	.14	.13	.11	.08	.05	.015
Mixed flannels	.22	.175	.16	.135	.11	.07	.025
All other sorted solid colors	.28	.235	.22	.185	.15	.10	.045
All other sorted solid pastel colors	.40	.35	.33	.28	.23	.17	.09
Tweeds (Free of Nubs)							
Pastel	.29	.21	.225	.19	.185	.11	.045
Beige	.34	.29	.27	.23	.19	.135	.065
Powder blue	.24	.195	.18	.15	.12	.08	.03
Tan	.26	.215	.20	.17	.135	.09	.035
Pearl gray	.34	.29	.27	.23	.19	.135	.06
All other sorted solid colors	.24	.195	.18	.15	.12	.08	.03
Sorted solid colors heather in design	.24	.195	.18	.15	.12	.08	.03
With Nubs							
Mixed brown	.22	.175	.16	.135	.11	.07	.025
Black and white	.23	.185	.17	.145	.115	.08	.03
Mixed light	.165	.15	.14	.12	.09	.06	.02
Mixed dark	.17	.13	.12	.095	.07	.04	.015
All other sorted solid colors	.23	.185	.17	.145	.115	.08	.03
Sorted solid colors heather in design	.23	.185	.17	.145	.115	.08	.03
Serges							
Mixed light	.30	.25	.235	.20	.16	.115	.05
Mixed dark	.20	.165	.145	.12	.09	.06	.02
White serge and flannels	.57	.51	.48	.42	.35	.26	.14
All other sorted solid colors	.30	.25	.235	.20	.16	.115	.05
Worsted Plaids							
Pastel	.45	.395	.37	.32	.27	.195	.10
Mixed light	.32	.27	.25	.215	.18	.125	.06
Mixed dark	.22	.175	.16	.135	.11	.07	.03
Mixed	.25	.205	.19	.16	.13	.085	.035
Woolen Plaids							
Mixed light	.21	.165	.155	.13	.10	.065	.025
Mixed dark	.18	.14	.13	.105	.08	.05	.02
Bouclés							
Tan	.37	.32	.30	.265	.21	.15	.075
Mixed light	.28	.235	.22	.185	.15	.10	.045
Mixed dark	.225	.18	.17	.14	.11	.07	.03
Mixed medium	.25	.205	.19	.16	.13	.085	.04
All other sorted solid colors	.28	.235	.22	.185	.15	.10	.045

TABLE II—MAXIMUM PRICES FOR NEW WOOL CLIPS—Continued

MISCELLANEOUS

Classifications (sorted to grades and color)	Free of cotton warps						With cotton warps
	100% wool, 98% boil out	95 to 98% wool, balance other fibres	90 to 95% wool, balance other fibres	80 to 90% wool, balance other fibres	70 to 80% wool, balance other fibres	50 to 70% wool, balance other fibres	Less than 50% wool, balance other fibres
Snow and ski suits							
Navy blue	.12	.08	.07	.055	.035	.035	.015
Royal blue	.14	.10	.09	.07	.055	.03	.015
Teal	.12	.08	.07	.055	.04	.025	.015
Scarlet	.25	.205	.19	.16	.13	.085	.035
Red	.11	.07	.06	.05	.035	.025	.015
Orange	.18	.14	.13	.105	.08	.05	.015
Brown	.11	.07	.06	.05	.035	.025	.015
Green	.11	.07	.06	.05	.035	.025	.015
Kelly green	.24	.195	.18	.15	.12	.08	.03
Mixed	.08	.06	.05	.04	.03	.02	.015
All other sorted solid colors	.11	.07	.06	.05	.035	.025	.015
Mackinaws	.10	.09	.085	.06	.01	.02	.015
Mellons							
Navy	.10	.06	.05	.04	.03	.02	.015
Black	.10	.01	.05	.04	.03	.02	.015
Maroon	.10	.06	.05	.04	.03	.02	.015
Brown	.10	.06	.05	.04	.03	.02	.015
Green	.10	.06	.05	.04	.03	.02	.015
Mixed	.08	.06	.05	.04	.03	.02	.015
All other sorted solid colors	.10	.06	.05	.01	.03	.02	.015
Boys' cashmere							
Boys' cashmere	.15	.11	.10	.08	.06	.0325	.02
Blanket clips							
Pastel	.40	.35	.32	.28	.23	.17	.09
Mixed light	.30	.23	.21	.17	.13	.105	.055
Mixed dark	.20	.15	.145	.12	.09	.05	.02
Sorted solid pastel colors	.41	.38	.36	.31	.26	.19	.10
Felt clips							
White	.17	.13	.12	.095	.07	.04	.015
Khaki	.08	.045	.04	.03	.02	.015	.015
Upholstery clips							
Mixed	.12	.10	.09	.08	.07	.03	.015
Tan	.14	.12	.11	.10	.08	.04	.02
Slate	.13	.12	.11	.10	.08	.04	.02
Pearl Gray	.17	.15	.14	.12	.10	.05	.025
All other sorted solid colors	.14	.12	.11	.10	.08	.01	.02

PANTS BOTTOMS

Mixed (65% Worsteds, 35% Woolens)	.165	.155	.13	.10	.06	.035

UNION CLIPS

Mixed ..... .035

ALPACA OR MOHAIR LINING CLIPS

Mixed (Cotton Back) ..... .09

UPHOLSTERY CLIPS WITH COTTON WARP

Mixed cotton warp ..... .04 Worsted and woolen auto clips ..... .06
Worsted auto clips ..... .08

ALL WOOL NECKTIE CLIPS

White ..... .49 Black challis ..... .32
Black ..... .26 Mixed ..... .18
Black and white ..... .34 All other sorted solid colors ..... .24

[Table II as amended by Amendments 3 and 5]

TABLE III—MAXIMUM PRICES FOR KNITTED WOOL CLIPS

[Expressed in dollars f. o. b. shipping point, net weight]

Sweater clips	100% wool 98% boil out	90% up to not including 98% wool	70% up to not including 90% wool	50% up to not including 70% wool	25% up to not including 50% wool	Less than 25% wool
Woolen cutters:						
Fine:						
White	.60	.51	.39	.27	.16	.12
Pastel	.47	.39	.30	.20	.08	.06
Mixed light	.39	.32	.24	.16	.06	.04
Medium (free of black)	.34	.27	.20	.13	.05	.03
Mixed dark	.29	.23	.17	.11	.04	.025
Sorted solid colors	.46	.38	.29	.20	.08	.06
Sorted solid pastel colors	.53	.44	.34	.24	.08	.06
Coarse and medium:						
White	.58	.49	.37	.26	.16	.12
Pastel	.46	.38	.29	.20	.08	.06
Mixed light	.38	.31	.23	.16	.06	.04
Medium (free of black)	.33	.26	.19	.12	.05	.03
Mixed dark	.28	.22	.16	.11	.04	.025
Navy	.35	.28	.21	.14	.08	.06
Black	.34	.27	.20	.135	.08	.06
Royal blue	.44	.36	.27	.18	.08	.06
Brown	.44	.36	.27	.18	.08	.06
Dark green	.44	.36	.27	.18	.08	.06
Wine	.44	.36	.27	.18	.08	.06
Gray	.44	.36	.27	.18	.08	.06
Purple	.44	.36	.27	.18	.08	.06
Teal	.44	.36	.27	.18	.08	.06
Taupe	.44	.36	.27	.18	.08	.06
China	.44	.36	.27	.18	.08	.06
Luggage	.44	.36	.27	.18	.08	.06
Chucker	.44	.36	.27	.18	.08	.06
All other sorted solid colors	.44	.36	.27	.18	.08	.06
All other sorted solid pastel colors	.51	.42	.32	.22	.08	.06
Sorted solid colors:						
Heather in design	.40	.33	.25	.17	.07	.05
Khaki	.35	.28	.21	.14	.08	.06
Seamers:						
White		.38	.29	.20	.10	.07
Pastel		.27	.20	.13	.05	.03
Mixed light		.20	.15	.10	.03	.02
Mixed dark		.14	.10	.06	.02	.015
Khaki		.20	.15	.10	.03	.02
Infants wear:						
Baby worsted seamers		.43	.35	.25	.15	.10
Worsted cutters:						
Fine:						
White	.80	.69	.53	.37	.23	.16
Pastel	.62	.52	.40	.29	.12	.09
Mixed light	.54	.45	.34	.24	.10	.07
Medium (free of black)	.40	.41	.31	.21	.09	.065
Mixed dark	.46	.38	.29	.20	.08	.06
Sorted solid colors	.67	.57	.45	.32	.15	.11
Sorted solid pastel colors	.72	.62	.48	.35	.15	.11
Coarse and medium:						
White	.78	.67	.51	.36	.23	.16
Pastel	.60	.51	.39	.27	.12	.08
Mixed light	.52	.43	.33	.23	.095	.05
Medium (free of black)	.45	.37	.28	.19	.07	.045
Mixed dark	.40	.33	.25	.17	.065	.04
Navy	.52	.43	.33	.23	.15	.11
Black	.51	.42	.32	.22	.15	.11
Royal blue	.65	.55	.42	.29	.15	.11
Brown	.65	.55	.42	.29	.15	.11
Dark green	.65	.55	.42	.29	.15	.11
Wine	.65	.55	.42	.29	.15	.11
Gray	.65	.55	.42	.29	.15	.11
Gunsrisman	.65	.55	.42	.29	.15	.11
Purple	.65	.55	.42	.29	.15	.11
Teal	.65	.55	.42	.29	.15	.11
Taupe	.65	.55	.42	.29	.15	.11
China	.65	.55	.42	.29	.15	.11
Luggage	.65	.55	.42	.29	.15	.11
Chucker	.65	.55	.42	.29	.15	.11

TABLE III—MAXIMUM PRICES FOR KNITTED WOOL CLIPS—Continued

[Expressed in dollars f. o. b. shipping point, net weight]

Sweater clips	100% wool 98% boil out	90% up to not including 98% wool	70% up to not including 90% wool	50% up to not including 70% wool	25% up to not including 50% wool	Less than 25% wool
All other sorted solid colors	.65	.55	.42	.29	.15	.11
All other sorted solid pastel colors	.70	.60	.46	.32	.15	.11
Sorted solid colors:						
Heather in design	.63	.53	.41	.28	.15	.11
Khaki	.19	.41	.31	.21	.15	.11
Coarse 44's grade or lower:						
All sorted solid colors	.42	.35	.27	.19	.12	.10
All sorted solid colors heather in design	.42	.35	.27	.19	.12	.10
Seamers:						
White		.55	.42	.29	.16	.10
Pastel		.40	.30	.205	.085	.06
Mixed light		.32	.24	.16	.06	.04
Mixed dark		.25	.18	.12	.04	.03
Khaki		.32	.24	.16	.10	.07

UNDERWEAR—CLIPS

GOVERNMENT UNDERWEAR CUTTERS

50/50 gray merino (worsted and cotton) ..... .15
25/75 gray merino (worsted and cotton) ..... .09
35/65 white merino (worsted and cotton) ..... .21

SEAMERS

50/50 gray merino (worsted and cotton) ..... .0875
25/75 gray merino (worsted and cotton) ..... .06
50/50 and 25/75 mixed gray merino (worsted and cotton) ..... .085
35/65 white merino (worsted and cotton) ..... .15

GOVERNMENT UNDERWEAR CUTTERS

50/50 gray merino (woolen and cotton) ..... .12
25/75 gray merino (woolen and cotton) ..... .08

SEAMERS

50/50 gray merino (woolen and cotton) ..... .08
25/75 gray merino (woolen and cotton) ..... .045

GOVERNMENT HOSIERY PIECES, LOOPERS, AND RAVELLINGS

50/50 gray merino (worsted and cotton) ..... .19

UNDERWEAR CUTTERS

Fine gray merino (25% wool or less) ..... .09

[Table III as amended by Amendments 3 and 5]

TABLE IV—MAXIMUM PRICES FOR GRADED OLD RAGS

[Expressed in dollars, f. o. b. shipping point, gross weight, tare not to exceed 5%.]

MEN'S WEAR

SKIRTED WORSTEDS (100% WORSTEDS, FREE OF COTTON WARPS, CASHMERES, CHEVIOTS, AND COTTONADES)

Dark ..... .0775
Mixed Brown ..... .09
Red Brown ..... .105
Light Brown ..... .105
Dark Brown ..... .10
Tan ..... .11

MEN'S WEAR—Continued

SKIRTED WORSTEDS (100% WORSTEDS, FREE OF COTTON WARPS, CASHMERES, CHEVIOTS, AND COTTONADES)—Continued.

Mixed Blue ..... .09
Powder Blue ..... .10
Slate Blue ..... .0925
Fancy Blue ..... .085
Navy Blue ..... .1125
Coarse Navy Blue ..... .115
Letter Carrier ..... .165
Black ..... .1025
Black and White ..... .0975
Double Dark Oxford ..... .105
Oxford ..... .0975
Pearl Gray ..... .16
Bankers Gray ..... .105
Light ..... .09
Khaki ..... .18
Forestry ..... .165
All other sorted solid colors ..... .10

WORSTEDS AND CLOTH (FREE OF COTTON WARPS)

Khaki Worsteds and Cloth ..... .16
(Shower proofed worsteds, suitings, overcoatings.)
Mixed Forestry and Cloth ..... .125
Mixed Cadet and Cloth ..... .1125

WORSTED SEAMS (100% WORSTEDS)

Mixed ..... .0275
Solid colors ..... .0375

SKIRTED CHEVIOTS (FREE OF COTTON WARPS)

Dark ..... .04
Light ..... .05
Brown ..... .04
Black and White ..... .055
Oxford ..... .045
Tan ..... .0725
Powder Blue ..... .055
Navy Blue ..... .045
All other sorted solid colors ..... .05

SKIRTED OVERCOATS (FREE OF COTTON WARPS)

Dark ..... .0325
Light ..... .0525
Tan ..... .0775
Mixed Brown ..... .0375
Light Brown ..... .0425
Dark Brown ..... .04
Oxford ..... .0425
Black and White ..... .0925

TABLE IV—MAXIMUM PRICES FOR GRADED OLD RAGS—Continued

MISCELLANEOUS—Continued

Black	.0375
Khaki	.12
Powder Blue	.0675
Navy Blue	.0425
All other sorted solid colors	.0475

WOMEN'S WEAR

MERINOS (FREE OF COTTON WARPS AND SILK NOILS) ALL WOMEN'S WEAR

No. 1 Fine Light (Free of Black)	.20
Pastel Fine Light (all Pastel colors)	.27
Black and White Fine Light	.16
No. 2 Fine Light	.15
Fine Dark	.04
Fine Dark (all fine flannels)	.06
No. 1 Coarse Light (containing all colors and free of black)	.11
No. 2 Coarse Light (containing black)	.075
No. 2 Coarse Light (Free of Black)	.085
Pastel Coarse Light (all Pastel colors)	.16
Black and White Coarse Light	.085
Tan Coarse Light (Free of Dark Brown)	.135
Pearl Gray	.16
All other sorted solid colors	.13
Coarse Dark	.035

MERINOS (FREE OF COTTON WARPS AND SILK NOILS) 80% WOMEN'S WEAR 20% MEN'S WEAR

No. 1 Coarse Light (containing all colors and free of Black)	.10
No. 2 Coarse Light (containing Black)	.095
No. 2 Coarse Light (Free of Black	.075
Pastel Coarse Light (all pastel colors)	.15
Black and White	.075
Tan (Free of Dark Brown)	.125
Pearl Gray	.16
All other sorted solid colors	.12

POLOS (FREE OF COTTON WARPS AND SILK NOILS)

Tan (all highlight solid Tan)	.1725
Skirted Wool Bodies (all women's wear)	.085

FINE FLANNELS (ALL SOLID COLORS FREE OF COTTON WARPS AND SILK NOILS)

Navy Blue	.06
Black	.05
Brown	.06
Green	.06
Maroon	.08
Light Blue	.08
Royal Blue	.07
Bright Red	.15
Scarlet	.15
Mixed Reds	.09
All other sorted solid colors	.065

MIXED FINE FLANNELS AND CHONGAS (ALL SOLID COLORS FREE OF COTTON WARPS AND SILK NOILS)

Navy Blue	.05
Black	.04
Brown	.05
Green	.05
Red	.085
Maroon	.075
Light Blue	.07
Royal Blue	.06
All other sorted solid colors	.055

WORSTED SERGES (100% WORSTEDS FREE OF COTTON WARPS AND SILK NOILS)

Navy Blue	.11
Black	.10
Brown	.12
Green	.13
Red	.14
Light Blue	.14
Royal Blue	.13
All other sorted solid colors	.12
Pullman curtains	.14

WORSTED SERGES WITH CHONGAS AND FLANNELS (FREE OF COTTON WARP AND SILK NOILS)

Navy Blue	.09
Black	.08
Brown	.10
Green	.11
Red	.12
Light Blue	.12
Royal Blue	.11
White	.36
All other sorted solid colors	.10

TRICOTINES (100% WORSTEDS FREE OF COTTON WARPS, TINSEL, AND SILK DECORATIONS

Blue	.105
Black	.09
Tan	.20
All other sorted solid colors	.12

TABLE IV—MAXIMUM PRICES FOR GRADED OLD RAGS—Continued

WOMEN'S WEAR—Continued

MIXED WORSTED THIBETS (100% WORSTEDS, FREE OF COTTON WARPS, TINSEL, AND SILK DECORATIONS

Mixed (with Black)	.10
Mixed (Free of Black)	.11

MIXED THIBETS (75% WORSTED—25% FINE FLANNELS). FREE OF COTTON WARPS, TINSEL, AND SILK DECORATIONS

Mixed (with Black)	.09
Mixed (Free of Black)	.09

MISCELLANEOUS

No. 1 White Quilt Wool	.29
No. 2 White Quilt Wool	.125
Billiard Cloth	.07
No. 1 Red Wool	.36
No. 2 Red Wool	.19
Silk Noil Rags	.04
White Linsey Flannels	.065
Mixed Linsey Flannels	.04
Khaki Cotton Warp shirts	.04
Khaki Shirts (Free of cotton warps)	.16
Pastel Wool Blankets (Pastel colors)	.1925
Light gray underwear (part wool—part cotton)	.095

CARPETS

Wool	.[illegible]
Soft Back	.[illegible]
Linsey	.0275

SOFT BACK WILTON CARPETS (FOR USE IN HAND LOOMED RUGS)

Strips not less than 27" long and ½" wide	.09

PAPER MILL FELTS (UNSCOURED ALL WOOL)

White	.45
Near White	.34
Cream	.32
Tan	.28
Dark Gray	.30
No. 2 Tan	.225
Dark	.175
Couch Rolls (Free of tack)	.12
Slusher Cloth	.075

KNITS (100% KNITS (FREE OF LINSEYS)

White Knits (Free of Silk and Underwear)	.45
White Soltts (50% white knits—50% white flannels and serges)	.37
White Silk and Wool	.58
Light Hoods (Free of silk)	.255
Pastel Light Hoods (Pastel colors)	.205
Medium Light Hoods	.225
Buff Hoods	.34
Silk and Wool Hoods	.17
Pastel Light Jerseys (all Pastel colors)	.33
Light Jerseys	.31
Fine Dark Jerseys	.18
Mixed Fancy Knits	.17
Mixed Fancy Worsted Knits	.17
Mixed Heather Knits	.14
Wool underwear	.24
Fine white wool underwear	.26

KNITS—SORTED COLORS (100% KNITS FREE OF LINSEYS)

Mixed Green (Free of Heather)	.20
Dark Green	.25
Light Green	.27
Kelly Green	.28
Mixed Brown (Free of Heather)	.185
Dark Brown	.195
Light Brown	.20
Mixed Blue (Free of Heather)	.185
Navy Blue	.195
Royal Blue	.20
Khaki	.20
Black	.20
Mixed Red	.20
Maroon	.225
Cardinal Red	.26
Jockey	.30
Oxford	.17
Pearl Gray	.31
Steel Gray	.20
All other sorted solid colors	.18
All other sorted solid pastel colors	.33

HALF WOOL KNITS (TO CONTAIN A MINIMUM OF 50% WOOL)

White	.14
Light Hoods	.10
Mixed	.065
Graded to color	.085

LINSEY SWEATERS (TO CONTAIN A MINIMUM OF 50% WOOL)

Light Hoods	.055
Dark	.03
Black	.045
Red	.045
Brown	.045

TABLE IV—MAXIMUM PRICES FOR GRADED OLD RAGS—Continued

LINSEY SWEATERS (TO CONTAIN A MINIMUM OF 50% WOOL)—Continued

Navy Blue	.045
Green	.045
Gray	.[illegible]
Pearl Gray	.[illegible]
White	.085
All other sorted solid colors	.045
Skirted Tan Camel Hair Cloth (Free of cotton warps and silk noils)	.[illegible]

[Table IV as amended by Amendments 3 and 5]

TABLE V—*Maximum prices for old wool rags, mixed stock*

[Expressed in dollars, f. o. b. shipping point, [illegible] weight, tare not to exceed 5%]

Mixed soft woolens (to contain minimum 33% knits)	.[illegible]
Mixed knits (all colors including light and white)	.[illegible]
Skirted merinos	.[illegible]
Mixed rough cloth and worsteds (free of vests)	.[illegible]
Mixed rough worsteds (free of vests)	.[illegible]
Rough wool bodies	.[illegible]
Mixed linsey sweaters (free of solid cotton pieces)	.[illegible]
Mixed rough overcoats	.[illegible]
Rough light overcoats	.[illegible]
Rough dark overcoats	.[illegible]
Rough chevrets	.[illegible]
Rough khaki	.[illegible]
Rough vests	.[illegible]

[Table V as amended by Amendment 3]

TABLE VI—*Maximum prices for Government wool clips*

[Expressed in dollars per pound, f. o. b. shipping point, gross weight. Tare not to exceed 5%]

ARMY

Felt Wool (O. D. Mixed with Lining)	$0.[illegible]
Felt, Wool O. D.	.[illegible]
Felt, Wool, Blue	.[illegible]
Lining, Wool O. D. 12 oz	.[illegible]
Lining, Wool O. D. 11 oz	.[illegible]
Wool, O. D. (Mixed with Seams)	.[illegible]
Wool, Green (Mixed with Seams)	.[illegible]
Wool and Cotton (With Seams)	.[illegible]
Wool, O. D. 20 oz	.[illegible]
Wool, O. D. 22 oz	.[illegible]
Wool, Knitted	.[illegible]
Wool, Knitted Brushed O. D.	.[illegible]
Wool, Green, 20 oz	.[illegible]
Wool, Green, 32 oz	.[illegible]
Wool, Corn, Mixed	.[illegible]
Wool and Cotton Mixed	.[illegible]
Wool, Blue, Mixed	.[illegible]
Serge, O. D. 18 oz. Dark	.[illegible]
Serge, O. D. 18 oz. Light	.[illegible]
Serge, O. D. 10½ oz Light	.[illegible]
Elastique, O. D. 18 oz. Light	.[illegible]
Elastique, O. D. 18 oz. Dark	.[illegible]
Shirting, Flannel, O. D.	.[illegible]
Shirting, Worsted, O. D.	.[illegible]
Worsted, Knitted, O. D.	.[illegible]
Doeskin, O. D.	.[illegible]
Doeskin, 26 oz	.[illegible]
Doeskin, 16 oz	.[illegible]
Cloth, Facings, Mixed Colors	.[illegible]
Bunting, Wool Mixed	.[illegible]
Factory Sweepings	.[illegible]

NAVY

Kersey, Overcoatings, 32 oz	.[illegible]
Melton, Suitings, 16 oz	.[illegible]
Flannels	.[illegible]
Serge	.[illegible]

MARINE CORPS

Winterfield, Overcoatings, 22 oz	.[illegible]
Winterfield, Suitings, 16 oz	.[illegible]
Khaki Flannel Shirting	.[illegible]
Dark Blue Kersey, 16 oz	.[illegible]
Sky Blue Kersey, 16 oz	.[illegible]

§ 1410.81 *Appendix B: Maximum charges for special processing services.* This § 1410.81 sets forth the maximum charges which may be added to the maximum prices for the constituent raw materials upon which the enumerated special processing services are performed, as provided for in subparagraph (2) of paragraph (b) of § 1410.71 hereof:

(a) *Trimming or seaming.* Trimming or seaming raw wool waste materials, the maximum prices for which are set forth in Table IV of § 1410.80, at the request of the purchaser and to meet his specifications: *Provided*, That no charge may be added for trimming or seaming where the "boil out" of the wool rags is less than 92% wool.

MAXIMUM CHARGE

Maximum price for graded old wool rags as set forth in Table IV	Boil out not less than 92% wool	Boil out not less than 90% wool	Boil out not less than 85% wool
$0.10 up to not including $0.10	.0225	.0325	.035
.10 up to not including 0.15	.0275	.0375	.045
.15 up to not including .20	.035	.045	.055
.20 up to not including .25	.04	.0525	.065
.25 up to not including .30	.045	.06	.075
.30 up to not including .35	.05	.07	.085
.35 up to not including .40	.0525	.075	.09
.40 up to not including .45	.06	.085	.10
.45 up to not including .50	.065	.09	.105

(b) *Blending clips.* Blending raw wool waste materials, the maximum prices for which are set forth in Tables II or III of § 1410.80, at the request of the purchaser and to meet his specifications, 2¢ per pound.

(c) *Sorting for fineness and/or to exclude decorations.* Sorting raw wool waste materials, the maximum prices for which are set forth in Table II of § 1410.80, for fineness and/or to exclude decorations, at the request of the purchaser and to meet his specifications, 2¢ per pound.

(d) *Sorting into 100% worsted knits.* Sorting solid colored knits, the maximum prices for which are set forth in Table IV of § 1410.80, to segregate 100% worsted knits, at the request of the purchaser and to meet his specifications, 3¢ per pound.

[§ 1410.81 added by Amendment 3 and amended by Amendment 5]

Issued this 24th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3003; Filed, February 24, 1943; 3:43 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 288,[1] Amendment 4]

SPECIFIC MAXIMUM PRICES IN ALASKA

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subparagraph (4) is added to § 1418.351, and paragraph (d), Table IV is added to § 1418.363.

§ 1418.351 *Maximum prices.* • • •

(a) • • •

(4) On and after March 3, 1943, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver hay produced in the Territory of Alaska and no person shall buy or receive such hay in the Territory of Alaska at prices higher than the maximum prices set forth in § 1418.363, Table IV; and no person shall agree, offer, solicit or attempt to do any of the foregoing.

§ 1418.363 *Tables of maximum prices.* • • •

(d) *Table IV: Maximum prices for hay produced in the Territory of Alaska.*

(1) The maximum price for hay produced in the Territory of Alaska sold in the Territory of Alaska shall be:

Maximum price per ton

	Sold on or before Apr. 15, 1943	*Sold after Apr. 15, 1943*
Hay	$35.00	$25.00

For sales of different quantities the maximum price shall be computed proportionately.

(2) The maximum price for hay that is imported shall continue to be governed by Maximum Price Regulation No. 194.

§ 1418.362a *Effective dates of amendments.* • • •

(d) Amendment No. 4 (§§ 1418.351 (a) (4), and 1418.363 (d)) to Maximum Price Regulation No. 288 shall become effective March 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3005; Filed, February 24, 1943; 3:44 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 14 under § 1499.3 (c) of GMPR]

PHILIPS EXPORT CORPORATION

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.814 *Approval of maximum prices for sales by Philips Export Corporation of twelve types of radio tubes.* (a) Philips Export Corporation, The Roosevelt, Madison Avenue at 45th Street, New York, New York, may sell and deliver the radio tubes listed below to the United States Government or any agency thereof, f. o. b. sellers point of shipment, at prices no higher than those set forth below:

Model:	*Price*
5Y3G	$.20
6G6G	.42
6SA7	.33
6SG7	.43
6SK7	.32
6SQ7	.27
6SQ7G T	.27
6S7G	.32
6SS7	.33
6 T 7G	.28
6V6G T	.36
6x5G T	.30

(b) This Order No. 14 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

This Order No. 14 (§ 1499.814) shall become effective on the 24th day of February, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3004; Filed, February 24, 1943; 3:43 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 306 Under § 1499.3 (b) of GMPR]

PHILIPS EXPORT CORPORATION

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.1742 *Approval of maximum prices for sales by Philips Export Corporation of twenty-six radio models.* (a) Philips Export Corporation, The Roosevelt, Madison Avenue at 45th Street, New York, New York, may sell and deliver its export radio models listed below, to the United States Government or any agency thereof f. o. b. sellers point of shipment, at prices no higher than those set forth below:

Model:	*Price*
592 LN	$13.16
329 MUR	13.16
593 AN	20.64
594 AN	26.43
349 MAR	26.43
335 AN	29.14
33 MAR	29.14
595 AN	38.81
359 AN	38.81
436 AN	41.71
34 MAR	41.71
597 AN	41.31
379 MAR	41.31
518 AN	41.31
637 VN	30.15
273 MVR	30.15
737 VN	32.84
73 MVR	32.84
697 VN	46.92
279 MVR	46.92
739 VN	49.69
93 MVR	49.69
925 AN	109.08
838 BN	25.58
235 AN	26.54
536	45.27

(b) This Order No. 306 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

This Order No. 306 (§ 1499.1742) shall become effective on the 24th day of February 1943.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10581, 11012, 8 F.R. 28, 567, 2158.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3002; Filed, February 24, 1943; 3:43 p. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Navy

[General License 3]

PART 6—SECURITY OF PORTS AND THE CONTROL OF VESSELS IN THE NAVIGABLE WATERS OF THE UNITED STATES

LICENSING OF GREAT LAKES VESSELS OPERATING BETWEEN UNITED STATES AND CANADA

Whereas, by § 6.18, Part 6, Subpart A, Title 33, Regulations for the Security of Ports and Control of Vessels in the Navigable Waters of the United States (7 F.R. 8026), it is provided that the Commandant of the Coast Guard may issue general licenses for any class or classes of vessels for which a departure or movement license is required by said regulations if he finds that the granting of such general license would not be inimical to the national war effort or to the safety and protection of vessels or navigable waters of the United States; and

Whereas I find that the granting of a general license for the class of vessels hereinafter specified, and under the following terms and conditions, would not be inimical to the war effort or to the safety and protection of vessels or the navigable waters of the United States;

Now therefore by virtue of the authority vested in me by the regulations above cited:

§ 6.202. *General License 3.* All vessels exclusive of those covered by § 6.19 of this part (7 F.R. 8028) which are now in or which may hereafter enter the local waters are hereby generally licensed to depart from local waters by crossing the international boundary between the United States and Canada for operation on the Great Lakes and the connecting waters thereof subject to the following terms and conditions:

(a) Pleasure vessels departing from a port or place within the United States may not touch at any Canadian port or place without having obtained a permit from the Captain of the Port.

(b) This general license may be revoked by the Commandant of the Coast Guard whenever he finds its continuance in force would be inimical to the war effort and to the safety and protection of vessels or the navigable waters of the United States.

(c) The Commandant of the Coast Guard may, in his discretion, exclude individual vessels from this general license upon notification to the owners, agents, masters, or operators thereof, but any vessel so excluded may be granted an individual license under the provisions of § 6.15 of Subpart A (7 F.R. 8027).

(d) The issuance of this general license does not in any manner relieve any vessel covered thereby or its owner, master, or operator from compliance with the provisions of any other applicable law or regulation.

R. R. WAESCHE,
Commandant.

FEBRUARY 24, 1943.

[F. R. Doc. 43-3014, Filed, February 25, 1943; 10:26 a. m.]

Notices

DEPARTMENT OF LABOR.

Wage and Hour Division.

METAL, PLASTICS, MACHINERY, INSTRUMENT, AND ALLIED INDUSTRIES

NOTICE OF HEARING

Notice of hearing on the minimum wage recommendation of Industry Committee No. 53 for the Metal, Plastics, Machinery, Instrument, and Allied Industries, to be held March 16, 1943.

Whereas the Administrator of the Wage and Hour Division of the United States Department of Labor, acting pursuant to section 5 (b) of the Fair Labor Standards Act of 1938 on January 27, 1943, by Administrative Order No. 173 appointed Industry Committee No. 53 for the Metal, Plastics, Machinery, Instrument, and Allied Industries, composed of an equal number of representatives of the public, employers in the industry and employees in the industry, such representatives having been appointed with due regard to the geographical regions in which the industry is carried on; and

Whereas Industry Committee No. 53, on February 16, 1943, recommended a minimum wage rate for the Metal, Plastics, Machinery, Instrument, and Allied Industries and duly adopted a report containing such recommendations and reasons therefor and filed such report with the Administrator on February 17, 1943, pursuant to section 8 (d) of the Act and § 511.19 of the regulations issued under the Act; and

Whereas the Administrator is required by section 8 (d) of the Act, after due notice to interested persons and giving them an opportunity to be heard, to approve and carry into effect by order the recommendation of Industry Committee No. 53 if he finds that the recommendation is made in accordance with law and is supported by the evidence adduced at the hearing and, taking into consideration the same factors as are required to be considered by the industry committee, will carry out the purposes of section 8 of the Act; and, if he finds otherwise, to disapprove such recommendation;

Now, therefore, notice is hereby given that:

I. The recommendation of Industry Committee No. 53 is as follows:

Wages at a rate of not less than 40 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the Metal, Plastics, Machinery, Instrument, and Allied Industries (as defined in Administrative Order No. 173) who is engaged in commerce or in the production of goods for commerce.

II. The definition of the Metal, Plastics, Machinery, Instrument, and Allied Industries as set forth in Administrative Order No. 173, issued January 27, 1943, is as follows:

The production of metals and the manufacture of any product or part made of metal or plastics; and the manufacture from any material of machinery, instruments, tools, electrical goods, transportation equipment, and ordnance: *Provided however*, The definition shall not include:

1. The mining or milling of metalliferous ores.

2. The production of any basic material other than metal.

3. The further processing of any basic material other than metal or plastics: *Provided, however*, That such processing when performed by an establishment producing from such material a product of this industry or subassembly of such product shall be included within this definition.

4. Any product, the manufacture of which is covered by the definition of an industry for which the Administrator has already issued a wage order or appointed an industry committee.

III. The full text of the report and recommendation of Industry Committee No. 53 is and will be available for inspection by any person between the hours of 9:00 a. m. and 4:00 p. m. at the following offices of the United States Department of Labor, Wage and Hour Division:

Boston, Massachusetts, Old South Building, 294 Washington Street.
New York, New York, 341 Ninth Avenue.
Newark, New Jersey, Essex Building, 31 Clinton Street.
Philadelphia, Pennsylvania, 1216 Widener Building, Chestnut and Juniper Streets.
Pittsburgh, Pennsylvania, Clark Building, Liberty Avenue and Seventh Street.
Richmond, Virginia, 215 Richmond Trust Building, 627 East Main Street.
Baltimore, Maryland, 201 North Calvert Street.
Raleigh, North Carolina, North Carolina Department of Labor, Salisbury and Edenton Streets.
Columbia, South Carolina, Federal Land Bank Building, Hampton and Marion Streets.
Atlanta, Georgia, Fifth Floor, Witt Building, 249 Peachtree Street, N. E.
Jacksonville, Florida, 456 New Post Office Building.
Birmingham, Alabama, 1007 Comer Building, 2nd Avenue and 21st Street.
New Orleans, Louisiana, 916 Union Building.
Jackson, Mississippi, 404 Deposit Guaranty Bank Building, 102 Lamar Street.
Nashville, Tennessee, 509 Medical Arts Building, 115 Seventh Avenue, N.
Cleveland, Ohio, Main Post Office, West 3rd and Prospect Avenue.
Cincinnati, Ohio, 1312 Traction Building, 5th and Walnut Streets.
Detroit, Michigan, David Scott Building, 1150 Griswold Street.
Chicago, Illinois, 1200 Merchandise Mart, 222 West North Bank Drive.
Minneapolis, Minnesota, 406 Pence Building, 730 Hennepin Avenue.
Kansas City, Missouri, 504 Title and Trust Building, 10th and Walnut Streets.
St. Louis, Missouri, 316 Old Customs House, Denver, Colorado, 300 Chamber of Commerce Building, 1726 Champa Street.

Dallas, Texas, Rio Grande National Building, 1100 Main Street.
San Francisco, California, 800 Humboldt Bank Building, 785 Market Street.
Los Angeles, California, 417 H. W. Hellman Building.
Seattle, Washington, 305 Post Office Building, 3rd Avenue and Union Street.
San Juan, Puerto Rico, Post Office Box 112.
Washington, District of Columbia, Department of Labor, 1st Floor.
New York, New York, 165 West 46th Street.

Copies of the committee's report and recommendation may be obtained by any person upon request addressed to the Administrator of the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York.

IV. A public hearing will be held on March 16, 1943, before Major Robert N. Campbell, Presiding Officer, at 10:00 a. m. in Room 1610, 165 West 46th Street, New York, New York, for the purpose of taking evidence on the following question:

Whether the recommendation of Industry Committee No. 53 should be approved or disapproved.

V. Any interested person supporting or opposing the recommendation of Industry Committee No. 53 may appear at the aforesaid hearing to offer evidence, either on his behalf or on behalf of any other person: *Provided*, That not later than March 11, 1943, such person shall file with the Administrator at New York, New York, a notice of his intent to appear which shall contain the following information:

1. The name and address of the person appearing.
2. If such person is appearing in a representative capacity, the name and address of the person or persons whom he is representing.
3. Whether such person proposes to appear for or against the recommendation of Industry Committee No. 53.
4. The approximate length of time requested for his presentation.

Such notice may be mailed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, and shall be deemed filed upon receipt thereof.

VI. Any person interested in supporting or opposing the recommendation of Industry Committee No. 53 may secure further information concerning the aforesaid hearing by inquiry directed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, or by consulting with attorneys representing the Administrator who will be available for that purpose at the Office of the Solicitor, United States Department of Labor, in Washington, D. C. and New York, New York.

VII. Copies of the following document relating to the Metal, Plastics, Machinery, Instrument and Allied Industries will be made available on request for inspection by any interested person who intends to appear at the aforesaid hearing:

Report entitled, *Memorandum to Industry Committee No. 53 for the Metal, Plastics, Machinery, Instrument, and Allied Industries*, prepared by the Economics Branch, Wage and Hour Division, United States Department of Labor, February 1943.

VIII. The hearing will be conducted in accordance with the following rules, subject, however, to such subsequent modifications by the Administrator or the Presiding Officer as are deemed appropriate.

1. The hearing shall be stenographically reported and a transcript made which will be available to any person at prescribed rates upon request addressed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York.

2. In order to maintain orderly and expeditious procedure, each person filing a Notice to Appear shall be notified, if practicable, of the approximate day and the place at which he may offer evidence at the hearing. If such person does not appear at the time set in the notice, he will not be permitted to offer evidence at any other time except by special permission of the Presiding Officer.

3. At the discretion of the Presiding Officer, the hearing may be continued from day to day, or adjourned to a later date, or to a different place by announcement thereof at the hearing by the Presiding Officer or by other appropriate notice.

4. At any stage of the hearing, the Presiding Officer may call for further evidence upon any matter. After the Presiding Officer has closed the hearing before him, no further evidence shall be taken, except at the request of the Administrator, unless provision has been made at the hearing for the later receipt of such evidence. In the event that the Administrator shall cause the hearing to be reopened for the purpose of receiving further evidence, due and reasonable notice of the time and place fixed for such taking of testimony shall be given to all persons who have filed a notice of intention to appear at the hearing.

5. All evidence must be presented under oath or affirmation.

6. Written documents or exhibits, except as otherwise permitted by the Presiding Officer, must be offered in evidence by a person who is prepared to testify as to the authenticity and trustworthiness thereof, and who shall, at the time of offering the documentary exhibit, make a brief statement as to the contents and manner of preparation thereof.

7. Written documents and exhibits shall be tendered in duplicate and the persons preparing the same shall be prepared to supply additional copies if such are ordered by the Presiding Officer. When evidence is embraced in a document containing matter not intended to be put in evidence, such a document will not be received, but the person offering the same may present to the Presiding Officer, the original document together with two copies of these portions of the document intended to be put in evidence.

8. Subpoenas requiring the attendance of witnesses or the presentation of a document from any place in the United States at any designated place of hearing may be issued by the Administrator at his discretion, and any person appearing in the proceeding may apply in writing for the issuance by the Administrator of the subpoena. Such application shall be timely and shall identify exactly the witness or document and state fully the nature of the evidence proposed to be secured.

9. Witnesses summoned by the Administrator shall be paid the same fees and mileage as are paid witnesses in the courts of the United States. Witness fees and mileage shall be paid by the party at whose instance witnesses appear, and the Administrator before issuing subpoena may require a deposit of an amount adequate to cover the fees and mileage involved.

10. The rules of evidence prevailing in the courts of law or equity shall not be controlling.

11. The Presiding Officer may, at his discretion, permit any person appearing in the proceeding to cross-examine any witness offered by another person insofar as is practicable, and to object to the admission or exclusion of evidence by the Presiding Officer. Requests for permission to cross-examine a witness offered by another person and objections to the admission or exclusion of evidence shall be stated briefly with the reasons for such request or the ground of objection relied on. Such requests or objections shall become a part of the record, but this record shall not include argument thereon except as ordered by the Presiding Officer. Objections to the approval of the Committee's recommendation and to the promulgation of a wage order based upon such approval must be made at the hearing before the Presiding Officer.

12. Before the close of the hearing, the Presiding Officer shall receive written requests from persons appearing in the proceeding for permission to make oral arguments before the Administrator upon the matter in issue. These requests will be forwarded to the Administrator by the Presiding Officer with the record of the proceedings. If the Administrator, in his discretion, allows the request, he shall give such notice thereof as de deems suitable to all persons appearing in the proceedings, and shall designate the time and place at which the oral arguments shall be heard. If such requests are allowed, all persons appearing at the hearing will be given opportunity to present oral argument.

13. Briefs (12 copies) may be submitted to the Administrator following the close of the hearing, by any persons appearing therein. Notice of the final dates for filing such briefs shall be given by the Administrator in such manner as shall be deemed suitable by him.

14. On the close of the hearing, the Presiding Officer shall forthwith file a complete record of the proceedings with the Administrator. The Presiding Officer shall not file an intermediate report unless so directed by the Administrator. If a report is filed it shall be advisory only and have no binding effect upon the Administrator.

15. No order issued as a result of the hearing will take effect until after due notice is given of the issuance thereof by publication in the FEDERAL REGISTER.

Signed at New York, New York, this 22d day of February 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-2999; Filed, February 24, 1943; 2:03 p. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302)

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753)

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective February 25, 1943. The certificates may be cancelled in the manner provided in the Regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry

The Beacon Company, 519 Broadway, Kingston, New York; Cotton dresses; 5 learners (T); February 25, 1944.

Blue Bell-Globe Manufacturing Company, 626 S. Elm Street, Greensboro, North Carolina; Trousers, work suits, coveralls and waist bands, Navy dungarees; 10 percent (T); February 25, 1944.

The Grace Company, Belton, Missouri; Crawlers, sunsuits, playsuits, pinafores and skirts; 10 percent (T); February 25, 1944.

Lynn Brassiere Company, 37 Huyler Street, Hackensack, New Jersey; Brassieres; 8 learners (T); February 25, 1944.

Manheim Manufacturing Company, 35 S. Spring Street, Elizabeth, New Jersey; Ladies' blouses, ladies' dresses; 11 learners (T); February 25, 1944.

Mifflin Shirt Company, Mifflin, Pennsylvania; Pajamas; 5 learners (T); February 25, 1944.

Modern Togs, Incorporated, 30 Bank Street, Elizabeth, New Jersey; Snow suits, slacks and coats; 4 learners (T); February 25, 1944.

Sunnyvale, Incorporated, 614 Wyoming Avenue, Scranton, Pennsylvania; Wash dresses; 10 percent (T); February 25, 1944.

Wood Garment Manufacturing Company, West Elm Street, Republic, Missouri; Trousers, 35 learners (E); June 25, 1943.

Hosiery Industry

Cooksville Hosiery Mills, Vale, North Carolina; Seamless hosiery; 5 learners (T); February 25, 1944.

Fisher Hosiery Company, Incorporated; 7th & Court Streets, Reading, Pennsylvania; Seamless hosiery; 5 learners (T); February 25, 1944.

Textile Industry

The Kendall Company, Addison Plant, Edgefield, South Carolina; Cotton surgical gauze; 3 percent (T); February 25, 1944.

Santee Mills, Main & Church Streets, Bamberg, South Carolina; Cotton; 3 percent (T); February 25, 1944.

Signed at New York, N. Y., this 23d day of February 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-3000, Filed, February 24, 1943; 2:03 p. m.]

LEARNER EMPLOYMENT CERTIFICATES

JOHNSON CITY TIRE AND RECAPPING CO., TENN.

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective February 25, 1943.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the Regulations and as indicated on the certificate. Any person aggrieved by the issuance of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE

Johnson City Tire and Recapping Company, 208 Main Street, Johnson City, Tennessee; Recapping tires; 1 learner (T); Tire recapper for a learning period of Four Weeks (160 hours) at 35¢ per hour until May 6, 1943.

Signed at New York, N. Y., this 23d day of February 1943.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-3001; Filed, February 24, 1943; 2:04 p. m.]

DEHYDRATING OF CITRUS PULP AND WASTE INDUSTRY

NOTICE OF OPPORTUNITY TO PETITION, ETC

Notice of opportunity to petition for review of the determination in the matter of the rehearing of the application for the exemption of the dehydrating of citrus pulp and waste from the maximum hours provisions of the Fair Labor Standards Act of 1938 as an industry of a seasonal nature, pursuant to section 7 (b) (3) of the Act and Part 526, as amended, of the regulations issued thereunder.

Whereas the Kuder Citrus Pulp Company of Florida and various other parties filed an application for the exemption of the dehydrating of citrus pulp and waste from the maximum hours provisions of the Fair Labor Standards Act of 1938, as an industry of a seasonal nature, pursuant to section 7 (b) (3) of the Act and Part 526, as amended, of the regulations issued thereunder; and

Whereas in accordance with § 526.5 of the regulations, the Administrator of the Wage and Hour Division determined that a prima facie case for the granting of the exemption had been shown, and notice of this preliminary determination was published in the FEDERAL REGISTER (6 F.R. 1697) on March 29, 1941; and

Whereas within 15 days following that preliminary determination, the Administrator received objection and request for a hearing from the Citrus By-Products Workers Union No. 20831, of Los Angeles, California; and

Whereas pursuant to notice a public hearing was held on June 5, 1941 at Los Angeles, California before Presiding Officer Harold Stein, a duly authorized representative of the Administrator, who upon the basis of the record made at the hearing, found that the dehydrating of citrus pulp and waste, and the manufacture of cattle feed therefrom, is not an industry of a seasonal nature within the meaning of section 7 (b) (3) of the Act and Part 526 of the regulations, and determined that the application should be denied, and notice of this finding was published in the FEDERAL REGISTER (6 F.R. 5647) on November 6, 1941; and

Whereas, petitions were filed by the applicants pursuant to § 526.7 of the regulations for review of the said denial, and

Whereas the Administrator thereupon set the matter for further hearing pursuant to §§ 526.5 and 526.6 of the regulations before an authorized representative of the Administrator, for the purpose of taking additional evidence on the questions raised by the said petitions in lieu of reviewing the determination under the provisions of § 526.7 of the regulations; and

Whereas the Administrator then gave notice of public hearings to be held at Tampa, Florida on January 12, 1942, at San Antonio, Texas on January 20, 1942, and at Los Angeles, California on January 26, 1942, before James G. Johnson, authorized as representative of the Administrator to take testimony, to hear argument, and to determine:

Whether the dehydrating of citrus pulp and waste is an industry of a seasonal nature within the meaning of section 7 (b) (3) of the Act and Part 526, as amended, of the regulations issued thereunder, and if so, the appropriate limits of said industry; and

Whereas, the hearing scheduled for Los Angeles was indefinitely postponed at the instance of the interested parties, and the hearings scheduled for Tampa and San Antonio were, pursuant to notice, consolidated into a public hearing held on January 16, 1942 at Washington, D. C., before James G. Johnson, as Presiding Officer, who made the following findings of fact and determination:

1. The dehydration establishments receive the citrus pulp and waste from the citrus canneries as soon as it becomes available.

2. The pulp must be processed within a few hours after the juice or sections have been removed from the fruit. The dehydration plants operate during the period or periods in which citrus cannings and juicing plants operate and are dependent entirely upon these plants for their principal raw materials.

3. Citrus waste is available to the dehydration industry in Texas during a period of not over six months out of each year. Citrus waste is technically available in Florida for a period of approximately eight months. However, due to various factors it is usually available as a raw material to the citrus dehydration industry for a period of time averaging six to seven months out of each year.

4. The dehydration of citrus pulp and waste and the manufacture of cattle feed therefrom, insofar as the dehydration of citrus pulp and waste in the states of Florida and Texas are concerned, is an industry of a seasonal nature within the meaning of section 7 (b) (3) of the Act and part 526 of the Regulations issued thereunder.

The application for seasonal exemption under section 7 (b) (3) is granted to the branch or branches of the citrus pulp and waste dehydration industry, located in the states of Florida and Texas.

Whereas it appears from the findings and determination of Presiding Officer Johnson that he concluded that the operations of dehydrating citrus pulp and waste in the states of Florida and Texas constitute a branch or branches of the dehydration of citrus pulp and waste industry and are of a seasonal nature within the meaning of the Act and the Regulations; and

Whereas the findings and determination of James G. Johnson as Presiding Officer were duly filed with the Administrator on January 8, 1943, and are now on file in Room 1619, National Office of the Wage and Hour Division, 165 West 46th Street, New York, New York, and are available for examination by all interested parties;

Now, therefore, pursuant to § 526.7 of the aforesaid regulations, notice is hereby given that any person aggrieved by the said determination may with 15 days after the date this notice appears in the FEDERAL REGISTER, file a petition with the Administrator at the National Office of the Wage and Hour Division, 165 West 46th Street, New York, New York, requesting that he review the action of the said representative upon the record of the hearing. Such petition shall set forth the grounds upon which the petition for review is based.

Signed at New York, New York, this 23rd day of February 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-3013; Filed, February 25, 1943; 9:30 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 596]

ROYAL SAXON COMPANY, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Fritz von Philipp and Hans von Philipp, whose last known addresses were represented to the undersigned as being Leipzig, Germany, are citizens of Germany and are nationals of a designated enemy country (Germany);

2. Finding that said persons are the owners of 97 shares of $50 par value common stock of Royal Saxon Company, Inc., a New Jersey corporation, Bound Brook, New Jersey, registered as follows:

Names:	*Number of shares*
Fritz von Philipp	49
Hans von Philipp	48
Total	97

3. Finding that said corporation is a business enterprise within the United States and that said 97 shares of stock constitute a substantial part (namely, 97%) of all the outstanding capital stock of said business enterprise and represent control thereof;

4. Finding, therefore, that said business enterprise is a national of a designated enemy country (Germany);

5. Determining that to the extent that any or all of such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the shares of stock described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The term "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on December 30, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3016; Filed, February 25, 1943; 10:34 a. m.]

[Vesting Order 634]

PERSONAL PROPERTY OWNED BY, AND CERTAIN OBLIGATIONS OWING TO, FELIX TONNAR, G. M. B. H.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Felix Tonnar, G. m. b. H., whose last known address was represented to the undersigned as being Duelken b. Krefeld, Germany, is a citizen of Germany and is a national of a designated enemy country (Germany);

2. Finding that the property described as follows:

a. Textile machinery parts owned by said Felix Tonnar, G. m. b. H., and stored by the J. J. Krehbiel Company, Inc., 381 Fourth Avenue, New York, New York, in their warehouse located at 900 Passaic Avenue, East Newark, New Jersey; and

b. All right, title, interest and claim of any name or nature whatsoever of said Felix Tonnar, G. m. b. H. in and to all obligations, contingent or otherwise and whether or not matured, owing to Felix Tonnar, G. m. b. H. by said J. J. Krehbiel Company, Inc., including but not limited to all security rights in and to any and all collateral for any or all of such obligations and the right to sue for and collect such obligations,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

3. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such per-

son be treated as a national of the aforesaid designated enemy country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The term "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 6, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3017; Filed, February 25, 1943; 10:35 a. m.]

[Vesting Order 656]

GOSHO SALES CORPORATION

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Kyujiro Akashi, Shinnosuke Iwai, Shigetoshi Kida, Ryoso Sasaki and Kunio Yamada, whose last known addresses were represented to the undersigned as being Japan, are nationals of a designated enemy country (Japan);

2. Finding that 100 shares of $50 par value common capital stock of Gosho Sales Corporation, a New York corporation, New York, New York, are registered in the names of and owned by the aforesaid individuals in the following respective amounts:

Names:	*Number of shares*
Kyujiro Akashi	4
Shinnosuke Iwai	2
Shigetoshi Kida	40
Ryoso Sasaki	8
Kunio Yamada	46
Total	100

3. Finding that an additional 400 shares of such capital stock of Gosho Sales Corporation are owned by Gosho Company, Inc., which latter company was found in Vesting Order Number 87 of July 31, 1942 to be a national of a designated enemy country (Japan);

4. Finding that said corporation is a business enterprise within the United States and that the aforesaid 500 shares of stock constitute all of the outstanding capital stock of said business enterprise and represent ownership thereof;

5. Determining, therefore, that said business enterprise is a national of a designated enemy country (Japan);

6. Determining that to the extent that the aforesaid nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Japan);

7. Having made all other determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

8. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the shares of stock described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control, or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 9, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3018; Filed, February 25, 1943; 10:35 a. m.]

[Vesting Order 710]

ALLIED LINEN INDUSTRIES, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the following named persons, whose last known addresses are indicated opposite their names, are nationals of a designated enemy country (Germany):

Names:	*Last known addresses*
Carl Weber & Co. Ltd.	Oerlinghausen, Germany.
Carl Weber & Co. Ltd.	Berlin, Germany.
George Stelling, Graber & Co	Hanover, Germany
Handstickerei-Gesellschaft, Ltd.	Munich, Germany
Julius Langes Leinen Industry, A. G.	Waltersdorf, Germany.
Vereinigung Deutscher Leinenwebereien, Ltd.	Berlin, Germany.
Herman Pichler	Stuttgart, Germany.

2. Finding that 200 shares of $100 par value common capital stock of Allied Linen Industries, Inc., a New York corporation, New York, New York, are registered in the names of and owned by the aforesaid persons in the following respective amounts:

Names:	*Number of shares*
Carl Weber & Co. Ltd., Oerlinghausen, Germany	28
Carl Weber & Co., Ltd., Berlin, Germany	25
George Stelling, Graber & Co	15
Handstickerei-Gesellschaft, Ltd	22½
Julius Langes Leinen Industry, A. G.	22½
Vereinigung Deutscher Leinenwebereien, Ltd	75
Herman Pichler	11
Total	200

3. Finding that said corporation is a business enterprise within the United States and that said 200 shares of stock constitute all of the outstanding capital stock of said business enterprise;

4. Determining, therefore, that said business enterprise is owned or controlled by the aforesaid persons and is a national of a designated enemy country (Germany);

5. Finding that the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of said Vereinigung Deutscher Leinenwebereien, Ltd. in and to all obligations, contingent or otherwise and whether or not matured, owing to it by said Allied Linen Industries, Inc., including but not limited to all security rights in and to any or all of such obligations and the right to sue for and collect such obligations,

is an interest in the aforesaid business enterprise held by a national of an enemy country, and also is property within the United States owned or controlled by a national of a designated enemy country (Germany);

6. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

7. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

8. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the shares of stock described in subparagraph 2 hereof and the property described in subparagraph 5 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3019; Filed, February 25, 1943; 10:35 a. m.]

[Vesting Order 714]

HARA CORPORATION, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found in Vesting Order Number 53 of July 22, 1942, that Hara and Company (a partnership) was, at the time such vesting order was issued, a national of a designated enemy country (Japan);

2. Finding that Yukio Suzuki, whose last known address is Yokohama, Japan, is (and was at the time of the issuance of the aforesaid vesting order) a national of a designated enemy country (Japan);

3. Finding that Shunosuke Yoshimoto is a subject of the Empire of Japan, and is presently interned in the United States, and therefore is (and was at the time of the issuance of the aforesaid vesting order) a national of a designated enemy country (Japan);

4. Finding that Hara Corporation, Inc., a corporation organized under the laws of the State of New York, is a business enterprise within the United States;

5. Finding that out of the total issued and outstanding capital stock of said business enterprise, consisting of 100 shares of common stock having a par value of $100 each, 85 shares were, prior to the issuance by the undersigned of the aforesaid vesting order, owned by the aforesaid Hara and Company, and the remaining 15 shares are registered in the name of and owned (and were so registered and owned at the time of the issuance of the aforesaid vesting order) by the aforesaid Yukio Suzuki and Shunosuke Yoshimoto in the following respective amounts:

Names:	*Number of shares*
Yukio Suzuki	5
Shunosuke Yoshimoto	10
Total	15

6. Determining, therefore, that the aforesaid business enterprise was, immediately prior to the issuance by the undersigned of the aforesaid vesting order, owned and controlled by nationals of a designated enemy country (Japan);

7. Determining, therefore, that said business enterprise is a national of a designated enemy country, and that the 15 shares of stock owned by the aforesaid Yukio Suzuki and Shunosuke Yoshimoto represent interests in said business enterprise owned by nationals of a designated enemy country (Japan);

8. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Japan);

9. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

10. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the 15 shares of stock referred to in subparagraph 7 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3020; Filed, February 25, 1943; 10:35 a. m.]

[Vesting Order 718]

J. W. SPEAR & SONS, INCORPORATED

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that J. W. Spear & Soehne, a co-partnership, whose principal place of business is located in Nuremberg, Germany, is a national of a designated enemy country (Germany);

2. Finding that 12 shares of $100 par value common capital stock of J. W. Spear & Sons, Incorporated, a New York corporation, New York, New York, are registered in the name of and owned by the aforesaid J. W. Spear & Soehne;

3. Finding that said corporation is a business enterprise within the United States and that said 12 shares of stock constitute all the outstanding capital stock of said business enterprise and represent ownership thereof;

4. Determining that said business enterprise is controlled by and acting for and on behalf of said J. W. Spear & Soehne and is a national of a designated enemy country (Germany);

5. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the shares of stock described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, super-

vision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–3021; Filed, February 25, 1943; 10:36 a. m.]

[Vesting Order 764]

KATSUJI ONISHI AND STANDARD IMPORT AND EXPORT COMPANY

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Katsuji Onishi is a subject of Japan interned in the United States, and therefore is a national of a designated enemy country (Japan);

2. Finding that said Katsuji Onishi owns and controls two sole proprietorships, one of which is or was conducted in his own name and the other under the trade name of Standard Import and Export Company;

3. Finding that the aforesaid sole proprietorships are business enterprises within the United States and are nationals of a designated enemy country (Japan);

4. Finding therefore that the property described as follows:

All property of any nature whatsoever situated in the United States and owned or controlled by, payable or deliverable to, or held on behalf of or on account of or owing to, the aforesaid sole proprietorships, or either of them,

is property of business enterprises within the United States which are nationals of a designated enemy country (Japan);

5. Finding that the property described as follows:

All property of any nature whatsoever situated in the United States and owned or controlled by, payable or deliverable to, or held on behalf of or on account of or owing to, said Katsuji Onishi, individually,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

6. Determining that to the extent that the property referred to in subparagraph 5 hereof (belonging to Katsuji Onishi as an individual and apart from the business enterprises conducted by him) constitutes cash, bullion, moneys, currencies, deposits, credits, credit instruments, foreign exchange or securities as those terms are used in Section 2 (c) of said Executive Order, it is necessary to vest the same for the maintenance or safeguarding of other property (namely, that described in subparagraph 4 hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive Order;

7. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Japan);

8. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

9. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraphs 4 and 5 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 25, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–3022; Filed, February 25, 1943; 10:34 a. m.]

[Vesting Order 766]

FIFTH AVENUE CUTLERY SHOP INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that J. A. Henckels Kommandit Gesellschaft, a copartnership whose principal place of business is located in Solingen, Germany, is a national of a designated enemy country (Germany);

2. Finding that 2,000 shares of $100 par value common capital stock of Fifth Avenue Cutlery Shop Inc., a New York corporation, New York, New York, registered in the names of Johanna M. Kind, Emilio (sometimes known as "Emil") Iwersen, and Hermann H. Kind, as trustees of the Estate of Hermann Kind, are beneficially owned by said J. A. Henckels Kommandit Gesellschaft;

3. Finding that said corporation is a business enterprise within the United States and that said 2,000 shares of stock constitute all of the outstanding capital stock of said business enterprise;

4. Determining, therefore, that said business enterprise is owned and controlled by the aforesaid J. A. Henckels Kommandit Gesellschaft and is a national of a designated enemy country (Germany);

5. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the shares of stock described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 25, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–3023; Filed, February 25, 1943; 10:34 a. m.]

[Vesting Order 770]

GRAEF & SCHMIDT, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1 Finding that J. A. Henckels Kommandit Gesellschaft, a copartnership whose principal place of business is located in Solingen, Germany, is a national of a designated enemy country (Germany);

2 Finding that 100 shares of no par value common capital stock of Graef & Schmidt, Inc., a New York corporation, New York, New York, registered in the names of Johanna M. Kind, Emilio (sometimes known as "Emil") Iwersen and Hermann H. Kind, as trustees of the Estate of Hermann Kind, are beneficially owned by said J. A. Henckels Kommandit Gesellschaft;

3 Finding that said corporation is a business enterprise within the United States and that said 100 shares of stock constitute all of the outstanding capital stock of said business enterprise;

4 Determining, therefore, that said business enterprise is owned and controlled by the aforesaid J. A. Henckels Kommandit Gesellschaft and is a national of a designated enemy country (Germany);

5 Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

6 Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7 Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the shares of stock described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian, to return such property or the proceeds thereof or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 27, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–3024; Filed, February 25, 1943; 10:35 a. m.]

[Vesting Order 907]

CERTAIN CAPITAL STOCK AND OTHER INTERESTS IN GENERAL ANILINE & FILM CORPORATION

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

(a) Finding that I. G. Farbenindustrie, A. G., whose last known address was represented to the undersigned as being Frankfurt, Germany, is a national of a designated enemy country (Germany);

(b) Finding that the shares of stock (constituting a substantial part, namely, approximately 97% of all outstanding shares) of General Aniline & Film Corporation, a Delaware corporation, which is a business enterprise within the United States, which shares were covered by the vesting order issued by the Secretary of the Treasury under date of February 16, 1942, and which are described therein, and which were thereafter vested by the undersigned pursuant to Vesting Order No. 5 of April 24, 1942, and delivered to the undersigned by the Secretary of the Treasury, were, prior to such vesting thereof by the Secretary of the Treasury, owned by or held for the benefit of said I. G. Farbenindustrie, A. G.;

(c) Finding, therefore, that said business enterprise is a national of a designated enemy country (Germany);

(d) Finding that 16,186 shares (other than the shares referred to in subparagraph (b) and those vested by the undersigned pursuant to Vesting Order Number 155 of September 19, 1942) of Class A common stock of said business enterprise are owned by or held for the benefit of nationals of designated enemy countries (Japan and Germany), the names in which such shares are registered and the names and last known addresses of the persons for whom such shares are held and the number of shares held for each, are respectively set forth in Exhibit A attached hereto and made a part hereof;

(e) Determining, therefore, that said 16,186 shares of stock are interests in the aforesaid business enterprise held by nationals of designated enemy countries (Japan and Germany);

(f) Finding that all right, title, interest and claim of any name or nature whatsoever of H. Sturznegger and Company of Basle, Switzerland, in and to all indebtedness, contingent or otherwise and whether or not matured, owing to said company by William H. vom Rath, including but not limited to all security rights in and to any and all collateral (including 300 shares of Class A common stock of General Aniline & Film Corporation, registerd in the name of William H. vom Rath) for any or all of such indebtedness and the right to enforce and collect such indebtedness, is property of a company which is presently on The Proclaimed List of Certain Blocked Nationals promulgated pursuant to Proclamation 2497 of the President of the United States of America of July 17, 1941 and which is owned or controlled by the aforesaid I. G. Farbenindustrie, A. G., and, therefore, is property within the United States owned by a national of a designated enemy country (Germany) and also is an interest in the aforesaid business enterprise owned or controlled by a national of a designated enemy country (Germany);

(g) Finding that 36 shares of $1.00 par value common stock of Agfa Ansco Corporation of New York, the holders of which are entitled to receive (pursuant to a merger agreement excuted in 1939 under the terms of which said Agfa Ansco Corporation of New York was absorbed by General Aniline & Film Corporation) one share of Class A common stock of General Aniline & Film Corporation for each three shares of such stock of Agfa Ansco Corporation of New York, are owned by or held for the benefit of nationals of Germany and Hungary, the names in which such shares are registered and the names and last known addresses of the persons for whom such shares are held and the number of shares held for each are respectively set forth in Exhibit B attached hereto and made a part hereof;

(h) Finding, therefore, that such shares of stock of Agfa Ansco Corporation of New York are interests in the aforesaid business enterprise held by nationals of designated enemy countries (Germany and Hungary);

(i) Finding that 28 shares of $1.00 par value common stock of Agfa Ansco Corporation of Delaware, the holders of which are entitled to receive (pursuant to a merger agreement executed in 1939 under the terms of which said Agfa Ansco Corporation of Delaware was absorbed by General Aniline & Film Corporation) one share of Class A common stock of General Aniline & Film Corporation for each three shares of such stock of Agfa Ansco Corporation of Delaware, are owned by or held for the benefit of nationals of Germany, the names in which such shares are registered and the names and last known addresses of the persons for whom such shares are held and the number of shares held for each are respectively set forth in Exhibit C attached hereto and made a part hereof;

(j) Finding, therefore, that such shares of stock of Agfa Ansco Corporation of Delaware are interests in the aforesaid business enterprise held by nationals of a designated enemy country (Germany);

(k) Determining that to the extent that any or all of the aforesaid nationals are persons not within a designated enemy country, the national interest of the United States requires that each such person be treated as a national of one of the aforesaid designated enemy countries (Germany, Japan or Hungary);

(l) Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

(m) Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the shares of stock and other interests described in subparagraphs (d), (f), (g) and (i) to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation

will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on February 15, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

16,186 shares of Class A common stock of General Aniline & Film Corporation, the names in which such shares are registered, and the names and last known addresses of the persons for whom such shares are held and the number of shares held for each are, respectively, as follows:

Names in which registered	Names and last known addresses of persons for whom they are held	Number of shares
Brown Brothers, Harriman & Co.	I. G. Farbenindustrie, A. G., Frankfurt, Germany.	15,950
Brown Brothers Harriman & Co.	H. Sturznegger and Company of Basle, Switzerland (subsidiary of I. G. Farbenindustrie, A. G. and presently on The Proclaimed List of Certain Blocked Nationals promulgated pursuant to Proclamation 2497 of the President of the United States of America of July 17, 1941).	191
Hurley & Co.	Ing. Franz Nissl, Vienna, Germany.	10
Hurley & Co.	Benjamin Kopf, Yokohama, Japan.	13
Hurley & Co.	Deutsche Landerbank, A. G., Berlin, Germany (sub a/c Customers Deposit).	1
Hurley & Co.	Exportkreditbank, A. G., Berlin, Germany (sub a/c Customers Account for Custody).	1
Egger & Co.	Deutsche Zentralgenossenschaftskasse, Berlin, Germany (sub a/c Clients Account).	1
Egger & Co.	Frankfurter Bank, Frankfurt A. M., Germany (sub a/c Clients Account).	16
Egger & Co.	Vermoegensverwaltung und Abwicklungsstelle, G.m.b.H. Muenchen, Germany.	1
Total		16,186

EXHIBIT B

36 shares of $1.00 par value common stock of Agfa Ansco Corporation of New York, the names in which such shares are registered, and the names and last known addresses of the persons for whom such shares are held and the number of shares held for each are, respectively, as follows:

Names in which registered	Names and last known addresses of persons for whom they are held	Number of shares
Fritz Buschbaum	Fritz Buschbaum Darmstadt, Germany.	4
Gisella Fejer	Gisella Fejer, Budapest, Hungary.	8
Waldemar Jungheinrich.	Waldemar Jungheinrich, Land, Germany.	14
Rudolf Otto Sandmann.	Rudolf Otto Sandmann, Hamburg, Germany.	2
Hans Vatter	Hans Vatter, Manheim, Germany	3
Karl Von Hagen	Karl Von Hagen, Darmstadt, Germany.	5
Total		36

EXHIBIT C

28 shares of $1.00 par value common stock of Agfa Ansco Corporation of Delaware, the names in which such shares are registered, and the names and last known addresses of the persons for whom such shares are held and the number of shares held for each are, respectively, as follows:

Names in which registered	Names and last known addresses of persons for whom they are held	Number of shares
Herman Buhre	Herman Buhre, Atona, Germany.	6
Johann Herzer and Zenta Herzer.	Johann Herzer and Zenta Herzer, Marquartstein, Germany.	2
Freiherr Goetz von Wangenheim.	Freiherr Goetz von Wangenheim, Wein, Germany.	20
Total		28

[F. R. Doc. 43–3025; Filed February 25, 1943; 10:36 a. m.]

[Vesting Order 909]

SUMITOMO BANK, LTD. (NEW YORK)

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Sumitomo Bank, Ltd., a Japanese corporation, Osaka, Japan, is a national of a designated enemy country (Japan);

2. Finding that said Sumitomo Bank, Ltd. has an established agency or branch office at New York, New York, engaged in the conduct of business within the United States and therefore, is, to that extent, a business enterprise within the United States;

3. Finding that the property of such New York agency of said Sumitomo Bank, Ltd. is in the process of administration by the Superintendent of Banks of the State of New York acting under judicial supervision of the Supreme Court of the State of New York;

4. Finding, therefore, that the property described as follows:

The excess proceeds of the business and property in the State of New York of Sumitomo Bank, Ltd. in the possession of the Superintendent of Banks of the State of New York, or which may hereafter come into his possession under and by virtue of the Banking Law of the State of New York, including but not limited to the excess proceeds of all assets of any nature whatsoever, owned or controlled by or payable or deliverable to or held on behalf of or on account of or owing to the New York agency of said Sumitomo Bank, Ltd., remaining after the payment of the claims of the creditors accepted or established in accordance with the Banking Law of the State of New York, arising out of transactions had by them with the New York agency of said Sumitomo Bank, Ltd. or whose names appear as creditors on the books of such agency, together with interest on such claims and the expenses of liquidation,

is property within the United States owned or controlled by a national of a designated enemy country (Japan), and also is property which is payable or deliverable to, or claimed by, a national of a designated enemy country (Japan) and which is in the process of administration by a person acting under judicial supervision;

5. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Japan);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Nothing in this order is intended to affect the right and power of the Superintendent of Banks of the State of New York to continue to retain possession of, collect and liquidate such business, property and assets and, in the course thereof, to do such acts and perform such duties (not inconsistent herewith) as may be required or permitted to said Superintendent of Banks by and in accordance with and subject to the provisions of the Banking Law of the State of New York: *Provided, however,* That after the claims of the creditors described in subparagraph 4 hereof, together with interest thereon and the expenses of liquidation, have been paid in full, the proceeds of the remaining assets of said Sumitomo Bank, Ltd. in the possession of said Superintendent of Banks shall be held for the account of and subject to the further order of the Alien Property Custodian.

The property herein vested, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national," "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on February 15, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–3026; Filed, February 25, 1943; 10:36 a. m.]

[Vesting Order 910]

BANCA COMMERCIALE ITALIANA

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Banca Commerciale Italiana, an Italian corporation, Milan, Italy, is a national of a designated enemy country (Italy);

2. Finding that said Banca Commerciale Italiana has an established agency or branch office at New York, New York, engaged in the conduct of business within the United States and therefore is, to that extent, a business enterprise within the United States;

3. Finding that the property of such New York agency of said Banca Commerciale Italiana is in the process of administration by the Superintendent of Banks of the State of New York acting under judicial supervision of the Supreme Court of the State of New York;

4. Finding, therefore, that the property described as follows:

The excess proceeds of the business and property in the State of New York of Banca Commerciale Italiana in the possession of the Superintendent of Banks of the State of New York, or which may hereafter come into his possession under and by virtue of the Banking Law of the State of New York, including but not limited to the excess proceeds of all assets of any nature whatsoever, owned or controlled by or payable or deliverable to or held on behalf of or on account of or owing to the New York agency of said Banca Commerciale Italiana, remaining after the payment of the claims of creditors, accepted or established in accordance with the Banking Law of the State of New York, arising out of transactions had by them with the New York agency of said Banca Commerciale Italiana or whose names appear as creditors on the books of such agency, together with interest on such claims and the expenses of liquidation,

is property within the United States owned or controlled by a national of a designated enemy country (Italy), and also is property which is payable or deliverable to, or claimed by, a national of a designated enemy country (Italy) and which is in the process of administration by a person acting under judicial supervision;

5. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Italy);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Nothing in this order is intended to affect the right and power of the Superintendent of Banks of the State of New York to continue to retain possession of, collect and liquidate such business, property and assets and, in the course thereof, to do such acts and perform such duties (not inconsistent herewith) as may be required or permitted to said Superintendent of Banks by and in accordance with and subject to the provisions of the Banking Law of the State of New York: *Provided, however,* That after the claims of the creditors described in subparagraph 4 hereof, together with interest thereon and the expenses of liquidation, have been paid in full, the proceeds of the remaining assets of said Banca Commerciale Italiana in the possession of said Superintendent of Banks shall be held for the account of and subject to the further order of the Alien Property Custodian.

The property herein vested, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on February 15, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–3027; Filed, February 25, 1943; 10:36 a. m.]

[Vesting Order 911]

BANK OF TAIWAN, LTD.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Bank of Taiwan, Ltd., a Japanese corporation, Taihoku, Formosa, Japan, is a national of a designated enemy country (Japan);

2. Finding that said Bank of Taiwan, Ltd. has an established agency or branch office at New York, New York, engaged in the conduct of business within the United States and therefore is, to that extent, a business enterprise within the United States;

3. Finding that the property of such New York agency of said Bank of Taiwan, Ltd. is in the process of administration by the Superintendent of Banks of the State of New York acting under judicial supervision of the Supreme Court of the State of New York;

4. Finding, therefore, that the property described as follows:

The excess proceeds of the business and property in the State of New York of Bank of Taiwan, Ltd. in the possession of the Superintendent of Banks of the State of New York, or which may hereafter come into his possession under and by virtue of the Banking Law of the State of New York, including but not limited to the excess proceeds of all assets of any nature whatsoever, owned or controlled by or payable or deliverable to or held on behalf of or on account of or owing to the New York agency of said Bank of Taiwan, Ltd., remaining after the payment of the claims of creditors, accepted or established in accordance with the Banking Law of the State of New York, arising out of transactions had by them with the New York agency of said Bank of Taiwan, Ltd. or whose names appear as creditors on the books of such agency, together with interest on such claims and the expenses of liquidation,

Is property within the United States owned or controlled by a national of a designated enemy country (Japan), and also is property which is payable or deliverable to, or claimed by, a national of a designated enemy country (Japan) and which is in the process of administration by a person acting under judicial supervision;

5. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Japan);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Nothing in this order is intended to affect the right and power of the Superintendent of Banks of the State of New York to continue to retain possession of, collect and liquidate such business, property and assets and, in the course thereof, to do such acts and perform such duties (not inconsistent herewith) as may be

required or permitted to said Superintendent of Banks by and in accordance with and subject to the provisions of the Banking Law of the State of New York: *Provided, however*, That after the claims of the creditors described in subparagraph 4 hereof, together with interest thereon and the expenses of liquidation, have been paid in full, the proceeds of the remaining assets of said Bank of Taiwan, Ltd. in the possession of said Superintendent of Banks shall be held for the account of and subject to the further order of the Alien Property Custodian.

The property herein vested, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on February 15, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3028; Filed, February 25, 1943; 10:37 a. m.]

[Vesting Order 912]

MITSUI BANK, LTD.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Mitsui Bank, Ltd., a Japanese corporation, Tokyo, Japan, is a national of a designated enemy country (Japan);

2. Finding that said Mitsui Bank, Ltd., has an established agency or branch office at New York, New York, engaged in the conduct of business within the United States and therefore is, to that extent, a business enterprise within the United States;

3. Finding that the property of such New York agency of said Mitsui Bank, Ltd., is in the process of administration by the Superintendent of Banks of the State of New York acting under judicial supervision of the Supreme Court of the State of New York;

4. Finding, therefore, that the property described as follows:

The excess proceeds of the business and property in the State of New York of Mitsui Bank, Ltd. in the possession of the Superintendent of Banks of the State of New York, or which may hereafter come into his possession under and by virtue of the Banking Law of the State of New York, including but not limited to the excess proceeds of all assets of any nature whatsoever, owned or controlled by or payable or deliverable to or held on behalf of or on account of or owing to the New York agency of said Mitsui Bank, Ltd., remaining after the payment of the claims of the creditors, accepted or established in accordance with the Banking Law of the State of New York, arising out of transactions had by them with the New York agency of said Mitsui Bank, Ltd. or whose names appear as creditors on the books of such agency, together with interest on such claims and the expenses of liquidation,

is property within the United States owned or controlled by a national of a designated enemy country (Japan), and also is property which is payable or deliverable to, or claimed by, a national of a designated enemy country (Japan) and which is in the process of administration by a person acting under judicial supervision;

5. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Japan);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Nothing in this order is intended to affect the right and power of the Superintendent of Banks of the State of New York to continue to retain possession of, collect and liquidate such business, property and assets and, in the course thereof, to do such acts and perform such duties (not inconsistent herewith) as may be required or permitted to said Superintendent of Banks by and in accordance with and subject to the provisions of the Banking Law of the State of New York: *Provided, however*, That after the claims of the creditors described in subparagraph 4 hereof, together with interest thereon and the expenses of liquidation, have been paid in full, the proceeds of the remaining assets of said Mitsui Bank, Ltd. in the possession of said Superintendent of Banks shall be held for the account of and subject to the further order of the Alien Property Custodian.

The property herein vested, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on February 15, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3029; Filed, February 25, 1943; 10:37 a. m.]

[Vesting Order 913]

BANK OF CHOSEN, LTD.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Bank of Chosen, Ltd., a Japanese corporation, Keijo, Chosen, Japan, is a national of a designated enemy country (Japan);

2. Finding that said Bank of Chosen, Ltd., has an established agency or branch office at New York, New York, engaged in the conduct of business within the United States and therefore is, to that extent, a business enterprise within the United States;

3. Finding that the property of such New York agency of said Bank of Chosen, Ltd. is in the process of administration by the Superintendent of Banks of the State of New York acting under judicial supervision of the Supreme Court of the State of New York;

4. Finding, therefore, that the property described as follows:

The excess proceeds of the business and property in the State of New York of Bank of Chosen, Ltd., in the possession of the Superintendent of Banks of the State of New York, or which may hereafter come into his possession under and by virtue of the Banking Law of the State of New York, including but not limited to the excess proceeds of all assets of any nature whatsoever, owned or controlled by or payable or deliverable to or held on behalf of or on account of or owing to the New York agency of said Bank of Chosen, Ltd., remaining after the payment of the claims of creditors, accepted or established in accordance with the Banking Law of the State of New York, arising out of transactions had by them with the New York agency of said Bank of Chosen, Ltd., or whose names appear as creditors on the books of such agency, together with interest on such claims and the expenses of liquidation

is property within the United States owned or controlled by a national of a designated enemy country (Japan), and also is property which is payable or deliverable to, or claimed by, a national of a designated enemy country (Japan) and which is in the process of administration by a person acting under judicial supervision;

5. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Japan);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Nothing in this order is intended to affect the right and power of the Superintendent of Banks of the State of New York to continue to retain possession of, collect and liquidate such business, property and assets and, in the course thereof, to do such acts and perform such duties (not inconsistent herewith) as may be required or permitted to said Superintendent of Banks by and in accordance with and subject to the provisions of the Banking Law of the State of New York: *Provided, however*, That after the claims of the creditors described in subparagraph 4 hereof, together with interest thereon and the expenses of liquidation, have been paid in full, the proceeds of the remaining assets of said Bank of Chosen, Ltd. in the possession of said Superintendent of Banks shall be held for the account of and subject to the further order of the Alien Property Custodian.

The property herein vested, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on February 15, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3030; Filed, February 25, 1943; 10:37 a. m.]

[Vesting Order 914]

BANCO DI NAPOLI

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Banco di Napoli, an Italian corporation, Naples, Italy, is a national of a designated enemy country (Italy);

2. Finding that said Banco di Napoli has an established agency or branch office at New York, New York, engaged in the conduct of business within the United States and therefore is, to that extent, a business enterprise within the United States;

3. Finding that the property of such New York agency of said Banco di Napoli is in the process of administration by the Superintendent of Banks of the State of New York acting under judicial supervision of the Supreme Court of the State of New York;

4. Finding, therefore, that the property described as follows:

The excess proceeds of the business and property in the State of New York of Banco di Napoli in the possession of the Superintendent of Banks of the State of New York, or which may hereafter come into his possession under and by virtue of the Banking Law of the State of New York, including but not limited to the excess proceeds of all assets of any nature whatsoever, owned or controlled by or payable or deliverable to or held on behalf of or on account of or owing to the New York agency of said Banco di Napoli, remaining after the payment of the claims of creditors, accepted or established in accordance with the Banking Law of the State of New York, arising out of transactions had by them with the New York agency of said Banco di Napoli or whose names appear as creditors on the books of such agency, together with interest on such claims and the expenses of liquidation,

is property within the United States owned or controlled by a national of a designated enemy country (Italy), and also is property which is payable or deliverable to, or claimed by, a national of a designated enemy country (Italy) and which is in the process of administration by a person acting under judicial supervision;

5. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Italy);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Nothing in this order is intended to affect the right and power of the Superintendent of Banks of the State of New York to continue to retain possession of, collect and liquidate such business, property and assets and, in the course thereof, to do such acts and perform such duties (not inconsistent herewith) as may be required or permitted to said Superintendent of Banks by and in accordance with and subject to the provisions of the Banking Law of the State of New York: *Provided, however*, That after the claims of the creditors described in subparagraph 4 hereof, together with interest thereon and the expenses of liquidation, have been paid in full, the proceeds of the remaining assets of said Banco di Napoli in the possession of said Superintendent of Banks shall be held for the account of and subject to the further order of the Alien Property Custodian.

The property herein vested, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on February 15, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3031; Filed, February 25, 1943; 10:37 a. m.]

[Vesting Order 915]

THE YOKOHAMA SPECIE BANK, LTD. (NEW YORK)

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that The Yokohama Specie Bank, Ltd., a Japanese corporation, Tokyo, Japan, is a national of a designated enemy country (Japan);

2. Finding that said The Yokohama Specie Bank, Ltd., has an established agency or branch office at New York, New York, engaged in the conduct of business within the United States and therefore is, to that extent, a business enterprise within the United States;

3. Finding that the property of such New York agency of said The Yokohama Specie Bank, Ltd., is in the process of administration by the Superintendent of Banks of the State of New York acting under judicial supervision of the Supreme Court of the State of New York;

4. Finding, therefore, that the property described as follows:

The excess proceeds of the business and property in the State of New York of the Yokohama Specie Bank, Ltd., in the possession of the Superintendent of Banks of the State of New York, or which may hereafter come into his possession under and by virtue of the Banking Law of the State of New York, including but not limited to the excess proceeds of all assets of any nature whatsoever, owned or controlled by or payable or deliverable to or held on behalf of or on account of or owing to the New York agency of said The Yokohama Specie Bank, Ltd., remaining after the payment of the claims of the creditors, accepted or established in accordance with the Banking Law of the State of New York, arising out of transactions had by them with the New York agency of said The Yokohama Specie Bank, Ltd. or whose names appear as creditors on the books of such agency, together with interest on such claims and the expenses of liquidation,

is property within the United States owned or controlled by a national of a designated enemy country (Japan), and also is property which is payable or deliverable to, or claimed by, a national of a designated enemy country (Japan) and which is in the process of administration by a person acting under judicial supervision;

5. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Japan);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Nothing in this order is intended to affect the right and power of the Superintendent of Banks of the State of New York to continue to retain possession of, collect and liquidate such business, property and assets and, in the course thereof, to do such acts and perform such duties (not inconsistent herewith) as may be required or permitted to said Superintendent of Banks by and in accordance with and subject to the provisions of the Banking Law of the State of New York: *Provided, however*, That after the claims of the creditors described in subparagraph 4 hereof, together with interest thereon and the expenses of liquidation, have been paid in full, the proceeds of the remaining assets of said The Yokohama Specie Bank, Ltd. in the possession of said Superintendent of Banks shall be held for the account of and subject to the further order of the Alien Property Custodian.

The property herein vested, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on February 15, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3032; Filed, February 25, 1943; 10:37 a. m.]

[Vesting Order 916]

BANCO DI ROMA

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation:

1. Finding that Banco di Roma, an Italian corporation, Rome, Italy, is a national of a designated enemy country (Italy);

2. Finding that said Banco di Roma has an established agency or branch office at New York, New York, engaged in the conduct of business within the United States;

3. Finding that the property of such New York agency of said Banco di Roma is in process of administration by the Superintendent of Banks of the State of New York acting under judicial supervision of the Supreme Court of the State of New York;

4. Finding, therefore, that the property described as follows:

The excess proceeds of the business and property in the State of New York of Banco di Roma, in the possession of the Superintendent of Banks of the State of New York, or which may hereafter come into his possession under and by virtue of the Banking Law of the State of New York, including but not limited to the excess proceeds of all assets of any nature whatsoever, owned or controlled by or payable or deliverable to or held on behalf of or on account of or owing to the New York agency of said Banco di Roma, remaining after the payment of the claims of creditors, accepted or established in accordance with the Banking Law of the State of New York, arising out of transactions had by them with the New York agency of said Banco di Roma or whose names appear as creditors on the books of such agency, together with interest on such claims and the expenses of liquidation,

is property within the United States owned or controlled by a national of a designated enemy country (Italy), and also is property which is payable or deliverable to, or claimed by, a national of a designated enemy country (Italy) and which is in the process of administration by a person acting under judicial supervision;

5. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Italy);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Nothing in this order is intended to affect the right and power of the Superintendent of Banks of the State of New York to continue to retain possession of, collect and liquidate such business, property and assets and, in the course thereof, to do such acts and perform such duties (not inconsistent herewith) as may be required or permitted to said Superintendent of Banks by and in accordance with and subject to the provisions of the Banking Law of the State of New York: *Provided, however*, That after the claims of the creditors described in subparagraph 4 hereof, together with interest thereon and the expenses of liquidation, have been paid in full, the proceeds of the remaining assets of said Banco di Roma in the possession of said Superintendent of Banks shall be held for the account of and subject to the further order of the Alien Property Custodian.

The property herein vested, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national," "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on February 15, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3033; Filed February 25, 1943, 10:38 a. m.]

[Vesting Order 917]

MITSUBISHI BANK, LTD.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Mitsubishi Bank, Ltd., a Japanese corporation, Tokyo, Japan, is a national of a designated enemy country (Japan);

2. Finding that said Mitsubishi Bank, Ltd. has an established agency or branch office at New York, New York, engaged in the conduct of business within the United States and therefore is, to that extent, a business enterprise within the United States;

3. Finding that the property of such New York agency of said Mitsubishi Bank, Ltd. is in the process of administration by the Superintendent of Banks of the State of New York acting under juricial supervision of the Supreme Court of the State of New York;

4. Finding, therefore, that the property described as follows:

The excess proceeds of the business and property in the State of New York of Mitsubishi Bank, Ltd. in the possession of the Superintendent of Banks of the State of New York, or which may hereafter come into his possession under and by virtue of the Banking Law of the State of New York, including but not limited to the excess proceeds of all assets of any nature whatsoever, owned or controlled by or payable or delivered to or held on behalf of or on account of or owing to the New York agency of said Mitsubishi Bank, Ltd., remaining after the payment of the claims of the creditors, accepted or established in accordance with the Banking Law of the State of New York, arising out of transactions had by them with the New York agency of said Mitsubishi Bank, Ltd or whose names appear as creditors on the books of such agency, together with interest on such claims and the expenses of liquidation,

is property within the United States owned or controlled by a national of a designated enemy country (Japan), and also is property which is payable or deliverable to, or claimed by, a national of a designated enemy country (Japan) and which is in the process of administration by a person acting under judicial supervision;

5. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Japan);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Nothing in this order is intended to affect the right and power of the Superintendent of Banks of the State of New York to continue to retain possession of, collect and liquidate such business, property and assets and, in course thereof, to do such acts and perform such duties (not inconsistent herewith) as may be required or permitted to said Superintendent of Banks by and in accordance with and subject to the provisions of the Banking Law of the State of New York: *Provided, however*, That after the claims of the creditors described in subparagraph 4 hereof, together with interest thereon and the expenses of liquidation, have been paid in full, the proceeds of the remaining assets of said Mitsubishi Bank, Ltd. in the possession of said Superintendent of Banks shall be held for the account of and subject to the further order of the Alien Property Custodian.

The property herein vested, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on February 15, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3034; Filed, February 25, 1943; 10:38 a. m.]

[Vesting Order 918]

CREDITO ITALIANO

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Credito Italiano, an Italian Bank, Milan, Italy, is a national of a designated enemy country (Italy);

2. Finding that said Credito Italiano has an established agency or branch office at New York, New York, engaged in the conduct of business within the United States and therefore is, to that extent, a business enterprise within the United States;

3. Finding that the property of such New York agency of said Credito Italiano is in the process of administration by the Superintendent of Banks of the State of New York acting under judicial supervision of the Supreme Court of the State of New York;

4. Finding, therefore, that the property described as follows:

The excess proceeds of the business and property in the State of New York of Credito Italiano in the possession of the Superintendent of Banks of the State of New York, or which may hereafter come into his possession under and by virtue of the Banking Law of the State of New York, including but not limited to the excess proceeds of all assets of any nature whatsoever, owned or controlled by or payable or deliverable to or held on behalf of or on account of or owing to the New York agency of said Credito Italiano, remaining after the payment of the claims of creditors, accepted or established in accordance with the Banking Law of the State of New York, arising out of transactions had by them with the New York agency of said Credito Italiano or whose names appear as creditors on the books of such agency, together with interest on such claims and the expenses of liquidation,

is property within the United States owned or controlled by a national of a designated enemy country (Italy), and also is property which is payable or deliverable to, or claimed by, a national of a designated enemy country (Italy) and which is in the process of administration by a person acting under judicial supervision;

5. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Italy);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Nothing in this order is intended to affect the right and power of the Superintendent of Banks of the State of New York to continue to retain possession of, collect and liquidate such business, property and assets and, in the course thereof, to do such acts and perform such duties (not inconsistent herewith) as may be required or permitted to said Superintendent of Banks by and in accordance with and subject to the provisions of the Banking Law of the State of New York: *Provided, however*, That after the claims of the creditors described in subparagraph 4 hereof, together with interest thereon and the expenses of liquidation, have been paid in full, the proceeds of the remaining assets of said Credito Italiano in the possession of said Superintendent of Banks shall be held for the account of and subject to the further order of the Alien Property Custodian.

The property herein vested, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order

may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on February 15, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc 43-3035, Filed, February 25, 1943, 10:38 a. m.]

[Vesting Order 927]

ESTATE OF HENRY DROST

In re: Estate of Henry Drost, deceased; File D–28–1362; E. T. sec. 525.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Harry G. Davis, Executor of the estate of Henry Drost, deceased, acting under the judicial supervision of the County Court of Muskogee County, Muskogee, Oklahoma;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely:

Nationals:	*Last known address*
Wilhelmia Langenberg	Germany.
Heirs, next of kin, legatees, devisees and personal representatives, names unknown, in Germany, entitled to receive the Estate or any portion thereof, of Henry Drost, deceased	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Wilhelmia Langenberg, heirs, next of kin, legatees, devisees and personal representatives, names unknown, entitled to receive the estate, or any portion thereof, and each of them, in and to the Estate of Henry Drost, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 22, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3036; Filed, February 25, 1943, 10:38 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 6 Under Restriction Order 2]

PUERTO RICO

RICE QUOTAS

Pursuant to the authority vested in the Director of the Office of Price Administration for Puerto Rico by Directive No. 1 of the War Production Board issued January 24, 1942, by Supplementary Directive 1–J, as amended, issued October 29, 1942, and by Restriction Order No. 2 issued by the Office of Price Administration on December 10, 1942, *It is hereby ordered:*

(a) *Quotas.* (1) Quota Period No. 6 shall commence on February 22, 1943 and shall end on March 7, 1943.

(2) The amount of rice to be distributed during Quota Period No. 6 is approximately 8,000,000 pounds.

(3) Each retailer shall be entitled to receive from the war price and rationing board having jurisdiction purchase certificates (OPA Form PRF–3) authorizing him to accept transfers of rice in amounts totalling not more than 25% in pounds of rice sales reported by such retailer for the month of November 1941 on OPA Form PRF–1 (the number of 100 pound sacks equals the dollar volume of sales of rice reported divided by $5.00) or such lesser percentage of such sales as may be required by the limitations of the quota of the board.

(4) The Director shall assign to each board a quantity of rice for Quota Period No. 6 equal in pounds to the population of the area of its jurisdiction as reported by the latest United States Census for Puerto Rico multiplied by four subject to necessary adjustments among boards because of variations in requirements due to proven trade practices.

(5) Each institutional and industrial user shall be entitled to receive from the board having jurisdiction purchase certificates (OPA Form PRF–3) authorizing it to accept transfers of rice in amounts totalling not more than 25% in pounds of the amount of rice purchases reported by it for the month of November 1941 on OPA Form PRF–1.

(6) Each board shall have the right to require a person to furnish it with such proof as shall be necessary to substantiate the amount which such person may claim to be entitled to receive out of the total quota allotted to such board.

(7) On application to the board having jurisdiction, the board shall examine all of the facts pertinent to the establishment of the new business, assign a temporary quota after having taken into consideration all of the circumstances and shall render a full and complete report to the Director within three days thereafter. The Director, may, based on the facts presented, direct the board to amend the assigned quota. The applicant may pursuant to § 1497.3007, apply for an adjustment to the Director at any time after the assignment of the temporary quota.

(8) The quota of each person, other than a consumer, entitled to rice hereunder shall be reduced by an amount equal to the quantity of rice in his possession on February 22, 1943 and acceptance by any person of purchase certificates in the full amount of his quota shall constitute a representation that he had no rice in his possession on such date.

(b) *Allotments.* (1) A consumer may not accept a transfer of, and no person shall knowingly transfer to a consumer, more than two pounds of rice during any one calendar week for each consumer on whose behalf the transfer is made.

(c) Any person, partnership, corporation, association, government agency or any other organized group or enterprise which wilfully performs any act prohibited or wilfully fails to perform any act required by any provisions of Order No. 6 under Restriction Order No. 2, shall be guilty of a misdemeanor and upon conviction be fined not more than $10,000 or imprisoned for not more than one year, or both, and shall be subject to such other penalties as may be specified by all applicable statutes.

This order shall be effective as of February 22, 1943, at 8:00 a. m.

Issued this 22d day of February 1943.

WILLIAM B. MEAD,
Director for the Office of Price Administration for Puerto Rico.

[F. R. Doc. 43-3007; Filed, February 24, 1943, 3:43 p. m.]

[Amendment 2 to Order 1 Under Supp Order 9[1]]

NATIONAL CARBON COMPANY

APPROVAL OF MAXIMUM PRICES

Amendment No. 2 to Order No. 1 under Supplementary Order No. 9—Commodities or Services under Government Contracts or Subcontracts—Applications for Adjustment of Maximum Prices.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, paragraph (a) is amended to read as follows:

(a) National Carbon Company, Inc., Carbide and Carbon Building, New York City, is authorized to sell and deliver to the United States Navy and to any person who holds a contract or subcontract under which the batteries are to be supplied for the ultimate use of the United States Navy, the following radio batteries at prices per unit, f. o. b. factory, no higher than those set forth below:

Navy Radio Battery 19018–A	$4.70064
Navy Radio Battery 19018–B	4.762

This Amendment No. 2 shall become effective February 24, 1943.

Issued this 24th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3006; Filed, February 24, 1943; 3:44 p. m.]

[1] 7 F.R. 5444.

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70–674]

THE NORTH AMERICAN COMPANY

AMENDED NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23rd day of February 1943.

On February 18, 1943, the Commission issued a Notice Regarding Filing Subject to Rule U–23 in the above styled and numbered matter which matter relates to the proposal by The North American Company, a registered holding company, to pay a dividend on April 1, 1943 on its common stock in the common capital stock of The Detroit Edison Company in the manner set forth in said Notice. Such Notice provided that any interested person may not later than March 6, 1943, at 4:00 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter or may request that he be notified if the Commission should order a hearing thereon; and

It now appearing to the Commission that to enable The North American Company to comply with the rules of the New York Stock Exchange (on which exchange its common stock is listed) pertaining to notice of the intention of the company to pay such dividend on April 1, 1943 to its stockholders of record at the close of business on March 5, 1943, it is necessary that our order in this matter be issued prior to March 6, 1943;

It is ordered, That the date "March 6, 1943" appearing in the second paragraph of the Notice Regarding Filing Subject to Rule U–23 issued on February 18, 1943 in the above styled and numbered matter be changed to "March 1, 1943" so that said paragraph will provide as follows:

Notice is further given that any interested person may, not later than March 1, 1943, at 4:00 p. m., e. w. t. request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said joint declaration or application, as filed or as amended, may be granted, as provided in Rule U–23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transaction as provided in Rules U–20 (a) and U–100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-2997; Filed, February 24, 1943; 2:04 p. m.]

[File No. 70–676]

TRANSPORTATION SECURITIES CORPORATION AND THE COMMONWEALTH & SOUTHERN CORPORATION

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 22d day of February 1943.

Notice is hereby given that an application or declaration (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Transportation Securities Corporation ("Transportation") and The Commonwealth & Southern Corporation ("Commonwealth"). Commonwealth is a registered holding company incorporated in Delaware and Transportation is one of its subsidiary companies holding investments in various electric, railway and bus transportation companies. All interested persons are referred to said document for a statement of the transactions therein proposed which are summarized as follows:

(1) Transportation proposes to sell its entire investment in Springfield Transportation Company consisting of 5,000 shares of common capital stock, being all the shares issued and outstanding, in consideration for 18,000 shares of Commonwealth's preferred stock, $6 Series, in accordance with a contract between Transportation and A. C. Allyn & Company, Incorporated and Equitable Securities Corporation. It is proposed that this sale be consummated not later than March 15, 1943;

(2) Transportation states that it will utilize the 18,000 shares of Commonwealth's preferred stock so acquired by it to make payment on account of the principal of its indebtedness to Commonwealth and to Ohio Edison Company (one of Commonwealth's subsidiary public utility operating companies) in such manner and in such amount as may be hereafter agreed upon by the parties and approved by the Commission.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to the foregoing matters, and that said application shall not be granted nor said declaration become effective except pursuant to further order of this Commission;

It is ordered, That a hearing on the foregoing matters under the applicable provisions of said Act and the Rules of the Commission thereunder be held on March 8, 1943 at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held. At such hearing cause shall be shown why such application or declaration shall be granted or shall become effective. Notice is hereby given of said hearing to the applicants and declarants above-mentioned and to all interested persons, said notice to be given to said applicants and declarants by registered mail and to all other persons by publication in the FEDERAL REGISTER, and by a general release of the Commission, distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935.

It is further ordered, That any person proposing to be heard in connection with this proceeding or proposing to intervene herein shall file with the Secretary of this Commission on or before March 6, 1943, his request or application therefor as provided by Rule XVII of the Rules of Practice of the Commission;

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice;

It is further ordered, That without limiting the scope of issues presented by said application or declaration or otherwise to be considered in this proceeding, particular attention shall be directed at the hearing to the following matters and questions:

(1) Whether the consideration for the proposed acquisition of Commonwealth's preferred stock and for the sale of the Springfield Transportation Company stock, including all fees and expenses in connection therewith, is fair and reasonable;

(2) Whether the accounting entries proposed to be effected in connection with the various transactions are proper;

(3) The precise manner in which Commonwealth's preferred stock will be applied to the payment of Transportation's indebtedness to Commonwealth and Ohio Edison Company, and whether such manner of payment is fair and

equitable, including consideration of the circumstances under which the indebtedness of Transportation was created and the relative rank of the interest of Commonwealth and Ohio Edison Company in such indebtedness;

(4) Whether the proposed transactions are in conformity with the applicable provisions of said Act, particularly sections 10 and 11 thereof;

(5) What terms and conditions, if any, should be imposed by the Commission as necessary or appropriate in the public interest or for the protection of investors or consumers.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-2998; Filed, February 24, 1943; 2:04 p. m.]

WAR PRODUCTION BOARD.

COMANCHE AND RISING STAR PROJECT, TEXAS

AMENDMENT TO CONSTRUCTION ORDER

Preference Rating Order P-19-e, Serial No. 317-e. Builder: Texas State Highway Department, Austin, Texas. Project: Construction of new roads or the improvement of substandard roads, Federal Aid System, identified as: FAS 44-B (1), Comanche & Rising Star.

The revocation of preference rating issued on December 24, 1942 with respect to the above named project is hereby amended by striking paragraph (3) and (4) thereof and by substituting the following.

(3) The builder is hereby permitted to complete the construction on this project without the use of assigned preference rating provided that total cost in completing such construction does not exceed $10,000 in value.

Issued February 24, 1943.

CURTIS E. CALDER, *Director General for Operations.*

[F. R. Doc. 43-3008; Filed, February 24, 1943; 4:56 p. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF STOP CONSTRUCTION ORDERS STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain stop construction orders listed in Schedule A below, stopping the construction of the projects affected. For the effect of each such order upon construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued February 24, 1943.

CURTIS E. CALDER, *Director General for Operations.*

SCHEDULE A

Name and address of builder	Project affected	Date of issuance of stop construction order
Georgia State Highway Board, Atlanta, Ga.	Ga., 944-A (2) Ct. 2, 1755-B (4), 1827 (1), 1631-A (3), 1922-A (1), 1922-A (2), 1124-B (1), 609-B (4) and (5), 1666-C (2), 1621 (2), 1559-B (3), 622 (1), 625 (3) and 1800-A (1), 1626-C (1), 1680-B (2), Pr 139 Pt. 4, Taliaferro Co.; PR 956 (1), Lincoln Co.	2-16-43
Georgia State Highway Board, Atlanta, Ga.	1116-A (2), Monroe Co.; 1698-A (2), Crisp Co.; 1664-D (1), Webster Co., 1677-B (2) and A (3), Webster-Schley Co., 1677-B (1) and A (2); Webster-Schley Co.; 950-C (3), Macon Co.; 681-C (3) and C (4), Pike Co., 1920-A (1), Taylor Co., 1091-A (4), Macon Co., 1921-B (1), Macon Co., 1662-C (5), Clayton & Fayette Co., 1662-C (7), Fayette Co., 567-B (4), Meriwether Co.; 1662-C (6), Fayette Co.; 895-C (4), Pike Co.; 1928 (1), Upson Co.	2-16-43
Georgia State Highway Board, Atlanta, Ga.	1629-B (3), Macon Co.; 1684 (8), Monroe Co.; PR 376-A (2), Brooks Co., 1541-A (4), Brooks Co.; 1736-D (5), Colquitt Co., 1736-A (3), Grady Co.; 1748-A (3), Grady Co.; 1736-C (1), Mitchell Co.; 1748-B (3) and A (2) Ext. Mitchell Co.; 1591-C (3), Lowndes Co.; 1591-C (4), Lowndes Co., 1739-B (1), Lowndes Co., 1925-A (2), Mitchell Co.; 1767-A (2), Thomas Co.; 1598 (3), Turner Co. 1590-A (3), Bulloch Co.; 1565 (2), Toombs Co.	2-16-43
Georgia State Highway Board, Atlanta, Ga.	Statewide 1788 (1) 1854-A (3), 1919-A (1) 1919 A (1) Ext. Spur, Telfair Co., 1626-A (1) Randolph Co., 1579-B (1) 1579-A (4), Bryan-Candler Co., 1631-B (3) 1631-C (1), Emanuel Co.	2-16-43

[F. R. Doc. 43-3009; Filed, February 24, 1943; 4:56 p. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS PARTIALLY REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain revocation orders listed in Schedule A below, partially revoking preference rating orders issued in connection with, and partially stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project, and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued February 24, 1943.

CURTIS E. CALDER, *Director General for Operations.*

SCHEDULE A

War Housing Serial Number	Builder	Project affected	Issued
1434 77-121-000023 (32 Units of 36)	Defense Construction, Inc., 900 Pullman Ave., Richmond, Calif.	Richmond, Calif.	2-4-43
2220 77-121-001518 (1 Unit of 12)	Harry Fasom, Belvedere, Calif	Marion County, Aton, Calif.	2-4-43
2221 77-121-001837 (1 Unit of 67)	Stroni & Marshall, 312 17th St., Oakland, Calif.	Hayward, Calif.	2-4-43
1017 77-121-000024 (2 Units of 13)	James Abindit, 633 Travel St., San Francisco, Calif.	San Francisco, Calif.	2-4-43
1012 77-121-000025 (2 Units of 20)	James Abindit 633 Travel St., San Francisco, Calif.	Visitación Valley, San Mateo County, Calif.	2-4-43
1275 77-121-000340 (1 Unit of 6)	Robert G. Marshall, 1444 Burlingame Ave., Burlingame, Calif.	San Mateo, Calif.	2-4-43
1419 77-121-000502 (3 Units of 27)	Fred H. Thorinson, 1608 Ocean Ave., San Francisco, Calif.	San Francisco, Calif.	2-4-43
1757 77-121-000879 (1 Unit of 50)	Sun Valley Home Builders, Inc., 633 Taraval St., San Francisco, Calif.	Visitación Valley, San Mateo County, San Mateo, Calif.	2-4-43
1789 77-121-000880 (1 Unit of 2)	Sigurd Moll, 129 Arleta Ave., San Francisco, Calif.	San Francisco, Calif.	2-4-43
1821 77-121-000970 (5 Units of 15)	Skinner and Pearson, Box 95, Mt. View, Calif.	Mt. View, Calif.	2-4-43
1886 77-121-001121 (11 Units of 32)	H. Kyke Walton 1966 Park Ave., San Jose, Calif.	San Jose, Calif.	2-4-43
1940 77-121-001174 (9 Units of 10)	Albert P. Gelano, 1283 El Camino Real, Burlingame, Calif.	San Mateo, Calif	2-4-43
2106 77-121-001303 (2 Units of 22)	Sun Valley Bldg. Co., 633 Taraval St., San Francisco, Calif.	San Francisco, Calif.	2-4-43
692 77000-00-002 (20 Units of 44)	Columbia Housing Co., 1010 Vermont Ave., Washington, D. C.	Homewood & Kensington, Montgomery County, Md.	2-4-43
303 7012-00000 (778 Units of 1088).	Starrett Brothers & Eken, Inc., 63 Wall St., New York, N. Y.	Lafayette, Clinton, Waverly, Washington, Willoughby, Vanderbilt Aves., Brooklyn, N. Y.	2-4-43
1401 7071-000372 (1 Unit of 4)	Wm. C. McLennan & Co., 6665 Northwest Highway, Chicago, Ill.	Chicago, Ill.	2-1-43
1402 7071-000558 (1 Unit of 2)	Wm. C. McLennan & Co., 6665 Northwest Highway, Chicago, Ill.	Chicago, Ill	2-1-43
1201 7071-000535 (3 Units of 10)	J. L. Modrich, 3526 West 111th St., Chicago, Ill	Chicago, Ill.	2-1-43
1214 7071-000461 (2 Units of 4)	Abedor Construction Co., 152 West Marquette Rd., Chicago, Ill.	Chicago, Ill.	2-1-43
1167 7071-000434 (20 Units of 21)	E. Z. Swimmer, 2575 Milwaukee Ave., Chicago, Ill.	Chicago, Ill.	2-1-43
1056 7071-000354 (41 Units of 44)	Urban Croft Homes, 10103 Ewing Ave., Chicago, Ill.	Chicago Heights, Ill.	2-1-43
562 7071-000136 (10 Units of 50)	Standard Homes, Inc., Alliance Life Bldg., Peoria, Ill.	Rockford, Ill.	2-1-43
320 7071-000008 (1 Unit of 3)	Margaret Daly, 11 South County St., Wankegan, Ill.	11 South County St.	2-1-43
271 7071-000063 (10 Units of 12)	Reliable Home Builder, 2800 95th St., Evergreen Park, Ill.	Evergreen Park, Ill.	2-1-43
230 7071-000050 (24 Units of 41)	L. S. Corporation, 176th Place & Wentworth Ave., Lansing, Ill.	Lansing, Ill.	2-1-43
226 7071-000016 (10 Units of 22)	Van Norman Construction Co., 2924 Ridge Rd., Lansing, Ill.	Lansing, Ill.	2-1-43
225 7071-000015 (55 Units of 80)	Van Norman Construction Co., 2924 Ridge Rd., Lansing, Ill.	Lansing, Ill.	2-1-43
651 7071-000163 (8 Units of 50)	Midland Development Co., 176 West Adams St., Chicago, Ill.	North Lake Village	2-4-43
659 7071-000165 (7 Units of 25)	Midland Development Co., 176 West Adams St., Chicago, Ill.	High Ridge Pike, Ill	2-4-43
658 7071-000166 (4 Units of 19)	Midland Development Co., 176 West Adams St., Chicago, Ill.	North Lake Village, Ill.	2-4-43
656 7071-000168 (4 Units of 25)	Midland Development Co., 176 West Adams St., Chicago, Ill.	North Lake Village, Ill.	2-4-43
1050 7071-000111 (1 Unit of 12)	Burnside Construction Co., 815 East 95th St., Chicago, Ill.	Chicago, Ill.	2-4-43

[F. R. Doc. 43-3010; Filed, February 24, 1943; 4:56 p. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain revocation orders listed in Schedule A below, revoking preference rating orders issued in connection with, and stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued February 24, 1943.

CURTIS E. CALDER, *Director General for Operations.*

SCHEDULE A

War housing serial Nos.	Builder	Project Affected	Issued
409 77-031-000370	R. R. Hindman, Mineral prints, Coatesville, Pa.	North of Lincoln Highway, Sadsburyville, Sadsburyville Township, Chester County, Pa.	2-1-43
261 77-031-000236	George B. Eberly, R. F. D. No. 1, Chester, Pa.	Inland Ave., Lot 197 Millbin Township, Pa.	1-2-43
252 77-031-000170	Emanuel Fishman, 1740 Georges Lane, Philadelphia, Pa.	5401 to 5451, incl., Howland St., Philadelphia, Pa.	2-1-43
578 77-032-000013	Helton Corporation, 1900 New Road, Elsmer, Del.	Brookside Ave. between Capital Trail and Marion Ave., Brack Ex., Newcastle County, Pa.	2-1-43
5 77-032-00001	Paul J. Sheridan, Inc., 412 South Broome St., Wilmington, Del.	26th St. to 28th St. Pine St. to Park Blvd., Newcastle County, Wilmington, Del.	2-1-43
139 77-031-000131	Clarence Son, 3123 Duke St., Paxtang, Pa.	2104 and 2118 Prince St. lot 32 and 33 st, Dauphin County, Paxtant, Pa.	1-2-43
89 77-101-000131	L. C. Simpson, 113 Park Dr., Pueblo, Colo.	Carlisle Ave. between Keeler and Western Aves., Pueblo, Colo.	2-1-43
035 77-081-000201	T. W. Parks, East St., Chattanooga, Tenn.	Hunt Ave., Chattanooga, Tenn.	2-1-43
066 77080-77-064	Cooperative Builders, 5508 24th St., Arlington, Va.	Tuckahoe Village, 24th St. Kensington St., Arlington, Va.	2-1-43
165 7012-00031	John Sorrentino, 172 Hope Ave., Ft. Wadsworth, N. Y.	W. S. Holly St., 150 Spark Hill Ave., Staten Island, N. Y.	1-2-43
468 77-031-000328	Philip J. Shaheen, 112 Bath Ave., Long Branch, N. J.	Atlantic Ave. between Jermyn Ave. and Long Branch, Long Branch, N. J.	2-1-43
200 77-031-000092	Beverly Hills Home, Inc., Whitman St. and Lamoine Ave., Fort Lee, N. J.	Beverly Hills Rd., Fort Lee, N. J.	2-1-43
385 77-031-000133	Oak Ridge Manor, 880 Bergen Ave., Jersey City, N. J.	Grant and Melrose Aves., South Plainfield, N. J.	2-1-43
224 77-031-000132	M. & P. Builders, Inc., 880 Bergen Ave., Jersey City, N. J.	Jersey City, N. J.	2-1-43
873 77-031-000049	Nat'l Housing Service, Inc., Mellburn, N. J. (300 Mellburn Ave.)	Sibley St. between Wainwright St. and Fabyan St., Hillside, N. J.	2-1-43
653 77-031-000103	G & F Contracting Co., 63-24 Roosevelt Ave., Woodside, Long Island, N. Y.	Pinegrove Ave. between Aylift Ave. and Marlboro Blvd., Westfield, N. J.	2-1-43
397 77-031-000230	Brookside Homes, Inc., 5 Melman Terrace, N. J.	Forest Drive and Westover Rd., Linden, N. J.	2-1-43
326 77-031-000195	West Seat Gardens, Inc., 275 Winthrop Terrace, South Orange, N. J.	Grand St. and Nichol Ave., Scotch Plains, N. J.	2-1-43
367 7071-000074	Northway and Macro, 47th and Willow Springs, La Grange, Ill.	La Grange, Ill.	1-2-43
355 7071-000079	Harry J. Hullinger, 11355 S. Calumet Ave., Chicago, Ill.	Chicago, Ill.	1-2-43
481 7071-000120	Victory Apartments, Inc., 841 East 63d St., Chicago, Ill.	Chicago, Ill	1-2-43
812 7071-000249	Security Homes Dev. Co., 424 South Grove Ave., Oak Park, Ill	Elmhurst, Ill	1-2-43
856 7071-000270	Franklin Bldrs. and Development Co., Lake St. and Des Plaines River, Maywood, Ill.	Blackhawk Height, Ill	1-2-43
930 7071-000319	Shields Brothers, Hazelcrest, Ill	Homewood, Ill	1-2-43
998 7071-000420	Fred Cook, 1533 West 4th St., Moline, Ill.	Moline, Ill	1-2-43
1447 7071-000492	Orrin E. Lang, 772 McDonough St., Joliet, Ill	Joliet, Ill	1-2-43
1410 7071-000588	Albert Gethner, La Grange Rd. at 55th St., La Grange, Ill.	Lyons Township, Ill.	1-2-43
125 77-062-000080	Southern Homes Co., Craft Highway and Laurell St., Hartwell Pl., Mobile, Ala.	Magnolia Dr. between Craft Highway and Cedar Dr., Mobile, Ala.	1-2-43
124 77-062-000079	Southern Homes Co., Craft Highway and Laurell St., Hartwell Pl., Mobile, Ala.	Oak Dr. between Craft Highway and Dead End St., Mobile, Ala.	1-2-43
108 77-062-000048	Southern Homes Co., Craft Highway and Laurell St., Hartwell Place, Mobile, Ala.	Lots 69 and 70 Block 2 Hartwell Pl. Subdivision Toulminville, Mobile, Ala.	1-2-43
107 77-062-000077	Southern Homes Co., Craft Highway and Laurell St., Hartwell Pl., Mobile, Ala.	Lots 54 and 55 Block 4 Hartwell Pl. Subdivision, Toulminville, Mobile, Ala.	1-2-43
106 77-062-000076	Southern Homes Co., Craft Highway and Laurell St., Hartwell Pl., Mobile, Ala.	Lots 13 Block 4 Richarby Pl., Subdivision, Mobile, Ala.	1-2-43
95 77-062-000063	Southern Homes Co., Craft Highway and Laurell St., Hartwell Pl., Mobile, Ala.	Lots 18 and 19 Block 5, Hartwell Pl., Toulminville, Ala.	1-2-43
94 77-062-000062	Southern Homes Co., Craft Highway and Laurell St., Hartwell Pl., Mobile, Ala.	Lots 21 and 22 Block 3 Hartwell Pl., Toulminville, Ala.	1-2-43
60 77-062-000029	Florence Homes, Inc., P. O. Box 33, Florence, Ala.	Locust St. and Tunervale Ford Rd., Florence, Ala.	1-2-43
61 77-062-000028	Florence Homes, Inc.	Locust St. and Tunervale Ford Rd., Florence, Ala.	1-2-43

[F. R. Doc. 43-3011; Filed, February 24, 1943; 4:56 p. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain revocation orders listed in Schedule A below, revoking preference rating orders issued in connection with, and stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project and delivery of materials therefor, the builder and suppliers effected shall refer to the specific order issued to the builder.

Issued February 24, 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Project affected	Date of issuance of revocation order
P-19-h.....	4945	Pan American Refining Corporation, c/o United Engineers & Constructors, Inc., Washington, D. C.	Texas City, Tex.....	2-17-43
P-19-h.....	4107	Massachusetts Shipbuilding Co., Inc., Boston, Mass.....	East Boston, Mass..	2-19-43
PD-1-a.....	20-149	Baldwin Telephone Exchange, Baldwin, Wis.....	Baldwin, Wis.....	2-19-43

REVOCATIONS ISSUED BY THE WAR HOUSING STAFF SERVICE BRANCH, CONSTRUCTION DIVISION

War housing serial Nos.	Builder	Project affected	Issued
192 77-02-(000)-2.....	Russell Hastings, P. O. Box 2021, Tucson, Ariz.	14 2250 East 4th St., Tucson, Ariz.....	1-2-43
199 77-02-(000)-25.....	Russell Hastings, P. O. Box 2021, Tucson, Ariz.	2200 Block East 4th St., Tucson, Ariz...	1-2-43
200 77-02-(000)-26.....	Russell Hastings, P. O. Box 2021, Tucson, Ariz.	1700 Block East Mable St., Tucson, Ariz.	1-2-43

[F. R. Doc. 43-3012; Filed, February 24, 1943; 4:57 p. m.]

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MAR 1 '43

FEDERAL REGISTER

VOLUME 8 NUMBER 41

Washington, Saturday, February 27, 1943

Regulations

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter II—Food Distribution Administration[1]

PART 204—POSTED STOCKYARDS AND LIVE POULTRY MARKETS

ORDER AMENDING ORDER OF DESIGNATION[2]

Pursuant to the authority vested in the Secretary of Agriculture by the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 1940 ed. 181 et seq.), *It is ordered*, That:

(a) The provisions of the order of the Secretary heretofore entered on October 8, 1935, be amended to include as a market and place in or near the designated City of New York, New York:

(1) The New York City Live Poultry Terminal Market, located at 53rd Avenue and 11th Street, Long Island City, New York, New York,

which hereby is designated as a market and place where live poultry is received, sold, and handled in sufficient quantities to constitute an important influence on the supply and prices of live poultry and live poultry products, and as coming under the provisions of Title V of the Act;

(b) Notice of such designation shall be published in the New York Times, a newspaper published at New York, New York, and in the Producers' Price Current, a trade paper published at New York, New York, by the Urner Barry Company; and

(c) The Food Distribution Administration may give such other notice hereof as it may deem appropriate.

It is further ordered, That the provisions of the aforesaid order designating the following markets: (1) An unloading terminal of the New York Central Railroad situated at approximately the foot of West 60th Street and West End Avenue, New York, New York; (2) Independent Poultry Receiving Station of the M. Rosen Live Poultry Co., Inc., situated on Tracks 9 and 10, E., near 12th Avenue, approximately four blocks north of the 60th Street Terminal of the New York Central Railroad; (3) West Washington Market, situated at or about 10th Avenue and Bloomfield Streets, New York, New York; (4) Brooklyn Poultry Commission Co., Inc., situated at the Delaware, Lackawanna and Western Railroad Company Terminal, at approximately 26th Street and Third Avenue, Brooklyn, New York; and (7) the Live Poultry Terminal of the Delaware, Lackawanna and Western Railroad, situated at approximately 134th Street and Park Avenue (Harlem Transfer), New York, New York, are hereby vacated and the markets listed in said order as (5) and (6) are renumbered as (2) and (3), respectively.

It is further ordered, That this order, except as to the provision relating to publication, shall be effective on and after March 26, 1943.

Done at Washington, D. C., this 26th day of February 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-3095; Filed, February 26, 1943; 11:21 a. m.]

[1] Formerly Chapter II—Agricultural Marketing Administration.

[2] Modifies list of designated markets, 9 CFR 204.2.

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regulations, Serial No. 257]

PART 285—RULES OF PRACTICE

Adopted by the Civil Aeronautics Board at its office at Washington, D. C., on the 17th day of February 1943.

The Civil Aeronautics Board, acting pursuant to the authority vested in it by the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a) and 1001 thereof, and deeming its action necessary to carry out the provisions of said Act and to exercise its powers and perform its duties thereunder, hereby makes and promulgates the following regulation:

(Continued on next page)

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FEDERAL REGISTER

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Effective March 19, 1943, Part 285 of the Economic Regulations is hereby revised to read as follows:

Sec.
285.1 Proceedings.
285.2 General requirements as to papers in proceedings.
285.3 Form and filing of documents.
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285.5 Hearings, argument, examiner's report and proceedings subsequent thereto.
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285.7 Hearings before the Board and before boards of examiners
285.8 Petition for rehearing, reargument, or reconsideration.
285.9 Memoranda in opposition or support.
285.10 Conference procedure.
285.11 Procedure in mail rate proceedings.
285.12 Objection to public disclosure of information

AUTHORITY: §§ 285.1 to 285.12, inclusive, issued under sec. 1002 (d) to (i), 52 Stat. 1038, 49 U.S.C. 642.

§ 285.1 *Proceedings.* There shall be one form of formal proceeding (to be known as a "proceeding") under Title IV and section 1002 (d)–(i) of the Act.

A proceeding may be instituted (1) by order to show cause or other process of the Board, (2) by the filing with the Board of a formal application, complaint or petition.

§ 285.2 *General requirements as to papers in proceedings*—(a) *Informal complaints.* Complaints may be made to the Board informally by letter or other writing and matters so presented may, if their nature warrants, be taken up by correspondence or conference with the person or persons complained of. Any matter not disposed of informally may be made the subject of a formal proceeding.

(b) *Conformity to rules.* Any person wishing to institute a proceeding should consult the rules, regulations and orders of the Board under the various sections of the Act.

(c) *Requirements in absence of rules.* In case there is no rule, regulation or order of the Board which prescribes the contents of the formal application, complaint or petition in a given case, the application, complaint or petition should contain a concise but complete statement of the facts relied upon as the basis for the relief sought. The names and addresses of the persons, if any, against whom relief is sought, should also be set forth in full.

(d) *Insufficient allegations.* In any case where the Board is of the opinion that a formal application, complaint or petition does not sufficiently set forth the material required to be set forth by any applicable rule, regulation or order of the Board, or is otherwise insufficient, the Board may advise the party filing the same of the deficiency and require that any additional information be supplied by amendment.

(e) *Answers.* Answers to formal complaints, petitions and orders to show cause will not usually be required. In case the Board deems an answer to be desirable, the parties will be notified.

(f) *Retention of papers by the Board.* When any formal application, complaint or petition is denied, dismissed or permitted to be withdrawn, in whole or in part, said application, complaint or petition, and all documents filed with the Board pertaining thereto shall be retained in the files of the Board. When any proceeding instituted by the Board is dismissed, terminated or rescinded, all documents filed with the Board pertaining thereto shall be retained in the files of the Board: *Provided*, That this paragraph shall not apply to documents filed with the Board in any proceeding on the basis of a stipulation that such documents will be returned to the parties so filing when the purpose for which the documents are filed has been served.

§ 285.3 *Form and filing of documents*—(a) *Execution, number of copies, and service.* Unless otherwise required by applicable rule or regulation, every application, petition and formal complaint relating to any of the provisions of Title IV or of section 1002 (d)–(i) of the Act, and every answer or other formal document in any such proceeding, shall be signed by, or on behalf of, the person filing the same, and shall be verified by the person signing the same, in the manner required by paragraph (b) of this section. Briefs and exceptions to reports of examiners shall be signed but need not be verified. Any general partner may sign on behalf of a partnership. Documents filed by a corporation, business trust or other similar organization must be signed by an officer who is duly authorized to take such action. An executed original copy of each such document, and nineteen true copies thereof, which need not be signed or verified, but which should have typed or facsimile signatures, shall be filed with the Board. Each person filing any such document shall furnish such additional copies and shall make such service of the document on other persons as the Board may at any time require. Such documents shall be delivered in person, through the mails, or otherwise, to the Civil Aeronautics Board in Washington, D. C., and shall be deemed to have been filed on the date on which they are actually received by the Board.

(b) *Verification.* Every verification shall set forth that the person verifying the document has read and is familiar with the contents thereof and the attached exhibits, if any; that he intends and desires that in granting or denying the relief requested, the Board shall place full and complete reliance upon the accuracy of each and every statement therein contained; that he is familiar with the facts therein set forth; that to the best of his information and belief, every statement contained in the instrument is true and no such statement is misleading.

(c) *Formal specifications of papers.* All papers filed in proceedings should be on strong, durable paper not larger than 8½" by 13" in size except that tables, charts and other documents may be larger, folded to approximately that size. The left margin should be at least 1½" wide and, if the document is bound, it should be bound on the left side.

Papers may be reproduced by printing or by any other process, provided the copies are clear and legible. Appropriate notes or other indications should be used, so that the existence of deficits and any other matters normally shown in color will be accurately indicated on photostatic copies.

(d) *Waiver of strict compliance with rule.* The Board may, in its discretion, waive strict compliance with any requirement of this section.

§ 285.4 *Appearances by third persons and formal intervention*—(a) *Appearances.* Any person, including any state, political subdivision thereof, state aviation commission, or other public body, may appear at any hearing and present any evidence which is relevant to the issues. Such persons may also suggest questions or interrogatories to be propounded by counsel for the Board to witnesses called by other persons. With the consent of the examiner, or of the Board, if the hearing is held before the Board such persons may also cross-examine witnesses directly.

(b) *Formal interventions.* Any person having a substantial interest in the subject matter of any proceeding may ask leave to intervene in such proceeding and become a party thereto upon compliance with the provisions of this paragraph. In general, such motions will not be granted unless the Board, or, in appropriate cases, the examiner, shall find,

(1) That such person has a statutory right to be made a party to such proceeding, or,

(2) That such person will or may be bound by the order to be entered in the proceeding, or,

(3) That such person has a property or financial interest which may not be adequately represented by existing parties, if such intervention would not unduly broaden the issues or delay the proceeding.

However, the denial of such a motion for leave to intervene shall not prevent the moving person from participating in the proceeding in the manner described in paragraphs (a) or (b) of this section.

Every motion for leave to intervene shall be filed with the Board within 15 days after the proceeding has been instituted. Copies of the motion papers shall be mailed or delivered to each party to the proceeding prior to the filing of the motion. The Board, however, may pass upon any such motion without receiving testimony or argument either from the moving person or from other parties to the proceeding. The motion papers shall clearly set forth the interest of the moving party, and shall otherwise comply with the requirements of § 285.3.

No motion for leave to intervene, not filed within the time limited by the preceding paragraph of this subsection, will be entertained by the Board or the examiner unless the moving person shall clearly show good cause for his failure to file the motion within the time so limited. In the event that such motion is heard by an examiner, his determination shall be governed by the standards hereinabove set forth, but no decision by an examiner on such a motion shall be binding on the Board. Interventions herein provided are for administrative purposes, and no decision to grant leave to intervene shall be deemed to constitute a finding or determination that the intervening party has such a substantial interest in the order that is to be entered in that proceeding as will entitle it to demand review of such order by the circuit courts of appeals of the United States or the United States Court of Appeals for the District of Columbia.

§ 285.5 *Hearings, argument, examiner's report, and proceedings subsequent thereto*—(a) *Oral argument before examiner, proposed findings, briefs.* Upon request of any party, an examiner may permit oral argument at the close of the hearing. Oral argument shall be transcribed, but shall not constitute part of the record.

If a case presents unusually difficult questions of fact or law, the examiner may permit or require the submission of proposed findings of fact or conclusions of law, or of written briefs, to aid him in the preparation of his report.

(b) *Examiner's report.* In each case heard before an examiner, an appropriate announcement will be made by the examiner prior to the close of the hearing as to whether or not an examiner's report will be made in the proceeding. Such report will ordinarily be made, except in cases where the examiner, with the consent of Public Counsel, and without objection by any other party, announces at the hearing that he will recommend the granting of the application or other relief under consideration in the proceeding. If an examiner's report is to be made in the proceeding, the examiner will also announce, or state in his report:

(1) The names of the persons who are to receive copies of the same;

(2) The time within which exceptions are to be filed and exchanged; and

(3) The time thereafter within which briefs relating to such exceptions are to be filed and exchanged,

and may give other instructions relating to procedure after the hearing.

After a date has been set for the submission of proposed findings of fact or conclusions of law, or written briefs to the examiner, or the filing of exceptions to examiner's report or briefs thereon, such date may be postponed upon proper cause shown, but any such postponement shall not be granted by the examiner less than three days prior to the date originally set for the filing thereof except in cases involving unusual circumstances imposing substantial hardship upon the requesting party or parties.

(c) *Exceptions and briefs; service thereof.* Any party to the proceeding may take exceptions either to the examiner's recommended findings of fact or conclusions of law. Exceptions to findings of fact shall designate, by exact and specific reference, the portions of the record which will be relied upon in support of such exceptions. Exceptions to conclusions of law shall briefly cite the statutory provisions or the principal authorities that will be relied upon in support of the exceptions to the conclusions of law.

After the filing and exchange of exceptions, each party should prepare a single brief supporting its own exceptions and covering any points which it wishes to raise in connectiton with exceptions filed by others. Except by special permission of the Board, briefs shall not exceed 50 pages in length. Reply briefs will not be received except by special permission of the Board. Exceptions and briefs shall be filed with the Board and not with the examiner.

Each set of exceptions and brief shall, when filed, be accompanied by a proof of service thereof by mail upon all parties to the proceedings and upon such other persons designated by the examiner to

receive copies of the report. The number of copies to be filed is governed by paragraph (a) of § 285.3.

(d) *Oral argument before the Board.* If any person desires to argue a case orally before the Board he must request leave of the Board to make such argument. Such request should be filed with the briefs for the Board in the proceeding. The Board will advise the persons making such request as to its decision and if such argument is to be allowed all persons who have filed briefs in the proceedings will be advised of the date and hour set for such argument and the amount of time allowed to each such person.

§ 285.6 *Exhibits.* Wherever practicable, one copy of each exhibit (in addition to the original offered in evidence at the hearing) should be furnished for the use of each examiner and two copies should be furnished to Public Counsel. One of such copies will be made available for inspection by all persons present at the hearing. One copy should also be furnished to each party and the examiner may, in his discretion, direct that any other person deemed by him to have a sufficient interest shall receive copies of designated exhibits.

Excerpts from lengthy documents or of portions of the record in other proceedings before the Board should be offered in the form of exhibits and copies furnished as above provided. Such exhibits may be received in evidence, subject to objection and rebuttal by Public Counsel or other counsel, after opportunity to examine the exhibit in question and the source from which the same was taken.

§ 285.7 *Hearings before the Board and before boards of examiners.* Provisions of this part governing the conduct of hearings before single examiners shall also govern, with necessary changes, in cases where such hearings are held before the Board, a member thereof, or a board of more than one examiner.

§ 285.8 *Petition for rehearing, reargument, or reconsideration.* Any party may petition for rehearing, reargument, or reconsideration of any final order by the Board in a proceeding, or for further hearing before decision by the Board.

The matters of record claimed to have been erroneously decided must be specified, and the alleged errors, and the grounds relied upon must be briefly and specifically stated in the petition.

If a final order of the Board is sought to be vacated or modified by reason of matters which have arisen since the hearing, or of a consequence which would result from a compliance therewith, or both, which are relied upon by the petitioner must each be set forth in the petition. Where the petition is based wholly or in part upon new matter, the petition must contain a statement that the petitioner, with due diligence, could not have known or discovered the new matter prior to the time of the hearing.

The petition must set forth a brief statement of the relief sought by the petitioner.

Such petition for rehearing, reargument, or reconsideration, must be filed within thirty days after service of the order sought to be vacated or modified. After the expiration of said thirty days, such a petition may be filed only by leave of the Board granted pursuant to formal application upon a showing of reasonable grounds for failure to file the petition within the prescribed thirty-day period. Any such petition or application shall be served by the petitioner or applicant upon all parties to the proceeding or their attorneys of record.

No petition for rehearing, reargument, or reconsideration filed in accordance with this section, or the granting thereof, shall operate as a stay of the effective date of the final order sought to be modified or vacated by such petition, unless specifically so ordered by the Board.

Petitions under this section must conform to the requirements of § 285.3.

§ 285.9 *Memoranda in opposition or support.* Each protest or memorandum to or in support of the issuance, alteration, amendment, modification, suspension, revocation or abandonment of a certificate of public convenience and necessity or of a foreign air carrier permit which is desired to be filed with the Board pursuant to the provisions of section 401 or 402 of the Act, shall conform to the requirements of § 285.3 with respect to size, style and number of copies, shall be signed by the person filing it, and shall be acknowledged before a person authorized to administer oaths. Each such protest or memorandum shall clearly state on its face the particular proceeding in which it is desired to be filed and shall contain a concise but clear statement of the grounds of opposition or support. At the time of filing any such protest or memorandum with the Board, the person filing it shall serve a copy thereof upon each party to the particular proceeding and upon such other persons as the Board may require. No such protest or memorandum will be received as, or be considered to constitute, evidence in the particular proceeding of any fact mentioned or discussed therein. However, evidence in support of any such protest or memorandum may be presented by or on behalf of the person filing it in the manner provided in paragraph (a) of § 285.4.

§ 285.10 *Conference procedure.* In any proceeding, the examiner designated to conduct the hearing, or any other person designated by the Chief Examiner or by the Board for the purpose of this rule, may direct counsel for the parties to such proceeding to appear before him for a conference to consider the following:

(a) The formulation of the issues to be considered at the hearing by:

(1) Agreement of the parties,

(2) Amendment of the application, complaint or petition,

(3) Any other appropriate means;

(b) The simplification of proof by:

(1) Stipulations concerning matters of which the Board can take notice, the admission of evidence of particular facts or documents, or any other appropriate matter,

(2) Limitation of the number of witnesses,

(3) The preparation of exhibits, and the use thereof in lieu of oral testimony whenever possible,

(4) Any other appropriate means;

(c) The exchange prior to the date of the hearing of exhibits proposed to be introduced therein and any other material which will expedite the conduct of the same;

(d) Such other matters as may, in the opinion of the person conducting the conference, aid in the conduct and disposition of the proceeding.

Notice of the time and place of the conference shall be given by letter or otherwise to all parties to the proceeding.

The person conducting the conference may require the exchange of particular exhibits in advance of the date set for the hearing, and if any exhibits are not exchanged in advance as required, or as agreed upon by counsel at the conference, the hearing shall be subject to postponement until such exchange is completed.

The person conducting the conference shall prepare a report of the same, which shall be served upon counsel for all of the parties and made of record. Counsel may object to the description of anything which occurred at the conference within five days after the receipt of the report, and such report may, in the discretion of the person preparing the same, be revised in accordance therewith. If revised, the report shall again be served upon counsel and made of record in the same manner as the original report. Exceptions may be taken on the basis of any written objection submitted within the time prescribed which has not been met by a revision of the report. Such report shall constitute the official account of all that transpired at the conference, and shall control the subsequent course of the proceeding, but it may be reconsidered and modified at any time to prevent injustice.

§ 285.11 *Procedure in mail rate proceedings.* (a) Proceedings for the determination of rates of compensation for the transportation of mail may be commenced by the filing of a petition by an air carrier or the Postmaster General, or upon the issuance of an order by the Board.

(b) *Order setting tentative rate.* (1) Proceedings commenced by the Board will normally be instituted by the issuance of an order directing the parties to show cause why a specified rate or rates set out in such order should not be fixed and determined by the Board.

(2) In proceedings instituted upon petition of a carrier or the Postmaster General, the Board before proceeding further with the disposition of the petition, will normally issue an order in the proceeding directing the parties to show cause why a specified rate or rates set out in such order should not be fixed and determined by the Board.

(3) The rate or rates specified in any order provided for in paragraphs (b) (1) and (b) (2) of this section will represent a tentative rate or rates which appear to the Board to be fair and reasonable on the basis of the monthly and annual reports made by the carrier to the Board, and other information available to the Board. Such order will be accompanied by an exhibit or exhibits setting forth the basis upon which the tentative rate or rates have been formulated and such exhibits shall be a part of such order.

(4) Orders issued hereunder will be served upon the carrier concerned, and any other parties to the proceeding, and public notice thereof will be given. Copies of such orders will be transmitted to the Postmaster General.

(c) *Objection and answer to order setting tentative rate.* (1) After the issuance of an order of the Board pursuant to paragraph (b) of this section, any party having objections to the tentative rate or rates specified in such order or to the admissibility in evidence of the exhibits accompanying such order and information specified therein shall file with the Board, within such periods of time as may be prescribed in such order:

(i) Notice of the fact that such objections exist; and

(ii) After the notice provided for in clause (i) of this paragraph has been filed, a written answer setting out the objections of the party to the tentative rate or rates.

(2) The objections stated in the answer shall be specific, and the answer shall be accompanied by exhibits in support of the objections and by a statement of the effect of such objections upon the tentative rate or rates.

(d) *Procedure when no answer is filed to order setting tentative rate.* (1) If no notice, or if after notice no answer is filed as provided in paragraph (c) of this section within the periods of time prescribed in the order, the proceeding will be assigned for public hearing. The statutory public hearing thus assigned will be expected to require nothing more than the introduction in evidence of the exhibits provided for in paragraph (b) (3) of this section and the information specified therein.

(2) The Board, upon the close of such hearing, will make the tentative rate or rates specified in its order pursuant to paragraph (b) of this section final by the issuance of its further order.

(e) *Procedure when answer is filed to order setting tentative rate.* (1) If an answer is filed as provided in paragraph (c) of this section a conference will be held. The conference will be attended by representatives of the Board assigned to the particular case and representatives of the parties, and will be presided over by an examiner of the Board.

(2) If a party desires to introduce evidence in the proceeding, he shall file written notice with the examiner at the time of such conference; if a party desires an opportunity to file briefs with, or present oral argument to, the Board, he shall file a written request therefor with the examiner not later than the close of the hearing hereinafter provided for.

(3) The examiner, at the close of the conference, will prepare and serve upon the parties a report stating the issues raised by the objections of the parties with respect to the tentative rate or rates. Any party may file exceptions to such report.

(4) After service of the report provided for in paragraph (e) (3) of this section, the proceeding will be assigned for public hearing before an examiner of the Board.

(5) The exhibits provided for in paragraph (b) (3) of this section and the information specified therein, and any exhibits filed by any party in support of any objections filed pursuant to paragraph (c) of this section shall constitute evidence of record in the proceeding, subject to the right of any party to object to the admissibility of such exhibits and information. Additional evidence may be presented by the parties at such hearing only if the notice provided for in paragraph (e) (2) has been filed, and such evidence shall be limited to evidence relating to the issues as defined in the conference report issued by the examiner and exceptions filed thereto pursuant to paragraph (e) (3). A member (or members) of the Board's staff will be available at the hearing for examination by the parties on the evidence with respect to such issues.

(6) The proceeding will be deemed submitted to the Board for final decision, without the issuance of an examiner's report, upon the close of the hearing, the filing of briefs, or the presentation of oral argument, as may be in order pursuant to requests made in accordance with the provisions of paragraph (e) (2) of this section.

§ 285.12 *Objection to public disclosure of information—(a) Information contained in paper to be filed.* Any person who objects to the public disclosure of any information contained in any paper filed in any proceeding, or in any application, report, or other document filed pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, or any rule, regulation, or order of the Board thereunder, shall segregate, or request the segregation of, such information into a separate paper and shall file it, or request that it be filed, with the examiner or the person conducting the hearing or proceeding, as the case may be, or with the person with whom said application, report, or document is required to be filed, separately in a sealed envelope, bearing the caption of the enclosed paper and the notation "Confidential Information". At the time of filing such paper, or, when the objection is made by a person not himself filing the paper, application, report, or other document, within five days after the filing of such paper, the objecting party shall file a motion to withhold the information from public disclosure, in accordance with the procedure outlined in paragraph (d) of this section, except as hereinafter provided in paragraph (c). Notwithstanding any other provision of this section, copies of the filed paper and of the motion need not be served upon any other party unless so ordered by the Board.

(b) *Information contained in oral testimony.* Any person who objects to the public disclosure of any information sought to be elicited from a witness or deponent on oral examination shall, before such information is disclosed, make his objection known. Upon such objection duly made, the witness or deponent shall be compelled to disclose such information only in the presence of the examiner or the person before whom the deposition is being taken, as the case may be, the official stenographer and such attorneys for and lay representatives of each party as the examiner or person before whom the deposition is being taken as the case may be, shall designate, and after all present have been sworn to secrecy. The transcript of testimony containing such information shall be segregated and filed in a sealed envelope, bearing the title and docket number of the proceeding, and the notation "Confidential Testimony Given By (name of witness or deponent)." Within five days after such testimony is given, the objecting person shall file a motion, except as hereinafter provided in paragraph (c), in accordance with the procedure outlined in paragraph (d) of this section, to withhold the information from public disclosure. Notwithstanding any other provision of this section, copies of the segregated portion of the transcript and of the motion need not be served upon any other party unless so ordered by the Board.

(c) *Objection by Governmental departments or representatives thereof.* In the case of objection to the public disclosure of any information filed by or elicited from any governmental department, or representative thereof, under paragraphs (a) or (b) of this section, the department, or person representing said department, making such objection shall be exempted from the provisions of paragraphs (a), (b), and (d) hereof in so far as said subsections require the filing of a written objection to such disclosure. However, any department, or person representing said department, if it so desires, may file a memorandum setting forth the reasons on the basis of which it is claimed that a public disclosure of the information should not be made. If such a memorandum is submitted, it shall be filed and handled as is provided by this section in the case of a motion to withhold information from public disclosure.

(d) *Form of motion to withhold information from public disclosure.* Subject to the exception of paragraph (c), no information covered by paragraphs (a) and (b) of this section need be withheld from public disclosure unless written objection to such disclosure is filed with the Board in accordance with the following procedure:

(1) The motion shall be headed with the title and docket number of the proceeding and shall be signed and verified by the objecting person, any duly authorized officer or agent thereof, or by counsel representing such person in the proceeding.

(2) The motion shall include (i) a description of the information sought to be withheld, sufficient for identification of the same, and (ii) a full statement of the reasons on the basis of which it is claimed that a public disclosure of the information would adversely affect the interests of the objecting person and is not required in the interest of the public,

or that the information is of a secret nature affecting the national defense.

(3) Such motion shall be filed with the examiner or the person conducting the hearing or proceeding, as the case may be, or with the person with whom said application, report, or document is required to be filed.

(e) *Motion referred to the Board.* The order of the Board containing its ruling upon each such motion will specify the extent to which, and the conditions upon which, the information may be disclosed to the parties and to the public, unless, within five days after the date of the entry of the Board's order with respect thereto, a petition is filed by the objecting person requesting reconsideration by the Board or a written and verified statement is filed indicating that the objecting person in good faith intends to seek judicial review of the Board's order.

(f) *Objection in proceeding before the Board.* Notwithstanding any of the provisions of this section, whenever the objection to disclosure of information shall have been made, in the first instance, before the Board itself, the written motion of objection contemplated by paragraphs (a), (b), and (d) of this section shall not be necessary, but may be submitted if the parties so desire or if the Board, in a particular case, shall so direct. (Secs. 205 (a), 1001, 52 Stat. 984, 1017; 49 U.S.C., 425 (a), 641)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 43-3057; Filed, February 25, 1943; 11:54 a. m.]

[Regulations, Serial No. 258]

PART 287—PROCEDURE, EVIDENCE AND DEFINITIONS

DEFINITION OF TERMS

Amendment No. 2 of § 287.1.

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 17th day of February 1943.

The Civil Aeronautics Board, acting pursuant to the authority vested in it by the Civil Aeronautics Act of 1938, as amended, particularly section 205 (a) thereof, and deeming its action necessary to carry out the provisions of said Act and to exercise its powers and perform its duties thereunder, hereby makes and promulgates the following regulation:

Effective March 19, 1943, paragraph (b) of § 287.1 of the Economic Regulations is hereby amended to read as follows:

§ 287.1 *Definitions of terms used in rules, regulations, and orders of the board.* • • •

(b) The regulations of the Board may be cited by section numbers. For example, this regulation may be cited as "§ 287.1 of the Economic Regulations". The sections contained in Part 285 of the Economic Regulations, constituting the Rules of Practice under Title IV and sections 1002 (d) to (i) of the Act, may also be cited by appropriate rule numbers. For example, § 285.10 may be cited as "Rule 10 of the Rules of Practice", or as "§ 285.10 of the Economic Regulations".

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 43-3058; Filed, February 25, 1943; 11:54 a. m.]

[Regulations, Serial No. 262]

COMMERCIAL PILOT CERTIFICATES FOR FRIENDLY ALIENS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 22d day of February 1943.

Effective February 22, 1943, Regulation designated Serial Number 244, relating to the issuance of commercial pilot certificates and appropriate ratings to citizens of friendly foreign governments, adopted by the Civil Aeronautics Board on October 28, 1942, is hereby repealed.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 43-3093; Filed, February 26, 1943; 11:04 a. m.]

[Amendment 20-2, Civil Air Regulations]

PART 20—PILOT CERTIFICATES

COMMERCIAL PILOT CERTIFICATES; CITIZENSHIP REQUIREMENTS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 22d day of February, 1943.

Effective February 22, 1943, § 20.142 of the Civil Air Regulations is amended as follows:

1. By substituting a comma for the period at the end of paragraph (b) and inserting thereafter the word "or".

2. By adding a new paragraph (c) to read as follows:

§ 20.142 *Citizenship.* • • •

(c) A person who is in sympathy with the objectives of the United States and who is a trustworthy citizen of a friendly foreign government not under the domination of, or associated with any government with which the United States is at war. The effectiveness of the certificate issued to such person shall in any event terminate six months after the war and may be terminated by the Administrator at any time without notice. Upon application to the Administrator the war limitation clause may be removed whenever the government of the country of which he is a citizen grants the reciprocity required in paragraph (b) of this section.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 43-3092; Filed, February 26, 1943; 11:04 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W. P. B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-240]

ROCKY MOUNTAIN BEVERAGE, INC.

Rocky Mountain Beverage, Inc., Denver, Colorado, is engaged in the production and selling of non-alcoholic beverages. During each of the months from June through September, 1942, the Company used closures in bottling such beverages in excess of its proper quota under Conservation Order M-104, the total excess usage for the four months being 3,014 gross. During this time the Company was familiar with the terms of Conservation Order M-104 and its violations thereof were wilful.

These violations of Conservation Order M-104 have hampered and impeded the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.240 *Suspension Order S-240.* (a) Rocky Mountain Beverage, Inc., its successors and assigns, shall not use more closures made of tinplate, terneplate, or blackplate (as defined in Conservation Order M-104) in the bottling of non-alcoholic beverages, in each of the months specified below than the following amounts:

Month:	*Amount*
March 1943	331 gross
April 1943	350 gross
May 1943	600 gross
June 1943	624 gross
July 1943	846 gross
August 1943	1,320 gross

Nothing contained in this order shall be deemed to relieve Rocky Mountain Beverage, Inc., its successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on March 1, 1943, and shall expire on August 31, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 25th day of February 1943

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc 43-3079; Filed, February 25, 1943, 5:09 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-241]

KAY ELECTRIC SUPPLY CO.

Abe Kaplan, doing business as Kay Electric Supply Co. of Atlantic City, New Jersey, is a wholesale dealer in electric appliances and copper or copper base alloy wire mill products. During the period from September 1, 1942 to October 23, 1942, Mr. Kaplan made numerous wholesale deliveries of copper or copper wire mill products aggregating 8,129 feet on orders which did not bear a preference rating. At the time these deliveries were made, Mr. Kaplan was aware of the provisions of General Preference Order M-9-a and these acts constituted wilful violations of said order.

These violations of General Preference Order M-9-a have hampered and impeded the war effort by diverting scarce materials to uses not authorized by the War Production Board. In view of the foregoing, *It is hereby ordered* That:

§ 1010.241 *Suspension Order S-241.* (a) Abe Kaplan, doing business as Kay Electric Supply Co. or otherwise, his successors and assigns, is hereby prohibited from making deliveries of copper or copper base alloy wire mill products on orders which do not bear a preference rating of AA-3 or higher, except as specifically authorized by the Director General for Operations.

(b) Nothing contained in this order shall be deemed to relieve Abe Kaplan, doing business as Kay Electric Supply Co. or otherwise, from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on February 28, 1943, and shall expire on May 28, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 25th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3080; Filed, February 25, 1943; 5:09 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-246]

W. M. DARY COMPANY

William M. Dary, Jr., is an individual residing in San Bernardino, California. He does business as W. M. Dary Company and operates two retail stores where plumbing supplies are sold, one at San Bernardino, California, and one at Long Beach, California.

Between May 27, 1942, and October 17, 1942, the Company made numerous sales and deliveries of new metal plumbing equipment and new metal heating equipment to ultimate consumers on orders which did not bear any preference ratings and did not contain the certification required by Limitation Order L-79. The total number of sales so made amounted to approximately $10,000.00. These sales and deliveries constituted wilful violations of Limitation Order L-79.

Subsequent to April 9, 1942, W. M. Dary began construction of three residential buildings in San Bernardino, California, the estimate cost of each of which was in excess of $500, the aggregate estimated cost being $20,000. This construction was begun without authorization from the War Production Board and constituted wilful violations of Conservation Order L-41.

The foregoing violations of Limitation Order L-79 and Conservation Order L-41 have hampered and impeded the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.246 *Suspension order S-246.* (a) William M. Dary, Jr., individually or doing business as W. M. Dary Company or otherwise, is hereby prohibited from accepting deliveries of, receiving, delivering, selling, transferring, trading or dealing in any new metal plumbing equipment or new metal heating equipment, as defined in Limitation Order L-79, except as specifically authorized by the Director General for Operations.

(b) Nothing contained in this order shall be deemed to relieve William M. Dary, Jr., individually or doing business as W. M. Dary Company or otherwise, from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on March 2, 1943, and shall expire on September 2, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 25th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3081; Filed, February 25, 1943; 5:09 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-247]

FEDERAL OIL COMPANY

S. A. Himelfarb and Harry Himelfarb, doing business as the Federal Oil Company, 6415 Blair Road, N. W., Washington, D. C., are engaged in the business of marketing motor fuel. During the months of April, May, June, and from July 1 to July 21, 1942, the Federal Oil Company made deliveries of motor fuel in its own tank trucks from the storage facilities of its two suppliers to eleven service stations owned and operated by it in excess of the amounts permitted to be delivered in accordance with the provisions of Limitation Order L-70. The total over-deliveries of motor fuel to these eleven stations during the month of April, 1942 were 40,515 gallons, during May, 1942 were 118,615 gallons, during June, 1942 were 209,400 gallons, and from July 1 to July 21, 1942 were 181,765 gallons. The total over-deliveries during this period were 550,295 gallons. Computed by percentages, the Federal Oil Company delivered to the eleven service stations during the month of April, 1942 twenty-six per cent in excess of the L-70 quota, during May, 1942 seventy per cent in excess of the quota, during June, 1942 one hundred and twenty-two per cent in excess of the quota, and from July 1 to July 21, 1942 one hundred and seventy-five per cent in excess of the quota.

While the above mentioned over-deliveries of motor fuel were being made, the Federal Oil Company was fully aware that Limitation Order L-70 governed the amount of motor fuel which could be delivered each month to its service stations. It nevertheless made no attempt to ascertain the quotas for each of its service stations so as to restrict its deliveries of motor fuel to conform with the terms of Order L-70.

These over-deliveries of motor fuel were made in such reckless disregard of the provisions of Limitation Order L-70 as to constitute wilful violations thereof. These violations have hampered the war effort of the United States by diverting motor fuel to uses unauthorized by the War Production Board. In view of the foregoing facts, *It is hereby ordered*, That:

§ 1010.247. *Suspension order S-247.* (a) S. A. Himelfarb and Harry Himelfarb, doing business as the Federal Oil Company or under any other name, jointly or separately, their successors and assigns, shall not accept from any sources the delivery of any motor fuel, as defined in Limitation Order L-70, at the Federal Oil Company Service Stations listed below, or at any storage facility or other service station now or hereafter owned, operated or leased by them.

900 9th St. NW., Washington, D. C.
1127 19th St. NW., Washington, D. C.
6312 Georgia Ave. NW., Washington, D. C.
1560 Eckington NE., Washington, D. C.
2201 Bladensburg Rd. NE., Washington, D. C.
2900 Nichols Ave. SE., Washington, D. C.
1300 L St. NW., Washington, D. C.
6300 Georgia Ave. NW., Washington, D. C.
4300 Connecticut Ave. NW., Washington, D. C.
1231 New York Ave. NE., Washington, D. C.
2210 Benning Rd. NE., Washington, D. C.
701 Maine Ave. SW., Washington, D. C.

No person shall deliver any motor fuel, as defined in Limitation Order L-70, to the service stations listed in paragraph (a), or to any storage facilitity or any other service station now or hereafter owned, operated or leased by S. A. Himelfarb and Harry Himelfarb, doing business as the Federal Oil Company or under any other name, jointly or separately.

(c) Nothing contained in this order shall be deemed to relieve S. A. Himelfarb and Harry Himelfarb, doing business as the Federal Oil Company or under any other name, jointly or separately, from any restriction, prohibition or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations except in so far as the

same may be inconsistent with the provisions hereof.

(d) This order shall take effect on February 27, 1943, and shall expire on August 27, 1943.

Issued this 25th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3082; Filed, February 25, 1943; 5:09 p. m.]

PART 3208—CRITICAL COMMON COMPONENTS

[General Scheduling Order M-293]

The fulfillment of requirements for the defense of the United States has created a shortage in the production of certain critical common components for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3208.1 *General Scheduling Order M-293*—(a) *Definitions.* For the purpose of this order:

(1) "Critical common components" means any new equipment or apparatus of the types, descriptions and classifications set forth on the schedule hereto annexed. Class X and Class Y critical common components are those components which are so designated on such schedule.

(2) "Manufacturer" means any person who constructs or manufactures a critical common component to the extent that he is engaged in such construction or manufacture and shall include sales and distribution outlets and agencies controlled by such manufacturer.

(b) *Operation reports.* Each manufacturer of a critical common component shall file the applicable form designated in Column 1 of the annexed schedule on the dates prescribed by such form. Such form as filed shall where called for show production capacity and orders unfilled, received, shipped, cancelled and scheduled for the period specified in the form.

(c) *Deliveries of Class X critical common components.* (1) Each manufacturer of Class X critical common components shall file the applicable form as specified in Column 2 of the annexed schedule on the dates prescribed by such form. Such form as filed shall show the manufacturer's delivery schedule for Class X critical common components for the period therein specified.

(2) On and after April 1, 1943 (or such later date as may be specified in the applicable form), notwithstanding any preference rating which other orders may bear or any directive, rule or regulation of the War Production Board, each manufacturer shall deliver Class X critical common components only in accordance with the schedule filed pursuant to paragraph (c) (1), as the same may be changed by the Director General for Operations.

(d) *Placing and acceptance of orders for Class Y critical common components.* (1) Except as otherwise provided in the annexed schedule, on and after April 1, 1943 no person shall place an order with a manufacturer, and no manufacturer shall accept an order, for any Class Y critical common component unless accompanied by a specific authorization of the Director General for Operations. Such authorization may specify the manufacturer with whom the order may be placed. Applications for such authorization may be made to the War Production Board by the person seeking to place an order on the applicable form designated in Column 3 of the annexed schedule.

(2) Any order so authorized shall be accepted by the manufacturer with whom it is placed, provided it meets his regularly established prices and terms. Delivery shall be made in accordance with the terms of such order as authorized, notwithstanding any preference rating which other orders may bear or any directive, rule or regulation of the War Production Board.

(e) *Other allocation and scheduling action.* With respect to any critical common component, the Director General for Operations may, notwithstanding any other order, preference rating, directive, rule or regulation of the War Production Board:

(1) Direct the return or cancellation of any order on the books of a manufacturer

(2) Direct changes in the delivery or production schedule of a manufacturer

(3) Allocate orders placed with one manufacturer to another manufacturer

(4) Revoke any authorization to place an order granted by him pursuant to this order, or

(5) Take such other action, as he deems necessary, with respect to the placing of orders for, or the production or delivery of critical common components.

(f) *Application of other orders and regulations.* The listing of any product as a critical common component under this order does not relieve any person from complying with the provisions of any other order, directive, rule or regulation of the War Production Board, except as specifically provided in this order.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 26th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE ANNEXED TO GENERAL SCHEDULING ORDER M-293

1. *Designations.* Only those critical common components designated as Class X or Class Y are subject to the provisions of paragraphs (c) and (d) of this order. A critical common component may be both a Class X and Class Y component and thus be subject to all the provisions of the order.

2. *Applicable forms.* If no form is listed in any of the columns opposite a specific item, no form is to be filed as to that item. If a form is listed opposite a general class of product, but not opposite a subclassification, the form shall be filed only for the class as a whole (or for such part of a class as the manufacturer produces). If a form is listed opposite a specific sub-classification, the form is to be filed both for the class as a whole (or for such part of a class as the manufacturer produces) and the specified subclassification, but if the manufacturer produces only a specified subclassification the form need be filed only for that item.

Subject to the provisions of the foregoing paragraph:

The applicable form shown in Column 1 is to be used in making the report required of manufacturers of all critical common components by paragraph (b) of this order.

The applicable form shown in Column 2 is to be used in making the report required of manufacturers of Class X critical common components pursuant to paragraph (c) of this order.

The applicable form shown in Column 3 is that on which a purchaser of the Class Y critical common component may apply to the War Production Board for authorization to place an order with a manufacturer pursuant to paragraph (d) of this order. Where the same form number is specified in more than one column, the form should only be filed once. Where the form specified is filed pursuant to any other "E", "L", "M" or "P" order, the form should only be filed once.

3. *Reports and communications.* The list of critical common components is arranged so that the name of the Industry Division appears in parenthesis above the type of critical common components for which it is primarily responsible.

All reports and forms required by the order and all communications with respect to any critical common component should be addressed to the War Production Board, Washington, D. C., attention of the appropriate Industry Division as so listed.

Type of critical common components	Designations	Applicable forms columns 1	2	3
(AIRCRAFT PRODUCTION BOARD RESOURCES CONTROL OFFICE)				
1. Parker type fittings Tube, hose and pipe fittings specially designed for use in aircraft plumbing by virtue of their inherent low weight, compact dimensions and other design characteristics: Adapters, Bushings, Caps, Cells, Collars, Connectors, Couplings, Crosses, Elbows, Hose Assembly, Inserts, Liners, Manifolds, Nipples, Nuts (Special), Parker Flanges, Reducers, Rings, Sleeves, Snubbers, Supports, Tees, Unions.	PD-600			

Type of critical common components	Designations	Applicable forms columns 1	2	3
(ACTOMOTIVE DIVISION)				
1. Crankshafts (finished): a. Drop forged	XX			
b. Cast	XX			
2. Diesel engines (non-marine only):	X	WPB 875	WPB 875	
3. Gasoline engines (except aircraft):	XX	WPB 875 WPB 878	WPB 875 WPB 878	
a. Air-cooled	XX			
b. Liquid-cooled	XX			
4. Engine mounted equipment:	XX			
a. Superchargers (for other than aircraft types)	XX			
b. Fuel injection equipment	XX			
One cylinder pumps	XX			
Multi-cylinder pumps	XX			
Nozzles and holders	XX			
(BUILDING MATERIALS DIVISION)				
1. Hand tools:		PD-900		
a. Threaded tools				
1. Taps				
2. Matrices				
3. Hammers, Mauls and Sledges (4 lbs. and over)				
4. Blacksmith Anvil Tools				
5. Dies				
6. Tongs				
b. Woodworking tools:	Y	PD-900		PD-556
1. Machetes		PD-900		
2. Axes, Hatchets & Hammers				
(GENERAL INDUSTRIAL EQUIPMENT DIVISION)				
1. Fans, blowers and exhausters as defined under Limitation Order L-260	X	[1]PD-706	[1]PD-705	
2. Centrifugal and dry vacuum pumps, reciprocating air and gas as defined in L-100 (excluding compressors for air conditioning, ice making, food and beverage cooling, processing and preservation and cold storage systems)	XY	PD-600	[2]PD-416	[2]PD-415
All others having piston displacement of over 1 cubic foot per minute (excluding compressors for air conditioning, ice making, food and beverage cooling, processing and preservation and cold storage systems)	XY	PD-900	PD-416	PD-415
3. Conveying machinery and mechanical power transmission equipment as defined in Limitation Order L-193:	XY	PD-900		
a. Speed reducers:				
1. Enclosed units (excluding ship propulsion) Worm gear speed reducers		PD-900		
Helical and/or herringbone speed reducers		PD-900		
2. Industrial gears (unmounted) Worm and worm gear sets		PD-900		
Helical		PD-900		
4. Flexible couplings	XY	PD-900	[3]PD-615b	[3]PD-615
5. Heat exchangers as defined in General Limitation Order L-172		PD-900		
6. Pumps, industrial (except measuring and dispensing, and vacuum pumps, reciprocating compressors and dry vacuum pumps):				
a. Pumps, reciprocating (except compressors and dry vacuum pumps)		PD-900		
b. Pumps, centrifugal		PD-900		
c. Pumps, rotary (excluding cam, screw, lobe and gear)	X	PD-900	PD-901	
d. Fluid power systems (hydraulic)	XY	PD-900	[3]PD-616B	[3]PD-616
7. Turbo-blowers and turbo-exhausters for pressure differential of 15# or above):				
a. Centrifugal type—20 H. P. and above	XY	PD-900	[3]PD-616B	[3]PD-616
Single-Stage.				
Axial.				
Blast furnace.				
b. Rotary—20 H. P. and above	XY	PD-900	[3]PD-616B	[3]PD-616
Sliding Vane.				
Liquid Piston.				
c. Rotary and centrifugal—below 20 H. P.	X	PD-900	PD-901	

[1] As required under L-280.
[2] As required under L-100.
[3] As required under L-172.
[4] As required under L-193

Type of critical common components	Designations	Applicable forms columns 1	2	3
(AIRCRAFT PRODUCTION BOARD, ETC.)—continued				
2. Gears, aircraft engine These gears directly incorporated in the assembly of aircraft engines:		PD-900		
a. Timing				
Bevel.				
Spur.				
Bevel.				
Spur (Helical).				
Worm.				
b. Accessory				
Bevel.				
Spur.				
Herringbone.				
c. Propeller reduction				
Spur.				
d. Supercharger				
3. Engine accessories (aircraft): Those auxiliary devices used as a component part of an aircraft engine as listed below:		PD-900		
a. Pumps				
Engine driven.				
Hand fuel pumps.				
Hydraulic pumps, engine driven.		PD-900		
b. Spark plugs				
Ceramic:				
Long reach shielded type.				
Short reach unshielded type.				
Mica:				
Long reach shielded type.				
Short reach shielded type.				
Short reach unshielded type.				
c. Starters		PD-900		
Electric inertia type.				
Hand inertia.				
Direct crank type.				
Cartridge type.				
d. Carburetors				
Pressure injection type.		PD-900		
Large float type (over 1,000 h. p.).				
Small float type (up to 1,000 H. p.).				
e. Magnetos		PD-900		
4 Cylinder—SE.				
5 Cylinder—SE.				
6 Cylinder—SE and SD.				
9 Cylinder—SF, DFN and DF. MJT.				
9 Cylinder—SF, DFN and VAG-SH and MJT.				
12 Cylinder—DFLS and DFN. Single 12 Cylinder SF.				
14 Cylinder—SE.				
24 Cylinder—DF and low tension.				
28 Cylinder—DFN.				
f. Generators		PD-900		
"E" type—12 volt, 60 amp.				
"J" type—24 volt, 25 amp.				
"A" type—24 volt, 50 amp.				
"G" type—24 volt, 100 amp.				
"L" type—24 volt, 200 amp.				
"R" type—30 volt, 300 amp.				
4. Hydraulic parts—Actuating cylinders: A cylindrical chamber in which a piston is impelled by the pressure of liquid on one side of the piston, the liquid being under the operation or control of some contiguous device		PD-900		

Classification	Bore	Stroke
1	1¾" and under	Any.
2	1¾" to 2"	Up to 10".
3	1¾" to 2"	Over 10".
4	2" to 3"	Up to 10".
5	2" to 3"	Over 10".
6	Over 3"	Up to 15".
7	Over 3"	Over 15".

Type of critical common components	Designations	Applicable forms columns 1	2	3
(ALUMINUM AND MAGNESIUM DIVISION)				
1. Forgings (Aluminum)	X	WPB 63 CMP-12	WPB-2251	

a. Propellers.
b. Crank cases.
c. Pistons.
d. Large Hammer Forgings (10,000 lbs. and over).
e. Small Hammer Forgings (less than 10,000 lbs.).
f. Press Forgings.

Type of critical common components	Desig-nations	Applicable forms columns 1	2	3
(RADIO & RADAR DIVISION)—continued				
5. Plugs and connectors:				
a. AN 1930 specification AN 3630a		PD-960		
b. Coaxial line connectors and harness used with 3 above		PD-960		
6. Resistors, fixed and variable		PD-960	PD-901	PD-656
7. Test equipment—Production:				
a. Testing of radio and radio frequency signals except items 13 and 14	XY	PD-960		
b. Proprietary measuring equipment, including standards				
c. Waveform measuring equipment				
d. Power supplies (electronic) and voltage regulators				
e. Impedance measuring equipment (including bridges), attenuators, and resistance measurement equipment A.C. and D.C. excepting basic meter movements applicable for such purposes				
f. Precision Standards of items in e				
g. Electronic tube characteristic measuring equipment				
h. Electronic recording devices, graphical and visual				
i. D.C. and A.C. voltage amplifiers (test purposes only)				
j. Electronic chemical analysis equipment				
k. Vibration and sound measurement and analysis equipment				
8. Tubes, vacuum (electronic, radio and radar applications only)		(WPB 1093, 1642)		
(SAFETY AND TECHNICAL EQUIPMENT DIVISION)				
1. Extinguishers, carbon dioxide:	X	PD-960	PD-901	
These fire extinguishers are classified on the basis of the weight of carbon dioxide that is contained in the pressed steel cylinder and not on the basis of the total weight of the extinguisher.				
a. 2 pound hand portable.				
b. 4 pound hand portable.				
c. 7½ pound hand portable.				
d. 10 pound hand portable.				
e. 15 pound hand portable.				
f. 20 pound hand portable.				
g. 50 pound wheel type.				
h. 75 pound wheel type.				
i. 100 pound wheel type.				
2. Automatic sprinkler systems.				
3. Portable pipeline systems (50, 75 and 100 pound cylinders used in these systems). (No cylinders but does require refrigerated tanks.)				
(MISCELLANEOUS MINERALS DIVISION)				
Jewel bearings:				
a. Watch jewels		(1)	(1)	(1)
b. Large instrument ring jewels		(1)	(1)	(1)
(POWER DIVISION)				
1. Turbines (except for ship propulsion):				
a. Gear turbines for propeller drive	X	(2)	(2)	
b. Steam turbines for mechanical drive	X	(2)	(2)	
c. Hydraulic turbines	X	(2)	(2)	
2. Circuit breakers:				
a. Air, 2300 volts and above:				
b. Air breakers, type DB types AB, ET or similar	XY	(3)	(3)	
3. Power boilers—All land boilers to the design pressure and above, including water tube and fire tube		PD-960	PD-901	
4. Diesel and natural gas engines (non-marine only):	X	WPB 575	WPB 575	
a. Fuel injection	X			
5. Crankshafts (finished):				
a. Hammer and press forged		PD-960		
6. Transformers—radio, radar and nonpower electronic application only:				
a. Filament transformer.				
b. Output and coupling				
c. Power supply transformer				
d. Reactors;				
e. Chokes:		PD-960		
(RADIO & RADAR DIVISION)				
1. Capacitors (fixed):				
a. Ceramic condensers.				
b. Electrolytic.				
c. Mica condensers.				
d. Paper condensers.		PD-960		
2. Coaxial cable for ICF transmission lines excluding gas or air filled lines		PD-750		
3. Industrial type instruments (as classified L-248)				
4. Laboratory testing instruments:				
a. As classified L-248 except Classifications 1.11, 1.21, 1.31, 2.111, 2.112		PD-676 PD-960	(4)	
b. Classifications 1.11, 1.21, 1.31, 2.111, 2.112				(4)

1 As required under Jewel Bearing Order M-59.
2 As required under Order M-78.
3 As required under Order L-117.
4 As required under Order L-208.

Type of critical common components	Desig-nations	Applicable forms columns 1	2	3
(TOOLS DIVISION)				
1. Bearings, ball and roller		WPB 1314		
		WPB 2389		
2. Hand tools:				
a. Mechanics' hand service tools		WPB 2057		
Adjustable wrenches (crescent type)				
Socket wrenches, midget size				
Monkey wrenches				
Pliers, side cutting				
b. Metal cutting tools		WPB 39		
Machine broaches, flat and spline				
Threading chasers, die:				
Heads and collapsible taps				
High speed taper shank				
Drill, 1" diameter and larger				
Ground gear hobs, 48 pitch and finer				
Ground multiple thread milling cutters of hobs				
c. Precision measuring tools		WPB 2009		
Micrometers				
Internal micrometers				
Calipers, pocket-slide				
Planer gages				
Thickness gages				
Telescope gages				
Precision levels				
Parallels				
Protractors				
Solid squares				
Steel rules				
Vernier, calipers				
Vernier, gear tooth				
V Blocks				
3. Machine tools		(*)	(*)	(*)
a. Hammers and presses.				
b. Forging machines.				
c. Surface broaching machines (5 to 15 tons).				
d. Planers, double housing 48" and up.				
e. Thread milling machines.				
f. Thread grinding machines (8" and up).				
g. Cylindrical grinding machines (4" to 10" capacity).				
h. Cylindrical grinding machines (20" diameter and over).				
i. Precision boring machines.				
j. Special and way drilling machines.				
k. Spur & helical gear shaping machines.				
l. Special machines (various types).				

* As required under order E1B.

[F. R. Doc. 43-3094; Filed, February 26, 1943; 11:16 a. m.]

PART 933—COPPER

[Amendment 1 to Conservation Order M-9-c, as Amended Jan. 20, 1943]

Section 933.4 *Conservation Order M-9-c* is hereby amended:

(1) By amending the first two paragraphs of Paragraph (h) (8) to be and read as follows:

(8) *Copper products or copper base alloy products not controlled by order.* On and after the original issuance dates of the orders listed in this subparagraph, the provisions of this order shall not apply to the manufacture of the following items or articles and parts (including repair parts) therefor, even though they contain copper products or copper base alloy products, since these items or articles are specifically governed by the following orders:

Shoe findings and footwear of all kinds governed by Supplementary Conservation Order M-9-c-1.

Fire protective equipment governed by General Limitation Order L-39.

Motorized fire apparatus governed by General Limitation Order L-43.

Bronze paste, bronze ink and bronze leaf and products made with bronze paste, bronze ink, bronze leaf and bronze powder (other than decalcomanias and ship bottom paint), governed by Supplementary Conservation Order M-9-c-3.

Jewelry governed by Supplementary Conservation Order M-9-c-2.

Musical instruments governed by Supplementary Limitation Order L-37-a.

Water meters governed by Schedule I of Limitation Order L-154.

Self-contained drinking water coolers governed by Schedule I of Limitation Order L-126.

The provisions of this order do not apply to attaching finished slide fasteners, hooks and eyes, brassiere hooks, sew-on, machine attached or riveted snap fasteners, buckles, buttons, corset clasps, eyelets (other than eyelets usable as shoe eyelets), garter trimmings, hose supporters, insignia, jewelry, loops, mattress buttons, pin fasteners, pins, staples, slides, and trouser trimmings. The order does apply to manufacturing, processing, assembling and finishing of the closures and associated items listed above where the provisions of this order are more restrictive than other orders of the War Production Board.

(2) By deleting the line in the combined list which reads as follows:

Lighting rods and lightning rod systems including cables and accessories (except as permitted by Order L-39).

(3) By amending the line in the combined list which now reads:

Insignia (except rank, branch and "U. S." Insignia for the Armed Forces).

to be and read as follows:

Insignia (See "Insignia" on List A-2 and on the Military Exemption List).

(4) By amending the line in the combined list which now reads:

Buckles.

to be and read as follows:

Buckles (See "Slide fasteners • • • buckles • • •" on List A-2 and the Military Exemption List).

(5) By amending the line in the combined list which now reads:

Buttons.

to be and read as follows:

Buttons. (See "Slide fasteners • • • buttons • • • and "Mattress buttons" on List A-2.)

(6) By amending the lines in the combined list which now reads:

Health supplies (except those to which a preference rating is granted under Order P-29).

to be and read as follows:

Health supplies, except the following:

Acoustic aids.
Anaesthesia apparatus and supplies.
Atomizers (medical use only).
Diagnostic equipment and supplies.
Hypodermic syringes and needles.
Infant incubators.
Instruments.
Laboratory equipment and supplies.
Medicinal chemicals (limited to medical use only).
Operating room supplies and equipment.
Ophthalmic products and instruments.
Physical therapy equipment (limited to medical use only).
Respirators, resuscitators and iron lungs.
Rubber hospital sundries.
Splints and fracture equipment.
Sterilizers, blanket and solution warmers.
Surgical and orthopaedic appliances (including artificial limbs and arms but not including arch supports which are listed on List A-2).
Sutures and suture needles, and
X-Ray equipment and supplies.

(7) By amending the lines in the combined list which now reads:

Locks (except pin tumbler cylinder assemblies; essential interior working parts of Type 88, Type 97 and Type 114 locks; discs and springs for disc tumbler locks; levers for secure lever locks; interior working parts of railway car door locks and railway switch padlocks; and keys for pin tumbler and disc tumbler locks).

to be and read as follows:

Locks (except pin tumbler and disc tumbler cylinder assemblies; essential interior working parts of Type 88, Type 97 and Type 114 locks; levers, tubes and centers for secure lever locks; interior working parts of railway car door locks and railway switch padlocks; keys for pin tumbler and disc tumbler locks; and postal locks when manufactured by the Mail and Equipment Section of the United States Post Office).

(8) By amending the line in the combined list which now reads:

Medals.

to be and read as follows:

Medals, including decorations.

(9) By amending the lines in the combined list which now read:

Pipe, tube, tubing, and fittings for piping systems (except when the only copper products or copper base alloy products used are permitted by Schedule VII of Order L–42).

to be and read as follows:

Pipe, tube, tubing, and fittings for piping systems.

(10) By changing on List A–2 clause (ii) of the item "Air conditioning equipment and refrigeration equipment" which reads:

(ii) except for essential food storage, food transportation and industrial processing and then only when the only copper products or copper base alloy products used are for capillary tubing, bulbs, small moving parts, bellows, bearings which use not over 2 pounds of copper each, tube connections and fittings below ⅜", and integral fin tubing used in refrigeration condensers;

to be and read as follows:

(ii) except for essential food storage, food transportation, food processing, and industrial processing and then only when the copper products or copper base alloy products used are for capillary tubing, bulbs, screens, gaskets, small moving parts, bellows, bearings which use not over 2 pounds of copper each, tube connections and fittings ¾" or less (outside diameter), and finned tubing used in water cooled refrigeration condensers;

(11) By amending the lines of List A–2 which now read:

Pipe, tube, tubing and fittings for water supply and distribution systems and installations (except corporation stops and couplings therefor, curb stops and couplings therefor, adapters, unions and solder nipples and except for all such pipe, tube, tubing and fittings for use on board ship and in chlorine gas equipment). This takes the place of Interpretation No. 4 of Order M–9–c.—Dec. 26, 1942

to be and read as follows:

Pipe, tube, tubing and fittings for water supply and distribution systems and installations (except corporation stops and couplings therefor, curb stops and couplings therefor, adapters, unions, solder nipples and ferrules and except for all such pipe, tube, tubing and fittings for use on board ship and in chlorine gas equipment). This takes the place of Interpretation No. 4 of Order M–9–c.—Dec. 26, 1942

(12) By adding to List A-2 the following items in their alphabetical position:

	Governing date
Arch supports	Feb. 26, 1943
Blow torches, kerosene (except when the only copper products or copper base alloy products used are for the pump barrel, pump check valve assembly, pump cylinder cap, brazing material, pack nut, valve stem, valve body and jet block)	Feb 28, 1943
Change making, coin counting and sorting machines	Feb. 28, 1943
Daubers for shoe polish	Feb. 26, 1943
Expansion bolts and caulking anchors	Feb. 28, 1943
Gas heater and stove installation connections	Feb. 28, 1943
Insignia	Feb 26, 1943
Linoleum stripping	Feb. 26, 1943
Mattress buttons and furniture glides	Feb. 26, 1943
Putty and scraping knives	Feb. 26, 1943
Sash balances	Feb. 26, 1943
Seismograph loading pole couplings	Feb. 28, 1943
Slide fasteners, hooks and eyes, brassiere hooks, sew-on, machine attached or riveted snap fasteners, buckles, buttons, corset clasps, eyelets, garter trimmings, hose supporters, loops, personal hardware, pin fasteners, staples, slides, trouser trimmings, rivets, burrs and tacks for use on wearing apparel	Feb. 26, 1943
Tying devices for laundry	Feb 26, 1943
Tokens	Feb. 26, 1943

(13) By amending the line of the military exemption list which now reads:

Bells (for use on board ship).

to be and read as follows:

Bells (for use on board ship until February 28th, 1943).

(14) By amending the line of the military exemption list which now reads:

Insect screens and screening.

to be and read as follows:

Insect screens but only when made with screening manufactured prior to February 28, 1943.

(15) By amending the line of the military exemption list which now reads:

Blow torches, gasoline and alcohol (parts other than tanks, only).

to be and read as follows:

Blow torches, gasoline, kerosene and alcohol (parts other than tanks, only).

(16) By adding to the military exemption list in their alphabetical position the following items:

Decorations as defined in Army and Navy Regulations when produced to fill purchase orders rated AA–3 or higher only.

Insignia (but only rank, branch and "U. S." Insignia for the Armed Forces when produced to fill purchase orders rated AA-3 or higher) until June 1, 1943.

Slide fasteners for use on jungle clothing and equipment; and sew-on, machine attached or riveted snap fasteners, buckles, eyelets, staples, rivets and burrs for use on jungle clothing and equipment, and for use on leather, canvas, webbing and duck for field clothing and equipment being produced on a rating of AA–3 or higher.

Issued this 26th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–3098; Filed, February 26, 1943; 11:38 a. m.]

PART 3133—PRINTING AND PUBLISHING

[Limitation Order L–241, as Amended Feb. 26, 1943]

COMMERCIAL PRINTING

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of copper, zinc and paper, required for the production of printed matter for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3133.9 *Limitation Order L–241*—(a) *Definitions.* For the purpose of this order.

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) "Printed matter" means any paper (or paperlike substance) with ink applied to it by the relief, planographic, intaglio, silk screen or other stencil processes or any combination or modification thereof, except:

(i) "A newspaper" as defined in General Limitation Order L–240.

(ii) "Wall paper" as defined in General Limitation Order L–177.

(iii) "A box" as defined in General Limitation Order L–239.

(iv) Any converted paper product as contained in List A and List B of General Conservation Order M–241–a.

(v) "A magazine" as defined in General Limitation Order L–244.

(vi) "A book" as defined in General Limitation Order L–245.

(vii) Printed matter produced by or for the account of any department or agency of the United States, its territories or possessions, or any State, county or municipality in the United States; and such printed matter as shall be either: required by the contract between a supplier or contractor of any department or agency of the United States and such department or agency; or necessary for the production of, the delivery to, or the use of products by any such department or agency.

(viii) Printed matter produced by or for the account of any public utility necessary for the functional operation of such utility including but not limited to railroads, bus companies, motor transport companies, air transport companies, communication companies, gas, water and electric power companies.

(ix) Printed matter required by law in connection with any Federal, State, county or municipal tax laws or regulations.

(3) "Printer" means a person who produces printed matter.

(4) "Put into process" means the first application of ink to paper (or paperlike substance) in the production of printed matter.

(5) "Base period" means the calendar year 1941.

(b) *Restrictions on the weight of paper which a printer may put into process.* (1) During the first calendar quarter of 1943 or any calendar quarter thereafter a printer shall put paper (or paperlike substance) into process in the production of printed matter only according to one of the following schedules:

(i) Not in excess of 22½% of the gross weight of paper (or paperlike substance) put into process by him in the production of printed matter during the base period;

(ii) Not in excess of 90% of the gross weight of paper (or paperlike substance) put into process by him in the production of printed matter during the corresponding calendar quarter of the base period.

(2) Notwithstanding the provisions of (b) (1) above, no printer during the calendar year 1943 or any calendar year thereafter shall put paper (or paper like substance) into process in the production of printed matter in excess by weight of 90% of the gross weight of paper (or paperlike substance) put into process by him in the production of printed matter during the base period.

(c) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as the Director shall from time to time require.

(3) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning their inventory, use and sales of printed matter, subject to the inspection of the duly authorized representative of the War Production Board.

(4) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from, stating fully the grounds of the appeal.

(5) *Communications to the War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Printing & Publishing Division, Washington, D. C. Ref.: L–241.

(d) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 26th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–3099; Filed, February 26, 1943; 11:38 a. m.]

PART 3154—HARDWARE SIMPLIFICATIONS

[Limitation Order L–236, Schedule I, as Amended Feb. 26, 1943]

BUILDERS' FINISHING HARDWARE, CABINET LOCKS, AND PADLOCKS

Section 3154.2 *Schedule I to Limitation Order L–236* is hereby amended to read as follows:

§ 3154.2 *Schedule I to Limitation Order L–236*—(a) *Definitions.* For the purposes of this schedule:

(1) "Producer" means any person who manufactures, fabricates, assembles, melts, casts, extrudes, rolls, turns, spins, or otherwise processes builders' finishing hardware, cabinet locks and padlocks.

(2) "Builders' finishing hardware" means a device for supporting, guarding, operating, controlling, or securing various parts of any building or structure. Such part of a building or structure shall include, but is not limited to, doors, windows, transoms, scuttles, gates, partitions, and closets.

(3) "Cabinet locks and padlocks" means a lock operated by key or combination (exclusive of communicating door locks) which is designed and constructed for the purpose of

(i) Guarding, controlling, securing or preventing the entrance to a building or structure or any part of a building or structure; or

(ii) Guarding, controlling, securing or preventing the opening or moving of any article, item or container used for the purpose of storage, transportation or safekeeping. Such article, item or container shall include, but is not limited to, furniture, luggage, baggage, chests, bags, lockers, cabinets or boxes.

(4) "Lend Lease government" means the government of any foreign country whose defense the President deems vital to the defense of the United States, as provided in the act of March 11, 1941 entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(b) *Exclusions from provisions of Schedule I to Limitation Order L–236.* (1) Any builders' finishing hardware, cabinet lock or padlock, for any use

(i) On or in any ship or vessel, or

(ii) In the operations of a railroad or street railway, other than the construction of a building, or

(iii) Other than construction, repair or maintenance of a building, when purchased by or for the account of the Army, Navy, Maritime Commission or War Shipping Administration, or

(iv) As a protection to electric power equipment; or

(2) Any prison lock, time lock, safe deposit lock or automotive lock; or

(3) Any parts manufactured for repair and maintenance of any builders' finishing hardware, cabinet locks, or padlocks shall not be subject to the limitations of this Schedule.

(c) *Simplified practices.* Pursuant to Limitation Order L–236, the sizes, types, grades, finishes and weights set forth in tables 1 through 15 of this Schedule I as amended are established for the manufacture of builders' finishing hardware, cabinet locks and padlocks except that a producer may manufacture such hardware, cabinet locks or padlocks which shall not be subject to the limitations established by this Schedule I as amended and tables attached thereto, for export under a license issued by the Board of Economic Warfare, or to fill an order of a Lend-Lease Government for builders' finishing hardware, cabinet locks or padlocks differing in size or design from those manufactured for domestic use in accordance with Table 1 through Table 15 of this Schedule I as amended, when the sizes or designs as manufactured for domestic use will not fulfill the requirements of foreign use.

(d) *Effective date of simplified practices.* On and after the first day of April 1943 no producer shall manufacture, put in process, assemble or otherwise complete any builders' finishing hardware, cabinet lock, or padlock which does not conform to the catalog number, size, grade, and type established by paragraph (c) of this Schedule as amended and as set forth in the tables attached hereto, except upon approval by the Director General for Operations.

(e) *List of builders' finishing hardware, cabinet locks and padlocks to be manufactured subsequent to the first day of April 1943.* On or before the 20th day of March 1943 every producer shall file Form PD–754 with the Building Materials Division of the War Production Board, Washington, D. C., Ref. L–236, listing product, catalog number, size, grade, and type of builders' finishing hardware, cabinet locks and padlocks currently produced by such producer and which such producer proposes to continue in production in accordance with the limitations of this Schedule to Limitation Order L–236. On and after the 1st day of April 1943 no producer shall deviate from the catalog numbers, sizes, grades, and types as listed by him, and no producer shall enter into the production of any catalog number, size, grade, and type of builders' finishing hardware, cabinet locks and padlocks not listed by him on such form unless the Director General for Operations shall otherwise direct.

(f) *Records covering materials, work in progress, etc.* Each producer of builders' finishing hardware, cabinet locks and padlocks shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

Issued this 26th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

TABLE 1. BUTTS, HINGES, AND RELATED ITEMS

Numbers shown refer to designs of items only, materials and finishes permitted are as follows:

All items shall be steel, cast iron or antimonial lead except that brass may be used where permitted under the terms of Copper Order M–9–c Amended.

Where the use of brass is permitted, such brass may be finished US3 or US4, all other items shall be finished US1b, US18A, US18A unsanded, USP, US2G, US2H, lead and unfinished.

Where tips are indicated by numbers shown, such tips shall be button tips only.

Butts made to template, of designs and sizes listed, may be manufactured.

A tolerance of 1/32 of an inch greater or less than sizes set forth is permitted.

The following type numbers have been taken from Federal Specification FF-H-116b:

Type numbers permitted:		*Sizes permitted*
2212	Steel pin	8", 10", 12".
2209	Steel pin	6", 8", 10", 12".
2203	Steel pin	4", 6", 8", 10", 12".
2140	Hardened washer bearings only permitted.	12", 18", 24", 36".
2138	Hardened washer bearings only permitted.	12", 18", 24", 36".
B2080½		3", 3½", 4", 4½".
2040	Except no non-rising pin	3" x 4", 4" x 5", 4" x 6", 5" x 8", 4½" x 6", 4" x 7", 5" x 7".
2031		2" x 2", 2½" x 2½", 3" x 3", 3½" x 3½", 4" x 4", 4½" x 4½".
2029		2" x 2", 2½" x 2½", 3" x 3", 3½" x 3½", 4" x 4".
2018½		3" x 3", 2½" x 2", 2½" x 2½".
2014½	Plain steel bushing permitted when produced in brass.	2½" x 2½", 3" x 3", 3½" x 3½", 4" x 4", 4½" x 4½", 5" x 5".

The following type numbers have been taken from catalog #28 of P & F Corbin, for use as a guide; similar products of any other manufacturer will be permitted.

Type numbers permitted:	*Sizes permitted*
169	4½", 5".
162	2½" x 2½", 3" x 3", 3½" x 3½".
161½BT	2½" x 2½", 3" x 3", 3½" x 3½", 4" x 4", 4½" x 4½", 5" x 5".
160BT	2½" x 2½", 3" x 3", 3½" x 3½", 4" x 4", 4½" x 4½", 5" x 5".
152	3½" x 3½", 4" x 4", 4½" x 4½", 5" x 5".

The following type numbers have been taken from catalog #61 of Stanley Works, for use as a guide; similar products of any other manufacturer will be permitted.

Type numbers permitted:	*Sizes permitted*
1775	With 10" hinges.
1665	½" x 4", ⅝" x 5", ¾" x 6", ⅞" x 7".
1664	½" x 6", ⅝" x 8", ¾" x 10", ⅞" x 10".
1260	Each manufacturer limited to 3 sizes.
999	1½" x ¾", 2" x ⅞", 2½" x ⅞", 2½" x ½", 3" x ½", 3" x ⅝", 3½" x ½", 3½" x ⅝", 3½" x ¾", 4" x ⅝", 4" x ¾", 4" x ⅞", 5" x ⅞", 5" x 1", 6" x ⅞", 6" x 1", 8" x 1½".
998	½" x ¾", ½" x 1", ½" x 1½", ½" x 2", ½" x 2½", ¾" x 1", ¾" x 1½", ¾" x 2", ¾" x 3".
997	1" x ½", 1½" x ½", 2" x ⅝", 2½" x ⅝", 3" x ¾", 3½" x ¾", 4" x ⅞", 6" x 1⅛", 8" x 1¼", 10" x 1½", 12" x 1¼".
996	¾" x 4½", ⅞" x 4½", 1" x 4½", 1¼" x 4½", 1½" x 4½".
995½	2½" x 2½", 3" x 3", 4" x 4", 5" x 5", 6" x 6".
995	2" x ⅝", 2½" x ⅝", 3" x ¾", 3½" x ¾", 4" x ⅞", 5" x 1", 6" x 1⅛", 8" x 1¼", 10" x 1½", 12" x 1¼".
976	1", 1¼", 1½", 4", 5", 2", 2½", 3", 3½".
975	4", 5", 6".
972	4", 5", 6".
952	6", 8", 10", 12", 14", 16", 18", 20", 22", 24", 30", 36".
951	8", 8", 10", 12", 14", 16", 18", 20", 22", 24", 30", 36".
941	7½" through 8" (one size only).
925	3", 4".
915	2½", 3½", 4½", 6".
912	3", 4½", 6", 8".
913	3", 4½", 6", 8".
904	2", 3", 4", 6", 8".
900	2", 3", 4", 6", 8".
840	Tight pin permitted.	1" x 1", 1½" x 1⅜", 2" x 1⅝", 2½" x 1¹¹⁄₁₆", 3" x 2".
BB852		5" x 6" x ⅜".

TABLE 2. CHECKING FLOOR HINGES

Type numbers shown refer to designs of items only, materials and finishes permitted are as follows:

Materials permitted for checking floor hinges are ferrous metal and antimonial lead.

Checking floor hinges may be manufactured only for the following uses:

1. Where self-closing function is required by applicable fire regulations.
2. For exterior entrance and exit doors of public and industrial buildings.
3. Where essential in hospitals, except for patients' rooms, wards, etc.

Finishes permitted are USP, US18A, and lead finishes.

The following type numbers have been taken from Federal Specifications FF-H-121a:

Type numbers permitted:	*Sizes permitted*
US Type 3500	Size III.
US Type 3510	Size I.
US Type 3520 and A	Size II.
US Type 3520 and A	Size III.

One Type similar to "Unicheck" as manufactured by the Oscar C. Rixson Co., Catalog No. 5.

TABLE 3. CABINET HARDWARE INCLUDING CABINET HINGES

Materials permitted are ferrous metal, antimonial lead, glass, wood or plastic for all items except drawer pulls and knobs.

Drawer pulls and knobs may be non-metallic only.

Finishes permitted are USP, US18a, US2G, enamel, and lead.

A tolerance of 5/32 of an inch greater or less than sizes set forth is permitted.

Cabinet Hinges

Full surface type—(applied on outside of cabinet door) to be made only for flush and ⅜" offset doors—Each manufacturer limited to three (3) designs.

Semisurface type—semi-concealed hinges to be made only for flush doors and doors with ⅜" offset—Each manufacturer limited to three (3) designs.

Half surface type—for flush doors only—Each manufacturer limited to three (3) designs.

Knobs and Pulls

Knobs—Each manufacturer limited to three (3) designs with sizes permitted from ⅞" to 1¼" inclusive.

Pulls—Each manufacturer limited to three (3) designs with sizes permitted from 2½" to 4½" inclusive.

NOTE: Knobs and pulls shall be applied by steel screw or bolt. (No metal bushing or shoulder ferrule permissible.)

Cabinet Catches

Friction catches—Each manufacturer limited to three (3) types.

Elbow catches—Each manufacturer limited to two (2) designs.

Each manufacturer shall be limited to one design of any one size of all items listed in this table 3.

TABLE 4. HYDRAULIC DOOR CLOSERS

Materials permitted for hydraulic door closers are ferrous metals and antimonial lead.

Finishes permitted are USP, or any lacquer finish.

Hydraulic door closers may be manufactured only for the following uses:

1. Where self-closing function is required by applicable fire regulations.
2. For exterior entrance and exit doors of public and industrial buildings.
3. Where essential in hospitals, except for patients' rooms, wards, etc.

Types permitted:	*Sizes permitted*
Standard surface type	C, D
Underwriters Laboratories approved type with fusible link (one type only)	D
Brackets; soffit, corner and extension	To fit C, D

TABLE 5 HANGERS, TRACK AND RELATED ITEMS

Materials permitted are ferrous metals, except that zinc base die castings may be used where permitted by the Zinc Order M-11-b.

Finishes permitted are US1B, US2G, US2H, and lead.

This table shall not affect the manufacture of elevator door hardware.

Each manufacturer will be limited to the designs and quantities shown under the following sub-headings.

Reference to Richards-Wilcox means item numbers in Richards-Wilcox Catalog No. 90.

A tolerance of 5/32 of an inch greater or less than sizes set forth is permitted.

Sliding door bumper—Each manufacturer limited to one design.

Garage door holder—Each manufacturer limited to one design.

Overhead door hardware except rolling steel shutters—Sliding folding door sets using flat steel track for combinations from 2 to 6 doors. Sliding-folding door sets using formed steel track for combinations from 2 to 10 doors.

Overhead Door Hardware

One type of weight counterbalanced hardware, for each standard size of door, for one piece overhead door.

One type of spring counterbalanced hardware for each standard size of door for one piece overhead door.

One type of hardware in two sizes for sectional type overhead doors.

One or Two Section Vertical Lift Doors

Limited to one type of weight counterbalance hardware for each size of door.

Jackknife Doors

Limited to one type of weight counterbalanced hardware for each size of door.

Folding Partition Door Hardware

One type using hangers at top placed in center of door and no guide track at bottom similar to Richards-Wilcox No. 135.

One type using door supporting rollers at bottom or top and guide track at top or bottom.

One type with hangers at top placed in center of doors with special operating device, either manually or electrically controlled, similar to Richards-Wilcox No. 405.

Door Hangers Other Than Above

One type of flat steel track hinged hangers in three sizes.

One type of flat steel track rigid hangers in three sizes.

Flat steel track in three sizes as follows: 1" x 3/16", 1¼" x 3/16", 3½" x ⅜".

Trolley or formed track, rectangular or round, with removable brackets, and hangers in six (6) sizes, suitable for the following door weights:

100 lbs.
to 300 lbs.
to 600 lbs.
to 800 lbs.
to 1,200 lbs.
to 2,000 lbs.

Track for doors over 2,000 lbs.—each manufacturer limited to one design.

A storm-proof track—each manufacturer limited to one design.

Sliding Door Stay Rollers

Lag screw types, straight and bent.

One type for light doors for side attachment, similar to Richards-Wilcox No. 53.

One type for light doors for floor attachment, similar to Richards-Wilcox No. 54.

One type for heavy doors for side attachment, similar to Richards-Wilcox No. 68.

One type for heavy doors for floor attachment, similar to Richards-Wilcox No. 59, 154.

Sliding Door Guides

Single type guide for light doors, similar to Richards-Wilcox No. 372.

Double and triple type guides for parallel doors similar to Richards-Wilcox No. 172, and 173.

One type for light center parting doors similar to Richards-Wilcox No. 271.

One type for heavy center parting doors similar to Richards-Wilcox No. 171.

One type used as end stop similar to Richards-Wilcox No. 572.

One type for sliding-folding doors similar to Richards-Wilcox No. 771.

Sliding Door Pulls

Extra heavy casts pulls similar to Richards-Wilcox No. 470.

Cast iron or steel pulls in two sizes, similar to Richards-Wilcox No. 70-1, 70-2.

Surface type pulls in two sizes.

Bumper Shoes

One type, similar to Richards-Wilcox 435 x 2.

Door Latches

Gravity type, reversible in two sizes with two types of keepers.

Bar type, in two sizes with two types of keepers similar to Richards-Wilcox No. 152.

Draw type latch for parallel doors similar to Allith Prouty type 396, Catalog No. 101.

Reversible flush type similar to Richards-Wilcox No. 520.

Swinging door latch similar to Lawrence Bros. type 122, Catalog No. 19.

Reversible type for light doors similar to Richards-Wilcox No. 325.

Fire Door Hardware

Single sliding door sets using Underwriters' standard hardware with flat or round track for tin clad or steel door, incline or level track.

Center parting sliding door sets using Underwriters' standard hardware with flat or round track for tin clad or steel doors incline or level track.

Verticle sliding door sets, with Underwriters' standard hardware, using flat track for tin clad or steel doors.

Single swing door sets, using Underwriters' standard hardware, for tin clad or steel doors.

Double swing door sets, using Underwriters' standard hardware, for tin clad or steel doors.

Single swing shutter sets using Underwriters' standard hardware for tin clad or steel shutters.

Double swing shutter sets, using Underwriters' standard hardware, for tin clad or steel shutter.

Trap doorsets for light trap doors, using hardware for tin clad or steel doors.

Trap door sets for heavy trap doors using hardware for tin clad or steel doors.

Heavy Industrial Hinges

Ten types similar to Richards-Wilcox 434-WA, B, C, CC, D, E, J, K, 1035, 1036. To have either disc or ball bearings.

TABLE 6. LOCKS AND DOOR TRIM

Materials permitted are ferrous metals, antimonial lead, plastic, wood, pottery or glass. Zinc base die castings and brass may be used where permitted by the Copper Order M 9-c and the Zinc Order M-11-b.

Locks furnished keyed alike shall have not more than one key per lock. Other locks shall have not more than two keys per lock. Only three master keys may be furnished with each group of locks when such locks are required to be furnished master-keyed.

Finishes permitted are US1B, US18A, US2G, and lead finishes. Where the use of brass is permitted, such brass may be finishes US3.

A tolerance of 5/32 of an inch greater or less than sizes set forth is permitted.

Each manufacturer shall be limited to the number of designs shown under each subheading.

Federal numbers shown here have been taken from Federal Specifications FF-H-106.

Cylindrical and tubular locks and latches, with comparative functions, may be substituted for mortise locks and latches described hereinafter.

Tubular and cylindrical type locksets—Each manufacturer shall be limited to sets of three roses and three designs of knobs.

Pin tumbler tubular mortise latches and dead locks—Each manufacturer shall be limited to three types; one mortise latch, one dead bolt and one mortise dead latch with auxiliary bolts.

Mortise locksets with pendant or rectangular trim—Each manufacturer shall be limited to three designs of wrought trim, except that cast trim is permitted where specified in the War Housing Manual.

Door knobs general—May be ferrous metal, glass, wood, plastic or pottery. Glass knobs shall be limited to using wrought steel shanks.

Roses general—All roses shall be of plain design approximate sizes 1¾", 2" and 2⅛".

Key plates general—Key plates shall be limited to one type, similar to Government specifications FF-H-106, type 351.

Rim knob locks and latches commercial jobbing types—Each manufacturer shall be limited to three catalogue numbers in japanned finish.

Locks general—Locks and latches shall be limited to the following descriptive numbers:

Mortise Knob Latches

1 Mortise latch.
Case—Lacquered wrought steel or japanned iron, approximately 1⁹⁄₁₆" x 3¼" x ½".
Front—Wrought steel or cast iron, approximately 2⅞" x ¾". Steel strike.
Latch bolt—Wrought steel or cast iron, approximate throw 5/16".
Backset—Approximately 2½".

2. Mortise latch.
Case—Japanned iron, approximately 1⅝" x 3¼" x 9/16".
Front—Approximately 3⅜" x ⅞". Strike ferrous metal.
Bolt—Approximate throw 13/32".
Backset—Approximately 2½".

Mortise Bit Key Knob Locks

1. Mortise locks similar to FF-H-106 Type 4 modified.
Case—Japanned iron, approximately 3⅝" x 3⅛" x ½".
Bolts—Approximate throw Latch ¾" bolt 7/16".
Tumbler—1.
Backset—Approximately 2½".
Front—5¼" x ⅞". Steel strike.

2. Mortise locks, similar to FF-H-106, type 4a.
Case—Japanned iron, approximately 3" x 3¼" x ⅝".
Front—5½" x ⅞", strike ferrous metal.
Bolts—Minimum throw latch 7/16" bolt 7/16".
Tumbler—3.
Backset—Approximately 2½".
Construction—Double compression easy spring.

3. Mortise lock, similar to FF-H-106, type 7.
Case—Japanned iron, approximately 4½" x 3⅜" x ⅝".
Front—Approximately 6" x 1", strike ferrous metal.
Bolts—Minimum throw latch ⅜" bolt 5/16".
Tumblers—3.
Backset—Approximately 2¾".
Construction—Double compression easy spring.

Mortise Vestibule Locks

1. Cylinder key type, similar to FF-H-106 type 91.
Case—Japanned iron approximately 4¾" x 3⅝" x ¾".
Front—Approximately 7" x 1¹⁵⁄₁₆". Strike ferrous metal.
Bolt—Approximate throw latch ½" bolt ½".
Backset—Approximately 2½".
Construction—Double compression easy spring.
Operation—Outside by key. Both sides by knobs. Outside knob is set by stops in face. One cylinder.

Office Door Locks

1. Cylinder type, similar to FF-H-106 Type 97. Case—Japanned iron approximately 5" x 3⅞" x ¾".
Front—Approximately 7½" x 1¹⁵⁄₁₆". Strike ferrous metal.
Bolts—Approximate throw ½".
Backset—Approximately 2⅞".
Construction—Double compression easy spring. 1 cylinder, auxiliary latch bolt.
Operation—Outside by key-both sides by knobs. Outside knob is set by stops in face.

Mortise Dead Locks

1. Bit key type, similar to FF–H–106 type 38A.
   Case—Japanned iron approximately $2\frac{15}{16}$" x $3\frac{1}{4}$" x 9/16".
   Front—Approximately $3\frac{7}{8}$" x 1". Strike ferrous metal.
   Bolt—Approximate throw $\frac{7}{16}$".
   Backset—Approximately $2\frac{3}{4}$".
   Tumblers—3.
   Operation—Bit key both sides.
2. Cylinder type, similar to FF–H–106 type 114 x No turn.
   Case—Japanned iron approximately $2\frac{1}{2}$" x $3\frac{1}{2}$" x $\frac{13}{16}$".
   Front—Approximately $4\frac{1}{4}$" x $1\frac{1}{16}$". Strike ferrous metal.
   Bolt—Approximate throw $\frac{1}{4}$".
   Backset—Approximately $2\frac{3}{4}$".
   Operation—Cylinder 1 side only. No turn knob.
3. Cylinder type, similar to FF–H–106 type 114.
   Case—Japanned iron approximately $2\frac{1}{2}$" x $3\frac{1}{2}$" x $\frac{13}{16}$".
   Front—Approximately $4\frac{1}{4}$" x $1\frac{1}{16}$". Strike ferrous metal.
   Bolt—Approximate throw $\frac{1}{2}$".
   Backset—Approximately $2\frac{3}{4}$".
   Operation—Cylinder 1 side, turn knob 1 side
4. Cylinder type, similar to FF–H–106 type 115.
   Case—Japanned iron, approximately $2\frac{1}{2}$" x $3\frac{1}{2}$" x $\frac{13}{16}$".
   Front—Approximately $4\frac{1}{4}$" x $1\frac{1}{16}$". Strike ferrous metal.
   Bolt—Approximate throw $\frac{1}{2}$".
   Backset—Approximately $2\frac{3}{4}$".
   Operation—Cylinders both sides.

Mortise Bath Room Locks

1. Bath room lock. 17A modified.
   Case—Japanned iron approximately $3\frac{1}{2}$" x $3\frac{1}{8}$" x $\frac{9}{16}$".
   Front—Steel, approximately $5\frac{1}{4}$" x $\frac{7}{8}$". Strike steel.
   Bolts—Iron; approximate throw latch $\frac{5}{16}$", bolt $\frac{1}{2}$".
   Backset—Approximately $2\frac{3}{8}$".
   Construction—Free action latch bolt.
   Operation—Latch bolt by knobs either side. Dead bolt by turn knob from inside only. Emergency key.

Mortise Asylum Locks

1. The limited number of asylum locks may be retained as shown in manufacturers' catalogues with only those restrictions or limitations imposed by other orders.

Mortise Bit Key Front Door Locks

1. Bit key front door locks.
   Case—Japanned iron, approximately $4\frac{5}{8}$"x $3\frac{3}{8}$"x$\frac{15}{16}$".
   Front—Wrought steel, approximately 7"x 1". Strike steel.
   Bolts—Cast iron, approximate throw, latch $\frac{15}{32}$", bolt $\frac{7}{16}$".
   Backset—Approximately $2\frac{1}{2}$".
   Tumbler—1.
   Construction—Easy spring on latch, firm on knob.
   Operation—Latch bolt by key outside all times, by knob from either side, except when outside knob is set by stops in face.

Mortise Locks Fire Door Bearing Underwriters Labels

1 The limited number of locks normally required for fire doors bearing Underwriters labels may be retained in manufacturers' catalogues with only those restrictions or limitations imposed by other orders.

Mortise Cylinder Front Door Locks

1 Cylinder front door locks, similar to FF–H–106 type 88
   Case—Japanned iron, approximately $5\frac{1}{2}$"x $3\frac{3}{8}$"x$\frac{3}{4}$".
   Front—Approximately $7\frac{1}{2}$" x 1". Strike ferrous metal
   Bolt—Approximate throw latch $\frac{5}{16}$", bolt $\frac{1}{2}$".
   Backset—Approximately $2\frac{1}{2}$".
   Construction—Double compression easy spring.
   Operation—Latch bolt by key from outside at all times, and by knobs either side, except when outside knob is set by stops in face. Dead bolts by key from outside and turn knob inside.

Mortise Cylinder Front Door Lock—Type 93, Same as Type 88

Operation—Latch bolt by knob either side; dead bolt by key from outside and turn knob from inside.

Mortise School House Locks

1 Bit key type.
   Case—Japanned iron, approximately $5\frac{1}{8}$" x $3\frac{7}{8}$" x $\frac{3}{4}$".
   Front—Approximately $7\frac{1}{2}$" x $1\frac{13}{16}$", Strike ferrous metal.
   Bolt—Approximate throw $\frac{1}{2}$".
   Backset—Approximately $2\frac{3}{4}$".
   Tumbler—3.
   Construction—Easy spring compression type on latch, auxiliary latch to lock to latch bolt to prevent its being forced back when door is closed.
   Operation—Latch bolt by knobs from either side, outside knob is locked or released by key from either side, inside knob operative at all times.
2. Cylinder type school house lock.
   Case—Japanned iron, approximately 5" x $3\frac{7}{8}$" x $\frac{3}{4}$".
   Front—Approximately $7\frac{1}{2}$" x $1\frac{13}{16}$", Strike ferrous metal.

NOTE: Federal numbers shown have been taken from Federal Specification FF–H–111.

Item description	Similar to— Fed. No.	Similar to— Mfr.'s No.	Sizes
DOUBLE HUNG WINDOW HARDWARE			
Window spring bolt	A1060		3¼".
Friction sliding springs similar in operation to "Jiffy", "Noiseless", etc.			
Sash fasteners, cast, or wrgt	1139A		2½", 2¾".
Hook sash lifts, cast, or wrgt	1201A		
Stop scs. & washers FH scs	1344		1 x 8".
Sash pole hook, cast	1241A		3".
Sash pole, wood			6'.
Sash socket		Ives 1808	(Catalog #17)
Sashcord saddle—non-metallic			
Sash weights—(only from burnt cast iron, such as stove plate, grate bars, annealing pots, terne plate, slag iron, city dump scrap except tin can scrap, tin can scrap if permission is granted by the Administrators of M–72A)			
TRANSOM HARDWARE			
Transom catch, cast or wrgt	1097A		1¾ x 2".
Transom chains, steel chain minimum tensil strength 300 lbs.	1120A		12"–15".
Rabbeted transom sash centers		Sargent 1½, J–71, 1¾, 2¾" (Catalog #12)	
Sash centers, cast		Corbin 1303, 1304 (Catalog #18)	
DOOR PULLS			
Push plates-non-metallic	463		14 x 3½ or smaller.
Hospital arm pull		Sargent 1526 (Catalog #12)	
Door pulls, cast or wrgt	1269		
Door pulls, cast or wrgt	1274		
Door pulls, wrgt	1276A		
BOLTS			
Barrel bolts—cast or wrgt	1019B		2, 2½"–3–4–5".
Chain bolts round or square cast or wrgt	1022B		3–6–8–10".
Foot bolts, round or square cast or wrgt	1049A & B		3–6–8–10".
Extension bolts, wrought or cast	B1041B		
Cane bolts, cast or wrgt	1051A		12", 18", 24".
Mortise bolt	1053A	Champion 13¼ 3710 Backset (Catalog #18).	
Square bolt cast or wrgt	1059		6", 8".
Surface bolts cast or wrgt	1060A		⅜ x 3", 4"–6".
Cane bolts			¾" x 20", 1" x 30".
Bolts cremone (not permitted for residential or private garage use).	A1028		
MISCELLANEOUS			
Hooks and eyes	1601C		1½–2–2½–3–4".
Door buttons, cast or wrgt	1069		1¾".
Door fasteners with chain, cast or wrgt	1118A		4".
Thumb latch	1189A		
House num bers, non-metallic			3".
Shutter fasteners		Lawrence 5" 138, (Catalog #18)	1 and 2.
Padlock eyes	1430		
Cellar window catch	B–1137A		
Handrail bracket	1004A		
Door stops, non-metallic			

Spring Hinges

Type numbers permitted: Federal Type No.	Type numbers permitted: Bommer Catalog #63	Description	Similar to— Fed. No.	Similar to— Mfr.'s No.	Sizes
2330–A	472 to 478	Double acting spring hinges, hanging strip required, sizes 3" x 7", 4" x 10".			
	9020 to 9048	Double acting spring hinges, no hanging strip required, sizes 3" x 7", 4" x 10".			
2331–A	451–459, 463–467	Single acting spring hinges, hanging strip required, sizes 4" x 7".		Bommer 2100, 960 (Catalog #63.)	
	3051–3059, 3063–3067	Single acting spring hinges, no hanging strip required, sizes 4" x 7".		Stanley 1251 (Catalog #61.)	
	11042 to 11048	With one clamp flange, hanging strip required, double action		Bommer 2400 (Catalog #63) 9", 11", 13".	
2334	15 (not permitted for residential use)	Floor surface spring hinge-horizontal type, furnished in steel only for large doors, 300 lbs. and over.	3015	(For hospital use only).	
	21 (not permitted for residential use)	Vertical spring pivot floor hinge—release type.			

TABLE 10. LAVATORY DOOR HARDWARE

Numbers shown refer to designs of items only, materials and finishes permitted are as follows:

All items shall be ferrous metal or antimonial lead except that the use of brass will be permitted in the manufacture of those items permitted under the terms of Copper Order M–9–c Amended.

Where the use of brass is permitted, such brass may be finished US3 or US4, all other items shall be finished US1B, US18A unstanded, USP, US2G, and lead.

The following type numbers have been taken from catalog #63 of Bommer Spring Hinge Company for use as a guide, similar products of any other manufacturer will be permitted.

Type numbers permitted: Federal Type No.	Type numbers permitted: Bommer numbers	Description	Similar to— Fed. No.	Similar to— Mfr.'s No.	Sizes
		Lavatory Stall Fittings			
4200	3334	Gravity pivot, diameter of housing not less than 1¾" suitable for pivots, diameter of housing not less than 1¾" suitable attachments will be supplied as specified, depending on construction of partition.			
	1330				
	0–1053—1055—1057, 1059–1073	Strikes:			
	2000	Throw latch, bar not less than 4" with strike and keeper for hanging door.			
	5000	Slide latch.			
4200	5009	Rim bolt latch.			

Panic or exit bolts shall be limited to the following descriptive numbers.

Bar Release Type

(A) Rim lock.
(B) Mortise lock.
(C) Automatic exit fixture with top and bottom bolt latch, or gravity type.

Entrance doors may be equipped with knob and escutcheon or grip and thumbpiece.

Auxiliary latch permitted.

Bar lock permitted.

The cross bar shall be of the single bar type.

TABLE 12 SASH BALANCES

Sash balances shall be of single coiled spring (clock spring) type with suspension

Type numbers permitted: Federal Type No.	Type numbers permitted: Bommer numbers	Description	Similar to— Fed. No.	Similar to— Mfr.'s No.	Sizes
	1130	1147–1½" only. 1158	1139	1155	1170
	1131	1159	1142	1156	1171
	1132	1151 1160	1143	1157	1173
	1137	1152 1161	1116	1174	
	1138	1153 1163			

Item-description	Similar to— Fed. No.	Similar to— Mfr.'s No.	Sizes
SCREEN DOOR HARDWARE			
Screen latch, cast or wrgt. Limited to one type in one size for each manufacturer.			
Perfection springs, Nos. 2 to 6 inclusive, with double wire loop ends.		Bommer 2100, 960 (Catalog #63.)	
Screen door hinges (full or half surface). Each manufacturer limited to one size of each design permitted.		Stanley 1251 (Catalog #61.) Bommer 2400 (Catalog #63) 9", 11", 13".	
Coil springs		(For hospital use only).	
Pneumatic door checks	3015		
SCREEN WINDOW AND STORM SASH HARDWARE			
Hangers in pairs with screws, wrgt	1525	Stanley 1732 (Catalog #61.)	
Hangers in pairs with screws, wrgt	1526D		
Hangers in pairs with screws, wrgt	1530		
Hangers in pairs with screws, wrgt., std	A1223A	Lawrence 1119 (Catalog #71.)	
Sereen lift	1050	Stanley 1725 (Catalog #61.)	
Storm sash screen adjuster and fastener			
Storm sash fasteners, set consisting of one pair of fasteners and one pull.			
CASEMENT WINDOW HARDWARE			
Adjuster, rod & thumb nut, cast or wrgt	1002A	10–12".	
Friction stay		Payson 39 (Catalog #39).	
Casement fastener, cast or wrgt		Yale 007 (Catalog #28).	
Casement fastener, cast or wrgt		Ives 0060 (Catalog #17).	
Casement operator, gear type		Yale 0070 (Catalog #28).	
Hood which consists of sill plate, sash plate, and sliding shoe		Not to exceed 2½ lbs. per vent.	
Hardware for industrial type wood sash.			

TABLE 8. NIGHT LATCHES AND DEADLOCKS

Materials permitted are ferrous metal or antimonial lead except that brass may be used where permitted under the Copper Order M–9–c as Amended, and zinc where permitted under Zinc Order M–11–B.

All flat strikes shall be eliminated except when ordered separately.

Locks furnished keyed alike shall have not more than one key per lock. Other locks shall have not more than two keys per lock. Only three master keys may be furnished with each group of locks when such locks are required to be furnished master-keyed.

All metallic finishes shall be eliminated.

The manufacture of the following types shall be permitted.

A tolerance of $\frac{1}{32}$" of an inch greater or less than sizes set forth will be permitted.

One catalog number narrow backset, disc tumbler, separate cylinder, rim night latch, in black finish, with rim strike only.

One catalog number narrow backset, pin tumbler cylinder, rim night latch, square and bevel bolt in black finish, similar to Government Type 134, with rim strike only.

Two catalog numbers standard 2⅜" backset, pin tumbler cylinder, rim night latch, with iron bolt, in black finish, with rim strike only.

One catalog number standard 2⅜" backset, square bolt type pin tumbler, cylinder rim deadlock, approximate size 2⅜", 1¾₂", 3⅜", in black finish with rim strike only.

One catalog number Jimmy-resisting deadlocks without chain attachment, with rim strike only.

One catalog number Jimmy-resisting deadlocks with double cylinders, with rim strike only.

TABLE 9. SPRING HINGES

Numbers shown refer to designs of items only, materials and finishes permitted are as follows:

All items shall be ferrous metal or antimonial lead except that the use of brass will be permitted in the manufacture of those hinges permitted under the terms of Copper Order M–9–c Amended.

Where the use of brass is permitted, such brass may be finished US3 or US4, all other items shall be finished US1B, US18A unstanded, US2G, and lead.

A tolerance of $\frac{1}{32}$ of an inch greater or less than sizes set forth is permitted.

The following type numbers have been taken from Catalog #63 of Bommer Spring Hinge Company for use as a guide, similar products of any other manufacturer will be permitted.

Single and double acting hinges may be manufactured only for the following uses:

1. Army, Navy and Maritime Commission.
2. Industrial and commercial
3. Multi-family dwellings, where required by local fire regulations.

tape, or twin coiled spring "flat" type with suspension cables, or single helical-spring "vertical" type with or without tubular housing. Springs may be high-carbon steel uniformly tempered. The single coiled-spring type must have pressed steel or cast iron case and front for mounting in mortise in the window frame. The twin coiled-spring type must have pressed steel case for mounting flatwise in the cutout in the window frame.

Materials permitted are ferrous metals only, except that zinc may be used where permitted by Zinc Order M-11-B. Finishes permitted are US2G, US2H, USP lead and lacquer.

Coiled spring type balances may be made in two types:

(a) Using suspension tape.

(b) Using wire cable

They may be made in adjustable or non-adjustable types.

Coiled spring and vertical type sash balances may be made as stock items in the following weight capacities:

4 to 26 lbs.
26 to 58 lbs.
58 to 80 lbs.
80 to 110 lbs.

TABLE 13. CABINET LOCKS

Materials permitted for cabinet locks are ferrous metal or antimonial lead only, except that zinc base die casting or brass may be used for cylinder assemblies of pin tumbler and disc tumbler locks and for the tubes, centers and levers of secure lever locks. Keys for pin and disc tumbler locks may be of brass.

Locks furnished keyed alike shall have not more than one key per lock. Other locks shall have not more than two keys per lock. Only three master keys may be furnished with each group of locks when such locks are required to be furnished master-keyed.

Finishes permitted are US1B, US18A, US2G and lead. Where the use of brass is permitted, such brass may be finished US3.

Flat keyed, secure lever chest locks—Each manufacturer limited to two (2) designs, approximate sizes $1\frac{1}{2}$" x 2" for $\frac{3}{4}$" wood; $1\frac{3}{4}$" x $2\frac{1}{2}$" for $\frac{7}{8}$" wood

Double link, warded, barrel key, chest locks—Each manufacturer limited to one (1) design, approximate size $2\frac{1}{2}$" x $1\frac{9}{16}$".

Pin tumbler, small cylinder, half mortise drawers and or cupboard locks—Each manufacturer limited to one design with deadbolt approximately 2" x $1\frac{9}{16}$".

Disc tumbler, dead bolt, surface type drawer and or cupboard locks—Each manufacturer limited to one design only

Disc tumbler, dead bolt, half mortise drawer and or cupboard locks—Each manufacturer limited to one design only.

Flat key, secure lever, half mortise, dead bolt drawer locks—Each manufacturer limited to one (1) design, approximate size $1\frac{3}{4}$" x $1\frac{7}{16}$".

Flat key, secure lever, surface type drawer locks—Each manufacturer limited to two (2) designs, approximate sizes $1\frac{3}{4}$" x $1\frac{7}{8}$"; $1\frac{3}{4}$" x $1\frac{1}{4}$".

Half mortise, warded, barrel key drawer locks—Each manufacturer limited to one (1) design, approximate size $2\frac{1}{2}$" x $1\frac{3}{4}$".

Pin tumbler, surface type, locker and wardrobe locks—Each manufacturer limited to one design, approximate size $1\frac{3}{8}$" x $1\frac{1}{4}$" with a $\frac{7}{8}$" or $1\frac{1}{8}$" cylinder.

Flat key, secure lever, surface type, locker and wardrobe locks—Each manufacturer limited to four (4) designs, approximate sizes $1\frac{7}{8}$" x $\frac{7}{8}$"; 2" x $1\frac{3}{4}$"; $2\frac{1}{4}$" x $1\frac{1}{4}$"; $2\frac{5}{8}$" x $1\frac{1}{4}$".

Barrel key, warded, surface type, locker and wardrobe locks—Each manufacturer limited to two (2) designs, approximate sizes $2\frac{1}{4}$" x $1\frac{1}{4}$"; 3" x $1\frac{1}{4}$".

The manufacturer shall make only one design of a size.

TABLE 14. PADLOCKS

Materials permitted are steel, cast iron, antimonial lead malleable iron, brass, or zinc. The use of brass will be permitted only for cylinder assemblies and keys (not including cases) and levers for lever tumbler and disc tumbler locks. The use of zinc will be permitted for cylinder assemblies and keys (including cases) and levers for lever tumbler and disc tumbler locks.

Locks for use by the Army, Navy and Maritime Commission may have zinc base die cast cases whether case is part of cylinder assembly or not.

Locks furnished keyed alike shall have not more than one key per lock. Other locks shall have not more than two keys per lock. Only three master keys may be furnished with each group of locks when such locks are required to be furnished master-keyed.

A tolerance of $\frac{1}{32}$ of an inch greater or less than sizes set forth shall be permitted.

Each manufacturer shall make only one design of a size.

Finishes permitted are US18A, US2G, and lacquer finish.

Pin tumbler padlocks—Four sizes, $1\frac{1}{8}$" to 2".

Warded or ward lever padlocks—Three sizes, 1" to $1\frac{3}{4}$".

Spring or bolt spring padlocks—Four sizes, $\frac{5}{8}$" to 2".

Disc tumbler padlocks—Three sizes, 1" to $1\frac{3}{4}$".

Ratchet shackle padlock—Limited to one size for each manufacturer

Combination padlocks—Limited to one size for each manufacturer.

Secure lever padlocks—Limited to one size for each manufacturer.

Special shackles may be furnished on order.

Chains may be supplied on order.

TABLE 15. DOOR HOLDING DEVICES

Materials permitted are ferrous metals and antimonial lead only except that zinc base die castings and brass may be used where permitted by the Copper Order M-9-c and the Zinc Order M-11-b

Finishes permitted are USP, US18A, US1D and lead

The following type numbers have been taken from the catalog of Glynn-Johnson Co., for use as a guide; similar products of any other manufacturer will be permitted.

G-J 320 Friction door holder—not exceeding $1\frac{3}{4}$ lbs. average weight (in sizes required for various size doors in hospitals only).

The following items may be manufactured only for uses in schools, hospitals and industrial buildings.

G-J 70 Door holder—not exceeding $2\frac{1}{4}$ lbs. average wgt.

G-J 40 Door holder—not exceeding 22 oz. in weight (with strikes suitable for floor or head installation).

[F. R. Doc. 43-3097, Filed, February 26, 1943; 11:38 a. m.]

Subchapter C—Director, Office of War Utilities

PART 4500—ELECTRIC, GAS, WATER, AND STEAM UTILITIES—MATERIALS

[Supplementary Utilities Order U-1-b as Amended Feb. 25, 1943]

Supplementary Utilities Order U-1-b, is hereby amended to read as follows:

§ 4500.3 *Supplementary Utilities Order U-1-b.* Notwithstanding the provisions of paragraph (h) of Utilities Order U-1, gas and electric service connections may be made by producers to permit the operation of a gas or electric range in the dwelling of a domestic consumer, provided that the conditions stated in either paragraph (a) or paragraph (b) hereof, and the conditions stated in paragraph (c) hereof, are satisfied:

(a) In the case of an application for an extension to serve a gas or electric range which the applicant has used in a dwelling which he previously occupied, the dwelling proposed for connection is not equipped with a range of any kind; or

(b) In case of an application for an extension to serve a gas or electric range which the applicant has not used in a dwelling which he previously occupied,

(1) The dwelling proposed for connection is not equipped with a range of any kind, and

(2) Complete facilities to range location are not installed for serving either a gas range or an electric range; and

(c) Connections (including any additional service drop, primary, secondary, and ground conductor, but excluding service entrance conductor and interior wiring) can be made with an expenditure by the producer of not more than the following amounts of material:

(1) In the case of an electric range, 15 pounds of copper in conductor, or

(2) In the case of a gas range, 75 feet of one and one-quarter inch steel pipe, or any length of steel pipe weighing in the aggregate not more than 170 pounds.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561, as amended; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 25th day of February 1943.

J. A. KRUG,
Director,
Office of War Utilities.

[F. R. Doc. 43-3083; Filed, February 25, 1943; 5:10 p. m.]

Chapter XI—Office of Price Administration

PART 1306—IRON AND STEEL

[RPS 10,[1] Amendment 5]

PIG IRON

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Immediately following the sub-heading *"Manganese differentials"* in § 1306.56 is inserted a new sub-heading entitled *"Nickel differentials"* as set forth below:

§ 1306.56 *Appendix A: Basing point base prices for pig iron (per gross ton—2,240 lbs.); switching charges; certain differentials.* • • •

Nickel differentials. Basing point base prices are to be subject to an additional charge for nickel content as follows:

Nickel content:	*Additional charge*
Under 0.50%	No extra
0.50% to 0.74% incl.	$2.00
0.75% to 0.99% incl.	3.00
1.00% to 1.24% incl.	4.00
1.25% to 1.49% incl.	5.00
1.50% to 1.74% incl.	6.00
1.75% to 1.99% incl.	7.00

and in the same progression above 1.99%.

• • • • •

This amendment shall become effective March 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3066; Filed, February 25, 1943; 3:11 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 268,[1] Amendment 3]

SALE OF CERTAIN PERISHABLE FOOD COMMODITIES AT RETAIL

A statement of the considerations involved in the issuance of Amendment No. 3 to Maximum Price Regulation No. 268 has been issued and filed with the Division of the Federal Register.*

Subparagraph (5) of paragraph (c) of § 1351.1116 is amended to read as set forth below:

§ 1351.1116 *Appendix A: Figures to be used by retailers in determining maximum prices under § 1351.1103 of this regulation.* • • •

(c) *Definitions.* • • •

(5) "Cheese" means all varieties and kinds of natural and processed cheese, bulk or packaged, including cottage cheese and cheese products the ingredients of which are composed of more than 50% cheese by weight.

Excluded is Cheddar cheese bought by a retailer for the purpose of aging or curing, and which remains in his possession under controlled temperature for at least 6 months and is sold by him 6 months or more after it is received by him for the purpose of aging or curing. Maximum price for this cheese shall be determined under the provisions of Maximum Price Regulation No. 280 until June 1, 1943. After that date sales of this cheese shall be priced under this Maximum Price Regulation No. 268.

• • • • •

This amendment shall become effective on March 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3067; Filed, February 25, 1943; 3:11 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1236.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9184; 8 F.R. 322, 1747.

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[Revocation of Rationing Order 2]

NEW PASSENGER AUTOMOBILES

Rationing Order No. 2 (§§ 1360.101 to 1360.110, inclusive) is hereby revoked, except that any violations which occurred or rights or liabilities which arose before the effective date of this order of revocation shall be governed by the order in effect at the time the violations occurred or the rights or liabilities arose.

This order of revocation shall become effective March 6, 1943.

(Pub. Law 421, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1A, 7 F.R. 562, 698, 1493)

Issued this 25th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3064; Filed, February 25, 1943; 3:10 p. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[Ration Order 2B]

PASSENGER AUTOMOBILES

When the building of passenger cars was discontinued in February, 1942, to enable manufacturers to convert their plants to war production, about 520,000 new passenger cars were reported as held for resale by manufacturers, distributors and dealers. At the peacetime rate of sales this stock would have been marketed in less than two months.

For a nation in whose economic life the automobile plays such an important part, the situation was serious. To provide automobiles for military, government and essential civilian driving needs and to aid in the control of new car prices, it became necessary not only to ration these 520,000 new cars, but also to restrict the sale of used 1942 cars in the same manner. Aside from the new cars, these automobiles were generally the best we had. The transfer of these cars to essential users is helping to utilize the Nation's automobiles still further in the war effort.

Under Rationing Orders No. 2 and 2A about 280,000 new 1942 automobiles were released to eligible buyers by December 31, 1942, leaving approximately 240,000 on hand in dealers' stocks for military and civilian needs in 1943 and thereafter.

When automobile rationing was instituted there were no effective controls on the use of cars. Since that time the mileage rationing program has introduced controls through the rationing of gasoline and tires. As a result, the necessity for reserving a large stock-pile of cars in dealers' hands no longer exists and it is now possible to permit the distribution of the remaining cars on a more liberal basis. Although these cars are placed in use, they necessarily will be used sparingly and will continue to remain our best automotive equipment.

Coordination with the recent nation-wide mileage rationing program makes it desirable to revise the automobile rationing regulations at this time. In the process of revision, the rationing rules, procedures and forms have been simplified for the convenience of the public, the Boards and the trade.

The principal changes in the automobile rationing program which are introduced in this order are:

In general, a person who drives to any extent for any of the purposes listed in the preferred mileage list of the gasoline regulations may acquire a 1942 car if he needs a car in his activities and does not have the use of a serviceable car. By using the C book eligibility list as a basis for distributing new cars, the new program operates to distribute the best cars for use in the most essential occupations, and by so doing, it operates to complement the mileage rationing program.

1942 cars having a list price of more than $1,500 and all convertible models, regardless of price, may be acquired by a person who needs a car in carrying on either a gainful occupation or work related to the war effort or public welfare, and who does not have the use of a serviceable car. This relaxation is made possible because rationing experience has shown that these cars are not needed by the most essential users.

For the same reason, a person is now permitted to obtain a 1941 car driven less than 1,000 miles if he will use it in carrying on a gainful occupation or work related to the war effort or public welfare. These 1941 cars are rationed under a plan which does not require a buyer to acquire a certificate from his board. Instead, it will be the responsibility of the dealer to secure the required information and to forward it to the Office of Price Administration.

The underlying purpose for the reserve pool of 1942 cars (sometimes referred to by the trade as "B pool", "Government pool" and "deep-freeze" cars) was to reserve these cars for distribution to essential users in 1943 and thereafter. Having served its purposes, the pool is now discontinued and these cars are now available for distribution under the rationing program.

Ration Order No. 2B becomes effective on March 6, 1943 and supersedes Rationing Orders No. 2,[1] 2A,[2] and the New Passenger Automobile Rationing Regulations,[3] however Rationing Order 2A continues to apply to the territories and possessions of the United States.

§ 1360.651 *Rationing of 1941 automobiles driven less than 1,000 miles and all 1942 automobiles.* Under the authority given to the Price Administrator by the War Production Board in Directive No. 1, issued January 24, 1942, in Supplementary Directive No. 1A, issued

[1] 7 F.R. 667, 936, 1009, 1131.

[2] 7 F.R. 1542, 1647, 1756, 2108, 2242, 2305, 2903, 3097, 3482, 4343, 5484, 6049, 6082, 6424, 6601, 6775, 6964, 7149, 8808, 8895, 9316, 10228; 8 F.R. 28, 363, 1138, 1365.

[3] 7 F.R. 668, 1069.

on February 2, 1942, and in Supplementary Directive No. 1Q, issued on November 6, 1942, Ration Order No. 2B (relating to the rationing of 1941 automobiles driven less than 1,000 miles and all 1942 automobiles) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1360.651 issued under Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, 77th Cong.; W. P. B. Directive No. 1, 7 F.R. 562; Supplementary Directive No. 1A 698, 1493, 2229, 2720; Supplementary Directive No. 1Q, 7 F.R. 9121; E. O. 9125, 7 F.R. 2719

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ARTICLE I—GENERAL RULES FOR OBTAINING A RATIONED CAR—POWERS AND DUTIES OF THE BOARDS UNDER THIS ORDER

SECTION 1.1 *This order applies to 1941 passenger cars driven less than 1,000 miles and to all 1942 passenger cars.* (a) This Ration Order No. 2B applies to all 1941 passenger cars which have been driven less than 1,000 miles and all 1942 passenger cars regardless of mileage. It includes the chassis of such cars and also includes taxicabs, but not ambulances, hearses, station wagons or cars with a seating capacity of more than ten persons.

(b) This Ration Order No. 2B is in force in the forty-eight states and the District of Columbia.

SEC. 1.2 *The rationing of 1941 cars driven less than 1,000 miles.* This section applies only to 1941 passenger cars which have been driven less than 1,000 miles. The only other reference in this order which apply to 1941 cars are found in Article IV of this Ration Order No. 2B. These 1941 cars are rationed as follows:

(a) No person shall transfer or acquire (or offer to transfer or acquire) for purposes of use a 1941 passenger car which has been driven less than 1,000 miles, except as permitted by this section.

(b) Such a 1941 passenger car may be transferred to a person for use in carrying on a gainful occupation or in carrying on work related to the war effort or public welfare. Before the car may be transferred, the transferee and transferor shall sign the following statements, indicating the purposes for which the car will be used:

(Statement to be Signed by Buyer)

I, _____, hereby certify
(Print name of buyer)

to the Office of Price Administration that I am acquiring the following described 1941 car for the following purposes _____
(Describe the

_____
gainful occupation or work related to the war

_____
effort or public welfare for which you will

_____
use this car)

Description of Car

Make _____ Serial No. _____
Model _____ Engine No. _____

_____
(Sign your name)

_____
(Print your address)

Date _____

(Statement to be signed by Seller)

I, _____, hereby certify
(Print name of seller)

to the Office of Price Administration that I am transferring the above described 1941 car to _____, and that to the
(Print name of buyer)

best of my knowledge his statement is true and correct in every respect.

_____
(Sign your name)

_____
(Print your address)

(c) The signed statements of the transferee and transferor shall be attached and shall be forwarded by the transferor to the Office of Price Administration, Inventory Unit, New York City within five days from the date of transfer.

(d) There is no requirement that a person who transfers or acquires a 1941 passenger car under this section shall secure a certificate or other authorization from his Board.

SEC. 1.3 *Who may get a ration certificate for a 1942 car.* Although all 1942 cars are under rationing control, those 1942 cars which have a list price of over $1500 and all 1942 convertible soft-top cars are rationed on a less restricted basis than other 1942 cars.

(a) *Persons eligible for any 1942 car.* The following persons may acquire a 1942 car for use:

(1) *Persons listed in gasoline C book list.* A person who needs a car for his own use for any of the preferred mileage purposes listed in Ration Order 5C, the Mileage Rationing: Gasoline Regulations,[1] and who does not have the use of a serviceable car for the specified purposes. This applies even though the mileage driven for such purposes is not sufficient to permit the issuance of a C ration; or

(2) *Taxicab operators.* A person who has secured the permission of the Office of Defense Transportation to add an additional taxicab to his fleet or who desires to replace an unserviceable taxicab which he owns and operates under the authority of the Office of Defense Transportation.

(b) *Persons eligible for 1942 cars with list price of over $1500 or for convertibles.* Any person who does not have the use of a serviceable car and who needs a car in carrying on either a gainful occupation or work contributing to the war effort or to the public welfare may acquire a 1942 car which has a list price of over $1500, according to OPA Revised Price Schedule No. 85[2] including any amendments to it, or any convertible soft-top car, regardless of price.

(c) *Guides for determining serviceability.* In deciding under this section whether the car which an applicant uses is serviceable, the board should consider the purpose for which he uses the car and any facts which bear upon its condition. Unless the facts show otherwise, the board may decide that a 1939 or older car is not serviceable for the driving needs of the applicant. The board may also decide that any car driven over 40,000 miles, irrespective of its age, is not serviceable.

(d) *Guides for determining need.* In deciding whether an applicant needs a

[1] 7 F.R. 9135, 9787, 10147, 10016, 10338, 10706, 10787; 8 F.R. 179; 7 F.R. 11009, 11070; 8 F.R. 274, 369, 372, 607, 565, 1028, 1202, 1203, 1365, 1282, 1813, 1318, 1588, 1895, 2098, 1366

[2] 7 F.R. 1364, 1675, 2134, 2132, 6048, 6897, 7100, 7436, 7942, 8048, 9899; 8 F.R. 1450, 2040.

car the board shall consider the distance which he must travel in his eligible activity, the adequacy of public transportation, the amount of time he could save by using a car, and any other facts which bear on his need for a car. If at any time after January 1, 1942 he has transferred a car, he must show that the car was unserviceable or that he had no need for it at the time, or that other circumstances justified its transfer.

SEC. 1.4 *Where and how to apply for a ration certificate for a 1942 car.* Application for a ration certificate for a 1942 car shall be made either in person or by mail to the War Price and Rationing Board serving the area in which the person applying will ordinarily keep his car, or to the Plant Area Board serving the plant in which he works. Application for one or more 1942 cars shall be made on Form R-213. The application shall be signed by the applicant personally, unless he is physically unable to do so. The person applying shall supply all the information required by the form and any other information requested by the board.

SEC. 1.5 *When and how a certificate is issued and used.* (a) If the board decides that the applicant is entitled to a 1942 car under this order, it shall issue a ration certificate to him on Form R-214. If an application for more than one car is granted, a separate certificate shall be issued for each car.

(b) The number of ration certificates which may be issued by a board in any month may be limited by quotas set by the Office of Price Administration. In no case shall a board issue more certificates than its quota. If the quota is used up, the board may apply to the State Director for an additional quota.

(c) Notice of the board's action shall be given, either at the board's office or by mailing, to the applicant or his agent.

(d) The person to whom a ration certificate has been issued shall use it within fifteen days from the date on the certificate, but not thereafter, unless additional time is allowed by the board. The allowance of any additional time shall be noted on the face of the certificate. The parts of the certificate shall be signed by the certificate holder and shall be disposed of according to the instructions on the certificate.

SEC. 1.6 *Persons who may obtain an authorization to sell their 1942 cars to anyone.* (a) Any person included in this section who owns a 1942 car for his use may transfer it without a certificate upon receiving a clearance statement from his board:

(1) A member of the armed forces who is on active duty with any branch of the United States Army, Navy, Coast Guard, or Marine Corps, (including the Women's Auxiliary Army and Navy Organizations, such as the WAACS, WAVES or SPARS,) or anyone who has taken his oath of service and will begin active duty within fourteen days from the date of application.

(2) An officer or seaman holding a certificate in the United States Merchant Marine, or any other person under the Division of Training of the War Shipping Administration who has taken his oath of enrollment.

(3) An officer, agent, representative or employee of the United States or of any government recognized by the United States who has been directed in the course of duty to leave the United States for a period of not less than six months.

(4) A person who acquired a 1942 car by will or inheritance.

(b) Before a person may dispose of his car under this section to any person for use, he must first clear the transaction with his board. He shall apply for clearance on Form R-211, submitting written proof to his board that he is included in this section. He may apply only after he has arranged to transfer the car to a particular person. If he meets these requirements, the board shall issue a clearance statement on Form R-202.

SEC. 1.7 *A 1942 car used by a business may be sold with the business.* (a) A 1942 car owned and used by a business or an institution may be sold along with the entire business or institution to a person who will continue to use it in the operation of the business or institution.

(b) Before a person may dispose of a car under this section, he must first clear the transaction with his board. He shall apply for clearance on Form R-211, and shall submit with his application a statement signed by the purchaser stating that the car will be used in the operation of the business or institution. If he meets the requirements of this section, the board shall issue a clearance statement on Form R-202.

SEC. 1.8 *How 1942 cars are registered.* A person who has registered a 1942 car may re-register it in any state if there is no change in the designation of the registered owner. As a condition to the registration of other 1942 cars, the person shall present to the registrar of automobiles a ration certificate or a clearance statement issued for the car sought to be registered.

SEC. 1.9 *Persons who may obtain a clearance statement to register a 1942 car.* A Board shall issue a clearance statement permitting the registration of a 1942 car in the following cases:

(a) *Change in name of car owner.* A registered owner of a 1942 car who has changed his name may obtain a clearance statement.

(b) *Cars acquired by will or inheritance.* A person who has acquired a 1942 car by will or inheritance from a person who was entitled to the use of the car may obtain a clearance statement to permit him to register the car in his name.

(c) *Cars used by or on behalf of any branch of the armed forces of the United States.* A person who has agreed to furnish a 1942 car for use by or on behalf of any of the branches of the armed forces of the United States may obtain a clearance statement and transfer the car on condition that when the automobile is no longer used in this manner, it shall be returned to the transferor. If immediately before its transfer, the car was held for the purpose of resale, he shall hold it for the same purpose when it is returned to him. A clearance statement shall be issued in this case only if the applicant submits a written contract signed or endorsed by an authorized representative of the particular branch of the armed forces, which provides:

(1) That the applicant will furnish a 1942 car for use by or on behalf of the armed forces;

(2) That he will furnish the car for a minimum period of three months; and

(3) That he will not use the car for any other purposes during the period of the contract.

(d) *Procedure for obtaining a clearance statement.* Application for a clearance statement shall be made to the applicant's board on Form R-211. If the applicant meets the requirements of this section, the board shall issue a clearance statement on Form R-212.

SEC. 1.10 *Operation of 1942 cars for use.* A 1942 car registered for use may be operated by any person entitled to its use.

SEC. 1.11 *Any applicant may appeal from an adverse decision.* An applicant may appeal from an adverse decision in accordance with the procedure set forth in Procedural Regulation No. 9,[1] issued by the Office of Price Administration.

ARTICLE II—DUTIES AND RESPONSIBILITIES OF THE TRADE IN THE TRANSFER, USE OR ALTERATION OF 1942 CARS

The Reserve Pool

SECTION 2.1 *Reserve pool cars are released for rationing under this order.* The Government reserve pool has been discontinued. Persons who have cars bearing pool stickers may now remove the stickers. All 1942 cars which were in the pool, are now available for distribution under this Ration Order No. 2B.

Transfers Permitted Without Certificates

SEC. 2.5 *Transfers which must be reported on Form R-203 (Revised) but do not require certificates or clearance statements.*—(a) *Transfers for resale.* Any of the following persons may acquire a 1942 car or an interest in it without a certificate but may not use or register the car (unless it is registered with a clearance statement for official use by or on behalf of the armed forces of the United States):

(1) A dealer, distributor or manufacturer of automobiles;

(2) The Reconstruction Finance Corporation or the Defense Supplies Corporation;

(3) The United States, any state, or any political subdivision or agency of either, in the exercise of governmental rights or powers against the 1942 car;

(4) A person authorized by any order or process of any court to acquire a 1942 car;

(5) A person who is engaged in the business of salvaging damaged goods or adjusting losses may acquire a 1942 car which has been damaged, which is in danger of being damaged, or which is part of a damaged stock;

(6) A common or contract carrier, a public warehouse or an insurance com-

[1] 7 F.R. 8796; 8 F.R. 856, 1838, 2030.

pany, as a result of the payment of a claim;

(7) Any person who creates, acquires, transfers or satisfies a security interest in a 1942 car, or who acquires a car in satisfaction of a security interest.

(b) *Transfer for scrap or salvage.* A dealer, junk company or salvage company may acquire without a certificate a 1942 car for purposes of scrap or salvage only if it is in such condition that its repair is not practicable.

(c) *Procedure for reporting transfer.* Whenever any person acquires a car under this section, he shall complete Form R–203 (Revised) in triplicate and mail the original to the Office of Price Administration, Inventory Unit, New York City, within five days of the transaction. A copy shall be retained by the transferor and transferee.

SEC. 2.6 *Transfers which do not require certificates, clearance statements or reports.* (a) A person may lease, loan or borrow a 1942 car for a period of a week or less, if the car is operated and registered for use. The purpose of this section is to permit the occasional use of a car for a short time, and does not, therefore, permit the regular use of a car through a chain of transactions.

(b) A person regularly engaged in the taxicab rental business may lease a 1942 car for use as a taxicab to a taxi driver, if the car may be lawfully operated as a taxicab.

(c) A person may acquire a 1942 car by will or inheritance from one who was entitled to the use of the car, and may use it.

(d) A member of the owner's household may use his car.

(e) A person may reacquire a 1942 car which has been taken or withheld from his possession.

(f) A 1942 car may be transferred to or from a common or contract carrier in the course of its shipment; it may be transferred to a public warehouse for storage; and it may be returned to the person from whom it was received. This paragraph does not permit a transfer between the shipper and the person to whom the car is shipped.

(g) A 1942 car may be transferred to a repair shop or a garage for repair or storage and it may be returned to the person from whom it was received.

SEC. 2.7 *Cars held by dealers may be driven only for restricted purposes.* A person engaged in the business of selling automobiles (or his employee) may use a 1942 car only under the following circumstances:

(a) He may use a car which is registered for his use, or for which he has obtained a clearance statement. He may not use:

(1) A car registered for use by or on behalf of any of the branches of the armed forces while it is not being used for that purpose; or

(2) A car registered for use by a private individual which is now held for the purpose of sale or other transfer.

(b) He may use a car for the purpose of demonstrating it to prospective customers if the car was set aside and used for that purpose before January 2, 1942.

(c) He may use a car for the purpose of demonstrating it to a certificate holder who is interested in purchasing the car.

(d) He may deliver a car to any person permitted to acquire it under this Ration Order No. 2B.

Alteration of 1942 Cars

SEC. 2.10 *Conditions under which 1942 cars may be altered.* The term "alteration" means any structural change in an automobile and includes the removal of its parts and accessories. 1942 cars may be altered only in the following cases:

(a) *1942 cars held for resale.* A 1942 car held for resale may be altered in the following cases:

(1) Four-door and two-door hard-top sedans may be altered into any other model or type of conveyance only upon specific authorization granted by the Office of Price Administration in Washington, D. C. Application for authorization shall be made to that office by letter, stating the make, body type, serial number and engine number of the car, the details of the proposed alteration and the purpose for which the altered vehicle is to be used. Authorization will be granted if the Office of Price Administration is satisfied that the proposed alteration will result in a greater usefulness of the car in the war effort or the public welfare. An alteration of this kind shall be reported on Form R–203 (Revised) to the Office of Price Administration, Inventory Unit, New York City, within five days after its completion.

(2) All other 1942 cars held for resale may be altered into any other model or type of conveyance without authorization. However, an alteration of this kind shall be reported on Form R–203 (Revised) to the Office of Price Administration, Inventory Unit, New York City, within five days after its completion.

(3) A part or accessory not essential to the operation of the altered vehicle may be removed without authorization. Any part or accessory may also be removed from any car for the purpose of repair or upon authorization of the War Production Board or the Office of Price Administration.

(4) If any 1942 car held for resale is in such condition that its repair is not practicable, it may be junked or dismantled for the purpose of scrap or salvage. Any person who junks a 1942 car held for resale shall report within five days on Form R–203 (Revised) to the Office of Price Administration, Inventory Unit, New York City, giving the make, body type, serial number and engine number of the junked car. It is not necessary to report the junking of any 1942 car which was held for use and not for resale.

(b) *Other 1942 cars.* Any 1942 car which is held for use may be altered in any manner.

Records

SEC. 2.15 *Records to be kept.* A person engaged in the business of selling cars shall keep an accurate and complete record of any transfer, acquisition, registration, alteration or use of a 1942 car while it is in his possession. In addition to any other records, he shall keep a file containing the original or diplicate of the following:

(a) Any permit or part of a certificate which has been presented to him by a person to whom he transferred a 1942 car.

(b) Any clearance statement or authorization issued to him for any 1942 car in his possession.

(c) Any Office of Price Administration or War Production Board form which has been completed for purposes of reporting a transfer of a 1942 car.

(d) Any other inventory report required to be made to the Office of Price Administration.

ARTICLE III—APPLICATIONS FOR 1942 CARS WHICH MUST BE FILED IN WASHINGTON, D. C.

SECTION 3.1 *Persons who file applications with the Office of Price Administration, Washington, D. C.* (a) The following persons shall file applications for certificates directly with the Office of Price Administration, Washington, D. C.

(1) The American National Red Cross and agencies of the Federal government shall apply on Form R–216 or on any other form approved by the Office of Price Administration for this purpose. However, if the Federal agency has authorized the Procurement Division of the Treasury Department to buy the new cars for it, the application must be filed with the Procurement Division for transmittal to the Office of Price Administration. Applicants under this subparagraph are subject to the tests which apply to applicants generally. A certificate on Form R–217 will be issued by the Office of Price Administration, Washington, D. C., if the applicant satisfies these tests.

(2) A person requiring a car for experimental purposes, or a body builder who proposes to alter the car obtained, shall apply by letter. A certificate on Form R–217 will be issued by the Office of Price Administration, Washington, D. C., if the experiment or alteration will further the war effort or the public welfare.

(b) The person to whom a ration certificate has been issued under this section may use it within sixty days from the date on the certificate, but not thereafter unless additional time is allowed by the Office of Price Administration. The parts of the certificate shall be signed by the certificate holder and shall be disposed of according to the instructions on the parts of the certificate.

SEC. 3.2 *Exporters and certain government agencies must obtain War Production Board Exemption permits.* (a) Any of the following persons may acquire a 1942 car in exchange for a Government Exemption Permit issued to him by the War Production Board:

(1) Army and Navy of the United States.

(2) United States Maritime Commission.

(3) Panama Canal.

(4) Coast and Geodetic Survey.

(5) Coast Guard.

(6) Civil Aeronautics Authority.

(7) National Advisory Committee for Aeronautics.

(8) Office of Scientific Research and Development.

(9) Office of Lend-Lease Administration.

(10) War Shipping Administration.

(11) A person who acquires a 1942 car for export to and use in any foreign country.

(b) Cars acquired under this section may be registered, used or altered in any manner.

(c) A person who transfers a 1942 car under this section is not required to file Form R–203 (Revised).

ARTICLE IV—PROHIBITIONS AND PENALTIES: DEFINITIONS; OTHER PROHIBITED ACTS

SECTION 4.1. *This order governs the transfer, registration, alteration and use of all 1942 cars.* No person shall transfer or acquire (or offer to transfer or acquire) a 1942 car, or shall alter, register, or use or permit the alteration, registration or use of a 1942 car except as permitted by the provisions of this order. These provisions apply regardless of any conflicting private agreement or obligation.

SEC. 4.2 *Prohibited acts relating to certificates, authorizations and clearance statements.* No person shall acquire, possess, transfer, use, alter, damage or destroy a certificate, authorization or clearance statement unless permitted by this order. It shall be unlawful for any person to forge or counterfeit any writing required by this order or to have or to use any such forged or counterfeit writing.

SEC. 4.3 *Additional prohibited acts relating to 1942 cars.* (a) No person shall possess, use, or permit the use of any 1941 or 1942 car which he obtained in violation of this order.

(b) No 1941 or 1942 car shall be used in violation of any order of the Office of Price Administration or of any order, rule or regulation of the Office of Defense Transportation.

(c) No person shall solicit, offer, attempt or agree to do any act in violation of this Ration Order No. 2B, either directly or indirectly.

(d) No person shall make any false statement of fact as to any matter relating to this order and no person shall fail to state a fact which should be stated to prevent a statement made from being misleading.

SEC. 4.4 *Penalties for violations.* Any person who violates this order may be prohibited from receiving any 1941 or 1942 car, gasoline or tires, or from selling or otherwise disposing of them. The prohibition will be in the form of an administrative suspension order issued in accordance with Procedural Regulation No. 4.[1] A violator of this order is also subject to the penalties provided for in the Second War Powers Act.

Definitions

SEC. 4.10 *Meaning of words used.* When used in Ration Order 2B:

"Acquire" means to accept a transfer.

"Agency of the Federal government" includes any corporation wholly controlled by the Federal government.

"Board" means a War Price and Rationing Board or a Plant Area Board established by the Office of Price Administration.

"Dealer" means any person regularly engaged in selling passenger automobiles to the public.

"Person" means any individual, partnership, corporation, association, government unit, subdivision, or any other organized group or enterprise.

"Register" means the original recording of title to a 1942 car with a government agency which handles the registration of automobiles. "Register" is also used to mean:

(1) A change in the designation of the registered owner of a 1942 car; or

(2) The obtaining of license plates (not including dealers' plates) for a 1942 car held for purposes of sale or other transfer.

"Transfer" means sale, lease, loan, trade, exchange, gift, delivery, shipment or any change in possession, control, right, title or interest.

"Use", when the term is used in connection with a car, means the lawful operation of the car.

"1941 car" means any 1941 passenger automobile which has been driven less than 1,000 miles.

SEC. 4.15 *Rationing Orders No. 2 and 2A revoked.* Ration Order 2B supersedes Rationing Order No. 2 as amended, Rationing Order No. 2A as amended and the New Passenger Automobile Rationing Regulations as amended, except that:

(a) Any violations which occurred, or rights or liabilities which arose before the effective date of this Ration Order 2B shall be governed by the Orders and their Amendments in effect at the time the violations occurred or the rights or liabilities arose; and

(b) Rationing Order No. 2A shall remain in effect in the territories and possessions of the United States.

Effective Date

This Ration Order No. 2B shall became effective March 6, 1943.

Issued this 25th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–3065; Filed, February 25, 1943; 3:11 p. m.]

[1] 8 F.R. 1744.

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[New Passenger Automobile Rationing Regulations]

ORDER OF REVOCATION

New Passenger Automobile Rationing Regulations (§§ 1360.111 to 1360.121, inclusive) is hereby revoked.

This order of revocation shall become effective March 6, 1943.

(Pub. Law 421, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1A, 7 F.R. 562, 698, 1493)

Issued this 25th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–3063; Filed, February 25, 1943; 3:10 p. m.]

PART 1404—RATIONING OF FOOTWEAR

[Ration Order 17[1]—Amendment 2]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 17 is amended in the following respects:

1. Sec. 2.11 is amended to read as follows:

SEC. 2.11 *Establishments may be allowed to mark shoes "non-rationed."* (a) Any person may mark and transfer as "non-rationed," shoes of the following types:

(1) Imported huaraches released by the Collector of Customs before June 1, 1943:

(2) Shoes completed, packaged, and shipped from the factory before April 16, 1943, of the following kinds:

(i) Ski and skate shoes;

(ii) Locker sandals and bathing slippers;

(iii) Shoes with a fabric upper and a rubber sole;

(iv) Shoes with a platform and with a heel height of 1⅝ inches or less and whose upper is made wholly of fabric, imitation leather, sheepskin, cape, or a combination of these materials;

(v) Shoes with a platform and an open back, and with a heel height of 1⅝ inches or less, whose upper is made of kipskin or kipsides, wholly or in combination with fabric, imitation leather, sheepskin, or cape;

(vi) Shoes with a wedge heel of 1⅝ inches or less in height whose upper is made wholly of patent leather, and which have a platform and an open back;

(vii) Shoes with a heel height of 1⅝ inches or less whose upper is made wholly of imitation leather; and

(viii) Shoes (sandals) with a heel height of 1⅛ inches or less, with an open back, whose upper is made wholly of fabric, imitation leather, sheepskin, cape, or a combination of these materials.

(b) No one may demand or receive ration currency for shoes permitted to be marked "non-rationed" under this section or accept their return in exchange for a pair of rationed shoes or a stamp pursuant to section 1.10.

2. Sec. 2.18 is added to read as follows:

SEC. 2.18 *Establishments must mark certain shoes.* (a) Manufacturers shall mark on each shoe of the types specified in section 2.11 (a) (2) which is completed, packaged, or shipped from the factory after April 15, 1943, the month and year in which the shoe is packaged. The mark shall be embossed or indented in the shank of the outer-sole or written or marked by indelible contrasting colors on the inside quarter, before the shoe is packaged.

(b) Any establishment importing huaraches released by the Collector of Customs after May 31, 1943 shall, before transfer and within ten days of their receipt by the establishment, plainly

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1749, 2040.

mark on each shoe by indelible contrasting color, the month and year in which it was released by the Collector of Customs.

(c) Shoes marked in the manner required by this Section shall be deemed to be rationed shoes, regardless of the date on which they were imported, packaged, or shipped.

3. In section 3.4 (b) (3) the period is changed to a semi-colon and the word "or" is added, following the semi-colon.

4. Section 3.4 (b) (4) is added to read as follows:

(4) Were imported huaraches, if released by the Collector before June 1, 1943.

5. The definition of "shoes" in section 3.13 is amended to read as follows:

"Shoes" means any footwear made in whole or in part of leather or with rubber soles, except: footwear which does not have a rubber sole and in which leather is used only as hinges, tabs, heel inserts, or other non-skid or sound-proofing features covering not more than 25 percent of the area of the bottom of the sole; burial slippers; hard-soled boudoir or house slippers; soft-soled slippers; soft-soled moccasins; infant shoes of size 4 or smaller; overshoes; and waterproof or snow and water repellent rubber footwear.

This amendment shall become effective February 25, 1943.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1–T, 8 F.R. 1727; E.O. 9125, 7 F.R. 2719)

Issued this 25th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3060; Filed, February 25, 1943; 3:10 p. m.]

PART 1429—POULTRY AND EGGS

[MPR 333]

EGGS AND EGG PRODUCTS

In the judgment of the Price Administrator, it is necessary and proper, in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 issued by the President on October 3, 1942, that maximum prices be established for the sale of the egg items named in this regulation.

The maximum prices established by this regulation are, in the judgment of the Price Administrator, generally fair and equitable and will effectuate the purposes of such amended Act and Executive Order. So far as practicable, the Price Administrator has advised and consulted with representative members of the industries affected by this regulation. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* The following regulation supersedes Maximum Price Regulation No. 280, as amended,[1] with respect to the egg items for which maximum prices are specifically established by this regulation. Maximum Price Regulation No. 280, as amended, continues in full force and effect as to egg items for which maximum prices are not established by this regulation, except such egg items as are specifically exempted from price control by § 1429.52. Amendment No. 4 to Maximum Price Regulation No. 280[2] issued by the Price Administrator on December 24, 1942 and granting authority to Regional Administrators and other duly authorized representatives of the Office of Price Administration to adjust the prices of shell eggs where there exists or threatens a shortage of the supply of shell eggs in a particular locality is revoked insofar as amended § 1351.807 authorizes the adjustment of maximum prices for shell eggs, and all maximum prices adjusted by such Regional Administrators or other authorized representatives are superseded by this maximum price regulation.

The maximum prices established herein for egg items are not below prices which will reflect to growers and producers of such egg items prices for their products equal to the highest of the prices required by the provisions of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. The Price Administrator has consulted with the Secretary of Agriculture and has obtained his approval with respect to the maximum prices herein established.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and in accordance with Revised Procedural Regulation No. 1[3] issued by the Office of Price Administration, this Maximum Price Regulation is hereby issued.

Sec.

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1429.67 Maximum prices for the sale of shell eggs to retailers and commercial, industrial, institutional and nonfederal governmental users.
1429.68 Maximum prices for shell eggs sold by farmers and wholesale distributors and all sellers other than retailers to ultimate consumers.
1429.69 Maximum prices for shell eggs sold to the United States or any agency thereof.
1429.70 Maximum prices for the sale of frozen whole eggs, frozen whites, frozen 45% yolks, frozen sugared or salted yolks, and frozen reconstituted eggs to any purchaser in carload quantities.
1429.71 Permitted increases in maximum prices of frozen egg products for sales of less than carload quantities.
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1429.73 Maximum prices for mixtures and emulsions of liquid and frozen egg products.
1429.74 Maximum prices for dried whole eggs, dried egg yolks, and dried albumen.
1429.75 Maximum prices for mixtures and blends of dried egg products.
1429.76 Charge for containers or packages.
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AUTHORITY: §§ 1429.51 to 1429.77, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1429.51 *Prohibitions.* On and after March 6, 1943, regardless of any contract, agreement, or other obligation, no person shall sell or deliver the egg items specified in this regulation, and no person in the course of trade or business shall buy or receive such egg items at a price higher than the maximum prices permitted by this regulation; and no person shall agree, offer, solicit, or attempt to do any of the foregoing. This prohibition shall not be applicable to sales or deliveries of egg items to a purchaser, if prior to March 6, 1943, such egg items have been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

§ 1429.52 *Exemptions.* The following sales are exempt from the provisions of this regulation, in addition to those exempted by the application of certain provisions of the General Maximum Price Regulation, as amended,[4] as incorporated in this regulation.

(a) *Assorted eggs candled and regraded by retailers.* Sales to retailers of "assorted eggs" which are candled and regraded by them into retail grades are exempted from price control.[5] "Assorted eggs" which are not candled and regraded into retail grades are not exempt.

(b) *Hatching eggs.* All sales of shell eggs purchased for the sole purpose of hatching by persons now or hereafter engaged in the production of baby chicks are exempt from price control. They shall not be resold or used for any other purpose: *Provided, however,* That such eggs found to be infertile after incubation are exempted and may be sold for industrial use under the provisions of Maximum Price Regulation No. 280,[6] as amended.

(c) *Eggs of other poultry.* All sales of shell eggs of any poultry other than the fowl known as the domestic or barnyard hen are exempted from price control.

(d) *Sales at retail.* The sales at retail which are covered by Maximum Price Regulation No. 268, as amended,[7] are exempt.

§ 1429.53. *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid, or offered.

§ 1429.54. *Records and reports*—(a) *Records and reports required.* Every seller and purchaser subject to this regulation making sales or deliveries or purchases of egg items to the value of $200 or more in any one month, after March 6, 1943, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, the complete and accurate record of each sale or delivery of egg items showing:

(1) As to the sale of shell eggs, the date of purchase or sale, the names and addresses of the buyer and seller, the quantities, grades, weight classes, the containers in which sold, and the price paid or received;

(2) As to egg products, the date of purchase or sale, the names and addresses of the buyer and seller, the name of each egg product sold, the quantities, varieties, the type of sale made (delivered or non-delivered), the containers in which sold, and the price paid or received.

(b) *Records and reports on transfer of business.* If the business, assets, or stock in trade of any seller are sold or otherwise transferred on or after the effective date of this regulation and the transferee carries on the business, the transferor shall either preserve and make available, or turn over to the transferee, all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions contained in this regulation.

(c) *Other reports may be required.* Such persons shall keep such other records in addition to or in place of the records required in paragraph (a) of this section and shall submit such reports to the Office of Price Administration as that Office may from time to time require or permit.

§ 1429.55 *Evasion*—(a) *Price limitations shall not be evaded.* Price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to, the commodities, prices of which are herein regulated, alone or in conjunction with other commodity, or by way of commission, service, transportation, or other charge, or discount, premium, or other privilege or other trade understanding or otherwise.

(b) *Evasion by barter.* Egg items shall not be exchanged, traded or bartered for anything having a value or maximum price greater than the maximum prices established herein for such egg items.

(c) *Evasion by selling f. o. b. seller's shipping point.* Except as provided in paragraph (b) of § 1429.71 and paragraph (e) of § 1429.74 hereof, the maximum prices established by this regulation are maximum prices per dozen eggs or per pound of egg products delivered to the buyer as herein provided and the provisions of this regulation shall not be evaded by selling such eggs or egg products at a price f. o. b. the seller's shipping point.

§ 1429.56 *Enforcement*—(a) *Penalties and civil enforcement actions.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Reports of violations requested. Persons who have any evidence of any violations of this regulation or any price schedule, regulation, or order, issued by the Office of Price Administration or of any acts or practices which constitute such a violation, are urged to communicate with the nearest district, state, field, or regional office of the Office of Price Administration, or its principal office in Washington, D. C.

§ 1429.57 *Sales for export.* The maximum prices at which a person may export any egg item covered by this regulation shall be determined in accordance with the provisions of the Revised Maximum Export Regulation[8] issued by the Office of Price Administration.

§ 1429.58 *Applicability of certain provisions of the General Maximum Price Regulation, as amended.* The following sections of General Maximum Price Regulation,[9] and amendments thereto, and Revised Supplementary Regulation No. 4[10] thereof, shall be applicable to every person making sales and deliveries covered by this regulation.

(a) § 1499.14 (Sales slips and receipts.)

(b) § 1499.15 (Registration.)

(c) § 1499.16 (Licensing.)

(d) § 1499.29 (a) (5) (Developmental contracts.)

(e) § 1499.29 (a) (6) (Secret contracts.)

(f) § 1499.29 (a) (7) (Emergency purchases.)

(g) § 1499.29 (a) (15) (Sales or deliveries of the War Department or the Department of the Navy through such Departments' sales stores.)

§ 1429.59 *Applicability.* The provisions of this regulation supersede Maximum Price Regulation No. 280,[11] as amended, with respect to the egg items for which maximum prices are specifically established by this regulation. Maximum Price Regulation No. 280, as amended, shall continue in full force and effect as to egg items for which maximum prices are not established by this regulation, except such items as are specifically exempted from price control by § 1429.52 of this regulation. Amendment No. 4 to Maximum Price Regulation No. 280 issued by the Price Administrator on December 24, 1942, granting authority to Regional Administrators and other duly authorized representatives of the Office of Price Administration to adjust prices of shell eggs where there exists or threatens a shortage of the supply of shell eggs in a particular locality is revoked insofar as amended § 1351.807 of Maximum Price Regulation No. 280[12] authorizes the adjustment of maximum prices for shell eggs, and all maximum prices adjusted by such Regional Administrators or other authorized representatives are superseded by this regulation.

§ 1429.60 *Geographical applicability.* The provisions of this regulation shall be applicable only to the 48 states of the United States and to the District of Columbia.

§ 1429.61 *Petitions for amendment.* Persons seeking an amendment of this regulation may file a petition therefor in accordance with the provisions of Revised Procedural Regulation No. 1,[13] issued by the Office of Price Administration.

§ 1429.62 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to and at prices not in excess of the maximum prices in effect at the time of delivery. In appropriate situations, where a petition for amendment requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1429.63 *Adjustment of maximum prices for eggs and egg products.* (a) The Office of Price Administration, or any duly authorized representative thereof, may adjust any maximum price established under this regulation for egg items in the case of any seller or group of sellers where it appears:

(1) That there exists or threatens to exist in a particular locality a shortage in the supply of such egg items; and

(2) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of such

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10144, 10337, 10475, 10585, 10786, 10995; 8 F.R. 158, 876, 877, 1120, 1468, 1741, 1885, 2024, 2038.

[2] 7 F.R. 10995.

[3] 7 F.R. 8961.

[4] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110.

[5] Retailers in determining their maximum selling prices at retail for consumer grades of eggs under Maximum Price Regulation 268 may not take as their "net cost" a figure any higher than permitted in that regulation, namely, the maximum prices for consumer grades as determined under this regulation for Monday of the week in which the maximum price at retail is being calculated.

[6] See note [1] *supra.*

[7] 7 F.R. 9184; 8 F.R. 322, 1747.

[8] 7 F.R. 5059, 7242, 8829, 9000, 10530.

[9] See note [4] *supra.*

[10] 7 F.R. 5056, 5089, 5566, 6082, 6084, 6426, 6793, 6744, 7175, 7538, 8021, 9827, 10022, 10110, 10531; 8 F.R. 130, 137, 372, 1685, 1681, 1893.

[11] See note [1] *supra.*

[12] See note [3] *supra.*

[13] See note [3] *supra.*

seller and of like sellers for such egg items; and

(3) That such adjustment will not create or tend to create a shortage, or a need for increase in prices, in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

(b) Applications for adjustment under this section shall be filed in accordance with Revised Procedural Regulation No. 1.[14]

(c) Each Regional Administrator is authorized to make adjustments or act upon applications for adjustment under this section.

§ 1429.64 *Federal and state taxes.* Any tax upon, or incident to, the sale or delivery of egg items imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such commodity and in preparing the records of such seller with respect thereto:

(a) *As to a tax in effect prior to the effective date of this regulation for any egg item.* (1) If the seller paid such tax, or if the tax was paid by any prior vendor, irrespective of whether the amount thereof was separately stated and collected from the seller, but the seller did not customarily state and collect separately from the purchase price prior to the effective date for such item the amount of the tax paid by him or tax reimbursement collected from him by his vendor, the seller may not collect such amount in addition to the maximum price, and in such a case shall include such amount in determining the maximum price under this regulation.

(2) In all other cases, if, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount in determining the maximum price under this regulation.

(b) *As to a tax or an increase in a tax which becomes effective after the effective date of this regulation for any egg item.* If the statute or ordinance imposing such tax or increase does not prohibit the seller from stating and collecting the tax or increase separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

[14] See note [9] *supra.*

§ 1429.65 *Definitions.* (a) "Egg items" means the shell eggs and egg products defined herein.

(b) "Eggs" or "shell eggs" means the eggs of the fowl known as the domestic or barnyard hen in their natural state or treated with a mineral oil for purposes of preservation.

(c) "Egg products" means frozen whole eggs, frozen whites, frozen yolks, frozen sugared or salted yolks, frozen reconstituted eggs, all of the foregoing in liquid form, any mixtures or emulsions thereof, whether in frozen or liquid form, and dried whole eggs, dried egg yolks and dried albumen.

(d) "Frozen whole eggs" means the frozen whole eggs defined and identified in orders promulgated by the United States Department of Agriculture and published in Title 21, Volume 4, Number 138 of the FEDERAL REGISTER of July 20, 1939, pages 3374 to 3378, inclusive.

(e) "Frozen whites" means the whites of shell eggs after breaking of the eggs, the separation of the whites from the yolks of the eggs and freezing of the whites at a temperature of zero degrees Fahrenheit or below.

(f) "Frozen 45% yolks" means the frozen egg yolks defined and identified in orders promulgated by the United States Department of Agriculture and published in Title 21, Volume 4, Number 138 of the FEDERAL REGISTER of July 20, 1939, pages 3374 and 3375 except that such egg yolks contain not less than 45% of total egg solids as determined by the method prescribed in such orders.

(g) "Frozen sugared or salted yolks" means the frozen egg yolks (containing not less than 43% of total egg solids) defined and identified by the United States Department of Agriculture in orders promulgated and published in Title 21, Volume 4, Number 138 of the FEDERAL REGISTER of July 20, 1939, pages 3374 and 3375, to which has been added one pound of sugar or salt for each nine pounds of such egg yolks.

(h) "Frozen reconstituted eggs" means a frozen mixture of egg yolks, egg whites, and whole eggs which contains not less than 26% of total egg solids according to the method prescribed by the United States Department of Agriculture in orders promulgated and published in Title 21, Volume 4, Number 138 of the FEDERAL REGISTER of July 20, 1939, pages 3374 to 3378, inclusive.

(i) "Whole eggs," "whites," "45% yolks," "sugared and salted yolks," and "reconstituted eggs" in liquid form are the same products as the corresponding frozen products herein defined but without freezing.

(j) "Mixtures of egg products" means the mixtures of two or more of the individual liquid egg products named in this section by stirring, churning, or other means whether in liquid or frozen form or a mixture or blend of the dried egg products named in Section 1429.75 of this regulation.

(k) "Emulsion of egg products" means a mixture of egg products to which has been added an emulsifying agent or solvent such as glycerin whether in liquid or frozen form.

(l) "Dried whole eggs" means the dried whole eggs defined and identified by the United States Department of Agriculture in orders promulgated and published in Title 21, Volume 4, Number 138 of the FEDERAL REGISTER of July 20, 1939, pages 3376 and 3377.

(m) "Dried egg yolks" means the dried egg yolks defined and identified by the United States Department of Agriculture in orders promulgated and published in Title 21, Volume 4, Number 138 of the FEDERAL REGISTER of July 20, 1939, page 3375.

(n) "Dried albumen" means liquid whites that have been dried and is sold generally in flaked or powdered form.

(o) "Place" means the individual store of the retailer in any city, town, village, or hamlet in the United States or the place at which eggs are used by the commercial, industrial, institutional, or governmental user.

(p) "Sale" means the transfer or exchange of money, other valuable consideration, or any thing of value for eggs or egg products.

(q) "Retailer" means a person, firm, or corporation which sells egg items generally to ultimate consumers other than a commercial, industrial, institutional, or governmental user.

(r) "Basing point city" means one of the cities for which maximum prices are specifically stated for egg items in the tables of this regulation except that Chicago, Illinois is not a basing point city.

(s) The specifications and standards of identity of shell eggs promulgated by the United States Department of Agriculture in the publication entitled "Specifications for Official U. S. Standards for Quality of Individual Shell Eggs" shall be the specifications and standards of identity used for all grades of shell eggs for which maximum prices are fixed by this regulation. "Assorted" eggs shall be those defined in subparagraph (3) of this paragraph.

(1) The grades, sizes, weight classes, and standards promulgated by the United States Department of Agriculture in the publication entitled "Tentative U. S. Standards and Weight Classes for Consumer Grades for Shell Eggs" shall be the grades, sizes, weight classes, and standards for all shell eggs sold to retailers and commercial, industrial, institutional or non-federal governmental users and for which maximum prices are established by this regulation. The sizes and weight classes promulgated in such publication are as follows:

Size of weight class	Minimum net weight per dozen (ounces)	Minimum net weight per 30 dozen (pounds)	Minimum weight for individual eggs at rate per dozen (ounces)
Jumbo	28	52	27
Extra large	26	48 5	25
Large	24	45	23
Medium	21	40	20
Small	18	34	17

The grades and standards promulgated by the United States Department of Agriculture in the publication entitled "Tentative U. S. Procurement Grades" or the grades and standards promulgated by the Department of Agriculture in the publication entitled "Tentative U. S. Standards and Weight Classes for Consumer Grades for Shell Eggs" shall be used as the standards and grades of all shell eggs sold to the United States or any agency thereof. However, the standards and grades set forth in the publication entitled "Tentative U. S. Procurement Grades" shall not be used as the grades and standards for shell eggs purchased by retailers or by commercial, industrial, institutional, or non-federal governmental users.

(2) The definitions and standards of identity for egg products promulgated by the United States Department of Agriculture and published in Title 21, Volume 4, Number 138 of the FEDERAL REGISTER of July 20, 1939, pages 3374 to 3378, inclusive, shall be used as the definitions and standards of identity for all egg products covered by this regulation to the extent that all such egg products are defined and identified in the orders so promulgated and issued.

(3) "Assorted eggs" means edible eggs which have not been graded, have a net weight of not less than 43 pounds per case or equivalent, and contain a total of not more than 20 percent of "dirties" and "checks" as defined and identified by the Department of Agriculture in the publication entitled "Specifications for Official U. S. Standards for Quality of Individual Shell Eggs."

(4) If the United States Department of Agriculture shall amend or revise any of said publications listed or referred to in this section at any time, such amendment or revision shall become a part of this regulation upon the effective date of the order promulgating such amendment or revision.

(t) (1) "Area 1" means the States of Connecticut, Delaware, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia.

(2) "Area 2" means all of the remaining states of the United States except those included in Area 1 above described.

(u) Retail grades of shell eggs means all grades other than "procurement grades" for which prices are established herein, including U. S. Department of Agriculture consumer grades as defined in paragraph (s) (1) of this section and "assorted," "checks," and "dirties," as defined in paragraph (s) (3) of this section.

(v) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and the General Maximum Price Regulation,[15] shall apply to other terms used herein.

§ 1429.66 *Effective date.* This regulation (§§ 1429.51 to 1429.77 inclusive) shall become effective on March 6, 1943.

[16] See note [4] *supra.*

§ 1429.67 *Maximum prices for the sale of shell eggs to retailers and commercial, industrial, institutional and non-federal governmental users*—(a) *Maximum prices in Basing Point Cities and Chicago, Illinois.* The maximum prices of shell eggs sold and delivered to a retailer, or to a commercial, industrial, institutional or non-federal governmental user at any place in a basing point city or in the City of Chicago, Illinois, shall be the price per dozen for eggs of the particular consumer grade, size, and other identification set forth for the particular basing point city in Table A and for Chicago as set forth in Table B of this section and for the week in which delivered.

(b) *Maximum prices in "Area 1"[16] except for New York City.* In all places other than New York City and Chicago, Illinois, within "Area 1", the maximum prices for shell eggs sold and delivered to retailers or to commercial, industrial, institutional or non-federal governmental users for the week in which delivered shall be the maximum price per dozen for eggs of the particular grade, size, and other identification set forth in Table B of this section for Chicago, Illinois, plus the "transportation factor."

(1) "Transportation factor" when applied to shell eggs means the actual carlot freight rate per pound to or from a basing point city or as herein provided, from Chicago, Illinois, to the place where shell eggs are delivered, multiplied by the appropriate "multiplier" for the particular grade of eggs sold, and for the period in which such eggs are delivered to the retailer or commercial, industrial, institutional or non-federal governmental user. If there is no actual carlot freight rate between such places, then the lowest transportation charge by other means shall be used.

(2) The "multiplier" to be used in calculating the "transportation factor" for each consumer grade of shell eggs is as follows:

Grades of shell eggs	"Multiplier"	
	December through May	June through November
Consumer grades:		
AA and A	1.9	4.0
B	1.9	3.0
C and assorted	1.9	1.9

Example: A seller in Cleveland, Ohio wishes to determine his maximum price per dozen for Grade A eggs at that place for the week beginning July 5, 1943.

The actual carlot freight rate per cwt. for shell eggs from Chicago, Illinois to Cleveland, Ohio is 49 cents. The "multiplier" for Grade A eggs for the period of delivery, provided by this section, is 4. This "multiplier" (4) multiplied by the freight rate (49 cents per cwt. or .49 cent per pound) gives a "transportation factor" of 1.96 cents. The transportation factor (1.96 cents) added to the maximum price for Grade A eggs for the period of delivery, taken from Table B in this section (43.72 cents per dozen) gives 45.68 cents per dozen as the maximum price of Grade A eggs per dozen delivered to a retailer in Cleveland, Ohio during the week of July 5, 1943.

(c) *Maximum prices in "Area 2"[17] except basing point cities and certain areas in the State of Washington.* In "Area 2," except basing point cities and certain areas in the State of Washington defined in paragraph (j) of this section, the maximum prices for shell eggs sold and delivered to a retailer, or to a commercial, industrial, institutional, or non-federal governmental user at any place shall be determined as follows:

(1) It must be determined which basing point city (New York City, Seattle, San Diego, Los Angeles, San Francisco, Tucson, Phoenix, or Miami, Florida) reflects the highest price at the place of delivery for shell eggs of the grade to be sold for the week in which such eggs are delivered. A basing point city reflects the highest price at any place when the maximum price in the basing point city minus the "transportation factor" for the grade of eggs sold from such place to that basing point city is higher than the price reflected by the same calculation with respect to any other basing point city.

(2) From the maximum price in the basing point city reflecting such highest price of shell eggs of the grade sold for the week in which they are to be delivered, the "transportation factor" for such grade of shell eggs shall be subtracted. The amount arrived at by such subtraction shall be the maximum price of such eggs at the time and place of delivery.

Example: A seller in Omaha, Nebraska, wishes to determine the maximum price for Grade B eggs at that place for the week beginning June 7, 1943. Obviously, he must choose between New York City and Miami, Florida as his basing point city.

His actual freight rate on shell eggs from Omaha to New York is $1.21 per hundred pounds. The proper "multiplier" as set forth in paragraph (b), sub-paragraph (2) of this section is 3 for Grade B eggs for the week of delivery. This "multiplier" times 1.21 cents, the actual freight rate per pound to New York, equals 3.63 cents per dozen, the "transportation factor" to be used. The New York maximum price for the week beginning June 7 is 42 cents per dozen for Grade B eggs (Table A of this section). 42 cents minus 3.63 cents equals 38.37 cents which is the maximum price which can be paid by retailers or commercial, industrial, institutional or nonfederal governmental users for Grade B eggs in that place at such time of delivery.

His freight rate on shell eggs from Omaha, Nebraska to Miami, Florida is $1.83 per hundred pounds or 1.83 cents per pound. 3×1.83=5.49 cents. The Miami maximum price for the week beginning June 7 is 43.5 cents per dozen for Grade B eggs (paragraph 6 of this section) 43.5−5.49=38.01 cents per dozen.

Since New York reflects the highest maximum price to the seller, he will use New York as his basing point city.

[17] See *Definitions*, § 1429.65, paragraph (t) (1).

[15] See definition § 1429.65 Paragraph (t) (1).

(d) Table A.—*Maximum prices in cents per dozen for large retail grades A, B, C, and "Assorted" shell eggs in the Cities of New York, Seattle, Los Angeles, San Diego, Phoenix, and Tucson. Weekly prices Monday through Sunday.*

Week beginning	January 1944				February 1943			March					April				May					June			
					1944	15	22	1	8	15	22	29	5	12	19	26	3	10	17	24	31	7	14	21	28
Consecutive weeks	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	24	24	25	26
Grade A	51	50	50	49	48	47	46	44	43	43	43	43	43	43	43	43	43	43	43	43	43	43	45	45	45	46
Grade B	48	47	47	46	46	44	43	42	41	41	41	41	41	41	41	41	41	41	41	41	41	41	42	42	42	43
Grade C and assorted eggs	44	43	42	42	41	41	40	39	38	38	38	38	38	38	38	38	38	38	38	38	38	38	38	38	38	38

1943—Week beginning	July				August				September				October				November					December			
	5	12	19	26	2	9	16	23	30	6	13	20	27	4	11	18	25	1	8	15	22	29	6	13	20	27
Consecutive weeks	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52
Grade A	47	48	49	50	51	52	53	54	55	56	56	57	58	59	59	60	60	60	59	58	57	56	54	54	53	52
Grade B	43	44	45	45	46	47	47	47	48	48	48	48	49	50	50	50	50	51	51	51	51	50	49	49	49	49
Grade C and assorted eggs	38	39	40	40	41	42	42	42	43	43	43	43	44	44	44	44	44	45	45	45	45	45	44	44	44	44

(e) Table B—*Prices in cents per dozen for large retail grade shell eggs in the City of Chicago and for use in pricing in "Area 1." (But not to be used as a "basing point city" for calculating prices in "Area 2.")*

Grade	January-1944				Feb.-1944	Feb.-1943			March					April			
							15	22	1	8	15	22	29	5	12	19	26
Weeks	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Grade A	49.4	48.4	48.4	47.4	46.4	45.4	44.4	42.4	41.4	41.4	41.4	41.4	41.4	41.4	41.4	41.4	41.4
Grade B	46.4	45.4	45.4	44.4	43.4	42.4	41.4	40.4	39.4	39.4	39.4	39.4	39.4	39.4	39.4	39.4	39.4
Grade C and assorted eggs	42.4	41.4	40.4	40.4	39.4	39.4	38.4	37.4	36.4	36.4	36.4	36.4	36.4	36.4	36.4	36.4	36.4

Grade	May					June				July				August			
	3	10	17	24	31	7	14	21	28	5	12	19	26	2	9	16	23	30
Weeks	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35
Grade A	41.4	41.4	41.4	41.4	41.4	41.7	41.7	41.7	42.7	43.7	44.7	45.7	46.7	47.7	48.7	49.7	49.7	50.7
Grade B	39.4	39.4	39.4	39.4	39.4	39.5	39.5	39.5	40.5	40.5	41.5	42.5	42.5	43.5	44.5	44.5	44.5	45.5
Grade C and assorted eggs	36.4	36.4	36.4	36.4	36.4	36.4	36.4	36.4	36.4	36.4	37.4	38.4	38.4	39.4	40.4	40.4	40.4	41.4

Grade	September				October				November					December			
	6	13	20	27	4	11	18	25	1	8	15	22	29	6	13	20	27
Weeks	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52
Grade A	51.7	52.7	53.7	54.7	55.7	55.7	56.7	56.7	56.7	55.7	54.7	53.7	52.7	52.4	52.4	51.4	50.4
Grade B	45.5	45.5	45.5	46.5	47.5	47.5	47.5	47.5	48.5	48.5	48.5	48.5	47.5	47.4	47.4	47.4	47.4
Grade C and assorted eggs	41.4	41.4	41.4	42.4	42.4	42.4	42.4	42.4	43.4	43.4	43.4	43.4	43.4	42.4	42.4	42.4	42.4

(f) *Maximum prices for San Francisco and Miami, Florida.* (1) Maximum prices in the basing point city, San Francisco, are ½ cent less than those in the above Table A.

(2) Maximum prices in the basing point city, Miami, Florida, are 1½ cents more than those in the above Table A.

(g) *Maximum prices for other egg sizes and grades.* (1) Extra large eggs of Grade AA quality when certified as such by the United States Department of Agriculture may sell 4 cents above the price for large Grade A eggs.

(2) Large eggs of Grade AA quality when certified as such by the United States Department of Agriculture may sell 2 cents above the price for large Grade A eggs.

(3) Jumbo eggs of Grade A or higher quality may sell 5 cents above the price for large Grade A eggs.

(4) Extra large eggs of Grade A quality may sell 2 cents above the price for large Grade A eggs.

(5) The maximum price for medium size eggs of A, B, and C Grades and "assorted eggs" shall be 4 cents per dozen less than large eggs of the same grade.

(6) The maximum price for small eggs of Grade A, B, and C, and "assorted eggs" shall be 8 cents per dozen less than large eggs of the same grade.

(7) Medium and small eggs of AA grade shall not sell at prices higher than the prices for similar sizes of Grade A.

(8) Jumbo or extra large eggs of B or C grade shall sell for prices no higher than those of large eggs of the same grades.

(9) The maximum price of shell eggs answering to the description of "dirty" and "checked" shall be 2 cents less per dozen than the maximum price of the corresponding weight of C grade eggs.

(10) The maximum prices for each consecutive week in the years following 1943 shall be as indicated in the above Tables A and B the first week beginning on the first Monday in each year.

(h) *Eggs to be sold to retailers and commercial, industrial, institutional and non-federal governmental users according to retail grades.* Such grades of shell eggs shall be the retail grades of shell eggs as defined in paragraph (u) of Section 1429.65. Retailers and commercial, industrial, institutional and non-federal governmental users shall not purchase shell eggs according to U. S. Procurement Grades.

(i) *Marking containers and packages.* The containers and packages of shell eggs sold to a retailer, or commercial, industrial, institutional or non-federal governmental user shall be plainly marked with the grade, or if ungraded, the words "assorted eggs", and by size and weight class. All invoices used in the sale of shell eggs shall contain like information.

(j) *Maximum prices in certain areas in the State of Washington.* The maximum prices for shell eggs sold and delivered in all places in the State of Washington west of the eastern boundaries of the Counties of Whatcom, Skagit, Snohomish, King, Pierce, Lewis, and Skamania shall be the same as those listed in Table A of this section for Seattle.

(k) *Local delivery.* The maximum prices established by this section are for shell eggs delivered to the individual store of the retailer or to the place of use of the commercial, industrial, institutional or non-federal governmental user. No F. O. B. shipping point sale shall be made. If eggs are transported to any city, town, village, or hamlet in which the individual store of the retailer purchasing them is located; or in which there is located the place of use of the commercial, industrial, institutional or non-federal governmental user purchasing them, but the purchaser accepts

such eggs at a point in such city, town, village, or hamlet other than the individual store of the retailer or place of use there shall be deducted from the maximum price at such city, town, village, or hamlet the sum of ten cents per case or equivalent quantity of eggs, and the reduced amount shall be the maximum price of such eggs at the place of acceptance.

§ 1429.68 *Maximum prices of shell eggs sold by farmers and wholesale distributors and all sellers other than retailers to ultimate consumers.* The maximum prices for shell eggs sold and delivered by farmers or wholesale distributors or sellers other than retailers to ultimate consumers other than commercial, industrial, or institutional or non-federal governmental users shall be calculated by multiplying by 1.17 the maximum price for the retail grade of eggs to be sold at the time and place of delivery, determined as provided in § 1429.67 immediately above for sales to retailers.

§ 1429.69 *Maximum prices of shell eggs sold to the United States or any agency thereof.*—(a) *Maximum prices for "procurement grades" in Chicago and the basing point cities.* The maximum prices for shell eggs sold and delivered to the United States or any agency thereof, according to "procurement grades" as defined in paragraph (s) (1) of § 1429.65, at any place in a basing point city for each week shall be the price per dozen for eggs of the particular procurement grade, size, weight class, and other identification set forth for the particular basing point city in Table C of this section for the week in which delivered. Such maximum prices in Chicago, Illinois, shall be the maximum prices per dozen for eggs of the particular procurement grade, size, weight class, and other identification and for the week of delivery set forth in Table D of this section.

(b) *Maximum prices for "procurement grades" in "Area 1" except New York City.* In all places in "Area 1" except New York City the maximum prices of shell eggs of procurement grades sold and delivered to the United States or any agency thereof for the week in which delivered shall be the maximum prices per dozen for eggs of the particular grade, size, and other identification set forth in Table D of this section, plus the "transportation factor."

(1) "Transportation factor" when applied to shell eggs sold to the United States or any agency thereof means the actual carlot freight rate per pound to or from a basing point city or as herein provided, from Chicago, Illinois to the place where the eggs are delivered, multiplied by the appropriate "multiplier" for the particular grade of eggs sold and for the period in which such eggs are delivered. If there is no actual carlot freight rate between such places, then the lowest transportation charge by other means shall be used.

(2) The "multiplier" to be used in calculating the "transportation factor" for each procurement grade of shell eggs is as follows:

Grades of shell eggs	Multiplier	
	December through May	June through November
Procurement grades:		
I and II	1.9	4.0
III and IV	1.9	3.0

(c) *Maximum prices for procurement grades in "Area 2" except basing point cities.* In "Area 2," except basing point cities, the maximum prices of shell eggs of procurement grades sold and delivered by farmers or wholesale distributors or sellers other than retailers to ultimate consumers other than commercial, industrial, or institutional or non-federal governmental users shall be calculated by multiplying by 1.17 the maximum price for the retail grade of eggs to be sold at the time and place of delivery, determined as provided in § 1429.67 immediately above for sales to retailers.

(d) *Maximum prices in cents per dozen by weeks for U. S. Procurement Grades of shell eggs for the United States or any agency thereof in the basing point cities of New York, Seattle, Los Angeles, San Diego, Phoenix, and Tucson.*

TABLE C

Grade	January 1944				February 1944–1943				March					
							15	22	1	8	15	22	24	
I	48.2	47.2	47.2	46.2	45.2	44.2	43.2	41.2	40.2	40.2	40.2	40.2	40.2	
II	47.5	46.5	46.5	45.5	44.5	43.5	42.5	40.7	39.7	39.7	39.7	39.7	39.7	
III	46.7	45.7	45.7	44.7	43.7	42.7	41.7	40.2	39.2	39.2	39.2	39.2	39.2	
IV	46.	45.	45.	44.	43.	42.	41.	39.7	38.7	38.7	38.7	38.7	38.7	

Grade	April				May				June				
	7	14	21	28	3	10	17	24	31	7	14	21	28
I	40.2	40.2	40.2	40.2	40.2	40.2	40.2	40.2	40.2	42.2	42.2	42.2	43.2
II	39.7	39.7	39.7	39.7	39.7	39.7	39.7	39.7	39.7	41.5	41.5	41.5	42.5
III	39.2	39.2	39.2	39.2	39.2	39.2	39.2	39.2	39.2	40.7	40.7	40.7	41.7
IV	38.7	38.7	38.7	38.7	38.7	38.7	38.7	38.7	38.7	40.	40.	40.	41.

Grade	July				August					September			
	5	12	19	26	2	9	16	23	30	6	13	20	27
I	44.2	45.2	46.2	47.2	48.2	49.2	50.2	50.2	51.2	52.2	53.2	54.2	55.2
II	43.2	44.2	45.2	46.	47.	48.	48.7	48.7	49.7	50.5	51.2	52.	53.
III	42.2	43.2	44.2	44.7	45.7	46.7	47.2	47.2	48.2	48.7	49.2	49.7	50.7
IV	41.2	42.2	43.2	43.5	44.5	45.5	45.7	45.7	46.7	47.	47.2	47.5	48.5

Grade	October				November					December			
	4	11	18	25	1	8	15	22	29	6	13	20	27
I	56.2	56.2	57.2	57.2	57.2	56.2	55.2	54.2	53.2	51.2	51.2	50.2	49.2
II	54.	54.	54.7	54.7	55.	54.2	53.5	52.7	51.7	50.	50.	49.2	48.5
III	51.7	51.7	52.2	51.7	52.7	52.2	51.7	51.2	50.2	48.7	48.7	48.2	47.7
IV	49.5	49.5	49.7	49.7	50.5	50.2	50.	49.7	48.7	47.5	47.5	47.2	47.

(1) Prices in the basing point city, San Francisco, are ½ cent lower than those in the above table.
(2) Prices in the basing point city, Miami, are 1½ cents higher than those in the above table.

(3) The maximum prices of procurement grades of shell eggs for each consecutive week in the years following 1943 shall be as indicated in the above Table C the first week beginning on the first Monday in each year.

(e) *Maximum prices in cents per dozen for U. S. procurement grades of shell eggs for the United States or any agency thereof in the City of Chicago and for use in pricing in "Area 1." (But not to be used as a "basing point city" for calculating prices in "Area 2".)*

TABLE D

Grade	January—1944				February—1944—1943				March					April			
							15	22	1	8	15	22	29	5	12	19	26
I	46.7	45.7	45.7	44.7	43.7	42.7	41.7	39.7	38.7	38.7	38.7	38.7	38.7	38.7	38.7	38.7	38.7
II	46.	45.	45.	44.	43.	42.	41.	39.2	38.2	38.2	38.2	38.2	38.2	38.2	38.2	38.2	38.2
III	45.2	44.2	44.2	43.2	42.2	41.2	40.2	38.7	37.7	37.7	37.7	37.7	37.7	37.7	37.7	37.7	37.7
IV	44.5	43.5	43.5	42.5	41.5	40.5	39.5	38.2	37.2	37.2	37.2	37.2	37.2	37.2	37.2	37.2	37.2

Miami, Florida, Phoenix (and Tucson) reflects the highest price at the place of delivery of such egg products. A basing point city reflects the highest price at the point of delivery when the maximum price in the basing point city minus the "transportation factor" for such egg products to that basing point city is higher than the price reflected by the same calculation with respect to any other basing point city.

(e) *Maximum base prices in cents per pound for frozen whole eggs, frozen whites, frozen 45% yolks, frozen sugared or salted yolks, and frozen reconstituted eggs in the Cities of New York, Seattle, Los Angeles, San Francisco, San Diego, Phoenix and Tucson.*

TABLE E

Month	Jan. 1943	Feb. 1943	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Whole frozen eggs and reconstituted eggs	35.3	34.0	33.0	33.0	33.0	33.0	33.3	33.7	34.0	34.3	34.3	35.0
Frozen whites	27.3	26.0	25.0	25.0	25.0	25.0	25.3	25.7	26.0	26.3	26.7	27.0
45% yolks	47.3	46.0	45.0	45.0	45.0	46.0	46.3	45.7	46.0	46.3	46.7	47.0
Sugared and salted yolks (10% sugar or salt)	42.3	41.0	40.0	40.0	40.0	40.0	40.3	40.7	41.0	41.3	41.7	42.0

(1) The maximum prices for each consecutive month in the years following 1943 shall be as indicated in the above Table E the first month beginning on the first day of January in each year.

(f) *Maximum prices for Miami, Florida.* Maximum base prices in the basing point city, Miami, Florida, are ½ cent more than those in Table E above.

(g) *Maximum base prices in cents per pound for frozen whole eggs, frozen whites, frozen 45% yolks, frozen sugared or salted yolks, and frozen reconstituted eggs in Chicago and for use in pricing in "Area 1" (but not to be used as a "basing point city" for calculating prices in "Area 2".)*

TABLE F

	Jan. 1944	Feb. 1943	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Whole frozen eggs and reconstituted eggs	34.4	33.0	32.0	32.0	32.0	32.0	32.4	32.8	33.0	33.4	33.8	34.0
Frozen whites	26.4	25.0	24.0	24.0	24.0	24.0	24.4	24.8	25.0	25.4	25.8	26.0
45% yolks	46.4	45.0	44.0	44.0	44.0	44.0	44.4	44.8	45.0	45.4	45.8	46.0
Sugared and salted yolks (10% sugar or salt)	41.4	40.0	39.0	39.0	39.0	39.0	39.4	39.8	40.0	40.4	40.8	41.0

(1) The maximum prices for each consecutive month in the years following 1943 shall be as indicated in the above Table F the first month beginning on the first day of January in each year.

(h) *Maximum prices for variations of percentage of solids in yolks.* For every 1% deviation in solids in yolks, either above or below 45%, the seller shall add or subtract respectively .85 cent per pound to the prices in Tables E and F above.

(i) *Maximum prices in certain areas in the State of Washington.* Maximum prices for frozen egg products sold and delivered in all places in the State of Washington west of the eastern boundaries of the counties of Whatcom, Skagit, Snohomish, King, Pierce, Lewis, Skamania, and Klickitat, shall be the same as those listed in Table E of this section for Seattle.

§ 1429.71 *Permitted increases in maximum prices for frozen egg products for sales of less than carload quantities—*(a) *When delivered from a refrigerated warehouse or the premises of a manufacturer.* Where any of the frozen egg products named in Section 1429.70 immediately above are sold and delivered from the refrigerated warehouse or from the premises of a manufacturer in less than carload quantities there may be added to the maximum price for such product in carload quantities provided by § 1429.70 hereof the amount per pound set forth in Table G below.

In calculating such maximum price in carload quantities (to be used as the base for less than carload quantities in the paragraph immediately above) the price from Table E or Table F in § 1429.70 for the month in which the delivery of the less than carload quantity is made, shall be used.

(b) *Maximum permitted increases for sales of liquid and frozen egg products in less than carlot quantities.*

TABLE G

Quantity sales	Maximum increase in cents per lb. above base price at warehousing point	
	F. O. B. warehouse	Delivered within 25 miles
Users whose weekly purchases average—	*Cents*	*Cents*
3,000 to 20,000	½	¾
1,500 to 3,000	1	1¼
501 to 1,500	2	2¼
500 or less	3	3¼

(c) *Minimum charge for delivery of less than 200 pounds.* A minimum delivery charge of 50 cents shall be allowed for each delivery of less than 200 pounds of such frozen egg products.

(d) *Delivered beyond 25 miles.* Where less than carload quantities of such frozen egg products are sold and delivered beyond a distance of 25 miles from the refrigerated warehouse there may be added to the maximum price f. o. b. the warehouse the lowest applicable L. C. L. refrigerated rail or truck rate.

(e) *Example:* A seller at a refrigerated warehouse in Chicago contracts in February 1943 for the delivery of 1000 pounds of frozen whole eggs on Monday of each week for the remainder of 1943 to a bakery located at Evanston, Illinois. In calculating the maximum prices for such deliveries he would determine his price for the deliveries in each month separately. For deliveries in March, for example, he selects from Table F in Section 1429.70, which covers frozen whole eggs, the price for March which is 32 cents. He then turns to Table G immediately above and adds to such price 2¼ cents per pound which is the permitted increase for delivery within 25 miles since Evanston is within 25 miles from his warehouse in Chicago. Thus, his maximum price for 1000 pounds of frozen whole eggs delivered during the month of March is 1000×32¢=$320.00 plus 1000×2¼¢=$22.50, with a total maximum price of $342.50 for such 1000 pounds of frozen whole eggs sold delivered.

If the seller at the Chicago warehouse made a single sale and delivery of 1,000 pounds of frozen whole eggs to such bakery during any week in March he would calculate his maximum price in exactly the same manner.

§ 1429.72 *Maximum prices for the sale of whole eggs, whites, 45% yolks, sugared or salted yolks, and reconstituted eggs in liquid form.* The maximum prices of the liquid egg products named immediately above, sold and delivered during the months of February, March, April, May, and June of each year shall be one-half cent per pound less than the maximum prices for the corresponding form of frozen egg products and month of delivery. Such maximum prices for such products sold and delivered during the months of January, July, August, September, October, November, and December of each year shall be the same as the maximum prices per pound of the corresponding frozen egg products and delivery months.

§ 1429.73 *Maximum prices for mixtures and emulsions of liquid and frozen egg products.* The maximum prices of mixtures and emulsions of the frozen and liquid egg products named in Section 1429.70 and 1429.72 of this regulation shall be the aggregate of the maximum prices of the separate egg products composing the particular mixture or emulsion plus the actual cost of other ingredients.

§ 1429.74 *Maximum prices for dried whole eggs, dried egg yolks and dried albumen*—(a) *Maximum prices in the Cities of New York, Seattle.* The maximum prices of dried whole eggs, dried egg yolks, and dried albumen sold and delivered to any buyer at his customary receiving point shall be the prices per pound for each dried egg product set forth for the particular city in Table H of this section and for the month in which delivered.

(b) *Maximum prices in all other places.* Maximum prices at all other places in the United States other than the above named cities, without regard to the location of such place in "Area 1" or in "Area 2", the maximum prices of such dried egg products sold and delivered to any buyer at his customary receiving point for each month shall be determined as follows:

(1) The seller shall compare the "transportation factor" from the place at which such dried egg products are to be sold and delivered to each of the cities named in Table H of this section. From the price in the city having the lowest "transportation factor" determined by such comparison and for the month in which such dried egg products are to be delivered such "transportation factor" shall be subtracted. The resulting figure is the maximum price per pound of such dried egg products sold and delivered at the buyer's customary receiving point.

(c) *"Transportation factor".* "Transportation factor" when applied to sales and deliveries of the dried egg products named in the heading of this section means the actual carlot freight rate per pound from the place at which such dried egg products are to be delivered to the city named in Table H of this section determined as provided herein multiplied by 1.14. If there is no actual carlot freight rate between such places, then the lowest transportation charge by other means shall be used.

(d) *Maximum prices per pound for dried whole eggs, dried egg yolks, and dried albumen in the Cities of New York and Seattle.*

TABLE H

	Jan. 1944	Feb. 1943	Mar.	Apr.	May	June 1–15	June 16–30	July	Aug.	Sept.	Oct.	Nov.	Dec.
Dried yolks	1.14	1.07	1.00	1.00	1.00	1.00	1.00	1.02	1.01	1.06	1.08	1.10	1.12
Dried albumen	1.94	1.87	1.80	1.80	1.80	1.80	1.80	1.82	1.84	1.86	1.88	1.90	1.92
Dried whole eggs	1.36	1.165	1.13	1.13	1.13	1.13	1.15	1.18	1.21	1.24	1.27	1.30	1.33

(1) The maximum prices for each consecutive month in the years following 1943 shall be as indicated in the above Table H the first month beginning on the first day of January in each year.

(2) The prices listed in Table H above are for dried whole eggs of Grade A quality as described in F. S. C. 1275 dated February 13, 1943, issued by the Food Distribution Administration of the United States Department of Agriculture.

(e) *Maximum prices for dried whole eggs sold F. O. B. to the United States Government or any agency thereof.* The maximum prices for dried whole eggs sold F. O. B. the seller's shipping point to the United States government or any agency thereof shall be the maximum prices for any place in which the seller's shipping point is located as determined above, paragraphs (a) through (d), in this section.

§ 1429.75 *Maximum prices for mixtures and blends of dried egg products.* The maximum prices of mixtures and blends of the dried egg products named in § 1429.74 of this regulation shall be the aggregate of the maximum prices of the separate egg products composing the particular mixture or blend plus the actual cost of other ingredients.

§ 1429.76 *Charges for containers or packages.* No extra charge shall be made by any person on account of any container or package in which egg items are contained except that:

(1) When shell eggs of consumer grades are packed in retail cartons for one dozen eggs each or for a half dozen each and the cartons so packed are furnished in the sale of such shell eggs, a charge of two cents for each packed carton of one dozen eggs and one cent for each packed carton of a half dozen eggs may be made.

(2) When the dried egg products priced in Section 1429.74 are packed in containers other than barrels, the additional labor and material costs (no other costs) incurred in packing in such other containers may be added.

§ 1429.77 *Decimals and final calculations of maximum prices.* In calculating maximum prices for sales and deliveries of egg items as provided by this regulation, all calculations shall be carried to the second decimal place of a

TABLE D—Continued

Grade	May 3	May 10	May 17	May 24	May 31	June 7	June 14	June 21	June 28	July 5	July 12	July 19	July 26	August 2	August 9	August 16	August 23	August 30
I	38.7	38.7	38.7	38.7	38.7	39	39	39	40	41	42	43	44	45	46	47	47	48
II	38.2	38.2	38.2	38.2	38.2	38.4	38.4	38.4	39.0	40	41	42	43	44	45	46	46.7	47.4
III	37.7	37.7	37.7	37.7	37.7	37.9	37.9	37.9	38.5	39.4	40.3	41.3	42.2	43.1	44.1	45.1	45.8	46.5
IV	37.2	37.2	37.2	37.2	37.2	37.4	37.4	37.4	38.0	38.8	39.7	40.7	41.6	42.5	43.4	44.4	45.1	45.8

Grade	September 6	September 13	September 20	September 27	October 4	October 11	October 18	October 25	November 1	November 8	November 15	November 22	November 29	December 6	December 13	December 20	December 27
I	49	50	51	52	53	53	54	54	54	53	52	51	50	49.7	49.7	49.7	49.7
II	47.4	48.2	49.0	49.0	50.9	50.9	51.7	51.7	51.9	51.2	50.4	49.7	49.7	47.7	47.7	47.7	48.7
III	45.9	46.4	46.9	47.9	48.9	48.9	49.4	49.4	49.4	48.9	48.4	48.1	48.1	46.1	45.9	45.7	46.2
IV	44.3	44.6	44.8	45.8	46.8	46.8	47.1	47.1	47.2	46.7	46.3	46.1	46.1				

(1) The maximum prices of procurement grades of shell eggs for each consecutive week in the years following 1943 shall be as indicated in the above Table D the first week beginning on the first Monday in each year.

(f) *Maximum prices of retail grades of shell eggs in quantities of 1500 dozen or less sold to the United States or any agency thereof.* Where procurement grades of shell eggs are unobtainable or unsuitable for a particular need, retail grades of shell eggs may be purchased by the United States or any agency thereof in quantities of 1500 dozen eggs or less. The maximum prices of such retail grades of shell eggs sold and delivered to the United States or any agency thereof shall not exceed the maximum prices of such grades of eggs when sold and delivered to retailers or commercial, industrial, or institutional users.

§ 1429.70 *Maximum prices for the sale of frozen whole eggs, frozen whites, frozen 45% yolks, frozen sugared or salted yolks and frozen reconstituted eggs to any purchaser in carload quantities*—(a) *Maximum prices in basing point cities and City of Chicago.* The maximum prices of frozen whole eggs, frozen whites, frozen 45% yolks, frozen sugared or salted yolks and frozen reconstituted eggs sold and delivered in carload quantities to a purchaser at his refrigerated warehouse in a basing point city or in the City of Chicago, Illinois shall be the price per pound for the particular basing point city in Table E and for Chicago in Table F of this section for the month in which delivered.

(b) *Maximum prices in "Area 1" except New York City.* In all places other than New York City within "Area 1", the maximum prices of the egg products named in the heading of this section sold and delivered in carload quantities to a purchaser at his refrigerated warehouse for the month in which delivered shall be the maximum price in Chicago, Illinois plus the "transportation factor" from Chicago to the place of delivery.

(c) *"Transportation factor."* "Transportation factor" when applied to sales and deliveries of the frozen egg products named in the heading of this section means the actual carlot freight rate per pound from Chicago, Illinois to the place of delivery of the egg products in "Area 1" multiplied by 1.16, and in "Area 2" means the actual freight rate from the place of delivery of such frozen egg products to the basing point city as provided in this section, multiplied by 1.16. If there is no actual carlot freight rate between such places, then the lowest transportation charge by other means shall be used.

(d) *Maximum prices in "Area 2" except for basing point cities and certain areas in the State of Washington as provided in this section.* In "Area 2," except basing point cities and certain areas in the State of Washington as provided in paragraph (i) in this section, the maximum prices for such egg products sold and delivered in carload quantities to a purchaser at his refrigerated warehouse shall be as follows:

(1) It must be determined which basing point city (New York City, Seattle, Los Angeles, San Francisco, San Diego,

cent, and any final calculation of a maximum price resulting in a fraction of a cent per dozen eggs or per pound of egg products shall be adjusted to the nearest one-tenth of a cent.

Issued this 25th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3069; Filed, February 25, 1943; 3:12 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[Temporary MPR 27]

BROOM CORN

In accordance with the direction of the President to take action which will stabilize prices affecting the cost of living, and under the authority therewith delegated by the President pursuant to the Act of Congress approved October 2, 1942, entitled "An Act to Aid in Stabilizing the Cost of Living" (H. R. 7565), 77th Congress, 2nd Session, and under the authority of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, the Price Administrator, after consultation with the Secretary of Agriculture, hereby issues this Temporary Maximum Price Regulation No. 27 establishing as the maximum prices for broom corn the prices prevailing with respect thereto within five days prior to the issuance of this regulation.

§ 1439.151 *Prohibition against buying and selling above maximum prices.* From February 25, 1943, to April 26, 1943, inclusive, regardless of any contract, agreement or other obligation, no person shall sell or deliver broom corn, and no person in the course of trade or business shall buy or receive broom corn at prices higher than the maximum prices established by this Regulation; and no person shall agree, offer, solicit or attempt to do any of the foregoing. Lower prices may be charged, demanded, paid or offered.

§ 1439.152 *Maximum prices.* (a) The seller's maximum price for broom corn shall be the highest price charged by the seller to a purchaser of the same class during the period of February 20, 1943 to February 24, 1943, inclusive, for broom corn of the same type, grade and quality.

(b) Where a seller during the period February 20, 1943 to February 24, 1943, inclusive, did not deal in broom corn of the same type, grade and quality, his maximum price for such broom corn shall be the highest price charged therefor during the period February 20, 1943 to February 24, 1943, inclusive, by his most closely competitive seller to a purchaser of the same class.

"Highest price charged during the period February 20, 1943 to February 24, 1943, inclusive" means the highest price which the seller charged for broom corn delivered by him during the period from February 20, 1943 to February 24, 1943, inclusive, to a purchaser of the same class, or, if the seller made no such delivery during such period, his highest offering price for delivery during that period to a purchaser of the same class. No seller shall change his customary allowances, discounts or other price differentials unless such change results in a lower price. No seller shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of the transportation costs incurred in the delivery of broom corn than the seller required a purchaser of the same class to pay during the period February 20, 1943 to February 24, 1943, inclusive, on deliveries of broom corn.

"Purchaser of the same class" refers to the practice followed by the seller during the 90 day period preceding February 25, 1943, of setting different prices for sales to different purchasers or kinds of purchasers or for purchasers located in different areas or for different quantities or under different conditions of sale.

§ 1439.153 *Evasion.* The price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to broom corn alone or in conjunction with any other commodity, or by way of any commission, service, transportation or other charge, discount, premium or other privilege or by tying-agreement or other trade understanding.

§ 1439.154 *Conditional agreements.* No seller of broom corn shall enter into an agreement permitting the adjustment of the prices to prices which may be higher than the maximum prices provided by this regulation in the event that this regulation is amended or is determined by a court to be invalid or upon any other contingency: *Provided*, That if a petition for amendment has been duly filed, and such petition requires extensive consideration, the Price Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment. Requests for such an exception may be included in the aforesaid petition for amendment.

§ 1439.155 *Sales for export.* The maximum price at which a person may export broom corn shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[1] issued by the Office of Price Administration.

§ 1439.156 *Records and reports.* (a) Every person selling broom corn shall preserve for examination by the Office of Price Administration all his existing records relating to the prices which he charged for broom corn during the period February 20, 1943 to February 24, 1943, inclusive, and his offering prices for delivery or supply of broom corn during such period; and shall prepare, on or before February 27, 1943, on the basis of all available information and records, and thereafter keep for examination by any person during ordinary business hours, a statement showing (1) the highest prices charged for broom corn, together with an appropriate identification of the type, grade and quality thereof, and (2) all his customary allowances, discounts, and other price differentials.

(b) Every person selling broom corn shall keep and make available for examination by the Office of Price Administration records of the same kind as he has customarily kept relating to the prices which he charged for broom corn during the period from February 25, 1943 to April 26, 1943, inclusive.

(c) Such persons shall submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraphs (a) and (b) of this section as the Office of Price Administration may from time to time require.

§ 1439.157 *Enforcement.* (a) Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this regulation or any price schedule, regulation, or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation are urged to communicate with the nearest district, state, field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1439.158 *Petitions for amendment.* Persons seeking modification of any provisions of this regulation or an adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[2] issued by the Office of Price Administration.

§ 1439.159 *Definitions.* (a) When used in this regulation, the term:

(1) "Person" means an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Broom corn" means the plant of the sorghum family used in the manufacture of brooms and brushes.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in the General Maximum Price Regulation, issued by the Office of Price Administration, shall apply to other terms used herein.

§ 1439.160 *Revocation or replacement of regulation.* This regulation may be revoked or replaced by a permanent maximum price regulation or order issued by the Office of Price Administration.

§ 1439.161 *Geographical applicability.* This regulation shall be applicable to the continental United States, and to the District of Columbia, but not to the territories and possessions of the United States.

§ 1439.162 *Effective period.* This regulation (§§ 1439.151 to 1439.162, inclusive) shall become effective on February 25, 1943, and shall, unless earlier revoked or replaced, expire at 12 o'clock midnight, April 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of February 1943

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3068; Filed, February 25, 1943; 3:11 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 300 Under § 1499.3 (b) of GMPR]

ROBERTS-DAVIS COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1736 *Approval of maximum prices for sales of "Limeproof Blue No. 4002" by the Roberts-Davis Company.*—(a) The maximum price for sales by the Roberts-Davis Company, Los Angeles, California, of "Limeproof Blue No. 4002" is established at 37.11 cents per pound, f. o. b. Los Angeles, California.

(b) The Roberts-Davis Company shall apply to the maximum price set forth in paragraph (a) for its sales of "Limeproof Blue No. 4002" all quantity differentials, discounts for purchasers of different classes, trade practices, credit terms, practices relating to the payment of transportation costs, and any other customary discounts or allowances which were in effect in March 1942 on its sales of "Rodaco Blue No. 470."

(c) This Order No. 300 may be revoked or amended by the Price Administrator at any time.

This Order No. 300 (§ 1499.1736) shall become effective on February 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3070; Filed, February 25, 1943; 3:12 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 226, Under § 1499.3 (b) of GMPR]

WILLSON PRODUCTS, INC.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* *It is ordered:*

Paragraph (a) of § 1499.1462 is amended as set forth below:

§ 1499.1462 *Approval of Maximum Prices for Sales by Willson Products, Inc., of a new industrial gas mask and canister.* (a) Willson Products, Inc., Reading, Pennsylvania and its distributors may sell and deliver its Universal "Firefighter" (Type N) industrial gas mask unit and canister at prices, no higher than those set forth below subject to discounts, allowances and terms no less favorable than those customarily granted by the seller.

No. WUG-N2 Gas Mask unit, including head harness, facepiece, breathing tube, inhalation meter, two canisters, canister harness, and carrying case	$37.50
No. G730 Canister for above gas mask unit	5.39

* * * * *

This Amendment No. 1 to Order No. 226 (§ 1499.1462 (a)) shall be effective February 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3073; Filed, February 25, 1943; 3:12 p. m.]

PART 1340—FUEL

[MPR 120,[1] Amendment 43]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Sections 1340.228 (b) and 1340.230 (b) are amended to read as set forth below:

§ 1340.228 *Appendix Q: Maximum prices for bituminous coal produced in District No. 17.* * * *

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.*

From all mines—	Prices and size group Nos.															
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	19
Subdistrict No.:																		
1	515	510	495	475	455	435	430	....	390	360	315	315	235	....	180	145	355	355
2	530	525	520	495	470	450	445	....	405	360	335	325	245	....	235	205	355	320
3	465	455	455	455	430	435	430	....	380	340	315	305	245	....	235	205	355	320
4	520	515	510	495	470	435	420	....	395	335	310	300	235	....	205	175	355	320
5	465	465	450	460	435	405	395	....	365	340	345	315	215	....	205	200	355	320
6	490	450	440	440	410	410	390	....	370	345	....	....	245	230	225	205	355	320
7	450	440	440	440	370	370	360	....	365	345	....	....	265	230	225	185	355	320
8	400	390	390	390	345	345	335	....	395	355	....	....	270	250	245	205	355	340
9*	440	430	430	430	420	420	340	380	380	355	305	....	265	245	240	250	355	325
*Exception for Sugarite Mine	490	480	480	480	470	445	365	....	390	380	....	....	265	245	240	270	355	325
10	490	480	480	480	470	445	365	....	390	380	....	....	265	245	240	270	355	325
11	475	465	440	440	395	385	385	....	345	300	....	....	240	225	215	175	355	315
12	425	425	415	385	360	370	355	....	350	315	....	....	235	230	220	180	355	290
15	425	415	395	395	370	345	320	....	370	330	240	....	235	230	220	180	355	290
16	390	380	360	360	335	300	285	....	335	320	....	....	230	225	215	175	345	280
18	450	440	420	420	395	360	355	....	405	370	....	....	240	235	225	185	355	290
19 and 20	495	485	465	465	440	405	390	....	415	380	....	....	265	255	245	210	370	305

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942 (without adjustments on account of price exceptions), plus a sum not exceeding 35 cents in all size groups.

(3) *Maximum prices in cents per net ton for railroad locomotive fuel except as otherwise specifically provided herein.* The maximum prices for railroad locomotive fuel shall be the applicable effective minimum prices as of October 1, 1942, for all-rail, on-line shipments (without adjustments on account of price exceptions, freight differentials, and substitutions), plus a sum not exceeding 55 cents per net ton; *Provided*, That where a mine is on-line to more than one railroad, the highest minimum price shall be applicable in determining the applicable maximum price; *Provided, further*, That when railroads purchase coals for railroad locomotive fuel use in sizes which are not included in size groups specifically priced in the effective minimum price schedule for railroad locomotive fuel, or purchase coal for any use other than railroad locomotive use, the maximum price for such railroad fuel shall be the all-rail maximum price for the grade and size shipped, as specified in (1) above.

(4) *Maximum prices in cents per net ton for smithing coal.* The maximum prices from all mines in all size groups for smithing coal shall not exceed 605 cents per net ton.

§ 1340.230 *Appendix S: Maximum prices for bituminous coal produced in District No. 19.* * * *

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

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[1] 7 F.R. 5059, 7242, 8829, 9000, 10530.

[2] 7 F.R. 8961.

*Copies may be obtained from the Office of Price Administration.

[1] F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218, 6265, 6272, 6472, 6325, 6524, 6744, 6898, 7777, 7670, 7914, 7942, 8354, 8650, 8943, 9783, 10470, 10581, 10780, 10993, 11008, 11012; 8 F.R. 926, 1388, 1629, 1679, 1747, 1971, 2023, 2030.

*Copies may be obtained from the Office of Price Administration.

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.*

From all mines—	Prices and size group Nos.															
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Subdistrict No.:																	
1	445	445	430	415	430	395	355	330	315	290	290	350	....	....	235	235	200
2	415	415	390	360	390	350	340	320	315	300	320	315	285	....	270	270	170
3	325	325	325	325	300	300	300	300	250	225	....	250	270	....	205	205	130
4	....	400	400	325	....	....	....	250	....	200	....	250	....	235	....	....	....
5	505	505	505	495	495	495	470	415	340	280	275	310	225	....	210	210	210
6	310	310	....	....	340	340	340	260	240	240	....	285	245	160	160	160	....
7	285	285	....	....	255	255	255	265	245	245	....	250	225	225	210	230	....
8	225	225	....	200	....	....	....	200	195	....	....	180	....	140	140	140	....
9	....	290	....	290	290	290	270	270	175	175	....	200	....	175	175	150	100

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 75 cents in all size groups.

(3) *Maximum prices in cents per net ton for railroad fuel.* The maximum prices for all railroad fuel shall be the applicable effective minimum prices as of October 1, 1942 for all-rail on-line shipments (without adjustments on account of price exceptions, freight differentials, and substitutions), plus a sum not exceeding 30 cents per net ton: *Provided*, That where a mine is on-line to more than one railroad, the highest minimum price shall be applicable in determining the maximum price; *Provided, further*, That where a producer, or a subdistrict, does not have an established minimum price for railroad fuel, the maximum price for such coal shall be the all-rail maximum price for the grade and size shipped, as specified in (1) above.

(4) In the event any specific maximum price has been adjusted prior to February 15, 1943, the effective maximum price in such case shall not be determined by reference to subparagraphs 1, 2 or 3 above, but must be computed by adding to such adjusted price the following sum:

(i) For the methods of shipment and uses indicated in (1) above; Thirty (30) cents in all size groups.

(ii) For the methods of shipment and uses indicated in (2) above; Thirty (30) cents in all size groups.

(iii) For use indicated in (3) above; Fifteen (15) cents.

This amendment shall be effective as of February 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3091; Filed, February 25, 1943; 4:20 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Restriction Order 1,[1] Amendment 14]

MEAT RESTRICTION

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraph (a) of § 1407.919a is amended to read as set forth below:

§ 1407.919a *Allocation orders.* (a) The district manager of the Office of Price Administration or, where there is none, the State Director, having jurisdiction over any meat allocation area, may issue allocation orders requiring any person who is engaged in the business of selling or delivering controlled meat in or from within that area, to deliver any controlled meat, which he has in or brings into the area, to such persons within the area, at such times and in such quantities as the district manager or the State Director may direct. Such allocation order may be issued only if the district manager (or State Director) finds it to be in the public interest to do so by reason of the fact that the person to whom the order requires deliveries to be made has been unable to secure a reasonable quantity of controlled meat for delivery, or for service to consumers, and that, as a result, consumers are unable to acquire a reasonable amount of controlled meat. However, no such order shall require delivery of controlled meat to individual consumers.

This amendment shall become effective February 25, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; W.P.B. Directive 1, Supp. Dir. 1-M, 7 F.R. 562, 7234)

Issued this 25th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3076; Filed, February 25, 1943; 4:19 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 7829, 8217, 8524, 9247, 9250, 9639, 10258, 10621, 10704; 8 F.R. 375, 1279, 2274.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Restriction Order 2[1], Amendment 1]

RICE RESTRICTION

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraphs (m), (n) and (o) are added to § 1407.3001; paragraph (a) of § 1407.3006 is amended; paragraph (d) is added to § 1407.3007 and a new § 1407.3015 is added.

§ 1407.3001 *Definitions.* • • •

(m) "Industrial user" means an establishment which receives rice for use in the production, manufacture, cooking, or processing of any food for resale.

(n) "Institutional user" means an establishment which receives rice for feeding persons housed within a non-profit institution such as a hospital, school, convent or prison.

(o) "Establishment" means the business or operation subject to Restriction Order 2, conducted at or from a particular location.

§ 1407.3006 *Quotas and allotments established.* (a) The quotas for such industrial or institutional users as the Director shall determine to be eligible and for retailers to acquire rice during a quota period and the duration of each quota period shall be determined by the Director in accordance with the available supplies of rice.

§ 1407.3007 *Application for adjustment.* • • •

(d) An establishment, not heretofore subject to Restriction Order 2, or a retailer who did not sell, or an industrial or institutional user which did not purchase rice in November 1941 may apply to the board having jurisdiction for assignment of a quota or allotment. The board shall examine all pertinent facts, shall assign a temporary quota or allotment within any then established quota or allotment and shall, within three days thereafter, render a complete report to the Director. The Director may, based on the facts presented, direct the board to amend the assigned quota or allotment. The establishment may apply for an adjustment at any time after the assignment of a temporary quota in accordance with paragraphs (a), (b) and (c) of this section.

§ 1407.3015 *Effective dates of amendments.* (a) Amendment No. 1 to Restriction Order 2 (§§ 1407.3001 (m), (n), (o), 1407.3006 (a), 1407.3007 (d) and 1407.3015 (a)) shall become effective on February 6, 1943.

[1] 7 F.R. 10536.

(W.P.B. Dir. 1 issued January 24, 1943 and Supp. Dir. 1-J as amended issued October 29, 1942)

Issued this 6th day of February 1943.

WILLIAM B. MEAD,
Director,
Office of Price Administration
For Puerto Rico.

[F. R. Doc. 43-3077; Filed, February 25, 1943; 4:19 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Restriction Order 3,[1] Amendment 1]

CANNED MEAT AND CANNED FISH

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In Restriction Order 3, section 9 is amended and a definition of "fish" is added to section 12, to be inserted in alphabetical order, and the definition of "transfer" in section 12 is amended to read as set forth below:

SEC. 9. *Canned meat and canned fish held for sale must not be opened except for inspection.* No person shall, except for necessary and customary inspection, puncture or open a hermetically sealed container in which canned meat or canned fish is packed if such container or the contents thereof are held for sale or transfer.

SEC. 12. *Definitions.* • • •

"Fish" means any edible part of fish, including fish roe and caviar. It includes all products containing fish in which the fish constitutes more than 10 percent of the total net weight.

• • • • • •

"Transfer" means to sell, give, exchange, lend, deliver or consign. It includes any transfer of possession or title, however accomplished, as well as service in meals or delivery in any other manner of the contents of containers in which canned meat or canned fish is packed if such service or delivery is made for a consideration.

This amendment shall become effective February 25, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive No. 1, 7 F.R. 562, and Supplementary Directive No. 1-M, 7 F.R. 7234; and Food Directive No. 1, 8 F.R. 827)

Issued this 25th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3090; Filed, February 25, 1943; 4:19 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2214.

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[Temporary MPR 28,[1] Amendment 1]

CERTAIN PERISHABLE FRUITS AND VEGETABLES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Temporary Maximum Price Regulation No. 28 is amended in the following respect:

A new § 1439.253a is added to read as follows:

§ 1439.253a *Applications for local adjustment of maximum prices.* (a) If any seller finds that by reason of distress sales or other unusual conditions, his maximum price for any of the listed commodities is abnormally low in relation to the maximum prices for merchantable quality of the listed commodities established for other sellers of the same class, he may file an application for adjustment of his maximum price.

(b) Such application shall be filed with the State or district office of the Office of Price Administration for the area in which the applicant is located. Such applicant shall submit a statement setting forth:

(1) His name and address.

(2) The type of business establishment operated by him (for example, but not limited to, commission merchant, wholesaler, country shipper, terminal seller, etc.)

(3) The listed commodity for which he seeks an adjustment.

(4) His present maximum price.

(5) A full description of the sale which established his present maximum price, including

(i) The date of the sale,

(ii) The name and address of the purchaser,

(iii) The type of business establishment operated by the purchaser,

(iv) The quantity sold,

(v) A full description of the condition of the merchandise when sold,

(vi) The maximum price and

(vii) The terms of the sale.

(6) The reasons why the applicant's present maximum price is abnormally low.

This amendment shall become effective February 25, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of February 1943.

PRENTISS M. BROWN,
Administrator.

Approved:

GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 43-3089; Filed, February 25, 1943; 4:19 p. m.]

[1] 8 F.R. 2396.

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[Temporary MPR 29]

CERTAIN PERISHABLE VEGETABLES (SPINACH AND LETTUCE)

In the judgment of the Price Administrator, it is necessary and proper in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, to issue a temporary maximum price regulation establishing as the maximum prices for certain perishable vegetables the prices prevailing with respect thereto within the five days prior to the date of issuance of this regulation.

The maximum prices herein established are not below prices which will reflect to the producers of these perishable vegetables prices equal to the highest of the prices required by the provisions of section 3 of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250.

Therefore, under the authority vested in the Price Administrator by the aforesaid Act and Executive order, and in accordance with Revised Procedural Regulation No. 1[1], Temporary Maximum Price Regulation No. 29 is hereby issued.

Sec.
1439.301 Purposes of this regulation.
1439.302 Prohibition against buying and selling above maximum prices.
1439.303 Maximum prices for certain perishable vegetables.
1439.304 Application for local adjustment of maximum prices.
1439.305 Exempt sales.
1439.306 Evasion.
1439.307 Sales for export.
1439.308 Records and reports.
1439.309 Enforcement.
1439.310 Petitions for amendment.
1439.311 Relationship to the General Maximum Price Regulation.
1439.312 Geographical Applicability.
1439.313 Definitions.
1439.314 Revocation or replacement of regulation.
1439.315 Effective period.

AUTHORITY: §§ 1439.301 to 1439.315, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250; 7 F.R. 7691.

§ 1439.301 *Purposes of this regulation.* The purposes of this regulation are to establish maximum prices for sales and deliveries of each kind, variety and type of the following fresh vegetables, whether imported or domestic:

(a) Lettuce.

(b) Spinach.

The perishable vegetables listed above are referred to in this regulation as the "listed commodities".

§ 1439.302 *Prohibition against buying and selling above maximum prices.* From February 25, 1943 to April 26, 1943, inclusive, regardless of any contract, agreement, or any other obligation no person shall sell or deliver a listed com-

[1] 7 F.R. 8961.

modity and no person in the course of trade or business shall buy or receive a listed commodity at a price higher than the maximum price permitted by this Temporary Maximum Price Regulation No. 29, and no person shall agree, offer, solicit or attempt to do any of the foregoing. Lower prices than the maximum prices may be charged, demanded, paid or offered.

§ 1439.303 *Maximum prices for certain perishable vegetables.* (a) The seller's maximum price for any listed commodity shall be the highest price charged by the seller to a purchaser of the same class during the period February 20, 1943 to February 24, 1943, inclusive, for the same listed commodity.

(b) If a seller during the period of February 20, 1943 to February 24, 1943, inclusive, did not sell, deliver or otherwise deal in a listed commodity, such seller's maximum price for such listed commodity shall be the highest price charged during the period February 20, 1943 to February 24, 1943, inclusive, by his most closely competitive seller to a purchaser of the same class for such listed commodity.

§ 1439.304 *Application for local adjustment of maximum prices.* (a) If any seller finds that by reason of distress sales or other unusual conditions, his maximum price for any of the listed commodities is abnormally low in relation to the maximum prices for merchantable quality of the listed commodities established for other sellers of the same class, he may file an application for adjustment of his maximum price.

(b) Such application shall be filed with the State or district office of the Office of Price Administration for the area in which the applicant is located. Such applicant shall submit a statement setting forth:

(1) His name and address.

(2) The type of business establishment operated by him (for example, but not limited to, commission merchant, wholesaler, country shipper, terminal seller, etc.)

(3) The listed commodity for which he seeks an adjustment.

(4) His present maximum price.

(5) A full description of the sale which established his present maximum price, including

(i) The date of the sale,

(ii) The name and address of the purchaser,

(iii) The type of business establishment operated by the purchaser.

(iv) The quantity sold.

(v) A full description of the condition of the merchandise when sold.

(vi) The maximum price and

(vii) The terms of the sale.

(6) The reasons why the applicant's present maximum price is abnormally low.

§ 1439.305 *Exempt sales.* This Temporary Maximum Price Regulation No. 29 shall not apply to the following:

(a) Deliveries to the United States, or any agency thereof, under contracts entered into prior to February 25, 1942.

(b) Sales or deliveries made directly by a farmer of any listed commodity grown on his farm. However, this Temporary Maximum Price Regulation No. 29 shall apply to a sale or delivery by a farmers' cooperative or to a sale or delivery made directly by a farmer of any listed commodity to an ultimate consumer if during the preceding month the farmer's sales to ultimate consumers of all food and food products produced on his farm exceeded $75.00.

§ 1439.306 *Evasion.* The prime limitations set forth in this Temporary Maximum Price Regulation No. 29 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to a listed commodity, alone or in conjunction with any other commodity, or by way of any commission, service transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or by changing a business practice relating to the price lines, grading, labeling, packaging or branding of a listed commodity.

§ 1439.307 *Sales for export.* The maximum prices at which a person may export a listed commodity shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation,[1] issued by the Office of Price Administration.

§ 1439.308 *Records and reports.* (a) As to all sales not specifically exempted by other sections of this Temporary Maximum Price Regulation No. 29 every person selling a listed commodity shall preserve for examination by the Office of Price Administration all his existing records relating to prices which he charged for such listed commodity, delivered or supplied during the period February 20, 1943 to February 24, 1943, inclusive, and his offering prices for delivery or supply of a listed commodity during such period; and shall prepare, on or before March 15, 1943, on the basis of all available information and records, and thereafter keep for examination by any person during ordinary business hours, a statement showing (1) the highest prices charged for such listed commodity during such period, together with an appropriate identification of such commodity, and (2) all his customary allowances, discounts, and other price differentials.

(b) As to all sales not specifically exempted by other sections of this Temporary Maximum Price Regulation No. 29 every person selling a listed commodity shall keep and make available for examination by the Office of Price Administration records of the same kind as he has customarily kept relating to the prices which he charged for such listed commodity during the period from February 25, 1943, to April 26, 1943, inclusive, and in addition, records showing, as precisely as possible, the basis upon which he determined maximum prices.

[1] 7 F.R. 5059, 7242, 8529, 9000, 10530.

(c) Such persons shall submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraphs (a) and (b) of this section as the Office of Price Administration may from time to time require.

§ 1439.309 *Enforcement.* (a) Persons violating any provisions of this Temporary Maximum Price Regulation No. 29 are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses, provided by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this Temporary Maximum Price Regulation No. 29 or of any price schedule, regulation, or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation are urged to communicate with the nearest district, State, or regional office of the Office of Price Administration, or its principal office in Washington, D. C.

§ 1439.310 *Petitions for amendment.* Any person seeking an amendment of any provision of this Temporary Maximum Price Regulation No. 29 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, and amendments, issued by the Office of Price Administration.

§ 1439.311 *Relationship to the General Maximum Price Regulation.*[1] The following sections of the General Maximum Price Regulation, and amendments to them, shall be applicable to every person selling a listed commodity:

(a) *Determination of maximum prices by sellers at retail operating more than one retail establishment* (§ 1499.4a). In applying § 1499.4 (a) of the General Maximum Price Regulation, the base period of February 20, 1943 to February 24, 1943, inclusive, shall be substituted for the period of March 1942 used therein.

(b) *Adjustment of maximum prices in cases of special deals* (§ 1499.4).

(c) *Transfers of business or stock in trade* (§ 1499.5).

(d) *Federal and state taxes* (§ 1499.7). In applying § 1499.7 of the General Maximum Price Regulation, the base period of February 20, 1943 to February 24, 1943, inclusive, shall be substituted for the period of March 1942 used therein, and the date February 25, 1943, shall be substituted for the date March 31, 1942.

§ 1439.312 *Geographical applicability.* The provisions of this Temporary Maximum Price Regulation No. 29 shall be applicable to the United States, its territories and possessions, the District of Columbia.

§ 1439.313 *Definitions.* (a) When used in this Temporary Maximum Price Regulation No. 29, the term:

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4329, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 5794, 6939, 7093, 7322, 7454, 7913, 8431, 8381, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110.

(1) "Person" means an individual, corporation, partnership, association, or other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, any other government, or any of its political subdivisions, and any agencies of any of the foregoing.

(2) "Highest price charged during the period February 20, 1943, to February 24, 1943, inclusive, means the highest price which the seller charged for a listed commodity delivered by him during the period from February 20, 1943 to February 24, 1943, inclusive, to a purchaser of the same class, or, if the seller made no such delivery during such period, his highest offering price for delivery during that period to a purchaser of the same class. No seller shall change his customary allowances, discounts or other price differentials unless such change results in a lower price. No seller shall require any purchase, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery or supply of any listed commodity than the seller required purchasers of the same class to pay during the period February 20, 1943 to February 24, 1943, inclusive, on deliveries of a listed commodity.

(3) "Purchaser of the same class" refers to the practice followed by the seller in the ninety-day period preceding February 25, 1943, in setting different prices for sales to different purchasers or kinds of purchasers (for example, but not limited to, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer, or any ordinarily recognized subgroup or combination of the foregoing) or for purchasers located in different areas or for different quantities or under different conditions of sale.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in the General Maximum Price Regulation, issued by the Office of Price Administration, shall apply to other terms used herein.

§ 1439.314 *Revocation or replacement of regulation.* This Temporary Maximum Price Regulation No. 29 may be revoked or replaced by a permanent maximum price regulation or order issued by the Office of Price Administration.

§ 1439.315 *Effective period.* This Temporary Maximum Price Regulation No. 29 (§§ 1439.301 to 1439.315, inclusive) shall become effective on February 25, 1943 and shall unless earlier revoked or replaced expire at twelve o'clock midnight, April 26, 1943.

Issued this 25th day of February 1943.

PRENTISS M. BROWN,
Administrator.

Approved:

GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 43-3075; Filed, February 25, 1943; 4:20 p. m.]

PART 1340—FUEL

[M.P.R. 120,[1] Amendment 42]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1340.207 (b) is amended to read as set forth below:

§ 1340.207 *Petitions for amendment and applications for adjustment.* * * *

(b) The Administrator may by order grant an adjustment of or exception from the maximum prices to any producer who shows to the satisfaction of the Administrator that the sale of its mine's entire production at the maximum prices would return a realization less than the mine's representative costs of production.

This amendment No. 42 shall be effective March 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3118; Filed, February 26, 1943; 11:35 a. m.]

PART 1340—FUEL

[MPR 137,[2] Amendment 24]

PETROLEUM PRODUCTS SOLD AT RETAIL

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1340.93a (t) is amended to read as set forth below:

§ 1340.93a *Effective dates of amendments.* * * *

(t) Amendment No. 19 (§§ 1340.86 (e), 1340.90 (a) (12), 1340.91 (1)) to Maximum Price Regulation No. 137 shall become effective February 1, 1943.

This amendment shall become effective March 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3116; Filed, February 26, 1943; 11:36 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218, 6265, 6272, 6472, 6325, 6524, 6744, 6898, 7777, 7670, 7914, 7942, 8354, 8650, 8948, 9783, 10470, 10581, 10780, 10993, 11008, 11012; 8 F.R. 926, 1388, 1629.

[2] 7 F.R. 3165, 3749, 4273, 4653, 4780, 4853, 5363, 5868, 5941, 6057, 6896, 7902, 8353, 8938, 8948, 9335, 10684, 11008, 1112, 11075; 8 F.R. 231, 232, 1226, 1586, 1799, 2152, 2120.

PART 1340—FUEL

[RPS 88,[1] Amendment 77]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1340.158a (hhh) is amended to read as set forth below:

§ 1340.158a *Effective dates of amendments.* * * *

(hhh) Amendment No. 60 (§§ 1340.157 (b); 1340.159 (c) (3) (xiii)) to Revised Price Schedule No. 88 shall become effective February 1, 1943.

This amendment shall become effective March 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3117; Filed, February 26, 1943; 11:35 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 305,[2] Amendment 1]

CORN MEAL, FLOUR, GRITS, ETC.

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.* Paragraph (a) of § 1351.1755 is amended to read as set forth below.

§ 1351.1755 *Transportation and freight tax.* (a) Transportation means the railroad charge figured at the carload proportional rate or, if none, the carload flat rate (including the 3 per cent transportation tax applicable under section 620 of the Revenue Act of 1942) from the basing point at Kansas City, Missouri, to the railroad siding nearest the point designated by the buyer as his receiving point. No transportation or local hauling charge beyond such receiving point shall be added to the maximum price except as permitted in § 1351.1757 below.

* * * * * *

This amendment shall become effective March 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3120; Filed, February 26, 1943; 11:35 a. m.]

[1] F.R. 1107, 1371, 1798, 1799, 2132, 2304, 2352, 2634, 2945, 3463, 3482, 3524, 3576, 3895, 3963, 4483, 4654, 4854, 4857, 5481, 5867, 5868, 5988, 5983, 6057, 6067, 6471, 6680, 7242, 7838, 8433, 8478, 9134, 9335, 9425, 9460, 9620, 9621, 9817, 1820, 10684, 11069, 11112, 11075; 8 F.R. 157, 232, 233, 857, 1227, 1200, 1457, 1312, 1318, 1642, 1799, 2023, 2105, 2119, 2152, 3852, 8566, 8701, 8741, 8829, 8938, 8948, 9130.

[2] 8 F.R. 1063.

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 335]

PEANUTS AND PEANUT BUTTER

This regulation is issued in order to establish maximum prices for peanuts and peanut butter at levels which are generally fair and equitable and which will aid in stabilizing the cost of living. A statement of the considerations involved in the issuance of this regulation has been issued and filed with the Division of the Federal Register.* Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 335 is hereby issued.

Sec

1351.2001 Purpose of this regulation.
1351.2002 List of maximum prices which farmers may charge for farmers' stock peanuts.
1351.2003 List of maximum prices which shellers and primary jobbers may charge for unshelled and shelled peanuts.
1351.2004 Maximum prices which processors may charge for salted, blanched, sliced, chopped, granulated, or roasted peanuts, and for peanut butter.
1351.2005 Maximum prices which wholesalers and retailers may charge for salted peanuts.
1351.2006 General provisions.

AUTHORITY: §§ 1351.2001 to 1351.2006, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1351.2001 *Purpose of this regulation.* It is the purpose of this regulation to establish maximum prices for the following peanut products:

(a) Farmers' stock peanuts, in sales by growers.

(b) Unshelled and shelled peanuts, in sales by shellers and primary jobbers.

(c) Salted, blanched, sliced, chopped, granulated, or roasted peanuts, and peanut butter, in sales by processors.

(d) Salted peanuts, in sales by wholesalers and retailers.

Prices are in effect from February 27, 1943. Maximum prices for the wholesalers and retailers of peanut butter will be governed by Maximum Price Regulations Nos. 237[1] and 238.[2]

§ 1351.2002 *List of maximum prices which growers may charge for farmers' stock peanuts.* (a) The maximum prices per ton, f. o. b. local shipping point, which growers may charge for farmers' stock peanuts shall be:

	Dollars per ton
Virginia type:	
Grade U. S. Nos. 1 and 2 (Classes A and below)	$176
Grade U. S. No. 3 (Classes A and below) and unclassified	168
White Spanish type:	
All grades	169
Runner type:	
All grades	154

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8205, 8427, 8808, 9183, 9973, 10013, 10715; 8 F.R. 373, 569, 1200, 2106.

[2] 7 F.R. 8209, 8808, 9184, 10013, 10227, 10714; 8 F.R. 120, 374, 532, 1116, 2106.

(b) The grades and classes referred to in this section are the United States grades and classes for farmers' stock peanuts issued by the United States Department of Agriculture.

§ 1351.2003 *List of maximum prices which shellers and primary jobbers may charge for unshelled and shelled peanuts*—(a) *Shellers' prices for unshelled peanuts.* The maximum prices per pound, f. o. b. mill, which shellers may charge for unshelled peanuts shall be:

	Cents per lb.
Virginia type:	
Grade U. S. Jumbo and Fancy	15¼

(b) *Shellers' prices for shelled peanuts.* The maximum prices per pound, f. o. b. mill, which shellers may charge for shelled peanuts shall be:

	Cents per lb.
Virginia type:	
Grades above U. S. No. 1	16¼
Grade U. S. No. 1 and below (including splits)	14⅝
White Spanish type:	
All grades:	
Shellers east of Mississippi River	14½
Shellers west of Mississippi River	14½
Runner type:	
All grades	14¢

(c) *Primary jobbers' prices for unshelled and shelled peanuts.* The maximum price per pound or other unit, f. o. b. warehouse, which a primary jobber may charge for any type and grade of unshelled or shelled peanuts shall be his net delivered cost (on a carload basis) plus a markup of one cent per pound. However, this markup may be added only where the jobber's supplier was a sheller. The primary jobber shall originally figure his maximum price on the basis of his most recent carload purchase, and he shall refigure it after receiving each new carload of that type and grade. The maximum price so figured is the primary jobbber's maximum price for his entire inventory of that type and grade, and it is effective until his first sale after he receives the next carload.

A "primary jobber" is one who purchases the type and grade being priced and who customarily receives shipment of the item into a warehouse or other receiving station for resale in less than carloads. His "net delivered cost" means the amount he pays for peanuts delivered at his customary receiving point less all discounts allowed him, except the discount for prompt payment. However, no expense of local trucking or unloading shall be included.

A primary jobber who leases roasting or salting equipment to any retailer he also supplies with raw shelled peanuts, and whose compensation for the use and servicing of this equipment is included in the price he charges the retailer for the peanuts, shall figure his net maximum price for peanuts and equipment (per pound or other unit of peanuts), as follows: He shall take the weighted average net price which he charged for the same peanuts and equipment in November and December 1941 and add the following amount per pound of raw shelled peanuts (use appropriate figure):

	Cal., Ore. & Wash.	Other states
Virginia type:		
All grades	9.1¢	8.5¢
White Spanish type:		
All grades	8¢	7.4¢
Runner type:		
All grades	8¢	7.4¢

(d) *Meaning of "unshelled peanuts" and "shelled peanuts".* "Unshelled peanuts" are peanuts which have been cleaned and graded. "Shelled peanuts" are peanuts which have been cleaned, graded and shelled.

(e) *Grades.* The grades referred to in this section are the United States grades for unshelled and shelled peanuts issued by the Department of Agriculture.

§ 1351.2004 *Maximum prices which processors may charge for salted, blanched, sliced, chopped, granulated, or roasted peanuts, and for peanut butter*—(a) *Pricing method for salted peanuts.* The processor shall figure his maximum price per dozen or other unit, f. o. b. plant, for each brand, variety, container type and size of salted peanuts by adding:

(1) The weighted average price, figured f. o. b. plant, which he charged for that item during November and December 1941; plus

(2) The difference, if any, between (i) the direct cost, at the processor's plant, of container, cap, label, and proportionate part of the outgoing shipping carton which was included in the prices charged during November and December 1941 and (ii) the direct cost, at the processor's plant, of the same container, cap, label, and proportionate part of the outgoing shipping carton figured at the maximum prices which his respective suppliers, if any, were entitled to charge him on February 27, 1943; plus

(3) The following amount for each pound of the finished item (use appropriate figure):

	Cal., Ore. & Wash.	Other states
Virginia type:		
Unblanched peanuts	9.1¢	8.5¢
Blanched peanuts	9.6¢	9¢
White Spanish and Runner types:		
Unblanched peanuts	8.1¢	7.5¢

If the item being priced is a mixture of different types of salted peanuts, the processor shall determine its maximum price by combining the maximum prices for the separate types in the same proportion as these types appear in the mixture. A separate price, therefore, shall be figured for each mixture.

Example: A mixture of half Virginia and half Spanish is figured by adding one half of the maximum price for Virginia to one half of the maximum price for Spanish.

If salted peanuts are mixed with other varieties of nuts, the resulting mixture shall be priced as if the other varieties were not present, unless those other varieties represent more than ten percent of the mixture.

(b) *Pricing method for blanched, sliced, chopped, granulated, or roasted peanuts (Virginia type).* The processor shall figure his maximum price per pound or other unit, f. o. b. plant, for each brand, variety, container type and size of blanched, sliced, chopped, granulated, or roasted peanuts by adding:

(1) The weighted average price, figured f. o. b. plant, which he charged for that item during November and December 1941; plus

(2) The difference, if any, between (i) the direct cost, at the processor's plant, of container, cap, label, and proportionate part of the outgoing shipping carton which was included in the prices charged during November and December 1941 and (ii) the direct cost, at the processor's plant, of the same container, cap, label, and proportionate part of the outgoing shipping carton figured at the maximum prices which his respective suppliers, if any, were entitled to charge him on February 27, 1943; plus

(3) The following amount for each pound of the finished item (use appropriate figure):

	Cal., Ore. & Wash.	Other states
Virginia type:		
Blanched (unsalted), sliced, chopped, granulated, or roasted in the shell	9.6¢	9¢

(c) *Pricing method for peanut butter.* The processor shall figure his maximum price per dozen or other unit, f. o. b. plant, for each brand, container type and size of peanut butter by adding:

(1) The weighted average price, figured f. o. b. plant, which he charged for that item during November and December 1941; plus

(2) The difference, if any, between (i) the direct cost, at the processor's plant, of container, cap, label, and proportionate part of the outgoing shipping carton which was included in the prices charged during November and December 1941 and (ii) the direct cost, at the processor's plant, of the same container, cap, label, and proportionate part of the outgoing shipping carton figured at the maximum prices which his respective suppliers, if any, were entitled to charge him on February 27, 1943; plus

(3) The following amounts for each pound of the finished item (use appropriate figure):

	Cents per pound
California, Oregon and Washington	9.0
Other states	8.3

"Peanut butter" also includes peanut butter containing pieces of unground peanuts, even though the product is not sold as "peanut butter".

(d) *Meaning of "processor".* The "processor" in each case is the person who, by processing, transforms the peanut product being priced into the form in which it is being priced.

Example: If salted peanuts are being priced, the processor is the person who salted them.

(e) *Meaning of "container type".* "Container type" refers to the composition or style of the container used (a separate price must be figured for each container type).

Examples: Tin, glass and paper containers are all different container types. Likewise, a glass jar of one design is a different container type from a glass jar of another design.

(f) *Meaning of "weighted average price".* The processor's "weighted average price" shall be the total gross sales dollars charged, f. o. b. plant, for the item being priced divided by the number of units of that item sold. All sales contracts made in the regular course of business during the months of November and December 1941 shall be included, regardless of date of delivery, except sales contracts made with the United States. Sales contracts made before this period shall not be included, even though delivery was made during the period.

(g) *Weights.* Where label weights are used, the weights referred to in this section mean the weights named on the label.

(h) *Processors owning more than one factory.* The maximum price for each item for a processor who owns more than one factory shall be figured separately for each factory, but if any two or more factories had the same f. o. b. factory prices in 1942, a maximum price may be determined uniformly for that group by using the combined sales of that group in the computations required by paragraphs (a), (b) and (c) of this section. In applying for specific authority under paragraph (e) of § 1351.2006, application may be made for a uniform maximum price applicable to the whole group.

(i) *Separate maximum prices in sales to wholesalers and retailers.* Any person who has an established practice of selling an item to wholesalers and retailers at substantially different prices may calculate separate maximum prices to these classes of purchasers. For this purpose, the processor shall accordingly segregate his 1941 prices for the item when figuring weighted average prices charged during November and December 1941.

(j) *Delivered prices.* Any processor who regularly sold a purchaser an item covered by this section on a delivered price basis during the calendar year 1942 shall increase the maximum price for the item, figured f. o. b. plant under this section, by the amount of the transportation charge for that item which he added to his f. o. b. plant price during March 1942. The resulting price shall be the processor's maximum delivered price for that purchaser.

However, any processor whose March 1942 transportation charge was based on the use of his own trucks, and who is now compelled to use a common or contract carrier, may add, instead, transportation charges figured by the new means of transportation, to the same destination and under the same freight tariff classification, but at the rate in effect during March 1942.

(k) *New container types and sizes.* The maximum price per dozen or other unit for an item covered by this section packed in any container type or size which the processor did not sell during November and December 1941 shall be figured as follows. He shall:

(i) *Determine the base container.* If the processor sold the same peanut product (that is, the same variety or kind, and same brand, if any) during November and December 1941, but only in other container types or sizes, he shall first determine the most similar container type in which he is able to calculate a maximum price for that peanut product under this regulation (even though he no longer sells that container type). From that container type he shall choose the nearest size, which is 50% or less larger, or if there is no such size, 50% or less smaller (even though he no longer sells those sizes). This will be the "base container". If there is no such smaller size, he shall go to the next most similar container type and proceed in the same manner to find the base container.

NOTE: In most cases "the most similar container type" will be merely the container type which the processor is adding to or replacing, like the tin which he may be replacing with glass. Where there has been only a size change, "the most similar container type" will, of course, be the same container type. This is also true in the reverse situation; where there has been a change only in container type, the "nearest size" will be the same size.

(ii) *Find the base price.* The processor shall take as the "base price" his maximum price for the peanut product when packed in the base container. However, if this maximum price is a price delivered to the purchaser or to any point other than the processor's plant, the processor shall first convert it to a base price f. o. b. processor's plant by deducting whatever transportation charges were included in it.

(iii) *Deduct the container cost.* Taking his base price f. o. b. plant, the processor shall then subtract the direct cost of the base container. "Direct cost of the container" means the net cost, at the processor's plant, of the container, cap, label and proportionate part of the outgoing shipping carton but it does not include costs of filling, closing, labeling or packing.

(iv) *Adjust for any difference in contents.* The figure obtained by this deduction shall then be adjusted, in the case of a size change, by dividing it by the number of ounces or other units in the base container and multiplying the result by the number of the same units in the new container.

(v) *Add the new container cost to get the price f. o. b. plant.* Next, the processor shall add to the adjusted figure the "direct cost of the container" in the new type and size. If his maximum price for the commodity in the base container is an f. o. b. plant price, the resulting figure is the processor's maximum price, f. o. b. plant.

(vi) *Convert to a maximum delivered price, if the maximum price for the base container is on a delivered basis.* If the processor's maximum price for the peanut product in the base container is a delivered price, he shall figure transportation charges to be added, as follows: The processor shall take the transportation charges which he first deducted to get his base price and adjust them in exact proportion to the difference in shipping weight. If for any reason the peanut product in the new container will move under a different freight tariff classification, the processor shall figure his transportation charges (by the same means of transportation and to the same destination) on the basis of the new shipping weight, but at the rate in effect for that freight tariff classification during

March 1942. Increases in tariff rates or transportation taxes made since March 31, 1942, shall not be taken into account. (Similar principles shall apply where shipping volume is the measure of the transportation charge.) The processor shall then add these transportation charges to his f. o. b. plant price for the commodity in the new container. The resulting figure is the processor's maximum delivered price.

§ 1351.2005 *Maximum prices which wholesalers and retailers may charge for salted peanuts*—(a) *Pricing method.* (1) The wholesaler's or retailer's maximum price for any brand, variety, container type and size of salted peanuts to any class of purchaser shall be the highest price he charged for that item to a purchaser of the same class during the period December 19, 1942, to December 23, 1942, inclusive.

(2) Where a wholesaler or retailer did not deliver or offer to deliver the item during that period to a purchaser of the same class, his maximum price for the item shall be the highest price charged for the same item during that period by the most closely competitive seller to a purchaser of the same class.

(3) If the wholesaler or retailer is unable to calculate a maximum price for any item covered by this section under subparagraphs (1) and (2), he shall (i) select from the same general classification and price range as the item being priced the most closely comparable item for which a maximum price is established under any food regulation; (ii) divide his current selling price for that item by its actual cost, delivered to him; and (iii) multiply the figure so obtained by the current cost, delivered to him, of the item being priced. The resulting figure is his maximum price for the item.

(b) *Explanation.* In substance, this section continues the maximum prices for salted peanuts at wholesale and retail which were established under Temporary Maximum Price Regulation No. 23.[1] The pricing method of this section is therefore based on the plan of that regulation. "Highest price charged" means the highest price which the seller charged for the item in any delivery made by him during the period from December 19, 1942, to December 23, 1942, inclusive, to a purchaser of the same class. If the seller made no such delivery, "highest price charged" means his highest *offering* price for delivery of the item during that period to a purchaser of the same class.

§ 1351.2006 *General provisions*—(a) *Relationship between this regulation and Temporary Maximum Price Regulation No. 23 and the General Maximum Price Regulation.*[2] (1) This regulation supersedes Temporary Maximum Price Regulation No. 23.

(2) The following sections of the General Maximum Price Regulation, as well as amendments to them, apply to sales covered by this regulation:

(i) *Special deals* (§ 1499.4b).
(ii) *Transfers of business or stock in trade* (§ 1499.5).
(iii) *Federal and state taxes* (§ 1499.7).
(iv) *Base-period records* (§ 1499.11).
(v) *Sales slips and receipts* (§ 1499.14).
(vi) *Registration* (§ 1499.15).[3]
(vii) *Licensing* (§ 1499.16).
(viii) *Definitions* (§ 1499.20).

(b) *Geographical applicability.* This regulation applies only to the forty-eight states of the United States and to the District of Columbia.

(c) *Export sales.* The maximum prices at which a person may export any product covered by this regulation shall be determined in accordance with the Revised Maximum Export Price Regulation,[4] and amendments, issued by the Office of Price Administration.

(d) *Exempt sales.* This regulation does not apply to these transactions:

(1) Deliveries to the United States or any of its agencies under contracts made before December 29, 1942.

(2) Sales and deliveries of peanuts for seed purposes.

(e) *Inability to fix maximum prices.* If the processor's or primary jobber's maximum price for any item covered by §§ 1351.2003 (c) or 1351.2004 cannot be determined under those sections, he shall apply to the Office of Price Administration, Washington, D. C., for a maximum price. His application shall set forth (1) a detailed description of the item, and (2) a statement of the facts which make it different from the most similar item for which he has determined a maximum price, identifying the similar item and stating its maximum price.

Until a maximum price is established, the applicant may not sell or deliver the item except under an agreement in each case to adjust the selling price to a figure no higher than the maximum price which is later established under this paragraph.

(f) *Reports which processors and certain primary jobbers must file.*[3] Every processor, and every jobber who leases equipment as set forth in § 1351.2003 (c), shall file with the nearest district or state office of the Office of Price Administration, on or before April 1, 1943, a statement showing:

(1) The brand, variety, container type and size of every item covered by §§ 1351.2003 (c) and 1351.2004 which he sold during November and December 1941 and has priced under this regulation.

(2) The weighted average price per dozen or other unit, figured f. o. b. plant, which he received for each such item sold during November and December 1941.

(3) The maximum prices which he figured for those items under this regulation. Where any maximum price is figured on a delivered basis, he shall also show his price figured on an f. o. b. plant basis.

(4) A list of all his customary allowances, discounts, and other price differentials.

(g) *Records which persons covered by this regulation must keep.* (1) Every processor, and every primary jobber who leases equipment as set forth in § 1351.2003 (c), shall keep a copy of the report which he must file under paragraph (f) in order that it may be examined by any person during ordinary business hours. Any processor or primary jobber who claims that he would be substantially injured by showing this statement to another person may file it with the nearest district or state office of the Office of Price Administration. The information will not be shown to anyone unless withholding it would be contrary to the purposes of this regulation.

(2) Every person selling any peanut product covered by this regulation shall keep for examination by the Office of Price Administration, as long as the Emergency Price Control Act of 1942, as amended, remains in effect, records of the same kind as he has customarily kept, relating to the prices which he charges after February 26, 1943.

(h) *Federal and state grade labeling of peanuts.* Every sheller selling any of the "Extra Large" and "Medium" grades of Virginia type shelled peanuts shall clearly indicate on the outside of each bag or other container the kind of peanuts enclosed and the United States grade. He may also show the appropriate state grade and class. However, no other grades may be included.

(i) *Adjustable pricing.* Any person may offer or agree to adjust any selling price to a price not higher than the maximum price in effect at the time of delivery. Where a petition for amendment requires extended consideration, the Price Administrator may, upon application in an appropriate situation, grant permission to agree to adjust prices upon deliveries made while the petition is pending in accordance with the disposition of the petition.

(j) *Customary discounts and allowances.* No person shall change any customary allowance, discount or other price differential to a purchaser or class of purchasers if the change results in a higher net price to that purchaser or class.

(k) *When a maximum price figured under §§ 1351.2003 (c) or 1351.2004 is established.* On and after February 27, 1943, a price figured for any item under §§ 1351.2003 (c) or 1351.2004 becomes "established" (that is, "fixed") as the seller's maximum price as soon as he has either filed the price or disclosed it to any prospective customer, whether by sale, delivery, offer, or notice of any kind, provided that the figured price is not higher than the applicable pricing method allows. Except for the refiguring by primary jobbers which is authorized by § 1351.2003 (c), a maximum price for an item may be established only once, and having been established it may not be changed by the seller except with the written permission of the nearest District or State Office of the Office of Price Administration in cases where the seller has figured his maximum price lower than the applicable pricing method provides. However, if the seller is disclosing a price lower than the one he figured under §§ 1351.2003 (c) and 1351.2004, he may establish the higher figured price as his maximum price at the time of disclosure only by recording it and naming it as such, in ink on his books, before he discloses the lower price. A seller who has not figured a price for an item, or has figured a price higher than the applicable pricing method allows, may not sell the item until he has established a maximum price for the item in accordance with the rules of this paragraph.

(l) *Compliance with the regulation*—(1) *No selling and buying above maximum prices.* Regardless of any contract or obligation, no person shall sell, buy, deliver, or receive any peanut product, on and after February 27, 1943, at a price higher than the maximum prices established for it by this regulation.

(2) *Evasion.* Nor shall any person evade any of these maximum prices, directly or indirectly, whether by commission, service, transportation, or other charge or discount, premium or other privilege; by tying-agreement or other trade understanding; by any change of formula for salted peanuts or peanut butter; by a business practice relating to the grading, labeling or packaging of any peanuts or peanut product; or in any other way. However, prices lower than maximum prices may be charged and paid.

(3) *Enforcement.* Any person violating a provision of this regulation is subject to the criminal penalties, civil enforcement actions, license suspension provisions, and suits for treble damages provided by the Emergency Price Control Act of 1942, and amendments.

(m) *General amendments.* Any person seeking a general modification of this regulation may file a petition for amendment in accordance with Revised Procedural Regulation No. 1,[4] and amendments, issued by the Office of Price Administration.

This regulation shall become effective February 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of February 1943.

PRENTISS M. BROWN,
Administrator.

Prices for raw unprocessed peanuts approved:

CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-3121; Filed, February 26, 1943; 11:34 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 334]

RABBITS

In the judgment of the Price Administrator, it is necessary and proper, in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 issued by the President on October 3, 1942, that maximum prices be established for the sale of live and dressed rabbits. The Price Administrator has ascertained and given due consideration to the prices of live and dressed rabbits prevailing between January 1, and September 15, 1942, and has made adjustments for such relevant factors as he determined and deemed to be of general applicability. So far as practicable the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the opinion of the Price Administrator, the maximum prices established herein are generally fair and equitable and will effectuate the purposes of said Act, as amended, and said Executive Order. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[5] This regulation supersedes the provisions of the General Maximum Price Regulation, as amended, with respect to dressed rabbits and establishes maximum selling prices for live rabbits.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and in accordance with Revised Procedural Regulation No. 1[4] issued by the Office of Price Administration, this Maximum Price Regulation No. 334 is hereby issued.

Sec.
1364.1051 Prohibition against selling at prices above the maximum.
1364.1052 Maximum prices for live and dressed rabbits.
1364.1053 Less than maximum prices.
1364.1054 Exempt sales.
1364.1055 Sales for export.
1364.1056 Applicability.
1364.1057 Licensing.
1364.1058 Petitions for amendment.
1364.1059 Evasion.
1364.1060 Enforcement.
1364.1061 Records and reports.
1364.1062 Definitions.

AUTHORITY: §§ 1364.1051 to 1364.1062, inclusive, issued under Pub. Laws 421 and 729, 77th Congress, Executive Order No. 9250, 7 F.R. 7871.

§ 1364.1051 *Prohibition against selling at prices above the maximum.* On and after March 1, 1943, regardless of any contract or agreement or other obligation, no person shall sell or deliver live or dressed rabbits or sell any slaughtering service, and no person in the course of trade or business shall buy or receive any live or dressed rabbits at a price higher than the applicable price established by § 1364.1052 of this Maximum Price Regulation No. 334, and no person shall agree, offer, solicit, or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of live or dressed rabbits, if, prior to February 25, 1943, such products had been delivered to a carrier, other than a carrier owned or controlled by the seller, for shipment to the purchaser.

§ 1364.1052 *Maximum prices for live and dressed rabbits.* (a) The maximum prices for rabbits, alive or dressed, and for custom slaughter service, shall be the applicable price determined in accordance with the provisions of this paragraph (a) minus the required deductions, if any, specified in paragraph (b), plus the permitted additions, if any, specified in paragraph (c).

(1) The maximum price for live white rabbits shall be 24 cents per pound at the rabbitry.

(2) Except as provided in paragraph (d) of this § 1364.1052, the maximum delivered price for dressed rabbits sold at wholesale shall be:

(i) 44 cents per pound for dressed rabbits.
(ii) 30 cents per pound for hog dressed rabbits.

(3) Except as provided in paragraph (d) of this § 1364.1052, the maximum delivered price for dressed rabbits sold to purveyors of meals by persons other than retailers shall be 47 cents per pound.

(4) The maximum price for sales at retail shall be:

(i) 55 cents per pound for dressed rabbits.
(ii) 35 cents per pound for hog dressed rabbits.
(iii) 40 cents per head for wild rabbits.

(5) The maximum price that any processor may charge for custom slaughter service shall be:

(i) 20 cents per rabbit, or
(ii) the skin and by-products from the dressed rabbit.

(b) *Deductions.* The following amounts must be deducted from the prices specified in paragraph (a) of this §1364.1052.

(1) On sales of live "colored" rabbits the seller shall deduct 2 cents per pound from the price specified in paragraph (a) (1).

(2) On sales of live "woolies" the seller shall deduct 6 cents per pound from the prices specified in paragraph (a) (1).

(3) On sales by a processor to a purchaser who is located within a radius of 25 miles from the processing plant, the seller shall deduct 1 cent per pound from the prices specified in paragraphs (a) (2) and (a) (3) if he does not make delivery to the purchaser's place of business.

(c) *Additions.* The following amounts may be added to the prices specified in paragraph (a) of this § 1364.1052.

(1) Where a producer delivers live rabbits to a processor and the expense of such delivery is borne by the producer, he may add ¼ cent per pound to the price specified in paragraph (a) (1) if the delivery is made within a radius of 25 miles of the rabbitry or he may add ½ cent per pound if the delivery is made beyond a radius of 25 miles from the rabbitry.

(2) On sales of live rabbits, a pick-up man may add one cent per pound to the price specified in paragraph (a) (1).

(3) On sales of dressed rabbits, a jobber may add one cent per pound to the prices specified in paragraph (a) (2).

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[1] 7 F.R. 10994; 8 F.R. 1741.
[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8681, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454, 8 F.R. 871, 1204, 1317, 2029, 2110.
[3] 7 F.R. 5059, 7242, 8829, 9000, 10530.
[3] These reporting and record keeping provisions have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.
[4] Copies may be obtained from the Office of Price Administration.
[5] 7 F.R. 8961.

(4) On sales of quick frozen rabbit carcasses, processors, jobbers, and retailers may add one cent per pound to the prices specified in paragraphs (a) (2), (a) (3), and (a) (4).

(5) On sales of quick frozen eviscerated rabbits, processors, jobbers and retailers may add four cents per pound to the prices specified in paragraphs (a) (2), (a) (3), and (a) (4).

(d) *Transportation.* (1) For shipment of live rabbits from the rabbitry to a processing plant, the producer may pay the transportation charges and add the amount specified in paragraph (c) (1) of this § 1364.1052, or the producer may sell f. o. b. the rabbitry to a buyer who pays the shipping charges directly to the carrier.

(2) For shipment of dressed rabbits by a processor or jobber, the prices specified in paragraphs (a) (2) and (a) (3) of this § 1364.1052 constitute the delivered prices: *Provided,* That where the point of delivery is located more than 25 miles from the point of shipment, the seller may sell f. o. b. the point of shipment to a buyer who pays the transportation and/or delivery charges directly to the carrier.

§ 1364.1053 *Less than maximum prices.* Prices lower than those specified in § 1364.1052 of this Maximum Price Regulation No. 334 may be charged, demanded, paid or offered for live or dressed rabbits, or for custom slaughter service.

§ 1364.1054 *Exempt sales.* The provisions of this Maximum Price Regulation No. 334 shall not apply:

(a) To sales of rabbit breeding stock when sold for breeding purposes.

(b) To sales of live rabbits when sold for scientific or other experimental purposes.

(c) To sales of live rabbits when sold as pets or for exhibition or show purposes.

(d) To sales by hotels, restaurants or other similar establishments where the meat is sold for consumption on the premises.

(e) To sales outside of the 48 states of the United States and the District of Columbia.

(f) To sales to any political subdivision or agency of any state or of the United States under contracts entered into prior to February 25, 1943: *Provided,* That this exemption shall not be construed to permit the upward adjustment of any prices fixed in such contracts.

§ 1364.1055 *Sales for export.* The maximum price at which a person may export live or dressed rabbits subject to this Maximum Price Regulation No. 334 shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[1] issued by the Office of Price Administration.

§ 1364.1056 *Applicability.* The provisions of this Maximum Price Regulation No. 334 shall supersede the provisions of the General Maximum Price Regulation[2] with respect to sales and deliveries for which maximum prices are established by this regulation.

§ 1364.1057 *Licensing.* The provisions of Supplementary Order No. 14 (§ 1305.18 *Licensing sellers of meat and meat products*)[3] are applicable to every seller subject to this Maximum Price Regulation No. 334 now or hereafter selling dressed rabbits for which maximum prices are established by this Maximum Price Regulation No. 334. For the purpose of this § 1364.1057 the term "seller" shall have the meaning given it by Supplementary Order No. 14.

§ 1364.1058 *Petitions for amendment.* Persons seeking a modification of this Maximum Price Regulation No. 334 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1364.1059 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 334 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of, or relating to, live or dressed rabbits, separately or in conjunction with any other commodity or services, or by way of commission, service, transportation, wrapping, packaging or other charge, or discount, premium, or other privilege, or by tying agreement or other trade understanding, or by any other means.

§ 1364.1060 *Enforcement.* (a) Persons violating any of the provisions of this Maximum Price Regulation No. 334 are subject to the criminal penalties, civil enforcement actions, proceedings for suspension of licenses and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 334 are urged to communicate with the nearest district, State, field, or regional office of the Office of Price Administration, or its principal office at Washington, D. C.

§ 1364.1061 *Records and reports.*[4] (a) Every person, other than a retailer, making sales of live or dressed rabbits subject to this regulation, on or after March 1, 1943, shall make and preserve for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, is in effect, a complete and accurate record of each such sale, showing the date thereof, the name and address of the buyer and seller, the quantity, weight and unit price for each type of live or dressed rabbit subject to this regulation, and the price charged or received therefor.

(b) Every person making sales of dressed rabbits at retail, subject to this regulation, on or after March 1, 1943, who has customarily given a purchaser a sales slip receipt shall continue to do so. Upon request from a purchaser, any retailer, regardless of previous custom shall give the purchaser a receipt showing the date, name and address of the retailer, weight, and unit price of the dressed rabbit sold, and the total price received from the purchaser.

§ 1364.1062 *Definitions.* (a) *When* used in this Maximum Price Regulation No. 334 the following terms shall have the following meanings:

(1) "Person" means an individual corporation, partnership, association, or other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any or its political subdivisions, or any agency of any of the foregoing: *Provided,* That no punishment provided by this Maximum Price Regulation No. 334 shall apply to the United States or to any such government, political subdivision or agency of the foregoing.

(2) "Seller" means any person who sells, supplies, disposes, barters, exchanges, transfers or delivers or contracts or offers to do any of the foregoing.

(3) "Producer" means a person who breeds and/or raises domestic rabbits for human consumption.

(4) "Processor" means a person who converts live rabbits into dressed rabbits and/or who owns or controls in whole or substantial part an interest in a processing plant.

(5) "Pick-up man" means a person other than a producer, processor, or jobber who does not own, control, or have an interest in a rabbitry or a processing plant, and who is not owned or controlled by any person who owns or controls a rabbitry or processing plant and who buys live rabbits from producers and sells them to processors.

(6) "Jobber" means a person other than a producer, processor, or retailer who does not own or control a processing plant or retail store and who is not owned or controlled by any person who owns or controls a processing plant or retail store and who buys from processors for resale to retailers and to purveyors of meals.

(7) "Retailer" means a person regularly and generally engaged in making sales at retail.

(8) "Dressed rabbit" means a rabbit which has been killed, bled and skinned and from which the head, feet, entrails and viscera have been removed, and which has been subjected to a cleansing process which makes it ready to cook without further cleaning or trimming.

(9) "Quick-frozen rabbit carcass" means a dressed rabbit which has been individually wrapped or packaged in carcass form and frozen at quick freezing temperatures.

(10) "Quick-frozen eviscerated rabbit" means a dressed rabbit which has been split and dismembered into several pieces, packed in an individual box, and frozen at quick freezing temperatures.

(11) "Hog-dressed rabbit" means a rabbit which is sold with the skin on, or one which cannot qualify as a dressed rabbit because of failure to remove the head, feet, entrails or viscera.

(12) "Sales at retail" means sales of dressed rabbits to the ultimate consumer by a person who is regularly engaged in the sale to ultimate consumers of other meats, poultry and food products at the same establishment, except that a sale to a purveyor of meals by one regularly and generally engaged in selling at retail shall be regarded as a sale at retail.

(13) "Sales at wholesale" means sales of dressed rabbits other than at retail and sales to purveyors of meals.

(14) "Purveyor of meals" means a person who will not resell the dressed rabbits as such, but will cook or prepare the rabbits for consumption on the premises.

(15) "Processing plant" means any place where live rabbits are killed and/or dressed.

(16) "Colored rabbit" means a rabbit whose commercial skin is not entirely white.

(17) "Woolies" means rabbits whose skins have no commercial value.

(18) "Custom slaughter service" means the service involved in killing a live rabbit for the owner of such rabbit and converting it into a dressed rabbit.

This regulation shall become effective March 1, 1943.

Issued this 26th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3119; Filed, February 26, 1943; 11:34 a. m.]

PART 1415—PROTECTIVE COATINGS

[MPR 264,[1] Amendment 1]

INDUSTRIAL WAXES

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.[2]

A new subparagraph (8) is added to § 1415.63 (a) and §§ 1415.52 and 1415.65 (a), (b) (2), (b) (4), (c), (d), and (h) are amended as follows:

§ 1415.52 *Applicability of the General Maximum Price Regulation.* The provisions of this regulation supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries of industrial waxes for which maximum prices are established by this regulation except sales and deliveries of less than 2 pounds.

* * * * * * *

§ 1415.63 *Definitions.* (a) * * *

(8) "Entering the continental United States" shall mean the date upon which entry is made through the United States Customs.

* * * * * * *

[2] Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9193.

§ 1415.65 *Appendix A: Maximum prices for industrial waxes.* * * *

(a) Crude Candelilla Wax in quantities of one ton or more when sold by the Banco Nacional de Comercio Exterior, S. A.:

	Per pound
(1) F. O. B. Laredo, Texas	34.3¢
(2) F. O. B. New York City	36.05¢

(b) * * *

(2) *Ouricury wax.*

Grade	Lump or flake in cents per pound	20 mesh	Powdered in cents per pound	
			80 mesh	100/120 mesh
Franklin Brand #1 and other wax of equal quality	51.75	56.75	57.25	57.75
Franklin Brand #2	49.50	54.50	55.00	55.50
Gabrielle & Iloise and other wax not equal in quality to Franklin Brand #1	48.50	53.50	54.00	54.50
Ouricury Refined	62.00	67.00	67.50	68.00

* * * * * * *

(4) *Crude imported beeswax.*

Grade	*Cents per pound*
Imported sun-bleachable other than African	44.75
Imported non-sun-bleachable other than African	41.50
African (either sun-bleachable or non-sun-bleachable)	37.50

* * * * * * *

(c) For single sales in quantities of less than one ton, additions to the maximum prices established by paragraphs (a) and (b) of this Appendix A may be made as follows:

	Cents per pound
1. Sales of 200 lbs. to 1 ton	1
2. Sales of more than 100 lbs. but less than 200 lbs.	3
3. Sales of 50 lbs. to 100 lbs.	5
4. Sales of 2 to 49 lbs.	10

(d) The maximum prices established in paragraph (b), with the exception of those calculated for Candelilla Wax, are calculated upon freight of $2.00 per 100 pounds to New York, marine insurance at 0.5 percent, war risk insurance at 1½ percent for Central and South America, and 3 percent for Africa. Any actual charges in excess of the amounts based on the above rates, if such excess amounts to more than 25 cents per 100 pounds, may be added to the maximum prices established herein and separately charged to the buyers' account. In the event actual charges are less than the amounts based on the above rates by 25 cents or more per 100 pounds, the maximum prices established herein shall be reduced accordingly and the reductions credited to the buyers' account. As used in this paragraph (d) "War risk insurance" means the war risk insurance rates as posted by the War Shipping Administration. No costs of importation other than those named in this paragraph (d) may be added to the maximum prices established in this Appendix A.

* * * * * * *

(h) Maximum prices f. o. b. refining plant for refined domestic beeswax, and for bleached domestic beeswax respectively shall be prices equal to the respective f. o. b. New York prices established for refined imported beeswax and for bleached imported beeswax by paragraphs (b), (c), and (d) of this Appendix A.

* * * * * * *

This amendment shall become effective March 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3122; Filed, February 26, 1943; 11:34 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 120 to Supp. Reg. 14[1] to GMPR[2]]

NATURAL OIL OF PEPPERMINT, SPEARMINT; U. S. P. REDISTILLED OIL OF PEPPERMINT

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.[3]

A new subparagraph (75) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of the General Maximum Price Regulation for certain commodities, services, and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided:

* * * * * * *

(75) *Sales of natural oil of peppermint, natural oil of spearmint, and U. S. P. redistilled oil of peppermint.* (i) Dealers in natural oil of peppermint, natural oil of spearmint, and U. S. P. redistilled oil of peppermint may at their option establish as their maximum prices those prices hereinafter specified in place of the maximum prices therefor established pursuant to other provisions of the General Maximum Price Regulation or other regulations.

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[1] 7 F.R. 5059, 7242, 8829, 9000, 10530.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 8942, 9004, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110.

[3] 7 F.R. 7033, 11107.

[4] These record-keeping provisions have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

[1] 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7265, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9395, 9495, 9496, 9639, 9786, 9900, 9901, 1069, 1011, 1022, 10151, 10231, 11005, 10294, 10346, 10381, 10480, 10537, 10557, 10683; 8 F.R. 276, 439, 535, 494, 589, 863, 1139, 1590, 980, 1030, 876, 1121, 878, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467, 1813, 1894, 1978, 2041, 1895, 2035, 2157.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 5027, 4659, 4738, 5276, 5192, 5365, 5445, 5775, 5784, 5783, 6058, 6081, 5484, 5565, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110.

The maximum prices are established as follows:

	Per pound
Natural oil of peppermint	$5.50
U. S. P. Redistilled oil of peppermint	5.75
Natural oil of spearmint	3.50

(ii) All discounts, allowances and trade practices in effect with respect to the above listed commodities during March 1942 by seller shall remain in effect under this provision.

(iii) As used in this subparagraph the term "dealer" means any person selling oil of peppermint or oil of spearmint other than a person selling such commodities distilled by him from plants grown by him.

This amendment shall become effective March 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3109; Filed, February 26, 1943; 11:34 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 28 Under Supp. Reg. 15 of GMPR]

ESTATE OF LOREN DONALD WARD

Order No. 28 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 of the General Maximum Price Regulation, Docket No. GF3-840.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1328 *Adjustment of maximum prices for contract carrier services sold by the estate of Loren Donald Ward.* (a) Clarence A. Kelley, as Guardian of The Estate of Loren Donald Ward, may sell and deliver, on behalf of said Estate, contract carrier services in connection with the transportation of products of the Fuller Brush Company, of Hartford, Connecticut, at prices not in excess of those rates published in its Minimum Schedule of Rates, MF-ICC No. 3, which was filed with the Interstate Commerce Commission on May 25, 1942, and attached as Exhibit No. 2 to the application for adjustment filed with this Office on July 23, 1942.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 28 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 28 (§ 1499.1328) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 28 (§ 1499.1328) shall become effective February 27, 1943.

(Pub. Laws No. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3110; Filed, February 26, 1943; 11:34 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 29 Under Supp. Reg. 15 of GMPR]

Order No. 29 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 of the General Maximum Price Regulation—Docket No. GF3-2435.

CHRISPENS TRUCK LINE, INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1329 *Adjustment of maximum prices for contract carrier services sold by Chrispens Truck Line, Inc.* (a) Chrispens Truck Line, Inc., 7501 South Racine Avenue, Chicago, Illinois, may sell and furnish contract carrier services from, to and between points in Illinois, Indiana and Ohio at prices not exceeding the rates requested and hereinafter set forth:

TRUCKLOAD RATES

	Without protective service	With protective service
FROM CHICAGO, ILLINOIS		
To:		
Cincinnati, Ohio	30	34.
Cleveland, Ohio	32	33 Pack. hse. prod. 37 Fresh, frozen canned meats and fish.
Dayton, Ohio	28	32.
Lima, Ohio	29	32.
Toledo, Ohio	29	32.
TO CHICAGO, ILLINOIS		
From:		
Middletown, Franklin, Ohio.	23	33 Pk. hse. prod. and supplies.
Cleveland, Ohio		
Cincinnati, Ohio	29	37. Fr. or frozen meats and/or fish.

	L. T. L. Shipments With Protection	
	Under 7,000	7,000 to 18,000
FROM: CHICAGO, ILLINOIS		
Cincinnati, Ohio	51	41
Cleveland, Ohio	56	41
Dayton, Ohio	48	41
Defiance, Ohio	51	43
Delphos, Ohio	48	41
Findlay, Ohio	51	43
Fostoria, Ohio	51	43
Fremont, Ohio		43
Greenville, Ohio		46
Hamilton, Ohio		41
Lima, Ohio	48	41
Lorain, Ohio	51	44
Napolean, Ohio	51	43
Piqua, Ohio	48	41
Sandusky, Ohio	56	
St. Mary's, Ohio	48	41
Sidney, Ohio	48	41
Springfield, Ohio	48	41
Tiffin, Ohio	51	43
Toledo, Ohio	44	37
Urbana, Ohio	48	41
Van Wert, Ohio	48	41
Wapakoneta, Ohio	51	43
Store Door Delivery	64	

(b) All requests of the application not granted herein are denied.

(c) This Order No. 29 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 29 (§ 1499.1329) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 29 (§ 1499.1329) shall become effective February 27, 1943.

(Pub. Law Nos. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3111; Filed, February 26, 1943; 11:31 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 302 Under § 1499.3 (b) of GMPR]

RADIO AND TELEVISION, INC.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.1738 *Approval of maximum prices for sales to retailers by Radio and Television, Inc. of three new model radios.* (a) Radio and Television, Inc., 2[illegible] Madison Avenue, New York, New York, may sell and deliver its three new model radios, numbers 400, 500 and 600, f. o. b. seller's point of shipment, exclusive of Federal Excise Tax, subject to discounts, allowances and terms no less favorable than those customarily granted by it, to retailers at prices no higher than those set forth below:

Model No. 400	$125.08
Model No. 500	127.56
Model No. 600	130.42

(b) This Order No. 302 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 302 (§ 1499.1738) shall become effective on the 27th day of February, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3113; Filed, February 26, 1943; 11:32 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 303 Under § 1499.3 (b) of GMPR]

SCOVILL MANUFACTURING COMPANY

Approval of maximum price for certain steel battery cap assemblies.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, and § 1499.3 (b) of the General Maximum Price Regulation, *It is hereby ordered:*

§ 1499.1739 *Authorization to Scovill Manufacturing Company for sale of certain steel battery cap assemblies.* (a) On and after the effective date of this Order No. 303 Scovill Manufacturing Company of Waterbury, Connecticut, is authorized to sell and deliver and offer to sell and deliver steel cap and screw assemblies for dry cell batteries at a price not to exceed $4.85 per thousand, f. o. b. Scovill plant. Any person may buy and receive and offer to buy and receive such battery cap assemblies at such price from Scovill Manufacturing Company.

(b) This Order No. 303 may be revoked or amended at any time by the Office of Price Administration.

(c) This order shall become effective February 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3114; Filed, February 26, 1943; 11:32 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 304 Under § 1499.3 (b) of GMPR]

CONNORS STEEL COMPANY

Approval of maximum price for shell package partition rings.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, and § 1499.3 (b) of the General Maximum Price Regulation, *It is hereby ordered:*

§ 1499.1740 *Authorization to Connors Steel Company for sale of shell package partition rings.* (a) On and after the effective date of this Order No. 304 specific authorization is hereby given to Connors Steel Company, of Birmingham, Alabama, to sell and deliver shell package partition rings to Reynolds Research Corporation, Container Division, Louisville, Kentucky, at a price not to exceed $39.90 per thousand, delivered.

(b) This Order No. 304 may be revoked or amended at any time by the Office of Price Administration.

(c) This order shall become effective February 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3115; Filed, February 26, 1943; 11:32 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 204 Under § 1499.18 (b) of GMPR]

ADVANCE PATTERN CO. INC.

Advance Pattern Co. Inc., 331 East 38th Street, New York, New York—Docket No. GF3-1991.

For the reasons set forth in an opinion issued simultaneously herewith: *It is ordered:*

§ 1499.1804 *Denial of petition for adjustment of maximum prices of "Advance Patterns" sold by Advance Pattern Co. Inc.* (a) The petition of Advance Pattern Co. Inc. of 331 East 38th Street, New York, New York, filed September 15, 1942, and assigned Docket No. GF3-1991, requesting permission to increase the maximum prices of "Advance Patterns" is denied.

(b) This Order No. 204 (§ 1499.1804) shall become effective February 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3123; Filed, February 26, 1943; 11:31 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 205 Under § 1499.18 (b) of GMPR]

JOHNSTON, DAVIS & CO.

For the reasons set forth in an opinion issued simultaneously herewith: *It is ordered:*

§ 1499.1805 *Adjustment of maximum prices for butt-treated western red cedar poles sold by Johnston, Davis & Co.* (a) The maximum prices f. o. b. Portland, Oregon, for butt-treated western red cedar poles, sold by Johnston, Davis & Co., Houlton, Oregon, shall be as follows:

Length	Class	Maximum price
25'	B	$7.23
30'	B	8.68
35'	B	9.88
40'	B	12.38
45'	B	14.02
50'	B	15.38
55'	B	18.57
60'	B	20.87
65'	B	22.80
70'	#2 ASA	26.12
75'	#2 ASA	29.53
80'	#2 ASA	31.01
85'	#2 ASA	33.99

(b) All prayers of the application not granted herein are denied.

(c) This order may be revoked or amended at any time.

(d) This Order No. 205 (§ 1499.1805) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

This order shall become effective February 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3124; Filed, February 26, 1943; 11:33 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 10 Under § 1499.18 (c) as Amended of GMPR]

GARDEN PRAIRIE STONE COMPANY, INC.

Order 10 under § 1499.18 (c) as amended—Docket No. GF3-2900.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.1510 *Adjustment of maximum prices for limestone sold by Garden Prairie Stone Company, Inc. to farmers.* (a) Garden Prairie Stone Company, Inc., 104 South State Street, Marengo, Illinois, may sell and deliver to farmers for use in neutralizing soil acidity, and any farmer may buy and receive agricultural limestone having a minimum calcium carbonate equivalent content of 91 per cent, of which a minimum of 74 per cent will pass through an eight mesh screen, at prices no higher than as follows:

F. O. B. Quarry—Loaded on Trucks $1.20 per ton

Delivered to Farm and Spread on the Soil in McHenry County, Illinois.

Townships	*Per ton*
Marengo	$1.95
Riley	2.10
Dunham	2.15
Hartland	2.30
Seneca	2.10
Coral	2.10
Grafton	2.30
Dorr	2.35
Greenwood	2.40
Hebron	2.55
Alden	2.40
Chemung	2.35
Algonquin	2.60
Nurda	2.60
McHenry	2.70
Rich-bur	2.80
(Burton add 15¢).	
DeKalb County, Illinois:	
Genoa	2.25
Kingston	2.25
Sycamore	2.35
Mayfield	2.40
Franklin	2.30
Cortland	2.55
DeKalb	2.60
Kane County, Illinois:	
Hampshire	2.30
Rutland	2.35
Dundee	2.60
Elgin	2.60
Burlington	2.40
Boone County, Illinois:	
Bonus	1.95
Spring	2.00
Belvidere	2.15
Boone	2.10
Poplar Grove	2.30
Flora	2.15

On deliveries to all townships in counties of Illinois not designated above the maximum price shall be $1.20 per ton, plus $0.05 per mile from quarry to farm, and $0.35 per ton for spreading on the soil.

(b) The price set forth in paragraph (a) of this section shall be subject to the same terms and conditions of sale as granted in March, 1942.

(c) On sales to other than farmers and the Agricultural Adjustment Agency of the United States Department of Agriculture, Garden Prairie Stone Company, Inc. may not charge a price in excess of its maximum price as established under the General Maximum Price Regulation.

(d) All prayers of the petition not granted herein are denied.

(e) This Order No. 10 is hereby incorporated as a section of Supplementary

Regulation No. 14 of the General Maximum Price Regulation, which contains modifications of maximum prices as established by § 1499.2.

(f) This Order No. 10 may be revoked or amended by the Administrator at any time.

This order shall become effective February 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3112; Filed, February 26, 1943; 11:32 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 203—BRIDGE REGULATIONS

HIGHWAY BRIDGE NEAR BOCA RATON, FLA.

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), the special regulations governing the operation of the State Road Department highway bridge across Boca Raton Inlet near Boca Raton, Florida, section headnote reading as follows, are hereby revoked:

§ 203.445 *Boca Raton Inlet, Fla.; bridge (highway) near Boca Raton, Fla.* Rescinded. [Regs. February 15, 1943 (CE 823 (Boca Raton Inlet—Boca Raton, Fla.)—SPEON)]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-3084; Filed, February 26, 1943; 9:47 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 3—RULES GOVERNING STANDARD AND HIGH-FREQUENCY BROADCAST STATIONS

PART 4—RULES GOVERNING BROADCAST SERVICES OTHER THAN STANDARD BROADCAST

APPLICATIONS FOR CONSTRUCTION PERMITS

At a meeting on February 23, 1943, the Commission decided that because of great shortages in material, equipment and skilled personnel, and in order to sustain the interest in high frequency (FM) broadcasting, it will not dismiss or deny applications which cannot qualify under the provisions of the Memorandum Opinion of April 27, 1942 (7 F.R. 3248) for construction permits or for modification of construction permits requesting extension of the periods of construction for high frequency (FM) broadcast stations, but instead will take no action at this time upon such applications.

Permittees or applicants for construction permits for high frequency (FM) broadcast stations whose construction permits or applications were surrendered or dismissed pursuant to the Memorandum Opinion of April 27, 1942, may request reinstatement of their applications.

This policy is in addition to the policy announced August 4, 1942 (7 F.R. 6156) which provided for the issuance of licenses for high frequency (FM) broadcast stations during the war, provided construction has reached a point where substantial service can be rendered.

Similar policy has been adopted with respect to television stations.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-3087; Filed, February 26, 1943; 9:47 a. m.]

PART 4—RULES GOVERNING BROADCAST SERVICES OTHER THAN STANDARD BROADCAST

LICENSES FOR TELEVISION STATIONS

At a meeting on February 23, 1943, the Commission decided that because of great shortages in material, equipment and skilled personnel, and in order to sustain the interest in television, holders of construction permits for television stations (experimental and commercial), may obtain licenses during the war to operate existing facilities to render program service on either an experimental or commercial basis, provided construction has reached a point where the station is presently capable of being operated to render a substantial service. Licenses issued under this policy will be subject to the condition that construction will be completed according to the Rules, Regulations and Standards of the Federal Communications Commission as soon as the necessary materials and engineering personnel become available.

For the same reasons, the Commission decided also to continue its policy of October 27, 1942, namely, not to dismiss or deny applications which cannot qualify under the provisions of the Memorandum Opinion of April 27, 1942 (7 F.R. 3248) for construction permits or for modification of construction permits requesting extension of periods of construction for television stations, but instead will take no action at this time upon such applications. Permittees or applicants for construction permits for television stations (experimental and commercial) whose construction permits or applications for such television stations were surrendered or dismissed pursuant to the Memorandum Opinion of April 27, 1942 may request reinstatement of their applications.

Similar policy has been adopted with respect to high frequency (FM) broadcast stations.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-3088; Filed, February 26, 1943; 9:47 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[General Order ODT 21, Amendment 5]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

SUBPART M—CERTIFICATES OF WAR NECESSITY FOR AND CONTROL OF COMMERCIAL MOTOR VEHICLES

Pursuant to Executive Orders 8989 (6 F.R. 6725) and 9156 (7 F.R. 3349), § 501.101, General Order ODT 21, as amended,[1] is hereby amended to read as follows:

§ 501.101 *Control of vehicles.* (a) Whenever the Office of Defense Transportation shall deem it to be advisable or necessary to the prosecution of the war or to the maintenance of essential civilian economy or in the public interest, any person having possession or control of any commercial motor vehicle shall, notwithstanding any contract, lease, or other commitment, express or implied, with respect to the use or operation of such commercial motor vehicle, cause such vehicle (1) to be operated in such manner, for such purpose, and between such points, as the Office of Defense Tranportation shall from time to time direct, and (2) to be leased or rented by any such person to such person or persons as the Office of Defense Transportation shall from time to time direct. Unless the interested parties agree upon the amount of compensation payable for the use of any such vehicle, so directed to be leased or rented, the amount of such compensation shall be such amount as may be determined by the Office of Defense Transportation to be just and equitable, subject to any applicable maximum price established by any competent governmental authority.

(b) The provisions of this section shall not be so construed or applied as to require any person operating a commercial motor vehicle to perform any transportation service, the performance of which by it is not authorized or sanctioned by law.

This amendment shall become effective on February 24, 1943.

(E.O. 8989, 9156; 6 F.R. 6725, 7 F.R. 3349)

Issued at Washington, D. C., this 24th day of February 1943.

JOSEPH B. EASTMAN,
Director.

[F. R. Doc. 43-3078; Filed, February 25, 1943; 4:14 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

General Land Office.

[Public Land Order 83]

MONTANA

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT AS A MANEUVER AREA

By virtue of the authority vested in the President and pursuant to Executive

[1] 7 F.R. 7100, 9006, 9437, 10025; 8 F.R. 551.

Order No. 9146 of April 24, 1942, *It is ordered,* As follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the War Department as a maneuver area:

PRINCIPAL MERIDIAN

T. 10 N., R. 4 W.,
Sec. 7, N½NE¼ and NE¼NW¼;
Sec. 8, W½W½;
Sec. 17, lots 2, 3, 4, 6, 7, 8, 14, 15, and 16;
Sec. 20, NE¼NW¼;
Sec. 29, lots 2, 3, 4, and 9, S½SW¼;
Sec. 30, E½SE¼.
T. 10 N., R. 5 W.,
Sec. 13, lots 14, 16, and 17, NE¼NE¼;
Sec. 24, lots 8, 9, 13, and 14, S½SW¼;
Sec. 25, N½NW¼, SW¼NW¼, and NW¼SW¼.

The areas described aggregate 1,034.85 acres.

This order shall take precedence over, but shall not rescind or revoke, the withdrawal for classification and other purposes made by Executive Order No. 6910 of November 26, 1934, as amended, so far as such order affects any of the above-described lands.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior, when they are no longer needed for the purpose for which they are reserved.

ABE FORTAS,
Acting Secretary of the Interior.

JANUARY 23, 1943.

[F. R. Doc. 43-3085; Filed, February 26, 1943; 9:47 a. m.]

[Public Land Order 86]

COLORADO

WITHDRAWING PUBLIC LANDS FOR USE IN CONNECTION WITH THE PROSECUTION OF THE WAR

By virtue of the authority vested in the President, and pursuant to Executive Order No. 9146 of April 24, 1942, and section 3 of the act of June 17, 1902, c. 1093, 32 Stat. 388 (U.S.C., title 43, sec. 416), *It is ordered,* As follows:

Subject to valid existing rights, (1) all public lands, including public lands in the Montezuma and San Juan National Forests, within the following-described areas are hereby withdrawn from sale, location, selection and entry under the public-land laws of the United States, including the mining laws, and from the leasing under the mineral leasing laws, and (2) the minerals in the lands are hereby reserved under the jurisdiction of the Secretary of the Interior, for use in connection with the prosecution of the war:

NEW MEXICO PRINCIPAL MERIDIAN

T. 36 N., R. 11 W.,
Secs. 4 to 9 inclusive;
Secs. 16 to 21 inclusive;
Secs. 28 to 33 inclusive.
T. 37 N., R. 11 W.,
Secs. 4 to 9 inclusive, unsurveyed;
Secs. 16 to 21 inclusive, unsurveyed;
Secs. 28 to 33 inclusive, unsurveyed.
T. 36 N., R. 12 W.,
Secs. 1 to 36 inclusive.
T. 37 N., R. 12 W.,
Secs. 1 to 36 inclusive.

The areas described, including both national-forest and patented lands, aggregate approximately 68,520 acres.

This order shall take precedence over, but shall not rescind or revoke, the withdrawal for reclamation purposes made by the Secretary of the Interior on November 10, 1941.

ABE FORTAS,
Acting Secretary of the Interior.

FEBRUARY 3, 1943.

[F. R. Doc. 43-3086; Filed, February 26, 1943; 9:47 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

[Administrative Order 182]

CANNED FRUITS AND VEGETABLES AND RELATED PRODUCTS INDUSTRY

APPOINTMENT OF INDUSTRY COMMITTEE NO. 56

1. By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor, do hereby appoint and convene for the canned fruits and vegetables and related products industry (as such industry is defined in paragraph 2) an industry committee composed of the following representatives:

For the public: Monsignor Francis J. Haas, Chairman, Washington, D. C.; Edith Abbott, Chicago, Illinois; Clarence E. Ayres, Austin, Texas; C. O. Brannon, Fayetteville, Arkansas; Virginius Dabney, Richmond, Virginia; Lawrence Hernandez, Tampa, Florida; William S. Hopkins, Palo Alto, California; Arthur F. Raper, Greensboro, Georgia; Clarence M. Updegraff, Iowa City, Iowa; Louise Aubrey Wood, Eugene, Oregon.

For the employees: Albert E. Bilger, Sacramento, California; Walter Jones, San Jose, California; Harold J. Lane, Philadelphia, Pennsylvania; Luisa Moreno, Los Angeles, California; Leon Schachter, Camden, New Jersey; Boris Shishkin, Washington, D. C.; Robert Thomson, Modesto, California; Mrs. Earl Tise, Sugarland, Texas; Anthony Valentino, Camden, New Jersey; Mildred Voy, Detroit, Michigan.

For the employers: Harold K. Bachelder, Indianapolis, Indiana; Edward S. Guggenheimer, Long Island City, New York; Edward Huddleston, Oakland, California; J. F. Johnson, Landisville, New Jersey; Elvon Musik, San Francisco, California; M. C. Peters, Lake Alfred, Florida; Pratt Phillips, Jr., Salisbury, Maryland; George Saunders, Fayetteville, Arkansas; John Seeman, Mt. Vernon, Washington; Joseph B. Weix, Oconomowoc, Wisconsin.

Such representatives having been chosen with due regard to the geographical regions in which such industry is carried on.

2. For the purpose of this order the "canned fruits and vegetables and related products industry" is defined as follows:

The canning and preserving of fruits and vegetables, and the manufacture of related products.

(a) It includes, but without limitation, the manufacture of jams, jellies and juices; soups of all kinds; relishes and sauces of all kinds; vinegar; cider; pectin; flavoring extracts and flavoring syrups; salad dressings; sandwich spreads (except those made principally from meat or cheese); peanut and nut butters; mustard and horseradish; mincemeat; honey; and canned spaghetti, chili con carne, stew, hash, and pudding, containing fruit or vegetables.

(b) The term "canning," as used herein, means sterilizing and hermetically sealing in containers of tin, glass, or other material.

(c) The term "preserving," as used herein, includes pickling, preserving, freezing, cold packing, drying, dehydrating, and similar processes.

Provided, however, That this definition shall not include the manufacture of coffee; spices; malt extracts and syrups; salad and cooking oils including olive oil; potato chips; ready-to-mix desserts; or any products covered by the definitions of the Grain Products Industry, the Candy and Related Products Manufacturing Industry, or the Sugar and Related Products Industry, contained in the Administrative Orders appointing committees for those industries.

3. The definition of the canned fruits and vegetables and related products industry covers all occupations in the industry which are necessary to the production of the articles specified in the definition including clerical, maintenance, shipping, and selling occupations: *Provided, however,* That this definition does not cover clerical, maintenance, shipping, and selling occupations when carried on in a wholesaling or selling department, physically segregated from the other departments of a manufacturing establishment, the greater part of the sales of which wholesaling or selling department are sales of articles which have been purchased for resale: *And provided further,* That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

4. Any person, who, in the opinion of the committee, having a substantial interest in the proceeding and who is prepared to present material pertinent to the question under consideration, may, with the approval of the committee, appear on his own behalf or on behalf of any other person.

5. The industry committee herein created shall meet at 10:00 a. m. on March 17, 1943, at the Hotel Astor, New York, New York, and, in accordance with the provisions of the Fair Labor Standards Act of 1938 and rules and regulations promulgated thereunder, shall proceed to investigate conditions in the industry and recommend to the Administrator minimum wage rates for all employees thereof who within the meaning of said Act are "engaged in commerce or in the production of goods for commerce," excepting employees exempted by virtue

of the provisions of section 13 (a) and employees coming under the provisions of section 14.

Signed at New York, New York, this 25th day of February 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-3126; Filed, February 26, 1943; 11:46 a. m.]

FEDERAL POWER COMMISSION

[Docket No. IT-5819]

SUPERIOR WATER, LIGHT AND POWER COMPANY AND NORTHERN POWER COMPANY

NOTICE OF APPLICATION

FEBRUARY 26, 1943.

Notice is hereby given that on February 25, 1943, a joint application was filed with the Federal Power Commission, pursuant to section 203 of the Federal Power Act, by Superior Water, Light and Power Company and Northern Power Company, corporations organized and existing under and by virtue of the laws of the State of Wisconsin, with their principal offices at Superior, Wisconsin, seeking an order of authorization with respect to the proposed acquisition by Superior Water, Light and Power Company of all of the properties and other assets, and the assumption of all of the obligations of Northern Power Company, except $794,000.00 of open account indebtedness of the latter to American Power & Light Company, which is to be forgiven as a gratuitous contribution to the capital of Northern Power Company as a part of and incidental to a program for the merger of Northern Power Company into Superior Water, Light and Power Company, and the refinancing of the latter as the combined and continuing company; or, in the alternative, an order dismissing the application for lack of jurisdiction of the Commission over the subject matter; all as more fully appears in the application on file with this Commission.

Any person desiring to be heard or to make any protest in reference to said application should, on or before the 13th day of March, 1943, file with the Federal Power Commission a petition or protest in accordance with the Commission's Rules of Practice and Regulations.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 43-3096; Filed, February 26, 1943; 11:28 a. m.]

FEDERAL TRADE COMMISSION

[Docket No. 4920]

MINNEAPOLIS-HONEYWELL REGULATOR COMPANY

COMPLAINT AND NOTICE OF HEARING

Count I: Pursuant to the provisions of the Federal Trade Commission Act and by virtue of the authority vested in it by said Act, the Federal Trade Commission having reason to believe that Minneapolis-Honeywell Regulator Company, hereinafter referred to as respondent, has violated the provisions of section 5 of said Act, and it appearing to the Commission that a proceeding by it in respect thereof would be in the public interest, hereby issues its complaint, stating its charges in that respect as follows:

PARAGRAPH ONE: Respondent Minneapolis-Honeywell Regulator Company is a corporation organized, existing and doing business under and by virtue of the laws of Delaware, with its general office and principal place of business at 2747 Fourth Avenue, South, in the city of Minneapolis, state of Minnesota. It is now and for more than three years last past has been engaged in the manufacture of automatic temperature controls for oil, gas and coal heating plants and industrial operations and in the sale thereof principally to oil burner manufacturers and also to jobbers, wholesalers and dealers in oil burner equipment located throughout the several states of the United States, the territories thereof, and in the District of Columbia, causing said products, when sold, to be transported from the places of manufacture in the states or Minnesota, Indiana, Pennsylvania, and through distribution points in other states of the United States, to the purchasers thereof located in states other than the states of manufacture. There is now, and has been for more than three years last past, a constant current of trade and commerce in said products between and among the various states of the United States, the territories thereof and in the District of Columbia.

The said respondent is the principal manufacturer of automatic temperature controls in the United States, the total volume of sales of said products by the said respondent, annually, during the past three years, constituting more than 60% of the total number of automatic temperature controls sold annually in the United States to burner manufacturers for domestic heating plants and to contractors and dealers in domestic automatic heating equipment. The respondent in the sale of automatic temperature controls as aforesaid, has entered into and now has in effect annual contracts or agreements with manufacturers of oil burners for domestic heating plants for a number of sets and units of automatic temperature controls equal to approximately the manufacturers annual requirements of such products, and the number of oil burner manufacturers having such contracts with said respondent has constituted for more than three years last past, and now constitutes a majority of all the manufacturers of oil burners for domestic heating plants within the United States.

In the course and conduct of its said business as herein described, respondent has been for more than three years last past and now is in substantial competition in the sale of automatic temperature controls in commerce between and among the various states of the United States, the territories, thereof, and in the District of Columbia, with approximately six other corporations, persons, firms and partnerships.

PAR. TWO: In the automatic operation of a domestic oil burner, three types of controls are required and used and are usually, but not necessarily, sold in sets consisting of (1) a thermostat which is placed in the room or space to be heated, (2) a limit control which is a device placed on the heating plant to control the temperature or pressure in the heating plant, such as aerostat for hot air heating plants, aquastat for hot water heating plants and vaporstat for vapor heating plants, and (3) a primary control which controls the cycle of operation of the automatic burner so as to prevent an explosion, such as a protectorelay. Some domestic oil burner manufacturers, in addition, equip their domestic oil burners with a fan control, the fan being operated as an extra limit control. Many domestic oil burner manufacturers, particularly those who also manufacture furnaces, purchase several thermostats and primary controls, using them as zone controls in the heating of large spaces.

The primary control sometimes referred to as a combustion control, a master control, or a safety control is an essential element in every domestic oil burner installation. The respondent owns or controls most of the existing patents on said primary controls (protectorelay) but there are many thermostats and limit controls being manufactured and sold by said competitors of respondent which could be and are satisfactorily and safely used by oil burner manufacturers, furnace manufacturers and contractors interchangeably with the thermostats and limit controls manufactured and sold by the respondent.

PAR. THREE: Respondent in the course and conduct of its said business as hereinbefore described in the year 1936 and prior thereto entered into, or attempted to enter into, written agreements with all its domestic oil burner manufacturer customers under the terms of which the purchaser is obligated to purchase his requirements of automatic temperature controls from the respondent, said controls to be purchased in sets consisting of one thermostat, one limit control and one primary control at a combination price per set. Said agreements contained the following provisions:

> It is specifically agreed that other control equipment is not to be considered as part of a set within the terms of this contract because the Company's costs are figured to cover a complete set of controls and the following breakdown prices are purely for enforcing purposes. It is agreed that the purchasers' yearly purchases will consist of at least 90% as many thermostats and 100% (but at the company's option not more than 125%) as many limit controls as primary controls • • • The purchaser agrees that at least 95% of his control requirements consisting of thermostats, primary controls and limiting devices will be purchased from the Company.

Beginning in January 1937, the respondent discontinued the foregoing provision with respect to the 95% of the customer's control requirements in its contracts with its domestic oil burner manufacturer customers, and since that time has not entered into contracts with its domestic oil burner manufacturer customers containing said provision.

The respondent in the year 1939 and in subsequent years in all such agreements with its domestic oil burner manufacturer customers has included similar set prices with the following provision:

> The Company agrees to sell, and the Purchaser agrees to purchase, subject to the reservations hereinafter named, during the life of this contract _____ sets or more of the Company's automatic temperature controls. Because the Company's thermostats and primary controls are specifically designed to operate one with the other, it is unsatisfactory and often dangerous to mix controls made by different manufacturers in the same installation, and the Company does not give any assurance of satisfactory operation nor assume any service responsibility if its controls are used with other makes. It is, therefore, further agreed that each set shall consist of but one Thermostat, one Primary Control, and one Limit Control, and that the Purchaser will buy at least 90% as many Room Thermostats and 100% as many Limit Controls as Primary Controls at the following prices.

PAR. FOUR: As a result of the acts and practices of the respondent set forth in paragraph three herein for more than three years last past a substantial number of oil burner manufacturers for domestic heating plants have been induced to purchase either their entire requirements or a majority of their requirements of automatic temperature controls from the respondent, and competitors of the respondent have been prevented from selling their thermostats and limit controls in substantial quantities to the oil burner manufacturers for domestic heating plants purchasing primary controls from the respondent.

PAR. FIVE: Respondent in the course and conduct of its said business has for more than three years last past adopted or pursued the policy or practice of granting or attempting to grant, under threat of infringement suit, a non-exclusive license to certain of its competitors under license agreements to manufacture and sell a combination furnace control system wherein the limit control, a fan control, and a thermostat, neither covered by patent, are operated together under a system patent covering "furnace control" issued to one Edward E. Freeman and known as the Freeman Patent, owned and controlled by said respondent. In consideration for the granting of said license the respondent exacted and received royalties from licenses of 50¢ per unit manufactured under said license. In said license agreement the license is granted on the express condition that the prices, terms and conditions of sale of combination furnace controls made in accordance with the terms of the agreement shall not be more favorable to the customer than those fixed from time to time by the licensor for its own products embodying the invention covered by the agreement, and that the licensee will sell said controls only at prices and on terms not more favorable to the customer than those set forth in a price schedule issued from time to time by the licensor. Said price schedule attached to and made a part of said agreement contains net minimum prices to be observed by the manufacturers for a combination furnace control and also those to be observed by jobbers and wholesalers as well as retail dealers.

Respondent for more than three years last past has sold a combination furnace and fan control embodying the said Freeman patent and in connection therewith it manufactures the fan switch but not the fan and manufactures the limit switch and the thermostat. The sales of said combination furnace and fan control by the respondent have substantially increased beginning with the year 1939 when said respondent began to issue licenses to its said competitors as aforesaid.

PAR. SIX: Respondent in the course and conduct of its said business manufactures and sells combustion stoker switches to furnace manufacturers throughout the United States and said respondent has followed the policy of selling said combustion stoker switches to its said customers under so-called exclusive license agreements whereby the said customers are granted licenses to use and sell said combustion stoker switches in combination with other devices under a domestic heating system of maintaining stoker fire which includes stoker switches and which is manufactured under a system patent of which the said respondent was an exclusive licensee, when as a matter of fact respondent well knew that the said patent did not cover or include the said stoker combustion switch.

PAR. SEVEN: The acts and practices of the respondent as herein alleged are all to the prejudice of competitors of respondent and of the public; have a dangerous tendency to and have actually hindered and prevented competition in the sale of automatic temperature controls for use in domestic heating plants in commerce within the intent and meaning of the Federal Trade Commission Act; have unreasonably restrained such Commerce in automatic temperature controls for use in domestic heating plants; have a dangerous tendency to create in respondents a monopoly in the sale of said products; and constitute unfair methods of competition in commerce within the intent and meaning of Section 5 of the Federal Trade Commission Act.

Count II

The Federal Trade Commission having reason to believe that Minneapolis-Honeywell Regulator Company, a corporation, hereinafter called respondent, has violated and is now violating the provisions of section 3 of the Act of Congress entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes" approved October 15, 1914 (the Clayton Act), as amended by the Robinson-Patman Act (U.S.C. Title 15, Sec. 13), hereby issues its complaint against said respondent and states its charges with respect thereto as follows, to wit:

PARAGRAPH ONE: For its charges under this paragraph of this count said Commission relies upon the matters and things set out in paragraph one of Count I of this complaint to the same extent and as though the allegations of said paragraph of said Count I were set out in full herein, and said paragraph one of said Count I is therefore incorporated herein by reference and made a part of the allegations of this count.

PAR. TWO: For its charges under this paragraph of this count said Commission relies upon the matters and things set out in paragraph two of Count I of this complaint to the same extent and as though the allegations of said paragraph of said Count I were set out in full herein, and said paragraph two of said Count I is therefore incorporated herein by reference and made a part of the allegations of this count.

PAR. THREE: For its charges under this paragraph of this count said Commission relies upon the matters and things set out in paragraph three of Count I of this complaint to the same extent and as though the allegations of said paragraph of said Count I were set out in full herein, and said paragraph three of Count I is therefore incorporated herein by reference and made a part of the allegations of this count.

PAR. FOUR: For its charges under this paragraph of this count said Commission relies upon the matters and things set out in paragraph four of Count I of this complaint to the same extent and as though the allegations of said paragraph four of Count I were set out in full herein, and said paragraph four of said Count I is therefore incorporated herein by reference and made a part of the allegations of this count.

PAR. FIVE: In the course and conduct of its said business described in paragraph one, two, three and four of Count I of this complaint respondent, in the course of commerce between and among the various states of the United States and the District of Columbia as described in said paragraphs one and two of said Count I of this complaint, for more than three years last past or thereabouts, has made sales and contracts for the sale of automatic temperature controls for heating plants on the condition, agreement or understanding that the purchasers thereof should not deal in or use any automatic temperature control for heating plants of a competitor or competitors of said respondent. The effect of said sales and contracts for sale and of such condition, agreement or understanding have been or may be to substantially lessen competition or tend to create a monopoly in a line of commerce, namely, the interstate sale and distribution of automatic temperature controls for heating plants.

PAR. SIX: The aforesaid acts of respondent, Minneapolis-Honeywell Regulator Company, constituted a violation of the provisions of section 3 of the hereinabove mentioned Acts of Congress entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914 (the Clayton Act).

Count III

The Federal Trade Commission having reason to believe that Minneapolis-

Honeywell Regulator Company, a corporation, hereinafter called respondent, has violated and is now violating the provisions of section 2 of the Act of Congress entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes" approved October 15, 1914 (the Clayton Act) as amended by the Robinson-Patman Act (U.S.C. Title 15, Sec. 13), hereby issues this its complaint against said respondent and states its charges with respect thereto as follows, to wit:

PARAGRAPH ONE: For its charges under this paragraph of this count said Commission relies upon the matters and things set out in paragraph one of Count I of this complaint to the same extent and as though the allegations of said paragraph of said Count I were set out in full herein, and said paragraph one of said Count I is therefore incorporated herein by reference and made a part of the allegations of this count.

PAR. TWO: For its charges under this paragraph of this count said Commission relies upon the matters and things set out in paragraph two of Count I of this complaint to the same extent and as though the allegations of said paragraph of said Count I were set out in full herein, and said paragraph two of said Count I is therefore incorporated herein by reference and made a part of the allegations of this count.

PAR. THREE: In the course and conduct of its said business described in paragraph one and two of Count I of this complaint respondent, Minneapolis-Honeywell Regulator Company, has been for more than three years last past and is now discriminating in price between different purchasers buying automatic temperature controls for heating plants of like grade and quality by selling its said products to some of its customers at lower prices than it sells said products of like grade and quality to other of its customers, many of whom are competitively engaged one with another in the resale of said products within the United States. The respondent during said period of time has engaged in the following discriminatory practices and methods of determining the prices at which it sells its said products to its said customers:

(1) Respondent has classified its customers as follows: (a) oil burner manufacturers, (b) oil burner jobbers, (c) oil burner wholesalers—Class A, (d) oil burner wholesalers—Class B, and (e) dealers.

(2) Respondent publishes list prices for its said products, with discounts regularly and usually allowed to each respective class of trade, said discounts varying from 25 per cent up to 45 per cent, depending upon the product and the service rendered, that is, whether its customer is a dealer, jobber or wholesaler. Oil burner manufacturers who purchase approximately 95% of respondents temperature controls for oil business are usually granted the maximum trade discount or approximately 45 per cent from the list price when buying in minimum quantities.

(3) Respondent sells its said products, particularly thermostats, limit controls and primary controls in units and in sets to manufacturers of oil burners under contracts providing for annual discount arrangements, including seven separate and distinct price brackets, with net prices fixed in proportion to the quantity requirements of the customer under the contract.

(4) Respondent sells its said contract customer buying up to 50 sets annually at a base price which has varied from time to time, but which is approximately 45 per cent less than the base price in effect, and such customers buying in annual quantities in excess of 50 sets are sold at varying discriminatory prices applicable to the different quantity brackets in effect, the most favored customers being sold at discriminatory prices ranging respectively from approximately 45 per cent less than the base price in 1938, to approximately 30 per cent less than the base price in 1940.

PAR. FOUR: The effect of the said discriminations in price mentioned in paragraph two and three hereof has been or may be substantially to lessen competition in the line of commerce in which respondent is engaged and to injure, destroy and prevent competition between the respondent and its competitors, and to injure, destroy and prevent competition between the customers of said respondent in the sale and distribution of automatic temperature controls for heating plants, and has been and may be to tend to create a monopoly in said line of commerce in the various localities or trade areas in the United States in which said respondent and its competitors are engaged in the sale and distribution of said products.

PAR. FIVE: The foregoing acts and practices of respondent are violations of subsection 2 (a) of section 1 of the said Act of Congress approved June 19, 1936, entitled "An Act to amend Section 2 of an Act entitled 'An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes' approved October 15, 1914, as amended U. S. C. Title 15, Sec. 13 and for other purposes."

Wherefore, the premises considered, the Federal Trade Commission on this 23d day of February A. D. 1943 issues its complaint against said respondent.

Notice

Notice is hereby given you, Minneapolis-Honeywell Regulator Company, respondent herein, that the 2d day of April A. D. 1943, at 2 o'clock in the afternoon, is hereby fixed as the time, and the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said Act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The rules of practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

> In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.
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> . . . . . .
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> Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.
>
> If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.
>
> Contemporaneously with the filing of such answer the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 23d day of February A. D. 1943.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-3125; Filed, February 26, 1943; 11:16 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 6 Under RPS 67]

STOKERUNIT CORPORATION

ORDER GRANTING IN PART AND DENYING IN PART

Order 6 under Revised Price Schedule 67—New Machine Tools—Docket No. 3067-38.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and Procedural Regulation No. 6, *It is hereby ordered:*

(a) On and after September 22, 1942 any person is hereby authorized and permitted to sell and deliver the new machine tools manufactured by Stokerunit Corporation, of Milwaukee, Wisconsin, set forth below, at prices not to exceed the prices set forth below:

(1) Shell Centering Machine	$ 8,000
(2) Shell Boring Machine—105 mm.	13,400
(3) Shell Boring Machine—155 mm.	13,910

(b) Within fifteen days after the effective date of this order, Stokerunit Corporation shall (1) certify to the Office of Price Administration, Washington, D. C., that no sum in excess of the prices set forth in (a) for each machine was paid by any purchaser for any such machine delivered on or after September 28, 1942, or (2) shall refund the excess over such prices to each purchaser who has paid such excess for any such machine delivered on or after September 28, 1942, and shall within fifteen days after making such refunds submit proof to the Office of Price Administration, Washington, D. C., that such refunds have been made.

(c) Except to the extent provided in paragraph (a) of this order, the application for adjustment filed September 28, 1942 by Stokerunit Corporation, of Milwaukee, Wisconsin, is denied.

(d) This Order No. 6 may be revoked or amended by the Office of Price Administration at any time.

(e) This Order No. 6 shall become effective February 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3072; Filed, February 25, 1943; 3:12 p. m.]

[Order 7 Under RPS 67]

BAUSH MACHINE TOOL COMPANY

ORDER GRANTING IN PART AND DENYING IN PART

Order 7 Under Revised Price Schedule 67—New Machine Tools—Docket No. 3067-49.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250 and Procedural Regulation No. 6, *It is hereby ordered:*

(a) On and after January 13, 1943, any person may sell and deliver any number of new Baush 5" Horizontal Boring Machines—table type, 48" x 96", 36" bar stroke, with 15 h. p. Motor Drive, manufactured by Baush Machine Tool Company, of Springfield, Massachusetts, for the price of $31,200 each.

(b) Except to the extent granted in paragraph (a) of this order, the application for adjustment filed January 13, 1943, by Baush Machine Tool Company is denied.

(c) Within fifteen days after this order is issued, Baush Machine Tool Company shall (1) certify to the Office of Price Administration, Washington, D. C., that no sum in excess of $31,200 was paid by any purchaser for any such machine delivered on or after January 13, 1943, or (2) shall refund the excess over $31,200 to each purchaser who has paid such excess for any such machine delivered on or after January 13, 1943, and shall within fifteen days after making such refunds submit proof to the Office of Price Administration, Washington, D. C., that such refunds have been made.

(d) This Order No. 7 may be revoked or amended by the Office of Price Administration at any time.

(e) This Order No. 7 shall become effective February 26, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3074; Filed, February 25, 1943; 4:20 p. m.]

[Amendment 1 to Order 7, MPR 136]

CHAMPION RIVET COMPANY

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 1 to Order No. 7 under § 1390.25 (a) of Maximum Price Regulation No. 136, as amended—Machines and Parts and Machinery Services.

An opinion accompanying this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

In paragraph (a) (3) the words "January 22, 1943," are amended to read "January 2, 1943."

This Amendment No. 1 to Order No. 7 under § 1390.25 (a) of Maximum Price Regulation No. 136, as amended, shall become effective February 27, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3106; Filed, February 26, 1943; 11:31 a. m.]

[Amendment 1]

GENERAL CHEMICAL COMPANY [1]

ORDER REQUIRING INFORMATION

The date "February 25, 1943" in paragraph (a) of the above entitled order is issued on February 5, 1943, is amended to read "March 5, 1943."

This Amendment No. 1 shall become effective February 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3073; Filed, February 25, 1943; 3:12 p. m.]

[1] 8 F.R. 1771.

[Amendment 1 to Order 111, MPR 188]

NUNN COMPANY

AUTHORIZATION OF MAXIMUM PRICE

Amendment No. 1 to Order No. 111 under § 1499.161 (a) of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel—Docket No. 3188-47. Authorization of a maximum price for crude sand, glass sand, and fines for the Nunn Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, Order No. 111, issued pursuant to § 1499.161 (a) of Maximum Price Regulation No. 188, is hereby amended to read as set forth below:

(a) The Nunn Company, 404 Fay Building, Los Angeles, California, may sell and deliver, f. o. b. its plant, Overton, Nevada, "crude sand," "glass sand," and "fines" at the prices set forth below:

(1) Crude sand @ $2.07 per ton.
(2) Glass sand @ $3.49 per ton.
(3) Fines @ $2.26 per ton.

(b) All prayers in the petition not specifically granted herein are denied.

(c) The petitioner shall submit such reports to the office of Price Administration as it may from time to time require.

(d) This Amendment No. 1 to Order No. 111 may be revoked or amended by the Price Administrator at any time.

(e) This amendment shall become effective February 27, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871).

Issued this 26th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3104; Filed, February 26, 1943; 11:32 a. m.]

[Order 176 Under MPR 188]

PACIFIC SILICA CO., INC.

APPROVAL OF MAXIMUM PRICE

Order No. 176 under Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel—Docket No. GF3-3014.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Order No. 9250, and Procedural Regulation No. 6, *It is hereby ordered*, That:

(a) Specific authority is hereby granted the Pacific Silica Company, Incorporated, 3300 First Avenue, South, Seattle, Washington, to sell and deliver silica rock at a price not in excess of $2.00 per net ton delivered f. o. b. Dennison, Washington.

(b) All prayers in the petition not specifically granted herein are denied.

(c) The petitioner shall submit such reports to the Office of Price Administration as it may from time to time require,

(d) This Order No. 176 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 176 shall become effective February 27, 1943.

Issued this 26th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3108; Filed, February 26, 1943; 11:33 a. m.]

[Order 36 Under RPS 6]

ATLANTIC STEEL COMPANY

ORDER GRANTING EXCEPTION

Order No. 36 under Revised Price Schedule No. 6—Iron and Steel Products—Docket No. 3006-39.

On February 5, 1943, Atlantic Steel Company of Atlanta, Georgia, filed a petition for exception to Revised Price Schedule No. 6 as amended, pursuant to § 1306.7(e) thereof. Due consideration has been given to the petition and an opinion in support of this Order No. 36 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration, *It is hereby ordered:*

(a) The maximum price at which Atlantic Steel Company may sell shell steel produced by it in the form of round cornered square billets to the Gadsden Ordnance Plant operated by Lansdowne Steel and Iron Company shall be the maximum applicable Birmingham base prices as otherwise established by Revised Price Schedule No. 6, f. o. b. Atlanta, Georgia.

(b) The provisions of paragraph (a) hereof shall be applicable to all shipments made on or after February 5, 1943.

(c) This Order No. 36 may be revoked by the Price Administrator at any time.

(d) The definitions set forth in § 1306.8 of Revised Price Schedule No. 6 shall apply to the terms used herein.

(e) This Order No. 36 shall become effective as of February 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250 7 F.R. 7871)

Issued this 26th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3107; Filed, February 26, 1943; 11:33 a. m.]

[Order 8 Under RPS 67]

GOULD AND EBERHARDT, INCORPORATED

ADJUSTMENT OF MAXIMUM PRICE

Order No. 8 under Revised Price Schedule No. 67—New Machine Tools—Docket No. 3067-46.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and Procedural Regulation No. 6, *It is hereby ordered:*

(a) On and after December 12, 1942, any person may sell and deliver any of the 75 new Gould and Eberhardt Universal Tables for 24", 28", and 32" Gould and Eberhardt Industrial Shapers, manufactured for Gould and Eberhardt, Incorporated, of Newark, New Jersey, by American Type Founders, Incorporated, Elizabeth, New Jersey, as subcontractor, for the price of $800.

(b) This Order No. 8 may be revoked or amended by the Office of Price Administration at any time.

(c) This Order No. 8 shall become effective February 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3105; Filed, February 26, 1943; 11:32 a. m.]

[Rev. Gen. Order 20]

AUTHORIZATION OF DIRECTOR FOR THE TERRITORY OF PUERTO RICO

DELEGATION OF AUTHORITY TO ACT FOR THE ADMINISTRATOR

Pursuant to the authority conferred upon the Administrator by Executive Order No. 9125,[1] Executive Order No. 9280,[2] War Production Board Directive No. 1-J, and Food Distribution Administration Food Directive No. 3, the following order is prescribed:

General Order No. 20 is amended to read as follows:

(a) The Director of the Office of Price Administration for the Territory of Puerto Rico is authorized and directed to exercise the functions, duties, powers, authority and discretion conferred upon the Administrator for the purpose of permitting the efficient rationing of all material in the Territory of Puerto Rico: *Provided, however,* That any program initiated pursuant to this authorization shall be subject to the approval of the Administrator for the Ninth Region of the Office of Price Administration.

(b) Any order issued by said Director pursuant to this delegation of authority shall have the same force and effect as if issued by the Administrator.

(c) The authority delegated hereby shall not include the power or authority to ration farm machinery and equipment. As used herein the term farm machinery and equipment shall have the same meaning as is given it in paragraph (b) of War Production Board Supplementary Directive No. 1-K.

Issued and effective this 26th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3102; Filed, February 26, 1943; 11:35 a. m.]

[Rev. Gen. Order 21]

AUTHORIZATION OF DIRECTOR FOR THE TERRITORY OF THE VIRGIN ISLANDS

DELEGATION OF AUTHORITY TO ACT FOR THE ADMINISTRATOR

Pursuant to the authority conferred upon the Administrator by Executive Order No. 9125,[1] Executive Order No. 9280,[2] War Production Board Directive No. 1-J, and Food Distribution Administration Food Directive No. 3, the following order is prescribed:

General Order No. 21 is amended to read as follows:

(a) The Director of the Office of Price Administration for the Territory of the Virgin Islands is authorized and directed to exercise the functions, duties, powers, authority and discretion conferred upon the Administrator for the purpose of permitting the efficient rationing of all material in the Territory of the Virgin Islands;

Provided, however, That any program initiated pursuant to this authorization shall be subject to the approval of the Administrator for the Ninth Region of the Office of Price Administration.

(b) Any order issued by said Director pursuant to this delegation of authority shall have the same force and effect as if issued by the Administrator.

(c) The authority delegated hereby shall not include the power or authority to ration farm machinery and equipment. As used herein the term farm machinery and equipment shall have the same meaning as is given it in paragraph (b) of War Production Board Supplementary Directive No. 1-K.

Issued and effective this 26th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3103; Filed, February 26, 1943; 11:35 a. m.]

[Suspension Order 229]

O. K. SERVICE STATION

ORDER RESTRICTING TRANSACTIONS

Joseph Gordon and Max Gordon doing business as O. K. Service Station, 1128 Third Street NE., Washington, D. C., hereinafter called respondents, were duly served with a notice of charges of violations of the Ration Order No. 5A, Gasoline Rationing Regulations, issued by the Office of Price Administration. Pursuant to the notice, a hearing upon the charges was held in Washington, D. C., on November 25, 1942. There appeared a representative of the Office of Price Administration and respondents. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been duly considered, it is hereby determined that:

(a) Respondents are dealers in gasoline and operate a filling station at 1128 Third Street NE., Washington, D. C.

(b) Respondents have violated Ration Order No. 5A, Gasoline Rationing Regulations (§ 1394.1502) in that between July 22, 1942 and November 17, 1942 respondents transferred gasoline to consumers without receiving in exchange therefor any gasoline ration coupons.

(c) Respondents have violated Ration Order No. 5A, Gasoline Rationing Regulations (§ 1394.1629) in that sometime in September, 1942, respondents decreased the capacity of their gasoline storage facilities by converting a 1,000-gallon tank from the storage of gasoline to the storage of kerosene without surrendering to the Board with which they were registered, coupons or other evidences equal in gallonage value to the amount of the decrease, and without surrendering their certificate of registration to the Board for cancellation.

(d) Respondents have violated Ration Order No. 5A, Gasoline Rationing Regulations (§ 1394.1503) in that between July 22, 1942, and November 17, 1942, respondents transferred gasoline to consumers and accepted in exchange therefor 32 Class A No. 3 Gasoline Rationing coupons.

Because of the great scarcity and critical importance of gasoline in Washington, D. C., respondents' violations of Ration Order No. 5A, Gasoline Rationing Regulations have resulted in the diversion of gasoline from military and essential civilian uses to non-essential uses in a manner contrary to the public interest and detrimental to the national war effort. It appears that further violations by respondent are likely unless appropriate administrative action is taken. *It is therefore ordered:*

(e) During the period in which this Suspension Order No. 229 shall be in effect,

(1) Respondents shall not accept any deliveries or transfers of, or in any manner directly or indirectly receive from any source any gasoline for resale.

(2) Respondents shall not transfer or deliver or otherwise trade or deal in gasoline.

(3) No person shall in any manner, directly or indirectly transfer or deliver any gasoline to respondents for resale.

(f) Any terms used in this Suspension Order No. 229 that are defined in Ration Order No. 5A, Gasoline Rationing Regulations, shall have the meaning therein given them.

This Suspension Order No. 229 shall become effective 12:01 a. m. March 8, 1943, and unless sooner terminated shall expire 12:01 a. m. April 7, 1943.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89 and 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 4216); Supplementary Directive 1Q (7 F.R. 9121))

Issued this 26th day of February 1943.

LOUIS H. HARRIS,
Chairman, Industry Council.

[F. R. Doc. 43-3100; Filed, February 26, 1943; 11:31 a. m.]

[Suspension Order 230]

JEROME MILANI

ORDER RESTRICTING TRANSACTIONS

Jerome Milani, Route No. 2 and Franklin Avenue, Hasbrouck Heights, New Jersey, hereinafter called respondent, was duly served with a notice of charges of violations of Ration Order No. 5A, Gasoline Rationing Regulations, issued by the Office of Price Administration. Pursuant to the notice, a hearing upon the charges was held in Newark, New Jersey, on December 18, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been duly considered, it is hereby determined that:

(a) Respondent is a dealer in gasoline and operates a gasoline filling station known as Colonial Service Station at Route No. 2 and Franklin Avenue, Hasbrouck Heights, New Jersey.

(b) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations (§ 1394.1502) in that, between July 22, 1942, and November 17, 1942, respondent transferred gasoline to consumers without receiving in exchange therefor any gasoline ration coupons or other evidences.

(c) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations (§ 1394.1503) in that, between July 22, 1942, and November 17, 1942, respondent transferred gasoline to consumers and accepted in exchange therefor 14 Class A. No. 3 gasoline coupons.

Because of the great scarcity and critical importance of gasoline in New Jersey, respondent's violations of Ration Order No. 5A, Gasoline Rationing Regulations, have resulted in the diversion of gasoline from military and essential uses into nonessential uses in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Chairman of Industrial Council that further violations by respondent are likely unless appropriate administrative action is taken.

It is therefore ordered:

(d) During the period in which this Suspension Order No. 230 shall be in effect,

(1) Respondent shall not accept any deliveries or transfers of, or in any manner directly or indirectly receive from any source any gasoline for resale.

(2) Respondent shall not transfer or deliver or otherwise trade or deal in gasoline.

(3) No person shall in any manner, directly or indirectly transfer or deliver any gasoline to respondent for resale.

(e) Any terms used in this Suspension Order No. 230 that are defined in Ration Order No. 5A, Gasoline Rationing Regulations, shall have the meaning therein given them.

This Suspension Order No. 230 shall become effective 12:01 a. m. March 8, 1942, and unless sooner terminated shall expire 12:01 a. m. March 18, 1943.

(Pub. Law 421, 77th Cong.; sec 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89 and 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216); Supplementary Directive 1Q (7 F.R. 9121))

Issued this 26th day of February 1943.

LOUIS H. HARRIS,
Chairma, Industry Council.

[F. R. Doc. 43-3101; Filed, February 26, 1943; 11:31 a. m.]

Regional Office, Region I.

[Amendment 2 to Emergency Order 4, Under Ration Order 11]

FUEL OIL SHORTAGE IN SOUTHERN NEW ENGLAND

Pursuant to the authority conferred upon the Regional Administrator by § 1394.5715 of Ration Order No. 11, as amended, paragraph (c) (13) of Emergency Order No. 4 is amended to read as follows:

(c) *Order.* • • •

(13) *Effective period.* Emergency Order No. 4 shall terminate at 12:00 p. m. March 3, 1943 unless extended by further order.

Effective date of Amendment 2. Amendment 2 to Emergency Order No. 4 shall become effective February 20, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong., W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1-O, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719, Ration Order No. 11, 7 F.R. 8480)

Issued this 20th day of February 1943.

KENNETH B. BACKMAN,
Regional Administrator.

[F. R. Doc. 43-3061; Filed, February 25, 1943; 3:10 p. m.]

[Amendment 2 to Emergency Order 5, Under Ration Order 11]

RESIDUAL OIL SHORTAGE IN SOUTHERN NEW ENGLAND

Pursuant to the authority conferred upon the Regional Administrator by § 1394.5715 of Ration Order No. 11, as amended, paragraph (c) (13) of Emergency Order No. 5 is amended to read as follows:

(c) *Order.* • • •

(13) *Effective period.* Emergency Order No. 5 shall terminate at 12:00 p. m. March 3, 1943 unless extended by further order.

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[1] 7 F.R. 2719.
[2] 7 F.R. 10179.

[1] 7 F.R. 2719.
[2] 7 F.R. 10179.

Effective date of Amendment 2. Amendment 2 to Emergency Order No. 5 shall become effective February 20, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong., W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1–0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719, Ration Order No. 11, 7 F.R. 8480)

Issued this 20th day of February 1943.

KENNETH B. BACKMAN,
Regional Administrator.

[F. R. Doc. 43–3062; Filed, February 26, 1943; 3:10 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70–618]

AMERICAN POWER & LIGHT COMPANY

ORDER GRANTING APPLICATION, ETC.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 22d day of February, A. D., 1943.

Order granting application and permitting declaration to become effective in part and denying same in part.

American Power & Light Company, ("American") a registered holding company, and a subsidiary of Electric Bond and Share Company, likewise a registered holding company, having filed an application and declaration under the Public Utility Holding Company Act of 1935, particularly sections 10 and 12 (c) thereof and Rule U-42 thereunder, regarding the expenditure of not in excess of $10,000,000, in cash, to acquire by open market purchases part of its outstanding Gold Debenture Bonds, 6% Series, due 2016 and its assumed Southwestern Power & Light Company 6% Gold Debenture Bonds, Series A, due 2022 at prices not in excess of the principal amount of such debentures or by call for tenders if at the end of approximately six months there remains unexpended as much as $200,000 of such $10,000,000;

A public hearing on said application and declaration having been held after appropriate notice; and, the Commission having examined the record and having made and filed its findings herein;

It is ordered, That said application and declaration insofar as they relate to open market purchases be, and hereby are, granted and permitted to become effective forthwith, subject, however, to the transactions therein set forth being carried out in conformity with the representations made, and for the purposes stated in said application and declaration, and in compliance with the conditions prescribed in Rule U-24 and subject to the following additional terms and conditions:

(1) That at least ten days before purchases are commenced, American shall advise by letter each known holder of its debentures fully with respect to its intention to make purchases and the method to be employed, and shall furnish to each known debenture holder a copy of our Findings and Opinion herein; the form of such letter to be submitted to the staff of the Public Utilities Division prior to release; that American shall cause to be published, at least twice, in a daily periodical of general circulation, a public notice of its intention to make such purchases; and such purchases shall not commence until five days subsequent to publication of the second notice;

(2) That all purchases be made at prices of not less than 95 per cent of principal amount (exclusive of accrued interest); and, American shall not solicit or cause to be solicited the sale of any of its debentures;

(3) That no debentures shall knowingly be purchased directly or indirectly from any officer or director of American, its subsidiaries or affiliates;

(4) That American shall furnish to the Commission promptly at the end of each week, a schedule showing for each day covered by such schedule the principal amount of debentures of each class purchased on the New York Curb Exchange and the price at which purchased, and that as to purchases other than on the New York Curb Exchange, American furnish a report with respect to each such purchase within one day showing the identity of the seller, the amount purchased, and the price paid;

(5) That no purchases shall be made after the expiration of four months from the date of this order, subject, however, to the right of American to apply for an extension or extensions of such period;

(6) That American shall promptly, upon completion of the proposed purchase program, notify its debenture holders to that effect through publication, at least twice, of an appropriate notice in a daily periodical of general circulation;

(7) That the Commission reserves jurisdiction, in its discretion to rescind or modify this order, upon motion of American or on its own motion after notice to American, at any time prior to the expiration of such four months' period or any extension thereof; any such rescission or modification to be applicable only to such portion of the $10,000,000 as shall not have been previously expended.

It is further ordered, That said application and declaration insofar as they relate to call for tenders at the termination of the open market purchase program be, and the same hereby are, denied, without prejudice, however, to the right of American to file an application and declaration with respect to such matter after the termination of said open market purchase program.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43–3059; Filed, February 25, 1943; 2:38 p. m.]